



Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

May 23, 2012, to December 4, 2013  
and Index

The Honourable Gene Zwozdesky, Speaker







Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Wednesday, May 23, 2012

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The Honourable Gene Zwozdesky, Speaker

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**The 28th Legislature**

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Mason, Brian, Edmonton-Highlands-Norwood (ND),  
    Leader of the New Democrat Opposition  
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    Official Opposition Deputy Whip  
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Pedersen, Blake, Medicine Hat (W)  
Quadri, Sohail, Edmonton-Mill Woods (PC)  
Quest, Dave, Strathcona-Sherwood Park (PC)  
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Rodney, Hon. Dave, Calgary-Lougheed (PC)  
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Sandhu, Peter, Edmonton-Manning (PC)  
Sarich, Janice, Edmonton-Decore (PC)  
Saskiw, Shayne, Lac La Biche-St. Paul-Two Hills (W),  
    Official Opposition Deputy House Leader  
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Strankman, Rick, Drumheller-Stettler (W)  
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Weadick, Hon. Greg, Lethbridge-West (PC)  
Webber, Len, Calgary-Foothills (PC)  
Wilson, Jeff, Calgary-Shaw (W)  
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
    Government Whip

**Party standings:**

Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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## Legislative Assembly of Alberta

1:30 p.m.

Wednesday, May 23, 2012

[The Mace was on a cushion below the table]

**The Sergeant-at-Arms:** Order! All rise, please.

[The Clerk read the Royal Proclamation dated May 8, 2012, summoning the Members of the Legislative Assembly of Alberta to convene on this date]

**The Clerk:** Please be seated.

### Entrance of the Lieutenant Governor

[The Premier, the Clerk, and the Sergeant-at-Arms left the Chamber to attend the Lieutenant Governor]

**The Sergeant-at-Arms:** Order! All rise, please.

His Honour the Honourable the Lieutenant Governor.

[Preceded by the Sergeant-at-Arms, His Honour the Lieutenant Governor of Alberta, Colonel (Retired) Donald S. Ethell, OC, OMM, AOE, MSC, CD, LLD, his party, the Premier, and the Clerk entered the Chamber. His Honour took his place upon the throne]

**His Honour:** Pray be seated.

**Mr. Denis (Provincial Secretary):** Hon. members, I am commanded by His Honour the Honourable the Lieutenant Governor to inform you that he does not see fit to declare the causes of the summoning of the present Legislature of this province until a Speaker of this Assembly shall have been chosen according to law. He therefore is pleased to retire from this Assembly, to return at a subsequent hour tomorrow to declare the causes of the calling of this Legislature.

**The Sergeant-at-Arms:** All rise, please.

[Preceded by the Sergeant-at-Arms, the Lieutenant Governor, his party, and the Premier left the Chamber]

**The Clerk:** Please be seated.

### Election of a Speaker

**The Clerk:** Hon. members, pursuant to the Lieutenant Governor's direction and section 16(1) of the Legislative Assembly Act nominations are invited for the Office of Speaker of this Assembly for the 28th Legislature. Pursuant to Standing Order 11(1) the Speaker shall be elected according to the procedure set out in schedule A of the standing orders.

Nominations are now invited. Mr. Quest.

**Mr. Quest:** Thank you, Mr. Clerk. I'm pleased to nominate the hon. Member for Edmonton-Mill Creek, Mr. Gene Zwozdesky, for Speaker. He has experience as a minister in six portfolios, including health, education, culture, aboriginal relations, capital planning, and wellness. He served as Deputy Government House Leader for 12 years and most recently as Deputy Chair of Committees of the Legislature.

He knows and respects the rules and proceedings of the House. He has a great track record of assistance, fairness, and balance in this Assembly. He is eloquent, passionate, and multilingual and will be a great ambassador for Alberta at international events.

In conclusion, let me just add that he has received more than 40 awards and lifetime memberships for his community service, including four medals.

Our Assembly needs a person of his stature and experience, so I would urge all members to elect Mr. Gene Zwozdesky as our Speaker.

Thank you.

**The Clerk:** Mr. Zwozdesky, do you wish to accept the nomination?

**Mr. Zwozdesky:** I do, Mr. Clerk.

I want to thank the hon. Member for Strathcona-Sherwood Park for his wonderful nomination.

Thank you.

**The Clerk:** Mr. Hehr.

**Mr. Hehr:** Thank you very much. To start, I'd like to say what a great honour and privilege it is to be in this House, serving with all of you in this legislative session.

It also gives me a great deal of pride to nominate Ms Laurie Blakeman for the position of Speaker of this honourable House. She has been a five-time representative of the fabulous constituency of Edmonton-Centre. As you are well aware, she has represented our party as our House leader for virtually her entire time here. She understands the rules and procedures of this honourable House, I would suggest, better than anyone else. She is dedicated to openness and transparency and fairness in this process. I know that for a fact. She has even told me from time to time: you are far offside of the rules and regulations, and you should change your questions. I understand her commitment to fairness.

I know that she's had 17 years working in administration for nonprofit agencies. She has a professional background as a public speaker and events organizer.

She is committed to seeing this Legislature held in the esteem that it deserves. She wants to build on Speaker Kowalski's commitment to education about the role of the Legislature by taking the mock Legislature on the road to constituencies that have travel as a barrier to participating.

She wants to get the provincial legislators together to advocate with Canada Post that ad mail be delivered to all households so that provincial politicians can send annual reports, householders, get the information out to the public at their doorsteps. Currently Alberta's MLAs do not enjoy the same service as municipal and federal politicians to have this ad mail delivered. She is committed to seeing this democratic process through.

Like I said at the start, I am proud to support Laurie, to nominate Laurie, and I would respectfully submit that all members of this House should strongly consider her for the position of Speaker of this honourable House.

Thank you very much.

**The Clerk:** Do you wish to accept the nomination?

**Ms Blakeman:** Thank you very much, Mr. Clerk, and my thanks to my hon. colleague the Member for Calgary-Buffalo for that really nice nomination. Thank you very much. I can't tell you how pleased I am to see all these fresh and eager faces, all this new energy in the Assembly.

Yes, I accept with pleasure. Thank you.

**The Clerk:** Are there further nominations? If not, I declare the nominations closed.

The nominees for the position of Speaker are Ms Laurie Blakeman and Mr. Gene Zwozdesky.

Voting will commence after the list of nominees is posted in each voting booth.

[The lists of candidates were posted]

**The Clerk:** The voting will now begin. Members will vote by printing the first and last name of their preferred candidate on the ballot paper, then placing their completed ballot in the ballot box on the Sergeant-at-Arms' desk. Please start with the first row at this end, the first row at this end, and proceed row by row. Voting will now commence.

[Members voted from 1:47 p.m. to 1:55 p.m.]

**The Clerk:** Hon. members, have all voted who wish to do so? We'll now count the votes.

[Ballots were counted from 1:56 p.m. to 2:06 p.m.]

**The Clerk:** Hon. members, the number of ballots cast for the election of Speaker, 86; the number of spoiled ballots, one; the number of votes required to achieve the 50 per cent plus one majority, 44. The member having received the majority of votes cast, Mr. Gene Zwozdesky, Member for Edmonton-Mill Creek. [Standing ovation]

[The Speaker, with apparent reluctance, was escorted to the chair by Ms Redford and Ms Smith]

**The Clerk:** Hon. members, Mr. Gene Zwozdesky is hereby declared the Speaker of the Legislative Assembly of Alberta for the 28th Legislature.

**The Speaker:** Thank you, hon. members. I'm both humbled and privileged by your vote and by your support, and I will do my very utmost to ensure that we maintain that level of support in the Assembly. I will comment more on that at a later time.

Let me just say very quickly that I have four or five main areas of focus that I would like to leave with you to ponder over the next couple of days. Number one is to be as impartial as I possibly can in the delivery of my duties with which you have charged me today; two, to maintain and, where possible, improve the civility and decorum in this House that we all know, love, and respect; three, to encourage more community interest and participation in Legislature proceedings and Legislature events; four, to increase student learning about the workings of government, the opposition, the democratic process, and the work in general that you do as MLAs; five, to help promote as positive an image as possible of our beloved province, Alberta, both nationally and internationally and, of course, locally. I'll be pursuing other priorities as well, and we'll get to those at a later time in some of my comments.

I want to thank the hon. Member for Edmonton-Centre for putting her name forward. [applause] Laurie, we've known each other a long time, and somehow I just know that if I need help, it'll be there. So thank you for that.

I also want to thank our outgoing Speaker, Mr. Ken Kowalski. He did a truly outstanding job. I could make an impromptu speech here for many, many minutes just on his role, but we will thank him at another time and in a more appropriate way than today's time allows. [applause]

In any event, more comments soon to come.

Sergeant.

[The Sergeant-at-Arms placed the Mace on the table]

## Prayers

**The Speaker:** Hon. members, I would invite all of you to please stand for our daily prayer.

Let us pray, each of us in our own way. Dear God, our great Creator and Author of all wisdom, on this day of a new beginning we ask for Your guidance in the responsibility we have undertaken, and we ask for Your help in fulfilling our duties. As Members of this Legislative Assembly of Alberta may we faithfully serve all Albertans, and in the process of serving them, may we also serve You. Amen.

Please be seated.

## Election of a Deputy Speaker and Chair of Committees

**The Speaker:** Hon. members, pursuant to section 17(1) of the Legislative Assembly Act and Standing Order 58(1)(a) nominations are now invited for the Office of Deputy Speaker and Chair of Committees of this Assembly for the 28th Legislature. Please note that this is one position to be filled by one person with two duties, Deputy Speaker and Chair of Committees.

The floor is now open for nominations. The hon. Member for Calgary-Mackay-Nose Hill.

**Dr. Brown:** Thank you, Mr. Speaker. It's my pleasure to nominate the hon. Member for Leduc-Beaumont, Mr. George Rogers. I've served with Mr. Rogers since he became an MLA in 2004. I know him to be a person of integrity and honesty. He's never been shy about expressing his opinions in this House. I must say he does have a flair for fashion, and I think he'll look great in a black robe and a tricorn hat.

**The Speaker:** Thank you, Dr. Brown.

Hon. member George Rogers, do you accept the nomination?

**Mr. Rogers:** Thank you, Mr. Speaker. I am humbled and honoured to accept the nomination from the Member for Calgary-Mackay-Nose Hill.

Thank you.

**The Speaker:** Are there any other nominations? Dr. Swann.

**Dr. Swann:** Thank you very much, Mr. Speaker. It's a rare honour and pleasure to stand before you and nominate the peerless Member for Edmonton-Centre for the position of Deputy Speaker.

**Ms Blakeman:** Fabulous.

**Dr. Swann:** The fabulous constituency of Edmonton-Centre. I'm sorry. She's peerless, and the Centre is fabulous.

Ms Blakeman's knowledge of parliamentary process, faithfulness to the rules, precedents, and previous Speaker rulings as well as keeping those of us in the opposition caucus in line prove that she is the right person for the job. She is committed to public service, and she has always sought the best for her constituents and for all Albertans.

I therefore enjoin all members of this Legislature to do the right thing, the honourable thing, the unprecedented thing in Alberta and elect an opposition member as Deputy Speaker.

Thank you, Mr. Speaker.

**The Speaker:** Thank you, Dr. Swann.

Ms Blakeman, would you like to accept the nomination?

**Ms Blakeman:** It would also be unprecedented to have a woman, I think, but thank you. Yes, I do.

**The Speaker:** Are there any other nominations? Seeing no other nominations, I would then declare the nominations closed.

The nominees for the position of Deputy Speaker and Chair of Committees are Mr. George Rogers and Ms Laurie Blakeman. Voting will commence as soon as the list of nominees is posted at each voting station.

Thank you.

[The lists of candidates were posted]

**The Speaker:** Very well. The voting shall now commence.

[Members voted from 2:18 p.m. to 2:25 p.m.]

**The Speaker:** Hon. members, have all those who wished to cast a vote now done so? All done? Thank you.

Could we proceed with the count, please?

[Ballots were counted from 2:26 p.m. to 2:37 p.m.]

**The Clerk:** Mr. Speaker, the number of ballots cast for the position of Deputy Speaker and Chair of Committees, 85; number of spoiled ballots, one; the number of votes required to achieve the 50 per cent plus one majority, 44. The member having received the majority of votes cast, Mr. George Rogers, is declared Deputy Speaker and Chair of Committees of the Legislative Assembly of Alberta for the 28th Legislature.

**The Speaker:** Congratulations, Mr. Deputy Speaker and Chair of Committees. I would invite you to make a comment at this time if you wish.

**Mr. Rogers:** Thank you, Mr. Speaker. To the hon. members of the Assembly: it is indeed an honour and a privilege, and I thank you for bestowing on me this great responsibility. It is my intention to be fair and diligent in my duties as your Deputy Speaker and Chair of Committees.

Thank you.

**The Speaker:** Thank you very much, and congratulations once again.

### Election of a Deputy Chair of Committees

**The Speaker:** Hon. members, pursuant to section 17(1) of the Legislative Assembly Act and Standing Order 58(1)(b) nominations are now invited for the office of Deputy Chair of Committees for the 28th Legislature. The floor is now open for nominations.

The hon. Minister of International and Intergovernmental Relations.

**Mr. Dallas:** Thank you, Mr. Speaker. It's indeed my honour to rise and nominate Mary Anne Jablonski, the hon. Member for Red Deer-North, for the position of Deputy Chair of Committees.

Mr. Speaker, the hon. member was recently elected to her fifth term as a member of this Assembly. She has continuously earned the support and confidence of her constituents with the same qualities that I believe would make her an exceptional Deputy Chair of Committees. Over the past four terms the hon. member has served in many capacities. She has advanced private members' bills and motions, served as minister of seniors and community supports as well as serving on both standing and special committees too numerous to list.

You see, Mr. Speaker, Mrs. Jablonski has many good qualities – honesty, fairness, generosity, humility, and kindness – all things we wish for in ourselves and hope for in our friends.

Mr. Speaker, my nomination of Mary Anne Jablonski is without reservation, and I encourage all hon. members of the Assembly to support her. Thank you.

**The Speaker:** Thank you.

Mary Anne Jablonski, do you accept this nomination?

**Mrs. Jablonski:** Mr. Speaker, first of all, I would like to congratulate you on your new position as Speaker and congratulate my colleague from Leduc-Beaumont as our new Deputy Speaker.

Then I would like to say to the hon. Member for Red Deer-South: thank you very much for that nomination. Mr. Speaker, I am honoured and pleased to be able to accept this nomination.

**The Speaker:** Hon. members, are there any other nominations for this position?

I don't see any other nominations for this position, so I'm very pleased to declare that the Deputy Chair of Committees of the Legislative Assembly of Alberta for the 28th Legislature shall be Mary Anne Jablonski. Congratulations. Would you like to take a moment?

**Mrs. Jablonski:** Thank you to all my hon. colleagues. I'm very pleased to be able to accept this position. I, too, would pledge fairness within the Assembly, impartiality, and to treat all members of the Assembly equally within this House. Thank you, all, very, very much. I'm very honoured.

**The Speaker:** Thank you. Congratulations once again.

Hon. members, it's been a very great first day of this new sitting, and I'm very humbled by it myself, obviously. I also want all of us to remember this day. That would be wonderful from my perspective.

I also want to thank our Premier, Alison Redford, and the Leader of the Official Opposition, Danielle Smith, for having persuaded me out of my chair into this position. I'll just make a brief comment, more so for our guests who are listening or watching today, on why there is always some traditional reluctance to accept this position. In a nutshell, it turns out that some Speakers over the history of parliament, going back hundreds of years, might have made some decisions that were in disfavour with the king or the queen of the day, and as such those Speakers were beheaded. Ever since that time there's always been a bit of reluctance – we can understand why – to assume this chair. Nonetheless, I'm grateful for the opportunity.

Also, might I just remind all of us that this is the last time that we'll be able to use full proper names or names of any kind in addressing any members. From here on in it will be ministers or it will be opposition members or it will be their particular constituency referenced by name.

May we all enjoy many more such days. In conclusion, I just want to thank my family who are here today: to my wife, Christine, who's been with me for 37 years, thanks, Love; my son Myron, who's been with us for almost 26 years; and my new son, actually son-in-law – but he's my son just the same – who is here from England, Joseph Whitlow, who is married to our daughter Ariana. I would ask all three of my family members to please rise and receive a warm thank you.

Lastly, we have two former members who are here with us in my gallery – now I can call it my gallery; it's a nice thing – former ministers of the Crown Dennis Anderson and Mel Knight. If you would rise and receive the welcome.

There being no further business, I would declare the House adjourned until 3 tomorrow afternoon.

[At 2:44 p.m. the Assembly adjourned to Thursday at 3 p.m.]









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First Session

# Alberta Hansard

Thursday, May 24, 2012

Issue 2

The Honourable Gene Zwozdesky, Speaker

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Klimchuk, Hon. Heather, Edmonton-Glenora (PC)  
Kubinec, Maureen, Barrhead-Morinville-Westlock (PC)  
Lemke, Ken, Stony Plain (PC)  
Leskiw, Genia, Bonnyville-Cold Lake (PC)  
Luan, Jason, Calgary-Hawkwood (PC)  
Lukaszuk, Hon. Thomas A., Edmonton-Castle Downs (PC)  
Mason, Brian, Edmonton-Highlands-Norwood (ND),  
Leader of the New Democrat Opposition  
McAllister, Bruce, Chestermere-Rocky View (W),  
Official Opposition Deputy Whip  
McDonald, Everett, Grande Prairie-Smoky (PC)  
McIver, Hon. Ric, Calgary-Hays (PC),  
Deputy Government House Leader  
McQueen, Hon. Diana, Drayton Valley-Devon (PC)  
Notley, Rachel, Edmonton-Strathcona (ND),  
New Democrat Opposition House Leader  
Oberle, Hon. Frank, Peace River (PC)  
Olesen, Cathy, Sherwood Park (PC)  
Olson, Hon. Verlyn, QC, Wetaskiwin-Camrose (PC)  
Pastoor, Bridget Brennan, Lethbridge-East (PC)  
Pedersen, Blake, Medicine Hat (W)  
Quadri, Sohail, Edmonton-Mill Woods (PC)  
Quest, Dave, Strathcona-Sherwood Park (PC)  
Redford, Hon. Alison M., QC, Calgary-Elbow (PC),  
Premier  
Rodney, Hon. Dave, Calgary-Lougheed (PC)  
Rowe, Bruce, Olds-Didsbury-Three Hills (W)  
Sandhu, Peter, Edmonton-Manning (PC)  
Sarich, Janice, Edmonton-Decore (PC)  
Saskiw, Shayne, Lac La Biche-St. Paul-Two Hills (W),  
Official Opposition Deputy House Leader  
Scott, Hon. Donald, QC, Fort McMurray-Conklin (PC)  
Sherman, Dr. Raj, Edmonton-Meadowlark (AL),  
Leader of the Liberal Opposition  
Smith, Danielle, Highwood (W),  
Leader of the Official Opposition  
Starke, Dr. Richard, Vermilion-Lloydminster (PC)  
Stier, Pat, Livingstone-Macleod (W)  
Strankman, Rick, Drumheller-Stettler (W)  
Swann, Dr. David, Calgary-Mountain View (AL)  
Towle, Kerry, Innisfail-Sylvan Lake (W),  
Official Opposition Whip  
VanderBurg, Hon. George, Whitecourt-St. Anne (PC)  
Weadick, Hon. Greg, Lethbridge-West (PC)  
Webber, Len, Calgary-Foothills (PC)  
Wilson, Jeff, Calgary-Shaw (W)  
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
Government Whip

### Party standings:

Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

### Officers and Officials of the Legislative Assembly

W.J. David McNeil, Clerk

Robert H. Reynolds, QC, Law Clerk/

Director of Interparliamentary Relations

Shannon Dean, Senior Parliamentary

Counsel/Director of House Services

Stephanie LeBlanc, Parliamentary Counsel  
and Legal Research Officer

Philip Massolin, Committee Research  
Co-ordinator

Brian G. Hodgson, Sergeant-at-Arms

Chris Caughell, Assistant Sergeant-at-Arms

Gordon H. Munk, Assistant Sergeant-at-Arms

Liz Sim, Managing Editor of *Alberta Hansard*

## **Executive Council**

Alison Redford	Premier, President of Executive Council
Thomas Lukaszuk	Deputy Premier
Manmeet Singh Bhullar	Minister of Service Alberta
Robin Campbell	Minister of Aboriginal Relations
Christine Cusanelli	Minister of Tourism, Parks and Recreation
Cal Dallas	Minister of International and Intergovernmental Relations
Jonathan Denis	Minister of Justice and Solicitor General
Wayne Drysdale	Minister of Infrastructure
Kyle Fawcett	Associate Minister of Finance
Doug Griffiths	Minister of Municipal Affairs
Dave Hancock	Minister of Human Services
Fred Horne	Minister of Health
Doug Horner	President of Treasury Board and Minister of Finance
Ken Hughes	Minister of Energy
Jeff Johnson	Minister of Education
Stephen Khan	Minister of Enterprise and Advanced Education
Heather Klimchuk	Minister of Culture
Ric McIver	Minister of Transportation
Diana McQueen	Minister of Environment and Sustainable Resource Development
Frank Oberle	Associate Minister of Services for Persons with Disabilities
Verlyn Olson	Minister of Agriculture and Rural Development
Dave Rodney	Associate Minister of Wellness
Donald Scott	Associate Minister of Accountability, Transparency and Transformation
George VanderBurg	Associate Minister of Seniors
Greg Weadick	Associate Minister of Municipal Affairs
Teresa Woo-Paw	Associate Minister of International and Intergovernmental Relations

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Quest  
Deputy Chair: Mrs. Jablonski

Anderson  
Casey  
Dorward  
Eggen  
Kubinec  
Sandhu  
Sherman

### Standing Committee on Legislative Offices

Chair: Mr. Xiao  
Deputy Chair: Mr. McDonald

Bikman  
Blakeman  
Brown  
DeLong  
Eggen  
Leskiw  
Quadri  
Rogers  
Wilson

### Special Standing Committee on Members' Services

Chair: Mr. Zwozdesky  
Deputy Chair: Mr. Young

Calahasen  
Dorward  
Forsyth  
Goudreau  
Jablonski  
Mason  
Quest  
Sherman  
Smith

### Standing Committee on Private Bills

Chair: Mr. Cao  
Deputy Chair: Ms L. Johnson

Barnes	Notley
Bhardwaj	Olesen
Brown	Pastoor
DeLong	Rowe
Fox	Sarich
Fritz	Starke
Goudreau	Strankman
Jeneroux	Swann
Kennedy-Glans	Webber
Luan	

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Dr. Starke  
Deputy Chair: Mr. Lemke

Allen	McAllister
Amery	McDonald
Bhardwaj	Notley
Casey	Pedersen
Hehr	Sandhu
Jansen	Saskiw
Jeneroux	Towle
Johnson, L.	Xiao
Kennedy-Glans	Young
Kubinec	

### Standing Committee on Public Accounts

Chair: Mr. Anderson  
Deputy Chair: Mr. Dorward

Allen	Fraser
Amery	Fritz
Anglin	Hale
Bilous	Hehr
Calahasen	Pastoor
DeLong	Quadri
Donovan	Sarich
Fenske	



## Legislative Assembly of Alberta

3 p.m.

Thursday, May 24, 2012

**The Sergeant-at-Arms:** Order! Mr. Speaker.

[Preceded by the Sergeant-at-Arms, the Speaker, accompanied by the officers of the Assembly, entered the Chamber and took the chair]

### Prayers

**The Speaker:** Hon. members and honoured guests, we begin our day with a special prayer. I invite each of you to pray in your own way.

Almighty God, as we gather here today in governance, we ask for Your blessings on all who are present here today. We ask for Your guidance in order that truth and justice may prevail in all of our judgments for the benefit of all Albertans. Amen.

Ladies and gentlemen, I would now invite Mr. Paul Lorieau, accompanied by a quartet comprised of members of the Edmonton Symphony Orchestra, to lead us in the singing of our national anthem. Please join in in the language of your choice.

### Hon. Members and Guests:

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

**The Speaker:** Well done, all. Please be seated.

### Entrance of the Lieutenant Governor

[The Premier, the Clerk, and the Sergeant-at-Arms left the Chamber to attend the Lieutenant Governor]

[The Mace was draped]

**The Speaker:** Aren't these pages wonderful? [applause]

Ladies and gentlemen, prior to the arrival of His Honour the Honourable the Lieutenant Governor the quartet of members from the Edmonton Symphony Orchestra will play a brief musical interlude. Please listen attentively as Robin Doyon, Brian Sand, Al Lowrey, and Christopher Taylor entertain us with this wonderful musical selection.

[The Sergeant-at-Arms knocked on the main doors of the Chamber three times. The Assistant Sergeant-at-Arms opened the doors, and the Sergeant-at-Arms entered]

**The Sergeant-at-Arms:** Ladies and gentlemen, all rise, please.

Mr. Speaker, His Honour the Honourable the Lieutenant Governor awaits.

**The Speaker:** Sergeant-at-Arms, admit His Honour the Honourable the Lieutenant Governor.

[A fanfare of trumpets sounded]

[Preceded by the Sergeant-at-Arms, His Honour the Lieutenant Governor of Alberta, Colonel (Retired) Donald S. Ethell, OC, OMM, AOE, MSC, CD, LLD, and Mrs. Ethell, their party, the

Premier, and the Clerk entered the Chamber. His Honour took his place upon the throne]

**The Speaker:** May it please Your Honour, the Legislative Assembly of Alberta has elected me as their Speaker, though I am but little able to fulfill the huge and important duties thus assigned to me. If in the performance of those duties I should at any time fall into any sort of error, I pray that the fault may be imputed to me and not the Assembly, whose servant I am and who through me, the better to enable them to discharge their duty to their Queen and the province, humbly claim all their undoubted rights and privileges, especially that they may have freedom of speech in their debates, access to Your Honour's person at all seasonable times, and that their proceedings may receive from Your Honour the most favourable construction.

**His Honour:** Thank you, Mr. Speaker.

Pray be seated.

**Mr. Denis (Provincial Secretary):** Mr. Speaker, I am commanded by His Honour the Honourable the Lieutenant Governor to declare to you that he freely confides in the duty and attachment of this Assembly to Her Majesty's person and government, and not doubting that their proceedings will be conducted with wisdom, temper, and prudence, he grants and upon all occasions will recognize and allow their constitutional privileges.

I am commanded also to assure you that the Assembly shall have ready access to His Honour upon all seasonable occasions and that their proceedings as well as your words and actions will constantly receive from him the most favourable construction.

**His Honour:** Albertans, this is a great day for a number of reasons. One, it's the start of the 28th Alberta Legislature, it's also Victoria Day, it's also the 60th year of Her Majesty's reign, and those are very important to all of us.

At the risk of getting off the subject for a moment, Canada was honoured in front of Buckingham Palace yesterday in that the RCMP mounted the guard. For the first time in history they mounted the guard. It's usually up to soldiers. Not only that, but one of the guards was a female, and that hadn't happened before. We are fortunate to have RCMP members of that ilk. Of course, as you're well aware, here in the province of Alberta we have the first elected female Premier, and the Leader of the Official Opposition is also female. They're taking over the world. [laughter]

### Speech from the Throne

**His Honour:** Albertans, distinguished Members of the Legislative Assembly, visitors and guests, welcome to the First Session of the 28th Alberta Legislature. It is my privilege to deliver the Speech from the Throne and to serve this province as Lieutenant Governor.

Today Alberta has the potential to reach greater heights than ever before. Economic recovery is under way in many parts of the world, and demand for our energy and skills will grow in the years ahead.

Albertans are looking to the future with new hope and confidence. They see a chance to build the best lives possible for themselves and their families, and they are ready to make the most of that opportunity.

The people of this province have declared that they are not content to gaze inward and build walls. They want to look outward and build bridges. They seek to engage with the world around them and, through investment and innovation here at

home, play a leading role in making our world a better place. Alberta, your government has heard you loud and clear, and its plans and policies will continue to reflect your values, goals, and aspirations.

This province is the most economically free jurisdiction in North America. Nowhere else do businesses have so much room to operate without interference and adapt to market conditions. Your government will further these freedoms and find new ways to simplify regulatory burdens so businesses continue to drive our prosperity.

We have one of the most technologically astute, safe, and responsible energy sectors in the world, a field that provides hundreds of thousands of Alberta families with reliable livelihoods. That sector is working hard to improve its efficiency and reduce its footprint as it expands production. Your government will partner with industry on research and development through a second Alberta Oil Sands Technology and Research Authority to maintain a competitive, world-class resource economy for the 21st century, grow the marketplace for clean energy, and protect the jobs so many Albertans depend on.

We have strong and responsive public services that offer Albertans a great standard of living. Your government will invest in those services, in the infrastructure that supports them, and in the families and communities that depend on them to secure Alberta's economic future, and it will keep those services public and bring new fiscal discipline to budgets so they deliver the outcomes Albertans want in a financially sensible way.

Your government will accomplish all this because it has solid foundations to build on. The last 41 years have brought incredible benefits to our province and seen society evolve in ways that have changed how Albertans think and live.

It was the decisions of past governments that helped us adapt and get to where we are today. Every one of those governments was distinct, and each put forward the right vision in response to the issues Alberta confronted. Each was suited to its time and place and pursued the right course for the right circumstances in sync with Albertans' values. This government will uphold that tradition even as our province adapts and changes faster than ever.

Technology has put more knowledge and power at Albertans' fingertips than at any time in history. Competition and rising expectations are placing heightened pressure on the energy industry that has sustained us for so long, and demographic shifts are asking more of Albertans and the public services that nurture, educate, and care for them.

Alberta has robust traditions in which to find answers. Our western spirit and heritage and our entrepreneurial energy have always served us well. The unique pride, self-reliance, and fiscal conservatism that have made this province such a special place to live are as strong as they have ever been, and this government will use these traits to forge a brighter future. They define us as Albertans, and they are too precious to put aside.

But the challenge of change demands a response. It requires leadership ready to strike the right balance between progressive and conservative thinking. Your government will find that balance. Your government has a policy framework for this time and place, a plan in harmony with Albertans' socially progressive values and fiscally conservative beliefs, and implementation has begun.

Your government promised to increase both AISH payments and the allowable income exemption. Budget 2012 raised the former by \$400 per month and doubled the latter.

Your government promised to offer subsidized child care for families earning less than \$50,000 annually. Budget 2012 provided \$12 million in funds for that purpose.

Your government pledged to make Alberta's Child and Youth Advocate independent to better help at-risk youth and investigate when things go wrong. At the beginning of April the advocate's office became fully independent.

This government's fiscal and economic plan includes no new taxes, no sales tax, and multiyear budgets to control public spending.

On every single count those promises were met, and this government will continue to do so in every area.

Albertans have expressed a desire for change and no-nonsense, effective leadership. They know that a great province starts from the inside out, with an efficient and responsive public service that judiciously uses their tax dollars to provide support and create the conditions for success.

To support these outcomes, this government formed a new cabinet and government structure, combining departments and designing new ministries to focus on the things that matter to Albertans: having a strong fiscal framework, caring for families and the vulnerable, promoting and protecting our resources, and having solid consultation processes that ensure Albertans are heard. These tasks will stay at the top of the government's agenda as it moves forward.

Your government will invest in Alberta's future by supporting the families in whose hands that future rests. This means providing an accessible primary care system and giving Albertans the tools and guidance they need to take charge of their health.

Your government will continue to expand family care clinics in consultation with local stakeholders and the dedicated professionals who staff the system, building on primary care networks. It will bring more allied health workers like nurse practitioners to the front lines of primary care to lower wait times. It will design and implement a plan to extend the province's network of continuing care centres so seniors can find accommodations that suit their budget and family arrangements.

Your government will extend improved access to care for the very Albertans devoted to providing it when we need it most. Bill 1, to be brought forward in this session, will guarantee workers' compensation coverage for first responders suffering from posttraumatic stress disorder. PTSD's devastating effects on individuals and their families are well understood, and it is time legislation reflected that fact. First responders rush to our aid in times of trouble, and this government will be the first in Canada to do the same for them.

Your government will promote trustworthy leadership that genuinely takes Albertans' concerns to heart and establish openness and transparency as guiding principles. The new Associate Minister of Accountability, Transparency and Transformation will review Alberta's Freedom of Information and Protection of Privacy, FOIP, Act and oversee fundamental changes to the way the province does business. As part of this effort your government will survey conflict-of-interest issues and then introduce a new package of legislation that draws on the best solutions from around the world. As promised, this will include whistle-blower legislation. Albertans will be able to see with new depth and clarity how government works for them.

Your government will also secure Alberta's economic future by demonstrating fiscal restraint and foresight, spending wisely and saving intelligently. Starting with Budget 2012, our most critical public sectors – education, advanced education, health, and municipal services – are receiving stable funding in the form of three-year budgets. Institutions and municipalities know in advance what to expect so they can plan ahead, guaranteeing reliable service delivery for all Albertans.

And to enforce unprecedented discipline in public spending, this government is pioneering results-based budgeting. Government will engage with Albertans to identify the outcomes they expect from public programs. Every part of the government's operations will then be scrutinized on a three-year cycle. Program budgets will be reset to reflect findings, and the Treasury Board will publicly report on the progress made each year so Albertans can see how their tax dollars are being used.

Your government will also advance world-leading resource stewardship, developing our natural resources responsibly to safeguard Alberta's environment, grow its markets, and keep our economy strong. The regulatory enhancement project, which combines multiple bodies into a single regulator for upstream oil, gas, and coal, is a critical part of this plan. Your government will simplify the system and give energy firms the nimble, responsive regulator they need to stay competitive.

The industry depends just as much on access to new markets, so through the Canadian energy strategy your government will pursue co-operation with other provinces, working with our neighbours to build the infrastructure needed to reach those markets.

At the same time your government will improve environmental monitoring. Together with Ottawa, Alberta will usher in a comprehensive, transparent, and scientifically credible system. The joint monitoring program will gather more information more frequently and allow faster detection of changes to the environment so industry and government can mitigate them.

Alberta's prosperity cannot come at the expense of its beauty; the two must go hand in hand. This government will ensure they do, and in support of this strong relationship with the government of Canada we will be opening a new office in Ottawa. The office will help forge stronger relations in Canada's capital and advocate Alberta's perspective on important federal and provincial matters.

Strengthening our links with the federal government and our provincial neighbours will help to develop new opportunities that benefit all Albertans. This is about looking beyond our borders to build the bridges the people of this province want and meeting their expectations.

Albertans have entrusted their leadership with a mandate to respond to change. Over the next four years this government will rise to the occasion and deliver and fulfill a clear, focused, target-driven mandate. Albertans will know where the province is headed and how progress is being made because this is a government that will stay true to its promises.

It will partner with Albertans from every walk of life to arrive at solutions. It will treat all Albertans with fairness and respect no matter where they live. It will mirror their concerns and goals and make manifest their values and beliefs. And, most importantly, it will get out of Albertans' way so they can unleash their creative potential and build a prosperous province, one that is not only rich in resources but in opportunity, and a quality of life that uplifts everyone it touches.

Thank you, ladies and gentlemen. May God bless you all.

God bless Alberta.

God bless Canada.

God save the Queen.

Merci.

**The Sergeant-at-Arms:** All rise, please.

**The Speaker:** Ladies and gentlemen, I would now invite Mr. Paul Lorieau, accompanied by the Edmonton Symphony Orchestra quartet, to lead us in the singing of *God Save The Queen*. Please

remain standing at the conclusion of the singing for the exit of Their Honours.

**Hon. Members and Guests:**

God save our gracious Queen,  
long live our noble Queen,  
God save The Queen!  
Send her victorious,  
happy and glorious,  
long to reign over us;  
God save The Queen!

**The Sergeant-at-Arms:** Order!

[Preceded by the Sergeant-at-Arms, Their Honours, their party, and the Premier left the Chamber as a fanfare of trumpets sounded]

**The Speaker:** Please be seated.

[The Mace was uncovered]

**The Speaker:** Hon. members and honoured guests, a few interesting reflections for you. On April 23, 2012, 87 individuals were elected to serve the people of Alberta as Members of the Legislative Assembly. This is the largest number of seats ever in Alberta's history. In the first general election in the new province of Alberta on November 9, 1905, 25 people were elected to represent Alberta's entire population of 185,412 people. Effectively, one member represented 7,416 people. I wonder how many doors they had to knock on. Today, as we all know, we are approximately 3.8 million people in Alberta, with one member representing on average approximately 41,900 citizens.

We are 87 individuals here. We come from various backgrounds and experiences. In fact, we have occupations that cover the alphabet from A to V – we didn't quite make it Z, unfortunately, but we'll work on it – from an agronomist to a veterinarian. We have one member who has served as a Member of Parliament, 23 members who have served as councillors or aldermen, and nine who have served as mayors or reeves. Twenty-four members are businesspeople, and 10 have been consultants or advocates. Fourteen members have worked in the civil service or as assistants to members at all levels of government. Eleven members are lawyers, six of whom are Queen's Counsel members.

Nine members have been involved in agriculture, farming and ranching. Eighteen members have been schoolteachers, educators, instructors, or lecturers. Six members have been school board trustees. Five members have served as front-line health care professionals: two doctors, two nurses, and one paramedic. Five members have worked in media – print, radio, and television – and four members have experience in fine arts or languages. Four have worked in the financial sector. Two members have law enforcement backgrounds. Five members have worked in real estate and four in the oil and gas industry. Seven members have worked in the trades and six in nonprofit environments. Members have also held the following occupations: biologist, bus driver, forester, geologist, miner, and professional bullfighter.

[The Premier returned to the Chamber]

Members are bringing a local as well as a global perspective to our Alberta Assembly. We have members who were born in nine of Canada's provinces and territories. We have members who were born in 10 different countries from around the world, including Brazil, China, India, Jamaica, Lebanon, Poland, Wales, and Vietnam.

Historically the average age of members in previous Legislatures, of which there were 27, has been 48.5 years at the time of election. Based on the information received to date, the average age of the members of today's 28th Legislature is 51. The ages of the members range from 31 to 72, but the majority of members come between the range of 50 and 59 years of age.

Twenty-two Members of our Legislative Assembly today are women, representing 25.3 per cent of the total number of members here. Comparatively, the most women ever elected were elected in the general election of 1997, when 24 of the 83, or 28.9 per cent of the members elected, were women.

The average number of months served in the Legislative Assembly by all 87 members is 60 months, or five years. Thirty-eight members present today are in their first term of office – 38 members – and I would ask those 38 members to please rise and receive our collective thanks for serving. [applause] Twenty-six members are in their second term of office, including one member who's been re-elected after a gap of four years; seven members are in their third term of office; six members are in their fourth term of office, including one member elected in a by-election; five members are in their fifth term of office, including two members elected in by-elections; four members are in their sixth term of office, including your Speaker; and one member truly has distinguished herself. She is now entering her seventh term of office, and she deserves our collective thanks, the Member for Lesser Slave Lake.

In conclusion, hon. members and guests, the diversity of backgrounds and experiences that we all bring to our work as members makes our province of Alberta so much stronger and so much more reflective of the daily lives and concerns of our constituents, whom we are honoured to serve. We are here to represent them and to work together constructively to improve the lives of all Albertans.

### Tablings

**The Speaker:** It is now my honour to table a copy of the speech graciously given by His Honour the Honourable the Lieutenant Governor.

### Introduction of Bills

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

#### Bill 1

#### Workers' Compensation Amendment Act, 2012

**Ms Redford:** Thank you, Mr. Speaker. I request leave to introduce Bill 1, the Workers' Compensation Amendment Act, 2012.

This bill will provide presumptive Workers' Compensation Board coverage to first responders who suffer from posttraumatic stress disorder. This proposed legislation supports the men and the women who risk their lives every day to make Alberta a safer place, a better place. Our first responders, whether they're paramedics, firefighters, or police officers, arrive at the time of our greatest need. This legislation is about returning that courtesy and that favour, and it's about being there when they need us, Mr. Speaker.

This bill will establish Alberta as the first jurisdiction in the country to offer this much-needed and extremely deserved coverage. Bill 1 is reflective of this government's ongoing commitment to the brave men and women who put their lives on the line so that we can enjoy ours.

Thank you, Mr. Speaker.

[Motion carried; Bill 1 read a first time]

### Certificates of Election

**The Clerk:** Mr. Speaker, I have received from the Chief Electoral Officer of Alberta pursuant to the Election Act a report containing the results of the general election conducted on April 23, 2012. The report states that an election was conducted in the following electoral divisions, and the said report further shows that the following members were duly elected.

[The Clerk read the election returns]

**The Speaker:** Thank you, Mr. Clerk.

Just before we proceed with the next order of business, I'd like to take a moment to introduce three special guests who are here in my gallery today, two of whom are visiting us for the first time: my sister Iris and her husband, Steve Ciona, and they are accompanied by my mother, who has just turned 90 years of age, Anna. Please rise and receive our warm welcome. [Remarks in Ukrainian] That translates as: I love you very much.

The hon. Premier.

### Motions

**Ms Redford:** Thank you, Mr. Speaker. I move that the speech of His Honour the Honourable the Lieutenant Governor to this Assembly be taken into consideration the week of May 28, 2012.

[Motion carried]

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

**Mr. Hancock:** Thank you, Mr. Speaker. I move that pursuant to Standing Order 52 the select standing committees and the special standing committee be appointed for the present Legislature for the following purposes:

- (1) Privileges and Elections, Standing Orders and Printing,
- (2) Public Accounts,
- (3) Private Bills,
- (4) Alberta Heritage Savings Trust Fund,
- (5) Legislative Offices, and
- (6) Members' Services.

[Motion carried]

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

**Mr. Hancock:** Thank you, Mr. Speaker. I would move that the following members be appointed to the Assembly's standing committees and the special standing committee:

- (1) Standing Committee on the Alberta Heritage Savings Trust Fund: Quest, chair; Jablonski, deputy chair; Anderson; Casey; Dorward; Eggen; Kubinec; Sandhu; and Sherman.
- (2) Standing Committee on Legislative Offices: Xiao, chair; McDonald, deputy chair; Bikman; Blakeman; Brown; DeLong; Eggen; Leskiw; Quadri; Rogers; and Wilson.
- (3) Standing Committee on Private Bills: Cao, chair; Johnson, Calgary-Glenmore, deputy chair; Barnes; Bhardwaj; Brown; DeLong; Fox; Fritz; Goudreau; Jeneroux; Kennedy-Glans; Luan; Notley; Olesen; Pastoor; Rowe; Sarich; Starke; Strankman; Swann; and Webber.
- (4) Standing Committee on Privileges and Elections, Standing Orders and Printing: Starke, chair; Lemke, deputy chair; Allen; Amery; Bhardwaj; Casey; Hehr; Jansen; Jeneroux; Johnson, Calgary-Glenmore; Kennedy-Glans; Kubinec;

- McAllister; McDonald; Notley; Pedersen; Sandhu; Saskiw; Towle; Xiao; and Young.
- (5) Standing Committee on Public Accounts: Anderson, chair; Dorward, deputy chair; Allen; Amery; Anglin; Bilous; Calahasen; DeLong; Donovan; Fenske; Fraser; Fritz; Hale; Hehr; Pastoor; Quadri; and Sarich.
- (6) Special Standing Committee on Members' Services: Zwozdesky, chair; Young, deputy chair; Calahasen; Dorward; Forsyth; Goudreau; Jablonski; Mason; Quest; Sherman; and Smith.

**The Speaker:** Thank you, hon. Government House Leader.

[Motion carried]

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

**Mr. Hancock:** Thank you, Mr. Speaker. I move that the Assembly stand adjourned until Monday, May 28, 2012, at 1:30 p.m.

[Motion carried; the Assembly adjourned at 3:51 p.m. to Monday at 1:30 p.m.]



## **Bill Status Report for the 28th Legislature - 1st Session (2012)**

**Activity to May 24, 2012**

The Bill sponsor's name is in brackets following the Bill title. If it is a money Bill, (\$) will appear between the title and the sponsor's name. Numbers following each Reading refer to Hansard pages where the text of debates is found; dates for each Reading are in brackets following the page numbers. Bills numbered 1 to 199 are Government Bills. Bills numbered 200 or higher are Private Members' Public Bills. Bills numbered with a "Pr" prefix are Private Bills.

\*An asterisk beside a Bill number indicates an amendment was passed to that Bill; the Committee line shows the precise date of the amendment.

The date a Bill comes into force is indicated in square brackets after the date of Royal Assent. If a Bill comes into force "on proclamation," "with exceptions," or "on various dates," please contact Legislative Counsel, Alberta Justice, for details at (780) 427-2217. The chapter number assigned to the Bill is entered immediately following the date the Bill comes into force. SA indicates Statutes of Alberta; this is followed by the year in which it is included in the statutes, and its chapter number. Please note, Private Bills are not assigned chapter numbers until the conclusion of the Fall Sitzings.

### **1        Workers' Compensation Amendment Act, 2012 (Redford)**

First Reading -- 8 (May 24 aft., passed)









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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Monday, May 28, 2012

Issue 3

The Honourable Gene Zwozdesky, Speaker

## Legislative Assembly of Alberta The 28th Legislature

First Session

Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC), Speaker  
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Jablonski, Mary Anne, Red Deer-North (PC), Deputy Chair of Committees

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Barnes, Drew, Cypress-Medicine Hat (W)  
Bhardwaj, Naresh, Edmonton-Ellerslie (PC)  
Bhullar, Hon. Manmeet Singh, Calgary-Greenway (PC)  
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Bilous, Deron, Edmonton-Beverly-Clareview (ND)  
Blakeman, Laurie, Edmonton-Centre (AL),  
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Calahasen, Pearl, Lesser Slave Lake (PC)  
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Fox, Rodney M., Lacombe-Ponoka (W)  
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Rodney, Hon. Dave, Calgary-Lougheed (PC)  
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Sandhu, Peter, Edmonton-Manning (PC)  
Sarich, Janice, Edmonton-Decore (PC)  
Saskiw, Shayne, Lac La Biche-St. Paul-Two Hills (W),  
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Wilson, Jeff, Calgary-Shaw (W)  
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
Government Whip

### Party standings:

Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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Dave Hancock	Minister of Human Services
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## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

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Chair: Mr. Amery  
Deputy Chair: Mr. Bikman

Bhardwaj	Quadri
Blakeman	Quest
Donovan	Rogers
Dorward	Sandhu
Eggen	Sherman
Fenske	Smith
Goudreau	Starke
Hehr	Strankman
Jansen	Towle
Luan	Young
McDonald	Vacant
Olesen	

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Quest  
Deputy Chair: Mrs. Jablonski

Anderson  
Casey  
Dorward  
Eggen  
Kubinec  
Sandhu  
Sherman

### Standing Committee on Families and Communities

Chair: Ms Pastoor  
Deputy Chair: Mrs. Forsyth

Allen	Leskiw
DeLong	Luan
Fox	McAllister
Fraser	Notley
Fritz	Pedersen
Jablonski	Sarich
Jansen	Saskiw
Jeneroux	Swann
Johnson, L.	Wilson
Kang	Young
Kubinec	Vacant
Lemke	

### Standing Committee on Legislative Offices

Chair: Mr. Xiao  
Deputy Chair: Mr. McDonald

Bikman  
Blakeman  
Brown  
DeLong  
Eggen  
Leskiw  
Quadri  
Rogers  
Wilson

### Special Standing Committee on Members' Services

Chair: Mr. Zwozdesky  
Deputy Chair: Mr. Young

Calahasen  
Dorward  
Forsyth  
Goudreau  
Jablonski  
Mason  
Quest  
Sherman  
Smith

### Standing Committee on Private Bills

Chair: Mr. Cao  
Deputy Chair: Ms L. Johnson

Barnes	Notley
Bhardwaj	Olesen
Brown	Pastoor
DeLong	Rowe
Fox	Sarich
Fritz	Starke
Goudreau	Strankman
Jeneroux	Swann
Kennedy-Glans	Webber
Luan	

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Dr. Starke  
Deputy Chair: Mr. Lemke

Allen	McAllister
Amery	McDonald
Bhardwaj	Notley
Casey	Pedersen
Hehr	Sandhu
Jansen	Saskiw
Jeneroux	Towle
Johnson, L.	Xiao
Kennedy-Glans	Young
Kubinec	

### Standing Committee on Public Accounts

Chair: Mr. Anderson  
Deputy Chair: Mr. Dorward

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Amery	Hehr
Anglin	Kang
Bilous	Pastoor
Calahasen	Quadri
DeLong	Sarich
Donovan	Starke
Fenske	Stier
Fraser	Webber
Fritz	

### Standing Committee on Resource Stewardship

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Barnes	Kubinec
Bilous	Lemke
Blakeman	Leskiw
Brown	Sandhu
Calahasen	Stier
Cao	Webber
Casey	Xiao
Fenske	Young
Fraser	Vacant
Hale	



## Legislative Assembly of Alberta

1:30 p.m.

Monday, May 28, 2012

[The Speaker in the chair]

### Prayers

**The Speaker:** Hon. members, I would just remind you to please remain standing after the prayer for the singing of our national anthem by Mr. Paul Lorieau.

Let us pray. Dear Lord, at the beginning of this week we ask for renewed strength in the awareness of our duty and privilege as Members of the Alberta Legislative Assembly. We ask for the protection of this Assembly and also for the province we are honoured and elected to serve. Amen.

### Hon. Members:

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

**The Speaker:** Thank you very much, members and Mr. Lorieau. Please be seated.

### Introduction of Guests

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. I'd like to introduce to you and through you to all members of this Assembly Mr. Rob Ladouceur and his daughter Natasha. Natasha is currently a grade 2 student at G.P. Vanier school in Morinville. Rob, who was born and raised in Fort McMurray, now lives in Morinville. Rob works in the oil and gas sector and is also the Wildrose Party vice-president of policy. I would now ask them to rise and receive the traditional warm welcome of this Assembly.

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

**Dr. Swann:** Thank you very much, Mr. Speaker. It's a great honour for me to stand and introduce to you and through you to the rest of the Assembly 11 students and staff from Delta West Academy in Calgary-Mountain View. With them are Amanda Dennis and Boris Portero, their teachers. Please stand, and we'll give you a warm welcome from the Legislature.

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

**Mr. Campbell:** Thank you, Mr. Speaker. I'd like to introduce to you and through you to all members of the House 43 visitors from Jasper elementary school in my home town of Jasper in Jasper national park. Accompanying the students are two teachers, Mrs. Connie Sawka and Mme Judith Desmeules; parents Mrs. Angelika Zaniol, Ms Sue Nelson, and Mr. Kent Horsman. They are in the public members' gallery, and I would ask them to rise and receive the warm welcome of this Assembly.

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

**Mr. Pedersen:** Thank you, Mr. Speaker. I would like to introduce to you and through you to all members of this Assembly members of the Falun Dafa associations of Calgary and Edmonton, who are here today to seek an answer from the Alberta government for the recent cancellations of the Shen Yun performances at the Jubilee auditoriums in both Calgary and Edmonton. I would ask Zhiqiug Yang, Beichen Sun, Chunyan Huang, Minnan Liu, Jenny Yang, and Shar Chen to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Minister of Service Alberta.

**Mr. Bhullar:** Thank you very much, Mr. Speaker. It's my pleasure today to rise and introduce two individuals that have been very strong supporters, workers, and volunteers. Today one of them is joining my team here in the Legislative Assembly. First, I'd like to introduce Balraj Singh "Bobby/Kramer" Randhawa. If Bobby could please rise. In addition, I have Suman Hoonjan, who is joining the Legislative Assembly as my summer intern. I'd ask both of them to rise, and I'd ask my colleagues to give them a warm welcome.

**The Speaker:** The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to members of the Assembly Vaw Pisut. Vaw is a 16-year-old grade 10 student from Chiang Mai, Thailand, here on a one-year exchange program with Rotary International youth. He arrived in Canada last August speaking only a handful of words and is now enrolled at Notre Dame high school in Calgary. Back home in Thailand Vaw was a member of a competitive marching band. While in Canada he has become an accomplished chef and hopes to attend culinary school once he graduates high school. Since arriving in Calgary, Vaw has had four host families and will experience the centennial Calgary Stampede in July before returning home to his family in Thailand later next month. Joining Vaw is someone who is special in my life, my husband, Gord. I'll ask them both to stand and receive the warm welcome of the Assembly.

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

**Mrs. Sarich:** Thank you, Mr. Speaker. It gives me great pleasure to rise today to introduce to you and through you to all Members of the Legislative Assembly five representatives from the primary care network Edmonton North, located in the constituency of Edmonton-Decore. The primary care network Edmonton North is celebrating their fifth anniversary on June 1, 2012. Today I have five guests seated in the public gallery, and I would ask them to please rise as I mention their names. We have with us today Dr. Mary Turner, president of the board of directors; Ms Leanne McGeachy, general manager; Ms Carly Strong, executive assistant; Ms Lindsay Steward, physician administrative services manager; and Ms Chantal Norris, office manager. I want to take this opportunity to thank them and all the physicians and allied health professionals at the primary care network Edmonton North for their dedicated service and contribution to our health care system. I would now ask the Legislative Assembly to please give them the traditional warm welcome.

Thank you.

**Mr. Jeneroux:** Mr. Speaker, I am pleased to introduce to you and through you to members of the Assembly a group of students and teachers from George P. Nicholson school, located in the new constituency of Edmonton-South West, that I'm honoured to

serve. Accompanying these 24 bright and energetic students are teacher Mrs. Maxine Sprague and educational assistant Mrs. Terry Katerenchuk. They are excited to be here. Since I've been an MLA, this is already their second visit. They are seated in the members' gallery. I would ask that all students and guests from George P. Nicholson school rise and receive the traditional warm welcome of the Assembly.

**Mr. Strankman:** Mr. Speaker, it is my pleasure to introduce to you and through you to all members of this Assembly 15 students from Lakeview Christian school in Stettler. They have travelled a long way to get here, and we are pleased and proud to have them here to witness democracy in action, something which is near and dear to my heart. With that, I would ask them to rise and receive the traditional warm welcome of this Assembly.

1:40

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

**Mr. Mason:** Thank you very much, Mr. Speaker. I would like to introduce to you and through you to this Assembly four guests who are members of the Alberta Union of Provincial Employees and part of the work action at the Hardisty Care Centre in Edmonton. Nearly 100 licensed practical nurses and health care aides have been on strike for a week now. These hard-working individuals are looking for a fair deal from their employer, Park Place Seniors Living, who has been paying wages 30 per cent lower than Alberta Health Services pays for the same work despite receiving large subsidies from this government. Alberta's NDP is proud to stand with these workers in their struggle for fairness. I would now ask my guests to rise as I call their names to receive the traditional warm welcome of this Assembly: Mark Wells, Lorraine McCallum, Surinder Virdee, and Gagan Brar.

Thank you.

**The Speaker:** Hon. Member for Sherwood Park, do you have some guests to introduce?

**Ms Olesen:** Yes, I do. Thank you. It is my honour, Mr. Speaker, to introduce to you and through you to all members of the House my husband, Rex Adam, and Bill and Erma Chow. I don't know if they've been able to make it, but they were scheduled to come. They are friends of mine from Sherwood Park, loyal supporters of all things democratic and good and are great volunteers in our community. Please, let's give them a welcome.

Thank you.

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

**Ms Notley:** Thank you, Mr. Speaker. Today I'm very pleased to introduce to you and through you to this Assembly one of my constituents, Sonia Varela. Sonia was born in Spain and moved to Canada in 1974. She now works as an early learning supervisor and has volunteered with the food bank for over 10 years. Sonia follows Alberta politics very, very closely and can often be seen observing the proceedings here in this gallery. I would now ask Sonia to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. I'd like to introduce to you and through you to all members of this Assembly a young man from my constituency, Tyson Phillips. Tyson grew up near Beauvallon and is a recent graduate from the Canadian University

College in Lacombe, completing his bachelor of science degree in biology with a biomedical specialty in only three and a half years. Tyson is pursuing a career in medicine and is currently studying for the medical college admissions test. He was my deputy campaign manager in the last election. I know he has a very bright future in this province. I'd invite him to rise and receive the traditional warm welcome of this Assembly.

## Statements by the Speaker

### Decorum and Civility in the Chamber Rotation of Questions and Members' Statements

**The Speaker:** Hon. members, I'd like to take three minutes, actually, before we begin the rest of our daily Routine. On April 23, 2012, 87 of us were given a very special and a very rare honour, to serve as MLAs in this Assembly. Thirty-eight of you are brand new members and have been given that honour for the first time. I will remind you again that since 1905 only 829 Albertans have been given this honour. History will show that many of those MLAs were honoured again and yet again in their subsequent bids for re-election while others were not, and it causes one to wonder why.

Therefore, if you feel like I do, that it truly is an honour to serve in this Assembly, and I'm sure you all do, and that we all ought to respect that honour through our words and actions – and I'm sure you all do – then I would ask you to consider developing a personal credo. The word “credo,” as you will know, comes from the Latin language, and it means a system of beliefs and principles. It's a credo that I hope will serve you as your personal guide, your statement of commitment to yourself, as it were, to your colleagues, to your constituents, and to this Assembly.

I ask you to do this in order to help establish a new atmosphere in this Chamber, one that is respectful of each other, of our parliamentary traditions, and of our standing orders. We are all very aware of the numerous letters, e-mails, and phone calls that pour into the Speaker's office when members misbehave, use unparliamentary language, rudely interrupt each other, deliver speeches that are nothing more than character assassinations, and the list goes on. Your Speaker believes we can, we must, and we will do better.

So I ask you to construct your own personal credo so that it becomes your written conscience and reflects who you are and, perhaps even more importantly, how you want others to see you. For example, the letter “c” in your credo could stand for civility. The letter “r” could stand for respect. The letter “e” could stand for equality, the letter “d” for decorum, and the letter “o” for openness. I know that each of you is very creative and that you could come up with your own c-r-e-d-o. I invite you to do that, please. Your credo will symbolize the mark you wish to make in this Assembly. Please create it and refer to it before you speak and act in this Assembly, and try not to be swayed by external influences that would have you stray from your own personal credo.

Hon. members, it's time to clean up our act in this Assembly. It's also time to show Albertans that they have elected representatives in this Assembly who are truly worthy of the honour that has been bestowed upon each one of us. The opportunity is now, and it has been placed in your hands.

In closing, I can assure you that as your Speaker I fully understand and I fully support freedom of speech and that I am prepared to offer and afford considerable leeway in this regard. I can also assure you that as your Speaker I will not be very tolerant of words and actions that violate the long-standing decency and

decorum with which this Assembly was first established over 100 years ago.

Thank you for your attention and, hopefully, also for your anticipated co-operation in this regard.

Hon. members, before we carry on with Members' Statements, it's important for me to outline the rotation that will apply for Oral Question Period and for Members' Statements. Late Friday afternoon the Speaker's office received a document signed by all four House leaders on the rotation of oral questions and of members' statements. At the appropriate time in the Routine I would invite the Government House Leader to table that document. I will ensure that the rotation outlined in that document is then distributed to all members.

Meanwhile I want to state that the contents of that document, which I have accepted as an agreement to proceed, will be an agreement for the benefit of everyone following these proceedings and for the permanent record of this Assembly.

Flowing from the agreement, the Official Opposition is entitled to the first three main questions each day. The Liberal caucus is entitled to the fourth question and the NDP caucus to the fifth. The Official Opposition is entitled to the sixth, and private government members are entitled to the seventh question. The Official Opposition is entitled to ask the eighth, 12th, 14th, and 16th questions.

On days 1 and 3 in the Assembly schedule the Official Opposition is entitled to ask the 18th question. Should Oral Question Period proceed that far, the Official Opposition will be entitled to ask the 20th and 21st questions. In the past few years about 18 or 19 sets of questions have typically been asked each day.

After the fourth question each day the third-party Liberal caucus will be entitled to the 10th question. On day 4 in the schedule the Liberal caucus will be entitled to the 18th question. As indicated, the NDP caucus will be entitled to the fifth question and to the 11th question each day. After the seventh question each day government members will be entitled to the ninth, 13th, 15th, 17th, 19th, and, should we get there, the 22nd question. On day 2 government members will be entitled to the 18th question as well.

**1:50**

With respect to Member's Statements the rotation differs from the one that my office sent out on Thursday, May 24, 2012, as the House leaders' agreement arrived late on Friday afternoon, May 25. Under the agreement government members will be entitled to four statements on Monday, Tuesday, and Thursday and three statements on Wednesday. The Official Opposition will be entitled to two members' statements on Tuesday and Wednesday and one on Monday and Thursday. The third-party Liberals will be entitled to one statement on Monday and Thursday, and one member of the NDP caucus will have the opportunity to make a statement each Wednesday. Under the agreement the NDP caucus is entitled to an additional member's statement every third week. The Liberal caucus has one fewer member's statement every fourth week. Adjustments will be made to the number of government members' statements accordingly.

I want to briefly comment on the conduct of Oral Question Period. Members asking a question will be entitled to a main question and two supplementary questions. There should not be preambles to the supplementary questions. However, in keeping with the practice of the last Legislature questions and answers should be no longer than 35 seconds each. The chair will enforce this time to enable the maximum number of members possible to participate in question period. In keeping with the level of civility and decorum that I referenced earlier, it would be helpful if answers to questions were responsive.

With respect to Members' Statements I want members to know that they will continue to enjoy great leeway when it comes to this item of business. Members' Statements provide an opportunity in the daily Routine for members to recognize people, organizations, or events in their constituencies and for those words to be recorded in *Hansard*. It is also a time for members to comment on whatever issues they choose. However, it will not be an occasion for members to engage in unparliamentary language or to disparage other members, as I indicated earlier. I was a member in 1993 when this item of business was introduced into the daily Routine, and it was never the intention to have members make derogatory allegations against other members.

Thank you.

## Oral Question Period

**The Speaker:** The hon. Leader of the Official Opposition.

### Nonrenewable Resource Revenues

**Ms Smith:** Thank you, Mr. Speaker, and to the Premier my congratulations on winning a hard-fought election campaign.

Mr. Speaker, based on today's declining oil price, this government has a \$2 billion hole in its budget. Even with the rosy projection of \$99 oil the cash deficit was \$3 billion. With today's WTI price at \$91 that deficit will be \$5 billion. Last week CIBC said that oil prices will decline for another three months and will, quote, ultimately bottom in the mid-\$80s. Wildrose stands for fiscal accountability. To the Premier: how will she get out of this new \$2 billion budget hole? By increasing the deficit, raising taxes, or wiping out what's left of our savings?

**The Speaker:** The hon. the Premier.

**Ms Redford:** Thank you, Mr. Speaker. I'd like to welcome the Leader of the Official Opposition to the House and all new members that are in the House today.

The wonderful thing that we've been able to do and what we proved to Albertans on April 23 is that a Progressive Conservative government can put forward a bold plan that is fiscally responsible, with no tax increases, no new taxes, and continue to provide services to Albertans, Mr. Speaker. Our projections are entirely consistent with what's happening right now in the international economy. In fact, the average that we projected was \$99.25, and the average as of today is \$99. So we're confident in our plan.

**The Speaker:** The hon. Leader of the Official Opposition.

**Ms Smith:** Thank you, Mr. Speaker. Again to the Premier: given that the Calgary Chamber of Commerce said when Budget 2012 was tabled that Alberta "relies too heavily on volatile royalty revenue," what is her plan to end Alberta's reliance on these kinds of revenues and secure long-term prosperity for future generations?

**The Speaker:** The hon. the Premier.

**Mr. Horner:** Thank you, Mr. Speaker. In terms of what the Premier talked about, our plan is stable, and we are on track currently. In terms of diversifying the economy, we will make investments in areas of the province where we know we can grow our tax base, and that will generate additional tax base and reduce our reliance on nonrenewable resources.

**The Speaker:** The hon. Leader of the Official Opposition.

**Ms Smith:** Thank you, Mr. Speaker. Again to the Premier: given that these numbers don't even factor in the expensive promises that she made during the election campaign, how does she anticipate being able to manage the budget quagmire while delivering on the promises that Albertans elected her to keep?

**Mr. Horner:** Mr. Speaker, as we've said many, many times in this House and during the campaign, we presented Albertans with a fiscal plan and a plan to invest for the future of this province, which, I must say, on April 23 they seem to have approved of because we are here on the government side.

In addition to that, we have a budgetary process that we're monitoring. Many of the campaign commitments that we've made are already included in our budget process, and those things that were not will be included in the budget process because they were announced after the period of time when we delivered it in this House.

**The Speaker:** Thank you.

The hon. opposition leader for the second main question.

#### Alberta Office in Ottawa

**Ms Smith:** Thank you, Mr. Speaker. Last week's throne speech promised yet another Alberta embassy office although this time it's in our own country. At the cost of nearly \$1 million it creates a role that clearly duplicates that which should be currently performed by members of the Premier's own government and federally elected members. To the Premier: given that other provinces are dispensing with their Ottawa offices, how can the Premier justify this unnecessary expense when we have our own deficit issues?

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

**Ms Redford:** Thank you, Mr. Speaker. We're very proud of the work that we've been able to do in the past six months in partnership with the federal government, and we've had tremendous success with respect to environmental management and ensuring that Canadians and people around the world understand the story of Alberta. It's important not only for our own economy but for the economy of Canada.

We had a wonderful conversation last week with the Prime Minister's office, certainly agreed that it was important for Alberta to have an office in Ottawa, Mr. Speaker. We have an international diplomatic corps there. We have the opportunity to work continually with our caucuses across the country and to ensure that our ministers do travel back and forth. This will add to our strength in Canada.

**The Speaker:** The hon. Official Opposition leader.

**Ms Smith:** Thank you, Mr. Speaker. Again to the Premier: given that there are so many senior MPs, including the Prime Minister himself, that represent constituencies in Alberta, why does the Premier feel that she and her intergovernmental minister's office are not able to work directly with the federal government?

**Ms Redford:** Mr. Speaker, as I said in my first answer, it's very clear that the issues that we need to manage on behalf of Alberta matter to Canada's economy, and they matter to caucuses from provinces across this country, and they matter in terms of us being able to provide support to our federal colleagues. You know, we probably in the last six months have had at least three cabinet ministers in Ottawa every month. One of the best parts of the

conversation has been to be able to hear from our federal colleagues that represent Alberta about how important strengthening their ability to do research and advance arguments on behalf of Alberta is, and that's what this office will do.

**The Speaker:** The hon. Official Opposition leader.

**Ms Smith:** Thank you, Mr. Speaker. Again to the Premier: given her insistence on proceeding with this appointment, will she then at least break with past practices and commit to holding a fair, open, and transparent competition for Alberta's Ottawa office?

**Mr. Dallas:** Mr. Speaker, the Premier has clearly indicated that we will engage an executive search firm to search for suitable candidates for at least the senior official position and populate the office with three employees in total. Certainly, that will be transparent.

**The Speaker:** Thank you.

The hon. Official Opposition leader for the third main question.

#### Cancellation of Jubilee Auditoria Performances

**Ms Smith:** Thank you, Mr. Speaker. Before the election Albertans saw this government's true colours: bullying and intimidating municipal councillors, school boards, and even everyday Albertans simply because they spoke out against government policy. Albertans hoped that the election would result in a different tone, but just one week after the election the Culture minister abruptly cancelled the popular annual performance of Chinese music and dance called Shen Yun after the group publicly raised concerns about the management at the Jubilee Auditorium. The Premier says her government is different, but these are the same old PC strong-arm tactics. What is she going to do to fix this situation?

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

**Mrs. Klimchuk:** Thank you, Mr. Speaker. First of all, I'm honoured to have the group in attendance in the Chamber.

I do want to say that at the beginning, when this began, it was a contractual issue between the Jubilee auditoriums and the performers. For me it's about the conversation of the performers, how they perform, and I've asked my officials and my assistant deputy minister to meet with them as well.

**The Speaker:** Thank you.

The Leader of the Official Opposition.

**Ms Smith:** Thank you, Mr. Speaker. Again to the Premier: given that just days after the election she told the *Edmonton Journal* that "it's going to be big change" when talking about her government and given that this most recent example of bullying came, ironically, just one day before those words appeared in print, can the Premier explain to this House how axing these annual performances counts as big change?

**Ms Redford:** Mr. Speaker, you know, what would be really nice to see in terms of change is actually talking about the issues of the day in this House, but if we're not going to do that, what I will say, as our minister has already said, is that this is a safety issue. This is an issue with respect to whether or not netting should be up around a stage, and the management of the auditoriums believe that to be the case. We will always be concerned about the safety of audiences and the safety of performers. That is our primary

concern, and it is the only reason that this issue is going on. There's a contractual dispute.

2:00

**The Speaker:** The Official Opposition leader.

**Ms Smith:** Thank you, Mr. Speaker. Again to the Premier: given her repeated promises to do things differently, will she instruct her Culture minister to resolve this issue, or is she telling this Assembly that she stands behind her minister's decision?

**Ms Redford:** Mr. Speaker, the minister has already said that she has taken steps to see if this issue can be resolved, but it is not appropriate to make that sort of commitment in this House. This is a contractual issue that has to do with safety. If those issues are not resolved, then we will have an unfortunate situation, but the safety of performers and the safety of audiences will be paramount.

**The Speaker:** The hon. leader of the Liberal opposition.

### Alberta Health Services Quarterly Report

**Dr. Sherman:** Thank you, Mr. Speaker. Congratulations on your selection.

Mr. Speaker, this government deliberately delayed the AHS March report until after the election, and it's easy to see why: heart bypass surgery wait times, fail; hip and knee replacement surgery wait times, fail; radiation therapy access, fail; placing our vulnerable in continuing care beds, fail; physician and staff engagement, fail; patients admitted from ER within eight hours, fail. To the Premier: how can you possibly justify keeping this important information from Albertans on the eve of an election?

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

**Mr. Horne:** Thank you very much, Mr. Speaker. Well, it is absolutely untrue to suggest that any information was withheld from Albertans. Alberta Health Services produced its quarterly performance report in accordance with its normal schedule. We had just introduced a budget in this House, and at my request I took the opportunity to sit down with Alberta Health Services to talk about their performance over the last three months and, more importantly, talk about how new resources offered in Budget 2012 might be offered to supplement that performance.

**The Speaker:** The hon. leader of the Liberal opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. Given that this was a March quarterly report, not a May quarterly report, again, Madam Premier, do you honestly believe that intentionally delaying the March report until May, until after the election, does not call the integrity of AHS and your integrity into question?

**Mr. Horne:** Well, Mr. Speaker, it's disappointing – and it is the same old same old – that we would hear the hon. member suggest, first of all, that the report was delayed for political reasons and, secondly, by his earlier examples, that Alberta's health system is somehow a failure. In fact, I can tell you that in a report released last week by the Canadian Institute for Health Information, Alberta enjoys the lowest in-hospital mortality rates, the lowest rates of hospital readmission for heart attacks, the second-best rate for heart attack surgery access in Canada, the second-best wait times in the country for hip fracture surgery, within 48 hours, and the lowest rate in the country of self-reported chronic obstructive pulmonary disease.

**The Speaker:** The hon. leader of the Liberal opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. Given that we spend \$16 billion a year, Albertans expect more.

Given that the Premier talks so much about results-based budgeting, yet at the same time you choose as your Energy minister the very man who led AHS to these abysmal results, I can't help but wonder, Madam Premier: will you be budgeting based on good results or poor results?

**Mr. Horne:** Mr. Speaker, what this government talked about during the election campaign and what we will continue to be committed to is achieving the best possible value that we can from taxpayer dollars spent on health care.

I'm sure it is very illuminating to members and, more importantly, to employees of Alberta Health Services, who work so diligently to deliver health care of the highest quality, to know that the hon. member believes their work is in vain and is a failure. This government does not believe that. We enjoy one of the best health care systems in the country. We will continue to work to improve it in targeted areas that we talked about during the election.

Thank you, Mr. Speaker.

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

### Child Poverty

**Mr. Mason:** Thank you very much, Mr. Speaker. During the recent election the Premier promised a plan to end child poverty in Alberta. This is a noble goal and a very ambitious undertaking, yet there is no mention at all of this plan in the Speech from the Throne, which we heard last week. My question is to the Premier. Why not?

**Ms Redford:** Mr. Speaker, this is a priority for our government. It's a priority for our Minister of Human Services. In fact, some of this work has already begun. The work that our minister has been doing in consultation with Albertans around the social policy framework will be an important component of this. It's not the only component, but it is critical.

The second piece, of course, is that what we want to see with respect to ending child poverty is very much what we have been able to accomplish as a government with respect to the 10-year plan to end homelessness. Those consultations are ongoing, Mr. Speaker, and we are committed to that.

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

**Mr. Mason:** Thanks very much, Mr. Speaker. Well, given the unlikelihood that a Tory government actually wants to do something to reduce poverty and given that such a major undertaking should have been prominently featured in the government's Speech from the Throne, will the Premier admit that the elimination of child poverty is not really anything more than a hollow election promise?

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

**Mr. Hancock:** Thank you, Mr. Speaker. The social policy framework and the commitment to end child poverty in five years and to have a plan to reduce poverty in this province over 10 years is very much part and parcel of the mandate of Human Services. I've been tasked with this since prior to the election, and I can report to this House that there has been a considerable amount of work

done in this area. We've met with many people in the whole social agency area, our partners in this area. This is a plan which will result from a community discussion. It won't be a government plan; it will be a plan that's owned and operated by Albertans and for Albertans. It's integral to the future of this province and to reducing the social cost of failure in this province.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, given that 400,000 Albertans, including 78,000 children, live in poverty in this province, a situation that developed under 40 years of Conservative rule, and given that that's either something that the government is going to do something about or the Speech from the Throne means nothing, will the Premier tell us which one?

**Mr. Hancock:** Mr. Speaker, the Premier has been very strong on this matter right from the day that she took office. She was very strong on this matter when she asked me to take on the role of Human Services back in October. She was very strong on this matter during the election campaign. She was very strong on this matter when she asked me to continue the mandate in Human Services.

We're going to take on poverty in this province, and we're going to take on child poverty in this province. We're going to make the social policy framework integral to the way that we deal to ensure that Albertans have an opportunity to be successful and an opportunity to take advantage of the opportunity which is Alberta.

**The Speaker:** Thank you.

The hon. Member for Medicine Hat.

#### **Cancellation of Jubilee Auditoria Performances**

*(continued)*

**Mr. Pedersen:** Thank you, Mr. Speaker. Falun Dafa associations in Edmonton and Calgary have presented the world-renowned Shen Yun performances to sold-out audiences at the government-owned Jubilee auditoriums since 2007. The Culture minister's rash cancellation of next year's performances means the show will have no venue large enough to accommodate it and effectively ban Shen Yun's world-class performances from Alberta. Representatives are here today hoping for a resolution to the mess this government has created. To the Minister of Culture: will she reverse her decision today and reinstate the cancelled Shen Yun performances?

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

**Mrs. Klimchuk:** Thank you, Mr. Speaker. I think it's really important to note that the Jubilees for the past 55 years have hosted national and international performances from all over the world. I'm very proud of that record. As I indicated previously, my officials have offered to meet with the Shen Yun group, and I'm looking forward to that.

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

**Mr. Pedersen:** Thank you, Mr. Speaker. Again to the Minister of Culture: given the silence Falun Dafa encountered when they tried raising their concerns with the Culture minister privately and given that the only correspondence they received from the government was a surprise cancellation of the Shen Yun performances, will she apologize to the Falun Dafa representatives in the gallery

today for how she has treated them and immediately reinstate the 2013 performances?

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

**Mrs. Klimchuk:** Thank you, Mr. Speaker. Of course, as mentioned previously, I'm not going to apologize for the safety of the performances or the musicians for that matter. I think it's really important to note that when there are contractual obligations between a performing group and the Jubilee, that's something that I'm looking at. Again, I think it's important to note that my officials will be meeting with them, and I'm looking forward to the outcome of that meeting.

We know that the Jubilee is a fabulous place for performances, and we know that many groups look forward to performing there.

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

**Mr. Pedersen:** Thank you, Mr. Speaker. Again to the Minister of Culture: if she is unwilling to reinstate the Shen Yun performances today, will she at least commit to meet with the Falun Dafa Association or with a mediator and give a date in hopes of resolving the issues they have raised?

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

**Mrs. Klimchuk:** Thank you, Mr. Speaker. The very first official request to my office came on May 16. Following that, I have asked my officials to meet with them. At the end of that, I will look forward to that report.

I think at the end of the day, for me, we know that many groups that come to the Jubilee Auditorium look forward to coming to it. As well, in the next two years the facilities are both fully booked.

**The Speaker:** The hon. Member for Strathcona-Sherwood Park.

2:10

#### **Twinning of Highway 63**

**Mr. Quest:** Thank you, Mr. Speaker. Following the tragic fatalities on highway 63 at the end of April the province has committed to completing a report on the status of highway 63. My questions today are for the Minister of Transportation. Albertans are asking for our province to take action. Why do we need another report?

**Mr. McIver:** Mr. Speaker, the province has not waited to take action. I would be pleased for the House to know that the province has already spent about a billion dollars in and around Fort McMurray, improving that road. In the present and upcoming three-year budget there is \$450 million already approved, after which time the road from just north of Wandering River down to highway 55 will be twinned.

Mr. Speaker, the additional report coming up is so that we can speed up the twinning of the road between Wandering River and Fort McMurray, and that will be done with the able assistance of the Member for Fort McMurray-Wood Buffalo.

**The Speaker:** Thank you.

The hon. member.

**Mr. Quest:** Thank you, Mr. Speaker. That's good. My first supplemental to the same minister: what's the minister doing today to improve safety on highway 63?

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

**Mr. McIver:** Thank you, Mr. Speaker. There has always been enforcement on that road, but there has been increased enforcement. In fact, a couple of weekends ago the officials wrote in excess of 600 tickets, and that is in recognition of the behaviour that needs to change. This government is focused on doing that, and we will not stop until we make it better, which is why we have a special adviser, which is why the Premier has been very strong on saying that we will twin it. Between now and the time that it's twinned, we will make constant improvement.

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

**Mr. Quest:** Thank you, Mr. Speaker. My final question to the same minister: now, we know that highway 63 is a unique highway and there are many challenges with construction on that road, but what are you going to do to address these challenges?

**Mr. McIver:** Mr. Speaker, actually, some of the challenges have been met, and we'll continue to meet the other ones. Because this road needs to be built through an area of muskeg and in weather with fairly extreme temperature variation, it is a little more complicated than other roads. We are working through all those issues. We have addressed, essentially, all the environmental issues, and we will be constantly vigilant. As more issues come up, we are committed to dealing with each and every one of them until the road is completed.

**The Speaker:** Thank you.

The hon. Member for Lac La Biche-St. Paul-Two Hills.

#### **Prohibited Donations to Political Parties**

**Mr. Saskiw:** Thank you, Mr. Speaker. On Friday, just a day after the Premier promised a new era of transparency and accountability as the guiding principles of this government, Elections Alberta reported that there have been 28 cases of illegal donations made to the governing PC Party. The details of these investigations are kept secret because of the legislation this Premier passed while Justice minister. Even the PC president, Bill Smith, admitted that it's time to change the laws. Will the Premier turn the page and do the right thing and commit to changing the disclosure laws in the name of open and transparent government?

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

**Mr. Denis:** Thank you very much, Mr. Speaker. I thank the member for that question. I share his concern about openness and transparency, but we must go back to the facts. In 2008 the legislation was changed. Why? At the request of the Chief Electoral Officer at that time. If he has other recommendations, I'm happy to go and look at them now, but we are simply following the law that the Chief Electoral Officer requested that we put in.

**Mr. Saskiw:** The Chief Electoral Officer said that he's just upholding the legislation. He said that it's the government's job to deal with issues of transparency.

Given that the Premier continues to lack the political will to act now and do the right thing on this very serious matter of illegal donations, will she at least do the ethical thing and reveal how much money her party has received, ensuring that every last penny has been returned?

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

**Mr. Lukaszuk:** Thank you, Mr. Speaker. The Minister of Justice and Solicitor General has been very clear. A previous Chief Electoral Officer put recommendations to this Chamber for changes to the legislation. This Legislature, as it normally does, has adhered to his request and has amended the law. The Chief Electoral Officer is upholding the law that came about by his predecessor's recommendation. If the current Chief Electoral Officer feels that changes need to be made to this legislation, we definitely will take it under advisement and introduce such changes if required.

**Mr. Saskiw:** Mr. Speaker, you don't need a law or recommendation to do the right thing.

Will the Premier at least agree that it's extremely unethical for this government to withhold information on illegal donations from Albertans, and will she ensure that all illegal donations identified by the Chief Electoral Officer have been returned and publicly reported?

**Mr. Lukaszuk:** Well, Mr. Speaker, this member will learn very soon that he's in this Chamber not only to make laws but also to follow laws. This Premier and this Chamber will follow the laws of the land. There is a law in place right now that was brought upon the recommendation of the Chief Electoral Officer. If changes need to be made, changes will be made and then followed. At this point in time this government and the Chief Electoral Officer are following the law that is on the books, which, by the way, as I said earlier, came about upon his recommendation.

**The Speaker:** Thank you.

Hon. Member for Edmonton-Mill Woods, did you have a question inserted here?

If not, we'll move on to the hon. Member for Calgary-Buffalo.

#### **Taxation Policy**

**Mr. Hehr:** Well, thank you, Mr. Speaker. Deciding what to do with highway 63 should be relatively easy. Find some asphalt; hire some workers; build the road. Unfortunately, it's a lot harder to find money to pay for it when the government does not collect the revenue we need from the citizens. Instead, the government has opted to spend all of our resource revenue on day-to-day expenses rather than saving revenue generated from oil and gas. To the Finance minister: given that roads are legitimate expenses for the government to make, why are we not getting rid of our flat-tax system, that sees a person making a million dollars a year pay the same rate of tax as someone making \$30,000 a year, so we can afford things like highway 63?

**Mr. Horner:** Well, Mr. Speaker, as I recall, there was that kind of a plan put forward to the people of Alberta in their platform, and it didn't do so well for them because I don't think the people of Alberta recognized that that was going to be something that would be beneficial for them.

We are looking at various alternatives as to how we can look at our capital and build our capital. Highway 63: as the Minister of Transportation has already indicated, there is a considerable amount of money built into the budget today to complete roughly half of that twinning. We will go through our capital process and our budgeting process and look at ways we can expedite that as we move forward without raising Albertans' taxes.

**The Speaker:** Thank you.

**Mr. Hehr:** Well, I think the hon. minister would agree that spending all of our resource revenues on today's bills is irresponsible. Will the government then implement a policy that, one, either adopts a fair taxation system or, two, adopts actually a user-pay system that could pay for things. Like, put up a toll road on highway 63; do it that way. If you don't want to ask the citizens to pay through taxation, set up a toll road.

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

**Mr. Horner:** Thank you, Mr. Speaker. There are some very, very good ideas that have been coming to our attention around things like toll roads and things like being able to have Albertans engaged in working on the capital of the province of Alberta. There are a number of things that we're going to be looking at over the coming weeks to determine how we might be able to expedite some of the capital in the province that's needed today.

I would also point out that Albertans have the benefit of a number of savings accounts, into which we have put a tremendous amount of royalty revenue over a number of years: the heritage savings trust fund, the access to the future fund, the Alberta heritage fund for medical research, the Alberta ingenuity fund, the sustainability fund, and there are others. We are in the strongest financial position, I dare say, of any jurisdiction in the western hemisphere, and Albertans recognize that.

**Mr. Hehr:** Well, as the hon. minister knows full well, we haven't put a dime away into the heritage trust fund since 1987, so I question all the saving he's talking about. When will we stop spending all of our fossil fuel revenues to pay today's bills?

**Mr. Horner:** Mr. Speaker, it's unfortunate that this hon. member has not read anything that has been presented in the budgets that have been brought forward in this House over the last five or six years because he would then know that we have indeed put money into the Alberta heritage savings trust fund, that we have indeed put money into the access to the future fund, that we have indeed put money into the Alberta heritage fund for medical research and the sustainability fund as well. Those are all funds that benefit Albertans today and will benefit Albertans in the future. To suggest that we're somehow in a fiscal problem at this point in time is just not reality.

2:20

**The Speaker:** Thank you.

Hon. members, the Speaker received six notes at once and inadvertently called for the Member for Edmonton-Mill Woods. However, I'm going to recognize the hon. member who should have been up for questions at that moment, the Member for Banff-Cochrane, followed by the hon. Member for Edmonton-Highlands-Norwood.

### Results-based Budgeting

**Mr. Casey:** Mr. Speaker, the government has said that the new fiscal discipline brought about from results-based budgeting will control spending, but we haven't seen any results yet. My question is to the President of the Treasury Board and Minister of Finance. Do you really think this will reduce spending?

**Mr. Horner:** Well, Mr. Speaker, government did not stop working during the election campaign. The department officials had been working on the framework and how we would move forward. We do believe that there will be some savings that come from results-based budgeting, but it is about getting results for taxpayers. Looking at the size and scope of government, we're looking at

doing about a third of the programs that the government offers every year for the next three years, with a loop on that. That includes agencies, boards, and commissions. If we review these and find that what is being delivered is not giving the benefit and the value to Albertans, then we're going to change them. We do expect to see some savings through the process.

**Mr. Casey:** Mr. Speaker, my question is again to the President of the Treasury Board and Minister of Finance. With oil prices down and a volatile world economy how can results-based budgeting possibly help this situation?

**Mr. Horner:** Well, Mr. Speaker, as was mentioned earlier in question period, we are actually on target with the estimates for revenue that we had put forward at \$99 a barrel. It's unfortunate that the hon. members haven't figured this out yet. We don't budget for the moment; we budget for the year. Today's spot price might be lower than what our annualized number was. In fact, the annualized number today is at \$99 and change, and our revenue forecast was \$99.25. On the spending side results-based budgeting will focus on using Alberta's tax dollars in a responsible, more focused way, and we do expect to see results.

**Mr. Casey:** My last question is to the same minister. When can Albertans expect to see a balanced budget?

**Mr. Horner:** We expect that we will be balancing the budget in 2013-14 as we committed, as we promised, Mr. Speaker.

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

### Hardisty Care Centre Labour Dispute

**Ms Notley:** Thank you, Mr. Speaker. Hardisty care's disputes inquiry found that taxpayer funding for staff is not "sufficiently different from comparable facilities to warrant the payment of wages lower than those paid to LPN's and HCA's under other collective agreements," yet the corporation won't negotiate with staff, compromises care for seniors, all the while pocketing taxpayer-funded profits. To the Minister of Human Services: why won't he admit that this strike is the direct result of this government's private delivery model for seniors' care?

**Mr. Hancock:** Mr. Speaker, there are a number of delivery models for care for seniors and people who need assisted living processes that all add to the choice that is available for all Albertans and all add to the capacity in the system for Albertans.

What the hon. member is talking about is a private dispute between an employer and employees as they try to get a first contract in place. This government did everything it could to get those parties together. We put in place a disputes inquiry board to ensure that they had the opportunity to come together. [interjection] We are ready, willing, and able to provide mediation in the process, and we encourage the parties to get together and to resolve this dispute in the interests of the patients and the residents in that facility.

**The Speaker:** Thank you.

Hon. member for Edmonton-Centre, if you wish to get on the speaking list, I'd be happy to recognize you.

**Ms Notley:** To the Minister of Health: given that care staff at Hardisty are striking because their corporate employer pays them 30 per cent less than what it receives in taxpayer funds and given that this strike is further evidence that the government's insistence on paying taxpayer dollars to the private sector cuts services and



disrespects care workers for the sake of profiteering, why won't the minister admit that private, for-profit delivery either hurts care or costs more?

**Mr. Horne:** Mr. Speaker, this is not an ideological question. As my colleague the hon. Minister of Human Services has said, it is about an employer and a group of employees attempting to negotiate a first contract. The standards in this province that apply in continuing care facilities, whether with respect to accommodation or with respect to health care, apply equally to all providers, whether public, private, or not-for-profit.

**The Speaker:** Thank you.

**Ms Notley:** Well, it may apply equally, but it doesn't apply equally to the workers who should be getting the money that they're not getting right now.

Now, given that this government is encouraging more private delivery of seniors' care and given that the situation at Hardisty is a strikingly clear example of the profit motive undermining care for seniors, will the Minister of Health at least admit that his seniors' care plan will only serve to take money out of the pockets of Alberta seniors and Alberta taxpayers to raise profits for his private company friends?

**Mr. Horne:** Well, Mr. Speaker, the same regulations that apply to health care standards and accommodation standards apply to the setting of the accommodation rate that seniors pay in Alberta. That rate is the same regardless of the provider.

With respect to the quality of care and the safety of the patients in Hardisty, Mr. Speaker, I can advise the House that both Alberta Health Services and my ministry are monitoring the situation on a daily basis. I am completely satisfied as minister that all the standards are being adhered to and that the residents are in safe hands at Hardisty.

Thank you.

**The Speaker:** Thank you.

The hon. Member for Calgary-Fish Creek.

### Continuing Care Standards

**Mrs. Forsyth:** Well, thank you, Mr. Speaker. Last Thursday's throne speech said that the government "will design and implement a plan to extend the province's network of continuing care centres so seniors can find accommodations that suit their budget and family arrangements." My questions are all to the Minister of Health. Minister, what regulations or standards exist on patient-staff ratio in both public and private continuing care facilities?

**Mr. Horne:** Mr. Speaker, the hon. member referred to two new continuing care centres that were announced last year. We're very proud of those because they are going to facilitate complete aging in place for seniors, from a very independent level of living right through to long-term care and palliative care.

With respect to standards, as I said earlier, the standards that are in place in Alberta, the health care standards and the accommodation standards, apply to all operators. Again, rather than an ideological basis for the standards, our goal is to ensure that residents receive the appropriate level of care in the appropriate place at the right time. We will continue to design our strategy along those principles.

**Mrs. Forsyth:** Well, Mr. Speaker, I don't know what spaceship he's on, but he's not on this one. You didn't answer the question. Who is responsible for implementation of the continuing care health service standards to ensure that seniors receive the care that they so richly deserve?

**Mr. Horne:** Well, Mr. Speaker, I'm certainly not on that spaceship, but I will tell you, as I said in the answer to the earlier question, that the health care standards apply to all. The health care standards are set by government. They are done so in consultation with stakeholders, including residents, Albertans who use the system. We will continue to apply the principle of providing the appropriate level of care to the residents in their particular circumstances.

Thank you.

**The Speaker:** Thank you.

The hon. member.

**Mrs. Forsyth:** Thank you, Mr. Speaker. I'm going to go back to question 1. What regulations or standards exist on patient-staff ratio in both public and private continuing care facilities? That's staff ratio. Is it 1 to 140, 1 to 60, 1 to 40?

**Mr. Horne:** Well, Mr. Speaker, the information on continuing care health standards is public. As the hon. member well knows, it is available to her to refer to and to comment on as she wishes. With respect to particular patient-staff ratios there are various places in legislation and regulation where one can look.

Again, Mr. Speaker, the guiding principle for this government will be to provide the right level of care for the right resident in their appropriate circumstances.

**The Speaker:** Thank you.

### Electricity Retail Market Review

**Mr. Dorward:** Mr. Speaker, while electricity prices are now low, just a few short months ago they reached record highs. My constituents want to know if these types of fluctuations are something they can expect to see in the future. To the Minister of Energy: what has been done to mitigate the dramatic fluctuations of the energy markets so that my constituents can better anticipate their electricity costs?

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

**Mr. Hughes:** Thank you very much, Mr. Speaker. I'm very pleased to take this question because we all know people for whom there's a lot of volatility in their electricity bills, and that actually can be a hardship for people on fixed incomes, for seniors, and for people who are more vulnerable. As a result, it's critically important, I think, that we take a good look at this question. Of course, the Premier announced a task force, an independent committee, in March to consider this very issue, the Retail Market Review Committee, led by Mr. Pound. We're looking forward to that, and I encourage Albertans to participate in that process.

2:30

**Mr. Dorward:** If that committee has been in place since March, what can they report today?

**Mr. Hughes:** Mr. Speaker, the committee will be reporting in due course. Obviously, they've been working away while the rest of us were engaged in other activities. As a result, over the next two weeks they'll be hearing from stakeholders in both Calgary and

Edmonton, more than 30 stakeholder groups, who've expressed an interest. I'd encourage all Albertans to follow that and send in their observations as well.

**The Speaker:** Thank you.

**Mr. Dorward:** How do my constituents do that, send in their responses to those meetings?

**Ms Blakeman:** Read the website.

**Mr. Hughes:** Mr. Speaker, the comment from our colleague opposite is quite astute. Actually, Albertans can visit the website. It's [www.rmrc.ca](http://www.rmrc.ca). They can fill out an online survey. They can provide their input. They can attend the public sessions in Calgary and Edmonton over the next couple of weeks. We need to do all we can to ensure that there is less volatility in the electrical system for retail customers in this province.

**The Speaker:** Thank you.

The hon. Member for Innisfail-Sylvan Lake, followed by the hon. Member for Calgary-East.

### Continuing Care Standards

*(continued)*

**Mrs. Towle:** Thank you, Mr. Speaker. The Minister of Health stated that seniors deserve aging-in-place accommodations that allow them to have a full range of care. Instead, while seniors are placed in continuing care, they are now being hit with a hidden seniors' tax that makes them pay hundreds more a month for such simple amenities as an extra shower or for assistance in managing their medication. Does the Minister of Health feel that it is okay to continue to nickel and dime our seniors for such basic assistance?

**Mr. Horne:** Well, Mr. Speaker, the hon. member is not correct in suggesting that there are any sort of hidden charges or tax in the continuing care system. As I said in response to a question from her colleague earlier on, the continuing care accommodation rate is set by government. It is set according to regulation, and it is reviewed on a regular basis. That said, the hon. member may be referring to the contractual arrangements that Alberta Health Services maintains with operators that stipulate minimum levels of service that must be provided.

**Mrs. Towle:** Mr. Speaker, given the minister's answer, does the Minister of Health understand that even though a senior has been approved for home care, many facilities are not providing even the showers that home care has approved because of lack of staff? Is the minister saying that this is what our seniors deserve?

**Mr. Horne:** Mr. Speaker, again as I said in response to the hon. member's colleague's earlier question, there are two sets of standards that are administered by the province with respect to continuing care: the accommodation standards and the health care standards. If this hon. member is aware of an instance where the required services under the Alberta Health Services contract with the operator are not being provided, I would encourage her – I would in fact urge her – to report that to my department.

Thank you.

**Mrs. Towle:** Again to the minister: given that I'm hearing from families across the province that seniors are not even getting their one or two showers that are home care approved, where is the

money going, how is the government holding facilities accountable for our taxpayer dollars, and what are we doing to support our front-line staff?

**Mr. Horne:** Well, Mr. Speaker, I've spent a lot of time in the House today explaining the standards, and I won't do that another time. Again, if the hon. member has some concerns about standards that are not being adhered to by particular operators, I would encourage her – I would in fact urge her – to report those. If the hon. member wants to entertain a discussion about what else can be done to enhance services that are offered to seniors, I would be equally interested in her input.

Thank you.

**The Speaker:** Thank you.

The hon. Member for Calgary-East, followed by the hon. Member for Rimbey-Rocky Mountain House-Sundre.

### Family Care Clinics

**Mr. Amery:** Thank you, Mr. Speaker. In March of this year this government announced that Edmonton, Calgary, and Slave Lake would be the sites of three pilot family care clinics. Then during the recent provincial election the Premier announced that over the next three years Alberta would see those family care clinics expand to about 140 communities across the province. To the Minister of Health: can the minister explain in layman's terms what a family care clinic is and how they are going to improve access to health care?

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

**Mr. Horne:** Well, thank you very much. The hon. member is absolutely right. This government was elected by Albertans in large part on a platform that would see us offer primary health care delivered by teams to every Albertan in or near their home community. That commitment is unwavering, Mr. Speaker. The introduction of family care clinics, building on the success of primary care networks, is a big part of that. The services that are offered have been discussed in this House before. They are delivered by family physicians, nurse practitioners, and other professionals working in a team environment to meet the basic needs of families in the community.

**The Speaker:** Thank you.

The hon. member.

**Mr. Amery:** Thank you, Mr. Speaker. Since we have a shortage of health care providers, can the minister provide assurances that these clinics will be fully staffed and ready to serve Calgarians and Albertans?

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

**Mr. Horne:** Thank you, Mr. Speaker. This government is committed, as we have said prior in this House, to using all health professionals to the full scope of their training and expertise. Much of our success in pursuing this goal of expanding family care clinics and offering primary health care to all Albertans will in fact be founded on that very principle. We'll be continuing to work with physicians, nurse practitioners, dietitians, many other health professionals to ensure that their opportunity to practise to their full scope of practice is made available to them.

**The Speaker:** Thank you.

The hon. member.

**Mr. Amery:** Thank you, Mr. Speaker. To the same minister: how will the family care clinics be affiliated with the primary care networks that we presently have in our communities?

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

**Mr. Horne:** Well, thank you very much, Mr. Speaker. I appreciate the question because it has come up frequently. First of all, we will continue to consult with all the health professions involved in both models of care as we move ahead. But, more importantly, we will be in a position, I dare say, in a few short months to articulate very clearly to Albertans what suite of core services we want to make available to them in their community. We will be consulting with the communities in addition to the health professionals about their local needs, and we will be designing these models not in a cookie-cutter approach but in a design that allows us to meet individual community needs as they change over time.

Thank you.

**The Speaker:** Thank you.

#### Critical Transmission Review Committee

**Mr. Anglin:** Mr. Speaker, the Critical Transmission Review Committee disallowed and prohibited stakeholders from submitting evidence. Instead, they only asked four questions of the stakeholders. The AESO responded to one of its questions, and I'm going to quote the AESO here: Alberta's electricity pricing system has actually worked very well for the citizens of Alberta. That was stated on December 12. Some 73 days later, on February 23, the Premier convened a commission to look into the pricing of electricity. To the Minister of Energy. Both can't be correct. Which is it? Is it the minister, or is it the AESO? Are the stakeholders here . . .

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

**Mr. Lukaszuk:** Mr. Speaker, I am not sure what the nature of the question is as the member apparently didn't have a chance to complete his question. However, the Premier has put a process in place, and the process will be followed. It was clear and transparent, and we will commit to the process that the Premier has ultimately put in place.

I'm looking forward to the supplemental question. Maybe I can give a more clear answer.

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

**Mr. Anglin:** Thank you, Mr. Speaker. The Critical Transmission Review Committee appointed by this government prohibited the submission of evidence, which in effect means that they did not review any evidence. With billions of dollars at stake will the Minister of Energy agree that they should have at least looked at some evidence before issuing its findings?

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

**Mr. Lukaszuk:** Thank you, Mr. Speaker. A decision has been made. Obviously, the body has been satisfied with the level of information and evidence that was provided to it. If the member has any questions relevant to the quality of information that was available to the body, he should be questioning that body directly. To my understanding the body felt that it had all the relevant information it needed in order to render a decision.

**The Speaker:** Hon. member, anything further?

**Mr. Anglin:** Thank you, Mr. Speaker. Relevant information comes in the form of evidence. The CTRC cited evidence. It cited evidence from 2004, but it did not read that evidence, nor did it allow that evidence to be submitted. Will the Minister of Energy admit that the Critical Transmission Review Committee erred when it relied upon a document that it did not review and did not allow to be submitted as evidence?

**Mr. Lukaszuk:** No.

**The Speaker:** Thank you.

The hon. Member for Edmonton-South West.

2:40

#### Aboriginal Relations

**Mr. Jeneroux:** Thank you, Mr. Speaker. This month aboriginal relations was separated from intergovernmental, international, and aboriginal relations to become a stand-alone ministry. My first question is to the Minister of Aboriginal Relations. Will this separation be a real benefit to the aboriginal community?

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

**Mr. Campbell:** Thank you, Mr. Speaker. The Premier has been listening to aboriginal communities, and she recognizes the important role and contributions they make to Alberta's society and economy. Establishing Aboriginal Relations as a stand-alone ministry demonstrates the priority this government has placed on working with aboriginal communities on issues important to them, such as economic opportunities and benefits, establishing a consultation process, and providing more opportunities for aboriginal women and youth.

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

**Mr. Jeneroux:** Thank you, Mr. Speaker. My first supplemental to the same minister: now as a stand-alone ministry what practical progress can we truly expect to see based on lessons learned from the past?

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

**Mr. Campbell:** Thank you, Mr. Speaker. It's important that we improve the relationship between government and Alberta's aboriginal population. This is vital to supporting the economic, social, and community development that's key for aboriginal peoples. This government has three main priorities: investing in families and communities, securing Alberta's economic future, and advancing world leadership of resources. Aboriginal communities and people are going to be an important part of that priority.

**Mr. Jeneroux:** Based on these priorities, are we going to see real improvement for the aboriginal community over the next four years?

**Mr. Campbell:** Well, Mr. Speaker, as I said in my first answer, the Premier sees the importance of our aboriginal communities to this province, so our first priority is going to be finishing the ongoing review of the First Nations consultation policy. We're then going to negotiate a long-term governance and funding arrangement with the Métis settlements, and we're also going to develop a First Nations economic benefits framework in colla-

boration with First Nations. I look forward to working with all our aboriginal communities on all of these matters in the near future.

**The Speaker:** Thank you.

Hon. members, just before we proceed with Members' Statements, might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

### Introduction of Guests

*(continued)*

**The Speaker:** The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thank you, Mr. Speaker. I am pleased to introduce to you and through you to members of the Assembly two special guests that are good friends of the Wildrose. The first one is the former Member for Calgary-Glenmore, Paul Hinman, who is here to listen, actually, to our first question period as the Official Opposition and, obviously, listen to our leader as she does her response to the Speech from the Throne. The second is a friend of mine – and his name is John Winslow – who is also joining Mr. Hinman. We're pleased to see both of them. I'd ask them to stand and receive a warm welcome.

**The Speaker:** Thank you.

Just before recognizing the hon. Member for Edmonton-Decore for her member's statement, I just want to comment that the first question period here went as smoothly as any question period I have ever witnessed in this Assembly. Part of the reason for that is probably because people actually took the time to listen to each other. Almost all of the questioners and the answer persons also referred through and to the chair their answers, and that helped a lot. Secondly, we didn't actually have a large amount of heckling until almost 11 minutes in, which was pretty good.

### Members' Statements

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

#### Primary Care Network Edmonton North

**Mrs. Sarich:** Thank you, Mr. Speaker. It's my honour to rise today to recognize an integral part of the provincial government's direction on primary health care service. A made-in-Alberta solution to primary care are the primary care networks, and the constituency of Edmonton-Decore is very fortunate to have the primary care network Edmonton North. A primary care network serves as a front door to health care, where a group of family doctors and Alberta Health Services, through their allied health professionals, co-ordinate health services for patients. They diagnose and manage health conditions, provide treatment of health issues or injuries, and provide wellness advice and programs.

On June 1, 2012, the primary care network Edmonton North will be celebrating its fifth anniversary of serving the health care needs of thousands of patients. As part of the anniversary celebrations, Mr. Speaker, the primary care network Edmonton North will be launching the Stepping Up! Pedometer Challenge, a fun way for teams of participants to improve personal health and healthy living. The pedometer challenge will run from June 1 to September 7, 2012, and having participants commit to a summer of improving their health by walking in north Edmonton's beautiful parks and green spaces and throughout our great capital city will truly be a benefit for life. I encourage all the residents of

north Edmonton to step up and step out in the pedometer challenge, and I wish the best success to all participants.

Congratulations and sincere appreciation to all of our health care professionals at the primary care network Edmonton North for five years of outstanding success and service.

Thank you very much, Mr. Speaker.

**The Speaker:** Thank you.

The hon. Member for Airdrie.

#### Shen Yun Performing Artists

**Mr. Anderson:** Thank you, Mr. Speaker. One of the things we all love about Alberta is how welcoming we are to different cultures. This diversity makes us strong. That is why I'm so disappointed and puzzled as to why this PC government has so badly mistreated Alberta adherents of Falun Dafa, a traditional Chinese practice whose key moral philosophies are truthfulness, compassion, and forbearance.

For several years the Falun Dafa associations of Edmonton and Calgary have organized the appearance of Shen Yun at our northern and southern Jubilee auditoriums. These performances are a beautiful and skilful display of Chinese music, dance, and other performing arts. [Remarks in Mandarin] These are peaceful and hard-working Chinese-Canadians who love their province and country. They love democracy, free speech, and sharing the beauty of the Chinese culture. They deserve our respect, as do all Chinese-Canadians, regardless of their beliefs. [As submitted]

During a recent Calgary performance there were some technical, privacy, and safety issues that this group felt the southern Jubilee management failed to appropriately address. After having their complaints ignored by the arts and culture minister, Falun Dafa Calgary sent out a press release complaining about these issues. In response the minister went ballistic and sent a letter stating that because of their press release the Calgary association would be forbidden from organizing Shen Yun at the southern Jubilee, then, inexplicably, that Falun Dafa Edmonton, a completely separate group who had nothing to do with the complaint, would also lose its right to organize Shen Yun at the northern Jubilee. Obviously, these bullying tactics are unacceptable and very tiresome.

Premier, this is Alberta, not Beijing. Let us not forget who we are as Albertans and what we stand for. I ask you to reverse your minister's decision and let these Canadians, these Albertans, exercise their rights of free speech and expression, that so many of them came to this country and province to acquire.

Thank you, Mr. Speaker.

**The Speaker:** Thank you, hon. member, and thank you for providing the translation in advance. I couldn't quite tell if it was Mandarin or Cantonese, but it sounded more Mandarin to me. Thank you for that.

The hon. Member for Fort Saskatchewan-Vegreville.

#### Fort Saskatchewan Community Hospital CT Scanner

**Ms Fenske:** Thank you, Mr. Speaker. The people living in and around Fort Saskatchewan, in my riding, are marking a milestone today. The first CT scan will be performed at the new, state-of-the-art Fort Saskatchewan community hospital. A first for Fort Saskatchewan, the \$1.2 million, high-definition scanner has capacity to provide 5,000 scans a year. Previously about 1,500 patients per year would have had to be transferred to facilities in Edmonton to have a CT scan, which is used to verify the presence or the absence of tumours, infection, abnormal anatomy, or other bodily changes.

The new scanner can also be used to perform virtual colonoscopies, a noninvasive procedure.

The \$87 million hospital opened to the public in April of this year. It is a magnificent facility. With more than triple the space of the health centre, the hospital offers 38 acute-care beds, 24-hour emergency services, and dedicated outpatient space. Additional services offered at the hospital include IV therapy clinics, obstetrics, general surgery, ophthalmology, diagnostic imaging, rehabilitation, pharmacy, and laboratory services. Built to meet LEED, leadership in energy and environmental design, silver standards, the facility contains many futuristic design elements, including touchless door openers, occupancy sensors, and surfaces that resist bacterial growth. Patient rooms have separate air exchangers to prevent the spread of airborne viruses. The new green building will also be highly energy efficient.

The people of Fort Saskatchewan and surrounding areas can be proud of this dramatic advance in health care, and this government is honoured to have played an important part in making that happen.

**The Speaker:** Thank you, hon. member.

I will call upon the hon. Member for Calgary-Varsity.

## 2:50 Excellence in Teaching Awards

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. Following on the introduction of the students and the teachers here from Alberta, it's an honour for me to rise today and recognize Alberta's 2012 excellence in teaching award recipients. It's our 24th year of this celebration. On the weekend there was a celebration in Calgary, which I was very grateful to attend, and some of my colleagues were there. Twenty recipients from across the province received an excellence in teaching award, and three received the Smart Technologies' innovative use of technology award. I'm bragging a little bit, but three of those teachers were from the constituency of Calgary-Varsity.

These recipients came from 341 nominees, and there were 130 semifinalists recognized in April. It goes without saying that these people have achieved remarkable results in the classroom. The diversity was incredible, from sustainable learning practices to reduce school waste to programs to teach children compassion and community service. There were teachers who were experts in paleontology, and we can guess where they were from. There were experts in dance, bullying prevention, and even auto mechanics for women. All of these recipients have influenced students' achievement and their sense of what is possible, and they ultimately contribute to this province's prosperity.

Mr. Speaker, in recognition of their contribution to education in Alberta these recipients can access up to \$4,000 for professional development. The three teachers who received the innovative use of technology award received technology packages and a Smart board. I offer my congratulations to these 2012 excellence in teaching nominees, semifinalists, and award recipients. We're fortunate to have them.

Thank you.

**The Speaker:** Thank you.

The hon. Member for Vermilion-Lloydminster.

## Hockey Day in Canada

**Dr. Starke:** Thank you, Mr. Speaker. This past weekend it was announced that Lloydminster will be the host of one of Canada's most storied events in February of 2013. This event was established in 2000, and it's attended by local and national

celebrities alike. I might point out, Mr. Speaker, that because of your specific abilities you should be watching your mailbox for an invitation. It is viewed by millions of Canadians each year – you may want to get a haircut – and was last hosted by Alberta in 2001. I'm talking, of course, about Hockey Day in Canada.

Now, having been asked to make the bid less than a year ago, local officials and leaders were able to come together and make a successful bid for Lloydminster. The celebration will highlight Lloydminster's rich hockey heritage. The story of Lloydminster is not complete without the story of how we saved our own junior A team, the Bobcats. When they were threatened with a move about a year ago, local officials rallied, sold shares, and were able to save the team. This is just one of the reasons why Lloydminster will be the host of this event.

I ask all members of the House to join me in congratulating the city of Lloydminster, with Mayor Jeff Mulligan, on winning the rights to host Hockey Day in Canada.

**The Speaker:** We will all look forward to it, some of us more than others perhaps.

## Flat-tax Policy

**Mr. Hehr:** One thing all political parties agree on is that the building of roads is a legitimate purpose for governments to be involved in. Since roads are a legitimate purpose for governments, the citizenry should be asked to pay for them. The way we and other governments ask the citizenry to pay for things has been traditionally through taxation.

With that said, Alberta is different than other jurisdictions in that over the course of the last 25 years, instead of asking the citizens to pay for things like roads, schools, and hospitals, things that citizens use, we have spent every last dime of the \$225 billion we have received in petroleum revenues to pay for these services. In my view, this has not been in the best interest of Alberta's long-term future.

We only need to look to Norway, who has asked their citizens to pay for the things they use instead of spending this one-time gift, the fossil fuel revenue. In following this course of action, they have been able to save some \$700 billion in their heritage fund while we have been stuck at \$15 billion. I ask you: who has followed the wiser path?

We all agree that the Fort McMurray to Edmonton highway should be done and done soon. Accordingly, there are things we need: asphalt, workers, and the money to pay for it. I am certain we can find the asphalt and the workers, but here is a novel idea to consider. Ask the citizens to pay for what they use. This sounds fair. We could use this opportunity to eliminate the flat tax, a tax that sees a person making a million dollars a year paying the same rate of tax as a person making \$30,000 a year.

Another option, if this government is so loath to ask the citizens to pay for this project through general taxation, is to go to a user-pay system. Set up a toll road. Charge individuals and companies a flat rate to use the road.

The reason I'm advocating for one of these two policy choices is because I'm sick and tired of us spending our kids', grandkids', and their grandkids' inheritance from a one-time fossil fuel resource on things we use as citizens. We must pay our own way. Otherwise, we are shortchanging our future.

## Notices of Motions

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

**Ms Notley:** Thank you, Mr. Speaker. Pursuant to Standing Order 15(2) earlier today I provided written notice to your office of my intention to raise a matter of privilege, which I hope I'll have the opportunity to present later today.

**The Speaker:** Thank you. Noted.

### Tabling Returns and Reports

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

**Mr. Anderson:** Thank you, Mr. Speaker. I have a tabling here from a constituent of mine, Nina Nath, and she is advocating, actually, on her property tax. She's a disabled Albertan; she has a disability. She's just an absolute firecracker. She's got incredible ideas, is quite a policy wonk, too. She's put together a note on how persons with disabilities should have tax exemptions similar to those enjoyed by seniors. It's a very compelling argument. I won't go through the whole thing here, obviously, but I encourage members of the Assembly to view this tabling, the Minister of Human Services to review it, and to seriously consider if there is something we can do to help them in this regard.

**The Speaker:** Thank you.

Are there any other tablings? The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. As per your request earlier today, notwithstanding that we've seen a circulation of a rotation for Members' Statements and question period now, I would table a package which consists of an e-mail to yourself transmitting the page signed by each of the House leaders with respect to question period rotation and a page signed by each of the House leaders with respect to Members' Statements rotation. I wouldn't say that it's in the nature of a House leaders' agreement but, rather, a consent of each House leader to these rotations applying for the time being.

**The Speaker:** Thank you.

The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Thank you, Mr. Speaker. I have an article written by probably one of the hon. Solicitor General's favourite authors, Mr. Andrew Coyne, on the use of toll roads and their use in paying for roads if the government is unwilling to tax and actually reducing vehicles on our roads.

**The Speaker:** Thank you.

The hon. Member for Airdrie.

**Mr. Anderson:** Thank you, Mr. Speaker. I'm sorry. I don't know how I forgot this one. There are many petitions to follow, but I would like to table a petition from residents of Edmonton and area who are supporting the Falun Dafa Association of Edmonton and asking the government to reconsider their decision to prohibit them from holding the Shen Yun performance in the Northern Alberta Jubilee Auditorium. There are about a thousand signatures. This is just over the weekend. We have about 5,000 coming from Calgary and more on the way, sir.

**The Speaker:** Thank you.

Are there any other tablings? If not, the Speaker would like to table a few items. First of all, hon. members, pursuant to section 39(3) of the Legislative Assembly Act I would like to table with the Assembly five copies of each of the following orders passed at the March 20, 2012, meeting of the Special Standing Committee on Members' Services: one, Members' Services Committee Order

01/12, Executive Council Salaries Amendment Order, No. 07; two, Members' Services Committee Order 02/12, Members' Allowances Amendment Order, No. 22; three, Members' Services Committee Order 03/12, Members' Committee Allowances Amendment Order, No. 08. Please note that all orders are effective as of March 20, 2012.

Also, hon. members, I am pleased to table the requisite number of copies of a report titled Review of Compensation of Members of the Legislative Assembly of Alberta, dated May 2012, submitted by the Honourable J.C. Major.

3:00

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following documents were deposited with the office of the Clerk. On behalf of the hon. Mr. Campbell, Minister of Aboriginal Relations, pursuant to the Metis Settlements Act the Metis Settlements Appeal Tribunal annual report 2011.

On behalf of the hon. Mr. Horner, President of Treasury Board and Minister of Finance, Credit Union Deposit Guarantee Corporation Alberta 2011 annual report.

**The Speaker:** Thank you.

Hon. members, it is 3 o'clock. I think we have concluded the Routine unless there are any other items to come.

The hon. House leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I would request unanimous consent of the House to revert to government business given that there is not private members' business on the Order Paper for today.

**The Speaker:** Hon. members, we'll deal with that momentarily. We have a question of privilege to deal with first.

The hon. Member for Edmonton-Strathcona. Thank you.

### Privilege

#### Obstructing a Member in Performance of Duty

**Ms Notley:** Thank you, Mr. Speaker. Can I just confirm that you're inviting me to make my representations with respect to the point of privilege?

**The Speaker:** Yes, please, hon. member, if you would.

**Ms Notley:** Thank you very much, Mr. Speaker. Pursuant to Standing Order 15(2) this morning I provided written notice to your office of my intention to raise a matter of the privileges of this Assembly today. Specifically, on May 24 at 1:30 p.m. the Premier and the Minister of Human Services provided a news conference on both the throne speech and Bill 1, the Workers' Compensation Amendment Act, 2012, to members of the media in the Carillon Room with the understanding that information provided in the news conference was embargoed until the throne speech commenced later that afternoon. A member of my staff attempted to attend that news conference and briefing but was told that opposition staff were not allowed and was specifically turned away.

The throne speech occurred at roughly 3:10 on that day, Mr. Speaker, thereby lifting the embargo that was applied to the discussions of both the throne speech as well as the bill. The bill itself was not introduced until roughly one half-hour later, and it was a little past that before all members of this Assembly were given the opportunity to review the bill. The bill was not on notice on the Order Paper, but it was given first reading that afternoon.

I believe the government has through this committed a contempt of the Assembly by providing information about a government bill to members of the media prior to the bill's introduction in the House and without offering opposition members a similar opportunity.

*Erskine May*, 24th edition, on page 251 describes contempt:

Generally speaking, any act or omission which obstructs or impedes either House of Parliament in the performance of its functions, or which obstructs or impedes any Member or officer of such House in the discharge of his duty, or which has a tendency, directly or indirectly, to produce such results, may be treated as a contempt even though there is no precedent of the offence.

Now, Mr. Speaker, a similar case of this kind of privilege was raised a number of years ago in this House. In a ruling on March 5, 2003, at page 304 of *Hansard* the Speaker found that a government briefing provided to the media concerning a bill "when the bill was on notice but before it was introduced constitutes a prima facie case of privilege as it offends the dignity and the authority of this Assembly." The difference between that case in 2003 and the one today is that the bill in 2003 was on notice but not yet introduced in the House when the media but not the opposition received a briefing on the bill.

Reading through the record of debate on the 2003 privilege issue shows that the point about the bill being on notice was considered important because that notice is interpreted as a signal that the bill is no longer in the draft stage, Mr. Speaker, but rather the government has completed any outside consultations it wishes to conduct, and the bill is now in its final form and ready to be introduced. Now, we all know that as a matter of course the government absolutely discusses new legislation with stakeholders or the general public when that legislation is in the draft stage. It's only once it has passed that stage that the details of the bill must be provided to all members of the House.

Bill 1, as we know, was not on notice on Thursday. Nevertheless, it was very clearly past the draft stage and in its final form when the government discussed the bill with the media as the bill was introduced in the House just over two hours later.

If the fact that the bill was not on notice could be used by the government as a loophole in the practices of this House, thereby allowing the government to provide details about emerging, or upcoming, legislation to persons outside the House before it is introduced and shared with members of this Assembly, that would have the same effect of offending the dignity and the authority of the Assembly, with which the Speaker's 2003 ruling in this House was concerned.

I would also note that the ruling in 2003 was influenced by a similar incident which was raised as a point of privilege in the House of Commons in 2001. Now, I won't go into the details of that incident now, because we're trying to be brief, as it was already discussed in here in 2003. Further details are available from the *Hansard* of the House of Commons from March 14 and March 19, 2001. However, the facts there are closer to the facts here in that the media was briefed in the morning and the bill was introduced the same day. I will only add that the Speaker of the House of Commons at that time said in his ruling the following:

To deny to members information concerning business that is about to come before the House, while at the same time providing such information to the media that will likely be questioning members about that business, is a situation that the Chair cannot condone.

Opposition MLAs and their staff members are routinely given information about government bills prior to their being introduced in this House, and we abide by that embargo on that information,

so I don't know why the government chose not to do that in this instance.

By raising this issue, I am in no way criticizing the media. They did the job they were supposed to do, and I've heard no suggestions that anyone who attended the 1:30 news conference broke the embargo to which they had agreed.

I believe I'm raising this at the earliest opportunity. The issue of contempt was not evident to me until after I left the House Thursday afternoon. When I left the House, I took a few minutes to familiarize myself with the contents of Bill 1 before speaking to the media about it. While it is a brief bill, certainly many other bills are not. I believe the fact that the media had the information on the bill for about two hours prior to my receiving it affected my ability to comment on it and to offer them analysis that differed from that which they had already heard from the government.

The previous rulings on this issue, Mr. Speaker, indicate that the dignity of this House is threatened when its members are not the first to see legislation. The Assembly should be the place where public debate about legislation begins. I'm arguing that out of fairness to all members and out of respect for this House our privilege of being the first to see the details of legislation that is brought before the House must be maintained. That was not the case with Bill 1 last Thursday at 1:30.

Mr. Speaker, I therefore urge you to find that the events on Thursday constitute a prima facie case of breach of privilege. Thank you.

**The Speaker:** Thank you, hon. member.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I received a copy of the notice, the letter that was sent to you this morning, just after lunch. I want to start by apologizing to the hon. member and to the House. I have no idea why opposition researchers or others would have been turned away from that news briefing. They ought not to have been, in my view. I will raise that immediately with the people involved to ensure that that type of thing doesn't happen again. I think it's quite appropriate for embargoed briefings to happen, and it's quite appropriate for opposition members to be in those embargoed briefings. If others are being briefed, the opposition should be. That's been the practice in the past, I believe, and that should have been the practice this time. I wasn't aware that it was not, and for that I would apologize.

Having said that, Mr. Speaker, I think I should be very clear to the House that there was no parliamentary privilege breached in this. The bill itself, of course, was not shared. It was talked about in general terms, not specific terms. No specific wording was talked about. That is rather the norm, I think, where, in fact, as House leader I have on many occasions issued a news release a week or so prior to a session, indicating what bills would be involved in the session, giving the subject matter of those bills, and in some cases discussing some details relative to what might be in those bills, and in some cases referring members of the media to the minister responsible for the bills to get the details. On the day that the bill is introduced, there's often a news release sent out and more briefings with respect to more of the specific nature of the bills.

It is obviously important that members of the House see the actual bill in its final draft form before anyone else, and to the best of my knowledge we've always adhered to that practice. It would certainly be my intention as House leader to continue to adhere to that practice. That's the custom and tradition of the House. It is important for members of this House to have the bill, to be the first to see the final draft of a bill.

3:10

I would hope that we would be able to continue the tradition, obviously, of briefing opposition members on an embargoed basis – I think it's very important to do that ahead of time – and, of course, to brief the media. But, again, there should not be a situation where the media is briefed without the opposition being briefed, whether that's done in general or on specifics. Again, I would apologize if that's what occurred, and I take the hon. member's word for it that that is what occurred. So I'd apologize to the hon. member and to the House for that.

That being said, again, the briefing that happened with respect to the bill was in a general sense both with respect to the throne speech and the bill itself and was nothing of a specific nature, to the best of my recollection. Certainly, nothing was quoted from the bill, and the bill was not circulated.

**The Speaker:** Thank you.

The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much, Mr. Speaker. I rise to join in the conversation as the House leader for the third party, that being the Liberal caucus, in this House. While I appreciate the words from the Government House Leader offering his opinion that such an action should not have taken place and would not had he been directly in charge of this, I will note that this is not the first time that this has happened in this House, and indeed it's not the first time that this has happened in this House with more or less the same group of people here. On March 4, 2003, almost identical circumstances took place. Now, that's nine years ago, but, you know, the Government House Leader was here. I was here. There are a number of others who were here who should be able to remember this.

Part of the issue in play is the immediacy of when the bill was going to be presented to the House. We have a set of circumstances here in which – and we all acknowledge that the government has been very good at working with their critics to provide a three-column document or a verbal briefing on things but never the actual bill. Occasionally some of us have also seen draft bills that clearly indicate “draft” right across it in a watermark.

But, no, in this case I think what is of particular note is that the media release happened, releasing the information that was not available to members of the House and not available to members of the opposition, on a bill that was imminently coming before the House. They were clearly dealing with a finished bill. It was not going to go out for another set of consultations. It was not going to go through any other parliamentary revisions. This was a complete and final bill that was going to be presented in the House in less than 24 hours, and that is of particular note here because it is specifically mentioned in Speaker Milliken's remarks that have already been referenced by my hon. colleague from Edmonton-Strathcona.

I think it's also important to note that the media are not stakeholders. They are valued colleagues in this democratic process, but they are not stakeholders, and I think we would all be fooling ourselves if we pretended that the media were somehow filling that stakeholder position.

I think it's important in your ruling, Mr. Speaker – and I would ask you to keep it in mind – that this is not the first time this has happened. This is, indeed, the second time in a period of nine years that it's happened, and I do wonder at the government's forgetfulness given the legions of staff that they have behind them to help them remember this sort of thing.

Secondly, we were not dealing with a document that was in any way going to be subject to additional changes in any way, shape, or form. We have a document that, as Speaker Milliken referenced, was shortly coming before the House.

Thank you very much, Mr. Speaker.

**The Speaker:** Thank you.

**Mr. Anderson:** I'll keep it short, Mr. Speaker. Thank you for recognizing me. I would say that, obviously, the question of the point of privilege I'll leave to you to speak to. Because of some technical things, meaning paper on top of the fax machine, we didn't receive this until about half an hour before. But I will say that this is one of the reasons why members of the opposition are so concerned that we are given enough time in question period to question ministers and so forth. There is this feeling that we don't have access to the government ministers, and this is the type of thing that happens. I realize it was a mistake – and I want to compliment the House leader opposite for admitting to that and undertaking that it won't happen again – but this is the general feeling that opposition members face, that they're not viewed as part of, essentially, the Assembly sometimes.

I would just hope that the new government ministers as well as the ones that have been there before will do everything they can to open up their offices to their critics so that they can come in and have a working relationship with them and get the information that they need. I think that if we have that type of culture in this Legislature, the things that we've seen here that the Member for Edmonton-Strathcona has brought up will be far less common.

Thank you, Mr. Speaker.

**The Speaker:** Thank you very much.

We've heard the points from a number of members. Before I go on, because we have so many new members in the Assembly with us and I know that they likely haven't had a chance to memorize all the standing orders yet, which I'm sure they will, I would like to have it noted that points of order – and that includes points of privilege such as has been raised – do have a very high, in fact the highest, priority here during the Routine. That is why we've allowed our Routine to go beyond 3 o'clock without the need for an amendment or a motion to waive 7(7).

That having been said, I will make the following comment. The hon. Member for Edmonton-Strathcona has raised a point of privilege, which is, of course, the most serious point of order that can be raised in this House. The Speaker wants to note officially that the hon. member has met the technical requirements. In other words, she did provide a written copy at least two hours before the commencement of today's session. Specifically, the Speaker's office received her letter dated May 28, 2012, this morning at 10:57. She also gave notice at the appropriate time. Thank you. I'm sure all members noted that. Finally, she has provided an outline, and we've heard from the Government House Leader, from the Liberal opposition, and from the Official Opposition in that respect.

That having been said, I would take some time to review the arguments and points that were raised by all the members, including the initiator. I will take some time to consider all of these points, and at that time I will make a further comment.

### Orders of the Day

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



**Mr. Hancock:** Thank you, Mr. Speaker. There being no private members' business on the Order Paper available for business today, I would request unanimous consent of the House to revert to government business so that we might, as was anticipated Thursday, take into consideration His Honour's Speech from the Throne and other government business that's on the Order Paper.

**The Speaker:** Thank you.

Hon. members, I will get to the question in a moment. I just want to explain briefly that we're asking for unanimous consent here through the Government House Leader's motion. If you grant it, then we'll proceed as the government wishes. If you do not give unanimous consent, then this Assembly will stand adjourned immediately.

[Unanimous consent granted]

**The Speaker:** Hon. Government House Leader, your motion has succeeded.

## Government Motions

### Amendments to Standing Orders

8. Mr. Hancock moved on behalf of Mr. Denis:  
Be it resolved that the Standing Orders of the Legislative Assembly of Alberta be amended as follows:
  - (1) Standing Order 52(1)(b) is amended by striking out "17 Members" and substituting "21 Members".
  - (2) Standing Order 52.01 is amended by striking out suborder (1) and substituting the following:
    - (1) At the commencement of the first session of each Legislature, 3 Legislative Policy Committees, consisting of 25 Members each, shall be established to consider the following subject areas:
      - (a) Standing Committee on Families and Communities – mandate related to the areas of Health, Human Services, Justice and Solicitor General, Culture, Education, and Service Alberta;
      - (b) Standing Committee on Alberta's Economic Future – mandate related to the areas of Agriculture and Rural Development, Aboriginal Relations, International and Intergovernmental Relations, Enterprise and Advanced Education, Tourism, Parks and Recreation, and Infrastructure;
      - (c) Standing Committee on Resource Stewardship – mandate related to the areas of Environment and Sustainable Resource Development, Transportation, Municipal Affairs, Treasury Board and Finance, and Energy.
  - (3) The Standing Orders of the Legislative Assembly of Alberta are amended by striking out "Policy Field" wherever it occurs and substituting "Legislative Policy".

3:20

**The Speaker:** Thank you.

Hon. members, this motion is debatable. Are there any speakers? The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much. I was part of the negotiating team that negotiated with the Government House Leader when the original policy field committees were established. I'm wondering now, given point (3), that "Policy Field" committees, those two words, will be struck out wherever they occur and substituted would be "Legislative Policy," do we take it, then, that the government's last two-year tradition of having budget debates debated in these policy field committees, the budgets for those particular departments as named previously by the Government House Leader, would now be debated in the legislative policy committees? If there is someone available to answer that question, that would be helpful.

**The Speaker:** Are there any other speakers?

If not, I would invite the hon. Government House Leader to close debate.

**Mr. Hancock:** Thank you, Mr. Speaker. Well, I think some of the discussion that we've had around the operation of the House was that we would be able to sit and talk about, going forward, what other things in the standing orders we might want to reflect on and how we might do things differently. I would certainly invite House leaders to engage in that discussion immediately post this session. Then potentially, of course, the Standing Committee on Privileges and Elections, Standing Orders and Printing might meet and discuss it as well. I think that's an open question as to whether or not we continue with what's in the standing orders now of referring the budget processes to either. The option is to allow them to come to the House in Committee of Supply or to the committee, and that would be the status quo with these three committees unless it's changed, but I think the discussion has been whether we want to look at how we do budget as part of the standing orders discussion.

[Government Motion 8 carried]

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

### Standing Committee Membership Appointments

9. Mr. Hancock moved:  
Be it resolved that the following members be appointed to the Assembly's three legislative policy committees:
  - (1) Standing Committee on Families and Communities: Ms Pastoor, chair; Mrs. Forsyth, deputy chair; Mr. Allen; Ms DeLong; Mr. Fox; Mr. Fraser; Mrs. Fritz; Mrs. Jablonski; Ms Jansen; Mr. Jeneroux; Ms L. Johnson; Mr. Kang; Ms Kubinec; Mr. Lemke; Mrs. Leskiw; Mr. Luan; Mr. McAllister; Ms Notley; Mr. Pedersen; Mrs. Sarich; Mr. Saskiw; Dr. Swann; Mr. Wilson; and Mr. Young.
  - (2) Standing Committee on Alberta's Economic Future: Mr. Amery, chair; Mr. Bikman, deputy chair; Mr. Bhardwaj; Ms Blakeman; Mr. Donovan; Mr. Dorward; Mr. Eggen; Ms Fenske; Mr. Goudreau; Mr. Hehr; Ms Jansen; Mr. Luan; Mr. McDonald; Ms Olesen; Mr. Quadri; Mr. Quest; Mr. Rogers; Mr. Sandhu; Dr. Sherman; Ms Smith; Dr. Starke; Mr. Strankman; Mrs. Towle; and Mr. Young.
  - (3) Standing Committee on Resource Stewardship: Ms Kennedy-Glans, chair; Mr. Rowe, deputy chair; Mr. Anderson; Mr. Anglin; Mr. Barnes; Mr. Bilous; Ms Blakeman; Dr. Brown; Ms Calahasen; Mr. Cao; Mr. Casey; Ms Fenske; Mr. Fraser; Mr. Hale; Mr. Hehr; Ms L. Johnson; Ms Kubinec; Mr. Lemke; Mrs.

Leskiw; Mr. Sandhu; Mr. Stier; Mr. Webber; Mr. Xiao; and Mr. Young.

**Mr. Hancock:** Thank you, Mr. Speaker. I would note that there is still a vacancy on each of those committees. That is a vacancy that would have been filled by a nominee from the fourth party. They have chosen not to nominate a person at this time, and therefore I propose that that spot on each committee be left vacant.

**The Speaker:** Thank you.

Hon. members, Motion 9 is debatable. Are there any other speakers?

Seeing none, I would invite the hon. Government House Leader to close debate if he wishes.

[Government Motion 9 carried]

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

#### Standing Committee Membership Appointments

10. Mr. Hancock moved on behalf of Mr. Denis:

Be it resolved that the following members be appointed to the Standing Committee on Public Accounts: Mr. Kang, Dr. Starke, Mr. Stier, and Mr. Webber.

**Mr. Hancock:** Thank you, Mr. Speaker. Normally the members of this committee would be appointed on day 1; however, as members will note, we've just expanded the size of the committee today, and this now adds the remaining four members to the expanded committee.

**The Speaker:** Thank you.

Hon. members, this motion is not debatable, so I will simply ask those who are in favour of the motion as proposed by the Government House Leader to say aye, and those opposed, please say no.

[Government Motion 10 carried]

#### Consideration of His Honour the Lieutenant Governor's Speech

Ms Olesen moved, seconded by Mr. Luan, that an humble address be presented to His Honour the Honourable the Lieutenant Governor as follows.

To His Honour the Honourable Colonel (Retired) Donald S. Ethell, OC, OMM, AOE, MSC, CD, LLD, the Lieutenant Governor of the Province of Alberta:

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly, now assembled, beg leave to thank Your Honour for the gracious speech Your Honour has been pleased to address to us at the opening of the present session.

**The Speaker:** The hon. Member for Sherwood Park.

**Ms Olesen:** Thank you, Mr. Speaker. It's a tremendous honour to move acceptance of the Speech from the Throne presented by His Honour the Lieutenant Governor of the Province of Alberta. I would like to thank His Honour the Lieutenant Governor for setting forth the vision of the 28th Legislature. I would also like to thank the hon. Premier for the opportunity to move acceptance of the Speech from the Throne.

I am excited by the Premier's vision for Alberta and her commitment to move Alberta forward on so many fronts. Alberta is exceptionally fortunate to have a visionary, proactive leadership committed to making Alberta the best it can be and a leader on the

national and international stage. The Speech from the Throne puts forth a road map of fundamental change in the process of governance in Alberta. It signals a new openness and transparency in government and how government relates to the concerns of Albertans. It provides certainty of direction, with multiyear budgets for education, advanced education, health, and municipal services so that institutions and municipalities can plan with certainty.

However, it also sets forward a methodology to ensure fiscal integrity by implementing results-based budgeting. Every part of government is to be scrutinized every three years to set the outcomes that are expected, to measure the results, and to report on findings so that Albertans can see where and why their tax dollars are being spent. This will reassert the centrality of ministerial responsibility and accountability. No longer will elements of government be assured of continuing support for functions that are not meeting real needs in real time.

The Speech from the Throne also sets forth a commitment to regulatory streamlining, with the goal of a single nimble, responsive regulator for upstream oil and coal projects, and it makes clear that regulatory facilitation shall not be at the expense of the environment. The direction is clear that this government will pursue world-leading resource stewardship to safeguard our environment. That includes partnering with the federal government to implement a comprehensive environmental monitoring system. It will invest in research and innovation and partner with industry to maintain and grow our world-class resource economy, and it will facilitate the opening of new markets through co-operative efforts with other provinces and other jurisdictions. I think all Albertans will be pleased by this fundamental change in approach to governance that is transparent, focused, and target-driven.

While this first session is not heavy with legislation, as we are just getting started, I am so pleased that one of our first tasks will be to extend workers' compensation coverage to first responders suffering from posttraumatic stress disorder. PTSD can be completely debilitating, and providing access to treatment is the least we can do. We have to help those who protect all of us.

3:30

Mr. Speaker, I would also like to extend my sincere congratulations on your election to this important office. It has been my pleasure to know you now for many years, and I have great confidence that you will carry out your duties with equity and wisdom. Thank you in advance for your guidance and counsel.

Next, I would like to offer my warmest wishes to the new cabinet. As you undertake your responsibilities of putting the Premier's vision of this great province forward, I wish you all the best. I know that all of your colleagues who sit as private members are prepared to assist you along the way.

I would like to extend my congratulations to all the members of this Assembly on your recent elections. I look forward to working with all of you in making Alberta and our communities better places to live, work, and play now and into the future.

I would also like to thank the residents of Sherwood Park for their confidence and the honour of representing their views and interests in this Legislature. I must commend my predecessor, the hon. Iris Evans, for her years of service to our community as MLA from 1997 to 2012 and for her 18 years in municipal government before that. Iris is truly an institution in our community.

Now a little bit more about my community. The Sherwood Park constituency encompasses about two-thirds of the hamlet of Sherwood Park, which is part of and governed by the specialized municipality of Strathcona county, Alberta's third-largest municipality. As an urban centre with rural roots and a governance

structure that encompasses both urban and rural residents, Sherwood Park and Strathcona county have a different historical context than many Alberta communities. Its municipal origins date back to its establishment as fire and labour district No. 2 by the then government of the North-West Territories in April 1893. It was renamed local improvement district 517 in 1913 and acquired the Strathcona name in 1945 after the merger of the municipal districts of Clover Bar and Strathcona. Strathcona county was one of the first specialized municipalities, established in Alberta in 1996.

As much of the county was not well suited to extensive agriculture and with limited natural resource wealth of its own, the county welcomed industrial development associated with the discovery of oil in the region after World War II. Sherwood Park was established to provide accommodation to refinery workers and their families in 1954 and gradually built on that base as it attracted other residents and industry.

Through a co-operative partnership with industry and other municipal jurisdictions such as the Strathcona Industrial Association, the Alberta Industrial Heartland Association, the Capital Region Board, and its predecessor the Alberta Capital Region Alliance the county built co-operative relationships to attract and grow its industrial base and commercial opportunities. By the way, I'm pleased to note that one-quarter of the 1995 to '98 Strathcona council that initiated the Heartland now sits in this Assembly, myself and the hon. Member for Vegreville-Fort Saskatchewan.

Today Sherwood Park constituency is home to two of the three oil refineries in Strathcona county as well as numerous other heavy industries and related manufacturing operations. Together with our regional partners in the Alberta Industrial Heartland we account for 43 per cent of basic chemical manufacturing output in all of Canada. We have built and continue to build industrial synergy and to attract new industries and value-added production.

I am really excited to be a part of a government committed to broadening our economic base to realize the full potential of our resources through research and initiatives such as carbon capture. We have enormous potential for further secondary processing and manufacturing. Concentrations of like industry offer great potential to jump-start further developments as the off-gases or heat of one industry forms the base of another.

Also, upgrading together with carbon capture offers potential to deliver the greenest oil on the planet. With three major carbon capture projects going forward, Alberta is fast becoming a world leader in this area. We have the potential to be Canada's Silicon Valley of petroleum processing and chemical manufacturing. By 2007 nine upgraders were proposed or under construction in the heartland region, with most already having acquired substantial land acquisitions. While that number certainly dwindled with the crash of 2008, many large oil sands producers have retained their land positions with a view to future growth, and North West is well along on design for work on its direct-to-diesel bitumen-in-kind project in Sturgeon.

Sherwood Park has also increasingly attracted a growing number of engineering firms with a wide range of talents, which bodes well for our future. Incidentally, I had the pleasure of representing our government at the 100th anniversary of Stewart Weir last week.

We also have a number of other strengths. Strathcona county was recently awarded the designation of being the best place in Canada to raise a family and get a job by *MoneySense* magazine on the basis of a wide variety of criteria. Sherwood Park is home to the first mega recreation centre in western Canada, combining two indoor soccer fields, a lane pool, a wave pool, two hockey arenas, leisure

ice, gymnasiums, an indoor running track, and a huge fitness centre. We were the first in western Canada.

It also boasts a number of other fine facilities, including Festival Place. We offer a continual lineup of live entertainment, a gorgeous new library and civic centre, and miles of hiking and biking trails.

Our long-awaited hospital, announced in 2005, is finally well under way with the completion of phase 1 projected for 2013 and the final build-out to be completed in 2016.

I was extremely pleased on the weekend to see that the contract for the final leg of the Anthony Henday has been awarded, and the construction is to commence in June. This 27-kilometre stretch of double-plus highway includes nine interchanges, eight railway overpasses, and two bridges. It will make a tremendous difference to travel in and around the capital region and will also make a particular difference on the Yellowhead route through Edmonton.

A new courthouse has also been a priority for our community. To facilitate that, the county has offered up land adjacent to our RCMP detachment.

I look forward to working with all of you to make our communities and this province the best it can be. But I just need to reflect on a very personal note. I would like to share that my McPhail forefathers came to this country with the Hudson's Bay Company. They worked in the fur trade in the Hudson Bay lands, then known as Rupert's Land. I think they would be proud of what we in western Canada have accomplished together so far.

Growing up, I had a very special relationship with my grandmother, Anne McPhail, born Maximchuk. She inspired my interests in government as a way of making things better. She used to tell me stories about the depression, and she also told me that the first woman elected to Parliament was also a McPhail. Agnes Macphail was elected as a Progressive in 1921.

So I am especially proud to be part of a progressive government, committed to putting in place the infrastructure, education, public health care, and social supports to enable all Albertans to be the best they can be in an open, inclusive society. We have a tremendous opportunity to thrive in a time of great global uncertainty. Albertans have put their faith in our government to manage their affairs, and I pledge to do my very best.

In closing, I would like again to thank His Honour the Lieutenant Governor for his inspiring words. Again I thank our Premier for her inspiring leadership and commitment to the people of Alberta. Mr. Speaker, it has been an honour to rise today and move the acceptance of the Speech from the Throne.

Thank you, Mr. Speaker.

**The Speaker:** Thank you, hon. member.

The hon. Member for Calgary-Hawkwood.

**Mr. Luan:** Thank you, Mr. Speaker. It is truly a privilege to rise in the House today to second the motion to accept the Speech from the Throne. I also feel extremely honoured to be standing here as the representative for the great constituency of Calgary-Hawkwood and to have been elected to such a strong government, one with a mandate to respond to change.

To quote the Speech from the Throne, "The last 41 years have brought incredible benefits to our province and seen society evolve in ways that have changed how Albertans think and live." I couldn't agree more. The Alberta that we know and love today is not the same as it was in the past, and neither is our government. We have changed to reflect the desires and the needs of Albertans. Just like those who governed us before, we will put forward a responsive vision for the time and the issues that we face.

Mr. Speaker, we are fortunate to live in an inclusive and diverse province. As we heard in the Speech from the Throne, the people of Alberta “have declared that they are not content to gaze inward and build walls. They want to look outward and build bridges.” I believe we can attribute some of those desires to the fact that more and more people from all across the world are choosing to call Alberta home, and one of those persons is me, standing here. In fact, in 2010 32,640 immigrants landed in Alberta, which is an increase of approximately 58 per cent from 2006. Research has shown that this trend will continue.

3:40

Mr. Speaker, Alberta has clearly evolved due to its changing demographics, and so has the constituency of Calgary-Hawkwood. I would like to take a few minutes to introduce you to my constituency and to a little bit of my background. Calgary-Hawkwood is made up of five communities in northwest Calgary: Silver Springs, Ranchlands, Hawkwood, Citadel, and Arbour Lake. It is one of the four new constituencies established in the province during this past election. The five communities were drawn from three former constituencies representing both established and new communities. It mirrors Albertans whose legacy dates back generations and the ones who have just arrived. I believe that Calgary-Hawkwood is a good example of the people and diversity of our great province. I cannot emphasize enough how proud I am to call Calgary-Hawkwood my home and to have been chosen by people in this constituency to represent them in this Assembly.

This is a riding with a rich history and promising future. I am humbled to be counted among such an impressive group of elected officials representing this area. Some of the notable members in our history are former Premier William Aberhart, former Premier Ernest Manning, and former Lieutenant Governor John Bowen. Most of all, I am proud to be a member of this government, led by our Premier. Twenty-three years ago, when I first arrived in this province as a newcomer from China, I arrived all but empty handed. Since then I have been working hard to establish myself, gain meaningful employment, and raise a loving and supportive family, something that so many new Albertans strive for and are able to achieve, bolstered by the Alberta spirit.

As a newcomer I never dreamed that one day I would be standing here in this prestigious Assembly. It just goes to show that in this province anything is possible with hard work and determination. [some applause] Thank you. This reflects our pioneer legacy and continues to define our province today. There's no limit to what Albertans can achieve, and under the strong leadership of the hon. Premier I know that we'll continue to inspire Albertans from all backgrounds, all walks of life to reach their full potential.

Looking around today at all of my hon. colleagues in this House, I believe that the change we see in our demographics is very well represented in this House here. Alberta has become an all-embracing cultural mosaic. Together we represent the change that has occurred in our province. Regardless of our differences we're banded together by our shared core values that define us as proud Albertans. It doesn't matter where and when we came from. We all share something in common such as hard-working ethics, innovative spirit, and the importance of family. We're tireless in our pursuit of achievement. This is the pioneer spirit, the Alberta spirit. This is a spirit that makes us so unique, proud Albertans.

Mr. Speaker, I remember quite clearly when I decided to run as an MLA. It was the time the hon. Premier spoke of her plan to invest in families and communities, as highlighted again in this throne speech. I knew then that I wanted to be part of that vision.

As a former community developer with a master's degree in social work and 21 years of public service experience I am passionate about serving families and communities. This is something near and dear to my heart. Strengthening family and building strong communities was one of the key themes of my campaign platform. Our government's commitment to strengthening families and building strong communities speaks to Albertans and echoes their values. The strong mandate in my riding and for our government across the province is humbling, but we'll move forward with this directive and do what Albertans have asked of us. Communities and families are the backbone of this great province, and when we work to strengthen them, we build a better Alberta.

As mentioned in the throne speech, this government will invest in families and communities through initiatives such as designing and implementing a plan to extend the province's network of continuing care centres so that seniors can find accommodations that suit their budget and their family arrangements; expanding family care clinics in consultation with local stakeholders and dedicated health care professionals so that families can have easy access to health care services and reducing the waiting times; providing stable and predictable three-year funding to core public services such as health care, education, and municipal services so that people in our community can access facilities and services to meet their needs; and Bill 1, the Workers' Compensation Amendment Act, 2012, which will guarantee workers' compensation coverage to first responders suffering from posttraumatic stress disorder. Through actions such as these we're demonstrating that this government cares about people. We are passionate about making a difference in people's lives so that Albertans can enjoy a high quality of life that is second to none in the world.

Mr. Speaker, let me touch on another great aspect of the throne speech, which is Alberta's economy. Alberta is the economic engine of this country. Alberta remains in a strong position despite facing the economic uncertainty that has buffeted much of the world. Because of this, people from all over the world are watching us and wanting to learn from our experiences.

Here are a few facts worth noting. Alberta leads the nation in employment growth. Our province leads the continent as the most economically free jurisdiction in North America. Albertans earn the highest average wage, they enjoy the lowest overall tax in the country, and our government is committed to ensuring that it stays that way. We are focused on investing in people, building our savings, and maintaining the lowest overall tax structure in Canada.

To conclude, Mr. Speaker, I am very optimistic as I look forward to the next four years. I know that our government through our policy framework has the right plan in place. I also know that this government balances Albertans' socially progressive values with their fiscally conservative beliefs. The throne speech lays out our government's plan to focus on the things that matter the most to the people of this province. We have heard the voice of Albertans loud and clear for change and will work hard to keep their trust and ensure that the changes and progress they want will become our new reality.

Last but not least, Mr. Speaker, I would like to thank His Honour the Lieutenant Governor for his delivery of such a powerful throne speech and his service to this province and country. I look forward to working with all of my hon. colleagues in this House to build a better Alberta for us all.

Thank you very much.

**The Speaker:** Thank you, hon. member.

**Ms Smith:** Hon. members, this is indeed an historic occasion. Not only do we have Alberta's first-ever elected female Premier; at the same time we also have an opposition leader who is a female. Mr. Speaker, you may have noticed that. This, obviously, is a first for Alberta, a very proud first, if I do say so myself, and is only the second time in Canada's 145-year history that women have represented both the government and the Official Opposition in a provincial Legislature.

3:50

To find the other example, you'd have to go all the way across the country to Prince Edward Island and back nearly 20 years to Premier Catherine Callbeck's Liberal government, opposed by Patricia Mella's Progressive Conservatives. In a province with a Jewish mayor in Edmonton and a Muslim mayor in Calgary I'm relieved that the image of Alberta is finally catching up with the reality no matter what fears may have been fostered during the election. We've got something to celebrate. Alberta is not just a reflection of a changing world. It's leading the way, which makes me extra proud to call myself an Albertan. Now, the Premier and I may not be the equals of Emily Murphy and Louise McKinney, but I know that we stand on the shoulders of giants – giants – great women of Alberta.

But I'm not just here as the leader of the Wildrose or the Leader of the Opposition. I'm here thanks to the folks in my riding, the people of Highwood. To them I say: I am honoured to be your voice in the Legislature, and I promise to do you proud. Though the riding has shifted geographically over the years, it's still a remarkable place with a storied history in Alberta politics, a history of leadership.

Albert J. Robertson, a Conservative MLA for what was then the constituency of High River, was the first Leader of the Official Opposition in Alberta, from 1906 to 1909, holding the fort against the Liberals of Alexander Rutherford. George Hoadley, MLA for what was then the constituency of Okotoks, was also a Conservative and Leader of the Official Opposition in 1918 and 1919. He went on to join an upstart grassroots party called the United Farmers of Alberta, which formed government in 1921, and then he had a long and diverse career in cabinet. Later on the region was represented by none other than William Aberhart, Premier from 1935 to 1943, and in a little less than four years – who knows? – Albertans may elect a second Premier that hails from High River.

Highwood is an extraordinary region, a collection of wonderful communities, a great mix of urban, suburban, acreage, and rural, warm and welcoming, truly a microcosm of the whole province, really, and much of it nestled along the Highwood and Sheep rivers. High River is the town I now call home with my husband, David, and our two dogs, Turk and Cain, who spend lots of time down by the river and are often muddy, covered with burrs, and deliriously happy.

Before I moved to High River, my stepson Jonothan came to live with us in Calgary, and I'm proud to say that he has just graduated with his bachelor of fine arts in print design from the Alberta College of Art and Design, one of the country's premier art schools. I can tell you that his dad and I are very proud of him and the exciting opportunities that lie ahead for him in the creative arts sector in our increasingly diverse province.

Though my residency in Highwood may be new, my family has a long history in Alberta. I was born and raised in Calgary by my parents, Doug and Sharon Smith. I know my parents are proud of me, but I'm equally proud of them. Mom and Dad married as teenagers, and times for them were tough. They lived in subsidized housing for a while, but they worked incredibly hard.

They paid their own way through school, they bought a home in Calgary, they lost a home during the days of the national energy program, and they somehow managed to raise five kids. I suppose we were poor although we didn't feel poor. I thought everybody in grade 6 wore their brothers' hand-me-down cords.

My first job was pushing a cart at a bingo parlour. Then I worked at McDonald's before climbing the ladder in the restaurant business from busgirl to hostess to waitress and eventually to supervisor, earning my way through university – two degrees – with less than \$10,000 in student loan debt.

Now, I don't think that my experience is all that much different from most Albertans'. Hard work certainly is a common story in my family. All of my great-grandparents arrived in Alberta at the turn of the last century, coming from England, Ireland, the United States, and the Ukraine to get here. Some of the original people who settled in Alberta, east of here, just north of Lloydminster, were my own ancestors on my mum's side, the Hawkinses.

Back in the 1800s, before they moved here, they were homesteading on the Kansas plains. My great-great-grandmother was Mary Crow. She was a member of the Cherokee Nation, that had been forcibly relocated to Kansas from the southeastern United States in the 1830s by the U.S. government, a terrible stain on the history of America known as the Trail of Tears.

On my dad's side we came from the Ukraine. My great-granddad was Philipus Kolodnicki from Galicia, but when he got to Canada, some immigration bureaucrat renamed him Philip Smith. I guess it was easier to spell. That's how I became a Smith. The Hawkinses started farming, and Philip Smith worked as a CPR switchman.

It's good for us to remember those early people and those early times because it's those people and those times that stamped the Alberta character. It's good sometimes for us to consider why it is that they came here at such great sacrifice and risk. Was it for an easy life? Was it so someone else would take care of them? No, obviously not. They wanted to build a new society where they could take responsibility for themselves and build their own communities in their own ways. People like Philipus Kolodnicki wanted to be free from the stifling authoritarianism and extreme poverty of eastern Europe. People like Jim Hawkins from the plains of Bloody Kansas wanted to find a place that was unstained by the tragedies of human history, where he could find peace and prosperity. But they all came for what was once called the Last Best West, and they were determined to make the best of it.

It seems clear to me that this is why people always come to Alberta and why they keep on coming: to get ahead, to make a positive difference, to build anew, to contribute, to earn their own way, and to help others do the same. Somewhere, somehow – and it's been slowly over time – I think the present government has lost sight of this. I think that instead of helping Albertans get ahead as Albertans, their focus is now just on getting into government and staying in government. But this is why there's a Wildrose, and this is why I stand here today as Leader of the Official Opposition with a caucus of 17 MLAs, to start the process of giving Alberta back to Albertans.

My own journey into politics began in public policy research as an intern at the Fraser Institute, my first job out of university. I coauthored my first major paper on environmental policy, called *Environmental Indicators for Canada and the United States*. I coauthored my second major paper on environmental policy, on endangered species, when I was at the helm of the Canadian Property Rights Research Institute. My third coauthored paper on the environment, *Achieving Eco-prosperity*, was while I was at the Canadian Federation of Independent Business as their Alberta director. In between I was elected to the Calgary board of

education as a trustee, had a career in print and broadcast journalism, and wrote thousands of articles on virtually every issue you can imagine as an editorial writer and columnist for the *Calgary Herald*. But property rights and their vital role in preserving both our environment and our economic freedom were themes I returned to again and again, and it's the main reason I'm now in politics.

My great ambition is for Alberta to lead the way in passing a constitutional amendment to entrench property rights in the Canadian Charter of Rights and Freedoms. When I am done my career in politics, it is my hope that section 7 of the Charter will state that everyone has the right to life, liberty, security of the person, the right to own and enjoy property, the right not to be deprived thereof except in accordance with the principles of fundamental justice, and nor shall private property be taken for public use without full, fair, and timely compensation.

My constituents will discover, if they haven't already, that I talk a lot about freedom. Section 2 of the Canadian Charter of Rights and Freedoms enumerates the fundamental freedoms that are guaranteed in this country and in this province. The first fundamental freedom enumerated in the Charter is the freedom of conscience and religion. I would note that this freedom was deemed so important by Pierre Elliott Trudeau and the Charter's other drafters that it's right there at the top. The second fundamental freedom is the freedom of thought, belief, opinion, and expression, including freedom of the press and other media of communication. Third is freedom of peaceful assembly, and fourth is freedom of association.

We've begun to see dangerous warning signs in Alberta that our fundamental freedoms are at risk. If municipal leaders and school board officials can't speak out against the government out of fear that they might lose grants, where is the free speech? If parents can't teach their kids the tenets of their faith without fear of being hauled before a human rights commission, where is the freedom of religion? If landowners can't meet without having government spies in attendance, where is the freedom of association? If the government can retaliate against a popular artistic performance group by denying them the use of a government-owned facility, where is the freedom of assembly? The great challenge of our time is for us to re-embrace our fundamental freedoms. They were not granted to us by government, and they cannot be taken away from us by government. This is my mission in public life, and this is why I felt called to public service. For me that job begins now.

4:00

I'd like to thank the hon. Lieutenant Governor for his delivery of the Speech from the Throne. He's of course had to do double duty this year as this was his second speech over the space of a few short months. I will have more to say on this, but first I'd like to say a few more words about the constituency that I represent, my new home in Highwood, and the reasons why I chose to make it my home.

As I said before, Highwood is an extraordinary region, a great mixture of communities and industries, and it is this diversity that convinced me to make this the place that I wanted to represent. The constituency of Highwood has changed greatly since the previous election, in 2008. A few communities have been redistricted to other constituencies, including Eden Valley reserve. But as Aboriginal Relations critic I want to assure the residents of Eden Valley that I will be a strong representative for them and every other First Nations, Métis, and aboriginal Albertan.

The arbitrary cancelling of the First Nations refinery project and the lack of consultation on a host of issues has severely damaged this government's relationship with our First Peoples. It was a

surprise to me that the throne speech never made reference to how the government will help to alleviate poverty in aboriginal communities and ensure that they have full access to all of the economic opportunities that should be available to them as Albertans. I look forward to building this relationship and advocating on their behalf.

Highwood constituency has also changed owing to the booming growth of the town of Okotoks, a town that has doubled in size in the last 10 years. It faces the attendant challenges of managing growth pressures. Residents will be pleased to see the opening of the new south Calgary hospital, an easy distance for many commuters who make their living in neighbouring Calgary. The town this year faces a major decision on its growth, having bumped up against the limits of the Sheep River. This decision is expected to be made in the fall, and I look forward to assisting Okotoks council moving forward on it, whatever their decision may be.

High River and the MD of Foothills are working jointly on mapping the aquifer, which may help with a regional water solution. In any case, both of these municipalities as well face issues of managing growth. High River has annexed enough land to grow double its size in the coming years, and the MD is just finishing its growth planning study this year. I support the MD of Foothills in maintaining local autonomy to best serve its residents. I hope that as MLA I may play a role in assisting the Calgary Regional Partnership in making the Calgary metropolitan plan attractive enough for the MD to be a part of it but voluntarily. There is more work to do here.

Highwood is growing so fast that it can barely keep up. Like every municipality, the municipalities within Highwood desperately need a new funding model, one that respects them as another order of government and gives them the resources they need to address their own priorities. The highway needs upgrading. We have overcrowded schools, insufficient long-term care, water challenges. Much-needed flood mitigation is required, which brings me to George Groeneveld, the previous hon. Member for Highwood.

Mr. Groeneveld was a great advocate for the region. He worked tirelessly to do what was best for the region, including to protect us from flooding, but his 2005 flood report has never been released. For the people of my constituency this is significant. The annual anxiety over late-spring floods is always overwhelming, and on Mr. Groeneveld's behalf I would like to ask this government to let us see his report. If some of the points are out of date, we understand, but we need to judge for ourselves. We need transparency.

I also want to issue a challenge to this Premier and her government, a challenge to think big, a commuter train system not just connecting the residents of my constituency to Calgary but also connecting those in similar-size communities to Edmonton and eventually to connect major centres with each other. Vancouver has the West Coast line using existing heavy rail lines. Ontario has the GO train system. How impossible can it be to connect High River to Okotoks to downtown Calgary to the airport to Airdrie and beyond using the existing CP Rail line? We don't have to reinvent the steel wheel. I urge our Transportation minister to go and take a look at existing services in other parts of Canada, and I am more than willing to work on starting a heavy rail pilot project to connect High River, Okotoks, and Calgary if he so desires.

Highwood is farming and ranching and forestry and oil and gas all around – I will talk more about that in a minute – but it is also a burgeoning enclave for arts and culture like so much of Alberta, visual artists like Brian Clute, Bob and Connie Pike as well as Arlene Western Evans and Stephen Evans to name just a few, and

the Museum of the Highwood, which recently opened after the terrible fire.

Some of our favourite movies were shot in the area: *Silver Streak*, *Superman*, and TV shows like *Heartland*. However, our film industry is hurting terribly. We need to fix the tax and funding structure now. One of the world's greatest movie horse wranglers, John Scott, runs his operation and makes his home in southern Alberta, and we want to keep him here.

Yes, Highwood is a wonderful area. I'm thrilled to live in a heritage house that is close to Guy Weadick's historic home, especially in this the hundredth-year anniversary of the Calgary Stampede.

Now, I would like to say a word about our major industries in Highwood and Alberta, focusing particularly on energy and the opportunities that I see that lie ahead. The "wood" in Highwood: well, we came by it honestly. The lumber industry was once a major economic driver in Highwood, much as it still is in other parts of the province. But just like a lot of Alberta industry, the lumber industry has grown and changed, and almost all the products are finished right here in Alberta. This is now a high-tech industry. Even for cutting lumber computers do the hard calculations on board length, angle of cut, and that means productivity is up, which benefits everyone. Take a primary industry like forestry, mix in technological expertise, and, presto, more efficient, more productive, value added.

This, you would think, takes a lot of energy. Of course it does, but this industry increasingly is turning to providing its own energy, converting pulp waste to power. The Canfor plant in Grande Prairie generates 23 megawatts of power, more than it can use, so it sells some of it back into the grid, with similar projects planned in High Level and Whitecourt. Now, that is Alberta innovation. Every viable source of energy needs to be developed so that Alberta is not just a leader in oil and gas but a leader in energy generation, period.

Highwood also sits square in ranching and farming country. The cattle industry is breathing a sigh of relief as prices seem to be recovering. In my riding Cargill provides work to Albertans and to foreign workers from Mexico and the Philippines. A diverse population, Highwood really is an authentic slice of Alberta. But there are storm clouds on the horizon. Overregulation in the slaughterhouse industry is strangling the smaller plants just as we need more capacity, not less. Addressing the issue of overregulation will be a priority for me.

As for farming, some Albertans may still have the image of the dusty, determined farmer working the field with a plow, but last year I climbed into the air-conditioned cab of a brand new combine. With the level of precision from the GPS technology the cab is a virtual office. A farmer can monitor markets and conduct business all around our wireless world and never stop combining.

We're not just corn and canola anymore. Schools like Lethbridge and Olds colleges teach cutting-edge plant science, irrigation, and water management strategies, and universities are working on the emerging technologies of converting agricultural products to plastics, pharmaceuticals, biofuels and more. Like forestry, agriculture is a high-tech industry and a growing player in a diversified energy market.

Of course, the Highwood riding used to include Turner Valley, the place our energy industry began. Alberta is an energy superpower thanks to that plus a century of technological wizardry, trial and error, and just plain hard work. If natural gas prices today are low, we need to look at that glass as half full, not a setback but an opportunity to convert as much of our energy use to this cleaner burning fuel as we can. Natural gas is up to 40 per cent cleaner than other hydrocarbon fuels, meaning we can grow

our economy while seriously reducing toxic emissions and greenhouse gases.

Remember, we didn't stop using whale oil because we ran out of whales. We didn't stop using wood stoves because we ran out of trees or coal furnaces because we ran out of coal. We simply switched to something cleaner and cheaper and more convenient. Tomorrow all hydrocarbons will seem as old as whale oil, but today we're doing it better and better.

The oil sands reserves are staggering. Our goal must be to continue to reduce our ecological footprint until the world wonders what all that environmental fuss was all about. The new technologies are equally astounding. As steam-assisted gravity drainage gets more and more efficient, industry is experimenting with thermal-assisted gravity drainage, meaning no open pits, no fresh water, no tailings ponds, no leakage into drinking water, lower emissions, and, of course, no dead ducks. The early results are promising, a miracle of engineering that the world will one day come to celebrate because no matter your level of concern, no matter how green you want to be, we all still drive, we fly, we love our iPads or our BlackBerries, everything. Everything and everyone relies on petrochemicals in every facet of every life every single day.

4:10

Our bigger threat is that over here we're producing all this energy and cleaner than ever before because over there various groups fight a proxy battle against Alberta's oil sands. It makes no sense. Pipelines have been crisscrossing this continent for years and years with almost negligible negative impact. When did pipelines become the enemy? Compared to trucking or rail or tankers from the Middle East, pipelines have always been considered one of the safest, cleanest means of transport. Today's fully monitored, state-of-the-art lines bring that risk closer to zero than ever before. Of the countries that produce that Middle East oil, well, many are regimes that no one should ever have to deal with. Yes, with pipelines of course we should proceed with care, but letting single-minded groups shut our oil in through a proxy environmental battle based on emotion, not based on fact, is an attack on our prosperity, our future, and on each of us, and we need leadership.

The Canadian Energy Research Institute calculates that over the next 20 years the rest of Canada will see \$100 billion in GDP growth, 1.6 million person-years of new employment, and \$17 billion in new tax revenues, all of that outside of Alberta but only if we can get the oil to market. I hope the hon. Member for Edmonton-Highlands-Norwood plans to share this information with the leader of the federal Official Opposition when he visits Alberta this week.

As I continue to monitor the ongoing debate about what we do in Alberta, what is clear is that a war is being waged on our product, and it is in the interests of every Albertan to do everything we can to protect it. I want to take action, but I want the action to be reasonable. Rather than throwing \$2 billion at the unproven effectiveness of burying carbon dioxide or slowing growth with carbon taxes on consumers, a tax on something that no one chooses to use, let's put a fraction of that \$2 billion on rebates or incentives for hybrid vehicles or fleet conversions to natural gas and renovations to improve energy efficiency of homes and buildings. It will do so much more to reduce our environmental footprint, and it won't penalize anybody.

We can change the way we use energy. Technology never sleeps. Look at our phones. We used to call you old if you once used a party line. Now you're considered ancient if you still use a land line. From wind to solar to biomass to geothermal to

localized natural gas the way we can generate heat and electricity changes every single day.

But this government is still bent on building \$16 billion worth of transmission lines we may never need to access a market that may never exist, transmission lines consumers have to pay for and landowners have to live with whether they like it or not. The government's electricity plan is more than four years old, and the emergence of shale gas has rendered it ridiculously out of date. That's one of the reasons why there are 17 Wildrose MLAs here in the Legislature. The government should never forget that 56 per cent of all voters did not support returning this government to power.

Now, I'd like to finish today on a happy note, but I can't. The government's throne speech shows that it mistakenly believes that it continues to have a mandate to spend its way into oblivion, to continue draining our savings, risking our future, and plunging us deeper into deficit as though this kind of reckless spending has no impact on key government services for families, seniors, and the vulnerable. To start a throne speech with this statement, "Economic recovery is under way in many parts of the world" greatly concerns me. The world economy is once again teetering on a precipice. The turmoil in Greece and Italy threatens the euro zone, and that in turn threatens us all.

Over the last 10 years we have seen gross mismanagement by this government papered over by heavy resource dollars covering up bad decision after bad decision, and there is no defence for being unaware of the world's economic challenges. We are not crying wolf. Oil and gas prices are already below government predictions. Every \$1 drop in the price of oil adds more than \$220 million to our deficit. If numbers continue on their current trend, we will face an additional shortfall of \$2 billion – that's 2,000 times \$1 million – on top of the deficit already budgeted. This kind of short-sighted and irresponsible management is, unfortunately, the hallmark of the current government.

They like to say that they've provided good stewardship of our vast resource wealth in the four-plus decades they've been around, but here's the truth. Since 1971, the year the PCs came to power, the Alberta government has taken in roughly \$315 billion in resource revenue. Think about that number for just a second, \$315 billion. That's \$315 billion that other provinces don't have and would long for. Properly managed, this unparalleled level of wealth could carry Alberta's top-notch public services through booms and busts with no impact on the people who rely on them. What a vision. What potential we have in this province. What potential this government has squandered.

Peter Lougheed knew of this potential. He knew Alberta was uniquely positioned to capitalize on a resource other provinces could only dream of to ensure long-term prosperity for every generation that follows his. Like a true visionary, he set forth a plan to make that happen. He called it the Alberta heritage savings trust fund. Four decades and hundreds of billions of dollars after Lougheed envisioned it, the heritage fund is actually worth less today in real terms than when he started it up in 1976. What should have been the envy of Canada and the model of forward-looking, responsible government stands today as a powerful symbol of this government's outright abuse of the wealth we are so fortunate to have and a relic of a bygone leadership that wanted to harness the future for our children instead of squandering it on themselves in the present.

Under this new Premier this so-called new government shows no signs of shifting course. During the election campaign the Premier took electioneering to new heights, promising some \$7 billion in new spending on top of what's already committed in Budget 2012. I can only hope she knows that there is no way to

keep her promises and balance the books this year or the year after or the year after that and so changes course before it's too late. I predict we are not going to see a balanced budget in 2012 or 2013 or 2014 or 2015. I hope I'm wrong, but I fear I'm not. There is only one silver lining. If it goes as badly as I'm afraid it will, Albertans at least will be able to choose a new government in 2016.

Alberta can be great again. Part of what made us great was our resolve to keep our books in order. We know – or at least we knew – that everything springs from our prosperity. Because we have this wealth and because we balance the budget and because we manage our dollars wisely, we can provide for Albertans the very best of everything. This is why our prosperity needs to be managed with a firm hand but a caring hand. We don't adhere to these fiscal values out of ideological purity or some other sense of intellectual obligation. We adhere to them because they work. We will fight for them because of that, and we will oppose the approach this government continues to take, the one that's being discredited across the world before our very eyes.

This government says that they'll decrease regulation, but they've only ever done the opposite. They say that we have a strong public service when what we really have is a top-heavy bureaucracy and not enough workers on the front lines. They promised endless program increases and now promise no new taxes to pay for them. Well, we don't want higher taxes either. So what does this mean? The promises are empty, or our pockets are empty. They vow to increase family care clinics in spite of the fact that doctors are begging them to reconsider. They promise more continuing care centres, as this government has for 20 years with so little success. How is it that we can believe them now?

They don't promise greater transparency; they offer a new minister charged with reviewing it. Well, here we can save them some time and effort: more transparency, period. They promise they will survey the possibility of whistle-blower legislation. Well, again, make it easy. Just introduce it. They promise to develop our natural resources responsibly, but they seem to forget it's private industry that develops our natural resources. Oversight? That's something altogether different. A better relationship with Ottawa sounds good, but does Alberta really need a consulate within its own country, or is this more of the same patronage from the party who wrote the book on it?

We have another four years of PC government for a variety of reasons except for one. No one believes they will actually get this province's books in order. No one believes that we'll return to being fiscally responsible. No one believes this government will stop looking past its own nose at a future they have consistently ignored. Everyone hopes, but no one believes.

With all of their election promises, remember that they can't just stick their heads in the sand, even in the oil sands. Those sands are deep, but even they are not a bottomless pit of money. Yes, this government has a mandate, but there are also NDs and Liberals and a bunch of Wildrosers that do, too. We are here, and we are watching on behalf of all Albertans.

Thank you, Mr. Speaker.

4:20

**The Speaker:** Thank you, hon. Leader of the Official Opposition.

Hon. members, section 29(2)(a) is now available. Just to remind some and perhaps introduce the concept to others, it means that there are five minutes allocated now during which time you can ask the previous speaker a question or you may make a comment on the previous speaker's issues that she relayed to this Assembly. Either way, there are five minutes available.

The hon. Member for Calgary-Mackay-Nose Hill.



**Dr. Brown:** Thank you, Mr. Speaker. I do have a question for the hon. Leader of the Official Opposition, and it relates to her comments regarding the fact that there were tens of billions of dollars squandered over many, many years. Instead of being saved, they were spent on various expenditures. Would the hon. leader not concede that one reason we have very low taxes, the lowest overall taxes in the country, is the fact that we have not squandered that money, but we kept the taxes low to pay for a very, very high quality of social services, a high quality of health care, a high quality of education, and many of the other programs? Are there specific areas which the hon. leader would suggest that we shouldn't have spent money on or that we should have increased taxes?

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

**Ms Smith:** Thank you, Mr. Speaker, and thank you to the hon. Member for Calgary-Mackay-Nose Hill for that question. I think that what you will have seen, that we have argued in the past – certainly, the hon. Member for Airdrie has said that part of the way you get your spending under control is that you put in place a year-over-year spending limitation law so that rather than seeing your year-over-year spending go up by 8 or 9 or 10 per cent, it goes up by a more reasonable 2 or 3 or 4 per cent. If we had put this policy in place as recently as 2007, we would not be running a deficit at all this year. We'd actually be running a surplus.

I was interested to see that we hold the same view as the president and spokesperson for the Alberta Union of Provincial Employees, Guy Smith. I was talking to Mr. Smith about the problem that we have of bureaucracy and multiple layers of middle management. He relayed a story to me from back in the 1990s. He said that the front-line workers were actually not all that upset when the previous Premier, Mr. Klein, had come through with some of those cuts to programming because what it meant was that they cut out layer and layer and layer of middle management. In those days, back in the 1990s, he tells me, there used to be one manager for every 16 front-line workers. Today, he tells me, there's one manager for every three front-line workers. These managers, multiple layers – six, seven, eight layers in the case of health care, as we hear – are the reasons why resources are not getting directed to the front line.

I can give you an example from some of our own research that we did looking at the Alberta health superboard. The Alberta health superboard in 2009 began a hiring spree of senior managers, administrators all making over \$100,000 a year, who do not do one hour of front-line services. We have seen an increase of 500 of these senior managers in two years, from 2009 to 2011.

If I'm being asked where it is that we would find the savings, that's where we would begin, and we'd do it compassionately. We understand that people who have contributed their entire lives to the public service, building their careers in the public service, deserve to be respected for that. We have an opportunity to be able to move to a leaner public service model, much as this government used to believe in back in the 1990s, identify a new management structure, and then as those managers start retiring through attrition, through natural retirement, you just don't replace them. Ultimately, you move back to the kind of model where you're able to redirect those resources to the front lines, put out a target, have one manager for every 16 front-line workers. I think what you would then see is that the members on this side, I think Albertans, and I think also the front-line public service providers would be very pleased at the level of service that they're able to provide to taxpayers.

**The Speaker:** Thank you.

Are there any other members wishing to take up 29(2)(a)? The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Yes. Thank you, Mr. Speaker. I rise to first of all congratulate the new Member for Highwood and Leader of the Official Opposition. I was edified by your speech and learned a lot, really, I guess, that I didn't know about your past. One thing that intrigued me the most perhaps is that you had spoken about conservative values, and I think you've spoken previously about being a conservative or even a member of the Conservative Party. I think your story kind of reflects what happened to many hundreds of thousands of people in Alberta over this last election that chose not to vote for the Conservative Party. Was there a point, a place where you could no longer abide by the Progressive Conservative Party and chose a different path?

**The Speaker:** Thank you. Hon. member, we'll have to wait for an answer to that at another time.

Are there other speakers to the motion regarding the throne speech? The hon. Member for Edmonton-Meadowlark and leader of the Liberal opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. It's an honour to give my response to the Premier's third throne speech in seven months, but first I'd like to begin by giving congratulations and thanks. I'd like to begin by congratulating you, Mr. Speaker, on your selection and every elected member in this Legislature that's elected to serve this great province.

I'd also like to thank the constituents of Calgary-Buffalo, Calgary-McCall, Calgary-Mountain View, and, of course, the fabulous constituency of Edmonton-Centre and all of those who elected 100 per cent of the incumbent Liberal MLAs. I'd like to thank all Liberal candidates and their families and their teams and volunteers for having the courage to keep Liberal values alive in this great province. I'd like to thank all of those on our team who helped to prepare the most visionary and courageous and honest common-sense plan to address the issues important to Albertans.

[The Deputy Speaker in the chair]

Of course, I would like to thank the constituents of Edmonton-Meadowlark for their confidence in giving me the opportunity to serve them for the second election. As you know, we had a landslide victory by 118 votes, and I look forward to working hard on their behalf again. Edmonton-Meadowlark is the constituency of Speaker Gerry Amerongen; Senator Grant Mitchell, also past Alberta Liberal Party leader; Karen Leibovici, municipal councillor in Edmonton; Mr. Bob Maskell; Mr. Maurice Tougas.

A lot of good things happen in Edmonton-Meadowlark. We've got West Edmonton Mall, a lot of industry, a lot of hard-working families. We've got a lot of wise Albertans who are living the golden years of their lives, a lot of immigrants, and many very good schools.

Mr. Speaker, a lot has happened since I was first elected in 2008. In my personal life my daughter graduated from Harry Ainlay high school, attended Faculté Saint-Jean, and now is in second year at the University of Alberta. My son is graduating this year from Strathcona high school. You know, during that time God felt it was time to take my father home, and my mother enjoys the twilight years of her life, living a happy, healthy life with her family.

As you know, for me it's been quite an interesting four years in public service. I've had the opportunity to serve in government,

serve as an independent member, serve as Leader of the Official Opposition, and now as leader of the second opposition party.

Mr. Speaker, I'd like to get back to the throne speech. Now, after three throne speeches one would expect a semblance of a coherent vision for our province to have been articulated. This is a great province, and we deserve greatness from our leaders. The third time is the charm, right? Well, sadly, no, it's not, not in this case. I believe we deserve better. Once again we've sat through a throne speech filled with platitudes, bromides, and slogans. The third throne speech, it must be said, was little more than an exercise in filling the air with sound signifying pretty much nothing.

4:30

Mr. Speaker, we have deficits in this province. We can't balance the fiscal books or the social books with oil at a hundred bucks a barrel. If we can't do it today, when are we going to balance these books?

In a visionary document we need solutions to problems. We have deficits. We have a structural deficit. Let's talk about this. There was no meaningful mention of the structural deficit that this government has created. Was there a mention? No, not at all. As a logical result of that submission, there was no meaningful mention of how this problem might be solved.

In the absence of seriousness on the government's part we would like to offer some solutions to this problem because I believe that part of opposition is not only to critique; it's to offer solutions, pragmatic, common-sense solutions. For starters, I encourage the Premier to introduce a fair tax which would see no increase in the rates paid by 90 per cent of Albertans but would see those with taxable incomes of more than \$100,000 a year pay their fair share. In fact, it would see us paying a little bit more, just our fair share, not too much. This change alone would bring in approximately \$850 million in additional revenue.

I also encourage the Premier to raise the corporate tax rate so that the largest companies also pay their fair share. An increase of just two points, from 10 per cent to 12 per cent, would bring in at least \$650 million. It's okay to make a buck in this province. Business is a good thing. All we're asking for is two extra cents. That's it. Two extra cents from every buck. It isn't much. Mr. Speaker, is this really so hard? One point five billion dollars just like that. Why the Premier is afraid to talk about such matters is a mystery because that's what leadership is about: having the courage to talk about tough issues.

Just these two measures alone would make it possible to end this government's practice of spending all of our resource revenue as quickly as our royalty checks roll in. We could finally start saving some of these resource revenues and investing the interest to benefit all Albertans for the future. Our decisions need to be made through the lens of what's best for not just our children but our grandchildren and our unborn great-grandchildren.

On the topic of resource revenues here's a novel idea that would both provide an incentive for companies to reduce the amount of carbon dioxide they release into the atmosphere and bring in additional revenue. Let's put a real price on carbon. We've got a problem – absolutely – perceived and real. It's long past time to move from levying based on intensity emissions to a carbon levy based on actual emissions. Phasing in a carbon levy based on actual emissions over a four-year period would encourage industry to reduce emissions, and industry would do the job. They are doing a lot of good work already, but I believe they can do better. They believe they can do better.

This will go a long way to restoring our environmental reputation locally and internationally, safeguarding the oil sands and our

economy and all of our valuable social programs in the long run. It would also bring in \$1.8 billion a year after the four-year phase-in is complete, money which could be used for both green transportation and to create a green technology fund to make Alberta a leader in environmentally responsible oil and gas extraction. Once again, why the Premier is afraid to discuss the revenues is a mystery. It just takes a little bit of vision and a little bit of courage.

Mr. Speaker, this province is about family and communities. Let's talk about communities. A discussion of eliminating our structural deficit is not the only thing missing from the throne speech. Any mention of ways to help our communities is also missing, but here are some suggestions. The first one can be done very quickly and easily. Let's work with the cities of Edmonton and Calgary to draft city charters so that they will have the powers they need to tackle their own unique challenges. Albertans are smart. Let's put power back in the hands of the people. Edmonton and Calgary are truly international cities. Allow their leaders to make local decisions. This is long overdue and would generate a lot of goodwill.

We can also call on the government to establish a new municipal heritage fund, which would begin providing and creating stable, sustainable funding to local governments and creating long-term infrastructure solutions. Good infrastructure is an economic enabler. Let's use the interest from this heritage fund to support neighbourhood associations. Direct funding to neighbourhood associations across the province with 25 per cent of the municipal heritage fund's earnings would enable citizens to turn their neighbourhood priorities into realities. With a \$1.5 billion investment into the municipal heritage fund every year and a 5 per cent rate of return on the investment, the average neighbourhood of 4,000 people would receive \$300,000 a year in 15 years. Four thousand people. That's like a small town. This sure sounds better than the current practice of squandering our resource revenues and of pork-barrel politics.

Mr. Speaker, let's talk about transportation. Here's another good idea we encourage the members opposite to steal. Invest half of the \$1.8 billion a year raised by the new emissions-based carbon levy I mentioned earlier in green transportation. This money should be distributed on a per capita basis to benefit every community in this province, from the largest to the smallest. It's the people's land. It's their resources. It's their money. Let's give it to them to do what they need to do. The cities of Edmonton and Calgary are saying that they need new LRT lines, and \$300 million each year from a carbon levy based on actual emissions would sure help. This would greatly help both cities to develop green transportation options such as LRT. Allow the municipalities to do what they feel is best for them. Not only would this help communities throughout the province to improve public transportation; it would result in real reductions in emissions.

Mr. Speaker, what about health care? Did you know that we have too many managers managing managers managing managers and not enough front-line staff? I'll tell you. I still work in the system. Every front-line staff will tell you that this government doesn't know what they're doing. A case in point is AHS's third-quarter report that we brought up today, that they didn't release prior to the election. It's a wreck. It's a failure in every major indicator of their own standards that they're not meeting. We're the biggest spending health care system in the country. Albertans deserve better, and I believe we can give them better. Here again, meaningful discussion is missing, so let's once again offer some solutions.

Earlier in my remarks I showed some ways that government can increase tax revenues by at least 1 and a half billion dollars with just a little bit of political courage. As it happens, we also have a good idea for investing some of this new revenue, investments which could fix a broken health care system. The best place to start is actually with home care. Let's call on this government to double the funding for home care so that our seniors can stay in their homes for as long as possible and in their own communities. It's where they want to be, and it's where we should help them stay. Doubling the funding for home care, to \$808 million a year, gets us there. This stops seniors from coming into hospital in the first place and gets them out of hospital if they do get sick and come into hospital.

We also call on this government to increase the supply of publicly funded and publicly delivered nonprofit long-term care beds for those whose needs exceed what can be provided at home. The evidence is in, Mr. Speaker. Private, for-profit long-term care does not serve our seniors well because when you add the profit component, cost plus profit equals price. The price of this health care gets you much less health care and a lesser quality of health care. That's the evidence internationally and locally. For-profit long-term care is inferior, and it's more expensive. Long-term care is increasingly too expensive for too many of our seniors. It's okay for the rich guys to get their stuff, but let's face it: most Albertan seniors aren't rich. They're average, middle-class, hard-working Albertans.

Where do seniors who need affordable long-term care end up when government doesn't provide it? They end up in the hospital, taking up a bed that's for sick or injured people. This is why seniors are being warehoused in acute-care beds when they don't even need to be in the hospital in the first place. We've got a paramedic over there. He understands this. It's unnecessary for it to be this way, it's morally wrong for it to be this way, and it's economically wasteful for it to be this way.

This is Alberta, Mr. Speaker. Let's please abandon this failed approach to long-term care. Let's invest \$180 million over the next five years to build publicly funded, publicly delivered long-term care spaces for our seniors, especially for low- and middle-income seniors.

Let's invest \$90 million over the next six years to cover the additional operating costs. This is what it takes to ensure an adequate supply of affordable, nonprofit long-term care beds. The bonus is that hundreds of acute-care beds occupied by seniors today waiting for long-term care or home care will become available. This means patients can be moved up from the ER department in a timely fashion. This means an end to – guess what? – agonizingly long waits to be admitted into the emergency room. This means ambulances no longer sit idle. It means an end to dangerously long wait times when you call 911 when your life is in danger and an end to red alerts. Surely to goodness all of this is worth \$270 million over six years.

4:40

Mr. Speaker, let's put the word "care" back into health care. That's all we need to do. It's what Albertans deserve. Or do we want to build and operate more hospitals instead of properly using the ones we currently have? For a government claiming it's ready to strike the right balance between progressive and conservative thinking, this should be a no-brainer. Unfortunately, this government has been neither progressive nor conservative.

What about education? Again, there's no meaningful mention of this rather important area, so let's once again offer some solutions. Let's get rid of school fees. It's a regressive tax on working families. Let's lower tuition and make education affordable and

accessible for every child. This regressive tax exists because this government doesn't fund education properly. We call on this government to invest an extra \$103 million a year in public education so that school fees can be eliminated. That's only a little bit of money. It's not that much. Alberta is blessed with an abundance of natural resources and wealth, but our greatest wealth and resource is our children, our people. Let's invest in them. The returns are immense in the long term. We can afford this, Mr. Speaker.

In conclusion, it's true that I have found this third speech in seven months to be a bit lacking, but I want to be a bit more positive. I don't want to end my remarks with criticism. I'd like to extend an offer to this government. Show the courage to address the structural deficit by introducing fair taxes so that we can save and invest in resource revenues. Fair taxation, a price on carbon, health care, education, infrastructure: these are economic enablers. Let's fix these issues. We will fully support you. Every single member of the Alberta Liberal caucus will support you. Let's stop running from the problems facing this province and have courage. Let's turn away from the old ways of doing things, which have been shown not to work. Show the courage to do the things that need to be done, and we will support you. That's a promise.

Thank you, Mr. Speaker. God bless Alberta. God bless Canada. God bless you.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much. Under 29(2)(a) I'd like to ask the member if there was any other group of people in Alberta that he felt had been missed or trivialized during the election and in the speeches that he would like to address now?

**Dr. Sherman:** I'd like to thank the hon. member from the fabulous constituency of Edmonton-Centre. In fact, Mr. Speaker, my disappointment is that this is such a great province, such a diverse province – we are people from all over the planet – and there are many people that were left out. The most important were the original immigrants to this nation from 10,000 years ago, the indigenous peoples of this province. They face and we as a province face a crisis. While there are some who enjoy so much prosperity in this province, there are some who do not have the opportunity to participate. The indigenous peoples of this great province I believe deserve not only mention but deserve solutions to the problems. How are they going to participate in the economy, in the prosperity when the high school completion rate is so low and the young people in the aboriginal communities can't get the skills and education they need? How can they participate?

Health care, the suicide rate, the mental health rate, the obesity rate, type 2 diabetes, hypertension, heart disease. When there's no access to care, how can you participate in the economy? Education and health care are not just social issues; they are actually economic enablers, but more importantly they enable people to live amazing, amazing fruitful lives.

There wasn't much for immigrants, for new Canadians. I can tell you that I came to this nation as a six-year-old. I didn't speak English. My parents were immigrants. My older brothers didn't speak English. It's challenging as a new Canadian, whether you're from Europe or Asia or Africa or South America. It doesn't matter where you're from; it's challenging when you're here in a fast-paced province like Alberta. You don't speak the language. It's pretty cold here, Mr. Speaker.

You know, you've got so many brilliant, educated people from across the planet working way beneath their abilities and capabilities. Invest in new immigrant settlement policies, English as a second language. Let's offer more government services and more languages beyond just English because that's how we connect with one another as a people.

There wasn't enough about seniors, those who built this great province. We have a lot of seniors coming up.

There wasn't enough about our children, how we're going to educate them. We have a 30 per cent high school dropout rate – did you know that, Mr. Speaker? – a 30 per cent high school noncompletion rate, the lowest postsecondary participation rate in the wealthiest, most prosperous province on the planet. Did you know that? It's an absolute tragedy.

That's why our greatest resource, my dear friends, is our people, our children. Let's address these problems. These solutions weren't there. There are many who don't enjoy their prosperity. This world can sometimes, many times, be an unjust and unfair place. Our duty is to make it a just and fair place. That is our duty. Not just to make the rich get richer; it's to make it fair for all people. Create policy that allows amazing things to happen, and then the individual has the responsibility of taking that opportunity. Yes, I believe in responsibility – individual, personal, community, and governmental responsibility – but individuals cannot seize that opportunity if we don't create an atmosphere for it.

Mr. Speaker, I'd like to thank you very much. I could go on forever. I love this province. I love the people who built this province. We will continue with passion and heart and vigour to support the government when they are right, to offer solutions when they're sort of right, and, hey – you know what? – to sock it to them when we think they're really off base.

Thank you very much. God bless you all.

**The Deputy Speaker:** Thank you, hon. member.

Are there others on Standing Order 29(2)(a)?

If not, then I'll recognize the hon. Member for Edmonton-Highlands-Norwood on the motion.

**Mr. Mason:** Thank you very much, Mr. Speaker, and congratulations on your post, which I'm sure you are going to fulfill with great dignity.

I appreciate this opportunity to respond to the throne speech that his Honour the Lieutenant Governor delivered last Thursday. Mr. Speaker, what was apparent to me during the recent election and what I think is now obvious to many is that the government has run through whatever credibility they might once have had. When the Conservatives won their majority government on April 23, the results said little or nothing about the government itself, its record, or its platform. What it did say was that Albertans didn't want to be governed by a group of people who deny climate change and who don't see a problem with discrimination against people based on race or sexual orientation. The election was not trust in the PCs; it was about fear of the Wildrose.

Mr. Speaker, that was April 23. Today we begin the process of understanding our place in this 28th Legislature, and I think it's more important than ever that the government listen to Albertans and, as well, to the other parties here in this Legislature because they, too, represent Albertans.

The message that the government is offering Albertans is sounding increasingly hollow. The message of pragmatic, responsible government is laughable when compared with this government's record on a wide range of issues. The prosperity that people think of when they think of Alberta is not reaching many in

our society. People realized in this election that what we have in this government is not leadership; it's not thoughtful or pragmatic governance; it's nothing more than a desire for power that keeps this government running. I think Albertans deserve more than that.

The throne speech, Mr. Speaker, was empty beyond my expectations. But in one way I think the emptiness of the Speech from the Throne represents an emptiness in the government's vision for this province. Although there was little vision in the speech about moving our energy sector forward, either in terms of environmental monitoring or a plan for sustainable development, nothing about creating an affordable market for electricity or even about making life affordable for families at all, I think that's just part and parcel of a government which is out of touch with ordinary Alberta families.

**4:50**

The government has been pursuing an energy strategy based primarily on pipelines to export unprocessed bitumen instead of creating jobs for Albertans by upgrading our resources here. Before the government moved to support the Keystone pipeline as heavily as they have done, there were a number of major upgrading projects approved for the heartland area. These were billion-dollar projects that would have created thousands of jobs and drawn investment to our province. Now, Mr. Speaker, those jobs are apparently lost for the time being. That was a direct result of this government's decision to favour the interests of oil companies over the interests of ordinary Alberta families.

This throne speech was full of evidence that this government does not have the priorities of ordinary families of this province in mind. While the Conservatives move to deliver more care to our seniors through a private model, hundreds and hundreds of seniors can't afford decent long-term care. While the Conservatives insist that private care for seniors provides good care at lower cost to taxpayers, workers from one of these private facilities are now on strike because their for-profit employer refuses to pay them a fair wage or even the industry standard. We heard talk of both of these things in the throne speech, where the government admitted that they still need to design and implement a plan for seniors' care and accommodation. Mr. Speaker, they've had 41 years to do so, and they're only beginning to design a plan now.

There's a serious crisis in this area, Mr. Speaker, and this creates a ripple effect through the entire health care system. Seniors can't find appropriate or affordable care, so they're forced to live in hospital wards while they wait for a suitable bed to open up. Meanwhile the government talks about improving wait times in hospitals, and it seems that they're announcing a new strategy for how to deal with that every other week. Having a plan for taking care of seniors is the first and the most important step to solving problems in our hospitals. Our wait times are unacceptable, we have a shortage of family doctors and other health care professionals, and all of this is a result of poor planning for our seniors.

We cannot trust this government's vision for education, Mr. Speaker, either. When school boards lost \$107 million in funding in the last year, it was pressure of parents, teachers, school boards, and the NDP that forced the Premier to call a fall sitting of the Legislature and restore that funding. But we are still short hundreds of teachers in the system that were there before these cuts took place. Across Alberta schools are overcrowded and infrastructure is crumbling. We're a long way from where we should be in that regard, and I think Albertans deserve a government that will strengthen our public education system and will commit to making postsecondary education accessible to all.

This throne speech contained a lot of claims about the economic freedom of Alberta. In fact, the speech referred to Alberta as “the most economically free jurisdiction in North America.” But if economically free means the lowest minimum wage and workers dying because of lax safety regulations, that’s not freedom for the average Albertan.

Mr. Speaker, everywhere – from the price of electricity to seniors’ care to minimum wages – this government has their friends in private industry in mind and not the individual families who pay the price every day when the government doesn’t stand up for them. What Albertans need from their government isn’t a focus on creating excess profits for their friends in the oil and gas industry but a plan for ensuring that all Albertans get a fair share of the prosperity of our province. That plan needs to include how you pay for our public services.

Simply saying “no new taxes” over and over again without any other plan to deliver the services that Albertans need isn’t good enough. Giving Albertans the worst return in the world on our oil and gas resources isn’t good enough. Smart and good government means making the tough calls sometimes, Mr. Speaker, and that includes looking at all of our options, including making sure that the wealthiest individuals and corporations pay their fair share and making sure that our royalty rates are delivering a fair return to the people who own those resources, the people of Alberta.

Albertans need the health care system that they deserve, and we need an education system that has the best teachers but also the best schools and infrastructure.

Where this throne speech did focus on taking care of ordinary Albertans – for example, increases to AISH, the independence of the Child and Youth Advocate, and providing access to child care for middle- and low-income families – those were all in response to pressure from Albertans and from the NDP. Increases for AISH always have taken too long, and it’s usually only in response to a great deal of pressure and many reminders that people with disabilities deserve to live with some dignity that this government ever takes action on this issue. And there is so much more to be done for Albertans with disabilities. This government should index AISH to the cost of living because a decent amount of money one year is a pittance five years later.

Similar to the increases for AISH recipients the government wants to take credit in this throne speech for the independence of the Child and Youth Advocate. Usually, Mr. Speaker, a throne speech talks about what the government will do. This throne speech is perhaps unique in focusing on things that have already been done. That maybe gives them something to put in the speech. But it was the work of my colleague Rachel Notley, who repeatedly embarrassed this government until they took action, that gave . . .

**The Deputy Speaker:** Hon. member.

**Mr. Mason:** Oh, I apologize. The hon. Member for Edmonton-Strathcona. I apologize, Mr. Speaker.

**The Deputy Speaker:** Thank you. Carry on.

**Mr. Mason:** I should know better. [interjections] Yeah.

Once again, taking action on something once it has become a thoroughgoing embarrassment to Albertans and to our province is not good enough and certainly isn’t something to be proud of.

So what can we see in the Speech from the Throne, Mr. Speaker? A government whose main achievements are directly attributable to pressure from the NDP. Let me assure you that that pressure will continue. We’ll work hard to raise the issues that matter to

Albertans and that this government has forgotten about. We’ll continue to talk about issues that others don’t, like giving Albertans a fair share of resource revenue, cleaning up the environment, cleaning up the tailings ponds, regulating the industry so the spills like the one on Friday near Rainbow Lake don’t happen. We’ll keep talking about fully public health care and good seniors’ care. We’ll keep talking about caring for vulnerable Albertans.

Mr. Speaker, we can also see in this Speech from the Throne that the government has run out of steam. They don’t have much to offer Albertans. They don’t have a really compelling vision for the future of this province. This government needs a strong, a vocal opposition more than they ever have, and it’s clear that the government cannot move forward unless it listens to the opposition, consults with the opposition, and is prepared to take ideas from the opposition. Whether or not they give us credit is another matter.

It’s clear from the results of the election and clear from this throne speech, Mr. Speaker, that this government has much to do. Unfortunately, we don’t see in the throne speech a guide to the future of the province. I mentioned today in question period the government’s sweeping commitment to end child poverty in this province made when they were far behind in the polls in the election, when they were desperate for votes. They talked about reducing poverty in the province overall. They talked about eliminating child poverty altogether. Yet that was completely missing from the throne speech. Why would such a sweeping goal not be included in the Speech from the Throne? It’s either not really a goal of the government, or the Speech from the Throne doesn’t reflect the government’s plans, and that itself, I think, says volumes about this government.

Mr. Speaker, in conclusion, I just want to say that I believe that Alberta has a great deal of promise. I think the future of this province could be wonderful, it could be bright, and it could be inclusive. It can include all Albertans, give everyone a share in the prosperity of our province. That should be the goal of the government. I wish that I saw that in the Speech from the Throne, but I do not. But it will remain our goal. It will be something that we will talk about, we will advocate for and work towards for the entire term of this Legislature. I look forward to working with any members and any parties who share those goals with us.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much. To the Member for Edmonton-Highlands-Norwood – where did Beverly go? Is it totally gone out of that?

**Mr. Mason:** Deron has got it.

**Ms Blakeman:** Oh, Deron has got it.

I’m wondering if the member has any particular advice that he would like to direct the government’s way or perhaps expand on the advice that he’s already laid out in his remarks.

**Mr. Mason:** Thank you for that very broad, very general – I don’t know where to start in terms of advice for this government.

**Ms Blakeman:** Well, at least it’s not in question period.

**Mr. Mason:** Yes. Well, puffballs are not entirely a preserve of the government, I suppose. But I thank you very much.

5:00

My advice is to recognize what the election was and what the election result was. The Progressive Conservative Party in the election worked very hard to frighten Albertans about another alternative that was out there, and many people voted for them on that basis. They should not take that as a mandate to do whatever they want. They shouldn't take that as a mandate even to implement fully their platform without consultation with other parties in this Legislature and without discussion and consultation with the people of Alberta.

I think the question of the government's mandate is extremely important as we begin our work of the next four years in this Legislature. I've already heard it said: well, we have a mandate to do, you know, exactly what we want or exactly what we promised. I don't think that the government does. Most broadly, this government mandate is to govern with an appreciation of the science of climate change and to not be homophobic or racist. That's about as far as it goes for much of the government's support.

I would say that the answer is to take into account that many thousands of Albertans voted for parties other than this government and that it would be useful and interesting and productive if the government took time to consult with the other parties in this Legislature as we craft a vision for the future of this province, a vision which I think is noticeably lacking in this Speech from the Throne.

Thank you for the question, hon. member.

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

**Mr. Anderson:** Thank you, Mr. Speaker. I have to say, hon. member, that I'm happy to see you again here, elected. I really am.

Your comments with regard to the Wildrose, inferring that we are in any way racist or homophobic, are absolutely out of line . . .

**The Deputy Speaker:** Hon. member, through the chair, please. Thank you.

The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Yes. Mr. Speaker, I'm talking about the government's scare tactics and not necessarily any reflection on any other party. That is, in fact, the government's tactics, which they used to win the election. I didn't comment on whether it was accurate or not.

**The Deputy Speaker:** Are there other members?

The hon. Government House Leader.

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

[Motion to adjourn debate carried]

## Government Motions

(continued)

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

## MLA Compensation Review

11. Mr. Hancock moved:

- A. Be it resolved that the Assembly approve in principle the recommendations of the Review of Compensation of Members of the Legislative Assembly of Alberta, "the report," submitted by the Hon. J.C. Major, CC,

QC, and refer the report to the Special Standing Committee on Members' Services, "the committee," for implementation where possible by June 30, 2012, subject to the following exceptions:

- (a) that recommendation 4 regarding salary for the Premier not be implemented but that the committee implement a salary that reflects a differential of plus 25 per cent between the Premier's salary and that of a minister with portfolio;
  - (b) that recommendation 10 concerning the expense portion of a member's remuneration, known as the tax-free allowance, not be implemented and that the amount of that expense allowance be set at zero pending an amendment to the Legislative Assembly Act to eliminate it;
  - (c) that recommendation 11 regarding the implementation of a new transition allowance be rejected and that no further amounts shall be accumulated beyond those accrued by eligible members prior to the commencement of the 28th Legislature;
  - (d) that the committee examine alternatives to the pension plan for members proposed in recommendation 12 and discussed in section 3.5 of the report, including defined contribution plans, and report to the Assembly with its recommendations;
- B. Be it resolved that nothing in this motion shall limit the committee's ability to report to the Assembly on any other matter arising from the report.

**Mr. Hancock:** Thank you, Mr. Speaker. We have a fairly comprehensive report from the Hon. J.C. Major, CC, QC. I think it's important in that our Premier fulfilled her promise very quickly after being elected leader last fall in requesting the Speaker to move ahead with an independent report on MLA compensation and that the Speaker, after consulting the Members' Services Committee, moved ahead on that process.

Now, this is something that had come up much earlier in the House. In fact, I believe there was a unanimous resolution passed by the House somewhat earlier, brought forward by the Member for Lethbridge-East. I think there was some discussion on that resolution, but there was some, shall I say, inability to move forward because people couldn't or didn't bring forward their recommendations as to who might be appropriate.

I have to say that the Speaker, upon the request of the Premier, moved forward with having this report commissioned, and now we have it. One of our commitments was that when we received this report, we would act on this report. I believe that passing a motion approving in principle the recommendations fulfills that commitment, that we accept in a general sense the recommendations that are made in the report with respect to MLA compensation. We do not ask Members' Services to tinker with MLA compensation. We do not ask ourselves to set our own compensation. We accept the recommendations that are made in the report.

Recommendation 1 is, in fact, to set MLA compensation at \$134,000, and we would believe that that recommendation should be adopted.

Recommendation 2 sets stipends for committee chairs. There's no other committee remuneration except for the chairs. While we might quibble as to whether that's appropriate compensation for

chairs, we are recommending to the House and requesting of the House that we ask Members' Services to implement recommendation 2. And so on with respect to the other recommendations with respect to other offices that are represented here; Leader of the Official Opposition, for example.

There is, though, Mr. Speaker, one recommendation, recommendation 4, which the Premier indicated as soon as the report was published, as soon as it was available to us, that she would not be able to recommend, and that's the recommendation with respect to the Premier's salary. The recommendation, in fact, suggests that the Premier's stipend should be fully 100 per cent higher than an MLA's stipend and that there should be additional compensation over the next two years to bring it up to a level I think equivalent to that of the Chief Justice of Alberta. The Premier, I think quite rightly, stepped forward and said that that's not an acceptable recommendation in today's climate, so we would ask the House to respect her request and to ask Members' Services not to implement that particular recommendation.

Some of the other recommendations – 5, 6, and 7 – deal, again, with compensation for other offices, 8 and 9 as well, and that is quite appropriate. That's what we asked Justice Major to do, and he has done it.

Now, with respect to some of the issues that were around discussion of MLA compensation over and above setting the amount, there have been in the public debate, both previous to and during the election, issues around the so-called tax-free allowance. All members will know that the tax-free allowance was something that's been set up – it's been available to governments across the country both, I think, at the provincial and municipal levels – to allow what we all know is the case, and that is the fact that we all expend our own personal resources in carrying out our office. That's a norm. Everybody does it, and it's to be expected. We now have, of course, in place budgets for each of our offices so that we can in fact have some of those expenses covered, and in fact Members' Services deals with some of the issues with respect to, for example, members who are coming from out of town, their accommodation allowances and those sorts of things.

I think it's fairly commonly believed that the tax-free allowance is an anachronism. Hon. Justice Major suggests that we retain it, however, because by eliminating it, all we really do is end up sending Ottawa more money. While that is, I think, something that none of us really wants to do – not that we have any disrespect for Ottawa, but we just don't want to send them more money if we don't have to – I think it would be fair to say that in the interests of openness and transparency and people understanding exactly what amount of money MLAs are paid, now is the time to eliminate the tax-free allowance and move to a fully grossed-up, taxable MLA salary.

It's very clear what MLAs earn, and it's very clear that MLAs pay tax on the same basis as everyone else. We would recommend that recommendation 10, concerning the tax-free allowance, not be followed through on and that, in fact, we implement recommendation 1 for the salary level that's in recommendation 1.

#### 5:10

That comes, Mr. Speaker, to recommendation 11 with respect to transition allowance, which has been another matter which has been the subject of a lot of discussion. In fact, I think it's fair to say that generally in the public there was some high degree of concern that the transition allowance which was in our compensation packages previous to the election was too high. In fact, Justice Major has come back and indicated that the existing one should be suspended and that a new transition allowance going forward from this point should be implemented.

Our Premier indicated prior to the election and during the election that she believed that we should eliminate the transition allowance. In fact, I think, again for the purposes of clarity and understanding, an MLA's salary with additional stipends for certain offices like Leader of the Opposition or minister with portfolio, et cetera, makes it very clear to understand, and then a clear pension piece would make it very clear for Albertans to understand. If we in any way confuse that with transition allowance, RRSPs, and those sorts of things in addition, that would not achieve the objective that we, really, originally set out.

So we're recommending that recommendation 11 with respect to transition allowance not be implemented, that the transition allowance be stopped as at the date of the election. Obviously, one wouldn't go back and take away an allowance that had already been earned, but going forward, we believe that the Members' Services Committee, in designing an appropriate pension as recommended by Justice Major, can incorporate from that perspective the overall fiscal amount that's set aside and achieve the objective of the overall level of compensation for MLAs without having a transition allowance. That design can be structured so that people could access a pension amount if they needed a certain amount for transition.

That's why, when we get to the next recommendation, we think it's very important that Members' Services not be constrained by the pension design set out in the report. It should be constrained probably by the overall fiscal amount, but governments across the country have been struggling with the whole issue of defined contribution versus defined benefit plans. Defined benefit plans have been a problem for the private sector in terms of unfunded liability, and it's certainly been a problem for governments in terms of unfunded liability.

While there's much that can go into the design of a pension plan to try and eliminate that particular concern, I think it's fair to say that government has certainly been looking at how you move to a defined contribution basis rather than defined benefit basis, and it wouldn't be, in our view, a great step forward to be talking about looking at that from an overall government perspective, as other governments and others across the country are doing, and then going ahead with implementing a defined benefit plan.

What we would request is that the House ask the Members' Services Committee to look at defined contribution to determine whether an appropriate defined contribution plan can be designed and put in place for members which would respect the overall recommendation of the Major report in terms of the amount of money that goes into it, the overall compensation, if you will, for MLAs but move away from the concept of defined benefit, with all of its perceived warts, and move into a defined contribution which limits the liability of Albertans yet still respects the fact that MLAs, by coming to this House, often give up the best earning years of their lives and need to have some combination there which will help to provide them for transition back into the private sector or into retirement.

I won't go on at length about that because I think it's in the hands of the Members' Services Committee, really, to do the detailed work, and members in each party have representatives on that committee to discuss it at the committee level. But I would say that when it gets to committee, I would hope that members will look very, very closely at defined contribution programs and determine one that would fit the needs of MLAs but as well meet the fiscal criteria or the overall compensation criteria set by Justice Major and have it, if it's possible, simple enough so that we can achieve the objective we had, which is for clarity, openness, and transparency, a very simple way for people to look and see what MLAs earn as they do their work on their behalf.

There are other recommendations in the report, Mr. Speaker. The question of the health benefits and other benefits: the recommendation is to maintain them. Certainly, we don't see any problem with that. Adjustments to compensation: it should be adjusted annually. The CPI as opposed to the average weekly earnings index makes sense.

Then recommendation 15 with respect to the review: this is why, again, there needs to be a subsection on the motion because I think the Members' Services Committee will have to look at that. We're not in the position, obviously, to demand the court put together a review committee for us. This recommendation is to be reviewed by a committee of judges. Obviously, we can't command in the report to put together a committee of judges, so the Members' Services Committee will have to deal with that and see the appropriate way to implement that type of a review and to see whether that review can be put in place.

Overall, we believe that the objective has been achieved. The House asked for an independent report. It has an independent report. The independent report has set an overall level of compensation that I believe fits what Albertans have been telling us. They want MLAs to be appropriately paid. They don't want us to be overpaid; they don't want us to be underpaid. We have a pay structure set out in the report which accomplishes that. We would ask that we not proceed with the tax-free allowance in the interest of openness and transparency and, again, what we believe Albertans have been telling us.

While I think that from a personal perspective I'd say that the office of the Premier should command a salary which is equivalent to the senior civil servant in the province or the senior justice in the province, it's not something which the Premier wants to do, and I believe it's not something which we want to do as a Legislature at this point.

I think the differential that's being proposed to maintain essentially the same differential that we have now – I believe it's about 26.2 per cent now – maintaining it at 25 per cent makes sense and then to move to an appropriate pension design but one which respects the fact that Canadians, whether in the private sector or in government, are currently looking at moving to defined contributions as a better way of understanding the overall cost of building a pension plan as opposed to defined benefit, which certainly might be seen by many as being preferential for the individuals receiving the pension plan but has its risks in terms of its long-term potential liability and the ability to keep up the investment necessary to meet the defined benefit in the long term and over a long period of time.

Overall, Mr. Speaker, I think it's a report which accomplishes what the Legislature asked in the motion that was passed unanimously and achieves what the Premier asked, that there be an independent report to set out the overall fiscal compensation for MLAs to appropriate levels. It does that. Where we are asking the Members' Services Committee to deviate from the report, I think, is in structure rather than in substance, and so I think it meets the objective of saying that we're accepting Mr. Justice Major's report.

We're asking the Members' Services Committee to implement it as quickly as possible to put this particular issue to bed so that Albertans know how much their MLAs are paid and we can get on with dealing with the business of the province in terms of what kind of a province we want to create. How do we address the issues of poverty and homelessness? How do we make sure that the budget is balanced, and how do we make sure that the economy is addressed in the right framework for every Albertan to be able to participate in the opportunities which this province affords? We can move on to those.

This is an important issue, but it's not really the issue that we're elected to do, so we should get it done, get it behind us, and move on to the big issues of the day.

**The Deputy Speaker:** Thank you, hon. Government House Leader.

Hon. members, this motion is debatable, and I will recognize the hon. Member for Edmonton-Meadowlark.

**Dr. Sherman:** Thank you, Mr. Speaker. I'm standing up to speak against Motion 11. Let's go back historically and find out how this MLA pay and no-committee pay mess all started. MLAs were getting paid. When they got elected, the Premier and the cabinet at that time and many in the current cabinet today set their own salaries, gave themselves a 34 per cent pay raise just before a major economic collapse, at a time when hard-working Alberta families were having a very tough time. Then at the same time this government decided on the committee structure, and they decided how often their committees would meet. Then this whole no-pay committee issue came forward.

5:20

Now, Justice Major has done a very comprehensive report. Mr. Speaker, as you know, you put two people in a phone booth and give them five things to talk about, they're not going to agree with all five of those things. I thank Justice Major for his very comprehensive report. I'll be honest. I don't agree with all the issues in that report. I do agree with some of the issues that he brought up in the report. The greater principle here is that we should not be setting our own pay. That's the greater principle. We should not be setting our own pay. Our job as leaders is to set the moral bar for society. If we're going to decide on our own pay, we may just as well tell everybody out there: "Hey, don't worry. You guys just tell us what you want and set your own pay on your own terms. That's okay because that's how we do it."

**Ms Blakeman:** Yeah. Perks and pensions, too.

**Dr. Sherman:** Right. Everything. Perks and pensions.

You know, 90 per cent of Albertans, Mr. Speaker, make less than a hundred grand a year. We have this government: health care workers have been going on strike because they won't give them 3 per cent. Do you know that 3 per cent of a little is a little; 3 per cent of a lot is a lot?

We should not set our pay because we have to be leaders. We must lead by setting an example, a moral compass. Whether I agree or disagree with the recommendations in the report, the principle is what we must live by, that we should not decide our own pay. It must be set independently. The hon. Member for Lethbridge-East, when she was a Liberal MLA, had said that it should be independently set. For us to take this report and cherry-pick things that we like and debate the things that are good for us or not . . .

**An Hon. Member:** Remuneration.

**Dr. Sherman:** That actually sets us back to what led us to this problem in the first place.

I would say, for those who are not happy, that I agree that the pay for the Premier is a lot of pay. It'd be higher than the Prime Minister is getting paid. The President of the U.S. is only getting paid \$400,000 a year plus 50 grand for expenses. If the Premier doesn't like it, she can cut a cheque and give it back. I wasn't proud of taking the no-meet committee pay, and I apologized to Albertans. I cut a cheque with interest and gave it back, and I challenge the government members to do the same.



The whole principle is that the pay should be independently set. He's done a comprehensive, independent report. Whether we agree with it or disagree with it, we should accept it. We should not be debating, cherry-picking which things we want and checking public opinion polls to see: hey, what's going to give us politically the best advantage?

Mr. Speaker, the judges are going to review it every four years. Justice Major is a very intelligent man. You know, he's made some decisions that he has thought about very wisely, and I believe we ought to respect Justice Major, whether or not we for political gain or loss agree with some of those decisions.

Mr. Speaker, that's really all I have to say. Thank you very much. I encourage every member of the House to accept this report in its entirety. If you don't like it, cut a cheque back when you get paid.

The last thing, Mr. Speaker. I do want to acknowledge the hard work, having served on both sides of the Chamber. Many members in the opposition here will serve on multiple, multiple committees. I do know that all members in every party here in the opposition – some were on six, seven committees – work extraordinarily hard. That unfairness needs to be addressed and fixed. We all work hard as MLAs. We all work hard in our constituencies and in the Chamber. For some MLA to work on seven committees and some on these make-work committees, we need to address that fairness because it's a lot of work here to serve our constituents. Please, let's not create extra work and make-work projects to keep some people busier than others, and let's just talk about fairness.

Thank you very much, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thanks, Mr. Speaker. I appreciate the opportunity to speak on Motion 11, albeit briefly. It's interesting in a way and perhaps somewhat ironic that you apply for a job, as we all did in this last election, without any accurate knowledge of what the pay rate is going to be afterwards. But we all did choose that, and we're in this circumstance now where we have to move forward on what the compensation for MLAs is going to be.

Unfortunately, we're stepping into what is a bit of a quagmire in the history of MLA pay, I would say quite a lot of mismanagement historically in this regard. There are some fundamental principles that I think are at the root of why this has been such a problem over the years and come to a head during this last election. I think that the public recognizes and we recognize here, too, as New Democrats that the process of MLAs setting their own pay rate is in itself a deeply flawed process that has led to a very tangled web that has interfered with the proper functioning, I think, of the Legislature and of this last election, dominating when other issues could have been and should have been debated and, I would say, even threatened the very integrity of this House as well. So we have an urgent need to seek some resolution on this issue.

I think that the key to resolving this MLA pay question is to look out to, first, the pay rates and the procedures of regular Albertans in the province of Alberta and see first what their circumstances are and perhaps seek judgment from there. The first thing I would like to point out is that, you know, in the rest of the province many Albertans are suffering from the lowest minimum wage in the entire country of Canada here.

**Ms Blakeman:** And two tiered, to make it worse.

**Mr. Eggen:** Yes, that's right, a two-tiered system where waiters and waitresses are forced to be from a different pay rate as well.

**Ms Blakeman:** Primarily women.

**The Deputy Speaker:** The hon. Member for Edmonton-Calder has the floor. Thank you.

**Mr. Eggen:** She's helping me out. That's awesome. Yeah, that's good.

Sometimes you're helping me. That's good.

A large portion of workers in this province have no pension at all. Through very poor labour practices and the boom-and-bust cycle of our economy we see an unstable situation for many people that are facing retirement without a pension, defined or undefined. On the other hand, the Major report that we saw just recently come out would make Alberta MLAs amongst the very highest paid in the entire country.

The incongruity of this situation between regular workers and our own MLAs here setting our own pay rate makes it very problematic at the very least, this situation, and I think we need to seek resolution based on the first principle that this Major report was created for in the first place, which is to have an independent decision made on our wages here. While this was the model that was created by bringing in Justice Major, almost immediately it was muddled and clouded and ultimately broken, this sense of independence of the Major report.

I wonder, in terms of setting the terms of reference for this inquiry, who actually would choose Justice Major in the first place. I would be very curious to know who actually did that. I'm suspecting it was the Premier who actually did do that and who set the terms of the references. You know, it just seemed very confused from the outset. Then ultimately immediately breaking that idea that we or that the government would accept the results of that report, again, I think just confused the whole issue.

I think it's important for us to take a long, sober look at this MLA pay issue and to refer it to Members' Services, where it can be worked through in a reasonable way, again, as I said, using those principles that I had laid out at the beginning: first, what is the standard for wages and pensions in the rest of the province for the rest of the people here in the province and, two, to try to go back to that concept of independence that the Major report was meant to be in the first place.

5:30

It's interesting, you know, that when you look back to ancient Rome and to Paris, France, after the revolution, political leaders were paid some version of the average wage of their constituents. They would get a pay raise if the wages of their constituents rose first. While I'm certainly not suggesting that this is one of the parts of the terms of reference for this pay raise, it does remind us of what we are doing here in the first place and how we will be judged by setting our own salaries. Ultimately, it's the constituents who place us here with the responsibility to have sober and reasonable judgments on the issues of the day, and they are looking to us now more than ever on this very issue to ensure that we give ourselves a reasonable wage but not excessive and that there's something there that's not gold-plated, that it's something that reflects how people are paid here, the rest of Albertans who live and work here and make the province go round.

Thank you.

**The Deputy Speaker:** Thank you.

Hon. members, Standing Order 29(2)(a) is now available. The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I wonder if it would be appropriate to ask the hon. member if he could perhaps go back and review the process. He commented on not knowing where the name came forward from and alluding to the fact that he believed

it might be from the Premier's office. I can assure him that it was not the Premier's office who put forward the name of the honourable member. Rather, it was something that the Speaker took on, and I believe he spoke with the Members' Services Committee. That could be the subject of a review. I'd ask the hon. member to go back and review the record because it's clear it wasn't the Premier who determined what the parameters of the inquiry would be, but she did request the Speaker to get on with the job of getting it done, and we're glad that he did.

**The Deputy Speaker:** Thank you, hon. Government House Leader. Hon. member, did you wish to respond?

There being none, I'll recognize the next speaker. The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you very much, Mr. Speaker. As always, it's an honour and privilege to rise and speak to this government motion. I will tell you at the outset that I will be voting against this motion, and hopefully the reasons will become apparent.

I would like to thank Justice Major for what I thought was a very thoughtful piece of work that analyzed a great many facets and came to some very reasonable conclusions. By all means, we could hire 50 different people or 50 different organizations to do a report, and it wouldn't come out exactly the way that Justice Major decided on it. But I thought that if you reviewed the report, you were given an insight as to what he was looking for and what he was considering. I think that at all points in his report he made it clear the sort of different cleavages between what people outside of this Legislature think about the political process, what we do in this Legislature, and how we represent our constituents.

He was perfectly honest when he said that the pay of MLAs has to reflect an ability to attract people to the job, the ability to have people leave their professions at various stages of their lives and give up some very good working years in doing that to serve, and also a reflection that they will not necessarily win their next election. This is not a job for life, so there's got to be a balance. He also recognized the fact that it's a difficult balance because no matter what the pay is going to be, people at the grocery store, people at 7-Eleven are going to be upset. We're easy targets. At the same point in time I think his report reflected that. I applaud him for reflecting all that and going through all his points and honestly going through the analysis because the analysis, when you go through it, is pretty good and pretty succinct when you look at all of those components even if we here would have different opinions in varying degrees.

I also like the approach that the hon. Member for Edmonton-Meadowlark took at the start of this, which was: how did we get here? It reminded me of this scene in *The Godfather*. It was after the godfather had initially been shot, and Sonny had been shot at the causeway. The war was winding up between the five families, and they met at the head of the table. There was Barzini, and he brings up the godfather, and the godfather gets up and says: well, how did we get here? Then he goes through the process, and he says: I will not be the one to forgo the peace. That was the final thing. The five families make up. They get on with business and go from there.

If we look at this sort of endeavour that we've got here, it goes back to 2008, to where the government did give themselves a raise of 34 per cent immediately after becoming elected. This was immediately followed by a recession and a government who found themselves in some political troubles, okay? In every sense of the word this issue often was front and centre in the upcoming election. So one of the reasons that this was acted on was political pressure.

I will note for the record that it's been a long-standing Alberta Liberal position that MLAs should not be setting their own pay.

That's why I believe – and I'm surprised she's not here to discuss this today . . .

**The Deputy Speaker:** Hon. member, you can't refer to a member being here or not.

**Mr. Hehr:** My apologies. I hope she'll be able to rise and speak, the hon. Member for Lethbridge-East, to sort of go through what she believed in her motion, I hope, to be true, that MLAs should not be setting their own pay, that we should move this to an independent process.

That's what I thought we all agreed on here in this House. I can remember that private member's motion when we all got up here. We all spoke about how wonderful this was and how, yes, this is a great process and, yes, we're excited by this and, yes, we realize that we here as politicians are not to be setting our own pay. I think that for everyone here, from the loyal opposition to government members, if you go back in *Hansard*, this was sunshine, lollipops, and bunny rabbits. Everything else was that this was going to be great. We then sent it to Members' Services, and there, again, we discussed it. Sure enough, we all willingly went down this process of having a committee. We had a person selected, and they would have a report. I think that at least the intent was that we would honour this report. Otherwise, I'd say: why did we bother, okay?

Why did we bother? It just, you know, drives me nuts when we go on these exercises in futility like this, which this is now. What we're doing here today is exactly what we said that we wouldn't do: us not setting our own pay. We're going to set our own pay. The government is going to do what they want. They're going to interpret this the way they want. They're going to add it to some pay down the road. Maybe they're going to still pay their MLAs to investigate various happenings around the province. I don't know whether their new special adviser is getting an increase in pay, but we've seen that in the past when we don't follow a set of rules and regulations set out by an independent member. So it leaves that an open, not airtight rule of what we're going to do.

I also appreciated that Justice Major – and on the Premier's pay the hon. Solicitor General said: did you agree with the Premier's pay? Well, whether I agreed with her or not is irrelevant, okay? We said that we weren't going to accept it. If the Premier didn't want the pay, as former Speaker Kowalski always said: if people don't like their pay, they can always write a cheque back to the treasury; we'll cash it. He never saw it happen before, but, you know, he said: we'll definitely cash it. So it's immaterial. The Premier could have gotten up and had a flag-waving ceremony quarterly when she got her pay: look at how great I am. So there are ways around this whole situation.

5:40

In any event, you know, I think we should have accepted this. There was a process whereby every four years a panel of judges was going to look into this. If there was public angst, public uproar, or political interference in what was supposed to be done, the judges would have a report. It would come out every four years. Hopefully, it would look at the situations as they came up. Hopefully, it would be in step with where the province was going and what was in the best interests of the Alberta people and this Legislature. I believe that in that forward-looking nature his report was not frozen in time. His report was not meant just to sit there and left to be a one-time affair. No. He's a thoughtful man. He envisioned a way to keep it relevant, to keep it honest, to keep it independent, which was very important.

Those are the reasons why I believe that this is an exercise in futility, and I don't think we should be going down this path, and I don't believe it's in the best interests of the Alberta people or this Legislature in the long run.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

The hon. Minister of Finance and Treasury Board.

**Mr. Horner:** Thank you, Mr. Speaker, and might I say that you look well in the chair.

I would like to move adjournment of the debate at this time.

**The Deputy Speaker:** Thank you.

[Motion to adjourn debate carried]

### Consideration of His Honour the Lieutenant Governor's Speech

*(continued)*

[Adjourned debate May 28: Mr. Hancock]

**The Deputy Speaker:** I recognize the hon. Member for Calgary-Glenmore.

**Ms L. Johnson:** Thank you, Mr. Speaker. I rise today as the seventh Member of the Legislative Assembly to serve on behalf of the residents of Calgary-Glenmore and the citizens of Alberta. I would like to begin by congratulating you, Mr. Speaker, and the other chair officers on your elections. Your guidance and decisions will determine the atmosphere of this House.

I would also like to compliment the officers and staff of the Legislature who've assisted us all in preparing for this session. I've been impressed with the patience and hard work shown by all of the LAO staff over the last few weeks. I look forward to working with each of you.

Mr. Speaker, I would also like to express my appreciation to all of the individuals who stood as candidates in the recent election. Placing your name on a ballot is at once intimidating, exhilarating, and a great sacrifice both personally and for a candidate's family. To my fellow members: I look forward to working with you as well.

Now to introduce Calgary-Glenmore. Calgary-Glenmore is in the southwest quadrant of the city. The constituency boundaries run along Glenmore Trail on the north, McLeod Trail on the east, Anderson Road on the south, and the Tsuu T'ina Nation on the west. To put it plainly, the constituency surrounds the Glenmore reservoir. The name "Glenmore" has an historical context in that it was first used by Sam Livingston, an early settler of the Elbow valley, when he used the word "Glenmore," which is Gaelic for big valley. The riding honours our history. Many of our schools are named in commemoration of notable figures: Louis Riel, Nellie McClung, John Ware, Premier Henry Wise Wood, and Bishop Grandin. There are 12 communities in the constituency. Two of their names reflect Alberta's past as well, and those are the neighbourhoods of Palliser and Haysboro.

In Calgary-Glenmore each community is represented by a strong community association. These associations are led by engaged individuals who make sure that their neighbourhoods provide the best environment to make a home and to raise a family. In addition, the various community associations organize family fun days, community cleanup and recycle days, parades, and Stampede events. They build and maintain outdoor skating rinks and organize many athletic programs for their members.

Community members also take initiative. In Oakridge one of the wooden playgrounds needs to be replaced. In fact, the children call it the splinter park. In the fall of 2010 neighbours working together researched the replacement policies, applied for and received grant money so that a new playground can be installed in the next month. This is just one example of the strength and get-it-done approach of Calgary-Glenmore residents.

Mr. Speaker, throughout the recent campaign I often spoke about how Calgary-Glenmore reflects what is great about Alberta. I observed how we have many fine facilities because of the planning, commitment, and spending of past governments. Some of these facilities are the Rockyview hospital and the Southwood public library. As well, there are two high schools, Henry Wise Wood and Bishop Grandin. Both these schools take pride in the programs they offer, be it in academics, sports, and one of them even has a marching band. There are many K to 12 schools also in the constituency which take advantage of the many delivery approaches allowed by Alberta Education. We have public schools, separate schools, and private and charter schools and quite a few home-schooling parents, who are all bringing out the best in our young people.

For the senior population there are many fine facilities. In total there are eight. I'll mention the Bethany care centre, Trinity Lodge, and Carewest. These residential complexes and others strive to provide dignity, respect, and quality of life for our seniors.

Mr. Speaker, Calgary-Glenmore is also home to several major tourist attractions. First, there is Heritage Park. This is a living-history museum, portraying the settlement of western Canada through exhibits and activities from the fur trading era to the time of bobby soxers. You can climb aboard an antique train, you can cruise the Glenmore reservoir on a sternwheel paddle boat, you can take a ride on a traditional merry-go-round, and you can flirt with your sweetie under the canvas on the caterpillar ride. There are more than 179 original and replica buildings and structures, and with the recent completion of the heritage town plaza, you can now visit a hands-on and interactive automobile museum, a brewery exhibit, and enjoy fine dining in the park.

Calgary-Glenmore is also home to the north and south Glenmore parks. Along with the Weaselhead natural environment area these spaces offer many biking and nature pathways for outdoor enthusiasts.

[The Speaker in the chair]

Mr. Speaker, these facilities remind us of the importance of making good, strategic decisions for all Albertans and are a result of the policies and practices of previous governments. This government will continue that tradition of putting forward the right vision in response to Albertans' values and the issues they face. The government has a policy framework for this time and place, a plan in harmony with Albertans' socially progressive values and fiscally conservative views.

During the recent election my constituents spoke passionately about the need for quality education in our schools and postsecondary institutions, the delivery of a public health care system, the growing need for senior citizens' services and facilities, and the challenges of transportation needs within the constituency. They asked that all of this be achieved within a framework of fiscal responsibility. Albertans understand and applaud our government's plan for zero-based budgeting and continuous three-year program funding reviews. As His Honour said in the Speech from the Throne, the government will deliver the outcomes Albertans expect in a financially sensible manner.

Mr. Speaker, I also believe that improving literacy skills among our population is another path to greater prosperity for all. The most recent statistics indicate that for individuals to function fully in a knowledge-based economy, over 39 per cent of adult Albertans need improvement in their literacy skills and 44 per cent of Albertans need improvement in their numeracy skills. The reasons for these statistics are numerous. The reality, though, is that with improvement of these skills employment opportunities grow and income levels grow. I look forward to supporting this government's initiatives in this area.

Mr. Speaker, as MLAs together with our constituents we will be engaged in a democratic process that has a long and honourable history that allows for participation by all, and as our government indicated in the throne speech, one of our greatest priorities is more transparency. This can also be achieved by engaging Albertans directly in the legislative committee process. Questions and policy discussions explored in committee allow us to exchange ideas and to ensure that the best decisions are made on behalf of Albertans.

5:50

The parliamentary process is a structure with all of its rules, proceedings, and precedents which enables members to serve. While the model is challenging and rule bound sometimes, that is okay. It keeps our government alert, accountable, and accessible. As members of this Assembly we have all been selected by our constituents to serve the people. This is a role that I intend to fulfill with graciousness and respect.

The constituents of Calgary-Glenmore are clear in their expectations, and I will meet them. I will listen to their needs and

concerns. I will be their voice in their Assembly. I will be their advocate at committee work. I will fulfill this undertaking with pride, integrity, and commitment.

We have a history of over 100 years of parliamentary governance in Alberta, and look at what we have achieved. Alberta is the jurisdiction in North America with the best job creation, the best school system, and our health care system is there when people need it most.

In conclusion, Mr. Speaker, I see this Speech from the Throne as the fulfillment of the mandate that Albertans entrusted our party, our leader, and our government with on April 23. May we aim for success with the dignity and respect that Albertans deserve.

Thank you, Mr. Speaker.

**The Speaker:** Standing Order 29(2)(a) would be available if anyone wishes to pursue it.

**Mr. Horner:** Mr. Speaker, having had a very, very fruitful debate and response, although I know that many others want to, given the time I would move that we adjourn debate.

[Motion to adjourn debate carried]

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

**Mr. Hancock:** Thank you, Mr. Speaker. In light of the hour I'd move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; the Assembly adjourned at 5:52 p.m. to Tuesday at 1:30 p.m.]





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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Tuesday, May 29, 2012

Issue 4

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta**  
**The 28th Legislature**

First Session

Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC), Speaker  
Rogers, George, Leduc-Beaumont (PC), Deputy Speaker and Chair of Committees  
Jablonski, Mary Anne, Red Deer-North (PC), Deputy Chair of Committees

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Anglin, Joe, Rimbey-Rocky Mountain House-Sundre (W)  
Barnes, Drew, Cypress-Medicine Hat (W)  
Bhardwaj, Naresh, Edmonton-Ellerslie (PC)  
Bhullar, Hon. Manmeet Singh, Calgary-Greenway (PC)  
Bikman, Gary, Cardston-Taber-Warner (W)  
Bilous, Deron, Edmonton-Beverly-Clareview (ND)  
Blakeman, Laurie, Edmonton-Centre (AL),  
    Liberal Opposition House Leader  
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Calahasen, Pearl, Lesser Slave Lake (PC)  
Campbell, Hon. Robin, West Yellowhead (PC),  
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Cao, Wayne C.N., Calgary-Fort (PC)  
Casey, Ron, Banff-Cochrane (PC)  
Cusanelli, Hon. Christine, Calgary-Currie (PC)  
Dallas, Hon. Cal, Red Deer-South (PC)  
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Denis, Hon. Jonathan, QC, Calgary-Acadia (PC),  
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Fox, Rodney M., Lacombe-Ponoka (W)  
Fraser, Rick, Calgary-South East (PC)  
Fritz, Yvonne, Calgary-Cross (PC)  
Goudreau, Hector G., Dunvegan-Central Peace-Notley (PC)  
Griffiths, Hon. Doug, Battle River-Wainwright (PC)  
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Hancock, Hon. Dave, QC, Edmonton-Whitemud (PC),  
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Lemke, Ken, Stony Plain (PC)  
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Rodney, Hon. Dave, Calgary-Lougheed (PC)  
Rowe, Bruce, Olds-Didsbury-Three Hills (W)  
Sandhu, Peter, Edmonton-Manning (PC)  
Sarich, Janice, Edmonton-Decore (PC)  
Saskiw, Shayne, Lac La Biche-St. Paul-Two Hills (W),  
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Smith, Danielle, Highwood (W),  
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Weadick, Hon. Greg, Lethbridge-West (PC)  
Webber, Len, Calgary-Foothills (PC)  
Wilson, Jeff, Calgary-Shaw (W)  
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
    Government Whip

**Party standings:**

Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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Fenske	Smith
Goudreau	Starke
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Jansen	Towle
Luan	Young
McDonald	Vacant
Olesen	

### Standing Committee on the Alberta Heritage Savings Trust Fund

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Deputy Chair: Mrs. Jablonski

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Casey  
Dorward  
Eggen  
Kubinec  
Sandhu  
Sherman

### Standing Committee on Families and Communities

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Deputy Chair: Mrs. Forsyth

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DeLong	Luan
Fox	McAllister
Fraser	Notley
Fritz	Pedersen
Jablonski	Sarich
Jansen	Saskiw
Jeneroux	Swann
Johnson, L.	Wilson
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### Standing Committee on Legislative Offices

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Brown  
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Eggen  
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Goudreau  
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Mason  
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Casey	Xiao
Fenske	Young
Fraser	Vacant
Hale	

## Legislative Assembly of Alberta

1:30 p.m.

Tuesday, May 29, 2012

[The Speaker in the chair]

### Prayers

**The Speaker:** Hon. members, let us pray. Almighty God, guide us so that we may use the privilege given to us by Albertans to be their representatives in this Legislative Assembly. Give us the strength to labour diligently, the courage to think clearly, and the conviction to act and speak without prejudice. Amen.

Please be seated.

### Introduction of Visitors

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

**Mrs. Jablonski:** Thank you, Mr. Speaker. Today it is my honour and my privilege to introduce to you and through you to members of this Assembly Mr. François Ouimet, Deputy Speaker of the National Assembly of Quebec, and Mr. Richard Daignault, the Quebec Assembly's interparliamentary relations director. The Deputy Speaker and Mr. Daignault are here to meet with you today. They have already risen, and I would like the Assembly to give them the warm and traditional welcome. Bienvenue.

### Introduction of Guests

**The Speaker:** The hon. Associate Minister of Seniors.

**Mr. VanderBurg:** Thank you, Mr. Speaker. It gives me great pleasure to introduce to you two school groups that are here from Whitecourt-St. Anne. First, I'll ask the group from Darwell to please rise and be recognized by my colleagues here in the Legislature and our guests from Quebec as well. They're 18 of the brightest, young, enthusiastic citizens of Whitecourt-St. Anne, and I really appreciate their coming to visit us here today. Thank you.

Mr. Speaker, the other group that we have here is from the Grasmere school, and they're equally as bright and equally as enthusiastic and equally as smart. I even had the chance to talk to a number of them. I'll have the opportunity with their pictures to go back to their classes and talk about local politics, provincial politics, and federal politics. They're all very, very interested because they're studying that right now in social studies. On behalf of everybody here, thank you, and I'd like to introduce you to all my colleagues here and our guests from Quebec.

Thank you.

**Mr. Lemke:** Mr. Speaker, I'm pleased to introduce to you and through you to members of the Assembly a group of students and teachers from the Forest Green school. They participated in a guided tour of the Legislature and had the opportunity to observe the members in this House, as they are doing right now. I hope these students enjoy their legislative experience. I would like to thank the teachers and parent helpers here today and would like to acknowledge them. If they could please stand when I say their name. The parents are Mrs. Jackie O'Shea, Mrs. Mary Jane Buchholtz, Mrs. Krystal Hoople, Ms Cindy Woolford, and the teacher is Miss Lisa Aronyk. If the students would all stand to be recognized.

Thank you very much.

**Mr. McDonald:** Mr. Speaker, I'd like to introduce to you and through you to all members of the Assembly a group from the Rosedale Christian school located in the constituency of Grande Prairie-Smoky. Accompanying these very bright and very tall individuals is Mr. Ross Wiebe, their teacher. Please, could I have them stand and be recognized by the Assembly.

**The Speaker:** The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Rowe:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you 10 students, one teacher, and one parent from Holy Trinity school in Olds. The teacher is Miss Jasper Moe, and the parent helper is Mrs. Kara Coates. Holy Trinity opened in September of 2010 and currently has 107 students ranging from pre-K to grade 7. Joining us today are the students in grade 6. I would invite the students and teachers to rise and receive the traditional welcome of this House.

**Ms Kubinec:** Mr. Speaker, I am pleased to introduce to you and through you to the members of the Assembly three very important people in my life. Seated in the public gallery, first and most importantly, is my husband, Tim Kubinec, and two very dedicated, hard-working campaign people who helped out so much during the campaign.\* I would like to thank them for their support both now and during the election. I ask that they now rise and receive the traditional warm welcome.

**The Speaker:** The hon. Member for Edmonton-Meadowlark, the leader of the Liberal opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of this Assembly three employees of the Hardisty Care Centre as well as Mark Wells, a senior communications adviser with AUPE. Corrie Cruz, Paramjeet Mrahar, and Jerzy Borysewicz are just three of the employees currently in negotiation with Park Place Seniors Living, a private health care company out of British Columbia. They're currently being paid less than the Alberta Health Services standard despite the company receiving generous subsidies from the government. This dispute is just one example of how for-profit, private health care can not only leave patients with inadequate care and staff underappreciated but leaves ample room for employers to take advantage of employees, their families, and the taxpayer. I ask my guests to rise, and I ask all members of the Assembly to give them the traditional warm welcome of the Assembly.

Thank you.

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

**Dr. Swann:** Thank you very much, Mr. Speaker. It gives me great pleasure to introduce to you two great Albertans, Eric Musekamp and Darlene Dunlop. I'll ask them to rise as I tell their story. At their own expense these two courageous Albertans have fought for 10 years, since their first stakeholder submission on farm workers' rights to the Marz commission in 2002. They stand before us today yet again to beseech the government to honour their commitment to paid farm workers for basic rights, mandatory WCB, occupational health and safety standards, and child labour standards; simply, inclusion and equality for paid farm workers. Let's give them a warm welcome.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. I'm pleased to introduce to you and through you to this Assembly our guests

\* The following names were not read into the record: Norman and Anita Kitz.

David Froelich and Akram Shamie. David and Akram are with Teamsters, local 987, representing over 800 taxi drivers working for Greater Edmonton Taxi Service. The drivers chose to unionize last year and are currently bargaining towards their first agreement. They're hoping that the bargaining process will achieve their objectives. I would now ask David and Akram to rise and receive the traditional warm welcome of this Assembly.

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

**Mr. Bilous:** Thank you, Mr. Speaker. Today I'm very pleased to introduce to you and through you to this Assembly our guest Annie Lelievre. Annie is a journeyman scaffolder and has been a resident of Fort McMurray for over 30 years. On December 31, 2011, tragedy struck as her son was killed in a car crash on notorious highway 63. This January Annie set up a Facebook page to demand that the government twin highway 63 as soon as possible in order to help prevent further tragedies like the one she has had to endure. As of today over 6,900 people have joined the page. I would now like to ask Annie to rise and receive the traditional warm welcome of this Assembly.

1:40

**The Speaker:** The hon. Associate Minister of Finance.

**Mr. Fawcett:** Thank you very much, Mr. Speaker. It's an honour to rise today to introduce to you and through you a young man I've gotten to know quite a bit over the last several years. Chris Carlile, who's a constituent of mine, is a bright young man who's going to be working in my office over the summer as an intern.

Chris grew up in the constituency of Calgary-North Hill, which is now Calgary-Klein, in the community of Highwood and attended James Fowler high school in the constituency. Mr. Speaker, Chris actually took over managing my campaign halfway through the election in some very unfortunate and difficult circumstances and did an exceptional job while he was in the middle of writing final exams for his third-year political science course at the University of Calgary. For that I'm very, very grateful to him. I'd ask Chris to rise and receive the traditional warm welcome of the Assembly.

### Members' Statements

**The Speaker:** The hon. Member for Calgary-Fish Creek

#### Seniors' Accommodation Standards

**Mrs. Forsyth:** Thank you, Mr. Speaker. Alberta seniors and families are frustrated by the shell game that this government is playing with their care. The government doesn't seem to know how many long-term care beds, lodge beds, or continuing care beds they have.

Yesterday the game continued in the Assembly with the Minister of Health. When asked about staff-to-senior ratios in continuing and long-term care centres, he avoided the question. He said that the standards are public, that it's all in the regulations and legislation. Then he went further to say that he wouldn't answer any more questions on this matter. Imagine, Mr. Speaker, a minister of the Crown refusing to answer questions.

Does the minister think it's fair for 40 seniors to have one staff member? How about 60? How about 140? Is it fair to put high-needs seniors, who should be in a nursing home, into an assisted living facility?

Well, Mr. Speaker, I looked through the regulations and legislation for staff-to-senior ratios and didn't find them. I looked

through the Supportive Living Accommodation Licensing Act. Not there. I looked through the Supportive Living Accommodation Licensing Act regulations. Not there. I looked through the Nursing Homes Act and its regulations. Not there.

I ask the minister to show me the regulations. Show me the legislation with staff ratios. Show me the licensing act. Show me the accommodation standards and regulations. Minister, table it in the Legislature tomorrow for all Albertans to see. Albertans deserve to know.

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

#### Red Deer Optimist Rebels

**Mrs. Jablonski:** Thank you, Mr. Speaker. Today I rise to recognize a group of extraordinary young hockey players who exemplify the very meaning of teamwork and resiliency, the national midget triple A champions, the Red Deer Optimist Rebels. This is a remarkable team that overcame incredible adversity to become Red Deer's first-ever midget triple A national Telus Cup champions.

Going into the third period in the final game, the Red Deer Optimist Rebels were losing by four goals. In a nail-biter of a hockey game Red Deer was able to score an unprecedented four goals to tie the national championship game. The Red Deer Rebels scored in overtime to defeat the team from Quebec, les Phénix du Collège Esther-Blondin to become the national champions. [interjection] I tried.

In doing so, they won Red Deer's very first midget triple A national championship and one of Red Deer's finest hockey moments. This was truly an astounding accomplishment, and I would like to congratulate the team, the coaches, and the management, starting with captain Brady Bakke, Dasan Sydora, Matthew Zentner, Kolton Dixon, Kirk Johnson, Jonathan Finnigan, Stefan Danielson, Cole Berreth, Tanner Lomsnes, Nick Glackin, Joel Topping, Logan Fisher, Dylan Thudium, Brendan Dennis, B.J. Duffin, Rory Davidson, Ty Mappin, Scott Ferguson, Scott Feser, and Quinn Brown; the coaches and management: Doug Quinn, Tricia Bakke, Rob Hamill, Dion Zukiwsky, Al Parada, Peter Friestadt, and Lee Sherback.

These players and coaches serve as an example to us all that hard work in the face of adversity can overcome all challenges. Congratulations on your great victory.

Thank you, Mr. Speaker.

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

#### Skills Canada National Competition

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. I'm pleased to rise today to recognize an outstanding organization and the excellent event they put on earlier this month. From May 13 to 16 our Expo Centre came alive as 500 young people from across Canada competed in the 18th annual Skills Canada National Competition. This trade and technology challenge offered competitors the opportunity to showcase their talents in over 40 disciplines, including welding, cooking, and robotics.

Skills Canada is a nonprofit organization consisting of educators, students, employers, labour groups, and government representatives that promotes careers in skilled trades and technologies. As a former vocational teacher myself I know that organizations like Skills Canada are so valuable to our communities. They help our students build relationships, become aware of career options, and learn the competencies necessary to succeed. I have had the opportunity and the good fortune of being a judge in

this exciting and interesting competition, and this year I was honoured to speak at the closing ceremony.

Mr. Speaker, our Premier has often spoken about the value of skilled trades and innovation in our province, and our government has championed trades as an excellent career choice for our young people. As such, I would like to commend Skills Canada and their local chapter, Skills Canada Alberta, for fostering such a sense of pride, excellence, and community among these professionals. Finally, I offer my sincere congratulations to the gold, silver, and bronze winners and all other competitors for their achievements. They have a very bright future ahead of them.

Thank you very much, Mr. Speaker.

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

#### Potential Oil Well Site in Calgary-North West

**Ms Jansen:** Thank you, Mr. Speaker. In December of last year an oil and gas exploration company was granted approval from the Energy Resources Conservation Board to drill an exploratory well near the community of Royal Oak in my constituency of Calgary-North West. It is slated to be the site of a sweet oil well, and work has been planned for sometime this July.

After extensive protest from nearby residents the company responsible for drilling the well voluntarily suspended operations pending an ERCB review, which will likely come this summer. A significant number of local residents are opposed to the well site due to concerns about the well and its proximity to homes and businesses in the community. Considering that the well site near the Royal Oak community could potentially be in operation for 50 years, local residents could be living and operating their businesses within a few hundred metres of the well site for quite some time.

Mr. Speaker, I believe that it would be beneficial for our province to have urban policies in place that would govern the exploration and development of natural resources within densely populated areas. Doing so would help balance the development of natural resources within urban areas while keeping the concerns of local residents and communities in mind.

Thank you, Mr. Speaker.

#### Oral Question Period

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

#### Provincial Response to Oil Sands Criticism

**Ms Smith:** Thank you, Mr. Speaker. Alberta's energy industry is under attack. Federal NDP leader Thomas Mulcair is openly deriding the oil sands, that are expected to bring \$3.3 trillion into Canada's economy. Mulcair arrives in Alberta shortly. Of course, the truth puts a lie to Mr. Mulcair's claims. The Kearl oil sands plant, for instance, will start up this year producing no more emissions than a refinery producing a conventional barrel of crude. This is the story the Redford government is not telling Canadians. Wildrose stands tall for development that showcases environmental stewardship. Why is the PC government abandoning Albertans by backing away from confronting a bully?

1:50

**Mr. Lukaszuk:** Mr. Speaker, nothing can be further from the truth. As a matter of fact, as we're sitting today right now in this Chamber, our Premier is discussing a Canadian energy strategy with western Premiers. As a matter of fact, I will be meeting with the federal leader of the NDP opposition and illuminating him on

facts of Canadian economy and the role of the oil sands not only in this province but nationally and internationally. This government has stood very strong on responsible development of Alberta resources and will continue to do that. We don't need to take lessons from those people across the aisle.

**Ms Smith:** Mr. Speaker, why were Albertans, then, left for three days to rely on Saskatchewan Premier Brad Wall to call a spade a spade and face down Mr. Mulcair after his first attack? The Premier may be off wining and dining the western Premiers today, but why is this Premier always the last one to the defence of our oil sands?

**The Speaker:** Hon. member, it's customary to not refer to the presence or absence of members during your questions.

**Mr. Lukaszuk:** Mr. Speaker, one thing that the Leader of the Opposition may learn is that leadership depends on actually taking a leadership role and not following the debate of politicians from other provinces or other parts of the country and simply making inflammatory remarks. This province has a very clear record of being supportive of responsible development of natural resources in this province, and we will continue to do so.

**Ms Smith:** Mr. Speaker, why has the Premier said that she may meet with Mr. Mulcair but that her Deputy Premier will likely go instead? The federal NDP leader has taken the time to come here to see the oil sands first-hand. Why has the Premier not made meeting Mr. Mulcair a priority? What could be more important?

**Mr. Lukaszuk:** I don't know if I should take that as a slight, Mr. Speaker. I think Mr. Mulcair will enjoy meeting with me. I will present him with all the facts that he requires to formulate a better-informed opinion, and he will be very well served by this visit. I'm actually looking forward to meeting with him.

Thank you.

**The Speaker:** Second main question. The Official Opposition leader.

#### Cancellation of Jubilee Auditoria Performances

**Ms Smith:** Thank you, Mr. Speaker. Yesterday, when asked in this House about her government's abrupt and unfair cancellation of Calgary and Edmonton Shen Yun performances, the Premier said that it was because of "a safety issue." Perhaps she now realizes that she was mistaken. This was not about a safety issue at all. The safety issue in Calgary, the Shen Yun group says, could have been resolved, and in Edmonton there was no safety issue identified whatsoever when the government pulled the plug after Shen Yun had gone to the media. Will the Culture minister admit there was no safety issue in Edmonton, as the Premier claimed, and the decision to cancel was merely out of retribution?

**Mr. Lukaszuk:** Mr. Speaker, let me be perfectly clear. This government will not be taking lessons from that political party on culture or cultural inclusion any time soon. But I will tell you that both Jubilee auditoria, in Edmonton and in Calgary, are booked 365 days a year. They negotiate their contracts, and their number one priority is the safety of employees, the safety of performers, and the safety of the audience in the Jubilee auditoria.

**The Speaker:** The opposition leader.

**Ms Smith:** Thank you, Mr. Speaker. To the Culture minister: given that her own letter to the Shen Yun group, which I will

table, confirms that their decision to notify the media about this issue is the sole reason for the cancellation of their performances, will she not admit that the safety issue offered by the Premier yesterday is an excuse, is utterly false, and that the real reason she cancelled their show was simply to punish them for speaking out?

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

**Mrs. Klimchuk:** Thank you, Mr. Speaker. Again, as I said yesterday, I'm not going to apologize for the safety of performers at either of the Jubilees. We know that there's a contractual arrangement that was made between all performing groups, and their safety is absolutely paramount. That's why the netting is in place in Edmonton and in Calgary.

**Ms Smith:** They managed to figure out the safety issues in a hundred other facilities across North America.

To the Culture minister: given that yesterday she said, "My officials have offered to meet with the Shen Yun group" and given that the Shen Yun folks have said that no such offer has been made, though they would be grateful for it, will the minister correct this statement and provide a hard date when she and her office will meet with the Shen Yun group?

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

**Mrs. Klimchuk:** Thank you, Mr. Speaker. Again, next week my officials will be meeting with the Shen Yun group. I look forward to a discussion about some of the issues that they are going to bring forward. But, again, any issues revolving around safety and the net: that's not going to change.

**The Speaker:** Third main question. The Official Opposition leader.

#### Prohibited Donations to Political Parties

**Ms Smith:** Thank you very much, Mr. Speaker. Again and again we've seen that the Premier's claims of changing her party and bringing transparency to Alberta are not worth the paper they are written on even when that paper is *Hansard*. In the wake of an update last Friday from the Chief Electoral Officer concerning another dozen cases of illegal donations, we asked for a change so that there would be better transparency about this disturbing issue. Not only did this government pass a law in 2010 putting a gag order on the Chief Electoral Officer, but when asked about it yesterday, they tried to cover it up in this House by claiming that he wanted to be silenced. To the Premier. As the minister who presented this bill, the Premier knows that the claims by her ministers yesterday aren't true. Will she confirm that they were wrong?

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

**Mr. Denis:** Thank you very much, Mr. Speaker. I proudly stand by my comments yesterday. From the 2008 Chief Electoral Officer report, page 85, he recommends that these investigations be held in private.

More importantly, we shouldn't be complaining about how the elections operate. That's not really up to us to decide. This is an independent officer who reports to this Chamber, not any one of the parties.

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

**Ms Smith:** Thank you, Mr. Speaker. I have a copy here of this relevant page that the hon. member mentioned, the relevant page

of Mr. Gibson's report, which I'm happy to table. It requests only that legislation "add specific direction that an investigation . . . be conducted in private." It seems very clearly limited to confidentiality during an investigation, not confidentiality of the results. Will the Premier revisit the legislation she passed in 2010, lift the gag order, and allow the Chief Electoral Officer to publicize the results of these investigations?

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

**Mr. Denis:** Thank you very much, Mr. Speaker. I say again to the hon. Leader of the Opposition that it's not up to us to be debating how elections are run. This is an independent body who reports to this Chamber, not to any particular Premier.

I also have a letter, that I will table later today, which I have sent to the Chief Electoral Officer asking him for any further recommendations, which we'll be happy to consider.

**Ms Smith:** Again to the Premier. Given that the legislation that the Premier wrote in 2010 not only gags Elections Alberta but includes also a provision that nobody has to pay any money back that was illegally donated prior to April 2010 and given that the Chief Electoral Officer said that he has proven 10 cases of illegal donations before 2010, most, if not all, to the PC Party, will the Premier commit to returning every single dollar of illegal donations?

**Mr. Lukaszuk:** Mr. Speaker, what this member is forgetting is that the Election Act of Alberta has been debated with full participation of all parties in this Chamber and passed in this Chamber. If the current Chief Electoral Officer has any concerns relevant to the legislation or to the process of elections or to his ability to investigate or not investigate, he has the free will to communicate with the Minister of Justice, provide us with recommendations, and they will be duly considered by this Chamber. [interjections]

**The Speaker:** I'd just remind hon. members that one person speaks at a time in this Assembly. That has been a long-standing tradition. Let's try to observe it.

The hon. Liberal opposition leader.

#### Hardisty Care Centre Labour Dispute

**Dr. Sherman:** Thank you, Mr. Speaker. LPNs and health care aides, the backbone of our health system, are on strike at Hardisty Care Centre. At issue is the fact that they're paid 30 per cent below industry standard. The mediator and dispute inquiry board recommended wage parity, yet Park Place Seniors Living, Hardisty's B.C.-based corporate parent, refuses to remedy this dispute. To the Minister of Health: why is there one set of standards for workers in AHS-run facilities and completely different rules and compensation standards for workers in for-profit, private facilities?

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

**Mr. Horne:** Thank you very much, Mr. Speaker. The government does not regulate the dollars that are paid to particular health care professionals. That is a matter for negotiation where agreements exist between employers and employees. In this particular case, as was said yesterday in the House, these parties are currently at odds. We have every hope that the parties will resume negotiations as quickly as possible and come to an agreement that satisfies both sides.



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

**Dr. Sherman:** Thank you, Mr. Speaker. It causes me due concern that taxpayer-funded dollars aren't being watched closely.

Given that for-profit seniors' care facilities seek above all to maximize profits and that that invariably results in poor staff treatment, which is directly linked to poor patient care, and there's a potential for more of these labour disputes in other facilities, will the Minister of Health finally stop wasting taxpayer dollars, put an end to this government's failed experiment with the privatization of seniors' care, and bring in first contract legislation?

2:00

**Mr. Horne:** Mr. Speaker, the hon. member persists in trying to draw an ideological link between the events at the Hardisty nursing home and the continuing care plan in place for this province. What we in fact find are two things: the health care that is provided in the facility, and the vehicle for that is a contract with Alberta Health Services and the operator. We also have in place standards, for which we fund a rigid and rigorous compliance process for both accommodation and health care delivered in those facilities.

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

**Dr. Sherman:** Thank you, Mr. Speaker. I didn't know that facts became ideological all of a sudden.

To the minister: how can you possibly be unaware that study after study, including the Health Quality Council and Parkland Institute reviews, clearly show that seniors in for-profit, private facilities spend more time in bed, are bathed less often, are fed less, have more falls, have more bed ulcers, and eventually end up in acute care more often all because these companies don't hire enough workers and overwork and underpay the ones that they do have?

**Mr. Horne:** Well, Mr. Speaker, this government does not subscribe to the logic that is inherent in the hon. member's question. The quality of continuing care in this province is governed by standards, which I described in this House at length yesterday. It is supported by equal funding that is provided whether the operator is public, private, or not-for-profit. The majority of the time I can say – and I think many members of this House would agree – that the care is of excellent, excellent quality.

**The Speaker:** The hon. leader of the NDP.

#### Private Operation of Health Care Facilities

**Mr. Mason:** Thank you very much, Mr. Speaker. Last week's throne speech claimed that the government would keep public services public, yet this month a private health care facility, the Copeman clinic, is opening its doors here in Edmonton. This clinic will provide preferential access to publicly insured health services in exchange for a fee. My question is to the Premier. Why, despite the assurances in the throne speech, is she allowing privatization of public health care?

**Mr. Horne:** Mr. Speaker, no information has been brought to my attention that the particular clinic to which the hon. member refers is in any way in violation of the Canada Health Act or any other statute or regulation under Alberta law. If the member has such information and cares to forward it to me, I'd be pleased to look into it. As many hon. members will know, these clinics exist in many provinces across the country. They provide services that are

outside of the public health care system, and the arrangements for such are a matter between the individual patients and the clinics that serve them.

Thank you.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, some provinces have put a stop to it.

Given that Albertans who can afford over \$8,000 in annual fees can queue-jump in order to get cardiac care, pediatric care, and stroke and brain injury rehabilitation, how can this Health minister pretend that his government is not complicit in the privatization of our system?

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

**Mr. Horne:** Thank you, Mr. Speaker. The hon. member's question poses some serious allegations. I think I need not remind him that a public inquiry with respect to preferential access, or queue-jumping as he calls it, is now under way in this province and is led by a retired justice. So I would invite him to present that information to the inquiry.

With respect to the question of physician practice, as the hon. member knows, all physicians in Alberta are, in fact, by definition private providers. They bill a publicly funded health insurance system that is supported by other legislation and regulation. The clinics to which he refers are no different.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, it's clear that the government's throne speech isn't worth the paper it's printed on. Given that the government merely has to allow private investors to fill the gaps created by the government's health care failures for private health care to grow and flourish, will the Health minister admit that his government's wilful neglect is the primary cause of the creeping privatization of our health care system?

**Mr. Horne:** Well, again, Mr. Speaker, we're presented with a question that's founded on an ideological argument. What this government is interested in is providing better access to everyday health care services for Albertans. We have talked about many strategies in the areas of primary health care, continuing care, and mental health that we're actively engaged in. Investing Albertans' hard-earned tax dollars to improve that access in the community will continue to be our focus.

Thank you.

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

#### Prohibited Donations to Political Parties (continued)

**Mr. Saskiw:** Thank you, Mr. Speaker. Yesterday both the Justice minister and the Deputy Premier refused to do the ethical thing and reveal how much money the governing PC Party received in illegal donations. They wrongly blamed the former Chief Electoral Officer when, in fact, he only recommended that the investigation itself be conducted in private. So when the PC Party has been found guilty of accepting or soliciting illegal donations, that need not be kept secret from all Albertans. To the Minister of Justice:

will this government finally commit to changing this misguided legislation in the name of open and transparent government?

**Mr. Denis:** Mr. Speaker, as I've said before, the legislation is based on the independent report of the Chief Electoral Officer, who independently reports to this House. I've sent a letter to the new Chief Electoral Officer. If the Chief Electoral Officer has an amendment request, we will go and look at it. But it's not up to any one member to make amendment requests to the actual act. It's about a nonpartisan and independent office, and that is what the Chief Electoral Officer does, not this House.

**Mr. Saskiw:** We'll be tabling the report later, so you can actually read it.

To the Minister of Justice: given that the Chief Electoral Officer made it clear that it is the government's job to handle issues of transparency and accountability and given that this government fired the last Chief Electoral Officer, who tried to bring this government's ethical failings to light, will this government stop making excuses and finally reveal how much money the PC Party received in illegal donations?

### **Speaker's Ruling Questions about Political Party Activity**

**The Speaker:** Hon. members, I will ask the hon. minister to comment soon, but we're treading into an area here of a question with respect to jurisdiction. Typically party matters are not raised in the Assembly, and I would just caution all members.

We'll allow the Minister of Justice to comment on this last question if he wishes.

### **Prohibited Donations to Political Parties (continued)**

**Mr. Denis:** One thing I'll just mention again, Mr. Speaker. This Premier believes so strongly in transparency and accountability. Right behind me is an associate minister in this respect.

Thank you very much.

**Mr. Saskiw:** Mr. Speaker, the PC Party has already admitted that they've accepted several thousand dollars of illegal donations. We just want to find the full amount. Given that this government refuses to take steps to be more open, transparent, and accountable, how can we expect this government to make any serious improvements on their obvious ethical shortcomings?

**Mr. Lukaszuk:** Mr. Speaker, speaking of shortcomings, there are some serious factual shortcomings. First of all, the past Chief Electoral Officer was not fired. His contract simply ran its course. A search by an all-party committee took place to appoint the new, current Chief Electoral Officer. This Chief Electoral Officer has the full ability of addressing this Assembly and asking for changes to the act if he so wishes.

Lastly, it is my understanding that any and all parties that would have received money that was not received in accordance with the rules would have returned it.

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

### **Municipal Charters**

**Mrs. Sarich:** Thank you very much, Mr. Speaker. Over the past year Albertans have heard a lot of discussion regarding the need for special charters to be created for Alberta's two biggest cities,

Edmonton and Calgary. So far there appears to be very little progress or anything tangible officially reported about these charters. My questions are to the Minister of Municipal Affairs. When will these charters be created, and what will they mean specifically for the residents of Edmonton and Calgary?

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

**Mr. Griffiths:** Thank you, Mr. Speaker. I appreciate the question. I've met with Mayor Nenshi and Mayor Mandel several times. In fact, I met with Mayor Mandel again just this morning, and this was an issue that we discussed. I can assure the hon. member that we're working very diligently on completing the memorandum of understanding so we can go forward with creating a city charter.

What it will mean to the citizens of Edmonton and Calgary, which is 80 per cent of the population of this province, Mr. Speaker, is essentially cost-effective, efficient service delivery on the things that they need.

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

**Mrs. Sarich:** Thank you, Mr. Speaker. To the same minister. With respect to your response it sounds like Edmonton and Calgary will get special treatment compared to all other municipalities across the province. Are Alberta's two largest cities through the establishment of special charters getting a leg-up over other municipalities in our province?

**Mr. Griffiths:** Mr. Speaker, this is a very valid question. A lot of people in rural Alberta, especially municipal councillors in rural Alberta, have asked that. I can assure the hon. member that we're also reviewing the Municipal Government Act. This is not to single out any municipality in particular to provide extra services but to make sure that our relationship with every single municipality in this province is robust and that we deliver the services every single community needs. We're going to continue to work on that.

**2:10**

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

**Mrs. Sarich:** Thank you, Mr. Speaker. My final question is to the same minister. I appreciate the general information; it's very helpful. In general Albertans need to know whether these charters mean that taxpayers living in Edmonton and Calgary will end up paying more taxes. Will this be the case?

**Mr. Griffiths:** Mr. Speaker, after my meeting with Mayor Mandel this morning that was one of the first questions that was asked by the media when we came out. I can assure everyone in this House and every Albertan that Mayor Mandel and I agreed first and foremost that there is only one taxpayer in this province. This is about roles and responsibilities first and then discussing revenue. We will not discuss revenue without first and foremost keeping in mind that there is only one taxpayer and they're taxed a lot. This is about streamlining service delivery, ultimately.

**The Speaker:** The hon. Member for Strathmore-Brooks.

### **Northern Gateway Pipeline Project**

**Mr. Hale:** Thank you, Mr. Speaker. The Northern Gateway pipeline is critical to the growth of the energy sector and jobs both in Alberta and Canada. In fact, last Friday Natural Resources Minister Joe Oliver said that Canada is taking an \$18 billion to \$19 billion hit every year by not having this access to Asia Pacific

markets. Yet this Premier has failed so far to persuade B.C. Premier Christy Clark, a friend of Alberta, to support this important pipeline project. If the Premier cannot even get Alberta's friends to back Gateway, how does she expect to get the support of the world?

**Mr. Lukaszuk:** Well, Mr. Speaker, yet again incorrect. As a matter of fact, Premier Clark as recently as today, I believe, has sent a message via media supporting both Premier Wall and Premier Redford in their deliberations today relevant to the development of energy, acknowledging the fact that it is the provinces that are leaders in developing energy in our mutual jurisdictions and that we need to take an actual leadership. There is a great deal of agreement between the three western Premiers on the responsible development and transmission of our natural resources.

**The Speaker:** Thank you. Just a cautionary reminder that we do not use proper names in this Assembly.

Let us go on to the hon. member's second question.

**Mr. Hale:** Lots of words and no action. The Premier continues to tout the Canadian energy strategy, which, after eight months of talking, includes siding with Chiquita against us and no details. Since Premier Clark is not here for today's western Premiers' meeting, will Premier Redford commit to going to B.C. to secure her public support for Gateway?

**The Speaker:** Again, just a cautionary reminder, which I'm sure you will be reminded of, to not refer to the presence or absence of members.

The hon. Deputy Premier.

**Mr. Lukaszuk:** Well, Mr. Speaker, let me quote Premier Clark of British Columbia from as early as today saying: I support a national energy strategy. She goes on to say, referring to Edmonton: if I was there, that would be the comment that I would offer; I know that the Premier of Alberta and Brad Wall already know my thoughts on this issue, that I have communicated earlier, and I am seeing what they will come up with at the meeting.

She is very supportive of this meeting. She wishes she could be over here. Obviously, for political reasons she has to be in British Columbia right now, but to suggest that Premier Brad Wall, the Premier of this province, and Premier Clark are not united on developing a national energy strategy would be incorrect.

**Mr. Hale:** When will this Premier make it her top priority to stand up for Albertans and secure the firm support of the B.C. Premier for the Gateway pipeline project so that western Premiers present a strong western front?

**Mr. Lukaszuk:** Mr. Speaker, not only has this Premier stood up for Albertans, but on April 23 most Albertans stood up for this Premier. Again, she will be delivering on what Albertans have wanted us to deliver on.

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

### Child and Youth in Care

**Mrs. Leskiw:** Thank you, Mr. Speaker. My question this afternoon is to the Minister of Human Services. I understand that the role of the Child and Youth Advocate is to investigate serious incidents involving youth in care and making recommendations for improving services for vulnerable children and youth in our province. To the minister: how will the Child and Youth Advocate improve transparency in child intervention systems and ensure

better outcomes for children in provincial government care? Remember, sir, that this is about kids and not process.

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

**Mr. Hancock:** Thank you, Mr. Speaker. I'm very proud of the fact that one of the first actions that our Premier took upon being elected as leader last fall and being installed as Premier was to ask me to bring forward legislation which would make the Child and Youth Advocate's office independent. That was done, and I'm very pleased and proud that that office is now an independent officer of the Legislature, effective April 1 of this year. I obviously cannot speak on behalf of the Child and Youth Advocate's office because it's independent, but we will be working closely to ensure that all appropriate cases are referred to that office and also to ensure that that office through the Legislative Offices Committee has the budget it needs to appropriately investigate, report on, and publicly bring to the attention of this Legislature all issues relevant to children.

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

**Mrs. Leskiw:** Thank you, Mr. Speaker. To the same minister. Aboriginal children represent 60 per cent of children in care, a number that is way too high. Will the Child and Youth Advocate ensure that the overrepresentation of aboriginal children in care is addressed?

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

**Mr. Hancock:** Thank you, Mr. Speaker. Obviously, I cannot ensure that the Child and Youth Advocate's office does anything. They're an independent office of the Legislature as of April 1, and they will set their own agenda as to what issues they deal with.

I can confirm that the issue with respect to the overrepresentation of aboriginal children in the child welfare system as it is across this province is an extremely important issue to us. In fact, prior to the election we had a task force, which I believe you led, which helped us to talk with First Nations and aboriginal people across the province and bring some more focus to that agenda. We're going to continue with our ADM in that area, Catherine Twinn, to ensure that we put the time and attention necessary to deal with that issue.

**The Speaker:** Thank you.

**Mrs. Leskiw:** To the same minister: how can we be sure that the ministry is making real changes and improvements to the child intervention system based on recommendations from the Child and Youth Advocate and Council for Quality Assurance?

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

**Mr. Hancock:** Well, thank you, Mr. Speaker. I think this is extremely important because the children of Alberta deserve the representation that they're going to get from the Child and Youth Advocate on an independent basis, the assurance that those recommendations will be publicly available and will be unfettered, and that we will actually have the opportunity in this House to receive that report and to talk about the action taken with respect to that report. Two very important pieces: the Child and Youth Advocate's office being an independent office of the Legislature and the establishment of the Council for Quality Assurance to make sure that every incident is investigated and that we learn from them so that we can continue to improve.

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

### Family Care Clinics

**Dr. Swann:** Thank you very much, Mr. Speaker. Over the past eight years primary care networks have been proven to greatly improve access, quality, and cost-effectiveness of health care services to 80 per cent of families across Alberta, yet without consulting and without an overarching plan to integrate these into the health care system, the Premier announced recently 140 new family care clinics. To the minister: why did the Premier commit to billions of new dollars for family care clinics without evidence or a full consultation with the relevant stakeholders?

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

**Mr. Horne:** Well, thank you very much, Mr. Speaker. Indeed, primary care networks have been a tremendous catalyst in improving access to primary health care across Alberta. The intention of the Premier and the commitment of this government is to increase access to primary health care through building on the success of primary care networks and introducing additional family care clinics across the province. We can't do enough at this point in time to increase access to primary care for Albertans who need it. We have about 20 per cent of Albertans who report they do not have access to a family doctor. As the census data which was reported on today shows, we are both coping with an aging population and, increasingly, many new families. Our birth rate is increasing in Alberta. Primary care is our top priority.

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

**Dr. Swann:** Thank you, Mr. Speaker. Well, the Premier promised to evaluate the first three family care clinics before expanding. Why did you proceed, without doing the evaluation, to 140 new family care clinics?

**Mr. Horne:** Mr. Speaker, neither the Premier nor this minister made any such commitment. We intend for family care clinics not to be a uniform model to be applied in a cookie-cutter fashion across the province but to address the needs of specific communities. Our commitment from the very beginning was to work not only with all health professions in designing family care clinics but to work with local communities to identify the areas where they need the services the most and to do our best to put a model in place which serves that community.

**Dr. Swann:** Did you not also commit to following the 21 recommendations of the Health Quality Council report, which was to not introduce any major changes in the health care system without proper consultation, without evidence, without moving forward on the health care budget?

2:20

**Mr. Horne:** Mr. Speaker, what we committed to was something that Albertans have been asking for for some time, and that is increased access to team-based primary care in or near their home community. The family care clinics and the primary care networks are important models of care delivery. What really matters, of course, and what this government will be talking about increasingly in the next few months are what core services Albertans want available to them in or near their home community on a standard set of hours, delivered by a team of professionals that can respond to the needs not only of young children but of aging parents.

**The Speaker:** Thank you.

The hon. Member for Edmonton-Beverly-Clareview.

### Twinning of Highway 63

**Mr. Bilous:** Thank you, Mr. Speaker. Highway 63 is the primary transportation route used to haul heavy equipment, oversized loads, and massive machinery while at the same time serving as the primary transportation route for lower Athabasca community members. Given that highway 63 has been the site of 80 fatalities in the last six years alone, to the Minister of Transportation: why won't the minister admit the government has failed to make the twinning of highway 63 the priority Albertans expect it to be?

**Mr. McIver:** Mr. Speaker, I would have hoped that the member asking the question would have been listening better yesterday. Had he been listening yesterday, he would have heard that this government has already invested a billion dollars in and around Fort McMurray. He would have heard that we have \$450 million over the next three years to twin the southern hundred kilometres of that highway. He would have also heard that this government is committed to twinning the rest of the highway and, in between now and when that's done, to bringing forward initiatives to make it more safe, more operable for the people using it, and better for Albertans. It's happening.

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

**Mr. Bilous:** Thank you, Mr. Speaker. Given that six years have passed since the province promised to twin highway 63 and considering only 33 kilometres have been completed to date, this government has been dragging its feet. At this rate the twinning won't be complete until 2034. That's not good enough for the thousands of Albertans trying to get to and from Fort McMurray safely every day. Why won't the government commit to a firm timeline for completion of the twinning of highway 63?

**Mr. McIver:** Mr. Speaker, I'll say it a little slower this time for the member. Over the next three years there's \$450 million in the budget, which will twin the southern hundred kilometres. We've committed to twinning the entire thing. Between now and then we're working with the hon. Member for Fort McMurray-Wood Buffalo to bring forward interim measures. All of this is happening. The government has committed. The government has committed a lot of money. The government has committed resources. It's a high priority. It's happening. The hon. member should just perhaps pay attention to what's already been said, and he could deal with new questions requiring new information.

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

**Mr. Bilous:** Thank you, Mr. Speaker. Given that the government has appointed a special adviser to come up with another plan and given that the government's plan is to talk about another plan for highway 63 when what Albertans want to see is action, to the Minister of Transportation: doesn't the minister understand that you can't pave a road with empty promises?

**Mr. McIver:** Mr. Speaker, if the hon. member, again, was paying attention, he would have seen, really, nothing but action. He would have seen a billion dollars spent in the past. He would see \$450 million more coming up in the future. He would actually have seen action since the hon. Member for Fort McMurray-Wood Buffalo increased signage to tell people when the passing lanes are, to encourage them to be patient and wait. He would have seen

increased enforcement. It's all happening, and Albertans, from what I hear, are very happy with the progress made although they would like it to be faster.

### **Family Care Clinics** (continued)

**Mr. Anderson:** Immediately prior to the election this Premier announced three government-controlled health clinics as pilot projects, as was discussed. Although family doctors expressed concern that these clinics might undercut proven primary care networks, which are run independently by doctors and other health professionals, many were willing to give these pilot projects a chance. Then during the election the Premier, without any consultation, promised to build 140 of these government clinics, shocking the Alberta Medical Association and doctors across this province. To the Health minister: why would your government undertake such a massive reform without first consulting family doctors and the AMA or Albertans, for that matter, which they didn't?

**Mr. Horne:** Well, Mr. Speaker, I'm glad the hon. member raises the three family care clinics that are already up and running. They are a source of great pride to Albertans, and they're doing an awful lot to help access to primary care in the communities they serve. In northeast Edmonton, for example, the primary care clinic is serving a large number of new Albertans, new Canadians, many of whom do not speak English. It is serving a large unattached population in that part of the city, where there is a great need for mental health and addiction services. In many other respects they are doing exactly what we intended family care clinics to do; that is, to provide basic primary care services to people in the communities where they live, with their involvement and with consultation.

**Mr. Anderson:** Given the concerns expressed by family doctors that these government-run health clinics are meant to replace existing family clinics and primary care networks and given that one of the pilot project clinics resulted in the Calgary Mosaic primary care network shutting down, according to its own executive director, is it this minister's goal to replace existing family practices and primary care networks with these new state-run health clinics, or is it to staff these new clinics with new nurses and doctors, or was this just a brazen electioneering promise made without consultation and without a plan? Door number C perhaps? No?

**Mr. Horne:** Mr. Speaker, I don't know which of the multiple questions there the hon. member intends me to answer. What I will tell you is that if the hon. member and his colleagues are suggesting that we have an oversupply of primary health care in this province, I think they should go out and consult with Albertans themselves. There is more than enough to be done, more than enough opportunities for family doctors and all professions, who should be able to practise to their full scope of training and expertise to deliver these critical and foundational health services to people in their own communities. That's what we ran on, that's what we're committed to do, and that's what you'll see from us in the months to come.

**Mr. Anderson:** The doctors didn't see it coming. They don't want them. Listen to the doctors for once.

If your intent is not to replace existing family practices or primary care networks, then let's talk about cost. Given that I cannot find any costing of your promise to build and operate 140

new government health clinics over the next three years, will you please either tell us or table for the House both the estimated cost to build or lease these clinics as well as the annual cost to employ the health professionals needed to run them properly, or will you refuse this request and just keep making it up as you go along?

**Mr. Horne:** Well, Mr. Speaker, my job is to think about and lead initiatives to improve health care in Alberta. If the hon. member wants to preoccupy himself with questions of infrastructure, that's entirely up to him. We have over 40 primary care networks in this province that are doing a very good job. Their work is supported by Albertans, other health professionals, and physicians. We have three new family care clinics, with more to come, that are also very well supported by family physicians and other health care leaders across Alberta. As I said earlier, we will start with a question of what core services we want to make available to all citizens in or near their home community. The questions around how models are structured in order to deliver that will be answered in the fullness of time for this member.

**The Speaker:** The hon. Member for Edmonton-Mill Woods, followed by the hon. Member for Chestermere-Rocky View.

### **Openness and Transparency in Government**

**Mr. Quadri:** Thank you, Mr. Speaker. Yet another recent study was critical of the Alberta government on transparency, this one putting us at last. My question to the Minister of Service Alberta: why is the government using the current FOIP legislation to hide information from our citizens?

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

**Mr. Bhullar:** Thank you very much, Mr. Speaker. I'd like to congratulate the member for asking his first question in the Assembly.

Mr. Speaker, our government and our Premier have an unprecedented commitment to transparency and accountability. For the first time we have a Premier that dedicated an associate minister solely responsible on this file. Let me say that Alberta is a leader. Alberta leads Canada with completing over 90 per cent of FOIP requests within 30 days. On the other side, we proactively publish some of the most important information like ministerial office expenses and payments made to all vendors that deal with the government.

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

**Mr. Quadri:** Thank you, Mr. Speaker. I'm glad to hear the government's quick response on FOIP, but the FOIP application process is a deterrent in itself. What are you doing about this?

2:30

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

**Mr. Bhullar:** Thank you very much, Mr. Speaker. The information and data that government has really belongs to its citizens, so we're finding more and more ways where we can really bypass the FOIP process altogether, use that as a last resort, and provide proactively more information and more data to Albertans. It's their information. They deserve to have it, and we're working on this.

**Mr. Quadri:** Mr. Speaker, people also want transparency on their personal information. How is this government making sure that Albertans can access their own personal information?

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

**Mr. Bhullar:** Thank you, Mr. Speaker. Albertans have a right to the personal information government has collected about them. That's why there's no application fee when Albertans are requesting this information. But Albertans also want their personal information protected. The way we do that is, first of all, to ensure that we only collect information that's absolutely necessary. Let me say that we are North American leaders by being one of the only jurisdictions that has private-sector privacy protection. That means that when a private-sector actor breaches a privacy policy, they have a mandatory notification requirement, where they notify the commissioner.

**The Speaker:** The hon. Member for Chestermere-Rocky View, followed by the hon. Member for Sherwood Park.

### School Construction and Renovation

**Mr. McAllister:** Mr. Speaker, thank you. The government announced during the election campaign an ambitious plan to build 50 new schools and renovate 70 others. In making that announcement, a lot of people were perplexed to find that those school projects, so desperately needed, would be tied to surplus revenue, yet at the same time corporate handouts like the \$3 billion AOSTRA project were put into place. To the Education minister: wouldn't it make more sense to flip those around and put the kids first, commit the money to renovating and building new schools and maybe put the money to the other industry contingent on surplus?

**Mr. Lukaszuk:** Mr. Speaker, I think one thing we know for a fact is that our province is growing at an unprecedented rate. There are many communities throughout this province that simply require more schools, and that is our number one priority. This Premier and the Minister of Education along with the Minister of Infrastructure have made a commitment that we will provide the schools that the children need so that they can continue receiving the 21st century education that they are receiving in this province in buildings that are adequate for delivering that education. That is a commitment that we have made to our children in this province, and we'll keep that commitment.

**Mr. McAllister:** Mr. Speaker, given that many are beginning to wonder if the government's hesitation in commitment to building and renovating schools like they promised is because they don't have the money for it and given that it's well documented that many schools, as we know, are in disrepair and that many communities are growing so quickly that their schools are bursting at the seams, do we have a plan to commit the money now so we can put the kids first? How are we going to operate these schools when we do commit that money? Do we have money for that also?

**Mr. Lukaszuk:** Well, this is quite interesting, Mr. Speaker. Here is a member from a political party that is advocating cutting budgets, that is advocating building less, that is advocating cutting programs, and that has run an entire campaign on that, but at the same time he's questioning whether we have the money to build the schools that are so desperately required. I can tell the speaker one thing. There was a budget in this House, that was debated and passed. That budget was taken to Albertans. They reviewed it, and they voted overwhelmingly in favour of the budget and this government, and we will deliver on our commitments.

**Mr. McAllister:** Mr. Speaker, the hon. minister is right about one thing. We did advocate certain cuts to a bloated bureaucracy, but we said that we'd like to see more money put forward to the front lines. I think we all agreed on that.

To this minister: given the government promised Albertans during the election campaign it was going to take care of these desperately needed new schools, both new and renovated, and given the government has often based its decisions on where to build new schools on politics rather than need, as we know, will you publish a list for all Albertans to see detailing which communities are going to get new schools, which communities are going to get their schools renovated when and if funds magically appear to this government to spend on the students that desperately need it in this province?

**Mr. Lukaszuk:** To address the first part of the comment, 85 per cent of Alberta public servants are front-line servants. I would want this member to stand up and tell us which ones he wants to fire, those who deliver nursing care or those who teach or do other important work for Albertans.

One thing, Mr. Speaker. If he wants to see the list, every school board provides the Minister of Infrastructure every June, July with their capital plan. That capital plan is reviewed, and priorities are being addressed. This member is a new member – I appreciate that – but he will soon know that those capital plans are available. He can review them. They're at his disposal. Go at it.

**The Speaker:** The hon. Member for Sherwood Park, followed by the hon. Member for Calgary-Shaw. [interjections] There was some heckling and clapping going on, and perhaps you didn't hear. I've recognized the hon. Member for Sherwood Park, followed by the hon. Member for Calgary-Shaw.

### Alberta Office in Ottawa

**Ms Olesen:** Thank you, Mr. Speaker. In the Speech from the Throne we learned that this government intends to open an office in our nation's capital. To the Minister of International and Intergovernmental Relations: are we not adequately served through the representation of government Members of Parliament, with which we are well supplied?

**Mr. Dallas:** Well, certainly, Mr. Speaker, Alberta's Conservative MPs bring an Alberta perspective to discussions on items of federal jurisdiction, but we need to remember that we have two orders of government, and Albertans have elected this government to provide representation on their views that are inside provincial responsibility. We seek to have, as an observer would put it, boots on the ground in Ottawa to deliver our messages and report back to us when something more can be done or said with respect to our government.

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

**Ms Olesen:** Thank you, Mr. Speaker. My second question is again to the Minister of International and Intergovernmental Relations. What other purpose does it serve to have an official Alberta presence in Ottawa?

**Mr. Dallas:** Well, Mr. Speaker, Alberta has worked hard to maintain good relations with Ottawa. However, we can increase our impact with a consistent presence and face-to-face meeting opportunities with key players in Ottawa. With an official representative available, we can reach out personally to make policy presentations to decision-makers and advisers who might

otherwise be out of reach to our ministers, and we can further strengthen these relationships.

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

**Ms Olesen:** Thank you, Mr. Speaker. Do we anticipate a patronage position to fill this office?

**Mr. Dallas:** No, Mr. Speaker. The selection of an official representative will follow a national search by an executive search recruitment firm.

### **Risk Assessments for PDD Clients**

**Mr. Wilson:** Mr. Speaker, on May 12, tragically, a front-line worker, Dianne McClements, died in Camrose, allegedly killed by an individual with special needs who was in her care, on the heels of Valerie Wolski's death a mere 15 months earlier. The families of the victims deserve answers from this government. Our front-line workers need to know they will be safe while caring for our most vulnerable citizens. The Wildrose would immediately publish the recommendations of the occupational health and safety investigation into Valerie Wolski's death to ensure the safety of our front-line staff. To the Minister of Human Services: why has this government failed to produce this report, and when can we expect the results?

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

**Mr. Hancock:** Thank you, Mr. Speaker. Well, the recommendations of the occupational health and safety division have been posted. They've been posted in the form of orders to PDD and to the operating authority in the Wolski situation, and those are known publicly.

With respect to the investigative report, that has been provided to the prosecutors' office, and it would be inappropriate to publish that report until prosecutors have made a decision with respect to charges.

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

**Mr. Wilson:** Mr. Speaker, thank you. Given that the initial occupational health and safety investigation reportedly recommended not-for-profit agencies be provided with risk assessments for their clients, will this government make risk assessments available immediately to protect our front-line workers while waiting to release this report?

**Mr. Hancock:** Mr. Speaker, I've inquired and been informed that now, with PDD being part of the Human Services portfolio, all of the recommendations that were made by occupational health and safety have been implemented by PDD, not just in the central region but right across the province. I am assured that that is happening.

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

**Mr. Wilson:** Thank you, Mr. Speaker. This smells like the same kind of distasteful deflection we saw from this government after the death of Ms Wolski last year. How can the minister tell Alberta's front-line workers it cares about them when it will not be open and transparent when tragedies happen?

2:40

**Mr. Hancock:** Mr. Speaker, I don't know what the hon. member is referring to. We've been totally open and transparent with respect to the posting of the occupational health and safety orders. We've been totally open about the fact that there's an investigation happening, and that investigation has now been turned over to the

prosecutors' office to determine whether there are charges to be laid. I've been open in saying that the PDD authority has assured me as minister that the recommendations, the orders that were put in place, have been carried out not only in the central Alberta jurisdiction but right across the province.

**The Speaker:** Hon. members, that concludes question period for today, but before we go on to the next part of the program, I wonder if I could ask House leaders to please review the issue of preambles to questions with their members at their respective caucuses for tomorrow. Today we only got to 96 questions and answers, which is well below what we're used to in this House.

Secondly, please also review the references to any absence or presence of members.

Thirdly, of course, as we all know, elected officials should not be referred to by their proper names in this Assembly.

### **Members' Statements**

*(continued)*

**The Speaker:** Hon. Member for Cardston-Taber-Warner, a private member's statement.

### **Regulatory Reform**

**Mr. Bikman:** Thank you, Mr. Speaker. I'd like to talk about overregulation in our province. It's ubiquitous, and I'll provide two examples as diverse as food preparation and truck transportation.

Last year Stirling's Settler Days chili cook-off was apparently declared a threat to public health, and it wasn't because it was too spicy. It was because the chili was potluck, prepared in the homes of private citizens, as has been done for as long as I can remember. The organizing committee was told that in future the chili would have to be made in approved, inspected kitchens or on-site. Since when did open-air cooking become safer and more sanitary than private homes?

A trucking company owner told me of an ongoing challenge that he faces with regulations in his industry. Several times a week his trucks haul crushed cars from Lethbridge over the weigh scales at Coutts on their way to a steel mill in the U.S.A. For the past year he's been using three-eighths inch cables to secure the cars. Every load has crossed the scales and has been delivered without incident or accident. Last week a load was stopped, and the driver was issued a fine of \$570. The reason? The scale operators decided the cables weren't safe and that he'd have to use chains.

Couldn't these government employees, whose salary comes from taxes paid by this trucker and others, have seen themselves as a resource to him? Shouldn't they have given him a call and let him know of this unexpected change in their attitude or enforcement approach so that the fine could have been avoided? Better yet, why weren't he and other haulers consulted about whatever government concerns had arisen in an attempt to find a mutually acceptable solution? Want to know the answer? Because they don't have to.

Wildrose believes in more freedom through less government regulations. So do most Albertans.

### **Notices of Motions**

**Mr. Saskiw:** Pursuant to Standing Order 15(2) earlier today I provided written notice to your office of my intention to raise a matter of privilege, which I hope I'll have the opportunity to present later today. I have the requisite copies of that written notice.

**The Speaker:** Thank you, hon. member.

### Tabling Returns and Reports

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

**Mr. Denis:** Thank you very much, Mr. Speaker. I'm pleased to table a letter from myself to the Chief Electoral Officer, Mr. Brian Fjeldheim, which I had cause to send over to his office. Five copies will be provided to the Clerk.

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

**Ms Blakeman:** Thank you very much, Mr. Speaker. I'd like to table the appropriate number of copies of a letter actually addressed to the Premier but from a representative of the Alberta Grandparents Association. It's signed by Marilyn Marks, and she wishes to make the point again that the recent evaluation of Alberta's Family Law Act by the Canadian Research Institute for Law and the Family, coming out of the U of C, has found that our Family Law Act makes it virtually impossible for grandparents to meet the test that is required of them in the act in order to be able to access their grandchildren. She notes that grandparents and other family members require legislation that is less adversarial and that is not set out or made in a court which challenges family concerns.

Thank you.

**The Speaker:** The hon. Leader of the Official Opposition.

**Ms Smith:** Thank you, Mr. Speaker. I'd like to table the appropriate amount of documents, a letter from the Culture minister to Mr. Jeffrey Yang, director of the Falun Dafa Association of Calgary.

I'd also like to table the appropriate number of copies of page 85, the Chief Electoral Officer Duties and Powers, indicating that the investigation only shall be conducted in private, not the results of said investigation.

### Privilege

#### Obstructing a Member in Performance of Duty

**The Speaker:** Hon. members, yesterday the Member for Edmonton-Strathcona raised a purported question of privilege regarding a media briefing that took place prior to the introduction of Bill 1 on Thursday, May 24. I would like to thank the hon. member for bringing this matter to the attention of the Assembly for consideration. I have given it considerable consideration over the last 24 hours, and I'm prepared to make a ruling in this regard.

For many members this will be their first opportunity to observe a question of privilege being raised and to hear the chair's subsequent ruling in that regard. Standing Order 15, which guides this Assembly, sets out the procedure to be followed when a question of privilege is raised. Hon. members will note that the chair's role in making a ruling on a purported question of privilege is solely to determine whether the question raised is a *prima facie*, in the first instance in other words, breach of privilege. It is a threshold test. If it is found to be a *prima facie* question of privilege, it is appropriate for a member to give notice of a motion such as one referring the matter to a committee for disposition.

Technically the matter raised by the member is a question of contempt although it is treated in the same way as a question of privilege might be. The authors of *House of Commons Procedure and Practice*, second edition, note the following passage at page 82.

It is important to distinguish between a "breach of privilege" and "contempt of Parliament". Any disregard of or attack on the rights, powers and immunities of the House and its Members, either by an outside person or body, or by a Member of the House, is referred to as a "breach of privilege" and is punishable by the House. There are, however, other affronts against the dignity and authority of Parliament which may not fall within one of the specifically defined privileges. Thus, the House also claims the right to punish, as a contempt, any action which, though not a breach of a specific privilege, tends to obstruct or impede the House in the performance of its functions; obstructs or impedes any Member or officer of the House in the discharge of their duties; or is an offence against the authority or dignity of the House, such as disobedience of its legitimate commands or libels upon itself, its Members, or its officers.

Dealing first with the procedural requirement, as the chair noted yesterday, the Member for Edmonton-Strathcona did meet the requirement in Standing Order 15(2) of providing a minimum of two hours' notice prior to the commencement of the sitting. Notice of the question of privilege was received in the Speaker's office yesterday at 10:57 a.m.

In making representations in the Assembly during yesterday's proceedings, the Member for Edmonton-Strathcona referred to a press conference held by the Premier and the Government House Leader at 1:30 p.m. on Thursday, May 24, in which both the Speech from the Throne and Bill 1, the Workers' Compensation Amendment Act, 2012, were discussed. The member was advised by her staff that when they had attempted to attend the conference, opposition staff were specifically denied access.

2:50

The basis of the purported question of privilege is that the member's ability to discharge her parliamentary duties was impeded when information about a government bill was provided to the media prior to the bill's introduction in this Assembly. In response the hon. Government House Leader noted that during the press conference Bill 1 was discussed but only in general terms and that no specific wording was provided to those in attendance. The Government House Leader acknowledged the importance of ensuring that members are the first to see proposed legislation in its final form before a bill is disclosed to outside parties.

On March 5, 2003, Speaker Kowalski ruled that there was a *prima facie* case of contempt in circumstances where information on the contents of a bill on notice in the Order Paper were provided in a media briefing prior to the bill's introduction in the Assembly. The Speaker held at page 304 of *Hansard* for that day that "the department briefing provided to the media concerning [the bill] when the bill was on notice but before it was introduced constitutes a *prima facie* case of privilege as it offends the dignity and the authority of this Assembly."

By convention no notice is required for the introduction of Bill 1, which is the first bill of a session and is introduced as a part of opening day ceremonies to assert the Assembly's independence from the Crown. However, the chair is of the view that this has no bearing on the particular matter. At the time the relevant press conference took place, Bill 1 most certainly would have been in final form and ready for introduction, I would expect.

The chair would like to make all members aware of a recent ruling from the Canadian House of Commons concerning the early release of details contained in government estimates. In his March 22, 2011, ruling Speaker Milliken stated the following at page 9113 in the *House of Commons Debates* for that day.

The member . . . is certainly not misguided in his expectation that members of the House, individually and collectively, must



receive from the government particular types of information required for the fulfillment of their parliamentary duties before it is shared elsewhere. However, in such instances when there is a transgression of this well-established practice, the Chair must ascertain whether, as a result, the member was impeded in the performance of parliamentary duties.

While in the matter before us there may be a legitimate grievance, as admitted even by the President of the Treasury Board, there has been no specific evidence to suggest that any member was [actually] impeded in the performance of his or her parliamentary duties, and thus there can be no finding of *prima facie* privilege. Further, the minister has recognized the seriousness of this matter and given his assurance that measures will be in place to prevent a recurrence.

An earlier ruling by the same Speaker is also on point. On November 5, 2009, Speaker Milliken concluded that the Minister of Public Safety in a press conference had not disclosed the details of a bill yet to be introduced and had only discussed in broad terms the policy initiative proposed in the bill. On this basis, the Speaker found that there was no *prima facie* question of privilege.

In conclusion and on a matter related to the purported point of privilege, the chair acknowledges and appreciates the Government House Leader's apology for the apparent inability of opposition staff to gain access to the aforementioned press conference of May 24, 2012. The chair also notes the Government House Leader's submission that the bill was neither circulated, nor was the specific content of the bill disclosed.

Given the circumstances of this particular case the chair finds that the member's ability to perform her functions has not been impeded, and accordingly the chair is unable to find a *prima facie* case of contempt and considers this matter now closed.

The chair does want to thank members for their attention to this matter.

The hon. Member for Lac La Biche-St. Paul-Two Hills on a point of privilege.

### Privilege Misleading the House

**Mr. Saskiw:** Thank you, Mr. Speaker. I'm rising according to Standing Order 15(2) to raise a point of privilege, that on May 28, 2012, the Minister of Justice and Solicitor General interfered with the abilities of members of this Assembly to fulfill their duties when he misled the Assembly in response to a question in Oral Question Period. Page 83 of the *House of Commons Procedure and Practice* states that "deliberately attempting to mislead the House" is considered contempt of the House.

I'd like to start with a preliminary matter. Points of privilege must be raised at the earliest opportunity. Notice concerning this point of privilege was sent to your office, Mr. Speaker, this morning as well as to all House leaders. As such, it is our view that the point of privilege was raised in a timely manner and is in order.

I would like to now address the substantive elements of the point of privilege; namely, the first element, that the Assembly was misled. In particular, the Minister of Justice and Solicitor General stated that the legislation regarding investigations by the Chief Electoral Officer was changed based on the officer's recommendations. In his words, he called this a fact. Unfortunately, Mr. Speaker, in review of the recommendations from the Chief Electoral Officer, Lorne Gibson, he stated in his October 2006 report under recommendation 26(d) that the government "add specific direction that an investigation shall be conducted in private." This report was tabled by the Leader of the

Official Opposition earlier today. Note that the wording is that the investigation be conducted in private. However, nowhere in the recommendation does it state that if someone or a provincial party has been found guilty, those results can't be made public. Therefore, what the member said is not a fact.

How on earth in a modern democracy could the findings that a political party accepted illegal donations be kept secret and private? Once the investigation is complete, there is no reason to withhold this information from Albertans. As such, the Minister of Justice and Solicitor General clearly misled the Assembly.

However, this is not enough. The *House of Commons Procedure and Practice* refers to a three-part test in order to find a *prima facie* case for a finding of contempt that a member deliberately misled the House. First, it must prove that the statement was misleading. Here the document of the Chief Electoral Officer speaks for itself. The member misled this Assembly in stating that the government changed the law because of the Chief Electoral Officer's report. That is not correct. The report clearly states that it is the investigations that are to be kept private, not the results of those investigations.

Second, it must be established that the member knew at the time that the misleading statement was incorrect.

The third and, I would submit, most difficult part of the test is that the member, in making the statement, intended to mislead the Assembly. Mr. Speaker, it is difficult to determine the *mens rea* of an individual, what they knew at a particular time. However, the facts here would indicate that the Minister of Justice and Solicitor General referred to that report, and presumably by referring to the report, the learned member would've read the report. However, to give the benefit of the doubt, the member opposite could simply have been mistaken or in error. If that is the case, I would ask the member to retract and correct his statement.

Pending the finding of this Speaker that there is a *prima facie* case of privilege, I seek to move that the matter of privilege concerning the Minister of Justice and Solicitor General's comments be referred to the Standing Committee on Privileges and Elections, Standing Orders and Printing.

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

**Mr. Denis:** Thank you very much, Mr. Speaker. You know, when I was a starting lawyer about 12 years ago, one of my principals said to me: when you have the facts, you pound the facts; when you have a law, you pound the law; and if you have neither, you just pound.

Mr. Speaker, I'm going to go through specifically what was said in the Chief Electoral Officer's report. I'm referring to a report that has already been tabled some time ago. It said specifically, "Add specific direction that an investigation shall be conducted in private."

Then I will also refer to Alberta's Election Act, section 4.2(4). I do not believe that this needs to be tabled. If I'm wrong, please correct me. It says:

Subject to subsection (5), any former Chief Electoral Officer and every person who is or was employed or engaged by the Office of the Chief Electoral Officer shall maintain the confidentiality of all information and allegations that come to their knowledge in the course of an inquiry or investigation.

It doesn't just say "allegations"; it also says "all information" in and of itself.

Mr. Speaker, the matter of the Chief Electoral Officer, as I'm sure you and all members of this House are aware – this is an officer who reports directly to the Legislature. If there are any

changes, it has to go through an all-party committee. I look forward to the report from the 2012 election because there will be some recommendations there as well.

I wanted to mention, as well, just in conclusion, Mr. Speaker, that this member has mentioned a three-part test. The first part of the test is that the statement was misleading. I respectfully submit to you and all members of this House that the statements I made yesterday were not misleading. I stand by them completely. Further, I also mention to you as our new Speaker that this member's three-part test, which he has quite correctly indicated, talked about intending to mislead the Assembly and talks about a *mens rea*, which is a mental element, not an action element. Not only has there been no misleading; he has failed to show that there has been any intent to do so.

I would lastly mention the old adage that when dealing with matters of libel, which you mentioned earlier just in your preamble, truth is an absolute defence to any such action. Thank you.

3:00

**The Speaker:** Any other comments? The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Thank you very much, Mr. Speaker. I've listened to this quite intently, and I appreciate the point of privilege being called, but in this matter I accept the representation of the Solicitor General. The legislation as it was read to me was silent on things, whether they would go public afterwards. When the legislation is silent on that, I think it's up to the government to interpret that.

I think there's also something to remember. In this House we're playing with live ammunition. We have to answer questions, and I understand that oftentimes we're doing the best we can to answer questions on a quick basis and give answers in that regard.

In this matter I don't believe the Solicitor General in his words or his actions deliberately misled this House, and I would agree more with his interpretation of what happened yesterday than the submission put forward by the honourable presenter of the argument that was forthcoming. Thank you very much.

**The Speaker:** Thank you.

Are there any others? The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much, Mr. Speaker. I, too, have spent some time rereading the Election Act and the Election Finances and Contributions Disclosure Act, and I do believe in this case that the Minister of Justice is correct. However, in the reading of section 4.2(4) and (5), where it's talking about maintaining "the confidentiality of all information and allegations that come to their knowledge in the course of an inquiry or investigation," it does not specifically say that that information is never to be released. In other words, the act is silent on whether the information can ever be released to the public or to the Assembly, but it does require that the officers that are involved in the investigation keep that information confidential. In other words, they don't go out and put it on the cocktail chatter. But the act itself does not specifically prohibit a disclosure of an investigation.

I think there's a very fine line that's being drawn here. There is the following section in (5) that does say that, you know, information should be disclosed to a person whose conduct is the subject of it, that it should be disclosed to the person conducting the investigation to be able to get information from someone else, et cetera, et cetera. There are a number of categories here.

I think we have to be very careful about accepting what the Justice minister is saying today as there being a prohibition in the act against ever disclosing any results of an investigation that takes place under the Election Act or the election disclosures act because that is not the case. We have had in the Chief Electoral Officer's past reports the disclosure of various cases that he, in fact, investigated. So we need to be very careful on this one. I agree that in this particular instance the minister is correct, but it should not be taken that this is correct for all times in all cases.

Thank you.

**The Speaker:** I'll recognize one more speaker, then. The hon. Member for Airdrie.

**Mr. Anderson:** Real quick, Mr. Speaker. I would like to rise and say that obviously I agree with the Member for Lac La Biche-St. Paul-Two Hills, the opposition deputy House leader, on this point of privilege.

It's very clear. First, we have to look at what the recommendation says that the Chief Electoral Officer made to the Justice minister, who is now the Premier. The specific quote from the report is that he asked to "add specific direction that an investigation shall be conducted in private." Having an investigation conducted in private is very important, obviously. It's important, when you're talking about allegations and things like that floating around out there in the ether and so forth, when you've got innuendo and so forth, when everyone is presumed innocent until proven guilty, that you don't allow that information to go public because it's unfair to the person whose character might be impugned in that situation. That's very clear, and that's very clearly the statement in the recommendation that's made.

For this member we're not talking about the act here. That's not what's in question in this point of privilege. What's in question is his representation of what was said in the recommendation, and he specifically said that what was said in the recommendation – nothing to do with the act, what was said in the recommendation – was that the Chief Electoral Officer said that he wanted to have complete privacy with regard to not only conducting these investigations but also to keep the results from investigations where illegal donations were found from ever being made public. It's clearly not what the recommendation says. It doesn't say it.

For this minister to stand in this House and say that the Chief Electoral Officer at that time, Mr. Lorne Gibson, asked to keep the results of findings of illegal donations to political parties private and nonpublic is completely false. That's not what the report said. This minister has clearly misled the House by saying so, and he should retract those statements. If he wants to refer to the legislation, he should refer to the legislation but not the recommendation because that's not what the recommendation said, and he knows it.

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

Unless anyone has anything new or different to offer, we'll conclude the speaking list at that point.

Hon. members, it's a rare time when you get two purported points of privilege raised over two consecutive days. In fact, I don't know if it's ever happened in my time here, but *c'est la vie*.

The hon. Member for Lac La Biche-St. Paul-Two Hills has of course met the technical requirements, as he's indicated. In fact, he did provide written notice of his intention to raise this point of privilege, and that was provided in writing this morning at, I believe, around 11:18 or thereabouts; nonetheless, in advance of

the two-hour rule requirement. He subsequently gave oral notice. So he's done what had to be done.

The chair has now listened to some good debate on the matter, and the chair will take the evening to study the debate and to do a little further research and will comment tomorrow.

### Orders of the Day Government Motions

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

#### Adjournment of Spring Session

7. Mr. Hancock moved:  
Be it resolved that pursuant to Standing Order 3(9) the 2012 spring sitting of the Assembly shall stand adjourned upon the Government House Leader advising the Assembly that the business for the sitting is concluded.

**Mr. Hancock:** Thank you, Mr. Speaker. This is the traditional adjournment motion that's introduced on one of the first few days of every session.

**The Speaker:** Thank you.

[Government Motion 7 carried]

4. Mr. McIver moved on behalf of Mr. Hancock:  
Be it resolved that the Legislative Assembly resolve into Committee of the Whole, when called, to consider certain bills on the Order Paper.

[Government Motion 4 carried]

5. Mr. McIver moved on behalf of Mr. Hancock:  
Be it resolved that the Legislative Assembly resolve itself into Committee of Supply, when called, to consider supply to be granted to Her Majesty.

[Government Motion 5 carried]

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

#### Evening Sittings

6. Mr. Hancock moved:  
Be it resolved that pursuant to Standing Order 4(1) the Assembly shall meet in the evening on Tuesday, May 29, 2012, and Wednesday, May 30, 2012, for consideration of government business unless on motion by the Government House Leader made before 6 p.m., which may be made orally and without notice, the Assembly is adjourned to the following sitting day.

**Mr. Hancock:** Thank you, Mr. Speaker. Just for clarification, if we deal with Government Motion 11 this afternoon, we will not intend to sit in the evening on either of those two days.

**The Speaker:** This is Government Motion 6, hon. Government House Leader, so this motion is not debatable.

[Government Motion 6 carried]

#### 3:10 MLAs Compensation Review

11. Mr. Hancock moved:  
A. Be it resolved that the Assembly approve in principle the recommendations of the Review of Compensation of Members of the Legislative Assembly of Alberta,

"the report," submitted by the Hon. J.C. Major, CC, QC, and refer the report to the Special Standing Committee on Members' Services, "the committee," for implementation where possible by June 30, 2012, subject to the following exceptions:

- (a) that recommendation 4 regarding salary for the Premier not be implemented but that the committee implement a salary that reflects a differential of plus 25 per cent between the Premier's salary and that of a minister with portfolio;
- (b) that recommendation 10 concerning the expense portion of a member's remuneration, known as the tax-free allowance, not be implemented and that the amount of that expense allowance be set at zero pending an amendment to the Legislative Assembly Act to eliminate it;
- (c) that recommendation 11 regarding the implementation of a new transition allowance be rejected and that no further amounts shall be accumulated beyond those accrued by eligible members prior to the commencement of the 28th Legislature;
- (d) that the committee examine alternatives to the pension plan for members proposed in recommendation 12 and discussed in section 3.5 of the report, including defined contribution plans, and report to the Assembly with its recommendations;

- B. Be it resolved that nothing in this motion shall limit the committee's ability to report to the Assembly on any other matter arising from the report.

[Adjourned debate May 28: Mr. Horner]

**The Speaker:** Are there any speakers? This motion is debatable.  
The hon. Member for Edmonton-Centre?

**Ms Blakeman:** I will pass.

**The Speaker:** Does anyone from Executive Council wish to conclude debate?

The hon. Leader of the Official Opposition. I'm trying to read the signals here. Carry on.

**Ms Smith:** Thank you, Mr. Speaker. I'm very pleased to rise today to debate the motion before the House to accept in principle the MLA remuneration and recommendations by Justice John C. Major. First of all, let me remind hon. members that it was Wildrose, more specifically our Finance critic, the Member for Airdrie, who really drove the issue of MLA pay, severances, and transitions during the last Legislature. He brought forth a private member's bill more than a year ago, the Legislative Assembly (Transition Allowance) Amendment Act, 2011, that would have dramatically reduced the often-exorbitant amount of severance MLAs collect from taxpayers upon defeat or retirement. Naturally, of course, the government members defeated this bill and soundly. Not one government MLA stood up for fiscal restraint and respect for taxpayers when the bill came to the floor for a vote.

The NDP Member for Edmonton-Strathcona voted for the bill, the Liberal Member for Calgary-Buffalo voted for the bill, and I thank them for their co-operation on behalf of the taxpayers in this province. But not a single Progressive Conservative MLA stood up to say no to these extravagant entitlements that day. I have no

doubt that without the Member for Airdrie's tireless efforts, pushing this issue to the forefront of public debate and ultimately into the recent election campaign, we wouldn't be in this Legislature today talking about changing the way MLAs are compensated. I'd like to thank him today for all of his hard work on this file on behalf of the Official Opposition caucus and indeed on behalf of all Albertans.

It's a shame that this government needed to see its political life flash before its eyes before they acted on this issue, Mr. Speaker. But as it is with just about everything this government does, it's not important enough to act on unless the voters are upset enough about it. Then, and only then, do we get any kind any kind of response from the government. Nevertheless, we are here today about to change how we as elected MLAs are compensated and to better reflect what Albertans expect from us in terms of fairness, transparency, and respect for hard-earned tax dollars. I am happy about that, and I dare say it's about time.

I don't know if anyone will forget the very first act of this last government, of which the current Premier was a senior member. Weeks after Albertans cast their ballots, the cabinet went behind closed doors and helped themselves to a staggering 34 per cent pay hike. No warning, no consultation, and no apologies, just a brazen cash grab from the politicians just elected to serve Albertans and protect their tax dollars. It was a stunning display of arrogance, Mr. Speaker, and it came to define the Progressive Conservative government as out of touch and only out for themselves, and perhaps it sent us down the path to where we are today, here debating Justice John Major's report. Until then, no one single instance more clearly defined the compensation issue in the minds of Albertans than the cabinet pay hike of 2008.

But as I said before, Mr. Speaker, this government didn't act right away. It's not as if the public backlash wasn't strong enough to warrant corrective action. In my three years touring Alberta prior to being elected, no one issue elicited more anger from everyday Albertans than the cabinet pay hike. Instead of saying, "Whoa, maybe we overstepped here," and "Let's look at reforming our pay structure," the government doubled down. Sure, there was a patronizing offer to return a tiny portion of the huge pay raise they gave themselves, but in my estimation that cynical gesture only made Albertans angrier. The public thought: "These guys can line their pockets with my tax dollars, give back a few pennies, and expect me to forgive them? Not a chance."

From there, Mr. Speaker, this government was thoroughly and rightly criticized for hanging on to these giant pay hikes while at the same time handing out millions of dollars of bonuses to bureaucrats and failed health executives. It was around this time that Alberta once again began running budget deficits, bringing the government's ongoing personal abuse of tax dollars into much sharper focus and underscoring the need for major reforms to how politicians and public servants are paid.

Fast forward a few years, and we're on the eve of a provincial election. The now infamous no-meet committee has been exposed, and Albertans are angrier than ever not only at the inflated salaries and benefits MLAs collect at their expense but also at how complicated it is to navigate all the hidden pots of money that MLAs are paid. Because of these events, Mr. Speaker, I think it's fair to say that Albertans are probably more interested than ever in how much we are paid and why. So it's good that we're here today in the Legislature, ready to finally act on what Albertans have been telling us for so long.

I've often said, Mr. Speaker, that the Premier shouldn't have needed a judge to tell her what the right thing was to do, but that's a discussion for another day.

Most of what Justice Major has recommended in his comprehensive report is quite good, and Wildrose does support most of it. For example, we support the idea of a single comprehensive base MLA salary that encompasses the entire scope of a member's job; no extra pay for committees, just a flat salary that is easy to understand and easy to track and lower than what it was under the old system. That's what Albertans were asking for.

We also like where Justice Major suggested going with transition allowances, replacing the current golden parachutes, which saw some MLAs departing with over a million dollars, with a more reasonable package intended to help MLAs with a short-term transition into life after politics. The government has decided to go further and eliminate it altogether on a go-forward basis, and we have no objection to that either.

Additionally, we were pleased to see the government reject some of Justice Major's more troublesome recommendations like yet another huge pay increase for the Premier and also keeping the tax-free portion of MLA salaries. Albertans cannot shield one-third of their salaries from tax, and their elected representatives should not be allowed to either.

Before this goes to committee, there are a couple of things I urge my colleagues in all parties, especially the members of the Members' Services Committee, to consider as we move forward. The first is cabinet salaries. The Major report worked off current salary levels, which essentially means that the excessive cabinet pay hikes are the starting point. The report even recommended an additional increase to cabinet pay, but that doesn't mean that we can't now revisit this issue, finally. As MLAs we have the ability and, I would say, the obligation to look at this and get it right. In Members' Services Committee we look forward to raising this issue and arriving at a sensible solution because no one I spoke to during the recent election told me that they thought cabinet ministers needed a pay raise.

The second is the gold-plated pension plan that Justice Major has recommended. Let me be perfectly clear, Mr. Speaker. We absolutely cannot go back to this. Premier Ralph Klein was right to have killed these pensions almost 20 years ago. Reinstating them would be a slap in the face to Alberta taxpayers and hard-working Alberta families. The Canadian Taxpayers Federation has done some wonderful research showing why that is. For starters, an average Albertan would have to save \$822,000 in order to equal the benefits a gold-plated pension plan would pay out to retiring or defeated MLAs. That is not a figure that most Albertans can even relate to.

The CTF also reports that unfunded pension liabilities in Alberta have reached \$11 billion, including \$42 million still remaining on the old MLA pension plan Premier Klein got rid of. These unfunded liabilities have spooked just about every private-sector pension plan away from defined benefit plans and for good reason. As the CTF points out, the Certified General Accountants Association of Canada reported in 2010 that more than 90 per cent of private-sector defined benefit pension plans have become virtually insolvent after 2008.

The most compelling reason to throw out gold-plated pensions really has little to do with facts and figures and dollars and cents. It's about leadership. It's about what accepting something like this says about us as politicians and officials elected to do the people's business and guard the public's dollars. If we accept this gold-plated pension plan, we merely affirm that which most people already believe about their politicians, thanks in no small part to this government's self-serving ways, that we aren't really interested in serving the public and doing what's right, and we're merely here for what we stand to gain from it. By jumping on the first opportunity we have to pad our bank accounts, we would give

the public every reason to believe this. That's why I'd like us to make a stand on this, to give Albertans at least a small reason to have confidence in us.

3:20

I know that every member of the Official Opposition is ready to lead the way on this, and I know that both myself and the Member for Calgary-Fish Creek are ready to convince our colleagues on the Members' Services Committee to do the same.

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

The hon. Member for Edmonton-Centre on Motion 11.

**Ms Blakeman:** Thank you very much, Mr. Speaker. I'm pleased to be able to rise and speak to this motion although I'm going to come at it a bit differently than everyone else has. I and my caucus have a very, very strongly held belief that MLAs should not be setting their own pay and perks. We raised this in a number of different venues and as a reaction to different proposals about pay schedules and things that were being raised in the Members' Services Committee a number of times. It was our standard response. We really, really believe this.

We were very happy to have one of our members, who's now one of the members of the government caucus, bring forward a motion. We don't get many motions, the opposition, because as some of you know and some of you don't, all private members are treated the same. Well, this would be my argument with the Government House Leader. All of our names are put into a pool, and the order for the private members' motions and bills are drawn from that, so Official Opposition and third-party and fourth-party opposition don't get a lot of chance at this. For us to take one of our motions and designate it to this tells you how important it was. It was brought forward by the Member for Lethbridge-East, and in fact it was unanimously passed. It was pretty clear that there was to be an independent commission to set the MLA pay and benefits.

Now, what did we actually get from this? What we got from it is an independent commission. Okay. Fine. I will quibble with the way it was set up in that it went to the Speaker of the day, who set it up with some criteria that raised eyebrows and set this all on a certain course. But we did end up with an independent commission, a one-person commission of Justice Major, who then presented a report.

Did we accept that report? Well, no. What we're hearing here is the ensuing debate, which will inevitably end with MLAs setting their own pay and benefits, which was not where we started. What we've already got is cherry-picking in this very motion that I am debating. We have the government saying, "We accept the report except certain things," and they can spell them out. At this point I don't care what the certain things are anymore because we have lost the ability to stand up and say: we accept this report.

We charged them to do a certain thing, we said we wanted someone else to do this, and what are we going to do? We're spending time in this House debating it again, MLAs talking about setting their own pay and perks. The government motion starts it out by saying that we're not going to accept this, that, and the next thing. They're cherry-picking off the report. We like this, but we don't like that. Okay-dokey, then.

What's going to happen after this? Oh, wait. It's going to get sent to the Members' Services Committee. Now, that is an all-party legislative committee, much respected, much feared. I'm sorry. Who's sitting on this again? Oh, right. A majority of the people sitting there are government members, and there are a small number of participants on that committee who represent the Official Opposition, the third party, and the fourth party. That group is

going to decide how to implement this and is additionally charged with working out some of the details on things like the pension plan. Correct me if I'm wrong, but are we now not sending this to a group of MLAs to decide their own pay and benefits? Yes, we are. Right there we've contravened what we said we would do.

We all said in this House – and it was unanimous on the day – that we would support an independent commission setting this, and we've already managed to work that around way back to the Members' Services Committee, which the previous speaker, the Leader of the Official Opposition, in such an eloquent way outlined where all of these problems started. Wait for it. I'm waiting. My ear is out. Yes, indeed, that would be the Members' Services Committee who decided to set all of these things, and now we are going to send this back to the Members' Services Committee to decide the pay and perks. What is wrong with this picture? What's wrong with this is that we've already violated where we started.

Now, I've got all kinds of, you know, quibbles and suggestions and things that I'd like in there and not like in there. I was one of the few MLAs that actually signed up and went to the commission and put it on record. In fact, my *Hansard* appears at the back of the report. I was very concerned that the commission be aware of a couple of things. One is that not all private members are equal. Government private members are more equal than other private members. I wanted that known and understood because that really matters when you're talking about pay and benefits. Of course, if you're taking the best years of earning, anyone that's sitting on the government side was earning extra money by being appointed to government-only committees or to chair a government-only arm's length group.

The Seniors Advisory Council – that was always a government MLA, and it came with a salary of 40,000 bucks a year – and the Premier's Council on the Status of Persons with Disabilities: all of those were paid additional money. At one point they were so desperate to find a job for their one last backbench MLA that didn't have an extra job that they booted the person who was currently the chairperson for the Premier's Council on the Status of Persons with Disabilities so they could put their own backbencher in there. I'm going back quite a few years on that one, but people will be able to figure out who I'm talking about.

There were lots of things that each of us could contribute to this discussion. You know, I wanted it known that not all private members are equal. I wanted it known that for people that were coming from the not-for-profit sector or the public service sector, which is half of our working population here in Alberta – we love to talk about the entrepreneurs. I love you, entrepreneurs, because you're making us all money, and it's a talent I don't have, and I'm incredibly in awe of all of you. But, God bless you, you are half of the workforce.

The other half of the workforce are people that work in the public service and the NGO sector. You've got to understand that most of them are not paid well enough to be able to sock away money on a regular basis for a pension to begin with, and the best working years in the not-for-profit sector are 35 to 55, which is exactly our age. So anyone coming here from the NGO sector is going to end up with a significant payment deficit in order to perform the service of representing the public here. I wanted people to understand that and to know it and to work it into what they were doing. I wanted to make that point.

I wanted to make the point that, you know, you shouldn't be basing things on a situation where one group is significantly disadvantaged over the others, which is what I've just been talking about, that the transition allowance was incredibly important to

people that were going back into the NGO sector, and I used myself as an example there.

I also wanted to quibble with the criteria comparisons. If you look on page 11 of the report, you know, the benchmarks that were set there were against Canadian federal, provincial, and territorial parliaments, fair enough, but Alberta Queen's Bench and Provincial Court judges – yikes – or senior public service in Alberta, including provincial, university, municipal, education, and health care sector? Well, gee whiz. The guy that heads up AIMCo for the province makes 2 million bucks. I'm just not in that league, and I don't think I should be compared to him.

I'd like to have known how I measured up against a plumber or an unionized iron worker or a high school principal or a wage earner or even a high wage earner where there was no job security. We have four-year job security, right? So I wanted to know how we compared there, and was it fair? Did we fit into that strata of people? I've got a lot of plumbers and high school teachers and wage earners in my life and in my constituency. I'm just not moving in that rarified strata of, you know, government mandarins and judges. That's a different level for me. So I would have preferred different criteria. But, you see, we could all cherry-pick about how we want this to go, right?

3:30

During the election a lot of people weighed in on this one, and credit goes to the Wildrose for whipping this one into a true frenzy, with froth on top and sprinkles and a cherry. Really, what people said is: "We want you to be reasonably paid. We don't want you to be paid crap. We don't want you to be paid the best in the world." Fair enough. That's why I was interested in where I came in with the plumber and the teacher and all of those people. They wanted that pay to recognize the responsibility, to recognize the leadership, to recognize the hours.

We do work a lot of weekends and a lot of evenings. I will tell you that you all will get to a point where you will think: "God, if I blew off this event, I'd be blowing off 80 bucks. Would I pay \$80 to sit at home in pajamas and eat a grilled cheese sandwich?" You will all come to that point where you make that decision because we do work a lot at night and on the weekends, and that's part of what we are paid to do or that the pay should recognize.

Also, for those that travel away from home, that's a lot of time away from your family. It's a lot of time away from your family.

All of those things need to come into that mix about how we're paid. Essentially, we should be paid reasonably. It should be transparent so that anybody can figure out how we're paid. That means that with that taxable allowance, although, in fact, it's a deal from the federal government, now we're going to make taxpayers pony up the money for us to give to the feds. Yikes. Why are we doing that? But it will make it more transparent, and I'm willing to do that in order to make it more transparent.

You know, I could go on and on about the things I like and the things I don't like, but the point of this whole thing and where I started is that it's about payment, and it's also about what we do for that payment.

My last point that I want to make is that we have absolutely no balance, no measurement that the public can use against us. There is no code of conduct for MLAs except that you must be here in question period, and if you're not, they'll start to dock your pay. Aside from that, there is nothing in anything we do that says that you have to open a constituency office, that you have to be there, that you have to return phone calls to constituents, that you have to meet with constituents. All of those things I have seen not done in my time in this Assembly. We had MLAs whose offices were locked, and you had to phone and prove who you were in order to

get an appointment. We've had all kinds of variations on that, so what we do need is a code of conduct.

If you are going to have a salary where we are paid reasonably, where there's a pension or a transition allowance, there must be something on the other side that balances this that says: "Here's the code of conduct. You must have a constituency office. You must have it open at some kind of published hours. You know, you have an obligation to meet with and speak to your constituents." I mean, beyond that, we can get into another level of detail, but do you see what I'm saying? I'd be right PO'd if I was an Albertan, too. We're going to pay these guys to go to Edmonton and do what? Talk? Yeah, let me in on this one.

How do they gauge our performance? They can't. All they can do is look at how many times we turn up in the media. Is that a good way of understanding what a good job we've done or what a bad job we've done? Careful how you answer that one. We need to be able to stand up and say to people: yes, this is a reasonable way to pay us, and this is the independent commission that we had tell us. But we also need to be able to stand up and say: fair enough; this is how you measure me. We need to have that code of conduct and to put it out there so that we can be measured against it because right now we don't. There is no way for any of our constituents and Albertans to say, "My MLA is meeting the minimum requirements" because there aren't any. No wonder they do not like paying us the money that we're getting paid.

Now, back to the beginning: code of conduct, and this is the report that we commissioned. Like it or not, suck it up, Sunshine. This is what we got back. You can argue that they got the wrong criteria and all the other arguments I've made here. The truth of it is that we said that we would abide by the independent commission that gave us the answer to this, and I want to see if you're going to do that. Right now, if you agree to Motion 11, you are agreeing to the government starting to cherry-pick which of these things they will accept and not accept out of the report. The deal was: we don't set our salaries.

Can you tell me, anybody, if the chairman of Syncrude or the chairwoman of Suncor or Nexen or anybody gets to set their own salary? Anybody? We've got somebody from the oil and gas sector here. Are they setting their own salary?

**Ms Kennedy-Glans:** They negotiate.

**Ms Blakeman:** They're negotiating it. You're darn right.

Do they get to just say, "I'm going to get paid this much money and these many perks"? No, they don't. They have to negotiate to get it. Well, our negotiation was that we hand it over to this independent commission, and they're going to tell us what you're going to get back. That's the deal, my friends, and you better stand back. You'd better stand on that one because otherwise we've broken our own faith. That's all I want to say.

I won't be supporting Government Motion 11, Mr. Speaker, because it breaks that faith of an independent commission that we would abide by and brings us right back into that circle of MLAs deciding their own pay and perks. Thank you.

**The Speaker:** Hon. members, 29(2)(a) is available should anyone have questions to the previous speaker or comments with respect to anything that was said by that speaker. No one under 29(2)(a)? Thank you.

**Dr. Swann:** Under 29(2)(a), Mr. Speaker.

**The Speaker:** You're up under 29(2)(a)?

**Dr. Swann:** Sorry. Yeah.

**The Speaker:** Proceed with 29(2)(a), then.

**Dr. Swann:** I'd be interested to hear from the hon. member if there are other jurisdictions that are actually implementing codes of conduct or job descriptions that could hold us more accountable for the pay and perks that we receive.

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

**Ms Blakeman:** Thank you. I'm not aware of any other jurisdictions that do that, but to be perfectly honest, I didn't research it. To be even more blunt about it, I don't care. I think it's what we do, and it's how I hold myself accountable to the people that I represent. I really don't care what they're doing in P.E.I. or in the Yukon. I think what's important is how we set ourselves up, and that's very important to me.

I've done a lot in my years to be as transparent as possible to my constituents, to be accountable, to let them look at the work I'm doing and criticize me for what I'm doing. I publish an annual report every year. Actually, when I started 15 years ago, I did one paper annual report, that went in the mail. Because of the wonderful technology we have, I now do an annual report that goes in the mail and on the website, which you also have to have now. So I have a website. Then about once a month I do an e-zine on important issues that come out of the House. I also work on Twitter and on Facebook. Yikes.

I publish how I spend the constituency budget every year in that annual report. It goes out every time, and it says: this is how much was on salaries and who got paid out of it. You've got to be careful there because you don't want people to be able to sort of go: well, your constituency assistant makes this much money, then, right? You've got to give an overall statement there: how much is spent on rent, how much we spend on promotional items, and how much we spend on mailing and the annual report. All of that is broken out. I've published it for 16 years now, and I invite people to come in and look at my books if they want to. They're more than welcome to do that.

It is about accountability, to me, and I think it's important that we have that code of conduct as the other side of our payment. I don't know of anyone else that goes into a job without some kind of job description and some kind of code that they're measured against as to whether they've accomplished that. So I don't care what anyone else does. I think it's important – and it's important to me – that we do the best we can to do that.

**The Speaker:** Thank you.

The hon. Minister of Municipal Affairs.

**Mr. Griffiths:** Thank you. I was listening to the hon. member speak, and I completely agree with the importance of a code of conduct, but I have questions about whether or not the code of conduct should be set by this Assembly. Quite frankly, Mr. Speaker, the requirement to have an office: in my constituency, which is four and a half hours from one end of the constituency to the other, would the code of conduct require that I have two?

My constituents expect to see me at every public event – graduations, parades, rodeos, and fairs – while her constituents might not or at least not in 44 different communities. I'm wondering why, when we're trying to improve democracy, the code of conduct would be written by members of this Assembly instead of the people in our constituencies, who hold our code of conduct up to us every single day and especially every four years during an election.

**Ms Blakeman:** I don't know that it does necessarily have to be written by us. I just think that there needs to be a baseline code of conduct. You're right; your people expect you to be at absolutely everything. My people expect that even more. Your people know that you're going to be on the highway for two and a half hours or three hours. Mine know I'm not. They know that I can put on my running shoes and walk to their event in 20 minutes. So I had bloody well better be at every single event they want me at, and I am. We have different requirements, and we all work our constituencies differently.

3:40

The bottom line is: what is the minimum standard of what we should be doing? That's what I was aiming for here, not how many offices you have but that there is a constituency office of some kind in some place that you do have public hours for. In other words, the public can access you. Maybe that's a virtual thing. Maybe you do that by skyping at a certain time, at a certain point. I don't know.

The point is that, yes, we are measured every four years by our constituents, but I think there has to be another way. As I say, in my time here I have seen abuse. I have seen MLAs that, you know, don't participate in question period at all, or they won't let people come into their constituency office, or they refuse to do any casework for their constituents. I think there has to be a minimum that we can all work from, and it shouldn't be hard to meet that.

**The Speaker:** Thank you, hon. members.

### Speaker's Ruling Speaking Order

**The Speaker:** Just before we go on with the speaking rotation, a request has been made with respect to what the speaking order or speaking sequence should be. I want to say that on this particular point we try to observe tradition in the House, where if there are a number of speakers, we don't normally recognize two people in a row who are from the same party. Similarly, we usually don't go back to a party that has already spoken when there is a third one who has not spoken.

These are customs and traditions that do not find themselves in our standing orders per se. In my time in the chair I can tell you that we've tried to develop a system to adhere to, and it seldom, if ever, really works, which is why there is nothing in the standing orders, I suspect.

There will be occasions that occur when people have to leave early or a sudden occurrence has happened and they have to leave early, or they have a flight to catch or whatever it might be. We have no way of knowing how long a particular person might wish to speak. At the moment we're speaking either 90 minutes in the case of the Official Opposition leader, and others are speaking 20 or 15 plus five or whatever it might happen to be when we bring in 29(2)(a).

However, on this particular occasion I've already indicated a speaking order, so I want to revisit that. In the spirit of fairness, I would ask your agreement to alter the speaking order to allow the Member for Airdrie to go next, then the Member for Edmonton-Strathcona, and then the Member for Calgary-Mountain View. Otherwise, we tend to chair the Assembly and the speaking order based on notes that come in to us or previously provided speaking order lists, just so that we're clear. If no one objects to that, then I would recognize the hon. Member for Airdrie to go next.

I'll invite the hon. Member for Edmonton-Centre to make a comment although I hesitate getting into a debate on this, hon. member.

**Ms Blakeman:** Yes. Thank you very much for the caution, Mr. Speaker. Under 13(2) could the Speaker explain? My understanding was that we do go back and forth between the government members and the opposition members, but I take it that today – and that's why I'm asking for the explanation – there are no government members who are indicating they wish to participate, and therefore you have only opposition members to deal with. Is that what's at issue here?

**The Speaker:** All I can tell you, hon. member, is that I have three people who've indicated a wish to speak, so I've just clarified that. I thank you for the observation. Should more names come forward onto the speaking list, we'll be happy to add them accordingly.

### Debate Continued

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

**Mr. Anderson:** Thank you, Mr. Speaker. It's an honour to stand and respond to Government Motion 11. I'd like to thank my colleague and the leader of our party for her kind comments. As much as I'd like to claim a lot for this progress, I would have to defer on that and say that, actually, the largest reason that we're here today debating an actual decrease from the recommendations given by Justice Major is because for the first time in 40 years the government opposite had the life scared out of them in the last election by this member and by my colleagues. That is the true reason because I know that in this House when I brought it up – and I made many arguments – I wasn't very successful. So something changed over that 28-day period, and I don't think it was the hearts of the members opposite as much as they would like to claim.

[Mrs. Jablonski in the chair]

I think that we should give a round of applause to the new chair for her first time here. [applause] All right. Oh, everyone is so happy.

Albertans made two primary decisions during this last election. First, obviously, they decided to give the PC Party a likely final chance to get their ship and house back in order. This was a testament to their brand and the longevity of their brand, their aggressive and very negative campaign tactics during the 28-day writ period, some good, old-fashioned race baiting, and other things like that. Also, as well as the need for a more experienced alternative, we forget here that the Wildrose had exactly zero seats after the 2008 election. It's very difficult to ask the people of Alberta to hand over the keys to a \$40 billion province to a party that had zero seats after the last election, so I think that the common sense and the overall judgment of Albertans was sound in this regard.

Albertans also made it equally clear that they wanted a strong, viable, and fiscally responsible Official Opposition that could develop into a seasoned, alternative government-in-waiting should the PCs repeat their last four years of poor governance. Clearly – clearly – they liked a lot of what they heard. There are just, certainly, some edges they wanted to be sanded off, and we will sand them.

As it pertains to MLA pay and perks, Albertans' decision to elect a strong and fiscally sound Official Opposition has certainly already begun to pay off. Several months ago, after becoming

Premier, this Premier appointed Justice John Major to review MLA pay and perks and insisted that whatever recommendations he came back with, whether it meant a raise or a cut, would be implemented with no questions asked. You all remember that, I think.

The Wildrose made it clear that this was unacceptable and that the Legislature should reject any salary increases and, in fact, should roll back the salary increase the cabinet gave itself, replace the annual RSP allowance with a modest defined contributions pension plan akin to what is found in the private sector, and cut MLA gold-plated severance packages. That, of course, was the subject of my Bill 202 over a year ago, which asked us to cut by two-thirds the pension and cap it and so forth. That was unanimously agreed to, is my recollection, by all opposition parties and caucus members. I could be wrong. Correct me if I'm wrong on that. Maybe not, after hearing that last speech. But it was unanimously voted against by every single member opposite, and that needs to be remembered.

The Premier, of course, was outraged with the Wildrose proposal. Obviously, her government, as I said, voted against my private member's Bill 202, the Legislative Assembly (Transition Allowance) Amendment Act, 2011, which would have cut the MLA severance. She was quoted in the *Calgary Sun* on January 21, 2012 – this is the Premier – as saying, "Whatever Jack Major says is what we're going to do. I've been very clear on that . . . You don't ask Jack Major to write a report and then tell Jack Major what to [do]." No, you sure don't.

During the election the Premier attacked the hon. Official Opposition leader during the debate for saying that the Wildrose would go ahead and cut cabinet salaries and MLA benefits regardless of what the Major report said. Of course, the famous quote is: I don't need a judge to tell me what the right thing to do is.

The Premier said, as reported in the *Edmonton Journal* on April 13, 2012, in response to the Official Opposition leader, that "you have to decide if you want an independent process or if you want to control your own salary," arguing that the independent process was best. This debate attack followed an April 9, 2012, PC press release scolding the Wildrose for its MLA pay position as follows:

The Wildrose would immediately put MLA pay in the hands of MLAs, an inherent conflict of interest. [The Premier] has committed to implementing the recommendations of the independent review of MLA pay by . . . Justice John Major.

### 3:50

Following the election Justice Major came out with his report, of course, and sure enough it called for a huge increase in the Premier's salary, a slight downward adjustment in the golden MLA severance packages, and a defined benefits pension plan. Oops. The Premier's response, although completely inconsistent and very hypocritical of her previous statements, was, however, the right thing to do. She ignored the recommended increases to her salary and instead adopted the Wildrose position, or most of our position, on the matter. She got rid of the gold-plated severance packages, declined the wage increase, and asked the Members Services' Committee to put the defined benefits pension proposal on hold and to consider whether to instead adopt a more fiscally sound defined contributions pension plan, a very good idea. Strong, principled, and fiscally prudent opposition matters, and although the Premier's hypocrisy on this issue is somewhat difficult to stomach, it's better late than never.

We are happy the tax-free allowance has been jettisoned after being hammered by the other side for saying that it should be jettisoned, saying, "Oh, we're giving all this money to Ottawa that



we wouldn't otherwise give Ottawa." Well, that may be true, but the point of the matter is that what's good for Albertans is good for their representatives. If they have to pay taxes federally, we pay taxes federally.

The Premier's salary increase of 25 per cent that was recommended by Justice Major is being declined by the Premier. We agree with that although we should be rolling back those cabinet salaries by 34 per cent. That would have been even better.

Also, as someone who's always advocating that wages and costs and government spending be capped at the rate of inflation plus population growth, I'm glad to see in the report that MLA salaries will instead of being kept to the average weekly wage index go up with the rate of inflation, a very good adjustment.

Of course, we're all happy about the transition allowance decision.

Now, we don't agree, obviously, with the cabinet getting a salary increase. Although it is a modest one, there's still no excuse for it. There was a 34 per cent increase, so even this roughly \$5,000 increase that they should be getting under these recommendations is not appropriate, as modest as it may be. But we agree with most.

Now, the main outstanding issue, obviously, in this motion today is the issue of what form this new pension will take. The Wildrose strongly believes that a defined benefits pension is not acceptable. Defined benefits plans are causing havoc across the world right now, absolute economic carnage, for both large corporations, as we see with the auto industry in the United States and in Canada, as well as for governments, as we see right across Europe, the United States, and in provinces like Ontario, who just cannot manage it right now financially.

One of the biggest crises faced by Europe is the massive liability their public-sector pensions place on today's workforce, and the same problem, of course, crippled GM and Chrysler as well. Defined benefits plans are almost always unaffordable and cause ever-increasing liabilities for future generations of employees or, in this case, taxpayers. The private sector has always used defined contributions plans more than defined benefits precisely because they are more responsible and more fair. Where they have not, they have been bitten, and it has caused major problems.

Each person covered in a defined contributions plan gets a pension that more accurately reflects the amount they and their employer at the time contribute. There is no liability for future generations. That's the ethical part. Why should future generations pay for us? Why can we not make sure that we save enough in a defined contributions plan and be responsible for our own retirement rather than putting it on the backs of future generations, who may have to deal with all kinds of different problems: economic, social, and so forth?

If we are to have any credibility in making negotiations with the public-sector unions, we cannot be giving ourselves lavish pay and benefits. Who could fault whatsoever the health services workers for wanting a 3 per cent increase to their relatively low salaries when politicians in this Chamber had given themselves a 34 per cent increase just a few years earlier? That has shown in the way that the costs of wages in this province have shot up in a manner where even with oil at \$100 a barrel we still cannot balance the books. Think about that. It's because we have not controlled increases in wages and increases in government spending in general.

We will insist that there be a fair and affordable defined contributions model that we adopt so that all MLAs pay their fair share. To give you an idea of how unfair defined benefits plans are, especially when you are talking about people making salaries in the \$135,000 to \$200,000 range like MLAs and cabinet ministers,

here are some examples the CTF, or the Canadian Taxpayers Federation, put together. The CTF has calculated that under the MLA pension plan proposed by Justice Major, a three-term backbench MLA would stand to collect \$52,740 a year for life after three terms. Using the standard annuity calculator, the CTF determined a regular Albertan would have to have \$822,000 in savings to purchase a pension or joint life annuity that would pay the same amount.

Canadians are currently limited to putting no more than \$22,970 into RRSPs each year, roughly \$23,000, so it's tough to imagine how any Albertan could match their local MLA's pension. Perhaps this is the number, the \$23,000 a year, that we should use when we start talking about the defined contributions plan such as perhaps putting half of that amount, \$11,500, mandatorily into a member's RRSP, and then the remaining half, the additional \$11,500, being in a matching program, where the member can put up to \$5,750 into that pension, and it will be matched up to that limit. If the member only puts in \$500 after that year, then they only get \$500 in addition to the original \$11,500 that they got from the government for their RRSP.

That's just one idea. I throw it out there, and I look very much forward to hearing other members' ideas on the defined contributions plan. The point is that when we leave this Chamber after we're done our careers, whenever that is, or our terms in office, we need to be able to do so knowing that we haven't put anything on the backs of future generations. Then we can truly hold our heads up high. That would be the Wildrose way of doing things.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

We now have five minutes for Standing Order 29(2)(a) if anybody would like to use it. Any takers?

We'll move on to the next speaker, the hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Madam Speaker, and, as well, congratulations on your first time in the chair. Or Madam Chair of Committees. I'm not sure if you are Speaker when you're in the chair.

**The Acting Speaker:** Yes.

**Ms Notley:** Madam Speaker. There you go. Okay. At other times Madam Chair of Committees. Welcome to the chair.

I'm very pleased to be able to rise to speak to this issue, and I'll start by simply pointing out that our caucus will not be voting in favour of this motion. I'm going to try in a somewhat succinct but not prewritten way, so we'll see how well that goes, to outline the reasons for that.

Let me just begin by referring to the comments that were made previously by the Member for Edmonton-Centre about how our salaries are established and the reference that she made to one of the members of the government caucus around whether or not members negotiate or don't negotiate their salaries. I would just throw it out as one possible observation that one could characterize an election campaign where your salary is one of the primary election issues as a form of negotiation because, of course, what happens is that you either win or you lose. Some of you may not be aware, but... [interjection] Yes. It's sort of like negotiating with the federal Minister of Labour, you know? You're in or you're out. Usually out. In any event, it is arguably a form of negotiation when you go through that process.

4:00

People may or may not be aware. As you know, this issue, as previously mentioned, was the topic of much debate over the course of the election. It was a very popular topic of debate in my particular constituency and in relation to my own candidacy. I will say that not only I but also many of my volunteers on my campaign did spend a great deal of time talking to people in the riding of Edmonton-Strathcona about the issue of MLA pay, so I think I can come here with some sense of what people's opinions on this issue are.

Some people have outlined this to some extent. People want to see us paid transparently. They want to see us paid equitably. They want to see the work that we do fairly compensated. They don't want to see us go behind closed doors, and they don't want to see any kind of situation that could be characterized either by appearance or by substance as being, you know, sort of behind-closed-door fixing of things for our own benefit. Basically, they want a common-sense, fair approach to this process, and that's hardly surprising.

Now, the question of whether or not this Assembly or members of this Assembly or a subcommittee of members of this Assembly should be the ones tasked with setting our salary or whether, alternatively, a judge should be tasked with setting our salary is not actually an easy question to answer. The immediate assessment of this issue when you first look at it, when you first come to it, is to say: "No. Let's independently have some third-party group establish our salary for us, and that way we can remove all appearances of corruption or self-interest and all those things."

I remember the Member for Edmonton-Highlands-Norwood, who himself has advocated for that, at the same time cautioning, talking about his own experience in municipal government where a council that he was a member of had embarked upon that process only to discover that the independent organization recommended such a ridiculous increase that there was no politically sustainable way you could accept that increase. So he was very conscious that that's always a risk that you run.

Clearly, that is the issue that the members of this Assembly are now wrestling with because we had a number of recommendations come back which, quite frankly, go well beyond that sort of sense of common sense or common fairness or what you would expect to be able to go out onto the street with and talk to your constituents about and have them embrace. For instance, the proposed raise for the Premier really seemed a bit much.

I understand why it is that the Assembly and the government particularly are bringing forward a motion to refine, shall we say, the report issued by Mr. Justice Major. Politics is politics, and it is a different beast. It is the way we work now. It's a real thing, and you can't deny it. You can take a very sort of neutral, objective, well-researched approach to things, but you need to know that politics is another thing altogether. So how do you balance those things?

There are some good things associated with this motion that I would like to just put on the record that we do agree with. We agree with the recommendation to increase transparency of our salaries by getting rid of the tax-free element of the allowance. I think that the extra cost to do that is justified because it gets to that issue of transparency. So that's a good recommendation.

We also support the elimination of the transition allowance. When the transition allowance was first passed by members of the current government, back in about 2000, the only member in the Legislature to vote against it when it passed the committee was the Member for Edmonton-Highlands-Norwood. We've got a long, strong record on saying that that transition allowance was well outside of what reasonable people could expect to receive, so it's

hardly surprising that we're happy to see that that message has finally been heard.

Then, obviously, we support the notion of not moving forward with the proposed increase for the Premier because, frankly, there are too many things going on in this province that would just make it too hard for anybody to stomach if we also at the same time saw that type of raise – 100 per cent, 150 per cent raise – for the person who's ultimately responsible for the economic well-being of not just a few Albertans but all Albertans. I'll talk about that in a moment.

Those things in the motion, then, are good things. There are also good things in the report as a whole, which this motion is asking us to accept with the exception of those things that have been highlighted in the motion. I am pleased to see that the report is finally recommending that which the Member for Edmonton-Centre raised, which is the ridiculous inequity of the compensation that existed between government members and opposition members up to the last month and a half, the fact that on average government backbenchers earned about \$15,000 a year more than opposition backbenchers. That always just seemed to me to be a ridiculously unfair and unreasonable distinction, so I'm glad to see that that has been removed.

I'm also glad to see, of course, that we've finalized the process of getting rid of committee pay because apart from sort of the complexity of ensuring that taxpayers understand what they're paying to people and what they're paying them for, there's also the whole issue of the discretionary pay control that resides particularly in the Premier's office vis-à-vis a number of their members as well as if you have a large enough caucus in the leaders' offices in other caucuses. People's salaries can be significantly increased or decreased depending on who they're nice to or who they're not nice to on any given day. I don't think that as members of the Assembly we should have a third or a quarter or whatever element of our salary subjected to those kind of internal discretionary political games, so I'm glad that that's been eliminated.

In terms of things in this motion that I have some concern about, one of the things is the fact that we are sending the issue of pensions back to the Members' Services Committee. Pensions are a very loaded issue, and they're also a way in which people can either increase or decrease the value of their overall package without anybody understanding exactly what has happened there. It's a really, really hard thing to track. We are in fact taking that back to the committee, and it's going to be quite an interesting debate as we watch how that unfolds.

Ultimately, our position is that we want to ensure that while we think some type of pension is reasonable, we certainly don't want to see the MLAs in Alberta getting way ahead of the curve in terms of what is received in other jurisdictions, or way behind, and that it be in line with what working people in Alberta can expect to receive.

I want to distinguish, however, a little bit our position from some of the points that have been made by members of the Official Opposition caucus and, I suspect, some members of the government caucus as well. I know that when the Canadian Taxpayers Federation and their friends in the governing caucus and their friends in the Official Opposition caucus engage in their slashing and burning and cutting and cutting and cutting campaigns, the first thing they do is that they haul out the word "gold-plated," and they attach it to whatever it is that they're attacking: gold-plated welfare benefits, gold-plated pension plans, gold-plated transition allowances. Some of them are gold plated. They never seem to say gold-plated oil and gas company subsidies

though. Strange that we haven't seen gold-plated attached to that. It's a bit of a tried-and-true strategy.

What I want to say on behalf of working people in this province and across the country is that, in fact, we have a crisis in our retirement planning and in our pension funding and that the answer is not to simply shortchange working people and to suddenly decide that defined benefit plans are evil and that the only thing we can responsibly do is take yet more money away from low-income and middle-income working families just the way the federal Conservatives are about to do with the employment insurance plan. That action, those horrendous proposals that we're seeing federally with the employment insurance plan, is something that's being orchestrated by the same group of folks that want to see defined benefit pension plans eliminated, and they want to see working families' wages and incomes generally suppressed. I don't buy into that analysis.

4:10

Now, as an MLA I don't believe that I need to have a defined benefit plan, and I'm going to see what is a modest, reasonable approach in the long run. Obviously, MLAs don't devote 25, 30 years – most of us don't – to this job, so it's a different model. But average working Albertans and average working Canadians: they need security and the ability to plan in the future for their retirement, and if they do that with a modest, defined benefit pension plan, so be it.

With this government and the former Energy minister at the time – I think I can say his name now because he's no longer a member – Ted Morton, aggressively fighting against reform of our Canada pension plan, which would have assisted low-income, long-time working families, I find it very, very hard then to get on the bandwagon that wants to attack the retirement earnings of people who don't earn the kind of money that we earn. I need to put that on the record because I really don't like the conversation that's been had so far and the misrepresentation about the value of defined benefit pension plans to working people in this province and across the country.

As I say, I'm certainly not suggesting that MLAs need to have a defined benefit plan. We are in a different situation. I also want that to be very clear.

The other things in the report that are ultimately going to result in our voting against this motion are the things that I'll get to now, though. What this motion will do is it will ensure that we adopt the salary proposal, the general indemnity proposal that was in the Major report. In doing that, our basic salary will be roughly \$134,000 a year. That will make us the highest paid group of legislators in the country save for the House of Commons. If you factor in the proposed pension stuff – and we don't know if it will go up or if it will go down – we'll still be in the top third. Now, that would be fine if I could look at our province and say: darn, we've done such a great job of managing this province, and everybody is sharing in this wealth, so that's reasonable that I'd be one of the most highly paid MLAs in the country. But the problem is that that's not the case.

We have the greatest disparity between rich and poor in this province in the country. We have the lowest minimum wage in the country. People in our caucus and on behalf of our caucus cannot then vote for a motion that would see us giving ourselves the highest salary in the country. It can't be done. If government wants to come back to us with finally revising our minimum wage to a point that is just and equitable, wants to come forward with an antipoverty campaign that's less about planning for planning for more planning with more consultations and a couple of conferences and some conventions over the next five years but actually a budget,

well, we'll talk. But until that happens, we really struggle with the idea of giving ourselves that kind of raise.

I think that pretty much summarizes where we're going with this. I think there have been improvements, and I do appreciate the work that was done by Justice Major. I think most people here are generally trying to do the best thing, but we will not be supporting this motion.

Thank you.

**The Acting Speaker:** Thank you, hon. member.

We now have Standing Order 29(2)(a) if anyone would like to participate in that.

Seeing no one, we'll move on to the next speaker. The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Clear Mountain View. Thank you, Madam Speaker. Well, I'm pleased to stand and speak to this motion, which, as my colleague from Edmonton-Centre indicated, we will be voting against. In addition, I want to be very clear that I would hope that with this motion, which is likely to be passed given the dominance of one party in this House, although it's not explicit, this Premier and this cabinet cannot interfere with a decision made by this Legislature between now and the next review, which is what happened in the previous administration, where the Premier and cabinet chose to give themselves a significant boost through order in council, I believe. It's not exactly clear to me that explicit in this motion it precludes this government from meddling in the pay and benefits that this body is about to adopt.

Madam Speaker, trust is the only real currency we have in politics, and whatever we do as policy-makers to enhance that public trust is to the good of democracy, to the good of engagement of citizens, and to the good of better public policy. Whatever we do that undermines trust is truly going to damage all of us, our citizens, our democracy, and our engagement in creating a better province, especially in this, perhaps the least trusted profession. I take that on the basis of studies.

We have to be especially transparent, accountable, and conscious of conflicts of interest, and what is a bigger conflict of interest than setting your own pay and benefits, yet we've been doing it for decades. So I think it's very clear that the time has come to have an independent commission, not only an independent commission but an independent commission with teeth, a commission that is actually going to impose its guidelines on this Legislature so that there can be no perception and no reality of interference or meddling or serving our own interests by setting our own salary and benefits.

It must be clear that we are acting in every way in the public interest. Fairly or unfairly, this government has shown itself unwilling to address many areas of conflict of interest. That's the role of the opposition, I think, to point that out and to make very clear that there is an accountability required of government and that all of us have to be accountable for our actions and our words. We will never be seen as independent and fair making decisions in this Legislature relating to our own salaries and benefits.

As the Leader of the Opposition I pressed for two things with the previous Premier: the independence and authority of this committee and, secondly, that a committee representing someone from the nonprofit as well as the government sector and the private sector be set up to provide some balanced approach to this whole question. Neither of those things were adopted, and that's the government's prerogative to set up the panel that they chose. But having done so, I think we're under obligation to adopt the recommendations we established.

Having said that, I want to say a little bit about what might appear to be an unrelated issue, but in fact I see a tremendous connection between the perception of our role as government members in serving our constituents and the plight of farm workers in this province. Not only do they not get access to the labour code as paid farm workers – so the standards of pay and benefits do not apply to the food producers in this province – they do not enjoy the occupational health and safety standards that the rest of workers enjoy, they do not enjoy workers' compensation for injuries and death in this province by legislation, and they are precluded from forming a union to act on their own behalf. If that isn't enough, there are no child labour standards in this province for paid farm workers.

We are talking about salaries and benefits here which we have traditionally set ourselves, and at the same time we have ignored, in fact snubbed, the rights of farm workers, those that feed us on a daily basis. This is a travesty, and it has to stop. I think more and more people, as they're becoming aware of it, are going to ask for this kind of leadership for our farm workers, our agriculture workers.

It is in some ways peripheral to the issue of salary and benefits. In some ways it points to severe evidence of conflict of interest and lack of attention to the public interest when a whole sector of our society, agriculture workers, are excluded from these most basic of rights, as distinct from all other paid working groups.

This is something that I will be raising repeatedly, that our paid farm workers, two of whom are in the audience today, will continue to hammer away at until this government gets it. There are farmers' rights organizations. There are not farm workers' rights organizations allowed in this province to advocate on their behalf.

4:20

With those comments in mind we'll be voting against this motion. Again, trust has to be at the forefront of everything that we decide and everything that we communicate if we're going to engage Albertans in ensuring a healthy democracy. It's very clear to me that in spite of commitments to an independent commission, we are again meddling with recommendations that we said we wanted and that we would follow.

There's a real danger here that we are going to be seen once again in a conflict of interest, setting our own salary and benefits and not following the very recommendations, which, in fact, the Premier said she would follow. She said that she would set up an independent committee and follow the recommendations. So there's a real problem here with both perception and reality in terms of our continued conflict of interest as long as Members' Services is involved and as long as it's not clear – and I don't think it's clear in this motion – that this government cannot meddle in between the four-year periods that it has been recommended to have a review of salary and benefits.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

Would any member like to speak on Standing Order 29(2)(a)?

Seeing none, I would ask if there are any other members that would like to speak to Motion 11? The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Well, thank you, Madam Speaker. It's actually nice to see you in the chair. Congratulations on your first day sitting in the chair as Speaker.

Madam Speaker, we've put ourselves in what I consider an interesting dilemma on this particular motion. I'm going to talk a little bit about the fact of where I was, where I am today, and where I think we're going to go.

We've had many members discuss what they like about this particular motion and what they don't like about this particular motion. Madam Speaker, I have a report that's, I think, 357 pages. You'll remember, because we used to sit in the Legislature together on the same team, that I'm an avid reader and I'm an avid researcher. I was one of the people that read every page in the Health Quality Council, every single word. And the devil is always in the details. That's what I always try to find.

We have a brand new caucus here, and sometimes when you've been around a little while . . .

**Mr. Anderson:** A little while.

**Mrs. Forsyth:** A little while is a long while.

The Deputy Premier knows that I've been around for a while because I remember when I was advocating on his behalf with the PC caucus when he won by a landslide of six votes, I think it was, when he first got elected . . .

**Mr. Lukaszuk:** Three.

**Mr. Anderson:** Three. You guys have something in common now.

**Mrs. Forsyth:** Three. Yes.

. . . and encouraging the caucus at that time. Because we wanted him on our side, we thought it was important that he win. I don't know if I'm going to regret those words now, but certainly at that particular time it was important for me to advocate on his behalf for the PC Party at the time to pay for his judicial recount. I think we went three times. I can't even remember. It was a long time ago.

Anyhow, back to this. I just went through a judicial review, and I can tell you that it's not fun. I learned a lot from that, very interestingly enough, and some of that is what the Member for Edmonton-Centre, the beautiful riding of Edmonton-Centre, alluded to when she was speaking in regard to: how do you judge or how do you even pay what is a good MLA and what is a bad MLA?

As I was saying, I tried to talk to my caucus, and I said that the devil is in the details. We have the 357-page Major report, and as I indicated earlier, I haven't had a chance to read it. But I plan on reading it because the Official Opposition leader, my colleague that I have the privilege of sitting next to, and I are both on Members' Services. Knowing her as well as I do know her – and I've gotten to know her very well over the last two and a half years. She's an avid reader also, probably even more avid than I am about reading all sorts of reports, so I'll probably have to catch up to her on this particular read.

What I find most interesting – you know, I've listened intently in regard to the motion that's been moved by the hon. House leader. It talks about all of the things: "Be it resolved that the Assembly approve in principle" – in principle – "the recommendations of the Review of Compensation of Members of the Legislative Assembly."

Now, what's fascinating about this is that we're talking about a report that the Premier was over and over again talking about, the independent report that's going to be done by Justice Major, to the point where she criticized us as members, saying: how dare you? I

mean, I was in the Legislature watching her arm go up and down. “How dare you criticize or even think about getting involved in an independent report of the Legislature by a judge. This is going to be independent, and we’re going to accept all the recommendations.” You know, here we are just trying to offer what we thought was fair in regard to compensation.

Well, lo and behold, the independent MLA compensation review, all 357 pages of it, hits. I remember watching her on TV when this report came out. It was like a deer in the headlights: oh my, oh my, we can’t – can’t – accept that huge raise that he is recommending in the report. This is the independent report done by an independent judiciary that she was going to accept everything. Well, I mean, everyone in this House who’s political isn’t that stupid to say: well, I’m going to accept that huge raise on top of my 35 per cent raise that I accepted in I think it was 2007. I think Albertans would be really, really PO’d at the fact if all of a sudden I’m looking at a 70 per cent raise.

Madam Speaker, she’s not going to accept that, and Albertans bought into that quite quickly during the election: that’s good leadership; that’s fine, strong, good leadership, and we’re open and accountable, and we’re happy that you’ve done that. But don’t forget that previous to that you accepted a 35 per cent raise without any consultation with Albertans, and we knew Albertans didn’t like that because we heard that at the door.

It says:

Be it resolved that the Assembly approve . . .

Approve.

. . . in principle . . .

Now, that’s interesting, “in principle.”

. . . the recommendations of the Review of Compensation of Members of the Legislative Assembly . . . and refer the Report to the Special Standing Committee on Members’ Services . . . for implementation where possible by June 30, 2012, subject to the following exceptions.

There we go.

Our wonderful Premier: “regarding salary for the Premier not be implemented.” Not. Well, that’s pretty darn smart. “But” – but; I love those buts – “that the Committee implement a salary that reflects a differential of +25% between the Premier’s salary and that of a Minister with Portfolio.” Now, don’t forget, Madam Speaker, that this is going to Members’ Services, and there are two of us and I can’t remember how many of them, so we’re not talking a lot of fairness there.

Then we go to:

that Recommendation 10 concerning the expense portion of a Member’s remuneration, known as the tax-free allowance, not be implemented and that the amount of that expense allowance be set at zero, pending an amendment to the Legislative Assembly Act to eliminate it.

Well, my colleague from Airdrie already mentioned that he brought this all forward on his private Bill 202 in – what was it? – 2011, which this government defeated.

4:30

Now, when you go back to that private member’s bill in 2011 and we talk about the gold-plated pensions, let’s not forget, Madam Speaker, that I’m one of those gold-plated pension, pork-barrelling piggies, as we got called and get referred to, who’s going to probably get a substantial amount of cash. When the member brought this particular bill forward, we sat down as a caucus, albeit a small caucus at that particular time, and had to have some serious discussions in regard to what he was bringing forward. And you know what? I agreed on that. I agreed on that not only in the Legislature, but I agreed on the fact that I ran

again, moving forward under that pretext if we would have formed government. So now my challenge is that all of the things that he brought forward under Bill 202 are all of the things the government wants to take the credit for now, which is very interesting.

Then we go on to the transition allowance, another thing, a duplicate of what my colleague the Member for Airdrie brought forward in 2011 under his private member’s Bill 202. They didn’t like it then, but all of a sudden now they like it. Fascinating.

Now, this is one of those time bombs that we have to be ready for:

that the committee examine alternatives to the pension plan for members proposed in recommendation 12 and discussed in section 3.5 of the report, including defined contribution plans, and report to the Assembly with its recommendations.

We’ve already had some discussions on that from several members. You know, time is of the essence. I know that some of our members, quite frankly, are quite excited about wanting to do their reply to the Speech from the Throne, so I’m not going to spend a lot of time, but I want to speak just for a minute on this. This, I think, is one of the key things. I’ve listened, and I haven’t picked this up from anybody within the Legislature speaking to this. We have this little letter B, and it says, “Be it resolved that nothing in this motion shall limit the committee’s ability to report to the Assembly on any other matter arising from the report.”

It’s a 357-page report. We have a Members’ Services Committee, that’s dominated by the government, and all of a sudden they might decide to pick out of this report anything that they might think is important: extra pay for ministers, basic salary plus extra pay for ministers. Level of compensation, I know, has been looked at. I think it’s about \$135,000 that they’re examining. I’ve lost track of what they’re recommending for a cabinet minister. I’ve even further lost track of what they’re going to now pay the Premier because it’s been very, very confusing on what they’re recommending.

Madam Speaker, I guess one of the things that I want to just briefly touch on and what bothers me more than anything is the government’s loose definition of the word “independent.” I just want to speak to that for a second. What frightens me and what concerns me when the government talks, insists, and carries on about this independent commission, that they were so proud of and were so bragging about – and we’ve got other independent commissions out there going on right now – is that when the report comes back, they pick and choose what they like and dislike within this independent report. That’s where the struggle is in regard to using the word “independent.”

We’ve got, you know, a judicial inquiry going on in health care on queue-jumping. Does that mean that that particular report will come back and that if the Premier doesn’t like that there are allegations of queue-jumping in the report, she’s not going to accept it?

That’s where we are today in this Legislature, discussing a motion on an independent report. We have said and our leader has said and our House leader has indicated the fact that we agree on some of the things that the motions are bringing forward, that we’re not opposed. The leader eloquently said way back during the election that she didn’t need a judge to tell her what Albertans wanted because we’ve listened to Albertans, and Albertans have clearly told us what they think is fair compensation, what they think is fair for MLAs to have.

We as an opposition will listen to the rest of the debate this afternoon. I found some very interesting things said through this whole debate. The leader and I will then go off to Members’ Services and see what happens from there, what the government

proposes in regard to the pension and how you define our pension plan. I think – and I’ve said this before – what bothers me is a government that cherry-picks . . . [Mrs. Forsyth’s speaking time expired]

**The Acting Speaker:** Thank you, hon. member.

We have Standing Order 29(2)(a). The hon. Associate Minister of Finance.

**Mr. Fawcett:** Yes. Thank you very much, Madam Speaker. As I don’t get to ask questions anymore, this is certainly my opportunity to ask questions. I was certainly amazed at the member’s comments about the government cherry-picking recommendations. She so glowingly spoke about the bill brought forward by the private member from Airdrie-Chestermere about MLA compensation and, particularly, the transition allowances and mentioned to the Assembly that she is going to be collecting one of these big transition allowances.

One of the things that there’s been lots of talk about in this debate is the integrity of politicians. One of my concerns always around debates on compensation for any elected office is that when you’re in the opposition, you can say anything but don’t have to be accountable for the actual implementation of this. We’ve seen this. We’ve seen Reform MPs that have campaigned on not taking the MP pension, and what are they doing right now? They’re taking it. We saw a member of this party’s caucus, who was defeated, who said that he was going to pay back every single penny for a committee, that he wasn’t going to do . . .

**Mr. Anderson:** Point of order.

**Mr. Fawcett:** . . . and a leader that had promised Albertans during the election that he had in fact paid that back. Obviously, that wasn’t the case. Madam Speaker, my question to the member is . . .

**The Acting Speaker:** Thank you, hon. member. We have a point of order.

#### Point of Order

##### Factual Accuracy

**Mr. Anderson:** A point of order on that last point. This member gets very busy, and sometimes I know he forgets to read newspapers and watch news. Obviously, under 23(h), (i), and (j) what he has said here is imputing, is likely to create disorder. The reason for that, Madam Speaker, is because this member knows full well that the former Member for Calgary-Glenmore went back to the LAO, asked how much he did receive in actual payment for that no-meet committee, as it was called, and was told by the LAO in a letter that he owed absolutely nothing. So, actually, the initial newspaper report was completely wrong in imputing that he had received a dime from that. He hadn’t received a dime. For this member to stand up and impute that member, who served very proudly in this Legislature, is shameful, and he should retract that statement immediately.

**The Acting Speaker:** We’ll hear from the hon. associate minister.

**Mr. Fawcett:** Yes. You know, I don’t think we need to waste a lot of time on it. I’ll certainly withdraw that comment. It was just in the context of my question to the member, and I certainly want to get to that, Madam Speaker.

#### Debate Continued

**Mrs. Forsyth:** Madam Speaker, I would be pleased, absolutely pleased to answer his question.

**The Acting Speaker:** Hon. member, we’ll just have the associate minister ask the question first, and then you can answer it.

4:40

**Mr. Fawcett:** My question, you know, is: if the member is so exuberant about the bill brought forward because it was the right thing to do, what is the member doing with her transition allowance?

**Mrs. Forsyth:** Well, Madam Speaker, what I will be doing is accepting it, like everybody else. There is nothing else I can do.

The other thing. I mean, this member knows full well. He wants to talk about the fact that he’s Mr. I’m Good and Happy. I spoke in the Legislature exactly when he brought the bill forward, and he should go back to *Hansard*. I talked about the fact that I would be accepting that particular pension at that particular time and that there was some dilemma there.

I will tell him, when he wants to talk about integrity and he imputes one of our members, that I paid back in full, every cent, for the no-meet committee. We might as well read it into the record: \$24,624.72. Having said that, I would like to ask the member, since he’s so quick to jump up, if he would like to have all the members from his party, the PC Party, table what they’ve paid back also.

**The Acting Speaker:** Thank you, hon. member.

We have a few minutes left under Standing Order 29(2)(a). Is there anyone else that would like to ask a question?

Seeing none, we’ll move on. Are there any more members who would like to speak to Motion 11?

I would ask the hon. Government House Leader to close debate.

**Mr. Hancock:** Thank you, Madam Speaker. I think it’s been an interesting review of the issues around MLA compensation. I think the one thing that I would like to say in closing debate is that a number of members opposite have expounded on the fact that we on this side, in particular our Premier, said that we need to have an independent commission to review MLA compensation. That’s responsive to the motion that was passed from Lethbridge-East’s motion in the House a number of years ago.

There was a period of time when the Speaker and Members’ Services attempted to fulfill that motion but didn’t get the co-operation it needed in terms of suggestions from various parties relative to how that independent commission might be populated. The Premier, immediately upon being elected leader of our party and installed as Premier of the province, made that request to the Speaker’s office, and the Speaker moved ahead with Members’ Services to have this commission put in place.

We now have the report. We said that we would ask the House to adopt the report when it came in, and that’s exactly what we’re doing. There’s been some quibbling about whether or not we’re adopting the report or whether, in fact, we’re setting our own pay. We are not setting our own pay. This report sets out a comprehensive level of MLA compensation, and what we’re asking Members’ Services to do is to put that in place.

The Premier has said that she doesn’t want to accept the pay which this report suggests should be afforded the Premier. We’re asking the Members’ Services Committee to honour that request.

With respect to the tax-free allowance the report allows two options. We've chosen the option which we think Albertans want, and I appreciate the support from the Official Opposition with respect to that, to say that we shouldn't have a tax-free allowance. Recommendation 1 was the grossed-up amount. Recommendation 10 said that he thought we should take an allowance, but he left that option open. We took the option that we think Albertans want, and we're asking Members' Services to implement that.

With respect to the transition allowance we suggest that the transition allowance which has been provided for in the report is fair. But, again, we've heard from Albertans that they don't want us to be seen to be taking more than a pay and an appropriate pension amount, and we believe that Members' Services can roll those two together and create a comprehensive, probably defined contribution pension process, which will be open and transparent to Albertans and within the parameters of what has been recommended by Mr. Justice Major.

I believe that we're fulfilling the obligation to say that we accept in principle what's being put forward in the report. We don't believe Members' Services should be tinkering with the pay of MLAs. We think we should adopt it essentially as it's been put forward.

**Ms Blakeman:** As you've cherry-picked it.

**Mr. Hancock:** It's not cherry-picking to suggest that when there are two options, you choose one of them. If there are two options, one having the grossed-up amount and the other having a tax-free allowance, choosing the grossed-up amount is not cherry-picking. It's choosing to implement in the interests of Albertans.

I'd ask that we pass this motion and let Members' Services get on with the job.

[The voice vote indicated that Government Motion 11 carried]

[Several members rose calling for a division. The division bell was rung at 4:46 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Acting Speaker in the chair]

For the motion:

Anderson	Hale	Quadri
Barnes	Hancock	Quest
Bikman	Horner	Sandhu
Calahasen	Jeneroux	Sarich
Campbell	Johnson, L.	Saskiw
Cusanelli	Kennedy-Glans	Scott
Denis	Kubinec	Smith
Donovan	Lemke	Starke
Dorward	Leskiw	Stier
Fawcett	Luan	Towle
Fenske	Lukaszuk	VanderBurg
Forsyth	McAllister	Webber
Fox	McDonald	Wilson
Fritz	Oberle	Xiao
Goudreau	Olesen	Young
Griffiths	Pedersen	

Against the motion:

Anglin	Eggen	Rowe
Bilous	Notley	Strankman
Blakeman		

Totals: For – 47 Against – 7

[Government Motion 11 carried]

5:00

## Consideration of His Honour the Lieutenant Governor's Speech

Ms Olesen moved, seconded by Mr. Luan, that an humble address be presented to His Honour the Honourable the Lieutenant Governor as follows.

To His Honour the Honourable Colonel (Retired) Donald S. Ethell, OC, OMM, AOE, MSC, CD, LLD, the Lieutenant Governor of the Province of Alberta:

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly, now assembled, beg leave to thank Your Honour for the gracious speech Your Honour has been pleased to address to us at the opening of the present session.

[Adjourned debate May 28: Mr. Horner]

**The Acting Speaker:** We'll move on to the hon. Member for Chestermere-Rocky View.

**Mr. McAllister:** Thank you, Madam Speaker. It is truly an honour to rise here in this Assembly today. I recognize, clearly, the great debate that has taken place here. In fact, I've seen it with my own eyes in the last couple of days. It's been very interesting for a newcomer, the passionate people that have stood and worked tirelessly before us. In fact, in my desk there is a signature of the Speaker dated August 30, 1993. Some have been here a while. I am humbled to be in a position to contribute to this process, and so it begins with a response to the Speech from the Throne. May I thank every member in here in advance for your undivided attention, which I know I will have for the next 10 or 15 minutes.

We have all just come through an election campaign, so we all know the value of support on the home front. I'd like to start there: my wife, Lisa, her unwavering support. I have three children: my son, Mitch, who graduates from Chestermere high school this week, and my daughters, Ally Grace and Morgan Faith. I am eternally grateful, clearly, for their support in the campaign that we have all just come through.

Back in August I took a giant risk and walked away from a very successful and rewarding career to take a run in the field of politics. Some said at the time: McAllister, you have lost your mind. In the last day or two I have thought that maybe they were right at times. But I did so because I want to effect positive change in this province, and I know that on that point we all agree. I want to stand up and effect more positive change in my community.

I also did it because I feel like the government has gone off course, and that is what I heard over and over again through the election campaign from the great people of Chestermere-Rocky View. I'd like to thank those people, too. More than 10,000 of those people humbled me by selecting me to be their provincial representative. I'm truly honoured by it.

We have a very diverse riding in Chestermere-Rocky View. It's diverse in many ways: ethnically, socially, geographically. You might think of it geographically as an upside-down U, I suppose, over the city of Calgary. On the east side is my hometown of Chestermere, 15,000 people. There were fewer than 5,000 people in the town of Chestermere 10 years ago, so that gives you an indication of how fast it has grown. In fact, the most recent Canadian census had Chestermere as the fifth fastest growing community in this country and the fastest growing community in this province.

With that kind of growth, of course, we are dealing with some very unique challenges. Keeping up with the necessary community amenities is tough, and I know we'd all recognize that in our

own ridings anyway. I hope to be able to provide support for that unprecedented growth: support for health services, support for schools, and support for rec facilities when we can. We have a beautiful lake community with wonderful, committed community people, a small army of people that do a lot in the town of Chestermere. I'm very proud to be from there.

Also on the east side of this riding is Langdon. It's another rapidly growing community, now more than 4,000 people. It is referred to as the good luck town. There is Conrich, Indus, Kathryn, Keoma, Delacour, Dalroy, Dalemead, and many farms and ranches in between. So far we're just on the east side of Chestermere-Rocky View.

Now, many of those people talked to me about property rights during the campaign, and I should say up front that I intend to stand up for them on this front. I know our party will lobby for property rights in Chestermere-Rocky View and throughout Alberta. In the throne speech, Madam Speaker, there was not one mention of this critical issue, and I know a lot of Albertans found that troubling.

I mentioned the east side of our riding. There is Balzac to the north of Calgary. There is Springbank, Bearspaw, Elbow Valley, Redwood Meadows, Cochrane Lake, the Tsuu T'ina First Nation on the west side. You will see some of the most natural beauty in this province in this riding. These are communities full of proud people who have found success through hard work and through entrepreneurial thinking and entrepreneurial action. They talked to me at length at the doors and in community halls about fiscal responsibility. They asked me over and over again: in a province with this financial wealth, with an industry like the oil sands and the revenue that we take in, how is it that we can't go to the mirror and find a way to balance our books?

I share their concern. My parents taught me a pretty valuable lesson, and it seems pretty simple, actually, as well. I think we probably all know it, and we'd be wise to apply it in government: don't spend more than you take in; put money away into savings. I plan to push for these things because my constituents told me to. That's the most important part. I believe we can have the best services in this country and still balance the books. We do have to go to the mirror and remember that we are spending Albertans' money when we are spending money. It is not ours to do with as we choose. We have to spend it wisely, just as Albertans and you and I and everybody else in here have to do in our home.

Madam Speaker, my constituency is among the youngest, as well, in this province. Parents are very aware that educating our kids and providing the resources and the facilities to do so is a paramount responsibility of the provincial government. We talked about it some today in question period. We have to ensure that all of Alberta's children receive a world-class education, which will make them competitive in a world where quality education is becoming more and more significant. In partnership with the important core values taught by my parents, a proper education, we know, provides a launching point for healthy and contributing citizens. I should say all parents; I don't think it was just mine that taught me a few values.

We do know that the provincial government spends more per capita than any other province on education. The problem is that tens of millions of those dollars are wasted in an administrative and bureaucratic nightmare. We spend millions finding ways to burden the classroom teachers with additional paperwork, with record keeping, and other make-work projects. These are things that I heard from teachers and administrators themselves just in the last weeks in meetings in my own constituency.

I'd like to see more money go into the classroom, more money for more teachers and front-line staff in our children's schools.

That's what this party has talked about. This means flowing more funding directly to individual schools, where principals, teachers, and parents, we believe, know best where and how to spend it. Hiring more teachers was a centerpiece of our last Wildrose balanced budget alternative. We can move money away from other areas like the government's continued use of corporate welfare projects like carbon capture. Of course, we would like to see it better used by hiring more teachers, particularly on the front lines, and on support staff in the classroom also.

Madam Speaker, a central feature of Alberta's education system is that it provides parents with a greater range of educational choices, I think, than any other system in North America. Many of us in this room also choose different choices. Now, although strong public schools are critical to our education system, charter schools, private schools, and home-schools provide educational opportunities and teaching methods that are sometimes unavailable in our public system.

In fact, our public school boards have responded to competition from these schools by rolling out, I think, a diverse range of excellent options, some optional choices that are second to none in North America. This is why I'm a strong advocate of the public system. I am proud of Chestermere high school and the teachers and administrators. As I said, my son graduates there this week. My daughter Ally Grace is enrolled in kindergarten in the French immersion program at Prairie Waters elementary in Chestermere also. C'est bon to the program. They are terrific people and big supporters of that public system.

Madam Speaker, let's not forget the essential role that special-needs education should take in our education system. This is crucial. It's an area where the government, I think most would say or certainly as I heard on the campaign trail, is underperforming. There are thousands of children with special learning needs in our education system. The government has done a poor job of caring for them.

We do have a very good preschool program with regard to students with developmental disabilities. We should point that out, the good with the bad. But once you move on, once you get into the grade level after you get past kindergarten, it is underfunded in a lot of ways. This is something that we hope the government will work to alleviate in the next few years. Again, while we didn't get any indication that they would in the throne speech, I stand here and believe that they will and that we can work together on that.

We will, as is expected from the opposition, hold the government accountable on behalf of Albertans when we must. That said, I do look forward to working with government, with the members on the other side of this Assembly and on this side, to get more done for the province of Alberta. I believe we can work together.

Over the next four years, Madam Speaker, I plan to represent the people of Chestermere-Rocky View to the best of my abilities, which means listening to them, meeting with them, and advocating for the people that sent me here. It means remembering above all else that it is the people of our province, the people of our constituencies, that employ us. It is those people that sent us here to the Legislature on their behalf.

#### 5:10

It is an honour – it really is a privilege – to stand up here before you today. I'm grateful for the opportunity. I started today by talking about family, and I would like to conclude my response to the Speech from the Throne by talking about the same thing. My mother, Joan, is in Medicine Hat. I come from blue-collar roots. My mother worked in the dietary and laundry facilities at the Medicine Hat regional hospital for years, raising three kids by herself for a long stretch. My father is a cow-calf farmer, and he



farms in the village of Gagetown, New Brunswick, still in his young 70s, mid-70s now. Anybody with anybody in farming knows that you can't make a man retire from farming. He'll do it until the very end.

They did teach me something, one or two things, growing up. One of the most important I'd like to speak of I think serves us all well, and that is to remain humble, which means that I don't believe it's our hockey jacket that defines us, I don't believe it's our job that defines us, I don't believe it's the vehicle we drive, our bank account, our title, or any of the above. I think at the end of the day, more than anything else, it's our actions that will define us.

Through that, Madam Speaker, may I say that we have healthy debating here, but I believe what unites us is stronger than what divides us, and I hope that we can apply that principle as we go forward. It's my hope that I stand here and sit here on a daily basis with great dignity for the residents of Chestermere-Rocky View as we all work toward a better and stronger Alberta.

In closing, Madam Speaker, I think it's important that we remember to laugh at ourselves once in a while. For instance, when the Member for Little Bow, Ian Donovan, shows up with one black sock and one blue sock on, I think we should laugh at that, even if it was my lame attempt at a joke to sort of let you know.

It is an honour and a privilege to be able to respond to the Speech from the Throne. Thank you.

**The Acting Speaker:** Thank you, hon. member, for that lovely maiden speech.

We have Standing Order 29(2)(a). Are there any who would like to take advantage of 29(2)(a) at this time?

Seeing none, we'll move on to our next speaker, the hon. Member for Barrhead-Morinville-Westlock.

**Ms Kubinec:** Thank you, Madam Speaker. It is an honour and it is with great pleasure that I rise today to respond to the Speech from the Throne given by His Honour the Lieutenant Governor. It is a privilege to do this on behalf of the constituents of Barrhead-Morinville-Westlock. I'd also like to take the opportunity to thank my husband, who has sat here for the last four hours and waited for this opportunity to listen.

I would like to thank the Lieutenant Governor for both his wonderful words and his commitment to this great province. I would also like to thank him for formally beginning this First Session of the 28th Legislature. Madam Speaker, His Honour's distinguished career as both a member of the Canadian armed forces and as a military adviser and volunteer with humanitarian causes should be looked upon with the utmost respect. I further commend his dedication as he continues to serve the people of Alberta.

I would like to extend thanks and gratitude to our hon. Premier. The past year has been incredibly demanding for her, and she has served in the office of Premier with integrity and an unwavering loyalty to the people of Alberta. Under her guidance Alberta continues to be a province with strong leadership, innovative solutions, and unlimited opportunity.

Madam Speaker, it gives me both pride and humility to have been elected by the constituents of Barrhead-Morinville-Westlock. The old Chinese proverb goes: may you live in interesting times. I think we do. This past election brought out an interest and passion in many people who had been indifferent and uninvolved for many years. It engaged many youth who decided that they want to have a say in shaping their future. I also have many friends in my

baby boomer generation who for the first time read up on the issues, asked the questions, and made their voices heard. My daughter is an engineer in Winnipeg, and it was interesting to hear that most of her colleagues followed our election and were very knowledgeable about our issues. People across this country were following the events here in Alberta. We saw Facebook and Twitter light up with questions and comments from all corners of this province. This relatively new way of communication enabled people to have easy access to the candidates and to ask questions and make comments.

The reason I sought the nomination for the Progressive Conservative Party, Madam Speaker, was to bring my knowledge of local governance and an experienced voice to this Assembly. The citizens of Alberta expect great things from this government and have entrusted us to do good work here to put into law and to practice what's important to them. We must be transparent and honest in all that we do, and we must keep Albertans engaged in what we are doing. We must use respect and decorum in our discussions and deliberations. I am confident that we will not let Albertans down.

Madam Speaker, this is our province, and this is our time to shine, our time to secure a good quality of life and prosperity for future generations, and as His Honour said in the Speech from the Throne, this begins by investing in families and communities.

Madam Speaker, education is an area that has always been very near and dear to me. I started out as a member of my children's school council because I wanted to be involved in their education. I was elected as a school trustee and spent a total of 18 years in that position, having spent three of those as the president of the Alberta School Boards Association.

As I travelled across this country in that capacity, I came home every time knowing that we have an excellent education system here in Alberta. We are seen as world leaders in this field, and I support the hon. Premier in further raising the bar. We will strive to further improve the education system and to keep up with the inevitable changes that will take place, but we can rest assured that our children are being well educated. As a grandmother I know I speak for many Albertans when I say that a strong education is critical to the future of Alberta. The future prosperity and progress of this province depends on our ability to educate our youth and give them as much opportunity as possible, and I am thankful that our Premier shares the same passion and vision in this area.

Madam Speaker, agriculture has also been a big part of my life. My husband and I have four children, including three sons who are proud farmers. They epitomize the enthusiasm of youth and bring it to this vital industry in our province, an industry that has been a significant part of Alberta's past and conjures up feelings of pride and heritage.

Last fall there was a succession planning seminar held in Westlock. There were about 250 people who attended, and the presenter was surprised when he asked the question to those in the room: who doesn't have a son or daughter with them? Only a few hands went up. There continues to be a strong presence in this province of young farmers whose families are involved in agriculture, young farmers who are well educated and enthusiastic about the future of agriculture in Alberta.

The face of farming has changed. It has become more complex, and there is a need to keep abreast of all of the changes in the industry. This government will ensure that we enable our food producers to continue to operate without undue interference and will support them during their time of need.

Madam Speaker, my Barrhead-Morinville-Westlock constituency starts just north of Edmonton, near Morinville, and goes all the way up to Chisholm and Swan Hills. It is quite large and diverse. Parts of the area have some of the best farmland in Alberta, and there are vast tracts of forest in the resource-rich Swan Hills area. A large and growing number of my constituents commute either to Edmonton or Fort McMurray to work. We have several large towns, with innovative entrepreneurs who have developed successful industries and who sell their products around the world.

As the Lieutenant Governor stated in his Speech from the Throne, Alberta is already “the most economically free jurisdiction in North America.” Nowhere else are businesses so free to operate without undue interference or to adapt to market conditions. With a Premier so dedicated and passionate about allowing businesses to thrive, I am confident that I will see more of this business development and entrepreneurial energy in my constituency.

5:20

One of the issues in my riding, however, is the depopulation of our northern rural areas. Madam Speaker, our local school board is faced with declining enrolment in the area north of Westlock. Trying to keep our small schools viable is a challenging task. Our municipal governments spend a lot of money to ensure that the hamlets have good sewer and water systems, good streets, and fire protection. With our government’s commitment to building and maintaining many schools across this province, I am optimistic that we can keep our small schools open so that young families can stay in their communities. All of my constituents have the same need for good education, health care, seniors’ care, and infrastructure, areas that our province is fully committed to strengthening.

Madam Speaker, I know a man in Westlock who was born and raised in Nigeria, Africa. He tells me of his amazement at seeing what we have here in Alberta. The abundance of space and personal freedom is what impresses him the most. Sometimes those of us who have spent most of our lives here take these things for granted. It is at our peril that we do so. We must work hard to preserve our freedom and to always be good stewards of our natural resources. I agree with the Honourable Lieutenant Governor that we must develop these resources responsibly in order to protect our environment and grow our markets. We must be judicious with development and plan wisely. We must evaluate and monitor development to ensure that there will be prosperity and natural beauty for our grandchildren.

In closing, Madam Speaker, I want to tell you how excited I am to be a part of this dynamic group of representatives, who will do the very best they can for the people of this province. We bring diversity and enthusiasm to this Assembly. We are of many faces and ethnicities, and we represent the diverse face of Alberta, a place I am so incredibly proud to call home.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member, for that very passionate maiden speech.

We do have Standing Order 29(2)(a) if anybody would like to make use of it.

If not, we’ll move on to the hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you. Madam Speaker, hon. colleagues, Albertans, it is an honour to rise today to speak in response to the Speech from the Throne. On April 23 I had the privilege of being

elected to represent the people of Innisfail-Sylvan Lake in the Alberta Legislature. Like hundreds of thousands of Albertans, voters in Innisfail-Sylvan Lake voted for the Wildrose vision of a stronger, more confident Alberta, and I’m honoured by their faith and their confidence in me.

Last week we heard the government’s agenda for this legislative session in the Speech from the Throne. The journey Alberta has taken since its foundation is indeed remarkable, overcoming adversity and presenting thousands from across Canada and from around the world with a brighter future. The Speech from the Throne referenced how the government played a pivotal role in the development of our great province and that government would be the leader in moving our province forward. It ascribed to government the power to help Alberta and Albertans reach their full potential and conquer their challenges. Respectfully, I disagree.

Albertans know that it isn’t the government that leads Alberta forward. It’s the people, everyday Albertans across this great province, who are the real driving force behind our success. Albertans are a prosperous and entrepreneurial group of people. They look to their representatives to ensure their opportunity in this province. Albertans, whether born and bred or who come from other places, have an unstoppable spirit, a desire to create better lives for themselves and for their children, a passion to drive forward new ideas, new opportunities, and new freedoms for hard-working families, a need to overcome and conquer those obstacles which others have found immovable and enviable, and an unshakable faith that through honesty, integrity, and hard work our province will continue to cast down its detractors and naysayers.

I have always been proud to be an Albertan, and I’m honoured that my fellow Albertans gave me the privilege of representing them here in this Chamber. I did not have a lifelong dream to run for office. In fact, I hadn’t really ever considered it until my brother was forced into a long-term care facility because of an illness. In 2008 my 32-year-old brother, Ron, was diagnosed with a devastating illness that would take his life in less than three years. Huntington’s disease is a neurological disorder for which there is no treatment, no cure, only a horrific death.

During that time my brother Ron required admission to a long-term care centre, which at age 32 was a difficult development for my brother to take. I fought – and I fought hard – to get my brother the care he needed. I wrote 420 letters, I called politicians, whatever I could think of to get him a long-term care bed. Eventually I had to take my cause to the media, and on the eve of the 2008 federal election my brother received a long-term care bed.

This was a terrible and difficult time for my family. My brother Ron had no assets, he had no income, and he had no savings. As most of you are likely aware, long-term care is expensive and for many Albertans, including my brother Ron, impossible to afford. However, my brother Ron was fortunate that he had a family that fought for him, provided for him, and advocated for him. What about those who do not? It saddens me to think that there are those Albertans who do not have the support that my brother did and who are facing this difficult journey without adequate care.

We have thousands of dedicated medical professionals in Alberta, but the system in which they operate is broken, and patching over the widening cracks with more money and tinkering will not fix the problem. Albertans who need long-term care shouldn’t have to fight for it tooth and nail. People like my brother Ron, who are terminally ill, shouldn’t have to spend their last days fighting for adequate health care.

My family and I miss my brother dearly. Ron would have been amazed and proud to know a Member of the Legislative Assembly. He would have been honoured to know that because of him I have chosen to serve the public in the best way that I can. I am saddened that he is not here today to stand by me, to encourage me, guide me, and watch his sister rise and speak in the Legislature, but his journey is my inspiration to fight for a better health care system for all Albertans, and his legacy will be the day when Albertans are able to access the best health care in the world, that's available when they need it.

We needn't look too far to see what happens when a government fails in its responsibilities to serve in the best interests of its citizens. Our role in representing this wonderful province is to ensure that we have balanced budgets, keep spending under control, and not let the government be all things to all people. Alberta must remain a destination of choice for families and businesses.

Madam Speaker, I am honoured to represent Innisfail-Sylvan Lake. The riding of Innisfail-Sylvan Lake has many unique features. The rural landscape boasts some of Alberta's best agricultural land and many of Alberta's most productive farmers. Rural Alberta needs a strong voice in the Legislature because it is dying a slow death. Farmers, ranchers, and landowners are facing rising input costs, erosion of landowner rights, and ever-increasing power bills. Our rural electrification associations are being dismantled. Producers are not able to stay in business, and there is no encouragement of young farmers in this industry. Our role as public servants is to ensure that Albertans are looked after. We must ensure the success of our agricultural industry because if we have no producers, simply, we have no food.

The Innisfail-Sylvan Lake riding is like many ridings in this great province. The aging of the population is creating challenges to ensure healthy and safe living options. Many hard-working, aging Albertans are living within limited means and cannot afford to heat their homes, pay their utilities, and are too proud to become a burden on their families. This retiring generation has toiled the fields of Alberta to ensure that we have success in the province that we see today. Our aging population needs to be respected, to be allowed to have dignity and choice.

5:30

Innisfail, like many communities, is facing such a problem. Their lodge needs to be updated if not replaced. The community has needs that have exceeded the options available. I will be a strong voice to ensure that the needs of our aged are being met in this province.

Sylvan Lake, like many communities, has many similar needs. However, there are two main priorities for the residents of the Innisfail-Sylvan Lake riding. Sylvan Lake's beauty is encouraging Albertans and Canadians to visit and enjoy the bounty of the lake. The town of 12,800 people boasts a stunning and popular lake and swells to the population of a small city in the summer.

The first priority for Sylvan Lake is an urgent care centre. Its need is strongly supported by the community and local physicians. This would also enable surrounding areas such as your own riding, Red Deer-North, and Red Deer-South to relieve the ever-increasing demands on the Red Deer regional health centre.

The second priority is the review and opening of the highway 781 and highway 11 intersection. The residents of Sylvan Lake have spoken out about decisions being made by the current government with no public input. The closure of this intersection was one such example. I have met with the Minister of Transportation, and I'm looking forward to his assistance and co-operation with me on this issue.

It is my commitment to work with the government on behalf of the people I represent and to see that these projects are fulfilled. I will not rest until this happens.

On April 23 over 440,000 Albertans voted for a new hope and a better alternative. They voted for Danielle Smith and the Wildrose – oh, sorry; I'm not allowed to say that – a party with new ideas that will put Albertans first. Our approach is clear and simple: prudent spending, saving for the future, genuine health reforms, support for our everyday, hard-working families, protections for seniors, and true accountability for all Albertans.

Over the next four years Wildrose will be offering a real conservative alternative. We will offer new ideas to the failed policies of the past. We will listen to Albertans rather than telling them what they should be, what they should do, or what they should say. We will shed the light of the day on those practices and policies which the government would prefer to keep hidden. We will promote an Alberta which walks tall in the global corridors of power. We will reject the notion that we cannot improve our public health care system and stare down those who believe that long waiting lists and crowded emergency rooms are intractable problems.

Madam Speaker, we will do what we have pledged to do from the very beginning. We will do something remarkable. Wildrose will put Albertans first each and every day in every community across this province. My colleagues and I are excited about the role Albertans have given us for the next four years. We will take seriously our role of holding government accountable on behalf of all Albertans. We will demonstrate that we are a government in waiting led by a Premier in waiting, and we will show Albertans that with Wildrose their interests will always be put first.

Hon. members, I extend my congratulations to each and every one of you. I realize that the next few years will be a challenge, but it will be an exciting challenge. I look forward to the promise of a more open and transparent government, co-operation amongst all parties for the betterment of all Albertans, and ensuring that every riding is treated fairly. I look forward to working with each and every one of the members of this fine House to help strengthen our communities, bring dignity to our elected members, and show all Canadians what a beautiful and hard-working province Alberta truly is.

Lastly but not least, I would like to say thank you to my husband, Brad, and my family. Their unwavering support, dedication, and strong belief in my abilities make me work harder every single day for the riding of Innisfail-Sylvan Lake. I look forward to the next four years.

Thank you.

**The Acting Speaker:** Thank you, hon. member, for a very passionate and touching speech. I'm very pleased to see that you caught yourself on using a formal name in the Legislature. We all have to remember that.

We do have Standing Order 29(2)(a).

We'll move on to our next speaker, and that is the hon. Member for Edmonton-Gold Bar.

**Mr. Dorward:** Thank you, Madam Speaker. It's my pleasure to rise today to address the Assembly for the first time and to reply to the first Speech from the Throne of the 28th Legislative Assembly of Alberta. I'd like to pause at this time, as the hon. member did, and thank His Honour the Honourable Donald Ethell, Lieutenant Governor of Alberta, for his distinguished service to Canada and Alberta in both the Canadian armed forces and as a tireless adviser and volunteer in our communities.

Madam Speaker, I'd like to also congratulate you on your election. Thank you for your service.

[The Speaker in the chair]

I'm mindful that at age 60 I'm one of the oldest new members here. Yet I cannot help but feel like a young child on Christmas morning. There are no words to express the feeling of joy that I am experiencing today. I would not be here at all except for the love and support of my wife, Janice, and my family. Janice is in the gallery today with my friends. Janice truly is a jewel in my life. My family are my touchstones.

My hope and prayer is that providence will guide me in my service here to do the things that are in the best interest of Alberta's families in all their many forms. When we consider a new piece of legislation, it is right and fitting that we ask ourselves: "Is this right for my family? Is it right for the families in my community?" I quote from the Speech from the Throne. "Albertans are looking to the future with new hope and confidence. They see a chance to build the best lives possible for themselves and their families, and they are ready to make the most of that opportunity." I share that confidence for my family and my province.

I owe a debt of gratitude to my neighbours in the community of Edmonton-Gold Bar. By working on my campaign and voting for me, they have honoured me by choosing me to represent them here. However, I am well aware that I received only a plurality of the vote and that I must earn the trust and respect of both those who voted for me and those who voted for the other fine candidates in my constituency. My goal is to serve all my constituents with honesty, integrity, and humility.

Edmonton-Gold Bar is special to me. I have lived virtually my entire life in southeast Edmonton. I was brought up there, raised a family there, built a business there, and will retire there. My community has been a central focus of my adult life.

Edmonton-Gold Bar includes in it the rich francophone culture of the Bonnie Doon area, with the U of A's Campus Saint-Jean, and the option of the young people in our area to attend King's University College. We have active community leagues engaged in good works in our neighbourhoods. The seniors in our area are active and busy people, many times finding themselves over at the South East Edmonton Seniors Association, SEESA.

The chance to work together with my friends as a basketball coach, as a Scout leader, the chance to serve God through my church, the chance to partner to build a community centre for our young people: these opportunities have impressed upon me the power of people working together towards a common goal and the satisfaction of achieving those goals together. Mostly, though, I'm grateful for knowing the people that I have served with in these endeavours. The people I now serve as their representative are my family, my friends, and my neighbours. Whatever other duties and responsibilities that may fall upon me, my paramount role is to bring their cares and concerns to this House. This I now pledge to do.

Mr. Speaker, in addition to being the representative of the people of Edmonton-Gold Bar, my modest hope is that my background as a certified management accountant, as a chartered accountant, as a graduate of the University of Alberta and the Northern Alberta Institute of Technology, as a businessperson and a community organizer, that those things can help me contribute to the good work of this institution. I look forward to working on government and legislative committees and helping to ensure that going forward we are truly serving the best interests of Albertans.

I dedicate myself to service while an MLA and invite all members to do likewise.

Mr. Speaker, in researching the maiden speeches of the many hon. members that have come to this House before me, I noticed that there was a scarcity of partisanship in their maiden speeches. I think many people come here to this House seeking to extol higher virtues in their first address to the House, knowing full well that there would be plenty of time later to mix it up with their political opponents.

5:40

However, democracy is about choices, and partisan democracy is about political choices. Recently our provincial electorate made a choice, and it took the country's breath away, quite frankly. The meaning of that choice will shape our province's future for years to come. To me the lesson of history in our recent election is clear. Those who seek office and look to the future retain the confidence of the people of this dynamic province.

As we heard from the throne speech, "the challenge of change demands a response. It requires leadership ready to strike the right balance between progressive and conservative thinking." I believe our government reflects that balanced thinking in its policies and governance. As the Lieutenant Governor so aptly recognized in his speech last week,

our western spirit and heritage and entrepreneurial energy have always served us well. The unique pride, self-reliance, and fiscal conservatism that have made this province such a special place to live are as strong as they have ever been.

Our recent election was about the nature of our province and its politics. It surprised some people. When the dust settled, we found out some things. We found out that our Premier is progressive, our government is progressive, and our province is progressive. Upon reflection, the election results should not have been such a shock to so many. The one person who did not seem at all shocked was our Premier. That may explain why she is our Premier, for I think that she knows who she is, what our team is all about, and knows that Alberta is a progressive province and that these roots run deep here.

Alberta was a leader during the progressive era in enacting women's suffrage, workers' compensation, creating the Alberta Wheat Pool, and gaining control of our natural resources. During this time Irene Parlby of the UFA became the first female cabinet minister in Canada and was one of the five strong women, the Famous Five, who won the Persons Case, which was the historical base of gender equality in our country.

Mr. Speaker, in 1971 Premier Lougheed's government passed the Alberta Bill of Rights, increased the people's share of energy revenues, and built the roads and schools and hospitals needed by a growing province. The opposition said that the government spent too much and that it did not reflect the values of Albertans. In 1975 the electorate made their choice and sent that opposition to the ash heap of history.

Now we will, as the Speech from the Throne described, provide an accessible primary care system and give Albertans tools and guidance to take charge of their health, expand family care clinics, and expand the province's network of continuing care centres. This government is not driven to do things by a strident ideology but by the belief that this is what the people of Alberta want and that it's the right thing to do. Our challenge is to look to the future, to do the right things for our time, our place, and our people. Progressivism is to me, more than anything else, the political imperative to be forward thinking and to provide current solutions to current challenges.

Now, our province is diverse in many ways, including political thought. I'd prefer that as Members of the Legislative Assembly we welcome and accept that diversity, Mr. Speaker. Debate is healthy; division is not. My wish is that members of this House recognize that Alberta is that diverse and tolerant modern society. We have always been people who look to the future with hope and confidence. We are proud Canadians. This is the message our electorate sends in election after election. We can debate, we can disagree, but we should not go on looking to divide our province based upon a fundamental misconception of who we are.

Mr. Speaker, having sat in this House listening to the Speech from the Throne, it reminded me of my reason for coming to the House, to represent the values I believe I share with the majority of Albertans. I am a fiscal conservative and believe we should maintain our policy of low taxes and avoiding debt while building our savings when we can. I believe Alberta is a progressive society in that it affirms and promotes our diversity and respects our differences. Our social policy should be tolerant and respectful.

Mr. Speaker, the Speech from the Throne spoke to the need to simplify regulatory burden so that business will thrive and continue to drive our prosperity. I'm excited to assist with those initiatives, and I will work to discuss them with the many stakeholders.

Only an accountant could get excited about results-based budgeting, and I am. I heard from many residents of Edmonton-Gold Bar regarding the need to exercise fiscal discipline in the government, and I will be happy to report to them that that will be happening.

Mr. Speaker, I'd like to take a minute to let this House know of some comments that I heard from the residents of Edmonton-Gold Bar this spring. Firstly, they know that Alberta is a prosperous province, leading the nation in jobs in our economy and in our country, a province that has low taxes, great opportunity, and no debt.

Secondly, they love our environment. I pledge to consider the environment in all the decisions that I make in this House.

Thirdly, my constituents know that they have a first-class educational system and a first-class health care system, and to that end I'd like to recognize and thank all those teachers and health care workers that work in this great province.

Finally, Mr. Speaker, as much as I am proud of my province, I am first and foremost a Canadian. To have the opportunity to come here today to serve my country by being a member of this House fills me with awe. I suspect that feeling will never leave me. I look forward to working with all members of this Assembly in the months ahead.

Thank you, Mr. Speaker.

I now move that we adjourn debate.

[Motion to adjourn debate carried]

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

**Mr. Hancock:** Thank you, Mr. Speaker. I move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; the Assembly adjourned at 5:47 p.m. to Wednesday at 1:30 p.m.]



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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Wednesday, May 30, 2012

Issue 5

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta**  
**The 28th Legislature**

First Session

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Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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Robert H. Reynolds, QC, Law Clerk/ Director of Interparliamentary Relations	and Legal Research Officer Philip Massolin, Committee Research Co-ordinator	Gordon H. Munk, Assistant Sergeant-at-Arms Liz Sim, Managing Editor of <i>Alberta Hansard</i>
Shannon Dean, Senior Parliamentary Counsel/Director of House Services	Brian G. Hodgson, Sergeant-at-Arms	

## **Executive Council**

Alison Redford	Premier, President of Executive Council
Thomas Lukaszuk	Deputy Premier
Manmeet Singh Bhullar	Minister of Service Alberta
Robin Campbell	Minister of Aboriginal Relations
Christine Cusanelli	Minister of Tourism, Parks and Recreation
Cal Dallas	Minister of International and Intergovernmental Relations
Jonathan Denis	Minister of Justice and Solicitor General
Wayne Drysdale	Minister of Infrastructure
Kyle Fawcett	Associate Minister of Finance
Doug Griffiths	Minister of Municipal Affairs
Dave Hancock	Minister of Human Services
Fred Horne	Minister of Health
Doug Horner	President of Treasury Board and Minister of Finance
Ken Hughes	Minister of Energy
Jeff Johnson	Minister of Education
Stephen Khan	Minister of Enterprise and Advanced Education
Heather Klimchuk	Minister of Culture
Ric McIver	Minister of Transportation
Diana McQueen	Minister of Environment and Sustainable Resource Development
Frank Oberle	Associate Minister of Services for Persons with Disabilities
Verlyn Olson	Minister of Agriculture and Rural Development
Dave Rodney	Associate Minister of Wellness
Donald Scott	Associate Minister of Accountability, Transparency and Transformation
George VanderBurg	Associate Minister of Seniors
Greg Weadick	Associate Minister of Municipal Affairs
Teresa Woo-Paw	Associate Minister of International and Intergovernmental Relations

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on Alberta's Economic Future

Chair: Mr. Amery  
Deputy Chair: Mr. Bikman

Bhardwaj	Quadri
Blakeman	Quest
Donovan	Rogers
Dorward	Sandhu
Eggen	Sherman
Fenske	Smith
Goudreau	Starke
Hehr	Strankman
Jansen	Towle
Luan	Young
McDonald	Vacant
Olesen	

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Quest  
Deputy Chair: Mrs. Jablonski

Anderson  
Casey  
Dorward  
Eggen  
Kubinec  
Sandhu  
Sherman

### Standing Committee on Families and Communities

Chair: Ms Pastoor  
Deputy Chair: Mrs. Forsyth

Allen	Leskiw
DeLong	Luan
Fox	McAllister
Fraser	Notley
Fritz	Pedersen
Jablonski	Sarich
Jansen	Saskiw
Jeneroux	Swann
Johnson, L.	Wilson
Kang	Young
Kubinec	Vacant
Lemke	

### Standing Committee on Legislative Offices

Chair: Mr. Xiao  
Deputy Chair: Mr. McDonald

Bikman  
Blakeman  
Brown  
DeLong  
Eggen  
Leskiw  
Quadri  
Rogers  
Wilson

### Special Standing Committee on Members' Services

Chair: Mr. Zwozdesky  
Deputy Chair: Mr. Young

Calahasen  
Dorward  
Forsyth  
Goudreau  
Jablonski  
Mason  
Quest  
Sherman  
Smith

### Standing Committee on Private Bills

Chair: Mr. Cao  
Deputy Chair: Ms L. Johnson

Barnes	Notley
Bhardwaj	Olesen
Brown	Pastoor
DeLong	Rowe
Fox	Sarich
Fritz	Starke
Goudreau	Strankman
Jeneroux	Swann
Kennedy-Glans	Webber
Luan	

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Dr. Starke  
Deputy Chair: Mr. Lemke

Allen	McAllister
Amery	McDonald
Bhardwaj	Notley
Casey	Pedersen
Hehr	Sandhu
Jansen	Saskiw
Jeneroux	Towle
Johnson, L.	Xiao
Kennedy-Glans	Young
Kubinec	

### Standing Committee on Public Accounts

Chair: Mr. Anderson  
Deputy Chair: Mr. Dorward

Allen	Hale
Amery	Hehr
Anglin	Kang
Bilous	Pastoor
Calahasen	Quadri
DeLong	Sarich
Donovan	Starke
Fenske	Stier
Fraser	Webber
Fritz	

### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans  
Deputy Chair: Mr. Rowe

Anderson	Hehr
Anglin	Johnson, L.
Barnes	Kubinec
Bilous	Lemke
Blakeman	Leskiw
Brown	Sandhu
Calahasen	Stier
Cao	Webber
Casey	Xiao
Fenske	Young
Fraser	Vacant
Hale	

## Legislative Assembly of Alberta

1:30 p.m.

Wednesday, May 30, 2012

[The Speaker in the chair]

### Prayers

**The Speaker:** Hon. members, let us pray. Almighty God and Creator of the Universe, grant that we the members of our province's Legislative Assembly fulfill our duties with honesty and integrity. May our first concern always be for the good of all our people, and let us be guided by these principles in our deliberations this day and always. Amen.

Please be seated.

### Introduction of Visitors

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

**Mr. Lukaszuk:** Thank you, Mr. Speaker. It's indeed an honour and a pleasure to introduce to this House a good friend of this Legislative Assembly, of this government, and definitely of the province of Alberta, Federal Republic of Germany Consul General Hermann Sitz, who is accompanied today by a well-known Edmontonian of German heritage, Mr. Bernd Reuscher, the honorary consul of the Federal Republic of Germany. As all members of this Assembly know, Germany is a very important partner not only to Canada but to Alberta economically, academically, and culturally. We are proud to have an Alberta office in Munich, Germany, as well. So any visit by any member of the consular corps of Germany is very welcome in this province. I would like to ask both the consul general and the honorary consul to rise and receive our gratitude and the warm welcome of this Assembly.

**The Speaker:** Herzlich willkommen in Alberta. Welcome.

### Introduction of Guests

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

**Mr. Olson:** Thank you, Mr. Speaker. It's my pleasure today to introduce to you and through you to all members of the Assembly 28 bright young grade 6 students from my constituency. That's Norwood elementary school in Wetaskiwin. They're accompanied today by their teacher, Marcie Hofbauer, and parents Laurie Dahl-Perras, Cindy Johnson, and Sherri Scolah. These young students are keenly interested in the operation of government. I'm very glad to have them here today, and I want to congratulate their teacher and parents for encouraging that interest. I hope they continue to have a great time here, and I'd ask that they rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Fort Saskatchewan-Vegreville.

**Ms Fenske:** Thank you, Mr. Speaker. I would like to introduce to you and through you 74 visitors from James Mowatt elementary school in Fort Saskatchewan. They are here as part of their grade 6 curriculum and have loved their experience here. They are accompanied today by their teachers, Miss Kristin Scott, Mrs. Barb Percy, Mr. Chris Bartsch, and Mrs. Trista Masterson, as well

as one of their parents, Mr. Jon Duval. I would like to ask them to rise – they should be on both sides of the Assembly – and receive our greeting.

**The Speaker:** The hon. President of Treasury Board and Minister of Finance.

**Mr. Horner:** Thank you, Mr. Speaker. It's an honour to rise and introduce to you and through you to members of the Assembly Mr. Chris Bourdeau and Mr. Nolan Sawatzky. Chris is the assistant director of communications in Treasury Board and Finance, and he is accompanied by Nolan Sawatzky, who is a student in Grant MacEwan's public relations program. Nolan is currently serving as a communications intern in the Ministry of Treasury Board and Finance. They are seated in the members' gallery this afternoon, and I would ask that they rise and that we give them the warm welcome of this Assembly.

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

**Dr. Starke:** Thank you, Mr. Speaker. This afternoon it's my pleasure to introduce to you and through you to members of the Assembly a group of 23 very bright, energetic, and photogenic students from Viking school who are visiting with us today. They are accompanied by their teacher and vice-principal, Mr. Philip Brick, teacher's aide Mrs. Wanda Lefsrud, and Mrs. Kim Beaumont. I met these students just a few minutes ago. They're enjoying their visit here to the Legislative Assembly. I would ask that other members of the Assembly join me and give them the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Minister of Tourism, Parks and Recreation.

**Ms Cusanelli:** Thank you, Mr. Speaker. I would like to introduce to you and through you to members of this House two women who have been involved in promoting innovative education and life-long learning in the province. First, the president of the Public School Boards' Association of Alberta and a member of the board of trustees of Clearview public schools, Ms Patty Dittrick. Also, with Ms Dittrick is the executive director of the Public School Boards' Association of Alberta, Ms Mary Lynne Campbell. I would ask that Ms Dittrick and Ms Campbell rise and receive the traditional warm welcome of this House.

**The Speaker:** The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Rowe:** Thank you, Mr. Speaker. To you and through you it is a great pleasure to introduce some very dear family friends. In politics we all know it takes sacrifice, and this family has given a great amount. For 28 straight days they lent me their father and their husband to manage my campaign, my successful campaign. I am grateful to them for this gift. Please help me welcome to the House today Porter, five; Paxton, three; and their mom, Tanya Cooper.

**The Speaker:** The hon. Associate Minister of Seniors.

**Mr. VanderBurg:** Thank you, Mr. Speaker. It's a pleasure to introduce to you and through you to all members of the Assembly four guests that are seated here in the members' gallery. Neil Pierce, Julia Daniluck, Julie and Joshua Kelndorfer are here today in recognition of MS Awareness Month, which has occurred through the month of May. Neil serves as president of the MS Society of Alberta and is familiar to members of this Assembly for

his contributions to the voluntary sector throughout Alberta. Julia was diagnosed with MS in the spring of 2002, and her team has raised almost half a million dollars since 2006. Julie serves as director of government and community relations for the MS Society of Alberta. Diagnosed with MS eight years ago, she is an active volunteer with the organization. Joshua is a student at Parkallen school and started a team in the Edmonton MS Walk in 2008 to raise money to find a cure for his mom. Since 2008 this young man has raised \$50,000. I'd ask that these four great Albertans rise and receive the warm welcome of this Assembly.

**Mr. Fox:** Mr. Speaker, it is my privilege and honour to introduce to you and through you two of my fellow Rotarians, Bob Huff and Jyl Talsma. Jyl is the mother of one of our brave Afghanistan veterans. With them today we have a very special guest, Helene Quedens, the Lacombe Rotary Club's exchange student from Denmark. Please stand and be recognized and receive the warm welcome of this Assembly.

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

**Mr. Eggen:** Thanks, Mr. Speaker. Today I'm very pleased to introduce to you and through you to the Assembly Marcel Seveny. Marcel is a student at MacEwan University completing a major in English. He's very interested in politics and eager to learn more about the political process here in Alberta. I would ask Marcel to please rise and receive the warm traditional welcome of the Assembly.

1:40

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

**Mr. Bilous:** Thank you, Mr. Speaker. Today I'm pleased to introduce to you and through you to this Assembly a group of guests from the Candora Society. The Candora Society is a nonprofit group which has worked with residents of northeast Edmonton for over 24 years. The society is based on a philosophy of participatory education, enabling people to give voice to their issues and to take a stand on what is important to them. By connecting people to each other, the Candora Society is promoting positive growth in the lives of women, children, and families in our community for free. I would now like to ask my guests to rise as I call their names and receive the traditional warm welcome of the Assembly: Susan Catlin, Ian Daly, Michelle Ackland, Colin Daly, Katrina Ungarian.

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

**Dr. Swann:** Thank you very much, Mr. Speaker. Yesterday I introduced two members of the Farmworkers Union, and I neglected to mention that they're here on a dual purpose. The first indeed is the health and safety of farm workers in the province, with the absence of occupational health and safety, workers' compensation, and child labour standards, but they're really here also to highlight that farm operators are at tremendous risk, as has been highlighted by the federal minister through Bill C-45, the Westray bill, that places all farm operators at risk if they do not create the conditions for health and safety in their workplace. This is a mission that they have also shared with some in the House. I look forward to hearing more from them in the next couple of days, Eric Musekamp and Darlene Dunlop.

### Members' Statements

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

### Prohibited Donations to Political Parties

**Mr. Anderson:** Thank you, Mr. Speaker. Yesterday a point of privilege was brought against the Justice minister for allegedly misleading this Assembly when he made the outrageous claim that the former Chief Electoral Officer asked the government to muzzle him from reporting any findings of illegal donations. Obviously, this statement lacks any logic. Honestly, why on earth would a person tasked with ensuring democratic transparency ask to be muzzled from disclosing publicly illegal deeds that undermine our democracy?

That the minister's statement is also flat-out untrue was made clear by none other than the current CEO, who, when asked by a reporter late yesterday if the former CEO had requested the law to be changed so that findings of illegal donations could be kept secret, said through his spokesperson: "that was not the recommendation of the CEO."

The facts are now very clear. First, the former CEO, Lorne Gibson, did not recommend that findings of illegal donations be kept from the public. Untrue. Second, this Premier, while Justice minister, authored legislation that muzzles the CEO from reporting findings of illegal donations. Third, there have been dozens of findings of illegal donations by Elections Alberta, and as far as anyone can find out, the PC Party is involved in every single one of them.

On behalf of Albertans the Wildrose demands the following. First, the Minister of Justice and Premier should retract their past statements to this House that the CEO asked to be muzzled. It wasn't true. Second, the Minister of Justice should immediately table legislation this fall retracting this order and make it retroactive so all illegal donations found by the CEO thus far can be reported. Lastly, the PC Party must pay back every cent that was illegally donated to them and apologize to Albertans. Anything short of fulfilling these demands will show this Premier has no intention of changing the culture of corruption and secrecy that has existed for far too long in the halls of Alberta's Legislature.

Thank you, Mr. Speaker.

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

### Parliamentary Reform

**Mr. Mason:** Thank you very much, Mr. Speaker. After swearing in her cabinet, the Premier remarked that she wanted to change the role of the Legislature and to craft more policy with all parties, saying: we'll let everyone talk about policy and stop talking about politics. Well, the Premier declaring that she will let us talk about policy suggests that she hasn't fully grasped the role of the opposition in our system.

We believe strongly that effective opposition is a necessary safeguard for Albertans. The work of the opposition in holding the government's feet to the fire and demanding that they be accountable to the electorate is indispensable to a functioning democracy. *Beauchesne's Parliamentary Rules & Forms* says that question period relies on the willingness of cabinet "to submit its conduct of public affairs to the scrutiny of the Opposition on a regular basis." It also recommends that the "respect for the rights of the minority, which precludes a Government from using to excess the extensive powers that it has to limit debate," is critical.

Question period is the most important opportunity for the opposition to speak directly to cabinet about their decisions. In Alberta, however, question period is often a venue for government private members to ask the cabinet to read a news release from the

department in the Legislature. It's a waste of the Assembly's time, Mr. Speaker. I want to invite the Premier to think about the purpose of question period and to work with the opposition to craft a new role.

As we saw last week, the government has resisted working cooperatively with the opposition. Lack of communication with House leaders on Bill 1 and a refusal to allow an opposition presence in the media room for the Premier's news conferences is troubling. The Premier talks about a better relationship with the opposition while effectively ignoring the members on the other side of the floor. The Premier's repeated decisions to hold news conferences in the cabinet room – and there's another one later today, Mr. Speaker – blocks any opposition presence from those news conferences and prevents us from doing our job.

While the Premier has talked about making changes about how the Legislature functions, so far she has not taken the opportunity to consult with the opposition. That needs to change.

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

### Multiple Sclerosis Awareness Month

**Ms L. Johnson:** Thank you, Mr. Speaker. Today I wish to speak about Multiple Sclerosis Awareness Month. MS can occur at any age but is usually diagnosed between the ages of 15 and 40. It is an unpredictable, often disabling disease of the central nervous system. Symptoms can range from blurred vision, speech, bladder, and bowel problems to partial or complete paralysis.

With about 11,000 Albertans living with MS, including my friends Jan and Larry, finding safe and effective treatments for this disease is a priority for the Alberta government. This government will continue to support the work being done to find a cure for the disease. We are moving forward with Alberta's three-year observational study on CCSVI. That's chronic cerebrospinal venous insufficiency. Currently there are close to 1,000 participants enrolled in the study. The information gathered will provide important data in the near term to support the efforts of other investigators working to find a cure.

We also support the dynamic work of the MS Society as it continues to provide a wide variety of services and programs to Albertans affected by MS. The society is also the largest funder of MS research in Canada.

To support these programs there are several fundraising events each year. Recently there were walkathons in Grande Prairie, Red Deer, Fort McMurray, Drumheller, St. Paul-Lakeland, Medicine Hat, Edmonton, Lethbridge, Lloydminster, and St. Albert. You can still participate in walkathons being held in Calgary and Brooks this upcoming weekend. During the weekend of June 9 to 10 MS bike tours will take place around the province.

I encourage Albertans to learn about the many ways to get involved in helping to find a cure for MS. Jan, Larry, and others say thank you, Mr. Speaker.

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

### Emergency Services Workers

**Mr. Fraser:** Thank you, Mr. Speaker. I rise today to acknowledge the vital work of our emergency services personnel. This summer will be like many other summers we've all enjoyed over the years. Albertans will barbecue. They will gather at family functions. Our children will engage in summer activities like swimming, biking, and soccer. For most of us it will be a typical glorious, sunny summer. But for some Albertans it will be a trying summer, a summer that will test the human spirit, a summer that will

challenge the strength of family support networks. Like all other summers, our forests will be at risk of wildfires, our farms will experience drought, and our homes may flood.

All Albertans, whether we know it or not, rely on a network of emergency services personnel that is always keeping watch. We depend on these brave men and women to survey the risks, to make hard, split-second decisions, and to protect Albertans and our property from disaster. Our paramedics, policemen, firefighters, emergency dispatch, and emergency management personnel never have a typical summer. They always remain committed and always put the safety of Albertans first, tirelessly working away in the background.

I would like to acknowledge the search and rescue teams, emergency medical services, policemen, firefighters, emergency dispatch, and our Provincial Operations Centre. Thank you for ensuring our peace of mind, knowing that you're there to protect our communities, save lives, and mitigate damage to our properties. Know that the members of this Assembly and the citizens of Alberta appreciate the work that you do for us. Thank you again for your commitment to Albertans.

Thank you, Mr. Speaker.

1:50

### Oral Question Period

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition.

### Premier's Attendance at Bilderberg Conference

**Ms Smith:** Thank you, Mr. Speaker. Tomorrow federal NDP leader Thomas Mulcair will be in Alberta, a golden opportunity for the Premier to meet face to face with the man who's appointed himself Alberta's number one enemy and dispel the myths he believes about our oil sands. But, instead, the Premier will be hobnobbing behind closed doors, away from the accountability of journalists and the public, at the invite-only Bilderberg conference in Virginia and sticking taxpayers with a \$19,000 tab. Where are this Premier's priorities? Is it to stand here in Alberta and defend our most important industry from bullies like Thomas Mulcair, or is it to attend secret cocktail parties on the taxpayer dime and let the bully have open season? To the Premier.

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

**Ms Redford:** Thank you, Mr. Speaker. I am very pleased to be able to be attending a conference in Washington made up of international leaders who are making decisions and are involved in decisions that affect the Canadian economy and the oil sands. You know, what's tremendously interesting to me is that this hon. member, before she was an hon. member, criticized the former Premier for rushing back to Alberta to try to convince someone who was never going to change their mind about the oil sands to change their mind. My job and the job of our cabinet is to advance Alberta's interests, to support the oil sands, and that's what I and the Deputy Premier will be doing tomorrow.

**The Speaker:** Thank you.

**Ms Smith:** I hope the Premier knows that there's a big difference between a movie director and the official leader of the federal opposition.

Given the exclusive and secret nature of the Bilderberg conference, given that no reporting of this conference is allowed, and given that Bilderberg's own website states that "no resolutions are proposed, no votes [are] taken, and no policy statements [are]

issued” at the conferences, will the Premier tell us what possible justification or actual value there is for this \$19,000 taxpayer-funded trip?

**Ms Redford:** I’ll tell you that I have a pretty good sense of what the role of the Leader of the Opposition is, and I’ll tell you that I think it’s to support Alberta initiatives that matter for the future of this province in a constructive way. One of the ways that we yesterday had tremendous opportunity to speak about advancing Alberta’s interests was through the Western Premiers’ Conference, to get support from western Premiers with respect to a Canadian energy strategy, at the very moment that this Leader of the Opposition was standing in the House saying that it wouldn’t happen, it shouldn’t happen, and it couldn’t happen. And, Mr. Speaker, it did.

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

**Ms Smith:** Thank you, Mr. Speaker. Since she’s dodged the question a couple of times, I’m going to try it one more time. Given that B.C. Premier Gordon Campbell attended Bilderberg in 2010 and the province’s Conflict of Interest Commissioner was called in to investigate and given the secretive nature of the Bilderberg meetings and the matters discussed and given that the only way to get into Bilderberg is by secret invitation, how can Alberta taxpayers know that they are getting something that actually advances our interests and not just personal networking opportunities for the Premier?

**Ms Redford:** Mr. Speaker, I don’t understand what the Leader of the Opposition’s definition of secret is. At 4 o’clock yesterday we issued a press release. We’re standing in the House today talking about this. I’ll tell you that we’re going to talk about Alberta’s interests. I’m very happy to continue to talk about it after this conference is over because I’ll tell you that everything that we need to do as the government of Alberta is to ensure that opinion-makers around the world understand who we are, what we do, why, and how we do it to advance Alberta’s interests and our economy.

**The Speaker:** The hon. opposition leader for her second main question.

### Committee Compensation Repayments

**Ms Smith:** Thank you, Mr. Speaker. In the spirit of openness and transparency, only after Albertans expressed outrage about MLAs accepting cash for the no-meet committee did the Premier promise that all PC MLAs would pay back all the money they received or, I quote: any MLAs who do not will not have a place in my caucus. Wildrose MLAs have shown leadership by paying back the funds. Not the PCs. Unbelievably, MLAs are sitting in the PC caucus while still owing money to taxpayers for work they did not do. Will the Premier show that she’s kept her election promises and . . .

**The Speaker:** Thank you.

**Ms Redford:** Mr. Speaker, we have been in extensive discussions with every member of this caucus with respect to this issue, and I can stand here and proudly say that every single member of our caucus has made arrangements and has already started to pay back that money. We know full well that it will be completed because it is the right thing to do.

**Ms Smith:** Mr. Speaker, given that the PCs have not made this information public – the Wildrose has demonstrated leadership by once again providing proof, which I’ll table also later today, that its members did the right thing and returned all funds owing – we challenge, no, we demand, on behalf of Albertans: will the PCs who sit here today in government give the money back before the Legislature rises for the summer?

**Ms Redford:** Mr. Speaker, we made a commitment during the election. We are keeping our commitment during the election. In fact, my understanding is that there are even people who were in this Progressive Conservative caucus who were not re-elected who paid back the money, which was not the case on the other side.

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

**The Speaker:** Member for Airdrie, you’re rising on a point of order? Noted.

**Ms Smith:** Mr. Speaker, as you know, the Premier is incorrect, and I’ll allow for my MLA to be able to correct her afterwards.

The Premier promised accountability, and she promised Albertans that every MLA would repay the no-meet money or they would not sit in her caucus. Voters have a right to know that that has happened. If the Premier will not table proof that all the funds have been repaid, will she keep her word and kick out the members of her caucus who have not repaid the money?

**Ms Redford:** Mr. Speaker, if that is the case, I make that commitment.

**The Speaker:** Just before we go to the third main question. The chair is having some difficulty hearing the debate and the questions. I wish we could just tone it down a little bit, please. Otherwise, I will bypass you and go to the next member.

The hon. opposition leader.

### Prohibited Donations to Political Parties

**Ms Smith:** Thank you, Mr. Speaker. To the Premier: now that, and with much gratitude, we have the official confirmation from the Chief Electoral Officer’s office that the information about proven illegal donations should be made public, should not be kept secret, can we have an end to this shameless cover-up? Will the Premier give her blessing to the Chief Electoral Officer to release, number one, the names of the offenders; number two, the party that they have donated to; and, number three, the penalty that they’ve received?

**Ms Redford:** As we’ve said many times in this House, we have Elections Alberta that is run by a Chief Electoral Officer, who – I will use the word again – is “independent” from this Legislature. Mr. Speaker, I am not in a position to tell the Chief Electoral Officer what to do or to give my blessing to anything he may or may not choose to do. I think that shows incredible contempt for the office and the independence of the office of the Chief Electoral Officer.

**Ms Smith:** Mr. Speaker, given that, will the Premier at least then give her blessing to the Chief Electoral Officer to release the dollar figure amounts of those donations given to her own PC Party and give this Legislature and all Albertans her commitment to return every single last cent of illegal donations given to her PC Party?



**Ms Redford:** Mr. Speaker, the first part of that question was the same as the first one. It is not for me to bless the Chief Electoral Officer, and I think it's incredible that the Leader of the Opposition would think that as a politician she had a right to do that. In terms of whether or not the Progressive Conservative Party has received any illegal donations, the party has spoken to that matter. That is not the case. The investigations continue, as I understand it, for a number of political parties.

**The Speaker:** Thank you.

### **Speaker's Ruling Questions about Political Party Activity**

**The Speaker:** I will take this opportunity to again remind members that government is accountable for its own policies, its own programs, its own services, and its budgets. It is not accountable for a party, and neither are you in that respect.

So let's move on, please.

### **Prohibited Donations to Political Parties (continued)**

**Ms Smith:** Thank you, Mr. Speaker. The Premier felt it necessary in this new Legislature to introduce a new Associate Minister of Accountability, Transparency and Transformation. Will she direct him to make it his first undertaking to review the report of former Chief Electoral Officer Lorne Gibson and develop a plan to implement his recommendations to ensure fair and transparent elections for the future of this province?

**Ms Redford:** Mr. Speaker, it was quite interesting for us – and the hon. Member for Airdrie was a part of the Progressive Conservative caucus when we went through this – to undertake an extensive review of the recommendations from the Chief Electoral Officer the last time that we reviewed the Election Act. What we have said is that as part of the work of the new associate minister of transparency he will be reviewing the suite of legislation that deals with conflict of interest, with political fundraising, and with elections. Now, on top of that, I believe that there was a letter tabled in this Legislature yesterday where the Minister of Justice went above and beyond and specifically solicited advice from the Chief Electoral Officer as to whether there were any changes he would like to see.

**The Speaker:** Thank you.

The hon. Member for Edmonton Centre.

### **2:00 Municipal Funding**

**Ms Blakeman:** Thanks very much, Mr. Speaker. There are several issues around municipal funding that this government has failed to address. Now, this government rages against the feds for taking more of Albertans' money than it gives back in equalization payments, yet it happily does exactly the same thing to Edmonton and Calgary. To the Premier: why do Edmonton and Calgary only get back pennies on the dollar for all the different taxes they pay? Calgary gets 8 cents back; Edmonton gets 6 cents back. [interjections] Oh, that seems to have distressed her. I'm sorry.

**Mr. Griffiths:** Mr. Speaker, I'd be curious where the hon. member would be getting her information from. I have heard arguments presented by different members of the AUMA that they don't get the same value for the dollar, but they're talking about,

specifically, dollars that go to municipalities. The same arguments have been made in rural Alberta. The argument we always make is that whether it's a municipal government or a provincial government or a federal government, we all serve the same clients, and all the dollars go back to every community to provide the services that Albertans need.

**Ms Blakeman:** With respect, the point that they're making is that they don't get that money back.

On to the next question. Why is the principle of stable, predictable three-year funding available only when applied to the MSI, the municipal sustainability initiative, and not to the 22 other grants that come from the province to the municipalities?

**Mr. Griffiths:** Mr. Speaker, that's not the case at all. We have said from day one that we wanted to secure stable funding for municipalities. It applies to all of the grant programs that we run through so that municipalities know what they have, what they can count on. MSI is the major portion of that funding because it makes up almost a billion of the \$2 billion that goes to the municipalities, but the commitment is the same for all of those programs.

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

**Ms Blakeman:** Thanks. Well, let's stay on MSI, then. How is the government going to implement its new commitment to increase MSI grants to \$1.6 billion a year by 2014 when it still hasn't delivered on its two-year-old promise to increase MSI funding to \$1.4 billion a year, especially given that all you managed to do last year was \$896 million? How are you going to do this?

**Mr. Griffiths:** Well, Mr. Speaker, we've been very clear from the beginning that we plan on – for 10 years the program was \$11.3 billion sent to municipalities. It was going to increase every year. Because of a global economic downturn it was difficult for the province to meet all of those obligations and targets. To get to the \$11.3 billion by 2017, we would have to approach \$1.6 billion. As we go through year-over-year fiscal plans, we're going to continue to try and meet that obligation and that promise that we made to municipalities five years ago.

**The Speaker:** The hon. leader of the NDP opposition.

### **Prohibited Donations to Political Parties (continued)**

**Mr. Mason:** Thank you very much, Mr. Speaker. Just yesterday the Solicitor General claimed that legislation which allows this government to hide illegal donations made to the PC Party was introduced on the recommendation of the previous Chief Electoral Officer, but the Chief Electoral Officer says that only investigations were to be in private, not conclusions. The Chief Electoral Officer says that the Justice minister isn't telling the truth. To the Justice minister: are you telling the truth?

**The Speaker:** Hon. minister, proceed if you wish.

**Mr. Denis:** Mr. Speaker, I'm not going to get into points of order here as I like this hon. member.

**The Speaker:** Are you rising on a point of order, are you rising to answer the question, or both?

**Mr. Denis:** I don't want to get into a point of order, Mr. Speaker. I'm prepared to answer the question.

**The Speaker:** The hon. leader, then.

**Mr. Mason:** He says that he's prepared to answer the question, but then he sits down. Mr. Speaker, it's a simple question.

This one to the Deputy Premier: when you said that changes to legislation that keep the results of investigations into illegal donations secret were introduced on the recommendation of the Chief Electoral Officer, were you telling the truth?

**Mr. Lukaszuk:** Mr. Speaker, first of all, I take objection to anyone in this House suggesting that I may not have been telling the truth at any point in time.

The member of the fourth party would be well served to research the legislation. Number one, there are two acts at play. One is the Election Act; the other one is the election finances act. Any monetary contributions to campaigns are made under the election finances act. I would invite him to read that act because there's only one little section on investigations. There's nothing in that act, in my opinion, that precludes the Chief Electoral Officer from releasing information, and if he chooses to do so, he's welcome to do it. He's independent. He needs no permission from this government.

**Mr. Mason:** He clearly believes otherwise, Mr. Speaker, and this government is involved in a premeditated cover-up.

To the Deputy Premier: will this government do the open and transparent thing, do the right thing, and write to the Progressive Conservative Party to demand that they voluntarily release details of the illegal donations that they have so willingly accepted in violation of the laws of this province?

#### **Speaker's Ruling**

#### **Questions about Political Party Activity**

**The Speaker:** Hon. member, I've just reminded a couple of previous speakers about that fine line. If you have a question that pertains to one of the officers that serve this Legislature independently or otherwise, that's a fair question. But we're treading on a very delicate piece of turf here.

Deputy Premier, I'll recognize you to respond if you wish.

#### **Prohibited Donations to Political Parties**

*(continued)*

**Mr. Lukaszuk:** To restate the obvious, if the Chief Electoral Officer chooses to release information, he's privileged to do so as per the independence of his office. Nothing, in my opinion, in the legislation prevents him from doing that.

But let me remind you, Mr. Speaker, that, yes, the Progressive Conservative Party of Alberta has publicly stated that it has been investigated, that there were some irregularities, and that money has been paid back. But there are other parties in this Chamber that have been investigated, and I wonder who they are.

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. I have new information in my hand that shows that this government is allowing the PC Party to stuff their coffers with illegal donations, but there's a twist. This document shows the Premier's own riding association took \$1,800 in illegal donations from Mount Royal University in 2008, with the PC Party collecting \$2,000 more. To the Minister of Justice: will the government commit today to amending the legislation to bring all violations to light?

**The Speaker:** Well, again we're treading on that fine line. This may be the last question that we allow in that vein. You might want to rephrase the next ones.

Hon. Deputy Premier, if you wish.

**Mr. Lukaszuk:** Well, Mr. Speaker, less than one week, and we're racing to the bottom.

But let me try to address that. If this member feels that he has information, for the benefit of the fact that he's a new member, first, table that information in this House, and (b) file it with the Chief Electoral Officer, who will, again, investigate it and report it if he feels it's appropriate to do so.

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

**Mr. Saskiw:** Thank you, Mr. Speaker. I will definitely table this document later.

Given the Premier made a funding announcement to Mount Royal right before the election and then during the election the Premier's picture appeared on the cover of their alumni magazine together with a puff piece, is it fair to say that Albertans should be concerned about this obvious unethical conflict of interest?

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

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

**The Speaker:** On a point of order? Thank you.

Hon. member, third question.

**Mr. Saskiw:** Given that the Premier herself is at the core of the problem by passing a law that makes convicted political parties unaccountable to Albertans and now that her own riding has accepted illegal donations, how can Albertans believe that the Premier . . .

**The Speaker:** The Government House Leader has risen on another point of order?

**Mr. Hancock:** Yes, Mr. Speaker.

**The Speaker:** Noted.

The Deputy Premier to answer.

**Mr. Lukaszuk:** Mr. Speaker, I will speak to it. As a member of this House and as a member of the bar, being a lawyer, this member should know two things. Number one, he is making suggestions that the Premier has done something illegal, yet he hasn't even tabled the document, nor has he given the privilege to the Chief Electoral Officer to investigate it.

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

**The Speaker:** Point of order noted.

**Mr. Lukaszuk:** Second of all, the member knows very well, Mr. Speaker, that there is a process by which allegations can be investigated. He should utilize that process. This is not the way we resolve issues in this House.

**The Speaker:** Thank you.

The hon. Member for Stony Plain.

#### **Highways 628 and 779**

**Mr. Lemke:** Thank you, Mr. Speaker. Secondary highways 628 and 779 are major arteries in Stony Plain and through Parkland

county. For over 12 years the town has implored the Ministry of Transportation to make much-needed upgrades to these roads, but as of yet little has been done. In fact, some of my constituents refer to 628 as a goat trail. To the Minister of Transportation: what is the provincial standard for when secondary highways such as highways 628 and 779 should be upgraded?

2:10

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

**Mr. McIver:** Thank you, Mr. Speaker. First of all, to the hon. member I would say that we don't consider any highways secondary. They're all provincial highways, and upgrades are done according to overall provincial priorities and available funding. Factors that determine that funding are traffic volumes, safety records, new developments, economic activity, and condition of the infrastructure. All those are matters along with the priorities of the day.

**Mr. Lemke:** My constituents will be delighted to hear that this is a primary highway.

First supplementary question to the same minister: given that the people of Stony Plain have seen irregular and inconsistent upgrades to these roads for over a decade with no date in sight, when will the government commit to making these repairs to ensure the safety of the people of my constituency?

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

**Mr. McIver:** Thank you, Mr. Speaker. The initial construction work has actually begun on highway 779 by Alberta Transportation. Utility work was completed by the town of Stony Plain in 2011. My department is moving forward with the engineering, land acquisition, driveway relocations, and railway crossings for the reconstruction of highway 779, and this work will need to be completed before the construction begins. Although the construction of highway 779 will take more time, we remain committed to completing the work.

I'm out of time, unfortunately. I'll talk to the member after on more details.

**Mr. Lemke:** Second supplementary question, again to the same minister: given that in 2009 Alberta Transportation added highway 779 upgrades to its three-year plan only to remove them again in 2012 after the town of Stony Plain had spent over \$3 million in infrastructure to prepare for the new road, will Alberta Transportation add these important improvements back into the three-year plan and follow through with their commitment to the town of Stony Plain?

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

**Mr. McIver:** Thank you, Mr. Speaker. No committed projects were cancelled, but they were moved back to meet our funding envelope. Transportation's overall budget for 2012-2013 is \$3.3 billion, of which \$1.95 billion is for program expense, and \$1.38 billion is for capital investment. As I said, some projects were deferred. Our total capital infrastructure program is still 38 per cent higher than the average of provinces in Canada at \$1,493 as opposed to \$1,081. To the hon. member: we understand it's a priority, and as the funding becomes available, we will get that job done.

**The Speaker:** The hon. Member for Strathmore-Brooks.

## National Energy Strategy

**Mr. Hale:** Thank you, Mr. Speaker. The Wildrose stands for defending Alberta's interests and standing up for our resource development. In contrast, the Premier prefers talking about her pet project, a vague national energy strategy, instead of getting results. Alberta needs concrete action to support the energy sector, not airy-fairy ideas that the Premier said that have little substance. We need pipelines to the west coast, to the U.S., and should support a west-to-east pipeline to diversify our markets, to get full value for our product, and to create jobs. Why did this Premier not focus on pipelines rather than pipe dreams at the Western Premiers' Conference?

**Mr. Lukaszuk:** Mr. Speaker, to refer to a Canadian energy strategy as airy-fairy is really not understanding the importance of this industry to this province and to this country. As a matter of fact, this initiative is supported by four western Premiers and by territorial Premiers. I don't think there is anything airy-fairy about it. As a matter of fact, this is leadership showing that as western provinces and, frankly, all of Canada we believe in responsible extraction of our natural resources.

**Mr. Hale:** The B.C. Premier wasn't even there.

Given that yesterday the Premier met with our western partners and once again touted this empty national energy strategy with no detail, no timeline, no deliveries, can the Premier tell us her national energy strategy with concrete details, or is she just going to keep having conversations? It's time to put some meat on the bone.

**Mr. Dallas:** Well, Mr. Speaker, the Premier commented yesterday that this is a discussion, and clearly there was consensus among western Premiers. The Premier has a Canadian energy strategy on the agenda for the national discussion coming up, and there are plenty of opportunities to flesh out details on this, build consensus, make sure that all provinces understand and buy in to the benefits of a Canadian energy strategy.

**Mr. Hale:** Given that we have seen federal leaders defame our resource development, pitting other provinces against us, will the Premier consider the Saskatchewan Premier for the job of Alberta's new ambassador to Ottawa to defend our interests because our Premier is missing in action?

**Mr. Dallas:** Mr. Speaker, I think no Premier in Canada has done a better job of articulating and advancing and promoting the interests of Alberta as a place of tremendous opportunity, opportunity not just for Albertans but opportunity for all Canadians.

**The Speaker:** The hon. Member for Barrhead-Morinville-Westlock.

## Postsecondary Tuition Fees

**Ms Kubinec:** Thank you, Mr. Speaker. This spring postsecondary students in Quebec have participated in a series of demonstrations, protests, and started a province-wide student strike about the cost of tuition. Government and student groups are at odds over the issue. The unrest has even turned violent, and the Quebec government has created legislation to force an end to the strike. My first question is to the Minister of Enterprise and Advanced Education. Student groups in our province have staged protests in the past and

most recently supported Quebec's students with a rally in Edmonton. What is preventing a full-scale student strike in Alberta?

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

**Mr. Khan:** Thank you, Mr. Speaker, for the opportunity to address my colleagues for the first time in this House. There are a number of reasons why this government has a strong relationship with Alberta students and postsecondary stakeholders overall. Like my predecessors, I look forward to meeting with student groups and other stakeholders to hear directly from them on issues such as tuition or any other issues they wish to speak of. I believe most students understand that this government has ensured that postsecondaries have stable three-year funding and that the rates of tuition are capped at CPI. Alberta is a leader in Canada for scholarships and bursaries, and we will continue to provide this access to education for all Albertans.

**Ms Kubinec:** Mr. Speaker, my second question is also to the Minister of Enterprise and Advanced Education. Institutions talk about rising costs of their own and how those costs have been passed on down to the student. Is this minister planning to allow the postsecondaries to introduce more market modifiers to help institutions who are finding it hard to cover their costs?

**Mr. Khan:** Mr. Speaker, Albertan tuition costs are in line with the national average, and tuition fee regulation is keeping tuition increases at a manageable level. As a one-time initiative market modifiers were introduced on a select number of programs because anomalies existed when the current tuition fee was implemented. The six modifiers were necessary at the time and effective in making these programs more competitive with similar programs outside the province. We continually monitor the cost of delivery and the costs associated with being a student; however, there are no plans to reintroduce market modifiers at this time.

**Ms Kubinec:** My final question is to the same minister. Tuition is only a part of the equation. What is this minister doing to control noninstructional fees, and is it the time now to develop a regulation around these fees?

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

**Mr. Khan:** Thank you, Mr. Speaker. Students need to know that any new fees have to add value to their education. I do not believe that to achieve this, we need to make any regulation changes or develop entirely new sets of regulations. We've asked all Campus Alberta institutions to develop formal policies around these fees with formal consultation with student groups. My predecessors have done an excellent job in this area, including student groups as stakeholders in the purview of the provincial tuition rises. Students and taxpayers and Albertans understand that the government of Alberta currently subsidizes 75 per cent of the cost of postsecondary education.

**The Speaker:** Thank you.

The hon. Member for Calgary-Buffalo, followed by the Member from Edmonton-Calder.

### **Twinning of Highway 63**

**Mr. Hehr:** Thank you very much, Mr. Speaker. We've been building roads for a hundred years in this province, so it should be fairly easy to complete the twinning of highway 63, but the trouble is that this government has now run five consecutive deficits, the heritage fund is worth less than it was in 1976, and the

coffers are bare. Today as it stands, we are spending all our resource revenues on things we use today. To the Minister of Transportation: can you please confirm with me that we're not actually going to dip into the heritage savings trust fund to pay for this road?

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

2:20

**Mr. McIver:** Thank you, Mr. Speaker. As I have made clear in the House the last two days in a row, in the next budget there's \$450 million over the next three years to build the first hundred kilometres of this road. As the hon. member also knows, we'll be coming forward with a report at about the end of June on plans to further that. We have committed that we will twin the entire road, and the financing for that will be announced in due course. I would say that there's no plan to dip into the heritage fund at this time, that I'm aware of. We will make the announcement at the appropriate time.

**The Speaker:** Thank you.

**Mr. Hehr:** Well, given that this government is unwilling to ask citizens to pay for things they use, like roads, through taxation, will you commit to paying for highway 63 through a toll instead of on the backs of future generations?

**Mr. McIver:** Mr. Speaker, I thank the hon. member for the question. As we said, I am working with my ministerial staff and the hon. Member for Fort McMurray-Wood Buffalo. Between us we are getting a wide variety of opinions on ways to pay for this road, and amongst those discussions will be tolls. There is no commitment to charge tolls or not to, and in the fullness of time we will bring that report to the House, and all will be revealed when the decision is made. I thank the hon. member for suggesting tolls as one of the options.

**Mr. Hehr:** The reason I suggest tolls is because you have a fiscal deficit because you spend the oil money as soon as it comes in. So there's only one way to do it, either raise taxation or build a toll. You won't tax people. Will you commit to paying for building this road through a toll?

**Mr. McIver:** Mr. Speaker, despite the fact that I couldn't hear a question there, I will do my best to respond anyway. As we've made very clear, our government is committed to looking at all of the options, and after we have that fulsome discussion and we get some informed advice, we will make the best decision that we can on behalf of all Albertans. When we make that decision, we will share it with all Albertans. I look forward to that, and I hope the hon. member will be paying attention when that happens.

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

### **Special-needs Education Funding**

**Mr. Eggen:** Thanks, Mr. Speaker. This PC government is supposed to be funding school boards so that they can properly support students with special needs. However, the Edmonton public school board recently reported that it has been forced to increase special-needs funding by \$21.8 million, or about 31 per cent. Even with the modest pre-election announcement for special ed here the funding gap is huge. Why is the provincial government

forcing school boards to carry this funding shortfall, which ultimately results in shortchanging every student in public education?

**Mr. Lukaszuk:** Well, Mr. Speaker, this particular member wasn't in this House when the budget was debated, so let me share some good news with him. For our first time in the history of this province we have passed a three-year budget for education, which is growing from \$6.8 billion to \$7.1 billion over three years, which roughly is at \$34 million per school day. Funding for inclusive education has grown by \$68 million, which is equivalent to 22 per cent. Now, if my memory is correct, the funding for special education for the Edmonton public school board has grown from \$36 million to \$52 million, a very significant increase.

**Mr. Eggen:** Mr. Speaker, the funding for special needs has been flat and has been increasing dramatically for not just Edmonton public but other school boards as well. You know, the question is whether we can fund or not fund moderate special-needs programs in our schools because of the discrepancy that was allocated for special ed. What was spent in Edmonton public was between \$45 million and \$60 million in the last four years. So numbers are fine, but the facts on the ground speak differently.

**The Speaker:** Thank you.

**Mr. Lukaszuk:** I'm not sure if there was a question, so I will take the liberty of telling him, Mr. Speaker, that an increase of 22 per cent is hardly flat. It's quite a significant increase. The Edmonton public school board is receiving additional funding. Their funding for special needs is growing from \$36 million to that of \$52 million, quite a significant increase. There is nothing flat about that. So a 22 per cent increase for special funding and an increase of \$6.8 billion to \$7.2 billion: that's a great investment in education.

**Mr. Eggen:** Well, Mr. Speaker, I'd be glad to table the report that we have from Edmonton public that demonstrates that we're only getting about a third of the funding that is required to meet the special-needs education in Edmonton public schools. Will the minister commit and consult to ensure that special-needs students get the support that they need without jeopardizing the quality of education for all Alberta students? The discrepancy is there. It's on the paper.

**Mr. Lukaszuk:** Mr. Speaker, nothing needs to be tabled. The budget has been debated and passed in this House and is a public document. Spending on education is growing, I say one more time, from \$6.8 billion to \$7.1 billion. That is very significant. It is predictable. It's a three-year budget. It is good news for Alberta education. Alberta students are getting one of the best education systems in the world, and that particular school board is getting a significant increase as well.

### **Twinning of Highway 63** (continued)

**Mr. Barnes:** Mr. Speaker, people are fearful to drive highway 63 to Fort McMurray. Five years ago I was taking a group of baseball players there from Medicine Hat. Unbelievably, it took several meetings with our parents to convince them to go. This was a trip in our own province, and parents felt their boys would be unsafe. This fear is keeping people away from Fort McMurray and costing thousands in economic opportunities in tourism. Wildrose stands for economic development. To the Minister of Transportation:

how can he feel it's appropriate to drag this project out when every day it's risking lives and costing Fort McMurray thousands?

**Mr. McIver:** Well, Mr. Speaker, I would say to the hon. member that asked the question that he should do what I did and drive up that road right now, and he would see there is lots of equipment moving, lots of work under way, lots of road construction going on. This government is taking action. This government has in the next three years' budget \$450 million. There's already been a hundred kilometres of trees and brush cleared. I would say to the hon. member: those trees didn't cut themselves down; the workers under this government did. We will continue to do that work until that highway is twinned because we are taking action on highway 63.

**Mr. Barnes:** Mr. Speaker, I took this trip in 2007, and the promise was already a year old. It's my understanding that only somewhere between 19 and 50 kilometres have been completed. Can you explain that in action, please?

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

**Mr. McIver:** Thank you, Mr. Speaker. The actions taking place are that there's already about a billion dollars in roads, bridges, and other construction in and around Fort McMurray, either complete or well under way today.

Again I would repeat for the hon. member: there's another first hundred kilometres of road that will be completed three years from now. It's already in the budget. Nothing else needs to be done. I would remind the hon. member that we are working with the hon. Member for Fort McMurray-Wood Buffalo to put together a plan to speed up the northern part of the road. That's nothing but action. The hon. member asked for it. The hon. member actually already has it.

**Mr. Barnes:** Mr. Speaker, given that this government has a track record of cherry-picking recommendations, why did you not just listen to the residents of Fort McMurray?

**Mr. McIver:** Actually, Mr. Speaker, I think I just pointed out that I was up there listening to the residents, talking to the mayor of Fort McMurray and other people. I would remind the speaker that the hon. Member for Fort McMurray-Wood Buffalo is a resident. We're certainly listening to him.

Mr. Speaker, I think Albertans and people from Fort McMurray-Wood Buffalo would be glad about who they chose in the election because the other party's recommendation was to cut our expenditures on infrastructure back by 25 per cent for four years in a row. That would leave those people waiting a lot longer.

**The Speaker:** The hon. Member for Fort Saskatchewan-Vegreville, followed by the hon. Member for Innisfail-Sylvan Lake.

2:30

### **Emergency Medical Services**

**Ms Fenske:** Thank you, Mr. Speaker. During the recent campaign there were many comments made to me about the EMS service. Constituents provided a variety of comments about ways to improve that. My question is to the Minister of Health. I understand you have asked the Health Quality Council of Alberta to undertake a review of EMS services. This review comes nearly three years after EMS has transitioned under Alberta Health Services. With all these issues around ambulance response times why has it taken nearly three years to call this review?

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

**Mr. Horne:** Thank you very much, Mr. Speaker, and thank you to the hon. member for the question. The government announced the review in February, following the receipt of the Health Quality Council of Alberta report that looked into a number of health care related issues. Emergency medical services was one of those issues. One thing I'd want to make very clear is that while this review will deal with a number of the issues the hon. member mentions, it will not change the government's policy decision that EMS is health care and belongs as part of the health care system.

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

**Ms Fenske:** Thank you. To the same minister: could you provide us with a progress report or an update of some kind on this project?

**Mr. Horne:** I'm very happy to do that, Mr. Speaker. The review is expected to be completed in October. It will be a public report. It will be issued by the Health Quality Council directly. It will examine a number of the issues around transition that have been raised in this House and elsewhere, things such as dispatch consolidation, challenges specifically related to the integration of fire and EMS services in some parts of the province, and the availability and adequacy of data on EMS.

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

**Ms Fenske:** Thank you. My question for the same minister: what are the remaining opportunities for the general public, for emergency response providers, and for municipalities to participate in this review?

**Mr. Horne:** Mr. Speaker, that question would be best directed to the Health Quality Council as they're conducting the review. But I can inform the member and the House that a number of key stakeholders have been identified who, I believe, have approached the Health Quality Council and may have been in fact engaged. Those include Alberta Health Services, of course, the Firefighters Association, the Association of Chiefs of Police, the Alberta Urban Municipalities Association, and the Alberta Association of Municipal Districts and Counties. Those organizations as well as community organizations and members of the general public are all welcome to contact the Health Quality Council in this regard.

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

### Family Care Clinics

**Mrs. Towle:** Thank you, Mr. Speaker. Yesterday, when asked about the government's big plan for family care clinics, the Minister of Health, not surprisingly, failed to answer the questions. When asked how the government will pay to build and operate 140 of these new clinics, the Health minister shook off the question, saying that he does not "preoccupy himself with questions of infrastructure." Well, Albertans want to know where the money is coming from. Again to the Health minister: how are you going to pay to build, staff, and operate 140 new state-run clinics?

**Mr. Horne:** Mr. Speaker, the response I gave yesterday in answer to the question yesterday was a reflection of the fact that members opposite do not seem to understand that the commitment of this government is to offer primary health care teams to every Albertan in or near their home community across the province.

While others may wish to be preoccupied with discussions about buildings and budget – and those will be addressed in due course – I want to remind this House that both family care clinics and primary care networks are going to be the vehicles that we use to deliver on this commitment. There's \$75 million that was earmarked in Budget 2012 for primary care. There are many, many clinics and organizations across the province that are already delivering primary care services, and many of those will have a role in delivering on this commitment.

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

**Mrs. Towle:** Thank you, Mr. Speaker. I find it hard to believe that with 140 new clinics there was no plan, no costing whatsoever. Nobody disputes that we need to add primary care for Albertans. The concern is that you won't be adding capacity at all, only further centralizing the system, as you did with the superboard.

Again to the Health minister: can you explain how many of these state-run clinics will be additional capacity and how many will merely replace what we already have, like what happened in Calgary with the Mosaic primary care network?

**Mr. Horne:** Mr. Speaker, as I said yesterday, we are not going to take a cookie-cutter approach to this exercise. We have tremendous resources, a great portion of my budget invested in primary health care delivery currently across the province. The question is how to use those resources and additional resources which we will allocate to them to expand the availability of care to all Albertans. That includes the services of family physicians, but as I said before, it includes the services of other professionals such as nurse practitioners, who have a greater role to play in delivering these critical services.

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

**Mrs. Towle:** Thank you, Mr. Speaker. Given that the Health minister doesn't want to preoccupy himself with matters of infrastructure, I will ask the Minister of Infrastructure. Minister, where are the other 137 state-run clinics going to be, and where are you going to find the money to build them?

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

**Mr. Drysdale:** Thank you, Mr. Speaker. We're working on that in consultation with Health. I don't know about state run. There will be no state-run facilities in this province. We'll be discussing that with my colleagues in putting together the funding necessary to do this.

Thank you.

**The Speaker:** Thank you.

I understand the hon. Member for Edmonton-Ellerslie is scheduled to go next, followed by the hon. Member for Lacombe-Ponoka.

### Edmonton Folk Music Festival

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. The Edmonton Folk Music Festival is one of the most successful folk music festivals in North America. From humble roots in 1980 this festival has grown to an annual attendance of approximately 85,000 and attracts some of the biggest and best local, national, and international musicians. Despite its proven success the government seems to undervalue the festival by not providing it

with the financial support it needs and deserves. My first question to the Minister of Culture: what kind of financial support is available to the Edmonton Folk Music Festival?

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

**Mrs. Klimchuk:** Thank you, Mr. Speaker. Thank you for that question. Indeed, the Edmonton folk festival is one of the most impressive festivals that takes place this summer in Festival City, in Edmonton. Currently the festival is eligible for funding under the Alberta Foundation for the Arts through the arts presenting grant and as well through the community spirit donation.

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

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. My next question to the same minister. Edmonton is not the only music festival in the province. Can the minister explain how Edmonton's funding compares to funding provided to other festivals, including the Calgary Folk Music Festival?

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

**Mrs. Klimchuk:** Thank you, Mr. Speaker. As you well know, there are festivals that happen all over Alberta, from Slave Lake down to Pincher Creek. The Calgary and the Edmonton folk festivals receive the bulk of the funding because of the amount of people that attend those festivals. Also, the funding is not a cookie-cutter approach. We look at each individual application separately. We also look at the talent that comes from international, national, and from within Alberta when they come and perform.

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

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. My final question to the same minister: has funding for arts decreased in our province over the years?

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

**Mrs. Klimchuk:** Thank you, Mr. Speaker. I'm happy to answer this question. We know that funding to the Alberta Foundation for the Arts has increased approximately 59 per cent in the past seven years, from \$16.9 million to \$27.9 million in 2012-13. In March of 2012, just this last couple of months ago, an additional \$1 million was provided through AFA to assist more artists and organizations with supplemental grants.

**The Speaker:** The hon. Member for Lacombe-Ponoka, followed by the hon. Member for Leduc-Beaumont.

#### Veterans' Licence Plates

**Mr. Fox:** Thank you, Mr. Speaker. The Wildrose stands for fiscal responsibility and budgeting on clear priorities. The current government believes in squeezing Albertans to pay for corporate welfare and pet projects. In recent years the government has raised the tax burden on Albertans through service fee hikes across the board. One of the most offensive was the fee hike on the veteran's licence plate. To the minister: when will this government stop nickel and diming our heroes and scrap the fee hike on our veterans' licence plates?

**Mr. Bhullar:** Mr. Speaker, first of all, I'd like to congratulate the member for asking his first question in the House.

Secondly, I'd like to say that his question was absolutely false. There was no tax hike. There was no increase on the veterans. There was no increase on the veteran's licence plate. In fact, veterans today can go in, exchange their Alberta licence plate, and get a veteran's plate free of charge.

**Mr. Fox:** I do believe there was a 6 per cent hike on renewals that went from \$64 to \$71.

Mr. Speaker, is the minister actually telling us that he thinks this excessive tax grab from veterans is justified to cover the skewed PC government priorities like spending nearly a million dollars on a patronage appointment in Ottawa?

2:40

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

**Mr. Bhullar:** Thank you very much, Mr. Speaker. I think the member is getting confused with respect to the way some items appear in the budget. However, hon. member, please take a review of that once again. There was no separate fee for veterans' licence plates. In fact, since we've introduced the veteran's licence plate, last November I introduced the veteran's licence plate for motorcycles. On this side of the House we respect our veterans, we honour them, and we will continue to do that.

**Mr. Fox:** Mr. Speaker, I'm happy to hear that the other side of the Chamber here does respect our veterans, but given that the government has promised no new taxes for the next three years, can the minister opposite promise that Service Alberta will not bring in any more hidden taxes or fee hikes over the next three years?

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

**Mr. Bhullar:** Thank you very much, Mr. Speaker. The fact remains that the cost of doing business does increase. For example, in the last 10 years for all motor vehicle products the cost of running these products went up by 109 per cent. Land title services increased by 71 per cent. From time to time fees must go up to account for the cost of providing those services. On this side of the House we have made a commitment to no new taxes and no tax increases. We have been open and transparent about our agenda, and that's why we're on this side of the House and not that.

#### Members' Statements

(continued)

**The Speaker:** Hon. Member for Barrhead-Morinville-Westlock, you have a member's statement.

#### Alberta 4-H Program

**Ms Kubinec:** Mr. Speaker, it is my pleasure to rise today and recognize an organization that is dedicated to the personal development of youth while providing a positive impact on volunteers and communities in Alberta, an organization whose vision is to develop leadership, communication, technical and life skills to all its members and leaders. I am of course referring to the 4-H program, a program that now has 35,000 members and 10,000 leaders across Canada. My own children belong to 4-H.

In Alberta 4-H first started in 1917, and over 180,000 people, approximately 7 per cent of our population, have gone through the program. Alberta 4-H is the largest in the country, with over 8,100 members and 2,600 volunteers in 442 clubs across the province. The key objective of 4-H is to learn through hands-on experience

as all members are encouraged to gain knowledge and skills by actively participating in the projects that are offered. There are over 33 projects available in the Alberta program, projects that range from teaching its members how to care for small animals to ones involving photography and others that incorporate veterinary science.

Members have the chance to develop self-confidence and improve self-esteem; learn communication and public speaking skills; make new friends across the province, the country, and the world; win awards, trips, scholarships, bursaries; and, most importantly, have fun. Projects are open to all youths aged nine to 21, whether they come from the city, town, acreage, or a farm. There are also many activities for the whole family, and everyone is encouraged to attend meetings and social events. For those interested in gaining leadership experience, Alberta 4-H has a volunteer program for all those over 18. By organizing activities and helping 4-H members set and achieve goals, these volunteer leaders have the opportunity to gain new leadership skills.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Livingstone-Macleod.

#### **Flood Risk Management in Southern Alberta**

**Mr. Stier:** Thank you, Mr. Speaker. The floods in 2005 devastated many Alberta families and communities throughout Alberta and especially in the southwest region near my riding of Livingstone-Macleod. Communities banded together during those tough times and showed the great Alberta spirit of compassion, resilience, and hard work that many across Canada and the world have come to know this great province for.

Shortly after these floods the Alberta flood management committee was asked to produce a report on flood prevention. The report was titled Alberta Flood Mitigation Report and began shortly after the 2005 floods had taken place but, unfortunately, was put on hold when the Premier at the time announced that he would be stepping down. The report was all but finalized except for financial details, which were reported to be based upon federal assistance programs.

Sadly, the report was mothballed before the federal government ever had a chance to see the figures as Alberta communities continued to be left in the dark. The following Premier had seen the report but failed to release it to the public despite the protests of the former MLA for Greenwood, who chaired the committee.

I have to agree with the former Premier when he said that there were a number of good recommendations in the report that we have to implement, and if we don't, we will see this recurring in the province. But now it's clear that the government isn't prepared to follow through on the report and doesn't want to be tied down to making the necessary improvements for these communities, and that isn't good enough.

Mr. Speaker, as we are now approaching the same season, where 64 communities in Alberta are vulnerable to flood risk, I would like to ask that this government release this study to the public and make efforts to immediately implement all recommendations made, to give Albertans the comfort of knowing that this government is prepared to respond if tragedy ever strikes again.

Thank you.

#### **Introduction of Bills**

**The Speaker:** The hon. Member for Strathcona-Sherwood Park.

#### **Bill 201**

#### **Scrap Metal Dealers and Recyclers Identification Act**

**Mr. Quest:** Thank you, Mr. Speaker. I request leave to introduce Bill 201, the Scrap Metal Dealers and Recyclers Identification Act.

This bill addresses scrap metal theft, which is becoming a serious problem in our ever-growing province of Alberta, by requiring scrap metal dealers and recyclers to record information about the identity of individuals selling recycled metal. This information could then be used by peace officers during scrap metal theft investigations, thereby deterring this type of theft in the province.

Thank you, Mr. Speaker.

[Motion carried; Bill 201 read a first time]

#### **Tabling Returns and Reports**

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

**Ms Smith:** Thank you, Mr. Speaker. I have four items to table today, with the appropriate number of copies. The first is a letter from Ken Kowalski indicating the members who were on the no-meet committee, the Committee on Privileges and Elections, Standing Orders and Printing, that were re-elected on April 23, 2012: the hon. Member for Calgary-East, the hon. Member for Lesser Slave Lake, the hon. Member for Calgary-Bow, the hon. Member for Bonnyville-Cold Lake, the hon. Member for Lethbridge-East, the hon. Member for Strathcona, the hon. Member for Edmonton-Mill Creek, and the hon. Member for Athabasca-Redwater. I table the appropriate number of copies.

I table the appropriate number of copies as well of a notice from the director of human resources and information technology to the former hon. Member for Calgary-Glenmore indicating, and I quote: during the entire period of time that he was appointed to this particular committee he was also appointed to more than three Assembly committees and thus was not eligible and did not receive any compensation for his service on the Standing Committee on Privileges and Elections, Standing Orders and Printing.

I also table a similar document from this office regarding the hon. Member for Calgary-Fish Creek indicating the amount that she owes, which she read into the record yesterday, and that has been paid back in full.

The fourth tabling in the appropriate numbers is a Freedom of Information and Protection of Privacy Act request which we received May 10 from Mount Royal University regarding alleged illegal donations to the Calgary-Buffalo PC Association, the Calgary-Lougheed PC Association, the PC Alberta annual general meeting and convention, and two amounts in the amount of \$900 each on November 13, 2008, to the Calgary-Elbow PC Association dinner as well as November 27, 2008, to the Calgary-Elbow PC Association event.

Thank you, Mr. Speaker.

2:50

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

**Ms Blakeman:** Thanks very much, Mr. Speaker. I have two tablings today. The first is a long letter from a constituent, Freda Bisset, who's very concerned that the Alberta Dental Association stopped producing a fee schedule in 1997. She details a number of the results of that, which is making it very hard for a number of



people to be able to cope with the new amounts and what they get back from any coverage on it.

My second tabling today is a long series of e-mails between myself and a constituent, Chantele Theroux, who's also written to a number of other members of this House, in that her condo was built with such shoddy practices that her condo association is now subject to a number of additional assessments and she is on the verge, if she hasn't already, of losing her condominium despite being a very good homeowner and on good terms with her bank. But it's \$34,000 worth of additional assessments, and she just can't handle that. So thanks very much, government. That's not keeping people in their homes.

Thank you very much.

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

**Mr. Anderson:** Thank you, Mr. Speaker. I'm happy to table five copies of roughly 2,000 signatures, each gathered just over this weekend, in fact, Minister of Culture, from the Falun Dafa Association of Calgary. They urge the Legislative Assembly of Alberta to

- ... invite Shen Yun Performing Arts back to the Southern Alberta Jubilee Auditorium ...
- Urge the Premier to see to it that the management at the Southern Alberta Jubilee Auditorium apologize to Shen Yun for their unprofessional conduct
- Urge the Premier to see to it that the net placed over the orchestra pit at the Southern Alberta Jubilee Auditorium is removed for Shen Yun performances to allow proper expression of the arts.

I would note that that has been done in hundreds of other venues across North America without any problem. With that, I'll table these.

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following document was deposited with the office of the Clerk: on behalf of the hon. Mr. Lukaszuk, Deputy Premier, *Globe and Mail* website article dated May 28, 2012, entitled Clark To Miss Western Premiers Meeting.

**The Speaker:** Hon. members, before we get into a long stretch of points of order and a ruling on a point of privilege, might we briefly revert to Introduction of Guests?

[Unanimous consent granted]

### Introduction of Guests

(continued)

**The Speaker:** Please, hon. Member for Vermilion-Lloydminster.

**Dr. Starke:** Thank you very much, Mr. Speaker, and thank you to my hon. colleagues for allowing me to introduce a group of people that are very important to me and have travelled from across the province to be here today. They're members of my family. I'd like to introduce Dr. Carola Starke, my sister; along with her two daughters, my nieces, Angela and Lydia – they are residents of Edmonton-Riverview – my in-laws, my mother-in-law and father-in-law, from Lacombe, Alberta, residents of Lacombe-Ponoka, Al and Doris Chiswell; my son, Roland Starke, who's a resident of Edmonton-Highlands-Norwood and is a second-year seminary student at Concordia Lutheran Seminary; and my mom, who turned 90 two weeks before April 23. Because I was otherwise occupied, I was unable to celebrate her birthday with her on that day.

**Some Hon. Members:** Shame.

**Dr. Starke:** That's pretty much what she said, too.

I'd also like to say that she is a resident of Edmonton-Calder. Last, but certainly not least, my partner and best friend, my wife, Alison, who is a resident of Vermilion-Lloydminster and actually got to vote for me. Please join in giving them the traditional warm greeting of the members of the Assembly.

**The Speaker:** We'll proceed with some points of order, then. The hon. Member for Airdrie.

**Mr. Anderson:** Thank you, Mr. Speaker. I'd like to refer to our standing orders in Standing Order 23, particularly (h), (i), and (j). Would you like me to proceed with both of them at the same time?

**The Speaker:** Let's do one first.

### Point of Order Factual Accuracy

**Mr. Anderson:** One first. Okay. Well, the first one that I stood on was with regard to a statement made opposite by the Premier implying, of course, that the former member of this Legislature, Mr. Paul Hinman, who is no longer a member in this House, specifically did not pay back the money that he received from the illustrious no-meet committee. As you saw, Mr. Hinman asked the Legislative Assembly Office whether he had received any money for sitting on that no-meet committee, and he received a letter in return very clearly indicating – and that letter was tabled earlier – that he had not received a dime for sitting on that committee. So I would ask somebody over there to retract the Premier's statement on that because it was just absolutely untrue.

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

**Mr. Hancock:** Thank you, Mr. Speaker. Well, there's no point of order, obviously, because 23(h), as I read it, says: "makes allegations against another Member." Unfortunately for the former Member for Calgary-Glenmore, he's no longer a member, so no allegation was made against a member. That would be a technicality, however.

The reality that we've seen over the course of this rather unfortunate discussion about a no-meet committee: all members who are in this House and those who aspired to the House should know the amount of work that every MLA on every side of the House has put in, fully deserving the compensation they get for the work that they do. On this whole issue about a no-meet committee, particularly one like the Standing Committee on Privileges and Elections, Standing Orders and Printing, which should only meet in the rarest of circumstances – you don't change your standing orders every day, and you certainly don't want to meet in a court on questions of privilege every day – everybody knows that that committee is not supposed to meet, and everybody knows that people were being compensated for the work they did.

That aside, one can understand the confusion when in one day in the press the former Member for Calgary-Glenmore is quoted as saying that he's not going to pay any money back because he worked very hard for every dollar he got, and quite frankly I agree with him, and then the very next day – it was a Friday and a Saturday, as I recall – somebody must have talked to him because he's very quickly then saying he is going to pay all the money back. Then all of a sudden he discovered he was right in the first place, perhaps in accordance with what now is being tabled in the

House, that he didn't have any money to pay back in the first place.

You know, this stuff gets bandied around in the public by people who make statements and impugn the character of people without knowing the facts and then expect . . .

**Mr. Anderson:** Just like the Premier just did.

**Mr. Hancock:** No.

With all due respect, the members opposite made this an issue for their own political gain when they didn't have the facts, and they knew what they were talking about was inappropriate. They knew what they were talking about was trying to besmirch the character of members who work hard on all sides of the House, and now they're upset because that information that was public now may be, by the filings that they put in place, rendered to be something different than what was understood publicly.

If that's the case, that the hon. member didn't owe any money . . .

**The Speaker:** Hon. Government House Leader, thank you. I think this is a point of clarification. It has been sufficiently commented on and clarified. We're going to move on.

You had the second point of order, hon. Government House Leader.

#### Point of Order

##### Allegations against a Member

**Mr. Hancock:** Mr. Speaker, yes, under Standing Order 23(h), making allegations against another member; (i), imputing false or unavowed motives to another member; (j), using abusive or insulting language. In my view this is a point of order. The hon. Member for Lac La Biche-St. Paul-Two Hills raised during his question an allegation, as I recall the wording, that the Premier, who is a member of the House, accepted illegal donations.

Mr. Speaker, first of all, I think also under *House of Commons Procedure and Practice*, 2nd edition – I probably should be using the third edition now – chapter 11, pages 501, 502, and 503, sets out some very clear rules relative to questions, and I think all members should be availing themselves of the opportunity to read and understand these. The allegation that the hon. member made, as I recall it, was in the supplementary, in which he shouldn't have been making an allegation because there isn't supposed to be a preamble to supplementaries, created disorder, reflects on the character or conduct of members of the House, asks a question which is outside of the administrative responsibility of the government – and that was a question about party financing – but also presumes that there was, in fact, an illegal donation. Mr. Speaker, we don't know that.

3:00

Just because the hon. member presumably was referring to what has since been tabled, a statement released under a FOIP request, obviously, about something that Mount Royal may have done in the past, what they do not know is whether or not that was caught at the time and returned, as has been the situation in many circumstances that I'm personally aware of where a donor or somebody who was attending a function made a cheque on behalf of an organization that wasn't supposed to. You immediately catch that, and then you go back and say, "You can't do it this way," and the individual who is attending makes his own personal cheque. That might have happened. There may be all sorts of explanations around that, but the hon. member didn't give the Premier or any other member of the House an opportunity to deal

with the issue in an appropriate way because they brought it to the House to malign the character of a member rather than sending it to the Chief Electoral Officer for a proper investigation, which he fully ought to know should be done.

**Mr. Anderson:** It's good to be back in this House, seeing such passionate defences given.

First off, in response to the Government House Leader, the member did not at any time say that the Premier did anything illegal. The exact text of the question, which I'm sure he can look up after, was: "Given that the Premier herself is at the core of the problem by passing a law," which we all know is true, "that makes convicted political parties unaccountable to Albertans and now that her own riding," referring to her riding association, "has accepted illegal donations, how can Albertans believe . . ." and so forth.

Clearly, he was not saying that the Premier did anything illegal. He was saying that her riding association accepted illegal donations. We stand by the document that was tabled. If that document is false, then I invite the government to prove that it's false. It sure doesn't look false on the face of it, but perhaps it is. An answer was not given. But clearly this member did not impugn the character of the Premier. It is the riding association that has accepted illegal donations.

Secondly, with regard to preambles we know that there is a long-standing tradition in this House – we've been using it for certainly as long as I've been here – that in your preambles you can say at the beginning of a question "given that," preface it that way, and then go on to the question so that there's some context to the preamble. Otherwise, people listening at home wouldn't have a clue what we were talking about. So we've been using that. Clearly, in his question he said "given that," so he did not abuse that privilege. Actually, it was a very short question. When he read it, it was roughly 20 seconds long, which is about half as long as this minister's answers to most questions in the House.

I think it was a fair question, and I think clarification has been given.

**The Speaker:** Are there others?

Hon. members, you will recall that the chair interjected on three or four occasions when this line of questioning was being pursued or different comments were being made with respect to the issue at hand. I want to just make a point here. I've been in this Assembly a long time. Some of you have been here as long as I have, and one person has been here even longer. It's a very, very fine line we tread when we start making comments that might malign someone's character or, as I stated in my credo speech, making comments that amount, perhaps, to character assassination or whatever.

Stating that a member is or has been or was engaged in some form of illegal activity certainly constitutes an allegation against a member under Standing Order 23(h). I understand that, and I'm sure you do as well. However, there has been no finding of illegality in this matter, at least not to the chair's knowledge. If you find that there are issues like this and you want to do the proper research on it, there are offices of the Ethics Commissioner. There are offices of the Privacy Commissioner. Anything concerning a possible conflict of interest: the chair would strongly advise you to avail yourselves of those independent officers.

This issue, however, is of a serious enough nature that I'm going to actually take a day to read the actual *Hansard*. I haven't had all the Blues provided to me yet. I'm not prepared to make a ruling on it, honestly, right now, but I will make a firm ruling on it

tomorrow, and I hope it will bring the tone and the timbre of questions like this under greater focus for each of the members.

Third point of order, the hon. Member for Airdrie.

### Point of Order

#### Factual Accuracy

**Mr. Anderson:** Well, Mr. Speaker, it goes to something that was said by the Deputy Premier – God bless his soul – when he said in his statement that the Member for Lac La Biche-St. Paul-Two Hills in his question had accused the Premier of doing something illegal. When you review the Blues, if they are consistent with what this member was reading off, the paper that he was reading from when he asked the question, then you will see that, in fact, he was simply pointing out that the Premier's riding had accepted illegal donations.

If we're not able in this House to come forward and discuss an issue and question the government on whether their riding associations or whether the Premier, the most powerful person in the province, or her constituency association is accepting illegal donations and why we can't ask the Justice minister to change the law to keep that from happening or disclosing the information – as you eloquently put it, Mr. Speaker, we would like to know these things. We would like to know whether it was illegal or not, but we'll never know because Elections Alberta is prohibited from telling us. There's nothing the Ethics Commissioner or anyone can do for us that will allow us to know if anything illegal was done as long as this cloak of secrecy is maintained by the government.

I would say again that this member did not say that the Premier did anything illegal but did say that there were illegal donations accepted by her riding association, as was lined out by the documents tabled by the Leader of the Official Opposition.

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

**Mr. Hancock:** Thank you, Mr. Speaker. Well, the hon. member failed to provide any citations, so I'm not exactly sure what he's suggesting in here. However, let me say this. Really, the root of what we're talking about here is the fact that every member who runs for office and every member that gets elected to this House brings with them one thing that's exceedingly important, and that's their integrity. One ought not, as we've seen rather much lately, including an overabundance of it today, throw around words like "corruption" and "accepting illegal contributions" and that sort of language loosely. One should not do it loosely.

In fact, one would have been very tempted to raise a point of order during Members' Statements, which, of course, we're not allowed to do, when the hon. member who just raised this point of order accused a couple of people of being liars, absolutely inappropriate language for the House. One of the things that we have to have for respectful debate in the House is respect for each other and respect for the processes that are necessary when things are perceived to be wrong. One shouldn't immediately jump to the observation that somebody has done something illegal if there's an opportunity to have it fully, fairly, impartially investigated by an officer of this House. As you've already mentioned, Mr. Speaker, we have an Ethics Commissioner and a Chief Electoral Officer, and there are appropriate ways to investigate.

There has been a lot said about secrecy. What the hon. member ought to do is go back and read two acts, the Election Act and the Election Finances and Contributions Disclosure Act. The Election Act has section 4.2, which was put in there, talking about the privacy of an investigation. I've heard him say in the House that it's appropriate to keep investigations private, and I think it is. It's

not appropriate to be going out there and besmirching the character of individuals because there's an investigation on. That's exactly the root of what we've been talking about here today. One shouldn't jump to besmirching the character of individuals by throwing around allegations of corruption or of illegal contributions or of accepting illegal contributions. They should put it into the appropriate place where an investigation can happen.

Now, if the hon. member would read the Election Finances and Contributions Disclosure Act, there's nothing in that act which prohibits the Chief Electoral Officer from disclosing the results of an investigation.

**Mr. Anderson:** That's not what he says, Dave.

**Mr. Hancock:** That may not be what he says, but if he reads the act – you're a lawyer; I'm a lawyer – the Election Act prohibits disclosure of certain information to certain circumstances. The Chief Electoral Officer can put in place fines, the Chief Electoral Officer can direct that contributions be returned, and the Chief Electoral Officer can provide information to the prosecution service to look into whether there should be a prosecution. There are options available for the Chief Electoral Officer.

3:10

I'd ask the hon. member to read that, to make representation, if he will, to the Chief Electoral Officer about what should be appropriately done. But do not besmirch the character and integrity of any member of this House or, quite frankly, anybody else until appropriate investigations are done. There are all sorts of appropriate explanations for some of the things that have been thrown around in this House.

People do things in our political organizations. It's all volunteers. These are all good people. In my organization they're good people; I'm sure in his organization are good people. They don't all read the rules all the time. But we do put in place – I hope he does; I know we do – appropriate ways to screen to make sure that the rules are followed. So when a cheque comes from someone who's not entitled to send you a cheque, you send it back. If you don't catch it at that screen, you return the funds. If you look at the donations that were made to Calgary-Elbow, for example, in 2008, all of which have to be reported if they're over \$300, I'm sure you would not find any illegal contributions disclosed there. What does that tell you? Well, it may tell you that somebody took care of it at the source.

One could make that assumption if one was open and honest about the fact that we all come here with our integrity intact and that we intend to do the honourable thing for the people of Alberta. If you didn't want to believe that or you thought something might be askew, there's an appropriate way to go and have it investigated. I'd encourage you to ask the hon. members opposite to understand that because it will make the House operate much better for the next four years if we don't automatically assume that everybody comes here with foul motives and, instead, assume, as we ought to do, that everybody comes here with their integrity intact to do things in the best interests of Albertans.

**The Speaker:** Thank you, hon. members. I was interested to allow this air-clearing to proceed. It's a coattail to the previous point of order, actually, which I will be considering, as I mentioned, through the night and reading *Hansard* carefully through before ruling on that.

On this particular point of order I find there's an issue of clarification here. I hope that the Member for Airdrie feels satisfied, having made his statements. The Government House

Leader has made his. I think we can move on to the final comment.

We have one more point of order to deal with. I believe it's the hon. Government House Leader's.

**Mr. Hancock:** Mr. Speaker, I think we've beat this to death, and I think we should let our members proceed with their maiden speeches in response to the Speech from the Throne.

**The Speaker:** That point of order has been withdrawn, then.

### Privilege Misleading the House

**The Speaker:** Before proceeding with that, I would like to rule on the issue of privilege. Hon. members, the chair is prepared now to do so with respect to the purported question of privilege that was raised by the hon. Member for Lac La Biche-St. Paul-Two Hills in the Assembly yesterday afternoon.

As I indicated yesterday at page 60 of *Hansard*, notice was provided by the member and received in the Speaker's office at 11:18 a.m., so the requirements of Standing Order 15(2) with respect to notice have been met, although the chair will have a few words about the notice a bit later.

The basis of the member's question of privilege concerned comments made by the Minister of Justice and Solicitor General on May 28 during question period about a former Chief Electoral Officer's recommendations on amendments to legislation concerning improper contributions to political parties. The exchange giving rise to the question of privilege is found at page 17 of *Hansard* for that day.

As was the case with the purported question of privilege that the chair ruled on yesterday, the allegation raised by the Member for Lac La Biche-St. Paul-Two Hills actually falls into the category of a contempt of the Assembly, which is treated as a question of privilege. As the chair also explained yesterday at page 58 of *Hansard*, any act or omission which tends to impede the House in the performance of its functions or obstructs or impedes any member or officer in the discharge of their duties may be treated by the Assembly as a contempt.

Hon. members, the test for finding a prima facie question of privilege on deliberately misleading the Assembly is a very high bar. A question of privilege on this subject was brought forward last fall. On November 24, 2011, Speaker Kowalski stated at page 1367 of *Hansard*: "Deliberately misleading the Assembly is an extremely serious allegation, which seldom satisfies the test for constituting a prima facie question of privilege."

As stated by the Member for Lac La Biche-St. Paul-Two Hills yesterday in his submission, the test is referred to at page 86 in *House of Commons Procedure and Practice*, second edition. The test was articulated by David McGee, a former Clerk of the New Zealand House of Representatives, and is found in the third edition of his book *Parliamentary Practice in New Zealand*, 2005, at pages 653 and 654, where he states:

There are three elements to be established when it is alleged that a member is in contempt by reason of a statement that the member has made: the statement must, in fact, have been misleading; it must be established that the member making the statement knew at the time the statement was made that it was incorrect; and, in making it, the member must have intended to mislead the House.

This was, in fact, the test used by Speaker Kowalski in the purported question of privilege last fall and also in his ruling of November 7, 2007, which is recorded at pages 1860 and 1861 of *Hansard* for that day.

In his submissions yesterday the Minister of Justice and Solicitor General was very clear that, in his view, his statements on this subject during Monday's question period were not misleading. He stated at pages 59 and 60 of yesterday's *Hansard*, "I stand by them completely." Given the strength of his convictions on this point it could not be said that he intended to mislead the Assembly, and even if the minister was mistaken, there is no evidence that anyone was actually misled.

At best, this is a disagreement about interpretation between members, which occurs not infrequently in this Chamber. At best. Some might also say that this is even less infrequent between two lawyers. As *Beauchesne's*, sixth edition, states at paragraph 494:

It has been formally ruled by Speakers that statements by Members respecting themselves and particularly within their own knowledge must be accepted. It is not unparliamentary temperately to criticize statements... by Members as being contrary to the facts; but no imputation of intentional falsehood is permissible. On rare occasions this may result in the House having to accept two contradictory accounts of the same incident.

In short, this matter would not have given rise to a successful point of order, let alone a prima facie question of privilege. Accordingly, the chair finds that there is no prima facie question of privilege, and the matter is thereby concluded.

However, the chair would like to make a few additional brief comments. Questions of privilege are the most serious matters that can be considered by this Assembly and should not be taken lightly. A charge of deliberately misleading the Assembly is very serious and could damage a person's reputation forever.

The Speaker, this Speaker in particular, adopts the comment made by Speaker Kowalski in his November 24, 2011, ruling at page 1368 of *Hansard*. "However, the chair would ask members to carefully consider bringing forward matters that call into question the integrity of other members when the evidence is less than convincing."

Your chair wanted to grant the member bringing the purported question of privilege forward the greatest leeway, but frankly I was concerned when the notice for the serious charge did not actually contain the name of the member against whom the allegation was being brought. In the interests of fairness and parliamentary tradition, members should please ensure that their notices contain sufficient information to allow for a proper response by the person against whom they are brought. This is especially true where the issue is as serious as the allegation brought forward yesterday and on which I have just ruled today.

3:20

### Orders of the Day

#### Consideration of His Honour the Lieutenant Governor's Speech

Ms Olesen moved, seconded by Mr. Luan, that an humble address be presented to His Honour the Honourable the Lieutenant Governor as follows.

To His Honour the Honourable Colonel (Retired) Donald S. Ethell, OC, OMM, AOE, MSC, CD, LLD, the Lieutenant Governor of the Province of Alberta:

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly, now assembled, beg leave to thank Your Honour for the gracious speech Your Honour has been pleased to address to us at the opening of the present session.

[Adjourned debate May 29: Mr. Dorward]

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

**Dr. Swann:** Thank you very much, Mr. Speaker. It's a great honour to stand and speak to the throne speech for 2012 in this Assembly. Like many Albertans, I looked forward to the throne speech, looking for signs of a clear direction, a plan, a fiscal commitment, a clear sense of how we would balance our expenditures with our revenues, and like many Albertans, I was disappointed. The Premier identified through the throne speech a global economic recovery under way, and that set the tone, to me, for a speech that lacked real groundedness, a real sense of the instability of our global economy, and the need to take very seriously an unstable future, an unstable resource revenue stream – that has always been the challenge for Alberta to deal with – the instability of our primary resource, our most valued commodity in this province and one of which we are all greatly proud and benefit from.

The government's budget of the past couple of months clearly relies heavily on this quite uncertain assertion of recovery and continues decades of addiction to this nonrenewable resource wealth, 25 and sometimes 35 per cent of our budget on a year-to-year basis, holding hostage, I would say, our future, our children's resource wealth, and living off an uncertain future to pay for today's expenses, an indicator from many authors in the world of a petrostate, very consistent with how most states function in the world when they are so reliant on the hydrocarbon industry and fail to make judicious decisions in the long-term interests of the public, fail to enact tax policy that is realistic and deals with current needs and pays for what we do today but, rather, lives on a wing and a prayer that these resources will be there and that periodically we will accept going into deficits in spite of having the greatest wealth in the country. Not leadership, not responsible governance.

We will continue to raise very pressing questions on behalf of citizens, our children, our grandchildren, and the unborn generations yet to come to this place that are looking for a more thoughtful approach, one that we, I think, on this side, in the Liberal caucus at least, feel has been addressed to some extent through our platform for a fair and progressive tax system that would address the basic needs of our people, our primary service needs: education, health care, persons with disabilities. Some of the unmet needs of crisis and emergency that we can anticipate every year – floods, fires, major disasters – we need to plan for. Again, that is part of a fair and responsible tax system.

Our fiscal plan charts, of course, then, not just for this next couple of years but for the long term and would ensure that we are taking in as a government what we intend to spend this fiscal year. It's been a tradition since I got into this House that every year this government comes back for supplementary supply, millions and millions of dollars that are unbudgeted, and any talk of fair tax, a review of tax falls on deaf ears. This is not leadership.

To quote from the Speech from the Throne, Albertans chose to “engage with the world around them and, through investment and innovation” we see opportunities. I would love to see leadership in this province on an alternate energy future, on new technologies, a knowledge-based future, that we could be in the forefront of given the wealth and the wonderful postsecondary opportunities we have here.

It has to do with planning. It has to do with investment. It has to do with seeing education as an investment, not an expense to be cut, not on the backs of students and faculty and their support services, that have seen continued dwindling over the past decade to the point where not only are they constrained from a physical budget point of view, but they are constrained by an attitude of mean-spiritedness that they feel coming from this government and the lack of resources, the lack of a positive relationship and a

position of coming with real opportunity that these postsecondary institutions bring. That needs to change.

We are pressing again for a plan that sees a real honouring and a commitment to the long-term future of this province with alternate economies based on good postsecondary investment, research, development, and an embracing of the 21st century that has us moving beyond a resource economy that is extracting and exporting. We need leadership there.

In addition, public services are continuing to be dependent on revenue from this nonrenewable resource side. People continue to suffer in Alberta, where we have something in the order of 15 per cent of children in poverty. We have increasing numbers of people with mental illness, disability, on the margins of society, ending up in health care services, ending up in addiction services, ending up in the criminal justice system because we've not seen fit to both bring in the resources we need to ensure that we deal with these issues early, preventively in schools and in disadvantaged families and in mental health services and health services, getting at the root of these issues in an early fashion by investing appropriately and bringing in the dough to make sure that we can do that as opposed to nickel and diming people, including our seniors, who are struggling, in some instances at least, to pay for their accommodation and some of the health care needs that are essential to them.

Our social supports in this province since the '90s have continued to be 30 per cent less than they were in the '90s. We are not supporting people on the margins of society, and therefore we are paying through the nose in some of these ways: in emergency departments, in addictions services, and the criminal justice system.

The decision was made to pay off the debt in the '90s – there was some rationale for that – but it was made on the backs of some of our most vulnerable people, and we continue to do that: our most vulnerable people, children growing up in poverty and continuing the cycle of poverty, mental illness, learning problems, behaviour problems.

Because of this decision and our unwillingness to take in resources adequate to the real needs of our citizens, we have among the highest rates of family violence, depression, addictions, suicide. It's understandable in some ways with a very wealthy economy but not acceptable and not something that we can at all be proud of when we know the answers lie in committing ourselves to investing in people and long-term well-being in the province.

The Premier through the speech promised greater openness, transparency, and accountability. Hard to swallow on the heels of a Premier that just flip-flopped on a commitment to a public inquiry into serious problems in the health care system: intimidation, bullying, examples of financial mismanagement and spending, and evidence from the Auditor General in the past four years at least of serious problems in financial management in Alberta Health Services that have never been addressed.

It's hard to swallow the words “more openness and accountability” when we see a report from Ontario in these past six months identifying Alberta as the least open, the least accessible to information, the least accountable of the provinces in this examination of the provinces and their access to information and freedom of information.

3:30

We've long complained in the budget process about the lack of details on where our money is going. We're talking millions of dollars in a line item without any details to be able to identify whether or not they are appropriate expenditures. We know,

indeed, of contracts without an open process. Bill 50 is a good example of that, where we see up to \$16 billion planned to be spent on major power line structures, with no identification of any bidding process. We have the three big power producers taking their share. That's all we see. This is not openness. It's not accountability. It's not transparency.

We heard from the Auditor not too long ago about the lack of openness of the Energy department on what it is Albertans should be expecting from the returns on our production. Understanding that the ERCB actually measures our production in fossil fuels and is mostly funded by the industry gives us pause and, I hope, pressure to move beyond industry-managed resource accountability. We've seen that in the oil sands, where the industry has been monitoring itself. We also heard from the Auditor General that he is concerned that we don't know how much of our resource accurately is being produced. Therefore, we do not know yet how much revenue we should be receiving from a publicly owned resource.

Critical public sectors – education, health, municipal services – with a tenuous relationship to this government, a fractious relationship between unions and government and a perception, at least, that this government is trying to eliminate more unions. We already have, I believe, among the lowest union participation in the country. It's clear that those involved in the front lines and those in unions feel no lost love for this government, that appears to be antiunion in some of the ways that it deals. We need to build relationships, whether it's with the medical profession or with the licensed practical nurses or with the lab technicians or the mental health workers. We need to build relationships and add to the sense of well-being and opportunity and growth that the Premier talks about.

To quote again from the report, businesses will have an even greater freedom “to operate without interference” because of government simplifying “regulatory burdens.” This is an important business principle. Unnecessary burdens should be eliminated. Red tape should be eliminated. What many of us fear is that the history of this province is a woeful lack of commitment to the environment in independent monitoring, science-based decision-making. It cannot be reconciled with the severe reductions we've seen in the last five years in Alberta Environment. In one year \$13 million was cut from monitoring in Alberta Environment. What does that say about a serious commitment to sustainable development?

Groundwater monitoring, which we talked about in 2006, forced a baseline study of groundwater monitoring, which many will remember, around coal-bed methane and the concerns around fracking and groundwater contamination. The government spent millions of dollars on baseline water testing. We have never seen a report on the outcome of those thousands of water wells that were tested to see whether the fracking was having any impact. What I do know is that the scientists in Edmonton and Calgary universities have said: “We want to know. We put in this data to Alberta Environment, and we still do not have any feedback on what the conclusions of that were. We have strong evidence that there are some groundwater sources that have been contaminated.” We need to know the big picture. What has happened over six years to this baseline groundwater monitoring?

Where is our commitment to climate change, the most serious threat to well-being, health, extreme weather events, and costs?

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

Hon. members, 29(2)(a) is available should you have any questions for the previous speaker or comments about his speech. Anyone under 29(2)(a)?

If not, thank you.

The hon. Member for Edmonton-South West.

**Mr. Jeneroux:** Thank you very much, Mr. Speaker, and a sincere, heart-felt congratulations to you on being named Speaker of the House.

It's a privilege to rise today to respond to the Speech from the Throne. I was just a young boy when I first visited this Assembly. My father, Doug, used to sit right up there above the clock and watch many a debate on this floor. I grew up around this building and now have the opportunity to raise my two daughters, Molly and Lily, in the very same environment. It's an absolute honour to serve our incredible province of Alberta and bring the voice of a new generation to the Legislative Assembly.

I'd also like to congratulate my fellow members on their hard-fought election campaigns and on winning their seats. We have an exciting challenge ahead of us, and I look forward to a constructive and courteous Legislative Assembly. I pledge to work collaboratively with my colleagues, whichever side of the floor they may be on, for the betterment of the province we all share. I would like to thank the hon. Premier for her tireless work in articulating a tremendous vision full of hope and confidence for the future.

In the throne speech the hon. Premier has very succinctly captured the optimistic mood and energetic spirit of Alberta in 2012, specifically with reference to the growing demand for our skills, resources, energy, and talents in the coming years and the hopefulness and confidence in the future that Albertans feel as a result. This is something that Albertans are keenly aware of. There are amazing prospects available to people in this great province, and we can be proud of the role that this government has played in the past to foster this high standard of living. This government has adapted over the years in response to the changing needs of Albertans. As this election has clearly demonstrated, Albertans have voted for a government that reflects them and their reality, and they voted for change.

Mr. Speaker, I would like to take a moment to talk a little more about what this change looks like. Whether it is our more seasoned colleagues, for whom this is not their first term, or one of our newly elected members such as myself, this government epitomizes that change. We have seen the hon. Premier gather an incredible team of dedicated Albertans to form this government, and I feel that we all embody a new generation of elected officials. We are a generation of parliamentarians that represents a shift in the way government does business.

In listening to the throne speech last week, I know that the hon. Premier intends to bring forth a new era of openness, transparency, and accountability in government. The hon. Premier has signalled her commitment to clarifying conflict-of-interest issues and bringing forward whistle-blower legislation. In addition to enacting legislation that will augment ethical conduct within government, the hon. Premier has stated that we will work to change the culture of government. We need to open up the system for Albertans to have a meaningful role in the discussion on government policy and outcomes. In order to facilitate that greater transparency, we'll alter the previous culture of government, delivering more candour and openness.

I couldn't be more proud and honoured to earn the trust of the residents of Edmonton-South West to bring forth this change. Mr. Speaker, I would like to sincerely and humbly express my gratitude to the wonderful constituents of Edmonton-South West for their trust in my ability to represent them in this the 28th Legislature of the Alberta Legislative Assembly. In my capacity as their democratic representative I promise to faithfully serve

their interests. Before the members of this Assembly I would like to celebrate the fact that Edmonton-South West is one of the newest constituencies on the electoral map. We are a constituency that's vibrant, that's new, and that promises to bring fresh ideas to our province.

Nestled in the deep south and far west of Edmonton city limits, our constituency is home to a very diverse and unique set of values. Mr. Speaker, the constituents of Edmonton-South West want strong and accountable representation, and this is what I will deliver. In the countless conversations I had with Albertans, whether in coffee shops, schools, at community events, or on the doorstep, I realized that we share many of the same concerns. As a father raising two young daughters in a rapidly growing part of Edmonton, I know first-hand some of the challenges families face today. I'd like to say that for me "family" and "community" are very important words. Strong families and lively communities are the heart and soul of Alberta.

Mr. Speaker, meeting with many young and growing families to hear their perspectives was an echo of my own hopes for the constituency. These constituents have also conveyed their ideas for how we can continue to improve Edmonton-South West, and I intend to work hand in hand with them to realize these goals.

As a father I know first-hand the importance that education will play in their future. In order for our children to grow up to attain their goals and aspirations, we will need to build upon the world-class education system that we have. Alberta is already recognized as a jurisdiction that performs very well both in Canada and internationally. As a parent I have to say that one of the paramount guiding principles of our education system is choice. I will continue to push for that choice in education. We know that one-size-fits-all solutions don't work in education. It's imperative that school boards and government officials continue to work with parents to identify their priorities in education.

3:40

In addition, we also recognize the fantastic and tireless work of our educators. On a daily basis they are the ones teaching the curriculum and preparing our children for a promising future. Every day in schools like Sister Annata Brockman, Johnny Bright, or George P. Nicholson these educators are helping our children to learn.

Mr. Speaker, the constituency of Edmonton-South West is one of the fastest growing communities in the province. As such, we face enormous growth pressure in providing the services that Albertans deserve and expect to receive in a timely manner. My own daughters will be entering the school system very shortly, and as parents we want to make sure there are local schools there which will offer our children that world-class Alberta education. As I listened to the throne speech last week, I heard that commitment in the words spoken by His Honour the Lieutenant Governor.

This past fall the hon. Premier committed to restoring \$107 million to the education system. Those dollars were a key investment in getting both the tools and the personnel out to our classrooms, where they are making a difference in the lives of students. During the election campaign the hon. Premier also pledged 50 new schools for the province and the modernization of 70 existing schools. This is a tremendous commitment to parents, to educators, and to the children of Alberta and one that I wholeheartedly endorse.

In addition, this fiscal year the government will create more than 12,000 new school spaces across the province. These spaces will meet the ever-increasing demand and expectations that

parents have of this government. I look forward to advocating on behalf of hard-working Alberta families for more school spaces.

Mr. Speaker, as we heard in the throne speech, growing healthy and vibrant families and communities is an investment in ourselves, in our children, and in the bright future of this province. Part of this government's commitment to helping Albertans lead healthy lives is family care clinics. We have consistently heard from Albertans that they want other options for accessing the health care system; in particular, with respect to primary care. Primary care networks have done an amazing job of bringing a new perspective to the delivery of primary care and will continue to do so.

At the same time we will move forward with the family care clinic model that will group medical services all under one roof, providing a one-stop shop for families for the medical care that they need. Whether they need to see a doctor, a nurse practitioner, a dietitian, or perhaps a psychiatrist, those services will be available in the same clinic. With extended hours and a variety of health care practitioners on-site Albertans will receive better access to primary care. As well, each of the family care clinics will be further tailored to the specific needs of that local community. As a parent I know that this model will be more flexible and responsive to the busy life that most modern working parents lead these days.

This government will continue to implement practical solutions such as these to the issues that Albertans face. Mr. Speaker, the articulate and progressive vision presented in the throne speech has resonated with Albertans. We have a lot of work ahead of us and a bold agenda to complete, but this government is a team of professionals, and each brings his or her own unique skills and competencies to the table.

Under the innovative leadership of the hon. Premier our individual and collective strength will serve us well as we address the concerns of Albertans with effective solutions. As we heard in the Speech from the Throne, this government will continue to foster the conditions necessary for further economic development and further improve the standard of living for Albertans. Albertans have more reason than ever before to be hopeful, and I am proud to be part of a government that will create continued confidence in our future.

Once more I would like to thank the constituents of Edmonton-South West for their trust. I hope to bring my own unique perspective to this Assembly, but let the word go forth that the torch has been passed to a new generation of Albertans. I look forward to taking this journey in step with my constituents' high expectations of me.

Thank you, Mr. Speaker.

**The Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing no one under 29(2)(a), I'll recognize the hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you. Mr. Speaker, hon. colleagues, it is an honour for me to rise today to respond to the throne speech. I'd like to congratulate you on being elected as Speaker of the House. I think I speak for all members that we appreciate your efforts to conduct the very challenging role of being Speaker. We are all working on our credo as you suggested. Perhaps your years as a Shumka dancer may assist you in this role. I, too, Ukrainian danced, for seven years. Given your experience in this regard I would hope that you're open to a change in the existing standing orders so that whenever there's a procedural dispute between the

government and the opposition, we can decide it through a Ukrainian dance-off with you being the judge.

Mr. Speaker, by way of introduction I'd like to give a little bit of information, a personal background. My family has very close ties to the Two Hills area. I grew up on the family farm one mile west of Two Hills, where we raised purebred Simmental cattle. My dad, Ronnie, was a beaver trapper and dynamiter for the county of Two Hills for over 25 years. It's a pretty neat job. Maybe not as neat as a bullfighter. My mom has worked at the Two Hills RCMP detachment for over 30 years. She was supposed to be retired as of last summer but keeps showing up for work. One of my sisters works as a registered nurse at the Two Hills hospital and the other at the Citizenship and Immigration centre in Vegreville. I've been made uncle to two nieces and nephews. My family says that behind every man is a stronger and smarter woman, and I can certainly say that's the case with me. I'd like to thank the love of my life, Shannon, for her love and unconditional support.

My family on my dad's side came from the Ukraine and homesteaded near Morecambe in 1903, and on my mom's side the Kings came to the same area in 1912. The settlement of Alberta's prairies was a very difficult and challenging time, Mr. Speaker, but they did not rely on the government for help but, rather, worked on their own initiative and in their own community to build our province. I recall the story about how my ancestors brought a big, heavy rock to Alberta to grind grain to make flour for bread because, of course, as advertised, there are no rocks in Alberta. As most of us members with farming backgrounds know, there are certainly a lot of them.

It is my privilege to represent the people of Lac La Biche-St. Paul-Two Hills, and I am humbled by the faith and confidence they have placed in me by electing me to be their MLA. My constituency has been represented by some outstanding Albertans: Mike Maccagno, the Leader of the Official Opposition between 1964 and 1967 – he was from the Lac La Biche area – and, of course, more recently by former Premier Ed Stelmach, who had represented my home area of Two Hills at one point honorably and ably, and also former member Ray Danyluk, who served in many ministerial portfolios.

I would like to express my sincere thanks to the voters in Lac La Biche-St. Paul-Two Hills who elected me to be their representative in the Alberta Legislature. It is a responsibility that I do not take lightly. I've always believed that it is an MLA's job to listen to their constituents and then bring their voice to government, not just toe the party line or parrot talking points. Sadly, too many Albertans have lost faith in their elected representatives. They have become cynical about government and how it makes decisions. They believe their elected representatives behave more like squabbling children than they do leaders.

Some would dismiss these concerns and opinions as irrelevant. After all, aren't politicians expected to behave that way? But the problem is genuine and its impact substantial. Alberta has one of the lowest voter turnouts in provincial elections across Canada. We in this Chamber have difficulty understanding how so many Albertans could choose to not have their voice heard in how our province is governed. The idea of not voting is completely foreign to us, something we would never consider doing.

While the reasons behind the decline in voter turnout are complex, I believe one of the main reasons is because an increasing number of people do not respect politicians anymore. They see the tragicomedy that is question period. They question politicians' fearmongering that their opponents are akin to Snidely Whiplash tying Lillian Gish to the railway tracks. They watch attack ads which reduce important public issues to sound bites and

character smears. I've always believed that public service is an honourable calling and that those who choose to enter public life do so because they want what is best for their families and their communities.

In the past election Albertans for the first time had a real choice between two competitive parties who offered different visions of our province. While the Wildrose was obviously disappointed with the outcome, we are by no means discouraged. Hundreds of thousands of Albertans chose to support our vision of a province and a government that has new ideas that would put Albertans first. Albertans are not well served by having elections which end in a default win for the incumbent government. A competitive election ensures accountability and engagement on the part of our politicians.

Wildrose is honoured by the role Albertans have asked it to play over the next four years. We will work hard to ensure that Albertans' voices are heard in the Legislature. We will support the government when it makes prudent and responsible decisions, and we will offer alternatives when the government loses its way. A Wildrose opposition will be considerate, responsive, and principled, not merely an opposition party but a government-in-waiting.

In speaking with my Wildrose colleagues, I believe that one of our shared priorities must be ensuring that our government leaves our children with a future which is prosperous and open to endless possibility. We must place a new focus on promoting the skilled trades as opportunities for Alberta's youth as these jobs will be in high demand and will support our growing economy. In my constituency Portage College is well placed to meet those demands.

3:50

Our government must implement an effective aboriginal education policy developed in consultations with First Nations and Métis settlements to make meaningful progress on this difficult issue.

As the MLA I will work hard to ensure that the government lives up to its promise to build schools in both Lac La Biche and Two Hills, and I'll fight to ensure that they are not only built on time but also to specifications to ensure that they take into account the expected growth in the area.

In terms of health care we must reject the failed policies and ideologies of those who cannot and will not see beyond the current system. Simply pouring more money into health care without changing our health care system will put our families at risk. We must work together and implement bold solutions. Alberta must be a leader in Canada on public health, not a follower.

My constituents have told me that they are not happy with prepackaged food that's being shipped to our hospitals instead of using kitchens that already exist in each and every rural hospital. I tasted the food. It's absolutely awful. It's demoralizing for the staff when they serve this food, knowing that it's bad for the seniors. There is a very active seniors' group in St. Paul and Elk Point who are standing up for seniors in their commitment on this very issue.

The lack of long-term care is a major issue across the constituency. Seniors are waiting far too long in hospital beds. They are not sick. They are simply aging and deserve proper care. This is particularly an issue in the town of St. Paul.

In Lac La Biche, in addition to the typical provincial issues, they've been fighting for a dialysis unit in the local hospital for years. In fact, the former mayor, Tom Maccagno, required the services and fought passionately for them until he recently passed away. Residents should not have to be faced with the decision to



either leave their community or risk their lives each and every day on a clunker of a bus in minus 40-degree weather.

Our energy sector remains under attack both domestically and abroad. The good-news story of Alberta's oil sands just isn't getting told. We must aggressively pursue each and every opportunity to promote Alberta's natural resources and push back against radical environmentalists and foreign lobbyists who would rather see Alberta's oil sands shut down.

Mr. Speaker, these are serious issues, and they require serious men and women to take the lead on them. As an MLA I will fight for my constituents on issues which they tell me are important to them, I will work with my colleagues to find practical and affordable solutions to our province's pressing challenges, I will stand up for the principles upon which I campaigned and was elected, and I will join my Wildrose colleagues in putting Albertans first. I look forward to the next four years and the opportunity they afford to our elected representatives to prove to Albertans that far from being disdainful, politics is both a worthy and honourable calling and one that I am honoured to pursue.

Thank you, Mr. Speaker.

**The Speaker:** Hon. members, 29(2)(a) is available.

I do have a speaking list, but for certain circumstances I'd like to recognize the hon. Member for Vermilion-Lloydminster to go next, if he's ready, with the concurrence of the hon. Minister of Tourism, Parks and Recreation. Thank you.

The hon. Member for Vermilion-Lloydminster.

**Dr. Starke:** Thank you, Mr. Speaker. Let me begin by also expressing my congratulations to you on your election to your position. Your breadth of experience, your respect for our rules and privileges, and your exuberant personality will serve you well in your new role. I wish you all the best as the chief arbiter of debate in this august Chamber.

I'd also like to send my congratulations to the hon. Member for Leduc-Beaumont and the hon. Member for Red Deer-North for their election to their respective positions.

Mr. Speaker, like my 86 colleagues here in the Assembly and thousands of visitors to this imposing structure each year, I cannot help but be moved by the sense of history housed herein. If only these walls could speak, what would they tell us? What advice would they give?

As I walk by the portraits on the walls outside, I wonder: what would our forebears say if they saw the Alberta of today? What will that Alberta look like in 50 or a hundred years, when all of us here have concluded our earthly journeys and these seats are occupied by those who are not even born yet? One cannot help but be filled with the profound sense that we're only temporary guardians, stewards of Alberta's promise and potential, charged with the task of safely delivering that precious cargo to the next generation of Albertans.

So how will each of us contribute to that endeavour? For my part I hope to be able to draw on experiences as a first-generation Canadian, a parliamentarian, a veterinarian, and a community leader.

Now, my parents both came to this country nearly 60 years ago, having been forged in the tumult of war and oppression. My mother's family fled the cruel brutality of Stalin's Soviet Union, and my late father, as a 15-year-old in the summer of 1944 was handed a rifle and ordered to march east and engage the advancing Russian Red Army. My parents each came here in the '50s because there was no hope and no future for them in Europe. Canada and, more specifically, Alberta offered them both.

That story, that history is not unique. It goes on today, and it's written by people from around the world who come to Canada,

who come to Alberta because we remain a shining beacon of opportunity, hope, and freedom. We welcome these newcomers, and we embrace how their diverse cultures, their skills, and their enthusiasm enrich our province and our country. The bus driver from Bulgaria who came to Calgary to raise his sons because he felt democracy would take too long to mature in his homeland, the Filipino farm worker with a master's degree in animal science who works in a hog barn near Paradise Valley because it means a brighter future for him and his family, or the engineer from Lebanon who uses his expertise to enhance heavy oil recovery near Kitscoty: all these and thousands more like them are following the same path many of our ancestors travelled. They came to Alberta because of freedom, opportunity, and hope.

The 28th Legislature, the group of 87 Albertans: we have been granted a unique privilege. We have been charged with the duty of representing our constituents, but we have also been given the task of upholding and preserving the tradition of Westminster parliamentary democracy. That is truly a rich and colourful history, a history that I was first exposed to as a member of the TUXIS Parliament of Alberta, Canada's oldest model youth parliament. Some 30 years ago I was privileged to serve as Premier of the 62nd session of TUXIS, and two years later, Mr. Speaker, like you, I was dragged up the steps of the dais to assume the duties of Speaker. I was also privileged to represent Alberta at the first-ever Youth Parliament of Canada, serving in cabinet as minister of energy. Some years later both of my sons served in this Assembly as TUXIS parliamentarians.

That experience taught all of us rules of procedure and the rules of order and much more. We were given the opportunity to debate, to challenge each other's thinking, to respect opposing viewpoints, and to seek the truth through vigorous discussion. Indeed, provincial youth parliaments have provided a fruitful training ground for many of our nation's leaders. People like John Diefenbaker, Jack Layton, Ralph Goodale, Lloyd Axworthy, Bob Hawkesworth, David King, and Bob Clark were all once members of provincial youth parliaments in Canada.

Now, I am grateful for that experience. Each day as I return to this Chamber, I strive to embody the lessons that I learned then and the expectations that Albertans have for our behaviour here: that we learn more from discussion than discord, that we gain more from co-operation than confrontation, and that Albertans yearn more for statesmanship than showmanship.

Mr. Speaker, like my colleagues who have spoken before me, I too am fiercely proud of my constituency of Vermilion-Lloydminster. Sweeping through east-central Alberta from the Saskatchewan border along the Yellowhead and westward, extending north to the North Saskatchewan River and beyond in the Tullibee Lake district and south to the Battle River, my riding is a great diversity and wealth of economic resource and human capital.

The city of Lloydminster, Canada's only border city, is one of the most unique communities in Canada. Founded by the Barr Colonists in 1903 and, therefore, pre-dating our province's entry into Confederation, it straddles the Alberta-Saskatchewan border, creating a unique set of opportunities and challenges. We have two area codes, but you can call across the border toll-free. There is no sales tax, even on the Saskatchewan side. The legal drinking age is 18 on the west side of Meridian Avenue and 19 on the east side. There are a dozen liquor stores in Alberta, but only one on the Saskatchewan side. Our hospital is in Saskatchewan, so my sons are proud Albertans, but both carry Saskatchewan birth certificates. Fortunately, we're all in the same time zone.

## 4:00

While most of these idiosyncrasies are easily dealt with, Lloydminster faces a long list of jurisdictional challenges that demand an effective dialogue between our government and the one in Regina. Fortunately, we have an excellent relationship with Premier Wall's administration, and I am looking forward to working co-operatively with Tim McMillan, the MLA for Lloydminster and my counterpart in the Saskatchewan Legislature.

Our second anchoring community is the town of Vermilion, host of the main campus of Lakeland College. This outstanding postsecondary institution will celebrate its centennial year next year, and it is a vibrant and going concern at 99 years of age. Boasting the highest growth of enrolment of any Alberta postsecondary institution last year, Lakeland has an unsurpassed record of providing practical, real-world instruction to students from across Canada and around the world. A diverse range of programs from agriculture to trades to environmental technology to emergency services training keeps Lakeland at the forefront of preparing our young people to be leaders in tomorrow's Alberta. Speaking of tomorrow, I will be privileged to represent our province as Lakeland officially opens the centre for sustainable innovation, an applied research facility that will see the development of new and creative solutions in a wide variety of fields.

Vermilion's historic downtown is being carefully preserved and restored.

Vermilion is the home to Canada's winter sports heroine, that paragon of fair play and clean athleticism, the only athlete in Olympic sport to be awarded the bronze, silver, and gold medals in the same event. Of course, I'm referring to Beckie Scott.

Mr. Speaker, you have related how you represent an ethnically diverse constituency here in our capital. Well, that is also a characteristic of Vermilion-Lloydminster. Next month I will be attending the Vikings in the Streets Festival in Viking, Alberta, celebrating the rich heritage of the Norwegian immigrants who settled in that area over a century ago. Visitors have the opportunity to look for hidden trolls in Troll Park or to enter the lutefisk eating contest.

On the same weekend I will visit the Three Cities Fair, an annual summer celebration in the villages of McLaughlin, Rivercourse, and Paradise Valley, home of the unique Climb thru Time Museum, fashioned from the interior of a restored grain elevator.

There will also be a celebration in the village of Marwayne as they officially open their new agriplex facility, a joint effort of the village and local agricultural society.

A few miles to the west is the village of Dewberry, home of the five-time reigning Sask Alta hockey league champions, the Dewberry Mustangs, as well as the most storied family in the history of chuckwagon racing, the Bensmillers, the only family that has had three generations qualify for the finals of the Rangeland Derby at the Calgary Stampede.

Venture a little farther west and you will find the rich Ukrainian heritage in the areas around Clandonald, Minburn, Innisfree, and Ranfurly.

Regardless of where you travel in my constituency, you will eventually return to the crossroads of the village of Mannville, home to the historic Telephone Exchange Museum, unique in Alberta.

Vermilion-Lloydminster is home to some of the finest livestock producers in the world. During my veterinary career I was privileged to work with these progressive, innovative, and peer-respected individuals.

But we produce more than just great Alberta beef. Grain, oilseed, and pulse crop production is also vital to our area. Our

producers are leaders in the concept of farm-to-fork sustainable production, utilizing creative marketing that sees their products served in some of the finest restaurants in the world. Want to try some fine pecorino sheep cheese? We produce that. Interested in elk velvet products processed near Kitscoty and exported worldwide? We produce that, too. Even Paradise Valley free-range pork is produced in my constituency. Those pigs were my patients. Agriculture is evolving, and I'm proud of the farmers and ranchers from my constituency that are leaders in that movement.

Mr. Speaker, I've been honoured to serve my community in a variety of capacities since coming to Lloydminster in 1983. First and foremost, I was privileged to act as the other family doctor for nearly three decades in my veterinary practice. Caring for patients and their owners was not just about diagnosis and treatment. It was about trust, about building relationships and providing lifelong care to companion animals that today are family members in every sense of the word.

This vocation also gave me the opportunity to visit farms and ranches throughout our area at all hours of the day and night and often in challenging weather conditions. I learned that animals have a poor concept of clock or calendar. They don't care if it's the weekend or your birthday, and they demand your full attention when their needs arise. Since coming here, I've been told by my more experienced colleagues that this will be good preparation for my new vocation.

As a city councillor in the 1980s I learned the importance of fiscal responsibility, working co-operatively with other elected officials, and that there is only one taxpayer and they expect wise and prudent stewardship of their tax dollars. As a coach of soccer and speed skating I saw how sport and recreation is an important means to mould and mentor our young people, teach fair play, respect for rules, an active lifestyle, and lifelong fitness.

Serving recently on our health foundation as board chair, I have experienced first-hand some of the many challenges that we face in our health care system.

As church elder I have led services in our seniors' lodges and nursing homes, and I've listened to the concerns of our grandparents, who only ask to be able to enjoy their golden years in an atmosphere of dignity and respect.

Where does that leave us today? As I've listened to the debate on the Speech from the Throne, we've seen the thrust and parry that is part of our parliamentary heritage, and that's good. This parliament, this government has laid out a plan of action, one that addresses the issues and concerns raised during the recent election. Let me be clear. Albertans sent this government many messages during the course of the recent election campaign, and they have been heard. Now it's the government's job to prove that we have listened and will act on their behalf.

Opposition members have and will continue to provide constructive criticism, propose alternative courses of action, and hold the government to account. Let's make sure we listen to each other because no one party has a monopoly on all the good ideas. It shouldn't matter if it's an NDP idea or a Liberal idea or a Wildrose or a Progressive Conservative idea. What should matter is whether it's a good idea.

Albertans expect all of us to heed them and to lead them, and together we need to find the solutions to build our province for that future day when, perhaps, some of our portraits will adorn those walls. That is our mandate, and it belongs to all 87 of us. So I urge my colleagues on both sides of the House, regardless of political persuasion, to work together for the greater good of our province. In the words that we spoke at the opening of every sitting of TUXIS youth parliament, let us pledge ourselves anew in an unselfish quest for the best in our homes, in our churches and

schools, in our work and communities, remembering always that life is not a goblet to be drained but a measure to be filled.

Thank you.

**The Speaker:** Standing Order 29(2)(a) is available. Anybody under 29(2)(a)?

If not, then just before we go on with the next speaker, I'm going to read you the list here that I have. I've received so many notes, probably a record coming to the chair in one day, somewhere over 40, regarding the speaking list. We'll have to tighten this up in the future, hon. members. We'll need a lot of co-operation from the House leaders of all four parties and from individual members. I have the hon. Minister for Tourism, Parks and Recreation, followed by the hon. Member for Cardston-Taber-Warner, then Fort Saskatchewan-Vegreville, Calgary-Shaw, Calgary-South East, Edmonton-Beverly-Clareview, Fort McMurray-Wood Buffalo, and we'll announce more as we go.

Hon. Minister of Tourism, Parks and Recreation, the floor is yours.

**Mr. Anderson:** Mr. Speaker, with Standing Order 13 could you please clarify why the back to back? Usually we go back and forth on these.

**The Speaker:** Perhaps you didn't hear what I had said in the lead-up to this previous comment here. We had a circumstance that required a little urgency, and I asked the favour of the House. That's why we had to go with two in a row.

**Ms Cusanelli:** If it pleases you, I am happy to delay my maiden speech to another day if it would help the situation.

**The Speaker:** If that's your wish. I understood you had your parents here from the notes that I got.

**Ms Cusanelli:** My mom is here, yeah.

**The Speaker:** Hon. minister, why don't you just proceed. The chair has had this on his head here for the last 35 minutes and has made a ruling, so why don't you proceed.

4:10

**Ms Cusanelli:** Thank you, Mr. Speaker, and congratulations on your election to this Chamber and also to my colleagues for their success in this election 2012.

What an honour it is to rise here today representing constituents of Calgary-Currie and to respond to the Speech from the Throne. As their MLA I take on this role with humility and excitement. This, my first speech, is also my promise to serve with significance and with integrity. I will act as an agent of change to bring Alberta into a very exciting future.

First off, I would also like to acknowledge His Honour the Lieutenant Governor for his commitment to public service. As a former peacekeeper he is truly a role model for all Albertans, and I would like to thank him for this.

Mr. Speaker, I would like to thank the Premier for providing real life leadership and the direction she has initiated for our province.

I would also like to recognize three very special people in my life, whom I credit my success and ability to be here with you and serve today: my mother, whose unfaltering strength has taught me that anything is achievable through hard work and through integrity; my partner, Tom, who has been my source of never-ending support and encouraged me to maintain course through storms and celebrated the happiness of overcoming those; finally, my daughter, Victoria, who is an image of patience, dignity, and love. I learn from her wisdom each day.

Mr. Speaker, this government has a responsible plan in place to build upon the great legacy of our province, and this design speaks to the needs and desires of Albertans. The policies of this government have resonated with me, especially as they relate to assisting our most vulnerable citizens. Serving families and communities has always been central to my work in public service and is something I find great joy in.

It is the joy in witnessing the transformation in the lives of young people that inspired me as a school principal. Being an educator provided me with many satisfying experiences, which have made distinct impressions on my life. No experience was more rewarding than developing trusting and caring relationships with vulnerable, disadvantaged students and helping them with their day-to-day challenges. While working with these students, I realized that there is a unique potential within all of us and that everyone deserves opportunity to grow into productive citizens. Troubled students, however, need our support. They need our promise that we will help them reach their goals and overcome their challenges.

Through our children's stories I have learned the value of a promise kept. The Speech from the Throne reminded me of my duty to uphold the examples of our government's kept promises.

This government in carrying out these promises is fulfilling a valuable and noble cause. Our government will continue to build a tradition of serving Albertans by doing the right things. By maintaining steady and predictable funding to our education system, over the next three years we will be able to employ the necessary resources to assist each of our children. I am proud of this measure, which will give the ability to school districts to make decisions at the local level and serve the needs of our constituents. In doing so, we will recognize the potential of our youth, helping to ensure that they have bright and productive futures. Mr. Speaker, this three-year funding decision is the right thing to do for education, and I could not be more honoured to be a part of this membership, which values the future of our province and honours its promise to children.

Mr. Speaker, I want to highlight that His Honour's Speech from the Throne addressed the importance of environmental stewardship. Alberta is the home to some of the most scenic places in the world. From the pristine lakes and rivers to the towering Rocky Mountains, our diverse landscape is one to envy. People from around the world come to Alberta to truly live the experience of adventure and majestic beauty that we have the opportunity to be a part of as a way of life.

We were also blessed with a wealth of natural resources. These resources sustain our economy and families across the province. For this we are extremely fortunate. However, in developing these resources, we must be cognizant of our environment and its fragile nature. Mr. Speaker, I believe it is critical that we maintain a high level of environmental stewardship in order to protect Alberta's natural beauty. In doing so, Alberta will signal to the rest of the world that we are striving toward a cleaner environment, setting an example for other jurisdictions.

The Speech from the Throne laid forth initiatives that will help monitor environmental quality, and these steps will help us ensure that our environmental standards are continuously improved, enabling us to maintain the splendour we have all come to know and love here in Alberta. I am grateful to be able to act as a steward on behalf of the constituents of Calgary-Currie. So many of the rich dialogues with our Calgary-Currie constituents were held on the doorsteps and involved discussions related to environmental stewardship. I make the promise to my constituents to be their voice on this front. I look forward to the two-way dialogue that we will have over the course of the next years.

I am also looking forward to our government building infrastructure to expand our energy sector across Canada and also across the world. This will help create jobs and improve our economic well-being, benefiting all Albertans. As His Honour stated last week, Alberta's prosperity cannot come at the expense of its beauty. The two must go hand in hand. We know that all Albertans expect us to make decisions regarding the prosperity of our province for the right reasons. Together I know that we will achieve the delicate balance that exists between high quality of life and also maintaining the graceful landscape and beauty with which we have been blessed.

In closing, I would like to again thank the constituents of Calgary-Currie for this opportunity to represent them. I am truly humbled and grateful for this opportunity to advocate for their needs. We will celebrate our strong, vibrant voice in this Assembly, and that is my promise to my constituents. To His Honour the Lieutenant Governor: thank you for so eloquently presenting the Speech from the Throne. To all members of this House: let us work together in a cohesive and dignified manner. Let us reflect the hopes of our constituents of building upon the already great legacy of our province, and let us reflect these hopes in a manner that demonstrates the real leadership, true respect, and dignity that is the expectation of our constituents.

Thank you, Mr. Speaker.

**The Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing no one, I'll go to Cardston-Taber-Warner, please.

**Mr. Bikman:** Thank you, Mr. Speaker. It's an honour to stand and address the 28th Legislature and all Albertans. I'd like to begin by looking at some things that I think we all have in common. First, we won more votes in our riding than anyone else. We talked with many people grateful to live in Alberta. Some were born here. Others moved here looking for a job or a better job. We have a desire to serve all Albertans, we want to make a difference and leave a legacy, and like most Albertans, many of us are or used to be PC Party supporters.

I was born and raised in Lethbridge. I had a paper route as a kid and worked summers for my dad's trucking company, Speedy Storage & Cartage. I swept floors, washed trucks, worked as a swamper, helped out in the shop, and even made deliveries around the city.

When I was 20, I moved to Sweden and lived there for two and a half years. I learned to speak the language and still *snacka lite svenska*. I lived among the people. I saw first-hand the debilitating effects of womb-to-tomb socialism: the high tax rates, the redistribution of wealth from the productive risk takers to those cautiously putting forth less effort and expecting others to provide for them.

I learned four economic truths in Sweden. First, you can't multiply wealth by dividing it. Secondly, you can't legislate the poor into prosperity by taxing the wealthy out of prosperity. Third, what one person receives without working for, another person must work for without receiving. Fourth, government cannot give someone anything that it does not first take from someone else.

4:20

Upon returning from Scandinavia, I attended university in the U.S.A. and earned degrees in psychology and a master's of business administration. I spent most of my working years running the family trucking company, steering it in a different direction, from local delivery to oil field services. We relocated the business to Taber and became known for providing the quickest, safest, and

most cost-effective rig moves in western Canada. This was accomplished by creating systems that encouraged innovation and creative problem solving by people on the front lines.

I've also taught management at the University of Lethbridge and developed and taught a very effective life skills and employability module to help introduction-to-trades students complete their courses successfully at Lethbridge College. I'm a volunteer at a nongovernment, not-for-profit employment agency. I lead self-employment workshops for aspiring entrepreneurs. Each school day that I'm not here, I teach ethics and morality to grade 11 and 12 students, who get up before school starts to come early and study the wisdom literature of the ages. From these books we learn the constancy of human nature and how to apply life lessons from the past to current challenges.

With partners I cofounded ChopStix restaurant, a new franchise concept we recently opened in Airdrie. It's right on highway 2, and I invite all of you to stop in and enjoy some quick gourmet Chinese food.

**Mr. McAllister:** Free.

**Mr. Bikman:** Who said that?

As a father of 13 children I know a little bit about organization, teamwork, and delegation. I've learned how to adjudicate and how to find common ground. Eight sons and five daughters graduated from public school and have all earned at least one postsecondary degree; some have three. All are married, and my wife, Sheila, and I have 33 and a third grandchildren. I've negotiated with teamsters and with suppliers, and I can tell you that they're easier than kids.

At times over the past 30 years I've been a mayor, a deputy mayor, and a councillor in the village of Stirling. Like many of you, I've always voted so that I'd have a right to complain. Well, I hope I don't give my constituents any cause to complain.

The Cardston-Taber-Warner riding covers a large part of southern Alberta. From the rich, productive, irrigated fields surrounding Barnwell, Taber, and Grassy Lake in the east, it includes the communities of Wrentham, Warner, Milk River, and south to Coutts on the American border. Going west along highway 501 through the rich, productive rolling hills of the Milk River Ridge, we come to Del Bonita, which this year celebrates its 100th anniversary, and then to the temple town of Cardston. Highway 501 runs through the newly discovered Bakken formation oil field, beginning to be developed now. Continuing west of Cardston along highway 5 through the hamlets of Leavitt and Mountain View, my friend Broyce Jacob's hometown, leads us to the Waterton Park townsite. Passing south of Hill Spring and Glenwood, this is beautiful farming and ranching country.

The Blood reserve is now part of this large riding, too, with its First Nation heritage and unique culture. Travelling east from Stand Off, we cross the very important St. Mary dam and reservoir, rejoining highway 5 at Spring Coulee. Further east are the towns of Magrath, Welling, Raymond, and Stirling, my hometown, all settled originally, beginning in 1899, by Mormon pioneers. They came to develop an irrigation system that turned this dry, parched part of the Palliser Triangle into one of the most productive and advanced irrigated farming and ranching areas in the world, a huge exporter of beef and produce and home of delicious Taber corn.

This drive is well over 600 kilometres. Irrigation farmers, deeply dependent on electricity to run their pumps, are very concerned about the alarming increases in electrical costs. Bill 50 is one of the main reasons that they voted Wildrose. They hoped the rest of the province was equally aware of the threat to all Albertans and the businesses that employ them. Irrigation and

water management are vital to the region. Much more money and attention are needed for storage and to deal with flooding and runoff, a regular threat to the village of Stirling, which last year came within inches of having the Ridge reservoir breached, a disaster that would have destroyed my town.

My constituents have had honourable MLAs since the mid-1970s. However, for the past four years they've felt increasingly disenfranchised. They believe their voices have not been heard clearly or understood by the past and current Premiers. When asked why they left the PC Party, they usually say, "I didn't leave the party; the party left me," and they move their hand to the left, indicating the drift to more socialistic and left-leaning philosophies.

Here's a little list of what the constituents of Cardston-Taber-Warner tell me prompted their migration to Wildrose. First, they want a say in decisions that affect them. The Premier often states: we've listened to Albertans, and they're telling us. Well, no farmer, rancher, or dairyman I know asked for a landowners' advocate. What they said instead, loudly and clearly, at the task force meetings was: "Repeal bills 24, 36, and 50. Let's start fresh." They don't want to just be listened to. They want to be heard, and they'd like to think that what they say will make a difference. It will to me. I promised them that I'll work with the government to remind them of the principles that made Alberta great.

In the south they're tired of hearing their PC MLAs apologetically attempting to justify legislation that he or she knows full well is not what the constituents wanted or needed. "I spoke up for you in caucus but was voted down" is the unacceptable explanation usually given. Mr. Speaker, so far as I know, there is no law or rule preventing this government from allowing its MLAs free votes in the Legislature. I'm asked: why doesn't this happen? Our conclusion in Cardston-Taber-Warner is that democracy under PC rule simply means: "Jeez, we let you vote about every four years in a semifixed election season. What more do you people want?"

Lately the government's message has clearly been: when we want your opinion, we'll give it to you. People in my riding can't believe that their government really thinks that it's smarter than the collective wisdom of Albertans, that it's so out of touch with the voters it thinks government means a legislative dictatorship. They've observed that the PCs are actually a minority government, one that over 50 per cent of the voters rejected.

In discussing the superboard, my neighbours reminded me that nowhere in history has central planning ever produced better results for hard-working citizens. Oh, it's more efficient. You don't have to put up with disagreements or the opinions of those you don't consider your intellectual equals, but it sure as heck isn't better at meeting real needs in a timely, cost-effective manner.

Second, southern Albertans want a balanced budget. They know this government has a spending problem, not a revenue problem. Nothing in the Speech from the Throne reassured them that it realizes this yet or intends to make any real changes. They know that when more money is left in the hands of the people and companies that earn it, more productive sector jobs are created, the standard of living rises, and their government – yes, the people's government – collects more taxes. History proves it. They know the government doesn't have any money of its own. It's all taxpayers' money. They know the government doesn't create wealth. Too often it usurps and misallocates it by subsidizing uncompetitive projects – does anybody want some world-class magnesium? – creating bloated bureaucracies and trying to bribe voters with their own money.

Many of my constituents are businessmen and -women, including lots in agribusiness. They know the surest way to underdeliver at the front lines and exceed budgets is by allowing overhead expenses to grow out of proportion to the services being provided and the results being achieved. They're smart enough to know that when cuts are required, they must begin at the top, not at the client, consumer, or citizen delivery end. They know that free enterprise is the most efficient and effective way to deliver scarce resources. The invisible hand that Adam Smith spoke of is real because human nature is constant. No government is smart or powerful enough to overcome human nature. History is littered with the remains of failed dictatorships, be they legislative tyrannies or bloody battles.

Thirdly, they're tired of long waiting lines for health services and intimidation of the real health care providers on the front lines. Again, it's not money; it's the system. Decisions need to be made closer to the people affected by them. The main benefit of centralization is purchasing. Right now that's the only thing most people think the superboard may be getting right, and you don't need eight layers of management to accomplish that.

4:30

An Alberta Health Services worker recently whispered to me, fearful of losing her job, that she sees millions of dollars wasted each year in just her small area. She asserts that a one-time investment of \$100,000 would return at least 40 times its cost every year. That's \$4 million in annual savings in this little department, and her manager agrees. Why isn't it being done? Because he says that the savings will benefit another department, too, and result in a smaller budget for him. Where is the accountability? Don't bother looking. It doesn't exist.

I ran on a platform of restoring the Alberta advantage. To the citizens of Cardston-Taber-Warner this means, among other things: entrenching property rights in our Charter and allowing access to the legal system for all disputes, balanced budgets, rebuilding the heritage savings trust fund and saving for a rainy day, cost-effective medical services, more choice in education and certainly no clause 16 in the Education Act, reduced regulation and red tape, accountability within the civil service, transparency and openness in government decision-making, not behind closed cabinet doors.

We believe in the collective wisdom and intelligence of our citizens. They need to be consulted, listened to, and heard. It takes more time and effort to begin with, but it's much quicker and cheaper in the long run because you get it right the first time.

I'll be watching, I'll be working hard, and I'll be advocating for true conservative principles. Thank you.

**The Speaker:** Thank you.

Hon. members, Standing Order 29(2)(a) is available.

Seeing no one, let me just give you the speakers list – I think we have it sorted out – Fort Saskatchewan-Vegreville, Calgary-Shaw, Calgary-South East, Edmonton-Beverly-Clareview, Fort McMurray-Wood Buffalo, and if time permits Olds-Didsbury-Three Hills, the hon. Associate Minister of Accountability, Transparency and Transformation, Little Bow, and Calgary-McCall.

The hon. Member for Fort Saskatchewan-Vegreville.

**Ms Fenske:** Thank you, Mr. Speaker. First of all, I would like to congratulate you on your election. As a rookie in this Assembly I look forward to your advice. Throughout your career you've established a reputation as someone who has been fair and approachable. This House will be well served by you and the guidance you will provide to all members. Thank you.

Mr. Speaker, I am a third-generation constituent of Fort Saskatchewan-Vegreville, and I am so honoured to be able to represent the dynamic constituency of Fort Saskatchewan-Vegreville. I figure everyone has a phrase to address their constituency with, and mine will be “dynamic.” Some would say that it’s dynamic because of the many communities it includes, 12 municipalities: three counties, Lamont, parts of Beaver and Minburn counties; two villages, Chipman and Andrew; five towns, Bruderheim, Lamont, Mundare, Vegreville, and Tofield; one city, the city of Fort Saskatchewan; and a very large portion of the specialized municipality of Strathcona county. Those are the municipalities that make up Fort Saskatchewan-Vegreville. These communities provide a great deal of variety of lifestyle choice, ranging from urban to rural, infusing vitality through diversity.

[The Deputy Speaker in the chair]

Agricultural opportunities brought pioneers to this area, and this industry continues to play a vital role in sustaining our economy. Agriculture has evolved since the days of the homesteaders, since the days of my grandparents. In the Speech from the Throne the Lieutenant Governor referred to the unique western heritage and spirit of self-reliance that have made our province a special place to live. Alberta’s farmers embody this heritage and this spirit. Mr. Speaker, farmers are now working thousands of acres and operate millions of dollars of equipment.

Farmers have to be innovative to stay competitive, and Providence Grain, a farmer-owned independent grain handling company whose head office is in Fort Saskatchewan, is one example of how farmers have addressed their changing needs and their opportunities. Others have diversified. Fort Saskatchewan-Vegreville is home to commercial Saskatoon berry orchards, an experimental hackberry orchard, a growing equestrian industry, and commercial and purebred cattle operations.

Agriculture continues to be a growth industry in Fort Saskatchewan-Vegreville. Unique independent food processors have invested in this region and have thrived as a result. I’m very pleased to have shared with my colleagues today a sample of one of Vegreville’s fine local products from Simply Fine Sweets, a local specialty chocolatier and bakery. Mr. Speaker, their products are available in Vegreville, but they are also served at Edmonton’s own Hotel Macdonald.

Adding value to our products locally, be they agricultural or petrochemical, is not only important to me and my constituents but to all Albertans. I say this because according to a recent survey 70 per cent of Albertans feel strongly about value-added and about upgrading bitumen within this province. Home to three of Alberta’s five Industrial Heartland partners – Lamont, Fort Saskatchewan, and Strathcona – we embrace and we encourage sustainable industrial development in our riding.

Alberta’s Industrial Heartland is a total of 582 square kilometres, and the value-added is more than just upgrading bitumen to synthetic crude. It also presents an opportunity for Alberta to grow our thriving petrochemical industry by using the off-gases from one company to become the feedstock of another. This approach is already starting to happen as Williams Energy recently agreed to supply off-gas ethane to NOVA Chemicals. The heartland is close to the resources needed for the development of industry, including water, workforce, and transportation.

This development is happening in an environmentally conscious way that is sensitive to the local community. In fact, Mr. Speaker, the Life in the Heartland website was developed as a one-stop information portal to provide residents with convenient access to air and water quality information, noise and light data, and safety

information. I’m very proud to say that one of the ways safety is being addressed is the Northeast Region Community Awareness Emergency Response – what a mouthful – NR CAER for short, which provides mutual aid emergency preparedness for its nine member municipalities and 30 industrial partners. This organization established the UPDATEline, that was implemented in 2003, in order to provide the community with 24-hour information on its member activity.

Alberta’s Industrial Heartland has attracted over \$30 billion of investment and has developed into Canada’s largest hydrocarbon-processing region and has done so using eco-industrial principles. This is very much in line with the Premier’s vision of developing our natural resources responsibly while protecting our province’s natural beauty. I am encouraged by our hon. Premier’s recent comments in this House before the recent election.

We in this government are committed to diversifying the economy and to ensuring that we’re investing in value-added for the good of all Albertans. We know that that has tremendous opportunities for Albertans and Alberta taxpayers across the province.

Now, I would be remiss as a small-business owner not to mention that small-business owners have located throughout Fort Saskatchewan-Vegreville, and as they say: small business is big business. These businesses provide services to the major industrial players and to local residents alike. Small businesses are vital to our continued success as a province. Our province, as noted in the Speech from the Throne, is the most economically free jurisdiction in North America. Small business will benefit from our government’s work to simplify their regulatory burden.

In addition, all businesses, large or small, require access to markets, and Fort Saskatchewan-Vegreville is fortunate to be served by both the CP and the CN rail lines; the Warren Thomas Aerodrome, Josephburg; numerous pipelines; and many highways, including the Trans Canada Yellowhead highway.

Mr. Speaker, you will find Elk Island national park and the Ukrainian cultural village within this riding. In Fort Saskatchewan you can find a showcase of history, the recreated North West Mounted Police fort, which stood on the site from 1875 to 1885. As part of the Fort Saskatchewan Museum and Historic Site the fort helps tell the story of the people that made Fort Saskatchewan their home.

I could go on, but the main reason that Fort Saskatchewan-Vegreville is such a dynamic constituency is the people that I have the privilege to represent. They work hard, they aren’t afraid to get involved, and they care about their communities and neighbours. They are the reason I want to do everything in my power to ensure that the communities they love are strong and vibrant. That is one of the reasons I was so proud to hear in the Speech from the Throne our government’s commitment to strengthening families and communities.

4:40

Alberta would be much poorer if the small-town way of life were to disappear. That’s why I want to ensure that people can call their same community home from their first birthday to their last. This means we must work to ensure the proper balance between services and fiscal priorities. This means not only ensuring timely access to health care and innovative education programs, near and dear to my heart as an educator, but also support for recreation and cultural pursuits, delivered through local organizations such as agricultural societies, cultural communities, and faith groups.

Mr. Speaker, I know my constituents expect me to listen to their issues, to their ideas, and to their solutions, and I will do my best to listen and to represent them and carry their message forward.

One such message I look forward to working with my colleagues here to address is the volatility of electrical prices and ensuring that Alberta's economy remains strong and prosperous.

Having just finished a campaign, Mr. Speaker, I would like to share with my hon. colleagues that infrastructure investment is vital to this area. Local municipalities, industrial partners, and the province must work towards a new heavy-load bridge across the North Saskatchewan River, affordable seniors housing units, and an improved or new facility to deliver hospital services in Vegreville. These examples are just some of the needs that exist in the communities of Fort Saskatchewan-Vegreville, that are simultaneously growing and aging. I applaud the government's continued investment in infrastructure, as outlined in the Speech from the Throne.

Mr. Speaker, I look forward to working with all members of the Assembly in this building in the future, following in the steps of those such as the hon. Ed Stelmach, Rob Lougheed, Muriel Abdurahman, Derek Fox, and Dr. Walter Buck. I look forward to helping to assist in a future that invests in people no matter where they live, an Alberta that honours our seniors, supports our families, and encourages our youth to reach their potential.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you.

Hon. members. Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the next speaker. The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Speaker. It is a great honour to be here today addressing this House for the first time. The history of this magnificent building and all it stands for, the beauty of this Chamber, and being in the presence of my fellow members makes this perhaps one of the most equally humbling and exciting moments of my life as I deliver this my maiden speech. I strongly believe that the next four years will shape our province into the future and the roles we play on both sides of this floor will have a lasting impact on Albertans for a long time.

Thank you to His Honour the Lieutenant Governor for his delivery of the Speech from the Throne. I have great respect for him, the role he plays in our democracy, and what he has achieved, a member of the Order of Canada and a man who has spent his life fighting to ensure that other nations can enjoy the same things we so often take for granted here at home: safety, security, freedom, and democracy. His Honour is a shining example of a great Albertan, and being in his presence has added to the pride that I have in being a member of this Assembly.

I have the immense privilege of representing the riding of Calgary-Shaw, which recently went through some border changes to accommodate the redrawn electoral map. Located in the deep south end of the city, Calgary-Shaw is now made up of six distinct and unique communities: Midnapore, Sundance, Somerset, Shawnessy, and the recently added Millrise and Shawnee Slopes. The last two communities, Millrise and Shawnee Slopes, were previously well represented by the hon. Member for Calgary-Lougheed, and I pledge to continue the good work he did there.

In Calgary-Shaw there is a tangible spirit that is admirable and infectious. During the course of the campaign I had the pleasure of meeting with many great residents in the riding who have dedicated countless hours of volunteer work to building their communities. One shining example of this that I would like to share with the House is the story of the South Fish Creek Recreation Association. The creation of this outstanding facility is an iconic Albertan story, and it adds to the pride that my wife and I share in representing this riding. It is a great example of what

makes Albertans unique: the spirit to overcome adversity, the willingness to give of oneself for the greater good, and ultimately the understanding that creating a legacy beyond ourselves is what real great work is about.

In conjunction with the YMCA, the public library, and a Catholic high school a group of dedicated volunteers took their vision for a community-based recreation centre and created a facility that will have a lasting impact on Albertans for generations. The community portion was just expanded two weeks ago, and it has become the first quad ice surface in the city. I had the great pleasure of being there to celebrate the grand opening with the wonderful people who made it all happen. There are countless inspiring stories in this riding, and in time I look forward to sharing many more.

Calgary-Shaw has a long history of electing strong members to this House, from Jim Dinning to Jon Havelock and, recently, Cindy Ady. The good people of this riding have always been well represented. This is the first time they have ever elected a member from the Official Opposition, and it will allow me to advocate for the constituents in a different way, from across this floor. I look forward to numerous engaging discussions and debates here, and I have confidence that many positives can come from this relationship as we work together to find areas of mutual interest and benefit.

Many people in the riding expressed concerns during the campaign that affect and impact all Albertans: health care, education, and seniors' care. I think that we can all agree here today that it is incumbent upon us all to put aside partisan gamesmanship as we find solutions to these critical areas of importance to all Albertans. It is simply what they expect of their government and why we in the Wildrose Party, as the Official Opposition, have stated that we will not oppose simply for the sake of opposing.

There are a couple of local issues I would like to highlight for this House, and those are primarily transportation and infrastructure issues within the riding. The construction of the ring road in Calgary is long overdue, and I applaud the work that has been done thus far. There are concerns about the interchange that is going in at 22X and Macleod Trail; specifically, that it will cut off access from Shawville Boulevard to eastbound 22X, which is critical to the flow of traffic out of the core commercial district in the riding, which is also home to an LRT station and the aforementioned rec centre, Y, public library, and high school. It impacts all Calgarians who benefit from and use this area, but in Calgary-Shaw it's in the heart of the riding. It is vital to ensure that shopping, dining, or accessing entertainment or public transit does not become a burden to those who live in the community.

There are also concerns that this interchange is one of the last to be built on the south leg of the ring road as it currently is only a single lane flowing in either direction and will eventually create a pinch point. The southwest portion of the ring road is also of high importance to our riding, and I look forward to assisting the hon. Minister of Transportation in any possible way I can to help put an end to the decades-long struggle around this piece of infrastructure.

Fish Creek park, one of the largest urban parks in North America, with a mixture of grassland and mixed forest spanning over 3,000 acres, is a source of immense pride for our riding. Roughly 3 million visitors per year enjoy this historic and natural preserve, and ensuring that the best practices of sustainability are employed to preserve the feel, atmosphere, and sense of tranquility the park has offered to so many over the years is of utmost importance to our riding.

Now, we have a lot to be proud of in Calgary-Shaw and a lot of great ideas to ensure that we continue to grow and meet the needs of our growing population while we still care for our natural environment.

Mr. Speaker, after you were dragged to your chair last week, you spoke with powerful emotion about your family and their role in your life. I am also very lucky to have a family that is very supportive and one that I wish to make proud in my role here. My wife, Sally, and my two-year-old son, Jude, are without question the greatest gifts in my life, and I will always remember the passion and dedication that my wife put into my campaign to be here today.

She is a first-generation Canadian, born of two Egyptian immigrants who came to Canada in 1976, and seeing the world through the lens of my in-laws, who experienced life under a dictatorship, is an invaluable perspective to be able to bring here and contrast our own government to.

I'll remind this House that Egypt just last week went through their first presidential election ever. Much was made during this past campaign about the fact that we have had one ruling party in Alberta for over 40 years. Similarly, former Egyptian President Hosni Mubarak also held onto power for over 40 years. At least here at home we can say that it was always through a democratic process that our governments received their mandates.

4:50

Likewise, we in the opposition have also received a mandate from the public, and our role is a critical component to a functioning democracy. Now, I've been asked to be the critic for Human Services, and I would like to thank our leader for tasking me with this important ministry. I have many personal connections to it, starting with the fact that I along with my sister are both adopted. We do not share the same biological parents, but the adoptive parents that we share are two of the finest people I will ever meet in my life, Dave and Sam Wilson, and I want them to be recognized here as well.

It is said that friends are the family that we choose. In my case I couldn't have chosen or asked for a better family. I'm eternally grateful to my biological mother for her strength and courage at the age of 16 to make the choice that she did, and I believe it is what allows me to be here today.

My sister Amanda has had many challenges in her life as she continues to learn how to live with an autism spectrum disorder. Growing up with a sibling with special needs was at times a struggle, but it taught me some of the most important life lessons, and I will carry them with me always: the strength of compassion; the need for equality; the understanding that just because our brains are wired differently does not mean that we are not the same, that we do not share the same desires, the same wants, to love and be loved. She is married to a wonderful man. Both of them are supported by AISH, and they share a special and unique bond. My wife and I are her alternate guardians, and this has us preparing for our lives to change overnight when we are set to assume the same responsibilities that many Albertans shoulder as they care for family members in need.

While knocking on doors, the one thing that struck me was just how many families are impacted by children with special needs. I could sense the agony as they strive to create the best life they can for their loved ones. Human Services can make a difference for the thousands of families that go through these struggles daily. I feel that my understanding and my familiarity with some of them will give me the capacity to work passionately and productively with the hon. minister to help fulfill the noble vision of this ministry.

These past weeks have been filled with new experiences, and I am in awe of the traditions of this House and will be inspired by its beauty and the passion of my fellow members. Last week, when I sat at this desk for the first time, I had an unexpected surprise when I opened the drawer to the desk and found those who had sat here before me, such names as Laurence Decore, former Leader of Her Majesty's Loyal Opposition, and Peter Trynchy, whose grandson Jeffery now plays an integral role in our party.

While on that subject, I would also like to have this House recall another Canadian parliamentarian, one who has been an inspiration to me as I embark on my political career. Chuck Cadman was first elected to Parliament in 1997 as a Reformer. His primary initiative was to change the laws governing young offenders and to protect victims' rights after his 16-year-old son was randomly murdered in a brutal street attack. He successfully passed a private member's bill that resulted in changes to the Youth Criminal Justice Act, achieving his initial goal.

Now, many of you may recall the drama that unfolded in Parliament in 2005. We had a minority Liberal government. It was on the brink of falling during the budget vote. Mr. Cadman, the only independent elected, held the balance of power. A vote with the opposition, the government falls; a vote with the Liberals, they live to see another day. Despite receiving chemotherapy treatments throughout this time, it is rumoured that he sat in his constituency office for upwards of 12 hours a day, meeting with and listening to his constituents as he tried to decide how he was going to vote and what he was going to do. On voting day Mr. Cadman flew across the country to fulfill his duty.

I'll never forget the image of Mr. Cadman standing, ultimately siding with the Liberals. That moment in time, when he stood to vote, will forever be burned into my memory, and I consider that instant one of the most pure moments of democracy that I have ever witnessed. When he stood, he defined himself a second time. When asked why he voted with the government, he stated that he was simply obeying the wishes of his constituents, who did not want to face an election so soon after the last one.

He lost his battle with cancer only a few weeks after that defining moment. What I find so inspiring about Chuck Cadman is that he finished his political career the same way he started it, with honour and integrity. He fought for what he believed in, and he exemplified the ideal that our democracy is founded upon, that we as elected officials are here to represent our constituents, not our party and not our own interests.

Mr. Speaker, as we embark on this the 28th Legislature, my first, I will always remember why I am here and who it is that I represent, and most importantly I will constantly strive to do it with honour and integrity.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the next speaker, the hon. Member for Calgary-South East.

**Mr. Fraser:** Thank you very much, Mr. Speaker. It's a great honour to rise today to respond to the Speech from the Throne. I begin by thanking His Honour the Lieutenant Governor, Donald Ethell. His Honour delivered a lucid and well-formulated plan on behalf of the government of Alberta.

I have great assurance and trust that the government of Alberta under the leadership of our hon. Premier will continue the long-term success that has made Alberta one of the best places to live in the world. I would like to thank the hon. Premier for articulating



an exemplary vision for the future of this province, a vision that is forward thinking and one that will continue to foster the conditions necessary for our future development and growth. We are all very privileged to live in this great province, and I'm certainly privileged to be the representative for Calgary-South East.

I would like to sincerely thank the people at the very heart of our democratic system, the voters. Let us always remember that it is with their blessing and their authority that each of us is present in this Assembly today. I would like to express my gratitude to the people of Calgary-South East for placing their faith and confidence in me. I assure them that I will represent their interests faithfully, articulately, and with purpose. I will make their voice count in this Assembly and ensure that it is always present in the dialogue when we talk about the priorities Albertans hold for the future and how we can make our lives better for our families.

I also want to take this time to thank my wife, Mishelle; our two sons, Carson and Thaine; my family; friends; and supporters for helping me become a member of this Assembly. Without the enormous support of some key people in my riding this would not have been possible. I also want to thank the following people for the excellent work they do at the grassroots: Sean Chu, Kelly Bitz, Richard MacQuarrie, Shane Byciuk, James Sale, Leslie Paron, Cory Exner, Michelle Taylor, and Chris Wigle.

Mr. Speaker, one of the values that I've learned over and over in life is teamwork. We are always better when we stand together and work together. In my career as an advanced care paramedic I've experienced the positive outcomes of collaboration creating significant change, and that is what I hope to bring to the constituents of Calgary-South East.

Mr. Speaker, I'd also like to take a moment to congratulate you on your election as Speaker of this esteemed House. To all of my colleagues both in government caucus as well as the members of opposition parties: I congratulate you. It is my hope as members of this Assembly that together we will have a respectful and productive legislative session and four years of putting Albertans first rather than specific political interests.

As we celebrate 100 years in this House and 100 years of democracy, 100 years of the Calgary Stampede and the recognition of our heritage, I'd like to take a moment to reflect on my own family history. My family came to Canada in 1905. At that time my great-grandfather was 13 years old. He was wanting to follow in his older brother's footsteps, who had already had his own homestead in the wide open spaces of Alberta. Shortly after arriving in Alberta in his early teens, my great-grandfather took on the task of herding cattle by himself. He camped out for three months 120 kilometres from home with his dog and his horse. It's hard to imagine those sorts of things happening in this day and age. He demonstrated his ambition, courage, and determination. In 1911 that same 18-year-old applied for and received his own homestead just north of Michichi, Alberta, where my father grew up and where I spent my summers. Today that homestead is still producing food and contributing to the economy, run by my uncle and his son.

Mr. Speaker, my family has been in Alberta for over a hundred years, and I am blessed to know our history and our family and its contribution to this great province, from teaching Sunday school, adopting children, always lending a helping hand, participating in celebrations of our heritage like the Calgary Stampede, providing work and training for new Canadians, and dropping off groceries anonymously at people's doorsteps. Some of these examples I've seen first-hand, and others I have read about. Nonetheless, it has

helped me shape my own values and the values I wish to pass on to my children.

5:00

Mr. Speaker, my family is just one example out of tens of thousands of families in this province that have contributed to our success by exemplifying the values of putting people first. As members of this Assembly if we truly serve and work to serve Albertans every day, how can we possibly go wrong? I believe Albertans care about people, and they value principles more than the bottom line. It is my understanding that this compassion was well articulated in the Speech from the Throne.

Mr. Speaker, I have to say that I'm particularly proud of my constituency of Calgary-South East. This is a vibrant, diverse, and growing community that reflects the best qualities of Calgary and the best qualities of this great province. This is an urban riding that encompasses the communities of Auburn Bay, Chaparral, Copperfield, Cranston, New Brighton, Legacy, Mahogany, Seton, Silverado, and Walden. The majority of people here speak English, but many of my constituents also speak Spanish, Vietnamese, Punjabi, German, Chinese, and French. They represent the ever-changing face of Alberta, that has grown to become more diverse over the years, and it is this diversity that is the strength for this province.

People bring with them new ways of doing things and perspectives that enrich the fabric of our society. A constant flow of ideas and fresh perspectives are key to maintaining and growing our international and economic competitiveness. It is true in the case of both long-time residents of Alberta as well as newcomers that the diligent and entrepreneurial spirit of these constituents has been apparent throughout the constituency. We are a constituency of opportunity-oriented folks who run their own small businesses and are taking advantage of the wealth of opportunities available to us as Albertans. My father ran his own business for 40 years, and it was there that I learned the values of honesty, integrity, and getting the job done right the first time. I see much of that same outlook present in the riding of Calgary-South East. It is this powerful western spirit that has been crucial to our past successes and will remain so as we move forward.

Mr. Speaker, allow me to point out with pride that the constituency of Calgary-South East is also an educated one. Fully 90 per cent of the constituents have a diploma or a certificate of some sort while 30 per cent of constituents have a university degree. In both cases, this is higher than the average provincially. In addition, the fact is that a large proportion of constituents are employed in the scientific, technical, or professional fields, engaged in developing constant innovations and knowledge. Whether it is construction, manufacturing, retail, transportation, finance, education, or health care, I know that the constituents of Calgary-South East are performing tremendously well in their respective fields.

Mr. Speaker, when I hear the hon. Premier speak about government's priorities for the future, I see how they align with what I hear from Albertans. The message they convey to me is to put people first, do it with purpose, and do it while building the province more efficiently, all while continuing to spend wisely. This is why I was pleased to hear the Speech from the Throne last week as it expressed many of the perspectives that I've been hearing from my constituents. Much like this government, Albertans believe in building stronger families and communities. The goal is to support families and communities in reaching their full potential, paving the way for people to take advantage of opportunities which allow them to enjoy a better quality of life.

The hon. Premier has also pledged to have a strong and nimble public service, one that is designed around Albertans and one that is well poised to offer exemplary services to the public in an efficient manner.

Mr. Speaker, the family and the local community is the most basic unit of our society, and we are only as strong as our weakest family and our weakest community. Family is where the future of this province is to be found. That being said, let us not forget our First Nations and Métis families. With a proud history they were here before any other newcomers started arriving, and they, too, have contributed to the greatness of this province. I served with Maskwachees Ambulance Authority on the Samson Cree Nation, Ermineskin, Louis Bull, and Montana reserves. I've seen firsthand the challenges the aboriginal people of Alberta are facing, and I look forward to a meaningful dialogue to see where we can be of support.

Mr. Speaker, it was obvious to me from the throne speech that we must support our seniors, giving them the tools that they need to live fulfilled lives as they age. After all, the generations before us were the ones who built this province and made it an amazing place today.

I am pleased that this government continues to innovate in the provision of health care. Family care clinics and community care paramedics are a model for recognizing the crucial role of health care practitioners and allowing them to practise to their full extent. These innovations will also create greater access to primary health care for Albertans, which will contribute to a more efficient system in the future.

It is also important to help younger members of the family by offering a variety of educational options right in the community. As I raise my two young sons, I am grateful for the number of choices that I can make with respect to their education, particularly the choices in my own home, where I have the freedom to teach my children my values. Albertans have access to world-class education, and this government is committed to keeping it that way.

Most families and communities in this province are thriving, Mr. Speaker, and we will carry on making sure that they do. What I heard from the throne speech is a commitment from this government to providing the resources necessary for families to flourish.

I also believe in the solid basis of our current prosperity. It was built by a government that fostered the conditions for economic growth and development. To me the throne speech has emphasized this, the importance of securing Alberta's economic future.

This is a government that believes in spending the taxpayers' money wisely. Through her effective leadership the hon. Premier has introduced the idea of results-based budgets that will balance public spending by providing predictable funding and eliminating government waste. This will be achieved through no new taxes and no provincial sales tax. Mr. Speaker, let me repeat myself: no new taxes and no provincial sales tax.

In closing, Mr. Speaker, we are going to be innovative, we're going to be collaborative, we're going to be efficient, and we're going to be inclusive. We are going to lead this province with purpose, with class, and with dignity while serving Albertans first.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Just before I recognize the next speaker, I will just give you the order that I have for speakers. Assuming that we will have time, I will next recognize the Member for Edmonton-Beverly-Clareview, then the Member for Fort McMurray-Wood Buffalo,

the Member for Olds-Didsbury-Three Hills, and if we have time, the hon. Minister of Accountability, Transparency and Transformation.

Before I recognize the next speaker, may we briefly revert to the Introduction of Guests?

[Unanimous consent granted]

### Introduction of Guests

(*reversion*)

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

**Mr. Eggen:** Thank you, Mr. Speaker. I'm very pleased to introduce to you and through you to all members of the Assembly some members of my campaign team who are here this evening. Joscelyn Proby, Donald George Retson, Peter Cross, Val Neaves, and Trevor Zimmerman all helped a great deal to ensure that we have this seat that I'm standing above here today. If they could stand and receive the warm welcome.

**The Deputy Speaker:** Hon. Member for Edmonton-Beverly-Clareview, introductions?

**Mr. Bilous:** Yes. Thank you, Mr. Speaker. It gives me great pleasure to introduce a number of very special guests. Along with my parents are many campaign workers, volunteers, who helped me be here today. I'd like to call your names, and as I do, please stand and be recognized: my parents, Orest and Mary Ann Bilous; Chris Klein; Miranda Klein; Gertrude Sopracolle; Brad Lafortune; Peggy Wright; Garrett Spelliscy; Bri Pickard; Sasha Pickard; Darren Zeigel. Please stay standing. If you could please join me in welcoming them to the Assembly.

### Consideration of His Honour the Lieutenant Governor's Speech

(*continued*)

**The Deputy Speaker:** On His Honour's speech I will recognize the hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you very much, Mr. Speaker. I'd like to begin by expressing my congratulations to all the new members on their election to the Assembly. I'd also like to congratulate you, Mr. Speaker, on your new role and was pleased to hear your commitment to impartiality and fairness in the House.

I'm honoured and humbled to be the elected representative for Edmonton-Beverly-Clareview. I think all members will agree that our electoral success was the direct result of the hard work of many volunteers, including family members, that was put into our campaigns. In addition to the volunteers that I introduced, I would also like to thank the many volunteers who couldn't be here today who contributed countless hours and strengthened the fabric of our democracy by getting involved.

I'd like to take this opportunity to talk a little bit about the area I represent, Edmonton-Beverly-Clareview, about its history and deep roots in progressive politics. The constituency is located in the northeast part of Edmonton and has a very rich history. Originally Beverly, the community where I live, was known for its mines, that provided jobs for its many residents and coal for much of Alberta. The town of Beverly was incorporated in 1914, and though the coal mines no longer provide the backbone for the community, the area is still full of life and will be celebrating its

hundred-year anniversary in July of 2014. I feel proud and humbled to be able to represent the community as it celebrates its centennial.

#### 5:10

One of the undeniable characteristics of Beverly is its sense of history. Many original families continue to live in the Beverly area, and in my three years of door-knocking I've had the opportunity to meet many community members whose families have lived in the area for generations. With this history comes a great sense of pride and passion for the community, and I'm excited to see young families moving back into the neighbourhoods north and south of 118th Ave. These young families will add their stories to the next hundred years of Beverly's already rich history.

The constituency also crosses the Yellowhead and encompasses Clareview, including Hermitage, Belmont, and the historic Fort Road district. With the new electoral boundaries our constituency gained some neighbourhoods from Edmonton-Manning. I experienced the fabulous sense of community in those neighbourhoods on Family Day this year, when the Hairsine Community League organized a great event with pickup hockey, bonfires, and a sleigh ride for kids.

First developed in 1972, Clareview is still a relatively new part of Edmonton. It's a good area for young families. It's affordable, they can live close to the schools and the beautiful Hermitage ravine, and there's convenient access to public transit through the LRT. I met constituents from all walks of life while door-knocking in the Clareview area. It's an area of immense diversity. Many new Canadians are settling there, some so new they haven't become citizens yet, so they couldn't vote in this election but are looking forward to 2016.

The aboriginal community is also a very significant part of this area. Some told me they were concerned about their young people, who face many challenges in the form of poverty, gangs, and addiction. I share with them a commitment to safer communities with thriving programs for our youth and supporting our municipalities so they can afford good community policing. As a teacher in Edmonton's inner city I've worked with many aboriginal youth, and I believe every one of them deserves a fair chance at success. I'm happy to have the opportunity to serve these constituents as the NDP aboriginal affairs critic.

The people of Clareview are hard-working Albertans who responded to our message of making life more affordable. They're worried about their electricity bills, especially the seniors on fixed incomes who I met. They need Alberta to have predictable regulated rates like everywhere else in Canada so that they can make ends meet every month.

In the last election people in Clareview made an important choice. They wanted real representation, a strong voice in the Legislature standing up to this government and fighting for their priorities. As a New Democrat I come after other strong NDP representation in the communities of Beverly-Clareview. The constituency has had two New Democrat MLAs in the past – Ed Ewasiuk from '86 to '93 and Ray Martin from 2004 to 2008 – plus one member of the CCF, Elmer E. Roper, from 1942 to 1955. I've learned a lot indirectly and personally from these men, and their names would continue to come up on the doorstep when I was campaigning for the past three years. I think that foundation was a large part of our success, and I will do my best to live up to the high standard these former MLAs have set.

For six years I taught high school in Edmonton's inner city. I worked with some of the most vulnerable members of society. The barriers and challenges that these young people face is incredible.

Many youth have lived through foster care, the prison system, homelessness, prostitution, addictions, trouble with the law, struggling to make ends meet, frequent trips to the Food Bank, and insufficient winter clothing. There is no shortage of challenges these young people face. I taught at an inner-city high school because I believe all Albertans deserve to have the same opportunities. I've seen and been a part of the successes of students and young people when they're given the opportunity to overcome incredible odds and climb insurmountable obstacles.

No matter how different people may appear to be on the outside or on the surface, inside we're all the same, with the same needs, desires, hopes, and dreams. The people of this province, the people of Beverly-Clareview are no different. They all want a roof over their head, a safe community to live in, a clean environment, a good job, a health care system that can be relied upon when they're sick. That's why Albertans deserve a government where people are the first priority. In the words of JFK: "Democracy is never a final achievement. It is a call to an untiring effort."

Mr. Speaker, first and foremost, the job of an MLA is to represent his or her constituents. By talking to people over the past three years on the doorstep, in their homes, and at their places of work, I met thousands of people who were eager to share their priorities and their concerns about our community and our province. In response to the Speech from the Throne, I would like to share with this Assembly my priorities, which have come from conversations I've had directly with the residents of Edmonton-Beverly-Clareview. The Alberta NDP opposition stands up for all Albertans. Unfortunately, as evidenced by their throne speech, the current government does not.

I met many people who work in the oil and gas sector, and they told me that keeping quality jobs in Alberta is important. Many said that they were voting New Democrat for the first time in their life because they want this province to invest in upgrading and refining our bitumen here in Alberta. Many Albertans cannot understand why the Conservative government is intent on building a pipeline to ship our raw bitumen and our jobs with it. If we build four new upgraders in Alberta, it would generate billions of dollars in revenue from taxes and royalties, create thousands of high-quality long-term jobs, and ensure Alberta remains prosperous for the long term.

It baffles me that this government is intent on and insists on sending raw bitumen to the U.S. instead of upgrading it here. This begs the question: whose interests is the government looking out for? I can see how oil companies would prefer to build a pipeline and ship bitumen to existing factories in Texas, but it escapes me how the government also thinks this is a good idea. I was under the impression we were elected to represent the best interests of Albertans.

Another priority for the residents of Edmonton-Beverly-Clareview is making our communities safer. We all deserve to live in a neighbourhood we're proud to call home. As a resident of Edmonton-Beverly-Clareview I believe this begins with investing in safe and healthy communities. There is no easy answer to some of the problems in our neighbourhoods, but by investing in strategies that focus on crime prevention and community involvement, I'm confident we can make our communities safer.

Building safe and vibrant communities for Edmonton-Beverly-Clareview and across Alberta means co-ordinating efforts to address not just the symptoms but the root causes of crime. Of course, we need adequate laws and sentences to bring those who break the law to justice, but more importantly we need to build healthy communities from the ground up so that the common crimes we see in our neighbourhoods are less likely to happen in

the first place. Let's not forget that crime prevention is cheaper than enforcement, prosecution, and jail time. It also means fewer of us will be victims of crime.

For a New Democrat education is a critical investment in the future of Alberta. A highly educated workforce means that Albertans will be competitive in the global market. Unfortunately, this government has not done enough. Class sizes continue to be a challenge for teachers, parents, and students. Adequate training, resources, and the provision of support staff all play a pivotal role in helping schools deliver the best quality of education possible. Integrated and inclusive classrooms can be a great idea if all stakeholders – school boards, teachers, parents, and students – receive the level of support they need to be successful. Proper training, small staff-to-student ratios, appropriate equipment, and sufficient funding are all necessary to meet the diverse needs of schools that provide wraparound services.

Schools are the hub and lifeblood of a community, and I believe that the government has a duty to play in keeping schools open and acknowledging their importance, especially in mature neighbourhoods. Families often move into an area because the school is local and often walking distance from home. Children and parents have the opportunities to get to know one another through school activities, spending time in their own neighbourhood, which helps to develop a meaningful relationship and connection to their community.

More needs to be done to keep postsecondary education affordable and ensure that higher learning is not just a place for the elite. If the cost of attending postsecondary institutions continues to rise, more and more Albertans will seek higher learning elsewhere, which will increase the chances of those students remaining out of Alberta upon completion.

Decades ago we knew the time was fast approaching when baby boomers would retire and make the transition from independent to assisted living. There should not be a shortage of spaces for seniors. They should not be gouged by rising or hidden costs, not in this province.

5:20

Alberta is prosperous because of the workers who helped generate these profits. Workers in Alberta deserve to be compensated appropriately for the work they do. Our labour laws should be protecting the very people on whose backs the corporations are turning record profits. We need a diversified economy, one where there is support for small businesses and incentives to develop alternative energies such as wind and solar. Our government needs to ensure the Alberta economy is not subject to the whimsical nature of a boom-bust cycle. Long-term planning, strategic decisions, and calculated steps need to be taken in order to ensure our ship can weather the storm during times of scarcity and make smart investments during times of abundance.

A diversified economy includes agriculture, yet we find little or no support for agricultural co-operatives or local markets. We should be supporting our small- and medium-sized producers and provide initiatives for them to connect to the market directly. We should be packaging the food we grow locally as opposed to shipping it overseas to be packaged and then returned to be sold. We need to ensure that local producers, farmers, get paid for the true cost of production.

Health care is a priority for Albertans. They recognize the value of our public health care system and want assurances that it will remain publicly funded and publicly delivered. We need to address the shortage of health care practitioners through innovative solutions such as increasing enrolment in postsecondary institutions,

attracting and retaining medical professionals, reducing emergency room wait times, and creating more hospital beds, home care options, and facilities for seniors.

As a social studies teacher I had many discussions with students regarding the role of government and the job of an MLA. They thought, as I do, that people elect governments to make decisions on their behalf and to act in their best interests. That meant once upon a time that voters elected representatives because they had vision and foresight. They had ideas on how to improve the quality of life for their neighbours and their communities.

Leadership is about vision. It's about taking risks and making bold decisions which sometimes may not be the most popular. If some politicians in our history stuck to making only easy ones, we would have been shortchanged. Our public health care system exists because a man named Tommy Douglas had the courage, resolve, and tenacity to carry out his vision of a society where everyone has access to health care services regardless of income, status, or ability to pay. Our public health care system is a source of pride for many Canadians and is the envy of many jurisdictions around the world.

Part of the reason I got involved in politics is because I see Alberta's potential. I believe in a just Alberta, where the government places people before profit. We live in the richest province in the country, in the wealthiest jurisdiction in the world. Albertans should have the best programs and services available, yet there is much room for improvement. It's a matter of approach, of priority.

Mr. Speaker, I am proud to represent a constituency with such immense cultural and religious diversity. Indeed, Edmonton-Beverly-Clareview is a good example of the huge range of backgrounds that we have as Albertans. As their MLA I will celebrate the richness that each group brings to our community. I commit to reaching out, to taking an inclusive approach, and working with cultural and religious groups of all stripes to make their voices heard, from aboriginals who want their youth to have a fair chance of success and our environment to be respected for the sake of future generations to commitment to family and community that I've seen in the Dutch Reformed Church, the Somali Muslim community, and in my own Ukrainian heritage.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Speaker. I'd like to commend the hon. Member for Edmonton-Beverly-Clareview on his speech so far, and I would like to ask him if he has anything more to say.

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

**Mr. Bilous:** Thank you, Mr. Speaker. Thank you, Member for Edmonton-Highlands-Norwood. On election day Edmonton-Beverly-Clareview constituents of all cultures, religions, and walks of life made a choice for real change in their community. They want inclusive representation that they know will work hard on their behalf. I value the differences in our experiences and our history. They have also sent me to this House with an important message. Regardless of political affiliation or ideology I will reach out to all members in order to work toward our common future and a better, more inclusive Alberta.

Thank you very much, Mr. Speaker. I look forward to working with all members of this Legislature in order to effect positive changes in all of our communities.

**The Deputy Speaker:** Thank you, hon. member.

I now recognize the hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Allen:** Thank you, Mr. Speaker. First of all, I would like to thank His Honour the Lieutenant Governor both for his many years of service to this country and to this great province and also for sharing his view of the tremendous future that lies ahead for Alberta.

I would also like to congratulate Mr. Speaker on winning not just one but two elections in the past five weeks. I'm honoured to serve in an Assembly under your guidance, wisdom, and impartiality.

In what will become my maiden speech as a Member of the Legislative Assembly for the new riding of Fort McMurray-Wood Buffalo, it is a pleasure to rise today to reply to the Speech from the Throne.

To begin, I must say that I'm extremely proud and humbled to represent the great people of Fort McMurray-Wood Buffalo and to stand up today on their behalf. I would also like to thank a number of people for helping elect me as the new MLA, including Jim Moore, Andrew Highfield, Jeff Thompson, Ujeer Ahmed, Dave Gilmour, Kareem Noor, and many others who worked tirelessly on my behalf. Without their support and encouragement I would not be here today. Their passion and dedication are great examples for the economically strong and culturally vibrant corner of the province that is Fort McMurray-Wood Buffalo.

Mr. Speaker, I'm happy to say that I have been a part of the community since 1993, when I moved my young family to Fort McMurray to purchase a small business called Campbell's Music at a time when the economy was still struggling from the previous downturn. I did not move there with a two- or a five-year plan, as many did, but to run my own business and become a highly engaged member of my new community, my new home. I'm pleased to say that our diverse product inventory makes us one of the most popular music stores in western Canada and is the only major music store north of Edmonton, now celebrating its 36th year in business. There wasn't a lot going on back then. Fort McMurray was just a small, friendly city where everybody knew each other, but we were still full of excitement with the opportunities ahead.

Fort McMurray, of course, is in the heart of the oil sands, and many might find the oil sands to be relatively new. They think it's a relatively new discovery. But for the past hundred years global attention in the oil and gas business has been on conventional supplies, developed by drilling oil wells into the ground. It's only been as those supplies appear to be dwindling and as politics in the Middle East have become increasingly problematic that international attention has been drawn to the oil sands. However, the oil sands are not something new or unknown. Hundreds of years ago aboriginal people used exposed heavy oil harvested from the banks of the Clearwater River to waterproof their canoes. Now the Wood Buffalo region is indisputably the hottest regional industrial economy in the entire world. But even as Fort McMurray is becoming a citizen of the world, it is also very much a community rooted in the northeast corner of Alberta in a magnificent boreal wilderness and in our ties to an opportunity and way of life that are unique in the world.

Accelerated global interest in oil sands development has meant tremendous growth, and that growth has presented some challenges. Addressing the challenges that accompany such rapid growth requires bold thinking and innovative approaches. At the same time Fort McMurray is among the most dynamic communities in Canada, with a highly educated workforce and a commitment to stretching the bounds of emerging technologies to achieve prosperity. As a

community we saw unprecedented growth over a very short period of time that led to many challenges, and we fought hard to protect our interests with all levels of government: municipal, provincial, and federal.

It was during that period of time that I chose to get more involved and joined the Fort McMurray Chamber of Commerce, where I eventually served two terms as the president. As the president I lived and breathed the issues faced by small business in this community: lack of available commercial space, labour shortages and recruitment challenges, competitive wages. I also lobbied regional council on a number of issues. At that point I subsequently became elected and served two terms as a member of council for the regional municipality of Wood Buffalo. As a member of council I had the opportunity to grow, learn from, and work diligently with a team of men and women that have developed a strong vision of how Wood Buffalo will continue to be a world-class region, with a 25-year outlook to ensure that it will not only be a sustainable and vibrant region but will become an example to the rest of the world on how to make sustainability happen in a resource-dominated northern city.

5:30

There I worked with a great many councillors and staff and was able to see the valuable work done by our municipal governments not just in Fort McMurray but across this province. After all, municipalities are the foundation of our province, and our government knows that relationships with our cities and towns are key to enhancing the quality of life of all Albertans.

Mr. Speaker, the region I call home is one of the premier economic drivers of our great province, of Canada, and of the world. Our province enjoys the highest average weekly earnings, the highest employment growth, and the lowest unemployment rate in the country. The hard work being done in Fort McMurray-Wood Buffalo makes a significant contribution to the prosperity that Albertans enjoy today and will continue to benefit from for years to come.

As we heard in the Speech from the Throne, securing Alberta's economic future is one of our government's top priorities. To do so, we have committed to saving, to balancing the budget by 2013-14, and to finding innovative ways to maintain Alberta's long tradition of fiscal discipline. We have also committed to no new taxes and no tax increases so that Alberta families can continue to build financially sound futures and so businesses continue to attract investment and stay competitive globally. Mr. Speaker, it's easy to see where Fort McMurray fits into this, and going forward, Fort McMurray-Wood Buffalo will surely remain a leader in efforts to secure our province's economic future in the decades to come.

Mr. Speaker, Fort McMurray-Wood Buffalo is so much more than just an economic powerhouse. It is a culturally diverse region and one where families are at the heart of the community fabric. As such, I was very pleased to hear the hon. Lieutenant Governor say in the Speech from the Throne that this government will continue to invest in families and communities. By investing in families and communities, we will ensure the continued well-being of those with whom our future rests.

In Budget 2012 our most critical public services – education, advanced education, health, and municipal services – are receiving stable funding in the form of three-year budget commitments. This is needed to ensure that our public institutions have the resources, services, and capabilities they need to continue providing the best services possible, that Albertans deserve.

Mr. Speaker, during the election I made a commitment, as did this government, to accountability and transparency. I'm very, very pleased that my fellow Fort McMurray MLA was named the Associate Minister of Accountability, Transparency and Transformation. I now look forward to working with my hon. colleague and friend from Fort McMurray-Conklin on these very important issues.

The first and most important commitment I made to the people of Fort McMurray-Wood Buffalo during the election, Mr. Speaker, was to open a fully staffed and operational constituency office in Fort McMurray, where residents can come for assistance with provincial services. As I have often said, the first step in accountability and transparency is accessibility to the constituents, and I'm committed to remaining accessible. That is why I'm so pleased today to announce that as of next week the constituency office of Fort McMurray-Wood Buffalo, located in downtown Fort McMurray, will be open for business. In the weeks since the election we have already assisted dozens of individuals with various issues, and starting next week, we will be better equipped to assist many more.

As you are aware, Mr. Speaker, I was recently assigned a very important task by the Premier as special adviser to the Minister of Transportation. That task is to provide recommendations for highway 63 safety, and I would like to take a moment to address that before closing my statement. Since being assigned this task, I've done a great deal of research and have met with many stakeholders and individuals with valuable input, and I will continue to do so in the weeks ahead before we table the recommendations. It is important to know that highway safety in general across the province, but specifically on highway 63, is a top priority for this government, and I would like to thank the Premier for reaffirming that by assigning me this important task.

I want to remind Albertans through you, Mr. Speaker, that highway safety is not just about adding more roads or more lanes. My report will no doubt contain recommendations on the addition of passing lanes and a plan for the accelerated twinning of highway 63, but the approach will also focus on changing the culture on our highways. We must discourage bad drivers, and we must encourage good drivers. More passing lanes should not be an opportunity for racing on our highways. A twinned road should not be a blank cheque for speeders. Our highways have been plagued by overzealous drivers, racers, speeders, and impaired drivers, and we must take steps to reduce and eliminate these. That will also be a focus of my report because the safety of our citizens is the highest priority for all Albertans.

Lastly, Mr. Speaker, the vision of the Speech from the Throne is one where our government will pledge to continue to advance our world-leading resource stewardship. For more than half a century Alberta has been developing our oil and gas resources while coming up with new ways to minimize the impacts to our environment. It's no secret that the Fort McMurray-Wood Buffalo region has been one of the world leaders in this regard. This government will push those efforts into overdrive. One key piece will be AOSTRA 2, which is the Alberta Oil Sands Technology and Research Authority. It will help us to develop technologies to shape the ever-changing global markets so we can sell them our products and our innovation. We will strive to become global energy leaders in every field from production to research and development.

Mr. Speaker, over the next four years there will be plenty of work to do as our province has the potential to reach greater heights than ever before. This government will meet the needs of Albertans in a way that prepares us for the long term. As the MLA for Fort McMurray-Wood Buffalo I am committed to playing an

important part in the building of this foundation. Likewise, I have committed and will remain committed to an honest, open, and transparent government, one that takes the twinning of highway 63 and the issues facing the Fort McMurray region very seriously.

In closing, I would again like to thank the constituents of Fort McMurray-Wood Buffalo for giving me the opportunity to represent them and reiterate how proud I am to do so. I would also like to thank our hon. Premier for her vision, leadership, and hard work. I look forward to becoming an active member of her team for years to come.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, I will recognize the Member for Olds-Didsbury-Three Hills.

**Mr. Rowe:** Thank you, Mr. Speaker. It is indeed a pleasure to rise in this House today to speak on behalf of my constituents of Olds-Didsbury-Three Hills. First, I would like to extend my congratulations to you, Mr. Speaker, on your recent election.

I am both honoured and humbled to rise and address this Assembly for the first time on behalf of the citizens of Olds-Didsbury-Three Hills. I am honoured to be chosen for the duty entrusted to me by my constituents and humbled to serve in this House, where many able and worthy representatives have come before me. I do have big shoes to fill.

I congratulate and applaud my predecessor, Richard Marz, on a lengthy and noteworthy career. When Mr. Marz stood where I stand today delivering his maiden speech in the Legislature, he referenced the English writer and clergyman Sydney Smith, who said, "It is the calling of great men, not so much to preach new truths, as to rescue from oblivion those old truths which it is our wisdom to remember and our weakness to forget." Mr. Speaker, I believe Mr. Marz lived those words and right to the end sought to return his party to the path of small "c" conservatism. I shall endeavour to continue his work here in this Legislature.

In fact, there is a long history of great MLAs from the Olds-Didsbury-Three Hills region, including the youngest member, elected at the age of 23. Bob Clark later became the minister of youth and then education. He finished his 20-year career as an MLA as Leader of the Opposition.

Lastly, I recognize and thank another former MLA, Connie Osterman, who served the people of the region faithfully for more than a decade. Before her career as an MLA and minister began, she organized a group of farmers and landowners to campaign for changes to the Surface Rights Act and the Expropriation Act, changes finally made in the early 1970s. The work she did to protect landowners' rights should not be lost on this generation of MLAs. I thank Connie and her husband, Joe, for their support, and I am proud to call them friends.

I am gratified, Mr. Speaker, to represent the citizens of one of Alberta's larger rural ridings. Olds-Didsbury-Three Hills is more than just an amalgamation of three towns having a common history. My riding relies on the hard work of hundreds of farm families who live between our 12 urban municipalities, where agriculture is not just a leading industry; it is the backbone of our economy and the bedrock upon which our communities are built. It is important to remember that long after the oil is gone, agriculture must and will remain.

5:40

Mr. Speaker, we have a vast and diverse riding that sweeps from Huxley in the northeast to Water Valley in the southwest and from

Eagle Hill in the northwest to Carbon in the southeast. Not only do we have 12 urban municipalities, but there are also three counties as well: the counties of Mountain View, Rocky View, and Kneehill. Our rural areas are strong, but the towns in the riding take a back seat to no one. We have our namesakes, but we also have wonderful communities like Carstairs, Trochu, and Linden. When the riding boundaries were redrawn, we welcomed a new southern boundary, and the riding now includes Crossfield, Irricana, and Beiseker, my home town. Crossfield is the heart of manufacturing and commercial industry in the riding.

We have unlimited potential in the riding of Olds-Didsbury-Three Hills and in the whole province of Alberta. Helping to unleash that potential is Olds College. Founded in 1913, the college today sits on a campus of more than 2,000 acres that includes a working farm. They have more than 30 degree programs and lead in innovation and agricultural technology. Recently I was honoured to attend the grand opening of a new program at the college. They became the first college in western Canada to offer a brewmaster program.

For those of you that are good at math, you would have realized that in 2013 the college will celebrate its 100th anniversary. The whole year will be a celebration of agriculture in rural Alberta that will feature major monthly events, peaking with the World Plowing Championship in August. I invite you to come down to the college and join me and the brewmasters for the historic events and enjoy the fruits of their labours. I also hope the government of Alberta will be forthcoming with support for this year-long celebration.

Like many of my constituency citizens, I was raised on a family farm. My parents farmed just west of Moose Jaw, Saskatchewan. I spent many an hour in the seat of my father's 1960s Massey tractor, with no power steering, and I learned a love for the land that endures to this day. Growing up where and when I did, it didn't take long for me to realize that our farm was too small to support two families. After high school I made the decision to attend the Saskatchewan Technical Institute and start my career as an electrician.

Like some before me and many afterwards, I left Saskatchewan for Calgary in 1969 to obtain full-time work. It proved to be one of the best decisions of my life. I spent the next 35 years as one of Alberta's hard-working tradesmen and small business owners. I saw the good times and the bad, the energy boom of the early '70s, and the awful aftermath of Trudeau's national energy program in the 1980s. During this period I met and married my wife, Carol. We have two children, Barbara and Steven, and two grandsons, Everett and Elliott.

Mr. Speaker, you may rest assured that public service is a calling I take seriously. I have served as mayor for the better part of a decade. I have learned that it takes more than a sense of duty to help your community succeed. It takes hard work, long hours, and determination. More importantly, it takes a heartfelt desire to listen to the people and the wisdom to act on their concerns.

My fellow members need to understand that the previous government's legislation impacting landowners' rights is not acceptable. The way in which landowner rights were being abused was just plain wrong. The lack of discussion with Albertans when creating the legislation was disappointing, to say the least. Landowners' rights are vital to Olds-Didsbury-Three Hills. It is critical we respect Albertans' private property.

Continued tinkering with the health care system while wait times grow is not acceptable. This includes introducing new programs or clinics without proper consultation with the stakeholders or a completion of pilot projects. In the throne speech we heard about the continued commitment to family care clinics, but the people of Olds-Didsbury-Three Hills are very concerned about just where all the new doctors and nurses are going to come from. Even the AMA

has raised concerns about this project, but it seems that, like with land rights, the government is not that interested in listening. As a result of the lack of listening, for the first time in a generation my riding chose to elect an opposition MLA, giving me a solid mandate to raise their concerns. My election was no accident. The government broke the faith with my constituents as with many citizens across this great province.

The great news, my friends, is that it doesn't have to be this way. All of us, all 87 members of the 28th Assembly, have the opportunity to turn the page on politics as usual, which often leave the individual MLA muzzled and local communities wondering where their representation has gone. As my riding's MLA I pledge to provide my support and voice the ideas advocated by my constituents. As well, if a fellow MLA brings forward an idea supported by my constituents, I will support it in words and in action. The free vote I have as a member of the Wildrose ensures that good policy will win my support.

Mr. Speaker, I truly hope that others here today are willing to embrace this approach, which, I believe, will renew our democracy in ways that will benefit our children's children. Often it seems that the meaningful debate of vital interest to our province is locked away behind caucus and cabinet doors. By bringing that debate back into this Chamber, it will empower MLAs to do the job we were sent here to do.

As a former member of the Alberta Urban Municipalities Association executive I'm keenly aware of how beneficial it can be when people of all political stripes work together. Furthermore, I believe it is in the interest of our province to remove the politics from our infrastructure funding system. We need a universal priority list of infrastructure projects, and we need to make that list publicly available. Whether it's the twinning of highway 63 or the highway 2 overpass for the town of Olds, the public deserves to know when these projects will be completed as well as when and why projects are overdue.

On the east side of my riding the cost of water is another factor standing in the way of economic development. I believe we must find a long-term solution to the high water rates paid by those connected to the Aqua 7 waterline. The public demands and deserves this basic accountability. As a true conservative I believe that a smaller, more-focused government is advantageous to its citizenry.

Mr. Speaker, I am more than willing to meet with any MLA in this Legislature to discuss issues of common concern. I will also oppose the government forcefully when necessary, but you may rest assured that I am less interested in posturing than I am in policy. I look forward to working with all 86 members of this Assembly and representing the people of Olds-Didsbury-Three Hills.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

The hon. Associate Minister of Accountability, Transparency and Transformation.

**Mr. Scott:** Mr. Speaker, I move to adjourn debate.

[Motion to adjourn debate carried]

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

**Mr. Hancock:** Thank you, Mr. Speaker. In light of the hour I'd move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; the Assembly adjourned at 5:50 p.m. to Thursday at 1:30 p.m.]









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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Thursday, May 31, 2012

Issue 6

The Honourable Gene Zwozdesky, Speaker

# Legislative Assembly of Alberta The 28th Legislature

First Session

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Chris Caughell, Assistant Sergeant-at-Arms

Gordon H. Munk, Assistant Sergeant-at-Arms

Liz Sim, Managing Editor of *Alberta Hansard*

## **Executive Council**

Alison Redford	Premier, President of Executive Council
Thomas Lukaszuk	Deputy Premier
Manmeet Singh Bhullar	Minister of Service Alberta
Robin Campbell	Minister of Aboriginal Relations
Christine Cusanelli	Minister of Tourism, Parks and Recreation
Cal Dallas	Minister of International and Intergovernmental Relations
Jonathan Denis	Minister of Justice and Solicitor General
Wayne Drysdale	Minister of Infrastructure
Kyle Fawcett	Associate Minister of Finance
Doug Griffiths	Minister of Municipal Affairs
Dave Hancock	Minister of Human Services
Fred Horne	Minister of Health
Doug Horner	President of Treasury Board and Minister of Finance
Ken Hughes	Minister of Energy
Jeff Johnson	Minister of Education
Stephen Khan	Minister of Enterprise and Advanced Education
Heather Klimchuk	Minister of Culture
Ric McIver	Minister of Transportation
Diana McQueen	Minister of Environment and Sustainable Resource Development
Frank Oberle	Associate Minister of Services for Persons with Disabilities
Verlyn Olson	Minister of Agriculture and Rural Development
Dave Rodney	Associate Minister of Wellness
Donald Scott	Associate Minister of Accountability, Transparency and Transformation
George VanderBurg	Associate Minister of Seniors
Greg Weadick	Associate Minister of Municipal Affairs
Teresa Woo-Paw	Associate Minister of International and Intergovernmental Relations

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on Alberta's Economic Future

Chair: Mr. Amery  
Deputy Chair: Mr. Bikman

Bhardwaj	Quadri
Blakeman	Quest
Donovan	Rogers
Dorward	Sandhu
Eggen	Sherman
Fenske	Smith
Goudreau	Starke
Hehr	Strankman
Jansen	Towle
Luan	Young
McDonald	Vacant
Olesen	

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Quest  
Deputy Chair: Mrs. Jablonski

Anderson  
Casey  
Dorward  
Eggen  
Kubinec  
Sandhu  
Sherman

### Standing Committee on Families and Communities

Chair: Ms Pastoor  
Deputy Chair: Mrs. Forsyth

Allen	Leskiw
DeLong	Luan
Fox	McAllister
Fraser	Notley
Fritz	Pedersen
Jablonski	Sarich
Jansen	Saskiw
Jeneroux	Swann
Johnson, L.	Wilson
Kang	Young
Kubinec	Vacant
Lemke	

### Standing Committee on Legislative Offices

Chair: Mr. Xiao  
Deputy Chair: Mr. McDonald

Bikman  
Blakeman  
Brown  
DeLong  
Eggen  
Leskiw  
Quadri  
Rogers  
Wilson

### Special Standing Committee on Members' Services

Chair: Mr. Zwozdesky  
Deputy Chair: Mr. Young

Calahasen  
Dorward  
Forsyth  
Goudreau  
Jablonski  
Mason  
Quest  
Sherman  
Smith

### Standing Committee on Private Bills

Chair: Mr. Cao  
Deputy Chair: Ms L. Johnson

Barnes	Notley
Bhardwaj	Olesen
Brown	Pastoor
DeLong	Rowe
Fox	Sarich
Fritz	Starke
Goudreau	Strankman
Jeneroux	Swann
Kennedy-Glans	Webber
Luan	

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Dr. Starke  
Deputy Chair: Mr. Lemke

Allen	McAllister
Amery	McDonald
Bhardwaj	Notley
Casey	Pedersen
Hehr	Sandhu
Jansen	Saskiw
Jeneroux	Towle
Johnson, L.	Xiao
Kennedy-Glans	Young
Kubinec	

### Standing Committee on Public Accounts

Chair: Mr. Anderson  
Deputy Chair: Mr. Dorward

Allen	Hale
Amery	Hehr
Anglin	Kang
Bilous	Pastoor
Calahasen	Quadri
DeLong	Sarich
Donovan	Starke
Fenske	Stier
Fraser	Webber
Fritz	

### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans  
Deputy Chair: Mr. Rowe

Anderson	Hehr
Anglin	Johnson, L.
Barnes	Kubinec
Bilous	Lemke
Blakeman	Leskiw
Brown	Sandhu
Calahasen	Stier
Cao	Webber
Casey	Xiao
Fenske	Young
Fraser	Vacant
Hale	



## Legislative Assembly of Alberta

1:30 p.m.

Thursday, May 31, 2012

[The Speaker in the chair]

### Prayers

**The Speaker:** Hon. members, let us pray. Dear God, as we conclude for this week our important work in this Assembly, let us renew our energies with great thanks to those who have given us the privilege to serve them so that we may continue in our service to them and to the people in the constituencies we represent. Amen.

Please be seated.

### Introduction of Guests

**The Speaker:** The hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Mr. Speaker. Today I have two introductions to do. I'd like to first introduce to you and through you to the members of the House the parents and students from the Calvin Christian School just outside of Coalhurst, Alberta. Accompanying the students today are two teachers, Mr. Andrew Krul and Mr. Bill Vanderweide, also in the public gallery. We'd ask them to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** Hon. Member for Little Bow, you have a second introduction?

**Mr. Donovan:** Thank you. Secondly, Mr. Speaker, I'd also like to introduce Kim and Lavonda Justinick, who have also travelled up from my constituency of Little Bow. Would they please rise and receive the traditional warm welcome of this Assembly?

**The Speaker:** Thank you, hon. member.

The hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Mr. Speaker. I would like to introduce to you and through you to all hon. members 30 grade 6 students from Penhold school in my constituency. Accompanying them today are their teachers, Mrs. Cormack, Mrs. Akins, and Mrs. Cunningham, as well as several parents: Mr. Dean Davis, Mrs. Shelley Davis, Ms Alana Petty, Miss Stacia McKinley, and Mr. Dave DeLong. Just a few minutes ago I had the opportunity to meet and have my picture taken with these excited students, and they've all enjoyed their day at the Legislature this afternoon. I invite all of them to please stand and receive the traditional warm welcome of this Assembly.

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

**Mr. Hancock:** Thank you, Mr. Speaker. Today it gives me great pleasure to rise to introduce to you and through you to all members of the Assembly a special guest from my constituency of Edmonton-Whitemud, Mark Jacka. Mark attends the University of Alberta, majoring in political science. Although he was studying and writing exams in April, he also found time to help out on my campaign and come door-knocking on several occasions. It should be noted that he's now preparing for his piano exams. Mark is very interested in many political processes, and I'd ask Mark to rise and receive the traditional warm welcome of this Assembly.

I have a second introduction if I may, Mr. Speaker.

**The Speaker:** Please proceed.

**Mr. Hancock:** I understand in the public gallery is my friend Mr. Ian Crawford. Mr. Ian Crawford is the son of Neil Crawford, who served for many years in this Assembly. Ian, in fact, was the Wildrose candidate in the constituency of Edmonton-Whitemud. Between Ian and myself and the other candidates we managed to get the Edmonton-Whitemud constituents very engaged in the process. We've had a wonderful political conversation, and I'm very pleased that he's here today to witness the proceedings.

**The Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you to all the members of this Assembly 54 grade 6 students from the Rimbey elementary school. The students are joined by their teachers, Mrs. Grahn and Mrs. Hohn. I invite the students and their teachers joining us to rise and receive the warm welcome of this Assembly.

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

**Ms DeLong:** Thank you very much, Mr. Speaker. I rise today to introduce to you and through you to all members of this House someone who you may have met before, Josh Traptow. Josh is an active member of the PC Party and currently serves on the provincial PC executive committee. He's also the highly respected president of my Calgary-Bow PC Constituency Association. Josh supported the Premier during the leadership campaign as her special assistant. He was a member of the Premier's transition team, later serving as special assistant to the Minister of Agriculture and Rural Development. During the election he worked tirelessly as campaign chair for the party in southern Alberta, and despite this heavy workload Josh also took on the task of successfully co-chairing my campaign. Josh is returning to the business world in Calgary, where he's an avid volunteer with the Stampede and the Calgary Heritage Authority. He recently was awarded the Queen's Diamond Jubilee medal for his contribution to the community, province, and country. I would ask that Josh rise in the members' gallery and receive the traditional warm welcome of this Assembly.

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

**Mr. Olson:** Thank you, Mr. Speaker. It's my great pleasure today to introduce to you and through you to all members of the Assembly three guests. As I name them, I'd ask that they stand. My wife, Mardell, and my constituency assistant, Wendy Pasiuk. They're here to help me honour my other constituency assistant, Laurie Huolt, who after 10 years of great service to the people of Wetaskiwin-Camrose and great professionalism has decided to leave me. I guess she's had enough of me. She's got two kids getting married this summer, and she plans on doing lots of golfing. I'd ask that all members of the Assembly give them the traditional warm welcome.

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

**Mrs. Sarich:** Thank you, Mr. Speaker. It gives me great pleasure to rise today to introduce to you and through you to all Members of the Legislative Assembly a constituent of mine who is accompanied by two young boys. They are here today to learn and bear witness to democracy in action here at the Alberta Legislature. They are seated in the public gallery, and I would ask them to please rise as I mention their names. My constituent is Ms

Marion Sotski. Ms Sotski has lived in the constituency of Edmonton-Decore for the past two years, having moved to Edmonton from Fort McMurray. She is accompanied by Kayden Sotski, her grandson. By the way, it was on his initiative. An interest in the most recent provincial election sparked an interest in politics, and that's why they're here today, perhaps a budding politician. He is also accompanied by a very good friend of his, Andrew Scrimgeour, who is his best friend. They will be taking in a tour later this afternoon. I would ask all the Members of the Legislative Assembly to please give them the traditional welcome.

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

**Mr. Quadri:** Thank you, Mr. Speaker. It is indeed my pleasure to rise today and introduce to you my core team who helped me during my nomination, followed by the general election, and that is the reason that I think I have reached my goal today. I will ask that when I call their names, they please rise till the end. Dr. Wasim Haque is a scientist, but he has taught me a great deal of the politics of this province, followed by my campaign manager, Indranil Chaudhury, and my very close friend Nusrat Ali Akhtar. I ask them to please rise, and I request that all hon. members please give them a round of applause today as well.

1:40

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

**Ms Jansen:** Thank you, Mr. Speaker. I would like to introduce to you and through you to the House two of the most important people from my election campaign, my parents. John and Lena Jansen have been married 54 years and are two of the most supportive people I have had with me through this foray into public life. I would ask them to rise and receive the traditional warm welcome of the House.

**The Speaker:** Hon. members, I just received a yellow note from someone, unsigned, about some guests. If you'd please identify yourself as to who you are, then I'd be happy to recognize you.

The hon. Minister of Education, it's your turn.

**Mr. J. Johnson:** Thank you, Mr. Speaker. It's a privilege to rise and introduce to you and through you Robert Woodward, who's sitting in the members' gallery. After graduating with a degree in political science from the University of Calgary, Robert headed south to work on several campaigns in the U.S. before coming back to Alberta and the University of Calgary law school. We're very glad that he came home, and we're pleased to have Robert working in my office as a summer intern this year. While he has only been with us a week, he's already left a great impression. I'd ask that everyone in the House give him the traditional warm welcome.

**The Speaker:** The hon. Minister of Justice and Solicitor General, Calgary-Acadia, followed by the hon. Member for Vermilion-Lloydminster.

**Mr. Denis:** Thank you very much, Mr. Speaker. I have two sets of introductions. First off, it's my pleasure to introduce to you and through you to all members of the Assembly two interns who'll be working in my department's communications office this summer. Shelby Soke is a third-year public relations student at Mount Royal University in Calgary, and Ian Roddick has completed his course work for the public relations program at Grant MacEwan University. Both of them are working on several Justice and

Solicitor General initiatives. I'd ask that they stand and be welcomed by this Assembly.

**The Speaker:** One more, hon. minister.

**Mr. Denis:** Thank you very much, Mr. Speaker. I'd also like to introduce to you and through you to all members of the Assembly Jeff Cook. Jeff is my summer intern in the legislative office before returning to law school at the University of New Brunswick. He was born and raised in Toronto, but don't hold that against him. You may ask what has brought him to Alberta. In his words, he fell for a woman from Alberta. I'd ask that he please rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Vermilion-Lloydminster, followed by the hon. member for Wainwright, who is also Battle River's representative and the Minister of Municipal Affairs.

**Dr. Starke:** Thank you, Mr. Speaker. I will admit to the House that I was the sender of the – it wasn't unsigned. It was initialed, but it was illegible, so now you know what I felt like in high school when I got all those notes from the girls. It was a lonely six years, I'll tell you.

In any case, Mr. Speaker, it is my pleasure to introduce to you and through you to the members of the House a group of people who will be presenting a few hundred signed postcards to the hon. Member for Calgary-Lougheed this afternoon calling for a ban on flavoured tobacco. This postcard campaign is co-ordinated by the Canadian Cancer Society in its Relay for Life events around Alberta. First of all, representing Lloydminster comprehensive high school and Holy Rosary high school in Lloydminster: students Jianna Marin, Brielle Wall, Kailee Weber, Kayla Scheidt, and their chaperones Sherry Lazerte, Kim Ruptash, and Lorelee Marin. Representing the Campaign for a Smoke-Free Alberta, the Lung Association of Alberta: Leigh Allard, Gina Ibach, and Krista Potter. From the Canadian Cancer Society, Angeline Webb and Sarah Hawkins. From the Action on Smoking and Health: Vikki Pym, Stuart Adams, and Les Hagen. And, finally, from the Alberta Policy Coalition for Chronic Disease Prevention, Shandy Reed. I would ask all members to join in giving the traditional warm welcome of the Assembly.

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

**Mr. Griffiths:** Thank you very much, Mr. Speaker. It's a great pleasure for me to introduce to you and through you to members of this House some very special visitors representing the Church of God in Christ, Mennonite, which has two missions in Edmonton. One is the guest house beside the Cross Cancer clinic, and the other is a unit house for those who volunteer in different hospitals. I'd ask them to rise as I introduce them: Harry and Mildred Isaac, Kristi Jo Penner, Karisa Fricke, Caitlin Giesbrecht, Lindsay Litwiller, Ron and Cheryl Unruh, Chentelle Hiebert, and Kyla Wiebe. I'd ask all members to offer up the traditional warm welcome of this Assembly.

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

**Mr. Dorward:** Thank you, Mr. Speaker. It's my pleasure to rise today and introduce to you and through you to all members of this Assembly guests from Braemar school and the Terra Centre here in Edmonton. I'm very pleased that they were able to join us today in the members' gallery. With us today from Braemar school – and I would ask them to stand – we have principal Sandra Erickson, students Gladys Chandiru, Geneva Gylander, Bryann Lohse, Sarah

Plante, Danielle Rochelt-Reid, Erin Simpson, Stephanie Sinclair, and from the Terra Centre the executive director, Karen Mottershead. These guests are seated in the gallery, and I would now ask that they all please rise and receive the traditional warm welcome of this Assembly.

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

**Mr. Eggen:** Thanks, Mr. Speaker. I have two introductions here today. First, I would like to introduce to you and through you our guest Elisabeth Brosseau. Elisabeth is a student from Quebec working in our caucus for the summer as part of a Quebec-Alberta exchange program. She's studying at the Université de Montréal, completing her master's degree in political science, focusing on federalism. Since arriving in our province, she said that she has been struck by the many similarities between Alberta and Quebec. I would like Elisabeth now to please rise and receive the warm welcome of our Assembly.

**The Speaker:** Do you have a second introduction, hon. member?

**Mr. Eggen:** Yeah, I do if you don't mind.

**The Speaker:** Please proceed.

**Mr. Eggen:** I have also to introduce in the public gallery Eric Musekamp and Darlene Dunlop of the Farmworkers Union of Alberta. They are here to remind us that all paid farm workers here in this country are as equal as every other person in terms of rights and privileges.

Thank you.

**The Speaker:** Hon. Member for Edmonton-Centre, I understand you have two separate introductions.

**Ms Blakeman:** Yes, I do. I have two different introductions.

**The Speaker:** Please proceed.

**Ms Blakeman:** Thank you very much. Mr. Speaker, I'd like to introduce to you and through you to all members of the Assembly a woman who is very well known to many MLAs and to the media for the organization that she started, which is Elder Advocates, and that is Ruth Maria Adria. She is sitting in the public gallery today, and with her is Bev Munro. Now, Bev is a resident of the Edmonton General hospital long-term care. Bev has also long been a self-advocate for improved conditions in that facility. She has actually had information presented in this Assembly previously, and I will be tabling something from Beverley later on. She is particularly concerned at this moment that she be able to have her friends come and visit her at the General. Please welcome them to the Assembly.

My second introduction is a sad one for me and for the fabulous constituency of Edmonton-Centre because we are losing two individuals who have served us very, very well there. John Henry Weinlick has been a faith leader in Edmonton. He's going to stand so you can see him. I want you to honour these two people because he has been a faith leader in Edmonton for 41 years, the last 10 at McDougall United Church downtown. Prior to that, he was put on a number of committees and urged to join URGE. I don't know how many of you will remember the Urban Reform Group Edmonton. They worked very hard to preserve the river valley and establish the LRT. He also started what turned into the Support Network. He has really made McDougall United a central and integral part of downtown Edmonton, and I shall miss him upon his retirement at the end of June.

Now, even more important than John Henry is his wife, Laressa Pawlowski-Weinlick. Laressa is a musical diva, particularly for us downtown. She is a musical theatre star, particularly in comedy roles, and has improved and widened the music that's available at McDougall United over her years of service there as the musical director. Last year I think they did more than 95 concerts there.

Please, please welcome and honour these wonderful Edmonton citizens.

**The Speaker:** Just a brief reminder, hon. members. I've gotten some of your notes. Thank you. To refresh memories, the chair recognizes people to do these introductions, recognizes you as members in the order in which we are notified of your request to do so.

1:50

## Oral Question Period

**The Speaker:** The hon. Leader of the Official Opposition.

## National Energy Strategy

**Ms Smith:** Thank you, Mr. Speaker. Yesterday the Deputy Premier, who you might mistake for the actual Premier by watching the House proceedings this week, said that the western Premiers all supported the Premier's so-called Canadian energy strategy. But here's what one of them, the Saskatchewan Premier, actually had to say, and I quote: it needs specific points, things that you would execute, and I have a hard time discerning what that might be. Unquote. How about that, Mr. Speaker, a western Premier wondering what our Premier is actually talking about? I happen to agree with him. It's been months since she touted this supposed strategy, and no one knows what it is. Will the Premier stop talking airy-fairy nonspecifics and start getting results on the west coast, Keystone, and east-west pipelines?

**Mr. Lukaszuk:** Well, first of all, thank you for that compliment, but I could never live up to that of our Premier.

Mr. Speaker, let me tell you this. The Premier of Saskatchewan, who, I believe, is being referred to, is a full signatory to the document. As a matter of fact, there is an understanding between western Premiers that we have to have a co-ordinated approach to development and transmission of energy, with full understanding of jurisdictional limitations, and make sure that one part of the country is not getting in the way of another part of the country in developing and transmitting energy.

**The Speaker:** The hon. opposition leader. [interjections] The floor is yours.

**Ms Smith:** Thank you, Mr. Speaker. Maybe I should help the hon. member by telling the House exactly what the Premier really did say. He also said that the Canadian energy strategy is, quote, mostly about process, and specifics are elusive. How can the Premier claim broad support for a vague scheme, and when will Albertans and our western friends finally see some specifics, some targets, and some deliverables?

**Mr. Lukaszuk:** Well, indeed, Mr. Speaker, the Premier of Saskatchewan is a signatory to this document, and he is committed to the process. The whole purpose of developing a strategy is a process. Provinces will continue to collaborate, hopefully from coast to coast to coast, through a process to develop a system through which we can in a very responsible way develop our mutual energy resources and transmit them from part of the country to another and outside of Canada for export.

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

**Ms Smith:** Thank you, Mr. Speaker. Given the hostility toward our oil sands that will no doubt be on full display today with Mr. Mulcair's visit, why can't the Premier see that without specifics a national energy strategy would merely result in overregulation, unwanted interference, wealth transfer, and ultimately fewer jobs not only here but also in the rest of Canada?

**Mr. Lukaszuk:** Mr. Speaker, hostility only comes from uninformed sources. Hopefully, we have converted one today and, hopefully, soon the leader of this Official Opposition.

**The Speaker:** A reminder, hon. members, that it is your House rules to not have preambles before supplementary questions.  
Second main question. The hon. Leader of the Opposition.

### Committee Compensation Repayments

**Ms Smith:** Thank you, Mr. Speaker. Yesterday the Premier admitted that the PC MLAs on the no-meet committee have not all paid back the money that they owe Albertans. A Wildrose government would stand for keeping promises, transparency, and accountability. The Premier's election promise was not to just make arrangements to pay it back but to return the money or they would not be allowed to sit in her caucus, as they are doing right now. Given that the Premier has not tabled proof, to the Minister of Municipal Affairs, from Battle River-Wainwright, who was on the no-meet committee in 2008: has he paid the money in full, and will he promise to table the proof?

**Mr. Griffiths:** Mr. Speaker, I sat on the committee for I believe it was one month, we met a couple of times, and I have returned the money.

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

**Ms Smith:** Thank you, Mr. Speaker, and congratulations to the hon. member for meeting the standard set by Wildrose MLAs.

Given that the government has not tabled PC MLAs' proof, I'll ask the Minister of Education, from Athabasca-Sturgeon-Redwater, who was on the no-meet committee in 2008, 2009, and 2010: has he paid the money back in full, and will he promise to table the proof?

**Mr. Lukaszuk:** Mr. Speaker, let me remind the Leader of the Opposition that the campaign ended on April 23, so campaigning is over, and now we're here to govern this province. [interjections] The Premier has made a commitment that all MLAs of this caucus will live up to her expectation, and such will be done. [interjections]

### Speaker's Ruling Decorum

**The Speaker:** Hon. members, I'm not sure in which part of your own personal credos outbursts like we just heard fit, but I'd ask you to review that, please. We have a wide audience. We have school groups visiting us. We have people who are interested in hearing the questions and the answers.

### Committee Compensation Repayments (continued)

**Ms Smith:** I guess we can take that as a no, Mr. Speaker.

To the associate minister for persons with disabilities, from Peace River, who was on the no-meet committee in 2008 and

2009: has he paid the money back from the no-meet committee in full, and will he promise to table the proof?

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

**Mr. Oberle:** Thank you, Mr. Speaker, and I thank the hon. member for the question. I have paid the money back in full.  
Thank you very much.

**The Speaker:** The third main question. The hon. opposition leader.

### Prohibited Donations to Political Parties

**Ms Smith:** Thank you, Mr. Speaker. Earlier this week the Justice minister told this House that the Chief Electoral Officer asked for a gag law to keep secret the results of his investigations into the PC Party for accepting illegal money. Not so, said the Chief Electoral Officer. Yesterday the Deputy Premier flip-flopped and told us in this House that the Chief Electoral Officer is free to release the results of his investigation, except that days earlier the government said that he couldn't. Can somebody over there please tell us what the government's line is today? Can the recipients of illegal donations be identified? Yes or no?

**Mr. Lukaszuk:** Mr. Speaker, the line hasn't changed; the understanding has. We have always been clear that in this House we have introduced legislation that actually gave more powers to the Chief Electoral Officer than any Chief Electoral Officer has in this country, and it was always the intention to allow the Chief Electoral Officer to release the results of any of his investigations. There are legal opinions that say that the wording of the law perhaps may prohibit him from doing so, so we have made a commitment that we will make any changes required to the law to allow him to do what we always wanted him to do, release that information to Albertans.

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

**Ms Smith:** Thank you, Mr. Speaker. Hopefully, we can provide some clarity because this morning we received a letter from the Chief Electoral Officer stating, "Our legal interpretation indicates that the confidentiality provisions extend to both the process and outcome of investigations." I will be tabling that later. In other words, it is a gag law. Will the government commit . . .

**The Speaker:** Please remember the words I uttered a few minutes ago. There are to be no preambles to the supplementaries, hon. leader.

The hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you very much. I'm not exactly sure what to answer there, Mr. Speaker, but I will state the facts on the record once again. Earlier today I spoke with the Chief Electoral Officer. He actually had sent me a letter responding to mine a couple of days ago – I will be tabling the said letter – and it indicates, again, that he's willing to work with us to improve openness and transparency. If there's any legislation we need to table in this respect, we will do so in the fall.

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

**Ms Smith:** Thank you, Mr. Speaker. I was going to ask for the government's commitment that they would table the legislation in the fall, and I'm pleased to see that the Justice minister has said so.  
Thank you.

**The Speaker:** Thank you.

The hon. Member for Edmonton-Centre.

### Protection for Women in the RCMP

**Ms Blakeman:** Thank you very much, Mr. Speaker. The Alberta government contracts with the RCMP to provide policing and other services in many Alberta communities. Now this once respected culture has become rife with proven cases of sexual harassment and abuse, mostly of women. My questions are to the Solicitor General. Was the Solicitor General aware of the cases now proven, and is he aware of current allegations of abuse of Alberta women?

2:00

**Mr. Denis:** Mr. Speaker, obviously, the topics that the member provides information on are very serious. We do take it seriously. I offered to meet with this member to talk about some of these things the other day, and she refused to step out to go and talk to me, so I leave it back to her.

**Ms Blakeman:** Actually, he wouldn't tell me why he wanted me to step out, which is why I wouldn't.

Back to the same minister. I haven't raised this issue, so please take it seriously, Mr. Solicitor General. What has the Solicitor General done to protect Alberta women working for the RCMP, which, I remind him, is under contract with this government?

**The Speaker:** Again, just a polite reminder, no preambles, please, to supplementary questions.

Proceed, hon. minister.

**Mr. Denis:** Mr. Speaker, again, I think this member needs to be advised that although the RCMP is under provincial contract, they have a dispute resolution process, and I do respect their process today.

**Ms Blakeman:** Mr. Speaker, to paraphrase, all that evil needs is for good men to do nothing. Mr. Solicitor General, why have you done nothing?

**Mr. Denis:** Mr. Speaker, I am really happy that this member refers to me in this House as a good man. That really warms me. Thank you very much.

Mr. Speaker, the RCMP has an internal process, and I think we have to respect that. The RCMP – I don't know anything more Canadian than the RCMP – in fact, has been here since 1874. They have their own policy, which we do respect.

**The Speaker:** The hon. Member for Edmonton-Calder, followed by the hon. Member for Innisfail-Sylvan Lake.

### Pace Oil & Gas Ltd. Pipeline Spill

**Mr. Eggen:** Thanks, Mr. Speaker. On May 19 a large oil field spill was discovered 20 kilometres southeast of Rainbow Lake. The spill released more than 22,000 barrels of oil and water emulsion over four hectares of land. It is essential to our economy and to the environment that we put in place more stringent laws and independent monitoring of our energy industry. To the environment minister: why has this government failed to deal with this situation properly: better laws, stiffer fines, more independent monitoring?

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

**Mrs. McQueen:** Thank you, Mr. Speaker, and thank you, hon. member, for the question. In fact, hon. member, both the Environ-

ment and SRD ministry and the ERCB were on location right away when the spill was there. We have a very stringent regulatory process and a monitoring process that, I would say, has been ramped up with both the federal government and the provincial government over three years to increase and to actually double the monitoring in the oil sands.

**Mr. Eggen:** Mr. Speaker, it's interesting. This spill carried on for more than four days before another company happened to fly by and notice the leak. It's obvious that self-monitoring is, in fact, a dismal failure. Does this environment minister have any plans to toughen the laws, increase the fines, strengthen independent monitoring, or is it just business as usual, breaking records for larger and larger and more frequent spills?

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

**Mrs. McQueen:** Thank you, Mr. Speaker. In fact, in this government and in this province we have very stringent environmental regulations and processes in place to make sure that those cleanups happen. If there are fines to be added, those are looked at as well. This leak has been stopped, and clearly the cleanup is under way. We have been there to make sure that we were on-site, as was the regulator. There seems to be no impact to wildlife there. So we move forward to make sure that if there are charges to be laid, we'll look at that. But, first and foremost, we want to make sure that the site has been cleaned up, job one.

**Mr. Eggen:** Mr. Speaker, you know, this leaking oil well was more than 35 years old. Aging infrastructure, lax safety laws, lax environmental laws: it adds up to a recipe for disaster. This government claims to be such a big booster of the oil and gas sector. Then why don't they . . .

### Speaker's Ruling

#### Preambles to Supplementary Questions

**The Speaker:** Hon. member, I'm going to lay the law down right now. No preambles during supplementals. So, please, those of you who are on the question list order, rephrase your questions accordingly, or you will not be recognized to proceed with the rest of the question. That's firm as of right now.

Hon. minister, if you wish to respond.

### Pace Oil & Gas Ltd. Pipeline Spill

(continued)

**Mrs. McQueen:** Again, thank you, Mr. Speaker. I want to reiterate that we have a very, very strong monitoring program here in Alberta. We're doubling that. We make sure that if there are charges that need to be laid against companies, we go through the process, and we do that. We have a remediation plan that's in process right now and being executed by the company with Alberta Environment and Sustainable Resource Development. So we are on top of this file, and we were on this file as soon as this leak was reported.

**The Speaker:** The hon. Member for Innisfail-Sylvan Lake, followed by the hon. Member for Grande Prairie-Smoky.

### Seniors' Benefits

**Mrs. Towle:** Thank you, Mr. Speaker. The government keeps telling Albertans that they want to keep seniors in their homes, but

actions are a lot different than words. Due to reduced funding to the special-needs assistance program effective July 1 seniors will now have to pay more for their life-saving personal response devices. This program helps keep some of the most vulnerable or low-income seniors in their homes instead of forcing them into acute-care facilities. Can the Associate Minister of Seniors please tell Albertans why this government is doing more to keep seniors out of their homes than in them?

**Mr. VanderBurg:** Mr. Speaker, Alberta hosts some of the most important and generous programs for seniors across this nation. If there are specifics that this member has about her constituents, don't wait and make it political. Come to my office, and we'll talk about it.

**Mrs. Towle:** To the Associate Minister of Seniors: as it is the government's duty to tell the residents of this province what programs they're cutting – these funds are being reduced and will be targeting our low-income seniors, our most vulnerable – what other benefits have been reduced, and when will you tell our seniors what you are cutting?

**Mr. VanderBurg:** Well, Mr. Speaker, the budget was clearly debated. There are no seniors' benefit programs being cut. It was the Wildrose that proposed to Albertans to cut spending, not the PC government.

**The Speaker:** The Opposition House Leader has risen on a point of order. It has been noted.

Please proceed with your final question.

**Mrs. Towle:** To the Associate Minister of Seniors. On July 1, effective this year, you are cutting the program by 25 per cent. Given that this government is ready to commit billions of dollars to more corporate welfare with its AOSTRA 2 project, how can this government justify its continued nickel and diming of our seniors?

**Mr. VanderBurg:** Mr. Speaker, once again – I'll say it slower this time – we have a very generous program here in Alberta. The seniors' benefit program offers income supports for low-income Albertans. We're very proud of the program. We've had a good discussion in our debates in the House with the past budget. I can assure the member that if there are circumstances and constituents that have concerns, come to me, and we'll discuss it.\*

**The Speaker:** The hon. Member for Grande Prairie-Smoky, followed by the hon. Member for Little Bow.

#### Thomas Mulcair Visit to Alberta

**Mr. McDonald:** Thank you, Mr. Speaker. Weeks after making remarks about Alberta's oil sands industry, federal NDP minister Thomas Mulcair has finally decided to grace us with his visit. He says that the oil sands industry has resulted in the Canadian dollar suffering Dutch disease, and he says that our air, land, and water are dumping grounds. My question is to the Deputy Premier. Today you met with Mr. Mulcair. What did you possibly hope to accomplish with a leader who has made such inflammatory statements about Alberta?

**Mr. Lukaszuk:** Mr. Speaker, first of all, just a correction. He's not a minister; he's the Leader of the Official Opposition.

Mr. Speaker, it is important that leaders in our country, particularly leaders of the opposition, are familiar with Alberta and with the importance of the impact of Alberta on the rest of the

Canadian economy and the fact that we as Albertans wish other provinces had vibrant economies because we know that we are just one part of Canada, and we want Canada as a whole to be successful. We want also leaders of this country to know that we are as passionate about our environment in Alberta as others are in their provinces, and that's what I tried to convey to him.

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

**Mr. McDonald:** Thank you, Mr. Speaker. Back to the Deputy Premier: given that Albertans know that the oil sands are developed responsibly and that processes are constantly improving, was the Deputy Premier successful in having Mr. Mulcair inform himself?

**Mr. Lukaszuk:** Well, the proof will be in the pudding, Mr. Speaker, and I guess we'll hear and read about it. However, I have provided him with a comprehensive body of articles, that I hope he reads on his flight back to Ottawa, I have provided him with open lines of communication with our ministers in this cabinet, and I have assured him that we will continue being advocates not only for the environment in Alberta but for Alberta's role in the Canadian economy. I have also advised him that Alberta prides itself in uniting Canada, and we will not play into the gamesmanship of pitting one part of the country against another for political gain.

2:10

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

**Mr. McDonald:** Thank you, Mr. Speaker. Again to the Deputy Premier: can the Deputy Premier inform the House about the serious allegations of Dutch disease?

**Mr. Lukaszuk:** Well, Mr. Speaker, I'm not sure if we should even be discussing that because it is not founded on any facts. We do know that Alberta is a net contributor to the Canadian economy. We do know that we attract Canadians from all over Canada, and we welcome them, and we wish more of them came here to work in our province. We do know that we employ Canadians outside of Alberta, in Quebec and Ontario, and we hope to create more jobs in those provinces, and we know that when one part of the country grows economically, the tide goes up and all ships go up. That is the message we will be hammering. We pride ourselves in collaborating with other Premiers and the Prime Minister, and we will continue to do that.

**The Speaker:** The hon. Member for Little Bow, followed by the hon. Member for Leduc-Beaumont.

#### Compensation for Victims of Crime

**Mr. Donovan:** Thank you, Mr. Speaker. On January 14 my constituent 77-year-old Otto Loose was brutally murdered. Under the Victims of Crime Act the family deserves compensation for their loss, yet they've been denied it due to a frivolous charge based on Otto's dementia. This decision lacks basic human compassion and is devoid of decency. Now, the family, who is with us today, is not only suffering loss of a loved one but is also faced with a financial burden. To the Minister of Justice: are you willing to take this under review and help this family in their time of need?

**Mr. Denis:** First off, I would like to congratulate this member on asking his first question in the House.

Please accept our government's condolences for the loss in your constituency, which was rather public.

\* See page 128, left column, paragraph 1.

Mr. Speaker, the Criminal Injuries Review Board reports to my department, and it is an independent board that decides payouts in this respect. I am not aware as to where the specific situation is, but we can look into this. Specifically, though, it is an independent board designed to avoid political interference.

**Mr. Donovan:** Mr. Speaker, I'm disappointed in the minister's response to this. Given that the government is ignoring the rights of the victim's family in this heinous act of violence and given that the family was offered assistance in the first place but now is being denied it, how can this minister possibly refuse action to take on this important case?

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

**Mr. Denis:** Thank you very much, Mr. Speaker. I just want to advise this member that last year \$29.4 million was allocated for victims of crime, including this particular situation. But, again, I defer to the independent body, the Criminal Injuries Review Board. I'm willing to discuss this further with this member, and I thank him for bringing it to this House's attention.

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

**Mr. Donovan:** Thank you very much, and I look forward to the meeting.

**The Speaker:** The hon. Member for Leduc-Beaumont, followed by the hon. Member for Calgary-McCall.

#### Western Premiers' Conference

**Mr. Rogers:** Thank you, Mr. Speaker. Western Canadian economic opportunities have been at the forefront of discussions in Edmonton this week as Alberta hosted the Western Premiers' Conference. My question is to the Minister of International and Intergovernmental Relations. Were there any significant accomplishments at this year's conference?

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

**Mr. Dallas:** Thank you, Mr. Speaker. In fact, this was the eighth time that Alberta has had an opportunity to host this conference. I know that the Premier was very pleased that she had an opportunity to meet with western Premiers, to have a discussion with those Premiers about issues that matter to our residents and to their families. The Premiers had a full agenda. They talked about the importance of the west in Canada and the need to move forward on the Canadian energy strategy, they talked about ways to address western Canada's labour needs, and they agreed on priorities for the upcoming Council of the Federation meetings in Halifax in July.

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

**Mr. Rogers:** Thank you, Mr. Speaker. My second question is to the same minister. Did the Premiers leave the conference with a real plan to advance a Canadian energy strategy?

**Mr. Dallas:** Mr. Speaker, in a word, yes, they did. Through the Canadian energy strategy provinces and territories will work together for mutual benefit. They'll include ways of talking about moving energy to market, creating jobs, building economic diversity, building economic capacity, all at the same time

creating more manufacturing opportunities, advanced research and technological innovations.

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

**Mr. Rogers:** Thank you, Mr. Speaker. My final question is to the same minister. With the world's eyes on Alberta and Canada did the Premiers discuss or make any new progress on the issue of sustainable resource development?

**Mr. Dallas:** Mr. Speaker, there was significant discussion around responsible resource development. Premiers welcomed the federal government's proposal to move to a regime of one project, one assessment, a proposal that could result in more streamlined environmental assessments. The goal is to help avoid potential adverse effects to the environment from major projects while reducing overlap and duplication for project reviews.

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

#### Fiscal Accountability

**Mr. Kang:** Thank you, Mr. Speaker. On Monday the Minister of Finance said that we aren't in a fiscal problem in Alberta. Yes, there has been a recession, but Alberta has more energy revenues than any other province in Canada, \$11 billion this year. This is more than we took in in personal income taxes. To the Minister of Finance: given our energy wealth why have we done five straight deficits, and why are future balanced budgets based on very, very rosy and risky predictions of oil sands revenue and land sales?

**The Speaker:** The hon. minister and President of Treasury Board.

**Mr. Horner:** Thank you, Mr. Speaker, for the question. As I understand it, there were a number of different questions in there, one of which was, "Why do we have rosy projections?" or something along that line. I would remind the hon. member that our projections are not based on what the government thinks is going to happen. They're based on what the industry thinks is going to happen.

Budgeted projections are, of course, spot prices or pictures in time. We budget not for the moment but for the annual expenditures. It is our expectation that our departments will follow those budgets. That will allow us to finish the year on target in 2013-14 with the balanced budget.

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

**Mr. Kang:** Thank you, Mr. Speaker. To the same minister again: if we don't have a revenue problem, why are our children subject to teachers being hired and fired based on the price of oil and having the government admit it doesn't know how to pay for new and renovated schools?

**Mr. Horner:** Mr. Speaker, I would take exception to that in the sense that we have introduced a budget in this House, debated it in this House, passed it in this House, that actually sets out three-year predictable funding for our education, for our health care, and for a raft of programs. We intend the departments to work within those budget confines and the predictability of that three-year funding agreement.

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

**Mr. Kang:** Thank you, Mr. Speaker. To the same minister again: if we don't have a revenue problem, why has the government put only a tiny bit of money into the heritage trust fund for inflation-proofing, and why has that fund lost 35 per cent of its real value in 20 years?

**Mr. Horner:** Mr. Speaker, there are a number of interesting statistics that the hon. member threw out there. I would also remind the hon. member that we paid back \$25 billion in debt over that same period of time. We have put \$25 billion into infrastructure in this province. We have also created a sustainability fund during that same period of time with some \$17 billion that allowed us to continue to build the infrastructure that Albertans want us to build, the schools, the hospitals. We will continue to do that.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview, followed by the hon. Member for Rimbey-Rocky Mountain House-Sundre.

### Environmental Monitoring

**Mr. Bilous:** Thank you, Mr. Speaker. Canadian Natural Resources Limited was recently charged with releasing excessive amounts of hydrogen sulphide gas from its Horizon oil sands facility. CNRL was penalized for similar charges twice in the past year and a half. To the environment minister: why doesn't this government recognize that its failure to hold polluters accountable damages both our environment and our international reputation?

**The Speaker:** Is there a response? The hon. Minister of Environment and Sustainable Resource Development.

**Mrs. McQueen:** Thank you. I would say that the system is working. There have been releases that have happened. The companies were charged, and that proves that our regulations and our process are in place, Mr. Speaker.

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

**Mr. Bilous:** Thank you, Mr. Speaker. Given that CNRL has been penalized twice in the past for exceeding limits of sulphur dioxide emissions and for failing to report such incidents and given that the penalties have been less than \$25,000 and given that these incidents raise questions internationally about Alberta's environmental record, to the environment minister: will the minister admit that the government's reliance on self-monitoring and self-reporting by industry is inadequate for the protection of our environment and our health?

2:20

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

**Mrs. McQueen:** Thank you. No, Mr. Speaker, I will not admit that because it shows that what's happening is that the system is working. They had a release, and they were penalized. We've dealt with that issue, so the system is working that's in place.

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

**Mr. Bilous:** Thank you, Mr. Speaker. Given that the government has a responsibility to protect the health and safety of Albertans and given that high concentrations of hydrogen sulphide can cause respiratory failure, to the minister: why does this government continue to fail to enforce environmental laws and protect the health of Albertans?

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

**Mrs. McQueen:** Thank you again, Mr. Speaker. The answer would be the same. We are making sure that we have strong regulatory processes in Alberta, very, very stringent regulatory processes. If there are releases and people do not make those regulatory processes, they are charged. This is an example of where the system is working.

**The Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre, followed by the hon. Member for Bonnyville-Cold Lake.

### Electricity Retail Market Review

**Mr. Anglin:** Thank you, Mr. Speaker. Earlier this year electricity prices more than doubled, small businesses were penalized, and in particular low-income and senior citizens on fixed incomes were adversely affected. In March of this year this government appointed a Retail Market Review Committee to investigate retail electricity prices. My question to the Minister of Energy: in light of recent issues around transparency and accountability how can he reassure Albertans that the review will deliver a fair and open account of the subject?

**Mr. Hughes:** Mr. Speaker, I appreciate the question from the hon. member. I would say that the proof will be in the pudding in that the report will clearly be transparent, it will be open, and it will be made available to all Albertans to review. The government will use that information and the feedback based on that in order to make thoughtful and appropriate judgments about the future regarding the volatility of electricity rates for retail consumers.

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

**Mr. Anglin:** Thank you, Mr. Speaker. We now learn that one of the committee members is also the chairman of the board of a retail energy company that stands to benefit financially from the committee's findings. How can the minister claim this is an independent committee?

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

**Mr. Hughes:** Thank you very much, Mr. Speaker. I appreciate the representation from the hon. member. This committee was established with a group of people who are knowledgeable in the industry, who have appropriate advice to give. But at the end of the day the judgment will be made in the public interest by the government of Alberta on behalf of the people of Alberta.

**Mr. Anglin:** It's amazing, Mr. Speaker, that somebody would put their profits behind. Will the minister agree to reconvene a truly independent committee to give the attention that this committee, this investigation deserves?

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

**Mr. Hughes:** Thank you, Mr. Speaker. Well, I would contend that the committee is an independent committee and, more importantly, that all Albertans can participate. I would encourage all Albertans to participate in this process so that we have before us the full facts and feedback from people with all perspectives and that what we ensure at the end of the day is that we have all the facts on the table and that this government then can make a fully informed decision with that feedback from all Albertans.

Thank you.



**The Speaker:** The hon. Member for Bonnyville-Cold Lake, followed by the hon. Member for Drumheller-Stettler.

#### APEC Education Ministerial Meeting

**Mrs. Leskiw:** Thank you, Mr. Speaker. This past April 23 Albertans overwhelmingly elected to build bridges instead of erecting walls around our province. Although, no doubt, this includes fortifying links with the rest of Canada, it also includes strengthening our ties abroad. However, while popular opinion suggests that economically things are going well in this province, my constituents are still concerned about big expenditures such as major foreign travels while our belts are still tightening here at home. Can the Minister of Education enlighten this Chamber about his recent trip to Korea, particularly with a view to justifying this expense to all Albertans?

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

**Mr. J. Johnson:** Thank you, Mr. Speaker. Thank you for the question. Yes, this government is committed to building bridges in a global economy, and this trip was very important to Alberta. It's very seldom we have the opportunity to represent ourselves on such a global stage. The conference that I attended was the APEC conference for education ministers, which is only held every four years, with the 21 member economies. Only one minister of education from Canada is selected to go to represent the entire country. Alberta sat at the table with the secretary of state for education for the United States and the ministers of education from China and Korea and Singapore and Thailand and Taiwan and all these countries. It was a very worthwhile trip, and it profiled Alberta on the global stage.

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

**Mrs. Leskiw:** Thank you, Mr. Speaker. Certainly, it's a point of pride that Alberta was chosen as the Canadian representative at this important global meeting. Can the minister accentuate some of Alberta's specific highlights from this trip?

#### Speaker's Ruling Preambles to Supplementary Questions

**The Speaker:** Hon. member, let's just be reminded about preambles, please. I've made the statement. I was sidetracked momentarily. Please rephrase your supplementals so that they are questions. If you are not able to do that quickly, please just jump ahead to what your main question is for the supplemental so that we can conclude this day on a wonderful note.

#### APEC Education Ministerial Meeting (continued)

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

**Mr. J. Johnson:** Thank you, Mr. Speaker. Yes. In addition to the APEC conference that we attended, while we were in Asia, we visited Hong Kong, Macau, and mainland China. The purpose of those visits was to visit some of the schools that are accredited with Alberta curriculum and, indeed, grow that business for Alberta. There is an incredible amount of opportunity down there in terms of exchanges for our teachers, exchanges for our students, and to be able to create even more market for our postsecondaries as the students from those Asian countries are looking for places to go.

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

**Mrs. Leskiw:** Thank you, Mr. Speaker. Without a preamble, what did the minister learn to make our education system even stronger?

**Mr. J. Johnson:** Thank you for that short question. Mr. Speaker, the one thing I would say, to emphasize how well Alberta is doing, is that when I was at the APEC conference, one of the very first presentations the education ministers from the 21 member economies had was from some of the brightest thinkers with respect to education in the world, and they profiled jurisdictions that are doing well on the global stage. Along with the logos and flags of countries there was the logo of Alberta, and the province of Alberta was profiled at the APEC conference.

In addition to that, we're going to be able to work with the APEC countries on research that's being done by the APEC group on teacher quality and 21st century skills and learning.

**The Speaker:** The hon. Member for Drumheller-Stettler, followed by the hon. Member for Edmonton-Manning.

#### Drumheller Sunshine Lodge Security System

**Mr. Strankman:** Thank you, Mr. Speaker. I am proud to represent the good people of Drumheller-Stettler. It has been brought to my attention that the security system in Drumheller's Sunshine Lodge has not worked for over a year. This leaves the seniors in the facility in great danger, especially those with dementia. At night the residents and the hard-working staff are also at risk of intruders. Is the Associate Minister of Seniors aware of this alarming situation, and can he tell me what is being done about it?

**Mr. VanderBurg:** Well, our department in conjunction with the Department of Health sets the standards, and we do regular inspections of complaints like this. This is something that our staff would take care of on a regular basis, and if there is more information that the member would like to pass on, I'll make sure that the inspections branch gets that.

**Mr. Strankman:** Sir, I'm aware of the regulations. Who is enforcing these standards according to your own regulations?

**Mr. VanderBurg:** Well, between the local foundations and the departments of seniors and Health the accommodations and the standards group will enforce those regulations.

**Mr. Strankman:** This is not the case.

This has been going on for over a year. Who is neglecting these vulnerable seniors?

**Mr. VanderBurg:** If any member here in the Assembly has any idea of neglect of seniors, please make sure that we are aware of it. We have a hotline set up for that. I think you have a duty not only just to report it but to take action as an MLA for that local region. We have inspectors. We have people that take this job very, very seriously, and I would expect action from you, sir.

#### 2:30 Aqua 7 Regional Water Commission

**Mr. Rowe:** Mr. Speaker, to the Environment and Sustainable Resource Development minister. In 2001 the Aqua 7 water commission began servicing municipalities. It soon became clear that the funding formula was not going to be sustainable. Eight

years later a financial audit was ordered. The findings of the report were released in August 2010 with three key recommendations, the main one being an immediate \$6.2 million cash injection to buy down the debenture. Other recommendations were met but not the most important one. What does the minister have planned to find a long-term solution?

**The Speaker:** The minister you wished to address this to was . . .

**Mr. Rowe:** The Minister of Environment and Sustainable Resource Development.

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

**Mrs. McQueen:** Thank you, Mr. Speaker, and thank you to the hon. member for the question. Welcome to the House.

Certainly, this is a difficult situation for the seven communities with Aqua 7 but one that we know can be resolved. Our government has met with members of the Aqua 7 commission in the past and will continue to do so as well. But I do have to say – and I know the hon. member knows this – that our government has already approved a special \$1.8 million to help with the financial difficulties, to help with the debenture payments, to spread them out from 20 years over to 30 years, something that those communities have asked for and something that our government has delivered on.

**Mr. Rowe:** We do thank you for that \$1.7 million, which went to pay the penalty fee for the debenture change.

Given that there seems to be a lack of continuity with managing water-related issues across the province, with multiple ministries having a hand in the bucket and Transportation left holding those purse strings, what is the Minister of Transportation willing to do to find a long-term solution? Will he also meet with the stakeholders and act immediately?

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

**Mr. McIver:** Thank you, Mr. Speaker, and I thank the hon. member for the question. I guess the short answer is yes, and I'll just expand on that slightly. I earlier today spoke with the reeve of Rocky View county, who is looking at what their options are. I have agreed that we will meet with the Aqua 7 people and interested parties and see if we can find solutions that end up being amenable to everyone.

**Mr. Rowe:** I thank you for that commitment, Mr. Minister.

Lastly, adding confusion into the spray of water challenges is that municipalities typically work with Municipal Affairs on issues such as water. What is the Minister of Municipal Affairs doing to help communities navigate these multiple ministries?

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

**Mr. Griffiths:** Mr. Speaker, thank you very much. I appreciate the question. I know that water is one of the most critical issues we deal with as we go forward in this province, and it's one of the most valuable resources that we're going to have. I have already met with Aqua 7, and we came up with the \$1.785 million to help with the refinancing, which allowed them to lower their water costs to their residents by almost 40 per cent in the short term. We're going to continue to work, as the Minister of Transportation said and as the minister of environment said, on a long-term

strategy to deal with water co-ops and water commissions and the provision of regional water services across the province.

**The Speaker:** Hon. Member for Banff-Cochrane, I will recognize you next, and I'd just ask House leaders again: if there are changes in your batting order for question period, please get them to us in advance.

### Provincial Economic Strategy

**Mr. Casey:** Mr. Speaker, the 2011 census numbers were just released, reporting that Alberta had the largest population growth in the country as well as the youngest average age in Canada, five years younger than the national average. This is great news for Alberta's growing workforce needs, but being that housing costs are near an all-time high, I'm concerned that these young workers will simply not be able to afford the high cost of living in Alberta. My question is to the President of Treasury Board and Minister of Finance. What is this government going to do to ensure that we keep our province a viable place for young people who are just starting out?

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

**Mr. Horner:** Well, thank you very much, Mr. Speaker. It's a good question because we do have a fairly significant influx of young people coming to our province. The reason they are coming is because we are creating jobs. We're creating more jobs than anyone else in this country, and we also have the lowest overall taxes of any province in this country. We are going to keep us there. We are going to keep us as one of the lowest overall jurisdictions, if not in Canada, perhaps even in North America. We're also going to provide the infrastructure that these young families need, including recreational opportunities, which is one of the reasons, you might notice, I'm wearing a Whitecourt Wolverines jersey, based on a bet that I had with the hon. Member for Whitecourt-St. Anne when they beat the Spruce Grove Saints, another great team in the province of Alberta.

**Mr. Casey:** Again to the minister of Finance: is this government doing anything to ensure that low- and middle-income families have access to adequate child care?

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

**Mr. Horner:** Well, thank you, Mr. Speaker. That is a good question. In Budget 2012, which, again, was debated and passed in this House prior to the election and which we ran our campaign on – obviously, we can see the results – we invested an additional \$21 million in child care subsidy, so approximately 9,000 Alberta families will receive new or increased funding to offset the cost of accessing child care. I'd add, too, that our government anticipated this growth, and we have been providing 20,000 new child care spaces since 2008. Access to affordable child care is critical for working parents and for new Albertans as they move into our province and create more wealth for future generations.

**Mr. Casey:** My last question is to the Minister of Education. Will there be enough desks, schools, and teachers for these kids when they reach school age?

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

**Mr. J. Johnson:** Thank you, Mr. Speaker. We certainly will have a great demand for school desks, and the only way to prepare for those is through infrastructure. Contrary to demands by opposition parties, this government is not going to cut infrastructure and is in the process of building 88 schools with promises to build 50 more and renovations on another 70.

I'd like to add that, yes, I have made arrangements to pay back those funds. It's very disappointing, as important as education is, that the one question I got in this House from the opposition was not on education.

### **Calgary South Health Campus**

**Ms L. Johnson:** Mr. Speaker, South Calgary and area residents have been waiting a long time for a nearby hospital where they can access the care and services they need closer to home. When construction of the new south health campus began, we were pleased, but now it seems that it's been a while since we've seen or heard much about the new hospital and when it will open. To the Minister of Infrastructure: why has it taken so long to get this hospital built and up and running?

**Mr. Drysdale:** Mr. Speaker, I'm pleased to say that hospital construction is now complete, but there are still a few things to be done. Systems critical to supporting hospital services need to be installed and tested to ensure safety and working order prior to opening the first phase of the facility. I'm proud to say that as the largest undertaking of a new health care facility in Alberta's history, the \$1.3 billion south health campus is on budget. As with most projects of this size and complexity, it's not unusual for construction schedule to vary from the initial schedule. Since this was started over five years ago, it's been consistent progress.

**Ms L. Johnson:** To the same minister: when can Calgarians and area residents expect to access care at this new facility?

**Mr. Drysdale:** Mr. Speaker, we're completing installation and testing of equipment critical to the neurosciences and academic family medicine clinics. These clinics are expected to begin serving Calgary and area patients this fall as the first of a phased-in opening schedule.

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

**Ms L. Johnson:** Thank you, Mr. Speaker. My final question to the minister is: will the minister outline for us what this facility will mean to the people of Calgary and surrounding areas?

**Mr. Drysdale:** Well, Mr. Speaker, this is a great facility for the Calgary and south area. It's going to fill a void that's been there for a while and, hopefully, increase health care services in southern Alberta.

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

### **2:40 Labour Protection for Paid Farm Workers**

**Dr. Swann:** Thanks very much, Mr. Speaker. It's now nearly a decade since the Westray bill, C-45, was passed in the federal Parliament following on the mine disaster in Nova Scotia. The bill amends the Criminal Code to make owners, employers criminally liable when they put their workers at risk of injury or death on the job. Farms in Alberta in 2012, especially large

industrial operations, are incredibly still exempt from occupational health and safety standards. They are therefore placing not only workers but farm owners at huge liability. To the Minister of Justice and Solicitor General: do you agree that employers, including many large Alberta farm operations with paid farm workers exempt from OH and S, are at significant risk in Alberta with C-45?

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

**Mr. Denis:** Thank you very much, Mr. Speaker. Let me assure this House that my ministry doesn't hesitate to pursue criminal charges where the investigation indicates that it is warranted. With respect to occupational health and safety I would defer to the Minister of Human Services or perhaps the minister of agriculture.

**Dr. Swann:** Nice dodge, Mr. Minister.

With thousands of injuries and 15 to 25 farm deaths in Alberta per year, including children, what is he going to do to protect farm employers from criminal liability under C-45?

**Mr. Olson:** Perhaps I could address the hon. member's question. I'd like to thank him for the question. This is an issue that is important to us. Agriculture is Alberta's second-biggest industry. It is our biggest renewable resource industry. Obviously, it's driven by workers, by farm workers, and they are key to this. Their safety is of utmost importance to us. This is a matter of constant attention from my department. As you may know, Mr. Speaker, early last year there was a committee that was struck to give us advice on that. We've received their recommendations.

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

**Dr. Swann:** Yes. There have been several such committees in 10 years, and nothing has come of them.

Bill 1, the new bill in the House, recognizes the importance of emergency responders to Albertans with enhanced WCB protection.

**The Speaker:** Question, please.

**Dr. Swann:** So what about basic farm worker rights, Deputy Premier?

**Mr. Lukaszuk:** Mr. Speaker, I can tell you that in my previous capacity as minister of employment and immigration we have gone a long way working with Alberta farmers. Let's not forget that the majority of farms in Alberta are family-operated farms where farmers not only cultivate land and raise cattle, but they also live and play on that very same land. So bringing in occupational health and safety standards, as you would into any other plant, is definitely much different. But there is collaboration right now between the ministers of Justice and Agriculture and Human Services to work with Alberta farmers, to work with Alberta farm families, and to strengthen safety on the farms in a manner that is appropriate to farm life and that in any way doesn't hinder their ability to live, play, and cultivate the land.

**The Speaker:** Hon. members, it's been the long-standing tradition of this House that if a minister wishes to supplement or clarify an answer that he or she gave earlier in question period, that minister will be allowed to do so. Accordingly, that will allow the person who asked the question to pose one further question without preamble. In that vein I believe the hon. Associate Minister of Seniors has a comment to make, and that will entitle Innisfail-Sylvan Lake to a supplemental.

Proceed.

### Seniors' Benefits (continued)

**Mr. VanderBurg:** Thank you, Mr. Speaker. To supplement the answer to the Member for Innisfail-Sylvan Lake, the 2012-13 Alberta seniors' benefit budget is \$350.7 million. This is an increase of \$21.8 million, or about a 7 per cent increase, from last year's budget. As well, the special-needs assistance and project grants for seniors budget is \$28.5 million. This is an increase of \$6.9 million, about a 32 per cent increase. No talk about a decrease. I will make sure to send the member a copy of the last budget passed by this House.\*

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

**Mrs. Towle:** Thank you, Mr. Speaker. I actually have that budget. We're talking about your special-needs assistance program. That's where the actual deduction is taking place.

**The Speaker:** There's no question there. Do you wish to comment, or are we done?

**Mr. VanderBurg:** No. Thank you, Mr. Speaker. That is a program that has a 32 per cent increase in the budget.

**The Speaker:** Thank you, hon. members.

### Statement by the Speaker Member for Lesser Slave Lake 23rd Anniversary of Election

**The Speaker:** Hon. members, today marks a very special day in our Assembly because today one hon. member, specifically the one from Lesser Slave Lake, has achieved an important milestone. As of today she becomes the longest serving female member in the history of our Legislative Assembly of Alberta. [Standing ovation]

As we all know, on April 23, 2012, this hon. member was elected to her seventh term of office, serving a total of 8,474 days, or 23 years, two months, and 11 days. The hon. member thereby now surpasses Cornelia Wood, a former Member for Stony Plain, who served from March 21, 1940, to June 29, 1955, had a break in service, and then served again from June 18, 1959, to May 23, 1967. The hon. Member for Lesser Slave Lake has served continuously since March 20, 1989.

She is also the first Métis woman ever elected to this Assembly, and I know she's proud of it. The hon. member developed the first native language program that was introduced to Alberta schools, and she worked to establish education policy and curriculum to further strengthen Alberta's First Nations and Métis communities. She was responsible for developing the Cree language program for adult students.

She has tirelessly advocated for and spoken out on behalf of her constituents, as recently evidenced during the 2011 fire in Slave Lake.

In addition to serving on numerous committees throughout her legislative career, she also has served as a minister without portfolio responsible for children's services, the associate minister of aboriginal affairs, and the minister of aboriginal affairs and northern development.

The hon. member has been honoured many times over the years for her tireless work for her community, including being presented with the national aboriginal achievement award for public service,

the Esquao circle of honour award, and the aboriginal role model award.

This milestone is a testament to the Member for Lesser Slave Lake's steadfastness and endurance. In fact, out of the 829 members who have served in this Assembly since 1905, only 16 – 16 – other members have ever served seven or more terms. The hon. Member for Lesser Slave Lake becomes the 17th member to do so.

She is also the honorary chief of Tallcree First Nation, an honorary member of Kapawe'no First Nation, and she was inducted into the Blackfoot women's society.

For that and on behalf of all Albertans we will thank her in a moment. Let me just say: [Remarks in Cree] Today is a great day. Hai, hai.

Hon. members, join me in recognizing this wonderful milestone. Hon. member, I'll ask you to rise and receive their thanks. [applause]

### Members' Statements

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

#### Braemar School and Terra Centre Partnership

**Mr. Dorward:** Thank you, Mr. Speaker. I'm pleased to rise today and recognize the tremendous work being done by two organizations in Edmonton. Braemar school, located in the beautiful constituency of Edmonton-Gold Bar, in association with the Edmonton public school board is doing great things for teen parents and their families. In partnership with the Terra Centre, a charitable not-for-profit organization that serves pregnant and parenting teens, this junior high and high school is helping young moms to reach their full potential.

These young mothers not only have the option to complete their education through self-directed or class-based studies, but they also have access at Braemar school to on-site child care, counselling, financial literacy programs, and a number of other valuable services that will enable them to graduate and go on to fulfill their dreams.

The program is working. In fact, this month Terra Centre hosted a Mother's Day breakfast at the school to celebrate the academic success of over 60 students.

Mr. Speaker, the relationship between Braemar school and the Terra Centre is an excellent example of the great things that can be achieved when organizations work together towards a common goal.

2:50

To support their important work, our government has collaborated with them to establish a learner's bursary program and now provides child care subsidy funding directly to the school, eliminating the need for the teens to apply directly to the government. This helps these young women access the right supports at the right place at the right time.

Mr. Speaker, our government is so excited about the work being done for our young people at this school and others like it. Through this type of co-operation we will continue to accomplish more for Albertans. Let's look for more opportunities to bring together those working in our communities.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Mountain View, followed by Lesser Slave Lake.

\* See page 122, left column, paragraph 8.

### Labour Protection for Paid Farm Workers

**Dr. Swann:** Thank you, Mr. Speaker. In Alberta today we have industrial agricultural operations masquerading as family farms to take advantage of provisions designed to protect the family farm. The result is that family farms in Alberta are in greater jeopardy of injury and death as well as huge legal liability. All farms, including the family farm, are subject to Bill C-45, which makes owners, employers criminally liable when they put their workers at risk of injury or death on the job. Since these operations are not subject to occupational health and safety and workers' compensation protection, this opens the door to both increased worker risk and owner criminal liability.

The Premier supported extending occupational health and safety standards to paid farm workers during her leadership campaign, affirming that this loophole for industrial operations needed to be closed. In addition, the lack of regulations for paid child labour, regulated in all industries but agriculture in Alberta, contributes to injury and death for many children each year. Fair-minded Albertans, who continue to benefit from the labour of paid farm workers, expect this government to honour the Canadian Charter of Rights and the Alberta Bill of Rights. They want it recognized that paid farm workers are equal in rights and stature to every other paid worker in Alberta. All paid farm workers deserve to work in conditions where occupational health and safety standards apply along with workers' compensation. As indicated earlier, farm employers' liability would also be reduced if these basic rights were in place.

A business model that is dependent upon the use of disenfranchised workers and unregulated child labour is untenable, unethical, and unconstitutional. It cries out for reform. When will this government make it happen?

**The Speaker:** The hon. Member for Edmonton-Decore to comment on the tribute about the Member for Lesser Slave Lake.

### Dreamspeakers Film Festival

**Mrs. Sarich:** Thank you, Mr. Speaker. It's a pleasure to rise today to recognize an outstanding international indigenous event, the Dreamspeakers Film Festival, which is currently being showcased in Edmonton. It is a vital event hosted every year by the Dreamspeakers Festival Society. Edmonton, Alberta, has become the location for gathering dream-talkers, directors, scriptwriters, actors, musicians, storytellers, and artists. The Dreamspeakers festival attracts talented artists from all over Canada and beyond, drawing connections between the indigenous peoples while celebrating artistic expressions of respective cultures.

Mr. Speaker, the Dreamspeakers festival program is always engaging and entertaining, with a wide range of local, national, and international indigenous films being screened to a diversity of audiences. One of the most successful activities within the festival is Youth Day, which is filled with exciting opportunities for youth to meet renowned filmmakers and attend workshops and a career fair.

Congratulations and sincere best wishes to all of the Dreamspeakers festival board of directors; to the executive director, who is related to the hon. Member for Lesser Slave Lake; and to the tremendous number of volunteers involved to make the Dreamspeakers festival a success for all the world to enjoy. The commitment of this organization to the promotion of arts and culture is a treasure to be experienced, and I would invite all hon. Members of the Legislative Assembly to make time and attend this event over the next few days in our capital city.

Thank you very much, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-South East, followed by Medicine Hat.

### World No Tobacco Day

**Mr. Fraser:** Thank you, Mr. Speaker. I rise today in this Assembly to acknowledge a significant day. Each year on May 31 we observe World No Tobacco Day. It took an international effort between all member states of the World Health Organization to inaugurate this day in 1988. Twenty-four years later we continue to mark this day on our calendars as a step forward to reducing the harm caused by this substance. The purpose of this event is to abstain from tobacco products for a period of 24 hours.

The World Health Organization estimates that each year 6 million people will die from diseases that are directly linked to tobacco use. Each year here in Alberta, Mr. Speaker, more than 3,000 people die a preventable death from tobacco-related illnesses.

Mr. Speaker, we know that strategies like the government's tobacco reduction strategy have made significant inroads in helping people to kick the habit. That's why this government is committed to further enhancing the strategy to discourage tobacco use by both youth and at-risk people, to protect Albertans from second-hand smoke, and to offer more support for tobacco cessation.

In addition, Mr. Speaker, this government announced yesterday that it will initiate legal proceedings against tobacco manufacturers. The lawsuit will attempt to recover a portion of health care costs associated with smoking-related diseases which resulted from the industry's misrepresentation of negative effects of tobacco products.

Let's observe this day, an important step in reducing the harms caused by tobacco use.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Medicine Hat, followed by Calgary-Bow.

### Addiction Services in the Palliser Health Region

**Mr. Pedersen:** Thank you, Mr. Speaker. The city of Medicine Hat is the only one of the seven major cities in the province that does not have an addictions residential detox program, that does not have a treatment program, and does not have a transitional living/aftercare program. We are all aware of the human costs involved with addiction issues, with mental health, and the fact that this government continues to neglect the growing concerns of Medicine Hat and the surrounding area is disappointing.

In typical PC government fashion there were a couple of approved locations for a facility promised to the residents of my constituency, but they have since been cancelled or postponed. Numerous local groups, families, and individuals requiring access to such facilities are frustrated by the lack of commitment by this government, and for good reason.

Mr. Speaker, the McMan foundation of Medicine Hat has advised me that the delay in having this addictions facility operating is endangering the lives of their clients. In fact, in a publication released by the McMan foundation in March of 2010, which I will table in the House, we see that the Palliser health region, with a population of over a hundred thousand people, is being completely neglected. Right now patients in detox who need medical attention are asked to wait in acute-care beds in hospitals, and those chosen for treatment have to leave the region.

I stand before all members of the House representing all the constituents of that Palliser health region and the many vulnerable families and residents at risk to implore the government to stop sitting on its hands. Mr. Speaker, today I ask this government to

commit to this project and work closely with both myself and, more importantly, the support groups of Medicine Hat to ensure we start and complete this much-needed facility by 2013, as was originally committed to by this government. To continue to wait is no longer an option.

Thank you.

**The Speaker:** Before I recognize the next speaker, the hon. Minister of Justice.

**Mr. Denis:** Thank you very much, Mr. Speaker. I rise to ask for the unanimous consent of the House to waive rule 7(7) so that we can continue with the Routine past 3 p.m.

**The Speaker:** The hon. Minister of Justice and Solicitor General and Deputy Government House Leader has moved his motion. Those who are voting now must be reminded that it requires unanimous consent. Is there anyone who objects to the motion? Please say so now.

[Unanimous consent granted]

**The Speaker:** Calgary-Bow.

### Seniors' Week

**Ms DeLong:** Thank you very much, Mr. Speaker, and thank you, members of the Legislature. I'm pleased to rise today to speak to all Members of this Legislative Assembly about an important annual event, Seniors' Week.

Every year during the first week of June we set aside time to celebrate and honour the contributions of our seniors. This year's theme, A New Energy, speaks to how seniors are redefining what it means to be a senior and the many roles that seniors play in our province: as our parents, as our grandparents, employers and employees, and volunteers and caregivers. In those roles and more seniors continue to be leaders in our communities.

Every single day there are a hundred new seniors in Alberta, and these new seniors and all the seniors bring a new energy with them. Older Albertans volunteer with charities, are involved with their families, or may still be busy at work. No matter what they're doing, their involvement is certainly felt all around us. We need to recognize this and pay tribute to seniors for all that they do.

Seniors' Week kicks off in Red Deer on June 4, with special events being held in communities across Alberta throughout the week to recognize and celebrate seniors. More information on Seniors' Week events for your area is available online at [seniors.alberta.ca/seniorsweek](http://seniors.alberta.ca/seniorsweek).

3:00

I'm pleased that the Seniors Advisory Council for Alberta co-ordinates and supports these events. As chair of this council our work focuses on raising government's awareness of the issues and concerns regarding seniors in our province, but we know it is equally important to recognize and celebrate the successes. That's why one of the highlights of the week for me is the minister's senior service awards, that recognize Albertans who volunteer their time to make a difference in the lives of seniors.

Mr. Speaker, Seniors' Week is also a great time to personally thank so many wonderful Albertans for their continued contributions to a stronger province. I hope you can join me in celebrating and recognizing Alberta seniors.

Thank you.

**The Speaker:** Thank you, hon. member.

### Introduction of Bills

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

#### Bill 202

#### Public Lands (Grasslands Preservation) Amendment Act, 2012

**Mrs. Jablonski:** Thank you, Mr. Speaker. On behalf of the hon. Member for Calgary-Mackay-Nose Hill I request leave to introduce Bill 202, the Public Lands (Grasslands Preservation) Amendment Act, 2012.

It's an honour for me to rise today to speak to this legislation. The purpose of Bill 202 is to ensure the continued protection of public grasslands that contain ecologically significant and sensitive wildlife habitats. It will not affect privately held lands. It will develop a clear, publicly accessible, understandable, and objective process to review the sale of public grasslands. In addition, it will also provide for a period of receiving public feedback on proposed grasslands sales. I look forward to hearing the rest of the debate.

Thank you very much, Mr. Speaker.

[Motion carried; Bill 202 read a first time]

### Statement by the Speaker

#### Tablings

**The Speaker:** Hon. members, before we recognize anyone under this item in the Routine, I would like to correct the record in connection to the first document that was purportedly tabled yesterday by the Leader of the Official Opposition. As noted in *Hansard* at page 92, the opposition leader refers to her tabling as "a letter from Ken Kowalski indicating the members who were on the no-meet committee, the Committee on Privileges and Elections, Standing Orders and Printing."

However, there was, in fact, no letter tabled from Mr. Kowalski. Rather, the documents that were tabled are as follows: a document dated May 30, 2012, on the letterhead of the Leader of the Official Opposition titled PC Members of Standing Committee on Privileges and Elections, Standing Orders and Printing Re-elected on May 23, 2012, and attached to that document was a letter dated March 9, 2012, from the former Member for Fort McMurray-Wood Buffalo to Hon. Ken Kowalski, Speaker of the Legislative Assembly, regarding Mr. Boutilier's assignment to that committee. These documents have been recorded in the official records of the Assembly as sessional papers 16/2012 and 17/2012, and they are described in the Votes and Proceedings as outlined above.

Hon. members are just reminded that they must take due care to be accurate and succinct when describing the documents that they are in fact tabling since these documents do become official records of the Assembly. Accordingly, this error has been corrected.

### Tabling Returns and Reports

**The Speaker:** Hon. Minister of Justice, you have a tabling?

**Mr. Denis:** Yes, I do. Thank you very much, Mr. Speaker, and I heed your earlier direction with respect to tablings.

I'm rising today to table a letter dated May 31, 2012, to myself from O. Brian Fjeldheim, Chief Electoral Officer, in which he

provides an independent opinion as to the confidentiality of his investigations, and I will provide five copies of same to the Clerk.

Thank you.

**The Speaker:** Hon. Member for Edmonton-Calder, you have a tabling?

**Mr. Eggen:** I do. Thanks, Mr. Speaker. I'd like to table the appropriate number of copies of a report by the Edmonton public school board which shows the gap between the amount that the board receives from the province for special-needs students and the amount that the board actually pays for supporting those same students.

**The Speaker:** Thank you.

The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much, Mr. Speaker. I have three sets of tablings today. The first set is on behalf of my colleague the Member for Calgary-Mountain View. He has asked me to table five copies of a series of letters from the Canadian Mental Health Association in Edmonton letting clients know that the funding has been cut and then response letters back from a Mrs. Twila Riopel decrying the job and program losses and how this underfunding is going to have a huge effect on people with mental health issues. That's one set.

The second is in response to some facts I presented yesterday during my questions. The first is entitled 2012 Property Taxes FAQ, a frequently asked questions sheet from the city of Edmonton, downloaded from their website, which notes that for every dollar a typical Edmonton household pays in all taxes, 6 cents go to the city.

The second one is an article from the *Globe and Mail*, which is the fastest way I could find this, in which Mayor Nenshi of that city says, "The City of Calgary gets 8 cents of every dollar Calgarians pay in taxes." So that's those two.

The final one is reflective of the guest that I had in the gallery today, and that is a letter from Beverley Munro and signed by Beverley Munro, who is a resident of the Edmonton General long-term care facility. She had written on February 21 with concerns. Despite her submission at that time none of the violations she reported have been addressed, and she feels she's continued to struggle to receive health care and safe accommodation. She did follow through on all of the points with people she's supposed to talk to but really feels that she has not been successful and is particularly concerned that she's no longer permitted to spend time with her best friend.

Thank you very much, Mr. Speaker.

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. I'd like to table a document dated May 31, 2012, from Drew Westwater, who is the director of election operations and communications at Elections Alberta, which outlines the interpretation of section 5(4) of the Election Finances and Contributions Disclosure Act. I have the requisite copies.

I also have one more tabling. The second tabling is a letter outlining the PC MLAs that at one point sat on the Standing Committee on Privileges and Elections, Standing Orders and Printing, whose members collected \$1,000 a month to sit on it even when it never met, with the requisite copies as well.

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

**Mr. Pedersen:** Thank you, Mr. Speaker. In reference to my member's statement I would like to table a map document titled Residential Detox and Treatment Facilities in Alberta, March 2010, and I have the requisite number of copies.

Thank you, Mr. Speaker.

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

**Mr. Anderson:** Thank you, Mr. Speaker. I have several thousand signatures on a petition from the Falun Dafa Association of Calgary. These have been gathered over the last three or four days. They are urging the Minister of Culture and community services to "request a written apology from [the Southern Alberta Jubilee Auditorium] management for the above incidents," referring to, of course, issues concerning privacy, where some workers barged in on some of the actresses while disrobing, as well as some of the safety and lighting issues that hurt the performance. They're asking for an apology from the southern Jube as well as a written agreement that the orchestra net will be removed for all Shen Yu performances and are also requesting "an invitation to Shen Yun from the [southern Jubilee] management, in an attempt to repair the relationship and get them back to Calgary for future performances."

I must say that my office has been inundated with all sorts of letters in this regard, and I hope that the Minister of Culture can work with these folks to make sure that we bring this fine cultural event back to our great province.

### 3:10 Projected Government Business

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

**Mr. Campbell:** Thank you, Mr. Speaker. We're anticipating that the spring sitting will adjourn later this afternoon, and therefore there is no projected government business to share at this time. The Order Paper will disclose any business for the fall sitting.

Thank you.

**The Speaker:** We have one point of order. The hon. Opposition House Leader.

### Point of Order Factual Accuracy

**Mr. Anderson:** Thank you, Mr. Speaker. The citation for this point of order is in our Standing Order 23(h), (i), and (j) but specifically (j). They talk about: "uses abusive or insulting language of a nature likely to create disorder" and also "imputes false or unavowed motives to another Member" and "makes allegations against another Member." The comments I'm referring to were from the Associate Minister of Seniors, who said in his comments very clearly that the Wildrose proposal, our alternative budget, would result in significant cuts to, I'm assuming, seniors but also just to government services in general. This is an often cited and, frankly, very flawed and untrue statement that continues to come from that side of the House.

The hon. member is welcome to go onto our website at any time, and he will see three consecutive alternative Wildrose budgets. I'll refer only to the last one, but the other two were similar. The last one saw between a 2 and 3 per cent increase in overall government spending and a significant increase, in particular, for the Ministry of Seniors. What we did propose was not cuts to government services but cuts in things like corporate welfare.

This party here, unlike the party opposite, clearly believes that we should be putting the building of schools and infrastructure over corporate handouts to their friends and consumer power builders of power lines across this province. We're the party that takes schools over corporate grants. We also believe very strongly, of course, Mr. Speaker, that we should not mortgage our children's future in order to spend whatever we need to spend or say whatever we need to say in order to remain in power. That's not what this party is about.

I get very interested in a party that claims that half their name is conservative and has a supposedly conservative member over there, the former alderman, who was known as Dr. No for being such a fiscal conservative that he would join a group of individuals over there claiming to be conservative that have overseen the greatest increase and the most out-of-control increase in spending in this province's history.

To say that because we want to slow it down instead of ramping it up by 7 and 8 per cent per year – we want to hold it to 2 or 3 per cent a year so that we can at some point in the future balance our budget. I think this is something that Albertans overwhelmingly wanted to see. It certainly was not the reason that the Leg. is as it is today. It was because of, frankly, fear tactics like this member used today, which are untrue, unfounded. He knows it, and he should withdraw the remark.

**The Speaker:** The Opposition House Leader has clarified his point. The chair would allow a government response if they wish. If not, we could simply move on and accept the clarification as uttered.

The hon. Deputy Government House Leader.

**Mr. Campbell:** Thank you, Mr. Speaker. Looking at citation 23 (h), (i), and (j), that the Member for Airdrie cites, I don't see any issue at all here where the hon. Member for Whitecourt-St. Anne violated any of these citations at all.

Also, I think that the Member for Airdrie just gave a very good political speech. If we were in an election, I would be wondering when we'd have our chance to give the same speech. I think that the minister just made a comment that he believed that the Wildrose would cut spending and that the PCs would not. I think that sometimes our Member for Airdrie has a bit of a hair-trigger, and he jumped up a little too soon on this point. I think we should just move on.

**The Speaker:** Hon. members, I listened very carefully to the point of order. I reviewed the *Hansard*. In fact, the Associate Minister of Seniors said this according to the Blues: "Well, Mr. Speaker, the budget was clearly debated. There were no seniors' benefits programs being cut. It was the Wildrose that proposed to Albertans to cut spending, not the PC government."

Hon. House leader, you have given a good point of clarification on it. The Deputy Government House Leader has augmented his minister's comments. The point of clarification has been registered and noted, and we shall now move on.

### **Speaker's Ruling Allegations against a Member**

**The Speaker:** Hon. members, yesterday a number of points of order were raised during Oral Question Period. On a point of order raised by the Government House Leader in response to comments made by the Member for Lac La Biche-St. Paul-Two Hills, the chair deferred making a decision yesterday so that he could review it through the night. The chair has since had an opportunity to

review the *Hansard* and the context in which the remarks were made.

The two questions posed by the Member for Lac La Biche-St. Paul-Two Hills which caused the Government House Leader to rise on a point of order are found at page 86 of yesterday's *Hansard* and are as follows:

Given the Premier made a funding announcement to Mount Royal right before the election and then during the election the Premier's picture appeared on the cover of their alumni magazine together with a puff piece, is it fair to say that Albertans should be concerned about this obvious unethical conflict of interest?

In a separate quote:

Given that the Premier herself is at the core of the problem by passing a law that makes convicted political parties unaccountable to Albertans and now that her own riding has accepted illegal donations, how can Albertans believe that the Premier...

These were the comments made by the particular member.

In speaking to his point of order, the Government House Leader stated that the question violated Standing Order 23(h), (i), and (j), and other authorities. The authors of *House of Commons Procedure and Practice*, second edition, state at page 614:

Remarks directed specifically at another Member which question that Member's integrity, honesty or character are not in order. A Member will be requested to withdraw offensive remarks, allegations, or accusations of impropriety directed towards another Member.

The same authority also provides at pages 502 to 503 that a question should not... reflect on the character or conduct of... members of the House.

Members may also wish to refer to the December 4, 2007, ruling by Speaker Kowalski at pages 2391 to 2392 of *Hansard* for that date, in which the Speaker found a member who had alleged that the then Premier had involvement with accepting illegal campaign donations to be out of order and required the remarks to be withdrawn.

In speaking to the point of order yesterday at page 94 of *Hansard*, the Official Opposition House Leader denied that his colleague was saying that the Premier did anything illegal but, rather, that it was her constituency association. First, I think the Opposition House Leader is trying skillfully to avoid the inescapable conclusion that the member is creating the impression that the Premier is doing something illegal.

Second, if the question really was about the funding of the constituency association, then clearly it would be out of order totally. The authorities on this matter are very clear. The chair would refer members to *Beauchesne*, sixth edition, paragraphs 409(6), 410(5), 410(17), and to the *House of Commons Procedure and Practice*, second edition, at pages 501 to 503, on these points. For instance, *Beauchesne's*, sixth edition, states at paragraph 410(17): "Ministers may not be questioned with respect to [their] party responsibilities."

In fact, the chair cautioned the member on this point after the member's main question in this same sequence. The primary purpose of questions in Oral Question Period is to seek information from the government about government programs, government services, government funding, government policies, and other government issues that call the government to account for its actions as a government. Oral questions involving party matters or party responsibilities do not come within the administrative authority of the government. As such, they have no place in question period.



While the chair is aware that it is only the fourth day of regular business of our 28th Legislature and that many new members are adjusting to their new roles, allegations of this nature against another member of this Assembly are simply not acceptable, and they will not be tolerated.

The chair finds a point of order with respect to the allegations made against the Premier and also finds a point of order based on the fact that these questions dealt with party, not government, responsibilities. Members must therefore be reminded that they can and will be called to order if they violate the standing orders, which you have all pledged to uphold and abide by, or if they violate parliamentary traditions and authorities such as I have alluded to in *Beauchesne's* or *Erskine May* or *Montpetit* or the *House of Commons Procedure and Practice* or any of our other revered books of tradition as was done yesterday.

As such, the chair will now recognize the Member for Lac La Biche-St. Paul-Two Hills and invite him to do the honourable thing and simply withdraw his remarks.

**Mr. Saskiw:** I withdraw.

**The Speaker:** The hon. member has withdrawn his remarks. Thank you very much.

3:20

#### Statement by the Speaker Page Recognition

**The Speaker:** Just before we proceed to Orders of the Day, we are nearing what may well be the end of this particular sitting. Before we conclude, I want to thank our pages on behalf of all of us for their dedication and commitment. We have five retiring pages: Sydney Petrovic, Kaylin Bechard, Braden Smyth, Zachary MacGregor, and Katarina Michalyshyn. They leave us with some final words, which I would like to read to you and which thereby will be recorded in *Hansard* forever for those members who are here as well as for those members who are no longer in this Chamber but were served by these particular pages during their own tenure.

From the pages' letter to all of us:

Mr. Speaker,

As another session comes to a close, we face the regrettable reality that some of us will not be returning in the fall. We would like to express our gratitude for the wonderful opportunity we have been provided to serve in the Legislative Assembly.

We would like to sincerely thank you, Mr. Speaker, the Table Officers, the Sergeant-at-Arms, the lovely ladies in 315, the Security staff, and all the other staff of the Legislative Assembly Office. Of course, we would be remiss not to thank all of the Members of the Legislative Assembly, without whom, our role in the Chamber would not exist.

Being on the floor of the Chamber has presented a unique perspective that very few others will ever experience. For no other part time job would we be able to see news in the making, before we turn on the TV or read the newspaper. The enriching experience of working alongside a diverse group of people, each dedicated to improving our province, means we leave as more informed individuals with insight that will undoubtedly assist us in our future endeavours.

The relationships we have forged, the memories we have created, and the skills we have developed are priceless. As we have grown in this environment, our appreciation of this opportunity has grown with us. From our encounters with the influential men and women who help shape our province to

firsthand participation in important ceremonies, we will take these experiences with us for the rest of our lives.

It has been a great honour and privilege to be able to work with everyone in this Assembly, and for this, we are greatly appreciative.

Yours sincerely,

Sydney Petrovic, Kaylin Bechard, Braden Smyth, Zachary MacGregor, Katarina Michalyshyn.

Hon. members, I ask you to thank these pages. [applause]

I would now ask the Deputy Speaker if he wishes to make a few remarks.

**Mr. Rogers:** Thank you, Mr. Speaker. As you have mentioned, we have five hard-working pages who will be leaving us at the end of the session. Just for the record again: Sydney Petrovic, the head page; Kaylin Bechard; Zachary MacGregor; Katarina Michalyshyn; and Braden Smyth. I would ask you to join me in recognizing the efforts of our diligent pages, who daily show patience and understanding of our many demands. They carry out their tasks with attention to duty, including some very late nights of work with us.

On behalf of all members each departing page is given a token of our appreciation. These gifts are from the personal contribution of every member of our Assembly. Along with the gifts are our best wishes. We are honoured to have our pages work with us in the Legislature to serve all Albertans. I'd ask the Deputy Chair of Committees to hand a gift to our head page, Sydney. Sydney is representing all of the pages, and Sydney in turn, Mr. Speaker, will present each of the retiring pages with their gift from us.

Thank you very much. Good luck. God bless.

**The Speaker:** Thank you, hon. members. We'll take a brief break for about 30 seconds, and then we'll move on to Orders of the Day.

### Orders of the Day

[The Deputy Speaker in the chair]

#### Consideration of His Honour the Lieutenant Governor's Speech

Ms Olesen moved, seconded by Mr. Luan, that an humble address be presented to His Honour the Honourable the Lieutenant Governor as follows.

To His Honour the Honourable Colonel (Retired) Donald S. Ethell, OC, OMM, AOE, MSC, CD, LLD, the Lieutenant Governor of the Province of Alberta:

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly, now assembled, beg leave to thank Your Honour for the gracious speech Your Honour has been pleased to address to us at the opening of the present session.

[Adjourned debate May 30: Mr. Scott]

**The Deputy Speaker:** I recognize the hon. Member for Fort McMurray-Conklin.

**Mr. Scott:** Thank you very much, Mr. Speaker. It is an honour to rise today to respond to the Speech from the Throne. First, I would like to congratulate you, Mr. Speaker, on your new role as well as all the new and returning members of this House. I am truly honoured to be among all of you.

I'd like to begin by thanking His Honour the Lieutenant Governor for delivering a brilliant speech that encapsulates the vision this government has for the future of our great province.

I'd also like to take a moment to just recognize my parents. I was recently reminded of how important our parents are in the role that we've taken on in this Assembly. They've all encouraged us and inspired us. My father was among my many campaign workers out on the campaign trail pounding in signs. He couldn't be here with us today, but I know that he's thinking of me. He knows of this today, and I'm going to be talking to him about this.

I'd also like to thank my daughters, Jenna and Jeya, who have stood by me knowing that their dad would be away from home. They often remind me on the phone that they know I'm doing good work, and they encourage me to carry on. I'm often reminded of how important families are as we carry out this good work.

We all know and acknowledge that Alberta is a very special place, and this Speech from the Throne sets out a vision that does justice to all of the citizens of Alberta. Allow me to express my thanks to our hon. Premier for setting a bold agenda for us all to fulfill over the next four years. This agenda will improve the lives of all Albertans no matter where they reside in the province. I am proud to be part of a government with a mandate to listen to all Albertans and respond to change.

Mr. Speaker, I must also extend my thanks to the Premier for entrusting me to become the province's first Associate Minister of Accountability, Transparency and Transformation. I am particularly honoured to work with the Minister of Service Alberta. What an honour it is to take on this responsibility. I am pleased to be part of effecting fundamental change to the way that this province operates, ensuring that Albertans can easily make sense of how their government does business. As the name of the job title suggests, we will move boldly forward in this transformational process guided by the principles of accountability and transparency.

Part of the mandate will be a review of Alberta's Freedom of Information and Protection of Privacy Act. We will also be examining conflict-of-interest issues, seeking out a legislative solution that entrenches more accountability into government. This will include whistle-blower legislation to encourage people to come forward with allegations of wrongdoing and to offer protection from reprisal. Along with my colleague the Minister of Service of Alberta I am excited to be undertaking this important endeavour on behalf of the hon. Premier.

Mr. Speaker, allow me to also thank the wonderful constituents of Fort McMurray-Conklin. I would like to graciously accept the confidence and trust that they have placed in me. Over the course of my legal career I am proud to say that my colleagues and I have strived to be actively involved in our community. I have always believed that when individuals come together and donate their time, ideas, dedication, and service to the community, much can be achieved. Some of my constituents will confirm what an important role organizations such as the United Way have played in our region, and I am gratified to have been part of that effort.

3:30

The constituency of Fort McMurray-Conklin has the distinction of being one of the most charitable in Canada per capita, and I can personally attest to the presence of that generous spirit in our region. It is precisely this spirit of service that I wish to continue as the elected representative for this tremendous constituency.

My constituents expect me to convey their perspective to this Chamber and to express their vision of how they want their communities and our province to look in the future. Mr. Speaker, I will deliver on those expectations and faithfully represent this diverse group of people that inhabit the constituency of Fort McMurray-Conklin. As a long-time resident and business owner in Fort McMurray who has raised children in the community, my outlook parallels that of my many neighbours.

I understand the challenges that are faced by this region. We are a place blessed with abundance and economic prosperity. Our tremendous growth is only rivalled by our region's tremendous opportunity. I am very proud of the fact that my constituency along with that of the hon. Member for Fort McMurray-Wood Buffalo is part of the important economic engine for the province of Alberta and indeed for the entire country.

Fort McMurray and the surrounding towns such as Fort MacKay, Anzac, Conklin, and Janvier all offer boundless opportunity and an excellent quality of life. From listening to the throne speech, I know that our hon. Premier understands the importance of securing Alberta's economic future and continuing to create the conditions that will foster growth. This is the reason why so many people flock to our province and likewise to my part of Alberta. I would venture to say that the ever-changing face of Alberta has its most acute expression there, with high immigration rates and rapidly shifting demographics. We are a vibrant and diverse population. On the streets of our towns you can easily meet people from numerous countries, other Canadian provinces, and from various parts of Alberta. The region has a tremendous concentration of opportunities available to newcomers.

We continue to need entrepreneurial and self-driven people to come to settle, to make a better life for themselves, and to help play a part in the exciting future of our region. It has been my experience that newcomers usually arrive armed with a passionate attitude, adding to the enterprising spirit of our long-time residents.

Mr. Speaker, not only is Fort McMurray-Conklin an economic driver in Alberta; the fact is that this constituency is simply a beautiful place to live, full of stunning scenery, lakes, and endless boreal forest. For my fellow members who have not had the chance to visit, I strongly encourage all of you to visit to explore the wonderful sights the region has to offer. I know that our hon. Premier has had the pleasure of visiting several times.

Mr. Speaker, the incredible bounty of natural resources that characterizes this province is a blessing to all Albertans. They expect their government to provide world-leading responsible stewardship over our energy, land, and water resources, not to mention maintaining the pristine natural beauty of Alberta.

Previous governments have put in place strong safeguards to preserve the natural environment, and I am pleased that this government's throne speech has acknowledged the continued importance of that. This government will continue to work with industry to ensure conscientious development, which allows us to grow our markets while protecting the environment for future generations to enjoy.

In recent months we have made a great deal of progress as we move to implement a comprehensive environmental monitoring system for the entire province. The first priority was addressing the need to strengthen monitoring for the oil sands regions. At present a working group is considering the role of governance and funding as we work to ensure that environmental monitoring is scientifically credible, open, transparent, and easy to access. As we consider the bigger picture, our next step is to determine how to best implement the effective and scientific oversight of the provincial environmental monitoring program.

Mr. Speaker, the constituency of Fort McMurray-Conklin encompasses a large area, stretching north all the way to the Northwest Territories. Fort Chipewyan, for example, is a spectacular place, situated on the shores of Lake Athabasca. It has the distinction of being the oldest settlement in the province as well as being the home of many proud First Nations people. My

constituency also stretches in the opposite direction south past Fort McMurray all the way down to Conklin and Janvier.

Fort McMurray, of course, is the urban hub for the entire region. Other smaller communities like Conklin and Janvier are areas of new growth for the oil sands industry and represent some of the fastest developing parts of the constituency. Anzac is another town in my constituency that I enjoy visiting, especially for their recent all-terrain vehicle rally, which was just held this past weekend. I might add that that was my second time on an ATV, and it is not easy to drive one.

Mr. Speaker, we also recognize that along with the blessing of high economic expansion and development, the region faces massive growth pressures. As a result of this fast pace of development our region must overcome the challenge of providing infrastructure and services in a timely manner that meets the ever-growing needs of the population. This government will work closely with all levels of government and stakeholders in continuing to develop the necessary infrastructure and to offer the services that Albertans deserve. From the throne speech I know this Premier understands that investing in infrastructure is essential for growing our economy and for creating the types of communities that people want to call home. Having the critical infrastructure in place is the foundation for a healthy and prosperous society.

The residents of my region are passionate about many issues, and I am proud to carry these issues into the Legislature on their behalf. I love my region, and I feel passionately about it. Communities in this province need efficient transportation links, including highway 63. They need land for shops and services and for housing, they need schools for their children, and they need hospitals and family care clinics that provide timely, accessible health care. My constituents have reminded me many times that they need the quality of life found in other regions.

This government recognizes that Albertans outside our major urban centres need to have equitable access to our world-class health care system. We also know that planning for future development in a proactive and forward-thinking manner is sound policy. We will certainly foster this type of thinking within our caucus.

Mr. Speaker, in conclusion, I would like to say that I have enormous faith in the compelling vision that the Premier has put forward. She has remarked that Fort McMurray is not just a boom town but a hometown. I agree.

This is a plan for the future that works for all Albertans. That is why I am extremely proud to be part of this amazing team of professionals, who collectively bring to the table a wealth of ideas and experience. Mr. Speaker, the throne speech contains a vision that I believe will ensure that Alberta's best days are ahead.

I am passionate about my region. I look forward to working with all of you to serve our great province. Thank you, Mr. Speaker.

**The Deputy Speaker:** Standing Order 29(2)(a) is available.

Seeing none, may we revert briefly to Introduction of Guests before I acknowledge the next speaker?

[Unanimous consent granted]

### **Introduction of Guests** (reversion)

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

**Ms Jansen:** Thank you, Mr. Speaker. I would like to introduce to you and through you to the House my parents, John and Lena Jansen.

### **Consideration of His Honour the Lieutenant Governor's Speech** (continued)

**The Deputy Speaker:** Hon. Member for Calgary-North West, you may proceed with response to the Speech from the Throne.

**Ms Jansen:** Thank you, Mr. Speaker. It is my pleasure to add my comments to those already offered by my colleagues in consideration of the Speech from the Throne and, of course, to welcome my parents to the House.

It is also my great honour to represent the constituents in Calgary-North West, who are so blessed to live so close to the gorgeous Rocky Mountains and enjoy all the best that Alberta life has to offer. They work hard, and they work smart, and they want to know their government is doing the same.

I know and respect a commitment to enterprise and labour. My father came from Holland with nothing more than a plan to work hard and build a good life in Alberta. He spent his entire career with the Alberta government in public works and is very proud of his time and his accomplishments there.

The Jansen kids were taught that hard work was the only way to guarantee success, and I held that value close to my heart as I took my broadcasting career from its humble beginnings in Medicine Hat to channels 2 and 7 in Calgary and on to Montreal, where I reported on the national unity referendum. I then moved to Toronto, where I spent 10 years in the CTV national newsroom covering some of the most important stories that decade, including the Bosnian conflict, the Gulf War, and the September 11 tragedy.

I was always a dedicated advocate for the western perspective during my time in national news. I knew that the perceptions of Alberta and Albertans that Canadians outside this province had did not match what I knew to be true. We are smarter, we are more sophisticated, and we are more thoughtful in our politics than we are often given credit for.

I saw those qualities in our Premier, Alison Redford, more than 27 years ago, when we worked on the Ron Ghitter PC leadership campaign together. So when she decided to seek the PC leadership herself many years later, I devoted my time as a campaign volunteer to help her achieve that goal and to realize her vision. The lessons that we learned from Ron about integrity, tolerance, and understanding are what I believe to be the bedrock of how we approach the weighty responsibility of government leadership.

3:40

I see those qualities in our caucus. The warm support and encouragement I received during the process has made me stronger. The advice and mentorship newly elected MLAs have received has been very much appreciated. We are a strong, united caucus with a focused goal, which is to make Alberta better by investing in our families and in our communities, by advancing our world-leading resource stewardship, and by strengthening and improving our provincial economy in the global marketplace.

As an MLA I pledge to remember every day the mandate of the people of Calgary-North West, who gave me a chance to represent them. I spent many long hours, as did my colleagues, at the doors of my constituency listening to people's concerns. They spoke passionately about issues that made them happy, that made them angry, and that sometimes kept them up at night. They told me they needed a playground for their elementary school because four years is too long to wait for a chance to climb and slide and swing at recess. They told me they needed a middle school so they wouldn't have to watch children play in a schoolyard they could

see out their kitchen window, knowing their kids were too far down a list to attend.

That's why I'm so supportive of this government's commitment to building and modernizing a number of schools across the province's fast-growing communities and its commitment to stable, long-term funding that will ensure every child in Alberta gets a world-leading education in up-to-date facilities.

My constituents also told me they need a government that listens and then acts based on a commitment to doing what is right, and they were very clear with me about what doing what is right entails. It means committing to infrastructure dollars, public health care, education, and building bridges with the federal government and the rest of the country so we don't shut ourselves out. Many of my constituents are teachers, health care workers, oil and gas professionals, and they want a government that believes our oil and gas industry functions not just for Albertans but as the economic engine that drives our country's economy with efficiency and a high standard of environmental protections.

To conclude, I'd like to thank the constituents of Calgary-North West for giving me the opportunity to represent them as a member of a government that will continue to work hard for its citizens and communities. I am honoured and humbled by their choice, and I will work very hard to make sure their voices are heard.

To His Honour the Lieutenant Governor, thank you for presenting the Speech from the Throne and shedding light on what is in store for our great province. To all my hon. colleagues, may we work together towards the common goal of making Alberta better in every possible way so that our province's legacy of entrepreneurship, leadership, and innovation continues as we move towards a very bright future.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, I will acknowledge the next member. Before I do that, I'll tell you the list that I've got going. The next member will be Edmonton-Centre, followed by Edmonton-Mill Woods, followed by the Member for Little Bow.

The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much, Mr. Speaker. I always appreciate the opportunity to respond to the Speech from the Throne because it's one of the few times that members can speak unfettered, without the limitations and the confines of the rules of debate over bills. The only other time is in budget debate.

I hope that everyone here is aware of how fabulous my constituency of Edmonton-Centre is, and I know that brings a smile to many people's faces because I've branded it like that, and I insist that everyone talk about my fabulous constituency that way. But there's a reason, and I'm going to tell you why. I thought this might be of interest to you.

I'm going to kind of walk you through the neighbourhood of the fabulous constituency of Edmonton-Centre, and we're going to start in the river valley, which I hope all of you take advantage of and enjoy, with the wonderful walking and cycling and multi-use trails that the city of Edmonton and the government and the federal government have made available to us.

Also in the river valley, of course, is our baseball park, which is no longer a triple-A but will be something. So those of you that have apartments and condominiums in the fabulous constituency of Edmonton-Centre and even across the river in Edmonton-Strathcona and elsewhere, please come down and enjoy a good

old-fashioned baseball game, beer, peanuts, hot dogs, and all the rest in the river valley sometime over the summer.

We have the old, now decommissioned, Rosedale power plant. Please watch this because over the next couple of years we will be working with the city, the province, and the federal government to build this into something wonderful and new, something probably about artists, but we're not too sure about that.

Of course, the Legislature Grounds and the building that we're in is also in the fabulous constituency of Edmonton-Centre, and you must, if you have not already experienced it, come during the summer and watch the hundreds of people who come to enjoy the grounds here and especially the wading pools. For many, many people in Edmonton-Centre and in other places, this is their local pool, their community pool. It was one very brave decision by one of the bureaucrats here in the government that, when told that there were kids playing in the reflecting pool, said, "Oh, okay," and there have been kids in the wading pool from then on. Rather than taking a negative, "They shouldn't be in there; get them out," they have tried very hard to accommodate people. To be fair, it was not a pool that was built to have chlorine in it, which is why you keep seeing them repairing it over and over again. God bless them for doing that because it really is a wonder.

July 1 is a wonderful day on the Legislature Grounds here because, of course, the Chamber is open, the only time of the year, and one of the few Legislatures that allows people onto the floor of the Legislature at any time. But if you come on July 1 – you'll probably be in your own constituencies – please bring your family onto the floor here.

I have five communities. The first one that is closest to here is Oliver, and a sort of subset of that is Grandin, which honours one of the first Catholic religious leaders here in this area. Oliver, of course, is our high-rise area. I talk about my constituency as being 20 blocks by 20 blocks by 20 storeys high. That's pretty much it. At a good clip I can walk across my constituency in 45 minutes, but most of the people live up. I have less than 500 single-family homes now, and I am pushing 46,000 people. Most of them live in a high-rise building, and most of them live alone. My average per door is less than two people; it's like 1.8. Most of you, I imagine, will have four people or so behind every door. I tend to have one, sometimes two people behind every door.

Oliver was our first high-rise community. We have learned over time how to make that a community because high-rises don't lend themselves to talking to each other very much. We've developed things like board game nights and a lot of activity out of the community league, which is really cool. We have a number of community gardens, where people get little plots where they can grow flowers or vegetables. They do so with great gusto in a number of places across the constituency. The community league there offers hayrides and all kinds of summer festivals.

Queen Mary Park, which is the district that's on the far north of my riding and the most easterly section, is my last single-family dwelling area. These were homes that were on the original Hudson's Bay preserve, so a number of them did come with caveats when they were first sold about how big they were and how they were built. If you ever get a chance to go through it, they're mostly those old postwar homes, little bungalows you all recognize, six concrete steps up – and my legs can tell you about every one of those – big picture window on one side, smaller window on the other side, lovely little places, and very affordable for people. Originally, we had mostly Polish and Ukrainian and United Kingdom people settle there.

3:50

Now, the district, while I've been serving it, has completely turned over. Those rental houses that were there: a lot of them have been bought, and you can tell the second you walk up the sidewalk. It's really cool. They're fixing stuff up, and a lot more of the people that have been moving in are younger families, Vietnamese, Cambodian, and it's really a pleasure to see that community reinvent itself. They also have a brand new spray park, which they're very proud of and worked very hard to get.

Unfortunately, that is one of the inner-city schools that got closed, and we really notice it. It left a literal and figurative black hole in the middle of that community. The school is used by some other groups, but at night there are no kids there, there's no lights on, and it's literally a black hole for us. It took all of the kids out of the community. So it is hard to get families to move in there. Unfortunately, a lot of those homes that are being bought, they don't have kids. I know a couple of families that do, but mostly they don't.

Moving eastward we have Central McDougall. This is a very old community in Edmonton-Centre, considered right downtown or inner city. This is a community that I am fiercely proud of because they have worked so darn hard to keep their heads above water. They have a poverty index that is triple what is normal. They have very low capacity there. People mostly live in three-floor walk-ups, and they really struggle. There are a lot of social service agencies there that work in the community, and the community is inundated with a lot of transition houses, shelters, and even some kind of old-fashioned boarding houses. But they're really struggling with the amount of at-risk people that they are expected to accommodate in their community, and they've started to push back against that. So I've worked with them on that quite a bit.

They have also managed to build themselves a really spanky playground and a nice park for the parents to sit at as they watch the kids on the playground. Their community as well is working very hard and co-operates a lot with the social service agencies. The school is John A. McDougall school. If you're paying attention at all to Alberta sports history, that was the original home of the Edmonton Grads. That was the school they went to. Their coach was J. Percy Page, and that is where they all started and all went through school there.

I have to say that all of my schools are tremendously motivated. The parents cannot support the students very much. Parents are working often two and three minimum wage jobs, so it's the teachers and the administrative staff that raise the funds for those schools, and they work damn hard to do it.

We've had a lot of revitalization downtown, which makes it very fun, and it's been nice to watch that happen over the years. Make note of this and check *Hansard* very quickly. Some of the new restaurants that we're really excited about: Blue Plate; Credo is a coffee place, excellent coffee, by the way; the MRKT; Cafe Select. Some old favorites: Rigoletto's; the Bistro Praha has reopened there. A new one that has got a brand new NAIT graduate is Corso 32. Cafe De Ville is an old one, a beloved. Ruth's Chris for those of you that really like the meat. The Pampa is also a meat eater's paradise, right across from my constituency office on 109 Street.

Now, for those of you that like new urban fare, we are attracting some of the truck diners, as they call them. They are coming into the neighbourhood, especially around here. They're new entrepreneurs, chefs, and they are starting their restaurant in a truck by making gourmet sandwiches and really neat ways of presenting things. So I like to support them in that.

Edmonton-Centre also has a really wide range of arts organizations: the Citadel; the Winspear; the Stanley A. Milner Library; the CBC is downtown; the Art Gallery of Alberta; the new Royal Alberta Museum, which will happen right behind city hall – we have, of course, city hall; they also have a wading pool, very smart; they make theirs into a skating rink in the winter, even better – Azimuth Theatre; SNAP, which is the Society of Northern Alberta Print-artists; Latitude 53 society of artists; Harcourt House; the art walk on Jasper and 124; a number of dance studios, including Dance Alberta.

But really what Edmonton-Centre is about is the people. I have very strong communities of artists. I have a fabulous community of gay, lesbian, bisexual, transgendered, questioning, two-spirited, and/or queer that I am very proud of. I have a very high percentage of seniors, which is unusual. The other communities with very high percentages of seniors are Medicine Hat and Camrose. The highest in the province is 15 per cent. I have 13 per cent of my constituents who are seniors.

June is a great month for us. The first week is Seniors' Week, and I do 16 seniors' teas in a week. The second week is Pride Week, and we have a number of wonderful events that happen around Pride Week, including the best parade you will see on Jasper Avenue. Well, wait. There's Carifest later in August, so two great parades on Jasper Avenue. If you're around, please take it in. That's going to be the second Saturday in June. Then film festivals, art displays, lectures, a bus tour and lecture about how the gay and lesbian community came into being. It's a great time in Edmonton-Centre.

We also have a lot of students attending NAIT, the University of Alberta, Alberta College, Grant MacEwan University, Athabasca University. It's wonderful to have so many young people in Edmonton-Centre.

A number of service workers, young professionals, the 104th Street market community: it's really about the people. When I get excited and talk about Edmonton-Centre, that's what it is for me. Yes, we've got great stuff there and great communities, but it's the people that really make it happen.

While I was campaigning, I heard a number of issues that people wanted me to bring forward and to work on. The first one really shocked me, but I heard it enough times that I'm telling it to you now. My constituents would like to launch a public discussion on euthanasia. They feel very strongly about it. They think it's time we grow up – we're grown-ups – and talked about this issue. They would like to see that happen.

There were lots of concerns and talk about long-term care and home care.

They're particularly interested in saving the nonrenewable resource revenue money, which is of concern to all of us. I've heard it all happen today during question period and Members' Statements. So, like, good for everybody.

My downtown people, of course, want more money on urban priorities, like cycling and walking infrastructure, but also on public transportation, like bus routes and LRTs. They're looking for – this is controversial – arena funding that is not going to come from the MSI for the city. We'll see how that one plays out. It should be interesting.

They're also very interested in advanced education, having the tuition fees come down, and loved our platform of eventually working to public payment for a first university degree, apprenticeship, or college diploma.

They're also very interested in fair and progressive taxes – I did not put those words in their mouths; they brought it up – and concerned about homosexual bullying, violence against women and girls.

Mental health is a huge issue in my constituency. Out of the casework that we do in my office – and I now have two caseworkers that work there all the time – mental health issues are underlying 80 per cent of our casework.

Funding to the arts is very important for Edmonton, Calgary, and for the province.

I really have to say that these are good people who work very hard. They embrace big ideas, and they embrace the move towards better government.

Thank you for letting me walk you through my neighbourhood of the fabulous constituency of Edmonton-Centre. I know that the people I represent are quite different in many ways and quite similar in other ways from the ones that you represent, but I'm very, very proud to speak for them. I'm very proud to represent them. In my fifth term here, in opposition, I think I'm a little unusual in keeping coming back to represent them.

Thank you.

**The Deputy Speaker:** Standing Order 29(2)(a) is available.

Seeing none, the hon. Member for Edmonton-Mill Woods.

4:00

**Mr. Quadri:** Thank you, Mr. Speaker. It is my pleasure to rise today and respond to the throne speech and address my colleagues for the first time in this House. I would like to congratulate all of the members on their recent success in the election, and I want to let them know that I'm looking forward to working with them.

I want to congratulate you, Deputy Speaker, for your success in this election. It gives me great pleasure to see you, as I have followed you as an MLA, and your achievements are tremendous.

I would like to also thank the hon. Lieutenant Governor for sharing with each of us and with Albertans his perspective on the tremendous future that lies ahead of us. Listening to such a distinguished leader relate this optimism and driven vision was truly inspiring.

Mr. Speaker, in my view, your service is an excellent example of how the government is building bridges around us instead of putting up walls, which we heard mentioned in the Speech from the Throne. It is something that I'm very proud to be part of.

I would also like to recognize all the employees of the Legislative Assembly who have provided my colleagues and me with tremendous support as we learn our new role. In supporting a mere 87 Members of this Legislative Assembly, they are actually serving over 3.8 million Albertans that we work for.

Mr. Speaker, as a new MLA I am still in a state of euphoria and slowly trying to comprehend the fact that I have realized my dream of representing the people of Edmonton-Mill Woods in this Legislature. Having come to Edmonton almost 25 years ago from Karachi, Pakistan, I brought my hopes, my dreams – this is a little emotional – for the future with me to my new home called Canada. When I stand for *O Canada*, you know, I get goosebumps because I feel for that.

I just want to acknowledge the Member for Calgary-Shaw. Yesterday he was talking about that he had married a woman of Egyptian heritage. That just starts me thinking about the beauty of this Canadian mosaic. This is our strength. Our multiculturalism is our strength that today is reflected upon any Assembly, in Alberta or in Ontario or in Ottawa. That is actually our strength, and I'm very proud of it. I call myself a Canadian because I feel great pride that I brought my hopes and dreams with me, and people have helped me, accepted me, and on top of that, they have elected me to represent them. This is a very emotional time for me.

I know the importance of having a strong, accepting community, which I found in Edmonton-Mill Woods. I am

committed to supporting this constituency so that it remains a welcoming place for newcomers. As you know, Mill Woods has been a diverse community. It was multicultural before it became fashionable to use the word. It is here that one can witness an assembly of different nations having a common dream, a common desire to seek a better and more prosperous future. It is an honour to have been selected to be their voice in this province.

After listening to the Speech from the Throne, I have an even stronger sense of excitement about the great things this government will be accomplishing for our communities over the next four years.

Mr. Speaker, as a new immigrant to Edmonton I started my career in the local fashion world selling designer clothing to Edmontonians. So this is a free tip. If anybody needs any tips on fashion design, their suit, I can give you free tips. My service is available. As I was walking in today, you know, the guy was telling me that this suit looks good. I said: well, because of the way I put it together, it looks good. So anybody wanting fashion tips, I'm here to offer them for free.

Mr. Speaker, you know, having at that time recently graduated with my bachelor of commerce, I excelled in the industry and worked over time to recognize my gift of working with people. My interaction with the public taught me tolerance and gave me a better understanding of how to connect with others. This new career also taught me important lessons in business, which paved my way to becoming an entrepreneur. I eventually bought a printing business, which connected me to people of various walks of life and helped me to learn about a number of organizations involved in community work. As I began to work with these community organizations, I came to understand the diverse needs of Albertans around me.

I also realized the importance of having a capable and responsible government, one that can effectively provide essential services while maintaining fiscal discipline. As we so clearly heard in the Speech from the Throne, that is the kind of government we will be. As a member of this government I will actively champion the voices of Mill Woods' growing seniors' population, who need our continuous attention. I will work to support the recreational and academic programs that are so valuable to our children. Those programs are provided by 25 terrific schools in my riding and countless other organizations. I will also strive to ensure that our health care system is responsive and effective for our residents.

[The Speaker in the chair]

Mr. Speaker, in addition to my experiences that I mentioned earlier, there are also a number of people who have had a profound impact on my life. First, my grandmother. My grandmother often told me that a tree which is laden with fruit leans toward the ground, a symbol of productivity, simplicity, and humility. I must also acknowledge my exemplary parents, whose guidance in everyday life has inspired my siblings and me to achieve our goals. They have inculcated in us the values of humanity, acceptance, and tolerance. I'm also thankful to my wife, Sarwat, who has stood by me as a true companion for the last 17 years and many more to come.

My passion for the game of cricket has also greatly affected my life as it has taught me the importance of sportsmanship, the art of winning and losing happily.

These people and experiences have helped shape who I am and have prepared me to venture into the world of public service. Mr. Speaker, it was a joyous first step for me when I won the PC

nomination for Edmonton-Mill Woods, and the election campaign followed soon after. One of the most memorable events of my campaign was the hon. Premier accepting our invitation to come and speak to an enthusiastic crowd of over 800 people. The audience was a true mix of all religions, backgrounds, and ages, a true representation of the diversity of Edmonton-Mill Woods. The massive applause as the Premier entered made my team and constituents very proud. After all, it was her determination and commitment to Albertans that changed our political landscape and inspired many of us to run for public office.

Mr. Speaker, as you know, the results on election night were electrifying, but in the morning I realized that we have an immense responsibility ahead of us. We are now part of a team that is working toward an even better future for Alberta than that which we have already experienced. Nothing less than success will be acceptable. We all know that Albertans are the hardest working individuals in the world, and they deserve the highest quality of life, excellent and accessible services, and low taxes so that we can each spend our hard-earned money as we see fit.

As His Honour the Lieutenant Governor related in his speech, we are fortunate to have this high level of economic freedom. This freedom has fostered an incredible sense of entrepreneurship, creativity, and motivation among our residents. As I have already discussed, I experienced my own entrepreneurial transformation when I moved here, and I am sure it is no different for many newcomers to our province. Mr. Speaker, Edmonton-Mill Woods currently has a population of 45,845; about 30,000 eligible voters. With Alberta's growing economy, there is likely to be an influx of new immigrants and migration from other provinces in the near future. If we continue to promote an environment of free enterprise and low taxes, I know that newcomers to our province will continue to be successful.

In addition, in my constituency it will be important to facilitate job opportunities for newcomers, including pharmacists, engineers, IT experts, clinicians, and other skilled workers so that they can be effective partners in building our province. This government is already doing that. Budget 2012 expanded the role of pharmacists.

**4:10**

As we heard in the Speech from the Throne, we are going to continue investing in our markets for new technology, including clean energy, which will be creating many new exciting jobs. Mr. Speaker, in listening to the speech, I know our government will continue to provide Alberta with the quality-of-life services and the wealth of opportunity we have been fortunate to experience until now.

The Speech from the Throne has renewed the energy and excitement that I felt throughout the nomination and campaign period and also given us a focus. Mr. Speaker, as I move forward, I assure you that I will serve the people of Alberta to the best of my ability, keeping with the goals and the values from the Speech from the Throne, and will be an effective voice for the constituents of Edmonton-Mill Woods.

I'm looking forward to working with all of my hon. colleagues here today in the spirit of true democracy to ensure the best path forward for Alberta. Thank you, Mr. Speaker.

Mr. Speaker, I also move that we adjourn debate on the Speech from the Throne.

**The Speaker:** Hon. member, did I hear you move a motion to adjourn debate?

**Mr. Quadri:** Yes. That's what I just said. I can repeat it.

**The Speaker:** I'm sorry, I couldn't hear you.

**Mr. Quadri:** Mr. Speaker, I move adjournment of debate on the Speech from the Throne.

**The Speaker:** The hon. Member from Edmonton-Mill Woods has moved the adjournment of debate on the Speech from the Throne. All in favour of this motion?

**Some Hon. Members:** Aye.

**The Speaker:** Those opposed?

**Some Hon. Members:** No.

**The Speaker:** I'm sensing that there's some sort of a tie here.

[Several members rose calling for a division]

**The Speaker:** Call in the members, then. We'll sound the division bells and sort this out.

[The division bell was rung at 4:12 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Speaker in the chair]

For the motion:

Amery	Horner	Quadri
Bhardwaj	Jansen	Quest
Calahasen	Jeneroux	Rodney
Campbell	Johnson, J.	Rogers
Cao	Kennedy-Glans	Sarich
Casey	Kubinec	Scott
Dallas	Luan	VanderBurg
DeLong	McDonald	Weadick
Denis	McIver	Webber
Dorward	Olesen	Xiao
Fraser	Olson	Young

Against the motion:

Anglin	Fox	Saskiw
Barnes	Hale	Stier
Bilous	McAllister	Strankman
Blakeman	Pastoor	Towle
Donovan	Pedersen	Wilson
Eggen	Rowe	

Totals:	For – 33	Against – 17
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[Motion to adjourn debate carried]

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

**Mr. Campbell:** Thank you, Mr. Speaker. On behalf of the Government House Leader I'd like to advise the House that the government business for the spring sitting is now completed and we stand adjourned pursuant to Government Motion 7.

Thank you.

### Statement by the Speaker

#### Decorum and Parliamentary Behaviour

**The Speaker:** Hon. members, just before the House rises at the end of the first sitting of the 28th Legislature, the chair finds it

necessary to offer two minutes of brief reflections on decorum and parliamentary behaviour. As noted in my comments on Monday, I encouraged all of you to adopt your own personal credo to serve as a guide as you fulfill your duties as members to the constituents you serve and to your colleagues and to this Assembly. The long-standing tradition of respect, dignity, and honour for each other and for this institution must be maintained.

We have had a very productive first few days in this House, but I know and you know that we can do even better. Realizing that 38 of you are new to parliamentary procedure and protocol, the chair offered considerable leeway in various aspects of the proceedings of the House. Nonetheless, the chair would like to offer all members a few friendly reminders before the Assembly adjourns for the summer.

Number one, members should always speak through the chair.

Number two, preambles will not be permitted on supplementary questions during Oral Question Period.

Number three, members are not permitted to refer to the absence of another member.

Number four, members should not refer to other members by their proper names. They should use their constituency names or their ministerial titles.

Number five, when a member comments about a document that is about to be tabled, the member should be brief and should accurately describe the document in no more than one or two sentences to avoid taking up precious time of the House.

Number six, when introducing guests, which is important to all of us, I would ask you to please be very brief to allow the maximum number to be introduced.

Also, with respect to the rotation several notes were sent up to the chair yesterday and again today, and they concern in what order we speak or don't speak and so on. Please understand that there is no specified order in our rules that dictates how this should go. There is a respected tradition to alternate between the government member or minister and an opposition member and go back and forth and to and fro, but the chair can only be as effective as the information with which he or she is provided when chairing. I have asked before to receive speaking lists of members who wish to speak, and we do our best to include them. Today was an example where we had one list from one particular side, and we did not for some reason have the list written out on the other side. We're looking at that. I've met with some of the House leaders and spoken with them about it. Please keep that in mind.

Also, please know that today the chair did allow some leeway to go back to a member who had been skipped over because of circumstances. We had a similar circumstance yesterday when we

had some health issues that arose with a couple of people, so we allowed some of those speeches to be made. The chair will continue to be lenient in that respect, and you will find that it will work for your advantage as well as for others' advantage from time to time.

Members should also be mindful that when the chair is speaking, he appreciates your attention. Let's add that to the list.

Members should also be aware that when we are in Assembly, members must take their seat and should not move freely about the Chamber. Again, we realize that there are new members here who are here for the first time who don't know all these rules, so we've permitted some leeway. The Sergeant-at-Arms also permitted some leeway. You are permitted to move freely about the Chamber during Committee of the Whole or Committee of Supply or any of the committees. That's when the chair leaves the throne, as it's called, the dais, and the Deputy Chair takes over at the Clerk's table here. At that point you're free to move around. You're free to go and sit at other people's desks and chat with your colleagues and discuss world affairs. Remember that.

If you wish to speak to your colleagues in any event, please use outside the Chamber to do that. We have excellent services also that are provided by pages, who would be happy to send notes back and forth to other colleagues.

Finally, the chair would like all members to do a little bit of parliamentary homework, please, over the summer since there have been some transgressions this week in connection with statements uttered that amount to serious allegations against other members both during question period and also during Members' Statements. I would ask you to review in your good conscience what the purpose of Members' Statements really is. It is not an opportunity to stand up and deride or throw derogatory comments at another member. That is not what it's all about.

Finally, finally, we are all referred to as honourable members, and the basis of the word "honourable" is integrity and respect. There is little point in you arriving at orders for the House, called standing orders, or having rules or guidelines in parliamentary books and traditions if you aren't prepared to abide by them yourselves. The Speaker's job, as with the Deputy Speaker's job and the Deputy Chair's job, is simply to enforce your rules and the long-standing parliamentary traditions that have guided hundreds of others across this great country.

Hon. members, pursuant to Standing Order 3(4)(b) the House stands adjourned until Monday, October 29, 2012. Thank you for your attention.

[The Assembly adjourned at 4:30 p.m. pursuant to Government Motion 7]



## **Bill Status Report for the 28th Legislature - 1st Session (2012)**

**Activity to May 31, 2012**

The Bill sponsor's name is in brackets following the Bill title. If it is a money Bill, (\$) will appear between the title and the sponsor's name. Numbers following each Reading refer to Hansard pages where the text of debates is found; dates for each Reading are in brackets following the page numbers. Bills numbered 1 to 199 are Government Bills. Bills numbered 200 or higher are Private Members' Public Bills. Bills numbered with a "Pr" prefix are Private Bills.

\*An asterisk beside a Bill number indicates an amendment was passed to that Bill; the Committee line shows the precise date of the amendment.

The date a Bill comes into force is indicated in square brackets after the date of Royal Assent. If a Bill comes into force "on proclamation," "with exceptions," or "on various dates," please contact Legislative Counsel, Alberta Justice, for details at (780) 427-2217. The chapter number assigned to the Bill is entered immediately following the date the Bill comes into force. SA indicates Statutes of Alberta; this is followed by the year in which it is included in the statutes, and its chapter number. Please note, Private Bills are not assigned chapter numbers until the conclusion of the Fallittings.

**1        Workers' Compensation Amendment Act, 2012 (Redford)**

First Reading -- 8 (May 24 aft., passed)

**201      Scrap Metal Dealers and Recyclers Identification Act (Quest)**

First Reading -- 92 (May 30 aft., passed)

**202      Public Lands (Grasslands Preservation) Amendment Act, 2012 (Brown)**

First Reading -- 130 (May 31 aft., passed)



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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Tuesday afternoon, October 23, 2012

Issue 7

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta  
The 28th Legislature**

First Session

Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC), Speaker  
Rogers, George, Leduc-Beaumont (PC), Deputy Speaker and Chair of Committees  
Jablonski, Mary Anne, Red Deer-North (PC), Deputy Chair of Committees

Allen, Mike, Fort McMurray-Wood Buffalo (PC)  
Amery, Moe, Calgary-East (PC)  
Anderson, Rob, Airdrie (W),  
    Official Opposition House Leader  
Anglin, Joe, Rimbey-Rocky Mountain House-Sundre (W)  
Barnes, Drew, Cypress-Medicine Hat (W)  
Bhardwaj, Naresh, Edmonton-Ellerslie (PC)  
Bhullar, Hon. Manmeet Singh, Calgary-Greenway (PC)  
Bikman, Gary, Cardston-Taber-Warner (W)  
Bilous, Deron, Edmonton-Beverly-Clareview (ND)  
Blakeman, Laurie, Edmonton-Centre (AL),  
    Liberal Opposition House Leader  
Brown, Dr. Neil, QC, Calgary-Mackay-Nose Hill (PC)  
Calahasen, Pearl, Lesser Slave Lake (PC)  
Campbell, Hon. Robin, West Yellowhead (PC),  
    Deputy Government House Leader  
Cao, Wayne C.N., Calgary-Fort (PC)  
Casey, Ron, Banff-Cochrane (PC)  
Cusanelli, Hon. Christine, Calgary-Currie (PC)  
Dallas, Hon. Cal, Red Deer-South (PC)  
DeLong, Alana, Calgary-Bow (PC)  
Denis, Hon. Jonathan, QC, Calgary-Acadia (PC),  
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Donovan, Ian, Little Bow (W)  
Dorward, David C., Edmonton-Gold Bar (PC)  
Drysdale, Hon. Wayne, Grande Prairie-Wapiti (PC)  
Eggen, David, Edmonton-Calder (ND),  
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Fenske, Jacquie, Fort Saskatchewan-Vegreville (PC)  
Forsyth, Heather, Calgary-Fish Creek (W)  
Fox, Rodney M., Lacombe-Ponoka (W)  
Fraser, Rick, Calgary-South East (PC)  
Fritz, Yvonne, Calgary-Cross (PC)  
Goudreau, Hector G., Dunvegan-Central Peace-Notley (PC)  
Griffiths, Hon. Doug, Battle River-Wainwright (PC)  
Hale, Jason W., Strathmore-Brooks (W)  
Hancock, Hon. Dave, QC, Edmonton-Whitemud (PC),  
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Horne, Hon. Fred, Edmonton-Rutherford (PC)  
Horner, Hon. Doug, Spruce Grove-St. Albert (PC)  
Hughes, Hon. Ken, Calgary-West (PC)  
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Jeneroux, Matt, Edmonton-South West (PC)  
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Johnson, Linda, Calgary-Glenmore (PC)  
Kang, Darshan S., Calgary-McCall (AL),  
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Kennedy-Glans, Donna, Calgary-Varsity (PC)

Khan, Hon. Stephen, St. Albert (PC)  
Klimchuk, Hon. Heather, Edmonton-Glenora (PC)  
Kubinec, Maureen, Barrhead-Morinville-Westlock (PC)  
Lemke, Ken, Stony Plain (PC)  
Leskiw, Genia, Bonnyville-Cold Lake (PC)  
Luan, Jason, Calgary-Hawkwood (PC)  
Lukaszuk, Hon. Thomas A., Edmonton-Castle Downs (PC)  
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Olesen, Cathy, Sherwood Park (PC)  
Olson, Hon. Verlyn, QC, Wetaskiwin-Camrose (PC)  
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Pedersen, Blake, Medicine Hat (W)  
Quadri, Sohail, Edmonton-Mill Woods (PC)  
Quest, Dave, Strathcona-Sherwood Park (PC)  
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    Premier  
Rodney, Hon. Dave, Calgary-Lougheed (PC)  
Rowe, Bruce, Olds-Didsbury-Three Hills (W)  
Sandhu, Peter, Edmonton-Manning (PC)  
Sarich, Janice, Edmonton-Decore (PC)  
Saskiw, Shayne, Lac La Biche-St. Paul-Two Hills (W),  
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    Leader of the Liberal Opposition  
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    Leader of the Official Opposition  
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Stier, Pat, Livingstone-Macleod (W)  
Strankman, Rick, Drumheller-Stettler (W)  
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Weadick, Hon. Greg, Lethbridge-West (PC)  
Webber, Len, Calgary-Foothills (PC)  
Wilson, Jeff, Calgary-Shaw (W)  
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
    Government Whip

**Party standings:**

Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

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Donovan	Rogers
Dorward	Sandhu
Eggen	Sherman
Fenske	Smith
Goudreau	Starke
Hehr	Strankman
Jansen	Towle
Luan	Young
McDonald	Vacant
Olesen	

### Standing Committee on the Alberta Heritage Savings Trust Fund

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Deputy Chair: Mrs. Jablonski

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Casey  
Dorward  
Eggen  
Kubinec  
Sandhu  
Sherman

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Deputy Chair: Mr. Luan

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Dorward  
Fenske  
Johnson, L.  
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Notley  
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Jansen	Saskiw
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Goudreau  
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Casey	Pedersen
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Jeneroux	Towle
Johnson, L.	Xiao
Kennedy-Glans	Young
Kubinec	

### Standing Committee on Public Accounts

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Fritz	

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Calahasen	Stier
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Casey	Xiao
Fenske	Young
Fraser	Vacant
Hale	



## Legislative Assembly of Alberta

1:30 p.m.

Tuesday, October 23, 2012

[The Speaker in the chair]

### Prayers

**The Speaker:** Let us pray. Almighty God and great creator of our universe, as we begin our deliberations in this fall sitting of the Alberta Legislature, we ask for Your guidance as we do our work to benefit our province and its people and to benefit our country. Let us also be mindful of those who serve in our military and peacekeeping forces and who, in so doing, afford us the great privilege of serving as democratically elected representatives. Amen.

Hon. members, as is our custom, on the earliest sitting day possible we pay tribute to members and former members of this Assembly who have passed away since we last met. In addition to our admiration and respect, there is also a great deal of gratitude to members of the families, who shared in the burdens of public office and public service. Today I would like to welcome members of the Fowler family and the Lougheed family who are seated in the Speaker's gallery and also in the members' gallery. I'll introduce them very shortly.

**Mr. Richard S. Fowler**

**April 12, 1923, to July 8, 2012**

**The Speaker:** Hon. Richard Fowler, known to his friends and family more often as Dick Fowler, served as the MLA for St. Albert from 1989 to 1993. During the 22nd Legislature Mr. Fowler served as Solicitor General, minister responsible for native affairs, Minister of Municipal Affairs, and Minister of Justice and Attorney General. In addition, he served on the Select Standing Committee on Public Affairs.

Mr. Fowler also served in local government, serving as mayor of St. Albert from 1965 to 1968 and again from 1980 to 1989. He also had a very distinguished legal career, having served as a judge in the Provincial Court of Alberta from 1994 to 2009. A Catholic school and a nearby park are already named in honour of his service to his community.

**Hon. E. Peter Lougheed, PC, CC, AOE, QC**

**July 26, 1928, to September 13, 2012**

**The Speaker:** The Hon. Peter Lougheed was first elected as a Member of the Legislative Assembly of Alberta in the 1967 general election. He represented the constituency of Calgary-West until his resignation on February 28, 1986.

On September 10, 1971, he was sworn in as Alberta's 10th Premier. To date he is the only Leader of the Official Opposition to subsequently serve as Premier. He resigned as Premier effective November 1, 1985.

Upon becoming Premier, the Hon. Mr. Lougheed committed to the principle of open government. He changed how all members approached their roles by making the Assembly more open and more accessible. In March of 1972, for example, *Alberta Hansard* was officially established under his watch. For the first time Albertans all over the province could read and follow word for word what occurred in this Chamber. Also in 1972 Alberta became the first jurisdiction in Canada to provide live televised coverage of House proceedings.

A state memorial was recently held in honour of the Hon. Mr. Lougheed, and a special tribute was also held right here in our Legislature Building.

In a moment of silent prayer I would ask each of you to remember Mr. Lougheed and Mr. Fowler as each of you may have known them. Rest eternal grant unto them, O Lord, and let light perpetual shine upon them. Amen.

Please be seated.

Hon. members, we have with us today members of the Lougheed and Fowler families. I'm going to break our custom and tradition to introduce them to you at this time. I will ask that they rise and remain standing as I call their names, and then we can welcome them all at the end with our generous applause.

Representing the Lougheed family is Stephen Lougheed, son of former Premier Peter Lougheed.

Representing the Fowler family are Dawne Fowler, spouse of former member Dick Fowler; James Fowler, son, and friend Brenda Raynard; Rose Marie Fowler, sister; Bill Fowler, brother, and wife, Irene; Judy Fowler, niece; and Marg Mrazek, a special family friend. As well, we welcome the following members of the Fowler family who are with us in spirit and are watching these proceedings today on television from their homes: Christine Fowler, daughter; Caroline Fowler, daughter; Cathy Doyle, daughter; Mary Ann, sister, and husband, Jake Willis, from Wetaskiwin along with their son Bruce, who is home on leave from the Middle East; Fred, brother, and his wife, Ann, from St. Albert; Uncle Bill and Aunt Hazel Dandeneau from Edmonton; stepdaughter Coralee and her children and foster children Shaelyn, Torrin, Brielle, Nicky, Stacey, Saneka, Tylys, and Eli in Raven, Alberta, as well as several other nieces, nephews, and friends.

Please join me in thanking all of them for their participation. Our tribute today goes out to them and to the late members' honour. [applause]

Thank you.

Hon. members, this being the first day of the fall sitting, I have a special treat that I know will very much brighten your day. Edmonton's own Pro Coro Canada singers will now sing a special arrangement of *O Canada* to commence our proceedings. I would ask you to stand now, please, and ordinarily I would also ask you to join in. Today, however, I would simply ask that you stand back and listen and enjoy the wonderful harmony that is about to unfold. As you're doing so, please reflect on what a great country we live in and how honoured we are to have brave men and women in our military who protect her and each and every one of us as well every single day.

### Pro Coro Canada Members:

O Canada, our home and native land!  
True patriot love in all thy sons command.  
Car ton bras sait porter l'épée,  
Il sait porter la croix!  
Ton histoire est une épopée  
Des plus brillants exploits.  
God keep our land glorious and free!  
O Canada, we stand on guard for thee.  
O Canada, we stand on guard for thee.

[applause]

**The Speaker:** Thank you, hon. members. Please be seated.

The Pro Coro group is normally 24 voices. I think at least 12 made it out here today.

1:40

**Introduction of Visitors**

**The Speaker:** The hon. President of Treasury Board and Minister of Finance.

**Mr. Horner:** Thank you, Mr. Speaker. Today it gives me great pleasure to rise and introduce to you and through you to all members of the Assembly two very distinguished Canadians who have dedicated their lives to leadership and service. Seated in your gallery are Brigadier General Christian Juneau, commander of land force western area, in charge of all regular and reserve army units from Vancouver Island to Thunder Bay, Ontario, who assumed this position on June 27 of this year; and area reserve Sergeant Major Chief Warrant Officer Gordon Crossley. As you know, the province of Alberta has a proud and storied history of support and appreciation for Canada's servicemen and women. We are honoured to be home to four active military bases and many reservist units, one of which I am proud to still be associated with. As a government we are fully committed to supporting those in the Canadian Forces as well as their families throughout their career.

Mr. Speaker, these gentlemen lead countless courageous men and women who have given so much to their country and are shining examples of service and sacrifice to all of us. It is for this reason that we are especially pleased that Brigadier General Juneau and Chief Warrant Officer Crossley are able to join us here today as we continue to carry out the democratic process that they are committed to defend. I would ask our visitors, who have risen in your gallery, to receive the very warm and traditional welcome from this grateful Assembly and from a most grateful province.

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

The Minister of Aboriginal Relations.

**Mr. Campbell:** Thank you, Mr. Speaker. I rise today to introduce to you and through you to members of the Assembly three special members of the province's Blackfoot community seated in your gallery. Arthur Calling Last is an elder and current member of the sacred Horn Society. Elder Calling Last, who was just inducted into the Lethbridge racing association's hall of fame, is a self-trained artist who takes great pride in his long involvement as a trainer and owner of racehorses here in Alberta. He is joined today by his wife, Loretta, who I am told is always supportive of her husband's cultural endeavours.

Allan Pard is a Piikani elder who currently serves as senior adviser to Aboriginal Relations and is an invaluable resource to me. Allan has been with the Alberta government for more than 20 years and continues to be an active and committed steward of Blackfoot history and culture. Allan also trains and races horses on his ranch in the Piikani Nation south of Calgary.

Mr. Speaker, I invite them to please stand and receive the traditional warm welcome of this Assembly.

**The Speaker:** [Remarks in Blackfoot] My special way of saying welcome. Everything is going smoothly so far.

**Mr. Khan:** Mr. Speaker, I'm pleased to introduce to you and through you to all members of the House on this special day when we honour Richard Fowler another one of my predecessors, Mary O'Neill. Mary served as MLA for St. Albert, winning her first election by 16 votes in 1997. She left the Assembly in 2004 but never quit working hard for Albertans. Mary has been a role model and mentor to me and many others in the community of St. Albert and around the province. She is seated in your gallery, and

I would ask her to rise and receive the traditional warm welcome of the Assembly.

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

**Introduction of Guests**

**The Speaker:** Our first introduction of guests will be performed by the hon. Premier.

**Ms Redford:** Well, thank you, Mr. Speaker. Today it gives me great pleasure to rise and introduce to you and through you a very special guest. Peter Mansbridge is an award-winning journalist and author and a Canadian icon. A little known fact: his father was recruited to Alberta from Ottawa to be the Deputy Minister of Health for Helen Hunley when she was the Minister of Health under Premier Peter Lougheed. For more than 40 years Canadians from coast to coast have relied on Peter's experience, integrity, and insight to stay engaged and informed. Through our radios and from our living rooms so many of us have shared with him the triumphs as well as the heartbreak of events that have shaped history, shaped our world, and shaped our country.

You are a great Canadian, Peter. Have a pleasant stay here in Alberta. Now I'd ask everyone, after you rise, to please give you a warm welcome to this House.

**The Speaker:** The Minister of Health.

**Mr. Horne:** Thank you, Mr. Speaker. It's my pleasure to rise today and introduce to you and through you to all members of the Assembly a very special group of seniors who are members of the Heritage Senior Stop-in Centre in my constituency of Edmonton-Rutherford. They are seated in both the members' and public galleries today. The Heritage Senior Stop-in Centre started as a coffee group of six people who used to meet at the old Heritage Mall here in Edmonton in the early 1990s. In 2001 on their own initiative they moved to their current site in the Blue Quill Shopping Centre. Today they are here to view the proceedings of the Assembly. I'd ask Dr. Munawar Chaudhry, group leader; Ruth Gellert; and 22 other members of the organization to please rise and receive the traditional warm welcome of the House.

**The Speaker:** Thank you.

Hon. members, we have three school groups. I hope we can get all the intros in before 1:50.

The President of Treasury Board and Minister of Finance.

**Mr. Horner:** Well, thank you, Mr. Speaker. It's an honour to introduce to you and through you to members of the Assembly two groups of grade 6 students from Woodhaven middle school in Spruce Grove. They are truly a bright and energetic group of students who participated in your mock Legislature this morning. They passed no-bullying legislation and no-homework legislation. They are accompanied by teachers Mrs. April Kluh and Mr. Graeme Webber and parent helpers Mrs. Melissa MacDonald, Mrs. Olivia MacMillan, Mrs. Heidi Chadwick, and Mrs. Michelle Spring. They are seated in both of your galleries, and I would ask that they rise and receive the traditional warm welcome of our Assembly.

**Mr. Young:** Mr. Speaker, I'm pleased to rise today and introduce to you and through you to all members of this Assembly Glori

Meldrum and Laurie Szymanski. Glori is the founder and chair of Little Warriors. As a sexual abuse survivor she has been creating awareness for the treatment and prevention of child sexual abuse.

I'd also like to acknowledge a school from the constituency of Edmonton-Riverview, l'école Notre-Dame, sitting in the gallery over here. Bienvenue.

Also, from the University of Alberta we have the students' union president here today, Colten Yamagishi, and students' union councillor Mike McGinn. I would like them to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Fort Saskatchewan-Vegreville.

**Ms Fenske:** Thank you, Mr. Speaker. I would like to introduce to you and through you to members of the Assembly Mrs. Mills' class from Mundare. They are very excited to be here participating in the School at the Legislature. They will be debating whether there is enough gym time available to students. With them today is their teacher, Adrienne Mills, and three parents: Mrs. Doris Bradley, Mrs. Bernice Komarnisky, and Mrs. Jennifer Larrivee. Would they please stand so that we could greet them.

**The Speaker:** The hon. leader of the Liberal opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. I'd like to introduce to you and through you to all members of the Assembly the new executive director of the Alberta Liberal Party, Gerald McEachern. Gerald hails from Ontario, where he ran northern Ontario's largest advertising agency and fought the Mike Harris Conservative government to win a full campus rural medical school for northwest Ontario, a school that we could surely use in Alberta. In the last eight years he's been living in New Brunswick doing economic and organizational development. He will soon be joined by his wife and four children. In his six short weeks in Alberta the Liberals are back in the black, we've gone green, we've fused Liberal and Alberta values in our new logo, Liberalberta. I'd like Gerald to rise and receive the traditional warm welcome of the Assembly.

1:50

### Statement by the Speaker

#### Conduct of Oral Question Period

**The Speaker:** Hon. members, before we begin question period, please be reminded that each question and response must not exceed 35 seconds and that your remarks are to be directed through the chair, supplementary questions must not be preceded by any preamble, and finally the language you use should be temperate and parliamentary at all times. So I will ask that each of you strive to uphold the civility and decorum that befits this hallowed Chamber.

#### Oral Question Period

**The Speaker:** With that, to show us the way, I'll ask the hon. Leader of Her Majesty's Loyal Opposition for her first question.

#### MLA Remuneration

**Ms Smith:** Thank you, Mr. Speaker. Delighted to be back.

Mr. Speaker, I believe people are only as good as their word. During the last election the Premier promised – promised – to end gold-plated transition allowances for MLAs, but just this past Friday PCs on the Members' Services Committee did the opposite. They recommended not only giving themselves a

transition allowance but also a richer payment to RRSPs as well. The Premier says it's not her fault. She says she was caught by surprise and that she never told her caucus whip to slip this latest cash grab through the committee. Can the Premier explain to Albertans why her caucus is ready to break another election promise?

**The Speaker:** Hon. members, I'd like to just add that no report from the Members' Services Committee has yet come to this Chamber. I'll leave it up to the Premier, however, if she wishes to make a general comment.

**Ms Redford:** Well, thank you, Mr. Speaker. I think your comment is quite specific. This is a committee of the Legislative Assembly. Members who sit on that committee are fully able to explore the work that they do, as I understand it. My understanding is that the work of that committee was to review the recommendations of the Major report. I understand that that's what they did, and I don't understand that it's my role to direct the members of the committee to do anything.

**Ms Smith:** Mr. Speaker, the PC members of the committee want taxpayers to cover 100 per cent of their RRSPs. That means, in effect, that MLAs would get an 8 per cent, or nearly a thousand dollars a month, pay increase. Now, of course, a thousand dollars a month: that sounds kind of familiar as a number. Is this replacement money for the no-meet committee?

**The Speaker:** Again, hon. members, I would caution you about going down this line. No report has yet come forward from this committee; neither has any recommendation formally surfaced just yet.

Hon. Premier, I'll leave it to you if you wish to comment. If not, I'll invite the hon. leader to go on to the third question.

**Ms Redford:** Answered.

**Ms Smith:** I think, Mr. Speaker, that we're going to see a lot of that this session.

As angry as Albertans were about the no-meet committee and the payments to a few MLAs, this thousand dollars a month would end up going to all 87 MLAs. Can the Premier put an end to the immediate game playing and order her members to do the right thing and give Alberta taxpayers a break?

**The Speaker:** Hon. member, I hope I don't have to remind the Assembly or any future questioners again. There is no report yet that has come forward to this Assembly. There is a process. Let's try and stick to it.

Hon. Premier, if you wish to comment, I'll leave it up to you.

If not, I'll move to the Leader of the Official Opposition for her second main set of questions, please.

**Ms Smith:** Mr. Speaker, in the most recent fiscal update we learned that the deficit is \$3 billion. This is exactly where we warned that this government was headed even though throughout the election they said that we were wrong. On Friday, once again, the PCs on the Members' Services Committee voted themselves an 8 per cent pay raise – that's 8 per cent – about \$1,000 per month, by having taxpayers fill up their RRSPs. Will the Premier stop grabbing taxpayer money and commit to getting spending under control?

**The Speaker:** I think this is a similar vein of questioning, hon. leader, so please revisit the question, but I'll invite whoever on the government side wishes to make a comment to please do so.

**Mr. Horner:** Mr. Speaker, it's been a very interesting summer. It's been a very interesting September and October. In fact, I've had the opportunity to do budget consultations with Albertans across this province. We had open public consultations which we invited members of the opposition and members of this side of the House to attend. I want to commend the Member for Cypress-Medicine Hat for attending one of those. He was the only one that did.

It was very apparent in those consultations, Mr. Speaker, that spending wisely is very important to Albertans. That's where results-based budgeting will be a true effort by this government to get value for money.

**The Speaker:** The hon. Leader of the Opposition.

**Ms Smith:** Thank you, Mr. Speaker. If the Premier is committed to an 8 per cent pay increase for her MLAs, should we expect that government employees are also going to be getting an 8 per cent pay increase this year?

**Ms Redford:** Mr. Speaker, as you have so rightly said – and I'm sure eventually the Leader of the Official Opposition will understand – this is not a committee of the government. This is a committee of the Legislature that at some point will make a decision that we as MLAs will consider.

We made it very clear as a government and have stood by the fact that we do not support a transition allowance. We will not support a transition allowance. We have made no commitment in any way as a government to any increase with respect to MLAs, nor should we. That's why we have a Members' Services Committee. It is the job of MLAs, not the government.

**The Speaker:** Hon. members, I would also remind you that questions ought not be speculative in nature. Bearing that in mind, please proceed.

**Ms Smith:** Thank you, Mr. Speaker. The idea of employees – and, yes, we do actually work for Albertans – deviously getting taxpayers to cover 100 per cent of RRSP contributions is just something that would not happen in the real world. Would the Premier now admit that having her people raise this in the Members' Services Committee was wrong?

#### **Speaker's Ruling Hypothetical Questions**

**The Speaker:** Hon. members, let me say for the third or the fourth time, please: don't deal in speculation; don't deal in something that is hypothetical, something that has not yet come forward in the proper process way. So let us move on to the next question, please.

Leader of the Official Opposition, your third main set of questions, please.

#### **Provincial Fiscal Reporting**

**Ms Smith:** Thank you, Mr. Speaker. Alberta is in deficit trouble. That's pretty clear now. The Associate Minister of Finance shocked his colleagues when he actually told the truth and admitted that the government would only attempt to run a balanced operating budget this year while taking out debt to pay for everything else. Then the real Minister of Finance tried to reassure Albertans by explaining that this was actually a legitimate

way to balance the books. Finally, the Premier tried to smooth things over with what looked like a redefinition of the word "balanced." Albertans want to know the real truth. When is the budget, all of it, going to be balanced?

**Mr. Horner:** Well, Mr. Speaker, this is my purview: to bring forward a budget based on my consultations with Albertans, which we've done. I've already mentioned that. I think Albertans can rest assured that when we put forward the budget next year, it's going to include the priorities of Albertans. It's going to include funding for our capital plan, and our commitment is that it will be balanced.

**Ms Smith:** Mr. Speaker, this government is also running an honesty deficit. The last fiscal update avoided telling the entire story, even though by law, by the government's own law, it has to. What the minister did last time, not showing all the numbers, might even be illegal. Will the Finance minister commit to a complete and full and honest update next time?

**The Speaker:** Let us remember the 35-second rule and no preambles, please. Let's continue.

**Mr. Horner:** Thank you, Mr. Speaker. I take exception to some of the accusations, frankly, that might have been thrown across there. We have a very high standard of reporting. In fact, what we're doing is making it better. We are going to give Albertans a comparison of what our actual is to what our original budget was. We did that in the first quarter. We believe that we met the terms of the legislation in what was released in that first quarter. We will be sitting down with the Auditor General and the audit committee, as we already have, and talking about further refinements to our quarterly updating. In fact, we did not decline any requests for information, including from the opposition.

**Ms Smith:** Well, we'd like to see a full update next time.

Mr. Speaker, given that the deficit hole is huge and only getting bigger and given that we see no evidence yet of any effort to fix the problem and given that energy prices remain low and the Canadian dollar remains high, how will this minister reduce spending to restore a little confidence that he actually knows what he's doing?

2:00

**Mr. Horner:** Well, Mr. Speaker, it's interesting that in the 60 some-odd-plus meetings I've had with captains of industry in our province, with CFOs of corporations, with chambers of commerce, they are very confident of this government's ability to move forward and deliver on what Albertans' priorities are, and I feel quite confident. We've also done in-year savings expectations. We have increased them. If the hon. member had been listening when we did the first-quarter update, she would have got this, that we are going to be looking for in-year savings of more than half a billion dollars. We've asked departments to review all of their capital spending, and in fact we've made some adjustments in that regard.

**The Speaker:** The hon. leader of the Liberal opposition.

#### **Health Services Local Decision-making**

**Dr. Sherman:** Thank you, Mr. Speaker. It's good to be back.

An internal memo obtained by CBC indicates that the new AHS Board chair, Stephen Lockwood, has the full backing of the

province to off-load its responsibilities onto local hospitals without consultation or a clear plan. This has left senior management scratching their heads and wondering who's in charge: their executive, the Health minister, or the Premier? To the Premier: is your interference an admission that the government's AHS experiment has failed?

**Ms Redford:** Mr. Speaker, I was quite pleased today in my scrum before question period to be asked exactly this question by the Canadian Broadcasting Corporation, and I have to say that I was pleased to hear the good news because what we've heard from the opposition and what we've heard from Albertans is that they want to make sure that health care is delivered in our communities. The best way to do that is to keep local managers and health advisory councils involved, so I think it's fantastic that local communities are going to be directly involved in consulting and delivering on health care in their communities.

**The Speaker:** The hon. leader of the Liberal opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. The right thing done wrong could cause problems.

Given that the Health Quality Council recommended against further shuffling of AHS management deck chairs and recommended a focus on reducing hospital occupancy rates to 85 per cent by improving home care and long-term care, why is the Premier ignoring Dr. John Cowell's advice?

**Ms Redford:** Mr. Speaker, the interesting thing about running a health care system that's as large as the one that we have is that you can't do what the hon. member is suggesting and focus on one issue at a time. We are at the moment making a commitment, and have, through the chair of Alberta Health Services to work with local communities to do exactly what local communities have said, and that includes family care clinics and better support for long-term care. It's going to allow for greater operational flexibility, for lower costs, for opportunity for community engagement, and it will create an engaged and an innovative approach to health care, including long-term care, for all Albertans.

**Dr. Sherman:** Mr. Speaker, there's a reason they call this question period and not answer period.

Given that the AHS performance dashboard from June 2012 shows that the government is warehousing 467 seniors in hospitals and that another thousand are still in limbo, awaiting placement, why is the Premier yet again renovating the management structure instead of renovating her government's failed home care and long-term care policy?

**Ms Redford:** Mr. Speaker, the exciting thing about health care is that you can have an integrated approach to resolving problems, and I have to say that this question does not suggest that the hon. member actually understands that. We know that it's possible to develop innovative approaches to access to health care and long-term care such as the work that our Minister of Health has done in conjunction with community leaders in support of decisions that are being made in Alberta Health Services to create better opportunities, and I thank him for that.

**The Speaker:** Thank you.

The hon. leader of the New Democratic opposition, followed by the hon. Member for Airdrie.

## XL Foods Inc. Beef Recall

**Mr. Mason:** Thank you very much, Mr. Speaker. When news of the E coli crisis at XL Foods broke, the Premier responded by telling Albertans to keep eating beef even though E coli can cause death and serious disabilities, especially for children. Even as the Premier was giving Albertans cooking advice, the recall on the contaminated meat was further expanded. Will the Premier admit that she jeopardized the health of Albertans by encouraging them to eat a product that was deemed unsafe for human consumption?

**Ms Redford:** Mr. Speaker, I will not do that, but what I will do is say that the hon. member jeopardized the health of the beef industry by fearmongering and suggesting that Alberta beef is not safe to eat, and . . . [interjections]

**The Speaker:** Hon. members, the Premier has not concluded her remarks.

**Ms Redford:** Thank you. On that very day when I met with beef producers, we talked about the fact that the incident at XL was an unfortunate incident. There is no doubt that the CFIA took appropriate steps, and we had to make sure that our minister worked with the federal government to get that plant open. Good news today, Mr. Speaker: we achieved our goal.

**The Speaker:** The hon. leader of the ND opposition.

**Mr. Mason:** Thank you very much, Mr. Speaker. This Premier clearly puts the health of the beef industry ahead of the health of Albertans.

Given that the federal inspections have failed to protect Albertans and other Canadians from tainted beef and given that the federal budget contains major cuts to the Canadian Food Inspection Agency, when will this Premier finally stand up to her federal cousins in Ottawa and demand adequate funding for food safety in Canada?

**Ms Redford:** Mr. Speaker, one thing I will say that I'm very proud of is our provincially regulated food processing in this province. It works, and it protects public safety. One of the things that we have already done in this province is taken more responsibility for food regulation and inspection than in other parts of the country. Our record stands for that. We are primarily concerned about public health in this province. We protect public health in this province. We've had a record of doing that and will continue to do it.

**Mr. Mason:** The Premier's words are not matched by her actions, Mr. Speaker.

Given that the health of Albertans, not to mention the health of the beef industry, depends on preventing another beef contamination crisis, why has the Premier failed Albertans by refusing to support a public inquiry into the failures of the Canadian Food Inspection Agency at the XL plant?

**Ms Redford:** Mr. Speaker, as I've said before, I believe that there are always times when we can learn from opportunities. This was a very unfortunate incident. It certainly impacted Albertans in many ways. We've seen already from discussions that our minister of agriculture has had today with the federal minister that steps are already in place to learn lessons from this experience. There is no doubt that there are lessons to be learned. We will take them seriously. We will share some of our best practices with the federal government, and that is how we will resolve this, not through a public inquiry.

### Provincial Fiscal Position

**Mr. Anderson:** Mr. Speaker, in 2005 Alberta had a very proud moment, of course, and that's when Premier Klein announced that Alberta was debt free. I remember the photograph – I think we all do – of Ralph sitting beside a large cheque with “paid in full” emblazoned right across the front of it. Now, just seven years later, a report by the well respected Macdonald-Laurier Institute says that Alberta is now the most likely province in all of Canada to face an EU-style debt crisis because of its high spending and overreliance on oil revenues. Minister, will you commit that you will not return Alberta to debt in order to finance your government's spending habits?

**Mr. Horner:** Well, Mr. Speaker, I certainly hope that as someone who purports to understand the financial situation of this province, the hon. member would not rely on that particular study. That particular study's methodology I would call into question. I would also suggest to you that nowhere in this country is there a province that has net financial assets except right here. We are in a net positive financial position. We are going to stay in a net positive financial position, and we will maintain a triple-A credit rating that is gold plated, the envy of all of Canada.

**Mr. Anderson:** Mr. Speaker, I hope that minister knows that his friend Jim Dinning sits on the advisory council of that study. He's the guy who balanced the budget before. You may remember him.

Mr. Speaker, given that over the last few weeks this government has clearly been floating a trial balloon, that they're looking at using all kinds of different debt instruments to pay for tens of billions in new spending, will the minister commit that Alberta will not take on new financial liabilities just so this Premier can keep up her ongoing spending spree?

**Mr. Horner:** Mr. Speaker, the hon. member mentioned one of the previous Finance ministers in this House, Mr. Dinning. I'm very pleased that I do consider Mr. Dinning a friend. In fact, I had one of my sit-down chats with the captains of industry with Mr. Dinning, and I can honestly say that Mr. Dinning is a hundred per cent in favour of the approach that we're going to take. Mr. Dinning is also a member of the Canada West Foundation. In fact, I would tell the hon. member that he should look at the legislation in this House. It is against the law for the government of Alberta to run an operating deficit, and we will not borrow for operating.

2:10

**Mr. Anderson:** Balance the operating budget. Way to go. Fantastic.

Mr. Speaker, let me ask what so many Albertans are asking right now. With oil revenues at record levels and with the oil patch pumping out so many jobs that every Albertan is employed because oil prices are so high, how can you possibly find a way to continually run record deficits, vaporize our savings, and now return us into debt? It takes real talent to mess things up this bad, and you've got talent, sir.

**Mr. Horner:** Mr. Speaker, it simply shows the ignorance of the financial situation of this province. We are in the best financial position of any jurisdiction, I would argue, in North America. We have net assets of close to \$12,000 per person in this province versus net debt in every other jurisdiction in this country. We have some of the best service delivery in the world, I would argue. We are a growing province. We have 3.7 per cent growth this year, leading the nation. Indeed, next year we will lead the nation as

well. We will continue to manage this province's finances prudently and effectively for all Albertans.

### XL Foods Inc. Beef Recall (continued)

**Ms Fenske:** Mr. Speaker, as we are all aware, September brought about the largest beef recall due to E coli in our country's history. The Canadian Food Inspection Agency subsequently suspended operations at the XL Foods plant in Brooks. I understand that today the same agency has reinstated the plant's operating licence. My question is to the Minister of Agriculture and Rural Development. Could he please tell me: what does this mean to Alberta's food system?

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

**Mr. Olson:** Thank you, Mr. Speaker. Obviously, this has been good news for us today. We've been waiting for it for a while. It's good news for the people in Brooks and certainly for the workers there. When you have a community with 2,000 workers and 12,000 or so people, obviously it's a huge impact when they can't work. It's also very important for our producers, the people to whom I am responsible for reporting. So we're very happy, but this is just the beginning of a process. It's going to take some time before everything is up and running completely.

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

**Ms Fenske:** Thank you, Mr. Speaker. To the same minister: how can consumers be assured that beef products coming out of that plant are safe to consume?

**Mr. Olson:** Well, Mr. Speaker, I would suggest that in the last number of weeks there is no plant in North America that has had more scrutiny than this one. When the CFIA has been very deliberate in getting us back to the point of recertification, I think that we can have lots of confidence that everything is being watched very carefully. In fact, I talked to Minister Ritz earlier today. He told me that for the time being there's going to be extra scrutiny of the plant until they're satisfied.

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

**Ms Fenske:** Thank you, Mr. Speaker. To the same minister: what does this mean for Alberta beef products moving to the United States, our largest trading partner?

**Mr. Olson:** Mr. Speaker, first of all, I want to stress that this was one plant – a very large plant, a very important plant, but it was one plant – that had the U.S. border shut it down. All other plants in Alberta and across the country were still delivering beef across the border. Minister Ritz and I talked about that today, and we are focusing on that. One of our next steps is collaborating to make sure that we can get that border open for the XL products as soon as possible.

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills, followed by the hon. Member for Fort McMurray-Wood Buffalo.

### Dealings with Government by Former Ministers

**Mr. Saskiw:** Thank you, Mr. Speaker. The stench of entitlement with this 41-year-old out-of-touch PC government is overwhelming. This past summer we saw that this government is more

interested in padding the wallets of their government family than fixing the real fiscal mess they've put us in. Evan Berger, after getting turfed by voters of Livingstone-Macleod, was rewarded with a fat, six-figure patronage appointment. Not only does this fly in the face of our ethics legislation; it is wrong and reeks of cronyism. Wildrose believes in accountability. Will this government do the right thing and, like the voters in his own riding, turf Evan Berger?

**The Speaker:** Hon. minister of agriculture, it wasn't directed to anyone in particular, but if you wish to answer, please do.

**Mr. Olson:** Thank you, Mr. Speaker. I'll certainly be happy to answer that question.

First of all, Mr. Berger had a distinguished career as an MLA. He is a logical person to be involved working for the department in terms of helping develop policy because of his expertise and because of his experience.

Now, when there was a discussion about Mr. Berger being hired to work for the department, the obvious first question was: does the Ethics Commissioner approve? All steps were taken to have this approved by the Ethics Commissioner before any step was taken to hire him.

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

**Mr. Saskiw:** Thank you, Mr. Speaker. Given that Evan Berger's position as a senior policy adviser never existed before, that there was no job description, that there was no open job competition, and that even Evan Berger didn't know what his job was, could the agriculture minister please explain how this obvious conflict of interest ever passed the smell test?

**Mr. Olson:** Mr. Speaker, I would have expected that this hon. member would know that the Public Service Act does allow for the hiring of employees of government without a competition when they have specialized skills, specialized knowledge, and that's certainly the case with Mr. Berger.

Also, the Conflicts of Interest Act is written in a way that does allow for the discretion of the Ethics Commissioner. If there was no discretion for the Ethics Commissioner, why would the provision be there in the act? He simply exercised his discretion, and certain members opposite, I know, have commented numerous times on how we should respect the decisions of the Ethics Commissioner.

**The Speaker:** Your final supplemental, hon. member.

**Mr. Saskiw:** Thank you, Mr. Speaker. Given that Mr. Berger admitted in his own local paper that he'll likely run in the next election, will this government simply admit that it provided Mr. Berger with a soft landing so he can campaign on the taxpayer dime for, surely, another failed election bid?

**Mr. Olson:** Mr. Speaker, I have over a thousand employees that work for my department. I don't know how many of them are interested in running in the next election. There could be dozens – I don't know – and that's not my concern. My concern is whether the department performs the work that it's supposed to do.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo, followed by the Member for Edmonton-Centre.

## Highway 63

**Mr. Allen:** Thank you, Mr. Speaker. I am very pleased to stand here today and ask my very first question in question period as the MLA for Fort McMurray-Wood Buffalo. Highway 63 is a very vital transportation corridor for the continued economic growth of this province, and my constituents have significant concerns about their safety when they're travelling on it. Recent announcements on the acceleration of the twinning are very much appreciated by my constituents, but we know it will still take several more years. To the Minister of Transportation: what is the government doing in the meantime to educate, promote, and create a safer driving culture on highway 63?

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

**Mr. McIver:** Well, thank you, Mr. Speaker. To the hon. Member for Fort McMurray-Wood Buffalo: we have been busy. We have increased signage, passing lanes. We've worked with industry to inform them and encourage their employees to behave in a safe manner. We've done our best to educate the public as we wait for the safe twinning of highway 63, which will be complete in 2016. The public expects strong government action to look after traffic and keep Albertans safe, and that is exactly what this government is providing them.

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

**Mr. Allen:** Thank you, Mr. Speaker. Speed and dangerous driving habits are known to be a main cause of fatal collisions. To the same minister: will the government consider a significant increase in maximum penalties to help deter these offences?

**Mr. McIver:** Mr. Speaker, that's a good question, and I have to tell you that the government is looking hard at all options. One thing we do understand is that speeding is one of the main causes of accidents, collisions, and injuries to Albertans. We are committed to addressing serious speeding. We certainly have added law enforcement along that road. We have a good fine and penalty regimen. We haven't committed to other legislative changes at this point – we're considering all those – but we have beefed up our efforts, as is very apparent by the actions of this government.

2:20

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

**Mr. Allen:** Thank you, Mr. Speaker. My second supplemental is to the Minister of Justice and Solicitor General. I recently read that the opposition wants eight new police officers on patrol on 63, but your department has already committed to 16. Can the minister advise this House when these 16 officers will be on the ground patrolling the highway 63 corridor?

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

**Mr. Denis:** Thank you very much, Mr. Speaker. I'm pleased to advise that there are already four new officers as of the end of August of this year already patrolling, and there will be an additional 12 officers – that's a total of 16 officers – at the beginning of January. I don't know why the Wildrose wants to reduce law enforcement here. I've read their report, and I look over and over again. Maybe it's because they didn't mention in

that report that they had consulted any law enforcement officers. Just a thought.

**The Speaker:** Hon. Member for Lac La Biche-St. Paul-Two Hills, you rose on a point of order?

**Mr. Saskiw:** Yes.

**The Speaker:** Thank you.

The hon. Member for Edmonton-Centre, followed by the Member for Edmonton-Strathcona.

### Environmental Monitoring

**Ms Blakeman:** Thanks very much, Mr. Speaker. After a working group of experts to provide advice was established, they recommended an environmental monitoring agency be set up, but the environment minister then needed a management board to direct the creation of this agency. Still with me? Big promises, little results. To the Minister of Environment and SRD: how is the process more transparent when the cabinet took from June to October to review, vet, and – who knows? – rewrite this report before the minister released it?

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

**Mrs. McQueen:** Well, thank you, Mr. Speaker. Quite frankly, this process has been very open and transparent. We received the report at the end of June, and we had the press release a week ago. Certainly, the writers of the report were very open in saying how quickly government responded to this and how quickly we responded to taking action on all of the recommendations, so the writers of the report themselves really commending us for the quick action that we're taking on this report.

**Ms Blakeman:** Yes, I know. Hand-chosen patronage is certainly arm's length.

Can the minister point out exactly where in the current budget the funding for the expert group and the management board can be found, and where and when exactly will the \$50 million come from to run this agency? Where's the money?

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

**Mrs. McQueen:** Thank you, Mr. Speaker. Earlier, when I was appointed to this ministry, the first thing I did was to make sure that we would have money in our budget, \$3 million to be there, for the writing of the report and the implementation of this. As Mr. Speaker and as Albertans know, the industry has come forward as well and made commitments with regard to funding this, up to \$50 million each year for a maximum of three years. The money is there, and we have made a commitment under the leadership of this Premier – and so has industry – to make sure the funding is in place for environmental monitoring.

**Ms Blakeman:** Well, send me a copy of the budget with that \$3 million underlined because I'd like to see it.

Back to the same minister: why doesn't the minister see the conflict of interest created here when industry is supposed to fund and self-monitor, and if noncompliant, then it becomes: the polluter pays? How is this not a conflict of interest?

**Mrs. McQueen:** Well, Mr. Speaker, you know, it's quite interesting. Those that were critics of ours, people like Dr. Schindler, who were

quite critical of us in the process before last week, are coming forward saying very positive things about, one, making sure that the financing is in place, making sure that there's an arm's-length board that will be reporting on the science and the data that will be arm's length, and making sure that we've put in the funding with regard to this. Our critics have come forward, brought things forward, and now are saying that this is the way that they see it going forward. Very positive comments from that.

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

### Environmental Monitoring of the Oil Sands

**Ms Notley:** Well, thank you, Mr. Speaker. Let me just say that not all the comments have been positive. Yesterday a coalition of oil sands investors released a report which stated, "The current approach to development, particularly the management of the environmental and social impacts, threatens the long-term viability of the oil sands as an investment." To the minister of environment: will she admit that her government's hapless management of environmental impacts just jeopardizes the sustainability of Alberta's oil sands?

**Mrs. McQueen:** Well, Mr. Speaker, I'd like to talk about the things that we have been doing in this province with regard to land-use planning, about moving forward, the work that has gone on with environmental monitoring, the work that we've done with regard to the plan for the lower Athabasca region coming into effect September 1, which puts limits and triggers in place, making sure that we have triggers in place before we would ever hit any limits in this province.

**Ms Notley:** Mr. Speaker, given that a report for the upcoming Shell hearing predicts approved oil sands developments will threaten certain species' habitats by up to 60 per cent and given that Albertans have waited years for regional biodiversity rules that are still MIA, will the minister admit that her government's long-standing failure to act threatens both the environment and the sustainable economic development of that region? When is the work ever going to get started?

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

**Mrs. McQueen:** Well, thank you, Mr. Speaker. That's the whole point of land-use planning and regional planning and cumulative effects in the regions. We make sure that those limits are put in place, that there are triggers in place, and that as we develop the oil sands and we reclaim any areas, we've put aside as well good habitat space for caribou and other species. That is the point about regional planning, long-term planning to balance good economic growth in this province with strong environmental leadership.

**Ms Notley:** Well, the biodiversity limits are not in place. They're not developed. They're not there.

Given that it's been two years since the government's monitoring programs were discredited and that we are still years away from a credible replacement actually existing on the ground, how exactly does the minister expect development approvals ongoing right now to be remotely connected to the long-term sustainability of that region?

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



**Mrs. McQueen:** Well, thank you, Mr. Speaker. That is the whole point about the lower Athabasca regional plan, to make sure that we're developing with regard to those limits. We are working now. The plan came into effect September 1. We are now working with area groups and stakeholders in that region to develop those. This is what long-term planning is about, involving Albertans and making sure that we set those limits and triggers so that as we develop the oil sands, we are thinking far down the road.

#### **Speaker's Ruling Preambles to Supplementary Questions**

**The Speaker:** Hon. members who have questions yet to be asked, could I just remind you to revisit the rule about preambles? I'll make a statement about that later. I know it's day one, and some of us may have forgotten, but there have been at least 12 violations. I've let some of them go because they were, mercifully, quite short, but some are getting longer and longer. Please, let's abide by the rules that you yourselves have made.

The hon. Member for Calgary-Fish Creek, followed by the Member for Calgary-South East.

#### **Health Services Local Decision-making (continued)**

**Mrs. Forsyth:** Thank you, Mr. Speaker. The Wildrose puts Albertans first. This means a local, patient-centred approach to health care. Our new AHS chair, Stephen Lockwood, agrees and is pushing forward for more hospital-based decision-making, acknowledging that it creates happier staff and better patient care. But just last month the Health minister shot down the idea of decentralized decision-making, saying: we are committed to the system in place, and there will be no restructuring. Albertans are wondering who is in charge. Will the minister finally admit that centralization has failed Albertans?

**Mr. Horne:** Well, Mr. Speaker, this government some time ago set the structure for the Alberta health system as one health region to serve the province. Unlike the member opposite, who would clearly like to see us return to the 1960s and '70s, an era when hospital boards competed with one another to provide the same resources to the same people, this government is committed to and is supported by a board at Alberta Health Services that is doing exactly what we asked them to do, find better and more effective ways to support local health care workers and local facilities by giving them the tools they need to do their job, and they're doing that very well.

**Mrs. Forsyth:** Given that the AHS CEO, Chris Eagle, in a memo to staff agrees with the Wildrose again that we need to reduce the burden of bureaucracy, when will this minister start addressing the serious problem of the massive bureaucracy so money can start reaching the patients and the front lines?

**Mr. Horne:** Well, Mr. Speaker, I believe that the board of Alberta Health Services, supported by senior management, including Dr. Eagle, have done a very good job of reconnecting health care with local communities. The local health advisory councils, which serve the province, are doing an excellent job of having conversations at the local level, providing feedback to the board of Alberta Health Services on the quality of the services that are provided, on their ability to access those services, and some very valuable input to planning for the future. This is a health delivery organization that is connected to the community. It is providing

equitable and excellent results across the province, and we will support them to continue to do that work.

2:30

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

**Mrs. Forsyth:** Thank you, Mr. Speaker. That answer fits nicely into my next question. Given that Chris Eagle in the memo fails to address the serious issue of staff engagement, which according to the most recent AHS quarterly update is at an all-time low – not high, Minister, low – will the minister finally do the right thing, listen to the Wildrose yet again, and expand the health inquiry to include the bullying and intimidation of our health care workers?

**Mr. Horne:** Well, Mr. Speaker, I think my answer will fit very nicely with the second part of the hon. member's question. The answer, once again, is no.

**The Speaker:** The hon. Member for Calgary-South East, followed by the hon. Member for Drumheller-Stettler.

#### **School Construction in Calgary**

**Mr. Fraser:** Thank you, Mr. Speaker. It's a pleasure to be here today and on behalf of my constituents of Calgary-South East ask a real question. I mentioned in my maiden speech in the spring session that in my constituents are educated above average for this province. [interjections] They either carry a degree or a postsecondary certificate. It's clear that they value education. [interjections] Calgary-South East is also unique in that it's projected to foster close to 40 per cent of . . .

**The Speaker:** Hon. members, please. No interjections. The member has the floor.

Hon. member, I'm about to re-give the floor to you. I'm just asking for others to please quell the interjections. Start over, please.

**Mr. Fraser:** Thank you, Mr. Speaker. I mentioned in my maiden speech in the spring session that Calgary-South East is above average in the province when it comes to postsecondary education and degrees. It's clear that they value their education. [interjections] Calgary-South East is also unique in that it's projected to foster close to 40 per cent of all the city's growth and development in the coming years. It's possible that our population in Calgary-South East could grow from 53,000 today to well over 130,000 by 2019. The growth pressures are significant, and we're feeling it in our schools. Both separate and public schools in my constituency and surrounding area are at capacity, and my constituents are very concerned, to say the least. To the very hon. Minister of Education. I hear daily from my constituents about the concern with growth pressures in the schools in their communities. Can you tell us what you're hearing and what you intend to do about the issue?

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

**Mr. J. Johnson:** Thank you, Mr. Speaker. I have seen first-hand the growth pressures in southeast Calgary and in other areas of Alberta, and I can tell you that I've been there with the hon. member touring schools. There's not a day that goes by that he doesn't remind me about the growth pressures down in his area. I'm happy to say that this government has responded. There are six new schools in Calgary this year, and there will be more coming.

We have elected the right Premier. Albertans have elected the right Premier to respond to this. We've got a Premier that wants to

invest in families and in communities, and that's what we're going to continue to do.

#### **Speaker's Ruling Decorum**

**The Speaker:** Hon. members, some members in the House are asking questions for the first time and need some reminding. The first reminder is to please not interject when people are asking the question so that the chair can hear the question and determine whether it's able to be received or not. That would help immensely. Please let's be fair to all other members and listen to their questions.

#### **School Construction in Calgary (continued)**

**Mr. Fraser:** To the same minister: when can we anticipate an announcement of a groundbreaking for a high school in southeast Calgary?

**Mr. J. Johnson:** Mr. Speaker, I know that these Albertans and many Albertans are eager to learn about the next round of capital projects. I can tell you that we're working with the 62 different school boards, that have all submitted their capital plans to us. We're weeding through those, and we're working with the ministers of Infrastructure and Treasury Board and Finance to try and look at those and weigh them across the province, which is not an easy job to do, and as well to try to combine those with potential other projects like libraries and municipal projects.

**Mr. Fraser:** To the same minister. The government has made a commitment to families to make sure that they can focus on their kids' education, not buildings and transportation. When can we expect an announcement about middle schools, junior highs, and elementary schools, when they'll be put in the ground?

**Mr. J. Johnson:** Mr. Speaker, we know these projects are important not only to this constituency but to the whole province. The consideration of these projects is well under way, especially in light of the fact that our budgeting process is well under way right now, and that plays into this very importantly. It's my hope that we will be able to have announcements in the coming months, but all I can say to these concerned families and concerned Albertans is: stay tuned. When we do come forward with capital plans and capital projects, I know we'll have their support.

**The Speaker:** The hon. Member for Drumheller-Stettler, followed by the hon. Member for Dunvegan-Central Peace-Notley.

#### **Berry Creek Reservoir**

**Mr. Strankman:** Thank you, Mr. Speaker. The Berry Creek reservoir is a body of water vital to the farming area of the special areas around Sunnynook, where water is a scarce and valuable commodity. Several weeks ago the spill gate for the reservoir failed, leading to a dramatic loss of water. The majority of the water has already gone downstream, causing a catastrophic impact on the local ecology and the financial well-being of hard-working Alberta farmers. All my questions are to the minister of SRD. When will the province speed up its lacklustre response to this local disaster?

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

**Mrs. McQueen:** Well, thank you, Mr. Speaker. We know the primary function of this reservoir is certainly to supply water for

irrigation and for farmers in the area. Our officials have been working with local constituents, your constituents, in that area to make sure that we are doing the repairs to the outlet gate. We continue to work with them in as fast a fashion as we can and in making sure that they are aware of the issues as well.

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

**Mr. Strankman:** Thank you, Mr. Speaker. Given that we hold local businesses, individuals, and corporations accountable when they are responsible for environmental disasters, will this out-of-touch PC government accept responsibility for this environmental disaster created by their government?

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

**Mrs. McQueen:** Thank you, Mr. Speaker. We are making sure that for the gate that has been broken, we're taking action and we are correcting that action. We are also making sure with regard to the fishery in the area that we're opening up the fishery to all Albertans and Canadians so that for a low licence of \$5 those folks as well have access to the fish in there. We are doing everything we can in as timely fashion as we can to make sure that this is looked after.

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

**Mr. Strankman:** Thank you again, Mr. Speaker. Given that the province has affected both the environment and the pocketbooks of farmers negatively, is the minister prepared to prioritize funds needed for the reclamation and rehabilitation of this critical body of water and to assist farmers who have been affected by this officially induced disaster?

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

**Mrs. McQueen:** Well, thank you, Mr. Speaker. We are working with the local farmers and constituents in that area. We continue to do that, and our first priority is to make sure that we get these repairs done in as timely a fashion as we can. Certainly, we're always open to having discussions with Albertans and constituents in that area.

**The Speaker:** The hon. Member for Dunvegan-Central Peace-Notley, followed by the Member for Little Bow.

#### **Agriculture Policy Framework**

**Mr. Goudreau:** Thank you, Mr. Speaker. Over the past year agricultural producers in Alberta have had access to strong and effective business risk management programs. Now, it's my understanding that the agriculture ministers from across Canada, including our own, agreed to a new five-year Growing Forward policy framework at their annual meeting. My questions are to the Minister of Agriculture and Rural Development. What will this new Growing Forward framework support?

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

**Mr. Olson:** Thank you, Mr. Speaker. Well, the general answer is that it will continue to support everything that has been in the previous Growing Forward agreement. There are two basic pieces to the agreement. One is the business risk management programs like AgriStability, AgriInvest, and so on. The other piece of it is the strategic initiatives. We did sign the umbrella agreement in September in Whitehorse, and we are now working on the

bilateral agreement. The agreement signed in Whitehorse was the multilateral agreement by all of the agriculture ministers across the country. What we are working on now is the bilateral agreement between us and the federal government for the programs specific to Alberta.

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

**Mr. Goudreau:** Thanks, Mr. Speaker. My second question is to the same minister. Given that the current federal budget includes – it's my understanding – a \$252.9 million reduction in agricultural spending over the next three years, how will that specifically affect AgriStability and AgriInvest programs for our farm producers right here in Alberta?

**Mr. Olson:** Mr. Speaker, it is true that the federal budget did involve a decrease in the agriculture budget of about \$252 million over three years. That is going to impact on several of the programs. I want to point out that we spent the summer consulting with our producers in Alberta to hear what they had to say about what was important to them in terms of programming in the new five-year agreement. We are confident that there's a bit of a refocusing that will be more in strategic initiatives, but I think it will be a good balance.

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

2:40

**Mr. Goudreau:** Thank you, Mr. Speaker. My last question, again to the same minister: how will these changes ensure that we continue to have a strong and vibrant agricultural sector in this province considering this reduction in financial support?

**Mr. Olson:** Well, Mr. Speaker, there were some very interesting discussions about increasing insurance options, for example, and that's something that we heard loud and clear from our producers. We are also, as I mentioned at the end of my last answer, refocusing some assets on research, innovation, things like food safety, environment, marketing. These will all serve to support the industry. My feeling is that, again, we have a very good balance here given the financial constraints that we're all under.

**The Speaker:** The hon. Member for Little Bow, followed by the hon. Member for Barrhead-Morinville-Westlock.

### Little Bow Continuing Care Centre

**Mr. Donovan:** Thank you, Mr. Speaker, and I'll say that it is great to be back here for the fall sitting. Mr. Speaker, this summer residents of my constituency fell victim to an out-of-touch AHS superboard, who shut down the Little Bow continuing care centre. My question is to the Health minister. Given that the minister clearly did not have the facts in regard to any of the notices sent out to the public, the staff on this rushed closing, will you apologize to my constituents for moving our most vulnerable citizens, our seniors, based on little or no knowledge?

**Mr. Horne:** Well, Mr. Speaker, it is true that Alberta Health Services made the decision to close the Little Bow facility. As the hon. member knows, there are a number of issues involved in the decision that AHS has talked about publicly, not the least of which is the age of the facility and the fact that it lacked many of the amenities that we would associate with providing the best possible quality of care for seniors in the province. Things like the lack of washrooms in some of the rooms, the lack of a full sprinkler system, the presence of asbestos in the building, leaking pipes, and

drafty windows: these things are not consistent with the quality of care that we wish to provide.

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

**Mr. Donovan:** Thank you, Mr. Speaker. Given the fact that the minister had only made one visit to this facility after I almost begged him to come there to look at the fact that the building was not falling down, the question is: will he provide us with an adequate reason for shutting this down? I have a report right here, that will be tabled later today, to show that the facility passed inspection from your own government.

**Mr. Horne:** Mr. Speaker, it is true that the facility, when it was constructed, met the building code of the 1950s. As the hon. member is aware, any renovations to that building would involve the building being required to meet the building code of 2012, which, for the reasons I described earlier, is not achievable.

More importantly, Mr. Speaker, our government is focused, as I said, on providing the highest quality of life for seniors across the province. This is a facility that has served the community well over the years. However, it has continued to dwindle in numbers of both staff and patients. These factors were also a consideration in Alberta Health Services' decision to close the facility.

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

**Mr. Donovan:** Thank you, Mr. Speaker. I'll be passing these out later to show what a great grade the place did have.

Mr. Speaker, to the Premier of Alberta – I'm sorry. She's not here, so I don't know who I'm supposed to... [interjections] Sorry. Bad on that.

Given that one senior passed away just nine days after being moved, who will take responsibility to ensure that our Health minister actually protects our seniors?

**Mr. Horne:** Well, Mr. Speaker, what would be clearly reckless, irresponsible, and, I would suggest, unbecoming of any one of us would be to speculate on the cause of death of any constituent. In particular, to attempt to connect the decision to close this facility with the death of one or more of these residents is not appropriate, and I'm not going to dignify it with a reply.

**The Speaker:** Thank you.

### Speaker's Ruling Preambles to Supplementary Questions

**The Speaker:** Hon. members, we're going to resume with Introduction of Guests in a moment, but just two quick observations.

Number one, I'm going to ask House leaders if they would please review the rule about preambles in the 35 seconds, and I want to indicate why. It's very difficult for members to phrase a supplementary question that is 35 seconds long unless they're going to go into a whole bunch of "given this" and "given that" and so on. So I'd just ask you to please review that. If you don't have a solution, I might be able to be of some help to you in that regard. It just occurs to me that it's taking up valuable time in many cases. I could have interjected so many more times today. I hesitated to do so, so I'm just going to leave it up to the House leaders to please review that with your own caucuses and your whips.

Secondly, just a reminder to please ensure that you make it very clear as to whom you're asking a particular question. We had a

couple of members who were not so clear, and that causes a little bit of confusion.

### Introduction of Guests

*(continued)*

**The Speaker:** Let me recognize for an introduction the hon. Minister of Education.

**Mr. J. Johnson:** Thank you, Mr. Speaker. I have two sets of introductions today. I'd like to introduce to you and through you to members of this Assembly a group of people who are in the building today. Although we were not able to get many of them seats in the Assembly for question period, I know they're watching on TV from another room. Here to join me today for first reading of the Education Act this afternoon are representatives from the Alberta Home Education Association; the Alberta School Boards Association; the Public School Boards' Association; the Alberta Catholic School Trustees' Association; the College of Alberta School Superintendents; the Association of School Business Officials of Alberta; the Alberta Teachers' Association; the Association of Independent Schools and Colleges in Alberta; the Association of Alberta Public Charter Schools; the Federation of Francophone Parents of Alberta; the Alberta School Councils' Association, which is all our parents; and my Minister's Student Advisory Council. While they're not in the gallery, they are here in the Legislature and important nonetheless, and they certainly deserve a warm welcome from this Assembly.

I'd also like to introduce to you and through you to the members of the Assembly several gentlemen who are in the gallery, one of whom I had the privilege of working with over the summer when he joined my office as a summer intern. Robert Woodward is sitting in the public gallery. He was a wonderful addition to our team, and we're very happy to have him back in the building today even if it is just for one day. I'd also like to introduce to you two members from my constituency. Rick Cherniwchan and Randy Orichowski are also sitting in the public gallery, and both do an amazing job day in and day out representing the county of Smoky Lake. I'd ask those three to rise and please receive the traditional warm welcome of the Assembly.

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

**Mr. McIver:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to this Assembly my lovely wife, Christine. I love my work, but when I head home, she's the reason there's a smile on my face. Christine is seated in your gallery, and I ask that she please rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** Thank you. I note that the smile is mutual.  
The hon. Member for Leduc-Beaumont.

**Mr. Rogers:** Thank you, Mr. Speaker. I'm not positive that our guests are still here. Nonetheless, I'm pleased for the record to introduce them to you and through you to all members of the Assembly. They are the members of the Education Advisory Committee. This provincial committee offers pedagogical expertise to the visitor services office in their development of educational programming and represents elementary, junior high, senior high, and postsecondary education across Alberta.

With us today were Sandy Myshak from Edmonton public schools; Anne Marie Brose from Grant MacEwan University; Dr. Craig Harding from Calgary public schools; Nancy Crousset from Conseil scolaire Centre-Est in St. Paul; Dr. Carla Peck from the

University of Alberta; Corvin Urbach from Wolf Creek public schools in Ponoka; Constance Scarlett from the Alberta Museums Association; and Wally Diefenthaler, educational consultant. I'd also like to recognize Brian St. Germain from the aboriginal family and school program of Red Deer public schools, who could not join us today. I would ask that the members give them the traditional warm welcome of this Assembly.

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

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. I would also like to introduce to you and through you two constituents from Calgary-Varsity. One of them had to leave, and that is Mr. Raphael Jacob. He's currently the vice-president external for the Students' Union at the University of Calgary.

2:50

As well, I'd like to introduce to you Mr. Jim McCormick. Many hon. members will know Mr. McCormick through his political activities, but in Calgary-Varsity we know him for different reasons as well. He's a tireless volunteer, a respected member of Calgary's business community. He has a passion for strengthening not just our community but our province. He's a dedicated family man who's just recently discovered the joy of twin grandchildren. I am so pleased that he came to the Legislature today. He's seated here in the public gallery. Jim, I would ask you to rise and receive a traditional greeting.

Thank you.

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

**Mr. Eggen:** Thank you, Mr. Speaker. Today I'm very pleased to introduce to you and through you to this Assembly our guest, Mr. Petros Kusmu. Petros is this year's vice-president external for the University of Alberta Students' Union, vice-chair of the Council of Alberta University Students as well as the director of the Canadian Alliance of Student Associations. Petros was born and raised here in Edmonton and was also fortunate enough to spend nearly seven years in Eritrea in northeast Africa. I would now ask Petros to please stand and receive a traditional warm welcome from the Assembly.

**The Speaker:** The hon. Member for Fort Saskatchewan-Vegreville.

**Ms Fenske:** Thank you, Mr. Speaker. It is my honour to introduce to you and through you to the Members of the Legislative Assembly three constituents from Fort Saskatchewan-Vegreville who have joined us here today. Two of them are seated in the public gallery. Perry and Vernon Degen have been long-time, active residents in Strathcona county and have moved to the city of Fort Saskatchewan and remain in that constituency. I'm so pleased to call them friends. Also, in the members' gallery is our president of the Fort Saskatchewan-Vegreville PC association, Mr. Glenn Hennig, who is a resident of the village of Hilliard. Glenn has been active on the persons with developmental disabilities board. Please stand. I would like to welcome them and ask that you welcome them as well.

**The Speaker:** The hon. Member for Barrhead-Morinville-Westlock.

**Ms Kubinec:** Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you today to all members of the Assembly the mayor and councillors from Sturgeon county and the deputy mayor and councillors from the town of Morinville. I would ask them to rise. They are Mayor Donald Rigney from Sturgeon county; Deputy Mayor Karen Shaw from Sturgeon

county; Councillor Tom Flynn from Sturgeon county; Deputy Mayor David Pattison, town of Morinville; Councillor Lisa Holmes, town of Morinville; Councillor Paul Krauskopf, town of Morinville. It's a real pleasure to have you welcome them to the House.

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

**Mr. Webber:** Thank you, Mr. Speaker. I'm looking up in the galleries here, and I see three people that I recognize from Calgary. I think that they deserve some introduction here. I see Mr. Troy Wason, who is currently running as VP for the PC Party of Alberta – I think that we should give him a round of applause – and his lovely wife, Lisa Mackintosh, who is here today, a strong Conservative and a good friend, and also Ms Cynthia Williams, a long-time Progressive Conservative. They're all three here today to visit with us. I ask that they rise and that we give them the warm welcome of the Assembly.

### Members' Statements

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

**Mr. Harvie Andre**

**July 27, 1940, to October 21, 2012**

**Ms L. Johnson:** Thank you, Mr. Speaker. With sadness I rise today to pay tribute to another distinguished parliamentarian who passed away this week. Harvie Andre was a dedicated public servant, serving five terms as the Member of Parliament for Calgary Centre, from 1972 until 1993. He worked tirelessly to advocate on behalf of his constituents as a member of the opposition, as a member of the government, and as a cabinet minister. I volunteered on several of Harvie's election campaigns and had the privilege of being on his ministerial staff in Ottawa and in Calgary.

During Harvie's time as an MP there were many issues facing our province and country, from the national energy program to constitutional discussions. He was a key player in the government of Prime Minister Joe Clark. Through it all Harvie displayed dignity and absolute commitment to his constituents and colleagues. I also would like to say that he was very determined to do what was right for Albertans.

Harvie was the minister responsible for the Royal Canadian Mint in the government of Prime Minister Mulroney. I can still remember sitting in a staff meeting as Harvie held up the prototypes for the 1988 Calgary Olympic coin program, which was a great success during those games. Harvie was also the minister responsible for introducing the one-dollar coin into circulation. What you may not realize is that the original design for the coin was to depict voyageurs in a canoe. Unfortunately, the masters were lost, and the alternate design, showing the loonie, was approved for production.

In conclusion, Mr. Speaker, Harvie Andre was a master parliamentarian. He combined his managerial skills with a great understanding of politics within his party, his province, and our country. The consistent observation is that Harvie was a man of integrity, loyal to his friends and family, and respectful of parliamentary institutions. There are many of us in this Legislature who have connections to Harvie Andre and his family. We say thank you for his service, his commitment, and his example.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Leader of the Official Opposition.

**Ms Smith:** Thank you, Mr. Speaker. It is great to be back here.

**The Speaker:** Excuse me.

Are you rising on a point of order?

**Ms Blakeman:** I was trying to, Mr. Speaker. I was trying to catch your eye.

I'm mindful of the time, and I would like to request the unanimous support of the House to waive Standing Order 7(7) in order for us to conclude the Routine of the day and allow the members' statements and tablings to continue. I would ask that you please present that option to the Assembly.

**The Speaker:** Essentially, the Member for Edmonton-Centre is asking us to waive Standing Order 7(7), I believe. This requires unanimous consent, so I'm going to ask one question. Listen carefully, and respond accordingly. Is there anyone who objects to the House continuing on with its Routine beyond 3 o'clock?

[Unanimous consent granted]

**The Speaker:** The hon. Leader of the Official Opposition with her statement.

### Wildrose Policies

**Ms Smith:** Thank you, Mr. Speaker. As I say, great to be back here in the Assembly, and I speak on behalf of our entire Wildrose Official Opposition when I say that it is even better to see how many Wildrose ideas have made their way onto the legislative agenda. From top to bottom, with few exceptions, the government's fall agenda lineup reads like a page straight out of the Wildrose green book.

First, the revised Education Act. The original bill attempted to sidestep parents as the most important decision-makers in their children's education. It died when the Wildrose and families across Alberta rose up to defeat it, but the bill is back again, Mr. Speaker, with families keeping the rights that they always knew that they had.

Next, the Electric Utilities Amendment Act will make sure that all future transmission projects will be approved by the Alberta Utilities Commission, not the provincial cabinet members. Mr. Speaker, that also sounds awfully familiar. On we go. The Election Accountability Amendment Act, naming those political parties who broke the law by accepting illegal contributions. Sounds like Wildrose policy, too.

The Public Interest Disclosure (Whistleblower Protection) Act. Whistleblower protection: page 42 of the Wildrose platform.

And it's not just bills. Today we hear the health superboard chair say that he wants more local decision-making on the ground in Alberta hospitals. Not only that, but he has the full backing of the province to go ahead and start doing it. Mr. Speaker, I could fill a book with all the times that we called for that.

Now, I suppose that imitation is the sincerest form of flattery, but my Wildrose colleagues are wondering when the government is finally going to copy our single most important idea, a balanced budget and money in the bank. I've got to say, Mr. Speaker, that I'm somewhat less optimistic about that one, but I won't give up. After all, with a Wildrose caucus that's proven itself this effective so far, I believe anything is possible.

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

### RCAF 429 Transport Squadron

**Ms Pastoor:** Thank you, Mr. Speaker. This year the city of Lethbridge's 429 Transport Squadron, based in Trenton, Ontario, will be celebrating their 70th anniversary since being formed on November 7, 1942, at East Moor, England, during World War II. The 429 Bison Squadron was adopted by the city of Lethbridge in 1944. The city sent care packages and followed its wartime exploits. Lethbridge citizens served with the squadron during World War II. The squadron was disbanded there on May 31, 1945.

3:00

The squadron was re-formed as the 429 Tactical Transport Squadron in Quebec in 1967 and renamed 429 Transport Squadron in 1981, when they flew the Hercules planes. It was disbanded again and rebanded in 2007. The squadron now operates four Globemasters. These are beyond gigantic-sized planes. They fly personnel and huge equipment all over the globe.

In 2008 the city of Lethbridge renewed its ties with the squadron with the unique honour of Freedom of the Sky. This honour was the first of its kind in Canada.

The 70th anniversary celebration this year will be marked with a trooping of the squadron colours in Trenton, Ontario.

This year Lieutenant Colonel Jason Stark, commanding officer of 429 squadron, will be the guest speaker in Lethbridge's Remembrance Day ceremonies. A contingent of the squadron will parade at the cenotaph, and the Globemaster plane will exercise the Freedom of the Sky to the delight of the citizens in attendance below at the cenotaph. Each year our city looks forward to the arrival of our adopted squadron to visit our namesake city and continue to foster and strengthen ties while promoting our Royal Canadian Air Force heritage.

Thank you.

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

### Bullying Awareness and Prevention

**Mr. Amery:** Thank you, Mr. Speaker. I rise today to speak about a very prevalent and pervasive issue facing many school-aged children throughout our province. Last week many of us heard about the unnecessary and tragic death of a British Columbia teenager. This young girl was subject to cyberbullying on social media sites and torment from her school peers on a regular basis. Her story is heartbreaking but not unique. Many children and youth are familiar with the suffering this young girl experienced.

No matter the medium, whether it is vicious messages on Facebook to taunting and physical abuse on the playground, bullying of any kind is unacceptable. Schoolyard bullying can have devastating consequences for children and youth, including isolation, depression, and in extreme cases suicide. As the father of a school-aged child the safety and well-being of our province's youth is especially important to me.

Mr. Speaker, last November our government recognized National Bullying Awareness Week. We called on all Albertans to take action and stand up to bullying and to send loud and clear messages that bullying is wrong and needs to stop and, most importantly, that it should never be considered a normal part of growing up. Ending bullying in our schools and communities is the next step towards fostering a caring, respectful, and safe environment for our children to grow up in.

Thank you, Mr. Speaker.

### National Foster Family Week

**Mr. McDonald:** Mr. Speaker, I am pleased to rise today and acknowledge National Foster Family Week and share with you a story of two exceptional foster parents, Jennifer and Kristofor Spencer. Foster parents like Jennifer and her husband, Kristofor, are key members of a team dedicated to helping children, youth, and families. They mentor and support birth parents, help children to achieve success in school, and work with youth as they transition to independence.

Jennifer and Kristofor were named foster parents of the year by the Alberta Foster Parent Association in 2011. As a part-time college student and avid volunteer Jennifer has fostered for seven years. She takes pride in telling people that she is a foster parent and emphasizing that Albertans don't hear enough about the great things that happen in foster care.

My constituency is part of the northwest Alberta child and family services authority. There are 69 foster homes in this region and over 2,400 throughout the province. We need more foster homes in my region and across Alberta. I encourage any Albertan who is interested in learning more about becoming a foster parent to contact the Alberta Foster Parent Association or their local child and family services authority.

Like Jennifer and Kristofor, foster parents are caring and compassionate people who open their hearts and their homes to a child or youth in care. It is a rewarding experience that impacts the community as well as the family and the child. Please join me in recognizing Jennifer and Kristofor and all the other foster families across the province for their dedication to improving the lives of fellow Albertans.

**The Speaker:** The hon. Member for Strathmore-Brooks.

### XL Foods Inc. Beef Recall

**Mr. Hale:** Thank you, Mr. Speaker. This morning we learned the Canadian Food Inspection Agency has given the green light to the XL Foods plant in Brooks to reopen. This is welcome news and a huge relief to the Alberta cattle producers and 2,200 workers who have been unable to work since the plant closed on September 27.

In the past few weeks I am proud to have witnessed such an overwhelming amount of community support to help workers and the cattle producers in my constituency of Strathmore-Brooks. I am proud to have worked alongside the city and county councils and local MP to move the situation in the right direction. This is about our community, and I'm happy to see all levels of government and the community groups coming together.

I would like to take this opportunity to thank the federal agriculture minister for his hard work to get the plant online and for taking time to come visit Brooks. I would also like to acknowledge our Wildrose Official Opposition leader, who met with Brooks and county immigration services, affected employees, and city officials last week to learn about the situation and offer support. Thanks is also due to the provincial agriculture minister for coming down to Brooks and for making this a nonpartisan issue as well as to the hon. Member for Edmonton-Meadowlark for making the journey and offering his support.

This weekend I hosted a town hall meeting with producers from the area and learned a lot about how the plant shutdown has affected their operations. This shutdown has had an enormous economic impact on the entire area, on both businesses and the Alberta cattle

industry. We had many livestock producer groups that attended with the common goal of getting the plant reopened.

My thoughts go out to those who were affected by the outbreak of E coli. It should have never happened, and hopefully the review to follow will identify the shortcomings which led to the situation.

As the local MLA I can say how great the community has been throughout all of this. Seeing all the many groups working together with one common goal and ensuring laid-off employees were looked after has been very rewarding.

**The Speaker:** Thank you, hon. member.

Hon. members, may we revert briefly to the introduction of guests?

[Unanimous consent granted]

### Introduction of Guests

*(continued)*

**The Speaker:** The hon. Member for St. Albert, the Minister of Enterprise and Advanced Education.

**Mr. Khan:** Mr. Speaker, thank you. In perhaps the most important introduction I will ever make in the House, I am pleased to introduce to you and through you to all the members of the House my inspiration, my motivation, my everything: my family. Seated in the members' gallery are my wife, RaeLynn, my son Mick, and my daughter Sasha, and we have the pleasure of my father-in-law, Barrie Burton, joining us today. I would like to ask them to rise and receive the traditional warm welcome of the Assembly.

### Notices of Motions

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

**Ms Blakeman:** Yes. Thank you very much, Mr. Speaker. Pursuant to Standing Order 30 I wish to advise you and all members of the Assembly that at the appropriate time I intend to move the adjournment of the ordinary business of the Assembly to discuss a matter of urgent public importance, namely

the actions of the Ethics Commissioner, an officer of this Legislature, in appointing a defeated MLA to a specially created position without that MLA observing the one-year cooling-off period mandated by the Conflicts of Interest Act and [importantly] the resultant breach of public trust and loss of confidence in the implementation of the act.

Thank you, Mr. Speaker.

3:10

### Introduction of Bills

#### Bill 3

#### Education Act

**Mr. J. Johnson:** Mr. Speaker, I'm honoured to rise today to introduce Bill 3, the Education Act.

This new legislation comes as a result of many years of discussion and consultation with Albertans across the province about the future of education in Alberta. In fact, Mr. Speaker, representatives of many of the groups who have worked with us to create this legislation are in the building with us today although many of them are outside the gallery, and I introduced them earlier. To all of them – the students, the school boards, the parents, the teachers, the leaders from our private and charter schools, and our home educators – I want to thank you for your

contributions. I also want to thank the thousands of Albertans who provided their input over the last several months and years.

Albertans are truly passionate about education, Mr. Speaker, and that's a good thing. The result is a piece of legislation that will help us focus education where it should be focused, on the student. In a nutshell that's what this bill is all about, putting students first.

This bill is also one of the first in the country to formally recognize the role of the family and the parent in education. As a parent that's an area I am particularly proud of. I'm also very proud of the focus we've put on ensuring our schools are safe, welcoming places for our children, places where diversity is respected and bullying is not tolerated. Of course, the Education Act empowers local school boards to be responsive to local needs.

In short, the Education Act will help all of us who support Alberta's children, help them realize their full potential as engaged thinkers who are ethical citizens with an entrepreneurial spirit.

Thank you.

[Motion carried; Bill 3 read a first time]

**The Speaker:** The hon. Member for Edmonton-South West.

#### Bill 6

#### Protection and Compliance Statutes Amendment Act, 2012

**Mr. Jeneroux:** Thank you, Mr. Speaker. It's a real pleasure to introduce Bill 6, the Protection and Compliance Statutes Amendment Act, 2012.

If passed, this bill will provide significant new protections to Albertans at home, in the marketplace, and on the job. It will also raise awareness about the responsibilities associated with workplace health and safety, safety code requirements, and fair trading practices. Bill 6 seeks to amend three pieces of legislation: the Safety Codes Act, the Fair Trading Act, and the Occupational Health and Safety Act. It will add new administrative penalties, strengthen existing ones, and significantly increase the fines that can be levied against those who would jeopardize the health and safety of Albertans or would part them from their money through unfair business practices.

Mr. Speaker, we've consulted with Albertans, and they have told us they support our efforts to improve these protections. I'm confident the changes that can be effected by these amendments will go a long way to showing Albertans that we value their contributions to our communities, to our workplaces, and to our economy. The amendments in this bill ensure that those who would take advantage of the hard work and trust of Albertans will be held accountable and that the cost of flouting these laws is now too great to be deemed simply the cost of doing business. These amendments will result in increased protections for Albertans and increased compliance with legislation.

Thank you, Mr. Speaker.

[Motion carried; Bill 6 read a first time]

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

**Mr. Hancock:** Thank you, Mr. Speaker. I move that Bill 6, the Protection and Compliance Statutes Amendment Act, 2012, be moved onto the Order Paper under Government Bills and Orders.

[Motion carried]

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

**Bill 8****Electric Utilities Amendment Act, 2012**

**Mr. Hughes:** Thank you, Mr. Speaker. I request leave to introduce Bill 8, the Electric Utilities Amendment Act, 2012.

In 2009 legislation passed in this House approved four critical transmission infrastructure projects and gave government the authority to designate and approve future critical transmission infrastructure. Bill 8 removes the government's power to approve future critical transmission infrastructure, meaning all future transmission infrastructure projects will require need and routing approval from the Alberta Utilities Commission. Given the enthusiastic speech from the Leader of the Opposition earlier, I am sure we all look forward to a speedy passage of this bill.

Thank you, Mr. Speaker.

[Motion carried; Bill 8 read a first time]

**The Speaker:** The hon. President of Treasury Board and Minister of Finance.

**Bill 9****Alberta Corporate Tax Amendment Act, 2012**

**Mr. Horner:** Thank you, Mr. Speaker. I request leave to introduce Bill 9, the Alberta Corporate Tax Amendment Act, 2012. This being a money bill, His Honour the Honourable the Lieutenant Governor, having been informed of the contents of this bill, recommends the same to the Assembly.

This act requires changes to ensure that Alberta maintains a fair, equitable, and competitive tax regime. Changes are also needed to implement changes to the scientific research and experimental development tax credit that was announced in the budget. The proposed act will keep Alberta's legislation both current and effective.

Thank you, Mr. Speaker.

[Motion carried; Bill 9 read a first time]

**Tabling Returns and Reports**

**The Speaker:** The hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Mr. Speaker. Earlier today I talked in my questions about the reports that the government has so cleverly taken off their own web pages now, so I'm tabling this today for every member on both sides to be green, to help out Rachel so nobody is mad, to make sure that we can actually see what the reports were that show in what good shape the Little Bow Continuing Care building was.

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

**Mr. Bilous:** Thank you, Mr. Speaker. I'd like to table the appropriate number of copies of a report produced by Ceres on behalf oil sands investors. The report outlines and discusses the need for improved environmental and social performance in the Canadian oil sands in order to promote and secure investments.

Thank you.

**The Speaker:** Is it the hon. Member for Edmonton-Centre on behalf?

**Ms Blakeman:** No, sir. They're my very own tablings. I have two of them today. The first one: I wouldn't usually do this, but I will be referring to this specifically later, so I am going to give you

copies of an article by editorialist Rick Bell, who writes for a Calgary paper. I will table that.

I'd also like to table a number of posters that were presented to me during the Edmonton Pride awards. They're very cleverly done by a group that is trying to speak out to young gay, lesbian, and transgendered kids and say: you have a voice. They're making fun of the supposed slur that something is gay, meaning something is bad. They're talking about history in here. They do say: "You have a voice! Be a part of speaking out against hate crimes! Encourage your school to create & support Gay/Straight alliances!" There's a series of six of these posters. They're excellent.

Thank you very much, Mr. Speaker.

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

**Dr. Sherman:** Thank you, Mr. Speaker. I have five copies of two tablings. One is a report by CBC relating to the AHS chair wanting hospitals to make more decisions.

The other is an e-mail dated October 16, 2012, addressed to all AHS, a message from the CEO. It's titled From Good to Best-in-class, about local decision-making.

**The Speaker:** Thank you.

Are there others? The hon. Minister of Transportation.

**Mr. McIver:** Thank you, Mr. Speaker. I rise to table the requisite number of copies of a blog posted by McMurray Musings writer Theresa Wells entitled An Ocean of Tears, A Ribbon of Road: Highway 63, and 2016. The blog highlights her personal thoughts and feelings about an announcement made by the government of Alberta on Friday, October 19, on the completion of twinning of 36 kilometres of highway 63 near Wandering River and our commitment to twinning the entire length of the highway from Fort McMurray to highway 55 by the fall of 2016.

3:20

**The Speaker:** Thank you.

I wish to table with the Assembly a report by Alberta's Chief Electoral Officer as required by section 44(1) of the Election Finances and Contributions Disclosure Act and his accompanying letter to the Speaker dated October 18, 2012, concerning compliance with the election campaign financial reporting requirements.

As well, pursuant to section 39(3) of the Legislative Assembly Act I would like to table with the Assembly five copies of the following orders passed at the June 7, 2012, meeting of the Special Standing Committee on Members' Services: one, Members' Services Committee Order 04/12, Constituency Services Amendment Order, No. 25; two, Members' Services Committee Order 05/12, Transportation Amendment Order, No. 11; three, Members' Services Committee Order 06/12, Members' Allowances Amendment Order, No. 23; four, Members' Services Committee Order 07/12, Executive Council Salaries Amendment Order, No. 8; and five, Members' Services Committee Order 08/12, Members' Committee Allowances Amendment Order, No. 09.

Please note, hon. members, that all of the aforementioned orders which I'm now tabling are deemed effective April 23, 2012.

**Tablings to the Clerk**

**The Clerk:** I wish to advise the House that the following documents were deposited with the office of the Clerk. On behalf of



Mr. Young, hon. Member for Edmonton-Riverview, 13 memoranda dated August 17, 2012, from Scott Ellis, senior financial officer and director, financial management and administrative services branch, Legislative Assembly Office, to 13 Members of the Legislative Assembly regarding return of committee pay relating to their service on the Standing Committee on Privileges and Elections, Standing Orders and Printing.

**The Speaker:** Thank you.

We're now ready to entertain the point of order. I believe it was the hon. Member for Lac La Biche-St. Paul-Two Hills.

### Point of Order

#### Allegations against a Member

**Mr. Saskiw:** Thank you, Mr. Speaker. This is my first point of order, and I'm sure there won't be too many more. I stand to raise a point of order under section 23(h), (i), and (j), and it is in regard to a comment that was made about permanent police officers on highway 63. The comment was made by the Member for Fort McMurray-Wood Buffalo and was echoed by the Member for Calgary-Acadia, and it's regarding a report that I and the Infrastructure and Transportation critic from Cypress-Medicine Hat presented about a week ago. It's actually entitled Getting It Done, twinning highway 63, and it included many things, one of which was demanding a timeline, which we were very satisfied that the government has finally taken our lead on.

In it as well as that after consultations with stakeholders, with first responders, and with families that have suffered from tragedies on highway 63, they all told us that they want eight more permanent police officers, and they want them now. Mr. Speaker, the comments made by the Member for Calgary-Acadia tried to infer that, you know, there are 16 permanent police officers that the government has put on that highway when, in fact, that's not going to happen until 2013. The people that we talked to, the people on the ground, the first responders and families, want those permanent police officers now. It's completely incorrect for the minister to make that comment. It is not only an allegation against myself as a member but also those families, and I'd ask him to retract that statement.

**Mr. Denis:** If anything I said was incorrect, I would retract it, but with respect to this member nothing I said was incorrect. I do not have a copy of the Blues, Mr. Speaker, but when I answered the question in that exchange, I indicated clearly that currently there are four new, additional enforcement officers on highway 63 and that there would be an additional 12 by the early part of 2013.

Mr. Speaker, I'm really at a loss as to what this member has a point of order about. He called a point of privilege last time, which was ruled out of order. I'm really at a loss.

**The Speaker:** Well, hon. member, as we all know, there are frequently varying interpretations of the facts. I don't think there's a need to get into a long debate on this. I will recognize two more speakers quickly, one from the government side and one from another party if you so wish. But, again, this just might be a dispute over the facts.

First, the hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I won't get into the facts at all; I'll get into the standing orders. This point of order was brought under Standing Order 23(h), which is, "makes allegations against another Member." No member was mentioned in the response. They mentioned a party. As we've heard in the House, unfortunately, year over year over year, a party is not a member.

There was no allegation against a member. There was no imputation under (i) of "false or unavowed motives," and there was no "abusive or insulting language of a nature . . . to [cause] disorder" under (j).

One of the things that we need to do, I think, in the House is make sure that when we raise points of order, we don't lapse into the practice that has become way too common in this House of leaping up and yelling out "23(h), (i), and (j)" and thinking that that's a foundation for an argument.

**The Speaker:** Anyone else who wishes to chime in?

Well, hon. member, I've already commented that frequently we find two different interpretations of what some perceive to be facts and others perceive to be something else. Let's be mindful that a point of order should not be raised merely for purposes of extending a debate or continuing discussion. As such, given that it's your first point of order, hon. member, I'll just say that we're going to accept the clarifications that have been offered, and we're going to move on.

### Request for Emergency Debate

**The Speaker:** The hon. Member for Edmonton-Centre under SO 30, I believe.

### Dealings with Government by Former Ministers

**Ms Blakeman:** Yes, indeed. Thank you very much, sir. I would like at this time to move the motion that I believe has been circulated to everyone, and that is:

Be it resolved that this Assembly adjourn the ordinary business of the Assembly to discuss a matter of urgent public importance; namely, the actions of the Ethics Commissioner, an officer of this Legislature, in appointing a defeated MLA to a specially created position without that MLA observing the one-year cooling-off period mandated by the Conflicts of Interest Act and the resultant breach of public trust and loss of confidence in the implementation of the act.

Now, Mr. Speaker, as you and I well know, the point of Standing Order 30 is its urgency. I would argue that this is an urgent matter for us to consider. This is our first opportunity to address it. It's the first time we've all been together in the House and the House has been called since this matter came up.

While we're talking legalities, I did investigate, and to the best of my knowledge and as far as I am able to determine, there is no open investigation under section 24(6) of the Conflicts of Interest Act which would preclude any other discussion. Just briefly for people, under the Conflicts of Interest Act if an investigation has been asked of the Ethics Commissioner by anybody – a motion of the Assembly, a minister, or an individual member – that investigation has to take place. You can't do anything else, raise a question or anything. To the best of my knowledge and my investigation I cannot find that that has indeed happened.

I think that this is an issue of ongoing credibility and a loss of confidence. When I look in the instructions for Standing Order 30, or emergency debates as they're called, under the *House of Commons Procedure and Practice*, they specifically state that the issue has to be specific, which is indeed what we're dealing with here, the actions very specifically on a specific case about the Ethics Commissioner, that it be urgent and important – and I think that conflict of interest is important, that act is important, and the upholding and the credibility of it are important – and that it requires urgent consideration. If we continue to go forward with this, it will not be resolved, and I think it's important that it is.

When we look at *Beauchesne's* 387 to 389, that's indicating that

the primary issue is the urgency of the debate. Specifically, there's a section that talks about the opportunity to debate this issue under the rules and provisions of the House. This runs you into a checklist. I've looked to see where else we could be discussing this issue. The Legislative Offices Committee, to which this particular position would report, does indeed have a meeting scheduled more than a month from now, toward the end of November, which is a very long time to go with the public out there wondering just how ethical we all are here and how much credibility we put in that act that we're all supposed to be abiding by.

Of course, this issue is not currently before the courts. It wasn't mentioned in the throne speech. There's nothing on the Order Paper as a government bill, nor has it been specifically talked about in any kind of government release or website. There's no private member's bill or motion that's dealing with it. The budget is not affected by this, and there's no supplementary supply budget this time around, thank goodness – that's unusual – no government motions except that there is a motion to convene a discussion of or a review of the Conflicts of Interest Act in its entirety. That motion is sitting on the Order Paper. It hasn't been moved. I have no idea when that committee would be charged to meet although I notice, in reading the notice of motion, that it will be charged to report back within a year, which, again, I would not say is a speedy resolution. Again, I'm addressing a very specific incident here, not the entire act.

3:30

There was an attempt to ask a question today in question period, and it was, to put it politely, blown off by the government, so that's obviously not a useful debate. We're not supposed to be debating here in question period, but it wasn't a useful forum for us to try and dig to the bottom of this and discuss it as an Assembly.

In *Beauchesne* 389 it says that the issue has to be so pressing "that the public interest will suffer if it is not given immediate attention," and I would argue that is indeed the case with this. *Beauchesne* 390 is also saying that "the public interest demands that discussion take place immediately," which would be now, rather than, for example, waiting and discussing it under a review of the act, however long that takes to be called into place.

The situation we have is a breach of the public trust and a loss of confidence in a critical piece of legislation that affects every member in this House and how everyone views us and the work that we do. How serious is this as an issue that the Assembly should discuss it? Well, I think it's a very serious issue. For example, if this particular MLA or any MLA had knowingly breached this act without the knowledge of the Ethics Commissioner, according to the Conflicts of Interest Act they are subject to a \$50,000 fine. I think that is underlining how seriously it was intended that that cooling-off period be taken. That fine is specific to breaching the cooling-off period in the Conflicts of Interest Act, so clearly it was meant to be taken very seriously.

How seriously do I take this? Well, we have the commissioner in question stating publicly that the member was – and I've got air quotes happening here – a member of the family, which is why, Mr. Speaker, I did table a copy of a newspaper article, which I wouldn't usually do, but it is referenced a number of times in here. It's the Ethics Commissioner's own words, and he has not disputed that this is inaccurate in any way, shape, or form, but he does go on to say that the member was "within the family, [within] the government family," which as you well know, Mr. Speaker, is only involving members who are on the side that elects the most members and forms government, so that rather sets up a

difference between that member and other members of this Assembly. That in itself, I would argue, is a breach when we're talking about private members.

He does go on and get quoted quite a bit about how he believes that it's okay to be a member of the government family, and there's no conflict of interest there. I think that needs to be discussed by these members because it affects all of us.

Part of the criteria for decision is on page 695 in the *House of Commons Procedure and Practice*, and that is whether a timetable of the House has prevented any discussion in a timely manner. I'll also just note that it says, "events which [had] taken place in the past, in that they might precipitate a course of conduct which, if allowed to continue unchecked, would certainly classify itself as an emergency and of pressing consideration." I argue that that is also relevant in this particular matter.

I ask the Speaker to find that this is a matter of urgency and should be able to be debated by the Assembly. Thank you very much, Mr. Speaker.

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

**Mr. Hancock:** Thank you, Mr. Speaker. First, I would invite you to find this notice of motion out of order. It's not in order for a number of reasons, but I would direct your attention specifically to *Beauchesne's* 493 under the heading Protected Persons.

493. (1) All references to judges and courts of justice of the nature of personal attack and censure have always been considered unparliamentary, and the Speaker has always treated them as breaches of order. Members have been interrupted in Committee of the Whole by the Chairman when they have cast an imputation upon a judicial proceeding.

Now, obviously, the Ethics Commissioner isn't a judicial proceeding, but there is a very strong comparator in that somebody is set up in an office to make determinations, in this case an officer of the Legislature, and it casts into disrepute that office if you allow people to make this type of aspersion on the actions of the officer.

It goes on to say:

(2) When a judge has been employed as a Royal Commissioner, it is proper in the House to criticize the report but not its author.

Now, in this notice of motion it's specifically the actions of the Ethics Commissioner. It's not the report. It's not the decision. It's the actions of the Ethics Commissioner that are called into question. That would clearly be out of order under 493(2).

(3) The Speaker has traditionally protected from attack a group of individuals commonly referred to as "those of high official station." The extent of this group has never been defined. Over the years it has covered senior public servants, ranking officers of the armed services, diplomatic representatives . . .

Et cetera.

(4) the Speaker has cautioned Members to exercise great care in making statements about persons who are outside the House and unable to reply.

Mr. Speaker, there's a very good reason for that section in *Beauchesne's*, and it is that we need to respect our courts, we need to respect our legislative offices, we need to hold them in high regard, and we need to not be casting aspersions on the offices or the officials that hold those offices.

There's no question that from time to time there are appropriate ways to deal with the issues that are contained in a report or decision but appropriate ways. What might those appropriate ways be, Mr. Speaker? Well, we do have a Leg. Offices Committee of the House. The hon. Member for Edmonton-Centre has indicated

that there's no timely basis to move to the merits of the notice of motion itself in terms of urgency, that there's no timely way to deal with this issue. Well, I would submit to her that she has provided no evidence that she's asked for a meeting of the committee of the House to deal with this issue and no evidence that the chair has refused to hold a meeting of the committee to deal with this issue.

In fact, I would submit to you, Mr. Speaker, that the most appropriate place for an issue of this nature, if anybody has a concern about a report of an officer of the House, is for it first to be addressed is at the standing committee that provides oversight for Leg. officers. Why would that be the case, Mr. Speaker? Well, because one of the rules we have in this House is that one shouldn't make comments about people who cannot be here to defend themselves.

At committee, of course, the committee could ask the Ethics Commissioner or another legislative officer or others to attend before the committee and to discuss the issue at hand, the issue in question. But, of course, in the House if this motion was passed, we could spend all afternoon debating a specific officer and a specific officer's actions with that officer having no ability to appear, to present, to put into a context what reasoning might have been utilized, or anything of that nature.

Mr. Speaker, I'd say it's clearly out of order, and not only is it clearly out of order, but if you were not to agree that it was out of order, then I would say that the wording of the motion itself is rather questionable in that it's asking us "to discuss . . . the actions of the Ethics Commissioner . . . in appointing a defeated MLA." It's clear on the face of it that the Ethics Commissioner did no such thing. He did not appoint a defeated MLA to anything, so the plain language of the motion is out of order in that it calls for us to debate something that didn't happen.

Thirdly, the question of urgency, which is also important: this has to be something that there is no other way to deal with appropriately in order to adjourn the business of the House. There's clearly another way to deal with it appropriately if the hon. member wished to do so.

Any member could ask for the committee to meet, could ask for the committee to deal with this as an issue, and that committee could then quite appropriately ask the Ethics Commissioner to attend to discuss with the committee the context of the decision-making and why the decision-making was made, which would be, in my humble submission, a much more logical and appropriate way to deal with an issue of this nature than suggesting we adjourn the ordinary business of the House and proceed to discuss it in the absence of the Ethics Commissioner, with no opportunity for the Ethics Commissioner to put the whole decision into context or to provide information as to why he made the decision the way he did.

This begs the question as to whether it ever is really appropriate, once you've appointed somebody as a judge or as a commissioner to make rulings based on an act and independently of the House, for us to second-guess those decisions. But that would be a discussion for another day, Mr. Speaker.

3:40

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills, briefly, please. Thank you.

**Mr. Saskiw:** Thank you, Mr. Speaker. I'd first like to commend the hon. Member for Edmonton-Centre for her timely and responsible motion for an emergency debate. Of course, section 30 sets out the various prerequisites to have a motion pass. My understanding is that 30(7)(b) through (f) has been satisfied

completely, so in our respectful view the motion comes down to whether there is a matter of urgent public importance. That meeting is further defined in 30(7)(a), which states that "the matter proposed for discussion must relate to a genuine emergency, calling for immediate and urgent consideration." Of course, guidance to interpret these rules and also previous precedents can be found in *Beauchesne's* from sections 387 to 398 as well as the *House of Commons Procedure and Practice*, pages 689 to 690.

Before going into the question of urgency, the matter must also be specific. Mr. Speaker, it is clear that the question in this motion is specific to the exact incident of this government appointing Mr. Berger to the position for which he may not be qualified. The question must also require urgent consideration. Every day that passes, the taxpayers are paying for the potentially improper appointment of a defeated MLA. I know that this government certainly doesn't think that every time taxpayers get hosed, we have to have an emergency debate, or we'd be having one every day. However, this issue goes much further. It goes to the very root that ethics legislation may have been violated, or there may have been a loophole created that violated the spirit of the act.

In terms of urgency, if the matter is not dealt with now, it sets a precedent for a government to continue unethical practices, and stopping this is of utmost importance, or during summer sessions we're going to continue to have taxpayers pay for insiders and former government MLAs.

Finally, it's noted, Mr. Speaker, that the Speaker may but not must take into account the general wish of the House to have a debate, and I ask you to consider this motion and to allow the House to discuss this matter. Thank you.

**The Speaker:** Is there anyone else who wishes to chime in? The hon. Member for Edmonton-Strathcona, again briefly if you would, please.

**Ms Notley:** Thank you, Mr. Speaker. I will be brief. I will not go over in great detail some of the comments made by the Government House Leader except simply to point out that constitutionally the role of judges is significantly different than someone who is appointed through this Legislature by a vote of this Legislature to be an officer of this Legislature. I think that it's quite unfortunate to confuse the constitutional foundation of those two roles and to try and use the protection accorded to one person to protect another.

Regardless, I want to simply speak to the issue of urgency, Mr. Speaker. The fact of the matter is that Albertans are increasingly concerned with issues related to the way in which MLAs in this Assembly are compensated both before and after their time in office. This is a matter we have heard quite a bit about recently, and I believe it was the Premier who talked about how, you know, a transition allowance in any form, by any name is a transition allowance.

Now, if you take a former minister of agriculture who loses his seat and then give him a new job that has just been created for him with no precedent, then that looks a lot like nest feathering. The problem is that that goes to the credibility and the public faith that all Albertans have in this Assembly and the public faith that all Albertans have in all MLAs in this Assembly. Quite frankly, Mr. Speaker, those of us on this side are getting a little tired of wearing the excesses that are perpetrated by those on the other side.

This is a matter of public urgency because Albertans need to have faith that decisions here are made in their best interest and not in our best interest, and that is the issue that is currently

outstanding as a result of a decision made by a minister of this government to appoint his predecessor into a specially created position to allow him a nice transition to the next time he runs for office. Thank you, Mr. Speaker.

**The Speaker:** All right. Thank you.

The Speaker listened very intently to all arguments which have been eloquently presented by the members. Could I just make an observation before I make my ruling, that once a number of previous speakers have already indicated how compliant the motion is with the rules, we not go through the exercise of repeating how compliant they are. That would help.

It's quite correct that Standing Order 30(2), as referenced by various members, provides that "the Member may briefly state the arguments in favour of the request for leave," and the hon. member did that. Subsequent to that, "the Speaker may allow such debate as he . . . considers relevant to the question of urgency," and we've done that. Then the role of the chair is to "rule on whether or not the request for leave is in order."

Hon. members, the chair is prepared to make a ruling with respect to leave for this motion to proceed or not pursuant to Standing Order 30(2). The Member for Edmonton-Centre for the record has met the requirement of providing at least two hours' notice, and I would note for you that the request was in fact received in the Speaker's office at 9:39 this morning.

The motion reads as follows:

Be it resolved that this Assembly adjourn the ordinary business of the Assembly to discuss a matter of urgent public importance, namely the actions of the Ethics Commissioner, an officer of this Legislature, in appointing a defeated MLA to a specially created position without that MLA observing the one-year cooling-off period mandated by the Conflicts of Interest Act and the resultant breach of public trust and loss of confidence in the implementation of the act.

The relevant parliamentary authorities on the matter of whether an urgent or emergency debate should or should not be permitted are cited on pages 689 through 696 of the *House of Commons Procedure and Practice*, second edition, and in *Beauchesne*, sixth edition, paragraphs 387 to 390, as various members referenced.

Hon. members, while the chair is aware that the Member for Edmonton-Centre is clearly very concerned about a particular decision made by the Ethics Commissioner, the chair must also caution all members that with the protection of freedom of speech that we all enjoy in this Assembly must also come a responsibility to ensure that persons outside the Assembly are not unfairly disparaged as they do not have the opportunity to respond here.

*Beauchesne*, sixth edition, at paragraph 493 reads – I believe the hon. Government House Leader quoted this as well, and I'd like to reiterate that quote – "The Speaker has cautioned Members to exercise great care in making statements about persons who are outside the House and unable to reply." Furthermore, *Erskine May's Parliamentary Practice*, 24th edition, at page 266, discourages not only acts that tend to obstruct officers in their duties and activities "but also any conduct which may tend to deter [officers] from doing their duty in the future."

Before ruling on whether this matter constitutes a genuine emergency and, as such, should pre-empt all other items of business for today, the chair would also like to note that the member in her proposed motion states that the Ethics Commissioner appointed a defeated MLA. For the record the chair notes that while the Ethics Commissioner has the ability to waive compliance with the cooling-off periods in the Conflicts of Interest Act if certain conditions are present, he has no other

involvement with the hiring of an individual to a government department.

The chair is aware that this was the first opportunity for the members to bring forward such a point, and the hon. Member for Edmonton-Centre has done so. For those of you who are new members to this Assembly, you are here to observe first-hand the procedures that have to be followed in making a request for an emergency debate. It is the chair's role under Standing Order 30 to determine whether a matter is of urgent public importance and cannot be brought before the Assembly within a reasonable time by any other means. As noted in *Beauchesne*, sixth edition, at paragraph 390, "urgency does not apply to the matter itself" but, rather, to the urgent need for the debate. Standing Order 30(7)(a) provides that "the matter proposed for discussion must relate to a genuine emergency, calling for immediate and urgent consideration." The chair cannot find that this matter constitutes a genuine emergency by that definition, and I am guided by various precedents and authorities in that determination.

3:50

Finally, in finding this request to now not be in order, I will note that there is a motion on notice on the Order Paper today to appoint a Select Special Conflicts of Interest Act Review Committee, which other members also have referenced. In fact, the Member for Edmonton-Centre happens to be one of the members proposed for appointment to that committee, and the chair presumes that she will have plenty of opportunities during that review to raise any concerns regarding the provisions contained in the Conflicts of Interest Act.

Accordingly, the chair does not find the request for leave in order, and the question will not be put.

## Orders of the Day

### Government Motions

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

**Mr. Hancock:** Thank you, Mr. Speaker. It's my pleasure – well, pleasure might be stretching it. It's my duty to move Government Motion 12.

### Evening Sittings

12. Mr. Hancock moved:

Be it resolved that pursuant to Standing Order 4(1) the Assembly shall meet on Monday, Tuesday, and Wednesday evenings for consideration of government business for the duration of the 2012 fall sitting unless on motion by the Government House Leader made before 6 p.m., which may be made orally and without notice, the Assembly is adjourned to the following sitting day.

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

**Ms Blakeman:** Thank you very much, Mr. Speaker.

**The Speaker:** Oh, my apologies. This is not a debatable motion.

**Ms Blakeman:** That's just what I was going to ask.

**The Speaker:** Yes. Sorry. Pursuant to Standing Order 4(1) this motion is not debatable.

Thank you for the rapid reminder, Mr. Clerk.

I should note at this time, however, that our Clerk is celebrating an important anniversary, and you can see why. He's very quick and ready. I would ask you to please join me in congratulating and thanking our Clerk, who this week is celebrating his 25th anniversary of service in this Assembly. [Standing ovation]

Thank you, all, for that.

[Government Motion 12 carried]

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

### **Select Special Conflicts of Interest Act Review Committee**

**Mr. Denis:** Thank you very much, Mr. Speaker. I rise to move Government Motion 13, which states: Be it resolved that a Select Special Conflicts of Interest Act Review Committee of the Legislative Assembly of Alberta be appointed to review the Conflicts of Interest Act as prescribed pursuant to section 48 of that act consisting of the following members; namely, the Member for Fort McMurray-Wood Buffalo as chair, the Member for Calgary-Hawkwood as vice-chair, the Member for Edmonton-Centre, the Member for Edmonton-Gold Bar, the Member for Fort Saskatchewan-Vegreville, the Member for Calgary-Glenmore, the Member for Grande Prairie-Smoky . . . [interjection] Mr. Speaker, I believe it's improper for me to refer to names in this Chamber.

**The Speaker:** Sorry. Are you asking for some clarification on a point here, hon. member? I was distracted.

**Mr. Denis:** Yes. I believe it's improper for me to refer to members by name in this Chamber. I just wanted to continue.

**The Speaker:** Well, in this circumstance the names are already printed there, and we'll allow it. So proceed.

**Mr. Denis:** If you'll allow it in this case, I will just go ahead here. It almost feels like I'm breaking the rules, Mr. Speaker.

13. Mr. Denis moved:  
Be it resolved that

- (1) A Select Special Conflicts of Interest Act Review Committee of the Legislative Assembly of Alberta be appointed to review the Conflicts of Interest Act as provided in section 48 of that act consisting of the following members, namely Mr. Allen, chair; Mr. Luan, deputy chair; Ms Blakeman; Mr. Dorward; Ms Fenske; Ms L. Johnson; Mr. McDonald; Ms Notley; Mr. Saskiw; Mr. Wilson; and Mr. Young.
- (2) Reasonable disbursements by the committee for advertising, staff assistance, equipment and supplies, rent, travel, and other expenditures necessary for the effective conduct of its responsibilities shall be paid subject to the approval of the chair.
- (3) In carrying out its duties, the committee may travel throughout Alberta and undertake a process of consultation with all interested Albertans.
- (4) In carrying out its responsibilities, the committee may with the concurrence of the head of the department utilize the services of the public service employed in that department or the staff employed by the Assembly or the office of the Ethics Commissioner.
- (5) The committee may without leave of the Assembly sit during a period when the Assembly is adjourned.

- (6) The committee must submit its report, including any proposed amendments to the act, within one year after commencing its review.
- (7) When its work has been completed, the committee must report to the Assembly if it is sitting. During a period when the Assembly is adjourned, the committee may release its report by depositing a copy with the Clerk and forwarding a copy to each member of the Assembly.

**Mr. Speaker,** section 48 of the Conflicts of Interest Act states:

By December 1, 2012 and every 5 years after that, a special committee established by the Legislative Assembly must begin a comprehensive review of this Act and must submit to the Legislative Assembly, within one year after beginning the review, a report that includes any amendments recommended by the committee.

The House leaders from the other parties were advised of this review and have provided members to this committee, and we have honoured their requests. I look forward to the work of all members from all sides of the House.

Thank you.

**The Speaker:** Hon. members, this motion is debatable. Are there any others who wish to participate?

Seeing none, hon. Minister of Justice and Solicitor General, I'm sure you've offered some comments, but if you'd like to officially close debate, I would invite you to do so.

**Mr. Denis:** I again would just move that the debate be closed today.

[Government Motion 13 carried]

### **Consideration of His Honour the Lieutenant Governor's Speech**

Ms Olesen moved, seconded by Mr. Luan, that an humble address be presented to His Honour the Honourable the Lieutenant Governor as follows.

To His Honour the Honourable Colonel (Retired) Donald S. Ethell, OC, OMM, AOE, MSC, CD, LLD, the Lieutenant Governor of the Province of Alberta:

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly, now assembled, beg leave to thank Your Honour for the gracious speech Your Honour has been pleased to address to us at the opening of the present session.

[Adjourned debate May 31: Mr. Quadri]

**The Speaker:** Hon. Member for Edmonton-Mill Woods, you have some time remaining with respect to the comments that you were making pertaining to the throne speech when we adjourned in the spring. Should you wish to continue, now would be the time for you to do so and to conclude with the time you have remaining.

**Mr. Quadri:** Good afternoon, Mr. Speaker. I think I concluded my speech before I adjourned the debate, so I completed it last time.

**The Speaker:** Thank you.

Are there others who wish to participate? The hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Mr. Speaker, for this opportunity to deliver my maiden speech. I'd like to introduce myself to those of you who I have not yet had the pleasure to shake hands with. My name is Ian Donovan. I live in the small hamlet of Mossleigh, just

south of Calgary. I grew up on the family farm. At the age of 17 I took over the farm when my parents moved to town after my father had a stroke. He passed away when I was 19, and the farm was left to me to look after to provide for me and my mother.

I've been part of the Mossleigh Lions Club and an active community member my whole adult life. When you live in a small town, you help build it. You support each member in any way needed because one day it's going to be you that needs the support. I started on county council at the age of 19. I worked for the people in my county the last 17 years, two of those years as reeve. Deep roots in my farming community have played a huge part in making me the compassionate, approachable, and understanding man that stands here before you today. I'm a man that prides himself on listening to the people who need to be heard and searching for reasonable solutions to issues that arise.

Now I have the opportunity to thank a few people. Today I'd like to start with my wife, Serena, who has been first and foremost an important supporter. Together we decided to start this journey. To say that my wife is amazing is an understatement; she is truly my everything. Our five children, who I don't get to see as much as I'd like: I love them with all of my heart. [interjections] I know.

To the many people who helped knock on doors, put up signs, talk with strangers, neighbours, and friends, and believed I should be their MLA; to Jodie Gateman, my campaign manager, who put all of her heart and soul into making my dream come true; to former MLA Barry McFarland, who has done a wonderful job for our constituency over his 20 years of service – filling his shoes will not be easy; I appreciate his support and his listening ear – it is very humbling that I stand here to thank each and every one of them for where I stand today. I intend to make all of my constituents proud.

Today I can confidently say that I am very proud to be a part of this team. Not just any team – I've been part of numerous teams in my life – but I'm proud to be part of this team, a group of 17 MLAs that have different backgrounds, different ideas and goals, but we all work together as one when it comes to this province.

4:00

Without our staff our jobs would be next to impossible. To all of our Wildrose caucus staff I'd like to say thank you, with a special thanks to my staff in my constituency office, Lois McLeod, and my leg. assistant, Cody Johnston. Their experience and their knowledge have been an enormous asset to me in these last few months. Even though they work in the background and they may not always be seen, they have a huge effect on all Albertans that we represent.

I've been an MLA for just a mere six months, and I've already experienced and learned many things. Today I get to touch on a couple of them. The first thing I have learned: do not always believe what you are told. I watched my colleague the Health minister believe all the lies AHS told him about the Little Bow continuing care centre in Carmangay. There are lies about the care not being good enough for seniors and the building almost about to fall down around them.

This government did not take the time to meet with the families of the residents and explain that closure would be in the near future. Neither did they take the time to go through the maintenance logs and the inspection logs. Had they taken the time, they would have seen that although the building was indeed aging with the people that were inside it, it also had been maintained with integrity and pride. They would have also seen that all these families wanted was what was the best for their family members and their loved ones. Each of these families was willing to work

with the system and find the answers to the problems and find suitable placements for their loved ones.

In our small towns in southern Alberta we don't expect money to be frivolously thrown away and spent on things that are not necessary. We look for accountability, and we take pride in the jobs we do. The staff that was employed in this facility went above and beyond to provide the level of service in this centre, and you would be hard-pressed to duplicate it in any city facility.

You can't re-create a sense of small-town camaraderie. It is made by the very people within it. I think we all witnessed this this summer when we had over 300 people in Carmangay stand up for what we felt was right.

You would also be hard-pressed to find any other facility that runs under budget in this spend-all society. You'd be hard-pressed to find any parts of the building that were actually falling apart. The maintenance man, Roger Burke, had dedicated over 25 years of his life to making sure that building was in sound shape.

[Mrs. Jablonski in the chair]

You see, we small-town folk take pride in every aspect of our lives. We small-town folk remember each and every day that these seniors, who suffer from terrible diseases like dementia and Alzheimer's, were the very people that built this province, and without them we would be nothing. We appreciate the simple things in life, and sometimes the simple things are being able to walk across the street, take a piece of pie to your neighbour, and just say, "Hi," just because you can.

You see, the issue that happened in my riding, in one of my small towns, is near and dear to my heart. My mom was a resident in the High River hospital in the long-term care unit. We had recently celebrated her 80th birthday, and like the 18 residents in Carmangay she suffered from dementia.

**An Hon. Member:** Just take a deep breath.

**Mr. Donovan:** I'll drink Wilson's water, too.

While we were on the stairs of this very building on April 23, in the facility of Carmangay my mom passed away. So I do care for every person in my constituency. I will go to whatever lengths it takes to make sure that each and every one of them, even though they might not even remember their name, is treated with the respect and the dignity they deserve.

As a Member of this Legislative Assembly, whether you're just an MLA or a minister in the government, it's our responsibility to speak up for all of those who cannot speak up for themselves and protect those who need protecting. I can honestly say that as a son and as a member of the community, and – right on. Always nice to have water. Where was I at? Blah, blah, blah, blah, blah. That can be in *Hansard*, I think.

I did what I said to make sure that my mom and the 18 residents of Carmangay had the best care and were treated with the dignity and respect they so deserve. I'm thankful my mom wasn't facing a move at the end of her life into another facility that was not a home.

I hope that if you ever find yourselves in the same particular position that I did, there are injustices happening around you to the people you love, you also stand up for what is right and do not take the lies and the padded answers. I hope you demand accountability, responsibility, and fairness. For us small-town folk it's just called respect.

Another thing I've learned in this short time is that this government is not considerate of how Albertans seem to be and where they live and the ability to read a map. It is interesting to me that they would have some of their MLAs enter into ridings

that aren't even theirs and publicly proclaim: I'm your MLA. These MLAs live five or six hours away, and they weren't even on the ballot in the riding that they were about to visit. It is interesting to me that there are some in this room that assume these constituents, these voters, are not intelligent enough to recognize this proclamation as untrue and outright rude. I do not believe it makes a difference whether you live in a rural riding or an urban riding. These people, these voters, these Albertans are not morons, and they need to be treated with the respect that this province should be demanding.

I think there are times for teams to join. I think there is a lot of information that can be shared. Other MLAs want to come tour a neighbouring riding or see similar ridings with assets and issues, but keep respectful and professional relations. Please know that if you ever enter into my riding and proclaim something as silly as being the MLA, you're basically slapping my voters in the face and telling them that their democratic rights are meaningless. That is not a message I want my voters to hear or any voter to hear. Remember, they voted for me, not for you. Your name wasn't on my ballot, so unless I'm standing here today in error, this shows how Little Bow did vote. Look around this room. This is how Albertans voted on April 23. With no immediate pending election there's no reason to be out campaigning, so please don't have your Deputy Premier introduce you as "your MLA" in my riding. I think it's a bit rude.

The most concerning thing I've learned in the last few months is that there are good people on this side of the floor, and there are good people on that side of the floor. The concerning part to me is that even though we have good people sitting around the tables at meetings, governing this province, we still seem to work against each other. I personally hope to be able to work with you, not against you. I hope I can find solutions to the problems that we face in this province instead of the power struggle that we seem to be stuck in.

A few weeks ago I showed up at a press event the Premier was attending in regard to the E coli issue in this province. I being the agricultural minister, or agricultural critic – that's next term. Sorry. Just planning ahead. Along with my colleague and friend Jason Hale from the Strathmore-Brooks riding we attended to show support for the residents of his riding as well as him being a beef producer himself.

We were told by the press secretary for the Premier, "This is our event; you guys stay away," meaning that as opposition we couldn't possibly work with the Premier and her ministers for Albertans; meaning that we couldn't possibly have anything important to contribute to finding a solution; meaning that even though one of us, Mr. Hale, lives in the riding, we couldn't possibly shed light on the background of things to help the employees of this Brooks plant; meaning that showing up couldn't possibly have an effect other than negative for Albertans to see that MLAs, no matter what party they are from, do all work for the common good of Albertans. We were at the event to support the Premier and the livestock producers and to show that we are a unified Alberta. The agriculture minister took the time to thank us for coming and recognized that our intentions were honest.

I would like these bullying tactics that I've witnessed so far to stop. I would not use them with you, but I can if I need to. I feel that if we all work together when we leave this room, we'd be acting as a positive force for all Albertans, not as a negative one on the outside. I've told many people in my riding: I don't care who you voted for on April 23, whether it's NDP, Liberal, the PCs, or the Wildrose. I'm here to work for them. I'll do my best for every person who calls or writes. I'm a very optimistic person.

I believe we should respect each other and our differing views. I believe we can and should look past our differences and do what's best for Albertans, all Albertans. That's what we're supposed to do, all 87 of us who were voted to be in here.

4:10

Madam Speaker, I look forward to the next three and a half years of lively debate and respect for each other in this room and outside of it. To all of you that have talked to me about wanting an actual free vote and not a whip vote, you still have a chance. You can come and join our team and be part of the Wildrose government of 2016.

**The Acting Speaker:** Thank you, hon. member. Very passionate maiden speech. I found myself agreeing with some of your comments.

Now, hon. members, Standing Order 29(2)(a) allows for five minutes of questions and comments. The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much. I'm wondering what specific issues the member is looking to move forward. Let's say two or three from your constituency and two or three from your other interests in life. What are the issues that you're looking to drive forward in the next three and a half years?

**Mr. Donovan:** That's an excellent question. Well, there are quite a few things we could start off on. I think balancing a budget is key and crucial. I'm a farmer by trade. I'm not as smart as some of the other members that live in different ridings around here, but I think we've got to look at the fact that – in my business I have to run a balanced budget. I think this is a business, and we have to run a balanced budget.

In all fairness to the current government they've pulled out about six items that we brought up while we were campaigning, so I think we are bringing some of the things to the table, and I think we can work with them on some items. I think we have to find some continuity in this government and try to figure out how to work together. I like to argue with the best of them, but at some point you have to move forward.

How much time would you like?

**Ms Blakeman:** Three issues. Three and three. Personal and from your constituency.

**Mr. Donovan:** You want constituency? Well, I guess we'd like to have to some roads down there. There's an overpass in Nobleford that needs to be built. That's one of the key ones.

It's been touched on before, and I don't know if everybody noticed it or not, but a long-term care centre in Carmangay happened to be closed over the summer. I would like to work with the Minister of Health to figure out what to do with that building now, whether there be a pilot project, whether there be a private owner to come in and buy it, and take care of that because right now that has crippled that town. Don't get me wrong. It's not going to kill them because they will get back up, and they will stand up, and they will fight, and they will survive. The point of it is that there's a perfectly good building there. They say – I can show the studies here and all the numbers that they did themselves – that these are things that need to be done.

The schooling in our riding is very diverse. We have home-schools, we have private schools, we have lots of religious schools, and we have public schools. I think they all need the right to be able to learn what they want to learn and to be able to teach what they want to be able to teach.

**The Acting Speaker:** Thank you.

We still have a few minutes on Standing Order 29(2)(a). Would anybody else like to participate?

Seeing none, we'll move on to our next maiden speech. I would ask the Minister of Energy.

**Mr. Hughes:** Thank you, Madam Speaker. I'm deeply honoured today to rise in my place to give my inaugural address to the Legislature of Alberta and to respond to the Speech from the Throne. The Speech from the Throne focused on reaching new heights, supporting Albertans, strengthening our economy. When I listened, I could not help but think about my own family and its history in this province. I thought about how far our province has come, but most importantly I reflected on the fact that in 2012 we still hold the same values and virtues as the men and women who built this province.

If I were to put a title on my comments today, it would be *We're Albertans by Choice*. My family has been in Alberta since before Alberta was a province. Like many Albertans, my forebears made a choice. Their choice to come to Alberta was a deliberate act. In some cases it was actually a deliberate, informed act, but in some cases it was to escape circumstances with less opportunity, more difficult lives, or constrained social circumstances.

My mother's father, William Gardner, passed through Alberta in 1896 and two years later returned because he felt an irresistible attraction to the foothills and the mountains. Alberta presented an immense opportunity to carve a ranching life out of the foothills at the turn of that century. He was one of the first people in his area to put up a barbed wire fence to keep his cattle in and other people's cattle out. Not everybody was happy with that. William Gardner, though, had a choice. He'd been in the British navy. He'd been around the world. He travelled immensely, including once as a young sailor accompanying a royal delegation to attend a czar family wedding in St. Petersburg and later crossing the Panama isthmus on foot while the Panama Canal was under construction. The world was his oyster, so to speak, but he chose Alberta.

He met a young daughter of an Irish doctor practising in Calgary, Sarah Waddy, and they were married in a small church on the Tsuu T'ina reserve in 1901, adjacent to the boundaries of the constituency I now represent. Together they made a choice. They chose to put down deep roots, raise their family in Alberta near the Chain Lakes, south of Longview. Amongst those children born on the ranch was my mother, Mary.

My own father, Jim Hughes, was born and raised in Hereford county in England. The Hugheses and the Hereford cattle have been closely linked for several generations of both species. My father and his family members all knew Hereford cattle well. Before he left England, he spoke to people who shipped cattle all over the world from Herefordshire. He could have gone anywhere, but at the end of his research seeking the best cattle country in the world, he chose Alberta and arrived here in the late '20s, joined soon thereafter by his brother Tom.

Now, Jim and Tom made their respective choices. They had tough times, and they had good times. They built a cattle business through the Dirty Thirties. They never forgot the value of a dollar or the value of their family or the value of their community.

My parents were married in 1939 and chose to raise our family, again, in the cattle business. Alberta was good to them. They lived long and healthy lives, my father to 100, my mother to 95. So I'm sticking around. In so many ways their lives reflected the lives of so many others who also chose Alberta. They worked so very hard, overcame immense challenges of nature, and carved out a life here. Together with others they formed a community that

came together when needed and respected each other's need for space the rest of the time.

Denise, my wife, emigrated from Ireland to Canada as a very young child. She never made that particular choice, but her parents certainly did. Denise chose to stay in Alberta, and I must say that I'm very pleased that she did and so are our three teenage children, Aidan, Carlan, and Eamon.

I share these stories, Madam Speaker, as they are stories that are common to so many Albertans who live here today. People came to seek opportunities: some for adventure, some to build a new life, some to find a job that would support a growing family, some to escape the social and economic constraints of the old country.

Now, the earthly remains of all of those members of our family who came before us rest for eternity in the cemetery in High River. Their spirit, however, propels us forward with conviction and determination to continue to build that which they started. Each generation has the same choice. Each generation in our case has so far made the choice to stay and build a life in Alberta. By so doing, they help build the Alberta story and our community and, as an extension, our nation and the wider world.

Where does this lead us, Madam Speaker? It leads us to today, to our own current choices, to our own desire to continue to build an Alberta so that future generations also will choose to come to Alberta. What are the values we share that will allow us to continue to build that province, that magnet for humanity, that beacon of opportunity? What will guide our choices? First, we highly value our landscape and our environment much as did my grandfather. The test is this: if we were to be here in 50 or 100 years, would we be proud of what Alberta looks like? I'm honoured to be part of finding that balance here in this very Legislature in the near future. I'm proud that this government understands and has outlined the need for responsible development and the means to achieve it.

Secondly, we as Albertans are a community which has a special brand of consensus politics going right back to 1905. We can disagree greatly, but at the end of the day we can also consistently come together as Albertans in a way almost unlike any other province in this country.

**4:20**

As a personal aside, Madam Speaker, at least in my family – and I know this is true for many others – politics is just one expression of living in this community. Seldom a full career or calling; rather, it is a way to build the community beyond the personal needs of one's own family or business. For example, my father together with newspaper publisher Charles Clark of the *High River Times* worked to recruit signatures to recall Mr. Aberhart in the 1930s. Ultimately, it was an unsuccessful democratic exercise, but it was an engagement in community. My uncle Tom Hughes, whose daughter Maxine is in the gallery today, ran on the Peter Lougheed ticket in Okotoks-High River in 1967, narrowly missing out on becoming the eighth new Progressive Conservative member in that Legislature. I have the evidence here to prove that he was actually a candidate at that time with this campaign brochure.

In short, Madam Speaker, public service is an honourable calling.

Incidentally, Maxine is joined in the gallery by my niece Dr. Sarah Hughes and her husband, Dr. Andrew Simmonds, both of whom have also chosen to do their medical leading-edge research here in the province of Alberta.

Now, I cannot mention the Hon. Peter Lougheed without adding to the mountain of tributes rightfully sent his way. He was a pillar



of our province, a leader of our nation, an icon of public service, and the very definition of the public interest in his conduct.

I must also echo the recognition delivered earlier by our colleague from Calgary-Glenmore with respect to the late Hon. Harvie Andre, a former Member of Parliament. Harvie was a dedicated and spirited servant of the people of Canada, a fierce defender of the interests of western Canada in a strong and united Canada. We will miss him dearly.

Madam Speaker, the third common value that we as Albertans believe in is the importance of free enterprise, of the market economy, the creative genius of individual enterprise because it has served us well as a community, as a province.

Fourth, we believe in supporting those who need assistance in our communities. There's a common commitment to social justice in this province that sees business leaders taking on a challenge like ending homelessness in this province within 10 years. I am proud this government has increased AISH payments and that we are taking the needed step of supporting first responders.

Fifth, Madam Speaker, increasingly we are recognizing that we as Albertans are citizens of the world. When I wrote the birth announcements for our own children in the mid-1990s, I said that they were lucky to be born Canadians with the opportunity to become citizens of the world. Now, within less than a couple of decades, we all need to become citizens of the world. We are defined by our connectedness to others in this world by virtue of our need for markets for our products – agricultural, forestry, or energy in nature – and by virtue of the fact that the citizens of Alberta have come from around the world to join the First Nations people who arrived here more than 10,000 years ahead of the rest of us.

Now, Madam Speaker, in 2011 our eldest son and I joined a group of 35 other Albertans on a climb to the roof of Africa, Mount Kilimanjaro, raising a million dollars for orthopaedic services in this province and leaving behind a substantial contribution for health care training in east Africa. I'm still recovering. This is just one example of how Albertans are becoming citizens of the world.

Building on those fundamental values is how I will seek to guide my conduct in this House and beyond. I'm honoured to be one of only 34 Albertans who has served in both this Legislature and in the House of Commons of Canada. One of the first was Mr. R.B. Bennett, who started here and later became Prime Minister of Canada. I have no such ambition, Madam Speaker. I look forward to working with members from all sides. Some of my best work when I served in the federal House of Commons was accomplished working with all parties. Good ideas can come from anywhere. All we need is the goodwill to turn ideas into good work. I will work hard to treat colleagues with respect. I will work hard to ensure we always meet that important test in any choice we face, defined by the question: what is the public interest?

I particularly look forward to representing my constituency of Calgary-West, one represented by former Prime Minister R.B. Bennett in the federal House, by former Premier Peter Lougheed in this House as well as many others in this Legislature.

The communities of Aspen Woods, Christie Park, Discovery Ridge, Sienna Hills, Signal Ridge, the whole Signal Hill area, the Slopes, Springbank Hill, and Strathcona Park are vibrant, young, growing communities. They represent some of the fastest growing communities with all the needs that that implies. People work hard, raise families, and they love their communities. I'm proud to work with them to help ensure that those communities continue to flourish as a strong element of this great province.

I ask all members of this Legislature and Albertans beyond to help build a province which will continue to be a community of choice as selected by the citizens of the world. When I looked at where I wanted to live and raise a family, I chose Alberta, and I will continue to choose Alberta. I do so as a proud Canadian.

Thank you.

**The Acting Speaker:** Thank you very much for that very fascinating history of your family and another excellent inaugural speech. I don't think you prefer maiden speech.

As we all know, Standing Order 29(2)(a) kicks in, and it allows for five minutes of questions and comments. I think the Member for Edmonton-Centre would like to comment.

**Ms Blakeman:** Yes. Thank you very much. That was very interesting, and thank you for sharing a bit of your background. I have a funny feeling that my grandmother is buried in the same pioneer graveyard in High River, Millarville, somewhere. There's a pioneer graveyard with a log cabin, and evidently you can only be there if you've been approved as a pioneer family, so she's there.

I would like to ask you the same question. Why did you run for public office? Now, you served federally as well. What is the issue you're trying to accomplish? What are you trying to move forward? How are you trying to change the world in the period of time that you're going to be in this next session?

**Mr. Hughes:** Thank you for that question. It's a great question, actually, Madam Speaker. I did have a choice. I was serving in my own business capacity for many years, and things have gone exceedingly well. We've been very fortunate. But I felt that at this stage in my life I could make a contribution to this province. Having served in the House of Commons for five years, you know, you learn that your time is shorter than you think it's going to be, that you need to have a sense of urgency as a member in any Legislature, that you need to be committed to an objective that you're trying to accomplish.

From my perspective my goal is: I would be pleased if I could make a contribution with respect to finding that balance between economic development and environmental protection. I come, obviously, with a deep and long-standing multigenerational appreciation for the landscape and for the land in this province. From those roots and from that background I have a deep commitment to ensuring that we do the right thing by the environment in this province so that our kids and their kids and their kids for several generations out look back and say: you know, they did the right thing.

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

**Ms Blakeman:** No one else wants to question?

You at one point – it was one of your major pieces of why Alberta is great – talked with great emphasis on the free market. I'm always interested in why there is such emphasis put on that private sector and no accompanying recognition of the NGO and public sectors. You have been a public servant; you have served the people before. I'd like to hear why you don't talk about the contributions of the charitable sector, the recreation sector, youth, culture, health care as a public sector, teaching, education as a public sector. None of those are ever mentioned. It's always how wonderful business and the free market is. End of discussion. So I'd like to hear why you don't talk about the other half of Alberta.

**Mr. Hughes:** Well, Madam Speaker, I would say that, you know, my own life has been an example of a deep commitment to public

service. I paid for my own way to go to Harvard to get a master's degree. I came back with a pickup truck and \$60,000 debt to my name.

4:30

I've demonstrated through time, through service in the federal House, through commitment through my service as the inaugural chair of Alberta Health Services, through commitment to helping with a group of other friends to organize the first World Cup in cross-country skiing, to being quite active in the community – it's a lifestyle to be active in the community. It's part of the community of which I spoke in my comments earlier. It is an important part of it, but the fundamental underpinning of our society is that we have to create the ability and the capacity to have all of these other opportunities for ourselves.

The free-market enterprise that we all see demonstrated in this province probably more than in any other province in the country, that we're so proud of, is actually the fundamental underpinning. The economy is the fundamental underpinning of having the ability to ensure that we treat everybody fairly and that everybody has opportunity and that we have a cultural capacity in this province which exceeds a lot of other places in the world, that we can celebrate that and we can enjoy it and we can make the most of it. You know, the charitable communities, obviously, are all important institutions in the community of which I spoke.

**The Acting Speaker:** Thank you, hon. member.

I'd now ask the Member for Calgary-McCall for his response to the throne speech.

**Mr. Kang:** Thank you, Madam Speaker. Thank you for the opportunity to respond to the throne speech. It is an honour to have the chance to rise and respond on behalf of the people of my riding of Calgary-McCall. Before I begin my remarks, I would like to thank the residents of Calgary-McCall for once again putting their faith in me and giving me their trust. It was hard work to gain their trust, but I thank them again for giving me their trust. Their support is precious to me, and I will work very hard to serve them as well as I can.

I would like to thank the many volunteers who worked day and night on my re-election campaign, and I'm very thankful for all their support. I would also like to thank my staff for their hard work and dedication. It was the hard work and the dedication of my staff which made my re-election even possible. Without their support it wouldn't have been possible for me to do my job.

Finally, I would like to thank my family for their extraordinary patience and love over the years. Without their support I could never have entered politics, and I certainly couldn't continue in politics. I'm sure all members of this House understand what I mean when I say that.

It has been months since we heard the throne speech, but my concerns have remained the same. There was no mention of eliminating our structural deficit so that we can safeguard and improve the vital services we all value such as health care and education. There was no mention of improving seniors' care. We need more home care and long-term care beds so we can cut down the wait times in the hospitals. There was no mention of improving the provincial government's relationship with our cities, towns, and villages, of giving them the reliable and predictable funding they need, or of treating them with the respect they deserve. We need to build more schools, Madam Speaker. My riding, Calgary-McCall, needs a high school and a junior high very badly, and we also need a kindergarten school. However, these failures of this throne speech have already been discussed,

first during the short session immediately following the spring election and then throughout the summer, when the Alberta Liberals continued to hold this government accountable for their actions.

Now I would like to speak of a failure that has not been properly discussed, the failure to support new Albertans, Madam Speaker. My riding of Calgary-McCall is incredibly diverse. Many immigrants to Canada have made it their home, and many more immigrants continue to arrive every day seeking to make a new and better life for themselves and for their families. It is an incredible place, where you can hear many different languages, explore many different cultures, celebrate many different festivals, and enjoy many different foods. Calgary-McCall is home to new Canadians from Pakistan, India, the Philippines, China, Africa. You name it, and they are there. They are hard-working people who want to contribute to their new communities, but it is difficult for many of these new Albertans to reach their full potential and, as a result, to contribute their best to Calgary and to this province and the country.

The main reason for this is the language barrier, Madam Speaker, and as I have mentioned, this is something that is not addressed in the throne speech, support for new Albertans. This lack of support for new Albertans is most unfortunate. To understand why, think of it this way. Just imagine what Alberta would be like if we suddenly decided to leave our oil buried, underground, how poor we would be. Of course, we do not do that because it would be foolish to waste such a precious resource.

Unfortunately, however, this government is leaving massive resource wealth untapped, and it is costing every Albertan money. This government is failing to develop our human resources by neglecting to help new Albertans develop the language skills they need. This government's failure to invest in English as a second language, or ESL, is just plain foolish, as foolish as leaving the oil in the ground. This government's failure to value human resources as much as they value natural resources means that we are leaving billions of dollars of potential wealth untapped. That is why we encourage this government to properly fund ESL training for new Albertans and for their children.

Proper ESL funding will help new Albertans to better integrate in and interact with the broader community. By increasing funding to traditional ESL as well as Internet and mobile ESL, this government would not only tap into the knowledge and skills new Albertans bring; it would also help to unburden our social services, our teachers, and help newcomers to reach their full potential. The great thing is that increasing our investment in ESL would cost far less than the value of the benefits it would bring. A 50 per cent boost in ESL school funding would require an investment of only \$56 million a year. An additional investment of \$20 million a year would allow us to meet the needs of workers and their employers by providing Internet and mobile ESL. The throne speech fails to offer this kind of support.

Other ways to help new Albertans to contribute all they can to our province would be to provide more settlement funding and to get serious on foreign credentials so that we could have foreign-trained doctors, engineers, and other professionals fully contributing to our economy. None of these supports are offered either. This is very shortsighted when you think of it, Madam Speaker, because while our past wealth came from developing our natural resources and much of our present wealth comes from developing our natural resources, as we move deeper and deeper into the 21st century, more and more of our wealth will come from developing our human resources. This government needs to get serious about this, and I hope this government will take Albertans' concerns to heart and start making decisions that benefit all of us,

not just those who sit across the floor from me. Just as leaving oil underground is foolish, so is leaving knowledge and skill untapped due to a lack of English skills or a lack of recognition of foreign credentials.

Madam Speaker, it is disappointing to see that the throne speech focused more on crafting delightful sentences than presenting a plan for Alberta. I would have preferred more concrete language offering support for our cities, towns, and villages, for families, for students, for seniors, and for new Albertans, so many of whom live in my riding of Calgary-McCall. This throne speech fails to offer a vision to support Albertans, those who were born here and those who moved here from other provinces and from all over the world, as I came from India to Alberta in December of 1970. I know more needs to be done for all Albertans and all new Canadians. The speech does not meet their expectations, so I simply cannot support this throne speech.

Thank you very much.

**The Acting Speaker:** Thank you for your comments, hon. member, and thank you for helping us to understand your constituents better.

Under Standing Order 29(2)(a) would anyone like to comment or question the hon. member? The Member for Calgary-Mackay-Nose Hill.

4:40

**Dr. Brown:** Thank you, Madam Speaker. I'm just wondering if the hon. member could comment on the status of the airport tunnel, that he was such an ardent advocate for, and what his next great cause will be after the airport tunnel is completed.

**Mr. Kang:** Thanks for the question. Importantly, I think I was the only MLA in the House who was advocating for the airport tunnel. Thank God, touch wood, I was successful. The airport tunnel will be open in 2014, and you will know the benefits of the airport tunnel when it's open because you will be able to drive from the northwest all the way down to Stoney Trail in 2014. So fewer greenhouse gas emissions. In going to the airport, you won't be stuck in the traffic for hours and hours because there will be another access to the airport.

My next mission? We all know that our schools are bursting at the seams. We need more schools in Calgary-McCall, in Chestermere, everywhere, so my next mission will be education and balancing the budget because we are spending our future generations' money. We should be looking at saving some. Now with – I'll say it – the nonsense, you know, of that study going on, I don't know what's going to happen to the heritage trust fund. I'm afraid because the sustainability fund is almost all gone, and I don't know what the future of the heritage trust fund will be. Those are my concerns. We should be saving for future generations so they can have better, if not the same, living standards than we have today. That's my concern, and that's what I'll be fighting for.

**The Acting Speaker:** There are still a few minutes left under Standing Order 29(2)(a). Are there any other members who would like to question or comment?

Seeing none, I would ask the Minister of Transportation to present his response to the throne speech.

**Mr. McIver:** Thank you, Madam Speaker. As the 808th member of this Assembly, far from number 1, I thank you for the opportunity to rise today and honour the tradition of new members delivering their maiden speech. It's especially nice to do this on

the six-month anniversary of becoming the MLA for Calgary-Hays as part of a strong, stable, majority PC government.

I would be remiss if I did not congratulate the Speaker on becoming the 12th Speaker, I believe, of the Assembly. His place in the history of our great province is well earned after 19 years serving in the Legislature, and I'm sure he will distinguish himself as an unbiased and wise referee in the years to come, something his hockey official training has no doubt prepared him for.

By way of introducing myself to the House, I would have you know that I became an Albertan at 9 p.m. on July 26, 1981, when the plane I was on landed in Calgary. I am proud to say that I chose Alberta, and my employer of the day granted my request to relocate.

I'm also proud to have grown up in Woodstock, Ontario, as the fifth of seven children in a working-class home, the son of a welder and an office worker. The endeavours of my parents would have fit quite nicely in the Alberta economy of that day and today as well. In fact, my parents still inspire me today. I can assure you, Madam Speaker, that if I have any success debating issues in this House, it's due in large measure to the best and most basic training in debate and negotiation I received while living in a household of nine people with only one and a half bathrooms.

Both my parents and all four of my sisters still live in Woodstock. The three brothers McIver have all lived in Alberta at some point. Today my older brother is in Petawawa, Ontario, and my younger brother in Red Deer, Alberta.

I'm blessed today to be married to my beautiful and inspiring wife, Christine, who makes me smile and who is the founder and chief executive officer of the Kids Cancer Care Foundation of Alberta. Between us we have four children, all in Calgary. We're also blessed to have two grandchildren, Quinn and Zander, who quite simply remind us why it's so important to leave the province and the world in better condition than we found it.

Politically, Madam Speaker, I will lay claim to being determined and persistent. My first inspiration to serve publicly came from the father of a high school friend. A fellow named Bill Allen operated a lumberyard in Woodstock and served as mayor there for several years. During the teenage years, when I was hanging out with his son and a lot more interested in serving myself than helping others, he shared some of his inspirations for and experiences in public service. Despite my efforts to ignore the positive message, some of it seemed to stick.

Back in '98 I first ran for the position of alderman in the city of Calgary, where my dreams were crushed in a sound thrashing at the hands of the inimitable Sue Higgins, who today remains a legend of Calgary city hall. This was followed by another loss in a by-election, and finally in 2001, thanks largely in part to the retirement of Ms Higgins, leaving an empty seat on city council, I got elected.

The next nine years were filled with terrific opportunity, one after another, to serve Calgarians by both supporting and bringing forward positive changes and, in turn, fighting off proposals not in the public interest. During this time I had many chances to interact with the Alberta government. I was able to work, interestingly enough, with Alberta Transportation to co-ordinate the construction of interchanges on the Deerfoot Trail, where traffic signals had been the bane of the existence of thousands of citizens for years. Today, of course, the Deerfoot is ready for more improvements.

For eight years I served on the board of the Alberta Urban Municipalities Association, working with many ministries on legislative improvements as well as funding programs culminating in the municipal sustainability initiative, which stands today as the very highest standard of infrastructure funding for municipalities

across Canada. I'm so pleased that our Premier has committed to extending this program, giving municipalities more certainty in their funding plans.

I've also had the privilege during that time of serving with the Calgary Police Commission for two years and chairing the Calgary Housing Company for three years, which, interestingly enough, is the largest landlord in the city of Calgary, at that time serving well over 25,000 people.

I was also fortunate to serve on the Metropolitan Calgary Foundation, providing housing for seniors; chairing the Community and Protective Services Committee, overseeing emergency services; and leading the family and community social services committee.

Madam Speaker, the greatest gift I have received from public life is that I have been required to decide what I believe. Through being asked to explain over and over again into a media microphone what's important and then to live with that record and defend it, something great happens. A set of firm beliefs develops. This guides my thoughts and words and actions and gives me at least a chance to succeed in public service.

Madam Speaker, I don't want to miss this chance to thank the people of Calgary-Hays for the absolute honour of representing their interests in this Legislature. Members may know that Calgary-Hays consists of the communities of Quarry Park, McKenzie Towne, McKenzie Lake, Douglasdale, and Douglas Glen. The riding is bordered on the west by the Bow River, on the south by the 22X, on the east by 52nd Street, and on the north by the community of Riverbend. I had the opportunity in my past political life to have an impact on the planning and development of this riding, and I look forward to working with both my municipal and federal counterparts in securing the infrastructure and legislative needs of the area, including recreation facilities, the LRT, improvements to the Deerfoot Trail, completing the ring road, and the full opening of the south Calgary health campus.

I would like also in this Assembly to express my gratitude to the Premier for her confidence in asking me to serve as her Minister of Transportation. Although I have much more to learn than I know today, I understand the importance of the portfolio. Transportation is a cornerstone of our economy and our quality of life as Albertans. Transportation is our link to the rest of the world and our very lifeline. Only with a strong transportation network can we secure the future of our children and grandchildren.

The entire province needs to be listened to and worked for in this portfolio. Many projects which are not in the headlines of the media are nonetheless urgent to Albertans across this province. I recognize the need to listen twice and speak once to Albertans. Madam Speaker, I pledged a few short months ago to carry out these duties to the best of my abilities. I shall remember that promise.

With the support of our Premier and this government we have already committed to completing highway 63 from highway 55 to Fort McMurray, and I say "we" because nobody does this alone. We have put in place important infrastructure in Sylvan Lake, Medicine Hat, Cochrane, and Diamond City amongst other places. We have in place commitments to complete 100 per cent of the Edmonton ring road and 70 per cent of the Calgary ring road, with more to follow.

4:50

In short, Madam Speaker, this government is listening to Albertans and acting on their priorities from north to south and east to west. I'm very excited about the future of Alberta. God has blessed our province with resources, agriculture, great people, and

terrific neighbours. It's now our duty to manage those blessings wisely.

I look forward to working with all members of this House and all Albertans to create together a future where we can truly say four years from now and then, indeed, 40 years from now that we left it better than we found it.

**The Acting Speaker:** Thank you, hon. member. I agree with you about leaving it better than we found it. Thank you for your very articulate speech.

Standing Order 29(2)(a). Anyone wish to question or comment?

Seeing none, we'll move on to our next speaker, and that would be the Member for Strathmore-Brooks.

**Mr. Hale:** Well, thank you, Madam Speaker. It's a distinct honour to speak in this session of the 28th Legislature of the great province of Alberta. I want to thank the constituents of Strathmore-Brooks for giving me the privilege to represent them and share their successes as well as their concerns here today.

I would also like to recognize a friend and mentor by the name of Fred Mandeville, a long-time MLA in my constituency. It was people like him who inspired me to become active in provincial politics.

I take great pride in sharing with you some highlights of what makes the Strathmore-Brooks constituency truly great. Dinosaur provincial park is a United Nations educational, scientific, and cultural organization heritage site. It's located northeast of the city of Brooks along the Red Deer River. Dinosaur provincial park contains some of the most important fossil specimens discovered from the age of dinosaurs period in the Earth's history. The property is unmatched in terms of the number and variety of high-quality specimens, which date back over 75 million years. The park contains exceptional riparian habitat features as well as badlands of outstanding aesthetic value.

The John Ware cabin is also located in Dinosaur provincial park. A true pioneer, John Ware was an African American born cowboy who established his reputation in frontier society with deeds rather than words. His skills in the saddle and straightforward honesty earned him the respect of fellow cattlemen, First Nations, and entrepreneurs. John Ware was the first of many immigrants from a multitude of nations who live and work in my constituency.

Madam Speaker, water is the lifeblood of southern Alberta, and the Bow River is critical to the urban and rural health of this region. The western and eastern irrigation districts have roots which are firmly planted in the history of Alberta. In order to attract settlers to the area, the Canadian Pacific Railway began construction of a network of irrigation canals and reservoirs, starting with a diversion weir across the Bow River in Calgary in 1904.

On May 1, 1935, the Eastern irrigation district was formed. Originally the CPR had planned on closing the western section of their irrigation system, but after two years of meetings between the farmers and the CPR the Western irrigation district was born on May 1, 1944.

Madam Speaker, irrigated farmland provides the world with 40 per cent of all food produced. We are indeed fortunate to have two irrigation districts within my constituency that provide water to 400,000 acres of farmland. In addition, irrigation water is provided to 1,900 farms, over 25 industries, and a number of large feedlot operations.

The Strathmore-Brooks constituency is proud to host the Brooks Kinsmen Pro Rodeo in June and the Strathmore Heritage Days pro rodeo and chuckwagon races in August. I would like to

invite all residents of Alberta to these events, which allow us to preserve and enjoy our rich western heritage.

The Strathmore-Brooks constituency is home to numerous recreational opportunities: the Crawling Valley campground, Kinbrook Island provincial park, and Rolling Hills campground, just to name a few.

We are home to the Rosebud School of the Arts. The Rosebud school is famous for its first-rate theatrical productions while developing the knowledge, skills, and attitudes of other students in a Christian context. I would also like to recognize the Brooks campus of Medicine Hat College. The parents and the students of my constituency value the opportunity to be educated in their own homes.

Madam Speaker, I would like to take a few moments today to address a crisis that has affected my constituency. Over the past month the Brooks area has been crippled by the E coli incident found within XL beef and the loss of work which has been associated with it. While this is an unfortunate situation, I am proud to have witnessed such a positive and overwhelming amount of community support to help the workers and the Alberta cattle producers. I am proud to have worked alongside the city council and our MP in a collaborative effort to move the situation in the right direction. This is about our community, and I'm happy to see all levels of government and community groups coming together.

Every MLA in this Legislature has a story about how and why they're here today. I would like to share my story. My great-grandparents settled in the Bassano area in 1910, and my family has been living, working, and raising our children there ever since. My wife, Maggie, and I along with our two sons, Levi and Blu, are currently running a cow-calf operation near Bassano. We along with other hundred-year farm families treasure the agricultural legacy that five generations of blood, sweat, and tears have provided.

Madam Speaker, it saddens me to tell you that I know of a hundred-year farm family in my constituency who is returning their Alberta government hundred-year plaque. They are no longer proud to receive recognition from a government which they believe is taking away their property rights.

My constituents and I are concerned about Bill 19, Bill 24, Bill 36, and Bill 50. The current government has methodically and incrementally eroded Albertans' right to own property or to be compensated in a fair, reasonable, and transparent way, and this government's throne speech showed no commitment to change their ways. Madam Speaker, the reason I am standing here today is because my constituents want good government, a government they can trust to look after their best interests. It's my commitment to the people of Strathmore-Brooks to stand up for their rights and represent them in this great province.

When it comes to advances in civilization, it is said that we all stand on the shoulders of giants. I suggest to you, Madam Speaker, that the seniors in Alberta are our giants, and we need to be more respectful and appreciative of their contributions. I have talked with many seniors who are struggling to make ends meet. In this time of rising food and energy costs seniors have little protection due to minimal or nonexistent cost-of-living adjustments. Without these types of adjustments the Alberta government is taking away their dignity at a time in their lives when dignity is the thing they hold most dear. I am fully committed to standing up for the rights of our seniors and ensuring they live the life they deserve.

Madam Speaker, I graduated from SAIT with a diploma in chemical technology, and I'm an oil field consultant with hands-on experience in the oil and gas industry. I have worked in

Alberta, Saskatchewan, Manitoba, and yes, I have worked in Fort McMurray. I have seen and I know the reality of large national and international oil companies building and running multibillion-dollar enterprises under very difficult conditions. As the Wildrose Energy critic I will look forward to holding this government accountable when it comes to defending and supporting the oil and gas industry in Alberta, and I look forward to holding them to account on their misguided Canadian energy strategy.

I believe that education is essential to Alberta's future. There are challenges we face as a growing province. I along with the Wildrose caucus am committed to ensuring Alberta's students are ready to be leaders in a changing global economy. I believe that educational decisions that affect our children should be made locally. I also believe that important core values taught to us by our parents should resonate and be supported by the educational curriculum and the teachers. Madam Speaker, what is more important than the development of successful learners, confident individuals, and responsible citizens who make a positive contribution to society?

I am concerned with health care, as most of you are. As a family we've had many experiences within the current system. My father was a quadriplegic and in a wheelchair for 40 years. We have endured many visits to numerous clinics, hospitals, ERs, ICUs, and, last but not least, home care. Madam Speaker, I must emphasize that it's been my experience that the professionals who provide the care are excellent, but the system they work in needs significant repair.

Yes, Madam Speaker, I was a professional bullfighter. I've had the opportunity to travel all over western Canada. Through the years I've had the pleasure of meeting great men and women, indeed great Albertans while visiting many towns, villages, and cities in this province and others. Although the faces are different, the characteristics are the same: good people working hard, each taking pride in being an Albertan. They tell me how government is encroaching more and more on their way of life. More importantly, they tell me how helpless they feel when it comes to influencing government decisions. In the past they have sent government MLAs to Edmonton, but those MLAs were forced to vote the way the Premier told them to. Their voices weren't heard because the government wasn't listening.

Madam Speaker, I can tell you that politics is not exclusive to government. As a husband and a father with a large extended family, as a volunteer community coach, as a businessman competing for contracts, I've experienced a lot of politics. I've learned that it's not always easy but is critical to be able to listen to different people's points of view, to try and see both sides of an issue, and to work towards reasonable compromise. After all, isn't this the essence of democracy?

5:00

It is clear to me that Alberta has a democratic deficit. We need less big government telling us what to do. We need more transparency and more accountability. Franklin D. Roosevelt once said: "In politics, nothing happens by accident. If it happens, you can bet it was planned that way." I believe that democracy does not happen by accident. We need to rebalance the existing system of government with a clear bias towards transparency and accountability.

Madam Speaker, I'd like to quote the Member for Highwood, the Leader of the Official Opposition, who said, "Alberta has a rich and proud history of producing great men and women to champion the democratic causes of voting rights for women, senate reform, government accountability and provincial rights."

I would like to finish, Madam Speaker, by saying this. There's often a tension between ideology and common sense. I believe the exception to that rule and what makes the Wildrose caucus special is that our ideology is common sense.

**The Acting Speaker:** Thank you, hon. Member for Strathmore-Brooks, for your response to the throne speech. That showcased your community, especially the inspirational description of how they pulled together during a time of crisis.

Now 29(2)(a). If anybody would like to comment or question, this is the time.

Seeing no one, we'll move on to our next member responding to the throne speech, and that would be the hon. Minister of Enterprise and Advanced Education.

**Mr. Khan:** Thank you, Madam Speaker. It's truly an honour for me to move acceptance of the Speech from the Throne, presented by His Honour the Lieutenant Governor of the province of Alberta. As he set forth the vision for the 28th Legislature, I couldn't help but be struck by what his remarks meant to me. As a cabinet minister, as an MLA with the privilege of representing the constituency of St. Albert, and as someone who grew up in this province and is extremely proud to be an Albertan, I realized that that was a moment in time made possible by some very special people, whom I can only refer to as remarkable human beings.

The first remarkable human being is the man who delivered the throne speech itself. His Honour is nothing short of a Canadian hero. For people in parts of the world where they have not known the peace and security and freedom that we are graced with here in Canada, these people think well of Canadians because for them His Honour and his fellow peacekeepers have been the face of Canada, for his distinguished military service all around the world, for his service, after he retired, in African refugee camps delivering aid to the poorest of the poor, and for his current service as Lieutenant Governor as he has courageously shone a light on Albertans' struggle with mental health.

When he shared through the Speech from the Throne that Bill 1 would guarantee workers' compensation coverage for first responders suffering from posttraumatic stress disorder, he brought the full significance of his service to that announcement. For those of us who are new to this Chamber, I can't think of a more fitting bill to be our first on which we have the privilege to vote. To me, it's the kind of bill that made me want to serve my constituents in the first place, and it was put forward by the kind of government I want to be a part of, the kind of government that was inspired by another remarkable human being. I'm speaking, of course, about the late Hon. Peter Lougheed.

I enjoyed the honour and privilege of speaking with Premier Lougheed on two occasions. Although those conversations were brief, the impact of his words will last a lifetime. I know I'm not the only person in this room who enjoyed that experience. He was the kind of visionary who inspired Albertans no matter how they made their living or on which side of the political fence they sat. Madam Speaker, I can't express what it means to me to actually be a part of the team that continues Premier Lougheed's legacy, his vision.

That brings me to the third remarkable human being of whom I thought as I heard the Speech from the Throne. Like so many of us, Premier Redford says that she has been shaped by Lougheed's Alberta. Inspired by his predisposition to look outwards beyond Alberta's borders, she has played key roles within the international community, advising on human rights and democratic systems in some of the most desperate regions of the world so that she could bring broader understanding back to

Alberta, from which we may all benefit. Like His Honour the Lieutenant Governor, she has seen a need and said: let me help. I'm proud to serve a leader of such conviction and vision, and I'm proud to serve with all my caucus colleagues as well as my colleagues across the aisle.

Of the remarkable people I speak of today, the most remarkable, in my humble opinion, are my parents, Ash and Sharon Khan. They started their lives together as college sweethearts with a newborn son, with very little means but very big dreams. They are both children of parents who were not born in Canada. My grandparents on both sides of my family dreamed of a better life for their children, and it was their quest for this better life that led them to Alberta. It led them to building a home in Alberta. My parents took turns putting each other through university here in Alberta and made tremendous sacrifices to fulfill the dreams of their parents by striving to make an even better life for their children, my sister and me.

My parents are an Albertan success story. They have truly exceeded the dreams that they held as a very young couple beginning their life journey. The life and opportunities that they afforded my sister and me have truly been remarkable. It is now my turn, my obligation to my parents, to my grandparents, to my wife and two children, to the remarkable Albertans I've spoken of this evening, to my constituents in St. Albert, and to all Albertans who strive for the dream that their children will have more, that their children will have an even better life full of untold and remarkable opportunities. I believe it is the challenge of all my colleagues in the House to work with purpose and diligence so that our children in Alberta and our grandchildren and the future generations of all Albertans one day will experience a quality of life that exceeds all of our wildest dreams.

Madam Speaker, the Speech from the Throne outlines how our government intends to go about this important work. My team at advanced education and I are ready to help. In fact, I believe we're already there. The throne speech celebrated the fact that Alberta is the most economically free jurisdiction in North America. It promised to make the most of what we have and demonstrates that this is a government which will never be complacent, a government absolutely committed to improve on what we have built. There is a recognition on this side of the House that it is our investment in the ingenuity, creativity, and intellectual wealth of our citizens which will propel our province to its next plateau.

Our resources do not define us. Our geography does not define us. Our institutions do not define us. Our Alberta is, has been, and will always be defined by our people. We must continually invest and reinvest in our people to ensure that we are able to make the most of the opportunities which we currently enjoy.

Albertans are fundamentally entrepreneurial and have been since the first ranchers settled here, since the first rig was built, since the first store opened on Perron Street in St. Albert. Albertans know the concept of return on investment. They are bold but prudent investors. An investment today in our youth, in our entrepreneurial class, and in our innovators is such a vital component of our public investment portfolio. The return will sustain many generations.

Madam Speaker, my team and I work every day to further those freedoms so business, especially small business, can continue to drive our province's prosperity because the role of small business in Alberta's economy cannot be understated. Alberta has one of the highest numbers of small businesses in the country on a per capita basis, composing 96 per cent of all business in Alberta and providing more than a third of the private-sector employment in the province. That's why our government is committed to ensuring they have access to the supports they need. Madam

Speaker, there are so many services out there for small businesses; they just need to know how to find them. So we're creating an environment that does just that. We want to point small business in the right direction, connect them with the services and expertise they need, whether they're offered by our government or within the community, and then get out of their way so they can do what they do best.

Madam Speaker, the throne speech also stated that our government will partner with industry on research and development through a second Alberta Oil Sands Technology and Research Authority, which has been referred to as AOSTRA 2, to maintain a competitive world-class economy for the 21st century, to grow the marketplace for clean energy, and to protect the jobs so many Albertans depend on. AOSTRA 2 will do more than perpetuate Premier Lougheed's vision of financial security for Alberta. It will build on his vision, Premier Redford's expansion of it.

5:10

While Alberta's resource-based economy may be dominated by the hydrocarbon energy sector, we know that other important and promising sectors have much to contribute to Alberta's energy future: forestry, agriculture, construction, machinery, petrochemical manufacturing, and the technology sectors.

As a result, AOSTRA 2 will couple an economic vision with the principles of sustainability. AOSTRA 2 will also strengthen Alberta's position as Premier Redford leads us looking outwards in building bridges with the international community.

While the vision of AOSTRA 2 may be ambitious, I know we can turn that vision into reality. I know that for a fact, Madam Speaker, because I've spent the summer meeting with and, more importantly, learning from the incredibly talented and intelligent and motivated people within Alberta's postsecondary institutions, within industry, within the business community, within my ministry itself, and, of course, within the best constituency in the province of Alberta, in my humble opinion, St. Albert. These people have been invaluable, and I have learned the craft. Thanks to them I'm ready to take the task before us with the same enthusiasm and commitment as our stakeholders.

Rising to move acceptance of the Speech from the Throne, I can't help but think of all the good that has been done here for the people of this great province, the historical, lasting, society-changing contributions which have been made by our predecessors in these chairs from both sides of the aisle. Our predecessors have created high expectations for us, and those of us in the Chamber should have high expectations of each other.

Some of those expectations have been outlined for us in the throne speech. At the core of the speech is recognition of our good fortune. We are the most blessed of the provinces in this wonderful country. We have in abundance the most valuable of natural resources. We have a growing human capital base, which is among the most highly educated and technically expert in the world. Our education system and our health care system and all of our public institutions are not beyond scrutiny. We can never rest in our quest for excellence. However, our public institutions are envied by countries around the world. Our entrepreneurial class is world competitive. In short, we have the tools to build a great modern society. We can do better, we must always strive to do better, but never has a province been given such resources to employ in the cause of improvement.

Yes, we're going to meet some challenges along the way. Having served as a cabinet minister yourself, Madam Speaker, you know that's part of the job. When those challenges come up, I look forward to the privilege and honour of addressing those

challenges with my colleagues in the House. I'm looking forward to sharing this adventure with all of those currently in this Chamber and walking confidently down the road which has been laid out in the throne speech. It is the right path. It will lead us to a better place. As we work together to refine and achieve the objectives identified, I hope we all remember that we are the voice for all. We are the audience for all. We are servants all. We are leaders all. I believe we walk this path with the intent and hope that all Albertan families, too, can exceed their wildest dreams.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. minister. It was very reassuring to hear that the Minister of Enterprise and Advanced Education has a strong belief in Alberta's entrepreneurs. Once again, another informative and inspirational speech.

Standing Order 29(2)(a) kicks in. Anybody who wishes to comment or question now has the opportunity.

Seeing none, we'll move on to our next response to the throne speech. The Member for Edmonton-Calder.

**Mr. Eggen:** Well, thank you, Madam Speaker. I rise with some enthusiasm to make some comments on the throne speech. Now, I guess it's been five months or so since we actually were here before to listen to the throne speech, so I think it's important to review some of the elements that were in that speech and to talk about those intervening five months, I think, and, more importantly, as well about where we spent time in our constituencies and looked and listened to our constituents and found out what were the most pressing concerns and issues for themselves and for their families.

What I saw and have heard when I was travelling around Alberta this summer was not unlike what we had been seeing previously in the province of Alberta, not just in Edmonton-Calder but right across the province. First and foremost, what I saw and heard were concerns and issues around our public health care system. Quality public health care doesn't just provide us with the emergency needs that we might encounter in a hospital or at a doctor's office, but it also provides us with a sense of security to know that that public system is there when we need it for ourselves and for our families. Over the last number of years we have seen that security or that sense of security be compromised by a continuous sense of upheaval and continuous revolution, I would say, of how our public system is being delivered here in the province. We heard this during the election as well. I think what we heard from health care workers especially, who actually deliver public health, is that they were looking for some sense of a pause in this tumultuous change of administration and so forth that they have been undergoing over the last four years.

I just put that forward first and foremost as a caution because we heard just this morning that there is another change in the works in terms of decision-making and responsibility in our public health system. While we might welcome some aspects of more local control of how decisions are made to deliver public health in our province, I think we need to be conscious of just how much tumult and confusion and chaos those same health care workers and the public have dealt with over the last four years and to go forward in a reasonable and measured sort of way so that we don't end up with the chaos that we had to live with over the last four years.

Second, I heard quite loudly and clearly about the need to address utility costs here in the province of Alberta. Delivering affordable electricity I think is part of our public purview here in the Legislature, and it's very important that we get that right because at this point, again, that sense of security and stability to

know what our electricity and power bill is going to be from month to month has been pulled out from underneath us here in this province. We've seen tremendous fluctuations, from the brownouts that we saw in June to the high bills that are coming into our mailboxes here in the late fall, going into winter. The absolute necessity for us to re-regulate and govern those electricity rates through this Legislature I think has never been more clear than we see it here today, in 2012.

It's not as though we're dealing with a commodity that's the same as other things that we might buy and sell in the marketplace. I'm as much of a fan of the marketplace as any person when we're dealing with things that might benefit from competitive markets. But with electricity, number one, it's an essential service, that we just can't do without. I think there's hardly anyone that is not using electricity in quite a profound way in their daily lives, and it's just part of our lives here in a modern industrial society. To suggest that it can be left open to the vagaries of an open market I think is just not appropriate at this time in our province's history. The market is not there as a free market anyway. There are only a few players. At the end of the day lots of Albertans end up paying much more than they can afford for this essential service.

Third, I heard quite strongly and clearly as the Education critic just the importance of strengthening our public education system across the province of Alberta. As a teacher of long standing and with my own children going through the public education system, I recognize the value and the quality of the education system that we do have in the province. I can say without bias that over these last 20 years or so the public educators have become just that much more professional and interested, and they deliver a strong pedagogical system when they are teaching our children in our public schools, so hats off to them.

We are here again to support public education delivery in the best way possible through legislation. Here we are again with Bill 3, the Education Act, appropriately named, and I certainly will commit to trying to make sure that we do get the best possible new Education Act out of this legislation. We only get to do this once in maybe 20 or 30 years, however, so let's make sure that we do it right, that all aspects of Bill 3 are looked after in a fair and impartial way so that we get a new Education Act that we can all be proud of.

5:20

It was just delivered to our tables here today. I spoke on it today, and there are a couple of areas that we need to address, certainly, before we can pass this in good conscience. In dealing with section 16 of this act, I think it is very important for all of us to ensure that we permeate this document with a sense of social justice and equality that extends to all Albertans and in the best way possible. So you will certainly be debating that, I hope, in a constructive and productive way over these next few weeks.

The issue about our environment and the interaction between our primary industry in the province of Alberta, which is oil and gas and energy production, and that balance between that and protecting our environment: again, these are themes that we all know and have heard over these last years and even decades, but now more than ever we have to take a long, sober look at whether or not we are in fact reducing the gap between sustainability and the accelerated production of our energy system in this province.

It's clear that the oil sands are becoming more and more of a driver of our economy, and we recognize the essential elements of how many people are employed in that industry and how much royalty it brings back to the public purse, to the public good in this

province, and then, finally, how we are managing the oil sands resource for the future.

I think we have some serious decisions to make, and we will lay the groundwork for those decisions here in this House over the next coming years. I hope everyone takes the gravity of that situation seriously and looks past just being a cheerleader for whatever certain special interest they might be looking towards and looks for the common good that's best for all Albertans for now and for the future as well.

You know that there are two secrets that we can use to solve a lot of our problems locked in the oil sands and the oil sand industry. Number one, if we can build a capacity to increase our secondary processing of bitumen here in the province of Alberta, upgrading it to synthetic crude and other products, we know that that is a big job driver, a big producer of equity for our province, and helps to diversify our economy, too.

When we talk about raw bitumen exports, we can't let that other element of industrial development be passed by. If we're not building upgraders in the province of Alberta, someone else is getting that value-added upgrading capacity somewhere else and often in another country. I certainly will use my seat in the Legislature here – and I hope many of you will, too – to advocate to upgrade more bitumen, to upgrade it to other products here in the province of Alberta for the sake of all of us and our economy and our future.

It's interesting that with the recent passing of Peter Lougheed we all are reflecting on what this gentleman and his administration did during their tenure to build Alberta to the level of success that we enjoy here today. Certainly, I was a fan of the way that Peter Lougheed approached our energy wealth and developing that energy resource into wealth and equity for all Albertans.

I was reading an article written by Andrew Nikiforuk in *The Tyee* magazine a few weeks ago. I suggest that everyone take a look at it because it sort of goes back and outlines six basic concepts that Peter Lougheed used to help govern the choices he made when he was governing. We know many of these things, but it's worth while to go back and think about it. You might find it interesting to hear it from a New Democrat, but these are basic ideas that help to service the public good. That's why I'm here as a social democrat, to service the public good and to enhance it, and I think that these ideas help to augment that position.

First, Lougheed challenged Albertans to think like owners and to look at our natural resources as ours and not just something we sell off to industry. Unfortunately, we have had this concept compromised very seriously in this province over the last 30 years, and it seems as though it's very large international oil companies that are the presumptive owners of our energy resources rather than Albertans, which is the actual legal definition of who owns those resources.

Secondly, Mr. Lougheed told us that we need to collect our fair share from royalties. You know, being a member of the heritage trust fund committee, it became patently obvious to me and many other members that our contributions to the heritage trust fund went down in close proximity to how our royalty rates were going down as well. So as we collected less in royalties, we were less able to save in the heritage trust fund for the future, and we're all the poorer for it.

You know, I like to use the Norwegian example, that some people were having some problem with, but at the very least let's look and see just how much the Norwegians have saved in their heritage trust fund over the last number of years. It's in the range of \$600 billion. One of the members of the heritage trust board told us that the interest from that much money would be enough to



run the expenses of this province of Alberta on a year-by-year basis.

Madam Speaker, I'm so happy to be back speaking on the throne speech and, as I always say, as a humble public servant of my constituents in Edmonton-Calder but also of all people in Alberta. I look forward to working together with all of you to build constructive legislation that serves the common good. I've heard that theme a number of times here today. Let's put it to the test and ensure that everyone benefits equally in a just manner here in the province.

Thank you.

**The Acting Speaker:** Thank you, hon. Member for Edmonton-Calder, for your thoughtful comments and your thoughtful response to the throne speech.

Standing Order 29(2)(a) for anyone who would like to ask a question or make a comment. The Member for Strathcona-Sherwood Park.

**Mr. Quest:** Thank you, Madam Speaker. Just a question, please. Going back to the member's comments about the Norwegian savings fund, I think it's the general pension fund. A couple of things I'd just like to ask about. First of all, that is an energy revenue fund that is made up of a lot of different components, including Norwegian pensions. I think it's important to point out that the fund that AIMCo manages on our behalf, including the pensions, is close to \$70 billion. Based on the fact that the Norwegians have a 25 per cent value-added tax or sales tax, a 1 per cent asset tax, amongst the highest corporate income taxes in the world, my question to the member would be: in order for us to grow our heritage fund at a similar rate, would he support those taxes?

**Mr. Eggen:** Thank you. I did hear the hon. Member for Strathcona-Sherwood Park articulating this at our meeting as well, and I appreciate that. I'm only using the Norwegian example as an illustration of what you can do to save. I'm not suggesting that we become Norwegians although I am one and proud of it, third generation, but I am suggesting to just imagine the possibility of even having a fraction of that money in the bank.

We asked Leo de Bever – right? – to give us a sense of how much money we would need in the heritage trust fund so that we could run the whole operation off the interest. He said pretty much the number that was what the Norwegians had in the bank. So I found that to be serendipitous and, you know, insightful.

5:30

I'm not suggesting that we take the whole package of what the Norwegians have put in place, but certainly there is a strong sentiment in the province of Alberta right now to start saving long term using the heritage trust fund as Peter Lougheed, Progressive Conservative, had originally intended.

**The Acting Speaker:** Thank you.

We still have two minutes under 29(2)(a). Any other questions? The Member for Edmonton-McClung.

**Mr. Xiao:** I would like to ask the hon. member a question regarding the so-called heritage savings. Do you know how much the Norwegians have in the bank? What's their income tax rate? I understand my colleague has probably just asked that question.

Also, since 1966 how many tax dollars has Alberta sent to Ottawa?

**Mr. Eggen:** Well, I believe that the Norwegian trust fund, whatever they call it, is in the neighbourhood of \$600 billion. They chose to structure it so that most of the royalty benefits they're getting from their oil and gas are going to that. It was more of a design to regulate the economy so that they were losing some of those vagaries of the boom-and-bust cycle that we see from a petroleum-based economy, right? I think we can learn something from that.

This whole issue about Norwegian taxes is completely misleading and irrelevant. I mean, I'm sure they pay taxes. I'm pretty sure that they, you know, have many benefits from that, too.

Once again, I'm suggesting there are other savings plans around the world, right? We don't have to be stuck on this one thing. There are lots of ways by which we can take best practices, using evidence-based reasoning to take those elements back here, and build something better for the future. I mean, I don't know, maybe I'm living in a different place from you, but you know that Albertans want to save for the future using the heritage trust fund right now. Anybody who doesn't think that, then, is missing the proverbial boat.

**The Acting Speaker:** Thank you for those questions and comments.

Now we'll hear the inaugural speech from the hon. Member for Calgary-Varsity.

**Ms Kennedy-Glans:** Thank you, Madam Speaker. Just for the record I'm Irish, but I married a Norwegian.

Allow me, Madam Speaker, to congratulate you on being elected to your position and also to congratulate you and all our fellow members on their election to this Chamber. Many like me take our seats for the first time, and we've been united by our shared sense of awe at the responsibility that I think we are just starting to understand.

There are many returning MLAs to be thanked, many of whom have taken the time to answer my questions and all of whom have offered a warm welcome to newcomers in this Assembly. I'd especially like to thank colleagues on the all-party Standing Committee on Resource Stewardship for their support as we chart a new course in policy development, one that includes all points of view.

To the Premier: thank you for the opportunities you've created for me and for all Albertans through your leadership.

Sincere thanks are also due to my constituents in Calgary-Varsity, the people who sent me here. I'm inspired by their will for positive change and their enthusiasm about their role in democracy.

Finally, I extend heartfelt thanks to my husband, Laurie, and our sons Graydon, Mitchell, and Liam. There's a special place in heaven for mothers of three sons. They have given me faith and unwavering support. I hold them always in my heart.

The first time I entered this Chamber and every time since, I am acutely aware of and grateful for the diversity of this House. So many of us come from such different backgrounds. We come from different occupations. We were born in different parts of this province, this country, across the world. We represent different political philosophies, different cultural heritages, different age groups. It's right that we are so diverse because Alberta is also diverse and is becoming more so with every passing year.

The diversity in this House, the diversity in this province is also reflected in Calgary-Varsity, my home for the past 20 years. The median age of people living in Calgary-Varsity is over 60, making us one of the wisest in the province. Our seniors are vibrant. They are essential players in our complete community. What is even

more remarkable is observing how these seniors live alongside the thousands of students who daily attend over 26 public, separate, charter, and private schools in our constituency and those who come from across the province and across the world to study or train at the University of Calgary, nearby SAIT, even Vecova.

Calgary-Varsity is now considered by many to be an inner-city constituency. That's a hard thing for long-timers to accept. We have four light rail transit stops within our boundaries and significant density now emerging along our transportation corridors, yet we are also cradled by Nose Hill park to the north, Bow River valley to the south, and the grandeur of the Rockies to the west. Many, including myself, have rural and farm roots.

Calgary-Varsity is a constituency recognized for its valuable contribution to the well-established business community in downtown Calgary. Ties to the energy sector are powerful, yet our innovation is not limited to oil and gas. We're an entrepreneurial community creative in emerging energy technology, in medical R and D, and in the arts.

This diversity is remarkable. It's a gift. Yet this diversity is not necessarily easy to navigate. It takes resolve and sometimes even courage to build the dialogue and coalitions needed across all lines, to first understand and then to bring together our creativity, our history, our education, our business acumen, our faith, our culture, and our vast resources.

My challenge as a representative of Calgary-Varsity is to engage all citizens in creating and operationalizing a shared vision of our community and our potential, one that must constantly change by connecting bottom up to top down, formal leadership to grassroots. Getting to this shared vision will require much dialogue and plain old hard work. We can't just sand down our differences. It's tough sometimes for us to live with disagreement, to transcend the divides between urban and natural, young and old, established and new. Sometimes we just have to hold ourselves in that very uncomfortable space to allow the tension, the creative suspension, the breathing space because it is in the tension that the as-yet-unimagined solutions lie.

This leads me to the excitement I feel for the potential of our all-party Standing Committee on Resource Stewardship. Together members of all four parties can reach out to Albertans, seek their input, and explore solutions on issues that matter. Yes, I expect there will be disagreements, but if we can stand together through the tensions, I believe we will find fresh solutions to big issues like how to find markets for oil and gas and how to build and maintain social licence to operate. I believe this is what Albertans expect. It is what Albertans deserve.

For nearly three decades now my work has afforded me the opportunity to work with diversity, connecting for-profit and not-for-profit organizations to grassroots realities in projects here in Alberta and around the world. As a lawyer and a businesswoman representing Canadian energy companies, I've been negotiating and managing projects with a wide variety of host governments and communities for the last 28 years. In the not-for-profit realm I founded a voluntary organization, Bridges Social Development, 10 years ago responding to an invitation from female and youth leaders in Yemen and First Nations communities here in Canada, training these local leaders who want to build their own capacity and lead their own change.

5:40

Now, in this newest chapter of my life, I'm humbled to be serving in government, honoured by this opportunity to work with you, Madam Speaker, and others here in ways that reflect the values of Albertans and the magnitude of the potential available to

us. I am deeply grateful to be part of this government in this province at this time.

I'm the typical Calgarian. I was born into a farming community near Tillsonburg in southwestern Ontario – and, yes, my back still does ache when I hear that word – where my parents and siblings continue to farm. In my lifetime I have watched Ontario move from a have to a have-not province. Over the course of my career I have worked on projects in more than 35 countries, many of them emerging democracies in emerging markets. I know with absolute certainty that we are the envy of most of the rest of the world. What we have here in Alberta is precious. We are not entitled to this wealth. Many people have worked hard over the years to create the conditions for prosperity and a sound economy in Alberta, and we need to keep working hard, bringing this province's diversity to the table and never yielding to complacency.

What I offer you, Madam Speaker, and my colleagues on both sides of this Legislature is the same thing I offer to residents of Calgary-Varsity. I will listen to you, I will learn from you, and I will work hard with you to move Albertans' priorities forward.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member, for that response. I believe from listening to you that you will be able to transcend the divide that you spoke of in your speech, of old and new and young and old. It's a pleasure to work with you.

Standing Order 29(2)(a). Anyone wishing to comment? The Member for Edmonton-Decore.

**Mrs. Sarich:** Thank you, Madam Speaker. I'd like to say that what has been presented by the Member for Calgary-Varsity has certainly been very inspirational. I was just wondering at this time if the hon. member could share with all of us here in the House a little bit more insight. She had mentioned that she's listening very carefully, and some of the highlights and attributes of her particular constituency are the diversity of people who live there, very common to other constituencies across the province of Alberta. I was wondering, since she had spent quite a bit of professional time and otherwise in the oil and gas sector, if from being elected to present day she had learned anything more about the expectations of her constituents regarding a focus on diversifying the economy in Alberta apart from the oil and gas sector.

**Ms Kennedy-Glans:** Thank you for that question. Madam Speaker, it's interesting. Having spent 28 years in the energy sector and being known for that and being quite outspoken about how Canadian companies can and should operate here in Canada and abroad, I now find myself in a very different situation, acting in an elected role. What I'm observing is an understanding from my constituents and from others that while we must diversify – and my children are under the age of 25. Do I expect them to do the same work I do? No. Nor do others. Yet there still is an acceptance that our province is a province rich in energy resources. That is where our expertise lies. I think, first and foremost, that while we talk about diversification, we still have to focus on diversification on the basis of our strengths, building on those strengths.

The conventional oil and gas that we worked in and I worked in at the beginning of my career is so different than what we have today, and I expect that 30 years from now it will be different again. We can export that knowledge to other parts of this country, continent, and the world, but I think the energy sector is still the basis of our uniqueness in this world.

Thank you.

**The Acting Speaker:** Thank you, hon. member.

Are there any other comments or questions under Standing Order 29(2)(a)?

Seeing none, we'll move on to our next hon. member, the hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Madam Speaker. I'd like to start by taking this opportunity to congratulate you on your appointment. I'd also like to express my congratulations to all of those like myself who are newly elected to this Assembly. I also believe that it's important to recognize the former Member for the Lacombe-Ponoka constituency, Mr. Ray Prins, for his many years of public service. I wish him a long and enjoyable retirement.

Today it's my honour and privilege to stand and give my maiden speech in this Chamber. I'd like to thank the voters of Lacombe-Ponoka for their support and confidence. I am both honoured and humbled by their choice to elect me. As their representative I hope to be a strong voice for my constituents in this Alberta Legislature. With this opportunity I extend my sincerest gratitude to my friends, family, and volunteer team. Without their tireless effort and unwavering support I would not be here today.

Madam Speaker, I'd like to take a moment to introduce myself and the Lacombe-Ponoka constituency to my fellow colleagues here in the Legislature. I am proud to say that I am a born and raised Albertan who was brought up in the town of Whitecourt. What is it they say about Alberta beef? It's raised right.

As a child and a teenager I watched my parents build a thriving trucking business. Watching them taught me that hard work, perseverance, and integrity are the keys to building a better life. The stories of my grandparents reinforced this lesson. They told me of their trials and tribulations, how they overcame them and looked to build something better for themselves and for our family. These sentiments are no different than anyone else who came looking for a better life here in Alberta. This is our history as a people, a people who continually persevere and overcome.

My grandfather also told me that I wouldn't know who I was or where I was headed in life unless I understood where I came from. The same applies to governance. We must have a reverence of our history to understand where it is we're going to go in the future. Talking to Albertans, I have heard the same story told a number of times. It is this story of hard work and success from our ancestors that has given me an appreciation of what it is we have here in this province today.

You know, after graduation I began to read political history books, specifically the memoirs of Sir Winston Churchill. This reading opened my eyes to the power of politics as an agent of change. I find it ironic that at the same time I found political history, Canadian politics, Alberta politics, discovered me.

Being an MLA will be a new and challenging experience, though I must admit that politics is not. Over the past number of years I have been a loud advocate in federal politics, serving on the federal electoral riding association of Wetaskiwin and holding a number of key positions such as financial agent, policy director, and president. In addition to these efforts, I sat as a member of the Lacombe economic development board and helped found the Wildrose Lacombe-Ponoka Constituency Association in 2009. I sincerely appreciate the opportunity to use my talents and knowledge in the service of Lacombe-Ponoka. However, I must admit that my talents are heavily overshadowed by the achievements of the people in my constituency, both past and present.

The town of Lacombe was founded by Father Albert Lacombe, a French-Canadian missionary who is now remembered for brokering peace between the Cree and Blackfoot, negotiating the

right-of-way for the Canadian Pacific Railway through Blackfoot territory, and securing a promise from the Blackfoot leader to refrain from joining the Northwest Rebellion in 1885. Alberta's Famous Five – Henrietta Muir Edwards, Nellie McClung, Louise McKinney, Emily Murphy, and Irene Parlby – also have deep roots in the Lacombe-Ponoka area.

5:50

Before Mrs. Parlby helped the five advocate for the rights of women at all levels of government, she made her home near Lacombe with a rancher she had wed after arriving here in Alberta. Mrs. Parlby was elected to the Alberta Legislature under the banner of the United Farmers of Alberta and pushed through 18 bills to improve the plight of women and children in our province. She was named as a cabinet minister without portfolio in 1921, becoming the second woman ever to hold a cabinet position in the whole of the British Empire. She became the president of the United Farm Women of Alberta and a staunch advocate for rural women in Alberta. It is because of the pioneering work of women like Mrs. Irene Parlby that we have reached this historic moment in Alberta where both the leader of the government and the Leader of the Official Opposition can be and are women.

The Rt. Hon. Roland Michener, the 20th Governor General of Canada, was also born in Lacombe. His distinguished career included appointments as high commissioner to India and Canada's first high commissioner to Nepal. Mr. Michener was also the first appointee to the Order of Canada as well as its first chancellor and principal companion. On top of this, he was also the second of only two people to be presented with the Royal Victorian chain, a personal gift of the monarch, awarded by Queen Elizabeth II.

It should be noted that the accomplishments of the people of Lacombe-Ponoka are not only found in the pages of history. Anna Maria Kaufmann, Germany's most popular soprano, hails from Lacombe. The opera singer's big break came as the female lead in *The Phantom of the Opera*, which she has performed more than 500 times. She has performed with operas and orchestras from around the world and has also used her talents to honour great sporting events such as singing the national anthem for a global audience of 1 billion people during the 2006 World Cup in Germany. She still has not forgotten her home. We have a cafe in the Lacombe Memorial Centre named in her honour.

Former MLA Jack Cookson from the Lacombe riding said it right when he stood up in this very Assembly and commented that "our ancestors, who really were responsible for developing Alberta and Canada, did not do so by merely sitting on their butts."

Aside from these great people, the riding of Lacombe-Ponoka has a long history of excellence in many fields. Two that I will highlight today are agriculture and health care. I am proud to say that our constituency is home to the Lacombe Research Centre, which is one of a network of 19 national agricultural research facilities operated by Agriculture and Agri-Food Canada. The centre conducts research in field crops and livestock production relevant to the central Alberta region. The centre's main research focus is on ante- and post-mortem factors that influence red meat: yield, quality, safety, and preservation. The centre also develops integrated sustainable crop and animal production systems as well as crop varieties for the short season environments of the parkland and northwestern Canadian regions. The Lacombe Research Centre holds the distinction of developing the very first breed of livestock developed in Canada, the Lacombe hog.

Even though the riding of Lacombe-Ponoka has been a leader in the field of agriculture, our constituents are right to be concerned

about the future of this industry. As municipalities grow, both farmers and municipalities need to work in a co-operative fashion whereby the activities of one do not hinder the activities of the other. As the MLA for Lacombe-Ponoka I will advocate for farmers and ensure that local agriculture is not strangled by cumbersome and erroneous red tape.

While on the subject of agriculture, I would like to tell you all about the second largest rodeo in Canada. It has been mentioned by some to be Canada's best rodeo and an annual hallmark of the constituency. It's the Ponoka Stampede. Also in Ponoka I was privileged to attend the grand opening this summer of the Canadian Pro Rodeo Hall of Fame.

The Lacombe-Ponoka constituency is also home to a number of outstanding health care facilities such as the Centennial Centre for Mental Health and Brain Injury, the Northcott Care Centre, the Rimoka Housing Foundation, and the Halvar Jonson Centre for Brain Injury, a centre which was named in honour of another long-serving, great political leader from the Lacombe-Ponoka constituency.

The Centennial Centre for Mental Health and Brain Injury deserves further recognition as it is one of the most modern mental health referral centres in western Canada. The centre is also home to the Grant MacEwan University school of registered psychiatric nursing. It is a growing training centre for medical and applied professionals in the psychiatric, geriatric, and brain injury specialties.

I believe that we can all agree that citizens are the greatest resource this province has, and their greatest resource is their health. I am also quite certain that we can agree that when health care services are needed, they're needed today, not tomorrow. In the throne speech we were told that this government wants to give

Albertans the tools and guidance they need to take charge of their health, but our current health care system is in desperate need of reform as Albertans continue to wait in bureaucratic queues and on long waiting lists. Like so many Albertans I have seen the pain of loved ones as they wait for service from our system. Albertans are hurting and dying on these long lists, and urgent changes are needed so that Albertans can take charge of their health today.

Our province is great, but there is a lot of work to make it even better. I believe in voter-driven democracy, and I look forward to helping my constituents. We must never forget that we are here on an ever-lengthening, ever-ascending, and ever-improving journey. While I campaigned, the message I shared with my constituents was: it's time your MLA was your voice in government. My conviction in this style of democracy shall remain and grow strong.

Madam Speaker, I'd like to thank you for the opportunity to address this Assembly. I look forward to the tasks at hand and the opportunity to hold this government to account.

**The Acting Speaker:** Thank you, hon. member. Your constituency was blessed with a number of great leaders, and you'll have the opportunity to show that you, too, can be a great community leader.

We have just a few minutes, but we can move to Standing Order 29(2)(a).

The Member for Edmonton-Rutherford.

**Mr. Horne:** Madam Speaker, I was going to move that we adjourn debate until 7:30 this evening.

[Motion carried; the Assembly adjourned at 5:58 p.m.]





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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Tuesday evening, October 23, 2012

Issue 8e

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta**  
**The 28th Legislature**

First Session

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McDonald	Vacant
Olesen	

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Quest  
Deputy Chair: Mrs. Jablonski

Anderson  
Casey  
Dorward  
Eggen  
Kubinec  
Sandhu  
Sherman

### Select Special Conflicts of Interest Act Review Committee

Chair: Mr. Allen  
Deputy Chair: Mr. Luan

Blakeman  
Dorward  
Fenske  
Johnson, L.  
McDonald  
Notley  
Saskiw  
Wilson  
Young

### Standing Committee on Families and Communities

Chair: Ms Pastoor  
Deputy Chair: Mrs. Forsyth

Allen	Leskiw
DeLong	Luan
Fox	McAllister
Fraser	Notley
Fritz	Pedersen
Jablonski	Sarich
Jansen	Saskiw
Jeneroux	Swann
Johnson, L.	Wilson
Kang	Young
Kubinec	Vacant
Lemke	

### Standing Committee on Legislative Offices

Chair: Mr. Xiao  
Deputy Chair: Mr. McDonald

Bikman  
Blakeman  
Brown  
DeLong  
Eggen  
Leskiw  
Quadri  
Rogers  
Wilson

### Special Standing Committee on Members' Services

Chair: Mr. Zwozdesky  
Deputy Chair: Mr. Young

Calahasen  
Dorward  
Forsyth  
Goudreau  
Jablonski  
Mason  
Quest  
Sherman  
Smith

### Standing Committee on Private Bills

Chair: Mr. Cao  
Deputy Chair: Ms L. Johnson

Barnes	Notley
Bhardwaj	Olesen
Brown	Pastoor
DeLong	Rowe
Fox	Sarich
Fritz	Starke
Goudreau	Strankman
Jeneroux	Swann
Kennedy-Glans	Webber
Luan	

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Dr. Starke  
Deputy Chair: Mr. Lemke

Allen	McAllister
Amery	McDonald
Bhardwaj	Notley
Casey	Pedersen
Hehr	Sandhu
Jansen	Saskiw
Jeneroux	Towle
Johnson, L.	Xiao
Kennedy-Glans	Young
Kubinec	

### Standing Committee on Public Accounts

Chair: Mr. Anderson  
Deputy Chair: Mr. Dorward

Allen	Hale
Amery	Hehr
Anglin	Kang
Bilous	Pastoor
Calahasen	Quadri
DeLong	Sarich
Donovan	Starke
Fenske	Stier
Fraser	Webber
Fritz	

### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans  
Deputy Chair: Mr. Rowe

Anderson	Hehr
Anglin	Johnson, L.
Barnes	Kubinec
Bilous	Lemke
Blakeman	Leskiw
Brown	Sandhu
Calahasen	Stier
Cao	Webber
Casey	Xiao
Fenske	Young
Fraser	Vacant
Hale	

## Legislative Assembly of Alberta

7:30 p.m.

Tuesday, October 23, 2012

[Mrs. Jablonski in the chair]

**The Acting Speaker:** Good evening, everyone. Please be seated.

### Government Bills and Orders

#### Second Reading

##### Bill 1

#### Workers' Compensation Amendment Act, 2012

**The Acting Speaker:** The hon. Associate Minister of Services for Persons with Disabilities.

**Mr. Oberle:** Thank you so much, Madam Speaker. It is an absolute honour to rise here tonight on behalf of the Premier and ask approval to introduce the Workers' Compensation Amendment Act, 2012, for second reading this evening.

Madam Speaker, as first responders thousands of brave and committed men and women across the province rise to the challenge when Albertans need them most. If we ever need the services of firefighters, police officers, sheriffs, or paramedics, we always feel secure in the knowledge that they will be never more than a phone call away.

These men and women often do their work in the most difficult of circumstances. Throughout the day they can face challenges that are beyond our wildest imaginations. They walk into burning buildings without knowing if they will walk out. They open doors without knowing if there is someone on the other side that may harm them. They struggle heroically to keep hearts beating and lungs working without knowing if they will win the race to the hospital. All too often they are confronted with horrific situations that can leave them psychologically wounded and scarred.

Police officers, firefighters, paramedics: the way these brave men and women continue working to save and protect Albertans after experiencing horrific situations is a testament to their resilience. Sometimes what they witness and experience is just too much to bear, and it begins to negatively affect their work and their personal lives. As strong as these men and women are, sometimes they need resources and support to function effectively in their personal lives and at work.

In the past we have asked first responders to defend their need for support and their assertion that what they have experienced is making it difficult or impossible to continue doing their jobs. To date we have required proof that what they are experiencing is a result of the work that they do. That approach lacks both understanding and compassion, and that is why today we are moving the Workers' Compensation Amendment Act to second reading.

We are bringing forward legislation that provides presumptive posttraumatic stress disorder, or PTSD, coverage to over 27,000 first responders in Alberta. This legislation illustrates our understanding that experiencing trauma is a major component of a first responder's job. In fact, it's an expectation. It recognizes the reality of PTSD and the hardship and suffering it causes, Madam Speaker. In essence it is an acknowledgement that those who are psychologically injured providing help often need help themselves, and we are obligated to provide it.

As you know, a clear understanding of the severity of PTSD and its effects has emerged over the last decade, Madam Speaker. Posttraumatic stress disorder is an intense, emotional, and psychological response to a recent or past traumatic event that is

life threatening, very disturbing, or stressful. The effects of PTSD are varied. It can involve reliving a traumatic event through nightmares or flashbacks, it can create emotional numbness as an internal defence mechanism, or it can result in continually being on edge or easily startled.

As with physical ailments and injuries experienced in the workplace, Madam Speaker, PTSD causes real hardships to those who are experiencing it as well as their loved ones. Unlike a physical injury, however, PTSD can emerge weeks, months, or even years after the traumatic incident occurred. Not all wounds are visible. First responders regularly experience devastating trauma. Putting the onus on these courageous men and women to pinpoint which traumatic incident triggered their PTSD is an unreasonable demand. Presumptive coverage through Bill 1 is about lifting this burden from their shoulders and solidifying their workers' compensation coverage.

Although we know more about the devastating consequences of PTSD than ever before and have more resources available to help those that are suffering, we still have the stigma to overcome. Our first responders are brave, but they are humble, and they are trained to put the health and safety of others before their own. They are often hesitant to come forward with PTSD claims and what that could mean to their reputation, to their career, or to their loved ones.

This legislation must reflect that we understand the plight of first responders who are being affected by their traumatic experiences. It must also illustrate that PTSD is not something to be looked down upon or to be hidden. It must also show that we accept that a trauma that was experienced years before can surface at any time, but most importantly, Madam Speaker, it must show that we understand and value the work that first responders do and clearly show that we are grateful for the services that they provide. We want to support first responders with PTSD in whatever way we can so that they can move forward with their lives in a positive and healthy way.

Madam Speaker, I am proud that Bill 1 will be the strongest legislation to address PTSD in Canada. In May the government of British Columbia passed Bill 14, recognizing that a worker is entitled to compensation for mental disorders brought upon by work-related stresses. However, our bill will be the first in Canada to provide presumptive PTSD coverage for first responders. That means that the burden of proof will not be shouldered by these men and women when they need help to overcome the trauma they've experienced as a regular part of their work.

The focus of Bill 1, Madam Speaker, on the first responders is not to deny that other careers can cause stress and trauma. There are many strong, hard-working Albertans that could experience trauma in the span of their career. That is why the Workers' Compensation Act in Alberta already allows and will continue to allow any worker in Alberta to apply for PTSD coverage. This government understands that traumatic situations could happen anywhere. However, these are not necessarily an everyday occurrence for most Albertans. It's not an expectation of their jobs.

The legislation we bring forward today is to say that we understand that for first responders – our firefighters, our police officers, our paramedics and EMTs, and our sheriffs – experiencing trauma is a major and expected part of their work. Bill 1 is reflective of this government's ongoing commitment to the brave men and women who put their lives on the line so that we can enjoy ours, Madam Speaker.

Thank you. At this time I'd like to move adjournment of second reading of Bill 1.

[Motion to adjourn debate carried]

### Consideration of His Honour the Lieutenant Governor's Speech

Ms Olesen moved, seconded by Mr. Luan, that an humble address be presented to His Honour the Honourable the Lieutenant Governor as follows.

To His Honour the Honourable Colonel (Retired) Donald S. Ethell, OC, OMM, AOE, MSC, CD, LLD, the Lieutenant Governor of the Province of Alberta:

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly, now assembled, beg leave to thank Your Honour for the gracious speech Your Honour has been pleased to address to us at the opening of the present session.

[Debate adjourned October 23]

**The Acting Speaker:** May I ask the next person that would like to speak in response to the throne speech to stand and be recognized? The Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Speaker. I rise today as the newly elected representative of Rimbey-Rocky Mountain House-Sundre. I am both humbled and privileged to serve and represent my constituents in this honourable Assembly.

I want to begin first by recognizing my predecessor, Mr. Ty Lund. Mr. Lund served in this Assembly for 23 years in multiple capacities. He served with dignity, honour, and integrity. His service to our constituency and to all Albertans is worthy of our commendation and praise.

Madam Speaker, I am a veteran. In a few weeks we will once again honour our veterans for the sacrifice they made in preserving our life and our freedoms. I served four years honourably, and I'm a disabled veteran. I also served as a police officer, and I served as a first responder for the Canadian Coast Guard off the coast of B.C. In 2001 I led a three-member Canadian team to the world championship in marine search and rescue. I've had the privilege to serve on the town council of Rimbey, and as I stated earlier, I'm honoured to be the MLA of my constituency. Being in service to others are not hollow words with me. It is fundamental to my character, and it is who I am.

As an MLA I bring to this Assembly a wide range of experiences. I have owned and operated small businesses, and I have taught fibre-optic engineering transmission for Bell Labs. I have tried out for two professional baseball teams, and I was a stockbroker, a commodities broker, a hedge fund manager, and a derivatives market specialist. In between all of that, I raised a family.

7:40

My goal is to apply all my life experiences in service to my constituents. The Rimbey-Rocky Mountain House-Sundre constituency, my constituency, is a microcosm of this province. The constituency's northern boundary borders the community of Drayton Valley and extends all the way south of Sundre. The constituency's east boundary lies on the east shores of Gull Lake and extends all the way to the Icefields Parkway and the B.C. border. All in all there are 37 communities in my constituency if I count all the unincorporated communities and the summer villages.

Our constituency has a strong agricultural base, a vibrant logging industry, and we are blessed with an abundant amount of oil and gas development. In addition to these industries, we have a very large tourism industry. We are, indeed, a very diverse constituency.

That said, Madam Speaker, it is not our industries that make us special. It is the people who live in our communities, who make up our communities that make this a very special constituency. I have lived and worked in many places, but I've never lived in a place more diverse than the place I live in today, which is Rimbey. I currently live in Rimbey with my wife, Deborah, who is the minister of the United Church; my son, Thomas; and my daughter, Aylish.

I would like to take this opportunity now to thank my constituents for electing me as their Wildrose representative in this Assembly. These people in this constituency are fiercely independent. They're hard-working and honest to a fault. A handshake can still be a binding contract. These are great traits. It is important for me to note, Madam Speaker, that they did elect a Wildrose member to this Assembly. Among the many reasons for supporting the Wildrose party, my constituents have voted against what this government did to diminish property rights and democratic rights, and they voted in favour of a Wildrose government that would restore those rights. While some in the current government may actually deny this reality, the constituents of Rimbey-Rocky Mountain House-Sundre do not.

When they read a law that states that the minister can make a regulation approving the dumping, deposit, or emission of any substance on an individual's land and the only right of appeal is to the minister who did it, when they read a law that says that the commissioner is not required to afford an opportunity to be represented by legal counsel, when they read a law that says that no person has a right to compensation by reason of this act or any regulation made thereunder, they don't need a lawyer to tell them what they've just read. They understand it. In fairness, I would like to point out that this government did try to remedy one of the aforementioned extracts that I just read, but it only attempted to do so in response to the large public outcry and only after repeated denials.

The sad fact is that an absolute right to be fairly and justly compensated when a capricious government decision, be it intentional or unintentional, deprives a property owner of a livelihood does not exist in law in Alberta. One of my goals as an MLA is to enshrine into legislation a property rights provision that would guarantee that individual landowners would be treated fairly and justly. Clearly, I have my work cut out for me. It was extremely disappointing that the throne speech did not mention property rights.

Madam Speaker, my constituency has a variety of urgent needs. The communities of Benalto, Eckville, and Bentley unselfishly support Sylvan Lake's desire in an attempt to secure an urgent care facility. Sylvan Lake is not in my constituency, but such a facility has regional implications. It can provide relief to the urgent care resources in Red Deer. Most importantly, it can save lives in Sylvan Lake, in those surrounding communities.

The community of Sundre is at risk of being flooded by the Red Deer River. This local issue will require considerable political will. I encourage this government to adopt a permanent solution for the citizens and the community of Sundre. They deserve nothing less.

The community of Eckville is in desperate need of doctors. The community of Rocky Mountain House is still waiting for a hospital after being told years ago they were on the top of priorities to get a new hospital. It still hasn't happened.

The community of Rimbey is in desperate need of a new seniors' lodge. The existing lodge was first constructed in the '60s. The lodge has no fire suppression system. The roof needs major overhauls. The lodge kitchen is too small and substandard.

As a result, refrigerators have to be located out in hallways, and food is stored elsewhere in the building. There's just no room.

With regard to the safety of the seniors in that lodge, in one wing of that facility the emergency responders cannot get a gurney down the hallway. Several rooms are too small. The hallways are too small for gurneys to be taken down. Volunteer firefighters must be dispatched on every emergency call to carry a senior out of their room to a waiting gurney. Transferring fragile and distressed seniors in this fashion is both unacceptable and dangerous. The Minister of Municipal Affairs is aware of this issue, and I want to thank him for his support and encourage his office to act swiftly to resolve this concern. Our seniors deserve expediency.

Our infrastructure needs are significant. I was disappointed the throne speech was silent on the topic of setting long-term infrastructure priorities and goals. The citizens of our constituency and Albertans as a whole deserve to know when they can expect infrastructure investments.

One of Alberta's greatest natural resources actually lies in my constituency. We call this resource the west country. The communities of Rocky Mountain House, Sundre, and Caroline and our First Nation communities are the gateway to the west country. On any given weekend the west country may see as many as 60,000 Albertans venturing out into the backcountry to enjoy the parks, trails, and rivers. The need for policing and the need for enforcement of Alberta's wildlife rules and regulations is of paramount concern. These resources are lacking. Law enforcement can take as much as 90 minutes or more to respond to an emergency call. It is my hope that we can correct these shortcomings.

Madam Speaker, as I just stated, the west country is one of Alberta's most valuable resources, and it is being stressed by many competing interests, some man-made, some natural. As the Wildrose MLA representing this region of Alberta, I can assure this Assembly and all Albertans and state categorically that climate change is real and undeniable. One only needs to travel to the Icefields Parkway and witness how far the glaciers have receded over the years to examine the evidence.

This world we live in now has a population of about 7 billion people, and Alberta is creeping ever closer to a population of 4 million people. We also have a huge functioning industrial complex. The Wildrose knows that mankind has a significant impact on the environment. What concerns the Wildrose the most is: what are we doing as citizens, communities, and government to reduce our environmental footprint? Successful, well-thought-out efforts to reduce our environmental footprint are good for our quality of life. It's smart business for our thriving industries. It is the right thing to do for our future generations.

The last subject I would like to address, Madam Speaker, is electricity. Electricity has been problematic for this PC government ever since it deregulated. Although many of the rules and regulations pertinent to deregulation were never applied until much later, the real problem with Alberta's electricity market still exists, and it's twofold. The market pricing system for the wholesale electricity market is fundamentally flawed. The AESO developed a very simple pricing system for the wholesale market that always guarantees that industry will be paid the highest price for the lowest cost electricity. This does not serve Albertans. Alberta's electricity market has harmed hard-working Albertans, our seniors, our small-business owners, and our low-income citizens. It's unjust, and it's not working. I call upon the Minister of Energy to release the Retail Market Review Committee's findings so we can get down to implementing solutions now, not later.

Complicating matters further, Alberta's electricity market has been corrupted due to political meddling in the electricity transmission system. With the greatest respect, Madam Speaker, there is no other way to describe Alberta's transmission system. This government has legislated five transmission line projects that are not needed and approved a transmission system upgrade that has costs spiralling out of control. The projected cost of the \$16.6 billion proposal is now on track to more than double. We are building transmission lines that Albertans don't need, and we are not building the transmission lines that Albertans need. This government has approved two HVDC transmission lines at an added cost of \$2 billion just for the pleasure of using DC technology, only to convert that technology back to AC so we can use it. It just doesn't make sense. Had we just proposed AC transmission lines, it would have saved taxpayers \$2 billion. Imagine what that could have done for education or health care.

7:50

Incredibly, there are no cost controls in place, and as a result, the cost to build the transmission line in Alberta is double what it costs to build a transmission line in any other jurisdiction. There's no rational explanation for these outrageous costs. I hope some of the responsible fiscal conservatives across the aisle took notice of what I just said.

Madam Speaker, Alberta needs a robust, efficient, reliable electricity system. The proper way to design such a system is through a public vetting process that requires a cost-benefit analysis so that the most efficient and economical solution can be approved in the public interest. After all, it is the public that pays.

I thank you, Madam Speaker, and I congratulate you on your appointment.

**The Acting Speaker:** Thank you, hon. Member for Rimbey-Rocky Mountain House-Sundre. I do agree with you that the west country is a very valuable resource.

Standing Order 29(2)(a) applies. Anyone wishing to ask any questions or to comment to the hon. member can do so now. The Member for Airdrie.

**Mr. Anderson:** Thank you, Madam Speaker. I'd just like to ask the member – I had the opportunity to attend one of the presentations that he gave on the subject that he just spoke about, the electricity transmission lines and so forth, prior to him being elected. I know that he went all over the province to do that with Mr. Keith Wilson as well. I just wonder if he could tell us a little bit about that experience and what he heard and if it had an effect of pushing him into running for office.

**Mr. Anglin:** I wasn't expecting anybody to question me on electricity, but I will tell the Assembly this – some of you know; I've been into your ridings – I got involved in this situation only because I was a neighbour of individuals who were losing their homes to electricity transmission lines, and it made no sense to me that they would lose their home. When I got in and I dug into this, what I discovered was how corrupt the process had gotten. We have a lot of new PC MLAs here today who may not understand this, but this has a long history to it, and it needs to be corrected.

We may have started on the first step today, but I will tell you this: I still travel around and talk about electricity, and I show up with all of the evidence. I show up with AESO's documents, AltaLink's documents, ATCO's documents, and the EUB documents. I show people what's gone wrong. I show people how this thing has taken on a life of its own and that what we're doing is absolutely, fundamentally wrong.

I have to tell you that it has a lot of bearing on how I ended up running because in this process I had six private investigators tap my phones during an EUB process, and no one in government was ever held accountable. That was my decision to run for the Wildrose. If you allow government agencies to tap the phones of citizens and not be held accountable, that is a threat to democracy, and that's reality.

**The Acting Speaker:** Thank you, hon. member.

We still have two and a half minutes. Are there any other members on 29(2)(a)? The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Thank you for that very impassioned speech. I know this isn't your first time running for provincial office. As a former leader of the Green Party I appreciate your comments on carbon and the fact that it is real. The fact is that its challenges are ever embracing. I'm wondering with your former background and where you are now, I guess, what you – we have a carbon levy. It's at \$15 a tonne. It's based on intensity targets. What are your feelings on this? Are your feelings that it should be more robust? Should it be on actual emissions as they come out of our industries? What's your take on this given your background, or has this changed?

**Mr. Anglin:** Madam Speaker, actually, I've never changed on this. I fought with the Green Party, who were in favour of a carbon tax, over this very issue. I am not in favour of a carbon tax and never have been, and I still would oppose one.

I think the solution is to reduce carbon emissions. I think that's the key. We are an extremely wealthy province, and we actually have the ability to do that. We just need the political will to carry that out. I sat down with the hon. Minister of Energy and explained this, and I think he listened. I'm going to be taking this up in committee because there are some real solutions here as long as people are willing to be open minded. We can do some things as a province that can actually show the world not only that what we do is good; we can be the leader in the world. I actually believe this.

I'll say one thing. Somebody on the other side just mentioned that I had no proof that someone tapped my telephones. I carry that proof with me. I have it.

**The Acting Speaker:** We have 45 seconds left on 29(2)(a). Anyone else like to ask a question?

Seeing no one, I would ask the hon. Member for Grande Prairie-Smoky to give his response to the throne speech.

**Mr. McDonald:** Thank you, Madam Speaker. I'm honoured to rise today on behalf of my constituents of Grande Prairie-Smoky. We are so blessed in the north with opportunity and growth and prosperity. This government recognizes that generations of Albertans have worked to create the many advantages we enjoy today.

Madam Speaker, I was first elected to Grande Prairie county council in 1992 and for the last 10 years served as reeve until my recent election. Through the years I served, we saw many changes to Alberta, which have allowed growth in all sectors of our economy. We are blessed in the north with all four pillars, including agriculture, forestry, energy, and tourism.

The constituency of Grande Prairie-Smoky includes the city of Grande Prairie, the towns of Sexsmith, Valleyview, Fox Creek, as well as many rural municipalities. Overall it is one of the fastest growing areas in the province. In fact, the last census confirmed a population increase of 16 and a half per cent in the city of Grande Prairie and 13 and a half per cent in the county.

As well, the city of Grande Prairie was recently named the most entrepreneurial city in Canada. As such, I understand the importance of effective planning and wise spending. This is why I was excited to hear about our government's long-term plan to further attract business and investment. I've been involved with issues dealing with economic development in my constituency, so I know first-hand the significance of decisions by our hon. Premier. This government's commitment to simplify regulatory burdens will continue to make Alberta the most attractive place for businesses and help advance our knowledge-based economy.

Madam Speaker, efficiency and responsibility are also themes that I often hear at the doors of my constituents, and I'm sure these are echoed across our province. This is why I'm optimistic about the implementation of results-based budgeting by our Premier. Program budgets will be scrutinized every three years and publicly reported so that everyone can see how their tax dollars are being invested. The future prosperity and quality of life in this province will depend on this type of innovative thinking and will ensure that Alberta will maintain a strong fiscal position in North America.

With more young families moving to the Grande Prairie-Smoky region, Madam Speaker, it is also exciting to hear the Premier's focus on investing in families and communities. The growth of the population of the Grande Prairie region will require the maintenance and building of many schools. This was certainly one of the major issues I heard as I travelled the province meeting with families throughout the summer. The education of our youth is the basis of our continued success, and constituents of Grande Prairie-Smoky recognize the importance of our strong education system.

I am also excited, Madam Speaker, about the way our government is moving forward with respect to health care. The commitment to build family care clinics will help supplement the high volumes in anticipated new hospitals in Grande Prairie that will be opened in 2015. Through the use of multidisciplinary teams of health care professionals at the front lines of care the citizens of the Grande Prairie region and all Albertans will have more treatment options with less waiting. Alberta expects a health care system that will respond to the needs of community and maximize the use of resources available.

As I mentioned previously, I have been involved in municipal politics for the past 20 years in an area that has experienced significant population growth. I have dealt with the challenges that often arise in regions as the region attracts more people, and I can honestly say that our Premier understands these challenges and possesses values needed to overcome the obstacles. This understanding is also true when it comes to Alberta's energy sector.

As a third-generation farmer I have always had a deep love and respect for our environment. Madam Speaker, my grandfather arrived in this province over 100 years ago. He was one of the first 100 people to walk the Edson Trail into the Grande Prairie region, where he homesteaded. My family continues to own and farm this homestead. Agriculture, therefore, is not only a part of Alberta's rich history but also a significant part of my family's history. With the support of my wife, Tina, and our four children, and two grandchildren, I look forward to serving the people of Alberta in our noble cause.

8:00

The economic success of this province and the quality of life of the people are intertwined with the preservation of our environment, everything from farming the land, enjoying outdoor activities, and breathing our clean air. We owe it to our future generations to preserve Alberta's environment and natural beauty.

Thank you very much.



**The Acting Speaker:** Thank you, hon. member, for your comments, your response to the throne speech. I didn't realize that Grande Prairie is growing so fast.

Standing Order 29(2)(a) applies if anybody would like to ask any questions or make any comments.

Seeing none, we'll move on to our next response to the throne speech. I would ask the hon. Member for Calgary-Buffalo to present his response to the throne speech.

**Mr. Hehr:** Thank you, Madam Speaker. It's an honour and privilege to be back in the Legislature and respond to the throne speech given on May 24, 2012, shortly after the last election. Going back, we had about three successive throne speeches. We had one when the hon. Premier ascended to her position, then we had one on February 7, 2012, and then the aforementioned one on May 24, 2012. I must say the highlight of these three throne speeches for me was actually the February 7, 2012, one. That, to me, in comparison to the one on May 24, 2012, had a much clearer direction, a much greater sense of some of the perils facing Alberta, some of the significant challenges that I believed at that time this Premier was willing to take on.

If I just can respond to some of the things that were involved in that throne speech on that date in comparison to the one that recently came out, it says:

Four decades ago our province was just beginning to find its place in an uncertain, fast changing world. New and untested opportunities glimmered on the horizon, and Alberta's government in 1971 resolved to make the most of them, promising to build a society that is not inferior to that in any province or state in North America. It succeeded magnificently.

It goes on later in that throne speech, and I'll quote again:

Now, two generations on, Alberta faces fresh challenges. Long-established ways are being called into question, and comfortable assumptions are being examined anew while Albertans [find] themselves . . . growing older.

I must attest I didn't write that speech, but it seemed to suggest to me anyway that there's a recognition that although the Tory party has been in power for 41 years, there have been different machinations and makeups and markups of what that party has stood for. There was the Lougheed generation from '71 to '85, which in my view did some very good things, very proactive things. They started the Alberta Energy Company. They started the heritage savings trust fund under a recognition that all of the fossil fuel wealth should not be spent in one generation and that one time Alberta will run out of oil and gas or the world will move on. Those truths, I believe, are still evident today and are still worth tackling. That's what I believe it was suggesting in that throne speech of that date.

But since that time, when I saw a Premier who was seemingly harkening back to those days of 1971, the robust leadership under Peter Lougheed, I've seen a walking away from some of that rhetoric, some of the big challenges that are out there: one, our fiscal structure; and two, our energy industry. To be honest here, everything flows from our fiscal structure. If we don't deal with that issue, it's all just smoke and mirrors. We're not dealing with the nub of what's going to set this province up for the long term.

Since 1985 we've had different machinations of Tory governments, governments which I think in essence set up a fiscal structure that was designed not to save, that was designed to spend all the petroleum wealth in one generation. That was the Klein government, and the Stelmach government proceeded on that. The evidence is clear that that's what happened because we're here in this day and age in – what's the date today, guys?

**Some Hon. Members:** October 23.

**Mr. Hehr:** Yeah. There we go. On October 23, 2012, that has played out, those two scenarios. A letter in the *Calgary Herald* actually brought that to me when we were harking back at the sad passing of Premier Lougheed, that this is no longer a province of Peter Lougheed. This is now a province that has been set up under the Getty, Klein, and Stelmach eras. To return to that, there has to be some heavy lifting. You can't just talk about it. You have to do some things, okay?

Let's just talk about that fiscal structure as it stands here today. Right now Alberta takes in approximately \$11 billion, \$12 billion in petroleum resource wealth a year. We spend it all. We spend it all on services that we use, going to school, building roads, hospitals, education facilities: all good stuff. I'm not going to argue with that. There has been a fiscal structure set up that takes this one-time gift from the heavens above, a barrel of oil, and turns it into something we spend right now. We all know, Madam Speaker, that once you sell a barrel of oil, you never have that barrel of oil to sell again. We're not converting this into a long-term investment that Albertans can use long after we're out of this Legislature, long after we're gone, when people who remain in this province may be able to take part in using some of this largesse.

I come from the school of thought that we do not have the right to spend all of this oil wealth in one generation. We have an obligation to see the tea leaves as they present themselves. One, we're going to run out of oil and gas, probably not for a long time, but two, the world could move on. That could be in 50 or 60 years. To really deal with that, there has to be a recognition that our fiscal structure is broken.

The clearest comparison to this: we're the lowest tax jurisdiction by a country mile, okay? A country mile. If we Albertans even adopted the B.C. tax code, the second lowest tax jurisdiction of all the provinces, we'd bring in \$12 billion more in revenue a year. Is it a secret what we're doing here? No, it's not. We're just simply taking the easy way out. We're saying: "No. We don't recognize this as being something to save for the future. No. We recognize this as something we're free to use and let future generations deal with it themselves."

If you believe tourism and farming are going to carry the day after oil and gas is gone – I'm not one of those people who believes that. If we stay on this course, essentially what this government is saying is: "By golly, let's have a good time now. Let's keep taxes low. Let's build all these roads and hospitals and schools, and let's look like heroes doing it because we're not going to make anyone pay for it." Okay? That, to me, is fundamentally wrong. There has to be a recognition that there is going to be a day in this province where things are not going to be better than they are today. We're in the best business at the best time. The oil and gas industry is extremely profitable, and the Alberta people should be able to save something from being in the most profitable business this world has ever seen.

We have 25 per cent of the world's oil resources. If we can't figure out how to save something for the future, well, my goodness, we're not trying very hard. We don't have to look further than Norway, where as a society they have said that this is a one-time resource. They as a society have said: "No. We will pay as we go. We will pay what we need to to ensure the poor, the sick, the disabled, the elderly are taken care of. That's our onus. That's our onus as a society. We will pay for it out of the revenues we bring in out of our taxes and go forth from there." Is that an easy argument to have with the electorate? No. Is it one worth having? Yes.

8:10

You know what else? I guess there's another option you can do. Whack the budget by six or 12 billion dollars. Don't monkey around. Take that to the electorate. Say: "No. You guys want low taxes? Great. You're going to get them, but you're not going to get this. You're not going to get that. You're not going to get a road from Fort McMurray paid for by some bonds, again a future generation paying for it. No. This is what you get. These are the taxes you want to pay." And that is a fair proposition as well because that actually will recognize some savings. I don't think it'll be enough, and I don't think the electorate will stand for it. Nevertheless, that is at least a fair proposition for you guys to take to it. Right now this is simply taking the easy way out.

I think there has to be a recognition, and this throne speech seemingly recognizes it. Back to the throne speech that we had on February 7. At that time the hon. Premier said: we are going to look at all revenue sources. If that's too cryptic for you, that's taxation. In fact, I'm friendly with many people in the member's offices. I'm friendly with many people in your party because you're reasonable people, okay? In fact, the thinking at that time was that this is baked into the cake. This is an understanding that taxation in this fiscal structure was broken. I don't think that's changed.

What has just happened is an election. What I see is a government who, four years away from election, is already thinking about the next election, is not willing to do what they think is right. That is saddening, disheartening not only to me but to what we leave behind, for I think the lasting legacy of the last 42 years, or how we're going to be judged, is what we leave behind when it's all said and done, when the oil and gas is gone. I think we as a society, we as this government should set a societal goal. We can save a trillion dollars in the next 60 years to set us up in perpetuity. That's with watching our fiscal side as well as a recognition of the fact that eventually things are going to run out. Is it going to be easy? No.

I tell you what. What's so hard about raising taxes and looking at a taxpayer and saying, "You want to take it in the ear worse somewhere else"? Really, what's the matter with getting up a press conference. "Yeah. We're not going to be the lowest tax jurisdiction by a country mile, but guess what? If you want to move somewhere else, if you want to move your business somewhere else, you're going to take it in the ear worse." That seems like a pretty easy message to sell and go from there. It's really not that hard. Yeah, there'll be some bad days in the paper. Mr. Gunter at the *Sun* will get all angry and all that stuff there, but you already know that, so do what's right.

I didn't know all this about our fiscal structure when I first came in here. I thought the prosperity would be forever. I encourage people on the government side and on this side to actually investigate what our revenue streams are. You talk to people who sit on Treasury Board. You talk to people who have formerly served in that capacity. They know the issue. Everyone knows the issue. The issue is political will.

A person whom I applaud very much on that side of the House, the hon. Minister of Municipal Affairs, actually ran in the PC leadership and openly talked about the fiscal structure, openly went into debates and said: guys, this ain't good for our long-term prosperity. Have a conversation with him. I think the hon. Premier knows it. I think everyone knows it over there. They're just unwilling to do something. I think you can do it, and I think you'd be abrogating responsibility for good government by not doing it.

Another idea I have is regarding our oil and gas industry. I thought Lougheed had a great idea with the Alberta Energy

Company. Ask yourselves: why is every national oil company in the world here? Pretty easy. You pay royalties, and you make money. I understand. Royalties have to be one thing. There has to be a profit margin in there. But are all these other nations smarter than us that they say, "Jeepers; we'll come to Alberta, make a piss-pot of money, and send it back home to our citizens to enjoy better services"? Like, really. It's not that hard. There are reasons why they are here to make money. If they can make money, why can't we? Something to add to that pot of resources we have when those two things happen: one, we run out of oil and gas, or two, the world moves on. And the world could move on sooner rather than later. All this other stuff we talk about, the little things we do on health care and the stuff we do on education, by all means, that is important – okay? – but you're not going to make it sustainable and predictable for the long run unless you do one of those two things.

Anyway, I'm often wrong, never without an opinion, but thank you very much for allowing me to have my time here today, Madam Speaker.

**The Acting Speaker:** Thank you, hon. Member for Calgary-Buffalo, for that spirited response to the throne speech.

Under Standing Order 29(2)(a) is there anybody who would like to ask a question or comment from the Member for Calgary-Buffalo? The hon. Member for Airdrie.

**Mr. Anderson:** Hon. member, can you expand on that often wrong part?

**Mr. Hehr:** Actually, I used to watch PBS television in the '90s. There was an investment show, and often investment prognosticators are wrong, okay? They do the best with the information they have and go forth from there. It's a 60-40 business we're in. You know, I've said that if you're right 60 per cent of the time, I think you're doing pretty good. We have to deal with the best information available to us.

But I think that in the main the best information available to me at this time is that our fiscal structure with what we're currently doing is broken. One only needs to look at the past 41 years to see that. We have spent \$350 billion in petroleum revenues and managed to save \$16 billion. Hey, I've stolen you guys' crib notes. The heritage trust fund is worth less than it was in 1976. That's a truism, okay? Unless something is done, really, we're just destined to keep on going through this thing, and we'll never get ahead.

That's where I got it from, so there we go.

**The Acting Speaker:** Thank you.

Are there any other members that would like to ask a question or comment through Standing Order 29(2)(a)?

Seeing none, we'll go to our next response to the throne speech. I recognize the hon. Member for Stony Plain.

**Mr. Lemke:** Thank you very much, Madam Speaker. It is an honour to rise tonight to respond to the Speech from the Throne. I begin by thanking His Honour the Lieutenant Governor Donald Ethell for delivering a clear and well-articulated plan on behalf of the government of Alberta. I have great confidence that the government under the leadership of the hon. Premier will continue to ensure the long-term prosperity that has made Alberta one of the most affluent jurisdictions in the world.

Madam Speaker, I would also like to acknowledge the tireless work of my predecessors. Our constituency has a proud history dating back to 1905. Stony Plain has the distinction of being one of the original 25 constituencies created along with the province in

1905. It is one of the few original constituency names in continuous use since then. From John McPherson, our first MLA, through to myself, we have had 14 MLAs. I would like to take a minute to recognize Mrs. Cornelia Wood, who until recently was the longest serving woman in the Legislature. She served first from 1940 to 1955. Of course, our very own Pearl Calahasen now has that distinction.

Since 1967 Ralph Jespersen, Bill Purdy, Jim Heron, Stan Woloshyn, and Fred Lindsay have served the people of Stony Plain and are still all active members of our community. I would like to acknowledge Fred Lindsay, who served two terms in this Assembly. He brought his knowledge of the energy sector and policing to his role as a member of cabinet and an MLA, and he left a positive mark on his community and this House.

**8:20**

Madam Speaker, I would like to thank the people of the constituency of Stony Plain for the confidence and trust that they have bestowed upon me. I am honoured and humbled to be representing them in the 28th Legislature of the Alberta Legislative Assembly. I do not take this responsibility lightly. It is a privilege to serve as a democratically elected official.

Clearly, the people of my constituency expect and deserve open, honest, and transparent government. A Member of this Legislative Assembly must remember that they have been given a mandate from the people. They expect me to actively and openly represent their concerns and perspectives to the government. I intend to do that to the best of my abilities and as vociferously as necessary.

What a wonderful constituency it is that I represent, Madam Speaker. We're a vibrant riding of 40,000 industrious people employed in fields as diverse as health care, education, manufacturing, mining, oil and gas. In addition to including its namesake, Stony Plain, my constituency stretches 80 kilometres west of Edmonton and south from highway 16A to the North Saskatchewan River. It encompasses Parkland county and villages like Wabamun, Spring Lake, Duffield, Seba Beach, and Tomahawk along with the Paul First Nation and the Enoch Cree Nation.

The constituency is largely made up of Parkland county. Therefore, much of it is rural and agricultural. One of the most notable attractions in the area is the University of Alberta Devonian gardens. This biodiverse 190-acre property is the most northern botanic garden in Canada. The display gardens, natural areas, and ecological preserves are for public education, enjoyment, and research. Many people in the capital region have had the pleasure of spending the day in the gardens or booking the facilities to celebrate events.

Madam Speaker, Wabamun Lake is one of the many lakes located in my constituency. This popular body of water houses the Wabamun Sailing Club and is well known to water sport enthusiasts around this province.

Lake Wabamun is also the site of much of Alberta's electrical generation, with the Sundance and Keephills power plants. Many Albertans were familiar with the Wabamun generating station, a recognizable landmark that has recently been decommissioned and demolished. However, unit 3 of the Keephills power plant, which began operations in 2011, has replaced it as a major supplier of electricity and employment. This large clean coal fired generation unit is one of the most technologically advanced in the world. The 450 megawatt coal-fired generating unit located about five kilometres south of Lake Wabamun at the Keephills plant is owned and operated by TransAlta and Capital Power Corporation. Carbon dioxide emissions per megawatt are lower than those from a conventional coal generator.

This new generating unit is a critical step in guaranteeing that Alberta's future power needs are met with a reliable, cost-effective, and environmentally responsible source of electricity. It is an example of development which this government endorses, a type of resource development that leads to a cleaner and healthier environment. TransAlta, the operator of the plant, is one of the largest employers in the constituency with approximately 700 employees.

Madam Speaker, another vital employer in our constituency of Stony Plain is the agricultural industry. Historically the constituency has attracted people seeking opportunities in farming the bountiful land. This vital industry has played an enormous part in our area's history and today continues to provide a wholesome, steady livelihood for many of my constituents. I would like to acknowledge the hard work and dedication of Alberta farmers, which has kept a resilient and strong farming sector in many of our communities.

Landowners' rights was a subject often brought up during the recent election. I am pleased that this government guarantees landowners consultation, compensation, and the courts.

Madam Speaker, the people of this constituency are committed to their families and communities. Some have been here for generations while others are part of the wave of recent newcomers from within Canada and outside of our country, all of whom sought the amazing opportunities that this province has to offer its citizens. I promise to partner with them to achieve a better future for us all. In the past I have had the great honour to represent some of them on Stony Plain town council, most recently as the mayor of Stony Plain. I am proud of the accomplishments that we achieved together in co-operation with other town councillors, neighbouring municipalities, and provincial and federal officials.

In addition to the participation of Stony Plain and Spruce Grove, I would also like to acknowledge the eminent role that Parkland county played in co-ordinating the construction of a leisure centre across jurisdictional boundaries. Parkland county is the administration that represents the municipal level interests of many people in the constituency, and in the interests of Parkland county residents, many of whom reside within the constituency of Stony Plain, I look forward to continuing our relationship and making our communities stronger.

Madam Speaker, it is the case that oftentimes a lawmaker as a representative of the people rests his or her success upon the ability to collaborate with others and to effectively listen to what constituents are saying. While serving on town council, we fostered and cultivated effective and productive partnerships, which led to real results for the people of our community. For example, we managed to achieve one of the lowest property taxes in the capital region while maintaining high levels of service, orderly growth, and fiscal responsibility. I assisted the trimunicipal region to increase shared services, which included the building of the TransAlta Tri Leisure Centre. I also was involved in helping form the Capital Region Board, which is fostering increased co-operation amongst 23 municipalities.

These are verifiable examples of how collaboration and negotiation can yield important results for Albertans. I will continue to draw on my experience and knowledge of policy to achieve responsive leadership, open dialogue, and accountability. My continuing vision for the constituency of Stony Plain is in the same vein as the Premier's vision for the province. I want to ensure that the riding remains vibrant, continues to grow, and is a safe community for people pursuing health, happiness, and prosperity, a community of hope and a community with a vibrant future.

Madam Speaker, I am pleased and honoured to be a member of this government with its bold plan for the bright future of this province. This is a Premier that understands Alberta families and what their needs are and what they expect their government to achieve. The hon. Premier firmly believes in investing in families and communities across this province because it is a healthy family and a strong community that is the measure of the quality of life that we enjoy. It is the government's priority to encourage and to develop strong and vigorous families and communities. We believe it is the government's responsibility to create the opportunities and provide the support necessary for parents to raise children that grow into healthy and educated adults. We believe in a world-class education system that prepares our children for the economic future and challenges of tomorrow.

In listening to the throne speech, it was clear that this government will invest in the infrastructure that communities need in order to thrive and prosper: the schools, the hospitals, family care clinics, recreation centres, and the highways that connect us to one another. One thing we know for certain is that Alberta is constantly growing, and we need to meet the challenges of that growth head-on by laying the physical foundation for our communities. However, we will be sure to do it in a fiscally responsible manner. We will spend government revenue with the utmost respect to the taxpayers, who expect government to function as efficiently as possible.

This government will invest in the economic future of this province. The throne speech clearly articulated the notion that a strong and prosperous economy is built with human capital and physical infrastructure, and it is this government's pledge to invest in the building blocks of that future prosperity. This government will continue to secure a dynamic economic future for all Albertans, who deserve to share in the wealth produced by the great resources of this province. We also believe in diversifying our economy and making it more competitive, not just nationally but internationally. In order to accomplish this, we will train a workforce that is skilled and adaptable to the changing needs of an increasingly globalized society. This government has fostered a competitive economic position for this province, and it will continue to do so.

Madam Speaker, I must say that I look forward to working with this dynamic team of professionals. I am proud to mention that a third of our caucus is composed of brand new MLAs, myself included. We will build on the past successes of government while enhancing our caucus with new ideas and fresh perspectives. As well, we have an important balance of professionals with business experience and previous political experience at other levels of government. We have caucus members with legal experience, training in information technology, and science backgrounds. Other members of our team have experience in such diverse areas as the trades, journalism, health care, law enforcement, and engineering.

In closing, Madam Speaker, I look forward to continuing the dedication and constructive collaboration of this government and building upon its past successes. We will continue to make progress on the issues that matter most to the people of my constituency of Stony Plain and to all the people of this tremendous province.

Thank you very much, Madam Speaker.

8:30

**The Acting Speaker:** Thank you, hon. Member for Stony Plain, for that very uplifting response to the throne speech.

Standing Order 29(2)(a)? I see the Member for Rimbey-Rocky Mountain House-Sundre. I recognize the member.

**Mr. Anglin:** Thank you, Madam Speaker. I was wondering if the hon. member would comment on Keephills 3. Keephills 3 utilized the technology called integrated combined cycle, which is clean coal technology, and they received their approval to build the plant based on employing that technology. They constructed the plant, and once online they turned right around and applied to the Alberta Utilities Commission to be exempt from clean coal technology and said that they needed to be exempt from that technology because it made them uncompetitive. They were subsequently denied. I was wondering if you would comment on the clean technology that they have promoted.

**Mr. Lemke:** Well, thank you for that question. I take your word that you're knowledgeable about Keephills 3, and certainly I will do a little research and get back to you in terms of that.

**The Acting Speaker:** Any other questions under 29(2)(a)?

Seeing none, we'll move to our next speaker, and I would ask the hon. Member for Cypress-Medicine Hat to deliver his maiden speech.

**Mr. Barnes:** Thank you, Madam Speaker. It's with great pleasure and gratitude to the voters and residents of Cypress-Medicine Hat that I rise today to deliver my response to the Speech from the Throne. This is, of course, my first speech in the Legislature, so it's also a chance for me to tell everyone a bit more about Cypress-Medicine Hat: our people, our towns, our city, and our needs.

The people who live in Cypress-Medicine Hat include oil and gas workers and investors, farmers and ranchers, business owners, greenhouse operators, and professional people. We have a large number of semiretired and retired people, who have earned our respect by building our economy, our communities, and our institutions.

Young families are also attracted to the quality of life that this constituency provides. I have heard from a wide range of these young families, and over and over they have told me how important the education of their children is. They want to know where the infrastructure dollars for new schools and renovating older schools are going to be spent. Many are concerned that promises made in the past for the region will not materialize. My constituents are also very concerned about rural schooling opportunities, the length of bus rides, and funding to ensure their children have the quality of education that Alberta can afford.

Our location does not allow us to be part of the highway 2 corridor, and this has contributed to a saying in Cypress-Medicine Hat: sometimes we feel we are the forgotten corner of Alberta. When I hear that, I also believe that people from Cypress-Medicine Hat are saying: "Hey, we're independent. We're strong. We believe in working together to help a neighbour, friend, or community." The adjective "independent" perfectly describes the second-, third-, fourth-, fifth-, and even sixth-generation ranching families who reside, earn a living, and pay taxes in the Cypress-Medicine Hat constituency.

John and Kathy Ross, fourth-generation ranchers with Milk River cattle ranches, are now the proud grandparents to one-year-old William Jack Ross, a sixth-generation rancher. Parents Aaron and Rebecca Brower and their three children, Morgan, Lindsay, and Addison, are now the fifth generation on their ranch in the Aden area. These people exemplify those who are concerned about schooling opportunities, ambulatory services, the government's agricultural policies, and, perhaps most of all, property rights.

The adjective “strong” can also be used to describe the people of Cypress-Medicine Hat. Their reaction to our flash flood in the spring of 2010 is a great example. Residents had to care for their families, friends, and in some cases livestock. Many had to flee with little or no warning and then begin the long, arduous task of rebuilding. Incredibly, in some instances the water came so fast and unexpectedly that people had to swim for it.

When the likelihood of another flood developed the next spring, neighbours, friends, and families rolled up their sleeves and laboured to mitigate the chances of it happening. Unfortunately, there are currently many affected people still 29 months later that have not fully been helped by our government. I’m calling upon our government to make this a priority.

The taxpayers and citizens of Alberta were not honoured in this process either. In fact, the *Medicine Hat News* has reported that \$19 million was paid to individuals for flood assistance and restoration, but incredibly up to \$20 million was paid to the government-contracted company for administering this program. Albertans ask that our government help people fairly and quickly, and many instances outlined that this didn’t happen. Albertans deserve better.

The people of Cypress-Medicine Hat are both independent and strong. There is an amazing group of friends, vegetable growers, and businesspeople who believe in working together, for example in greenhouses. On less than a quarter section of farmland they’ve turned it into a business enterprise worth an outstanding \$55 million a year. I am referring to Redcliff’s greenhouse vegetable packaging co-operative called Red Hat and their associated growers. Their mission statement is “to be the best local distributor of fresh produce,” and, Madam Speaker, they sure do deliver on that promise.

There’s also a lot of history in Cypress-Medicine Hat. This year we had the Medicine Hat stampede celebrating its 125th year. We also had the towns of Redcliff and Bow Island both having extensive celebrations for their 100-year anniversaries. We are already looking forward to the 100-year celebrations of Burdett and Foremost, that will take place this summer.

There’s a location in Cypress-Medicine Hat that I would love to share with you. It is 1,234 metres above sea level, the highest elevation on the prairies between Banff and Labrador, and actually it’s the same elevation as Banff. I’m referring to Elkwater and the interprovincial park Cypress Hills. All of a sudden the hills and trees just seemed to pop up from the prairie, and what a great spot for recreation, wildlife, and just getting away. It’s been over 100 years since a natural cleansing forest fire, thus there are lots of history, vegetation, and activity that we must be careful with.

Cypress-Medicine Hat also includes about the southeastern third of Medicine Hat, and I would be remiss if I did not mention Medicine Hat College, its 2,500 full-time students, along with its excellent reputation for academics and trades. Medicine Hat is a first-rate city with a strong cultural community. Our extensive local theatre, our jazz, our Tongue on the Post festival, and our performing arts centre, the Esplanade, are second to none.

Sports take a back seat to no other community: our Western Hockey League team, the Medicine Hat Tigers, and our Western Major Baseball League team, the Mavericks, and extensive recreation and minor sporting opportunities.

Do you want to see the Great Wall of China someday? You don’t have to go overseas. Just come to Medicine Hat and visit our historical Medalta Potteries and all of its historic china products. It’s fully equipped with an artists-in-residence program and more than 100 years of clay works, china, and entrepreneurial history.

8:40

Many will know that Medicine Hat’s nickname is the Gas City. About 100 years ago Rudyard Kipling described Medicine Hat by saying that it has all hell for a basement. Now, it’s no secret that the price of natural gas is down, and it has been for some time. It’s also no secret that many jobs and firms and equipment have left Cypress-Medicine Hat since the royalty review of 2007. This has left our housing market, our business opportunities, our employment wages, and our growth trailing much of the rest of Alberta. With this in mind, I hope and trust that this government’s plans for the natural gas industry will improve this current situation.

But Cypress-Medicine Hat is known for more than its gas. It’s also known for its sunshine. In fact, it’s the national leader for cities for total hours of sunshine, with approximately 2,500 hours of sunshine per year, or close to an amazing 330 days of sunshine. Very often we’re the hot spot in Canada, comparing our daily temperatures to other Canadian cities.

Like many constituencies, there are also things in our communities, especially regarding infrastructure, that could be improved. We are grateful that the government of Alberta has started a \$220 million hospital expansion, but my constituents are still concerned about the lack of action and the promises on this project. In 2008 the first sod-turning took place, the second one was identical in 2010, and last week there was a third announcement. Still today the project has not moved forward at a pace that communicates to the people of the southeast corner that they are important. My constituents remember that the initial expansion promise was for a considerably greater project, announced at \$480 million.

As well, when the Deputy Premier comes to Medicine Hat and introduces three out-of-town MLAs as your local representatives, well, Medicine Hatters can’t help but wonder how important their needs and wishes are to this government.

My constituents are grateful, though, that the government of Alberta finally announced plans to build an overpass at Dunmore Road over the Trans-Canada highway. This is a very dangerous intersection – our Medicine Hat mayor, Norm Boucher, has expressed tremendous concern – with 150 accidents there in just the last two years.

The Cypress-Medicine Hat constituency is comprised of two counties, Cypress and Forty Mile. It is important to know that both counties are transportation and commodity based. Both the agriculture sector and the oil and gas sector are key players with many opportunities for tourism and recreation. This, of course, makes our road system and the quality of these roads essential to all citizens and taxpayers. In Cypress-Medicine Hat we know that the people of Alberta and Fort McMurray who travel highway 63 need our help, and once that twinning is progressing, please remember there is only 60 miles of highway 3 between Medicine Hat and Lethbridge not twinned and that highway 61’s pavement and shoulders need attention, with many, many serious accidents on it.

In addition to the increasing flow of truck traffic for commodities there are many reports and beliefs that the Bakken oil field and other oil activity will dramatically increase, making highway 61 from Manyberries to Etzikom to Foremost all the more important.

Alberta is also the only province with only one 24-hour border crossing with our neighbours to the south. For at least 15 years the people of Cypress-Medicine Hat have been extolling the virtues of working with the Americans and the federal government to open up the Wild Horse border crossing to more extensive hours. The economic impact of the development of an alternative port of

entry to move equipment and machinery faster, more safely, and affordably needs to be considered.

There are two other important economic drivers in my constituency I'd like to mention. Defence Research and Development Canada, or DRDC Suffield as it is known, employs over 200 people and supports our military, NATO forces, and private industry with cutting-edge research in explosives, equipment, safety, robotics, and much more. In Foremost there is an exciting initiative taking place to develop an airspace and improve the local airport to become a Canadian and world leader in flying unmanned aerial vehicles out of sight. Currently the legalities are such that unmanned vehicles can only be flown within the sight of the operator. However, the potential for police, search and rescue, pipeline surveillance, and who knows what else is tremendous. As we develop the ability to fly these unmanned vehicles further and further, this could become a great economic driver for us. Foremost and Cypress-Medicine Hat have the topography, climate, and the people to make this initiative a great success.

In conclusion, let me say once again that I am grateful to the constituents of Cypress-Medicine Hat for the opportunity to serve them in the House, whether they are from Schuler, Redcliff, Medicine Hat, Bow Island, Seven Persons, Aden, or points in between.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. Member for Cypress-Medicine Hat, for that very insightful response to the throne speech. I was waiting for you to mention how great the Medicine Hat Tigers are, and you didn't disappoint me.

Standing Order 29(2)(a). Is there anyone who would like to ask a question or make a comment? The hon. member from Canmore.

**Mr. Casey:** Banff-Cochrane, but close.

**The Acting Speaker:** Banff-Cochrane. Thank you.

**Mr. Casey:** As more of a comment, I guess, than anything, a 40-year friend of mine is responsible for much of the work at Medalta pottery, Les Manning. Les Manning just received the Order of Canada, I believe two weeks ago, for his contribution to ceramic arts in Alberta, Canada, and around the world. As you know, he teaches around the world. I just wanted to add that on to your Medalta pottery piece, that we're very proud of him. He was a resident of Canmore for 25 years and still is a very close friend of mine. Thank you for mentioning Medalta.

**The Acting Speaker:** Thank you, hon. Member for Banff-Cochrane.

Are there any others that would like to comment under 29(2)(a)? Member for Edmonton-Riverview, under 29(2)(a)? Please proceed.

**Mr. Young:** I just want to comment. I had the opportunity to go back to Medicine Hat this summer, and I was so impressed by the HALO air ambulance service and the community initiative that brought that together. I just wanted to point that out. It was fantastic the way the community got together for medical ambulance service in the area.

**Mr. Barnes:** Yes. Thank you very much for mentioning that. We have a great, great group of volunteers. They raise approximately \$875,000 to service that whole southeast area. There is a little bit of a concern, though, with the fact that they receive zero funding from the province. STARS, of course, receives somewhere between 20 and 30 per cent. I understand there's a chance of an

initiative from Saskatchewan helping with HALO so that we can service the southwestern part of Saskatchewan as well. Thanks for pointing out how hard those volunteers work.

**The Acting Speaker:** Thank you very much.

The hon. Member for Edmonton-McClung.

**Mr. Xiao:** Yeah. I have a comment. In the last few years I also travelled quite a bit in the province. I have been in Medicine Hat once, but I didn't know you have such wonderful pottery. As a teapot collector I would like to know if you can pass the address on to me. I would definitely like to visit that pottery place sometime next summer. I really enjoyed your speech. Thank you.

**Mr. Barnes:** Thank you very much for that. If you could ever come down and see the artists in residence, who come from around the world to work out of Medicine Hat and make things happen. Again, the society that's making this happen has done a wonderful job of creating opportunities for people that are interested in pottery, and the museum is really growing as well. I would be happy to do that. Thank you.

**The Acting Speaker:** Are there any other members under 29(2)(a)?

Seeing none, we'll move to our next speaker for his maiden speech, the hon. Member for Edmonton-Riverview.

**Mr. Young:** Thank you, Madam Speaker. I'm honoured to rise here today to reflect on the Speech from the Throne, delivered by His Honour the Lieutenant Governor. I would also like to begin by thanking the Lieutenant Governor for his thoughtful words and unwavering commitment to our province and our country. His Honour has led a distinguished career dedicated to public service through his work as a peacekeeper and humanitarian. I hold the utmost respect for his work serving the people of our province.

I would also like to thank the hon. Premier for her leadership and her effort to ensure that the work our government does consistently reflects the values, goals, and aspirations of Albertans. Madam Speaker, with her guidance this government has set in motion a clear, focused, target-driven mandate.

8:50

I stand here as a Canadian, an Albertan, an Edmontonian who has been bestowed the privilege of representing the constituency of Edmonton-Riverview, for which I'm humbled and honoured. I would also like to acknowledge the former MLA from Edmonton-Riverview, Kevin Taft, who served the constituency well and maintained support throughout his career through his community engagement.

I had the pleasure of meeting with Kevin this past week on community issues relating to the exciting developments at the University of Alberta's south campus, a large area of untouched land in the core of Edmonton on the banks of the North Saskatchewan River amongst mature, vibrant communities. Edmonton-Riverview representatives have had a history of service to the community before serving as MLAs and after in different roles. Previous Edmonton-Riverview MLAs include Karen Leibovici and Linda Sloan, who continue to represent and advocate for community as members of Edmonton city council.

The area of Edmonton-Riverview is certainly an impressive constituency with a long history. Edmonton-Riverview consistently records the highest voter turnout in the province, 69.2 per cent in the past election. Crestwood Community League was the first of the organized community leagues, founded in 1917 by a group of residents as the 142nd Street community league. Based on the ideas of neighbourhood and social club, it later stressed a

wider use of existing public facilities and co-operative joining of residents in a community for civic, social, and recreational activities.

Edmonton-Riverview is a constituency, but the families, individuals, organizations, and businesses don't see themselves as a constituency. They see themselves as a community, and they see themselves as Albertans. These are the communities of Laurier Heights, Belgravia, Malmo Plains, Crestwood, Parkview, Elmwood, Windsor Park, McKernan, Meadowlark, Jasper Park, West Jasper Place-Sherwood, Lansdowne, Grandview, Lynnwood, Lendrum, and Parkallen.

I'm repeatedly amazed by the collection of vibrant communities, and with all of them there is a river that runs through it. The river is an ongoing source of pride for Edmontonians that use it and the communities near it. It is a natural space that serves a wide variety of recreational users: off-leash dog parks, running trails, challenging single-track bike trails, the Edmonton Rowing Club, the Valley Zoo, the Whitemud equestrian centre, and the Trans Canada Trail.

Edmonton-Riverview is also home to the University of Alberta, an institution of learning that serves as a key cornerstone to the growing knowledge economy and innovation for the province. I've experienced this excellence in fostering knowledge and learning at the University of Alberta, having earned a bachelor's degree in education and a master's of business administration at the University of Alberta School of Business.

Excellence at the University of Alberta isn't reserved for learning and research. As an alumnus of the University of Alberta Golden Bears hockey program I've experienced excellence not only with the national championships with the Bears, Pandas, and all the other teams but also the values of teamwork, hard work, commitment, and delivering on a shared vision. The saying that it's amazing what can be accomplished when no one cares who gets the credit is often quoted, but it is a principle that the Golden Bears hockey program demonstrated and that I continue to use as a guiding principle. Individually all have an ego and are all too quick to point fingers, but a successful team doesn't point fingers or feed into egos. A successful team lives by a set of principles, values, and works collectively to deliver on a vision. Members of a team are not the same, but they work together as one.

Admittedly, in sports I was not the highly talented player that you might think. I wasn't blessed with natural talent, but I did know my role and took pride in working much harder, and we were successful. As the whip I find myself in a new position as an MLA but in a very familiar position, building a team and delivering on a vision with the leadership of our Premier. This summer I took the opportunity to conduct numerous health consultations across the province, two in Edmonton-Riverview, on both sides of the river I might add, but also in Medicine Hat, Sylvan Lake, Pincher Creek, Rocky Mountain House, Fort Macleod, Calgary, Lethbridge, Taber, Drumheller, and others. I had the opportunity to attend Carmangay to see their facility. I went to Hanna and Youngstown and heard of grazing lease issues and disaster support.

Each time that I would visit and speak to the community stakeholders on a local issue, I would be asked: what is an MLA from Edmonton-Riverview doing here? Each time I would explain that our Premier is very clear. We are here to govern the whole province, and I feel it my duty to understand the issues across the province. We certainly need to understand and advocate for the issues in our constituency, but we also need to understand the issues across the province, north and south, rural and urban, big city and small town, agriculture and industry, energy and environment, all the issues of Alberta.

I was born in Calgary, and as a young boy my family relocated to an acreage outside of Sherwood Park. My mother, Beverly, would travel east to Tofield, where she worked as a nurse, and my father would travel west to Edmonton, where he worked as an electronic technologist. My extended family spans across the province from Vermilion, Magrath, Cardston, Taber, Calgary, and to Camrose, where our family farm still is today. Today I live in the community of Crestwood with my beautiful wife, Leanne, who has a busy practice as a lawyer, mediator, and adjudicator and is an amazing mother to my two children, Abigail and Taylor.

With the priorities of resource stewardship, economic futures, and family and communities the challenge is balancing the delivery of these services while being fiscally conservative. I'm often asked: how did you get involved in politics, and have you always wanted to be a politician? I certainly didn't want to be a politician when I grew up. I joked that as a police officer bad guys would take shots at you, but as a politician everybody does. I explained that I was a police officer for 17 years. I worked 12 years in operations, or what is known as the street, and realized that simply focusing on law enforcement is not enough.

I've always been an advocate of holding those responsible accountable for offences, but that alone is not enough. We cannot simply arrest our way toward greater public safety. My passion for community has motivated me to inspire initiatives that focused on creating relationships with communities in a way that allowed prevention and intervention efforts to build long-term solutions. This work afforded me the opportunity to deliver a breadth of experience, spending time in emergency response as a beat officer, a criminal investigator, in community engagement, in crime prevention, and in information management.

My policing career was guided by principles and values, including by those of another conservative politician, a man by the name of Sir Robert Peel, who in 1829 laid out a set of principles that brought policing into the modern era, in particular the belief that the police are the public and that the public are the police. Other cornerstone principles are those championed by Robert Trojanowicz, the father of community-based policing, and his belief that working with community as partners in public safety leads to greater public safety and vibrant communities. As every member of the Edmonton Police Service knows, the values of community and family are essential.

Another cornerstone was in 1979, when Herman Goldstein developed problem-oriented policing, an approach that seeks to address the underlying causes of crime, not simply a manifestation of it. A few years later George Kelling and James Wilson brought about the broken windows theory and changed the way that we looked at communities by identifying that simple things like broken windows were important and that communities need to be engaged and involved in their neighbourhoods to build vibrant communities.

As a police officer working downtown for about 10 years and later as a community liaison sergeant working on Whyte Avenue for several years, I became heavily involved in community and association groups. It was through this engagement that I sought to get involved in politics. I joined the Conservative board of MP Laurie Hawn as well as the Edmonton-Riverview PC Association. Before long I found myself on the executive and then as the president. Leading up to the election, I would be asked if I was interested in running. I did not leave policing. Rather, I continued to serve the public in a different role with a larger mandate.

Supporting the greater public good through community involvement has always been a passion of mine. Alberta families play a significant role in building the future of our province, and as their representatives it is our responsibility to advocate for their

concerns and for legislation that protects families and helps them to reach their potential.

As His Honour said in the Speech from the Throne, this begins by investing in families and communities. This province's commitment to Albertan families is evident in its ongoing creation of the social policy framework. The future of our social policy depends greatly on the ideas of our community members. We've reached out to Albertans to turn their ideas into action through a social policy framework initiative, which has been ongoing this summer.

His Honour's Speech from the Throne also addressed the importance of public service. The public service in our province is strong and offers Albertans a great standard of living. It is directly connected to the future and success of Alberta's economy. Our government continues to invest in public service and in the infrastructure that supports it to secure Alberta's economic future.

9:00

Madam Speaker, I believe it is critical that we continue to invest in our public sector while remaining fiscally conservative. The Speech from the Throne laid forth a strong fiscal framework that will help us to achieve this promise. A part of this strong fiscal framework is our government's unwavering commitment to transparency, which promotes trustworthy leadership that generally takes Albertans' concerns to heart. The Associate Minister of Accountability, Transparency and Transformation will review Alberta's freedom of information and protection of privacy and oversee fundamental changes to the way we do business. I'm looking forward to working with the hon. Member for Fort McMurray-Conklin in this regard.

In closing, I would like to thank the constituents of Edmonton-Riverview for giving me this opportunity to represent them. To His Honour the Lieutenant Governor: thank you for sharing your words about the future of our province through the Speech from the Throne. To all the members of this House: I look forward to working with each and every one of you as the session continues. We are a dynamic group of representatives of which I am honoured to be a part as we work to do the best we can do for all Albertans.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. Member for Edmonton-Riverview. That was a very engaging maiden speech.

Standing Order 29(2)(a). Are there any members that would like to comment or question? The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you for recognizing me. Just to be honest, I'm sort of befuddled by the term "fiscal conservative." This just might be me sitting on this side of the fence, you know. I don't know if you were paying attention to my throne speech and some of the things I brought up there. Don't worry; I'm a one-trick pony. I'll keep going on that theme over and over in case you missed it. Nevertheless, I look at our financial layout. Right now we're the highest spending government of all the provinces. I understand that. It seems to me that we're in a high-wage, high-inflation area. It costs more to run a business here. Why wouldn't it cost more to run a government here? At the same time, we're the lowest taxed jurisdiction in this province. I pointed out the fact that we're the lowest taxed by a country mile. Does this model, this fiscal structure that you were talking about, fit with your version of fiscal conservatism?

**Mr. Young:** Thank you very much for the question. I think that at the end of the day we need to deliver services to Albertans, and we need to do it keeping an eye on what we spend. What we're

looking at is our spending. The revenue side is difficult to control. There are world economies and lots of factors that come into play. We have a budget. We need to look at how tight we can keep to that budget. In terms of the tax structure the Alberta advantage is an important part of that, not just as a revenue stream.

**Mr. Hehr:** I'm going to follow up on that. I'll try and frame it in terms of royalties. We spend every last dime of fossil fuel resources we bring out of the ground. Is that our right and privilege here as a society to spend all this at one time? Is that your vision of fiscal conservatism?

**Mr. Young:** I think we need to save. I think we need to spend and deliver services and work within our budget. I think part of our budget also needs to be building up savings, and that's through the heritage trust fund, through the sustainability fund. We need to deliver services now but also in the future.

**Mr. Hehr:** Well, how much of that royalty revenue should we save? We spent it all, \$350 billion, over the course of the last 40 years. How much is a viable thing to save, and then where do we get the shortfall from?

**Mr. Young:** Well, we're having ongoing conversations with Albertans on that budget, and they've been telling us that we need to save, and we also need to deliver services.

**Mr. Hehr:** I know that, but you also know what I just told you. We spend all \$12 billion of the resources we're bringing in now, okay? We've spent virtually all the \$350 billion we've brought in since 1971. We have services we have to deliver. How much of that should we save for the future, and how much should we ask citizens to pay for? Or is the current model you have, this fiscal conservative model you talked about in your speech, your definition of fiscally conservative?

**Mr. Young:** Well, sticking to your budget is certainly fiscally conservative. On the revenue side things are going to ebb and flow, and we need to stay within our budget.

**Mr. Hehr:** Okay. Clear.

**The Acting Speaker:** Thanks, hon. members.

Are there any others? The hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Madam Speaker. I actually had the pleasure to talk with Mr. Young when he was in Carmangay this summer. I just want to congratulate you on being an MLA and for your past history as a peace officer in the city of Edmonton. It's good to have people like that as part of this Assembly, so thank you for that.

**The Acting Speaker:** Thank you, hon. member.

Are there any other members who would like to comment or question under 29(2)(a)?

Seeing none, we'll move to our next response to the throne speech. The hon. Member for Edmonton-Strathcona.

**Ms. Notley:** Thank you, Madam Speaker. It's an honour to rise in order to respond to the Speech from the Throne given back on May 24, 2012. Before I get to the substance of the throne speech, I'd like to of course begin by thanking the voters of the riding of Edmonton-Strathcona for their support in the last election. Edmonton-Strathcona is a diverse riding with a population that consists of students and professors and public service workers and artists and writers and young families and tradespeople and small-



business owners and seniors. Collectively they share, notwithstanding that diversity, a unique level of, shall we say, hopefulness and advocacy and engagement.

When I say hopefulness and engagement, there is that hopefulness and engagement when it comes to things like the arts, when it comes to matters of equality and justice, when it comes to matters of education, when it comes to issues relating to the protection or the acknowledgement even of our environment, when it comes to issues around basic principles of fairness, and overall when it comes to issues that are focused on building the strength of our communities as it relates to the overriding quality of life experienced by individual Albertans, that is understood by all of us.

There is a general consensus in Edmonton-Strathcona, certainly not without exception – obviously, that's what a democracy is about – but, notwithstanding, a general consensus that we don't do well if we're not all doing well, that we don't measure our success if we're not all succeeding, and that simply looking at the bottom line of certain, you know, multinational corporations here or certain corporations there is not the way to determine if we as community members and we as an extension of those community members are doing our job to promote and increase and enhance the quality of life experienced by all Albertans.

That being said, I just want to reiterate how pleased and proud I am to represent that riding because it truly is a diverse riding, and it's a riding that gives so much to the province overall in terms of its academics and its arts and its theatre and its small-business community and its entertainment section. I'm very, very proud to be able to represent it.

It's interesting to listen to people give their maiden speeches when it's their first year, when they've just been elected, when they're new MLAs. In a way it makes me just ever so slightly sad because I think back to the level of enthusiasm and expectation I had when I gave my first speech in response to the Speech from the Throne. I have to say that here we are now, and this is the fifth Speech from the Throne that I will be responding to, written by the second Premier since I've been elected. I feel like I've had more than simply five years go by in terms of the way I look at what we've done here.

I think, though, that certainly one of the things that I did when I first started here and something that I did as a student of politics in my other life, whether it was in this province or other provinces, when I looked at a government and I evaluated that government and that government's leadership, was look at whether that government had a vision and was trying to achieve something and was succeeding in achieving something that would leave a legacy about which members of those governments or people who participated or worked with that government would be proud when they left, whether you could point to initiatives or projects or improvements in the quality of life for the people whom you serve when you leave.

**9:10**

Or, conversely, are you in a situation – and I have seen governments like this before and not just Conservative governments – where you're simply doing everything you can to hold on to power, and your presence in the Legislature is more about your personal position as an MLA and staying there? Then you're sort of working collectively, somewhat frantically with your colleagues to just hold on to power, lurching from crisis to crisis, coming up with one plan here to answer this problem and another plan there to answer that problem. Then two or three years later you go back and look at those plans and those promises that you made in

response to this problem and that problem, and not only were you pushed off your agenda so that you're no longer looking at what you've achieved, what your vision was, what it was that brought you into politics, but all those plans and all those issue management strategies that your communications folks advised that you use have gotten nowhere. So you find that, really, you've made lots of grand statements, but the plans continue to be just plans for more plans and further plans.

I remember I think it was my first or second year here when the government came out with directive 74, the plan to reduce tailings ponds in Alberta. I remember that it was very frustrating for me because I was able to go back to 1972, I believe it was, when my father raised the issue of the growing tailings ponds and the threat that they presented to wildlife and wildfowl in the environment. And here we were, you know, whatever it was at that point, I guess just about 30 years later. We were finally bringing in directive 74, and we finally had a plan to start planning to reduce the growth and the footprint of these tailings ponds.

Now, here we are two or three years after that, and only two of the nine major corporations who are growing those tailings ponds are even in compliance with the plan to make a plan to ultimately plan to reduce our tailings ponds. The other seven aren't even in compliance with the plan to make a plan. Now, when you consider how much paper and how many trees were cut down to put out the many press releases which happily and gleefully announced the plan to make a plan to make a plan, you'd think that if those resources had been dedicated to maybe trying to get those other seven companies to be in compliance, we might be closer to having a record here in this Assembly that we could be proud of. But we don't.

So I can't help, unfortunately, reading this Speech from the Throne through the lens of a lot of plans that haven't really gone anywhere. When you think about legacies, you think about what it is when all of us are talking to our grandkids and saying: "This is what happened when we were in this Assembly. This is what I can point to. I was part of this. I made this change. I got them to change this idea." Or: "I took this particular proposal to my caucus and it became real." Whatever the conversation is, you need to be able to point to something. I'm afraid that this government at 40, whatever many years old it is, is not doing so well in the legacy-building department.

Now, I will say that at the beginning of this government's term back in 1971 and then probably for the first 10 years there was some pretty significant legacy building. I'm afraid, however, that not only have we lost that sense of governance and that ability to build legacy but, in fact, this government is feeding on that previous legacy. It's not just not growing; we're actually reducing it. There are, of course, a few obvious examples of that. I mean, in the early days of this government significant effort was devoted to developing a robust oil and gas industry that would carry this province into the future and spread great wealth and innovation and economic development to all Albertans, and there was, obviously, great success in that regard.

When that decision was first made and those projects were first initiated, the idea was to benefit the greatest number of Albertans possible, to marshal our resource in a way that benefited Albertans. Here we are 45 years later, and the percentage of our resource that is marshalled for Albertans has dropped by about two-thirds. It's a pittance of what it once was. So someone is marshalling our resources, but it's not Albertans anymore who are marshalling our resources, or it's a much, much smaller number of Albertans who are marshalling that resource. Meanwhile the liability to future generations as a result of marshalling that resource grows every day. It's probably grown a hundred-fold

since those initiatives first began. Think about that. What is the legacy that this term is going to leave?

Another example, the human rights code, Bill 1, the first Conservative Premier's, Premier Lougheed's, was our human rights code, a time of pride in Alberta, the first human rights code, the first human rights commission in Canada. Here we are 44 years later, and two years ago or three years ago we introduced a piece of legislation that permanently scarred – scarred – our human rights code, embarrassed this province in relation to the rest of the country, and put a permanent scar which is unprecedented in any other similar piece of legislation in this country.

Today we introduced an Education Act. We have now become so equivocal on the Bill 1, that Premier Lougheed introduced, that human rights code, that once-proud statement of principle, that we've decided that we are not quite comfortable putting it into an Education Act that outlines the terms and conditions under which education in this province is supported and funded with public dollars. It's shameful. It's a level of cynicism which is really not surprising for a government, I suppose, that is 45 or 44 years old. But it is unfortunate.

You need to think about what the legacy is that will be left after this term, and so far it's not looking so good.

We've talked about our education system as a whole. The throne speech doesn't make any specific plans for when we're going to finally join the rest of the country and move to full-day kindergarten. I'm throwing it out there. Maybe sometime in the next four years if you guys want to have something to run on, something that you can touch and point to, you might want to get moving on that plan. I've seen no indication that we're going anywhere on it, notwithstanding that it was a promise made by the Premier repeatedly during her efforts to become your leader. It's an important issue that we need to build on and that I'm disappointed to see no movement forward on.

Now we're in a position where we're dealing with, as the Member for Calgary-Buffalo stated and did a really good job of outlining, an unrealistic situation here. Nobody is making hard decisions. Everyone is making easy decisions, and they're not even easy good decisions. They're just easy decisions. It's really important for everybody here to think about the legacy that we're going to leave. We need to think about what we're going to ask our kids to clean up. How much debt are we going to ask them to sacrifice to pay off? How much money are we going to ask them to pay to clean up the environment that we are simply not dealing with right now?

We can come up with plans and more plans and committees and more committees, but nothing is changing on the ground. Absolutely nothing is changing on the ground. We're about to go into deliberation on one of the largest growths in the oil sands that we've had in many, many years, and we have no more information on which to base that decision than we did 10 years ago because we're really not moving; we're just talking about moving. So the ultimate liability of that will be left with our kids.

I don't mean to be such a downer. I know I sound a bit like a downer right now. I guess that's what comes after five years. Who knows? Maybe in 10 years, if I get re-elected, I'll be happy again. Then suddenly maybe the rose-coloured glasses have just never come off; I'm not sure.

I simply ask you to think about what is the legacy. Simply staying in power? That's not a legacy. It's an act, but it's not a legacy. It's not something that you're proud of. It's not something you tell your children about. It's not something you write about. It's not something that people remember when you're gone. Right now this throne speech contains no legacy. It just contains empty

promises geared towards holding onto power with very little that you can hold onto, touch, or hold accountable. That needs to change, and I hope it does.

Thank you.

9:20

**The Acting Speaker:** Thank you, hon. Member for Edmonton-Strathcona, for your thoughtful response to the throne speech.

Standing Order 29(2)(a). Anyone with a comment or question? The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** I enjoyed your comments as always. The introduction of the Education Act struck me as sort of one of those things. What do you think the aversion is to this party now, the one that under Lougheed started the human rights legislation? What do you think is the big aversion to simply recognizing sexual orientation as a protected right in this province, mentioning that we will not tolerate discrimination in any form or fashion that this government touches? What is the aversion?

We saw it for 10 years of Klein, when he wouldn't recognize it in the human rights code, we saw it in bill 44, and now we see it here in this Education Act. It seems to me that Albertans have moved so far past this, yet this government is still willing to segregate people on this characteristic that has nothing to do with their human worth.

**Ms Notley:** You know, I was talking about the difference between taking a position and pursuing a vision and leaving a legacy that you can be proud of versus scrambling to hold on to power and polling that 30 per cent or 25 per cent of the population that you need to swing to win that critical number of seats. It's a cynical, cynical, cynical move on the part of this government. They abandoned the principles that I think the majority of them on that side right now know are right in order to stave off a threat from their right flank. Albertans actually expected them to move forward and stand up for those principles that they believe are right. Certainly, the Premier made every effort to make it sound as though she would. Instead they've capitulated to a very loud minority, a small group of Albertans who are not prepared to move ahead with the rest of the country and certainly the majority of Albertans.

Sometimes something is just right. The human rights code is one of those few documents that you would think there would be consensus on with everybody, that it is just right. You don't back away from it. You don't get nervous about it. You don't stop making eye contact and think: well, I'd better not mention this in school because someone might be taking offence. When we start thinking that way about something as basic as the human rights code, we have capitulated in a way that is really, really damaging to the overall culture of our province.

I find it particularly ironic that that move is accompanied cynically with the so-called antibullying language. It is crazy-making because, of course, it's that very drive that underlies the decision to back away, not make eye contact, and remove reference to the human rights code from our Education Act of all things. Why wouldn't we say that that should be honoured? It's simply a statement of principle. It didn't mean anything when it was in there before, and it wouldn't mean anything now. It's meaningful in its absence. It has become meaningful in its absence, quite frankly. It wasn't meaningful before, legally, at all. It was simply a statement of principle. But its absence now is a statement to Albertans that we can be bullied.

It's so ironic that the government is trying to suggest that there's antibullying language in the Education Act because they're

leaving the door open for bullying to go unanswered because the very tools that you would need to answer it – teachers are now being told that they need to be very careful about talking about them without first running through a whole bunch of hoops.

So it's really a mess that they've created because of, in answer to your question, simply a lack of backbone and a desire to get elected over a desire to make a principled decision.

**The Acting Speaker:** Thank you, hon. member.

Is there anyone else who would like to comment or question the hon. Member for Edmonton-Strathcona under 29(2)(a)?

Seeing none, we will move on to our next presenter in response to the throne speech, the hon. Member for Banff-Cochrane for his maiden speech.

**Mr. Casey:** Thank you, Madam Speaker. Thank you for the tough job you're doing tonight. I don't envy your position at all, trying to remember everyone's constituencies.

I would like to start by thanking the Honourable Lieutenant Governor for his inspiring words and his commitment to this great province. At the same time I would also like to thank our hon. Premier for her dedication and loyalty to the people of Alberta. I have to say that I couldn't be more proud, after getting to know the Premier, to be a part of her government.

Madam Speaker, it is indeed a pleasure to rise before you in this Assembly as the newly elected Member for Banff-Cochrane, and I have to say that given the previous speaker I am especially proud to be a newly elected member that brings enthusiasm, innovation, and commitment to this government to make things work and to make things better for all Albertans.

The faith and obligations placed on me by the people of this constituency are both a humbling and a daunting experience, but I'm more than ready to get on with the task at hand. However, I must begin with a true regret, which is that my father is not alive to witness this day. My dad, Horace Casey, was a rural politician in Ontario for my entire childhood. He served as a councillor and reeve of Thurlow township as well as warden of Hastings county. During those years council meetings would often adjourn to our kitchen table, where politics was discussed until it was time for everyone to go home and milk their cows.

Politics was the language spoken at our table, and while I do not have a degree in political science, I can assure you that I have served a very practical apprenticeship, discussing all matters political with some of the most down-to-earth and honest men I have ever had the privilege of knowing. My father would have been exceptionally proud of me today, and of course it is every son's ultimate desire to gain that respect and blessing.

Madam Speaker, my wife, Pennie, and I moved to Canmore in 1973 as 21-year-old newlyweds. From the first time that we saw the Rocky Mountains pushing up from the foothills, there was little doubt where we would spend our lives. To say that it was love at first sight is an understatement. Canmore and Alberta have both been very good to us, giving us the ability to withstand recessions, raise a strong, healthy family, and achieve goals beyond our wildest dreams.

We have two adult daughters, Alison and Shannon Casey, and a new, second-generation Albertan born last August to Shannon, Casey Lazzarotto. By the way, Madam Speaker, for those that have not had the experience, all the verbose things that people tell you about being a grandparent seem initially to be a little exaggerated, but they are all absolutely true.

Madam Speaker, I was first elected to town council in 1995 and elected mayor in 1998. During that time we were experiencing a growth rate of over 10 per cent, which is almost an impossible rate

to sustain. The challenges were divisive, complicated, and seemingly insurmountable, much like today, but it was a great way to cut your teeth in politics.

After a three-year break back in the real world I was re-elected mayor in 2004 and held that position until April 23 of this year. During that time we developed one of the first successful municipal housing corporations in Alberta and established a regional waste commission and the first regional transit commission in the province. We also pioneered the concept of wildlife movement corridors and developed a process of screening developments to ensure sustained benefit for the community and minimize impact on the environment.

In spite of having rigid environmental and development regulations, Canmore had over \$1 billion of construction investment in the last 10 years, which is no small achievement for a community of 12,000 people. All of this happened, Madam Speaker, in the middle of a major economic downturn. This success proves it is possible to have strong environmental and development regulations while still enjoying the benefits of economic growth, sentiments that were also expressed by the Honourable Lieutenant Governor in his Speech from the Throne.

The responsible development of our natural resources is extremely important, and I'm more than confident that our Premier will protect our environment while advancing world-leading resource stewardship and further improving Alberta's advantage in the global marketplace.

Madam Speaker, Banff-Cochrane is an incredibly beautiful and diverse constituency. In fact, many of the images that people from around the world associate with Alberta are found within this riding. Beginning in the east, there is Rocky View county, the town of Cochrane, and the hamlet of Bragg Creek. Nestled in the foothills of Rocky View county are some of the most beautiful and productive ranches found anywhere in Alberta. This area is incredibly proud of its western heritage and rightly so. The town of Cochrane is the largest urban centre in the constituency, with 18,000 residents. It serves as a commercial core for the area and is a wonderful blend of urban and rural lifestyles. It is also home to a diversity of industries, the largest being Spray Lakes Sawmills. The hamlet of Bragg Creek is a picturesque community tucked away in the forested foothills south of Cochrane and bordering Kananaskis Country.

#### 9:30

Kananaskis Country, Madam Speaker, is a proud product of Peter Lougheed, who wanted to set aside this remarkable place for future generations, a true legacy. This area is 4,000 square kilometres of unique mountain and foothills landscape where conservation, recreation, and industry coexist. There are six provincial parks, four wildland parks, and 39 provincial recreation areas that represent two-thirds of the total area of Kananaskis Country. Commercial activities like oil and gas exploration and timber harvesting also occur in the region.

Bordering the west side of Kananaskis Country is Banff national park, Canada's first national park and UNESCO world heritage site. It is over 6,000 square kilometres of valleys, mountains, glaciers, forests, meadows, rivers. Contained within the Banff-Cochrane constituency are icons such as Lake Louise, Moraine Lake, the Valley of the Ten Peaks, and Temple Glacier to name but a few. Banff park is also home to some of Alberta's most popular ski areas: Lake Louise, Sunshine Village, and Norquay. The town of Banff forms a commercial hub for the park and has just over 8,000 permanent residents. However, on a busy summer day that number can swell to an estimated 25,000 visitors. Madam Speaker, Banff has a tourism history going back over a

hundred years. Virtually no visitor to Alberta misses the opportunity to experience the natural splendour of this area, and I would doubt that many Albertans have not been there at least once.

Together the towns of Banff and Canmore form the major mountain destinations for Alberta. Canmore has a population of 12,000 permanent residents and 6,000 nonpermanent residents that have second-home properties in the community. Since the closing of the coal mines in 1979 Canmore has grown as a tourist destination and a popular second-home location, primarily for Albertans. It is also home to the Canmore Nordic Centre, a legacy of the 1988 Olympic Games, which hosts national and international cross-country and biathlon events each year. These events are made possible because of the \$26 million renovation and upgrade that were completed by the provincial government in recent years.

Madam Speaker, Canmore's neighbour is the municipal district of Bighorn. There are several small hamlets in this area, with Exshaw being the largest at 400 residents. It is also home to most of the major industrial and mining operations in the constituency, those being Lafarge, Baymag, and Graymont. The MD is also home to timber harvesting, ranching, oil and gas, and tourism industries. Between Bighorn and Rocky View county is the Morley reserve, which is home to three bands, the Bearspaw, Chiniki, and Wesley bands. The bands recently developed the Stoney Nakoda Resort and Casino and previously developed Nakoda Lodge, which is without doubt one of the most magnificent settings in the foothills. There are also many beautiful ranches located on the reserve up against the backdrop of the Rocky Mountains.

With all the natural beauty and abundance that Banff-Cochrane has, it is sometimes hard to imagine that there are some very real challenges facing us. As an example, Madam Speaker, much of the constituency is struggling to meet the demands of years of sustained growth and development pressure. Provincial transportation, education, and infrastructure have fallen behind, leaving traffic congested and schools overcrowded. Cochrane in particular is in desperate need of improvements to the intersection of highways 22 and 1A, and their schools are so overcrowded that the stage in a gymnasium is currently being used as a classroom.

Tourism is a primary industry in the west portion of the riding. It is one of the major economic drivers in the province, yet it is perceived by many to be a nice-to-have but not an essential part of the Alberta economic well-being. It is time that tourism is recognized as the industry it is and is supported by the province in a similar way to other recognized industries.

Banff and Canmore are without supportive living and long-term care facilities for seniors in spite of the fact that recent assessments have demonstrated the need. In the eastern slopes region the lack of current land-use planning has resulted in ongoing conflicts between recreational users, community groups, and industry. It is essential that we move ahead on the South Saskatchewan land-use plan to address many of these issues. I'm proud to say, Madam Speaker, that the government is currently working on resolution to many of these issues and will continue to. Of course, all of our constituencies have similar issues, but working together as a team, both sides of this House working in the best interest of all Albertans, we can find reasonable resolutions to many of these challenges.

Madam Speaker, while the opportunities in Alberta are plentiful and the quality of life remains the highest in Canada, this government recognizes that building and maintaining such a prosperous province comes with many challenges. As someone who is familiar with issues that arise from population and industry

growth, I can say with confidence that our Premier will face these challenges with intelligence and integrity. I'm excited about our Premier's commitment to further invest in public services and infrastructure across our province, commitments that will not only benefit the constituents of Banff-Cochrane but will help secure Alberta's economic future. As the Lieutenant Governor mentioned in the Speech from the Throne, making strategic investments in both human capital and infrastructure will strengthen our province.

I look forward to working collaboratively with my hon. colleagues in order to address the challenges we face so that we can ensure that future generations enjoy the opportunity and prosperity we have today.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. Member for Banff-Cochrane, for that very informative maiden speech. I have to say that, indeed, you do live in one of the most naturally beautiful constituencies in this province.

Standing Order 29(2)(a). Is there anyone who would like to comment or ask a question of the hon. Member for Banff-Cochrane? The Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you. To the member. You mentioned that you have no long-term care or seniors' facilities in your riding there, and it's an issue. Can you address that more and explain to members what that means to your community and what the need really is?

Thank you.

**Mr. Casey:** I think that the recent assessment had that we needed about 110 beds for supportive living at least in the community. There's a renovation going on in the lodge currently. We had a fire in our lodge that, thankfully, no one was injured in. During the rebuilding of the lodge it became obvious that there needed to be supportive living. It looks like there's going to be an opportunity to combine some of the new construction with that, so we will be getting some beds.

The truth is that currently for anyone living in the Bow Valley, so in the Banff-Canmore area, really – if you need supportive living, a lot of people end up going to Calgary or to High River, leaving the valley. For some it's like taking a sailor away from the ocean. You know, if you can't look out every day and see the water, you feel that you're lost. For people that have lived their lives surrounded by those walls that we call mountains, taking them out of those environments at an old age really is a hardship for them.

I mean, I think we've certainly had some success moving forward, but it's a desperate need, and it's something that we need to move forward on for sure.

**The Acting Speaker:** Any other members who would like to comment or question the Member for Banff-Cochrane under Standing Order 29(2)(a)?

Seeing none, I would ask the hon. Minister of Justice and Solicitor General to respond to the throne speech.

**Mr. Denis:** Thank you very much, Madam Speaker, and congratulations on your recent election and, I believe, one of your first evenings in the throne.

It's an honour for me to rise today in response to the speech by His Honour the Lieutenant Governor, Don Ethell, on May 23, 2012. As I considered my remarks for this evening, I wanted to mention, you know, that like many people in this Assembly I'm from another province. It talks about the promise of Alberta, the

fact that we attract so many people from other provinces. Indeed, I am an immigrant from Saskatchewan. I moved here from Regina via Saskatoon 12 years ago, and I think the Member for Calgary-Lougheed is also from Saskatchewan.

9:40

Madam Speaker, this is my second term as an MLA, although the riding names have changed. I had the privilege last term of representing the constituency of Calgary-Egmont from 2008 to 2012. Calgary-Egmont has a long history in our city, having been represented by Merv Leitch starting in '71, also by David Carter, who became the Speaker, and former minister Denis Herard before me. Now, the Electoral Boundaries Commission in 2010 changed the name of the riding to Calgary-Acadia, as well as some other minor changes, reassigning the communities of Ramsay and Kingsland to Calgary-Fort and Calgary-Glenmore, respectively, and adding the community of Southwood while maintaining the existing areas of Willow Park, Maple Ridge, Acadia, Fairview, Riverbend, and Manchester within its borders.

Now, many asked me why the name was changed. The original name of Egmont was named after the Earl of Egmont, Fred Perceval, who had actually a 28-room house where, interestingly, Southcentre Mall is today. I'm told that the staircase from the house is now in the Black Swan pub on Southport Road. Madam Speaker, the reality is that my office received repeated calls from Edgemont, a subdivision in the far northwest of Calgary. So we did not contest the name change as the name of Acadia reflects the modern reality of our constituency. Indeed, much has changed in Calgary since it was named Egmont in 1971.

Madam Speaker, anyone who enters public office, regardless of party affiliation, deserves credit, and I want to say thank you to the four others who ran against me for putting their names forward and supporting our democratic system. I'd also like to thank the approximately 7,000 people who placed their confidence in me at the ballot box. This is an increase in percentage from the 2008 election. More importantly, I would say, the turnout was up to 59 per cent, up substantially from the 36 per cent in 2008. I think that's great news all around.

Madam Speaker, I held office hours and will continue to maintain activity within my own constituency but also want to welcome my new constituency manager, Christina Steed.

Madam Speaker, my family originally came from southwestern Saskatchewan, near Fox Valley, a short drive across the border from Medicine Hat. My ancestors are German, and my late paternal grandfather, Jake, ran a gas station and service shop. His wife, Frances, was a teacher's aide. My maternal grandfather, Phil Hauk, was a teacher and principal, and my grandmother lives today in Calgary and is 95 years old. My mother, Marguerite, is a retired teacher who operates a property management company in Calgary, and my father, Brian, is a retired insurance adjuster who works part-time in the same city. All of these individuals I've mentioned have encouraged me on my quest for public office. Frankly, since I was 13 years old and knocked on doors on a cold night in Regina, this has always been my ambition.

We have many rights under our constitution, and with the right to vote, I would say to anyone here, to all Albertans, comes the responsibility to exercise that vote. Members of all parties must continually encourage the people to vote and not just during election time but throughout the four-year cycle of the government.

I've had a few occupations – banker, part-time singer, lawyer, real estate investor, and entrepreneur – but none has given me the sense of community and service as public office. Some of my best

days in public office have been as minister of housing and urban affairs because that has shown me the compassionate side of Alberta. Madam Speaker, we've been able to assist people with affordable housing as well as the homeless people in a financially responsible manner through private-sector partnerships. At the same time, we've housed 3,995 formerly homeless people. Also, the private-sector partnership model saved over \$1 billion over four years.

I've also had the opportunity, of course, to serve as Solicitor General and now as Minister of Justice and Provincial Secretary, and I look upon myself as having 3.8 million clients, except that I don't have to send out a bill anymore to these clients. I have to say this in jest, of course, because I along with every member here is proud of his or her profession.

Looking forward, my key priorities will continue to be prudent financial management in my department and a continuation, of course, of the safe communities initiative. I'd like to thank my ministerial staff – Mat Steppan, Chad Barber, Josh Stewart, Avery Trimble, Shannon Clarke, and Arlene Yam – for their constant assistance, particularly as we prepare on a very important initiative, and that is to begin the Alberta property rights advocate, something that I look forward to having a key involvement in.

Madam Speaker, during the course of a campaign we owe a debt of gratitude to all of our volunteers, and there were close to 200 volunteers on my campaign. Many people in this Assembly are of many different faiths, and according to my own faith I'd like to thank God for giving me the rare opportunity of being one of 829 to serve in this Assembly.

Ronald Reagan said that each generation goes further than the generation past because it stands on the shoulders of that generation. Along these lines I'd like to say a special thank you to someone I lost just before the election, my grandfather Phil. I've met many people since becoming an MLA, but I can tell you that he's the greatest person I've ever met. He taught me the value of hard work, service to the public, respect for our heritage. I don't know of anyone who would match his spirit of generosity. Shortly before he died, he shared with me that he had thought about running for public office but didn't actually have the opportunity because he had five small children.

I want to say thank you to my parents, Marguerite and Brian; my long-time friend Pierre Poilievre, Member of Parliament for Nepean-Carleton, for his always objective and curt counsel; all of our donors; and, of course, the Premier for all of her support throughout the campaign.

Madam Speaker, regardless of our partisan affiliation, may we strive to improve our public's view of this Chamber and of public officials every day that we are here.

With that, I would move to adjourn debate, Madam Speaker. Thank you.

**The Acting Speaker:** Thank you, hon. minister, and thank you for that very gracious response to the throne speech.

[Motion to adjourn debate carried]

## Government Bills and Orders

### Second Reading

#### Bill 1

#### Workers' Compensation Amendment Act, 2012

(continued)

[Adjourned debate October 23: Mr. Oberle]

**The Acting Speaker:** The hon. Leader of the Official Opposition.

**Ms Smith:** Thank you, Madam Speaker. I am pleased to rise this evening to speak to Bill 1, the Workers' Compensation Amendment Act, 2012, which would give presumptive coverage for posttraumatic stress disorder for first responders. This is the kind of bill that is easy for a member of the opposition to rise and speak in favour of.

I would say that when we look at our first responders, they have a quite different job than most of us. When they go to work in the morning, for them to have a meaningful day at work they are heading into situations that most of us end up running away from. I was struck by this when I was on my way down to Fort Macleod to have a meeting with the hon. Member for Livingstone-Macleod. It was the day of those terrible wildfires down south. I'd called Chief Weasel Head on the Blood reserve to find out how things were going, and I was grateful to hear that things were going well with the firefighting efforts. I spoke with Terry Michaelis, the mayor of Milk River, later that day, and he also commended the incredible work of the first responders.

I had driven past a home that was on fire while I was on my way down, just outside of Claresholm. I knew that there was an incredible amount of demand in the south to deal with those wildfires. I was a bit fearful of what was happening at that home, but as I was driving by, having called in a 911, I was pleased to see a Claresholm firefighting unit heading in the direction to take the fire out. On my way back from Fort Macleod I stopped in to see how the fire had gone. Unfortunately, they couldn't save the house. The other home had been burned down. They told me that an old fella with his dog had managed to make it out safely.

What I was struck by was just how down to earth these men were in talking about the very dangerous work that they had done that day. This is what we see with our first responders, that very real, everyday heroism, that commitment to duty, that commitment to honour, and the incredible courage that they display. I've seen that as well when I went to a Pride event at the Edmonton Police Service and spoke with the tactical team there. I am also going to be going on a drive-along with sheriffs to see what they see first-hand every day. Then, of course, we all know the kind of trauma that our paramedics see every day on the job. I think that all of us in this Legislature feel great gratitude and thank them for the work that they do.

I also had the great fortune in the last six weeks to go to the firefighters' balls for both Okotoks and High River. In High River our chief there, Chief Len Zebedee, received a diamond jubilee award for his 28 years of service. It was a great honour for me to witness that. His wife, Pat, gave a prayer as a firefighter's spouse, and I can tell you that there wasn't a dry eye in the room. Pat's son Cody, who's also following in Dad's footsteps at Heritage Pointe, was compelled to get into the firefighting service because of the experience of his father and the great and incredible leadership his dad had shown. So Pat is a mom as well as a wife giving that prayer every time that bell rings.

9:50

In Okotoks Chief Ken Thevenot spoke passionately about the work of this Chamber in adding chronic illnesses to workers' compensation coverage, and he wanted me to pass along to my colleagues in the Legislature his great gratitude for seeing those illnesses added to workers' compensation coverage.

We know that this is dangerous work for many of our first responders. We all know there are physical risks that they face. We all know, as well, that there are chronic illnesses that many of them face. We also know that there is psychological stress that our first responders face. Bill 1 accepts that this level of psychological

stress is work related. Fortunately, we've seen that it is relatively rare.

We've got 27,000 first responders in Alberta: 13,500 are firefighters, both full- and part-time; 9,200 are paramedics; 3,800 are police; and 700 are sheriffs. In the last two and a half years the Workers' Compensation Board has approved 22 cases of post-traumatic stress disorder coverage. Of that, four were first responders.

Now, that might seem to indicate that those who go into this profession are particularly hardy, and from what I've experienced, that is certainly true. But it may also suggest that there is a culture within these communities that makes it difficult for them to reach out for help when they're facing psychological stress. I think that this amendment goes a long way towards changing that culture so that those who do suffer from this illness are able to seek help, able to get the medical services that they need, and able to either get back to work or counselled into another profession. We know that the extreme trauma or the chronic trauma that they face on a day-to-day basis can take its toll on many of them. They deserve our support, and they deserve to be able to get help.

We will be proposing some minor amendments to the legislation, which I hope will be well received by the government. In particular, I would say that with my own riding, in High River and Okotoks, we've got a hybrid department of full-time and part-time paid firefighters as well as volunteer firefighters, so we would like the government to consider the addition of volunteer firefighter coverage. We know that they don't need income replacement, but they do need their medical costs covered in the event that they are diagnosed with this illness.

With that, I'm supportive of the government's initiative in this regard. We intend to work with the government to see this passed, and I commend the government on bringing it forward for debate in this Legislature and being the first government to propose this type of presumptive coverage.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

Is there anyone else who would like to speak in second reading to Bill 1?

**Mr. Young:** I just wanted to reiterate the importance of this. I've experienced a couple of things personally, and often the culture of, "Just push the issue down," is prevalent in first responders. Whether you're a tactical guy or a community guy, you end up seeing some things, whether it's a terrible case of a stabbing or a homicide or some of the horrific ones of young, young children, whether it's sexual abuse or in the nature of those.

As well, you know, a lot of our members get exposed to infectious diseases, needle pricks. I personally had a guy who had HIV spit blood in my eye. Then you have to go home and talk to your wife and deal with that and go through the whole ordeal of getting tested and all those types of things.

People can be tough on the outside, but those feelings are not addressed. You deal with the incident at the time, whether it's cutting down a suicide victim or finding another one who's been in a garage for some time. Those memories and those feelings you carry with you. They don't just go away from one incident, but they build over time. So reflecting those emotional issues of first responders as well as fire and ambulance and that is certainly the right thing to do. I should also add that the services are proactively dealing with this, talking about everything from suicide prevention to support and psychological services, but this adds in a layer of support that is certainly well supported.

Thank you.

**The Acting Speaker:** Thank you, hon. member.

Are there any other members that wish to speak? The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Madam Speaker. It is a pleasure to stand and debate this important piece of legislation. First off, I would like to say that I am pleased to see the Premier and this government bring this forward and recognize the importance of this issue.

Posttraumatic stress disorder is a devastating condition. I've had the opportunity to meet with various stakeholders over the course of the summer break to discuss this bill, and some of them have opened up to me about the stresses, as the hon. Member for Edmonton-Riverview just did, that they have experienced while on the job. The reality is that there are few professions that have such prolonged and consistent exposure to the types of events that our first responders see on a regular basis. These incidents would cause nightmares in the average citizen, but for our first responders they're just part of the job, part of the everyday routine. However, some of these experiences may have a more traumatic and long-term effect.

Now, due to the extreme nature of some of these stories that were shared with me, I'll spare the details to this House, but I think it's important to remember that when an infant dies or a toddler drowns or when a mother is breathing her last breaths and asking a first responder to pass a message on to her children, it's those people who have to go home at night. They have to look their wives, their loved ones in the face. They have to go to bed. They have to get up the next day and go and do the exact same thing over again.

This is the reason that we need to get this bill right. Although first responders possess strength that is commendable and their ability to make swift and decisive decisions under the stress of extreme situations is very incredible, we in society at large need them to be able to function at a high level in order for them to fulfill their roles of protecting us. They understand their role and know full well what it is they've signed up for. Our role should be to return the favour. We need to support them and their families when posttraumatic stress disorder is diagnosed, and we need to ensure that the treatment that they receive is one that allows them to take their lives back. We need to ensure that we don't play politics with their mental well-being.

Now, there are many positives in this bill. The presumptive nature should go without saying, and again I'd like to congratulate the government for recognizing that. The inclusion of EMTs, peace and police officers is a very logical decision as well. There will be discussion in this House if other, I guess, careers should be added to that mix, and I am happy to start where we're at now.

I'm pleased to see that the bill also explicitly notes that the diagnosis will be contingent on the most recent edition of *Diagnostic and Statistical Manual of Mental Disorders*, published by the American Psychiatric Association. With that, we can confidently move forward knowing that our first responders will always be diagnosed with the most current information possible. That said, I would like to flag that the standards are set to change next year, when the DSM-5 comes into play in May, and that may impact whether or not individuals who may not have qualified leading up to May of 2013 may then be able to under the new model. It may present a challenge for the WCB, and I would just like to flag that.

I'm also particularly pleased to see that this legislation covers first responders who are or have been a first responder, and I'm hopeful that the compensation will be offered to those who have struggled to receive coverage from WCB for this condition in the

past. In my constituency there is an individual who spent 26 years in the military and as a firefighter, and about 10 years ago he started suffering the trauma of posttraumatic stress disorder. He could not get coverage from the WCB, so he spent years of his life and \$30,000 of his own money to receive the treatment just to allow him to sleep at night. I'm hopeful that this legislation may allow for some recourse for him to recover the costs of his treatment.

Now, I do have some serious reservations about the phrase "unless the contrary is proven." There is a widely held belief that the WCB is inherently set up to dismiss or reject claims. Further, a Mental Health Commission of Canada advisory committee in a submission entitled *Stress at Work, Mental Injury and the Law in Canada*, final revision, dated February 21, 2009, at page 16 notes:

In some important ways the uncertain legal situation surrounding mental injury at work mimics that which surrounded physical injury at work during the late 19th century. And ironically it was the fact that employees were winning more of their claims against employers during that period that led to the introduction of Workers' Compensation legislation.

It goes on to say:

Workers' compensation law is at an ethical and practical crossroads with regard to whether or to what extent it can and should hold the line against employee claims for stress related disability.

I can table five copies of that, please.

**10:00**

Well, Madam Speaker, it seems that this is an ethical problem that our WCB doesn't seem to have. As the hon. Leader of the Opposition mentioned earlier, 20 of 42 claims presented to the WCB were rejected in just the last two and a half years. I believe it may be problematic for us to pass this legislation under the pretext that first responders are going to receive the treatment that they require, yet we are leaving it up to administrative laws to determine their accessibility.

According to another paper filed by *Clinical Psychology Review*, tabled here, that summarized 28 studies of PTSD in first responders, research suggests that approximately 10 per cent of all first responders may meet the criteria for PTSD and could benefit from some form of treatment. In Alberta that number would equal 2,700 of our men and women on the front lines. Now, according to WCB four of a potential 2,700 have claimed PTSD coverage since 2010. That's quite a difference, and I suggest that we explore why. Why only four when it should be closer to 2,700? Perhaps it's due to the negative stigma attached to mental disorders such as PTSD and amplified with first responders.

In a PhD dissertation exploring PTSD in first responders, it is suggested that there is an unwritten code in these fraternities or families of first responders that you do not appear weak, that you do not express emotion. Those who do appear weak face the fear of rejection from their co-workers, and those who take it a step further face being put on reduced duty and perhaps losing their job on the front lines altogether, which all too often is a part of the identity of who they are and what makes them the person that they are.

This administrative stress, these feelings of abandonment by the people closest to them and the depression linked to this, can compound that trauma. I believe that those first responders who are suffering from PTSD should have access to culturally competent clinicians who are familiar with the research and realities that first responders face not only in the field when dealing with the crisis that instigates the disorder but also the very real stressors that exist within the organizations that they work in.

Four out of 2,700. The others are possibly self-medicating, drinking to fall asleep at night, taking drugs to stop the nightmares. We need to do a better job of educating the general public about mental health, and we need to do a better job educating our first responders about the realities of stress-related trauma. We need to do this because these are the people that we ask to protect us and save our loved ones in the time of crisis. It is in all of our best interests to ensure that they are able to perform those duties when we need them to. I believe we need to embark on an educational campaign specific to first responders and help these people come to terms with their disorder, to have the confidence to seek help without the fear of rejection from their peers, and ultimately to get their lives back.

This legislation will be the first of its kind in Canada, and the precedent it will set is the reason why it's so imperative for us to get this right. We need to set the bar high to ensure our first responders are provided with the best practices of posttraumatic

stress disorder treatment and that they are not encumbered by the administrative laws of the WCB. I look forward to working with my fellow members on all sides of the floor to strengthen this bill and will certainly support it moving forward.

Thank you, Madam Speaker. I would like to move to adjourn debate at this time.

[Motion to adjourn debate carried]

**The Acting Speaker:** The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Madam Speaker. Given the hour and the fact that this is the first day of session, I think we should all perhaps go home early tonight. I would move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; the Assembly adjourned at 10:05 p.m. to Wednesday at 1:30 p.m.]







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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Wednesday afternoon, October 24, 2012

Issue 8a

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta  
The 28th Legislature**

First Session

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Casey, Ron, Banff-Cochrane (PC)  
Cusanelli, Hon. Christine, Calgary-Currie (PC)  
Dallas, Hon. Cal, Red Deer-South (PC)  
DeLong, Alana, Calgary-Bow (PC)  
Denis, Hon. Jonathan, QC, Calgary-Acadia (PC),  
    Deputy Government House Leader  
Donovan, Ian, Little Bow (W)  
Dorward, David C., Edmonton-Gold Bar (PC)  
Drysdale, Hon. Wayne, Grande Prairie-Wapiti (PC)  
Eggen, David, Edmonton-Calder (ND),  
    New Democrat Opposition Whip  
Fawcett, Hon. Kyle, Calgary-Klein (PC)  
Fenske, Jacquie, Fort Saskatchewan-Vegreville (PC)  
Forsyth, Heather, Calgary-Fish Creek (W)  
Fox, Rodney M., Lacombe-Ponoka (W)  
Fraser, Rick, Calgary-South East (PC)  
Fritz, Yvonne, Calgary-Cross (PC)  
Goudreau, Hector G., Dunvegan-Central Peace-Notley (PC)  
Griffiths, Hon. Doug, Battle River-Wainwright (PC)  
Hale, Jason W., Strathmore-Brooks (W)  
Hancock, Hon. Dave, QC, Edmonton-Whitemud (PC),  
    Government House Leader  
Hehr, Kent, Calgary-Buffalo (AL)  
Horne, Hon. Fred, Edmonton-Rutherford (PC)  
Horner, Hon. Doug, Spruce Grove-St. Albert (PC)  
Hughes, Hon. Ken, Calgary-West (PC)  
Jansen, Sandra, Calgary-North West (PC)  
Jeneroux, Matt, Edmonton-South West (PC)  
Johnson, Hon. Jeff, Athabasca-Sturgeon-Redwater (PC)  
Johnson, Linda, Calgary-Glenmore (PC)  
Kang, Darshan S., Calgary-McCall (AL),  
    Liberal Opposition Whip  
Kennedy-Glans, Donna, Calgary-Varsity (PC)

Khan, Hon. Stephen, St. Albert (PC)  
Klimchuk, Hon. Heather, Edmonton-Glenora (PC)  
Kubinec, Maureen, Barrhead-Morinville-Westlock (PC)  
Lemke, Ken, Stony Plain (PC)  
Leskiw, Genia, Bonnyville-Cold Lake (PC)  
Luan, Jason, Calgary-Hawkwood (PC)  
Lukaszuk, Hon. Thomas A., Edmonton-Castle Downs (PC)  
Mason, Brian, Edmonton-Highlands-Norwood (ND),  
    Leader of the New Democrat Opposition  
McAllister, Bruce, Chestermere-Rocky View (W),  
    Official Opposition Deputy Whip  
McDonald, Everett, Grande Prairie-Smoky (PC)  
McIver, Hon. Ric, Calgary-Hays (PC),  
    Deputy Government House Leader  
McQueen, Hon. Diana, Drayton Valley-Devon (PC)  
Notley, Rachel, Edmonton-Strathcona (ND),  
    New Democrat Opposition House Leader  
Oberle, Hon. Frank, Peace River (PC)  
Olesen, Cathy, Sherwood Park (PC)  
Olson, Hon. Verlyn, QC, Wetaskiwin-Camrose (PC)  
Pastoor, Bridget Brennan, Lethbridge-East (PC)  
Pedersen, Blake, Medicine Hat (W)  
Quadri, Sohail, Edmonton-Mill Woods (PC)  
Quest, Dave, Strathcona-Sherwood Park (PC)  
Redford, Hon. Alison M., QC, Calgary-Elbow (PC),  
    Premier  
Rodney, Hon. Dave, Calgary-Lougheed (PC)  
Rowe, Bruce, Olds-Didsbury-Three Hills (W)  
Sandhu, Peter, Edmonton-Manning (PC)  
Sarich, Janice, Edmonton-Decore (PC)  
Saskiw, Shayne, Lac La Biche-St. Paul-Two Hills (W),  
    Official Opposition Deputy House Leader  
Scott, Hon. Donald, QC, Fort McMurray-Conklin (PC)  
Sherman, Dr. Raj, Edmonton-Meadowlark (AL),  
    Leader of the Liberal Opposition  
Smith, Danielle, Highwood (W),  
    Leader of the Official Opposition  
Starke, Dr. Richard, Vermilion-Lloydminster (PC)  
Stier, Pat, Livingstone-Macleod (W)  
Strankman, Rick, Drumheller-Stettler (W)  
Swann, Dr. David, Calgary-Mountain View (AL)  
Towle, Kerry, Innisfail-Sylvan Lake (W),  
    Official Opposition Whip  
VanderBurg, Hon. George, Whitecourt-St. Anne (PC)  
Weadick, Hon. Greg, Lethbridge-West (PC)  
Webber, Len, Calgary-Foothills (PC)  
Wilson, Jeff, Calgary-Shaw (W)  
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
    Government Whip

**Party standings:**

Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

**Officers and Officials of the Legislative Assembly**

W.J. David McNeil, Clerk	Stephanie LeBlanc, Parliamentary Counsel	Chris Caughell, Assistant Sergeant-at-Arms
Robert H. Reynolds, QC, Law Clerk/ Director of Interparliamentary Relations	and Legal Research Officer Philip Massolin, Manager of Research Services	Gordon H. Munk, Assistant Sergeant-at-Arms Liz Sim, Managing Editor of <i>Alberta Hansard</i>
Shannon Dean, Senior Parliamentary Counsel/Director of House Services	Brian G. Hodgson, Sergeant-at-Arms	

## **Executive Council**

Alison Redford	Premier, President of Executive Council
Thomas Lukaszuk	Deputy Premier, Ministerial Liaison to the Canadian Forces
Manmeet Singh Bhullar	Minister of Service Alberta
Robin Campbell	Minister of Aboriginal Relations
Christine Cusanelli	Minister of Tourism, Parks and Recreation
Cal Dallas	Minister of International and Intergovernmental Relations
Jonathan Denis	Minister of Justice and Solicitor General
Wayne Drysdale	Minister of Infrastructure
Kyle Fawcett	Associate Minister of Finance
Doug Griffiths	Minister of Municipal Affairs
Dave Hancock	Minister of Human Services
Fred Horne	Minister of Health
Doug Horner	President of Treasury Board and Minister of Finance
Ken Hughes	Minister of Energy
Jeff Johnson	Minister of Education
Stephen Khan	Minister of Enterprise and Advanced Education
Heather Klimchuk	Minister of Culture
Ric McIver	Minister of Transportation
Diana McQueen	Minister of Environment and Sustainable Resource Development
Frank Oberle	Associate Minister of Services for Persons with Disabilities
Verlyn Olson	Minister of Agriculture and Rural Development
Dave Rodney	Associate Minister of Wellness
Donald Scott	Associate Minister of Accountability, Transparency and Transformation
George VanderBurg	Associate Minister of Seniors
Greg Weadick	Associate Minister of Municipal Affairs
Teresa Woo-Paw	Associate Minister of International and Intergovernmental Relations

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on Alberta's Economic Future

Chair: Mr. Amery  
Deputy Chair: Mr. Bikman

Bhardwaj	Quadri
Blakeman	Quest
Donovan	Rogers
Dorward	Sandhu
Eggen	Sherman
Fenske	Smith
Goudreau	Starke
Hehr	Strankman
Jansen	Towle
Luan	Young
McDonald	Vacant
Olesen	

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Quest  
Deputy Chair: Mrs. Jablonski

Anderson  
Casey  
Dorward  
Eggen  
Kubinec  
Sandhu  
Sherman

### Select Special Conflicts of Interest Act Review Committee

Chair: Mr. Allen  
Deputy Chair: Mr. Luan

Blakeman  
Dorward  
Fenske  
Johnson, L.  
McDonald  
Notley  
Saskiw  
Wilson  
Young

### Standing Committee on Families and Communities

Chair: Ms Pastoor  
Deputy Chair: Mrs. Forsyth

Allen	Leskiw
DeLong	Luan
Fox	McAllister
Fraser	Notley
Fritz	Pedersen
Jablonski	Sarich
Jansen	Saskiw
Jeneroux	Swann
Johnson, L.	Wilson
Kang	Young
Kubinec	Vacant
Lemke	

### Standing Committee on Legislative Offices

Chair: Mr. Xiao  
Deputy Chair: Mr. McDonald

Bikman  
Blakeman  
Brown  
DeLong  
Eggen  
Leskiw  
Quadri  
Rogers  
Wilson

### Special Standing Committee on Members' Services

Chair: Mr. Zwozdesky  
Deputy Chair: Mr. Young

Calahasen  
Dorward  
Forsyth  
Goudreau  
Jablonski  
Mason  
Quest  
Sherman  
Smith

### Standing Committee on Private Bills

Chair: Mr. Cao  
Deputy Chair: Ms L. Johnson

Barnes	Notley
Bhardwaj	Olesen
Brown	Pastoor
DeLong	Rowe
Fox	Sarich
Fritz	Starke
Goudreau	Strankman
Jeneroux	Swann
Kennedy-Glans	Webber
Luan	

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Dr. Starke  
Deputy Chair: Mr. Lemke

Allen	McAllister
Amery	McDonald
Bhardwaj	Notley
Casey	Pedersen
Hehr	Sandhu
Jansen	Saskiw
Jeneroux	Towle
Johnson, L.	Xiao
Kennedy-Glans	Young
Kubinec	

### Standing Committee on Public Accounts

Chair: Mr. Anderson  
Deputy Chair: Mr. Dorward

Allen	Hale
Amery	Hehr
Anglin	Kang
Bilous	Pastoor
Calahasen	Quadri
DeLong	Sarich
Donovan	Starke
Fenske	Stier
Fraser	Webber
Fritz	

### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans  
Deputy Chair: Mr. Rowe

Anderson	Hehr
Anglin	Johnson, L.
Barnes	Kubinec
Bilous	Lemke
Blakeman	Leskiw
Brown	Sandhu
Calahasen	Stier
Cao	Webber
Casey	Xiao
Fenske	Young
Fraser	Vacant
Hale	



## Legislative Assembly of Alberta

1:30 p.m.

Wednesday, October 24, 2012

[The Speaker in the chair]

### Prayers

**The Speaker:** Let us pray. Dear Lord, give us the strength to labour diligently, the wisdom to think clearly, the courage to speak thoughtfully, and the conviction to always act without prejudice. Amen.

Please be seated.

### Introduction of Guests

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

**Mr. Eggen:** Thank you, Mr. Speaker. I would like to introduce through you to all members of the Legislature 64 members from Kensington school along with teachers Jaelene McEwen, Kim Shanks, Becky Medwid, and Zinnia Lischuk. They are here today to watch the proceedings, and I hope that everyone behaves accordingly. Would you please rise and receive a warm welcome?

**The Speaker:** The hon. Minister of International and Intergovernmental Relations.

**Mr. Dallas:** Thank you, Mr. Speaker. I'd like to introduce to you and through you to all the members of the Assembly Advocis, the Financial Advisors Association of Canada, on its second Advocis day at the Alberta Legislature. For more than 100 years Advocis members have provided financial advice to Albertans, delivering security and peace of mind. The Advocis representatives are joining us today in the members' and the public galleries, and I would now ask them to rise so that we may all join in giving them a warm welcome to the Alberta Assembly.

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

**Mr. McIver:** Thank you, Mr. Speaker. I'm pleased today to introduce to you and through you to all members of the Legislative Assembly two members of my legislative office staff. Some of you may know Elizabeth Day, my administrative assistant, as she has worked in this building for almost eight years with several ministers and several MLAs. Nelson Ching recently moved to Edmonton from Calgary to join my office as my special assistant after spending almost two years as a constituency assistant for the Member for Calgary-Greenway. I invite my colleagues to call Elizabeth or Nelson if they ever need anything from my office. I am blessed to have such a hard-working, dedicated support staff in my office, and I thank them for their efforts each and every day on behalf of Albertans. They're seated in members' gallery, and I ask that they please rise and accept the traditional warm welcome of this Assembly.

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

**Mr. Weadick:** Thank you, Mr. Speaker. It's indeed a special pleasure for me today to rise and introduce to you and through you a large contingent from Lethbridge. We call them Team Lethbridge. This is a vibrant and exciting group of people representing advanced education, education in the business community, and many other organizations, 18 to be sure. They've come to Edmonton to meet with ministers and to talk to our

government both about some of the great things that are happening in Lethbridge and also about some of those unique challenges that we might face. I would like to ask all of the members of Team Lethbridge to rise and receive the warm welcome of this Assembly.

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

**Ms Notley:** Thank you, Mr. Speaker. Today I'm very pleased to introduce to you and through you to this Assembly our guests from the Union of Canadian Correctional Officers. These 11 correctional officers are a small portion representing approximately 1,100 federal correctional officers employed in several federal prisons situated in Alberta. They are here today to request that their contributions to the public safety of Albertans be recognized by the members of this Assembly through Bill 1, which currently acknowledges police officers, firefighters, and EMTs but does not recognize correctional officers despite the fact that they are first responders. I would now like to ask my guests to rise as I call their names: Kyle Reynolds, Cheryl Reynolds, Janine Enskat, Sandra Krstic, Lacy Mitchell, James Rutledge, Kevin Ransome, Melissa Moher, Andrea Tait, David Baron, and Eryn Lindon. I would ask all members of the Assembly to join me in welcoming them to the Assembly.

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

**Mr. Dorward:** Thank you, Mr. Speaker. It's my pleasure on your behalf to rise and introduce through you to the Assembly a constituent of yours sitting in your gallery, Irene Feika, who is a passionate advocate on behalf of citizens with disabilities. Irene has been a board member of PLAN Edmonton since 2007 as well as a past executive director of the Alberta Committee of Citizens with Disabilities. With Irene today is her grandson Kody Griffiths. Kody is a grade 8 student attending Ottewell school in the Edmonton-Gold Bar area and loves phys ed and woodworking. I would now like to ask Kody to rise. Irene, please give us a hearty wave. We will acknowledge your attendance, and you will receive the warm welcome of this Assembly.

**The Speaker:** The hon. Member for Lesser Slave Lake.

**Ms Calahasen:** Thank you, Mr. Speaker. It is indeed a pleasure to introduce to you and through you to members of this Assembly eight very important people. Some are here for the first time and some for the second time. They actually come from Slave Lake and from the Slave Lake Native Friendship Centre. They are seated in the members' gallery, and I ask that they stand as I introduce them: Mrs. Elsie Stenstrom, Mrs. Mary Brown, Mrs. Jean Potskin, Mrs. Maryann Courturielle, Miss Bernice Willier, and Mr. Adelard Beaver. Of course, they are driven here by their bus driver, Ms Elizabeth McSweyn, and their chaperone –these seniors need a chaperone? – Miss Inga Lanctot. I'd ask that my colleagues from this House please give them a warm welcome.

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

**Mrs. Towle:** Thank you, Mr. Speaker. Unfortunately, the Member for Edmonton-Strathcona stole my thunder, but I'm going to continue as planned anyway. It is my pleasure to introduce to you and through you a constituent of mine, Kyle Reynolds, with his wife, Cheryl. Kyle was a correctional officer at the Bowden Institution for many years until he developed posttraumatic stress disorder resulting from an incident he witnessed at his job in the prison. He is here along with a number of corrections officers

from across this province to represent a group of first responders that has been overlooked by Bill 1. Kyle along with other COs in attendance are here to support an amendment to Bill 1 that will be brought forward by my colleague from Edmonton-Strathcona. I ask Kyle and his wife, Cheryl, and other correctional officers in the members' gallery to please rise and twice receive the warm welcome of this Assembly.

### Members' Statements

**The Speaker:** I don't have anyone listed here for members' statements. I'm sure there are some, so perhaps we could start with the hon. member, the leader of the New Democratic opposition.

1:40

### Food Safety Monitoring

**Mr. Mason:** Thank you very much, Mr. Speaker. In the middle of the largest beef recall in Canadian history this Premier assured Albertans that beef was safe to buy and serve to their families. This is one of the most irresponsible statements on food safety since Ralph Klein said that farmers with BSE-infected animals should shoot, shovel, and shut up. In a misguided attempt to protect the beef industry, this government risks perpetuating the very problems which undermine it. Only if Albertans, Canadians, and foreign customers can be assured of the safety of our beef will our brand remain strong. Ignoring the problem is the worst thing this government can do, yet that is exactly what it is doing.

By rejecting the NDP's call for a public enquiry, the Premier is undermining the very efforts to ensure that the problems with the Canadian Food Inspection Agency and their monitoring systems of Alberta beef will be corrected. Despite an investigation recommendation after the tragic listeriosis crisis of 2008 the CFIA was to conduct an audit of their resources, and that has never been fully completed. The federal Conservatives' budget includes cuts to the CFIA of \$56 million a year by 2015, yet this Premier again refuses to stand up for the protection of consumers and for the health and sustainability of our beef industry by not opposing these federal cuts.

Attempts by the Premier, her agriculture minister, and even the Leader of the Official Opposition to trivialize the threat of E coli are unacceptable. E coli can be deadly, and there have been many outbreaks in Canada and around the world that have cost many people their lives. For this reason, we place an emphasis on preventing contaminated meat from reaching grocery stores and your family's kitchen table.

This government has not only failed to protect the health and safety of Alberta families, but they continue to neglect the beef industry, which employs thousands of people in our province. Mr. Speaker, Albertans deserve better.

**The Speaker:** Thank you for your patience, hon. members. Unfortunately, I had a page out of order in my script here. I do have the list here. I should have recognized the Member for Calgary-Fish Creek first, so I extend my apologies to you for the error. I recognize you now.

### Primary Care Networks

**Mrs. Forsyth:** Thank you, Mr. Speaker. The Wildrose caucus supports primary care networks. I'd like to talk about the valuable work that is being done by doctors across our province under the primary care network model. Over 2,600 physicians have formed collaboration teams with other health care providers to increase access and the quality of care for Albertans. Doctors, nurses,

dietitians, mental health workers, and many other health care providers work side by side, bringing comprehensive care to over 2.9 million Albertans.

This summer we saw the Auditor General's report on primary care networks, where he pointed out, "We found that various PCNs have developed a number of performance measures to manage the delivery of their individual clinical programs, but AHS does not compile or assess this information on an overall basis." He goes further to say that primary health care is one of the top five strategies in the five-year action plan, yet "the provincial primary healthcare plan has not yet been developed." It is extraordinary when you think about what the Auditor General is saying. A government that is supposed to lead isn't actually leading or, for that matter, doing what they said that they would be doing.

Mr. Speaker, the PCNs are a valuable asset to our health care system. We need to support what they are doing and allow them to brag about what they are accomplishing for their customers, their patients.

This government likes to brag about all the good things that they were doing, but let's give credit where credit is really due, to our health care professionals, who know how the system works. They know how to fix it. We need to allow them to do what they do best, and that is to take care of Albertans the way Albertans expect them to.

**The Speaker:** Thank you, hon. member.

I'm sure there are members across the way who were having a conversation who would wish to not continue doing so. Whoever has the floor has the right to be heard. Let's please respect that as best we can.

The hon. Member for Calgary-Hawkwood.

### Child Abuse Awareness Month

**Mr. Luan:** Thank you, Mr. Speaker. October is national Child Abuse Awareness Month. It's a time to learn more about how Albertans can work together to stop abuse from happening by supporting parents and families to become stronger. As a social worker myself I had the pleasure of working in the field of child protection during the early years of my career. You can rest assured that this is a subject that is very close to my heart.

Preventing child abuse and neglect is a community responsibility. It depends on family members, neighbours, teachers, health professionals, and anyone involved in a child's life to provide help when they can or report any concerns they may have about a family which is struggling.

Every day concerned Albertans act on this responsibility, and they call the confidential child abuse hotline. Mr. Speaker, each of these calls has been critical in ensuring that families are receiving help to keep their children safe. Some of those calls have kept families together by linking them with supports in their communities. I encourage all Albertans to call the confidential child abuse hotline to report any concerns they may have about a child or family. Anyone who thinks a child or family may need help to prevent abuse or neglect can call 1.800.387.KIDS.

Mr. Speaker, I believe that we can create safer and stronger communities by us working together like this.

Thank you very much.

### Canonization of Kateri Tekakwitha

**Ms Calahasen:** The song *Only the Good Die Young* is fitting for the Lily of the Mohawks, Kateri Tekakwitha, who died at a young

age. She is the first North American Indian to be canonized by the Roman Catholic Church, which occurred on October 21, 2012, after years of lobbying by many, many people.

Kateri was born in 1656 to a Mohawk chief and an Algonquin mother at the village of Ossernenon near New York. At the age of four smallpox attacked her village, taking the lives of her parents and baby brother. Although she survived the epidemic, she was left an orphan, weak, scarred, and partially blind. She was adopted by her aunt and uncle and grew up living a traditional life of picking roots, preparing medicines and dyes, collecting firewood, and tending to cornfields. She was never formally educated and was never able to read or write in any language. She, however, loved nature and often went into the woods to speak with God.

At the age of 18 a Jesuit missionary came to the village, and although her uncle disliked the Black Robes and this strange new religion, he allowed her to receive religious instruction. Kateri found her calling, loving Jesus and his teachings. She was eventually baptized and given the name "Kateri," little knowing the ramifications of her Christianity. She became the village outcast. She was refused food on Sundays because she refused to work. She was taunted and threatened with torture or death if she did not renounce her religion. This increasing hostility made her run away, and months later she ended up at St. Francis Xavier near Montreal.

Although she died far too young, Blessed Kateri Tekakwitha's life is still an inspiration to many. I am proud the trustees of Grande Prairie Catholic schools renamed Kateri mission school to St. Kateri Catholic school in honour of St. Kateri, very fitting as their focus is on reading strategies and interventions for students. What an honour.

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

#### Ken Stewart

**Mrs. Jablonski:** Thank you, Mr. Speaker. It was a privilege for me to be appointed the Deputy Chair of Committees, or, in other words, the third Speaker of the House. When it came time for me to be outfitted with the parliamentary garb of a Speaker, I was directed to a men's clothing shop in downtown Edmonton that specialized in this type of clothing. In this magical little shop known as Stewart's Men's Wear I discovered this wise old wizard, who was able to measure me up, with his tape measure of course, and order the correct size of pants, shirts, and robe within minutes.

What is magical is Mr. Ken Stewart himself, who is 85 years old and has worked in this clothing business for 68 years. I've never met anyone before who has worked in any business for 68 years. It takes a very special person to serve judges, lawyers, clerks, and parliamentarians for over 68 years.

It's my honour to pay tribute to this incredibly hard-working Albertan, who is up at 5 a.m. every day, exercises for an hour, and is at work by 8:30. Ken Stewart goes above and beyond the call of service. He even walked out to the street that I was parked on to personally hand me my clothing so that I could hurry back and be here as soon as possible.

Mr. Speaker, I believe that Ken Stewart is an extraordinary and hard-working Albertan, who is so humble that he was unable to come today to personally receive our thanks and appreciation for the outstanding work he has done for over 68 years to ensure that judges, lawyers, clerks, parliamentarians, and Speakers look their very best in their judicial garb. Thank you, Ken, for your extraordinary service to our community, and may you continue to serve for as long as your heart and health allow.

Thank you, Mr. Speaker.

1:50

### Oral Question Period

**The Speaker:** The Leader of the Official Opposition.

#### MLA Remuneration

**Ms Smith:** Thank you, Mr. Speaker. We need clarity on the government's next cash grab for MLA pay increases. As you know, the Wildrose has opposed the increase, but we see evidence in public statements and public actions that the PCs want the taxpayers to fund all of their RRSP contributions, another \$1,000 per month. Yesterday the Premier denied being involved in the effort, yet her government whip said that he misunderstood the directions he got from the Premier. Which is it? Does the Premier want to grab another \$1,000 a month from taxpayers or not?

**Mr. Horner:** Well, Mr. Speaker, I too have been listening to some of the comments in the press, and I think it's a bit disingenuous of the Leader of the Opposition to talk about MLAs in that committee voting for a pay raise when, indeed, if you take away the transition allowance, it's actually a substantial cut to MLA compensation in the province of Alberta, which we actually have been supporting, including reducing what came from the Major report. As you so eloquently put it yesterday, Mr. Speaker, this is a committee of the Legislature, a committee of all MLAs, and it should be more appropriately dealt with in that committee.

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

**Ms Smith:** Thank you, Mr. Speaker. I am not talking about the committee. I am talking about the Premier's public statements made in the media, which are about as clear as mud about what the government's real intentions are. We think that they want to increase by \$1,000 per month, put this in place as a replacement for the no-meet committee money. Will the Premier assure us, as she did with the transition allowance, that this \$1,000-a-month idea will be killed?

**Mr. Horner:** Well, again, Mr. Speaker, this is a committee of the Legislature, not a government committee.

The other thing that I think is a bit disingenuous, again, is the hon. Leader of the Opposition talking about what the committee might or might not be doing and then attributing it to the government. This is a committee of the Legislature of Alberta. For a party that touts itself as being extremely democratic and protecting that, you would think they would protect the honour of this Assembly.

**The Speaker:** The hon. Leader of the Opposition.

**Ms Smith:** Thank you, Mr. Speaker. I'm on that committee. I was at that meeting, and it did pass. Perhaps the hon. member would like to check the transcript.

Since we can't get a promise that they will scrub this 8 per cent increase in MLA pay, can the Premier explain how they can possibly enter into public-sector wage negotiations with that 8 per cent pay increase for MLAs out there?

**Mr. Horner:** Well, Mr. Speaker, as a member of that committee I'm sure the hon. member is well aware that what is being proposed, as I understand it, not being a member of the committee, and what is being offered in the Legislature would be a substantial cut to the overall MLA compensation. It would be a lie to try to present it in any other way. I would suggest that that's perhaps what is going on outside of this House. The ongoing negotiations that we have with the public sector: we've been very

clear – at least I’ve been very clear in my position – where we’re going in the future on that. I’m sure it will be unfolded in the fullness of time.

**The Speaker:** The hon. Leader of the Official Opposition for her second main set of questions.

### Health Services Expense Reporting

**Ms Smith:** Thank you, Mr. Speaker. This isn’t the only example of how the PC government completely disregards taxpayer dollars that we saw over the summer. It began with Merali’s \$350,000 spending spree in Capital health. It continued through the Premier’s million-dollar Olympic junket to London and then on to Evan Berger’s \$120,000 patronage plum. Merali at AHS was bad enough, but the PCs actually offered him a job first to watch over the expenses of all government. Who was responsible for this sloppy bit of hiring?

**Mr. Horner:** Mr. Speaker, we did not hire him, so let’s be clear about that. The interview was done. There was an offer made. Mr. Merali did not accept that offer. I would suggest to you that the hon. member has brought up a previous member of this House being employed by this government. It’s interesting that there are five previous candidates in the election being employed by that party across the way.

**The Speaker:** Hon. members, just a cautionary note about invoking names of people who are not able to be here to defend themselves.

Second question, please.

**Ms Smith:** Thank you, Mr. Speaker. Given that the government’s buddy-buddy hiring system brought Merali back into the government family and given that they are refusing to reveal all of the expenses incurred by all of the senior people in the health administration, who else in the government family are they trying to protect?

**Mr. Horner:** Mr. Speaker, obviously a politically staged question for the stunt. But, again, I’ll go back. The hon. members yesterday talked about the fact that they believe that hiring previous candidates in elections is somehow a bad thing, yet, as I said, their party has done exactly the same thing because they do see the value in people who are willing to put their names forward for election in this province and who have a passion for this province, as do we.

**Ms Smith:** Mr. Speaker, Albertans simply want the truth.

Let’s go back to the issue at hand. The issue at hand is the release of all of the government expenses for those who are in senior positions at the health regions. Why won’t the government just agree to release all of the expense claims so that Albertans can have all of the truth about the health expenses of senior officials?

**Mr. Horne:** Mr. Speaker, the information pertaining to travel and expense claims of any executive member of any of the current or former health regions is entirely available to Albertans through the freedom of information and protection of privacy process. With respect to current members of the senior executive of Alberta Health Services members should know that at the request of those individuals their expenses have been released or are about to be released, and the board of Alberta Health Services has asked for an independent audit of those expenses to confirm if they were in accordance with the policies in place at the time.

**Ms Smith:** I seem to recall the board chair complaining about the cost of FOIP expenses.

### Provincial Fiscal Position

**Ms Smith:** In any case, Mr. Speaker, energy prices remain low, yet this government has made no effort to adjust its spending to reflect this new, harsh reality. Regular Albertans, the people we talk to, are worried about the swelling deficit, yet the Minister of Finance said here yesterday that captains of industry are “very confident” as he prepares for his next huge budget deficit. Today EnCana reported a third-quarter loss of \$1.2 billion, mainly due to lower natural gas prices. How big is the loss that the Alberta government is going to report?

**Mr. Horner:** Well, Mr. Speaker, as the hon. member well knows or should know given the amount of time she’s now had in the House, we will be doing our second-quarter update at the end of November. We’ve already done our first-quarter update. I don’t think I need to go back over that again because it’s very public. I will say again what I said yesterday: we will balance the budget, including funding our capital plan. We’re going to bring forward a vision and a plan for this province that the other members obviously could not because they’re not in government.

**Ms Smith:** That’s not what he said.

Given that the minister has gone so far as to speculate about a new mortgage and given that the world watched in awe as Premier Klein paid off the last provincial mortgage – there was even a celebration over that – to the Finance minister: when did Albertans give him permission to take out a new mortgage?

**Mr. Horner:** Well, Mr. Speaker, again, given that the Finance critic couldn’t read the financial statements of the province of Alberta, it’s understandable that the Leader of the Official Opposition cannot as well. We have the lowest personal taxes in Canada. We have no net debt. We have net assets in this province. We have savings. We have a sustainability account. We have the best financial picture of any province in Canada. We will build the infrastructure that Albertans want like highway 63 now, when they need it, not in the future and not defer it to when it’s going to cost more and when other people may have been injured.

**Ms Smith:** Mr. Speaker, the minister likes to imagine that borrowing for roads and schools is the equivalent of a household mortgage. Of course, if things get tough in your household mortgage, you can always sell and downsize. What provincial assets does the minister have in mind to sell if things get tough here?

**Mr. Horner:** Mr. Speaker, if my budget is balanced on a monthly basis and I’m making my mortgage payments, I’m not selling anything. I’m actually operating the way I should operate, the way every household in this province operates, and, in fact, the way every business in this province operates. It’s time they learned that.

2:00

**The Speaker:** The hon. leader of the Alberta Liberal opposition.

### Provincial Budget

**Dr. Sherman:** Thank you, Mr. Speaker. This Conservative government projected a \$3 billion deficit despite oil at \$90 a barrel. With \$41 billion in expenses income taxes only account for about \$12 billion in revenue while \$11 billion in resource revenue

is being spent as fast as it is sucked out of the ground. We have a revenue problem, and the Liberal fair tax plan solves this. We'd balance the budget. We'd still be the lowest tax jurisdiction in the country. To the Minister of Finance: why does your government insist on tying our social services and children's education to the price of a barrel of oil?

**Mr. Horner:** Well, Mr. Speaker, indeed, we have not. We have provided stable and predictable funding to those social services and to education and to health care. We have provided for the best possible health and education programs in our province. I would have to say . . . [interjections]

**The Speaker:** Hon. members, please. Let's try and have some civility and decorum continue here.

Hon. President of Treasury Board, please continue.

**Mr. Horner:** Thank you, Mr. Speaker. It's pretty understandable that the reason the party that is now asking the question moved from there to there is because they advocated for raising Albertans' taxes and taking more money out of their pockets than they should. We're not going to do that.

**Dr. Sherman:** Mr. Speaker, stable, predictable underfunding is more like it.

Given that this government is unwilling to show leadership in addressing our revenue problem, would rather waste taxpayers' money on jet-setting across the world, adding more PR staff, and voting themselves hefty pay raises, to the Minister of Finance: after six consecutive deficits how do you propose to balance the books, or do you just plan to change the definition of a balanced budget?

**Mr. Horner:** Mr. Speaker, the plan for balancing the books will be released in the budget that's going to be coming forward into this Legislature next spring. As I've said before and I'll say again, we will have a balanced operating plan, a balanced capital plan. We're going to actually talk about savings because that's what Albertans have told us to talk about. We're going to talk about putting forward a business plan. I know you folks over there probably wouldn't understand that part, but we're going to put forward a business plan that Albertans will understand and that will be related to what they do on a daily basis.

**The Speaker:** The hon. Liberal opposition leader.

**Dr. Sherman:** Thank you, Mr. Speaker. Given that the Alberta heritage savings trust fund was set up to save nonrenewable resource revenue for future generations and today it's worth less than what it was a quarter century ago and given that the Minister of Finance and his associate minister are conducting a dollars and nonsense tour, begging Albertans to let them use their life savings to pay the daily bills, to the Minister of Finance: is your plan simply to raid the heritage savings trust fund in order to finance the PC's unbudgeted election promises?

**Mr. Horner:** Well, first of all, Mr. Speaker, I will not and this government will not apologize for going out and talking to Albertans about their money and their savings. And I recognize that even though we did offer the invitation to the members opposite to attend a lot of these open houses, we didn't see any of them there. Obviously, we're listening; they're making it up.

**The Speaker:** The hon. leader of the New Democratic opposition.

## Resource Revenue Projections

**Mr. Mason:** Thank you very much, Mr. Speaker. When this government introduced the budget before the election, they projected oil at \$99 a barrel, but in January Shell warned that oil could be as low as \$70 a barrel. Other forecasters projected prices between \$75 and \$80 a barrel. Given that industry experts projected prices far lower than this Conservative government did, will the Finance minister admit that the government's budget is based on reckless and unrealistic expectations?

**Mr. Horner:** Well, it's an interesting rewrite of history, but unfortunately it's not true. The national forecasting agencies which we used are the Conference Board of Canada, IHS Global, the Centre for Spatial Economics, BMO Capital Markets, Credit Suisse, Deutsche Bank – and I could go on, Mr. Speaker – CIBC World Markets, J.P. Morgan, National Bank Financial, Peters & Co., RBC, Scotiabank, Toronto-Dominion, for all of whom, including independent analysts from the U.S. Energy Information Administration, the range was \$91 to \$120. We went to the middle and down one notch. That's the estimate we used.

**Mr. Mason:** Well, Mr. Speaker, given that the price of oil today is now \$13 a barrel lower than the government's estimate, how can the government pretend to be surprised when this projected deficit has ballooned from \$868 million to \$3 billion?

**Mr. Horner:** Mr. Speaker, I wasn't surprised at all. I'm the one that delivered the message.

It's obvious to me that members opposite seem to think that the price of oil is set at the beginning of the year and stays there for the rest of the year. We know better, Mr. Speaker. That's why we're talking about a range, and that's why we're talking about actuals to budget. We're not talking about rewriting the budget every three months, which I know is something that gives them something to talk about. The reality is that last year at this time we were projecting a deficit. Do you know what happened? We were \$23 million away from a balanced budget at the end of the fiscal year that finished in March. So to suggest that I or they could actually predict what the price of oil is is utter nonsense.

**Mr. Mason:** Mr. Speaker, why doesn't the Finance minister come clean and admit that this government deliberately overestimated revenue in the last budget in order to hide the deficit reality from Albertans during the election?

**Mr. Horner:** Well, Mr. Speaker, as I've tried to indicate and as the documents prove, we don't make up the estimate. We use the estimates from these public and private estimators that are at that point in time. What we do know is that they are variable.

I would ask that the hon. member help us with the market access piece, which is so critical for us to attain the appropriate price for our product, that Albertans are now being hosed for because we don't have market access. We need that market access to get us back to a number that is more reasonable for our projections.

**The Speaker:** The hon. Member for Chestermere-Rocky View, followed by the hon. Member for Leduc-Beaumont.

## School Construction

**Mr. McAllister:** Thank you, Mr. Speaker. Maybe we'll let the Finance minister sit down and grab a drink for a quick second and switch to education.

Yesterday a government MLA stood in this House and practically begged the Education minister to build a school in his riding. I think it's safe to say that 87 of us in here could do the same thing. The current approach to building schools is creating confusion and uncertainty for everybody as they wait on pins and needles to see if schools will be approved in their riding. To the minister: how are these decisions prioritized? Is there an established criteria that you follow to determine who gets new or renovated schools?

**Mr. J. Johnson:** Mr. Speaker, that's a great question. It's on the mind of many Albertans. I would just say that this government is committed to building schools and building infrastructure. There probably are 87 MLAs that would ask that question in this House. I'm not sure how that reconciles with the opposition promise to cut \$1.7 billion out of the budget. These are not easy decisions to make. We take the requests we get from every school division across the province, and we measure those against each other in terms of which are the biggest health and safety issues, which are the biggest issues in terms of enrolment growth, and where don't we have desks. We're looking for partnerships, like I explained yesterday.

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

**Mr. McAllister:** Mr. Speaker, thank you. I always find it interesting when government refers to cuts because I think we talked about a bureaucracy being shaved. We didn't say anything about schools.

Given that so many boards and parents, Mr. Speaker, are in the dark about plans for schools in their area, given that there have been accusations of politics determining a role in where these new schools are going to be built, wouldn't it be prudent, then, for the minister to commit to creating and releasing a set criteria on how these decisions are made for building and renovating schools so we all know what's going on?

**Mr. J. Johnson:** Mr. Speaker, just for clarity for the member his party's policy was to cut \$1.7 billion out of capital in this last election, and the year before that the alternative budget was to cut \$2.4 billion out of capital.

With respect to the question on the priorities of the... [interjection] Mr. Speaker, it seems the hon. Member for Edmonton-Centre doesn't want to listen to the answer.

**The Speaker:** Hon. Member for Airdrie, you rose on a point of order? Thank you. It's been noted.

Hon. member, your final question.

**Mr. McAllister:** Yes, Mr. Speaker. Thank you. Trust me when I say that I'll try and proceed with some civility as we go through it.

Given that we are now staring a \$3 billion deficit in the face regardless of how it's sliced on the other side, given that during the election campaign the government made a promise to Albertans to build 50 schools and renovate 70 more, and given that it made a prior promise to build and renovate 33 more, will the minister stand up today, go on record, tell Albertans that they will build and they will renovate all the schools that they promised they would in the time frame that they said they would?

2:10

**Mr. J. Johnson:** Absolutely. We've got a promise from our Premier that we're going to open 50 schools and renovate 70 more within this term, Mr. Speaker, and we're working on a capital list right now that's going to deliver exactly that. I can tell you that in

addition to that, we will open 15 new schools this school year. We just opened 13; there are two more to come. The Minister of Infrastructure would tell you that there are 22 new schools under way right now and 13 other modernizations. There is a significant amount of capital being invested into schools. We realize that it's not enough, and our Premier realizes that it's not enough, and we're going to invest in families and communities just like she said we would.

**The Speaker:** The hon. Member for Leduc-Beaumont, followed by the hon. Member for Innisfail-Sylvan Lake.

### Bullying Awareness and Prevention

**Mr. Rogers:** Thank you, Mr. Speaker. Bullying continues to be a topic of great discussion with the tragic events of the last few weeks in our country. It is safe to say that everyone in this House agrees that this is not a new challenge. The most significant part of a child's day is spent in school, which increases the likelihood that a child can be bullied at school. My questions are for the Minister of Education. Can the minister tell the House what his department is doing now to ensure that Alberta children can feel safe at school?

**Mr. J. Johnson:** Mr. Speaker, that is a very good question. Let me be very clear that bullying is unacceptable. Period. This is a very diverse province. We want the schools to respect diversity. Every child is unique, and every child deserves to feel safe, accepted, respected, with no exceptions. School boards and teachers across the province are doing some very great work in this regard and, without getting into the new Education Act because that would be out of order, we're going to even strengthen the expectations on school boards to that end.

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

**Mr. Rogers:** Thank you, Mr. Speaker. Again to the same minister: Mr. Minister, what resources are available for kids who are being bullied and are afraid to share their story or for parents that are concerned that their children are either being bullied or may be the bully?

**Mr. J. Johnson:** Mr. Speaker, these are very difficult situations to be in, and I'm very happy to say that in partnership with my colleagues the Minister of Human Services and the Minister of Health there are a number of resources that are out there today. Like I said, the school boards and trustees and our great educators and the great people that work in my ministry on this are working very hard as well. We do have a 24-hour hotline for students and parents. There are also three different websites that various folks can go to for support, whether they're parents, students, or educators. We have a number of resources that are available for teachers and other initiatives that are ongoing throughout the year that are diverse across the province.

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

**Mr. Rogers:** Thank you, Mr. Speaker. Again to the same minister: Mr. Minister, what is contained in today's curriculum that helps our children to develop these skills?

**Mr. J. Johnson:** Mr. Speaker, what I can tell you is that curriculum and assessment revisions are being developed in response to Inspiring Education and the three Es. The central pillar of the three Es was the ethical citizen and, with respect to that, the expectations of the ethical citizen as one who contributes to the

community, one who respects diversity, is collaborative, and works with others. We want someone who earns what they get.

I just came from the Me to We big conference down in Calgary, and I can tell you that there are some exceptional initiatives that are ongoing in this province that are demonstrating the citizenship that our students are learning.

One we should profile is Mackenzie Martin, one of our pages, who rented the Winspear Centre a couple of weeks ago and put on an incredible conference that was profiling the International Day of the Girl Child. She deserves a lot of credit for that.

**The Speaker:** The hon. Member for Innisfail-Sylvan Lake, followed by the hon. Member for Edmonton-South West.

#### **Little Bow Continuing Care Centre**

**Mrs. Towle:** Thank you, Mr. Speaker. The Wildrose believes in putting Albertans first and following through on our commitments. Unfortunately, the government does not share these values. On page 8 of the government's election platform it clearly states in its continuing care strategy, and I quote: enhances the care capacity of every long-term and continuing care centre in Alberta, whether they are newly built facilities or renovations and upgrades to existing ones. End quote. To the Premier: how can Albertans believe a word you say when only three months after the election you broke a clearly defined campaign promise by shutting down the Little Bow continuing care centre in Carmangay?

**The Speaker:** Hon. member, it's the custom to table documents that you're quoting from, so I ask you to consider that.

The hon. minister.

**Mr. Horne:** Thank you very much, Mr. Speaker, and thank you for making that request.

This government has not failed to deliver on its commitment to Albertans with respect to continuing care. As was asked and answered in the House yesterday, Alberta Health Services made a decision regarding a particular continuing care facility in Carmangay, one of the oldest facilities in the province. Mr. Speaker, we discussed yesterday in the House the reasons that led to their decision.

The fact of the matter is that in the last year alone over 120 net new continuing care beds have been opened in the south zone of Alberta. As hon. members should also know, the new beds that we are building today are capable of delivering all levels of care to Albertans, including long-term care.

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

**Mrs. Towle:** Thank you, Mr. Speaker. Given that the government's campaign platform clearly states a promise to build 1,000, and I quote, long-term care spaces, end quote, does the Minister of Health accept the AHS definition of long-term care as around-the-clock, 24-hour, registered nursing care?

**Mr. Horne:** Well, Mr. Speaker, as we've said many times before in this House, including before the election of the hon. member, we are committed to delivering a thousand beds a year. If any member of the House cares to take a look around the province, they will see that the new beds that are being developed are equipped to handle all levels of care from supportive living up to and including long-term care. [interjections] This supports aging in place. . .

#### **Speaker's Ruling Decorum**

**The Speaker:** Excuse me, hon. member. I hesitate to interrupt, but again, interjections are not on. [interjections] Excuse me. No interruptions, including when I'm speaking, please, hon. Member for Edmonton-Centre. Please. The point is that the Minister of Health has the floor. When you have the floor, I'll do the same for you.

Please proceed, hon. Minister of Health.

#### **Little Bow Continuing Care Centre (continued)**

**Mr. Horne:** Well, thank you, Mr. Speaker. As I was saying, I think the critical difference between us is that this government is committed strongly to a principle of supporting aging in place for all Albertans. That means keeping couples together, that means not forcing people to move facilities when their care needs change, and that means supporting families and communities.

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

**Mrs. Towle:** Thank you, Mr. Speaker. Given that the Premier was enjoying an all-expense-paid trip to the London Olympics while the Health minister was busy closing down the Little Bow continuing care centre, does the Premier find it acceptable that she could have kept her word, that she could have kept this facility open, and that she could have kept families together in Carmangay all for the cost of her luxury Olympic retreat?

**Mr. Horne:** Well, Mr. Speaker, other than commenting on the disrespectful nature of the question and the fact that the Premier is not in the House today and that the question doesn't concern public policy in the remotest respect, I'd say to the hon. member once again that this government is committed to supporting modern approaches to continuing care for seniors that allow them to age in place and stay together in their own communities.

**The Speaker:** Hon. members, just a reminder. Procedurally speaking, we do not, out of custom and tradition, refer to the absence of any members from this House.

Let us move on. Edmonton-South West followed by the Member for Calgary-Buffalo.

#### **School Construction (continued)**

**Mr. Jeneroux:** Thank you, Mr. Speaker. Overcrowding in schools has become a pervasive issue in this province. In some cases, like in my constituency of Edmonton-South West, schools have had to request portables in order to deal with this issue. Johnny Bright school, for example, has a current capacity of 850 kids but has close to 1,000 kids in the school. Could the Minister of Education please indicate whether school overcrowding is a priority issue to be addressed at this time?

**Mr. J. Johnson:** Mr. Speaker, I think I've spoken to that already today, but the answer again is: absolutely. We know that there are some significant growth pressures in certain areas, especially in the large metro areas around the perimeter, or in the south by Okotoks and Airdrie, in Fort McMurray, Grande Prairie. Those things are no secret, but they're going to be addressed in one of three ways. We not only have the option to build new schools, but we've got to use the modulars and the portable fleet that we have

as much as possible and invest in that. The other unique thing that we have a challenge with is that we actually do have a surplus of space in some of the metro areas, like Edmonton with an extra 50,000 spaces. They're just in the wrong spots.

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

**Mr. Jeneroux:** Thank you, Mr. Speaker. My first supplemental is to the President of Treasury Board and Minister of Finance. There's been a lot of discussion about new schools, but could the minister please be more clear and indicate how the government plans to fund and build these new schools?

**Mr. Horner:** Well, Mr. Speaker, as I indicated earlier in some of my responses to the hon. members opposite, we were talking to Albertans throughout the summer about how we might be able to approach capital in different ways and looking at alternative solutions, P3s and a number of other things that we've been doing. There are other methods of financing and getting value for that capital. We're going to take whatever approach we can to fit the needs. Albertans are asking us to build that infrastructure. We're not not going to build it now because they need it now.

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

2:20

**Mr. Jeneroux:** Thank you, Mr. Speaker. To really spread out my questions, could the Minister of Infrastructure please advise as to which specific communities and districts will be receiving these new schools?

**Mr. Drysdale:** Mr. Speaker, as the Minister of Education stated earlier today, he and I work closely to review the capital requests of all the school boards in the province and with the parents and families to come up with a priority list. I can assure you that growth pressures will be taken into account when we do that. We hope to be able to announce where and when the next school projects will be built over the next several months.

### School Class Sizes

**Mr. Hehr:** Mr. Speaker, despite projected growth in our schools doubling, Alberta classrooms have approximately 600 fewer teachers today than they did two years ago. Class sizes continue to rise, and teachers' working conditions continue to spiral downward. The government accepted a Learning Commission report in 2002 which committed to reducing classroom sizes, yet little has been done in this regard. To the Minister of Education: has the government simply given up on the recommendations of the Learning Commission report from approximately a decade ago?

**Mr. J. Johnson:** No, absolutely not, Mr. Speaker. The class size initiative is ongoing. It's still one of the envelopes that we use to fund schools. As a matter of fact, since . . .

**Mr. Mason:** But you're not reducing class sizes.

**Mr. J. Johnson:** Well, it has had some success, but we're actually focusing our attention on the earlier grades, the primary grades, 1 to 3, and trying to have the most impact there.

We've actually invested \$1.6 billion in class size reduction since that report came out. I think that last year alone it was close to a quarter of a billion dollars. As a matter of fact, over the last 10 years – the hon. member talks about the last couple of years – the number of teachers in our school system has gone up 13 per cent.

**Mr. Hehr:** And it's made no difference on class sizes. They're still out of whack from what the Learning Commission recommendations were.

Given that teachers across the province have identified heavy workloads and increasing classroom sizes, two of the most detrimental factors to our children's education, will this government commit to reducing class sizes and ensuring optimal teaching environments?

**Mr. J. Johnson:** Mr. Speaker, we're going to continue to invest in and continue to work on the class size initiative. Absolutely. But there are other factors also at play in terms of how effective those classes are, including the skill of the teacher, and probably more impactful is the makeup of that class. With the inclusive education system we have now and the different types of students that they have in that room that the teacher has to work with, those are big challenges as well, and we need to try and face those at the same time as we deal with just the class size.

**Mr. Hehr:** Given that when the hon. Premier was running to become the leader of this great province, she promised full-day kindergarten within one year of taking office and that has clearly not happened, what are your plans to get this done in the next four years?

**Mr. J. Johnson:** Mr. Speaker, it's a good question, and many Albertans are asking this. We are committed to full-day kindergarten. There's no question about that. Right now being led by the Minister of Human Services is a review of early childhood development as a strategy. Prekindergarten, preschool, and kindergarten are part of that early childhood development strategy. So as that's concluded this year and we further study the requirements for funding for not only capital but the professionals that are needed for full-day kindergarten, we will be moving to full-day kindergarten options across the province.

**The Speaker:** The hon. Member for Edmonton-Calder followed by the hon. Member for Cypress-Medicine Hat.

### Bill 44 Parental Rights Clause

**Mr. Eggen:** Well, thank you, Mr. Speaker. This Conservative government likes to talk about antibullying, but there still lurks in this Chamber and around Alberta a bill that casts a dark and nasty shadow over their best intentions. Section 11 of Bill 44 puts a chill on good teaching practices, puts up walls, and discourages discussion on important issues. My questions are all to the Minister of Education. Will this minister not admit that this contentious section of Bill 44, section 11, undermines his attempt to build an effective antibullying and human rights education strategy?

**Mr. J. Johnson:** Mr. Speaker, that bill does not fall under the purview of Education, but I'm happy to comment on maybe any implications that may or may not have been felt in the education system over the last four years since the bill was passed. To my knowledge and from what I'm hearing from my ministry, there have been no negative implications, and we don't have cases of a chill in the classroom or complaints that have come forward through my ministry.

**Mr. Eggen:** Teachers around the province would beg to differ, Mr. Speaker.



Given limitations imposed by Bill 44 that make it much more difficult to discuss and teach important lessons on equality, diversity, and the acceptance of differences, how can the members of this Conservative caucus stand and debate in good conscience antibullying legislation when teachers are no longer able to address these issues without Bill 44 breathing down their necks?

**Mr. J. Johnson:** Mr. Speaker, if the hon. member is alleging that teachers are being bullied, I would like to know about that. I want to know about those cases. You should be phoning my office so that we can deal with it. Those are not cases that have been coming through the ministry. Let's not forget the rights of the parents, who do have a right to choice with respect to education, and that's a foundational piece of our education system.

**Mr. Eggen:** Mr. Speaker, given that Bill 44 seeks to limit discussion on important issues about discrimination, gender, sexuality, why won't this minister use his influence to help rescind this bully Bill 44 section so that we can get on with the business of promoting equality, acceptance, and open discussion in our schools?

**Mr. J. Johnson:** Mr. Speaker, I agree with the member that we need to get on with it. We need to look forward. We need to deal with the Education Act. Let's not look back to a bill that was debated thoroughly in the House four years ago and passed. We have not been seeing negative implications of that bill.

### Highway Safety

**Mr. Barnes:** Mr. Speaker, I want to thank the Minister of Transportation for answering the Wildrose call for a timeline on the twinning of highway 63. However, highway 63 is not the only priority in the north. Wildrose heard time and time again on our consultation tour that highway 881 is also in need of urgent attention as it faces many of the same stresses as highway 63. Many residents in the area are calling for the upgrading of highway 881 to a primary designation. Has the Minister of Transportation done a cost-benefit analysis? Where is this on your priority list?

**Mr. McIver:** Mr. Speaker, I thank the hon. member for the question. The fact is, interestingly enough, that the opposition party put a request out last week which actually had a schedule slower than what this government has committed to. Further, after their asking for three years' capital spending to be spread out to four, it never would have been built had they been in control of things. Having said that, at the same time that we committed to keep the promise we've kept, we have also actually committed to adding some passing lanes on highway 881 and other things to make it safer. This government is performing on behalf of Albertans.

**Mr. Barnes:** Mr. Speaker, given that so far the government's progress on twinning highway 63 is incredibly behind schedule – it was in 2006 – will the Minister of Transportation commit to a detailed plan for twinning highway 63, including stages, including timelines, so Albertans will really know that this is a top priority for this government?

**Mr. McIver:** Mr. Speaker, as the hon. member knows and by now almost every Albertan knows, the highway will be fully twinned and opened by the end of fall 2016. Now, along the way there will be different stages which will become public as the tenders are let and received because that's part of the process. I'm sure the hon. member will be happy to be a part of that process as a member of

this House and as an Albertan, and we will make those things public as they become firm. Like all Albertans that appreciate the commitment by this Premier to get this done, I'm sure the hon. member appreciates that commitment as well.

**Mr. Barnes:** Mr. Speaker, given that so many senseless deaths on highway 63 have occurred as Albertans have waited for this highway to be twinned and given that winter is fast approaching and there are no road lines on a 70-kilometre stretch of highway north of the Wandering River community, can the Minister of Transportation at least commit to a definite date that these lines will be repainted?

2:30

**Mr. McIver:** Well, Mr. Speaker, the member is right about one thing. The one thing missing on the section of road is lines. In fact, this government has gone to what I would say is a little bit of an extraordinary measure. They're bringing in a piece of equipment that will actually dry the wet, snowed upon road and allow painting right behind it, a bit of an extraordinary step, but we're doing it because we think that the safety of Albertans is that important. I thank the member for the question. It could be this week. We're hoping by Friday. Again, I can tell you this much, that as soon as the equipment arrives, we will not delay in putting it to work in providing that extra safety for Albertans.

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

### Bicycle Safety on Roadways and Trails

**Mr. Dorward:** Thank you, Mr. Speaker. Sadly, Edmonton-Gold Bar lost one of its residents in a tragic motor vehicle accident in Prince Edward Island this past summer. Elizabeth Sovis was struck while on a bike, one of the numerous biking vacations she had with her husband, Dr. Edmund Auger. It was Elizabeth's wish that Alberta be a leader in the development of safe cycling trails. To the Minister of Tourism, Parks and Recreation: what steps are being taken to make sure that Alberta's trail system is safe for all users?

**Ms Cusanelli:** I want to thank the hon. member for my first question in the House. I would also like to thank him very much for being an advocate on behalf of Dr. Auger. I was able to meet with Dr. Auger and, at that time, was able to tell him that we are very sorry for his loss.

Part of what makes the Trans Canada Trail so valuable is the fact that it will provide a safe place for all users to be able to enjoy cycling, walking, OHVs, and even boating here in Alberta. We look forward to continuing the progress along with many of the contributors here in Alberta and, hopefully, to being able to carry on the legacy that Dr. Auger's wife would have liked us to carry on for her.

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

**Mr. Dorward:** Thank you, Mr. Speaker. You mentioned progress. Could you give us more of an outline of what that progress is?

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

**Ms Cusanelli:** Thank you, Mr. Speaker. Here in Alberta we have the second-greatest amount of trail to develop, and I can report that we are continuing to make progress. Currently we have about 60 per cent of the Alberta leg completed, which is similar to the extent that Ontario has completed their section. One of our newest

sections is through the Glenbow Ranch provincial park near Calgary. This legacy trail is really going to be the result of hundreds of volunteers coming together and donors who are working with Alberta TrailNet. We are well on our way, but certainly more work is needed.

**Mr. Dorward:** Mr. Speaker, to the same minister: how is the budget and financing side of the trail doing?

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

**Ms Cusanelli:** Thank you, Mr. Speaker. The Alberta trail is being developed through the nonprofit registered charity organization. I met with Deborah Apps with the Trans Canada Trail and Linda Strong-Watson and Peter Barr with Alberta TrailNet to find collaborative ways in which we can raise money to complete the Alberta portion by 2017. Their trail project is a partnership, and I am so proud to share that Albertans are some of the highest donors in Canada when it comes to raising funds for this trail. Completing the rest of our trail is a big investment, and I know Albertans and the trail foundations will be working collaboratively towards this endeavour to make that happen.

**The Speaker:** The hon. Member for Livingstone-Macleod, followed by the hon. Member for Calgary-North West.

#### Cancellation of Funding for Police Training Facility

**Mr. Stier:** Thank you, Mr. Speaker. The cancellation of the Fort Macleod police college is the zenith of PC mismanagement, punishing hard-working Albertans in the region. This PC government came to this community for 13 years consulting with the municipality, businesses, and enforcement agents and handed out contracts in July of 2012. I repeat: July of this year. The government had said over and over that it made sense to build this facility. But after pulling the rug from under the project and the town, there has been no apology made to the people of Fort Macleod or to the businesses and local officials who are being hit in the pocketbook by this decision. When will the Solicitor General pick up the phone, apologize to Fort Macleod, and explain why he . . .

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

**Mr. Denis:** Thank you very much, Mr. Speaker. I would first like to thank this hon. member for what I believe is his first question in the House.

As I stated in the media earlier this year, in July of this year I heard from police chiefs in Calgary, in Edmonton, and also the chief commissioner of the RCMP in Alberta, representing 94 per cent of the new recruits in this province, indicating that this facility was not required and would not be fully used. We acted in the taxpayers' interests in cancelling it as quickly as we could.

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

**Mr. Stier:** Thank you, Mr. Speaker. Can the minister please explain how it can be so incompetent for 13 years, promising the project to the people of Fort Macleod and consulting with various enforcement agencies over that time, and then within a single month change its mind completely?

**Mr. Denis:** Mr. Speaker, I again thank the member for that question. As I indicated, we acted as quickly as possible in July. If only this member's caucus could act as quickly as possible with their promises. In one breath they say: balance the budget. In

another breath last night all we heard was: spend, spend, spend, more to protect seniors from rising energy costs, another urgent care centre for Sylvan Lake, a new Rocky Mountain hospital. This all costs money, and if we're going to balance the budget, we have to make these tough decisions.

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

**Mr. Stier:** Thank you, Mr. Speaker. Given that this community was so negatively impacted by the decision to cancel the project, will the government do the right thing and guarantee that the town of Fort Macleod will be compensated for all it has invested, committed, and directed from their own grant fund and that it be returned to them as quickly as possible?

**Mr. Griffiths:** Mr. Speaker, I have met with the entire council of Fort Macleod, and it's unfortunate the member doesn't know that. We've been discussing with them what sort of opportunities can come out of the water infrastructure investments. This is not all bad news. Of course, the opposition would make everyone think that this is awful and bad news, but I can assure him – I even have a quote here from the mayor: we have recently held some positive meetings with representatives and leaders from the various government ministries and are working towards recovering all our expenses and are working with them, and we understand that we can and should come out of this in a position that allows us to continue to forge a bright future for this community. That's this municipality in Fort Macleod that has accepted the decision and understands the new opportunities that are coming forward for that community.

#### Private Registry Services

**Ms Jansen:** Mr. Speaker, my constituents in Calgary-North West depend on registry offices for essential services, including drivers' licences and vehicle registrations. My constituency does not have one. We have a large population, a high number of car dealerships in our area, and my constituents are asking for a registry office nearby to make their busy lives easier. My question is to the Minister of Service Alberta. Will you allow for more registry agent offices for more Albertans so they can easily access the services they depend on?

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

**Mr. Bhullar:** Thank you very much, Mr. Speaker. I'd first like to congratulate the member on asking her first question in this House. It was a good question. My first recollection of the member was when I was child and she was on 2 and 7. The best rendition of *Hello, Calgary*, the old theme song of channels 2 and 7, is by this member.

We are excited to move forth with the Association of Registry Agents to provide more online services and an expansion of our registry area network.

**Ms Jansen:** Mr. Speaker, I would then counsel the minister to listen to his elders.

I am very glad to hear the ministry is moving forward with plans to better serve my constituents. Even so, it has been a very long time since we've had a new registry office. I'm glad to hear you're reviewing the registry agent model, but what does that mean for my constituents in Calgary-North West?

2:40

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

**Mr. Bhullar:** Thank you, Mr. Speaker. We're looking to move forward with providing more services for Albertans, first of all, providing more services online. Secondly, I'm working with the Association of Alberta Registry Agents to expand our expansion and relocation policy so that Albertans can have access to services closer to home. I'm also looking to find ways to ensure that we have consistent records, consistent service standards to ensure that Albertans receive the services they require.

**Ms Jansen:** My final question to the minister, Mr. Speaker. We know that there is a tremendous increase in the number of Albertans who are turning to the Internet for their goods and services, and I'm very glad that you've acknowledged that, Minister. This option gives people in rural Alberta the access they need 24 hours a day. So, Minister, are you going to do something about those registry offices to make them available over the Internet?

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

**Mr. Bhullar:** Thank you very much, Mr. Speaker. Yes. The member has been advocating this, and I've been working on this. We look forward to bringing forward changes in the next short period of time to ensure that Albertans have access to more services online when they need them.

**The Speaker:** Thank you.

Hon. members, before we proceed with the final member's statement for today, might we have unanimous consent to revert briefly to Introduction of Guests?

[Unanimous consent granted]

### Introduction of Guests (continued)

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

**Ms Blakeman:** Thank you very much, Mr. Speaker, and thank you to my colleagues in the Assembly. You know how excited I get when I get an opportunity to introduce to you and through you to all members of the Assembly someone from the fabulous constituency of Edmonton-Centre. Indeed, joining us today in the public gallery is Roy Skoreyko. Roy is a wonderful constituent, very involved in the community, and is a real advocate. He sat on the PDD board and has advocated around housing, PDD, and mental illness. He is a great addition to my constituency, and I'm delighted to introduce him in the Assembly today. Please join me in welcoming him.

### Members' Statements (continued)

#### XL Foods Inc. Beef Recall

**Mr. Hale:** Mr. Speaker, I rise today to speak to the ongoing situation in my constituency of Strathmore-Brooks caused by the temporary shutdown of the XL Foods plant. Yesterday I welcomed news of the plant restarting operations with the approval of the Canadian Food Inspection Agency. Today I will focus on the impact the closure has had on the community of Brooks and the surrounding region. While I've been tempted to ask a question in question period on this, I would rather not politicize the issue. Instead, all parties need to work together.

I've spoken with many cattle producers and industry groups in the past several weeks, and I've been told the cattle industry has

lost millions of dollars of revenue each day. This is something that affects all of Alberta, from local businesses to service providers to feedlots.

Locally many of the 2,200 workers are living cheque to cheque. The food bank is running out of food. There are families that need winter clothing for the harsh winter ahead. They haven't received any income in weeks, and it looks like they'll be waiting weeks before receiving any kind of payment, with rent due on November 1. It's up to elected representatives to take the initiative and step up to help those that have been affected. I would like to challenge every member of this House to make a \$100 donation, as I have done, to the city of Brooks food bank, which can be done online at [brooks.ca](http://brooks.ca), and you will receive a tax receipt.

The Newell regional economic development initiative under the county of Newell recently released a study on the economic impact of the closure of the XL Foods plant. The total economic loss for the Newell region amounted to an estimated \$226,000 in wages each day that this plant was closed. The closure represents a tremendous loss to the community and local businesses. Although the situation looks positive with JBS, the Canadian Food Inspection Agency, and XL Foods working together, we're not out of the woods yet. Government needs to listen closely to what the industry is saying now and take actions to help the workers in Brooks.

Thank you.

### Introduction of Bills

**The Speaker:** The hon. President of Treasury Board and Minister of Finance on behalf of.

### Bill 2 Responsible Energy Development Act

**Mr. Horner:** Yes, Mr. Speaker. Thank you. I would like to request leave on behalf of my colleague the hon. Minister of Energy to introduce Bill 2, the Responsible Energy Development Act.

Through Bill 2 Alberta is setting the stage for the next 50 years of effective and efficient energy resource regulation and development. The proposed legislation will create a single regulator for oil, gas, oil sands, and coal. The new regulator will be efficient and effective for landowners, efficient and effective for industry, and committed to Alberta's stringent environmental standards.

Mr. Speaker, I move first reading of Bill 2, the Responsible Energy Development Act.

[Motion carried; Bill 2 read a first time]

### Tabling Returns and Reports

**The Speaker:** The hon. Associate Minister of Services for Persons with Disabilities.

**Mr. Oberle:** Thank you so much, Mr. Speaker. It's an honour to rise today and in accordance with the legislation table the requisite number of copies of the 2011-12 annual report for the Premier's Council on the Status of Persons with Disabilities.

Thank you, Mr. Speaker.

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

**Mr. Hehr:** Thank you, Mr. Speaker. I just want to table an article from the CBC referencing a Macdonald-Laurier report which seems to indicate that Alberta's fiscal structure is at some peril going forward. I've long said this, too, and it looks like increasing

numbers of people are joining that chorus. I have the requisite number of copies here and will go forth from that.

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

**Mr. Wilson:** Thank you, Mr. Speaker. I have here the requisite number of copies of two documents I referenced yesterday in my speech on Bill 1, one called Stress at Work, Mental Injury and the Law in Canada and another from *Clinical Psychology Review* from 2012.

Thank you.

**The Speaker:** Are there others?

If not, then it's my pleasure pursuant to section 28(1) of the Ombudsman Act to table with the Assembly the annual report of the Ombudsman for the period April 1, 2011, through March 31, 2012.

I think we have a point of order which the hon. Member for Airdrie wished to address. Hon. Member for Airdrie, please proceed.

### Point of Order Inflammatory Language

**Mr. Anderson:** Thank you, Mr. Speaker. For the point of order that I referred to, I'd like to cite Standing Order 23.

**Mr. Hancock:** It's (h), (i), and (j).

**Mr. Anderson:** I've learned so much from this member about (h), (i), and (j) over the years. He's trained me well.

Actually, I'm not using (h), (i), and (j). I'm just going to use (j), with regard to the Education minister using "abusive or insulting language of a nature likely to create disorder." I think you would agree that his language in his answer to the question clearly created massive amounts of disorder, and I'm going to tell you why, Mr. Speaker.

In his comments he flat out says that the Wildrose would cut spending to infrastructure, would cut infrastructure projects out of the budget, and he gives numbers from our alternative budget. Of course, what the Wildrose has always said is that, indeed, we would take the projects on the capital list and take the ones that would wait a year or two and spread those out over an extra year or two. That's what we've said consistently. Now, that is the truth of the matter.

However, it's really amazing that this minister would say that when, after the first-quarter update was released just recently, this very Finance minister was quoted in several newspapers and radio shows. I'm just taking one; I could cite more. After saying that the financial situation is worse than forecast, the Treasury Board President says that

unless things change, the provincial government is looking at lower energy royalties than budgeted in the first quarter of this year. If that happens, government departments have been put on notice that they may have to reduce operational spending and look at whether capital spending plans can be deferred.

That seems to be exactly what the Wildrose position is, Mr. Speaker, exactly the same position.

2:50

When this minister here comes into this House and, I believe, uses very abusive and insulting language by misleading Albertans into thinking that the Wildrose would cut the schools and the roads and the facilities that the people of Alberta need while his government is saying something else, that is simply not the case. I

think we're both saying that in times of trouble we need to make sure that we defer infrastructure projects so that we can balance the budget, so that we can live within our means. That is what the position of this party has been, and finally the government seems to be coming to around to it. Congratulations for following us on that.

**Mr. J. Johnson:** Mr. Speaker, I feel the need to defend myself somewhat. I certainly didn't intend to be abusive or hurt anyone's feelings by any stretch of the imagination. We may disagree on what the facts are here. It seems like this is more an exercise in extending debate than actually talking about abuse in the House because we did have a rather raucous session here.

I've got two documents in front of me, Mr. Speaker. If I misspoke, I'll apologize. This one is the alternative budget from the Wildrose from 2012, that clearly says that they would save \$1.623 billion out of the capital budget. They would cut roughly \$1.7 billion out of the budget. This was brought forward just before the election. The previous one that I referred to was the Wildrose alternative budget from 2011, which clearly states that they would cut \$2.41 billion out of the capital budget. So I'm not sure that I misspoke, misled anyone. I don't have the Blues to see my language exactly, but I certainly didn't intend to be abusive.

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

**Mr. Hancock:** Thank you, Mr. Speaker. It's interesting that the hon. member would rise under 23(j), "uses abusive or insulting language of a nature likely to create disorder." Now, if anybody should understand what that section means.

However, it's very clear that the hon. member has not been listening to himself or to his party leader because if he had, he'd not only understand the concept of abusive and insulting language, but he'd also understand that you cannot advocate, as he and virtually every one of the members on his side of the House have in their maiden speeches, for building things in their constituencies – not a bad thing to do because we do need to have the infrastructure for this province to grow – and then by the same token say: balance the budget, including capital spending; and, by the way, pay cash for your capital spending and cut that amount; and don't build the capital stuff right now; but, by the way, I need a school in my riding. Or was it five?

**The Speaker:** Are there others? Thank you.

Hon. members, let me first direct you to *Beauchesne* 494.

It has been formally ruled by Speakers that statements by Members respecting themselves and particularly within their own knowledge must be accepted. It is not unparliamentary temperately to criticize statements made by Members as being contrary to the facts; but no imputation of intentional falsehood is permissible. On rare occasions this may result in the House having to accept two contradictory accounts of the same incident.

I think that yesterday I spoke to this, and I'll be very brief today to simply say that the hon. Member for Airdrie has stood and clarified his party's position and his point, and it's all recorded in *Hansard* now. Thank you. The hon. Minister of Education, followed by the hon. Government House Leader, have stood up and indicated their points. This, to me, is much more a difference of opinion and a point of clarification than it is a significant point of order. It's not infrequent that we'll have varying accounts of the same issue, and I think that is the case today. So we're going to accept the clarifications as being just that, and we're going to move on with Orders of the Day, I believe.

**Orders of the Day**  
**Government Bills and Orders**  
**Second Reading**

**Bill 6**  
**Protection and Compliance Statutes**  
**Amendment Act, 2012**

**Mr. Jeneroux:** Mr. Speaker, I ask approval to introduce the Protection and Compliance Statutes Amendment Act for second reading.

Albertans have the right to expect a safe a workplace, the right to feel secure in the belief that work done around and for them is in keeping with the safety codes that are in place, and the right to expect to be treated fairly in business transactions.

This act amends the Occupational Health and Safety Act, the Safety Codes Act, and the Fair Trading Act. These amendments have been bundled together because they share common threads. They all address penalties for when laws governing safety and fair trade practices are contravened. These are all aimed at improving health, safety, and fairness for Albertans in public, in the marketplace, and on the work site. The intent of this legislation is to ensure willing and active compliance with existing regulations by creating new penalties and bolstering those that already exist for those who ignore the provisions of the three acts being amended.

It is important to note, Mr. Speaker, that the great majority of employers and businesses in Alberta willingly and carefully comply with the rules that are in place which govern their activities. However, there are some who repeatedly and chronically choose not to do so. The provisions of this act are aimed directly at them. This act sends a clear message that they will not be able to flout the rules and put either the safety or financial security of Albertans at risk without meaningful consequences.

Administrative penalties will allow regulators to do much more than issue a warning to violators. In the past many of these warnings have been ignored, and the only way to deal with the situation was through protracted and costly suspensions or prosecutions. Administrative penalties provide for a middle ground, one which points to the seriousness of the violation in question and government's commitment to eliminating those violations.

[The Deputy Speaker in the chair]

The seriousness and commitment of government is evident in the fines that can be levied under each of the amendments in each of these three acts. The Occupational Health and Safety Act is under the jurisdiction of Alberta Human Services. It covers all aspects of health and safety in the workplace. The amendments to this act will add maximum administrative penalties of \$10,000 per occurrence per day and will provide an effective way of dealing with high-risk noncompliers.

The Safety Codes Act is under the jurisdiction of Municipal Affairs. It covers construction and maintenance of safe buildings and equipment and related public safety. These amendments will bring a three-year limitation period in which charges can be laid and increase maximum court fines to \$100,000 for a first offence and \$500,000 for a second offence.

The Fair Trading Act is under the jurisdiction of Service Alberta. It prohibits unfair practices and misleading advertising in connection with consumer transactions. It also provides consumer cancellation rights, a seller's code of conduct, and requires some types of businesses to be licensed. Amendments to this act

introduce new administrative penalties of up to \$100,000 and increase maximum court fines from \$15,000 to \$100,000 for a first offence and from \$30,000 to \$100,000 for subsequent offences.

No one is likely to see those fines as a slap on the wrist, Mr. Speaker. They're intended to be a wake-up call for those who put their interests ahead of safety and fairness. The administrative penalties make it clear that the cost of doing business is greatly reduced when they play by the rules. The Protection and Compliance Statutes Amendment Act is about accountability. Those who put the public in danger will be held accountable for their actions. Those who do not believe in the need for a fair marketplace and who erode customer confidence will be held accountable. Those who put workers at risk of injury or death will be held accountable.

Albertans have the right to expect a safe workplace. They have the right to feel secure in the expectation that work done around and for them is in keeping with the safety codes that are in place, and they have the right to expect to be treated fairly in business transactions. This act will go a long way in helping to meet those expectations.

Thank you, Mr. Speaker. I also move to adjourn debate.

**The Deputy Speaker:** Thank you, hon. member.

[Motion to adjourn debate carried]

3:00

**Bill 9**  
**Alberta Corporate Tax Amendment Act, 2012**

**The Deputy Speaker:** The hon. Minister of Finance.

**Mr. Horner:** Thank you, Mr. Speaker. I think this is the first time that you've been in the chair this session. It looks good on you.

I am pleased to rise and move second reading of Bill 9, the Corporate Tax Amendment Act.

Mr. Speaker, Alberta is recognized by many as a place of opportunity. The province was pioneered on the vision and innovation of early settlers, who transformed what was once their dreams, the opportunity they had, and their vision into a thriving region in which millions of Albertans live, play, and work. Today Alberta continues to attract visionaries and innovators, people who make it their business to move Alberta forward. The Alberta government supports the work of these modern-day pioneers, and the changes proposed in Bill 9 will ensure that Alberta continues to maintain a fair, equitable, and competitive tax regime, a drawing card for many businesses around the world.

The biggest change to the act is an enhancement to the scientific research and experimental development tax credit. This program reflects the government's recognition of the importance of research and development in Alberta. It provides a refundable tax credit to corporations for research and development in Alberta. The proposed amendments, originally announced in Budget 2012, will enhance annual benefits to Alberta companies by \$25 million, making more funds available to support research and development in those Alberta companies. Ultimately, the changes to the scientific research and development tax credit will make this program more competitive and underscore Alberta as a place for research and development.

Bill 9 also includes proposed technical, administrative, and policy changes that, if passed, will ensure that Alberta's tax regime remains fair and equitable. We propose to eliminate an insurance company's ability to claim different reserve amounts to cover future claims for federal and Alberta purposes. Currently insurers are deducting different amounts for Alberta and federal

tax purposes, and as a result they may pay the federal taxes but may avoid paying provincial taxes. Bill 9 would eliminate this practice, thereby simplifying both administration and maintaining a higher degree of fairness in our system.

Also in the spirit of fairness Bill 9 proposes changes that would help ensure that all corporations pay their taxes. One of our challenges is that sometimes – and this will come as no surprise, I'm sure, Mr. Speaker – corporate debtors don't provide government with up-to-date contact information, making it difficult to collect the said payment. The proposed amendments would ensure we have the legislative authority to use outside databases to find those folks. We've also added a provision that would allow us to release taxpayer information in certain specific circumstances such as upon request of the Auditor General.

The final amendment I'll touch upon proposes some changes to the insurance corporations tax. This is to clarify the definition of marine insurance. Basically, we're proposing to clarify the exemption for marine insurance so that, consistent with past policy, insurance on pleasure craft continues to be subject to the tax.

While I've highlighted the most significant of the proposals, there are several other amendments to the Corporate Tax Act. There are also technical corrections to correct the calculation of the scientific research and experimental development tax credit. I'm only mentioning this, Mr. Speaker, because it does take up about eight pages of the bill, it is about the calculation, and our time here is limited. The remaining amendments are minor in nature and are needed to keep our legislation both current and effective.

Alberta's ongoing attention and improvement to our tax regime is an important factor in our position as a destination to live and run a business and one of the reasons we continue to attract the best and the brightest. I encourage all members to support Bill 9, the Corporate Tax Amendment Act, and I now move to adjourn debate on the bill.

**The Deputy Speaker:** Thank you.

[Motion to adjourn debate carried]

### Consideration of His Honour the Lieutenant Governor's Speech

Ms Olesen moved, seconded by Mr. Luan, that an humble address be presented to His Honour the Honourable the Lieutenant Governor as follows.

To His Honour the Honourable Colonel (Retired) Donald S. Ethell, OC, OMM, AOE, MSC, CD, LLD, the Lieutenant Governor of the Province of Alberta:

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly, now assembled, beg leave to thank Your Honour for the gracious speech Your Honour has been pleased to address to us at the opening of the present session.

[Adjourned debate October 23: Mr. Denis]

**The Deputy Speaker:** I recognize the next speaker, the hon. member for Airdrie-Chestermere.

**Mr. Anderson:** Thank you. It's just Airdrie now, Mr. Speaker. That's okay.

It is an honour to stand before you today as the newly re-elected member for the wonderful constituency of Airdrie. I count it as one of the greatest honours of my life that the people of my hometown have trusted me to represent their families and loved ones in this Legislature. I thank them for trusting me and also for

trusting my reasons and motives for joining the Wildrose two and a half years ago. It seems a lot longer than that. I did it because I felt my constituents deserved an MLA who was able to fight and vote freely for what I feel is in the best interests of both my constituents and Albertans.

There is a self-evident truth, I believe, and it is that an MLA without a free vote is a constituency without true representation. I am honoured that the people of Airdrie and area overwhelmingly endorsed my decision at the polls in the spring. It is a trust I will continue to work daily as hard as I can to uphold.

Mr. Speaker, I would be remiss if I didn't take this opportunity to say how much I love and am grateful for my mom and dad. Any strengths I have I owe to my father and mother in the way that they raised me, while my weaknesses – and they are certainly many – are all my own. [interjection] That's right. That's called personal responsibility, for those across the aisle.

Of course, there is my family. There is no one I love and admire more in the world than my beautiful wife and best friend, Anita. The blessing of sharing our life together is simply the best thing that will ever happen to me, not only because I get to spend my whole life with my best friend but also because of our four beautiful children: Derek, Bryce, Spencer, and little Joshua. Although it's an honour to serve in this House, the worst part of this job is being away from them, Mr. Speaker. However, it makes me cherish all the more the time that I do spend with them when I'm at home. Nothing in this world brings me more happiness than they do, and I always want to make sure they know that, no matter what life brings.

Mr. Speaker, I am an Albertan, born and raised. I love this province. I cannot get enough of her. I'm almost irrational about it. When I'm driving around Alberta, one minute I'll be on my iPod listening to Metallica and Aerosmith and rocking out to that, and then the next minute Paul Brandt's *Alberta Bound* comes on, and I start tearing up. It's really weird, but I can't help it. I don't think many of us can. Who can resist the look of driving toward the Rockies in the summer and watching those huge giants loom up as we go to Banff or Jasper? Who doesn't gaze and wonder at the miles upon miles of yellow canola fields under a deep blue Alberta sky? Who doesn't smile peacefully when driving through the rolling hills and valleys of cattle country with those iconic pumpjacks working their magic in the backdrop, symbolizing in a perfect picture the combination of natural beauty, hard work, and the we-can-do-anything spirit that is so quintessentially Albertan?

Mr. Speaker, all of us in this House come here for different reasons. My reasons are these. I believe Alberta has the potential to be one of the greatest ongoing success stories in the world. I believe we can become a world magnet for families, entrepreneurs, artists, and any hard-working soul wanting to find a better life and that we can be that place long after the age of oil has passed. I believe that the key to becoming that kind of province is to recommit ourselves to the principles of personal freedom and democracy that have repeatedly proven to be the cornerstone of any truly just, fair, and prosperous society.

So I must ask: does this government's agenda promote freedom and democracy? Does it empower Albertans to better themselves by allowing them the freedom to make the choices they feel are best? Or is it an agenda that enshrines a government-knows-best attitude using trickle-down, government policies?

For example, I believe in economic freedom. As someone who loves to read and study history, I am convinced that the free market system is the only economic model on Earth that has consistently shown the ability to lift millions of people from poverty into the middle class and, in many cases, beyond. It would take hours upon hours to adequately outline the improvements in

life expectancy, quality of life, technology, innovation, the arts, human rights, and so many others that have come about because of the power of the free market to capture the naturally innovative and aspiring spirits of mankind. In such a system the government's role is not to compete with the free market and its entrepreneurs and innovators; it is to set a fair playing field, enforce the rules, and get the heck out of the way.

3:10

This PC government has not improved our economic freedoms. Our regulatory burden is one of the largest and most inefficient in the country. Many would-be investors in Alberta are uncertain about this government's growing reputation of changing the rules of the game to suit their political purposes of the moment. Examples include spending billions in taxpayer funds to pick winners and losers with corporate handouts like the \$2 billion carbon capture grant giveaway; messing around with the royalty framework six or seven times before finally settling it; seizing oil, gas, and grazing leases and other property rights without guarantees of proper compensation; shutting down for no good reason independent private health facilities working within the public system; and the constant flirtations with tax increases. The bottom line is that we are less economically free and less stable than we have been in decades, and that has to change.

We need to always be asking ourselves, "What can we do to responsibly free our entrepreneurs and job creators?" rather than "How can we milk them and burden them just a little bit more to pad government coffers or fulfill some random wish of a special-interest group?" This is the economic freedom I and my Wildrose colleagues are here to fight for.

That brings me to another freedom. I believe in being free from debt, free from government debt. We all remember the great accomplishment in 2005, when Ralph Klein announced that Alberta was debt free. All of the sacrifices of the '90s were over, and we were now free of the burden of debt. I remember the photograph, Ralph standing beside this huge cheque with "paid in full" emblazoned across it. Now we could build that heritage fund. At that time the feeling was that we could build that heritage fund and invest oil and gas revenues in a fund that would eventually earn enough annual interest that we wouldn't have to rely on volatile oil and gas revenues any longer. We could use the fund to build up multibillion-dollar research and scholarship endowments for generations to benefit from. And we could do this while still spending what we needed on infrastructure and core social programs.

But we all know it didn't work that way. Instead, this government went on an unprecedented spending spree, increasing capital spending by roughly 700 per cent in less than a decade, resulting in massive inflation and cost overruns with relatively little to show for it. They spent billions upon billions on public union salaries and pensions, driving them up to be by far the highest in Canada and much more lucrative than their equivalents in the private sector. Our heritage fund was continually raided until it became worth less when adjusted for inflation than in 1976, when Premier Lougheed first established it. In addition, Ralph's \$17 billion rainy-day fund is now almost gone, and our financial net worth as a province is down one full half in just five years. And now, even with oil at \$90 to \$100, the government has decided to return us into debt to finance their spending addiction. In fact, a report by the well-respected MacDonald-Laurier Institute says that Alberta is the most likely province in all of Canada to face an EU-style debt crisis because of its high spending and overreliance on oil revenues.

I and my Wildrose colleagues are here to fight this fiscal madness. We will not sit back while this government mortgages our children's futures. We will not let this government squander opportunities that every other jurisdiction on Earth can only dream of. We will not buy the excuses or the implication that if we don't borrow to spend, we can't build schools or treat the sick. It's simply not true. We can have world-class schools, medical facilities, roads, and other infrastructure and still live within our exceptionally considerable financial means. But it does mean we need a government that knows the difference between our needs and our wants and isn't burdened with feeling obligated to pay back certain groups and individuals for political support and favours. We must remain free of debt and save for the future so our children can become even more economically free than we are.

Freedom must be pursued and protected in other areas as well. The freedom of parents to choose the type of education and the learning environment that best suits their child's learning needs and their family's values is critical. Yes, our education system is good, but it could be so much better if we would allow more competition and innovation into the education system, more public schools with specialized programs, charter schools, francophone schools, faith-based schools, specialty schools for trades or those with learning disabilities, and different types of learning methods that ensure children are able to work at a pace that works best for them while ensuring that learning problems are caught early and opportunities to excel faster than others are made available if wanted and desired. Freedom in education means better education for all of our children.

Then there is freedom in health care. So-called progressives have got to open their minds to new possibilities. I always thought that's what it meant to be progressive, but the almost religious devotion of progressives to the current method of delivering universal health care is difficult to comprehend. We know from universal health systems around the world that we can give Albertans more choices on who they want to provide health care to them. We don't need to hold on to the broken systems and ancient, ritualistic ways of providing health care, all the while ignoring the horrendous inefficiencies of our current systems. There are so many universal health systems around the world that provide patient choice and competition and, most importantly, better results for people. Let's embrace these ideas, not reject them out of fear.

Finally, there is the freedom to live in a society free of government corruption and intimidation. I know and recognize full well that the majority of members opposite are not corrupt, but they are part of a governing culture, an apparatus, that has become corrupted, in my view. I know they say that there's no culture of entitlement or corruption or anything untoward. Well, then stop claiming it and start proving it because your government's actions do not match your rhetoric.

A transparent and accountable government does not hire ex-cabinet ministers back into their old departments mere months after they are turfed by voters. Transparent governments don't campaign on fiscal responsibility during the election, then vote themselves an 8 per cent raise right after the election. Accountable governments don't promise to balance the budget during an election, and then decide to change what the definition of a balanced budget is after the election.

Clean governments don't base their decisions on where to build new schools or hospitals on what party the area's MLA belongs to. They don't promise a wide-reaching health inquiry to get down to the bottom of widespread intimidation of our health professionals and then neuter that inquiry so that threats and intimidation can be swept under the rug. Transparent Premiers don't post their

expenses only after being FOIPed by the opposition; they do it before. They don't charge their Law Society fees, Air Miles card fees, and lip balm to the taxpayer and then try to justify it. They don't spend a million dollars on a taxpayer-sponsored Olympic party and try to say that it was good value for money.

Mr. Speaker, we need a government that knows the difference between right and wrong, between transparency and secrecy, accountability and corruption. I and my Wildrose colleagues will fight to make sure Albertans live in a province free from government corruption, intimidation, and entitlement. We cannot truly have freedom for our people without it. Ronald Reagan once said:

Freedom is never more than one generation away from extinction. We didn't pass it to our children in the bloodstream. It must be fought for, protected, and handed on for them to do the same, or one day we will spend our sunset years telling our children and our children's children what it was once like . . . [when] men were free.

I love this province and its people. I know we can be the best place on Earth to live, work, and raise a family, with a strong and certain future based on a purposefully chosen path today. I believe that the principles of freedom – economic freedom, freedom of speech, freedom from debt, freedom in health care and education, and freedom from government corruption and intimidation – will see Alberta achieve its potential as a place of hope and prosperity in the world for Albertans both today and tomorrow.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much, Mr. Speaker. I've asked this of a number of different people that have already given their responses to the throne speech, so I'd like to extend the same thing to the hon. member, and that is: could he name three personal issues and three constituency issues that he'd like to drive forward, that are important to him? We all come here, I hope, because we want to change the world. What are the things that you want to change either to make better or eliminate? Could you share that with me?

**The Deputy Speaker:** Thank you, hon. member.

The hon. Member for Airdrie in response, through the chair.

3:20

**Mr. Anderson:** So many, but I will give you three. You know, one of the main things I think is that if we're going to fix the budget in this province – and that is one of my goals, hon. members, to see us with a truly balanced budget, one where we're not taking on debt as debt servicing costs and all these types of things – we have got to take the politics out of infrastructure in this province. It is a huge part of our budget – \$7 billion, \$6 billion, \$5 billion – whatever the year is. It's a huge chunk of money, and what's happening in this province, I believe, is that it has been highly politicized.

If you go to the city of Calgary website or the city of Edmonton website, you can actually look and see what the actual order is of the projects that are coming up, whether it be a recreational facility or a road or anything like that. You can tell right away what's next on the list. That kind of transparency is incredible because what it does is that it allows – if something moves up or down the list all of a sudden randomly, was that done for political reasons, or was there a population change, or did something change to make that change important to occur?

That's what we need done in the province. We have all these requests coming for schools and health facilities and all of these things. Why can't we come up with an infrastructure priority list that is transparent, completely transparent? List it out, put it online, make sure everybody knows where they are in the queue and what pieces of information, what criteria, were used to put them there so everyone can be confident of that.

Then when the Finance minister comes with a budgeted amount of money, whether that be 4 and a half billion dollars or, in their case, \$6 billion or whatever, whatever the amount is, we know that that huge amount of money is being spent on the top 40, 50, 100, whatever it is, projects that are the most important to get done that year, that it's not being politicized, that deals aren't being cut between powerful cabinet ministers or MLAs that need help with their re-election or to punish a constituency in some cases or whatever. That would just do so much to improve not only the civility in Alberta's politics but to improve the way that we budget. I guarantee we could get so much more bang for our buck, for our infrastructure dollar if we did it that way, but we don't.

That's one thing, hon. member, balancing the budget, depoliticizing infrastructure in this province.

Also, one thing I am passionate about is education. One of my little guys has autism, and we've been going through that journey with him. He's just beyond precious. One thing we have noticed is that in early childhood development he got the support he needed, and thank goodness for that. We really have some great programs in the zero to six age grouping there for kids with disabilities. But after six we're noticing that it really drops off. For a lot of these kids a lot of the behavioural problems and the things that cause so many problems down the road happen in their K to 4 years, and they never get that back. It's almost like they just lose all that support they're getting. They get some, but it's just not anywhere near the same. That's one area I'd really like to focus on in education.

Also, as I spoke about in my remarks, just the idea that we could create a curriculum, create choices so that parents – children learn in such different ways. You know, boys are much more hands on as a general rule; girls really excel in other ways, using other learning methods. I think if we could start introducing curriculum and learning opportunities that were really personalized to the individual child and allowed them to work at their own pace and in their own way and be able to identify right away if they're falling behind or if they have the desire to go ahead, give them that opportunity. I think that introducing those types of models into our public system but also the charter system would be a big improvement.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the hon. Member for Medicine Hat.

**Mr. Pedersen:** Thank you, Mr. Speaker. It is with great honour that I speak today in the House in response to the throne speech, and it is exciting to be back here with all of you people. As many of you have mentioned, none of us would be here without the hard work of the volunteers and supporters, but above all else not a single one of us would be here without the trust and support of our constituents. We must remember that we are here to represent them, not tell them what to do.

We would not be here without the support of our amazing family and friends, so to all of these people: thank you for putting your trust in me. And thank you to all of my colleagues. I salute you and your efforts.



I extend congratulations to you as well, Mr. Speaker, for your election to the chair. I hope we have the pleasure of working together for many years to come.

I am pleased to extend well wishes to His Honour the Lieutenant Governor for his dedication to serving Alberta and Her Majesty as well as for presenting the Speech from the Throne.

I was elected to represent the constituency of Medicine Hat in the far southeast corner of the great province of Alberta. We are entirely surrounded by the constituency represented by my friend the hon. Member for Cypress-Medicine Hat. I am the 14th elected MLA, representing the seventh different political party in this constituency. I am only the 822nd person elected as an MLA in the 107 years as a province. Now with a population of almost 3.8 million people it is a very humbling position, indeed.

Medicine Hat was represented by Liberals from 1905 to 1913 and then the Conservatives from 1913 to 1921. Between 1921 and 1926 we were a multimember constituency, which included representation from the hon. Perren Baker, whom I will speak more about later. Social Credit was represented from 1935 to 1975 by both John and Elizabeth Robinson, quite possibly the first husband and wife to serve as MLAs. The hon. Jim Horsman served from 1975 to 1993 under Premier Lougheed. Premier Lougheed was a leader among leaders, a statesman respected across Canada. My wish is that all MLAs, including those members in government, will strive with the honour of Premier Lougheed. Most recently the hon. Rob Renner served from 1993 till retirement in 2012. Many of these MLAs held various ministerial roles, and it proves that our part of the province provides major talent.

A common thread my predecessors recognized is that government has an important but small role to play. My constituents realize that when change is needed, Albertans will lead the way, as witnessed by 34 per cent voting Wildrose on April 23.

Mr. Speaker, I mentioned Perren Baker previously, and I would like to speak more about him. He was first elected in 1921, serving the United Farmers. As well, we know the wild rose is Alberta's provincial flower and is a fantastic representation of Alberta. The wild rose is strong, hardy, and resilient, and it is also the name of the caucus that I am very proud to sit with. You may be wondering why I mention both Mr. Baker and the wild rose. Well, in 1930, when the wild rose was chosen as our provincial flower, it was done with assistance from Alberta's schoolchildren when Mr. Baker was our Minister of Education. Without that process and without Mr. Baker we may have picked the prairie sage. We may have chosen the hairy false golden aster, or we could have selected the horned bladderwort, all flowers found in Alberta. I know I am thankful to them for the choice of the wild rose, not only because it is a beautiful flower and a great symbol for Albertans, as mentioned, but because I don't know how many of my colleagues would want to sit as the Horned Bladderwort Party.

I was raised on the Sunny Slope farm, my Danish grandfather's homestead north of Gull Lake, Saskatchewan. Besides helping on the farm, I grew up listening to and playing music, participating in sports, including track and field, hockey, football, and riding motocross. I enjoyed the freedoms, lessons, and opportunities that farm life offered, but in 1985 I entered the oil and gas supply industry. I arrived in Medicine Hat in 1994, and in 1996 I met the love of my life, Angela Kolody. She is my rock and she is my strength, and I could not be here without her love, guidance, and support.

In 1999 I was very fortunate to become a business partner with a supply company I worked in, and through hard work and a lot of determination life has been good to us. We have a passion for

travel. While we have travelled domestically and internationally, Medicine Hat is home and quite simply is one of the best places in the world to live, work, and play.

I've always been a conservative, but in recent years I found myself without a true conservative party. Like many Albertans, I found a home in the new conservative grassroots party called Wildrose. In 2011 I attended a rally where our leader, now the amazing Leader of the Official Opposition, spoke in Medicine Hat, and I decided to run for public office. At the time Premier Stelmach was in firm control of a majority government, the current MLA was in his 18th year, and I was entering my 27th year in the oil and gas industry. I guess you could say that life has changed a bit because after a hard-fought campaign the voters put their trust in me and the Wildrose to represent them in the Legislature.

3:30

What has amazed me is how many Albertans not only talk about change but also the right kind of change and, above all, the type of change that will put Albertans first. As a former drummer in a band I feel a connection to the Scorpions rock band. Like the Scorpions, I feel the wind of change is upon us. This change is political, though, and it is based on our history of strong conservative principles and values. Our seniors are being left behind, families aren't being listened to, and farmers and ranchers are being ignored and ridiculed by the current government. This government does not represent change, and they continue to show the inability to change. But hang on, Alberta, because change is coming. It's coming from this side of the House, and most importantly it's coming from Albertans.

Mr. Speaker, Medicine Hat is an amazing place to call home, with over 60,000 residents, and we are growing and thinking bigger. Alberta is growing, too, but we all face challenges. Every city is competing for companies, large and small, to provide employment for their citizens. I will work with not only our community organizations but, most importantly, with each and every Albertan to ensure we do our best to promote Medicine Hat.

Medicine Hat is rich in history, including the First Nations, who lived here and provided our city with its name. We are rich in culture, and we have a quality of life nearly impossible to find anywhere else. Medicine Hat is situated along the banks of the mighty South Saskatchewan River, spreading outward on both sides. Water is life, and we are fortunate to have sufficient quantities to sustain us now and well into the future.

Medicine Hat owns their power generation plant, and we are a producer and supplier of oil and natural gas. We have been referred to, as my friend the hon. Member for Cypress-Medicine Hat mentioned in his speech yesterday, by Rudyard Kipling in the early 1900s as having "all hell for a basement." Medicine Hat is a leader in promoting alternative energy systems through grants. Plus, we are embarking on a solar power electricity program unique in Canada. This innovation taking place in Medicine Hat is what's truly exciting.

Medicine Hat has a wide array of indoor and outdoor activities, and we enjoy an extensive park and path system. The summers are hot, the days are long, and winter is broken by the warm and regular chinook winds. Medicine Hat's sunrises and sunsets are second to none, and being blessed with having the magnificent Cypress Hills nearby along with kilometres of open, rolling countryside, it is no wonder we are known as the Oasis on the Prairies. It is a slice of heaven I am thankful to call home.

Medicine Hat not only services southeastern Alberta but also southwestern Saskatchewan as a hub to well over 100,000 people. There are a number of churches and religions plus a myriad of

groups and social organizations that people can join to get involved in their community. The Medicine Hat Exhibition & Stampede celebrated its 125th anniversary this year, making us older than the Calgary Stampede, and we are darn proud of that.

Medalta Potteries is an amazing historical site and resource, but it has also moved into the 21st century by accepting artists in residence from around the world to mix history into new ways and ideas of art. Our Medicine Hat College grows year after year, not only in curriculum but also with their reputation.

Our annual JazzFest, running for 16 consecutive years, makes it the longest running jazz festival in Alberta. We have multiple theatre and dance groups performing in small venues right up to our renowned Esplanade. As the Official Opposition critic for Culture I am very proud to support and highlight the great cultural scene in Medicine Hat, and I look forward to working collaboratively with my friend the Minister of Culture.

We are proud to have the REDI Enterprises Society call Medicine Hat home. This amazing group works with individuals that face physical and mental challenges by providing caretaking or housing options as well as providing work training and job placement. REDI also works with those suffering brain injuries and assists in their rehabilitation. A unique program, REDI recycling, raises funds to support their operations while helping the environment. REDI is truly an inclusive community solution to diverse community challenges and issues within Medicine Hat.

Our key industries are manufacturing, oil and gas production and processing, defence and aerospace, construction, agriculture, and tourism. We benefit from the proximity of CFB Suffield and BATUS and DRDC. This is one of the largest military training and research bases of its kind in the world.

Mr. Speaker, Medicine Hat does have some challenges, yet we also have the capabilities to meet them head-on. Alberta has embarked on a 10-year plan to end homelessness while Medicine Hat has taken on a more ambitious five-year plan. With social support groups working together, Medicine Hat could be the first city in Alberta to meet this goal, and what an amazing accomplishment that would be.

Medicine Hat was and still is feeling the effects of the PC royalty review. Due to the natural gas based resource industry surrounding us, the current low market prices are driving our local companies and employees to other parts of the country and the world. Penalizing the experience, technology, equipment, and business owners with expensive, burdensome, and complicated interprovincial barriers and regulations is not the way to maximize on our wealth of local talent. Most levels of industry suffer from this problem, and government must correct their mistakes before it's too late.

Medicine Hat is finally receiving our hospital expansion that has been talked about for almost a decade, having been promised and postponed and then repromised. We hope it will be completed as intended without further delays or facility service reductions. Embarrassingly, though, in a province as wealthy and fortunate as Alberta, Medicine Hat is still the only major city in Alberta without a detox and treatment facility. There are issues around doctor shortages, schools and teachers, affordable retirement facilities, plus many families and individuals simply struggle day to day just to survive.

I will help individuals as much as I possibly can. If someone has been wronged by our government, I want to help to make it right. I say this to the government: I stand here today not only to challenge and speak up but also to support you in making decisions beneficial to Albertans. Be assured that as the opposition we do not simply think that our job is to oppose for the sake of opposing; however, when you do something unacceptable, we will

stand up for Albertans and make sure their voices are heard. Remember that 56 per cent of Albertans did not vote for the current government; hence, there is much they should listen to.

Mr. Speaker, lastly but most importantly, I will serve all of my constituents and all Albertans no matter what their political leaning is. I shall do this with honour, with respect, and with humility, and I will always put the needs of Albertans before everything else. I fully understand that I am the current but temporary voice of the voters of Medicine Hat, and my job is to represent them to the best of my abilities, not build personal empires.

In conclusion, take a little Scorpions, add a little bit of Medicine Hat, combine a pinch of Saskatchewan, mix it all together really well, and I feel the renewed wind of change is upon us. Thank you very much.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. The hon. Member for Chestermere-Rocky View.

**Mr. McAllister:** Thank you, Mr. Speaker. You know, I had the pleasure of growing up in Medicine Hat and was pretty much raised there, so I appreciate everything you had to say, as we all do anyway. But my question for the member is that the one thing I didn't hear you mention was the junior A hockey team, the Medicine Hat Tigers. Are they a proud franchise? Did you want to touch on them at all? Just having a bit of a connection there from me. Are you a proud Tigers supporter? I'm curious.

**The Deputy Speaker:** Thank you, hon. member. Now, I do realize that the member is sitting beside you, but our tradition means that you speak to the chair.

The hon. Member for Medicine Hat in response. Thank you.

**Mr. Pedersen:** Thank you, Mr. Speaker. I thank my hon. colleague for the question. The Medicine Hat history in sports goes way back. We do have the Medicine Hat Tigers. I am a big fan. The hon. Member for Cypress-Medicine Hat did mention them yesterday, so I didn't want to double up on the same speech, but, yeah, I'm a very big Tigers fan. I have my jersey. I mean, Lanny McDonald, Kelly Hrudey: some of those great people came through the Medicine Hat Tigers organization.

It's fantastic that these young individuals are chasing their dreams, I think, as many of us are, right? The opportunity afforded to us here in the Legislature, you know – these opportunities don't come along. Not very many people are able to grasp that brass ring as it goes along on the carousel. Not many people even want to put themselves out to be those people. But you see young individuals chasing their dreams, and it's so great that we can be part of Medicine Hat to watch these young folks do that.

3:40

We also have a great baseball team, the Medicine Hat Mavericks. Sports, I think, is big in a lot of the smaller communities. I think it's that connection that communities, you know, give back to their sporting people. It's also nice, I guess, coming from a smaller centre. We don't have the NHL in place, so we still have our hockey to watch this year.

It is great. Medicine Hat is a great sporting town, and I appreciate the question.

**The Deputy Speaker:** Thank you, hon. member.

We still have some time. I'll recognize the hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thanks very much, Mr. Speaker. Well, a pleasure to hear from you, Member. A couple of comments. You may not know this, or you may, but this is my 10th anniversary of being in the Legislature as a result of your predecessor, all credit to your predecessor, who fired me from the Palliser health region in 2002. It was a real shock to me to have him replaced there, and a pleasure, let me say that. It always rankled a bit for me to have him . . .

**Mr. Hancock:** No. It's his neighbour.

**Dr. Swann:** Oh, I'm sorry. I have the wrong person. Anyway, it's an opportunity to highlight that.

Medicine Hat is close to my heart, having worked there 10 years. The other thing I think it's opportune to raise is: how do you feel about the public utility in Medicine Hat and how that's kept prices low and people really in very favourable straits in terms of their energy portfolios? Would you comment on that?

**The Deputy Speaker:** The hon. Member for Medicine Hat.

**Mr. Pedersen:** Thank you very much, Mr. Speaker. Thank you very much to the member for the question. Medicine Hat is very blessed that we do own our own utilities: our power generation, our oil and gas division. It's put us in a really positive spot within, I guess, our own fiscal framework. We're able to identify the needs on the supply side. We can run that revenue through into the power generation side. Sometimes one side will make a profit one year; sometimes they both make a profit. It is a huge advantage when we control the power generation, when we control a lot of the natural gas production coming in.

The city just branched out and bought I think it was a couple of hundred oil wells south of Medicine Hat. We're branching out into that resource sector to make sure that we have a balanced portfolio. We've realized that having natural gas so heavily weighted into our city finances has normally been a very good thing, but in this last downturn it's been a bit of a negative, so they've decided to get into the oil industry to try and balance that portfolio. They're trying to redevelop an older field, and they're having some good initial successes.

So it is beneficial, I think.

**The Deputy Speaker:** Thank you.

Hon. Member for Calgary-Mountain View, we have seven seconds.

**Dr. Swann:** For your information, it was Minister Lorne Taylor at the time who ensured that I was fired, and I believe that you replaced him.

**The Deputy Speaker:** Thank you, hon. members.

I will now recognize the hon. Member for Livingstone-McLeod.

**Mr. Stier:** Thank you, Mr. Speaker, and good day, everyone. My name is Pat Stier. Firstly, I would like to congratulate you, Mr. Speaker, on being elected to your new position as Speaker of the House. I'm sure that your many years of experience will be of great assistance in your future endeavours here, presiding over the Legislative Assembly.

Mr. Speaker, it's with great pride that I rise here today to speak to the Assembly as the representative from Livingstone-McLeod. I am proud, happy, and thrilled to serve the people of such a fabulous, vast, and beautiful area of this province. I'm following in the footsteps of many very distinguished predecessors – Mr. Evan Berger, Mr. David Coutts, Mr. LeRoy Fjordbotten, and Mr.

Frederick Bradley, just to name a few – all of whom did a fine job of representing their constituents. I have a great deal of respect for all of these gentlemen, and I will be diligent in my efforts to uphold their very high standards.

Mr. Speaker, I'm a lifelong resident of the southern foothills region. I live on what remains of my family's farm today. My grandparents were pioneers and settled in the Beddington and Okotoks areas initially, then later Blackie at the turn of the last century. My parents eventually became owners of a ranch near De Winton, where we as a family raised Angus cattle, Arabian horses, plus grain and hay crops for over 30 years. Throughout my own working career I was employed primarily in a seismic data segment of the oil and gas industry in Calgary and spent many years in municipal government, including four years as a municipal councillor.

Prior to my nomination and the recent election I continued to work in the MD of Foothills as a rural land planning consultant, which included projects in many of the areas of Livingstone-Macleod.

Mr. Speaker, once again the constituency boundaries for Livingstone-Macleod have changed, and in the recent 2012 election the footprint of the riding was adjusted significantly towards the north with areas that were formerly part of the Foothills-Rocky View, Banff-Cochrane, and Highwood ridings, including the communities of Priddis, Millarville, Turner Valley, Black Diamond, Longview, Meadowbank, and Cayley along with the acreage areas near Red Deer Lake just south of Calgary. To the south another adjustment was made where the areas south of the Waterton River, including the Blood reserve, were removed. So, then, for clarity purposes so that we all understand what a big area it is, the new boundary now stretches along the western side from Priddis in the northwest corner all the way to the southwest end near Waterton park while along the eastern side it now stretches from High River in the northeast corner to just east of Fort Macleod in the southeast end, with the Waterton River being the new overall southern boundary.

Mr. Speaker, southwest Alberta is where the plains that provide choice farming and ranchland meet the foothills and the majestic eastern slopes before abruptly giving way to the Rocky Mountains. To the east there are vast open areas of croplands, and to the west there are some of the most majestic and beautiful panoramic views in Alberta that include the fabulous foothills and mountain vistas along with the Porcupine Hills, that are one of the few unglaciated hills in Alberta. This is a unique grazing environment with rough fescue grasslands on the lower slopes and tall, spiky Douglas fir trees on the ridges.

There are over 20 communities in the Livingstone-Macleod riding. The list in the southern quadrant includes Nanton, Stavely, Claresholm, Granum, Fort Macleod, Cowley, Pincher Creek, Lundbreck, plus the Crowsnest Pass communities of Frank, Bellevue, Hillcrest, Blairmore, and Coleman along with the MDs of Foothills and Ranchland, Willow Creek, Pincher Creek, and the Piikani reserve. Each of these communities and the overall area have a fabulous history, and there are numerous historical sites that may be toured throughout the region.

In the southwest corner, most notably, are the various locations in the Crowsnest Pass, where at the turn of the last century coal mining was at its peak. Coleman, Bellevue, and Leitch Collieries all have and are fine exhibits of mining operations that were prevalent in the area.

Unfortunately, as well there is the reality of that era in terms of several disasters in the mining industry along with several fires plus, of course, the horrible event that took place when Turtle Mountain collapsed on the town of Frank in 1903. This is

displayed at the Frank Slide Interpretive Centre, and I would encourage all Albertans to take a moment to tour that facility there along with Head-Smashed-In Buffalo Jump, that is just nearby.

Along the highway 2 corridor are the towns of Fort Macleod, where the first North West Mounted Police post was established in what was then the North-West Territories, along with Claresholm and Nanton, both of which are well known in historical terms for the flying service training school built in '41 to train British Commonwealth pilots and later in the '50s for training NATO airmen. Claresholm was also a significant CP Rail location. The railway brought settlers that raised cattle, grain, and carried crops to market, and it also brought coal from the mines and provided a means for soldiers to head off to war.

Looking to the northwest area of the new riding, where we have the community of Longview in the south and the hamlet of Priddis in the north, are several key communities, including Turner Valley, which, of course, is well known as the birthplace of Alberta's oil and gas industry. Beginning in 1914, for over 30 years Turner Valley was a major supplier of oil and gas and the largest producer at the time, actually, in the British Empire. Today, while there are still ongoing oil and gas activities in the general area, the former Turner Valley gas plant remains as a national historic site.

Nearby to Turner Valley is the town of Black Diamond, which is actually well known for its coal-mining days, which grew in size quickly as the entire area developed into quite a resource region overall. Also close by is the Eden Valley reserve and the historic Bar U Ranch, located near Longview, which at one time was comprised of approximately 147,000 acres of prime ranchland and is also a natural historic site viewed by thousands of people every year.

3:50

But today the area of Livingstone-Macleod is a thriving hub of agricultural activity primarily. While there's an immense amount of pressure on the region from the oil and gas industry, there are also several significant new industries, including motion picture production, which has brought the fabulous vistas of this riding to viewers throughout the world. As well, we also have the amazing wind energy business thriving down in the Pincher-Cowley wind corridor. As time moves forward, we must endeavour to create and maintain a balance between these new land uses, agriculture, and good stewardship of the land in this very majestic region. Indeed, while much work has been done in terms of preserving agricultural land and protecting natural areas, more must be accomplished in the future to guarantee that we are doing everything possible to protect our water sources, our air, our forests, our natural capital that we so much treasure in these fabulous viewsheds.

Further, however, we must at the same time ensure that we are carefully reviewing all new legislation to ensure that our landowner property rights are also protected. Over the course of the last couple of years hundreds of Albertans attended meetings throughout the province extremely concerned about the new land-use framework and the land-use bills, specifically bills 19, 24, 36, and 50. Hundreds of hours – literally hundreds of hours – were voluntarily contributed by concerned individuals, and thousands of miles were travelled by landowners and special-interest groups who sought to ensure that their voices were heard on these issues so that change could be made to these poorly conceived legislations. I will guarantee that their work will not have been for nothing. I will continue to carry their message to this government at every opportunity available to me.

In addition, the people of Livingstone-Macleod have brought to my attention the very serious need for upgrades to several seniors' facilities in Blairmore, Pincher Creek, and Claresholm, where some of the housing authority buildings, in fact, and mechanical equipment are in a very sad state and require immediate attention.

Similarly, Mr. Speaker, I will bring again to the attention of this House that the decision to cancel the Alberta public security and law enforcement training centre at Fort Macleod was not only poorly conceived. It was done at the expense of 13 years of planning, consulting, and several millions of Albertans' tax dollars along with the future hopes and dreams and investments of the people who live and call the Fort Macleod area their home. This government must reimburse all of the stakeholders in this very sad and appalling decision regarding this issue and do so immediately, accompanied by an apology to all of those residents and stakeholders who so looked forward to this project being completed and operational.

As the representative for Livingstone-Macleod and as the sustainable resources critic for the Official Opposition in the next four years I intend to work as diligently as possible on these aforementioned issues, and I do so hand in hand with community leaders, special-interest groups, and other constituents toward those objectives.

In closing, Mr. Speaker, as the Livingstone-Macleod MLA I am proud to serve the residents of the riding and look forward to challenging my fellow members of this Assembly towards all of these very worthwhile goals.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing no one, I'll recognize the Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thank you, Mr. Speaker. This province is a wonderful place to live, work, and raise a family, and I'm particularly proud of the constituency of Calgary-Fish Creek, which I'm honoured to be representing. It's a great place to live, it's a great place to raise your family, it has great schools, it has great people, and I'm privileged to have Fish Creek provincial park right in my backyard. Not only is this place a great place to be, but the people that I serve are great people to serve.

Mr. Speaker, I take pride in knowing my community. I make a strong effort to genuinely listen to the concerns of my constituents. I try to make myself as approachable as possible, whether it's through phone calls, e-mails, attending events in the constituency, or just plain shopping for groceries. I want to hear from the people that I am honoured to represent, and I hear a lot of concerns about health care, about seniors, about education.

Mr. Speaker, it's a personal concern for me to be looking after my aging mother, who is not only my best friend but my biggest cheerleader. Every Sunday before I leave, she says: you go get those people. I spend a lot of time with seniors. My mom is in a seniors' facility. I've got lots of personal experience and lots of experience as the former Seniors critic.

One must ask how this government is treating our seniors today. Is it fair, Mr. Speaker, to nickel and dime our seniors to death? Do they honestly believe that one shower a week is fair? Do they honestly believe it's fair to charge seniors as you wheel them into the dining room? Do they honestly believe that it is fair to charge seniors for their medications? I love and respect the seniors in this riding and this province, and I think it's important that we take care of the seniors in this province.

It heartens me to be able to hand over my Seniors critic position to my colleague from Innisfail-Sylvan Lake, who I know will take care of the seniors in this province. It's also my pleasure, Mr. Speaker, to serve as the Health critic for the Wildrose caucus. Health care is the number one priority of Albertans, and it's my personal priority. Every single day I speak with concerned health professionals. Whether they're nurses, doctors, LPNs, or, for that matter, any health care professional, they work tirelessly every day on behalf of Albertans. I want to thank the front-line workers, who do the job that they do every day.

Mr. Speaker, I greatly appreciate this throne speech every year. This is an opportunity for the government to lay out the big picture for Albertans. The throne speech feels a lot like a New Year's resolution to me. I sometimes think that we should call the throne speech the happy throne speech. While it is a chance to start things afresh, it feels like the same words are repeated over and over year after year. We hear every year about the importance of health care and education and fiscal responsibility. These are bedrock Alberta values. But where is the plan? Where is the progress? Where are the results?

We also get a strong sense of whom the government has been talking with and whom they have been listening to. Mr. Speaker, sometimes they are not the same thing. We have a lot of consultation going on in this province and a lot of conversation. Sadly, the important conversation doesn't seem to be in the community but in the Premier's office. This is sad to me because I believe in genuine conversation from bottom to top and back again. A sincere conversation is not just talking and listening. It also involves compromise. Otherwise, the conversation is just a lecture from the top to the bottom. Our system is a democracy, not some lower form based on the power of one person.

Mr. Speaker, this is in large part why I crossed the floor from the government caucus to the Wildrose caucus. To say the least, crossing the floor was one of the most difficult decisions in my life. Oh, what a journey that was. Two and a half years later, coming onto three, I still get emotional about the issue and still remember a lot of things that were done in making that decision to cross the floor. The year before I crossed the floor, I door-knocked from May to October. The constituents of Calgary-Fish Creek made it very clear that they didn't like what was happening in government. I didn't like it either. One must make a decision on what is the right thing on behalf of the people that you're elected to serve.

Too often politics seem to be about ideology or the battle of the day in the media. Politics are also about personal relationships, how you treat people and how you are treated.

4:00

Respect is everything you need to know about a person. It turned out a lot of people in my social world only cared about power. They cared about the perks of the job and future perks as well. I can say that many of the people I've worked with in this government respected my decisions. My constituents did. They re-elected me to represent them in Calgary-Fish Creek to fight for their values, our principles, our priorities, and I will continue to do that as an MLA.

Not only have I had the honour of being an MLA, I've also had the honour of being a cabinet minister in the past. I had the privilege of sitting at the table of a true leader, a leader that listened to what his caucus and what his cabinet had to say. He provided leadership and direction, not marching orders.

After I left cabinet, I continued to proudly serve the public interest. I started to feel that something was missing in Alberta and in our government. Well, Mr. Speaker, I can say that I've

found that feeling again. I feel re-energized under my current leader in the Official Opposition. We have a leader who listens, forges a consensus, and drives forward. There are no marching orders that drive us, just the will of our caucus and our constituents.

We take the time to connect with our constituents and people from all over the province that don't feel that they're being listened to. We don't need travelling road shows to show we're listening. We pick up the phone and we ask. We know what the priorities of Albertans are. We need health care available when we need it. We need more beds for our seniors in the community, not just stuck in some hospital ward. We need surgical suites up and running so we can get that knee and hip replacement in good time, not in eight months. We need schools in our community that are open and in good repair with the tools available to thrive. We need safe roads and highways, not excuses and not new laws. These are the issues we will drive forward as an Official Opposition.

The health issues are what I will fight for in the Legislature for the patients, for the health professions, for all Albertans. We hear from the government on a regular basis how things are pretty good, but pretty good isn't enough, Mr. Speaker. We need to give credit where credit is due, and that's to the hard work of our health care professionals at the front line.

My policy, especially when I was a minister, was that if you want to know the best way to do things, you should consult with those who are actually doing them. I don't believe that it's happening anymore. I hear every day from the doctors, the nurses, and other health care professionals begging for the government to listen. The tired solution for them is to spend more money, and we know that doesn't work. It has been tried for years, and we're no further ahead. To hear from experts, we're actually worse off. That's why now the government has been backtracking its mistake since AHS was created. After years of tuning out Albertans, we finally – finally – might see a return to local decision-making. Better late than never, I suppose, Mr. Speaker, and let's get it right this time.

We're here to advocate for the right dollars in the right place, the right care at the right time. We need better management of our precious health care system. The health professionals know it's not about how it is being spent but about where it's going to be spent. We need results to know what we're doing. There is a lot of money in the system, but somehow it doesn't flow to the front lines. In the last few years we've seen bonuses paid to AHS executives, yet we've seen nurses laid off and then hired back again. How can we see hiring freezes on all staff at the same time as lavish expense accounts and bonuses for our executive? It just doesn't make sense for me or the front-line staff or Albertans.

Mr. Speaker, this is a great province. I'm proud to say I'm an Albertan. I'm proud to stand here in the Legislature as an MLA representing the people of Calgary-Fish Creek. I'm so honoured to be able to serve and do what they want.

I'm proud to be a member of the Official Opposition. I'm proud to be the Health critic, fighting on behalf of the health care professionals who work tirelessly on behalf of Albertans. I'm proud to work with my staff every day. I'm proud of every single one of my colleagues. And, lastly, I'm proud to be a wife and a mother.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the Member for Drumheller-Stettler.

**Mr. Strankman:** Thank you, Mr. Speaker. I am a husband and a father and a Wildrose legislative member for the constituency of Drumheller-Stettler. My name is Rick Strankman, and I kind of remember it in that order.

On April 23 I began a historic journey with all of you here today. From a young age politics has always been a source of interest to me. As far back as high school my classmates to this day remind me of how I thrived on discussing controversial issues. Some 40 years later I stand before you with the trust of the people from Drumheller-Stettler, with the opportunity to represent them in this Legislature to the very best of my ability. I am truly humbled by this honour.

Adventure, freedom, and democracy have always been instrumental in my activism that has naturally taken me to this political ring. My wonderful wife of 33 years, Dianne, and I have strived to instill these values in our two children, Pamela and Jay, whom my wife and I cherish.

Following high school I proceeded to immerse myself in the family farm. Ranching also has been a part of the family and is something many Albertans are very proud of. I share that sense of pride and accomplishment with all of them as well as with some 20 other families that celebrated 100 years of living in the adverse area now known as the special areas. Agriculture and ranching have always been a very vital part of the Alberta lifestyle and our economic well-being, and it's also a part of our very identity.

Many years ago I expanded my personal skill set by pursuing my pilot's licence. Flying has also been a source of relaxation, if you can believe that, and adventure and has served as a great means to meet people throughout Alberta and my constituency. The many personal contacts that I have made during my aerial application exploits have resulted in many lifelong friends that I hold very near and dear to my heart. I'd like to say, sir, that there is only one guy who knows where I've been with that ag plane.

The days leading up to April 23 were also very special and something that I will always remember with great appreciation. The people that helped with my campaign gave of themselves selflessly to create a better Alberta. They are my heroes.

The people of Drumheller-Stettler have always been long-time stalwarts of Alberta and of Canada. They are the very fabric of rural society and the values of Alberta. The constituency has many small businesses, working professionals, farmers, ranchers, and a thriving oil and gas industry over a vast area.

Drumheller-Stettler consists of a vast land mass and is very diverse, with both urban and rural areas that require diverse leadership and guidance. The larger towns in the area are comprised of Hanna, Stettler, and Drumheller, with the rest of the population being made up of smaller hamlets and villages. Those smaller centres serve as a hub to those living in more rural locations. With an electorate of 23,000 and a population of over 33,000 people spread throughout this expansive riding, my challenge will be to be available and responsive, to be there for their very needs and to do that to the best of my ability.

The Drumheller valley boasts some of the most beautiful scenery found anywhere on Earth. The Royal Tyrrell Museum has taken its place as one of the great museums of the world. A world-class museum set against the backdrop of world-class scenery, it is a must-see destination, and I highly recommend it to anyone.

The increasingly popular *Canadian Badlands Passion Play*, that is performed in a natural amphitheatre that actually exists within the Drumheller townscape, is as authentic as it is entertaining. I had the privilege to attend a performance this past July with my wife.

4:10

Stettler also is a true Alberta town. It is the heart of Alberta and the home to a classic steam train, owned by Alberta Prairie Railway Excursions, that was founded back in 1990 and is one of Alberta and Canada's top tourist attractions. Over the last 20 years more than 350,000 people from all over the world, across Canada, and around Alberta have come to Stettler to board the train for the 67-kilometre round trip that takes the riders to the Big Valley station, also within this riding. The trip is complete with some horse-mounted gunmen to revisit the history of this province. You might appreciate that, Mr. Donovan. The heart that beats in Stettler is that of a very healthy business centre with an active and diverse community.

The town of Hanna is located near the centre of the constituency, a very special place with a fantastic championship golf course that challenges even the most seasoned golfer. Hanna serves as the centre of a large trading area in my constituency known as the special areas. Hanna is known as the home to the internationally acclaimed and award-winning rock band Nickelback. The band has also remembered their hometown and even shot their *Photograph* music video in and around Hanna, their story of growing up on the prairies. I might take a moment, Mr. Speaker, to ad lib that the grandfather of the Nickelback Kroeger boys was MLA Henry Kroeger, whom I knew and did business with in my early years as a farmer.

The special areas is an area that requires a certain type of people, people that know what it takes to manage crops and resources in a fragile, diverse, adverse environment. I am dedicated to the protection of the special areas from the drastic changes that may jeopardize this legacy of success. The special areas is my home, always has been my home, and will be my home. It has always been my view that the people of Drumheller-Stettler view their environment as a place of positive potential and feel a need to protect that environment from harm. I share that need to protect our environment with them.

It is almost as if the environmental stability of Drumheller-Stettler recently has come under attack by Alberta's own government. The situation taking place at the Berry Creek reservoir has seen the water critical to the irrigation needs of two dozen farm families evaporate or disappear through mismanagement and, along with it, the possibility of several crops for the next two years. The fish stock in the reservoir, that boasted a record pike being caught last year, will also take many years to repair.

A short distance away there is another situation that took place with the removal of nests that were used by the ferruginous hawk population in the Bullpound pasture area. The ferruginous hawk is the largest species of hawk in North America and is currently listed as endangered or threatened in Canada.

Mr. Speaker, my experiences with my activism culminated in Kindersley, Saskatchewan, on August 1 this past summer, when Prime Minister Harper announced that my comrades and I were pardoned for the consequences that resulted from fighting the unjust monopoly that was held by the Canadian Wheat Board until that day. August 1 of this year saw the history of western Canadian farming change for the better and finally saw free enterprise come to prairie farmers. The long road I travelled with 12 other activists who put it on the line alongside me taught me something very important. We can make real changes. We just have to have the resolve to do it. We changed the policy of a country.

From the time we are three years old, we all know right from wrong. That's what Wildrose is about, doing the right thing. We

just have to have that resolve. It is incumbent upon me to represent the best interests and the wishes of the people of Drumheller-Stettler, and I will do everything within my abilities to live up to this honour. I stand before you with no particular malice to anyone, and I look forward to working with all members of this Assembly in the days ahead to preserve and protect our way of life for all Albertans.

I would like to say a special thank you to my Wildrose CA board, that did amazing work before and during the election. I'd also like to thank my fellow elected Wildrose comrades, that I will be sharing this prestigious and, I might add, historic journey with for their support and encouragement.

Thank you, Mr. Speaker, for allowing me the honour of addressing this Legislature today.

With that, Mr. Speaker, I'd like to move adjournment for this session.

**The Deputy Speaker:** Thank you, hon. member.

Before I accept that motion, Standing Order 29(2)(a) is still available. The hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Mr. Speaker. I personally want to thank the Member for Drumheller-Stettler and commend him for his guts in standing up to the Canadian Wheat Board and his unselfish willingness to defend what is right for farmers in western Canada. Thank you, member.

**The Deputy Speaker:** Would you like to respond, hon. member?

**Mr. Strankman:** No, sir. I think it goes without saying.

I would like to make a comment, though, if I could, to the member opposite, Mr. Horner, the Minister of Finance . . .

**The Deputy Speaker:** Hon. member, we refer to the office, not the member.

**Mr. Strankman:** . . . the Minister of Finance, sir, for his part also in helping achieve the freedom on the Canadian Wheat Board.

**The Deputy Speaker:** Thank you, hon. member.

I believe I heard a motion from the hon. Member for Drumheller-Stettler to adjourn debate on His Honour's speech.

[Motion to adjourn debate carried]

## Government Bills and Orders

### Second Reading

(continued)

#### Bill 3

#### Education Act

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

**Mr. J. Johnson:** Thank you, Mr. Speaker. On behalf of the government of Alberta I'm very pleased to rise today to move second reading of Bill 3, the Education Act.

This legislation is the result of years of discussion, consultation, and debate on the future of Alberta's education system. We've spoken with students and their parents, teachers, support staff, school administrators, school board trustees, superintendents, community, and business representatives. The result of this province-wide conversation is the legislation that I'm confident all Albertans will be proud of.

I'd like to point out that we have members of the Public School Boards' Association in the gallery today to take in this momentous occasion.

While I have the honour of speaking to it today, no one person can take credit for this act. This has been the result of years of work. If any one person deserves credit, it's our Minister of Human Services, who spent years of his life developing the foundation and most of the body of this legislation. It was truly a shared effort. Tens of thousands of Albertans have made this act what it is today. In fact, it's the result of one of the most far-reaching consultations in Alberta's history.

Albertans are passionate about education, and they should be because our kids deserve the best education system we can give them. The Education Act is a vision for our education system built by Albertans for Albertans. I'm proud of it. In my time as a co-chair of the Inspiring Education steering committee I was involved in discussions with thousands of Albertans over a period of two years about the future of our education system. As a father with three children in school I was very interested in the future of the education system in our province. It was timely that we were talking about what an educated Albertan looks like in 2030 or a kid entering our system in 2009. As a matter of fact, my daughter was entering the system in 2009.

I'm happy to say that what people told us in Inspiring Education was that we need to put students first. I believe that Bill 3 embodies that philosophy. This act does many things. There are many details to go over, but there are three main themes of this bill. One is that it contains very strong language about and commitment to respecting diversity and creating welcome, safe, respectful school environments. It empowers school boards to make local decisions, and it affirms the important role the family plays as the primary educator of their children. Even changes to administrative responsibilities can be tied back to putting students first. An example of this is the natural person powers. This is a change in response to requests from school boards. They want to be more responsive to their local needs, and they want us to remove the barriers for them to do that.

I would now like to go through some of the highlights of Bill 3, and the first feature I'd like to highlight is the roles and responsibilities. Education is a shared responsibility. It requires collaboration, engagement, and empowerment of all partners in the system. These partners include parents, students, school boards and trustees, and others in the community. By outlining the roles and responsibilities of participants in our education system, Bill 3 acknowledges that active engagement is crucial for student success. An example of school boards' responsibility is to partner with postsecondary institutions and the community to help students transition to postsecondary education. Responsibilities for parents and students include helping to maintain a welcoming, caring, respectful, and safe learning environment.

4:20

This morning I had the chance to participate in We Day, which is happening, well, not right now anymore but earlier today in Calgary. We Day is a gathering of thousands of Alberta students, 16,000 to be exact, and is a celebration of the power of youth to make a positive impact on the world. It was an incredible event that 600 of our schools took part in, with a waiting list of another 500 schools. These students that attended and others that weren't able to be there have embraced their role in making their communities and the world a better place. By including the responsibility to help schools be welcoming, caring, respectful, and safe in Bill 3, we are acknowledging that students are able and willing and expected to be a positive force in the world. From

what I saw at We Day this morning, I know that they are more than capable of doing so.

As parents we also share that responsibility. Bill 3 acknowledges parents as the primary guides and decision-makers with respect to their child's education. The language we have in the bill is directly out of Inspiring Education, widely accepted around Alberta, and directly out of the United Nations universal declaration of human rights. The Education Act is the first legislation in Canada to formally recognize the essential role of parents as a child's first and important teacher. This means parents must have the tools they need to make decisions in the best interests of their children. This includes the right to be kept informed about the education of their children by those who have information to share: teachers, administrators, the board, and government. By clearly outlining these roles and responsibilities, the Education Act emphasizes that for our education system to stay successful, everyone involved must play their part.

Another way we are encouraging student success is through changes to age of access and compulsory attendance. Students will now have access to provincially funded high school education until they turn 21. The Education Act also raises compulsory attendance from 16 to 17. Both of these changes demonstrate the importance that Albertans place on education and on continuing education. They will encourage students to complete high school. Improving our high school completion rates is important as we plan for the future of this province. Expanding educational opportunities for students will result in greater social and economic success for both the students and for the entire province of Alberta.

As I've mentioned, all aspects of the Education Act are focused on student success, and to be successful, they need to feel safe. The legislation makes it clear that students must feel free from physical and emotional harm and that bullying is not accepted under any circumstances, not by students, teachers, or anyone else in the school community, not ever, no exceptions. In fact, I'm proud to say that the Education Act features some of the strongest antibullying legislation in the country.

Bill 3 acknowledges that bullying behaviour can happen anywhere, especially in a world dominated by technology. Bullying that occurs outside the school grounds can nonetheless affect the school environment; therefore, we have clarified our expectations regarding how school boards should deal with this type of bullying because every child needs to feel safe. We didn't include specific groups of children in the act or specify things that kids can't be bullied about because an inclusive system means every kid gets support, every student, every time, every kid celebrated, no bullying tolerated.

Next I'd like to move on to a few of the items with respect to governance and co-operation, Mr. Speaker. While these changes are administrative, they are also focused on responding to local needs and encouraging student success. One such change is regarding the separate school establishment process. This change includes broader community involvement and engagement in the establishment of separate school districts.

The Education Act also allows separate school electorates to choose which jurisdiction, public or separate, they want to vote in or run in for election as a trustee. This creates a more democratic procedure while continuing to support constitutionally protected minority rights. It provides a good balance and is in response to what we've heard from Albertans. In that vein, we've also made some changes regarding francophone electors. They will no longer need to have a child enrolled in a school operated by a francophone regional authority to vote or to run for election as a trustee. This change was developed with direct input from the francophone community.

Bill 3 includes several more governance changes which will maintain choice for Alberta families, and these include changes to charter and private schools as well as composite board establishment. Charter and private schools continue to be a part of the broad range of educational choices for parents and students in Alberta's education system. The Education Act provides criteria for the establishment of a charter school. It clarifies that only societies or nonprofit companies may establish a charter school. The act also ensures that students in private schools continue to receive sound educational programming by defining actions the minister may take regarding the financial viability of a private school.

Finally, Bill 3 also allows for the creation of composite boards comprised of public and separate school divisions but only on the request of those districts.

Another way we're working towards an improved system, Mr. Speaker, is through changes to the administrative and financial responsibilities of school boards. An example of this is the natural person powers, which I spoke of earlier, but Bill 3 also provides the minister with powers to direct school boards to co-operate with each other to provide transportation services. This may provide Albertans with a better return on investment for the transportation funding provided to boards.

School boards will also be required to establish an audit committee. This will enhance Albertans' confidence in our investment in our education system and in it being used effectively. Albertans want our education system to be well funded, and it is. However, they also want to see the results of that investment and as much of that investment go directly to the students and their instruction as possible. If school fees are being charged, they want to know why. Therefore, the Education Act contains a commitment to develop regulations which will review how boards determine school fees, how school fees are communicated, and policies around waivers. This will be part of the regulations review that will follow the Education Act being signed into law.

Once it's passed, a review of regulations and policies will be required. This alignment of regulations and policies will ensure a successful transition and strengthening of Alberta's education system for the future. As we have throughout the creation of the Education Act, we will seek input from Albertans, and we will develop and revise the regulations.

In conclusion, Mr. Speaker, the new Education Act is a significant step forward. It brings to life the vision for the future of education that thousands of Albertans shared with us through Inspiring Education, setting the direction, Speak Out, and other public consultations. I'm proud that the new Education Act is built on the foundation that parents, students, teachers, administrators, and the community are all important partners in the education system. I sincerely hope that you will join me in supporting this foundational piece of legislation.

Thank you.

**The Deputy Speaker:** Thank you, hon. minister.

Hon. members, just for procedure, just to let you know, the next speaker will have 20 minutes, and then the next additional speaker will have 15 minutes, with Standing Order 29(2)(a) applying after those.

At this time I will recognize the hon. Leader of the Official Opposition.

**Ms Smith:** Thank you, Mr. Speaker. It is with some degree of satisfaction that I rise today to speak to Bill 3, the Education Act. I sincerely hope the third time is the charm. This is the third time



this bill has been presented to this Legislature for debate. Bill 18, of course, and I think we all remember Bill 2, and now we're looking at the third time coming in.

I would say that we do give general support to this bill. You've already heard the hon. Member for Airdrie and the hon. Member for Chestermere-Rocky View speak in general terms about how we can support this bill, but I will take some reservation. I am worried that we are already off to a bad start on this bill, a 188-page bill that was delivered to us yesterday, and now we're already in a position where we're debating it less than 24 hours later. This is not a very good start and not really in keeping, I think, with the new tone we're trying to set in the Legislature.

I would certainly hope that the hon. members on the other side would appreciate that even though we are generally speaking in favour of it today, we have observed that from time to time with such large documents there are clauses in there that do cause some consternation to the stakeholders. So do keep in mind that I reserve the right to come back at some future point when we've talked to stakeholders to see whether or not all of the issues that we might have with this bill have been addressed. But I will say that we do have general support.

4:30

Let me return to a couple of the issues that were raised in the spring Legislature that we feel have been largely addressed in this new and improved version of this bill. First of all, the great controversy arose because of the addition of Alberta Human Rights Act provisions to the Education Act and in particular to home-school families. I know that the members of the other opposition parties have expressed concern about the exclusion of this in applying to home-school families, and I know that they have raised concerns about Bill 44. I would acknowledge that there aren't any teachers that have been hauled before the Human Rights Commission under the provisions of Bill 44, but there are religious leaders who have been hauled before the Human Rights Commission. I'll mention Bishop Fred Henry, and I'll mention Reverend Stephen Boissin.

This is part of the reason why we were encouraged by the Premier's commitment to remove section 3 from the human rights code so that we could restore free speech, restore freedom of religion. In the absence of the Premier keeping that commitment, it's quite clear that we could not have the Education Act include this provision and potentially have home-school families hauled before the Human Rights Commission for teaching their children the tenets of the faith throughout the course of a school day. So we're very pleased that the government recognized that this was an affront to the religious freedom and religious rights of our home-school families and that they have addressed this in this legislation.

The second thing I would say is that I do believe that the government did hear the lesson loud and clear on the steps of the Legislature when I stood along with the hon. Member for Airdrie before 2,000 home-school families and their children, who had come to protest to the previous Education minister to let him know their displeasure. It's very clear to me that because of this activism on the part of these grassroots parents the government had no choice but to respond.

Also having I think it was three full days of filibuster from the then hon. Member for Calgary-Glenmore and the hon. Member for Airdrie-Chestermere probably had something to do as well with the fact that that bill did not pass in the spring session and was able over the course of the last few months to undergo a substantial rewrite. I would say that in many ways our Wildrose members are very pleased that we have had such an incredible

influence on the outcome of this bill, which is why once again I think we can speak generally in support of it.

One of the things I would say about education in this province, and this goes back to the legacy of a former Premier, Premier Klein, is that when I went to the Preston Manning conference in February of 2010, they talked about the ways in which this government should be assessed on its performance in a whole range of different policy areas. For the most part the government was getting Ds and Fs, but in the area of education the group there assembled – most of us were conservatives – scored the government a B plus in education. It was because of the actions taken in the 1990s to give parental choice, to acknowledge that parents have a right to choose the kind of education that they want for their children, to allow for public schools, to allow for vibrant Catholic schools, to allow for charter schools, home-schooling, virtual schooling. This has made Alberta's education system responsive to parents, and that is the one thing that we have to preserve, not only to ensure that parental rights are acknowledged and recognized but to ensure that children get the best education that their parents choose for them.

There are still a few concerns, though, that we are likely to bring forward some minor amendments from. We may bring forward more, but there are three that we are concerned about right now. First of all, on the issue of charter schools: I believe that the reform efforts that began with charter schools have somewhat stalled, and that's unfortunate because many of the charter schools in this province have not only earned an incredible amount of recognition outside the province but, of course, also the support of the parents who send their children to those schools.

I take a little bit of pleasure in the fact that there is a left-wing progressive blogger named Donald Gutstein who blames me in part for bringing charter schools to Alberta because of a column that I wrote with scholar Fazil Mihlar when I was an intern at the Fraser Institute talking about how important charter schools were to give that amount of parental rights and that amount of choice in programs to a variety of children and how good it would be for Alberta to go down that path.

I'm glad that we're looking at the issue of charter schools, and I'm hopeful that we can make some amendments to re-embrace the original vision of what charter schools were supposed to mean in this province.

Secondly, on the issue of Catholic education, I think we recall that in the dying days of Bill 2, when it was quite clear it was not going to pass, the Catholic school trustees were very alarmed at the potential provisions that would force an end to Catholic education or at least an end to their autonomy. We were pleased to see that much of the language that was offensive to the Catholic school trustees has been removed. I myself am a student of both public education and Catholic education. I went back and forth between the two. I graduated from the same high school as the hon. Premier, Bishop Carroll high school in Calgary. My brother sends his children to Catholic education.

The fact that my family has always had the option of two fully publicly funded school boards, major school boards in major cities, has been something that my family has valued, and I think all families deserve to be able to continue to have that choice. The language that would have forced those boards together – I've talked to the superintendent in my area for the Christ the Redeemer school. He's read through at least half of the act. He wasn't able to get through all 188 pages either by the time I spoke with him, but he's assured me that what he's seeing he also likes. We'll do some more consultation with our Catholic stakeholders just to make sure that all of those provisions are taken out that were offensive to them, but I think that this is an important

principle for us to support, that we do have two strong public school systems. One is a public board; the other is a separate board. We want to be able to maintain that autonomy because it does give additional choice in education as well as being able to provide the full funding.

The third area I would raise is the issue of covering education up to age 21. I think we all recognize that we want to be able to encourage those who have not been able to finish the school program within the usual time frame and give them the opportunity to go back to school. The thing that we are concerned about, though, is that there may be integrated classrooms with some of these older young adults, 21 years old, being in the same classrooms as younger people. You can well imagine, as we're dealing with issues of bullying, as we're dealing with issues of sexual assaults or any potential problems that we might have along those lines, that when you put groups of people together with that great age difference there is the potential, I think, for parents to be concerned that there are going to be problems.

We want to make sure that when we're implementing this age limit that we do have opportunities for those older young adults to be segregated from the younger population so that we don't end up creating any additional problems of integrating children who are not of the same maturity level and certainly should not be socializing in the same way. There are some great models for this in my own riding, for instance. The Christ the Redeemer school division has St. Luke's school, which does an outreach program. We also have a distance learning program in many of our schools that provides the opportunity for older students to be able to return. I think the main barrier that we're trying to eliminate here is the cost barrier of kids being able to return to school. I hope that we put a little bit more clarity around that, maybe if not in the legislation then certainly in the regulations so that we can avoid any future problems.

The last area I would mention – and this is an area that was raised with me as I was travelling around the province talking to our First Nations leaders – is that they are very disappointed that they were not consulted in the process of developing this legislation. One of the things that we have to be aware of is that our aboriginal students do follow the Alberta curriculum. They will follow Alberta law. But they do get funded by our federal counterparts, and our federal counterparts are not paying for these students to go to school up to age 21. If we're imposing upon our aboriginal communities this extra requirement that they go to school, where is the money going to come from? I think that this is a piece that we have to be talking about with our federal counterparts to make sure the funding flows through.

While I'm talking about this, I would say that our First Nations communities have told me that the funding currently for education is inadequate. In many communities they're getting \$5,500 per student. If those students go off-reserve to a nonreserve school, the school board is charging them \$9,000 to \$10,000 to \$11,000. There's a shortfall there. I would say that this should be a priority. If we're going to be discussing with our federal counterparts how we might be able to raise the revenue to be able to have children funded all the way up to age 21 on our reserves, then I think we also should add this additional component. How do we make sure that we've got an adequate level of funding flowing through to the reserve so that every aboriginal student gets the same high quality of education that we're able to provide to nonreserve students?

Those are the areas that we're going to be taking a closer look at. Once again, I'm pleased that the government did listen to the public, did listen to parents, did listen to the home-school families, did listen to the Catholic school trustees, and did make the revisions that the Wildrose caucus had been calling for in the

previous spring election. We are delighted to acknowledge that we will be making some minor changes, but we do think that this is a significant improvement. We do look forward to working with the government to improve the bill and enact the changes, which we know are going to have many positive impacts on Alberta's students, parents, and teachers.

Thank you, Mr. Speaker.

4:40

**The Deputy Speaker:** Thank you, hon. member.

I will recognize the next speaker and remind you that after each subsequent speaker from here on, Standing Order 29(2)(a) will apply.

I'll recognize the hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Speaker. It's a pleasure to be able to rise and speak to this piece of legislation. I believe it's my third opportunity to speak to this bill in second reading since this is our third shot at it. So we'll see how this one goes compared to previous ones.

You know, this Education Act is a long-awaited piece of legislation. There's no question that a great deal of work has gone into it and that there has been quite a significant amount of consultation. How can you not, over the course of three attempts to introduce it?

There are many good pieces in the legislation, and I'd like to start by just talking briefly about some of those things which I think are positive additions to our Education Act through this piece of legislation. Then, unfortunately, I'll end by outlining some of the areas that we think need to be improved and some of the items which I think are somewhat disappointing to Albertans as a result of their inclusion or, in this case, their omission.

Some of the things that the act did do which I think are important: one of the first things I see is that we are looking at doing things like raising the age of access to 21 years. That was a positive improvement in terms of ensuring that students have every opportunity to complete their education. That is a reasonable improvement.

We were certainly also happy to see that the government accepted a couple of the amendments that were put forward by members of the opposition. One of the ones that we outlined was an amendment to have the process by which charter schools are established remain the same and that it not be expanded so that we end up with a proliferation of charter schools throughout the province or, alternatively, that we end up with a situation where we have, you know, Walmart opening up a charter school just because it might be a way to help market some of their stuff. I know that that was certainly never the intention of the government when the original legislation came forward, and it just happened to be the case that the language they used might have allowed for it. As a result, we are pleased to see that those types of loopholes and that kind of language were changed. So that was certainly good.

I think that, generally speaking, there have been some reasonably good improvements to the legislation that, without question, respond to issues that have been raised by many of the stakeholders and particularly by some of the school board associations and the Public School Boards' Association.

Having said that, as you know, this bill did not pass last time because there was a great deal of controversy over certain elements of it. I would like to say that we are very disappointed that the government has responded to the controversy in the way that it has. There is no question that our colleagues in the Wildrose and some of our colleagues in the government caucus took on this particular issue, but I would suggest to you, Mr. Speaker, that the

outcome that we see reflected in this Education Act reflects a capitulation, and it reflects a failure to respect the paramountcy of our Human Rights Act and the concept of human rights in this province. So I'm very, very disappointed in the way that that failure has found its way into this piece of legislation.

Now, there were a number of people – and the Official Opposition leader talked about the many demonstrators that were here in front of this Legislature last spring. There's no question that there was a lot of passion within that particular community about the previous language in I believe it was section 16 of the last version of this act. At the time it struck me as a tempest in a teapot because, really, the import of that language was not what those people suggested it was, the notion that parents would be hauled in front of the Human Rights Commission and all that kind of stuff. It was not a correct interpretation of what that language meant. It was simply a statement of principle, and it actually had no legal force and effect, so it really was quite a tempest in a teapot that everybody got themselves really wrapped up over.

What is concerning to me: while that was meaningless, its inclusion, the subsequent decision of the government to remove reference to our human rights code and the Charter of Rights and Freedoms from the act is in itself significant because it represents the capitulation to the notion that somehow our Education Act and our schools, which are authorized in our education system, which are a function of this province and of our community, cannot talk about the human rights code in our education system, that somehow that's a sensitive topic, that we need to look down and not make eye contact over it because it might offend somebody if we talk about notions of equality and diversity. It's very, very disappointing that the government has capitulated in that way. That's all I will say on that.

Now, on the other hand, the government has spent a lot of time talking about its bullying legislation and the element of this act around bullying. While I appreciate the sentiment behind talking about it and raising awareness and everybody sharing their general sense of concern about the issue, I will say to you that the language in this act is not really the solution to the bullying problem. Certainly, the combination of this act and the amended human rights code, which truly is a licence for bullying, you know, will ensure that substantive efforts to reduce bullying in some cases will actually be muted or discouraged by the legislative framework, that this government has over the course of two, three years, with the introduction of this act and the amendment to the human rights code, actually undermined efforts to reduce bullying.

I also want to talk about, really, the nuts and bolts of: how do we deal with bullying in our schools? We do really all care about that, and I do believe we all are genuinely concerned about this issue. I think many of us or most of us were concerned about it long before the very tragic events that occurred with respect to Amanda Todd in B.C. We've all known that it's a long-standing problem.

What I would say to you, having been in the system as a parent and having been in the system as an advocate and as someone who has met with teachers and special-needs assistants and parents of children with disabilities and parents on student councils, the way you get at bullying is that you do not put 30 kids into the same classroom, a third of whom actually need special-needs support, and put one teacher in there and pull out the aides and then expect everyone to get along and then at lunchtime open the doors, kick them out onto the playground, and don't send anybody out there to model and/or enforce good behaviour because you can't afford to have anybody out there. That's not how you stop bullying. Quite

the opposite. That is how you engender bullying. That's how you make sure it happens.

If you create stress in the classroom because those kids who are potential victims of bullying and also potential perpetrators of bullying are unable to get the support that they need in those classrooms and then you make the classrooms too big and then you cut resources to school boards and to schools so that they can't pay for people to be on the playground to monitor the activity that occurs on that playground, you're going to get bullying.

There's nothing in this act that stops that. There's nothing in the act that addresses that. The principal can have all the legal obligations he wants, but if he can't afford to create an environment in the classroom that addresses people's diverse needs and models appropriate behaviour on the playground and in the classroom and ensures that there is no stress within that classroom, if that principal, he or she, cannot create that environment, that principal is not going to be able to deal with the bullying.

4:50

What happens is that it turns into a triage dynamic in the schools. I've met with principals and teachers, and they will say: "We're triaging right now. I've got a kid here who should have a full-time special-needs assistant. I've got another kid here who actually needs three hours a day of one-on-one assistance in this one particular area. That's what I'm dealing with. Over there I see a kid that looks a bit like a victim, and I do see a dynamic where there's bullying starting to happen. You know what? God bless, I don't have time to do anything about it. I'm one principal. And you know what? I don't have enough teachers, and I don't have enough staff, and I don't have enough other people to be able to get in there and stop that bullying before it happens. I'm doing triage with the 12-year-old kid who hasn't learned to read yet because for the last three years he or she has not had the special-needs support that they should have gotten many, many years before."

That is happening more and more, Mr. Speaker, in our schools because overall we are funding less in terms of the special-needs populations in our schools. Whether you're talking about new immigrants, whether you're talking about the aboriginal population, whether you're talking about special-needs children, some of whom may have once been coded, some of whom are no longer coded, it doesn't matter. When you look at the absolute population of those people and you look at the resources that have been dedicated to special-needs funding in our schools, the fact of the matter is that it has gone down substantially, and the safety and the security and the diversity and the welcoming nature of our classrooms has deteriorated as a result.

We can make all the motherhood and apple pie statements that we want around bullying, but until such time as we are prepared to properly resource our schools so that the professionals and the parents and the kids who are in those school systems have the resources necessary to actually deal with bullying, then it is nothing more than smoke and mirrors, it's nothing more than a website, and it won't bring about a change.

To me, that's truly one of the most important pieces that needs to be discussed in this act because I cannot emphasize enough how, both anecdotally and statistically, we have seen the level of support given to kids who are vulnerable in our schools drop over the course of the last five or six years.

It is a travesty in a province that's supposed to be the richest province in the country, in a province where we're supposed to be, you know, hand over fist with money and where there's absolutely

no need to ever consider our revenue streams, to ever consider making the wealthy pay a little bit more, to ever consider making oil companies pay a little bit more in royalties. No need to do that because it's all okely-dokely here in Alberta, and there is nothing that we need in our system because we're doing everything just so.

Well, the fact of the matter, Mr. Speaker, is that that's not the case, and this Education Act, notwithstanding the effort that went into writing it, is not going to change that. It will not change that, and it will not change the vulnerability and the risk that a growing number of our kids in this province are facing when they go to school every day because we're not addressing the resources required to provide a truly equal education to every student. Not just that middle, average student or that most intelligent student that's going to cope and survive and succeed no matter what the circumstances are because that kid is a coper and he or she is really smart, but I'm talking about those other kids that actually need a well-funded, thoughtful education system to be able to make sure that we all move forward and succeed. That's what's being left behind in our education system right now.

We talked about, you know, the whole issue of asking school boards to ensure that they develop policies that work against bullying. The Edmonton public school board developed first in the country – or I think it was maybe the second in the country, first in the province and maybe second in the country – a very progressive policy about inclusions and acceptance of children and, actually, staff members with different sexual orientations. It was a leading document, a leading policy.

The fact of the matter is that between this piece of legislation and the human rights code, it's not entirely sure how effectively they are going to be able to implement that policy because there are so many tools now at the disposal of certain parents who do not support those values to interfere with the sharing of those values throughout our public school system. That is a concern.

I think I'm coming close to the end of my time. I look forward to further debate over the course of the next few days. Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available if anyone has a question for this member.

**Mr. Hehr:** Well, I too share your sentiments when you said that it was a tempest in a teapot, that the Human Rights Act being included in the act was going to somehow have, I guess, people march into homes and separate parents and families and the like. I think that giving a little more explanation to members of this House on how actually a human rights complaint would be lodged and the circumstances by which it may happen, in order to have that happen, may help some members here and alleviate their fears of how that would actually happen, how the complaint process works at human rights, who would have to lodge the complaint, et cetera, et cetera. If you could help us with that, that would be worth it, in my view.

**The Deputy Speaker:** Thank you, hon. Member for Calgary-Buffalo. Just a reminder that we speak to the chair.

The hon. Member for Edmonton-Strathcona to respond.

**Ms Notley:** Well, thank you. There's no question that the previous legislation simply talked about recognizing the principles of the Charter of Rights and Freedoms and the human rights code. As, you know, we debated at great length in the last session, the fact of the matter is that it is not possible for one piece of legislation to

change the application of another piece of legislation. The fact of the matter was that it was always only ever a statement in principle.

The ability of people to file claims under the human rights code, either about parents or teachers or anything, is exactly as it was before, with or without this language in the Education Act because it's a function of how the human rights code itself is constructed, and it's a function of how that human rights code is enforced. That language in the Education Act had no impact on that. It didn't then; it doesn't now. What we have now is simply the spectre of this government refusing to include reference to the human rights code in our Education Act, notwithstanding, as I said last night, that it happened to be Bill 1, the first bill introduced by former Premier Lougheed, a flagship bill that was to define the progressive in Progressive Conservative. Well, clearly, we've lost that in this Conservative Party, and we're now doing everything we can to mimic the cousins in Ottawa.

**The Deputy Speaker:** Thank you, hon. member.

Are there others? There's still some time remaining.

With that, then, I will recognize the hon. Member for Calgary-Buffalo, followed by the hon. Member for Chestermere-Rocky View.

**Mr. Hehr:** Well, thank you very much, Mr. Speaker. It's an honour and privilege, as always, to get up and speak on any bill but in particular on the Education Act, and it is the third time I've had the pleasure to do so. The timing is that it's time this bill gets passed although I do have some reservations about the bill that I will discuss and make amendments on when it comes time.

I will start by noting some of the positives. I do understand that the current Minister of Human Services, the former Deputy Premier, and now the current minister have worked long and hard in putting this bill together, and I will recognize before my comments that it's not always easy to appease and put together an education system that works for everybody. However, with those being my comments, I will still offer some of the positive aspects as well as the criticism, with those foregoing statements having been said, nonetheless, for the record.

If we look at the proposed education bill, I enjoy not only the philosophical sentiment but the actual sentiment of increasing the right to at least K to 12 education to be accomplished until you're 21.

**5:00**

Given the framework of modern society, young adults maybe going into the workforce at a younger age, some people running with the wrong crowd or the like, we should extend every opportunity to children to finish high school. The evidence is overwhelmingly clear that if you don't finish high school, not only do that individual person's chances of economic success diminish greatly, but the chances of that person becoming involved in crime, involved in social welfare services and the like increase twofold or threefold. So I believe this goes a long way in trying to recognize a problem that is not only in our society but in many societies. It also recognizes that Alberta does have many attractive opportunities economically for people at a young age, and this allows them, maybe, to go back and finish their education.

I also like that they increased the age of compulsory school attendance to 17. It's one of those statements that I believe will encourage kids to stay in school and, again, finish high school for the aforementioned reasons. Now, we all know full well that it's pretty difficult to get a 16-year-old to go to school if they don't want to go. Nevertheless, the sentiment of this and the message

involved from this government shows leadership. We expect our kids to go to school to 17, to become part of an educated workforce, to become part of becoming great citizens. That type of leadership statement is often worth as much as the ability to, say, force a kid to go to school up till the age of 17 would be. I believe that shows some leadership on a policy direction that I would support.

I believe, too, that student-centred residency is a good thing. We should be dealing with where students, kids, live, not where their parents live. We have many different forms of family in the modern world, which reflects the ongoing nature that kids should be the focus, not the parents, and I support that as well.

School boards are happy with the natural power provision. Now we'll have to see what that actually means in regulation. I understand the process is a year-long event to sort that out, so although we'll see what comes out in the small print, the large print is actually quite well received by our school board partners.

I like the language around specialized supports and services, around supporting people with unique challenges in the classroom. Of course, as alluded to by previous speakers, this is only as good as our economic commitment to those who do need the support and the like. Nevertheless, from a leadership perspective this is reasonably good stuff.

In the main there's a lot of stuff in the Education Act that I like.

I will also comment on the bullying aspect. At the start the concept of bullying in school is one that I agree should be put to an end as much as it humanly can be. School is a difficult place. It is for almost anyone growing up in the education system at one time or another. Nevertheless, many children receive it far worse than others, and this should be eradicated in a safe, responsible manner. Again, this is a leadership moment where we have sort of said as a society that we will not tolerate this.

Now, I will agree with my good friend from the fourth party, who states that all of this flows from our commitment to public education in general. Without adequate supports for education, without having teachers in classrooms, without having reasonable size limits in classrooms, without having appropriate opportunities for children to learn, this is a hollow promise. If you have 30, 35 kids in a classroom with one teacher, not only is it difficult for them to learn, but bullying can and does and will continue. Although I like the statement, it's going to have to be backed up with a commitment to actually resource our schools and our teachers with the financial backing that they need to make sure that kids are getting the attention they deserve to thrive both academically and socially and to ensure that kids are not being picked on.

At the end of the day we want to make sure that part of education is not only learning, but it's learning to interact with the rest of our society. Some of it is that, by golly, you should feel good about growing up. I know far too many kids who didn't have a good experience in school, many of them because of bullying, many because of uncomfortable experiences. We should try to remember that growing up ain't easy, and if a school system can be that inclusive, caring, sharing environment where our society comes together and learns to live in acceptance of each other and to be respectful of each other, by all means, that's what we would like to accomplish. The act goes some way in doing that.

I would also note that I like the fact that the minister – I might have gotten my first amendment passed in this House. Maybe I got one other one passed some other time. But there. My contribution to the legislative process has been duly noted, and I thank the minister for implementing that small change to create what I thought was a more inclusive school setting. Bullying can be not only from child to child. It has to be a respectful school

where principals, teachers, parents, everyone observe that schools are not a place for bullying. I believe that was reflected in the wording of the act.

I will now move to what I would consider to be my major criticism of the act. Like I said earlier, leadership and language from a government matters a great deal because it sets the tone for what you expect you want the rest of society to follow through on, and the values you enshrine in your legislation and how you write it matter. You might not think it does in practicality. It might not make a hill of beans of difference, maybe, on how it plays out in day-to-day life, but it matters from a tone, from a leadership position of what we expect our populace to live by.

If you look at our last two drafts of this Education Act, it said full stop that we will incorporate the language of the Charter of Rights and Freedoms and the Alberta human rights code. In those two documents it says explicitly that we will not discriminate against an individual on the base of race, religion, ethnicity, gender, or sexual orientation. That is clear in those documents, and when we say that in our Education Act, it's clear. People know that. They understand that.

When we start playing with that concept, regardless of whether those things still apply – because they do – we start sending a message to people that, well, although that is really the case, our government recognizes that in certain instances we're allowed to ignore those values. We're allowed in certain instances to ignore the freedom of religion, the freedom of respect for sexual orientation or people that we find diverse. When you start playing with that language, allowing those exceptions, people know your commitment to those values is not really that strong.

I saw that in what played out in Bill 44 in a different fashion, and I see that being played out now. Frankly, I was hoping for better, and I thought: I hope people actually consider that. This was supposed to be a new Progressive Conservative Party that was supposed to be letting those old social wars go. There was seemingly a recognition that we will not tolerate discrimination by any group on the basis of sexual orientation regardless of how long they yell on the Legislature steps, no matter how many letters they're going to write to your constituency office, no matter whether they are going to vote against you in an election or not. We as a people have to stand up for those values, and I believe the government should be standing up for those values.

### 5:10

Let me point that out because it's clear in here if we look at the wording of what this government has now done. It is right here in section 16. It says that one group is treated differently than other groups. It's under diversity and respect.

16(1) All courses or programs of study [offered] and instructional materials used in a school must reflect the diverse nature and heritage of society in Alberta, promote understanding and respect for others and honour and respect the common values and beliefs of Albertans.

Here's clause (2). This is where you're monkeying around with words, when you're treating people differently, when you're saying: it's really okay to not worry about the Alberta human rights code or the Charter of Rights and Freedoms in this instance. This is what it says:

(2) For greater certainty, the courses or programs of study and instructional materials referred to in subsection (1) must not promote or foster doctrines of racial or ethnic superiority or persecution . . .

religious or otherwise.

You see how that language has been tightened down. There's no longer any reference to people with disabilities, to people's sexual orientation.

**Mr. Anderson:** That was Lougheed's language.

**Mr. Hehr:** That's 1985. It's now 2012. Okay? There we go.

You're saying that in certain circumstances it's all right to treat people differently. It's all right. If you're a home-schooler, it's all right. Go ahead. When you're teaching education, it's all right. Have at 'er because these groups don't matter. They don't apply in this legislation. They don't apply to you. You go ahead. That to me is wrong. Okay? It is just wrong to send those mixed messages and mixed metaphors out to society. I believe we can do better. I'm very disappointed in this.

Frankly, I don't think it lends a lot of credence to how you really take your bullying motion seriously. We all look at the bullying motion, and it's common knowledge that children who get bullied in school are or may be perceived to be of a different sexual orientation.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available if anyone has a question or comment. The Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Yes. Mr. Speaker, I would like to ask the hon. member if he has anything else to add.

**The Deputy Speaker:** Through the chair. Thank you.

**Mr. Hehr:** I'd just like to complete that thought. That's very kind of you. Children who are bullied in school – and we have many public educators on that side of the aisle; they should know this – are often ridiculed for reasons of perceived or maybe even different sexual orientation. When you're saying that it's okay for one group of people to be discriminated against, does that really wash when you're saying that bullying and no tolerance of this stuff is really where we're going? Or are we really sending a mixed message? "Yeah, it's okay. Bully those kids still. They're not really included in the language we're covering in this act, so it's okay. You know something? They maybe don't play on the hockey team or the football team. They're a little strange. Go ahead. Bully them." That's the trouble when we mix metaphors, this differentiation in what is expected from different groups of people.

To be honest, I'd like the government and some of you other colleagues to maybe have a discussion about this. There have been two previous ministers who said that this was wrong. At least their drafts that came to this floor said that it was wrong. I appreciate that this minister has worked hard and tried to do this, but I think you as a caucus should go back and discuss whether we should send this mixed message out to really placate a noisy group.

Only 1.5 per cent of our population is home-schooling, and I guess out of that population maybe .2 are really upset about it. I don't know the whole numbers. But, really, come on. Human rights codes mean a lot. And when you don't include them by reference – or not even by reference. When you go out of your way to say in a different language that this doesn't matter, that you're allowed to do what you want, that's where it's really wrong. I encourage you guys to go back into caucus and say: are we really going to do that?

In any event, thank you, Mr. Speaker.

**The Deputy Speaker:** We still have some time. Are there others?

Okay. With that, then, I'll recognize the hon. Member for Chestermere-Rocky View, followed by the Member for Edmonton-Beverly-Clareview.

**Mr. McAllister:** Mr. Speaker, thank you. An honour to rise. Truly, an honour to rise as the Official Opposition critic for Education. Might I say as well that I like to refer to it as "advocate" because I think it strikes a much better tone.

I guess we might say that the third time is a charm where the Education Act is concerned. Why don't we start with a compliment? Do something completely different, tip our cap to the Minister of Education who was able to make this work and get this bill through. Government does work sometimes. Government does listen sometimes. I believe there were amendments from both sides of the political spectrum, which is tremendous, even though we might not agree with the ones from the members on my left, literally. It is troubling to me that it's so hard sometimes to get to this point. It seems so difficult to listen to the public when they're screaming their displeasure. But, again, we did get there.

To understand where we are, I think, if anything, it helps to know where we came from. Without going back to the beginning of the Education Act, I think it is important that we go back to Bill 2 or at least to the beginning of the last session, the end of the last sitting of the spring Legislature, when we had so many people here voicing their displeasure, because that is when the rubber hit the road. That is when Albertans rose up. That is when the Wildrose Party, led by my colleague the Member for Airdrie and the Member for Calgary-Fish Creek and a couple of members who are no longer with us, stood up and said: "We hear you. We are listening. We'll be your voice. We will push for the amendments that Albertans want to see in the Education Act." So thank you, sir. Thank you, ma'am.

Mr. Speaker, I heard it loud and clear during the election campaign. I heard it on doorsteps. I heard it at coffee shops. I heard it in church. I heard it at the grocery store. And I would put to you that probably all of us did where the Education Act was concerned. Albertans do not want and did not want the Human Rights Act tied to the Education Act, so we asked them to change it.

The Education minister at the time, you'll recall, tried to marginalize home-schoolers, seemingly suggesting that it was a small group of radical-thinking people with these intolerant views. Well, it didn't take long to see that it wasn't a small group at all and that home-schoolers had a very, very good point. They were supported by charter schools. They were supported by separate schools. They were supported by many in the public system. But it did take a small group of people to come forward and start the ball rolling, and they were backed by a small but very mighty caucus, the Wildrose caucus. Might I point out that – and this may be one of the biggest reasons why – that caucus has since more than quadrupled in size.

5:20

On the issue of parental rights in education parents are the primary educators of their kids. This takes nothing away from the great work that teachers do and the lifelong legacy that teachers leave with their students. Let us never forget that as we talk about parents. We have probably all been touched in positive ways in a legacy aspect from teachers and the mark that they have left on us. But parents have to be empowered to make the decisions they feel are right concerning their kids. You should be able to teach your kids your beliefs without a bureaucrat standing over your shoulder to make sure you are doing it their way. Thank you to the minister once again for recognizing that where his predecessor would not recognize it.

Now, I went to the minister's press conference yesterday downstairs and was very impressed with how forthright he was on many of the issues that were raised. One thing did disappoint me,

though, at that press conference, and that is that the former Education minister, now Deputy Premier, was not there to address many members of the media that would have liked to have asked him questions. On the issue of the Alberta Human Rights Act, which I think is fair to point out because we all remember how polarizing that debate was and all the things that were exchanged, I had several reporters say to me yesterday: "I really would like to ask that minister a question to see what it is that's changed so radically with all of these people all of a sudden, including the minister himself. How is it that they all lump into this new category where it's acceptable?"

On the issue of human rights in education I think we can probably take a lead from the federal government and, in particular, from the Member for Westlock-St. Paul, Mr. Brian Storseth, who succeeded in amending the Canadian Human Rights Act, rightfully pointing out that freedom such as freedom of religion or freedom of association doesn't mean anything without the guarantee of expression, and that does extend to education.

I can support the revised provision to promote understanding and respect for others and to honour and respect the common values and beliefs of Albertans precisely because those common values do include freedom of expression and they do include freedom of religion. This will clear the way, I believe, for parents to continue to do what they do best; that is, parents can be full participants in the education of their children without fearing persecution from a human rights lawyer who has his or her own agenda.

Now, I do have some concerns with the new Education Act, of course. I think we probably all do. It's a thick document. It'll never be perfect. I would like to make a point on a couple of them. First of all, increasing the age of access to 21 is a novel goal. We should try to get as many kids to graduate as we can. I know we'd all agree on that. My concern is the potential social problems that could arise when you have a 21-year-old young man in a cafeteria with a 15-year-old girl for all intents and purposes. I think schools are aware of that concern, too. I know I heard it from principals. I heard it from educators in my travels this summer. I would bet that the Education minister did as well as probably many of us. It's something to keep our eye on, to make sure that the supports are there for schools so that they deal with these issues and they don't morph into something much more serious that we wouldn't want to see. There could be other options that we could look at, perhaps a community college class.

Raising the compulsory age to 17. Again, the idea is great. Let's keep our kids in school, I think, as long as we can. Let's get them through grade 12. But there would be, I think, potential problems with enforcement of this. I'd rather see us catch students and help them before they get to the point where they do want to drop out. Again, I think we'd all agree on that point. I guess to close on it, to say that improving our grad rate – I just think it's a lot more complex than to suggest that changing the age will fix it, but maybe it is a good step. Raising it by a year does seem, you know, a little simplistic. I hope it works. Let's monitor the level of success.

On the issue of inclusion in our schools – many people have spoken to it already, and I'm sure we'll hear more – I'm concerned that in our desire to be more inclusive, are we making the environment more difficult for the students and the teachers at times? In our desire for the greater good we might actually be being counterproductive. There's no template or formula, I don't think, when it comes to including students with special needs in classes.

I've heard it from several teachers, again, in my travels around the province this summer, specific examples where, you know,

you might have a classroom with three or four students below the reading level by a couple of years. Maybe you add a special-needs student to that classroom, and then you have a couple of students with ESL that are struggling with the language. You can wind up taking away from the entire group sometimes is what I'm hearing from parents and from teachers. So we want to make sure that we give them the resources they need to make this happen. I think it makes great sense, also, to let these things be decided locally. Let teachers and principals and parents have their say. There is no one-size-fits-all approach. If we travelled our own schools, I'm sure we'd hear that there are many different circumstances.

It's a huge bill. It is hugely important to the future of our kids, which means it's hugely important to the future of Alberta. I know we all take it seriously. I see the passion, hear the passion today. I heard it when I was trying to make some points to counter some points that were made over here, although I listened to those points without feeling the need to throw my points at them at the same time.

Again, I applaud the work of the government and the current Education minister on this. We all had better recognize the years of work that went into it and the thousands of stakeholders and parents that had their say to try and put this together. Once again I'd like to applaud the opposition and my colleagues the Member for Airdrie and the Member for Calgary-Fish Creek, the other two members who were here, that I think led the charge in many ways to get some of this done.

There is much, much to say on the bill. I know many others want to have their say. We're going to go through it. We're going to consult with stakeholders. I look forward to more discussion.

Again, thank you for the honour of speaking on behalf of what I view as something very important in the province of Alberta.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Speaker. I rise today to speak on Bill 3, and I feel quite privileged to be able to do so. I acknowledge that this has been a work-in-progress for a number of years, that there have been many groups that have been consulted. I'm happy to share my perspective and those that represent many Albertans, so I come at this bill with a mixed review.

I'll begin by outlining the aspects of this bill that I agree with. First, the student-centred residency. The fact that it's where the student resides as opposed to a parent or guardian and is more student focused I think is a positive. As well, raising the age of access to 21 I think is very important. I myself am a teacher and educator. I taught for six years in a very special school that has students that range from the age of 15 to 24, and I can say with great confidence that that school works very, very well. I find it outrageous that there's an insinuation that if there are older students with younger students, there will be predator acts that will automatically take place because of different ages.

I think it's about respect, respecting students of all ages. The advantage when you look at schools like K to 12 is that you have older students that are able to mentor younger students. In addition to that, coming from my own experience, I think there are students that because of extraneous circumstances or circumstances outside of their control are unable to complete their high school or complete their schooling within the prescribed number of years, and some of them require additional time to be able to do that. So giving them the access to finish their schooling I think is very, very important.

I'd like to talk about inclusive education, which, again, I think is a fantastic concept that has been often touted by this government. The challenge that I hear from colleagues and from many teachers around the province is that an inclusive classroom is a great concept, but in order for students and teachers to be successful, you need an appropriate number of resources for them. Putting 30 students in a classroom, 10 with special needs and extraneous needs, with one teacher to try to ensure that they can deliver the highest quality of education is quite absurd.

The concept of inclusive education can work and can work very, very well, but there need to be supports available. Again, I can draw from my own experiences where the school that I taught at had youth workers, support workers, outreach workers, a native elder, a social worker all on hand to provide wraparound services. I look forward to pressing this government to ensure that schools, teachers, students, and parents have the resources to ensure that our children and our students are successful.

Another aspect that I like from this is the fact that the francophone elector and trustee eligibility has been broadened – and I can't find it off the top here – where the requirement was removed that they had to have a student enrolled in a school. I think that that will be very well accepted by many French speakers and francophones.

5:30

There are aspects of this act that I will articulate that need to be changed or amended and ones that I find very disappointing. First and foremost, it's quite alarming that the wording of this proposed bill has the removal of the Canadian Charter of Rights of Freedoms and the Alberta Human Rights Act. A former Premier of this province, who led the Conservatives to their first victory, former Premier Lougheed, was the one who introduced the Alberta Human Rights Act, and I find it quite alarming that this government somehow deems it appropriate to remove that from the Education Act. Those two documents protect the fundamental human rights and democratic rights of all people. It is my belief that this needs to be amended and inserted back into this education bill.

Another aspect that's missing is that school fees are not addressed. More and more schools are being downloaded with additional fees. We've got deferred maintenance on infrastructure. You know, I'd love to articulate that. Today it was uttered many times that the province was clear and free from debt years ago, when a former Premier announced it. It depends how you define that. When you transfer infrastructure deficit off your own books and then say, "Yes, we're debt free" – well, the head of the public school board was on CBC this morning talking about how in the next couple of years the public school board will have a billion-dollar infrastructure deficit. I'm sure that if we don't start addressing that now, that number is just going to continue to soar.

As well, something is missing from this act, full-day kindergarten. Again, this was a promise of our Premier some months back. I find it disappointing that this is not going to be realized in the time that was initially committed to. And the fact that we still have grade 3 provincial exams: clearly, that's something that needs to be addressed.

The last point that I'd like to bring up is the issue of bullying, which I think is a very serious matter. I'm happy to see that this is an issue that we are discussing and that is coming up and that all of us are feeling a responsibility in legislation. However, my frustration, as my colleague has mentioned, is that it's difficult and challenging for educators and school staff to deal with the issue of bullying when there are so few staff members. You've got larger class sizes or class sizes that continue to grow, and you

have a shortage of staff that are able to be there to ensure that bullying does not take place.

In addition to that, the chilling effect of Bill 44, which was passed some time ago, is going to be a huge deterrent or an obstruction to schools dealing with bullying. I say that because if, for example, the reason that one child is being bullied happens to be based on an issue that a parent deems to be contentious, well, now the school can't deal with it. They can't address it. They can't sit down with the students to talk about the implications of their actions or words. I find that to be very, very restrictive. In fact, that nullifies and paralyzes schools to be able to deal with certain bullying situations.

I and my colleagues will be calling on this government and the House and all members to heed our calls for amending this bill to ensure that it truly is inclusive and reflects the values of all Albertans and protects our students and ensures that they get the highest quality of education.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. The hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Mr. Speaker. I'd just like to touch on my colleague for Edmonton-Beverly-Clareview. I guess that as a father of a 15-year-old daughter that's where I worry about the 21-year-old in the same parameters. I guess that's one of my complaints about the Education Act as it's presented here. I understand that at 18 there's a bit of a difference there. I mean, you can lead people down a different path in the same scenario. I guess that's where my stance is as a very protective father, to say the least. I don't want to put my 15-year-old daughter into that position or a 14 and a half year old. She could have been there at the beginning of grade 10. That's just one of my thoughts, I guess, where my background comes from on the difference in age.

**The Deputy Speaker:** Thank you, hon. member.

Hon. Member for Edmonton-Beverly-Clareview, do you care to respond?

**Mr. Bilous:** Oh, yes, I would love to. Thank you, Mr. Speaker. The issue here is that there's an assumption that based on age, suddenly there's going to be either some kind of issue or putting the life of a 15-year-old in jeopardy. The reality is that schools are meant to be safe places. Regardless of that, if we have an appropriate number of staff working in the schools, the member's daughter or anyone's child, therefore, should be safely watched over.

You know, with the issue of discriminating against students that are older or saying that they can't be part of the school environment, I think that what we're doing is that we're missing out on an opportunity. As I touched on earlier, older students can learn from younger students and vice versa. Quite often in elementary schools grade 6 students will mentor grade 1 students and work with them. I think there's much learning that can take place. I would ask the members to consider the positives in that situation. I'll leave my comments there.

Thank you.

**The Deputy Speaker:** Under 29(2)(a)? Okay.

Additional speakers? The Member for Airdrie.

**Mr. Anderson:** Thank you, Mr. Speaker. It's an honour to rise here and speak to Bill 3, the Education Act. I'm excited about this. As the Member for Chestermere-Rocky View pointed out, this is a success story in government. This is when government actually –



it took an election and a near-death experience – did listen at the end of the day.

You know, I was going to read some kind of a more generic, fun speech, but I just have to address certain things, as members in this House know. It's too much to listen to some of this and not respond.

First of all, the importance of parental rights is absolutely paramount. It is something that is laid out very clearly in the United Nations declaration of human rights, that parents have a prior right to determine what education their children will receive. Now, that doesn't mean they get to pick which textbooks their kids are going to have to study grade 3 math, for example. We understand there are limits to that. What it does mean is that parents have the right to make sure that the learning environment that they send their kids to, the schools that they send their kids to, is something that is in line with their values and is something that is in line with what they're teaching their children.

That's why in Alberta, unlike in other dictatorships around the world, we allow parents the freedom to choose where they send their children to school. We allow them to choose if they're going to send them to a public school, a very inclusive public school, one that includes all folks from all different backgrounds. That's where I choose to send the only child of mine that's old enough to go to school right now. That's what I want for my child. Others send theirs to private, religious-based schools, where the religious curriculum is taught and permeates through the entire curriculum as a whole. You see that in Catholic schools, obviously. You see that in other faith-based schools of all faiths: Christian, Muslim.

5:40

We have a great school in Chestermere, near Chestermere and Conrich, the Khalsa school, a great school for young Sikhs. It's a great school, and it's something that we should be proud of, and I think we are. I think the vast majority of the people in this House, on that side of the House and this side of the House, are proud of that reputation of giving parents the right to educate their children as they see fit.

Now, let's be very clear. The Human Rights Act as currently constituted does apply to the Education Act. It does apply to it. It applies to every act in Alberta, to every single act, okay? [interjection] Well, I'll get to it. I'll get to it. Therefore, there's nothing in that act – if something is out of line with the Human Rights Act in that act, guess what? Not only the Human Rights Act but the Charter of Rights and Freedoms will take care of that, will make sure that it is in line with the Charter of Rights and Freedoms. So that's taken care of.

The problem was never that. That was never the objection of the home-schoolers, the Catholic schoolers, and the thousands of other parents across this province that had a problem with this. The problem was that the act seemed to create a possibility, at the very least a possibility if not a probability, that the act could be used in certain circumstances. If parents did not teach their children something in line with what the Human Rights Commission had said or values that the Human Rights Commission had found, if they had not taught their children that value, the act could be used as a sword to essentially end the accreditation of the faith-based school in question. It could be used to end the right of the parents to home-educate their children.

It did not explicitly say that by any stretch, but the hole was there, and you could see it. It was plain in the language that somebody up to mischief under a different Education minister or perhaps under a different government could use that to take away the rights of certain parents who had certain values to be able to teach their children or send their kids to certain schools, and a

school could even lose their accreditation over it. That was always the problem, and that's why hundreds of Albertans gathered on the steps of the Legislature and thousands across the province to protest this act. I am very glad that they did because I think that the government after a period of time did come to the understanding and agreement with those parents.

Now, I personally am tired of hearing the allegations that parents who believed in this change, who believe that their children should be taught in Catholic school and taught a Catholic doctrine, which we know is not the same – you know, obviously, a lot of people have different beliefs. We know that some of those beliefs don't make sense to certain sensibilities of others and vice versa. We know that there's some controversy on some of those beliefs, and I don't think it is right to tell parents of a different faith that because they want their kids to be brought up in that environment and taught those values, they are somehow intolerant bigots. That has got to stop.

That's why I absolutely applaud the Education minister, the current Education minister, not the former Education minister, who absolutely went along with that type of ridicule and name calling and fearmongering and hate-mongering. That Education minister used those exact same arguments against not only this party but against the actual home-schoolers and Catholic schoolers and people that had a problem themselves in the media and so forth with his quotes. He used those exact same arguments, and it was very offensive.

This Education minister seems to be much smarter about it. Not only smarter about it, but I think he genuinely sees that you can't persecute people because they choose to have their children educated in a faith-based environment. He should be absolutely applauded for showing that type of leadership.

The accusations, I believe, of intolerance are unfounded and wrong. Frankly, I would ask the folks that are accusing those of us over here and over there and parents in general in that situation of being intolerant to maybe look in the mirror a little bit because I think that the intolerance might be on the other side.

All right. Now that that's done, there are a couple of things I would like to address in this act that I think could be improved or are in here already and that I support. First of all, bullying. Everyone in this Assembly agrees that no person, no child should be bullied for any reason. I don't care what their sexual orientation is, whether they are skinny or fat or something in between. I don't care what the colour of their skin is, what their religion is. It doesn't matter. No child should ever have to undergo bullying for any reason. I think everybody in this House – everybody – can agree on that. So I again would like to applaud the Education minister and the former Education minister and the former, former Education minister for making this a key part of the bill. It's something that I think we certainly all support in this House.

Three improvements I think we could have here, and I think we'll be bringing some amendments on a couple of them anyway. First of all, we saw what I think is the stupidity of the no-zero policy, a teacher who was fired for giving out a zero for incomplete work. What a ridiculous, nonsensical thing that is. You shouldn't have to put something like that in a piece of legislation. It should be so common sense. I have four kids. I expect teachers in this province – if my child does not turn in their assignment, they'd better darn well get a zero on their work so that they learn a lesson and they make sure to turn their work in the next time. That should absolutely be addressed. No teacher should be fired for giving a zero for incomplete work. We'd like to see that in the bill. I don't know how you'd word it. I'm open to suggestions. But it's just so ridiculous. Obviously, with the Education Act you don't want to interfere with local autonomy; however, the Education

Act does layout some base parameters, some base expectations that go across the entire province, and this, I think, should be one.

The second piece is mandatory school fees, something that we campaigned vigorously on during the election. I think it makes sense. There should be no mandatory fees in place if the course in question is something that a child needs to progress or graduate or go to the next grade. We're not talking about field trips. We're not talking about transportation, even, and some of these other things. We're just talking about: you cannot pass this course unless you pay these fees, and if you don't pass this course, then you can't be promoted to the next level or graduate and so forth. That should be eliminated. It wouldn't cost that much money. We could make this a priority. That's something that we think we should do, and I am disappointed to see that that's not in there.

Lastly, charter schools. Charter schools, I believe, are a fantastic way for the school system to innovate, for the public school system to innovate. We forget that charter schools are public schools. They are public schools. They are not private schools as sometimes they are accused of being. They are public schools. First-come, first-served, no-tuition charter schools. In my view, we should be making it far more easy – far more easy – for groups, for public schools themselves, for others to transform their schools into charter schools or to start new charter schools because charter schools, like I say, are the great innovators.

There are different learning methods – pedagogical, I think, is the word – that are used and different ways of teaching the curriculum to different types of students; for example, students with disabilities, people with reading disabilities who might be good in math and science but not good in reading, people with language needs, and so forth. I think we should be opening the doors. Just open the doors wide for charter schools, let innovation take hold, give more flexibility to the public system to offer specialized programs in the trades for children with disabilities and so forth.

Although that part isn't in this act, I hope that in the future with the good work that the hon. House leader has done as well as the current Education minister on – help me out here. What's that great thing, the report that you put forward?

**An Hon. Member:** Inspiring Education.

**Mr. Anderson:** Inspiring Education – I lost the word for a second – the great work that was done there. Please continue to build on that. I think we are going to continue to lead the nation on education.

Thank you very much, Mr. Speaker.

5:50

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. The hon. Associate Minister of Finance.

**Mr. Fawcett:** Thank you very much, Mr. Speaker. I know the member across considers himself to be a very principled individual, and I know that he and his party have advocated for greater local autonomy. He mentioned in his speech the issue around creating policy or legislation or some specific guidance in the School Act that maybe suggests that the provincial government should step into that which is normally considered a responsibility of a locally elected school board. I know as a former school board trustee that we need to continue to make sure our school boards have the authority to make decisions based on their electorate and the wishes of their electorate. I don't think there's any language within the current School Act or the proposed one,

this new Education Act, that suggests that school boards can't allow a policy. Wouldn't it be consistent with the principles of what this member has advocated for with his party to allow school boards to continue to set that policy?

**Mr. Anderson:** That's a very fair question, and it needs to be debated. I guess my point is that although I think we all agree that there should be local autonomy in our school system as much as possible, we do have a School Act. It's a very thick act. The reason we have this is that it sets out some basic parameters, just very basic things about how the education system will be run, and then local school boards have to work within that framework. For example, curriculum. We set the curriculum. We don't just leave that to the school boards. The province sets the curriculum, so there's a general standard. Now, there are differences in how it's taught between the different school boards and so forth, and there's flexibility in other areas.

I guess the issue here – and maybe this is more about protecting teachers than anything else – is that there needs to be, in my view, a basic standard around how we treat our teachers and how we deal with their decisions. I just cannot find one justification for why a teacher, certainly an experienced teacher like the one in question but any teacher, frankly, should ever be fired – ever be fired – for giving a zero to a student for not completing his assignment. He's doing his job. In fact, he's probably doing his job far more than the teacher that would not give a zero for an incomplete assignment. He's doing that child a much greater service than the teacher that would just kind of let it slide. I just think it's completely wrong.

I guess the point there is that although I agree with you that we should try to keep local autonomy as sacrosanct as possible, I think we do need to have a minimum standard. I think that making sure teachers are not fired for doing their job should be part of that minimum standard.

**The Deputy Speaker:** Thank you.

Are there others? The hon. Government House Leader.

**Mr. Hancock:** I'm fascinated by the hon. member's concept of assessment, so I'm just interested to ask: when a teacher is doing an assessment of a student's knowledge with respect to, say, for example, a physics course, is that assessment to be based on the student's understanding of the content of the course? Or should that assessment with respect to that particular course be based on whether the student showed up for class or not? What is the mark in the physics course intended to designate on a transcript as it goes forward to a university or to the workforce? Is it the understanding of the content of the course, or is it supposed to be about work ethic?

**Mr. Anderson:** It should clearly be both. Clearly, if someone wants to go to university, they need to (a) learn how to attend class – that's key – and (b) comprehend the material. I think it's both. So I think if someone doesn't do their work, if someone doesn't show up to class, then they should receive a lower mark and be assessed lower.

**Mr. Hancock:** I take it, then, from the hon. member's comments that we should stop allowing students to challenge exams on courses in order to get the criteria for a class, that every student should be required to go through a full course of subject and to write all the assessment tools throughout that course before they

get a mark on the course? We shouldn't have challenge exams on any courses available to students?

**Mr. Anderson:** You know, I would think that in order to allow a student to catch up or to excel and get ahead if the student is that fantastic, he should be given that opportunity.

**The Deputy Speaker:** Thank you, hon. member. The time for 29(2)(a) has elapsed.

I would ask at this time: are there any additional speakers? The hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Mr. Speaker. This is a bill that makes me proud to be part of an effective Wildrose opposition. The government made a bad decision to try and negate parental rights in the previous Education Act, and an effective opposition forced them to backtrack. The opposition that arose to the previous Education Act was enormous. The response came from parents across the province that were united about one thing: they cared about the education of their children.

Mr. Speaker, as a parent of two children, one in school and one no longer in school, I appreciate that it is my paramount right to educate my child the way my husband and I see fit. I have to say that I might have to sit down and take a drink of water because I've just learned that our choice has led me to educate our 10-year-old daughter, Madison, in the St. Marguerite Catholic school in Innisfail, which was my parental choice, and then I learned that the hon. Member for Airdrie educates his child in a public school. Given our dynamics I find that very interesting.

Over 2,000 people came and protested in the freezing cold on the steps of this Legislature. As the Member for Airdrie and the Member for Calgary-Fish Creek have reminded me, the media had remarked that this was one of the biggest crowds they had ever seen at the Legislature. The members for Airdrie and Calgary-Fish Creek fought for parental rights until the last day of the legislative sitting, when opposition to the bill forced the government to let it die on the Order Paper. With that, parents from across this province breathed a sigh of relief.

After trying to act as if the Wildrose opposition was only trying to fearmonger, the government has taken our position and taken the contentious sections out of the bill. Now Bill 3 is generally a good piece of legislation. I'll leave it to my colleagues that have some amendments to improve this bill further. I appreciate all the hard work that they're doing on that.

I am reminded of an initiative that was first taken on behalf of the MLA for Calgary-Fish Creek when she started to advocate for seniors who were getting terrible centralized meals. After I became elected, she educated me on how this process worked and the bureaucracy of all of it, that they just have to do it because that's the way it's done. It wasn't right, Mr. Speaker, and the government took no initiative to change this. However, there was an effective opposition, and the government finally decided to listen. I believe that's what has happened on the Education Act.

I would like to take a moment to thank the government for bringing this bill forward in a much more respectful manner than we saw when this bill was last introduced. I think the minister has been honest and forthcoming with his intentions. It is a lot different than what parents saw the last time this bill was introduced, when the then Education minister, now Deputy Premier, tried to sneak in section 16, acted as if opponents to this bill didn't know what they were talking about, and even tweeted that those who protested the bill at the Legislature were protesting against human rights in the education system. That move was a complete and utter disrespect to parents across this province, opponents of the bill in this House, and perhaps, I think, this government as well.

In closing, Mr. Speaker, an effective opposition has forced this government to listen to Albertans, and now we have a good piece of legislation that will benefit parents, students, and educators across this province. I'm proud to be part of a Wildrose opposition that helped lead this, and I hope this government will work together to put Albertans first.

**The Deputy Speaker:** Thank you, hon. member.

It is now 6 o'clock. The House stands adjourned until 7:30 p.m.

[The Assembly adjourned at 6 p.m.]







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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Wednesday evening, October 24, 2012

Issue 9e

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta  
The 28th Legislature**

First Session

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Alberta Liberal: 5

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## Legislative Assembly of Alberta

7:30 p.m.

Wednesday, October 24, 2012

[The Deputy Speaker in the chair]

**The Deputy Speaker:** Please be seated.

### Government Bills and Orders

#### Second Reading

#### Bill 8

#### Electric Utilities Amendment Act, 2012

**The Deputy Speaker:** The chair recognizes the hon. Minister of Energy.

**Mr. Hughes:** Thank you, Mr. Speaker. Well, I'm pleased to take the bill to the next level of debate this evening. The legislation is designed in order to ensure that we create a change that's recommended by the Critical Transmission Review Committee, the recommendations of which were accepted by the government of Alberta earlier this year.

Essentially, that committee – and they listened to Albertans; they took feedback from Albertans – recommended that the four critical transmission projects in the province be proceeded with, which the government concurred with, and also recommended that the legislation be changed in order to ensure that all future critical transmission decisions and recommendations are made by the Alberta Utilities Commission. In that respect, we have here a bill which deals with that.

So, Mr. Speaker, I'm pleased to recommend to the House that this legislation move forward and that we allow the important recommendation from the Critical Transmission Review Committee to be accepted. Thank you.

**The Deputy Speaker:** Thank you, hon. minister.

The chair will now recognize the hon. Member for . . .

**Mr. Hughes:** I move to adjourn.

[Motion to adjourn debate carried]

#### Bill 1

#### Workers' Compensation Amendment Act, 2012

[Adjourned debate October 23: Mr. Wilson]

**The Deputy Speaker:** The chair will recognize the hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Let me make sure I get this right. We're talking about Bill 1. Is that correct? Thank you very much. You didn't make your motion. I was going to get up and speak on Bill 8.

Thank you, Mr. Speaker. I rise to speak for this bill. I, too, would like to thank the Minister of Education and the government for listening and making the changes that you have made. In my riding, and even before . . .

**Some Hon. Members:** Bill 1.

**Mr. Anglin:** I'll get the numbers right. All right. When I saw the member over there, I knew which bill I was looking at.

As a former first responder . . . [interjections] I will say that the Minister of Energy did a great job throwing me off track when he didn't put the motion forward.

But this is serious. This is a very good bill in the sense that it does put the onus on the WCB to provide care for this posttraumatic stress disorder. It was mentioned a little bit earlier – and it's really important, and that's why I asked to speak to this bill – that this type of disorder doesn't just necessarily appear. It is something – and I think we all know this – that does come over time. It is something that is absolutely significant.

At 17 years old I went off and joined the Marines, and I lost friends in the process. Now, I lost friends in action, but I lost friends when they came back because they didn't come back. They were different, and they didn't survive. I can look back now and say that that was posttraumatic stress disorder. When I was a police officer, we had counsellors that actually worked in the police department. It affects everybody so differently, and how it affects them is really important as to how they're treated. In putting the onus on the WCB, I want to thank this government for bringing this bill forward.

I think it is extremely important that we do one more thing. I brought this forward. It's important to me because this is an issue that was brought up, and we will be making a motion to this later. In the definition of the bill we've left out a few occupations that I think are significant, and some of them were actually brought here today.

One of those was correctional officers. When I look at first responders, to me the definition of the first responder is who you call when you're in trouble and who will put their life on the line to protect you or to serve our best interests. Correctional officers do that. When there is trouble in a prison, they are the ones that have to step forward and risk their lives, risk danger to subdue or do whatever they have to do. They also are subject to a tremendous number of other scenarios that can bring on this syndrome.

Mr. Speaker, this bill does cover firefighters, and this bill does cover volunteer firefighters. I will be introducing an amendment which actually deals with the Municipal Government Act more than this bill, but they're tied together in the definition of what a volunteer firefighter is. Now, this act will make sure that volunteer firefighters are covered. That's not the issue. The issue is: when somebody is covered and they are suffering from posttraumatic stress disorder, do they need the aggravation from some bean-counter at a municipal level trying to make an argument about whether they're an employee or not an employee? It is a grey area in the Municipal Government Act that has been there for quite a long time. As I researched that issue, a number of municipalities have had to deal with it over a different set of times.

Let me explain what goes on. Volunteer firefighters are generally not paid, hence the term "volunteer." But some communities actually remunerate their volunteer firefighters by a set fee. Others will remunerate them based on a wage. Others will pay them so much for calls and so much for training. If you look at our employment act, which has what the definition of "employee" is, it says that it's anybody who gets a wage. But when you look at the definition of volunteer firefighter, it's not clear. So these volunteers get hung up. Every now and then it pops up. The law firm of Brownlee will actually confirm this for anyone who wants to check it. It's been around a long time. It's just been a headache.

Looking at this act, that it wanted to cover the volunteer firefighters, I thought this would be a good opportunity to clear up the definition of a volunteer firefighter. All I did was look at the act, and I'm going to submit this, that says that regardless of the remuneration, they are still volunteer firefighters. If someone is suffering from posttraumatic stress disorder, the last thing they need is some bureaucratic headache, trying to figure out something that might not even be associated with it. The fact is

that they don't need that headache. All I was asking for in these motions I'll be bringing forward is clarification on the definition.

7:40

Beyond that, let me just share my experiences in dealing with this issue. It is dear to my heart. I served in the military. I served as a police officer, and then I also served on the Canadian Coast Guard fast response search and rescue off the coast of B.C. I have to tell you I can share all sorts of comical stories, but I can also share some very personal stories of having to deal with some pretty traumatic stuff.

I will tell you, from going through the Marines and being a police officer, that there's something extremely traumatic when you find a child that has drowned. It really sets a person in a different frame of mind when you see the innocent life. How do you live with this? How does it work with you over not just the next few days but maybe even the next few years? In my case I still have several memories in my life. I can still see these people. I'm still haunted. Now, some might say I suffer from post-traumatic stress disorder; others might say I suffer from something else. The point I'm trying to make is that when there is an actual diagnosis, the thing we need to do is make sure the care is there. I commend this government for taking this step.

I just ask you to take a look at the definition and look at some of these people like the corrections officers and keep in mind – we all know this – that there are police officers, there are people in the military who never see front-line duty, but there are social workers that work for the police department, and they are on front-line duty. There are social workers in the prisons that are on front-line duty. That distinguishes them as something separate from other social workers. It is something to think about. Who is that front-line person? Who is that person that puts themselves out there first on that first call? That's important.

Corrections officers, in my mind, without question are in harm's way every time they show up to work. Police officers, every time that call comes, are in harm's way. Firefighters, every time that alarm rings, are in harm's way. That's really important. To me the definition is: if you put yourself in harm's way, you are a first responder.

Thank you very much.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the Member for Calgary-South East.

**Mr. Fraser:** Mr. Speaker, thank you. It's an honour again to stand before you in this House and speak again to this bill. I commend the hon. Premier for introducing this bill and protecting the people on the front lines. Certainly, as a paramedic for the last 13 years in this province, I can tell you that many times I've held lifeless bodies in my hands, baby children. I've sat alongside members in the ambulance that are going through home troubles. Police officers, the same thing: they live a regular life just like all of us, and they go through the same trials and tribulations. But at the same time, like the member has stated in this House, they step out and they put it on the line. They put all their own misery away, and they save those that need saving. They witness the carnage on the streets.

I can tell you about one of the things, and it was mentioned yesterday. When we talk about the idea that many people aren't reporting it, it is the culture of first responders to take care of one another in those times. Through critical incident debriefing we recognize when somebody is going through that time, when they're under stress, and we deal with it at the time. We collec-

tively come together. It's a good mechanism. Whether it's the city of Calgary, the city of Edmonton, or provincial entities, I know that they're very caring people, and the critical incident debriefing teams do a great job of making sure that they catch many things. In the instances when they don't, it's clear that this government has made a commitment to protect our first responders and make sure that they continue to live life and have a fruitful life with their families.

Again, I commend the Premier, and at the same time I commend all those right now, as we speak, holding the lifeless bodies, picking up after the carnage on the highways, and stepping up for those who can't step up for themselves.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, I recognize the hon. Member for Airdrie.

**Mr. Anderson:** Thank you, Mr. Speaker. I don't want to take long by any stretch, but I do want to stand on behalf of the Wildrose caucus and give our full support to this bill. Obviously, we have a couple of amendments that will be brought forward. Specifically with regard to our correctional officers that's not an amendment we'll be bringing forward. It's an amendment that our friends in the NDP will be bringing forward, but we're planning to support that as well.

I guess like everyone who has their own perspective on a first responder or first responders that have touched their lives, I've had the unfortunate tragedy of having to witness some fatalities over the last couple of years on the QE II in two separate circumstances. It's an awful experience.

All I can remember, really, from those two experiences was just that when I came upon it, being the first on the scene, the next people at the scene, not more than a few minutes later, were our first responders. I was just astonished at how selfless they were, how the only thing they cared about was first and foremost the people that were in the accident – and that was the only concern to begin with – but also the safety of those coming upon the scene in a very chaotic situation where if things weren't taken care of properly, it could have become an even worse situation, with more injuries and fatalities. Then, of course, taking the time to help those who had come to the fatality or seen the accident up close and making sure that they were okay, making sure that they were properly supported, making sure that they were being cared for, offering to drive me and others if need be just to another location in order to kind of gather our thoughts before moving on.

Anyway, it just blows my mind, and I think it really overwhelms everybody in this Assembly, the incredible selflessness of these people. They never want to, but they are so willing to put themselves not only in harm's way but also in very difficult positions. Somebody has to do this job. It's one of the worst jobs in the world in some ways in that you have to see things that no one ever wants to see, nor should they see. At the same time they do it because they care about people, they love people, they want to help people, and they want to not just help the victims of the accidents, which they do an incredible job of, but also everyone affected by them at the scene. I just think that that's something that says so much about these individuals.

There's a great scripture that says that there's no greater love than he who lays down his life for his friends. I think that that perfectly exemplifies and represents these heroes, these great first responders that we have. So to them, including our past first responder and current first responders that are in this Chamber, I

want to thank them from the bottom of my heart for that. I think we all feel the same.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. Member for Airdrie.

Standing Order 29(2)(a) is available.

Are there others? I'll recognize the Member for Calgary-McCall.

7:50

**Mr. Kang:** Thank you, Mr. Speaker. I would also like to speak in favour of this bill. I'd also like to congratulate the government for bringing this bill which will amend the Workers' Compensation Act to allow paramedics, firefighters, sheriffs, and police officers to receive WCB coverage for posttraumatic stress disorder without having to prove that the PTSD is work related.

This will also streamline the process for first responders to receive WCB coverage for PTSD, which also has the potential to mitigate a number of social problems associated with the disorder; that is, substance abuse, addictions, domestic violence, et cetera.

As emergency first responders are much more likely to encounter extremely stressful situations and experience greater psychological and emotional trauma than other professions because it happens over time – it may not happen one time or two times because, you know, this is a pattern and because they encounter different situations over time – it is reasonable and appropriate that the government streamline their actions to WCB coverage for posttraumatic stress disorder.

Many emergency responders suffering from PTSD may not seek the help they need because of their pride or the stigma of mental illness, so reducing or eliminating barriers to treatment is essential, and I think this bill will go a long way to correct those problems.

I support this bill on behalf of my caucus as well, and I congratulate the government again for bringing this bill forward. This may not be a perfect bill, you know. We can debate and change it as we go along, but this is the first step in the right direction.

Thank you very much, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. Member for Calgary-McCall.

Standing Order 29(2)(a) is available.

Seeing none, I would recognize the Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Speaker. I'm pleased to rise to speak to Bill 1, the Workers' Compensation Amendment Act, 2012. I want to indicate that we have some amendments to this bill, but we are very supportive of the concept. The idea that workers who are faced with trauma that affects them, maybe in a permanent way because of traumatic events that they've experienced, should be compensated, should be eligible for compensation without having to prove that their job is the source each and every time, is a very progressive and positive direction and follows up on a number of other initiatives that the government has adopted, stemming from the example of the government of Manitoba, that first established this principle for firefighters. I think that it's an important and positive step to take.

You know, many workers are faced with very, very difficult jobs. People often say to me: boy, I wouldn't want to have your job. But, quite frankly, the kind of jobs that first responders do are far, far more traumatic than this. I mean, the worst thing that can happen to us other than losing an election, I suppose, is to be

called to order by the Speaker, and I can't imagine what would happen if that ever happened to me. But I think if you really think about the jobs that some people do and how it affects them, you realize that this is the least, really, that we can do for those brave men and women who put themselves in harm's way in order to protect us and to protect our families.

I think the flaw in the bill, if I can get to that, is that the bill is a little too restrictive. It attempts to categorize people and say that these particular occupations should be deemed and other ones should not be. In fact, the bill specifically excludes certain categories. Now, I don't think that that's right. I think that the bill needs to be broadened. We've heard about volunteer firefighters from the hon. Member for – is it Rimbey-Ponoka? What's it called now?

**Mr. Anglin:** Rimbey-Rocky Mountain House-Sundre.

**Mr. Mason:** Rimbey-Rocky Mountain House-Sundre. That has a nice beat to it, hon. member.

You know, he talked about the sort of grey area that volunteer firefighters fall into. It's not that their work is much different from professional firefighters; it's just that the employment relationship is different. The work and the potential exposure to traumatic events is no different. So I think that their proposed amendment sounds like a very good one. We have some others as well.

Correctional officers, for example, are excluded in the bill, and they shouldn't be. Peace officers are defined narrowly as sheriffs. There are other peace officers. Social workers have been mentioned. Even in some cases medical professionals may well be subject to the kind of stress and traumatic incidents that first responders covered by this bill are.

I think that that's a problem, and I'd ask the government to really consider broadening it. It's not just people who wear a uniform. It's not just male-dominated occupations. Others who don't wear a uniform may actually also be on the front lines, may place themselves in harm's way, and may in fact have lifelong consequences as a result of the job that they have.

When the Premier talked about this legislation on May 24, she said that the legislation returns the courtesy and the favour to the first responders, who arrive at the time of our greatest need. I would say that it's a high-risk and potentially traumatic occupation, and the legislation must properly include all workers who are employed as first responders and in potentially traumatic occupations.

The government claims that this is the first legislation of its kind in Canada, but I would point out that many provinces have already extended presumptive compensation to firefighters in cases of primary site cancer. The concept is not new in legislation.

As I mentioned earlier, Mr. Speaker, I think the government is deliberately narrowing its definition of first responder, excluding corrections staff and social workers who provide first response duties. The associate minister says that the bill is a recognition of the incredible stress that first responders go through in serving us on our highways. I guess the question I have is: is the government really just looking at people whose job is on the highways?

I think that we need to emphasize that first responders work in many locations and confront many kinds of traumatic situations that the bill in its present form simply doesn't cover.

We've been in contact with a number of stakeholders that have an interest in this legislation, and they all emphasize that it is a good first step. This bill is a good first step, but it doesn't extend presumptive coverage to all first responders. Therefore, Mr. Speaker, the legislation in its current form does not fully match the government's claims because, as I've mentioned, corrections

officers and social workers are not included in the list of first responders.

8:00

We've been in touch with the Union of Canadian Correctional Officers. Some of their members were introduced today. I think some are still here. Your stamina is amazing, and I appreciate the fact that you have endured to get to this debate.

They have provided us with the wording for an amendment which would include federal corrections officers under the definition of peace officers. Mr. Speaker, we'd go further. We think that both federal and provincial correctional officers should be included, and we have prepared an amendment to address this when we get to the committee stage.

The Alberta College of Social Workers would like to see social workers as defined by the Health Professions Act specifically covered by the legislation.

Although stakeholders are primarily interested in having the correct occupations listed in the bill, our amendment to 24.2(2) is based on the idea that discriminating by occupation denies presumptive coverage for PTSD claims for workers in a vast number of occupations where traumatic events may be experienced during the fulfillment of their duties. It reflects our belief that no specific list of occupations can fully include all workers who experience traumatic events in the line of duty.

Mr. Speaker, as my colleague has now arrived and has been sending me text messages to make sure that the debate continued until she got here, which may explain why I kind of slowed down there in my remarks, I will conclude my remarks and turn you over to the hon. Member for Edmonton-Strathcona.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Without that, then I would ask for other members willing to speak to this bill. The hon. Member for Edmonton-Strathcona.

**Ms Notley:** There you go. I was tempted to use 29(2)(a) to ask the previous speaker if he didn't think it might be appropriate to give his colleague an opportunity to catch her breath and let him talk about that for a little while, but what the heck.

It's a pleasure to be able to rise to speak to Bill 1, the Workers' Compensation Amendment Act, 2012, and to talk about some of the issues that are covered in this bill, both the great steps forward that it represents as well as the concerns that we have that we truly hope the government will give some deliberation to, notwithstanding some public statements not to that effect in the last couple of days.

This bill, as previous speakers have indicated, relates to the application of the presumptive principle with respect to post-traumatic stress disorder and its diagnosis amidst a particular group of occupations. Let me start by saying that there is no question that the issue of posttraumatic stress disorder amongst a number of different occupations in Canada is a grave one, and it's one about which we should be deeply concerned and on which we should take action. Certainly, to the extent that this bill commences that process of taking action, I think it's an incredible step forward.

Of course, all of us have, I'm sure, followed to some extent the public conversation about the issue of posttraumatic stress disorder amongst our military personnel and the struggles that those particular Canadians face. There's no question that the same kind of issue exists among certain uniformed and other professionals and occupations in Alberta. There is no question that

the presumption is rightly applied to the people that are named in this bill. No question about that, that the people named in this bill I think will benefit from the presumption.

And it is about time because I believe that for many years, as a result of some denial on the part of people within this profession as well as denial on the part of those who stand in supervisory roles within this profession as well as a series of denials on the part of various workers' compensation administrations, the real compensable injury, the injury that occurs naturally as a result of the work that these people do, has gone uncompensated. So to the extent that this bill is going to remedy that, this is a very, very good thing. I certainly don't want to say that we would not support this bill because a little ways forward is better than no ways forward, and there is no question that there is a significant improvement in the lives of some people as a result of this.

As many of you may know, in my past life I practised law, and one of the areas that I was very involved with was health and safety, workers' health and safety and occupation health and safety. In fact, I think I may have been the representative on one of the first two or three PTSD cases ever accepted by the Workers' Compensation Board in Alberta back in the early '90s. Ironically, that case related to a corrections officer.

That brings me to the beginning of the concerns that we have with this piece of legislation in that it does not apply to enough people. The mechanism that this government has chosen to extend this long overdue and necessary protection to key employees in our community is unfortunately flawed because by doing it by naming people, the minute – anyone who is a lawyer or has been anywhere close to law knows that it's a fairly simple principle in the law: you name something and by definition you, unfortunately, exclude that which you do not name. So using a list to extend a benefit is an unfortunate way to go because you then exclude those who aren't on the list. There are a number of people who are not on this list that should be on this list.

Now, the associate minister who is responsible for workers' compensation has been quoted in the media a couple of times talking about how: well, this is just focused on first responders, first responders who deal with the extreme trauma that we often see on highways, responding to car accidents, that kind of thing. In no way, shape, or form do I want to negate the severity and the significance of the trauma that those kinds of first responders come across. It is significant, and they should of course get this coverage.

The difficulty is that that's not the only kind of trauma out there. Moreover, this legislation doesn't limit it to just highway activity. It extends PTSD coverage to any person who falls under the list that the government has identified regardless of the nature of the trauma that they've been exposed to. That's good because their job is typically full of trauma, but nonetheless it is difficult, then, when the minister says: oh, the reason that we're not covering all these other people who respond to trauma is because they're not responding to highway traffic accidents.

Let me give an example. I use an old one because I want to be sure not to, you know, be insensitive to people who were associated with this example, but you can imagine that it would apply today. I recall when I was living in B.C. that the independent children's advocate produced an independent report about the fatality of a young child. The child was somewhere between six and 18 months. What happened was they were known to the ministry, living with a parent, and the social worker was contacted by a neighbour who was worried that there was domestic abuse and disorder going on in the adjacent apartment and that the child was at risk.



So the social worker contacted a police officer, and they went to the apartment to see what was going on. What they found was the stuff of headlines for the next six months in B.C. It was a horrible, horrible scene that they both came upon. The police officer and the social worker together came upon the scene and found the deceased six-month-old child and a lot of other stuff which was very traumatizing for everyone that was involved in that situation.

8:10

Now, with this legislation being applied to that, what would happen is that if the police officer did get posttraumatic stress disorder as a result of this very traumatic event, they would automatically get coverage, and that's good. But what would happen to the social worker is that she would have to make a claim, and then she would have to prove that this event was what caused her posttraumatic stress disorder. And be clear. The way she proves that is she watches as the WCB and their investigators and their psychologists and their psychiatrists pore through every detail of her life and look at whether or not she might possibly have been abused as a child, whether she might be abused in her marriage, whether she might have been exposed to trauma when she was in college, all those things. They will aggressively pursue whether or not there was another explanation for why she might have developed posttraumatic stress disorder. You can imagine that at the end of that process if she hadn't already had post-traumatic stress disorder, she would by then.

That's exactly what happens right now. When the average worker who is not covered by this presumption makes a claim for posttraumatic stress disorder, their life is turned inside out in the process of them trying to make the case that it was their work and the trauma they were exposed to at their work that caused the disease for which they are now seeking compensation. You can imagine, then, that that contradiction doesn't make sense, so we'll be introducing amendments to expand and extend the implication out.

I want to go back to corrections officers because that's a more narrow one that defies rational explanation for why they are excluded from this group. Corrections officers are, in fact, the official first responder within the prison system. The only difference that we're actually seeing is that some people who are listed in this act respond to trauma and violence experienced by the general public and corrections officers respond to trauma and violence experienced by criminals or, in some unfortunate cases, their colleagues. What we're really doing is making a judgment based on the quality of the victim – i.e., the person that the first responder is helping – rather than making a judgment based on the true injury experienced by the person who is responding to that emergency. That's the only difference between the corrections officers and the other people that are listed.

I really am waiting for the associate minister or someone else from this government to explain what the rationale is for excluding that particular group. We have copious amounts of evidence that the situation in our prisons over the last 20 years, 25 years has deteriorated dramatically. You know, back in the day when I was representing corrections officers, everyone was screaming about double-bunking. Well, now people are screaming about triple-bunking.

Just today there was a report that came out about how the mental health of prisoners and the attempts at self-mutilation and the suicide attempts have gone up dramatically just in the last two or three years. I suspect that the same statistics will show that the level of violence within our prison systems has gone up as well because of overcrowding. The associate minister in charge of the Workers' Compensation Board ought to, of anybody in this

building, know about that because at one point he was responsible as the former Solicitor General for the work and the conditions that existed in the Remand Centre, so how he could not know about this?

I remember taking tours in the Remand Centre when I represented corrections officers. It became very clear to me that each and every day a lot of these folks went to work to what was almost a war zone. They walked into their office, and then immediately their blood pressure went up, their heart rate went up, their need to ensure their own safety and their consciousness of their need to ensure their own safety went up, and they functioned at that level for a shift of eight to 12 hours or however long they had to. In the midst of that if they had to respond to a violent altercation or to, you know, assaults or, in some cases, homicides, well, they were already vibrating before they even got to the traumatic event.

Anyone who has walked through those centres knows that that's the reality that these folks live with. But in doing that, they keep the rest of the public safe. They do. They keep all of us safe. So I don't understand why we would distinguish them. They're not quite the same. You know, it's not quite as neat to have an election campaign photo op with this particular group although I'm sure they'd be happy to do that if the Premier had asked. But the fact of the matter is that the work that they do is no less valuable than the work that is done by all the other people that are mentioned in this bill. The nature of the work and the nature of their response is no different.

While I congratulate this government on recognizing the importance of posttraumatic stress disorder as a genuine occupational hazard and while I am glad that that protection has been extended to the people that are listed in this act, I worry that in naming that bunch, those who were not named will be presented with even greater challenges when it comes to applying for posttraumatic stress disorder compensation as a result of not being named because there will in effect be an institutional statement that the work that they do is not traumatic.

The thing that this government needs to understand is that we can't make value judgments about the nature of the trauma. The fact of the matter is that if there is trauma, the fact that that trauma was induced because they were saving a baby from a fire or the fact that that trauma was induced because they, unfortunately, were discovering a child who had just deceased or the fact that that trauma was induced because they were pulling two murderers apart from each other in the middle of a fight in a prison doesn't matter. The fact is that the trauma is the trauma, and that's the principle of the Workers' Compensation Act. Injecting value judgments into the nature or the history of the injury goes counter to the principles that are inherent in the Workers' Compensation Act.

This is really, really important. Mental health issues as a whole are huge. They are huge challenges in our community, in our cities, in our province, in our country. Posttraumatic stress disorder, for what it's worth, is not the only type of injury that occurs as a result of workplace trauma, by the way. There are other mental health injuries that also occur as a result of trauma in the workplace – bullying, ironically, going back to a conversation that we had earlier today – but they're poorly recognized in terms of our ability to treat them. They are almost never recognized in terms of our ability to compensate for them. It's really, really important that we do a better job of understanding the diagnosis and the nature of the injury and the relationship between that and the work. I hope this discussion can continue and that we can get some answers.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you very much, Mr. Speaker. I was wondering if the hon. member will comment on something that is called duration of threat. In combat they know that if they extend beyond I think it's 25, 29 straight days, if they don't remove that person from the threat, they start to lose those people. In the police force when you put somebody undercover in a situation where they're in a constant threatening situation, they know that they have to pull that person out of that undercover operation. Otherwise, they begin to lose these people to these types of injuries. I was wondering if you would draw the correlation between that and corrections officers.

**The Deputy Speaker:** Thank you, hon. member.

The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Speaker. I think it's interesting that you ask that question. As I was saying, my own personal experience in working with corrections officers and observing the conditions of their employment in our prisons is such that, as I say, I sort of almost flippantly use the phrase "war zone." Now, a lot of these folks go home. It is true. They will go home. Maybe, you know, their shifts extend, they work double time, they work overtime, but they will manage to go home for a bit. But day after day after day, knowing that you're going into a situation where you can't be totally sure that you can protect yourself or your colleagues from the risks that you face as a result of your workplace, that does slowly build up. Whether it creates the posttraumatic stress disorder itself or whether it enhances the vulnerability of someone to develop it if they are exposed to a particularly traumatic event, it doesn't matter. It's absolutely a factor.

I would go so far as to say that in representing other types of employees, I've represented employees who work as social workers in youth and group homes, where they work with youth who are highly volatile with, effectively, criminal backgrounds, where they fully are aware that they are understaffed, where they are fully aware that they could be overpowered at any time, and where days over days over days, when people call in and miss shifts and they're working by themselves, they too start to develop that sense of vulnerability and that sense of risk that, I think it's arguable, sort of wears them down such that if they are then presented with a particular traumatic event, they're more likely to respond as a result.

8:20

I think the hon. Member for Rimbey-Rocky Mountain House-Sundre raises a really good point that corrections officers in our system, based on the objective evidence that has been provided by the academic community looking at and studying our prison system over the last 10 or 15 years, essentially face the same kind of hazards as someone who is in some form of combat for any extended period of time.

It's truly a strange oversight. That is really what this appears to me to be. I just don't understand the rationale behind this particular oversight. The work they do is very difficult to distinguish sometimes from the work that is done by the other folks that are mentioned in this list, not in any way to negate the extremely important work that the other important folks on this list do. But, you know, I think it would behoove this government to reconsider the policy decisions that they've made thus far and to add the corrections officers, both federal and provincial, to this list and then also to listen to us when we come up with some

proposals down the road for how to restructure the application of this presumption in a way that more fairly compensates people based on the trauma and the injury rather than based on what their title is.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

We still have some time if others would wish to participate.

Seeing none, are there other speakers that would like to speak to this at second reading?

Seeing none, I would ask the hon. Associate Minister of Services for Persons with Disabilities on behalf of the hon. Premier to close.

**Mr. Oberle:** Thank you, Mr. Speaker, for this opportunity to close the debate on second reading of Bill 1.

Mr. Speaker, as we go forward into committee, assuming that we now pass this vote, I'll look forward. There are, of course, no amendments on the floor at this time, and obviously we're expecting some. It's been an interesting debate, and I'm sure we'll have more.

I want to point out a couple of things. First of all, nobody is denying that anybody in Alberta faces stress in their work or very stressful, perhaps traumatic incidents in their workplace. Occasionally those could even lead to posttraumatic stress disorder. As the situation stands today, any worker in any occupation in Alberta can be diagnosed with posttraumatic stress disorder and can receive compensation for that if the PTSD is linked to an incident that happened in their workplace. The difficulty with PTSD is actually not in linking it to an incident in the workplace. It's in the diagnosis in the first place, and that's true whether it's presumptive or not. The only thing that Bill 1 would change is that if a first responder has been diagnosed with PTSD, it's presumptive that that occurred as a result of incidents in the workplace.

Now, the hon. Member for Edmonton-Strathcona accidentally but very cleanly identified the problem and demonstrated the problem that she herself is accusing the government of. She said that by naming someone, we exclude other people. I suppose that's true. The only logical way out of that dilemma, of course, would either be to include all occupations in the bill – let's just presumptively attribute everybody's PTSD to their workplace situation, thereby not excluding anybody – or to drop the bill entirely, thereby also not excluding anybody. I don't think that's what the member is advocating. I'm assuming that's not what she's advocating because she went on to list some additional occupations. She doesn't like it when the government lists some occupations, thereby excluding somebody, but has no qualms whatsoever about listing additional occupations.

She talked about the fact that the government is making value judgments while she went on to make value judgments, thereby underlining the difficulty of it, even going so far as to say that it's not just PTSD, that there are other types of injury which clearly aren't contemplated in this bill. The bill is about PTSD. The member points out that she has reams of evidence, which usually means more than a page, so I'm looking forward to debating a proposed amendment in third reading. We'll see.

At this time, Mr. Speaker, I'd be pleased to call the question.

[Motion carried; Bill 1 read a second time]

### Bill 3 Education Act

[Debate adjourned October 24]

**The Deputy Speaker:** Just for the record members speaking are now limited to 15 minutes of speaking time. At the end of the 15 minutes Standing Order 29(2)(a) will be available.

To start the debate, I'll recognize the hon. Member for Strathmore-Brooks.

**Mr. Hale:** Thank you, Mr. Speaker. It's an honour to stand here before the House and discuss Bill 3, the Education Act. Being a proud father of two sons, I know the challenges associated with having kids, let alone educating them. The children are our future, and it's rewarding to have an opportunity to have input into not only my children's education but the education of all Albertans.

Mr. Speaker, what we have before us is a good piece of legislation that took a battle to get. It's encouraging to see a document that has taken into account so many Wildrose policies. Like I mentioned in my maiden speech, these Wildrose policies are based on ideology, that being the ideology of common sense. I know Albertans will recognize this for what it is, the government engaging in good politics and incorporating the good ideas presented by the Official Opposition into pieces of legislation for the betterment of all Albertans and putting petty politics aside.

When the government introduced the Education Act in the spring, they added section 16, which limited parental rights in education of their children throughout the province in exchange for cumbersome, repressive education guardianship by the state. I would like to praise this change in Bill 3, which is now presented to us in the House.

The people of Strathmore-Brooks believe in an education system which respects the rights of parents to choose how their children are educated. I would like to take a moment to thank the Minister of Education for his commitment to build a new public school in Brooks, which will allow the Catholic school to move into the old public school, which is greatly needed as the Catholic school in Brooks has had to make new classrooms out of storage rooms, as has the Catholic school in Strathmore, which we will discuss later. This is an infrastructure problem, but it should be recognized in the act that physical limitations put restrictions on the curriculum and abilities of teachers to teach properly and educate our students. It's time this government gives full recognition to the state of overcrowding in Alberta schools.

It's my hope that this government will continue to respect the choices of parents who home-school their children and, furthermore, allow the parents to teach them according to their core values. I anticipate that the scope of this bill will be broadened to fully encompass the real and present needs of schools in Alberta.

Mr. Speaker, thank you for listening to my comments.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

I'll recognize the next speaker, the hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Mr. Speaker. It's a great honour to rise and speak on behalf of the citizens of Little Bow and to present their issues and share in their importance to them.

Mr. Speaker, I've had the privilege of talking to some people, but again I'd like to talk with more of my constituents about this. I think it is a very positive step that they've taken with Bill 3. Again, with my colleague from Strathmore-Brooks, it's great to see that they're using some Wildrose philosophies making their way into Bill 3 and are actually listening to some people in this province. It's great to see, and it's nice to be able to work together. Thank you, my hon. friend from across. [interjections]

If I could continue on, Mr. Speaker, one concern I do have is under section 18(1), where it reads:

The Minister may by order do the following . . .

- (d) subject to the right of a board to provide religious instruction, prohibit the use of a course, a program of study or a learning and teaching resource in schools.

One of the concerns I have with that is that it puts quite a bit of power in the minister's hands. A private board has the right to provide religious instruction only. Anything else is subject to the minister's approval or disapproval.

The minister can also say what learning resources can or cannot be used as learning resources that they already may have. Just a concern I have on that. Other than that I think that there are quite a few positives to this, and I'm glad that this has come through after the chaos that Bill 2 went through this spring. I'd also argue that there is potential for abuse of this legislation. There could be quite a bit of power to disallow some board material to be used in learning resources. This is again up to the minister's discretion, and this is something that I guess I'd flag.

8:30

Mr. Speaker, I'm also a strong advocate for education. I believe all students should finish high school as I also did myself, which got me here today. What scares me about the flaw with the ages in there – and I spoke to it earlier with my colleague from Edmonton-Beverly-Clareview, the age differences in there. See, I'm a proud father of a 15-year-old girl that's a great child. I'm not worried about some of the issues there, but you tend to lead astray people that are following along when they get with people in the 20- to 21-year-old range who could be out of school. I guess that worries me quite a bit.

In my riding I have lots of private schools, charter schools, public schools, and Catholic schools as well as lots of home-schoolers. Again, I'm glad to see that this new bill as presented has very many positives to it and again, I add, has quite a few of our Wildrose philosophies in it. I'm just glad to see that you guys have come across the table on some of those issues.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

I'll recognize the next speaker, the hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Mr. Speaker. Thank you for the opportunity to talk about education and the responsibilities we have as a province. We know children are our most valuable resource, not a resource in the traditional sense to exploit but, rather, one we must help develop and nurture so each child can reach his or her full potential. Like an atom the awesome power is there, but it must be handled with care to create, not destroy. We all know this, and with the best of intentions we try to facilitate it.

Schools are built. Sometimes, unfortunately, they are not built in the right places, not based on prioritized need but, rather, as political favours in areas where the current government has supporters that live and work. Albertans think it's long past time for this old-fashioned political patronage to stop. If this government has confidence in its policies and its understanding of the needs of all Albertans, whether they voted right or left, then it should demonstrate that by providing new or upgraded schools based solely on prioritized needs. It is something that my colleagues and I have been fighting for and will continue to do to ensure fairness and equality for all Albertans.

A lot of money could be saved, it seems to me, if teachers were consulted. These front-line workers know what's needed, why it's needed, where it's needed, and when it's needed. Does anyone in the current government ever ask them what they require to

properly educate their students, our children and grandchildren? If so, then you know they don't need more bosses or layers of management at the provincial level. If the government would reduce the number of rules and regulations that require more people to administer and oversee them, our teachers and students would be much better off. I talked with a grade 2 teacher recently. She's a fantastic leader in our community. She has a blind child in her class, and she only gets the help of a classroom assistant for two hours a day and none on Friday.

Too much of the funding for education seems to go to administration, and too little trickles down to the classrooms, where the children are and where their needs are not being fully met. Unfortunately, this trend continues unabated. This is not leadership from the province but, rather, an abdication of responsibility, I submit. Why is it that when cuts are made, they are made in the classrooms? Some class sizes have grown to nearly unmanageable numbers. Teachers and assistants are cut in an attempt to meet budgets, but those cuts are in the wrong place. Let's stop this practice and have the courage to cut where it's needed. Let's trim at the top, not cut in the classroom.

Teachers work long hours, not just in their classrooms with students but at home studying, preparing lessons, marking, and answering questions from concerned parents that may e-mail or call them. In our attempt to help are we, in fact, encouraging behaviours that are contrary to the best needs of our children, our families, and society? If our policies were working, wouldn't we have smaller class sizes? If our policies were working, wouldn't we have schools built or renovated where they are needed?

I'd like to point out that you can't legislate self-esteem by protecting children or adults from experiencing the consequences of their choices. Passing a child who fails is an answer, but it's not the right answer. Not giving a deserved zero to students because it makes them feel bad is teaching a lie. It's not preparing our children for real life. The provincial government isn't showing leadership and courage. Alberta's children deserve no less than the very best education, and our teachers are already among the best in the world. They deserve no less than the very best resources.

We need to be continually mindful and respectful of parents' rights. At the end of the day and, truly, all of the time parents are the ones that should be making decisions about their children. They need and are entitled to a strong say in decisions that affect their children and affect the education of their children. This government speaks of partnerships. Well, parents are the senior partners.

All 13 – yes, Mr. Speaker, 13 – of my children received quality education in the Westwind school district. They have each gone on to earn postsecondary degrees and are now raising families of their own and contributing to the quality of life in their communities. I can remember a time when one of my children got a zero on an assignment. He came home upset and angry, but I can tell you that he didn't do it again. Now that he's in the real world, he's thankful that he learned this lesson early on when the consequence was relatively cheap.

We are strong supporters of public and home-school education, and I'm glad to see the government recognizes this as well. Generally speaking, this is a good bill, and we're grateful that it's been presented. As mentioned, there are a couple of amendments the Wildrose will be putting forward, and I believe that they will improve the bill. Working in co-operation, I hope that the other members of this House will also support these amendments. Too often an idea is shot down simply because of who proposed it. I sure hope that will not be the case in this instance.

In conclusion, I admit that I'm not an expert on education although I have been a teacher, but as parents of 13 children my

amazing wife, Sheila, and I know how important it is that parents take responsibility.

**Ms Calahasen:** Thirteen. Wow.

**Mr. Bikman:** Thank you. [interjection] I used to have hair before I started.

Anyway, as I said, my amazing wife, Sheila, and I know how important it is that parents take responsibility for and have a say in their children's education. I would like to thank and congratulate the government for recognizing this. With a couple of amendments I know this bill will be of great assistance to education in Alberta.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, I would recognize the Member for Cypress-Medicine Hat.

**Mr. Barnes:** Mr. Speaker, it is my pleasure to rise today and speak to the new and, I'm happy to say, improved Education Act. First and foremost, let me say that my Wildrose colleagues and I have heard the message loud and clear from parents across this province that the education of their children is important to them and that they as parents have the primary right to make the decisions regarding the education of their children. So my colleagues and I have been fighting hard to ensure that parental rights are respected in this legislation.

I'm pleased to see that Bill 3 will re-establish the primacy of parental rights and decisions about education, and I'm thankful we now seem to have an Education minister who actually listens to Alberta's parents. I'm also happy to find that Bill 3 provides general support for the autonomy of both the parents and our elected school boards.

Mr. Speaker, first as a candidate and now as the MLA for Cypress-Medicine Hat I received countless communications from my constituents on the subject of education. I'd like to take a few minutes to tell this House about some of that feedback and how it relates to Bill 3. I have heard time and time again how choice in our education system is important. There is no one-size-fits-all approach to either learning or teaching. All Albertans benefit from the freedom, and parents in our province have to choose how their children will be educated, whether that be through public, Catholic, private, charter, or home-schooling. This also means ensuring that families in rural areas have the same freedom and choice in education and have access to the same opportunity that Albertans have in other areas of the province.

**8:40**

There are several measures in this legislation with regard to charter schools, and I certainly hope these measures are there to strengthen the choice in our education system, not to hinder the creation of these charter schools.

There's also a measure in this legislation to provide school boards with natural person powers. I hope this will contribute to more flexible learning opportunities and support for our students.

Another thing I've heard from many, many parents in my constituency is the importance of innovation in the education system. A lot of Cypress-Medicine Hat people are looking with great interest at Finland, where students are ranked among the top performers internationally and where they place a huge emphasis on innovation within their education system. I believe Alberta has a great education system, but I also believe that we can strive to be even better. If there are lessons to be learned from systems in

other jurisdictions – and I’ve offered Finland as one example – I certainly hope the government will look at these lessons.

Mr. Speaker, while this piece of legislation is much improved from the government’s previous attempts to update the Education Act, it is not perfect. I am disappointed that the issue of school fees has not been addressed, especially considering this was a major campaign issue during the last campaign. In Cypress-Medicine Hat I talked to many, many young families about the mandatory school fees being a burden. It takes away professional time from our teachers and our administrators, who have to collect these school fees, and I’ve heard of many unfair ways that the collection of these fees is applied, with some schools and some school boards doing more extreme measures than others. I pose this question to my colleagues especially on the government side. Is this really the best use of the time of these highly trained professionals?

Mr. Speaker, I sincerely hope that all members of this Assembly will work towards promoting a culture of education choice, innovation, and competition and that we will always keep the best interests of our children in mind as we continue to debate this legislation.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Again, Standing Order 29(2)(a) is available.

Seeing none, I’d recognize the Member for Medicine Hat.

**Mr. Pedersen:** Thank you, Mr. Speaker. It is great to be back here today to speak to Bill 3, the Education Act. Although I do not have the fortune and the privilege myself to be a parent, I have heard before, during, and after the election from so many concerned parents in my constituency of Medicine Hat. I hear time and time again how they want their rights as parents respected by the government, and I hear time and time again how they want the best for their children not only inside the classroom but in everything they do.

Mr. Speaker, we are proud to live in Alberta, and we are lucky to live in Alberta. There is no reason that our children should not have a world-class education in a province as great as ours. There is no reason that our children should not be raised in a strong and free Alberta, an Alberta where parents’ rights are respected, an Alberta where students are truly being put first.

I’m glad to see that the current government has listened to many of the concerns that my friend the hon. Member for Airdrie raised in the previous Legislature. It is fantastic to see that Bill 3 respects the rights of parents to have the ultimate say in their children’s education. Mr. Speaker, I know that this recognition of parental rights will ultimately provide a better education for our future generations, and it will ensure that parents are the ultimate deciders.

It is great to see that we have a Minister of Education that has recognized the many flaws in the previous versions of this legislation and has listened to the concerns of the opposition and, more importantly, listened to the concerns of the parents. You may remember, Mr. Speaker, that parents had to march to the steps of this building in order for their voices to be heard. Although it took such measures for their voices to be heard, I am hopeful that this government has learned that you need to meet with parents and teachers and that by doing so, the best possible results will be achieved.

Mr. Speaker, I would also like to recognize that there are still some flaws with this bill, that my friend the hon. Member for Chestermere-Rocky View has addressed and will continue to address. I look forward to supporting this bill along with my

colleagues so that we can ensure that our future generations have the best possible education with the best possible opportunities. There will be amendments to fix the flaws, and I will readily vote in favour of positive changes. Mr. Speaker, on behalf of the parents and constituents of Medicine Hat I look forward to supporting the bill.

Finally, Mr. Speaker, let me finish by saying this: we must always remember that we are here to represent our constituents, and we are here to listen to them and make the best possible decisions. By working together and listening to the public, who truly are our bosses, I believe that we can make good decisions, and that is exactly what I came here to do.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is also available at this time.

Are there other members who wish to speak to the bill? The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thank you, Mr. Speaker, for the opportunity to speak to Bill 3, the Education Act. Quite frankly, I think it’s appropriate that this bill is named Bill 3 as it’s the third time this government has introduced this act. Like they say, the third time is the charm. Hopefully, we’ll be able to get it passed this time.

You know, I’m glad that the time was taken to consult with concerned stakeholders about the implications of this proposed bill. It’s been a long time since the last Education Act, and when a lot of time passes, it’s tempting to make wholesale changes. After all, this bill is nearly 200 pages long. There were a lot of concerned groups. All too often people will point fingers at special interests, but there were concerns, and they have been brought up in this House already from home-school parents as well as those who teach in the public, separate, and charter schools.

My colleague from Airdrie and I and colleagues from Calgary-Glenmore and Fort McMurray, who are no longer with us, spent many, many long hours debating this bill in the spring Legislature. It’s amazing when you think back to all of the comments that were made at that particular time from members of the opposition in regard to painting us as, you know, taking some serious time on the debate of this bill. Lo and behold, the amendments that we were proposing in regard to parents having the ultimate right and the section under human rights have been changed.

I guess for us it’s another Wildrose victory, but I think, more importantly, it’s a victory for parents in this province that actually spent the time and spent absolutely hours upon hours upon hours . . .

**An Hon. Member:** Cheers.

**Mrs. Forsyth:** I think one of the members is trying to speak to me or raising his cup to me. Maybe he’d like to get up and debate. The Member for Edmonton-Gold Bar, I think it is, can have the opportunity to speak if he’d like.

You know, Mr. Speaker, I think everyone knows that from the moment I was elected in this Legislature, I’ve always stood up for children. It’s been one of my passions. My colleague next to me talked about his passions in the throne speech, having been the father of four little boys, the importance that he thought about education. He spoke very, very eloquently about that.

As the former minister of children’s services I brought the Amber Alert program to Canada. I’m still very, very proud of that. A piece of legislation that I actually brought forward as a private member’s bill with the Official Opposition, the Wildrose, is the Mandatory Reporting of Child Pornography Act, which, if I may,

Mr. Speaker, was passed in this Legislature but still hasn't been proclaimed. You sometimes wonder exactly where the government is.

In that time in this Legislature, as I've said, my focus has always been on vulnerable children. I've got to tell you that I was pleased to see in the bill the inclusion of bullying. I look back on that with some pride. I just want to take people back a step in the Legislature, if I may, please, because I brought the bullying bill forward to the Legislature in 2008. It was Bill 210, the School (Enhanced Protection of Students and Teachers) Amendment Act, 2008. Now, Mr. Speaker, I haven't had time to go through here to see if you were one of the people that spoke on that particular bill, but I can tell you that as a private member's bill there were many members of this Legislature that got up and spoke in support of that bill.

8:50

At that particular time it then followed with Bill 206, the School (Enhanced Protection of Students and Teachers) Amendment Act, 2009. We talked at that particular time, and I talked at that particular time. It was a very innovative piece of legislation, if I may say so myself, because I did what I naturally do, and that's consult with people that are very on top of issues. In that particular bill, 206, the School (Enhanced Protection of Students and Teachers) Amendment Act, I talked to students, I talked to teachers, I talked to the resource officers in the schools, and I talked to police officers. All of those people collaborated and came together with what we had considered at that particular time probably one of the most innovative pieces of legislation across this country to deal with the issue of bullying.

You know, I'm just going to give you some ideas. I spoke in the Legislature in 2009.

Thank you, Mr. Speaker. It's my pleasure to introduce [the bill] . . .

Our society is changing rapidly. We have all these new technologies – Facebook, Twitter, YouTube, text messaging – and somebody is probably inventing a new way to communicate right now as I'm speaking. All of these technologies have put a new face on an old problem, [and that's] bullying.

As I mentioned earlier, we have a very large, large piece of legislation, and I haven't had a lot of time to look at exactly all of the education. But I can tell you that there are several concerns that as a member of the Official Opposition, Wildrose, I think have to be brought to the table in regard to what they're discussing about bullying and how they think that's going to be enhancing and helping the kids that are going to school on that particular issue. We're going to have some time, and I'm going to have some time to sit down and read the legislation very closely, but immediately what comes to mind with this particular piece of legislation is the fact that there are several things that I don't see in it.

The first thing that I don't see – and I can stand to be corrected by the Minister of Education; he's here – is where it talks about weapons and how you're going to deal with weapons in schools. I'm sure that he will point out to us that piece of legislation because that's very key when we're trying to deal with protection of our kids in schools because kids carry weapons. At that particular time in 2009 I talked about the fact of the bullying that was going on and children carrying billy clubs into the school. Now, one must ask oneself what kind of an education tool a billy club is in the back of a backpack that a student will be carrying into school.

We also talked in my particular private member's bill about drug paraphernalia. That kind of thing I haven't seen in the

minister's bill on education. I'm sure that he's going to be able to tell me what is included and where it is included.

I think we need to get some clarification on: no student shall bully another person. I know that they talk about: "refrain from, report and not tolerate bullying or bullying behaviour directed toward others in the school, whether or not it occurs within the school building, during the school day or by electronic means." I think one of the questions that this minister has to answer is: does that include on a school bus? I can tell you that children are bullied on the school bus. We heard that in full when I brought the legislation forward in 2008 and in 2009.

I think one of the other things that, you know, was brought to my attention by the police resource officers and the police that were in the schools is the ability for the teachers and the principal to have a reporting mechanism in place to track the bullying because the bullying escalates. While it can start as a simple push on the grounds, that bullying can continue to escalate.

When I spoke in the Legislature in 2009, I talked about a horrific bullying incident that actually happened in the schools in Edmonton. I don't know if you remember, Mr. Speaker. The parents spent hours upon hours in the Legislature. I will refer to that as we go into the committee because I think it's important. I talked about this poor child, the bruises, the horrific – horrific – damage that was done and that he took to his personal parts. Fed up at the very end, he went home towards the end of the school year and decided that that was enough and obviously committed suicide by starting the car and closing the garage door. I know that if this government is really serious about the issue of bullying and the addition, if I may, of the protection of students, it's important that we need to talk.

I'm sure the minister will tell me if this new bill, the Education Act, talks about the protection of teachers. I again will go back through *Hansard* and talk about all of the teachers that I heard from that were bullied. They were not only bullied by students, but they were bullied by other parents.

So if we're going to have what is considered a comprehensive, well-thought-out, innovative piece of legislation that the government can brag on, and rightfully brag on, as the new Education Act, I think these are all of the things that as a government they have to think about. As the Official Opposition we're going to take some time and spend the weekend. I'm going to talk to my colleagues. Many of them have talked about being parents of 13 to being parents of four and the importance of getting this particular piece of legislation right and making sure that our number one priority, if I may, is the education of our children and, no question, absolutely, the protection of our children. By saying that, I also want to incorporate and stress the importance of the protection of our teachers.

Having said that, Mr. Speaker, I'll sit down, and hopefully the minister will answer some of the questions that I've brought forward and will maybe have his staff – I know as a former minister that he has staff that will be able to probably go through *Hansard*. If his staff hasn't got time – and I know he's very busy – we'd be pleased to give him the information for *Hansard* for him to be able to access the bill, access the conversation, access what was incorporated in the bill. We'd be pleased to help him through the process of making the Education Act probably the best education act in this country.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Are there any questions or comments under Standing Order 29(2)(a)?

Seeing none, I'll recognize the hon. Member for Calgary-Shaw.

Oh, sorry. The hon. Member for Edmonton-Highlands-Norwood, did you want to comment under 29(2)(a)?

**Mr. Mason:** No. To speak to the bill in my turn.

**The Deputy Speaker:** I'll recognize you next. I recognized the hon. Member for Calgary-Shaw already. Thank you.

**Mr. Wilson:** Thank you, Mr. Speaker. It's no secret that the foundation of our entire province is the education system. A strong education allows our children to thrive. It strengthens our social fabric, and it is the foundation for long-term success, benefiting all Albertans.

I would be remiss if I chose not to mention, much to, I'm sure, the disappointment of the members, specifically, for Edmonton-Gold Bar, Calgary-Mackay-Nose Hill, Lesser Slave Lake, and perhaps the Minister of Transportation, the good work that our colleagues over here did in the spring to have this amended. If you would so choose to raise your glasses, as I saw you doing earlier . . .

**Mr. Anderson:** Cheers, cheers.

**Mr. Wilson:** Exactly.

The good Member for Airdrie, the Member for Calgary-Fish Creek, and the former members of this caucus fought hard for some changes to this bill. Mock it if you like, but we're proud of these changes. It's democracy in action. I think that there's a lot to be proud of here.

9:00

Now, it was a very important issue in my riding. I actually had a couple of individuals who came up to Edmonton for the protest that day. They had never taken part in the political process before. They didn't really know what to expect, but I'm sure that what they see here today and the results of Bill 3 as it stands are a great reward for them. It demonstrates to them and, hopefully, all Albertans that citizen engagement should not be overlooked. It is a very powerful thing in this democracy, and it should be used any given time.

I would also like to say that we need to recognize the value of teachers in our society. Next to parents, teachers are the single biggest influence that our kids are going to have. We need to ensure that they are able to maximize that value and give them the support that they require when they are in the classroom. As noted earlier, teachers face many challenges, and we need to ensure that they're supported. If they have children with special needs, ESL students, and they're holding back others, and there is not the support there to ensure that everyone can move forward as a group, it's a detriment to the entire process.

I think that this may relate in some interesting ways back to some of the other policies that we see in Bill 3, specifically changing the age of access to 21 and the age of compulsory attendance to 17. I share the concern that my hon. colleague from Little Bow and others today have brought up about having 21-year-olds in the classroom in high schools with, you know, someone perhaps the age of 15 to 16. It's not because their lives are threatened. It's just simply because they have a different set of life experiences that they're bringing. They have gone through a different level of maturity than someone younger, and that can pose somewhat of a threat to the natural progression and natural growing up and maturing of those young people. It's a valid concern, and I look forward to debating it in this House.

I think that what we need to recognize, though, is that perhaps we have an opportunity here, instead of band-aiding some of these

causes, to try and approach this from a root cause perspective. I think that when we say that kids are being left behind at a young age, when they're a grade or two behind in math or a grade or two behind in reading, and the rest of the kids are moving forward, these are the kids that are going to be the ones dropping out in high school. If we could just find a way to fix the problem at its root, to give teachers the support that they require in the classroom so that these kids aren't left behind, perhaps we wouldn't have almost what could be considered an epidemic in our province because we have one of the highest, if not the highest, dropout rates in the country. I just think it's an opportunity, and I hope that the hon. minister looks into some of these support systems that could potentially help fix this.

If we look at the social costs of letting these children slip through the cracks at an early age, do a cost-benefit analysis as to what the grand societal cost is as they perhaps require further government services in the future, if we just transplant that money, invest it in prevention, we may have a very different result. Let's try and break that cycle by providing teachers the support they need and have been asking for for decades, and let's start catching these kids early.

Another thing I'd like to bring up is the potential use of schools. This government has a very aggressive agenda for building new schools. [interjection] That wasn't a joke. Some of us over here tend to think it is, but we'll take the government at their word at this point.

I'd like to argue that schools can be used for so much more than simply educational institutions. It's a massive piece of infrastructure. It can be the hub of a community. We spend tax dollars to build and maintain these schools, but many of them sit empty after 5 o'clock. They have so much potential to do good things in the community. Have after school programs in there. Community groups or associations can use them. Use them as educational facilities for adults who require remedial training, perhaps the 18- to 21-year-olds, or ESL training for some of the immigrant population that we have in our province.

We can use them for evening or late-night daycare facilities and assist women in poverty who are struggling to find solutions to earn a living wage. We hear this all the time. As the critic for the Human Services portfolio I spend a lot of time with nonprofit organizations in Calgary, and one of the major issues facing women today, especially women in poverty, is the fact that they cannot find affordable daycare and accessible daycare outside of the main hours of 9 to 5. Well, if we have a school in a community that's accessible, that doesn't require a commute, that's got transit that goes by it, let's open this up to our communities. Let's stop charging obscene amounts of money to rent these facilities. It becomes cost prohibitive.

There are provinces in our country that have been doing this. It's a pilot project. I believe New Brunswick has a lot of success in this, Mr. Minister. I would highly encourage you to pick up the phone and see what your colleagues in that province have to say about a system like this because we, again, have an opportunity, with the number of schools you are suggesting you are going to build, to do so much more good than just simply educating our youth.

Now, in my riding I've recently had the opportunity to visit a couple of schools. One of them is Centennial high school. I was thoroughly impressed with the level of education that is being offered here. It's so different than what I experienced when I was in high school. It's got experiential learning, classes on leadership. Who would have thought? What a great idea. Let's teach our young kids about the values of leadership, about the values of community service, volunteerism. There is a full salon that oper-

ates out of this high school. There are engineering suites so kids can get an entrance into thermal dynamic engineering, electrical engineering. Now, this is a major industry in Calgary. These kids are able to just transition seamlessly into these programs in university, and it's all because of the innovative thinking that our public school systems are doing. I think it's great.

I've also visited the grade 6 students at the Fish Creek school and was so impressed not only by their level of engagement but by the fact that, at a school with 700 students, they have over 400 full-time volunteer parents that come by and help out. Four hundred. That's incredible.

As the father of a two-year-old, and this act is going to impact how he is educated in this province. I take this process very seriously. I'm encouraged by much of what we see in this bill. I look forward to further debate, and I look forward to helping pass this important piece of legislation.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Any questions or comments under 29(2)(a)?

Seeing none, I'll recognize the Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Speaker. I'm pleased to rise and speak yet again to the latest iteration of the Education Act. This particular session it's numbered as Bill 3. I want to indicate that there's much about this bill that is praiseworthy. There's much about this bill, I think, that the New Democrat opposition can support. I have to say that the consultation process was exhaustive, some might say repetitive, with regard to this bill.

I think that there are some good things about it. I think the provision to give natural person powers to boards is a positive thing. When I served on Edmonton city council, legislation was introduced by the government to give natural person power to municipalities, and I think it proved an effective tool for municipalities so they weren't so narrowly constrained by the "You can do this, and you can't do this, and you can do this, but you can't do that" approach that had previously existed. I think that it will tap into the capacity of boards to be innovative and creative in their approaches. I think that that's a good thing, and I think, frankly, Mr. Speaker, there are many other aspects that I won't really touch on tonight in second reading that are worthy of support.

I want to talk a little bit about a couple of things, though, that I have a concern about. The first one has to do with the government's approach to bullying. It talks about bullying in this particular piece of legislation, and that's a good thing. It should do that. It should address it. We need to ensure that there are programs in place, steps in place, safeguards in place in order to prevent bullying in the schools.

I think that it's important that we give principals and teachers the authority to deal with bullying both on and off school property and, as well, empower them to deal with it online. However, I think there are some real challenges facing an administrator who has got to balance fixing the roof, funding the athletic program or the music program, managing a staff of teachers and other staff, and so on and who is also charged with monitoring the Internet. But I think, in that sense, there is a step forward.

However, I do want to raise a real concern. It was raised by my colleague today in question period, and that is provisions in Bill 44 that prevent teachers from dealing with many issues that commonly give rise to bullying in schools. That has to do with religious discrimination. It has to do with gender discrimination and with discrimination against GLBT students.

**9:10**

To prevent teachers from talking about these things in the school, to in fact subject them to being hauled before the Human Rights Commission if they don't deal with the parents first before dealing with these things I think is creating more potential for bullying and prevents schools from being able to provide the appropriate education in order to make sure that we fully accept all students and that we prevent discrimination against those students based on their sexual orientation, their gender identification, in some cases their religious beliefs. All of those things, I think, cannot be excluded from discussion in the classroom if we truly want to build bridges of understanding between all people and all students in our classes.

I think the government has tied one hand behind the backs of principals and teachers in dealing with bullying, and I don't think, unless they're prepared to rescind those particular sections, that they can truly say that they as a government are truly interested in doing everything possible to prevent bullying in our schools. That's an issue I think we're going to be talking about quite a bit in the debate with respect to this.

A related thing that's of concern to us, Mr. Speaker, is the amendment that members of the Wildrose and some members of the government were just toasting a little while ago, and that is changes that remove the reference to the Canadian Charter of Rights and Freedoms and the Alberta Human Rights Act. I think it's deplorable. I think that it is pandering to fringe groups in our education system, and the vast majority of students who participate in the public school system will suffer as a result.

The Alberta Bill of Rights was Bill 1 of the Peter Lougheed government when this Progressive Conservative Party was first elected in the province of Alberta in 1971. In those days Bill 1 really was a big deal, and the fact that this Conservative government is running away from it, won't even talk about it in the act, won't even make it something that we talk to our children about is deplorable. It's gutless. I'm amazed that they caved in to the Wildrose and their allies on this issue. I think it's disgraceful. Mr. Speaker, that's something that we want to see put back in. That's something that we believe in.

Just to finish, Mr. Speaker, I want to talk about the things that the bill doesn't address. It doesn't address the fact that we still have a serious shortage of teachers, that we're hundreds of teachers short of where we were a couple of years ago, that the number of aides and support, especially for children with special needs, has been cut way back. The provisions of this bill allowing an appeal to the minister won't deal with that effectively. The massive problem we have with deferred maintenance in our school system is not addressed.

The approach of creating new schools through P3s is another problem that I think this bill could have addressed. I think it's important that we put in this legislation that schools need to be owned and operated by the public school system and by school boards. I think that the government is blindly going in a direction that it doesn't fully understand the consequences of.

If you look at the situation in Britain, where P3s have been used extensively, there are major failures throughout that system. Those chickens will come home to roost, perhaps not in this term of the Legislature, but down the road the problems will exist. School boards are of course desperate to get funding for new schools, so they accept the P3s, but they have started to document the problems related to P3s. The real problems will only come when the schools are quite a bit older, I'm afraid, Mr. Speaker.

Nor does the bill effectively deal with the government policies that encourage the closure of schools in older neighbourhoods,



discriminatory utilization formulas and so forth that pressure school boards to close schools in older areas, making the revitalization of those communities much more difficult. That's a piece, I think, that the government doesn't yet understand.

Mr. Speaker, with regard to that, I'm sure that we're going to have a very good debate. I think there'll be some good amendments and discussion to follow.

I want to indicate that I'm really quite of a mixed view on this bill. There is much, as I said, in this bill that is positive and praiseworthy and will help our children, help our educators, and help those people who are administering and setting policy for the various school districts, but there are some serious concerns that we have with respect to this. We want to strengthen public education, and we want to ensure that students get the best teaching and the best curriculum that is available, that broadens their view, that broadens their outlook on society and their fellow human beings, and we want to make sure that that is available to all children in our society.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Any questions or comments under 29(2)(a) for this member?

Seeing none, I'll recognize the Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. First off, let me congratulate the hon. Education minister, my good friend and neighbour to the north, for finally incorporating some common sense into this bill.

The previous bill, of course, was introduced by the former Education minister, who was then promoted to Deputy Premier. In it he tried to force the Alberta Human Rights Act on home-schooling parents and others in the guise of defending human rights. Nothing could be further from the truth. Those who take on the socialist forum and agenda claim to be defenders of minorities in advocating for these types of absurd policies that were proposed in the previous bill, but in reality these people have been advocating for the perpetual encroachment of the state on the family, and this is an injustice.

Mr. Speaker, my constituents spoke loud and clear in the last election. It is parents and not the government who should be primarily responsible when it comes to education. In particular, when it comes to morals and ethics, it should be, again, the parents and not the government who should be making those decisions.

When this bill came out, I asked a constituent of mine who is a home-schooler – her name is Crystal Dean – and she got some messaging from other home-schoolers in our area and across the province. I'd like to read a few quotes from that. I asked her what she wanted the government to know. She stated:

We want them to know that home schoolers aren't against human rights. In fact many of our families stand up for the rights of those who have no voice, those suffering and injured.

Due process and the basic presumptions which guide the legal system are not the foundations on which [the human rights] tribunals [exist]... The embedding of the Alberta human rights act sets off red flags. Why does an existing legislation have to be embedded in the education act?

She asks:

If the [Alberta Human Rights Act] is already overarching as it is commonly suggested, what is the purpose to it being placed in to another act?

True hate crimes need to be prosecuted as criminal under the Criminal Code.

9:20

She states, again:

Education programs offered and instructional materials used in schools must not promote or foster doctrines of racial or ethnic superiority or persecution, religious intolerance or persecution, social change through violent action or disobedience of laws.

She concludes, saying:

Prosecuting individuals who speak their mind is a type of social engineering and societal control that is a loss of human rights.

Mr. Speaker, I think those statements are well said, and I applaud her for passing on those words of advice to this Legislature.

Again, I just want to applaud the current Education minister for putting forward this bill and listening to Albertans and, in particular, home-schoolers across the province. I look forward to working with you to strengthen this act.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Any questions or comments under 29(2)(a)? The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Speaker. I do have a question for the hon. member. He did read the current wording of the bill with respect to showing – I forget the exact word – tolerance based on religion and so on, but the particular legislation does not include ensuring that there's no discrimination against gays and lesbians in schools. Does he think that it should be amended to make sure that those things are included?

**The Deputy Speaker:** Hon. member.

**Mr. Saskiw:** Thank you, Mr. Speaker. Of course, what we're talking about here is parental rights, and I think that if you look under most enabling legislation, parental rights are supreme. I think it's a fundamental difference of opinion on this side and apparently on the other side as well that we believe that parents are primarily responsible for teaching their children education as well as morals and ethics. Of course, it has nothing to do with those types of rights. Those rights are already protected in the Charter and other enabling legislation, and anyone that is found guilty of violating that type of legislation can be brought before the courts. This legislation has nothing to do with that.

**The Deputy Speaker:** Hon. member.

**Mr. Mason:** Thanks very much, Mr. Speaker. Well, I just want to follow up with that, and I've found it here now. It says that instructional materials and courses and programs of study "must not promote or foster doctrines of racial or ethnic superiority or persecution." Now, what if that happens to be the religious view of a parent? It may not promote religious intolerance or persecution, but what if that is the view of the parent? So my question is: why do we have these things in here as prohibited ideas or prohibited courses and programs of study but not have protection for gay and lesbian students in schools? Are you suggesting that parents actually have the right to tell their children that they can discriminate against other students based on that?

**The Deputy Speaker:** Hon. member.

**Mr. Saskiw:** Thank you, Mr. Speaker. Of course, that definition has been in place for decades, and in this province we have many different people and many different faiths, and those types of

views have to be respected. True tolerance is also respecting those views as well.

In the previous bill the issue that we had was that the Human Rights Commission and their opinions – and it wasn't a definitive certainty – potentially could have been forced upon home-schooling families to dictate the morals and ethics in their own home. I quite frankly find that type of issue deplorable. Parents in their own home should always have the right to teach morals and ethics, and I stand by that.

**The Deputy Speaker:** Hon. member.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, this also applies to the public school system. Does the hon. member then believe that we should be tolerating discrimination, bullying against students in our public system who have different sexual orientations?

**The Deputy Speaker:** Hon. member.

**Mr. Saskiw:** Thank you, Mr. Speaker. The Human Rights Act already apply to the public system and the Education Act.

**The Deputy Speaker:** Are there other comments?

Seeing none, are there others that wish to speak? I'll recognize the Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Speaker. It's a great pleasure to rise and speak to Bill 3. Before Bill 3 we had Bill 2 and Bill 18, and I think we have been hashing them around for a long time. This is the third time. I hope we get it right this time, but it doesn't look like it.

Mr. Speaker, lots of work has gone into this. You know, there are many good measures in the bill that will improve education in Alberta. I'm a strong supporter of the public school system. As the member before said, it should be publicly funded and publicly delivered like health care. This bill is not addressing the shortage of teachers, class sizes, and so on and so forth.

This is a major revision of the School Act which the department describes as less prescriptive, meaning that it allows greater flexibility than the School Act did. You know, it has been largely uncontroversial except for a move by some social conservatives to ensure that parental rights remain such as being able to receive notice and pull their kids out of sex education instruction or where sexual orientation is discussed and to remove a reference to the Charter of Rights, where sexual orientation is a protected ground.

This is generally modernization of the old School Act and mostly administrative in nature, and it has broad support among the school community and Albertans at large besides the provisions of section 16, diversity and respect. While it is large enough, a large bill, you know, we can probably find something to dislike about this. The majority seems agreeable to most because there are lots of good measures, like I said, in the bill, and this bill will generally improve education.

We oppose changes to section 16 as it discriminates against homosexuals. Section 16 of the new Education Act takes out the reference with respect to the Canadian Charter of Rights and Freedoms and the Alberta Human Rights Act in the previous act, and it replaces it with a reference to common values and beliefs of Albertans. As the school should be safe for everyone, including gays and lesbians, I don't know why this government won't stand up for gays and lesbians in Alberta. The Premier is a human rights lawyer. Don't gays and lesbians have specific legal rights in the Education Act?

Canada is an inclusive society, so why isn't the Education Act an inclusive act? We are the last province to include gay rights in the Human Rights Act. The GLBT are the most often bullied as they are seen as vulnerable. If bullying is a priority, why not include specific protection under this act? Bill 44, clause 9, specifically allowed parents to remove their children from instruction about gay and lesbian rights and lifestyles. Why discriminate specifically against gays and lesbians when it is not okay to discriminate against people with disabilities?

This act also replaces rigid, defined roles and responsibilities in the education system, and that contains most of the legislative guidelines regarding education in Alberta. This act was passed in 1988, and beside minor administrative changes it has not been revised since. You know, some of the changes are to modernize the School Act. The school board responsible for funding a child's education changes to where the student lives, and that's a good thing. I support that. Students currently get free high school education to the age of 19, and that will change to 21. This will give the opportunity to more Albertans to complete their education. I like this measure also.

**9:30**

The mandatory age to attend school changes from 16 to 17. That's also a good thing. Parents', students', and school boards' and trustees' responsibilities are also listed. Students are expected to take more responsibility. School boards must come up with codes of conduct, but not private schools, along with establishing a provincial bullying awareness week. These are all good things in the bill.

There are some good measures in the bill, and this will go a long ways to improving education in Alberta. As I said, I'm a strong supporter of the public education system, and we should be working to strengthen the public education system on the whole.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Any comments or questions to the member under 29(2)(a)?

Seeing none, I'll recognize the Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Mr. Speaker. It is my great pleasure to rise and speak to the educational needs of all Albertans and on behalf of the constituents of Lacombe-Ponoka. In the tabling of the new education bill I am pleased to see the changes made to the proposed act that was tabled in the last Legislature, specifically those eliminating the contentious sections that the parents and the Wildrose were opposed to. I'd particularly like to commend those recognizing the primacy of parental rights in the decisions in educating their children.

However, Mr. Speaker, there are still issues with the proposed Education Act. We the Wildrose believe that inclusivity for special-needs children is important but only with adequate supports. We've heard from many teachers that are concerned that special-needs children will be pushed into classrooms without the help, and that will be detrimental to both the children needing support and the rest of the class who have had their teacher pulled away to provide that support. I believe this to be in line with what is required in our classrooms.

A kindergarten teacher in my constituency has asked me to share a letter with all of you, my colleagues in this Legislature.

Dear [Mr.] Fox,

I would like to make you aware of some of the concerns I have regarding the Education system in our province and within your constituency. I feel that these concerns are very important and show that it is becoming more and more difficult for teachers to give top quality education to our children.

This is My Story.

Under the Learning Commission of 2002, the recommendation for Division One classes is to have no more than 17 students in a classroom. This year, I have 23 children in a full day, full time, 5 days a week Kindergarten class. The full time position is supported by the school (not the school board) which pulls money from other areas.

The Government is advocating for inclusive Education. The funding for Special Education has been frozen for the last few years, and I have heard that it will be reduced another 25% in the future. Of the 23 children in my class, 16 are on Individual Program Plans for Mild/Moderate needs. I have one full time Educational Assistant. At this point, the Educational Assistant is already pulled from the Kindergarten room to help in another classroom for 5 periods a week. I have been asked to let her assist in other Grade 1 to 9 classrooms in our school as well, to support the high number of special needs students in these rooms. This does not help support the special needs of our youngest students, nor does it help me to provide adequate instruction for the regular students.

She goes on to ask:

Why is it that the richest province in Canada is not helping to provide the best learning environment for our children?

With that, Mr. Speaker, I would like to cut my comments short and just thank you for the time here this evening to hear the issues of one of my teachers, one of my constituents, here in this Legislature. Thank you so much for your time.

**The Deputy Speaker:** Thank you, hon. member.

Are there any questions or comments under 29(2)(a)?

Seeing none, hon. member, I'd just like to remind you that it is customary and a requirement when you quote from a document that that document be tabled. I would hope that maybe tomorrow you would table the appropriate number of copies of that letter.

**Mr. Fox:** Yes, Mr. Speaker.

**The Deputy Speaker:** Thank you.

Other speakers to the bill? The hon. Member for Vermilion-Lloydminster.

**Dr. Starke:** Thank you, Mr. Speaker. I wasn't planning on speaking on this bill tonight, but I feel compelled to, so please, I beg the forbearance of my colleagues in the House if my comments seem a little bit scattered as I'm speaking with very few notes.

I'd like to make a few comments, first of all. I think that the province of Alberta has a great education system. I think a big part of the reason for our province's success over time – over the last not just 40 years but 50, 60, 70 years – is that we do have a great education system. That system is a credit to everyone who is involved with it, not us here but, rather, the teachers, the parents, the trustees, and all those who have safeguarded that system over the years. In fact, our Education minister shortly after the election attended a conference in Korea in which the province of Alberta's logo was included amongst the top education systems in the world, and I think we can be justifiably proud of that.

One of the principles that we can also be very proud of is the principle of choice. Under the overriding and overarching education system that we have in this province, we have a great deal of choices available to parents. We have public schools, we have separate schools, we have charter schools, we have private schools, at least in some areas, and, yes, we also have home-schools. I guess, part of my reason for speaking here in the Chamber is that tonight I had something confirmed to me which I have known for a long time. Now I know that it's also an opinion

held by the leader of the New Democrat opposition, and that is that home-schoolers are part of a fringe group.

Well, I'm a home-schooler, sir. I guess mainly more correctly put, we're a home-school family. My two sons didn't learn a whole lot from me other than maybe swearing and a few other bad habits, but I will tell you that my wife, who is a doctor of veterinary medicine who holds a master of business administration degree, felt it was important enough to teach our sons at home that she put her careers on hold for 15 years so she could teach them at home. Now, that was a choice, Mr. Speaker, that we made, and I will tell you that both my mother-in-law and my mother were public school teachers. They did not support the choice that my wife and I made at the time because they felt that it wasn't a good parental choice, so it's not like we had a ton of support. It's not like we had support in our community.

In fact, Mr. Speaker, part of the reason why we chose this route is because our oldest son, who now is in his third year of a master of divinity program at Concordia Lutheran Seminary and, God willing, in a couple of years will be ordained as a Lutheran pastor, taught himself to read at the age of two and was reading at a grade 9 level by the time he was age six. When my wife told a good friend of ours, a teacher, about this young man, that teacher said: you know, I used to really enjoy having students like Roland in my class, but now they're just a problem. So you can understand why we made the decision to home-school instead of sending this young, precocious man, who we thought had great potential – and I think he still has great potential – to a school where he would create a problem for a teacher.

We made that decision, and, you know, we're glad we did. That was 1993. I'd like to point out that not too long before 1993 home-schooling was illegal in this province, and you could be taken to court if you tried to teach your kids at home. You might also find it interesting, Mr. Speaker, to know that home-schooling is still illegal in two EU countries, namely Germany and Sweden. You can't home-school your kids in Germany or Sweden. In fact, there was a story in the recent *Epoch Times* about a family who have become educational refugees from Sweden, who have actually left Sweden to live on an island that is technically in Denmark so that they don't have their kids taken away from them by the Swedish government for home-schooling.

9:40

Mr. Speaker, it's interesting. Parenthetically, I'll tell you a story. When we lived in Germany 12 years ago and our youngest son was 10 years old – our younger son is also in university; he's taking a poli sci degree at U of C – he walked down the street one day, and he was going to go buy buns at the bakery. An elderly lady stopped him and said: why aren't you in school? We found out later that, in fact, everyone in Germany is entitled to be a truant officer. If they find a child on the streets during school hours, they're entitled to report that child at least in the state of Bavaria, where we lived. My son knew exactly what this woman was asking him, and what he did was feign that he didn't understand German, which actually worked pretty well. That's the kind of thing that home-schoolers fight against, and sadly we still fight that in the Legislature in 2012.

Why am I concerned about this? Well, I will tell you that we talk a lot about the concerns of home-schoolers, but I've been there, my friends. I've been there. I've taken the ridicule from people who say, "You know, your kid is going to be a weirdo, your kid is going to be socially inept," and all those things. I'll tell you that you have to stand up for what you believe in. My wife, I think, did a tremendous job in helping those boys along, and I'm terribly proud of her.

I have to tell you that where this then leads me today is that before the election, knowing that I was a home-school parent, I was approached by a lot of home-school parents, not just home-school parents but others. They told me that they chose home-schooling for a lot of different reasons but that the primary reason was one of choice, one of choice and one of freedom, one of the opportunity to choose when you taught, where you taught, what you taught, and why you taught. In fact, Mr. Speaker, that's why we chose home-schooling, and if you ask home-schooling parents, that's why they choose it.

This government has always supported home-schooling as a choice. This province is one of only two provinces in the dominion where home-schoolers are funded by the provincial government. Alberta and one other province: that's it. Everywhere else if you decide to home-school, you're on your own. In fact, we have parents from Saskatchewan moving across to the other side of the border to live on the Alberta side of Lloydminster so they can get funding for their home-school programs.

Mr. Speaker, in the spirit of some of the discussion we had during the throne speech debate when we talked about working together, I have to tell you that I am bothered by my colleagues in the Official Opposition when they stand up and insist that all of the changes made to the Education Act were purely due to their efforts. Guys, it wasn't just you. There were people on this side of the House, many of my colleagues, who also had the ear of the Education minister and urged him to make changes to Bill 2 as it was in the spring session. Maybe, guys, you could follow the lead of Harry S. Truman when he said: it is amazing what you can accomplish if you don't care who gets the credit.

Mr. Speaker, in that spirit I think that we have an excellent piece of legislation. I'd like to congratulate the Education minister because he has brought forward this Education Act in a real consultative format and in a way that I do believe has improved it. Is it perfect? No. Show me a piece of legislation that is. But it is very good. If it's not perfect, if there are areas where it needs improvement, I urge hon. members to bring forward amendments in Committee of the Whole.

I'd like to close, Mr. Speaker, by encouraging my colleague the hon. Minister of Education because to me what he has shown through the development of this bill as he brings it forward is that he's following the words of Indira Gandhi. Indira Gandhi once said: "There are two kinds of people, those who do the work and those who take the credit. Try to be in the first group; there is less competition there."

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a). Questions or comments? The hon. Member for Airdrie.

**Mr. Anderson:** Yes, Mr. Speaker. That was a very good speech. I really enjoyed that and commend that he's such a passionate defender of the rights of home-schoolers and parents in education.

But I would ask the good doctor if he would go back, if he had read the *Hansard*, if he had seen the debates, and if he had noticed that the only thing standing between that act being passed as was and not being passed was four members on this side of the House that were berated repeatedly in this House by members on that side of the House, including your Deputy Premier, calling us intolerant for sticking up for home-schoolers, calling us deniers of human rights, calling us antigay, calling us all sorts of things.

We stood here. We took it. We fought. We stood on the steps of the Legislature. We did interviews on it, being called all kinds of

things by media and bloggers and so forth. We did it. So before you get a little too self-righteous on that, remember that just a few months ago that legislation would have been passed, and the home-schoolers that approached you would have been out of luck because it would have been in the Education Act. We stood up and we fought it. We have given credit to this Education minister and to yourself. Just remember that some people had to be berated over and over and over again on your behalf and on behalf of home-schoolers across this province.

**The Deputy Speaker:** The hon. member in response.

**Dr. Starke:** Mr. Speaker, my response to the hon. Member for Airdrie – and I'll try to be succinct. You know, what you did in the spring session was fine, and it was great. I didn't read every line out of *Hansard*, but I was well aware of the opposition you placed in front of it. I thought I made my point about taking credit fairly clear, but maybe I didn't.

**The Deputy Speaker:** Are there other questions or comments?

I'll recognize the hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. I just want to make a note that I'm not rising for the second time speaking on this bill. It was an error the first time, if you remember correctly. I actually went and spoke on three bills all at once.

**Mr. Anderson:** A multitasker.

**Mr. Anglin:** I am a multitasker.

But I do want to extend my congratulations to the government and to the Minister of Education because there were some serious flaws in the previous bill – serious flaws – and I'm going to share some experiences on that. Something took place here that I think is significant, and it doesn't take place very often, which is that the minister listened and did make some changes. I know there are people who don't agree with the changes, but the reality is that this is about a democratic process.

I have to tell you that I learned something about my constituency during that whole process. I was not elected at the time, but even when I ran for office and since I've been elected, what I discovered about my constituency is just how prevalent home-schooling was. I knew it existed. I have friends who do it. What I didn't realize was how many people were doing it. I live in a very rural, sparse riding, and there are hundreds and hundreds, maybe thousands. It's absolutely amazing how many people take advantage of this, and what they were worried about was their right to choose. That was their concern.

I have to tell you that, like with many other issues, mostly this government doesn't listen. It took thousands of people to come up to the Legislature. To me, that's really not necessary. There were petitions from all around the province. The reality is that you hear these things, and you don't necessarily have to see them. But it happened, and you made the changes, and I'm grateful for that. But it shouldn't be like pulling teeth to make changes. We can read this legislation. We can see mistakes. We should not be afraid to make the changes and should not be afraid to even admit when we try to make changes that we might have to correct those. Nothing can be perfect. We always need to listen to the criticism and be willing to work on that.

Now, there are a couple of things that didn't happen in the bill. I'm not sure if they should or should not be in it, and maybe the minister can comment on it when I'm done.

9:50

School bus safety. Yes, we have a great school system, but I will tell you, knowing other jurisdictions, that our school bus safety is not up to par, and it's not the best. In my own community we had an extreme tragedy, and I can tell you that there are other jurisdictions where no motorists would dare pass a school bus. They would not. The penalty is too stiff. Something that maybe this bill could actually take a look at is school bus safety. We did talk about bullying on the school bus, and that would be an issue, but school bus safety is more than bullying. In my community nearly 80, 85 per cent of all students ride in these school buses for great distances. In my community alone – I live in the town of Rimbey – some of those students don't get home for 90 minutes after school. That's how long it takes the school bus to make its route. So it is something that is actually of deep concern.

The other thing that was mentioned – and we do need to address this – is the amount of money that we fund education with and how much of it goes to administration versus how much gets to the front line. We are losing teachers, and particularly with special needs we do not have enough aides. I'm hearing that from school board to school board to school board, and that is significant. You need to hear that.

Dealing with these types of issues is significant, yet all of a sudden, even in my own riding, I'm hearing that teachers are going to take a trip to Las Vegas on the school board's dime to attend training. Now, I'm not against teachers' training. I think teachers' training is absolutely important. But do they need to go to Las Vegas in the winter? I have to tell you that that looks like the Premier's trip to the Olympics. I mean, it is a holiday. You can't look at it any other way. Professional training is absolutely necessary, but the fact is: do you need to spend the money to go there versus bringing that training here? That is about being efficient and dealing with the whole issue of properly spending money and having accountability.

The other thing. I do want to talk about this because it is important, and it's one of the great advantages of being here in Alberta. My whole family went to Catholic school. I got expelled in the first grade, so I went to public school.

**An Hon. Member:** Really?

**Mr. Anglin:** Yes, from an Irish Catholic family. I devastated my family. I was public school educated. I'll explain that later.

My son, who does not take after me, who takes after my wonderful wife, is an extremely brilliant child. He's an extremely brilliant kid. He was 17 years old, and his teachers came to me and said: "He has surpassed us in physics. He has surpassed us in calculus." So we had to go do something to help him be challenged because his teachers couldn't challenge him anymore. For us there were options out there, and that to me is the real value. I mean, there's no question about it.

We can't create a perfect world legislatively, but we can create the options and give the parents the rights to take those options and make good use of them. That's what I was able to do. I was able to find something private for my son so that I could challenge him, so I could have him challenged, so that he could continue on. Lo and behold, my daughter is in the arts and music, and that's a big issue. I take my daughter now up here to Edmonton so she can

then choose to go, and actually she excels at what she does, playing the piano. She taught herself on the guitar, and now she's gotten into drama. These are things that are all part of her education.

It's because of our educational system and the broad choices we allow that allows that to happen. What I would like to see is that all Albertans have the access that I have, and I know not all of them do. That is an issue of poverty versus somebody who can afford to take them. It is an issue that we have to think about. We can make improvements.

I want to say something that is near and dear to my heart. Anybody can take credit for making changes. You're right. Not anyone can say that they stood out on those steps or stood out on the front line. You either are there or you're not. I'll tell you something, and you need to think about this in that caucus over there. If you stand up too strong, you will find yourself sitting over there behind him. It's happened, and that's important to know. You can giggle about it, but that's a fact. I have fought this government. Many of you know this, and many of you will never come and debate me on those issues when I go out and fight, and I still do it.

The reality is that it takes a lot of courage to go out there, and it's easy to criticize from way back there, isn't it? There is the difference. I'm going to share something that Gandhi did say: first they will laugh at you, then they will mock you, and then they will listen.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Any questions or comments under 29(2)(a)?

Seeing none, are there other speakers who wish to speak on the bill?

Seeing none, I will ask the Minister of Education to close debate.

**Mr. J. Johnson:** Thanks, Mr. Speaker. I just want to say that there have been some great comments here tonight and some great debate. You can get the sense of the passion and the diverse views not only in this room but that reflect what's happening right across Alberta with this very important bill. But I do believe that we found a good balance between some of the contentious issues of affirming the role of the family in Alberta while still making sure that we're not eroding any application of the very important and foundational Alberta Human Rights Act.

We have been given some good questions, and we'll come back and be able to discuss those at length in committee. Right now I'd like to call the question, Mr. Speaker.

[Motion carried; Bill 3 read a second time]

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

**Mr. Campbell:** Thank you, Mr. Speaker. Seeing that it's close to 10 o'clock and that I think we've made good progress tonight, some real good discussion on bills 1 and 3, I'd ask that we adjourn the House until 1:30 tomorrow afternoon.

[Motion carried; the Assembly adjourned at 9:57 p.m. to Thursday at 1:30 p.m.]



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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Thursday, October 25, 2012

Issue 9a

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta  
The 28th Legislature**

First Session

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Kennedy-Glans, Donna, Calgary-Varsity (PC)

Khan, Hon. Stephen, St. Albert (PC)  
Klimchuk, Hon. Heather, Edmonton-Glenora (PC)  
Kubinec, Maureen, Barrhead-Morinville-Westlock (PC)  
Lemke, Ken, Stony Plain (PC)  
Leskiw, Genia, Bonnyville-Cold Lake (PC)  
Luan, Jason, Calgary-Hawkwood (PC)  
Lukaszuk, Hon. Thomas A., Edmonton-Castle Downs (PC)  
Mason, Brian, Edmonton-Highlands-Norwood (ND),  
    Leader of the New Democrat Opposition  
McAllister, Bruce, Chestermere-Rocky View (W),  
    Official Opposition Deputy Whip  
McDonald, Everett, Grande Prairie-Smoky (PC)  
McIver, Hon. Ric, Calgary-Hays (PC),  
    Deputy Government House Leader  
McQueen, Hon. Diana, Drayton Valley-Devon (PC)  
Notley, Rachel, Edmonton-Strathcona (ND),  
    New Democrat Opposition House Leader  
Oberle, Hon. Frank, Peace River (PC)  
Olesen, Cathy, Sherwood Park (PC)  
Olson, Hon. Verlyn, QC, Wetaskiwin-Camrose (PC)  
Pastoor, Bridget Brennan, Lethbridge-East (PC)  
Pedersen, Blake, Medicine Hat (W)  
Quadri, Sohail, Edmonton-Mill Woods (PC)  
Quest, Dave, Strathcona-Sherwood Park (PC)  
Redford, Hon. Alison M., QC, Calgary-Elbow (PC),  
    Premier  
Rodney, Hon. Dave, Calgary-Lougheed (PC)  
Rowe, Bruce, Olds-Didsbury-Three Hills (W)  
Sandhu, Peter, Edmonton-Manning (PC)  
Sarich, Janice, Edmonton-Decore (PC)  
Saskiw, Shayne, Lac La Biche-St. Paul-Two Hills (W),  
    Official Opposition Deputy House Leader  
Scott, Hon. Donald, QC, Fort McMurray-Conklin (PC)  
Sherman, Dr. Raj, Edmonton-Meadowlark (AL),  
    Leader of the Liberal Opposition  
Smith, Danielle, Highwood (W),  
    Leader of the Official Opposition  
Starke, Dr. Richard, Vermilion-Lloydminster (PC)  
Stier, Pat, Livingstone-Macleod (W)  
Strankman, Rick, Drumheller-Stettler (W)  
Swann, Dr. David, Calgary-Mountain View (AL)  
Towle, Kerry, Innisfail-Sylvan Lake (W),  
    Official Opposition Whip  
VanderBurg, Hon. George, Whitecourt-St. Anne (PC)  
Weadick, Hon. Greg, Lethbridge-West (PC)  
Webber, Len, Calgary-Foothills (PC)  
Wilson, Jeff, Calgary-Shaw (W)  
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
    Government Whip

**Party standings:**

Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

**Officers and Officials of the Legislative Assembly**

W.J. David McNeil, Clerk	Stephanie LeBlanc, Parliamentary Counsel	Chris Caughell, Assistant Sergeant-at-Arms
Robert H. Reynolds, QC, Law Clerk/ Director of Interparliamentary Relations	and Legal Research Officer Philip Massolin, Manager of Research Services	Gordon H. Munk, Assistant Sergeant-at-Arms Liz Sim, Managing Editor of <i>Alberta Hansard</i>
Shannon Dean, Senior Parliamentary Counsel/Director of House Services	Brian G. Hodgson, Sergeant-at-Arms	

## **Executive Council**

Alison Redford	Premier, President of Executive Council
Thomas Lukaszuk	Deputy Premier, Ministerial Liaison to the Canadian Forces
Manmeet Singh Bhullar	Minister of Service Alberta
Robin Campbell	Minister of Aboriginal Relations
Christine Cusanelli	Minister of Tourism, Parks and Recreation
Cal Dallas	Minister of International and Intergovernmental Relations
Jonathan Denis	Minister of Justice and Solicitor General
Wayne Drysdale	Minister of Infrastructure
Kyle Fawcett	Associate Minister of Finance
Doug Griffiths	Minister of Municipal Affairs
Dave Hancock	Minister of Human Services
Fred Horne	Minister of Health
Doug Horner	President of Treasury Board and Minister of Finance
Ken Hughes	Minister of Energy
Jeff Johnson	Minister of Education
Stephen Khan	Minister of Enterprise and Advanced Education
Heather Klimchuk	Minister of Culture
Ric McIver	Minister of Transportation
Diana McQueen	Minister of Environment and Sustainable Resource Development
Frank Oberle	Associate Minister of Services for Persons with Disabilities
Verlyn Olson	Minister of Agriculture and Rural Development
Dave Rodney	Associate Minister of Wellness
Donald Scott	Associate Minister of Accountability, Transparency and Transformation
George VanderBurg	Associate Minister of Seniors
Greg Weadick	Associate Minister of Municipal Affairs
Teresa Woo-Paw	Associate Minister of International and Intergovernmental Relations

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on Alberta's Economic Future

Chair: Mr. Amery  
Deputy Chair: Mr. Bikman

Bhardwaj	Quadri
Blakeman	Quest
Donovan	Rogers
Dorward	Sandhu
Eggen	Sherman
Fenske	Smith
Goudreau	Starke
Hehr	Strankman
Jansen	Towle
Luan	Young
McDonald	Vacant
Olesen	

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Quest  
Deputy Chair: Mrs. Jablonski

Anderson  
Casey  
Dorward  
Eggen  
Kubinec  
Sandhu  
Sherman

### Select Special Conflicts of Interest Act Review Committee

Chair: Mr. Allen  
Deputy Chair: Mr. Luan

Blakeman  
Dorward  
Fenske  
Johnson, L.  
McDonald  
Notley  
Saskiw  
Wilson  
Young

### Standing Committee on Families and Communities

Chair: Ms Pastoor  
Deputy Chair: Mrs. Forsyth

Allen	Leskiw
DeLong	Luan
Fox	McAllister
Fraser	Notley
Fritz	Pedersen
Jablonski	Sarich
Jansen	Saskiw
Jeneroux	Swann
Johnson, L.	Wilson
Kang	Young
Kubinec	Vacant
Lemke	

### Standing Committee on Legislative Offices

Chair: Mr. Xiao  
Deputy Chair: Mr. McDonald

Bikman  
Blakeman  
Brown  
DeLong  
Eggen  
Leskiw  
Quadri  
Rogers  
Wilson

### Special Standing Committee on Members' Services

Chair: Mr. Zwozdesky  
Deputy Chair: Mr. Young

Calahasen  
Dorward  
Forsyth  
Goudreau  
Jablonski  
Mason  
Quest  
Sherman  
Smith

### Standing Committee on Private Bills

Chair: Mr. Cao  
Deputy Chair: Ms L. Johnson

Barnes	Notley
Bhardwaj	Olesen
Brown	Pastoor
DeLong	Rowe
Fox	Sarich
Fritz	Starke
Goudreau	Strankman
Jeneroux	Swann
Kennedy-Glans	Webber
Luan	

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Dr. Starke  
Deputy Chair: Mr. Lemke

Allen	McAllister
Amery	McDonald
Bhardwaj	Notley
Casey	Pedersen
Hehr	Sandhu
Jansen	Saskiw
Jeneroux	Towle
Johnson, L.	Xiao
Kennedy-Glans	Young
Kubinec	

### Standing Committee on Public Accounts

Chair: Mr. Anderson  
Deputy Chair: Mr. Dorward

Allen	Hale
Amery	Hehr
Anglin	Kang
Bilous	Pastoor
Calahasen	Quadri
DeLong	Sarich
Donovan	Starke
Fenske	Stier
Fraser	Webber
Fritz	

### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans  
Deputy Chair: Mr. Rowe

Anderson	Hehr
Anglin	Johnson, L.
Barnes	Kubinec
Bilous	Lemke
Blakeman	Leskiw
Brown	Sandhu
Calahasen	Stier
Cao	Webber
Casey	Xiao
Fenske	Young
Fraser	Vacant
Hale	

## Legislative Assembly of Alberta

1:30 p.m.

Thursday, October 25, 2012

[The Speaker in the chair]

### Prayers

**The Speaker:** Let us pray. Dear God, Holy Creator and author of all wisdom, as we conclude our work for this week in this Assembly, let us renew our energies with great thanks to those people who sent us here and, in doing so, put their trust in us to represent them to the best of our abilities. Amen.

Please be seated.

### Introduction of Guests

**The Speaker:** The hon. President of Treasury Board and Minister of Finance.

**Mr. Horner:** Well, thank you, Mr. Speaker. It is an honour to rise again today to introduce to you and through you to the members of the Assembly two groups of grade 6 students from the Woodhaven middle school in Spruce Grove. This is the second trip for students from this school to visit us this week, as you're well aware, and both groups are very bright, very energetic students. They are accompanied by their teachers Mrs. April Kluh and Mr. Graeme Webber as well as parent helpers Mrs. Krista Rumberg, Mrs. Wanda Bell, Mrs. Cyndi Hoekstra, Mr. Jim Sicotte, Mrs. Angela Maidens, Mrs. Marilyn Freund, who is an EA, Mrs. Jody Jansen, and Ms Linda Wilson. I believe they are seated in both galleries – I think some of them are just coming in as we speak – and I would ask that they rise and be given the enthusiastic warm welcome of this Assembly.

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

**Mr. Khan:** Thank you, Mr. Speaker. I have two introductions today if I may. I'm very pleased to introduce to you and through you to all the members of the House some very hard-working individuals from the Ministry of Enterprise and Advanced Education, specifically the community partnerships and literacy and Campus Alberta connections, both within the Campus Alberta partnerships sector of postsecondary and community education. Joining us today – I'll ask them to rise as I say their names, and I believe they're in the members' gallery – are Les Skinner, Morgan Bamford, Michelle Jehn, Diana Blackman, Iona Neumeier, Heather Macrae, Kenton Puttick, and Rose Prefontaine. Welcome.

**The Speaker:** Do you have a second introduction, hon. minister?

**Mr. Khan:** I have one more introduction.

**The Speaker:** Please proceed.

**Mr. Khan:** Again, I'm pleased to introduce to you and through you some wonderful members of our community in St. Albert. We have three classes from Elmer S. Gish school, a school that also holds the distinction of being the school where my wife first attended in grade 9, the year they opened. I would like the students from Elmer S. Gish to rise, please, to be acknowledged, and I would very much like to acknowledge and thank their leaders and their teachers, who are stalwarts of our community in St. Albert: Mr. Bradley Gibson, Miss Carolyn Greig, Mrs. Carey

Rizzato, and Mrs. Gisela McKerracher. Thank you so much for coming today.

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

**Mr. Griffiths:** Thank you, Mr. Speaker. With your indulgence, I have two introductions, and I'd like to do them at the same time because they're both here for the same issue. First, I'd like to rise today to introduce to you and through you to all Members of the Legislative Assembly a group of homeowners from Sherwood Park and Stony Plain: Allan Bleiken of Sunrise Village in Sherwood Park, Yvonne Byer and Doris Smith of Folkstone Place in Stony Plain. When they purchased their new homes, they experienced significant problems. I want to thank them for working with Municipal Affairs so we can learn from their stories. Along with many Albertans they look forward to the important legislation being introduced here this afternoon.

I would also like to introduce, Mr. Speaker, six staff members from the Department of Municipal Affairs. They have all worked incredibly hard to bring forward this important legislation today: Lesley MacAllister, Diane McLean, Wilma Sisk, Daniel Ward, Elizabeth Wightman, and I'm going to single out Allison Scott. We know that she was not pregnant before this concept started, and her son is now three years old, so we've nicknamed this new homeowners legislation coming forward Logan's Bill, named in honour of her son.

Mr. Speaker, I would like to thank all of these individuals for their incredible work to bring forward a fantastic piece of legislation here this afternoon. I'd ask that the members of the Assembly please give them the warm welcome they deserve.

**The Speaker:** The hon. Member for Dunvegan-Central Peace-Notley.

**Mr. Goudreau:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all the members of this Assembly Ms Rhonda Clarke-Gauthier. Rhonda is a resident of my constituency of Dunvegan-Central Peace-Notley. She's an active member of my constituency association and was my election co-manager. She's the mother of two great sons and a very involved community member, including 4-H. Presently she farms with her husband and is the CEO for the Mighty Peace Watershed Alliance. I would ask Rhonda, who is seated in the public gallery, to receive the traditional warm welcome of this Assembly.

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

**Mrs. Sarich:** Thank you, Mr. Speaker. It's an honour and privilege for me to rise today on behalf of the Member for Edmonton-Mill Woods to introduce to you and through you to all Members of the Legislative Assembly four aspiring leaders and dedicated representatives of Progressive Conservative Youth at MacEwan University and the University of Alberta Progressive Conservative Association. Both organizations strive to promote the fundamental principles of the Progressive Conservative Association of Alberta and to provide a strong catalyst for political engagement at both of these fine academic postsecondary institutions. The guests are seated in the members' gallery, and as I mention their names, I would ask that they please rise: Cameron McCoy, Daniel Rose, Arundee Singh Sandhu, Daniel St. Pierre. I would now ask that we give them the traditional warm welcome.

Thank you.

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

**Mr. Bilous:** Thank you, Mr. Speaker. Today I'm very pleased to introduce to you and through you to this Assembly our guest, Damian Abrahams. Originally from Haida Gwaii, Damian is a student at Concordia University. He worked in my constituency office as our STEP student this summer and has stayed on once a week as a practicum student this fall. Damian is a peer mentor at Concordia, a traditional west coast performer and teacher, a father of two, and an active community volunteer. I would like now to ask Damian to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** Are there others?

**Mr. Young:** Mr. Speaker, I'd like to introduce to you and through you to all members of the House Constable Amanda Trenchard of the Edmonton Police Service. She's a tireless volunteer with the law enforcement torch relay and Special Olympics. Today she is here with Megan Sanders, an athlete in the Special Olympics. In fact, today we celebrated the beginning of the Special Olympics Be a Fan Day campaign. One of the symbols of that campaign is the wearing of red shoelaces, so I encourage all members of the House to get their red shoelaces as a symbol of the Special Olympics. If they would please rise and receive the traditional warm welcome of the House.

1:40

### Members' Statements

**The Speaker:** The hon. Member for Barrhead-Morinville-Westlock.

### World Teachers' Day

**Ms Kubinec:** Thank you, Mr. Speaker. A few weeks ago, on October 5, we celebrated World Teachers' Day, a day that gives us a chance to celebrate the difference a great teacher makes in our lives. Here in Alberta we are lucky enough to have one of the best education systems in the world because of these teachers.

I am so proud of my daughter-in-law, who not only is the mother of my three grandchildren but is also an amazing teacher. I know she is one of the many hard-working and dedicated teachers our province is blessed with.

Teachers help our children to discover their strengths, spark their imaginations, and succeed in a rapidly changing world. Teaching isn't only about what happens in the classroom. Teachers help build our communities through coaching, mentoring, volunteering, and in countless ways. Of course, we don't need to wait until next October to acknowledge the hard-working teachers in our province. I encourage all Albertans to take the time to thank a teacher, whether it is your high school English teacher who inspired you to love reading, the junior high science teacher who helped you finally understand why ice floats, or a teacher who is making a difference in your child's life right now. Every day is a great day to celebrate Alberta's teachers.

I would personally like to take the opportunity to thank the family of one of my favourite teachers. She has since passed away. She nurtured a love of reading and social studies, which, coincidentally, includes politics.

Through their hard work, dedication, and passion for their profession teachers inspire our children to achieve their dreams.

Thank you.

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

### Support for Multilingual Services in Alberta

**Mr. Kang:** Thank you, Mr. Speaker. [Remarks in Punjabi]

[Translation] Canada is quickly becoming a nation of many languages. The latest national census shows that more than 200 languages are now being spoken in our country. In both our major cities around 20 per cent of the population do not speak one of our official languages at home. I can tell you that percentage is even higher in my riding of Calgary-McCall.

As the number of languages grows, our new Canadians need additional support and resources. Language services play a large role in helping our neighbours appreciate Albertan values, understand our rules and laws, and integrate seamlessly into our workforce and education systems.

Alberta Liberals believe we need to make government more accessible by using a phone service to deliver government information in more languages. If a quarter of Albertans can't understand service providers or the operator on the other end of a government helpline, then they are already at a disadvantage.

To better integrate and interact with the broader community, new Albertans need to be able to speak the language. That's why Alberta Liberals would make funding for second language programs a top priority. More language training services will relieve stress on families and make newcomers better able to communicate, get an education, and find employment.

The process to speed up the recognition of foreign credentials has stalled. Government needs to work with professional groups to create streamlined paths forward so new Albertans can have their training recognized. By recognizing previous education and work experience, everyone has a greater opportunity to reach their full potential.

As our population grows and changes, the government must address the language needs of all Albertans to ensure our province remains a diverse and prosperous home for all. [As submitted]

Mr. Speaker, it's a great honour for me to read my member's statement in Punjabi, and I hope all the members were able to keep up with me. I'm sure you were able to keep up with me.

Thank you, Mr. Speaker.

**The Speaker:** Hon. member, [remarks in Punjabi] Congratulations! Everyone is pleased, and so am I. [As submitted]

The hon. Member for Calgary-Varsity.

### University of Calgary West Campus

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. I'd like to share an exciting update about the University of Calgary in its plans for west campus. The west campus is a 184-acre sector of land surrounding and including the Alberta Children's hospital, and it was transferred to the university by the Alberta government in 1995. The university has recently determined that the remaining undeveloped lands aren't needed for core academic purposes.

Some of you will be aware of the way that the University of British Columbia or Simon Fraser have handled their land endowments. The University of Calgary plans to adopt a similar model and set up the West Campus Development Trust to make use of this land. What they're envisioning is a mixture of residential, commercial, and research land usage, all integrated into existing surrounding mature communities.

As you may know, Mr. Speaker, the University of Calgary is located in Calgary's inner city and is at the core of my constituency, Calgary-Varsity. Naturally, input on this development from the neighbouring mature communities is critical. First, stakeholder meetings have begun and include representatives from

all of the community associations, and residents from all of the communities will be invited to offer their comments.

Mr. Speaker, this process represents a unique opportunity. How often does over 100 acres of land right in the inner city become available to be used and integrated into an existing community? This is a gift, especially for constituents of Calgary-Varsity.

Thank you.

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

### Walden Heights Seniors' Centre

**Mr. Fraser:** Thank you, Mr. Speaker. I'm very pleased to have this opportunity to announce that last week on October 17 a brand new seniors' centre celebrated its grand opening in my riding of Calgary-South East. Walden Heights offers a range of living accommodations for its residents, including rental apartments, condos, and supportive living units. In order to offer a holistic living-in-place service for residents, this facility also offers memory care programs on site to assist residents and ensure a high quality of life. Last week's event completed the opening of Walden Heights by adding 80 supportive living units with funding from the affordable supportive living initiative. This adds to the existing 87 spaces that were opened last spring in partnership with Alberta Health Services.

I'm excited to say that Walden Heights sets new standards for supportive living in the city of Calgary. This care facility is dedicated to serving the particular and diverse needs of our seniors. By offering a variety of living arrangements to choose from, Walden Heights ensures that its residents receive precisely the right type of care, customized to their unique situations. This allows Walden Heights to be a model of resident-focused flexibility that can adapt to seniors' care requirements as they constantly evolve. By providing over \$12.7 million in funding through the affordable supportive living initiative, the Alberta government has taken a further step moving forward and ensuring quality of care for Alberta seniors.

I'm especially proud to say that this excellent new facility is located in my constituency, and I have no doubt that it will bring untold benefits to our community. I look forward to visiting there very often.

Thank you.

### XL Foods Inc. Beef Recall

**Mr. Hale:** Mr. Speaker, I stand today to address the ongoing situation in my constituency of Strathmore-Brooks caused by the temporary shutdown of XL Foods. Recent developments look positive for the city of Brooks, the affected workers, and the Alberta cattle producers, but this Assembly must be vigilant in supporting the beef industry and ensuring consumer safety. Consumer safety is the primary concern of cattle producers. To suggest anything less is irresponsible and inexcusable.

It was surprising to hear in this Assembly yesterday an opposition member's statement aimed at scoring a few political points rather than helping solve the situation. While it has been refreshing to see the spirit of nonpartisanship on this issue for the most part in this Assembly, it is disappointing that a member of this Legislature would make such irresponsible statements without the facts and undermine the recovery of the beef industry. With consumer confidence shaken by recent events, it's so important to stand by our cattle producers and to listen to what they're saying rather than politicizing the issue. I would like to suggest that members that aren't educated on the cattle industry take this

opportunity to learn from producers about this dynamic industry and see the pride and dedication that they have in producing the best beef in the world. Just stopping by for a photo op doesn't cut it with Canadian cattle producers.

This situation is about people who have been affected by E coli, the workers who experienced hardship due to the temporary shutdown, and the Alberta beef industry. Trying to score some political points off the hardship these people have endured is unacceptable to the people of Brooks and is certainly unacceptable to the Alberta cattle producers. I'd like to thank the members from both sides of the House who donated to my challenge yesterday and encourage those that haven't yet to please do so.

Alberta beef remains a premium product. It's recognized around the world as a premium product and will continue to be so under the stewardship of cattle producers.

1:50

### Oral Question Period

**The Speaker:** The Leader of the Official Opposition for her first main question.

### Political Party Financial Contributions

**Ms Smith:** Thank you, Mr. Speaker. Some very serious allegations have been made today. The law governing political contributions prohibits donating other people's money to a political party, but it appears that's what has happened. A well-known Edmontonian made a contribution of \$7,500 to the Wildrose Party legally, but his alleged contribution to the PCs is said to be \$430,000 in a single cheque. If this is true, it is an ethical scandal of enormous proportions. Will the Premier join me in asking the Chief Electoral Officer to conduct an immediate and thorough investigation?

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

**Ms Redford:** Well, thank you, Mr. Speaker. The first thing I want to say is that the reason we're able to have this discussion today in the House and in the public domain is because we have in place elections financing legislation that ensures that political fundraising and political contributions are fully transparent. Of course, six months from the day of the election all financial reporting was provided to the Chief Electoral Officer. We are absolutely confident with respect to the process that we put in place to conform with that legislation, and we very much respect the independence of the Chief Electoral Officer. However, what I have asked the Progressive Conservative Party today is to consult with the Chief Electoral Officer to ensure that things are in full compliance.

**The Speaker:** The hon. Leader of the Opposition.

**Ms Smith:** Thank you, Mr. Speaker. One thing we can't know is whether or not there was one cheque. Given that something like this happened before, involving illegal contributions and the PC Party, and that the then Justice minister, who is now the Premier, quashed the charges on the recommendation of the Chief Electoral Officer, how can Albertans be certain that this won't get swept under the rug again?

**Ms Redford:** Mr. Speaker, I think the Leader of the Opposition has a short memory. Last time through this discussion there were a number of allegations made that were found to be entirely unfounded. We went to the people of Alberta and talked about those, and six months ago the people of Alberta again voted for

this government because they can trust this government. They can have confidence in this government. While we are prepared to co-operate fully with the Chief Electoral Officer, we will not dignify the allegations that are made in this House that are completely unfounded to start this cyclical debate again.

**The Speaker:** The hon. Leader of the Opposition.

**Ms Smith:** Thank you, Mr. Speaker. I think I should remind the Premier that there were 37 instances where the Chief Electoral Officer found illegal donations had been made.

We will see this government time and time again dodge, hide, obscure, bury, and avoid the truth. Some call it a culture of corruption. We know they are not reliable to investigate themselves, so now with another huge ethical scandal brewing, can we be sure that we are going to get the truth this time?

**Ms Redford:** Mr. Speaker, let's go back to the fact that it is not the job of the government of Alberta to investigate itself. It is the job of the Chief Electoral Officer to investigate any political party and any concern with respect to financial contributions. Frankly, I take exception to the fact that there would be any suggestion in this House that any minister, including myself, would do anything to quash a prosecution. That is offensive and rude.

#### Speaker's Ruling

#### Questions about Political Party Activity

**The Speaker:** Hon. members, I would also like to just point out again – and I know you all know this – that we have to be really careful with questions that deal with political party matters because this is not the forum for that. I noted how carefully worded the questions were today.

We'll carry on with the second main question from the Leader of the Official Opposition.

#### Political Party Financial Contributions

*(continued)*

**Ms Smith:** Mr. Speaker, we're dealing with the issue of whether the government can follow the law, its own law. This apparent breach of the act raises a host of questions about contributions, influence, transparency, and government ethics. The individual alleged to have made the huge contribution to the PCs is seeking taxpayer support for a hockey arena in Edmonton. How can taxpayers be certain that there is no connection between the contribution to the PC Party and the contribution to an arena?

**Ms Redford:** Mr. Speaker, the first thing I would note is that in every one of those questions the words "apparent" and "alleged" have been used. That is inappropriate in terms of a debate around government public policy. The Chief Electoral Officer has the opportunity to investigate wherever he chooses to, and that is his discretion.

With respect to the fundamental issue, Mr. Speaker, as a candidate for leader of this party, as the elected leader of the Progressive Conservative Party, as the Premier in this House last fall, during the provincial election and since the election our position has not changed. It is a public conversation. We have been consistent, and there is no reason to suggest a connection between the two, particularly when our position does not support the request from the person who made the contribution.

**Ms Smith:** Well, Mr. Speaker, let's just further the public conversation because given that the individual also deals with the

government on pharmaceuticals, how can taxpayers be certain that there is no connection between the contribution to the party and the decisions affecting drugstores? To the Premier.

**Mr. Horne:** Well, Mr. Speaker, apparently we've moved from offensive to repulsive, but perhaps that's beside the point.

In answer to the question, as a matter of public policy, if the questioner is interested, we negotiate the rules that govern pharmacies with the Pharmacists Association of Alberta and all pharmacy providers. We negotiate with them as one group. No one particular provider receives special treatment. Those are the rules, Mr. Speaker, and that's how they're followed.

**Ms Smith:** Mr. Speaker, given that the number \$430,000 represents a quarter of the money raised by the PC Party and given that the PC Party formed the government and given that the donor has two multimillion-dollar items before the government, doesn't that make the Premier just a little bit uncomfortable?

**Ms Redford:** What makes me uncomfortable is that the Leader of the Opposition would allege any wrongdoing with respect to any decision that this government would make, Mr. Speaker. The Minister of Health has very clearly set out that there is a contracting process in place that separates government from anything to do with the contract negotiations around pharmacies. As I've said very clearly, the position of this government with respect to arena funding has been consistent since the day that I decided to run for leader of this party, and it will not change.

**Mr. Anderson:** Mr. Speaker, I know I speak for every Wildrose MLA, even those who are Flames fans, when we want the Edmonton Oilers to get a new arena so that they can remain in Edmonton. Our Wildrose leader has even proposed a lottery strategy to help that happen while keeping taxpayers off the hook. However, the report today regarding Mr. Katz allegedly cutting a \$430,000 cheque to the cash-strapped PCs in the dying days of the election campaign is very unnerving, to say the least. To the Premier: has your government made a deal with Mr. Katz to give or allow him to use taxpayer money to fund this new arena?

**Ms Redford:** Well, Mr. Speaker, I think the best opportunity that we have in question period is the opportunity to answer the question consistently over and over again. We have clearly said that there will be no direct provincial government funding to any professional sports arena. That position has not changed in the past 18 months, nor will it.

**Mr. Anderson:** You notice she used the words "no direct" funding, Mr. Speaker.

Given that this Premier has already approved \$100 million in taxpayer cash to be funneled through MSI grants to Mr. Katz's arena deal and given that Mr. Katz may have paid \$430,000 to the PC Party when they were out of money in the last two weeks of the campaign, how can this Premier assure Albertans that her government hasn't been bought and paid for by the highest bidder?

2:00

**Mr. Horner:** Well, Mr. Speaker, it's somewhat interesting, the fantasy that's coming from the other side. I love conspiracy theory books myself, but this one takes the cake. There has been no \$100 million approval by anyone in this government to fund any professional sports arena. The municipal sustainability initiative is a fund which we provide to municipalities which allows



municipalities to make their own decisions, which, I know, this Wildrose Alliance Party would not have them do. Mr. Speaker, there has been no deal made.

### **Speaker's Ruling** **Questions about Political Party Activity**

**The Speaker:** Hon. members, we're getting right close to the line here where you might want to revisit a ruling that was made on November 30, 2011, by the previous Speaker. I'll allow one more question, but please be careful. If anybody has questions along political lines, refer to page 1514 of *Hansard* from November 30 regarding comments and questions pertaining to political parties which may or may not be within the domain of the government. I see them as two separate things.

Hon. member, proceed.

**Mr. Anderson:** Thank you, Mr. Speaker. We'll get to where you've quoted on that on Monday first thing.

### **Political Party Financial Contributions** *(continued)*

**Mr. Anderson:** Mr. Speaker, if this Premier truly has nothing to hide as she claims, will she reassure Albertans her government has not been bought and paid for by immediately providing visual evidence of the cheques her party received from Mr. Katz, his family, friends, businesses, employees, and relations, the actual cheques and deposit slips? Prove that your hands are clean instead of using this opportunity to sweep another scandal under the rug.

**Ms Redford:** Mr. Speaker, I've already said that we've asked the party to co-operate fully with the Chief Electoral Officer. We are confident with respect to the administration of our finances, and we'll do that.

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

### **Multilingual Government Services**

**Mr. Kang:** Thank you, Mr. Speaker. Last election the Alberta Liberals ran on a platform to help new Canadians settle in Alberta by expanding government services in more languages. In light of new Canadian census data almost one-fifth of people living in Calgary and Edmonton now speak a language at home other than English or French. Clearly, the language landscape in Alberta is rapidly changing before our eyes. To the Minister of Service Alberta: will the government follow the Liberal lead and create a telephone translation line for all government services to help new Albertans navigate through the system?

**The Speaker:** Whoever's cellphone is ringing, could you please turn it off immediately? Some bell is ringing somewhere.

The hon. minister.

**Mr. Bhullar:** Thank you very much, Mr. Speaker. The government of Alberta attempts in many ways to reach out to Canadians regardless of the language they speak. For example, in our health services we have translation services available for a multitude of languages. Specific to our 310 call centre service that my department provides, I have looked at ways in which we can help extend that service to people speaking a multitude of languages.

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

**Mr. Kang:** Thank you, Mr. Speaker. To the minister again: why has the government not increased funding to traditional language instruction and Internet and mobile programs so that new Albertans can have the opportunity to get an education, to enter into the workforce?

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

**Mr. Bhullar:** Thank you, Mr. Speaker. First of all, my department is not the one that deals with settlement services, but regardless I'd be very happy to take this question. The fact is that our government is a government that's committed to welcoming new people from all over the world, and we understand the fact that Albertans today, Alberta students today, Alberta citizens today, play a role in helping facilitate Alberta's connection to many jurisdictions, whether that be China, India, the Philippines. We're reaching out and bridging with many other jurisdictions.

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

**Mr. Kang:** Thank you, Mr. Speaker. Now to the Minister of Human Services: why is this government ignoring untapped human resources by failing to quickly recognize foreign credentials to meet the needs of industry and ensure that all Albertans can reach their full potential?

**Mr. Khan:** Our department is responsible for recognizing credentials both provincially and internationally, and we're working with our colleagues in the federal world, in the national world, to make sure that we are being responsive to the needs of our growing workforce here in Alberta.

**The Speaker:** The hon. leader of the ND opposition, followed by the Member for Airdrie.

### **Political Party Financial Contributions** *(continued)*

**Mr. Mason:** Thank you very much, Mr. Speaker. With the PC Party's disclosure statement came the revelation that Daryl Katz, his immediate family, their company, and several of his top executives had donated a total of \$430,000 to the PC campaign. Our local billionaire just bought himself a government. My question is to the Premier. Will she admit that her government's weak-kneed elections financing act allows corporations and wealthy Albertans to buy influence with this PC government?

**Ms Redford:** Mr. Speaker, if this elections act was so weak, we wouldn't be standing in this House today talking about this issue. The fact that we're here says that this legislation allows for all Albertans to have confidence in the political system and the political contribution system that we have. We will always continue to strive to improve. I know that we had discussions in the spring that led to recommendations from the Chief Electoral Officer that our government is bringing in sometime this fall. We'll continue to do that, but the elections legislation works.

**The Speaker:** Hon. member, be careful of the language here, please. Again we're on the fine line.

**Mr. Mason:** Yes. Thank you, Mr. Speaker. Well, the legislation obviously worked for the government.

Given that the Katz contribution accounted for over 25 per cent of the PC's fundraising and given that the Oilers owner has demanded \$100 million plus a casino licence for his downtown arena and that his primary business, Rexall drugs, is potentially

affected by this government's decisions in dozens of ways, will this Premier admit that by accepting this massive donation, this government has irreparably compromised itself?

**Ms Redford:** Mr. Speaker, asking the question is no better than offering an allegation in that form. We've made it very clear, as our Minister of Health has. We have structures in place in this province that ensure independent contract negotiations. We ensure that we have an independent office of the Chief Electoral Officer to deal with strong enforcement of our legislation. Albertans can have confidence that we have systems in this province that allow for public discussion, public disclosure, and full transparency.

**Mr. Mason:** Mr. Speaker, given that legislation puts an upside limit during an election year on political contributions of \$30,000 and that this Conservative government accepted a \$430,000 cheque and given this massive conflict of interest created by this huge donation and given that it is likely illegal, this Premier should do the right thing and order her party to give the money back.

**The Speaker:** Hon. member, I'm going to ask you to relook at your words in *Hansard* once they get printed because the words you're using now are getting to that fine line as well.

Hon. Premier, if you wish to respond.

**Ms Redford:** Mr. Speaker, as I've said, we are going to comply fully with all legislation. We have complied fully with all legislation. We will continue to co-operate with the Chief Electoral Officer. The suggestion that we as a government would somehow change policy, that we were elected on by the people of Alberta, because of this circumstance is absurd. We have said very clearly – I have said it in the House today, and I have said it for the past 18 months – that we have a perspective and a position with respect to the funding of professional sports arenas. It has not changed, and it will not change.

**Mr. Anderson:** Mr. Speaker, this Premier's record on transparency is laughable. She releases a new expense policy only after her expenses are FOIPed by the opposition, changes the law while Justice minister in a way that concealed illegal donations to the PC Party, creates a six-figure patronage appointment to a defeated cabinet minister, and now we learn of an alleged \$430,000 donation from Mr. Katz, which, if true, would also be illegal. Instead of talking about transparency, Ms Premier, how about you do the right thing and have your party return the money to Mr. Katz and apologize to the people for yet another one of your scandals?

**The Speaker:** Hon. member, you know better. That is a direct question about political party activity, not about government activity. Would you like to rephrase or go to your next question? Let's go to your second main.

**Mr. Anderson:** Okay. Mr. Speaker, let's put it this way, then. If the government claims that its mother ship has done nothing wrong by accepting such a massive donation from essentially one person, will the Premier recognize that doing so clearly violated the spirit of the law, that one person should not be permitted to essentially buy an election, and direct her Minister of Justice to amend the elections act to close what amounts to an outrageous flaw in the legislation?

2:10

**Ms Redford:** Mr. Speaker, it's not for the government of Alberta or for me or for that hon. member to make any conclusion with respect to whether or not the elections finance legislation was

respected or not or followed or not. It is the job of the Chief Electoral Officer. This is a building that houses the Legislature. We have independent officers. We appointed a Chief Electoral Officer in an office to ensure that all political parties comply with the law, and I fully expect that the Chief Electoral Officer does his job every day. We will continue to co-operate with the Chief Electoral Officer every day as a political party in this province.

**Mr. Anderson:** The room is spinning from all that spin over there. This is incredible.

Given that the former Chief Electoral Officer, Lorne Gibson, asked for several prosecutions for illegal donations to be conducted in his 2009 report, including three new ones, Premier, and given the Premier, who was then the Justice minister, opted to deny that request, will this Premier satisfy this House that if wrongdoing is found in the Katz affair or any other of the almost daily revelations about your government, Ms Premier, that she will direct her Justice minister to prosecute those cases to the full extent of the law and quit hiding?

**Ms Redford:** Mr. Speaker, you know what? I'm just going to try to remember what this hon. member did before he was elected to the Legislature. Oh, yeah. He was a lawyer. As a lawyer this hon. member, who is a member of the legal profession, should know that it is not the job of the Minister of Justice to direct prosecutions in this province. We have an independent prosecutions branch that ensures that all decisions that are made with respect to prosecutions are made independently. It is the job of our prosecutions branch to determine whether or not any prosecution should take place, not the job of government, and this government will not do that.

#### Speaker's Ruling Questions about Political Party Activity

**The Speaker:** Hon. members, I know it's Thursday. Over the weekend could I ask all of you to please find your copy or a copy of *House of Commons Procedure and Practice* and review page 504, wherein it says that questions in question period shall be ruled out of order if they "concern internal party matters, or party or election expenses."

Now, I didn't make up the rules, but there is a tradition and a history of following them. [interjections] Hon. members, please. Hon. members, let's move on.

#### Integrated Resource Management

**Ms Kennedy-Glans:** Mr. Speaker, the Minister of Environment and Sustainable Resource Development talks about world-leading and world-class environmental management, and my constituents are asking me how this fits into an integrated resource management system for oil and gas, coal, and forestry. My question to the minister: where in this new integrated system is the environmental protection that my constituents, indeed all Albertans, expect?

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

**Mrs. McQueen:** Thank you, Mr. Speaker, and thank you to the hon. member for the question. Environmental protection is the cornerstone of integrated resource management. Simply put, it means setting environmental, social, and economic outcomes that Albertans expect. It means that Alberta is a leader in environmental protection and world-class resource development. This is the time to do this, and we are appropriate to do this now.

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

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. My first supplemental is again to the same minister. As a big fan of integrity I'm asking the minister: where is the evidence that there's action being taken and not just words being spoken?

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

**Mrs. McQueen:** Thank you, Mr. Speaker. Certainly, with regard to that, we look at the land-use planning that we're doing, the announcement with regard to the lower Athabasca regional plan, legally binding limits for air and for water. We look at the conservation that we've put into that plan, 2 million hectares, an area three times the size of Banff national park, more caribou habitat protection in there as well as an arm's-length monitoring agency, which ensures a comprehensive science-based and credible system in government. Certainly, yesterday we announced further improvements that bolster the commitment to responsible resource management.

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

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. Again: how can you assure Albertans and how can I assure my constituents that as the economy heats up, we're not just going to forget environmental protection in favour of accelerated growth?

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

**Mrs. McQueen:** Well, thank you, Mr. Speaker. That's exactly what we're doing with regard to our regional plans. When we look at the lower Athabasca regional plan, we look at the creation of a province-wide arm's-length agency to make sure that the science and the data is independently reported and collected. When we look at the consistent process that we make with effective regulatory processes as well and when we look at the inclusion of the protection of property rights as we develop all of those, this is the proof that we're moving towards and the commitment that we have made as well.

**The Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

#### **Critical Electricity Transmission Lines**

**Mr. Anglin:** Thank you, Mr. Speaker. The transmission review committee did not consider, review, or report on any evidence that proved the north-south transmission lines were needed. Its findings were based on assumptions. Given that the assumptions had been proven inaccurate, in some cases proven to be false, will the Minister of Energy agree that we need to be smarter and more logical and re-evaluate these multibillion dollar lines based on a proper needs assessment and a proper cost-benefit analysis?

**Mr. Hughes:** Mr. Speaker, the Critical Transmission Review Committee took a look at a wide range of sources of information and came to a conclusion, and that conclusion was that these four major pieces of transmission were required and that Alberta should proceed with them. In fact, I would say that the hon. member at times in his own career in recent years has very much supported parts of this. I've seen materials related to that.

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

**Mr. Anglin:** Thank you, Mr. Speaker. Given that I support responsible spending, given that all the stakeholders, including this government now, all agree it is unwise and wrong for cabinet to approve transmission lines, how can this government claim its past decision to approve transmission lines is somehow correct when everyone, including this government, now agrees it's unwise and wrong both now and in the future?

**Mr. Hughes:** Mr. Speaker, the need for these critical transmission lines was put forward by the Alberta Utilities Commission. It was the speed with which the government at the time made a decision to implement and to have these lines put in place. That was then; this is now. In the future the province of Alberta will ensure that the complete process is handled by the Alberta Utilities Commission.

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

**Mr. Anglin:** Thank you, Mr. Speaker. Given that no engineer can explain why this government decided to spend an additional \$2 billion to convert electricity from AC to DC and presuming this government has a reason for this decision, how does this extra expense of \$2 billion benefit Albertans when no more electricity is produced, consumed, or transmitted?

**Mr. Hughes:** Well, Mr. Speaker, it's easy to be an armchair quarterback of anything, and it's particularly easy to be an armchair quarterback of engineers and experts who have come to very responsible conclusions and have provided good advice to the Alberta Utilities Commission, the critical transmission committee, and the government of Alberta. What we're doing is that we're upgrading and improving the transmission system in this province for the next 20 years to ensure that Albertans have a robust transmission system for their electricity.

**The Speaker:** The hon. Member for Lesser Slave Lake, followed by the hon. Member for Edmonton-Centre.

#### **Highway 686**

**Ms Calahasen:** Thank you, Mr. Speaker. Rural Alberta depends on road networks, and one of those networks impacts not only economic possibilities but also work potential in my constituency. My communities are very anxious to see secondary road 686 upgraded and maintained. I'm sure they'd be ecstatic to see it paved from Red Earth to Peerless Lake and Trout Lake. Would the Minister of Transportation please provide my constituents an update on this crucial highway?

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

**Mr. McIver:** Thank you, Mr. Speaker. I have to inform the hon. member through you that the piece of road in question is not on the current three-year plan, which makes me nervous based on the seating plan in here right now, but I want to assure the hon. member that each year we review the traffic volumes, the safety records, the infrastructure conditions as well as new economic conditions or development that might take place, and we will continue to do so.

**2:20**

**Ms Calahasen:** Mr. Speaker, given the fact that it's not on the paving list in the next little while, what can my constituents expect in terms of making sure this road gets maintained to a place where

they can at least drive and won't lose their mufflers? Can you please give my constituents at least some comfort in terms of what can happen?

**Mr. McIver:** Mr. Speaker, I appreciate that the member is representing the concerns of her constituency, and I appreciate that she may have received phone calls or other communications about that. I want to assure her that each year we review the needs, we review the condition of the roads, whether they're better or worse, as well as the other economic conditions around that. We will continue to do so, and as those needs change, so too will our reaction to them.

**Ms Calahasen:** Well, given the fact that this road could potentially be connected to Fort McMurray, the economic engine of this province, could the Minister of Transportation please indicate how we can ensure that this road can be connected to the Fort McMurray area so that we can see the potential economic activity benefits for the constituents in my constituency?

**Mr. McIver:** Well, Mr. Speaker, as the hon. member knows, there are a couple hundred kilometres in between the west end of highway 686 and the east end of highway 686 where there is no road. Again, as the economic conditions develop, as the needs develop, as new development plans happen – and they may well because, as I understand it, there are resources in that interim area – and as those decisions are made by industry and approvals are given, we will consider these things seriously and take them into account every year.

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

### Wildlife Protection

**Ms Blakeman:** Thanks very much, Mr. Speaker. This government has taken to talking about using science and evidence as the basis for a number of issues, but one place they are not using this is the protection of wildlife. The new regional plan for Athabasca allows development in 80 per cent of the land, which has, does, and will affect caribou survival. Any recommended wildlife corridors have been completely ignored, and no cumulative effects are being taken into account. To the minister of SRD: why is this department deliberately ignoring science and evidence when it comes to long-term sustainability of Alberta's caribou and other wildlife?

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

**Mrs. McQueen:** Thank you, Mr. Speaker. In fact, the province of Alberta in collaboration with the federal government and Ministry of Environment is working on a joint monitoring plan in the oil sands region for air, land, water, and biodiversity to ensure that we have a good plan in place to monitor the science, working with science to monitor all of those areas in the oil sands. It's a three-year plan that we've come together on to ensure that all of those areas will be monitored, and that will be publicly reported.

**Ms Blakeman:** Okay. Back to the same minister. Can the minister tell me exactly which studies she has read or reviewed that uphold the current approach that the government is taking as a good idea for Alberta wildlife? I have the studies that show that it isn't, so I'd like to hear what studies she's read.

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

**Mrs. McQueen:** Thank you, Mr. Speaker. If the hon. member would actually read the three-year plan that we have for the environmental monitoring for air, land, water, and biodiversity in the oil sands, she would see what outcomes we're looking at there. We certainly have the Alberta caribou strategy. The federal government has one, and we're reviewing how that fits in there. In the lower Athabasca region we have set limits and triggers to make sure that as we have strong resource development of the oil sands, we are taking care of the environment and wildlife aspects in that region as well.

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

**Ms Blakeman:** Thank you very much. Back to the same minister. Given that even captured wildlife like those animals in Guzoo don't fare very well under this government, can the minister explain what possible reason was used to allow Guzoo to reopen after years and years and years of failing to meet even the most basic of standards and any of the criteria that were put out there? Was there a miracle that happened? Why would you allow this place to open?

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

**Mrs. McQueen:** Thank you, Mr. Speaker. In fact, the Guzoo was always left open. It was left open under a court order. Inspections have been done, and if you look at what has been done with regard to that, Guzoo has strict regulations that they must meet. We are monitoring, making sure those have happened. But they've always remained open.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Chestermere-Rocky View. [interjections] The Member for Edmonton-Strathcona has the floor on this wonderful Thursday afternoon.

### Election Finances Legislation

**Ms Notley:** Thank you. Mr. Speaker, yesterday we learned of reports that a local billionaire walked into the Premier's campaign office with a cheque for \$430,000. He then had it helpfully broken into smaller pieces in order to fit it through the loopholes that this government has written into our election finances legislation. My question is to the Attorney General. Why won't he close the loopholes that allow rich corporations to buy not only this government but also the hundreds of millions of taxpayer dollars that it distributes?

**The Speaker:** I'll invite the hon. Minister of Justice to answer the question, but you saw what happened last time we got into this, so be careful, hon. minister.

**Mr. Denis:** Thank you very much. Mr. Speaker, I understand the legislation has been complied with. As the Premier indicated before, it works. It wouldn't actually come to the table unless we actually hadn't complied with the legislation. I want to remind this hon. member that union donations are also allowed. Does she want to ban those as well?

**Ms Notley:** Yes, we do.

Well, Mr. Speaker, given that under this government's rules Mr. Katz, his wife, his mother, his father, his company, maybe his dog, his goldfish, and the neighbour's cat seem to have donated to the PC Party in this past election and given that Mr. Katz stands to receive a 20,000 per cent return on this investment, will the minister admit that in doing nothing to fix these loopholes, Albertans could be

forgiven for concluding that Denmark is not the only place where something is rotten?

**Mr. Denis:** Mr. Speaker, I'm not exactly sure I can catch my breath after that comment, but if this member has a problem and she wants to complain to the Chief Electoral Officer, she should do so because the Chief Electoral Officer is an independent body that reports to this Legislature, not to me.

**Ms Notley:** Mr. Speaker, this is about the legislation. We need a system where voters decide elections, not dollars, so given that there is really only one clear action that can restore public confidence and clean up this corrupted election finances system, will the minister finally concede that it is time to ban union and corporate donations to political parties?

**Mr. Denis:** Mr. Speaker, the current act has no issue with corporate or union donations as long as they're handled within current limits. The current limits work. If she has . . . [interjections] Mr. Speaker, could I have order, please?

**The Speaker:** Hon. members, the Minister of Justice had the floor, and I believe he still does. Have you concluded your comments?

**Mr. Denis:** I'm finished.

#### **No-zero Grading Policy**

**Mr. McAllister:** It's been quite a day in here so far, Mr. Speaker.

I think a victory has been scored this week for both Alberta parents and democracy on the subject of education. After spending most of the pre-election spring session ignoring parents and the Wildrose opposition, the government has finally come around on our position on ensuring the paramount rights of parents in the education system. Parents across Alberta are also asking me, everywhere I go, about that nonsensical no-zero policy, and I would suggest that probably many of the members on the other side are being asked about it as well. My question to the Education minister is: isn't there some way we can work together in this Assembly and solve that situation?

**Mr. Horner:** Well, Mr. Speaker, on behalf of the hon. minister, who is dealing with a situation that is unfolding this afternoon, I will take that question under advisement for him. I do appreciate as well the hon. member's desire to work together in the interest of parents and children.

**Mr. McAllister:** Man, I wish I had heard the start of that. To the minister: did I hear that you're thinking about working with us and maybe amending this in some way so that we might represent parents? That's kind of what I thought I heard. I would just ask this, then . . .

**The Speaker:** The hon. minister. [interjections]  
You asked your second question.

**Mr. McAllister:** I'm sorry. Okay.

**The Speaker:** Oh, it was part of his nonallowed preamble? Well, perhaps we'll review that as well.  
Hon. minister.

2:30

**Mr. Horner:** I think that was the preamble to the preamble, Mr. Speaker.

As I said before, I'm sure the minister will be very pleased to learn that the hon. member opposite is going to work with him on the education bill that is before the House as well as work with him with the parents and for the benefit of all children in the province of Alberta, Mr. Speaker.

**The Speaker:** Hon. member.

**Mr. McAllister:** Mr. Speaker, thank you. I thought we were here to represent parents and the people that put us in these chairs, which is why I asked the question that I did.

Given that we are here to represent Albertans and parents and given that every parent wants that nonsensical policy abolished, could we commit to actually representing parents and working on it, getting together and trying to get rid of that policy so Mr. Dorval and other teachers aren't thrown under the bus for having the audacity to give a zero to a student that does zero work?

**Mr. Horner:** Well, Mr. Speaker, I believe the hon. minister the other day did talk about the autonomy of our school boards and the ability for school boards to create that environment where there is a structured approach to how they present that education and, obviously, the province of Alberta's responsibilities around the curriculum and setting the standards of where we want the K to 12 system to be. I'm sure, as I said, that the hon. minister will be most appreciative of the hon. member's offer to work together in the interests of all Albertans.

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

#### **New School Construction in Cochrane**

**Mr. Casey:** Mr. Speaker, Cochrane has seen a population increase of 27.5 per cent in the last five years. K to 8 schools already have a utilization rate of over 90 per cent, and by 2014 that is projected to grow to 103 per cent. There is no indication that the explosive growth in Cochrane will slow, and the overcrowding of facilities is stressing the entire system. To the Minister of Education: what is the plan for addressing infrastructure shortfalls for school facilities in Cochrane?

**Mr. Horner:** Mr. Speaker, the minister has been called to rather an emergency situation, and I am standing here to let the hon. member know that we have been working with both the Minister of Infrastructure and the Minister of Education to encourage the school boards to be very creative when developing plans to make sure their infrastructure is put to good use. Just yesterday the Edmonton public school board announced they were developing a new infrastructure strategy to address how they deal with the excess space that they have in their communities. I know that the Minister of Education had spoken to the board chair to congratulate them on undertaking that work, which they anticipate will bring recommendations by the end of this year.

**Mr. Casey:** To the President of Treasury Board and Minister of Finance: is the minister willing to consider alternate funding models in order to get school facilities built in rapidly growing areas such as Cochrane in a timely manner?

**Mr. Horner:** Well, Mr. Speaker, one of the critical things that we are looking at is partnerships. Where there's an opportunity for a school facility, is there also an opportunity for a community library? Is there also an opportunity for a recreation centre? Is there also an opportunity for a nursing facility? New facilities

need to be multipurpose, and they have to meet the multiple needs of the community. There is an expectation that we have put on the school boards and on the ministries to come to us with those kinds of plans. Some boards are doing a great job, and there are a number of examples around the province: Olds, Fort McMurray, Jasper. Those are just a few. I know that there's a lot of innovation out there, and we're encouraging them. So I am very open to alternative methods.

**Mr. Casey:** To the same minister: can we expect changes to be brought forward for consideration in the 2013-14 budget that will begin to address this backlog of school facilities?

**Mr. Horner:** Well, as I said yesterday in this House, Mr. Speaker, we will be coming forward with a full and comprehensive business plan, which includes the operating, the capital, and savings as well. We will be bringing forward what Albertans have told us over the summer, and that is that they want us to build the infrastructure when they need it, not just when we have the cash in the bank.

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

#### Health Services Local Decision-making

**Mrs. Forsyth:** Thank you, Mr. Speaker. Last year AHS announced restructuring plans to engage front-line workers and allow for more local decision-making, but the latest numbers tell the story of another government failure. Staff engagement numbers show that only 1 in 2 are proud to even be associated with AHS while physician engagement sits even lower, at 39 per cent. Now the new board chair wants to try again with a hospital-empowering pilot project at the Rockyview general. My questions are all to the Minister of Health. Given your history of your expanding bureaucracy and ignoring the cries of our front-line staff, how will you ensure that his project doesn't also fail miserably?

**Mr. Horne:** Well, Mr. Speaker, the hon. member is correct in that the newly appointed board chair of Alberta Health Services has talked about his desire and that of the board to do a better job of supporting health care workers, and that includes both physicians and other workers that deliver care. One of the strategies to approach this that has been discussed with me and which I support is to give to the greatest extent possible local health care workers better tools to support operational decision-making on a day-to-day basis. That means engaging staff in meaningful discussion about new strategies, it means allowing basic funding decisions to be made at a unit level, and it means in general empowering those workers to deliver the quality of care that they want to deliver.

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

**Mrs. Forsyth:** Thank you, Mr. Speaker. Given that when Stephen Lockwood took the helm of the AHS board last month, the Minister of Health – that's you, Minister – shot down any hope for real change by saying: we're committed to the system we have in place. That's your quote, not mine. Are we to believe that you'll now adopt the Wildrose policy of localized decision-making, or will you continue to resist those meaningful and necessary changes that you're now hearing from your new board chair?

**Mr. Horne:** Mr. Speaker, the position of this government a year ago and the position of this government today is that we are absolutely not interested in restructuring, reorganizing, or

otherwise making changes that will disrupt the efficient delivery of health care. That does not mean that we are not interested in ensuring that local administrators and people that deliver care to us on a day-to-day basis have the tools that they need in order to do their job. That means listening rather than talking, focusing on positive outcomes – and there is a list of many that we could discuss in this House that have been achieved by Alberta Health Services – and recognizing local success and giving credit where it is due.

**Mrs. Forsyth:** Minister, you've failed miserably at listening.

Let me take you back to your own Alberta Health Act. Given that the national benchmark for physician engagement sits at 76 per cent while Alberta scores at barely half that number, will you admit that you have failed doctors by not including the issues of bullying and intimidation in the health inquiry?

**Mr. Horne:** Mr. Speaker, the failure that needs to be discussed in this House is the failure of this hon. member and her colleagues to refrain from the negativity, cynicism, and personal attacks with respect to our health care system that result in these kinds of attitudes.

The fact of the matter, Mr. Speaker, is that satisfaction figures are slowly increasing within Alberta Health Services. We have admitted as a government that it was a very large change that took place over a relatively short period of time. Everyone, from the board on down, is actively involved in finding new and more meaningful ways to engage workers, and they are delivering results for Albertans.

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

#### Southwest Calgary Ring Road

**Ms L. Johnson:** Thank you, Mr. Speaker. My question is again directed to the Minister of Transportation. First, my hon. colleague, I would like to congratulate you and our colleagues on your progress in improving driver, passenger, and road safety along highway 63.

My question, though, is about the southwest portion of the Calgary ring road. This highway is of great interest to my constituents, and on their behalf I am asking for an update as to when there will be news about its construction.

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

**Mr. McIver:** Thank you, Mr. Speaker. I appreciate the congratulations, but I can assure the hon. member that that was a team effort, with this Premier and this government working together for the betterment of Albertans.

On the question of the southwest Calgary ring road we're still in negotiations, Mr. Speaker. I haven't anything to report other than that there is no agreement yet. I certainly would like to have one. When there is more news to share, I will be sharing it loudly and proudly.

**Ms L. Johnson:** Thank you, Minister.

Traffic and congestion are among the top three issues for my constituency. Can you please remind this Legislature how much money the province has supported the city of Calgary with in transportation grants, which can also be used to address traffic congestion in southwest Calgary?

2:40

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

**Mr. McIver:** Thanks, Mr. Speaker. Well, through Municipal Affairs and our department and through this government we actually support Calgary and all Alberta municipalities quite well, including the municipal sustainability initiative that is really the most generous of any in any province in Canada. Through that, the city of Calgary has received and has committed more than \$1.5 billion in the last five years on roads, bridges, and transit projects, including the west LRT, \$190 million from the basic municipality transit grant, and there's more which I'll share with the hon. member.

**Ms L. Johnson:** Thank you, Minister.

My final question today is for the Minister of Aboriginal Relations. As our neighbours on the Tsuu T'ina Nation expand commercial activities, can you please advise my constituents as to what role your department has in monitoring developments on First Nations' lands?

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

**Mr. Campbell:** Thank you, Mr. Speaker. Alberta, like all provincial governments, has no jurisdiction to monitor commercial development on First Nation reserves. As a matter of fact, the Canadian Constitution is quite clear that the federal government is responsible for First Nations' land. I can tell this member that under section 38(2) of the Indian Act in order for First Nations to lease reserve land for development, it first must be designated by the government of Canada. I can tell you that the lands within the Tsuu T'ina Nation have already been approved and designated for development by that government.

**The Speaker:** Hon. members, in a few seconds we'll resume with Members' Statements, beginning with Edmonton-South West.

### Members' Statements

*(continued)*

**The Speaker:** The hon. Member for Edmonton-South West.

#### Bessie Nichols School

**Mr. Jeneroux:** Thank you, Mr. Speaker. I'm thrilled to have the opportunity to announce that last week on October 16 Bessie Nichols school celebrated its grand opening in my riding of Edmonton-South West. Bessie Nichols is one of 15 new schools to open their doors in the province this school year. Nothing could more strongly reflect this government's commitment to Alberta's education system than this. I believe it's fitting that this inspiring symbol of education is named after another inspiring figure; namely, the first woman to be voted to the Edmonton public school board and to civic office in Edmonton, 100 years ago.

New schools like Bessie Nichols are a step toward remedying the issue of school overcrowding, which, as many of you know, has become a concern in many communities. These new schools provide spaces in which students can be taught in a wide variety of programs using innovative methods and technologies.

However, this new school represents so much more than a new piece of educational infrastructure. It represents a focal point for the community, and it provides students and their families with a sense of belonging and pride. Each new school is an investment in

Alberta's future as it benefits our families, our communities, our cultural vibrancy, and our economy.

As the representative for Edmonton-South West I am particularly proud and excited to have Bessie Nichols school in my constituency, and I am certain that its impact on the families in our community will be nothing short of inspiring.

Thank you, Mr. Speaker.

### Introduction of Bills

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

#### Bill 5

#### New Home Buyer Protection Act

**Mr. Griffiths:** Thank you very much, Mr. Speaker. I have to say that today might be a bit of an emotional day for me – and I'm sure the day is quite emotional for most Albertans – as I stand and request leave to introduce Bill 5, the New Home Buyer Protection Act, or, as I cited before, what we've called in the department Logan's Bill.

I'm very proud to have members of the department who worked so hard on this, Mr. Speaker. Anybody who ever questions the integrity or dedication of our civil service simply has to look at the years of work put in to make sure that this is a proper bill.

Mr. Speaker, our homes are the biggest purchase most of us will ever make. This legislation is intended to protect Albertans who are buying new homes, but most importantly it is designed to raise the quality of the production of the homes in the province of Alberta. This law balances the need for consumer protection while still ensuring affordable purchases of new homes plus allowing free enterprise to still work in this province.

The legislation will give Alberta the strongest new home warranty protection in all of Canada with one year on materials and labour; two years on delivery systems such as heating and plumbing and air conditioning; five years' building envelope coverage will be mandatory for homebuyers, but homebuyers will also have the option of additional years of coverage; and, finally, 10 years on major structural components.

I very much look forward to debating this bill in this House, and I am proud and honoured to table Bill 5, the New Home Buyer Protection Act.

I move that the bill be read a first time.

[Motion carried; Bill 5 read a first time]

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

#### Bill 10

#### Employment Pension Plans Act

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. I'm pleased to introduce Bill 10, the Employment Pension Plans Act, which is a complete rewrite of the current Employment Pension Plans Act and sets standards for private-sector pension plans.

These revisions to the act will help modernize it and provide more flexibility as employers and plan members look for alternative ways to manage their pension plans. This will help ensure that the benefits promised under these plans can be delivered.

This effort is the culmination of a five-year project with British Columbia. Work started on the new act in 2007 – it even predates the child for which the previous act was mentioned – when Alberta and British Columbia formed an expert panel to review pension legislation in our two provinces and find ways to

strengthen and harmonize this type of legislation. This new legislation reflects the panel's recommendations as well as other changes that have become necessary as events have unfolded since the work was started.

Key updates in the new act will make it easier to design new pension plans to meet the needs of Alberta employers and employees. The act also clarifies the roles and responsibilities of the various parties involved in managing pension plans and adds requirements to encourage good governance, all of which improve how plans are managed. Overall, the new Employment Pension Plans Act makes Alberta's private-sector pension plans legislation stronger and more in tune with the way that pension plans need to work in our changing times.

Thank you.

[Motion carried; Bill 10 read a first time]

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

**Mr. Hancock:** Thank you, Mr. Speaker. I'd move that Bill 10, the Employment Pension Plans Act, be moved onto the Order Paper under Government Bills and Orders.

[Motion carried]

### Tabling Returns and Reports

**The Speaker:** The Minister of Tourism, Parks and Recreation.

**Ms Cusanelli:** Thank you, Mr. Speaker. I'm pleased to rise today and table the appropriate number of copies of the 2011-2012 annual report of Travel Alberta. It was a very successful year for our Crown corporation with the launch of the first-ever provincial tourism brand, highlighting some of the signature experiences and breathtaking landscapes that Alberta has to offer and share with visitors from around the world. The new Remember To Breathe campaign and brand earned many awards, and the signature video for the campaign had almost 1.5 million views on YouTube. Other highlights in the report include a new and improved province-wide co-operative marketing program and working with industry partners to host more than 300 media visits, which gained valuable exposure for Alberta.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Centre on behalf of the hon. Member for Calgary-McCall.

**Ms Blakeman:** Thank you very much, Mr. Speaker. Indeed, on behalf of my colleague from Calgary-McCall I would like to table the appropriate number of copies of the Canadian census report on languages entitled Analytical Document: Linguistic Characteristics of Canadians, Language, 2011 Census of Population.

Thank you very much.

2:50

**The Speaker:** Did you have a second one to table?

**Ms Cusanelli:** Yes. Thank you, Mr. Speaker.

**The Speaker:** The Minister of Tourism, Parks and Recreation on another tabling.

**Ms Cusanelli:** Thank you again, Mr. Speaker. I'm pleased to rise once again and table the 2011-12 annual report of the Alberta Sport,

Recreation, Parks and Wildlife Foundation. It has been a very busy and very positive year for the foundation. They provided grants and supports to over 100 provincial sport and recreation organizations and supported countless other local clubs and organizations and committees.

Highlights include Fairview's hosting of the 2011 Alberta 55 Plus Summer Games and Spruce Grove, Stony Plain, and Parkland county's fantastic 2012 Alberta Winter Games. Alberta was very well represented by Team Alberta North at the 2012 Arctic Winter Games in Whitehorse this past February. The foundation has once again shown that positive collaboration with our stakeholders creates great opportunities for Albertans to get active and to get out and enjoy our province.

Thank you, Mr. Speaker.

**The Speaker:** Are there any other tablings? The hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Mr. Speaker. I'm pleased to provide the requisite number of copies of the document I referred to in question period yesterday. This document is titled Alberta by Design, the PC Party of Alberta election platform 2012.

### Projected Government Business

**Mr. Anderson:** Mr. Speaker, pursuant to the standing orders I'd like to ask the hon. Government House Leader about projected government business for next week.

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

**Mr. Hancock:** Thank you, Mr. Speaker. On Monday evening under Government Bills and Orders for second reading we anticipate debating Bill 2, the Responsible Energy Development Act, and as per the Order Paper.

On Tuesday afternoon under Government Bills and Orders for second reading we anticipate that we will still be discussing the Responsible Energy Development Act, and as per the Order Paper. In the evening under Government Bills and Orders in Committee of the Whole we would anticipate beginning discussion of the Education Act; time permitting, Bill 1, the Workers' Compensation Amendment Act, 2012; Bill 6, Protection and Compliance Statutes Amendment Act, 2012; and Bill 9, Alberta Corporate Tax Amendment Act, 2012; and as per the Order Paper.

On Wednesday afternoon under Government Bills and Orders for second reading we would anticipate that Bill 4, Public Interest Disclosure (Whistleblower Protection) Act, which we anticipate will be introduced for first reading on Tuesday, will be available for introduction for second reading. Bill 5, New Home Buyer Protection Act; Bill 8, Electric Utilities Amendment Act, 2012; and Bill 10, Employment Pension Plans Act, would be available for second reading. Time permitting, we could continue in Committee of the Whole on bills 1, 6, and 9. In the evening we anticipate Committee of the Whole for bills 1 and 3.

On Thursday afternoon, November 1, under Government Bills and Orders for second reading: Bill 4, Public Interest Disclosure (Whistleblower Protection) Act; Bill 5, New Home Buyer Protection Act; Bill 10, Employment Pension Plans Act; and as per the Order Paper.

**The Speaker:** Thank you. I believe that completes our Routine.



**Orders of the Day**  
**Government Bills and Orders**  
**Second Reading**  
**Bill 2**  
**Responsible Energy Development Act**

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

**Mr. Hughes:** Thank you, Mr. Speaker. It's a pleasure to rise to move second reading of Bill 2 today.

The Responsible Energy Development Act, Bill 2, will create a single regulator for upstream oil, gas, oil sands, and coal development in Alberta. What we're proposing to do through this legislation is create a made-in-Alberta approach to how our energy resources are regulated. This will be more efficient for landowners. It will be more effective and efficient for industry. It will provide a unified approach to regulation that supports important environmental safeguards.

I think every member of the Legislature can agree that our province is indeed in a unique position in the world. Our province has been blessed with abundant resources, our economy is among the best in the world, and our citizens are committed to creating a province in which people want to live, work, and raise a family.

Two years ago the government of Alberta embarked on an important project that looked at the way Alberta regulated its energy resources with an eye to efficiency, effectiveness, and best practices around the world. A task force was created to make recommendations about improvements we could make. My colleague the Minister of Environment and Sustainable Resource Development chaired that task force, and she did so very ably, I might note. She met with Albertans, stakeholders, and First Nations communities across the province to hear their thoughts about how we could steward our resources more responsibly.

[Mrs. Jablonski in the chair]

We heard from Albertans that they want to have a say in what projects are planned. We heard from Albertans that the development of our province's resources should not come at the expense of our environment. We heard from Albertans and industry that the current regulatory system is confusing and, at times, difficult to navigate. We heard from landowners that they feel they're powerless when they feel industry is not holding up its end of the deal. We heard from landowners that resolving conflicts with private corporations is challenging and very expensive.

I'm happy to say that we've addressed these concerns and frustrations through the Responsible Energy Development Act. The proposed legislation in front of you will create a single regulator that will benefit not only our economy but our nation's economy. It will help ensure that we remain an attractive place to do business. It will support job creation and bolster the economy so we can continue to invest in education, health care, caring for seniors, and the many services that the province of Alberta provides for the citizens of this province.

It's an important milestone in the province. We're fulfilling the promise that the Premier and government made to do things better with a system that makes sense. What we're creating is a one-stop approach that will make it easier for Albertans and for industry to navigate the system.

The regulator, which will be operational by June of next year – that's 2013 – will bring together the regulatory functions of the Energy Resources Conservation Board and the Ministry of Environment and Sustainable Resource Development for energy resource activities. This consolidation cannot be underestimated in

terms of its importance and its impact. Currently a major oil sands development could require over 200 applications. Through the new regulator we will look at the entire process and look for efficiencies, areas where proponents used to go to multiple places where they can now access a more unified approach. The regulator will have the flexibility it needs to receive applications and make decisions about energy resource activities.

It creates a new entity, Madam Speaker, and it involves the repeal of the Energy Resources Conservation Act. This new organization will have a strong governance model that includes a small board of directors and a chief executive officer. The board will be accountable to the Minister of Energy but will have accountability as well to my colleague the Minister of Environment and Sustainable Resource Development. To be clear, the Minister of Energy won't manage this board. It's an arm's-length board. The new entity will have hearing commissioners appointed separately by cabinet to ensure that hearings and reviews are effective and fair.

As well, Albertans will know how this regulator is performing. Performance measures will be developed and reported to Albertans. The regulator will also be transparent and will provide reports and information to the Minister of Energy as required and as requested.

Our commitment to the environment remains strong. Through this legislation the new regulator will administer the Public Lands Act, the Environmental Protection and Enhancement Act, and the Water Act in terms of energy resource development. It's an essential shift that gives the regulator broader inspection and investigative powers as well. If companies or individuals are found in noncompliance of the legislation or of an approval, the regulator can use any of the tools within any of the existing statutes to address the concern and the issue. This approach broadens the regulator's ability to ensure that individuals and corporations act properly according to the legislation in the province. Not only that, but if individuals and corporations are found in noncompliance, fines under the energy statutes have been raised significantly to align with those in place under the current environmental legislation.

This new legislation is about creating a regulatory system that is effective and efficient but not at the environment's expense. Economic development and environmental management are two sides of the same coin, and with the Responsible Energy Development Act we're achieving that right balance. The fact is that we wouldn't think of moving to a single regulator if we thought even for one second that the move would compromise environmental protection.

3:00

While talk today surrounds the new single regulator, it's essential that we stress that the single regulator is one piece in a much larger, co-ordinated integrated resource management system that we're putting in place in this province. It's part of our commitment to plan in an integrated manner, considering what is healthy for the economy, the environment, and society. This important work includes a single regulator, a world-class environmental monitoring system, announced by my colleague, and land-use planning, also announced by my colleague. Recently we released the lower Athabasca regional plan, which is a responsible plan putting in place for the next 50 years a plan for growth in that area. We're currently working on additional regional plans across the province.

As I mentioned earlier, we heard from Albertans and specifically landowners across the province that they can feel powerless when things go wrong on their land. All over Alberta landowners enter

into private agreements with industry and corporations. When things don't go according to plan, they have a challenge seeking recourse, and as somebody who grew up in rural Alberta, I know how important that is. The stewards of land, the landowners, we all know, are the best trustees and responsible parties to look after the interests of the land.

Clearly, protecting the rights of landowners is a priority for this government. Through the Responsible Energy Development Act, landowners can choose to register their private surface agreements with the regulator. If a landowner does not feel that industry is complying, if industry isn't living up to their commitments, Madam Speaker, then the regulator may investigate and can issue an order directing companies to comply. This is a big assistance to landowners in their relationships with energy companies.

Another key thing our task force heard and acted on was to create a dispute resolution mechanism. The single regulator will be authorized to require that both parties participate in an alternative dispute resolution process when the regulator considers it appropriate in order to resolve outstanding issues. We're enabling landowners and stakeholders who are adversely and directly affected to state their concerns to the regulator and participate when hearings are held. Provision is made for decisions to be reviewed or reconsidered in a manner that provides appropriate checks and balances for the decision-making process.

We also know that we have people across this great province who have a vested interest in how we develop our resources, where that happens, and there are many who want to have input. Our government is creating a policy management office, or PMO – we'll have one of our own – as we're calling it, which will be responsible for setting policy direction that the regulator will deliver on. One of the PMO's first and most important tasks is to create a public engagement framework. That framework will create mechanisms for Albertans to have their input heard early on in the policy-making process.

Premier Redford has committed to consulting with Albertans on important issues, and that's a priority as far as energy resources are concerned. While this new regulator will be operational by next June, we do have important work ahead of us first. The proposed legislation sets the stage and builds the foundation for the single regulator. We are in the process of developing the regulations that will accompany the Responsible Energy Development Act. This is essential work that will require feedback and consultation from Albertans to ensure we're hitting the mark by providing for effective participation. I can't stress enough what an exciting time this is. This is a once-in-a-generation opportunity to bring to Albertans the next generation regulator for the development of our resources.

Through the Responsible Energy Development Act we're implementing a regulatory system that makes sense for Alberta, makes sense for Canada, makes sense for the environment. The new regulator will provide effective processes for Albertans to be heard and respected on an ongoing basis. It will protect the rights of landowners. It will safeguard the environment. It will be a one-stop approach that will make it easier for Albertans, industry, and landowners to navigate the system. Simply put, it's an approach to energy regulation that makes sense. It's the right time. It's the right approach. It's the right thing to do.

With that, Mr. Speaker, I would now move to adjourn debate.

[Motion to adjourn debate carried]

## Bill 6 Protection and Compliance Statutes Amendment Act, 2012

[Adjourned debate October 24: Mr. Jeneroux]

**The Acting Speaker:** I now recognize the hon. Leader of the Opposition.

**Ms Smith:** Thank you, Madam Speaker. Now, I wasn't going to speak to this bill because I had initially thought it was just going to be a housekeeping bill. On the surface it looks reasonable. Bill 6, the Protection and Compliance Statutes Amendment Act, 2012, looks reasonable in what it's aiming to do, which is to amend the Fair Trading Act, the Occupational Health and Safety Act, and the Safety Codes Act.

Let me first speak about the things that we think are positive about this approach, and then I'll speak about things that I am concerned about and give my recommendations at the end. What I like about the Fair Trading Act is, of course, that it's going to aim to protect workers and consumers from unfair trade practices. This is good. We know that there have been instances where the act has been perceived to be too weak on the bad guys, on those who are doing wrong. Increasing the penalties as a deterrent, once again, is a good idea in principle as long as it's being targeted at those who are truly doing wrong. That's a positive.

Secondly, the OH and S Act: we all know that the Auditor General has called for more enforcement. We support the government's efforts to improve the safety of work sites for all workers. Every worker should have the confidence going to work that they're going to come home at the end of shift healthy, without having had a workplace injury. We understand as well that one of the ways to ensure compliance is to have harsher penalties. Again, as long it's targeted against those who are doing wrong, those who have sloppy practices, not only in practice will this be good, but we think the intention of it is good.

Under, of course, the Safety Codes Act, I think we all remember the tragic case recently of a young girl who was killed when construction debris that had not been properly secured flew off a building in Calgary. I commend the government on recognizing that part of the way you get compliance, once again, is to ensure that there are stiffer penalties so that you do end up encouraging corporations to take every action they can to secure their safe work environment.

However, one of the concerns that we have – and we have observed this with government in other bills – is that from time to time the good intentions do not translate into addressing the right people in practice. I would just draw the Assembly's attention to the .05 bill. We support the notion of going after drunk drivers. We do. But with that bill, once again, giving administrative penalties, to allow officers at the roadside to be prosecutor, judge, and jury with a very serious penalty – taking away a person's car and licence for three days – we think that oversteps the line of administrative penalties.

When we look at what is happening here, once again, we're seeing that the maximum penalty under the Fair Trading Act would allow for an administrative penalty to go up to a high of \$100,000. We also acknowledge that under the Safety Codes Act it would allow an administrative penalty to go up as high as \$100,000 in the first instance and then up to \$500,000 in the case of subsequent instances. Once again, if this is targeted at genuine shortfalls in safety on work sites and if it's targeted at people who are genuinely doing wrong, then it's all right. But what I think we're most concerned about is that we are targeting the right

people, that we're not giving excessive powers to enforcement officers and administrative agencies through administrative penalties and short-circuiting the Charter rights to be able to have due process and ensure that you have reasonable access to the courts.

Now, I am open-minded about being convinced that this is the right approach, but I have to say that that type of approach does leave me with some reservations. What I would hope is that we could put more language around having some kind of appeal process in the event that these fines are levied so that we do have an opportunity for somebody who may have been wrongly fined in one of these excessive amounts to ensure that they have a second order of appeal so that they can address the issue. The appeal has to be independent. It can't be appealed to the ministry which also levied the fine in the first place. We're going to be taking a closer look at this legislation to see if that condition can be satisfied.

3:10

The second thing I would raise a concern about is that while we do want to levy fines, we also want to be cognizant of where these fines are going. In the case of a \$500,000 fine for a safety violation, should those dollars go into general revenues, or should those dollars go to make restitution to the people who are harmed by the unsafe workplace or the unsafe practices? I think that what we have seen in the past was a good precedent set by this government with the victims' restitution fund. In the event of assets seized from criminal activity, the dollars and assets went into a fund that nominally was supposed to go towards victim restitution.

We think that same kind of principle might be able to apply here, that if there are going to be additional high fines levied, perhaps the approach would be to have an independent fund that would be able to build up, and with those funds you could make restitution to those who are harmed, whether they were consumers or whether they were those who were working in the unsafe workplace, or be able to hire additional officers to assist with the compliance.

Part of the approach that we have heard does cause some concerns for business owners is that there does seem to be an attitude among inspectors when they go into a workplace that they can't leave until they find something to write up, and that is part of the reason that we expressed some concern on behalf of our small-business community about giving excessive powers to our enforcement officers without looking at the other side of things.

We think that the government and its officers can play a role in helping to educate small-business owners about the kinds of practices they can put in place to improve the workplace environment. You can do a carrot-and-stick approach, and those will be the kinds of things that we will be looking for in the bill as well as, if they're not in the bill, putting them forward as amendments.

Once again, I've risen twice to speak in favour of government legislation put forward in this Legislature. On this one I will reserve my support until I'm able to see what kind of amendments we might be able to make through Committee of the Whole, and we'll see in third reading whether or not it is satisfactory to earn my vote. At this moment I do have some serious reservations about how this might work in practice though I do commend the government for the intention behind the bill.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

I now recognize the Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much, Madam Speaker. We in the Liberal caucus have discussed this bill and are mostly in favour of it. I have learned to always reserve the final thumbs-up because the devil is always in the details.

This is actually an omnibus bill. It contains changes to three different acts. As a short trip down memory lane, we used to get a much longer period of time to debate omnibus bills. It was 30 minutes at that point, with the idea that if you were having to debate many different bills, you should have more time to be able to do it. Through a series of changes over the last 15 years, I guess, we're now down to 15 minutes to discuss this whether we like it or not.

Happily, there's not a lot of complexity in this bill. It's essentially going through and raising the fines or penalties in each of the sectors. The three different bills that are being analyzed here are the Fair Trading Act, the Occupational Health and Safety Act, and the Safety Codes Act. In each instance, maybe not with the safety codes, they are increasing the administrative penalties to something that is beyond the cost of doing business. The previous ones were in the sort of \$15,000 range, and in this day and age, when you're talking about building a house or working on some larger business site or safety codes on a job site, \$15,000 is, frankly, the cost of doing business. You just pass it onto the consumer, who's going to buy it in the end. It's not a big deal. I think it's important that we do keep penalties, which are made to dissuade a certain kind of action, current so that they are a dissuasion and not, as I said, the cost of doing business.

As the Leader of the Official Opposition mentioned, when we look at the safety codes part of this, I mean, this is important. People die when these codes aren't followed particularly. Or they're hurt; they're injured for life. It's our business as legislators to try and design a system or to design the overall policy to make sure that everyone is responsible when they create a job site.

As the Liberal critic for Municipal Affairs my piece of this is the safety codes piece. Again, there are small amendments being made here in that they are changing the maximum fines. There was \$15,000 for a first offence and \$30,000 if you got beyond that. Some people do, and \$15,000 or \$30,000 in this day and age? Nah. So what they're contemplating in the proposed act is going up to \$100,000 for the first and \$500,000 for the second. That's more substantial. That, I think, has the effect of saying: that is a lot of business. And that would be darn hard to pass on to the consumer under the guise of, you know, coloured tile or something in the bathroom. You're going to notice that one.

That's important because there's a lot of pressure in this day and age to keep driving down the price of things. This is where I start to disagree with a number of my colleagues in the House. In that competitive marketplace that is so valued by so many of my colleagues here, part of that competition and that competitive edge comes from cutting corners. It comes from skating close to the line.

That efficiency can result in people getting hurt. I work with a lot of the people that come out the other end of that kind of thing. They're trying to exist on AISH or workers' compensation, and it's no fun. Nobody wants to be on government benefits for the rest of their life. Trust me; this is not a happy place to be. You're just in continual poverty. So it's important that we make it clear to all business owners, to anyone running a site in which a safety code has been developed that they adhere to those safety codes and that they make a workplace as safe as they possibly can for people to work in.

At this point I will recommend to and remind everyone that if you really wanted a safe workplace, you would get a union site because union sites have always had a better safety record than

any non-union site. That is well documented, and you're welcome to go and look it up. It's true because the union gives, you know, the backing to an individual worker to say: I'm not going to do that; it's not safe. Knowing that they have the union behind them, they're more willing to speak out than somebody that's working on a mom-and-pop operation, who maybe are even related to the mom and pop, and everybody's working hard to try and meet that deadline or get under that particular budget item.

It happens. I don't think people do it deliberately, but if they were reminded that cutting that corner or not putting that particular thing in place could cost them \$100,000 the first time out and \$500,000 if it was a repeat, that's going to make everybody pause and go: "You know what? Let's just take the extra minute here. Let's just put up the extra scaffold. Let's just move the tools now and get them from underfoot. Let's just recoil that rope over here." That's the point of the legislation. It's been successful if it's made people go and re-examine what they're doing to make sure that they have a safe workplace.

Now, the second piece of this is the monitoring, compliance, and enforcement part of it. This is giving us higher penalties – fair enough – but if we're not monitoring that work site, we're not catching where these potential deficiencies are. We don't want to have to wait until the end product, which is that somebody gets hurt or killed, before people are looking at it and fines are evoked. So I would like to see more monitoring in place.

3:20

In this case the monitoring is delegated down to the municipalities. It's one of those long, constitutional devolutions. Blah, blah, blah. Nonetheless, it does come down to the municipalities to do the monitoring of the site, and a lot of municipalities don't have enough money to put enough inspectors out there. Anybody that has been waiting for an inspector to come by and okay something or other will know exactly what I'm talking about. It's so far behind, actually, that it has become pretty commonplace in house building, at least in my fabulous constituency of Edmonton-Centre, that they've commenced building before the inspector ever comes on the site to okay the first thing that was supposed to happen. They all know that everything is running ahead of the inspectors actually getting there.

This is an area where the government consistently underfunds and/or cuts. The first thing that's going to get cut, the first thing on the chopping block is any monitoring staff, and that is true for any department here. If we want to go through and look at SRD, if we want to look at tourism, anything that has a monitor involved with it or some monitoring capacity is what gets cut. Then everybody, you know, puts their panties on their head and runs around when a disaster happens going: how did we miss this? Well, you missed it.

**Mr. Anderson:** I have never run around with panties on my head.

**Ms Blakeman:** Well, that's a good thing, and I'm glad to hear that from the hon. member. But, you know, we don't want it to reach that stage. Honestly. We don't want it to reach that stage.

We want that omission, that shortcoming, that lack of full fulfillment of a safety code to be caught early, not caught when somebody has actually been hurt or killed by it or some sort of disaster is triggered or whatever. You know, people look to government. You can think of those people that when a disaster happens, what do they do? They turn to the government and say: "Why didn't you do something? Why didn't you the government catch this? That's your job." It's true because the only group that

can be trusted to monitor something in an unbiased way and consistently is government.

Now, this is going to lead into my having a short tangent here about how much this government tends to farm out monitoring practices and have industry self-monitor. Bad, bad idea for exactly all of those reasons because they may stay a little close to the line, and as a result stuff is going to get by. I think monitoring should be one of the things that government does. Unlike my colleagues, I think there is a role for government, and I think that monitoring is one of those roles, ensuring compliance and enforcement, frankly. What we are getting here is a piece that is improving, one would hope, the enforcement because it's not actually making the enforcement happen, but it's saying: okay, you did bad, and now we're going to fine you.

The second thing that's happening is that there is a limitation – well, I'm sorry. It's written as a limitation period of three years for prosecution of offences under this. That's just the language of the legislation. Actually, it's increasing it from six months, but it's always written as, "If you pass the three-year mark, then you're too late to prosecute it," rather than saying that you have up until this time. So a three-year limitation for prosecution of offences under this. Much better than six months.

You know, just given how fast some sectors are going and how slow other sectors are going, like the courts, trying to get something through or doing the back work that is needed to go forward to try and lay charges and prosecute an offence like this, you need that extra time – I mean, six months for a lawyer; that's not going to happen – for the court system. Let's make it what really works. I think the government has done the right thing here. They certainly had lots of advice, as far as I can tell, on how to go through with that.

Let me just quickly check to see if I was supposed to say anything on behalf of my colleagues. I think not.

**Mr. Donovan:** I want to run around with my panties; I can't wait.

**Ms Blakeman:** No. Honestly, you guys. It's funny, but you do not want to be doing that because that's when disaster has struck, and you look like fools. That's the problem, whether it's the company or the government that ends up doing that. You all know what I mean. You've seen those deer-in-the-headlights CEOs caught on television going: I had no idea. Well, yes, you did. That's not the position you want to be in.

Oh, one thing: the Fair Trading Act. That is a really cool piece of legislation, oft-ignored and underappreciated, in my opinion, because it is one of the few pieces of consumer protection legislation that we still have under this government. At one point – you will be amazed – there used to be a department of consumer protection. You're kidding. No, Laurie. It's absolutely true. There was an entire department, and now we are down to a couple of little acts and a bureau. No, wait: a desk in somebody's department buried deep in Service Alberta.

So we're grateful that there's still the Fair Trading Act, and when I get a chance to speak to this in Committee of the Whole, I'll be sure to wax on about how important the Fair Trading Act is because there's a lot of stuff hidden in there, and I want to get started on talking about Ticketmaster and secondary sales of tickets again. But I'll wait until we are in Committee of the Whole to be talking about that.

Thank you very much for the opportunity. As I said, my caucus is giving this a tentative thumbs-up, and I appreciate the opportunity to bring a few concerns to the floor.

Thank you.

**The Acting Speaker:** Thank you, hon. member.

I would remind the members that naming a member in the House is not something that we do, even if that's naming yourself, I suspect. Thank you very much.

We now have a five-minute comment period, and that's under 29(2)(a). Are there any members that have a comment or would like to ask a question of the Member for Edmonton-Centre? The Member for Little Bow.

**Mr. Donovan:** Thank you, Madam Speaker. Would you have anything else you would like to add to that because you've tantalized us on a couple of things that you might bring up next.

**Ms Blakeman:** Well, I started to talk about the Fair Trading Act, and then I said that I would hold it over because if you actually look at that act, it covers a whole range of things that you hardly ever think of.

Secondary ticket sales is one of the things that this government promises me is being looked after or could be prosecuted under the Fair Trading Act. This was an issue that I had brought up with the government sometime ago, before it was sort of fashionable. You'll all know what secondary ticket sales are now. That's when they go on sale at Ticketmaster and you hear that they were on sale for one second before they sold out. Then you find out that there's another website you can go to. It actually probably gives you a little pop-up that says, "Didn't get your ticket? Go visit Second Sell," or whatever the name of the secondary site is. You go there and, indeed, tickets to the concert that you want – holy mackerel – are five times the price of what was on the original site or was the original cost of the tickets.

I brought this up because I represent a lot of technicians and stagecraft people that work, for example, in rock concerts and big touring shows that come through. They get paid based on the size of the house, and the size of the house is based on the number of seats times the cost of the ticket. So if the ticket is in there at 50 bucks times X number of seats, they're going to get paid at a certain rate. But, in fact, if most of the people that buy tickets have now paid \$500 for the ticket, those people should have been paid more money. That's the deal. And those are people that live here, and they spend their paycheques here, and they pay their mortgage here, and they buy their groceries here, and the money stays here in Alberta. These are just plain old working folks that happen to work in the theatre or in special events.

I came into this because I was trying to make sure that they would get paid as was the way their contract was set up. The government didn't agree with me quite so much and wiped out the one portion that was protecting them at the time by saying that the Fair Trading Act was going to protect them. I haven't yet seen the government actually invoke the Fair Trading Act to protect these people, and they're certainly well aware of the problem with Ticketmaster now. Ontario, interestingly enough, did actually bring through an act that specifically addressed secondary ticket sales, and I will continue on that during Committee of the Whole.

Thank you so much.

3:30

**The Acting Speaker:** Thank you, hon. member.

We still have two minutes if anyone else would like to comment or question.

**Ms Blakeman:** I didn't use the whole five minutes?

**The Acting Speaker:** No.

Seeing none, we'll move on to our next speaker, the hon. Member for Edmonton-Calder.

**Mr. Eggen:** Well, thank you, Madam Speaker. I rise with some interest to speak to Bill 6, the Protection and Compliance Statutes and Amendment Act, 2012. I can feel and see that although it is perhaps somewhat of a housekeeping bill, it does in fact cover quite a wide breadth of legislation in a number of different ministries or at least different legislation, including the changes to the Fair Trading Act, the Occupational Health and Safety Act, and also, I believe, something to do with the Safety Codes Act. I'm here to try to raise some areas of interest that each of these sections pertains to, to both workers and protection of Albertans. I think that to some degree I'm feeling favourable towards this bill although I think there are a number of areas where we can focus our efforts perhaps more specifically and perhaps make some minor changes with the assistance of some of my colleagues.

The bill seems to make minor but really quite significant changes to occupational health and safety legislation, especially in regard to penalties, but we also have this nagging feeling that it ignores some of these larger issues that we have been advocating and that other groups have been advocating for years; namely, the extension of the Occupational Health and Safety Act and the Workers' Compensation Act to include all paid farm workers.

Now, currently health and safety regulation excludes domestic workers such as nannies and housekeepers and so forth, federal government employees and workers in federally regulated industries like banks and transportation companies, people that cross provincial borders, television and radio broadcasters, and farmers and certain agricultural workers. According to workers' advocacy groups such as the Alberta Federation of Labour Alberta remains the only province where farm workers are excluded from occupational health and safety legislation. Of course, we've heard a great deal of information about this, and quite frankly I think it's something that we could do in this bill and in other forms of legislation to rectify that situation.

This bill has been sort of advertised as legislation to protect the health and safety of Albertans, increase protections for Albertans, with changes to ensure that offenders can no longer assume that penalties for safety code violations are just simply the cost of doing business. Well, I must say that there are some areas where we do find concern. Certainly, in the level of the fines as outlined in this new bill, we think that perhaps they are still somewhat low. Certainly, there are, like I said, other areas where we could include more workers under protective acts here in this provincial Legislature.

The bill is providing the ability for the director of the Fair Trading Act to levy administrative penalties to a maximum of \$100,000 to all businesses regulated by the act regardless of whether a licence is required or not. I notice an appeals process will also be established, and I think that's a reasonable addition. Certainly, the prosecution of an offence under the Fair Trading Act can no longer occur more than three years after the offence. This bill is changing, I believe, that three-year limitation period as well. A question, I guess, that's brought up in this bill is about whether the consumer knew or ought to have known that the offence was committed. I would just like to question how we would determine that. It seems to be a somewhat open-ended part of this that I was wondering about when I was reading the language of this legislation.

Also, the idea of the Occupational Health and Safety Act: currently officers can educate and can issue orders to reinforce compliance, and if those measures do not achieve a compliance, then the alternative is, of course, prosecution. This bill will allow the government to levy administrative penalties against persons regulated by OHS legislation. I have a question about that that we can perhaps delve into further in Committee of the Whole. In fact,

an OHS expert has told us that administrative penalties are a good deal for all minor violations that government does not want to take to court. In effect, they are an intermediate tool to hold violators to account. Therefore, we can say that the bill is perhaps – and this is up for debate – an enabling measure, really, to allow officers to levy administrative penalties.

The bill does not seem to define the specific regulations that would lead to the levying of an administrative penalty rather than a prosecution in court. This is perhaps something that we can provide some further illumination on here in the House during the second or third reading.

As well, I just wanted to ask in regard to OHS officers. They know which offences will receive administrative penalties and which ones will be prosecuted in court. How could they know that if there are no specific regulations that are included in this bill? Again, just a point of clarification that I wanted to bring forward.

I certainly recognize the need to compile and make these updates in Bill 6. As I say, I think that we are working on a couple of amendments that might help to clarify these issues and others. Certainly, I have, with some reservations, a positive message to bring during second reading.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. Member for Edmonton-Calder.

Standing Order 29(2)(a). Are there any members who would like to ask a question or make a comment? The Member for Little Bow.

**Mr. Donovan:** Thank you, Madam Speaker. I listened to my colleague here talk about worker safety with workers' comp for farmers. Could you elaborate? I guess I want to hear your take on it.

**Mr. Eggen:** Sure. Absolutely. We know that it's been a sensitive issue all of the years that I've been involved in the Legislature but also with my family involved in farming as well. By not having the same coverage for farm workers as other workers might enjoy, then we have people that are left exposed to injury without compensation. Now, I know that we need to have some rules around this to ensure that we're not putting unfair penalties onto family farming operations, but I think that's probably where we need to make those definitions more clear.

We all know what's happening in the countryside. Farms are getting larger. They're becoming, ostensibly, medium- to sometimes very large-sized businesses. Maybe they will stand under the auspices of a family farm, but in reality it is a large commercial industrial operation that hires and employs lots of workers on wages. There's got to be a way – other provinces have done it – to extend benefits, especially workers' compensation benefits, to farm workers. I think we need to revisit that, not just under this sort of legislation but under definitions of what constitutes a family farm, a commercial operation, or a large industrial operation. Does that help?

**The Acting Speaker:** Thank you.

We still have three minutes under Standing Order 29(2)(a). I recognize the Member for Edmonton-Centre.

3:40

**Ms Blakeman:** Thanks very much. I'm just picking up on what the Member for Edmonton-Calder was saying. I had always approached this as: what's important is paid farm workers. Part of the way the government wiggles out of this is by constantly standing up and talking about, you know, cherubic farm children

that are working for mom and dad. It's not family members that we're trying to get at and protect. It's paid farm workers. I'm thinking of one fellow I knew who literally was paid \$500 a month, and that was it. He lived on-site and was on duty, essentially, 24 hours a day or was expected to be and didn't own a thing and could never get out of it at 500 bucks a month.

**Mr. Donovan:** Sounds like the guy that owns the farm.

**Ms Blakeman:** Yes, but he actually has an asset. The worker had nothing, and that's the difference. He was just ripped off, frankly, and he could never get himself going. He didn't have enough money and couldn't save enough money to buy a truck or, you know, even to get away from there or have a holiday. He didn't get any holidays. It was just really awful.

I'm restricting my campaign on this to paid farm workers, but I'm interested to hear from the member if he's looking to include all farm workers.

Thank you.

**Mr. Eggen:** Well, I believe that the most pressing, obvious injustice that we have in regard to not having workers' compensation and so forth and unemployment insurance for farm workers is with the paid commercial farm workers. I think that's the low-hanging fruit, to use a cliché that I don't like to use, actually, the most obvious, pressing thing, that we're the only province in the country that fails to do so.

You know, there's the larger issue, I think, in terms of occupational health and safety coverage for other people as well like domestic workers that I think that we deserve to visit as well because more people are bringing in domestic workers, it seems, and that's another issue that I have an interest in.

**The Acting Speaker:** Thank you.

Are there any other members wishing to comment or question? The hon. Member for Calgary-Shaw. You have 20 seconds.

Excuse me, hon. member. Are you speaking under 29(2)(a) or speaking on the bill?

**Mr. Wilson:** I'm sorry, Madam Speaker. I was planning to speak on the bill.

**The Acting Speaker:** Thank you. Go ahead.

**Mr. Wilson:** Thank you, Madam Speaker. It is a pleasure to stand here and comment on the Protection and Compliance Statutes Amendment Act, 2012. Obviously, as we've heard today, there are three bills that are being impacted by this, and I do think that it's an important piece of legislation. I think that, you know, there are improvements that can be made, and I just want to talk through a few of them, starting with the Fair Trading Act and, I guess, the overall principle of protecting Albertans from business operators that wilfully take advantage of workers or customers.

The reality is that there are people out there who possess such little integrity and strength of character – and they're only out for themselves – that we need to have legislation that will allow and provide for the director the ability to levy these administrative penalties to penalize companies who don't follow the rules.

I have a couple of examples that I'd like to share, one of which has impacted members in my very constituency of Calgary-Shaw. There's a gentleman who had – I don't know if "gentleman" is the correct word for it. There's an individual who's been charged, and he was running a contracting business. Now, this contractor would go to various individuals and do up estimates and quotes to do work in their homes, renovate their kitchens. He'd take deposits.

He would never get the work done. He'd hire other contractors, who would then go in and start some of the work, but then he wouldn't actually pay those contractors. The contractor that he had hired would then leave the job half done, leaving these families with absolutely no recourse.

Now, this individual continued doing this over and over and over again until he was eventually in the hole or owing some of his creditors in the range of \$1.5 million. What makes matters worse is that not only was there no recourse for the consumers in the first place to get that money back, nor was there recourse for the contractors that he had hired to go and start working for him, but he actually was able to start up another company under another name and do the whole thing over again. It's absolutely shameful. I'm hopeful that what we see in this act will start to prevent some of these people from wilfully taking advantage of others. You know, if someone is in this situation, where they're clearly bankrupt or they have no way of paying back the creditors that they owe, I'm unsure how a fine is really going to impact what they're going to do, but I'm hopeful that at least it would stop them from going and starting up another company and doing the rinse-repeat to other people.

Now, there's another example that I'd like to share as well. This is a story of an individual that I personally had done business with through the last company I worked at before being elected. Our company did business with him. He wilfully contracted our company to provide services for a very large and well-known event that took place in the city of Calgary. It was incredibly high profile. There were dozens of vendors that this individual and his corporation, I guess, strung along, that they would be getting paid after the event. Unfortunately for many of us, we didn't.

The hard reality is that there are laws that protect people like this. What this individual did is: the day after the event he filed for insolvency. That gave him, I guess, a green light to not pay any of those bills. There was no recourse. Lawsuits were filed.

**Mr. Anderson:** Who was that?

**Mr. Wilson:** Actually, it's interesting that you should ask. He was the former chief of staff to the Premier.

This is an individual who after filing insolvency – again, this is a very personal story. It was a fact. I was the individual responsible for negotiating with him around our services.

**Ms Blakeman:** He ripped off IATSE, too.

**Mr. Wilson:** Yes, absolutely, he ripped off IATSE. Yeah. There's no question he did.

**Ms Blakeman:** It came to thousands of dollars.

**Mr. Wilson:** Yes. There are lawsuits that are still filed, I think. Ours was in the range of \$70,000.

The reality is: he files for insolvency, does not pay the bills. The next day he starts a company under a new name, operating out of the same building that he was in in downtown Calgary. He moves his office furniture, sells some of it, doesn't advise the creditors that he's selling off assets even though he's claimed insolvency and he's making money. Then, obviously, you know, this individual has gained some notoriety for some political success that he's had since then.

Again, it's incredibly unfortunate that there is no recourse for a number of these creditors. Let's keep in mind that we are not only talking about IATSE, a large union. I think it was about \$30,000 that they were stiffed.

**Ms Blakeman:** It was a lot of money, and the union covered it.

**Mr. Wilson:** Sure. Exactly.

We're talking about small businesses as well. We're talking about small businesses where, you know, a \$10,000 hit is enough for them to not be able to pay the bills that month, to not be able to make the rent. The reality is that without recourse to stop individuals like this from continuing behaviour that is clearly devoid of character, when there is intent and there is wilful intent – there is no possible way that that individual thought he would be able to pay those bills the week before the event was going to happen, but he allowed it to happen.

Had that individual suggested to some of those vendors, "Listen, this might not go as planned. Are you able to cut us a break? Let's start negotiating now because we're in trouble," I'm sure a lot of those vendors would have stepped up out of respect for the fact that it was the Dalai Lama coming to Calgary to address a crowd. I'm sure that for the people of Calgary those vendors would have said: "You know what? For the benefit of all citizens here let's not prevent them from being able to enjoy this."

But that never happened. Insolvency was filed. Lawsuits were filed. Lawsuits were never paid. The individual was hired by the Premier and now is on *Power & Politics* on CBC. He's on CTV. He's writing a book, and hopefully in that book we have a little chapter on how to get away with things.

**Mrs. Forsyth:** How about integrity?

**Mr. Wilson:** I doubt you'll find a chapter on integrity in that book.

The reality is that the Fair Trading Act, hopefully, will now have the teeth to prevent these sorts of actions moving forward. So in that sense I'm fully supportive of this part of the bill.

3:50

The occupational health and safety side of this act: I think there are a lot of positives here as well. The Auditor General has clearly asked this government to take some action with regard to ensuring that workplace safety is a paramount concern moving forward, and I think that some of these administrative penalties are going to help achieve that. It was first asked for, I believe, in the April 2010 Auditor General's report and again mentioned in July 2012. But we have some movement. We have some action. Small steps are sometimes good steps. We do have some concerns, obviously, about overzealous OH and S officers or how these fines are going to be impacted just by the will of an officer as opposed to actually having a set guideline as to how they can levy these fines because there is a pretty high maximum.

We're encouraged to see that there is a provision for smaller fines to be handed out to the individual worker if they're not following code. There is an amount of responsibility. It's incumbent upon the worker to follow the safety code just as it is upon the employers who are there trying to protect these guys and girls and women and men who are out there every single day. If you're not wearing steel-toed boots on a construction site, it's not always the employer who needs to be the one who catches the fine for that. Losing a day's wage is, I believe, an incentive or a disincentive to change behaviour. In this case, I think that it's probably a positive thing.

The private sector and the oil and gas sector have led the way in workplace safety in our province. They preach safety. It is their number one concern because they recognize that the people that work for them are their most important asset. Without them they're nothing. I think that it's good to see that our government across the floor here is starting to recognize that as well, and

they're starting to follow some of these recommendations from our Auditor General.

With regard to the creative settlements, again, I applaud the Leader of the Official Opposition for her idea of having a fund set aside so that when some of these large fines are levied by OH and S, the government will be able to force payment of these, based on this act, whereas perhaps before there was an issue with that. I'd really like to see that money go to a good cause, to go to further educating some of our workplaces, to go to further educating on the best practices of safety standards. I think that an amendment that our hon. leader will be bringing forward, hopefully, will address some of these things.

The reality is that our economy and everything that we have here in Alberta is dependent on workers being able to go to work, feel safe, feel secure, go home at night, get up, and do it again. We've had other conversations about this earlier this week as well.

With regard to the third section, which takes into account the Safety Codes Act, there are some, again, increased fines. I think that anyone who was privy to the story of that tragedy that happened in Calgary with the three-year-old girl who was killed by a windstorm and improperly secured metal – it just breaks the heart of anyone who hears it. It infuriates the blood of anyone who also heard that the maximum fine that was allowed at the time was \$15,000, for the life of a three-year-old child, because they didn't follow code. It's awful. It's very encouraging to see that now with new increased maximums in this area, we're going to be able to actually put some teeth into that so that when something as serious and as tragic and as devastating as the death of an infant happens on downtown Calgary streets in the province of Alberta, the people responsible are going to pay, and they're going to pay dearly.

Perhaps some clarification by the ministry would be appreciated with regard specifically to section 40.3(3). Are we sure that the daily fine of \$10,000 can only be applied once a person has received a notice of a violation? In other words, the two-year limit for a fine in 40.3(5) wouldn't mean that a company would have to pay a daily fine going back two years? Again, just seeking clarity. Also, with regard to specific regulations concerning these multiday fines in cases where there is no imminent danger and a company can't get the needed subcontractor back to fix something right away, what kind of recourse would there be?

The only other question that I would raise is around the prime contractors, Madam Speaker. I just consider it from a residential building construction perspective. If, for example, a builder in a development is building two dozen homes at a time, are they as the prime contractor now expected to have a safety officer in every single one of those building sites, which is clearly unreasonable? [interjection] Sure. I appreciate your feedback, hon. Member for Edmonton-Centre.

I guess what I'm wondering is: are we passing legislation that is unrealistic to be followed? If we are, in the sense of something like residential construction are we setting ourselves up for some sort of failure? I fully understand why we would do this on large construction sites. But if we're in a development where there are two dozen homes being built by a single builder, is it okay for them as the prime contractor for all of those builds to have one safety individual in that community, or are they, again, expected to now have a single prime contractor represented in every single one of those homes? Let's be realistic. If they are, those costs will simply be passed down to the homebuyer. I think that we need to be realistic about whether or not that would be followed. The feedback that we've received from stakeholders in the industry is that that just simply would not be.

Other than that, I look forward to continuing to debate this legislation. I look forward to seeing some teeth, and I do applaud the work that has been done by these three ministries to come together on this bill and actually get something done.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. Member for Calgary-Shaw.

Now we have Standing Order 29(2)(a). I recognize the hon. House leader.

**Mr. Hancock:** Thank you, Madam Speaker. I was tempted to rise on a point of order but decided it was more appropriate to wait until comments and questions and just raise the fact.

The latter part of the hon. member's speech I was very interested in, but the earlier part of his speech took quite a considerable amount of time relative to an incident that happened in his life. I understand that might have been a very traumatic incident. It might have been a very difficult incident. But I would remind the member that under the rules of the House we have immunity in this House to say pretty much anything we want to say in the course of doing our business. It's not really appropriate under the rules to talk about someone outside the House who cannot be here to defend themselves. While I have no doubt that the comments he made were well intended, under the rules it is totally inappropriate to be talking about somebody who is clearly identifiable outside the House who is not here to get up and return those comments.

Rather than raise that as a point of order, I'd just remind the hon. member to read 493(4) of *Beauchesne's*.

**The Acting Speaker:** Thank you, hon. Government House Leader. Point well made.

Is there anyone else who would like to comment under Standing Order 29(2)(a)?

Seeing none, I would ask if there are any members who would like to speak on this bill? The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Madam Speaker. Thank you, colleagues. Everyone believes in safety and fairness. It's like motherhood and apple pie. It's the golden rule: treat others the way you'd like to be treated. Who dares speak out against safety? Not me. It's a just and worthy goal.

Government has a role in encouraging this and in helping ensure that people are safe when they go to work, that the public is protected when they're near work sites, and that consumers are treated fairly. The standard approach is to create proper rules and regulations on how this will be accomplished, with set penalties for violations. This is best done, I believe, with input from all stakeholders. Who knows better where dangers lie than a company's front-line workers? Few know better what accidents cost than the companies that have to pay for remediation and the consequences of them.

As a businessman I can tell you that accidents cost far more than education and training in safe operating practices; 28.38 grams of prevention really are worth more than 0.454 kilograms of cure. That doesn't roll off the tongue like an ounce of prevention is worth a pound of cure, does it? Thanks to others, we have to use those references.

4:00

The theory behind stiffer penalties and fines is that businesses and providers will be hurt so much by the fine that they'll be motivated to be safer and fairer. Brush your teeth or they'll fall



out: the fear factor. To some extent this works, but alone, I submit, it's not enough and never will be. I know the phrase, "Hi, I'm from the government; I'm here to help" is the punchline from a joke, but it doesn't have to be.

I believe Albertans would like to see occupational health and safety and relevant government agencies and personnel act more as a resource to industry and business to help educate and assist them with compliance, safety, and prevention. We believe OH and S and other regulators and enforcers can do more good by consulting with business owners and managers to help them develop safe practices. Because inspectors have the opportunity to visit so many more workplaces and have investigated and seen so many more accidents, their knowledge of problem areas and potential dangers is likely much larger than that of most business owners.

When I operated my oil field services company, we had a commercial motor vehicle inspector who was very thorough. No matter what we did, he'd find some reason to hold up our trucks and give us a ticket for some infraction. Finally, we arranged a meeting. I expressed my frustration and asked if he could change his paradigm. "Our violations and your fines and delays are costing us money, morale, and goodwill with our customers. We want to operate legally," I told him. "Could you be a resource to us? Could you come to a staff meeting and teach us about the kinds of things you're looking for in an attempt to keep the highways safer?"

He said that he'd much rather do this than give out tickets but that no one had ever asked him before. Within a short time this former, well, enemy, shall I say, became a vital part of helping our little company become safer and more compliant. He was happier, and so were we. Morale rose, costs fell, customers received better service, and our new friend was more respected and appreciated.

We believe in free enterprise. We think prices are the best allocator of scarce resources. Competition is the best guarantee of value for your money. People can buy a surround system at a wholesale store for a fraction of the cost of buying it from a specialty electronics dealer, but they have to haul it home and install it themselves. That might be worth it to one, but someone else might not be as handy or might want a more professional system with delivery and installation included. Is she being gouged or taken advantage of? We don't think so because she had alternatives and options.

Because of competition, consumers have choices. One of the prices of such freedom is the responsibility to perform our own due diligence. Before we buy a car or kitchen appliance, we can talk to people, go online, or check consumer reports to find ratings about features, reliability, and warranty. We can compare prices and even find online suppliers for most things. We don't have to shop at or use the services of a supplier who we think is gouging us. Who's to say what gouging is? Isn't that a bit subjective? One person may place a higher value on ease and immediacy than another person does.

Should a government department punish a supplier who knows the cost of his business, including the risks, and couldn't survive unless he was meeting the needs of that segment of society that constitutes his customers? Just because a person is willing to pay more for something than someone else is doesn't mean he's being ripped off. Such overregulation may eliminate a choice that he currently values and is making with full or limited knowledge. We don't know that a nanny state approach is required. Do we need an enhanced government agency to threaten a fine and fine a business who doesn't treat customers fairly? The marketplace guarantees such enterprises will soon fail because people will quit buying or using their services.

Now, the point that my colleague raised about those businesses that somehow skirt and get around rules and regulations: those need to be dealt with, of course. They shouldn't be allowed to be resurrected from time to time to perpetuate their frauds. But businesses will fail ultimately if they don't treat people fairly and cost-effectively.

We do not think government has a role in protecting people from their own ignorance. If they receive zeros for failing to turn in assignments, they have already learned that choices have consequences. Come to think of it, if schools continue that practice, maybe there is such a need for these extra regulations.

Thank you.

**The Acting Speaker:** Thank you, hon. Member for Cardston-Taber-Warner.

Standing Order 29(2)(a). Would any other members like to comment or question the Member for Cardston-Taber-Warner?

Seeing none at this time, we'll move on to our next speaker. I recognize the hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thank you, Madam Speaker. I'm pleased to stand up and debate Bill 6, the Protection and Compliance Statutes Amendment Act, 2012. One of the things that I mentioned in my response to the Speech from the Throne was how proud I was to be a member of the opposition. I have to tell you – and I've said this in the Legislature before, actually, when we were sitting in a party of four – about the opportunities that arise as a member of the opposition. I've said in this Legislature before how much I respected members of the opposition for their ability to get up and stand and speak on any piece of legislation, which, I can say, was a huge learning curve for me as a former member of government, where you had your speeches all handed to you. I am actually pleased to stand up and speak on the Protection and Compliance Statutes Amendment Act, 2012.

In our caucus what we do have, which is very nice and I am forever thankful for, is critics that are responsible for the bills. I've been on the critic side where we've . . . [interjection] Sorry, Madam Speaker. I have a new member that just loves to agitate. He's having all sorts of fun giving me a hard time, but, you know, it makes me feel young again.

We had a meeting this morning after a very early breakfast with Team Lethbridge. Our member dragged us out bright and early at 7:30 this morning. We were back into session at 8:30, getting a briefing note on the bill that I would like to talk about. I had some questions because, like everybody else in this Legislature, you're busy trying to take care of your constituency. You're busy trying to take care of your own critic position. I found this bill very interesting in the fact that it's a joint bill which has actually taken three separate pieces of legislation.

My question to the critic at the time was: is this an omnibus piece of legislation? He eloquently – and he's done a very, very good job, actually, the Member for Calgary-Shaw – spoke about how they're taking the Fair Trading Act, which comes under Service Alberta obviously, the Occupational Health and Safety Act, under Human Services, and the Safety Codes Act, under Municipal Affairs, and bringing it under one piece of legislation.

I notice that we have a new member carrying this piece of legislation forward. Having had the opportunity to meet him in the summer, I know that he'll do a good job of answering the questions that we're going to be able to ask him in this second reading.

Our Official Opposition leader, from Highwood, has talked about how she felt about what we're going to do with the fines and how we're going to utilize the fines. When we spoke about that

this morning, it made me appreciate why I'm here because she always comes up with a lot of these bright things that I sometimes wish I had beaten her to the track on and I could take the credit for. We talked about that fact that she thought it was important that we set up a fund so that people could access the fund. As the former Solicitor General I know that it worked very successfully. The victims of crime fund was good for victims of crime. She touched on the fact that she would like to bring forward an amendment, and I'm sure that we'll see that when we get into the process of Committee of the Whole.

One of the things that act talks about under the sections under the Fair Trading Act, which now has been incorporated into Bill 6, the Protection and Compliance Statutes Amendment Act, is to provide the ability for the director to allow penalties, obviously, up to a maximum of \$100,000. We support that. For penalties over \$500 the notices of offences will be given in advance. Madam Speaker, there are many things that we like about this. We think that Albertans have to be treated fairly in the course of business transactions. It's important to keep customer confidence high.

4:10

I know that when I was the critic under Service Alberta and I was going through estimates, that was one of the things that I asked the minister about at the time, the compliances that were following under him. It also gives the government more tools to penalize companies who don't follow the rules and take advantage of workers or customers. Well, Madam Speaker, who could not accept that as a good recommendation and something that should be incorporated in the bill. I think that Albertans expect us to do that, and I think they expect the government to do that. You always wonder, when you're dealing with the legislation from the government, why these things weren't incorporated in the bill the first time. So we're pleased that the government is doing that.

We've heard in the conversations that some of our members have spoken about dealing with shady operators and the scams, and I think everybody can tell a personal story about the shady operator and the scam. I know a passion for you is the shady scams and the shady operators that we hear about who are taking advantage of our vulnerable seniors, who are so trustworthy. You know, they want their porch fixed or they need something in their house fixed, and the shady operator or shady scam dealer says – and, you know, I'm not an electrician by any means, Madam Speaker, or anything else – they're going to have to rip off the roof and all of that stuff to provide the small, little thing that the senior wants, to fix their porch. I think probably that's a great thing that we need to incorporate in this bill.

One of the things that we have to be concerned about is taking the ability of the court. You know, it's something that we've discussed in the House because we think that ultimately, for anything everybody should have the ability to have the courts as a recourse if they want to have a recourse if they don't like a fine. We can see that when we're driving. You know, we can get pulled over for speeding, and we always have that ability. That's one of the things that the Wildrose Party does very, very well. When we're talking about the Fair Trading Act under Service Alberta, it's always nice to be able to talk to what's going on with the consumers and our stakeholders.

I think the Occupational Health and Safety Act, which falls under Human Services, is something that all the opposition parties and, we know, the Auditor General have called for more enforcement under. I'm sure not only will the Auditor General be happy that we're seeing this brought forward under Human Services, but there's no question that we think Albertans need a safer place to

work. I think it was last week alone that we saw three deaths in a row – bang, bang, bang – workplace injuries.

I know I sat with one of my staff this morning when we were getting prepared for a question, and he was sharing that his absenteeism yesterday was due to a funeral, and it just happened to be that one of his friends was killed in a workplace accident very suddenly. You know, those kinds of personal stories that you hear when you ask what happened, obviously, hit home. I'm sure everybody can share where they think work safety is important. I mean, we hear of accidents.

Both of my sons work in the workplace. One is with the rigs, and no one needs to know how dangerous the rigs can be. He's a driller. We know that that's obvious. The other is a refrigeration and air conditioning mechanic, but that doesn't mean that there doesn't have to be work safety, especially when he's going into a store to make sure that the food we eat is safe.

I don't think anyone is going to dispute some of the things that we're seeing in the Occupational Health and Safety Act. I know that our critic, the Member for Calgary-Shaw, is on top of this. He has talked to us about how he feels the Occupational Health and Safety Act is going to be strengthened.

We then go into the safety codes, and it's increasing the maximum fines to \$100,000 for the first offence and \$500,000 for a second or any other offence after that. I think the public and the opposition parties have called for increases to the safety code fines.

There are all the things in the bill that we like, and there are some things that we're going to be watching. Our critic has mentioned to us that he's going to have some time over the weekend to be able to talk to some of the people, for example, with the Home Builders' Association. We would like to get some clarification of their concerns.

Madam Speaker, with those few comments I'll sit down and listen to the rest of the debate.

**The Acting Speaker:** Thank you, hon. Member for Calgary-Fish Creek.

Under Standing Order 29(2)(a), are there any other members that wish to comment or ask any questions?

Are there any other members that would like to speak on the bill in second reading?

If not, I will call on the hon. Member for Edmonton-South West to close debate.

**Mr. Jeneroux:** Thank you, Madam Speaker. I'd like to close the debate.

**The Acting Speaker:** Thank you, hon. Member for Edmonton-South West.

[Motion carried; Bill 6 read a second time]

## Bill 9

### Alberta Corporate Tax Amendment Act, 2012

[Adjourned debate October 24: Mr. Horner]

**The Acting Speaker:** The hon. Member for Airdrie.

**Mr. Anderson:** Thank you, Madam Speaker. I don't understand why you got the robes from that place, but I never see you wearing the robes from that place. I don't get it. It's throwing me off. I want to see the robes.

**The Acting Speaker:** They're not ready yet.

**Mr. Anderson:** Okay. Sorry. I just had to ask.

Madam Speaker, Bill 9 is obviously, for the most part, a housekeeping bill. It deals with some insurance provisions and some other things in our tax code and so forth to bring ourselves in line with certain things that are federal in nature. My only criticism of it is that it would be nice to have a little bit more time to consult on a bill of such a technical nature with folks that are expert in these areas.

That said, it seems fair in nature. I'm always a little bit worried that there is a little bit of – essentially, it's a correction of a taxation issue with those who insure pleasure crafts, and it will result in more revenue from taxation going to government very indirectly, I guess. I'm going to say that I am never in favour of any tax increase, and that would include the one here as much as it is very, very small.

It does bring it in line with other folks, so I think we'll give it a pass in that regard. But I would urge the government to be very, very careful and to not find reasons to nickel and dime folks. I'm not saying that this was the case here, but let's do everything we can to keep taxes low and not find excuses to raise them or find ways to grab a few hundred thousand or a few million here and there because that seems to become habitual for politicians if we start.

With that, I would be happy to see this bill voted on.

**The Acting Speaker:** Are there any other members who wish to speak on Bill 9? The hon. Member for Edmonton-Centre.

4:20

**Ms Blakeman:** Thanks very much, Madam Speaker. Well, my goodness. This is a hodgepodge of various bits and pieces that have all found their way into this particular bill. Watch this. It's a red-letter day because I'm going to agree with my colleague from Airdrie. You know, the briefing was great – thanks very much – but we like to revolve through and have an opportunity to run bills by stakeholder groups, and there just isn't time to do that given the timeline that the government is on.

By the way, given that the government can call us at any time and is in complete control of the agenda, they could have just started earlier in October if they were really interested in this. They don't seem to want to do that, but they want to get through everything by December. So it's made it hard for me. I'm not going to be able to give this a big wahoo, you know, thumbs-up, let's go, approval on it because I haven't been able to go back and talk to the people that would give us feedback on this bill. I mean, it's lined up, it's coming, but there was just no way we could do that kind of a turnaround in 48 hours.

The bill covers a whole bunch of stuff, a lot of stuff around science and research taxes. There's some attempt – it looks like insurance companies were able to claim from a pot of money both federally and provincially, and they're cutting that off. Well, darn. I'm sorry. That sounds really snide, and I don't want to pick on the insurance companies because, you know, they're just out there in their tattered rags huddled on the corner weeping in the cold. I know how tough it is for them. But what's fair is fair.

I mean, one of the things that the Liberals keep raising is that the government has a revenue problem. I would say that we're spending probably about the right amount. I'm just going to argue where you're spending it. But the revenue is a real problem. When we are subsidizing every single day the operations of the government by 30 per cent with oil and gas revenue that came out of the ground yesterday, that's a bad sign. So anything that the government can be doing to close loopholes that people or corporations are able to take advantage of is a good thing because

at this point we need every penny to be able to cover what's going on. Closing that loophole looks like a good idea.

The marine insurance one is interesting. It looks like they were totally exempt. If you had a pleasure craft, which I'm assuming is not my father's fishing boat but something a little larger and probably with a motor, if you were paying insurance on that, then the insurance was tax deductible, and it no longer will be after this. Fair enough.

A couple of other ones caught my attention as I was trying to read my way through this. Oh, the kind of double appeal, where if a corporation had already negotiated a settlement with the feds, they couldn't then appeal to Alberta courts for a different sort of deal. They're going to have to do the same thing. That looks reasonable to me as well.

I'm admitting that I'm being slightly hoist on my own petard on the bit around using the individual's personal information to go after the individual directors on the board if the corporation has defaulted. Every day I hear another story about how somebody's personal, private records or their privacy has been violated mostly because either the government has allowed too many people to watch them or take their information or the people that have the information are using it for a reason that it wasn't collected for.

So this is the pointy bit for me. Would it be fair to go after those corporate directors if the corporation has failed? Well, I know that in the not-for-profit world there was a theatre in Edmonton that defaulted. I think it was actually officially going under, and they did come after the directors, who were just on a board of directors for a little tiddlywink theatre that had a budget of, like, \$125,000, not a big deal. But they each got nailed, and they each paid for a long time to cover off that debt. Was that appropriate? Yep, it was because as directors they were supposed to be overseeing the policy and making sure that that company had good advice to be able to operate in a reasonable and fiscally responsible way. They had a fiduciary responsibility.

I'm very uncomfortable about using people's personal information. I agree that in this instance, this instance only – don't slop over into anything else – it probably is appropriate to be using the information to try and exact the payment, extract it from the directors if the corporation defaulted. The money is owed to the province, which is to the people. It should be collected. I hope that, when implemented, it will encourage those directors to conduct the business of the corporation in a way that is mindful of the fact that this money does go to the citizens of the province. I think that sometimes there's too much attention paid to the corporate profit line and not enough to the effects of what the corporation is doing.

Now, I actually understand that the issue I was just talking about, which is using that personal information, has actually been allowed for quite a while, but this is just going to protect the government from litigation and make it so that those individual directors couldn't come back and sue them. Again, probably fair enough. I really don't feel enough on top of this to go whole hog with this, so I'm going to have the critic take the time to meet with those people that could give us some feedback on this bill, and I will reserve judgment on the principle of it until such time.

Thank you very much.

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

Pursuant to Standing Order 29(2)(a) we have two minutes if there are any members who would like to comment or question the Member for Edmonton-Centre. The Member for Edmonton-Calder.

**Mr. Eggen:** Well, I'd like to thank the Member for Edmonton-Centre for her thoughtful comments. I'm just looking through, and having been briefed on this Bill 9, I certainly am interested in speaking at length on it. I just want to make sure that you have an idea. I guess the one area that I found interesting was this change on pleasure crafts and boats so that there was a way by which you could have a marine craft – I don't know if the member has a boat herself; I know she has a Ski-Doo. People were somehow not paying the same rate of insurance for their recreational boat. You know, I was just thinking about this. I know we don't have a very

large commercial fishery here in the province of Alberta, but I'm just wondering if you maybe thought of some commercial fishers that we do have and then some of the commercial tour operators of boats that we have, too?

**The Acting Speaker:** Thank you, hon. member. I hesitate to interrupt, but the House stands adjourned until Monday at 1:30 p.m. Thank you.

[The Assembly adjourned at 4:30 p.m. to Monday at 1:30 p.m.]

## **Bill Status Report for the 28th Legislature - 1st Session (2012)**

**Activity to October 25, 2012**

The Bill sponsor's name is in brackets following the Bill title. If it is a money Bill, (\$) will appear between the title and the sponsor's name. Numbers following each Reading refer to Hansard pages where the text of debates is found; dates for each Reading are in brackets following the page numbers. Bills numbered 1 to 199 are Government Bills. Bills numbered 200 or higher are Private Members' Public Bills. Bills numbered with a "Pr" prefix are Private Bills.

\*An asterisk beside a Bill number indicates an amendment was passed to that Bill; the Committee line shows the precise date of the amendment.

The date a Bill comes into force is indicated in square brackets after the date of Royal Assent. If a Bill comes into force "on proclamation," "with exceptions," or "on various dates," please contact Legislative Counsel, Alberta Justice, for details at (780) 427-2217. The chapter number assigned to the Bill is entered immediately following the date the Bill comes into force. SA indicates Statutes of Alberta; this is followed by the year in which it is included in the statutes, and its chapter number. Please note, Private Bills are not assigned chapter numbers until the conclusion of the Fall Sitings.

- 1        Workers' Compensation Amendment Act, 2012 (Redford)**  
First Reading -- 8 (May 24 aft., passed)  
Second Reading -- 177 (Oct. 23 eve.), 193-96 (Oct. 23 eve.), 233 (Oct. 24 eve., passed)
- 2        Responsible Energy Development Act (Hughes)**  
First Reading -- 207 (Oct. 24 aft., passed)  
Second Reading -- 263 (Oct. 25 aft., adjourned)
- 3        Education Act (J. Johnson)**  
First Reading -- 155 (Oct. 23 aft., passed)  
Second Reading -- 219-31 (Oct. 24 aft.), 238 (Oct. 24 eve., passed)
- 5        New Home Buyer Protection Act (Griffiths)**  
First Reading -- 261 (Oct. 25 aft., passed)
- 6        Protection and Compliance Statutes Amendment Act, 2012 (Jeneroux)**  
First Reading -- 155 (Oct. 23 aft., passed)  
Second Reading -- 209 (Oct. 24 aft.), 264 (Oct. 25 aft., passed)
- 8        Electric Utilities Amendment Act, 2012 (Hughes)**  
First Reading -- 156 (Oct. 23 aft., passed)  
Second Reading -- 233 (Oct. 24 eve., adjourn)
- 9        Alberta Corporate Tax Amendment Act, 2012 (\$) (Horner)**  
First Reading -- 156 (Oct. 23 aft., passed)  
Second Reading -- 209-10 (Oct. 24 aft.), 272 (Oct. 25 aft., adjourned)
- 10       Employment Pension Plans Act (Kennedy-Glans)**  
First Reading -- 261 (Oct. 25 aft., passed)
- 201      Scrap Metal Dealers and Recyclers Identification Act (Quest)**  
First Reading -- 92 (May 30 aft., passed)
- 202      Public Lands (Grasslands Preservation) Amendment Act, 2012 (Brown)**  
First Reading -- 130 (May 31 aft., passed)



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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Monday afternoon, October 29, 2012

Issue 10

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta**  
**The 28th Legislature**

First Session

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Jansen	Towle
Luan	Young
McDonald	Vacant
Olesen	

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Quest  
Deputy Chair: Mrs. Jablonski

Anderson  
Casey  
Dorward  
Eggen  
Kubinec  
Sandhu  
Sherman

### Select Special Conflicts of Interest Act Review Committee

Chair: Mr. Allen  
Deputy Chair: Mr. Luan

Blakeman  
Dorward  
Fenske  
Johnson, L.  
McDonald  
Notley  
Saskiw  
Wilson  
Young

### Standing Committee on Families and Communities

Chair: Ms Pastoor  
Deputy Chair: Mrs. Forsyth

Allen	Leskiw
DeLong	Luan
Fox	McAllister
Fraser	Notley
Fritz	Pedersen
Jablonski	Sarich
Jansen	Saskiw
Jeneroux	Swann
Johnson, L.	Wilson
Kang	Young
Kubinec	Vacant
Lemke	

### Standing Committee on Legislative Offices

Chair: Mr. Xiao  
Deputy Chair: Mr. McDonald

Bikman  
Blakeman  
Brown  
DeLong  
Eggen  
Leskiw  
Quadri  
Rogers  
Wilson

### Special Standing Committee on Members' Services

Chair: Mr. Zwozdesky  
Deputy Chair: Mr. Young

Calahasen  
Dorward  
Forsyth  
Goudreau  
Jablonski  
Mason  
Quest  
Sherman  
Smith

### Standing Committee on Private Bills

Chair: Mr. Cao  
Deputy Chair: Ms L. Johnson

Barnes	Notley
Bhardwaj	Olesen
Brown	Pastoor
DeLong	Rowe
Fox	Sarich
Fritz	Starke
Goudreau	Strankman
Jeneroux	Swann
Kennedy-Glans	Webber
Luan	

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Dr. Starke  
Deputy Chair: Mr. Lemke

Allen	McAllister
Amery	McDonald
Bhardwaj	Notley
Casey	Pedersen
Hehr	Sandhu
Jansen	Saskiw
Jeneroux	Towle
Johnson, L.	Xiao
Kennedy-Glans	Young
Kubinec	

### Standing Committee on Public Accounts

Chair: Mr. Anderson  
Deputy Chair: Mr. Dorward

Allen	Hale
Amery	Hehr
Anglin	Kang
Bilous	Pastoor
Calahasen	Quadri
DeLong	Sarich
Donovan	Starke
Fenske	Stier
Fraser	Webber
Fritz	

### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans  
Deputy Chair: Mr. Rowe

Anderson	Hehr
Anglin	Johnson, L.
Barnes	Kubinec
Bilous	Lemke
Blakeman	Leskiw
Brown	Sandhu
Calahasen	Stier
Cao	Webber
Casey	Xiao
Fenske	Young
Fraser	Vacant
Hale	

## Legislative Assembly of Alberta

1:30 p.m.

Monday, October 29, 2012

[The Speaker in the chair]

### Prayers

**The Speaker:** Let us pray and thereafter remain standing for the singing of our national anthem. As we begin this week of our duties in this Assembly, we ask for renewed strength and guidance regarding the tasks that will come before us. We also ask that wisdom, patience, and civility guide our speech and our actions. Amen.

Hon. members, our national anthem today will be led by Mr. Paul Lorieau. Please join in as you wish and in the language of your choice.

### Hon. Members:

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

**The Speaker:** Merci beaucoup, M. Lorieau, and thank you, members. Please be seated.

### Introduction of Visitors

**Mr. Dallas:** Mr. Speaker, I rise to introduce to you and through you to all members of the Assembly Mr. Fabrizio Inserra, consul general of Italy in Vancouver. I'd like to welcome Mr. Inserra to Alberta on his official visit. The consul general joins us today in the spirit of the valuable and productive relationship Alberta and Italy share. Alberta enjoys a strong and vibrant Italian community, and our government is grateful for the relationships we have built both here and abroad. Our jurisdictions share many important partnerships in trade, industry, and education. I'm confident that this visit to our province will help strengthen current areas of co-operation and help identify new opportunities for future relations. Mr. Inserra is seated in the Speaker's gallery today to watch our proceedings, and I'd now ask Consul General Inserra to please rise and receive our best wishes along with the traditional warm welcome of this House.

### Introduction of Guests

**Mr. J. Johnson:** Mr. Speaker, it's a pleasure to rise and introduce to you and through you to members of this Assembly a great-looking and very smart group of students from Rochester, which is a small town in my constituency, just south of Athabasca. It's a beautiful little community nestled in the Tawatinaw Valley. We're thrilled to have these kids, their teacher, their classroom volunteer, and their bus driver here taking part in the School at the Leg. this week. I would ask them to please rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Lesser Slave Lake.

**Ms Calahasen:** Thank you, Mr. Speaker. What a pleasure it is to

rise to introduce to you and through you to members of this Assembly nine great minds from Smith, Alberta. They attend Smith elementary school. It's approximately two and a half hours from here, depending, of course, on the weather. This time they're here, and they've made it pretty good. They're seated in the members' gallery, and I'd ask that they stand along with their principal, Mrs. Brenna Liddell, and teacher, Mr. Andrew Jansen, to receive the warm welcome of this Assembly.

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

**Mr. Mason:** Thanks very much, Mr. Speaker. I'd like to introduce to you and through to this Assembly a group of guests who are members of the Alberta Union of Provincial Employees. These workers represent nearly 90 licensed practical nurses, health care aides, housekeepers, and food service staff who have been locked out of Monterey Place in Calgary since June 26. Their employer, Triple A Living Communities, receives a financial subsidy from this government. However, instead of giving these hard-working individuals the wages they deserve, Triple A has been paying wages up to 27 per cent lower than industry standard while padding their bottom line. Alberta's NDP is proud to stand with these workers during their struggle. I would now ask my guests to rise as I call their names and receive the traditional warm welcome of the Assembly: Carrie-Lynn Rusznak, Maria Doris Auman, Anna Barroga, Trevor Zimmerman, Carmelita Calanza, Mayna Joseph, Maggie Junio, Jill MacMullin, Sadhna Nand, and Nafisa Sadat. Please welcome them with me.

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

**Mr. McIver:** Thank you, Mr. Speaker. I'm happy to rise today to introduce to you and through you to this Assembly 14 employees from Alberta Transportation. The traffic safety services division staff are here today to tour the Legislature Building and to witness the democratic process first-hand. They are seated in the members' gallery, and I'd ask that they please rise and receive the traditional warm welcome of this Assembly.

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

**Mr. Horne:** Thank you very much, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of the Assembly two members of the board of Alberta Health Services: Mrs. Cathy Roozen and Dr. Ruth Collins-Nakai. Mrs. Roozen serves as the vice-chair of the board and was first appointed in February 2011. Dr. Collins-Nakai has served on the board since July of 2008. Later today I'll be tabling the annual report of Alberta Health Services. I'd like to take this opportunity to thank our guests today for their contribution to the improvement in our health care system over the last few years. Please join me in welcoming them to the Assembly.

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

**Mr. Hehr:** Thank you, Mr. Speaker. I would like to introduce to you and through you to all members of this Assembly a couple of very good friends of mine: Mr. Brodie Boychuk and his mother, Donna McBride. Brodie is a constituent of mine in the mighty constituency of Calgary-Buffalo. He's my eyes and ears on the east side of the constituency as my office and my house are down in the west. But let me tell you something. Brodie lets me know what's going on. In fact, the hon. Minister of Human Services received a letter from Brodie recently, and the hon. minister

agreed with his position. So we're moving the chains forward on the democratic process as well.

I would also like to introduce his mother, Donna, who is the manager of financial literacy for Momentum, a Calgary nonprofit group, and who does everything she can to ensure that Brodie and other individuals with disabilities in the community can live independent and engaging lives.

They are seated in the public gallery, and I would ask them to receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. It is a pleasure for me to introduce to you and through you to all members of this Assembly Michael Stuart. Michael is a second-year commerce student at the U of A, majoring in accounting, who resides in the constituency of Edmonton-Centre. He was born and raised in B.C. but is now proud to call Alberta home. In his words, he has fallen in love with this province. His long-term goals are to complete extensive education and run for office one day. I would ask that Mr. Stuart stand and receive the traditional warm welcome of this Assembly.

1:40

**Mr. McDonald:** Mr. Speaker, I'm pleased to introduce to you and through you to the members of the Assembly the board of governors from Grande Prairie Regional College. They're here visiting the Legislature while in Edmonton for their annual retreat. They are excited about the upcoming partnership with Alberta Health Services as funding for the Grande Prairie regional hospital was announced last week. Approximately 4,000 metres of the hospital will be available for the nursing and medical careers program with the Grande Prairie Regional College to create an educational training facility. I am proud to introduce to you Mr. Don Gnatiuk, CEO and president, and Mr. Vince Vavrek, chair of the board of governors. I'd ask that the 17 guests with us here today please rise for the traditional warm welcome of the Assembly.

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

**Dr. Swann:** Thank you very much, Mr. Speaker. I want to introduce to you and to all members of the Assembly two familiar faces to many of you in the Legislature. They've been attending the Legislature regularly for eight years. They stand before the Assembly to remind this government that farm workers are persons in the dominion of Canada and that they have the same rights as any and every other person in this great dominion. They're here to remind the Premier once again and ask her when she will deliver on her promise to include farm workers in the protection under occupational health and safety, workers' compensation, and standards for child labour in this province. I'll ask Darlene Dunlop and Eric Musekamp to stand and receive the warm welcome of the Assembly.

### Ministerial Statements

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

### Racette School Vehicle Crash

**Mr. J. Johnson:** Thank you, Mr. Speaker. It's with great sorrow that I rise today to talk about a tragic event that has saddened all Albertans and, indeed, people right across this country. When we send our children off to school, we believe we are sending them to

a place where they can feel safe and secure. Last Thursday that sense of safety was shattered when a van drove through a window of a junior high school in St. Paul. This tragedy has forever altered so many lives.

To the family of grade 6 student Megan Wolitski, who wanted to grow up and be a teacher like her mom: we wish you strength. The loss of such a young life is heartbreaking and difficult to comprehend. Please know that our thoughts and prayers are with you. To the families of the other children who were injured and some who are still in hospital, we send our prayers for their speedy recovery.

Mr. Speaker, people in the community of St. Paul will be experiencing grief as well as shock, confusion, and certainly anger. In situations like this it's often easy to forget that the man who was driving that van has a family of his own, and our thoughts and prayers are also with them.

St. Paul is truly an amazing community, and on Thursday I saw first-hand how the community came together during that crisis. I was moved by the courage I saw amongst the principal and the teachers, who acted quickly to get the children to safety and to help those who had been injured. I saw the tireless work of the emergency responders and the police who rushed to the scene to rescue the children and to rush them to hospitals, and I saw the school trustees and the superintendent, who rallied to support their school community and ensure that counselling services were available. On behalf of all Albertans I want to thank you all. You have all shown tremendous leadership and amazing strength over the last few very difficult days.

Finally, to the students of Racette junior high school: I'd like to convey my sincere condolences for the loss of your classmate Megan and our hope for the quick recovery of your other classmates. I know that all members of this Assembly will be thinking of you, your school, and your community of St. Paul.

Thank you, Mr. Speaker. [applause]

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills on behalf of Her Majesty's Loyal Opposition.

**Mr. Saskiw:** Thank you, Mr. Speaker. I rise today to speak to the senseless tragedy that occurred in my constituency in St. Paul last week, where a vehicle drove through the window of a grade 6 classroom at Racette school, resulting in the death of one student and serious injuries to many others. While several students have been treated and released, students are still in the hospital receiving treatment at this time.

I'd like to extend my deepest condolences and prayers to the Wolitski family, dealing with the loss of their daughter Megan, and my thoughts are also with all of the affected families, teachers, and the principal of Racette school.

The response of first responders in St. Paul has been truly amazing in this time of need. The St. Paul Fire Department, St. Paul & District Ambulance Service, and local RCMP acted valiantly and professionally. I'd like to recognize the support of the St. Paul education regional division school board, in particular Superintendent Glen Brodziak and board chair, Maureen Miller, in these difficult times. I'd also like to acknowledge the Member of Parliament for Westlock-St. Paul for his support to families and the community.

Mr. Speaker, I'd also like to thank the Premier for her full support and attention during this tragedy. Despite a busy schedule, the Premier knew every detail as it came forward, and her very hands-on approach helped comfort the community, knowing that this government's support has and will continue to be full and unconditional. That hands-on approach was followed by the

Minister of Education and the Minister of Infrastructure, who quickly travelled to St. Paul and offered that I travel with them to show our support. As a new MLA dealing with what could likely be the most difficult situation in my career, their professionalism and compassion will never be forgotten. I'd also like to recognize the Leader of the Official Opposition and our caucus for allowing me the flexibility to deal with the tragedy on the ground in my constituency.

This tragedy has had a tremendous impact on the town of St. Paul and the whole province. When parents send their children off to school in the morning, they don't expect something like this to happen. Our community is strong, resilient, and courageous, and we will give our full support, love, and prayers to those families.

Thank you, Mr. Speaker. [applause]

**The Speaker:** Hon. members, this is indeed a very tragic and very serious issue, obviously. Members of the Liberal caucus as well as the NDP caucus wish to contribute some comments as well. This requires unanimous consent, as you all know, so I will ask only one question. Does anyone object to hearing comments from the third and fourth parties?

[Unanimous consent granted]

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

**Mr. Hehr:** Well, thank you, Mr. Speaker. It is with great sorrow that I rise today and speak some brief words on the tragedy that occurred in St. Paul. Really, we ask ourselves often in times of tragedy why or how this happens, and there are no easy words or no easy explanations.

My heart especially goes out to Megan Wolitski's family at this time of tremendous sorrow, and I wish them Godspeed in dealing with this tragedy. At the same time I hope they will be comforted by our thoughts here in the Legislature. I know it will take some time and the loss will always be with them in some regard, yet we hope that their healing will be quick.

I look at this, too, from the way the hon. minister and people have responded here in saying how the school community and the broader community have bound together. We must always remember that the public school is often the hub of our school communities. It's where relationships are formed, where the best of our community is brought out. It's a testament to what they do every day that they were able to rise to this challenge and lead the community in a sense of healing. I applaud the teachers and everyone involved with that who are dealing with this crisis and working as hard as they can. By all accounts our first responders did the best they could.

My heart goes out to the families who still have their children in the hospital. I wish them as best a speedy recovery and time to mourn the loss of their good friend Megan.

In any event, I believe it's for us in this Legislature at this time to remember to continue to try to build strong schools, have teachers in schools for not only day-to-day learning but to deal with tragedies like this because the school is the hub.

I would like to just in closing say that my thoughts and prayers go out to everyone in St. Paul. I wish them all the strength in character that I know they have to deal with this situation.

Thank you, Mr. Speaker.

1:50

**The Speaker:** Thank you.

Hon. members, I'm going to hold the clock back before we start question period to allow the hon. Member for Edmonton-Calder to address his comments on behalf of the NDP opposition.

**Mr. Eggen:** Well, thank you, Mr. Speaker. Today our thoughts and prayers go out to the families and friends of those affected by the terrible accident in St. Paul last Thursday. This is surely a most difficult and heartbreaking time for everyone involved.

We stand together with all Albertans in offering our sincerest condolences to the friends and family of Megan Wolitski, who passed away last Friday. No doubt her absence will cause a great deal of grief and suffering for everyone who has known her. Nothing is more tragic than a life taken too soon.

We also pray for the well-being of the two girls still in hospital, that they are able to make a full recovery and rejoin their classmates soon.

Our condolences, finally, to the community of St. Paul. St. Paul is a very tight-knit and caring community, and their resolve in this situation has been an inspiration to all Albertans. The healing road is often a long one, but the people in St. Paul should know that here at the Legislature we walk with them every step of the way.

Thank you.

### Oral Question Period

**The Speaker:** The Leader of Her Majesty's Loyal Opposition.

**Ms Smith:** Thank you, Mr. Speaker. My thoughts are also with the families and the community as they overcome this tragedy.

### Political Party Financial Contributions

**Ms Smith:** Turning to the business of the day, Mr. Speaker, Alberta's reputation has been damaged. Our election financing process looks like it's been broken by abuse. We have asked the Chief Electoral Officer to investigate the enormous and potentially illegal contribution from a single source to the government party. But even if the contribution is technically legal through a loophole in the existing law, it means the law is deeply flawed. When will the government fix it?

**The Speaker:** Did you wish to direct that question to anyone in particular?

The hon. President of Treasury Board.

**Mr. Horner:** Thank you, Mr. Speaker. Certainly, the Chief Electoral Officer is an officer of this Legislative Assembly, and we respect that on this side of the House a great deal. We believe that he is discharging his duties under the legislation that he has in front of him, and he's doing a good job doing that. Of course, the party opposite doesn't really want to talk about its own history in this regard in terms of that sort of thing. Perhaps in the 2004 election campaign, when one individual bankrolled 75 per cent of their entire political contributions for that campaign, one must wonder . . .

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

**The Speaker:** A point of order has been noted from the Member for Airdrie.

The hon. Leader of the Opposition for her first supplemental.

**Ms Smith:** I look forward to the hon. Member for Airdrie correcting the record.

Continuing on, Mr. Speaker, given that the government's vague answers and insistence that everything is okay have done nothing to restore the public's confidence, surely the Premier must agree that the shell game that is damaging our public's trust has no place in our democracy.

**Mr. Horner:** Again, Mr. Speaker, one talks about shell games across the way. This party has followed all of the rules that are in place. We will co-operate with the Chief Electoral Officer on this matter to a T. But, again, somewhat hypocritical of the party across the way when in the 2007 by-election the same individual who bankrolled 75 per cent of their 2004 election campaign bankrolled 99.7 per cent of that party's contributions. Incredible.

#### **Speaker's Ruling Questions about Political Party Activity**

**The Speaker:** Hon. members, let's be cautioned again that party matters ought not come forward in the form of questions during question period from either side. [interjection] Hon. member, please, from either side. So let's keep this above that threshold, and I'm sure we'll do just fine.

I invite your second supplemental, hon. leader.

#### **Political Party Financial Contributions (continued)**

**Ms Smith:** Thank you, Mr. Speaker. I'm pleased to hear the hon. member say that this could easily be cleared up because while the Chief Electoral Officer does his work, there is a very simple way for the Premier to repair some of the damage in the meantime. The Premier campaigned on transparency. She could simply release the cheques and the deposit slips. Why won't she?

**The Speaker:** President of Treasury Board, you may respond if you wish. Otherwise, let's be reminded of the admonishment I just gave.

**Mr. Horner:** Agreed, Mr. Speaker. Again, I will restate what the Premier has said many, many times. We will comply with all of the Chief Electoral Officer's requests in this matter. We have always followed the rules, as I'm told the party across the way has as well. It's obviously clear that they saw nothing wrong in the past with those donations, like in the 2008 election campaign where a single individual bankrolled nearly a quarter of that party's contributions. A bit hypocritical.

**Ms Smith:** Mr. Speaker, the Alberta Investment Management Corporation, AIMCo, is a Crown corporation that manages \$70 billion worth of Alberta's financial assets. Daryl Katz is on the board of AIMCo. He is also at the centre of this donations mess, and his two largest business interests, hockey and drugstores, are affected by government decisions. Even if this doesn't bother the Premier, can't anyone in this government understand that that makes Albertans just a little bit uncomfortable?

**Mr. Horner:** Well, Mr. Speaker, this side of the House does not drag private individuals through the mud and besmirch them with innuendo, making accusations of almost criminality. I find that absolutely deplorable. Mr. Katz is one of nine individuals on our AIMCo board. Frankly, AIMCo did better than most mutual funds or sovereign funds in the last several years. The board sets the overall strategic direction for the corporation and oversees that development. The individuals on that board have served Alberta taxpayers extremely well.

**Ms Smith:** Mr. Speaker, let me connect some dots. Given that a quarter of the government's election donations are said to be from a single source and given that that source wants \$100 million from the government for a hockey arena and he sits on the board of a

Crown corporation that invests \$70 billion of assets owned by Albertans, doesn't anyone in this government have a problem with that?

**The Speaker:** Hon. members, let's be careful with our language. Suggesting that the government received election contributions during the election period may be crossing the line, but I'll leave it up to the President of Treasury Board to respond if he wishes.

**Mr. Horner:** Mr. Speaker, again, the accusation is against an individual, of doing something illegal. I think that individual outside of this House would have something to say about that as well as the associates that are with him. Perhaps the hon. members would like to make those accusations outside the doors.

I find it incredible that they're saying that we have bent to his will of some sort. The actual fact is that the Katz Group asked for a change in casino licences. We said no. The group asked for direct funding for the arena. We said no then; we say no today. That has been our position, and it will continue to be our position.

**Ms Smith:** Mr. Speaker, let me give you some more dots to connect. Daryl Katz's partner in the arena project, WAM Development Corp., also receives hundreds of millions of dollars for joint land development projects with AIMCo. Katz, AIMCo, WAM, arenas, donations: doesn't anyone in this government have a problem with that?

**Mr. Horner:** Well, Mr. Speaker, next they'll probably be suggesting that I was at the grassy knoll when JFK was assassinated.

There are a number of dots that also could be connected. In the 2008 election campaign one individual funded a quarter of that party's total electoral campaigns. What was he asking them? Did he buy himself a party, Mr. Speaker? I don't know.

#### **Funding for Professional Sports Arena**

**Mr. Anderson:** Mr. Speaker, on Thursday this Premier stated that no direct provincial government funding would be used to pay for Mr. Katz's new downtown arena. Yet the mayor of Edmonton, when asked last month if he expected to get \$100 million of arena funding from the province, stated that he was very confident that, quote, a program will be in place and would allow us to get that kind of funding needed from the province for the balance of the arena; we feel the province has been in great support and the money will be there. Unquote. Premier, who is telling the truth, you or the mayor of Edmonton? Has the province promised funding for Katz's arena?

2:00

**Mr. Griffiths:** Mr. Speaker, we have had MSI funding in place for a while now. It's a very clear program with very clear guidelines that send money to municipalities so they can decide the priorities of the people they represent. This opposition is consistently criticizing the city of Edmonton for using those funds for the arena even though they're supposed to say that they respect the municipality's right to make decisions. I have yet heard the opposition, the Member for Airdrie, criticize his mayor for putting \$3.5 million in MSI funds to renovate the Plainsmen Arena or the Member for Calgary-Foothills – \$10.1 million in MSI funding went to the field house down there.

**Mr. Anderson:** So local arena equals professional sports arena. Good comparison, Minister. Real good job.

Mr. Speaker, just for all the folks at home who don't understand the weaselly language around here: Premier, will there be any



provincial funding for the arena at all? That means any direct funding, indirect funding, grant funding, delayed funding, ongoing funding, outgoing or incoming funding, backdoor funding, front door funding, side funding, up or down funding. Has the province committed any kind of funding whatsoever for this professional sports arena? [interjections] Come clean, Minister.

**Mr. Griffiths:** Mr. Speaker, it doesn't matter what plan they have. I just spoke to the mayor today, and this arena would be solely owned by the municipality. Solely owned by the municipality. [interjections] The only thing weaselly going on is the insinuations consistently from this member attacking the city of Edmonton for deciding where MSI funding, provided by the province to municipalities, where they decide the priorities of the people of the municipality. [interjections] All he can criticize is northern Alberta, but his constituency seems to be exempt, and they can spend money on public arenas.

#### **Speaker's Ruling Decorum**

**The Speaker:** Hon. members, I am going to keep a list of people who are interjecting, and I will bypass you when your turn comes around if you persist in future interjections, okay? I don't care if it's question period, and I don't care that it's Monday. I will not tolerate more of that stuff. You might as well know it right now.

The hon. Member for Airdrie.

#### **Funding for Professional Sports Arena (continued)**

**Mr. Anderson:** Mr. Speaker, I'm sure sick Albertans and poor Albertans are real happy that this minister is willing to spend \$100 million on Mr. Katz's priorities. Way to go, Minister.

Mr. Speaker, if the mayor of Edmonton says that he has been assured by the province that the needed taxpayer funding will be made available in some way or fashion for this new pro arena, how can Albertans be sure that this funding wasn't only made available after Mr. Katz trucked over \$430,000 to the PC Party in their darkest hour of election need? In other words, how do we know that this decision was nothing more than pure political payback?

**Mr. Griffiths:** One more time. We fund MSI, which goes to municipalities so they can decide the priorities of the people they represent. We're not taking any money from the sick or impoverished, Mr. Speaker. In fact, the hon. member across the way just last week said in a question in this House: our Wildrose leader is proposing a lottery strategy to help keep the Oilers in Edmonton, which will keep taxpayers off the hook. This is lottery money that goes to not-for-profits and charitable organizations, but they are going to rip it from them and give it to a private professional arena.

**The Speaker:** The leader of the Alberta Liberal opposition.

#### **Election Finances Legislation**

**Dr. Sherman:** Thank you, Mr. Speaker. Let's bring some reason to the House and stick to the real issue. The Conservative government is once again fending off accusations of improper election contributions because Alberta's election finances law leaves holes you could drive a truck through. The current rules do nothing to prevent large contributions to all leadership candidates

in all political parties from companies, unions, and wealthy individuals. To the Premier: what will the government do to update these laws and put an end to the sale of political influence from any political party to the highest bidder?

**The Speaker:** Hon. member, we're all good up to the point of entering a political party at the end of your question. I'll ask the Minister of Justice if he wishes to comment.

**Mr. Denis:** Thank you very much, Mr. Speaker. I would point out to this member that the very reason we're having the conversation today about contributions gives proof to the fact that the existing system works. We have a system of accountability and an existing system of disclosure. As indicated on the Order Paper, though, I will be introducing some election amendments in the next week or two, and we'll have the discussion at that time.

**The Speaker:** The hon. leader of the Liberal opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. We all agree that campaign disclosures are a good start, but they're only a start. Given that some disclosures have revealed offshore donations to PC leadership bids, the illegal campaign contributions, and now this massive \$430,000 donation from one small group of individuals, will the Premier commit today to true campaign finance reform by closing the gaping holes in electoral finances legislation, putting hard limits on election and leadership contributions?

**The Speaker:** The hon. President of Treasury Board.

**Mr. Horner:** Well, thank you, Mr. Speaker. I'm certain that the hon. leader of the Liberal party would consider that 22 per cent of his entire 2008 election contributions were not from one individual, I would hope, because then that probably violates the law as well, but that's indeed what happened. The party didn't see anything wrong with the way that their donations came in, nor did the Chief Electoral Officer. That's what we have to date.

I think the minister has commented quite well on where we're going with that act. We will continue to co-operate with the Chief Electoral Officer, an officer of this Assembly.

**The Speaker:** The hon. leader for your final supplemental.

**Dr. Sherman:** Thank you, Mr. Speaker. The federal government tackled these issues years ago with their Federal Accountability Act. With respect to party leadership and campaign finance rules, will the Premier show true leadership and accountability by committing at the very least to take a look at these measures and draft a new, made-in-Alberta policy, better than the Swiss cheese policy we currently have?

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

**Mr. Denis:** Thank you very much, Mr. Speaker. Again, I think that we can debate these issues more when we have the Election Accountability Amendment Act on the floor here. I do believe the member may have some input there, and perhaps he'll want to propose some amendments to any legislation that we have. Then on top of that, I will also indicate to him that we will follow as closely as possible the Chief Electoral Officer's recommendations, which I do look forward to receiving.

**The Speaker:** The hon. leader of the ND opposition, followed by the hon. Member for Lac La Biche–St. Paul–Two Hills.

### Political Party Financial Contributions

*(continued)*

**Mr. Mason:** Thank you very much, Mr. Speaker. No reasonable person would believe that Daryl Katz would have given up to \$430,000 to the Tory campaign without getting something in return. There had to be negotiations, and Albertans want to know the terms of the deal. Will the Premier disclose to Albertans whether she, her senior officials, or anyone purporting to be representing her government or having influence with her government committed to anything for the benefit of the PC party's savior?

#### Speaker's Ruling Questions about Political Party Activity

**The Speaker:** Hon. members, you know, I don't know how many times I have to remind people about what some of the rules are that we have followed for decades if not centuries, and one of them is to not reference issues pertaining to party issues as such and try to ask someone from the government to account for that. It's specifically not allowed under our rules of play, hon. member, so you may wish to rephrase that question. I will ask the President of Treasury Board nonetheless if he wishes to respond, and then I'll listen carefully to your supplementals.

### Political Party Financial Contributions

*(continued)*

**Mr. Horner:** Thank you, Mr. Speaker. I'll answer the question which was posed to me. Is there any deal between the government of Alberta and the Katz Group – let's put it that way – in terms of the arena? The answer is no. For the umpteenth dozen time the answer is no.

**The Speaker:** The hon. leader of the ND opposition.

**Mr. Mason:** Thank you very much, Mr. Speaker. Given that the questions that I want to know have to do with the impact on the government and the government's policies of donations to the political party that formed the government and given that I am focusing on the impact of the government and given that the scandal cuts to the heart of Albertans' trust in this PC government, the Premier has a responsibility to come clean, so will she admit that there were, indeed, negotiations with Mr. Katz, a deal was struck, and tell Albertans what price they will have to pay for Daryl Katz bankrolling the PC party?

#### Speaker's Ruling Questions about Political Party Activity

**The Speaker:** Hon. member, you were doing so well until that last little part. This is the last time I'm going to say this in this House on this issue, okay? I'm going to ask the President of Treasury Board if he wishes to comment. If he does, he's welcome to do so, and after that, no more. We're not going to stand here and watch rules being broken.

The hon. member.

### 2:10 Political Party Financial Contributions

*(continued)*

**Mr. Horner:** Mr. Speaker, there were a lot of givens in there and a lot of preamble to that last question, but I want to say a couple of

things. First of all, donations do not impact government policy. That's the first thing.

The second thing that I would – and this is for clarity to the members opposite as well. The question to me, as I understand it, was: did the Katz Group have discussions with anyone in government about us potentially funding, direct funding, or whatever funding the Edmonton Oilers and their arena? The answer, Mr. Speaker, is no, we did not enter into any agreements with them to do that. There were also discussions from members opposite about whether or not we had discussions around changing casino rules. I can say that the request was made to us to do that. We said no, Mr. Speaker, for the umpteenth dozen time.

**The Speaker:** The hon. leader of the ND opposition for your final question.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, given that reasonable people may reasonably assume that by taking a \$430,000 donation, the government is subject to undue influence, will the government do the right thing and give the money back?

**Mr. Horner:** Well, Mr. Speaker, I'm sure that the Chief Electoral Officer is reviewing whether it came in in \$10 or \$30,000, that it didn't come in from one individual. That's the first point that I'll make.

The second point that I will make, Mr. Speaker, is that I'm sure the hon. member is reasonable, and a reasonable person would understand that when I say that there's no deal, there's no deal. So I am hoping that the hon. member, through you, is being reasonable about his understanding of the English language. It's no, Mr. Speaker.

**The Speaker:** Thank you.

Member for Airdrie, you had a point of order? So noted.

The hon. Member for Lac La Biche-St. Paul-Two Hills, followed by the Member for Grande Prairie-Smoky.

### Election Finances Legislation

*(continued)*

**Mr. Saskiw:** Thank you, Mr. Speaker. Alberta's election laws are quickly becoming the biggest joke across the country. In this past year alone the Wildrose discovered that the PC Party had received and solicited tens of thousands of tax dollars in illegal donations. Only when they were caught with their hands in the cookie jar did they call in the Chief Electoral Officer for recommendations to help clean up their mess. Will the Justice minister then simply reveal to the Legislature the Chief Electoral Officer's report and recommendations today, or will he continue to hide behind this government's pattern of secrecy?

**Mr. Denis:** Mr. Speaker, if this member has a particular complaint about any particular financing, I suggest he go and talk to the Chief Electoral Officer, who is an independent officer of the Legislature. He does not report to me. He does not report to anybody else.

Thank you.

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

**Mr. Saskiw:** Thank you, Mr. Speaker. Given that in 2009 this Premier, who was then the Justice minister, ignored the advice of the previous independent Chief Electoral Officer, will this government implement all recommendations in the upcoming

report or just those that allow their culture of corruption and entitlement to continue?

**Mr. Denis:** As I have previously indicated publicly in this Chamber, we will endeavour to follow the Chief Electoral Officer's recommendations as closely as possible. His recommendations will also be made public, Mr. Speaker, and at the same time every member of this Assembly will have the opportunity to go and view and actually propose amendments and debate the Election Accountability Amendment Act. I would encourage the Member for Lac La Biche-St. Paul-Two Hills to stand up and do so and participate.

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

**Mr. Saskiw:** Thank you, Mr. Speaker. Given that almost a third of this government's campaign donations came from, essentially, one person, will this Justice minister recognize that accepting a \$430,000 donation . . .

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

**Mr. Saskiw:** . . . would clearly violate the law or at least commit to amending the elections act to close what amounts to another massive PC loophole?

#### Speaker's Ruling

#### Questions about Political Party Activity

**The Speaker:** All right, that's it. If you want me to take up the rest of your question period reading you the rules, I'm prepared to do it. Minister of Human Services, you rose on a point of order.

Let me just remind a few of you, some of you who are new to the House, others of you who are old to the House and should know better, that page 502 of *House of Commons Procedure and Practice* says that in question period "a question should not . . . be hypothetical." That's one reminder for you.

A little further on it says on page 504, again with respect to questions, that they should not "concern internal party matters, or party or election expenses."

I could go on with others, but suffice it to say that I really am in a dilemma, hon. members. On the one hand, I am charged with upholding the rules of this House. On the other hand, I like to allow as much freedom of expression and freedom of speech, which people died for, so that you would have it but not so that you would abuse it – not so that you would abuse it – and I've had enough of it, hon. members. You're smart enough to have gotten yourself elected. Stay smart enough to stay elected. Rephrase your question when you've been given a warning by the Speaker, please. Otherwise, I will simply have to take the uncomfortable stance of ruling it out of order. Now, clearly, that admonishment stands.

I'm not up here for my own good sake. I'm up here to protect the integrity of this House. If some of you don't see it that way, I invite you to come and speak with me in my office after.

Hon. member, the final question that you had just asked really, really got to me and to a number of other people. Let's move on.

**Ms Notley:** Mr. Speaker, pursuant to Standing Order 13(2), wherein a member can ask the Speaker to explain a ruling, given that the rules that you quoted refer to election expenses and internal party matters and given that people on this side of the House have been asking about the implication of election revenue on government action and on legislation and legislative policy, could you explain how it is that one thing actually negates what

we would suggest is our legitimate right and obligation on behalf of all Albertans to ask about the other thing, which is our legislation and the impact on government policy?

**The Speaker:** Hon. member, that's fine. That's precisely what I had said earlier. I said that you're welcome to ask questions that hold the government accountable, but you are not welcome to ask anyone in the House to account for party matters or party or political dealings, as I just read aloud. That's why we follow these traditions. Now, if somebody wishes to change them, I'd invite you to come and see me about that, and we can maybe ask House leaders to have a look at it, and you can overturn centuries, perhaps, of tradition. Other than that, no additional clarification ought be needed except as I have referenced for you, and if you like, I can read you some more. In the meantime, let us move on.

**The Speaker:** The hon. Member for Dunvegan-Central Peace-Notley.

**Mr. Goudreau:** Thank you, Mr. Speaker. Hopefully, my questions won't be party oriented and will be directed at the government.

#### Regional Health Care Centres

**Mr. Goudreau:** Mr. Speaker, in the past two weeks the Minister of Health announced hospital projects in Medicine Hat, Lethbridge, Grande Prairie, High Prairie, and Edson. Two of these are very critical and important hospitals for my constituents in the northwest part of the province. Each project had its plans changed since originally announced. To the Minister of Health: why do you keep changing the plans for these hospitals?

**Mr. Horne:** Mr. Speaker, the answer is actually quite simple. We engage in a planning process with the community, with health care workers who support residents in those areas about current and future anticipated needs for those communities. In the case of all the projects that were referred to by the hon. member, we did just that. We spent the better part of a year looking at not only primary health care and continuing care service requirements, but we looked at specialty services like cancer treatment, like the need for CT scanning, and like the need for renal dialysis and incorporated those elements in these plans in order that local residents would no longer have to travel to the larger centres to receive those services.

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

**Mr. Goudreau:** Thank you, Mr. Speaker. Again to the Minister of Health: given that these communities have been promised hospitals for years now, why has it taken so long to get them up and running?

**Mr. Horne:** Mr. Speaker, it's true that government has been working with those communities for several years, and I'm very proud to stand here today in the House and say that this government delivered on those promises. Not only did we deliver, as I said earlier, on basic health care services that communities require; we delivered on what I think is a very important demand, and that is the demand of citizens outside the major centres of this province to access specialized services, to access services that support aboriginal health, to access services that support children and stronger communities. All of those things have been incorporated in these new projects.

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

**Mr. Goudreau:** Thank you, Mr. Speaker. Now to the Minister of Infrastructure: why have the costs escalated from their original projections, and will the increase in cost affect the government's commitments to balance the budget by 2013-14?

**Mr. Drysdale:** Mr. Speaker, these projects are proof of the government's commitment to have a health care system that fits Albertans now and into the future. We have worked hard to ensure we're getting the full value of taxpayers' dollars while meeting the needs of residents of these communities. After consulting with these communities, the scopes of these projects were expanded. With expansion comes increased costs. This government has found money within its existing budget to fund these expansions, and no new money was required for any of these projects. This is good news for communities all over Alberta.

#### 2:20 Leasehold Compensation in Lower Athabasca Region

**Mr. Hale:** Mr. Speaker, the central planning document known as the lower Athabasca regional plan is further evidence of how out of touch this government has become. The plan will reportedly cancel 19 oil sands leases and bring uncertainty to an already volatile industry. The province is on the hook to compensate these companies, but Albertans have no idea how much they'll have to pay. The Wildrose believes in protecting property rights. To the hon. Minister of Environment and SRD: just how much will Albertans pay for this government's property rights attack?

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

**Mrs. McQueen:** Thank you, Mr. Speaker. I want to say that this government fully supports property rights in Alberta and has done so through a property rights advocate that is being set up. We have support from many people with regard to the lower Athabasca region, including the Canadian Association of Petroleum Producers, who also have endorsed our plan with regard to moving forward. There may be up to \$30 million with regard to negotiations that may be taking place with the Minister of Energy and with regard to those leaseholders, but I have to say that they have been very supportive of this plan.

**Mr. Hale:** Mr. Speaker, given the government owes potentially millions of dollars in compensation for the extinguishing of oil sands leases, just how will this government decide what is full and fair compensation, and will these oil companies be reimbursed for their costs plus the loss of revenue and a rate of return?

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

**Mrs. McQueen:** Thank you, Mr. Speaker. As I said in my last comments, the oil companies that may be affected will be approaching the Minister of Energy about that. To date and to the best of my knowledge I don't know that that has happened other than that the industry has said that they also support the development in the oil sands but also what we've done with regard to the lower Athabasca region, making sure we put aside conservation areas, recreation areas, places for the community to grow while extracting resources.

**Mr. Hale:** Mr. Speaker, given that the South Saskatchewan regional plan is next in line and given that the South Saskatchewan contains far less Crown land than the first plan, can this government promise that no private leases or holding of land will be affected by the implementation of the South Saskatchewan regional plan?

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

**Mrs. McQueen:** Thank you, Mr. Speaker. I'm glad to say that on Friday we announced the continuation of input from Albertans with regard to the South Saskatchewan regional plan. What I can promise you is that we will be listening and consulting with Albertans, and from that plan we'll move forward.

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

#### Aids to Daily Living Program

**Ms DeLong:** Thank you, Mr. Speaker. My question is for the Minister of Health. Minister, the Alberta aids to daily living program assists Albertans with long-term disability and chronic or terminal illness to maintain their independence by providing monetary assistance to buy medical equipment and necessary supplies. Unfortunately, my constituents in Calgary-Bow are now waiting up to eight weeks for assessments by a health care professional, who determines their needs and their eligibility for aids to daily living. Could you please explain what is causing this wait and what is being done to address this issue?

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

**Mr. Horne:** Thank you very much, Mr. Speaker. The hon. member is correct. An increasing number of Albertans rely on the Alberta aids to daily living program to supply them with devices and other services that support them in living independently. In Calgary the norm in the last few years has been a two- to three-week wait time. We are experiencing higher volume in Calgary. This accounts for the longer wait time. Alberta Health Services is currently looking into a plan to reduce that through increasing resources and reorganizing the delivery system.

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

**Ms DeLong:** Thank you, Mr. Speaker. To the same minister: will we, and if so, when will we return to the two-week wait time for assessments in Calgary and, more generally, in Alberta?

**Mr. Horne:** Mr. Speaker, as I said, we're seeing in Calgary and across the province an increase in demand for the services provided by the aids to daily living program. This, of course, is to be expected as our population ages, as we continue to put more resources as a government into supporting people to live independently in the community for as long as possible. As I said, Alberta Health Services is working on the issue. We're hopeful that in the near future we will see wait times for these assessments decrease.

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

**Ms DeLong:** Thank you, Mr. Speaker. To the same minister: given the diverse economic makeup of my constituency what can be done to increase access to this kind of program?

**Mr. Horne:** Mr. Speaker, there are a number of ways that we can increase access to the program. Of course, the most important one is for members of the Assembly and other leaders in the community to make citizens and constituents aware that these services are available. We are looking to the future with the evolution of family care clinics and our continued support for primary care networks, to use these platforms as a vehicle to both provide assessments and to inform people about services that are

available to them. The whole intention, again, is to support our government's agenda of assisting Albertans to age in place.

**The Speaker:** Hon. Member for Grande Prairie-Smoky, I understand that you're not questioning today, so I'll move on to the hon. Member for Calgary-Mountain View.

### Health Services Expense Reporting

**Dr. Swann:** Thanks, Mr. Speaker. Alberta Health Services hired a man, Allaudin Merali, as chief financial officer who, in his former role with the Capital health region, racked up nearly \$350,000 in inappropriate expenses. The board chair recently reversed a decision to expand the audit of former senior executive expenses at Capital health. Instead, the chairman, knowing of a FOIP request by the *Calgary Herald*, pre-empted the release, in the Calgary case, of expenses of three Calgary executives. To the minister: since the minister was employed in the Capital health region during the period in question, how did it happen that Mr. Merali was hired by this government, given his known background?

**Mr. Horne:** Mr. Speaker, first of all, just for the clarification of the hon. member, this government, this minister, and Alberta Health Services comply with the requirements of the Freedom of Information and Protection of Privacy Act, and any suggestion that anything untoward is done to encourage noncompliance with that act is clearly unacceptable and untrue.

**Dr. Swann:** I'll try again, Mr. Speaker. I'll be a little more direct. Did the minister influence in any way the decision to cancel the Capital health region public audit?

**Mr. Horne:** Absolutely not, Mr. Speaker. In fact, what I did do is that when the expenses in question were made available through the Freedom of Information and Protection of Privacy Act, I instructed the board of Alberta Health Services to undertake an independent audit of those expenses for the purpose of determining whether those expenses were in compliance with the travel and expense policies that existed at the time. That report should be forthcoming in the near future, and I'm sure the hon. member will be interested to see the result.

**Dr. Swann:** Since the minister has decided on areas in health services from hospital food to AMA negotiations, could he tell us what role is left for Alberta Health Services and its board?

**Mr. Horne:** Mr. Speaker, the role and the responsibility of Alberta Health Services with respect to these matters is no less than the responsibility of this government or the parties represented by the members opposite. Our responsibility is not only to comply with the legislation that prevails; it is to encourage and serve as an example to agencies, boards, commissions, and other entities which are required to comply as well.

Mr. Speaker, the Freedom of Information and Protection of Privacy Act has been an excellent vehicle to make this information public. All FOIP requests have been complied with, will continue to be complied with, and this hon. member will have all the information he requires to make what we hope will be a more informed judgment.

**The Speaker:** Thank you.

The hon. Member for Edmonton-Calder, followed by the hon. Member for Innisfail-Sylvan Lake.

### Full-day Kindergarten Programs

**Mr. Eggen:** Thank you, Mr. Speaker. Well, it's another day and another broken promise, it seems. This government promised full-day kindergarten for those families who require it. The teachers are ready. The students are more than ready. When will this Education minister actually keep a promise and make full-day kindergarten available for the next school year?

**Mr. J. Johnson:** Mr. Speaker, we know that all of our kids deserve the best possible start in life, and we will keep our promises. As I responded to a similar question last week, there is a lot of work being done on the full-day kindergarten file, but there are a lot of things to iron out yet. Those tie to funding with respect to infrastructure. Those tie to funding with respect to the operation side of the business. Some school boards are already offering full-day kindergarten and how that ties. But one of the most important things is how this meshes together with the early childhood strategy, and that's being navigated right now by the Minister of Human Services.

2:30

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

**Mr. Eggen:** Well, thank you, Mr. Speaker. Given that right here right now the Edmonton public school board has the space to set up an additional 20 full-time kindergarten classrooms and given that many other school boards are ready to get this done now, what possible excuse could the minister have that would stop full-day kindergarten from happening as soon as possible?

**Mr. J. Johnson:** Mr. Speaker, we're not stopping anything. As a matter of fact, many of the school divisions right now offer full-day kindergarten. What we're trying to do is understand how we can roll this out across the entire province so every parent in the entire province can have this proper choice to the education and the early childhood development of their children. This is going to come as quickly as we can possibly help it along.

**Mr. Eggen:** Mr. Speaker, it's a question of this Legislature funding that full-day kindergarten. Many people are paying for it.

Given that there's irrefutable evidence that full-day kindergarten benefits students' lifelong learning and given that we have one of the largest groups of kindergarten-aged children passing through our school system right now and in the fall, why would this minister delay the most obvious education reform available to him now at the expense of all of those children's education and the expense of our province's future?

**Mr. J. Johnson:** I think we're paralyzed by agreement here. We absolutely support full-day kindergarten. As I said, it's happening across the province right now. But when we do it and as we roll it out to all Albertans, we want to make sure we get it right. We want to make sure it fits properly with our early childhood development strategy. When the budget discussions come forward in the spring here, I'll be looking forward to that member supporting anything that we want to do on early childhood development and full-day kindergarten.

**The Speaker:** The hon. Member for Innisfail-Sylvan Lake, followed by the hon. Member for Red Deer-North.

### Infrastructure Capital Planning

**Mrs. Towle:** Thank you, Mr. Speaker. Recently we've seen this government splash across the province reannouncing old promises

with brand new price tags. Although the flashy new cheques and promises of more beds for patients are very welcome news to the Wildrose, we know that this government's record of waste and mismanagement gives us reason to question. Time and time again we have seen new hospitals under this government delayed further and further down the road, attached to ballooning costs. Given that five new hospital projects are close to \$300 million more expensive now than just a few minutes ago, does the Minister of Infrastructure realize that the money wasted on overruns could have built additional beds in other communities that desperately need them?

**Mr. Drysdale:** Mr. Speaker, this government is committed to building infrastructure in Alberta where it's needed to give Albertans the quality of life they deserve. We've consulted with communities, and the Health minister has done a lot of work in consulting with the health care professionals. We're delivering the right projects in the right place. We're taking our time to do it right. It ends up that we've had to increase some of these projects, and with that increase comes increased costs.

**Mrs. Towle:** To the same minister: given that \$60 million in alleged savings from the Calgary south campus plus \$100 million in alleged savings after the government's betrayal of Fort Macleod still only gets you to about halfway of the \$300 million in total overruns, what else is on the chopping block as a result of this government's mismanagement?

**Mr. Drysdale:** Mr. Speaker, we've allocated funds from different budget lines in our government budget, including a capital transition initiative and the consolidated cash investment trust fund. The members opposite said that they would cut infrastructure spending by 25 per cent, so none of these projects would have happened.

**Mrs. Towle:** Mr. Speaker, given that many seniors, families, and communities across this province are left in the dark as to how they should plan for cancellation, delay, or, if they're really lucky, construction of more long-term care beds, when will this minister table a detailed infrastructure priority list that will give Alberta families a chance to plan for their future?

**Mr. Drysdale:** Mr. Speaker, we are working on that capital plan as we speak. We've been working hard all summer, and I've been consulting with my colleagues from all departments and my colleagues in Treasury Board. We can't release our plan until we make sure we have the financial plans that go along with it. We'll continue to invest in public infrastructure to ensure that Albertans have the quality of life they deserve now and into the future.

**The Speaker:** The hon. Member for Red Deer-North, followed by the hon. Member for Cypress-Medicine Hat.

### Special-needs Education Funding

**Mrs. Jablonski:** Thank you, Mr. Speaker. To the Minister of Education. I understand that the Ministry of Health in partnership with Alberta Health Services, Human Services, and Education is developing a framework for infant and preschool screening. Areas under consideration include universal newborn hearing, preschool hearing, vision, speech, and developmental screening. Although this is an excellent direction for newborn and preschool screening, many children currently within our educational system are challenged by learning disabilities. These learning disabilities can

adversely affect their literacy and numeracy skills. What exactly is Alberta Education's current policy regarding learning disabilities?

**Mr. J. Johnson:** Mr. Speaker, this government is committed to success for all students regardless of their ability or their disability. To do that, we need to provide a whole raft of individual tools, and that takes money. That's why in the last budget we increased the inclusion funding, the funding for special needs, by about 22 per cent, which is \$68 million, taking that budget to a total of \$375 million. School boards are using that funding to provide a whole raft of services, including speech pathologists, literacy coaches, occupational therapists, psychologists, and other initiatives in the classroom like educational assistants.

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

**Mrs. Jablonski:** Thank you. My first supplemental. Since you've partially answered that, I'll move on to my second supplemental, which is really my first supplemental. To the same minister: in particular, what steps are being taken to address the learning impairment known as Irlen syndrome?

**Mr. J. Johnson:** Mr. Speaker, it's not always clear, when a child is struggling, what might be holding them back. The hon. member mentioned this one particular syndrome. It's important that parents and kids get comprehensive eye exams by qualified professionals should they be experiencing difficulties with reading and writing. In some cases it may be a syndrome like Irlen. I know that in the coming days we're going to have a lot of discussion about Irlen, and we've got a member here who's going to make sure that that is right at the front of our minds, so I commend her for that.

**The Speaker:** Hon. member, did you have another supplemental that might replace the other supplemental that's replacing the first supplemental?

**Mrs. Jablonski:** No. Thank you, Mr. Speaker.

### Disaster Recovery Program for Flood Damage

**Mr. Barnes:** Mr. Speaker, many people in my constituency are still recovering from a flash flood of 2010. In Irvine there's a young couple with three small children who've been trying to work through the disaster recovery program to rebuild their home. But rather than providing proper assistance and information to help them rebuild the home they lost, incredibly, government officials are now evicting this young family from their temporary housing unit on October 31. To the Minister of Municipal Affairs: when will this government start communicating with Albertans and provide them with some concrete assistance?

**Mr. Griffiths:** Mr. Speaker, over the last several years the province of Alberta, through the disaster recovery program, has provided hundreds and hundreds of millions of dollars to help Albertans that have uninsurable losses due to floods. In this particular case there are almost 1,800 people that have been compensated in the system by the provincial government. There are only seven that remain. Two of them, yes, are in government-subsidized housing. They've been provided the funds to redo their houses, but they've still been in government-subsidized housing for two years. We have to be responsible with taxpayers' dollars, and we're making sure that the provisions to fix their house are there and that they have them.

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

**Mr. Barnes:** Thank you, Mr. Speaker. Responsible with taxpayers' money. Given that this government may have provided more money to the company contracted to administer this program than actually to individuals who've applied for disaster relief, when will the government show they actually care and complete the assistance from this unforeseeable disaster of two years ago?

**Mr. Griffiths:** Mr. Speaker, I'll say it once again. Over 1,800 people in this single incident have been assisted by the province of Alberta. A couple stand out because they haven't fixed the repairs on their house. They've had two years to do it. But we're still there to assist them and to provide them the funding to fix the homes.

The company that the member is referring to: \$20 million to cover hundreds of millions of dollars of assistance to members and to deal with them directly client by client. We got incredible value for the money.

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

**Mr. Barnes:** Thank you, Mr. Speaker. Well, this young family has been unable to make this work for them.

Given that I called the disaster recovery program myself and was told that they would not speak directly with MLAs and given that then I contacted the Minister of Municipal Affairs two weeks ago to resolve this and am still waiting for an answer back, what is the minister going to do to help this young family facing eviction on October 31?

2:40

**Mr. Griffiths:** Mr. Speaker, the government of Alberta, this government, has provided subsidized housing to families for two years and provided them with the resources to fix their homes.

It doesn't matter what department you are in this government: we cannot provide personal information even to an MLA because they don't necessarily represent as legal counsel. They're not entitled to that information. They may be getting the wrong information from the people they claim to be representing. We have suggested every single time that they can call us for assistance if they need it. We're here.

**The Speaker:** The hon. Member for Stony Plain, followed by the hon. Member for Drumheller-Stettler.

### Obesity Initiative

**Mr. Lemke:** Thank you, Mr. Speaker. On October 23 the Ontario Medical Association launched their latest campaign to combat obesity. Some of the messaging of this campaign includes calling on the government to tax junk food as well as pop and other high-calorie foods. To the Associate Minister of Wellness: are there any plans to introduce measures like this in Alberta?

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

**Mr. Rodney:** Thank you, Mr. Speaker, and thank you so much to the member for the question. It's a very important topic. I would like to start by assuring the member that we are not considering any similar action here in Alberta at this time. Instead, we're committed to helping Albertans to make healthy choices through education and the promotion of healthy eating habits, increased physical activity, and the maintenance of healthy weights. Through a number of community and business and educational partnerships we are working to make the healthy choice the easy choice right here in Alberta.

**Mr. Lemke:** Again to the Associate Minister of Wellness: if that is the case, then what are we doing to combat this issue of obesity, which has become an epidemic amongst our youth?

**Mr. Rodney:** I appreciate the hon. member's concern, and I certainly share that concern. We all know that obesity is a very complex problem that requires comprehension throughout various levels of government and private industry, communities, families, schools, and workplaces. That's exactly what we're doing through partnerships. We're involved in many programs that promote healthy eating and active living such as Healthy U, Communities ChooseWell, and our upcoming wellness forum. The Healthy U campaign specifically encourages Albertans to do more to be healthy through healthy eating and active living, both of which can reduce the risk of obesity. Mr. Speaker, I'm very proud to say that we have no less than 30 programs, initiatives, and events that can reach Albertans in a number of areas, all designed to help them make healthier choices in their lives.

**Mr. Lemke:** I was going to ask what programs were being introduced to combat obesity, but unless there are some that he didn't previously mention in the last question – are there any other programs that were not mentioned?

Thank you, Mr. Speaker.

**Mr. Rodney:** Absolutely. Mr. Speaker, we've seen great results from a number of programs in addition to what I just mentioned, including the healthy school community wellness fund. To date – here are some numbers for you – the fund has supported 150 projects involving more than 750 school-community partnerships. We're also beginning to work on the third year of a certain campaign targeting kids six to 12, encouraging them and their families to be active and eat healthy, part of Healthy U.

Our focus in Wellness is about creating healthy habits from the start by helping Albertans to eat in a little bit more of a healthy way and to be active in terms of their living. It's going to be second nature. We just want to give the kids the tools they'll need for the rest of their lives.

Thank you, Mr. Speaker.

**The Speaker:** Hon. members, before we go to Introduction of Guests, which I'll do 30 seconds after this request, I want to ask if we can revert briefly to Introduction of Guests. Agreed? Thank you very much.

[Unanimous consent granted]

### Introduction of Guests

(continued)

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

**Mr. Quadri:** Thank you, Mr. Speaker. I don't know if they're still here or gone, but there was a school here from Edmonton-Mill Woods. The Weinlos elementary school was here today to learn about democracy and events in this building and to see how this Alberta government works. If they are here, I would ask them to please rise and receive our traditional warm welcome.

**The Speaker:** Thank you, hon. member. They may have departed already.

The Member for Calgary-Hawkwood.

**Mr. Luan:** Thank you, Mr. Speaker. I'm honoured to rise to introduce to you and through you to the hon. members of this

Assembly two special guests from Calgary. I saw them earlier during question period. I'm not sure they're still here, but for the record I want to extend a warm welcome to them. The two special guests are Mr. Joe Ceci, former city of Calgary alderman, manager of government relations for Momentum, and co-ordinator of Action To End Poverty in Alberta. The other is Ms Linda McFarlane, who is a member of Action To End Poverty in Alberta. Both of them have done huge work in their community, working with different orders of government and community agencies, trying to create conditions that will help the most vulnerable Albertans become constructive and contributing members of society. It's interesting to note that with their poverty reduction work they are trying to create conditions so that people who rely on government services can become taxpayers contributing to society, thereby saving us in the long run. For that, I think Albertans appreciate their work, and I trust that this House will do the same. For the record I'd like to ask our colleagues of this House to extend our traditional warm welcome for the work they've done.

### Members' Statements

**The Speaker:** Hon. members, in 30 seconds I will call on the first member's statement, from Lethbridge-East.

**Mr. Hancock:** Mr. Speaker, just prior to starting on that and looking at the clock, it's obvious that we're going to run out of time. I would ask the unanimous consent of the House to extend past 3 o'clock in order to allow Members' Statements and the rest of Routine.

**The Speaker:** The hon. Government House Leader has asked for unanimous consent, should it be necessary, to extend the Routine beyond the hour of 3 o'clock. If anyone objects to that, please say so now.

[Unanimous consent granted]

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

### University of Lethbridge Research Award

**Ms Pastoor:** Thank you, Mr. Speaker. It is my pleasure to rise today on behalf of myself and my colleague the MLA for Lethbridge-West and share with this Assembly a tremendous accomplishment made by one of Alberta's comprehensive academic and research universities. Last week the University of Lethbridge was named by Research Infosource as Canada's research university of the year in the undergraduate category. [some applause] Thank you, and yes, we are proud.

The U of L increased its research income by an astounding 38.7 per cent over the past year and, combined with other indicators such as research intensity, publication intensity, and publication impact, moved from ninth to first place in the 22-member undergraduate classification.

One of the main beneficiaries of strong research programs at the U of L is the students. Those attending the U of L are not so much learning from a textbook as being taught by those who wrote the textbook. Further, students are exposed to research opportunities throughout their entire postsecondary experience.

Often we think about how research dollars benefit the current research programs at Alberta's universities. The example at the U of L demonstrates how research activity is key in developing a highly trained and highly skilled workforce in Alberta. When paired with the U of L's excellence in teaching, the university is

helping to create the foundation for a knowledge economy in Alberta. They are training the next generation of researchers and innovators.

Mr. Speaker, this accomplishment is emblematic of the strength of Alberta's postsecondary sector. The investment this government has made in infrastructure, research, and programs will position our institutions to continue to achieve these types of successes for our future.

Thank you.

**The Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

### AEUB Public Hearing Security Measures

**Mr. Anglin:** Thank you, Mr. Speaker. I'm holding in my hand red shoelaces in recognition of the Rimbey chapter of the Central Alberta MS Society and the efforts they make in raising awareness to find a cure.

Last week an hon. member from the government party asked me to produce proof of what has been referred to as government spying on law-abiding citizens. Today I will table 24 pages extracted from various documents as proof of that illegal spying. The documents I'm submitting today reveal a number of inconsistencies with regard to the government's, the board's, and AltaLink's actions when the issue of spying was first discovered. A series of misstatements were made, outright falsehoods were made, and the evidence of the cover-up rapidly appeared. The board was forced to admit it hired four private investigators. AltaLink denied under oath knowledge of the private investigators.

2:50

The Minister of Justice wrote me to claim that Justice Perras' investigation found no wrongdoing. Ironically, the hon. Justice Perras did not investigate the spying. Justice Perras wrote in his findings: "The allegations of spying and listening to solicitor-client conversations are troubling and problematic and if established are serious matters. This examination is not broad enough nor does it have the time to delve into the allegations."

What should concern the citizens of Alberta the most is the evidence involving the office of the Premier. Two days after the EUB hired private investigators for covert intelligence gathering, there was an executive communication log from the Deputy Minister of Energy's office, approved by the Premier's office, and the subject of the communication was me.

I have more documents available, and I'll be happy to submit them when this government authorizes a full, independent judicial inquiry into the government's issues dealing with spying on citizens.

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

### My Child's Learning Internet Portal

**Mr. Fraser:** Thank you, Mr. Speaker. It's with great pleasure that I rise today to talk about My Child's Learning, a new online resource for parents which is the first of its kind not only in Alberta but in Canada. My Child's Learning gives parents access to detailed information about what their children are learning in each grade and what resources are available to help their kids be successful. Designed with the input of parents and parent groups across the province, this resource offers easy-to-understand overviews of every subject at every grade level. It can also be accessed via mobile devices.



Mr. Speaker, we know that not all parents are looking for the same information. Some prefer a short summary of their child's grade while others would like more in-depth information. My Child's Learning is designed to offer both options. Parents can also create an individualized learning profile of their children's education.

My Child's Learning also contains information on their education programs, including separate schools and French immersion programming, so parents have the information they need to make informed choices about what is best for their child.

We know parents play a key role in shaping the way their children view learning. They understand more than anyone else how their children learn and process information. When parents are better informed, they are better equipped to help their children achieve success.

I encourage all parents to visit the My Child's Learning website at [www.mychildlearning.alberta.ca](http://www.mychildlearning.alberta.ca), and in French – bear with me – [www.apprentissagedemonenfant.alberta.ca](http://www.apprentissagedemonenfant.alberta.ca).

Thank you.

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

### Registered Apprenticeship Program

**Mr. Luan:** Thank you, Mr. Speaker. It's truly a pleasure to rise again today to speak to you about youth employment and the work experience opportunities in Alberta. Alberta's students are some of the best educated in the world. Are you all agreed? [some applause] They have proven year after year that they are focused, dedicated, and eager to face new challenges and excel academically. But that is not the only way young Albertans are preparing for the workplace. Real work experience is invaluable to those students. It helps them to further develop the skills needed to be successful in Alberta's workplace upon graduation.

One of the programs that has been helping young Albertans gain valuable work experience for a number of years is the registered apprenticeship program, also known as the RAP program. The RAP program is a unique opportunity for students to explore a trade and begin postsecondary apprenticeship training all while completing their high school diploma. This program has helped a number of young Albertans realize their potential as skilled trades workers. It is a program that this government and every Albertan can be very proud of. It is certainly the case for Calgary-Hawkwood, the great constituency that I have the honour to represent.

After graduating from high school and the RAP program, many of the skilled trades workers help to sustain and advance our provincial economy by working in various industries. Through constant advancement and improvement in programs like RAP, Alberta will continue to train and employ some of the best skilled workers in the world.

Mr. Speaker, I believe it is crucial that we maintain and develop more programs like this in order to promote employment mentorship opportunities throughout Alberta. In doing so, our province will maintain its standard of excellence in career training and employment.

Thank you

**The Speaker:** Thank you.

The hon. Member for Lesser Slave Lake.

### Slave Lake Native Friendship Centre 40th Anniversary

**Ms Calahasen:** Thank you, Mr. Speaker. Last week I had the pleasure of introducing elders who represented the Slave Lake

Native Friendship Centre. That was very important because this centre depends on strong community support but, more importantly, the strong support of these and past elders. Thanks to that support, I joined the board of directors and many supporters in helping celebrate the Slave Lake Native Friendship Centre's 40th anniversary on October 27, 2012.

Mr. Speaker, the way they do it is because they have a statement, and that statement says that it "envision[s] a community that respects and accepts all people while promoting the enhancement of the quality of life . . . through culturally based programs and services guided by the wisdom of our Elders." How can they go wrong? Not.

Friendship centres mean a lot to me personally. While attending university many years ago, not understanding the ways of the world and feeling lonely, the Edmonton Native Friendship Centre became my refuge. That friendship centre was probably the best thing that happened to me because today you would not see the suave, good-looking young lady standing before you if it were not for that.

To all friendship centres: thank you. To the Slave Lake Native Friendship Centre: you've done well, and congratulations on 40 years of service to the people who need it in that area.

Thank you.

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

### Labour Protection for Paid Farm Workers

**Dr. Swann:** Thanks, Mr. Speaker. Over the summer there was discomfort across the agricultural sector over the possibility of a boycott of Alberta potatoes. Surprisingly enough, the potato growers and commercial agriculture, including beef, are still coming to terms with the reality that in 2012 paid farm workers, including children under age 14, are still not protected by law or under occupational health and safety and are injured and killed as a result.

The Alberta government continues to hide behind concerns about family farms and deny their responsibility to regulate child labour standards in industrial operations as well as through occupational health and safety standards, the labour code, and the WCB. Government is doing a great disservice to the agricultural industry and opening the industry to boycotts from the likes of Pepsi, Frito-Lay, McDonald's, and Yum! foods, who have strong ethical positions on child labour and human rights in agriculture. In addition, commercial operations could be liable to Criminal Code sanctions.

The almost blanket exclusion of agriculture from regulation has a pervasive effect and creates a Wild West attitude in the agricultural community. This is increasingly visible within and outside of Alberta in relation to unregulated agricultural work sites. Were these hands-off attitudes and practices a factor in the Brooks XL Foods fiasco and the public harm that resulted? Some believe it was.

Most government members do not realize also that the financial costs of thousands of injuries and deaths annually are being off-loaded from WCB, from the industry to our health care system and to Alberta taxpayers to the tune of millions of dollars annually. The Farm Safety Advisory Council report does not address legislation for farm workers.

Madam Premier, you promised to legislate protection for paid farm workers in occupational health and safety, the Workers' Compensation Board, and child labour standards. After a decade of waiting, Alberta farm workers are simply asking: when?

Thank you, Mr. Speaker.

**The Speaker:** Thank you, hon. member.

### Tabling Returns and Reports

**The Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Rimbey-Rocky Mountain House-Sundre, the gateway to God's world out there. You'd better believe it. Welcome. Come on out.

Mr. Speaker, I have the requisite documents for submission. Just as an addendum, this is serious business. Members have talked about respecting the rights of citizens and landowners. Words are easy; actions are what people judge this government on. This evidence is serious business about improper actions.

Thank you.

**The Speaker:** The Minister of Health.

**Mr. Horne:** Thank you very much, Mr. Speaker. I'm pleased to table the requisite number of copies of the 2011-2012 Alberta Health Services annual report. Alberta Health Services is comprised of many skilled and dedicated health professionals, support staff, volunteers, and physicians, who are steadfast in their duty to promote wellness and provide health care every day to Albertans as well as to many residents of Saskatchewan, southeastern British Columbia, and the Northwest Territories. This report illustrates their dedication to fulfill the Alberta government's commitment to health for all.

3:00

**Mr. Anderson:** Mr. Speaker, I have several tablings today after a long summer of talking with constituents. I'll just table a few of them today and maybe do the rest tomorrow.

The first is from Christina Carr, who has written the government with regard to IVF treatments. She feels very strongly that IVF treatments should be covered by Alberta health insurance. She feels that being able to have a child should be something that every woman has an opportunity to do. She wrote a very touching letter about it and about some of those issues and also noted that several other health systems across the country do cover it; for example, Quebec. It would be nice to keep some of those equalization dollars here to spend on programs just like that, wouldn't it, Mr. Speaker? That's the first tabling.

The second tabling I have is a very interesting tabling from a Mr. Scott. Mr. Scott has some great ideas on how to improve safety on our roads through different, I would say, very cost-effective ideas using culverts, road crowns, and other ideas that he's had. It's a very lengthy letter, but I would certainly ask the ministers of Infrastructure and Transportation to take a look at it if possible. That's the second tabling. Maybe I'll do one more; I'll do the rest tomorrow.

Ms Deanna Bruvold is a constituent of mine. I've had many conversations with her. I've asked her to actually put together a letter regarding her experience on getting a drug covered. She's on right now an alternative to the prescription drug that is covered by her Alberta Blue Cross insurance. She's finding that if she goes to the one that's covered by Alberta Blue Cross insurance, it's causing a major allergic reaction, very severe, but she has to use it in order for Blue Cross coverage to cover it. Blue Cross is saying that she has to go back to the one she's allergic to instead of using this alternative one. It's a very weird situation there, a very compromising situation. I hope the Health minister will take the time to look at this letter and see if there's anything that he can do to help this woman, this Albertan.

I'll save my other remaining ones for tomorrow, Mr. Speaker. Thank you.

**The Speaker:** The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Mr. Speaker. I have here the required copies of a letter that I read on October 24 and that I would like to table today. It's a letter that I read from a kindergarten teacher in my constituency on her experiences in the classroom.

Thank you.

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

**Mr. Hehr:** Well, thank you, Mr. Speaker. This is a tabling – and I have the requisite copies here – by the Foundation for Democratic Advancement. It's regarding an electoral finance audit of Canada's 10 provinces. It's a very interesting report. It goes through an analysis of openness and transparency as well as limits placed in other jurisdictions on various amounts and donations. One of their findings – and I think it's particularly evident that we need to work on this from this report – is that Alberta's electoral finance laws are systematically corrupt by favouring minority and special interests over the interests of the people. I hope people in this Legislature take a sec to look at this report.

Thank you.

**The Speaker:** Are there others? I have two tablings in that case.

First, I would like to table a copy of a letter that I wrote to the president of the Alberta press gallery on October 25 which addresses dress codes and other protocols for media personnel who are attending Alberta legislative committee meetings in the committee rooms at the Leg. Annex. That's effective October 25, 2012.

My second tabling also relates to dress codes, other protocols, and general decorum. That applies to caucus support staff and others who may be attending committee meetings in the Legislature Annex. That one is titled Staff Protocols, and it is in effect immediately.

Both of these updated protocols, hon. members, were discussed at some length, I should say, and agreed to by the Members' Services Committee. However, I need to bring it to your attention immediately because there is, I think, a committee meeting tonight, there's certainly one tomorrow and, I believe, the day after and so on, and this would apply immediately. Please ensure that all of your staff are made aware of these two protocols.

On that note, I wonder if we could have unanimous consent to revert to a congratulatory note. The Associate Minister of International and Intergovernmental Relations, who came into this world not long ago, just a few years ago, is celebrating a birthday. That is the note I got. Happy Birthday.

Thank you, hon. members.

### Statement by the Speaker

#### Clerk of the Legislative Assembly of Alberta 25th Anniversary

**The Speaker:** Hon. members, just before we go to the points of order, I want to take a brief moment to indicate to all of you that on August 1, 2012, Dr. David McNeil celebrated officially his 25th year as Clerk of our Legislative Assembly of Alberta. Now, since the first sitting of this House in 1906 there have only been six Clerks. Dr. McNeil is the second-longest serving Clerk in our history. Only Clerk Robert Albert Andison has served longer, from April of 1923 to May of 1955. David McNeil has served

with four Speakers now: Dr. Carter, Mr. Schumacher, Mr. Kowalski, and myself.

For those among us who are lingo buffs, the word “clerk” actually derives from the Latin word “clericus,” meaning a learned man. This certainly applies to Dr. McNeil, who actually began his postsecondary studies with a bachelor of science in chemical engineering, followed by a master’s and a PhD in management science.

Some of you are probably wondering: what’s the connection to his current job? Let me cite this for you quickly. In the spring of 2011 Dr. McNeil was profiled in the *U of A Engineer* alumni magazine and was quoted as saying, “Part of being an engineer is being a problem solver. There’s always a problem here [in the Assembly] to be solved.” His scientific background has trained him to be thoughtful, analytical, nonpartisan, and objective in all situations. He’s also one of the most respected voices in the entire parliamentary circle of friends that we have across the country and internationally since he is one of the longest serving of all current Clerks in Canada.

In addition to his procedural role, David has fulfilled a significant administrative role. He has led our Legislative Assembly through many transitions over the years. To give you an idea of the span of progress that has been made during his service, in 1987 there was but one computer in the Legislative Assembly Office of our province. Today we have dozens if not hundreds spread throughout. In fact, we also have migrated more actively into social media in our committee meetings and elsewhere.

In conclusion, Dr. McNeil, I know that I paid a brief tribute to you last week, but today I will ask all members to join me in congratulating you on reaching this tremendous milestone. On that note, I would ask the page to please deliver it here, and I will deliver it to you, Dr. McNeil, if you’ll come forward. On behalf of all members of the Assembly, current and former, please receive this very special 25th anniversary commemorative Legislature pin. [Standing ovation]

Hon. members, we’ll deal with a few points of order now. Let me begin with the hon. Member for Airdrie on the first point of order.

#### **Point of Order Factual Accuracy**

**Mr. Anderson:** Mr. Speaker, there were actually two, but I’ll only need to do one because the other one was a point of clarification, which you dealt with with the Member for Edmonton-Strathcona.

3:10

I’m referring to Standing Order 23(h), (i), and (j). I think we can keep this short as long as we can keep the rhetoric down here. This is a point to make sure that this House is very clear. The member opposite – I believe it was the President of Treasury Board – specifically named two instances, in 2004 and 2007, regarding some party donations. My understanding is that that was the Alberta Alliance Party. The Wildrose Party of Alberta was not formed until 2008 under, obviously, a completely different leader and with completely different policies, board, and in fact it is a completely legal entity. What he said about our party regarding 2007 and 2004 is factually inaccurate, and I’d ask him to withdraw those comments on that basis.

Thank you.

**The Speaker:** The hon. President of Treasury Board.

**Mr. Horner:** Well, thank you, Mr. Speaker. I’m not sure that I actually attributed it to a party. You know, the wolf in sheep’s

clothing, so to speak: they changed the outside; they can’t change the inside.

Mr. Speaker, I did mention that in one campaign, the 2004 election campaign, one individual did bankroll nearly 75 per cent of that party’s contributions, and I assume it was the Alberta Alliance, which then became the Wildrose, with many of the same members. In 2007 by-elections that same individual bankrolled 99.7 per cent of that party’s contributions. Again, those individuals then became the Wildrose Party. In the 2008 election campaign, which the hon. member does refer to, that that was the Wildrose Party of Alberta, that same individual bankrolled nearly a quarter of that party’s contributions.

Again, you know, it’s absolutely clear that the party saw nothing wrong with that and is merely playing politics with it now, Mr. Speaker.

**The Speaker:** Hon. members, we’re going to stop there. As we know, we often receive clarifications, and as all members here would know, *Beauchesne’s* 494 does have a nice citation in it that says that frequently we’re asked to accept two different versions of the same account. I think the hon. Member for Airdrie has clarified his point very well, and I think the hon. President of Treasury Board has given an eloquent address from his point of view.

The other thing I’ll just caution you on is that when you raise points of order, please remember to do them briefly, like was just done. It was well done on both sides. We need to remember that it is not an opportunity during a point of order to extend or continue debate, and you can find more on that at page 634 of *House of Commons Procedure and Practice*.

Hon. Government House Leader, another point of order?

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

**Mr. Hancock:** Thank you, Mr. Speaker. I trust you weren’t addressing those last just specifically to me in terms of the length of points of order.

I do rise under Standing Order 23(j) and (l), (j) being “uses abusive or insulting language of a nature likely to create disorder” and (l) being “introduces any matter in debate that offends the practices and precedents of the Assembly,” and under *Beauchesne’s* 492, when the hon. Member for Lac La Biche-St. Paul-Two Hills in his question referred to two areas that I think offended the practices of the House.

The first was in asking whether the government would repay a contribution, and he specifically referred to government, flying in the face of all the admonitions that you provided with respect to not confusing party business with government business. There was a direct linkage there, which, I think, I would go so far as to say was intentional because the scope of questions from the other side today and other days has been to try and connect the process of the political process that we have with government policy. They have been unable to do so even though they continue to do so.

The other offensive piece to the question was in using the language “corruption.” There is a process. If someone has an allegation that someone has broken the law, there are two appropriate ways to go with respect to election finances and disclosures. One, the most appropriate, if there’s a concern being raised, is to ask the Chief Electoral Officer to investigate. I presume that the hon. members opposite have done that with respect to this particular allegation that they’re making. But it’s quite inappropriate to find guilt in their questions and lead the public to believe that there has been a finding of wrongdoing.

The act is very clear. One cannot make a donation greater than \$30,000 to a political party during a campaign period. So they're taking great licence by linking all of those contributions together, linking that in and talking about corruption and essentially finding someone who is not in this House guilty of an offence without the opportunity to appear here, which is another section of the rules, to defend themselves.

There is an appropriate process – and I would encourage the hon. members opposite to use that appropriate process – to formally request the Chief Electoral Officer to investigate and to report. The other way they could go, if there's a violation of the law, is to ask the police to investigate a violation of the law. But it's entirely inappropriate to come to the floor of the House and use the immunities that are provided by the House to make allegations of wrongdoing and corruption, which is a very, very strong word, against somebody who is outside the House or, in fact, against a government.

"Corruption" is a very ugly word, and it doesn't look good on you, sir.

**Mr. Anderson:** Mr. Speaker, in response to that I would note that, first of all, the question the government member is referring to was: given that 30 per cent of the campaign funds came from one source via a \$430,000 donation, will the Justice minister commit to amending the law, or will it just allow another massive PC loophole?

**Mr. Hancock:** He asked the government to repay.

**Mr. Anderson:** He never asked that question.

**The Speaker:** Through the chair, please.

**Mr. Anderson:** It might have been prior, but it wasn't him. Anyway, my point is that he didn't ask the government to repay that.

This goes back to what the Member for Edmonton-Strathcona said earlier, and I think you did clarify it. We've been trying, and we will now endeavour to try harder given your comments today, Mr. Speaker, to make sure that we refer to public policy when we're in question period, refer to changes in the legislation that we would like to see. We will double our efforts to make it very clear. Now, of course, we do need to put context in that, or the question is useless. You have to contextualize the question and explain what practice we're wanting to stop and what example of a practice we're wanting to stop in government legislation and government policy. So we will endeavour and double-endeavour, as you've asked, to do that in our future questions.

With regard to the word "corruption," we all agree that the government itself should not be called, you know, "this corrupt government" or that "this individual," in this case Mr. Katz, "is corrupt." That's not what this member said. That's not what any question that I've heard in here said. What we are worried about over on this side of the House and what I think Albertans are worried about in general is the general culture of corruption within government, the general culture of entitlement within government. That's not saying that the government and the members themselves are corrupt. It's saying that when you have a process that allows one individual to allegedly pay \$430,000 to the governing political party, when you allow that to happen, Mr. Speaker, if the law allows that, then that necessarily opens itself up to a culture of potential corruption. We're worried about that, and I think that the government should be worried about that, too.

So when we're asking questions about changing the law to take care of that culture of corruption, to close those loopholes so that

corruption or even the appearance of corruption can be laid to rest, where it should be, I think that's a very legitimate line of questioning in this Assembly, and I think that as long as we follow your rules, Mr. Speaker, and keep it to government policy and keep it to government legislation, there's no point of order here. This was a reasonable question.

**The Speaker:** Hon. members, you can see why over the decades if not centuries of our fine system of democracy people have created rules, they've created regulations, they've created guidelines, and why it's so important for them to be followed and why I have a passion for this. What we're talking about here is exactly the subject of my admonishment earlier in the day. We're talking again about an issue that has to do with political parties and their contributions. So let me just remind you of a couple of things very briefly.

3:20

Number one, in *House of Commons Procedure and Practice* on page 502, should you happen to have a copy handy, in the middle of the page it says:

In summary, when recognized in Question Period, a Member should . . .

- ask a question that is within the administrative responsibility of the government or of the individual Minister addressed.

Furthermore, a question should not . . .

- be hypothetical.

Then, I turn the page over to 504 and still continuing with "Furthermore, a question should not," the third bullet on page 504 says:

- concern internal party matters, or party or election expenses.

Hon. members, I've been around this game a long time, and most of you in this Chamber have as well. We know what that means. We also have seen what it means when we break away from those rules and take additional liberties. Now, I was very, very lenient in many ways last week, but you can see what happens when we allow the kind of leniency that really does actually break not only the spirit of the law but also the content and the intent of that law. So let's be doubly careful. There isn't a person here who can't phrase or rephrase a question that does not stick within the rules. You can all do it. I know you can. You've asked some wonderful questions, most of you have, so far, and there'll be more to come.

My final point is just to rephrase again, without taking more time out of question period, but I will take it now. In *Beauchesne's Parliamentary Rules & Forms* 408 – and recognizing that this something that I haven't had a chance to comment on, let me comment on it now – it says:

In 1964, the Special Committee on Procedure recommended the following guidelines,

and this is with respect to oral questions,

which were subsequently provisionally concurred in by the House, to be used by Members in asking oral questions.

(1) Such questions should . . .

(b) not inquire whether statements made in a newspaper are correct.

Please remember that one.

Furthermore, 409 in *Beauchesne's* would tell you that with respect to guides for question period:

(3) The question ought to seek information and, therefore, cannot be based upon a hypothesis, cannot seek an opinion, either legal or otherwise, and must not suggest its own answer,

and it goes on.

Finally, 410 in *Beauchesne's* says:

- (5) The primary purpose of the Question Period is the seeking of information and calling the Government to account.

And I know that that's what's intended, but, again, on page 122 it says:

- (12) Questions should not be hypothetical.

So be careful when phrasing your questions, and please do as good a job as you can to hold each other to account. I have no problem with that at all. But let's do it within the provisions of the book.

I received 22 notes – 22 notes – and it was a record on these matters. The point of it is that it takes up my time, it takes up your time, and all I'm here to do is to enforce the rules, which you subscribed to when you took the pledge.

Now, I'm not here to try and overdeliver or overemphasize that message, but you must know that I feel passionately about following the rules in this House. I will do everything I can to live up to that, and I ask you to please join me and do the same.

As such, the clarification has been made, there's no point of order, and we're going to proceed.

### Orders of the Day

#### Public Bills and Orders Other than Government Bills and Orders Second Reading

##### Bill 201 Scrap Metal Dealers and Recyclers Identification Act

**The Speaker:** The hon. Member for Strathcona-Sherwood Park.

**Mr. Quest:** Thank you, Mr. Speaker. I'm pleased this afternoon to move second reading of Bill 201, the Scrap Metal Dealers and Recyclers Identification Act.

This bill addresses a serious problem and has ramifications for all Albertans, Mr. Speaker. That problem is the theft of scrap metal. Both individuals and businesses in urban and rural regions are impacted by the theft of scrap metal, and these individuals and businesses are then stuck with the bill.

Mr. Speaker, Bill 201 isn't just about mitigating the cost of scrap metal theft to law-abiding citizens, businessmen and women. It's also about safety and potentially hazardous conditions created when metal is taken from places and from equipment. When this metal goes missing, everything from power outages to injuries or even death can result. I can cite a case from 2010, when a man was killed in the process of stealing scrap metal from active electrical wire. I can cite instances where manhole covers were stolen, in turn compromising the safety of vehicles and pedestrians on those streets, such as in March or April of this year, when cities all over Ontario reported dozens of missing manhole covers. We could also talk about the loss of metal on construction sites and how such instances often seriously delay work or create costs that far outweigh the value of the metal itself.

[The Deputy Speaker in the chair]

The Edmonton Police Service in 2011 reported more than \$1 million of thefts and \$100,000 of associated damages from stolen copper wire alone. The Calgary Police Service reports comparable numbers for their jurisdiction. Earlier this month 90 kilograms of copper wire and 200 metres of stripped telecommunications were stolen from a Telus site northeast of Calgary. As a matter of fact, Telus alone has reported 74 copper theft cases in Alberta this year

alone. Two months ago the RCMP recovered \$500,000 worth of copper wire just east of Edmonton. In June, Mr. Speaker, a piece of copper cable was stolen from a radio tower in Strathcona county, my own constituency. It was part of the lightning grounding system of the tower. The piece of cable that was stolen was worth \$30. The damage to the tower, which was actually struck by lightning, was over \$25,000.

Clearly, scrap metal matters, and clearly things aren't slowing down. Consultations, research, and thorough analysis all indicate that the provisions and measures outlined in Bill 201 will help stem the tide of scrap metal theft in our province. As it stands today, thieves can take stolen material to a scrap metal dealer or other recycling-related business and sell it, usually for cash, no questions asked. Mr. Speaker, the objective of this bill is to make it harder for scrap metal thieves to operate in Alberta. Questions will be asked and answers will be recorded so that police have a paper trail when they need it. Regulating the scrap metal industry by giving police this paper trail would greatly diminish the ability of criminals to profit from scrap metal theft here in Alberta.

If the Scrap Metal Dealers and Recyclers Identification Act is brought into force, all scrap metal dealers will be required to request proof of identification from each seller, record specific information about each transaction as determined by regulation, make that information available to law enforcement officers upon request, and report suspicious transactions such as purchases above a certain weight or with certain identifying features.

Mr. Speaker, some have argued that municipalities should regulate the scrap metal industry, not the province, but only provincial legislation can minimize discrepancies between differing municipal standards, a necessary outcome according to Alberta Association of Chiefs of Police. This is because municipal bylaws lead to jurisdictional shopping. That is, thieves will travel to alternative locations to sell their ill-gotten gains until there is a uniform standard. Province-wide legislation and regulation would prevent this.

Bill 201, the Scrap Metal Dealers and Recyclers Identification Act, would also protect scrap metal dealers from legal action when information is disclosed in order to comply with the purposes of the act, a protection that municipal bylaws do not ensure.

Again, with scrap metal dealers and recyclers in mind, Bill 201 stays away from in-depth daily electronic reporting. That type of regulation is too onerous for business owners and operators and isn't consistent with the spirit of this proposed legislation. Our intent certainly isn't to displace a burdensome process from law enforcement officers onto business owners. That's not what Albertans are about, and that's not what this bill prescribes. The requirements for scrap metal dealers and purchasers under the bill are not onerous. In fact, most large and medium-sized scrap metal dealers would continue on. It would be business as usual.

This legislation doesn't target law-abiding scrap metal dealers. It cracks down on less-than-reputable scrap metal businesses that cater to scrap metal thieves. Penalties stipulated in this legislation involve serious fines when proper records are not kept. Individuals could also face jail time. It considers the obstruction of an investigation for the purposes of this bill an offence, and it prevents businesses from popping up and operating for a short time before they're shut down due to a fine or a criminal investigation.

3:30

These measures were developed in consultation with a variety of stakeholders, and because of that, I believe this bill has enormous potential to equip law enforcement officers to both investigate crimes and minimize the potential profit for both

sellers and dealers who operate on the wrong side of the law. I'd like my colleagues to note this bill has the support of the Alberta Association of Chiefs of Police, which passed a resolution in support of this bill. As well, the RCMP have indicated their support. The Calgary Police Commission is certainly in support of this legislation as Calgary actually has their own bylaw in place, and the Edmonton Police Commission has called for regulation of photo identification by scrap metal dealers also.

To me this call from the Edmonton Police Commission is an endorsement for the principles that inspire this bill. Theft can only be profitable if there's a market for stolen goods. This bill reduces that market by requiring scrap metal dealers and recyclers to leave a paper trail for law enforcement authorities. Right now, Mr. Speaker, the regulation of scrap metal trade in Alberta is left up to the municipalities, and it has led to a patchwork of requirements that merely relocates the selling of stolen goods to communities with lax or no regulations. We need a province-wide standard to help crack down on this problem. I would propose this province-wide standard would start with Bill 201. I urge all hon. members to follow this debate this afternoon and consider supporting this bill.

Thank you, Mr. Speaker.

**The Deputy Speaker:** I will recognize the Member for Lacombe-Ponoka and then the Member for Edmonton-Centre.

**Mr. Fox:** Thank you, Mr. Speaker. I think the Scrap Metal Dealers and Recyclers Identification Act is a timely piece of legislation as theft of these materials is becoming an increasing problem for Alberta industries. The intent of this bill will bring more accountability to the scrap metal industry. By recording the personal identification information of the seller of scrap metal, we should see diminishing returns for the criminals.

I know there is support from the scrap metal dealers themselves on this, Mr. Speaker. All too often they are the greatest victims of theft. With massive yards, often dozens of acres, they are prime targets for thieves. They face heavy costs for security and insurance. This impacts the bottom line for them and then, because of the price, also for their consumers.

This bill seems to be targeted at a few bad apples. I've spoken to the scrap metal dealers and recyclers, and the reputable businesses are already taking down the information related to the seller and the history of the materials. This is good, common practice that will now have the force of law.

As tough as I am on crime and supportive of this law, I do have my concerns. I have heard from those in the industry that they hope the paperwork does not become burdensome, that it does not get in the way of them doing their job. This is a complaint I hear from many people in many industries. Our police officers and our health care professionals among others find themselves away from the front lines, tied down because of paperwork and bureaucracy. I hope we don't find the same situation in the scrap metal industry because of this bill becoming law.

I'm also concerned with how much of this law is left to the regulations after the bill has passed. In section 3 I read, "Information respecting the transaction prescribed by the regulations." I know it is standard to leave much of these details to regulation once a bill is passed, but again I'm concerned about onerous paperwork bogging down hard-working Albertans. I hate to see the majority suffer because of the actions of a few bad apples.

I support the intent of this bill, Mr. Speaker. We should do everything we reasonably can to crack down on fraud and theft. I look forward to debating this bill in committee to make sure it's the best fit for all Albertans.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

I recognize the hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much, Mr. Speaker. The sponsor of this bill and I have gone a couple of rounds already on this one, mostly through the media over the summer. I do thank him for his diligence and for his recognition of a problem and an attempt to do something with it. The problem is that it's not the right thing to do, and there are a couple of reasons why that is the case.

For starters this bill does absolutely nothing to stop people from stealing copper or any other prohibited scrap metal. Nothing. Nothing. What this does is take down everybody's personal information in the hopes that they might be able to have a paper trail good enough to be able to catch somebody who might have stolen something. In the meantime we have subjected every single Albertan who has walked through the door and done any kind of an exchange on scrap metal – we've taken their personal information. Now, is that problem? Well, yes, it is a problem.

I'm just going to give you a couple of examples where personal information has been collected by a government or a police force for one purpose, and it gets used for another purpose. It's just too great a temptation, it seems, particularly for police forces but also other individuals, even – let's face it – candidates for election. Boy, once they see all those lists and names, they just think, "Wow, we could market to them," or "We could use this to catch other things," or whatever their little minds can come up with.

Here are a couple of examples, very recent, where information collected using surveillance or a direct request for information was turned around on law-abiding citizens. In Brussels they have decided to fine people who are cursing in public. How are they going to find these cursing people? Ah. They're going to use the closed-circuit television. Okay. Was that closed-circuit television put in place to catch people who say "shucks" or "dam" or "heck" in public? No. They were supposedly put in place to catch terrible murderers and thieves of large amounts of money, but they're now going to use it to read people's lips and chase them down and fine them for cursing. I don't think that's quite what people had in mind when they put in those closed-circuit televisions. Nonetheless, that's how they're going to use it. Is that what they intended when they first put that in? No, it wasn't.

Here's another one. A large hospitality consortium here in the wonderful city of Edmonton with a number of locations in the fabulous constituency of Edmonton-Centre had shut down a few locations and found that they had been broken into and a USB memory stick containing employees' personal information stolen. There was no video that was doing surveillance on their location, and the alarm system didn't work. Nonetheless, out there somewhere is a nonencrypted memory stick containing the personal information – home address, social security number, description, photo, signature – of every employee that hospitality consortium had ever had. They don't know where it is. They don't know how to get it back.

Also, this same hospitality consortium regularly, with the blessing of this government because I was here when it was debated, collects and takes a copy of the driver's licence of every person who comes into their establishment, which, again, includes a photograph, a signature, a home address, a description of what they look like. It's a lot of information. They scan that information because they were going to help bring down drug dealers and terrible people that were causing problems in these bars. Is that what they used it for? No. What they used it for was to get dates with some of the pretty girls that happened to go through. Not quite what they'd said they were going to use it for.

The last example is stolen credit cards. I tried to phone and report a stolen credit card, and I couldn't despite the fact that I was giving the full legal name of the individual who owned the card, two legal addresses by which they could track them down, one in the States and one in Canada, and their date of birth, which should be good information to be able to track anyone down. This company couldn't do it, could not locate the person and their credit card number. Now, why is that? Well, I finally found out after a lot of digging. This, in fact, was not Visa. This was a contracted company that deals with stolen Visas but only the black ones and the gold ones. They kept saying, "What colour is the card?" I kept going: "It doesn't matter. It's stolen." "Well, we don't deal with the blue ones." "Oh, okay." What were they doing with all of this information? They couldn't even manage to find the right person. Is that why you gave all your information to Visa, so it could go to a contracted company so they could manage not to locate you when your card is actually stolen?

3:40

What is it that happens with personal information? Do you know where the biggest breach of personal information is? Somebody knowing they're not supposed to use that information and doing it anyway. Those are where the breaches always happen. Almost always. It's not security. It's not technology. It's individuals knowing they're not supposed to do that and doing it anyway.

So back to this bill. We have a bill that says: this is going to stop people from stealing copper. How? What it's going to do is take down the information of everybody that comes in there to sell or trade copper. My dad – God bless him – has collected every single thing he's ever used in his life. It's all neatly tied up. It's all inventoried. When he passes over – it won't be soon – I will have to go and dismantle that garage and sell all of this stuff he's collected: all the acetylene torches and the welding and the arc welders and pipe and the solder stuff and all the gubbins that someone like that collects. I will be taking in copper wire that an old man has collected, but now I will have to give all of my personal information because I might be a bad guy, and they need a paper trail on me. Yeah.

Did it stop the guy next door from stealing the copper wire? No, it didn't, but it does give personal information over to a small-business individual. Let's talk about them. We supposedly love small-business people. Why on earth would we put them in a position where they have to now go out and probably get a computer system and probably send someone to be trained on it? How many of you have been at a scrap metal dealer that was neat and tidy, and every piece of paper was as white as snow? No answer. Well, I bet you they're not going to be keeping these informational recipe cards in a little box. They're going to end up having to put in a computer system, and that's not a small amount of money for someone whose profit margin is pretty small.

So now we've got a system that doesn't do what it says it does. It does collect information on every single person who walks through the door and, basically, makes them criminals or treats every decent, law-abiding person as a criminal because it's creating a paper trail for a possible thief somewhere. And it creates an additional burden of expense, time, training for a small-business person. How is this effective in the slightest? It's not.

I don't blame the member who has proposed it, because he's trying to address something, but this constant default to, "Well, let's capture everybody's personal information, and that'll solve the problem" doesn't solve the problem. This bill is not going to solve the problem. It's going to collect a lot of people's personal information.

Now, let me loop back to where I started. Why is collecting people's personal information a big deal? Why is it a problem? Because it gets abused. Because those very people that are supposed to know that they're not supposed to fool around with it fool around with it. Those people look at it and go: "Oh, my goodness. Lookit. That's a whole cache of information we could market to or we could capture for some other use." They go ahead and do that even though that's not what you wanted. So it doesn't stop the thieving. It does collect information, and that information ends up getting into other people's hands and being used for purposes that you didn't sign up for.

When you actually look at the information, it's not giving us a lot of what is going to go on there. I'm aware that I'm going to run out of time here, Mr. Speaker, but let's just start with "a scrap metal dealer . . . shall inform a person." Well, inform them how? A sign on the door? Do they have to say it verbally to every person that comes in there? Do they wear a T-shirt that says this? What? How are they supposed to inform?

It then goes on to say that they have to hang onto that information "for a minimum of one year after the transaction" but gives no maximum. So this small-business person is now supposed to keep files forever? I guess so. Now we've incurred storage costs for a small-business person.

Please don't support this bill. Nice idea. Bad implementation.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize next the hon. Associate Minister of Wellness, followed by the Member for Edmonton-Beverly-Clareview.

**Mr. Rodney:** Thank you, Mr. Speaker. I am very pleased to rise today to speak to Bill 201, the Scrap Metal Dealers and Recyclers Identification Act, as introduced by the hon. Member for Strathcona-Sherwood Park. I have found this member to be truly inspirational. This has been a long row to hoe for this member, and he's been a true champion for the cause.

Bill 201 does seek to prevent scrap metal theft, which, with the increasing price of many metals, has become a major issue in many jurisdictions. In addition, it'll provide additional resources to our peace officers when investigating such theft, and the bill would do so by requiring that scrap metal dealers and recyclers record the identities of individuals selling scrap metal in addition to other identifying information. That is true. This information would be available to authorities, who could use that information for the purpose of investigations.

Now, Mr. Speaker, as I mentioned, the hon. member has worked very hard to find a solution to the issue of scrap metal theft for a number of years, and I'm happy to see that such a strong bill has been the result of those efforts. That's just one of the reasons why I'm supporting the bill here today. I believe that it does have the ability to greatly reduce scrap metal theft, which has become a serious problem.

The main reason for this, of course, is that since about 2003 global metal prices have been rising, astronomically in some cases. As an example, from 1996 to 2006 the price of aluminum rose 87 per cent, from just 62 cents a pound to \$1.16. Copper prices, as many are aware, have seen an even bigger increase of 191 per cent, rising from \$1.05 per pound to \$3.08. The price of rhodium, a rare metal, has risen from \$2.08 per pound in 1996 to \$43.59 in 2006. With prices like this it's small wonder that theft has also risen.

Police have identified not only a trend of thefts becoming more frequent; they've also recognized that scrap metal thieves are taking bigger and bigger risks to get that metal. There have been cases in which people have been electrocuted – they've

electrocuted themselves, as a matter of fact – trying to get their hands, literally, on valuable metal wiring. Not only is this a major health and safety hazard, but the theft of live wires means that functioning infrastructure has been damaged in the process, and that, of course, multiplies the negative impact of the theft. For example, the theft of fibre optic cables or phone lines could knock out life-saving 911 services in a community.

Now, other common sites for scrap metal theft are construction sites such as LRT extensions and high-rise developments, which would slow the progress of these projects and cost developers countless dollars to repurchase materials and rebuild damaged edifices.

Mr. Speaker, it's clear. Scrap metal theft is a major concern, and Bill 201 offers a way to deal with this issue, proposing that provincial legislation be established to control the sale and purchase of salvaged and scrap metal. At this point there is no provincial legislation in place that deals explicitly with the prevention of theft related to the sale or recycling of scrap metal, so Bill 201 is a novel idea provincially.

However, it's worth noting that on the municipal level there is a bylaw in place in Calgary that does deal with the issue already, so it's certainly worth taking a look at that. That particular bylaw requires that all scrap metal transactions be reported to the Calgary Police Service. Specifically, these transactions include situations where scrap metal "is received, processed, stored or dismantled prior to being sold or disposed of." In these cases the business accepting the metal is required to record the seller's full name and current address, to provide a full physical description of the person and the property they are selling to, and to record two pieces of identification. Additionally, the bylaw states that scrap metal businesses, including salvage yards, must not accept second-hand metal from any person who appears to be under the influence of alcohol or drugs, is under the age of 18, refuses to show the required ID, or is not the true owner of the scrap metal in question.

So that's the municipal level. If we look across Canada, across the provinces, the trend seems to be that as municipalities recognize that scrap metal theft is becoming an issue, they've started to develop these types of bylaws. For example, Mr. Speaker, in Maple Ridge, B.C., authorities are currently developing a scrap metal identification bylaw. That is the result of a string of thefts, including a very unfortunate theft late last year of a war veterans memorial plaque.

3:50

Now, Mr. Speaker, I think we can all agree that in light of the rising prices of metal and the subsequent increase in scrap metal theft something more needs to be done. While municipalities have been dealing with this issue for some time, the provincial government is better positioned to deal with such an expansive problem. Our government has a broader jurisdiction and is thus able to set standardized rules across all of Alberta, protecting every community from scrap metal theft. In addition, if the laws become province-wide, it will prevent thieves from simply taking their scrap metal and selling it to the next city or town that does not have a bylaw in place. While I'm grateful that some municipalities have taken the issue into their own hands to protect their citizens and their infrastructure from this type of vandalism, I think our province can play an important role in doing so as well.

Currently scrap metal dealers are under no obligation to assist the police in theft investigations, but Bill 201 would give police the ability to review the records kept by scrap metal dealers. It would also give them authority to review and copy the files kept

by salvage yards and other metal dealers. This will make a world of difference in terms of enabling the officers to resolve cases more quickly and efficiently, saving valuable time and resources.

Mr. Speaker, other types of reporting systems have been proposed in the past in order to prevent certain types of theft. For example, in Calgary a few years ago a system called RAPID, regional automated property information database, was proposed to keep track of pawnshop transactions. This system would have provided the police with instant access to transaction information from all pawn- and second-hand shops as well as precious metal and scrap metal businesses. Now, in the end, however, I can tell you that Calgary did not decide to incorporate this technology, in part because it would have been quite onerous and demanding on our already hard-working business owners. There's a difference here with Bill 201. I believe it strikes the right balance, holding the businesses to account across the province while not making unreasonable demands for reporting.

As a whole, I believe that this bill will help to reduce scrap metal theft and help us to solve cases where it does happen. All of this, of course, would benefit our communities here in this growing province. As such, I will definitely be voting in favour of this bill today, and I do urge all of our colleagues from all corners of the House to do the same. Once again, thank you so much to the hon. member for spearheading Bill 201 and addressing this important issue.

Thank you very much, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. minister.

I'll recognize the Member for Edmonton-Beverly-Clareview, followed by the Member for Olds-Didsbury-Three Hills.

**Mr. Bilous:** Well, thank you very much, Mr. Speaker. I'm happy to stand and speak to this bill. I can appreciate the fact that my colleagues on the other side of the room are looking to bring forward legislation that would cut down on criminal activity and ensure that property owners and their properties are in safer hands or in safe hands.

The challenge that I have with this particular bill, Mr. Speaker, is that it has a very negative effect on a very large group of people who live within our province, and I'm talking about those who daily do jobs that other people wouldn't want to do. They're the ones who are going through old computers and televisions, going through dumps, pulling out copper, pulling out the valuable pieces of metal that we wouldn't use, that we would otherwise get rid of, and then they're taking it and selling it at some of these scrap metal yards. I speak first-hand. The school that I taught at for six years had a scrap metal yard right beside it. That metal yard, unfortunately, was torn down last year when a new development went up and has seriously displaced where people go to take this.

What I want to highlight is the fact that that was an economy all on its own, where you had people recycling old metals, taking them in in order to make some dollars . . .

**Ms Blakeman:** Self-sufficiency.

**Mr. Bilous:** Right. Thank you.

. . . to be self-sufficient, to pay for their rent, to pay for food. You know, these are people who were working. By introducing this bill or bringing forward this legislation, you're now going to make it extremely difficult if not impossible for these people to do this. If you ask how, well, many homeless people do not have identification. Part of the problem that they don't have identification is because you need to have an address; you need to have a permanent residence. "Well, that's wonderful. I don't have one." "Well, you can't get one."



Well, with this bill now the person who is working, who's not sitting around drinking or waiting for life to hand him or her things, who is out there working in order to pay their way, cannot because they don't have the proper ID. They don't have the proper permanent address in order to get a proper ID. Although this bill looks okay at the outset insofar as helping out some, you know, I truly think that the laws that we currently have regarding theft – I mean, the last time I checked, it's still illegal to take something in Alberta that's not your own. So if plaques are going missing, theftwise, well, by all means we need to crack down on that. I also question the dealers that are buying these illegal objects, which clearly aren't from the person who brought them in.

When we're talking about, you know, breaking down wiring, old equipment, old telephones, and junk and deriving the use from that, this is a form of recycling that would not happen otherwise, and the fact of the matter is that it's benefitting all of us environmentally but also financially because they're contributing to the economy. I hope that my Wildrose colleagues will acknowledge that point.

I stand here today speaking in opposition to this bill. I can acknowledge that there is theft and that a rising number of thefts are happening, that, obviously, I disagree with and that should be stopped. I think we do need to come up with a creative solution, but I do not believe that Bill 201 will do that. If anything, it'll have a more negative effect and harmfully impact a large, large group of people who often are nameless and faceless but whose lives and livelihoods depend on this.

**Ms Blakeman:** And contribute to the economy.

**Mr. Bilous:** And, again, these are folks who are contributing in a very significant way to our economy.

With this legislation in place I could see other adverse side effects rise up. I'll ask my colleagues in the Legislature to reject Bill 201 on grounds of financial, moral, and environmental reasoning. Thank you.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Member for Olds-Didsbury-Three Hills, followed by the minister of environment and sustainable resources.

**Mr. Rowe:** Thank you, Mr. Speaker. I'm pleased to rise today and speak to Bill 201. I won't reiterate the good points and the points that were made by my colleagues here, but this is of particular interest to me. As an electrical contractor for the past 35 years I have seen first-hand a number of instances where theft of copper wire as well as aluminum wire has caused major problems on construction jobs. It is no coincidence that incidents of theft happen to rise as the prices of copper and aluminum rise. Employee theft as well as breaking-and-entering damage done by thieves is a major cost to contractors and, therefore, in the end to all consumers.

Mr. Speaker, I have personally seen homes under construction that are in the rough-in stages of electrical and plumbing work completely ravaged by scavengers who were after both copper wire and copper pipes which were stolen for resale. In fact, copper plumbing and pipes are no longer being widely used and have mostly been replaced by plastic pipe. Copper wire, however, is still very much in use and is very valuable. Reels of copper wire must be removed from sites on a daily basis and returned the next day in order to avoid the theft. This also adds to construction costs, which, again, are passed on to the consumers.

Mr. Speaker, Bill 201 aims to cut down on the theft of scrap metal. If we can decrease scrap metal theft, contractors will not be

experiencing the increased costs related to those thefts, and the consumer will also be protected from those increased costs. Is this the be-all and end-all? Will this fix the problem? Absolutely not, anymore than any bill fixes crime.

I will be supporting this bill, Mr. Speaker, and I encourage all members of this Assembly to do the same. Thank you.

4:00

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Minister of Environment and Sustainable Resource Development, followed by the Member for Rimbey-Rocky Mountain House-Sundre.

**Mrs. McQueen:** Thank you, Mr. Speaker. It certainly is a pleasure to rise today and join my hon. colleagues in the debate on Bill 201, the Scrap Metal Dealers and Recyclers Identification Act, brought forward by the hon. Member for Strathcona-Sherwood Park. Before I begin, I would first like to thank the hon. member for bringing this forward today in the House. I know that he is very passionate about this issue and that this is not his first time bringing this legislation before the House, which makes him both passionate and determined about this legislation going forward.

Bill 201 focuses on deterring scrap metal theft, which is an increasing problem that may not be receiving the attention it so deserves. It first identifies which materials should be considered scrap metal and goes on to establish specific regulations and responsibilities for scrap metal dealers and recyclers. As we currently sit, Mr. Speaker, Alberta does not have any scrap metal dealers and recyclers identification legislation.

Mr. Speaker, Bill 201 is in line with our government's commitment to the prevention of crime and the promotion of safe communities by creating standards for scrap metal dealers and recyclers, including mandatory collection and storage of transaction information for the duration of at least one year. To address crime on all fronts, we must also have effective and timely legislation that complements our other efforts.

Today, Mr. Speaker, I will focus my comments on an overview of scrap metal theft in our province and highlight how and why the issue needs to be addressed. First, it is no secret – and the RCMP has admitted this as well – that the theft of metals, particularly copper, is common throughout Alberta. These items are readily sold for cash at various scrap metal dealers. For the past number of years there have been numerous news stories covering scrap metal theft throughout Alberta. These news articles highlight many issues surrounding this crime, including damages done to both public and private property in addition to safety risks to communities and the individuals stealing scrap metal.

Copper is the most publicized scrap metal we have been hearing about in the news. In recent years the global copper inventory has been declining. This is one reason behind an increase in copper prices of some 330 per cent and a corresponding rise in the number of copper thefts. In addition, between 2002 and 2006 the global price of aluminum has increased substantially. Aluminum nearly doubled, and we saw a fivefold increase in the value of rhodium. As we can see, Mr. Speaker, scrap metal theft can be very lucrative, and Bill 201 recognizes this as being an issue.

It may be unclear as to how these scrap metals could be so valuable. Some of the most common applications for copper are for electrical use, plumbing tubing and fixtures, casting, and heat exchangers. Other common uses include manufactured products such as doors, windows, house siding, beverage cans, foil products, cooking utensils, and street signs. Rhodium is primarily used as a finish for jewellery, mirrors, and searchlights but also can be used in various electrical connections.

The most common location of scrap metal theft is on secure construction sites after regular working hours, but fenced compounds, trucking and manufacturing yards, and even LRT extension sites are frequently targeted by scrap metal thieves as well.

Mr. Speaker, as I mentioned earlier, stealing and off-loading scrap metals such as these is not difficult to do. In fact, the Calgary Police Service estimates that in the first 10 months of 2011 alone more than \$600,000 worth of copper had been stolen in Calgary, with an additional \$88,000 in estimated damages. Meanwhile, in the city of Edmonton the reported value in this same 10-month period is just shy of \$1 million, with an additional \$95,000 in damages. This is just copper; never mind the other types of scrap metal.

There are approximately 10 salvage yards in Calgary and 12 in Edmonton. There are also numerous others in small centres throughout the province. When we talk about small centres, I've had the opportunity to talk about copper wire theft to many of my constituents, certainly those at rural crime watch meetings, the RCMP, business owners, and various people from my constituency who have phoned, e-mailed, and talked to me at different places to support this piece of legislation.

We know that Bill 201 calls for a legal requirement that scrap metal dealers obtain photo identification from anyone who exchanges scrap metal for cash and to record this valuable information. This would eliminate the relative ease scrap metal thieves currently enjoy as no law requires any record of these transactions at present. As it currently stands, scrap metal dealers in Edmonton conduct business in the absence of any existing local bylaws, provincial or federal legislation related to scrap metal.

Mr. Speaker, it is my understanding that of the companies canvassed by the hon. Member for Strathcona-Sherwood Park, several indicated that they do in fact identify and keep track of the licence plate numbers of all vehicles that have sold scrap metal to their dealership entirely of their own accord. However, some companies have said that they require no identification at all. While business practices vary between companies, the security threshold in the scrap metal industry for the most part appears to be lacking. My concern is that without a formal piece of legislation like Bill 201 to combat this issue, scrap metal theft in our province may only get worse. As we know, the instance of scrap metal theft is on the increase, and with the prices of these metals also increasing, this problem doesn't appear to be going away any time soon.

I think that under these circumstances law enforcement needs to be better equipped in order to deal with this problem head-on, and this is one of the many tools we can afford to them. It is readily apparent that the hon. member has conducted extensive stakeholder consultations with law enforcement authorities, organizations representing scrap metal dealers and recyclers, privacy commissioners, and other jurisdictions. Much thought and time has gone into addressing the concerns of all parties and learning from the best practices developed in other jurisdictions experienced in this type of regulation, all of this so that we can vote confidently that this legislation equips our peace officers with the proper tools to get to the root of the problem.

Again I would like to thank the hon. Member for Strathcona-Sherwood Park for taking on this worthwhile challenge and for bringing this bill forward to debate. I for one will be supporting this legislation, and I urge my colleagues to do so as well.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. minister.

I'll recognize the hon. Member for Rimbey-Rocky Mountain House-Sundre, followed by the hon. Member for Lesser Slave Lake.

**Mr. Anglin:** Thank you, Mr. Speaker. I rise also in support of this bill, but I do have some concerns. As with all laws there are some issues that can arise. I want to speak in favour of this bill because of my own past experience both as a police officer and as an engineer for a phone company who was a victim of multiple thefts of phone cable for scrapyards purposes. With regard to what the hon. member from the third opposition party said, the reality is that if we have good enforcement here, it'll actually save lives and prevent people from being hurt.

One of the greatest and easiest ways to steal copper phone wire is to look for self-support cable that has just been hung by the line crews. All an individual has to do – and they do this fairly regularly – is climb the pole or climb out of a window if it's between buildings. They slash the cable just half an inch, and then they jump and ride that down as if they were Tarzan on a swing. They come up with a tremendous amount of cable that they roll up quite quickly, and they run to the scrap metal dealer. I can't tell you how many times someone has been hurt doing that. It's a quick way to come up with a very large amount of copper to basically, quite honestly, supply a drug habit. They've done this.

**4:10**

I can remember as an engineer having the line crews hang a cable, and then going in the next day and the cable is gone, and then hanging a cable again, going there the very next day, and the cable is gone. It took the police quite awhile. They had to camp out to catch this individual. That's how we caught him sliding down and running away with the cable. This is a common practice. It's mostly relegated to the urban areas because that's where they use self-support cable, but it's extremely dangerous. It's extremely dangerous.

There are some issues with the bill that I'm concerned about, particularly section 3(5), that puts an onus on the scrap metal dealers to report within 24 hours a weight that would exceed the regulation. As we all know, the devil is always in the details of the regulation.

Now, I would prefer it if the wording was that if the owner thought it was an issue dealing with criminal activity, the onus would be on them to report a suspicion of criminal activity. What I worry about is that we have the regulation, the owner is abiding by the law, then the regulation changes – the weight changes or whatever – and the next thing you know, an owner is in violation of the law and they don't even know it. But the onus is on the actual proprietor. It's something to be careful of when we deal with these issues.

I am absolutely in favour of documenting who's selling scrap metal. This is important for our economy. It is important to lower the theft. It can actually help to make it a little bit more difficult for the black market, so it has its value.

I want to go back to section 3(5). If the onus is on the police force, it's real easy. If there was a large theft of any kind of metal, I know what the officers do. The detectives do this automatically. They will be contacting the scrap metal yards, finding out if large amounts of copper are finally being brought in for sale. As long as that's being identified, the detectives can easily follow their work and track down this individual and investigate. I just worry that we might put the onus on the owner. Then all of a sudden, unsuspectingly, somebody in the business of scrap metal finds themselves in violation of the regulations and could be subject to a fine when their intention was never to violate the regulations and

never to actually break the law. So I caution on that one point. In reality the law itself is, in good faith, a good bill. It can do some very good things for our society, and it can protect the safety of the public given how some of these thefts occur.

Going back a little bit further, the hon. member talked about the theft of copper wire on the residential side, particularly at construction sites. I have to tell you that the things thieves will do to gain access to a construction site, the danger they put themselves in unnecessarily is beyond reason in most cases. This bill would basically stem that tide. It would make it far more difficult to market the illicit metals. If it's effective – and I can't say it will be – I think it will put a dent in it. Once it's difficult to sell illegal metal, to get money for that illegal metal, for that contraband, then these thieves will be looking for some other source of income. They won't be going down this route.

I will be supporting this bill. I think I'm going to bring an amendment to that one section, and hopefully the other side will actually take that in good faith.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Member for Lesser Slave Lake, followed by the Member for Little Bow.

**Ms Calahasen:** Thank you, Mr. Speaker. I'm pleased to rise today to support Bill 201, the Scrap Metal Dealers and Recyclers Identification Act. Before I share some of my thoughts on this proposed legislation, I would first like to thank the hon. Member for Strathcona-Sherwood Park for bringing forward this important bill for debate. He's been at it for a long time, and I'm so thankful that he's been able to carry it through.

Mr. Speaker, the goal of this legislation is to prevent scrap metal theft in Alberta by setting out clear and explicit responsibilities for scrap metal dealers and recyclers throughout the province. Bill 201 would require scrap metal dealers to record certain information regarding their purchases and their sales, including the identity of the seller and details of the transaction.

These conditions would give police greater resources for both solving the investigation of scrap metal theft and preventing future occurrences. I believe Bill 201 would help reduce scrap metal thefts, thefts which burden Alberta businesses and citizens by causing damage to their property and significant financial loss, as we've heard from our colleagues.

These damages to public and private property are quite significant, which is why I would like to focus my comments on that topic today. In the last decade the value of common scrap metals has gone up substantially. We know that this leads to increasing theft, which in turn results in an increasing financial burden on those Albertans and businesses preyed upon by scrap metal thieves.

We also know that this problem is not unique to Alberta. Almost every jurisdiction in North America has experienced similar problems with scrap metal theft. Scrap metal yards, power lines, large-scale construction projects, and even private residences have all been targeted by thieves. These thieves are going after unconventional sources of scrap metal as well. Manhole covers, road signs, and even the catalytic converters in vehicles have all become targets for scrap metal theft. As examples these sources of scrap metal are indicative of the lengths thieves will go in order to be paid for stolen items by a scrap metal recycler.

Similarly, industrial compounds and job sites have also experienced thefts though usually on a larger scale. Copper, as we've been hearing during this debate, is one of the main targets

for thieves, probably because of its ever-increasing value. It is commonly used in many daily items, including electricity lines, computer components, data and phone transmission lines as well as appliances. The price of copper, as the Minister of ESRD has indicated, has been at or near historic highs for the last five years, fetching between \$2.60 and \$4.60 per pound. These prices have made thieves more aggressive in their efforts to steal copper wherever they can find it.

In the past scrap metal thieves have also targeted utility companies for their copper wiring, causing thousands of dollars in damage. It's these companies that then get stuck with a bill for replacement wire. Recently, just last month, two tandem trailers loaded with about half a million dollars' worth of copper wire were recovered after being stolen for their scrap metal value.

In June of this year copper wire was stolen from a communications tower outside of Edmonton, where the damage and loss were estimated at \$25,000. This theft left the communications tower without a grounding line, and after the tower was struck by lightning, emergency calls were compromised for over a day in the area. In August of 2011 a number of spools of copper wire were stolen from an industrial compound east of Edmonton. The total cost of stolen property was roughly \$600,000, the wire alone making up \$300,000 of the total.

Mr. Speaker, that occurrence of theft could have delayed work from proceeding because the wire that was stolen was set to be used the following week. If police would not have been tipped off by a local farmer about the theft, that business would not only have had to wait to continue the work that required the wire; they would also have suffered substantial financial losses. The stolen copper wire would have garnered a great deal in scrap metal value and possibly even impacted the company in such a way that would have directly affected its employees.

Mr. Speaker, private citizens and small businesses have also been targeted by scrap metal thieves in Alberta. When a new business, home, or condominium is being built, the job site can often become a magnet for individuals looking to steal wire, pipe, conduit, or even metal siding or flashing. You can imagine how difficult it must be for Albertans, who work hard for their money, to deal with the theft of metals from the home or business they are building or renovating.

Mr. Speaker, I think it is clear that the effects of scrap metal theft can be widespread and significantly damaging to public and private property. I really do believe this bill would help reduce cases of scrap metal theft across the province. When thieves are in the process of stealing scrap metal, they often have to trespass and destroy private property to take what they want. The repercussions of this are far reaching and can affect thousands of people.

In April 2010 phone service to hundreds of citizens in Big Lake, near St. Albert, was disabled after thieves dug up and removed about 500 metres of copper cable. That is extremely unsettling, considering that severed electrical or phone lines can affect access to essential services like emergency response teams or fire crews. Oftentimes these crimes damage power supplies, causing outages which can be devastating to computer networks and the businesses that rely on them. The effects of power outages may require companies to replace and repair costly equipment. Furthermore, the financial implications of power outages can cause lost revenue, including the cost of service restoration.

**4:20**

Scrap metal thieves waste thousands of man-hours for utility companies, private businesses, and law enforcement. In addition, they burden businesses by reducing profits and incurring expensive service restoration projects. Bill 201 would aid law

enforcement officials, the scrap metal industry, and all Albertans in curbing the destructive act and consequences of scrap metal theft.

I would like to once again thank the hon. Member for Strathcona-Sherwood Park for putting forward this proposed legislation. The issue of scrap metal theft is becoming a greater concern to Albertans, businesses, and law enforcement officials as well as our health care. This bill sheds light on how we might implement provisions that would prevent metal thefts and the exchange of stolen property. I look forward to seeing all of our colleagues supporting this bill.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Member for Little Bow.

**Mr. Donovan:** Thank you, Mr. Speaker. [some applause] Thank you, hon. colleague from Medicine Hat, also.

I'd like to stand up here and support this motion by the hon. member. It's a worthwhile piece of legislation, and I support the initiative to protect Alberta's scrap metal recycling industry. Also, it is nice to see a member of this government propose legislation against something most Albertans would deem inappropriate.

There is, however, a fundamental and serious problem with this piece of legislation which I'd like to raise for this House's attention. While laws need to be flexible enough to work within the framework for adequate enforcement, they still must provide guidance for what the intended enforcement is on the law. Mr. Speaker, when I was a child, my mom used to always say: do blank or else. Well, I think this does address the "or else," but I'm not entirely sure what it does for the "blank."

For instance, we have not defined what the set weight is for the purpose of section 3(5) or what conditions a person selling or providing must meet before the dealer may purchase the scrap metal. This, in essence, removes our ability to legislate the acts which we intend to enforce for all Albertans.

With those points being raised, I'd like to voice my support for this legislation, and I am looking forward to any clarification on this bill that comes forward for the following readings. I can also bring up that in the small farming community where I'm from, Mossleigh, the old school got cleaned out of the copper in it and also the copper in some of the old elevators, which we had to replace in order to use the elevators as we still make use of them.

This, again, I think is a very good piece of legislation because it would add to the point that people cannot sell that without the proper identification. I'd like to thank my colleague from Strathcona-Sherwood Park for his motion here in Bill 201.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Member for Calgary-North West.

**Ms Jansen:** Thank you, Mr. Speaker. I am pleased to rise today and join the debate on Bill 201, the Scrap Metal Dealers and Recyclers Identification Act, brought forward by the hon. Member for Strathcona-Sherwood Park. Scrap metal theft in Alberta is on the rise, and Bill 201 aims to reduce it by setting out detailed actions and responsibilities for scrap metal dealers and recyclers. While aligning with the government's goal of crime prevention and safe communities, this bill would minimize the economic and social costs associated with scrap metal theft by creating standards for scrap metal dealers.

Due to the increasing value of products such as copper, the number of scrap metal transactions is on the rise. Targeted areas include LRT extensions, oil field and construction sites, and

existing storage and salvage yards. However, these criminal acts of theft not only hinder businesses financially; they also pose a serious threat to public safety.

Careless theft by a perpetrator can result in serious injury or death. Specifically, the practice of burning or cutting copper or other metals poses a risk to thieves. In recent years news agencies have highlighted an increasing number of scrap metal thefts throughout our province. The *Calgary Herald* reported in 2008 that a deceased man was found at the bottom of an Enmax electrical vault who was presumed to be stealing copper wire. A further example is of a man killed in Texas after he was shocked by 69,000 volts of electricity while standing on the top of a substation transformer cutting off one of the wires. Earlier, in 2009, a 32-year-old man was found dead after he'd broken into an electrical substation and was electrocuted, cutting power to 800 customers in the process.

Another instance occurred in Riverside, California, in June 2009, when two men trying to steal wire were found electrocuted near a utility transformer, in turn blacking out the city for two hours. Across Canada there have been incidents in which people have been electrocuted or burned as a result of trying to steal wire from transformers.

More importantly, Mr. Speaker, I think of the inherent danger scrap metal theft poses to the unsuspecting public. If an employee arrives at his or her work assuming that everything is grounded and in working order, as it was when they left, they could be seriously injured or even killed. Often ground wires for electrical boxes and transformers are composed of copper. If these are successfully stolen, an unassuming and unaware worker could enter the area and be exposed to extremely dangerous and unstable electrical conditions.

Workplace safety is a priority of industry in this province, and scrap metal theft poses a serious threat to maintaining that high standard. The peril of scrap metal theft does not end, though, at the scene of the crime, Mr. Speaker. An additional safety concern of police is burn pits. These are remote locations, often found in rural areas, where the thieves burn the insulation and the coating off stolen goods. This burning process is done to ensure higher prices are earned at salvage yards. These burn pits pose a high fire risk in their areas, and the environmental impact from melted plastics is a concern for air quality.

Mr. Speaker, it's also commonplace for thieves to have small workshops where they strip wire. Often found in Sea-Cans or abandoned buildings, these makeshift shops pose a danger to the public. They contain propane tanks, torches, power tools, and those are often improperly stored.

Another danger to public safety is the theft of manhole covers and sewer grates for profit throughout the industrialized world. Consequently, a number of incidents have occurred affecting motorists, cyclists, and pedestrians, resulting in serious injury and often death.

Mr. Speaker, as the global copper inventory continues to decline and prices continue to rise, metal theft is only going to increase. A further concern is that many of these crimes occur at main substations and transformers. This can lead to severe power outages, which are a risk to a community's essential services. Traffic lights could be affected, raising the risk of motor vehicle accidents. Accordingly phone and 911 services could be limited, causing serious implications for emergency medical care. A power outage goes far beyond the inconvenience and the general discomfort of the public. It's important to highlight that scrap metal theft not only harms individuals but entire communities.

It seems that organized crime has gravitated toward stealing scrap metal because of its rising value. This, coupled with a lack

of regulation, means it's easier and easier to steal metals, and thieves are less and less likely to be caught. Specifically, gangs looking for quick money have targeted scrapyards, unguarded maintenance shops, and businesses. This sort of organized crime is the precise threat to our communities that this government is dedicated to combating. Whatever can be done to stifle its proliferation is a step in the right direction.

This government has placed a very high emphasis on programs like the safe communities initiative. This initiative strives to help eliminate organized criminal activity, which is such a detriment to our society. The hon. member's bill strives to deter criminals who are looking to make an illegal profit. With approximately 10 salvage yards in Calgary, 12 in Edmonton, and many scattered in smaller urban areas throughout the province, selling and off-loading scrap metal is not as challenging to thieves as it should be. Through mandatory identity recording and specific restrictions and responsibilities for scrap metal dealers and recyclers, Bill 201 aims to aid our law enforcement in tracking down and quashing scrap metal thieves.

Mr. Speaker, Bill 201 provides additional tools that our law enforcement needs not only to minimize the economic incentive of scrap metal theft but also the inherent danger to public safety. Therefore, I support the hon. member's bill and look forward to hearing the thoughts and ideas of my fellow colleagues on the issue.

Thank you, Mr. Speaker.

4:30

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Member for Cardston-Taber-Warner, followed by the Member for Edmonton-Gold Bar.

**Mr. Bikman:** Thank you, Mr. Speaker. I'm honoured for the opportunity and appreciate being able to speak in favour and support of this bill. I'm not generally in favour of more regulations, having been in the trucking business for so many years and been, well, I won't say persecuted, but it felt like it sometimes. I know that regulations are necessary to keep order in society, and this appears to be one that's designed with a number of clear objectives in mind, among them reducing the cost of theft.

Theft, of course, is a great expense to society, not just to detect and persecute or, rather, prosecute those who are perpetrating the crimes – a little autobiographical comment slipped in there – but to give people the tools that they need to make it easier to identify the instances of theft or likely theft. Put some responsibility on the dealers, and I think they can probably tell when shady things are happening, by making it easier for them to justifiably report things like this without feeling guilty about doing so. It provides the tools to the police. They now have more people working on behalf of their efforts to reduce the cost of theft. It provides clear consequences to criminal activity. We know that the likelihood of being caught committing a crime is, in and of itself, a deterrent to the commission of that crime.

I believe that there's a protection to the public, too. Sometimes when things are taken like this, there can be inadequate supports left for the structures that are standing. It was mentioned about the manhole covers. Clearly, we've heard of examples of manhole covers being stolen and people actually being injured. As they walk along unsuspectingly, the ground literally disappears beneath them, and they could be seriously injured. No laughing matter, but you've seen it in the movies, and it is pretty funny when you see it. Well, we don't want that happening because in real life it causes injury and can cause death, too.

So we've got clear objectives. It meets the test there, I believe. We're giving our police and the people who might be tempted to purchase a way to deal with that effectively and to identify people that might be tempted to commit these crimes. I think those are important tools for them to have.

I am fully in support of this and hope that all people will vote for it, recognizing that it's a great benefit to our society.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Member for Edmonton-Gold Bar.

**Mr. Dorward:** Thank you, Mr. Speaker. It's an honour for me to rise today in this Assembly and speak to Bill 201, the Scrap Metal Dealers and Recyclers Identification Act, brought forward by the hon. Member for Strathcona-Sherwood Park. I have been impressed by the knowledge that he has in this area. I've spoken to him a couple of times about it. He has given it his due attention. He's talked with his colleagues, and I know that he's been out in the community a lot. It is time to institute this provincial legislation to deal with the issue. As I will explore, there is evidence to suggest a correlation, indeed, between increases in metal prices and increases in both the theft of metals as well as the resulting damage to public and private property.

There are many benefits to this bill. First, it aims to provide additional tools for law enforcement. Secondly, it takes aim through legislative direction at scrap metal theft, a common problem that affects many jurisdictions in Canada, Mr. Speaker. Now, I stand before you today to discuss some historical trends of metal prices in relation to that increased theft of metal, but first I'd like to spend a little more time reviewing some of the specific aspects of the bill itself, as I understand it, and how it might achieve its objective in order to deter metal theft in Alberta.

The bill proposes the outlining of specific restrictions and responsibilities for scrap metal dealers and recyclers. It also takes on the more basic but paramount task of determining which materials are included in that definition of scrap metal. It's perhaps noteworthy that until now there has been no clear provincial definition of the term. It might be argued that this is one of the reasons that metal theft has become, in fact, more common. Establishing a clear-cut definition of the materials is at the heart of the matter and will enable our government to strengthen the legislation and the monitoring of scrap metal. Moreover, the lack of definition of the term "scrap metal" itself and the detailed rules regarding the exchange of these metals suggest that perhaps the issue warrants further attention.

But, Mr. Speaker, the history of scrap metal theft in Alberta needs to be discussed first in this House, and we need to have legislation that will assist. In order to narrow the scope of the discussion, I'll use copper as a prime example. It's been mentioned a couple of times today. The global copper inventory has seen steady declines over the past decade or so. I used to live in Whitehorse when there was Whitehorse Copper. Whitehorse Copper closed down a long time ago. Supplies have been going down, and that means the price goes up from an economic perspective. As well, the number of thefts are going to go up because the price is increasing.

Since November 2006, in fact, the price of copper has generally trended upwards, reaching a peak of \$4.60 in February of 2011. Currently it has come back somewhat. It hovers around \$3.80. Scrap metal salvage yards have been willing to pay anywhere from \$2.60 to \$3.25 per pound of copper pipe and wire. It is these higher salvage yard prices that incentivize the theft of these products at the expense of many Albertans.

The Calgary Police Service has commented on this. Based on a comparison of the first weeks of September 2010 and September 2011 there was a notable increase in copper transactions of 61 per cent. In just one year the dollar figure yield from copper transactions jumped from \$64,000 to \$94,000. It should be noted, Mr. Speaker, that these numbers reflect overall copper transactions, not incidents of metal theft.

Having said that, the Calgary Police Service logged some interesting numbers with respect to theft. During the first 10 months of 2011 alone estimates reveal that \$645,000 worth of copper was stolen in Calgary, and the damages were approximately \$88,000. In Edmonton between January and November 2011 the reported value of stolen copper reached nearly a million dollars, with an additional \$95,000 in damages. That's not chump change, Mr. Speaker, and we need to do something about it.

Historically construction sites of various kinds are on the hit list for scrap metal dealers. In particular, sites that are not secured after hours such as LRT extensions as well as manufacturing yards and plants are common targets. Some of my clients in my former life were indeed some of these target individuals. High-rise projects, new substations, and oil field sites are also impacted as well as fenced compounds such as existing substations, equipment storage locations, trucking yards, and salvage yards. As many of you know first-hand, the overhead costs of construction and business in general are hard enough on a company's bottom line. Add to that the unforeseen and unrecoverable costs of theft and, in this case, theft of material of increasing value, and it's apparent that chronic theft is negatively affecting many Albertans.

To further highlight the severity of this issue, I'd like to mention a couple of instances of recent thefts. Earlier this month, Mr. Speaker, Calgary police seized, amongst other things, about 90 kilograms of copper wire. This wire is believed to have been stolen from a telecommunications provider. In total more than \$100,000 worth of stolen goods were recovered. In another case a farmer stumbled across a pickup truck and a trailer in a field in Edmonton's northeast loaded with 20 spools of copper wire. Another 10 spools were discovered nearby, bringing the total value of the copper wire stolen to \$300,000. This just happened in August. In December 2010 \$7,500 worth of copper wire was found at a residence in the Calgary area.

I could go on and on and on with other examples. Those are the ones that I picked. Constables are convinced that the increasing amount of theft reflects the value of the materials. In all of these cases, members of the local police service observed that copper theft has occurred at construction sites throughout both cities and in surrounding rural areas, and the incidence of that is increasing.

4:40

There are countless other stories, Mr. Speaker. I think that there is sufficient evidence to encourage this House to take a hard look at the legislation surrounding scrap metal or, rather, the lack thereof. I invite my colleagues to examine this bill carefully and consider the ways in which it will help Albertans from being victimized by such crimes.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Member for Edmonton-Riverview, followed by the Member for Calgary-South East.

**Mr. Young:** Thank you, Mr. Speaker. It is a pleasure to rise here today and debate Bill 201, the Scrap Metal Dealers and Recyclers Identification Act, which is being brought forward by the hon.

Member for Strathcona-Sherwood Park. The intent of this bill is to deter metal theft in our province. Is this a magic bullet? No. But it is a key piece of the larger prevention and enforcement effort in this province.

We are far from being the leaders here. Calgary bylaws, the province of B.C., and many more jurisdictions have led to displacement of these transactions to areas without legislation. The success of this bill would be achieved by setting out specific restrictions and responsibilities for those who deal and recycle scrap metal. As well, the legislation would determine what materials should be included in the definition of scrap metal.

Mr. Speaker, over the past decade global copper supplies have been dwindling, which has resulted in an inflated copper price. There are only two ways to get copper, you either mine it or you recycle it. Prices have even reached historical highs of \$4.60 per pound and currently hover around \$3.80. This has led to a corresponding rise in the number of copper and metal thefts. In fact, the increased value of scrap metal contributes to the willingness of scrap metal salvage yards paying prices as high as \$2.60 to \$3.25 a pound. Overall, Bill 201 has the potential to minimize the economic and social costs associated with scrap metal theft by advancing accountability through these regulations.

I had the experience of investigating a metal theft myself, where a gentleman at about 2 in the morning walked down the transit tunnel of Edmonton Transit. The trains are shut down at that time. On video we see him walking down with some big cable cutters. What he did was he cut the grounding wire. Now, what it is is a big, braided, about one-inch line of copper wire. You see him come back about an hour later in the surveillance video with this over his shoulder – and it's heavy because he is climbing out – and he climbed over the wall. We later found that same grounding wire at a recycling place across the street from where he came out.

In fact, speaking with the transit guys, there are a couple of key things that were a big risk. Without that grounding wire, the train believes another train is coming the other way, so they have to slam on the brakes, putting everybody at risk. Also talking to the Edmonton Transit guys, the best way to get the grounding wire to replace and repair these lines is from the scrapyards because they can get it from the people that stole it. It's a full circle of theft and repair from the same small group of people.

Mr. Speaker, the government of Alberta is committed to ensuring that all Albertans are able to live in a safe and vibrant community, and scrap metal theft puts that at risk. To achieve this, we must continue to support our law enforcement and crime prevention efforts.

Another incident. I pulled over a truck at about 2 in the morning. The back of the truck was lined with copper waterlines. Basically, searching the vehicle, I found out there were candles all over the place and all these long, copper-cutting snipes. The guys were obviously in some building, and they had a perfect measurement of how long the length of the truck box was, and they had this little cart made. So they were stealing copper, they were trucking it back into their truck, and it laid flat in their truck box. Now, if we follow through with what would have happened if we hadn't stopped them, they would have just gone to a recycling place, dropped off all this copper piping, and walked away with cash.

I did a little renovation on my own bathroom and had a bunch of old copper. When I was looking into this, I went to the local scrap metal yard. So I walk in. I thought: well, instead of throwing it in the garbage, I'm going to take it to scrap metal. I walked over to the yard and, surprise, of course they didn't ask for any identification. They weighed the stuff, and I walked away with

\$280 in cash. I couldn't believe it on that small amount, and the transaction was so quick.

Later I was doing another investigation of a large organization, where the gentleman at the business would actually take their product. He would cut this brand new product off the wire. Then he would drive his company truck to the scrap metal place, get about \$200 worth of cash, and then he would go to the casino which was down the road and gamble it. This was almost a daily occurrence.

Going to the scrap metal dealers, there was a varying range of data and information they kept. It always struck me that these transactions are not only internal thefts, putting people's lives and infrastructure at risk, but they have no transaction. In fact, if you go to a gas station and pay for your gas, you have a transaction. There's a transaction record that is accessible. Well, there was no transaction record. There's a huge opportunity for these organizations, these recyclers to do the wilful blindness of, "I don't know where it came from," so I think it clearly sets expectations and accountability for them as well.

Specifically in regard to law enforcement we need to assist them in putting a stop to the scrap metal through this. Accountability is what does it – okay? – and information. The hon. Member for Edmonton-Centre does the recycling of her father's material. Is her information going to be provided? Yes. So is a whole bunch of other people's, but that's not criminal. There's no reason to look beyond that. It's simply a transaction record. It isn't initiating any kind of investigation or anything else like that. It just holds people accountable.

Primary selling and off-loading of scrap metal is relatively easy. These types of stolen goods are extremely difficult to confirm as stolen due to their lack of identifying features. When you get your car stolen, it has a VIN. It has a licence plate, a make, model, colour. But copper is basically a commodity that gets thrown into a bin and cut up, and you can't identify where it comes from.

You laugh that somebody tried to recycle a telephone booth, and other jurisdictions report that manhole covers and light standards are being recycled. We laugh at those, but there are some serious infrastructure and metal that are being recycled as well that have identifying marks that just get cut up and thrown into the bin.

Businesses that choose to purchase metals of questionable origin are under no obligation to assist police in their investigations and sometimes refuse to co-operate at all. In cases where a warrant is necessary, businesses have more than enough time to purge the inventory and destroy the suspicious evidence and documentation by the time the warrant is obtained. The transaction cycle of this is very quick.

The Alberta Association of Chiefs of Police strongly hoped that Bill 201 would include police inspection powers without the need for a court order or reliance on permission from the dealer recycler. Unfortunately, the current legislation, Bill 201, doesn't require permission from the dealer to inspect their premises, records, and inventory.

[Mrs. Sarich in the chair]

That bill also doesn't require dealers to provide ongoing, same-day reporting through electronic means or otherwise to police on all transactions, which the police association also requested and I feel is important. If you want to have a real-time response to incidents, you need to have real-time data.

It does insist, however, that dealers who have reasonable grounds to believe that purchased material is stolen property make an immediate report to the police. This doesn't go quite far

enough, but it does advance the accountability for the dealer and the problems with metal recycling. Currently scrap metal dealers are not required to obtain photographic identification from anyone who exchanges scrap metal or, from my experience in looking into this, any identification. For some a name and signature is satisfactory. Not surprisingly, one might suspect that John Doe has recycled a lot of copper in the province of Alberta.

During the consultation phase of this bill some have suggested that the following information be collected: a photocopy of the driver's licence, the licence plate number and description of any vehicle in which said property is delivered, and the seller's stated source of the scrap metal. Others indicated that that isn't in the spirit of Alberta's Privacy Commissioner or the spirit of this bill, which is to give law enforcement authorities enough information to operate effectively. Interestingly, in the city of Edmonton they've got a pawn bylaw.

Thank you, Madam Speaker. I conclude.

4:50

**The Acting Speaker:** The chair will now recognize the Member for Strathcona-Sherwood Park to end debate.

**Mr. Quest:** Thank you, Madam Speaker, and thank you to all the hon. members who have spoken this afternoon to this bill. As discussed, the goal of Bill 201 is to crack down on scrap metal theft. Research and consultations and analysis all indicate that this bill would accomplish that goal by making it hard to sell illegally obtained scrap metal and easier to track illegal metals when they are sold.

[The Deputy Speaker in the chair]

These are consultations, Mr. Speaker, with law enforcement, the scrap metal dealers' association, and the Privacy Commissioner.

Bill 201 contains a very modest requirement and something that most scrap metal dealers and recyclers already do, which is record and identify the sellers of the scrap metal. ID could also include the government-issued ID for homeless people, and this is currently done through homeless shelters, using the homeless shelter's address. Mr. Speaker, Bill 201 would increase our safety and security and help deter crime. This piece of legislation is the most appropriate means at our disposal of mitigating the increasing occurrence of metal thefts across our province that we've been talking about this afternoon because there's no point in stealing it if you can't sell it.

Mr. Speaker, I value, respect, and thank all of my colleagues for their comments regarding this bill this afternoon and would urge all hon. members to vote in favour and support Bill 201.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

The hon. Member for Strathcona-Sherwood Park has moved second reading of Bill 201, the Scrap Metal Dealers and Recyclers Identification Act.

[Motion carried; Bill 201 read a second time]

**Mr. Hancock:** Mr. Speaker, given the nature of the clock I would move that we now call it 5 o'clock and move to Motions.

[Motion carried]

### Motions Other than Government Motions

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

### Municipal Support for Resource Road Maintenance

501. Dr. Starke moved:

Be it resolved that the Legislative Assembly urge the government to explore options for providing support to municipalities that experience significant local road deterioration due to heavy industry/resource truck traffic, with the goal of ensuring these roads are adequately maintained and available for all to use.

**Dr. Starke:** Thank you, Mr. Speaker. I am pleased to rise today and open debate on Motion 501. I want to make sure that all members are on the same page for this debate as to the definition and the motion wording as they are important to the discussion. The term “local road” is defined in the commercial vehicle dimension and weight regulation as “a road that is not a primary highway or secondary” highway. In the context of this motion “local road” means a road that is the sole responsibility of a municipality. Furthermore, the motion refers to road deterioration due to heavy industry or resource truck traffic, and that refers to the direct impacts of specific activities; for example, in our area the transportation of heavy oil.

Mr. Speaker, I’m proposing this motion because I believe that transportation is the lifeblood of our province’s economy. If you’ll forgive me for using a medical term, if transportation is the lifeblood, then, to borrow the phrase, our roadway network is analogous to the arteries and veins, the very circulatory system that allows for the vital flow of commerce throughout the province. There are parts of this province where those vessels need some help.

Motion 501 simply urges government to explore options to support municipalities that experience significant road deterioration due to the ever-increasing burden of heavy vehicle traffic. What exactly does that mean? Well, it means looking at supports, at legislative tools, both existing and future possibilities for further innovation.

Now, I know that many communities bear the cost of hosting heavy industry but lack the local resources to ameliorate the associated wear and tear on their local roadways. That is especially true in my home county, the county of Vermilion River, No. 24. In our county the major industry is heavy oil. The critical thing that you need to know about heavy oil is that it can’t be transported by pipeline. Heavy oil is extracted to the surface by various ingenious methods and then stored in tanks. Large tanker trucks then collect and transport this product to batteries for further processing.

This creates an interesting situation. The resource, the heavy oil, is an asset owned by the people of Alberta. Royalty revenue in the hundreds of millions of dollars every year flows as income to the provincial treasury. But the accompanying cost, the wear and tear, the deterioration of our roadways: that is borne by the municipalities. In the county of Vermilion River those roads are our pipelines, but unlike pipelines in other parts of the province, where actually there’s an earning to the municipality of linear assessment revenue, our pipelines, our roads generate expense, not income.

Let me give you some statistics from our county to illustrate this. In 2011 public works expenses constituted some 56 per cent of our county’s annual expenditures. On a per capita basis our public works costs are 75 per cent higher than the median for counties across the province. The county of Vermilion River has a huge roadway network. Our county has 3,800 kilometres of roadways, half of which are used by heavy oil traffic. Our county estimates that the costs of maintaining those roadways, the ones

that are used by heavy oil truck traffic, run 8 to 10 times that of what we might term a regular roadway. Now, the county of Vermilion River’s equalized assessment is roughly in the middle if you rank all of Alberta’s rural municipalities, but because of our huge roadway network our equalized assessment per kilometre of roadway is the lowest by far among counties across the province.

Now, many of my colleagues in the Assembly have served in municipal government. You know that the sources of funding for municipalities are limited. You have property taxes, you have fees and charges, and you have government grants. Expressed as a percentage of total revenue, our county, the county of Vermilion River, has the highest rates of income from fees and charges of any county in the province; 37 per cent of county income comes from fees and charges thanks in large part to a very successful county-owned gas utility. Less than 6 per cent comes from government grants. Most of the remaining 57 per cent comes from taxes. In short, on the revenue side of the statement our county is heavily reliant on utility income, fees, and charges and receives comparatively little in government grants.

Now, it’s not that our county hasn’t done its homework. Our county administration applies for and maxes out on virtually every available grant related to roadway maintenance. The resource road program, the basic municipal transportation grant, and MSI funding are all utilized at a maximum level, but the net result is that only a fraction of the needed roadway maintenance is funded through these initiatives. So what we have in the county of Vermilion River and, I suspect, in other parts of Alberta is a mismatch. Our rural roadway system generates significant costs for the rural municipality. Existing programs, while helpful, simply do not provide sufficient resources for counties that have a large roadway network.

Mr. Speaker, that is what this motion addresses. It urges the government to look again at the programs it has in place and to work together with rural municipal councils to come up with solutions that will improve the flow of commerce throughout our province. That is what responsible, sustainable resource development and environmental stewardship are all about.

In conclusion, Mr. Speaker, Motion 501 urges the government to explore solutions to the problems that I have identified. In my opinion, Motion 501 would set us on a path to ensure that all local roads impacted by resource and industry truck traffic are adequately maintained. I hope the debate will help inform and increase current efforts to improve the maintenance of local roads.

5:00

While I believe that the government is already doing much to support local municipalities, I also believe that government must never stop looking for new ways to partner with local authorities in helping to deliver services essential to those communities. I believe that government must never stop trying to improve our province every day, so I urge all hon. members to follow this debate with interest and consider fully the advantages of studying potential solutions to this problem.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Hon. members, Standing Order 29(3)(a) affords 20 minutes to the Premier or the Leader of the Official Opposition. All other members will have 10 minutes and the mover five minutes to close.

I will recognize the Leader of the Official Opposition.

**Ms Smith:** Thank you, Mr. Speaker. I’d like to thank the hon. Member for Vermilion-Lloydminster for putting forward this



motion, and I will speak in favour of it, the notion of exploring options to provide “support to municipalities that experience significant local road deterioration due to heavy industry/resource truck traffic, with the goal of ensuring that these roads are adequately maintained and available for all to use.”

As I mentioned, I am sympathetic to the intention of this motion, and I want to speak in favour of finding ways to provide support for municipalities in general and, in particular, to municipalities that are impacted by the consequences of economic growth. After all, Mr. Speaker, having to repair roads that are damaged by truck traffic because of our prosperity is a problem, but in the big scheme of things it's one of those problems that falls into the category of a good problem to have since it is an indication of our prosperity and growth. However, I do think that the motion is somewhat too narrowly constructed, and it does reflect the fundamentally different approach to municipal funding that the members opposite take versus the one that the Wildrose supports.

Let me tell you how I would adjust the thinking around this motion. It would be: how do we find ways to be able to have own-source revenue provided to municipalities to be able to meet this need? I was fortunate before coming here today to speak with the board of the AAMD and C, who have raised the concern with me about a particular tax that they're worried about coming to an end at the end of this year. I had actually expected the Member for Vermilion-Lloydminster to mention this tax because it does seem to go particularly to the point that he is making. What it is is the well-drilling equipment tax regulation, and it's under the auspices of the Minister of Municipal Affairs.

Let me just tell you, though, the story that one of the members shared with me about how difficult it is for them to manage to keep up with the road construction and the road repair caused by the damage of heavy equipment. This one particular council member had told me that at any given time in a given year you will find 50 to 60 vehicles going up and down this particular road, which was originally not designed to have that kind of heavy traffic on it. If you're in an area where there's muskeg, you end up with what is almost like a marshmallow effect, he called it, on the road. They become rutted. There are potholes. They require yearly repairing. He was saying that this one particular road that has this amount of traffic – and we all know how many kilometres of roads there are in municipal districts – takes up one-third of the overall amount of the road budget in this particular municipality.

Beyond that, of course, there is also the impact on bridges. I believe the municipal districts are responsible for something in the order of 8,500 bridges, which, once again, had not been designed for this heavy truck traffic and are all in need of repair and upgrade. In fact, it was shared with me that many of these bridges have now had loads disallowed on them because they are not in a condition to be able to support those loads. In addition, from time to time, when the road condition is particularly bad, they have to reduce the amount of load that a truck is able to carry just so that the roads can manage it.

But, as I say, there is actually, fortunately, a simple fix for the government. They had extended a regulation to expire at the end of this year, December 31, and it is, as I mentioned, the well-drilling equipment tax regulation. What this does is that it actually allows the municipality to levy a tax, with the tax rate set by the Minister of Municipal Affairs through regulation, but the dollars flow through to the municipality, the municipal district, or county on the basis of the number of wells that are actually drilled in their area. There is a relationship between the number of wells drilled and the amount of truck traffic.

Under current legislation a well, if it's shallow, would yield

about \$290 to a municipality per well drilled. It could go up to \$38,000 plus, depending on how deep the well is drilled. In the case of this particular municipal councillor I was speaking with, this is a significant source of revenue for them for their road budget. His municipality alone collects \$7 million to \$8 million out of this tax. In addition to that, there was a survey that the AAMD and C did last year to ask about the extent to which our municipalities are reliant on these revenues. Twenty-six municipalities responded – that's not the entire universe of municipalities who benefit from this tax – and they're generating \$21.7 million from this revenue source.

The concern the AAMD and C has is that, once again, the regulation was supposed to be reviewed this year, with a view to seeing whether it fits with the current technological advancements that have been made in drilling technology. What the municipalities, of course, are finding is that with the invention of horizontal multistage fracking there isn't a provision for how this tax might apply. There isn't a provision for how it might apply to shallow wells. Also, we're seeing increasingly that companies are going back into existing wells, and there isn't an opportunity for them to be able to get the revenues that they would normally be able to get the first time that these wells are drilled.

I think that since the government has not done the review of this regulation this year, it would seem to me that one of the immediate interim fixes, to make sure that we don't end up seeing our municipalities fall short, is to extend this regulation for another year so that we can do a review and so we don't end up finding that we have taken away a source of revenue at the very time when we know that our municipalities are using this for road construction and that they do need it.

I would just put on the radar, then, that this regulation is one that the government needs to take a look at next year, looking at it with a view to modifying the rules to consider shallow wells, to consider as well the impact of horizontal multistage fracking. That's the request that came forward from the AAMD and C. I think it goes directly to the hon. Member for Vermilion-Lloydminster's point, and it clearly is a significant source of revenue for the counties and municipal districts. It also has the advantage of being a level of taxation that flows directly through to the municipality rather than being yet another granting program that pits one community against the other. That's what I like about it.

Let me segue into the approach that we believe would solve these kinds of problems and these kinds of requests permanently. During the most recent election cycle we spoke about a new deal for municipalities that would have three different approaches to it. Number one is that we know that we need better funding for municipalities. We need more dollars to flow through to municipalities, and we have a plan for that, which I'll talk about in a moment. We also need better planning. We need to see a priority list, whether it's for these kinds of infrastructure projects or any of the other many, many demands that we see at the municipal level. Having a priority list that is public with clear criteria for how it is the projects are prioritized is absolutely essential for municipalities to be able to do their own planning.

The third thing, of course, is better governance. We believe that we need to have a new relationship with our municipalities and recognize them as another order of government. The only way you do that is that you respect them as an entity which is able to raise and steward its resources without a lot of interference from the provincial level of government.

In keeping with the spirit of what the Member for Vermilion-Lloydminster has proposed, we think that a better approach and one of the options that we would hope the government would

consider when they're looking at options for how we fill this gap is what we have called our 10-10 plan, our community infrastructure transfer. What we had proposed here is rolling a number of different granting programs into a single community infrastructure transfer where 10 per cent of provincial tax revenues would flow through on a formula basis to each municipality, similar to MSI. But we have heard that there are concerns with the MSI formula. The 10 per cent of provincial tax revenues would be based on personal income tax, corporate income tax, fuel taxes, insurance taxes, tobacco tax, and so on. If you identify 10 per cent of provincial tax revenues each and every year that you earmark for municipal purposes and then develop a formula to flow it through, similar to MSI, we believe that this will meet a number of objectives.

#### 5:10

One of the most important objectives it will meet is predictability. One of the concerns that we hear from municipalities and the reason why they're facing such difficulty in managing things like their road budgets and the additional pressure of industrial activity is because they don't know from year to year whether or not the municipal sustainability initiative is going to be spread out for another length of time and ultimately end up seeing them have fewer dollars or whether or not the government is going to keep its commitment year after year to provide that predictable funding. If we create a formula where we're earmarking 10 per cent of our revenues, that provides predictability.

It also provides simplicity. We know that there is a lot of confusion in the grant application process. I've spoken with municipal leaders who tell me that they actually have to hire full-time staff to be able to navigate through the approval process for grant applications. We think that having more of these grants divvied up to the municipalities on the basis of a formula gets at the issue of simplicity as well.

We also know that the level of government that governs best is the level of government that is closest to the people, and having a program like the community infrastructure transfer would meet that goal.

In addition, we believe firmly that municipalities need to have control over their own revenue base rather than having to go begging cap in hand to the province or their MLA every time they have a new need in their community. It's simply not fair to force a municipality to have to petition their MLA to be able to get enough money to be able to pay for basic needs in their community, in this case roads and infrastructure.

It is also not fair to pit one community against another, trying to argue that they deserve a grant more than another community deserves a grant when we know that all of our municipalities have their own source needs at the local level. They're all quite different from each other. We have an infrastructure deficit in every single community across the province, so we need to stop pitting one neighbour against the other.

It's also not fair to have to go through some secret and mystifying process to figure out how you actually get your project moved up the priority list or, if you're on the priority list, the secret and mystifying process that causes you to move down. We think that if you have a community infrastructure transfer based on a percentage of revenue divvied up on the basis of a formula, we would get away from the politics of determining who gets what grants and where.

The other part of our 10-10 plan is, of course, flowing through 10 per cent of provincial surpluses to municipalities. We, of course, are a party that believes it's attainable for us to get back

into budget balance, a real budget balance that includes all of our sources, both capital and operating. We also believe that once we're back into budget balance and back into surplus, every part of our Alberta community needs to be able to benefit from it.

What we've seen in the past is that when the provincial government has racked up huge surpluses, they have not been as good at sharing it with those who are also the ones who are suffering from managing the pressures of growth, the pressures of growth being described in this motion. One of the things that we think we could do is take the approach of also earmarking 10 per cent of provincial surpluses and flowing it through this community infrastructure transfer on the same basis, where you develop a formula and you develop some fairness. So in a given year – let's say that you have a billion-dollar surplus – 10 per cent of that would be \$100 million flowed through to each municipality.

We know \$100 million would go an awfully long way to meeting many of the community needs at the local level. In some communities it would be for seniors' housing. In other communities it would be for recreation centres. I think that in the community of Vermilion-Lloydminster they might decide to use that to be able to repair the roads from heavy truck traffic. Whatever it is that is the concern at the municipal level, this kind of approach allows for municipal leaders to be in the driver's seat, where they get the resources and then are able to target the money to what they believe is the priority for their community.

In conclusion, Mr. Speaker, I think that there are a great many options for us to be able to rebalance the revenues between the municipal level of government and the provincial level of government. I think the most immediate fix would be for us to look at this well-drilling equipment tax regulation to make sure that we don't end up leaving our municipalities short when it expires at the end of this year. But I would hope that we could engage in a broader discussion over the course of the next year or two as we're examining the Municipal Government Act.

Surely, we do want to talk about roles and responsibilities, but you can't talk about roles and responsibilities in the absence of fixing this fiscal imbalance. We believe that we've got a plan, through our 10-10 plan, our community infrastructure transfer, that would ensure that not only do we meet the needs that were identified in the hon. Member for Vermilion-Lloydminster's motion today but that we would also address the various pressure points that we would know every single community ends up experiencing on a year-by-year basis.

With that, Mr. Speaker, I'd be happy to turn it over to the next.

**The Deputy Speaker:** Thank you, hon. leader.

I'll recognize the hon. Member for Fort Saskatchewan-Vegreville.

**Ms Fenske:** Thank you, Mr. Speaker. It's a pleasure for me to rise today to speak to Motion 501, brought forward by the hon. Member for Vermilion-Lloydminster. The purpose of Motion 501 is to explore options for providing support to municipalities that experience significant local road deterioration due to heavy industry and resource truck traffic. The goal of this motion would be to ensure that such roads are adequately maintained for all to use. As we all know, our province is home to numerous communities that host heavy oil operations. These municipalities see oil support equipment hauled up and down their rural roads. Due to the heavy loads carried by support vehicles, some of these roads appear to be deteriorating faster than expected and require more maintenance.

Municipal roads seem to be impacted in a similar way, though by different industries, and I think we can all agree that both rural

and municipal roadways are essential to the successful operation of numerous core sectors in Alberta. These roads are vital arteries connecting support equipment and resources to their destinations. Their deterioration may have a noticeable impact on the efficiency of resource transportation and can represent a cost to municipalities for maintenance.

Mr. Speaker, the motion does not specify a course of action to address this issue. Instead, it simply asks that we explore options. I am certainly open to and welcome the opportunity to explore additional options. I want to highlight a number of programs and grants that are in place to support rural road maintenance as they will hopefully provide you with a snapshot of how these issues are dealt with in the rural network as well as in other municipalities.

The municipal sustainability initiative, or MSI, in particular assists municipalities by allocating a portion of funding to certain municipalities in order to meet the demands of growth. MSI assists low-population, large-area municipalities based on the number of kilometres of local roads. Beyond base funding for municipalities, 48 per cent of additional MSI funding is allocated between municipalities on a per capita basis, 48 per cent is also allocated based on education property tax requisitions, and the remaining 4 per cent is allocated based on the number of kilometres of local roads. Mr. Speaker, this formula is an attempt to assist low-population, low education property tax assessment municipalities with a large area traversed by numerous roads.

In addition to MSI funding, there is the basic municipal transportation grant, or BMTG. BMTG allocations are based solely on a per capita basis for the majority of Alberta municipalities, excluding Edmonton and Calgary. This program was allocated \$321 million for the 2012 budget. Depending on need, different types of municipalities may apply for grants for different purposes. The rural transportation grant exists for smaller communities like counties, municipal districts, Métis settlements, and the special areas.

Another support in place to aid the rehabilitation of resource-heavy transportation routes is the federal gas tax fund. This fund does not directly finance municipalities but is based on a return to the province of a portion of this tax. For example, in the 2012 year almost \$200 million was allocated to Alberta municipalities. Communities such as those located in rural areas and having populations of less than 500,000 can use this allocation to rehabilitate roads and bridges and, in this case, roads that have been damaged due to heavy transportation.

The Municipal Government Act also offers a legislative support for municipalities seeking funding for deteriorating roadways. Under the act a municipal council may pass a special tax bylaw to cover the cost of the repair and maintenance of the roads. This tax must be approved annually. A municipal council may also pass a tax for damage incurred by transporting well drilling equipment.

I would like to thank the hon. Member for Vermilion-Lloydminster for bringing Motion 501 forward as it helps to raise awareness of the burden that small municipalities may face in their role of supporting the growth of our resource-rich economy. I look forward to listening to the rest of the debate.

Thank you.

5:20

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Speaker. I'm happy to rise and speak on behalf of this motion. This motion for the most part I do support for a variety of reasons. I mean, first and foremost, there is a huge infrastructure debt in this province, from roads and bridges

to schools. You know, I'd love to remind this House that that infrastructure deficit was truly created in the '90s with the slash-and-cut-and-burn style of legislation that passed through, starving hospitals, schools. Our books looked very good. Alberta claimed itself to be debt free. The reality was that they just prolonged that debt or moved those numbers on to the next generation or two generations down. [interjection] That as well.

There is a real need for government to provide supports for municipalities and for school boards as well to deal with these deficits. Municipalities have very few tools at their disposal to raise revenue to pay for many of the services that they offer and that they need. The provincial government does have the MSI, the municipal sustainability initiative. It's been good for some and on some fronts, but more funding is needed. Part of the issue I take is that the formula that is designed by the MSI is one that benefits some municipalities more than others and is more harmful to some than others.

The other challenge with the MSI is that the government will only commit to a few years. I know recently the government has committed to three years, and that's considered a long-term plan. Well, municipalities need to plan much further out than three years. Not knowing if you're going to have the dollars to be able to complete a project or to adjust costs because of inflation and wages and all the rest makes it very, very difficult to sit down and have a realistic long-term plan.

One of the revenue sources that municipalities used to have was the well drilling tax on their roads. That's where the trucks are heavy and they take a toll on the infrastructure, on the roads that they're driving. There are issues regarding this that need to be addressed because a lot of the old wells are being used again. They're being reopened, and municipalities aren't getting paid, if I may, a second time for it. So a well that was used a long time ago: they would receive the dollars, through this old system, to help maintain the roads where the machinery and equipment were needed. The well closes down, X number of years later they decide to go back to that well because of technologies that help them extract more from it, so now they're using the roads again. However, they don't receive any new dollars for using those roads again. So the onus now lands squarely on the shoulders of the municipalities.

I should say in addition to that that with horizontal drilling the formula for calculating this tax is kind of out of date, again, because many companies can be quite far away, hundreds of metres away from where they're digging. The use of roads and what strains certain roads actually needs to be looked at even further.

A well drilling tax is a good start for municipalities, but they definitely need more tools at their disposal to ensure that they're able to maintain the infrastructure that they need, especially for the energy traffic and the traffic that's going to be using their roads. I myself and Alberta New Democrats would support this motion if there were mechanisms in place to ensure municipalities have the resources they need to deliver the services that are required. I, too, like the fact that this motion is open to a discussion with all the different political parties, different levels of government, looking at exploring ways to ensure that they have the funds and are able to make the repairs that are needed.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

**Mr. Barnes:** Mr. Speaker, I rise today to look at why this motion has merit or, in other words, what our current government is doing so wrong that in a large, prosperous, resource-blessed province

like ours far too many of our provincial roadways are rated only at poor or fair condition, an amazing 42 per cent, if you can believe it. To meet the needs of their communities, our local municipalities and counties have to play political games of favouritism.

In the Wildrose we have a plan, a plan that will deliver stable funding and autonomy to allow municipalities to help meet their local needs. We want each and every municipality in Alberta to have the resources they need to meet the priorities that they set for their communities. This plan is called the community infrastructure transfer, and it has been nicknamed the 10-10 plan. Mr. Speaker, the Wildrose will send 10 per cent of all provincial tax revenues and 10 per cent of all future budget surpluses directly to the municipalities to meet their needs, with no strings attached. This will allow municipalities to, first, decide for themselves what priorities their communities have; second, receive stable funding so all Albertans will receive a fair share of our prosperity; and, third, stop having to petition cabinet and pit legitimate needs and concerns of their community against their neighbour communities who are competing for the same grants.

In the Wildrose we also know there are other things this government could do to ensure that Albertans receive better pricing, better value, and more return for our tax dollars. It is time for the government to get more businesslike and less political with its planning of projects and cost estimates for these projects. One way to make this happen is to answer the Wildrose call for a published, prioritized infrastructure list of all current projects in the planning process. This would allow contractors, companies, and financiers to plan their assets and bids in the most efficient and effective manner, and it would end the current political approach of rushed government announcements to buy votes, eliminating the whimsical transfer of capital and equipment at extra cost to the taxpayer and a resultant loss of quality and quantity of infrastructure and services to all Albertans.

We have all heard what the Fort Macleod broken promise cost the community of Fort Macleod, but I also wonder what the province spent on this, spending taxpayers' money on planning, researching. And don't forget that many municipalities, including Medicine Hat, Camrose, Lac La Biche, and Edmonton, spent tens of thousands of their taxpayer dollars trying to court this project eight years ago.

Maybe the best example to use of how this can cost all taxpayers extra money is the Medicine Hat hospital expansion. First, \$480 million of taxpayer dollars was going to be spent on it, then that was changed to \$280 million, then \$200 million, and finally 10 days ago the government announced that \$220 million of taxpayer dollars will be spent. My first question: are you sure? My second question: wow, how much have those change orders cost the Albertan taxpayer?

This sporadic political planning has certainly hurt the Cypress-Medicine Hat constituency. Highway 61 from Manyberries to Foremost is badly in need of proper shoulders and repaving. We are a commodity-based community, and because this oil play is growing and many large trucks are travelling this road, the safety and durability of this highway are of great concern.

5:30

For 30 years we have seen studies, and we have been waiting for the twinning of highway 3 from Medicine Hat to Taber, to complete the portion that is already twinned from Taber to Lethbridge. Very crucial for my constituency for safety and economic growth.

Mr. Speaker, I could go on and on with countless more examples of how this government's poor planning and shifting priorities have wasted taxpayers' money and caused uncertainty

for our municipalities. With this in mind, in a direction for change, I certainly like the motion.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Member for Lesser Slave Lake.

**Ms Calahasen:** Thank you, Mr. Speaker. I'm pleased to rise today to speak to Motion 501, the first motion brought forward in the 28th Legislature by the hon. Member for Vermilion-Lloydminster. Good for him.

I want to talk about this because not only do I like the member; I also live in rural Alberta. I have every resource's truck traffic coming through my whole constituency because I have fantastic resources that have to be extracted and taken to the markets, Mr. Speaker. When passed, this motion would urge the government to explore options for providing support to municipalities that experience significant local road deterioration due to heavy industry or resource truck traffic.

I know we have many programs that have provided dollars to our municipalities. As an example, my municipality of Big Lake is receiving \$445,780 for the grading work on range road 172. My MD of Opportunity: \$3 million for base and paving work on phase 8 of C-road. It's still not enough. There is still a huge concern when and where we have huge activity.

I would like to thank my hon. colleague for the work he has put into this motion and also for raising such an important topic. As you know, Mr. Speaker, one of our government's priorities is to invest in families and communities, and I see this one as both. The proposal we're debating here today certainly has our communities in mind and, more specifically, the dozens of smaller municipalities that support Alberta's valued industries on a daily basis.

Mr. Speaker, to provide a bit of background, currently Alberta has three major programs that contribute to the maintenance of resource roads, and we thank our government: the resource road program, otherwise known as RRP, for 2012-2013, \$31 million – that's good, but we still need to push for more – the basic municipal transportation grant, otherwise known as BMTG, in 2012-2013, \$334 million annual funding; and, of course, the municipal sustainability initiative, otherwise known as MSI. While funding for the resource road program is only provided on a one-time application basis, the other two grants are provided to all eligible municipalities to be used for various functions.

As the Member for Vermilion-Lloydminster said, we should never stop looking for solutions or finding new ways for concerns that we have in our communities, and I'm very, very glad that he's brought some suggestions. Just as an example, there exists in Saskatchewan one major program in place to maintain high-traffic roads, the municipal roads for the economy program. This program was established in 2009 through an agreement between the Saskatchewan Ministry of Highways and Infrastructure and the Saskatchewan Association of Rural Municipalities.

Mr. Speaker, the MREP consists of three smaller infrastructure programs: the heavy haul program, the clearing the path program, and the municipal bridge program. The heavy haul and clearing the path programs are probably most comparable to those that we have here in Alberta. Heavy haul is a high-volume program which helps with the cost of construction and maintenance of infrastructure projects that are necessary to support heavy loads associated with industrial hauling. In 2011 13 projects received assistance from this program, at a contribution rate of 50 per cent, totalling nearly \$6 million. Clearing the path is a program designed to help construct and maintain corridors necessary for

industrial transportation. In 2011 the program assisted 17 new construction projects, totalling nearly \$4 million.

In addition, the program seeks to draw trucks off thin-membrane roads and redirect them to less load-sensitive municipal primary-weight gravel roads in order to enable thin-membrane roads to stay in better shape for light vehicle travel. A by-product of this plan is that in participating municipalities more industrial traffic travels on certain designated roads, thereby requiring additional maintenance. As such, this program provides maintenance assistance of a thousand dollars per kilometre per year to eligible municipalities.

Mr. Speaker, I do find this program intriguing as it not only provides maintenance funding to municipalities, but it also seeks to address the underlying causes of road damage, including heavy trucks travelling on thin-membrane roads. I find the programs in Saskatchewan to be different enough from those that we have in Alberta to be worth exploring but similar enough that I don't believe their model would necessarily be an improvement on our existing supports. However, I hope this information provides some food for thought as to the different ways in which industrial road maintenance can be supported by provincial governments.

I would once again like to thank the Member for Vermilion-Lloydminster for bringing this motion forward. I am looking forward to listening to the remainder of the debate and to all members supporting this motion.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Member for Livingstone-Macleod.

**Mr. Stier:** Thank you, Mr. Speaker, and good afternoon, everyone. It's a pleasure to speak here again today. First of all, I'd like to applaud the member for recognizing this critical issue and urging the government to finally do something about it. I think it's high time, and I think it should be addressed.

The goal of this motion, I believe, is something that deals with deteriorating roads, as I see it, and ensuring that they're going to be adequately maintained with proper funding but also protecting them from damaging abuse and available in good condition for all to use. Local road deterioration is a serious issue not only for my constituency but to all throughout Alberta as many of them have become a corridor for heavy trucking and suffer from local road deterioration at an advanced rate.

Two of the main causes for this deterioration, I believe, have been identified as extensive legal use of roads by authorized trucks but, unfortunately, also by extensive illegal use of roads by unauthorized trucks and heavy equipment. It is this aspect that I wish to add into this discussion if I may. Municipalities in Livingstone-Macleod and across the province, I'm sure, shouldn't be hit with the bill for unauthorized trucking, nor should they continue to have their taxpayers victimized by these unauthorized uses. Further, they should not have their regular programs and infrastructure plans put on hold simply in order to pay for the upkeep caused by this inappropriate use of roads.

Mr. Speaker, it's a shame that some would abuse the roads they use to operate their business or to transport product and equipment without obtaining proper permits for the weight of their vehicle. In my years as a municipal councillor I can assure you I saw first-hand how municipalities tried to stop these unauthorized uses, and we had to hire an awful lot of professionals and added staff and equipment just to cover these extreme cases. It was always a frustration.

They're not only expensive, but they shouldn't be the sole responsibility of the municipalities. Why should a municipality independently have to spend dollars, that should be going to other

worthwhile causes, on portable scales; enforcement officers; consulting engineers, as I mentioned earlier; maintenance personnel; heavy construction equipment; and road-building materials and upkeep years before the time that it's necessary? Municipalities simply don't currently have these extra resources to deal with these unnecessary issues, and they shouldn't have to spend all that money while continuing to attempt to provide the services their residents deserve.

To conclude, Mr. Speaker, I support this motion. As stated by the Leader of the Opposition, it's high time that the government took a responsible and ethical approach to funding allocations for municipalities and recognized that they should finally get consistent, predictable, stable, and nonpoliticized funding.

Thank you very much.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Member for Stony Plain, followed by Little Bow.

**Mr. Lemke:** Thank you, Mr. Speaker. The Member for Vermilion-Lloydminster has brought forward debate on a matter that is of interest to many rural municipalities. As we discuss this motion, it is important to note that Alberta Transportation provides grant funds to all Alberta municipalities to assist with their capital infrastructure. In 2012-13 alone Transportation is providing nearly \$935 million for municipal support through a number of capital grant programs that municipalities can use to maintain their local roads.

5:40

The Alberta municipal infrastructure program, announced in 2005, is a \$3 billion program to provide funding to Alberta's urban and rural municipalities for capital infrastructure projects. Eligible projects include roads, bridges, public transit vehicles and facilities, water and waste-water systems and facilities, storm drainage systems and facilities, and emergency service vehicles and facilities.

The basic municipal transportation grant, another Alberta Transportation funding program, is providing \$334 million in 2012-13 as part of an annual funding commitment to all of Alberta's urban and rural municipalities for road and transit capital purposes.

Alberta Transportation also provides project-specific grants under the strategic transportation initiative program and the local bridge program because the government understands that an effective transportation network is key to achieving the strategic objectives of building better communities and facilitating economic growth. Part of the strategic transportation initiative program includes a section related to resource roads because the ability to move goods and people safely and efficiently contributes to Alberta's prosperity and quality of life.

The resource road component of the strategic transportation initiative program provides funding assistance to local municipal road authorities for the movement of goods and people associated with new or expanded value-added processing facilities, resource and other industries, intensified farming operations, or high-throughput elevators. The resource road program provides cost-shared funding on a 50-50 basis between the province and the municipality up to a maximum provincial contribution of \$3 million per project. For 2012-13 the proposed funding for this component is \$31 million. Municipalities are eligible to receive funding for one project every two years and are encouraged to acquire a contribution of 25 per cent of the required funding from the private sector to offset the municipal contribution portion.

The 12 approved projects for 2012 are the county of Grande Prairie for \$4.5 million; the county of Mountain View, \$2.7 million; the county of Northern Lights, \$4.5 million; the county of Northern Sunrise, \$3 million; the county of Saddle Hills, \$3 million; the county of St. Paul, \$3 million; the county of Stettler, \$1.7 million; the county of Thorhild, \$2.3 million; the county of Westlock, \$896,000; the municipal district of Big Lakes, \$440,000; the municipal district of Opportunity, \$3 million; the municipal district of Wainwright, \$2.3 million.

Mr. Speaker, this is how the \$31 million is being invested in 2012 to support their own municipalities and their resource roads, all with the goal of providing safe and efficient roads for Albertans to travel regardless of whether they are driving to their child's hockey game or dance recital or moving a load of grain or cattle, forest products, or energy products to market.

Also a part of the strategic transportation initiative program is the local municipal initiatives component, a project-based grant with an emphasis on supporting road and other growth pressures that are beyond the normal financial abilities of a municipality. For 2012-13 funding is \$26.1 million. Over and above that, all municipalities receive financial assistance through the federal gas tax fund, administered in our province by Alberta Transportation, which provides nearly \$200 million in 2012-13 to municipalities across the province. Road and bridge rehabilitation are eligible projects under the federal gas fund.

While this list is already long in the government of Alberta's support for rural, municipal roads and infrastructure, there is yet another program, joint-administered by the federal and provincial governments, that supports municipal needs. The Canada-Alberta municipal road infrastructure grant was a cost-shared grant, with the federal government, provincial government, and municipal government each contributing one-third of the cost for eligible projects. While applications for this fund are closed, a total of \$321 million has been committed for projects to be completed by March 31, 2013. This program allowed for new construction, expansion, or renewal of municipality infrastructure, including specialized transit, water, waste water, solid waste, environmental energy improvements, recreation, cultural, tourism, and connectivity projects, local roads, and bridges.

I look forward to continuing debate on this matter, and I congratulate the Member for Vermilion-Lloydminster. Thank you.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the next speaker, but I'll just warn you that we have three minutes allotted in the time frame. The Member for Little Bow.

**Mr. Donovan:** Thank you, Mr. Speaker. This'll be one opportunity when I get to talk for my whole allotted time, then.

I'd like to commend the Member for Vermilion-Lloydminster for raising Motion 501. In my past experiences on county council in Vulcan for 16 years, this was a key thing, where we had problems in funding. To remind everybody, it's not always just oil, which we have an abundance of in my riding also, which takes in four municipalities and counties. We're also moving gravel and oil and cattle and everything else that is key and crucial in and out of our ridings, gravel being one of them. In our particular county when I was the reeve there, there was a lot of gravel being taken out as a resource into different ridings because they didn't have gravel, which also beat up local roads.

Back in the old days – and I'm starting to age myself – and for some people in here who were also on municipal councils, they had the MAG grant, which is the municipal assistance grant. We always found it much easier to operate with than MSI because

with MSI you always had to go back and have it be approved by the government, what you were doing. We found the MAG grant was a little easier to be able to roll out for our own needs.

The Member for Highwood brought up having to get a grant specialist. That was in our county. There were so many different little loopholes and things to go through to get grants to be able to fund what we needed in our county that we'd actually end up hiring somebody because there were so many different things we needed to go through to get that done. This, too, I guess, is an issue that I find problems with.

In September my colleague across the floor there, the Associate Minister of Finance, asked for a list of things that we needed in our riding. The second one I put on my list was a large bridge in a rural area that's on a gravel road. That's the old-school bridges that are covered over. This, too, would be another spot where I think this would be a great thing for this government to identify, the bridges and the roads that maintain the integrity of our rural ridings. I think this definitely ties to rural ridings more so than urban in just my own personal experience because of all the infrastructure we have laid out and the money it costs to go back on it. So I do appreciate it, and I hope that they use the information that we sent for infrastructure and our road ideas when they make a plan.

Again, the hon. Member for Highwood brought up the 10-10 program which our party has brought up. I think it lays out some very good ideas and is something that we could all work together on. Hopefully, this government will take this matter seriously and remember those in our rural communities. Less red tape to MDs and counties so they can make local decisions on local matters I think would be key and crucial.

That pretty well sums it up. I'm in support of the hon. Member for Vermilion-Lloydminster on his motion. I think it shows how we can work together in this House to move forward with some good ideas. With a little bit of tweaking I think there's some progress that this government could make with it and move forward.

With that, I hope I'm under the three-minute mark, and we'll go from there. Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Under Standing Order 8(3) the hon. Member for Vermilion-Lloydminster has five minutes to close the debate.

**Dr. Starke:** Thank you, Mr. Speaker. I'd like to thank all hon. members who decided to speak to this motion. I appreciate the input, and I appreciate the interest as well. Just a few comments that I'd like to make in sort of a nonpartisan way, wrapping this up.

Clearly, we're talking about an effective partnership between the provincial government and municipalities. The hon. Leader of the Opposition spoke to recognizing municipal governments and recognizing them as a level of government that we have to respect. I agree with that 100 per cent. One thing that I have certainly experienced over time is that there is an increasing level of sophistication amongst our municipal governments both at the elected official level as well as at the administration level. We have some very highly skilled and highly dedicated people working in municipal government today from our largest cities to some of our smallest counties, and I think we have to respect that, and we have to respect that expertise.

I'm not going to get into some of the specifics of the proposals that were mentioned by my friends opposite other than to say, as I said in my maiden speech, that I don't really care whose idea it is. If it's a good idea, let's move forward with it, okay?

I do have some concerns with regard to a program that focuses more on how big the pot of money is and not on how that pot of money is going to be divvied up so that it meets the needs.

5:50

Specifically with regard to what the hon. Leader of the Opposition said with regard to the well drilling equipment tax, I'm well aware of that program, and in fact that program does need to be extended. I have spoken with the Minister of Municipal Affairs specifically with regard to that. And you're right. It's great because it provides a locally administered source of revenue to the municipality.

The problem in our constituency, again, is that when we looked at that, because of some of the technology that's out there, the number of wells producing a product and the amount of truck traffic are not necessarily proportional. We have to come up with ways that equate or at least align the traffic that is generated and the weight of that traffic and the deterioration to the roadways it creates.

Another thing that came up during the course of the debate made it sound like there's been significant mismanagement or that there've been a lot of problems going on. I'm not saying everything has been perfect. My hon. colleague the Member for Lesser Slave Lake made reference to some of the Saskatchewan programs. I will tell you one thing from living in a border community. If you think things are bad here, you should look at the roads in Saskatchewan. We have a big set of border markers in Lloydminster, but you really don't need them because you know darn well when you're crossing the border. You just have to look at the quality of the pavement. It's the same on the rural roads as well.

That said, though, I don't think that that gives us any reason or any justification for resting on our laurels. I do think we have to move forward, and I do think we have to explore ways that we can do a better job of supporting our municipalities in some of the crucial infrastructure maintenance that they are charged with doing while at the same time being significantly hamstrung in the ways they can generate the revenue they need to do those programs. That, in fact, has been one of the challenges for municipal government. Many of you come from a municipal government background. My background in municipal government goes back, unfortunately, some 25 years. A lot has changed since that time, but I do think that it's important that we move forward.

I appreciate the input. I do hope that in carrying this motion forward, all hon. members will look and contribute ideas, as they have during the course of the debate. I would ask for your support of the motion.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

[Motion Other than Government Motion 501 carried]

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

**Mr. Hancock:** Thank you, Mr. Speaker. In light of that very wonderful discussion we've just had and the hour, I move that we adjourn until 7:30.

[Motion carried; the Assembly adjourned at 5:53 p.m.]









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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Monday evening, October 29, 2012

Issue 11e

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta**  
**The 28th Legislature**

First Session

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## Legislative Assembly of Alberta

7:30 p.m.

Monday, October 29, 2012

[The Deputy Speaker in the chair]

**The Deputy Speaker:** Please be seated.

### Government Bills and Orders Second Reading

#### Bill 9

#### Alberta Corporate Tax Amendment Act, 2012

[Debate adjourned October 25]

**The Deputy Speaker:** I believe the next member to be recognized is the hon. Member for Lacombe-Ponoka. You have the floor, sir.

**Mr. Fox:** Thank you, Mr. Speaker. It's with great pleasure that I rise again today, and I'd like to thank my fellow colleagues for all of their hard work so far today. I'm also standing to speak to Bill 9, the Alberta Corporate Tax Amendment Act, 2012.

The proposed amendments in this bill are intended to correct a number of loopholes and discrepancies that are currently found within the Alberta Corporate Tax Act. The proposed changes and amendments cover a number of industries, including insurance, oil and gas, research, and pleasure crafts. All of these amendments are in response to discrepancies found by either the industry or the Department of Finance.

Now, I do have to say that even though some of these changes are small, they're not inconsequential. Most of these changes seem like reasonable attempts to make the tax code more fair. I'm going to start to talk about something that causes the eyes of most of my friends and of people I know to glaze over. I'm going to talk about insurance for a few minutes.

In Alberta there is an insurance corporation tax, which is payable by insurance companies for business transacted in Alberta during the year. The rates are 2 per cent on premiums for life, accident, and sickness insurance and 3 per cent on other types of premiums for other types of insurance policies like property and casualty.

In the existing legislation it states:

88(1) The tax imposed under this Part is not payable . . .

(b) in respect of premiums receivable under a contract of marine insurance.

What we're seeing happen is a change in definition of what falls under that marine insurance act. What we're seeing it move to is bringing pleasure craft out, and we're going to see a change to that definition. Now, the definition of pleasure craft is a water craft or vessel used for recreational or sporting purposes. Whether or not the craft or vessel is chartered to another person for this use doesn't matter.

At the end of section 88(1) the terms "unless the premiums are receivable in respect of a pleasure craft" are added. We are seeing that there will be a 3 per cent tax now payable on these premiums by insurance companies. Fair as this might be in removing the marine exemption tax, what we're seeing is kind of a little bit of a tax grab. Now, I'm not sure if this is something that is good or bad, but we are seeing this happen to the industry.

Any time we see these kinds of changes, we know what's going to happen. The consumer will pay. These increases are going to be passed along to the consumer, although it is up to the insurance company as to how they are going to do it. I think that does need

to be noted here in the Chamber because, as I said, these changes may be small, but they're not always inconsequential.

With that, I'd like to thank you very much for your time here tonight. Take this into consideration as we move forward with this bill.

**The Deputy Speaker:** Thank you, hon. member.  
The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you, Mr. Speaker. It's a privilege to . . .

**The Deputy Speaker:** My apologies, hon. member. Standing Order 29(2)(a) provides for questions or comments from any member to the Member for Lacombe-Ponoka.

Seeing none, I will recognize the Member for Calgary-Buffalo again.

**Mr. Hehr:** Well, thank you, Mr. Speaker. Sorry for jumping the gun there.

It's always an honour and privilege to rise to speak to any bill, even a bill that may make some people's eyes glaze over, the Alberta Corporate Tax Amendment Act, 2012. My friend from Her Majesty's Loyal Opposition got it mostly right. This bill really attempts to clarify the tax codes, both federally and provincially, and allows for extended deadlines for scientific research, experiment, and development tax, tax credits for three months, which seems like a reasonable thing to do, and it eliminates the ability of the insurance companies to claim different policy reserve amounts for Alberta and federal tax purposes. All in all, it seems like business as usual. We tend to see this every year when we review our corporate tax structure.

You know, I do, I guess, differ slightly from the last speaker on one particular issue. I have troubles where the individual would classify the government taxing of a marine pleasure craft as being a tax grab.

**Mr. Anderson:** You just said it. It was taxing.

**Mr. Hehr:** Okay, okay. I understand that.

Let's think about this, okay? Through some anachronisms in the insurance code we had forgotten that through the long history of Alberta we probably had marine craft that were canoes and other things like that, what people were using in their day-to-day lives to fish, to get around their neighbourhood, and the like. I guess over the course of time, the definition of marine pleasure craft has probably expanded. I've been out in B.C., and I see some of those nice riverboats there that would be considered luxury items in my view. You see some of those boats when you're here in Alberta. In my view this is not a tax grab. It's merely a situation where you have to recognize what the beast of burden you're taxing is. It's a luxury item that should fall under the Insurance Act, as other luxury items do, and be fairly taxed accordingly to reflect that in the insurance rates. It seems to be fair and reasonable.

Given the fact that policies have to be paid out in some regard, and the government needs to collect their pound of flesh from somewhere, it would seem to me that this looks like a reasonable place. If someone could afford a marine pleasure craft under that definition, we should be able to assess that as what it is and be able to recoup some money in that regard.

I don't have to go into this, but I will. I think in this year's budget with the deficit we'll spend \$44 billion. In the main we spend all of our fossil fuel revenue as it comes out of the ground. We only bring in personal and corporate tax revenue of roughly \$12 billion. If you're not going to get the money from somewhere, then I guess you have got to cut the services, although I hear a lot

of talk from that side. I hear you want also to keep the police college going, I hear you want to build a new hospital facility in Sylvan Lake, and all of these things that do take government revenue. At no time do I hear you want any tinkering with the Alberta tax code. This may be one of those circumstances where you can continue to build your Sylvan Lake hospital with some of the revenues from the marine beautiful boat levy that we're going to now incorporate.

I'm just warning you. There has to be some way to pay for government services because currently the only way we are doing that is by spending every last dime of fossil fuel resources. We structured it that way, okay? Unless we're going to change the structure of it, I have every confidence we're going to continue to do that. Okay? Maybe this is a small victory for future generations, the marine excise luxury tax. Maybe we can now save that small sum of money that we're going to recoup on behalf of the Alberta taxpayers to maybe save something for when, one, the oil and gas is all gone or, two, the world moves on. That would be the one difference I would have.

Nevertheless, other than that, it looks like a decent act that will hopefully simplify things for corporations. It will also allow the government to recognize that some of the services it provides here in this province also benefit their citizens, benefit their business, and the like.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. Questions or comments to the hon. Member for Calgary-Buffalo? The hon. Member for Calgary-McCall.

**Mr. Kang:** The Member for Calgary-Buffalo said that this is a step in the right direction, the tax increase. My question to the member is: how about the whole Alberta tax structure? What do you think of that? Should there be any changes there because we are spending all the royalty revenues, all the money coming in? Should we be doing things differently, in your opinion, so we could bring in more revenue because we have revenue problems?

7:40

**Mr. Hehr:** Well, here's what any government should do. You should look at what services you're willing to provide or what you think the electorate should provide and then run a program of taxation that allows for the covering of those services. It seems pretty simple. That's what governments should do. Decide what you believe the level of service should be. Decide what level of taxation you will bring in to get that level of service to go on. Different parties have different views on that level of service, but you have to have the confidence to then back up your position on what level of service you believe that is for public education, public health care, and the like and then tax.

What we have done in this province for far too long is simply said: "We can have the best of both worlds. We can have this high level of service or a level of service and still have this lower level of tax that really sort of is an anomaly here in Alberta. The rest of the jurisdictions don't have it. We'll have this kitty of \$11 billion to \$12 billion that will just paper over these deficits, these essentially structural deficits that are made up by fossil fuel resources." Okay? Really, I guess the true, honest position would be going to the electorate and saying: "We're going to provide \$31 billion in services, and we're going to save the rest of this. Then we're going to take the interest out of the heritage fund." I think that would be a reasonable position. We're going to save this; we're going to spend a little bit of the resource revenue.

Another position would be to be perfectly, I guess, moral to future generations. We'd say that we're going to tax on the first \$44 billion. We could probably do that by adopting B.C.'s tax code, which, by the way, would be the second-lowest tax jurisdiction in the country, look people in the eye and say: "What? We're the second-lowest tax jurisdiction of all the provinces. What's so wrong with that?" That could be another position. But I don't find the position right now of any moral substance, the one that we continue to do right now.

I'd say the government should either lead and go to the polls – whack the provincial budget by \$6 billion, \$8 billion, and go to the polls on that. Increase your tax revenue by \$6 billion, \$8 billion, and go to the polls on that. At least you might have something for when the oil and gas runs out. But right now this, in my view, is extremely unfair to what we should be doing for the long run in this province. Then again, Mr. Speaker, in the long run we're all dead, and there's the old saying: what have future generations done for us? I don't buy into those philosophies, but they are concerns of the government.

Thank you very much.

**The Deputy Speaker:** Thank you, hon. member.

There's still some time left. The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. I wonder if the hon. member would comment. A number of times I've heard the member talk about raising taxes. I know he is a big believer in the democratic process, and certainly in my riding, my constituency, the democratic process would dictate that the public is not in support of any new taxes whatsoever. Now, your constituency may be different, but I was wondering if you would comment on that. If the public is not in favour of any new taxes, how can we go down this road of passing bills or passing legislation that would increase taxes?

**Mr. Hehr:** Well, first off, you're wrong on that account. A public opinion poll during the election said that people were more than willing to pay a higher price, a higher taxation. One was in the *Calgary Herald*, and I will come back with that poll. Okay? Maybe it's different than people from Rimbey; nevertheless, that was a poll I read in the *Calgary Herald*.

The second thing. You know, governments lead. Oftentimes there are situations where your electorate at the time may not always agree.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Member for Edmonton-Strathcona.

**Ms. Notley:** Thank you, Mr. Speaker. I just came in here, and I was trying to organize my notes just a little bit. I take it that I'm the last speaker on this one. Is that correct? Yeah. All right.

Well, it's a pleasure to rise to speak to Bill 9, the Alberta Corporate Tax Amendment Act, which has been characterized as a bill which is primarily geared towards housekeeping in order, in many respects, to bring our law around corporate taxation in line with that which is in place federally. I believe that there are certain elements of it that are probably going to be helpful and amount to reasonable initiatives. One of those seems to be the notion of amending the policy reserves for Alberta versus Canada in the insurance industry in order to ensure that there aren't different policy reserves between the two that can be claimed by the insurance company.

One, it appears as though we're giving the insurance companies four years to pay back the excess amount that they received due to

claiming the higher reserve, and I would certainly be interested in knowing what amount of money this may amount to and what the considerations were from the government in determining that four-year period. I'd also be interested in hearing from the government what their view is of the net tax outcome collectively as a result of the changes that are being made through this bill, and that doesn't just simply relate to the changes in the amount, the policy reserve that can be claimed, but also changes to the other elements that are outlined in the bill.

We have some concerns in the way the bill proposes to define recreational craft insurance and how it plans to treat it. On one hand, it makes perfect sense for recreational marine craft to be treated the same as other recreational vehicles. So that is completely appropriate, and I think it's a good thing. The concern that we have, which is really at this point just a question because I honestly don't know the answer to it, is how this change will impact aboriginal and Métis communities, particularly those that run small guiding companies, whether or not their insurance costs are going to go up as a result of this. That is a question that I'm hoping at some point will be addressed.

As the previous speaker from Calgary-Buffalo outlined, though, the real sort of interesting issue around this bill is the fact that we're tweaking little exemptions and loopholes here with our corporate tax calculations, but what we're not doing, of course, is looking at the overall issue of our provincial corporate tax rate. In the last election campaign the NDP proposed to raise corporate tax rates by 2 per cent while reducing taxes for small business by one-third to help them grow. We were, ironically, the only party of any of the political parties in the election to propose a tax reduction. That was a tax reduction for small business. [interjection] The Member for Calgary-Buffalo was saying something to me, but I didn't quite catch it. I'm sure it was very amusing and wise both at the same time, though.

Nonetheless, at the same time we certainly did suggest that we needed to increase the corporate tax rate in Alberta by 2 per cent, and that would have generated roughly another \$800 million annually. I think that there is good reason for this. You know, the government often likes to talk about, "Well, if we have low tax rates, of course, everyone is going to invest here," but the fact of the matter is that we have room to play around with our tax rates while maintaining a competitive advantage.

7:50

Of course, there are other reasons why corporations invest here, not the least of which has to do with the location of our resources. As much as this government likes to pretend that they are brilliant financial managers with a savant-like corporate skill that allows them to negotiate in superhuman ways, that personally and individually each member of the government is directly responsible for every business success that occurs in Alberta, the fact of the matter is that we have resources in this province, and business is here because we have resources.

While I will give some credit to the early versions of the multigenerational government that we have sitting over there for their foresight in terms of beginning the work with respect to our oil and gas industry, I would suggest that at this point there's not a lot brilliant management going on. Anybody could sell something for nothing and have people show up at their store. If you make it free, everyone's going to come. We're on the verge of doing that in this province. While I guess having everyone come through your doors is really exciting, and you can have a great big grand opening every week, and it really sounds like there's lots going on, if what you're doing by giving away everything virtually for

free is selling the next generation's future, then one really has to think about whether it's valuable.

When it comes to issues around corporate taxes, there is no need for us to continuously drop the corporate tax rate for individuals like, for instance, someone who featured prominently in our conversations earlier today, the Katz Group. Really, when someone is making billions and billions and billions of dollars, do we really have to reduce the corporate tax rate yet again?

Meanwhile, study after study shows that working Albertans, average middle-income families, have less and less expendable cash. Generally speaking, their quality of life is deteriorating. Overall the income of most Alberta families and their disposable income relative to the top echelons of this province and the country and the world – the gap is growing and growing and growing. So people are working harder and harder and harder for longer and longer hours. In two-parent families both parents are forced to work in order to meet basic costs, which previously could be met on a single income. When that happens, that impacts our communities. It impacts the strength of our communities. It impacts the quality of our community life. It impacts our quality of life.

So one wonders why it is that we continuously cut corporate tax and ask Albertans to work harder and harder and longer and longer, and at the same time we hold steady the cost for most of the public services for which those corporate taxes used to pay. The former Member for Edmonton-Riverview did a very compelling analysis of the trend with respect to corporate tax contribution to our provincial coffers as compared to the amount of expenditure by the government in a number of key areas. What he found was that over the space of about 15 to 20 years corporations had their contribution to the pot, as it were, reduced by almost one-half. Meanwhile, the per capita and inflation-adjusted investment that this government makes on antipoverty and child protection and family enhancement for those families that are at risk has also dropped by about one-half. So we've given lots of money to the big corporations, and we've pulled it back from those in our society who are most vulnerable.

Meanwhile, education has managed to stay almost steady. Not quite. It's actually gone down a little bit over time. Health care, as a percentage of our GDP, has remained roughly the same. Overall our social expenditures in this province have gone down on a per capita, adjusted-for-inflation rate over the course of the last 10 or 15 or 20 years while at the same time, coincidentally, our quality of life is suffering, while our infrastructure debt is growing, while our roads are falling apart, and while our kindergarten kids receive the least amount of hours of education in the country. While these kinds of things are happening, oh, we're so proud; our corporations pay the least amount of tax.

At a certain point you have to wonder, Mr. Speaker, what kind of choices are being made, whose side the government is on, and what their ultimate objectives in outcomes are when Alberta has the lowest transition rate from high school to university, when our kindergarten kids are pretty much the only ones remaining in the country who don't have full-day kindergarten, when we don't have prekindergarten, when our class sizes are growing notwithstanding the government's own studies that suggest that they should not, and when our special-needs kids are not receiving anywhere close to the support that they should. When young families from across the country are coming to Alberta, we are dropping the ball in terms of investing in their future, and we're doing that, in part, in the service of delivering that 10 per cent corporate tax rate here in Alberta, dropping it, dropping it, dropping it every year.

Of course, that's in line with the equally unfortunate and misguided flat tax that this government also insists on maintaining, ensuring that those who make more pay less. Again, that is regressive and antithetical, I would suggest, Mr. Speaker, to commonly understood notions of equality and fairness.

I'd like to comment on the exchange between two of the members recently. It's actually the case that many Albertans are prepared to pay their fair share of taxes. They do generally support the notion of progressive taxation, and in fact a huge number of Albertans, probably 70 per cent, support increasing corporate taxes. They do that if it means that their services will be protected.

Now, because the question was raised about this last election, what's interesting was that our Premier painted herself in what I would suggest was a combination of red and orange and went out to Albertans and promised them that she would preserve, build, and invest in the growth of those very important programs, the programs that focus on children, the programs that focus on family, the programs that focus on health, and the programs that focus on seniors. She did a great job of painting this picture of how she was going to build our community and support our families and that she wasn't going to slash and burn.

So when people say: what did people vote for? Well, what they voted for was the party that, coincidentally, had an extra \$430,000 in their bank account to run campaigns that allowed them to make Albertans think that they were electing a government that actually was not what they were electing. They were wanting a government that was progressive. They wanted a government that cared about public service. They wanted a government that was interested in building community. They wanted a government that was looking at progressive and fair taxation. But they voted for the government that, coincidentally, happened to have the most money to spend on advertising, which, of course, goes back to a previous comment we've made that votes should determine elections, not dollars. Unfortunately, in this province our electoral financing is so broken; it is really quite the unfortunate thing. [interjection] I believe the Wildrose did in fact raise more than the Conservatives, but it's very clear that the Conservatives spent more, and at the end of the day that's what voters made their decision on.

The fact of the matter is that I think the jury is really out on what Albertans are looking for. Certainly, I have spoken with people who were somewhat associated with the folks on the other side, and there was a time when they would say to me quite openly: "Yeah, you know, Alberta is changing. They actually are kind of interested in what you guys have to say, so sit back and watch. You're going to see the quickest costume change that you have ever seen, and we're going to run out and give them what it is they think they want, and we're going to pretend we're you." I had conversations like that with folks across the way.

You know, I don't believe that the last election in any way, shape, or form can be interpreted as Albertans voting to keep the Katz Group taxed at 10 per cent. I don't think Albertans voted to have the full-day kindergartens they were promised put off indefinitely because these guys can't find any place to teach those kids because they haven't built a new freaking school in God knows how long. That's not what Albertans voted for. Albertans voted for the kind of progressive change that the Conservatives suggested they would offer.

8:00

Unfortunately, what's now happening is that that very thin coat of paint that was thrown on that broken old bus right before the election is starting to chip off, and Albertans are becoming more and more aware that, in fact, what they're getting is the same old

same old except that that same old is so nervous of the folks on their far, far, far right that they're actually now starting to move closer to them, so we cannot look forward to seeing a genuine investment in preserving and protecting our environment for the future.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) provides for questions or comments to the hon. member. I'll recognize the Member for Calgary-Buffalo.

**Mr. Hehr:** Thank you, Mr. Speaker. I always enjoy hearing the member speak. My question is: can Alberta have the best of both worlds? By that, I mean we still have probably the lowest taxes in Canada. I suggest that by charging \$1 less than B.C., you would be still the lowest tax jurisdiction in Canada. So we'd have the best public service and predictable, sustainable funding as well as savings for the future generations. I have come to the fundamental belief that in 50, 60 years the world could move on. Do we have some obligation not only to do things a little better today but to save for that time when we don't? Comment on whether remaining with the current tax structure allows us to do that, all these promises.

**Ms. Notley:** Well, thank you to the Member for Calgary-Buffalo. You know, there are no simple solutions, but what I will say is that we can't continue on the road that the government has laid out for us. We need to take those resources that we have right now, and the exploitation that is going on right now of our natural resources needs to be converted into a benefit for Albertans. In doing that, we need to overhaul our royalty system, as the previous Premier ever so slightly tried to do before he was shouted out of the room by the oil and gas industry, so that Albertans as the owners of the resource are treating themselves as though they are the owners of the resource, and we are getting a fair share of that.

Now, having said that, that is not a solution to our ongoing operational requirements because what we need to do, when we get a fair share for Albertans from our resources, is that we need to invest in the future. We need to save for the future. We need to be looking towards building up the kind of security that will allow us to transition into a new form of economy.

You know, you can go back to 1971 and hear members from the government opposite talk about the need to invest in diversification, yet we really have not succeeded, and the continued sort of turn away, shall we say, of this government from research and from postsecondary institutions and a slew of diversification strategies indicates that. What we need to do is invest in green energy, and we need to save for the future, and we need to use most of those extra resources towards the future.

Having said that, though, as the Member for Calgary-Buffalo rightly points out, we have room to restructure our tax system, maintaining competitiveness with every other jurisdiction in the country. By that, I mean maintaining a premiere tax system, where we continue to be the most competitive simply on the basis of dollars and cents. We can do that while at the same time creating a sustainable revenue flow so that we can invest properly in our valuable public services while at the same time starting to transition that resource revenue into a savings mechanism and an investment for the future.

Mechanism is different ways to save for the future. You can stick it under your mattress, or you can invest it in things that will bring you greater return in the future. Either way, that's the long-term vision that we should be engaging in, and that's the vision that will ensure that our children and our grandchildren and our

grandchildren's grandchildren will actually not wake up to find that the cupboard is empty, there's nothing left in the piggy bank, and there's a great big empty hole outside in the backyard where the government, as a result of some cabinet order, built a transmission line and a pipeline and three other ditches without ever asking them. That's not what we want for the future of Alberta. That's not what we want for our kids and their kids.

It is possible to chart a different course, Mr. Speaker. The very simplistic, sort of Republicanesque view that this government has very clearly adopted and embraced with respect to our revenue stream is not the way forward. Pretty much every study shows that the way to build a deficit is to bring in a bunch of Republicans, have them cut taxes and give money away to the corporations, and that's where your deficits grow from. I've said it a lot before the election, and I will say it again. The party with the best record of balanced budgets over the course of the last 30 years in this country is not the Conservative Party, not the Liberal Party, not the Wildrose. [interjections] They don't have government yet. I'm just telling you the facts, folks.

**The Deputy Speaker:** Thank you, hon. member.

Are there other speakers to speak to the bill?

Section 29(2)(a) is finished, hon. member, if you'd like to speak to the bill. The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** I'm in favour of this bill, Mr. Speaker. Thank you for the opportunity to make that point. I can't remain silent when I hear the common mistakes of the left being perpetrated again and proposed. It's just simply not true that corporations don't pay enough taxes. The truth is that corporations don't pay taxes at all. They build the cost of taxes into their prices, and it's customers like you and me that pay them. To fail to recognize that or at least to not have that on the record in this House would be an injustice to all Albertans, and I won't stand for it.

Suggesting, for example, that royalty rates need to be higher: there's oil everywhere. There are natural resources everywhere. Companies and capital investment demand a return. If that return can't be met in a tax-friendly and royalty-friendly jurisdiction, those businesses move elsewhere. Surely our memories aren't so short that we don't remember 2008 and what happened when unilateral royalty changes were made, and my friends had to move to B.C. or Saskatchewan or other parts of the world to be able to continue to practise their trade and use their equipment. We certainly don't want to see that again.

Leveling the playing field, making the rules fair and equal to all people: fine. But never, never think that corporations don't pay enough taxes. What you're really saying is that customers should be paying more for their products. Would the hon. member like to pay more fees at the bank, for example? We all complain about those. Maybe the bank should pay more. That way, they could charge us more for those fees. I submit this is a reasonable bill and needs to be supported, but we ought not to operate under that misconception.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. The Member for Calgary-Buffalo.

**Mr. Hehr:** I realize that people want to pay less for their Nintendos, their computer games, and all this stuff, but there's also the other equation, that they want their public services. Right now here in Alberta they had taken the facts where they are. We also have spent all the fossil fuel wealth in one generation. I understand. You've got to understand the level of public services they want, and then you have to tax appropriately whether that's

corporate, personal, or otherwise; I don't care. So is your solution, then, given the \$12 billion we take in in fossil fuel resources and our current tax record, that you can cut \$6 billion from the rolls right now at the Alberta government? Where would those public services go? I didn't see it in your election platform. Where are you going to cut in order to get us off spending all this royalty wealth in one generation?

**The Deputy Speaker:** Just to remind hon. members, the comment should be through the chair.

The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you for giving me another chance to sound off. Our government doesn't have a revenue problem; it has a spending problem. We need to spend more wisely. I'm not aware of very many things that government does better than the private sector. I think there are opportunities to do some of the things. Where we see waste and we see overspending, where the bottom line prompts people, it gives them an incentive to control costs. I don't see that incentive very often in very many departments. If it were there, then we would be seeing that money spent more wisely.

8:10

**Mr. Dorward:** I appreciate those comments, Mr. Speaker. I have a bit of a crow in me that needs to speak as well relative to the comment that I heard regarding a regressive tax or a progressive tax. Indeed, a regressive tax is one that demands that the less you earn, the higher the tax rate that you pay. In Alberta the thing that turns this completely around is the deductions that we have, the very generous deductions that we have in Alberta, such that what might otherwise be a regressive tax is, indeed, a progressive tax. Somebody who is earning \$20,000 in Alberta will pay an Alberta tax of 2 per cent. Somebody who is earning \$40,000 will pay an Alberta tax of 6 per cent. Somebody that earns an income of \$60,000 will pay 7.3 per cent. As it goes up, the rate approaches 10 per cent. So we are exactly the opposite of a regressive tax because of the heavy deductions that we have in Alberta.

Thank you very much.

**The Deputy Speaker:** Thank you, hon. member.

The hon. Member for Edmonton-Strathcona. Again, through the chair. Thank you.

**Ms Notley:** Thank you, Mr. Speaker. I wasn't sure if that was a question.

**The Deputy Speaker:** It's questions or comments, hon. member.

**Ms Notley:** Okay. Well, then mine will just be a comment, I guess, if we're into that. I was just wondering if the Member for Cardston-Taber-Warner would then answer two questions. In fact, is he suggesting that the slowdown in oil and gas in 2008 had absolutely nothing to do with the financial crisis and recession that occurred throughout the world and everything to do with the set of royalty changes which – oh, wait for it – never actually were implemented? I'm wondering if the member can suggest how it is that he assumes one caused it and not the other.

The other question is: I'm wondering about sort of the logical extension of the statement that he made that corporations actually pay no taxes and consumers pay all the taxes that corporations pay. Can I then ask: is it Wildrose policy that we should eliminate all corporate tax?

**The Deputy Speaker:** The hon. Member for Cardston-Taber-Warner. [interjections] The Member for Cardston-Taber-Warner has the floor.

**Mr. Bikman:** Thank you very much. I think that the proposed royalty changes of 2008 exacerbated the problem that Alberta oil companies . . . [interjections] Who did you say had the floor, Mr. Speaker?

**The Deputy Speaker:** Carry on, hon. member.

**Mr. Bikman:** Thank you. Somebody else apparently wanted to carry on.

They made it worse, and the investment capital fled, investment capital that was intended to come here. Billions of dollars, in fact, according to some brokers that I talked to, did not come here because capital craves certainty. It craves stability. It craves consistent rules, rules that can't be unilaterally changed. Rules that, when changes are necessary, occur as a result of negotiation.

**The Deputy Speaker:** Thank you, hon. member.

Are there other speakers to Bill 9?

Seeing none, I look for the hon. associate minister to close debate.

**Mr. Fawcett:** Thank you very much. I guess I really don't have anything to say. I think we'll just call the question.

**The Deputy Speaker:** Okay. Thank you.

[Motion carried; Bill 9 read a second time]

## Bill 8

### Electric Utilities Amendment Act, 2012

[Adjourned debate October 24: Mr. Hughes]

**The Deputy Speaker:** Hon. members, the hon. Minister of Energy still has 18 minutes left to speak if he so chooses.

The hon. minister.

**Mr. Hughes:** Thank you very much, Mr. Speaker. In fact, I think I made very conclusive comments earlier, so I have nothing further to add at this point.

**The Deputy Speaker:** Thank you, hon. minister.

At this point I will recognize the hon. Leader of the Official Opposition.

**Ms Smith:** Thank you, Mr. Speaker. Well, I rise with some satisfaction to speak in favour of Bill 8, the Electric Utilities Amendment Act, 2012, a bill which is a direct response to a key recommendation of the Critical Transmission Review Committee and ensures that all future transmission line projects require complete review and approval by the Alberta Utilities Commission, not the provincial cabinet.

When I look through Bill 8, the four simple clauses that repeal section 41.1 of this legislation, I am just struck by how easy it was to fix at least half of the problem with this bill. The reason I'm struck by that is that when I remember the abuse that was hurled at my four MLAs in the Legislature in the spring and earlier when they talked about the problems of this bill – they were ridiculed; they were told they were wrong; they were told they didn't know what they were talking about – it is actually gratifying to see that the government has finally listened. I suppose part of the reason is because we now have 17 members on this side of the Chamber.

I want to pay a special tribute to the Member for Rimbey-Rocky Mountain House-Sundre, who earlier today tabled proof of probably one of the most scandalous and embarrassing incidents in this government's history when they hired private investigators to spy on an Alberta landowner group that was opposed to Bill 50

and what it would do to landowner rights. I find it fantastic that the Member for Rimbey-Rocky Mountain House-Sundre is sitting here in this Chamber and will have lots and lots and lots of opportunity to talk about this bill and what's wrong with it.

Let me go to a couple of issues about why we speak in favour of this bill. The first is the recognition by the government of the importance of an independent needs assessment conducted by the Alberta Utilities Commission as opposed to approved through cabinet. Why is an independent needs assessment important? Well, it's quite simple. It's so that the companies who are proposing transmission needs or the Electric System Operator proposing transmission lines can have their data challenged by consumer groups, both industry as well as residential, challenged by landowners so that we actually don't see mistakes made, so that when government makes a decision to approve a transmission line for construction, we can be certain that it is actually needed. That's the reason we have a two-step process for approving transmission lines: one step to approve need, the second step to approve the routing of it.

We're delighted that the government now understands that on a go-forward it makes no sense for members of cabinet, who have no experience in assessing transmission needs, who are not electrical engineers themselves – it made no sense whatsoever for them to take it upon themselves to believe that they could make these decisions in the absence of that independent review.

Why we look at this as only half a solution is because it only looks at approving transmission projects on a go-forward. We believe that what we need to make sure of is that we don't end up making the mistake of building the six lines that cabinet did ascertain were critical infrastructure when we don't actually really need them. We will be proposing amendments to repeal the schedule so that we can go back and have independent needs assessments for those six projects as well because if it doesn't make sense on a go-forward for cabinet to be approving these projects, it didn't make sense when they did it in the first place.

Let me talk about the three mistakes the government made when they first brought through this legislation. The first mistake they made was that they did not realize that in making a decision like this, the paradigm had changed for how we determine our transmission needs. Back in the early 2000s there was a big debate over what our base fuel should be not only Alberta but in North America. The big debate was over these great, vast supplies of coal that we would be able to use to produce cheap electricity versus relatively costly natural gas. You may recall that back in 2006 the price of natural gas spiked up to \$16 per mcf. When you were looking at that world, having a discussion about what kind of transmission system you're going to need looked very different than the kind of transmission we need today. I'll talk about that more in a minute.

8:20

The second thing – and this has been revealed in the WikiLeaks cables that were leaked a number of months ago when a former Energy minister went down to Washington and was talking about how Fort McMurray was going to have oodles and oodles and oodles of electricity, cheap electricity that they didn't know what to do with, that we would need to export somewhere, and the United States would be the obvious market to export all of that electricity. Once again, the world has changed for what the expectations are of those companies up in Fort McMurray.

Why did they change? A couple of reasons. Well, natural gas became a game changer. An Alberta-based company, Packers Plus, developed the technology for horizontal multistage fracking, unlocking shale gas resources all throughout western Canada and

the United States. As a result, we now see the consequence today. We have natural gas prices that range anywhere from 2 and a half dollars to 3 and a half dollars. It looks like we're going to have a 120-year supply of natural gas.

It's in this context that we now have to reassess our transmission needs because in the past when we were looking at coal, building coal plants hundreds of kilometres away from end consumers and then expensive transmission lines to transport that electricity hundred of kilometres may have made sense. In a new world, where natural gas becomes the base fuel, it is possible to build smaller units closer to end consumers so that you don't need to build all of those transmission lines. That is the analysis the Alberta Electric System Operator needs to do. That is the analysis that the government has failed to perform, and that is why we're still stuck on looking at six projects that we don't actually need.

The second major game changer has been in the area of micro-generation, albeit that this is on the cusp of being transformative technology. In my own constituency of Highwood we have a renowned microgeneration project in Drake Landing. It's won an international award as well as an Emerald award as well as several other awards, including one from the Federation of Canadian Municipalities, because they have 52 units where the solar heat is taken into the ground, stored in a liquid, and then in the winter it's used to heat the homes. These are the kinds of really exciting microgeneration technologies that we can use. That's for heat. There are additional ones that we have heard about being used for solar film on windows to be able to generate electricity. We know, as well, that there are forestry projects. I've travelled the province. There are all kinds of microgeneration forestry projects using biomass.

In addition to that, more and more people are looking to natural gas generators for their own home electricity generation needs and looking at ways to be able to get off the grid or even generate enough electricity to sell back to the grid. This may be in its infancy, but once again it is new technology that is transformative, that reduces our need and reliance on large generating units built far away from load and large, expensive transmission projects that we likely don't need.

The second mistake that the government made, again back in the early 2000s, was putting 100 per cent of the cost of new transmission onto customers, actually in direct contravention of the advice that they were given by the regulator. The regulator suggested that for big transmission projects the cost of building them be split 50-50 between residential consumers/industrial consumers and the generators who were producing them. By making that decision of a 100 per cent cost borne by the ratepayer, they basically opened up the floodgates of demand to build a bunch of unnecessary transmission that we now see that we don't need.

The third mistake was agreeing to this notion of zero congestion. When you agree to a notion of zero congestion on our transmission infrastructure, you end up in a situation where you are necessarily going to overbuild. A couple of the statistics that I've heard the Member for Rimbey-Rocky Mountain House-Sundre use – I'll repeat them here, and I'm sure he's going to repeat them again later – are that we have a transmission infrastructure right now that's worth \$2.2 billion. The proposal from the Electric System Operator for the entire new transmission plan initially came in at around \$13 billion. Recent cost projections – because there've been cost escalations – suggest that if this entire system is built, it would be around \$16 billion. I'm sure the Member for Rimbey-Rocky Mountain House-Sundre will have updated figures on that. Even if it is \$16 billion, what the

government is proposing with this plan is that we would see an eightfold increase in our transmission capacity.

I'm not sure what they're expecting to happen in this province over the next 20 or 30 or 40 years, but I don't think anybody, not even industry, is expecting an eightfold increase in our need for generation and, thus, transmission. If you were to see, for instance, a highway twinned to the same extent that we are overbuilding our transmission system, you would go from two lanes to, eightfold, 16 lanes. That is the kind of zero-congestion policy that this government is proposing, taking a highway and building 16 lanes just so you can ensure that at no point would there be any congestion. That doesn't make sense in an environment where you're talking about roads; it doesn't make sense when we're talking about an environment where we're building transmission lines.

Let me talk about the six projects that were approved in this schedule and their need to be repealed. First of all, there were two transmission line projects going up to Fort McMurray. As I've already alluded to, Fort McMurray companies have now changed their business model. They are not talking about exporting all of that electricity. They're talking about using it themselves. In any case, even if you were going to build those transmission lines, the place where they're identified to be built is now the wrong place relative to some of the future proposals that are on the table. I'm sure the Member for Rimbey-Rocky Mountain House-Sundre will also elaborate on that.

The third item was a substation that is supposed to be built somewhere southeast of Calgary. We don't know where. We don't know what type of project it's going to be or who's going to build it, yet the government has identified it as being critical. It seems a little strange to us that a project identified as critical is one where no one knows what it is or where it's going to be built.

The fourth one is a DC line, the western Alberta transmission line – it's been called WATL – on the west side of the province, that is going to be built by a company called AltaLink. The problem with this line is twofold. Number one, our entire system is built on an AC system, so the question of why we would be looking at DC, especially for such a short distance as is being proposed by this particular line, simply doesn't make sense. If you're going to use DC, you're going to use it to transport electricity much longer distances. As I understand it, distances of over 600 kilometres are needed to make DC make sense, especially when you're switching back and forth between DC and AC. You're looking at having incredibly expensive costs for the substations that are able to do that.

The reason this is important is because of the heartland line, which is the fifth project. The only reason for the heartland line is to connect the western line, which we don't need, with the eastern line, which we may need. So heartland is one more as well which I would think, if we were to go back and do an honest assessment of our true transmission needs in the province, would be one that would benefit from a full needs assessment.

The last one, the DC line on the east side of the province. There is an argument to be made – and I can put this forward now – that having a DC line on the east side of the province makes some sense, especially if you're looking to the future and potentially developing hydroelectricity up in the Slave River area, which would bring on many thousands of megawatts of additional electrical power coming down through Fort McMurray, ultimately going down to the southern part of the province. It would satisfy a number of different potential objectives of the government to do this: switching to a cleaner type of power, having the distance that makes sense for DC. But this isn't for me to decide. I'm not an

electrical engineer. This is a decision for the Alberta Utilities Commission.

The government erred in making this decision prematurely because, once again, if you look at the way the lines are currently proposed to be built, it doesn't make sense. If you want to do a proposal that would be able to capture all of the electricity coming from Slave River, you would build the system in an entirely different way, which is once again why we have to wipe slate clean, go back to the drawing board, and do a reasonable needs assessment.

Now, let's remember when all of this scandal started. The scandal started when the Electric System Operator acknowledged that we needed to have a new 500-kV line on the east side of the province to be able to shore up the system. If that was the direction that the government had gone, with a simple AC system, a simple AC line, I don't think any of us would be in the position where we are today. This, I think, is where the politics entered into the equation. Once again, I'm pretty sure the Member for Rimbey-Rocky Mountain House-Sundre will be able to talk much, much more about this.

The point is: what we have heard from the government almost from the moment they began to try to sell this project to the public was needless fearmongering. We even have the old articles from 2006 threatening that the lights were going to go out in Calgary by 2009 if these transmission lines didn't get built. Well, I was just in Calgary a couple of days ago. I'm pleased to report that the lights are still on in Calgary even though these transmission lines have not been built. It was ridiculous fearmongering, and I'm glad that we've had enough time and distance to see it for exactly what it was.

**8:30**

The danger that we have now if we do not go back and address these six projects that never should have been approved by cabinet in the first place, that need to have an independent needs assessment is the outrageous cost that this is going to impose on our industry. Using the conservative estimate of \$16 billion, this has the potential of seeing the transmission portion of everybody's electricity bill go up eightfold, which would mean we'd be looking at a doubling of our electricity bills. Now, I know that the Member for Rimbey-Rocky Mountain House-Sundre has numbers that suggest it's going to be much higher than that. Perhaps we might even see a threefold increase in our electricity bills.

Let's talk about what that means for businesses, businesses that are electricity intensive, and I've talked to many of them. If you have businesses who see a doubling or a tripling of their electricity bill, this could be the difference between them staying in business or going out of business. It could be the difference between them deciding to stay in this province or deciding to move to neighbouring British Columbia or Saskatchewan or going south of the border to the U.S. Or it could be the difference between them deciding to stay on the grid and pay their share of the transmission cost or go off the grid. If they go off the grid, those costs have to be spread around somewhere, and where they get spread around is to those of us who can't go off the grid.

So then you may end up seeing a greater impact on residential consumers. For our senior citizens, for whom electricity bills represent a significant share of their fixed income and for whom it's a real hardship during winter to pay the higher cost of electricity and gas, as a matter of fact, as well, you'll end up seeing those costs go up. And there's nothing that can be done about it after these projects have already been built.

We're trying to be the canary in the coal shaft here. We're trying to say, "Don't make this mistake," because we know that if

you make this mistake today, we're going to be paying for it five or 10 or 15 years from now. The people who are going to be paying the most and be hit the hardest are the small business owners and senior citizens and low-income folks who are not able to get off the grid.

I'll say a word about our landowners as well – of course, that's once again one of the reasons why there are 17 Wildrose MLAs on this side of the Chamber – because they really were the first line of attack against this terrible approach that the government has taken. It's not been just on this bill. Bill 19, the Land Assembly Project Area Act, was another bill that they were fighting against, and I would acknowledge that the government basically fixed that one, too. The Alberta Land Stewardship Act, Bill 36, is still a problem, and we will have to address that, hopefully in the course of business in the Chamber. Of course, Bill 24, the carbon capture and storage act, is still a problem as well.

Our landowners came out in droves. The Member for Rimbey-Rocky Mountain House-Sundre conducted probably about a hundred different forums across the province with hundreds of people coming out to hear what he had to say about these four bad bills. This was the reason why rural Alberta got galvanized, why they got behind the Wildrose. They knew that we would be able to press to change this legislation. We at least managed to get the first part of it changed. We're going to press to get the second part of it changed.

In closing, I would just say one thing to the government on what we actually need to be able to move past the controversy around this entire issue. What we need is to be open, and we need to be honest. Part of what I think the government is trying to do is they're trying to have it both ways. They're trying to pretend that they're creating a system for Albertans – for Alberta residential consumers, for Alberta business consumers – that is a closed system. If you were to look at this as a closed system, there is no possible way that we would need to build \$16 billion worth of transmission lines to be able to feed just the Alberta market.

If the government was going to be honest and say that the reason why we're doing this prebuild is actually a prebuild for export, which is what the Energy minister went down to Washington back in 2003 to talk about, and if this is a system that is going to be built for export, then let's have that conversation. But I can tell you what our landowners say here and I can tell you what our ratepayers say here: if this system is being built for the benefit of American consumers, then American consumers are the ones who can pay for the transmission lines, not us.

I look forward to having additional debate and discussion on this bill. As I mentioned, I am inclined to vote in favour of it, and I know our members are as well, but we will be seeking a couple of key amendments so that we can have this bill as a full fix rather than just half a fix.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. leader.

Before I recognize additional speakers, I'll just remind you that the next speakers from here on have 15 minutes each to speak, and Standing Order 29(2)(a) will apply.

I also notice that we have in the gallery a group of young people. I don't know if they're guests of anyone, but I would like to welcome them and their chaperones and invite them to enjoy our proceedings. We are having debate on second reading of a bill. Welcome.

With that, I'll note the next three speakers in order. I'll recognize the Member for Rimbey-Rocky Mountain House-Sundre, followed by the Member for Olds-Didsbury-Three Hills, and then the Member for Edmonton-Strathcona.



**Mr. Anglin:** Thank you, Mr. Speaker. Five years ago I sat up there at 3 o'clock in the morning when the Alberta Utilities Commission Act – at that time it was Bill 46 – was passed. I made a promise to some of the members at the bottom here that I would be down here one day arguing the same thing, and here I am. If this isn't corrected, I'll be over there arguing. With all the bluster aside, what I want to appeal to are the sensibilities of some of these members here across the floor. This is significant because, as the hon. minister said: a different time, a different need. And that's true.

What we are engaged in doing right now is actually building what's called a 10-year plan. That's what all this is premised on. We are members – you may not know this – of the Western Electricity Coordinating Council. That's a standards body that sets the electrical standards for 22 western states, two or three northern Mexican provinces, Alberta, and B.C. The Western Electricity Coordinating Council sets out the parameters for how planning is conducted, and what they label out there is that nobody has ever built a 10-year plan. There's a reason why no one has ever built a 10-year plan. The system is too dynamic. We've caught ourselves right now in a conundrum with this bill. What I would like to do is tell you exactly how this came out and how this came to be.

Alberta for some reason created a two-tier system. It's ironic because the minister of sustainable resources and environment is bringing a bill forward so that we can streamline regulation, and we have in the electrical industry this split regulation between the need and the location. We are one of the only jurisdictions that actually do that. Industry doesn't like it, and it doesn't work well for the landowners. I can attest to that. So why do we do it, and why wasn't it brought forward in this bill to correct that to be consistent with other bills that are being proposed? It's a valid question.

When we started this process, they held a needs hearing – and I will be tabling that needs identification document – back in 2003. The first line proposed was not brought forward by the AESO. It was brought forward by AltaLink in 2002. You can find it in their 2002 annual report. Mr. Duane Lyons proposed – it's written right out there – to AESO that they wanted to build a 500 kV AC line on the west side of Alberta.

That's when I got involved because what happened was they didn't follow their own protocol. I know landowners got blamed for holding up the process, but the reality is that the very first person who held up that process was the deputy minister of electricity. He held it up for three months. He wanted to testify, and that created a problem unto itself. You had the deputy minister of electricity testifying at a process where the board actually reported to the Minister of Energy for a transmission line. It was unconventional, to say the least, yet he did it.

8:40

Then he wrote a letter two years later saying how he was in favour of the line. I have a copy of that letter. The problem is that creates this conflict of interest. How does a board make a decision when somebody who has authority over them is actually testifying for a project? That's really an issue that started this whole process going south.

What happened is that the board held a hearing – and you should check the transcripts because it was quite odd – and the board chairman asked all the people at the hearing, "Should the board follow the regulations?" because the regulations were new at the time. Every lawyer, every one of them on both sides of the argument, stood up and said: "Yes. You have to follow the regulations. The law is the law is the law." It's quite interesting. When the board chairman wrote the decision, he said that some

people said we shouldn't go by the regulations, so he decided not to go by the regulations. Again, a very odd interpretation.

We appealed that decision as landowners. We appealed it based on the fact that they left us out of it. And the court agreed with us, that the AESO and the board knew roughly where that line was going to come, mainly because they drew right on a map inside the needs identification document. What happened there is quite simple. The court agreed with us. The court said: they knew where the line was going, and they had an obligation to tell you landowners that you had a right to be there.

What happened from that point was that it just got worse. It didn't get better. We could've just gone back and redone the process, heard the evidence, and made a decision, but we didn't do that. I don't know why we didn't do that. What happened is that they decided to hold a review and variance hearing for landowners only. What they said to us as landowners was: you can review the decision, but you're not allowed to review anything that was made with regard to the decision. Now, think about that. It was a review where we weren't allowed to review anything. That's where the trouble really started with the landowners.

They changed the rules in the process when we went to this process. First they said we were no longer allowed to make motions. It was at that hearing that the board counsel actually went outside of the board's jurisdiction to ask somebody outside of the jurisdiction of the board how they could deny us a motion. We made a motion to compel Alberta Environment to come to the hearing. The e-mail states – I tabled it today. You can read it. There's a copy of that e-mail. Is there any way we can get around it is what he wrote. We're dealing with the one line at this time.

Now, what was missing in all of this was that the government was saying, cabinet was saying, and other industry members – when I say that, I'm talking about AltaLink and AESO – that the lights were going to go out in Calgary. One problem with the wiring schematics with that is that nothing connected to Calgary. It didn't provide any electricity to Calgary. So we're seeing all this misinformation.

So there was a kerfuffle, if you want to call it. A 70-year-old lady, suffering from cancer, on her way to cancer treatment stops off at the hearing. She has two hip replacements. She takes a swing at a 30-year-old lawyer. Next thing you know, we have private investigators. They labelled us as terrorists at one time. It all went downhill. That was the tabling of the spying documents today. It just started getting crazier and crazier. It was as if nobody could grab hold of the process and say: "Stop for a minute. Let's take a look at this. Let's do this right."

Then, lo and behold, instead of going back and doing it right, they passed the Electric Statutes Amendment Act, 2009, which was Bill 50. They legislated not the one line. They legislated two HVDC lines, two high-voltage 500 kV AC lines going to Fort McMurray, the heartland line, and a substation that nobody knows what it's going to be used for. I'm sure somebody does. I've never seen a \$300 million project authorized without any idea of what's going to connect into it, what's going to connect out of it. It's absolutely staggering. That was what was legislated.

When I looked at what they legislated, it was shocking in the sense of the amount of money. Now, all the money that you hear of in the news from the reporters and any other documents doesn't mean a whole lot. You have to go right to the AESO documentation. They say that it's an estimated \$16.6 billion, but here's what's problematic about that. The first two projects that are ongoing right now have more than doubled in cost. As a matter of fact, all of AESO's projects more than double in cost. That you should take caution with.

How does this happen consistently? When you talk to the transmission line companies, whether it's ATCO or AltaLink, what they will tell you is that they don't care what AESO says for an estimate. When they get that hand-off of the job, they work up their own numbers – they really don't care what AESO estimates – and their estimates are always significantly higher. So we're looking at a \$16.6 billion proposal that is on its way to doubling.

What's not happening here, and it should happen, is – who has the most at stake? It is the industrial power consumers. It is our major industries that consume electricity. In our committee tonight I think that the person testifying for hydro said something to the effect that 60 per cent of the electricity is consumed by industry. That actually is a lowball number. It's more like 80 per cent, and they pay about 80 per cent of the bill. That's commercial plus industrial. That's significant. They are the consumers.

What they're telling us, what they've already told the PC caucus – they sent a letter to everybody in the PC caucus in the last government – is that this is going to make Alberta uncompetitive. They said that this is going to cause some industries to relocate, and they said that we are going to lose jobs. Nobody is listening to them. The industries that were in favour of the legislated lines – AltaLink, ATCO, TransCanada – are all going to benefit financially, yet they came out publicly and said that cabinet should not be making these decisions because it's wrong. Even though they were going to benefit financially, they saw the pitfalls with this happening.

I know there are some medical doctors across the aisle here. We would never want government to actually legislate the treatment for any type of disease or diagnosis. We'd want the doctors to make the diagnosis and evaluate what is the proper treatment. The same is true in electricity. We want the experts to make the diagnosis – what is the need? – and then make the determination of what the treatment will be; in other words, how to fulfill the need.

So here's one of our major problems. We have a bad policy. We have a couple of bad policies. The first bad policy is zero congestion. We've got this idea that we can build a congestion-free grid, and that's an impossibility. We can't do it. You can't build a congestion-free grid. You can try, but you'll never achieve it. It's a money pit. You're just going to keep throwing money at it. You'll never get there. That's a bad policy. It led to bad legislation.

In order to make this work, what we did is change the Electric Utilities Act, section 34(1). That's the needs. That says that AESO has to bring proof that the line is needed. It used to say that they had to bring proof that the line was needed when it was required, and that was the test. That was the legal test of the law: when it was required. That law was watered down, and they added three little words to it that said "or may be required." So we lost the teeth in that one section of the law.

The second piece of legislation that the government did away with was section 14(3) of the Hydro and Electric Energy Act. Section 14(3) of the Hydro and Electric Energy Act took that to the second stage. What it said was that the public is paying for this, so if the public is paying for it, it had to be value for the public today and value for the public in the future. This, I tell you, was a good section of law because what it gave us was balance. You couldn't underspend, but you couldn't overspend. You had to look at the project that was being proposed. You wanted to see value going out in the future, but it couldn't be so large that there was no value today. That's how the board decided whether or not to go forward with a transmission line. What we ended up doing is just repealing that retroactively all the way back to June 1, 2003, and we did that to get around what's happening now.

8:50

What we have now is that everything has changed. Since these lines were first legislated, things have changed significantly. The oil sands working group has now come out and said: we no longer want to export electricity. I won't even get into that argument with you. The whole idea of these lines in the first place was about export, but the reality is that they no longer want to export electricity. So why are we building these?

I know I was mocked the other day on my recommendation that we use HVDC. I think we should use any and every technology that is available and use it most efficiently. I am in favour of HVDC where it is available to use efficiently. I think the Premier should have a plane to do the business of the province. I just don't think she should have a 747 like Obama. She doesn't need it. HVDC has its uses, and what we have decided to do is misuse it.

I want to give you an example.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available for questions or comments to the hon. member. The hon. Member for Chestermere-Rocky View.

**Mr. McAllister:** Thank you, Mr. Speaker. Something tells me he's just getting warmed up. I'd love to hear a little bit more, hon. member, if you would tell us a little more.

**Mr. Anglin:** To continue on the misuse of HVDC, the whole idea of using HVDC, according to the current use that this government is applying, is to minimize the environmental impact. That's somewhat valid in some sense. HVDC technology uses a smaller amount of right-of-way than AC technology. One problem: HVDC technology costs a billion dollars more the way we're using it. So we're proposing a billion dollars more for the western line and a billion dollars more for the eastern line.

I just worked up the numbers, and they're quite staggering. If you look at the right-of-way required for an HVDC line, it's roughly 4,920 hectares. This is right from AESO's documents. An HVAC line is 6,340 hectares. If you do the math, that comes out to roughly \$300,000 per acre savings on what we're spending that billion dollars for, or \$46 million a quarter section. Now, think about that. That's a staggering amount of money, dealing with the \$1 billion, and we're going to do it in two places in the province.

What do we get for it? Are we moving any more electricity? No. Are we gaining anything as far as our flexibility? No. Generation is not a function of transmission. As a matter of fact, it's quite complicated, but it can be just the opposite. You place more generation; you need less transmission. We're not looking at it that way. We're building massive transmission lines to a coal centre location, and we are expecting to retire those coal plants.

Ironically, Mr. Speaker, the HVDC line for a couple of billion dollars over in the west corridor cannot work alone. We're going to spend roughly \$2 billion to \$3 billion to build a line that we cannot utilize. You'll find that on page 17 of that 10-year plan that we are working on. It states that the first line alone cannot be fully utilized without the second line being in service because it's too large a contingency. We're actually going to build a line that, if we try to energize it to any useful level, threatens to shut off the lights in the province. It is that poorly engineered. That is staggering. We're doubling down to balance the system. We're overbuilding.

Now, you across the room can sigh at me, but you can't out-debate me on this one. The fact of the matter is that electricity has to be balanced. It has to be balanced. If you strengthen one leg far too much, then in the other section of your grid you create that

imbalance, and you create contingencies. And that's what they did. If you take a look at the map, they overbuilt in one area so large, and they left the other area still weak. That's what causes problems. We are doubling down on what we're proposing to spend, and it's all unnecessary.

What we should be doing, Mr. Speaker, is looking at what's happening right now. The oil sands no longer wants to export. We are looking at potential hydro development. We are looking at a pipeline coming down from Fort McMurray to Redwater. That should be the corridor. Even industry agrees. The problem is that the lines are legislated on the other side of the province. We're spending money to build lines now where they don't belong, and we're not putting them where they do belong. Guess what? If we did come down from the north like that, then we should use HVDC technology going all the way up north. That's the correct place to utilize that.

We need to take a look at, again, the economics. What we have to do – by the way, AESO recommended it in 2011 to this government. AESO said that one of the options – it was alternative number one – was to start all over again with a needs assessment. That was one alternative they brought forward to this government. Now, this government didn't choose that alternative, but they should have because, again, we live in a dynamic world.

**The Deputy Speaker:** Thank you, hon. member.

Hon. members, just a reminder that the point of Standing Order 29(2)(a) is to maybe draw out something that wasn't clear in the member's comments, not necessarily to extend the debate for five minutes. I hope you'll work with me.

**Mr. McAllister:** I will happily rephrase next time, Mr. Speaker.

**The Deputy Speaker:** Thank you.

The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Rowe:** Thank you, Mr. Speaker. I don't know if I can beat that or not. Probably not.

It is my pleasure to rise here tonight to discuss Bill 8, the Electric Utilities Amendment Act. The overall purpose of the bill, to remove cabinet's power to deem transmission projects as critical transmission infrastructure and circumvent the formal process that includes a public needs assessment, is something that has been advocated for a long time by landowners, community activists, and the Wildrose alike. This is an issue that I heard a lot about prior to being elected to this Assembly.

After the PC government passed Bill 50 and approved the building of new transmission lines through my constituency, the people were furious, not just upset. They were furious. They felt betrayed by a bill that seemed to support large corporate donors and friends of the PC Party and not them. Mr. Speaker, my constituents are all aware that the reliable generation and transmission of electricity across our province is obviously critical to our future growth and prosperity. However, the powers within Bill 50 were still unnecessary. Supporting growth does not require trampling on the property rights of landowners, dogging taxpayers on their electricity bills, and building unnecessary, ugly, tower-sized transmission lines across Alberta's pristine landscape when there are much better and less intrusive alternatives.

Let us remember what Bill 50 did in 2009. The contentious piece of legislation authorized the construction of roughly \$16 billion of new transmission line projects across our province. It deemed these projects critical transmission infrastructure, thereby removing the need for an open, objective, and transparent needs assessment hearing before the Alberta Utilities Commission.

Why is that process so important? Simply put, in almost every democratic industrialized nation where ratepayers are required to pay directly for transmission on their electricity bills, there is before all other things the requirement of an objective, arm's-length needs assessment review – let me restate that: an objective, arm's-length needs assessment review – to conclude if the new transmission is even needed. If that project is needed, there is a process to also discover how much is necessary. This was the case in Alberta until the passage of Bill 50. Following Bill 50, the entire process could be circumvented following a decision made by the Premier and his or her cabinet. I spoke to Albertans who had land in their family's name for nearly a century that were forced to accept these big, ugly transmission lines cutting across their property because the PC cabinet declared them to be critical transmission infrastructure.

9:00

The entire process affected people throughout the province. Bill 50 has been a travesty for landowners, for ratepayers, seniors, and democracy in Alberta. That being said, Mr. Speaker, I'm happy with much of what is being proposed here in Bill 8. It is just too bad that it has taken \$16 billion in projects, an uprising from landowners across the province, and the PC caucus losing the majority of their rural southern seats for them to hear a message which should have been so clear.

Still, this bill does not do nearly enough to rescind the damage caused by Bill 50. First and foremost, the act does not go far enough as it does not require an independent review of the current critical transmission infrastructure projects by the AESO or the Alberta Utilities Commission. Unless the government reviews these projects, it seems clear that they used Bill 50 for everything they wanted and are now making a token gesture to landowners after the damage is done. Their inability to see that these current projects require a thorough review means that the government still sees no problem with what happened in Bill 50.

With that in mind, it would not be a surprise to see similar legislation in the future. This is a classic case of only admitting fault once the damage is done. Bill 8 is too little, it's too late, and only happened once \$16 billion in projects had been approved. Bringing in such a measure is a failure to demonstrate leadership and means that this government still does not respect the rights of landowners or their property.

We can still work together to make this better legislation. My colleagues in the Wildrose Official Opposition will be bringing forward amendments to this act, and I would encourage all members of this House to consider these sincerely. Mr. Speaker, I would like to add that the Wildrose Official Opposition will continue to fight for landowners across this province. Over the next four years property rights will be an issue that the government, try as they might, will not be able to ignore. We will continue to advocate for the repealing of bills 19, 24, 36, and 50. These bills are symbolic of the government's disrespect for property rights, and the Wildrose will not stop fighting for these rights until they're all repealed.

We will also fight to ensure that no private property shall be taken for public use without full, fair, and timely compensation. We will also work to enshrine property rights in the current Alberta Bill of Rights. Finally, we will also continue to try and start a national initiative to include property rights in the Canadian Charter of Rights and Freedoms. We are aware that these things cannot be accomplished quickly or easily, but in this caucus we all respect the idea that property rights are something worth fighting for, and it is something we will continue to do for the next four years in this Assembly.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

In the spirit of my most recent reminder, Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the next speaker, the hon. Member for Edmonton-Strathcona, followed by Calgary-Buffalo.

**Ms Notley:** Thank you, Mr. Speaker. It's a pleasure to rise to speak to Bill 8 today in second reading. It's interesting in comparison to the previous bill, that we were just discussing, in that we had some rather entertaining debate and disagreement between the NDP caucus and the Wildrose caucus, but in this particular issue I think that we are actually very much in agreement both in terms of the value of this bill, which is partial, and how it could be changed and improved – I think we agree on that – and also in terms of the history around Bill 50, which this Bill 8 now attempts to undo and correct. It's interesting. We may not agree with them that corporate taxes should be dropped or eliminated, but we do agree with them that Bill 50 should be repealed, and I think we can agree in many respects on the reasons for that as well.

When Bill 50 was first introduced, in fact, the Member for Edmonton-Highlands-Norwood rose almost immediately to question the government on this decision and on the apparent decision of the government to simply crystallize in legislation what is, in fact, the result of now 41 years of the same government. Really, at its heart what the original legislation represented was an exceptionally high-handed, unilateral, arrogant decision on the part of the government to sweep away their obligations to follow not only the law but also to consult regularly and transparently with the citizens of the province on major, major infrastructure decisions as well as the placement of same.

That's the kind of thing that a government that's 40 years old just kind of does on the fly. Just off the cuff they'll pass a piece of legislation, saying: you know, it's kind of inconvenient to talk to people, so we're just going to give ourselves the ability to have a meeting behind the cabinet doors and make the decision really quickly. That's what Bill 50 was, so it's very important that that change.

You know, it's interesting when you look at the history around Bill 50. The original proposed costs of what Bill 50 would be sort of slowly increased over time as more and more information came out. Originally the government suggested that it would be about, I think, half of what ultimately people are projecting the cost will be now, then tried to respond to the outcry of Albertans across the province over the summer of 2009. They then came into the House in the fall of 2009 armed with what they thought was a series of amendments that would make Albertans happy.

Of course, as is the case with so many of the initiatives that this government brings in, Mr. Speaker, it was a set of amendments designed to appear to respond to people's concerns, not one that actually responded to people's concerns. They had a whole series of amendments, one of which was in terms of the whole issue around the internal, behind-closed-doors authority of the government to designate a power line as critical infrastructure. They suggested, "Well, you know, we'll let the AUC kind of talk to the public about the placement of this line that we have already decided is critical infrastructure," and they thought that Albertans would be happy with that.

Really, it's a testament to Albertans that I think they saw through it very, very quickly and understood that what it was was a package of amendments geared to distract Albertans and convince them that they'd been heard when, in fact, they hadn't really been. It's a pattern that's been repeated by this government on a number of occasions on a number of different issues.

They brought in their five amendments. No one really bought it. Bill 50 passed notwithstanding tremendous outcry from people throughout the province. Then we got a new Premier. Then they announced that they would do a review of the transmission lines because they understood that people were still pretty angry, and they were looking pretty vulnerable in a lot of rural areas.

They did a review and tried to look, again, like they were listening to Albertans, but once again it wasn't really a public review. Moreover, although that review ultimately recommended the amendment that we're seeing today, it also reinforced the decision that had been made repeatedly by cabinet behind closed doors to designate certain transmission lines as critical infrastructure and to remove it from the rigorous purview and consideration that would otherwise happen if it was subject to the process that was in place before this government decided that it just didn't have enough power after 40 years and that it needed more.

We saw that committee, and that brings us to where we are today. It's interesting, you know, if you go back. I was just taking the opportunity to listen in part to a number of the many good public policy points that were made by previous speakers around the future of our electrical transmission system and some of the strategies that should be considered in an independent and transparent way, where we get the best advice from the best people.

While I was listening to that, I was also sort of reviewing some of the media reports that came out around November 2009, and it really was quite compelling, Mr. Speaker, you know, the range of people that were opposed to this. We had the U of C's School of Public Policy suggesting that the lines that were proposed are economically inefficient and unwarranted and that, in fact, there is a benefit to the regulatory process and that there are serious doubts about the stated reliability and supply adequacy indicating that there's a need for an emergency response, like that being relied upon by the government, to take so much power to themselves and take it away from the citizens of this province, including landowners.

**9:10**

Then we, of course, saw comments from – I'm just looking at some of the other ones here – the Utilities Consumer Advocate, pointing out that "much of the data and logic presented by the AESO is unconvincing and overstates the sense of urgency" and that, effectively, "demand has dropped off considerably since the AESO published its forecasts." It was interesting because subsequently the government suggested: "Well, I guess we'll go back and look at it because things have changed since 2009. You know, the economy has changed from when we first brought this forward in 2009."

Of course, by the time this government rammed this through in November of 2009, the economy had changed, and the drop in demand should have already been clear to members of the government as they were pressing through with this bill over the united opposition of all the opposition parties in this Legislature at that time. It's always great when the government ultimately concludes that it did something wrong and it tries to change things, but of course, as has already been pointed out, it's only really a half measure at this point because they are retaining the decisions that have already been made, and they still refuse to open those decisions up for further review.

It seems to me that it would in fact be possible to do that. At least two of them, anyway, are still awaiting consideration by the AUC and, I think, perhaps even three – I don't have my notes exactly in front of me – and it's certainly possible for this

legislation to amend the criteria that would be considered by the AUC in the forthcoming hearings, that are currently very limited in scope with respect to the lines that were designated by cabinet as critical infrastructure. The government could undo the arrogant, behind-closed-doors policy-making decisions that governed and dictated how they conducted themselves six months ago. They could undo that with this bill if they really wanted to and subject a good portion of their remaining decision-making to the very process from which they tried to remove it through Bill 50. I think it's important.

Again, in the last election this issue was an extremely hot topic, and previous speakers have spoken about it. In the last election the Alberta NDP did commit to making the Alberta Utilities Commission independent from industry and to add to the AUC's mandate – here's a neat one – the mandate to protect consumers and to ensure that the system is operating for the public good and to actually write that into the AUC's mandate.

We also proposed a system for beginning to regulate electricity rates so that we could have stable prices that are as low as possible. Then, of course, we proposed reversing the decision made by this government many years ago where consumers pay the full cost of transmission lines. Then, finally, in our election platform we recommended that Bill 50 be repealed.

It's being done prospectively, but it is not being done retroactively. Since a good deal of that which is not covered by this amendment to the act stands to be the primary form of activity in this area for the next decade or more, I think the government needs to go back to the drawing board and find a way to let Albertans in, finally, on the decision-making process and the planning process for our electricity system genuinely as opposed to in the fashion that they've been doing up to now, which is to do it in name only.

As I say, in short, we are pleased that this bill is coming forward. We believe that it needs to go farther. We will either be introducing our own amendments to make it go farther and/or supporting the amendments of other opposition members to make the bill go farther. We think it is the beginning of an end to a long book filled with many chapters that primarily highlight government arrogance and a failure to consult with the majority of the key people who should have been consulted and the most important people who should have been consulted, which are Albertans.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Are there any comments or questions of the member under 29(2)(a)?

Seeing none, I'll recognize the Member for Calgary-Buffalo.

**Mr. Hehr:** Thank you, Mr. Speaker. It's a pleasure to speak on Bill 8, the Electric Utilities Amendment Act, 2012. I think the speakers so far have done a good job of going over the history, some of the difficulties that the Albertan people have faced in light of the lack of openness and transparency, and some of the questions that still linger out there as a result of the significant changes to legislation that did not allow for public discussion or allow for independent review of some electricity projects that have a significant impact on Alberta's future. This government appears still willing to roll the dice on whether some of the information they collected in 2001 is still pertinent to this day and age and what is actually happening out there not only in regard to some of the changes on coal-fired legislation but also pricing of natural gas and the like. I'll touch on that later on.

Like it was mentioned, I believe the NDP was against Bill 50, the Wildrose was against Bill 50 when it came in, and in fact the Alberta Liberals were also against Bill 50, not necessarily because of anything special, but we recognized the fact that when we saw government trying to do things behind closed doors, this is not a good thing. Often sunlight is the best disinfectant, and people have a right to know what is going on with their government, what is going on with their power distribution centre, what decisions are being made.

I believe this government really, I hope, has learned a lesson from this, frankly. It was a bad piece of legislation that gave the cabinet the power to designate certain power lines and stations as critical. The meaning of that was that the Alberta Utilities Commission's regular process, which was to determine both whether the lines were needed and whether they were in the right place, was actually valid. It was, obviously, the most controversial bill of the last session, and I think overwhelmingly it's taken a lot of confidence out of what Albertans see from an electricity standpoint.

Even for me as a recovering lawyer, not an expert person when it comes to putting together a transmission grid, I think because of that process I tend to question whether this line is necessary or not. I've read some reports from the Conference Board of Canada that say that this maybe is a good thing. I read other reports that say that it may not be. Really, that's why we have a body like the AUC: to sit down, to hear all the sides, to hear the opinions, and to make a decision with those experts in the room as to whether or not this is going to serve the interests of the Albertan public. Because of this Bill 50 and despite the mea culpa here in front of us, despite the fact that we'll in the future be able to see these decisions on transmission being decided by the AUC, this was not available in the past designation of the critical transmission lines.

Really, we're at a point where the Albertan people still don't know. I still don't know. The case hasn't been made to me. That, to me, is unfortunate for the Legislature, but I think it is more unfortunate to the Albertan people and, in fact, gives me very little confidence that the government has this right. I think they may be gambling on this. They may be basing their decision on past information and the like.

**9:20**

I listened with great interest to the Member for Rimbey-Rocky Mountain House-Sundre when he said that this transmission line was designed at a time when coal was really cheap and natural gas was really expensive. They said, "Oh my goodness; we're going to need a transmission line that actually allows for reasonably cheap power given the fact of this, that, and the other thing to supply power to the Albertan people," which really is a noble cause of any government, to try to ensure reasonable power prices are had.

Nevertheless, these decisions were made early on, and things have changed. You know, natural gas: \$2, \$3. How long is that going to stay down? I'm not sure. The difficult thing is that we can't predict the future, either the price of coal or the price of natural gas, so I understand there have to be reasonable decisions about what is necessary in a transmission line, okay? Designing a system for one fuel source or another fuel source shouldn't be the goal. It should be designing a system that's able to adapt, that is strong enough to be able to accept all forms of energy whether that be, for at least the short term anyway, 45 years of coal, to be able to adapt more to wind and solar, to be able to adapt power dam electrical generation like we're discussing in our committees: all of these things.

I am not certain that this current infrastructure program as it is designed for these things because of the fact that we didn't get to go through the hearings. I believe that information would have been more clear to me and would allow me to make a more appropriate judgment on the need or the lack of the need for this very expensive and, it appears, growing ever-more-expensive-by-the-day project. I believe it was stated here that originally it was supposed to cost \$8 billion. It's now \$16 billion. Who knows what it's going to be by the end? That troubles me, that I don't have all that information as a legislator in this building today.

Needless to say, if we go back to some of the decisions that were made along the way, it was unfortunate, the hiring of private investigators to derail the 2007 hearings. Clearly, a lot of the decisions stemmed from that. The government saw that it was going to be a difficult process, you know, and who needs a difficult process? I guess that's what the government is saying. Let's just do this another way. That's a difficult thing in democracy. Democracy isn't supposed to be easy. You're supposed to win the debate. You're supposed to challenge assumptions. You're supposed to let people have their say. That wasn't happening.

Going even further back, it was an unfortunate decision, I believe in 1997, when the rules were changed, saying that the Albertan end-user would pay for these transmission lines, a decision that I feel was wrong then, is wrong now, was a sellout to wealthy business interests in this province to the detriment of the average Joe and Jane Albertan. It may not necessarily lead to the building of the right kind of transmission line that deals with the real economic impact, that deals with the real need, and doesn't just build it for the sake of building it because the powers that be of the day say as such.

Although I'm probably going to vote for this bill, I can say that this entire process has been less than stellar. In fact, it's been downright shoddy. It hasn't left me with the confidence that we've got it right. I think a lot of the suggestions that were brought up here – in fact, even the AESO, I believe it was who mentioned it, said in 2011 that we should go back and redo all of these assessments, see if we got it right. That would be something. Let's look at it with the experts, having an eye to what is, in fact, right, what is needed, what is our current energy mix. What is the fact that we're going to be closing coal plants in 45 years going to do to what we need out of an electricity system? If we don't do that, I feel that we're at least moving ahead without the information necessary to make a reasonable decision, okay?

Nevertheless, those are my comments on this bill. I'll probably add some more later on in the debate. Thank you very much for allowing me the opportunity.

**The Deputy Speaker:** Thank you, hon. member.

Are there any questions or comments to the member under 29(2)(a)?

Seeing none, I'll recognize the next speaker, the hon. Member for Drumheller-Stettler.

**Mr. Strankman:** Thank you, Mr. Speaker. As a neophyte politician I am tempted, with the hour and with my backside, to say one word, "ditto," to our Wildrose caucus.

Mr. Speaker, during the debacle of the Brooks meat packing plant and the Lakeside-XL fiasco, I used the comment that there is no door handle on my farm that's not affected by the price of beef. I also would like to say that there's no door handle on my farm or my operation and that of many other agricultural operators that is not affected by the price of electricity.

The price of electricity – and I guess I could leave out the producers that are irrigating or could have irrigated from the Berry Creek reservoir, which has lost all its water; that's not going to be an issue for those producers next summer – for many others who use irrigation water for pumping and for livestock use is very important to them, and it's important to their farm and agricultural operations going forward.

The tenuous promotion and bringing forward of Bill 50 in this province was innocuous, to say the least. It was improper. It was bordering on immoral. But as a result of that, I've gained 16 very good and close personal friends, or I'd like to believe them to be, in our Wildrose caucus.

Bill 8 represents a major backtrack on the needs assessment, Mr. Speaker, but the dirty work has already been done. The four major power lines would appear, to me at least, to go ahead. I believe that we need to make some amendments to Bill 8. With that, I'd like to cease and desist here and potentially recover any questions from the other people here.

**The Deputy Speaker:** Thank you, hon. member.

Again, Standing Order 29(2)(a) offers the opportunity for comments or questions of the member.

Seeing none, I'll recognize the Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Speaker. Bill 8, the Electric Utilities Amendment Act, 2012, is an amending bill. It amends the Electric Utilities Act but actually reverses the provisions of Bill 50, the Electric Statutes Amendment Act, 2009, by removing contentious provisions that allowed the cabinet to designate certain new power lines, transmission lines, as critical infrastructure, bypassing the normal regulatory process of public and technical needs-based hearings. It's a short bill, only three clauses long, and it contains amendments that the government announced it intended to make back in the spring of 2012. This bill will reverse the most contentious provisions of Bill 50, both due to strong public pressure and as a response to the Critical Transmission Review Committee report of February 2012.

The four projects formerly designated as critical, including the heartland transmission line from Edmonton to the site of proposed oil bitumen upgraders to the northeast, transmission lines from Edmonton to Fort McMurray, and, the most controversial, adding lines between Edmonton and Calgary, will go ahead as planned. Only the new projects will be affected by this legislation. We are trying to correct something here, but this bill is not going all the way.

Opposition to Bill 50 was generally centred around landowners who did not want lines on or near their land between Edmonton and Calgary and people in Sherwood Park who opposed the heartland line as it runs in the utility corridor between Edmonton and Sherwood Park, right beside homes and schools. Transmission is paid for 100 per cent by regular Albertans, as electricity consumers, on their power bills. Some estimates have said that many further lines were too expensive; some are to be built as high-voltage direct current, which is more expensive but has less of an impact on landowners, unnecessarily; and some are worried that they would eventually be used to export electricity.

9:30

As we heard from the Member for Rimbey-Rocky Mountain House-Sundre, the cost, as he was saying, is \$16.6 billion, and it may be doubled. You know, we don't know what we're up against here. If that's true, then I think we will all be having – I don't know. Maybe we will go back to kerosene gas lamps or something because we won't be able to afford electricity. I don't know what

we will do to heat our homes and to cook. I hope that natural gas is still cheaper by the time we build these lines at a \$32 billion cost.

You know, this is unnecessary, and we are worried that these lines would eventually be used to export electricity, meaning that Albertans would pay for the lines on their power bills, and then the private companies would profit by selling electricity to the States.

Finally, there was opposition to the effect that while transmission is private, the province is divided into zones where private companies have regular monopolies such as ATCO and the eastern transmission lines. These companies were not acting in landowners' best interests, and I don't think they were working in Albertans' best interests, Mr. Speaker.

As the need for new transmission lines has been in the works for 13 years, the process got bogged down with a lawsuit brought by landowners in 2006 saying that the regulatory process was unfairly biased against them in favour of the companies building the lines. There was also the spying scandal where the regulator, the EUB at the time, was caught improperly spying on landowners at hearings, et cetera. The regulator was overhauled, and the process was started again.

Finally, the government passed Bill 50 to give cabinet the power to basically give approval for certain lines so that they could be built quickly and without lengthy regulatory reviews holding them up. The bill was passed, you know, with strong opposition from the opposition parties on this side of the House.

As Alberta Liberals we opposed Bill 50 basically because having cabinet decide where and which power lines are built is a bad process. We came up with an electricity policy of our own, one that dealt with actual problems in the system and that could stop Albertans from having the highest electricity prices in the country. Our leader called for Bill 50's repeal when he was elected. The critic from Calgary-Buffalo said that Bill 50 was usurping the voice of the people. We understood that the new transmission was a necessity but knew that Bill 50 was a very bad process for deciding on where and when to build. Good government policy is objective policy, and objective decisions are best made by an independent body like the AUC, both on need and location. We have always followed a good, objective process to make hard decisions.

We are glad that the government is trying to correct its mistake of passing Bill 50 with this bill. I think, you know, we didn't need to go through all that hassle and all the hearings and all that in order to come back to square one again with this bill. I think the government from the beginning should have heard what Albertans wanted. They should have heard the opposition parties on this side of the House. They could have corrected this a long time ago.

Now the government is selling this as an example of them listening to the people and responding to their concerns about Bill 50 as well as responding to the recommendations of the CTCRC's report. You know, we strongly opposed Bill 50 because it made a mockery of the process for determining the need and placement of power lines, and these decisions should have been made objectively and publicly by the AUC and not as a critical decision by cabinet. This bill is partially correcting that problem.

We have opposed the deregulation of electricity as it now stands, and the fiasco over whether or not power lines should be built is another example of this government's utter mismanagement of this process. Albertans deserve better, Mr. Speaker. What will happen when the lights go out? It's because the government keeps changing the rules of the game when it comes to where the power lines will go. Albertans' power bills are already among the

highest in the country, and decisions regarding power lines will have a large effect on our power bills.

Furthermore, industrial customers are the biggest power users in Alberta, and whether or not they can get cheap electricity will be a big factor in whether or not they stay in Alberta or expand their operations. So this is going to have a big impact on our economy, Mr. Speaker. It may cost us jobs and businesses. Who knows what the end result will be?

It's good the government is trying to reverse their mistake. What are they trying to correct now? Even larger mistakes in deregulation and giving Albertans a reliable, cost-effective electrical system, Mr. Speaker? I'm a little bit concerned about those four projects which are already designated critical projects. If they go ahead, what will happen with the costs? How will we pay? How much will we pay?

With those comments, Mr. Speaker, I will think about this bill, whether I'm going to support it. You know, we will see what kind of amendments come in and take it from there.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Any comments or questions for the member under 29(2)(a)?

Seeing none, I'll recognize the Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Mr. Speaker, thank you for the opportunity to rise and speak on Bill 8, the Electric Utilities Amendment Act, 2012. I speak here today with the help and advice of a local constituent of mine who was one of the many Albertans outraged by what this government tried to force through with Bill 50. His advice has been very important to me, and with his help I am glad to share some of his and my thoughts on Bill 8 with this Assembly.

What Bill 8 does is that it repeals a section of Bill 50 that allowed cabinet to deem any electrical transmission critical transmission infrastructure and to bypass the required needs assessment from the Alberta Utilities Commission. The needs assessment by the regulator, the AUC, ensured that actual technical experts made the decision on whether a project should go ahead based on actual need and not on the whims of a politician sitting around the Premier's cabinet table. Bill 8 is an admission that the government has recognized the fact that just because you are appointed to the Premier's cabinet does not mean that you have the technical expertise to grant approval of a line based on need. This is a major admission and is definitely a step in the right direction.

However, the government has not acknowledged that, in fact, the lines they approved under Bill 50 were a mistake and were approved under a process that they now acknowledge was insufficient. It is completely inconceivable that the Bill 50 lines, approved under a flawed concept, should now be in any way considered proper or prudent. Why would a government stand before this Assembly to repeal legislation they know is flawed but continue to support billions of dollars in transmission lines that were approved through the very same flawed legislation?

None of these lines have been completed. In fact, most have not progressed to actual construction. It is not too late to do the right thing and let the AUC conduct their assessment of those existing lines. The Wildrose Official Opposition calls on this government, if they're serious about what they have done in Bill 8, to put our existing power line projects under the same regulations and scrutiny as future ones should be. There can be no real argument against delaying these lines until a needs assessment can be conducted under the new provisions of Bill 8.

9:40

When the government has already admitted Bill 50 was a flawed process, it is absolutely necessary that we follow this corrective procedure on the lines that were wrongly approved under Bill 50. Why not follow the corrected process on these lines before we spend billions of dollars on infrastructure that may not even be needed? Better to err on the side of caution than to burden our citizens for generations with a system that is not necessary. This same system will put onerous costs onto the backs of Albertans.

If this government really believes these lines under Bill 50 are necessary, then allow them to follow the process the government now acknowledges is necessary in Bill 8. It would be a complete tragedy if we infringed on landowners' rights and destroyed Alberta industry and businesses with uncompetitive power rates due to power lines that couldn't pass an act the government now deems necessary.

Mr. Speaker, we would be remiss if we did not take a minute to talk about hard-working families, our most vulnerable, seniors, and how Bill 50 directly affects them. As someone who is passionate about her seniors and someone who is personally responsible for aging parents, I've seen first-hand the difficult choices that are already having to be made. Our seniors, who built this country, often live on fixed incomes, and they are paying for this government's mismanagement of power lines. Seniors across this great province are being forced to decide between what they buy for groceries and paying their power bill.

One only has to use common sense to understand that if seniors are already having difficulty living off of their fixed incomes and accommodating the increased power costs, that if power bills do double, the vulnerable Albertans will be forced to make very difficult decisions that will be detrimental to their quality of life. At what stage does this government realize that we need to respect Albertans and those who built this province and ensure that legislation that is passed in this great House does not detrimentally affect those who have put us here?

Mr. Speaker, I applaud this government for bringing Bill 8 forward to correct their mistakes of the past. I encourage them to halt construction on the Bill 50 lines until a needs assessment can be conducted by the AUC. Let's not continue to go down the wrong road by constructing these lines until we can let the technical experts find out if we actually need them. Let's not let Albertans down any longer. Let's ensure that if these lines cannot pass a needs assessment test by the AUC that Alberta's seniors and families do not have to pay the \$16-billion-and-rising price tag for them. It's not too late to do the right thing and repeal Bill 50.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Comments or questions for the member under 29(2)(a)?

Seeing none, I'll recognize the Member for Strathmore-Brooks, followed by Calgary-Shaw.

**Mr. Hale:** Thank you, Mr. Speaker, for the opportunity to rise and speak on Bill 8, the Electric Utilities Amendment Act, 2012. I'd like to echo some of the concerns of my colleagues and constituents who have been outraged by what the government tried to force through in Bill 50. Bill 8 finally recognizes the error made in section 41 of Bill 50, that allowed the minister and cabinet to upgrade any electrical transmission to critical transmission infrastructure and undermine the required needs assessment from the Alberta Utilities Commission.

Mr. Speaker, this is something that the Wildrose has been advocating for years. This is truly a sign of how instrumental a

grassroots movement can be in changing an out-of-touch legislation. Wildrose has been advocating against this piece of legislation since 2009. Well, three years later here we are.

Mr. Speaker, I would like to note that I have had numerous conversations with constituents, family, friends, and Albertans, and the truth is that no one I talked to has ever advocated for a law which circumvents due process and places matters in the hands of the government cabinet. This is why I campaigned and ran for office: to advocate against bills which infringe on people's property and to address issues to deal with the democratic deficit. This is an issue of democratic deficit for the secretive, selective, and discretionary nature of how this government conveniently picks and chooses what they deem critical.

The government already has a body, the Alberta Utilities Commission, which was given the mandate to regulate the utilities sector, natural gas and electricity markets, to protect the social, economic, and environmental interests of Alberta. Given that they have Alberta's needs in mind, they would be more capable to deem what is critical as opposed to cabinet, who can swoop in and cherry-pick any company to get a piece of the \$16 billion. This doesn't seem fair. It doesn't seem right. Quite frankly, I'm glad they heard Albertans and have decided to repeal this portion of the bill.

But, Mr. Speaker, it doesn't end there. This amendment has not gone far enough to ensure that the people, in particular landowners, are protected from the government. I have heard some stories of how various government boards have come in and taken away rights of landowners, and I would like to share one of them with you right now to raise a point as to how serious this issue is and how this is still not enough to ensure our landowners' rights are protected.

In the Strathmore-Brooks riding a landowner was approached by a power transmission company who received approval from AUC which was deemed critical by cabinet. Despite a valiant and well-fought effort on the part of my constituent the government was able to force their way onto his land with police assistance and install the power lines, which subsequently has put barriers on his irrigation land and, thus, decreased the value of his property.

Mr. Speaker, the model of peace, order, and good governance seems to be a thing of the past. Now Albertans are left with a government riddled with a culture of entitlement. It's a sad day when the government of Alberta is forcefully removing hard-working Albertans from their own land. Unfortunately, this amendment will not address those who have been negatively impacted by Bill 50.

Mr. Speaker, I'll begin to wrap up by echoing the plea made by the Leader of the Official Opposition and my other colleagues to halt the power lines assigned under Bill 50 and wait for the critical needs assessment to go through. While it is commendable to see a government take steps to correct their wrongdoings, they need to be cognizant and address retroactively any problems this may have caused. If these lines pass standards set by the AUC, I say go, but until that time we need to ensure that we as parliamentarians are basing our decisions on facts and logic.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Any comments or questions to the member under 29(2)(a)?

Seeing none, the Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Speaker. As always, it is a pleasure to rise and stand in this House. Tonight we are debating Bill 8, the Electric Utilities Amendment Act, 2012.



Now, the repealing of Bill 50 is a clear victory for all Albertans, not just those of us on this side of the House who have been advocating for it for years. It's good to see that the government has taken another page from the Wildrose green book. No, we're not just simply trying to take credit for it; it's the right thing to do.

This was clearly an abuse of power by the cabinet of the day. Nothing good was going to come from removing the need for an independent assessment, and they should have realized that. This was going to set them on a path for failure, and it really, truly did, and it's culminating here today in the acceptance of that failure. Likewise, nothing good will come from forging ahead with the results of what is now being deemed as an abject failure. Giving cabinet the absolute power to circumvent that formal process is ludicrous.

Those lines were assessed based on a 2003 assessment. Well, let's look at what's changed in our world since 2003. You'll recall the SARS outbreak, perhaps the fact that the *Concorde* enjoyed its last flight, or, maybe more apt, that Americans still believed that Saddam Hussein was in possession of weapons of mass destruction. Clearly, we've come a little way from there, and I think it's time to accept that within what we've done with Bill 50 or what was done by cabinet at that time with Bill 50.

The cost of natural gas is another factor that was here. It's been discussed earlier tonight. It's a cleaner resource. It's less expensive than it was, far cleaner and more green than coal, and it should be the direction that we look to go in because based on the fracking abilities that we have now, we are going to have ample resources for it. We don't have to build massive transmission lines to use it. It just makes sense.

Now, proponents of this transmission project will suggest that it is merely transmission charges that are going to increase on our power bills, and they are correct in suggesting that. But what is that impact going to mean for people? It's going to be different for those of us in the city of Calgary under Enmax versus someone who lives in a rural environment, where their transmission charges are much higher. I ask you, especially those of you who represent rural ridings: are you ready to go back to your constituents and tell them that you had a chance to fix this but you chose not to?

Enmax in Calgary is also building the Shepard plant, which is going to be online in 2015, Mr. Speaker. That is going to generate 800 megawatts of electricity, and it's going to be enough to power half of that city. We're not going to benefit in Calgary from these transmission lines, just like the majority of Albertans are not going to benefit from them. Even though our population is growing, our electrical consumption is not. Now, that's a fact that I would suggest everybody take a good look at because it's counter-intuitive. It absolutely is. The reality is that if you reach out to various stakeholders – and I strongly suggest that every member do just that – they will tell you, based on reduced load from energy efficient appliances, LED lighting, that the reality is that consumption is not growing even though our population is.

9:50

Now, this situation really is not much different than a petulant child making a mistake yet stubbornly insisting that they follow through just to merely make a point that they can. This bill is recognition of a mistake and ensuring that it doesn't happen again, which we can all agree on, but it will be a failure if it allows the by-product of the mistake to continue.

This decision will leave a legacy. In 10 to 15 years from now this will be looked at, and it will be judged a failure. Now, we are all going to be judged by that decision, and I hope that each and every one of you is ready for that.

There's a quote that I heard once that I'm just going to share with you because it stuck with me for reasons that are probably going to become clear after you hear it. It goes: growing up, I was always taught that the only thing worse than making a mistake was not admitting the fact that you did; I made a mistake on these issues, and now I'm fixing them. The quote goes on to say: I think one of the things I've learned since last year is that Albertans want leadership, that they want honest leadership, and they want people to be straightforward and direct, and that's how I'm going to be.

I think it's only fair that if that policy is going to guide this government in some areas, it guide them in all. I would hope that our Premier and her entire caucus would agree that just as it's unfair to place the burden of others' mistakes on a select few, it is equally unjust to ask others to pay for those mistakes as well.

We are asking for future generations to pay for the mistakes of Bill 50. Again, I ask you and implore you to please educate yourself. The Member for Rimbey-Rocky Mountain House-Sundre would like nothing more than to have your time and to try and explain this to you if you can have him do that. I know that it's a heavy issue, but believe me when I say that it is important. Just taking the government's talking points and passing this without actually going back and looking at what Bill 50 created is a mistake. I implore you, please, within your caucus to ask for free votes on the amendments, to educate yourselves, and do the right thing.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Any comments or questions of the member under 29(2)(a)? The hon. Member for Calgary-Glenmore.

**Ms L. Johnson:** Thank you, Mr. Speaker. I would like to ask a question of the previous speaker in terms of electricity demand in Alberta. I have in front of me the AESO report, which speaks about our GDP growing 295 per cent over the last 20 years. Over \$200 billion – that's a “b” – worth of major capital projects are being planned in Alberta over the next few years, our economy is continuing to expand at 2.5 per cent, and our population growth by the year 2032 is expected to be 5.1 million individuals, wonderful Albertans to be represented in this Legislature. I'd like to understand how my hon. colleague expects that electricity demand is going to decrease in the upcoming future.

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

**Mr. Wilson:** Well, thank you, Mr. Speaker, and thank you to the hon. Member for Calgary-Glenmore for sharing these concerns. As I said when I spoke, it is counterintuitive. I spoke with someone at Enmax just today. There are suggestions, and we have documentation that our hon. Member for Rimbey-Rocky Mountain House-Sundre has shown that I'd be more than happy to table. That is what I'm basing this information on, and I'd be more than happy to do that.

**The Deputy Speaker:** Are there others?

Then I'll recognize the Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Mr. Speaker. It is a pleasure for me to stand to speak to Bill 8, the Electric Utilities Amendment Act, 2012. This bill is one that affects every single Albertan, farmer, business, industry, and manufacturer in the province of Alberta. It is notable that Bill 8 is a reversal of policy over Bill 50, but this bill does not cancel the lines that were approved by cabinet under Bill 50. Bill 8 will allow the AUC to review and approve projects going forward but not those that were approved under Bill 50.

Why is that? It is notable that the Industrial Power Consumers Association of Alberta and the Alberta Direct Connect Consumer Association, who represent Alberta's largest energy consumers, both opposed Bill 50. Why is that?

Well, Mr. Speaker, we know Alberta is Canada's economic engine, but we cannot be that economic engine without electricity. What we also know is that in being Canada's economic engine, we cannot do it without affordable electricity. Going back to the question I asked earlier, "Why is that?" it was cost. It is recognized by some that Bill 50 lines are a massive overbuild to the cost of some \$16 billion. Who is it that will pay this cost?

As I said earlier this evening in another speech and as my old Uncle Gerry, whom I spent a lot of time with, has always said: it is always the consumer who pays. These unneeded electrical lines will cost Albertans needlessly, Mr. Speaker. A twofold, threefold, or even a quadruple increase in electrical bills will cost Albertans dearly. As a result of these increases to residential, commercial, and industrial users, it will force businesses with large costs to move out of the province or go off grid. Why? Seeking more affordable electricity. What happens as the pool of ratepayers decreases? The cost to those who cannot move or go off grid will go up yet again. That means you and me, my friends, all Albertans. I would rather see the Alberta economy continue to be Canada's economic engine, purring along rather than coughing and sputtering under the burden of expensive electricity.

Now, I'm curious why we continue down the path of building these unneeded lines. From what I understand, when we ask AESO why we need the lines, the answer is: because it's legislated. When we ask the government the same question, the answer we get is: because AESO says that we need them. This just seems like we're stuck in a continuous and vicious loop.

What are the technical reasons behind these projects? Why do they hold such special status? What makes them so special considering that before Bill 50 the province was able to build critical infrastructure, transmission infrastructure, without the special order of cabinet?

While I support the changes – and I do support the changes – that are contained in Bill 8, we need to go back and allow the AUC to do the job we're now asking them to do. We need them to review the lines. We need them to review the Bill 50 electrical lines.

Thank you so much for your time.

**The Deputy Speaker:** Thank you, hon. member.

Any comments or questions of the member under 29(2)(a)?

**Mr. Fraser:** Mr. Speaker, I commend my colleagues in the House here that are having a constructive debate over transmission lines. It just seems to me that when you have a home and it's over 30 years old, the electricity components inside the home usually are deemed to be replaced because they're unsafe. It's my understanding that transmission lines now are decades old. Now, I know that things are becoming more efficient. LED lights have been mentioned before.

To the member: can you explain why we're having brownouts in places like Leduc and, particularly, Calgary? I know that the SCM sorting plant is the largest sorting plant in western Canada. A very conscientious group of investors uses that Supply Chain Management group to make sure that the cost is effective and, similarly, with another group, called the Genco group. When the lights go off, that plant shuts down for over an hour, with lost wages, lost productivity. I guess that at some point we talk about efficiencies, and we need electricity, but the current demand that we have right now is not cutting it. Can you answer those ques-

tions in terms of what we tell those stakeholders when the lights go off?

10:00

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

**Mr. Fox:** Thank you very much, Mr. Speaker. I'd be happy to answer your question on that with a question back to you. When do transmission lines account for the creation of new electricity? These brownouts that we heard about over the summer: we found out that there were six electrical generators that were taken offline that day to do maintenance. So I pose that back to you. How is it that transmission is generating us electricity?

**Mr. Fraser:** Well, I think there's obviously a process that needs to be followed in every industry that needs maintenance. That's clear. Perhaps there could be better collaboration between those industries to ensure that they're not all going offline at the same time. I think there are a few things, and we can look to stories in Quebec and, you know, in other places. When the transmission lines and the electricity go out based on a crisis, then that's a small example of people not collaborating to make sure that the best interests of Albertans are being met.

I think we as legislators right now need to start looking to the future. I think it's clear that the people of Alberta have asked us to ensure that their infrastructure is sound not only for the safety of their families but also to make things more efficient. Like the hon. Member for Calgary-Shaw said, LED lighting. Well, the light bulbs that we used before lit the room, but they weren't as efficient. It's time that these transmission lines are built so that they're more efficient to provide more electricity for the growth that we have here in Alberta, to ensure Alberta's economic future. I'll just put that back to the member.

**The Deputy Speaker:** Would you care to respond, hon. member, or I can go to the next speaker.

**Mr. Fox:** No, I'm happy to respond to that. Thank you, Mr. Speaker. Why is it that we are now again asking the AUC to do a needs assessment on all lines going forward, yet lines that were approved 10 years ago with older technology aren't going through that same needs assessment? I think that we need to serve Albertans' best interests by allowing the AUC to do its job and assess these lines.

**The Deputy Speaker:** I recognize the hon. Associate Minister of Finance. Your points were made. Thank you.

With that, then, I'll recognize the Member for Airdrie.

**Mr. Anderson:** Man, this is like I've gone into a time warp. I've been here before. Well, here we go again.

**An Hon. Member:** Do over.

**Mr. Anderson:** A do over. That's right.

I do think we're having a good debate today, and I do appreciate some of the members opposite participating in part of the debate. Let's step back before we get down to the minutiae here. Let's step back a little bit and look at what we're talking about here. We're talking about a government that passed a bill to subvert the needs assessment process, to not have to go through the needs assessment process to approve \$16 billion worth of transmission lines, okay? The question becomes right away: why on earth would we need to pass a bill in order to subvert a process, in order to skip the requirement to show need? Why would we pass a bill to do that if there actually was a need? If there was a need for

these lines, if there was a need for \$16 billion of these lines, then the government and AltaLink and the transmission companies, et cetera, needed to come to the board and get approval and demonstrate that these lines were needed. Otherwise, what's the problem here?

I mean, we have spent years in this Assembly debating this issue now. We debate it, debate it, and debate it. If they would just have taken it through the needs assessment process to begin with, we'd be done this. We would have an independent assessment by a board with expertise in this subject area telling us exactly how much we need in this province to keep the lights on.

Everyone agrees that we need to keep the lights on. We want to keep the lights on. I want to keep the lights on. Lights are good. Television is good. You know, we all like electricity. We like running businesses and things like that, commercial buildings and industrial complexes and so forth. But if that's the case, if that's the goal, then why aren't we going to the regulator, whom we've set up and we spend millions upon millions of dollars to run every year, to do their blinking job, which is to assess the transmission requirements for this province, to do a proper needs assessment, and to let the people of Alberta know what exactly we need?

Think about the absurdity of skipping that process, passing those lines, passing a bill that allows you to skip that process to approve these lines, and then coming back to the Legislature two years later and saying: "You know what? Jeepers, we really shouldn't have given the cabinet that power. That's not a power the cabinet should have. You know what? It's just wrong. It's wrong for that to happen, but we will still go ahead with all \$16 billion of the transmission lines that they approved." It's nonsensical, Mr. Speaker. I mean, it's laughable.

It's like my child going into a store and stealing a toy and then coming out of the store. I find out what the child has done, and I say: "What are you doing? Take the toy back." And he says: "No, I don't need to do that. I won't do it anymore, but I'll just keep the toy because I want the toy. I won't give the toy back because I want it, but I'll be good from here on out." As a parent I should be reported to child services if I said to that child: "Good grief. That's a good idea there, Derek. That's a great idea. You know what? I'm going to be a good parent here and say you keep the toy, Derek. Just from this point on don't steal any more toys, but keep the toy." No. You give the toy back. That's what a good parent does. This is just plain, common sense.

So this government sits over there and passes this bill, which says: "You know what? Yeah, we blew it. We blinking blew it. We should not have given the cabinet this authority to subvert this regulatory process, this needs assessment process. We made an absolute mistake, but – ha, ha – we're going to continue to build the lines, 20 years' or more worth of transmission lines. Who knows how long this will take us? We will do that without going back and doing it the right way, the democratic way, the way that it was intended, the way the system has been set up." It's nonsensical, Mr. Speaker. In a way this bill is a bit farcical from that perspective.

I have a real problem. I'm trying to find a reason to vote for this bill. Yeah, you know, it takes away that power, so I have to vote for that bill because the problem is that you won't have to use this power. Certainly, in most of your lifetimes and our lifetimes over here we'll never have to use it. There'll never be a point. We're going to have transmission coming out of our ears here pretty quick once we build this. Who cares if they have the power or not? Who cares? They're going to build too much of it anyway, and it's going to be years' and decades' and decades' worth that we don't need.

That's the first problem with this bill, but then it gets even funkier, Mr. Speaker. We start with the fact that we pass a bill that allows the government to skip the independent needs assessment process, and everybody across the board – the U of C public policy report, even AltaLink and ATCO, everybody, even the ones that agree with the fact that we're building the lines – agrees we shouldn't have given cabinet this power unilaterally. It was a mistake.

#### 10:10

Even with that, then we take these lines, and we give \$16 billion in transmission lines. Do we tender them out to the best possible bid so we can get the best value for money for Albertans on their power bills? Let's say, for example, that we need all these lines, which is malarkey, but let's say that we do, okay? Instead of getting the best price for Albertans, instead of making sure that we're getting not just the lowest price but the lowest price from the company that can deliver the best service, et cetera, et cetera, et cetera, what do we do? The government gives these transmission contracts to specific transmission companies: AltaLink, ATCO. It gives them to these folks with no competitive bidding whatsoever and basically cost-plus, which is just a recipe for massive cost overrun. We give these folks these contracts, and we guarantee them 9 per cent on these billion-dollar contracts, a guaranteed rate of return of 9 per cent plus costs. Oh, man.

I mean, I can't understand how on earth folks over there can go along with such blatant disregard for the taxpayers and the ratepayers of this province. I just can't understand it. They know they're not getting the best deal. They know the people of Alberta are getting ripped off. They know the ratepayers are getting ripped off. They know we skipped the needs assessment process to get here. They know all of this, yet they still go along with it.

At some point you've got to wonder why we get elected to this Legislature. I thought the reason was that we were looking out for the best interests of Albertans. I thought the reason was that we were trying to protect our taxpayers and our ratepayers from being gouged. I thought the reason was that we were to uphold the rule of law and the processes that we have in place, the regulatory process and the House process and all the different processes that we have to ensure there aren't conflicts of interest, there's not abuse of the system, that we're not a banana republic, that we have good government, yet here we are passing a bill. We're going to go ahead with these lines, \$16 billion dollars.

Now, going to the question earlier about the reason we're having brownouts, it's a legitimate question. People ask why we have brownouts sometimes. I defy anybody over there to bring any shred of evidence that we have had one brownout in this province because of a lack of transmission. You will not find any evidence out there that we have had one brownout, one blackout, or any other out because of a lack of critical transmission infrastructure in our province. It does not exist.

We have gone over this again and again in this Legislature, but we'll repeat it again because sometimes repetition is a good thing. [interjections] Yeah, that's right. The reason we have brownouts is because we have generation problems from time to time. Generators will go offline. Things will happen that cause generation to go offline for various different reasons. When that happens, yes, you will have brownouts and things like that. That doesn't mean that there don't need to be some repairs to different transmission infrastructure from time to time. But, yeah, sure, it's a decades-old transmission system. This building is 100 years old now. Do we tear this thing down? No. You fix it up. You make do with what you have as best you can because it would cost a fortune to replace a building like this, so we don't do that. We

repair it. We make it better, okay? So I just don't buy that argument.

The other thing, too, is that if transmission were a problem – everyone agrees over there that the number one stakeholder in the province affected by electrical generation and transmission is, of course, industry. Sixty to 80 per cent of our electricity users are either commercial or industrial users. If that was the case, if transmission was such a problem for these folks, then why did the Industrial Power Consumers Association of Alberta come to the Legislature?

I was with the PCs at the time. They came and spoke to our caucus and said: "We don't need this. It's an overbuild. We do not need this transmission. It's totally unnecessary. It's going to make us uncompetitive. The rates are going to go up, and we don't need it because of cogeneration and other things that we're doing in the industry to take care of this." What they said is, "It'll make us uncompetitive, and we will either leave Alberta, or we will go off grid." When they go off grid, guess who gets to pay the bills? The rest of Alberta ratepayers: the seniors, the families, the folks we've been sent here to represent. They are the ones that are going to pay the bills for this.

You would think that if we needed all this transmission, it would be the industrial power users who would be knocking down the doors to say: we need this; we cannot do business without this. Then that argument there about making sure the lights stayed on in Leduc and so forth in these businesses, that would all make sense. But the problem is that that's not what they're doing. They're not knocking down the doors to get more transmission lines built so that they can get electricity to their businesses and industrial complexes. No. They're knocking down the doors to tell us not to build the transmission. So why would the stakeholders with the most to lose if the lights go out be telling us that they don't want these lines built?

I mean, guys, how is this not clear for everybody over there? We've been through this. We're ignoring evidence after piece of evidence after piece of evidence, and we keep going down this – it's like watching a train wreck, you know. Please stop at some point. You can say: oh, man, please stop; push the pause button. Yet we just keep going.

We could turn this around any time we wanted, so the question becomes: why aren't we turning the ship around? Why aren't we admitting the mistake, going back, having a proper independent needs assessment process to figure out exactly what is needed, with experts coming in, with all the new realities of 2012 and the cogeneration and everything that's changed over the last 10 years since the first inkling of this was done in 2003? Let's have the needs assessment process and get it right.

Maybe we do need \$2 billion worth of new transmission. Maybe we need \$4 billion. Who knows? I'm not an engineer. Neither, am I aware, is anyone over there an electrical engineer. The only expert in here, frankly, on the electrical grid is sitting in the Wildrose caucus, from Rimbey-Rocky Mountain House-Sundre. That's really it. [interjection] He is an electrical engineer, actually.

Facts are funny things, aren't they? He's the only expert here, but I would say that I think he'd be the first to say: it's not me that should be making that decision; it should be an independent board made up of experts and then experts coming in and giving testimony back and forth on how the regulatory process works. Then you determine what the need is. Everyone can go forward. Then we tender the contracts properly, make sure we're getting the best possible deal, which would probably mean a lower price than we're getting now, making sure that it's not cost plus 9 per

cent given to our friends at AltaLink and ATCO. That's not the way to do things. That's not the way to run a government.

The people of Alberta deserve way better than this. They deserve competence. They deserve transparency. They deserve a government that is willing to go to bat for them and make sure that even though it might be a little bit of an inconvenience for them to have to go through the proper process, they will go through it in order to make sure that we get it right. If we get it right this time, the upside is that not only will people have faith in the process, but we'll get a good deal for consumers. We'll make sure that our seniors aren't gouged. We'll make sure that our families aren't gouged on their power bills. We'll make sure to keep industry competitive and staying in Alberta. All the good things that come from doing a proper and careful job of this will be accomplished.

With that, Mr. Speaker, I'll sit down. Thank you.

**The Deputy Speaker:** We will commence with questions under 29(2)(a). The hon. Associate Minister of Finance.

**Mr. Fawcett:** Yes. Mr. Speaker, it has been a very interesting debate with some interesting ideas thrown around on each side of the House. I'd like the hon. member to explain. They talked about how, you know, this was the caucus that championed property rights, and this is a bill that really puts the needs assessment back into the hands of the AUC. I'm just wondering, actually, what relation property rights have to the needs assessment – it really has no bearing on whether a line is needed or not – and how the hon. member really draws that conclusion.

10:20

**Mr. Anderson:** Actually, that's a great question because I never addressed that in my remarks. I was more talking about saving ratepayers money and transparency and so forth, but now that you mention it, it has a massive bearing on property rights. You know, one of the things that I think we can all agree on in this Assembly, I think on both sides, is that we want to interfere with people's property rights, specifically landowner rights, as little as humanly possible in order to accomplish what is in the public need for Albertans.

So it goes without saying that if that is the case, if that is your goal, to make sure to interfere the least amount possible while still satisfying the public needs that are out there to keep the lights on and so forth, then it would seem very clear that you would want to ensure that instead of building, you know, \$16 billion worth of lines criss-crossing the province all over the place and having to put out landowners and building power lines across their land and interfering with municipalities' growth plans, as is happening in Crossfield, for example, where they're coming across the highway in that one spot. It's interfering with them. You would think that you would want to build the least amount of power lines possible to get the job done.

I think the opposition leader said it very well. We're building, essentially – and you can quibble with 16 lanes, eight lanes, 10 lanes, whatever – the equivalent of, in her words, a 16-lane highway. We're turning a four-lane highway into a 16-lane highway. What's the point of that? That interferes unnecessarily with property rights. It's just not necessary.

That's how this particular bill – I agree. It's not like Bill 36, which is directly related, but I think that indirectly it is still related to property rights and that we should be always looking at ways to cut down on the space and the land that we need to disrupt in order to accomplish what is in the public need.

**Mr. Fawcett:** Just for clarification, I think the member has got his processes mixed up. There is certainly a needs assessment that

does look at the public good and the necessity for such lines. Then there's also a separate process once that needs assessment is determined that then contemplates what this member is talking about: meeting those needs and reducing the impact that it could have on private property. Mr. Speaker, that has never been taken away by any legislation in this House.

**Mr. Anderson:** Well, of course, the member is correct that Bill 50 did not take away that process. No one here is accusing them. The siting process was never changed. I agree with that.

What we're saying is that if you're going to build two massive lines, it's greater than one. By my math I think that one line is going to interfere with property rights a lot less than two lines would interfere with property rights, and one would interfere more than if you didn't build any lines at all. I guess what I'm saying is that if your goal is to reduce the amount of disruption on people's land, you should try to build the least amount of power lines possible and still be able to turn the lights on and do what is in the public need. I think that's basic.

But you're right. Bill 50 did not change the siting process. That hasn't been changed by Bill 50. Property rights were more of a scratchy issue in particular on Bill 36 and Bill 19.

**The Deputy Speaker:** Thank you.

I'll recognize the Member for Cypress-Medicine Hat.

**Mr. Barnes:** Thank you, Mr. Speaker. Here we are once again debating legislation to amend the Electric Utilities Act. This is certainly not a new issue, and it is something that my Wildrose colleagues and I have been hearing about for some time not just from landowners in our constituencies but from many people from all walks of life right across the province.

Mr. Speaker, this legislation brings up the memory of Bill 50, the piece of legislation that removed – yes, removed – the requirement for an independent needs assessment process to take place before new transmission lines could be approved. Yes, you heard me correctly. This government removed an independent process and gave decision-making authority to cabinet, to themselves. Then after the government passed legislation which took away the independent assessment of transmission lines, legislation that was opposed by Albertans and opposed by the Alberta Utilities Commission themselves, the PC cabinet unilaterally approved four major transmission projects at a cost of \$16 billion without ever demonstrating that these projects were needed.

I also feel the need to once again point out to the members opposite, as many of my colleagues have already done, that both the Alberta Utilities Commission and the Critical Transmission Review Committee are opposed to cabinet approval for transmission lines. They don't want to see lines approved for no reason. They, too, want a public needs assessment.

Albertans have been calling for the repeal of Bill 50 for years, and we in the Wildrose have been consistently calling for an independent needs assessment to be reinstated and a cancellation of the four major transmission lines. The new piece of legislation before us today, Bill 8, includes one of the things we've been calling for. If passed, this bill will ensure that all future projects will be based on a thorough process and an independent needs assessment. But, Mr. Speaker, too little, too late.

Our province already had an independent needs assessment for these projects in place before the PCs decided to change the process to give themselves the power of approval. Simply put, they used Bill 50 to ram through the approval for transmission

lines they wanted but that Alberta doesn't need. Not only are these Bill 50 lines not needed, but they will increase the power bills for residential users and for commercial and industrial users in our province. In Cypress-Medicine Hat seniors and concerned ratepayers one after another have contacted me about this grave concern.

We all know what happens when the cost of energy for residential consumers goes up. Albertans will directly pay more out of their pockets for the same amount of electricity they've always used in their homes. But what happens when the power rates for industry and businesses dramatically increase? What happens when these industries and businesses account for 80 per cent of the electricity consumed in our province? Mr. Speaker, this is what happens: businesses large and small will see their power rates skyrocket. They will then move out of our province to a jurisdiction with more affordable electricity. Our province will lose investment, and Albertans will lose jobs. Industry-killing electricity hikes will not only cause businesses to leave our province, but those looking to make new investments will think twice about investing in our province.

The worst part of this is that there is no reason for what I have just outlined to occur. This government has not and cannot prove that there is a need in our province for the transmission lines. These lines are a massive overbuild, at least a \$16 billion overbuild that will be transferred onto consumers and future generations. This is nothing short of complete and utter contempt for taxpayers, and the government should be ashamed. If the government is so sure that these transmission lines are necessary, why does this legislation not include an independent needs assessment for the current projects as well as future projects?

Mr. Speaker, no one except the government members themselves, it seems, wants the Bill 50 transmission lines to go ahead. Everyone – everyone – will suffer from the higher electricity rates these lines will bring to Alberta consumers and businesses.

My proposal to the government is simple. Expand Bill 8 so that current as well as future transmission projects will be subject to an independent needs assessment process. Let the independent experts in our province review the Bill 50 lines to see if our province truly needs them.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Any comments or questions for the member under 29(2)(a)?

Seeing none, I'll recognize the Member for Little Bow.

**Mr. Donovan:** Thank you, Mr. Speaker. It's an honour to come in here tonight and bond with some of our fellow MLAs at such a nice hour and talk about Bill 8, the Electric Utilities Amendment Act. I think the key to this whole bill is right where you get into page 2 where it says, "critical transmission infrastructure." This is what's led a lot of the people on this side of the floor into our position as MLAs.

Now, I know the hon. Minister of Energy stated last week that the Member for Rimbey-Rocky Mountain House-Sundre is an armchair quarterback on Bill 8. I believe, after listening to the hon. member, that you would have to agree that he is pretty knowledgeable on this whole situation. I'd hope that in the future, when we have a wealth of knowledge such as that of this member from that riding, maybe we have to put some of our party hats to the side and actually listen to him instead of insulting him. In all honesty, he is probably going to forget more about power transmission lines and generation than a lot of us are ever going to learn in here.

10:30

In saying that, he is here truly to help Albertans, and I'd say that he's probably more than willing to work with our current government on what is best for Albertans, by Albertans. On that note, I'm going to listen to our expert. I know, after listening to him at a couple different functions, he has lots of knowledge on this. He has spoken all over the province on this, and he has for a number of years, as he had said in his opening statements to it. He had actually sat up in the gallery to talk to this government.

Mr. Speaker, what we have before us is Bill 8, a piece of legislation that some would say is too little too late. This is a theme from this government which my constituents in Little Bow are becoming all too familiar with. But I will give credit where credit is due. It has been identified by this government, and it is a good start to bring up Bill 8 to take care of some of the problems in Bill 50. Bill 8 does do some good things in limiting cabinet's power to unilaterally make decisions and infringe on landowners' rights.

Still, the bill will not change the status of the heartland, the WATL, and the EATL lines, where the property rights have been ignored, and a needs assessment away from this cabinet table is still necessary. Those lines stay under the old rules of Bill 50, basically indicating that the government feels they should still be above the law.

Bill 50 was a deliberate attempt by the government to extinguish landowner rights and tell Albertans their central planning ideas were better than local decision-making. The reaction that followed Bill 50 indicated to the government that Albertans were not rosy with the idea that the Premier's cabinet should have the right to extinguish property rights of any individual landowner. Hard-working Albertan farmers, ranchers, seniors, and families that have been part of this province for generations spoke out against the bills. But, like in Carmangay, the government failed to listen. Instead, they went ahead with a multibillion dollar project which could still use a needs assessment today but will not be given one because it seems, again, the government believes in the idea of Bill 50.

Mr. Speaker, we were always well aware that Bill 50 was a bad piece of legislation, and it shouldn't have taken this long to figure this out. But, again, I'll give credit to the new members on the other side of the floor. They identified it and with Bill 8 are trying to move forward with it.

After Bill 50 was implemented, the University of Calgary School of Public Policy came out with a report, as did this government's very own Utilities Consumer Advocate. Both these reports clearly identified that there were many problems with Bill 50. They both indicated that the size of the bill was excessive. They pointed out the lack of transparency and the lack of competitive bidding. They decried the government's unprecedented decision to skip these needs assessment processes. The government ignored this entirely. It was what many people would call common sense, but common sense was too inconvenient.

Mr. Speaker, in my riding this hits home. Just east of Coaldale they want to slice up perfectly good irrigation farmland to put up towers. The question always comes: would they actually do this? Well, yes, they have. During the election period we were at a forum, and I had landowners that had been forced by the police, the RCMP, to let a tower go through, the MATL line, the Montana link. They actually put up towers. When we talk of property rights – and the hon. member the Associate Minister of Finance has some valid points about what this does for property rights. I guess if you're a farmer and somebody puts in a tower in the middle of a quarter section pivot, that's infringing on your rights, in my eyes.

I can put it back into terms that maybe everybody else can understand if you don't have farmland. They wanted to come in and put a communication tower in your backyard, where your kid's trampoline is, and come in afterwards and tell you: "We might negotiate on the price within in a couple years because we're not quite sure what it's going to be yet, but it's need. It's a critical need."

The question is that back in April this line had been put in three years earlier. It had gone through the process, with the towers put up. It still did not have the strings hung on it. I mean, we have colleagues in here that'll show you and tell you, as we've talked about before. The hon. Member for Calgary-South East had a point about blackouts, grey-outs, and everything else. The point is that you can have extension cords hung all over inside this building. If you have nothing to plug into it and nothing to take the power at the other end of it, why would you put up all these extension cords? Really, it's that simple if you sit there and look at the whole thing. We're putting in a bunch of towers that aren't needed right at this moment. There's a process through it.

We talk of aging infrastructure. This building is a hundred years old. If you go out and look at those towers – I farm around them – they're bulletproof. I mean, you can hook them with a cultivator. You might ding things a little bit, but the actual cable itself: definitely you can restring that, put on new stuff. When we still have no compensation paid to this day to those people who have towers sitting on their property, which they were told they had to take, this infringes on private property rights. This is probably, I'll guarantee you, why I got elected in my riding, because this was a bad piece of legislation in Bill 50. I do give the government credit for identifying it and figuring out what we need to do with it. The question is: is it far enough? I don't believe it is.

As we sit and have open meetings in my riding, a lot of people are irrigation farmers. Years ago we went away from going to natural gas and diesel because the costs were cheaper to go to electricity. Everybody actually put funding in towards it. You got some money back to change your pivots, going from gas to electric. It made a lot of sense to most people. It's a business plan, again. Now, when most people come to the meetings, they are talking of power bills of \$20,000 to \$25,000 a month, of which half is transmission. They're not paying for the power. It's the transmission infrastructure that has been there for 20 years.

To me, the question always arises: how much can they get from us? With no open bidding process it's very apparent that we have two companies that are guaranteed 9.25 per cent return on their investment. Now, I mean, anybody in here that has any kind of mutual funds would be well aware of the fact that if you could lock in a 9.25 per cent return, we would all be giggling. I mean, we wouldn't need to double up our RRSPs. We wouldn't need to do anything else. We could sit and just run smooth with it at 9.25 per cent.

Also, the beauty of that, Mr. Speaker, is that we're sitting here with a whole situation of nobody watching the henhouse. As a businessperson I cannot have any kind of situation where you can sit there and have a business where nobody actually asks what the costs are. The Member for Rimbey-Rocky Mountain House-Sundre was very key to point out – I'd bring it to anybody who'd love to debate him on it – that there's nobody for the needs assessment of this line. Is this actually needed? So when it's not, the question comes up about the need or the want of it. You don't need something, but you've given the contract to somebody and said: here, run with it.

Every time you run an ad in the newspaper, on TV, sit and do anything on the advertisement, they guarantee a 9.25 per cent return on whatever they do. I mean, it's a foolproof plan to sit and

run a great business. I, myself, would like to buy shares in them, but you can't. Most of them are private companies. So they've really got a great system there. I guess as far as I'm concerned, it affects livelihoods in my riding as much as anybody.

We can improve this bill by implementing the same needs assessment process the bill deems necessary for projects in the future. But before 2009, for projects like the heartland line, if members of this House are serious about what is in Bill 8, I ask every one of them, particularly those MLAs on the government side, to take off your partisan blinkers, re-examine the need for a multibillion dollar transmission line, and find the courage to ask for an independent review by the Alberta Utilities Commission.

**10:40**

In the previous election Albertans across the province demanded that we be representative and do better. I think we have 87 excellent MLAs that are all here for the right reason, to represent Albertans in what they want. We've identified that Bill 50 was not something that was working. Again, I commend the government for identifying it. It was after a little bit of help, but good government needs good opposition. That's how the whole Westminster process works. So we've identified it. We're using Bill 8. We've identified some of it. Has it gone far enough? I don't think so. I think we need to repeal more. But baby steps. I'm always about the little steps to get to the big journey. Eat an elephant one bite at a time, they always say.

So, Mr. Speaker, I think we need to look at some legislation here. The real problem with this is Bill 50. In saying that, I hope that we can look at this bill and repeal retroactively the current lines that are proposed, that were part of Bill 50.

On that, I'd like to thank you, Mr. Speaker, and the members in session here tonight for your time as we've been bonding for such long hours. I'd be more than happy to take any questions.

**The Deputy Speaker:** Thank you, hon. member.

Any comments or questions for the member under 29(2)(a)?

Seeing none, I'll recognize the Member for Chestermere-Rocky View.

**Mr. McAllister:** Mr. Speaker, thank you. It is always a privilege to get up and speak in this House. Might I say, actually, that tonight I'm charged to speak on Bill 8. I'm all fired up about speaking on Bill 8 tonight.

**An Hon. Member:** You're shocking them.

**Mr. McAllister:** And I hope you are when I'm done, sir.

I'll try and do this in my own style. So much has been said on this tonight. I think it warrants, you know, us all bringing our own flavour to the debate. I believe that a good speech has a good beginning and a good ending, and the closer they are together, the better. So I'll proceed with that.

For me, though, it's particularly significant because one of these lines that we're talking about tonight goes right through Chestermere-Rocky View, so I banged on a lot of doors, talked to a lot of people in the country. Everything you're hearing here tonight from this side came from those people, I can assure you. They don't want the lines, they believe the needs assessment should have been done, they wanted the regulatory approval process, and they do feel, to the Associate Minister of Finance, like they're being taken advantage of and that maybe their land doesn't need to be uprooted and planted with transmission towers.

Now, to get this straight, I'll try and sum up sort of what we've heard tonight in a shorter version. Effectively, cabinet approved

up to \$16 billion in transmission projects without a needs assessment and bypassing the regulatory approval process. Now we're going to go back, and we're going to repeal Bill 50, essentially, but we're not going to look at the work that was already done. There is no arbitrator, mediator, outside body on this planet that would look at this group and say: boy, that one makes sense. Nobody would do that.

The Member for Airdrie made a reference to something. When I speak on this in public, I use a similar analogy to his although I must say that his was very passionate and well delivered. I always say that it's kind of like somebody came to your house and stole your car, and then they came back later and told you they'd never steal your car again, but they didn't bring it back. It doesn't make sense.

What you should do with a process like this is review the entire process, just satisfy the public. If you're fiscally responsible, are you not concerned at a \$16 billion bill? Are you not concerned by that? We're going through money in this government faster than Kim Kardashian. These are things that we have to look at.

**An Hon. Member:** Order. She can't defend herself.

**Mr. McAllister:** Sorry. I guess I shouldn't mention Kim Kardashian.

Ethically or even the optics of it: I'm not convinced that everything government does is wrong. I've seen great signs this week of productive government and movement and taking steps to improve situations after some thought that the situation was hopeless. I saw that on the education bill. I truly believe we're all good people in here. But the public is begging us to revisit this, and it's a simple thing to do. Just order it, a needs assessment, a regulatory approval process. Then all of these hours and hours of debate can go away. The way it's set up now, Bill 8 is a day late, and it's \$16 billion short. You know, the ship has sailed. The horse is out of the barn.

**An Hon. Member:** One more analogy.

**Mr. McAllister:** Pick them all. There are a few. It's late.

We could revisit . . .

**Ms Notley:** One beer for every two analogies.

**Mr. McAllister:** Well, that's three, and that's not bad. Are you buying, by the way?

Government knows that there's enough here to review. I believe that. And I believe from watching the members on the other side tonight that backbenchers know there's enough to review here. I'm convinced that people on this side understand that we owe it to Albertans, and I darn well know that Albertans know we need to revisit this. I'm convinced of it. So we can still do that, is what I'm saying.

As for the debate back and forth here tonight, Mr. Speaker, I love it when members ask questions and challenge people. I'm not a transmission expert or an electrical engineer. One of us in this room is. We'll speak to it to the best of our knowledge. But we can talk about what we see, what the public sees. I would just say that if you're courageous enough to pepper questions on talking points, put your name down on the sheet, stand up for 15 minutes, and talk about this bill and how wonderful it is.

**Mr. Hancock:** Or do we want to acknowledge the person who has some information on it? We could do that, too.

**The Deputy Speaker:** The hon. member has the floor, hon. Government House Leader.

**Mr. McAllister:** Thank you, sir.

We've passed enough bills or talked about enough bills. Just as an example, not to single anybody out, I would point to the Member for Vermilion-Lloydminster's bill. I am singling you out, so there you go. The point is that he spoke with great passion about a bill, several members on the other side did, people over here did. It was exactly what we would expect to see.

Does it not strike you as odd that nobody but the Energy minister is talking about Bill 8 on that side? It is odd. Get up. Let's have a conversation. Tell Albertans. Get into *Hansard*. Tell them why you want to spend \$16 billion. That's all I would say.

In closing, I said that I would be a little shorter with this speech, and I've tried. We can still fix this. It's not too late. The horse is out of the barn, but we can catch it. We've got a cowboy. He's not here now, but he's right there. He'd be willing to help out. You know, you're telling Albertans, "Look; we're repealing Bill 50," and you want forgiveness, but it's hard to kiss the lips at night that chew your backside out all day long. That's what they're saying when you knock on their doors. That's got to be worth at least one more.

Mr. Speaker, thank you.

**The Deputy Speaker:** Thank you, hon. member.

Are there any comments or questions to that hon. member under 29(2)(a)? The hon. Government House Leader.

**Mr. Hancock:** I just want to know if the hon. member is still married or ever was.

**The Deputy Speaker:** Relevance?

Hon. member, would you care to answer?

**Mr. McAllister:** Great question. To the member, Mr. Speaker: I don't speak that way at home because I know better. That's how I've made it through a decade. Thank you.

**The Deputy Speaker:** I think I will recognize the next speaker, the hon. Member for Medicine Hat.

**Mr. Pedersen:** Thank you, Mr. Speaker. I'm glad that I'm able to rise in the House today to speak in general support of Bill 8, but I do have a number of concerns that I wish to raise on behalf of the constituents of Medicine Hat.

Mr. Speaker, the introduction of this legislation is a good thing. However, it does beg the question as to why this legislation is even needed in the first place. Why is it that cabinet needed the power to approve, without consultation, certain power lines but not others that will now be built? Did they need this ultimate authority in order to raise power prices? Did they need this ultimate authority in order to put Alberta's economy at risk? Did they need this ultimate authority in order to spend billions and billions of taxpayer dollars on unneeded transmission lines?

This extra money, which is going to projects that never were required and never were even economical, could be much better spent on health, seniors, education, how about some detoxification facilities, or even, I dare say, Mr. Speaker, a balanced or a surplus budget.

10:50

In my constituency of Medicine Hat we even have consumer rebates for energy-efficient choices made by consumers. Mr. Speaker, it is this type of decision-making that would help our province become a world leader in energy efficiency now and into the future. The overbuild by billions of dollars in unneeded

transmission lines makes us a world leader, but we are a world leader in government waste and mismanagement.

Mr. Speaker, power bills are the concern of many families in Alberta, and this overbuild that has been deemed critical by cabinet is just going to cause power bills across Alberta to rise. There has been no need proven for these transmission lines, and cabinet seems to think that they still know better. I guess that leaves me wondering. Why is it that the cabinet has admitted, and rightfully so, that they do not have the knowledge to approve transmission line projects into the future yet say that they had the knowledge in the past to do so?

Mr. Speaker, in scenarios such as this there must be public consultation. There must be an open process, and the process needs to be conducted by experts, not made by cabinet and their special friends behind closed doors. The lack of a fair, open, and thorough consultation being conducted in public is going to have negative repercussions on industry in Alberta. If power bills start to double or triple, industry will bear the majority of the cost. Now, some of them will be able to survive, some will adjust, but some are just going to leave. Not just that, but all too many of my constituents live paycheque to paycheque, and they cannot afford for their power bills to increase exponentially. Nor do I think that many Albertans will be able to afford a doubling or tripling of their monthly power bills either.

Mr. Speaker, there is absolutely no reason that Alberta should not be able to maintain and attract the best and the brightest, not only in industry but truly in everything we do. Why is it, then, that the current government wants to create new barriers to obtaining success?

I want to close by saying that I will be generally supporting this important piece of legislation because it is a step in the right direction. However, there are still a number of serious shortfalls that this government needs to address before this legislation completely fixes the issues that Bill 50 created.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Any comments or questions for the member under 29(2)(a)?

Seeing none, I'll recognize the Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Mr. Speaker. I'm proud to be here today as an MLA for Cardston-Taber-Warner and to stand up for the rights of my constituents and truly for the rights of all Albertans. And I want to thank the government for helping me get elected.

Mr. Speaker, property rights are a basic right that every government should recognize. Property rights provide the foundation for every other right that we enjoy, and it is good to see evidence that the government is beginning to realize this. However, it's unfortunate that Albertans are still going to have to pay the price for the current government's mistakes. This government made a decision without consultation, without expert opinion, and without any respect for Albertans. This decision, which was to overbuild billions of dollars worth of transmission lines, would be bad enough given the current fiscal situation the government has put us in.

Unfortunately, not only is the government putting our fiscal situation into a precarious position, but they are doing so for transmission lines that are unneeded at such an excessive scale, perhaps on the order of eight times, as has been mentioned. They are not needed where the cabinet decided to build them, and there have been many objective experts with no skin in the game that have stated that the lines are not needed at all. Why the current



government seems to think that they know better than the experts is beyond me, but I have my suspicions.

Which brings me to the next point: Bill 8 is definitely on the right path. The passage of this bill will ensure that all future projects will go through the proper steps to ensure that there is an independent, objective needs assessment and not be decided behind closed doors by cabinet.

Mr. Speaker, this is great, but why is it not retroactive? Why does the government still think that it knows better when it comes to transmission lines such as heartland, such as the western and eastern lines cutting through our province? Why not go back to the future? You have a time machine. We have the power to change the past and make it right this time. Let's make this bill retroactive. I see no reason that this piece of legislation could not be made retroactive, and I hope that the government sees the light and that the Minister of Energy sees the light and seizes the moment and realizes this legislation should be made retroactive in the best interests of all Albertans.

We need to always be mindful and always be respectful of the property rights of Albertans. We have a sacred trust. We don't have any money of our own. All the money that we have is taxpayers' money. We need to be guardians of that and spend it wisely.

Milton and Rose Friedman in their famous book *Free to Choose* talked about the utility of money and drew a quadrant with, of course, four boxes. When a person spends money on themselves, that's the most efficient use of money.

When they spend their own money on someone else, that's the secondmost efficient. For example, I might choose to buy you, Mr. Speaker, a gift, and I've set a budget of \$50. I'm going to say: "I hope you like it. I think I know what you're interested in, but if you don't, it's the thought that counts." That's the secondmost efficient use of money, spending my money on someone else.

The thirdmost efficient use of money is when I spend somebody else's money on me. I'd like to buy a new car. Now, it doesn't matter to me how much it costs. I want all the bells and whistles. If I was spending my own money on me, I'm going to negotiate the best deal I can because I worked hard to earn that money. But when I'm spending somebody else's money on me, I'll go for all the bells and whistles, all the frills, all the extras: the backup camera, the navigation system, the Bose stereo system, leather seats, the big mag wheels. Who cares? It's not my money; it's somebody else's.

The least efficient use of money according to Nobel prize winning economist Milton Friedman is when other people spend other people's money on other people, and that's what we see happening. There's no accountability, and that has got to stop.

This bill is a good step in the right direction, and I look forward to supporting this bill on behalf of the constituents of Cardston-Taber-Warner, who elected me to do just that, see that their money is being spent wisely. I pray that the government has the courage and the humility and the self-awareness to correct their mistakes and support making changes to this bill retroactive. A 9.25 per cent return on my own money would be a great return, but how about a 9.25 per cent return on somebody else's money? Now, that's a heck of a deal, and that's what we're offering. You know, I think that's where their heritage savings trust fund should invest. They should invest in TransAlta and AltaLink. We're not getting 9.25 per cent right now.

I talked to a former MLA from that side of the House, who said that after listening to the hon. Member for — let me get this right; nobody else has — Rimbey-Rocky Mountain House-Sundre... Did I get it?

**An Hon. Member:** Yes.

**Mr. Bikman:** Good.

After listening to his presentation, this former MLA said: "Gee, I wish I'd known that back when it was being talked about in caucus. They told us not to talk to him. They told us that he didn't know what he was talking about. They told us to beware." He, among others of that era, was denied the opportunity to learn from somebody who had no axe to grind except what's best for all of us. He said that looking me right in the eye: I wish I had known that when I was an MLA, when this was being debated in caucus or discussed.

Now, why don't we want to build so much for the future? We were asked: "Don't we think things are going to grow? Projections say our population is going to increase. We can expect that demand would be greater." Well, because of technology and energy efficiency the demand for electricity isn't growing at the same rate. Why would we build an eight times overbuild of a highway, thinking that maybe 50 years from now we're going to need those roads, when technology may well be: beam me up, Scotty? I'm in Calgary. Beam me to Edmonton. Oh, no, I can't because I've spent all this money on a 32-lane road, 16 on each side, to drive there. Such waste reduces our ability to respond in a timely manner in a dynamic economy, where we've got technology that's advancing as rapidly as it is.

**11:00**

How many of you on either side of the House have a computer that the government has provided us with? How would you like that computer to have been bought 20 years ago, knowing that sometime in the future we're going to need computers? I don't want to use a 20-year-old computer. I'm not very happy using a five-year-old one. Technology advances. We don't want to overbuild. That's not prudent.

Well, I'm going to sit down now, but I appreciate the opportunity to sound off because I think the things I've shared with you tonight are worth hearing, Mr. Speaker, and I'm glad that through you everybody else got to hear it, too.

**The Deputy Speaker:** Thank you, hon. member.

Are there any comments or questions to this member under 29(2)(a)?

Seeing none, are there other members that would like to speak on the bill?

I would invite the hon. minister to close debate.

**Mr. Hughes:** Thank you, Mr. Speaker. Well, I'm very pleased to conclude comments at the end of second reading of Bill 8, the Electric Utilities Amendment Act, 2012. I thank colleagues on all sides of the House for their remarkable support for this bill.

Our goal relating to electricity is simple. It is to ensure Albertans continue to have a reliable supply of electricity at a reasonable cost. You know, Alberta is in a very fortunate position. Our province continues to grow and undergo tremendous economic and population growth. However, as more people move to Alberta, the strain on our electric system increases, just as it does on all other infrastructure in this province. Demand for power in Alberta has increased more than 20 per cent in the last 10 years. That demand is forecast to increase by two-thirds, or over 60 per cent, over the next 20 years. For our province to continue to grow and prosper, to attract investment, to lead, we have to know that when we turn on a switch in Alberta, the lights will go on. We need a robust generation sector and a robust transmission network for Albertans, not for export to the United States of America but for Albertans.

Albertans need the certainty in their personal lives that the lights will go on when they turn on the switch. The Alberta Electric System Operator, or the AESO, is the independent agency that monitors the grid and plans where and when transmission infrastructure is needed. In 2009 the AESO identified four areas of the provincial electricity grid that needed immediate reinforcements. The responsibility of the government of Alberta is to ensure that electricity is available to all Albertans when and where they need it at a fair price.

Three years ago the Electric Statutes Amendment Act, 2009, was introduced. The act approved the need for four critical transmission infrastructure projects to meet the electricity needs of Albertans. It also gave the government of Alberta authority to approve the need for future critical transmission infrastructure. The four projects for which need was approved are the heartland project, the eastern and western Alberta transmission lines, the Fort McMurray to Edmonton lines, and a Calgary substation. Currently heartland is under construction, both north-south reinforced projects are awaiting an AUC decision, construction of the Calgary substation began in July of this year, and the Fort McMurray lines are in the planning stages.

Moving forward, Mr. Speaker, we want Albertans to feel confident that decisions on the need for transmission lines are made by an independent body with a public interest mandate, the Alberta Utilities Commission, through an open and thorough process. We also want Albertans to know they can have a say in where power lines go and if they're needed.

A year ago the Critical Transmission Review Committee was appointed to determine whether the AESO's plan for the north-south transmission reinforcement was reasonable. Reviewing the needs, the committee found that forecasts showing a need to immediately reinforce the transmission grid and the proposed solution, comprising two high-voltage direct current transmission lines, were indeed reasonable.

The committee also recommended changes to legislation so that consideration of the need for future projects was returned to the Alberta Utilities Commission. According to the critical transmission report the committee feels that the AUC is the right organization to appropriately review the need for transmission lines in the future. We accepted their recommendation and are doing what we promised.

Over the past few years the government of Alberta took the steps necessary to ensure that much-needed power lines will be built in a timely fashion, but sections in the act pertaining to future critical transmission infrastructure are no longer needed. We recognize that Albertans want to be heard on all future decisions regarding the need for transmission lines. With the passage of the Electric Utilities Amendment Act, 2012, all future infrastructure projects will go through a full needs assessment process under the Alberta Utilities Commission.

The government of Alberta will no longer have the authority to deem transmission infrastructure critical or to determine its need. Those need assessments will be conducted by the Alberta Utilities Commission. As the case has been all along, siting decisions will continue to remain open, public, and transparent under the regulatory authority of the Alberta Utilities Commission. We want these decisions to be made in a transparent manner and to be able to withstand great scrutiny, so the AUC will assess transmission project need in the future.

Finally, Mr. Speaker, we're confident that the AUC as an agency independent from government has the expertise, practices, and processes necessary to consider the need for future transmission infrastructure. The amendments respond to a clear recom-

mendation in the Critical Transmission Review Committee report and our commitments we made to Albertans.

Mr. Speaker, just to give a bit of context, the electricity system supports some \$8 billion in wholesale electricity annually and an economy of \$300 billion annually.

With all having contributed to creating a bit more light on this topic, I call the question.

[Motion carried; Bill 8 read a second time]

## Government Bills and Orders Committee of the Whole

[Mr. Rogers in the chair]

### Bill 1 Workers' Compensation Amendment Act, 2012

**The Chair:** Are there any questions or comments? I'll recognize first the hon. Associate Minister of Services for Persons with Disabilities and then the Member for Edmonton-Strathcona.

**Mr. Oberle:** Thank you, Mr. Chair. It's an honour to rise this evening and offer comments as we begin discussion in Committee of the Whole on Bill 1, the Workers' Compensation Amendment Act, 2012.

Mr. Chair, as we now consider what I'm sure are some amendments forthcoming, I want to draw the attention of the Legislature back to the original intent of this bill, and I think it's quite important to do so. This bill is about thanking first responders, and I think it's very important that we do that. The bill was never a discussion about: my job is more stressful than your job. It's not about making value judgments.

The hon. Member for Edmonton-Strathcona admonished the government somewhat for making value judgments in including some occupations and excluding others and pointed out that those occupations have just as stressful jobs as the jobs of people we're trying to thank and that it was wrong to make value judgments, yet I'm sure she is about to table some amendments that do exactly that. We're going to add some more professions into the discussion and thereby make value judgments.

**11:10**

The wrongness of this approach was really underlined for me in a discussion with a union representative from the federal corrections officers, a phone conversation I had. This federal corrections officer made it clear to me that their jobs are a little more stressful than provincial corrections officials', which I thought was unseemly, but also pointed out to me that the very stressful jobs they do, which I don't deny for a second – the federal corrections officers have very stressful jobs; I have no doubt about that – they do day in and day out. He said, as closely as I can quote, "It's not like we're rescuing cats in trees," thereby denigrating first responders because their job is far more important, which bounced me right back to: what is the purpose of this bill in the first place? That just underlined the absolute ridiculousness of this debate.

This bill is meant to recognize first responders. It's not to say that they have more stressful jobs than other people and that other people don't count. It's not to exclude anybody. It's to thank them. It's not even to say that first responders have a higher incidence of posttraumatic stress disorder. I don't actually think we have the data on that. If we want to go to anecdotal evidence, we have a fair amount of evidence that says that there are a lot of

first responders who won't claim PTSD because there is a stigma attached to it. That right there might tell you something about first responders. But beyond that, I don't have any evidence that says that they have a higher incidence of PTSD.

That's not the point. The point is that we are saying thank you to some people that are richly deserving of that. It's about the fact that the things that they do day in and day out are horrific, and we thank them for that. We should thank them for that.

The Member for Lac La Biche-St. Paul-Two Hills this morning I thought got it. He came back from a pretty stressful situation and made today, I thought, a very thoughtful and heartfelt statement in response to a ministerial statement from the Minister of Education. In his statement that member specifically mentioned the brave and selfless actions of first responders in a time of need. He didn't say that anybody else there wasn't deserving of any thanks, and I would take from the tone of his statement that he was pretty much admiring of absolutely everybody who was involved and will be involved in what is a horrific situation. But he singled out first responders because intuitively I think we all know there's something there that's deserving of thanks. I thank the hon. member for his statement, and I hope he'll participate in the debate later on.

This bill is about thanking first responders. It's about thanking people who are rousted out of their beds at 2 o'clock in the morning. It's about thanking those same people who are sitting at their dining room table when their families wake up, unable to sleep, unable to describe their feelings, and unable to explain their tears.

Mr. Chair, it's not about excluding anybody. It's not about denigrating the extremely hard and stressful work that other people do in our society and that we're all grateful for. It's not about that at all. It's most definitely not about removing the right that any worker in Alberta has to PTSD coverage when that PTSD, posttraumatic stress disorder, is related to their employment. That's already available to everybody, and the bill does not remove that from anybody.

It's about saying thanks to somebody who's richly deserving of our recognition. I plead with the Legislature to focus on that purpose of this bill as we move forward to discuss what, I'm sure, are amendments coming forward but at the end of the day to thank first responders across our province.

Thank you, Mr. Chairman.

**The Chair:** Just before I recognize the next speaker, just a little bit of information for the members. Speaking time for this purpose: members have 20 minutes each. Members are free to move about the Chamber. You can remove your jackets if it's hot. For new members, these proceedings are a lot less formal than the regular House proceedings.

With that, I'll recognize the Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Chairman. It's a pleasure to be able to get up and offer comment on Bill 1 in Committee of the Whole. I do want to move to an amendment that I'd like to put on the table, but I feel that it's somewhat necessary to respond to some of the points made by the previous speaker.

First of all, I want it to be absolutely clear that in no way does anyone in our caucus in any way think less overall or is in any way less grateful, in any fashion, for the work that is done by the group of first responders that are recognized in the current draft of the legislation. I think that that's very important to get out there. Having said that and having practised in the area of workers' compensation law for the last 20 years, this is not a piece of legislation that can just be casually used to thank people. It should

be used thoughtfully and intentionally with a clear understanding of what amendments to it mean.

I happen to support this particular amendment being put forward to expand and make easier the compensability of posttraumatic stress disorder because it's an area that is grossly, grossly undercompensated. However, I don't think that you should just sort of arbitrarily be using this piece of legislation or that piece of legislation as a thank you. If that's what legislation is for, there's lots of other ways you can do it. But this has an impact on people's lives. People will spend 20 years having their lives significantly changed by whether they happen to be someone that the minister thought should be thanked in this particular legislation or not thanked in this piece of legislation. I am struck that the minister seems to be kind of misunderstanding the role of legislation and particularly a piece of legislation that is so profoundly impactful on the lives of regular Albertans each and every day. First responders do deserve our gratitude. No question about it. But let's do this rationally.

The associate minister talked about sort of the conflicting arguments that exist when you say, on one hand, that you shouldn't be picking and choosing certain professions, and then, of course, he anticipated correctly that we are going to move forward with amendments to identify certain professions. I think before we embark upon that debate, I just want to make it very clear that I would love to have this whole legislation crafted differently so that we could really substantively and genuinely deal with the epidemic of mental health issues that arise in the course of work and the people that suffer as a result of their work activity, but that's not what this government has decided to do.

I'm going to be proposing a bunch of different legislation. But just so the minister doesn't get too excited, I will actually be proposing a piece of legislation that would suggest a different approach. Rather than listing, it would approach it in a different way. In the interests of pragmatics and in the interests of having this government acknowledge and make as many improvements as it is possible to get out of this legislation, the first strategy that we're going to take is we are going to propose adding people to this legislation, and we will slowly expand the scope of those people that we will be proposing to add.

[Mr. Amery in the chair]

The minister suggested that it was somehow inappropriate, in probably the course of a rather heated discussion of one particular advocate for one particular profession, to speak apparently dismissively about some of the work that those extremely hard-working and very respected firefighters do. But, of course, the minister needs to understand that he's invited that by identifying certain professions and excluding others. I don't think it's fair to then critique people who engage in that conversation.

11:20

That being said, it's also interesting that the minister then goes on to say: well, we need to be dealing with first responders because especially first responders are less likely to file claims. That tells you something about them, as though somehow we should celebrate them because they're less likely or less able, because the resources aren't there, to actually successfully advocate for a compensation claim when they rightfully are entitled to it because of an injury that occurred at work that happens to have created posttraumatic stress disorder. Again, I think there are underlying assumptions in the minister's comments that really raise some very significant concerns.

Now, the minister said that this legislation is designed to support those important first responders. Good. Let me just repeat,

which I'm going to have to do over and over because I'm sure the minister is going to try and suggest that by us proposing to add people, we don't respect first responders. So I'm just going to do it every three minutes or so to make it very clear that we support this legislation for first responders but that it needs to be improved. He said it was there to support those first responders and those people who are sitting at the dining room table in the middle of the night unable to sleep because of the extensive trauma that they've experienced, and they're unable to talk about it or to get treatment. I want to just say that, of course, that's who we should be thanking, but a lot of people experience that by making heroic decisions day in and day out at their workplace, and those people are not necessarily covered by this current act.

This morning I spent some time at a breakfast that was put on by the Legal Action and Education Fund, and interestingly the speaker there was a journalist who had been essentially drummed out of her employment after she wrote an article which generated tremendous controversy and ultimately several death threats. Her employer was unwilling to support her in that, and ultimately she was diagnosed with PTSD.

Now, it's interesting. She described her horrifying process. She wasn't actually even filing for WCB. She didn't even try that. She did what probably 99 per cent of people who have PTSD right now do, which is they simply go through long-term disability because it's less onerous to qualify for long-term disability than it is to show the causation that the minister suggests is easily accessible to every worker. The vast majority of mental health, where it is compensated, is compensated through long-term disability, and in that case, of course, we're making employees share the cost.

Anyway, she described a horrifying process that she went through, suffering from a mental health issue that arose clearly out of being threatened in her workplace. It was relevant to this debate because she did such a good job of describing how incredibly difficult it is for people who suffer not only PTSD but other forms of mental illness that arise from their experience at work to receive compensation as well as maintain their profession and maintain their relationships with people in their workplace. It's a travesty, and this legislation is one small piece of a large area which we have ignored to our detriment and to the detriment of all Albertans.

[Mr. Rogers in the chair]

I'd like to begin by talking just about our most specific amendment, which is that which relates to including corrections officers and why it is that corrections officers need to be one of the groups that is covered, regardless of what the mechanism is, by this legislation. The minister repeatedly talks about first responders and about how we need to thank first responders. Well, corrections officers are first responders. Corrections officers are the first people to provide medical care when there's a medical emergency in a prison. They are the first people to show up when there is a violent incident in a prison. They are the first people to be there when somebody is murdered in a prison. They are the first people to be there when somebody has a heart attack in a prison. They are the first responders in a prison. The only difference in the nature of their availability, the nature of its unpredictability, the nature of its trauma, is that it's in a prison.

While I think there's an important discussion – and I look forward to having that important discussion – on the larger issue of how people who suffer from mental health issues as a result of a trauma in their workplace should be dealt with, this particular issue to me seems like a no-brainer. I don't understand why the

government would exclude this particular group of first responders unless, as I said before, what they're doing is making a value judgment about the people to whom they respond. I can't imagine that they would be so simplistic as to engage in that kind of analysis. I can't imagine that they would be so reactionary as to engage in that kind of analysis but that, rather, they understand that these people are first responders just like the other first responders that they already want to include in this legislation.

Let's see. How am I doing for time here? I don't have too much time left, so I will probably speak more on the merits of the amendment that I'm about to offer up once I've tabled it. I would like to table the amendment before I run out of time to speak. Mr. Chairman, I will offer up copies to one of the pages and wait for it to be distributed before I read it into the record.

**The Chair:** For the record we'll call this amendment A1.

**Ms Notley:** The amendment that has now been distributed reads as follows. We would amend section 2 in the proposed 24.2(1) by striking out clause (c) and substituting the following:

(c) "peace officer" means

- (i) an individual appointed as a peace officer under section 7 of the Peace Officer Act who is authorized by that appointment to use the title "Sheriff",
- (ii) a member of the Correctional Service of Canada who is designated as a peace officer pursuant to Part 1 of the Corrections and Conditional Release Act (Canada), and a warden, deputy warden, instructor, keeper, jailer, guard and any other officer or permanent employee of a prison other than a penitentiary as defined in Part 1 of the Corrections and Conditional Release Act (Canada), or
- (iii) an individual who is constituted a peace officer under section 10 of the Corrections Act;

The point of this amendment in short, Mr. Chairman, is to include corrections officers under the coverage of Bill 1.

**11:30**

In speaking to that, first of all, let's talk a little bit about what this bill does because the minister repeatedly says: well, everybody has access to this. But just to be very clear, what happens right now if somebody claims for PTSD is that, first of all, the WCB spends a whole bunch of time trying to evaluate whether what they're suffering from is PTSD or whether it's depression of some other type, and by doing that, they turn the person's life inside out. Just to be clear, their doctor may diagnose PTSD, but then the WCB will immediately question that diagnosis and evaluate it at great length and investigate it very intrusively at great length.

They will then decide whether the PTSD actually is related to the employment, and the way they do that is by trying to find out if there are other ways that it could have been caused. That's where you get these lovely situations where you get unauthorized filming of people, where you get investigators digging into people's lives, where people are required to provide psychological reports and counselling notes going back 20 years so that the WCB can determine whether or not that person might have actually already been suffering from PTSD before the particular incident occurred. Then, of course, witnesses have to be examined to determine whether or not the event itself was traumatic.

It's a huge hill to climb, and because, of course, the very injury that the person is suffering goes to the very heart of their ability to advocate for themselves, 9 times out of 10 they don't advocate for themselves.

What we've seen in the last two years under the current rules is that the greatest number of people actually approved for PTSD were bus drivers, followed by truck drivers, followed by correctional service officers, followed by firefighters. Other than that, we don't actually have any other first responders on the list. The remaining people that were approved for PTSD were some of the other folks that one would think would typically be included on a broader list.

So what this bill does is that it just concludes that if somebody gets the diagnosis of PTSD and they are in that occupation, everything else is finished. They don't have to go through that intrusive, demeaning, demoralizing, in and of itself injury-producing process which is run by the WCB to establish whether or not their issue should be compensated. It's a major, major change. It's a good change. Don't get me wrong. It is a good change.

Then the question becomes: why have we not included corrections officers? In 2011-2012, Mr. Chairman, 814 incidents were investigated by the correctional investigator, and of those incidents 84 involved emergency response teams. Just to review, corrections officers as a matter of their employment serve on emergency response teams. Over 600 incidents involved the use of restraining devices, and a dozen involved the use of firearms by correctional staff. To emphasize, these are only the incidents that were actually reviewed by the correctional investigator. We know that as with the first responders that are currently identified under this legislation, correctional officers also underreport mental health issues, also underreport PTSD, notwithstanding that it probably exists at higher levels, for the very same cultural reasons that other first responders underreport them.

Prison populations as well, as I've said before, suffer from extremely high rates of mental health issues, drug addictions, diseases such as HIV and hep C, and these populations require care while incarcerated. Correctional officers are involved in the delivery of that medical care, and indeed they are often involved in the delivery of that medical care on an emergency response basis. As a result of that, Mr. Chairman, it just makes no sense. It defies explanation why the government would not include these first responders on the list of people who are going to benefit from the presumption in the way that I've described. It is so incredibly important, when someone is injured and as a result of that injury is diagnosed with posttraumatic stress disorder, that they not then be required to subject themselves to the intrusive and torturous adjudicative processes that are currently in place with the Workers' Compensation Board.

The presumption that the government is proposing will provide that benefit to the first responders that are currently listed, but there is absolutely no reason to not provide that benefit to the other first responders who benefit the community in different ways but to the same level as the ones identified by government. I would suggest to you that there are no studies out there that would

suggest that the frequency of emergency response incidents in the prisons by corrections officers is not equal to or greater than the frequency that is experienced by those who are currently listed by the government in the bill which is before us today. For that reason, I believe it is only logical as well as just as well as reasonable for the government to accept this amendment so that corrections officers can be treated with the same dignity and equality that they and all Albertans deserve.

Thank you.

**The Chair:** The hon. Government House Leader on the amendment.

**Mr. Hancock:** Thank you, Mr. Chair. Yes, on the amendment. I think it's been very interesting. The hon. Associate Minister of Human Services certainly put into context, following the second reading debate speeches, what the purpose of the bill is, and now we have an amendment framing some of the other issues. I think all members in the House would want to take a few hours overnight to digest the two elements of debate that have been put before us before making a decision, so I would move that we adjourn debate.

[Motion to adjourn debate carried]

**Mr. Hancock:** Mr. Chairman, I would move that the committee now rise and report progress on Bill 1.

**The Chair:** Thank you, hon. Government House Leader.

[Motion carried]

[The Deputy Speaker in the chair]

**The Deputy Speaker:** I recognize the hon. Member for Lethbridge-East.

**Ms Pastoor:** Thank you, Mr. Speaker. The committee has had under consideration a certain bill. The committee reports progress on the following bill: Bill 1. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

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

**Hon. Members:** Agreed.

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

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I'd move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; the Assembly adjourned at 11:39 p.m. to Tuesday at 1:30 p.m.]



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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Tuesday afternoon, October 30, 2012

Issue 11a

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta**  
**The 28th Legislature**

First Session

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Robert H. Reynolds, QC, Law Clerk/ Director of Interparliamentary Relations	and Legal Research Officer Philip Massolin, Manager of Research Services	Gordon H. Munk, Assistant Sergeant-at-Arms Liz Sim, Managing Editor of <i>Alberta Hansard</i>
Shannon Dean, Senior Parliamentary Counsel/Director of House Services	Brian G. Hodgson, Sergeant-at-Arms	

## **Executive Council**

Alison Redford	Premier, President of Executive Council
Thomas Lukaszuk	Deputy Premier, Ministerial Liaison to the Canadian Forces
Manmeet Singh Bhullar	Minister of Service Alberta
Robin Campbell	Minister of Aboriginal Relations
Christine Cusanelli	Minister of Tourism, Parks and Recreation
Cal Dallas	Minister of International and Intergovernmental Relations
Jonathan Denis	Minister of Justice and Solicitor General
Wayne Drysdale	Minister of Infrastructure
Kyle Fawcett	Associate Minister of Finance
Doug Griffiths	Minister of Municipal Affairs
Dave Hancock	Minister of Human Services
Fred Horne	Minister of Health
Doug Horner	President of Treasury Board and Minister of Finance
Ken Hughes	Minister of Energy
Jeff Johnson	Minister of Education
Stephen Khan	Minister of Enterprise and Advanced Education
Heather Klimchuk	Minister of Culture
Ric McIver	Minister of Transportation
Diana McQueen	Minister of Environment and Sustainable Resource Development
Frank Oberle	Associate Minister of Services for Persons with Disabilities
Verlyn Olson	Minister of Agriculture and Rural Development
Dave Rodney	Associate Minister of Wellness
Donald Scott	Associate Minister of Accountability, Transparency and Transformation
George VanderBurg	Associate Minister of Seniors
Greg Weadick	Associate Minister of Municipal Affairs
Teresa Woo-Paw	Associate Minister of International and Intergovernmental Relations

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on Alberta's Economic Future

Chair: Mr. Amery  
Deputy Chair: Mr. Bikman

Bhardwaj	Quadri
Blakeman	Quest
Donovan	Rogers
Dorward	Sandhu
Eggen	Sherman
Fenske	Smith
Goudreau	Starke
Hehr	Strankman
Jansen	Towle
Luan	Young
McDonald	Vacant
Olesen	

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Quest  
Deputy Chair: Mrs. Jablonski

Anderson  
Casey  
Dorward  
Eggen  
Kubinec  
Sandhu  
Sherman

### Select Special Conflicts of Interest Act Review Committee

Chair: Mr. Allen  
Deputy Chair: Mr. Luan

Blakeman  
Dorward  
Fenske  
Johnson, L.  
McDonald  
Notley  
Saskiw  
Wilson  
Young

### Standing Committee on Families and Communities

Chair: Ms Pastoor  
Deputy Chair: Mrs. Forsyth

Allen	Leskiw
DeLong	Luan
Fox	McAllister
Fraser	Notley
Fritz	Pedersen
Jablonski	Sarich
Jansen	Saskiw
Jeneroux	Swann
Johnson, L.	Wilson
Kang	Young
Kubinec	Vacant
Lemke	

### Standing Committee on Legislative Offices

Chair: Mr. Xiao  
Deputy Chair: Mr. McDonald

Bikman  
Blakeman  
Brown  
DeLong  
Eggen  
Leskiw  
Quadri  
Rogers  
Wilson

### Special Standing Committee on Members' Services

Chair: Mr. Zwozdesky  
Deputy Chair: Mr. Young

Calahasen  
Dorward  
Forsyth  
Goudreau  
Jablonski  
Mason  
Quest  
Sherman  
Smith

### Standing Committee on Private Bills

Chair: Mr. Cao  
Deputy Chair: Ms L. Johnson

Barnes	Notley
Bhardwaj	Olesen
Brown	Pastoor
DeLong	Rowe
Fox	Sarich
Fritz	Starke
Goudreau	Strankman
Jeneroux	Swann
Kennedy-Glans	Webber
Luan	

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Dr. Starke  
Deputy Chair: Mr. Lemke

Allen	McAllister
Amery	McDonald
Bhardwaj	Notley
Casey	Pedersen
Hehr	Sandhu
Jansen	Saskiw
Jeneroux	Towle
Johnson, L.	Xiao
Kennedy-Glans	Young
Kubinec	

### Standing Committee on Public Accounts

Chair: Mr. Anderson  
Deputy Chair: Mr. Dorward

Allen	Hale
Amery	Hehr
Anglin	Kang
Bilous	Pastoor
Calahasen	Quadri
DeLong	Sarich
Donovan	Starke
Fenske	Stier
Fraser	Webber
Fritz	

### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans  
Deputy Chair: Mr. Rowe

Anderson	Hehr
Anglin	Johnson, L.
Barnes	Kubinec
Bilous	Lemke
Blakeman	Leskiw
Brown	Sandhu
Calahasen	Stier
Cao	Webber
Casey	Xiao
Fenske	Young
Fraser	Vacant
Hale	

## Legislative Assembly of Alberta

1:30 p.m.

Tuesday, October 30, 2012

[The Speaker in the chair]

### Prayers

**The Speaker:** Let us pray. Dear Lord, bless all of us with a strong and abiding sense of the great responsibilities laid upon us. Bless us with a deep and thorough understanding of the needs of the people we serve, and bless us with Your guidance to help meet those needs to the best of our abilities. Amen.

Please be seated.

### Introduction of Visitors

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

**Mr. J. Johnson:** Thank you, Mr. Speaker. I'd like to introduce to you and through you a group joining here today us all the way from the state of Jalisco, Mexico. The group is in Alberta to sign agreements with both Alberta Education and Alberta Enterprise and Advanced Education working together in education. Leading the delegation is Mr. José Antonio Gloria Morales, Secretary of Education for the state of Jalisco. I'd ask them to stand and to remain standing when I announce their names. The Minister of Enterprise and Advanced Education and I had the pleasure of meeting with him today, and I can assure you that he is very committed to education and passionate about his state.

Mr. Speaker, also here as part of the delegation and seated in the Speaker's gallery are Andrés Barba and Thalía Pérez Llamas. With them in the gallery are staff from both departments, who've been working hard to make these agreements and this MOU extension possible. From Enterprise and Advanced Education we have Caleb Nienkirchen, and from Education we have Waldemar Riemer.

Earlier today, Mr. Speaker, we hosted an event at Government House, with a lunch, to formally sign both MOUs. We were lucky enough to have several students join us there as well. These students are also here with us today in the members' gallery. I'd ask them to stand as I introduce them. From Austin O'Brien high school in Edmonton please welcome international exchange students Alieth Ramirez and Angel Chavez Vasquez. From l'ecole Notre Dame high school in Red Deer we have international student Patricia Martinez Gallardo. Accompanying them today are teachers Derek Hatch and Richard Foret as well as Jackie Bodker from Alberta Education.

Mr. Speaker, this was a great extension of a very good MOU between Alberta and Mexico, and I know the entire Assembly will join me in welcoming them to Alberta.

### Introduction of Guests

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

**Mr. Anderson:** Thank you, Mr. Speaker. It is my great pleasure to introduce to you and through you to all members of this Assembly three wonderful grade 9 classes from my old school, George McDougall. They're here today with several teachers, including somebody I graduated the same year as and who was always a much better student than I, Ms Devon Sawby. Of course, Ms Kristin Duncan is here, Constable David Henry, Constable Meagan Fillion, and our former mayor of Airdrie Mrs. Linda

Bruce is accompanying them, so if we could please give them the warm reception of this Assembly.

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

**Mr. Hancock:** Thank you, Mr. Speaker. It's my pleasure today to introduce to you and through you to members of the Assembly several government of Alberta employees who are participating in a leadership program led by the Ministry of Human Services. This is a program which employees can volunteer for when they want to develop their leadership skills. With us today are Gordon Weighell, the team mentor, from Human Services; Amanda Jackman from Education; Lesley van de Ligt from Justice, Meenu Nath from Human Services; Mike Wordell from Solicitor General; Myra DeCoteau from Human Services; and Sabrina Marling from Health. I'd ask all of them to stand and be recognized by Members of this Legislative Assembly for the good work they and the people they represent do on behalf of Albertans.

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

**Mrs. Jablonski:** Thank you, Mr. Speaker. Today I'm very honoured to rise and introduce to you and through you to members of this Assembly a number of special guests who are here today to hear and to support my member's statement on Irlen syndrome. Some of these individuals have travelled from across our province to be here today. I ask that they rise as I introduce them.

Nola Stigings, who is a certified Irlen diagnostician from Innisfail, has brought with her Lisa Hansen from Red Deer and Lisa Goodwin from Calgary, both certified screeners. Judy Pool, a reading specialist and Irlen diagnostician from Edmonton, has brought with her three guests who have all been diagnosed with Irlen's: Rachel Maskowitz, Amy-Lynn Bienert, and Colleen Stott. Finally, Bettylyn Baker, a teacher and certified Irlen screener, has brought with her Sarah Verbeek and her two sons, nine-year-old Champ and seven-year-old Wyatt Verbeek from Youngstown. Champ and Wyatt have both been diagnosed with Irlen's, and you can see that they're wearing the filtered lenses that have changed their lives. These individuals have persevered in their fight against Irlen syndrome, which is a visual perceptual impairment. I would now ask that all members join me in the traditional warm welcome of the Assembly for my guests.

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

**Ms Notley:** Thank you, Mr. Speaker. I'd like to introduce to you and through you to this Assembly a group of guests who are members of the Alberta Union of Provincial Employees. Working as social workers and correctional peace officers, these individuals are regularly exposed to volatile and traumatic events. The cumulative experience of such traumatic events often leads to posttraumatic stress disorder. Our guests today seek to have their occupations recognized for presumptive WCB coverage in Bill 1. Doing so will ensure that those who suffer PTSD are not revictimized by having to relive the events that made them sick in order to obtain WCB benefits. I would now ask my guests to rise as I call their names: Monte Bobinski, Michele Deuél-Bobinski, Hal Griffith, Dennis Malaylco, Shamanthi Cooray, Morag Rempel, and Heather Sweet. I'd appreciate it if members could join me in welcoming them to the Legislature.

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

**Mrs. Sarich:** Thank you, Mr. Speaker. It's an honour and a privilege for me to rise today to introduce to you and through you

to all Members of the Legislative Assembly eight guests here in recognition of the North Edmonton Seniors Association's grand reopening of their newly reconstructed facility; namely, the Northgate Lions Seniors Recreation Centre. You may recall the devastating collapse of the centre's gymnasium roof on January 25, 2011, which made it necessary to temporarily relocate the association's educational, health, recreational, and social activities.

My guests today are chosen to represent the North Edmonton Seniors Association in honour of their exemplary long-term volunteer service. They are seated in the public gallery, and I would ask that they please rise and remain standing as I mention their names. We have with us this afternoon Mr. Hugh Newell, president; Mr. Steve Shamchuk, past president; Mrs. Grace Swekla; Mrs. Brenda Doucet; Mrs. Sharlene Wyness; Mr. Jim McArdle; Mr. Ed Doucet; and Mrs. Shirley Curle. I would now ask that my colleagues please join me in giving the traditional warm welcome of the Legislative Assembly.

Thank you.

**The Speaker:** The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Rowe:** Thank you. With your indulgence, Mr. Speaker, I have two introductions to make today. I'd like to do them separately so that each may be recognized in their own right. Thank you.

I'd like to introduce to you and through you to all members of this Assembly an exceptional lady who truly defines the meaning of an outstanding citizen. An active member of our community, she served on the village of Beiseker council, volunteered for the fire department, is the lead on the disaster services committee, a member of the community hall board, pinch-hits at the local doctor's office and the village office, and she even found time to volunteer during my campaign. Among her most ambitious projects is being a member of the local Helping Hands group. Putting her artistic talents to work, they have made over 1,200 afghans for the needy and numerous quilts for charitable organizations. She is always giving her time, lending a hand whenever and wherever needed, and has an exceptional dedication to our community. She is known for her energy, her enthusiasm, and her wonderful disposition. Deeply respected and loved, she is an inspiration to us all. I am privileged to call her my friend. I would ask that Vera Schmaltz rise and receive the traditional welcome of this House.

1:40

Mr. Speaker, I would also like to introduce to you and through you to all members of this Assembly another exceptional lady, a pillar of the community I call home. As well as serving on a number of committees and boards, she also found time to play a pivotal role in a very important campaign in the last election, mine. I would ask that my wife, Carol, rise and receive the traditional welcome of this House.

**The Speaker:** The hon. Member for Fort Saskatchewan-Vegreville.

**Ms Fenske:** Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you to all members of the Assembly two leaders from the community of Fort Saskatchewan. The first is Brenda Gheran. She is the executive director for the Northeast Region Community Awareness Emergency Response, a mouthful. We like to call it NRCAER. This organization co-ordinates mutual aid for emergency response in our very growing Alberta's Industrial Heartland. It serves nine municipalities and 31

industries. In addition, they also provide a valuable education program to the community.

The second individual is Conal MacMillan. He is the executive director of the Fort Saskatchewan Chamber of Commerce. This chamber brings together over 350 local members to work collectively to advance small business and industry in our community. As we know, these groups are essential in representing the interests of industry and business. I would ask Brenda and Conal, who are seated in the members' gallery, to stand and receive the traditional warm greeting.

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. It is an absolute pleasure for me to introduce to you and through you to all members of the Assembly three of my constituents: Karly and Gloria Roszell and their mother, Priscilla. This is their first time visiting question period, and they came all the way from Cache Lake, near the Saddle Lake reserve. This is a very educated family. Karly wants to become a lawyer, and we can always, of course, use more lawyers in this world. Gloria wants to take architecture and engineering, and Priscilla, when she grows up, wants to become an aboriginal lobbyist. These are some outstanding Albertans with a very bright future. I would ask them to stand and receive the traditional warm welcome of this Assembly.

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

**Mr. Horne:** Thank you very much, Mr. Speaker. It's an absolute privilege today for me to introduce to you and through you to all Members of the Legislative Assembly 12 policy interns from the Ministry of Health. This group plays a critical role in strengthening policy capacity within the ministry, and I'm very pleased that they have chosen health policy as an area in which to focus their career interests. They are here in question period this afternoon. I would ask each of them to rise as I call their names: William Camm, James Carver, Salvatore Cucchiara, Scott Fullmer, Tiko Gumberidze, Nirosha Gunasekara, Fedja Lazarevic, Kristi MacNeil, Brady Olsen, Dorothy Roberts, Alysha Visram, and Fiona Wang. They are joined by Burnadene Ebanks, manager of human resource strategies in the ministry. I'd ask all members to provide them with an especially warm welcome.

**Mr. Dorward:** Mr. Speaker, it's my honour to introduce to you and through you to the Assembly Mr. Mike Boldt. Mr. Boldt resides in the wonderful community of Spruce Grove, which Minister Horner made sure that I would remind you of. Mr. Boldt is a children's author and illustrator. Please stand, Mr. Boldt, and be recognized by this Assembly.

**The Speaker:** Just a reminder, hon. member, about not using names of individuals who are elected in this Assembly.

The hon. Member for Edmonton-Calder, followed by the Minister of Service Alberta.

**Mr. Eggen:** Well, thanks, Mr. Speaker. I would like to introduce to you and through you to all members of the Assembly someone who means a great deal to me, Marion Eggen, my mother. Marion was born and raised in Vermilion, Alberta, and has been a nurse, a hospital administrator, and, of course, means a great deal to me and my family in everything that we do. If she could please rise and receive the warm traditional welcome.

**The Speaker:** Hon. Minister of Service Alberta, did you have an introduction?

**Mr. Bhullar:** Sure. Thank you very much, Mr. Speaker. I'm very pleased to have some folks from my department join me here this afternoon to witness the grand theatre that has become question period. I'd ask them to rise as I announce their names: Rhonda Lothammer; Wanda Benning; Lisa Lai; Claudette Dunsing; Twyla Job; Nathan Stelnicki; and, of course, our two policy analysts who have been working very intently on a particular piece of legislation that will be introduced a little later this afternoon. I'd ask my colleagues to give them a warm reception.

### Members' Statements

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

#### North Edmonton Seniors Association Northgate Lions Seniors Recreation Centre

**Mrs. Sarich:** Thank you, Mr. Speaker. On January 25, 2011, the North Edmonton Seniors Association lost access to a well-known gem of a facility in north Edmonton. The Northgate Lions Seniors Recreation Centre experienced a real disaster on that day as the building's roof had collapsed. Since that time, facility manager Maggie Nichol alongside many hard-working, tireless staff and volunteers did an admirable job in relocating and reorganizing association activities in various alternate locations during the infrastructure rebuilding process. This was a daunting task, truly a living example of the Alberta spirit as the association provides over 180 recreational, social, educational, and health-related programs per season.

On September 21, 2012, I had the pleasure of joining the membership of this organization, the city of Edmonton mayor, city councillors, and the construction and architectural firms to help celebrate the grand reopening of the Northgate Lions Seniors Recreation Centre. The North Edmonton Seniors Association and the city of Edmonton turned the disaster into an opportunity to reconstruct and retrofit a beautiful \$5.8 million gathering place for all seniors to enjoy.

Mr. Speaker, it is said that the more we do for humanity, the more benefits we receive. Special thanks to the North Edmonton Seniors Association for contributing annually over 42,000 volunteer hours to the centre and community at large. I would like to commend the membership, staff, and all the volunteers of the North Edmonton Seniors Association, who worked so tirelessly through their 20 months of dislocation, and wish them all many years of laughter, learning, and living in their new home.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition.

#### Professional Sports Arena for Edmonton

**Ms Smith:** Thank you, Mr. Speaker. Since the topic of Edmonton's downtown arena is back in the news, I thought I'd take some time to clarify where we in the Wildrose stand on this issue. The Wildrose wants Edmonton to have an arena. We like having two NHL hockey teams in our province. We like what this means for Alberta, for our two major cities, and for our economy, and we think that a new arena for the city of Edmonton would be a fabulous addition to a rejuvenated and ever-evolving downtown core but not at any cost.

Last year I put out a proposal to help fund this project, one that would require no additional funding from the province and, most

importantly, would protect taxpayers from being forced into having to pay for it. It's a lottery, Mr. Speaker. Quite simply, it would be a branded lottery sponsored by the province dedicated to generating revenues for Alberta's two NHL hockey teams with the express purpose of raising funds for a new arena. It would give Albertans, passionate hockey fans, a direct stake in their team's future and, critically it would be entirely voluntary. We estimate that it would generate between \$5 million and \$10 million annually for Alberta's hockey teams, which is a steady stream of revenue to help offset arena costs.

Now, yesterday the Municipal Affairs minister got quite agitated at the idea of a lottery, apparently forgetting that this very government implemented a lottery in 2001 to raise money for Alberta's NHL hockey teams. It was a good idea then; it's a good idea now.

1:50

Mr. Speaker, let me also put to rest a false comparison the same minister made. He suggested that there is no difference between municipalities using provincial MSI dollars to build a public recreation centre or an NHL hockey arena. We disagree. One is a public asset, the other a private endeavour. That's why we support a lottery. If you want a new downtown arena for Edmonton or someday for Calgary . . .

**The Speaker:** Thank you, hon. member.

### Speaker's Ruling

#### Oral Question Period Time Limits

**The Speaker:** Hon. members, before we start the clock for question period, let me remind you that one of our objectives in question period is to allow as many members as time permits to rise and ask their questions. Our rule is that you are allowed 35 seconds for each question and 35 seconds for each answer, and no preambles to supplemental questions are allowed. Therefore, when your 35 seconds are up and over, I will stand up as soon as I possibly can and recognize the next member to keep the pace moving. Start the clock.

### Oral Question Period

**The Speaker:** The hon. Leader of Her Majesty's Opposition.

#### Lobbying Government

**Ms Smith:** Mr. Speaker, we'd like to know more about the government's dealings with the Katz Group on a number of matters. The Finance Minister said yesterday: "The Katz Group asked for a change in casino licences. We said no. The group asked for direct funding for the arena. We said no." Will the minister provide details on when and where those meetings took place, who attended those meetings, who arranged those meetings, and how the no decisions were made and communicated?

**Mr. Horner:** Well, Mr. Speaker, I'd be pleased to get you the dates of the meetings. It's not a secret. I've met with stakeholders in this province pretty much consistently since I've become the minister. Even previous to that, a number of years ago I recall the discussion around the possibility of changing casino licensing was brought forward, and the answer was no then. The answer is no today, and the answer will presumably be no in the future.

**The Speaker:** The hon. Leader of the Opposition.

**Ms Smith:** Thank you, Mr. Speaker. Given that making a request for a change in a casino licence seems like a lobbying effort and given that a special request for targeted funding through an extraordinary adjustment to the municipal infrastructure funding program also seems like lobbying, who was the registered lobbyist representing the Katz Group when the casino and the funding requests were made?

**Mr. Horner:** Mr. Speaker, I'm not aware of who the registered lobbyist was. One of the occasions was at a social occasion where I was approached and asked whether the government would consider it. I said no.

**Ms Smith:** Well, Mr. Speaker, when we ask legitimate questions about the government's cavalier attitude toward the cozy connection between party donors, government policy, grant request, funding arrangements, handling of government investments, sloppy election laws, and now hazy lobbying practices, we get dodging, glib brush-offs, misdirection, and jokes about the Kennedy assassination. When will they come clean and tell Albertans the whole story?

**Ms Redford:** Mr. Speaker, as usual we have the opportunity to discuss all of these issues in the House based on newspaper reports. The good thing about these newspaper reports is that they have accurately reflected the dialogue with respect to public policy on these issues. There is no dispute or any confusion about the government's position with respect to casino licences, with respect to funding of arenas. We have been very clear, people who have interests in these issues have been very clear, and the stories have been very clear.

#### MLA Remuneration

**Ms Smith:** Mr. Speaker, the government appears ready to use its majority to slip through another increase in MLA pay while trying to convince Albertans that an extra thousand dollars a month is actually a decrease in compensation. No wonder these guys can't balance the budget. They clearly want to increase MLA pay despite the Premier and the whip messing up the strategy for how to do it. How can they justify this thousand-dollar-a-month increase of taxpayer cash when the provincial budget is so far out of whack?

**Ms Redford:** Mr. Speaker, I received information today with respect to the Leader of the Opposition and another hon. member from that side of the House bringing a motion forward . . .

**An Hon. Member:** Are you spying on us?

**Ms Redford:** I believe it was a press release or on the Internet with respect to a motion that is coming to the Members' Services Committee, which is a committee of this Legislature. It is important for that committee to do its work without a partisan perspective.

I will also say that we have been very committed to a transparent process with respect to compensation, and Albertans support that.

**Ms Smith:** Mr. Speaker, it's so hard to get a clear answer from this government. We want a simple yes or no to this question. Is the government going to use its majority to push through an 8 per cent raise, a thousand dollars a month, for MLAs in the form of fully taxpayer-funded RRSP contributions? Yes or no?

**Ms Redford:** Mr. Speaker, there is a process under way at Members' Services. We have been very clear with respect to the information that's been provided. There have been months of

study with respect to this, and I look forward to the results of the committee decision.

**Ms Smith:** Mr. Speaker, even if they try to hit undo a bunch of times to erase this terrible RRSP idea, the damage has already been done. Our collective reputation as MLAs has already been damaged. More importantly, there's a signal that if 8 per cent more is good for MLAs, it must also be good for our public-sector unions. How are they going to unring that bell?

**Ms Redford:** Mr. Speaker, I would suggest to the hon. Leader of the Opposition that if she was worried about the collective reputation of MLAs in this House, she should actually look at the conduct of her party in the last six days.

However, Mr. Speaker, the Members' Services Committee has been considering a number of recommendations from the Major commission with respect to compensation pay, most of which this government has already rejected. We think it's appropriate for Members' Services to ensure that the work is being done to reflect what MLAs do right across this spectrum, and we look forward to the decision of the committee next week.

**Ms Smith:** At least I've been here the last six days. [interjections]

#### Provincial Borrowing

**Ms Smith:** Mr. Speaker, the Finance minister likes to compare the provincial budget to a family budget, and he's trying to soft-pedal a \$3 billion budget deficit by comparing . . . [interjections]

**The Speaker:** Hon. members, please. The Leader of the Opposition has the floor, and I think she is abundantly familiar with most of the rules by now. I'd ask her to please abide by them and please rephrase.

**Ms Smith:** Thank you, Mr. Speaker. The Finance minister likes to compare the provincial budget to a family budget. He's trying to soft-pedal a \$3 billion budget deficit by comparing it to a household mortgage. It's a ludicrous comparison because if a family's income drops, they don't spend more, they don't take expensive trips to London, they don't eat at fancy restaurants, and they certainly don't book hotel rooms that they don't use. But here, with projected revenues down, way down, we see no evidence of anything except more borrowing. What real adjustments is the government family going to make to its spending?

**Mr. Horner:** Well, Mr. Speaker, I'm not exactly sure how all of that connected in terms of what I may have been comparing to the family's budget. I think it's important to note that the ridiculous statements of the opposition Finance critic and the opposition leader that suggested that we would have a budget that would be balanced without putting the mortgage payment in it: I've never said any such thing. In fact, what we've said is that we will balance the budget, and included in that budget will be the funding of our capital plan like any responsible financial manager would do. We will do that. In addition, if they had been paying attention when we gave the first-quarter update, they would have heard . . .

**The Speaker:** The hon. Leader of the Opposition.

**Ms Smith:** Thank you, Mr. Speaker. Given that the Finance minister seems to be justifying the potential for additional borrowing by crowing about the province having no net debt – this is an apparent reference to the heritage fund – is he saying that



borrowing is okay as long as it stays under \$15 billion? How deep into debt is the minister planning to take us?

2:00

**Mr. Horner:** Mr. Speaker, I would suggest that the hon. member might want to have a discussion with some of the financial experts in our community and in our province, because I have. Over the last six months I've been talking with a number of those financial experts. I've also been talking to Albertans, and Albertans want us to do things like highway 63 now, not defer it till some point in the future. Albertans want us to build the postsecondary spaces that they need today, not defer it till sometime in the future. Albertans want us to build the schools in their cities, like Airdrie, like Edmonton, now, not defer them to sometime in the future.

**Ms Smith:** Mr. Speaker, Albertans want this government to live within our means. The minister has told us that revenue projections were based upon average prices established by multiple outside experts, but if the experts are proven wrong, as they have been, the minister doesn't seem to have a real plan for reducing spending. If oil prices go up, they spend. If prices go down, they borrow. When will this government stop blowing through our savings?

**Mr. Horner:** Mr. Speaker, again, I would ask the hon. members opposite to pay attention when we do the first-quarter update or when I do the second-quarter update. They would know that we did announce further increases in in-year savings for this year. I would also suggest that it's incredible that a party that's talking about this would stand up, most of their members, over the last few days and talk about nothing but more spending in their constituencies, more than a billion dollars. Where's the balance there? Where's the priority?

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

### Sexual Orientation and Human Rights

**Ms Blakeman:** Thanks very much, Mr. Speaker. The Premier says that she is committed to human rights, especially as it affects the gay and lesbian community in Alberta. She has even scored big points by taking part in the Pride Week festivities in both Edmonton and Calgary. My question is to the Premier. Why has the Premier consistently avoided removing the odious section 11.1 from the Alberta Human Rights Act?

**Ms Redford:** Mr. Speaker, there is not a doubt in the mind of any Albertan that we support choices and lifestyle and people who live whatever way that they want to in this province with respect to sexual orientation. What I will say with respect to all of the work that is being done for the first time by this government is that there is a comprehensive consultative process going on with members of the gay and lesbian community to ensure that we have a fully comprehensive legislative, regulatory, and policy framework that respects all human rights in this province.

**Ms Blakeman:** Well, not while that section is still there.

Back to the Premier: could the Premier please explain why during the election the Premier sold herself and her government as progressives, especially to the under-40 voters, yet flip-flopped fast in refusing to remove that very section and continuing to propose legislation that upholds racial and religious practices but won't even name sexual orientation and gender identity?

**Ms Redford:** Mr. Speaker, without speaking specifically to the legislation that is before this House at the moment, what we did in

this election is that we spoke to Albertans about being a progressive and inclusive and respectful government. What that means is that everyone in Alberta has rights that need to be protected. All rights need to be balanced. We have to be consistent with our Constitution. This government will stand up for that and will not be subject to political stunts.

**Ms Blakeman:** Balancing human rights. Hmm.

Back to the Premier: how does the Premier explain the proposed government policy which allows parents to teach their children at home that homosexuality is a sin and that being gay or lesbian is bad but denies teachers the ability to even talk about sexuality in the classroom without the Human Rights Commission sword of Damocles hanging over their heads?

**Ms Redford:** Mr. Speaker, that is a characterization that does nothing but provoke fear and intolerance in all parts of this discussion. [interjections] We are proud of the fact that in this province we have legislation that is consistent with our Bill of Rights, with the Charter of Rights and Freedoms, and ensures that we do do what every court in this country does, which is truly balance the rights of all Canadians. [interjections]

**The Speaker:** Hon. members, I cautioned you yesterday about interjections, and I'm going to caution you again today.

The hon. leader of the New Democratic opposition.

### Cost of Injections by Pharmacists

**Mr. Mason:** Thank you very much, Mr. Speaker. It's flu season, and Albertans are lining up to get their shots, but this year pharmacies are making extra cash providing those shots. Last year, before Daryl Katz, the billionaire pharmacy magnate, saved the PCs' bacon in the election, pharmacists were given \$10.93 per injection. This year pharmacies are getting \$20 per shot. My question is to the Premier. Can she explain why pharmacies now receive almost double what they did one year ago?

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

**Mr. Horne:** Thank you very much, Mr. Speaker. Well, the answer to that question is very simple. We as a government made a commitment early in our mandate last year to begin to pay pharmacists for the services that they are legally enabled to do under their scope of practice. That includes injections and immunizations. If the hon. member wants to stand up and make an argument to Albertans as to why they should not be able to access flu immunization from their pharmacists, I'd be more than happy to listen to that.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. The point is that the government after the election nearly doubled what they were being paid.

Given that the province pays physicians' offices just \$10.30 per shot and pharmacies twice that for exactly the same service, can the Premier explain this sweetheart deal for pharmacies in Alberta?

**Mr. Horne:** Mr. Speaker, if the hon. member had followed the improvements in pharmacy care that were announced by this government and took effect on July 1, he would know that as of that date a new pharmacy compensation framework for the province was introduced, wherein pharmacists are paid \$20 per interjection for drugs or for vaccines. He would further know that

this government in our last budget reduced the prices that we pay in our public plans for generic drugs in order to fund that very service, which Albertans report as tremendously convenient and effective.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. We're well aware of how the government has sweetened the deal for pharmacies, including those owned by Mr. Katz.

Given the financial benefit of this sweetheart deal to Mr. Katz among others, does the Premier acknowledge that her government has placed itself in a serious conflict of interest by accepting a massive donation from Mr. Katz and his family and his associates?

**Ms Redford:** Mr. Speaker, for the last three years we've been discussing how to improve health care, and we've listened to Albertans. What Albertans have told us is: ensure that all health care professionals are able to exercise their skills to the best of their ability and to their full professional qualifications. What we did this year in terms of making changes to the pharmacies act was in response to listening to Albertans. This is a sweetheart deal for Albertans.

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills, followed by the hon. Member for Vermilion-Lloydminster.

#### Election Finances Legislation

**Mr. Saskiw:** Thank you, Mr. Speaker. Given your instructions yesterday, I've drafted my questions accordingly. I will table documents later today that show that almost \$1,800 of illegal donations were made by a prohibited corporation, Bow Valley College. This government's election law, which was put in place when the Premier was Justice minister, prevents the Chief Electoral Officer from making his findings of wrongdoing public. Will the Premier amend the legislation now, or is she fine with the status quo of Albertans being kept in the dark on who has made or received illegal donations in this province?

**Mr. Olson:** On behalf of the Minister of Justice and Solicitor General, Mr. Speaker, the member is well aware that we have legislation coming, so I suggest that he stay tuned.

**Mr. Saskiw:** Mr. Speaker, given that the election finance laws have already gained the reputation as the worst in Canada and given that the Chief Electoral Officer has already found dozens of illegal donations made to a political party, can the minister explain why Alberta is the only province that refuses to publicly disclose all illegal donations and fines, or will this so-called open and transparent government force Albertans to use expensive FOIP requests to find out?

2:10

**Mr. Olson:** Mr. Speaker, that characterization may only be in that member's mind and some of his colleagues'. We have very good legislation in this area, and we're constantly trying to improve it. We have taken recommendations of the Chief Electoral Officer after the last election and are considering them. It's a work-in-progress. I ask the member to be patient and see what's coming.

**Mr. Saskiw:** That's just not true. You should stick to the ag department.

I have a very simple question for you. Will this minister do the right thing and commit today to introduce legislation to retroactively

publicly disclose all illegal donations and fines in the past seven years, or will this cover-up continue? Simple.

**Mr. Olson:** Mr. Speaker, I'm not going to give such an undertaking. That's a ridiculous request. Now, I don't know why he is referring to me as the agriculture minister in this particular context because, obviously, I'm answering on behalf of the Minister of Justice and Solicitor General. Again, I say that we have legislation that's coming, and his questions will be answered at that time.

**The Speaker:** The hon. Member for Vermilion-Lloydminster, followed by the hon. Member for Drumheller-Stettler.

#### Health Care Costs

**Dr. Starke:** Thank you, Mr. Speaker. The Canadian Institute for Health Information has just released their report on the national health expenditure trends dated from 1975 to 2012. On a per capita basis Alberta spends the second-highest amount on health care amongst provinces, second only to Newfoundland. Now, as with all government expenditures Albertans expect good return on their money for this kind of investment. To the Minister of Health: can the minister tell us why we are spending well above the national average on health care in this province, and is this investment actually making for better health outcomes in Alberta?

**Mr. Horne:** Mr. Speaker, one of the reasons that we lead Canada in per capita health spending is because we have been fortunate enough in this province to have the finances to pay for infrastructure, technology, and other improvements that Albertans depend on and benefit from each and every day. What's interesting about the hon. member's question is that the cost drivers in health care have changed according to this report. Whereas in the past drugs, for example, and hospital costs were the key drivers in the health system, it is things such as physician costs and other factors that are leading the increase in costs today.

**Dr. Starke:** Mr. Speaker, also to the Minister of Health: can the minister tell us what we are doing to get a handle on these ever-increasing expenditures here in Alberta?

**Mr. Horne:** Mr. Speaker, one excellent example is the question that was asked earlier this afternoon with respect to pharmacists. We are working with physicians and nurses and pharmacists and other providers to ensure that they have the opportunity to practise to the full scope of their training and expertise. This, of course, allows physicians in particular to be freer to deal with more complex cases, see greater numbers of patients, and lend their extra expertise to the benefit of a wider number of patients.

**Dr. Starke:** The final supplemental to the same minister, Mr. Speaker. Earlier this summer the salaries and compensation packages of senior executives at AHS were made public. Is this the reason why our health care costs are so high?

**Mr. Horne:** Mr. Speaker, interestingly, as a percentage of total health spending Alberta has the lowest administration costs in Canada, at 3.2 per cent. When it comes to executive compensation, the Alberta Health Services Board looks carefully at similar compensation across the country and in North America. We must continue to ensure that health administrators and physicians and, in fact, all of our providers are paid competitively, that we continue to offer the best suite of resources in Canada for them to practise, and that we truly empower them to deliver the quality of care they wish to.

**The Speaker:** The hon. Member for Drumheller-Stettler, followed by the hon. Member for Leduc-Beaumont.

#### **Ferruginous Hawk Habitat**

**Mr. Strankman:** Thank you, Mr. Speaker. The impressive ferruginous hawk is currently considered endangered by the Alberta Wildlife Act and the federal Species at Risk Act. This spring, just prior to breeding season, 16 nesting platforms were torn apart to facilitate the construction of a power line project which had not yet been approved. Albertans expect a threatened and endangered species would not suffer from the incompetence of a government. Will the SRD minister be investigating who exactly is responsible for this avoidable – no – atrocious act?

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

**Mrs. McQueen:** Well, thank you, Mr. Speaker, and thank you to the member for the question. Certainly, the platforms were removed before the nesting season began to prevent the disruption of the birds during construction and are scheduled to be re-erected this fall. In fact, ATCO has been working in collaboration with AESRD and with the Special Areas Board and with Dr. Schmutz with regard to this issue.

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

**Mr. Strankman:** Thank you, Mr. Speaker. Given that the program director, David DePape, describes this as an officially induced error, which we all know is a blatant breach of the act, will the minister do the right thing and pursue charges prescribed under these acts for the parties responsible?

**Mrs. McQueen:** Well, Mr. Speaker, Dr. Schmutz, who is the hawk expert – I'll just quote some of the stuff that he has said. He has stated that he is extremely pleased – let me repeat: extremely pleased – with the efforts that ATCO Electric, AESRD, and the SAB have undertaken to ensure that the nesting platforms are properly replaced, new locations for the platforms have been determined, more locations have been added, and new platforms and poles are being considered to replace the old ones. This comes from the doctor, the expert himself.

**Mr. Strankman:** Given that Wildrose believes in environmental stewardship and in actually protecting the environment, both the plants and wildlife, when will the minister take the appropriate action to ensure that these threatened endangered species will not suffer from this again?

**Mrs. McQueen:** Well, Mr. Speaker, I find that last question quite amusing, especially after yesterday's comments from, let me see, the Member for Strathmore-Brooks with regard to a question with regard to the SSRP consultation to make sure we wouldn't put more conservation areas in place. We work very hard. We work with the species at risk board, and we work with experts to make sure that we are given good advice on this issue.

**The Speaker:** The hon. Member for Leduc-Beaumont, followed by the hon. Member for Calgary-Buffalo.

#### **New School Construction in Beaumont and Leduc**

**Mr. Rogers:** Thank you, Mr. Speaker. In my constituency growth continues to be both a blessing and a curse. Statistics Canada has

recognized Beaumont as one of the 20 fastest growing communities in the country, where 25 per cent of the population is under the age of 15. Leduc is not far behind. As a result, the schools are bursting at the seams in both Leduc and Beaumont. To the Minister of Education: can the minister outline what steps he's taking to alleviate these pressures?

**Mr. J. Johnson:** Mr. Speaker, the pressure this member mentioned is faced by many communities right across this province and is something that this government takes very seriously. That's why this Premier has made such a commitment toward school infrastructure. You should know that either just completed or under way there are approximately 88 projects totalling a billion dollars. That's going to create about 27,000 new spaces for students around the province, and that includes two K to 9 schools, one public and one Catholic, in Beaumont. The other nice thing I'd say about that school project is that they're going to be built together, and they're sharing a library and a gymnasium. That's the direction we need to go, and I commend those school divisions for doing that.

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

**Mr. Rogers:** Thank you, Mr. Speaker. Again to the same minister: while this new joint facility in Beaumont will be very welcomed by that community, can the minister share any plans that might offer some comfort to the residents and students of Leduc?

**Mr. J. Johnson:** Mr. Speaker, I understand that many Albertans, many communities are eager to learn about the next round of capital, where and when, and I want to thank this member for bringing those two school boards to meet with me so they could relay their concerns and their frustrations to me personally. All I can say to those communities is: we hear you, and we're working as hard as we can to get the next round of capital out and planned. The pressures that these communities are feeling are going to play very strongly in the considerations in the coming months.

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

**Mr. Rogers:** Thank you, Mr. Speaker. Again to the same minister: given that by the time these schools are opened, they will likely be full – and this is something that we've seen in many communities – is your department using any forecasting methodology to allow these schools to have a few years before they reach full capacity?

**Mr. J. Johnson:** Mr. Speaker, the answer is: yes, we are. We're working closely with the school boards. When we're looking at the size and scope of the new schools, we take, essentially, their requests, but we work with them to establish school enrolment projections based on pressures and based on information from StatsCan and Health and others. Overall we've done a good job on the projections, but we just haven't been able to roll out capital fast enough as a province to keep up with the growth because people are moving to Alberta because Alberta is the place to be.

#### **Lobbying Government**

*(continued)*

**Mr. Hehr:** In question period yesterday and, in fact, today we heard the Minister of Finance admit that the Katz Group asked the government to provide funding for an NHL arena and also for a change in casino licence. To the Minister of Finance: are we to believe that the only time the Katz Group or Rexall group or any

of those like affiliates talked to you or a member of your government was at this cocktail party?

2:20

**Mr. Horner:** Well, I said it was at a social event, Mr. Speaker. I'm not sure what the question was?

**The Speaker:** Second question.

**Mr. Hehr:** I'll try that again. In your answer you said that the only time Daryl Katz asked you about arena funding or a casino licence was at a cocktail party. Was this the only time you or any member of your government was in fact lobbied about these projects?

**Mr. Horner:** Mr. Speaker, I didn't say cocktail party, first of all. The request was for us to consider. The response was very quick. We're not going to consider any new applications for different kinds of casino licences, not just from the Katz Group but from any of the other groups. In fact, there's currently a moratorium on new casino applications, as the hon. member probably well knows. The AGLC is part of that.

If the hon. member is asking me if I know of anybody else in government that in the last three or four years has talked to them, I couldn't answer that question.

**Mr. Hehr:** Well, I guess I can't figure that out. Looking at the lobbyist registry, it doesn't reference Daryl Katz, the Katz Group, Rexall, or any other affiliated entity. Is this an admission that you guys have a failed lobbyist registry? When will you fix this failed lobbyist registry if this is the case?

**Mr. Horner:** Well, Mr. Speaker, again, it wasn't Daryl Katz himself that wandered into the Legislature and asked me about this. There was a group that was representing themselves as part of the Katz Group. There are a number of individuals in that group. I have already undertaken to bring that forward for the hon. member.

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

### Whistle-blower Protection

**Mr. Bilous:** Thank you, Mr. Speaker. For too long workers in Alberta have been silent because they fear losing their job. This government claims the importance of transparency and accountability over and over, so much so that they even named one of their ministries after it. Albertans want to know that this ministry is more than a label on an empty box. To the Associate Minister of Accountability, Transparency and Transformation: will he guarantee that Albertans who have been silenced in the past can now speak without fear?

**Mr. Scott:** Mr. Speaker, this Premier has made a commitment that we'll be the most open and transparent government in Canada, and that's exactly what we're doing. We've produced the most robust expense disclosure policy in Canada. Today we're introducing whistle-blower legislation, and we're going to be introducing a review of the FOIP Act. This is an accountable and transparent government.

**The Speaker:** Hon. member, just a reminder that the Speaker's chair has not moved; it is still up here.

**Mr. Bilous:** I guess that accessibility doesn't count for my staff, who were refused entrance to briefing statements.

Mr. Speaker, given that the XL Foods recall was most certainly preventable and given that workers publicly expressed concern about food safety at the plant after the recall, will the minister commit to private-sector coverage for whistle-blowers? If not, why not?

**Mr. Scott:** Mr. Speaker, we are today introducing whistle-blower legislation. I'm looking forward to a robust debate on that issue. We're going to take all of the concerns that are expressed into account.

**Mr. Bilous:** Given that Alberta desperately needs strong whistle-blower legislation which will protect workers and the public and given that the only reason a company or government would ever fear strong whistle-blower protection is if they had something to hide, will the minister admit that the aim of this legislation is not to protect whistle-blowers but to protect the government from whistle-blowers?

**Mr. Scott:** Mr. Speaker, I think the hon. member misunderstands. We are an open and accountable government. We're introducing whistle-blower legislation to protect employees from reprisal. That's exactly what we're doing. That's what this government has committed to doing, and that's what is going to happen.

### Khalsa Credit Union

**Mr. Anderson:** Mr. Speaker, Khalsa Credit Union has successfully served Alberta's vibrant Sikh community since 1995. There is now an ongoing attempt by a group, including several members of the Minister of Service Alberta's family, to take over governance of Khalsa at an upcoming board election, as is their right to do. However, during this pre-election period Alberta's credit union regulator has threatened sanctions against Khalsa's current board based largely upon the complaints by the group seeking to take the board over. To the Minister of Finance: why does the credit union regulator appear to be taking sides in what should be a democratic board election?

**Mr. Horner:** Well, Mr. Speaker, in fact, this should not be brought to the floor of this House because the credit union regulator, or CUDGC, is the group that's responsible for ensuring that the credit unions are viable, that they are governed appropriately. If there are issues relating to governance or to the viability of a credit union, it is not for this House or, for that matter, political influence as is now being brought up in this House to be even part of this.

**The Speaker:** I'm going to check the *Hansard* later, but, hon. member, proceed with your first supplemental.

**Mr. Anderson:** Oh, here's the rub, and it's entirely relevant as you will see. Mr. Speaker, given that the group leading the takeover attempt of the Khalsa Credit Union board according to current board members is being led by members of the Minister of Service Alberta's family, which, I repeat, is completely their right if done democratically, will the minister agree that in order to avoid even the appearance of a conflict, the Minister of Service Alberta must recuse himself from any and all involvement or communications on this matter until the issue is resolved democratically?

**Mr. Horner:** Mr. Speaker, it's somewhat appalling, frankly, that the hon. member, who is the Finance critic, would actually bring this to become politicized in this Assembly when we are not, nor were we, involved in any discussions. I have not been involved in any discussions with the credit union – I can't recall the name he brought forward – and I don't think it's appropriate for it to be on the floor of this House.

**Mr. Anderson:** Mr. Speaker, the Khalsa board has FOIPed a petition sent to the Minister of Service Alberta that contained complaints about the current Khalsa board and was signed by many members of the minister's family. Given that this petition may have been used by the credit union regulator as a basis for threatened sanctions against the current Khalsa board, will the Minister of Service Alberta immediately grant this FOIP request rather than delaying it until 2013, as is currently being indicated, so that the minister cannot be accused of delaying the FOIP request due to his obvious conflict of interest in this matter?

**Mr. Bhullar:** Mr. Speaker, I won't even dignify how disgusting and how low this member goes in his politics. He picks up the phone, calls, and says: get involved or else I'm taking this issue up in QP. So you want us to politically interfere in a matter or else you're going to accuse us of political interference? What's next? Are you going to intervene in elections at the Sikh temple? Is that what's next?

Mr. Speaker, the fact is that the FOIP request was made. The petition was released. The signatures on a petition cannot be released. This is so low that . . .

**The Speaker:** The hon. Member for Sherwood Park, followed by the hon. Member for Rimbey-Rocky Mountain House-Sundre. [interjections] Hon. Member for Sherwood Park, you have the floor.

#### Physician Services Agreement

**Ms Olesen:** Thank you, Mr. Speaker. Alberta physicians have been without a contract for 19 months now. Previous agreements in principle have expired, things seem to be dragging out, and Albertans have the right to know what is going on. My question is to the Minister of Health. What is the status of the negotiations?

**Mr. Horne:** Mr. Speaker, I first want to make clear . . . [interjections]

#### Speaker's Ruling Decorum

**The Speaker:** Please, let's stop the discussions going across the floor here. Hon. Member for Airdrie, you're on my list now for today. Minister of Human Services, you're on my list today as well. Please, no exchange of conversations across the floor.

The Minister of Health had the floor, and he was attempting to answer a question.

#### Physician Services Agreement (continued)

**Mr. Horne:** Thank you very much, Mr. Speaker. I want to begin by making it clear that our government is extremely proud of the work physicians do for Albertans and the important role they play in delivering very high-quality health care in this province.

It is true that we have been without an agreement with the Alberta Medical Association for about 19 months now. Last week

I presented on behalf of government our best offer to the Alberta Medical Association, and my understanding is that they're currently considering that offer.

**Ms Olesen:** Also to the Minister of Health: what does the minister mean when he says that government has presented its best offer?

2:30

**Mr. Horne:** Well, Mr. Speaker, what I mean by that is that we have carefully looked at all of the issues that have been discussed over the last 19 months during the negotiations. We looked at the two agreements in principle, which were not completed. As a government we presented our best response to the issues that were raised by the Alberta Medical Association while at the same time looking at mechanisms and opportunities to work collaboratively to further health outcomes that we desire on behalf of Albertans. These include things like better primary health care, better use of other health professionals in our health care system, and a host of other improvements that we know are critical to health for Albertans.

**Ms Olesen:** To the same minister: what is government hoping to achieve with a new contract with physicians?

**Mr. Horne:** Mr. Speaker, first and foremost, we intend to preserve our position as the province that pays the best for physicians across the country. As the hon. member may be aware, we currently pay the highest in the country, approximately 29 per cent above the national average. We want to continue to offer the best facilities and services to support physicians, and we want to make the best possible use of nonphysician professionals, who can offer a great deal to Albertans as well.

**The Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre, followed by Calgary-Fort.

#### Electricity Transmission Facility Costs

**Mr. Anglin:** Thank you, Mr. Speaker. With the greatest respect and civility, to the Minister of Energy. Recent data reveals that the cost to build a transmission line in Alberta is more than double the cost it takes to build the same transmission line in neighbouring jurisdictions. The cable, steel, and labour all come from the same pool of manufacturers and companies that specialize in this industry. Can the Minister of Energy explain to this Assembly why it costs twice as much to build a transmission line in Alberta as in neighbouring jurisdictions?

**Mr. Hughes:** Well, Mr. Speaker, it's a very interesting theoretical construct the hon. member makes given that the lines that he is discussing day to day are actually only just starting to be constructed and that some of them aren't constructed yet. I'll look forward to the evidence, but I can tell you that the Alberta Utilities Commission has direct responsibility to oversee the cost structure of transmission lines. There are appropriate public policy mechanisms in place to address this issue.

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

**Mr. Anglin:** Thank you, Mr. Speaker. Given that Alberta's transmission cost monitoring committee, that is tasked with monitoring the costs of these transmission lines, can be denied access to certain financial information and given that companies are not required to provide this committee's financial information

upon request, how can Albertans have any confidence that proper cost controls are in place?

**Mr. Hughes:** Mr. Speaker, as I mentioned, the Alberta Utilities Commission has oversight of this directly and can seek all of that information on behalf of the people of Alberta to ensure that Albertans are getting the best value possible. I would simply note in passing that the context here is that these are important infrastructure lines that ensure we have a robust electrical system in this province. It supports over \$8 billion in wholesale-provided electricity costs in this province, and it's a \$300 billion economy that this is supporting.

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

**Mr. Anglin:** Thank you, Mr. Speaker. I look forward to evidence that proves that fact.

Why did this government sign a multibillion-dollar no-bid contract to AltaLink to build a transmission line, that is not needed, given that the sole owner of AltaLink was the subject of two RCMP investigations and they're under investigation for fraud, money laundering, and corruption of a public official in North Africa?

**Mr. Hughes:** Mr. Speaker, I don't believe the regulatory or the legal construct in North Africa is anything near similar to what we have in the province of Alberta. I would suggest that the hon. member should make that allegation outside of this House.

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

#### WCB Coverage for Foreign Workers

**Mr. Cao:** Thank you, Mr. Speaker. My constituency of Calgary-Fort includes a large industrial area where tens of thousands of hard-working Albertans perform their tasks every day. The well-being of workers is high on my attention. There are a large number of foreign workers in our province contributing greatly to the economy. My question today is to the hon. Minister of Human Services. How is WCB coverage provided for foreign workers in case of serious injury in respect to treatment and recovery in Canada and in their home countries?

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

**Mr. Hancock:** Thank you, Mr. Speaker. Any worker who is covered by the Workers' Compensation Board is covered in the same manner, whether they're a foreign worker or whether they're a landed immigrant or whether they're a Canadian citizen. Regardless of their status, if they're covered by the Workers' Compensation Board because of the place that they are working, they have the same coverage.

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

**Mr. Cao:** Thank you, Mr. Speaker. To the same hon. minister: given that the foreign worker was seriously injured at work, what help is provided to an injured worker while being hospitalized long term in Canada and during his recovery?

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

**Mr. Hancock:** Thank you, Mr. Speaker. As I said, the foreign worker would have the same coverage as a Canadian worker or an Albertan worker, so the Workers' Compensation Board would

make provision with respect to salary replacement if that was appropriate and, certainly, would make provision with regard to the medical requirements of that worker. The job of the Workers' Compensation Board is to assist a worker, regardless of where they come from, in recovering and getting back to work as quickly as possible and to provide income support for any income loss that's incurred as a result of the injury.

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

**Mr. Cao:** Thank you, Mr. Speaker. To the same hon. minister: given that the foreign worker's injuries are permanent and may mean he cannot perform the same task and that his work visa has expired, what help is provided for an injured or disabled foreign worker when unable to perform the jobs specified by the work permit?

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

**Mr. Hancock:** Thank you, Mr. Speaker. Again, for any worker, if there is a long-term disability or a long-term inability to return to work or to return to that work, the income support provisions of the workers' compensation program would kick in. Those income support provisions would follow that worker, whether they had to return to their home country or whether they were staying here. A temporary foreign worker can move from one job to another under appropriate circumstances. The temporary foreign worker program is a federal program, so we work with the federal government to assist temporary foreign workers when they need to change jobs. If that is appropriate for the individual involved . . .

**The Speaker:** The hon. Member for Cypress-Medicine Hat, followed by the hon. Member for Fort Saskatchewan-Vegreville.

#### Capital Infrastructure Planning

**Mr. Barnes:** Thank you, Mr. Speaker. I was pleased to open the *Edmonton Journal* this morning and see that the government is taking another Wildrose idea and is planning to release a long-term version of infrastructure in the next budget. Hopefully, it will be a public document. The Wildrose has long been advocating for this infrastructure priority list so that Alberta families and Alberta communities can plan the future. Will the Minister of Infrastructure commit to and make public how we will prioritize projects around items such as transportation versus schools . . .

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

**Mr. Drysdale:** Mr. Speaker, I've been working hard with my colleagues all summer in all departments to bring together a capital infrastructure plan going forward. I'm also working with my colleagues in Finance and Treasury Board so that when we come up with our infrastructure plan, we'll have the capital finances that go with it.

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

**Mr. Barnes:** Thank you. We would like that public infrastructure list. We've been talking about it for a while, but there's more to this. Given that the Deputy Premier was in Medicine Hat using an infrastructure announcement to roll out failed PC candidates and PC MLAs from Lethbridge, Edmonton, and Sherwood Park as local representatives, why won't the minister take politics out of this infrastructure planning and release this detailed priority list based on Albertan families and community needs and priorities?

**Mr. Drysdale:** Mr. Speaker, I know the different departments have their three-year capital plans. I think they're posted on their websites. I'm working with the Finance minister, and when he releases his budget next spring, we'll have those plans with that. We continue to invest in public infrastructure to ensure Albertans have the quality of life they deserve now and into the future.

**Mr. Barnes:** Mr. Speaker, given that hard-working Alberta contractors have made it clear that they are fed up with this government's process of awarding multiple projects to a single bidder, without a proper competitive process, will the minister end this practice and give all Albertan contractors a chance to bid on projects so taxpayers and Alberta families can get the best deal for the new infrastructure projects they so desperately need?

2:40

**Mr. Drysdale:** Mr. Speaker, I'm not sure what this member is talking about. We have public tenders that go out when we do our projects, and every contractor in the province can bid on them if they're qualified. I spent the last couple of days meeting with infrastructure partners at their convention, talking to them about these issues. It's open and transparent.

**The Speaker:** The hon. Member for Fort Saskatchewan-Vegreville, followed by the Member for Little Bow.

### Highway 15

**Ms Fenske:** Thank you, Mr. Speaker. Congestion on the highway 15 bridge into the city of Fort Saskatchewan is a significant issue for my constituents. Unfortunately, at this moment we don't have a viable alternative option to help accommodate the increasing traffic flow in this area and to reduce the congestion. To the Minister of Transportation: what is our government doing in regard to decreasing congestion in and around Fort Saskatchewan?

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

**Mr. McIver:** Thank you, Mr. Speaker. There is currently a planning study under way for long-term improvements to highway 15 east of Fort Saskatchewan up to highway 830. Also, construction is under way on the northeast leg of the Anthony Henday, which does include a new North Saskatchewan River crossing upstream from Fort Saskatchewan that is expected to be complete in the fall of 2016. That will help mitigate congestion issues in Fort Saskatchewan.

As we review the entire transportation network in the province, we consider the volumes, the safety records and will continue to do so.

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

**Ms Fenske:** Thank you, Mr. Speaker. To the same minister. That bridge that you're referring to is, certainly, south of Fort Saskatchewan. It does not address the issue, nor does it address the issue of the heavy loads, oversize loads. What is the plan, please?

**Mr. McIver:** Well, Mr. Speaker, as I said earlier, a route study was completed earlier this year, and we're working with the agencies, the industry to assess the viability, practicality, and cost of various alternative routes for oversize loads. The transportation of oversize loads is important to our continued economic growth, and it's essential that everyone on our highways has the ability to travel safely and efficiently. As we build these oversize load corridors, it will take traffic and congestion off the alternate routes.

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

**Ms Fenske:** Thank you, Mr. Speaker. To the same minister: could I have some indication that this study will be timely and will be made public in an efficient manner to the residents of Fort Saskatchewan?

**Mr. McIver:** Mr. Speaker, I have to say that the hon. member asking the question has been dogged in asking this question to me outside of the House. As such, I'm sure the hon. member will continue to be dogged, and I won't be allowed to forget, even if I wanted to, about this particular issue. I can assure the hon. member that we will get the report out as fast as we are able.

**The Speaker:** Thank you.

Hon. members, that concludes question period today. As a result of tightening up our questions and answers, we were able to recognize six more questions and six more answers than yesterday. Good job to all of you. Thank you.

In a few seconds from now I will call on the Member for Red Deer-North to give her member's statement.

### Members' Statements

(continued)

#### Irlen Syndrome

**Mrs. Jablonski:** Mr. Speaker, one of my greatest joys in life is to snuggle up in a comfy chair with a good book, to read my way into an adventure and become a great explorer in the depths of Africa with Dr. Livingstone or a great space explorer racing through time with Captain Kirk or Han Solo or to become a faithful and loyal friend to Harry Potter or Frodo Baggins. Reading is one of life's greatest adventures, and at the same time it is the greatest tool there is in the quest for knowledge and success. It is, therefore, one of the most important learning experiences that a child can have.

Imagine having a visual perceptual symptom that causes you to see a snowstorm on a written page, as Emily in the University of Alberta study saw, or to see words that move up and down and off the page, as 10-year-old Kaden saw, or to see words in sentences that are blurry, like seven-year-old Wyatt sees, or watching the words pop out of the page, like nine-year-old Champ sees. Imagine the frustration and anxiety that arise when you realize that you can't read as fast or as effectively as others in your class. The scientific name for this syndrome is scotopic sensitivity syndrome, and the common name is Irlen syndrome. This syndrome is a neurological impairment that impacts the brain's ability to accurately process images. When present, Irlen's causes word and number distortions that prevent a child from reading properly.

The good news is that those with Irlen's can be helped with prescribed coloured, filtered lenses that help to filter light differently. My guests today in the gallery, certified Irlen's diagnosticians, certified Irlen's screeners, parents of children with Irlen's, and children with Irlen's, can all attest to this condition and how these noninvasive treatment methods have changed their lives. It is my hope that we can raise awareness about this neurological syndrome and assist children with Irlen's. Mr. Speaker, in doing so, we can improve the lives of many people across Alberta, allowing them to fulfill their dreams and giving them the opportunity to experience one of life's greatest joys, reading.

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

### Election Finances Legislation

**Ms Notley:** Thank you, Mr. Speaker. The Katz donations fiasco of the past week provides a case study in the need for stronger election finances legislation. Alberta has the highest individual limit in Canada, \$30,000 in an election year. As the fiasco has shown us, the legislation provides ample opportunity for parties to manipulate the numbers so they appear to stick to limits while far exceeding them. The New Democrats have long been the only voice in Alberta calling for a ban on corporate and union donations and for a lower individual donation limit.

Unsurprisingly, in the last week in this Assembly we've heard repeatedly from this Justice minister that changes to the election finances act don't include a reduction of the \$30,000 limit or a change to the loopholes. With this government, Mr. Speaker, it's a foregone conclusion that there will be no ban on corporate donations.

The ability of corporations and wealthy Albertans to purchase influence with this government is something that needs to change immediately. Albertans need a government elected by citizens, not dollars. Middle-class Albertans want a hard-working, transparent, and ethical government. What do the dollars of corporations and wealthy PC donors mean to the average Alberta family? Corruption, complacency, and welfare for the wealthiest.

It's time to clean this house, Mr. Speaker. It's time for this Premier and her government to take responsibility for the legislation that they've created. When the election finances amendment act is introduced in the House, the New Democrats will be seeking significant changes to it. We need strong and principled election finances legislation on this issue. It is the only way to protect our democracy and finally have a government that cares about the needs of middle-class Albertans.

Thank you.

### Read In Week

**Mr. Dorward:** Mr. Speaker, even in today's world of texting and technology such as I'm using, nothing compares to a good book. That's why I'm pleased to stand today to highlight a great event that happened in Edmonton and area high schools earlier this month. Read In Week is a celebration of reading and the difference it can make in our lives.

Reading opens us up to a world of imagination. Through a good book we can stand toe to toe with a tyrannosaurus rex, fly a rocket, solve mysteries, or learn why the sky is blue. Events like Read In Week remind us of the magic of a good book and the joy of reading and being read to. From October 1 to 5 schools opened their doors to scores of volunteers and several members of this very Legislature, who joined classes in order to share a good book.

For those of us with children or grandchildren, we know the importance of reading to them. Reading helps our kids to be better learners. They come to the classroom with expanded minds, new perspectives, and knowledge. Reading inspires students to be engaged thinkers who are creative and innovative. It helps them understand language, develop problem-solving skills, and appreciate the world beyond their doorsteps.

Through events like Read In Week and with the participation of students, parents, teachers, and the whole community we can all do our part in ensuring literacy flourishes now and in Alberta's future. Congratulations to everyone involved in this valuable

initiative, and thank you for your dedication to reading and literacy for all Albertans.

Mr. Speaker, in recognition of this, I will be tabling five copies of the book *The Gophers in Farmer Burrows' Field* by Mr. Mike Boldt, whom I previously introduced. A children's book has never been tabled in this Assembly.

**The Speaker:** The hon. Member for Drumheller-Stettler.

2:50

### Ferruginous Hawk Habitat

**Mr. Strankman:** Thank you, Mr. Speaker. In the prairie grasslands of Alberta a gentleman by the name of Dr. Josef Schmutz has dedicated the last 28 years to the recovery of the ferruginous hawk. The ferruginous hawk is the largest of its species in North America. This hawk is so big that it's often mistaken for an eagle. This bird of prey has been classified as endangered by the Alberta Wildlife Act, and it's classified as a schedule 1 threatened species by the federal government.

Dr. Schmutz has spent the last 28 years building nesting sites and studying this majestic bird of prey in the Bullpound area, just south of Hanna. In late February and early March of this year Dr. Schmutz discovered that his work was undermined by the removal of 16 of these nesting sites built to help with the recovery and the breeding of these hawks. I know, Mr. Speaker, that this sounds like a reiteration of my questions earlier, but I view that it's of significant importance to the constituents of my area and to the species.

The removal of the nests was in direct violation of the federal Species at Risk Act, section 33, and that is the responsibility of Sustainable Resource Development to enforce. All this seems to be being brushed off, sir, based on a yet-to-be-approved transmission line. This is wrong. This is not how Albertans expect our endangered species to be treated. To date there has been no action taken by SRD to prosecute the parties responsible for this violation of the SARA or the Alberta Wildlife Act.

Environmental stewardship is critical to protect Alberta's ecological systems and to protect the environment. However, this is just the latest case of PC mismanagement when it comes to taking care of the environment. Instead of doing simple things like protecting the nests of endangered hawks, they're busy coming up with multimillion-dollar central planning schemes or spending billions of dollars of corporate welfare to pump hot air into the ground.

Thank you, sir, for your time.

**The Speaker:** Thank you.

### Introduction of Bills

**The Speaker:** The Associate Minister of Accountability, Transparency and Transformation.

#### Bill 4

#### Public Interest Disclosure (Whistleblower Protection) Act

**Mr. Scott:** Thank you, Mr. Speaker. I am pleased to rise to introduce Bill 4, the Public Interest Disclosure (Whistleblower Protection) Act, 2012.

This legislation is due in large part to the diligent efforts of staff, some of whom are here today and who were recognized earlier. These are public servants who have worked tirelessly as this new legislation was developed. I thank them for their ongoing dedication to this and other projects they are working on.



Mr. Speaker, the introduction of the Public Interest Disclosure (Whistleblower Protection) Act strengthens the commitment of this government to the values of accountability, transparency, transformation, and promoting confidence in the public sector. For this reason the act is focused on public-sector organizations as opposed to private corporations. We will be a leader in Canada because of the scope of the public sector covered by this protection. Public-sector entities that will be covered by this act include the Alberta public service; agencies, boards, and commissions; academic institutions; school boards; and health organizations. Other organizations may be included at a later date upon their request.

Mr. Speaker, there are possibly individuals working in these public-sector organizations that have observed wrongdoings in the course of their employment and may have feared reprisal for reporting them. This act will protect them by prohibiting retaliation in response to such disclosures and will establish a formal process through which reporting and investigations into wrongdoing can be conducted.

Thank you.

[Motion carried; Bill 4 read a first time]

#### **Speaker's Ruling Tabling Documents**

**The Speaker:** Hon. members, just before we get into tablings, let me remind you that tablings may be preceded by only a very brief description of the item you are tabling. Please do not use tablings as an opportunity to make a member's statement or a mini member's statement or what have you. Let's try and abide by that if we could today and see how it goes.

#### **Tabling Returns and Reports**

**The Speaker:** The hon. Minister of Culture to start us off.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. I, indeed, have four tablings today to table in the House. First of all, I'd like to table the appropriate number of copies of the annual reports for the Alberta Foundation for the Arts, the Alberta Historical Resources Foundation, and the Wild Rose Foundation.

Last of all, I'll be tabling a list of Alberta children's authors relating to the theme of the Member for Edmonton-Gold Bar talking about Alberta's children's books and Mike Boldt, who is, indeed, an Alberta author and illustrator. These Alberta writers have a collection of wonderful local literature that tells Alberta's story in beautifully illustrated books. I'm happy to table the list of authors.

**Mr. Dorward:** Mr. Speaker, it gives me great pleasure to table five copies, the requisite number of books, of *The Gophers in Farmer Burrows' Field* by Mr. Mike Boldt.

Thank you.

**The Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. I'm tabling six documents. The first one is the 2004 needs identification document, volume 1 and volume 2.

The second document is the 2009 10-year long-term plan.

The third document is the 2009 10-year long-term plan pamphlet.

The fourth document is the report, Canadian-Northwest-California Transmission Options Study.

The fifth document is the Critical Transmission Review Committee report.

The sixth document is the cost monitoring committee ministerial order with the three pertinent sections – 14, 21, and 23 – that I have referred to.

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

**Mr. Anderson:** Thank you, Mr. Speaker. I have two tablings today. The first is from Susan Tripp. Susan Tripp has asked me to table this and explain very briefly that this was a situation where her husband hurt his back and waited for an MRI for many months, 18 months actually, had to wait a great deal of time to see a specialist, and then was told the surgery was in B.C., but he couldn't get it there. It's a heartbreaking story.

**The Speaker:** Hon. member, I agree. I'm sure it is. If you could just tighten up the tabling as requested, that would be appreciated. Thank you.

**Mr. Anderson:** Anyway, he was not able to receive that treatment in due time and wasn't able to have it in Alberta. As I've heard tablings last an hour here sometimes, I hope that that would be sufficient, that she's now on the record. Here are five copies.

#### **Speaker's Ruling Tabling Documents**

**The Speaker:** Hon. member, thank you for that observation. The reason I made the comment I did today was because of some tablings you had made yesterday, which I thought exceeded the normal time frame for tablings. Please understand that we are one of few jurisdictions that actually does allow these types of tablings. There are other jurisdictions that don't allow them at all, so it's a privilege to do a tabling. I would ask you, please: let's try and just tighten them up. That's all I'm asking. Thank you. You have a second tabling?

#### **Tabling Returns and Reports**

(continued)

**Mr. Anderson:** Yes. The second tabling is from Ms Helen Erickson, and it's regarding a very lengthy note, again a very sad story. To be very brief, she would like to see regulation of private facilities that treat people with addictions. There are regulations for public treatment centres but not for private treatment centres, and she would like to see that, so a tabling in that respect.

**The Speaker:** Hon. Member for Lac La Biche-St. Paul-Two Hills, do you have a tabling?

**Mr. Saskiw:** Thank you, Mr. Speaker. I'd like to introduce five requisite copies of a letter dated July 11, 2012, to the Wildrose caucus from Bow Valley College in which they outlined various donations made to the Progressive Conservative Association of Alberta.

**The Speaker:** Are there others? The hon. Member for Drumheller-Stettler, followed by the hon. Minister of Transportation.

**Mr. Strankman:** Yes. Mr. Speaker, I'd like to just table five copies of pictures of the endangered species animal that I was speaking about today, and it relates to my presentation.

**The Speaker:** Thank you.

The hon. Minister of Transportation.

**Mr. McIver:** Thank you, Mr. Speaker. I rise to table the requisite number of copies of the Alberta Transportation three-year construction plan, 2012 to 2015. Once again, today in the House, though the question has been answered before, opposition asked where to find the priority list for what's been approved. Since they can't seem to find their way to [transportation.alberta.ca](http://transportation.alberta.ca), I thought I would make it easy.

**The Speaker:** Hon. minister, please. You know, this is what gets the House going. It really does. I'm going to ask – this is my first admonition in this respect with regard to members' statements. However, it is 3 o'clock, and I'm recognizing the hon. Government House Leader now.

3:00

**Mr. Hancock:** Thank you, Mr. Speaker. I don't know whether there are further tablings, but I would ask for unanimous consent to allow the completion of the Routine if there are.

**The Speaker:** The hon. Government House Leader has asked for unanimous consent to proceed beyond 3 o'clock in order to allow us to conclude Routine. Is anyone opposed to that motion? Please say no.

[Unanimous consent granted]

**The Speaker:** Thank you. Let us proceed on. Are there other tablings?

If not, hon. members, I would like to make a tabling. Pursuant to section 63(1) of the Freedom of Information and Protection of Privacy Act, section 95(1) of the Health Information Act, and section 44(1) of the Personal Information Protection Act the chair is pleased to table with the Assembly the annual report of the Information and Privacy Commissioner. This report covers the activities of the office of the Information and Privacy Commissioner for the period April 1, 2011, to March 31, 2012.

### Orders of the Day

#### Government Bills and Orders Second Reading

##### Bill 5 New Home Buyer Protection Act

**The Speaker:** The hon. Minister of Municipal Affairs or someone on behalf of the hon. minister. The Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. It is my pleasure today to move the New Home Buyer Protection Act for second reading.

The New Home Buyer Protection Act is a very – I was going to say long-awaited but, certainly, long-anticipated piece of legislation which will provide homebuyers in this province with a higher degree of protection. We've had in place in this province for a considerable period of time now a number of new-home warranty programs, but those new-home warranty programs have not provided ubiquitous coverage to all new-home buyers. This New Home Buyer Protection Act will in fact extend that coverage to ensure that every homebuyer in the province knows that they have, for one of the largest purchases they will make in their lives, the coverage, the protection of a new-home warranty.

The act goes to a considerable amount of effort to ensure that while it does not interfere with the ability of an individual

Albertan to build their own home or to be their own prime contractor, in the event that they do so and intend to resell the house into the market in future years, the new-home buyer's protection will extend to that house as well.

It's a fairly comprehensive act. It's an act which completes the circle with respect to new-home protection but protection which is absolutely necessary because, as I said, Mr. Speaker, a new-home purchase is probably one of the most significant purchases any Albertan will make in their life.

I would commend it to the House for second reading, and I move to adjourn debate.

[Motion to adjourn debate carried]

### Government Bills and Orders Committee of the Whole

[Mr. Rogers in the chair]

#### Bill 1

##### Workers' Compensation Amendment Act, 2012

**The Chair:** We will continue with the debate on amendment A1. Are there questions or comments to be offered? The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Well, Mr. Chair, thank you for the opportunity to speak to this bill, my first opportunity. After submitting an amendment to the bill, I would like to suggest that I could proceed with some further discussion about the bill.

**The Chair:** Hon. member, we have amendment A1 on the floor. We'll deal with that amendment.

**Dr. Swann:** Thank you for your reminder, Mr. Chair. I stand in support of the amendment and will actually be taking the amendment further.

The diagnosis of posttraumatic stress disorder is a bona fide medical, psychological diagnosis. It's important that we recognize first responders – fire, police, emergency workers – for the work they have done and for the important stresses and strains and trauma that they themselves experience.

What strikes me as surprising is that we would in some way both intervene in a WCB process of assessing merits of the diagnosis of PTSD as they apply to an individual but also that we would single out particular professionals as being more legitimate in their response to these stresses with a particular diagnosis of PTSD.

The recognition in this amendment by the fourth party that this is critically important, that it be extended and equally accessible to child care workers, prison guards, those who see horrific things on a daily, weekly, or monthly basis and who have their own particular emotional response and their own particular ability to deal with the stresses and strains of their particular exposures based on their background, their own health, their own makeup is a fundamental responsibility of this Legislature, to ensure the fairness of this process and, in fact, not to interfere with the very no-fault insurance process that we have set up under the auspices of the WCB. They have competent professionals: physicians, nurses, psychologists. They have a team of those who assess people's claims. To begin to set up a two-tiered system around PTSD strikes me as being very inappropriate and very problematic.

What I would like to say is: surely in this Legislature we can acknowledge these important first responders. We can say thank

you, as the Member for Peace River did last night, to these first responders. We do not need to make a law to say thank you. We do not need to make a law to make it easier for certain professionals over others to get the compensation they deserve.

It's a travesty of the use of this Legislature to begin to pick and choose winners in this no-fault insurance program that has served reasonably well. It has many problems. It has many challenges. It has for some a weak appeal process. It has some lack of objectivity. It has some of the wrong incentives, that we can talk about another time. But we have set this no-fault insurance organization there to ensure that we compensate people who are injured. In this case it's a particular injury we call PTSD. Why on earth would we distinguish between certain people who have PTSD and work in a certain profession and make it somehow easier for them to get compensation than other groups?

It makes no sense, Mr. Chairman. It is going to embarrass us as a government to do this. It will come back to haunt us. It will create rivalries and antagonisms and hard feelings across our professional sectors. To be prejudging the role of the Workers' Compensation Board and their competence in defining what is compensable and what is not compensable PTSD is beyond the scope of this Legislature. We should not be dabbling in this. If we're going to do it, at least extend to those professionals we know suffer from PTSD and have submitted claims equal to the number of claims that have been submitted by first responders: in the child care area, in the peace officer area, in the prison guard area, in many other areas.

3:10

Really, I will be moving on after this debate to ask the Legislature, if we're going to go down this road – and I don't think it's a good decision to go down this road – we must simply say that we want to ensure that all professionals, all people who are under Workers' Compensation Board coverage be assessed equally, fairly, and responsibly in relation to their compensability.

I cannot accept the bill as it's written. I can support an extension of the bill with other professionals included, including those that the member has promoted.

**The Chair:** Thank you, hon. member.

Are there other speakers? The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Chairman. Speaking to amendment A1, presented by the hon. Member for Edmonton-Strathcona, I stand to speak in support of this amendment. I do believe that she has got it right on this, that the men and women who serve in our penitentiaries, both federal and provincial, deserve the same sort of presumptive care that we are offering to our first responders whether they be police, fire, or EMT. These men and women are faced with very serious situations on a daily basis. Some of the most, I guess, rough and tough people in our society are put in jails for a reason, and these naturally become environments that have necessity for first response whether it be a fight, whether it be someone getting – you know, maybe I see too many movies – shanked, or if they walk into a suicide.

I think that the evidence is there. When you look at the WCB and how many cases of correctional officers they have offered PTSD coverage for in the last two and a half years, it is equal to the number of firefighters or the number of police. I do not believe that including this segment of our population and calling them first responders and giving them the presumptive nature of this care is going to open the door for many other amendments, as some of the hon. members would like to see. But definitely in this instance, where men and women are putting their lives on the line

in first response, critical situations and their lives are in danger, I do believe – and it's completely reasonable for me to see that happening – that this is the type of amendment that will work well. I do believe that like our very strong and capable members of EMT, police, peace officers, and firefighters, we should recognize these individuals in this bill as well.

Thank you.

**The Chair:** Thank you, hon. member.

I recognize the Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chairman. I also rise, and I will be in favour of this bill.

**An Hon. Member:** Amendment.

**Mr. Anglin:** Hang on. I will be in favour of this bill, but when I look at this amendment – I just had a slight stall before I got to the amendment – I'm in favour of this amendment for a very technical reason.

As a former first responder what I'd like to do is tell this House and this Assembly that there really are two different types of first responders. There is the broader term, which is the very first person who shows up on the scene, and there are a number of first responders that would qualify for that. Then there are those first responders who show up to put their lives on the line. Those are the people who actually answer the call when they know it is a deadly situation that they are going into. Firefighters are one of those, police officers are another, and so are sheriffs. You may think that sheriffs just answer these calls when they are pulling someone over for a speeding ticket, but they are first on the scene in a number of deadly situations.

The correctional officers are no different except that their condition is actually significantly different than that of a sheriff or of a police officer. Having served as a police officer, I would never want to serve as a correctional officer. I don't like that idea of being confined with a bunch of deadly people in a locked-in place. I like my escape route to be clear to me.

The reality is this. Prison life is extremely dangerous. I have been privy to an example of actually turning over a prisoner who got away, got out from his restraints, and had to be physically restrained by multiple correctional officers, some of whom were harmed as a direct result. When two prisoners battle it out, which is often the case, it is the correctional officer who has to intervene. Weapons are generally manufactured. They're confronted with this every day. They are in harm's way when they go to work, and when trouble starts in a prison or in a correctional institution, they are the first responder.

To my colleague who introduced the motion: to me it is a very well-thought-out and significant motion to amend the definition of the individuals that would have this presumptive condition. Again, we're not talking about adding any other medical care. We're just talking about the presumption. In my opinion these people qualify as first responders more than some others and more than sometimes I did.

Thank you very much.

**The Chair:** Thank you, hon. member.

The hon. Member for Airdrie.

**Mr. Anderson:** Yes, Mr. Chair. I'd like to speak in support of the amendment from the hon. Member for Edmonton-Strathcona. I could be wrong – and I wouldn't mind hearing from the other side if I'm missing this – but my understanding is that under this act

correctional officers in Alberta are covered by Bill 1. No, they're not either. Okay. So this is just an oversight of correctional members both by the feds and the province.

They're covered, but there's not a presumption that any posttraumatic stress disorder that is diagnosed is because of their job, and therefore it's a little bit more difficult for them to get coverage. I think that it makes sense. I do concur in the idea that correctional officers should be put on the same playing field along with other first responders like firefighters, like police officers, and so forth. I think it's just as dangerous a job in those prison environments.

I don't see the harm in this. I mean, this is pretty basic. This would give those folks peace of mind, especially in that culture. Every culture is different, and I don't pretend to know what the culture of corrections officers is. I've never been one, and I've never been in jail yet. [interjections] That's right. That's right.

My guess is that it's much like other first responders, where it's very difficult for those folks – please, hon. members, do stand if you'd like to speak to this amendment as well – to come forward and admit that they have a problem even if they've been diagnosed. So I think that this would give them that protection. It would allow them to be treated for PTSD in a very quick manner or a very efficient manner when compared to having to prove that it was from their job that they were suffering this diagnosis and so forth.

I think it's clear that they're going to see and hear stuff everyday that, you know, is just going to be very disturbing. They're going to be dealing with folks who have in a lot of cases killed other people, have violated young people, have done all kinds of heinous, heinous crimes, and they're going to hear some graphic details on that. They're going to see things. Some of them are going to see suicides. They're going to see drug deals. They're going to see all these different things, and then they're going to try to break those things up in a lot of cases.

So I think that it's very important that we recognize that this is a good amendment, that this is something that will certainly bring correctional service officers up to the same level as our other first responders, where they should be. I really think that the cost of this will be quite negligible. I mean, we're already going the extra mile. We're covering peace officers, we're covering sheriffs, and we're covering police officers, firemen, making an automatic presumption, which is good.

3:20

I agree that we can't be going into other categories; for example, social service workers. Fantastic people. There are times when the job of social workers has the effect of giving them PTSD in certain circumstances if they're dealing with a multitude of terrible situations that some social workers have to deal with. But I think there are enough social workers that aren't in those situations where they have to deal with it that it would be very hard to say: okay; we're just going to assume that if anybody who is a social worker has PTSD, it's because of their work. I think that would be too much of a leap to make. I think that should be proved on an individual-by-individual basis. In some cases it absolutely, clearly would be from their work.

I think that's the difference between a first responder and someone who is not a first responder. I think that corrections workers at correctional facilities are on the front lines. They do have to respond to things immediately and see things and are involved in altercations and so forth that must be very, very difficult and in some ways even more difficult than for a lot of folks who are first responders.

Yeah, I think this would be a great amendment. I support it, and I hope that members of this Assembly would contemplate doing so as well when the time for a vote comes.

**The Chair:** I'll recognize the Member for Olds-Didsbury-Three Hills, followed by the Member for Edmonton-Calder.

**Mr. Rowe:** Thank you. Members of the House, we in the government and, indeed, all law-abiding citizens of Alberta demand of our justice system that criminals are arrested, processed through the court system, and when found guilty, segregated from society. Then for the most part we put them out of our minds either consciously or subconsciously, sort of out of sight, out of mind. But they are not out of the sights and minds of our corrections officers. These men and women are our front line of defence. They protect us from these people, the very worst of our society. They deal with them every minute, every hour in every shift that they serve. To deny them the same treatment we have for police and firefighters and EMTs is just not right.

I support this amendment, and I would urge everyone else in the House to support it as well. Thank you.

**The Chair:** Thank you, hon. member.

I'll recognize the Government House Leader and then the Member for Edmonton-Calder.

**Mr. Hancock:** Thank you, Mr. Chairman. I will be brief. I just wanted to rise to speak and oppose this amendment. It's not a question of whether or not corrections officers do important work for us. Of course they do important work for us. The intention of Bill 1 is to provide presumptive coverage. The Workers' Compensation Board, under a policy that was adopted, I believe a year ago now, provides coverage for posttraumatic stress disorder for any worker who's covered by WCB who has posttraumatic stress disorder as a result of their work and their work conditions. The purpose of putting presumptive coverage in place for first responders is a recognition of the trauma that our first responders face as a regular part of their job. On a day-to-day basis police officers are responding to horrific situations. Certainly, emergency and medical technicians respond to vehicle accidents and respond to situations of trauma. Those are day-to-day occurrences in the course of their work.

We could go through and find each and every category of worker and say: in what percentage of their work might a person be expected to have a traumatic incident? Suffice it to say that that's not really the intention here. The intention is to start – as we did, actually, with the recognition of presumptive coverage for certain forms of cancer that occur in a firefighter's work, for example – with the presumptive coverage to cover the three areas where we know that people on a regular basis are faced with trauma in the course of their work, and we know that it has an impact on their lives. We know that most of the employers in those circumstances have programs in place, and even the employee work groups have processes in place to help each other deal with the tragedy, the trauma that they face every day, but it is an everyday expectation or occurrence.

In the case of the specific amendment with respect to corrections services one would assume that in a prison situation there's quite a controlled process. Yes, indeed, there are some events that happen from time to time. There are tragedies. There are situations where a prisoner might commit suicide, or there might be an altercation, but we wouldn't anticipate in that type of controlled circumstance that these would be the everyday occurrences that we might expect an emergency medical technician would have to face. So that's the difference here.

If we go on to anticipate some of the other areas that have been raised in the past few days, you know, such as social workers, I have a great deal of empathy for social workers. I think in our own ministry the people that work with us deal with some of the horrific things that children can face across the province. There's no question that there could be traumatic impact. Quite frankly, I'm not sure how some of those people actually do the jobs that they do for Albertans on a day-to-day basis. We really do appreciate the work that they do.

Again, we're getting into a situation – and here I would have to at my peril agree with the hon. Member for Airdrie – where you can't go through and sort of analyze the job on a day-to-day basis and say: how often do you expect that type of situation to be occurring in a nurse's or a social worker's life? Yes, there are other professions and occupations where people face trauma. There are other circumstances where something that's absolutely horrific might come into a person's life, and it may in fact cause posttraumatic stress disorder which needs to be dealt with and thus comes under the purview of workers' compensation.

I think we should be guided very carefully here, move forward carefully. The purpose of Bill 1 is to include our first responders. I think that that's where we should stick for the moment. We should see what kind of experiences we have. Perhaps at some point in time it would be appropriate to have a committee of the House look at this particular section and say who should be in and who should be out and for what reasons, but I don't think that we should just pick people and put them into the act because we think they have important jobs. All Albertans do important jobs. Some Albertans choose to work in areas that can be particularly stressful and sometimes traumatic.

Some Albertans act on our behalf on a day-to-day basis as first responders to go into the worst situations that we have and to assist Albertans when they're in those types of things. Those are the people that we're putting in this first iteration, at least, of presumptive coverage for PTSD, and I would encourage the House to consider a careful approach to this rather than a broad stroke of including some people and leaving other people out. Include the first responders that we know do this on a day-to-day basis on behalf of Albertans, and leave others for a closer examination, if people wish to, before a legislative committee or some other forum and then come back at a later date if that proves to be an appropriate addition.

**The Chair:** Thank you, hon. Government House Leader.

I'll recognize the Member for Edmonton-Calder, followed by Little Bow.

**Mr. Eggen:** Thank you, Mr. Chair. I'm certainly very interested in speaking in favour of and supporting this amendment to include corrections staff in Bill 1 and the benefits that Bill 1 outlines. You know, it's interesting how we have just heard that the government is encouraging us not to choose people, but in fact that's what they're doing here, making distinctions and leaving some people out, some members and some workers that by definition, by legal definition and certainly by what they actually do and experience in their jobs, are exactly the same as any other first responder.

The Criminal Code of Canada itself defines the prison wardens, deputy wardens, keepers, jailers, guards, and officers as peace officers, in fact, under the federal Corrections and Conditional Release Act, 1992. According to federal law these employees are, in fact, already in the same group as that which this bill is trying to encompass. Again, I find that to be, perhaps, an oversight, or

perhaps it's something that wasn't looked at as carefully as it should have been, but here we are in the Legislature with a great opportunity to include corrections officers under the coverage that Bill 1 suggests.

3:30

Also, the provincial Corrections Act, from our own laws, acts as though the duties in federal prisons are defined by federal legislation, so we're tied in that way, too. Within the prison environment there is absolutely no question that corrections officers are responding as the first responders to many traumatic incidents. They are left with very difficult, dangerous, and traumatizing duties, and they encounter violence on a very regular basis.

Statistics from the office of the correctional investigator provide us with a glimpse of the daily risks and incidents that doesn't sound too different, really, from a police officer and what they encounter on the outside. In 2011-2012, for example, 814 incidents were investigated by the correctional investigator, and the correctional investigator, I believe, was a former member of this Assembly. Of these incidents 84 involved emergency response teams, 600 used restraining devices, and a dozen incidents involved the use of firearms by correctional staff. By definition, by circumstance, in reality these are exactly the same incidents that we are trying to cover for other groups outside of a prison with this Bill 1. I say that corrections staff reasonably should belong to this group as well.

The quite unreasonable and illogical, I would suggest, exclusion of corrections officers from this legislation is a big concern to the workers that are actually doing the jobs themselves, including the Union of Canadian Correctional Officers, of which we had a group delegation here just a few days ago. They know that their members fulfill all of the first responder responsibilities that take place in prisons. This legislation is not encompassing their members, and they consider it to be a grave oversight that has to be fixed with this amendment, which I believe we developed in consultation with them, in fact. It's not just coming out of the air.

If we don't accept this amendment, the province is making divisions and not treating all first responders in the same way and creating a patchwork system with a hierarchy of needs and coverage according to where people happen to be working, not whether they are, in fact, first responders and experiencing, potentially, trauma as a result. Workers in our prisons deserve the same presumptive coverage as all other first responders, and we certainly will fight vigorously and, I think, with quite a number of members here, maybe even from all sides, that would consider this amendment as a reasonable addition to what otherwise could be a very productive and useful bill and law here in the province of Alberta.

Thank you very much.

**The Chair:** Thank you, hon. member.

I'll recognize the Member for Little Bow, followed by Edmonton-Strathcona.

**Mr. Donovan:** Thank you. I'm up to speak in favour of this amendment. I think corrections officers are key and crucial and also part of being first responders in this province. Again, as my colleague from Rimbey-Rocky Mountain House-Sundre stated, I mean, they deal with everything day to day on these issues also.

I think this is a great bill to begin with, this Bill 1, but I think we need to also identify all the peace officers in this province, who every day don't know exactly what they're walking into,

especially a sheriff or a corrections officer. For anybody that's had the opportunity to go into one of the fine facilities in our province, it's not for the weak of heart. I think that they definitely have their lives on the line also.

With the posttraumatic stress syndrome that we're trying to deal with here, I think this is something that we should be in support of also.

Thank you.

**The Chair:** Thank you, hon. member.

I'll recognize the hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Chair. It's a pleasure to rise again to speak to this amendment, that would include corrections officers under the presumptive coverage that is provided through Bill 1. I'm hoping at this point to have a little bit more of a back and forth with members of the government because I remain truly perplexed about why it is that corrections officers are excluded from this legislation. I will say that I've made in the past a couple of rhetorical suggestions that maybe what we were really doing was judging the victims or, you know, talking about sort of the photo op potential of the work that each group does, but I really didn't honestly think that that was what was going on. As I say, I remain perplexed about why corrections officers are not included.

Now, we will have a discussion further on with a different amendment about the work of other types of people and whether or not they should be covered under this legislation with respect to the presumption, but I'm just talking about corrections officers. When the Minister of Human Services got up, he very quickly moved into a discussion of other occupations who he didn't believe were appropriately included under this bill. He didn't really focus his explanation on why it is that corrections officers are excluded from coverage under this bill.

If for a moment you accept the government's explanation that what we're really doing here is that we want to narrow it really, really carefully to those who do first responses, who are first responders, who are trained to be first responders, who are compelled, through both the culture as well as the workplace direction as well as what they're trained to do, to put themselves at risk, then there is no difference between the different types of first responders that the government has included in this bill and the corrections officers. As other people have also argued, I would suggest that it is actually possible to argue that they are faced with those traumatic situations in some cases even more frequently than some of the other first responders who were identified by members of the government through this bill. So I truly want an explanation from this government.

Now, last night the associate minister went on a long, grand soliloquy about how what this really is about is thanking our first responders and that if we question this, well, then we're questioning our thanking of the first responders. Really, that's what he said over and over and over again. Beyond that he was unable to provide any foundational fact-based, research-based, policy analysis-based explanation for why we were excluding corrections officers. He wasn't able to point to the difference in the work, the difference in the legal status between them, the difference in their obligations, the difference in frequency of traumatic events, the difference in what the employer expects of them in their workplace. He wasn't able to point to any of those kinds of issues.

Now, the minister in charge of Human Services overall suggested: well, what we're doing is that we're trying to compensate those fairly through the presumption who have this obligation to show up at traumatizing situations and accident sites

as a regular part of their job. Fair enough. Now, even that definition, which is more narrow, could be quite easily applied to a rather long list of people, but let's just say that we're just talking about those people who are in uniforms, who are authorized to be armed, who are expected to physically intervene in emergency situations and are expected to provide medical care on an emergent basis, no matter the extent and the degree of the trauma that they are faced with when they get to that emergency situation. If you're doing it even in that very, very narrow way, again, nobody on the other side has been able to provide an explanation for why it is that corrections officers are not included. Corrections officers have to do that.

Now, the Minister of Human Services said: well, you know, I think it's possible that in the prison system we can presume things are under control, so it's not quite as volatile, and it's not quite as risky as it is when you're a police officer showing up in the middle of a robbery or you're showing up at a traffic accident. I will say that it is not as a result of having watched every episode of *Oz* that I'm saying this. I am saying this instead because I, as I've said before, had the privilege of representing corrections officers for three or four years when I first became a lawyer.

**3:40**

Indeed, I was one of the people that ran one of the first hearings in front of the Occupational Health and Safety Council and, if I recall correctly, it was a two-day hearing where we called about nine or 10 witnesses, corrections officers each one of them, before the Occupational Health and Safety Council, where each of them described their work, went through documents which showed near miss reports, accident reports, professional responsibility reports, all those kinds of things, and also in great detail talked about what it meant when best practices were at that time periodically overlooked by management.

At that time best practices were to avoid double-bunking. Now, of course, as many people who follow the discussion in corrections know, we've long since moved past double-bunking. We're ratcheted up to triple-bunking now, in particular in the remand centre here in Edmonton. The research is clear; the objective fact-collection processes are clear. When you do that, the level of violence and level of traumatic and uncontrollable and violent incidents goes up.

So when the minister says, "Oh, I think there's really a fair amount of control there, and they're all really fairly safe," I would urge him to look at the record of the Occupational Health and Safety Council, which actually wrote a decision on this back in the early '90s. I would urge him to look at any or all of the occupational health and safety research out there about the state of our prisons and the frequency of the traumatic and violent events that occur in those settings because the fact of the matter is that it is intense, people. It is really intense.

These people go to work every day, and they, just like the other first responders who are covered under this legislation, agree to put themselves at risk when they walk through that door every morning. When they put on their weapon and they put on their uniform and they walk into that not-so-very-controlled setting, where a whole bunch of people who are the top 10, the most popular of the criminals that the other first responders had to sift through, who are all nicely collected and concentrated in this building, which is overfilled, with inadequate safety prevention initiatives in place – because, as we know, as has been commented on by I believe it was a Court of Appeal judge, but maybe it was a Queen's Bench judge here in Alberta within the last two or three years, our remand centre is a travesty. We have some serious problems in terms of how we're able to manage and maintain the

safety of not only the corrections officers but, quite frankly, the inmates in that setting.

Again, anyone who has spent a little bit of time with the Solicitor General or, in this case, the Associate Minister of Services for Persons with Disabilities, who at one point was the Solicitor General, would know that that is the environment that has developed in our prisons and remand centres across the province. To suggest, then, that these folks are not first responders in every way, shape, or form as the other first responders who have been identified is illogical, Mr. Chair. It is absolutely illogical, and there is no rationale for it. It is frustrating for me that we cannot get an explanation from this government because it would be good governance to include these people.

Now, previously the minister also said, "Well, everybody is eligible for PTSD coverage," but let's just be entirely clear here. The literature is unequivocal on this that the vast number of people do not apply for PTSD coverage. The same cultural inhibitions that work within the ranks of firefighters and police officers and EMT professionals also exist and function within the ranks of corrections officers. Often they just simply don't apply, or if they do apply, what they do is go to long-term disability because long-term disability is not as intrusive and as painful as workers' compensation is. But when you say that they get compensated, does the minister really believe that only 22 Albertans in the last two years have developed posttraumatic stress disorder in this province? Do you really believe, based on all the research, that that is the actual number of people with posttraumatic stress disorder arising from traumatic events in their workplace? That's a ridiculously naive assumption.

The fact of the matter is that that is simply not the case. The case is that most don't apply, and the number that do apply go through such hell that they actually withdraw their applications before they're even considered, or they withdraw them partway through the process, or they're outright rejected. The fact of the matter is that although in theory PTSD is covered in this province, the obstacle course that claimants have to go through, the degree to which they have to subject their life, their history, their family, their medical records, their marriage counselling sessions – I mean, all of these things are things that the WCB demands and succeeds in getting from someone who claims for PTSD.

If you as a corrections officer witness and are part of a violent exchange that results, let's say, in someone being brutally stabbed and beaten and you yourself are almost brutally stabbed and beaten in that and you file a claim for PTSD, you can bet that if you've been to see a counsellor for marriage counselling, the WCB will absolutely demand to have access to those records, and they will demand the opportunity to speak to your wife or, God forbid, your ex-wife to find out whether there is another way in which your PTSD can be explained. Because the onus is on you to show that it was that brutal stabbing that caused the PTSD, all they have to show is: well, you know, five years ago he was pretty wacky with his wife, and she's a totally objective witness in this case. You know what? We've created doubt. They haven't made their case; they don't get compensation for PTSD.

So it is really quite misleading for the minister to say that all Albertans are eligible for or entitled to coverage for PTSD in this province because the way the WCB administers that right now is extremely onerous, extremely invasive. In many cases it actually reinjures them, and I've seen doctors' reports that have actually supported this notion. The process of WCB adjudication is in and of itself an injury. I've actually seen the WCB, when on the most rare of occasions someone is able to actually afford a lawyer, be compelled to compensate people for the injury that they created as

a result of their adjudication process, particularly as it relates to mental health issues.

We go back to the fact that the presumption, then, is a progressive and wonderful move forward, and it is something that the government should be congratulated on. But I continue to stand here waiting for someone over there to take the time to provide a rational, thoughtful, well-researched, justifiable explanation why these hard-working first responders who work in our corrections system are being excluded from coverage by this legislation. It makes no sense, Mr. Chairman. It smacks of the worst of political opportunism on the part of this government. If they're not prepared to give us the research for why correctional officers are excluded, then they should do the right thing and vote in favour of this amendment.

Thank you, Mr. Chairman.

**The Chair:** Thank you, hon. member.

I'll recognize the Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chairman. I think the hon. member already pointed out the misstatement. Earlier the member from across the aisle mentioned something about social workers, and that's not in this amendment. What this amendment is dealing with is correctional officers and the definition of correctional officers.

I think there might be a misunderstanding of what a correctional officer does and the danger correctional officers put themselves in on a daily basis. I do have a solution. I think someone needs to go over and get themselves involved in a jail and see what these people actually go through. I just pulled up some quick statistics on this issue. Fifty-four correctional officers have died in the line of duty in Canada as compared to 133 police officers. These are first responders.

3:50

One of the things that is paramount about posttraumatic stress disorder is the stress level, and I want you to think about this. Put yourself in the prison. Put yourself behind the bars, behind those locked gates. The minute you walk to work, that stress level picks up, and the threat is constant. When I drove a cruiser, I only felt that threat when the call for help came and I was brought into a dangerous situation. But for correctional officers that threat is paramount. Every minute, every hour, every second of their daily duty they are in harm's way.

To say that we're sort of picking and choosing: I would disagree with that member's comment. We're not picking and choosing. What we're identifying is an aspect of this bill where we've left out one segment of society that puts their life on the line every day and lives with that stress every day. I have to tell you that some of these young women, some of these young men who go there are face to face with the element of our society that we want locked up. We want them locked up for our own protection. We need them locked up. That's really important. Those are the ones that we rely on to make sure that these people that are locked up stay locked up and don't harm other people in that facility.

I would actually say that to not approve this motion is sort of callous in the sense of looking at these correctional officers as if they do not matter, when the fact is that they matter sometimes, I think, the most.

Thank you, Mr. Chair.

**The Chair:** Thank you, hon. member.

I'll recognize the Member for Calgary-South East.

**Mr. Fraser:** Thank you. Let me speak as a current paramedic that still works the car when I find the time available. To be clear, correctional officers do put it on the line every day. It is a stressful job. There's no doubt that there are people that have seen things in there that suffer from posttraumatic stress syndrome. There's no doubt in my mind.

However, the intent of this bill was to talk about the people, particularly in Edmonton and Calgary, that do the hundreds of thousands of calls every year, hundreds of thousands. Now, responding to whether it's correctional facilities in Calgary or Edmonton, they are not as frequent, and let me tell you that it's we who respond with tactical teams, the tactical paramedics, the tactical SWAT teams, when things really hit the fan.

Again, I don't want to detract from what correctional officers do. They're important. Let me say that again. They're important. But in passing this bill, the intent was to thank the people that every day, whether it's in a volunteer capacity in a rural setting, in a professional setting in the cities and in some of the bedroom committees – it's important for us to recognize this.

I'll speak to this member who has proposed this change. We've had some interactions over the years. In fact, any time that we get into this debate, we like to take the opportunity to thank these people because we're trying to include all of these people. Here's a good example. For the parent who has a child fall out the window, technically they are the very first responder, and more often than not they suffer from posttraumatic stress syndrome. That takes them away from their families and their jobs. We have to have the ability to draw the line for the people who choose this as a profession, not only from a humanitarian perspective but from a perspective of making it sustainable, making sure that the job is attractive, because we know that they go to work and do these hundreds of thousands of calls every day.

Let me go back to the tactical police and paramedics that respond to the Edmonton Max or other various correctional facilities here in the province. They don't have the ability to lock it down, lock down the entire province and lock down the entire city like a correctional facility would do for a number of days until it calms down. What they do is take off their tactical uniform, put their regular uniform back on, and get back out on the street to save the choking children, to save the grandparents and the parents that are having heart attacks.

I'm not in favour of this motion. I am in favour of correctional officers and the work that they do. They're important. If the evidence and the traumatic incidents increase, I would be supportive of that motion later being introduced. But at this point the way that this bill stands, I think it's important that we get this ball rolling, protect those who per capita – like, thousands of calls every day. I think that in the city of Calgary for paramedics, EMS, alone there are well over a hundred thousand calls, and that's increasing on a percentage of 7 to 9 per cent per year. In fact, this past year – and I've said it before – 30 per cent call volume. Well, that ties along with community policing and everything else and the sheriffs just as population grows. Now, we all hear when the Edmonton Max and all these other facilities fly off the handle. I think it's important to recognize the high volume right now where we know the evidence is, where we know we can assume that it's presumptive.

Those are my comments. Thank you.

**The Chair:** Thank you, hon. member.

I'll recognize the Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Mr. Chair. I appreciate the comments of the hon. member from the other side, and I appreciate the first-

hand experience that he brings to the table. I'm speaking in favour of this amendment on a little different note only because the Bowden Institution is located in my riding and I have many, many friends who are correctional officers and who deal with this type of employment every single day.

One of the things that they constantly talk about is the average day. The average day means that when they leave the house, they have to make sure that every window and every door is locked, they have to make sure their children are walked safely to school, and they have to make sure that they have no listed phone numbers and that their addresses are not known. Then they head off to work to deal with some of the worst people that we don't really want to deal with. That's the start of their day.

Now, inside the prison system – luckily, I've visited but never had an overnight stay, thankfully – they have to deal with a multitude of events. Sometimes it's rape, sometimes it's stabbing, sometimes it's attempted murder, sometimes it's murder, sometimes it's just the day-to-day denigration of these types of individuals, and they're constantly in that negative situation.

One of the things that they constantly tell me is that in their jobs, the requirements of their jobs, they never really get the opportunity to see rehabilitation. Then when you're dealing with that day to day, that provides a stress level. Then they have an event, and there's a psychological stigma that is attached to corrections officers, as there is attached to many people in this field, that doesn't allow them to step forward and say: "This was the event that caused my trauma. Please, I need some help." When they're not able to do that, what ends up happening is that they go back to their families and they self-medicate either through alcohol or drugs or physical violence.

The reality of this legislation is less about what those people are bringing to the table day to day but more about the ability for them to seek medical help without having to be the one that says: it was this event that triggered my event. I think it's important if we want to keep families together and if we want to ensure that we have productive people in these types of jobs that they get the help that they need as soon as possible.

Clearly, we know from WCB stats in all occupations that the sooner the person receives medical attention, the sooner the person receives psychological attention, and the sooner the person is able to go back to their employment, the better off that employee is. The ability to have the presumptive nature put into this legislation for correctional officers allows for a better temperament of people that are dealing with these types of situations.

Another dilemma that we have here is whether or not to cover sheriffs. I know that the hon. Member for Edmonton-Strathcona has put forward sheriffs as well.

4:00

I personally have a family member who is a sheriff. On a pretty regular basis his daily employment is not that much different than a police officer's or a correctional officer's, those sorts of things. He goes out every day putting his life on the line, and every day he doesn't know what he's going to run into, and he doesn't know what kind of serious incident is going to affect him.

The one thing that keeps coming up is that it's not necessarily the job that they do; it's that it's usually a multitude or a series of events that creates posttraumatic stress disorder. When those series of events happen, then how do you know which event triggered your posttraumatic stress disorder?

Each one of these individual workers is doing their best for Albertans. They're keeping us safe, and they need to be acknowledged for that. They worry about their families. They



worry about when the offender leaves the facility. They worry about whether that offender is going to hurt anyone in their family. They worry about whether that offender is going to come after them. Did they have some sort of altercation within the system that caused this offender to be violent? These types of issues and posttraumatic stress disorder directly affect their marriages. You know, the multitude of marriage breakdowns, which ultimately affect their families and ultimately effect negative consequences for their children, is something that can't be ignored.

In reality, if we allowed these correctional officers to be included into this legislation, those officers could seek help immediately, resolve those issues, and get back to work sooner. They could also become much more productive members of their families and allow their families to grow with them and grow in an occupation that is desperately needed in this province.

I can appreciate the comments: "Where do we want to go from here? How much of a nanny state do we want to have?" I can appreciate those comments because I've sat back and, in my decision to support this bill, have had that conversation. I reached out to the stakeholders in my community and had conversations with them. Over and over and over again the message that I heard was: "The clientele that we're dealing with, the type of events that we're dealing with, and the situation in which we deal with those definitely lead us to a higher amount of posttraumatic stress disorder." So I think that going forward the presumption is the right thing to do.

I strongly believe that this bill is a good bill, and I would support this bill wholeheartedly, but I would ask: take a step back, take a look at correctional officers in your communities, have a discussion with them about what they do on a day-to-day basis, and bring that back. I strongly encourage you to support this amendment.

Thank you.

**The Chair:** Thank you, hon. member.

Are there other comments on amendment A1? The hon. Member for Medicine Hat.

**Mr. Pedersen:** Thank you, Chairman. I rise here today also in support of this amendment to Bill 1. This is my first attempt at this, so I'll try to get through it. I think it's a good amendment, brought forward by the Member for Edmonton-Strathcona. To include these individuals in this, I think, is very important. These people do some very dangerous work. I also question the comments made by the Minister of Human Services, not because I don't respect what he has to say and his wealth of knowledge, but I think that the comment that he made I'm going to just maybe counter a bit.

Everyday exposure does not mean PTSD will occur. There's the ability for individuals who have that makeup to actually attend to their job to a high level, and they're able to function. They can do this. They can do this over and over and over, but sometimes they're going to hit an event that just pushes them over the edge. It's something that they didn't anticipate when they walked in that morning, and it just takes one event. I think that's the important part here. It could happen once, and that might not show up right away. I just wanted to counter that statement of: over and over and over. It only takes once. I think that's important.

I think the other thing, too, is that in this regard we're asking certain people to do these jobs that most of us would not want to do, don't aspire to do, never dream of wanting to do. I think that in that situation, when these individuals do get put into a position where they are mentally stressed for whatever reason, it's incumbent upon us to be there for them if they ever do require some kind of treatment for a mental issue, if it is PTSD and determined to be so.

I think one of the reasons that we're actually talking about making this amendment, adding people to this list – this is my personal opinion – is because of the multiple designations we have created in the peacekeeping business, I guess, so to speak. We have police officers. We have sheriffs. We have peace officers. We have an abundant, you know, number of different designations, and I think it was done to basically reduce the responsibility and the cost that each one of these levels of service, that each one of these individual jobs provides. But it doesn't mean that any one of these people may not be called upon to attend an accident or an event that could create some mental anguish or mental stress. In saying that, I think we do owe these people the obligation that should they ever be faced with this, we won't turn our backs on them because they didn't turn their backs on us. Their job/role description may not officially designate them to deal with this on a daily basis, but they are there to do that work for us.

As I wrap this up, I do support, generally, Bill 1. I think there are some amendments that could be brought forward and discussed, and hopefully we can talk about what gets added and what doesn't, but I do generally speak in favour of amendment A1.

Thank you very much.

**The Chair:** Thank you, hon. member.

I recognize the Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thank you, Mr. Chair. It's with great pleasure that I get to rise and actually speak on the Workers' Compensation Amendment Act, 2012, Bill 1, and the amendments that have been brought forward by the Member for Edmonton-Strathcona. I feel especially privileged to be able to stand up and speak in support of this amendment as the former Solicitor General for the province of Alberta. Knowing full well as the former Solicitor General of the province of Alberta that the correctional facilities were under provincial jurisdiction, I can tell you that after the meetings that I went to on FPTs and some of the tours that I took into some of the federal correctional facilities, I am extremely pleased to be able to stand up and support the members of the Correctional Service of Canada under the Corrections Act and make sure that they're incorporated and included under Bill 1. It makes perfect sense to me that under the work and duress that these corrections officers do on a daily basis in correctional facilities, they should come under this act.

I also noticed that the hon. Member for Edmonton-Strathcona has talked about the Peace Officer Act and the sheriffs. I was actually with the government when we brought forward the sheriffs into this province, and I've gotten to know the sheriffs throughout this province over the last several years. There's no question that they should also be incorporated in Bill 1, the Workers' Compensation Amendment Act.

Mr. Chair, I wanted to stand up. I've had calls from some corrections officers, and I told them that I would be speaking in support of this particular legislation. I will want that on the record, and I'm on the record now.

Thank you.

**The Chair:** Thank you, hon. member.

I'll recognize the Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Chair. I think it's important that we remember here that what we're not doing is that we're not saying that just because you work as a correctional officer, you're going to have posttraumatic stress disorder. I would like to share with this House the diagnostic criteria for posttraumatic stress disorder:

one, the person experienced, witnessed, or was confronted with an event or events that involved actual or threatened death or serious injury or a threat to the physical integrity of self or others, and two, the person's response involved intense fear, helplessness, or horror.

4:10

For the condition to continue and be diagnosed, they now have to exhibit at least three of these next criteria: intrusive recollections; distressing nightmares; acting, feeling as though the event were reoccurring or having flashbacks; psychological distress when exposed to traumatic reminders; physiological reactivity when exposed to traumatic reminders.

Next segment, two of the following avoidant/numbing symptoms: avoidance of thoughts, feelings, or conversations associated with the stressor; avoidance of activities, places, or people associated with the stressor; inability to recall important aspects of the traumatic event; diminished interest in significant activities; detachment from others; restricted range of affect; sense of foreshortened future.

Next set: sleep problems, irritability, concentration problems, hypervigilance, exaggerated startle response.

The reality is that all we're suggesting here is that when people are diagnosed by a medical doctor, a psychologist looks at an individual in the eye, diagnoses them on these conditions, not an arbitrary WCB employee saying: yes, you look like you must have posttraumatic stress. The bill clearly states that this is the model we're using here. I ask you: is it not reasonable to assume that if a correctional officer is diagnosed with this, they actually got that while doing their job? That's what this amendment says, period.

This is not about thanking first responders for the great job they do and dismissing others. That's not what this is about. This amendment is simply stating that if a correctional officer has been psychologically diagnosed with these conditions, it is then reasonable to assume it's work related, and they have presumptive coverage. That is why this should be a supported amendment.

Thank you.

**The Chair:** Thank you, hon. member.

Are there any other speakers to this amendment?

If not, I would call the question.

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

[Several members rose calling for a division. The division bell was rung at 4:12 p.m.]

[Ten minutes having elapsed, the committee divided]

[Mr. Rogers in the chair]

For the motion:

Anderson	Fox	Smith
Anglin	Hale	Stier
Bikman	Notley	Strankman
Bilous	Pedersen	Swann
Blakeman	Rowe	Towle
Eggen	Saskiw	Wilson
Forsyth		

Against the motion:

Allen	Goudreau	Oberle
Bhardwaj	Griffiths	Olesen
Bhullar	Hancock	Olson
Brown	Horner	Pastoor
Campbell	Hughes	Quadri
Casey	Jansen	Quest
Cusanelli	Jeneroux	Sarich

Dallas	Johnson, L.	Scott
DeLong	Khan	Starke
Drysdale	Kubinec	VanderBurg
Fenske	Luan	Webber
Fraser	McAllister	Xiao
Fritz	McDonald	Young

Totals:	For – 19	Against – 39
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[Motion on amendment A1 lost]

**The Chair:** We will continue with the discussion on the original bill. I'll recognize the hon. Member for Edmonton-Strathcona.

**Ms Notley:** Well, thank you, Mr. Chairman. I am becoming increasingly less pleased to rise to speak to this bill. Nonetheless, I will still do so to talk about some of the other concerns that we have with respect to the bill as it is currently drafted. Again, as I've said before, it is always important to start by talking about the value of this piece of legislation generally and the dire need for there to be some type of presumptive law when we're dealing with compensation for mental health issues in the workplace and, in particular, when we're dealing with compensation for posttraumatic stress disorder.

I would like, Mr. Chairman, to propose another amendment to this piece of legislation. Obviously, based on the result of the last vote, it does seem unlikely that the government is going to be terribly interested in accepting it. Nonetheless, I believe it is worthwhile.

**Ms Blakeman:** You should still do the right thing.

**Ms Notley:** Thank you. The Member for Edmonton-Centre says that it's the right thing either way.

I think it would be worthwhile to put this issue on the agenda so we can have a more clear conversation about this particular issue, which is unfortunately not well addressed through the terms of this bill.

Mr. Chairman, I have copies of the amendment with me for distribution. I think it's the right one this time, so I won't confuse people. I will sit down for a moment while it's being distributed and then talk about the substance of the amendment that I'm proposing.

Thank you.

**The Chair:** This amendment we will be referring to as A2.

Hon. member, to the amendment.

**Ms Notley:** Yes. Thank you, Mr. Chairman. I am pleased to be able to speak about the amendment that I am now putting forward. I apologize for any confusion that my comments last evening might have created for people when I started to read out the amendment that actually was talking about corrections officers and then started reading this particular draft because I had two different files. So I do apologize for this.

Basically, what this proposed amendment is attempting to do is to add health service workers and social workers to Bill 1 so that they, too, would enjoy the benefit of the presumptive coverage offered through Bill 1. The way in which that would be done would be by amending section 2 in the proposed section 24.2 in subsection (1) by renumbering clause (a) as clause (a.1) and by adding the following before clause (a.1):

(a) "emergency health care services provider" means an individual who is engaged in providing emergency medical treatment in an emergency department or trauma unit;

and by adding the following after clause (g):

- (h) "social worker" means an individual who is registered as a member of the Alberta College of Social Workers.

Then in subsection (2) striking out "or police officer" wherever it occurs and substituting "police officer, emergency health care services provider or social worker."

4:30

As is obvious from what the amendment says, I am proposing to add these two categories of extremely valuable and important and critical contributors to our community to the list of people who would enjoy the benefit of the presumption under the amended Workers' Compensation Act through Bill 1.

Just in terms of definitions when we talk about social workers, it's important to understand, and we've been advised by the College of Social Workers, that those who are registered under the College of Social Workers can include child care workers. It's a broader range than the name would normally imply, and it includes those who are engaged in front-line social service counselling and work, generally speaking. Some of the reasons for this have already been outlined. Social workers confront traumatic situations on a routine basis, and they often respond to difficult domestic situations and cases of public emergency, actually.

I've been contacted by the Alberta College of Social Workers, and they indicate that they truly cannot understand why the government would overlook the services provided by their members. Moreover, they have approached the government but have been unable to get any response. Indeed, in July the college sent letters outlining their concerns to three members of this House: the Premier, the Minister of Human Services, and the Member for Calgary-Hawkwood. These letters requested that social workers be listed as first responders in this act. It was a simple and logical request and one that the government could easily have accepted or, dare I say it, at least considered. In the three months since these three letters were delivered, the college has not even received the courtesy of a response from the Premier, the minister, or the Member for Calgary-Hawkwood.

I just want to review again why it is that I think it's so important to be able to include these two groups of people in the legislation that we're talking about here today. I apologize if I've said this before, but I think it really, really underlies what we're dealing with here. I want to talk about an event that occurred in B.C. a decade and a half ago, so as to not in any way aggrandize or sensationalize issues which are in the current discussion or public discussion now.

In B.C. a social worker was contacted by a neighbour, I suspect, of a family where the neighbour understood that the children in the family were known to the ministry, as it were. They also indicated that there was some concern that there may have been criminal activity going on in the apartment that the neighbour was calling the social worker about. The social worker, knowing that there might be some issue of criminal engagement or criminal activity in the apartment, contacted a police officer, and the two of them went to this apartment. When they came into the apartment, they were met with a horrifying scene, a scene that I'm not going to spend a lot of time discussing but suffice to say that there was a child who was roughly 18 months old who was dead and who had been dead for a period of time and who had clearly died under absolutely abhorrent and tragic and upsetting circumstances.

Then, let's move forward six months. Here's what would happen if this happened in Alberta today. Regardless of whether that was the only traumatic incident that the police officer had observed or whether they had observed a number of traumatic incidents or whether the police officer was a brand new recruit and

had actually stayed in the car doing paperwork and never actually made it to the scene, it doesn't matter. If six months from now that police officer started experiencing symptoms of posttraumatic stress disorder, they could apply for compensation for that posttraumatic stress disorder and would automatically be compensated. Now, that's fine. I understand the rationale for why the government wants to do that. That's good because in so many cases that person wouldn't be compensated.

What would happen to that social worker, though, is that she would apply for posttraumatic stress disorder, and the Workers' Compensation Board would first insist that she needed to be examined by their doctors and their psychologists, who, just to be clear, often are on contract with the Workers' Compensation Board because they happen to have a particular approach to how they deal with posttraumatic stress disorder.

**Ms Blakeman:** Do you mean friends or in the family?

**Ms Notley:** They happen to be people who are in the family, the Member for Edmonton-Centre outlines, that lovely "in the family" phrase.

Those psychologists, notwithstanding that the social worker already has a diagnosis from a reputable physician, will demand and exercise their extremely intrusive rights under the Workers' Compensation Act as it currently exists to subject that social worker to a battery of interviews, assessments, testing, all that kind of stuff. In addition, that social worker may well be told that she needs to talk about any or all mental health care, treatment, counselling, anything that's ever happened in her life.

And if in the course of talking to that board-hired psychologist, she mentions, "Oh, yes, you know, when I was five we had a traumatic incident in my family," well, then the WCB has absolute and complete ability to go back to when she was five and to uncover all the records of that time. All they have to do is show that there was another traumatic incident in this person's life, and because the onus of proof is on that social worker, the WCB has probably met the legal test to argue that the PTSD is not related to the traumatic incident that the social worker experienced when she walked into that apartment and found the deceased baby.

So two very different outcomes. Just to be clear, with the social worker what will happen is that, you know, it'll take a year or two years, and she will have potentially had the WCB film her, they will potentially have hired a private investigator to follow her around, they may well have asked for any files, as I've said before, associated with marriage counselling or any counselling of any type in her life. Her world is an open book. All the WCB has to do is find some other reason why she might have developed this diagnosis, and then they don't have to cover her. So they will do that, and I say that with absolute certainty, Mr. Chairman, because I've represented far too many people where exactly that has happened.

So two people: both at the same incident, both affected similarly by the same incident, both there as a result of the requirements of their work. One gets covered; the other has her life turned inside out and upside down and is, in fact, subsequently reinjured by that process, very possibly, and in any event does not get compensation.

Now, I've sort of touched on this a little bit in the past as well in previous comments. What will likely happen is that she will claim for long-term disability benefits if she is lucky enough to have them, and she may get those benefits because to get long-term disability, all you have to do is show that you have a disability. You don't have to show that it's causally related to your employment. So she will get those benefits for a period of time.

Now, in getting those benefits, you need to understand, she has copaid for them whereas with Workers' Compensation in theory it's the employer that has paid for those benefits. We're now making certain employees, if they should be so lucky to make it through that obstacle course to actually get benefits – these are benefits that they are now copaying for. The other thing that will happen, of course, is that, you know, those types of benefits often don't last as long.

4:40

The other issue that arises, of course, is that that's only where that social worker actually is eligible for long-term disability benefits. The more we contract out these services, the more we ask nonprofits in the community to provide our social services and to provide that work for us, the less likely these workers have the benefit of that well-paid union job with all these extra benefits. The odds are good that they don't actually have access to long-term disability. So then that social worker, after she's gone through a two-year process of having her life turned inside out by the Workers' Compensation Board so that they can deny her PTSD, will end up on welfare because, God knows, she won't be entitled to AISH. That's a whole other conversation that we could go on about here for a very long time.

So two very different outcomes for people that have been exposed to exactly the same situation.

We know that social workers come up against this kind of traumatic stuff regularly in the course of their employment. That's what the minister suggested: well, are you exposed to traumatic things in the regular course of your employment? I've talked to social workers at great length about how it is in their world, you know, child protection workers who work diligently with a certain child who they know has been subjected to horrendous, horrendous abuse. They try hard to provide support to that child, and oftentimes they're compelled to put the child back into a situation that they know is dangerous. That, frankly, is traumatizing.

For anyone to not get that that is a traumatizing event, they are making some very significant value judgments about how people process traumatic events. Frankly, I think it starts to smack quite significantly of sexism and sort of a respect for one person's pain and a dismissal of another person's type of pain.

The other group of people that this amendment seeks to include, of course, is health service workers. Now we're getting back to the trauma of the carnage on the highway that the minister keeps talking about. The associate minister said that this is really about compensating and thanking those people who respond to these horrible, traumatic accidents on the highway. Then, of course, another member from his caucus got up and said: well, no, it's really about the number of emergent calls that they get in a day. Then another member got up and said: well, really, it's about whether they deal with these things in the regular course of their work. Heaven forbid that a lawyer ever gets a hold of this.

**Ms Blakeman:** Did they read the bill?

**Ms Notley:** They don't appear to have read the bill or have a full understanding of workers' compensation law.

That being said, if we just go back to the highway dynamic, one wonders. You know, the carnage that one sees on a highway: no question that it is shocking and traumatizing. I know, for instance, that people who work with Alberta Transportation periodically – I don't know if I'd say regularly but, certainly, with more frequency than the general population – are exposed to those kinds of things. I'm not entirely sure why the guy who's driving the ambulance

gets the presumptive coverage for seeing the trauma that they saw, but the person who's at the door of the emergency room and taking that person inside and trying to deal with the outcome of that carnage in a life-and-death kind of scenario for a much more extended period of time doesn't get to enjoy the benefit of that presumptive coverage.

We know that our emergency rooms are places where trauma exists all the time. Traumatic events occur all the time, and people's lives are permanently changed all the time. People watch their mothers and their fathers and their children pass away all the time. They're counselling them, and they're trying to save their lives. In some cases they do, and in some cases they don't. The most horrifying of injuries: these people deal with them. It's not as if the traumatic carnage that we see on the highway is just wrapped up in a bow and taken away somewhere so that no one else sees it. It comes into our emergency rooms. So I don't understand why, when it gets into emergency rooms, suddenly those people, who, by the way, by virtue of their professional body and their professional designation are not given the choice to walk away from what they see – whether you're talking about a doctor or a nurse or any one of a number of other professionals, they are compelled by their professional body to provide the best care that they can and to put themselves second in the course of providing that care. The judgment of what's second, how you put someone second or not, is a bit complex if you get into the decisions at great length.

I hate to say it, but I did spend a bit of time in my career representing nurses in front of their professional bodies, so I'm fully aware of how the professional body insists that when they get up in the morning, they put on their little Wonder Woman outfit and put on their little Wonder Woman cape. They forget that they haven't slept. They forget that they're on their sixth consecutive overtime shift. They forget that they're working short. They forget that many supports that are supposed to be in place for them from their employer – this government, actually, ultimately – are not there, and they do whatever they can to provide the best treatment and care possible to the victims with whom they deal. That's their job, and if they don't do that, their professional body tells them it's their fault.

I've been at those hearings. I know that's what it's like for many, many people who work in the health care field. That's why we regularly get up here and talk about how much we love nurses and how we don't have enough nurses and about: wouldn't it be great if we had more nurses? Hopefully, we'll manage to go a year or two without this government accidentally firing a thousand nurses and losing a whole graduating class for a year. Anyway, that's a whole different issue.

The point is that these people put themselves on the line. In that traffic accident scenario, if you follow it through, I'm not quite sure why one group is being compensated and the other group is not. It's a little concerning because one group does tend to be primarily male, and the group that's not being compensated, once again, tends to be primarily female.

**The Chair:** Thank you, hon. member.

I'll recognize the Associate Minister of Services for Persons with Disabilities and then the Member for Edmonton-Beverly-Clareview.

**Mr. Oberle:** Thank you, Mr. Chairman. It's an honour to rise again and just provide some additional thoughts on Bill 1 at this time on the amendment before us. I don't want to make any comment about social workers or anybody else because I do not want for a second for anybody to think – it would be wrong – that

I don't value the excellent work they do. That is really not the point here.

The hon. Member for Edmonton-Strathcona provides an anecdote of somebody. You know, anecdotal evidence abounds, but it rarely usefully guides us. I say through you, Mr. Chairman, to the hon. Member for Edmonton-Strathcona that I myself would probably qualify for PTSD and certainly some of the symptoms that the hon. Member for Calgary-Shaw read out just a while ago in his explanation of how PTSD diagnosis works. I caught part of it on the air. I didn't catch what he said about it, but I want to stress that all workers, whether they would have presumptive PTSD or not, would first of all have to be diagnosed, and it's not an easy test.

I can tell you that probably 25 years ago this month, in a work-related incident, I had to recover the body of a co-worker, actually somebody that reported to me, who was killed by a bear. To this day I think I still suffer from some of the incidents that the hon. member outlined. I still wake up with cold sweats, and there's an image burned in my mind that I'm sure I will never get rid of. That's not the point. That's probably more stressful than most people would have to put up with.

I was in the bush that night by myself till 3 o'clock in the morning in the pitch black with a flashlight and a compass looking for him. I think I walked probably within 40 metres of his location, but it was pitch black, and I didn't find him. The next morning I went in and found him, and I was, as it turned out later, probably within about 40 metres of the bear den. I have no idea if the bear was there or not at the time. That afternoon, when a recovery team went in, the bear was there and attacked them. You know, it was a stressful situation.

4:50

A lot of people encounter unbelievable stress in their life. I don't rise to claim victimhood or anything, but I do rise to point out that just because your job is stressful, it doesn't mean that you should have presumptive PTSD. Whether or not I meet any medical test, I wouldn't for a second think that I should have presumptive PTSD even if I'm diagnosed with it. In my life I've had a lot of other stressful things that are absolutely not work related, as everybody does. We've seen car accidents. We've seen house fires. We've had families or friends that have lost children and other horrific, horrific incidents in our lives that have nothing to do with work. It's not how stressful your job is.

I do not want to speak specifically to the careers mentioned in the proposed amendment, Mr. Chairman, and I do not in any way denigrate the good and, I'm sure, very stressful work, for example, that social workers do, but I will say this. The hon. member alluded to the fact that the College of Social Workers attempted to contact the government and got no response. I'll stand here right now and tell you that nobody who attempted to contact me got no response. I did talk to the president of the AUPE and – the word escapes me – an entourage. He had some fellows with him, other executives from the AUPE. I did, as I indicated last night, talk to a representative of the union of federal corrections workers from the prairie provinces. Nobody from the College of Social Workers contacted me. Had they done so, I would have talked to them or met with them at their convenience. I just wanted to make that clear.

Mr. Chairman, I thank you for the opportunity to provide those comments.

**The Chair:** Thank you, hon. minister.

I'll recognize the Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Speaker. I rise on this occasion to speak in favour of the amendments that my caucus is putting

forward, which amend the list of occupations for which the presumptive principle is extended for PTSD compensation. I'm a strong advocate that emergency health workers and social workers need to be on this list as two groups of people that are Alberta's first responders.

You know, I'd like to first and foremost maybe clarify or detail the responsibilities that these folks carry out on a day-to-day basis. I can appreciate what the hon. member on the other side has said as far as people dealing with different stressful situations day to day. However, these are folks that are encountering traumatic situations because of their occupation, and the different experiences that many of them have, I think, as all in the Assembly probably know, can have a lifetime effect on people.

The fact that those two groups aren't included actually surprises me because I've spoken to emergency health service professionals and social workers not only about what they see but what they live through on a day-to-day basis, from disclosures that people give to them to what they have to carry around about individuals. They try to do their jobs to the best of their ability, sometimes, I'm sure, experiencing roadblocks that are a cause of frustration but, beyond that, that have that long-term effect on their health and well-being.

Again, social workers confront traumatic situations on a routine basis. They respond to difficult domestic situations, cases of public emergencies. As my colleague from Edmonton-Strathcona has so eloquently pointed out, the Alberta College of Social Workers cannot understand why the government would overlook the services that their members provide and how they are somehow cut off this list. You know, I share their frustration that they have approached the government via three letters to the Minister of Human Services, the Premier, and the Member for Calgary-Hawkwood. The fact that the letters weren't shared, then, on the government side with the appropriate people is a letdown. These letters just talked about how their request was one that is pretty logical as far as what they're dealing with on a day-to-day basis and their case for why they should be included.

Again, social workers are first responders. In domestic disputes they arrive on scene with police officers, so they're seeing and experiencing the same thing or similar things that the officers are experiencing when they arrive on scene. The fact that one group fits under this umbrella and the group of social workers doesn't just seems – I mean, it's not just unfair. This is people's livelihoods. There are folks, I'm sure, where it's affected all areas of their lives, their families' lives, others as well.

Where this legislation falls down could also be a deterrent for those possibly looking at going into these different fields. There is a lot of different weight that's placed on these groups of people as far as what they experience and what they go through. I think the fact that they're not included in this legislation sends a message to them that, you know, they don't qualify, that their job is somehow either less important, or that they somehow have maybe some kind of harder skin or should be able to endure different traumatic situations, situations that for some people are acknowledged to be traumatic and that therefore they may need extension of services while others do not. The fact that those two groups are left off this list is a clear message, in my opinion, that they're not being listened to, that they're not being valued for the work they do, nor is their job or occupation understood by the government.

As well, the amendment, like I said, seeks to include emergency health service workers to ensure that nurses and other professionals who staff our trauma units and emergency departments and who are engaged in providing emergency medical services on a day-to-day basis are afforded the same rights regarding the presumptive principles as other first responders. For myself, we're

talking about their livelihood, their right as a human being, and what they're doing and putting forward in the name of service. It not only needs to be acknowledged, but they deserve to have this coverage.

Thank you.

**The Chair:** Thank you, hon. member.  
The Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Speaker. I will keep my comments pretty short on this one. I certainly appreciate the intent of what our members in the NDP caucus are presenting. I can relate to how the members across the floor were arguing during the last amendment. You know, we do need to essentially draw the line somewhere.

I would like to read from *Clinical Psychology Review* a definition of a first responder. This was a document I tabled last week after my speech on second reading to this. The article is called Treating Posttraumatic Stress Disorder in First Responders: A Systematic Review.

In the context of this article, we use the term first responders to refer to a heterogeneous grouping of both paid professionals and volunteers who provide critical services in emergencies; for many their main occupational task is first response – e.g. fire fighters. Typical first responders have specialized training, sometimes with explicit certification, which both prepare them and entitle them to take action to safeguard the health and safety of those victimized. This action usually occurs on an individual basis and for the public at large, most often in emergencies.

Just based on that definition, I think that the way the bill is now worded, with presumptive care for EMT, firefighters, police, and peace officers, is sufficient. We've already discussed the item of correctional officers. That amendment has been defeated, and it is my opinion that that is where the presumptive care should end in Bill 1.

Thank you.

5:00

**The Chair:** Thank you, hon. member.  
I'll recognize the Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Mr. Chair. It's my pleasure to stand at this time and speak to this amendment. I realize the intent, and I think the issue is one of presumptiveness, not that social workers aren't covered because, of course, they are under WCB.

I happen to have a daughter, Molly, who is a social worker who happens to practice in Boston and has been exposed to a number of things that I might consider traumatic but that she, in her training, considers part of the job and that have prepared her for the kinds of things that she has the potential to experience. One of the experiences that she had happens to have been that one of her clients committed suicide while in her care. Obviously, she wasn't present at the time, but that had an effect on her. She has dealt with it through counselling with others as well as because of the professional training that she has and, quite frankly, also because of her faith. That's not suggesting that everybody will deal with such traumatic events in the same way. She's not in any way, shape, or form, at least in her practice, what could be considered a first responder.

I just don't feel that the issue of presumptiveness applies to this category of worker within our society. Nonetheless, they do important work, and I'd be remiss if I didn't express appreciation for the help that I've received from people in this category myself and with our family.

I'm not in favour of this amendment, Mr. Chair.

**The Chair:** Thank you, hon. member.

I will recognize the Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thank you, Mr. Chair. It gives me a great deal of pleasure again to stand up in regard to Bill 1 and speak to the amendment from my hon. colleague from Edmonton-Strathcona. It's one of those amendments that, you know, you do a lot of soul-searching on, and you understand where the member is coming from in regard to the amendment.

Then I look back at what we're trying to do. I think my colleague from Calgary-Shaw talked about the presumptiveness and what is covered under the legislation. We talk about emergency health care service providers, which, in my mind, trying to read through that particular language, could be a trauma nurse in a centre where they're trained to deal with traumas. When you're a trauma nurse or you're an ICU nurse or, for that matter, you're an RN – and I have relatives who are RNs and, in fact, have a sister-in-law who was an emergency nurse for many, many years and actually loved the job – you're trained for that particular job. To try and incorporate that, you have to think about what the nurse is trained for and what she is expected to see and do on that job. My colleague from Calgary-Shaw talked about the proof in regard to: if you suffer from posttraumatic stress disorder on the job, then it has to be proven. So I was thinking about this, and you can think about it many ways where, yes, a nurse could suffer from posttraumatic stress disorder.

I go back to when I was Solicitor General, Mr. Chair. I happened to be the Solicitor at the time when we had 9/11. I can tell you that I was two hours outside of Halifax when that tragic, tragic thing occurred. I was down three weeks after that at the 9/11 site, where they were still looking for bodies. I remember going down into the centre, with the firemen and all of the emergency medical people that were on-site digging for bodies, and hearing the compelling stories and seeing all the pictures all around the site that had been left by people looking for particular individuals.

I can't even imagine, after sitting down and talking to the CIA and the FBI and all of the emergency people that I talked to at 9/11, the crisis that they must have been dealing with at the time of the accident and at the site of the accident, when they were transporting thousands of people to emergency centres, to churches, and to halls body bag after body bag. You can see where you would have people who were emergency health service providers and where they would absolutely – there's no question – be dealing with some of the posttraumatic stress that this bill is going to include and that, I would imagine, would easily be covered under Bill 1.

Mr. Chair, I'm going to say as the former children's services minister that I was honoured to be that minister at that time, and I was honoured, quite frankly, to have all of the social workers that worked in the department with me and for me and the incredible job that they did day in and day out in dealing with some very, very difficult situations trying to serve families and children that were in troubled times. We put together a CARRT team, which is a crisis team, and we partnered a social worker with a police officer. Many times while you're driving down 107th Street, you'll see a police car parked outside, and you've probably wondered: what's a police car doing there? Well, they're part and parcel of the CARRT team, which gets called out under, obviously, some horrific situations. Or you could see a social worker, even though they're trained, entering a crisis situation.

But all of this has to be proven. Every single one of the people that the Member for Edmonton-Strathcona is trying to incorporate into this particular piece of legislation will be covered if they can prove that they are suffering from posttraumatic stress under their

particular job. Mr. Chair, as much as I think that this is a good amendment, I think that there are times when you have to start backing off and you have to say: "Look. You know what? This has to be proven." I've used a couple of examples, you know. And it's up to the individual who's working in the job to prove that they're suffering posttraumatic stress disorder on the job. So I, unfortunately, will not be supporting this particular amendment.

Of course, once the bill is proclaimed is when you find out whether it's working or not. That's when you start hearing about what is working in the bill and what isn't working. If we're all of a sudden getting bombarded like we have in the past with WCB claims and the job that the WCB isn't doing, I think that will certainly alert us.

The government has made it very clear that this bill is their number one in this Legislative Assembly. So there is nothing that will stop the government from bringing this bill back because they're famous for bringing bills back when they're flawed. We can then look at incorporating what the Member for Edmonton-Strathcona is recommending.

Thank you.

**The Chair:** Thank you, hon. member.

Are there others that wish to speak on the bill? The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thanks, Mr. Chair. I'll be brief. I don't want to be repeating some of what I have said before. I guess I have serious concerns that this Legislature is about to create laws that identify specific professions as having preferential access to a diagnosis and a treatment and a compensation package. At the same time, we are acknowledging implicitly that the process in place isn't working, and somehow we're going to fix the process that isn't working quite well by a law that would identify some people preferentially over others. So I want to register a deep concern that while this is well intentioned, we're heading down the wrong path.

Thank you.

**The Chair:** Thank you, hon. member.

Are there others that wish to speak? The hon. Member for Innisfail-Sylvan Lake.

5:10

**Mrs. Towle:** Thank you, Mr. Chairman. In the previous amendment we talked about the correctional officers and about the role that they play in day-to-day life. In day-to-day life the average social worker and these types of professions have the ability to call in a professional of a different nature to deal with very traumatic situations.

The hon. Member for Calgary-Fish Creek talked about the CARRT team and that in exceptional circumstances our social workers are out there with a team of police officers or professionals that deal with this kind of trauma every day, and they're working in tandem with those types of professionals. I think it's important to understand that if the situation goes badly, as sometimes it does, then that person is able to take a step back and actually let the RCMP or the police service or whomever do that job that they need to do, that first responder type of duty.

Social workers as a whole are very, very important, and we know that every day they are dealing with very traumatic and sensitive family situations, often having to take children from their home, dealing with parents that aren't responsible, unfortunately, or in very difficult circumstances. While that is traumatic, they do have coverage. What it's allowing them to do is – they will still be

covered. If they have an event that they go through, then they just have to prove that that event actually occurred during work.

Nobody is taking coverage away from a certain group of people. We're just making sure that those who have to deal with trauma on a day-to-day basis, on a regular occasion, in a very negative work field are getting the presumptive nature that's in place so that they don't actually have to prove that it was one single event. It might have been a series of events, or it could have been a single event. In this case, these types of workers, who could probably identify one single event or even a series of events, are able to come forward and make the case as to why their employment created a PTSD situation.

There is not a single person in this room that wants to deny any Albertan coverage and certainly not any employee, but we need to make sure going forward that for every employee, for their job description, we make sure their coverage is appropriate for them and ensure that our social workers have the ability to do their job. That's really, really important.

The difference between this amendment and the previous amendment is that the previous amendment was actually putting that first responder, basically, right in the line of fire and essentially saying: "Okay. That person has to deal with the trauma every single day." A sheriff pulls up to an accident and sees a multitude of dead bodies, and he has to deal with that. The average worker of this type doesn't necessarily have to do that.

It's really important that we keep a perspective on this and that we make sure going forward that we're not taking the presumptive nature and applying it to every single profession. How is that profession any different from anyone else? All of these things are traumatic as well: a teacher who sees a child going through traumatic things, a parent who watches their child die of cancer, you know, a parent who is volunteering – it's a slippery slope. So then what ends up happening is that we start assuming that everybody has to have the presumptive nature of coverage, which creates a problem. We need to make sure that the people are responsible and doing their jobs appropriately, but we also need to make sure that that presumptive nature only applies to first responders in very traumatic situations.

For that reason, I will not be supporting this amendment. Thank you.

**The Chair:** Thank you, hon. member.

Are there others that would like to speak to the amendment? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. As I'm listening to the various debates that have taken place on this side of the House and on the other side of the House, I think we're getting sort of off track in the sense that in order for this bill to even come into effect, somebody has to be diagnosed with posttraumatic stress disorder. This is just about the presumption that it is as a direct result of this employment. That's it.

Now, one of the things that I think has been missing in this debate is the issue of dealing with the WCB and how traumatic that can be for anybody who has ever dealt with the WCB. That is the elephant in the room. I cannot speak for any other MLA in here and their constituency office, but I can tell you that in my constituency 60, 70 per cent of people who come to my office have an issue with the WCB. Some of these people will walk into my office, and they will have volumes, binders of medical records and situations, and it goes on and on and on. It is overwhelming, to say the least. Overwhelming.

Initially I was not in favour of this motion. I'm not there yet, but clearly, in listening to the debates and some of the clarification

coming from the other side of the House, these are people who have already been diagnosed, so that's not a question here now. They have been diagnosed with this disorder. The question is: do they now have to battle with the WCB to make sure that they have their other issues taken care of? I can tell you: boy, I wish this bill was 300 pages long to do a whole lot of work with the WCB, because they are a disaster.

That's my statement. Thank you.

**The Chair:** Thank you, hon. member.

Are there others that wish to comment on this amendment?

Seeing none, then I call the question.

[The voice vote indicated that the motion on amendment A2 lost]

[Several members rose calling for a division. The division bell was rung at 5:17 p.m.]

[Ten minutes having elapsed, the committee divided]

[Mr. Rogers in the chair]

For the motion:

Anglin	Blakeman	Swann
Bilous	Notley	

Against the motion:

Allen	Goudreau	Pedersen
Anderson	Griffiths	Quadri
Barnes	Hale	Quest
Bhardwaj	Hancock	Rowe
Bikman	Horner	Sarich
Brown	Hughes	Scott
Campbell	Jeneroux	Smith
Casey	Johnson, L.	Starke
Cusanelli	Khan	Stier
Dallas	Kubinec	Strankman
DeLong	Luan	Towle
Donovan	McAllister	VanderBurg
Drysdale	McDonald	Weadick
Fenske	Olesen	Webber
Forsyth	Olson	Wilson
Fraser	Pastoor	Xiao
Fritz		

Totals:	For – 5	Against – 49
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[Motion on amendment A2 lost]

**The Chair:** Now back to the bill. Other speakers on the bill? Ms Notley – my apologies, hon. members. The hon. Member for Edmonton-Strathcona.

5:30

**Ms Notley:** Thank you, Mr. Chair. I will say that I've never quite understood the rationale for that rule. I was never quite sure why I should be so shocked and appalled, so apology accepted. [interjection] What was that?

**Ms Blakeman:** By naming you, they can have you removed.

**Ms Notley:** Oh, I'm told that historically by naming me they can have me removed, which is quite true. There is a naming in the rules. That would probably be convenient for everybody in terms of moving more quickly today, but sorry.

I have one more amendment that I would like to propose to the Legislature in this Assembly as it relates to the Workers' Compensation Amendment Act, 2012, Bill 1. I will hand those

over to the pages and sit for a moment while they are being distributed, and then I'll explain what it is that I'm trying to achieve.

Thank you.

**The Chair:** Hon. members, we will refer to this amendment as A3, and I believe they've just about been delivered.

The hon. Member for Edmonton-Strathcona to speak to the amendment.

**Ms Notley:** Thank you, Mr. Chair. A quick summary of what it is that we're attempting to do with this amendment. First of all, what it says is that the bill be amended in section 2 in the proposed section 24.2 by adding the following after subsection (2):

(3) If a worker who is or has been employed in an occupation that from time to time exposes the worker to traumatic events or a series of traumatic events is diagnosed with post-traumatic stress disorder by a physician or psychologist, and experienced a traumatic event or series of traumatic events, the post-traumatic stress disorder shall be presumed, unless the contrary is proven, to be an injury that arose out of and occurred during the course of the worker's employment in response to a traumatic event or a series of traumatic events to which the worker was exposed in carrying out the worker's duties in his or her occupation.

The intention of this amendment is basically to address the rather pithy, I thought, outline of a concern that was offered up by the Member for Calgary-Mountain View. It is what I would suggest is a bit of a compromise amendment. What it's attempting to do is to create a middle level of test for compensability. It's a halfway level of test. What we've heard from a number of members, at least on this side of the House from all three parties, is that we're all very acutely aware that the Workers' Compensation Board does not function in the way we would like it to – there is a fairly broad understanding amongst injured workers that it's pretty hard to get a fair shake out of the Workers' Compensation Board – and that, really, what we would love to be doing is reforming the system as a whole. So what this amendment tries to do is: it tries to create a mid-level test.

There are currently if this bill passes two tests. The first one is the one where, if we go back to my example of the social worker and the police officer, who were helpfully described by the Wildrose member from Fish Creek as the CARRT team, you've got your social worker and you've got your police officer and they go together to deal with, you know, an acute event with respect to a domestic issue. They both go in to try and deal with it.

What happens right now if this amendment doesn't pass is that there are two tests. The police officer would just enjoy the benefit of the presumption, the end, and they would get compensation should they develop PTSD. The social worker, as I discussed before, because the onus is on her to prove the PTSD and that the particular traumatic event is what caused the PTSD, therefore needs to withstand repeated efforts on the part of the WCB to uncover every other potential element in her life that could actually be the contributing factor to the PTSD. As I say, that process itself can be generative of PTSD. Nonetheless, those are the two tests. What will invariably happen is that the social worker will not be covered and the police officer will be, yet they're both suffering an illness as a result of the same event.

What this is attempting to do is create a different test. What it's saying is: first of all, are you in an occupation that from time to time compels you to be in a situation where you're exposed to a traumatic event because of the nature of your work, and have you been diagnosed with PTSD? So if we were talking about the firefighter or the police officer, that's where it stops. That's where



the questions stop. That's where the onus to prove stops. If you can say yes to those two things, boom, you're covered. What we're saying here is that we're going to add a third test, and the third test is: can you specifically point to a traumatic event which occurred to you or to which you were exposed or a series of traumatic events to which you were exposed in your workplace? If you can meet that third test, then you get the benefit of the presumption.

Then what you're able to do is avoid that process of having the WCB dig through your life for the last 20 years to come up with all of the different explanations for why – well, actually, you drink too much, and you've had two failed marriages, and yada, yada, yada – and all the kinds of things that they will rely on to say that, no, this isn't PTSD, and, no, it wasn't related to this thing that happened at work. It's because you're a shitty person. Oh, I'm sorry. I'm sorry, Mr. Chair. You're not a good person, and therefore you are not entitled to PTSD. That's the examination that typically the WCB goes through now.

So what happens is that the person has to meet three tests, and if they meet those three tests, then the onus shifts to their benefit. Then it's a little bit harder for the WCB to simply say that it's because you drink too much or your family didn't get along well when you were a kid or you went through a traumatic divorce and yada, yada, yada. It's not enough for them simply to point to those things to say that's why you shouldn't get coverage because now the presumption is that it's the traumatic event or series of traumatic events at work that actually is driving the diagnosis of PTSD.

This is a halfway point. It's not as easy for that social worker that I described at the beginning to get the coverage that the firefighter or the police officer gets, but it is easier for that social worker to get the coverage and the benefits than is currently the case because currently it's very, very difficult for them to get those benefits. What we're trying to do with this piece of legislation is come up with a compromise attempt to deal with what is an epidemic across the country, to deal with a diagnosis which is constantly underidentified and undercompensated. Whether we're talking about Alberta workplaces or whether we're talking about our military service or wherever we're talking about it, we know that this is a huge issue which, essentially, goes unaddressed and is unfairly treated.

This is our attempt to come up with a reasonable halfway point. It attempts to get at as well the significant point made by the Member for Calgary-Mountain View that we are at least to some extent getting away from picking winners and losers on the basis of your actual title. Instead, we're giving due deference to the significance of trauma in the workplace and the relationship to PTSD while at the same time dealing with it on an individualized basis and looking at the actual experience of people and doing it in a way that prevents the WCB from conducting itself in the way it has in the past.

5:40

I think it was a really important point that was made – I'm not sure exactly who made it – that the decision of this government to create the presumption for our first responders as a means of thanking them does implicitly very clearly represent an admission by this government that the system is not working very well for those first responders now and that the mechanism of compensating for PTSD is broken. This is an effort to fix it in a less dramatic way for everybody else as well. It's an effort to bring and inject some level of equality into how we're addressing this issue.

I hope members will give some thought to this amendment and will consider supporting it in the spirit of compromise and good governance and coming up with the best outcomes for the greatest number of Albertans.

Thank you very much.

**The Chair:** The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you, Mr. Chairman. I rise in support of this, having said something about these issues in the past. As is often the case in the House, one is struck by the ironies that confront us in this work, and maybe the word is even "contradictions."

In the House today we again have two farm workers, Eric Musekamp and Darlene Dunlop, who represent a major occupational group in the province who are not fighting for preferential access to WCB. They're not even fighting to see their particular occupation group, farm workers, deal with PTSD. They simply want WCB. They have been excluded from any access to WCB. Our food producers: no mandatory requirement for farm workers to have WCB. There is the correct phrase. Any commercial employer who has paid farm workers has the option of whether to provide compensation for injury or death in this province.

We are today talking about accelerating access for a particular group of professions in Alberta who are finding it difficult to get appropriate, timely, effective WCB coverage, and we're ignoring a whole group of people, thousands and thousands of workers who produce our food every day and who don't have guaranteed access to any compensation, who don't live within the context of occupational health and safety standards, who aren't even under the labour code in this province in 2012. I won't go on and on because we're dealing with an amendment, but I couldn't help, Mr. Chairman, but comment on the 10 years of dedicated work that these volunteer folks have done in farm working, raising the awareness for us as legislators and Albertans generally of this huge anomaly that our most critical food producers are not covered by this very service that we are now enhancing for some in our society.

Mr. Chairman, I will be supporting this amendment at the same time as I recognize that once again we are trying to fix a system, WCB, which works in some ways in some areas but is clearly deficient in the area of PTSD in terms of timely access, appropriate treatment, and identifying the supports that people need when they're exposed to serious traumatic events arising out of the workplace and are not coping well.

It's not the appropriate way to fix the problem in a Legislature. I will again raise the question for the members to consider: whether discriminating under the law those particular occupational groups that should get preferential access to support and compensation and treatment is the role of the Legislature. It's a nice gesture; it's simply not the role of the Legislature.

Let's go back to the WCB and ask them to look at this particular area, which is a problem. And I recognize it is a problem. Some of our most vital first responders are not getting the services they need. But let's not burden the WCB or complicate our employment standards and care in this province by deciding for them how to manage a particular occupational condition called PTSD.

Thank you, Mr. Chairman.

**The Chair:** Thank you, hon. member.

Are there other speakers? The hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Mr. Chair. I'm pleased to speak on behalf of this amendment and the fact that I won't be supporting it. I appreciate where the hon. member is coming from; however, I think this amendment is so broad in nature. It essentially covers every single worker who may have ever had entanglement in some traumatic event at any point in time in their work history, and in reality that's not realistic.

You know, as a person who was a farmer – my husband and I owned a turkey farm. We were farmers, and we were a corporation, a full-blown corporation. We were incorporated. There were two of us. Yes, our three-year-old daughter all the way up until the age of eight helped us out on our farm. This is what family farms do. Not only that. My father-in-law is a big, huge dairy farmer, milks over 220 cows; again, a corporation; again, a family farm. His daughter farms; his son-in-law farms. Every once in a while we go over and help, and my sister-in-law's five children assist in that family farm operation.

There's one thing that's forgotten here. Most of these family farm operations, which are nasty little corporations – I understand that – do this because we're building a lifestyle. Part of the reason, and I experienced it myself, that we're building that lifestyle is because we want our children to grow food for Albertans, and most of us do that in a very safe and effective manner. I don't believe for a second that there's a single farmer out there that is purposely putting their employees in dangerous situations, not covering them with WCB, and purposely hoping that at some point in time they'll be injured just so they don't have to cover them. That's not the case.

I think we need to take away this whole idea on the left that all of a sudden every farmer in this province is bad, bad, bad because they're incorporated and they're doing things with their children. I personally find it offensive that we continuously hear this. They're owning a business and teaching their children about morals, values, and good work ethics. My little girl for five years helped us; my little girl called turkeys. Now, hey, the people in my town thought that it was cruel to call a turkey. But do you know one thing that my little girl does understand? My 10-year-old little girl understands when I tell her: don't run across the street in traffic; you will die. She understands exactly what that means.

If you start imposing WCB regulations on family farms, you will darn well put them out of business. It's about time that people on the left understood what our farms do for our people and what they bring to this province. This is absolutely ridiculous. In this case we're talking about family farms, but it's not limited to family farms. What about the restaurants that bring in students? We hire them at 12 years old. I was one of those students growing up. At 12 years old I went in and washed some dishes, got some good morals and good ethics, and went forward. Today I'm a hard-working Albertan giving back to Alberta.

I'm absolutely in favour of protecting those that need to be covered. We absolutely need to protect those people who are in traumatic situations on a daily basis and those people who need to be covered by WCB and need to have that presumptive nature removed and also have proven or have the presumptive nature removed so that if they have WCB, they have proper coverage and they have the proper clinicians to help them. There's no question about that. But we need to stop turning this argument into: let's go bad on those big, bad farm corporations; they're out to hurt everybody. It's about time somebody started standing up for the farmers of this province.

Thank you.

**The Chair:** Thank you, hon. member.

I'll recognize the hon. Member for Rimbey-Rocky Mountain House-Sundre.

5:50

**Mr. Anglin:** Thank you, Mr. Chair. I really like it when the passion in this House rises to a certain level. I will tell you this: their whip may be bigger, but I'd bet on my whip any day of the week.

I actually talked myself into supporting that last motion mainly because it was specific in nature.

**An Hon. Member:** Do you regret it?

**Mr. Anglin:** I do not regret it, sir.

When I look at the problem here, the reason this piece of legislation is required – and it is a good piece of legislation – is because we have this giant elephant in the room called the WCB, which has been a headache, I think, to most MLAs, after I heard a few conversations. That's problematic. That's problematic.

I would agree that this amendment is so broad in nature. There are situations where the WCB does not belong. It would be penalizing certain small businesses. I could not accept that in my riding, particularly on the family farms. My riding is all family farms. I shouldn't say I don't have any corporate entities, but I have very few in nature.

Where I am on this bill is quite simply this. It's troubling that we have to debate this legislation because we're not fixing the real problem. The problem is what the WCB does to these workers, particularly after they're diagnosed. If any of you walked over to the WCB building, what you'll find is that you're walking into almost an armed fortress because of some recent events where people have gotten so frustrated that they've gone into the building armed. That is something that has never actually been addressed as to what caused that problem and what we need to do to fix that problem.

So this in my mind is a Band-Aid attempt to fix what is a much larger problem, which is where the WCB belongs and how it should function. What we've done is just for the first responders, which I think I have nothing but admiration for. The presumption of their disorder is now going to be legislated. That's ironic in many ways when you think about it in those terms.

I don't think I'm going to be supporting this because of its broad nature, but I would encourage the other side to think about actually fixing the WCB. Thank you.

**Ms. Notley:** I'll be very brief, but I do just want to clarify. A couple of speakers have spoken about this being too broad. You need to understand that this is not an attempt to broaden the presumption or the benefits that are otherwise provided through Bill 1 to a great big group of people. What we're doing is providing a lesser benefit to a great big group of people. There's a great, fabulous benefit that's being provided to a very narrow group of people, and we've talked most of this afternoon about the people that are being excluded from that great, fabulous benefit.

What this is is an attempt to provide a lesser benefit but still one which is better than the horrific benefit that I would suggest currently exists for the vast majority of Alberta workers who are, unfortunately, through tragedy forced to claim for PTSD under our current workers' compensation system. Do understand, Members, that the language would not extend the Bill 1 presumption to all the people that are described. Rather, it would just attempt to ameliorate the difficulty that is experienced by those who are not covered by the Bill 1 presumption. That's what I'm trying to do.

That's all I have to say on it, and I thank you for your consideration.

**The Chair:** Thank you, hon. member.  
Are there other speakers?

**Mr. Anglin:** Mr. Chair, I would like to give the hon. member a chance to try to convince me. I don't understand this lesser benefit. If she wouldn't mind elaborating on it, I will listen.

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

**Ms Notley:** Thank you, Mr. Chair. As quickly as I can, the benefit that is being provided to first responders through this legislation is that if you are a first responder that's described, all you have to show to the WCB is that you're diagnosed with PTSD and that you fit this occupation. That's where the inquiry ends. You get your compensation.

What this would do is it would say that you're in an occupation that's quite widely described – you've quite correctly described that – and you're diagnosed with PTSD and you can show that you were exposed to a particular traumatic event or particular series of traumatic events in your work, and then you get the benefit of the presumption. So it's not the case that we're saying that if you happen to be a social worker who spends most of your time educating people in the office, dealing with files, but if you are a social worker who was the one that I described previously, who was exposed to a very traumatic incident, then you would get the presumption but only then. So it adds another test. You have to show that there was a traumatic incident. Then you get the presumption.

Right now even if you show there was that traumatic incident, the WCB still has the presumption and you have to show all this evidence to balance the probabilities in your own favour. That is what allows the WCB to do this intrusive investigation of your whole life in order to disprove that claim. I'm attempting to mitigate the opportunity for the WCB to engage in that intrusive

investigation, which undermines so many claims and ultimately reinjures people in many cases.

I hope that's clearer.

**The Chair:** Thank you, hon. member.  
Any other comments?

I'll call the question.

[Motion on amendment A3 lost]

**The Chair:** Any other questions or comments on the bill? We still have some time. The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Chair. I certainly appreciate the debate and the discussion that we've had around this bill today. I think it's been engaging. I, too, have a couple of amendments that I would like to propose. The first one is here, the requisite number of copies, and I will speak to it.

**An Hon. Member:** After they hand these out.

**Mr. Wilson:** Yes.

**The Chair:** We have an amendment before us, hon. members. This amendment will be A4. We'll wait for the amendment to be distributed. By then it'll probably be time to adjourn until 7:30.

**Mr. Wilson:** Thank you, Mr. Chair. It is a pleasure to stand and bring forward the first amendment that I have brought to this House. I look forward to an engaging debate.

Mr. Chair, the House leader from the Official Opposition has suggested that I move for adjournment until 7:30 at this time.

**The Chair:** No. Just carry on. I'll manage the clock. Thank you.

Hon. members, it appears to be 6 o'clock. Pursuant to Standing Order 4(4) the Committee of the Whole is recessed until 7:30 p.m.

[The committee adjourned at 6 p.m.]







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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Tuesday evening, October 30, 2012

Issue 12e

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta**  
**The 28th Legislature**

First Session

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Forsyth, Heather, Calgary-Fish Creek (W)  
Fox, Rodney M., Lacombe-Ponoka (W)  
Fraser, Rick, Calgary-South East (PC)  
Fritz, Yvonne, Calgary-Cross (PC)  
Goudreau, Hector G., Dunvegan-Central Peace-Notley (PC)  
Griffiths, Hon. Doug, Battle River-Wainwright (PC)  
Hale, Jason W., Strathmore-Brooks (W)  
Hancock, Hon. Dave, QC, Edmonton-Whitemud (PC),  
    Government House Leader  
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Horne, Hon. Fred, Edmonton-Rutherford (PC)  
Horner, Hon. Doug, Spruce Grove-St. Albert (PC)  
Hughes, Hon. Ken, Calgary-West (PC)  
Jansen, Sandra, Calgary-North West (PC)  
Jeneroux, Matt, Edmonton-South West (PC)  
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Lemke, Ken, Stony Plain (PC)  
Leskiw, Genia, Bonnyville-Cold Lake (PC)  
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    Premier  
Rodney, Hon. Dave, Calgary-Lougheed (PC)  
Rowe, Bruce, Olds-Didsbury-Three Hills (W)  
Sandhu, Peter, Edmonton-Manning (PC)  
Sarich, Janice, Edmonton-Decore (PC)  
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Scott, Hon. Donald, QC, Fort McMurray-Conklin (PC)  
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    Leader of the Liberal Opposition  
Smith, Danielle, Highwood (W),  
    Leader of the Official Opposition  
Starke, Dr. Richard, Vermilion-Lloydminster (PC)  
Stier, Pat, Livingstone-Macleod (W)  
Strankman, Rick, Drumheller-Stettler (W)  
Swann, Dr. David, Calgary-Mountain View (AL)  
Towle, Kerry, Innisfail-Sylvan Lake (W),  
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VanderBurg, Hon. George, Whitecourt-St. Anne (PC)  
Weadick, Hon. Greg, Lethbridge-West (PC)  
Webber, Len, Calgary-Foothills (PC)  
Wilson, Jeff, Calgary-Shaw (W)  
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
    Government Whip

**Party standings:**

Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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Eggen	Sherman
Fenske	Smith
Goudreau	Starke
Hehr	Strankman
Jansen	Towle
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Calahasen	Stier
Cao	Webber
Casey	Xiao
Fenske	Young
Fraser	Vacant
Hale	

## Legislative Assembly of Alberta

7:30 p.m.

Tuesday, October 30, 2012

### Government Bills and Orders Committee of the Whole

[Mr. Rogers in the chair]

#### Bill 1

#### Workers' Compensation Amendment Act, 2012

**The Chair:** Hon. members, the Committee of the Whole is back in session.

We are discussing amendment A4. I would ask for any additional speakers on amendment A4. The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Chair. As I had said earlier tonight, it's a pleasure to bring the first amendment to this House. This amendment is specific to time limits on claims. Now, as I had referred to in the speech on second reading, there are some factors that I believe will impact when a first responder will choose to make a claim for posttraumatic stress coverage.

In the unwritten rules in the fraternities that they work in, whether that be the fire hall, the police hall, again, there is an element of: you do not appear weak while you are in this, or you face rejection. Showing emotion is not something that is necessarily approved of. It's relatively frowned on, and having a mental disorder and filing a claim may result in reduced duty, removal from the front lines, or potentially even ending your career. The very real fears that may prevent individuals from coming forward may cause them to choose to live with the symptoms of posttraumatic stress disorder so that they can hang on to that identity of actually working in the field that they are in.

I would suggest that the second reason we need to consider this is that there is the reality that delayed onset can happen with posttraumatic stress disorder. It is not necessarily that there is an event, and then your symptoms start immediately.

The act currently reads that there is a two-year limitation from the point of the accident.

26(1) Subject to subsection (2), the Board shall not pay compensation

- (a) to a worker unless the worker reports the accident to the Board within 24 months after the date of the accident or the date on which the worker becomes aware of the accident.

Due to the nature of posttraumatic stress and (a) how it is not necessarily just one event, (b) with the delayed onset, and (c) the fact that many first responders will choose not to actually seek treatment out of fear of rejection from their colleagues, I believe that we need to amend this bill to allow for a greater period of time for them to receive coverage once diagnosed with posttraumatic stress.

So this basically asks the government to consider amending this bill to allow for a five-year time frame. I look forward to hearing others' thoughts on this and debating from there.

Thank you.

**The Chair:** Thank you, hon. member.

Are there others that wish to add? The hon. Member for Airdrie.

**Mr. Anderson:** All right. Thank you, Mr. Chair. A very interesting amendment here. I know that this member brought this up in our caucus the other day, and it was a very good learning experience because I don't know much about PTSD although after

question period today I think that some of us might be in trouble in that regard if things continue.

It is a very serious diagnosis, and what happens, of course, as we've heard here today, is that it's a cultural thing where for front-line folks, first responders there's an idea that if you say that you have a problem or admit to having a problem, that's some sort of weakness or a show of weakness. That's kind of built into the culture a little bit. From the statistics that have been given by members opposite and by members over here, that's quite clear. There are obviously a lot of these cases going undiagnosed or perhaps diagnosed but not admitted to, so many folks are going without treatment. That's why, of course, we agree with this bill.

Of course, that can be an ongoing process. PTSD is not like a car crash, where, you know, there's an event. It's an injury, and like with other bills that we have, there's generally a two-year limitation period on them wherein you have to bring a claim in civil court. Or sometimes if you're making an insurance claim, there's a limit, and often that limit is two years from the time of the incident. That's generally what we do in our legal system, but because in this case we're dealing with something that often goes undiagnosed for a long period of time from the time that it starts, the accident that maybe triggered it, going forward sometimes takes more than two years. Sometimes it takes three years. Sometimes it takes 10 years. Sometimes it takes five years. It does take a lot of time sometimes to diagnose and often to admit, too, that you have a problem.

I think that the spirit of this law is the right one. We should recognize that that culture exists and make it easier for folks who maybe have been in denial of it or are unwilling to come forward on it, allow them to have a little bit more time to think it through and come forward and make a claim and get compensated for their treatment for PTSD.

This isn't completely unheard of, too. The law has changed recently, for example. Well, not very recently but in the last decades it has changed with regard to, for example, abuse of children. It's not when the event happens. It used to be, but it's not when the event happens that a statute of limitations period starts. It's from when there's a realization that it has occurred, and that can happen much later on in life, obviously.

So this isn't unheard of. There is precedent for this sort of extension for certain circumstances. I think that this is good, whether it's five years, whether it's 10 years, 15 years. I don't know what the right number is for it. I don't. But I know that two years is probably too short a time given the culture surrounding PTSD with regard to first responders.

I think it will get better, now that this is in place, and I think that over time it won't be such a stigma. A stigma won't be as attached to it as knowledge and awareness of this condition happen. I think you already see that in the military, for example, where this would be essentially unheard of to be claimed 20, 30 years ago, but now it's something that people are very aware of. There's an awareness of it. The soldiers certainly in Canada as well as in the United States are getting more treatment for it, getting better treatment for it, getting treated quicker than they ever would have before. I think that happens with awareness.

If we can extend this for five years, I think that that would be a good idea. I'd love to hear people's suggestions on that. This is certainly an amendment that I can support, but I would like to hear from the associate minister opposite if he possibly has any subamendments to this amendment. If he's not happy with the timeline, if he thinks it should be longer or what have you, I think this would be a very good opportunity for a subamendment on this or something to that effect.

With that, Mr. Chair, thank you.

**The Chair:** Thank you, hon. member.

I'll recognize the Associate Minister of Services for Persons with Disabilities.

**Mr. Oberle:** Thank you so much, Mr. Chairman. I do have comments directly on the amendment. I just need to clear up a comment that was made earlier in my response to the Member for Edmonton-Strathcona. In earlier discussions she indicated to this House that the College of Social Workers had contacted our government and had not received any response. I thought that was odd, and in the break here I went back and checked. The College of Social Workers did write to our Premier a letter. It was forwarded to my office, and it slipped my mind, but I did receive a copy of that letter, and I wrote a response. They did not ask for a meeting or a conversation of any kind in that letter. They just said, "Think of us," basically. I will be tabling at the appropriate time tomorrow a copy of the College of Social Workers' letter to our Premier and my response to them just so we can clear that up. I thank you for the opportunity to clear that up.

7:40

With respect to the amendment I think I understand what you're trying to achieve. I think you're trying to extend the timeline in recognition of a bunch of things. I wholeheartedly agree with the sentiment. I'm a little confused by the approach, and I need somebody to help me clear this up. The amendment says that a worker diagnosed with a posttraumatic stress disorder has five years from the date of diagnosis to file a claim with the WCB. The potential delay in the PTSD case is not that once you're diagnosed, you sit on it, and because of a stigma or whatever else you may not file a claim right away. The delay is from the traumatic incident until you get a diagnosis. Once you get the diagnosis, you're already on the path to healing. You have talked to doctors, psychologists, and your employer. Your employer has likely shared information with the psychologist because you're going to talk about what traumatic event may have triggered this.

The delay is from a particular traumatic event or a series, perhaps, of traumatic events, no identifiable one of which triggered your condition, and a long period of the symptoms that the hon. Member for Calgary-Shaw laid out – sleeplessness, possible addiction problems, all sorts of problems – until finally a light is shone and you have a conversation with somebody that leads you on a path to healing, the first step of which is diagnosis. That diagnosis is likely even part of the claim. In fact, the diagnosis might be advised by the WCB: go see this person or follow this path.

I think the delay – and I wholeheartedly respect the member's desire to ensure that nobody is excluded by this because they waited too long – is between a traumatic event or a series of traumatic events that actually caused the syndrome and the diagnosis that says: here's why you're going through what you're going through, and now you're on the path to healing. The amendment doesn't address that potential for the delay. However, I would also point out that I don't believe the bill sets up a time period there. All the bill says is: if you were diagnosed with a posttraumatic stress disorder and you're in any one of these categories of workers, it's presumed it was caused by a workplace incident. It doesn't say: if it's more than two years ago, too bad. It just says that it's presumed to be caused by a workplace incident, and it has to be proven otherwise. When you have a disorder that's diagnosed and presumed to be caused by a workplace incident, you're in the system. I don't see where the bill imposes any timeline on anybody.

So I wholeheartedly agree with the sentiment, and I applaud the opposition for it. My question is that I don't see where the bill imposes a time limitation. Second of all, the period between diagnosis and filing a claim is not really the delay issue. It's between the incident and the diagnosis. I really do appreciate the sentiment. I understand what you're trying to achieve, but can you help me with those two incongruities there? It doesn't seem to address anything.

Thank you, Mr. Chairman.

**The Chair:** Thank you, hon. minister.

The hon. Member for Calgary-Buffalo, followed by Edmonton-Calder.

**Mr. Hehr:** Well, I think I agree with the sentiment expressed in this amendment. I believe, obviously, that PTSD has many forms and causes. It can have many delays from people reacting to getting help or being diagnosed with their PTSD. The spirit of the amendment that was addressed was very good in recognizing that sentiment and the nature of the professions that are being covered by this act and the nature of people having a social stigma attached to it.

I also appreciate the explanation given by the hon. associate minister. I was following along pretty well, but I may need some more clarification on it. I like uniformity in laws, and laws across this province have general application. I don't like making distinctions for different situations. I know there's a term in law that says: two years from when you knew or ought to have known. That is essentially the situation for most legal claims. That's when you have to file them by, two years from when you knew or ought to have known.

For instance, say you were injured in a car accident, but you didn't really have anything happen to you until five years after the accident happened. Finally, you get a diagnosis from the doctor, who said: "Oh, yeah. You crashed your car. You had a vertebra go loose here. That's what's causing your problem." The time limit starts from the time when you ought to have known. I guess the argument that lawyers would make is that you didn't know until you got that diagnosis from the doctor that this accident caused it five years ago.

Is that the situation we're looking at here, that it's two years, 24 months, from when you knew or ought to have known? Is that essentially what it is, a two-year limitation? Or is it a limitation that runs from when you should have known that the PTSD troubling you was presumed to have been caused by your workplace? Or am I misguided in even that interpretation?

**The Chair:** Looking for a clarification, hon. member?

I'll recognize the hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chairman. Perhaps I can have a go at it. Section 26 of the Workers' Compensation Act provides that compensation is not paid to a worker unless the accident which gave rise to the call for compensation has been reported, and that report has to be within 24 months after the date of the accident.

By bringing in presumptive coverage, we're basically saying that we're presuming that the nature of the job has caused the result, so the 24-month limitation, in essence, is not relevant because you're not actually filing an accident report. You're not saying that this incident happened, and that's where I cut my leg off. You're saying that the nature of the work has caused the condition, and because you fit into one of these categories where you have presumptive coverage, you don't file an accident report. So the section isn't particularly relevant. It's covered.

**The Chair:** Thank you.

I'll recognize the Member for Edmonton-Calder.

**Mr. Eggen:** Thank you, Mr. Chair. I appreciate the explanation by both the MLAs from Peace River and Edmonton-Whitemud, but perhaps we can just clarify this one step further. If an individual reports the incident within 24 months, then that incident is on the books. Then after that, I'm asking: how long does an individual have to make a claim for PTSD? I understand that there might be some confusion here with this amendment, but I think we need to get to the heart of the matter. Once that incident has been put onto the books, I would like to know how much time can elapse before a person does actually get the diagnosis because, of course, that's the real essence of this condition, right?

Thank you.

**The Chair:** The hon. associate minister.

**Mr. Oberle:** Thank you. I think you need to separate a workplace accident that causes an injury and some presumable disability as a result from this situation, which might not even be a specific incident. It's not a claim that a worker is going to file with the Workers' Compensation Board. The fact that they get a diagnosis is the claim. It's done. Once they are diagnosed, the bill specifically says that they're included. There is no claim to file.

When you are injured in a workplace accident, if you don't report that accident within a period and then you go back five years later and say, "You know, I was working there, and I broke my arm," there's no claim. The bill excludes the possibility of that claim.

In this case, however long it takes for you to come to grips with your difficult situation – it might be five or might be more years, and I think there's documented evidence of longer than that – once you get to that diagnosis, which is already on the path of healing, you're in. That's your claim right there. It's presumed that that was caused by workplace incidents unless proven otherwise. So there is no claim to be filed at that point. You are covered, and from there on you have the resources, the regular coverage of the WCB, on that point.

The act does not impose any time limit on those persons. It says that when you get the diagnosis, it's presumed. You're already there. It would be that you would have to prove that it was work related – right? – so you'd need a claim and an investigation and all that. This says that if it's proved that it was caused by your work, that's it. There's no time limitation, no claim to file. You're already in the door. That, I hope, is providing some clarification. It's quite a different situation from a workplace accident, a specific incident which caused an injury, but you didn't report it. Quite a different situation.

Thank you, Mr. Chairman.

7:50

**The Chair:** Other comments? The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, and thank you for the clarification. It is appreciated. I'm glad that we see sort of the intent of what we're trying to put forward here. I think it's important to remember – and the WCB actually suggested it – that in the case of mental claims quite often the individual will seek treatment prior to approaching their employer with it. There is a reality that they could have a diagnosis of PTSD and know that it's there. So I'm happy to see that you're not suggesting there will be any time limit.

I just worry about some of things that have been said about the Workers' Compensation Board here, that they've got a reputation for not wanting to do things and for falling back on legislation and regulations at any given time that they can. The reality is that section 26(1) does still say 24 months. If what you're suggesting is that there will not be a time limit and if you're confident this is not something that needs to physically be written into the bill because this is going to amend the act that says that there is a time limit, I'm happy to move forward. I would like to know your comments on that if I could, please.

**Mr. Oberle:** And the act does put the onus on the worker to report an incident. In the case of PTSD they don't often understand that there has been an incident, and there is no incident, really, legally until such time as there's a diagnosis of PTSD. Then it's presumed that it's the result of an incident. Neither the employer nor the worker might even know which particular thing was the cause. So there's no reporting of the incident. There is no timeline involved here. I wholeheartedly support the member's intent here, but there is no time limit imposed on the worker.

I do agree that a worker may choose privately on his own, as part of his or her own path of healing, to seek a diagnosis outside of the system. Once that diagnosis is made known to his employer or to the workers' compensation, it's automatic. Even if he got the diagnosis two years ago, it doesn't matter. Once that diagnosis is accepted by the employer and the workers' compensation, he's in. There is no time limit at all.

I do need to take a slight exception to a comment by the hon. Member for Calgary-Shaw. I, of course, am responsible for the workers' compensation organization. I just had dinner with the board, actually. Or, actually, they had dinner and I watched because I had to race back here, and I didn't get dinner. But I can tell you that I've been elected since 2004, and in that period I would say that issues surrounding workers' compensation occupied a third to a half of my constituency time. It was significant.

I would honestly tell the member that in my constituency and overall I think that the Workers' Compensation Board has worked very hard to rebrand themselves. I think they've worked very hard to gain the respect of employers and employees, and I think they've changed that organization. I hope that in some small way in my tenure I can contribute to that because I think it's the right thing. I agree that they did have a bad reputation, and they were thought to lean on one side of the equation more often than the other.

I have a great respect for the hard work that those people do, and I think it's very evident that they've worked hard to change their brand and that they've done so. I'm going to continue to work with them, and I invite hon. members to do the same.

Thank you, Mr. Chairman.

**The Chair:** Thank you, hon. minister.

The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. If the hon. member could sort of help me with what he just stated, as I'm listening to the motion and the explanation, I just took a quick look at the act, and basically what it states is that the worker must report "the accident to the Board within 24 months after the date." I was wondering if you could comment on a situation where posttraumatic stress disorder may be diagnosed somewhere along the road, and the physician would say that it occurred as a result of this, this, this, and that. In other words, it wasn't one incident. It was a series of incidents. They went back, say, two and a half years, and that report date of the accident is somehow registering with the WCB

as not being within the 24-month period. Could you sort of elaborate upon that so I could get some clarity?

**Mr. Oberle:** Again, this more properly describes a specific accident. You had a car accident while you were driving a company vehicle on the job or something like that, a specific incident which caused a specific injury, possibly a longer term injury, disability, something like that, which is not really the case in PTSD.

But just assuming for the moment that the cause of your PTSD could actually be traced back to a specific incident, section 26(1) actually states that:

The Board shall not pay compensation

- (a) to a worker unless the worker reports the accident to the Board within 24 months after the date of the accident or the date on which the worker becomes aware of the accident.

Now, that very much defines the PTSD case. The worker isn't even aware until he goes through the diagnosis and understands the healing path.

If that doesn't cover it for you, putting aside the 24-month question, if you think there's a problem there, what section 26(1) is saying is: you don't have a workplace accident; you never reported it. But in the case that we're talking about tonight of PTSD, when you're diagnosed, you've had a workplace accident. It was caused by your work. Never mind when it was reported. This bill presumptively says that if you were diagnosed with PTSD, it was the result of a workplace injury, which right there means that you will be covered. There's no claim to file after that point. It is a workplace injury, and it will be dealt with in the way that WCB deals with a workplace injury, depending on what medical coverage and whatever else you need going forward.

The timing is irrelevant here. This section 26(1) says that if you don't report your accident within two years or within the time that you ought to have known, your injury is not a result of a workplace injury, but in the case of PTSD it automatically is. That's the bill that we're debating, the larger bill, not the amendment here. That instance is already covered. There is no time limitation. It's irrelevant.

When you are diagnosed, it is the result of a workplace injury. It doesn't matter when the incident happened. Maybe people won't even know what incident caused it. That's one of the reasons for the presumptive coverage here. It's a workplace injury, and you're covered when you're diagnosed. End of story.

I hope that clears it up for the hon. member.

**The Chair:** Thank you, hon. minister.

The hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Mr. Chair. I can appreciate the passion coming from the hon. Member for Peace River, and I appreciate your clarifying the time limits in section 26 and how they relate to this amendment and this act. We can all agree that lots of times these are multievent situations, that the person who is claiming PTSD may not have even known when that event happened, and often maybe they don't even know they have PTSD. In some of the examples of the people that I've spoken to, it's oftentimes, actually, the family member who identifies a problem. There's an issue in the home, it escalates to a certain point, they start seeking help for their loved one, and it all sort of rolls back to where they work and the stresses of where they work. Given the discussions that we've had all day today with regard to, you know, certain traumatic situations which people who would qualify for this type of act would fall under, we can all appreciate that, so I appreciate your clarification.

The one thing that I'm wondering, though. I can appreciate that the WCB is rebranding, but the WCB is ultimately an insurer. I don't know that it's a question for us in this House. I'm not so sure that it wouldn't be a question for those enforcing the Workers' Compensation Act, that there couldn't be some sort of mistaken idea that it is 24 months. I'm not so sure, looking at this act, that it clearly states that there is no time limit.

8:00

I can appreciate where you're coming from, and that sounds fantastic. I think that everybody on this side of the floor, certainly in our party, would support that there is no time limit, but that doesn't seem to be identified, yet in section 26 it's clearly identified. So I think that that will leave some room for interpretation, and WCB sort of doesn't have the best reputation at the moment when we're talking about interpretation versus what is actually stated.

I guess what I would suggest is that if that truly is the situation, that there is no time limit, could the hon. member actually make that very, very clear and do a subamendment to the Member for Calgary-Shaw's amendment where he could actually make it very clear for those who are interpreting this act and applying it to the individual that there is no unjust punishment for not reporting in the 24 months, that there is no opportunity for anyone to be confused on if there is a time limit or if there is not a time limit. That would ensure that this act is actually intended for getting the care and the clinical help that they need, which is clearly your intention, and I appreciate that intention.

I think we also need to realize going forward that everybody in this room likes to have everything very clear. Any time there's a grey area, your side or my side or anyone could be confused by that grey area. So I would implore the hon. member to help us out with that. If there's no time limit, then let's make it very clear that there is no time limit.

Thank you.

**Mr. Oberle:** Again, I'm wholeheartedly in support of the sentiment here. I'll just give you another example of how this applies. When you have a workplace accident, if you don't report it within two years, it's not a workplace accident. End of story. Right? You can't file a claim and say, "I had an accident, and it caused this injury." If you report it within a certain amount of time, then you can file a claim, and there's an investigation. It may have been a workplace accident, but if you don't report it within two years, that's it.

Presumptive coverage is an end around on section 26. In section 26 it defines whether you're going to get coverage or not. Presumptive coverage is an end around on that. It presumes coverage.

I'll give you a parallel. Many Legislatures give presumptive coverage to certain kinds of cancer for firemen. This has been tested. This is one where the time limitations clearly don't apply. If you have a certain kind of cancer as a fireman, it's presumed to have been caused in the workplace. In that case it's possible that there's a specific incident but probably not. It's probably a prolonged exposure to certain toxic fumes and those sorts of things. It's possible that it was caused by one incident. It's irrelevant what particular incident caused it. What's relevant is the fact that presumptively you're covered. It's presumed that it was caused in the workplace, which means you're covered. That's what you're presuming. It's caused in the workplace; therefore you're covered.

That's what we're presuming here. We don't know which incident. Maybe we might; we might not. We don't know how long ago. If you are diagnosed with PTSD, it's presumed to be



caused in the workplace. That's the definition of covered, that the injury, the syndrome was caused in the workplace. Therefore, the WCB has to cover you. That's the definition of the WCB. If you have something that happened to you in the workplace, they have to cover you. So it's an end around on section 26. Actually, 26 is kind of irrelevant here, and the cancer in firemen thing has been tested. You know, this presumptive coverage of PTSD is new but only the syndrome, not the mechanism here. This defines: don't care what happened; it's a workplace incident. End of story.

So all it takes is a diagnosis. You know, the hon. Member for Calgary-Shaw knows what's involved in that. That's not an easy thing. Even getting to the diagnosis is not easy. But once you have that, you're covered. That's what this clause says. You presume it's a workplace incident; the WCB has to cover you.

Now, I'll just add one thing to your comment about the WCB. Yes, they are an insurer, but they're not a private-sector insurer that operates under their own rules and policies. They operate under the legislation of the government and the guidance of this Legislature. We decide what their policies are and how coverage is assigned and all those things, which is why we're passing this bill. We want this class of people to have presumptive PTSD coverage because we know that we're not going to be able to identify a specific incident, and we're often not going to be able to make the employee prove it, you know. So people that are exposed to these kinds of risks, we're going to give them presumptive coverage.

Thank you, Mr. Chairman.

**The Chair:** Thank you, hon. minister.  
The Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Chairman. While we're just on the point of clarification around timelines, in Bill 1 it does also suggest: "a worker who is or has been" a first responder. Are we to also assume that there's no time limit on when they were a first responder? I'll take it one step further. If there is an individual who was a first responder, has been diagnosed with PTSD, is no longer a first responder, has paid for his own coverage because he couldn't get coverage through WCB, is there now recourse for that individual based on this act?

**The Chair:** The hon. minister.

**Mr. Oberle:** Thank you for the opportunity to respond to that. That's very much the case. This also covers the incident of a volunteer firefighter who was a first responder but is not actually employed as a first responder at the present moment. He's in his original job. The PTSD is presumed to be caused by that workplace as a first responder, and yes, he's eligible for WCB coverage even though he's not employed as a member of an ambulance service or a fire service. Yes. In fact, that could very well be the reason that that person, if they were an employed first responder, left the employer. They just couldn't do it anymore. Almost certainly the cause of that. So yeah, absolutely. That's why the bill says: is or was a first responder.

Thank you, Mr. Chairman.

**The Chair:** Thank you, hon. minister.  
The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. My compliments to the member. You explained it to me really clear. I understand your intent, and it's an honourable intent. I agree with it. I'm hesitant to put this question out to some of the lawyers in the room because I only have enough legal training to cause the lawyers heartburn,

not much more than that. When I look at legislation and I hear the member's intent and when I read the legislation, I can follow his train of thought. But what I try to do when I look at legislation is ask: how would the opposing lawyer try to manipulate the language – I apologize if I offend anyone with the word "manipulate" – to try to make a case for the other argument? I know that some lawyers – I just saw one smirk on the other side – have trained legal minds. Given the intent of the hon. member and what he's trying to accomplish with this, can they read this language and agree that this cannot be twisted any way other than the intent that it has been designed to have? If there is a grey area, would it make sense, then, to maybe bring something forward in the amendment just to exclude section 26, just as the intent has been communicated?

**Mr. Oberle:** Mr. Chairman, I apologize. I'm not a lawyer, and I don't play one on TV. I'm going to ask the hon. House Leader if he could give us a legal opinion, which, of course, according to the rules of the House, I'm not allowed to do. I wonder if I could ask him to comment.

**Mr. Hancock:** Well, I'm not allowed to give a legal opinion either, and I wouldn't ever, ever suggest that lawyers try to manipulate wording. That's not what we do.

What I would say is that it's pretty clear in the way that the various sections – the amendment refers to 26. So if you go to section 24, the hon. member was referencing the presumptive coverage for certain cancers. We have in the act a triggering mechanism; the act comes into play for a worker if they're injured at work. It has to be an accident or incident which triggers the coverage.

**8:10**

When there's presumptive coverage, we're presuming the accident happened because of the nature of the work. If you're a firefighter and you have certain cancers, it's presumed that you breathed too many fumes. That's just one of the things that happens on the job, and it's been shown over time with the incident reports, et cetera. So we have as a Legislature accepted that and said that you shouldn't have to go back and try and pinpoint the fire or the incident because it's impossible to do, perhaps, and because we know that this type of cancer is something that firefighters get.

We're now saying that this type of posttraumatic stress disorder is something that first responders can get because they may have had one incident that triggered it, as was mentioned earlier in one of the speeches in the House. It could be a triggering incident, but it could be a triggering incident based on a number of cumulative effects of incidents. So it's unfair to actually say that you have to go back and pinpoint the accident, the triggering event. By making it presumptive, you don't actually have to file the accident report that says: this is the day that I broke my leg.

**The Chair:** Other questions or comments?

**Mrs. Towle:** I just have one for clarification, hon. Member for Peace River. I just want to be clear. You're saying that if a person was ever – ever – a first responder and suffered from PTSD but may not have the diagnosis at this point in time, then because there are no time limits, they can come back to WCB, claim PTSD, go through the process, and get the proper diagnosis. There would be no time limit on that. They would then qualify because it's presumed that they have PTSD, and the WCB would then cover all of the costs that were out of their own pocket because

they were not covered by WCB in the past. That's the first point I want to clarify.

The second one: is the government worried or is the WCB worried that all of a sudden we could have a multitude of claims coming forward to WCB now claiming, "I have PTSD," go through the diagnosis and do everything properly as it has to be done – and I know that's not an easy process; I know it's not as easy as one thinks – go through that process and then have an abundant claim or an excessive claim that now all of a sudden WCB will have to pay out? If that is the case, has WCB budgeted a certain allotment of money to accommodate for that possibility?

**Mr. Hancock:** Let me start with the second one first because the hon. member is now catching on to exactly what the problem is with the previous amendments that we were debating in the House. If you open this up on a presumptive coverage on a total wide frame as the previous three amendments that we were debating suggested we do, you haven't done the actuarial analysis, you don't know what the incidence piece is, and you can't have levied the premiums that you would need to levy to cover it. So, of course, the Workers' Compensation Board would be very concerned if we opened it up wide. In fact, they're very concerned at all about presumptive coverage. The Workers' Compensation Board has never liked presumptive coverage because they can't plan for presumptive coverage in the same way. That's why it's very necessary to do this on a cautious basis and why it was necessary to not adopt the three previous amendments.

With respect to this amendment and if you understand the way Workers' Compensation works, if I'm injured in an accident or hurt in an accident or have an incident at work and I file my report and 15 years later I have a medical condition that causes me to be unable to work, if I can prove a causal effect that goes back to that report, that individual incident, I am covered. There's no limitation there as long as I filed my accident report.

When you've got presumed coverage, there's no accident report. Essentially, if you were a firefighter or a first responder and you have PTSD, it's presumed it was caused by your work even if you haven't been in that work for 10 years. Now, that's why you need the qualifying phrase "unless otherwise proven." You know, you may be able to say that, well, you were a firefighter, but then you joined the military, and you went off to war. The onus is on the WCB to say: well, let's look at what else might have caused this, and let's see if there's a different causal connection than the fact that you were a firefighter or a policeman or an emergency responder.

The way the system works is that if you file your accident report, then any subsequent claim that you might have, as long as you can prove causation back to your accident, is covered. The difficulty, of course, that people have is that the longer the period of time between your claim and the accident, the more difficult it is to prove causation. In the case of presumptive coverage you're saying that the onus is otherwise. The onus is on somebody else to say that it wasn't caused by that.

**The Chair:** Thank you, hon. minister.

The Member for Rimbey-Rocky Mountain House-Sundre, or was your point covered?

**Mr. Anglin:** Thank you, Mr. Chair. I want to thank the member for his explanation. It was clear. The question really came down to the exclusion of section 26. I follow your points, and it all makes sense to me, but when I'm trying to follow the language, what I'm just looking for is assurances in the language. As I understand what's being conveyed, the onus of presumption, once it's estab-

lished, which it is once they file their claim, is there. What you're telling me is that when I read this language, section 26 will not apply because the presumption has been made. That is what I was looking for clarification on.

**The Chair:** Thank you.

The hon. associate minister.

**Mr. Oberle:** Yeah. That's very much the case. If you look at the Workers' Compensation Act, section 24 relates to presumptive incidents of cancers, and that coexists with section 26 quite nicely in the act right now. If you have a type of cancer, if you are the fireman that's described in here, you have it. You don't need a claim. The claim is made by the fact that you have the cancer. Or, by what we're trying to add here, the fact that you have this syndrome, the claim is made.

I just want to address the Member for Innisfail-Sylvan Lake. I guess it's always possible. If you're worried that there will be a rush of complaints or files, if that were the case – and I really don't think so. You know, I think we all understand the mindset of people that do first responder work, and I don't think there will be a rush. If there was an increase, it would be in the number of people seeking diagnosis.

The diagnosis process itself is pretty rigorous. The people that have come out of the other end of that with a diagnosis of PTSD: we want to cover them. If you are now unable to work or sort your own personal life out because of that, we want to cover it. For the reasons that the hon. minister pointed out, with the Workers' Compensation Board being an insurer, it makes it difficult for them to plan, but they do around this cancer piece, and they will around the PTSD piece.

There is still the possibility that, you know, you worked as a first responder for a day and a half, never actually got a call out, and now you're doing something else, and 15 years later you claim PTSD. Well, this section still allows an out. You can still prove otherwise. I mean, somebody would look at your work history, and if that was the case, they would say, "Well, you know, you worked a day and a half, you didn't actually get a call out, and in the meantime you were a Maytag repairman," which, as we all know, is a very stressful job, which we didn't get to in the amendments. You know, you get the picture. It would be possible to say: "Well, wait a minute. That can't be traced back to the workplace."

That puts the burden of proof somewhere else. If that proof isn't there, then the worker is covered. That is the intent of this bill. If you've served our province that way, we want to recognize you. We want to make sure you're covered.

**The Chair:** Thank you.

The Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you. Hon. minister, I appreciate your clarification. I actually appreciate all of this dialogue going back and forth. It's been really informative, and as somebody who came from the health care industry before, I'm familiar with how the WCB works and the causal effects, that 15 years after something happens, if you have injuries that are related back to the first claim, yes, you're covered. I understand all of that.

I have to commend you because you're very clear and concise in your answers. I find them very factual, and I think they've helped a lot. The only thing that I didn't hear in this conversation, though, is: in the budget for the WCB are the premiums going to be enough, or is there any opportunity or will there be a possibility that the WCB will now need to raise the premiums on these affected industries, costing taxpayers and private industry dollars

to cover off the possibility that some of these people may come back?

**8:20**

I agree with you. On the nature of first responders you're absolutely right. I think most of them don't, and I don't expect there's going to be a stampede at the door to be covered, but of course, you know, these are questions that we need to ask to be responsible and diligent in our duties. My concern would be: are we going to be passing these premiums on to the people paying for them to cover off the possibility that someday, somewhere, somehow, because it may not happen today, as people become more comfortable with – right now PTSD has quite a stigma to it. So did depression at one point in time. Today depression doesn't have as much of a stigma. More and more people are coming forward and saying, "I am depressed, and I have this, this, and this," and they're seeking help. You're absolutely right. This is what we want people to do because it makes for a healthier Alberta, and it makes for healthier families and healthier people.

As we go forward, you know, for the next 10, 20 years, this is legislation that is taking us into the next generation, and that generation might be quite comfortable with PTSD and might be quite comfortable with: I had this experience in my job, and I didn't have any other causal factors that would create a reason not to grant me this claim. Have we built in some sort of security for that, and/or are we looking at the possibility of having to raise premiums? And I'm not talking about just having to raise premiums for the sake of raising premiums, because of cost of living and all of that. I'm talking about actually having a direct effect on those claims coming through for PTSD as we go forward. I don't think the generations behind us are going to stampede to the door, but as it becomes more acceptable, we may have this issue come up. How is that going to be passed down, and how are we going to cover off those costs?

**Mr. Oberle:** Therein lies the black art, perhaps, of insurance operators in trying to figure out the actual game of what their expenses will be and how to properly assess what insurance premiums are as a result. First of all, I need to point out that you are talking about public employers here. First responders are employed by the public, by the government or municipal government, or by an agent of a municipality; for example, a fire service, those sorts of things. But, yeah, they very much have to figure out: what's an appropriate premium?

Now, this in some ways is where the PTSD diagnosis and the accident diagnosis are a little bit more in parallel. If you've had an accident and you report it within the two years and then 10 years later you find out that it's actually had some effect – it's causing you some impact; you can't work; you can't do this – then you are compensated as long as you reported that accident. Same thing here. If you get diagnosed with PTSD, it's presumed that you're covered, but it's not like: "Oh, you have PTSD. Here's a big payment."

The PTSD diagnosis is related to some injury or debilitating condition you now have. You can't work, and you need compensation. In those cases we owe that compensation. Those people are injured, debilitated as a result of their work. It's not like, you know, "You have PTSD." "Okay. Give me my money, and I'll go back to work tomorrow morning." These people are injured as a result of a workplace incident, and they need compensation.

Yes, the Workers' Compensation Board has their actuarial work to do, but they have some idea. There is evidence from across North America and other jurisdictions that they regularly use to understand incidents in certain types of workplaces, and they set

and adjust their rates accordingly. I can't answer you on whether it will cause a change in the rate. It wouldn't surprise me. I don't think it'll be significant. We deal with PTSD today. We have diagnosed PTSD sufferers in the first responder community today, so I don't think it'll be a significant change, but it's possible that there will be a change, absolutely.

**The Chair:** Thank you, hon. minister.

The Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Chair. A sincere thank you to the ministers across for your clarifications. I think it will go a long way to, I guess, ease our minds as to the interpretation of Bill 1, and I'm more than happy to call the question on the amendment.

**The Chair:** Thank you, hon. Member for Calgary-Shaw.

We'll call the question, if there are no other speakers, on amendment A4.

[Motion on amendment A4 lost]

**The Chair:** We've dealt with the amendment. We're back on the bill. The Member for Calgary-Shaw.

**Mr. Wilson:** Yes. Thank you, Mr. Chair. I do have a second amendment that I would like to propose to the House, please. I'll pass this off with the requisite number of copies and explain it once the members have it in front of them.

Thank you.

**The Chair:** We'll wait for that amendment to be circulated. When it gets to you, it will be noted as A5.

Hon. member, do you have the original?

**Mr. Wilson:** I do. I'm sorry.

**The Chair:** Please send us the original. We'll trade you for a copy.

Hon. member, you can speak to your amendment.

**Mr. Wilson:** Thank you, Mr. Chair. In an attempt to keep the preamble relatively succinct on this, I have spoken on some of the administrative stressors that first responders go through when dealing with posttraumatic stress disorder. This amendment is an attempt to ensure that when first responders are diagnosed with PTSD, they receive treatment that uses the research and understanding around the unique lens that first responders experience posttraumatic stress disorder with.

I would like to flag the feelings of abandonment as their family turns their back on them – the family of the firefighting community, the police community, the EMT community – and their loss of identity. The potential for administrative hearings after traumatic events and analyzing the actions of the individual under extreme stress causes them to relive events. This is, again, something that is unique for first responders. To have to go through hearings to justify or explain what had happened with their posttraumatic stress and the depression linked to these factors compounds the trauma.

Now, my concern is that we do not have any protection for first responders that are receiving treatment, and I'd be happy to be corrected if I am wrong. The WCB, I believe, would assign a psychiatrist or a psychologist to treat the individual who has been diagnosed with PTSD, the concern being that the psychiatrist that they're being sent to may not fully understand the stressors that first responders have to deal with. If they do not, the first responder under treatment may begin to feel that the doctor is not helping them, and again, because of the unique nature of post-

traumatic stress, they may stop going to this doctor because they don't feel that they're helping them or they're pressing them in a different direction than they're willing to go. If they do that and they stop going, there's also the potential that the WCB can then say: well, you're not following our treatment plan; we're now yanking it from you.

The problem with that is that now you've got an unstable individual who may be on medication prescribed by the doctor to help them sleep at night to get through the early stages, who may be unable to pay their bills, who still has the family pressures of PTSD, the additional administrative pressures of the work life that they left behind, and all of this can add up to an increased risk of suicide.

How do we ensure that this doesn't happen? I think that there is a simple solution to it, and it is to legislate that first responders will have access to culturally competent clinicians familiar with the research and realities that first responders face when diagnosed with PTSD.

Again, I look forward to an engaging and open debate. Thank you.

**The Chair:** Thank you, hon. member.

The hon. associate minister to respond.

8:30

**Mr. Oberle:** Yeah. You know, again, I support the intent here. I'm quite willing to accept this. It probably goes without saying, I think, that the WCB, being a public entity, has to deal with health and the health of the people that certify: psychologists and doctors and all those sorts of things. We have the College of Physicians & Surgeons and the college of psychiatrists.

I think it kind of goes without saying that it would be presumed that the person would get the best help available. I actually don't mind saying that if – and this is a question. If you look at section 24, for example, it doesn't say that a firefighter who has a presumptive cancer gets the best, latest cancer treatment because it's presumed. So by accepting this amendment, do we say anything about, in the case of those other ailments, that it's okay if you don't get the latest treatment? I don't think so.

Frankly, I'm prepared to accept this amendment. I don't see where it detracts. Let's put it that way. I'm prepared to listen to other comments, but I don't have a problem with it as written.

**The Chair:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I'm going to rise in favour of this amendment, unless I'm swayed a different way, for one reason and one reason only, the issue dealing with culturally competent clinicians. We are a diverse society. We have, actually, many different cultures. In my own riding we have First Nations, we have Métis, and we actually have a number of other cultures that are represented. All across this province it is something that we both value and cherish.

When I first looked at this, I would agree with the member that the presumption that we would do that is an honourable presumption, but to actually put it in the bill and make sure it is clear in writing, where I sit, is worthy of merit. So that for individuals who are in the system, who fall within the parameters of what we intend to do, there's absolutely no question when there are these culturally sensitive issues that they can deal with them on a culturally sensitive basis. That is really where I think the member was going with it, and I support that completely.

**The Chair:** Are there other comments? The hon. Member for Airdrie.

**Mr. Anderson:** Thank you. I just wanted to compliment the associate minister across as well as the Government House Leader for a very, very good exchange of ideas on this issue. I think I've learned a ton from the discussion tonight. I think all of my Wildrose caucus colleagues have. I just hope that for other bills that we talk about in Committee of the Whole in the future we can have this kind of constructive dialogue. I think it has certainly been a great way to start out the session.

We'll support this amendment, and hopefully we can vote on it and move on to other matters.

**The Chair:** Thank you, hon. member.

Are there any other comments?

Seeing none, I will call the question.

[Motion on amendment A5 carried]

**The Chair:** Now back to the bill.

**Hon. Members:** Question.

[The remaining clauses of Bill 1 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported?

**Hon. Members:** Agreed.

**The Chair:** Opposed? Carried.

**Mr. J. Johnson:** Mr. Chair, I wonder if we might briefly revert to introductions.

[Unanimous consent granted]

### Introduction of Guests

**Mr. J. Johnson:** Mr. Chair and colleagues, I'd like to introduce a couple of guests that I see in the gallery. We have Tony Sykora, the president, and Dean Sarniecki, the new executive director, from the Alberta Catholic School Trustees' Association. I would welcome them here in the Assembly.

Thank you, Mr. Chair.

### Bill 3 Education Act

**Mr. J. Johnson:** Before I get started, I want to thank everyone who's taken time to share their support for this legislation. Since it was introduced last week, my office has received many calls and e-mails supporting the act and encouraging us to move quickly to get the bill passed and get on with the important work of reviewing the supporting regulations and, of course, implementation. In the spirit of moving quickly, Mr. Chairman, I won't take too long this evening reinforcing what we're trying to do with the act, but I do want to address a few of the questions that were raised last week with respect to the Education Act.

I'll start with a few concerns raised by the Official Opposition about extending the age of completion to 21 and what it might mean in the classroom. I believe the specific concern was about the potential for 15-year-old students to be in the same classroom with a 21-year-old. Mr. Chairman, let me make it clear that while this change does allow young people up to the age of 21 the ability to access education and the funding that goes with it, school boards are still able to direct students to a particular location for these services. So not all these older students will go to the

traditional high school. School boards can support older students through online distance learning programs, outreach centres – the Chinook Learning centre in Calgary is a great example – which are becoming more and more popular.

Mr. Chairman, members also raised questions about how we consulted on the legislation and specifically if we worked with teachers or our First Nations partners. I can tell you that this act is a result of some of the most comprehensive and far-reaching public consultation in Alberta's history. We all know that since it spanned two years in this Assembly and now is in its third version. The opinions of stakeholders and teachers from across Alberta are definitely reflected, including feedback from parents, students, school trustees, administrators, postsecondary partners. Specific to our First Nation partners and Métis stakeholders, communities were consulted during both the Inspiring Education initiative and Our Children, Our Future consultations as well as Setting the Direction and consultation for Bill 18.

There were also several comments raised about charter schools, Mr. Chairman, and specifically whether the legislation supports these schools enough and if we're making it harder for charters to establish. As you've heard me say in this House before, one of the reasons Alberta has an education system that's as effective as it is and world class is because we offer choice. Parents have options about what kind of educational environment is going to help their child succeed. This bill very strongly reinforces the government's ongoing commitment to that choice, and charter schools will continue to play a key role.

What we have done in this legislation is capture the current process we are using to create charter schools and make sure the school boards are given the opportunity to establish alternative programs if they want to do so. So if a group of people have an idea for a school that's innovative and they want to see it available, they can first take that idea to a school board as an alternative program. If that school board doesn't introduce the program for whatever reason, then that group can go down the road to apply for and open a charter school. This amendment was agreed to in this Assembly last March, and I don't believe there were any objections to it at that time, Mr. Chairman.

I was encouraged last week to hear a great deal of support for the fact that this legislation does so much to encourage and respect local decision-making. We have locally elected school boards in this province for a reason, Mr. Chairman, and it's good to hear that they have so much support. That said, I did hear a few issues raised by members opposite that go against that principle and would potentially have my office, the office of the minister, step in on issues like limiting school closures, dictating assessment policies, or setting local fees.

**8:40**

Mr. Chairman, let me make it clear. School closures are not something anyone looks forward to. I know in my constituency over the last several years we've had several school closures, three in the last four years to be precise. Those decisions are never easy, but they are decisions that need to be made locally. I have no intention of stepping in and limiting boards from making these decisions. We will and have included in the legislation requirements for school boards to consult with parents and the community when they are considering closing down a school.

Similar to this, Mr. Chairman, there have been calls for me to ban some types of assessment in this act. Again, this goes against the philosophy of local decision-making that is a key pillar of this bill. We can't claim to support local autonomy, local decision-making, then step in every time we disagree with it.

To be clear, Mr. Chairman, this government expects that our children earn their way through school just like every parent and every Albertan expects. We expect teachers to assess children based on policies set by administrators in keeping with feedback received from parents and using the latest research. I also expect that the assessment approach as used by one school for one child may not always work for another. The act clearly states that teachers are responsible for the day-to-day assessment of students and that principals are responsible for overseeing that assessment, not this Assembly.

In addition, school boards are responsible for ensuring they have policies in place to allow them to be able to assure parents that learning outcomes have been met. The only place where the minister has a role in assessment directly is in relation to our standardized tests, so our provincial achievement tests and our diploma exams, Mr. Chairman. The PATs are not mandatory, so parents can opt out of them, and with diploma exams if you don't write the exam, you get a zero. So for anyone to suggest that we have a provincial no-zero policy in Alberta simply is not true. Assessment happens on the ground day to day and is treated as such in this legislation. I think that's exactly where it needs to stay.

Addressing assessment locally works. Take what's happening in Edmonton, where concerns around the no-zero policy started. The school in question now has a new and engaged school council of parents who are working with the principal to ensure that assessment policies meet their children's needs, and the school board is reviewing assessment practices and encouraging the public to provide input. Albertans have expressed concerns about a local policy, and those concerns are being addressed. Let's be clear. This is a local, not a provincial, policy.

In addition, Mr. Chairman, I might add that we are in the process of evolving our system to fulfill the vision set out in Inspiring Education. One of the key shifts is moving from a focus on content regurgitation to a focus on mastering competencies. When we revise our curriculum and assessments to be focused on competencies, students will need to prove that they have mastered the skills and they have those competencies before they can advance. Advancement will be less tied to how much time they've spent at a desk or in a classroom or even on how many assignments they've done, more on what kinds of skills they have achieved. If they've proven they can master it, they can move forward. Once we get there, zeros really become irrelevant because if you don't do the work, you won't progress.

I've also learned through media reports that members of the opposition want to bring forward an amendment to ensure teachers can't be fired for giving a zero. Mr. Chairman, the Education Act sets out clearly that a teacher is the employee of a school board and as such needs to work within the policies set by their employer. It would be inappropriate for the Minister of Education to start to impose himself in that relationship and skirt the role of parents and teachers in setting any local policy.

While I know the members are referring to a very specific situation between an employer and an employee, one where I believe the opposition claims someone was terminated solely for giving a zero and the employer asserts other factors were at play, I want to be a little cautious here, Mr. Chairman, because that case is currently being appealed. We will need to let the process work and get to the end of the appeal before we jump to conclusions about legislative solutions.

Several questions were raised during second reading debate about funding for schools, whether it be funding for special education, reducing class size, or implementing full-day kindergarten. I'm happy to share what we're doing in these areas, but the

time to debate that funding is when the budget is in front of the House, not in relation to the Education Act legislation here today.

We've also heard about school fees. We take pride in an education system where children with athletic skills can focus on being tomorrow's Olympians while those that have musical abilities get the chance to reach for those goals. But these program options all have different costs, and I do not think it unreasonable for these opportunities to be a partnership between those that benefit from them and those of us that finance them. That said, fees should not be used to fund the basics, and parents should have a clear understanding of what fees are being collected and why. Students should never miss out on programming options just because their parents can't pay. I know we're all concerned to hear of the engagement of collection agencies. Parents have made it clear they want us to look at the rules around school fees. Once we pass the Education Act, we will be asking Albertans for input on our school fee regulations to ensure that it is clear where and when fees can be charged and for what.

Finally, Mr. Chairman, some members opposite claim that the changes we have introduced in Bill 3 somehow are a sign that we are softening in regards to expectations around diversity and respecting human rights. This could not be further from the truth. Albertans have told us that they want an education system that respects diversity, and the Education Act does that. All courses, programs, and materials used in schools must reflect the diverse nature and heritage of Alberta, promote understanding and respect for others, and honour and respect the common values and beliefs of Albertans. I don't think I need to remind this House that all legislation and all public programs in Alberta must be consistent with the provisions of both the Canadian Charter of Rights and Freedoms and the Alberta Human Rights Act, and rightly so. They must be consistent whether the Charter and Human Rights Act are referenced or not.

We removed the reference to the Charter and the Human Rights Act out of section 16 simply because it was being misinterpreted, not because we have changed our position with respect to human rights. Mr. Chairman, the Human Rights Act is still referenced in section 33, which requires school boards to develop a code of conduct to ensure that it addresses prohibited grounds of discrimination as set out in the Human Rights Act. All of us have the right to believe what we choose, practise the religion we choose, love whom we choose, and teach our children the values we choose are important. We have no intention of changing that, Mr. Chairman.

I also at this time, Mr. Chairman, need to bring forward an amendment to Bill 3. I believe that the pages have copies of the amendment, and I'll wait for them to be passed out before I cover off what that amendment is.

**The Chair:** Hon. minister, I believe everyone has a copy of the amendment. You can speak to it.

**Mr. J. Johnson:** Thank you, Mr. Chair. It's come to my attention that a clause giving the minister authority to make regulations with respect to private schools was mistakenly left out of Bill 3. I can assure this House that this was an oversight. It was not meant to be deleted. This regulatory-making authority is currently in place under the School Act. It was included in both Bill 18 and Bill 2 under subsection 29(7). I apologize for the oversight or any confusion this may have caused. I've spoken to all my critics ahead of time with respect to this. We'd like to make sure that it's reinserted in the bill, and I hope that we can just get a fairly quick question on this one.

The amendment reads as follows. In part A section 29 is amended by adding the following under subsection (6):

(7) The Minister may make regulations respecting private schools, including, without limiting the foregoing, regulations establishing eligibility criteria that must be met by a person who proposes to operate a private school.

Mr. Chairman, it gives the minister the ability to set regulations with respect private schools, which, of course, we want. It has always been the case, and we want to continue.

With that, if there are questions or additional comments anyone would like to bring forward on this amendment or the bill, I look forward to the discussion, and I thank everyone for their input the other day and over the last two years and in the coming hours.

8:50

**The Chair:** Thank you, hon. minister.

I'll recognize the Member for Airdrie, followed by the Member for Calgary-Buffalo, then Edmonton-Calder.

**Mr. Anderson:** Yes, Mr. Chair. I understand this is an oversight, but while we have it on the table, I wonder if the minister could clarify. This is a very open-ended power that we're giving the minister here under this act, and I understand that it might've been there in the past, so great. But what are some of the eligibility criteria that this clause is referring to? Can you give any specific examples of what that would be referring to?

**Mr. J. Johnson:** Well, Mr. Chair, I think one thing we should be very clear on is that any of the regulations for Bill 3 are up for discussion following passing of the bill. We're going to have to discuss with Albertans and make sure that we've got the regs right before Bill 3 actually comes into force. If I'm going to talk about regulations, it would be ones that might already exist. But, for example, with private schools you'd set criteria in terms of how a private school actually gets accredited: when they can apply for that, how much time the ministry needs to have a look at that. Right now they need to operate for a year and show they're viable before they actually get funding as an accredited private school.

Things like that and other things would be within the regulations. All those things will be discussed in the reg review coming forward for every piece of the bill to make sure we put the fine points on all the broad brush strokes.

**The Chair:** The hon. Member for Airdrie.

**Mr. Anderson:** Okay. Is it this government's policy, when they're doing the regulatory review on this, to create a very broad set of criteria about who can set up a private school? Obviously, we know that they have to be accredited, and I understand all that. But are we going to keep and respect the freedoms of individuals to start a private school, whether it's based on a specific religion or it's based on a specific learning pedagogy? So, for example, if someone wants to start up a special-needs private school for special-needs kids, is it this government's intention to continue – I would say continue – its track record of creating a lot of leeway with regard to who can set these private schools up? As long as they're accredited and staying within the curriculum and so forth, there's not going to be any movement in future to restrict any further than what is currently the case an individual's ability to start a private school?

**Mr. J. Johnson:** There's no intention to narrow the scope, narrow the focus, or narrow the eligibility for private schools. We have three types of private schools. We have registered, we have accredited, and we have accredited funded private schools in the

province. Their level of oversight or their level of alignment with Alberta's program of study and diploma exams and all of those things dictates the level of funding, so we do have conditions we can set on the funding side as well. But there's no intention to change the scope or narrow the focus on who is eligible for these schools.

**The Chair:** Thank you.

I'll recognize the Member for Calgary-Buffalo, followed by the Member for Edmonton-Calder.

**Mr. Hehr:** Thank you, Mr. Chair. Before I talk about this amendment, I would just like to thank the minister and his staff for all the briefing that has been done and the discussions we've had and for keeping me apprised and for listening to some of my concerns at times over the course of this Education Act. It has been greatly appreciated.

Nevertheless, in speaking to this amendment, I want to make it clear that I am for people being able to have the choice of a private school. I'm all in favour of people who choose to have a private school. They can also pay for it themselves. I realize that that is not the nature of this amendment, but I will go more to what this amendment speaks to, dealing with who proposes to operate a private school.

It was widely reported in the *Calgary Herald* when we had an incident with the International School of Excellence. I believe the minister is familiar with this. We have a school operated in the private system that is receiving 70 per cent of the per-student grant that our public schools receive. At least the *Calgary Herald* reported that the person operating the school was deemed ineligible to teach in our Catholic school system, was using funds derived from the education system to not only pay for a BMW lease but also a mortgage on his house and somehow this private school, and furthermore, allegations of grade fixing, not even allegations but almost proven facts of people receiving inflated grades. This has been on the record and openly reported. I note that this private school continues to be in operation today. It seems to be, if I read the response from the ministry that was quoted in the papers, that we take a laissez-faire approach to private schools. That was a quote from your ministry.

Now, in my view . . . [interjection] I understand the Member for Airdrie seems to be applauding the International School of Excellence record. I would ask him to go back and review the facts on this matter.

Nevertheless, it appears to me that at least this one situation leads me to believe that there has to be something done in this regard. Will you be addressing through regulation some of these concerns brought up by the International School of Excellence? The grade inflation, the purchasing of a BMW car with funds derived from the school, a house mortgage from the school, the fact that the member who started the school was deemed unable to teach in our Catholic school system: are these some of the things you'll be looking at dealing with in regulation?

**Mr. J. Johnson:** Mr. Chair, I know this particular member has been a strong supporter of private schools. Based on his comments, I'm sure he supports the amendment. Once we can get the amendment passed, then we can have a lot of discussions about the regulations, which is really what he is talking about.

**The Chair:** Thank you.

The Member for Edmonton-Calder.

**Mr. Eggen:** Thanks very much. I, too, want to thank the minister and his staff for keeping me tuned up as to what is happening here. We have, I think, a great responsibility when we open up

such landmark legislation as the Education Act to ensure that we get it right. Perhaps this three-times-lucky situation that we're in will bear some fruit this time. I hope so. This particular omission, I guess, is an indication of that, how perhaps by slowing down a little bit and being able to look very carefully at each section of this bill, we will get it right. So that's great.

I'm glad that the private school provision is here. It's an interesting thing because although sometimes our reputation as a province is more to the right side of the spectrum, we have probably more public schools and fewer private schools than almost any other province in the country. I think that's a testament to the fact that we value our public education more and certainly don't preclude the possibility of people making a choice for a private school, nor would I ever suggest that we should as long as people are paying for it themselves. I think it's a bit duplicitous that we actually direct public funds to a private school, but that's a discussion for another day.

We do have the fact that we do have proportionately fewer private schools to public schools, and I think it's a testament to our strong public education system, right? Why spend \$10,000, \$20,000, \$30,000 on a private school when you probably get a better education in the public school down the street? That's great, and part of the reason I signed up for this job is to ensure that we keep it that way here in this fine, fine province.

9:00

Finally, I just wanted to ask the minister, then: has he or his staff found any exercising of this clause previously in your own experience or in the experience of your staff? You may not be able to answer that right now, but maybe you can check back. I'm curious to know how this particular clause has played out historically in our province to ensure that we properly regulate our private schools here.

**The Chair:** Hon. minister, do you care to respond? You will get back to the member?

**Mr. J. Johnson:** Yeah.

**The Chair:** Member for Chestermere-Rocky View, did you wish to speak at this time? I think I had you on the list earlier.

**Mr. McAllister:** Thank you, Mr. Chairman. I think I'm fine on this amendment, really, but since you called me out, maybe I'll just make a couple of points. I believe in the value of time, so I assure you I'll be brief. There was so much in the minister's comments that I think we are going to get to talk about. Some of the amendments that we're bringing forward and that some of the other members are will require more time and more discussion. So maybe I'll just leave it at that on this amendment. I don't have any problems with it.

**The Chair:** The Member for Little Bow.

**Mr. Donovan:** Thank you. The question brought up from one of the schools in my riding was just on some of the wording in the act, and it's independent school that is the preferred language compared to private school. It's on the whole thing, and it's also in the amendment, but it's just preferred language that some of those schools like to hear. Instead of "private" they like to hear "independent." That was just a comment that was brought up to me by one of my schools, so I thought I'd pass it on to you.

Thank you.

**The Chair:** Other comments? The Member for Innisfail-Sylvan Lake on the amendment.

**Mrs. Towle:** Thank you, Mr. Chair. I just actually want to express to the hon. member across the way there that I appreciate that you're taking the opportunity to include private schools in this amendment and that I completely have no problem supporting this amendment. I appreciate that you acknowledge that it was missed in your first draw of the act. Thank you for bringing it forward.

**The Chair:** Any further comments on the amendment?

Seeing none, I'll call the question.

[Motion on amendment A1 carried]

**The Chair:** Now back to the bill. Speakers on the bill? The hon. Member for Chestermere-Rocky View.

**Mr. McAllister:** Yes. Mr. Chairman, I would like to propose an amendment to the bill and circulate it and then speak to it.

**The Chair:** Hon. members, we have before us amendment A2. I would invite the hon. Member for Chestermere-Rocky View to speak to amendment A2.

**Mr. McAllister:** Mr. Chairman, thank you. For me, too, as my colleague stated a few minutes ago, it's a pleasure to bring my first amendment forth here in the Chamber. I'd like to move that Bill 3, the Education Act, be amended in section 57, as you can see in front of you if everybody has received it to this point, in subsection (1) by adding "and subject to subsection (1.1)" after "Notwithstanding section 13" and by adding the following after subsection (1):

(1.1) A board shall not charge a parent of a student a fee relating to

- (a) a program or course that is considered mandatory, or
- (b) administrative costs.

So many ways to go about this. There are so many different points to make on fees. I'm just going to try and roll through a few, and I'm looking forward to a good discussion on them.

I would say, first off, that I appreciated the minister's comments as he introduced the bill and all of the things that he was able to speak to. We were able to talk beforehand. It was my hope that in those discussions beforehand we would be able to work through a consensus on a couple of these although I didn't get the indication from his comments that maybe we're going to be able to, but I still have hope on that.

If anybody is following the way school fees work in this province, you'll know that something is screwed up. We have somewhere around 62 boards, and anybody can do it any way they choose. While that's all about local autonomy, and we appreciate that, the people that are suffering in this are parents and families because what's happening with mandatory fees is that September, Mr. Chairman, is becoming Cheque-tember, and you're not really sure what you're paying for anymore.

I just want to make a point, when I raise these mandatory fees, that we're not talking about transportation fees or busing fees – I think there should be a discussion on that – or extracurricular fees, you know, field trips and those things that aren't mandatory to graduate from high school. What I heard from parents around the province as I travelled this summer was that when you're paying for textbooks and noon supervisory fees, administration and photocopying fees, this is where things are bordering on ridiculous.

We don't ever want to put boards in a place where they don't have the money to do what it is they need to do. What we had hoped to do was find out from the government exactly how much money school boards need in terms of mandatory fees to carry on

with the work that they do and the services that they provide. I don't think we were ever given a number. We tried at one point to compile them. There was an estimate of \$40 million to \$80 million, I believe, come up with probably before I came onboard. But \$40 million to \$80 million in mandatory fees across the province is obviously a sizable chunk of change.

As I call for the province to make that money available to boards so they don't have to pass these hidden fees and taxes on to parents – well, they're not even hidden – I also want to note that I'm fiscally responsible enough and aware enough of the debate in this room to not suggest that we pay for everything and we have a blank cheque for everything and then turn around and say: "How come you guys are running a deficit? What's wrong with you over there?" I get that presentation.

For me it's about prioritized spending. There are some things that I'm very open about, and I think most of us are about disagreement on where money is allotted. Perhaps that's a debate for another day, but I raise it just to say that I don't say openly: "Hey, \$40 million to \$80 million, guys. Dig it out of your back pocket, throw it to the boards, and everybody is happy." I don't think money grows on trees, and we just can't do it like that. But I would prefer a prioritized approach. If the Minister of Infrastructure over there knows what tree it's on, I'd love to walk to it with him.

There is in Calgary right now a serious situation, you know, that I think we should all be troubled by. Whether we work this out tonight or not on this issue, we should be troubled by the fact that 3,000 parents in the Catholic school board are being chased down by a collection agency. Something is wrong when we have that many parents, or any parents, being approached by a collection agency to pay their fees. This is why we're looking for clarity on the issue and to eliminate mandatory schools fees. I mean, we all pay handsomely, I think, in our property taxes for education, and we all pay, you know, for extracurricular activities openly, I believe.

Might I make another point? If you know any of the administrators or principals or teachers in your local schools, you know that they go above and beyond to help students that are in need, and I think that there are a lot of things that go unreported. When somebody shows up at school and can't afford to go on the swimming trip, I'd bet dollars to doughnuts that most administrators and teachers and principals are aware of that child's situation and probably make an extra effort to get them there. I raise that just to throw a bouquet out to the people in the system. I know that they're doing their best to make sure that kids are not alienated because of a lack of funds. But, clearly, we've got a situation that we need to look at when we have 3,000 sets of parents being chased down by a collection agency.

9:10

I would also say that there is a board that's doing it right, and I think we can applaud the Lethbridge school board. You know, there's a board that doesn't charge any fees somehow. I always believe, no matter what the subject, that there's a template out there to look at for success. We're always wise to look around and see who's doing it right and what we might learn from it. Maybe that's the province's intention on this, to take some time with it. But, clearly, they've done something differently, and they should be applauded for it.

I would just say in general on this amendment that we've gotten to a point where education seems to parents – you know, I've said that September is Cheque-tember – to be at a point where you're reaching into your wallet every other week for something. If you have a few kids, it does add up. For families it does make a differ-



ence. We'd like to be able to do it – I know we all would – so that kids could get their public education and get through graduation without being fee'd to death on the mandatory side. I'll leave it at that for now.

Again, I appreciate your time, Mr. Chairman and colleagues, to bring forth my first amendment. I look forward to the discussion.

**The Chair:** Thank you, hon. member.

Hon. minister, did you want to respond?

**Mr. J. Johnson:** Thanks, Mr. Chair. I can say a few comments on this item. I appreciate the member bringing it up. I don't disagree with some of his comments. Obviously, as a parent and as the Minister of Education I know that we pay very close attention to these fees. We're concerned when we see them. We're hearing from constituents that Albertans are concerned when they see them. The question to this House becomes: what is the best way to deal with it? What's the best way to address it and put some fences around this that all Albertans can agree with and all Albertans can have some input on?

I will also agree with his comment that we won't be able to work it out tonight because this is a far broader issue than just limiting fees with respect to mandatory programs or administrative costs. I would point out that we do have some very good regulations on administrative costs. The member would know that Alberta school boards are limited to spending only between 4 and 6 per cent of their budget on administration. We're one of the few jurisdictions in the entire country that has restrictions like that.

What about the transportation fees? This is one of the things that's really burning many Albertans, but that's not included in the amendment.

There are a lot of things worked into fees, Mr. Chairman, and the member was right again when he said that some boards do it right. The boards are important. They play a very important role. They deliver the day-to-day operations of education in the classrooms in those schools, and they need that autonomy to be able to do that.

Coming from the Official Opposition, that has been very vocal in their view that we need to respect local autonomy, this amendment is a little baffling in that we can get into this far broader, far deeper, and with far more consultation with Albertans and still respect local autonomy if we get at it through regulations and we get at it through a regulatory review, which is what's coming next and which is where we would be now, oddly enough, if this bill had passed last spring.

I don't disagree that we need to understand these costs, and we need to put some fences around these costs. But I don't agree that we need to take away the local autonomy of the boards and that we can fix it with one fell swoop with legislation. This is something that needs to be dealt with in regulation, with a fulsome discussion with the boards and with Albertans.

**The Chair:** Thank you, hon. minister.

The hon. Member for Edmonton-Calder on the amendment.

**Mr. Eggen:** Yes. Thank you. I appreciate the chance to speak on this amendment, and I would thank the hon. opposition critic for bringing this forward. I think it's a well-reasoned amendment, and I think it speaks to, again, what I had said before, that we are making landmark legislation in opening up this Education Act. It only happens once in a generation or so. We need to make sure that we get it right. We're sending elements of guideposts not just for those of us in this room today but for people 10 years from now and 20 years from now, reasserting that principle of public

education and that it is a universal program that does not have instructional fees.

You know, you can take this argument of the autonomy of school boards to a certain extent, but they are elected and charged with the responsibility of public education. When we put out a new Education Act here ultimately, hopefully, we're sending and reasserting not just the laws they must be governed by, the regulations, but the spirit of how we want our public education system to unfold. The cornerstone of that is that we provide public education without regard to the financial circumstances of a student or their family, right? This is a foundational belief that serves as the basis of our public education system.

We might be able to put in regulations that might control this, but I say that it's important to have overarching statutes and sections that do so in an unequivocal sort of manner. I mean, we're not precluding the possibility of charging fees for noncore programming like school trips and sports and that kind of thing. We're talking about core educational sections. I know that we have had a lack of unanimity across the province, some individual schools, you know, making provisions to not charge and some that are charging. It is our responsibility here as elected members to send a clear message down to every single school under our charge to ensure that they do not have school fees for core education. Please, I certainly urge everyone to support this amendment. I think it is useful, and I think that everyone will benefit from it in the end.

It's interesting because here in Edmonton we have quite a number of schools, I see, that will advertise that there are no school fees. "Come here to our school. No school fees whatsoever." They're doing that because often the parents are burdened by those fees. I know that if you have two or three kids in high school, let's say, those fees can be quite substantial. As both a teacher and a parent I could see those fees causing distress for people with moderate incomes and several children. I just don't want to see that going forward. There's no reason we should be doing that, and it needs to be enshrined in law.

Finally, I just want to say that, you know, so often when we're collecting these fees, the process of collecting these kinds of fees will eliminate any fiscal advantage that you might gain from the extra fees. It's like when we were trying to collect those health fees years ago. We spent a good portion of that money just on the administration of chasing people down who didn't pay the fee, right? We could probably unburden our schools by not having them deal with this, and it certainly sends the best message for public education into the future.

**The Chair:** Thank you, hon. member.

I'll recognize the Member for Calgary-Buffalo.

**Mr. Hehr:** Thank you, Mr. Chair. I'm privileged to speak to this amendment, moved by the opposition critic from the Wildrose Party. It speaks to a lot of the core values of what I believe in. I believe that public education should be one of those systems in place that governments, taxpayers, and the like buy into and choose to support and support through tax dollars in order that everyone can attend. The public schools are not only for the rich, the middle class, or the poor, but they're for everybody. They're the essential building blocks of our society.

When we start layering on fees, school fees or otherwise, on top of the simple ability of children and families to go to the public school, I believe we are starting to chisel into that core principle that I believe has made Canada and, in fact, this province quite successful in terms of its education system. I would even go so far as to suggest that the amendment doesn't quite go far enough.

9:20

I ran for a political party that had the boldness or the temerity to suggest that all school fees and busing fees should be eliminated. We, in fact, recognized that in our platform and recognized that revenue collected in this regard would be better collected through a progressive tax system or otherwise to fully fund public education. If we really think about it, if public education is going to provide a music class, should there be a fee for using the horn? If a science class is going on a field trip, should there be a fee to go to the museum? Those are real questions for us to ask in this regard. Are we just simply penalizing kids who go to that school who may come from more difficult circumstances than I was fortunate enough to be raised in? If they say, "No; band class has an extra 50-buck music fee to it," you're not taking band class. That happens out there, Mr. Chair, and I don't think that is right. I don't think it meets with the spirit of what our public education system is.

You know, I do understand that you have two ways to pay for things in Alberta. You can go to user fees and/or general taxation, or I guess we can continue on the path of spending all the royalty wealth in one generation, but I don't subscribe to that. I subscribe to education funding coming from general taxation, and it should be in regard to providing opportunities for all our children. This is one of those important core values. That's why we have people pay into a system, to ensure everyone has those opportunities.

I'm willing to support this amendment, and I believe it's important enough to be enshrined in legislation because we all know that if it's enshrined in legislation, it has less chance to be whittled down in regulation. Often what I call the large print in legislation is sort of what we're going to follow. The regulation is often the small print. It's like an insurance policy. Often what the large print giveth, the small print taketh away.

Sometimes I see that in regulations, what we're going to whittle down, what we're really going to do. Furthermore, regulation can be changed often, regularly, and at whatever whim the minister may have. Now, with this minister I know he's going to do a good job of consulting, so I don't have to worry that much about this minister. But I don't know who the future Minister of Education is or what his belief system is or what, in fact, his ideas for public education are, okay?

So that is why I would support this, yet I think we should use this as an opportunity to understand what public education is, that it has to be inclusive of all people. By the nature of what was brought up by the hon. member, 3,000 people being chased down for school fees, you know, probably averaging \$180 per student across this province – I have the general understanding that people aren't not paying these just out of spite or out of a willingness not to contribute to their children's education. I come from the belief that there's probably some reason for this. It's probably because they have difficulty paying for it. Okay?

With that understanding, I support this amendment, yet I think that even with some of the rhetoric coming from the mover of this, there is also an understanding that this has to be covered. If we are going to eliminate school fees or eliminate some fees, there have to be some means to pay for this, and that would be through general revenues and through general taxation, okay?

Thank you very much, sir.

**The Chair:** I'll recognize the Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I rise in support of this motion. I want to comment on some of the comments already made by my colleagues here, both in my party and on that side of

the House. One thing that I think we need to focus on is that this is only talking about those fees that deal with mandatory programs, not the extracurricular activities, although the minister did bring up the issue of transportation, which is a big issue in my riding. I don't know of too many students who have the ability to walk to school. Many of our students will spend easily an hour, hour and a half on a bus to and from school, and that's a huge issue.

But focusing just on this particular issue is significant in a number of different ways. I'm not so sure we need to raise more funds. The reason I say that – and the minister brought it up, and it was also mentioned here – is that some school boards do it right. Some school boards actually advertise.

I did bring up in an earlier debate on a different bill an issue in my riding, where the teachers of the local school division are going to be on a plane to Las Vegas to attend a conference, and this is all to do with professional development. I'm in favour of professional development, but do teachers really need to go to Las Vegas for professional development?

**Mr. McAllister:** London.

**Mr. Anglin:** London.

The answer is: it's about priorities. I can't help but think that the school divisions, the school districts that are doing it correctly are prioritizing things correctly. If school fees have to be part of all the extracurricular activities, we know that they are not the sole funder of those extracurricular activities. There are some funds that come to these schools for these various programs. As a parent I know this because I pay school fees for both of my children for a variety of different extracurricular activities, for some of the programs that they take outside the normal course of their school work.

What I think is happening here is that sometimes we forget those of low income and those who are poor. I was in a discussion with the mayor of Rimbey recently. We are a small town. He was under the impression that the town of Rimbey does not experience homelessness, and it was pointed out to him that when we have a child living on somebody else's couch – when I say a child, I mean a teenager – who has no home, that would be considered homelessness. That child has no way to pay fees even though they're still attending school. Although we don't experience homelessness to the degree any of the urban areas do, it comes and it goes. We could have it at some given point in time, and it might dissipate as this person moves along. But the reality is that we do experience that.

And we do have children who are raised by single parents. We have a lot of children who are raised by single mothers who work two, three, four jobs to make ends meet. They're not on subsistence, and they refuse to be on subsistence. They qualify, but they absolutely refuse to live that way. They don't believe in it. The mandatory fees, the fees for those mandatory programs, penalize them unfairly.

I have some questions for the minister, and maybe he can clarify this. Again, we're not talking about all the fees. We're just talking about those fees that deal with those programs that are mandatory. What kind of dollar value are we talking about? How is it that some of these school districts can do it correctly and are so successful at it and others are not? Can this actually be prioritized so maybe we're not sending teachers to Las Vegas, as an example, yet we are funding the mandatory programs so that somebody doesn't have to pay a fee?

When I look at this, I think there's room to work together to try to find a solution. Maybe one of the ways to force some of these school boards to look hard for those solutions is to make sure that

we don't eliminate all fees, but we eliminate the fees just on those mandatory programs. It doesn't usurp their authority, but they have the flexibility in the jurisdiction to figure out how they're going to spend their money and prioritize their money, just as we as a legislative body are trying to do that on a provincial level.

Thank you very much.

9:30

**The Chair:** Thank you, hon. member.

I recognize the Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Mr. Chairman. School fees: boy, am I ever glad we didn't have them when I was raising my 13 kids. I'd be broke.

**An Hon. Member:** You could have made money home-schooling.

**Mr. Bikman:** Yeah, we would have been home-schooling.

Now, this is a significant issue in my riding. We have larger families, and it isn't just because we're a rural riding and we don't have cablevision. I don't think for a minute that it's a money grab by school districts or school boards. I think it's partly a symptom of deeper issues, and I think that, obviously, one of them is inadequate funding from the province. If it's not that, then what is it? If we don't know, we need to because it's serious and needs to be rectified.

I think there needs to be more focus, provincially, at least, on seeing that more of the money that comes in at the top of this funnel gets to the bottom. Instead of it being like this, it needs to be inverted, like a typical pyramid, with a little at the top. All of us who have any business experience or have audited businesses know that one of the things that contribute to their failure is when they don't control their overhead and don't deliver enough funding to the delivery end of their businesses. The same is true in the case of schools and the school systems. We need to make sure that we don't have extra expenses at the top.

Public and universal schools by very definition imply that they're provided and paid for through the taxpayers' assessments. I think the taxpayers believe that they're paying a big enough portion of their taxes for the school requisition that it should be able to cover things like what are currently fees for mandatory – not optional, not extracurricular but required – courses that will lead to a proper education, a complete education, and graduation.

I was so pleased earlier tonight by the comments of the minister regarding the principle or the concept of mastery of the subject. That's something that we've stressed in our home with each of our 13 kids. We didn't say: we want you to get A's. We said, "We want you to master the material" and then taught them the concept that this is done by doing your homework daily and reading ahead where possible. We budgeted time and required through family rules that they set aside a couple of hours every evening after supper to do nothing but either read or do their homework if they had homework.

I'm concerned that the issue of these fees, that appear to be almost ubiquitous except for those few successful jurisdictions that seem to have mastered this concept of prioritizing their expenditures, can be traumatic for kids and parents. We've had some discussions about trauma tonight, and I would hate to see this issue lead to workers' compensation claims. Also, more seriously and significantly, are we unintentionally making some parents and kids feel like second-class citizens? I think we are. You know that it's talked about in their homes. You know that their kids hear this and think about it. The kids do think about it, and I think we need to think about it.

In some cases, I submit to you for your consideration, it may contribute to kids feeling guilty and to their decision to drop out of school. If this is harped on, if this is raised, a kid naturally could misinterpret the parents' concerns or complaints and feel responsible. We know that, for example, in situations of divorce sometimes the kids are asking, and when they're counselled, therapists are saying: "It's not your fault. It's not something that you did." But kids will take ownership for situations if parents aren't very careful with the language that they use. Now, I'm not in any way suggesting that we should try and legislate what parents can talk about with their children. In fact, that's one of the reasons it took till now to pass this bill. It had to be modified in that area.

Anyway, I think this is a serious issue, and I suspect that each of you understands that it is. We may not feel like we want to theoretically meddle in the affairs and the local autonomy of school boards, but at the same time we mention in the bill in 59(2), I believe, that the minister reserves the right to force boards to co-operate with transportation where he determines it's necessary. Well, I agree with that principle, and I also agree with the principle of oversight. I don't think that it's meddling when we do our job to see that the funding is doing its job, that there's enough of it to do the job, and that it's being spent wisely. There needs to be oversight. There needs to be accountability, and in some cases that accountability needs to extend beyond the local school board. I think we have an obligation as a province, and I think the Department of Education, if that's its current name, plays a role in that.

Thank you very much.

**The Chair:** Thank you, hon. member.

The Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Mr. Chair. I applaud, you, Minister of Education, for how you have handled this bill. It's been a very interesting change to the previous Minister of Education, who is now the Deputy Premier. I have appreciated that you appear to be open to suggestions and that you're aware of the concerns that are coming forward. I would hope that the hon. member has not premade his decision on these amendments without at least hearing and actually listening to the issues that are coming forth from the floor. As we saw in Bill 1, with the amendments that were made there, there was a very good dialogue going back and forth. Each of us had the opportunity to debate, and it was in a very respectful manner, and there was value in keeping an open mind and ensuring that we're acting on behalf of all Albertans.

As a parent of two children, one in school and one already out of school, this issue is of real concern to me. Each day I send my absolutely stunning, superfantastic, awesome daughter Madison off to grade 5 and know that she's getting a good, quality education. I understand that I have a responsibility to pay my fair share of taxes to ensure that her education is secure. However, mandatory fees are really concerning because, really, they're just an additional method of taxing Albertans without the province really telling them that they're raising their taxes.

The problem with mandatory fees is that, really, they seem to vary. There's no real consistency. You just get that note home every September, and it has a list of extra fees that you have to pay, and if you don't pay, then there might or might not be the threat of going to collection. The fees appear to be, you know, applied arbitrarily. There doesn't appear to be any recourse for the families, no ability to appeal the fees.

There's also a direct effect on the credit rating as some of these school boards are sending these families to collection. As my

colleague here mentioned, there are 3,000 families in the Catholic school board in Calgary that are going to collection. That should cause great concern to all of us in here because that basically says: "We're going to charge you more than you're already paying in your taxes, and if you don't pay that, we're going to send you to collection. Then if you don't pay the collection bill, you're going to have a direct hit on your credit rating, which may in turn make it detrimental for you to get a loan, a mortgage, to buy a car, which might be the key to the job that you need to have to pay for your taxes to put your child into the school." This should really concern each and every one of us because it seems a bit ridiculous to me that we would expect that any of these bills would ever go to collection. They are a bit onerous, and the process of going to collection is onerous not only on the school but on the parent.

9:40

There have been occasions where the parent has maybe paid the bill, and accidentally it goes to collection. Then there are costs incurred by the family to correct that error and all of those sorts of issues, not to mention the stress that it puts on the family if the family can't afford this bill. Clearly, for most of these families probably going to collection, if that's the situation they're in, then you've added extra stress to that family, extra hardship to that family, which then creates an atmosphere at home that can be very difficult for the child, who's expected to be learning, not to mention that we've now damaged the relationship between the parent and the school board or the parent and the principal. We should be encouraging that they have a collaborative and co-operative arrangement so that we have provided a better learning environment to the student. I strongly would think that people in our position as elected officials, who are here to represent Albertans all across this great province, should be very uncomfortable with that perception of how we're expecting families to deal with this sort of burden.

Now, let's talk about the burden. In my own constituency there are many families who cannot afford extra fees, and in my own constituency and in my own school I get the little note home, and they talk about lunchroom supervision, and they talk about an extra fee for textbooks. I've questioned it before, and they tell me that they're not properly funded and that in order to get that extra money, they need the parent to kick in the difference. I'm fortunate in my area that I don't have a transportation fee, but I know that in my neighbouring constituency they certainly do. Not only are they being charged for a textbook and not only are they charged for lunchroom supervision, but now they have an added fee of a transportation fee for a bus service that, really, should already be covered.

I have an interesting story to tell. My husband has a sister, and she and her husband have five children. Every September she dreads it. It's supposed to be this happy and joyous time, and really she wonders where she's going to get the money. She wonders how that money is going to come out of her bank account. It's not just school fees. I mean, there are extracurricular activities. There's the buying of all the clothes. She's got three growing boys and two beautiful little girls. You know, she has to buy them all new runners, and we all know they need two pairs of runners. One pair is not enough because the black soles mark up the gym and all that fun stuff. We need to have 18 boxes of Kleenex because we've got to make sure that every kid in the class might have a Kleenex. We've got to have 42,000 pencils because there might be some kid in the class that can't have a pencil, so we've got to make sure we're all fair with that.

This burden is put five times on a family that has five children, and then on top of that, we send that same family home with that

nice little letter that says, "Not only do you have to buy all of these things and supply your kids with school clothes and lunches and all that fun stuff, but you now have to pay these additional fees five times over," which is very, very expensive for some families. I happen to know that my brother-in-law and sister-in-law are on I wouldn't say a meagre income, but they're certainly not middle-class. They're hard-working Albertans, which I think most people are. I think that when we're asking families to have to decide, "Do I buy no new shoes for little Johnny, or do I buy no treats for the lunch box because I have to pay \$150 per kid?" I wonder what kind of message we're sending to our children. When families are left to worry and wonder what's going to happen if they can or cannot pay this mandatory fee or this mandatory bill, that's a very concerning situation to be in. And not only that, but it's a very distressing situation.

I've had the experience in my own family where in my daughter's class in grade 3 she had textbooks, and there weren't enough textbooks to go around. So they sent the little note home, and you pay the fee, and I did that. But there still weren't enough textbooks. So the solution to the textbooks was: "Well, you know, Johnny can take textbook A home today. You can have a photocopy of the page that they're working on, and then tomorrow you get the textbook, and Johnny gets the photocopy of the page that we're working on that day." Your kid is sent home with this textbook or a photocopy. There's no context to the photocopy. There's nothing that says what they learned that day in class because all you get is the one piece of paper, and that's after paying the extra fee for textbooks. One has to wonder: if the mandatory fees are supposed to be going to textbooks and I still have to share a textbook and share a photocopy and share with little Johnny, I have to question where the mandatory fees are and what the purpose of the mandatory fees are.

It seems that if we're talking about this and it's important to us – and, clearly, the Minister of Education has said that the education of our little children, the future of our province, and our future leaders . . .

**An Hon. Member:** The Premier said that, too.

**Mrs. Towle:** That's right. The Premier has expressed many, many times that children are our future and that they're the future of this province and future leaders in this House. I would think that it would be imperative that every school have a substantial amount of textbooks so that every day no child should have to worry about coming home, whether or not they pay a mandatory fee. That should just be a given. There should never be a mandatory fee for anything but certainly not attributed to learning, and apparently there is.

There seems to be no rhyme nor reason, no decision on why we pick which textbook or which class even. Are we short? Is the producer of these textbooks for science not in production anymore? So you need to say: "Okay, we don't have this book anymore. We all have to share. The math book is not going to be in circulation for the next two years. We're phasing it out, so we don't want to buy any new ones." No, that never comes home to the parent. All that comes home is: pay here, pay here, pay here, pay here, and please send your cheque. As a side note to that, just so you know, never does a thank you come home to the parents saying: thank you for sending your cheque; we'll still send you home with a photocopy of the textbook.

There seems to be a clear disconnect between the funding of the school and what they're providing to the students. More and more they're asking parents to do more in their schools. They're asking them for lunchroom supervision. In my school I pay a minimal fee

for lunchroom supervision, but there have to be two parent volunteers every day on the playground to cover off recess because, apparently, we don't do that anymore either.

I wonder what we are paying for, and I wonder – I have all these questions in my head – where exactly the Education budget goes. Clearly, if it's not going to recess supervision or lunchroom supervision or textbooks or possibly even transportation, one has to then question: what exactly are we spending our money on? Not only that, but then the letters start coming home saying: "Mrs. Mum of Johnny, you need to not only pay for your textbooks and all those sorts of things. You now need to donate all your time."

To go even further, what happens on September 15? The fundraising letters start to come home. Not only do we have to do the mandatory fees, but we now have to do the fundraising to raise money for little Johnny's band camp, and we have to raise money to cover off, you know, some painting in the school gym. All of a sudden we want a mural on the side of the school, and that can't possibly be covered in the Education budget.

Not only is it enough that you pay taxes, not only is enough that you raise this little kid, not only is it enough that every night you're doing 10 times more homework than we ever had to do in the past, but now we have to pay mandatory fees, and we have to donate, and we have volunteer. One has to start to question: what is the funding model for the Education budget if all of these demands are put to the school board and the school board clearly cannot manage with the money that we have?

Look, as a Wildrose MLA I know that keeping our decisions local is our number one priority. We need to keep them with our communities. We know that keeping them local and in the communities is the best thing for the children. It's a way to get community engagement. It's a way to get parents involved. Everybody has a say, and they know where their money is being spent. That being said, when the school board is not being appropriately funded, this creates a situation where they pass it on to parents in a nondiscretionary manner, in an arbitrary manner, with no ability to have any discussion on what those fees are. This causes me great concern.

Each and every one of us that sit in this House should take a quick breath and literally have a discussion in our heads or with our stakeholders or with our children or with our parents. You know, it might cause us to take a moment to actually ask our mums and dads: "You know, Mum and Dad, when you were in school, did you have to pay X, Y, and Z? Exactly what did your taxes cover, exactly what did your fees cover, and exactly what was expected of you by the teacher? Exactly where did your money go, and how much volunteer time did you have to do? How many volunteer hours were you demanded to do? How many PAC, parent advisory councils, did you have to sit on, and how many meetings did you have to attend, all for the good of your children?"

I think you would find that, quite literally, our predecessors, quite honestly, did not have to do all of this effort. Yet take a look. I'm 38. Most of the people in here have gone through the school system. Most of the people in here had parents who didn't have to pay all these mandatory fees. Most of the people in here have had children who've already gone through the system and may or may not have had to pay mandatory fees, but I can tell you that the generation that's coming up behind us has to pay mandatory fees. There seems to be no rhyme nor reason as to why they have to do that.

9:50

So when you're sitting there having that conversation with your mum or dad and you're talking to little Johnny and you're trying

to decide how that money is best spent, we maybe need to take a look at that it's our job as legislators to ensure, when these mandatory fees are coming out, that we have a logical reason for why they're doing that, that we have an understanding of what that money is going for, and that we have a clear indication to Alberta taxpayers as to why we are replacing one tax with, really, an additional tax.

That's really what it is. Let's get right down to it. Mandatory fees are a way to tax Albertans further and further and further, and this government does not have to stand up and say: "Albertans, we are going to tax you mandatorily. We're just not going to tell you about it. We're going to hide it under the auspices of mandatory fees. Not only that, but we're going to redirect funding from you so that you have to impose mandatory fees on families."

Then we put our school board trustees into a situation where it's negative. They're having to go back, and every time they have these little meetings, they have to go in camera and out of camera and all those sorts of things, and everybody has hurt feelings because they've passed a new mandatory fee.

Thank you.

**The Chair:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Chair. I applaud my fellow colleague for speaking very passionately on this issue. I also applaud our Education critic and, of course, our leader that during the election we made this a very important plank of our platform. It was even more popular than the lake of fire.

Part of the Wildrose plan would be to ban mandatory fees for all Catholic and public schools to ensure that there would be no unfair financial barriers to education. I know that the Premier campaigned against this idea, but I know that she's proven from time to time that she can alter her promises. I hope that we can have a discussion and a conversation on this, and I hope that she'll support young families and children, support this endeavour.

Of course, we understand that this is an investment. There is a cost to this measure, but of course Alberta's young families and children are a major source of wealth and energy, and they are our future. I don't have 13 kids. I don't have a child, but I do have nieces and nephews, and I think our government should support them and support hard-working families to keep more money in their pockets. I personally feel that, you know, these types of fees are like nickelling and diming our Alberta families. I think that the amendment that the Member for Chestermere-Rockyview has put forward will ease the undue cash burden on our families.

You know, the Member for Rimbey-Rocky Mountain House-Sundre referenced that this isn't in relation to extracurricular activities. You know, this isn't something that parents and children do on their time outside of school and so forth, that isn't relevant to, you know, the core courses. It's mandatory. These are new fees that I think we're seeing coming up. It's photocopying charges, textbook fees, and registration fees. I think that these fees have popped up in recent years. I mean, I'm 31. I didn't see these fees even when I was in high school there.

There is also the topic of the fact that collection agencies are trying to collect these from parents. You know, just the stress of going through a lawsuit, having these collection agencies hound you and go to civil court and get a judgment and then continually pressure parents in this situation. Of course, if the parents don't pay on time, I'm assuming that the debt collectors would charge the prescribed interest rate in the relevant act for such fees.

There was a suggestion by the minister that this could be done in regulation. You know, if this is a priority for government, this

should be explicitly stated in the act, in the constituting documents, not left to the minister or his bureaucracy to meddle with after the fact. I think, you know, that the Education Act is supposed to set out the overarching parameters upon which our education system will be based. I think that if this were a priority for this government, it should be placed explicitly in the act. This amendment does just that. It places the elimination of mandatory school fees right in the legislation so it's clear to everybody.

You know, we talk about costs and where we get this revenue from. I think it's important that we look and understand that everything is a question of priorities, wants versus needs. There are a lot of things people want. They may want \$2 billion in corporate subsidies to pump CO<sub>2</sub> into the ground. They may want brand new MLA offices down the street for \$500 million. They may want these things, but when it comes to the children and families, some of those families are really strapped for cash, and this type of amendment will really help those families. You know, it's probably on average about a hundred bucks a family or something like that. I think that we should really look at the priorities that we have right now. There are just so many ways. Looking at hotel rooms at the Olympics, I think that when families are getting nickelled and dimed each and every day on these types of fees, we have to look at those types of expenditures. If we actually were very prudent with our fiscal resources, we could help those families.

On that note, I would just like to commend our Education critic. Of course, our leader was very instrumental in putting forward this campaign promise. I hope that, like other legislation, perhaps they might adopt this promise as well. Thank you, Mr. Chair.

**The Chair:** Thank you, hon. member.

I'll recognize next the Member for Chestermere-Rocky View.

**Mr. McAllister:** Thank you, Mr. Chairman. I rise to make a couple of points on points already made, hopefully not to go over from scratch on some of the things said. First of all, to my colleague from Innisfail-Sylvan Lake: I know you misspoke. She's gone, but I'll correct the record anyway. I think she referred to collection agencies looking for 3,000 parents in the Calgary Catholic board of education. What she meant to say was the Calgary board of education. It's the public board.

I want to talk about what the minister had said to me a long, long time ago when he got up after I did the very first time. He asked me why the amendment doesn't say: why don't you also ban transportation fees and all fees? Well, because that wouldn't make sense. You know, we're trying to do something that we can work with for families, and we recognize that we can't pigeonhole boards, so I'm not sure if it was sort of a sarcastic implication of: why don't you just do that? Clearly, I don't want to do that. I don't think anybody wants to do that, put boards in that situation. So that's why.

The issue of autonomy is almost used as something to hide behind when it's convenient. We very much support regional autonomy, and maybe before I make the point, I'll say this again so that it doesn't seem like we're saying to boards or those in schools that they don't know what they're doing. I believe that the administrators, the principals, and the teachers in our school system would be first in line to best represent our kids and stand up for them and lead them on the path that we want them led on. I believe in what they do.

We're talking about public education and our role in it, so it's not about: we're not going to tell you what to do. In fact, you know, I just grabbed the Education Act, and I opened it to a random page. It's all about what the minister can do. Read it. I

mean, pick it up, and flip it open to any page. "A board shall . . . where the board makes an application under subsection (1), the Minister may . . ." It talks about the minister in virtually every paragraph, so I believe it's our job for oversight, to refute the point that is going to be the theme, I think, going forward, which is regional autonomy. Again, we very much support regional autonomy. But this book effectively says, "I'm the king of the castle," if you read it. Now, I know that's not how it's applied, and I don't think we have an Education minister currently that would act that way, but it does give the room for oversight and responsible oversight to work with boards.

The amendment we propose I believe to be very reasonable, and we propose it for all the right reasons. We propose it because families asked us to propose it as we travelled around. We can still do this, but my concern with the amendment, from what I heard in the opening speech from the minister, is that the decision has already been made. If that's the case, I'm very disappointed because we met a few times to discuss some of the things that we might do under the premise that we would work on them together going forward and that maybe we could find some common ground and do Alberta families some good. So I was very forthcoming. This is what we're going to be proposing. This is why we're going to be proposing it.

**10:00**

Now, I know there is no guarantee . . . [interjection] All right, Bruce. Gotcha. Sorry. All right, minister of Chestermere-Rocky View. Got you. Not minister. All right, Member for Chestermere-Rocky View. Do you see what I'm trying to say? Jeez. This must be another late night.

The point is that you get together and try and work together. That's the point. It's not to help prepare a speech to rebut all the points that you know are coming, but that's essentially what I heard.

Now, there'll be another contentious issue coming forward, one that we all want to speak on. I'm concerned that the decision has already been made, from what I heard in the opening comments. Isn't the point of this, looking at these amendments, to work together and see that we might make a difference? That's the point of this amendment.

Thank you.

**The Chair:** Thank you, hon. member.

Are there other comments on amendment A2? The hon. Member for Medicine Hat.

**Mr. Pedersen:** Thank you, Mr. Chair. I appreciate the opportunity to rise and speak to this amendment. I also want to outright commend the Minister of Education for tabling this bill. It's obviously a huge improvement over the renditions that were put forward earlier. I guess, in relation to a comment he had made earlier, that the reason we are debating this new bill in this session is because the previous bills were faulty. I know he made that comment in the opening remarks. I'm glad we can stand here and debate the issues of what is going to make this improved bill, hopefully, even better.

I think this a great amendment brought forward by the Member for Chestermere-Rocky View. I think it's just a great idea, and I fully support this. Also, in following up a comment from the Member for Calgary-Buffalo, I too believe that this should be supported in legislation because in talking to stakeholders, their primary concern is that legislation is passed and that we leave too much decision-making on the regulation side, to bureaucrats, and the conversation with stakeholders stops at that point in time. I

think that's a really important point. The people that I talked to said: you know, if you leave it up to bureaucrats to make the regulations, you're just cutting them loose. I think that is valid. That's from the stakeholders; that's not from me. That's from individuals that I've talked to. So I appreciate that comment. Again, I back up what the very wise Member for Calgary-Buffalo mentioned earlier, that it's better to have it in legislation. We put the idea forth here, and it's decided, and the case is done. I want to commend that.

I also feel that if we don't legislate, then the regulations open the door for what fees are justifiable: how much is enough and at the end of the day how much is too much? Autonomy allows all those questions to be asked. Autonomy also allows the broad range of: "We don't charge fees. We charge fees. How much do we charge? What are we charging for?" I think, you know, that if we can do this right and have a really good, open discussion about this, we might close those gaps and loopholes and just sort of make it very straightforward for the parents and children who are using this resource.

As mentioned, collection of the fees was another issue brought forward by stakeholders and the fact that this task is at times very onerous. It's very labour intensive. I had no idea that there was – you know, the number of 3,000 was tossed around for the Calgary board area chasing delinquent fees or fees owed. There are costs involved there. I think that we have to ask ourselves: where is the time and the energy best spent by our educators and our administrators? Do we want them concentrating on education, our children? Or do we want them to be creditors, collectors of bills? I think that's a very valid point. Again, it's adding layers of bureaucracy and duplication of efforts that it shouldn't be. It just shouldn't.

I don't have children. I pay taxes every year to the education system, and as somebody who is paying into a service, I'm assuming that I'm fully funding that service. I think that's the way it should be. I think education should be truly and fully funded. Full stop. I mean, at that level. I think that's very important to meet the curriculum. You know, there are some disclaimers, but your average basic public schooling system: we should be able to send our children there and not be nickelled and dined to death as was earlier mentioned.

Again, because I don't have children, it's the idea that I'm willing to pay for that, but I also want some good results back from that. The results come from the stakeholders and the people that I represent. If they're happy, then I guess we're doing a pretty good job. Right now I think there's a little bit of a contentious issue around this. I think there are some possibilities for making this amendment work and making this system better, making this bill better and stronger, which you already have done. I really, really commend you for that, not being here in the previous session. I think there is huge opportunity.

In saying all of that, I want to say thank you. I appreciate the opportunity to speak on behalf of myself and the stakeholders in my constituency.

**The Chair:** Thank you, hon. member.

The hon. minister.

**Mr. J. Johnson:** Yes. Mr. Chair, I appreciate the comments of the Assembly. I just feel compelled that I need to comment and respond to a few things. I appreciate the hon. Member for Medicine Hat. Yes, there has been a lot of work done on this bill. I think it's come to a good place, and there have been some good compromises. But his comments that the system should be fully funded: when you match that with comments from the hon.

Member for Cardston-Taber-Warner, where he suggests that fees are a result of the insufficient funds, boy, those things sound like a page right out of the NDP playbook.

**Mr. Hehr:** The Liberals as well.

**Mr. J. Johnson:** And the Liberals as well, as so rightly noted by the hon. Member for Calgary-Buffalo.

I want these folks to know how well funded our education system is, Mr. Chairman. The funding for our education system in Alberta dwarfs that of other provinces, whether you look at it in terms of how much we fund teacher compensation, how much we fund on a per capita basis, or how much we fund on a per-student basis, which was just reported in the OECD report.

As a matter of fact, in the last numbers I looked at, which was a couple of years ago, Alberta Education funded our system to the tune of about \$1,600 per man, woman, and child. When you compare that to the rest of the country, most provinces are around \$1,000, \$1,100. Number two in the country was B.C., at \$1,200. To suggest that we should be putting more money into the education system, I'm not sure how that reconciles with all the demands every day during question period that we need to cut the budget, balance the budget, reduce the deficit. It seems like we're talking to a different group of individuals here during the day versus in the evening, when they ask for schools and roads and seniors' facilities and now more funding for the education system.

The other thing that was very concerning to me to hear was that the lake of fire comment was actually a plank in their platform. I thought it was just a comment from just one kind of wing nut. But the commendation that the hon. Member for Lac La Biche-St. Paul-Two Hills made to their leader in terms of the fees plank of their platform being more popular than the lake of fire comment was, I think, a little insensitive. To make a joke of something that impacted Albertans so greatly is, I think, a little irresponsible.

**Mr. Anderson:** That's the reason you're there.

**Mr. Eggen:** It was a gift.

**10:10**

**Mr. J. Johnson:** Well, thank you for that gift. I still think it's irresponsible.

I would like to say emphatically that we do support a fulsome review of school fees. We recognize the issue. We realize that it is an issue. The Education Act that we have before you goes further than the School Act of today does. It allows the government the ability to set regulations for school fees, which we don't have today. We think that we need a fulsome discussion on that, but we also believe that the locally elected officials – and I know the Member for Innisfail-Sylvan Lake talked about that she's an elected official. Well, so are local school boards, and they're elected for a reason. The question is: what would you have local school boards do? Do you want to take away their ability to establish fees, potentially take away their ability to fire teachers for whatever they think they should fire them for? Many would argue that that is fairly limited today, and I think there's good reason for that. You can't say that you respect local autonomy, which was another plank in the platform of the opposition, unless they disagree with you.

The hon. Member for Rimbey-Rocky Mountain House-Sundre talked about restricting PD and PD trips and forcing solutions on school boards. Again, I'm not sure how that reconciles with respecting local autonomy. We're seeing several reversals of the platforms of the Official Opposition and even comments that they make during the day. There's one interesting one here, Mr. Chair,

where the Member for Innisfail-Sylvan Lake talks about – and I believe I have the quote right here: Albertans should never have to pay a mandatory fee for anything. Well, I wonder how she feels about her leader's comment that was written in the *Herald* in 2003 that says that this province votes overwhelmingly Conservative, which means Albertans should believe it is the responsibility of an individual to provide for themselves, their families, and their dependents; besides, if parents aren't willing to pay out of pocket to support the education of their own children, why should I? So I'm a little confused on the position of the Official Opposition because it seemed to change from March to now, and it seems to change from the afternoon to the evening.

I want to emphatically say that the system is well funded. We just need a really fulsome discussion about this. It needs to be through regulation. We are in agreement on that fact. I think we're just in disagreement on what the right avenue is to get at that.

**The Chair:** Thank you, hon. minister.

The hon. Member for Airdrie.

**Mr. Anderson:** Thank you. Boy, that was a chippy little reply. It's like question period in here all of a sudden. That's very nice. You know what? We were having a very constructive discussion here, and I wonder if the fact that you got all chippy there, Minister, is because the Premier showed up and you want to look good or something like that. [interjection] No, the Premier was here for that. Absolutely. I can certainly say that someone is here, and she was definitely here for that.

A fantastic, fantastic job of brown-nosing. Anyway, let's talk about the Education Act. [interjections]

**The Chair:** Hon. members, please. The Member for Airdrie has the floor.

**Mr. Anderson:** All right. Hopefully, we can go back to being constructive after that little, you know, relapse. That's fine. The Education minister said a lot of things. Some were relevant. Some were completely irrelevant to what we were talking about. I think he knows full well that he was taking a member over here's comments completely out of context with regard to certain things, but he knows that. What can you do?

With regard to school fees – and I was hoping we could vote on this, but now everyone's blood pressure is up. Jeepers. I guess we might as well still go for it. I think it's very clear that this minister has an issue with basic math. Here's the problem. He seems to think that if we somehow live within our means, if we somehow keep the spending to below what the revenues are for this province, whatever that would be, \$37 billion, \$38 billion, that if we only spend \$38 billion after taking in \$38 billion instead of \$43 billion or \$41 billion or whatever it is, somehow that means we will not spend any money whatsoever. He seems to not understand that \$38 billion or whatever we're taking in this year in revenue, whatever it turns out to be, is a heck of a lot of money.

If you spend it properly on priorities, if you are able to get your head around the fact that you cannot spend everything, that you cannot ask for absolutely everything at once but that you have to prioritize – you have to do it. You do it all the time. You say that you do. You have to pick some things over other things, and that's okay. That's good. That's called basic common sense and just basic fiscal sanity.

What I'm not understanding is why this minister can't understand, for example, that instead of paying \$2 billion to your buddies at Shell and, you know, to whomever else wants to do a carbon capture and storage project so that we can pump hot CO<sub>2</sub> into the ground, why not take an absolute microscopic portion of

that amount and, instead of pumping CO<sub>2</sub> into the ground, put it towards ending a regressive tax on the poor families of Alberta, who want to send their children to school and don't think that they should be nickelled and dimed to send their kids to public school? I think that's a pretty reasonable priority to have, personally. It would cost \$40 million to \$80 million. You would have to reimburse the school boards for it, but guess what? That means you'd have to not spend it somewhere else. So don't pump hot air into the ground. Don't pay for that. Let somebody else pay for that. Shell doesn't need your charity. Shell Canada doesn't need your charity. The people of Alberta need it.

**Mrs. Forsyth:** Don't give yourselves raises.

**Mr. Anderson:** Don't give yourselves raises – that's another example – or an RRSP increase. Don't go to London for an all-expenses-paid trip to the Olympics. That's a million dollars right there. You could put that towards it.

See, this is called prioritization. It's not that hard. Build the things, do the things, have the programs that you need, but do first things first. That's all we're saying here, and this is a priority. Parents should not be nickelled and dimed in this way, and they are being nickelled and dimed by these mandatory school fees. We're talking about mandatory school fees for courses that the children have to take in order to move on, in order to progress to the next grade or whatever. We're not talking about optional field trips and things like that. We're talking about mandatory stuff. That is a reasonable position to take, and it is completely consistent – completely consistent – with running a balanced budget. Now, we have tried over and over and over again to explain to the folks on that side of the House that you can balance your budget, live within your means, and still do what's important for Albertans. You can do it.

We have this false debate in here, you know, that if you're for a balanced budget, you are for slashing programs, throwing people out on the street, kicking seniors down the stairs. I mean, it's just endless. It's the bogeymen that are brought up in this. It's just ridiculous. You can have a balanced budget. Even the folks in Manitoba, the NDP of all people . . . [interjections] I know. Gary Doer had a great record of balancing the budget. That fiscal conservative, that right-wing extremist that wanted to throw seniors out of their homes balanced the budget. He was able to balance the budget. He was able to prioritize. Why aren't you guys able to prioritize?

Why don't we start moving the debate instead of saying, "The Wildrose wants to cut everybody and throw the kids out of their classrooms, not build any schools, shut down all the road construction; they're going to just shut 'er down, boys; that's what the Wildrose would do if they got in"? Why not, instead of having that ridiculous debate, start debating what the priorities are? If we did that, I bet you that we'd all have a lot of common ground. I bet you that we would agree on a lot of stuff.

We could start eliminating some of the obvious things that should not be priorities, and then we could make sure that we could build the schools that we need, that we could hire the teachers that we need and the doctors and the nurses and build the health facilities and the roads and all those good things and do without some of the other things that we can do without or delay some of the things that aren't as important, like a hundred-million-dollar new professional sports arena, for example.

Those are my thoughts on this. I hope that we can again return to a constructive debate for the rest of the evening. I think we had some very good comments, certainly from this side of the House, on this.



10:20

I would say to the member opposite that, you know, there are reasons there are 17 MLAs over here. There is a reason why a party that didn't even exist, didn't have MLAs at all four years ago, and wasn't even on the radar has 17 seats, won 34 per cent of the vote, won almost 500,000 votes of Albertans. It's because we do have some good ideas, and a lot of people, a lot of parents in particular, voted for those ideas in the last election. That's why we're here. If the Education minister wants to win a few of those votes back and not lose any more votes, because if he keeps losing the votes at that rate, we will be government next time, then maybe he should think very seriously about some of the ideas that we're bringing forward instead of some of those comments that I heard earlier.

With that, I hope we can vote on this motion. We obviously know that the government doesn't support it. The Wildrose supports it, and hopefully we can wrap it up. Thanks.

**The Chair:** Thank you.

Hon. Member for Airdrie, might I remind you and all members that *Beauchesne's* 481(c) states that a member, while speaking, must not refer to the presence or absence of a member.

**Mr. Anderson:** Oops. My apologies.

**The Chair:** Thank you.

Also, hon. members on all sides of the House, just a reminder that while discussing the amendment, the debate should as much as possible be relevant to the amendment.

With that, I believe the Member for Chestermere-Rocky View would like to call the question on the amendment.

**Mr. McAllister:** Yes, Mr. Chairman. We could call the question.

[The voice vote indicated that the motion on amendment A2 lost]

[Several members rose calling for a division. The division bell was rung at 10:22 p.m.]

[Ten minutes having elapsed, the committee divided]

[Mr. Rogers in the chair]

For the motion:

Anderson	Hale	Saskiw
Anglin	Hehr	Smith
Donovan	McAllister	Stier
Eggen	Pedersen	Strankman
Forsyth	Rowe	Towle

Against the motion:

Allen	Goudreau	Olson
Bhardwaj	Griffiths	Pastoor
Bhullar	Hancock	Quadri
Calahasen	Horner	Quest
Campbell	Hughes	Sandhu
Casey	Johnson, J.	Starke
Dallas	Johnson, L.	VanderBurg
Dorward	Khan	Weadick
Drysdale	McDonald	Xiao
Fenske	Oberle	Young

Totals: For – 15 Against – 30

[Motion on amendment A2 lost]

**The Chair:** We'll go back to the main bill. The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thank you, Mr. Chair. I'm pleased to rise in the House this late evening and propose an amendment. I'm going to start off maybe three times lucky on this particular amendment. The amendment that I'm proposing is to move that Bill 3, the Education Act, be amended in section 256 by striking out "or" at the end of clause (b) and adding the following after clause (c):

- (d) conduct themselves in a manner detrimental to the safe operations of a school.

**The Chair:** Please circulate the amendment.

**Mrs. Forsyth:** Before I start speaking, I think, you know, that we talk about co-operation in this house. Co-operation is a wonderful thing, and I would like to personally thank the Member for Edmonton-Riverview. His experience as a former police officer has been very, very helpful in regard to bringing this amendment forward. I also want to talk to all of the stakeholders in the police that I've worked with on this particular amendment.

I'm going to take people back in history as this is the third time this has been brought forward.

**The Chair:** Hon. Member for Calgary-Fish Creek, if I may, we just need to get the original so that we can proceed. Do we have it? We do have the original. I'm sorry. We need your original for the record. Thank you very much.

You can proceed, hon. member. Thank you.

**Mrs. Forsyth:** As I was saying, I would like to hearken back for some of the members to this particular amendment that was debated in the Legislature under a private member's bill, Bill 206, the School (Enhanced Protection of Students and Teachers) Amendment Act, 2009. What is particularly exciting and positive is that some of the speakers on that side of the House spoke to this particular bill back then. The hon. Premier spoke in support of this. The hon. Justice minister spoke for it. The Member for Bonnyville-Cold Lake spoke for it. Lethbridge-East spoke in support of this particular amendment. Calgary-Bow, Lesser Slave Lake, Calgary-North Hill, Red Deer-South, Edmonton-Decore, Edmonton-Rutherford, and Strathcona-Sherwood Park all spoke in support of the private member's bill.

I would like to talk about this particular section. What we're doing is that we're adding an amendment to section 256, which says:

- No person shall
  - (a) disturb or interrupt the proceedings of a school,
  - (b) disturb or interrupt the proceedings of a school meeting or board meeting, or
  - (c) loiter or trespass in a school building or on property owned by a board.

It's proposed that an amendment subsection be added to 256, an offence which will read:

- (d) conduct themselves in a manner detrimental to the safe operations of a school.

Now, Mr. Chair, I would like to talk about this particular section and the idea of weapons and drug paraphernalia being brought into the school. This section would include possession of any weapon since we know that possession of any type of weapon can be dangerous in the context of a school setting. It would also include drug paraphernalia and bullying incidences. Presently – I want to make this clear – the Criminal Code does not cover drug paraphernalia, but the school community is intolerant of any association to drugs or illegal substances for obvious reasons. With this subsection in place it can also make – and I think it's important – antibullying legislation province-wide. I think what falls under this and falls under the Minister of Education: the goals

are to maintain safety in the school communities and create a meaningful consequence for our troubled youth.

The purpose of this proposal is to fill the gaps in legislation between the Education Act and the Criminal Code. Often inappropriate actions that can jeopardize school safety are not covered by either the School Act or the Criminal Code, making it difficult to compel the offender to seek the help that they need.

**10:40**

Let's just for a minute talk about drugs. First, we all know drugs are a major issue in the schools, and they're a major issue no matter how big or how small they are. I think it's important for us to understand that the most common drugs of choice in the schools right now are marijuana, meth, cocaine, and ecstasy. I think it's important also for people in the Assembly to understand that drug use in schools has increased in the last decade and, obviously, even since 2009, when Bill 206 came forward, and 2008, when I brought Bill 10 forward. There are still drugs in the schools, still weapons in the schools, and they're increasing.

Unfortunately, the drugs that are used in schools have increased, like I said, and with it we've brought gangs, we've brought gang-related problems, we've brought violence, we've brought weapons, and we've brought all sorts of bullying. We also know that when a drug dealer comes to the school, school security is breached. It's also known that our courts are busy, and they can't deal with small offences like this.

I think the thing that people need to know is that, secondly, weapons are the primary reason that kids are being kicked out of school.

I waited very patiently for the Minister of Education, that being the Minister of Education, when he was the minister from Edmonton-Whitemud. We had another minister of education from Edmonton. I can't remember where he was from.

**An Hon. Member:** Athabasca.

**Mrs. Forsyth:** No, the one before that. Castle Downs. Now we have Athabasca.

I remember when I was in conversation on Bill 206, the then education minister, the Member for Edmonton-Whitemud, when we were running out of time on my private member's bill, talked about the fact and talked to I think it was the Alberta School Boards Association at the time – I'll have to go back in my notes and get those notes – saying that he would be incorporating what Bill 206 contained into the Education Act.

So it was important for us to look at Bill 3 and see what the minister had provided in his bill. It's a little disappointing on some of the things, but I know that the minister has a lot that he wanted to incorporate in the act, and I give him credit for that.

What I would like to do is have the motion that I have put in front be accepted by the government because I think it's the right thing to do, Minister. I think it's the right thing to do on behalf of the police in this province, it's the right thing to do on behalf of the school resource officers in this province, and I think, more importantly, it's the right thing to do on behalf of the children that attend the schools in this province when we're talking about such a serious issue as bullying.

Along with bullying, as I said the first time I got up and spoke in this Legislature, it's hard to rationalize why a child would be carrying a billy club in their backpack. I don't remember any education classes that I've taught, and I'm sure under what you're teaching them today – I've been out of school a long time – we don't have any classes on billy clubs whatsoever.

I'm eager to sit down and listen to what some of the government members have to say about this amendment, and I look forward to the support of the government on this amendment.

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

**Mr. Hancock:** Thank you, Mr. Chairman. Not to intercede in debate at this point, but simply to ask if the House would agree to unanimous consent to shorten the bells to one minute in the event that we need them later this evening.

**The Chair:** Okay. Thank you.

Hon. members, this saves time. As you know, between bells we have 10 minutes if the House does not see fit to agree to this request. This requires unanimous consent.

[Unanimous consent granted]

**The Chair:** The hon. Minister of Education.

**Mr. J. Johnson:** Yeah. Mr. Chair, I'd like to suggest to my colleagues that we support this amendment. This is actually something that I know the hon. member has been very passionate about for many years, and while we may have disagreements on some things, I think all of us in this House certainly can agree on anything that's going to make our schools a safer place. We have been in discussions with our whip, who is a former police officer, and some of the resource officers in the province as to how to best address this.

I think she has brought forward a very good amendment that the entire House can support and vote on this and get on to the other pieces of the bill. I commend her for bringing it forward.

[Motion on amendment A3 carried]

**The Chair:** We'll go back to debate on the bill. The hon. Member for Airdrie.

**Mr. Anderson:** Thank you, Mr. Chair. I have an amendment, as well, I'd like to propose, and I'll take a minute to circulate it.

**The Chair:** Yes, please.

Hon. members, this amendment being circulated will be A4, and we'll just take a moment to get a copy to all members.

You're just about there, hon. member? Proceed.

**Mr. Anderson:** All right. I'm moving that Bill 3, the Education Act, be amended in section 24 by striking out subsection (2). Subsection (2) currently states with regard to charter schools:

An application may be made to the Minister only if the board of the school division in which the school is to be established has refused to establish an alternative program under section 19 as requested by the person.

In other words, in an application to establish a charter school, the new act would read, if the amendment is passed:

24(1) A person may apply to the Minister for the establishment of a charter school to be operated by a society incorporated under the Societies Act or by a company registered under Part 9 of the Companies Act.

Then section 24(2) would read:

An application must be in the form and contain the information prescribed by the regulations.

So it still gives the government the ability to make regulations with regard to this.

Now, the reason for this. The government in Bill 2, that we discussed previously, before the election, actually had this. They actually had taken out this section just as I'm amending right now.

There was, I believe, an amendment by one of the other opposition parties to put it back in, and for some reason it got back in. I have no idea what decision-making process went into that. It's, frankly, inconsequential at this point. I thought that what the government was originally trying to do by taking out subsection (2) was a very good idea. The basic reasoning for it, I think, was to essentially, first of all, streamline the process with regard to charter schools, make it easier to establish charter schools.

Let's remember what charter schools are, first off. Charter schools are not private schools. That has to be made very clear. They are not private schools. They are public schools. They are open to all children in the public, and there's a waiting list. If you've ever been on a waiting list for a charter school, you just take your spot on the waiting list if you're willing to sign up for the charter. There's no tuition paid, so it's not like a private school. You can't charge tuition to attend there. There may be some fees, but of course, as we discussed earlier, there are fees at every school.

10:50

A charter school is a public school. It's 100 per cent funded by the taxpayer. The great thing about charter schools is that they allow for great innovation in education. I think they're the laboratory of the public system a lot of the time. Not all the time. Our public schools sometimes – I know in Rocky View, for example, and I'm sure there are other examples across the province – come up with some really innovative, fantastically innovative, things within a public school setting without even the need for a charter school. That's great. I think it's fantastic. But a lot of the innovations that we get in our public system today have come straight out of the charter schools.

What charter schools do is allow a group of education innovators to try things that may not have been tried in the public system because you'd have to change things right across a large school board or whatever. You can try different teaching methods, different ways of teaching the curriculum. You can focus on different things; for example, trades or language. In charter schools, just so everyone knows, the difference can't be religious in nature. That's one of the things it can't be, which is fine. That's more for private schools. But they allow education innovators to innovate, and I think a lot of phenomenal things have come out of this.

Now, the problem is, unfortunately – not in all cases, mind you – sometimes there are some folks on local school boards that for some reason feel threatened by charter schools. I don't understand the reason. They are public schools. They're fantastic innovators, and public schools have used a lot of the innovations that have come out of charter schools. But whatever; it's there.

It doesn't make a whole lot of sense, if someone wants to start a charter school, to have to go to the public school in the area that doesn't want to see a charter school and ask, essentially, and demonstrate that their public school is not already offering that program. It's pretty easy in that case for the public school to say: "Sure, we're offering that program. We offer this, this, this. It's almost exactly like what you're asking for in that charter for that charter school." Unfortunately, it's not what is being proposed. It's a way of kind of allowing the public school system to essentially stall some innovation, some innovative ideas and new schools that are coming forward.

Also, charter schools – and it is getting late. I need some more caffeine. Holy smokes.

**Mr. McAllister:** You don't drink it.

**Mr. Anderson:** That's right. I don't.

Long story short because I do want to keep this short, thankfully, I know, to everyone across. You know, it's kind of like this. If Ford wants to build a new car, they don't have to go to General Motors to ask if they can build a new car. The fact of the matter is that we need to encourage innovation. We need to encourage this competition, especially within the public system, and this is within the public system. The innovation created is fantastic. We shouldn't make the charter schools and groups of educational experts and innovators that want to start a charter school to have to go to, essentially, folks who are competing for the same kids and ask permission from them to allow them to move forward with their project. I think it would lead to a lot more innovation in education.

I think the government was completely right when they first said that they were going to do this, what I'm proposing now. This is absolutely the government's idea out of Bill 2. Clearly, the minister will still have discretion and can set regulations, no doubt about it, but this will take a piece of red tape out of the equation. You won't see us pitting public schools, public school trustees against folks who want to start a charter school. I think the government should take the credit for what they did with Bill 2 on this particular piece, and we should pass this amendment.

Thank you, Mr. Chair.

**The Chair:** Hon. Minister of Education, did you want to respond at this time?

**Mr. J. Johnson:** Yeah. Sure, I can, Chair. I can say that I sympathize with the member and his sentiments because we certainly agree on the principle that we want parents to have choice. The role of family is very important, and we want that enshrined. We're taking those steps in the legislation, clearly.

What I'd like to say about this piece is that while I'm very supportive of that choice and that diversity in the school system and of charter schools because I think they're doing a tremendous job in many areas, the way the proposed legislation currently sits in Bill 3, the third time lucky bill, is the same as the current School Act, and it's the same as the current practice. So we're not actually suggesting changing anything from today, as the member is.

This was debated at length last March, before the election, Mr. Chair. It was actually an amendment brought forward by the hon. Member for Edmonton-Strathcona. It was passed, I believe, unanimously in the House. I don't believe anybody spoke against it at that time, from checking *Hansard*.

Although I sympathize with the sentiment because I think it goes to choice and the ability to establish charter schools, I think we have that today with the current process. Really, we do want those innovative ideas coming forward, but we want community engagement. We want those people that want those innovative ideas coming forward to their local school boards and saying: we want these programs offered in the local system. If they don't get satisfaction at that level first, then, absolutely, they should have the option to start up charter schools or private schools or whatever they think they need to make sure that those options are available for their children.

The first step should be to talk with the local school board, the local trustees. I think that even if we had a practice or legislation where they could go straight to establishing a school, many times, if we're going to set up regulations, we're going to ask them: "Have you talked to your local school? Have you talked to your local principals? Have you at least given them the opportunity to look at whether they can offer these innovative programs within

the schools that we've already built, within the programs that we've already funded, with the teachers we've already trained as opposed to setting up a stand-alone school?" Although we're not opposed to that either.

I would respectfully ask my colleagues to not support this amendment although I do support some of its intent.

**The Chair:** Thank you, hon. minister.

The Member for Calgary-Buffalo.

**Mr. Hehr:** Thank you very much, Mr. Chair. I, too, will recommend that all colleagues of this House to vote against this amendment. It's my view that the current legislation as drafted, as it is in the act, really is appropriate for the mechanism for starting a new charter school. You take your concern about what type of education you would like to see, and you make your application. You discuss with your locally elected officials, who are elected every three years. You see whether your charter, at least at that level, is unique or whether something in that system is being already offered that does this, so we can make sure that the t's are crossed and the i's are dotted to see whether that pedagogical approach is already being taken in the system to really have an understanding of what the public system offers.

Of course, it's my view that we should continue to encourage the public school system as the first stop for the majority of Alberta's children. Possibly, parents, when creating their charter, aren't aware of the fact that the school board or whatever jurisdiction already has that program in place. If they see that by going through this application process, they see that that program is already being offered, well, they're probably going to be satisfied at that point and will find that their charter is no longer necessary and understand that these systems are already in place.

I also think the legislation as drafted strikes a bit of a balance here. If you get rejected at the CBE, the minister has some authority to hear your arguments. So it's not the end of the legislative process. You're not just told: no; go away. There's an opportunity for you to make your arguments one more time. So I think it does strike a balance in that regard.

**11:00**

I would like to challenge some of the statements made by my hon. friend from Airdrie in that not all elected officials are seemingly against charter schools. They're re-elected every three years, so you assume they come in with their own values and principles and will decide accordingly. If they do have a problem with charter schools, maybe they have them for valid reasons. I'm not sure what they are, can't speak to them, but maybe they do have those concerns. They're locally elected. They get elected every three years. They can make their case as to what their value system is and what they believe.

I also note – actually, now I'm sucking and blowing, but that's nothing different than we often do in this House – that I have talked to some of those officials at local school boards who don't see some of this unique educational opportunity that is allegedly happening in our charters. They don't see the vast array of learning and sharing that is supposed to happen between charters and public schools and the like. They don't see that innovation. Charters are created to sort of stem further innovation throughout the system. They haven't seen that to date. In fact, to further that argument, it's not only locally elected officials who share that sentiment at times; it's the vast majority of members who teach in our public school system.

I will remind people that 95 per cent of our students do go to public schools; 95 per cent of our teachers teach in public schools.

Those teachers almost to a person, through various presentations, publications, and the like that you can find all over the place, have seen none of those shared learning opportunities or the so-called different pedagogical approaches that are not already represented in the public system.

I would encourage people to go look at some of that reading and to understand that charter schools maybe have not been the ultimate success point that we think they have been.

On that note, I support the minister as the legislation has been written. I think it serves our education system well the way it is drafted.

Thank you.

**The Chair:** Thank you, hon. member.

I'll recognize the Member for Edmonton-Calder.

**Mr. Eggen:** Yeah. Thank you, Mr. Chair. Just briefly, I think that this section was put into the previous legislation for a reason. I think that we managed to reinstall it here just previous to this Legislature forming and, again, for a reason. I think there were compelling arguments made and unanimous consent to have this put back into place before. So I certainly hope that we can keep this section going forward.

Thank you.

**The Chair:** Other speakers?

**Hon. Members:** Question.

**The Chair:** The question has been called.

[Motion on amendment A4 lost]

**The Chair:** We'll move on with debate on the bill.

**Mr. McAllister:** I would like to propose another amendment, Mr. Chair. I'll circulate it, give everybody time to look at it.

**The Chair:** Hon. members, this amendment will be referred to as A5.

While it's being distributed, hon. member, you might as well start.

**Mr. McAllister:** Sure. Thank you, Mr. Chair. I'll read it first for those that don't have it. It's short. We move that the Education Act be amended in section 197 by inserting the following clause after (h): "ensure that teachers are free to assign grades of zero for work not submitted by students."

My goodness, what an emotionally charged issue we have here in this no-zero policy. I think we all recall the furor across this province when the story broke in Edmonton that a teacher was going to be fired for having the audacity to give a zero for work that wasn't submitted. We heard it loud and clear from parents that it wasn't acceptable, yet for some reason that teacher was fired for giving that zero.

Now, I think it's important to try and take the emotion out of the debate, and it's hard because there are two very emotional arguments, for and against. Those that are for a no-zero policy will say: "We have a lot of research that backs it up. An incomplete is an incomplete. We want to see the whole body of work. A zero doesn't give us a look at how the student is doing, basically."

The other side, which I am firmly planted in and I believe Albertans are firmly planted in, says that when a teacher has exhausted every avenue – and I believe that they do. I don't think there's any teacher that's sitting inside his classroom, red Sharpie

in hand, waiting for a student to miss a deadline so they can scratch a zero and pass it to the student.

I can speak from experience to it, in fact, as the father of an 18-year-old who graduated last year and was often on the hockey bus late at night, you know, travelling and playing high-end hockey. I'm sure he missed his assignments all the time. I know because I got phone calls from teachers that wanted to see them turned in and went the extra mile to make sure that the body of work was turned in. They do do that. They do try and help students.

There are situations where students have problems in their family lives. You know, we don't all have the greatest social settings, unfortunately. I believe teachers are aware of that with kids. I don't think a teacher says to a 16-year-old that's dealing with things at home that none of us should see: oh, you're going to get a zero the minute you walk into my class today because you didn't prepare your work. I believe the teacher has the compassion to recognize those instances.

We always frame this as: we're telling teachers what to do. No, we are not. We're doing what Albertans have asked us to do.

Now, the side of it that bugs me so much is that the intolerance comes from the other side, and they try to paint someone that opposes it as ignorant. It's not ignorant. The Alberta way is about accountability. When a student has shown that they have no interest in doing their assignments and they have no respect for teachers, they have no respect for the system, we need to teach accountability. We need to say: this is how the real world works. There's no shame in that. It's how the Alberta advantage was created. I think that if all of us knocked on doors and talked to people in our ridings, the great majority of people would say: support this amendment. But I was led to believe earlier that we're not going to, and I can't imagine what it is that we're hiding behind.

We've got a simple philosophy in my home, and I bet it applies to many of yours. Prepare your kids for the path; don't prepare the path for your kids. I would subscribe that most Albertans probably believe in that philosophy. If we truly do, then we should let our children be held accountable when they don't submit work and let them be graded accordingly.

For what it's worth, I wonder if we could all think back to high school. I recognize for some of us it would be a lot further back than for others. [interjections] I'm probably right in the middle of that. To the Member for Banff-Cochrane: I meant no insult that way. The point I'm trying to make is: can we all remember a time when we got a zero?

I'll be the first to admit it. I remember it was a similar situation to what I just talked about, my son and the hockey bus. It was the same thing. We were supposed to be doing trigonometry, and I was too busy messing around with my teammates. I didn't study my formulas, and the next day we had a pop quiz. I didn't know the formula. I specifically looked over at the smartest girl in the class, who happened to sit right beside me – she was cute also – and I looked over at her work, found the formula, did mine correctly, and should have got a five out of five if I was judged on my work. But it wasn't my work. I got a zero out of five and a nice little note from Mrs. Holland, my grade 11 math teacher: do your work yourself next time, Bruce. Well, I can tell you what. I wasn't proud of it, but I did what a 17-year-old would do to try and get an assignment in.

11:10

**An Hon. Member:** Oh, no.

**Mr. McAllister:** Yes, I did. Can you imagine? And all of you that are heckling get to speak, too. That's the good thing. You can

stand up and say to your constituents tonight on the record: I support the no-zero policy. Isn't that great? You'll have your time right away. You're up next. I can't wait. I can't wait to hear it. Thank you.

The point is that I got the big red zero, and my father didn't rush to the high school the next day to defend my honour. There wasn't an uproar in the community saying: "Oh, boy. We're going to hurt this guy's feelings. We better do it a different way." It's a line of thinking that flies in the face of where we are in Alberta. It's the same line of thinking from people that would suggest that all games end in a tie, and I just believe Albertans disagree with it.

If we all agree that our kids should get a zero when every effort is warranted or at least some effort to try and get their assignments in, then let's find a way to allow it to happen. I want to read the amendment again because I tried to make this something that wouldn't offend anybody on that side, that we could make it about the greater good and not: what did the Wildrose come up with for the PCs? It is relatively straightforward. "Ensure that teachers are free to assign grades of zero for work not submitted by students." If you took that to the doorsteps in your riding, where do you think the people that put you in those chairs would vote? We asked parents how they feel, and we heard them.

You mentioned autonomy and that you don't want to weigh in on decision-making, yet we do in so many other areas. If that's the cloak you're hiding behind and you see that as doing the right thing, well, in my view, doing the right thing isn't the right thing to do, and I think there's a big difference in the two. Let's be bold enough and courageous enough to do what we were asked to do: to read the public, to listen to Albertans, to make a mark. Let's be bold enough. I would love to see some vote for and some vote against because I know in my heart that you support and agree with this amendment. So don't be whipped into following and toeing the party line for the sake of toeing the party line.

Thank you.

**The Chair:** The hon. Minister of Education to respond.

**Mr. J. Johnson:** Thank you, Mr. Chair. Yeah, we certainly can talk about let's not be whipped, but I haven't seen anyone vote other than along party lines on the other side of the floor tonight either.

So can we talk about this amendment? The member brings forward a very interesting discussion that could go on at great length tonight on a whole bunch of different tangents. The concern I have with it is, first of all, what it's predicated on. It's predicated on the belief that a teacher was fired for giving a zero. This is something where I have to be very careful about how I speak to this. Certainly, if you believe the opposition and some of the media, a teacher was fired for giving a zero. If you believe the employer, he was fired for other things. There is an appeal of that termination with my ministry now, Mr. Chair. To establish legislation predicated on something that we're not sure happened I think is something that as legislators we need to be very careful about.

The second piece is, I guess, the principle of this. Once again, I think we agree more or less on the intent here. Many Albertans were flabbergasted that a teacher can't give a zero. Myself I personally don't support that. I would tell you that anyone who leads you to believe that the province or this ministry or this Department of Education has a policy that we don't give zeros is not telling you the truth. We do not have a no-zero policy in this province, and we have no intention of implementing one, Mr. Chair. As a matter of fact, as a province we assess kids four times throughout their K to 12 life in terms of standardized assessment,

three PATs and the diploma exam, and if those kids don't show up to write those exams, they effectively get a zero. That's the provincial policy.

The other thing that I think we need to keep in mind is that we entrust the day-to-day assessment of kids to their teachers and their administrators and their school boards. Why would we remove that ability? Why would we meddle with that? Why would we be legislating that? Is it because there's a belief that one teacher got fired for giving a zero? I'm not sure that that's enough.

We certainly want to make sure that kids are earning their way through, with no free passes, and I think this is what struck at the heart. This is the foundational piece of this for not only myself but all Albertans. We want to make sure that the system is not soft, that kids aren't just being socially progressed. You spend your 10 months in grade 2, and in June you're qualified to go to grade 3. Then you spend your 10 months in grade 3, and in June you're qualified to go to grade 4.

What if – what if – the system was different? What if we changed our curriculum and our assessment so that there was flexibility and self-paced learning? What if kids could progress through the system based on actually attaining the skills or the competencies they need and could progress at different rates? I'm going to suggest to you, Mr. Chair, that that's exactly what Inspiring Education has been talking about for four years, that's what we're trying to develop in terms of curriculum and assessment, and in that kind of a model zeros are irrelevant. Why would we set legislation based on a model of the 1950s when we're trying to build an education system for 2030, 2040, 2050, and beyond?

Mr. Chair, the other piece of this that is just as concerning is once again the desire of folks in the Legislature to reach into the day-to-day operations of a school board and take away that autonomy. If we're going to continue to do this, of course, we have to set some parameters. We have to set some fences. There were amendments tonight on the fees, there was talk about limiting the professional development, there was talk about forcing them to do certain things, and now another amendment that's going to take away the local autonomy of educators in the classroom, of administrators to deal with their employees, and of school boards to make local decisions.

My question, I guess, would be: in that kind of an environment what do we have local school boards for? What is their purpose if they can't even make local decisions with respect to assessment and day-to-day assessment? If we're going to legislate this and on how we assess on a day-to-day basis, are we going to run back into the Assembly every time new research comes forward or we change curriculum or assessment?

Although the spirit of it, I think, is valid, the vehicle to do this is very problematic. It's backward looking, not forward looking. It takes away the trust that we have in the people that run the system on a day-to-day basis. I think there are other ways to make sure that kids are earning their way through the system, and those are the things that we need to focus on, Mr. Chair, and we certainly will be.

**The Chair:** Thank you, hon. minister.

I'll recognize the Member for Calgary-Buffalo.

**Mr. Hehr:** Thank you, Mr. Chair. It's an honour to rise and speak to this amendment. I'm going to speak against this amendment, and I would encourage all members of this honourable House to do the same thing.

I actually enjoyed many of the comments made by the hon. minister in this regard. Oftentimes in politics you can get caught

up into this web. If you ask a guy a loaded question, you're going to get an answer back that you expect. Yes, straight off, without thinking about it, without doing any detailed analysis about it, without understanding the nature of schools or the like, if you ask a guy, "Do you think a kid should get a zero if he doesn't hand in his paper?" it's: "No. No way. No way." It's kind of like asking a guy going into the liquor store if he thinks his case of beer is too much. You know what answer you're going to get. "Yeah, it's too expensive." It's the type of question you're asking, okay? That's the type of question that often has been thrown up in some of the articles written on this and some of the things of that nature.

If we really are worried about what kids are doing in school and what they're learning, sometimes we have to think deeper or get a little more information or ask a few more questions. Oftentimes in education a kid may need a zero. Sometimes he may need two zeros. But somehow what we have to be overarchingly concerned about is: what is the kid learning, what is the best way to get him the information in class, what is the best way to keep him engaged and not drop out of the school system, and what is best for the child, giving him every opportunity to succeed?

**11:20**

In my view, like the hon. minister said, if we look at some of the research around education, some of these policies and practices and the way they teach skills have been developed by experts – local school boards and teachers – who actually know what they're doing, who actually have a concept of what's going to keep kids engaged. Sometimes these policies have been derived from research, so they're not based on a loaded question to a gentleman on the street or through a poll in the *Calgary Herald* news: do you think kids should get a zero in these types of situations? It's very easy. You know the answers in the polls. You know what the answers to those questions are going to be. We need to ask ourselves to think deeper, to actually let teachers and school boards do the work that's necessary. They're the experts in the field, and they generally have an understanding of what's going to get the kids further on in the education system than not.

I would agree with the hon. minister when he says that sometimes we have to put fences around certain things in our education system. I understand that, that everything can't be left to chance, but sometimes we have to place confidence in the locally elected people as well as in the people who should know best, teachers, and also, with that, consulting with parents, as they did in your situation when they called home to you and said: "Hey, the kid is not doing his work. Yeah, we could use a little help and support on this. Maybe he'll get in the next assignment." These are reasonable, rational approaches that the education system has developed, and these policies haven't just come up overnight, okay? I understand the sentiment in this. We want our kids to do the best that they can, but sometimes overreaching from the Legislature, although it may be good politics, does not make for teaching kids better.

Thank you, Mr. Chair.

**The Chair:** Thank you, hon. member.

I'll recognize the Member for Edmonton-Calder.

**Mr. Eggen:** Well, thank you, Mr. Chair. I just have some brief comments on this amendment. It's interesting. I can come to this story and this phenomenon from a number of different angles, first as a teacher myself for 20 years. I was a high school teacher mostly. Also, I've just had both of my daughters graduate in the last couple of years from high school, in fact from the high school from which this sprung, the ground zero, so to speak, of the zero

situation. We talked about this a lot in my family, and of course I also have lots of my colleagues, teachers, that I still keep in contact with and now as the Education critic. I was watching this whole thing with interest. Yeah, I was like, I think, most Albertans. I had that immediate, sort of visceral reaction that, you know, there was some injustice with the no-zero policy.

I recalled, of course, my own experience as a teacher, when I would use all manner of tools to not just assess students but to cajole and motivate them to get the job done and to learn the information that they needed to learn for the course that I happened to be teaching. I mean, I used zeros. Of course. It was a tool that I had available to me – and it was a very useful one sometimes – but only predicated on the idea that you would use it maybe to frighten or to shock someone into reality and then chase them down and get them to do the job, right?

You know, often just casting zeros about is abdicating in some way your responsibility to try to get that student to learn to do the job and have some discipline to get through the course. I sometimes heard a very discouraging comment from students that I would have. They would say, “Oh, well, just give me the zero,” and I’d say: “No, I’m not going to just give you the zero. I’m going to chase you down and make sure I do everything within my power to get you to do the work and to pass the course.”

So it’s a tangled web, and as I said before, of course, we were right there at ground zero of the zero thing with my own daughters. It was a mixed reaction because at the school in question there was one sort of strident situation, where it was clear what was going to happen, and then other teachers who were sympathetic but wanted to create a successful organic resolution to the whole thing, you know. I think we have to first of all recognize the autonomy and the sovereignty of teachers and of school boards to make the right decisions and to have a full complement of tools at hand to make assessments and to motivate students to do the job.

While I certainly think this amendment speaks to the strong reaction that we saw about this whole no-zero thing, I think we need to now move the debate into something more constructive so that we can come to a resolution that’s amicable and useful for everyone – right? – not to further polarize this debate but, rather, to lay it out in the open. I think that’s part of what Edmonton public is striving to do. You know, they’ve put a new principal in place and so forth. I know a lot of people on that school council now – it’s very close to where I live – and I think they want to have a full and honest and open debate on this issue.

As I say, while I do appreciate the sentiment of what this amendment has, I don’t think this is the place or the time to be doing that. Thank you.

**The Chair:** Thank you, hon. member.

The Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Mr. Chair. I find this whole conversation very interesting because every one of us has been approached on the street on whether you’re for no-zero or you’re against no-zero, and we’ve had conversations with our constituents and just in general have had conversations around the dinner table with our spouses and those sorts of things. This is a very polarizing issue.

There’s no question that local autonomy to school boards is the number one priority for everyone, but this amendment doesn’t speak to that. This amendment solely speaks to the ability to ensure that teachers are free to assign grades of zero for work that is not submitted by the student. It is all about student accountability and has no effect on the boards’ autonomy.

What we’re talking about here is teachers who have given every opportunity to the student, every single advantage to that student, to be compassionate, to understand why they don’t have the assignment in, and then allow them every opportunity to redo, offer alternative assignments. It is only after all of those efforts have been made that they would have the ability to assign a grade of zero.

I have teachers in my family, I have friends that are teachers, and in reality, you know, all they’re asking for is the ability to give the zero. I mean, if we’re talking about autonomy, if you want to talk that right down to the local issue, teachers are the ones that are closest to the student. They know the student. They don’t want to punish students. Our teachers are hard-working Albertans. They’re here to create a positive environment for our students to learn. They literally go above and beyond to keep our students in school. They literally donate time after school to do extracurricular activities they’re not compensated for. They are doing everything in their power. Then we say to the student: “Well, that’s okay. If you choose to do nothing, we still can’t hold you accountable because I can’t force you. I cannot in any way shape or form keep you accountable and give you a zero because you did no work.”

That’s what this amendment is, too. If you want to talk about politicizing this issue, quite frankly, at this point I think the only reason any of you are against it is because it is a Wildrose amendment. I think that if this amendment was coming from the other side of the floor, it would be: “Rah-rah-rah. Ha, ha, ha. Let’s give ’er.”

Every day we raise our children. I wake up every morning and tell my daughter that she has to be accountable for every decision she makes that day, to be a responsible Albertan. Every time she makes a choice, she has to answer for that choice. Whatever path she chooses is going to be the path she picks for her future, and it can go badly, or it can go well. This is no different. When we teach our children not to have a proper work ethic or that you’re not responsible for anything you do, we raise irresponsible adults. We’re tasking our teachers with this task, and then we’re saying: we’ll task you with that, but we’ll not give you any tools to actually deal with it.

**11:30**

The other part of this. I find it very interesting that our hon. friends on the other side of this House have not spoken at all to this bill, short of the minister. I am hearing from all over the province. You know, all you have to do is listen to Charles Adler. All you have to do is listen to *Rutherford*. All you have to do is door-knock. The hon. minister of intergovernmental affairs: there are members of his constituency who are phoning my office because we are defending the no-zero policy. I’m more than willing. I’ve actually referred them back to you, Minister. Literally, all you have to do is door-knock.

Are you honestly telling me that a hundred per cent of your constituents are telling you that they have no problem with this policy or that they’re not in favour of it a hundred per cent? Now, I’d understand if you say: “Hey, you know what? Fifty per cent of my constituency supports it, 50 per cent don’t, and I have to go with the bulk of my riding.” I get that. That’s not a problem. But none of you are actually standing up for your constituency. [interjections] Okay; 60-40, 70-30, whatever it is. But not a single one of you is even addressing the fact that, literally, there is nobody in your riding that has actually spoken to you about the no-zero policy? We know that’s not true. You can see every day that this is a polarizing issue.

All I'm asking for is that you actually look at the amendment without sitting there and getting all political about it. All it's saying is that teachers are free to assign the grade of zero for work not submitted by students. That's all it's asking for. Clearly, you're not going to support that, and I understand that, and that's fine. But if you actually break it down to what the amendment is truly asking for, it's asking for the right of the teacher to be autonomous and actually grade the student for the work they've done.

Thank you.

**The Chair:** Thank you, hon. member.

Are there other questions? The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chair. I won't be long, but I do want to put a couple of things on the record with respect to this because the rhetoric that's coming in on this would suggest that this is somehow a question that we as provincial legislators should deal with and that if we don't deal with it, we're somehow letting down our constituents.

The fact of the matter is that even members on the other side of the House would also agree that Albertans don't want a lot of laws in their lives. We shouldn't necessarily run to pass a law every time an occurrence happens. We should be de minimis. We should be staying out of the lives of Albertans as much as possible. I think the people on the other side would agree with that. Certainly, as a Progressive Conservative, as a person with conservative values I believe that to the extent that government can stay out of people's lives – not write codes, not write rules – that's a better way to go.

Now, we also cannot be all things to all people. I am not a professional educator. I've had the privilege of living with a professional educator for the last 33 years. [interjections] I am a slow learner, yes. I live with a saint; there's no question about that. I think I've picked up a little bit along the way about education and about the process, but I'm not an expert in assessment, and I would suggest that very few others in this House are experts on assessment.

What we really need to understand is that we should let school boards do their jobs. We should let schools do their jobs. Within a school a principal has to have some authority to work with their staff and to create policies for the school working with their staff. Those policies might differ from school to school, depending on the nature of the school, the nature of the community where they are. Assessment is not a cut-and-dried thing, and it's not something, certainly, that can be codified in a provincial education act and shouldn't be codified in a provincial education act.

One of the critical issues around this whole question about no zeroes is this whole question, as the hon. member said, that there's polarization. Well, the polarization really comes because most of the reaction that I've on heard on this from people who want a no-zero policy focuses on the work ethic. In fact, I think the hon. member said something about: we want our children to be raised with good values. Well, I am raising my children, or I did – my youngest is 23 now – with good values. That's not an anticipation that I have for my teachers. What I want my teachers to do is to help educate my children, help challenge them to think, and help challenge them to understand the concepts of the curriculum. When a teacher provides a mark in, for example, physics 20 or physics 30, what I want that mark to be is an assessment of how well the student has understood the concepts in that course. I'm not particularly interested in and I can't actually tell when I get a mark in physics 30 how good the student's work ethic is. That's not really what it's about.

But we could spend a lot of time debating that issue, and quite frankly the debate would be of relatively little value because none of us actually have the pedagogical background or the background in assessment that's necessary to really come to grips with that. The root of this is not whether or not we agree or disagree on whether or not a zero policy makes any sense at all in any given school or whether it's a good assessment tool. The real root of this question is whether it should be codified in a school act at the provincial level, and the answer to that is very clear, no.

**The Chair:** Thank you, hon. Government House Leader.

**Mr. Anderson:** Whenever I see the Government House Leader get up, he just inspires me.

**Mr. McAllister:** At least he did get up.

**Mr. Anderson:** I know. He does get up, and he inspires me. I do appreciate his comments. I do appreciate that he takes the time to respond to these bills. I wish more people would do that. He's a true parliamentarian.

I do have to take issue, though, with a couple of statements, specifically that the Progressive Conservative Party doesn't want to pass unnecessary laws that affect people's lives. I got a little bit of a chuckle out of that. I'm just going through my desk right now. We've got Bill 9, the Alberta Corporate Tax Amendment Act, 2012. We've got Bill 3, the Education Act. It's, like, 500 pages long. We've got Bill 5, New Home Buyer Protection Act. We've got Bill 10. It's, like, 90 pages long. We've got Bill 8, Electric Utilities Amendment Act, 2012. We've got Bill 4, Public Interest Disclosure (Whistleblower Protection) Act. What else have we got? Bill 2, Responsible Energy Development Act. We've got Bill 1.

I mean, you just go through. There are just endless bills. They just keep throwing them. It's like a paper storm here in the Legislature. Every day we get a bill thrown at us. For this government to say that they don't like passing laws is a little rich because the amendments that we have are that big. You can hold them in one hand. Then we've got this storm of paper. So it's a little bit rich to say that, you know, we're bringing too many ideas forward or too many intrusive laws. Let's also make a note of this, not to mention Bill 50, Bill 36, Bill 19, Bill 24. Are there any others? I mean, we could be here all day. There are just tons of good ones in there. This is not exactly a government that worries too much about putting restrictions on the lives of Albertans. Oh, the .05 legislation: there's another very intrusive law for no reason.

Let's remember what the Education Act is. You would think from the comments opposite with regard to the no-zero policy that this Education Act would be as big as Bill 1. Bill 1 is, I think, the thinnest act here, a couple of pages long. You would think that Bill 3 was that thin from the way they're talking. We are talking about inserting about 15 words here. I don't know how many words; it's not that many words. It's a very small number of words here.

We have an Education Act for a reason. The reason we have the Education Act, the reason we have thousands upon thousands and tens of thousands of words in this Education Act is because we've decided in Alberta that we're going to have some minimum standards that apply to everyone. Now, we don't run around saying that that is going to intrude into the local autonomy of school boards. We do not say that, and the reason we do not say that is because I think we have a general agreement here that across the province there need to be some basic, basic standards of conduct. It's all throughout the act.



You can look at part 3 on page 39 of the act, student responsibilities.

31. A student, as a partner in education, has the responsibility to
- (a) attend school regularly and punctually.

**Mr. McAllister:** We had to put that in there?

11:40

**Mr. Anderson:** That's right. We had to put that in there, "attend school regularly and punctually," which, by the way, is kind of related to the no-zero policy. Ironically, it's related to the no-zero policy because it's saying right here that the student needs to attend "regularly and punctually," and you would think that meant handing in their assignments, but whatever.

"Be ready to learn and actively engage in and diligently pursue the student's education." Well, clearly that infringes on local autonomy. If a school wants to be out there and says that we have a policy that students should be free to not learn and to not actively engage in and diligently pursue their education, well, who are we to interfere with the local school board's autonomy in that regard?

"Respect the rights of others in the school." "How is that important?" they would say. Why do we need to have something in this act that says we need to respect the rights of others in schools if you're a student? Well, that doesn't make sense. That's infringing on local autonomy.

Well, that's bizarre. Of course that's not true. The reason we have this in here is because we believe in a minimum standard of conduct for these students, so we put in some basic, basic things that should be very clear, that should apply right across the board. We put them in here because they're principles that we believe in.

Parent responsibilities. The responsibility to "act as the primary guide and decision-maker with respect to the child's education." Okay. Well, what if there's a local school board that doesn't like that policy? Well, too bad. That's the policy that we have for all school boards across the province.

Board responsibilities. They're supposed to "deliver appropriate education programming to meet the needs of all students enrolled in a school operated by the board and to enable their success." Well, okay. Why are we telling boards what to do? We have board responsibilities right here. Why are we telling them what to do? We shouldn't be doing that if we follow the logic of the members opposite. We put these things in the act because there's a basic standard. I think we can agree that that's why we have Bill 3.

Now, the question is and where the debate is: should a no-zero policy be one of these basic standards that we put in the Education Act? I think it's very clear that it should be. I think that it offends – and the Minister of Education can say: oh, well, maybe he was fired for different reasons. Okay. All right. We'll let that process play out in the process that he outlined. That's fine.

But, really, do you honestly think that the majority of Albertans – frankly, do you honestly think that 20 per cent of Albertans actually agree that a teacher should be fired for legitimately – legitimately – giving out a zero to a student for not handing in his assignments or refusing to hand in his assignments? Honestly? Honestly, you think a teacher should be fired for giving an incomplete, a zero on an assignment? I mean, come on. What folks over there actually live in a constituency where the majority of your constituents believe that? Honestly, there's just no way. I refuse to believe that even in the most hard-core of PC ridings, Liberal or New Democrat ridings – if you polled that question, I guarantee there's not one constituency in this province, not one, that would even be close. Even close. And we know this because we do poll these things.

Anyway, the point is that we would know full out . . . [interjections] Fair enough. Fair enough. I have absolutely complete one hundred per cent confidence that every constituency in this province, everyone, on all sides of the aisle – left, right, up, down, no matter where you come from on the political spectrum – agrees that a teacher should not be fired for giving an incomplete to a student on an assignment. I mean, I hear that from the Education minister. He says that this government does not have a no-zero policy. Okay. Fine. So if you agree with the actual idea that a teacher shouldn't be fired for giving a zero on an assignment that's incomplete, if that's what you believe, then I ask you: what have you against putting it in this bill under board responsibilities, under teacher responsibilities? What's the problem with it?

It sends a clear message that – you know what? – we have an expectation across this province that we will respect our teachers enough that when they give out an assignment, students are expected to complete that assignment. They're expected to be in the classroom, learning and engaged and doing their homework and coming and putting in an assignment. We expect that of all students in this province, and that is a very reasonable basic standard that every child should be asked to follow. If we're saying that we're not putting it in because we don't want to take local autonomy out, well, there are about 500 responsibilities listed in here that in some cases are far more prescriptive than the no-zero policy that's being proposed here.

I would ask you to please do what your constituents are clearly asking you to do. They clearly are not in favour of this policy, so pass it, and let parents know and let teachers know that we have a minimum expectation for our children and that we will protect our teachers from disgraceful actions like being fired for doing their job and giving out a zero where it is well deserved.

Thank you, Mr. Chair.

**The Chair:** Thank you, hon. member.

I'll recognize the hon. Associate Minister of Services for Persons with Disabilities.

**Mr. Oberle:** Thank you, Mr. Chairman. You know, I'll rise to offer a couple of comments. In no way do I intend to incite any reaction across the way. I'll just tell you that I'm in a hundred per cent agreement with the intent here, but I view it a little bit differently. I think the hon. Member for Airdrie is correct in pointing out that we do occasionally infringe upon the autonomy of school boards or municipalities or whatever.

I think the intent of the Education Act when it comes to students and teachers and school boards is that it defines some basic responsibilities. It's right to point out that we expect students to attend school, absolutely. We don't say how often, but we do say that we expect them to attend. You have to have policies around that.

When it comes to school boards, we expect them to do certain things, you know, establish health and safety standards and those things that have to be followed. Basically, what we're doing is empowering a corporation, just like a municipality, in effect a corporation. Their board is elected, they run a multimillion-dollar corporation, and they have a lot of employees. We expect them to establish policies, and when they establish policies, Mr. Chairman, as a parent – this is, I think, where I'm in agreement here – sometimes I'm going to disagree with those policies. I don't want to write my MLA a letter or phone my MLA when I disagree with those policies. I want to show up at a parent-teacher council meeting or show up at a school board meeting and disagree locally with the people who are charged with educating my children. There they are, right in my community.

That's why I'm against the amendment. Now, I agree that a teacher should not be fired for wanting to give zeros. I agree with that. I'm not actually aware, standing here, of any teacher that was fired for giving zeros. I'm not. If I can follow the media, I'm aware of a teacher that may have been fired because he didn't follow the policy of his school board. I have no way of knowing if that teacher tried to overcome that policy in any other productive way, like any employee is duty bound to do when he works for a corporation. If he took no such actions, then I think the school board would rightly have some concern with that teacher. I do. I'm not sure, as I say, that any teacher got fired for his approach to the zero policy. It's possible that a teacher got fired for not following the policy of his employer. That's a concern. We've empowered the school board to make policies. We have to allow them to enforce those policies.

That's the other thing about this act. As a parent I get to stand in my home community and hold those guys accountable – my educators, my school board, in my community – and I don't need to phone my MLA to do it. I like the idea that the policies are made locally and I get to hold them accountable locally.

I think exactly the same thing. I think my children deserve a zero if they don't submit their assignments. I don't think it belongs in the act. That's all I believe. I think we're on the same page.

11:50

**The Chair:** Thank you, hon. minister.

**Mr. McAllister:** You can't imagine how much I appreciate your comments, that you would rise and speak, and I believe that we are all on the same page, to not revisit all that's been discussed.

We have a duty to represent those that put us here. What we seem to be doing is finding 10 ways to not do one thing that we all know we should do. The public is right. As for the teacher and whether he got fired for the no-zero or not, you could make the case that we don't really know, I suppose. We'll let that play out. But it's raised an issue, and it's given us an opportunity to improve school for our kids. It's given us an opportunity to make a difference in their lives in a positive way.

What we're saying to them as the leaders of this community is: "We don't think it's important enough. We don't care enough. We're going to hide behind another cloak and turn our backs." I find that completely reprehensible and unacceptable.

**The Chair:** Thank you, hon. member.

I'll recognize the Member for Edmonton-Gold Bar.

**Mr. Dorward:** Well, it's a pleasure to stand and discuss this issue. I did want to put on the record exactly what I have done when I talked to my constituents who have spoken at times on this issue relative to the zero mark. I've asked them and encouraged them to go and talk to the Edmonton public school board, which I wonder how many of my friends on the other side have indeed done, talked directly to the Edmonton public school board. When I have, I've found that for the most part people don't come back to me because they found satisfaction in the things that they've discovered at the Edmonton public school board. I personally know that the people that I've talked to in Edmonton-Gold Bar are quite happy with the situation whereby the school boards in the province of Alberta get to determine this based on their local considerations and based on the experts that they would have near at hand to be able to make the decision.

Thank you very much.

**The Chair:** Thank you, hon. member.

Are there any other comments, or should we call the question?

**Hon. Members:** Question.

**The Chair:** The question has been called on amendment A5.

[The voice vote indicated that the motion on amendment A5 lost]

[Several members rose calling for a division. The division bell was rung at 11:53 p.m.]

[One minute having elapsed, the committee divided]

[Mr. Rogers in the chair]

For the motion:

Anderson	Pedersen	Strankman
Hale	Stier	Towle
McAllister		

Against the motion:

Allen	Goudreau	Oberle
Bhardwaj	Griffiths	Olson
Bhullar	Hancock	Pastoor
Calahasen	Hehr	Quadri
Campbell	Horner	Quest
Casey	Hughes	Sandhu
Dallas	Johnson, J.	Starke
Dorward	Johnson, L.	VanderBurg
Drysdale	Khan	Weadick
Eggen	Lemke	Xiao
Fenske	McDonald	Young

Totals:	For – 7	Against – 33
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[Motion on amendment A5 lost]

**The Chair:** On the main bill, the hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thank you, Mr. Chair. I am actually rising for the first time on the bill, so I'm very interested in doing so, but I also am conscious of the time as well. So I'll reserve my comments on the general bill for another time, but I do have some amendments that I need to put forward. The first one I just will get distributed.

**The Chair:** The amendment is being circulated?

**Mr. Eggen:** That's done.

**The Chair:** Thank you. Did you send the original, hon. member?

**Mr. Eggen:** Yeah.

12:00

**The Chair:** Thank you.

Hon. members, this amendment will be A6.

Proceed, hon. Member for Edmonton-Calder.

**Mr. Eggen:** Okay. Great. I want to move this along fairly expeditiously. This amendment, essentially to section 16 of Bill 3, is replacing what was taken away from, I guess, what was called Bill 2 in the spring session of the last legislature. This section covers diversity and respect.

Our amendment from the New Democrats changes the wording of the section to refer explicitly to the Canadian Charter of Rights and Freedoms and the Human Rights Act, essentially what was there before. Our amendment uses the exact wording that the government used when it first introduced the Education Act in the previous session. It's very important that we do so. We must ensure that the courses and programs of study in Alberta schools

are consistent not merely with vague references to diversity, understanding, and respect but are, in fact, in accordance with the basic rights outlined in the Canadian Charter of Rights and Freedoms and the Alberta Human Rights Act.

It should be noted that probably the same government or many similar members had spoken out so passionately for this act in the spring, and suddenly we found it removed in the fall. I don't think that that's a good precedent to set. We know what happened, right? There was a lot of politics in between. But it doesn't preclude the necessity of having this in this new bill. You seemed to be okay with it before, so what's changed?

Now, I've heard the argument: well, the Alberta Human Rights Act and the Charter still function over the other things that we do, including this bill. Well, I guess you could use that same logic, Mr. Chair, to talk about the bullying thing that is highlighted in here as well. We have laws on assaults. We have laws on defamation and harassment and so forth, but we also chose to highlight and emphasize an antibullying message in Bill 3. I would suggest, using that same logic, we would include and should include the Human Rights Act and the Canadian Charter like it was in before. It's not because those laws don't exist outside but because, in fact, we want to emphasize them and to make it clear.

Any time that I see the Alberta Human Rights Act, which is landmark legislation coming from a previous government here in this province, put forward and then taken away, it immediately gets my suspicions up, and it makes me want to investigate very clearly why and to emphasize the primacy and the importance of both the federal legislation and the Alberta Human Rights Act.

Reason and logic should prevail here, and we should put it back in. It was there before, and I think that a lot of people would be very reassured to see that happen.

Thank you.

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

**Mr. Hehr:** Thank you, Mr. Chair. It's a great pleasure to rise and speak in favour of this amendment and encourage all members of this House to consider it and vote for it. When I think about this act and the way the legislation is written, it appears to me and to many people that we have carved out an exception within this act that allows for some groups and some home-schoolers and others to avoid following what's the law of the land, the Canadian Charter of Rights and Freedoms and the Alberta Human Rights Act.

We see that in previous legislation this government had said as much by incorporating it by reference into section 16. They did it under the hon. Minister of Human Services when he was the minister. They did it when the hon. Deputy Premier was the minister.

As we know from writing legislation and otherwise, words matter. Words matter very much. It doesn't only matter what it says in the legislation, but it matters what it says about us as a people, us as a government, the overarching goals and aspirations that we value and hold dear. There are certain things that we will not bend or break. Those values are so important that they must be incorporated for all groups, regardless of how loud they squawk or how they might say that it's unfair or how their morals or otherwise say differently.

That's this type of legislation. This is the type of legislation that the Charter of Rights and Freedoms and the Alberta Human Rights Act say – they say that these are the things that we hold dear: our freedom of expression, freedom of religion, freedom of

association, and go on down the list. We also in these acts have the right not to be discriminated against on the basis of race, religion, gender, age, disability, and sexual orientation. Both of those things are evident in the Charter of Rights and Freedoms and in our Alberta Human Rights Act. Those protections are held so dear that we incorporated them into acts.

If we look at this, there's a case to be made that because of prior precedent and what we've done in this Legislature in the fact that we have had it in two previous acts, now this absence in this legislation carves out that exception, that it's not only invalid in this act but has to be interpreted as such. Essentially, when people look at this, they'll look at that and say: well, obviously the government meant something by this because they changed their wording.

When I look at this situation and because I see many groups are appeased by this legislation – the Wildrose for one is very happy about this; home-schoolers are very happy about this – it has to mean, at least to them, that they think this matters. Now, government members may say otherwise. Government members may say: "No, no, no. The act still applies. The act still applies because it's overarching legislation." But essentially what we're saying here by this change – by this change – is wink, wink, nod, nod. "Go ahead. It's okay for your group now to carry on business as usual, to carry on doing what it is that you do. Whether you don't like sexual orientation, whether you want to do it on school time or when you're teaching kids at home or otherwise, we will allow for that to happen."

That, to me, is wrong. Whether or not it's the message we are sending by this redraft of this bill, it's wrong. It says something about us as a society. It says something about us as to what we expect our citizens to uphold, and frankly I'm disappointed. I'm of the full knowledge that having this provision in the act will not change things in what happens in home schools. Frankly, I don't want it to change anything that happens with home-schoolers. Frankly, it's really not that much of a concern. But what is the concern is what it says about us as a society, what it says about us as a Legislature, and what it says about what we're willing to give in on. In my view, we've given in to a certain extent on human rights by not following through on this.

You know, there's a story that my uncle tells. I was too young to really remember it, but I was about nine or 10, and my cousins and I were monkeying around at my grandfather's dinner table. We'd been there probably for five days of the holidays. He was a little bit older, and he was getting a little tired of us running around and doing our stuff. I guess, as my uncle tells the story, he looked at my father and said, "Well, are you going to do anything about this?" My father looked at my grandfather, and he said: "L.F., you know, you had the right to screw up your children in any way you saw fit, and some people claim you did a pretty good job of it. Please give me the dignity and respect to allow me to screw up my children the way I see fit, okay?" I just know that because that story has been told to me and all that stuff.

**12:10**

Needless to say, I have every confidence that parents, whether they send their kids to a public school, a Catholic school, a charter school, a private school, or home-school them, will fill their heads with things. You know, it happened to me. It happened to everyone here and the like. There's nothing we can do about it, nor really should we. Kids are going to have to in the main figure it out for themselves. They're going to have to sort through all this stuff they're fed, a lot of mistruths that may be incorporated by reference into their growing up, and figure it out for themselves. I'm not wanting to change that process, okay?

What I am trying to change is what we as a society espouse in our legislation, what we espouse for all citizens of this province to follow regardless of race, religion, disability, sexual orientation, or gender, and this should be clear in all our legislation. Frankly, because the government has muddied the waters so much, it is unclear. It is unclear what we expect different groups of people to do, and that to me is highly disappointing. It sends mixed messages out there, and frankly I don't think it's right or moves to where we want to go in 21st century education. I said at the news conference that I think we'll be on the wrong side of history on some of the stuff we've done in the past. I was under the impression that with the election of the new Premier this day and age was over.

I don't have to go far back, but I will. You know, we were the last province to recognize sexual orientation under the human rights code. That just happened in 2008. We still have Bill 44 hanging over our heads, which much of the gay and lesbian community finds distasteful and our teachers find is not leading to a well-rounded society with the ability to teach about sexual orientation in our classrooms. And now this.

I think it stays with the storyline that has been crafted, that I wish was over, and frankly I thought it was over with the new election. But look at how the government, in essence, caved on this, caved on putting in the simple words, "respect the Canadian Charter of Rights and Freedoms and the Alberta Human Rights Act." It's not that hard. It wasn't that difficult. Guess what? Everyone, really, in how they teach their kids was going to continue on the same way, okay? We know that as a matter of practicality. I know that. You know that. Everyone knows that. But we caved on that. We're at least sending a mixed message that some people are allowed to discriminate, and we tolerate that.

I will support this amendment. I would hope the government would think about this and maybe bring it back in third reading, or maybe you're all going to vote for it tonight. But even if not, maybe you go back in third reading and you say: "My goodness. You know, this isn't that hard." Guess what? You bring it back in third reading. Can you put something back again on third reading, an amendment? Probably. You're the government. You can do what you want. [interjection] Exactly. Well, if you can, then there you go. But then you say: "Guess what? The debate is over. No one is going to be protesting these things. It's going to be over and done with, and everyone is going to go on with their lives."

Those are my comments. Thank you for allowing me to speak, and we'll go from there.

**The Chair:** Thank you, hon. member.

Are there other speakers?

Seeing none, we'll call the question.

[Motion on amendment A6 lost]

**The Chair:** Okay. Speaking on the bill, the hon. Member for Calgary-Buffalo.

**Mr. Hehr:** I'd just like to make an amendment in a similar vein in case you didn't like the wording of that one. I'm just trying.

**The Chair:** Hon. members, this will be amendment A7.

Hon member, proceed.

**Mr. Hehr:** You can see I've changed the wording of subsection (2) of section 16. It reads now with these changes:

For greater certainty, the courses or programs of study and instructional materials referred to in subsection (1) must not promote or foster doctrines of racial or ethnic superiority or

persecution, religious intolerance or intolerance or persecution based on sexual orientation, gender, disability, or social change through violent action or disobedience of laws.

As you can see, I've tried to craft my legislation so you don't have to incorporate by reference the Alberta Human Rights Act or the Charter of Rights and Freedoms. What I'm essentially doing is adopting the language written in some of the things you wrote there and trying to go along with the flow of what you were trying to do in your original act, which I don't have in front of me, but I think it said to respect diversity and race and religion or something else like. This act is essentially not incorporating by reference the Alberta Human Rights Act or the Charter of Rights and Freedoms, but it is still protecting some of those things that I believe our society stands for. Our society doesn't stand for discrimination based on sexual orientation, or at least we're not supposed to. We're not supposed to discriminate on the basis of gender or disability or the like.

I think this amendment may ease some concerns a little bit about adopting the Charter of Rights and Freedoms and the Alberta Human Rights Act lock, stock, and barrel, but it still does many of the same things. I won't go over the reasons that I just read into the record of why I think this is important. Actually, scratch that; I will. You know, I believe our legislation should be written to reflect our overarching goals and values. I believe the Canadian Charter of Rights and Freedoms and the Alberta Human Rights Act are so important that they should have been incorporated in this act.

That said, if you're unwilling to do that, can we at least put this in? I believe it would say a lot about us as a society, a lot about the direction we wish to go in, and a lot about the protection of sexual orientation and the understanding that we won't give a wink and a nod to those groups who find it distasteful. Frankly, it's just time to say: "Well, you may find it distasteful, but it's the law of the land. We're not going to walk from that. We're not going to obfuscate from that. We're not going to carve out little niches for various groups not to follow it. Simply put, this is the law of the land. We understand that."

Here's what we expect, especially with things coming from government, and here's how the Education Act applies to all things in government. The government is in charge of education under the Constitution Act. It is only in charge of actually providing public schooling, Catholic schooling, and francophone schooling.

Let's remember that home-schooling is a privilege. It's not a right granted under the Constitution. It's something we've allowed people. It's an accommodation, one that I actually support. Okay? I support the right of people to home-school. In certain situations it would probably be better, and many people find it advantageous. But understand that it is not a right to home-school. It is something we've allowed.

12:20

To say that our educational materials or what we expect from the government of Alberta should be watered down for any group, especially any particular group that is not one of our recognized constitutional responsibilities, I believe is troublesome. It sends mixed messages. It sends messages that we will allow a group of people where the rules do not apply to. Simply put, I find that unacceptable.

Nevertheless, we've had a long night. I'll leave it at that. If anyone else would like to speak to this, or we can vote on it, whatever people would like.

Thank you, Mr. Chair.

**The Chair:** Thank you, hon. member.

I recognize the Member for Edmonton-Calder.

**Mr. Eggen:** Thank you. Very briefly again, I appreciate very much my colleague from Calgary-Buffalo taking another shot at this. My brevity does not reflect just how much I am concerned about this issue and the exclusion of the Human Rights Act. Any time you see something that has been institutionalized and explicitly describes the rights of humans in any jurisdiction, seeing it suddenly disappear, being pulled away or somehow altered, you know, is really a red flag for us to stand up and speak clearly and loudly and explicitly as to why and how this is taking place. We win each of these freedoms and each of these rights through hard toil and struggle, and I recognize the people that have come before us, as does the Member for Calgary-Buffalo, and who have fought hard and long for these rights to be enshrined in law. What better place to re-emphasize or remind ourselves of these things than in a landmark, once-in-a-generation re-examination of our School Act, the Education Act.

You know, when I saw that it suddenly – poof – disappeared, I was very disturbed. I think that it's a reflection that the thin facade of the progressive part of Progressive Conservative is not so strong and that the new paint job that they tried to put on the PC Party here to be more progressive is just that, a paint job on the same old vehicle. I know that Albertans are smart enough to recognize that, and here's an example staring us in the face in the very first, early minutes of Halloween 2012.

Thank you.

**The Chair:** Are there any other comments to be offered on this amendment A7?

Seeing none, I'll call the question.

[Motion on amendment A7 lost]

**The Chair:** The hon. Member for Edmonton-Calder on the bill.

**Mr. Eggen:** Yes. Thank you. I have another amendment that I would like to distribute, please, if I could. I'll try to make it happen here fast. You know, we could make this happen here faster if some of the members opposite could help pass out papers in the spirit of education. No? Maybe not.

**The Chair:** Hon. member, I think you can start. The paperwork will be at the members' tables very soon.

**Mr. Eggen:** Okay. You can give this amendment a letter or a signification.

This one is, I think, worth while and interesting because it speaks to taking back some of the whole issue around school closures, giving some ministerial responsibility to school closures. We know that school boards agonize over school closures, and it's a very difficult and disruptive thing to happen to a community, so I've crafted an amendment here to just speak on board responsibilities and ministerial responsibilities.

**The Chair:** Hon. member, if I may, I did not announce that this will be amendment A8. So for the record we are speaking to amendment A8.

Please proceed. Thank you.

**Mr. Eggen:** Thank you very much. Like I said, this section refers to the procedure for the closure of schools, and this amendment ensures that the minister's decisions regarding school closures are governed by a public input process. The reason I drafted this one is because school boards are authorized to permanently or temporarily

close schools in accordance with regulations in this act, but it also affords the authority to the minister to make regulations with respect to the permanent or temporary closure of schools.

This amendment clarifies that the minister may make regulations in respect to the authorization of school closures by a board, and in part B the new section 62 is included in this bill, outlining the rules that will regulate the minister's actions when closing the school. According to this amendment, the minister will be required to gain public input on the proposed decision to permanently or temporarily close a school. As such, the minister will be required to publish a notice on the department's website and have some consultation there.

This amendment also outlines the requirements of such a public notice, the time period that must be given, and stipulates that the minister must report to the Executive Council on changes to the proposed regulations. This amendment seeks to ensure that regulations governing school closures, which have always had a profound impact on students, parents, staff, and communities, will only be taken by the minister after proper consultation with the public and proper reporting to the Executive Council.

I'm sure that after you've heard all of that you will all leap to your feet and vote in favour of this amendment. Thank you.

**Mr. Hehr:** I think I can speak in favour of this amendment. Obviously, school closures and the building of schools are both necessary things at times, but they should be done with the public's input as well as the minister understanding the full realm of possibilities and ramifications thereof. I look at school closures that are happening sometimes in inner-city or sometimes under-utilized schools. Sometimes there has to be a broader perspective around that, some of the implications of what that means to the larger ends, about whether we're going to encourage people to live in certain neighbourhoods or whether we're going to continue on with their ability to provide the programming that those local communities need.

I think it's a decent amendment. I think it puts a little more onus on public consultation and hearing all sides. I think it's a decent amendment and worth voting for.

**The Chair:** Other comments to be offered on amendment A8?

Seeing none, I'll call the question.

[Motion on amendment A8 lost]

**The Chair:** On the bill, the hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thank you, Mr. Chair. I have another amendment that I would like to run through and run by. Am I too soon? I guess technically it's still just October 30 because we are in suspended animation here.

**The Chair:** Yes, it's October 30.

**Mr. Eggen:** So I won't wish you a happy Halloween.

**The Chair:** This amendment, hon. members, will be A9.

**Mr. Eggen:** Can I proceed, then, Mr. Chair?

**The Chair:** You may start, hon. member.

**Mr. Eggen:** Okay. This is an amendment concerning section 33(1)(c). This section concerns a board's responsibility as a partner in education. This amendment seeks to remove the reference to the business community and to relieve the board from the requirement to involve local business communities in board matters.

12:30

The reason I say this is not because I don't value the input of business in the section, but the stakeholders are an important part, in fact, of our public school system. School boards must engage with parents, students, and staff in order to ensure that the objectives of Alberta's education system are being met and implemented at each school. Moreover, local collaboration and consultation among stakeholders are an important part of encouraging innovation in education and meeting the present and future needs of Alberta's students. Community organizations, including municipal governance bodies, are also important stakeholders in school board matters and can be important partners in the development and implementation of a board's plans.

This amendment seeks to remove the reference of local business community, which is not a primary stakeholder in Alberta's education system and needs not be involved or privy to school boards' plans in the same manner as parents, students, and staff. We must ensure that Alberta's public education system meets the needs of students and does not prioritize the interest of business communities, which might have significantly different priorities and interests than our public education system has.

This amendment is designed to protect the rights of school boards, parents, students, and staff to plan and implement public education in their community while encouraging collaboration and co-ordination with the broader community. We should not seek to define the meaning of community other than to note the important roles that municipalities play in school board matters.

I'm sure that you all will have a conversion on the road to Damascus and vote for this amendment.

**The Chair:** Are there other comments on the amendment?

**Hon. Members:** Question.

[Motion on amendment A9 lost]

**The Chair:** The hon. Member for Edmonton-Calder on the bill.

**Mr. Eggen:** Well, thank you. Finally, I did find one more here, and it's the last one, the last amendment. Everybody is looking at me. You know, if we had sort of a longer session – right? – where we didn't immediately go into night sessions, then we would have a more civilized routine to deal from, and we wouldn't be staying up all night.

**An Hon. Member:** What time do the cleaners come?

**Mr. Eggen:** You have to lift up your feet while they vacuum underneath.

**The Chair:** This amendment will be A10, hon. members.

**Mr. Eggen:** This last amendment I have, can I speak to it, Mr. Chair? Yeah?

This one is including a reference to student achievement and health and the relationship between those two things. I took sort of some of this amendment wording from the Ontario provincial Education Act, and it was also brought to my attention though the good work on healthy eating and so forth that was taking place here in Edmonton.

The original clause in section 33(1) reads as follows:

A board, as a partner in education, has the responsibility to

- (a) deliver appropriate education programming to meet the needs of all students enrolled in a school operated by the board and to enable their success.

My amendment defines the responsibility of the board to include both student achievement and health, or well-being. This just seems like a logical extension.

**Mr. Hehr:** It's a good amendment, guys.

**Mr. Eggen:** That's right. Please. This is an important one because, of course, we deal with the intellect of students and the pursuit of excellence in one's mental capacity, but this is tying the importance of that to the physical health of a student as well, not just talking about physical health like phys ed but physical health in terms of healthy eating and healthy lifestyle and so forth, the old adage of healthy in body and mind. I think this amendment serves to do so.

Like I said, you know, you only open the Education Act once in a very long while, so it's time to update things in all ways. A healthy addition here is, I think, very apt and appropriate for Bill 3.

Thank you.

**Mr. Hehr:** I would like to speak in favour of this motion. I think that given the overarching concern we have in our society with healthy eating and overweightness – that's not a word – people being overweight and obesity and the like, this is one of those statements that I believe says a lot about the direction we'd like our society to go in. It's really not a substantial change. It's an aspiration, a statement, and being responsible for the health and well-being of students. That seems like what a public education system should be doing, looking after the health and well-being of all students.

We brought this up in the Legislature just the other day, with the horrible tragedy in St. Paul, how this local school was responsible for leading that community in some of the healing, some of the community getting together and being comforted in a time of need. That directly relates to the well-being of all students. We talk about health. We want them to be healthy and to grow up healthy and the like. The school system should be concerned about that.

In my view, this is a good amendment that really doesn't change things. I think it leads us in here to adopt an aspiration, a goal of what the local community and the local school system should look like. So a well-thought-out amendment. I assume the minister has done his due diligence over there and passed it around and gotten consensus that this will pass through, and we'll go from there.

In any event, thank you for allowing me to speak on this amendment.

**The Chair:** Thank you, hon. member.

Are there other comments? The hon. Member for Edmonton-Gold Bar.

**Mr. Dorward:** Thank you very much. In my former life as a chartered accountant there were times that I was doing corporate tax work after midnight. Occasionally I would have the streaming on and watch the Assembly and see people working, and that was good to help me to stay awake.

I can't support this amendment for a couple of reasons. Section 33(1)(b) comments that a board is accountable for student achievement, which is part of the amendment, so I'm not sure why that has to be there. And we have a Health Act in the province of Alberta which seems to cover the responsibility for the health and well-being of all students.

So I will not be supporting this amendment. Thank you.

**The Chair:** Thank you, hon. member.  
Are there other comments?  
Seeing none, I will call the question.

[Motion on amendment A10 lost]

**The Chair:** Are you ready for the question on Bill 3, the Education Act?

**Hon. Members:** Question.

[The remaining clauses of Bill 3 agreed to]

[Title and preamble agreed to]

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

**Hon. Members:** Agreed.

**The Chair:** Opposed? That's carried.  
The hon. Deputy Government House Leader.

**Mr. Hancock:** I've been demoted. Ah, well.

**The Chair:** The hon. Government House Leader. My apologies. You have been reaffirmed, sir.

**Mr. Hancock:** Thank you, Mr. Chair. I'd move that the committee rise and report Bill 1 and Bill 3.

[Motion carried]

**12:40**

[The Deputy Speaker in the chair]

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

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bills with some amendments: Bill 1, Bill 3. I wish to table copies of all amendments considered by Committee of the Whole on this date for the official records of the Assembly.

**The Deputy Speaker:** Thank you, hon. member.  
Does the House concur in the report?

**Hon. Members:** Concur.

**The Deputy Speaker:** So ordered.  
The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. We have done excellent work today, and I would suggest that we leave it at that. I would move that we adjourn until 1:30 p.m.

[Motion carried; the Assembly adjourned at 12:41 a.m. on Wednesday to 1:30 p.m.]









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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Wednesday afternoon, October 31, 2012

Issue 12a

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta**  
**The 28th Legislature**

First Session

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## Legislative Assembly of Alberta

1:30 p.m.

Wednesday, October 31, 2012

[The Speaker in the chair]

### Prayers

**The Speaker:** Let us pray. Dear God, let us be reminded of the unique privilege we have been given to work for the betterment of our constituents. Let us also be mindful that there may be places in the world where that privilege does not exist. Amen.

Please be seated.

### Introduction of Guests

**The Speaker:** Hon. members, it is indeed a great pleasure for me to introduce to all of you in the Assembly today members of the Daughters Day Committee who are seated in the Speaker's gallery. Established in mid-2011, Daughters Day is the initiative of a group of volunteer individuals and more than 40 diverse community organizations who are all dedicated to celebrating the lives, the contributions, and the achievements of all daughters in our society.

I will ask the following individuals to rise as I call their names and to remain standing until all have been introduced, and then we can greet them all very warmly as one: chairperson and former citizenship judge Gurcharan Singh Bhatia; vice-chairperson and former economist with the Alberta government Charan Khehra; Ratna Basappa, Indo-Canadian Women's Association; Sonia Bitar, former citizenship judge; Satya Das, principal at Cambridge Strategies; Jim Gurnett, who is a former MLA and executive director of the Mennonite Centre and is technically a visitor with us – welcome, Jim – Dr. Zohra Husaini, Indo-Canadian Women's Association; Trina Joshi, a journalist; Paula Kirman, a freelance writer, photographer, and musician; Poushali Mitra, a worker in the human services sector; Christina Nsaliwa, Edmonton Immigrant Services Association; Didar Singh Pannu, former superintendent of schools; Shaykh Sheikh, religious minister for the Muslim community; and Miriam Thomas, president of the Indo-Canadian Women's Association. Hon. members, let's welcome and thank them all.

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

**Ms Redford:** Well, thank you, Mr. Speaker. It's an honour for me to stand today to introduce to you and through you to all members of this House a member of my staff and a very good friend. Her name is Shelley Draper-Wilson. Shelley Draper-Wilson started in the public service over 20 years ago, when she was 18 years of age, in the department of agriculture. She had the benefit and, I would say, privilege of working for five ministers of government – the hon. Ernie Isley, Walter Paszkowski, Gary Mar, Ron Liepert, and Lloyd Snelgrove – before she moved to the Premier's office and worked there in both Premier Stelmach's office and in my office.

I think many people in this building who've had the opportunity to work with Shelley will know how fondly we think of her, how she has treated everyone in this building with respect. Shelley will be leaving our office today to work now in the office of the Public Service Commissioner with respect to public service reform.

Shelley is originally from Edmonton. Her husband, John Wilson, I'm sure will be pleased to have her able to keep regular

office hours, as will her two daughters, Jillian and Erin, who she'll be going to Disneyland with next week.

Shelley, thank you for everything from all of us, and we wish you well.

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

**Mrs. Klimchuk:** Thank you, Mr. Speaker. It's my distinct pleasure to introduce to you and through you to the members of this Assembly a group of great young kids who are visiting the Legislature from Coralwood academy, who are here with their supervisors, Mr. Mike Willing, Pastor Allan Perez, and Mrs. Marian Rochford. I would ask that they all rise and receive the warm and, hopefully, not frightening welcome of this Assembly.

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

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. It's an honour for me to rise today and introduce to you and through you a school from my constituency of Edmonton-Ellerslie, Meyokumin elementary school. They are here with their teacher, Dr. Pike. Over the years I've had the opportunity to visit his class numerous times, and I've always found his students extremely engaged on current events and on all political issues. They're joined here today by teacher assistant Mr. Musabimana. At this time I'd ask all of my students and teachers to please rise and receive the traditional warm welcome of the Assembly.

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

**Mr. Hancock:** Thank you, Mr. Speaker. It gives me great pleasure today to introduce to you and through you to the members of the Assembly a great friend and constituent in Edmonton-Whitemud, Mr. Gus Ahmad. Accompanying him is his grandson Samir. Samir is a Facebook friend of mine. Gus is a huge supporter of his community and volunteers his time on many initiatives at all three levels of government. He's provided a leadership role in the Pakistani, Muslim, and ethnic communities in Edmonton for over 35 years. He served on the U of A senate, the Faculty of Arts development council, the Edmonton Community Services Advisory Board, and the Family and Community Support Services Association of Alberta, and, I can assure you, many, many other things to help build our community and our province. Samir attends Avalon school. He's here today to learn about the process of government. I've witnessed Samir grow from a baby to the marvellous school student that he is today. Because of the role model of his grandfather, Samir is also starting to undertake volunteer initiatives. As a matter of fact, he volunteered on my campaign. I'd ask that they please rise and receive the traditional warm welcome of this Assembly.

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

**Mrs. Towle:** Thank you, Mr. Speaker. I would like to introduce to you and through you to the members of this Assembly Annie and Karen Boychuk. Annie is a constituent of the Innisfail-Sylvan Lake riding, and she has travelled here to seek some answers from this government after the tragic passing of her husband this summer. Karen Boychuk is Brent's mother and a new resident of Sylvan Lake since her son Brent Boychuk's death. Our province is home to the best doctors and health care workers in this country. When it comes to accessing them, our system falls woefully short, something that the Boychuk family can attest to. I'll ask that Annie and Karen please stand and accept the traditional warm welcome of this Assembly.

**Mr. Khan:** Mr. Speaker, I am pleased to rise to introduce to you and through you to all members of this House seven members of the Council of Alberta University Students, also known as CAUS. The students have met with several of my colleagues and have been very helpful in bringing to light the issues facing postsecondary students today. I've had the opportunity to spend some time with this group and work with this group, and I assure you that they're not afraid of asking very hard questions. They're also not afraid of working towards constructive and collaborative solutions as well. It's my honour to work with this group. I learn something from this group every time I have the opportunity to meet with them and to work with them, and I'm grateful to work with this group. As it's Halloween, it would appear that they have come dressed as the aspiring politicians that they are, and I thank them for that. [interjection] Thank you, Rachel. We channel that.

They're seated today in the front row of the members' gallery. I would like to ask that they rise as I call their names and acknowledge them, and I would ask my colleagues today to give them the traditional warm welcome of the House: Raphael Jacob, Petros Kusmu, Colten Yamagishi, Hardave Birk, Armin Escher, Julia Adolf, and Duncan Wojtaszek.

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

**Mrs. Sarich:** Thank you, Mr. Speaker. It is indeed a great pleasure for me to rise today to introduce to you and through you to all members of the Assembly nine guests from Dawson Motors Ltd., which is a long-standing, successful Edmonton-based company located in the constituency of Edmonton-Decore. Dawson Motors Ltd. is a multigenerational, family-owned and -operated auto repair business celebrating 80 years of providing prompt professional service to our communities. The Dawson family has built a business that's provided a living for three generations of Dawsons and all their employees.

**1:40**

Seated in the public gallery today are the family members and guests, and I would ask that they please rise as I mention their names. We have this afternoon Mr. Ken Dawson, president and son of the founding patriarch, Julius Dawson; Mrs. Margaret Dawson, Ken's wife of 53 years; Mr. Dale Dawson, manager and Ken and Margaret's son; Mrs. Cathy Dawson, Dale's wife; Mrs. Laurie Dawson-Bodner, all the way from Portland, Oregon, who is also Ken and Marg's daughter; Barry Dawson, Ken and Marg's son; Wade Dawson, Ken and Margaret's son; Shirley Dawson, Ken's sister, daughter of Julius and Kate Dawson; and Mr. Ejvind Hansen, a 17-year employee of Dawson Motors, now happily retired.

Thank you.

**Mr. Dorward:** Mr. Speaker. I would like to introduce to you and through you to my colleagues four young men with apparently the same first name. They're representatives of the Church of Jesus Christ of Latter-Day Saints. There are approximately 380 missionaries serving in Alberta. They give up two years of their lives for this service. They work as volunteers in our community and, of course, share their message. Could I ask Elder Poulton, Elder Adams, Elder Hathaway, and Elder Western to stand and receive the warm welcome of this Assembly.

**The Speaker:** The hon. Member for Calgary-Mountain View, followed by the Associate Minister of Seniors.

**Dr. Swann:** Thank you, Mr. Speaker. It gives me great pleasure to introduce to you and through you to the Legislature two courageous individuals who continue to come back to the Legislature on behalf

of paid farm workers outside of family farms. They're calling for this Legislature to enact legislation that would protect the occupational health and safety, workers' compensation, and child labour standards for those who are not working on family farms. I'd ask Eric Musekamp and Darlene Dunlop to stand and be recognized by the Legislature.

**The Speaker:** The hon. Associate Minister of Seniors.

**Mr. VanderBurg:** Well, thank you, Mr. Speaker. It's a great opportunity for me to rise and introduce to you a lifelong friend, the past mayor of Whitecourt, Brady Whittaker. Brady is currently the director of the Alberta Forest Products Association, and he's known as Mr. Wood. Wood first and wood always. [interjections] And he "woodn't" listen lots of times, too. I'd ask him to stand and be recognized in the Assembly.

**The Speaker:** The hon. Member for Lesser Slave Lake.

**Ms Calahasen:** Thank you, Mr. Speaker. It is indeed an honour to introduce to you and through you to members of this Assembly an energetic, visionary businessman who is also a good friend, Felix Schroder. He hails from Wabasca, Alberta, and is the principal of Schroder Oilfield Service. Schroder Oilfield Service has been in operation since 2001 and is located in Wabasca, as we know. The business's focus has been to provide a wide range of energy services, including facility construction and operation, road and lease construction, pipeline repair, labour crews, and welding and pipe-fitting. Prior to this, president Felix Schroder operated Jolam Mechanical for four years, a plumbing business located in Slave Lake but serving Wabasca and other MD of Opportunity hamlets. Felix and his brother Mike, vice-president of the company, have earned a strong, positive reputation in the region given their commitment to providing quality service, hiring locally, and providing support to the community both on and off the reserve. He is seated in the members' gallery, and I'd ask him to stand and receive the traditional warm welcome of this Assembly.

## Members' Statements

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

### Urgent Care Services in Sylvan Lake

**Mrs. Towle:** Thank you, Mr. Speaker. It is an honour to rise here today to speak about a tragic event that happened in the Innisfail-Sylvan Lake constituency this summer. Sylvan Lake is not a small town. In fact, it's one of the largest towns in Alberta. It's home to approximately 13,000 people year-round, and that population skyrockets during the summer months. Sylvan Lake has a lot to offer and is blessed in many ways, but this summer, on August 18, what this town is missing became painfully clear. On August 18 Brent Boychuk, a 49-year-old husband and father of four children, was experiencing signs of distress and realized he needed urgent help. Brent asked his daughter, Brianne, to take him to see a doctor at the local walk-in clinic. Upon arrival at that clinic it was closed. So was the second clinic. Sadly, Brent collapsed in the parking lot, and Brianne, his daughter, called for an ambulance and began CPR, trying to save her father's life.

Sylvan Lake, like many communities, no longer has a dedicated ambulance service. However, when paramedics arrived, they diligently tried to save Brent Boychuk. Sadly again, by the time Brent Boychuk arrived at the Red Deer regional hospital, which is a half-hour drive away, he had passed away.

We are thankful to the paramedics. Once again they did an amazing job in a difficult situation. Sylvan Lake has no emergency care facility, no trauma centre, or urgent care. The Boychuks are not asking for much. They are only asking that no other family has to experience what they have gone through.

Mr. Speaker, I'm not standing here to point fingers, to lay blame, or to play politics. I am simply speaking for my constituents the Boychuks, who would like some answers, and for the town of Sylvan Lake, who desperately needs an urgent care centre. We implore the Minister of Health to keep his promise of understanding the needs of Sylvan Lake and to ensure that urgent care for this community is considered in the zone plan. We also urge the Minister of Infrastructure to provide a detailed priority list to show all Albertans that these communities' needs are being addressed.

### Whistle-blower Protection

**Mr. Bilous:** Alberta has finally tabled its whistle-blower legislation, and our concerns and the concerns of experts have been confirmed. The bill is already being referred to as another bureaucratic black hole that will intimidate, complicate, and, ultimately, further silence whistle-blowers who want to do the right thing and protect the public interest.

Mr. Speaker, blowing the whistle is an intimidating process, and any legislation must keep the interests of the whistle-blower at its core. However, this legislation doesn't do that. This bill misses the mark on five essential points which signal that this government doesn't seem to be concerned with the protection of whistle-blowers. It seems more concerned about the protection of the government from whistle-blowers. Strong legislation must allow whistle-blowers to blow the whistle any time, anywhere, and to anyone, including the media. But this law sets up a departmental process ensuring a blown whistle echoes down a never-ending bureaucratic tunnel.

This law offers no protection to private-sector workers or government contractors. This is simply unacceptable in a province that just went through a massive E coli crisis due to unreported food safety issues. This legislation doesn't go far enough to ensure that workers will be protected from harassment and abuse in the workplace. This legislation sets up a secretive tribunal process instead of ensuring an open and transparent one. Lastly, Mr. Speaker, whistle-blower legislation must include details on mandatory corrective measures. Instead, it avoids the issue by referring to possible corrective recommendations.

Mr. Speaker, once again the Alberta PCs have failed to follow through on their promise of being transparent and accountable. Instead, they remain the most secretive government.

### Dawson Motors Ltd. 80th Anniversary

**Mrs. Sarich:** Mr. Speaker, great business leaders deliver more than just financial returns for their company. They also strive to build enduring institutions. They know to the core of their purpose and success that the more they value people within their organization, the greater the rate of return that will result. Also, for any entrepreneur to have a family-owned business, which is one of the oldest forms of business organization, which spans more than one generation is a legacy to be reckoned with.

Mr. Speaker, Dawson Motors Ltd., located in my constituency of Edmonton-Decore, is such a company and on September 15, 2012, celebrated with pride their 80th anniversary. Generations of customers, friends, family, community, and one of Alberta's

successful country music artists, Brett Kissel, attended the celebration.

With entrepreneurial spirit automotive pioneer Julius Dawson, patriarch of three generations of mechanics, founded Dawson Motors in 1932 in a 14- by 24-foot building. Dawson Motors has continued to successfully grow into a modern and complete facility for automotive service and repair as well as a fully equipped machine shop.

1:50

To this day, Mr. Speaker, the company exemplifies Julius' business philosophy, which is quality workmanship, good service, and value for your money. Second generation Ken Dawson started as a gas jockey at age nine and officially joined his father, Julius, in 1954 as a master journeyman in both welding and automotive mechanics. Today Ken is the company president, and his son Dale serves as manager.

Again, Mr. Speaker, my heartfelt congratulations and sincere appreciation to all the family members and employees past and present for adding immeasurably to our great city and province. God bless.

Thank you, Mr. Speaker.

### Oral Question Period

**The Speaker:** The Leader of Her Majesty's Loyal Opposition.

### Lobbying Government

**Ms Smith:** Thank you, Mr. Speaker. It's fitting that we're sitting on Halloween because it's getting scary out there. It looks like the government has been possessed, so we're grateful that the Chief Electoral Officer is investigating this phenomenon. But there's another aspect beyond donations, lobbying. The Minister of Finance has described a number of meetings and a number of decisions related to the Katz Group and its interest in casinos and arenas. Is the Finance minister aware of the strict rules about lobbying and the sanctions for breaching those rules?

**Mr. Horner:** Yes, Mr. Speaker.

**Ms Smith:** That's good to know.

While we wait for the Minister of Finance to deliver on his commitment yesterday to provide details of the meetings about these matters, can he at least tell us who the registered lobbyist is that the government met with on behalf of the Katz Group through 2011 and 2012?

**Mr. Horner:** Mr. Speaker, throughout 2011 I did not meet with any of the Katz Group or with any lobbyists. I was actively engaged in a leadership race throughout 2011, so I can't speak to 2011. As the hon. member well knows, the definition for registry of a lobbyist is someone who spends more than 100 hours, but if you're meeting with the president of a corporation [interjections] – wait for it – they don't necessarily register themselves as a lobbyist because they're there on behalf of their corporation.

I would also add, Mr. Speaker: how many people in Edmonton do you think don't know what Mr. Katz is trying to do?

**Ms Smith:** That's very interesting, Mr. Speaker, because given that the Katz Group did register as a lobbyist in 2009 and did register as a lobbyist in 2010, but the lobbyist registry shows no record of anyone registered to lobby on behalf of the Katz Group in either 2011 or 2012, can the minister explain this discrepancy?

**Mr. Horner:** Well, Mr. Speaker, a lobbyist is someone who is hired by the corporation. In fact, the hon. member is right. I'm glad that for once they've done their homework. Now, the lobbyist that was registered in 2009 and 2010 was Mr. Peter Elzinga. Mr. Peter Elzinga was the registered lobbyist for them. Two and a half years ago, when I met with the Katz Group, with their lobbyist Mr. Elzinga, that was when they brought up the concept of whether we would consider changing the charitable gaming model. I said that the answer was no then, we've said that the answer is no today, and the answer will be no tomorrow.

**The Speaker:** The hon. leader, second main question.

### Municipal Taxation

**Ms Smith:** Thank you, Mr. Speaker. Here's another scary idea for taxpayers, the spectre of tax hikes. The Minister of Municipal Affairs has been meeting with the big-city mayors on the issue of city charters. Now, it appears that Calgary's mayor emerged super happy with what they've heard so far about their quest for new tax powers. The Calgary mayor is floating the idea of several new taxes – a new municipal sales tax, a new vehicle registration tax, a new municipal tourism tax, and a new municipal fuel tax – yet the minister says that such taxing powers are not on the table. What's the truth?

**Mr. Griffiths:** Mr. Speaker, the truth is exactly what I have said for an entire year as minister in this role. There's only one taxpayer in this province. Everything that we do in this department is going to revolve around making sure that our roles and responsibilities with municipalities serve the one client we both represent, with the idea that they are one taxpayer. I've been clear from the beginning, and I'm just as clear now.

**Ms Smith:** Mr. Speaker, I'm just waiting for the minister to say, "no new taxes," because we're not advocating for more taxes, and given that the minister says that he's not either, if he has given the mayor such bad news, how can he explain why they emerged from the meeting with him so super happy?

**Mr. Griffiths:** Mr. Speaker, I've been at AUMA. I've been at AAMD and C explaining my position. She should listen to the mayor of Edmonton, who said that he agrees with me that we don't need new taxes. We need to make sure our roles are clear and stop listening to somebody who – I don't know – is maybe speculating.

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

**Ms Smith:** Thank you, Mr. Speaker. Wildrose has a plan to help municipalities get the revenues they need to do the work that they need to do. It's called our 10-10 plan. The government's plan seems to be to have meetings, string them along, and then give them nothing. Call it a 0-0 plan. When is the government going to answer real needs with real answers?

**Mr. Griffiths:** Mr. Speaker, we have respected municipalities' autonomy from the very beginning. They say that they do, but every time we turn around, they talk about their 10-10 plan, which will cut funding to municipalities by \$400 million up front. Then they turn around, and every single time a municipality, whether it's Sylvan Lake or it's Edmonton, about the airport or the arena – they come forward and say that they won't support them. Do they support municipal autonomy, or are they going to boss everybody around?

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition. Hon. Member for Airdrie, you have a point of order?

**Mr. Anderson:** I sure do.

**The Speaker:** So noted.  
Proceed, hon. leader.

### MLA Remuneration

**Ms Smith:** Thank you, Mr. Speaker. The Premier is trying to trick Albertans, but the doubling of RRSPs is no treat for taxpayers. The government proposes to double the amount of taxpayer money going to MLA RRSPs, adding \$1,000 a month to MLA pay, an 8 per cent increase. Does the Premier really expect us to believe that there have been no caucus discussions or directions from her on how government members should vote on this issue?

**Ms Redford:** Mr. Speaker, what I expect Albertans to have confidence in . . .

### Speaker's Ruling

#### Questions about Legislative Committee Proceedings

**The Speaker:** Hon. Premier, excuse me for a moment.

Could I just remind all members of the House and this member who just questioned, in particular, about 411 again? *Beauchesne's* 411 specifically states that a question may not "seek information about proceedings in a committee which has not yet made its report to the House." [interjections] Hang on. Hang on.

Furthermore, *House of Commons Procedures and Practice*, page 506, states, "When a question has been asked about a committee's proceedings, Speakers have encouraged Members to rephrase their questions."

Member for Airdrie, we've noted your point of order and a point of order from the Government House Leader as well.

**Mr. Mason:** And from me as well, please, Mr. Speaker.

**The Speaker:** And a point of order from the hon. leader of the ND Party. Thank you.

Hon. Member for Airdrie, you were asking?

**Mr. Anderson:** Just a point of clarification, Mr. Speaker, under Standing Order 13. The opposition leader is asking a question of the Premier on what her position is: is she instructing her caucus to do something? Does that not comply with *Beauchesne's*?

**The Speaker:** Hon. member, I'll comment more fully at the end of question period to clarify it for you, but anything to do with MLA compensation and pay is an issue for a committee called the Members' Services Committee, which two of your members sit on. As such, they have before them consideration of MLA compensation. It's a cautionary reminder. That's all.

Hon. Premier, you had the floor. Please proceed.

### MLA Remuneration

(continued)

**Ms Redford:** Thank you, Mr. Speaker. Last fall and during my leadership bid I made a point of ensuring that we were going to have a transparent process put in place with independent advice with respect to how MLA compensation should be structured. After I became leader of our party and became Premier, we asked for that review to be done, and we were fortunate enough to have a retired justice of the Supreme Court of Canada, Mr. Justice Jack

Major, provide us with that report and detail. My understanding is that between decisions that government has made and decisions that the committee will make, we will have a full response to that.

**Ms Smith:** Mr. Speaker, I would point out that the Premier had no problem talking about transition allowances in the direction she gave to her MLAs.

Given that the RRSP increase amounts to an 8 per cent jump in MLA pay and given that the Alberta Teachers' Association is being told by government that it's trying to stick to a 1 per cent increase this year, doesn't the Premier see that an 8 per cent pay increase for MLAs sends the wrong message to our public-sector unions?

2:00

**The Speaker:** Again, hon. member, please, let's understand that the committee is reviewing this matter right now, in general, about RRSPs, about pensions, about compensation and has not yet brought its report forward.

Hon. leader, please proceed with your third and final.

**Ms Smith:** Mr. Speaker, we are asking for a moratorium on discussions about MLA compensation until the budget is balanced. Will the Premier at least agree with me today that this is the right thing to do so that her people can feel free to support our motion?

**The Speaker:** Thank you.

The hon. member has noted that there are three points of order on this already. I think we'll get to that at the end, and we'll clarify what this is all about so that everyone understands that there are rules that govern certain proceedings here, in fact, all of our proceedings. I think we all ought to try a little better to follow them. I certainly wouldn't be following them if I allowed them to be broken or bent to the point where they appear to be breaking.

Let's go on, then, with the hon. Member for Calgary-Mountain View.

### Public Agencies Governance

**Dr. Swann:** Thank you very much, Mr. Speaker. Albertans may be surprised, as I was, that 250 government-appointed boards, agencies, and commissions spent approximately half of the provincial budget without any consistent oversight. This government in 2007 recognized this in a report called *At a Crossroads*, recommending that each ABC – agency, board, and commission – must have a precise mandate and that ABC members should be appointed based on competence. The government passed the Alberta Public Agencies Governance Act, Bill 32, in 2009 to attempt to implement these recommendations. Over three years have passed. This act has not been proclaimed. To the Premier: why has the law not been proclaimed, and when will you take steps to do so?

**Ms Redford:** Mr. Speaker, there's been extensive work done with respect to agencies, boards, and commissions. In fact, one of the things that is going on under Executive Council and the President of the Treasury Board is to ensure that all agencies, boards, and commissions are fully in compliance with the recommendations that were made with respect to that report. We're making tremendous progress with respect to that.

**Dr. Swann:** Making tremendous progress since 2007, when it was identified, and still nothing on the websites, Mr. Speaker. That's progress? I'm sorry.

Given that about one-third of ABCs have a mandate document posted online, even fewer have a current membership list, and given that the current Health minister said in reference to this legislation that "it's important to have legislation in place, reflecting this government's commitment to . . . transparency and accountability," how does the Premier ensure that these 250 ABCs are accountable to Albertans without proclaiming this legislation?

**Ms Redford:** Mr. Speaker, we do this every day through the public sector reform process, we do this every day through the Department of the Treasury Board, and we do it every day through Executive Council.

**Dr. Swann:** Mr. Speaker, of the 250 agencies, boards, and commissions we have looked at so far, their membership lists have 50 per cent of their members donating; 80 out of 90 of those donations go to the Progressive Conservative Party. Will the Premier commit to proclaim the act into law immediately and go a step further by not allowing any ABC members to donate to any political party?

**Ms Redford:** Mr. Speaker, I could say categorically that that hon. member has more information with respect to that issue than I or anyone on this side of the House. That is not a factor in anything that we do.

**The Speaker:** The hon. leader of the ND opposition, followed by the Member for Medicine Hat.

### Chief Electoral Officer Investigations

**Mr. Mason:** Thank you very much, Mr. Speaker. Based on a questionable interpretation of the elections financing act, the Chief Electoral Officer refused to release details of previous investigations into illegal political donations. Now his office is suggesting that the results of this latest investigation into the massive donation from Mr. Katz and associates to the PC Party will also be secret. My question is to the Premier: will she do the right thing despite the Chief Electoral Officer's bogus interpretation of his act and ensure that his report will be made public?

### Speaker's Ruling

#### Questions about Political Party Activity

**The Speaker:** Hon. member, before we get into points of order – I see two or three members rising – I ruled on this earlier this week, and I would ask you to please consider that ruling seriously and rephrase your question to not make it a question about any political party or its donations, as is consistent with what I said earlier.

Secondly, the comments about an officer of this Legislature: you might just want to rephrase that part of your question as well and perhaps bear in mind that he's not here to defend himself.

I invite the next question.

### Chief Electoral Officer Investigations

(continued)

**Mr. Mason:** Thank you very much, Mr. Speaker. I apologize for that.

The Deputy Premier said in this Assembly: "if the Chief Electoral Officer chooses to release information, he's privileged to do so as per the independence of his office. Nothing, in my opinion, in the legislation prevents him from doing that." My question is: does the Premier agree with her Deputy Premier?

**Ms Redford:** Mr. Speaker, first of all, it is not for anyone in this House to be making comments with respect to how the Chief Electoral Officer, who is an independent officer of this Legislature, interprets legislation. What I will say is that I do agree with my Deputy Premier in terms of his interpretation of the legislation although, as we know, he is not a lawyer.

However, that is not the point. The point is that we have made significant contributions with respect to transparency, from expense disclosure to a commitment to a FOIP review, public interest disclosure, whistle-blower legislation, and of course we will make whatever information is communicated to our party publicly available as soon as possible.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, just to give greater certainty to that last point: given the importance of full disclosure in election financing will the Premier release the Chief Electoral Officer's report herself if the Chief Electoral Officer refuses to do so, and if not, why not?

**Ms Redford:** Mr. Speaker, I'm going to suggest that the hon. member has just questionably interpreted my answer, which was "of course," which can also mean yes and can also mean absolutely. So he can interpret my answer in any way that he would like. It will be public.

**The Speaker:** The hon. Member for Medicine Hat, followed by the hon. Member for Edmonton-South West.

#### Travel to London Olympics

**Mr. Pedersen:** Thank you, Mr. Speaker. This PC government has shown once again that they are out of touch and only out for themselves. For a real Halloween scare Albertans need to look no further than our growing deficit and the million dollars wasted on a taxpayer-funded junket to the London Olympics. This may be Halloween, but Albertans are tired of the tricks this government keeps playing. To the Minister of Tourism, Parks and Recreation: will you admit this million-dollar junket was an irresponsible waste of taxpayer money?

**Ms Cusanelli:** Mr. Speaker, Alberta needs to build bridges, not walls. Our future depends on the connections that we make beyond our borders. We are already seeing the return on our investment that will be a lasting payoff for Albertans.

Thank you.

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

**Mr. Pedersen:** Thank you, Mr. Speaker. Given that the Minister of Tourism, Parks and Recreation likes to just dance around the issue, maybe the Minister of Culture will tell Albertans what cultural value was gained by having over a hundred thousand dollars flushed down the toilet in empty and unused hotel rooms.

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

**Ms Cusanelli:** Thank you, Mr. Speaker. I will answer the question. People in key areas of our economy – artists, tourism industry, agrifood sector, technology sector – are telling us that this mission has been valuable to them, and that is what matters to us. What is good for our key industries is what is good for Alberta.

Thank you.

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

**Mr. Pedersen:** Thank you, Mr. Speaker. I'd like the member to table all those statements that she made.

**An Hon. Member:** Investors.

**Mr. Pedersen:** The investors.

Given that the PC government passed a hat around their caucus to pay for their friends on the no-meet committee, will the Associate Minister of Accountability, Transparency and Transformation commit to being accountable and ask that they do the same to repay Albertans for the cost of empty and unused hotel rooms on the London Olympic junket?

**Ms Cusanelli:** Let's be clear, Mr. Speaker. The expenses for the hotel rooms are frustrating, and I share that frustration with Albertans. Our decision to reduce a delegation to ensure a focused, effective mission was the right decision. We wanted to ensure that we had a strong presence in London, and we accomplished that goal. That was the goal of our mission, and it is done.

**The Speaker:** The hon. Member for Edmonton-South West, followed by the hon. Member for Calgary-Fish Creek.

2:10

#### Capital Infrastructure Planning

**Mr. Jeneroux:** Thank you, Mr. Speaker. It's been reported by a reputable Edmonton newspaper that there's a possibility that next year's capital plan will include a list ranking the province's top infrastructure projects from one to 100 and beyond. My question is to the President of Treasury Board. Edmonton has several important capital projects proposed. Will they be included in the plan, along with a detailed timeline for completion?

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

**Mr. Horner:** Thank you, Mr. Speaker. Indeed, we are reviewing the processes for allocating funding for capital projects. We spent the summer and this fall travelling and talking with Albertans and have heard their thoughts on what infrastructure is needed. We're certainly putting that together.

Certainly, the opposition gave us their billion-dollar wish list over the last couple of weeks as they gave their maiden speeches. You know, Mr. Speaker, it's interesting that while they campaigned on cutting infrastructure spending by 25 per cent, now they're talking about spend, spend, spend in all of their speeches. I'm wondering if that's in their priority list.

**Mr. Jeneroux:** My next question is to the Minister of Transportation. Can you tell this House how this government will decide Albertans' priorities: a hospital in this community versus a school in another community, a road, a bridge, a waterline? [interjections] It needs to be clear, Minister.

**The Speaker:** Hon. Member for Airdrie, please.

Member for Edmonton-South West, I did not hear the end of your question. I hope the minister who is expected to answer did.

The hon. Transportation minister.

**Mr. McIver:** Thank you, Mr. Speaker. To answer the hon. member's question, when we're deciding on infrastructure priorities, we talk about traffic volumes, safety records, collision statistics, infrastructure conditions, economic activity, new developments that are occurring. We do it in the interest of all Albertans, not in the interest of individual ridings, as was presented

by the members across in their speeches asking for spending only in their ridings, three-quarters of a billion in the critic's alone.

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

**Mr. Jeneroux:** Thank you, Mr. Speaker. Back to the President of Treasury Board: will this mean our government will see an increase in lobbying for projects, trying to influence decision-making?

#### **Speaker's Ruling Decorum**

**The Speaker:** Hon. members, if you could just keep the noise down. There are conversations going across the floor here, and there are interjections of all kinds. I'm having trouble hearing, and I'm sure people in our galleries are having trouble hearing, and who knows who else is having trouble hearing.

However, I invite the Minister of Finance to respond.

**Mr. Horner:** Thank you, Mr. Speaker, and well said. The decorum in this House should be respected.

#### **Capital Infrastructure Planning (continued)**

**Mr. Horner:** I do believe that there will be efforts to talk to us about where the priorities lie for each riding. I would also agree that every MLA has a duty to bring forward his issues, and we do that as a caucus.

I hope that the finance critic was listening to all of his colleagues and their more-than-billion-dollar requests for capital that are over and above what the rest of the province needs.

I would also say, Mr. Speaker, that we listen to our municipalities. We support our municipalities. We don't tell them what to do.

**The Speaker:** The hon. Member for Calgary-Fish Creek, followed by Edmonton-Decore.

#### **Whistle-blower Protection (continued)**

**Mrs. Forsyth:** Mr. Speaker, thank you. The bullying and intimidation of our doctors and our health professionals is one of the biggest issues that has faced this province. It peaked this spring when the Premier broke her promise, calling an inquiry that fails to address this serious issue. Now, in the government's whistle-blower release yesterday, which was more a trick than a treat, we find our protection will only apply to wrongdoings in 2013. Does the associate minister of transformation really think that trying to shut the door on the government's bullying of our health care professionals or, for that matter, any other public employee is truly being accountable and transparent?

**Mr. Bhullar:** Mr. Speaker, clearly, the members opposite have no clue what they're speaking about. The fact is that this new piece of legislation will allow the commissioner to go back and investigate as long as he so wishes. It would be very nice if those members opposite paid attention to the facts in this House and spoke about something that's real for once.

**Mrs. Forsyth:** You know, Mr. Speaker, it's interesting. The member calls us clueless, and I wonder who the clueless one is here.

If the Associate Minister of Accountability, Transparency and Transformation is all of the above and claims to be an agent of change, what will the minister do to ensure that our health inquiry expands to include the serious issue of the bullying and intimidation of our health care professionals?

**Mr. Scott:** Mr. Speaker, I'm very proud to say that we're leading the way in openness and transparency in this position. We are. We have the most robust expense disclosure policy. We introduced whistle-blower legislation. We're going to be reviewing the Freedom of Information and Protection of Privacy Act. Our Premier asked that this jurisdiction lead Canada in openness and transparency. That's exactly what we're delivering.

**Mrs. Forsyth:** Mr. Speaker, the minister just doesn't get it.

Given that this Premier during her leadership campaign last September quite clearly stated that she wanted protection for whistle-blowers, who can go to opposition parties, the media, the courts, or to the general public, can the minister please explain how the Premier will be held accountable for her latest broken promise to protect whistle-blowers?

**Mr. Scott:** Mr. Speaker, this legislation does not restrict the whistle-blower from going to any of those persons that were just mentioned. They can go to the media. They can go to anyone that they wish. Our act focuses on getting something done about the whistle-blowing issue. Our legislation is going to be able to react to problems. I don't just want the issue to be reported. We want to do something about it, and that's what this legislation is going to accomplish.

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

#### **School Class Sizes**

**Mrs. Sarich:** Thank you, Mr. Speaker. I've been hearing from a lot of sources big concerns about the tremendously large class sizes in our junior and senior high schools across the province. I can't turn around without someone asking about big class sizes, particularly in the cities. It would be helpful to receive the actual numbers in the situation. To the Minister of Education: how many classes in each of grades 7, 8, and 9 in Alberta's junior high schools have 30 or more students? Of those, how many have 35 or more students?

**Mr. J. Johnson:** Mr. Speaker, this is a great question. Class size is really an important issue and one we've been working hard to address. I can tell you that last year we had just over 45,000 classes serving our grades 7, 8 and 9 students across the province. About 10 per cent of those had class sizes of just 30 kids, and 1 per cent of those had class sizes of more than 35 kids.

I think it's also important to note how much we're investing in the class size initiative: \$1.6 billion since 2006, \$232 million this year alone, Mr. Speaker. As a result, less than one-third of a per cent of our K to 3 classes, which is where we're focusing our money, have over 30 kids.

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

**Mrs. Sarich:** Thank you, Mr. Speaker. To the same minister. It's important to know how many classes in each of grades 10, 11 and 12 in Alberta's senior high schools have 30 or more students. How many of those have 35 or more students?

**Mr. J. Johnson:** Mr. Speaker, for the high schools we had 24,000 classes. About 16 per cent of those had more than 30 students, and 8 per cent had more than 35 students last year.

I want to point out that Education does not mandate specific class sizes as there's no one-class-size-fits-all for this province. But we do have guidelines for the school divisions, and those school boards are in the best position to determine the needs of their local classes. For one school 30 might be just fine. For another, a class of 12 kids may be an issue because of diversity in the classroom. I know that as a parent, and I've experienced that as a parent myself.

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

**Mrs. Sarich:** Thank you. Again to the same minister: how do these figures which you have presented to the Assembly today compare to those from the 2010-2011 and 2011-2012 school years?

**Mr. J. Johnson:** Mr. Speaker, our junior high students have seen a slight increase in the number of classes with 30 or more students, about half a per cent. For high school it was slightly less, with an increase of .4 per cent. I think, again, it's important to note that class size, as important as it is and as much money as we're investing in it and as much attention we want to pay to it, is just one of the factors of success, the other factors being: what is the makeup of that class, the diversity and the challenges that are in that class? The third really important one is the skill level of the teacher. We're paying very close attention to all three factors.

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

## 2:20 Labour Protection for Paid Farm Workers

**Dr. Swann:** Thank you, Mr. Speaker. Over the summer there was discomfort across the agricultural sector over the possibility of a boycott of Alberta products from international corporations such as Pepsi, Frito-Lay, McDonalds, and Yum! foods, who have strong ethical procurement positions related to child labour and human rights in agriculture. It is interesting to note that the city of Medicine Hat is now also looking at its procurement policy. As most Albertans are shocked to realize, the paid people employed to produce our food, not including family members of family farms, are without protection under occupational health and safety, WCB, and labour standards for children. To the agriculture minister: are you concerned that these major buyers of Alberta meat and other produce, seeing the conflict, may be forced to boycott . . .

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

**Mr. Olson:** Well, first of all, Mr. Speaker, I will acknowledge the hon. member's interest in this issue. He's been talking about it for some time. I want to acknowledge that, but I also want to say that I'm very disappointed at his comments, which put our industry at risk in terms of talking about boycotts and, I would say, encouraging multinationals to boycott Alberta farmers, Alberta producers, and Alberta workers.

Now, we take this issue very seriously. We're very interested in worker safety, too. That's why we have struck a Farm Safety Advisory Council. I have their report. The Minister of Human Services and I are working on a response.

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

**Dr. Swann:** Thank you. Well, I'm concerned about your lack of commitment as a lawyer to human rights in this province.

To the Finance and Treasury Board minister: is it acceptable to you that commercial agricultural operations choosing not to have WCB are downloading health care costs onto the public purse to the tune of \$4.5 million annually, at a minimum, according to a local expert? That's a lot of hip replacements, road work. How do you feel about that?

**Mr. Horner:** Well, Mr. Speaker, first of all, I'd like to know who the local expert is that came up with that number.

Secondly, coming from a farming family myself and having some history in the agricultural community, I'm obviously concerned about farm safety, very concerned. I've had friends who have been injured on the farm because they were farming their farm. The two ministers are working on the report. We expect to have the results of that soon.

**Dr. Swann:** Yes. They've been working on it for decades. How many more decades, Mr. Minister?

To the Human Services minister: since the Premier pledged to extend occupational health and safety and WCB to paid farm workers, excluding family farm members, the question is: when? Albertans want to see change.

**Mr. Hancock:** Mr. Speaker, seeing as that question has been answered twice already, that we're working on it and it'll be coming shortly, perhaps I could use the time that I have to ask the hon. member to stop disrespecting potato farmers and other farmers in the province by encouraging international companies who have got policies to boycott their products.

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

## Corporate Sponsorships in Schools

**Mr. Eggen:** Thank you, Mr. Speaker. It's becoming more clear that this government simply does not provide the funding that school boards need to run our education system properly. Yesterday we heard that the Calgary board of education has started a discussion about accepting corporate sponsorships to fund their schools. Schools are public institutions, and they should not be put up for sale. To the Minister of Education: why is this minister not taking action to protect the integrity of our public schools?

**Mr. J. Johnson:** Mr. Speaker, I think that's quite an allegation, that our schools are up for sale to the private sector. I've heard nothing of that sort, and I'd encourage the member to actually talk to the CBE. I'd also ask: why wouldn't we invite industry and partners into our schools? Why would we refuse donations of the latest, greatest technology that our kids can be exposed to? Why would we not want to engage the people that are going to employ our kids as they come out of the school system? I wonder if the member has actually read any of the work of Inspiring Education, where it talks about engaging the community and engaging the business community and those folks with respect to our education system.

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

**Mr. Eggen:** Thanks, Mr. Speaker. Well, given that without an increase in funding from Alberta Education Edmonton public schools will be facing a \$1 billion infrastructure deficit by 2021



and given that this government has a deficit of its own to deal with, what plan does this government have to keep our education system running without forcing school boards to go cap in hand to the corporate sector for sponsorship?

**Mr. J. Johnson:** Mr. Speaker, I have no inclination that this potential partnership that the CBE is looking at is to just generate revenue. This is to generate partnerships with industry. This is a good thing. This is not a bad thing. As a parent I want my kids exposed to the latest, greatest technology. I want them to be aware of what kind of job opportunities and work experience opportunities and internships are out there. We've been trying to push school divisions and push the education system to adapt that entrepreneurial spirit as one of the core things that we want to deliver. How do you deliver that without inviting entrepreneurs into the system?

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

**Mr. Eggen:** Thank you, Mr. Speaker. Well, given that the education system is relying on P3s for infrastructure and on school fees for instructional costs and with reports of corporate sponsorship for schools in Calgary, would this minister explain what he will do to reverse this race to the bottom where piece by piece the integrity of our public school system is being sold off?

**Mr. J. Johnson:** Mr. Speaker, anyone that talks about our education system being on the bottom is completely out of touch. Alberta has a world-class education system recognized right around the globe as one of the top jurisdictions in the world, and one of the reasons is that we will overturn every stone we can to get at the partnerships, to get at the funding, to get at the latest research to make those classrooms better for our kids so our kids have more opportunities than anyone else on this planet.

**The Speaker:** The hon. Member for Cardston-Taber-Warner, followed by the Member for Barrhead-Morinville-Westlock.

### Energy Technology Expenditures

**Mr. Bikman:** Thank you, Mr. Speaker. You know what is scary? Our growing deficit. The Minister of Enterprise and Advanced Education seems oblivious to the government's record of wasting billions of dollars on corporate welfare like AOSTRA 2 instead of putting Albertans first: fixing health care, balancing the budget, and eliminating school fees. We've seen this before as the government continues to pump \$2 billion of hot air into the ground. To the Minister of Enterprise and Advanced Education: are you not aware that this is exactly the kind of government waste that should be slashed to balance the budget?

**Mr. Khan:** Thank you, hon. member, for the question. Mr. Speaker, during members' statements not that long ago a number of members from across the aisle acknowledged the visionary contribution of Peter Lougheed to this province. Premier Lougheed was the man who came up with the original concept for AOSTRA, which is being taught in European classrooms as visionary legislation. AOSTRA 2 is a legislation and a vision for this province to continue on that visionary path that Premier Lougheed set for this province, and it will build to establish Alberta as the best place in the world to do business as the cleanest energy provider.

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

**Mr. Bikman:** Thank you, Mr. Speaker. I find it amazing that this minister thinks the government knows better than everyday Albertans how to spend their money. Given that this government has a terrible track record of picking winners and losers, holding out billions on a silver platter for corporations on unproven carbon capture technology or even the so-called world-class magnesium plant, will the minister explain why more government waste, more deficits, and more corporate welfare are this government's priorities?

**Mr. Khan:** Mr. Speaker, I believe the hon. member is fully aware that our Minister of Finance, the President of Treasury Board, toured this province engaging Albertans in conversations about our financial future, all of which the hon. members across the aisle were invited to participate in. Thankfully, one took us up on the offer.

**An Hon. Member:** Two.

**Mr. Khan:** Two. Thank you.

Mr. Speaker, I'm proud to be on this side of the aisle with the visionary leadership that establishes Alberta and understands the value of research and science. With all due respect, we're not certain that those folks on the other side of the aisle are the best people to make recommendations in terms of scientific innovation.

**Mr. Bikman:** Mr. Speaker, I can't say I'm surprised by the minister's strong defence of wasteful spending.

Again to the minister: will you stop hiding behind this bureaucratic, make-work, corporate welfare project and admit that AOSTRA 2 is a complete waste of taxpayer dollars? It's the epitome of wasteful spending and incompetence and is exactly why we're drowning in red ink.

2:30

**Mr. Khan:** Mr. Speaker, quite the contrary. I am so proud to stand here and defend AOSTRA 2 as a visionary statement in terms of Alberta's position, and I'm proud to tell you that we will continue to be at the forefront of innovation, the forefront of research because Alberta is not only established as a leader within Canada, but we are recognized as a leader in research and innovation around the world. We will continue to do so, and we will continue to reap the economic benefits of that research and innovation.

**The Speaker:** The hon. Member for Barrhead-Morinville-Westlock, followed by Cypress-Medicine Hat.

### Cardiff Road Overpass

**Ms Kubinec:** Thank you, Mr. Speaker. Highway safety is of particular importance to my constituents in Barrhead-Morinville-Westlock. Two top priorities identified are the completion of the Cardiff overpass near Morinville and the paving of highway 661. My first question relates to the delay of the Cardiff overpass completion. There have been many accidents and a tragic death this summer. To the Minister of Transportation: when will the government commit to increasing highway safety at the Cardiff intersection and complete the Cardiff overpass?

**The Speaker:** The Minister of Transportation.

**Mr. McIver:** Thank you, Mr. Speaker. I thank the member for the question. This intersection is a priority for residents of the area, and I would also like to recognize that the hon. member is actually working with the locally elected municipal council on this issue

because I'm hearing the same thing from them. The first phase of construction is complete, including a temporary detour and a realignment of 100th Street. There are also in place advance warning signs, warning lights, reduced speed limits, and acceleration and deceleration lanes. We'll continue to work with the hon. member and the local municipal council to address this issue.

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

**Ms Kubinec:** Thank you, Mr. Speaker. To the same minister: is the government considering temporarily lowering the speed limit or increasing law enforcement presence until the overpass is completed?

**Mr. McIver:** Well, Mr. Speaker, I have to say to the hon. member that she might be disappointed. The speed limits on this particular intersection have already been reduced, and today there are no plans to reduce them further.

Between a combination of work that's been done and, thankfully, safe driving practices by Albertans using this area, we hope to make sure that motorists will ensure that this is a safe intersection. I'll also continue working with my colleague the Solicitor General to make sure that there is enforcement out there for those few Albertans that somehow need to be reminded.

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

**Ms Kubinec:** Thank you, Mr. Speaker. Again to the same minister: given that both Westlock and Barrhead counties have identified the paving of highway 661 as their number one priority, can the minister assure us that the upkeep of this highway will be improved until that stretch of road is slated for paving?

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

**Mr. McIver:** Thank you, Mr. Speaker. On highway 661 we do monitor to make sure that it's maintained at what we consider a high standard of safety. At this point 661 is not in the three-year plan to be replaced, but I'd like to assure the hon. member, who has been pretty diligent in going after me on this issue, that we review the plan every year. We examine traffic volumes, safety records, infrastructure conditions, and as the needs arise, I'd like the hon. member to know we will take action and fix the road as it needs fixing.

**The Speaker:** The hon. Member for Cypress-Medicine Hat, followed by Strathcona-Sherwood Park.

### Highway 63

**Mr. Barnes:** Thank you, Mr. Speaker. Speaking of taking action, winter is fast approaching, and with it comes an urgency to complete the maintenance on that 70-kilometre stretch of highway 63 north of Wandering River. Last week the Transportation minister boasted that he was getting the job done and was even taking an extraordinary step of bringing in a fancy piece of equipment to get the lines painted quickly. Despite these assurances, none of this work has taken place. Alberta drivers want to know, first of all: is there a cost overrun, and who is paying for it, the general contractor or taxpayers?

**Mr. McIver:** Mr. Speaker, I thank the hon. member for the question. It's more timely than the hon. member knows. I've been on top of this every single day. Because I've been on top of that, I know that as of 1:30, just by coincidence the same time the House

started sitting today, there is that fancy equipment, rightly described, out painting lines on that section of road.

**Mr. Barnes:** Given that snowfalls are inevitable during the winter months in northern Alberta, contributing to difficult driving conditions, and given that proper road lines are central to enhancing road safety for motorists and given that safety is very, very serious and the highway very, very important to Alberta, why wasn't this finished sooner?

**Mr. McIver:** Well, I'm grateful for the endorsement by the hon. member of the good work we're doing, the fact that we're out there.

Mr. Speaker, if the hon. member was listening when I answered a similar question in the House earlier, this project, when it's done, will be completed somewhere between eight and eight and a half months earlier than the original schedule of July 2013.

**Mr. Barnes:** Mr. Speaker, I'd like to go back to my very, very first question. A lot of Albertans have expressed concern about the cost of this extra machine. A lot of Albertans have expressed great concern about the safety of the highway, and we empathize with all Albertans. Will the minister please talk about the cost of the machine and who is paying for it?

**Mr. McIver:** Well, Mr. Speaker, the taxpayers of Alberta are paying for the construction of this road, and this particular exercise is no exception. This government has decided and my ministry has decided that the safety of Albertans is worth—I will get the hon. member the exact number; it seems to me it's in the neighbourhood of \$30,000, but I will get the exact number. This government considers that a legitimate expense. Rather than having Albertans not drive safely on this new section of road that they paid for for another six or eight months, we decided that while that was an additional expense, it was quite reasonable to add that level of safety this winter for all Albertans using highway 63.

**The Speaker:** Thank you.

The hon. Member for Strathcona-Sherwood Park, followed by Rimbey-Rocky Mountain House-Sundre.

### Heartland Electricity Transmission Project

**Mr. Quest:** Thank you, Mr. Speaker. The heartland transmission line will soon be under construction through my constituency. Many of my constituents are questioning the need for this line. To the Minister of Energy: since the decision was made by a former cabinet, would the minister provide detailed information on why a 500-kV, 6,000-megawatt line is required?

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

**Mr. Hughes:** Thank you very much. The Alberta Electric System Operator, AESO, identified this project as being required as early as 2007 in the long-term transmission system plan. It was reaffirmed in the 2009 long-term plan. You know, common sense just tells us. If you look at the Fort Saskatchewan, 37 per cent growth over the last 10 years; Strathcona county, 30 per cent growth over the last 10 years. The Industrial Heartland is home to more than 40 new companies, 11 new projects announced during the planning stages, large-scale industrial complexes. Yes, Mr. Speaker, I'd be happy to . . .

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

**Mr. Quest:** Thank you, Mr. Speaker. My first supplementary to the same minister: what's the timeline for construction now for the heartland transmission line, and when can we expect to see it actually fully energized?

**Mr. Hughes:** Well, I'm always happy to talk about fully energized, Mr. Speaker. The target for completion of the line would be approximately a year or a little bit more than that. It will be within the next year and a half or so and fully energized within a short period thereafter.

**Mr. Quest:** Second supplementary to the same minister, then, Mr. Speaker: what's the latest anticipated cost now of this line, of this project, and what will it amount to on Albertans' power bills?

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

**Mr. Hughes:** Thank you, Mr. Speaker. One would expect this to cost approximately 60 cents for each of the consumers in the province.

**The Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre, followed by Edmonton-Gold Bar.

#### **Ferruginous Hawk Habitat**

**Mr. Anglin:** Thank you, Mr. Speaker. What's really scary about this government is its inability to follow the law. Early this year ESRD gave ATCO permission to remove the nesting platforms of the ferruginous hawk. This hawk is protected by the Canadian Species at Risk Act, yet yesterday the Minister of ESRD stated twice that Dr. Schmutz was extremely pleased with ATCO and ESRD. Why did the minister misrepresent Dr. Schmutz's initial outrage when he wrote to the minister calling the removal of these nesting sites a breach of due diligence, ill conceived, and a mockery?

2:40

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

**Mrs. McQueen:** Thank you, Mr. Speaker. It is my understanding that Dr. Schmutz certainly in the beginning wasn't happy with this but that with the outcome that has happened with these hawks, that their nests are there, he is happy with that. That's what my understanding is. They're working together, Dr. Schmutz and the department and ATCO. The important thing is that these are an important species for us and that we're working together to find solutions for these species.

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

**Mr. Anglin:** Thank you, Mr. Speaker. Given that this government claims to consult and given that Dr. Schmutz was clearly never consulted with regard to his ongoing research and the removal of these nesting sites, how did this government arrive at its decision, and by whose authority did this government allow ATCO to remove these nests?

**Mrs. McQueen:** Well, certainly the department has been working with ATCO and with the groups around there and with advice from experts like Dr. Schmutz as well to make sure that this important species is being taken care of. The nests are there to make sure that we take care of these important hawks.

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

**Mr. Anglin:** Thank you, Mr. Speaker. Given that power lines actually kill hawks and given that the removal of these nesting sites violates the Canadian Species at Risk Act and given that the illegal action jeopardized an ongoing 28-year scientific study, will the minister admit that the decision to remove these nesting sites of the ferruginous hawk was an illegal action that violated the Canadian Species at Risk Act?

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

**Mrs. McQueen:** Thank you, Mr. Speaker. As I have said in both answers and as I said yesterday, ESRD is working with ATCO and is working with experts to make sure that we are taking care of the species at risk and to make sure that these hawks are taken care of as well.

**The Speaker:** Hon. members, that concludes question period. In a few seconds from now I will continue with Members' Statements, starting with Edmonton-Manning.

#### **Members' Statements** (continued)

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

#### **Northeast Anthony Henday Drive**

**Mr. Sandhu:** Thank you very much, Mr. Speaker. I rise today to speak to the ongoing construction of the northeast leg of Anthony Henday Drive. We had the sod-turning this summer to start construction on the northeast section of the Henday. Since the sod-turning large construction machinery can be seen moving materials day and night to complete the section by 2016. As the construction runs from Manning Drive to end just south of the Whitemud, this project directly affects my constituency of Edmonton-Manning and the capital region.

The completion of this ring road project is one that people of the capital region and I are looking forward to as construction is planned to end in 2016. When the project is completed, it will include nine interchanges, two road flyovers, eight railroad crossings, and two bridges across the North Saskatchewan River, a total of 46 bridge structures.

Funding from the Alberta government along with private partnership will enable construction to end a full three years earlier than initially projected. It supports an ever-changing and expanding population and furthers Alberta's economic growth.

I look forward to witnessing the impact that the ring road may have on reducing commute times and traffic congestion for the residents in my constituency of Edmonton-Manning and for all Albertans who use the roadway.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Banff-Cochrane, followed by the Leader of the Official Opposition.

#### **Banff-Canmore 878 Air Cadets Squadron**

**Mr. Casey:** Thank you, Mr. Speaker. The Canadian cadet organization is one of the largest youth programs in Canada and includes Royal Canadian sea, army, and air cadets. This is a national program for young Canadians aged 12 to 18 which provides a variety of challenging and rewarding programs. Cadets learn valuable life skills such as teamwork, leadership, and citizenship and carry these skills into their adult lives.

Mr. Speaker, the Bow Valley is privileged to have the Banff-Canmore 878 Squadron located in our communities. This year they will be celebrating 33 years of service to our community.

Since its inception 878 Squadron has worked hard, building strong relationships with the surrounding communities. Their members are from Canmore, Banff, Exshaw, Morley, and Lake Louise. They are sponsored by three branches of the Royal Canadian Legion: No. 3, Three Sisters branch in Canmore; No. 26, Colonel Moore branch in Banff; and No. 179, Heart Mountain branch in Exshaw.

Supporting the squadron's 47 cadets is an incredible group of dedicated and skilled volunteers, which includes six officers, four civilian instructors, and a large, active Sponsoring Committee. Over the years 878 Squadron has been recognized with many individual and squadron awards. The latest of these is being named top air cadet squadron of the 96 units in the prairie region for 2010-11.

We are incredibly proud of all the young people taking part in the 878 air cadet programs, everything from biathlon to flight training to survival training, the programs too numerous to list here. The cadet program, Mr. Speaker, does work, and it is an asset in any community. We are very lucky, indeed, to have 878 Squadron in ours.

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition.

#### Government Accountability

**Ms Smith:** Thank you, Mr. Speaker. Albertans are honest, forthright, and upfront. These are our core values that make us who we are, so naturally we are disappointed when the government fails to live up to those values. We were promised a new approach to accountability. It was central to the arrival of a new leader, a new Premier, and a new government. Honesty, openness, transparency: these words were and still are tossed about daily from the other side with no regard for what they actually mean.

The reality is quite different: denials, secrecy, silence. This is what has come to define this government under this Premier. Her words and their actions just don't line up. Albertans have to look no further than what has transpired in this Assembly since we reconvened last week. Daily questions about MLA pay hikes and questionable political contributions to this PC government are met with scorn, ridicule, crude jokes, and stonewalling. We're not asking for much, Mr. Speaker, just the truth, just what the Premier promised when she said, and I quote: if what we are doing doesn't pass the highest levels of scrutiny, we shouldn't be doing it. Unquote.

Those words ring especially hollow today, the day we learn that Elections Alberta will indeed investigate her party for accepting a massive election contribution from a single source. Mr. Speaker, the Premier has an opportunity to save Alberta taxpayers a whack of dough and start repairing her tattered reputation on accountability and transparency by doing one simple thing, release the cheques. If this contribution was above board, if she's done nothing wrong, the cheques will prove it, so just release them. We doubt that will happen because despite claiming to adhere to, quote, the highest levels of scrutiny, this government's words and its actions tell a different story.

Mr. Speaker, the Wildrose Official Opposition is deeply committed to keeping this government accountable and transparent, and for us that's more than just words.

#### Tabling Returns and Reports

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

**Mrs. Towle:** Thank you, Mr. Speaker. I've got the required number of copies of Annie Boychuk's personal story in her own words, and I'd like to present it to the hon. members.

**The Speaker:** The hon. Associate Minister of Services for Persons with Disabilities.

**Mr. Oberle:** Thank you, Mr. Speaker. Yesterday during debate the hon. Member for Edmonton-Strathcona indicated that the Alberta College of Social Workers had written to the government – I believe she said they were requesting a meeting – and had never even received a response. The College of Social Workers did indeed write to the hon. Minister of Human Services, but the letter did not actually request a meeting; it provided some input. They did receive a response. I'm tabling the appropriate number of copies.

**The Speaker:** Thank you.

Are there others? No other tablings? Thank you.

2:50

**The Speaker:** Hon. members, there were some points of order. I don't know if the members who raised them wish to proceed with them, but this would be the time. I think in the order that I recall them, Member for Airdrie, were you first? Please.

#### Point of Order

##### Factual Accuracy

**Mr. Anderson:** I'm just again referring to our favourite section, 23(h), (i), (j), and (l), a new one that was introduced to me by the House leader yesterday, a very, very good section. Mr. Speaker, we try to come into this House and debate issues. From time to time we do get answers. A lot of time we get answers we don't like, and we understand that. But when a minister of the Crown stands up and specifically misrepresents what another party has said, it's very difficult to conduct any kind of civil discourse. The innuendo does happen from time to time, and we ignore it, but when it's so blatantly false, when it's so completely false, that makes it difficult.

The Minister of Municipal Affairs clearly stood up in this House and said that the Wildrose 10-10 plan would severely cut funding for municipalities. It is completely unfounded, completely untrue. If he looks at the 10-10 plan, what it does is that it takes all of the municipal grants that are out there right now that the government gives to towns, rolls them up into one grant – okay? – and essentially replaces that grant with tax revenue of the same amount. It actually equates more because you don't have these granting application processes and bureaucracies filtering them and so forth. It just gives the money to the municipalities.

We did a detailed costing that was looked over by several professors of public policy at the University of Calgary and others. Costed, accounted for, et cetera. It did not result in a lower amount of money going to municipalities. It actually increased the amount going to municipalities.

We're not going to try to misrepresent what their municipal policy says. We know what the MSI is. We've said the numbers. They're written down. We don't say that MSI is going to take money away from municipalities that wasn't there before. That's not true either, so we don't say that. I just ask that we keep this

civil, we keep it to the truth, and not misrepresent so blatantly what other people have to say.

**Mr. Griffiths:** Well, Mr. Speaker, I don't think that this is a point of order. Their plan had said before that it was going to take 10 per cent of 10 per cent of taxes and then 10 per cent of surplus. It doesn't take a genius to sit down with the budget and calculate. We've got \$40 billion in revenue coming in. Thirty-four per cent of that comes from income and corporate tax. Ten per cent of that is \$1.36 billion. All the funding we provide now is \$2 billion. That's a cut of over \$600 million, and I'm being generous. I've heard municipalities talk about this. If you even factor in the cigarette tax and the alcohol tax and the gasoline tax, it's still at least \$400 million less than the \$2 billion that they get now. I'd argue this is not a point of order; this is a dispute among facts. They don't like the facts, and that's what this dispute is about.

**The Speaker:** Hon. members, I've commented on this before, and I hope I don't have to comment on it again any too soon. You will recall that on October 29 I referred to *Beauchesne's* 494. Now, before I rule on this, is there anyone else that has something new to add that perhaps I haven't heard or the Assembly hasn't heard?

**Mr. Mason:** Want to hear about the NDP policy?

**The Speaker:** Thank you.

Hon. members, I would refer you to the Speaker's comments of October 29, just two days ago, page 289, wherein I stated that "we often receive clarifications" in this House, and "as all members here would know, *Beauchesne's* 494 does have a nice citation" in that respect. Just to remind you all, I will read it to you once again, and hopefully it will sink in a little more deeply with all members on all sides of the House. It's headed Acceptance of the Word of a Member, page 151 in my version of *Beauchesne's*, sixth edition. It says under 494: "On rare occasions this may result in the House having to accept two contradictory accounts of the same incident."

When that happens – and it has happened in this House many times – we frequently get points of order about it. Points of order lead to a use of time. Points of order sometimes lead to additional comments by additional members, sometimes abusive and disruptive behaviour occurs, and we have to accept that one person's version of it is this; another one is that. As such, this is registered officially as a point of clarification, not a point of order, but for each of you to please reflect on.

The hon. Government House Leader with a second point of order.

**Mr. Hancock:** Thank you very much, Mr. Speaker. I think that's a very delicate way of putting it with respect to the last point of order given that so many times even the word "misrepresentation" came up. But I digress.

## Point of Order

### Questions about Legislative Committee Proceedings

**Mr. Hancock:** My point of order is under *Beauchesne's* 411(3), as you so rightly have quoted a number of times, that a question may not "seek information about proceedings in a committee which has not yet made its report to the House." I could give a number of other citations, but I think it's fairly well understood that the House has delegated certain responsibilities to committees. One of the committees that we have is the Members' Services Committee. The Members' Services Committee has the full authority to debate and set members' stipends and members' benefits and those sorts of things. It doesn't come back to the

House for approvals to do that. It does it under the delegated authority that it has. Those are within the purview of that committee.

The House received a report from Justice Jack Major in the spring session and referred that report to the Members' Services Committee, asking the Members' Services Committee to implement the report but for two items, I believe, that the House did not agree with and asked the committee to look at the pension recommendation in the report and report back to the House on that. That's clearly something that has been given to the committee. The committee has not yet reported on it.

It is entirely out of order for the hon. member opposite, the Leader of the Official Opposition, and others who have raised questions on other days to raise questions in the House about the proceedings that are before the committee. They are members of the committee. In fact, the hon. member raising the question is a member of the committee. She has a place to raise those questions. It's in public. It's on *Hansard*. It's got every opportunity to make the case that she wants to make about anything. That is not the purview of question period. That's not allowed in question period.

As well, Mr. Speaker, I think that there are other offending pieces to the way the questions have been raised in this particular area. One of them is this constant demand that the Premier tell her members how to vote. It is not appropriate for the Premier to tell her members how to vote. Every member in this House is voluntarily a member of a caucus. We can get together and we can discuss things. We can advise our members of committees what our views are.

Those discussions are the discussions of our caucus. Their caucus has discussions. I assume their caucus has discussions. I assume the hon. Leader of the Official Opposition is not a dictator, benevolent or otherwise. I presume that caucuses have discussions, challenge positions, decide on things, but members of the House have their position. It's not appropriate for the hon. member to ask the Premier to direct her members to do anything.

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

**Mr. Anderson:** Thank you, Mr. Speaker. As a member of that caucus for two years I know full well that we were whipped many, many times on virtually every single bill. To say that that's not the case . . .

**Mr. Horner:** You've never been a member of this caucus.

**Mr. Anderson:** I guess they could have changed that policy, but so far we haven't seen one person stand up against a government bill. If the Premier really believes that, then we should see if her MLAs actually start living it.

With regard to the issue of commenting on the committee proceedings, we are fully aware and the opposition leader is fully aware that when a matter is before a committee, she cannot comment on it. She gets that. We understand that, okay? The problem here is that, first of all, there is some confusion, Mr. Speaker, and I hope you can clarify it for us going forward. We are under the impression that a motion was passed in that committee. That motion specifically set out a transition allowance and specifically set out a raise in the RRSPs. Now, that was a motion – it's in the *Hansard* there – that was passed and then referred back to the House. I don't know if it's been sent back. It hasn't been sent back by the House, obviously, but maybe the committee has said: just hold on; we're going to do this again. I'm not sure. Maybe that's where some of the confusion is coming from. So if you could please clarify that.

3:00

That said, what we've been talking about in caucus is that when we address these things in question period, we're trying to understand what the policy of the Premier is, what the policy of the government is on a specific issue. We all know that in our system the Premier has a lot of influence on the decisions that her MLAs make. If they're not whipped, if you don't want to fess up to that, that's fine. Okay. Apparently you have free votes. Certainly, she has a lot of influence on their opinion, you would think. We're trying to figure out, this leader is trying to figure out what that opinion is on, specifically, MLA salaries.

Now, this Premier has stood up multiple times in this House saying how she has ended transition allowances, talking about transition allowances, talking about how she has committed to not having any transition allowance and so forth. Great. Fantastic. That's her opinion on transition allowances even though that's the work that the committee is doing. She's allowed to comment on that, though, because that's her policy, yet this member is being told that she can't comment. The Official Opposition leader can't ask a question on the policy with regard to the RSP allowance. It's completely inconsistent. How come the Premier can talk about where she stands on transition allowances, but this member can't ask the Premier about where she stands on RSP allowances? Both issues are before the committee that you speak of.

We're just looking for some consistency here, Mr. Speaker, in how we can talk about these things in the House.

Thank you.

**The Speaker:** Thank you.

The hon. member of the fourth party.

**Mr. Mason:** Thank you very much, Mr. Speaker. Rather than go to my own point of order, I think it would be preferable for me, at least, to just make some comments with respect to the hon. House leader's point of order.

Now, I want to confirm the statement that was made by the hon. Member for Airdrie. That is that the committee has made a decision, and the committee voted to recommend to this Assembly, as per its instruction from the Assembly, some recommendations.

Subsequent to that, we had some confused public statements by the Premier that later became a little clearer that she was clear that there would be no transition allowance. She repeated the earlier position that she had taken. That may not be instructions to PC members of the standing committee, but it raises a question as to why the motion that was made in the committee to make a recommendation to this House has not been brought forward to this House so it could be debated. I would hate to think that because of the Premier's public statements, there is a decision to hold that recommendation in abeyance while we have another meeting so that the members, of their own free will, can reverse the decision that has offended the Premier.

Mr. Speaker, I would very much appreciate some clarification because it was my understanding that the committee had made a motion to make recommendations to the House, and I'm frankly surprised that those recommendations have not come before the House.

Thank you.

**The Speaker:** The hon. Government House Leader briefly. You've already spoken once.

**Mr. Hancock:** Thank you, Mr. Speaker. A couple of things that I need to respond to in closing debate on the point of order. Firstly, the hon. Member for Airdrie said that the member raising the

question was asking the Premier her opinion. Well, it's clearly out of order to ask any member for a personal opinion. It's not a government policy; it's an opinion.

Secondly, there is not a government policy with respect to MLA pay. That's the purview of the members, and that's a debate that's held at the Members' Services Committee.

Thirdly, rule 411(3) clearly says: "which has not yet made its report to the House." It's a matter of fact that the committee has not reported to the House.

**The Speaker:** Hon. members, let me review this and, hopefully, try to bring the clarity that I think everybody seeks, whether you're on the committee or not on the committee. Let me tell you how things stand. There are 10 standing committees. All of them are listed inside *Hansard* on about page 2 or 3; the pages aren't numbered. There are standing committees, for example, on economic future, on the heritage savings trust fund, on the Conflicts of Interest Act, on private bills. The list goes on. It also references the Members' Services Committee, which is the subject of discussion.

Now, further to that, the Assembly back in spring passed what has frequently been referred to as Government Motion 11. Let me just refresh your memory of what that says briefly.

That the committee

being the Members' Services Committee

examine alternatives to the pension plan for members proposed in recommendation 12 and discussed in section 3.5 of the report, . . .

That, of course, is the retired Justice Major's report.

. . . including defined contribution plans, and report to the Assembly with its recommendations.

Now, it's true that that committee, which I happen to chair, has met on several occasions, and we have considered a lot of business. That committee does have the power and the ability to make some rules, and we did that. We made some changes to some of our orders, and we are within our right to do that.

However, on this matter pertaining to an issue that was referred to us by this Assembly, we have not yet made a final decision other than a recommendation. The decision is in the form of a recommendation for a purpose, because we have not yet concluded our business. We still have, as you know from the letter I just sent you, a new issue to deal with that also comes out of Justice Major's report, and that is to provide some clarity, some recommendation regarding a review mechanism for MLA compensation in general. We have not yet done that.

Our business, hon. members, in respect to the charge that was put upon us by this Assembly has not yet been concluded. Therefore, we haven't yet come to a decision with respect to what our final report will contain. There are still some outstanding items to deal with, that being one of them. So we ought to wait for that committee's report. The committee, which has now been called by me to meet again next Tuesday, I believe, at 8:30 a.m., will consider what and how it wishes to report to this Assembly. Hon. members who serve on that committee are welcome to think about that over the weekend and see what the nature of our report might be, what it will contain and so on.

Remember that it has not yet come to this Assembly; therefore, *Beauchesne's* 411 applies. It's the only way of maintaining some sense of order and sequence and parliamentary adherence in this Assembly. I would caution you once again as I have done on numerous occasions – I haven't counted them all up yet, but I shall over the weekend – about not trying to pre-empt the work of that committee before it has had a chance to report. Then the Assembly will decide how to deal with it.

Those hon. members who are shaking their heads or otherwise indicating their disagreement simply have to understand that these are the rules that have guided us and will continue to guide us because if they don't – I'll tell you what's scary. Do you want to know what's scary? It's scary if we have no rules to govern this Assembly. It's even more scary if we have rules and we ignore them or choose to break them.

That having been ruled upon, we will proceed with the hon. Member for Edmonton-Highlands-Norwood with his point of order if, indeed, he has one.

**Mr. Mason:** Apparently not anymore, Mr. Speaker.

**The Speaker:** Thank you so much. That being the case, the matter is now closed, and we will proceed with Orders of the Day.

## Orders of the Day

### Government Bills and Orders Second Reading

#### Bill 4 Public Interest Disclosure (Whistleblower Protection) Act

**Mr. Scott:** Mr. Speaker, I'm pleased to move second reading of Bill 4, the Public Interest Disclosure (Whistleblower Protection) Act.

This past spring the government of Alberta established its accountability, transparency, and transformation mandate. The new Public Interest Disclosure (Whistleblower Protection) Act is a cornerstone of this mandate and will make Alberta a leader in transparency legislation. Extensive research has been undertaken to ensure this bill reflects best practices both nationally and internationally. The bill incorporates crossjurisdictional research on comparable Canadian and international legislation, best practices from academic experts and advocacy groups, and consultations with stakeholders in the broader public sector to ensure the bill will accomplish its intended objectives.

3:10

As I mentioned before, the scope of the act applies to the public sector and is one of the broadest in Canada in its application. The legislation will apply to the Alberta public service; agencies, boards and commissions; academic institutions; school boards; and health organizations upon proclamation. Municipalities and Métis settlements may be included at a later date upon their request.

The purpose of this bill is to establish a formal process to facilitate the disclosure of wrongdoing, conduct investigations into wrongdoings, and protect those who make disclosures from reprisal.

I would now like to take this opportunity to provide more details on the key features of this bill. First and foremost, the kind of wrongdoings reportable under the act have been specifically defined and are consistent with comparable legislation in other Canadian jurisdictions. A wrongdoing includes violations of provincial or federal law, actions or omissions that create a danger to public health or safety, gross mismanagement of public funds, or counselling any person to do any of the above.

Should a member of the public witness an action or omission that would fall into these categories, they have the discretion to report under this act and receive protection from reprisal, which includes a dismissal, a layoff, a suspension, a demotion or transfer, a discontinuation or elimination of a job, a change of job location, a reduction in wages, a change in hours of work, a

reprimand, or any other negative employment action that is connected to the reporting of a wrongdoing.

To facilitate compliance with the act, the bill creates a new, independent office of the Legislature to be known as the public interest disclosure commissioner and sets out responsibilities and guidelines for the commissioner to follow. The commissioner will be responsible for reviewing disclosures received, investigating where appropriate, and making recommendations where reprisals of wrongdoing have been established.

It is our intent to have the Ombudsman appointed as the public interest disclosure commissioner in addition to his current role to ensure a smooth transition and to make use of already allocated resources. The appointment can be up to five years, with the possibility of reappointment by the Legislative Assembly. Future commissioners will be appointed and reappointed by the Legislature as a whole as is the case with other officers of the Legislature like the Information and Privacy Commissioner or the Ethics Commission.

[Mrs. Jablonski in the chair]

This bill also sets up a framework for an internal disclosure process before engaging the commissioner. Chief officers within each public entity will be responsible for implementing procedures, for managing disclosures of wrongdoing, and for communicating these to their employees. The act will define key elements that must be included in every internal disclosure policy. The commissioner will have the ability to review any organizations' internal disclosure procedures and, if they find them to be inadequate, direct that all disclosures go directly to the commissioner until such time as the deficiency in internal procedures is remedied.

Another senior official in each public entity will then be designated to manage disclosures in accordance with the internal procedures. Employees will be required to use the internal disclosure process unless otherwise provided for in the act. For example, if an employee is making a complaint and fears a reprisal, then they may go directly to the commissioner.

To ensure transparency through reporting, the bill provides that the public entities and the commissioner must report annually on the number of inquiries they receive, the number of disclosures of wrongdoing and reprisals, the number of investigations, and recommendations made and actions taken to resolve wrongdoings. The commissioner may issue a public report at their discretion such as when a wrongdoing is found or to identify systemic problems and recommendations that are not adopted.

To ensure that there are appropriate enforcement mechanisms, the bill makes it an offence to commit a reprisal in response to a disclosure, to obstruct an investigation, destroy records, or make false or misleading statements to an investigator. If such an offence is committed, it would be referred to prosecution through the court process, and the court may issue a fine of \$25,000 for a first conviction and a hundred thousand dollars for subsequent convictions.

It is important to note that the act does not replace other remedies pertaining to wrongdoings or reprisals such as civil lawsuits and that, where appropriate, wrongdoings must be referred to the appropriate authority. For example, investigations that confirm fraudulent use of public funds would be referred to law enforcement for criminal prosecution.

As you can see, this is an extensive, groundbreaking piece of legislation for Alberta and is evidence of the government's commitment to fulfilling its mandate of accountability, transparency, and transformation. To ensure that the objectives of the

act are being met after the act is operational, a special committee of the Legislative Assembly will be tasked with undertaking a comprehensive review of the act within two years of the act coming into force.

Thank you, Mr. Speaker. I would now move to adjourn debate.

[Motion to adjourn debate carried]

## Bill 2

### Responsible Energy Development Act

[Adjourned debate October 25: Mr. Hughes]

**The Acting Speaker:** The hon. Leader of the Official Opposition.

**Ms Smith:** Thank you, Madam Speaker. I am pleased to rise today to address the issue of Bill 2, the Responsible Energy Development Act. Let me say that the Wildrose Official Opposition wants to support this bill. We hope that we will be able to support this bill because we welcome its intentions. We do think that a one-stop shop for approving resource development is a good idea. We do, of course, believe in streamlining and finding efficiencies, and we think that all of the stakeholders in development can be brought together for the benefit of all Albertans, and I really do mean all Albertans, those Albertans who put the economy first as well as those Albertans who put the environment first.

Now, the Wildrose has gone out of our way to learn from and understand the needs and concerns of our energy and resource industries, and we have heard loud and clear their complaints about slow, cumbersome, and often contradictory regulatory hurdles. Because of those reasons, we were excited to see the introduction of the Responsible Energy Development Act.

That being said, before I get to some of the concerns I have, let me go through some of the complaints that we heard. When I began running for the leadership of the Wildrose Party, it was shortly after the implementation of the disastrous new royalty framework. There was a survey that was done on an annual basis called the Global Petroleum Survey, done by the Fraser Institute. What it does is ask investment advisers to rank the top jurisdictions in the world in which to do oil and gas investment. In the past Alberta had always enjoyed being in the top 10 of about 150 jurisdictions. In the 2010 survey Alberta had declined to number 92 out of about 150 jurisdictions, sandwiched somewhere between Poland and Hungary in the assessment of our business climate.

I'm pleased to acknowledge that having repealed some of the worst aspects of the new royalty framework and made some strides in addressing industry concerns, we're beginning the steady climb back to restoring industry confidence. In 2011 we were 51st on that ranking. In 2012 we were 21st on that ranking. So we're not back to where we were before the bad decisions were made back in 2008, but we're getting there.

Looking at the most recent, 2012 report from the Global Petroleum Survey, let me tell you what some investment advisers say about the jurisdictions in which they're investing. They say of this one jurisdiction that it has "stable and attractive fiscal terms." They say that it has "less red tape in conducting business than in other jurisdictions." They say that "the investment climate is bright." And the jurisdiction they're talking about is Saskatchewan.

Let me tell you what they say about another jurisdiction: "constantly shifting regulatory and approval framework," "high degree of government bureaucracy," "inefficient oil well site inspection procedures." And the jurisdiction they're talking about is Alberta.

Now, I commend the sustainable resource development minister for reaching out to industry and going through an examination of all of the steps that industry has to go through from the moment they conceive that they want to develop a well to the moment when it's abandoned and the land is reclaimed. I have to tell you that industry refers to what they developed as the 100-foot-long tapeworm, because when you put all of these tiny process steps on eight and a half by 11 sheets of paper, you end up with a stack of paper that is five feet high and 20 feet long. That is the 100-foot tapeworm that this government in its 41 years of creating regulation for the oil and gas industry has developed.

Let me tell you what that means in practice for a couple of the companies that I've spoken to over the last number of years, comparing our investment climate here in Alberta versus neighbouring Saskatchewan. One example was the company PetroBakken. They were trying to get approval for a pilot project for their fire-flood technique. In Saskatchewan the approval took 54 days. In Alberta the approval took more than two years. I don't know that they ever even got it before they ended up moving on from that.

3:20

Another story. This one is one of my favourites. Crescent Point was a company that switched from being an income trust back into a corporation after the federal government changed its income trust rules. They had thousands of wells in Saskatchewan and in Alberta, and they had to make a simple change in the description of each well site. They had to remove the word "trust" in the legal description of the well site.

So they called the regulators in Saskatchewan and said, "How do we do this?" The Saskatchewan regulator said, "Well, send over your list." Within two hours they'd solved the problem.

In Alberta the same issue took nine months to remedy and for a couple of reasons. First of all, it sat on someone's desk, didn't get pushed along. Finally, when it did get pushed along, they found out that part of the process they had used for transferring was to move all these wells into the abandoned well process. As a result, it ended up creating delays. While it was stuck in that limbo land, there were no completions that they could do, there was no additional development they could do, it was earning no revenue, and they were not able to do any work on it.

The second stage of the process. After they'd transferred over a portion of the wells, they were still stuck transferring over several hundred wells, and the excuse the government gave was that part of the problem was the way they tracked the percentage ownership. Crescent Point tracked its ownership share to three decimal points. The government only tracked ownership shares to two decimal points. Because the two systems couldn't talk to each other, they weren't able to transfer over several hundred wells.

When they finally fixed that problem, the last hurdle that Crescent Point faced was that the government regulators determined that the only way they would be able to execute the change of the name on the well sites was for them to put several hundred thousand more dollars into a liability fund in the event that those wells became abandoned. So a process in Saskatchewan that took two hours took nine months here, and I think that encapsulates part of the problem of what our industry is facing.

When I look at what we have in the bill, I was hoping that what I would see would be practical suggestions and practical steps for how we would address all of these different delays in the process. The unfortunate thing, from what I have seen in the bill so far, is that it kind of reminds me of the regulatory streamlining effort that the PCs went through a number of years ago, when they tried to convince the public that they were streamlining regulations



because they took five or six different rules, put them under the same title, and they squashed them all in together under one act. This is kind of what this feels like to me.

It feels a bit like a Franken-bill. It's bringing in all of the different elements of a variety of different pieces of legislation, squashing them together, and hoping that by naming it under a single regulatory agency, somehow it's going to solve the many problems, only a few of which I just identified here. In reading through the bill, I'm worried that the government is walking down exactly the same path that they did with four flawed pieces of legislation. I'll talk about three of them: Bill 36, Bill 19, Bill 50.

Bill 36 was the Land Stewardship Act, and one of the problems the government found with this bill is that when you look at the provisions of it, it centralized decision-making into the hands of cabinet, it restricted or removed compensation, and it eliminated the appeals processes for landowners. This is why landowners across the entire province stood up and told the government to change it. The government did change certain provisions because it was so poorly written in its first phase that it would have allowed the government to extinguish – that was the wording in the act – all sorts of statutory instruments, including things like land titles, drivers' licences, marriage certificates.

Having recognized that they'd made an error, the government went back, and they attempted to remedy a small portion of it. They didn't get rid of the central planning elements of it, which is why we're still hoping for some changes, but I think we have to acknowledge that they made a major error in the original drafting of this bill.

Bill 19 was the Land Assembly Project Area Act, once again a piece of legislation designed to freeze land into green zones and have an entirely different compensation process that operated outside the Expropriation Act. The Expropriation Act identified 19 different headings of compensation to compensate landowners. Bill 19 was specifically designed to limit the amount of compensation to a very narrow range of market value only. Once again landowners across the province stood up, went to town hall meetings, and forced this government to look at this legislation, and once again they did address the major flaws in this legislation to restore the full rights of landowners that are equivalent to what they would enjoy under the Expropriation Act, but again a bill was pushed through giving central planning powers to the cabinet, no appropriate provisions for protection of compensation, no appropriate provisions for legal recourse. Mistakes were made, and it had to be amended.

Which brings me to Bill 50, the Electric Statutes Amendment Act, 2009. This is the third in a set of three bad pieces of legislation that followed along the exact same path: central planning authority, taking away the independent needs assessment, putting the power into the hands of cabinet to make complicated technical decisions on the basis of need for transmission lines across the province. As we've seen, we're debating that in another session. They are now repealing that provision, returning and restoring the independent needs assessment to this independent commission rather than keeping the power centralized in the hands of cabinet.

When I look at the pattern that I've seen over the last few years of the government making the same mistake over and over and over and having to do amendments over and over and over, I am hoping that with this piece of legislation we can slow it down, we can identify the areas where we've got problems, and we can work together in a bipartisan way or a multipartisan way, perhaps, to be able to address those concerns so that we're not here again, one or two years from now, having to make amendments that we should be making to ensure that this legislation preserves that balance of respecting and streamlining the regulatory environment for our

energy companies as well as respecting the landowners who are impacted by it.

Let me go through and talk about a few of the concerns that I would see in the legislation. The first concern that I have, having spoken with many members of our First Nations and aboriginal communities, is section 21, which indicates, under Crown Consultation with Aboriginal Peoples, that "The Regulator has no jurisdiction with respect to assessing the adequacy of Crown consultation associated with the rights of aboriginal peoples as recognized and affirmed under Part II of the Constitution Act, 1982."

When I've spoken with leaders in First Nations communities – and I've travelled to many, many First Nations communities and met with many chiefs over the last couple of years – I was surprised to hear that their biggest problems are not with the federal government, as I expected. Their biggest problems are with the provincial government, a provincial government that doesn't consult, a provincial government that didn't consult on the Land Stewardship Act. So when I read this section of the act and hear that the regulator does not have any authority to consider whether or not the Crown consultation process was adequate, I think that's an inadequate provision. What we're trying to do for industry is to create certainty. It doesn't create certainty for industry if we go through this process and then at the end of the day end up tied up in the courts in a legal process because the Crown consultation process with our First Nations communities was inadequate.

I would like for us to revisit this issue so that if we do end up having a process that is truly one window, it will acknowledge that First Nations consultation is an integral part of that, that the province does have a role, a key role, in making sure it's doing proper consultation, and it has a duty not only to the First Nations communities but to our energy companies to make sure it's doing that consultation appropriately so we don't end up getting bottlenecked in continued litigation and a legal process.

From what I've heard from our First Nations communities, they welcome the opportunity to have that conversation, that dialogue, that discussion. They welcome the opportunity to be able to have development in their communities not only because there's the opportunity potentially to share in the revenues developed from those resources but also so that their people can be employed in those projects.

The First Nations leaders that I have met in Alberta are progressive. They are looking forward. They are excited about the opportunities for their people. They just want the province to look at them as a partner in that development rather than as a barrier, rather than as an extra step in a process. I think the language of this bill in section 21 does not recognize that they are reaching out a hand to us. I think the government needs to reach out a hand across the aisle as well.

### 3:30

The second thing that concerns me – and I believe that we'll be having to have a further conversation about this and, hopefully, some amendments – is this issue of time frames. As I've been travelling around and as I mentioned in my opening and in the stories that I told, the issue that we're seeing is not necessarily the fact that there are these different bodies. The problem is that none of these bodies have time frames that are legislated in statute that they have to follow to be able to make their decisions – to give their permits, to give their approvals, to give their licences, to have the appeal hearings – and I don't believe that this legislation addresses that. There are a couple of places where, I'll tell you, I have some concerns.

Section 61 of the legislation talks about all of these time frames, all of these parameters being at the discretion of the regulator. Section 61 says:

The Regulator may make rules . . .

- (f) prescribing the time within which the Regulator shall make a written decision on an application after the completion of a hearing.

It's in the hands of the regulator to determine what a reasonable time frame is.

- (l) prescribing the time within which the Regulator shall make a written decision on a regulatory review.

Once again, the time frame is within the parameter of the regulator.

- (p) prescribing the time within which the Regulator shall make a written decision on a reconsideration.

Again, it seems to me, in reading this legislation, that we're giving a lot of purview to the regulator to make decisions which, I believe, we should be more clear about in statute.

The reason you put something in statute rather than in regulation is because you want it to be tough to change. You want your regulators to realize how seriously as legislators we take their obligation to make decisions in a timely way. We shouldn't be leaving it to their discretion to push out decisions in six months, one year, two years, or longer because it's not convenient for them to increase their level of staffing or increase their processes so that they can deal with these things in a timely way.

I would like to see time frames prescribed in law. I find it very interesting that there are two time frames in here that are prescribed in law, so it's not as if the statute would not consider that. There is a time frame. If the regulator does make a rule, it's prescribed that they have to give 120 days' notice to the minister. That's very specific. The minister thinks it's so important that he knows of a rule change that he wants to prescribe in the legislation that the regulator has to give him 120 days' notice.

I would also note that there is another prescription for a time frame. If an energy company happens to have an administrative penalty against it, it has to be paid within 30 days. So the government, clearly, finds that it's important to put on industry a time frame for when they would have to pay fines related to administrative penalties. I think the quid pro quo is that industry deserves to have something written in statute about the time frames that the government is prepared to commit to and the time frames that the regulator is obligated to follow so that we can actually truly meet some of the recommendations and some of the objectives of the bill, which is to streamline the process.

The third thing I would say is that I have heard from one of the stakeholders who has examined this bill some concern that we appear to be losing one of our appeal processes, the appeal that you would normally have to the Environmental Appeals Board. This stakeholder had told me that there are in the current situation 12 per year that do take place. It's very important to be able to have an appeal. He gave the example that just this year this appeal board had heard a decision regarding a rancher who had some damage done to their dugout or their water well as a result of some coal development activity. So these are very serious issues. If a decision has been made by a regulator and there does need to be an additional appeal process, you don't want to take away that additional avenue for appeal.

Now, I do recognize that the Court of Appeal remains the ultimate court of adjudication, but part of what we're trying to do here is to create a bunch of quasi-judicial mechanisms so that we can avoid the costly process of going through the judicial courts, so that we can avoid the costly process of forcing our landowners to go through that as well. Let's just make sure that we preserve

all of the protections for these kinds of appeals in the event that there is a dispute. Once again, with this appeal board only hearing about 12 cases per year, it does not strike me that this is the area that our energy companies are complaining about. If we can restore and preserve this appeal process, I can tell you that it will go an awfully long way to making sure that our landowner stakeholders have a level of comfort with this legislation.

The other concerns that I have involve the makeup and the selection of the board. The board as it's prescribed in the legislation is going to be at least a three-member board. It could be more, but that does appear to be at the discretion of the minister. All three members of this board will be appointed by the minister. I think that we can go beyond what we have done in the past. I think part of the issue that we're seeing here is this concern: do we have the right people representing all of the interests when we're bringing together a board like this to examine a variety of different stakeholder concerns and to be able to balance them? I think the government is setting itself up for major push-back from certain stakeholders unless we look at a different model for how we select this board.

One of the things I would put out there as something that we could consider looking at is the way in which we, for instance, put together an airport authority board. On an airport authority board you often will have a couple of nominees represented by the city council, a couple of others who are represented by a county council, a couple of others who are represented by industry. I would say that that kind of process could potentially work here to alleviate some of the concerns of some of the stakeholders about having all of the cards stacked in the minister's office.

It could well be that we decide to go for a seven member board. Two of them could be former ERCB employees, as is suggested by the regulation. Two of them could be nominees by industry. Ultimately, the minister could make the appointment decision. But if you're asking CAPP, and you're asking SEPAC, and you're asking PSAC and others who they may think would be representative of their interests, maybe we have a nominee process so they can put forward two names. Maybe you also then have a nominee process for two landowner representatives on the board, so you can ask the Alberta Beef Producers, you can ask the Western Stock Growers' Association, you can ask those who are involved in the various surface rights organizations. And since we need an odd number, maybe you also get one from the environmental community. Maybe you ask CPAWS or you ask others who are involved in the Sierra Club for a nominee to represent that environmental interest.

Again, the decisions would ultimately be made by cabinet, but at least you would be reaching out to the various stakeholders and they would have some sense that this process has some credibility among all and is giving due consideration to all of the various stakeholders who are impacted by this legislation. I think the makeup and selection of the board in this legislation as it's written is not going to pass muster with our stakeholders in the landowner community and the environmental community.

I think that we've got to be working toward something that will be embraced by all of the stakeholders who are impacted because we also have another problem in that all of the hearing commissioners are also appointed by the minister. Again, there doesn't seem to be any consideration for how we might be able to balance between those competing interests, between those stakeholders who have different perspectives and different concerns. Of course, we want people on there who understand the energy sector, but we also want those who understand the impact on the environment, and we also want those who understand the

impact on landowners and all of the various issues that landowners face when development takes place on their property.

The main concern that we do have, though, is that the intense centralization tendency that we saw in Bill 36, that we saw in Bill 19, and that we saw in Bill 50 appears very much to be paralleled in this legislation. As I was reading along, I was becoming more and more concerned about all of the ways in which cabinet may do this, and cabinet may do that, and cabinet may do the other. But I think the real kicker comes when you get to section 68. In section 68(1) it says: "The Lieutenant Governor in Council may make rules in respect of any matter for which the Regulator may make rules under this Act or any other enactment." That seems pretty broad to me. If you look at subsection (2): "A rule made under this section prevails over any rule that is made or amended by the Regulator with which it conflicts or is inconsistent to the extent of the conflict or inconsistency."

So we get back to the same kind of problem that we had before, that if the cabinet, the minister doesn't like what the regulator does, they can interfere and start meddling and, basically, throw out anything that the regulator has said. So what's the point of having a statute to be able to give certainly to industry if you continue to have cabinet have these wide-ranging powers in which they can override a regulator's decision? This is not idle because when you look at how this happened in the past with transmission lines in the early 2000s, when the regulator came back and said, "If you're going to build a bunch of transmission lines, you need to split the cost between the generators of power and the consumers of power 50-50," that was overridden by the minister saying: "To heck with that. We're going to put all of the cost on the ratepayer." And we've had nothing but problems ever since.

3:40

That is the reason why you want to preserve the integrity of the regulator. It's the reason why if you're going to have a bill that purports to create an environment of regulatory certainty, you can't have clauses like that in the legislation.

I'll just say one more that sort of left me scratching my head because, again, it just seems so incredibly broad that I have to wonder what the minister has in mind with it. It's section 78 where it says:

The Lieutenant Governor in Council may make regulations . . .

- (k) respecting any other matter or thing that the Lieutenant Governor in Council considers necessary to carry out the purposes of this Act.

Now, I don't know what the legal definition of "thing" is, but I have to say that when I see that kind of language, it does strike me as a catch-all to say: let's give the minister carte blanche to do anything at any time regardless of what is said in the statute. That's what we're trying to get away from here. We're trying to get a process in place where stakeholders can have confidence, not just the stakeholders who are going to be impacted by having development on their land but also the stakeholders who are impacted by these decisions.

We recognize that an arbitrary decision by cabinet could be just as damaging to landowners as it can be to energy companies. We need look no further than the sustainable resources minister's lower Athabasca regional plan where, with the stroke of a pen, the government is able to wipe out 18 oil sands leases. Who knows what the compensation is going to be for that? Who knows whether they're going to get full compensation for all of their investment and all of their projected investment? This is why having that kind of arbitrary power in the hands of cabinet does nothing to create an environment of certainty, not for landowners,

not for environmental activists, and certainly not for the energy industry which this bill purports to be responding to.

With that, Madam Speaker, as I said when I began, we are hopeful that we will be able to support this legislation. As you can see, we have some significant concerns with key elements of this bill, but we think it's fixable. We think if we go through a process and we do it properly and we do it with good faith and we recognize that all of us in this Chamber are actually trying to get the very best legislation so that the government doesn't face the kind of landowner activism that they've faced over the previous two and a half years or the kind of backlash that they got from the industry over the previous two and a half years – we've got to take the time to do this right.

Having legislation that is this many pages long dumped on the opposition benches, forced through its various readings within a matter of weeks, without giving us time to go through, talk with our stakeholders, talk with those who are giving us legal advice to be able to make appropriate amendments and recommendations, I think will lead us down the same path that we went before with Bill 19, Bill 36, Bill 50. I would implore the minister to be open-minded about slowing this down so that we can do the proper consultation, so that we can get it right, so that we can go forward with the government and the Official Opposition saying: "Yeah. This is a good piece of legislation. This is a piece of legislation that we can support, and this is legislation that we think all stakeholders can support."

As it is written right now, I would not be able to go out and say that. But we have a number of hours ahead of us. We have a number of speakers ahead of us. I do hope that the government members listen to the debate of my fellow opposition members here. I know everybody has an awful lot to say on this bill. I know that our caucus is generally wanting to support the intention of the bill. We do think that it is salvageable, but we do think as well that significant improvements are needed to take this bill to the end where it is intended. And I do hope that the government will work with us to get there for the benefit of all Albertans.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you for your comments, hon. member.

I will now recognize the Member for Strathmore-Brooks.

**Mr. Barnes:** I have a question under 29(2)(a).

**The Acting Speaker:** No. I'm sorry. Standing Order 29(2)(a) does not apply.

So the Member for Strathmore-Brooks, please.

**Mr. Hale:** Thank you, Madam Speaker. I would like to thank the hon. Energy minister for taking time to speak to me about this bill since he has introduced it. Overall Bill 2 looks to be on the right track. Wildrose supports cutting red tape. This bill aims to reduce some of the red tape faced by industry to encourage economic growth without sacrificing environmental targets. I can support that aspect of this bill.

It's worth pointing out that the Canadian Association of Petroleum Producers supports this bill, in particular the changes which will provide clear policy guidelines to the regulator, simplified regulator access for all parties, and the right level of regulatory review. CAPP notes that the regulatory enhancement project will create a more efficient regulatory system to help build investor confidence, bring more investment, and create jobs in Alberta. I agree with CAPP that Alberta should work with our neighbouring provinces to advance policy and regulatory

improvements and work with the federal government to reduce any duplication.

Bill 2 aims to improve the regulatory process, which has become labour intensive, cumbersome, and has reduced Alberta's competitiveness in the global economy. The province of Saskatchewan has recently taken steps to increase its competitiveness and has been quite successful in encouraging investment because of its reduction of red tape. There have also been other issues with this province's model, that I will mention later. I applaud the initiative taken here to tackle the problem head-on and, hopefully, maintain the momentum to restore Alberta's competitiveness.

While Bill 2 appears to be a step in the right direction in encouraging this competitiveness, I have a few reservations I hope the government will address before this bill gets to final reading. I would need to see some changes before I could fully support this bill. First, the bill appears to centralize power in a similar fashion to former bills 19, 50, and 36. For instance, Bill 2 repeals landowners' section 26 standing rights under the Energy Resources Conservation Act and does not replace those rights with anything substantive. An easy remedy for this absence is to reinstate the section 26 rights into this new bill.

Second, Bill 2 removes the rights of landowners to appeal decisions under the Environmental Protection and Enhancement Act and the Water Act relating to energy projects to the Environmental Appeals Board. What we see instead is a centralizing of these current appeals mechanisms under a single regulatory board. This board makes its own rules. For someone who may want to appeal the decision that has been made, appealing to the same board that made the decision might seem like a fruitless activity. Under current legislation appeals are made to the Environmental Appeals Board, but landowners won't have that option under this current bill.

A lot of the issues with landowners may be handled if their concerns are addressed from the start. They need to be brought into the planning stages of projects from the beginning so they can have input or, at the least, notification of where they will be impacted. I don't see anything in this bill that shows where landowners are engaged in the approval and planning process. The government should reconsider the mechanics of this bill to ensure landowners' rights are protected so that we don't have the same uproar that followed the Land Stewardship Act. There needs to be an independent appeal process to give Albertans confidence that their traditional appeal rights are not being taken away.

Now, just to point out the importance of getting it right, I'd like to relay an example. In Saskatchewan the government created Enterprise Saskatchewan, which was supposed to be the new model for economic development. According to some industry groups it has been nothing short of a disaster. The government hired someone who didn't fit the bill, and it severely limited the effectiveness of this initiative. While the Saskatchewan government had good intentions, it resulted in a series of administrative nightmares. The make-or-break of this bill will be its execution. It's important that legislation is right, or the execution is going to be off, and it will not result in the intended conclusion and could instead result in negative consequences for industry and landowners.

One of the issues is the makeup of the board of directors for the new regulator and how these directors are appointed. Getting the right people on this board is paramount. The government should consider defining the composition of this board to reflect the diverse makeup of Alberta. The board of directors should include someone with a property rights background, someone with an environmental background, and, of course, someone with oil and

gas experience. Furthermore, this board should be appointed by an all-party committee of the Legislature. Bill 2 should get rid of the provision where the minister appoints this board to prevent any perception that this is a politically appointed board or that it is being done as a patronage appointment. Such perceptions would limit the effectiveness of the regulator and could have negative consequences for the regulator to accomplish its objectives.

Next, a few sections in Bill 2 empower the Lieutenant Governor in Council and the minister with far too much power. We saw how unpopular this was in former bills 19, 36, and 50. In Bill 2 section 68 opens the door for another Bill 19, Bill 36, or Bill 50 disaster by allowing the minister and cabinet to rewrite rules to expedite things that wouldn't make it through the standard regulatory process. As written, too much discretionary power is given to the Minister of Energy, the cabinet as well as the regulator.

3:50

On a small but important note, the minister's powers could also be curtailed so as to exclude the right to request personal information on applicants. Currently Bill 2 gives the minister the right to request personal information. It's not clear why the minister would be that hands-on, asking for this information. I would like to hear the minister's explanation for this and to elaborate on whether the FOIP Act would limit him in any way concerning privacy. At any rate, the regulator should not have the minister as a back-seat driver, and applicants shouldn't have to fear ministerial interference.

Sections 42 and 43 give the regulator power to review its own decision after the fact without a hearing. This clause seems to open the door to creating a level of uncertainty as it will deem any decision made as not final. That could be changed on the whims of the regulator. When a company gets approval, they should have certainty that they can go ahead. When a landowner has assurances concerning their land, they should also feel that they can stop worrying. The regulator shouldn't be making all of its own rules, reviewing its own decisions, and changing its mind whenever it wants.

Madam Speaker, overall, the intention of Bill 2 is good, but there remain several concerns, as outlined here and by my colleagues, which need to be addressed before receiving final reading. Bill 2 as currently written gives the Energy minister and the cabinet too much power in determining the makeup of the board. It risks not reflecting the diverse makeup of Alberta with property rights, environment, and industry adequately represented.

Bill 2 eliminates traditional means of appeal for no good reason. The right to an independent appeal must be reinstated, whether that is through the Environmental Appeals Board or a different independent body. The regulator must not be its own regulator. It should receive clear direction from government and act independently but not have the powers to define its own mandate or to retroactively review cases where a decision has already been determined. That should be the job of an independent appeal group.

Bill 2, if passed, will be judged on its implementation and the results of the work of the new regulator. It's important to get this right the first time rather than face a prolonged battle with landowners and industry and end up amending it a few years down the line. I look forward to working with the hon. Energy minister to get it right the first time.

Thank you.

**The Acting Speaker:** Thank you, hon. member.

Now Standing Order 29(2)(a) kicks in. The hon. Member for Cypress-Medicine Hat.

**Mr. Barnes:** Thank you, Madam Speaker. To the Member for Strathmore-Brooks. I have a constituent in Cypress-Medicine Hat who for seven or eight years has had trouble with the appeal process and getting answers on removal of or compensation for orphaned wells. I'm wondering if you're further concerned about the appeal process with this and if you could touch more on what your main concern with this bill is, please.

**Mr. Hale:** Well, certainly, Madam Speaker. Orphaned wells are a huge concern. There is no definite timeline, if a well is abandoned, until it is reclaimed. Our hope is that this bill will address those concerns and allow landowners to have a set timeline for when orphaned wells will be looked after, when wells that have been abandoned are reclaimed and the reclamation certificate can be handed over.

There's too much indecision in the way that landowners are affected. I've got a couple of really good examples of landowner issues, not having the right appeal process. For the oil company I was working for, we were drilling a well adjacent to one landowner's land. He was not happy with what was going on. He went to the company. He went to the ERCB. He wasn't satisfied with the way issues were being handled, so one day he decided to take matters into his own hands. A surveyor that came to talk to him about a lease application that we were recommending on his land took the brunt of it and ended up bent over the back of a truck.

Landowners are very, very protective of their land. They are excellent stewards of the land. Nobody knows how to maintain the land better than they do. They have so much invested in the land. That's why we are very concerned that the property rights aren't enshrined in this bill. If we can get that section put back in to allow them an appeal process – so the regulator does not have the option of hearing an appeal or not – if it goes through an independent body, then that landowner will feel like he has a place to go. At this point with this bill he doesn't. That's our intent. I'm hoping to work with the hon. Energy minister in ensuring that landowners will be satisfied that if they have concerns, they will be looked after.

**The Acting Speaker:** Thank you.

We still have a few minutes under Standing Order 29(2)(a). Are there any other comments or questions for the hon. Member for Strathmore-Brooks? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Speaker, and thank you to my colleague and fellow member. I was wondering if the member could comment on, in particular, landowner frustration and how that is created by the way we design some of these pieces of legislation.

**Mr. Hale:** Well, I think that mainly it's created because the landowners have no input into the formation of these bills and legislation. That's why I recommended in here that the board of this new regulator have somebody with property rights experience, somebody with environmental experience, and someone with oil and gas experience so that they have a voice from the start. Also, I mentioned in here that they need to be brought into the process, that when these oil companies and pipelines and mines and facilities are getting built, they are made aware of what is going on from the start, if it's on their land or it's adjacent to them, so that they have some sort of an input process in the determination of what is going to happen. They need to be well informed.

I mean, communication is of the utmost. If they don't know what's happening and all of a sudden they see right across the

road from them a drilling rig that pulls in or, you know, some sort of company that is going to build a big structure that they don't know about, of course they're going to be angry. They're used to being left alone out on the prairie. Many times when we were working – you know, we'd have a thousand-well project we were proposing – we'd pull in. We would call the landowners in. We would say: "Okay. This is what we're looking at in a year, in two years. We want your input. We want to know what you think."

That's what the companies really need to do, and that's what this regulator needs to do. Start at the ground level. Bring in the landowners. Get their input. Show them what's going to happen. If they don't like it, you know, then it's easier to make the changes at the start than when you're halfway done a project. They need to be brought in from the start. Many of the oil companies that I've been involved with really worry about the landowners.

**The Acting Speaker:** Thank you, hon. member.

The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thank you, Madam Speaker. It's my privilege to stand up and speak on Bill 2, the Responsible Energy Development Act. It's also an honour for me to be following the Leader of the Official Opposition and my colleague sitting next to me, who is the Energy critic. Then up pops the Member for Calgary-Fish Creek.

As I've indicated in this House before, one of the things that I enjoy the most about being a member of the Official Opposition is the incredible learning curve that we have. I've also spoken in this House prior in regard to the incredible respect I had when I was a member of the government for the opposition having the ability to get up and speak so eloquently over and over and over again about every piece of legislation and the knowledge that the members seemed to have on every bill.

Well, I can tell you, Madam Speaker, that I'm still learning on this particular bill. We had a robust discussion meeting I think it was two days ago – with the long hours we've been putting in, they sort of all go into the same day – listening to my colleagues talk about their concerns on this bill. I am an urban MLA. I have a great deal of respect for industry, the people in my riding, and my riding has a lot of oil and gas people. I had breakfast, actually, on Sunday, when I was at a constituency brunch, with probably two of my biggest supporters, both presidents of oil and gas companies.

4:00

I've also mentioned in the House my son who's in the oil and gas business, a driller. He's always kept me informed on the oil and gas side, and I was very, very proud that my son was very prominently in *Licence to Drill*. That was a very enlightening movie for me to watch over a series in six parts about all of the things that go on on the oil and gas side of the business: all of the costs, all of the money that goes into the oil and gas business, and some of the things that they do on the rig that I consider as a mom quite dangerous. I wasn't quite sure whether I wanted to watch this movie to the very end, especially when I saw my son bringing in a helicopter, and he goes sliding across the ice because of the cold, the damp, the wetness, and some of the things that are happening on that particular rig.

I can tell you, Madam Speaker, that the bill, there is no question, has been a response to the concerns of the oil and gas industry that the current regulatory regime in Alberta is a hindrance to growth. There's no question that we know that, and there's no question that we know that the regulatory process that we put our industry people through in the oil and gas business is

so cumbersome. I see what's happening in Saskatchewan and B.C., not to mention in the U.S. I think that when we go back in history, the task force at that particular time, that was led by the now minister of environment, was formed to put together some suggestions, some recommendations on how to improve the industry.

I also am in receipt, obviously, of a memo from CAPP, which everybody is aware of. The Canadian Association of Petroleum Producers in a news conference in Calgary spoke very eloquently about the implementation of the regulatory enhancement project in creating a single provincial regulator, that they support the bill and they support the hon. Minister of Energy and, obviously, the hon. minister of environment, and about them creating that single regulator so that the oil industry has one-window shopping, I guess, if we can call it that. I don't have a problem with that. I think that's a huge asset to the oil and gas industry, that one-window approach. They talk about the clear policy guidelines to the regulator and the simplified regulator access for all parties and the right level of regulatory review, based on the projects.

The Responsible Energy Development Act talks about the purpose of the legislation, to create an energy regulator, and talks about efficiency, safety, and the environmentally responsible development of the energy resources. It talks about the single regulatory process. What is interesting, after sitting down and listening to my colleagues, is that I look at it from an industry perspective, and all of a sudden I'm listening to my colleagues about the balancing act of a landowner.

That takes me back to when there was a small caucus, previous to the last election, of four and the incredible fight that we were putting up with the government in regard to some of the legislation that was before us – I think it was bills 19, 36, and 50 if I'm right – and how we were talking about landowners' rights. At that particular time we faced a lot of criticism from the government.

Being the urban MLA, I always find it interesting – and it's no different today than it was back then – that when I start hearing from people in the rural areas, something is amiss. That starts putting my radar up, and I'm thinking: okay; we've got a problem. At that particular time the PCs, the government at that particular time, had a lot of rural members. When I started talking to some of the people that were calling me, I said, "Well, you know I'm not your MLA." They said: "Yeah. We know that, but our MLA isn't listening."

So my little spidey senses start going up, and I'm starting to think: well, we have a problem. There's no question that there was a problem. We've got Bill 50 and – I can't even remember the name of the bill now that's before us – I think it's Bill 8 that we're going to be dealing with. One of the things that I'm concerned about, again, is that the landowners or the rural owners in this province are starting to send their messages of concern, and I'm thinking: "Oh, my gosh, are we going to have the same problems that we had previously where we're not respecting the rights of the landowner?"

I know – and I've spoken about it – that the industry supports this bill, and I don't think the industry has any intention of not respecting landowners' rights. There's no question. But I think it has to be very clear in the legislation for both parties, and I think it has to be very clear in the legislation for both parties about the respect for both parties.

I have had some interesting conversations with my leader, whom I have a great deal of respect for. I listened very intently to her speech. It's interesting. As busy as she is, I've been watching her over the last two days go over the bill word for word and line for line to make sure that when she speaks, she incorporates not

only everything that she has heard but that she has picked up on the bill. I think that's important, and that's what every member in this Wildrose caucus is doing in their critic position. They are not only speaking for themselves as a critic, but they are also speaking on behalf of the constituents that they're representing. They're also speaking a lot of times on our behalf, and they're educating us in regard to what they think is important in the bill and what isn't.

The leader and I had a good conversation about balancing the needs of industry and, obviously, the needs of the landowner. She assured me that she would make sure that she covered on both halves the concerns that she's heard from the industry and the concerns that she's heard from the landowners.

One of the other things that I found was very interesting when I was listening to the leader is her bringing up her concerns about the aboriginal issues. I think that's sometimes one of our forgotten peoples. I've always had a deep love for the aboriginal people. I was blessed when I was the minister of children's services to receive a Blackfoot name, which is probably, there is no question, one of the biggest highs in my political life, and you know, Madam Speaker, we have lots of highs in politics. I was deeply appreciative. To go through that process of getting an aboriginal name – I don't know if you have a name – is deeply honouring.

**Mr. Dorward:** What's your name?

4:10

**Mrs. Forsyth:** As soon as you asked, I went: I'll get it to you. It's Healing Woman. I know that. The hon. Member for Edmonton-Gold Bar asked me my Blackfoot name. I had it, and as soon as he said it, it went like this. I know it's Healing Woman in English, and I promise I'll get that to him. I don't want to make a mistake because, as I said, it's very honourable.

I noticed when the leader, the Member for Highwood, was talking that even CAPP has recommended that they want to continue to encourage federal-provincial co-ordination of regulatory reform initiatives and encourage both levels of government to make progress in clarifying expectations of project proponents regarding aboriginal consultation.

Now that's very key. As a former minister – and you were a minister also previously – you know the importance of going to FPTs, and you know the importance of attending FPTs, that you bring the issues from the province to the federal-provincial-territorial meetings.

I'm looking at what CAPP has to say, and there obviously are concerns about some of the aboriginal consultations in this particular province on the oil and gas and the respect for – I guess we'll add three parties – the industry, the landowners, and, obviously, our aboriginal people.

I am one of those MLAs, as everybody else here is, who knows why I'm elected and understands why I am elected. I think one of the number one priorities for all elected people in this Legislature is to learn why they have two ears and one mouth. I think that was given to us for a reason, and I was taught very early in life by my dad, who's no longer here, why I have two ears and one mouth. I guess I was naughty one day and thought maybe he should tell me why I was blessed with two ears, and of course everyone knows it's to listen more than you speak.

I am anxious and encouraged to listen not only to my colleagues – I know many of them want to talk on this because it's important – but to the government and to hear what the government members have to say. I've noticed, Madam Speaker, that it hasn't changed much since I left on January 4, 2010, because I don't see many members standing up and speaking on behalf of their

constituents on a piece of legislation. I indicated the role of an MLA at the national press conference when I crossed the floor.

I'm going to yet again encourage members. On every piece of legislation that we're talking about that's going to be going through this Legislature, it would be nice to be able to hear what they have to say, even if it's two minutes or five minutes, on behalf of their constituents, that they're fully supportive of this bill. I'm sure many of them can stand up on behalf of this from an industry perspective. I'm not so sure the rural guys can stand up as eloquently and talk about how their constituents feel when there's that landowner issue that needs to be discussed. I imagine both the leader and my colleague... [Mrs. Forsyth's speaking time expired]

**The Acting Speaker:** Thank you, hon. member.

Under Standing Order 29(2)(a) we have five minutes for comments and questions. The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Madam Speaker. You know, I used to be with the PCs. I remember when I was the VP of policy, when they were ramming through some of this legislation, Bill 50, I chaired a meeting, and they rushed in MLAs and other people to just force the vote. The grassroots people weren't consulted. Here we have, again, a 79-page document with pretty dense legalese in it. You being a former minister, I guess I just have a question: is the process getting better? Do you have healthy legislation when you have this much legislation being rammed through in three evening sessions and so forth, or is there a more methodical approach that should be used?

**Mrs. Forsyth:** That's a very interesting question, and I'm actually pleased to be able to answer that. One of the interesting things that I think my new colleagues are learning and that I'm starting to hear about is how quickly bills are tabled in the Legislature, how quickly we have to get to second reading, how quickly we have to go to committee, and how quickly we have to go to third reading. I don't know what the answer is, but I think there has to be an answer about a process on a bill and how you debate that bill and how you bring forward recommendations over and over and over again.

I will do this research sometime. I've seen this government table legislation even just in the two and three-quarter years that I've been here, and they've not proclaimed it. I can't even imagine how many bills that have been passed in this Legislature – the Alberta Health Act comes to me immediately because it was a number one bill in this Legislature, and it hasn't been proclaimed. There is a ton of legislation that has been passed in this Legislature that hasn't been proclaimed. We're also seeing bills that have been rushed through second reading, rushed through committee, rushed through third. The LG comes in here, proclaims the bill, gives it proclamation, and it's back in the following sitting being either rescinded or something like that.

I'm sure that the government has some ideas. After all, they're the government. They're the government that claims that they listen and consult Albertans and they've got it right. I would think that's maybe something that we can discuss as a caucus. The Premier has said that she's open, she's accountable, and she's transparent and has repeated that over and over and over again. She also wants to talk about how government is run in a different way. That kind of opens up the door so that we as the Official Opposition, not only ourselves but the Liberals and the NDP, can have the opportunity to offer the Premier some advice, whether it's through Members' Services or one of the other committees, on

how we can make this process a little easier on everybody so we're not sitting until I think it was a quarter to 1 last night for some of our people. I know the leader and I left at a quarter to 12, and we still hadn't finished the Education Act.

Madam Speaker, I think that's a role that the government can do. The government House leaders can certainly start negotiations, the Premier and the Leader of the Official Opposition, I'm sure. I know my leader is a very bright woman, that she would be able to come up with some great ideas on how to get this legislation through at a much easier pace where we're not sitting 16, 18 hours a day.

**The Acting Speaker:** Thank you.

Are there any other members who wish to speak under 29(2)(a)? The hon. Member for Drumheller – no. Wait a second. Cardston-Taber-Warner.

**Mr. Bikman:** Both are nice places, but home is Cardston-Taber-Warner.

I appreciate the opportunity to rise and to ask the speaker a question, realizing that she's in almost a kind of a conflict of interest situation in the sense that, as you correctly identified and I understand it, many of your supporters in an urban riding are oil companies and industry people. What prompted you to rise and speak to this issue of the rights of the rest of Albertans, and how are you going to handle that?

**Mrs. Forsyth:** Well, another good question. I think it's about listening. It's about listening to what your colleagues have to say, what they're bringing forward as far as concerns about what they're hearing. I think that's what makes this province successful, if you start not only taking what's happening in your riding but what's important to other people in their ridings. Let me give you an example: what happened in Strathmore-Brooks with the XL Foods plant. I can still get my meat at the grocery store, but to hear his concerns opens it up to a whole... [The time limit for questions and comments expired]

**The Acting Speaker:** Thank you, hon. member.

The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you, Madam Speaker. It's a privilege to be able to rise and speak on second reading of the Responsible Energy Development Act. I've had a chance to go through the bill, not in as much detail as I would like, but I do have some thoughts, and some red flags have appeared to me. Hopefully, the minister will be able to assuage my concerns on some of the questions that I will bring up as pointed questions, or hopefully he can fill in the blanks for me as to what the process will be down the line. This is a very important bill not only for energy companies but for all people of this province because there's no doubt that moving to a single regulator has implications.

4:20

When we do our energy development acts or anything related to the energy industry, we should always take a pause back, and we should look at this not only as to whether industry has a perspective. We have Joe and Jane Albertan who have a perspective. We have people intricately connected to the environmental movement that have a perspective. We have landowners that have a perspective. There are a whole host of competing interests here in this province, in fact I would suggest throughout the world, in our development of our oil and gas resources and what the correct process is to see projects go through and what the different cleavage points are, what the

different challenges are, and what the correct balance is on how we're going to balance our environmental responsibilities as well as look after our economic interests.

It's at that point where we look at – there is a continuing challenge for Alberta in the global sphere in that we need to create a responsible energy development right here at home. We need to continue to have a social licence to produce our energy products and to have our oil sands run correctly and efficiently and to the highest environmental standards. I honestly believe that Alberta should be leading the way in this regard.

We have tremendous challenges facing us. In my view, carbon is a serious issue. We should do our best to maintain a reasonable balance in our development as well as what we're doing to the environment. In my view, things are going to get harder, not easier, in this regard. We'll have continued challenges from the rest of the world. I would think it would be in our best interests, given the nature of our economy and the nature of our reliance on nonrenewable resources, not only to pay today's bills but hopefully with some work on the fiscal structure save some of this one-time resource for future generations to be extra vigilant on the environmental side.

I would say it should be a goal of this Legislature to create some of the most forward-thinking and – I don't want to use the word "punitive" because that's not the correct word – environmentally supportive legislation out there. It would give us a chance to look at the rest of the world and say: "No, we are doing it better than anyone else. No, we do have the most progressive legislation. No, we're ahead of the curve on this. So don't look at Alberta as being a laggard on this; look at us as being a leader." I think we should look at that in all of our bills and our acts that are coming in on the energy front. We need to protect what is ours by doing what is right on the social responsibility side. I think if we do that, business will take care of itself.

If I look at this act, again, back to what I said at the beginning, it's a balance of all sorts of perspectives, whether these perspectives are having a chance to be heard, a chance for their opinions, their expertise, their challenges, whether it's with drilling policy and/or land policy. I believe this can be done through a one-window shop, and I'm not so certain that it has been at this time. Maybe the minister can fill in the blanks.

If I can start with some of the questions or at least things I would hope the minister will enlighten me on, we seem to have changed the legislation somewhat from where we were before under the ERCB and other acts, as to who could apply and who had standing and who had an ability to bring thoughts and ideas to the review, to where it is today. You see one change in the legislation, and it says that only people who are directly and adversely affected can make complaints to the new regulator. Clearly, this has implications to environmental groups, other organizations that wish to intervene or bring knowledge to an application. This seems to be – although it may be convenient and it may in fact speed things up, it doesn't necessarily say to me that we're looking to have a broader view of what in fact is happening.

This is really highly concerning. The old act had an ability to look at the broader public interest. The public interest does have a conception, and it is a loose conception as to what that might be. It could look at all factors. This has been removed since the previous legislation. I find that concerning. The public interest is trying to look at all things that are important to this great province, not only the air, the water, the land, the carbon, and the like but also our economic best interests. It's balancing these things out. All those things make up the public interest. It's tough to define exactly what the public interest is, but it includes a whole host of factors,

and now this has been removed from the legislation. This gives me concern.

Maybe there is another forum or a fashion where the public interest can be discussed, but that gives me concern. Maybe the minister can inform me as to why the public interest component of this was taken out. Maybe there is another forum or mechanism within the act where public interest can be discussed or more people can take part. Nevertheless, it doesn't appear that that is in there.

A direct question to that is: why would the new regulator not be able to consider the broad interests of all Albertans in the public interest and now must only consider the narrow interests of those directly affected? Although that may speed things along, which is of course what we want to do in any application, we don't want to cut corners, and we may be cutting corners by using some of this language in the act. It may be convenient to keep people from having a forum to discuss things.

I note the Member for Rimbey-Rocky Mountain House-Sundre spoke very passionately about people being cut out of the process. I'm certain that he wouldn't want that to happen as it did in the cases that we saw in 2007 when his group was making applications on what was happening in the transmission line applications. I see some correlations there as to what may happen, and I hope the minister can enlighten me or tell me where I'm missing the pieces that will be available to people to do that.

We also see that a large amount of the details of this will be contained in regulation. Much of the bill is yet to be developed. Only 25 to 50 per cent of the rules are in this new legislation. This leaves to me many questions as to how this will actually work and why these rules are in regulation and not in legislation. I've said this before: what the large print giveth in the actual act, the small print can taketh away in the regulation. It concerns me when we're moving the bulk or at least up to 50 per cent of this act into regulation. It leaves a lot of wiggle room where the ministers or other bodies could have a great deal of influence, and then all of a sudden by ministerial order these regulations are changed, different rules are applied, and not really everyone has an opportunity to understand what those changes are.

Obviously, this was brought up by my colleagues from the Wildrose. How will landowners be consulted on projects that are on adjacent lands? What about hearing costs? What about the rules for how the regulator will determine what is noncompliant? This is an important one. You know, we talk about noncompliance of organizations who don't follow the rules. There's no determination of what noncompliance is. There's no determination of what the penalties are for noncompliance. Does it simply mean a company will get, "Oh, you've got a noncompliance sticker beside you," but continue doing business? What does noncompliance mean? What does actually happen to an organization that is found in noncompliance? I have no direction as to what noncompliance is in the provision of registered surface agreements. That gives me concern. If I don't know what noncompliance is, how can it be enforced?

4:30

There also seems to be some lack of independence on this. Section 67(1) allows the ministers of Energy and Environment to set priorities as well as guidelines. The government can determine whether the regulator is being compliant with government policy, okay? So does government policy, then, change the actual rules that are being enforced by the regulator? Can government policy of the day, whatever that is, simply change the rules on the fly, lessen or strengthen regulations that people have made, and the like?



Furthermore, the regulator has to turn over any documents to the minister upon request. This appears to have privacy implications. It doesn't seem to me to create the independent arm's-length organization that we're looking for. Those things are concerning to me.

If I can continue to go on on some of these things, in particular this doesn't appear to be an independent regulator. The new regulator appears to be simply another arm of the government. Section 67(1) of Bill 2 provides that the ministers of Energy and Environment and SRD can tell the new regulator what its priorities should be, what guidelines, programs, policies it should follow, and can ensure the work of the new regulator is consistent with the work of the government. Maybe that's good, but it also gives me alarm bells. How independent is this new organization? To me, from the reading of it, not that independent. It causes me concern.

Section 67(2) provides that the new regulator has to do what it's told by the ministers. Section 16(1) also provides that the new regulator has to give these ministers any record or piece of information they want, including personal information. [Mr. Hehr's speaking time expired] Done already?

**The Acting Speaker:** Thank you, hon. member.

Under Standing Order 29(2)(a) are there any members that would like to question or comment? The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Madam Speaker. Thank you, hon. member, for your speech on this bill. I was curious. You mentioned that you are looking to include progressive environmental policy in all legislation. I'm wondering if you could expand on that concept, please.

**Mr. Hehr:** Well, I'm not sure if I can expand on that. What I can talk about is a broad concept of what I think would be an energy leader. A province such as ours has much vested in the success of our oil and gas industry. In my view, Alberta's immediate prospects as well as many of our future prospects, at least for the next 50 years, are directly tied to this industry and how it works, how it operates. We all know we rely on the \$12 billion we currently have coming into the public purse from royalties. We spend it all on paying today's bills. Clearly, that is important to us, to seemingly keep operations going on a day-to-day basis.

I'm also not so sure how Alberta will be able to transition from an oil and gas industry, so we should try to keep it going as long as possible. I think we happen to be in the best business at the best time. People pay \$100 for a barrel of oil. Allegedly there's some money in this business, Madam Speaker. That's a good thing. We're in the right place at the right time. But to ensure that we have that social licence, we should have the best environmental standards in the world, okay? This has a business component, too, not just an environmental component. We should do the right thing in this regard, you know, to not only look after our air, our land, our water but, as I mentioned earlier, try to reduce our carbon footprint.

By adopting legislation that is leading the world, and I mean this on all fronts, it will protect our industry. It will give us that social licence. I think, over the course of the last five years, we've had a difficult public perception. Rightly or wrongly – I'm not saying that it all has been right – it has been heaped on Alberta. By going forward in that new, bold direction of leading the world in this type of legislation, I think it will be a benefit to this great province and will allow us to have our social licence longer and extend the life of our industry.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you.

There are still a few minutes left. The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Madam Speaker. I heard your comments, and you mentioned that in the act there was nowhere that stated that public interest should be included in the legislation. I noticed that as well. Every single reference was taken out. I think some of the naysayers may say that public interest is too broad, and you have to look at social and environmental factors. But, of course, there is loads, decades of jurisprudence. Do you have any comments on why they may have taken public interest out of this legislation?

**Mr. Hehr:** Public interest is difficult to deal with. That's why, okay? It's not easy to incorporate public interest into one regulatory system like this. I think it can be done, but by no means is it easy. If you want to I'm not saying appease the gas industry – but you understand that there are challenges there. I think they've cut a few corners here. I think this can be done with a public interest component, and I don't know if we've worked as hard as we can to get that in.

The reason why it's out, in my view – maybe the minister can enlighten me – is because it's hard. It's really hard to get what is in the public interest. We all discuss the public interest in here, and we can't come to a handle on it. So, you know, that's a difficult thing to have in a regulatory body. But on a position of allowing people to have an opportunity to be heard, which is half the battle in this business, you give people an opportunity to be heard, then they feel better. They feel they at least have not had their rights trampled on, they've been part of the process, and hopefully they learned something: why their view isn't the only view out there and how it's a balance.

I thank you for that question.

**The Acting Speaker:** Thank you.

Being as there are only five seconds left, I think we'll move on to the next speaker. The Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Speaker. To my colleagues across the aisle in this honourable Assembly: the reason I am here is because of bills like this, and if you want to get rid of me, you've just got to get it right.

**An Hon. Member:** We'd like to.

4:40

**Mr. Anglin:** I know you'd like to. I am offering you the chance. I will gladly take that offer up. But I will tell you this in good humour: I made life difficult for some of the members here in rural areas. Some of those elections were close, and they were because of bills like this.

The reality is this. Time and time again this government has started out on a track to do something good. I believe the intentions were well meaning and in good faith. I don't doubt that. But time and time again they've not been able to look at the results of what they've done and say: "Wait a minute. We need to make adjustments."

For me it started with something called Bill 46, the Alberta Utilities Commission Act. In that act, which created a new commission very much like this – it's right in line with this – what happened was that there were a few things that jumped off the pages that never got resolved. In that act they had one provision that said that a property owner was not allowed the right to be represented by legal counsel. It's still in the act.

We move forward and we go into these other acts, particularly the Land Assembly Project Area Act, which, thank you very much, this former government, I guess the last sitting of the Legislature, did make some changes to before I got elected. They didn't make all the changes that were asked for, but there was an attempt. But the Land Stewardship Act – some of you may know it, some of you may not realize – was the demise of many PC members. That still stands in many ways. We could argue whether it's real or imaginary, but the fact remains that, when taken out in the public and allowing the public to take a look at what the law says, the public is smart enough to make up their own mind. It was a very good representative of the former government that went out to try to defend that, who is no longer here because of that bill.

The point I'm trying to make with regard to this bill is quite simple. Industry would like to see a streamlined regulator. I agree with it. I can tell you this: landowners agree with it. We do. I can speak for them in many ways because they asked me, and they tell me to take their message here. They want a streamlined regulator. The only thing they really want in addition to that is the balance that a streamlined regulator should have, that they would protect the rights of landowners, protect the rights of farmers, and protect the rights of small businesses at the same time that we get rid of those regulations that cause all this backed-up approval process for no good reason.

I will tell you this. It gets offensive sometimes when I get the criticism that landowners caused the problem. Under the Alberta Utilities Commission Act, when we were going to hearings – I have a lot of experience at hearings – it's quite interesting that industry a lot of times is their own worst enemy in dealing with these regulations. Government doesn't really help very well at all, mainly because it backs itself into a corner with the regulations.

Let me give you an example. When we went to a hearing dealing with the transmission lines, it was the landowners who brought a motion forward to the board and said: we want you to make a decision within 180 days on a transmission line. That's all the motion was. The law said at the time that the board must make a decision within 180 days. The industry members, including the government, the AESO, and the Department of Energy, opposed the motion, but that's what the law said at the time. That law eventually got changed to extend the time frame. Interesting.

I brought a motion forward at a hearing, and the motion was a simple motion. We wanted to compel Alberta Environment to show up at the hearing to answer questions since they were part of the approval process. In other words, it was the landowners who were taking the step to streamline the process. I tabled a copy of an e-mail from one of the board lawyers, the lead board legal counsel, to an outside source: how do we get around this motion? How do landowners take a board seriously when that happens? Jurisprudence says that once you strike that board, that three-member quasi-judicial board panel, they are supposed to be the judge. They're not supposed to go outside the courtroom. They're supposed to make their decision. They have legal counsel there to help them.

We have an issue here dealing with two items with this bill. The first issue is the legal writing in the bill. The second issue is regaining the public trust. That's yours to take, yours to give away, but the public trust is not with you at the moment, not out in the rural areas.

I'll tell you something. There's probably not a rural farmer in my riding that doesn't make an income off the oil patch. Many of these farmers have jobs as welders or well drillers or with oil field service companies. They work in the oil patch. They live in the oil patch. They farm in the oil patch. These people know the meaning of property rights, and property rights have been watered down

step by step by step. What we see here is not a major step, but given all the steps that have taken place, we've taken the next step and gone a little bit less with property rights. I can't support that, but I want to support the streamlining of regulation. I want to go back to my constituents and say: "Hey, listen. We streamlined regulation, and we protected your rights." That's what they want to hear.

Let me just kind of go through the bill a little bit. A lot of the people did, but it's really important. I witnessed the very first time the public interest test was taken out of some of Alberta's law. Alberta's laws had the public interest test. This is the public's resource. It is a broad definition. You can put parameters around it, and it used to be, in the electric world, that that parameter was that when we invested in electricity, there had to be enough investment so there was value in the future but not so much investment that there wasn't value for the public today, because the public is paying for it. The same is true in this.

All laws that you pass, all legislation that you pass takes rights away from people, citizens, in one form or another, so they should have a beginning where they take those rights away. In other words, when you pass a regulation – well, we don't pass regulations. When a regulation is made on a speeding limit, then I'm not allowed to exceed that speeding limit without a fine or some sort of offence, but I get my right back at a certain point. In other words, they can give me a speeding ticket, but they can't throw me in handcuffs and take me to jail for going 10 kilometres above the speed limit. You have a limit to the law. These bills here need a limit, and you didn't give it a limit.

When you look at the board's authority, you gave the board unlimited authority. That's where one of the major problems happens with these bills. What you want the board to do is meritorious in many ways. You want to streamline the process. I do, too. But if you give the board unlimited power, then what you do is you give the board, the commission, or whatever you want to call it the ability to abuse. Unfortunately, we have experienced that in this province, where people have been abused.

I'm going to give an example. We often look at landowners as being just the farmer, that rural person. I'm going to tell you about an oil field service company right here in Edmonton – maybe you Edmonton MLAs should pay attention to this – that was looking to consolidate their company right here in Edmonton. Good business for Edmonton. They bought a quarter section on the southeast side, that they were developing. To continue their development, they were going to keep 30 acres for themselves for their business, develop the rest, sell it off, and sort of break even, make a profit, or reduce their cost to develop their property. A smart business plan, a smart move. Lots of people have done it.

They called my office up. They didn't call your office up. They came to see me because it dealt with property rights, because a business is property rights. I had no idea why this businessperson was coming down to Sundre when they were from Edmonton. He explained to me what went on. There's a dugout on that quarter section. For those who are not farmers, that's a watering hole. I actually went to that section of land, and I looked at it. You can look at that. It's like: yeah, a farmer in 1960 dug a hole for watering the cattle.

He wanted to reclaim that. Now, under our current laws, under Alberta Environment, which this is going to streamline and doesn't correct, by the way, you have to reclaim that dugout. You have to reclaim that wetland, and there's a procedure for reclaiming wetlands. We all know what the procedure is. So he hires an environmental consulting group. They come out. They do their plan. It's registered as a class 3 wetlands. It's a man-made dugout. It's dry. There's no water in it. He gets a lawyer involved

to do all the legal work, which is very expensive, some firms more than others, for you lawyers who are here in the room.

But the reality is that he thought he was doing everything right. For his efforts, following the guidelines that we've followed in this province for the last 30 years, he could donate \$32,000 to Ducks Unlimited to reclaim that wetland. That was the plan. Members of SRD showed up and said: "No. We're not going by that plan anymore." This gentleman said, "What are you talking about?" They said: "That's ours. We own that wetland. The government owns that wetland." His lawyer didn't know about it. The environmental consulting agency didn't know about it. This guy was livid. They told him that they wanted 10 per cent of his development. His development was \$30 million. They wanted \$3 million from this company if they wanted to fill in a dugout.

4:50

That's what started the problem, and he showed up in my office. He comes to my office, and he says, "Where did this happen?" I flipped my computer around and said: "Land Stewardship Act. Go right to where it amended the Public Lands Act. There it is. They took away your right." But that's not the end of the story. It was the abuse of the bureaucrats to come up with a 10 per cent penalty without any basis to come up with that penalty. The only thing I could do for him was to say, "Welcome to my office" because I knew a business would show up sooner or later.

Farmers get the idea about property rights because they deal with oil and gas all the time, but many of these businesses, ironically an oil service company, find out that the government is violating what they thought was their fundamental property right. You can see what's happening around the province. There's inconsistency, and what we want is consistency. Oil field companies, developers: they want clear-cut rules that they can go by. They want to know what the rules are before they even make the investment. They want to be able to plan on the rules and count on the rules, and so do landowners and property owners. That's all we want.

When you look at this bill, it doesn't do that. The first thing that is missing is the public interest test. It's been taken out. That public interest test, I tell you, must be put back in. You have to define some sorts of parameters that will define the public interest test. That's so important. One is on the resource side; that's in the public interest. On the property rights side that's in the public interest. They need rules and regulations. Say that I bring an oil field company in on my property to drill a well, run a pipeline, whatever. I sign an agreement that they do this, and they do it right, and then they sell that well. They sell that pipeline. A new company comes in and violates this. This bill makes an attempt to address this, but it misses.

I'll give you another story about this. Five farmers west of Rimbey contacted my office after I got elected. They are the kind of landowners we want in the oil patch. They welcome pipelines and wells coming onto their property. They work with them. We had a pipeline from Keyera come across their property, quarter sections worth about \$340,000 each. They get a rent, loss of use, for having that pipeline across their property, but the animals can graze. They have multiple agreements with different companies. [Mr. Anglin's speaking time expired] I'm done? I was just getting started.

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a). If any member would like to comment or question the Member for Rimbey-Rocky Mountain House-Sundre. The Member for Medicine Hat.

**Mr. Pedersen:** Thank you, Madam Speaker. I'd just like to ask

the Member for Rimbey-Rocky Mountain House-Sundre: in your opinion, why do we keep seeing bills like this coming across that are presented in this fashion, yet there are so many what you've identified as holes and places to make changes.

**The Acting Speaker:** Thank you.

The hon. member.

**Mr. Anglin:** Thank you, Madam Speaker.

**An Hon. Member:** Finish your story.

**Mr. Anglin:** I'll get to that story, but I want to answer that question, and I'm going to use my story to finish that question. If you didn't hear the question, the question was: why is this continually happening? That's a very good question because it appears that there's bad consultation in the process.

To just kind of bring it all together, I was telling that story about the farmers, the landowners who want to have oil field workers and oil field companies come onto their property. These people signed a lease agreement, and the general contractor did not pay the subcontractors. I guess that happens. But each farmer out there with a quarter section worth \$340,000 found a \$6.4 million lien on each section. They're not legal minds. It devastated some of them. One of them lost a land deal. Another one lost his fertilizer. He had used his land as leverage to get his fertilizer, and that fell through as soon as the bank said: you've got a \$6.4 million lien on a \$340,000 quarter section. Their recourse? None. Keyera said: "Go away. We don't care. It's not our problem. It was the general contractor." What happened to their rights? What happened to their rights?

That's what's going on here. Why is that continually happening? You need to ask yourself that question. I'd love for you to fix this bill and get me out of this Legislature, but I'm here because of property rights. Make no mistake about it. I'll be there if you pass this law. I will tell you that the way this is right now, I will be out at every rural hall again telling people what's in this bill.

It was brought up to the other member there – and it's really important – that this is not an independent board. This is a board that will take its direction from the minister. You can't have that. You have to have independence. When they make a decision that's wrong, there has to be due process of law. They just need legal recourse, and it can be administratively. It doesn't necessarily have to be the courts. You have to give some guidance in this legislation so that if I am wronged, if a company is wronged, they have recourse to say, "How can I get a remedy to make me whole?" and have a fair process by which they have that decision made.

Right now the way this is laid out is that the people who would make a bad decision, whether it's intentional or unintentional – that's not the point – get to hear the appeal. I will tell you that it is very difficult for people to admit they made a mistake, and that is a real problem for landowners, for property owners, for business owners when they are dealing with the regulator. It is so important when we look at that.

There's another issue in this provision here that I find troubling, and it has to do with the rules of evidence. The rules of evidence don't apply as in court, and that's, actually, generally a good thing. We want boards to have a lot of flexibility to allow evidence to come in, and from jurisdiction to jurisdiction to jurisdiction – and I've testified on a lot of industry boards for utilities – boards have that authority. I'd never seen it abused until I came to Alberta, and that's unusual. I don't know why that is. That's something that you have to ask yourself when you're looking at that provision. That provision is a provision in law that

is designed to give a board flexibility. I've seen it in Alberta where they've actually used it to deny evidence from coming forward. That actually has happened in the electricity world. That's one of the reasons we've got such a crazy problem in that history of the world.

You could end up with that same problem here. That's what leads to landowner frustrations. I believe that in this bill you have the exclusion of a judicial review, where the board has the right just to reject the viewing of evidence. I have to tell you that we've had a couple of violent cases in Alberta where people have been killed over the frustration of dealing with these regulatory boards. Alberta has had way too many. Way too many. One is too many. We've actually had two in recent memory, in my recent memory. In my own experience we had a 70-year-old lady – two hip replacements, on her way to cancer treatment – try to actually attack a board lawyer. Nobody asked the question – I mean, it all got reported. What would prompt a 70-year-old lady of ill health, poor physical condition to take on a 30-year-old board lawyer? She tried. If you asked her, what she said was: I was protecting my land. That to me is unacceptable. The whole thing is unacceptable.

5:00

**The Acting Speaker:** Thank you, hon. member.

I recognize the Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Madam Speaker. I'm honoured to rise and speak to this bill. I have quite a few things to say, so I'll jump right into it. I'd like to note that there's quite a lot in this bill to digest, as some of my colleagues from the Wildrose have iterated, so I'm sure there'll be a lengthy discussion on this bill.

This bill charges the regulator, who reports to the Minister of Energy, with the sole responsibility for environmental oversight. This seems to be a misplacement of responsibility as the Ministry of Environment and Sustainable Resource Development already has the policies, capacity, and expertise to support the regulation and oversight of energy projects when it comes to environmental assessment and monitoring. The Ministry of Environment and Sustainable Resource Development has, literally, hundreds of compliance officers, approval engineers, and technical support staff. At the moment it's unclear if this expertise will be automatically used by this new regulator.

I want to talk a little bit about some background from previous talks of a single regulator in the MacNichol report. The push for a single regulator in this province goes back to 2002 when Vance MacNichol made a report to government that ultimately concluded that the approval process for energy projects was not as efficient as it could be due to the involvement of these three separate departments at the time: Energy, Environment, and Sustainable Resource Development.

In 2004 environmentalist Martha Kostuch revealed that the government had been working on the plan for a single regulator since 2002. She echoed the concerns of many within the environmental community that the formation of a single regulator would contribute to rushed reviews of energy resource activity applications and would overlook legitimate environmental concerns.

The issue of the appeal process remains a deep issue of concern within the currently proposed Bill 2 as it did within the MacNichol report. In the 2002 MacNichol report the recommendation was made that the single regulator would not only be responsible for the approval of energy resource activities but also would be responsible for dealing with any appeals made with regard to the approval of energy resource activities.

Unfortunately, this proposed legislation as well allows the regulator to determine whether an individual is directly or

adversely affected and can decide not to hold hearings if they deem that unnecessary, which is a cause for concern.

I'd like to talk a little bit about the mandate of the Alberta energy regulator and pace of approval for the energy resource activities. The mandate of the regulator is "to provide for the efficient, safe, orderly and environmentally responsible development of energy resources in Alberta through the Regulator's regulatory activities." That's in section 2(1)(a). This refers to the efficient development but begs the question as to whether Alberta's regulatory approval process resulted in consultations that were inefficient or too long. Further, it's not necessarily true that Alberta's economy would benefit from a more efficient approval process for oil and oil sands gas and coal projects.

Some economists and researchers are challenging the truism that ramping up production of oil in the oil sands by streamlining the regulatory process with a single regulator will be to the benefit of Alberta's economy and to Albertans. In other words, there are other factors, including a potentially saturated market, that need to be considered when dealing with energy resource activities as defined within Bill 2. For example, this past April Randy Ollenberger, with BMO Capital Markets, said that "we have more oil moving into the system than the pipeline system in North America was designed to accommodate." That was taken from the CBC business news on April 20, 2012.

Unfortunately, the issue of the prioritization of energy projects is a blind spot in this bill. Of course, the priorities for development may change over time according to political and economic factors, but it remains to be determined what expertise would be represented on the board of directors that will respond to complex economic and environmental factors. In general, however, it remains doubtful that long-term economic development will be served by the efficient approval of the energy resource activities.

Until the government can clarify what its desired membership on the regulator would be, it is impossible for Albertans and the NDP to know whose interests will be represented or under-represented at the table of the regulator.

The hon. Member for Edmonton-Rutherford underlined the mandate of the regulator, saying that the new process could shave months off of decisions regarding energy projects. Stakeholder groups would like to see a system that is nimble, that is responsive, competitive, and that is efficient: quoted from CBC news, October 24, 2012. The minister's comments at a press release regarding the bill and the bill's stated mandate for the regulator take for granted that faster development of Alberta's energy resources is necessary in the current economy. Although this assumption seems to be at the heart of the MacNichol report from 2002 and the current Responsible Energy Development Act, it remains to be proven that what Alberta needs is a streamlined approval process and a potentially handicapped environmental review process.

I'd like the body to consider what happens when supply is greatly increased, what happens to the price in the market. Looking at the pace of development, back in 2009 Premier Lougheed is on record stating his concerns about the pace of development in the province, speaking about a very high-cost economy. He told reporters he'd like to see only one surface mining project at a time, with lower cost underground bitumen recovery projects proceeding at a relatively faster pace. To quote former Premier Lougheed, "That will be hard to accomplish in the short term, because so many commitments have been made, but I would hope, in due course, the new government in Alberta would move themselves more to a more uniform development." That's taken from the *StarPhoenix*, July 15, 2009.

Again in 2011 in an interview on the CBC's *The Current* Mr. Lougheed stated his concerns over Alberta's current pace of development in the oil sands.

I worry about it because the problem with it is that the oilsands go too fast, the costs go up. And when the costs go up, it doesn't just impact the people in the oilsands in the Fort McMurray area – it impacts the people all around the province . . . but my view is that we have to be very careful that we don't let the oilsands impact negatively other parts of our province including our agriculture and our agriculture processing.

Mr. Lougheed wasn't only concerned about the local effects of the oil sands on other sectors. He was also thinking about what the approval of projects means for the job market in the energy sector.

We should be refining it in Alberta and we should be making it public policy in the province and hopefully the new Premier, whoever he or she is, will deal with that issue pretty quickly.

That was taken from CBC'S *The Current*, September 13, 2011.

This last quote redirects the issue to where it should be: public policy. Although this bill deals with the purview of the regulator and specifies that the regulator shall give the minister at least 120 days' written notice before making a rule under this act, the bill does not articulate the way in which the regulator will respond to the policies set forward by the government, the Minister of Energy, or any other government departments that touch on the issue of economic, environmental, and social impacts of resource development. In other words, this bill sets up an empty structure with no sound public policy to fill it and guide its decision-making.

The Pembina Institute is also on record saying that Bill 2 is incomplete when it comes to policy direction and the resolution of policy-conflicted proposed projects. The managing director of the Pembina Institute, Chris Severson-Baker, says his organization is unclear on how stakeholders beyond industry and government will be engaged in policy discussions on energy development. "The single regulator piece has been fairly well developed, but the piece that hasn't been fully designed yet, and that we're most interested in is the policy management office." That was taken from the Fort McMurray news on October 26, 2012. In other words, it's not simply enough to have an efficient or speedy regulator when you have no strategic plan for sustainable energy resources development.

In addition to the lack of a clearly defined relationship between public policy and the regulator, the bill does not go into enough detail regarding the question of membership. The regulator is made up of a board of directors "consisting of a chair and at least 2 other members appointed by the Lieutenant Governor in Council," section 5. The minister will also approve the board's appointment of a chief executive officer "responsible for the day-to-day operation . . . and affairs of the Regulator," section 7(1)(a). Since this membership making up the regulator will be responsible for the establishment and maintenance of policies and procedures, addressing identification, disclosure, and resolution of matters involving conflicts of interest of directors, hearing commissioners, officers, and employees of the regulator, the regulator will essentially act as a self-policing body with no outside scrutiny.

#### 5:10

More generally, the issue regarding the membership of the regulator extends to the issue of interest because the bill does not offer any details regarding the balance of expertise represented on the regulator. Instead, the Lieutenant Governor in Council is solely responsible for choosing the board of directors, section 5(1), and the roster of hearing commissioners, section 11(1). This description of membership and organizational structure does not go into any detail regarding what academic, political, economic,

or governmental expertise will be sought for membership of the regulator.

Moving into hearings, section 32 of the bill does not give any detail regarding notification to individuals who may be affected by an application to the regulator. "A person who may be directly and adversely affected by an application may file a statement of concern with the Regulator in accordance with the rules," section 32. This section should be amended to include the responsibility for the regulator to ensure that applicants have notified individuals who may be potentially directly and adversely affected of their plans for an energy resource activity. Only then will individuals have the information necessary to determine whether they consider the potential energy project to have a direct and adverse effect on themselves.

The bill states that in cases where a hearing has not taken place, "the Regulator shall publish or otherwise make publicly available the Regulator's decision in accordance with the rules," section 33(2), implying that there will be no public notice made available before a decision has been made if a hearing does not take place. This puts an unreasonable burden on any potentially affected individual to become informed of an application for an energy resource activity. In general there needs to be greater clarity in this bill on when a hearing will be required on applications for an energy resource activity.

Regarding the review process, after giving a decision notice to the applicant and any participant in the hearing, if there was a hearing, the regulator will then publish or otherwise make known its decision. After this happens, an eligible person may make a request for a review. This generally covers a wide range, but there are two problems with this request for a review process. "The filing of a request for regulatory review does not operate to stay the reviewable decision," section 38(2). This means that though there may be significant and legitimate appeals in the process of being filed and heard, the decision of the regulator stands, and the applications can continue to move forward.

Second, the regulator is responsible for the whole review process as it is responsible for the initial decision. In other words, there is no third party that vets and hears review applications, which means that the regulator can simply throw out requests for a review for a number of procedural, general, and subjective reasons if it doesn't deem them relevant or worthy of being heard. That's taken from part 2, division 3, section 39(4).

(4) The Regulator may dismiss all or part of a request for regulatory review

- (a) if the Regulator considers the request to be frivolous, vexatious or without merit,
- (b) if the request is in respect of a decision on an application and the eligible person did not file a statement of concern in respect of the application in accordance with the rules, or
- (c) if for any other reason the Regulator considers that the request for regulatory review is not properly before it.

With these general and broad-sweeping reasons for dismissal at hand, the regulator could easily avoid any review process, and that again speaks to the lack of public consultation and public input. There should be a third party that's responsible for considering a request for review.

Regarding the appeal to the Court of Appeal, decisions of the regulator can only be appealable to the Court of Appeal "on a question of jurisdiction or on a question of law," part 2, division 5, section 45(1). On the other hand this, regrettably, means that other than internal reviews of decisions or Court of Appeal appeals on jurisdictional matters or a question of law,

every decision of the Regulator or a person carrying out the powers, duties and functions of the Regulator is final and shall not be questioned or reviewed in any court . . . to quash or set aside or otherwise, to question, review, prohibit or restrain the Regulator or any of the Regulator's proceedings.

From part 2, division 6, section 56. This essentially means that when it comes to questioning the rationale for decisions, appellants do not have access to the courts of law.

Finally, regarding fines, the increased upper limits for fines, \$500,000 for corporations and \$50,000 for individuals, is a welcome amendment to current sections of energy laws dealing with fines, but when it comes to megaprojects, this upper limit of fines is still too low to be an adequate deterrent for companies and individuals to ensure compliance with environmental regulations.

Although the upper limits are higher in fines for noncompliance than currently dictated by the energy resource enactments, these potential fines are given a loophole in this bill. The fines will not be levied if a person establishes on a balance of probabilities that the person took all reasonable steps to prevent its commission.

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a). The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Madam Speaker, and thank you, my friend from the wonderful riding of Edmonton-Beverly-Clareview. You know, I've really enjoyed listening to what you had to say here today, and I'd actually like to hear a little bit more. I'd like to hear what processes you'd like to strengthen or see put in place and the benefit that they'd have for the province of Alberta. I'd like to hear some more of your comments on that.

**Mr. Bilous:** Well, thank you very much, Member for Lacombe-Ponoka. You know, I think part of the issue at hand here is that we're taking what I like to refer to as a megabill because we're taking different bodies and streamlining them into one. There was due process for projects that went through several different steps, from looking at the environment to ensuring that there was a public discourse.

The concern that I have is that we're going down to one regulator that has sweeping authority. We've talked about the fact that it's the minister who appoints this regulator, and that causes grave concern for myself and for the Alberta New Democrats. You know, in order to ensure that the pace of development continues at a healthy pace, that we don't overheat our economy, there are steps and processes that should be in place to ensure that all the different members of the public and industry are represented, that they have a voice, and that there is due process before projects are approved.

Thank you.

**The Acting Speaker:** Are there any other questions or comments under Standing Order 29(2)(a)?

Seeing none, we'll move to the next speaker, the hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Madam Speaker. I appreciate this opportunity to speak about the Responsible Energy Development Act. For a long time now our regulatory approval process has been bogged down in a quagmire of regulatory delays and burdensome bureaucracies. I was fascinated to hear the stories that our leader told today, kind of horror stories, didn't you think? Quite shocking.

This act appears to be designed to make our processes competitive with our neighbours', restoring energy companies'

faith in Alberta and making it easier for them to plan and initiate new projects in a cost-effective way. I think most of us who recognize that we rely on businesses to create wealth-producing jobs and add revenue to provincial coffers realize that this needed to be fixed, in a nonveterinary way, I hasten to add. I didn't think anybody was awake over there. [interjections] I said that I think this needs to be fixed in a nonveterinary way.

In our eagerness to rectify wrongs of the past, however, let us not discard the good parts that protected the rights of all stakeholders. Whether intentional or not, certain landowner rights will be removed, specifically the section 26 standing rights under the Energy Resources Conservation Act, if the current form of this bill proceeds without amendment.

**5:20**

Part 2 of the bill, dealing with hearings and reviews, is very problematic. It is this entire section that reduces landowners' rights. Currently section 26 of the Energy Resources Conservation Act describes a clear process of appeal for those who might be affected by an ERCB decision, including proactive disclosures of relevant information by the regulatory body and a right to a hearing by an appeal body independent of the regulator. The language in the new legislation is far weaker and does not guarantee a right of appeal. See Bill 2, sections 31 through 35.

The current legislation also removes landowners' rights to appeal to the Environmental Appeals Board and gives the regulator the power to review his own decisions. It is unlikely that the regulator will be inclined to amend his own decisions. As was mentioned earlier, it's not easy to admit you were wrong. Thus, section 36 removes another important opportunity of appeal for landowners. The ERCB ethos does not appear to be aimed at protecting the environment or landowners. There have been checks on its pro-industry mandate in the past that are being eliminated. We believe the language and protections contained in section 26 of the Energy Resources Conservation Act should be placed into Bill 2. In particular, there should be an external appeal body like the Environmental Appeals Board, which is being cut out by this act.

I received input on this bill from an expert in advocating for landowners' rights, Mr. Daryl Bennett. He's a constituent of mine as well as a knowledgeable, vocal spokesman for his many landowner clients. With his permission I will now share some of his comments to me, his MLA.

I'm just getting sick of what is happening in this province, and not a few landowners are mentioning . . . this.

This is about taking the few remaining rights away from the landowners and streamlining the process so that industry does not need to deal with environmental or landowner concerns.

Basically, government is getting tired of informed landowners being able to use the system to protect themselves. I'm really concerned about putting the reclamation and remediation under the same regulator that gives licenses in the first place. It's like the fox guarding the hen house.

I'm involved with the MATL power line right now, and it is sickening how the operator is being given preferential access to government and the regulators and how the rules don't apply. They're contriving to have information beneficial to landowners thrown out and threatening lawsuits and other actions to keep the landowners from effectively representing their cases.

The biggest problem with these regulators is that their decisions are very difficult and costly to review. They also sanitize their decisions so that many issues brought up by landowners are not even mentioned.

They ignore what they don't want to deal with and then hide behind Administrative Law which states that their decisions only have to be reasonable. How do you determine

what reasonable is when they edit the information that they rely upon?

This is the government's way to remove judicial oversight and fairness from the system so that they can confiscate private resources to benefit the "big players" who donate to their campaigns.

Then they use intimidation or regulation to shut down the opposition.

It's going to get very difficult to represent landowners in this climate. Landowner lawyers are being slashed on costs, and very few people want to work for landowners anymore because the system is so rigged against them.

Daryl is an intelligent, well-educated man. I'm sure you can sense his passion and his frustration. Variations of his comments are being echoed across rural Alberta, as you've heard from some of my colleagues.

Now, democracy and fairness can be clumsy. When you believe you know what's right and you have the power, there's a tendency to ignore contrary voices. To continue to do so will appear to be both presumptuous and insensitive to the interests and needs of the weakest partners in this equation. To pass up this opportunity to create a win-win for energy companies and for the landowners upon whose property many of the energy developments will occur would be a travesty. Power corrupts; absolute power corrupts absolutely. That is a saying that, hopefully, this government is committed to seeing does no longer apply to it. Self-awareness precedes change.

I want to talk for a minute now about the law of the harvest, a principle about natural and artificial systems. An example of that might be farming. Now, a farmer knows that if he doesn't prepare the soil and plant in the spring and do the other things necessary to tend his crops during the summer, if he decides, "Gee, it was a bad winter, and I'm going to take the summer off and play and have a good time" and when fall comes he says, "Well, I'm rested and ready to go; I'm going to harvest if it takes me 18 hours a day," well, what's he going to harvest? He didn't plant anything. That's a natural system, where choices have their consequences.

Education might be considered an artificial system, where if the goal is to get an A, you might just cram for your final exam, and I suspect that some of us got pretty good at cramming when we were in school. But what's the half-life of crammed knowledge? It's probably just barely long enough to get the test written. Maybe you get an A, but does that A demonstrate that you mastered the material? I submit that it doesn't in such cases. You could fool the system. The teacher might think you're brilliant – you got an A – but did you really get an education? No. Now, how many of you would like to be operated on in, say, a delicate brain surgery procedure by a doctor who as a student knew how to beat the system, who crammed for his exams? I wouldn't have confidence in his performance, and you wouldn't either.

Natural versus artificial systems. Governments create some artificial systems and some artificial rights from time to time. We need to have laws and rules and regulations like this act that make sure that we have equal rights to government services, to government regulations and to government regulators, to government boards and the courts, and to protection from incursion and unjust acts that may be perpetrated on us, unjust use or access to our land. There are natural rights, and there are artificial rights.

Let me tell you about Farmer McGregor, who gets a letter from the government. He's just thrilled to get the letter because it says: "Dear Farmer McGregor, you don't have to plant this year because we've got too much grain, so we're going to pay you to bank your land." He's thrilled. He says to his wife: "Martha, great

news. We don't have to work this year. They're going to pay us to bank our land." They feel pretty good about it. They kind of celebrate it. But then they get the rest of the story. The letter the next day says: "Oh, by the way, Farmer McGregor, you're going to have to go to your neighbours and get the money from them. You'll go to Mr. Smith, your neighbour next door, and ask him for a thousand dollars so you don't have to work this year, or you'll go to Mr. Jones across the street and ask him for \$500 so you don't have to work this year" and so on.

Well, you know what, Madam Speaker? He can't do that. He won't do that because he knows that he has no right to a portion of your income. He knows he can't look you in the eye and say: give me some money for not working. Now, if he doesn't have that right individually, what makes him think that he can delegate a right that he doesn't have to the government, a right for the government to go and to give somebody, an oil company for example, the right to trample on somebody else's rights? You can't do that. We can't collectively delegate a right that we don't individually have, I submit to you.

Now, we need rules and regulations, and there are situations where government will through rule and regulation and through rule of law require that certain things will happen, but you can't give a right to one person without taking away another person's right, so we have to consider the impact of our actions and the consequences of these decisions. I think that's what's been talked about so eloquently by all of the speakers today.

5:30

Now, a criminal is provided a lawyer if he can't afford one. Shouldn't a law-abiding citizen receive the same help in a civil matter, in a battle against financial giants? That's what we're talking about. That's what Mr. Bennett was talking about in his concerned comments to me. Landowners can no longer afford to engage in costly battles to defend their rights. When David went up against Goliath, his own strength and skill and God's help allowed him to conquer that giant. Who's going to help the landowner Davids?

I think the system and this government shouldn't put him in that position in the first place, but if it does, then he's entitled to our help. I think it's our obligation to see that the law and the system prevent that from happening as much as we can. Where it does happen, we shouldn't pit the landowner Davids against the financial giants in the oil industry.

Now, we want the industry to have access. We want the system to be speeded up. But it can't be at the expense of the individual rights of landowners. Every landowner should have a say in decisions that affect him or her. I think that's where a lot of the frustration arises. Each of us wants to have a say in decisions that affect us. We ought to be able to within our own government, where we're paying our taxes and voting. The democracy in Alberta shouldn't end the day after an election. You all across the way ought to have the freedom and ability to vote the way your constituents want you to. That's participatory democracy. It's essential to our freedom. It's essential to the protection that landowners need. It shouldn't just be those of us who have been chosen to represent the rural ridings, in most cases, that speak up on behalf of landowners' rights. You all ought to be doing the same thing yourselves. Shame on you if you don't, I think, and so do they.

Government ought to seek first to understand the needs and concerns of all parties before prescribing the solutions. You wouldn't have any confidence in a doctor, say an optometrist, that saw you walk in and took a look at you and said: "I think these would work for you. They've been really good for me. You ought

to try them.” You wouldn’t go back to that optometrist. You’d turn around and walk out.

Government says: we’ve listened to Albertans. But the evidence shows that you didn’t hear. You need to listen and hear, and your actions will demonstrate that you’re hearing, that you’re getting the point, that you understand the concerns of the people that are being affected by your decisions, who don’t feel like they have a say.

Why don’t people show up? Yesterday, I think it was, somebody mentioned, the Finance minister perhaps, that he was puzzled by the lack of response from the citizens when given a chance to come and talk about the budgeting process. Well, after going to those kinds of things for so many years and never seeing any impact or any change in what was already obviously planned, why would you continue to do that? You’ve got better things to do. Watching Oprah, for example. You may actually learn something. Credibility comes from listening and demonstrating that you understand.

**The Acting Speaker:** Thank you, hon. Member for Cardston-Taber-Warner. I believe that you were reading from a document, so I would remind you that you’re required to table that document tomorrow during the regular Routine under tablings, please.

**Mr. Bikman:** Glad to do that.

**The Acting Speaker:** Thank you.

Just before we go to 29(2)(a), I want to remind everyone in the House that in the spirit of Halloween we can go out and celebrate and enjoy the ghosts and ghouls that are out there, but in the House it is not traditional for us to wear any masks.

The Member for Drumheller-Stettler under 29(2)(a).

**Mr. Strankman:** Yes. Madam Speaker, to the hon. member. He used the phrase “absolute power corrupts absolutely,” and I was wondering if he could explain how he feels this will relate to this new superregulator and the appointed board.

**The Acting Speaker:** Thank you, hon. member.

**Mr. Bikman:** Thank you for asking that question and for the opportunity to respond, but first I need to ask, Madam Speaker: you made the comment about costumes after I spoke. I wonder. This is the way I really look. [interjection] Thank you.

Absolutely power corrupts absolutely. We see evidence of that throughout history.

**The Acting Speaker:** Hon. member, through the chair, please.

**Mr. Bikman:** I’m sorry. Absolute power corrupts absolutely. The question is: how do I think that applies to a superboard? Well, where in the world have we seen central planning for large jurisdictions actually produce lower cost services or better quality decisions? We know that decisions are best made at the level nearest to the people affected by them. I believe there’s strong evidence of that, yet we see attempts to create superboards.

We know the frustrations that have been created with the Alberta Health Services superboard. Lots of our constituents complain about the quality of service not being what it was prior to that event. They feel like, again, they’re powerless. They feel like decisions are made here in Edmonton that don’t reflect the realities of Milk River, Alberta, where five critical care hospital beds were taken away and now they can’t hire doctors anymore. That’s what I mean. When you centralize power and you don’t have checks and balances to the power, the kinds of things that

I’ve talked about and that my hon. colleague from Rimbey-Rocky Mountain House-Sundre so eloquently expressed and others have too, you lose credibility. Your ability to govern effectively relies on that credibility, that relationship that you have with the citizens at large.

Now, because we’re in a majority rules situation here, people get the sense, especially when the voting occurs as a bloc as opposed to individuals in spite of what’s been said and evidence to the contrary that exists, that there are no dissenting votes. That’s peculiar because you’re not from a homogeneous riding. It’s a heterogeneous riding. When we get homogeneity within a group where the group’s opinions, varying opinions and perspectives, aren’t allowed to be expressed, not just behind closed doors in caucus but also on a floor like this, then you produce a stagnant result. That’s why in certain similar situations adoption is required. Think about it.

We need to value the differences, and a good dynamic party values the differences and input from all of the stakeholders and the stakeholder representatives that were elected. When I mentioned in a jesting way earlier about fixing things not in a veterinary way, I think sometimes that seems to be what’s happened. I think the government is fixed because they can’t come up with new ideas with input. We don’t value the differences. We’re not getting enough differences of opinion.

Now that’s clumsy. That’s awkward. But psychological experiments and studies have proven that the groups that have a variety of interests, where you’ve got somebody there that’s always agitating and making life miserable for the rest because he’s never happy with the ideas they’ve come up with, those groups compared to homogeneous groups end up producing far better results, far more creative solutions to problems.

When power corrupts and absolute power corrupts absolutely, it isn’t necessarily in a criminal way. It can also be that it corrupts the decision-making process, that it corrupts the creative juices and the creative processes that need to exist, that have to exist if we’re going to meet the real needs of our province. This is a dynamic province, a province with great potential, great people, great citizens.

Now, we can keep telling ourselves that we’re the greatest in this or we’re the greatest in that, and we can find statistics that will prove it, but many a statistician has drowned in a river with a mean depth of three feet. You can lie to yourself with statistics, but don’t do that.

**The Acting Speaker:** Thank you, hon. member.

I’ll recognize the hon. Member for Innisfail-Sylvan Lake.

5:40

**Mrs. Towle:** Madam Speaker, thank you for the opportunity to speak on Bill 2, the Responsible Energy Development Act. We all understand and agree with the basic idea that the present regulatory process has become a bureaucratic nightmare. The idea of a single regulator that ensures efficiency, consistency, and collaboration within the regulator is very important, and this should be the goal for all legislators going forward. The Wildrose believes in streamlining processes. We believe in creating efficiencies, and we believe in reducing the tax burden to families, to businesses, to industry. However, along with any of these decisions consultations have to happen with stakeholders. Those consultations have to happen with industry, with landowners, property rights groups, and any other affected stakeholders.

Industry has come forward and endorsed this bill, as seen by the CAPP news release of October 24, 2012. Clearly, industry was consulted, and going forward they indicated this bill, in their



belief, will create a more efficient regulatory system that helps build investor confidence, will encourage technology and innovation, simplify the processes, and make it easier to navigate a regulatory system, and will encourage the provinces to work together and collaborate with the federal government to reduce any overlap or duplication. These are very important aspects of this legislation. These are also all things that the Wildrose sees as positive as well.

The Wildrose fully supports the intent of Bill 2, the Responsible Energy Development Act. Clearly, we need to ensure that we make the process less cumbersome and promote economic growth while at the same time ensuring that landowners are protected. It is important to understand that the red tape in Alberta creates a situation where we become one of the worst jurisdictions for energy development because of this bureaucratic process. Many other members in this House have already spoken to what other provinces are doing or not doing or how it can be or can't be. The Leader of the Official Opposition identified how Saskatchewan is doing it and is taking a process that is taking nine months in Alberta down to a simple two-hour process. We can get there.

Bill 2 is a step forward, but it has become clear that it will not be able to get the job done. Any time we look at government regulation, especially when we're trying to maintain a balance between the environment, landowners, and industry, we must ensure that the legislation will generate efficiency and balance. We must also ensure that landowners are fully consulted when making decisions about how their property is affected. After all, landowners are the persons who have invested in the property and have worked the property, and it belongs to them. We as legislators do not have the right to impose upon them our will and to take their property away from them. I've spoken to stakeholders who were completely caught off guard by this bill. It's not at all what they were told it was going to be, which was a simplified regulatory process. Instead, we have something that could make the process even more complicated.

My first worry with this legislation is that it's adding more red tape to an already rising mountain of red tape, which is not a solution. Red tape continues to hurt Alberta's industries and small businesses. A Canadian Federation of Independent Business report in 2010 said that overregulation costs Alberta \$4 billion a year. This means that we're taking \$4 billion, removing it from Alberta, and not giving back to the people who give to Alberta every day. A recent Fraser Institute study said that a sweet gas well that should take 10 days and \$1,000 to get regulatory approval for currently takes almost three years and \$100,000. That does not signify to industry at all that we are a friendly place to do business.

We are a great province. We already provide the lowest tax rate. We provide a very friendly work environment, and we have a hard-working, diligent group of people in Alberta. What we need to do is reduce the regulatory burden. Interestingly, this government has known this all along. The Wildrose knows this, and together we should be doing something about it.

Alberta's economy is only going to get better as we allow our businesses to become more and more competitive, especially in the global marketplace. We can do this while we ensure that we protect landowners' rights as well as the environment. We must make sure that landowners and the environment and industry are all working together to make that the priority. What we also have to do is cut unnecessary regulation, and I believe that Bill 2 does not cut that regulation but actually adds more.

One area of Bill 2 that concerns me greatly is that it takes the failed bodies and basically stuffs them into a new energy superboard. Unfortunately, Alberta has seen the detrimental

effects of superboards. Albertans have seen how centralization has taken the power away from local decision-making and given that power to a board that is no longer acting in the best interests of Albertans or aware of the concerns facing many Albertans.

The Alberta health superboard was one such board. This was a board that was created to simplify the process, provide efficiencies, and save taxpayer dollars. Clearly, this has not been a success. The Alberta health superboard has created insecurity, added layers and layers and layers and layers and layers and layers and more layers and a few more layers and some more layers and a couple of more layers and then some more layers, and then we added some bureaucracy, and then I think there were even more layers and then a couple of more layers and then about two more layers to the process. It fails on making decisions that best serve Albertans. We only have to look daily to the situation of the multitude of vice-presidents in Alberta Health Services, how money is being eaten up at the bureaucratic level, not making it to front-line workers. Those are decisions of a superboard.

Those same decisions of a superboard take away local autonomy. They take away decision-making from those who know best what's going on. Many Albertans have expressed loudly that they are no longer heard in this type of centralized decision-making. Centralized decision-making often loses sight of the real goal, only to cave in to a particular agenda. It is imperative that we do not create that same style of decision-making in energy. This is especially true when we have experienced first-hand how centralization of anything can be devastating to Albertans, landowners, and business. Bill 2, the Responsible Energy Development Act, centralizes power under the minister's hand-picked regulator, with plenty of room for interference by the minister. Hmm. I think I've seen this a little bit before. I'm not really sure, but I think there were a couple of bills before that sort of addressed this a little bit and had a little bit of room for interference and a little bit of hand-picking, those kinds of things.

We have seen how that process works, and it has a negative effect on business and Albertans, and it creates uncertainty and instability. Bill 2 does make something more efficient for industry and government. It pretty much takes landowners' rights away. It pretty much ignores the landowner. That's pretty efficient if you want to get something done. Part 2 of the bill, which deals with hearings and reviews, is very problematic. This entire section reduces landowners' rights, which have already been marginalized enough by this government. We can do better than this. This bill would be a lot better if it was more focused on reducing the red tape than marginalizing property rights.

Once again, there are sections in this bill that are broad and subjective as to what the regulator's powers are. This bill clearly opens the door to constant political meddling. However, of great concern is section 68. Section 68 goes way too far. It allows for another Bill 36 or Bill 50 disaster. Section 68 may allow the minister to rewrite the rules, to expedite things that wouldn't normally make it through a standard regulatory process. One only has to ask: "How does this protect the landowner? How does this protect the Albertan? How does this protect people who are investing in our province?"

The makeup and selection process of this board should ring alarms for all who believe in democracy. I think we can all agree that there should be representation for more than one hand-picked group. The board could clearly be made up of a variety of stakeholders such as property rights representatives, people with environmental backgrounds, and, of course, experienced and proven people from the different kinds of energy industries.

How can Albertans be assured that this bill will not result in even more appointments of PC donors and volunteers to high-

paying government jobs? Since cabinet is in charge of appointing the board of directors, there is concern that positions will be filled with PC supporters instead of industry experts and landowners. It was the Premier's cabinet that approved the Bill 50 lines and pushed for the hiring of Evan Berger, all of which create an atmosphere of cronyism and distrust. Many have expressed great concern that leaving these appointments to cabinet is not a good idea. The creation of a biased, superregulatory agency will not solve the deficiencies in the regulatory system.

5:50

That being said, Bill 2 has made some progress. The intent is right, the idea is solid, and there's an opportunity to ensure this is not another Bill 50 debacle. We've already seen Bill 50 come back to this House. Clearly, it was a flawed process, and the House asked that it be reviewed. We have done that, and that's the right way to do it.

Bill 2 did make a positive step in allowing the landowner to register their agreements that they make with the companies with the regulator. This allows the regulator to enforce the provisions without the landowner having to take the company to court. This is a very positive portion of this bill. This clearly shows that they had the landowners' interests at heart, that they were listening to those that they might have consulted on this issue, and clearly they have developed that into the bill. Now, if only we can take all of the other concerns and ensure they're addressed as well.

Madam Speaker, while I do appreciate that the government is trying to do something to help industry with project approvals, streamline the process, and create a single-door regulator, which I one hundred per cent agree with, I do not believe that Bill 2 as it appears today is doing the right things. Bill 2 does not ensure that there is proactive informing of affected landowners, and it does not guarantee their right to a hearing as part of the licensing process, as is currently the case with the ERCB.

I'm happy to work with the members opposite to provide opportunities to landowners while ensuring that we are protecting the rights of landowners. I understand that there is a need to make sure that industry has the opportunity to be able to run their businesses and provide their services in an effective and efficient manner.

I look forward to working together on amendments to make this legislation something that will benefit all of Alberta, and I'm hoping that the government can see that this is not about politics. This is about understanding our constituents, Albertans, and putting their needs ahead of ours. I will not be supporting Bill 2 as it stands today.

Thank you.

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a). Are there any other members who would like to comment or question the Member for Innisfail-Sylvan Lake? The Member for . . .

**Mr. McAllister:** Chestermere-Rocky View.

**The Acting Speaker:** Chestermere-Rocky View. Thank you.

**Mr. McAllister:** I forget myself sometimes, Madam Speaker.

My question for the member. I think she communicated effectively, you know, what her problem with the bill is. I'd be curious to know what it would take to sway her vote in support?

**The Acting Speaker:** Thank you.

The hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you. It wouldn't actually take a lot. What we

need to do is to sit down and engage with landowners and see what their concerns are with these bills. What I'm hearing is that they need to make sure the board is fair, that it's not appointed just straight by the minister. We need to make sure that the regulatory process is streamlined but streamlined in a way that it's not catering to any one person. I'm happy to prepare some of those amendments. I know many of our colleagues in this House will be preparing some of those amendments. But, ultimately, what it's really going to take, as the hon. Member for Cardston-Taber-Warner said, is the ability to listen, not just to listen with your ears but to actually hear what someone is saying.

This isn't about, you know, that side or this side. This is about picking what is best for Albertans, and landowners have a problem with this bill. Landowners had problems with bills 19, 36, and 50, and they were ignored and ignored and ignored, which created a situation where we have 17 MLAs in the House today, which is absolutely historical in this province. What we need to do: we need to take a lesson. Albertans have said: "We will not be ignored. We will be heard, and if you don't hear us, you're going to see what's going to happen." So let's work together. Let's figure out what the best solutions are to this bill, and let's do it in a proactive way and show that we can do that.

The people on this side of the House, in the Wildrose caucus, anyway, are more than willing to work with the government. All we're asking is that the government be more than willing to work with the Wildrose. That's what's best for Albertans.

Thank you.

**The Acting Speaker:** Thank you, hon. member.

There are still three minutes left. Are there any other members who wish to question or comment? The hon. Member for Calgary-McCall.

**Mr. Kang:** Well, I want to ask the hon. member what kind of impact the streamlining process will have on the environment, if any. In your opinion, when we streamline the process, what kind of impact is it going to have on the environment?

**Mrs. Towle:** Thank you, hon. member. Well, clearly, I think that any time we can streamline the process, we can ensure that there are environmental protections to make sure that we are not damaging people's land, waterways, air quality, all of those things. We can do that through legislation, or we can do it through regulations. But making a one-stop shop for industry and for landowners provides a system where – right now what happens is that somebody wanting to do something literally has to go to eight or 10 or 12 different spots. They have to, you know, pay this fee here, and they have to do this, and they go to the next window. Well, what happens is that something gets forgotten. Hawks' nests get torn down. Marshlands get destroyed. Property gets ruined. Farmland gets taken out of productive cropping, all because there are so many steps in the process.

We can streamline the process, we can protect the environment, we can protect landowners, we can encourage industry, and we can do it right. It just takes co-operation. Just because you streamline a process doesn't necessarily mean that you're devastating the environment. There are ways to do it right, and as long as we listen and we co-operate and we engage the people who know – if you ensure that there are environmental people on this board, that's the check and balance. We can have that. Just because you streamline doesn't mean that we automatically destroy the environment. We can do it right. We want to do it right. We just need to do it together.

**The Acting Speaker:** Thank you, hon. member.

There is still one minute left. Are there any other members that wish to comment or question the hon. Member for Innisfail-Sylvan Lake?

**Mr. Kang:** Will the application be proceeding simultaneously in all the other departments? Will different people be dealing with the application or just one regulator?

**Mrs. Towle:** Thank you, hon. member. Well, I don't think that at this point that's clearly been laid out. I mean, that's something the government is going to have to bring forward to everybody here. I'm certainly open to hearing whatever suggestions they might make, so how that streamlined process can benefit everybody and how it actually works so that in the House here we know that we're protecting Albertans. If it's one person or two people, that's

fine, or if you make the application to protect the environment and have your project go forward and that's arranged through one window but behind the scenes it takes more than one person, I'm assuming it will.

**The Acting Speaker:** Thank you, hon. member.

Being an inexperienced Speaker, at this point in time I see that we have one minute left, and I think that I am required to call the next speaker, who will just stand up and start his presentation.

**Mr. Campbell:** Madam Speaker, I suggest that we call it 6 o'clock and adjourn till 7:30.

**The Acting Speaker:** The hon. member has moved that we call it 6 o'clock.

[Motion carried; the Assembly adjourned at 5:59 p.m.]







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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Wednesday evening, October 31, 2012

Issue 13e

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta**  
**The 28th Legislature**

First Session

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## Legislative Assembly of Alberta

7:30 p.m.

Wednesday, October 31, 2012

[Mr. Cao in the chair]

**The Acting Speaker:** Please be seated.

### Government Bills and Orders

#### Second Reading

#### Bill 2

#### Responsible Energy Development Act

[Debate adjourned October 31]

**The Acting Speaker:** The hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Mr. Speaker. It's a privilege tonight to come in here and talk on Bill 2, the Responsible Energy Development Act. I think this bill has some great ideas and concepts. I believe industry welcomes this bill. I also agree with our leader. I want to support this; we all would like to support it, but I'm afraid there're a couple of problems with the current wording. One thing that worries me is the fact that the explanatory notes in this bill are a little more than the actual bill is. It's just over half, which usually means there are a lot of things that we're taking out. Some of the things that are being taken out of that are a lot of the wording changes with that.

In saying that, I'm concerned that we cannot support this bill until it changes in part 3, section 65(1), the part that overrides any terms and conditions of a registered private surface agreement that conflicts with this part.

Also, the language in the new legislation is far weaker and does not guarantee a right of appeal under section 31 through section 35, again.

Section 68(1) I also feel takes away from property rights, which I'm a strong advocate for.

Also, our leader brought up section 21 and working with our First Nations in this province to make it better for them as well as everyone involved in it.

[Mrs. Jablonski in the chair]

Hearing commissioners are appointed and not elected. Something I've always fought for during the election process is to make sure that everybody on boards is elected and not appointed.

Also pointed out, just like on Bill 36, is a way that the government and ministers can overturn anything and veto vote with just the stroke of a pen. To me, that is not democracy.

I believe that we should learn from what we've been talking about here in the last couple of nights with Bill 8 and the fact that we're trying to fix Bill 50, which had some obvious issues to it. I think we're showing that that's how we can get some things done, by working on those, but let's identify it now instead of making this something that we have to deal with two years from now. In saying that, I believe, as a strong property rights advocate, that we need to get property rights onto the front of this bill and not onto the back burner of it. I stand here today before you as someone who believes in property rights and will hold this government accountable for that as I believe that is probably one of the prime things that got me involved in politics in the Little Bow riding and also made people vote for me. They knew we'd be strong advocates for property rights.

Another thing that I have noticed with this new bill is that it concerns me that the references to public interest are completely

gone out of this bill. This concerns me as everyone, I believe on both sides of the floor, is here for the best of public interests for this province.

Again, I can echo my leader's concerns. Please try to slow this down, Mr. Minister, and give us time to walk through this with some of our stakeholders and get this correct the first time, which I think is probably the best way to try to pass any bills.

If we could move some of the wording forward on this bill, I personally would be able to support it, but until that time I cannot go against my belief in property rights for landowners.

I can tie this together. When I worked in oil and gas myself, moonlighting from my farming job in the wintertime, the company I worked for was having some problems with landowners. Most of the time when a landman would come in to talk with you, you didn't trust them because you didn't know them and they didn't know your concerns. With this bill – and I guess that's where I can tie into it a bit – you've got to have the buy-in of the landowners. With the landowners tied in with it, you can work with the industry, oil and gas, a lot better.

I was told a long time ago, when I started on county council, that it's a lot easier if you ask somebody instead of tell them. Nobody likes being told. Nobody in this House that I'm aware of likes to be told to do something. They like to be asked for their input. This also worked well when I was a reeve in the county any time we'd be working with landowners on doing any new roadwork or general work within the county.

Section 16 gives the minister the power to request any information from the new regulator, including personal information. Again, I'd rather put in there "excluding" rather "including" if we're going to change some of the wording to this. I'm always a little leery of all the personal information that gets given to any agency, whether they're arm's length or apart. It's private information for generally good reasons.

Part 2 of the bill, dealing with the hearings and reviewing, is very problematic. It's an entire section that reduces landowners' rights. Again, not to harp over things that didn't work out well, but I think we've identified before in this province that landowners take their rights very seriously and have fought for them. I guess, to me that is key and crucial to how I'd like to deal with this bill, to identify that we need to take care of the landowners before we start worrying about everybody else. I think we can work collaboratively on that with industry. The people in the oil and gas sector are well aware of how to work with everybody on that. I don't want to have this just at the stroke of a minister's pen.

The current legislation also removes landowners' rights to appeal to the Environmental Appeals Board and gives the regulator the power to review this on its own decision. That's very scary to me, any time when you're not allowed to appeal anything to a board that's at least arm's length from the board that made the original decision. I mean, being on council before, you could say, "Well, you could come and appeal to the county or somebody," but if it's the same people that are around the table that made the original decision, unless there's some very new evidence that comes up, the odds of them changing their mind is almost certain to be unlikely. In saying that, we're going to see that with the regulator that's appointed by the government. They're going to be inclined to go with their own decisions rather than – nobody usually likes to hear that they're wrong, so if they came up with a decision, they're not going to go back on themselves within a short period of time.

I believe section 36 removes another important opportunity to appeal for landowners. As a farmer and a landowner, I think that probably one of the key things in our campaign that I could talk with people about was property rights and rights of individuals. I

think that's key, and whether you're urban or rural, depending where you live, you want respect for your rights. If you're an urban person, you put up your fence and your neighbour doesn't get to park their vehicle on your front lawn for something to do and vice versa. You own your property. Everybody works hard to be able to make their mortgage payments and have the property that they do. As a farmer and a landowner, that's key and crucial to me for how things work.

I'm more than willing to work with any oil company and gas company usually, but when they dig their heels in and they don't want to work with you and they start telling you how to do things, it never goes over well. The track record always shows that those are the ones that always end up in front of an appeal board. There are different companies that do that. Back in the old days, in the early '80s, there were a couple of companies out in our neighbourhood that were doing that. They'd fight you because they knew the farmer didn't have the money to go fight it and go through the process. Then when people started banding together and we had strong property rights advocates start working with everybody, there was the push-back a little bit.

7:40

As I say, most times when we're talking about a bill in this House, if you can have the respect amongst everybody around it and listen to the ideas, you can bounce back some ideas, whether it's a good idea or a bad idea. Oil companies always fell into that, Madam Speaker. They'd sit there, and they didn't want to listen to the landowner all the time.

Sometimes it's the little things that people go along with to be able to negotiate. It doesn't have to be huge changes in what they're doing. For instance, I had a gas well at my place that we put about 300 feet farther south from my yard than where they originally wanted to drill it, just for noise concerns alone. It wasn't the end of the world. With the technology that they have in this day and age, I mean, they can directional drill. They can put it on a bit of tilt and get the gas zone they're shooting for. Again, this hits different spots for different people.

I'm lucky, I guess, in my area. It's all sweet gas that we have; there's no sour in that area right where I farm, particularly. Now, there are people that have sour gas wells in their area and there are studies to show where cows, you know, have birth defects with their calves and everything from the sour levels. When you can see that with an animal, you probably don't want to be breathing that in yourself. I'm not saying that there isn't technology to deal with it all. It's the fact of sitting down and actually talking to the people, making sure that we're working with all the stakeholders in it. That's the one of the things that concerns me all the time.

#### **Point of Order Decorum**

**Mr. Donovan:** Madam Speaker, a point of order, I guess. I don't know all my stuff, but are you supposed to be sitting in the normal seats you're at all the time, or are you allowed to sit around? During Committee of the Whole you're allowed to.

**The Acting Speaker:** Thank you, hon. member. This is the formal part of our proceedings, and you should be in your regular seats. I believe that everyone is. Thank you.

#### **Debate Continued**

**Mr. Donovan:** Thank you. As I was saying, when you get the buy-in from people, it goes a lot better because you're willing to work with the people. It's the process and the common respect

you have for working with the people. We saw this, you know, when we had a bit of a crisis here this fall with beef producers. Instead of fighting with everybody, everybody sat around the table and worked together on that to resolve the problem. I think that's the key to it. I think the key to making good, common-sense decisions is sitting down and appreciating that we might not all agree with what is being done all the time or where it's going, but at some point you have to figure out how to work there together.

I think it's come a long way over the years with oil and gas and working with landowners, but at any point where you start telling them that the minister at the stroke of a pen can change something, that's always very worrisome to landowners and property right owners. I have all the respect in the world for our current Minister of Energy because of his track record and history of working in government. I'll say that I got to see him in my younger years when he was the MP for the area where I reside.

I think the problem isn't the current people that we always have in. Something you always have to worry about when you pass a bill is who could be in charge of that later on. That's, I guess, the concern when you have that, and that goes back to why I believe we need an elected board with any of these regulators, if there's any regulator, to make sure it's an elected person in that position. Then there's always a way to recall that person if there are set times for the election dates or not, however you want to go about it. But you can always bring people to a board, any kind of a board, from a recreation board to a regulator board, everything we do in society. As long as you have the right to democratically elect somebody, that's key and crucial. I think it's the foundation of how this country was built and how this province was built.

In saying that, I think we've got to make sure that landowners' rights are always enshrined in this act. I think most of the colleagues on this side of the floor and I'd assume most of the colleagues on the other side of the floor respect everybody's property rights. In saying that, if we could make some changes, if we could have some good dialogue with the minister on this, there's probably a good possibility that – I know if I had the right wording change on that, enshrining property rights into this act, I wouldn't have any problems at all supporting it. I think it streamlines it. I think industry would appreciate it. We've seen the letter from CAPP saying that they're more than happy to be part of this bill as it's presented.

I think we've got to always make sure we have a proper balance of both sides between landowners and also the oil industry. I mean, we've shown that it can work well together. The problem is: if you get a regulator or that one inspector that doesn't like you or a landman that doesn't go well or whatever goes on, you can push yourself into quite a corner. I don't think anybody wants that.

With that, Madam Speaker, I'd be more than happy to put this out there for everyone else in the House and my colleagues that have been here and definitely all have their own history and their background, but I'd caution everybody to please try to think about adding property rights to this and try to get that back into the act, which I think everybody appreciates.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. Member for Little Bow.

We have Standing Order 29(2)(a) that's kicked in. The hon. Member for Strathmore-Brooks.

**Mr. Hale:** Thank you, Madam Speaker. You mentioned that you have lived in your riding your whole life, been involved in the oil patch, been involved in the agriculture industry. What do you think your neighbours, that you've known for most of your life, would feel about this bill if it passed as it is?

**The Acting Speaker:** Hon. member, you shouldn't speak for your constituents as far as their opinions are concerned, but if you'd like to comment on his question, you can go ahead.

**Mr. Donovan:** Yes. Well, thank you to my colleague for Strathmore-Brooks. I talk with people in my area, and I know my own thoughts on it. There's no way I could sell this to my constituents and say that this is a good bill as it sits right now because of the lack of landowners' rights and privileges in it. I think property rights – I mean, we can't kid ourselves – were a major driver in the last election, and I think that's something that we've all identified.

I give the government credit on bills that we've talked of already in the House so far this fall, stuff that we've identified. I mean, nobody's perfect. They come up with a bill with all good intentions, but that's why we have amendments to bills. We can identify because a different set of eyes always finds something different to look at and can see something in that.

I know that in my riding property rights are key and crucial, whether it be a power line, an oil well, a gas well, a pipeline, an overpass, anything like that. People know what's good for a general area and everything else, but as soon as you put something – it goes back to what I'd stated earlier. It's always better to ask somebody than tell them. I know I personally do a lot better if I'm asked to do something, but if I'm told to do it, sometimes I put my heels in a little bit, and I might not be the funnest person to deal with in those situations.

Again, I think, as it sits now, it's not something that my constituents of Little Bow would be happy to have as a bill. I believe it takes away from property rights. In saying that to the hon. member who asked me the question, I don't think the people in my constituency would be happy as it sits, but I think they'd be more than happy if we enshrined some property rights into this piece of legislation.

**The Acting Speaker:** Thank you, hon. member.

We still have a few minutes left on 29(2)(a). Are there any other members? The Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Madam Speaker. You mentioned your experiences as a reeve and a municipal leader in your area. When a decision is made, is it a real appeal right if it goes back to the same decision-maker? In your experience have you had that decision go to another body that's somewhat independent from the decision-making process so that they could look at the facts anew and come to potentially a different conclusion?

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

**Mr. Donovan:** Thank you, Madam Speaker, and thank you to my colleague. Yes, I have seen that. When I was a reeve, you always had the chance to appeal your taxes, for instance. Lots of people do that in a municipality all the time. We have a couple of lakes and a couple of developments around those lakes. The conversation would always come up as to whether they should be paying the amount of taxes on it because they're only living in that house, say, for 90 days over the summer. The first argument is always, "Well, I shouldn't have to be paying taxes for a full year" when they're doing that. So they'd always appeal their taxes.

Now, of course, our assessor is a great guy, has been there his whole life, but his job is to assess. When you're arguing an assessment municipally through the Municipal Government Act, basically you could only argue about whether the house was complete or not complete, the actual resale value of it because that's what the tax was based on, and how many bathrooms were

in the facility. They've got a whole code and a book of regulations they go off when they do the taxes.

7:50

In saying that, people would bring complaints to the county, and there was a tax assessment review board committee. From sitting on that and also chairing it a couple of times, you'd have people come in, and they'd explain why they felt that their taxes were higher than they should have been. Now, if we deemed that they were fine as they were, then they had the choice of either paying them or appealing them provincially. I know that three times while I was on it, the appeal actually went to Red Deer, which was the provincial tax review for the province – I don't know the exact wording of it – and we got overruled. The beauty of that was that it was a different set of eyes that weren't part of our municipality. I'm not saying that we were doing anything wrong or trying to do anything wrong, but there were some different things to look at.

Thank you.

**The Acting Speaker:** Thank you, hon. member.

The Member for Medicine Hat.

**Mr. Pedersen:** Thank you, Madam Speaker. I rise today to speak on Bill 2, the Responsible Energy Development Act. As it currently stands, I'm not sure it's the right way to describe it, but we can work on it. It is very important for members of this Assembly to engage in debate in order to ensure that the intent of a piece of legislation actually becomes the legality of the same piece of legislation.

Madam Speaker, the intent of the bill can be honourable and well-meaning, but if the legislation is flawed, good intentions mean nothing. I fear that this may be the case with Bill 2. However, I am most definitely able and willing to be convinced otherwise through some important amendments and the actions of the government. There are some major and serious concerns that need to be addressed to ensure that its application does not negatively impact landowners and that government is not simply making these changes to consolidate their own powers.

We have heard in this House how important property rights are, and I sure hope that the government does not forget this. They are paramount, and they must be respected. Alberta's current regulatory system for oil and gas projects in our province is cumbersome and difficult in part because a company must apply to a multitude of government entities and boards when seeking approval for a single project. And, Madam Speaker, I would not be surprised if a company is often required to submit the same information to various government entities. This needless bureaucratic duplication does not serve any purpose, and it would explain the frustrations that many in our industry face.

As someone who has worked in our oil and gas industry for almost my entire working life, I know that all too often there are bureaucratic nightmares that are faced by hard-working Albertans. We recently saw the federal government implement a streamlined approach for resource development projects where they reduced the number of federal government departments and agencies that deal with the regulatory process from over 40 down to three. They did not reduce the standards of information companies need to provide but simply made the system more efficient by cutting out unnecessary duplication. This is important because I think we know that all Albertans are committed to sustainable and responsible development and to environmental protection.

Having one point of contact within government for a company to deal with when submitting applications as proposed in this legislation makes sense. Madam Speaker, it is something that Albertans in the oil and gas industry have been asking for.

However, I caution this government that simply creating a regulatory superagency does not automatically eliminate deficiencies in our current regulatory system. The government must specifically address the deficiencies within the system before responsibilities are reorganized, or else these deficiencies will simply transfer over from the old system to the new system.

Madam Speaker, I know that in my constituency of Medicine Hat I am constantly told to accept the need for regulations. However, they must be well thought out, and they must serve a purpose, and they must not be detrimental. Outside of the oil sands region most of the oil and gas exploration and development in our province takes place on privately owned land. Alberta currently has strong legislation in place dictating how oil and gas companies must deal with private landowners. Can the government assure Alberta's landowners that if they have concerns regarding a proposed development, the new regulatory body will provide an avenue for those concerns to be addressed in a meaningful way?

Madam Speaker, as we debate this piece of legislation, members of this Assembly and, indeed, all Albertans will be looking to the government to provide concrete evidence that they can in fact bring together several government entities under one single-window regulator without causing more red tape for industry and more cost to taxpayers. A single-window regulator for oil and gas, as proposed in this bill, will only be successful in encouraging further investment in our province if it truly makes the system more efficient. And we need to be respectful of property rights. Until I am assured by the government with amendments that this will be the case and property rights will be respected, I will find it rather difficult to vote in favour of this bill.

Madam Speaker, I wish to reiterate some key points because natural resources and their development are critical to our prosperous future. We must balance the rights of industry with those of landowners, the environment, and, most importantly, all Albertans as taxpayers as they receive the services from the government.

As I said before, the Wildrose believes that there is a place for regulation within this industry definitely, but it's the inefficiency of regulation that causes the heartburn to the industry and landowners and the service and supply industry, which I have some experience with. If they're not set out correctly, all that these regulations do is cause more red tape. They cause issues in trying to get your business of the day done, add cost, add expenses, slow projects down. If we're going to do any kind of new legislation, let's make sure that the regulations are streamlined so that we hit the important points but we don't hamstring anybody in any one of those different groups in working with the new bill.

Balance is so important, like I mentioned before, balance between industry, landowners, the environment, the taxpayer. I mean, we all have to answer at the end of the day to our taxpayers, who are our constituents. They're our customers, and we're tasked with making sure that our customer service is the best customer service we can deliver. That's key, and I think a lot of times we forget about that.

My prior experience was in customer service, and it's important, I think, to know that what you do today is great, but the customer comes to you again tomorrow. "Thank you very much for yesterday, but we want to know how you are going to improve your services to us today." We have to continually go to our customer and find out: "What are your needs? What are your wants?" Then we have to make sure that we understand what they're asking for. We can sit down, figure out a solution, bring it back to them, and ask them: "Is this what you were asking for? Is this going to meet your needs? Is this going to satisfy you?" If it does, we've succeeded. If we haven't, the customer has an oppor-

tunity to come back and say: "No. You got that. You got that. You missed me on that."

That's an opportunity, as we've been talking about, with the ability to appeal to an arm's-length board. I think that's very, very crucial. If you didn't have that communication going back and forth, you'd be delivering a service or delivering a product that the customer didn't ask for, didn't want, didn't need, and now is burdened by your solution. So that's key. I think that's awesome.

8:00

The environment, of course, in the whole equation: I think that's very important as well. A lot of times we get caught up with, you know, the value of industry versus a landowner. The environment's in the middle there somewhere, and we have to make sure that it's not trampled on by either side. Again, it comes into this idea of balance.

The issue of centralized power with this bill is extremely worrying. It, essentially, gives ultimate authority to the minister and his department. I don't know if that was intentional or an oversight, but I think it's something that we really need to look to, to make sure, going back again to our customer, to our constituents, that their voice is heard and that the people that they take their concerns to aren't the judge and jury as well. It's fine that you have decision-making processes within this, but you have to have that ability to appeal should you feel that you are not being treated fairly, not getting the decision that you think is correct or fair or right. Having that ultimate authority with the ministry and the minister is not good. Again, if there was an amendment to correct that, I think that would be a real benefit.

To allow the regulator to control its rights and to remake its own rules after the fact is very, very concerning and a little bit disturbing, as was mentioned before by some of the other members. Industry and landowners and even the environmentalists just want a nice, solid, consistent set of rules that they can work with. I think if we lay out a strong, solid foundation with clear rules, clear expectations, and clear requirements, that's how everybody can best work together because then you take away that grey area. That grey area is where a lot of times things go sideways, things get missed. People think this and say that. I think, again, make sure that the rules are in place. They're in place for a reason, and we don't allow the regulator to go in and make new rules as they go along. I think that the rules need to be that if there are going to be changes, bring it back to the House, you know, bring it back to the voters. Let them decide if it works or if it didn't work.

One of the things that is good is to allow landowners to register the agreements they make with companies with the regulator so that the onus is upon the regulator to enforce the provisions of those agreements. I think what's happened in the past is that there were regulations in place and agreements in place with all good intent. Most industry stakeholders and most landowners usually work together to make those agreements work. Unfortunately, you have to have these rules in place for addressing the individuals where that doesn't happen, and that can be quite onerous on the landowner or even the environmental group, depending on what is being discussed.

Sometimes the only recourse left is going into the legal system. I know how important lawyers are, but their importance is measured usually monetarily in most cases, and that can be burdensome on . . .

**Mr. Anderson:** Very important.

**Mr. Pedersen:** Very important, yeah. Very important, but again also sometimes it's a little daunting if you're an individual land-



owner or you're a small-business owner. A lot of times you're dealing with corporations that don't report in the order of five or six figures. They report into the areas of eight, 10, 12 figures. I mean, you're talking about big money, and it can be quite scary for those individuals.

The fact that that is in there I think is a really good step in the right direction. That takes the onus off the landowner or the individual who feels that they have been wronged and puts it in the hands of the regulator, who can actually go chase the other side to make sure that these agreements are truly rolled out in the spirit of the original agreement and that they aren't being taken advantage of.

Again, kind of to wrap it up, this bill deals with my history, my livelihood. The oil and gas industry has been very important to me. It's given me the opportunity to get to this position, and I'm very thankful for that. I found it to be a very responsible industry in the past, what I've had to deal with, and I commend them for that. It always seems that rules and regulations and acts are brought out to deal with the less than adequately professionally acting individuals. For the most part I've seen good things happen. I just want to make sure that going forward we all work together as a group to make this bill better and have everybody work for a good outcome.

Thank you.

**The Acting Speaker:** Thank you, hon. Member for Medicine Hat. Under Standing Order 29(2)(a) the hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Madam Speaker. To the member that was just speaking. In your speech you talked about your experience in oil and gas, and you also talked about customers. Do you compare the province as probably, say, the business and the taxpayers as the customers? If so, do you see what would work better in this bill from your past years in public relations and sales, how to change this bill so it would be more usable that way?

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

**Mr. Pedersen:** Thank you, Madam Speaker, and thank you to the Member for Little Bow for that question. I think that one of the strengths I've developed over the years is the customer service side. If you're in that service industry, you don't exist without customers. In this situation, we're a little bit different. You know, if they're not happy with the decision that the Alberta government makes, the voter can't just go to Saskatchewan and say: hey, I like your ideas better; I'm going to side with you. It's not quite that easy and quite that aligned.

There are a few things that you can draw parallels to. Again, I like to think of the constituents in the constituency as customers because we are there to serve them, and I think that's very clear as to why we're here. We are here to serve them and to represent them. You know, they come to us with wants and needs, and they come to us for a reason. Sometimes it's just simply to maybe express small issues; maybe it's to express big issues. But at the end of the day we were put here to be very, very good listeners, right? The most important thing, as the member from our side here was talking about earlier, is having two ears and one mouth, and I think that's key.

I think that the best results are delivered by the best listeners who are also willing to reconfirm the message back to the person they were speaking to, the requester, making sure that the request is fully understood. If we do that and we treat all the people as customers, there's a really, really good chance that we're going to revise the way we think, revise the way we're looking at issues,

give us a different slant, a different viewpoint, come up with maybe a different and better solution, maybe an improvement.

I think that's what we're talking about here, taking something that – as was mentioned earlier, it's hard to find something that's bang on first time out. Fresh sets of eyes and people looking at it and offering suggestions can make something that's good great. I think we have an opportunity here. But at the same time we have to be very good listeners on both sides of the House, and we have to hash this out back and forth. We have to make sure that we're hearing what each other is saying. We have to make sure that we're meeting the needs and the wants of many different customers, different parties: landowners, industry, environment, taxpayers.

**8:10**

If we get that all right, this could be a great, great bill. It could be a huge improvement, again, because we're treading down that path where we're talking about streamlining. Any time you get the idea of streamlining – reducing bureaucracy, reducing costs, reducing regulations, reducing paperwork, just reducing, making things simpler, easier for business – I think you get people's attention that way, and I think that's a positive statement, a positive step. It's a great opportunity, and I'm glad the minister has brought it forward. I think there is a really good chance this could go through with the right amendments.

Thank you very much.

**The Acting Speaker:** Thank you, hon. member.

We still have a little bit of time on 29(2)(a). Are there any other members that would like to comment or question? The Member for Cypress-Medicine Hat.

**Mr. Barnes:** Thank you, Madam Speaker. I'd like to ask our Member for Medicine Hat if anybody in the oil and gas industry in Medicine Hat specifically talked about the drag that the regulatory burden is causing right now and some positive suggestions to make it better in the oil and gas industry.

**Mr. Pedersen:** Thank you, Member for Cypress-Medicine Hat, for that question. That's a broad issue. I mean, I think most industries are burdened by regulation, overregulation, red tape, paperwork. The opportunity we have as members of the Legislature is the ability to look at these bills and make sure that there's not too much regulation.

**The Acting Speaker:** Thank you, hon. Member for Medicine Hat.

I would now recognize the Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Madam Speaker. Now for something completely different. I want to rise to express very great concern with the direction set out by Bill 2, the Responsible Energy Development Act. The bill establishes a single organization to regulate energy resources, and that'll be the Alberta energy regulator. In doing so, it folds in responsibility for environmental monitoring under the Department of Energy, a regulator that is set up and operates under the purview of the Department of Energy.

Madam Speaker, it's our view and has been our view for many years as a party that the policy with respect to development of oil and gas resources in this province has been one-sided, has been lopsided, and has been weighted far too heavily in favour of the rapid development and exploitation of oil and gas resources in our province at the expense of other things that are important.

I'll mention two of them because I think they're linked. One is the question of the environment and how we protect the environment, and the other one is property rights. I note that a number of my colleagues from the Wildrose caucus have been talking about how we could improve this bill by putting in some language around property rights. Let's be clear. There has been an ongoing conflict between property owners and the oil and gas industry in this province going back many, many years. Property owners have not all gone the way of some more extreme elements that we're all aware of but have felt that they have had their rights trampled on by a policy of a government that leans very heavily to the oil and gas industry.

I connect that with environmental protection. Because we will not have independent environmental protection, because all decisions will be in the hands of one regulator in the interests of efficiency and making things simple and better for business, as one of my colleagues said just a moment ago, it means that the other factors will ultimately be sacrificed, in my view. I think that it's important that we rebalance the relationship between the oil and gas industry and property owners and that we rebalance the relationship between the oil and gas industry and environmental protection. In this province, in our view, the Energy Resources Conservation Board has not really effectively been about conservation in the past at all. It's been about facilitating the rapid exploitation of our resources.

I'm quite frankly amazed that after so many decades of oil and gas development in this province and the tremendous wealth that that's created and the tremendous contribution to the economy, people are now saying that things are too difficult and too complicated for the oil and gas industry and we need to streamline things further. Let's be clear. If you combine the responsibility for energy policy and facilitating oil and gas development in the same body with the responsibility for protecting the environment, the environment will lose almost every time. There is an inherent conflict of interest that exists when you subsume one responsibility under the other, and there is no question in my mind which is going to be the predominant interest if this bill is passed and if this one-stop regulator is created.

Madam Speaker, a few years ago the Auditor General reported that the unmet environmental liability for cleaning up after just conventional oil and gas in this province was \$2 billion. I think that it is indicative of the lack of balance that we've already had.

The bill also makes a regulator responsible for not only the environment but the management of public lands and the conservation and management of water resources. I met just this week with the Alberta Association of Municipal Districts and Counties. One of the great concerns that they raised with me is the use of surface water by the oil and gas industry. There are other alternatives, of course, but they are more expensive. Do people honestly believe that this one-stop-shop regulator is going to protect the groundwater of our province, which belongs to all of us, not just to the oil and gas industry? This bill permits the regulator to proceed without any regulatory hearing. I think it's just another example of the inadequacy of this approach.

I think one positive aspect is the increase in fines to half a million dollars for a corporation for noncompliance. We think that should be substantially higher. In the case of megaprojects, that is completely insufficient, and I think that that's a weakness, but it is also a strength because it's certainly better than what exists now.

Madam Speaker, we're fundamentally opposed to the concept of this bill, of eliminating a separate regulator for the environment. I think that it is going to be a very sad day if we proceed with this. I would challenge people here to make a case that the environmental aspects of oil and gas development are going to be properly defended by the regulator that's created under this act. I

would love to hear it if you can make a good case that the environment is going to be treated on the same basis as the development of oil and gas resources.

Again, I think that landowners' rights are going to be trampled as well. I want to challenge my colleagues in the Wildrose because I know that you stand up for property rights as did we with Bill 50 and Bill 19 and Bill 23. Before there even was the Wildrose, it was the NDP that was standing up on those issues. I think that the passing of this bill will mean fewer rights for property owners, will mean that the oil and gas companies can run roughshod over property owners. In the next election the NDP will be there to remind your constituents that we stood in this House and said so. [some applause]

Madam Speaker, with that brief and fleeting applause from my colleagues on the right and the other right of the House I will conclude my remarks and sit down. Thank you.

8:20

**The Acting Speaker:** Thank you, hon. Member for Edmonton-Highlands-Norwood.

Standing Order 29(2)(a) is now available, and I see that the Member for Lac La Biche-St. Paul-Two Hills would like to comment or question.

**Mr. Saskiw:** Thank you, Madam Speaker. I find myself in a really awkward position on property rights. I think our party is consistent with the socialists.

I guess the one question that I have is that prior to this bill there was an appeal right to the Environmental Appeals Board. If you as a landowner had, for example, a leak on a pipeline and it went into your soil, you would then go to Environment Alberta, and they would come up with a decision, but you could always appeal that to the Environmental Appeals Board. They would say: oh no; you have to do something with that contaminated soil or whatnot. That appeal right is eliminated. Now it's called a reconsideration under the new regulator. I'd like your thoughts on that.

**Mr. Mason:** Thank you very much for that question, hon. member. Well, I agree with you that the bill does eliminate that right and replaces it with something that I think is far less adequate, a process far less likely to overturn a decision already made.

You know, I think there's a lot to be said for having some checks and balances with respect to decision-making in the bill. It may be seen by some as bureaucratic excess: too many bodies poking around, and it's too difficult, and so on, just a little extra bureaucracy that you don't need. But I think that there is real value in having one body that can oversee or stop something instead of having just a single decision-making point. I'm not a big fan of the Senate, but I know some of you are, the idea that you don't have just one body that can make all the decisions, that there are some checks and balances. I think that where you get into a problem is if you don't have that kind of thing.

I believe quite strongly that you shouldn't try to combine responsibilities that may be at odds. I'm not saying that it's wrong that the environment is sometimes at odds with oil and gas exploration. It's just the way it is, and it should be reflected in our institutions. A healthy tension is not always a bad thing.

**The Acting Speaker:** Thank you, hon. Member for Edmonton-Highlands-Norwood.

The hon. Member for Little Bow. [interjections]

**Mr. Donovan:** It's all right. It's like Whac-A-Mole over here.

Thank you, Madam Speaker. I find it intriguing listening to the previous member here talk about property rights, which I firmly

agree with. I'll give the province and the Environment minister credit for this, that they've always had very strong guidelines to follow. Being in oil and gas a little on the side, I mean, there are always guidelines laid out. I think the province has gone a long ways to that. I think there are guidelines in place. I think we want to be a place that does business. I think it's a matter of, as you say, the balance of putting that back and forth. I guess my question is: do you ever think you could see yourself at that point where you'd agree that the province does a good job with environment and tracking pipelines and stuff like that?

**Mr. Mason:** I think they do a terrible job.

**The Acting Speaker:** Hon. Member for Cypress-Medicine Hat under 29(2)(a)?

**Mr. Barnes:** Yes, please. I would like to ask the hon. member what he thinks of the component under sections 63 and 64 where landowners voluntarily can register agreements, exploratory and production licences of the oil and gas companies, and then it can be subject to them fulfilling these elements of the agreement.

**Mr. Mason:** To be honest, hon. member, I am not as knowledgeable about that section as I should be to answer your question.

**The Acting Speaker:** There are 15 seconds left. The hon. Member for Drumheller-Stettler.

**Mr. Strankman:** I just wondered if the hon. member has had any experience in the Saskatchewan experience in relation to the development of oil and gas.

**The Acting Speaker:** Hon. member, three seconds.

**Mr. Mason:** No.

**The Acting Speaker:** Thank you for your comments. I recognize the Member for Cypress-Medicine Hat.

**Mr. Barnes:** Thank you, Madam Speaker. I rise today to speak on Bill 2, the Responsible Energy Development Act. It is very important for members of this Assembly to engage in debate in order to dig deeper into this legislation and ensure that what is presented on paper, the intent of this bill, translates into sound policy when it's put into practice.

It is of special interest and special concern and utmost desire for me to be involved because of the makeup of Cypress-Medicine Hat. My constituency up until the royalty review and the change in natural gas pricing – I represent the south part of Medicine Hat, approximately a third, and the town of Redcliff – was huge in the natural gas business. We had exploratory companies, head offices, and service companies providing a lot of jobs, a lot of people in town, a lot of income, a lot of royalties for our citizens, providing services and a lot of jobs for our economy.

Baseball is one of my favourite things, and I coached a baseball team about five or six years ago. I was talking to one of the parents from the baseball team who said that from his small town in northern Saskatchewan his entire graduating class of 16 people lived in the Medicine Hat area and worked in our natural gas industry. That's how important that was to our industry and our job growth.

A lot of these companies are second- and third-generation oil and gas companies. They are companies that have taken pride in our community, taken pride in supporting our charities, taken pride in paying our taxes, taken pride in adding to the quality of our lives. Many, many of these people have told me that the fact that Alberta at times is considered one of the very, very worst

jurisdictions for doing business costs them money, costs them time, costs them enjoyment. They would like to move to a single regulator if it can be done right.

Cypress-Medicine Hat is a constituency about 80 miles by 80 miles. It runs from the Alberta-Saskatchewan-U.S. border north along the Saskatchewan border about 80 miles to where the South Saskatchewan River crosses the Alberta-Saskatchewan border, about 15 or 20 miles north of a little town called Hilda. From the Saskatchewan border through Medicine Hat it will run straight west past Bow Island, past Burdett, and almost to Grassy Lake, somewhere around 80 miles by 80 miles. When we go south to the American border from there, we get into some of our ranches that are sixth-generation ranchers where the people are now raising their children and their grandchildren. Property rights and this way of life are absolutely crucial to them. I know of some instances of families where they provide many, many jobs, lots of opportunities, and a great quality of life.

In the campaign process, in the time leading up to the actual campaign period when the writ was dropped, of course, there were three or four town hall meetings that I went to. It was amazing – amazing – the involvement and the interest that the rural people have in politics. Amazing. They wanted to talk of property rights, all prepared to handle things in a fair manner, but also wanted to be treated fairly themselves, wanted to be given the opportunity to have due process if necessary, access to the Expropriation Act if really necessary, and treated openly and transparently, especially when it came to the resale of grazing leases and those kinds of things.

My background. I sold real estate for 26 years and am very, very much a novice at politics. It was so refreshing to me when I was out in these town halls meeting all these rural people how interested they were and how willing they were and how willing they were to contribute, how willing they were to contribute their time, their ideas, and in some cases their money. And, yes, a lot of times it was property rights. It's very, very important, this property rights, this merger with the oil and gas industry.

8:30

It's also very interesting to Cypress-Medicine Hat now, too, because we're sort of on a collision course with the environment, land-use planning, and Bill 36. Our RAC plan, I think, came out a week or two ago, or our RAC map, I guess. I see that the government is planning some meetings around the south part of the province and around the province to discuss this plan. Cypress-Medicine Hat people are very, very concerned. The urban people are concerned about what the infringement on property rights will do to the economy, what it will do to wealth creation, and what it will do to their freedom of choice. People in the rural parts of Cypress-Medicine Hat feel exactly the same way and with some of the directives, that are fairly subtle at this point, are concerned that if they have an alternate opinion or an alternate idea, they may not be able to find the avenue, they may not be able to find the possibility to sit down and discuss these things in a fair way with all Albertans and with access to due process if necessary. All three of these are coming together at the same time with Bill 2, so I find that particularly interesting.

One thing I've found interesting in my initial days sitting in this House is that it makes me think of one of our implement dealers in Cypress-Medicine Hat who has e-mailed me and called me, very, very concerned about the transition allowance and very, very concerned about doubling the RSP amount. Of course, that's a different story. But why I bring this gentleman up is that he's quite an advertiser on the radio, and his slogan is entrenched in my mind: Buy It Right the First Time. It makes me think of what some of my other colleagues have said earlier to the government

side of the floor. This is your opportunity to get it right the first time. Please listen to what some of us are saying. Please feel free to steal our ideas. Please make Alberta a better place.

In the case of this legislation we are debating tonight, I am hearing from Albertans that the intent of this bill is sound, yet there are some major concerns that need to be addressed to ensure that its application does not negatively impact landowners and that the government is not simply making these changes to consolidate their own power. Apparently we're concerned out there.

The present regulatory system for oil and gas projects in our province is frustrating in part because a company must apply to a variety of government entities and boards when seeking approval for a single project. Madam Speaker, I would not be surprised if a company is often required to submit the same information to various government agencies.

I shared the plane back from Edmonton last Thursday night, and I sat with an executive from an oil company who was making a very generous donation to the Medicine Hat College. He indicated to me that there are sometimes over 200 applications for a single project. Nobody hates paperwork more than me, so I have quite a bit of empathy for the good employees and the good oil and gas entrepreneurs in our area that do that. This needless bureaucratic duplication costs industry millions in lost time and productivity as well as lost wages of workers. In short, the economic growth of Alberta is sacrificed. Having one point of contact within the government for a company to deal with when submitting applications, as proposed in this legislation, Bill 2, makes sense if it's done right and is something Albertans and the oil and gas industry have been asking for. We've heard lots from my colleagues tonight about what "done right" means, and again I would ask you to get it right the first time.

I'm concerned, Madam Speaker, that in a rush to consolidate, we'll skip over the deficiencies in the current system as we've seen with Alberta Health Services and its consolidation from 16 regions to nine to one big one. If you want to change a light bulb or get the parking fixed in Medicine Hat, you have to phone Red Deer, and it takes 10 days. Centralization is no cure-all. Sometimes it's worse than the disease. Alberta Health Services took health service delivery in this province backwards. Even to this day the effects of centralization and rushed consolidation are being felt all across the province.

The single-window regulator the government is proposing must streamline regulations and eliminate needless duplication, not create more red tape, more unnecessary bureaucracy. Madam Speaker, if the goal is to make the process more efficient, then I would also argue that it should make the system more cost efficient and not increase costs. The government needs to provide concrete evidence that they will not be creating more bureaucracy. Instead, they should be addressing deficiencies, eliminating this needless duplication, reducing red tape, and saving taxpayers money by implementing a single-window regulator system. I think this can work if it's done right.

I heard many times and I spoke many times during my campaign about the Canadian Federation of Independent Business and the fact that they had put out that only three provinces, with a failing grade of D or less, have flunked the reduction of government bureaucracy and red tape, I believe, for three years in a row. It might be two. Sharing the dubious distinction with Manitoba and Prince Edward Island, unfortunately, is us, Alberta. I remember reading somewhere that this unnecessary regulation and that red tape costs our economy \$4 billion a year, money that could be used to generate income, wages, taxes, freedoms, quality of life.

Madam Speaker, I am concerned about how this legislation may affect landowners in my constituency and, indeed, all landowners right across this great province. The track record of this government in terms of respecting the rights of landowners does not, I'm afraid, inspire much confidence. Bills 19, 36, 24, and 50. The amendments as opposed to the desire to get it right the first time. We know this government does not typically listen to landowners. Perhaps they simply do not understand landowners' concerns, or perhaps they simply do not care. For years the Wildrose has been standing up and voicing the concerns landowners bring to us. It sounds like the NDP is doing that as well. It seems that we finally got government to move on one aspect.

I like sections 63 and 64 of this legislation. I see sections 63 and 64 of this legislation as a positive development. These sections will allow landowners to voluntarily register with the new regulator any surface agreement they and an oil and gas firm have negotiated. The word "voluntary" is so nice to see in there. I mean, in the time that I was involved in real estate and in my landowning it's a frustration amongst landowners that the information isn't accessible to everybody, that neighbours are treated differently, that this industry seems to happen too fast, too quickly, without their concerns in mind a lot of times. Providing information will go a long, long way to make that much fairer, much easier, and much more satisfying for all of our landowners so that they, too, feel that they're a greater part in sharing in this prosperity of Alberta.

By registering these agreements, the exploratory and production licence of the oil and gas company will be subject to them fulfilling the elements of the agreement, again a way for the landowner to have a little more strength in the agreement, a way for the oil company to have to be a little more accountable. Accountability is normally good, and that should make it a much, much more prosperous way for us.

#### 8:40

These sections also provide the new regulator with the power to enforce the conditions in surface agreements so landowners will no longer have to deal with conflicts through the court system, which my colleague from Medicine Hat touched on briefly.

However, getting one thing right does not excuse this government for getting so many other things wrong when it comes to landowners' rights. I am certainly hearing from many landowners that they do not support this legislation because it actually takes away some avenues of appeal that are available to landowners within the current system.

**The Acting Speaker:** Thank you, hon. Member for Cypress-Medicine Hat.

Under 29(2)(a) the hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Madam Speaker. I do have a bit of a question for the hon. Member for Cypress-Medicine Hat. You know, he referenced some previous decisions around landowners' rights and so on. I'm going to read him a few pieces of the act and just basically ask him to comment on the proposition that this particular bill has many of the same principles, or features, at work that Bill 50 did when it was first introduced, that it is, in fact, a centralization of power and an elimination of opportunities for citizens to involve themselves in the process and have a say in the process.

Section 56 says:

56 Subject to sections 38, 42 and 45, every decision of the Regulator or a person carrying out the powers, duties and

functions of the Regulator is final and shall not be questioned or reviewed in any court by application for judicial review or otherwise, and no order shall be made or process entered or proceedings taken in any court, by way of injunction, certiorari, mandamus, declaratory judgment, prohibition, quo warranto, application to quash or set aside or otherwise, to question, review, prohibit or restrain the Regulator or any of the Regulator's proceedings.

I had an opportunity to look to some of the sections there that this is subject to. Section 38, for example, says:

38(1) An eligible person may request a review of a reviewable decision by filing a request for regulatory review with the Regulator in accordance with the rules.

(2) The filing of a request for regulatory review does not operate to stay the reviewable decision.

So some things are reviewable, some things are not reviewable, but you've got to go back and ask the same people that made the decision to do the review.

**The Acting Speaker:** Hon. member, I hesitate to interrupt you, but this is questions and comments. You're supposed to question. He's supposed to comment.

**Mr. Mason:** I'm just giving some background, but thank you for that direction, Madam Speaker. I'd ask him to comment whether or not he feels that the centralization of power over citizen's rights, whether they're property rights or otherwise, is a common feature between this and the original Bill 50.

**The Acting Speaker:** Thank you.

**Mr. Barnes:** Thank you for that question, hon. member. Get it right the first time. Bill 50. Now we're looking at Bill 8. I think everybody on this side was saying that if we're going to review going forward, if we're admitting that we were totally, totally wrong, so we're going to redo it going forward, let's look backwards as well and make sure that Albertans are getting the economic value of those lines and not throwing billions of dollars away, leaving a lot less money to circulate in the economy and costing us all jobs, taxes, the opportunity to do that.

I know that some of my other colleagues, too, had expressed concern that there wasn't the opportunity for appeal, that there wasn't the opportunity for things to be reviewed. It's paramount that citizens in a democracy have the chance to appeal to a higher source.

I spoke of those town halls earlier. Bill 50 brought out a lot of those town halls. Some of our members have talked greatly about how property rights and stable electricity prices are crucial for keeping business and attracting business to this province. We know what Bill 50 and now Bill 8 is going to do to not improve that and, obviously, harm that. If they get this Bill 2 wrong, where it doesn't attract oil and gas and business we need to provide jobs in the right way, Saskatchewan and B.C. will be very pleased that we will be doing more to help them.

Thank you for that question.

**The Acting Speaker:** Thank you.

Are there any other questions and comments under 29(2)(a)?  
The hon. Member for Medicine Hat.

**Mr. Pedersen:** Thank you, Madam Speaker. I'm just wondering if the hon. Member for Cypress-Medicine Hat, because his riding is a mixture of urban and rural – I think you end up wearing two hats sometimes. How do you anticipate working with your stakeholders to balance industry with landowners and property

rights and the environment to make sure that everybody is treated fairly?

**The Acting Speaker:** Hon. member, you have three seconds.

**Mr. Barnes:** Thank you, hon. member, for that question.

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

**Dr. Swann:** Thank you very much, Madam Speaker. A pleasure to rise and speak to Bill 2, the Responsible Energy Development Act. You've got to hand it to this government. They have a way with words. They use all the right words: "enhancement," "efficiency," "responsible." Unfortunately, they do not follow through. The history of this government and its unwillingness to stand up to our most powerful industry, especially in light of many of the stories we've heard lately about massive donations – we're still gathering information on the just massive donations this government has received from the oil and gas industry. It is staggering.

And to see the way they continue to dance around the reality that we have devastated a significant part of this province – we have overtaxed the water system, water quality and water quantity in the south of the province, where we've had a tremendous amount of oil and gas development over the years, including groundwater threats that are increasingly evident and, unfortunately, still aren't characterized accurately as far as what is natural contamination and what is industrial contamination. I'll say more about that later.

The boreal forest, of course, and the First Nations challenges that have been experienced, where this government seems to believe that consultation simply means calling a meeting and sometimes listening to what's said but certainly not accommodating the interests, the values, the long-term well-being of our First Nations people. Not to mention the total disregard for the climate in all of this development in this province that has led us to be the number one carbon emitter per person on the planet. We are number one, and what a distinction for us.

Now they're coming to us today to say they truly want to make things more efficient and effective. Those are the words. They want to enhance assurance. Well, whose assurance? I guess that's the question. We see anything but reassurance in the history of this government in relation to oil and gas and other developments in the province.

In fact, the oil and gas industry has been the major logging impact in the province. It's not the logging industry per se but the oil and gas industry that has cut more lumber in the province than any. Nice to see that they're coming together to co-operate in some ways on roads and linear disturbances, but we have a profound deficit in this province that is accelerating at about 3 and a half per cent per year, higher than almost any other jurisdiction in the world, in terms of linear disruption and impact on agricultural productivity, water quality, and, of course, the air. We are as a resource industry obviously running or at least generating a lot of our wealth. It's a challenge for us.

But when is this government going to step up to the challenge and stop hiding behind more words? When are they going to deliver on a commitment to future generations and say: "We have a plan. We are going to allow certain developments here and not here. We are going to ensure that we replace wetlands that are disrupted by oil and gas activity. There will be no net loss of wetlands in this province. We will be leaders on the planet in carbon-efficient reductions. We are going to take seriously our commitment to future generations. We are going to manage the

pace and the scope of development in this province to ensure that we err on the side of protection as opposed to development. We are going to put money second to well-being, environmental sustainability, and integrity as leaders and decision-makers.”

8:50

The most fundamental threat in Alberta today is not our lack of resources or the pace at which we are developing them, however. The most fundamental threat is the loss of trust between this government and its citizens, the profound disconnection between government and the people, and a profound disconnection between words and actions.

These are not Lougheed Tories, Madam Speaker. We paid tribute to the former Premier Lougheed last month, and there were tremendous accolades given him. One would have hoped that his legacy would live on in terms of actions, but this has clearly not been the case in the last couple of decades and is not evident in the hubris in this bill.

Albertans are not fooled, but they are discouraged. They have become cynical. They have in many cases lost hope in what is possible in this province to influence public policy and to see a better future for themselves and their children.

Lougheed reluctantly spoke out forcefully and persuasively against this lack of leadership, the lack of foresight, the lack of science-based decision-making, the lack of honesty, admitting that it is the market, not the government, reflecting the people's wishes. It is the market that directs every significant decision about our resource development.

Let me quote from this bill: Albertans wish to realize the full benefits of Alberta's oil and gas resources. End of quote. Unfortunately, the government continues to give away this wonderful motherlode to foreign companies and foreign governments. Why they see no value in tapping into this on behalf of the people of Alberta is still a mystery, but that is part of the contradiction between saying one thing and doing another.

The proof is in the pudding. Look at the environmental and economic record of Norway, for example, where in one-half the time they have amassed almost \$600 billion of savings through their oil and gas industry. Where are we? We have \$15 billion in the heritage savings trust fund that is under threat. We have groundwater that is under threat and has significantly deteriorated in quantity and quality, at least where we know about it and have mapped it. We are still grossly behind in mapping our groundwater.

What is abundantly clear, then, is the lack of real planning for future livelihood. What we get is talk, Public Affairs Bureau spin, and a continuation in subverting real, responsible land-use planning. Still in 2012 we have no land-use plan for this province. We are allowing everything to go everywhere any time it's wanted as long as it meets very limited standards.

There's no recognition of environmental goods and services. There is talk of this buzzword “cumulative impact assessment.” Does anybody on the other side know what cumulative impact assessment is? Do you have the skills in the department, Madam Minister of the Environment, to do comprehensive impact assessment, a very complex, expensive, and highly technical review of every impact in a particular zone of any human activity? I find it very difficult to believe that a department that has been cut by millions of dollars over the last decade and is now being cut even more to add them to the resources conservation side of the equation is doing anything like cumulative impact assessment or making any decisions based on that cumulative impact assessment. I'm sorry. These, again, are words without substance.

We have to be ashamed of not spending twice, three times, or four times more on the environment department and leaving this department head to cope with totally inadequate data, totally inadequate resources, lack of technical ability, and simply a spin machine that tells us everything is fine. Not acceptable, Madam Speaker. Albertans have become deeply cynical about how we are developing this province and fear for their future and their children's.

Water is the lifeblood of this province, not oil and gas. In 2006 this caucus managed to push then environment minister Boutilier to begin a groundwater study to see whether there were impacts of resource activity on our groundwater. We began it in 2006. We had no knowledge of impacts on groundwater. He agreed to do this, and we began a six-year boondoggle with thousands and thousands of public dollars and millions of industry dollars that have gone into a pool of data that is now indiscernible, unanalyzable, with variable techniques in sampling, no connection to the resource wells, no ability to connect gas from a resource well to gas in groundwater.

This department, or its spin machine, had the temerity in March of 2011 to have up on its website a one-page summary of this baseline groundwater analysis saying: no evidence that the resource industry has impacted our groundwater. That's gone now. It's no longer on the website because I wrote about it and condemned the department for its false reporting.

The four-member panel of experts at the University of Alberta and the University of Calgary who set up the study were appalled at what's happened to that critical baseline groundwater study associated at the time with coal-bed methane but looking at all kinds of well activity and impacts on groundwater. They made 16 recommendations after a year of watching this fiasco unfold. None of them have been adequately addressed, and there has been no review of groundwater impacts from resource activity in this province.

Who can believe what this government says about the state of our environment, the state of our planning, the state of who runs the province? It's very clear who runs the province. It's not the people. It's not the government. It's the resource industries.

The Energy Resources Conservation Board has a long history of struggling with this conflicting role of developing the industry and regulating the industry at the same time. Seventy per cent funded by industry, it has all the appearance of struggling with what is understandable, conflicts of interest, and it handles them almost universally in favour of the industry. Fewer than 1 per cent of any applications get turned down.

So hastening the review process under whatever guise – efficiency, effectiveness – flies in the face of our experience. We do not believe this government can manage our resources responsibly, and we do not believe they will do anything but continue to promote an industry that is essential to Alberta but not as essential as a longer term vision, meaningful land-use planning, and better water management, a clear commitment to our water as the life blood of all our future endeavours.

9:00

I think it should be clear by now, Madam Speaker, that we cannot begin to say how doubtful we are that this is progress for Alberta. This is another bill that would purport to do things that it will never accomplish. There is only one thing to be done in the circumstances, and that is that Albertans need to pluck up courage, listen to the scientists in our community that continue to be silenced and marginalized, and stand up to a government that's not doing its job.

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

Standing Order 29(2)(a). The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Madam Speaker. My question for the hon. Member for Calgary-Mountain View is to inquire what he was about to say about the silencing of scientists.

**Dr. Swann:** Well, thank you very much to the member. I think it's been clear over at least the last five years that water has been at the forefront of rhetoric but not reality, with the Athabasca River having been monitored by the regional aquatic management program and it ignoring major contaminants, with major evidence that it had significant deficiencies, no objectivity, no clear guidelines for action on certain items, and no independence from the industry.

It took people like Dr. David Schindler and others to blow the whistle on a government that continued to deny the evidence and didn't want to find evidence and didn't want to do a thorough analysis, that it was too expensive. I'm not sure what their reasons might be. In a multibillion-dollar industry they were spending a pittance on monitoring. This has been an embarrassment to Albertans. It's been an embarrassment to our international market. It's part of the reason why there have been discussions across the globe, especially in Europe, about our oil and the negative impacts it's had on our environment and our sustainability.

This government has never been keen on getting answers to questions that might change their plans, that might change direction, that might slow development. Unfortunately, our children and our grandchildren are going to pay the price for that wilful blindness, I would say, and unwillingness to do the job of government, which is simple: careful, comprehensive, scientific policy analysis and thinking about the long term in the context of the precautionary principle that we take care of future generations as much as we do today and the principle of polluter pays. Those basic principles have been a shambles in this government. The scientists are the very heart of these kinds of decisions and enforcement of standards. It may be true to say that we have high standards, Madam Speaker. The problem is that we don't monitor them, and we don't enforce them.

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

There are two minutes left. Anyone else with a question or comment?

Seeing none, we'll move to our next speaker, the hon. Member for Drumheller-Stettler.

**Mr. Strankman:** Thank you, Madam Speaker. With a view to the hour and some of the enthusiasm that I see about the Chamber tonight, I hope I don't turn this into a complete bedtime story and that everybody is asleep by the time I'm done. [interjections] Well, or possibly not even a fairytale. We'll see how you respond to that.

Madam Speaker, I've lived 59 years within six miles of the Saskatchewan border. Only recently have they embraced a change in government. The socialistic form of government that they've had for many years previous was a boondoggle for the province. They are only now struggling to get 1 million people. There are 1 million people in the city of Calgary, and this province is approaching four times the population and four times the growth.

It's my humble view that a hundred of years ago, when the provinces were formed at the same time, they had equal opportunity, but that province took a different path than this province

and embraced a completely different form of government and has not been successful. I might like to add, though, as a point in their defence, that they may have saved some of their oil field resources and are now selling them for significantly more than the province of Alberta.

I'd like to go back to another example that began some one hundred years ago in the state of Texas, and it's called the Texas Railroad Commission. This was originally created to regulate railroads and express companies. Today the agency has nothing to do with railroads despite its name. Some years ago the U.S. federal government took over the regulation of railroads, trucking, and buses, but the Texas Railroad Commission, nevertheless, kept its name. It's a viable option. It's been working for over a hundred years. It's a completely functioning agency, and it's a practical, direct method of accountability and transparency.

The members of this Texas Railroad Commission are elected, not appointed political hacks. These people are elected and, therefore, directly accountable to the members of those industries in that state. The Texas Railroad Commission regulates the oil and gas industry, natural gas utilities, pipeline safety, the natural gas and hazardous liquids pipeline industry, and surface coal mining with uranium mining. It should be noted that the regulation of natural gas utilities has not been popular in their state. Since 1894 commissioners of the Texas Railroad Commission have been elected in a staggered six-year term. One commissioner seeks election every two years, and the commissioners decide among themselves who will chair the three-person commission. The Texas Railroad Commission has a budget of nearly \$80 million.

In the neighbouring state of Oklahoma the Oklahoma Corporation Commission is a regulatory counterpart of the Texas Railroad Commission, and its commissioners are elected in the same manner for the same term as in Texas. These members have been elected since 1907. In Alberta elections could be held every four years in conjunction with municipal and county elections, with one commissioner elected during one cycle and two the next. That being said, provision for Lloydminster would have to be made because its municipal election occurs with the Saskatchewan cycle.

The point I'm trying to make here, members of the House, is that this Bill 2 is simply a reiteration of many regulatory bodies that we have in this province, and with the historical development and the opposition that's come forward to property rights, landowners' positions on accountability and transparency, and even the Premier's statements on transparency and accountability, I view that we need to embrace a completely new and completely different body. I'm disgusted in this legislation where it talks about the ministerial direction to a regulator, page 35, under part 4 of the regulation, section 68(2): "A rule made under this section prevails over any rule that is made or amended by the Regulator with which it conflicts or is inconsistent to the extent of the conflict or inconsistency." Some of this is complete doublespeak.

It relates back to the comments by my learned friend the member from Calgary when he talked about Premier Lougheed's funeral. The quote from Premier Lougheed's funeral that struck most with me, Madam Speaker, was that he believed that the people should be above the government, that the government should not be above the people. He led that charge some 40 years ago, and you see the fruits of some of that coming forward with the election of 17 Wildrose members in this province. It was historical to come forward with an opposition like we have, and we're pleased and proud to defend property rights in this province.

**The Acting Speaker:** Thank you, hon. Member for Drumheller-Stettler.

Standing Order 29(2)(a). Are there any members who would like to question and comment?

Seeing none, we'll move on to our next speaker, and that would be the hon. Member for Olds-Didsbury-Three Hills.

9:10

**Mr. Rowe:** Madam Speaker, thank you for the opportunity to speak this evening on Bill 2, the Responsible Energy Development Act. After listening to my colleagues' comments as well as to the other opposition members here, perhaps it should be called the Irresponsible Energy Development Act.

Madam Speaker, I too am disappointed with what the government has delivered in this piece of legislation. I agree wholeheartedly with what I thought was the original intent of the bill, to streamline the process for new oil and gas projects, but I do not believe the bill does a good job of doing that. My Wildrose colleagues and I want to see red tape cut in order to foster more economic growth in our oil and gas industry. While we are rich in energy, Alberta is one of the worst jurisdictions for development because of this red tape.

A recent CFIB report indicated that we are losing about \$4 billion every year because of the regressive amount of red tape the provincial government requires from our industries. We applaud the government for working with industry to try and change that embarrassing fact. Bill 2 could be a step forward, but it's not clear that it will do the job. The Wildrose believes that there is a place for government regulation, especially in efficiently maintaining a balance between environment, landowners, and industry. It is not clear that this bill will generate efficiency, and it does not maintain the balance between the various areas. Madam Speaker, we can do a better job than this.

My expertise is not in the oil and gas industry. It is in municipal government, where one thing that I did learn – and I learned that very quickly as mayor of a small village – is that if you want to upset people, infringe on their property rights. It doesn't matter if you're trying to do the right thing or not. If you're telling them their grass is too high or their yard is littered or whatever, they feel it's an infringement on their property rights, and that's how you upset them. That's what's happened in the past.

On this issue of landowner rights the way this bill deals with hearings and reviews is very problematic. The bill reduces landowners' rights, which have already been marginalized enough by this out-of-touch PC government. It is a central Wildrose principle that one of the most fundamental roles of government is the protection and the preservation of property rights. Without such protection our entire economy is in jeopardy. Bill 2 does not take property rights seriously, and it should. Again, Madam Speaker, we could do better, much better.

Property rights in my constituency are largely the reason I am in this Assembly today. I wish it was my good looks and my persuasive nature, but sadly it's not. It was both unneeded power lines and the basic landowner rights that we were being deprived of. During my campaign as I door-knocked, talked to groups in coffee shops, town hall meetings, and so on, I consistently heard that property rights was their biggest issue. This government has damaged that.

The legislation basically makes a proposed regulator into a new position with sweeping powers and who will answer only to the minister, not to Albertans through their elected representatives in this Legislature. Like bills 19, 24, 36, and 50, Bill 2 centralizes power under the minister's hand-picked regulator, with plenty of room for ongoing interference by the minister.

Madam Speaker, the intent of this bill is sound, but the way it reads makes its application very, very concerning. I urge the

government to work with us to improve this bill in a collaborative manner and make it a piece of legislation that will actually help our province, not harm it, and make it one that we can all be proud of and pass on to those who sit here after us.

Thank you, Madam Speaker.

**The Acting Speaker:** Standing Order 29(2)(a). Are there any members who would like to comment or question?

Seeing none, we'll move on to our next speaker, the hon. Member for Airdrie.

**Mr. Anderson:** Thank you, Madam Speaker. I'll keep my comments very short. I want to echo the comments of my colleagues tonight. The Wildrose is in full support of the intent of Bill 2 and what it is trying to accomplish, which is a one-window regulator to streamline things, to make our energy industry more efficient, to make it easier for energy companies to get their work done and develop our resources in a way that benefits Albertans with jobs and royalties and all the other great things that come from that economic activity. So we believe this is a very good idea.

The problem, of course, as it is often, is implementation, and some of the issues include respecting the rule of law, respecting property rights, and making sure that we get due process rights, making sure that due process rights are protected unequivocally in this bill and that landowners and their rights are completely protected and respected so that if there is an issue, they have the opportunity to be notified of those issues, to respond to those issues, to appeal those issues in a way that is fair to them.

We think we can have a win-win here, and we think that if we can have some multipartisan support and work on we can make this into a bill that we could all go home and be happy with after it's done in a little while and not talk about, frankly, for four years or more, not make it an election issue, not make it an ongoing issue, not have to be back here in a year or two years to fix up some of the mistakes and all the wasted money and time and resources that might happen if those mistakes aren't corrected, not have to run folks across the province doing town halls and organizing all these things in order to raise awareness and create, you know, frankly, political headaches and time headaches for all of us when we want to be moving forward instead of getting stuck on that like we did with Bill 36, Bill 50, and Bill 19. It took four years to unwind that mess, and we're still not completely unwound from it, specifically the power lines. It took us four years to get so much of that mess straightened out, at least enough to carry on.

This is a new government and a new Premier, essentially a new Premier, and they have an opportunity to do things differently than the previous administration under Premier Stelmach. Premier Stelmach was a very good man, but one of the problems that he had, I think, was shooting first before aiming with regard to the property rights bills. That was the problem with those property rights bills.

We have an opportunity here to do it right. That means putting this on the table and making sure that we carefully comb over it like most parliamentary democracies do. In the federal government bills like this are sent to proper committees. We take a little extra time – three, four, six months, whatever it is – to make sure we get it right, to make sure that all stakeholders are happy with the bill or enough stakeholders are happy with the bill, that we come up with something that every one of us can stand up and support. This is a bill that we want to support, but we can't support it in its present form.

Let's take the time. We have these committees set up. We were going to bring a motion here to refer it to a standing policy



committee. We've been asked not to do that just yet. Let the government have a chance to discuss it at their caucus. We will do so. We respect that request. I think that it would be a great idea and a great show of reaching out across the aisle and reaching out to Albertans, specifically the 450,000 or so that voted for our party as well as many others that voted for other parties, especially in rural Alberta, to say: "You know what? We are listening, and we're going to do it right this time. We've got this great idea. Everyone agrees it's a great idea, and we're going to make sure we implement it perfectly this time."

If it takes an extra six months, you know, the world isn't going to end in six months. Our industry isn't going to shut down in six months. We can survive another six months if it means getting this thing right.

So I hope that the government will take that offer of bipartisanship. We're close, too. There are probably six to eight amendments max that need to be implemented to make this thing hum and be perfect, but we're not there yet. It does not protect landowners, and this is going to be a problem going forward. If the changes are not made, there's going to be constant friction in this House over it, and I guarantee that as implementation goes on, as landowners groups organize and so forth, it's going to turn into a mess.

9:20

Let's do it differently this time. We have representation on both sides here, from rural Albertans across the province, certainly in the south, obviously, with Wildrose and in the north, obviously, with PC with one exception. That means we both represent these folks, and of course this applies also to folks living in urban areas as well but mostly to those in rural areas. Let's do it right. Let's refer it to the committee, and I hope at caucus tomorrow the government will do that and come back on Monday with an agreement to put this into committee.

With that, Madam Speaker, I would like to move that we adjourn debate.

[Motion to adjourn debate carried]

### Bill 5 New Home Buyer Protection Act

[Adjourned debate October 30: Mr. Hancock]

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

**Dr. Swann:** Thank you very much, Madam Speaker. It's an honour to rise and speak to Bill 5, the New Home Buyer Protection Act. It's really a sterling piece of legislation. I can't do anything but congratulate the government on this. I think it's progressive. It's addressing many of the issues that Albertans have said they wanted to address.

It makes home warranties mandatory and standardizes minimum coverage for labour and materials, the building envelope, and major structural components. What can you say except that it will ensure that when people buy something, they have a much stronger sense of what they're getting, and they can hold accountable the various elements of the building that are essential to safety and health for many years to come. It provides for a minimum coverage of one year for labour and materials, two years for defects and labour, five years for the building envelope with a requirement for the warranty provided to offer the consumer the option to purchase additional years of coverage, and 10 years for major structural components.

This is a huge, huge step for Alberta. It's been sought for many years, obviously, by homeowners, but it's also been pressed in this Legislature for many years by the opposition. It's well written. It's clear. It's something people know they're getting. I, for one, am proud to stand here and support the work that has gone into this and how it's going to benefit all of us and our children and set a new standard for building in the province.

Thank you, Madam Speaker.

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

Standing Order 29(2) is not in order at this time.

**Mr. Rowe:** Madam Speaker, as the Municipal Affairs critic for the Wildrose Official Opposition I am pleased to speak today on Bill 5, the New Home Buyer Protection Act. To begin with, I would like to congratulate the Minister of Municipal Affairs on bringing forward a solid piece of consumer legislation. I want to thank him personally for consulting with me over the last couple of days on some issues and some questions that I had. I think that kind of collaboration goes a long way in getting these bills through, so I do appreciate that very much.

I don't think any member would argue against taking steps to enhance consumer protection, and in fact I think bringing forward consumer protection measures for the largest purchase most Albertans will ever make in their lifetimes, their home, was long overdue.

Alberta homeowners and builders have been consulted, and in general they are telling me they are supportive of the measures in this bill. I know there are a few groups who still have some questions about how the measures in this legislation will be implemented, but I trust that the minister is also aware of this and that he will work with them to address their concerns.

Madam Speaker, I fully support the principle of this bill, as do many of my Wildrose colleagues. However, there are a couple of things within the legislation that I am hopeful the government can clarify for us.

First, I remain concerned about how warranties for modular homes will be applied under this act. Modular homes are built in a factory, they're purchased, and then they're transported out of that factory to a location chosen by the new homeowner. But before the modular home can be lived in, a foundation must be poured for it to stand on, and all the wiring and the piping, et cetera, must be hooked up to it. Where does one warranty start, where does another one start, and how is that going to be handled? Those are questions that we can get feedback on, and I'm sure we can come to an agreement on those.

Under this legislation modular homes are treated the same as any other single home. However, the fact remains that most of the building, as I said, is done in a factory, and some of the work is done where the home is installed. I sincerely hope the government has put some thought into this and can explain how, given the unique circumstances under which a modular home is constructed, a modular-home owner can obtain a home warranty that covers all aspects of their home, the entire point of this legislation. How can the modular-home dealer provide a warrantee when they do not build a foundation or install the wiring, et cetera? Will the purchaser of a modular home fall into the owner-builder category and purchase a warranty on their own? Clarification is needed, and I look forward to hearing it from the minister.

Madam Speaker, I also have a major concern around warranties for an owner-builder. I am pleased that it will be the choice of the

owner-builder as to whether or not they purchase a home warranty. However, if this act is passed, mandatory home warranties will cover new homes for up to 10 years. Therefore, if an owner-builder builds a new home and there's a possibility they will sell their home within 10 years, they will be required to purchase a warranty for the remaining warranty time prior to the sale.

It is inevitable that the owner-builders will construct a new home without having any intention to move and will not purchase a warranty because they have done the work themselves, but we live in a mobile society, and people often have to make an unforeseeable move due to employment, family obligations, and so on. If this is the case, it seems probable that the owner-builder could have difficulty purchasing a warranty, a warranty that is necessary to be able to complete the sale of their home. I would hate to see Albertans punished if they find themselves in these circumstances by being unable to obtain that home warranty. Has the government thought this through, and do they have a plan to deal with situations such as the one I have outlined?

Madam Speaker, I look forward to hearing from the government on these two points I have raised. As I already stated, the principle of this bill is good, and I believe if we can work together and iron out these few kinks, we will end up with a piece of legislation that will likely benefit all Albertans.

Thank you, Madam Speaker.

**The Acting Speaker:** The hon. Member for Olds-Didsbury-Three Hills is the third speaker, so now Standing Order 29(2)(a) is available to anyone who would like to question or comment. Are there any members?

Seeing none, we'll move to our next speaker, and that would be the hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Madam Speaker. It's my great privilege tonight to rise once again and speak on behalf of this bill. We're debating the second reading of the New Home Buyer Protection Act. I know that I support the intent of this act, to protect the buyers of new homes.

You know, I remember the feeling that I had when I purchased my first new home. It was one of pride, and it was one of excitement. It was really an amazing feeling that this home was now mine, and I could make it home. Now, these feelings can last for a long time, and I think the intent of this bill is to make sure that these feelings remain there even when there are some defects in the home that need to be fixed, that there is some protection for the homeowner. I think that the intent of this bill before us is to give the buyers of homes a little bit more protection in case of these defects.

I'm happy to stand here and commend everybody on the work that they've done, especially in talking about what the warranties are going to cover. There are a few extensions in this: defects in the materials and labour for one year, extending materials and labour and the delivery and distribution of those systems at least to two years, defects in the building envelope for at least five years, structural defects for 10 years, and then the option for homeowner-builders to purchase additional coverage to extend even further to defects in the building envelope and defects in other prescribed components of the new home. It really is a pleasure to see legislation that comes forward that really does keep the consumer in mind and does look to protect the consumer.

9:30

Oh, boy. I'm trying to shorten this up here since this is really, actually, a good piece of legislation.

With that, I'm going to leave it there and just say, you know, that the work that has been done here in the House on this is commendable, and thank you so much for your time.

**The Acting Speaker:** Thank you, hon. Member for Lacombe-Ponoka.

Standing Order 29(2)(a). Are there any members who wish to comment or ask questions?

Seeing none, we'll move to our next speaker, the hon. Member for Cypress-Medicine Hat.

**Mr. Barnes:** Thank you, Madam Speaker. Thank you for the opportunity to rise and speak to Bill 5, the New Home Buyer Protection Act. I, too, support the intent of this bill, to enhance consumer protection for the largest purchase most Alberta consumers will ever make, their home.

First, I'd like to acknowledge and thank all builders out there. There are many of them, and there are a lot of great builders who are in terms of customer service already providing good product and providing warranties to their customers. In fact, 80 per cent of new homes built in Alberta already have warranty coverage although it is for a shorter time period than the 10 years that this bill proposes. Some are five.

I do know many people in the home-building sector, including my wife, whose small company completes about 10 to 15 new builds a year. Indeed, my colleagues and I have been speaking with home builders across this province to get their thoughts on this legislation, and they are generally in favour. I think there's agreement that it is in everyone's best interest for homeowners to be protected against the many things that may go wrong with their home through no fault of their own such as defects in materials, structure, and, indeed, the entire building envelope.

I was pleased to see in the legislation that the owner-builder will be able to choose for themselves whether or not to purchase a warranty for the home they have built themselves. This makes sense as many Albertans are qualified and choose to build their own home, and they should not be forced to purchase a warranty on their own work. I am also pleased to see that if they do sell it within the 10 years, they will have to get the new-home warranty protection for the new buyer, who of course could be the innocent buyer.

I, too, am concerned about the aspects on modular homes, the affordability impact that may have, and how hard it is to administer and regulate that.

Madam Speaker, in conclusion, this bill contains good measures like the ones I just outlined. However, there is one thing that really jumped out at me when I looked the legislation over, and that was the amount of some of the fines under the New Home Buyer Protection Act. I'm hoping to hear some more about this and the direction of the government on that.

Thank you.

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a). Are there any members who wish to comment or question?

Seeing none, we'll move to the next speaker, the hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Madam Speaker. Much appreciated. I, too, rise to speak in favour of this bill. I think it's a strong bill and a good piece of legislation, and I commend the government for putting it forward.

My wife and I recently went through the process of purchasing a new home, and I can assure the House that it is a stressful procedure. Having a strong warranty in place is the reassurance

that Albertans need to ensure that our housing market stays strong, that our new builds and our starts stay high. I think that, you know, for the most part every once in a while a blind squirrel finds a nut, and I would like to congratulate this government for doing just that.

Thank you, Madam Speaker.

**The Acting Speaker:** Standing Order 29(2)(a). Are there any members that would like to comment or question?

Seeing none, I would ask the hon. Deputy Government House Leader on behalf of the Minister of Municipal Affairs to close debate.

**Mr. Campbell:** Thank you, Madam Speaker. I would move second reading of Bill 5, the New Home Buyer Protection Act.

[Motion carried; Bill 5 read a second time]

### Government Bills and Orders Committee of the Whole

[Mrs. Jablonski in the chair]

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

### Bill 6 Protection and Compliance Statutes Amendment Act, 2012

**The Deputy Chair:** Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Edmonton-South West.

**Mr. Jeneroux:** Thank you. It's a real honour to rise this evening and offer comments as we begin discussion in Committee of the Whole on Bill 6, Protection and Compliance Statutes Amendment Act, 2012. Madam Chair, Albertans have the right to expect a safe workplace, the right to feel secure in the belief that work done around and for them is in keeping with the safety codes that are in place, and the right to expect to be treated fairly in business transactions.

This act amends the Occupational Health and Safety Act, the Safety Codes Act, and the Fair Trading Act. The intent of this legislation is to ensure willing and active compliance with existing regulations by creating new penalties and bolstering those that already exist for those who ignore the provisions of the three acts being amended.

I want to take this opportunity to make some further notes to address questions I've heard in the House through the past week. There were some questions raised on consultations. I want to be clear. We have consulted with industry and stakeholders about administrative penalties and ticketing. It's been a platonic and productive discussion. We did not hear anything surprising. Neither industry owners and their associations nor workers and labour groups would seek legislation that would see their own members penalized.

Our administrative penalty framework achieves balance in that penalties can be levied against both employers and workers. This is important. Everyone has a responsibility when it comes to workplace safety. Employers, employees, and government have a shared responsibility to keep our workplaces and workers safe. Bill 6 provides the tools to hold people accountable when they put others at risk.

There was also some discussion on how OHS admin penalties will be negotiated and imposed. Again, to be clear, OHS officers will recommend the penalty based on specific criteria. The amount

of the penalty will be a base amount plus adjustments depending on the degree of risk and the seriousness of the contravention. If the same contravention is recorded again within 24 months, Madam Chair, the base amount is doubled.

As this is an omnibus bill, it affects three acts. The appeal mechanism: on that point I'd like to address some of the discussion around there. Bill 6 will amend the OHS act, sections 7, 16, and 17, to provide the OH and S Council the ability to hear appeals of administrative penalties and provide the appropriate tools and procedures to deal with this new category of appeals.

Under the Fair Trading Act their admin penalty appeals will be heard by an appeal board appointed by the minister or by regulation.

9:40

Finally, under the Safety Codes Act this increases the maximum prosecution fines, so the normal court appeals mechanism applies.

Again, Madam Chair, we are proud of and grateful to the majority of Albertans, who respectfully comply with the rules, and we are confident that those who do not will see these measures as a meaningful incentive to improve their practices. Albertans have the right to safe and healthy workplaces, to know that those working around them are respecting safety codes, and to be treated fairly on their end of the business deal. This legislation helps protect those rights. Health and safety is a shared responsibility between both parties and government, and we are moving forward with an equitable solution that will make Alberta workplaces safer and hold people accountable when they put others at risk.

Thank you, Madam Chair.

**The Deputy Chair:** The hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Madam Chair. Generally I'm speaking in favour of this bill. The only concern that I have with it is under section 158, which discusses the administrative penalties and how and why an administrative penalty can be levied against someone who has failed to comply with the act. It indicates there initially that the fines could not exceed \$100,000, and then there's an amendment saying that the fines could not exceed \$300,000. That's a substantial amount of money.

That being said, there needs to be a discussion on the inadvisability of having OH and S administrative penalties make their way into government general revenues. It would seem to me that we need to ensure that victims of those that are not in compliance shouldn't be forgotten through this whole process. In a just society we need to ensure that these people are not revictimized by not being compensated if they're affected. An example of this, of course, would be that if a piece of siding falls off a building in a city and strikes a child, injuring her, should that family not be compensated for that? If so, would it not be realistic that that compensation could come from a fund that is provided for by the administrative penalties rather than having those funds going back into general revenue?

Under section 8 of the Victims of Crime Act the administrative penalties are subject to a surcharge, and that surcharge flows back into the victims of crime fund. However, that does not change my mind on the inadvisability of these administrative penalties flowing back into general revenue.

Several parts of the Fair Trading Act and the delegated authorities that are under it already envision protection funds for consumers. For example, the Alberta Motor Vehicle Industry Council, which is the delegated authority that regulates the automotive sales and repair industry under the Fair Trading Act, has a compensation fund that it manages for the protection of

consumers. Ideally, the new administrative penalties under this bill could create a similar fund and have those flow to that fund, which would be managed for the protection of those affected by people who don't comply. Unfortunately, this bill before the House doesn't contemplate this.

You know, we need to make it clear to Albertans that we're not creating deterrent taxes; rather, we're looking for ways to eliminate these problems and to compensate the victims when there is a problem. If these administrative fines were to achieve a meaningful purpose beyond more deterrence, then the money must flow to the victim and grants relating to the programs that benefit victims. Otherwise, these penalties are only a deterrent tax and will only have that type of legitimacy.

I guess I'm asking the government to take a look at how these administrative penalties are applied and where those funds go and ensure that we're looking at those victims affected by anything that might happen under this bill are actually compensated by that rather than having that money just flow as what could be considered a deterrent tax back into the general coffers.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

The Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Madam Chair. It's a pleasure to rise and speak to Bill 6, Protection and Compliance Statutes Amendment Act, 2012. Again I would have to be quite positive about this government's role in recognizing that we need and have called for new penalties and increased fines as a way of encouraging compliance with the Occupational Health and Safety Act and the Safety Codes Act and that we fully support reasonable measures that will enhance consumer protection, make worksites safer, and reduce worksite fatalities. We believe that having adequate penalties and fines in place will positively affect site practices.

Having said that, I guess, Madam Chair, it raises the question about similar standards on industrial farming operations and the need and the opportunity here to amend this bill and add in protection for paid farm workers on those industrial operations that do not involve family members, that are clearly large, that are clearly involving machinery, electrical hazards, chemical hazards, transportation vehicles that pose a risk and may not be meeting standards, that are killing and injuring paid farm workers every year in this province and are still subject to no investigation because they have no occupational health and safety standards.

There are no fatality investigations in these cases. We don't learn from them because there's no research coming out of them. We don't know the numbers of farm injuries in this province because they're not registered in our hospitals and in our emergency rooms as farm injuries so that we can gather statistics and actually know how much injury and death we have that's specifically related to inadequate, unsafe practices and conditions on these operations.

Judge Barley several years ago, after reviewing the Kevan Chandler fatality in Black Diamond, indicated that education was only part of the solution here. He admonished the government to get busy and legislate occupational health and safety standards in industrial farming operations. I think it's clear Albertans want that. They want to feel proud of the way we are treating our food producers in this province. We want to follow ethical standards, standards that are world-wide except for the poorest developing countries in the world.

As I've commented before and will probably continue to comment on ad nauseam – I hope you've got bags over there –

there's a very serious dimension to this. Some of you may know that this month Lorna Chandler received a settlement from the death of her husband six years ago in the grain elevator in Black Diamond. Because the company had no workers' compensation, she had to go to court. She's been fighting this company in court to get any kind of compensation for the death of her husband, living with two children, a widow. Partly as a result of this lawsuit, that she had to with great difficulty bring to bear, the company went bankrupt and is no longer able to function. They had 40 employees, so it has done damage to not only her and her family; it has damaged the company that was providing grain services in the Black Diamond area, the Tongue Creek Feeders.

This is a failure of government when we see the problem and we allow a loophole to put people at risk, children at risk. Without compensation people have to fight for the very most basic rights in this province. I hope the government takes it seriously. I think this is an opportunity in this bill to say: "Yes, we want to strengthen occupational health and safety. Yes, we want to increase the fines associated with poor working conditions."

Well, what about our food producers? Can we be proud of what we're setting up in this province or allowing to continue, I should say, for decades, eating food on our plates that has been produced off the backs of people at risk, being injured more frequently than in many other parts of the country?

B.C., after introducing its legislation, saw its injury and death rate decline. The Alberta Centre for Injury Control and Research has said that the evidence is clear. We need to change our approach to large farming operations. We're not talking about family operations. We're talking about industrial agriculture – potatoes, beans, beef – that employs many paid farm workers. It's time to take it seriously. We're in the 21st century now. We are not a 19th century economy. People are looking at us as leaders and looking for leadership.

Let's consider an amendment to this bill that would include a strong commitment to protecting the equal rights, the equal personhood, the equal constitutional and human rights of our paid farm workers.

9:50

Again, we have two farm workers in the gallery who were injured and are courageously standing up for people who are afraid to speak out on their own behalf because of their own vulnerability as farm workers. They need those jobs. If they piss off the farm owner, the operator, they may be looking for a new job. If they get injured, they may be looking for a new job because there is no compensation for people at the present time who get injured on the job. They're kicked down the road as these two were on the farming site that they worked on years ago. They've no longer been able to work on farm sites, but they are standing up for principle, they are standing up for human rights, they are standing up for Albertans and the reputation of our agricultural industry.

How can this government continue to ignore not only their rights but the economic opportunity for companies like the Tongue Creek Feeders, who had to be bankrupted to face the results of negligence? That's not leadership.

I applaud the government for taking steps to make sure that it's clear on work sites where the health and safety act applies. Real teeth. Real penalties when people put others at risk to cut corners, to have shoddy buildings or shoddy electrical or shoddy chemical management or poor machinery to work with.

I again most earnestly appeal to this government to do the right thing on behalf of our children, on behalf of our businesses, our

agricultural businesses. Let's make sure there are basic protections for paid farm workers in this province.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. Member for Calgary-Mountain View.

There is no Standing Order 29(2)(a), no comments.

The hon. Member for Little Bow.

**Mr. Donovan:** I guess I've sat and listened in here for a long time now to this whole issue, and I guess it's just finally gotten to me. We're sitting here, and the hon. member brought it up, it was not a feed mill operation; it was a feedlot. It was not in Black Diamond; it was between High River and Okotoks. I can drive you to the place. It was high-moisture barley that was inside a silo that he tried to get out of. I feel horrible for that family that they lost a family member there. I understand that. For the love of Mary, could you please get the facts straight before you start spewing them out?

Thank you.

**Dr. Swann:** Well, thank you for the question.

**The Deputy Chair:** Hon. Member for Calgary-Mountain View, this is not 29(2)(a). That was his speech in Committee of the Whole when we should be discussing the clauses of the bill. So you have no opportunity to respond.

The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Madam Chair. I just would like to add a comment to follow up with the hon. Member for Edmonton-South West on the Protection and Compliance Statutes Amendment Act. I would also like to point out to the members across the floor that name of this bill simply begs for an amendment, and it kills us not to have one, but I do hope you give my comments due consideration.

In the April 2010 Auditor General report – and it was repeated again in July 2012 – it was recommended to the ministry formerly of employment and immigration and now of Human Services that they should promote and enforce compliance with the law by high-risk employers. I think that this act certainly takes care of the enforcement piece, but I think there's some room for, I guess, the promotion piece.

I think that what the hon. Member for Innisfail-Sylvan Lake was suggesting earlier with putting aside the funds that are being charged to violators of this act and taking that money and implementing some of the promotion side of what the Auditor General has asked this government to do for a couple of years could allow you to kill a couple of birds with one stone.

I do believe that, you know, if you were to perhaps take those funds and directly support a program like Work Safe Alberta, where I know that there is some work being done in this program – there is a new strategic plan that the ministry is working on and it has got some good initiatives in it. I do think that there is room for those fines to actually go to promotion of safe workplaces as opposed to just finding their way into general revenue. If you didn't want to just simply fund Work Safe Alberta, you could fund charitable organizations or nonprofits like the War Amps or other industries that are affected by nonsafe workplaces.

That was the only comment I wanted to offer, and I appreciate the time of the House.

Thank you.

**The Deputy Chair:** Thank you, hon. Member for Calgary-Shaw.

The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Madam Chair. Just a few general comments. In general I think that we're supportive of the idea of adding administrative penalties and strengthening enforcement and closing loopholes. We have, however, two amendments, and I would like to introduce the first one now. I'll have this brought up to the table, and then you can call on me, and I'll introduce it.

**The Deputy Chair:** Thank you, hon. member. We'll call this amendment A1, and we'll wait to have this amendment distributed throughout the Assembly.

Hon. Member for Edmonton-Highlands-Norwood, would you like to continue on amendment A1, please.

**Mr. Mason:** Thank you very much, Madam Chair. I'm pleased to move on behalf of my colleague the hon. Member for Edmonton-Strathcona that Bill 6, the Protection and Compliance Statutes Amendment Act, 2012, be amended in section 2(10) in the proposed section 40.3(1) by striking out clause (e).

Now, Madam Chair, I'll speak very briefly to this. The intention of the administrative penalties is to influence the workplace, and (e), by the way, includes workers as being subject to administrative penalties under this act. Those that are subject to administrative penalties in this act include contractors, employers, prime contractors, suppliers, and, (e), workers.

**The Deputy Chair:** Excuse me, hon. member. Can I just remind members that we are still in Committee of the Whole, and the noise level is a little high. If you have some conversations, you are welcome to take them into the next room. If we could keep it a little quieter, I would appreciate it. Thank you very much.

**Mr. Mason:** Thank you, Madam Chair. This amendment proposes to delete workers from being subject to administrative penalties. The question is why. The amendment is modelled on British Columbia's legislation. In consultation with stakeholders the government emphasized, to quote their own material, that

An administrative penalty system . . . promotes remedial action, preventive in nature, to address a health/safety issue by re-establishing compliance with regulatory requirements . . . not seek redress for (i.e. punish) a wrongful activity.

10:00

Now, administrative penalties are unique extra-legal mechanisms that must be used to compel compliance, not to impute or punish guilt. Because they don't involve a court of law, administrative penalties are open to misuse at the same time that they can be used to serve as crucial mechanisms for allowing OH and S officers to penalize contraventions of the act. OHS legislation is designed to protect workers, and this amendment also seeks to protect workers by ensuring that administrative penalties will apply to target the employers whose responsibility it is to ensure safe workplaces and safe work practices in accordance with OHS legislation.

Madam Chair, not to put too fine a point on it, employers have control over the workplace; workers don't. Administrative penalties in this case aimed at workers are misplaced because they have very little control over the health and safety culture, the standards, the conditions that exist in the workplace. That is the role of the employer. Their employer has that responsibility and has the authority to make those decisions; workers don't. To single out workers and to include them as being subject to administrative penalties is not going to do anything to improve the safety of the workplace but will serve to intimidate and potentially harmfully affect workers who have no control in the workplace.

So I urge the government side and other members to support this amendment, which is to delete clause (e) so that workers

would not be subject to penalties that are designed to enforce behaviour among employers.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members that would like to speak on amendment A1?

**Hon. Members:** Question.

**The Deputy Chair:** We'll call the question.

[Motion on amendment A1 lost]

**The Deputy Chair:** The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Madam Chair. Maybe we'll go for 2 out of 3, then. I have another amendment. I'll have that distributed to the table and speak to it when called upon.

**The Deputy Chair:** Hon. members, this will be known as amendment A2.

The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thanks very much, Madam Chair. On behalf of my colleague the hon. Member for Edmonton-Strathcona I move that Bill 6, Protection and Compliance Statutes Amendment Act, 2012, be amended in section 2(10) in the proposed section 40.3 by striking out subsection (3) and substituting the following:

- (3) The amount set out in a notice of administrative penalty must not exceed
  - (a) \$500 000, or
  - (b) in the case of a contravention or a failure to comply that continues for more than one day, \$1 000 000.

Just speaking to that, the concern here is that administrative penalties might be used as a way of having a less expensive way than an actual prosecution. I think that this will make the penalties equivalent or equal to the maximum limits for monetary penalties in case of a prosecution. Madam Chair, that is to prevent this from being used as a lower cost way of dealing with offences, providing a loophole whereby employers would pay a lower amount than if they were prosecuted. So it makes the fines equal.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak on amendment A2?

Seeing none, we will call question.

[Motion on amendment A2 lost]

**The Deputy Chair:** We'll go back to the bill. Are there any other speakers who would like to speak to Bill 6 in Committee of the Whole?

**Mr. Campbell:** Madam Chair, I move that we move Bill 6, the Protection and Compliance Statutes Amendment Act, out of Committee of the Whole.

**The Deputy Chair:** The hon. member has moved that we move Bill 6 out of Committee of the Whole, so we'll call the question.

[The clauses of Bill 6 agreed to]

[Title and preamble agreed to]

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

**Hon. Members:** Agreed.

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

## Bill 9

### Alberta Corporate Tax Amendment Act, 2012

**The Deputy Chair:** Any comments or questions? Any member who wishes to speak?

[The clauses of Bill 9 agreed to]

[Title and preamble agreed to]

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

**Hon. Members:** Agreed.

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

10:10

**Mr. Campbell:** Madam Chair, I would move that we rise and report.

[Motion carried]

[Mrs. Jablonski in the chair]

**The Acting Speaker:** I would ask the Member for Calgary-East to report.

**Mr. Amery:** Madam Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports the following bills: Bill 6, Bill 9. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

**The Acting Speaker:** Those who concur in this report, are you agreed?

**Hon. Members:** Concur.

**The Acting Speaker:** Those who do not concur, say no. It's carried.

**Mr. Campbell:** Madam Speaker, I would ask that we adjourn the House until 1:30 tomorrow afternoon.

[Motion carried; the Assembly adjourned at 10:11 p.m. to Thursday at 1:30 p.m.]

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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Thursday, November 1, 2012

Issue 13a

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta  
The 28th Legislature**

First Session

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Jablonski, Mary Anne, Red Deer-North (PC), Deputy Chair of Committees

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Bhullar, Hon. Manmeet Singh, Calgary-Greenway (PC)  
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Fox, Rodney M., Lacombe-Ponoka (W)  
Fraser, Rick, Calgary-South East (PC)  
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Goudreau, Hector G., Dunvegan-Central Peace-Notley (PC)  
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Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
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Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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## Legislative Assembly of Alberta

1:30 p.m.

Thursday, November 1, 2012

[The Speaker in the chair]

### Prayers

**The Speaker:** Let us pray. Holy and divine Creator, we are grateful for Your guidance during this past week, and we ask for Your continued guidance and oversight of our actions and activities when we head home to see our families, our friends, and our constituents after today's work is done in this Assembly. Guide us safely along the roads that we must all travel. Be with us always. Amen.

Please be seated.

### Introduction of Guests

**The Speaker:** The hon. Member for Edmonton-South West.

**Mr. Jeneroux:** Thank you, Mr. Speaker. I have four sets of introductions today, I guess a bit of a fan club, so bear with me, please. First, I'm pleased to introduce to you and through you to members of the Assembly constituents residing in Edmonton-South West, Mr. Ani Seoul and his wife, Mrs. Trina Joshi. Trina Joshi is back again today. She was here yesterday with the Daughters Day delegation. Mr. Seoul is a police officer with the city of Edmonton. Mrs. Joshi works as a community support co-ordinator. With them as well are Mrs. Joshi's parents, Mr. Ram Sharan Joshi and his wife, Mrs. Madhu Joshi, who are visiting from the capital of India, New Delhi. I'm not done about Mr. Joshi. Mr. Ram Sharan Joshi is a retired journalist, who is a renowned writer celebrated in India. He has covered the Indian Parliament and the United Nations, accompanied state representatives across the globe, and has done extensive research on Indian tribes for over four decades. Mr. Ram Sharan Joshi has written over 15 books, earning him various literary awards. In 2007 he also chaired a delegation of Indian writers to the UN General Assembly. A very accomplished and, overall, really nice guy.

Number two, Mr. Speaker. I'm pleased to introduce to you and through you to all members of the Assembly a group of students and teachers from George P. Nicholson school, located in the new constituency of Edmonton-South West, that I'm so honoured to serve. Accompanying these 22 bright and energetic students is their teacher, Mrs. Maxine Sprague. They also just came from McKay Avenue school, where they were introduced to what the first session was like. They are seated in the members' gallery, and I would like to ask the students and guests from George P. Nicholson to please rise and receive the traditional warm welcome of the Assembly. Thank you.

Mr. Speaker, I'd also like to introduce to you and through you some smart, passionate Albertans from the University of Alberta Progressive Conservative Association. Here today in the members' gallery are Aurora Pounder, Aaron Pollock, and Natasha Soles. These are good friends of mine and, like I mentioned, very passionate Albertans.

To round out the fan club, Mr. Speaker, I'd like to introduce to you and through you my two assistants. Mrs. Jennifer Kirkelund, my legislative assistant, and my constituency assistant, Mrs. Kara Fuhr, are here helping with all these guests. If we'd all give them a round of applause.

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

**Dr. Sherman:** Thank you, Mr. Speaker. I'd like to introduce to you and through you to all members of this Assembly Mr. Gordon Smith. This gentleman takes citizenship to a new level. He has received numerous awards for his community involvement from the Silver Acorn, one of Scouts Canada's most prestigious awards, to the community service award from the Legion, of which he is a member, having served as a second lieutenant, to recognition from the city of Edmonton and the government of Canada. Gordon is trained as an educator and taught at NAIT. He taught economics, marketing, and a leadership class, and became the first recipient of the faculty emeritus award.

In 1989 because of a tumor in his spine he was confined to a wheelchair, and he was told he only had a 10 per cent chance of living. That never slowed him down. Mr. Speaker, the Liberals were told they had a 10 per cent chance of living in this last election. It didn't slow us down either. Amongst many other things, he owns businesses, engages in public speaking events, carves, paints, volunteers, and advocates for others. I'd like Gordon to raise his right hand and receive the traditional warm welcome of the Assembly.

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

**Ms Blakeman:** Thank you very much, Mr. Speaker. You know how excited I get about introducing to you and through you to every member of the Assembly wonderful constituents from the fabulous constituency of Edmonton-Centre. I'm truly delighted today to have three advocates joining us in the public gallery. Danielle Zyp has been an adviser to me on mental health issues since I got elected, and she has continued and grown into that role as an advocate overall. Danielle, would you please rise? With her today are two others, Karen Peterson and Cathy Smith. They have formed a little advocacy group on their own, working on the need for public education, breaking the stigma of mental illness. They're going to start an e-zine blog to discuss some of these issues, a nice way to do advocacy in the new century. They would like to see amendments and consistency of benefits and health care concerns and to maintain and increase funding to mental health programs. Thank you very much for coming down, Danielle, Karen, and Cathy. I appreciate it.

### Members' Statements

**The Speaker:** The hon. Member for Edmonton-South West.

### Youth Advisory Panel

**Mr. Jeneroux:** Thank you, Mr. Speaker. I'm privileged today to share some work that I've been doing as the newest chair of the government of Alberta Youth Secretariat. As a part of my duties as the Youth Secretariat chair I will form and meet regularly with the Youth Advisory Panel. The panel is made up of 18 of Alberta's youth aged 15 to 22 who will support our ongoing work. Together the panel and I have been tasked with providing feedback on emerging issues for youth in our province. The Youth Advisory Panel has been a successful initiative since the year 2000. We have the opportunity to ensure that youth have an ongoing chance to provide input into the future of the province as we create new public policy and programs.

Recruitment has ended as of yesterday, and the selection process is well under way. Mr. Speaker, I'm happy to say that we've received a number of applications from around the province. I look forward to introducing the new members to the House when the selection process is complete. I also look forward

to working with these young, inspired leaders. I'm eager to share my findings as I spend time meeting with these youth. I truly believe that there is no limit to what we can learn by listening to young Albertans and working side by side to find solutions.

Thank you, Mr. Speaker.

### **Tax Reform**

**Mr. Hehr:** A report released today by the Parkland Institute acknowledges what many other think tanks and economists have already reported, that Alberta's fiscal structure is fundamentally flawed and does not let this province do what it needs to do today: build schools, hire teachers, teach children, ensure a vibrant middle class, and provide dignity and hope to those living in poverty. The report acknowledges that the state of this province reads a lot like a Dickens novel. It is the best of times for some and the worst of times for others. The report clearly shows that inequality exists and highlights that other jurisdictions are doing more in this regard.

The report points out the ludicrous nature of our tax structure. One of society's most important tools for ensuring economic equality and, in my view, for this province to be able to save for the future is a progressive tax system. Alberta currently has a flat-tax system. By the way, Mr. Speaker, we are the only jurisdiction in North America that has one of these. In Alberta we ask an individual who makes \$30,000 a year to pay the same rate as a person making a million dollars a year. Not only is this silly, as the report point out, but Albertans with lower incomes actually pay higher rates than most other Canadians while those at the top pay the lowest rates in the nation.

1:40

Further, the report also notes that we have the lowest corporate tax rates in the nation. As a result of our broken fiscal structure the Alberta government is not able to build the schools and roads, hire teachers and nurses and the like, and has the least generous social supports of any Canadian province. It's a trite saying, Mr. Speaker, but societies are judged by the fair and equitable treatment of those who have the least.

In conclusion, Mr. Speaker, I'd like to thank the Parkland Institute for this report and for bringing this and many other issues to light. Thank you.

**The Speaker:** The hon. Member for Calgary-Glenmore, followed by Calgary-Hawkwood.

### **MADD Canada Project Red Ribbon**

**Ms L. Johnson:** Thank you, Mr. Speaker. I would like to take a moment to recognize an important milestone being achieved today by MADD Canada. Today marks the official start of MADD Canada's 25th annual Project Red Ribbon. This campaign promotes sober driving during the holiday season. For a quarter-century MADD Canada chapters and community leaders have gone into their communities around the holiday season to distribute red ribbons and to raise awareness about the dangers of impaired driving. From November 1 until the first Monday after New Year's Day MADD Canada volunteers will be out there with their red ribbons. They'll be asking the public to tie the ribbons to vehicles, key chains, purses, briefcases, or backpacks as a reminder that it is never okay to drive impaired by alcohol or other drugs.

The red ribbon is not only a reminder about the importance of driving sober; it is also a strong and meaningful tribute to all victims who have been killed or injured in impaired driving

crashes. Every year between 1,250 and 1,500 Canadians are killed and more than 63,000 injured in impaired driving crashes. I am sure that I'm not alone in the Legislature in knowing the pain of the consequences of such accidents. When we know that this crime is completely preventable, even one death or injury attributed to impaired driving is too many.

By raising awareness and reminding the public about the risks of impaired driving, MADD Canada hopes to ensure that this year's holiday season is free of impaired driving tragedies. MADD Canada encourages all Albertans to get their red ribbons and wear them proudly as a symbol of your commitment to driving sober this holiday season and all year long. With everyone working together, we can make our roads and our communities safe. MLAs have been given a red ribbon to wear and show support for a safe holiday season.

Thank you.

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

### **Speak Out Student Engagement Initiative**

**Mr. Luan:** Thank you, Mr. Speaker. It's my privilege to rise today and speak to you about a wonderful initiative that is engaging Alberta's youth in their education. Since 2009 Speak Out, the Alberta student engagement initiative, has given our province's students the opportunity to share their thoughts, concerns, and ideas for the future of our education system. I'm proud that the government of Alberta cares what students have to say about their education.

Through the Speak Out website students are empowered to share their thoughts in a safe and welcoming environment. There are fascinating dialogues happening on the Speak Out discussion boards right now. Young people from across the province are debating many of the same things that we are discussing in this Legislature, things like whether teachers should be able to assign a zero, whether the value of standardized testing is appropriate, and whether what they're learning in class is relevant to the future of their work and career.

Another important part of Speak Out is the Minister's Student Advisory Council. I know the hon. Minister of Education had the opportunity for an initial meeting with those outstanding young Albertans in September. The 24 council members come from across the province and represent a broad spectrum of rural and urban youth aged from 14 to 19, each with a unique perspective on education. One of the council members, Mr. Cyril Binny Kuruvilla, is a grade 11 student at St. Francis high school in my riding of Calgary-Hawkwood. Last week I had a chance to speak to Cyril about his experience involved with this council.

**The Speaker:** Thank you, hon. member.

The hon. Member for Lacombe-Ponoka, followed by Calgary-Bow.

### **Whistle-blower Protection**

**Mr. Fox:** Thank you, Mr. Speaker. I rise today to speak on another broken promise of this government. Previously the Premier had said that we either have open government or we don't. Well, it's clear that with Bill 4 we don't. For starters I refer to part 1, section 3(2), which states, "This Act applies only in respect of wrongdoings that occur after the coming into force of this Act." Even if there were nothing to hide, this section quite clearly gives the impression that this government is hiding something. Bill 4 needs to include retroactivity to protect whistle-

blowers who may be compelled to blow the whistle yesterday, tomorrow, or even today.

In question period yesterday the Associate Minister of Accountability, Transparency and Transformation said that Bill 4 allows whistle-blowers to go to anyone they wish. Bill 4 tells a different story. This bill stipulates that the public interest commissioner would handle all whistle-blowing complaints and that the whistle-blower will report to the designated officer or chief officer, the deputy minister. People should not have to navigate their own organization to blow the whistle.

While this bill covers breaches of the law and gross mismanagement, Bill 4 would not apply to ethical behaviour. Government and its departments should be responsible for the totality of their record, not the narrow definitions under this bill.

Particularly alarming is the exemption clause in section 31(1). Albertans are wondering if the commissioner will use this to exempt friends and members of the government family. Albertans have seen how exemptions are given to the government's friends, and this only fosters a culture of cronyism. Albertans are sick and tired of seeing this.

Thank you, Mr. Speaker.

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

#### **Bowness Ratepayers/Bowmont 169 Scout Group Hall**

**Ms DeLong:** Thank you very much, Mr. Speaker. I rise today to recognize the new Bowness Ratepayers Lions and Bowmont 169 Scout Group hall. It celebrated its grand opening on October 20. Construction of the hall just began this year, and I'm proud to say that the hard work and dedication of everyone involved in this project paid off because it looks absolutely amazing.

There would be no new hall without the hard work and dedication of people like Dale and Kally Streit, the Lions Club, and so many other community members who gave hundreds of hours of their time. As well, Allan Markin and Jim Thorogood generously assisted us in financing the hall, continuing the tradition of ex-Bownesians giving back to the community where they were raised.

I think it's important to stress that the majority of the labour was done by community volunteers. I am very proud of how one of my Calgary-Bow communities came together to build this hall with everyone giving their time, labour, and money according to their capabilities. It is facilities like these that will continue to give back to the community and serve as symbols of co-operation and strength.

I am pleased to say that the community spirit of Bowness along with the Alberta government community initiatives program and community facility enhancement program grants have created a gorgeous building that will serve the Scouts, Lions, and people of Bowness for many years to come.

I want to congratulate and thank everyone involved in the building of the new hall. I know that it'll be well used and valued by the community.

Thank you very much, Mr. Speaker.

#### **Oral Question Period**

**The Speaker:** The Leader of Her Majesty's Loyal Opposition.

#### **Chief Electoral Officer Investigations**

**Ms Smith:** Thank you, Mr. Speaker. The Chief Electoral Officer believes he is barred from releasing the results of any investiga-

tions, and the government seems to go along with that, or at least they did up until yesterday. Originally we understood the Deputy Premier said no to releasing anything about the Katz affair, but later the Premier, under heavy pressure, gave an answer that could be interpreted to indicate a willingness to release the investigation results, or perhaps not. Let's give the Premier the opportunity today to be transparent and accountable. What exactly will she release?

**The Speaker:** The hon. Deputy Premier. [some applause]

**Mr. Lukaszuk:** Thank you, Mr. Speaker. It's always good to be back in the House, and I'm glad that the opposition is so enthusiastic, but one thing I didn't miss is the fact that our Premier was very clear yesterday. She said yes, absolutely, and for sure. I don't know how many other terms she could have used to convince the Leader of the Official Opposition or at least have her understand that this government will be transparent. When we receive the findings in the form of a letter from the Chief Electoral Officer, we'll not only share it with this Chamber but with all Albertans.

**1:50**

**Ms Smith:** That's very encouraging, Mr. Speaker.

Will the Premier now commit to applying the same openness and transparency to releasing the results of the investigations that exposed 45 cases of illegal donations to a political party?

**Mr. Lukaszuk:** Mr. Speaker, we already did better than that because if that member actually cared to do a little bit of research, she would find that the Progressive Conservative Party of Alberta had already released on its website in May of 2012 a list of all donations that had been found to be inaccurate and returned.

Now, Mr. Speaker, I'm asking: when will they publish the list of donations that they had to return?

I will be tabling that soon.

**The Speaker:** I can see where this is going, hon. leader.

**Ms Smith:** Thank you, Mr. Speaker. We don't have any illegal donations to publish.

Mr. Speaker, the Premier talks about openness and honesty a lot. In one speech she wanted to keep raising the bar on transparency and accountability. Can the Premier square that comment with the evidence of secrecy and cover-ups on things like those illegal donations?

**Mr. Lukaszuk:** I'm glad to hear, Mr. Speaker, that they will say on the record that they don't have any illegal donations, but let me remind you that in the 2004 election one individual donated 75 per cent of their campaign funding, in the 2007 by-election that very same individual funded 99.7 per cent of the cost of their entire campaign, and in the 2008 election that very same individual funded 23.3 per cent of their campaign. It's a matter of interpretation.

#### **Speaker's Ruling**

#### **Questions about Political Party Activity**

**The Speaker:** You know, it's becoming exhausting to stand up as many times as I have to stand up and interject and remind you of some of the rules. Now, I'm not going to take the time to read them all again. I may later. Please, let us not stray too far into this right now because it is against the rules to ask about issues pertaining to political parties in the way that some questions have

been phrased and some answers have been phrased. So let's be doubly careful.

Airdrie, you rose on a point of order, and that point of order has been noted. Thank you.

The hon. leader. Second main question.

### Fiscal Accountability

**Ms Smith:** Thank you, Mr. Speaker. The government is patting itself on the back for another consultation, and, surprise, it has delivered exactly the results that they were hoping for. Another surprise is that it's exactly the opposite of what Albertans said about debt when they were polled this summer. In that same speech I mentioned, where the Premier talked about raising the accountability bar, she also said this: we need to ensure that our actions are fair to this generation and to those that follow. To the Finance minister: how does racking up more debt and borrowing more money square with that statement?

**Mr. Horner:** Mr. Speaker, we actually went out and we did six different ways of doing consultations so that we could make sure that what we were getting was an accurate representation of what Albertans were telling us. We did the online survey, which the hon. member alludes to. We also did electronic submissions. Just to name a few, I had in-person discussions with people like the chair of the Calgary Chamber of Commerce; the board chair emeritus of the University of Calgary; the chair of the public policy institute, University of Calgary; the former dean of the School of Business, U of A; the managing director of the national bank. In addition to that, we also did presentations by mail. We had one-on-one meetings. We had online open houses. We did a number of these things.

**The Speaker:** The hon. leader. First supplemental.

**Ms Smith:** Thank you, Mr. Speaker. The research done in June by Think HQ did a scientific poll of a thousand Albertans and found that only 7 per cent thought that going deeper into debt was a good idea – that's just 7 per cent – yet the minister wants us to believe that his consultation gives him the green light to spill more red ink. Why does he still insist that going into debt is a good idea?

**Mr. Horner:** Mr. Speaker, it's interesting. Think HQ is the same one that thought that they were going to be the government next time.

To that end, Mr. Speaker, in 1971 Albertans rejected Social Credit finance policy and chose Progressive Conservative policy. In April of this year Albertans rejected Social Credit finance policy and chose Progressive Conservative finance policy.

**Ms Smith:** Mr. Speaker, given that the Premier is committed to raising the bar on transparency and accountability, will the Finance minister obey his own law and disclose the full picture, all the details, in the next fiscal update?

**Mr. Horner:** Mr. Speaker, I did, I will, and it's going to be a great one.

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

### Justice System

**Mr. Anderson:** Mr. Speaker, Alison Jones is a constituent of mine who has a daughter who says she was sexually assaulted for eight years by an individual, starting when she was just nine. This man was charged in 2009. Due to delay tactics and the Crown not having

adequate staffing to deal with its caseload fast enough, the judge threw the case out because he felt it was taking too long to come to trial. Premier, I want to know what kind of pathetic excuse for a justice system charges an individual for violating an innocent girl for eight years and then denies that victim her day in court.

**The Speaker:** Hon. member, I hope this issue is not still sub judice. No?

**Ms Redford:** Mr. Speaker, I was just going to say that I think this is an appropriate question for an MLA representing their constituency to ask. I won't make political hay of this. I won't respond at this point in time. We'll look into this matter and provide appropriate comment back.

**Mr. Anderson:** Albertans are tired, though, of the excuses and the refusal by this government to take responsibility for its actions and inactions on a number of files, spending millions on trips and corporate handouts, yet we have things like this.

Premier, you were the Justice minister during the time of this debacle. Why is the provincial Crown prosecutors' office so grossly understaffed that somehow this girl's case was delayed and deferred to the point where now she will never see justice done for the unspeakable crimes perpetrated against her?

**Ms Redford:** Mr. Speaker, as I said, I do not actually believe that this is an appropriate question to be raised in such a political manner. We have said that we will look into the facts of this case, and we will provide a fulsome response.

**The Speaker:** Hon. member, I don't know where you're going with your third and final supplemental, but I hope it's not a repeat of the first two. Please govern yourself according.

**Mr. Anderson:** These questions are entirely appropriate, and you'd better start thinking about the girl instead of your political skin. I want accountability on this. [interjections] This girl is a citizen of Alberta and, as one of the most innocent victims, deserved better than this. Everyone here had better . . .

**The Speaker:** Hon. member, please. [interjections] Hon. members. Very nice. Thank you.

Let us move on, please, to the leader of the Alberta Liberal opposition. [interjection] Please, have a seat. Please. [interjection] Please.

**Mr. Anderson:** I have a legitimate question.

**The Speaker:** I'll deal with you and your issue at the end of question period. I'll clarify for you where this is not supposed to go. You can see the eruptions that occur, okay? Please. If you wish to rephrase the question, I'll allow you to, briefly. You have a rephrasing?

**Mr. Anderson:** Yes.

**The Speaker:** Okay. We'll listen carefully. Proceed.

**Mr. Anderson:** Premier, will you launch a full investigation into this matter, determine what on earth went wrong here, what steps will be undertaken to ensure it doesn't happen again, and will you personally call this victim to comfort and apologize for a justice system – a justice system – that entirely failed her? This is unacceptable. It cannot happen again in this province, and you have the power to do something about it, Premier, so do something.



**Ms Redford:** Mr. Speaker, I stand by my comments in this Chamber, and I will follow up.

**The Speaker:** The hon. leader of the Alberta Liberal opposition. [interjection]

Hon. Member for Airdrie, please. [interjection] You've made your point. [interjection] You've gone a little bit further than I would have preferred to allow you to go, and now, as I'm speaking, you're still continuing. Now, what would you like me to do about that? I have an idea. Why don't you and I meet at the end of this and have a little chat. All right? Thank you.

The hon. leader of the Alberta Liberal opposition.

### Social Policy Framework

**Dr. Sherman:** Thank you, Mr. Speaker. It's the best of times and the worst of times. According to a report from the Parkland Institute titled A Social Policy Framework for Alberta, Alberta has quickly become home to both the wealthiest and poorest citizens in the country. Alberta has the highest poverty gap, and our indigenous community is overrepresented in the poverty group. Poverty is driving inequality off the cliff in our society, and we are footing the bills for mental health, addictions, violence, courts, policing, prisons, lower high school graduation rates, and lower health outcomes. To the Premier: how is the government's social policy framework going to address growing levels of poverty and the worsening inequalities in our society?

2:00

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

**Mr. Hancock:** Thank you, Mr. Speaker. I'm more than delighted to talk about the fact that we are engaged in a social policy framework discussion with Albertans because it's something that matters to all Albertans, and all Albertans have to be engaged in that topic. As the hon. member raised in his question, it's not simply about income disparity, but it is about income disparity. I was privileged to hear a report about a meeting that some members of our caucus had, for example, with Women Building Futures, a wonderful organization that's helping with some of that wage gap because they're helping women find better jobs and get some of those higher paying jobs that traditionally have been in the purview of men.

I was also today at a family violence prevention thing. That's another part.

**Dr. Sherman:** Mr. Speaker, this issue has been going on for decades, and they're having discussions? Albertans want action. They wanted it 10 years ago, and they want it today.

To the Premier: why do you insist on regressive policies that download costs to hard-working Albertan families in the form of user fees, mandatory school fees, higher tuitions instead of a progressive tax rate that would see the wealthy pay their fair share, the same policies that Peter Lougheed had? Why don't you implement those, Premier?

**Ms Redford:** Mr. Speaker, I want to speak to how proud I am of our Minister of Human Services, who has undertaken a comprehensive consultation with respect to the social policy framework. One of the things that I learned when I was Minister of Justice was that the foundational work with respect to community development and building families, ensuring that families were empowered to provide support for their children, were given support through programs, through institutions, through education and health care to ensure that every child had

the opportunity for success, was fundamental. This government introduced a social policy framework to lead that discussion, and I'm looking forward to seeing the results of that.

**Dr. Sherman:** Mr. Speaker, given that we have more than 70,000 children in poverty, I want to say how proud I am of hard-working Albertans who go to work each and every day to build this great province. To the Premier: given that our greatest resource is their children and given that today we have a golden opportunity to develop a just, fair, and inclusive society where we can all benefit from our resource riches, why does your government insist on keeping the benefits of Alberta's great wealth in the family instead of implementing truly progressive revenue reforms?

**Mr. Hancock:** Mr. Speaker, I'll tell you what truly progressive reforms are. Truly progressive reforms are raising AISH payments by \$400 a month so people on AISH can live with dignity. They're some of the people who have among the lowest income. [interjections] Truly progressive policy is raising the daycare qualification income amount to \$50,000 so that low-income Albertans can have quality child care, with standards, while they're at work at those jobs. [interjections] Truly progressive policy is supporting organizations like Women Building Futures so that they can help women get the skills that they need to get those high-paying jobs.

**The Speaker:** Let us remember the rules and the courtesies regarding interjections and not discussing things across the bow. The Speaker is doing his best to maintain order here. I wish 86 others would join me.

The hon. leader of the New Democratic opposition.

### Political Party Financial Contributions

**Mr. Mason:** Thank you very much, Mr. Speaker. This government simply can't be trusted to be straight with Albertans about election finances. Yesterday the Premier said that the Chief Electoral Officer's investigation into the massive donation from an unnamed person would be made public, yet she refuses to publicly release evidence. This morning I asked NDP staff to dig up a cancelled cheque from a campaign donation I received, and they took less than an hour to get it to me. My question is to the Premier. Why has she refused to release the cancelled cheque or cheques from Mr. Katz?

**Mr. Lukaszuk:** I'm not surprised it took them five minutes. There are only three cheques, Mr. Speaker.

Mr. Speaker, we've been very clear, and you know best. We have officers of this Chamber, and one of them happens to be the Chief Electoral Officer. He has undertaken to do a full investigation. It's in the interest of this Chamber and in the interest of Albertans that we allow him to do this review. We have been very clear. We will release anything and everything that he wishes to have available to him during this investigation, and we'll go one step further. Once he sends us a letter with his findings, we will share that letter with this Chamber and with Albertans.

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

**Mr. Mason:** Thanks very much, Mr. Speaker. Well, our party is not the party of the shrinking campaign donations. We're actually growing, unlike that party.

Given that this Premier when she was Justice minister buried efforts to include donations for leadership races in disclosure legislation and given that she is apparently wilfully blind when

dealing with the Katz donation, how can Albertans trust her and her government to clean up the financing of politics in Alberta?

**Ms Redford:** Mr. Speaker, as Justice minister one of the privileges I had was to be able to ask an all-party committee of this Legislature to make recommendations with respect to leadership fundraising rules. I'm very proud of the fact that every single member of our leadership campaign competition, which is what it was over those 12 months, who is sitting in this House publicly released all of their campaign contributions. We are committed to transparency, and we'll continue to be committed to transparency.

**Mr. Mason:** Mr. Speaker, the committee the Premier refers to did make recommendations. They were never acted on. It's not voluntary disclosure we're looking for; it's legislated disclosure.

Given that Albertans' confidence in the financing of our political system is now at an all-time low, will the Premier attempt to restore confidence in her government and introduce legislation which prohibits corporate and union donations to political parties?

**Mr. Lukaszuk:** Mr. Speaker, knowing the rules of this House, I cannot pre-empt a piece of legislation that hasn't been tabled yet, nor will I spoil Christmas early, but I can tell you that this member very soon, within a matter of a few days, will be able to debate a bill that will speak to many of these issues.

**The Speaker:** The hon. Member for Chestermere-Rocky View, followed by Edmonton-Riverview.

### No-zero Grading Policy

**Mr. McAllister:** Never a dull moment in here, Mr. Speaker. Thank you. The voice of Albertans is loud and clear on the no-zero policy that's employed in some schools in this province. Albertans think it's, frankly, ridiculous. It doesn't allow teachers to do their jobs. It penalizes them for it. It penalizes students by not preparing them for life. I think most members of the PC caucus probably agree it's a bit ridiculous. Why say one thing and then do another? To the Education minister: why wouldn't he support our amendment to put an end to this no-zero policy?

**Mr. J. Johnson:** Mr. Speaker, let's talk about saying one thing and doing another. Let's talk about saying, "We respect local autonomy," and leaving out the condition, "unless we disagree with their decision." Let me be very clear because we said this over the hours of debate the other night. The province of Alberta, the Ministry of Education, does not have a no-zero policy. We assess students four times during their K to 12 life with PAT exams and diploma exams, and if students don't show up to write those exams, they get a zero. We expect students to earn their way through the system. We expect there will not be any free passes.

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

**Mr. McAllister:** Mr. Speaker, thank you. I was pretty certain that the Education Act was a guideline for boards and teachers to reference. My apologies.

Given that right from the act, a couple of examples, a student must comply with the rules of the school and policies of the board, given that the board as a partner in education has to be accountable to students, parents, the community, and the minister for student achievement of learning outcomes, Mr. Speaker, doesn't the minister agree with Albertans who think this is a little bit hypocritical to not get rid of this amendment?

**Mr. J. Johnson:** Mr. Speaker, I'm not sure what amendment he's talking about. We expect, like I said, students to earn their way through the system, and we entrust the day-to-day grading, the day-to-day assessment of students in the classroom to teachers and the administrators of those schools. That's what's in the Education Act. If we want to micromanage the day-to-day assessment and actually put that in legislation, I can't imagine how many times we'd be running back to this House to change legislation based on new research, based on hypothetical situations, or based on one-off issues that may come up to allow teachers to actually grade kids based on their professional judgment within the day-to-day operations of the school.

**Mr. McAllister:** I didn't realize, Mr. Speaker, that PC stood for pathetically cowardly, but I think that's what it does with this policy.

Mr. Speaker, why is the Education minister seemingly standing up for a bureaucrat or an educrat that came up with a policy that nobody agrees with instead of standing up for Albertans, who are in droves asking this Legislature to do the right thing and get rid of this no-zero policy?

2:10

**Mr. J. Johnson:** Mr. Speaker, I guess I'll say it a third time. There is no no-zero policy. At the local level with the school in question that he's talking about, that school division is working with parents to talk about their grading policies as we speak. That's where those discussions should take place with respect to the day-to-day grading policies. We absolutely agree with Albertans that kids should not be progressing through the system just based on their social age. They should be earning their way through the system. We're developing curriculum and assessments that are going to get us to that end. We believe that is happening in the system today, and we want that to be happening in the system tomorrow.

**The Speaker:** Hon. Government House Leader, you rose on a point of order?

**Mr. Hancock:** Yes, Mr. Speaker.

**The Speaker:** It has been noted.

### Speaker's Ruling Parliamentary Language

**The Speaker:** Hon. Member for Chestermere-Rocky View, I realize that a lot of us are new in this Assembly, but I'd really caution you to please review your words and choose them, perhaps, as carefully as you can. I'm sure that's what the point of order will likely be about. It just consumes time, as you're seeing. I know we can all do a lot better than that. We all took an oath. I thought we had all agreed that we would try and elevate the decorum in this Chamber, so let's try and stick to that.

The hon. Member for Edmonton-Riverview, followed by the Member for Innisfail-Sylvan Lake.

### Impaired Driving

**Mr. Young:** Thank you, Mr. Speaker. November 1 is MADD Canada's red ribbon day. The MADD Canada red ribbon project has been promoting safe, sober driving for 25 years. My question is to the Minister of Transportation. How has this government been working with MADD Canada to make roads safer?

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

**Mr. McIver:** Well, thanks, Mr. Speaker. I'm proud to say that this government has an excellent relationship with MADD Canada, and their input was invaluable when we were updating our impaired driving legislation. We look forward to working with them in continuing to find ways to make roads safer for Albertans and every other person that travels on roads around here. The efforts of MADD Canada and our other traffic safety partners – the police, the food and beverage industry, and other Albertans – have been instrumental in helping us make judgments that way. MADD Canada has been a very good contributor to helping us formulate good legislation.

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

**Mr. Young:** Thank you, Mr. Speaker. To the same minister. There's been a lot of discussion about the changes to the administrative suspension periods in the Traffic Safety Act introduced earlier this year. Have these changes been effective in promoting safe decisions about the consumption of alcohol and driving?

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

**Mr. McIver:** Thank you, Mr. Speaker. Time will tell whether the legislation has the desired effect, but I can tell you that most Albertans have gotten the message that the limits haven't changed but the penalties have. Those few Albertans that choose to make bad decisions know that the consequences are greater than they were. We have actually, as I said, partnered with Albertans, including the hospitality industry, who are really working with us to not scare their clients like the opposition chose to do in some of their comments on the legislation but, rather, to try to educate their clients to behave responsibly and tell them that they can enjoy themselves as Albertans and still get home safely if only they make a plan.

**Mr. Young:** My second supplemental is to the Minister of Justice and Solicitor General. While I certainly support the stance the government has taken on drivers who record alcohol levels of between .05 and .08, what are we doing to get tough on drivers who record blood-alcohol levels over the Criminal Code limit of .08?

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

**Mr. Denis:** Thank you very much, Mr. Speaker. I appreciate that question because just this week I was in Regina at the national justice ministers meeting. Of course, as this member knows, drunk driving over .08 is a federal matter. We brought up an issue about tougher sentences for drunk drivers over .08 involving serious bodily harm or death. I'm really pleased that the federal government appears to want to act here. I would definitely like to see mandatory minimum sentences. So would many of my counterparts across other provinces. Let's make this a reality federally.

### Hospital Occupancy Rates

**Mrs. Towle:** Mr. Speaker, last February the Health Quality Council recommended that Alberta Health reduce hospital occupancy rates by 85 to 90 per cent. This means freer flow through emergency departments and progress toward hitting the eight-hour wait time benchmark that everyone agrees is a critical measure of success. The Minister of Health ordered Alberta Health Services to reduce occupancy rates to 95 per cent by

October 31. That was yesterday. Has that target been met? Yes or no?

**Mr. Horne:** Mr. Speaker, I'm pleased to report to the House that Alberta Health Services has made tremendous progress toward meeting those targets. They are in the process of preparing a final report, which I'll be pleased to share with the Assembly, regarding the results on that directive as well as the one on reducing the number of alternate level of care patients in our major hospitals. They have done this through a collaborative effort at the site level, where administrators and clinicians and other support staff have worked together to design processes and procedures to achieve these objectives locally.

**Mrs. Towle:** Mr. Speaker, hospitals typically see a major reduction in emergency department visits over the summer months, when major health issues like influenza and pneumonia aren't as prevalent. How will the minister move toward hitting a target of 85 per cent during the much busier winter season?

**Mr. Horne:** Mr. Speaker, we make no apologies as a government for setting aggressive targets within our health care system. We are very well supported by a health delivery organization, Alberta Health Services, which is committed to doing that. As I've said, there will be a report forthcoming from Alberta Health Services describing the very, very good work they've done across the province through empowering our clinicians and our support staff and our administrators to work together to deliver better results for Albertans. They've done so in the past. They will continue to do so in the future.

**Mrs. Towle:** Mr. Speaker, this government constantly claims to be open, accountable, and transparent, but it's almost impossible to track the progress on meeting many of these Health Quality Council recommendations. Will the Minister of Health commit today to tabling in this House regular monthly updates of occupancy rates of all Alberta hospitals?\*

**Mr. Horne:** Mr. Speaker, Alberta Health Services and the Alberta health system is one of the most open and transparent in the country when it comes to sharing data. As the hon. member should know, there is information readily available on a variety of topics on the Internet with respect to waiting lists, with respect to time to treat for various procedures, and with respect to our progress in primary care among many other topics. The information is available. It's available to the hon. member without the benefit of question period. I encourage her to review it and perhaps succeed in asking a better question.

### Community Development Funding

**Ms Jansen:** Mr. Speaker, when I meet with nonprofit organizations in my constituency, one of the consistent concerns I hear is the need for more funding for community-based projects. Now, the lottery fund helps address some of the need, but those dollars are finite, and the programs are oversubscribed. My question is to the Minister of Culture. How can the minister justify giving \$5 million in funding to a radio station when there are so many other projects that need funding?

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

**Mrs. Klimchuk:** Thank you, Mr. Speaker. There's always more demand for our tax dollars, but to me this is an example of how partnerships can make the dollars go further. The government

\*See page 496, left column, paragraph 4

recognizes that every dollar invested in cultural projects is nearly doubled in economic impact. That's exactly how we see the potential of CKUA. I'm proud to support that project. It's an important cultural project and an important historical project as well.

**Ms Jansen:** Mr. Speaker, my second question is again to the Minister of Culture. How does a new building in Edmonton benefit my constituents in Calgary?

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

**Mrs. Klimchuk:** Thank you, Mr. Speaker. This is an investment for all of Alberta because CKUA broadcasts Alberta-wide and world-wide. As a matter of fact, they were the first Canadian radio station to broadcast over the Internet. It helped launch the careers of such internationally renowned artists as k.d. lang, Corb Lund, and Jann Arden. CKUA will have a new space in the National Music Centre in Calgary.

**Ms Jansen:** Mr. Speaker, my final question to the same minister: how are those decisions on who does and, more importantly, who does not receive funding made?

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

**Mrs. Klimchuk:** Thank you, Mr. Speaker. My department assesses grant applications based on strict eligibility requirements. When projects don't meet those criteria, they're not funded. It's a fair and equitable program and supports projects all over Alberta. At the end of the day these projects provide safe community places for our children and our families, and this government believes in investing in families and our future.

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

### Teacher Working Time

**Mr. Hehr:** Thank you, Mr. Speaker. This November 1 we learned that there's maybe a trick but there's no treat for the school community as the deadline for three-way talks between teachers, the province, and school boards has passed without an agreement. Teacher workloads, classroom sizes, and support for students remain the main issues. To the Minister of Education: given that teachers are working longer than ever under worse conditions, can you tell us why you and the school boards won't consider some kind of cap on working hours for teachers?

2:20

**Mr. J. Johnson:** Mr. Speaker, I think that's a great question. We've had long discussions with the ATA and the SBA, and I've been in many schools talking with teachers. What I can tell you is that a hard cap on how many hours a teacher can work throughout the week – 31 hours is the request – over the whole province, one cookie-cutter approach, is not the right way to go. I can point to the fact that over half of our teachers already had these hard caps in place, and those teachers in those jurisdictions are just as vocal in their concerns about the workload as the ones that don't have it, so it's obviously not the silver bullet.

**Mr. Hehr:** Well, obviously, that's classroom teachers, not the overall workload.

One of the reasons given why there will be no discussion on this is the fact that rural school boards are already suffering a shortage of schoolteachers, and they feel that any discussion on this will

impact them even further. What are you doing about the fact that our rural school boards don't have enough teachers, and what are you doing to try and recruit more there?

**Mr. J. Johnson:** Mr. Speaker, just to clarify, we are talking about the overall workload. The 31 hours is 23 hours of instruction and eight hours of assignable time. That's the parent-teacher interviews, the staff meetings, the supervision, and all those pieces that are in that workload. I do sympathize with teachers because they have a real challenge today with the diversity in the classroom and all the skills that need to be kept up with respect to technology and the collaboration that we expect or hope to be done. So we want to tackle this in other ways. We want to have solid discussions with the teachers on what pieces of the business are they doing today that don't bring value that we can peel back to provide time for them to prepare so that we can have the best-quality teachers in front of our kids.

**Mr. Hehr:** Well, Mr. Speaker, I find it slightly disingenuous that the minister keeps referring to these 31 hours a week that teachers are allegedly only working. Minister, you're aware of a recent study that points out that the average teacher is working 56 hours a week in this province, are you not?

**Mr. J. Johnson:** Mr. Speaker, the 31 hours are not mine. They're the hours that are in the agreements and the hours proposed by the ATA. We can talk about the hours that we're talking about, that other folks may be talking about, or we may want to calculate, but let's talk about the implications for rural Alberta. You just can't put hard caps on the number of minutes a teacher will work in rural Alberta when, literally, we have some schools of 20 kids with two teachers hundreds of kilometres from the next school. How do you manage a workforce that way? With a hundred kids in one school and half a dozen teachers, how do you get a teacher to come in for .3 of a job, five subjects over the course of a year, and situations like that? Rural schools will close.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by Rimbey-Rocky Mountain House-Sundre.

### Social Policy Framework (continued)

**Ms Notley:** Thank you, Mr. Speaker. According to a sobering report released today by antipoverty advocates, Alberta has the most intense poverty and the highest poverty gap in the country. In short, we have the dubious distinction of being the Canadian leader in inequality. My question is to the Minister of Human Services. When will this government recognize what the IMF, the World Bank, and the Conference Board of Canada have already recognized, that heartless social policy is also bad economic policy?

**Mr. Hancock:** Mr. Speaker, that was recognized by this government many years ago and has been continually part of the way that we construct our policy and our relationships with social agency in the community. It's one of the reasons why we're refreshing that social policy with an intense discussion across the province about social policy framework. Fundamentally, we need as a community to own the issues about what causes poverty in a community and how we can come together to overcome those causal issues. Income disparity is a very big concern. Alberta has the unenviable privilege of having some of the highest paid people because we have such great jobs. Now we have to move to get everybody else up to that level.

**Ms Notley:** Well, Mr. Speaker, here are the facts. Given that the Conservatives' policies mean that Alberta leads the way down the wrong road, with the lowest minimum wage in the country, the most intense poverty, the lowest rates of postsecondary enrolment, and bankruptcy rates that are twice that of the average Canadian, when will the minister admit that his policies are driving Alberta's families deeper and deeper into poverty?

**Mr. Hancock:** Mr. Speaker, of course, the policies that we have in this province and the quality of life that we have in this province mean that we have the highest growth, the most people coming to live here because it's the best place in the world to live, but that doesn't mean that we can forget that there are people who need a hand up and help from time to time. So we have Alberta Works, which helps people find better jobs than they have, helps people get the skilling that they need to get those better jobs. As I mentioned, organizations like Women Building Futures are helping people get the skills that they need to get some of those higher paying jobs so that we can close the gaps. Yes, we have some of the highest income. Yes, we have some of the best social programs to ensure that everybody has a part of Alberta's opportunities.

**Ms Notley:** Well, Mr. Speaker, intense discussion does not feed families, so given that Alberta has the highest percentage of working families in Canada who are forced to use food banks, why won't the minister, at the outset of his epic consultation process, make a concrete gesture of good faith and immediately raise Alberta's minimum wage to at least \$10.30 an hour for all workers?

**Mr. Hancock:** Mr. Speaker, that's one of the problems with the social policy discussions. People move immediately to the wrong answers instead of really looking in depth at what makes a difference for people in a real way. There is a very small percentage of people in this province who are earning minimum wage. A lot of them are not the people that she's talking about: the single-parent families that are living below the poverty line, the working poor. Those aren't necessarily the people who are on minimum wage. Just raising minimum wage is an easy placebo that doesn't really reach the depths that the social policy framework discussion that we're having is going to do.

**The Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre, followed by Edmonton-Manning.

#### **Ferruginous Hawk Habitat**

**Mr. Anglin:** Thank you, Mr. Speaker. I'll let the blood pressure drop a little. Yesterday I asked the Minister of Environment and SRD a specific question regarding the irresponsible and unlawful violation of the Canadian Species at Risk Act. ATCO removed multiple nesting sites of a protected species, the ferruginous hawk, in direct contravention of the act. To the minister: will you be open and transparent and admit that your ministry – your ministry – is responsible for giving permission to ATCO to remove these nesting sites in violation of federal law?

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

**Mrs. McQueen:** Thank you, Mr. Speaker. I will say that a mistake was made by ATCO, but it was identified quickly. [interjections] ATCO has been working with us to rectify the situation, as I said. The situation, which was unfortunate, has led to several positive outcomes, including more nesting platforms, 34

from 13, and significant improvements to artificial nesting structures, which ensures their serviceability and longevity in more strategic locations. [interjections]

#### **Speaker's Ruling Decorum**

**The Speaker:** Hon. members, we can do without the groans and the moans on either side here. It's not helping the debate at all. It's not doing anything to maintain, much less elevate, the level of decorum that we've asked for. Please, can I ask you for the last time today: let's not have any more of this across-the-bow stuff. These members on this side or private members on that side have the right to ask questions. Government members, ministers, associate ministers: you have the right to answer them. Let's all respect each other a little more today if we could, please.

The hon. member.

#### **Ferruginous Hawk Habitat (continued)**

**Mr. Anglin:** Thank you, Mr. Speaker. Given that ATCO just felt the bus run over them, will the minister do the right thing and hold those responsible accountable for this unlawful decision and uphold and enforce our existing laws?

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

**Mrs. McQueen:** Thank you, Mr. Speaker. When potential compliance concerns arise as a result of incidents like this, discussions typically occur at the field level between our wildlife staff and their enforcement field services colleagues. If, in the opinion of those field staff, enforcement is required, we have a range of options available to us to bring an individual or a company back into compliance. In this case we chose to use the situation as an educational opportunity for the company, as a more effective way to rectify the situation. I'll say, as I've said for the last two days, that the situation will be rectified to move from 13 to 34 nests.

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

**Mr. Anglin:** Thank you, Mr. Speaker. Given that that's the longest no I've ever gotten and given that the commission has not approved a licence and has not approved the location of the transmission line, to the Minister of Energy: how can the public have any confidence or faith in this government or a commission hearing process when the ministry of SRD interferes and contaminates the process by having the nesting sites of a protected species removed prior to the commission's evaluation and determination of the transmission line location?

**Mrs. McQueen:** Mr. Speaker, I'll take that question for the Minister of Energy. We have a great deal of confidence in the AESO and in the AUC, who look after those regulations on where the power lines go. We will continue to have a lot of co-operation with them, and certainly we look to them to provide the direction in that area.

**The Speaker:** The hon. Member for Edmonton-Manning, followed by Medicine Hat.

2:30

#### **Apprenticeship Training**

**Mr. Sandhu:** Thank you, Mr. Speaker. There are 31 optional certification trades in Alberta. For those trades, apprenticeship

training programs are not required. Instead, their skills can be recognized by their employers without any formal training. This may leave Albertans vulnerable to those who do not have formal training in their trade. My question to the hon. Minister of Enterprise and Advanced Education: please, Minister, could you tell us what this government has done to regulate optional certification trades in Alberta?

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

**Mr. Khan:** Thank you, Mr. Speaker, and I'd like to thank the hon. member for that question. Here in Alberta we have quality and appropriate standards for both optional and compulsory trades set out in the Apprenticeship and Industry Training Act. The hon. member is correct. For optional certification trades such as cook or baker there is no requirement for a tradesperson to be certified in their trade; however, they always have the option of obtaining a journeyman certification within our system here in Alberta.

I'm very proud to let you know that Alberta is clearly established and recognized as a leader in apprenticeship training and skill development throughout the world, and Alberta is responsible for training more than 20 per cent of all skilled people across Canada.

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

**Mr. Sandhu:** Thank you, Mr. Speaker. To the same minister: does your ministry see value in making certification for all trades compulsory?

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

**Mr. Khan:** Thank you, Mr. Speaker. It's important to note that for what we would consider high-risk trades such as electrician or welder, where public work and public safety is a vital concern, for the most part those trades require compulsory certification. We've worked very closely with industry, consulting with the public, as well as working extremely closely with the Apprenticeship and Industry Training Board to establish the proper criteria for trade certification, compulsory certification as well as consideration for the optional certification trades.

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

**Mr. Sandhu:** Thank you, Mr. Speaker. My final question is to the same minister. What does your ministry plan to do to protect homeowners from potentially shoddy workmanship done by uncertified tradespeople?

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

**Mr. Khan:** Thank you, Mr. Speaker. You can be assured that workers who go through Alberta's apprenticeship and industry training systems perform their skill sets to the highest standards, highest standards compared to anywhere else in the world. We encourage homeowners and consumers who are considering hiring individuals or trades to work on their homes to verify those certifications. Our department is happy to receive those inquiries and verify those inquiries. One of the things that our government is doing in leading the way is the work of our Minister of Municipal Affairs and the Associate Minister of Municipal Affairs in terms of the legislation for new-home buyers.

**The Speaker:** The hon. Member for Medicine Hat, followed by the Member for Edmonton-Ellerslie.

## Travel to London Olympics

**Mr. Pedersen:** Thank you, Mr. Speaker. We heard yesterday how out of touch the Minister of Tourism, Parks and Recreation really is when it comes to ripping off Albertans for her million-dollar junket to the London Olympics. She said she "needs to build bridges, not walls," but the only thing Albertans have seen so far is a \$113,000 London bridge to their luxury hotel industry. She said Albertans are "already seeing the return on our investment" for such outrageous and bloated costs. Will the minister, then, clarify to hard-working Alberta families why she sees this gross waste of their money as such a massive success?

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

**Ms Cusanelli:** Thank you, Mr. Speaker. It gives me great pleasure to talk about one particular success of the many that we have achieved in London. In particular, we look forward to next year hosting what is called the Dertour Academy, which is going to bring more than 600 top travel agents and key tourism partners and journalists to Alberta.

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

**Ms Cusanelli:** Six hundred.

We hope that it will be aligned with the experiences of others who have hosted this same event. In the future we hope to reap a 20 to 30 per cent increase in travel and tourism. That will add to Alberta an additional \$16 million coming to our province.

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

**Mr. Pedersen:** Thank you, Mr. Speaker. Given that this minister has admitted that she has a general aversion to saving tax dollars by flying economy because –I will try to say this without laughing, and I quote – when you're out there meeting nine people in one day, you need to have your sleep, will the minister stop dozing off, stop ripping off Albertans, and start treating Albertans with respect?

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

**Ms Cusanelli:** Thank you, Mr. Speaker. Our very strong and top-level expense and travel policy is obviously being espoused and supported across Canada. As I've done in the past and will continue to do, I will be following that policy.

Thank you.

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

**Mr. Pedersen:** Thank you, Mr. Speaker. When will the minister talk to her caucus whip so he can convince her colleagues to pay back Albertans for her waste and mismanagement, just like they all happily and freely agreed to for the no-meet committee? [interjections]

**The Speaker:** The hon. minister. [interjections] Did you hear the question? There was so much noise, I had trouble hearing it. But if you did and wish to answer it, proceed.

**Ms Cusanelli:** Thank you, Mr. Speaker. I couldn't hear the question either, so I will take the opportunity to say a little about, you know, the impact that our travel to London had on many of our artists and, certainly, our agrifoods environment and industry here. As I said in the past, what is good for our industry here in Alberta is going to be good for all Albertans.

**The Speaker:** The hon. Member for Edmonton-Ellerslie, followed by Drumheller-Stettler.

### Labour Negotiations with Teachers

**Mr. Bhardwaj:** Well, thank you very much. Mr. Speaker, teachers started the school year without a contract. Now we've learned that labour talks between government, teachers, and schools will be extended. My questions are to the Minister of Education. How long do you intend to keep these talks going and leave teachers without a contract? Mr. Minister, what are the main issues, and what's really on the table?

**Mr. J. Johnson:** Mr. Speaker, to be clear, this is a tripartite discussion. We could go back to local bargaining, but we haven't set a deadline. There's enough fruitful discussion happening right now that we feel it's good to keep the discussions going. I would point out in response to the questions that the ATA and the teachers have recognized they're the best paid in the country by a wide margin. And it's not about the pay. It's about the working conditions, as the Member for Calgary-Buffalo mentioned. While we all agree that teachers need time outside the classroom to prepare and collaborate and keep their skills up, we need to find a solution that also gives us the ability to be flexible and doesn't put our rural schools at risk.

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

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. My next question to the same minister: Mr. Minister, how much will this agreement cost the government? Is that one of your concerns?

**Mr. J. Johnson:** Cost is always a concern, Mr. Speaker. We've been very clear that we need to work within the three-year budget that the Premier promised the school boards and that we've laid out so that they can have that certainty. But you should know that over the last decade we have increased funding to education by 60 per cent, even though enrolment has only increased by about 4 per cent, and the number of teachers in the classroom has increased by 13 per cent. We already invest more than any other province on a per-student basis or on a per capita basis. Our teachers make about 20 per cent more than the teachers in B.C. and Saskatchewan, which is okay because we want the best teachers in front of our kids. So it's not about the money. It's about finding ways to do things better, like cutting back some of the red tape that teachers have to deal with on a day-to-day basis.

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

**Mr. Bhardwaj:** Thank you very much. Mr. Speaker, my final question is to the same minister. Given that teachers are pushing to change the classroom hours to deal with workload, would that mean that kids spend less time in the classroom?

**Mr. J. Johnson:** Mr. Speaker, we will not decrease the instruction for our kids. We may discuss changes on how much time a teacher spends in a classroom and what their workload day is like and how we support them with some of the diversity aspects that they have to have with respect to that, but we will not consider changing how much time our kids have in front of quality instructors.

### Introduction of Bills

**The Speaker:** The hon. Member for Edmonton-South West.

2:40

**Bill 203**

### Employment Standards (Compassionate Care Leave) Amendment Act, 2012

**Mr. Jeneroux:** Thank you, Mr. Speaker. I request leave to introduce Bill 203, the Employment Standards (Compassionate Care Leave) Amendment Act, 2012.

Bill 203 would amend the Employment Standards Code to include provisions for eight weeks of unpaid compassionate care leave for individuals charged with caring for terminally ill family members. This bill would help to ensure that Albertans do not have to risk employment and careers while performing their familial duties.

Thank you, Mr. Speaker.

[Motion carried; Bill 203 read a first time]

### Tabling Returns and Reports

**The Speaker:** The Minister of Tourism, Parks and Recreation.

**Ms Cusanelli:** Thank you, Mr. Speaker. As I committed to yesterday, I'm pleased to rise and table the appropriate number of copies of our final report on our London mission and, along with that, testimonials from individuals, companies, and institutions benefiting from Alberta's program during the London Olympics. Of course, as you know, our primary goals in London were to attract investment in our energy and tourism industries and to create new opportunities in the arts and culture sector. The documents that I'm tabling today will show exactly just that.

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

**Mr. Xiao:** Thank you, Mr. Speaker. As chair of the Standing Committee on Legislative Offices and in accordance with section 19(5) of the Auditor General Act I would like to table five copies of the report by the Auditor General titled Report of the Auditor General of Alberta, October 2012. Copies of this report are being distributed to all members in this Chamber.

Thank you.

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

**Dr. Swann:** Thank you very much, Mr. Speaker. I wish to table five copies of a document I referenced to the Minister of Treasury Board and Finance yesterday, estimates of medical costs associated with agricultural injuries in Alberta from Dr. Bob Barnetson, associate professor of labour relations at Athabasca University. The data are incomplete because there's no regulation regarding reporting of farm injuries, but his best estimate is that \$4.5 million annually is transmitted to the public health system instead of being paid for by the industry through WCB.

I have a second tabling, Mr. Speaker, and that is A Social Policy Framework for Alberta: Fairness and Justice for All, presented today by the Parkland Institute, highlighting the growing inequity in Alberta and the health consequences of the same.

Thank you, Mr. Speaker.

**The Speaker:** Are there others? The hon. Member for Rimbey-Rocky Mountain House-Sundre, followed by Edmonton-Strathcona.

**Mr. Anglin:** Thank you, Mr. Speaker. I rise to table official transcripts from the western Alberta transmission line hearings out of Red Deer. There are extracts, with the requisite copies, basically attesting to the original author of every document this

government has relied upon calling these transmission lines not in the public interest and not needed.

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

**Ms Notley:** Thank you, Mr. Speaker. The Member for Calgary-Mountain View has already tabled the report documenting increasing inequities and disparities in the province, so I will not need to.

Thank you.

**The Speaker:** Are there others? The hon. Deputy Premier.

**Mr. Lukaszuk:** Thank you, Mr. Speaker. In reference to my answer during question period, I would like to table five copies of the website for the Progressive Conservative Association of Alberta that lists any and all donations that have been returned to bodies that should not have donated. I certainly hope that we will see similar disclosures from the parties opposite.

Thank you.

### Projected Government Business

**The Speaker:** The hon. House leader for the Official Opposition on Projected Government Business.

**Mr. Anderson:** Yes. Pursuant to the standing orders what is the expected business for next week, Mr. House Leader?

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

**Mr. Hancock:** Thank you, Mr. Speaker. I do have projected government business for next week. On Monday, November 5, in the evening we anticipate discussing in second reading Bill 4, the Public Interest Disclosure (Whistleblower Protection) Act. Time permitting, we could spend time in Committee of the Whole on Bill 5, the New Home Buyer Protection Act; Bill 8, the Electric Utilities Amendment Act, 2012; and thereafter third reading of Bill 6, Protection and Compliance Statutes Amendment Act, 2012, and Bill 9, Alberta Corporate Tax Amendment Act, 2012.

On Tuesday, November 6, 2012, in the afternoon for second reading we anticipate getting back to Bill 2, Responsible Energy Development Act, and, time permitting, Bill 4, the Public Interest Disclosure (Whistleblower Protection) Act, and as per the Order Paper. In the evening for second reading we would anticipate still being on Bill 2 and Bill 4 and as per the Order Paper.

Wednesday, November 7, in the afternoon in Committee of the Whole we would anticipate commencing with Bill 2 and thereafter Bill 4 and as per the Order Paper. Wednesday in the evening we would anticipate being in Committee of the Whole on Bill 2 and Bill 4 and as per the Order Paper.

Thursday, November 8, in the afternoon for third reading Bill 2 and Bill 4 and as per the Order Paper.

**The Speaker:** Hon. Government House Leader, I believe you had a point of order, or was Airdrie first? I've lost track of the order here. Airdrie, I think you were first earlier on. You may have two, but let's go with your first one.

### Point of Order

#### Questions about Political Party Activity

**Mr. Anderson:** Thank you, Mr. Speaker. It's just one. According to the Standing Orders – and we've done this, as you've pointed out – a point of clarification, just to keep it exceptionally short

today. Again, we dealt with this at another time. The Deputy Premier, obviously, may have missed that discussion, given his busy schedule. It was that the Alberta Alliance, of course, is a completely separate entity from the Wildrose Party, so the 2004 and 2007 donations have absolutely no relevance. Not only that, but as you always say, it is a party matter, and what's good for the goose is good for the gander. You know what I'm saying?

Thank you.

**Mr. Hancock:** Mr. Speaker, I am pleased to say to you that the hon. member is absolutely right. Matters of party finance should not be discussed in the House. I couldn't agree with him more. I will admonish all members on our side not ever to talk about party matters in the House again. I would hope that he would admonish all of his members to do the same.

I'd only have one other comment to make, Mr. Speaker. If that's not a sufficient apology, I would apologize most profusely for any member of our side talking about party finances and party matters in the House, and we will endeavour never to do it again.

I would only say one other thing that I think needs to be said, that one shouldn't ever be seen in public, particularly on the record, denying their heritage.

**The Speaker:** I think that sufficiently clarifies the matter. I just leave it with you to think about. If the hon. House leader of the opposition and the hon. Government House Leader on behalf of their respective caucuses and reflecting the general mood of the House are in total agreement, then I'm going to assume that next week there won't be any reference whatsoever to anything to do with issues that are outside the competence or the jurisdiction directly of the government, including and specifically referencing the two discussions that just occurred that might refer to party financing matters of any political party. Any political party. Are we agreed?

**Some Hon. Members:** Agreed.

**The Speaker:** Thank you.

**Mr. Anderson:** A point of clarification on Standing Order 13.

**The Speaker:** I'm just taking you at your word there.

**Mr. Anderson:** I did not agree to any such thing.

**The Speaker:** I have clarified this, and I'm not going to get into a debate with you here. We'll leave it there as something for you to think about. If we're agreed, let me know on Monday how you feel about that, and we'll proceed.

The second point of order. The hon. Government House Leader.

### Point of Order

#### Items Previously Decided Parliamentary Language

**Mr. Hancock:** Thank you, Mr. Speaker. Yes. Earlier today in question period the hon. Member for Chestermere-Rocky View, in a question to the Minister of Education, did two things which were particularly egregious, and I would ask that you admonish him not to do those sorts of things and ask him to apologize under section 23(f), "debates any previous vote of the Assembly unless it is that Member's intention to move that it be rescinded," which, of course, in question period he can't do, and *Beauchesne* 411(4), which suggests that a member must not "criticize decisions of the House."



2:50

I could give further citations, but I think that's a sufficient platform to say that we had a debate in this House on Bill 3, and there was a specific debate on the amendment to Bill 3 with respect to a no-zero policy. Positions were put on both sides of the House about whether or not that was an appropriate policy to be enshrined in the act. That was discussed. That was voted on. It's entirely inappropriate under the rules of the House to try and reraise that same issue and to continue the debate in question period by bringing that back after it's already been debated and voted on in the House. That's clearly against the rules.

What is also clearly against the rules and was also offensive in that same question was the use of unparliamentary language. The Speaker has ruled on a number of occasions with respect to unparliamentary language. I would ask members who haven't had the privilege to read these books thoroughly. The *House of Commons Procedure and Practice* at page 619 – now, I am, I think, operating with an old edition, the 2nd edition rather than the 3rd edition – outlines some of the context for that.

Although an expression may be found to be acceptable, the Speaker has cautioned that any language which leads to disorder in the House should not be used... that Member will be requested to rise in his or her place and to withdraw the unparliamentary word or phrase.

When you go to *Beauchesne's* 492, you will find that the word "cowardly" is a word that has been ruled unparliamentary, and I think pathetic and cowardly used together or separately are both unparliamentary words. Certainly, if you went to 23(j), suggesting anybody using "abusive or insulting language of a nature likely to create disorder," it would fall, clearly, into that category.

Mr. Speaker, you quite rightly, I think, admonished this House several times about decorum and about how we keep our place. It's certainly easier to keep our place if we don't hurl insults across the floor at each other, and I would ask the hon. Member for Chestermere-Rocky View to do the honourable thing, to rise in his place, to withdraw those remarks and apologize for them, and, further, to look at the rules with respect to raising issues that have previously been discussed and voted on in this House and understand that those aren't the topic for further questions.

**The Speaker:** Hon. Member for Airdrie, since this is a point of order regarding you, I'll recognize you first, and then we'll go to the Liberal House leader.

**An Hon. Member:** Isn't it Chestermere-Rocky View?

**Mr. Anderson:** That's right, but the House leader responds to it, as you know.

Mr. Speaker, with regard to the amendment issue that was raised, obviously, we acknowledge that we're not supposed to reraise subamendments that have already been voted on. We understand that. We'll make sure to make that clear to our caucus. Obviously, he can still ask about a policy. There's nothing wrong with asking about a policy and asking the government to act on a policy. But, granted, a subamendment which has already been voted on is different, so I will absolutely alert my caucus to that.

With regard to pretending that the PC name represented pathetically cowardly, clearly, *Beauchesne's* and the references he's referring to are dealing with individuals in this House. You cannot refer to an individual in this House using those names. Absolutely and completely true. The member was clearly referencing the party, the PC Party, in that way. That said, I will without any doubt ask my members to go over the sections in *Beauchesne's* that list the things that are unparliamentary

language and familiarize themselves with them as much as possible. Even though this was not directed at the member and was directed clearly at the party and meant in a slightly humorous way, we'll make sure to go to great lengths to not use things that may be interpreted as being against a member of this Assembly.

Thank you.

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

**Ms Blakeman:** Thank you very much, Mr. Speaker. I wouldn't usually rise to speak on someone else's point of order, but this has been, depending on how you like to look at it, either an exciting or a brutish week. I'm aware that there are a number of new colleagues in the Assembly, and I'd like to offer some observations if I may.

Using the citations 23(j) and 489 to 492, while it is sort of fun and a little bit joyous to call people names in this House for the first couple of times you do it, we have a freedom of speech in here that is balanced by an understanding that you shouldn't abuse it. There are hundreds of thousands of words in the dictionary that you can use to describe other people without resorting to pretty lame, schoolboy name-calling.

My issue in this is that the public doesn't distinguish. If the Wildrose wants to call the Tories some kind of blah, blah, blah, I go back into my constituency, and my constituents think that I've been called that, or I've called someone else that. This goes far beyond you standing up and calling anybody else a name. It blackens all of us, and like a witch's curse, it comes back on us seven times.

It's a particularly stupid thing to do in this House – I'm talking about the action, not the individual – considering the number of words that are available to us. I don't like being tarred with that brush. I'm careful to try not to do that. I'm a good heckler. I don't always get caught, but that's a different matter.

Really, it comes down to the golden rule. Speak to others as you would like to be spoken to. Would any of you like to be called the names that you've called others this week?

**The Speaker:** The hon. Member for Airdrie, very briefly.

**Mr. Anderson:** Very short. I would reference that this member – it's difficult to understand that she of all members would be lecturing on this point – just did this exact thing that she's accusing the other of doing. She said that saying stupid names and stupid things like that – obviously insinuating that this member was the same. [interjection] Hold on.

I would also notice that the Minister of the Treasury Board has repeatedly in this House said over and over again, pertaining to us: I don't care what the wild alliance ever said. Well, that's not our name, all right? Again, there has to be some fairness in here. The hypocrisy can only go so far. What's good for the goose is good for the gander on this.

**The Speaker:** Thank you.

You know, I want to again ask you in all sincerity to review a couple of citations that will help in this matter, and I hope will help prevent future matters. I say this with the greatest of respect whether you're a new member in this House or a returning member to this House. I wish to begin on page 618 of *House of Commons Procedure and Practice*, probably 2nd edition, Unparliamentary Language. Here is what it says.

The proceedings of the House are based on a long-standing tradition of respect for the integrity of all Members. Thus, the use of offensive, provocative or threatening language in the House is strictly forbidden.

Strictly forbidden.

Personal attacks, insults and obscenities are not in order. A direct charge or accusation against a Member may be made only by way of a substantive motion for which notice is required.

If language used in debate appears questionable to the Speaker, he or she will intervene.

That's what I've been doing. I'm compelled by the practices and traditions that guide this House to intervene.

In fact, if you were to look at our own Standing Orders, right at the very edge, at the beginning it says:

(2) In all contingencies unprovided for, the question shall be decided by the Speaker and, in making a ruling, the Speaker shall base any decision on the usages and precedents of the Assembly and on parliamentary tradition.

So I ask you to please bear that in mind.

You know, there is not an undereducated person in this House. Not one. I've looked at all your resumés that you had on your websites and everywhere else. This is a very intelligent group of people we have here. I just know that you can craft a solid question without using gutter-type language or using unparliamentary-type language, and I just know, government members, that you can answer without using the same.

3:00

I also know that any time and every time we get into issues that concern political parties, which don't belong on the floor of this Assembly, a point of order, usage of time, insults being hurled back and forth, disruptions, disorder, and the like always arise. Every single time. I can guarantee it.

I'm going to repeat. Hon. government members, you may not like some of the questions that are being asked, but they have a right to ask them. Hon. members in the opposition and government private members, you may not like the answers that you're getting from the government – you may not; you may disagree with them – but there's a time and a place and a manner in which to disagree with them. Using unparliamentary language is not one of those methods.

On page 634 of *House of Commons Procedure and Practice* it goes on. I'm pointing this out hoping that some of you will actually take a moment and reflect on *Hansard* over the weekend or on Monday. "A Member may not direct remarks to the House or engage in debate by raising a matter under the guise of a point of order." Points of order sometimes themselves get abused and are taken to be an extension of some debate.

With respect to the actual parliamentary language that was used in this case, "pathetically cowardly," I think all three speakers to this point – the Government House Leader, the leader of the Wildrose opposition, the House leader of the Liberal opposition – accurately stated a lot of valid, valid points. I'm not going to review all of them, but I would like to draw your attention to a couple of these. It's not just a matter of the word itself that guides a Speaker in making the ruling. It's the tone with which that word was delivered that counts as well. It's the timbre and the temperature and the passion or lack of it or whatever that governs how Speakers rule. I've had the benefit of listening to many Speakers over this summer as we discussed and debated some of these kinds of issues.

Quite correctly, as pointed out by a couple of members, citation 492 of *Beauchesne* does specifically list "cowardly." It says, "The following expressions are a partial listing of expressions which have caused intervention on the part of the Chair, as listed in the Index of the *Debates* between 1976 and 1987," and it specifically cites the word "cowardly." When you add "pathetically cowardly" to that and you add a little salt and pepper to it to spice it up, you're going to have a point of order every time, hon. member.

You are. It's just how it works. Now, if you flip back, you'll see that the word "coward" is also parliamentary in another instance if it's used in a different context, in a different way. There are frequently two versions of the same stat, fact, or data.

In the end of ends, let's all agree that using terms like "pathetically cowardly" in the context in which those two words were used does exactly what the Member for Edmonton-Centre indicated they do. They tend to tarnish us all. I would say to you that the majority of members by far in this House are very adult in their presentations, very adult in their questions and in their answers. Sometimes a few people don't quite rise up to the level of adult, but the majority by far do. Yet each and every one of us has to live sometimes by the missteps and misrepresentations, if you like, of the rest of us. We have to live by it.

Now, we're going home, some of us longer and farther than others, to our constituencies, to our families, to our friends, as I said in the opening prayer, and I want you to please think about this again. I am doing my best to help all of you, including myself, clean up our act, as I said in May. I've received some wonderful notes from all different people in this House, from all different parties, in verbal or in written form, saying: thank you for doing your best to clean up the act. I just ask you to join me in doing that with a little more passion, please.

As such, we will accept the apology which I think I heard you, hon. House leader, give on behalf of your member.

I don't know, hon. Member for Chestermere-Rocky View, if you wish to add a short apology of your own. If you do, I would encourage you to do it now.

**Mr. McAllister:** Thank you, Mr. Speaker and everybody that pointed out my mistake today. I sure don't claim to be perfect, and emotion does run hot in here, and obviously as a newbie you make mistakes along the way. I completely withdraw what I said to the members across the hall even though I didn't intentionally mean to call them what I said. I meant to refer to the party. It still is the wrong thing to do, so I completely withdraw and ask that you accept my apology.

**The Speaker:** An excellently phrased apology. Thank you. We all noted the sincerity with which you gave it, and I think you noted the response of the House. Thank you.

That concludes that matter, then, and we move on to Orders of the Day.

## Orders of the Day

### Government Bills and Orders

#### Third Reading

#### Bill 1

#### Workers' Compensation Amendment Act, 2012

**The Speaker:** The hon. Government House Leader on behalf of the hon. Premier.

**Mr. Hancock:** Thank you, Mr. Speaker. It's a real honour and a privilege for me today to rise to move Bill 1 for third reading on behalf of the hon. the Premier.

Bill 1 is always intended in parliamentary tradition to be a signature bill, to be a bill that sets a tone or direction and that actually makes a statement. Often it's not necessarily substantive. It's only in our House, actually. Not in very many parliamentary traditions is Bill 1 a substantive bill. In fact, in many parliaments Bill 1 is not a substantive bill; it's really just a pro forma bill.

We have had a history of Bill 1's that make a difference in this

House, and I'm really proud of that, and I'm really proud of this Bill 1. I think it was an important statement to be made on behalf of our community to first responders, to recognize that first responders operate in a context that most of us do not have to operate in. Many of us do see trauma in our life, sometimes in our work, hopefully not always in our work here, Mr. Speaker, but many people do see trauma in their life. I want to reiterate that this bill is not about saying that people don't have trauma in their workplace or trauma in their life.

This bill is about saying to first responders that we appreciate that day after day first responders go out on behalf of Albertans and face some horrible circumstances. They do it willingly, they do it with a great deal of skill, care, and attention, but they don't always get the opportunity to come back from that. They don't always get the opportunity to debrief. If you're driving an ambulance and you're going to a horrific accident and you deliver the victims of the accident to care and then turn around and go back out on the street, you don't get a chance to go and see a counsellor about what horrific things you've seen. If you're a police officer showing up at a site where a child has been killed or injured severely, for example, sometimes in some of the most horrific of circumstances, you don't necessarily get to book off and go and see a counsellor and debrief right at that moment. You get to continue your shift and to do other things and go to other sites.

I know this is anecdotal, but often we hear about the fact that at the end of the day, of course, our first responders go home to their families, and they don't get a chance to debrief with their families, nor do they often want to debrief with their families.

You're talking about first responders who are going out and doing things on a daily basis that are traumatic without necessarily the kind of supports although I know that in each case of the employers for police, for emergency medical technicians, for firefighters, and for peace officers there are counselling services available. There are supports available. There are even support groups involved, but they don't necessarily get the opportunity to kick in.

3:10

Now, we heard in debate at other stages of the bill that there are other professions and occupations who suffer trauma, and that's absolutely certainly true. I know personally that that happens sometimes where you don't expect to have to deal with it. People have to deal with incidents and occurrences which cause trauma, and some professions and occupations are more likely to face it or face it more often than others.

This bill is not about separating those out. This bill is about making presumptive coverage for those first responders that we know face trauma on an everyday basis, on an every-shift basis on behalf of Albertans. It's about taking away the additional trauma of having to point to a specific incident or a specific occurrence or file a report when they don't even know it's happened, to start the process of saying: "I have a claim that I need to deal with. I need some coverage, some medical help that I need perhaps to take. Maybe I can't do my job anymore because I'm so traumatized by it."

This is a very good bill, Mr. Speaker. It's a very good bill in the tradition of Bill 1's in this province, which speaks to a direction of government and an understanding that we have as a community about how important it is that we have people who are prepared to go to work every day to make our communities safer, to take us out of harm's way, to be there for us when we become the victim of an accident, whether through our own fault or somebody else's.

I would ask the House to vote in favour of this bill, to pass this bill, and to make Alberta the first jurisdiction which has presumptive coverage in its Workers' Compensation Act for first responders – police, firefighters, emergency medical technicians, peace officers – who on a day-to-day basis go out there on behalf of Albertans and help us with our most troubled times.

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

**Mr. Wilson:** Thank you, Mr. Speaker. It is a pleasure to stand and speak to this bill one final time. I have been pleased throughout this process, first off, to see the Premier make this the first priority of her government, and I want to thank both the hon. Minister of Human Services and the hon. associate minister of persons with disabilities for the engaging and productive debate that we had around this bill this past couple of weeks.

We've been through this, Mr. Speaker. PTSD is a devastating condition, and I'm very pleased to rise in support of the bill as it's been written and pass this legislation, with complete understanding of what presumptive care actually means for our first responders. I had requested an amendment earlier this week that would have put in a different time frame, and I was so pleased with the answers and the response that we received from the government members, who explained that presumptive care means that there isn't a timeline, that there is no time frame, that there is no statute of limitations in the sense of denying care for those first responders, who, as the hon. minister so eloquently put it, put their lives on the line for families, for our loved ones when it matters most.

The clarity offered around this particular part of the legislation will assure our first responders that they can quite simply receive the treatment when they need it, and I think it is incumbent upon us to offer that. It will reassure them that if they start experiencing the trauma of PTSD and have served as a first responder, the presumptive nature of the bill will simply allow them to get their lives back.

Through the meetings with stakeholders that I spoke with, that's truly what they've been asking for. It's nice to see that democracy works every once in a while and that they will have the opportunity to get their lives back. They're not just simply looking for wage replacement. They're looking to be able to go home at night, look their loved ones in the eye, and not want to go sit in a dark room by themselves. They're looking to be able to fall asleep at night without having to self-medicate. I think that this bill goes a long way to helping ensure that that is the case for our first responders.

I am thoroughly impressed and encouraged by the willingness of the government to accept an amendment that we brought forward during Committee of the Whole. There have been some questions posed to me regarding what it means to provide culturally competent clinicians to our first responders diagnosed with PTSD, so I'd like to take a brief opportunity to just maybe offer some explanation as to what that will mean for our first responders.

We all know that there are too many examples of the types of events that can cause PTSD, but to help explain this, let's just assume for a moment that a first responder has experienced a highly stressful situation and traumatic event where the extreme nature becomes a potential trigger for posttraumatic stress disorder. After their shift that day the worker goes home to their loved ones, tries to get some sleep and the images out of their mind from the hours previous. Now, assuming they can fall asleep, they may experience intense nightmares, essentially reliving the event. The next day they go to work, and they are told

by their superiors that the events of the previous day have come under question, potentially because a firearm was discharged or the actions of someone on their team came under question and someone was injured.

That generally in those environments starts an administrative hearing process where these first responders not only are set in the frame of mind of trying to deal with what they've just experienced, but now under a stressful, court-like setting they're asked to defend and relive these moments over and over, potentially for weeks and/or months, until some sort of administrative resolution has been found. As this is going on, there's potential for them to begin withdrawing, perhaps start self-medicating. They perceive or start to notice their colleagues are looking at them differently. Seeing as it's not generally acceptable to appear weak within these fraternities and professions, the feelings of abandonment add up. Combined with the potential stresses of these hearings, the very real stresses of living with PTSD all compound the trauma that they are experiencing.

It is for these reasons that PTSD is experienced through a unique lens when you are a first responder and why it's so important to have a treatment option that has familiarity with this. That is where culturally competent clinicians will come in and be able to help our first responders because it means they understand the whole picture. Again, I applaud the government and the ministers responsible for accepting that amendment and being open to further discussions.

As I mentioned earlier this week, the importance of allowing for culturally competent clinicians is that if a worker is going through treatment and they're not finding that they're getting the help that they want, you know, a worker stops going to treatment. They may be on medication. They're unable to pay the bills. There may be family pressures, administrative pressures. All of this can add up to an increased risk for suicide. The last thing that we want is an epidemic on our hands of first responders who aren't feeling like they're getting the support that they require once they've decided to pursue treatment for this terrible condition. Again, I'm very, very pleased with the way that this bill is going to be passed today for third reading.

I would also like to offer the potential to begin some education and a remedy to another topic that I've brought up, which is that we've only had four of what is suggested should be about 2,700 first responders having claimed for PTSD in the past two and a half years. If our first responders, when they do their annual physical, had to also go through an annual mental exam, perhaps that would allow for some insight into some of the stresses that they see on an everyday basis, and we'd start to be able to catch some of this. Just an item for further discussion down the road, I suppose. Perhaps some of those stakeholder organizations – our fire departments, our EMTs, our police departments – would consider doing this to help kick-start the education process, start to break the stigma of mental health here in our province and ultimately help our first responders.

As the hon. minister mentioned, this will be the first legislation of its kind in Canada. It's been a great honour to stand and debate and take part in this process. Again, I congratulate the government for making this a top priority for them.

Thank you very much, Mr. Speaker.

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

3:20

**Ms Blakeman:** Thanks very much, Mr. Speaker. I appreciate the opportunity to speak in third reading of Bill 1, which is intended

to be a debate on the anticipated effect of the bill once it's implemented. I have listened to almost all of the debate on the bill, and that which I didn't listen to either in person or on the Tannoy, I've followed up by reading *Hansard*, and I have to say that this has been an odd debate.

No one that I heard speak was intending in any way, shape, or form to demean or degrade or to value in any way less the first responders that are specifically named in this legislation. What I am really interested in is that I have not heard a very clear explanation – I haven't heard a clear explanation – from the government as to why they have made a choice to give preferential treatment to certain people and not to other people, and even on their definition of that they have waived and changed their mind.

I start back from the beginning and go: okay; why does the government feel a need to intervene in the current WCB process? Because that's what's happening. They're saying: we are going to say that this group of people gets to go to the head of the queue. Once they've been diagnosed with posttraumatic stress disorder, they go to the head of the queue. They don't have to go through the usual WCB process where they're examined, the WCB doctors can be brought in, and additional examinations and tests and surveillance and all the rest of that stuff can happen. This one particular group of people goes straight on. Nobody is saying they shouldn't, right? Nobody that I've heard debating or read has said that, so let's be really clear about it.

But I still can't get a straight answer out of the government as to why they feel the need to put these people at the front of the line for WCB. To me, that says that there's a real problem with WCB, so I'm wondering why the government hasn't just addressed the problem with WCB.

Increasingly, I'm seeing a Swiss-cheesing of this issue. Five years ago we added – forgive me; I'm going to get the order wrong – firefighters. It's the same situation. They would be automatically believed that any lung cancer they suffered would have come directly as a matter of their job, and off they go. No more tests. No more hurdles. No more loopholes. On they go. Then we added in another piece of legislation a couple of years later, and a second kind of cancer got added in for a specific group of people. Same deal: head of the line; avoid all the hoo-ha with WCB.

Okay. This is the third bill doing exactly the same thing, and I started to think: "Hmm. Why aren't we dealing with the problem here; that is, the problem with WCB? Despite the fact that in the last – oh dear – 15 years we've had two significant inquiries/commissions, maybe a blue-ribbon panel in there somewhere, and a committee to examine this, and there were, in fact, recommendations made, very little, if any of it, has been implemented. I'm looking with anticipation to my colleagues on the other side to see who is going to leap to their feet to contradict me on that. No one.

**Mr. Hancock:** We can't.

**Ms Blakeman:** Oh, that hasn't stopped you before. Come on, now.

If we're going to develop this argument, then, if we're having this legislation enshrine, enable, enact the ability to intervene in the current WCB process, why are you doing it? Okay. One stream of that is saying: there's something wrong with the system, and we're trying to queue-jump some people we think really should be queue-jumped. The second side of it is: well, if there's nothing wrong with the WCB system, then why are we choosing certain occupations to get preferential treatment?

I carefully listened and read the definitions to see who a first responder is or why they've chosen certain people. It's ranged from the Member for Peace River on page 336 of October 29 *Hansard* talking about: "This bill is about thanking first responders." Okay. Then a little later on he talks about that it's "meant to recognize first responders," to which I say: for what? Usually when you recognize someone, you give them a plaque or a glass thing or a bonus or a watch or something. Why are we recognizing these people? I thought we were trying to help them with a health problem. There's one definition that I've heard coming from opposite on why we're doing this bill. We're thanking and recognizing people.

I carefully went through and, once again, on the next page over, 337:

The point is that we are saying thank you to some people that are richly deserving of that. It's about the fact that the things that they do day in and day out are horrific, and we thank them for that. We should thank them for that.

And everybody here has agreed thus far. If that's the definition we're going on, there were very good arguments made throughout the various debates on this bill that there are a number of other people who also do things day in and day out that are horrific and, one presumes, on behalf of the public in Alberta. So there were arguments for prison guards. There were arguments for social workers. There were arguments for anyone in the public service who is diagnosed with posttraumatic stress disorder. I never get the initials right.

Later in the same thing:

It's . . . not about removing the right that any worker in Alberta has to PTSD coverage when that PTSD, posttraumatic stress disorder, is related to their employment. That's already available to everybody, and the bill does not remove that from [anyone].

No, it doesn't, but it does grant preferential treatment to certain people, and I still can't get an answer as to why. If you're going to say first responders, well, there are other people that fit the definition of first responders that didn't get included in that. I'm just looking for criteria here that anybody could repeat more than once so I can go back to my constituents and say: here are the criteria they based this on. But I can't find it; in your own words, it's not there.

Let me go back and talk a little bit about this. Well, okay; we're going to give preferential treatment, and it's about saying thanks, or it's about recognizing. Well, I would argue that these are all hard-working people. They are all hard-working public servants. These are not people that are paid by a corporation. These are public servants who are walking into a building or a situation when everybody else is running out. They indeed are the firefighters, the medical technicians, the police officers, the sheriffs. I support having the additional categories of people added in if that was the point of this, that we were going to take care of certain people because they were doing something on our behalf, and it is something – what did the minister just say when he was up? It was a traumatic situation, and they may not get a chance to debrief, and they may not get to a counsellor; they may be doing a traumatic thing. Well, I think there are a lot of public servants that actually fit into that.

This is the problem with the government drawing a line. As soon as you draw a line, there are people on one side of it and people on the other side of it. Then there's a long argument about why you should move some people from one side of the line to the other side of the line. I just want to know what made people get on the other side of the line, and it's not clear why the government decided to do this. I'm sure there's a reason, but it may not be a

reason that we can discuss in the House because maybe it's got to do with party business or party financing, Mr. Speaker. Maybe that's why we're not talking about it. Who knows? They won't tell me.

3:30

In the end, having gone through all of this, I did go and look up "presumptive" as I was listening to the previous speaker. To presume: to assume is true without proof; to undertake to do something without right or permission. Okay. Both of those would apply, I would say. Presumption: the act of presuming; reason or grounds for presuming or believing something is true. Again, that's exactly what's anticipated here, that we're going to believe that this posttraumatic stress disorder came about because of the work that these public servants were doing, and therefore we're going to look after their health without making them run through this gauntlet of tests and questioning and proof that is a matter of course and process with WCB.

Again, I challenge the government: why them and not everybody else? What is the point that we have come to where this is the third piece of legislation that I've seen in this House inside of I'm going to say eight years, each of which is specifically – what's the word I'm looking for? – going around the WCB process . . .

**An Hon. Member:** Circumventing.

**Ms Blakeman:** Circumventing. Thank you. See? We can all work together.

. . . deliberately circumventing the WCB process. That's exactly what's going on here, and we still don't have a real reason or a definitive criteria.

I know people feel really strongly about it, and that's quite clear from listening to the debate that I listened to and from reading the remarks in here. There was also clearly a division, where people said: "No. We're willing to add this one in but not this one." There were a number of people that spoke in favour – Calgary-Shaw, Rimbey-Rocky Mountain House-Sundre, Airdrie, Little Bow, Calgary-South East, Innisfail-Sylvan Lake, Medicine Hat, Calgary-Fish Creek – that spoke in favour of including the penitentiary workers but not in favour of any additional workers, so very clear guidelines in people's heads. Okay. Fair enough. They all had reasons why they didn't want to go the other step, very clear reasons why they felt that the penitentiary workers should be included and very clear reasons about why they wouldn't include anybody else, which, frankly, is better than the government managed to do.

You know, I think everybody is going to support this legislation. Why wouldn't you? But, again, I question. I know it's hard, but you're the government. You've got a gabillion dollars behind you. You've got resources up the wazoo. You have everything. Why can you not deal with the difficult stuff? You have everything to be able to get to the core, to do the radical surgery that you need to do here on WCB, and you've got some experts on WCB here. You've got people that come from the trades and unions and people that really understand this, and every one of us has dealt with these cases in our office.

I challenge the government: step up; do the right thing. I really don't want to see a fourth piece of legislation in here exempting yet another group of people from the WCB process or adding another reason why they get to queue-jump that process. I'm not saying queue-jumping in any kind of negative way. It's just that there's a queue, there's a process, and these people don't have to do it. That's what the presumptive is all about.

I do think there's a huge underlying problem here that has not been addressed. I'm sure the bill will pass, and you will all put feathers in your caps and feel good about it. But we still have not dealt with the problem, and I am not seeing any sign that you're inclined to. Oh, well, another 15 minutes of talking to thin air.

Thank you.

**The Speaker:** Hon. members, 29(2)(a) is available for five minutes of questions or comments regarding the previous speaker's comments. The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. I was just wondering if the member, one, would recognize that I supported both motions and went against my own caucus and, second, define "wazoo."

**Ms Blakeman:** I am sorry. I was looking at the divisions that were done on that, and I thought I saw your name. I am certainly willing to withdraw that and believe you absolutely because I remember you getting up the second time to say: now, just a minute here; I haven't said that I won't support it, but you've got to give me a better argument. I do remember that.

**An Hon. Member:** That was in the third one.

**Ms Blakeman:** That was in the third one. Okay. Sorry about that. I have misspoke about you, and I will take that back because I'm sure you did it.

The definition of wazoo is culturally different, but generally it is a very large container, a vat, you might say, or a large enough venue that you can put many, many things in it. This government certainly has that, and they certainly have a lot of things that they could use to improve WCB, and I would encourage them to do that.

**Mr. Dorward:** Mr. Speaker, according to the Urban Dictionary "up the wazoo" means "up one's trapdoor."

**Ms Blakeman:** This is what I was saying about the precision of language, and it's such a delight. I will thank you for using your electronic device to be able to look up a more colloquial way of describing it than I chose to. You're just faster with your electronic device than I am with an old-fashioned dictionary, but thank you very much.

**The Speaker:** Yes. Well, that certainly clarifies that matter, doesn't it?

Are there others under 29(2)(a)?

If not, hon. Member for Edmonton-Calder, proceed on the main debate.

**Mr. Eggen:** Thanks, Mr. Speaker. That's exactly what I came to do this afternoon. I haven't had an opportunity to speak at length in regard to Bill 1. I think I did speak on one amendment. I was very interested in bringing forward some comments on this bill.

First and foremost, I do recognize this as being perhaps a good first step in regard to protecting and funding treatment for public workers that experience PTSD. Certainly, we know that through the evolution of this condition and the treatment of this condition we have been ignoring this for a long time. We've come to know different versions of PTSD from as early as the First World War, really, when people had shell shock and so forth, but now to recognize the condition and to provide more advanced treatment for people over these last hundred years I think is overdue. We know that we have at least thousands of these cases every year across the country.

Certainly, when dealing with issues like this, I like to speak on behalf of the first responders that would be under this new law if it becomes law. I have heard from firefighters and police and peace officers and EMS workers that are all certainly favouring this legislation. I'd like to support them, of course. These are important workers that often are not compensated commensurate with the hard work that they do. As the Member for Edmonton-Centre mentioned earlier, they are the people that run into emergencies while the rest of us are running away from them sometimes. For that, I certainly don't find fault with Bill 1.

But there is, I guess, a problem here. It's both a logical problem and a practical problem. When we are changing legislation on who gets a treatment and who doesn't get a treatment, then we have to be very careful about how we define that and whether it passes the test of logic and of common sense as well.

3:40

As I said, I did get to speak on one amendment that was put forward on Bill 1, and that perhaps will serve as a good example of how when you draw a line treating people for a condition in a presumptive way, there are people on the other side of the line that probably, logically and practically, could be considered for that same treatment if we were to be fair and balanced, which is what we try to do in a Legislature when making laws.

That amendment that I spoke to, of course, was in regard to including jailers, keepers, guards, and other officers that work in prisons as being fairly defined as first responders as well. We know that, in fact, there are even legal definitions that would legally tie those prison workers of different categories to being in the same category as a police officer. We know that there are lots and lots of cases. It's a difficult environment to work in. These are individuals that need and require our support always and are often in traumatic situations that can lead to a diagnosis of posttraumatic stress disorder. Again, just drawing a rather arbitrary line with this whole presumptive part of this law I think unfairly excludes, for example, prison guards. I did speak on that before. I don't want to bring too much of that detail in.

Upon reflection, then, you take that example of prison guards being on the wrong side of that line, where they are not able to be protected under presumptive laws or sections of this bill. Then, of course, I just started to reflect on this in even a wider way, again applying logic and common sense. If a person has a condition and it's recognized by a doctor to be a condition – you break your arm; you have something wrong with your kidney or whatever – then that's just the way it is. It's a scientific fact. If we are excluding someone because they are in a certain occupation – let's use our imaginations for a moment here on that kidney disorder, not the PTSD but the kidney disorder – but they're not under this certain small category of people, you know, that person still has the same kidney disorder as the other one that is included. We've just drawn an imaginary line in law here in the Legislature.

I think that there is a reasonable compromise. We do know that including, I think, social workers and other professions in the public service is very reasonable when we're talking about this law. I think that by applying a certain reasonable test, where if someone has a documented situation that's happened to them, that's been documented as a traumatic event in the course of their job, and then they end up with a diagnosis of PTSD, again, I think that by applying that little sort of middle range of law, we should be able to give them the protection that this sort of law would be afforded them as well.

There is a third story that passes through this bill, and it's not a pretty story. It's a story of how the Workers' Compensation Board and practices in this province of Alberta are not necessarily

serving the needs of workers as they should be. If you go to the board with an application for a PTSD case, then you are often strung along on a very long and very tenuous course with people trying to make a presumption that you picked up PTSD or that your condition is for any number of other reasons besides that traumatic incident that you had suffered during the course of your work. We all know, because we're all dealing with casework from WCB here in our constituencies, that so often people – it's like judge, jury, and executioner all in the building up the street, in WCB, where someone has a case of, let's say, PTSD, and they go and they delve into their substance abuse or their broken marriage or whatever else that, you know, people will get pinned with. They carry that around with them like this heavy knapsack of stones, that is entirely unfair. We also know that once your case is up for review at WCB, that stress alone often results in people picking up more and more problems along the way. You'll see this as you go through your caseloads, that will undoubtedly increase exponentially once they've heard you speak so eloquently on this issue, right? People will come to your constituency, and as their case drags on, just the case alone will complicate things and make their lives that much more miserable.

I like this idea of a presumptive protection for people, but let's make sure that we're not just giving it to one person. We know that first responders are well deserving of it, but why hive that off? If we have a good idea, let's use it for everybody, right? That's a basic thing that I've always learned in my experience in this Legislature. If we come up with something that's good, well, then, why should we exclude anybody from having that thing that is good? Of course, the case that's often made back to that is that, oh, well, it costs too much money. Well, you know, when we are treating people for illness, all forms of illness, then presumably we are treating them with the idea of not just saving that person but also saving society a larger money issue down the road.

We've come up with something here which I think is good, an idea of presumptive coverage and protection for first responders, and good for them. They will recognize and appreciate this, undoubtedly, and I think they're well deserving of that, right? But let's use the model that we're building here with some modification. If someone can show that they have had a traumatic incident during the course of their work and they do get diagnosed with PTSD, then they can be afforded the same coverage that is in Bill 1.

Bill 1's are often trying to set the tone for a government, and it's important that we make sure that we get that tone right, that we're not compromising or just trying to get a little attention or something like that but that we're building a landmark thing that we can point to that adds to the edifice of a just and fair society for everyone. That's what we do when we make laws. You know, I look at other Bill 1's in the past, and I've seen governments rise to that occasion and recognize that they will mark their period of governance with landmark legislation that lasts.

I can see very clearly the good example of that back in 1970, 1971 when the Progressive Conservative government of Peter Lougheed brought in the Human Rights Act, and here we are 40-some years later still dealing with that landmark legislation and enjoying the benefits of it. But I also find that this government, when talking about that Bill 1, the Alberta Human Rights Act, which is now law, and constantly compromising the integrity and the intention of that law – I find that very disturbing.

We've seen a movement away from the idea of equality and social justice in this Legislature through the compromise of that Bill 1 from back in 1970, 1971, the Human Rights Act, and I find that disturbing. I feel glad that I'm back here to speak on that, and I will certainly be watching like a hawk – with all of the things

that happen to hawks, and literally watching hawks in some cases – to ensure that that Human Rights Act is not compromised. That's the sort of Bill 1 that is landmark legislation that you can take to the bank and help to build up the edifice of democracy in this province.

This one, this Bill 1, is okay, right? I'm not saying that it's not okay, but there's that compromise in there, where you are undermining a sense of equality and both logic and common sense, that I find a little bit disturbing. Certainly, it's not going to preclude me from probably voting in favour of this Bill 1, but let's remember just what that flaw is built into it. I think we've heard eloquently and succinctly from a number of people. They've pointed that out. It's fairly clear.

3:50

But, you know, we're not at a make-work sort of project here, Mr. Speaker, where we build little tiny bits of law here and there and everywhere and then come back next year and include another group. I mean, let's do it while we're all here together now and, like I say, build a Bill 1 that we can all be proud of and that will still be around 50 years from now.

Thank you.

**The Speaker:** Hon. members, 29(2)(a) is available for questions or comments related to the previous speaker's comments.

Seeing none, we can move on. I would recognize the hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Mr. Speaker. I'm happy to rise today to speak about Bill 1, the Workers' Compensation Amendment Act, 2012, which has given presumptive coverage to Alberta's firefighters, emergency medical technicians, peace officers, and police officers, all as first responders who have been diagnosed with posttraumatic stress disorder. This bill clearly is a great step forward towards providing the support that our 27,000 first responders need when they become ill as a result of the trauma of things they deal with in their everyday lives. We all know somebody, who might know somebody, who might know somebody – or perhaps we even know them personally – who deals in this range of fields.

I myself have a cousin who is a police officer with the Calgary Police Service, and the amount of work and the amount of trauma that he sees on a regular basis is staggering to me. It's honestly a job that, while I'm happy to be here and sometimes it's traumatic, I wouldn't want to do. I admire and acknowledge and honour everything that they do each and every day for Albertans all across this province. Clearly, their job is important. Clearly, their job is needed by each and every one of us in order to feel safe and in order to go forward every day.

One of the important parts of this bill is the presumptive coverage. This is vital for a number of reasons, but I'd just like to go through a couple. First, first responders are very courageous people, who become ill through the course of their work. It's important to understand that the traumas that they see, either at one time or in a series of events, are likely to be all through the course of their work. They're not likely to be seeing this on the drive home on a regular day. They're not likely to be going home to traumatic situations. The majority of their situations come directly as they relate to work, and that's why the presumptive coverage is so important.

These courageous people also help Albertans through some of the most stressful and traumatic events that they face. I myself had a very traumatic event. As most people in this House know, my brother was diagnosed with Huntington's in 2008. This was a new

diagnosis to our family. We had no idea. There was some odd behaviour ahead of time. Quite honestly, we thought he had mental illness. We truly had no idea.

Well, unfortunately, a call came early one morning at about 5:30. It was the RCMP from our local detachment. The RCMP called, and I took that phone call on behalf of our family, and they advised that my brother had jumped off a bridge attempting suicide, as almost 40 per cent of those with Huntington's do because they're not aware they have a disease that is killing them. As we made those decisions, the RCMP met us in Innisfail. They were very kind and very giving. My mom was devastated. They couldn't tell us if he was dead or alive. All they could tell us, in the middle of a blizzard and minus 25, was that he had been taken to Red Deer hospital and they would escort us to that hospital. They did that. When we arrived at Red Deer hospital, they stayed with us.

Obviously, we were all very upset. My dad was at home recovering from cancer. My children were at home with my in-laws, thankfully, being very kind. We walked into a hospital not sure if my 32-year-old brother was alive. Luckily, we were very fortunate. When we got to the hospital, thankfully, he was very much alive. Unfortunately, he was broken, completely broken. He'd jumped off the top of an overpass onto pavement. You can imagine what kind of trauma that would be. He was unrecognizable. I had not seen my brother in six months and did not recognize him. He had no teeth. He was gaunt, 140 pounds. He looked like a stranger. The RCMP officer stayed with our family during that whole thing.

Now, I understand that this isn't the same kind of trauma, but to watch a family go through that kind of trauma and have to work them through that trauma – I don't know what's going on in his life. How do I know he doesn't have that same one? How do I know he hasn't suffered the atrocity of suicide? It's something we never talk about. To sit there with us and console us and then walk us through the beginning of the worst two and a half years of our lives: I honour them for that.

Recognizing that, I understand that our first responders must be supported when they ask for our help in return. This coverage will also help the families that deal with these situations every day. This is not limited to our first responders. These families live with their spouses and their partners. Early on they see the signs of PTSD. Early on they will see that their spouse is drifting apart, going into a room that is dark, those sorts of things, and then their family is directly affected by this. Having presumptive coverage for first responders will make it so that that spouse, that partner, can seek help sooner. This bill will make it easier for them to assist their loved ones with getting the help they desperately need.

Secondly, first responders understand that they work in a culture where the stigma of mental illness has made it difficult for them to talk about the problem of PTSD and seek help for it. Removing the burden of proving that these events occurred at work or which tragic event affected your life ensures that first responders will not be traumatized going forward. The Workers' Compensation Amendment Act will help to create a better culture in workplaces so that those workers who need help will know that they are working in an environment that is committed to getting them the help that they desperately need.

Part of this commitment is ensuring that they get the right help at the right time with the right person, and this is what the amendment forwarded by the Member for Calgary-Shaw achieved. I'm quite honoured to be sitting in a caucus that was able to show everybody how we can work together and achieve what is best for Albertans. The Member for Calgary-Shaw identified the clear need to ensure that those people who need

treatment will get that treatment from a clinician who understands the unique stress that our first responders are under, the unique stress of their job, the demands of their job, and the incidents that lead to PTSD.

It's key that in order to understand how to cure, we need to understand what causes the illness in the first place. Along with that, first responders will also be reassured that they have the opportunity to recover and lead a full and productive life and, hopefully, at some point in time return to work if they're able. This is crucially important. We all know that the sooner a worker returns to work if they are able, the sooner that life can return to them.

I am honoured that we can show all Albertans that this bill is the result of a collaboration between stakeholder groups, first responders themselves, the government, and the opposition. The government likes to talk about all of its consultations and conversations that it has had with Albertans, and we're often very critical of that process. I understand that. A lot of times that's all we hear: "What kind of conversation did you have? What is the decision? Oh, no decision, so more consultation." But I will acknowledge and note that with Bill 1 the government has delivered something that is tangible as a result of those conversations with those on the front lines. I would extend a huge appreciation, and I thank you for that.

4:00

I'd also like to recognize the great effort by members of all our caucuses, not just the opposition and not just the government but also our third and fourth opposition parties, to debate and actually agree on the amendment to provide workers with PTSD treatment delivered by culturally competent clinicians. I swear he picked that just so we can't say it.

No instance of PTSD is the same, and this amendment recognizes this and provides the supports for the first responders who need it. It's always a nice feeling when we can come to work and as members can work together to bring smart improvements to legislation and put partisanship aside. I truly feel that with Bill 1 that appears to have happened. I am excited that over the next four years we'll have many opportunities to do that with many more pieces of legislation and to show that we're all working for the betterment of Albertans.

I thank each and every single member of this House for doing their part in making sure that that amendment was entered into Bill 1 and for making sure that Bill 1 covers all first responders.

Thank you.

**The Speaker:** Hon. members, 29(2)(a) is available for any comments or questions directed to the previous speaker.

Seeing none, we'll move on. The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. I rise in support of this bill. As some members may have noticed, I actually voted against, in opposition of my own caucus, one of these amendments because I did have a change of heart. We debated it. We decided it. This is a good bill in many ways, but I'm also saddened that we had to even bring this bill forward. The fact is that the reason behind this bill, the overriding reason, is that we have an issue with the WCB. That's the problem. That's a problem that does need to be fixed.

It's interesting. My experience with posttraumatic stress disorder goes way back to when I served in the Marines. I lost a friend, and I watched it right in front of my eyes. He just couldn't stick a needle in himself enough. I watched a young man dissipate in front of me who was a good friend. I didn't realize at the time what was driving that. Years later I got a sense of what went on.



How traumatic situations affect people is complicated. There are medical physicians that diagnose it, but we do have, in my mind, basically two types, the one that is diagnosed from a series of events and the one that can actually be pinpointed to an event.

What saddened me about the bill is that although the hon. members claim that they did not pick and choose who would be represented or which was more important than the others as far as professions – I say to you this. I just had a chance to talk to the security who have the enviable position of security for this honourable Assembly. They are all ex-sheriffs, ex-police officers, but they are private security nonetheless right now. Not one of them would hesitate, I don't think, to do their job, which is to put themselves in harm's way to provide security for this facility. The question is: if it's a one-time event, are they covered and presumed for posttraumatic stress disorder? It's not clear to me in this bill. Clearly, if it's related to their police work from their former employer, then they would be.

The reality is this. In order to be diagnosed with posttraumatic stress disorder – and maybe the sheriffs here or the security here do have it just watching us behave some days. But the reality is that it is diagnosed professionally and by qualified medical clinicians. Once diagnosed, the idea of having to fight with the WCB or have them make your life difficult is problematic. It's troubling. I just find that deplorable, knowing what I know from my own experiences.

Looking at some of the professions who, in my mind, are absolutely first responders that are not covered by this bill, I'm saddened because the reality is that we should never ever deny anyone with a legitimate diagnosis, with a legitimate cause the coverage that they absolutely deserve. They should never be interfered with by that government nanny who comes in and says: we're going to investigate your life. A prison guard, a correctional officer will now qualify as that, and that's unfortunate.

The idea behind covering people with the presumption I think is a good idea. I would disagree with my caucus and the members on the other side. I think the onus should be on the WCB. Once the diagnosis is made, if they disagree with it, then the onus should be on them to evaluate it as far as to prove that it wasn't what caused the PTSD. That's just my opinion. It is serious, and it affects people in so many different ways. I have nothing but respect for first responders.

I will tell you this. You groaned when I said that I was in the Marines. When I was a police officer, it was no different. When I worked for the Canadian Coast Guard it was no different. We had people who joined up in that service, all three of them, and after their very first event they hung it up, quit, walked away, decided that it was not for them. They could not take it, and that was it. That one event caused them to say: I do not have what it takes to do this job. I can tell you right now that that is true, I think, of every first responder's position, where there are people who cannot do it. Yet we don't cover all first responders.

I truly believe that anybody in any profession that would put themselves in harm's way willingly is a first responder. There are people who ride along with police officers. There are people in that position on a boat, on a pleasure cruise who, with no intention of being a first responder, find themselves all of a sudden there. When a ship goes down, a boat goes down, they have to react. They have to deal with the consequences. They have to deal with the traumatic experience. That happens day after day after day, yet they're not covered. I just find that sad.

I'll go back to the beginning, where I started. The problem is the WCB. This law is unnecessary. It's a Band-Aid approach to correct a situation. I am going to support it because it is a step in the right direction, but it is not the final solution. We need a WCB

that works and that covers people and treats them with the respect and dignity that the average person deserves.

Now, granted, there are people who could abuse any law or any system that we come up with here, but that's no reason to penalize the population at large.

Thank you, Mr. Speaker.

**The Speaker:** Hon. members, 29(2)(a) is available should anyone have a comment or a question for the previous speaker. The hon. Member for Edmonton-Calder.

4:10

**Mr. Eggen:** Thanks, Mr. Speaker. I just wanted to congratulate the member for a very well-constructed argument and an excellent speech. As I said, this is my first real opportunity to speak to this bill, so I had missed where you had said that you had voted on your own. Was it on one of the amendments? If you could maybe just identify where that spot was, I would be curious to know.

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

**Mr. Anglin:** Thank you, Mr. Speaker. I believe I voted against my caucus on the second amendment if I'm correct, which is the social workers.

**The Speaker:** Are there others under 29(2)(a)?

Seeing none, are there any others who wish to speak to third reading of this particular bill?

Now, hon. members, I understand there might be a wish to shorten the time between bells. If that's the case, we will need a motion to that effect because some members, not being in the know on this, would not be able to arrive, perhaps, in time. I'm prepared to entertain a motion.

**Ms Blakeman:** Thank you very much, Mr. Speaker. Let's just waive Standing Order 32, which would allow us to shorten the bells to one minute.

Thank you.

**The Speaker:** That means it will be one minute between bells. Accordingly, should there be a division, then that's how we will proceed.

Are you ready for the question?

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

[Several members rose calling for a division. The division bell was rung at 4:13 p.m.]

[One minute having elapsed, the Assembly divided]

[The Speaker in the chair]

For the motion:

Amery	Fenske	Pedersen
Anglin	Fox	Quadri
Bhardwaj	Goudreau	Quest
Bikman	Hale	Rowe
Blakeman	Hancock	Sandhu
Brown	Horner	Sarich
Campbell	Jeneroux	Saskiw
Cao	Johnson, J.	Smith
Casey	Khan	Towle
Cusanelli	Klimchuk	VanderBurg
DeLong	Luan	Wilson
Donovan	McIver	Woo-Paw
Dorward	Olesen	Xiao
Eggen	Pastoor	Young

Totals: For – 42 Against – 0

[Motion carried unanimously; Bill 1 read a third time]

**The Speaker:** Hon. members, pursuant to Standing Order 19(1)(c) I must now put the question on the following motion for consideration of His Honour the Lieutenant Governor's speech.

**Consideration of His Honour  
the Lieutenant Governor's Speech**

Ms Olesen moved, seconded by Mr. Luan, that an humble address be presented to His Honour the Honourable the Lieutenant Governor as follows.

To His Honour the Honourable Colonel (Retired) Donald S. Ethell, OC, OMM, AOE, MSC, CD, LLD, the Lieutenant Governor of the Province of Alberta:

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly, now assembled, beg leave to thank Your Honour for the gracious speech Your Honour has been pleased to address to us at the opening of the present session.

[Motion carried]

**Government Motions**

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

**Address in Reply to Speech from the Throne**

14. Mr. Campbell moved on behalf of Ms Redford:  
Be it resolved that the Address in Reply to the Speech from the Throne be engrossed and presented to His Honour the Honourable the Lieutenant Governor by such members of the Assembly as are members of Executive Council.

[Government Motion 14 carried]

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

**Mr. Campbell:** Thank you, Mr. Speaker. I would say to call it 4:30 and adjourn the House until 1:30 p.m. on Monday, November 5, 2012.

[Motion carried; the Assembly adjourned at 4:20 p.m. to Monday at 1:30 p.m.]

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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Monday afternoon, November 5, 2012

Issue 14

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta  
The 28th Legislature**

First Session

Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC), Speaker  
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Jablonski, Mary Anne, Red Deer-North (PC), Deputy Chair of Committees

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Anglin, Joe, Rimbey-Rocky Mountain House-Sundre (W)  
Barnes, Drew, Cypress-Medicine Hat (W)  
Bhardwaj, Naresh, Edmonton-Ellerslie (PC)  
Bhullar, Hon. Manmeet Singh, Calgary-Greenway (PC)  
Bikman, Gary, Cardston-Taber-Warner (W)  
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Blakeman, Laurie, Edmonton-Centre (AL),  
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Casey, Ron, Banff-Cochrane (PC)  
Cusanelli, Hon. Christine, Calgary-Currie (PC)  
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Fox, Rodney M., Lacombe-Ponoka (W)  
Fraser, Rick, Calgary-South East (PC)  
Fritz, Yvonne, Calgary-Cross (PC)  
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Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
    Government Whip

**Party standings:**

Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on Alberta's Economic Future

Chair: Mr. Amery  
Deputy Chair: Mr. Bikman

Bhardwaj	Quadri
Blakeman	Quest
Donovan	Rogers
Dorward	Sandhu
Eggen	Sherman
Fenske	Smith
Goudreau	Starke
Hehr	Strankman
Jansen	Towle
Luan	Young
McDonald	Vacant
Olesen	

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Quest  
Deputy Chair: Mrs. Jablonski

Anderson  
Casey  
Dorward  
Eggen  
Kubinec  
Sandhu  
Sherman

### Select Special Conflicts of Interest Act Review Committee

Chair: Mr. Allen  
Deputy Chair: Mr. Luan

Blakeman  
Dorward  
Fenske  
Johnson, L.  
McDonald  
Notley  
Saskiw  
Wilson  
Young

### Standing Committee on Families and Communities

Chair: Ms Pastoor  
Deputy Chair: Mrs. Forsyth

Allen	Leskiw
DeLong	Luan
Fox	McAllister
Fraser	Notley
Fritz	Pedersen
Jablonski	Sarich
Jansen	Saskiw
Jeneroux	Swann
Johnson, L.	Wilson
Kang	Young
Kubinec	Vacant
Lemke	

### Standing Committee on Legislative Offices

Chair: Mr. Xiao  
Deputy Chair: Mr. McDonald

Bikman  
Blakeman  
Brown  
DeLong  
Eggen  
Leskiw  
Quadri  
Rogers  
Wilson

### Special Standing Committee on Members' Services

Chair: Mr. Zwozdesky  
Deputy Chair: Mr. Young

Calahasen  
Dorward  
Forsyth  
Goudreau  
Jablonski  
Mason  
Quest  
Sherman  
Smith

### Standing Committee on Private Bills

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Deputy Chair: Ms L. Johnson

Barnes	Notley
Bhardwaj	Olesen
Brown	Pastoor
DeLong	Rowe
Fox	Sarich
Fritz	Starke
Goudreau	Strankman
Jeneroux	Swann
Kennedy-Glans	Webber
Luan	

### Standing Committee on Privileges and Elections, Standing Orders and Printing

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Deputy Chair: Mr. Lemke

Allen	McAllister
Amery	McDonald
Bhardwaj	Notley
Casey	Pedersen
Hehr	Sandhu
Jansen	Saskiw
Jeneroux	Towle
Johnson, L.	Xiao
Kennedy-Glans	Young
Kubinec	

### Standing Committee on Public Accounts

Chair: Mr. Anderson  
Deputy Chair: Mr. Dorward

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Amery	Hehr
Anglin	Kang
Bilous	Pastoor
Calahasen	Quadri
DeLong	Sarich
Donovan	Starke
Fenske	Stier
Fraser	Webber
Fritz	

### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans  
Deputy Chair: Mr. Rowe

Anderson	Hehr
Anglin	Johnson, L.
Barnes	Kubinec
Bilous	Lemke
Blakeman	Leskiw
Brown	Sandhu
Calahasen	Stier
Cao	Webber
Casey	Xiao
Fenske	Young
Fraser	Vacant
Hale	



## Legislative Assembly of Alberta

1:30 p.m.

Monday, November 5, 2012

[The Speaker in the chair]

### Prayers

**The Speaker:** Let us pray and then remain standing, please, for the singing of our national anthem.

Holy Creator and author of all wisdom, knowledge, and understanding, we ask for Your guidance in order that truth and justice may prevail in all our speeches, actions, and judgment. Amen.

Hon. members, I will now invite you to reflect on this great country that we live in called Canada and, as you reflect, to listen carefully to the singing of *O Canada* by one of Alberta's fastest rising young stars, Mr. Brett Kissel, who is the youngest ever nominee for a Canadian country music award after his 2006 nomination for the rising star award. Mr. Kissel, if you will, please. [applause]

**Mr. Kissel:**

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

Thank you. [applause]

**The Speaker:** Thank you, Mr. Kissel. I doubt you have ever had finer accompaniment than the chorus of MLAs who joined you.

It's a great beginning to our week, hon. members, and it's a great kickoff to Edmonton Northlands' special Canadian Finals Rodeo week as well, a little later this week.

Thank you as well and congratulations, Brett. Best wishes as you headline our province and our country in France next year at one of their largest European country music festivals ever. All the best. [applause]

Please be seated.

### Introduction of Visitors

**The Speaker:** We have the hon. Member for Edmonton-Ellerslie with some visitors to introduce, please.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. It's a pleasure to rise today and introduce to you and through you Mr. Bapi Raju Kanumuri, the Member of Parliament from Narsapuram constituency, which is in the state of Andhra Pradesh in India. Mr. Kanumuri was first elected as an MLA in 1978 and served five terms in office. He is currently serving his second term as the Member of Parliament. He is here in Canada to bring Kalyanam for the first time, one of the most auspicious religious ceremonies. In addition to his various ministerial portfolios, he has also been appointed three times as a chairman of the TTD, which is one of the most blessed and prosperous Hindu temples in the world, an extreme honour and a very high honour. He is accompanied here today by his wife, Annapurna. Also joining him in your gallery today is the president of the Bhartiya Cultural Society, Mr. Chander

Mittal, and his wife, Anita Mittal. At this time I ask my guests to please rise and receive the traditional warm welcome of the Assembly.

### Introduction of Guests

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

**Mrs. Leskiw:** Thank you, Mr. Speaker. It is a pleasure to rise today to introduce to you and through you to all members of the Assembly a close and personal friend of mine, Mr. Brett Kissel. Brett hails from a cattle ranch in Flat Lake, Alberta. Mr. Kissel is a constituent of mine, and I had the pleasure of being his grade 8 teacher, when he received straight As and had the title of teacher's pet. When he turned 18, he got to vote, and he knew where to cast his ballot.

His musical accomplishments include the top five of independent album sales in Alberta. As well, he is about to sign one of the largest songwriting and publishing deals in Nashville, Tennessee. Brett has been signed to headline the largest country music festival in all of Europe, called the country tour of France, and is the youngest-ever artist to be nominated for a Canadian country music award. Brett will be releasing his new CD this spring. I have the pleasure of being able to go to his Christmas party in December. Brett is seated in the Speaker's gallery, and I would ask him to rise and receive the traditional warm welcome of the Assembly.

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

**Mr. Sandhu:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of this Assembly 54 students from Edmonton Christian school, northeast campus, new to my riding of Edmonton-Manning after the boundary change last election. They are the future leaders of this beautiful province. These 54 bright grade 6 students along with six parent helpers and their teachers, Mr. Greg Gurnett and Ms Elaine Junk, visited the Legislature and learned a lot about our building and provincial government. The group is seated in the public gallery. I would ask them to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-South West, followed by Edmonton-Beverly-Clareview.

**Mr. Jeneroux:** Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to members of the Assembly a group of students, teachers, and parents from George P. Nicholson school, located in the constituency of Edmonton-South West. Accompanying these 22 bright and energetic students are the teacher, Mrs. Lorelei Campbell, and parents Mrs. Ruth Brodersen, Mrs. Cathy Sheppard, Mrs. Janet Lentz, and Mrs. Judy Ukrainetz. This class is one of three classes from George P. Nicholson that will be participating in School at the Legislature. Over the past three weeks they've been researching four MLAs each and preparing for their mock Legislature, where they'll be debating the elimination of provincial achievement tests. They are seated in the members' gallery. I would ask that the students and guests from George P. Nicholson please rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview, followed by the President of Treasury Board.

**Mr. Bilous:** Thank you, Mr. Speaker. It gives me great pleasure to rise today and introduce to you and through you to the members of this Assembly Nellie McClung junior high at Bannerman elemen-

tary school, located in the constituency of Edmonton-Beverly-Clareview. Nellie McClung programs provide junior high programming for girls while emphasizing leadership, initiative, self-reliance, and independence as well as a chance to study in a single-gender educational setting. The Nellie McClung junior high girls are accompanied by their teacher, Ms Shannon Smale. I'd like to invite them all to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. President of Treasury Board, followed by the Minister of Health.

**Mr. Horner:** Thank you, Mr. Speaker. It's an honour to rise and introduce to you and through you to all members of the House a small group of valued staff from various areas within the Ministry of Treasury Board and Finance. They are visiting us on a public service orientation tour today, and they are seated in the public gallery this afternoon. As I call their names, I would ask them to rise and receive the warm welcome of this Assembly: Robyn Halliday, an e-commerce helpdesk administrator in tax and revenue administration, business technology management; Natalie Zhang, an investment and debt accountant in financial services; and Jeff Dunn, service request co-ordinator in strategic and business services, corporate technology services. I'd ask that they rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Minister of Health, followed by the Member for Olds-Didsbury-Three Hills.

**1:40**

**Mr. Horne:** Thank you very much, Mr. Speaker. It's a pleasure to rise today and introduce to you and through you to all members Miss Kyra Lee and Miss Zofia Prus-Czarnecka, two students from my constituency of Edmonton-Rutherford who are seated in the members' gallery. Also with the students is Kyra's father, Mr. David Lee. Kyra and Zofia were part of a group of 22 grade 11 students who were chosen to participate in the 2012 heritage youth research summer program. This summer they experienced research first-hand by working side by side with university researchers at the University of Alberta. This program is funded and operated by Alberta Innovates: Health Solutions and assists students in building experience and knowledge of health research and innovations. I'm very proud today to have both students in the House. I'd ask them to rise and receive our congratulations and our warm welcome.

**The Speaker:** The hon. Member for Olds-Didsbury-Three Hills, followed by the Minister of Human Services.

**Mr. Rowe:** Thank you, Mr. Speaker. I'm indeed pleased to introduce to you and through you to all members of this Assembly two individuals who have dedicated their working lives to our youth. As teachers they were very committed to their students. They are also very involved in politics both federally and provincially. I'm very proud to have had them on my team, and I am truly thankful to them. Thank you for being the kind spirits that you are. I am honoured to call you friends. I would ask that Garland and Edna Hoel rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Minister of Human Services, followed by the Minister of Justice.

**Mr. Hancock:** Thank you, Mr. Speaker. I rise today to introduce to you and through you to the members of the Assembly a constituent of mine, Gomathi Boorada. Mrs. Boorada is an

extremely accomplished dancer in Kuchipudi and has performed extensively. She's currently the artistic director of Kalanjali Dance Academy here in Edmonton and has instructed many in this traditional and ancient Indian dance. In addition, she is volunteering as a secretary to the Bhartiya Cultural Society of Alberta.

She is extremely devoted to Lord Vishnu and has travelled to India two times at her own expense to ensure that Kalyanam is brought over to Canada for the first time. Eight priests and several cooks are here in Canada right now in that pursuit. Her hard work has helped to ensure that the citizens of Alberta are able to witness this auspicious religious ceremony. The Kalyanam ceremony will take place in Vancouver, Toronto, Edmonton, and Calgary. Edmonton events will take place on the 9th, 10th, and 11th of November and in Calgary on the 12th. On the 13th they'll return to Edmonton to perform Diwali, the festival of lights, a special prayer for all the devotees. She is joined today by her extremely supportive husband, Balu Boorada. I'd ask them to rise and receive the traditional warm welcome and thanks of this Assembly.

**The Speaker:** The hon. Minister of Justice and Solicitor General, followed by the Minister of Enterprise and Advanced Education.

**Mr. Denis:** Thank you very much, Mr. Speaker. I'm pleased to rise today to introduce to you and through you to all members of this Assembly four individuals who are in Edmonton for a meeting of community leaders who are engaged in gang prevention for their communities. They are seated in the members' gallery today, and I ask each one of them to rise as I introduce them. First off, Mr. Abdiyaz Liban – I apologize if I got your name wrong – is the executive director of tools for success for the Alberta Somali Community Center. This program engages at-risk Somali-Canadian and immigrant youth. Secondly, Ms Karen Erickson, the program manager for Pohna: Keepers of the Fire, an intervention program that steers at-risk youth away from the gang lifestyle by providing individualized services and supports. Thirdly, Inspector Dennis Fraser, who represents RCMP K Division's aboriginal policing services, an important partner in this province's crime prevention efforts. Last but not least is Mr. Mario Maciel, who is from San Jose, California, and is here on his first trip to Alberta to share his vast range of experience in gang intervention, youth substance abuse, and domestic violence. I'm pleased to join these individuals later this afternoon for an announcement concerning gang prevention and reduction. I would like to ask that all members please give them the warm welcome of the Assembly.

**The Speaker:** The Minister of Enterprise and Advanced Education, followed by the Member for Calgary-Mackay-Nose Hill.

**Mr. Khan:** Thank you, Mr. Speaker. I have the privilege of making two introductions today if I may. For the first introduction I'm pleased to rise and introduce to you and through you to all members of this Assembly two new additions to the Portage College board of governors if I could ask them to rise. Mr. Danny Smaiel is a business owner and operator in Lac La Biche. He also serves as the president of a property development and management company. Mr. Smaiel has served on various boards and committees, including the Northern Lights school division and the Lakeland regional health authority. He has held community positions with the Lac La Biche chamber of commerce, minor sports associations, and the downtown business association.

I also have the privilege of introducing Darrell Younghans, who has managed his family farm in Heinsburg since 1979. He has

been a referee for Alberta Amateur Hockey and a coach for Elk Point and Dewberry minor hockey associations. He has also volunteered for various community and school organizations, including the Dewberry agricultural society and the Heinsburg Community Club. Mr. Younghans has served on numerous boards and committees, including the Heinsburg school council and the economic development plan committee for the county of St. Paul.

Their considerable talents will provide expert leadership to Portage College, which is instrumental in providing postsecondary access to students in northern Alberta and a valuable part of our Campus Alberta model. Mr. Speaker, these two remarkable individuals are seated in the members' gallery.

**Dr. Brown:** Mr. Speaker, I'm pleased to introduce to you and through you to members of the Assembly four guests who are seated in the members' gallery who are here today representing a few of the organizations which are supportive of Bill 202, the Public Lands (Grasslands Preservation) Amendment Act. I would ask them to rise as I mention their names. They are Kevin Stewart, Dari Lynn, Terry Noel, and Chelsea Flook. I would ask members to give them the traditional warm welcome of the Assembly.

**The Speaker:** Hon. Minister of Enterprise and Advanced Education, you have a second introduction?

**Mr. Khan:** I do, sir.

**The Speaker:** Please proceed.

**Mr. Khan:** Thank you, Mr. Speaker. I'm pleased to rise and introduce to you and through you to all members of the Assembly the president of Mount Royal University, Dr. David Docherty, along with the vice-president, university advancement, Ms Hope Henderson, if they could rise and receive the acknowledgement of our colleagues. Dr. Docherty became Mount Royal's ninth president on August 1, 2011. He is an accomplished academic, author, and administrator. As a recognized expert on parliamentary democracy in Canada Dr. Docherty has been instrumental in developing new undergraduate and graduate programs at Wilfrid Laurier University, which he joined us from. Having spent some time with Dr. Docherty this summer, I can assure all of my colleagues in the House that he is indeed a gentleman as well as one of our pre-eminent scholars.

Ms Henderson joined Mount Royal in August 2012. Previously she was a stakeholder relations expert with more than 20 years' experience. As a member of Alberta's Métis community Ms Henderson has a particular interest in the advancement of aboriginal education and employment initiatives. Ms Henderson is a tremendous example for all our Métis and First Nations students across this province.

Again, if my colleagues in the House could acknowledge their presence, we would be grateful. Thank you.

#### **Speaker's Ruling Brevity**

**The Speaker:** Thank you. Hon. members, before the Speaker starts to get notes from people about how long some of these introductions are taking, not necessarily the one we just heard, could you please be reminded to tighten up your intros a little bit? It would help because we have two more that I'd like to squeeze in before QP starts.

The Associate Minister of Accountability, Transparency and Transformation to lead the way, followed by Strathcona-Sherwood Park.

**Mr. Scott:** Thank you very much, Mr. Speaker. I'd like to introduce to you and through you to all members of this House a constituent who is a resident of Fort McMurray, Theresa Wells. I'd ask her to rise. She is a prolific and persuasive writer whose career began with a blog entitled McMurray Musings. She is now a frequently featured writer with the *Huffington Post* and *Connect* weekly and many other publications. She has been a tremendous advocate for many of our region's issues, including highway 63, having been the author of the eloquent and heart-wrenching Highway of Tears article that was recently tabled in this House. She often appears on radio and television to speak about the issues of our region. Theresa is not only a brilliant writer; she is also a dear friend. I would ask Theresa Wells to receive the traditional warm welcome from my colleagues in this House.

**The Speaker:** The hon. Member for Strathcona-Sherwood Park.

**Mr. Quest:** Thank you, Mr. Speaker. It gives me great pleasure to introduce to you and through you to all members of this Assembly three guests from Edmonton Northlands: Andy Huntley, chair of the board of governors; Stuart Cullum, president of agriculture; and no stranger to this building, Cathy Kiss, vice-president, communications and government relations. As the government representative on the Northlands board I am proud to serve with these fine individuals. Andy, Stuart, and Cathy are seated in the members' gallery. They have now risen, and I would ask them to receive the traditional warm welcome of the Assembly.

1:50

#### **Oral Question Period**

**The Speaker:** The Leader of Her Majesty's Loyal Opposition.

#### **Political Party Financial Contributions**

**Ms Smith:** Thank you, Mr. Speaker. The questions about undue influence on government policies around election donations and the connection to arena funding continue to linger, especially when the Premier gives conflicting statements about whether she spoke to the individuals involved in the lobbying. She initially said that it was her policy to call all big donors to her party; then she seemed to backtrack on that. Can she clarify: what members of the Katz Group involved in the lobbying for \$100 million in arena funding has she spoken with?

**Mr. Lukaszuk:** Mr. Speaker, I think that the Premier has been very clear on this topic, but I can tell you whom the Premier did not meet with following the election, and that is the family that funded some 70 per cent of the party opposite's campaign in 2004.

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

**Ms Smith:** Thank you, Mr. Speaker. There may be a loophole in Alberta's election financing legislation, and we'd just like to clear this up. Does the Premier support a law that allows a single person to donate \$430,000, a million dollars, \$10 million, then hand a list of family, friends, and business associates to receive the tax receipts?

**Mr. Lukaszuk:** Well, you know, Mr. Speaker, the reason why I made the allusion to that donation to the other party is because this is a case of the kettle calling the pot black, when you have one

family virtually paying for their entire campaign in the past elections.

However, we will have a bill, as you know, on the floor of this Legislature very soon, and we will be able to debate what the rules ought to be in the future.

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

**Ms Smith:** Thank you. We are looking forward to that, Mr. Speaker.

The Premier has promised full co-operation in the investigation. Let's start right now. Will the Premier disclose what she discussed with all of those involved in the arena deal, release all of the relevant cheques and deposit slips, and clear the ethical cloud once and for all?

**Mr. Lukaszuk:** Mr. Speaker, I think we have been more than clear on the fact that the arena deal will not be supported by this provincial government in any one-off manner. We have also been very clear that the Chief Electoral Officer will have the ability to do a full review of any and all donations. We will go one step further. We will make the findings of the Chief Electoral Officer, the letter that he will be sending to us, public for Albertans' scrutiny.

**The Speaker:** Second main question. The hon. leader.

### Justice System

**Ms Smith:** Mr. Speaker, I see the Premier didn't like the first three questions; maybe she'll take the next three.

We received calls all weekend about the case of a young Airdrie girl who was repeatedly abused and then denied her day in court due to the delays in getting the accused to trial. The family was told it was because of a shortage of Crown prosecutors. D'Arcy Depoe, president of the Criminal Trial Lawyers Association, confirmed that prosecutors are overloaded, yet just a few hours after the story broke, the Justice department was blaming it all on sickness of witnesses, last-minute evidence, and the weather. To the Premier: what's the truth here?

**Ms Redford:** Mr. Speaker, when this issue was raised in the House last Thursday, we said that we took this matter very seriously. We have asked our ADM of prosecutions to look into this. It is important that we know what the circumstances are, and we're not going to determine the circumstances by having people quoted in the newspaper and speculating. We will ensure that the facts are clear, we will ensure that all information is available, and we will ensure that our justice system continues to work.

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

**Ms Smith:** Thank you, Mr. Speaker. Unfortunately, the Premier's and the department's claims just don't ring true, and we have heard this all before. In 2009 the court dismissed a rape case involving a 15-year-old girl and two assailants because of delays that the court said were "almost entirely attributable to the Crown. It is in large part unexplained and unjustified." Is the Premier still going to say that there is no shortage of Crown prosecutors?

**Ms Redford:** Mr. Speaker, we have a strong justice system; we have a strong prosecutions department. We are not going to get into a very constructive discussion if every single day in this House we have politicians who are selectively quoting transcripts with respect to court proceedings. Our justice system is independent from the executive branch of government. We must

ensure that it stays that way, and that's why this work is being done.

**Ms Smith:** Mr. Speaker, now that we've had two cases and looking at these two cases, which are almost identical, it's quite clear that we won't get to the bottom of this by simply asking the Justice department to investigate itself, will the Premier immediately call one of the other provinces and ask for a member of their justice department to come in and investigate and make recommendations to ensure this really doesn't happen again?

**Ms Redford:** Mr. Speaker, I'm sorry, but I will take umbrage at the fact that the Leader of the Official Opposition has any particular legal training that allows her to characterize any circumstances in the justice system of being similar or not. That is why the Department of Justice is doing this work. I have full confidence in our prosecutors in our Department of Justice, and that is where the work needs to be done.

**Mr. Anderson:** Last Thursday the Premier told this House that she would call an investigation into why an Airdrie girl who was abused had her case dropped because of delays. Miraculously, within only four hours of asking this question – four hours – the investigator, Mr. Greg Lepp, concluded that a lack of prosecutors categorically was not a factor. In fact, the Crown wasn't at fault at all. It turned out to be weather and illness. He didn't even have to talk to the victim to figure all that out. Premier, is your investigator an omnipotent human being, or has he been sent to whitewash this entire scandal?

**Ms Redford:** Mr. Speaker, one of the really unfortunate levels of political debate that's going on right now in this province is undermining the institutions that protect people's rights, and I'm disappointed to see that. The comments that were made, as I understand it, were the start of the work that our Department of Justice will do with respect to this matter. As I said in this House on Thursday, I don't think it's constructive, and we will no longer participate in responding to specific questions or comments on this matter. There will be a full investigation, it has been undertaken, and the results will come forth in due time.

**Mr. Anderson:** What about the victim's rights, Premier?

Does the Premier remember the 2009 case, while she was Justice minister, when an officer assaulted an individual and was given a minor sentence in part because the prosecutor failed to play or describe a video showing the victim being repeatedly elbow stricken to the head? Does the Premier remember that her all-knowing friend, Mr. Lepp, was also asked to review that case and that his finding was – surprise – that the Crown did nothing wrong and justice had been served? Why have you selected the same Mr. Lepp to investigate this case, Premier? Surely you don't think that justice was done in that scandal, do you?

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

**Mr. Hancock:** Yes.

**The Speaker:** Thank you.

**Ms Redford:** Mr. Speaker, the assistant deputy minister in charge of prosecutions is looking into this matter, and the results will be made public.

**Mr. Anderson:** You know, Mr. Speaker, if we're going to have a whitewash here, let's at least try to make it convincing, okay?

Final question: will the Premier immediately call in a qualified outside investigator from another province who is entirely independent, who doesn't owe his job to the government, and who will openly and objectively figure out what went wrong if the case was dropped because of staffing shortage and what changes must occur to ensure that what happened to this Airdrie girl and in other cases like it never happens again in this province? Will you do this for that girl?

**Ms Redford:** Mr. Speaker, the characterizations with respect to what did or didn't happen or shouldn't happen again are not appropriate for this House. There is an investigation going on. We respect that investigation. This is not a political matter. This is our justice system, that Albertans must have confidence in. We will ensure that they do. The fact that any member of this opposition, this, quote, loyal opposition, would suggest that any person who is a Crown prosecutor, who is a public servant responsible for prosecuting on behalf of the Crown is somehow beholden to political loyalty is offensive.

**The Speaker:** The hon. leader of the Alberta Liberal opposition, followed by the hon. leader of the ND opposition. [interjections] You've been recognized, hon. leader of the Liberal opposition.

#### Auditor General Recommendations

**Dr. Sherman:** Thank you, Mr. Speaker. I'd like to focus on taxpayer money and trust. The Auditor General's report shows that Albertans can't trust this Conservative government with their money, their privacy, their environment, their banks, or even the safety of their bridges. He found an utter lack of effective controls in the financial reporting of royalty revenue despite repeated recommendations that this government clean up its act. To the Premier, Premier, you've got a \$3 billion hole in your fudge-it budget. Why does your government continue to shortchange Albertans on royalty revenues?

2:00

**Mr. Horner:** Well, Mr. Speaker, we followed all of the recommendations that the Auditor General has put forward in terms of the financial reporting that is put forward in our quarterly reports and in our annual reports, and we will continue to do that. Taxpayers are being very well served by our system.

**Dr. Sherman:** Mr. Speaker, given that the Auditor General had to repeat yet another recommendation to improve reliability, comparability, and relevance of public reporting on the costs and the results of Alberta's climate change program, to the Premier: your government spent billions of taxpayer dollars on projects like carbon capture and storage. Why is the government hiding the true costs and the results? Is it because it's too expensive, or you got bad results? Which is it?

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

**Mrs. McQueen:** Thank you, Mr. Speaker. In fact, we've been very transparent with this. We've individually reported on individual aspects of our climate change strategy. We are now pulling those together. We'll have a comprehensive report, information that I'll table individually today with regard to the individual reporting that we have done on different aspects of climate change strategy. That will all be brought together, as I said, in a complete project by next year.

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

**Dr. Sherman:** Thank you, Mr. Speaker. Given that the Auditor General raised serious concerns with this government's lax IT governance, risk management, and accountability measures, again to the Premier: despite the millions that you are spending on information technology, why can't your government do something as basic as protecting Albertans' privacy?

**The Speaker:** The hon. Minister of Service Alberta.

**Mr. Bhullar:** Thank you very much, Mr. Speaker. The fact remains that the Auditor General brought forth recommendations, and we complied with those recommendations. We've created a new office that looks after these issues. We're Canadian leaders in the fact that our department is the only one that encompasses IT security, information security, and physical security threats into one suite, one program to ensure Albertans are protected. What Albertans need to be protected from is the hysteria and the choice of what sort of facts members opposite like to believe on what specific . . .

**The Speaker:** The hon. leader of the New Democratic opposition, followed by the hon. Member for Rimbey-Rocky Mountain House-Sundre.

#### Parental Notification of Class Programming

**Mr. Mason:** Thanks very much. Mr. Speaker, this Premier will promise just about anything to just about anyone to win a leadership or an election. Keeping those promises is another story, though. After the Premier was elected leader of the PC Party, she said that she would consider removing section 11.1 from Bill 44, which amended the human rights code, that prevents teachers from talking about religion or sexuality in the classroom. Albertans are trying to understand what this Premier stands for, so let's get some clarity. Will the Premier commit to removing section 11.1 from the human rights code, and if not, why not?

**Ms Redford:** Mr. Speaker, we've had a tremendously successful legislative session with respect to legislation that mattered to Albertans. I'm very proud of the fact that we are making such good progress with respect to legislation around the Education Act, which we know was part of incredible public debate before the election, during the election, and, of course, after the election. We've ensured that that legislation reflects the balance of interests that Albertans need to have in order to ensure that students and parents and teachers all have the ability to learn appropriately, and we're very proud of that work.

**Mr. Mason:** Mr. Speaker, I'm sure the Premier is very proud of not answering that question, too.

Given that the Premier also promised to consider changes to the human rights code that would legalize hate speech, will she admit that she's talking out of both sides of her mouth and pandering to the extremists within her own caucus and party?

**Ms Redford:** Mr. Speaker, the work that needs to be undertaken with respect to comprehensive legislation around the balancing of rights might appear in things like the Education Act. It may appear in the Human Rights Act. But the first thing we have to do – and our Minister of Justice has spoken to this – is to ensure that we know exactly what the courts are saying with respect to that. There are a number of matters before the court at this time, and it's important for those to be dealt with.

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

**Mr. Mason:** Thanks very much, Mr. Speaker. Given that Albertans need to know what it is that this PC government stands for, will the Premier show Albertans where she really stands on human rights by bringing forward an amendment to remove section 11.1 from the human rights code and do it in this session of the Legislature?

**Ms Redford:** Mr. Speaker, during 28 days of a campaign Albertans understood what a Progressive Conservative Party and a Progressive Conservative government stand for. I am proud of this government's record and the members of our caucus individually, who have a fundamental commitment to protecting the human rights of all Albertans. It was very clear during the election that we are the party that stood for those rights, that we can balance those interests. That's why today as government we are able to introduce legislation that does exactly that.

#### **Ferruginous Hawk Habitat**

**Mr. Anglin:** Last week the Minister of ESRD refused to take responsibility for the destruction of the ferruginous hawk nesting sites. She blamed ATCO for violating the law when she stated, "I will say that a mistake was made by ATCO." Recently obtained communications now confirm that ESRD suggested to ATCO that they remove these nesting sites before the birds return. Will the minister care to revise her misstatement to this Assembly, tell the truth, and accept responsibility for her ministry's violation of the Canadian Species at Risk Act?

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

**Mrs. McQueen:** Well, thank you, Mr. Speaker. What I did say is that we at ESRD are working with ATCO to make sure that we take care of this species, all species in this province. Quite frankly, like I said last week, we went from 13 nesting sites to end up with over 30 of them. This is an outcome that actually will benefit.

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

**Mr. Anglin:** Thank you, Mr. Speaker. One more try: given that the records clearly confirm that ATCO advised ESRD and only acted upon the direction of ESRD, is it the policy of this government to ignore federal environmental laws and then blame others for the infraction?

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

**Mrs. McQueen:** Thank you, Mr. Speaker. We're not blaming anyone. We always take action and accountability for our actions. What I said is that out of an incident that was unfortunate, we have rectified the situation, working with our department and working with ATCO to make sure that we will have almost triple the number of nesting sites for this species. We take this very seriously.

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

**Mr. Anglin:** Thank you, Mr. Speaker. More importantly, will this minister explain to Albertans why they should trust her ministry to protect the environment when it's clear this ministry doesn't follow or understand the laws and then fails to tell or admit the truth?

**Mrs. McQueen:** Well, Mr. Speaker, this is the fourth day of questions on this, and right from the beginning I've said that the Ministry of ESRD has worked with ATCO and with others to

make sure that we take care of the species in this province, particularly this special hawk. We are doing that. We are making sure – very important – what the outcome is. Much unlike this heavy-handed party over there would like to do, we like to do the education, awareness, and mitigation approach. It is much more appropriate because we've nearly tripled the number of nesting platforms.

**The Speaker:** The hon. Member for Edmonton-Gold Bar, followed by Innisfail-Sylvan Lake.

#### **Social Policy Framework**

**Mr. Dorward:** Thank you, Mr. Speaker. My questions are to the Minister of Human Services. Last week a member of this Assembly rose and asked what good our epic consultation on social policy is going to do for Albertans. I'm wondering: Mr. Minister, what good is this consultation? Is it going to be just another government listening exercise with no results and no action?

**Mr. Hancock:** Well, quite the contrary, Mr. Speaker. It is an epic consultation in that we've embraced a number of different technologies and methodologies which involve a very significant number of Albertans in talking about what kind of a province we want to have and what the various roles and responsibilities of individuals, communities, social agency, and governments are at all levels in order to achieve that. It's an important discussion because it can't be a policy that's just owned by Human Services or by the government. It has to be owned by the community to be effective.

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

**Mr. Dorward:** Thank you. I have a supplemental question. There are a lot of words in that. I need some drilling down through all the stats and talk and technology. Please, could the minister describe how the social policy framework will make, for example, our communities safer?

**2:10**

**Mr. Hancock:** It's an important question, Mr. Speaker, because today we celebrate the fifth anniversary of the safe communities task force and SafeCom, as we call it. You can't have a safe community just by adding more police and enforcing the law. You have to have a safe community by building the social structures in the community that help people who are homeless, that help ensure that we lower the incidence of poverty, that make sure that children have an opportunity to be successful. Social policy is a fundamental underpinning for a safe community.

**Mr. Dorward:** Well, let's try this one. My question as the second supplemental is: what will the social policy framework do, for example, to give more tools to families so that they can have the best opportunity possible to raise healthy, well-adjusted children?

**Mr. Hancock:** Well, Mr. Speaker, when we talk about safe communities, again, it isn't always focused. We have the REACH committee in Edmonton, for example, that's done some extensive work in this area. It isn't always focused on policing. Policing is important, the law is important, but so also is the social structure in our community, parent link centres to help parents with the skills that they need to ensure that their children are successful. The Solicitor General introduced members of the gang reduction strategy. Gangs come from children who don't have a strong family

themselves, so creating a new family. We have lots of places that social policy can make a big difference in a safe community.

**The Speaker:** The hon. Member for Innisfail-Sylvan Lake, followed by Calgary-Glenmore.

#### Driving Competence Test

**Mrs. Towle:** Thank you, Mr. Speaker. This government talks a lot about the importance of seniors' independence and quality of life, yet this is the same government that is infringing on that independence and quality of life. Seniors across this province have expressed concerns that the pilot project DriveABLE program targets unsuspecting seniors by saying to them that if they do not pass the DriveABLE test, they will lose their licence. However, the DriveABLE test is not a road test. It's a computer-administered test. Most seniors who are not computer literate do not do well on the DriveABLE test. In addition to that, the senior is hit with an extravagant fee of up to \$300. Does Alberta Transportation and the Minister of Transportation support the DriveABLE program and its results?

**Mr. McIver:** Well, Mr. Speaker, the hon. member probably needs to understand that all drivers at certain times are subject to the DriveABLE test. The other thing that I'd like the hon. member to know is that currently the DriveABLE test is under review to see if we need to make changes to that. Consequently, I appreciate the question. I'd like to assure the hon. member that when we are done evaluating that particular test, we will share those results.

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

**Mrs. Towle:** Thank you, Mr. Speaker. If you say, as you just did, that you do support the DriveABLE program, which is an interesting theory because Alberta Transportation says that they don't, will this minister be open and transparent with seniors across Alberta and make clear the exact criteria for the DriveABLE test and the cost to each individual senior?

**Mr. McIver:** Well, Mr. Speaker, I think the hon. member made the cost clear. I don't know why she'd make the cost clear one second and then ask the question in another. But I guess that's what I've come to expect, inconsistency. As I said, we are evaluating this, and when we decide what to do with it, we'll make that known because we think that's transparent and in the best interest of Albertans.

**Mrs. Towle:** Mr. Speaker, given that the DriveABLE program puts many seniors in an uncomfortable position dealing with technology that they're not familiar with and given that this program seems to skip any actual physical exam done by a physician, can the minister explain what course of appeal Alberta seniors have if their licence is revoked unjustly?

**Mr. McIver:** Well, actually, Mr. Speaker, the test, as I said, is under review. It's for different circumstances. It's for seniors and other Albertans. All Albertans can be subject to it. There is an appeal process through Alberta Transportation, and there have been cases where decisions have been reversed.

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

#### Asia Advisory Council

**Ms L. Johnson:** Thank you, Mr. Speaker. Albertans understand that countries like China and India will play a big part in the future

economic success of this province. My question today for the Associate Minister of International and Intergovernmental Relations: how will the Asia Advisory Council help Albertans, in particular those residents of Calgary-Glenmore, take advantage of opportunities in Asia?

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

**Ms Woo-Paw:** Thank you, and thank you to the member for the question. First of all, Mr. Speaker, the people of this province are not content to build walls and gaze inward. They want to look outward, seek out opportunities, and build bridges. The 10 members of the council have already met to discuss strategies to further engage the Asian market. We are also building a work plan to look at additional exploration and outreach. Ultimately this council is going to advise Alberta so that we can gain a better understanding of the intricacy of building relationships and also reach our goal to expand the market.

**The Speaker:** Thank you, hon. associate minister. Clearly, everybody was enjoying your answer because they were talking all the way through it.

The hon. member for your first sup, please.

**Ms L. Johnson:** Thank you, Mr. Speaker. Exactly, Associate Minister. The residents of Calgary-Glenmore are outward thinking. We're an entrepreneurial constituency, and we have a large number of business owners. Can she tell my constituents what opportunities the government is providing to Albertans so they can participate in Asia and other international locations?

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

**Ms Woo-Paw:** Thank you, Mr. Speaker. Indeed, the member is correct that Albertans are the province's best ambassadors. First of all, there are many, many opportunities for Albertans to be engaged with Asia. One is that for a long time, due to the efforts of our educators, students such as those in this member's riding at the Spanish school have made wonderful linkages with students from all over the world. Our Premier's vision has helped to create international career development opportunities for talented young Albertans with organizations around the world. These externs will also bring that valuable world-class knowledge and experience back to the province of Alberta. We'll make further announcements.

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

**Ms L. Johnson:** Thank you, Mr. Speaker. Yes, the students of St. Benedict are enjoying their Spanish program, which has kept a school open in my community and kept our communities lively.

Associate Minister, can you give an example of international entrepreneurs that are building businesses in Alberta to support your initiatives?

**Ms Woo-Paw:** Well, I'd just like to say that there are many facets that we need to look at in terms of international engagement. We also have to recognize that bringing the world to Alberta is just as critical as bringing Albertans to the world. We've been working extremely hard with different levels of government in terms of addressing our labour market needs, and we'll continue to work closely with Ottawa, municipalities, economic development entities as well as industry here at home and to reach out to different parts of the world through our international offices to address our labour market issues.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Mountain View, followed by Edmonton-Strathcona.

### Hospital Occupancy Rates

**Dr. Swann:** Thank you, Mr. Speaker. The recent Auditor General's report indicates 35 outstanding health system recommendations still not addressed dating back to 2005. More recently, the Health Quality Council recommendations are also languishing. Based on the last performance report by the department in June 2012, they have not reduced bed occupancy rates to 85 or 90 per cent. This means longer emergency room wait times, a waste of EMS units, and more complications for patients. To the Health minister: why have hospitals still not achieved occupancy reductions to 85 per cent?

**Mr. Horne:** Mr. Speaker, as I believe I said in an answer to a question last week, Alberta Health Services is preparing a report that will document their success in reducing occupancy rates in acute-care hospitals as well as reducing the number of patients awaiting placement in continuing care in alternate level of care beds in our hospitals.

**Dr. Swann:** Well, it's clear what's happening, Mr. Speaker. Long-term care is still languishing on the vine. The Health Quality Council targeted long-term care, yet over 450 patients are still languishing in hospital. Why, Mr. Minister?

**Mr. Horne:** Mr. Speaker, as we've discussed in answers to similar questions in the past, not all patients waiting in alternate level of care beds in our hospitals are in fact waiting for long-term care. What many of them are waiting for is access to a suitable level of health care support that meets their needs: some in the community through the destination home program that we funded in the last budget, which offers enhanced programs, some in supportive living, and some in long-term care. I believe when the report from Alberta Health Services comes forward – and I renewed my commitment last week to make it available to colleagues in the House – it will show that, in fact, we have made great strides since the HQCA report last year.

2:20

**Dr. Swann:** Well, again, Mr. Speaker, the emergency room wait times say otherwise. Only 45 per cent of patients in the emergency room are achieving admission rates within eight hours, well below the 60 per cent low target this province has suggested. When will we start meeting the targets?

**Mr. Horne:** Mr. Speaker, it is true that Alberta Health Services has not yet met that 60 per cent target, but as I think the hon. member would be aware, emergency department wait times have improved dramatically in the last couple of years in Alberta both for the four-hour target for patients who do not require admission and for the eight-hour target for patients who do require admission to hospital. The fact of the matter is that more people than ever are seeking treatment in emergency departments. The government has worked very diligently to increase the number of continuing care spaces and to expand family care clinics and other models of primary health care to provide options to emergency departments where appropriate.

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

### Environmental Monitoring of the Oil Sands

**Ms Notley:** Thank you, Mr. Speaker. Today we have more confirmation of what Canadians have known for decades even in the face of this government's denials. Oil sands activity is contaminating the water supply in the lower Athabasca region, and industry monitoring of this threat has failed abysmally. My question is to the minister of the environment. Two years after this failure was first disclosed, why is your government still forcing Albertans to rely on industry self-monitoring, and why will Albertans have to wait at least another two years before this changes?

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

**Mrs. McQueen:** Thank you, Mr. Speaker. Our government under Premier Redford over the last year has taken huge steps to make sure that not only have we announced a joint three-year monitoring in the oil sands for air, land, water, and biodiversity; we've also set up a monitoring agency that will be science based and data that will be publicly reported.

**Ms Notley:** Well, Mr. Speaker, given that the minister suggests her new not-so-independent agency will be ready in a matter of months, but her new not-so-independent agency's chair says that it will be at least two years, and her new not-so-independent agency's report says several years, will the minister explain to Albertans how they're supposed to trust anything that starts out with this much confusion, contradiction, and delay?

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

**Mrs. McQueen:** Thank you, Mr. Speaker. This agency is independent. It's the science and the data that scientists like David Schindler have asked to be independent, and that's exactly what will be independent. Scientists like David Schindler have said that he's very happy with the number of people and the people that are on that as well with regard to . . .

**Mr. Mason:** He wasn't a year ago.

**Mrs. McQueen:** He may not have been a year ago, but today, Mr. Speaker, Dr. Schindler has said publicly that he's happy with those that are sitting on the arm's-length agency.

**Ms Notley:** Mr. Speaker, given that notwithstanding the minister's inaccurate statements to the contrary industry has made no specific commitment for the full \$50 million necessary for independent monitoring, will the minister admit that as it stands, her whole plan is a house of sand built on delay and designed to continue this government's decades-long record of failing Albertans' environment, health, and safety?

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

**Mrs. McQueen:** Thank you, Mr. Speaker. I'm happy to say again in this House that the industry has committed \$50 million to the oil sands monitoring agency each year for three years, so \$150 million if you add the three years together. They've said that. They're committed to that. We've said that in the House, and I'll continue to say that in the House. This is a good way to do environmental monitoring, through this agency, and we're very happy to see that industry will help to support that as well.

**The Speaker:** The hon. Member for Calgary-Fish Creek, followed by Grande Prairie-Smoky.



### Public Health Standards for Meal Donations

**Mrs. Forsyth:** Thank you, Mr. Speaker. This summer one of my constituents brought to my attention a textbook example of how the government is deprived of common sense. For years a group of church volunteers, Inn from the Cold, have been preparing meals and feeding thousands of hungry and needy people in Calgary, but in August they were threatened with being shut down by Alberta Health Services for making the egregious mistake of preparing the meals at home. To the Minister of Health: can you please explain how allowing AHS to shut down a dedicated group of volunteers will get Alberta any closer to addressing the issues of poverty and homelessness in our province?

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

**Mr. Horne:** Thank you, Mr. Speaker. I don't know the particulars of the specific situation that the hon. member is referring to. If she'd care to provide those to me, I'd be very pleased to look into this and give her a specific answer.

**Mrs. Forsyth:** Well, Mr. Speaker, given that it's his organization, Alberta Health Services, you would think he'd know as minister.

Given that volunteers in Raymond brought in food for the evacuees from Milk River during the wildfires this fall, would the minister please explain why the first government representatives on the scene of the disaster were the AHS food police, turning away meals for the hungry evacuees?

**Mr. Horne:** Well, Mr. Speaker, I'd be the first to agree with the hon. member that we don't want to do anything unnecessary to discourage volunteers who assist in situations such as the one that she described. But I'm sure she would also agree that government, through Alberta Health Services, has a responsibility to protect public health through the enforcement of reasonable standards, fair inspection processes, and appropriate appeal mechanisms for those who disagree with those decisions. That is what we offer, and that's what we'll continue to offer to Albertans.

**Mrs. Forsyth:** Well, Mr. Speaker, this minister doesn't understand what reasonable means.

During the spring election the Premier pledged to end poverty in Alberta. Can the minister please explain how that will be done without the dedicated help of volunteers like Inn from the Cold?

**Mr. Horne:** Mr. Speaker, with all respect, I think the hon. member needs to be clear as to whether she wants to have a debate about public health standards, inspection processes, and the like in this House or whether she wants to have a discussion about the role of volunteers. I'm quite prepared to answer questions about both, but they are not mutually exclusive situations to which she refers.

**The Speaker:** The hon. Member for Grande Prairie-Smoky, followed by Calgary-Shaw.

### Campsite Upgrades

**Mr. McDonald:** Thank you, Mr. Speaker. Even as another successful camping season ends in our beautiful province, Albertans are already gearing up for next year's adventures. Given the rising popularity of large campers and trailers in our campsites, averaging upward of 30 and 40 feet, the need for more accommodating spaces is required. To the hon. Minister of Tourism, Parks and Recreation: what is being done to modernize camping stalls to accommodate these larger types of trailers?

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

**Ms Cusanelli:** Thank you, Mr. Speaker, and I thank this member for his question. This year alone we will be investing \$24 million in upgrading park facilities. This will include larger sites, adding more pull-through sites, more sites with hookups, and, of course, new washrooms.

**Mr. McDonald:** To the minister again: given that some Albertans want to be able to park their trailers for longer periods of time such as the full summer, are there accommodations being made to accept these types of trailers?

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

**Ms Cusanelli:** Thank you, Mr. Speaker. Yes. As more Albertans embrace the RV lifestyle, there is a growing interest in seasonal camping, so we see an opportunity for our parks to provide these opportunities for campers in parks where short-term demand for sites is lower. We've been piloting seasonal camping at six of our parks, and the response has been very positive. Albertans are embracing this option, and it's helping to fill up our campsites.

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

**Mr. McDonald:** Thank you, Mr. Speaker. My second supplemental question is to the Minister of Environment and Sustainable Resource Development. Given the popularity of random camping, which includes unauthorized camping along forestry trunk roads and on public lands, what is being done to accommodate this phenomenon, and is there an opportunity for revenue?

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

**Mrs. McQueen:** Thank you, Mr. Speaker. I know there are lots of Albertans who enjoy the experience of random camping, so we don't want to take that experience away from them. What we want to do – and we're working in conjunction with other ministries – is to make sure that the safety measures are there to enhance this experience.

**The Speaker:** The hon. Member for Calgary-Shaw, followed by Edmonton-Riverview.

### Transition Programs for AISH Clients

**Mr. Wilson:** Thank you, Mr. Speaker. We know that protecting the most vulnerable in our society is one of the fundamental roles of government. In Alberta over 100 AISH clients turn 65 each month, meaning they no longer qualify for AISH benefits or the associated health benefits. Although there are a number of provincial and federal programs available, not all AISH clients qualify and therefore have their benefits slashed. To the Minister of Human Services: are these vulnerable seniors not receiving the support they require because this government does not have the financial resources available?

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

**Mr. Hancock:** Thank you, Mr. Speaker. This speaks to the whole concept of the social policy framework discussions that we're having right now, looking at how we not only design individual programs for individual circumstances but, most importantly, look at the overarching piece and make sure all of those programs work well together. Transitions between programs are always difficult. We see that from children becoming adults and moving from what

is a better-supported area when they're youth into a less-supported area as adults. We see the same thing as AISH recipients turn 65 and move on to the seniors' programs and out of the AISH programs. We're working on those transitions. The important thing is that all Albertans should be able to live with dignity and have their needs met.

2:30

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

**Mr. Wilson:** Thank you, Mr. Speaker. To the same minister: what is preventing this government from providing the same level of support for AISH clients once they turn 65?

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

**Mr. Hancock:** Thank you, Mr. Speaker. AISH is essentially an income support program. When you turn 65, there are income support programs for seniors. One does not want to have two programs doing the same thing, so you try and refine the program so that people fall into the right place. What we're doing now through results-based budgeting and through the social policy framework is making sure that those programs are seamless, that we're doing the right programs in the right way so that all Albertans can live with dignity.

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

**Mr. Wilson:** Thank you, Mr. Speaker. Given that AISH recipients lose nearly a third of their health benefits when they turn 65 and I've been trying to find out since August how much it would cost to fill the gap, but the government hasn't answered my letter yet, which I will table, maybe the Minister of Health can give me a number today. How much would it cost?

**Mr. Horne:** Mr. Speaker, I don't have that information on hand. I'd be happy to get the information for the hon. member and get back to him.

**The Speaker:** The hon. Member for Edmonton-Riverview, followed by Cypress-Medicine Hat. Edmonton-Riverview? Did you have a question, Member for Edmonton-Riverview?

**Mr. Young:** No.

**The Speaker:** Let's move on to Cypress-Medicine Hat.

### Bridge Safety

**Mr. Barnes:** Mr. Speaker, the Auditor General's report shows there's a high risk of unsafe bridges in our province due to shoddy and missed inspections. I hope the Transportation minister would agree that ensuring our public infrastructure is safe and secure should be a top priority of his department. Given the Auditor General's finding Albertans are wondering: how does this government have enough money to spend on empty hotel rooms at the Olympics, patronage posts for defeated cabinet ministers, and weekend getaways to Jasper, but they cannot properly fund and co-ordinate bridge safety inspections?

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

**Mr. McIver:** Mr. Speaker, thank you. I'm glad the hon. member looked at the Auditor's report. I would draw his attention to the bottom of the first page, and the sentence there says exactly: "We did not find evidence of unsafe bridges." We work very hard at maintaining this province's infrastructure and will continue to do

so. I think Albertans can have complete confidence in those structures.

**Mr. Barnes:** Probably just by luck when he didn't do the inspections.

Mr. Speaker, given the fact that this government's record on acting on the Auditor General's recommendations is downright terrible and given that their inability to prioritize spending and needs are putting Albertans at risk, I have one simple question for the Transportation minister. Where are the 150 bridges throughout Alberta identified in the Auditor General's report that were not inspected on time, and why didn't the minister care enough about safety to ensure they were properly inspected?

**Mr. McIver:** Well, Mr. Speaker, I'll try to say it more simply. The fact is that the Auditor's report talked about the inspections. The fact is the inspections have been done. The fact is we've acted on the recommendations of the Auditor. We appreciate that. We'd never be able to keep up if the opposition was in government because they wanted to cut infrastructure spending by 25 per cent for four years in a row. So the chances of us maintaining the infrastructure are much greater with this government in place.

**Mr. Barnes:** The facts are you're 150 behind.

Mr. Speaker, given that government waste is to blame for important front-line bridge inspections falling by the wayside and given the Auditor General has pointed out that the Transportation minister again failed to prioritize the necessary spending to maintain our bridges, how long will it take the minister to fix this failure and properly co-ordinate bridge safety inspections?

**Mr. McIver:** Done, and done.

**The Speaker:** Thank you.

Hon. Member for Vermilion-Lloydminster, please proceed.

### Insulin Pump Program

**Dr. Starke:** Mr. Speaker, according to the Canadian Diabetes Association Alberta has one of the highest prevalences of diabetes in Canada, with 217,000 Albertans diagnosed in 2010, or 5.8 per cent of the population, and that number is projected to rise to 8.6 per cent by 2020. To the Minister of Health. Research has shown that the use of insulin pumps dramatically improves glycemic control for diabetic patients. During the recent election campaign the government promised that Alberta diabetics would receive insulin pumps. Those patients are still waiting. When will the minister make this promise a reality?

**Mr. Horne:** Mr. Speaker, the hon. member is correct that diabetes is one of the most prevalent, chronic diseases in our population. It is true that we made a commitment during the election campaign that we would provide an insulin pump program for eligible insulin-dependent diabetics in Alberta. We're in the planning phases of that program now. As we promised, we will deliver it in the spring of 2013.

**Dr. Starke:** Supplemental question, Mr. Speaker, to the same minister. Now, in addition to the initial costs of the pump at over \$5,000, annual pump-related supplies can cost an estimated \$6,800. Will those costs also be covered under this program?

**Mr. Horne:** Well, Mr. Speaker, as we recognized at the time we made the announcement during the election campaign, the costs of the pumps and supplies and accessories are considerable. They will be covered as part of the insulin pump program. We made the

commitment during the election. We said we would honour it beginning in the spring of 2013. That's exactly what we intend to do.

**Dr. Starke:** My final supplemental to the same minister, Mr. Speaker: given the large number of diabetic patients in our province and the costs of these pumps and supplies how is our cash-strapped health care system going to pay for all of this?

**Mr. Horne:** Well, Mr. Speaker, we make spending decisions in our health care system based on population health needs as they are identified. As the hon. member himself pointed out, diabetes is one of the most prevalent chronic diseases in our society. The program that we will come forward with in the spring will provide eligibility criteria for insulin-dependent diabetics who may be eligible to be on the program. This coupled with some of our other initiatives around funding diabetic supplies, for example, in the Blue Cross for seniors program, shows that this government takes diabetes extremely seriously.

**The Speaker:** The hon. member for Edmonton-Centre, followed by Strathcona-Sherwood Park.

### Gravel Extraction Management

**Ms Blakeman:** Thanks very much, Mr. Speaker. One of the glaring omissions in the environmental policy of this government is the lack of protection for groundwater when gravel is allowed to be mined. A quick check shows that current regulations and policies do not allow ministry staff to deny gravel applications that are detrimental to the environment. My question is to the minister of the environment. Why hasn't the minister taken steps to provide approval officers with the ability to outright deny gravel applications damaging to the environment?

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

**Mrs. McQueen:** Well, thank you, Mr. Speaker. We know that when there are gravel applications that pertain to a water body, the department undertakes specific reviews to ensure that activities do not have adverse impact to these areas. A Water Act approval is required, and the department looks at each case through that lens.

**Ms Blakeman:** Yes. You just made my point. They don't have the ability to deny it.

Back to the same minister: given that Alberta Environment currently has no adequate policy on gravelling out alluvial aquifers or flood plains and given that science is clear that alluvial aquifer protection is essential for aquatic ecosystem health and function, why has the minister stood by and allowed permanent destruction of flood plains and aquifers through gravel mining?

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

**Mrs. McQueen:** Thank you, Mr. Speaker. My point with the last question was and my point with this question is that the Water Act applies. Approvals or not are done through the ministry as they look through the lens of the Water Act. That's the whole point. They can approve or not approve or approve with conditions.

**Ms Blakeman:** No. Not happening.

Back to the same minister. This minister and the previous minister have committed to cumulative environmental impact assessment. So just out of curiosity, when will Alberta Environment add up the impacts of gravel mining and be able to verify

that thresholds and metrics have been established relating to gravel mining of alluvial aquifer water bodies and flood plains?

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

**Mrs. McQueen:** Well, thank you, Mr. Speaker. We do look at cumulative effects management in this province. The department does look at that, and they continue to look at it. So that's what happens in this area. With regard to the approvals, I'm going to say it again, for the third time: the approvals are done through the Water Act.

**The Speaker:** The hon. Member for Strathcona-Sherwood Park.

2:40

### Highway 14 Service Road

**Mr. Quest:** Well, thank you, Mr. Speaker. About three years ago passing lanes were added to highway 14 going through my constituency due to the amount of increasing heavy truck traffic. Residents there were quite concerned, felt their accesses were no longer safe because of the passing lanes, but those concerns were alleviated during an Alberta Transportation open house last year when they announced a new service road. But we haven't heard anything about that service road since, so my question to the Minister of Transportation: when can my constituents expect to see construction on this new service road begin?

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

**Mr. McIver:** Thanks, Mr. Speaker. The passing lanes that the hon. member referred to were added to the plan when the public consultations were completed. At this point those improvements are not in the three-year capital plan, so the date is as of yet undetermined. But I can tell you that they will get reviewed on an annual basis, based on budget, safety, a whole number of factors.

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

**Mr. Quest:** Thank you, Mr. Speaker. Well, this is obviously a concern since they were already announced, but I'm just curious: has the decision to fast-track construction of highway 63, for example, in any way impacted the funds or resources necessary for other projects like this one in our province?

**Mr. McIver:** Mr. Speaker, that's a good question. As we announced, the \$1.1 billion to accelerate the completion of the twinning of highway 63 as well as some improvements to highway 881: we're going to go to the capital markets for that money. So in the current budget there's no effect. I know the hon. member is very concerned about that. I can tell you that we, again, will review this on a regular basis and we have heard the hon. member's pleas on behalf of his constituents.

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

**Mr. Quest:** Thank you, Mr. Speaker. Final question to the same minister: if you could just tell me, then, what the long-term status is for the twinning of highway 14 through the rest of Strathcona county?

**Mr. McIver:** Well, Mr. Speaker, we've heard from the hon. members as well as members from the oil sands, trucking industries, other stakeholders, and indeed from individual Albertans themselves about improvements in this area. It will be part of the 2013 to 2016 capital assessment for Alberta Transportation, and when that comes out, the hon. member will

know about it. We understand that resources are a big thing, and we are handling the money of Albertans carefully in dealing with these things on a priority basis.

**The Speaker:** Thank you.

Hon. members, just before we proceed, I have received a request from the Minister of Health, who may wish to supplement an answer that he gave earlier in question period. I believe it goes back to Thursday, and it concerns a question from Innisfail-Sylvan Lake, I think. Hon. minister, would you like to proceed, then?

### Hospital Occupancy Rates (continued)

**Mr. Horne:** Thank you very much, Mr. Speaker. I refer to a question posed by the hon. Member for Innisfail-Sylvan Lake on Thursday, November 1, on page 469 of *Alberta Hansard*. The question that the hon. member asked me in the second supplemental question was with respect to the availability of information to track the progress on meeting Health Quality Council recommendations. I responded with a general answer about information that is available. What I failed to hear when the hon. member posed the question was the last sentence of her question, which was: "Will the Minister of Health commit today to tabling in this House regular monthly updates of occupancy rates of all Alberta hospitals?"\*

Mr. Speaker, quite honestly, I did not hear that part of the question because of other comments and outbursts that were occurring in the Chamber at the time. In answer to that part of the hon. member's question I'm pleased to tell the House that the information is available. It is available directly from Alberta Health Services, it is available through the processes in this House through Motions for Returns and Written Questions, and it's certainly available from me on written request from the hon. member.

**The Speaker:** Hon. Member for Innisfail-Sylvan Lake, a supplemental supplementary if you wish.

**Mrs. Towle:** Thank you, Mr. Speaker. To the Minister of Health. This information is not available. We asked today. We asked Friday. We asked Thursday. Alberta Health Services has come back and told us that we need to FOIP this or ask the minister the question. To be clear. On November 1 you told me: "The information is available. It's available to the hon. member without the benefit of question period. I encourage her to review it and perhaps succeed in asking a better question." Now you're telling me the information is available. It clearly is not. Please tell me exactly who I have to phone – who do I call exactly? – because Alberta Health Services doesn't have it, your own ministry doesn't have it, and the library can't find it. So who do I call exactly so that I can get this information?

**Mr. Horne:** Well, Mr. Speaker, with the clarity from the hon. member that the question specifically concerns occupancy rates in acute-care hospitals, as I said earlier today in the House and I said last week, Alberta Health Services is preparing a report on their progress on this directive. I will make that report available to all members, including this hon. member.

**The Speaker:** Thank you.

Hon. members, I'll make a few comments a little bit later with respect to how question period went today, but in the meantime let's move on to Members' Statements. The hon. Member for Fort McMurray-Wood Buffalo.

## Members' Statements

### Alberta Culture Days

**Mr. Allen:** Thank you, Mr. Speaker. As the MLA for Fort McMurray-Wood Buffalo I know that when people talk about my constituency, they're most likely talking about the oil sands and our province's thriving energy industry. But you may be interested to know that when I moved to Fort McMurray, it was not to work in the oil sands but to own and operate a music store. As a professional jazz musician I saw Fort McMurray as a cultural hub in Alberta's north, and I'm pretty sure, based on today's musical treat that we had, Mr. Kissel would have a similar view of his community in the fabulous riding of Bonnyville-Cold Lake. Residents there, just like Albertans at every corner of the province, value the opportunity to enhance their quality of life by enjoying art, music, theatre, dance, crafts, literature, language, food, and heritage.

In my constituency, just like in communities across the province, during the last three days in September this rich and vibrant culture took the centre stage during Alberta Culture Days 2012. This annual event started five years ago with only a handful of events. I'm proud to report that since then this province-wide celebration has exploded in scope and number of events. This year Albertans of all ages celebrated our heritage, artistic diversity, provincial pride, and culture at over 1,200 events in 81 communities. Despite its immense growth Alberta Culture Days remains a volunteer-driven, grassroots movement led by partners in the culture sector in collaboration with government, public funding agencies, and the private sector, a testament to how culture connects us all and how culture involves all of us.

To encourage participation, help build new relationships, and increase access to cultural experiences, the government of Alberta supported Alberta Culture Days celebration sites in 38 communities. Sixty-four community organizations shared a total of \$375,000 to assist with planning and co-ordinating the events. Mr. Speaker, the Fort McMurray Interplay Society was a feature celebration site for Alberta this year. It's a testament to the spirit of our province. September 27 to 29, 2013, will also be a cultural highlight next year.

Thank you.

**The Speaker:** Thank you.

The hon. Member for Calgary-Fish Creek, followed by Vermilion-Lloydminster.

### Whistle-blower Protection

**Mrs. Forsyth:** Thank you, Mr. Speaker. I rise to legislation introduced in the Assembly called the Public Interest Disclosure (Whistleblower Protection) Act, the so-called whistle-blower legislation. Today FAIR, the Federal Accountability Initiative for Reform, released the results of its analysis of Bill 4, and the results were not surprising. FAIR called the bill "a misleadingly-named piece of legislation which shields the government from damaging disclosures, may be used to protect government wrongdoers, and does not protect whistleblowers at all." They say that it's not even appropriate to have whistle-blower protection in the name of the bill because it provides absolutely no meaningful protection to whistle-blowers, this coming from an organization whose sole mandate is to promote integrity and accountability within government and to support legislation that provides protection for whistle-blowers.

Whistle-blower legislation should not be designed to shield the government from embarrassing publicity, which is precisely the

\*See page 469, right column, paragraph 5

intent of the government's poorly conceived legislation. In fact, a leadership candidate for the PC Party agreed last September when she criticized her opponent's plan for whistle-blower legislation, a plan that is almost identical to what we now see before the House, that when you start saying that a whistle-blower must report to the Ombudsman, you're being prescriptive again about the structure that is in place in an effort to manage the information. I think that defeats the proposal. I think that needs to be protected if they go public with it. The person who said that, Mr. Speaker, was right. In fact, she went on to win the leadership race. The Premier campaigned against the very type of legislation because it doesn't work. I think it will be very interesting to see where she stands when it comes time for members to vote on Bill 4. After all, she said that you either have an open government or you don't.

Mr. Speaker, the Premier was right when she said that last year, but it's a complete shame that when it comes to Bill 4, she's gotten it so wrong.

**The Speaker:** The hon. Member for Calgary-Hawkwood, followed by Sherwood Park.

## 2:50      **Ethnocultural Inclusivity and Integration**

**Mr. Luan:** Thank you, Mr. Speaker. As all hon. members know, Alberta is increasingly recognized as one of the best provinces to live and to raise a family. It is a unique place full of opportunity, prosperity, and diversity. Because of this reputation people from all over the world continue to move to Alberta, hoping to provide a better lifestyle for their family. This being the case, I believe it is important that we continue to support initiatives that offer new Albertans nurturing, caring communities free of discrimination.

Mr. Speaker, one of the very best practices happening in this province, supported by this government, is the welcoming and inclusive communities initiative, which I had the pleasure of working with before coming to the House. This program is run in partnership with the Alberta Urban Municipalities Association and the Alberta Human Rights Commission. It assists municipalities in building all-encompassing communities where people from different backgrounds can feel welcome. Such a program is especially important in Alberta. As our economy continues to grow and develop, we need the supply of labourers, and immigration is one of the solutions to that. It is important that those people, newcomers to our province, feel welcomed and know that they are contributing to our society. A strong community is a safe and unified place where people feel accepted.

With that in mind, it is my hope that we can continue to support the welcoming and inclusive communities initiative in Alberta and that we can all feel proud of this.

Thank you very much, Mr. Speaker.

**The Speaker:** The hon. Member for Sherwood Park, followed by Calgary-Mountain View.

## **Strathcona County Crime Watch**

**Ms Olesen:** Thank you, Mr. Speaker. Alberta's safe communities initiative has helped our province develop into a national leader in crime prevention, and we are a leader for a variety of reasons. Programs such as Alberta's crime prevention framework, the safe communities innovation fund, and the Alberta community restorative justice grants program have made a huge impact on community safety, but there are other local programs that also contribute so very much.

I'd like to take some time to update members of the Assembly about a valuable partnership initiative called Strathcona County

Crime Watch, that meets in the constituency of Sherwood Park. Strathcona County Crime Watch is an excellent example of individuals, businesses, and neighbourhoods working together to take ownership of issues in their communities. Through their relationship with local RCMP creative solutions have been used to solve local issues and create a safer place to live, work, and raise a family. In fact, there are 1,544 families that belong to this organization. This is especially important as the most powerful tool police have in their crime-fighting arsenal is a strong and active community.

Thank you so much for all of the hard work from everyone involved with Strathcona County Crime Watch. A special thank you to Mr. John Fuga, who received the seniors' service award from the Hon. George VanderBurg, Associate Minister of Seniors, and Alana DeLong, chair of the Seniors Advisory Council for Alberta. I was honoured to be in attendance with them this past July. Oh, I used the wrong names. I did the name thing. Sorry. My apologies.

Together with a balanced approach based on prevention, intervention, and enforcement, with a firm commitment to partnerships, the Alberta government and local communities will continue to strive for excellence in community safety.

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

## **Auditor General Health System Recommendations**

**Dr. Swann:** Thanks, Mr. Speaker. The public, professionals, and the Auditor General are all wanting answers as to how Alberta spends \$16 billion, 20 per cent more per capita on health care services than the national average. Once again the Auditor General is concerned about the lack of accountability for public money. No one questions the dedication of the professionals and the quality once they get into the system, but there are penetrating questions about financial oversight.

This ranges from delays in payroll consolidation to inaccurate staff pay to delays to employer contributions to pension plans. The Auditor General identified 19,000 differences where Alberta Health Services data did not match Alberta Pensions Services Corporation. Clearly, this means interest charges and penalties at the cost of taxpayers. Obviously, AHS employees are justifiably concerned that their pension funds are not accurately being accounted for. The contract to consolidate payrolls from former health regions after four years is millions of dollars over budget and still has not consolidated one-third of health employees. Who is responsible for the oversight of this payroll consolidation?

The Auditor General has indicated that in addition to 35 outstanding health system recommendations dating back to 2005, there persist inaccuracies in payroll transactions and lack of documentation to validate the consolidation of the payroll systems. He also comments that significant and/or unusual entries are not reviewed and approved appropriately. This is not good news for a government that argues that the public purse is responsibly managed and that Albertans are getting value for money in our largest government department. Is it lack of qualified people? What is the board doing to address these serious deficiencies? Albertans deserve better accounting practices in this premier service and should not have to wait for another Auditor General's report to confirm that major changes are needed in Alberta Health Services accounting now.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Fort Saskatchewan-Vegreville.

### New Lac La Biche High School

**Ms Fenske:** Thank you, Mr. Speaker. I had the pleasure last week of joining our Education and Infrastructure ministers as they broke ground on a new school in Lac La Biche. The school in Lac La Biche is more than just a school; it is a true community partnership. Its physical attachment to the Bold Center will allow students, families, and community members to interact on a daily basis, whether it's through the use of the library, the field house, the rinks. The new school will be part of an investment into the future of that community.

I watched the excitement in the eyes of the community members who attended. Two of the trustees, introduced earlier, are here with us today, Trustee Smaiel and Trustee Youngmans. I know that these events are much more than just the overturning of dirt. Each time construction on a new school starts, it's further evidence of our government's ongoing support for Alberta families and communities wherever they live. Over the next several months Albertans in 15 communities will watch as empty fields transform into schools, and thanks to the commitment of our Premier many more communities will soon be able to experience that excitement.

Mr. Speaker, as a parent and a former teacher I am proud that we have a leader who understands that our families, our future, and our prosperity depend on our continued investment in education, someone who knows that when we encourage our kids to reach for the stars, we are helping all of us reach higher, a leader committed to building and maintaining the schools we need to keep growing.

It was a pleasure, Mr. Speaker, to be a part of the sod-turning in Lac La Biche, and I look forward to joining the ministers for many more in the future because whenever a shovel hits the ground, we are building our future.

### Presenting Petitions

**The Speaker:** The hon. Member for Edmonton-South West.

**Mr. Jeneroux:** Thank you, Mr. Speaker. I rise today on behalf of the MLA for Edmonton-Whitemud to present a petition to the Legislative Assembly signed by six people from the Edmonton area urging the government to "ensure that the existing credentials of practising registered massage therapists are recognized province-wide, regardless of increases in the hours of formal education required to gain certification."

Thank you.

**The Speaker:** Just before we go to Introduction of Bills, is there anyone rising on a notice of motion on behalf of someone, perhaps?

**Mr. Anderson:** Mr. Speaker, we did have something in that regard, but given the statements by the Health minister I think it's been clarified. Can we withdraw that?

**The Speaker:** Thank you.

### Tabling Returns and Reports

**The Speaker:** The hon. Minister of International and Intergovernmental Relations.

**Mr. Dallas:** Thank you, Mr. Speaker. I'm pleased to table the required number of copies of the Asia Advisory Council annual report for 2011-12. The council, chaired by the hon. Member for

Calgary-Northern Hills, consists of nine other members: Thomas Walter, vice-chair of the council; the Member for Edmonton-Manning; Margaret Cornish; Robert Francis; Peter Harder; Gordon Houlden; Ray Price; Peter Sutherland; and John Zahary. I'm pleased the council just held its first meeting and outlined a work plan and schedule for future meetings to provide recommendations and advice to our government.

Thank you.

**The Speaker:** Are there others? The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Thank you, Mr. Speaker. I'm going to table an article written by yours truly this summer about what I think about our spending of \$12 billion a year in resource revenue and, if we're ever going to have anything left at the end of the day, what we need to do in that regard.

Thank you very much, Mr. Speaker.

**The Speaker:** Thank you.

Hon. Government House Leader, did you wish to address the clock?

**Mr. Hancock:** Mr. Speaker, seeing that it is 3 o'clock, I'd ask unanimous consent of the House to extend the clock so that we can complete the Routine.

[Unanimous consent granted]

3:00

**The Speaker:** Thank you.

The Minister of Environment and Sustainable Resource Development, followed by the Associate Minister of Wellness.

**Mrs. McQueen:** Thank you, Mr. Speaker. I'd like to table the following documents with regard to our climate change reporting. Enclosed for tabling are the energy efficiency rebate program summary, the oil sands greenhouse gas emissions OSIP reporting, the 2011 greenhouse gas emission reduction program results, news releases of the carbon capture and storage project details and information on Alberta's implementation of a renewable fuel standard, the Climate Change and Emissions Management Corporation's Setting the Momentum for Change, Alberta's 2008 climate change strategy, and the 2009 specified gas emitters regulation.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Associate Minister of Wellness.

**Mr. Rodney:** Thank you very much, Mr. Speaker. It is indeed a pleasure to table several reports today on behalf of the hon. Minister of Health. First is the 2011 annual report from the College of Registered Dental Hygienists of Alberta. The college has over 2,500 members, who provide a valuable oral health care service. The college exists so that Albertans will continue to receive safe, high-quality dental hygiene care from a continually advancing profession. This report outlines their activities in the last year and illustrates the outstanding work that they do to promote the health of Albertans.

Mr. Speaker, I'm also pleased to present and table together the 2010 and 2011 annual reports of the Alberta Dental Association and College with the required number of copies. The Alberta Dental Association and College represents dentists and dental specialists. These reports highlight the standard of excellence to

which dentists in Alberta practise and their dedication to fulfill the Alberta government's commitment to health.

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

Are there others? The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Speaker. I would like to table the requisite number of copies of two letters. The first one is dated August 29, addressed to the hon. Minister of Human Services. The second letter is dated September 13, which is his response, copying the Minister of Health, referred to earlier in question period.

Thank you.

**The Speaker:** Are there others? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. I rise to table the requisite number of copies of a series of e-mails that detail that ESRD was part of the decision-making process and approved the removal of these nests.

**The Speaker:** Thank you.

Are there others? If not, the chair would take this opportunity to table the requisite number of copies of the Child and Youth Advocate's 2011-2012 annual report. The report has been prepared pursuant to section 21(1) of the Child and Youth Advocate Act, and it covers the activities of the office of the Child and Youth Advocate for the period April 1, 2011, through March 31, 2012.

## Statement by the Speaker

### Rules and Practices of the Assembly

**The Speaker:** Hon. members, just before we go to points of order – and I think we only have one today – just a couple of very brief comments, as I said I would make, with respect to Oral Question Period. First of all, occasionally we do see a hiccup between the listing that I'm given versus the listing that some members from some caucuses feel ought to have been followed, and that happened again today. In fact, it happened twice. So we will look into where that glitch is occurring. However, please know that the Speaker's script for the order is finalized at the very last moment, at 1:20 p.m., and then it is brought in and left on the dais so that the Speaker can pick it up and commence the proceedings. Once the proceedings start, if there is a sudden change, please send me a listing of that change – of that change – and I'll do my best to try and accommodate it. But I will look into what occurred.

Secondly, as you will have noted, I extended a great deal of leeway with respect to supplementals to main questions both today and throughout last week, and the reason I'm doing it is because of the cautionary note and the advisory that I gave perhaps a week or two ago to House leaders from all four caucuses to get together as soon as possible and address the issue of the length of supplemental questions. It's very, very difficult if not short of impossible for many, I'm sure, to give a good supplementary question in a question form that would last 35 seconds. I know some of you have written to me about this, and you have some suggestions. Please provide them to your House leaders, and we'll hopefully have a recommendation come to the floor very soon in that respect. In the meantime I also want to say that most members were very good, short and quick to the point, and didn't use any

preamble whatsoever. The knife cuts both ways on that one, so thank you to those who were able to do that.

Thirdly, with regard to the introductions of visitors and guests this is a very difficult thing for the chair to sometimes monitor to the satisfaction of all members. We all want to say something nice about a constituent we're introducing or a school group or a visitor from afar, and it's entirely appropriate to do so. However, the impact of going on a bit too long, which a few members did today, is that it means that we can't quite make it to 3 o'clock to complete our Routine on a daily basis. You know, from having been here now for several days, the number of times the Government House Leader has had to ask for unanimous consent to proceed beyond 3 o'clock, such as was the case again today. So there are a number of places where we can look to tighten this business up. Then, of course, again cutting both ways, several members were very quick and to the point and made very wonderful introductions. But it does backlog the Routine and other things.

Two members today mentioned people's names. I'm talking about sitting MLAs. One of them apologized halfway through, and the other one I think probably knows the mistake that he or she made. We do not use the names of elected MLAs in this Assembly, neither their first name nor their last name. I know you know that. It's just a reminder.

Another reminder, please, is with respect to personal digital appliances, PDAs, and it can take any form. The Speaker was alerted last weekend that some people were tweeting during question period. Now, the Speaker has no way of knowing if that occurred while a member was in the House or if a member stepped outside to tweet, but it creates a difficult and very, very grey area. I'm going to give you this as an official caution. If I get another one of those, then I will have to review that rule, and it may mean losing the privilege of having PDAs for reading purposes only, which at the moment is our rule. So please be warned in advance that if it happens again, I will have to take that under serious consideration and advisement.

Finally, some of the members' statements today went on just a little bit too long, but when it was a first-time member giving a first-time member's statement, I allowed three or four seconds. I hope you'll indulge me in that indulgence and discretion. It's going to come to a quick stop at some point very soon, but that's why I allowed a couple of people to go, I think, three or four seconds over the limit today. I will try to not allow it in the future, however, so please tighten up your statements. Thank you.

Now, Government House Leader, you had a point of order?

### Point of Order

#### Referring to Nonmembers

**Mr. Hancock:** Thank you, Mr. Speaker. Yes. During question period today the Member for Airdrie was raising questions and violated *Beauchesne's* 493(3) and (4) in his questions. I think it's very evident. I appreciate that you rise at the end of the Routine and review some of the rules that should be obvious to members who have been in the House for some period of time and will become more obvious to others. The hon. Member for Airdrie, of course, has no such excuse. He's been in the House a long time. He knows well that we do not reference the names of people who are not in the House and who cannot defend themselves.

In his questions today he referenced a senior public servant, someone who carries on in the prosecution service for Albertans, and did so in, I think, what was by all accounts a very disparaging

manner, quite inappropriate, quite outside the rules, where 493(4) says:

The Speaker has cautioned Members to exercise great care in making statements about persons who are outside the House and unable to reply.

And 493(3):

The Speaker has traditionally protected from attack . . .

And I think it was an attack.

. . . a group of individuals commonly referred to as “those of high official station.” The extent of this group has never been defined. [However] over the years it has covered senior public servants . . .

And it goes on.

I think the rule is there for a reason, and that is that we enjoy significant privilege in this House: the privilege to discuss matters of urgent public policy, the privilege to have a Legislature where the government can be held to account in public, and a privilege to be able to say things in this House which one might not be able to say outside the House. With that privilege, I think, comes a very significant responsibility, and that is to do it, to raise those questions, in appropriate ways. There is no reason why a question can’t be appropriately phrased, appropriately worded to question public policy, to question what’s happening in government, and to hold government to account. All of us in this House would stand for those principles of our democracy, but we cannot stand, Mr. Speaker, for people making disparaging comments, for attacking the integrity and the person of individuals who are not in this House and cannot defend themselves and who spend their days, day to day, working hard for Albertans.

3:10

**The Speaker:** Thank you.

The hon. House leader for the Wildrose.

**Mr. Anderson:** Thank you, Mr. Speaker. I would say that there has absolutely been no point of order here. In this Legislature one of the main purposes of question period is to question the government on its conduct, to question the government on the conduct of the folks that implement their policies, to question the government on the investigations that it is doing, and so forth. We see a rich history of this. If you look at our federal friends, if you look to the CP Railway scandal of yesteryear, if you look to the Gomery inquiry, if you look at the in-and-out donation scandal, if you look to the robocall scandal, if you look to all those different – sorry; I call them scandals, just to paraphrase; affairs we’ll call them – if you look at all those things, there were individuals named in the House in the context of trying to get to the bottom of a poor government decision and asking the government to explain itself.

Now, in this case I didn’t even personally attack in any way, shape, or form this individual. I simply questioned the fact that an individual, in this case the individual referenced here, who is working already for Alberta Justice, has been asked to investigate a major default or a major mistake made by the justice system. I don’t think that it in any way is appropriate, frankly, that this person is doing that, and I absolutely brought that up. I think that it’s very clear that that is absolutely a relevant question.

Another example of that, Mr. Speaker, would be the case of Mr. Merali in this House – we’ve already had questions about that, and we will have more questions about that – a former AHS official that was involved in questions regarding his expenses and so forth. Mr. Duckett: there was another example of a senior public official whose comments were being questioned in the House and so forth. This is regular course of business. I don’t understand why the Government House Leader would have our speech in this House

so restricted that, in essence, we can’t question the government on anything that they do, on anything that their departments do or that their senior civil officials do.

This has been a gross injustice. It’s one of the worst injustices that, personally, I’ve ever heard of, with regard to this girl from Airdrie. When we’re asking questions that we would like to get to the bottom of this, that we would like an independent investigation, and the individual involved in the investigation has already come to a conclusion after four hours and not even talking to the victim, I don’t see how, Mr. Speaker, that is not an appropriate question. I think it’s the most appropriate question that could possibly be answered. This individual was in the media just prior to the weekend, on Thursday. He’s perfectly able to respond and has responded.

It’s not like this is a judge or someone else where, you know, you can just come in here and say a name of an individual who’s not really permitted in his professional work to respond. This is a servant that right now, it appears to me and appears to a lot of people and, for lack of a better way of saying it, let’s just say perhaps is not being as thorough as a lot of us would like in this investigation and is jumping to conclusions. If that’s the case, then I don’t see how on earth it can be inappropriate to ask the government about that and to point it out, Mr. Speaker.

There is no point of order here. There was no attack. It was an entirely appropriate question, and to find anything else would be to go against literally years and years of parliamentary precedent. We couldn’t talk about Gomery, Merali, or anything else for that matter, and that’s not fair, Mr. Speaker.

**The Speaker:** Anyone else?

Okay. Let me just review this matter because it is a serious one, and I want to give you the full weight of its impact. The hon. Member for Airdrie rose with a question during question period, and in his question he said, “Does the Premier remember the 2009 case while she was Justice minister when an officer assaulted an individual and was given a minor sentence in part because the prosecutor failed to play or describe a video,” and it goes on. The Member for Airdrie goes on, “Does the Premier remember that her all-knowing friend Mr. Lepp,” to mention a name, and it goes on. Then the Member for Airdrie concludes by saying, “Why have you selected the same Mr. Lepp to investigate this case?” And it goes on.

Hon. members, I think the Government House Leader has made a very relevant reference to *Beauchesne* 493(4), which I just want to repeat for you briefly because it’ll speak to what I’m about to speak to. It says, “The Speaker has cautioned Members to exercise great care in making statements about persons who are outside the House and unable to reply.” I know that all members here know what that refers to because I myself in the chair, just for however many days it’s been, have also cautioned you about mentioning names of people who are not here and not able to defend themselves. So we have that issue to deal with.

Secondly, in our own Standing Order 23(j) I will just remind you that we have the issue that comes up more often than not when points of order are raised. It simply says:

23 A Member will be called to order by the Speaker if, in the Speaker’s opinion, that Member

(j) uses abusive or insulting language of a nature likely to create disorder.

I don’t think that the hon. Member for Airdrie used necessarily abusive or necessarily insulting language. That’s not the part I want to focus on. What I want to focus on is the last part, “create disorder.” Anything at any time can set someone off in this Assembly. You have seen it, and you’ll see it again, I’m sure.



Let's be very careful to choose our words more carefully. You all have adequate time to prepare for question period, and I know that the ministers have adequate time to know their portfolios and respond accordingly.

*Beauchesne's* 409(3), while we're on the subject, also says that the question during question period "ought to seek information," – and it goes on – and not "be argumentative or make representations." There are numerous other examples.

The last thing I'll just draw to your attention is that members asking about a minister's former portfolio ought be reminded that that isn't on either because as you will note in *Beauchesne* 409(6) and in *House of Commons Procedure and Practice*, page 503, there are references to this very point. In fact, it says, "Furthermore, a question should not . . . address a Minister's former portfolio," and it goes on. [interjections]

I know time is ticking. Thank you, hon. members, for the reminder. You're reminded, then, that in this particular set of questions there are a number of, I'll call them, infractions that occurred. As such, I'm of the opinion that everybody should just be cautioned again as to how they raise the questions, how they answer the questions so that by taking that greater care, we don't have these points of order that do consume time of the House. Today, unfortunately, it consumes time, which I really do not like, from private members' business.

That will close this matter with a caution to everyone to please word their questions in such a way and answers in such a way that they don't create that disorder. That closes the matter, and we'll move on.

3:20

### Orders of the Day

#### Public Bills and Orders Other than Government Bills and Orders Second Reading

##### Bill 202 Public Lands (Grasslands Preservation) Amendment Act, 2012

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

**Dr. Brown:** Thank you, Mr. Speaker. I rise today to move second reading of Bill 202, the Public Lands (Grasslands Preservation) Amendment Act, 2012.

Mr. Speaker, there is a video presentation produced by Travel Alberta. It's entitled *This Majestic Land*. It shows fabulous scenery from many parts of Alberta filmed from a helicopter. It's accompanied by stirring symphonic music composed by Michael Hoppé. The video shows mountains, foothills, lakes, and forests, but for me the most majestic scenes in *This Majestic Land* are the sweeping vistas of our prairie grasslands for this is the landscape that I love above any other. W.O. Mitchell called the prairie "the least common denominator of nature, the skeleton requirements simply, of land and sky."

On the grasslands the horizons are broad, the skies are bigger, and the sense of freedom is incredible. It's a place where one can feel alone amidst the expanse and the beauty of nature. It's a place where one can see pronghorn antelope and the burrowing owl and hear the haunting melody of the western meadowlark. It's where I go for a long weekend getaway, and it's where I take visitors who come to Alberta from other parts of Canada or from overseas to see and fall in love with this incredible Alberta landscape. Mr. Speaker, I was born in Calgary, surrounded by grasslands with the foothills to the west and the sweeping vistas of the great plains stretching to the east.

In the spring of 1883 my great-grandparents journeyed from present-day Saskatchewan by covered wagon and ox cart. They covered a primeval landscape, a sea of grass, the same sea of grass which supported the vast herds of buffalo, antelope, deer and elk, the Great Plains grizzly bear, and the First Nations of the Blackfoot Confederacy, who lived there for thousands of years. Stand in a broad expanse of native grassland and look around and let your imagination wander and see a landscape of the buffalo-hunting Blackfoot tribes, as it has been since the last ice age.

Much has changed since my great-grandparents came to Calgary in 1883. Most of it has been positive for the people who live in this great province. Cities and towns and villages have grown up. Roads and highways and railroads and industries and pipelines have been built, and much of the grassland has been tilled and cropped. Most of these things are positive. They've created the prosperity and the standard of living which we enjoy in Alberta.

But since I was a young boy, I've seen the native grasslands, which I love, disappear year after year. Those that are remaining are becoming more and more fragmented and disturbed by roads and resource development. In Alberta we love nature, and we pride ourselves on the beauty of our landscapes and our ability to preserve our environment for future generations. We have the largest area of parks of any province in Canada, but most of those great parks such as Wood Buffalo, Jasper, and Banff are mountains and forests. Only a small percentage of our parks is grasslands, and some of these are imperilled by very poor management.

In short, we are losing our magnificent native grasslands landscapes. The grasslands of southern and central Alberta are disappearing year by year as more pressure is put on by agriculture like ranching and grazing and the pressures put on those practices in favour of more intensive land uses. Today only about 26 per cent of our grasslands remain, but only about 16 per cent remain in the name of the Crown. Those lands contain many unique species of plants and animals, including 80 per cent of our species at risk, species like the sage grouse, the burrowing owl, and the ferruginous hawk, a species which I am pleased that the members of the Official Opposition have taken an interest in in the recent past.

Mr. Speaker, Crown lands are public lands. They are owned by you and me and every Albertan. They're not owned by the minister. They're not owned by the government of Alberta. They're owned by the people of Alberta. They are held in trust by the government of Alberta and our cabinet in the name of the Crown for all of the people of Alberta. They are a sacred trust for the use of all Albertans, now and in the future. I believe that we have a duty to ensure that some significant part of this majestic and iconic Albertan landscape is kept intact for future generations.

Now, Mr. Speaker, after the introduction of Bill 202 last spring there were a lot of misconceptions about what the bill does and doesn't do. I want to address some of them, particularly with respect to the so-called property rights issue. Some have tried to portray this bill as somehow infringing on property rights. Let me clear up some of those misconceptions. Bill 202 in no way affects privately owned property. It speaks only to public land, the land owned by all Albertans and held in trust by our Executive Council acting in the name of the Crown. Bill 202 was never intended to and would never affect the rights that are already granted to traditional uses of public land such as grazing leases or grazing permits. In fact, I would contend that it would give assurance and comfort to stakeholders in the ranching community who rely on public land for traditional uses like the grazing of cattle.

Should Bill 202 be passed on second reading, it would be my intention to propose an amendment to make that clear. Mr. Speaker, tomorrow I will be tabling the appropriate number of copies of that amendment for the records of the Assembly.

Bill 202 recognizes the critical importance of ranching and livestock grazing to the preservation of native grasslands. Native grasslands need the intervention of fire or grazing to maintain the diversity of their plant and animal communities. Today's herds of cattle are the ecological replacements for the buffalo and other ungulates which roamed the great plains before European settlement. Bill 202 will protect Alberta's traditional agricultural base and enhance the long-term tenure of Crown grazing leases as the best way to maintain native grasslands and their plant and wildlife communities.

Mr. Speaker, I would like to outline why the present policy on sales of land is inadequate. Presently public land routinely undergoes several assessments before it's approved for sale to private ownership. However, there is no requirement to make the results of any assessments public. While the fact that the land that is to be sold may be posted, the public is left in the dark on the factors which might influence the suitability of that land to be sold. Furthermore, at present there is no mandated period to allow for public input into the proposed sale. Bill 202 will rectify these shortcomings. It will bring transparency and accountability to the process, transparency in that the assessments done on public land proposed for sale will be made publicly accessible and accountability in that the public will have an opportunity to have their voice heard during a 90-day period before a decision is made to sell their land.

Mr. Speaker, since last spring I've conducted consultations with a broad spectrum of stakeholders on Bill 202, and I can say that the vast majority of those are in support of this bill. It's supported by many Alberta grasslands individuals and many organizations. Among those groups are Nature Alberta, an umbrella group for over 40 clubs throughout the province with over 5,000 members; the Alberta Fish and Game Association; the Southern Alberta Group for the Environment in Lethbridge; the Alberta Wilderness Association; Pheasants Forever, Calgary chapter; the Southern Alberta Land Trust Society; and Ducks Unlimited Canada.

In closing, I will repeat that Bill 202 is all about transparency, making those assessments public, and it's about accountability and giving the people of Alberta 90 days to comment when their land is proposed for sale. Transparency and accountability in the sale of public grasslands: that is what Bill 202 entails.

Thank you, Mr. Speaker.

**The Speaker:** Thank you. I'm going to in a moment recognize the hon. Leader of the Opposition, and then the order I have is the Member for Edmonton-Centre, followed by the Minister of Environment and SRD, followed by the Member for Livingstone-Macleod. Then we'll see how it goes after that.

**Ms Smith:** Thank you, Mr. Speaker. I'm delighted to rise today to speak to the issue of Bill 202, the Public Lands (Grasslands Preservation) Amendment Act, 2012. I won't be supporting this legislation, and I'll go through a few of the reasons why. I share the hon. member's appreciation for the work that our ranching families have done over the last hundred years or so of managing our public lands on our behalf, and I would remind the hon. member and the hon. members in the Chamber that it is because of these ranching families that we have such incredible, beautiful scenic vistas in southern Alberta.

3:30

When our ranching families are doing their jobs well, they're not only managing it for their own benefit, because they're able to provide healthy grassland for their own animals, but they're also able to provide healthy landscapes for a whole range of various species. The diversity that the hon. member talks about comes in large part from the incredible job that our grassland managers, our ranchers, are doing in managing these landscapes. I would note that there is a whole range of endangered species that appear on these lands. The burrowing owl, the short-eared owl, the ferruginous hawk, the long-billed curlew, Sprague's pipit, McCown's longspur, and the rusty blackbird all depend on native shortgrass prairie. I would put it to the hon. members that it is because of the actions of our landowners that these endangered species exist on these lands. They're clearly doing something right, so why would we want to step in and change the way they're managing landscapes, which could potentially impair their ability to continue managing the lands properly for the benefit of us all?

[Mrs. Jablonski in the chair]

I can tell you about the landowners I speak to. When you ask them what they think about ESRD coming in with the power of this bill, telling them how to manage landscapes, saying, "Hey, I'm here from ESRD, and I'm here to help," I can tell you: that is not the way our landowners are feeling. Maybe the hon. member might have had a bit more support for this bill if the issue of the ferruginous hawks in the special areas had not been so badly mismanaged by the Minister of Environment and Sustainable Resource Development. It was the landowners who came to our hon. member who represents Drumheller-Stettler outraged – outraged – that it was members of that minister's department that gave ATCO the go-ahead to tear down 16 nesting areas for ferruginous hawks, and then in this Chamber she has not chosen to be forthright in the circumstances surrounding that, first blaming ATCO, then saying that a mistake was made.

Let's be very clear – and I'm glad that the hon. Member for Rimbey-Rocky Mountain House-Sundre is going to be able to table the proof of this matter – that this is an error that was made on behalf of the department officials. So why would you then punish landowners by telling them that we're going to create a piece of legislation that will bring in a bunch of department officials to tell you how to manage your landscapes, to tell you how to manage your habitat for endangered species?

I, quite frankly, put my trust in the land managers who've been doing this on our behalf for over a hundred years. Let's remember: they are doing this at their expense. They are paying us to manage these landscapes, yes, for their benefit but also for the benefit of all Albertans. I can't imagine the kind of requisition the Minister of Environment and Sustainable Resource Development would put forward before this Chamber to hire a team of bureaucrats to try to manage the landscapes and endangered species habitat to have the same effect, the same positive outcomes that our landowners and ranchers do every single day.

Now, let me just go through a couple of the reasons why our landowners would not support this legislation and why I am speaking against it. The hon. member mentioned poorly managed landscapes. He mentioned the pressure of ranchers on the land as being part of poorly managed landscapes. Maybe he misspoke, because he did speak later about how important cattle are on these landscapes.

Let me just reinforce that point. When you look at the landscapes in southern Alberta with this native fescue – and I've

seen some of the root systems in cross-sections and analyses that have been done by biologists – some of these root systems go several metres deep. Part of the reason why this fescue is so special is not because we build a fence around it and we allow it to rest. Rest is only one way in which these landscapes are managed properly. Rest and fire we know from the history of the prairies; fire is also a way in which our landscapes are managed. Animal impact is absolutely essential to being able to keep these landscapes strong. It's when you have the cattle wandering on them. It's when you have the dung beetles working away at the land. These are the things that keep the landscapes healthy, and this is the reason why we need to continue to have strong ranching families managing these landscapes on our behalf for the benefit of all Albertans.

One of the other concerns that I think has caused so many landowners to be in opposition to these bills – and I do recognize that the hon. member is intending to make a couple of changes. Under section 82.3(1) he talks about: “Before a disposition or grant of public grassland is made, the Minister shall conduct an assessment to determine if the grassland that is the subject of the proposed disposition or grant contains significant wildlife habitat.” That's one section. And then further on the next page, 82.5(1): “At least 90 days prior to the date proposed for a disposition or grant of public grassland under this Part, the Minister shall provide public notice.”

Well, when I went and spoke with the folks from special areas, they attempted to try to illustrate to me the difficulty they would have in being able to abide by these kinds of regulations. In the special areas we have a board that manages the tax recovery land on our behalf. They are making decisions every single day on access for energy companies. One of the concerns they have in the reading of this legislation is how it might be interpreted, that every time they go to make a disposition of an oil and gas lease, they would have to put that up for a 90-day review period before they would be allowed to let anybody on that land and be able to use that disposition. In the special areas alone they approve 1,500 such dispositions in a given year, and most of the time they're able to do these dispositions within four days. This would completely stop their ability to be able to provide the access to oil and gas development that their citizens want, that is being done in a responsible way, and that we've charged them to do.

Again, I do recognize that the hon. member recognized this concern and is intending to come back with language that clarifies that he is speaking about sale. Even still, we also have charged the Special Areas Board with the ability to undertake those sales on our behalf as well. I think that even with that change, the Special Areas Board is not going to be one hundred per cent happy. The problem now is that out there in the rural areas there is this concern that that is the implication of this bill. Trying to now communicate that it means something completely different than what is written in these pages I think would be very difficult, and I think the hon. member would have to go back to the drawing board and tighten up the language if, indeed, he is trying to get to that more narrow purpose.

The other concern that you hear about from our landowner stewards – and I think that the hon. member talked about this when he was introducing the bill – is the concern that this would be used to take land that is currently under grazing, build a fence around it, and build a public park out of it. I've already mentioned that these landscapes are as beautiful as they are, are as pristine as they are, and are as environmentally diverse as they are because they are being actively managed by our land stewards. They're being actively managed by our ranchers. The concern that I've heard from landowners is that this legislation would enable the

creation of public parks and that that would be to the detriment of the landscapes.

I will also, then, just quickly go through some of the issues that we see with the regulations under 82.7. They're incredibly, incredibly broad powers that are given to the Lieutenant Governor in Council to be able to make regulations

- (a) establishing criteria for determining whether wildlife habitat is significant wildlife habitat;
- (b) respecting the manner in which an assessment under section 82.3(1) must be conducted;
- (c) designating the types of assessments . . .
- (d) specifying permitted uses . . .
- (e) respecting what constitutes adequate protections . . .
- (f) specifying the criteria [for private land] . . .
- (g) respecting the requirement for public notice.

There's an awful lot that the member is asking us to sign off on here that will ultimately be determined by the Lieutenant Governor in Council, which I think would put our landowners at great risk of not knowing exactly what is being agreed to in this bill. This is a reason why I don't support it.

Now, let's go back to, I think, the reason why this came about in the first place. I would invite the hon. member – if he wants to come back with a piece of legislation that actually narrows the scope rather than broadening it the way this does to deal with the singular issue that we had back in 2010, which the hon. members from the Liberal caucus raised to great effect under the name Potatogate, they might find that the hon. members on this side would be in support of closing the loopholes to prevent this situation from happening again. Of course, what I'm referring to – and I'll table a document that does go through and explain – is that in the October 25, 2010, version of [albertafarmexpress.ca](http://albertafarmexpress.ca) they talked about SLM Spud Farms receiving a 16,000-acre parcel of grassland to turn into cultivated land for potatoes.

The problem that the landowners and, I think, the hon. members in other caucuses had at the time was that it was developed in secrecy. Nobody knew what the provisions were around the nature of this disposition. Nobody knew what the terms of the public bid actually were. It wasn't an open public bid. The decision on whether or not to approve it rested with the minister. At the same time we know that in southern Albertan we have a freshwater system that is overloaded, and this would have required additional irrigation. We also know the whole range of endangered species that would have been impacted by it.

3:40

One of the things that was expressed in this article, which was of great concern to the general public as well, was that cattlemen were upset over what they saw as special treatment for this particular farming operation and fear that they would be forced to give up grazing land for the potato farm's expansion. It continues:

Although leaseholders in northern Alberta can buy their lease land without tender or auction, that's not the standard procedure south of Highway 16. In southern Alberta, a request to buy public land is reviewed by Sustainable Resource Development to determine if the parcel is suitable for sale and is in excess of the department's needs. If a sale is recommended, it is sold to the highest bidder through auction or public tender.

Local ranchers are questioning why that procedure [was not] followed in this case.

I quote the president of the Bow Island Grazing Association:

Why should one person be favoured over [all the] others? Why is this deal not open to tender?

Now, if the hon. member wanted to address this issue, I think that there would probably be quite a different bill before this Chamber to be able to debate this issue. This is an issue we

expressed concern about. I know that there are other hon. members who expressed concern about it. We're still concerned that this kind of approach can take place in the future, that we have not closed these loopholes, that we have not established a practice of public tender, that we have not established a practice that would allow all people to participate in the potential sale of public land. As a result, I think that there is still a hole in the legislation that does need to be filled, but I can tell you, Madam Speaker, that the hole in that legislation does not get filled through Bill 202.

This is a piece of legislation that has created great concern among our landowners, great concern among those who are stewarding our public lands, gives way too much power to the cabinet, is way too open ended, and for those reasons, I cannot support it.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you.

The hon. Member for Edmonton-Centre, followed by the hon. Member for Livingstone-Macleod.

**Ms Blakeman:** Excuse me, Madam Speaker, but it should go back and forth. It should alternate between the opposition and the government side. Without losing my place in the lineup, I think it should go to the minister of the environment, and I'd be happy to follow her.

**The Acting Speaker:** Thank you very much. I believe that you are correct, but I was following the speaking order. Thank you.

The hon. Member for Drayton Valley-Devon.

**Mrs. McQueen:** Thank you, Madam Speaker, and thank you to the hon. Member for Edmonton-Centre for this chance as well in the lineup.

I'm pleased to rise today to speak to Bill 202. I thank the hon. member for expressing concerns regarding the protection of native grasslands in southern Alberta through a private member's bill. Environment and Sustainable Resource Development agrees with the intent of Bill 202, in particular the protection of native prairie that contains ecologically significant and sensitive wildland habitats. In fact, existing policy and legislation, including development of regional plans, are already being used to guide decisions for high-value landscapes such as native prairie to be protected.

I would agree with what's been said. I believe our ranchers are doing an outstanding job managing the grasslands, and we have no intention of changing this. Section 4(1) of the Wilderness Areas, Ecological Reserves, Natural Areas and Heritage Rangelands Act states:

The Lieutenant Governor in Council, in order to preserve public land for ecological purposes, may designate as an ecological reserve any area of public land that, in the opinion of the Lieutenant Governor in Council . . .

- (b) is a representative example of a natural ecosystem in Alberta . . . [or]
- (d) contains rare or endangered native plants or animals that should be preserved.

In addition, Madam Speaker, section 18 of the Public Lands Act states:

The Minister may, if in the Minister's opinion doing so will not conflict or be inconsistent with any applicable [Alberta Land Stewardship Act] regional plan . . .

- (c) reserve public land for any reason and for any period and permit the use of that land for any period and subject to any terms and conditions that the Minister prescribes by the Crown in right of Canada, by any

department of the Government or by any person, without executing a disposition for it.

There is also opposition to the proposed bill from key stakeholders. The Alberta Grazing Leaseholders Association, for example, has written and spoken to me on this issue. The letter that they sent states that the association feels "that Bill 202 duplicates what is presently available to protect Alberta's native rangelands," and I certainly agree with them. The group sees no purpose for this bill and feels it would just add an unneeded layer of red tape, which the association feels would be counterproductive.

Madam Speaker, public lands are sold only – only – if they are not needed for government purposes and programs, and that includes the government's natural resource management commitments. I'm pleased to say that through the Premier's leadership the government of Alberta is firmly committed to an integrated resource management system. The province does not support the sale of public land with a postsale restriction such as caveats or encumbrances as referenced in Bill 202. If we have a continued interest in the management of public land, we will not sell it. In fact, the department retains land with high ecological value such as land near rivers, water bodies, or coulees and land that is important for soil and watershed protection, biodiversity, and wildlife habitat. When land is sold and comes under private ownership, the municipality determines land use through bylaws and zoning.

Madam Speaker, before public land is sold, the department has a standard referral process using science-based knowledge and technology. This includes a detailed evaluation carried out by trained staff with expertise in vegetation ecology in consultation with other government resource managers, including fish and wildlife biologists, foresters, and water managers. In addition, proposed public land sales are subject to a field assessment that identifies site characteristics, including climate, landscape, drainage, and what type of vegetation exists.

Madam Speaker, land-use activities, vegetation inventories, wildlife habitat, water courses, and many other land attributes are assessed using geographical information. This provides a better understanding of potential factors that may affect a public land sale. The scarcity of a particular type of land or vegetation type, for example native prairie, and the value of the land in comparison to other public land are also examined. Attributes like conservation, recreation, and access are also considered in the process, as is consultation with First Nations. Only then is a decision made that takes into account the needs and concerns of other land and resource management agencies, including the local municipality. This allows the department to hear a broad range of opinions and apply decision-making criteria based on the concerns heard.

Madam Speaker, public land sales are guided by regional planning under the land-use framework. Albertans will continue to inform the regional planning process through public consultations, which will provide guidance with land-use decisions on public land. In fact, to develop an effective regional plan for the South Saskatchewan region that addresses issues like watershed protection, recreation, natural resource management, and population growth, the government will gather feedback this fall, in fact in November and December, through public stakeholder information sessions. I encourage the hon. Member for Calgary-Mackay-Nose Hill and all members to attend the session in Calgary in November, when public input is gathered, and all of the other sessions.

Land-use planning is essential in a growing province where industrial and municipal development, recreation, agricultural production, and conservation compete for the same landscape. The potential restrictions associated with Bill 202 could limit government's ability to adapt to changing priorities. In addition, the

requirement for 90 days of public notice prior to the disposition date, as referenced in Bill 202, does not support the province's effort to align regulatory processes.

While I agree with the intent of Bill 202, to protect wildlife habitat and native grassland, many department programs along with policy and legislation, as I've mentioned, are already in place to achieve these objectives. Therefore, I will not be supporting Bill 202.

Thank you, Madam Speaker.

3:50

**The Acting Speaker:** Thank you.

The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much, Madam Speaker. You know, private members' bills are always an interesting exercise in this Assembly. I don't know how many of the people that are following this through live streaming or reading *Hansard* understand that government, cabinet members, can put forward a bill at any time. They can develop it today and put it on the table tomorrow; not that that's their process, but they have that leeway. But private members, which is everyone that's not in cabinet, are assigned their position through a random draw. Back in the summer, in the middle of July, we had our names pulled from a hat, and that determined the position that we're in.

Secondly, we're required to basically have our ideas in by mid-September. They can change a little bit – you can switch positions and change a little bit – but essentially that's pretty much it. For those of us that are private members, we're trying in September to think forward to the spring or, in our case, into the fall to what will be relevant and urgent and necessary. Not all the time but, gladly, more often than not we do get members who bring forward and support private members' bills that they're really passionate about, and I would say that this is one of those bills.

The Member for Calgary-Mackay-Nose Hill has worked hard on this bill. He's reached out to other caucuses, he's sent out descriptive notes, he has tried to explain and work with people to alleviate their fears, and I commend him for that. Clearly, this is a great passion for him, and I'm really pleased to see someone, one, get a draw that's good enough that he's actually going to get it debated – there will be about four of those in this whole year – and two, follow through with a pretty fine take at it. Lots of times we're in a rush and don't really know what we're doing, and the bills are not of as high a standard as we'd like. This member worked hard on this, and I want to acknowledge that.

It's a bit of a disappointment that he's getting a bit of a pile-on from the first couple of speakers. I didn't start out thinking I was going to support it, but the more I've looked at it, the more I thought, "Yeah, he's on the right track here" and for a couple of reasons.

**Mr. Hale:** Have you been out to the prairies?

**Ms Blakeman:** Yes. Actually, my father's family comes from the Turner Valley-Black Diamond area, which isn't that far to get onto the prairies, and I go to southern Alberta every year.

**An Hon. Member:** Every year?

**Ms Blakeman:** Every summer. [interjections] No need to get snarky over there. Oh, yes. Madam Speaker, you'd like to hear about this, wouldn't you?

I do make a point of going there because there's just something about that landscape that pulls you to it, where you can stand outside at night, and from where I used to stay, I could see the

storm coming over Monarch, which was about 15 miles away. There's just something about that big-sky country that's really important to Albertans. [interjection] No, our big-sky country. Sorry; I'm not giving that one away to Saskatchewan.

What is it about this bill that I support? Well, a couple of things. First of all, the recognition of the need for habitat preservation and wildlife corridors – although they're not mentioned here, I'm assuming it – for, actually, a number of species. It's interesting. We get all kinds of representation in this House and have very strong representation currently through the Wildrose for farming families and a rural lifestyle, which is great. That's what representation is all about. But we don't get very many caribou or elk or various other kinds of wildlife in here because, you know, they're not human, and they don't get elected. It's hard to get a voice representing them into this place, and I would know that because I've tried. So I appreciate the fact that it's recognized with this bill that those grasslands are a habitat for certain species, and we need to be aware of that as we plan forward into the future.

This government is capable of planning with a very far horizon on industry and development but seems to have no horizon for planning on environmental protection, wildlife protection and preservation, ecological protection and preservation. I'm a Liberal, a dying breed in Alberta, I grant you, and I'm a Liberal because I seek that balance. It strikes me that we don't have a balance in this area right now, that those scales of justice that you always see are imbalanced, and we have an overpermissiveness, a very permissive environment toward development.

This bill is trying to say: "We don't have very much of that traditional grassland left. Let's try and hang onto it." Even at that, the bill is not saying: nobody shall ever step on it or do anything with it. If I'm reading the bill correctly, it does say, you know, that whatever is going on there now can continue to go on. In fact, if I might quibble, in section 82.4(3), "Nothing in this Part is to be construed as precluding the exploration for and development of oil and gas resources," because God forbid in this province that we would preclude oil and gas resource development. Oh, no. How could we possibly have one inch of land that isn't open to oil and gas development? Sure enough, this hon. member has followed through on that sacred – it's not sacred to me but seems to be sacred to the government members – action that they will carry through and develop every square inch. This bill does carry through with that, so I'm a little confused about why the Official Opposition is so exercised about this.

One was the recognition of the habitat and how little of it remains pristine and also remains public and the whole concept that this land is not the government's. It's held in trust for all Albertans. I noticed when the minister was talking that, again, this government and the cabinet tend to assume an entitlement which they have not earned. The minister says that the land will be sold only if it's not needed for government needs. Well, too bad, because it may not be about what the government needs. It may be about the public having that land in trust. I think this bill is recognizing that, and I want to support that.

The sale of lands. You know, unprompted when I talk to my seniors, this is one of the issues that they are particularly adamant about, a greater transparency for the sale of public lands. I'm not sure where that comes from because when I ask how many people grew up on a farm, it's not a large percentage – it's maybe a third, 20 per cent of the people in the room – but there are very strong feelings that this should be a much more public process, much more transparent. They approve of what has been put forward in Bill 202, that there is a public notification, that there is a period of time for people to react, and that there is an opportunity for people to be heard, yea or nay, on a particular sale of public lands.

I am curious about why there is an assumption that those holding grazing leases should, it seems from the government point of view, be given control over all grasslands. I just don't agree with that. I think the job they're doing is fine. I've got nothing against that. I just don't think I'd hand over the rest of it. You know, I don't think that they are the best or the only stewards, and in this case I think they have a conflict of interest. I was not impressed by the letter they sent, but I imagine they didn't care too much about impressing me. The letter that was sent in September is – well, if you can't say something nice, don't say anything at all. We'll just move along there.

That 10 minutes is just gone in a snap, isn't it? Okay.

4:00

**The Acting Speaker:** Thank you.

The Associate Minister of Wellness.

**Mr. Rodney:** Thank you very much, Madam Speaker. I'm very pleased to rise today to speak about Bill 202, the Public Lands (Grasslands Preservation) Amendment Act, 2012, brought forward by the hon. Member for Calgary-Mackay-Nose Hill. Before I begin, I would like to thank the hon. member for all of the time and work he has dedicated to this bill. It's very obvious that he's very passionate about this.

Madam Speaker, I believe that Bill 202 does address a very important topic, the conservation of Alberta's natural landscapes. Anyone who knows me knows that I care very much about this personally, professionally, and politically as well. I trust that we can all agree that preserving Alberta's natural habitat is a huge priority for us all. With the population growth our province has seen over the past several decades, it's even more important now than ever to ensure that we have the correct measures in place to protect our natural landscapes. That's why in 2009 the Assembly passed the Alberta Land Stewardship Act, or the ALSA, which provides strong leadership on land-use issues.

According to this act this piece of legislation has several important purposes, including:

- (a) to provide a means by which the Government can give direction and provide leadership in identifying the objectives of the Province of Alberta, including economic, environmental and social objectives;
- (b) to provide a means to plan for the future, recognizing the need to manage activity to meet the reasonably foreseeable needs of current and future generations of Albertans, including aboriginal peoples;
- (c) to provide for the co-ordination of decisions by decision-makers concerning land, species, human settlement, natural resources and the environment;
- (d) to create legislation and policy that enable sustainable development by taking account of and responding to the cumulative effect of human endeavour and other events.

Now, to achieve these objectives, the ALSA established seven regions for which regional plans are currently being developed. To date, as some members are well aware, the lower Athabasca regional plan, or LARP, has been completed, and Alberta Environment and Sustainable Resource Development is currently soliciting public input on the South Saskatchewan regional plan before its completion and release. I know some folks who are very active in this. They're very appreciative of this process.

Madam Speaker, a great deal of work, experience, and public input have gone into developing these regional plans. They're going to help to ensure the protection and sustainability of our natural spaces. I look forward to the completion of each of the regional plans as I believe they will provide the framework our

province needs to balance our current needs with the needs of our future generations.

Madam Speaker, the objective of the ALSA was to establish a crosscutting land-use framework. As I understand it, Bill 202 does not coincide with the ALSA and would instead put into place a new set of rules based on a different framework. To establish another set of laws that do not function within this plan seems counterintuitive. It may complicate provincial rules surrounding conservation instead of streamlining.

In addition, Madam Speaker, the regional land-use plans established under the ALSA contain a number of provisions protecting ecologically sensitive land. For example, the recently completed LARP has established regional environmental limits for air and surface water quality and a regional groundwater management framework. It has also established six new conservation areas, bringing the total conserved land in the region to 2 million – that's right; 2 million – hectares. That's 22 per cent of the region. The plan will change the Dillon River conservation area from a public land-use zone to a wildland provincial park, increasing the size by 27,245 hectares, thus securing a larger tract of important caribou habitat. As you can see, the plans established under the ALSA place a great deal of focus on ecological conservation, which makes one wonder whether an additional piece of legislation such as Bill 202 is necessary in the first place.

Alberta's regional plans are not closed to public input. In fact, public consultations are a very important part of the development of these plans. As I said earlier, Alberta Environment is currently accepting input into the South Saskatchewan regional plan, and before that, they accepted public input on the lower Athabasca regional plan, or LARP.

Section 5 of the ALSA states that appropriate public consultation is required before a regional plan is completed and that a report on Albertan's feedback must then be presented to Executive Council before the completion of a regional plan. What this says to me, Madam Speaker, is that the existing framework makes room for suggestions in improvement on our current regional measures.

I do believe that if it is in the best interests of the public, the Assembly may choose to incorporate elements of Bill 202 into our existing land-use framework instead of establishing an entirely new piece of legislation that is unrelated to the plans.

In summary, Madam Speaker, while I truly and greatly appreciate all of the incredible work that the hon. Member for Calgary-Mackay-Nose Hill has done – that cannot be doubted – in the name of preserving Alberta's natural heritage, I do stand behind the ALSA, the Alberta Land Stewardship Act, and its regional plans, as I stated. I believe that these initiatives are the best mechanism through which we can effectively manage land use in our province. As a result, I will not be supporting this bill today.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you.

The hon. Member for Livingstone-Macleod, followed by the Member for Dunvegan-Central Peace-Notley.

**Mr. Stier:** Thank you, Madam Speaker. It should be known right from the start that I have the greatest respect for the Member for Calgary-Mackay-Nose Hill, but I, too, stand here to speak against Bill 202 on behalf of Alberta's farming and ranching community. Proper grassland and rangeland management is already happening by Alberta's ranchers, who have been the stewards of land for generations. The government already has a process in place to

ensure Crown leases are handled properly, as we have heard today by the minister.

Further, I must add, though, that the ranching community is very concerned in this bill that grazing dispositions, almost all of which are on Crown land, may be cancelled much as the Alberta government has done with the mineral dispositions in the lower Athabasca regional plan. The worry is that with this amendment the government may have coded the discussion as denying the sale of Crown land with high biological value, but the true intent in many of my landowners' opinions is that it actually may be to provide recreational access for the masses.

Just for background, what was originally federally leased land which was not suitable for homesteading, or farming as it was known post-1904, is now Crown land and exists today as grazing disposition from the provincial government. Located intermittently near deeded land, Crown land under a grazing disposition may occur in an erratic checkerboard form integrated with deeded land. Ranchers manage the whole environment as one regardless of what type of land designation, leased or deeded.

There are many cases where the Crown land has never in history been fenced away from the deeded land on regular quarter sections, which are defined as property boundaries. Therefore, public access to this Crown land intimately integrated into a deeded ranching operation causes a great deal of controversy as most of the coveted Crown land is within an hour's drive of a lot of our major urban areas in Alberta today.

#### 4:10

Various public interest groups – and I think the member did mention many of those – have tried for the past 35 years to gain unfettered access to what they call public land, and there's a difference in the definition in many people's minds, especially the farming and ranching communities. What we're really talking about, in our opinion, is Crown land with a statutory consent with common law property rights attached to it.

With this bill this government is continuing to deny the sale of this Crown land, and they will continue to devalue, therefore, the deeded lands surrounding the Crown land with this process. Thus, with the stroke of a pen on Bill 202 the government devalues deeded land in the province, not for biodiversity's sake but, in my opinion, for a new, upcoming campaign of public access to Crown land.

Given all of the above, I believe Bill 202 is truly an assault on property rights, and I therefore cannot support it. Thank you.

**The Acting Speaker:** The hon. Member for Dunvegan-Central Peace-Notley.

**Mr. Goudreau:** Thank you, Madam Speaker. I, too, am pleased to rise today and join the debate on Bill 202, the Public Lands (Grasslands Preservation) Amendment Act, 2012, brought forward by the Member for Calgary-Mackay-Nose Hill. I understand that the purpose of Bill 202 is to ensure the continued protection of public lands containing significant wildlife habitats, including Crown grazing lease lands and tax recovery lands and public lands in special areas.

The goal of this bill would be accomplished in two ways. The first would be to ensure the provincial government retains land containing significant natural wildlife, and the second, as I understand it, is to ensure Crown lands that have been sold are subject to conservation easements registered against the title under the provisions of the Land Stewardship Act or any successful legislation.

Madam Speaker, the preservation of these natural areas is important because it provides opportunities for recreational use, it maintains Alberta's scenic reputation, and it helps prevent wildlife habitat fragmentation. Although all of these factors are important to consider, I would like to focus my comments on virtually the last point, habit fragmentation for wildlife. As the name implies, wildlife habitat fragmentation is the emergence of discontinuities in an environment leading to the formation of isolated areas of populations. Large and continuous pieces of land where wildlife once had the ability to roam and hunt unimpeded is transformed into smaller pieces of land separated by physical barriers. These barriers can range considerably from cropland to pasture to pavement.

Although obstructions also naturally occur in the environment and cause fragmentation, according to the Nature Conservancy of Canada animals tend to be well equipped to adapt to these situations. Conversely, human developments such as roads in areas with a high population of wildlife pose a greater challenge, in my opinion. The effects of significant human interference in these regions can be numerous and far reaching.

The intention of Bill 202, Madam Speaker, is not to prevent all developments on public lands or to place a moratorium on the sale of those lands. Instead, it seeks to regulate those lands after departmental assessments and public consultation have taken place in order to maintain the natural state and recreational use of plant and animal communities in certain areas. According to Bill 202 public lands would undergo objective assessments to determine their environmental and wildlife value before any sale could proceed.

I feel it is important to note that a number of assessments of these public lands are already being undertaken by a number of provincial departments, with the intention of being used for similar reasons. Fragmented parcels, lands already under cultivation, severely degraded lands, or lands deemed to have limited environmental value would continue to be sold or transferred to municipal governments or private individuals. The assessments that are currently being done on these public lands are carried out with sensitive vegetation and animals in mind.

With that being said, I believe that aspects of this proposed legislation are already being undertaken by a number of provincial departments in order to preserve plants and wildlife which may be threatened. This was reinforced earlier this afternoon by comments from the hon. Minister of Environment and Sustainable Resource Development.

For many years public lands have been available to Albertans in a number of ways, including resource development, recreational opportunities, and agricultural purposes. Madam Speaker, I believe that we have done a very good job of balancing the economic benefits of those lands with the protection of habitats within them. I'm confident that as a province we will continue to reap many important economic benefits from these long-standing practices while ensuring the continued protection of sensitive plants and animals. However, I'm not so confident that this bill would provide any further protection. It is important to note that Bill 202 would only apply, again, to public lands south of highway 16. I wonder if more closely regulated human activities at times in these areas would more effectively prevent habitat fragmentation.

As elected members of this Assembly it is imperative that we make decisions that reflect the best interests of all Albertans in this generation and the next. I believe it is important to consider all the potential consequences of our actions in order to be adequately prepared. We must recognize and take into consideration the importance of public lands to those whose

livelihoods depend on them and the role they play towards strengthening our economy.

Madam Speaker, I recognize the hard work and good intentions of the hon. Member for Calgary-Mackay-Nose Hill. The hon. member is dedicated to making sure these valuable areas are maintained for generations to come, yet I cannot help but think that aspects of this legislation are already being undertaken, and as a result I will not be supporting Bill 202.

With this, I will conclude my comments. I look forward to hearing the perspectives of the rest of my hon. colleagues. Thank you, Madam Speaker.

**The Acting Speaker:** Thank you.

The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Madam Speaker. A pleasure to speak to Bill 202 and in full support, may I say. As a lifelong Albertan with years working in the foothills and on farms and living in the Pincher Creek area for seven years and being a grandfather and seeing how this province has been inundated with development over the past few decades in particular, I'm very concerned that this kind of initiative from the hon. Member for Calgary-Mackay-Nose Hill be given full airing and full appreciation. After years of raising issues of public trust and the lack of progress in land use, I do applaud the member for his attempt to redress a public lands process that has been anything but public and anything but transparent or thoughtful about the long-term public interest in this province.

I'm aware that land impacts continue at an unprecedented pace in Alberta and have left us less than 15 per cent – 15 per cent – of our native grasslands. Obviously, the decisions that continue to be made in this province are taking other things into consideration besides the long-term public interest. It is false to say that public consultation has taken place or would occur before sales. We've seen too many examples, including that of last year where thousands and thousands of acres were about to be sold to a potato operation and only public outrage at the closed nature of the discussions pushed that out of the plan.

What I've seen is an increasing pressure to approve developments before any firm limits are in place, without a land-use framework, without a commitment to how we're going to develop the southern part of the province, which is a critical area for all kinds of interests, including the agricultural industry and the grazing dispositions that are there. But, indeed, these are public lands. It is indeed the responsibility of government to check with the owners of the resource before making irreversible decisions that affect not only current generations but future generations.

Grazing leases should not preclude public review, with such pressures that are consistently accommodated by this government. Recognizing, again, that we have less than 15 per cent of our native grasslands left in Alberta, we must tap those who have the most to lose – that is, our public – and get their legitimate concerns, their legitimate values expressed in the decisions that we make about selling off sections of land that will never come back into the public purview.

4:20

I know that the land-use framework is under review. It's been in hiatus for several years. We haven't seen yet the firm limits that we want to see on land use and linear disturbance, oil and gas development, where we want to protect agriculture and industrial operations. We desperately need that plan before we make more decisions that are irreversibly scooping up the last remnants of public lands in this province.

I for one have expressed before that Alberta Environment is grossly underresourced to do its job. I do not believe that they can do a proper cumulative impact assessment. I do not believe that they have scientists and technical experts that can actually give us a comprehensive look at all the impacts in a particular region and recognize where the limits are and the important environmental goods and services, as they're called, that are provided by current wetlands and grasslands and treescapes. We do not have the technical ability in this province. We do not invest the resources in Alberta Environment. In fact, we have removed some of the resources at Alberta Environment and transferred them over to energy resources and conservation issues. I'm deeply concerned that we do not have an authentic process to assess value, to assess long-term impacts, to assess and preserve some of these important grasslands that, as I say, are almost gone in terms of their native species.

This courageous bill is trying desperately to say to this Assembly – and I think that if we can get more Albertans to be aware of this, we'll have overwhelming support, as did the objection to the last potato proposal in southern Alberta – that we need more public involvement, that we need more of a sense that this government knows where it's going in land use in this province. There is no clear plan and no clear limits being placed on where we will develop, what we will develop, and what the priorities are for the long-term well-being not only of agriculture but of species protection and human activities, recreational and otherwise.

I feel very strongly that this Legislature needs to take a second look at this bill. I see no extra cost involved in ensuring that we get more public input into the discussion around the sale of public lands and that those groups that have dedicated themselves to looking at the long-term environmental issues, including grasslands, have an opportunity to influence the public debate and to provide their expertise and their input into these important decisions before they are made with, as I say, potentially very critical impacts for future generations. These are parts of the province that are under critical threat from drought, from many activities that potentially would render them permanently damaged and their species, as I say, under threat.

I would encourage people to think again about their position on this and encourage support for this innovative and forward-looking bill.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you.

The hon. Member for Banff-Cochrane.

**Mr. Casey:** Thank you, Madam Speaker. I am pleased to rise and speak about Bill 202, the Public Lands (Grasslands Preservation) Amendment Act, 2012, brought forth by the hon. Member for Calgary-Mackay-Nose Hill.

To begin, I would like to thank the hon. member for his time, efforts, and passion regarding this issue as he seeks to serve the best interests of all Albertans and, I might add, the right of private members to bring bills forward.

Madam Speaker, Alberta's environment is truly one of its greatest spectacles, offering unequalled ecological diversity and stunning scenery. From the towering Rocky Mountains to the rolling foothills and shimmering rivers we have been blessed with one of the most beautiful places on Earth, which provides habitat for various plants and animals that are crucial to maintaining a healthy ecosystem, a diverse ecosystem, and a fully functioning natural landscape.



Madam Speaker, Bill 202 seeks to preserve the natural value of these lands and address land-use issues which could have an impact on the environmental well-being of our province, especially its wildlife. The Public Lands (Grasslands Preservation) Amendment Act in part attempts to achieve the protection of grasslands and grazing leases which contain significant or sensitive species. This would be achieved by carrying out assessments to determine the environmental worth of the land before the potential development could occur. Therefore, if the wildlife and grassland loss was considered substantial, land development may not proceed.

Madam Speaker, as Alberta's population continues to grow, our environment will be affected, altering its natural state. As municipalities keep expanding, they will intrude on natural habitat, potentially disrupting the survival of wildlife and grasslands. Furthermore, as our province continues to develop economically, the potential for grassland degradation also increases. Together such circumstances pose a significant threat to the ecosystem as a whole.

The protection of wildlife and its habitat is important as we strive to become environmental stewards, maintaining a balance between economic development and environmental protection. In saying this, human-caused habitat loss could have negative consequences and may cause irreversible damage to this fragile ecosystem. Madam Speaker, Bill 202 could possibly prevent habitat degradation by preserving grasslands and grazing leases, therefore helping to sustain wildlife populations.

The importance of native grassland should not be underestimated as such territory is important to the carrying capacity of a healthy ecosystem. Carrying capacity refers to the maximum wildlife population that can be sustained given the available food, water, and habitat. If these grasslands become threatened by human expansion, the carrying capacity of animal habitat could decrease. This, in turn, could reduce animal populations, adversely affecting the diversity and the sustainability of numerous species, culminating potentially in environmental damage. As a government we have a responsibility to future generations to maintain a high level of environmental stewardship. This will help all Albertans enjoy the ecological splendour this province has to offer for generations to come.

Madam Speaker, Bill 202 could make significant changes that help maintain and preserve grasslands, protect wildlife, and sustain our environment for future generations. However, such legislation is unnecessary and, unfortunately, redundant. Currently there are a wide array of management mechanisms in place and numerous pieces of legislation which sustain the environmental integrity of grasslands. Together these measures help preserve the habitat of numerous species, promoting their survival.

One relevant piece of legislation, the Wilderness Areas, Ecological Reserves, Natural Areas and Heritage Rangelands Act, helps sustain public lands and wildlife habitat. This legislation in part also protects sensitive or scenic public lands from disturbance, helping to maintain its natural state. Together these measures help protect grasslands and the various species that inhabit them. This is but one example of how public lands are maintained within Alberta, helping to promote grasslands and wildlife sustainability.

Madam Speaker, in addition to this legislation, the government of Alberta has many assessment tools in place to monitor grasslands. One such tool is the Alberta grasslands vegetation inventory, which monitors changes in native vegetation characteristics. This assessment mechanism helps ensure that land-use decisions can be made with greater confidence, especially when it comes to minimizing the impact on grassland.

The Alberta Biodiversity Monitoring Institute offers another means of ecological assessment as it notes changes in habitat and land development. Supported by the Alberta government and private industry, this institute helps monitor the health of over 2,000 species province-wide.

4:30

Madam Speaker, while supporting this institute and its work, we recognize the importance of grasslands to biodiversity. Promoting the survival of wildlife through grassland protection and, for that matter, all habitat protection is extremely important in maintaining a diverse ecosystem and environment. While Bill 202 recognizes this fact, such legislation is simply not needed. These mechanisms represent ways in which the government monitors public lands, helping to promote ecological security throughout the province. As is often the case, the government of Alberta already has a variety of legislation and land assessment tools in place to sustain the integrity of public land, which helps maintain animal habitat and ecological sustainability across the province.

Madam Speaker, the hon. Member for Calgary-Mackay-Nose Hill is committed to preserving public grasslands, a sentiment that I personally share. His love of the prairies is certainly shared by me. However, I would suggest that this government has taken measurable and effective steps to the same end. This is not about land use. This is about monitoring and ensuring that habitat is protected from one end of Alberta to the other. We have those measures in place today. Therefore, it's my view that this legislation is redundant, considering the current mechanisms and legislation already in place. As a result I, unfortunately, find myself unable to support this bill.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you.

The hon. Member for Cypress-Medicine Hat.

**Mr. Barnes:** Thank you, Madam Speaker. I appreciate the opportunity to speak to Bill 202, which, if passed, will have a major impact on my constituency. As you know, my constituency of Cypress-Medicine Hat covers the southeast corner of Alberta. Many of my constituents are ranchers and farmers, and a lot of my ranchers hold leases for public grasslands. The mentioned Bow Island grazing reserve is in my constituency. Again, these grasslands are important not just to the ranchers who lease the land but to the neighbouring farms and ranches which rely on the availability of grazing leases to add to the value of their operations. As the hon. Member for Livingstone-Macleod so aptly pointed out, many of these ranches are comprised of checkerboard situations, with 160, 320, 640 and up acres of public grazing land and deeded land. It is very, very much a mixed component out there.

My constituents will be some of the Albertans who are most impacted by both the proposed bill we are discussing, the Public Lands (Grasslands Preservation) Amendment Act, 2012, as well as the government's South Saskatchewan regional plan. As both a rancher and an MLA representing Cypress-Medicine Hat I can tell the government that both of these plans are generally going to have a negative impact on Albertans in southern Alberta.

Madam Speaker, in 2009 this government passed Bill 36, the Alberta Land Stewardship Act. This divided our province into seven land-use regions and gave cabinet the authority to implement regional plans for each area of the province. This means that central planners in the government bureaucracy rather than local elected and accountable municipal councils will decide what types of activities are going to be permitted or prohibited on both Crown

and private land. Farmers and ranchers in my constituency were not in favour of Bill 36, and they are now not in favour of Bill 202. In fact, they are extremely worried about the implementation of the government's South Saskatchewan regional plan and the consequences, whether intended or unintended, it will have for their land and therefore for their businesses and their families.

Government should not be looking for ways to meddle in systems that are already in place. Government should not be adding regulation simply for the sake of adding regulation and placing further burdens on our citizens. When government does act – and I do not believe government should have its fingers in every aspect of the economy and society – it should be acting in the best interests of its citizens and taking measures to improve things. So I ask all my colleagues to listen to how the application of Bill 202 will affect real Albertans and to carefully consider whether or not you'll lend your support to this legislation.

Madam Speaker, I will not get into the details of Potatogate, as it was called, the potential sale of the Bow Island grazing reserve and the conversion of the leased land to deeded, but it would certainly appear that Bill 202 is a direct response to what happened with those situations. First of all, this government was forced to cancel a land sale that was done in secret with no public input and without full value for the taxpayer and the citizen when details of the impending deal were brought to light. Then they were forced to cancel the same sale a second time because it was so obvious that the requests for proposals they had issued were so narrow that there was only one potential purchaser that could have possibly met all the requirements.

Do those sound like the actions of a government that claims to be transparent and accountable? Albertans don't think so. Cypress-Medicine Hatters don't think so. The government deserved to get caught in both these cases. They were not transparent. They did not hold themselves accountable, and they were certainly not interested in protecting their taxpayers and their citizens.

Madam Speaker, I really question the need for Bill 202. It is not as if our province does not already have a system in place to ensure that Crown leases are handled properly. We do. It is not as if sustainable rangeland management is not already occurring in our province. It is. Ranchers have been leasing public grasslands for decades, and they have acted as good stewards of the land for decades. In fact, we all owe these grazers a lot. Their cattle replicate the grazing of the buffalo that roamed our land over a hundred years ago. It is because of these grazers that these grasslands are in the great condition they are with the species that do exist.

Madam Speaker, to change our system with this onerous legislation because of one poor decision by this government is, frankly, ridiculous. If the government is truly interested in ensuring that something like this does not happen again, they should look to other jurisdictions that have fair and effective policies in place for the sale of Crown and leased land. For example, maybe again we can learn something from the province of Saskatchewan. Not only can lease land stay in a family indefinitely; there are clear guidelines around the sale of this lease land. The sale is publicly advertised. The land is sold to the highest bidder, ensuring the taxpayer gets the best deal, when it is deemed in the public interest to do so.

Bill 202 does not establish a sensible process. All Bill 202 will do is add another layer of bureaucracy over leaseholders. All Bill 202 will do is create a whole new system of hoops, burdensome and unnecessary. Please don't forget that Alberta's ranches are businesses, and it's businesses that create jobs and economic

prosperity in Alberta. Ranchers and farmers are the businesses that feed our province, our country, and, indeed, our continent.

Another concerning element of Bill 202 is that it appears to leave the door open to infringing upon grazing leaseholders under the pretense of protecting wildlife. If passed, it would grant broad and sweeping powers to cabinet to define criteria for wildlife habitat. Perhaps the government is not aware of this, but Albertans certainly know that the grazing lease land is extremely conducive to providing habitat for diverse wildlife.

Madam Speaker, as was the case with Bill 50, another piece of legislation this government passed despite the fact that Albertans strongly opposed it, Bill 202 gives cabinet autonomy over decision-making. It is very concerning that this government keeps legislating power to themselves so they can implement decisions with no public input, and Bill 202 seems to go the same way.

Madam Speaker, my constituents do not support this legislation. I do not support this legislation, and I sincerely hope that members of this Assembly will do the right thing and join me in voting against Bill 202.

**The Acting Speaker:** Thank you.

The hon. Member for Sherwood Park.

**Ms Olesen:** Thank you, Madam Speaker. It is a privilege for me to rise today in this Assembly to speak to Bill 202, Public Lands (Grasslands Preservation) Amendment Act, 2012, being brought forward by the hon. Member for Calgary-Mackay-Nose Hill. I would like to acknowledge the hon. member for his tireless efforts on this bill and his passionate commitment to grassland preservation.

**4:40**

Madam Speaker, this bill seeks to further protect native wildlife habitat present on public land held by the province. Specifically, it would only apply to public land south of highway 16 and would not be applicable to public land that is currently or has previously been under cultivation. While the focus would be more broadly on all native wildlife habitat, of particular concern is the native prairie grassland, which is key to the ongoing health of species like the burrowing owl and swift fox. Its objective would be to ensure that any parcel of public land that goes up for sale is subject to an assessment to determine the environmental and wildlife value of the parcel. In cases where public land was found to have substantial environmental value, the land could be retained by the province, sold with restrictions on its use, or sold without any restrictions. A judgment would be made as to whether it was wholly necessary to retain that parcel of land or whether it would suffice, from an environmental perspective, to place restrictions on certain types of use.

Public land that has already sustained wildlife habitat fragmentation, is presently under cultivation, or is considered to be majorly degraded would still be sold off or transferred to municipal governments or private individuals. Examples of public land include Crown grazing lease lands, tax recovery lands, or public lands in the special areas. The province makes Crown grazing land available to ranchers at low rent, which is actually an example of appropriate and environmentally sound land management. The ranchers benefit from inexpensive land for their animals to graze on, and the land is protected by this natural and low-intensity usage.

This bill would also propose to balance the protection of the land while allowing economic development of public lands to the benefit of Alberta companies. Specific exemptions would be granted for mineral exploration and exploitation rights.

Madam Speaker, the goal of wildlife habitat protection, which this bill would address, is certainly very laudable and something to strive for. However, in light of this goal, we might want to consider what the department of sustainable resource development currently does in this vein. We would be able to consider how this bill would complement current land-management practices within the department. Furthermore, a discussion may be warranted as to the environmental assessment tools currently available to the department. At present there is a land-management process for Albertans who wish to use public land that is being retained by the Crown. The process requires that any potential users of public land must first submit a land disposition request application. An evaluation process is undertaken whereby it is determined if the proposed use is conducive to the current uses for the land.

Departmental staff use a variety of factors to determine the suitability of any particular usage. This leads to integrated resource management for each parcel of publicly owned land. Some of these factors include consideration for the landscape, soils, and vegetation. According to sustainable resource development, there has been a long and concerted effort over the years to gather these types of information. Applied research has been undertaken and resource inventories completed throughout the province. This means that the province has a reliable database of pertinent information from which to make decisions on the environmental suitability of commercial, industrial, and leisure activities. This database continues to grow each year and demonstrates the expertise and institutional knowledge of the department.

In terms of tools available to the department for making environmental assessments, one such tool currently employed is the grassland vegetation inventory, the GVI. According to sustainable resource development, the GVI is a comprehensive biophysical, anthropogenic, and land-use inventory that covers the southernmost portion of the province. Anthropogenic, for those members who may be wondering, refers to the human-generated impact on the environment. In 2006 the creation of this inventory began in the southeast corner of the province, moving in a northwest direction. It employed the use of digital colour photography to trace negative impacts on the landscape. The GVI came about as a way to improve upon and to replace the former native prairie vegetation inventory, the NPVI, which was completed back in 1993.

It ought to be underlined that the present GVI gives a more wide-ranging and complete portrait of environmental impact upon the land. The GVI was devised with the intent of meeting various business needs which are fundamental to land-use management and planning in Alberta. The previous NPVI was essentially limited to a vegetation inventory of native prairie grasses, which detailed the scope of different vegetation zones throughout the province. That inventory measured and evaluated the type, extent, and condition of the present vegetation as well as what changes had been occurring. However, the current GVI incorporates other elements like a biophysical and land-use inventory. In areas of nonnative vegetation data is available as to the associated uses of those tracts of land, be it agricultural, industrial, or residential.

Another tool available to the department, that is presently being exploited for its valuable information, is the Alberta Biodiversity Monitoring Institute, ABMI. As a point of fact, the ABMI is actually a not-for-profit entity separate from the Alberta government; however, it does receive funds from the Alberta government, with industry also contributing its share to the project. Its main goal is to present a factual, impartial, and up-to-date picture of the changes to biodiversity in this province. The institute is a

supplier of crucial information to the various government agencies and departments in charge of land-use planning.

According to the institute biodiversity had not factored nearly enough into policy decisions in the past because funding an accurate method of evaluation used to be harder to accomplish. Currently, with the comprehensive evaluation being offered by the institute, the goal is to use this objective data more often in decision-making. The institute commenced its work in 2003.

The biodiversity and, therefore, the health of over 2,000 species is assessed by the changes in habitats and human land use through a cumulative effects approach. Cumulative effects monitoring attempts to uncover the link between environmental stressors and the many indicators that are monitored. The methodology employed is such that the province is divided into 1,656 evenly spaced monitoring areas. Each year approximately 330 sites are assessed. An assessment is comprised of site visits, aerial photography, and satellite imagery. This results in a comprehensive snapshot of the entire province every five years. The next time around when a site gets re-examined, it is done within a week's window to reduce any seasonal variability.

This institute is a great example of the exceptional land stewardship that Albertans exemplify, and I am proud that our government supports its crucial work. This is just one other great tool the department has in its disposition to monitor stressors on biodiversity in the province. In order to have a balanced discussion on the merits of the bill, I feel it is prudent to discuss what the department has been doing and continues to do to protect wildlife habitat. Without a doubt, the grassland vegetation inventory and the Alberta Biodiversity Monitoring Institute both play a crucial role in this regard.

I will not be supporting Bill 202; however, I would like to thank the hon. member yet again for his dedication to this valuable cause. It is my strong conviction that today's debate has been and will continue to be informative and stimulating, and I look forward to further discussion.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you.

The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Madam Speaker. I'm pleased to be able to rise today and speak in favour of Bill 202, the Public Lands (Grasslands Preservation) Amendment Act, 2012. I'd like to begin, of course, by thanking the Member for Calgary-Mackay-Nose Hill for the work and effort that he has dedicated to having this bill drafted and before us today and for the work that has gone into generating the conversation that we are having today.

This bill is geared towards the preservation of wildlife habitat in Alberta. It is geared towards protecting our grasslands, one of the most altered natural zones in the province and the zone which, as we know and as has been mentioned, contains about 80 per cent of designated species at risk in the province.

**4:50**

It's a bill which is timely because in fact, Madam Speaker, we are running up against that inherent conflict between environmental preservation and the conflict that exists between different uses, whether we're talking about ranchers who use the land for grazing or whether we're talking about more intense industrial development or whether we're talking about urban development and urban sprawl. Regardless of what we're talking about, there will always be conflict in land use, and there'll be more and more conflict as Alberta grows over the course of the next many years.

So it is reasonable, then, that we engage in a conversation about how we start to balance these needs and how we start to talk about them and, to use that ever increasingly used buzzword in this Legislature, to have a conversation about how we're going to balance these needs. So that is what's being attempted in this bill.

The other key thing that's being attempted in this bill is a move towards genuine transparency and genuine public consultation. I find it interesting that we've had government member after government member after government member stand up conveniently supplied with extremely well-researched notes by people within the ministry. Obviously, the minister herself is not in support of this bill, so they've been able to get up and talk to us about how it's something that they don't agree with. Nonetheless, what we're really talking about is making this conversation public and transparent in a meaningful way. So it's difficult to understand how it is that we wouldn't support that.

Some members have talked about: "Well, we have special areas and special area boards. You know, that works well. They're able to do a turnaround in some cases of four days. The last thing we'd ever want would be for the oil and gas industry to wait the 90 days which is outlined in this bill." Now, it's been clarified that, of course, they won't be asked to wait the 90 days and that this bill would not apply to those folks.

I will say that I think the Castle special area is an indication of the fact that it's maybe not all working just absolutely perfectly. There are members of the public who would actually welcome an opportunity for more transparency and more opportunities for consultation in a genuine way.

It's already been noted that this bill would not impact lease arrangements or the work of those who are not actually buying the land in fee simple, including the oil and gas industry. But I think when we talk about landowner rights, it's important to remind people in this Legislature that what we're talking about here is land that we own as members of the public. We're not talking about private land that I own right now being limited in its use. We're talking about preserving the land that we all own right now in a way that allows us to pass it on to our children and our children's children just the way someone who owns private land would want to be able to do. So it's a little bit misleading to say that this is somehow an attack on landowners because it is not, unless you say that it's an attack on all of us collectively, which I would suggest is certainly not the intention here.

Now, the other thing that people have been suggesting is that: well, you know, there's lots going on already in the Ministry of Environment and SRD, so we've already got lots of opportunities to make sure there's proper assessment. The most recent speaker listed quite a long, long list of what the ministry is doing. But I think it's, first of all, as I've said, important to understand that most of that is not public, and the public is not invited into that process. That's really important because the public does care about the land that they own.

The other thing is that the minister has referred to cumulative effects management and regional planning and all that kind of stuff. Again, the difficulty that we have with that being something that members of the public and Albertans should rely on is that, really, that process is so much talk but very little action. The fact of the matter is that very little has been achieved under that legislation and that planning process to date. It's just a lot of talk.

This bill is actually crafted in a way that allows those of us who would rely on it as members of the public, as owners of the Crown land to take one of two options. You engage the 90-day process and you have the assessment that is proposed under this act or, alternatively, if there has actually been an assessment completed

through, heaven forbid, the land-use framework or regional planning – I mean, I'm not holding my breath, Madam Speaker, for that to actually happen because I've heard that being talked about for the last four and a half years and I suspect we're probably going to hear about another four and a half years of discussion before anything of significance happens. But if it does happen, well, then that's fine. Then that allows the process under this act to be subordinate to other public consultation and regional planning and environmental assessment processes that would be in place, so it's not even actually a problem.

What it does do is that it makes sure that there is a public and transparent consideration in place. With all of the reading of prepared notes that we've just heard, where everyone's talked about all the interesting scientific things that the ministry of SRD does behind closed doors before it waves its magic wand and decides to sell public lands without thinking about the impact on the environment, on the wildlife that's supported, on the cumulative impact of the loss of that land, with all that talk, the fact of the matter is that we're still looking at something that's done behind closed doors and eliminates the role of the public.

It's important to understand that this is not an attack on ranchers. Their leasehold rights would not be impacted under this bill. It would simply be something that would allow for more engaged, thoughtful, transparent public consideration before we immediately go to that right of first refusal or whatever other opportunities are out there for our Crown land to be bought up without us having any say in the process.

I think the intention behind this bill is a good one. I think that it is unfortunate that members of the government, in particular, are so ironically opposed to engaging in a process that would allow for more accountability, more transparency, and more public engagement.

**Dr. Swann:** It's the lack of it that's pretty consistent.

**Ms Notley:** The Member for Calgary-Mountain View says it's not really ironic because it's so darn consistent with the overall approach taken by this government.

Nonetheless, it is unfortunate because I do think it was a thoughtful attempt to deal with an issue that we would be naive to suggest doesn't exist and that we would be naive to believe is being appropriately addressed in a way that respects the rights of all Albertans right now. I think that there was a lot of time and thought put into it, and I think it warrants further debate, further consideration, possible amendments.

I would hope that members of this Assembly would give respect to the amount of work, thought, consideration, deliberation, consultation that went into this bill and give it the respect of having it move on to Committee of the Whole, where we could then consider the type of amendments that might ameliorate some of the more obvious concerns or the more concrete concerns that some people have been able to raise. I think that overall there is a very good objective being sought here, and it would be unfortunate to not allow the opportunity for us to explore how to best put it in place.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you.

The hon. Minister of Justice.

**Mr. Denis:** Thank you very much, Madam Speaker. As it's almost 5 o'clock, I move that we call the question on this bill.

**The Acting Speaker:** Thank you very much, hon. Minister of Justice. This is a private member's bill. It gets 115 minutes of

debate. If there are still speakers that are wishing to speak on it, we have to recognize those speakers, as I understand it.

Hon. Member for Drumheller-Stettler, you have about 30 seconds.

**Mr. Strankman:** No, ma'am.

**The Acting Speaker:** Thank you.

Are there any other members who wish to speak on this bill?

I would ask the hon. Member for Calgary-Mackay-Nose Hill to close debate.

**Dr. Brown:** Well, Madam Speaker, I'm prepared to give a closing speech, but given the time I think I would move that it be called 5 o'clock.

5:00

**Mr. Hancock:** Madam Speaker, I beg your leave to ask for unanimous consent of the House to allow the hon. member his five minutes to close debate so this bill can be voted on, and then we would proceed with the motion at 5:05 or when the vote is done.

[Unanimous consent denied]

### Motions Other than Government Motions

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

#### Long-term Care Accommodation Fees

502. Mr. Mason moved:

Be it resolved that the Legislative Assembly urge the government to maintain the current maximum limit on long-term care accommodation fees and that the same maximum limit continue to apply to accommodation funded by the affordable supportive living initiative.

**Mr. Mason:** Thank you very much, Madam Speaker. If I may now speak to it, I made this motion because I think that there is a serious issue in the province today with respect to the affordability of seniors' accommodation, and there is considerable confusion with respect to the government's intent regarding where fees to seniors go. It's clear that people who are on fixed incomes, people who are particularly in the later stages of their life very commonly have financial challenges, and I think that it's important that we provide seniors' accommodation in a way that is affordable for seniors and for their families.

When the Premier was running for the leadership of the PC Party, she promised to lift the cap on seniors' accommodation in Alberta. Madam Speaker, the promise to lift the cap was to allow for-profit operators to charge as much as they want and is clearly the result of lobbying by operators of private long-term care facilities, many of whom have made substantial political donations. The Premier claimed during the provincial election that she never said that she intended to raise the allowable limit or to lift the cap, but she was on the record in *Hansard* saying just that on October 24 of last year. "The government will remove the cap on seniors' housing costs." Within months of the election the PC government increased the allowable accommodation fees in long-term care facilities by 5 per cent. By January 2012 a senior could be charged as much as \$1,545 a month for a semiprivate room. The Associate Minister of Seniors said that the change was meant to help operators cope with increasing labour and food costs.

But, Madam Speaker, for-profit care providers are not necessarily in it for the well-being of seniors. For months Albertans have witnessed the fallout of the government's insistence on encouraging for-profit delivery of seniors' care. We've seen labour disputes in a number of for-profit seniors' facilities in both Edmonton and Calgary. The owners of these facilities were paying their workers significantly below standard Alberta Health Services wages for LPNs and other health workers. Today workers at Monterey Place are still locked out by the employer as they struggle to attain fair, industry-standard wages for their work.

Madam Speaker, it's a source of much disappointment to Albertans that this government is heavily relying on the private sector to provide the needed beds while over 1,400 seniors are waiting for long-term care. Research has said over and over again that publicly funded and publicly delivered facilities provide better care for less money than that provided by the private sector. In order to protect Alberta seniors, the people who built this province, from a never-ending increase in allowable fees in long-term care facilities, this motion is intended to keep a firm cap on housing and accommodation costs for seniors. Alberta's New Democrats want to protect the 14,500 seniors currently in long-term care in Alberta from unreasonable increases in costs for where they live.

I want to deal a little bit with this question of long-term care because the government has never been transparent with respect to different types of seniors' accommodation. When we talk about long-term care, we are essentially talking about around-the-clock nursing care; that is to say, a nursing home or an auxiliary hospital. It is a particular level of care, and it is separate from other seniors' accommodation in that it is considered to be part of the health system as opposed to being provided by the Seniors ministry as, essentially, accommodation where there may be some assistance for people who live in it. It's considered a medical facility. It's considered, essentially, as a hospital.

Several years ago we found a document, an internal document, that included discussions between ministries in this government where a plan to reduce the percentage of seniors' care that was long-term care was revealed. Now, the government has never acknowledged this document. They have never admitted what the document clearly shows, that the government plans and intends to reduce the percentage of seniors' accommodation that is long-term care to about half what it is now. This is despite the fact that the government's own numbers show a dramatic increase over time, with changing demographics, with an aging population, in the number of seniors who will require long-term care. The trains are going on the same track in the opposite direction. At the same time that we need a large increase in the number of long-term care facilities, the government's plan is to reduce the number.

Secondly, Madam Speaker, what the government is proposing to do is to meet the demand for seniors' care not necessarily with long-term care but with what they call assisted living, which is a very confusing and all-encompassing title, or what they prefer to call aging in place, with a private-sector model. This is the connection that I see to lifting the cap on long-term care.

The association of seniors' care providers has told the government that if they are expected to invest in seniors' accommodation and, particularly, long-term care, they're going to have to see a much larger return on their investment. That's fair, and I'm not particularly critical of that. It simply speaks to the economics. The question is: if we're going to have a private-sector investment model, who is going to provide the funds that make it a good investment to build, to construct, to staff, and to operate seniors' care? That's where I think the lifting of the cap comes in.

It allows more money to be drawn from the senior or from the senior's family in order to fund this particular model of seniors' care.

Now, we don't think that it's a good model, but we particularly don't think that seniors can afford to fund the massive costs that these private-sector operators want to have covered in order to invest their money in long-term care. In our view, the serious need for seniors' accommodation and, particularly, long-term care can best be met by a program of expansion of those facilities, publicly funded and publicly delivered. We believe that that will ensure the highest level of care for the residents of those facilities and the lowest outlay of public funds in order to finance these facilities.

We bring this motion because we want to clearly state for the record – and we would like to have the Assembly concur in this – that we cannot continue to charge seniors what they can't afford for care that doesn't meet their needs. That is the situation, unfortunately, in our province today, Madam Speaker. I have toured many facilities. I have received calls from family members to visit aging parents, and I can tell you that the level of care in some of these facilities is not adequate.

5:10

As the Auditor General reported six or seven years ago in his report, seniors are left unattended, there are extremely long waits for things like baths or meals, and seniors are sometimes gotten out of bed as early as 3 or 4 in the morning because of the short-staffed situation in order to go for their breakfast, to be fed their breakfast. Those conditions were documented by the Auditor General. In all accounts, the government has not kept its promises to fully implement the Auditor General's recommendations, and in fact the conditions for seniors have worsened in the interim.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you.

The hon. Associate Minister of Seniors.

**Mr. VanderBurg:** Thank you, Madam Speaker. First of all, I want to make it very clear that while appreciating the member's intent on this motion, I do not support it and really don't agree with a lot of the comments that were just made.

But I want to focus my attention, Madam Speaker, on the motion. The government's rationale for increasing the maximum accommodation charges for long-term care settings in the province is simply this: you have to keep up to the costs. These are room and board charges. These aren't health care charges. Health care is covered by the province. It is today and always will be.

To talk about lifting the cap: this is nothing that has occurred today, and this is not what this member is talking about. This member wants to freeze the charge that we have today. I would imagine that at his home his utility bill, his food bill, his repairs on his home have increased. It's ridiculous to think that because someone lives in a seniors' facility, maintenance doesn't occur, that the cost increase of preparing food doesn't occur. That's not real life. In real life all of us know that costs go up. Let's not start talking about these places where seniors live as a facility. These are people's homes. They're people's homes, so why shouldn't costs occur in their home just like they would occur in your home? They go up. They do in my house, I'll tell you that.

Madam Speaker, long-term care residents are responsible for paying charges that accurately reflect the actual costs of their accommodations and services. The charges cover expenses like meals, housekeeping services, utilities, staff wages, and routine building maintenance. Just like in our homes, those costs occur. To shingle your house or to fix your hot water tank or to buy a

loaf of bread: it never goes down; costs always go up. The reality is that these operating costs are increasing, and we need to keep pace, just like we're doing with the announcement of this last increase, 5 per cent over the last two years. That's 2 and a half per cent a year. I think it's very reasonable.

Madam Speaker, our government is not moving down the path where this member would say that we're having an increase to reflect our wishes, that it's only private operators. I take exception to that. We have some nonprofit operators. We have foundations. We have private operators. We have a wide range of different operators that offer different services in our community for our seniors. They're great partners. But in order to be a partner, you have to actually realize that they have some costs and that those costs go up.

The Member for Olds-Didsbury-Three Hills and I had the opportunity to turn the shovel on some ground for Bethany Care in Didsbury, a private, nonprofit organization that's serving our communities very, very well. The same member and I had the opportunity to open a facility in Crossfield, a great opportunity to work with the foundation. Do their costs go up? Of course they go up. If they didn't, I'd be concerned.

This September our government announced a 5 per cent increase to the maximum accommodation rates effective January 2013, and we will continue to. Costs will go up. Madam Speaker, it may be a better idea, rather than every two or three or four years addressing this, that the Assembly has a discussion about annual increases. That may be a fairer way to go. But right now the maximum monthly charge is \$1,700 for a single suite. In 2013 it'll be \$1,785 for the room, accommodation, and all those things that I talked about.

We have approximately 8,300 low-income residents in long-term care facilities across the province. As you know – and I assure you that our government will continue to assist these individuals – when the maximum accommodation charges in long-term care settings rise this January, so will their subsidy. I think that's very, very fair. Alberta's seniors' benefit recipients will maintain their minimum disposable income at at least \$265 a month. We're not talking about that, Madam Speaker. Our government is maintaining a balance between increased costs that the operators have while trying to keep those costs manageable for residents. I think we both agree on that, that we have to make sure that this is within reason.

We're also sticking to our commitment to review operational and accommodation costs to avoid large, one-time increases. Like I stated, this next increase, 5 per cent, hasn't been adjusted for two years. Two and a half per cent a year: I think all of us can defend that. For our parents and our grandparents and our aunts and uncles and our friends that need to go into facilities, we want to make sure that the place is maintained properly and that they get good quality food and that people aren't cutting and scrimping, because if we freeze these rates, I'm worried about that as well. I'd like to stress that even after the adjustment Alberta's maximum accommodation charge will continue to be amongst the lowest in the country.

I want to read to the members here the accommodation rates as of January 1, 2013. In Alberta it will be \$1,785. In British Columbia – the left-wing group seems to manage well over there – their rate is \$3,023; in Manitoba, \$2,312; in New Brunswick, \$3,072; in Newfoundland and Labrador, \$2,800; in Nova Scotia, \$3,011; in Ontario, \$2,275; in P.E.I., \$2,360; in Quebec, \$1,712; in Saskatchewan, \$1,931. I think what we're doing here in Alberta is quite fair.

The low-income residents receiving increases to their benefits will continue to have amongst the highest minimum disposable

income amounts in Canada. Member across the way, I'll read you the list, the minimum disposable income per month: Alberta, \$265; British Columbia, \$325; Manitoba, \$288; New Brunswick, \$108; Newfoundland and Labrador, \$150; Nova Scotia, \$248; Ontario, \$132; P.E.I., \$103; Quebec, \$197; Saskatchewan, \$212. Have a look at our program. It's pretty fair.

Alberta Health Services and individual operators have also had special processes in place for helping residents who are in exceptional or hardship situations. We can deal with one-offs, and we do some one-offs because there are some situations that aren't the textbook case.

Madam Speaker, this maximum accommodation charge increase has carefully been considered by our government. We've looked at a number of sources to determine whether an adjustment was warranted and what size the increase should be. Two and a half per cent a year for the last two years: pretty reasonable. Freeze it? Probably not very reasonable. We're confident that this 5 per cent maximum accommodation charge for long-term care settings is needed. It will ensure that these residents continue to receive quality accommodation and services in long-term care facilities across our province.

Madam Speaker, I ask everybody to say no to this member's motion. It's not fair for seniors, and it's not reasonable.

Thank you.

5:20

**The Acting Speaker:** Thank you.

The hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Madam Speaker. It's an honour to speak as the Seniors critic for the Official Opposition and to provide my own personal thoughts on a motion put forward by the hon. Member for Edmonton-Highlands-Norwood. I thank the hon. member for putting this motion forward. The intent of the motion is to freeze accommodation fees for those living in long-term care nursing homes as well as those living in facilities funded by the affordable supportive living initiative.

I think this is a timely issue for this House to debate. Our population is aging very fast, Madam Speaker. As of 2011 there were over 400,000 seniors in Alberta. It's expected that within 20 years our seniors population will more than double to 925,000 seniors. One only needs to read the government's report Aging Population Policy Framework to see this is an enormous challenge to our society. It will test our ability to care for seniors and their families while fulfilling the needs of others. Our obligation as the Official Opposition is to ensure quality care for all seniors, and that will remain my utmost priority.

We have over 140 lodges in Alberta, and they have served us well. They have become a home, a part of the community, and a base of trust for many of our seniors. In Alberta we are all very well aware that our hospitals hold hundreds of seniors in acute-care beds, awaiting long-term care nursing beds, and Acute-care Alley has become home to many of our Albertan seniors. This is not acceptable, and this is not how the population that built this province should be treated.

What often gets lost in the debate about seniors is how resilient and strong they really are. Many seniors live in a home that they own. They are often able to take care of themselves or, as in my case with my own father, have someone to stop in and help with odds and ends. Additionally, a number of seniors live in rental accommodations. Some of this is assisted living, but a lot of that care is, again, the odds and ends of housekeeping and meals. Seniors' lodges, as we have said, play a strong role in ensuring

that our seniors are able to age in their own communities with limited assistance.

The last segment of the population, the most vulnerable, is those seniors that live in long-term care nursing facilities. These are the people that I am most concerned about. Seniors in long-term care nursing homes need constant supervision from a registered nurse, 24-hour nursing care. It's a form of health care in itself. They need managed care for their prescriptions and chronic conditions. Madam Speaker, when someone is placed into a long-term care nursing facility, they continue on until they are into palliative care as they pass on to the next life. This has become their home. This is where they are the most comfortable. This is why our obligation to the seniors living in long-term care nursing facilities is so great. They have given much to us. They have built this province. They have given, and now it is their time to receive. It is their time to receive the medical care that they so greatly deserve at an affordable cost.

The accommodation fees that seniors pay are not inconsequential. In my own experience, Madam Speaker, my brother Ron's private room was approximately \$1,800 per month. This did not include additional charges or costs. This was solely the accommodation fees. The vast majority of seniors no longer work. They have a combination of their savings and pension to make ends meet. The lucky ones have very supportive families.

However, let's take a broader look at what this motion really means. This motion is talking about seniors, but what about those who require long-term care nursing beds who are not seniors? What about those who come into the system who are under the age of 65 with terminal conditions that require 24-hour nursing care? It's something we haven't had a discussion about. These people need to be reviewed as well. What about those Albertans who have ALS, MS, Parkinson's, or Huntington's disease?

As many of you are aware, my brother Ron was diagnosed with Huntington's disease in 2008. He was 32. This required us to make an application for a long-term care nursing bed as he required 24-hour nursing care. Being 32 and with his diagnosis, guess what? Ron didn't fit the matrix for a long-term care nursing bed. Ron was a handful. He jerked. He moaned. He had inappropriate action. He required daily bathing, which he did not get. He required 11,000 calories per day just to live. He ran a triathlon every half an hour because that's how often his body moved. This additional cost? We bore it as his family. He required feeding. He couldn't feed on his own, refused a feeding tube, so a nurse had to feed him daily. Usually it was my mom. My mom would come in every single day, and she'd feed him at night, and she was glad to do it. He required full administration of his medications.

But what is most important and what is missing in this whole debate is that Ron at 32 required full-time nursing care. He had no money. He had no assets, and like many seniors across this province, a long-term care nursing bed was his only option. Those benefits that are provided to those over the age of 65 are not universal, so let's not all sit in here and pretend that this is only about seniors. It's about anyone requiring long-term care nursing beds. It's not just about those 65 years and older.

The government recently increased the accommodation fees. Initially, it doesn't sound like that much. It's really only a cup of coffee a day, but over a year this can add up to almost a thousand dollars. Now, if you're somebody who has no money, a thousand dollars is a thousand dollars. It doesn't matter if it's \$1 or \$10 a day. It's a thousand dollars a year. If you don't have an extra \$2.50, it's a burden.

There's no question that costs occur and rise over time. However, the question I have to this House when you're

considering this motion is this. In an environment where this government allows extravagant expenses from Alberta Health Services executives to be covered, why would you raise fees on our most vulnerable? In an environment where this government felt it was acceptable since 2009 to feed seniors in 74 long-term care nursing facilities boil-in-a-bag meals devoid of all flavour, taste, and texture, why would this government raise fees on our most vulnerable seniors? In an environment where there is substantial corporate welfare such as carbon capture and storage, why would this government once again raise the fees of our most vulnerable seniors?

For those who follow politics, the decision seems so easy. There's an attitude of: I'm right; you're wrong. But this issue of accommodation fees is complicated. Facilities need to be maintained. Nobody is questioning that. Services provided by staff need to be provided. The business of providing care needs to be attractive enough for people to want to provide that service. I think we're all concerned about the care of our seniors population. I worked for a former health region. I've seen first-hand the great care by staff and management.

Madam Speaker, it seems to me that we should be ensuring that seniors have certainty and can afford their care. We need to ensure that as elected officials we provide that certainty to them. I fear an open season on seniors' wallets if we continue to take from the very people we should be protecting.

I've had a family member in long-term care. It was a struggle for our family to make sure they received the care they needed on a very limited budget. I support the motion put forward here today. I think that at this time we need to reflect on the increase that was made in September and ensure that seniors will not continue to be surprised with raised fees. Taking more money out of limited budgets hurts seniors, who have contributed all their lives. The rate cap was just increased two months ago. By freezing it now, after the increase, it would provide a level of certainty to those seniors with fixed and limited incomes.

I also personally believe that when these types of decisions are made, they should be made in consultation with Albertans, stakeholders, and those who are involved directly in caring for those in long-term care nursing facilities. We cannot let vulnerable seniors worry about incomes in their most fragile state. We need to stand up, we need to protect seniors, and I intend to do just that by supporting this motion.

Thank you.

**The Acting Speaker:** Thank you.

The hon. Member for Calgary-Hawkwood, followed by the hon. Member for Calgary-Mountain View.

**Mr. Luan:** Thank you, Madam Speaker. It's an honour to rise today to join the debate on Motion 502, which urges government to maintain the current maximum limits on long-term care fees. As we all know, public health care is a very contentious and important issue. It is a cornerstone of our society and helps our citizens sustain a good quality of life at a time when they need it. An accessible health care system goes a long way in ensuring that our citizens can receive the medical they need as severe health complications arise.

5:30

Long-term care presents one very important aspect of our care system. It assists people who are terminally ill, ensuring that they receive proper medical attention when needed. Madam Speaker, providing accessible long-term care and financial support such as

AISH and Alberta seniors' benefits payments to our citizens is a very important aspect that the program would provide. With such financial support seniors in long-term care can maintain a monthly disposable income of at least \$265 while AISH recipients receive an income of \$315. Madam Speaker, this income is very important and allows individuals to cover the cost of personal goods, recreational activities, and other chores that one encounters in daily life. As such, this income is extremely important and helps provide financial assistance to our most vulnerable citizens.

[Mr. Goudreau in the chair]

Mr. Speaker, the hon. member's proposal to maintain the maximum limits on long-term care fees goes against a very important economic principle; that is, inflation. Just like any other goods and services in our economy, the cost of providing long-term care increases over time. As is the case, operators must be able to address rising costs associated with providing accommodation. Such services are important as they help maintain the quality of life for residents in long-term care. They include the cost of providing room and board, meals, housekeeping services, and other important operations. Therefore, in order to keep these services sustainable and to maintain sufficient levels of service, it is necessary to review and critically assess the fee structure on a regular basis. This will allow care providers to provide the high-quality accommodations and services which are necessary in assisting those who are very ill.

Might I also add that assessing the fee structure on a regular basis will help prevent large one-time cost increases, which could adversely affect many citizens financially. Mr. Speaker, the reality is that operating costs will continue to increase over time and facilities will need to adjust the fees to keep pace with market conditions. Unfortunately, Motion 502 fails to recognize this fact. By supporting it, we could damage the monetary stability of facility living over the long run.

Moving forward, be assured that we are committed to accessible long-term care for all and maintaining our tradition of providing some of the lowest rates in Canada. This is something we are truly proud of and will continue to work towards.

[Mrs. Jablonski in the chair]

Madam Speaker, I would like to point out that even with the slight increase in fees, which equates to \$2.80 per day effective January 1, Albertans will still have some of the lowest long-term care fees in the country. Further to this, residents receiving additional income support from the Alberta seniors' benefit program and AISH will see an increase to their income level as of December 2012 because those payments are indexed to inflation.

Together this shows our commitment to maintaining a world-class health care system while continuing to assist the most vulnerable citizens. The approach we're demonstrating here is a balanced approach. On one hand, we give consideration to sustainable long-term investment and quality of services, but on the other hand, we do address the need for affordable services so that the most vulnerable citizens continue to receive financial support.

Madam Speaker, we look forward to serving the health care needs of those who have helped make Alberta what it is today as those people more than anyone else deserve the care that allows them to age peacefully and receive services which enhance their quality of life. As a whole, however, we believe that long-term care facilities and our health care system can be better served by not supporting Motion 502.

Thank you, Madam Speaker.



**The Acting Speaker:** Thank you.

The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Madam Speaker. I'll speak briefly to Motion 502 in support. I think it's important to distinguish the fact that we have an ethic in Canada that demands, requires, adjures us to support medical care for people throughout their lifespan. That is the unique feature of Canadian culture that we have embraced and that we have honoured throughout our lives and experienced as citizens of Alberta and citizens of Canada.

What we're talking about here is not all services for seniors and not all accommodations for seniors. In fact, we have a two-tiered system. Let's acknowledge it. We have differential payers for private accommodations, various levels of care in certain accommodations, but what we are talking about today is people who require public services for their long-term medical care. They're in a long-term care setting, which still is a stalwart part of our health care system. It covers their accommodation and their medical costs. I don't understand why the government cannot embrace that dimension of our health care responsibility at the same time as saying that with a two-tiered system, which has evolved, we're going to have people that decide to pay more and go into private accommodation to have extra services, to have an extra quality of rooms, to have extra medical services, to buy extra supports for their quality of life if they choose to.

What we're talking about today, though, is something that should be unrelated to the cost of living and inflation as our hospitals and medical care is protected from individuals' costs because we believe that people in medical need require their costs to be covered. That is an ethic that has pervaded Alberta and Canada for 45 years. So it's surprising that in the case of long-term care – and this is a very focused motion on long-term care. There is no question in my mind that we need to honour our commitment to seniors and others who need long-term care: 24/7 nursing care, medications, food, and aids to their lifestyle. Those people need to be guaranteed that they will not be bankrupt, that they and their families will not be severely stressed to the point where we might consider much more serious problems with their mental health, with their family well-being.

To me this is quite a clear issue that needs to be distinguished by the House. We're talking about medical services throughout the lifespan, and we should be protecting people from the costs of those and ensuring in the case of this motion that that is exactly what it is trying to guarantee, that there would be no impact of increased costs of salaries and wages and drugs and accommodations passed on to individuals who need 24/7 medical care.

That's a very simple summary, I think, Madam Speaker, of how I feel about the issue. I think many Albertans share this notion that they and their family members deserve to have protected medical care throughout their lifespan.

Thank you.

**The Acting Speaker:** Thank you.

The hon. Member for Barrhead-Morinville-Westlock.

**Ms Kubinec:** Thank you, Madam Speaker. I'm honoured to rise today to speak to Motion 502, brought forward by the hon. Member for Edmonton-Highlands-Norwood. Motion 502 urges the government of Alberta to maintain the current maximum limit on long-term care accommodation fees. In addition, it would see the same maximum limit continue to apply to accommodations funded by the affordable supportive living initiative.

Madam Speaker, ensuring that our most vulnerable citizens are provided the support they need at a reasonable and affordable price is important, and I would like to thank the hon. Member for Edmonton-Highlands-Norwood for proposing this motion. While I understand that Albertans across the province have varying financial situations that may make it difficult to afford long-term care, it is important to note that when compared to other jurisdictions in Canada, the maximum costs for long-term care in Alberta are well below other provinces. In fact, Alberta's maximum charges for long-term care accommodation remain among the lowest in the country. What's more is that here in Alberta our government continues to assist eligible low-income residents who require long-term care so that they are not faced with choosing between their health and/or financial commitments.

5:40

For example, in April of this year the government of Alberta increased the maximum monthly financial benefit for assured income for the severely handicapped clients by \$400 a month, to \$1,588 a month. Another initiative that assists eligible Albertans with long-term care needs is the Alberta seniors' benefit program. The program provides support in addition to the federal benefit received under old age security, the guaranteed income supplement, and the GST credit. Madam Speaker, the Alberta seniors' benefit program is based on income and provides qualified seniors with financial support depending on what their income is and the type of residence and care that they require. In general a single senior with an income level of \$25,100 or less and senior couples with a combined annual income of \$40,800 or less are eligible for financial assistance. About 8,300 of the approximately 14,500 Albertans in long-term care settings receive financial assistance through the Alberta seniors' benefit and AISH programs.

The income support provided by the government of Alberta through these programs allows low-income residents to not only afford their accommodation charges but also to retain the monthly disposable income that was spoken of earlier. Benefits for seniors living in long-term care and designated supportive living facilities are calculated to ensure that there's at least \$265 of disposable income every month after paying their accommodation charges. Now, I sat on the Westlock Foundation board and saw this in action for a couple of years.

Madam Speaker, although maximum accommodation charges that operators can apply in long-term facilities will increase by 5 per cent, or a maximum daily increase of \$2.80, effective January 1, 2013, it is important to know that accommodation charges have not increased in nearly two years. Increases in accommodation charges will help ensure that residents continue to receive quality accommodation and related services by helping long-term care operators meet the rising accommodation costs.

In addition to the two programs I previously mentioned, the Alberta government also contributes capital funding to supportive living facilities through grants and through the affordable supportive living initiative, ASLI. This year the Alberta government is helping to develop 695 new affordable supportive living spaces by providing \$67 million through a series of grant applications in eight areas in the province. Madam Speaker, these areas have been identified by Alberta Health Services as having the greatest need for additional access to affordable supportive living accommodation and services. ASLI funding was available to municipalities, not-for-profit organizations, Métis settlements, housing management bodies, local housing authorities, community groups, and private-sector organizations.

As you can see, Madam Speaker, this government is carefully monitoring the costs of long-term care operators while balancing the financial assistance provided to our most vulnerable citizens who rely on long-term care. Although I know that the hon. Member for Edmonton-Highlands-Norwood seeks to make accommodation costs for long-term care residents more predictable and affordable, there must be a balance between the rising costs of care and the amount of financial support offered by the provincial government. I believe that this government has listened to those who are living in long-term care and their families and also to the facility operators. Through increased accommodation charges for operators and increased financial assistance for those in long-term care, Alberta's facilities will continue to provide world-class long-term care for low-income residents. They will not be left without greater financial assistance from this government.

Madam Speaker, I believe this motion does not take into account the costs of providing long-term care in Alberta. It also does not take into account the greater financial assistance that has been provided to our most vulnerable citizens who require long-term care. Now, I've been involved in local municipal politics for long enough to have seen what can happen when these caps are put into place and to have seen the painful consequences of it a few years later when they have to play catch-up. Because of this, I will not be supporting this motion.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Madam Speaker. It is with great pleasure that I rise to support this extremely, extremely important motion, one that is critical to the lives of many of our seniors in Alberta and those of us who will ultimately be seniors ourselves. This is probably the single most important issue in terms of the overarching administration of health care in this province. It has a tremendously profound impact on whether our health care will be publicly funded or privately funded. It will have a tremendously significant impact on whether or not poverty in this province grows or whether we're actually able to maintain and perhaps even build our quality of life.

The reason that this motion is coming forward, of course, is because of the very disturbing and concerning statements that have been made by members of this government, not the least of whom is the Premier. To go back some time, when the Premier ran for the leadership of her party, she received not insignificant donations from private long-term care providers. Coincidentally, after she became leader of her party and the Premier of the province, suddenly we started hearing about conversations – that buzzword again – that were going to be held around how to go forward with our long-term care and our continuing care in this province. Indeed, there was clear admission on the part of the previous Associate Minister of Seniors that we were going to have a conversation about whether or not we should take the cap off the long-term care costs and also the costs in other continuing care facilities.

This is not a question, just to be clear, about whether or not we allow the costs for accommodation and long-term care and other supportive living to go up in line with inflation. What this issue is about is whether we're going to take the cap off altogether and let those private developers go crazy with the amount of fees that they would like to charge in those centres in this province that provide continuing care services, continuing care for people who, quite honestly, many of their doctors would say, should be in

long-term care. But continuing care places that are categorized differently, that are run by the private sector: those places are already charging \$3,000, \$4,000, \$5,000 a month to these seniors. They are gouging them. They have long lists about how it costs them an extra \$250 a month to get their medications organized for them, whether they can get a second bath in a month. Things like this are all being charged, things like this which, of course, all go to the heart of their health and which are a form of health care.

Just to be clear, this is not about whether we allow a 3 per cent increase or a 4 per cent increase. This is about whether we allow the outrageous gouging of seniors that is going on in many privately run continuing care centres in this province today. This motion is about stopping that from expanding and spreading, and this motion is about protecting the livelihood and the lives of not only our seniors but the families who will be asked to care for them should their long-term care accommodation fees suddenly balloon to 100 per cent or 200 per cent or 300 per cent of what they currently are because that's what the private sector will start doing if the cap comes off. So I think it's really important to not let this be confused with something else.

The reason we worry about that is because that is the kind of thing the government has been sending up a few trial balloons about. The government, when they've sent up their trial balloons about this issue, talk about it in terms of choice: well, we need to give our seniors the choice to spend \$5,000 a month on their new continuing care. But choice is, in fact, code for making sure that the vast majority of Albertans get less while a very small group get the chance to buy more, and if they're really lucky, they can buy more of something that's subsidized with our taxpayer dollars, which is what we're talking about when we talk about ensuring that the ASLI-funded continuing care centres are not now or ever allowed to have their accommodation costs go above the cap that is currently in place, allowing, of course, for inflation, as anyone would reasonably do.

5:50

So up to this point we probably put roughly, ballpark, half a billion taxpayers' dollars into the ASLI program, and as has previously been mentioned, municipalities, nonprofits, and private corporations and private developers have taken that half a billion dollars to build a whole range of continuing care spots. Interestingly, the government can't tell us what kind of continuing care spots have been built with that half a billion dollars. They can't tell us whether it's a level 1, level 2, level 3, or level 4. They're not saying that they won't tell us; they're telling us that they don't know. I'm a bit perplexed. I can't decide whether they're truly incompetent or whether it's just a new strategy for keeping things behind closed doors.

In any event, half a billion dollars has gone out the door, and the minister cannot tell us what kind of care was leveraged with that funding. Because that money that went out the door came from our taxpayers' dollars, what this motion does is say that under no circumstances should those facilities that were funded by our taxpayers' dollars ever be allowed to take the cap off so that they can then start doing these \$3,000-a-month, \$4,000-a-month, \$5,000-a-month continuing care beds, as the government periodically likes to call them.

I'm sure many in this House will recall when we were able to talk to many about some advertising materials that a few health care insurance companies had been distributing all over the country. Great-West Life I think was one. In those insurance brochures they talked about how in Alberta care for seniors is not so good, and care for seniors in the community is not so good. The fact of the matter is that in Alberta many continuing care facilities

charge extra for meals brought to your room, and many continuing care facilities charge extra for medication administration, and many charge extra for baths, and many charge extra for the kinds of things that any good public health nurse or doctor would tell you are absolutely critical to your health. Nonetheless, all those things attract extra charges. So these insurance companies are gleefully selling insurance policies to seniors and about-to-be seniors saying: "You know, you can't count on the government to ensure that you are clean and well fed and healthy if you are unable to care for yourself in the future. So you darn well better buy some insurance because that's the direction that things are going in Alberta."

What this motion is geared to do is to stop that process. What we need to do in the longer term is reverse that process because the state of seniors' care in this province is an embarrassment, and it's also damaging to Alberta seniors. At the very least we need to make sure that the process does not get any worse. The Member for Edmonton-Highlands-Norwood has therefore brought forward this motion in an effort to crystallize the deterioration that this government is engineering, stop it in its tracks and freeze it so that we have a chance to then go back and provide our seniors with the care and the respect that their many years' contribution to our province and our future deserve.

That is the objective of this motion. I think that it would really be quite astounding for people to vote against it and to invite the kind of gouging that we have seen in many, many private-sector continuing care centres to be increased and expanded and to have the number of seniors who are victim to it increased to any extent.

With those remarks, Madam Speaker, I urge all members of this Legislature to support this motion. Thank you.

**The Acting Speaker:** Thank you.

The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Madam Speaker. I appreciate the opportunity to close the debate on this motion. I appreciate very much the contribution of all members who rose to speak, and I particularly appreciate the support of my colleagues from the Wildrose and Liberal oppositions.

I want to address a couple things that were said or suggested by the Associate Minister of Seniors in his comments. In those comments the associate minister characterized this as just finding a way to deal with normal inflationary costs that take place in any home or any housing situation, and I will certainly acknowledge that there are, in fact, those costs that do occur.

Let's deal, first of all, with the notion that lifting the cap will only allow small inflationary costs for the costs of delivering the housing component in long-term care. I think the other piece that we need to deal with is, in fact, the notion put forward by my colleague from Edmonton-Strathcona that lifting the cap will allow private operators to charge whatever the market will bear. So there are two possible scenarios, the one sketched by the associate minister.

The real issue is not that these costs don't occur but who should pay them and who can pay them, who can afford to pay them.

That's the question. You see, this is something that's a little different than in the rest of our health care system. Everything is provided to you in our health care system at no cost because you've paid taxes in order to support the health care system. This is a case where there's a housing component because it's long-term care, so you are actually living there on a long-term basis. It is a cost that you must pay in order to access the care. In order to get the health care you need, you have to pay the accommodation, and if you can't afford the accommodation, you don't get the health care.

That's what makes this different. It's not just a rental issue. It's not just a housing question. It's being able to afford to pay those costs in order that you can get the health care you need. That's why it's important, that's why it's different, and that's why this motion should be passed if we accept the associate minister's proposition that this is just about inflationary costs.

The other thing is what was raised by Edmonton-Strathcona, and that is that the contemplation of lifting the cap entirely means that it becomes a fully market-based system in which the costs are borne according to what the market will bear. Some seniors can afford the much higher fees, and some seniors can't. That creates a real problem in terms of care. We're not just talking about inflationary costs there. We're talking about dramatic increases in the potential costs because it will be up to the private operator to decide what they charge our seniors for the accommodation part. Yet the province will still be providing at taxpayers' expense the health care component that goes with that, so we'll then be supporting with public dollars and health care services the private, for-profit operation of the provider. That is a situation that is much more difficult and dire than the associate minister would have us believe.

Regardless of whether it is small inflationary costs or a full what-the-market-will-bear kind of situation, the fact of the matter is that this is a question not of how much it costs to deliver the housing component but who can afford it and what they can afford. That's the question that I don't think the minister really appreciates, Madam Speaker.

That's why we need to pass this motion, so that we can ensure that everyone has access to long-term care in our society regardless of their ability to pay, which is the same fundamental principle of the health care system, the medicare system that was established, of course, first by Tommy Douglas and then adopted universally across the country. That is as valid today as it was at the time that it was developed by Tommy Douglas and the CCF government in Saskatchewan and adopted from coast to coast to coast in this country. It's something worth fighting for, and I want to assure all hon. members that the NDP will fight for it.

[Motion Other than Government Motion 502 lost]

**The Acting Speaker:** The House stands adjourned until 7:30 this evening.

[The Assembly adjourned at 6 p.m.]







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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Monday evening, November 5, 2012

Issue 15e

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta  
The 28th Legislature**

First Session

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Kennedy-Glans	Webber
Luan	

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Dr. Starke  
Deputy Chair: Mr. Lemke

Allen	McAllister
Amery	McDonald
Bhardwaj	Notley
Casey	Pedersen
Hehr	Sandhu
Jansen	Saskiw
Jeneroux	Towle
Johnson, L.	Xiao
Kennedy-Glans	Young
Kubinec	

### Standing Committee on Public Accounts

Chair: Mr. Anderson  
Deputy Chair: Mr. Dorward

Allen	Hale
Amery	Hehr
Anglin	Kang
Bilous	Pastoor
Calahasen	Quadri
DeLong	Sarich
Donovan	Starke
Fenske	Stier
Fraser	Webber
Fritz	

### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans  
Deputy Chair: Mr. Rowe

Anderson	Hehr
Anglin	Johnson, L.
Barnes	Kubinec
Bilous	Lemke
Blakeman	Leskiw
Brown	Sandhu
Calahasen	Stier
Cao	Webber
Casey	Xiao
Fenske	Young
Fraser	Vacant
Hale	

**Legislative Assembly of Alberta****7:30 p.m.****Monday, November 5, 2012**

[Mrs. Jablonski in the chair]

**The Acting Speaker:** Please be seated.**Government Bills and Orders  
Second Reading****Bill 10  
Employment Pension Plans Act****The Acting Speaker:** The hon. Member for Calgary-Varsity.**Ms Kennedy-Glans:** Thank you, Madam Speaker. I am pleased to rise and move second reading of Bill 10, the new Employment Pension Plans Act.

Pension standards legislation has been in force in Alberta since 1967. The original Pension Benefits Act was completely rewritten in 1987 to become the Employment Pension Plans Act. This is the first major update since that time, and as you can imagine, things have changed quite a bit over the last 25 years.

The new Employment Pension Plans Act sets the standards for private-sector pension plans with members in Alberta. It deals with matters of funding, investment, how information is disclosed to members, and member entitlement to benefits. The changes to the act are based primarily on recommendations made by the Joint Expert Panel on Pension Standards, or JEPPS. JEPPS was appointed by the Alberta and British Columbia governments in 2007 to review pension legislation.

The panel's job was to make recommendations to help modernize the act and to provide more flexibility as employers and plan members look for alternative ways to manage pension plans. The panel consulted extensively with stakeholders, and once the panel's recommendations were received, the two governments asked for comment from the public. A stakeholder group was even included in the drafting process.

The changes introduced in this act reflect the results of that consultation and also take into account the impact of events and changes in the pension industry that have occurred since the panel released its report in 2008. The result is legislation that is flexible in the ways needed to meet future needs of plan sponsors and plan members while continuing to ensure promises made can be kept. It is highly harmonized with the British Columbia legislation, which greatly assists administrators of plans with members in both provinces both in terms of administrative process and consistent treatment of plan members. Pension plan administrators across the country have long complained about too many differences in pension legislation between provinces, and Alberta has provided leadership nationally on this issue.

While many changes were made, I want to draw your attention to a few key ones. First, the panel's main recommendation was that pension standards legislation become much more flexible. This allows employers and unions who sponsor pension plans to create pension solutions that meet their needs and those of plan members. This means the legislation is based more on principles than on rules. It also gives the superintendent of pensions greater discretion, particularly when it comes to new pension plan designs and extending time limits for dealing with funding shortfalls. Both of these recommendations have been incorporated throughout the act while still keeping in place the rules needed to protect members' interests and provide transparency.

In addition, the act gives the superintendent greater enforcement powers such as the ability to charge penalties for noncompliance. This is a key enforcement tool which was recommended by the panel.

To balance the greater authority given to the superintendent, the act permits the creation of an Alberta tribunal. This tribunal will enable plan sponsors and plan members to appeal decisions made by the superintendent. The act also adds provisions clarifying the roles and responsibilities of the various parties involved in managing a pension plan and to improve plan governance.

Further, the act sets out standards for two new types of plans, target benefit plans and jointly sponsored plans. These plans may become more popular in the future as employers and employees look for ways to provide pensions at affordable costs without disproportionately burdening anyone with risks.

Currently, as most of you will be aware, there are two types of plans, defined benefit and defined contribution. In a defined benefit plan the employer bears all of the funding risk while benefits are more or less guaranteed. In a defined contribution plan risk shifts entirely to members as the benefit is not guaranteed but is completely dependent on investment performance. It also puts retirees at risk of outliving their retirement savings.

The target benefit and the jointly sponsored plans offer a middle ground in which risk becomes shared between the employer and members. In a target benefit plan risk is shared mostly by adjusting the promised benefit. In a jointly sponsored plan the risk is shared through the contribution arrangement. A target benefit plan is similar to a traditional defined benefit plan in that it aims to provide a specific pension amount when a member retires. Unlike the defined benefit plan, however, the benefit may be reduced if funding difficulties arise.

This lowers employer funding risk, which has become one of the main challenges facing defined benefit pension plans at all levels and not just here in Alberta. However, members should still be able to have reasonable confidence that the target benefit they've been promised can be delivered. To deal with this, specific funding rules related to these plans will be established through regulation to provide a higher level of assurance that members will receive their expected benefits.

In a jointly sponsored plan members share in the total cost of the plan with the employer as opposed to contributing only towards their own benefit. While easing employer costs to some extent, this type of plan will require greater member participation in the decision-making and governance of the plan since they share in the funding risks.

Vital to the administration of these new plans as well as the more traditional plan types is the concept of disclosure to members. The panel stressed the importance of all parties, including members, understanding the terms and risks of the type of plan that they are in, what their personal responsibilities are and being fully informed of the health of their plan. This act has made provisions related to disclosure to ensure this happens. The act provisions are broad, giving authority to create rules around disclosure and specific requirements which recognize that the needs of different plan types will be in the regulation.

Another change in the new act deals with vesting, which is the entitlement of a member to the benefits promised under the pension plan. The timing for qualifying for vesting has been changed from two years of plan membership to immediate. This was not a recommendation of the panel, but 5 of 10 Canadian jurisdictions have already adopted this standard in their legislation, and others are expected to follow.

This change recognizes that pension benefits are a part of an employee's compensation rather than a gratuitous reward for long

service. Tied to this is a change to the locking-in requirement, which restricts the members' access to pension funds to ensure that the funds are used to provide retirement income. Locking in will no longer be based on years of service but will be based on a minimum dollar amount that is increased annually. This will eliminate the locking in of amounts that are too small to provide a meaningful pension and means that locking-in rules will keep pace with inflation.

Moving along, one of the concerns that sponsors of traditional defined benefit plans have is with what we refer to as trapped capital. In a defined benefit plan the employer is responsible for funding any deficiencies that arise related to adverse events such as investment losses. When a deficiency arises, it must be paid back over a set period such as five years in the case of a solvency deficiency. If in subsequent years the plan is in a surplus position thanks to more favourable economic conditions and the additional funding that may have been required, the employer may be legally constrained from removing any excess amounts from the plan fund due to the legacy wording in the plan text document. The result is that most employers are reluctant to contribute more than the very minimum amount required by the act, and the perverse result is that members' benefits are not as secure as they might otherwise be.

7:40

To address this problem, the panel recommended the creation of a solvency reserve account whose terms are governed by the act. Employers could make their solvency deficiency payments to this account knowing that if plan funding improved, they would have the ability to withdraw some of the excess. The funds in the account would be available to protect benefits if necessary, but the employer would be able to access the funds if they are not needed to pay for benefits. Creation of this type of account is at the discretion of the employer. However, before a withdrawal can be made, consent from the superintendent is required. In addition, a contingency reserve must be left in the account. With this change, employers may well be more willing to fund benefits at greater levels, and employees' benefits will continue to be protected as well as or better than under previous rules.

Overall, Madam Speaker, the new Employment Pension Plans Act goes a long way towards making Alberta's pension legislation stronger and more in tune with the way that pension plans need to work in our changing times. Thank you.

**The Acting Speaker:** Thank you.

The hon. Member for Airdrie.

**Mr. Anderson:** Thank you, Madam Speaker. I'd like to get up and on behalf of the Wildrose caucus speak in support of Bill 10, the Employment Pension Plans Act. This is a very timely, timely piece of legislation, and I will say that this is an example of government being proactive on a problem that we're seeing around the world right now. I would hope that the government will show the same proactiveness when it comes to other parts of our financial picture going forward.

This in part addresses a problem that we're seeing around the world right now. Around the world. It's definitely in Canada and the United States but in particular in Europe and in other places around the world where we have a very antiquated pension system. We have these things called defined benefit pensions that are literally bankrupting our economies in a lot of ways, certainly bankrupting companies so badly that they go out of business or they need to be bailed out by the government. That in turn leads to other problems like debt and inflation, and in some extreme cases,

as we've seen in Greece and perhaps very quickly Spain, it leads to just massive economic problems that spin out of control financially.

We sometimes think that it's just the public-sector pensions that have gotten out of control with defined benefit pensions that we can't afford to pay, and indeed they have. There's no doubt about that. It's a huge problem. It's a problem that afflicts us here in Alberta. It's a problem that afflicts virtually every government in the industrialized world. But it's not just a problem in the public sector. In the private sector it is also a very large problem.

Of course, we saw that in the United States and in Canada, for example, with the auto bailouts. One of the major reasons for the need for government to bail out those automobile companies and spend billions and billions and billions of taxpayer dollars on bailing out those companies is because those automobile companies had instituted what I would call irresponsible pension plans, defined benefit pension plans, that were just simply not feasible, were simply not affordable for these companies.

What happened in their negotiations was that when times are good and there's money rolling in, well, all kinds of great promises are made with regard to these pensions because there's a desperate need to keep workers and attract workers, so they promise these lavish benefit plans for that when times are good. The problem is that when times are not so good and when the money isn't coming in, then all of a sudden these lavish pension plans can't be paid out. It's almost like a pyramid scheme, where over time you've got more and more workers that are living longer and longer and longer after they retire, and they keep drawing on this huge defined guaranteed pension, and then you've got this huge pool of retirees and pensioners that is much larger than the pool of workers paying into the plan to sustain those plans. Not enough has been put aside. Then there are market fluctuations, all kinds of different issues.

The point is that defined benefit plans are very much open to becoming very rich and, frankly, unaffordable. They have cost the taxpayers of this country, our friends to the south, and then folks in Europe literally hundreds and hundreds and hundreds of billions – not millions; hundreds of billions – of dollars to bail out these companies.

We haven't tackled the public pension issue very well yet. Some provinces have started to look at different things. New Brunswick, for example, has looked at some different, alternative methods and so forth, but we haven't as a country and certainly as a province tackled the public pension issue. However, I hope that this legislation will make it easier for us to tackle part of the private pension issue. The way that the government has done this is by proposing to increase the diversity of choices for private companies with regards to what types of pensions they can offer their employees.

A couple of the specific plans that this one mentions. One that we've become kind of familiar with if you've listened in on the Members' Services Committee deliberations is targeted pension plans. Targeted pension plans are essentially kind of a much more affordable version of a defined benefit plan. It's not perfect. There's still risk involved, and that's why the Wildrose wasn't in favour of a targeted benefit pension plan with regards to MLAs. We feel that it does still leave taxpayers in a bind, if things don't go well, to bail the pension out. However, it does reduce the risk, and if you're talking about private companies, then yes, I would say that it's definite that we should give the private companies an opportunity, a choice if you will, to use these targeted benefit plans. Then there are also jointly sponsored pension plans, which are a different type of plan. Essentially, the employer and the employee share in the cost of the entire plan itself.

There are all types of different plans in there and all types of different percentages and formulas that are used for these pension plans, but the point of this bill is to give private companies more choices with regard to the pensions that they offer. We think that's a good thing. I think that's a good thing. I think that giving companies the greatest possible latitude with regard to offering responsible benefits packages and pension packages for their employees is important.

Hopefully, these companies will take this opportunity as they're moving forward to offer more reasonable pension plans, and hopefully our government – and I'm not just talking about our provincial government but our federal government – will signal to companies that in future we will not bail out pension plans that go bankrupt. We just will not do that. Right now it's almost like the government of Canada and other governments around the world are insurance companies for these lavish defined benefit plans that you see at some of these larger companies, and it's just not right. It's not right that taxpayers should be bailing out pension plans that are just simply unaffordable and bailing out these companies. It's very irresponsible for these companies to put the government and to put their employees in a position where they would need to be bailed out.

It's very tragic. I mean, how many of us have gotten calls in this House from folks that used to work for private companies that went bankrupt and can't afford to pay their pension benefits? It's tragic because a lot of folks put their eggs in the one basket, and then all of a sudden it's not there. What do you do? It's awful. That's why we've got to do everything we can to create the choices and promote the choices that private companies can use to move to a more responsible place with regard to their pension plans.

7:50

The second aspect of this bill that I agree with and that I'm happy to see is that the government did its consultation work on this. They are implementing the recommendations made by the Joint Expert Panel on Pension Standards. This is important. We have to make sure that in this Legislature we get more in a habit of doing proper consultation with stakeholders and with folks that know a lot more about this stuff than we politicians and taking the recommendations and giving them a high amount of weight.

I guess I would say that the positives of this bill in my view, to sum up, are that it updates a private pension system model that is now quite outdated and does not recognize new plans created to respond to market forces, meaning that currently we don't recognize those plans, and under this act we will. That's a positive. It gives a regulator tools to evaluate and approve newer pensions aimed at sharing liability risk. As I mentioned, that is an important piece of this legislation that's key to having our pensions in this province, at least in the private sector, become more responsible. It follows the recommendations of the JEPSS panel, which I just mentioned. It includes new vesting and lock-in rules that will give more choice to contributing members. It does add an appeal process between a direct appeal to the superintendent and the courts, thus hopefully reducing the burden on the courts that we've seen in recent days although this is, obviously, not the same as criminal court. Anything we can do to reduce the burden on the court system is a good thing.

I would just say in closing that I would encourage the government to not just look at Bill 10, not just at pension plans as they are applied to private companies, but let's start looking at this on the public side. We need to have a discussion about public-sector pensions. [interjections] There you go. Maybe we have agreement on both sides of the House.

We're not talking about not giving a fair pension plan to our public-sector workers. They are absolutely entitled to a fair pension plan; there's no doubt about that. They work hard for our government. They work hard for our province. We value their contribution. They're good people, and they work hard. When they retire, they need to have a pension there so that they can enjoy their retirement and not just enjoy their retirement but pay for the bills that they have to pay. No one is arguing that.

However, we cannot put ourselves in a situation – when you look at our liability sheet in this province, it has gone up over 50 per cent in the last five years. Fifty per cent more liabilities. The vast majority of those liabilities have been from, obviously, the teachers, the unfunded portion of the teachers' pension, and other such liabilities. We have to be careful as a province. We need to make sure that as we move forward, part of our economic path going forward is one of sustainability. We're not going to pass these massive liabilities onto our kids that we can't afford.

If we've promised something to certain pensioners now or to people just getting ready for retirement, we can't really take that away because they don't have time to adjust to it, so we have to understand that reality. We can't take away or reduce the pension or benefits of teachers who are just about to retire or are five, 10 years from retiring. That wouldn't be fair to them. We've got to start looking at phasing in changes so that the growing generation, the folks my age, in their 30s and early 40s and so forth, can transition out into a more stable and more affordable pension system.

If we don't do that, Madam Speaker, if we continue to ignore this problem and just kick it down the road, if we maintain this course, we will come to a point – and I hope that's still long in the future – where we, like Greece, like Spain, like Portugal, like some of these other European countries, like many of the states in the United States like California, like all of these places, will be put into a position where those pension benefits won't be there for those public sector workers at all. They'll just disappear because the countries themselves will go bankrupt and won't be able to pay those pensions out. Who's going to be there to bail those countries out? Who's going to bail those nations out? There's no one there. It's not like companies, who have the government to bail them out when they're irresponsible, which is not good policy, a terrible precedent to set. But when countries go bankrupt, there's no one there for them.

Madam Speaker, I hope that the Premier and the Finance Minister will take a long look at that on the public-sector side. Wouldn't it be a nice gift to give our children at the end of this Legislature in four years when we say: "You know what? We've set up our pensions, our public-sector pensions here, so that they will be sustainable, that we will be able to pay for them"? That would be a great thing to do.

With that, Madam Speaker, we support this bill and what it's trying to achieve. Thank you very much.

**The Acting Speaker:** Thank you.

The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Madam Speaker. I'm honoured to rise today to speak on behalf of Bill 10. I'd like to just outline, first of all, a little bit of history as far as where defined benefit pension plans come from and the value that they serve. I mean, first and foremost, these were pensions that were negotiated by workers with their employers. So, you know, I think it's a little bit of a misnomer to think that the workers were trying to pull the wool over the eyes of their employers. This was one of their agreements in exchange for many, many years of service to a company.

Defined benefit plans were very good for the workers, and in exchange for it companies got many, many years of service. The workers didn't have to rely on the market and hope that in those last few years before they started drawing out their pensions, as defined contribution plans allow for, the market would not turn south. Now, suddenly, their pension plan that they were contributing to their whole lives and planning their retirement on shrivels up, which is the case and has happened. With defined benefit plans as well, the worker could expect a similar standard of living in their retirement years from year to year and have, you know, the ability to put their conscience at ease, knowing that they've contributed to this plan and that it was there waiting for them in their retirement.

In regard to Bill 10 this is the first major rewrite of private-sector pension laws in over 25 years. You know, it's taken some time, but it's good to see that we're taking the first step here. There are a couple of aspects of this plan, Bill 10, that I'd like to go through.

First of all, the fact that bill gives the superintendent of pensions more authority to accept different types of pension plans. There are new rules now for targeted benefit plans, but importantly a person has the right to appeal a decision if they disagree with the superintendent. As well, there's a tribunal process that, again, will convene on a case-by-case basis as opposed to a blanket decision that affects all workers and all folks.

Some statistics here to talk about the need for pension reform. There are 11 million Canadian workers who don't have a workplace pension plan, which is quite unacceptable in our great country, according to the JEPPS report, the Joint Expert Panel on Pension Standards, whose recommendations did go into this bill, so I'm happy to see that. According to Stats Canada 32 per cent of our labour force was covered by a registered plan in 2010, so more coverage is definitely, definitely needed, and if this bill allows for that in its flexibility, in the availability of choice, then that's a positive thing.

8:00

Specifically in Alberta as of 2011 there were over 236,000 workers that had registered pension plans. When we look at that in the scope of 2.2 million workers in Alberta, we're far from meeting our targets. There's much work that needs to be done.

You know, this bill is similar to B.C.'s pension legislation, that was passed earlier this year. Again, the intent was to make it easier to set up pension plans. The hope is that workers will eventually be covered by pension plans if there are more viable options for employers. One of the recommendations of the JEPPS report that did not make it into this bill is the idea of an umbrella plan for Albertans and British Columbians. This multi-employer plan could have been available to employers, employees, and the self-employed in both Alberta and B.C. and likely would have opened the door for more workers to have access to a pension plan.

Before endorsing this bill wholeheartedly, I think it's important to acknowledge a few things. In the interest of perspective there are different voices that had much to say about this issue and have arisen over the years since the publication of the JEPPS report in February of 2008. The Alberta Federation of Labour, for example, in 2009 argued that Alberta desperately needed a mandatory pension program to make sure retirees could sustain healthy lives after they finished their working life contributing to the Alberta economy for so many years. At the time, the AFL argued that supplementary plans like the ones contemplated in this bill did not get to the heart of the issue. What they meant by that: the AFL was challenging the assumptions of the JEPPS report that

supplementary pension plans were the only way to address the problem of low pension coverage. Where the authors in this JEPPS report state quite simply that they don't support mandatory employer-sponsored pension plans, there are other opinions that differ greatly.

Some would argue that if we want to get serious about the impending challenges to our pension system, we need more fundamental reforms. In other words, you know, giving more options and more flexibility to employers may not be enough to entice them to offer pensions to employees. If that's the heart of the matter, then I would argue that this bill takes us a third of the way there but isn't going to quite get us there if, again, some employers decide: "You know what? Even with these options there might be more possibilities, but we're still going to refrain from it."

As for the changes in the bill today, you know, it remains to be seen whether the changes will encourage employers to invest in pension plans for employees in Alberta. Again, it's my contention that workers that contribute to our economy, contribute to the betterment of Alberta, that spend a great number of years working here should have and should know that there is a pension waiting for them, that they aren't going to have to retire and then go back into the workforce in order to pay the bills. Considering that they've already been contributing to this great province of ours, there should be different options. So I can say that I'm happy to see that there are different options, from the target benefit plans to jointly sponsored plans to negotiated-cost plans, that will be offered to employees.

The other thing I'd like to just comment on is the fact that there are reserve accounts so that defined pension plans will have to have solvency reserve accounts, which I'm sure my colleagues in the Wildrose would appreciate greatly as well.

On the whole, you know, I'm optimistic that this bill will do some good. It's long overdue for working people in Alberta. We'll continue to hold this government to account and ensure that more Albertans can get pension plans and don't have to worry about their days once they retire and how they're going to afford to pay the bills and keep the heat and electricity on.

Thank you for the opportunity to stand and speak to Bill 10.

**The Acting Speaker:** Thank you.

Under Standing Order 29(2)(a) we have five minutes for comments or questions from the floor. Are there any comments or questions for the hon. Member for Edmonton-Beverly-Clareview?

Seeing none, I will recognize the Member for Calgary-Buffalo.

**Mr. Hehr:** Thank you, Madam Speaker. It's a privilege to be able to speak to Bill 10 and give my comments in that regard. This bill comes at a point in time when in many different countries, many provinces the average worker is actively contemplating what retirement will look like.

It seems that over the course of the last 30 years or so we've seen an increase in the diminishing of what workers can actually expect when they retire, what our society expects people to live on and the like. I know that almost every member of this Assembly has had or will have a call from a senior who can't pay his or her or their family's daily bills. That is a call that comes into my office in Calgary-Buffalo quite regularly, quite tragically. Simply put, there seems to be a hesitancy of many levels of government to deal with this problem of not only today but one that is going to impact Alberta and Canada in the near future with the aging population and the like. At the end of the day I think we as a society have to get a handle on the fact that with an aging society



we are going to have to have some sort of pension available for people to live in some sort of dignity.

It's easy for us, I guess, to all preach personal responsibility and the like, but oftentimes if we look at the RRSP contributions of the average person out there throughout society, estimates are that over 50 per cent of our population does not contribute to RRSPs. Simply put, it appears that the middle class is increasingly being squeezed. There's less disposable income. People are having more difficulties paying the bills. I think we saw reference to that in the report by the Parkland Institute the other day.

Actually, I did some research on this in the summer which clearly shows you that we often think people in this day and age have more disposable income than they did in 1970. But experts look at how the middle class actually spends their money and where the hard costs of being in the middle class are – the hard costs of housing, the hard costs of cars and going to work, the hard costs of raising children – and that actually takes more of the average family's paycheque than it did in 1970. So the increasing shrinking of the middle class gives me great concern.

Having pension or pension reform talk actually leads me to believe we are getting a sense that at the end of the day pension reform – I don't necessarily like the term "pension reform." The viability of pensions for the average Joe or Jane Alberta is important to us as a society, important to us as legislators because, simply put, that day is coming.

A little earlier some comments were made and the like that a lot of times, primarily with both public-sector unions and private-sector unions, these pension plans have been freely negotiated on behalf of the worker and the employer. I guess we were bringing up the auto industry in Detroit. Those contracts were agreed to by both free business as well as employees. Contracts that were engaged in by our public-sector unions were, at least in this province for the last 42 years, negotiated with this government and those employees. They were negotiated in good faith, with a view to their working conditions at the time and their agreement to take a contract with this government. One would expect those contracts to be honoured. Otherwise, what was the point of the negotiation?

**8:10**

Although some people suggest that defined pensions are the downfall of the modern world, I would beg to differ, Madam Speaker. There are many challenges out there, and often defined contribution plans – my father has one as a long-serving member of the ATA teaching in classrooms in this province. He always points out the fact that from the years 1989 to 1994 he gave 19 per cent of his salary to his pension plan. That's 19 per cent of his salary that was negotiated, that came off his paycheque, that went into a defined benefit plan. So don't tell me that teachers and nurses have not paid into their pension plans. If the government is having a shortfall now, it's the government who didn't properly put away money or ask citizens to contribute. Okay? Because those benefits were already paid for.

Nevertheless, turning to the main issue of the bill, which is pension reform, it clearly gives some options to private companies out there who, hopefully, are interested in giving their workers some form of pension and the ability to possibly make that happen. For that, I think this is a bill that does some measure of bringing that hope or that eventuality of what people hope or dream their retirement will be, some sort of retirement in basic dignity and the like that will allow them to not worry whether the lights and heat are coming on. In that regard, it's very hopeful that more private businesses will endeavour to create that working condition and allow for people to see a future not only with that

organization but a future where they can keep the lights and heat on.

The bill is based on a JEPPS report that has recommended these reforms. In the main it has many supporters of this bill and people who believe that this will allow for more people to hopefully be covered by private-sector plans. In my view, that is a good thing.

We also note that, you know, many workers have been left holding the bag when it comes to private-sector pension plans because they were underfunded not necessarily by the individual worker but by the company itself. We can look through a long list of companies where workers were sold a bill of goods as to what the contributions of that employer would be. I had the list in front of me, and I can't seem to find it at this time. Maybe if it comes up, I can read those into the record. I believe we had some questions on this back in 2009 when it came down to it that some companies had underfunded their pension plans, and their workers were left out. In fact, I had a constituent who worked for Nortel. She was one of the people who was left holding the bag, with her pension contributions wrapped up in a bankruptcy procedure and given to creditors when she was of the view that they were going to contribute to her pension. Okay?

It seems like there's going to be a pension regulator in place to look at these issues, to encourage the funding of them both from the worker's perspective as well as the employer's perspective, to see that they're sustainable, to see that people are making their contributions, to make sure that things are in line. In my view, it goes some way to trying to see more people covered, which is a good thing.

I'll end where I started. This whole idea of pensions and the ability for seniors when they're done their working life to live in some sort of dignity is an issue that is not going to go away for this Legislature or, in fact, for Legislatures across the country. It is something that increasingly we're going to have to deal with, and we should start planning for it now because there are two things that we know about seniors. Seniors are more costly. They are. They're generally more prone to the health care system. They are not working, so they're contributing less to the tax base and are receiving a pension or CPP or something of the like, so they are considered a cost or a different kind of investment on government books.

We should start preparing for that day because we also know here – we just came through an election – that seniors vote. So no matter how much we say it's personal responsibility, that people have done it to themselves, that people have not saved for their retirement so we're going to let them starve on the street, that's not going to happen. Okay? It shouldn't happen not only in a fair and decent society, but it's not going to happen as a matter of fact. They vote. They vote en masse. They vote in larger droves than younger generations do, and I have a feeling that will continue. As legislators we're going to have to address that issue not only from a point of getting elected but a practical point of giving people some decency and the like, which is probably more to the point. Politics and reality sometimes collide, Madam Speaker, and I would suggest that in this case, this is definitely one of those points.

I'll leave it at that. Let's hope that this legislation encourages more private companies to look out for their workforce and to allow for a decent standard of living when the time comes.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

We now have Standing Order 29(2)(a) if anybody would like to comment or ask questions.

Seeing none, I'll ask if there are any other members that would like to speak on Bill 10, Employment Pension Plans Act.

Seeing no other members who wish to speak, I would ask the hon. Member for Calgary-Varsity to close debate.

**Ms Kennedy-Glans:** I close debate. Thank you.

[Motion carried; Bill 10 read a second time]

## Bill 2

### Responsible Energy Development Act

[Adjourned debate October 31: Mr. Anderson]

**The Acting Speaker:** The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Rowe:** Thank you, Madam Speaker, for the opportunity to speak again on Bill 2, the Responsible Energy Development Act. I am disappointed with what the government has delivered in this piece of legislation.

**The Acting Speaker:** Excuse me, hon. member. We have a complication at this moment. It has just been brought to my attention that you have already spoken on this bill in second reading. You can only speak once in second reading, so save it for the next. Thank you.

I would now ask the Member for Chestermere-Rocky View to proceed.

**Mr. McAllister:** Thank you, Madam Speaker. I did not get to speak on this the first time through, and I'll do everybody a favour and not repeat everything that I know was said on Bill 2 the first time through. [interjection] You're welcome. I'll close with a short story at the end, and I promise it will be short.

Through my reading of Bill 2, though, it appears to me that the intent is to support economic growth by cutting bureaucratic red tape, and that is certainly a noble intent. I know it's one that we all support in here. Alberta gets a bit of a bad rap, I think, with energy development because there is so much red tape in the regulatory system, so I do applaud the government for working with industry to try and change that fact. Bill 2, I think, is a step forward, although, as you know from previous debate, there are some reservations.

8:20

We've heard from a lot of members on this. A lot of my colleagues, I think, have done a great job outlining the concerns that their constituents have with it, many of the same concerns that my constituents have brought forward to me. As I say, in the spirit of efficiency I won't go back over all of them, but I will make a few points.

Madam Speaker, it's common sense, I think, that no organization — any organization — should have investigative powers over itself. I suppose there are exceptions to the rule, and somebody can always come up with one, but in general it seems to be a problem in terms of optics with the public. You can think of any example you want. Think about police forces, for instance, which I have the utmost respect for. Anytime a body investigates itself, it opens itself up to questions. So we worry about those things.

The proposed new regulator is to gather together different government entities under one roof. Now, it's my understanding that those entities that are being gathered already have a process in place for decisions to be reviewed by an independent body if

concerns are raised. Wouldn't it make sense for that process to remain in place under the new regulator or even to be enhanced?

Some of the things I've heard from my constituents. Again, I know we all reach out to stakeholders to ask people what they think. Before we get up and speak, we should always do that. I'm told by some that it's not procedurally fair, that a third independent party needs to be considered. I think we all recognize that we live in one of the greatest countries in the world, probably the greatest province in the world. Certainly, economically we're the driver of this country. So why in a province like this, in a country like ours, is the government proposing that a regulator of a major industry investigate itself?

I just want to share with you a short story from my riding of Chestermere-Rocky View, if you can all imagine sort of putting yourself in the shoes of these people as I share it with you. It comes from a couple of my constituents. They live in Bearspaw, one of the most beautiful areas in this province, just northwest of Calgary. Their names are Phil and Lee. Well, one day Lee, who has lived in his home for about 20 years, notices 17,000 square feet of concrete being poured about 400 metres from his residence. Obviously, he opposes this. He does some investigating and complains to the NRCB.

Now, a lot happens after that, but in short a feedlot is grandfathered back to 2002 despite the fact that it's poured in 2006. Lee spends an awful lot of money and an awful lot of time seeking justice, seeking the truth. The residents started a judicial review about the NRCB's procedural fairness. In early 2009, more than six court hearings and nearly four years and a lot of money from Phil and from Lee later, Justice Hall of the Alberta Court of Queen's Bench vacated the NRCB decision and called for a proper and thorough new investigation by — guess who? — the NRCB. Therein is the problem. What Phil and what Lee have said to me is that, in their view, it is the fox in charge of the henhouse. I know that is an overused phrase in here.

I think we're on the right path to try and make the right decisions, but I raise this concern tonight for the residents in my riding because I've heard it from several people. That's the point I wanted to make.

Thank you for your time, Madam Speaker.

**The Acting Speaker:** Thank you.

The hon. Member for Barrhead-Morinville-Westlock.

**Ms Kubinec:** Madam Speaker, I'd like to thank you for the opportunity to rise today and speak about the Responsible Energy Development Act. I believe that Bill 2 is long overdue and has been a long time coming. Our province has a lot to be proud of. We have been called the economic engine of this great country. Continuing to develop our resources in an environmentally friendly and responsible manner is paramount. Now, I speak for many of my hon. colleagues when I say that our constituents want to see our province benefit from the resources that we are blessed with.

In speaking with the people across Alberta, specifically my constituents in Barrhead-Morinville-Westlock, that development cannot come at the expense of the environment. Albertans across the province, me being one of them, take their responsibility as landowners very seriously. We have generations of families, my own family's forefathers, who have handed their land down to their children and their grandchildren. I need assurance from this government that they are developing policies and legislation that will stand my family in good stead and have my interests at heart. Landowners like myself can be confident that we are developing an effective and efficient regulatory system that balances

development and keeps our fields safe from harm. I believe that Bill 2 helps us do that.

When we make decisions about how to manage our resources, we have the same thoughts as many of the landowners do. How will this impact Albertans now and in the future? It is our responsibility to ensure that future generations have the same opportunities to enjoy all that Alberta has to offer. To do this, we need to develop our resources in an environmentally responsible and sustainable way. Our commitment is to balance the need for economic development with the imperative to safeguard our water, air, land, and biodiversity.

Madam Speaker, I believe that this Responsible Energy Development Act provides the right approach to regulating our resources that protects the environment without compromising Alberta's economic future. Bill 2 is an example of what we can create when we engage Albertans in a discussion about future development and regulation. I know that the hon. Member for Drayton Valley-Devon spent two years meeting with and listening to people across this great province, and I think that the task force that she chaired got it right. People want to be heard. This province needs a single regulator that has a comprehensive perspective on development. It needs the ability to look and to assess a project from application all the way through to reclamation. I'll speak a little bit about that later.

Through Bill 2 the regulator will have the authority to administer the Public Lands Act, the Environmental Protection and Enhancement Act, and the Water Act as far as energy resource development is concerned. I am pleased to know that apart from the changes to the application process these acts are not being changed and will apply to the energy resource activities in the same way that they apply to other natural resource activities. Madam Speaker, this new approach to the regulation of energy resource activities is more cohesive and unified than the approach currently. We will no longer divide responsibilities for energy resource development among a number of regulators. That approach is too fragmented.

I'm also pleased that in moving to a more comprehensive regulator system, the regulator will not operate in isolation. This new regulator will be collaborative and modern. It will have the tools at its disposal to make informed decisions and to act decisively to ensure compliance with the terms of approval and the requirements of our public lands and environment legislation. It will have the tools it needs to uphold the strict environmental standards the province and its citizens expect.

I am reassured that the Responsible Energy Development Act increases the amount of the current fines under the energy statutes. In fact, these will be assigned more stringent environmental fines than exist today. Madam Speaker, in many of the existing energy statutes, like the Oil and Gas Conservation Act, for example, fines range from a minimum of \$300 to a maximum of \$1,000. I know that I'm not alone in thinking that's simply not enough. In reading this bill, I am pleased to learn that fines like that will be increased to a range of \$50,000 to \$500,000. In short, the regulator will have the authority to levy heavy fines on those who fail to comply with the laws of the land. This sends a strong message that our environment is extremely important to this province and that we are holding energy companies up to a high standard.

8:30

I have heard questions about whether having a single regulator responsible for both energy development and the environment presents a conflict of interest. After reviewing the Enhancing Assurance reports and reviewing the bill, I am confident in saying:

no, it is not a conflict of interest. The new regulator will be able to assess the merits of the entire application with an eye to proper environmental protection and the social benefits to our province. I know that the new regulator is part of the bigger integrated resource management system. We are committed to integrating how we manage our resources. We're going to do this in a way that is healthy for the economy, the environment, and society. Bill 2 is consistent with our commitment to have a world-class monitoring system and our commitment to land-use planning.

Madam Speaker, I'd like to change tracks for a moment. One of the things I looked for in this legislation is whether or not we are maintaining landowners' ability to participate in the regulatory system. I was pleased to see that this legislation includes a requirement to provide notice about all energy resource project applications and developments across our province. Currently that is not the case. This is a huge improvement.

I was also pleased to see that the new regulatory system will give Albertans a number of ways to have their voices heard. In fact, my hon. colleague from Calgary-West wants to make public engagement opportunities broader than just about energy resource activities. The government of Alberta has established a policy management office, which will develop an engagement plan to see how Albertans can have their say. Albertans, landowners, and industry will have the ability to have input into matters like land-use plans or policy decisions before decisions are made. Madam Speaker, I believe this is exactly what Albertans are looking for.

I want to tell you a little bit of a story that happened to my family. We had a pipeline go across a quarter section, and they left a mess. In today's world, with this new act, we will register that pipeline agreement ahead of time, and then we will have recourse to go back to that company and say: you clean up that mess.

Madam Speaker, I'm confident that this new regulatory system is a good one. I believe it's the right direction to go, and I am happy to support the bill. We are doing what we said we would do, and we're delivering on what Albertans have said they want.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you.

We have 29(2)(a) if there are any members that would like to ask a question or comment. The hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Madam Speaker. For my colleague from Barrhead-Morinville-Westlock, I guess that on the pipeline damages and stuff I, too, have had pipelines that went through. Usually it's back to a good rapport with the company you're working with. In our area it's quite sandy soil, so sometimes the pipeline can be good for about five years, and then if you get lots of rain and stuff, the actual water goes along the pipeline, erodes it a bit, and then it sloughs down. As soon as you threaten that you're going to take it one step above them, I've always had good luck with getting it dealt with. I was just wondering. You spoke in your speech of a quarter section where you had a pipeline. Did you ever get it resolved? There are ways to get it resolved right now through legislation.

**Ms Kubinec:** Madam Speaker, no, we did not get it resolved. They left a mess, and my husband was left to clean it up. With the new process we would have that registered with the regulatory body. They would be able to go and do the work of making sure it got cleaned up.

**The Acting Speaker:** Are there any other members?

Seeing none, I would recognize the hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you. Let me start by saying that the Wildrose Official Opposition really wants to support the Responsible Energy Development Act. We welcome the underlying intentions of this legislation. We do think that a one-stop shop for approving resource development is a good idea. We are supportive of streamlining and finding efficiencies, and we think that all the stakeholders in development can be brought together to reach decisions that are advantageous for all Albertans.

The Wildrose has worked hard to understand the needs and concerns of our energy and resource industries, and we have heard loud and clear their complaints about slow, cumbersome, and often contradictory regulatory hurdles. It was because of these conversations with industry that we were hopeful to see the introduction of the Responsible Energy Development Act. I could go on at some length about how cumbersome the regulatory process has become in Alberta, but I won't. I'll be brief.

The Global Petroleum Survey, done by the Fraser Institute of Alberta, describes Alberta as having a "constantly shifting regulatory and approval framework," a "high degree of government bureaucracy," and "inefficient oil well site inspection procedures." Obviously, there is much opportunity for improving the regulatory framework for responsible energy development in Alberta, and that, again, is why the Wildrose was very hopeful about this bill. We were hoping that Bill 2 would take practical steps to address all of these different delays and red tape in the current process. Unfortunately, this is not what is in the bill.

The Responsible Energy Development Act, like our leader stated earlier, is kind of like a Franken-bill. It brings together a bunch of different pieces of legislation with a bunch of different elements, tries to squash them together, and it hopes that by naming it under a single regulatory agency, somehow it's going to solve all these many different problems. Unfortunately, it doesn't.

Bill 2 seems to have the government walking down exactly the same path that it went down with Bill 36, Bill 19, and Bill 50. Each of those bills had to come back to the Legislature for significant amendments. Each of those bills failed to recognize the rights of important stakeholders. The Wildrose is hoping to break this government's pattern of forcing through flawed legislation and then having to bring it back to amend it two or three years later, when there is the inevitable public outcry and when it becomes too loud for the government to ignore.

This is why we'll be moving 12 significant amendments to the Responsible Energy Development Act. We hope the government will slow down this legislation and work with us and with stakeholders to fully understand some of the problems in this bill and seek partisan or multipartisan solutions to ensure that this legislation preserves the balance of respecting and streamlining the regulatory environment for energy companies as well as respecting the landowners and the environment.

We are proposing many amendments, and I'll be brief about this because it will come up later. We are proposing amendments to the mandate of the regulatory board, to the composition of the regulatory board, to return public interest provisions into the duty of care of the regulator, to the roster of the hearing commissioners, to protect personal privacy information transmitted to cabinet, to the requirement of a legislative ratification of interjurisdictional agreements, to the provision of notice of hearings for those affected by the decision, reinstating provisions regarding decisions and hearings, creating appeals to the Environmental Appeals Board and the Public Lands Appeal Board where appropriate, removing cabinet's ability to write and rewrite binding rules for the regulatory board, and many others. As you can see, we have some significant concerns with key elements of this bill, but we think it's fixable.

At this point I'd like to put forward a motion that Bill 2, Responsible Energy Development Act, be not now read a second time but that the subject matter of the bill be referred to the Standing Committee on Resource Stewardship in accordance with Standing Order 74.2.

**The Acting Speaker:** Hon. member, we'll pause while the amendment is being distributed throughout the House.

Hon. members, this is a debatable motion, so are there any members who would like to speak on this? This is a referral amendment, and we will call it RA1.

The hon. Member for Lac La Biche-St. Paul-Two Hills.

8:40

**Mr. Saskiw:** Thank you, Madam Speaker. We think that if the Legislature sends this bill back to committee and works on it in good faith, this bill can be fixed. We think that a bit of investment and give-and-take now will have this government avoid the kind of landowner activism that we've been faced with over the past two and a half years.

I recall that when we first started this legislative session at the beginning of this year, the Government House Leader talked very well about having these all-party legislative committees really delve into bills. We see this done federally, where you actually have contentious pieces of legislation that are put to a committee so that you can hash out these differences, particularly if they're not substantive differences. Sometimes there are just minor corners that need to be rounded out. I think this is a perfect opportunity for the idea that the Government House Leader had earlier this year, to actually have committees do this type of work.

I know that our caucus, generally, wants to support the intention of Bill 2, and we think that these amendments will go a very long way towards salvaging this bill. We can talk about that if this motion does go to committee.

We sincerely hope that the Premier and the Energy minister will be open-minded about slowing this bill down. We hope that they'll seriously consider amendments, that they'll reach out to stakeholders and do the proper and thorough consultation, and that they will ultimately get the Responsible Energy Development Act right. Albertans deserve no less. It's my humble opinion that referring this to committee would do just that.

Thank you, Madam Speaker.

**The Acting Speaker:** The hon. Leader of Her Majesty's Loyal Opposition.

**Ms Smith:** Thank you, Madam Speaker. I rise to speak in favour of the motion to defer this bill to committee, the Standing Committee on Resource Stewardship. I think this goes back to a commitment that the Premier made during the leadership race. She talked about doing legislation differently. I think that she was probably just as frustrated as we are on the opposition benches when we see a 150-page bill come down and go through multiple stages of reading over the course of a matter of days without having the opportunity to fully debate it as a caucus, without having the opportunity to return to your constituency and debate it with your stakeholders, without having the opportunity to actually hash out legitimate amendments being brought forward by opposition members. I think that the entire reason why the Premier created the new committee structure was so that she could keep her commitment to do politics differently.

What we're hoping with this bill – I think that we've demonstrated good faith. There have been a number of bills that have come forward that, as you can see, we're quite prepared to support. I don't think that we're that far apart on a whole range of

issues. On this bill, in particular, I think that we can find a solution by making some amendments so that the government is able to put forward confidently a bill where they can go out, whether they're in an urban environment, whether they're in a rural environment, whether they're talking to an energy company or a landowner or environmentalist, and say: we've got a good piece of legislation here with a good process that has got buy-in from all parties, that has got buy-in from all of the stakeholder groups.

I have to say that I'm a bit confused about why the government wouldn't respond to that olive branch, wouldn't respond to that offer, and wouldn't respond to that challenge of their own leader, quite frankly, to actually do politics differently and to do legislation differently. We have seen time and again, unfortunately, that when complex bills like this are rammed through without enough consultation, without enough discussion, without enough due consideration of amendments, mistakes get made. Then we end up with a political battle that rages out there among a variety of different organizations and factions that should be working together for the development and the betterment of our province and that end up working against each other, and it creates more division rather than more unity.

We know that our energy companies will not benefit if we end up with landowners who are hostile because they feel that their interests are not going to be well taken care of under this legislation. We are talking about amending the bill in a couple of key ways so that landowners and environmentalists can feel like they are part of this process, too. Otherwise, we're going to make things more difficult for our energy companies because every time they have to go into a negotiation with a landowner, there's a landowner who's going to be worried that now they don't have access to the Environmental Appeals Board hearing or that they don't have the ability to intervene in the way that they did in the past. That is not going to lead to very good negotiations at the ground level.

We know that we've got, by and large, a pretty good system in Alberta. We recognize that we've got two rights. We've got the surface owner, who has rights. We've got the subsurface owner, who has rights and partners with Alberta to develop our resources on behalf of all Albertans. We also know that those mineral rights holders have the right to be able to go in and have access. That's why we have the Surface Rights Board, so that in the event that we don't end up with an agreement, there can be a forced entry order, and there can be factors of compensation considered. The nice part about the way our system is structured is that the vast, vast, vast majority of all of the negotiations between mineral rights holders and surface leaseholders or surface landowners end up without having to go through that combative litigious process.

We want to make sure that that relationship stays strong. It's been frayed over the last number of years. It's been frayed for a number of reasons. It's been frayed because of Bill 50. I know it's a different issue, the approach that the government took on transmission lines, saying: "You know what? Landowners have become a bit too cumbersome to this process. They're kind of standing in the way of what we want to do, so we're just going to eliminate the process and make a bunch of decisions in cabinet." I don't know what the government thought was going to happen when they decided to do that, but it's entirely predictable to me what ended up happening. Landowners across the entire province stood up and said: we're not going to take it.

Then with Bill 19, the Land Assembly Project Area Act, the same thing happened. The government thought: well, all of that compensation, that pesky compensation, kind of gets in the way of what we want to do, so we're just going to pass laws to limit the compensation to just market value, and by the way we're just going to freeze the land, and we'll let you know if we're going to

need it. I don't know what they thought landowners would do in response to legislation like that. Of course they started having landowner meetings across the entire province, of course they stood up against that, and of course the government once again was forced to come back to this Legislature and fix it.

Then the Land Stewardship Act, which I think we still end up having problems with. We've seen what happens when the cabinet takes it upon themselves to make decisions that go outside of a regulatory framework, in the case of the lower Athabasca regional plan the cancellation of 18 oil sands leases. We have no idea what kind of leases are going to be impacted through the South Saskatchewan regional plan, but we know that landowners are just as concerned about that. We know the government had to come back once again and make changes to that legislation to be able to satisfy those concerns of landowners.

What I don't get is why on earth we've gone through three different pieces of contentious legislation; three different instances where landowner or leaseholder rights are at play; three different instances where landowner groups have said, "Stop; you can't do this"; three different instances where they didn't feel their compensation was properly protected or that their rights to due process were properly protected. Why would the government, having gone through that for three years, be wanting to make the same mistakes all over again when there are some very simple, very easy fixes to this legislation?

I think we can work it out if we get down to talking with each other in a forum like the Standing Committee on Resource Stewardship, where we would end up with an all-party committee, all of us from different parties coming together. We have the ability to bring in witnesses so that we can vet their views on the concerns that they have about different pieces of this bill so that the members in the party opposite can hear the same things that we're hearing from the people who are calling our offices and calling our MLAs, so that we all have the same information, so that we can go forward and create the very best bill that we possibly can.

There's absolutely no point in creating an environment where you force through a piece of legislation that we know is flawed. We were able to have 12 amendments that we put on the table. I'm quite certain we probably could have come up with more had we been given more time, but the whole point is that we're forcing through a massive change to the way we are regulating our energy industry, to the way in which they're going to interact with our environmental groups, with our landowner groups.

The government is asking for this to just be forced through. When I looked at the schedule for how quickly the government wanted to move on this bill this week, they wanted to be done third reading by the end of the week. How on earth are we going to get good legislation if in the space of essentially two to three weeks we get this dumped on us along with, you know, I guess, 400 other pieces of legislation? We've got tons of stakeholder consultation that we're doing, and we simply are not going to get good legislation if we end up forcing it through without proper debate, without listening to the stakeholders.

I'm imploring the government to realize that we are with them on this, that we do want a regulatory environment that is streamlined, that we do want a regulatory environment that works for our energy companies, but we want it to work as well for the environmental community, and we want it to work as well for our landowner community.

**8:50**

What we have heard from the feedback we've been getting on this legislation is that it's not there yet. There is no need to rush

this. We have had the environment that we've been in getting slowly and slowly and slowly worse for a long time now. I don't know that it could get much worse, which is why I think there's so much hope in the energy industry that by making these kinds of substantive changes, we could start rolling back some of the regulatory red tape and paperwork that has gotten in the way of our being able to make development decisions in a timely way. But we're not going to be able to do that if we end up creating once again friction and conflict between the key stakeholders who are impacted by energy development. We think that some of the proposals we're putting forward are very, very reasonable.

One of the things I would say as well, part of the reason I think it's so important for the government to slow down on this, is that when I was with the Canadian Federation of Independent Business, Alberta consistently would score Ds and Fs from our organization when it was assessed about the progress they were making on being able to improve the regulatory environment. There were a few key things that this government was never able to get right. One of the things that they were never able to get right is that they were consistently reluctant to set a benchmark for measuring the overall amount of regulation. That is absolutely key if you're actually going to reduce the amount of the regulatory burden. You need to know what the problem is right now.

I think we've done a pretty good job, looking at the work that the Environment and Sustainable Resource Development minister has done, of at least quantifying it, at least benchmarking just how bad the regulatory environment is. But where I think we're not seeing what the industry wants to see is: how are we going to improve it by having dedicated timelines in place that we enforce on the regulator so that the regulator has to manage their workload in a way that will meet those regulatory requirements? This is one area that I think we need to have a great deal of discussion about because we can't just leave it to the regulator. In having left it to the regulator for the last number of years, all we've seen is that the regulatory burden has continued to grow and grow and grow.

There does not seem to be an attitude among the regulators, either in this area or any other area across government, quite frankly, that they quite get what the process of genuine regulatory reform looks like. Let me tell you what it looks like in other provinces. This is, again, why I was hoping we'd see some of this attitude brought to this legislation and why I think that if we have these conversations in this committee, we may be able to get there. Not only would this be exciting, to reduce the regulatory burden for energy, but we could apply this across all of government.

One of the great examples of a successful regulatory reform effort was in British Columbia. When Gordon Campbell came in in 2004, he promised to reduce the regulatory burden by 40 per cent. What he did is that he benchmarked the total amount of regulatory requirements, and he went out and told his administrators: "Okay. Reduce it by 40 per cent." What ended up happening is that anytime one new regulatory requirement came in, the regulators had to find five to eliminate. So ultimately, as they were creating new regulations, they were constantly finding other types of regulations that they could eliminate and streamline. At the end they're now in a position where every time somebody wants to introduce a new regulatory requirement, they have to find one to eliminate. We haven't even gotten to that first step in Alberta.

Secondly, there was another excellent regulatory reform effort that took place in Nova Scotia – this is one of my personal favorites – where they actually sat down all of the administrators, all of the members of the civil service, and they made them fill out every form and permit and licence and application and report that they were imposing on the business community. Then they timed how long it took for them to fill out all of those permits and forms

and licences and reports and applications and developed a benchmark for the number of hours of regulatory burden. They came up with 615,000 hours of regulatory burden that was imposed on the business community in one year.

The politicians said: reduce it by 20 per cent. That's when they created an environment within the regulator where rather than being a regulation maker, they became regulation managers. For every new process that they came up with, they were constantly trying to find ways to streamline the regulatory environment, reduce the amount of paperwork, reduce the number of hands that a piece of paper ended up touching before a decision was made, and ultimately reduce the time frames.

This is the kind of constructive, positive regulatory reform effort that I think the industry is hoping to see out of what we're going through with this change to a single regulator. But I have to say that I don't think I see anything in the legislation that leads me to believe that that is the direction the government is going in. I don't see anything in the reports that CFIB has done or in any of the assessment that outside organizations have done of this government's progress in doing those kinds of reform efforts that this is actually going to be successful. That's, again, one more reason why we need to have this go to a committee: so that we can bring in groups like CFIB, so we can bring in groups from the energy sector who are impacted by the regulatory environment, so we can hear their stories, so that we can actually ensure that we're identifying the right problems.

This is the concern that I have with the approach this bill takes. It does eliminate a couple of appeals boards. It does eliminate a couple of processes. But is that what the industry is really complaining about? Are those the right processes for us to be eliminating? The Environmental Appeals Board: is that really what industry has been asking for, to eliminate that? I highly doubt it. I don't think that this government has heard enough. I don't think they've listened enough to the exact problems that the industry is having so that we know that when this is being implemented, it's being implemented in the right way.

The reason why I say that is that they gave way too much latitude to the regulator to set their own timelines, their own targets, and I think that that's going to be where the problem is. Those timelines and those targets need to be set by this Legislature. Those timelines and those targets need to be set here in the Legislature and imposed on the regulator so that they don't have that latitude. We're the ones who are supposed to tell them: "Look. It should take 180 days for you to get this approval done. You have to manage your workload to be able to get to that, and if you can't get to that, you have to tell us why not." We're the ones who are supposed to be setting those targets on them so that we can end up meeting those goals.

In the case of the oil sands you hear stories. When I was up at CNRL, the Horizon project – they started the regulatory journey to create the Horizon 2 and 3 projects back in 2000. They did not get all of their permits in place until 2009, 300 permits and licences later, nine years later. This is the problem with the regulatory environment that we have in Alberta.

We want to constructively work with the government to be able to address this. We want to constructively work with the government to be able to fix this, but the only way we can actually do that is not by forcing every one of us to sit here until 4 o'clock in the morning debating our 12 amendments and hoping against hope that the government might see reason on one or two of them. We think the proper way of doing this is for everybody to get a good night's sleep, for us to go back to our constituencies and talk to our stakeholders, and then come back after the legislative break

and have a good opportunity to speak about this in this Standing Committee on Resource Stewardship.

We would love to work with the government to see if we can get through that process so that we can hold the spillover until the new year. If we can do that kind of work over the course of the next couple of months, if we can do that work and get this as the first item to come back in the new year, in the spring session, I think we'll all be a lot happier. I think we'll all end up with a process that we feel we can take to our stakeholders in our communities, that the government can take not only to the energy sector but also to landowner groups as well as to environmentalists and say: "We've got a pretty good process here. Let's try it out."

Now, we know that we're not going to get it perfect. We're not asking for perfection. What we're asking is for us to fix the largest and most glaring problems in this legislation. There are many. We've identified 12 of them. I'm sure that the members of the other opposition parties will have identified some as well. I'm just asking for the government to listen to the argument. We're not here to try to make political hay out of this issue. [interjections] Well, I can tell you that there'll be a lot of political hay that will be made out of this issue if the government does not listen to the voices of legitimate landowners and environmental groups. We have no problem making hay out of political issues when the government makes mistakes. We have, and we will. The question on this piece of legislation is: why would we do that? This is too important.

We know that this entire province needs to work together because we've got folks outside our borders who are more than happy to be barbing arrows at this province, talking about our environmental record, talking about our development record. The last thing that we need is to have those who are within this province not standing behind our energy industry. If we can feel proud about the work our energy industry is doing, if we can feel proud about the work that they are doing that is in sync with what the environmentalists are asking for, if we can feel proud about the work that they're doing that we know respects landowner rights, then we are going to create 3.5 million ambassadors for our industry going outside our borders, talking to their friends, talking to their neighbours not only across Canada but in the U.S. and around the world. That's the way you change public opinion. [interjections] It's true.

9:00

You don't change public opinion by creating a process that has the different factions that are affected by development at war with one another. This is the divide-and-conquer strategy that this government has played on three different pieces of legislation. They got called out on it. It's not our fault that they got called out for bad legislation. You bet that we're going to be talking about those areas if they're not respecting the environment and they're not respecting landowner rights. But why would they go through it again? We're, again, more than happy to work with the government to be able to fix these bills so that we can take it back to those landowners who are in our areas, those energy companies that are in our areas, and those environmental groups that are in our areas and say: "Yeah, they did listen. They did make some amendments. They did improve this legislation."

But if they don't go through this process, if they try to ramrod this through again, I can guarantee you that two years from now we're going to be back here again after two years of advocacy by various environmental groups, by various landowner groups, and the government is going to realize: "Whoops. We made a mistake, and now we've got to fix it." Why would we go through that for

the next two years? Why not just take an extra couple of months to be able to do this right, to hear from all of the different players, to hear from all of the different stakeholders, to amend this bill so that we can all feel good about going back to our constituents, standing with unanimous consent, as we have on some of the other bills in this Legislature, and feel really good about the development that we're doing in this industry.

I know that the people I speak to want this process fixed. I know that the landowners I speak to want to be respected, the environmental groups I speak to want to feel good about the process that we have here. The government has a real opportunity to do things right, and the only way we can get that done right is if we refer to this committee, and we take the time that we need to make sure that we're making the amendments so that we can all stand behind this bill.

Thank you, Madam Speaker.

**The Acting Speaker:** Are there any other members who'd like to speak on this? The hon. Government House Leader.

**Mr. Hancock:** Thank you, Madam Speaker. I'll be relatively brief. I just want to rise to speak in opposition to the amendment, the referral motion as it is, to send this bill to the standing committee. I'm a big fan of the legislative policy committees in government, formerly the standing policy committees. I think there's lots of excellent work that those committees can do. I'm always enticed by the concept that a bill should be sent to a committee so that good work can be done on it.

However, in the case of this bill, this bill is the result of an extensive amount of work already. I believe it was the hon. Member for Drayton Valley-Devon who led a process to develop a report, which was done almost two years ago. An extensive process of consulting went into that regulatory assurance report to deal with one of the issues that we have heard over and over again in this province in recent years, and that is that we need to improve the regulatory process so that there's some certainty in the process, but we need to make sure that the appropriate policies are in place so that everybody knows and understands which direction we're going. The report that was done by the hon. member made a very clear delineation that government and this Legislature set the policy and then the regulatory organization runs a regulatory process that's fair and reasonable to all parties to ensure that we can get the work done that this province needs done while still protecting our environment.

While I understand the hon. member's purpose, instead of just saying, "Send this to a committee and do some more consultation," I think that she probably is, perhaps, unaware of the amount of time and effort and work that's gone into this process already, culminating in this bill.

**An Hon. Member:** Years.

**Mr. Hancock:** There are years of work that have gone into it.

In fact, it would be fair to say, I think, that the major players in industry and the environmental area in this province have been very supportive of the work that was done, were very supportive of the report. In fact, if there's a complaint that I've heard as a member of this Legislature and a member of government over the past year, it is that we haven't moved fast enough to get this done. They don't want us to wait another two months or three months or six months. They want this in place now. They want to get on with the job. That's the feedback that we've been getting time and time again.

I would ask the hon. members opposite, as I always do, that if there are some substantive amendments that they see could

improve the bill, get them to the Minister of Energy so that he can take a look at them, he can recommend them to our caucus, and they can help to improve the bill. If there are amendments that are for political grandstanding purposes, by all means, put them on the table, and let's get the grandstanding done. But let's not delay the progress that needs to be made in this area. I'd ask members not to support this amendment and to move this bill to committee as quickly as possible so that we can see what those amendments might look like, see whether they have any beneficial purpose to improving the process.

Let's be clear on the bill. This bill does respect landowners. This bill does respect industry. This bill does respect the environment. It respects the fact that there needs to be clearer policy in place, and there needs to be a clear regulatory process. That regulatory process should ensure that everybody that needs to be heard and has an interest in being heard can be heard in the process. But it doesn't delay the process. It doesn't get in the way of process. It allows a very fair and reasonable process of getting things done in this province. That's what Albertans are like. Albertans are get-the-thing-done people. They want us to get this done now.

**The Acting Speaker:** Under Standing Order 29(2)(a) is there anyone who would like to comment or ask questions of the hon. member?

Seeing none, we'll move to the next speaker. I believe the Member for Calgary-Buffalo would like to speak on the amendment.

**Mr. Hehr:** Well, thank you, Madam Speaker. Hopefully, I won't be accused of grandstanding, but I will speak in favour of this bill. There's a lot, to me, in this legislation that needs to be looked at. It's highly concerning to me that there is no public interest component. We've seen that time and time again in our legislation. That public interest is one of those things that committees of this nature that are established have an obligation to hear. It's not always easy or seems to fit nicely with what we want to do, but the public interest component is there. Really, let's be clear. The public interest is the test which measures if this is in the best interests of the people as a whole. It's not a neat and tidy test or anything of that nature. I'm highly concerned that that is not in there.

There are numerous other things in this bill that cause me concern. Whether this in fact is an independent regulator or whether it's simply just an arm of government gives me some concern. It gives me some concern that there is no definition of what constitutes noncompliance of energy companies. It should be contained in an act if we're actually going to enforce what is noncompliance and the like.

It appears that we're going to have lots of time to speak on this stuff tonight, so I won't keep going on for too much longer, but I will also say this. Oftentimes we in this Legislature think that the regulation is just there to cause people concern and the like. I come from a school of thought that often the regulation probably was there for a purpose, probably there to allow for some person to be heard or some person's rights to be protected. I understand the nature of politics. Every opposition party will run on eliminating the red tape, and every government will run on saying: we're doing the best we can.

There's a reason why sometimes regulation exists, people. Sometimes it exists to protect the general public. We've seen incidents. Some say the financial crisis that we're still working out in this world was caused by a lack of regulation or accountability in the financial world. That is, generally, the resounding theme of

what has come out of us leaving that time period. We're still not out of it. It's still causing trouble throughout the world. A lack of regulation. I'm certain there were storms of people giving long speeches about red tape and the like across Legislatures in the United States and elsewhere, in Canada here, that said: oh, we've just got to get the red tape out of the way, got to get it out of the way of the businesspeople, got to get it out of the way of this. Simply put, that's not always wise.

9:10

I know we have legislation up in the next few days on building codes, okay? Those regulations are going into place to provide people, when they buy homes, with some security on what they are purchasing and some need to have protections in that regard. Is that regulation? Yes, it is. Is there a reason for it? Yes, there is. Now, I might argue that we should have had this legislation 15 years ago, when B.C. had it, more regulation on the books to protect homebuyers. But we've got to remember that here.

Nevertheless, I think this bill is at this time flawed. I don't believe it covers many of the concerns that I'm hearing from out in the community, from people commenting on the bill, and, really, from my own intuition on what should be incorporated into a bill.

By no means is drafting this bill easy. I understand the difficulty in trying to set up a one-stop shop, one regulatory system. You have to move what was basically – I don't know – three, four, five other groups into one, okay? There was probably a reason for those five or six other groups, because people had legitimate concerns about legitimate issues, and putting it into one new system is going to be difficult. I don't think we've incorporated all of those things into one system.

Now, I would like to point out, too, that the hon. member – say, if we were going to move to a timely manner for things, put a time limit on this, 180 days for all this stuff to be heard in a legitimate fashion. Well, no doubt we'd have to staff the organization with about three times as many people to get it heard in the 180-day period, at least if you're hearing all sides, if you're having a public interest component, if you're doing your environmental things. Remember, sometimes when we shorten up the timelines, too, we're putting unnecessary constraints on hearing the whole truth of the matter.

In any event, I don't think this bill is ready to be passed. I would support the amendment as drafted. I think this would be a good place to hash through some of these issues, maybe hear some of the concerns that have been brought up, and come to a better bill. I would also like everyone to think about, sort of when we get on our speeches, that oftentimes regulation is there for a reason, to protect people. Just running around saying, "Cut the red tape; cut the red tape": yeah, it's a great sound bite, but really what does it mean? We at the Legislature have an obligation to protect people; to protect our air, land, and water; and to give people an opportunity to be heard. Oftentimes you give them the opportunity to be heard; they'll hear some information back that may assuage their concerns as well.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

Under Standing Order 29(2)(a), questions and comments, are there any members?

Seeing none, we'll move to our next speaker, the hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Speaker. We've had for a long time in this province a social contract between property owners,



farmers, ranchers, and the oil and gas industry. It's worked, actually, quite well up until recently. That social contract was also based on the Surface Rights Act. There was a process that property owners went through, and the standard rule of thumb is still holding true for the most part. Ninety per cent of all leases, of all negotiations are settled without a problem. Of the 10 per cent that are contested, 90 per cent of those are generally settled. The oil and gas company, the developer, the driller: they don't want to go to the board any more than the property owner wants to go to the board.

I will tell you first-hand as somebody who has been extensively involved in all these issues with many, many landowners that it always comes back not to money; it comes back to respect and property rights, dignity. That's what it comes back to every time. When I look at people who are having trouble with an oil or gas lease, it very rarely centres around money. It centres around, generally, respect. I will tell you that one of the greatest abuses that goes on out in the rural areas is when a company of ill repute will show up onto somebody's land and say: "There's nothing you can do about. We're coming onto your land." That starts the fight right there. They're not even talking about negotiating. They're not talking about the lease amount of money. What they're talking about now is pride. It breaks down into pride.

I first heard of this bill two years ago from the hon. member, before the member was a cabinet minister, when I was up in Fort McMurray at a conference. I was asked by the member what my status might be with regard to this bill. I said even then: the devil is in the details. We've already mentioned, as was mentioned by the Leader of the Official Opposition – and I will tell you this – that we would like this bill to work. We're reaching out now, saying that this is what we want. I know industry wants it, and I know many property owners would agree to it, but there are so many things wrong inside this bill right now that you can't sell it in the rural areas.

I know you may not believe it, and some people might accuse some other people of making hay. I'm going to grow a crop out of this thing. This thing's got teeth into it that I can sell to landowners, and no one in this House will be able to debate me out there. If you don't believe me, that's the reason I'm here today. I'm not making that up. What I'm trying to convince on is that we want to make it work.

In every hearing that I've ever been to – and I've been to a lot of hearings for property owners – you get the sense that industry wants a set of rules and guidelines that they know they can follow that are simplified. Property owners agree, and they want the same thing. You have both sides to this equation saying: we want the same thing. You have a bill coming forward that has the ability to provide that, but if we don't get it right, we will fail. If we fail, we're not going to get on with it, as the hon. member said. What we're going to get on with is a rural fight, and we're going to have problems, and those problems can be significant. I can tell you one thing. We can debate this motion, but you can't debate the facts. They're either the facts or they're not the facts. The fact is that you've taken away some of the rights of landowners to have an appeal process.

**Mr. Hancock:** That would be in "not the facts."

**Mr. Anglin:** That is the fact. They have no right to the Environmental Appeals Board. That's been removed. That's been removed. If the hon. member can find that for me, please point out where they can get there.

They once had that right. It is now gone. You can't sell that to property owners out there. They see that. I'm already getting

phone calls. I've already been chewed out by some of my supporters out there for saying that we want to get this passed so it works for everybody, because they're already concerned. What we're trying to say here is: listen to us. We want to work, and we want to make this actually become something productive.

Now, I do sit on the sustainable resource committee, and I admire our chairperson, Madam Speaker, and she did warn that there would be opportunities for more work to come our way. I'm not keen on taking on more work anymore than probably anybody on my committee is, but the reality is that it's a duty, and it is a mechanism to get this right.

That's what this motion is proposing, Madam Speaker. This motion is proposing that we get it right. It is the tool that, as was pointed out, our Premier has said that she was looking to change when she became leader. What we're saying now is: let's use those tools. Let's use those mechanisms. What better tool to use than to get this opposition party onside to say: we can support the bill so it can do the things that we want it to do. That's the real goal here.

If we decide to force this through, and these changes don't get made – and they're not going to get made if we force this through. There are way too many concerns out there. We need to make sure that everybody is part of this. There are a lot of landowner groups that have risen up in the past, and they will rise up here. I'm telling this House that now. They will rise up, and they will argue.

**9:20**

The hon. member who just spoke against the motion came to Eckville, which is in my riding. He knows. He knows the attitude. That attitude hasn't changed. It's out there. It's about trust, and it's about respect. You have a mechanism here to get trust and to get respect. I would think that would be a high priority for this government right now. We can actually make this work.

So I am speaking in favour of this motion, and I certainly hope that the members would change their minds and reconsider. Let's put ourselves to work and do it right.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.  
Standing Order 29(2)(a)?

**Mr. Strankman:** Yes, Madam Speaker. I'd like to question the hon. member. He made mention of a community where there was a large gathering of people. I was wondering if you could enlighten the rest of the Chamber on the feeling and the number of people that were there in response to a government presentation.

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

**Mr. Anglin:** Thank you, Madam Speaker. Thank you for the question. Actually, some of the hon. members on the other side know. We had a meeting in Eckville, which is in my riding, a small community, dealing with the issue of the Land Stewardship Act. This was actually last year, prior to the election. It was significant. Landowners know what's going on. They're reading now these pieces of legislation. When government members came out to defend this bill, it was not defensible.

Now, we can debate who's right, who's wrong. The fact is that you had 500 people in the hall that booed the government out of the hall. That's significant, and that should never happen to this government no matter what party is sitting in those seats. That's really important. I will tell you that there were members of the government that were in denial. They didn't believe it. Yet the crowd was actually very polite up to the point where they felt they

just had enough, and they rose up. It was a clear message that I don't think this government has yet heard.

I know we talk about consultation. I know we talk about listening, but you can't listen if your ears are not open, if your mind is not open. Your minds have to open up and look at what these property owners have said.

By the way, that's not just Eckville. I saw the same up north. I saw the same down south. I see the same in every rural hall I go to, and it's not my doing. It is people learning what's going on in these bills, and they don't like it. They've been voicing their opinion. That's why these 17 Wildrose MLAs are sitting right here in this Legislature today. And that's a fact. You can debate our numbers, but the fact is that there are 17 here. What I'm trying to tell this government is that if we don't do this right, we'll be sitting over there.

Thank you.

**The Acting Speaker:** There are still two minutes left in 29(2)(a). Are there any other members who would like to question?

Seeing none, we'll move to our next speaker. On amendment RA1 the hon. Member for Strathmore-Brooks.

**Mr. Hale:** Thank you, Madam Speaker. I would like to thank the hon. Energy minister. We've had a couple of discussions about this bill, and we both agree that this is legislation that needs to be passed. With respect to all the energy companies they want it, which is great. We want it. I've been involved in the energy industry for many, many years. I'm pro industry. I think, you know, we need to work together and ensure that they have the best process available.

Now, I do respect and honour the hon. House leader, but I do have to disagree a little bit. He mentioned that the hon. Minister of Environment and SRD had consultations for two years. Obviously, from the comments I've received, from the comments my other colleagues have received, we didn't go far enough with the landowners. My phone has been ringing off the hook. I've been getting e-mails from different landowner groups that do not like what they see. Like the hon. Member for Rimbey-Rocky Mountain House-Sundre said, you know, they are becoming aware of what's going on. They're not people who will sit back and take it. They know what they want, and they know what they want to see.

This bill is something that is huge if you think of how many people that it will affect if we pass it and we don't get it right. How many billions of dollars does the energy industry produce in Alberta? Billions and billions. How many lives does it affect? This isn't something where we can say: "Well, we've got six months. We've got to get it done. We've talked for two years, but now we've got six months to get it done." This is something that's going to affect people's lives for many, many years. We need to get it right. We need to ensure that everybody is onside. If everybody is onside, we can all agree, we can move ahead, and Alberta will be strong for many, many more years.

As our hon. Leader of the Opposition mentioned, our job as legislators is to ensure the proper legislation. Our job is to ensure that the people we represent, the Albertans that we represent, get what they want. In the last few days we've heard that they're not getting what they want. You know, the energy industry is something that will be here for many years. It's something that we need to really look at, take the time and ensure that all the people involved and affected have a right to speak to it. If we refer this to the Standing Committee on Resource Stewardship, that will give them the opportunity to have their voice heard. It's something that will affect them for many, many years.

I've got a couple of stories I could tell. I won't go into too much detail. There are many oil companies that are top notch. You know, they're concerned with their image. They come in, and they drill wells. They have huge meetings, public consultations to ensure that landowners, service companies, everybody is on the same page. Everything goes so smoothly. I've been involved in a couple of these projects. It's actually a pleasure to go to work in the morning because everybody is happy. Then there's the other side. There are some oil companies that maybe try to push the envelope a little bit and don't get the consultations that they need. Then all of a sudden they're at odds. The landowners say, "Jeez, I didn't know about this coming in." The oil companies: "Well, we went too far now. We're going to carry on." It causes some tension there.

If this bill is done correctly, it'll minimize that tension. We're always going to have people that do not want oil and gas activity. That's just a fact. But I think if we work together and do the best job we can possibly do, get it right, this will be something that will carry us far, far into the future and, you know, make this government on the other side look great. This isn't a time for party politics. As we mentioned before, I mean, there have been motions and bills that we've agreed with. This is something that needs to be done right, not depending on what side of the House you're on.

So I urge you: do not vote against this amendment or our other amendments. Make a conscious decision. Is this the best for Albertans and the best for Alberta? Then make a decision.

Thank you.

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a). Any questions or comments?

Seeing none, we'll move to our next speaker. The hon. Member for Fort Saskatchewan-Vegreville.

**Ms Fenske:** Thank you, Madam Speaker. I am rising to speak against this amendment at this point in time. I, too, sit on the Standing Committee on Resource Stewardship, and I believe that what we are doing in that particular committee is creating the basis for policy. What I see in this Bill 2, the Responsible Energy Development Act, is that that consultation has taken place. There is a basis for us to begin to look at any amendments that the opposition may be bringing forward, so let's move ahead and bring them on.

Several of the hon. members participating in this debate have said that they've spoken with constituents about this bill. I have as well, and I will continue to do so. I would encourage them as well.

Now, one of the things that has happened in my constituency is that they have received an e-mail from a lawyer who says that he is providing them with information about this bill. I've got a great deal of concern about misinformation being spread out in the community without us being able to sit here and debate what the actual bill states. A lot of the people out in the community haven't read the bill, so they are taking someone's word for a portion of the bill. In my opinion, there are many lawyers – apologies to the lawyers in this room and those that are listening – that are excellent in the sleight of hand. They are better than any magician. They divert attention from the whole picture.

9:30

I believe that my constituents, Madam Speaker, are very involved and very experienced in the oil and gas industry and in pipeline siting. I would be willing to table the appropriate number of copies of this e-mail from this particular lawyer. The opening comment in that e-mail is that streamlining energy processes is a good idea, and I agree with that. That's what this bill is here for.

There is also a reminder that most energy development occurs on land which does not belong to oil companies. Again, I agree, and I am reminded of that every day when I go back to my constituency.

However, I would like to spend some time pointing out some of the arguments that I do not agree with in that particular e-mail. This e-mail implies that Bill 2 changes the way that energy companies can access land. I want you to note that access provisions are covered under the Surface Rights Act, and this bill does not change that legislation in any way. Quite simply, it's factually wrong to say that a bill which creates a new energy regulator grants new access rights to energy companies. So I would say to hon. members today, as I've said to my constituents: let us form our opinions about the bill according to the facts of the matter and not in response to inaccurate statements or, even worse, fearmongering.

This e-mail then goes on to say that the Energy Resources Conservation Act is the foundation for landowners within the regulatory process for energy projects. It goes on to quote section 26(2) of the existing Energy Resources Conservation Act, which says:

- (2) ... if it appears to the Board that its decision on an application may directly and adversely affect the rights of a person, the Board shall give the person
  - (a) notice of the application,
  - (b) a reasonable opportunity of learning the facts bearing on the application and presented to the Board by the applicant and other parties to the application,
  - (c) a reasonable opportunity to furnish evidence relevant to the application or in contradiction or explanation of the facts or allegations in the application,
  - (d) if the person will not have a fair opportunity to contradict or explain the facts or allegations in the application without cross-examination of the person presenting the application, an opportunity of cross-examination in the presence of the Board or its examiners, and
  - (e) an adequate opportunity of making representations by way of argument to the Board or its examiners.

I would remind my constituents and my hon. colleagues about the blindfolded man who feels the tail and proclaims an elephant to be a long, slender thing with bristles at the end. We must look at the act and how it relates to the other sections. In this case the author has looked at section 26(2), which I read, and not looked at section 26(1), which says:

Unless it is otherwise expressly provided by this Act to the contrary, any order or direction that the Board is authorized to make may be made on its own motion or initiative, and without the giving of notice, and without holding a hearing.

Let us look at this new bill in the light of all elements in the previous legislation. It is authorized . . .

**An Hon. Member:** Without holding a hearing.

**Ms Fenske:** May I explain it to you again, that "any order or direction that the Board is authorized to make may be made on its own motion or initiative, and without the giving of notice, and without holding a hearing." That is the current legislation that exists, and we are looking at all of the elements in the previous legislation and not in comparison to one clause.

Under Bill 2, the new legislation, landowners are given greater respect than they are today in two different ways. First, they must be given notice of all applications for energy resource activities. They must be given that notice. Second, they must be given the opportunity to submit a statement of concern directly to the regulator before decisions are made, and this is not the case under section 26(2) that I just read today.

Currently some applications are considered without any notice. In this new bill landowners are given a voice when they file a statement of concern about an activity before the activity is approved. Landowners present their views at a hearing, and when the landowner or another group presents information before a decision is made, they are helping to bring about a better decision.

By ensuring that the regulator provides the right notice and looks at the right information in the first place, we can reduce the need for landowners to appeal. As the proverbial shop teacher says: measure twice and cut once. So that we don't have to make a second cut, let's look at the information. If there has been a problem, a review mechanism still exists. Perhaps we should be using the word "appeal" rather than "review." That would make it more clear, but they are still the same thing.

The e-mail also criticizes the removal of public interest from the legislation. I would again invite my constituents and others to confirm the facts. Public interest provisions already exist in the energy resources legislation connected to this act. The Oil Sands Conservation Act mentions public interest considerations twice in section 3 and once each in sections 10 and 11, the Coal Conservation Act mentions public interest in sections 4 and 8, and the Oil and Gas Conservation Act mentions public interest in sections 1 and 4. Clearly, the requirement to consider the public interest remains an important part of the regulator's work.

Now, another criticism in the e-mail is that by bringing two different energy regulator systems together, it creates a monster. Well, this truly is fearmongering. I believe that a system that brings a cohesive, unified perspective to the regulation of energy resources activities and their implications for the environment can and should work together.

Now, we have heard the opposition mention that maybe we won't get it right the first time. They're okay with that. What were some of the other words? Well, it might not be a hundred per cent. We've had the Leader of Her Majesty's Loyal Opposition say that it may not be perfect. [interjection]

**The Acting Speaker:** Go ahead, hon. member.

**Ms Fenske:** Anyway, we are bringing these two systems together, each with different roles, in a way that enables them to better work together. To me that's the basis of a good, sound marriage. In fact, it is a marriage that follows a long courtship identified several years ago as the direction that government should take and studied in greater detail by the hon. Member for Drayton Valley-Devon. This legislation strikes the right balance, and that's what we're all looking for. I've heard it many times over the last several days.

In response to those constituents and hon. members who may have received this e-mail, let me say this: don't be misled again, check the facts, and read for yourself the whole bill.

I think that the legislation before us reflects a concerted effort to enhance assurance, not just for landowners but for all of us.

Thank you, Madam Speaker.

**The Acting Speaker:** I would remind all hon. members that we are speaking on the amendment.

Standing Order 29(2)(a). Hon. Member for Airdrie, you stood first.

**Mr. Anderson:** Well, I just have a quick question to the hon. member. You said to your constituents in that last speech: don't be deceived again. Don't be deceived again. So are you telling me that when Bill 19, Bill 50, Bill 36, which were passed by this Legislature in the last several years – every one of those statutes has been brought back before this House, in some cases more than once, to fix that legislation because people like the folks in your

constituency specifically, Madam Speaker, found problems with it and had objections to it. It was brought back to this House.

9:40

We spent hours and hours on those bills fixing up, frankly, the bloody disaster that they were. Because they were a total disaster. So we spent all these hours fixing them up. We still haven't gotten them all right. Bill 36 is still a mess. With Bill 50 we're still building lines that we don't need. I could go on.

So you're saying that your constituents were tricked by this lawyer? They were tricked into believing that Bill 36, Bill 19, and Bill 50 were flawed pieces of language? They were just out of their minds, and this scary lawyer – is that what this is? If so, why did we come back here and have to fix each one of those bills if they were tricked like that? Can you please explain the inconsistency? Obviously, the government didn't think they were tricked or else they wouldn't have brought all these amendments to those bills. Maybe you could explain that to us.

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

**Ms Fenske:** Thank you, Madam Speaker. Through you to the hon. member I believe it was on October 29 that the Leader of the Official Opposition stood up here and mentioned Bill 19 and then threw out the comment that, well, they got that right, or they "fixed that one." That would be in *Hansard*. I distinctly remember looking for that.

I've also heard – and I would never be one to say that if there isn't an issue, it shouldn't be fixed. I don't think anyone in this Chamber is perfect. I also believe that society changes. Things move along, and we should never be so proud or so boastful as to not be able to come back and take a look again at things. However, I also know that if we don't start with a basis of policy and start from somewhere to be able to go there, we will not get anywhere.

I'm looking forward to us debating the amendments to this particular bill, but I am looking forward to us moving forward on the basis of the consultation that the hon. Member for Drayton Valley-Devon has done by going out to Albertans to gather that information. Let's move ahead, again speaking against the amendment to send further delay. Let's debate it here in this House.

**The Acting Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Speaker. I happen to know that lawyer personally, and I happen to know he doesn't even own a silk suit.

The reality is this. The hon. member mentioned something about a lawyer, and all I ask is: have you read the bill from cover to cover? If you know the bill so well when this lawyer is so wrong, will you welcome an invitation to come to Eckville to debate him in front of the public as other ministers have?

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

**Ms Fenske:** Thank you, Madam Speaker. I am responsible to my constituents, and I have actually worked on a process to engage them. That's certainly where I am prepared to be spending my time and my efforts.

If the lawyer in question wants to come and sit down with me, I would certainly be prepared to listen to his arguments. I am not here to debate him.

Thank you very much, Madam Speaker.

**The Acting Speaker:** Still on 29(2)(a) the hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Madam Speaker. I've had the opportunity to work with the Member for Fort Saskatchewan-Vegreville before, being on council, and I've always been impressed with her heart and how she fights for things.

I was just digging through some stuff, and it was June 28, 2011, that an hon. member that was actually a councillor at the time moved in their own county that

a meeting be arranged with the Ministers of Energy and Sustainable Resource Development, . . .

Moved by this member.

. . . our two MLA's and Council to discuss possible amendments to The Electric Utilities Act . . . (formerly known as Bill 50).

Because they are obviously flawed. And everybody voted in favour of it. I just wondered what that means.

**The Acting Speaker:** Hon. member, were you reading from a document? In that case I would ask you to table that document.

**Mr. Donovan:** Yeah. You betcha. I can get it pulled off the Internet here.

**The Acting Speaker:** That's tomorrow.

**Mr. Donovan:** You bet.

**The Acting Speaker:** We are moving to the next speaker on amendment RA1.

**Mr. Strankman:** I'm pleased to rise and speak, Madam Speaker. I find it interesting that this bill is named the responsible energy act. I take great heart as a newbie to this facility, to this Chamber, that we would use all of the responsibility that we can to come forward with new legislation. I was disappointed when the government delivered this piece of legislation as I wholeheartedly believed that a single regulator would improve, fix, or streamline the process for new oil and gas projects, but I do not believe that now. New legislation should fix a legislative problem, not create more. I believe, after reading the legislation, that we have over 10 amendments that we need to bring forward.

My Wildrose colleagues and I want to see red tape cut in order to foster more economic growth in our oil and gas industry. While we are rich in energy, Alberta is one of the worst jurisdictions for development of more red tape. The Wildrose believes that there is a place for government regulation, especially in efficiently maintaining a balance between environment, landowners, and industry. It's not clear that this bill will generate efficiency, and it does not maintain the balance between the various areas. We can do a better job than this.

On the issue of landowner rights the way this bill deals with hearings and reviews is very problematic, Madam Speaker. The bill reduces landowners' rights, which have already been marginalized enough by this out-of-touch government. It's a central Wildrose principle that one of the most fundamental roles of government is the protection and preservation of property rights. Without such protection our entire economy would cease to function. Bill 2 does not take property rights seriously, and it should. We could do better.

The legislation basically makes the proposed regulator a new position with sweeping powers who will answer only to the minister, not to Albertans through their elected representatives in the Legislature. Like bills 19, 24, 36, and 50, Bill 2 centralizes power under the minister's hand-picked regulator, with plenty of room for ongoing interference by the minister.

Madam Speaker, the intent of this bill is sound, but the way it reads makes its application concerning. I urge the government to work with us to improve this bill and make it a piece of legislation that will actually help our province, not harm it. I would like to speak to the motion of amendment. I believe in the bill's intent, but it does not completely fix an ongoing problem.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a)?

Moving on, the hon. Member for Banff-Cochrane on the amendment.

**Mr. Casey:** Yes, Madam Speaker. I'm not sure that I can add a great deal to what my colleague has already said, but I will give it a go anyway. I have some very good speaking notes, but I'll ignore them as well.

Just to point it out, I've had some experience as well. My colleague from Chestermere-Rocky View relayed a story about one of his constituents. Well, I can give you a story about an entire municipality affected by a decision, not a decision by the ERCB but a decision by the NRCB. I have to tell you that when those decisions are made and they're made wrong, it affects you forever. We are now 20 years into a decision that was poorly thought out, poorly written, imposed upon us with no ability to appeal, and we're still seeing the effects of that today. It hasn't worked for the landowner, by the way. We're in the fourth landowner on that property now, and it's currently sitting in receivership. It hasn't worked for the municipality. It's worked for absolutely no one. So it's absolutely critical that these decisions are done right and that the right people are making those decisions.

The one thing that this act does do is that it establishes a board that is separate from the decision-making body, the body that will review applications and appeals. The board is there to drive policy and to make sure that the policy works. The board then will hire a CAO to run the regulator, to head up the regulator, and under that is a roster of commissioners, people with expertise in a variety of fields that will deal with the actual applications and appeal process. So there's separation between policy administration and the actual decision-making at the other end. This is a vast improvement over what we have today. Not only is it more streamlined, not only does it bring everything together into one streamlined approach; it ensures that there are people hearing your appeals, hearing the applications that are truly knowledgeable in that area.

9:50

On top of that, Madam Speaker, one of the issues here is that we seem to feel that currently the system is great, that we just need to roll it all into one, but that's simply not true. What we have today are applications being submitted with no notification to landowners, no notification to those being affected because there is no requirement for that notification to be given. This act requires that notification in each and every case be given, and that is a huge improvement over what we have today. Just that one simple piece makes it way more transparent, way more accountable for all the stakeholders involved.

By the way, this isn't just about land rights. In fact, it's not just about making it easy for industry because it's not about making it easy for industry. It's about making it better processwise for industry, but it's not about making it easy. We're not going to compromise the environmental integrity of Alberta in order to make it easy for industry, nor are we going to compromise land rights and landowners to make it easy for industry. There are no

winners and losers in this. This is about working together, creating a product, a bill, a process that benefits everyone.

When it comes to appeals, it's clear in the act. In section 38 it's absolutely clear that you have the right to appeal. There is no issue with appeal. The whole process currently is convoluted. Environmental groups can't figure it out. Landowners can't figure it out. No one can figure it out. The truth is that clarifying and bringing together all these regulations into one act, into one process is going to benefit landowners, it's going to benefit environmental groups, and it is going to ultimately benefit industry as a result of that.

One of the issues we have right now is that landowners are left on their own. They go out and go into a surface rights agreement with industry, with an oil company. If the oil company doesn't live up to its end, its obligation, doesn't follow through, they are left on their own to deal with industry. Well, what small landowner, or large landowner for that matter, has the capacity, not only the financial capacity but the social and the emotional capacity, to go to battle with a major oil company? What one? This act says that if you register that service agreement, you as a landowner aren't going to have to take on, you know, the Goliaths of the world alone, that the Alberta government is going to stand there side by side with you, and if there is not compliance, then they have the ability to direct that company to comply, and they have the authority in this act to ensure that that compliance occurs.

To be honest, Madam Speaker, I was likely the first one to go to the minister with concerns about some of the components of this act. When I read it the first time and the second time through, I was sort of going: "Gee, what about this? What about this?" But when the minister had an opportunity to explain that, to bring it all together, then it started to make sense. The more I've thought about it and the more it's worked, the more it makes sense.

Madam Speaker, I won't stand here and tell you that this is perfect, that it doesn't need a tweak here or a tweak there, but that's what keeping this in second reading does. We keep it in second reading in order to have debate, to put the issues on the table so that proper amendments and thoughtful amendments – not political amendments, not here's-my-headline amendments – can be thought through and presented so that we make this better at the end of the day. I'm hoping that both the government side and the opposition side work toward amendments that make this better because it can be. Is it close? Absolutely. Does it need a tweak here or there? Maybe, but I'm willing to be convinced otherwise.

Madam Speaker, I am all for defeating this amendment and getting on with second reading and moving this bill forward. Thank you.

**The Acting Speaker:** Under Standing Order 29(2)(a) the hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Madam Speaker. I'd like to thank my colleague from Banff-Cochrane because I agree with you about the NRCB and how you had some problems with your municipality for about 20 years dealing with that. I agree with you wholeheartedly. I think there are a lot of things that just need to be tweaked. We're not asking for the sky and moon, and we're not rewriting it. I think there are just some things where we could sit down and figure those things out. Now, again, it's on the amendment that's on the floor there.

I guess I'd like to ask you for your thoughts. The board that everything gets handed over to when there's a complaint, the board that the Minister of Energy decides to come up with: would you like to see that elected? Do you think that would be a more representative way, at least as elected, than having it appointed by

the minister? I guess those are my thoughts on it. I'd like to hear your thoughts on what you'd think of an elected board on that.

Thank you.

**Mr. Casey:** Sure. I think that it's really important that if we're going to hear appeals and if we're going to have people reviewing applications, they actually be industry experts. You need to have people with an industry background. Inasmuch as everyone in this room is an expert in their own mind and we're all elected, I doubt that any of us are qualified to sit on one of those boards, to be honest with you.

What you need to do is have a roster of people, a number of people, those commissioners, that, in fact, have the background, the knowledge, the education, and not only the industry perspective but the landowners' perspective, the social perspective, the environmental perspective, that you can bring a whole variety of people to the table in order to make sure that the best decisions are being made. I'm not sure that an elected body does that in spite of the fact that, of course, we're all perfect. It's sort of like the kettle calling the pot black here.

At the same time I recognize that there are times when experts need to be brought to the table. It's really in the selection of those commissioners and the qualifications that we need to ensure that there is not one line, that they're not all from this sector or this sector, that there needs to be a variety of people. But you have to put yourself in the position of selecting those people for that board. Why would anyone select all from one sector? I mean, there's no benefit to anyone in that. There's no benefit to government, to industry, to anyone, because the process loses credibility.

The better those people are that you have identified as commissioners and the more qualified those people are as commissioners, the more ability they have to have a transparent, a credible process. I'm not sure that at the end of the day you would necessarily get a credible process if you had an elected body that was elected by popularity rather than by skill set.

**The Acting Speaker:** Thank you, hon. members. I would remind you to address your questions and your presentations to the Speaker, please.

**Mr. Casey:** My apologies.

**The Acting Speaker:** Hon. Member for Edmonton-Beverly-Clareview, did you want to speak under 29(2)(a), or do you just want on the list?

**Mr. Bilous:** Yes.

**The Acting Speaker:** Thank you.

Anyone else under 29(2)(a)? The hon. Member for Drumheller-Stettler.

**Mr. Strankman:** Yes, Madam Speaker. I'd just like to ask the hon. member about my understanding of the legislation. Where it talks about an appellant, where the regulator would demand the personal information of an appellant: why would that be required? I don't see that personal information should be brought into any sort of appeal to legislation. I was wondering if you could speak to that, please.

**Mr. Casey:** Madam Speaker, I almost did it again. I know you caught me, but I was close. I'm a slow learner.

I'm not sure that I can answer the question, to be honest with you. I'm assured that that is there for legal reasons, and I think that for me to comment on what is in the bill from a legal

perspective, point of view, really, is inappropriate. I really don't have the background or the knowledge to be able to answer that question.

**The Acting Speaker:** Thank you, hon. member.

Anyone else under 29(2)(a)?

Seeing none, we'll move to our next speaker, the hon. Member for Innisfail-Sylvan Lake.

10:00

**Mrs. Towle:** Thank you, Madam Speaker. I rise to speak in favour of referring Bill 2, the Responsible Energy Development Act, to the Standing Committee on Resource Stewardship for an extensive and proper review. We need to ensure that the process is done in a manner that is open, inclusive, and transparent. We all understand and agree with the basic idea of a single regulator that ensures efficiency, consistency, and collaboration within the regulations. This is very important, and it should be the goal of all legislators going forward. The Wildrose believes in streamlining processes, believes in creating efficiency, and believes in reducing the regulatory burden for Albertans.

Madam Speaker, as elected officials we're asked to do many things, but most importantly we are asked to represent our constituents and ensure that their voices are heard at a provincial level. This government has said that they want to govern differently. Referring Bill 2, the Responsible Energy Development Act, to the Standing Committee on Resource Stewardship is one of those ways we can demonstrate that we govern differently. Right before us we have this great opportunity.

Unfortunately, the public often has a negative view of politicians and the work that we do. More importantly, this government and the committees that have existed within it have taken a substantial beating over the last few months. We have a unique opportunity to prove to Albertans the value of committee work and show how all-party committees can work together to review and create legislation that has value. Committee work can identify areas of weakness and areas of strength. Committees allow for open discussion amongst all members. They allow for the ability to bring in stakeholders. They allow for the opportunity to ask questions, become informed, and create legislation that has solid ground. Is it not imperative on all of us who are elected to ensure that we show how these committees can work and how we can be working together to create a better Alberta?

It is imperative that these bills that are put forward in this House include discussions and consultations with stakeholders. Those consultations have to happen with industry, landowners, property rights groups, and other affected stakeholders. What better opportunity to do this than in an open forum such as the Standing Committee on Resource Stewardship?

Landowner groups and other stakeholders are telling us that Bill 2 is severely flawed. We are not listening. I cannot believe, as I sit here tonight, that there is not a single government MLA in rural Alberta who is not hearing loud and clear from the rural landowners their concerns regarding Bill 2. Would it really be that detrimental to this bill to hear those concerns and have a committee take a look at this bill? I also find it hard to believe that each and every one of these 61 MLAs on that side of the House have not a single landowner coming forward to express their dissatisfaction with this bill.

Landowners are coming forward in droves and begging for us to listen. This bill does not respect landowner rights, and we must ensure that those that provide us with that information are listened to. Concerned citizens are identifying that projects – pipelines, well sites – mostly occur on landowners' land, not on energy

companies' land. Landowners cannot say no to an energy project. We all know that energy companies can get a right-of-entry order under the Surface Rights Act and force their way onto your land.

The Wildrose fully supports the intent of Bill 2. Clearly, streamlining the regulatory process is a good idea, and it's important for the future of our economy. Having a complex and convoluted regulatory system has no value to anyone. That being said, we need to ensure that we make the process less cumbersome and promote economic growth while at the same time ensuring that all stakeholders are protected.

Landowners want to be heard regarding their concerns around section 26, and while the hon. Member for Fort Saskatchewan-Vegreville talked about some lawyer's discussions around section 26, the information coming back to us is not just from a lawyer. The information coming back to us is from landowners, landowners who have lived Bill 50, landowners who have lived bills 19, 24, and 36 and told us it was wrong. Those bills were flawed, and they are asking – they are begging – for us to listen again.

Landowners are coming forward and saying that section 26 and the effects of removing it are detrimental. Section 26 directs the decision-maker to consider the effects of energy development on landowners, takes away the appeal rights, and landowners are left cleaning up the mess. It has been the process since 1930 that the place a landowner goes to get his or her concerns about a pipeline, well site, or energy project addressed is the ERCB. Bill 2 repeals this important section and replaces it with nothing new under the act.

An example was given to me from a landowner. There's a leaking seismic hole on private property. The process, in effect, leaves the landowner having to bear the cost of repairing the seismic leak. Alberta environment will go after the seismic company for the repair, but the practice is for the seismic companies to dissolve after doing seismic for this very reason, which leaves the landowner with no one to turn to. There is also the effect of leaking seismic on underground water quality and quantity. The landowner has no real rights to oppose the seismic and no way of fixing the effects when it goes wrong. Alternatively, if the leak is on Crown land, the Crown takes care of it.

There are lots of similar issues with oil and gas wells where oil companies are no longer in existence. The question that we should all ask ourselves is: why should landowners bear the cost of suing companies if they exist or of the damages if the company is no longer in business? This doesn't seem right to stakeholders, and this bill takes away an appeal and oversight process.

I have spoken to landowners and stakeholders as well, and they were completely caught off guard by this bill. They met with the government. The bill that's on the table today is not the bill that they talked about. It is not at all what they were told it was going to be, which was a simplified regulatory process. Instead, we have something that clearly makes the process even more complicated.

Stakeholders are asking me daily: "What's the rush? Why is it so important that this bill get through in a week? Why are we doing guerrilla-style government? Why are we forcing legislation through without proper consultation? Why can't we take a moment to step back and give those that need to be heard an avenue to do so? Why is it so negative to listen to Albertans?"

Landowners are giving a resounding thumbs-down to many areas of Bill 2, areas such as the makeup of and selection process for the board. Why does this government want to return to a system where they'll be called out on all parts of this bill that are flawed? Do we as legislators really want to proceed knowing that

the board will be a hand-picked group, that this board will not be made up of a variety of stakeholders, that the board will not include landowners and property rights groups? I don't think so. We need to get this bill right. We cannot go forward pushing through another Bill 50.

Bill 2 has made some progress. The intent is right, the ideas solid, and there's an opportunity to ensure that this is not another Bill 50 debacle. The Wildrose wants to work with the government to ensure that this bill is a solid piece of legislation that respects all parts that are party to this bill.

Madam Speaker, I appreciate that the government is trying to do something to help industry with project approvals. I do not believe that Bill 2 is doing those things. I do not believe that permitting Bill 2 to go forward to the Standing Committee on Resource Stewardship will harm this bill in any way.

Bill 2 does not ensure that there is proactive informing of affected landowners and prevents them from guaranteeing their right to a hearing, which is part of the licensing process as is currently the case with the ERCB. Would it really harm us to listen to those stakeholders in committee and have them explain what this is doing, not just a one-off of who in whose riding? We all have somebody in our riding who will benefit from our argument. Why not bring them to committee so that all parties can have the benefit of that conversation?

The Wildrose will be proposing significant amendments, which could make this bill effective for all. I'm looking forward to an environment of bipartisan co-operation amongst all parties to ensure that the best interests of all parties are considered. We have an opportunity to do the right thing here. Let's work together and ensure that this bill is sent to the Standing Committee on Resource Stewardship. Let's let our legislators do what the public expects of us, and that is to review, consult, and create proper legislation that protects landowners, environment, and industry. Let's work together and put Albertans first.

Thank you.

#### **The Acting Speaker:** Standing Order 29(2)(a)?

Seeing that there are no members who wish to speak under that, I will proceed to our next speaker, the hon. Member for Cardston-Taber-Warner.

**10:10**

**Mr. Bikman:** Thank you, Madam Speaker. I rise to speak in favour of the amendment. I'm sure that the government must be baffled by the fact that we from the loyal opposition have all stated that we're in favour of this bill, that we want to see this bill get through, yet we're speaking about amendments and things that would appear to be designed to delay the process. We want to accelerate the process, and we want to eliminate red tape. We've been elected on a platform of helping to reduce and eliminate red tape.

I think we need to remember that just because we say that something is so, clearly, doesn't make it so. We say – and we've heard it said this evening – that you've listened to stakeholders, that there's been this two-year process of determining how to best address the needs of all the stakeholders: the environment, the energy companies, and the landowners. If you've been listening, you haven't been hearing. In our experience the landowners are very concerned, and those who advocate for the landowners are very concerned, whether it's some of the lawyers who have made a name advocating for landowners against the prior flawed bills that have been mentioned numerous times this evening or whether it's surface rights companies and experts who advocate on behalf of landowners who feel their rights are being ignored or trampled

on through the bills that have been passed. Their concern is with this bill, and it's a legitimate and genuine concern.

We can be skeptical and cynical and say that we're trying to make hay out of this, but we're in favour of this bill. We want it to happen. We want our energy companies to have a streamlined way to get approval more quickly so that we can be competitive with neighbouring jurisdictions like Saskatchewan. I never thought I'd live to see the day when I would be looking to the people's republic of Saskatchewan, which is no longer the case, I hasten to add, and having them leading us, showing us how we should be behaving and how we should be treating our industry, but we have unfortunately deteriorated to that point.

It's because we've had these overwhelming majorities that give the party in office the sense that they are receiving divine direction, that somehow being in the majority means that you always get it right and that you don't need to consult, and you don't need to listen to the weaker members in the equation, the landowners in particular, who have in fact elected most of the opposition because they feel that their rights aren't being adequately represented, that their voice isn't being heard. They want that voice heard, and I think you want to send them the message that you do hear them.

I hear it said so often. We've listened to Albertans. I don't see evidence that you've heard all Albertans, and just because you have the majority doesn't mean the minority's interests should be trampled on. Your responsibility in government is to represent all Albertans equally, and there are landowners who don't feel that they're being adequately represented. They're calling us, and they're e-mailing us, and they're very concerned about this. When we speak in favour of this amendment, it's so that we'll get this right.

All of us surely know that it's easier to do things right the first time than it is to remediate, to have to do them again and again. As our Opposition House Leader mentioned, for all the effort and time that's been spent on trying to rectify the mistakes of the past with the bills that we're currently laboring under, our constituents, at least, feel that they aren't being properly represented. Just because you can do something doesn't mean you should. Just because something is legal doesn't mean it's moral or ethical.

There's great benefit in listening to the collective wisdom of the people in Alberta, even the weakest members of this equation, those stakeholders who are the landowners, who feel under-represented, who feel unlistened to. If you want their buy-in on this, you've got to let them feel like they've been heard and send them some signals in your behaviour, not just your words, that you've really heard them and that you understand their concerns and that you're prepared to make the changes that they feel are essential to address their legitimate needs.

Property rights are real, whether they're enshrined in the Canadian Constitution or in our own Constitution. There's a great tradition in history, in English common law that says this is so. When we deviate from the wisdom of the past, we generally are on a path that will lead us to more problems.

It seems to me that over the past few years in Alberta we have a history of changing from something that worked to something that sounds good, and that's the wrong way to go. I think that in some senses there's a little bit of an aspect of that with this bill. So I really think it could benefit from having a really open consultation in a committee, where you've got a good representation of the elected members so that the needs and interests of the minority stakeholders in this would be protected and respected.

We know that a benevolent dictatorship is the most efficient form of government. Get a benevolent dictator, and you can run

things really smoothly, and most of the people are going to benefit from it. Now, that's a fact. Think about it. But I don't believe a legislative dictatorship can ever be benevolent because we're flawed human beings, so we do need the collective wisdom.

I want to talk about the difference between efficient and effective. A benevolent dictatorship would be efficient. But what's the difference between efficient and effective? Sometimes those words are used interchangeably. I submit to you for your consideration that they are not interchangeable.

I'll tell you a story that illustrates it if I may. A company in Brazil gets a contract to build a water line to a village whose water supply has been contaminated. They send out the initial party to recruit a labour force from the villagers that surround this project. They look for people with strong right arms, that are good machete wielders, can really have an efficient stroke and can really cut well. They get this organized. They train the machete wielders. They've got girls that are massaging their aching, tired muscles so that they can work efficiently. They've got sharpeners that are sharpening these machetes so that they're ready to go. The minute they get dull, they can give another machete there. They've got salt tablets and all the things they need and fresh water so that they can be really, really productive.

Now, the president of this corporation flies out to see how they're doing. The pontoon plane lands in the river, with bearers taking him to the site. He sees all this activity, he sees these machete wielders working so efficiently, and he's just so proud of the managers that are there running this project. He climbs the highest tree in the jungle and gets out his binoculars to see how close they are to the destination, the water source, and he can't find it. He looks around, and he is shocked. He shouts down to his workers, "Wrong jungle," and they shout back: "Shut up. We're making good time."

Well, I submit that making good time by passing this bill may be efficient, but it ain't effective.

**The Acting Speaker:** Thank you, hon. member.

Under Standing Order 29(2)(a) any questions, comments?

Seeing none, we'll move to our next speaker. Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Madam Speaker. I am honoured to stand and speak in favour of the amendment and speak to Bill 2 and, you know, the fact that a single regulator, this one-stop shop, is actually coming at the expense of landowners, the environment, First Nations groups, and the public interest. Some of my colleagues have said that this bill only requires a little bit of tweaking. I disagree. I think this bill requires a heck of an overhaul. There are groups that will not benefit from having a single regulator and from the bill as it currently stands.

**10:20**

I'll start with talking about environmental responsibility. It's unclear what the environment is actually going to gain under this new bill. It seems that the environment is one of the groups that are going to lose out. The fact that the regulator is going to report to the Minister of Energy but not to the minister of the environment raises some concerns to the environmental community, the fact that it leaves out long-standing concerns and problems related to energy projects and environmental effects. There's a bit of a conflict of interest going on here when you've got one board that's looking at both environmental interests and energy interests. The fact that the regulator would perform its own review processes without the input of the Environmental Appeals Board has numerous consequences, and I'll talk about it a little bit more



when I get to the adverse effects this bill will have on landowners and their own rights.

It's unclear if third parties and environmental organizations are even able to appeal decisions of the regulator. As well, the regulator is not directly accountable to the public interest. In other words, environmental effects will not be reported directly to the public but via the ministry. Environmental groups such as the Environmental Law Centre have stated that they feel the bill is stacked in industry's favour. Another issue many environmental groups have is the fact that the regulator will not report any pipeline spills to the department of the environment. It's unclear if the department of the environment will even be notified of the pipeline spills. This is a change from the current environmental conservation resources board, undermining their authority.

The bill does not state that any members of the regulatory board need to have environmental expertise. So when we're looking at, again, who is going to be sitting on the board for the regulator, members don't necessarily need to have an environmental background at all. That's troubling for a board that's going to be responsible for all the aspects of environmental monitoring. Nobody knows how many people and what type of experience and expertise the regulator will employ to assess environmental effects of the energy projects. Many environmental groups have contacted my own caucus, the Alberta NDP caucus, to indicate their concerns with the bill as it currently stands.

When we move to landowner rights, there are other members from across the aisle who have said that this actually strengthens their rights. I think many landowners would actually feel insulted at that comment. The fact that many of their rights are actually being railroaded is more of an appropriate way of referring to it. You know, giving the new regulator unilateral ability to decide whether landowners get any notice of developments near their property or if they have a right to a hearing or other participation doesn't sound to me like it's ensuring that their rights stay protected. I mean, repealing the Energy Resources Conservation Act takes away their right to learn about any energy project proposals and produce statements of concern in response.

If we compare the current ERCB process to the new regulator's process, the differences are actually quite shocking and alarming. We look at section 26(2) from the Energy Resources Conservation Act as it currently stands.

If it appears to the Board that its decision on an application may directly and adversely affect the rights of a person, the Board shall give the person

- (a) notice of the application,
- (b) a reasonable opportunity of learning the facts bearing on the application and presented to the Board by the applicant and other parties to the application,
- (c) a reasonable opportunity to furnish evidence relevant to the application or in contradiction or explanation of the facts or allegations in the application,
- (d) if the person will not have a fair opportunity to contradict or explain the facts or allegations in the application without cross-examination of the person presenting the application, an opportunity of cross-examination in the presence of the Board or its examiners, and
- (e) an adequate opportunity of making representations by way of argument to the Board or its examiners.

That whole section will be condensed.

Under landowner rights in Bill 2, notice of application, section 31: "The Regulator shall on receiving an application ensure that notice of the application is provided in accordance with the rules." As is plain to see, that's quite a difference between the two different bills, in what was protecting landowners and giving them

an opportunity to ensure that their voices are heard, that their rights are protected to receiving a notice of application in accordance with the rules. As well, the current bill removes the right of a landowner to go before the Environmental Appeals Board. I know my colleague from Rimbey-Rocky Mountain House-Sundre has indicated that in his endeavours and consultations with many landowners that's a major issue, and we're completely in agreement on that.

The third area where this bill fails is in the public interest test and ensuring that the public interest is protected. The current bill makes no mention whatsoever of public interest with regard to energy development. The ERCB, which will soon be dissolved, was committed at least to the public interest. The public interest is essential to responsible energy development and should be enshrined in the mandate of the regulator to ensure that its conduct reflects the best interests of Albertans. As it stands, the bill currently emphasizes resource development over the public interest.

Other colleagues of mine from the opposition side have indicated that there should be more of a balance, where we're not just looking at one group versus another. Our fear and my fear is that the public interest is going to be sidelined or diminished or replaced by looking after only one of the other groups' interests. The Energy Resources Conservation Act provides a section that enshrines the public interest as a commitment of the soon to be dissolved Energy Resources Conservation Board. Since the ERCB will soon be dissolved and the new regulator will take over much of the ERCB's roles and responsibilities, it's also crucial that the regulator be similarly committed to the public interest. As it stands, as I said, our fear, my own fear is that the public interest is not taken into consideration, is not given a voice, is not given the appropriate avenues to ensure that they're consulted.

The fourth group that I feel very concerned about is the lack of responsibility that this government has taken regarding the consultation of First Nations stakeholders. The current bill includes a caveat under section 21 that states that the Alberta energy regulator has no jurisdiction to assess the adequacy of Crown consultation with regard to rights associated with aboriginal treaty rights protected under part II of the Constitution Act of 1982. The bill must ensure that the new regulator takes responsibility for ensuring applicants have adequately consulted aboriginal peoples according to their current treaty rights. Deferring to the Constitution Act is not good enough because the responsibility for development of energy resources in Alberta falls under provincial jurisdiction.

The regulation of this development will, according to this bill, fall to a single regulator. The bill, as it stands, places responsibility with the regulator when it comes to hearings, decisions, and appeals with regard to energy resource activities. It also places responsibility with the regulator when it comes to the communication of decisions under section 33(2). Therefore, it stands to reason that the adequate communication and consultation of applications to aboriginal peoples should be ensured before decisions are made.

Alberta's First Nations Consultation Guidelines on Land Management and Resource Development, which came out on November 14, 2007, states that it "acknowledges a duty to consult with First Nations where Alberta's actions have the potential to adversely impact treaty rights." The Department of Energy should ensure that the spirit of this commitment is enshrined in Bill 2 despite the regulator not being an official agent of the Crown. Currently under section 21 it brusquely shrinks its responsibility to engage with aboriginal peoples by deferring to the Constitution Act of 1982. Although this section may be legitimate according to

jurisdictional responsibilities, it sends a negative message to First Nations groups and communities who very likely will be affected by many of the decisions proposed by the regulator under this bill.

The regulator should therefore take responsibility to ensure that all consultations and communications have taken place when it comes to energy projects as defined within Bill 2. Again, you know, just because jurisdictionally the government can say, "Well, no, that belongs to our federal counterparts," there's an ethical responsibility, a moral responsibility to ensure that the government is looking at ensuring all groups are consulted and included and part of this process.

Unfortunately, where the bill is, as it stands, it doesn't go far enough, and many of these groups are going to be left without a voice and have projects that will be forced upon them. So it is my position and that of my caucus that this bill clearly falls flat on many different accounts. As I said earlier, some major revisions need to occur before I and we can endorse the passing of this bill. I'm very interested and curious to see some of the amendments that my colleagues from the other parties are going to be putting forward on this bill and hope that we can come to some kind of arrangement which will benefit all the different parties, especially the four stakeholder groups that seem to be left out as the bill currently stands.

Thank you, Madam Speaker.

10:30

**The Acting Speaker:** Thank you, hon. member.

Before we continue, I would just remind the hon. members that we are speaking on the amendment. The amendment is to move the bill into a committee, so please make your comments relevant to the amendment.

We have Standing Order 29(2)(a). On 29(2)(a), the hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Speaker. I was wondering if the member would comment. It was mentioned here earlier in the debate about some deceitful interpretations of not just this amendment but the bill itself, and that reference was extended to a number of different other bills also. I was wondering if this member would comment on that observation, with particular reference to a meeting that his leader attended in Vegreville in August 2010.

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

**Mr. Bilous:** Thank you, and I'd like to thank the hon. Member for Rimbey-Rocky Mountain House-Sundre for his question. That meeting that you speak of, that happened in 2010 in Vegreville, was attended by the leader of the Alberta NDP, Brian Mason [interjection] – forgive me – by the leader of the Alberta NDP and Member for Edmonton-Highlands-Norwood.

At that meeting, as it's been explained to me, there was quite a crowd, roughly 700 people from the area, who were quite upset – the discussion at the time was on Bill 36 – many, many upset landowners and folks in the area. If I recall, the Premier at the time showed up at this debate that was attended, I believe, by the leader of the Wildrose and, as I said, the leader of the Alberta NDP. The Premier showed up at the door but would not go into the hall attended by roughly 700 people because of the outrage that was being expressed at Bill 36 and at how, again – I used this analogy earlier – landowner rights were being railroaded.

You know, I honestly hope that the government will listen to amendments that are put forward and truly consult with the different stakeholders around the province on this bill. I don't feel that they have. I mean, there are plenty of examples of the

different groups who have expressed their concern, their dissatisfaction with this bill as it stands. If we want to make progress, if we want to move forward, then this needs to be done right, and there needs to be quite an overhaul on the current Bill 2 as it stands.

I'll thank the Member for Rimbey-Rocky Mountain House-Sundre again for his question. Thank you, Madam Speaker.

**The Acting Speaker:** Thank you.

Are there any other members under 29(2)(a)?

Seeing none, the hon. Member for Little Bow on the amendment.

**Mr. Donovan:** Thank you, Madam Speaker. Again, thank you for giving me the chance to speak to the amendment of Bill 2, letting this be referred back to the Standing Committee on Resource Stewardship. I guess the reason I'm speaking on this amendment: I think that's how this House should be doing some business on issues like this. I think we have quite a few lists of things that we'd like to see done to this bill, and I think if we went back to that, it would allow all members to be able to talk on it.

In saying that, I think democracy brought us all here, not minding which party we came from. I think we should let democracy move forward and listen to all the people affected by this. We could do that in that committee, where they could actually draw people out, cross-examine them, bring them out for information, so we can actually get some better results and some better answers for this bill. On that note, I think that the Minister of Human Services stated that it took two years to get to this point. I understand, and I truly appreciate all the work that the government has done on this bill because they identified that there were some issues that needed to be done and how to streamline some red tape and such.

The point is that in the previous two years leading up to that, there were a lot of different players in this House on both sides of the floor, whether it be in an opposition or in a government role. There are definitely a lot of new faces around here that weren't here two years ago when this process started. I think, in saying that, we need to, you know, appreciate the process, why there are new people around the floor, and what a lot of people talked about during election time, of some change and some different ways and means to come around for answers on this.

This goes back to, again, what this amendment does: taking it back to the standing committee so that everybody on that committee, which has all parties on it, can sit around and – I find that committees always have a little better debate in them and a little looser debate because everybody sometimes seems to drop their party partisanship when they're sitting around and talking about things in the committee state. I think it's a more relaxed forum, and I think, again, we can pull people from the outside, and you can actually question them at the end of the table on their thoughts on it. I mean, my colleague from Banff-Cochrane had some great points on these things that we can do if we have the right people in there and you draw from the right people for these things. It'll go a long ways.

I'll say another thing. I think we all ran on the agenda for a better Alberta. As our leader from Highwood has stated, to do this right, let's listen to all the people that are affected and get this right the first time. We're sitting here. We've rehashed quite a few bills already this fall. I mean, by no means is it the fault of anybody. When the government writes bills, I think they do it with the best intent, and I think that when things have been identified after it's been out and running for a little while, you see what is and isn't working in it.

I think, from an opposition stand, anyways, we see some things already that we think could be identified. Our critic and the Energy minister could sit down and hash out some of these things and try to make some amendments to this bill so that we're not sitting here talking until all hours of the night about each amendment we bring up, you know, instead of sitting here and just locking heads all the time on these things, sit down and rationally look at some ideas on whether they would work or wouldn't work. Personally, it doesn't bother me which party says that they came up with the idea. I think it's what's better for everybody. Down the road, in all honesty, I don't think it's a big problem.

If we could save having this debate on this bill two years from now about things that we identified now, that we'd all have to bring back to the table, that we'd all have to bring back in another bill and another committee meeting, I think this would be a great time to put it to, you know, the Standing Committee on Resource Stewardship because I think it's one of the committees that would work well on it. I commend the government for coming up with these committees because they've identified a lot of things that can and can't work, and I think this is one of them that is working. I think this is a key one.

We have new committees since we've started this new sitting in April that have a group of very well-trained – 87 different ideas from 87 different ridings of what could work on these things. I think the reason for having these committees is just for that, so I feel we'd be stalling democracy quite a bit by not letting it go to committee. I guess it's the debate of that. I mean, that's the intent of this amendment, to let that stewardship committee actually deal with it and look at it. Again, I'll say that the key to that committee and all the committees we have in this Legislature is that you can actually draw people to them and talk to them.

Personally, I think we owe it to our constituents, the taxpayers, to get this bill right the first time, you know, instead of sitting here and locking heads all the time. I think Albertans expect this from all of us in this House, to be able to rationally look at some ideas. I agree that we're not all going to see them perfectly the same, but there are some things that I think we're so close on. We're not against this bill. I'm personally not against this bill. I think it has some great places to go in it. I think it just needs some tweaking in some of its wording, and it would calm a lot of nerves if some of that was looked at. I mean, I've played in the sandbox a long time, my whole life. I know that I'm not always going to get what I want, and sometimes the other people you're playing with don't always get what they want, but if you can sit down and rationally decide about it, I think it brings a lot to the table when we do that.

I think this goes back to why this amendment – and I'm speaking for this amendment. I think that if we throw it back in front of the Standing Committee on Resource Stewardship, they can come out with a lot of great answers which would help this House.

10:40

I think that the concept of having these committees is to let a committee come up with some ideas and bring them back to this House. I mean, there are lots of ideas that I've heard committees have talked about that I'm sure I'm not going to be a big fan of, but you've got to let democracy play its role. I think that's what we've all been elected to do here, to listen to each other and let it go through the process.

I'll finish by saying that I'm speaking in favour of this amendment to send it to the Standing Committee on Resource Stewardship. Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

Anyone under Standing Order 29(2)(a)?

Seeing no one, I'll recognize the Member for Medicine Hat.

**Mr. Pedersen:** Thank you, Madam Speaker. I also rise today to speak on this amendment to Bill 2, the Responsible Energy Development Act, that it be referred to the Standing Committee on Resource Stewardship, even though it doesn't appear to have a whole lot of government support. It is very important for members of this Assembly to engage in debate in order to ensure that the intent of a piece of legislation actually becomes the legality of the same piece of legislation. The intent of a bill can be honourable and well meaning, but if the legislation is flawed, good intentions mean nothing.

Madam Speaker, I think this bill is a very good starting point, but as has been mentioned over and over, it does need some rework. I think that what we're finding out here in tonight's back-and-forth is that government has enjoyed pointing out the strengths of the bill, predictably. They have put a lot of time and energy and effort into this. We also know the strengths of the bill. That's not why we're debating this. We're actually standing up here challenging the weaknesses that we've found and that we're trying to point out. It's the weaknesses of the bill that are preventing this bill from going forward to be a stronger, more effective, more efficient bill the first time it leaves the gate.

I realize – and I think most of us do – that the government is made up of adults, so they're certainly more than capable of speaking their minds and voting as they wish, but in hearing some of the conversations tonight, it was mentioned that consultation has been done over two years or two-plus years to develop the current bill. Honestly, are we dealing with current information, or are we dealing with information that is no longer current or somewhat current or that needs to be revisited? As was mentioned by my friend the Member for Little Bow, there are new players on the stage. There are people who have found out that it is important that they get involved in the process. Again, what was good two years ago or the process over the last two years: is it current? Is it actually what we need to deal with?

Also, if we members in opposition have found so many issues for which to bring forward amendments after only recently receiving this bill, how can the members on the government side feel confident that their constituents really approve of everything in this bill as it currently reads? We've heard back and forth: "This is what our stakeholders have told us. This is what they want. This is what they said." Well, if that's taking a bit of this stakeholder here and a bit of this stakeholder there and this one over here over the period of two-plus years, the final product may read very differently than what individuals thought their points were when going into this process. Like I say, if the opposition has pointed out the need for this many amendments, I'm sure that the constituents of the government MLAs probably are having maybe not second thoughts but are a little curious about how this is all going to play out.

Madam Speaker, this could be a huge opportunity for the advancement and improvement of this bill, but it's kind of turning into a case of he said, she said. The problem with that is that the stakes are so high for this province, for the taxpayers, for landowners, for the environmental groups, and for the resource industry folks. Are we really willing to gamble on passing this bill as it currently sits? Even with just some minor tweaks it might not be enough. You know, I think that's a question that every member has to ask themselves.

The idea of having conversations while looking in a mirror alongside your close friends is not really consulting stakeholders. It would be interesting to find out who all was consulted on this. As I said and as other people have said as well, there have been some new players come to the forefront. You have some new members that are representing different constituencies for a number of reasons, and I think that the game has changed over the last couple of years.

I think, most interestingly, passing this legislation in its current form certainly does bode well for those of us in opposition because we are actually trying to raise the issues of the landowners, the resource companies, the environmentalists, and, as was mentioned, the First Nations and the taxpayer. I think there are some warranted reasons to send this to committee. I think there could be some great consultations and conversations had there with experts, which is what everybody has been asking for because it's been stated that, you know, most of us are not experts in this field, and we need to defer to them. I think that that is another valid point.

I just want to ask the government members to please consider the comments that all of us make in opposition. Your decision could not only have an effect on all Albertans going into the future, but it also could affect your future as well. I just want them to make sure that they're very confident in the way they're going to vote and support this bill and the possible amendments.

Thank you very much.

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a)?

We'll move to the next speaker, the hon. Member for Airdrie.

**Mr. Anderson:** Thank you. I, of course, will speak in favour of this amendment, Madam Speaker, a shocking surprise for those listening at home. You know, this is kind of like a bad record, a bad movie, reruns that you see on TV. We've seen this movie somewhere before.

You know, I remember some very good folks in this Legislature. I think of Minister Hayden and Minister Berger, Minister Danyluk, Minister Morton: good men, people that I believe believed in property rights and still do believe in property rights and protecting landowners. I remember each of them. In fact, there were very few people that spoke more than them on these property rights bills – Bill 50, Bill 36, and Bill 19, Bill 24 – and they're not here today. The reason that they're not here today – there are several reasons. Primarily, one of the largest reasons is because of their continual, I would say, kind of grinding in, so to speak, or sticking to their theory that there was nothing wrong with bills 50, 36, 19, 24, that they were fine.

They would stand in this House over and over again, and they sounded very much like the Member for Fort Saskatchewan-Vegreville earlier. "Don't be deceived, Albertans," they would say. "Don't be deceived by these lawyers in silk suits." I remember that one being used by Minister Morton several times. "Don't do that whatever you do. They're not telling the truth." Instead of listening to his constituents, instead of listening to their constituents, they continued to push out this line. Frankly, you know, you can argue whether they were wrong or right until you're blue in the face. They had some good arguments on why things should have been a certain way, but the point is that they weren't listening to their voters. That was the problem.

10:50

You can feel you're right or wrong all you want. You can stand and say: "You know what? We drafted this legislation. We're

going to stick to our guns" or "I'm going to go to the dance with the one who brought me," that sort of thing. But at the end of the day you're here to stand up in this House and vote and represent your constituents. The problem with those folks as well as several others in here, especially in southern rural Alberta, is that they just continually over and over again would not listen to what their constituents were saying. Because of that, I think that was the largest reason that there are now 17 Wildrose MLAs over here after having zero Wildrose MLAs four years ago. From zero to four to 17.

Now, I guess we'll find out in four years if that's a flash in the pan or if a movement has started, but if the government wants to make sure that they have a chance of winning back some of those seats and holding back some seats in rural Alberta and other places from going to a different party, then they need to listen. They need to listen.

Now, in healthy, functioning democracies – and our democracy is sometimes functioning, oftentimes not all that functional at all – in the Westminster system we have committees. We have all-party parliamentary committees, and these committees will examine legislation, the final product of legislation that's brought forward, and they will take a look at this legislation. They will comb over it with a fine-toothed comb. They will bring in stakeholders, they will ask for input from their citizens, and they will make sure that they get the legislation right. It's not enough just to consult.

You know, for all the folks in here, and there are many, many in here, that have written papers and perhaps theses – we have a few doctors in here or folks with doctorates and so forth, or they've written a paper or an article or something like that and have had it published – first, you do your research. You do your ground research. You look everything up. You go to the library, go online, get all the information. You talk to experts in the area and so forth. You get all that research together, and you come up with a draft. You come up with a draft of what you think that paper should look like. Now, you don't just hand in that first draft. You don't do that. You make sure that you take the draft, just to make sure that the stakeholders didn't... [interjection] Well, the Government House Leader is the exception to that rule. He handed in his first drafts and did very well. We all know he's brilliant. Point taken.

But for us mere mortals – for us mere mortals – we take the first draft, and we send it back to folks that we trust the opinion of. We send it to experts in that field. "Okay. What do you think? Did I miss something here? We consulted with you earlier, but did I misinterpret what you told me, and have I put something incorrect in here?" That's what you do. Then after getting feedback from these folks, you build a completed document that you're happy with, and you hand that in. That's your final draft. That's what you are willing to put your name to.

Now, what we have here in Bill 2 is a first draft. There's been a lot of good consultative work. No one is taking anything away from the minister of SRD and what she has done with regard to consultative work. Great job. That's part of the process. No doubt about it. She has come back with a draft, and it's a good draft, but there are a lot of flaws in that draft. It's not to say that the majority of it isn't good. It is. We agree with a lot of the things that many of the members around here have talked about, but there are many parts of it that for whatever reason perhaps were overlooked or missed or could have been worded better or more clearly.

That's what these committees are for. They're to take that first draft – and what we see in, for example, places like Ottawa is that with drafts like that those bills will go to committee. They'll dissect it. They'll talk about it for months sometimes, and then they'll come back with amendments, and off we go. What you will have at that point is a much better piece of legislation.

I might add that it's good politics, that it's fantastic politics for the government to get the legislation right the first time and to have not just input but buy-in from the Official Opposition and from all opposition parties. It makes sense; everybody wins. We get a good bill. Everyone is happy. There aren't tours going around rural Alberta with folks in silk suits, so to speak, running around talking about property rights and how these bills are going to damage those property rights. It's good politics to get it right the first time.

We're offering an olive branch. I mean, my competitive side in here says: "You know what? Jeepers." If I didn't care about getting this right, I would say: I hope the government just totally rams this through without making any changes because this will give us something to beat them over the head with, a baseball bat, for the next four years. You know, I kind of like the sound of that.

**Mr. Denis:** Violence.

**Mr. Anderson:** That's right. It's a metaphor.

But what we're offering here is not a baseball bat. We're offering an olive branch. Against everything in my body we're offering an olive branch to the folks opposite to say: "Let's do this together. Let's make sure that we get it right." In return for having that mutual feedback and respect and going through a proper process, we're going to come back with a bill. After it's passed, we're not going to talk about it other than to say that it was a good bill.

I'm sure the government will talk about it all the time. "Look how wonderful we were. We worked across the aisle. Look how responsible we are." That's great. It's all a hundred per cent positive for the government. As the opposition we'll feel that we've done our job. We've made sure that concerns of Albertans have been listened to, the bill has been amended, everyone is happy, and we can all, you know, have a camp fire, hold hands, sing *Kumbaya*. It's going to be just great. Imagine the possibilities.

My fear, from the comments that I've heard today from the government side, is that it's the exact same language, verbatim, that the Member for Fort Saskatchewan-Vegreville and others have used, the same language, verbatim, that was used two years ago in this House and for two years over and over and over again regarding these land bills. It was always: "You know, you guys are misinterpreting. It's not our intention. It's this. It's that. It's the other thing."

It doesn't matter. What matters is getting a bill that the vast majority of people can support both in this House and, by extension, in Alberta because we all represent the folks out there. They got 43 or 44, whatever it was, per cent of the vote. We got 34 per cent of the vote. That together, right there, is almost 80 per cent of folks that voted. Imagine if we could put out a piece of legislation that 80 per cent of the folks out there who voted for both parties were happy with. That's just fantastic. What a change that would be. What a great thing that would be to have, especially with regard to landowner rights.

So the question is: why do we need to put this into committee? Well, because there are a lot of amendments, and we've done the best we can in a few days. We're going to propose some amendments, 12 amendments in fact, but this is just what we've come up with in a few days, in a handful of days, literally having our researchers – amazing – going around and around the clock researching these amendments. We've brought in at least three or four lawyers; I know that's a bad thing here.

**Mr. Denis:** No, it's not.

**Mr. Anderson:** Well, there you go. I agree there, hon. Solicitor General.

We brought in a whole bunch of folks that specialize in property rights, including the aforementioned Mr. Wilson to comment on the bill, to give us his opinion on it, that sort of thing, but others as well. We've put it out to landowner groups. We've talked to many in the industry about it, and they've given us a couple of fantastic ideas as well to make it even stronger. We've had a couple of environmental groups come in and talk to our critic and our leader on this. But that's the best we can do in a few days. We need more time because we want to make sure that we get it right.

**11:00**

Yeah, we can make some amendments in Committee of the Whole, and the bill will be better than it otherwise would be. In Committee of the Whole we can turn this from a C bill into a B bill if we put it into the standing policy committee chaired by the fantastic Member for Calgary-Varsity, one of the most thoughtful people, certainly, in this Legislature. If we can put this in her capable hands along with our deputy chair from Olds-Didsbury-Three Hills, I really think we're going to get an A on this paper, and that's what I think Albertans deserve. They deserve an A, an A-plus, and I think we can do that rather than rushing this legislation through.

Because we're not going to comment on the amendments right now, I will say that, clearly, there are some landowner rights that have been eroded in this bill. There is no doubt about it. There have been others that have been strengthened in this bill, but there's no doubt that there are several instances in this bill where landowners have a right to be worried about certain processes that have been taken away. I will absolutely say that there were improvements to other parts of the process, and that's the whole point. They got parts right, but they didn't get other parts right.

I think the biggest reason we need to send it to committee, frankly, is because the whole point of this bill was to streamline the process, to speed things up for industry. Well, Madam Speaker, there are no timelines in this bill. You don't just leave it to the regulator. Why doesn't this bill say: look, the process is going to take nine months; regulator, you make that work? You don't have to say yes in nine months. You can say no in nine months. But by nine months or six months or whatever the time frame is, within that period of time you are going to get a yes or a no or a maybe, you know, if you do X, Y, and Z, whatever it is.

That's what this bill was supposed to do, and it doesn't do that. It just kind of stuffs things together. That's great. We want one window. One window is good, but we can do much better than that, Madam Speaker.

**The Acting Speaker:** On 29(2)(a) the hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Speaker. I was just wondering if the member would comment on his experience dealing with not just the landowners and property owners and those stakeholders but with industry with regard to how their input might be proposed if this did go to committee. Would industry, say, be compromising to accommodate landowner rights?

**Mr. Anderson:** I think it's a win-win. I really think we've got a chance for a huge win-win here. I don't think that the rights of landowners and the interests of industry are mutually exclusive. I think that they can work together. I think that they can both benefit. I think there's been a history of both benefiting and having, you know, a mutually beneficial symbiotic relationship

with one another. I just don't think that this bill does the job in that regard because inadvertently in several areas it pits landowners against industry whereas if we have an open committee process – I mean, I think the folks in here know our parties well enough to know that we both care about landowners, that we're both pro industry folks, that we're very big fans of the energy industry. We know that about each other, so we're starting from a place of agreement in that regard.

Why don't we finish the job by coming together and putting out a piece of legislation that respects the rights of landowners entirely so that there's no reason for them to be up in arms and to have town halls across the province in every rural constituency? That's what will happen if we don't get the right amendments through here. Instead of doing that, why don't we come up with a piece of legislation we all support so that there will be no town halls? Landowners will be happy and will think the legislation protects their rights, and industry will be happy because they'll have a one-window regulator with specific timelines that are far shorter than what they're getting now. That would be a huge win-win.

The landowners want those timelines, too. The landowners don't like fighting this stuff for two, three, four, five years. They don't like that. It's just as annoying and expensive for them as it is for industry. Let's get a six- to nine-month window in legislation, make the regulator work within that confine of time, and then make sure that all property rights and landowner rights are properly respected in the bill.

**The Acting Speaker:** Thank you.

We still have two minutes under 29(2)(a). Anyone else?

Seeing as there are no others, do any other members wish to speak on the amendment?

**Hon. Members:** Question.

[Motion on amendment to second reading of Bill 2 lost.]

**The Acting Speaker:** Are there any hon. members that would like to speak on Bill 2 in second reading?

I would ask the hon. Minister of Energy to close debate on the bill.

**Mr. Hughes:** Thank you, Madam Speaker. Well, we've had a very wide-ranging set of views shared across the floor here. I very much look forward to getting into Committee of the Whole so that we can see the specific suggestions that members from all sides of this House have to offer. I look forward to that constructive debate. With that, I call for the question.

[Motion carried; Bill 2 read a second time]

### **Government Bills and Orders Committee of the Whole**

[Mrs. Jablonski in the chair]

**The Deputy Chair:** Hon. members, I would like to call the Committee of the Whole to order.

### **Bill 5 New Home Buyer Protection Act**

**The Deputy Chair:** Are there any comments, questions, or amendments to be offered with respect to the bill? The hon. Associate Minister of Municipal Affairs.

**Mr. Weadick:** Thank you, Madam Chairman. It's a pleasure to present to committee today Bill 5, the proposed New Home Buyer Protection Act. I would like to thank all members who participated in second reading for their supportive comments. Bill 5 is an important piece of legislation that will protect new-home purchasers and make a real difference in the lives of Albertans and their families. You've heard me say this before: buying a home is one of the biggest purchases most Albertans will ever make.

**11:10**

On October 25 the Minister of Municipal Affairs introduced to the members of the Assembly a group of homeowners who've experienced significant loss due to construction issues in their homes. Bill 5 will help to ensure these kinds of stories never happen again. This legislation is about supporting Albertans and building stronger communities.

Part 1 is the home warranty protection coverage. Sections 6 and 7 will give Alberta the strongest new-home warranty in Canada by requiring coverage of one year on materials and labour, two years on delivery and distribution systems such as heating and plumbing, five-year building envelope coverage with the mandatory requirement that homebuyers be offered additional years of coverage, and 10 years on major structural components, meaning the main supports of the home such as foundations and framing. A home will not be able to be offered for sale or sold during the purchase period unless the warranty coverage is in place or there is a valid owner-builder authorization in place. The requirement in this act applies to all warranty providers currently operating in Alberta and any future warranty providers.

The Alberta new-home warranty program is a private, not-for-profit warranty provider which is not insurance-backed. However, recent amendments required this warranty provider to comply with all of the requirements of the Insurance Act that other warranty providers are required to comply with. This ensures a level playing field between warranty providers.

In addition to ensuring compliance, section 24(1) of the New Home Buyer Protection Act stipulates that a permit cannot be issued for a new home unless there is evidence that the home is registered with the registrar and home warranty coverage is in place. For single-family dwellings and the unit property of a condominium the coverage begins on either the date permission to occupy is granted or the date of the transfer of title.

In addition, a building assessment report is also required on the common property in condominiums. A building assessment report is developed by a qualified third-party engineer or architect and inspects the common property of the condominium. This will support condo corporations as they make decisions about the needs of the building.

Owner-builders. In this act we also recognize that some Albertans wish to build their own homes, Madam Chair. Owner-builders are exempt from the requirements of the act unless they sell their home within the first 10 years of the building of that home. This provides homebuyers with quality assurance for homes built by owner-builders and ensures owner-builders who regularly flip homes are held to the same standards as other builders. I know there was some discussion on this in second reading.

We've spoken to warranty companies about providing coverage to owner-builders who may find themselves unexpectedly needing to sell their home less than 10 years after completion. Warranty companies have indicated they will provide coverage. We anticipate they will conduct inspections. The cost of coverage would reflect their level of risk. Owner-builders will be informed that if there is any possibility they may sell before the 10-year

period, they will be required to purchase a warranty before the sale.

[Mr. Amery in the chair]

Owner-builders also have the option to purchase a warranty at the time they build the home. Owner-builders will also be made aware of the additional cost they may be taking on if they choose not to purchase a home warranty at the time they apply for their permit, owner-builders' authorization.

The registrar is required to establish and maintain a publicly accessible registry. Municipal Affairs will develop an online warranty tracking system that will support compliance with the act and inform Albertans about their new-home purchase. The proposed New Home Buyer Protection Act allows a compliance officer to issue a compliance order for violations of the act. If a person violates the act and does not comply with the order, the registrar may impose an administrative penalty of no more than \$100,000.

A concern was raised in second reading that these penalties seemed high. It is important to note that this is the maximum. For situations where a violation has resulted in significant financial benefit to the violator, we want to ensure we have appropriate mechanisms to fine those individuals. If someone has paid an administrative penalty, they cannot be charged with an offence for the same violation. These fines are consistent with other types of administrative fines in other legislation.

There will be an appeal board set up for individuals who may wish to appeal a decision of the registrar. This could include decisions regarding owner-builder authorization, compliance orders, and administrative penalties. If an individual is unhappy with a decision made by the appeal board, they can appeal to the courts. For more serious violations, where administrative penalties aren't appropriate, a Crown prosecutor can charge an individual with an offence. A judge would determine the amount of the fine up to \$100,000 for the first offence, up to \$500,000 for subsequent offences. A judge can also award restitution if someone has suffered loss as a result of the offence. Again, these penalties may seem high, but there are maximums that will be applied in extreme situations, perhaps involving repeat offenders who intentionally violate the law. These fines are also consistent with other legislation.

[Mrs. Jablonski in the chair]

Program specifics will be contained in the regulations, which will be drafted in the spring of 2013. This approach will ensure a flexible and responsive program that can easily respond to Albertans' needs over time. Some items will be worked out in greater detail in the regulations, including specifics around manufactured and modular homes. Municipal Affairs has been working with this industry to determine how these requirements for warranty will intersect with the manufacturers' existing warranties. While most homes in Alberta are built to stand the test of time, if things do go wrong, this legislation gives homeowners strong protection to get their homes repaired.

Thank you very much, Madam Chairman.

**The Deputy Chair:** Thank you, hon. member.

Are there any other speakers? The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you, Madam Chair. As this is my first time to speak on this bill, I was struck by one of those comments made by the hon. minister. He said, "consistent with other

legislation," and that rang true to me. It brought back sort of the thinking as to how we got here and sort of why we got here.

We can just look at my constituency of Calgary-Buffalo, where we've had much angst and issue with home builders and home builders' warranties in condo construction. There have been, clearly, many structures that were put up that have not been built to stand the test of time. We have numerous condo buildings in Calgary-Buffalo that are currently having individuals suffer cash calls of \$100,000, \$200,000 merely to stay living in a home that they purchased, that they assumed was made up to standards, that had some ability to warrant the purchase price. Clearly, that has not been the case, and I've heard it time and time again in my office. Although I will applaud the government for finally coming out with this legislation, I'm reminded of that term "consistent with other legislation."

I will point out on that fact that in 1997 the B.C. government was faced with a problem. It was faced with the problem that was known as the leaky condominium scandal, that was occurring in downtown Vancouver and, actually, in places all over British Columbia. As they were going through much of this strife, home purchasers and condo purchasers were then left holding the bag, so to speak. They had no ability to hold someone to account for having bought a lemon, to use a car term even though it doesn't necessarily correspond with the house term. They saw this issue, and they moved ahead, in their wisdom, and they brought in protections for the B.C. consumers in 1997. The wheels of government in Alberta tend to maybe work slower than in other jurisdictions.

Okay. In 1997 Her Majesty's Loyal Opposition asked a question of this government: when are we going to bring in legislation to protect homeowners and condo purchasers in this province? Again, they were met with the usual derision, that sometimes occurs from a governing party, that there was no need for this type of legislation, that this was redundant, and that homeowners didn't need this type of protection here in Alberta. Some excuses were given that maybe our climates were different or something of that nature, that our building construction materials were different or our home builders may have been, in fact, different.

**11:20**

Okay. That was 1997. In 2001, then, you had the opposition again. They sensed that homeowners weren't being protected. There was a sense out there that they weren't. So you had a series of private members' bills from the opposition highlighting the concerns of home purchasers, condo purchasers who were not being covered by any legislation in this province. In fact, they were left at the whim of the marketplace, shall we say, at the whim of having no regulation in place, of having no rules or no standards, that our home builders were going to build homes or condos to some sort of standard that would be uniform across the board.

That takes us, finally, to 2008, when in this Legislature's wisdom we have an all-party committee. They go forth, and they do their work, and overwhelmingly at that time it comes back from that committee a report that was undertaken jointly by Alberta Municipal Affairs and the city of Calgary in 2008. It concluded that the system of construction and inspection was not performing adequately to protect the homeowner or condominium owner. This is in 2008.

Since that time we've seen homeowners and condo purchasers who have been hung out to dry, not in all cases but on many occasions, for buying lemons or buying condos or houses that were not built to any reasonable standards of construction.

Oftentimes when these home purchasers or condominium purchasers would try to get recourse from the developer or homemaker or the home builder in question, they would often find that there was no one to sue, that there was no company. If there was a company to sue, well, as soon as they sued, that company would close up shop, move on, or if they were looking for a company to sue to have some reasonable standards, well, that company had changed names.

Really, it was a system that was fraught with peril from at least 1997, when this government knew that there were problems happening in another jurisdiction, and for sure since 2008, when an all-party committee came back and gave that scathing report on what was happening to many people in this province. I guess that dovetails back to our earlier conversation on regulation. This is clearly regulation, okay? But there's a sense that sometimes regulation is put in to protect average Joe and Jane Albertan. Sometimes regulation is necessary. In my view, this bill goes some measure to putting some regulations in place to protect the Alberta consumer, and I think it's good regulation, good red tape, to use another word. Some may argue that this is just red tape to get in the way of what business does best. By all means, should it be excessive? Probably not. But is it necessary? Yes.

We've always got to remember that rules have to be in place to ensure that people are getting a quality product and that they're not being, for lack of a better term, scammed or hung out to dry. I think that because of this government's inaction for what I would say was 15 years, many people have been left hung out to dry. In my view, it was unnecessary. This government knew better and should have acted on it far quicker.

For what reason? Well, I can't be sure. Probably many people wouldn't have liked to see this regulation put forward. Does it add a cost to business? Of course it does, but sometimes adding costs is necessary to ensure that the marketplace is fair, reasonable, and that it doesn't leave people unprotected. I'd just leave that for people to consider. Sometimes regulation is necessary, and in my view in this case it is definitely necessary. It was necessary 15 years ago, and we should have been on it like other provinces were.

Consistency of legislation: I like that term brought up by the minister. We should have had consistency in legislation on this matter 15 years ago, when the problem was apparent to everybody but our government.

If I look at this bill, there are some things here that almost mimic a private member's bill that I did a year or two ago, and it's on protection for end users. The bill our party actually proposed was Bill 209, and it required mandatory insurance coverage for all new homes and condos, three years on deficits on materials and labour, five years on defects in the building envelope, and 10 years on structural deficits. So two out of three ain't bad. I think Meat Loaf said that in a song once. They actually got a couple of points there, so good for them.

We wanted to see establishment of a homeowner protection office, where these things could actually be enforced, where people could register their agreements and their dates. Is that regulation? Yeah, but it's also protection for the end user, protection that I think is necessary in this day and age.

We wanted to see a requirement that residential builders be licensed by the homeowner protection office so that residential builders could lose their licence if they contravene the act. This is somewhat contentious but, I think, in my view, somewhat important. We've had a system in place in Alberta, as I alluded to earlier in my speaking on this bill, where consumers have had nowhere to turn, no one to sue, no one to make them whole after

buying a lemon. In my view, I'm not so certain this bill still covers that off. With no ability to register a residential builder or a condo builder, what is our means of, I guess, stopping them from starting a new company, moving on, and continuing to down this path? I know the hon. minister will tell me that they will never get insurance for running a business again, but I'm uncertain of that.

11:30

I have a feeling that many people will say that if they find themselves building a condominium structure that goes under, that is faulty, they will find a way to go bankrupt, leaving, again, no recourse for the people there, and they will find an ability to again go out and procure their craft. In my view, we have to do better than that. This is the single largest purchase that people will make in their lives. Many people use this as not only a place to live, but it's essentially their life savings. When they get to the end of their life, this is all they have. Really, it's a means to save for the future.

As we talked about earlier – everything is dovetailing here. Tonight we talked about pensions. Oftentimes, homes are people's pension, so we should recognize that and ensure that these things are being built up to snuff and allow people to get the ability to sue, the ability to get their money back, the ability to get some compensation when they've purchased a lemon.

I see that the hon. minister has implemented monetary penalties for anyone who contravenes the act. It sounds like they're relatively robust or more robust than the absence of any prior to that, but we'll see if this actually establishes some way for our industry to continue to build as well as the protections that people need.

The last thing we wanted was to establish a public registry of residential builders that lists their current licence status as well as any suspensions or monetary penalties imposed. Clearly, having our public be able to assess whether that business is viable, whether it's reputable, whether it has done good stewardship in the past is something, in my view, that is laudable and something that, especially on an investment of this size, we should look to pursue. Much of this is absent from the act, but I will say that it's at least a step in the right direction. Hopefully, home purchasers and condominium purchasers will be able to get some protection from this. I'm hopeful on the minister's point that people who do not live up to this new standard of home building will not be able to continue on with business as a matter of course if they, in fact, are producing substandard results for individuals who have purchased their home.

I'll applaud the new Minister of Municipal Affairs for this collective effort. I know that both are honourable men, and hopefully this will work for new-home buyers. I will just finish. This should have been brought in 15 years ago, not today. It would have saved a lot of people a lot of heartache, and in my view we would've still been in the construction boom we are, regardless of a little bit of regulation or red tape to protect the average Joe and Jane Albertan.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members? The Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Madam Chair. I rise today to move five amendments on this bill. I have the appropriate number of copies for every member in the House.

**The Deputy Chair:** We'll pause for a moment while we distribute the amendment.



**Mr. Bilous:** Yes. One at a time.

**The Deputy Chair:** Thank you. Hon. member, most of the members have the amendment if you'd like to go ahead, please.

**Mr. Bilous:** Madam Chair, forgive me; I'm newer to this. Would you like me to read out the amendment?

**The Deputy Chair:** Yes. If you'd like to, go right ahead.

**Mr. Bilous:** Okay. Wonderful. I move that Bill 5, the New Home Buyer Protection Act, be amended in section 28 by adding the following after subsection (1):

(1.1) Regulations under subsection (1)(e) shall be made no later than 6 months after the date this statute comes into force.

**The Deputy Chair:** We'll call this amendment A1. You can carry on.

**Mr. Bilous:** Thank you. This amendment proposes that government has six months from proclamation for regulations to be determined regarding building assessors and building assessment reports. Now, what's interesting about this is that currently the bill indicates that condominium coverage begins when a building assessment report has been completed. That's under section 1(1)(y)(ii) and section 3(4).

Interestingly, we do not yet know exactly what a building assessment report is. Let me just explain that section 28(1)(e) gives cabinet the responsibility for determining what a building assessment report is, what kind of documents it contains, who a building assessor can be, the qualifications they must have, and the person or office to whom such reports are to be submitted.

Moreover, my office asked the researchers at the Legislature Library to find existing references to building assessors or building assessment reports that exist in Alberta legislation or in regulations. They could find no examples of existing references to these terms. In short, a grave concern and the question is: what is a building assessment report? We still don't know the answer to that. So, colleagues, part of the reason behind this amendment is that if we don't fix this uncertainty regarding building assessment reports, we'll be approving a major loophole that could permit the government to avoid making regulations in order to avoid requiring mandatory home warranty coverage on condominiums.

This amendment requires the government to make regulations pertaining to building assessment reports within six months of the proclamation so that all condominiums will be covered in the

same manner as new homes. I think this amendment is definitely logical. It's putting parameters on these building assessment reports. Again, currently there's a loophole where there aren't any. We don't know even what they are. Without this amendment there is great concern that much can be done without, first, this clarification, so this proclamation puts a timeline on it.

So I will ask all members of this Assembly to seriously consider amendment A1. Thank you, Madam Chair.

**The Deputy Chair:** Thank you.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Madam Chair. I think this is an amendment that really requires a lot of thought, so I would suggest that we move to adjourn debate so that we can all consider it thoughtfully over the course of the evening and come back to it tomorrow.

[Motion to adjourn debate carried]

**Mr. Hancock:** Madam Chair, I move that the committee rise and report progress.

[Motion carried]

11:40

[Mrs. Jablonski in the chair]

**Dr. Brown:** Madam Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports progress on Bill 5. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

**The Acting Speaker:** Thank you.

Having heard the report, all in favour say aye.

**Hon. Members:** Aye.

**The Acting Speaker:** All opposed say no. Carried.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Madam Speaker. I move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; the Assembly adjourned at 11:42 p.m. to Tuesday at 1:30 p.m.]



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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Tuesday afternoon, November 6, 2012

Issue 15a

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta**  
**The 28th Legislature**

First Session

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Fred Horne	Minister of Health
Doug Horner	President of Treasury Board and Minister of Finance
Ken Hughes	Minister of Energy
Jeff Johnson	Minister of Education
Stephen Khan	Minister of Enterprise and Advanced Education
Heather Klimchuk	Minister of Culture
Ric McIver	Minister of Transportation
Diana McQueen	Minister of Environment and Sustainable Resource Development
Frank Oberle	Associate Minister of Services for Persons with Disabilities
Verlyn Olson	Minister of Agriculture and Rural Development
Dave Rodney	Associate Minister of Wellness
Donald Scott	Associate Minister of Accountability, Transparency and Transformation
George VanderBurg	Associate Minister of Seniors
Greg Weadick	Associate Minister of Municipal Affairs
Teresa Woo-Paw	Associate Minister of International and Intergovernmental Relations

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on Alberta's Economic Future

Chair: Mr. Amery  
Deputy Chair: Mr. Bikman

Bhardwaj	Quadri
Blakeman	Quest
Donovan	Rogers
Dorward	Sandhu
Eggen	Sherman
Fenske	Smith
Goudreau	Starke
Hehr	Strankman
Jansen	Towle
Luan	Young
McDonald	Vacant
Olesen	

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Quest  
Deputy Chair: Mrs. Jablonski

Anderson  
Casey  
Dorward  
Eggen  
Kubinec  
Sandhu  
Sherman

### Select Special Conflicts of Interest Act Review Committee

Chair: Mr. Allen  
Deputy Chair: Mr. Luan

Blakeman  
Dorward  
Fenske  
Johnson, L.  
McDonald  
Notley  
Saskiw  
Wilson  
Young

### Standing Committee on Families and Communities

Chair: Ms Pastoor  
Deputy Chair: Mrs. Forsyth

Allen	Leskiw
DeLong	Luan
Fox	McAllister
Fraser	Notley
Fritz	Pedersen
Jablonski	Sarich
Jansen	Saskiw
Jeneroux	Swann
Johnson, L.	Wilson
Kang	Young
Kubinec	Vacant
Lemke	

### Standing Committee on Legislative Offices

Chair: Mr. Xiao  
Deputy Chair: Mr. McDonald

Bikman  
Blakeman  
Brown  
DeLong  
Eggen  
Leskiw  
Quadri  
Rogers  
Wilson

### Special Standing Committee on Members' Services

Chair: Mr. Zwozdesky  
Deputy Chair: Mr. Young

Calahasen  
Dorward  
Forsyth  
Goudreau  
Jablonski  
Mason  
Quest  
Sherman  
Smith

### Standing Committee on Private Bills

Chair: Mr. Cao  
Deputy Chair: Ms L. Johnson

Barnes	Notley
Bhardwaj	Olesen
Brown	Pastoor
DeLong	Rowe
Fox	Sarich
Fritz	Starke
Goudreau	Strankman
Jeneroux	Swann
Kennedy-Glans	Webber
Luan	

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Dr. Starke  
Deputy Chair: Mr. Lemke

Allen	McAllister
Amery	McDonald
Bhardwaj	Notley
Casey	Pedersen
Hehr	Sandhu
Jansen	Saskiw
Jeneroux	Towle
Johnson, L.	Xiao
Kennedy-Glans	Young
Kubinec	

### Standing Committee on Public Accounts

Chair: Mr. Anderson  
Deputy Chair: Mr. Dorward

Allen	Hale
Amery	Hehr
Anglin	Kang
Bilous	Pastoor
Calahasen	Quadri
DeLong	Sarich
Donovan	Starke
Fenske	Stier
Fraser	Webber
Fritz	

### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans  
Deputy Chair: Mr. Rowe

Anderson	Hehr
Anglin	Johnson, L.
Barnes	Kubinec
Bilous	Lemke
Blakeman	Leskiw
Brown	Sandhu
Calahasen	Stier
Cao	Webber
Casey	Xiao
Fenske	Young
Fraser	Vacant
Hale	



## Legislative Assembly of Alberta

1:30 p.m.

Tuesday, November 6, 2012

[The Speaker in the chair]

### Prayers

**The Speaker:** Let us pray. Dear Lord, help us to always know what is true, what is pure, and what is just. Enlighten our minds and our hearts with thoughts of peace, respect, and freedom as we fulfill our commitment to serve others. Amen.

Please be seated.

### Introduction of Visitors

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

**Mrs. McQueen:** Thank you, Mr. Speaker. It's a pleasure for me to rise to introduce to you and through you to all members of this Assembly a dear friend of ours that's joining us in your gallery. A colleague of ours from the class of 2008, Doug Elniski is joining us in the gallery today. Many of the members here from the class of 2008 and prior know that his favourite slogan, that I think we worked together to develop, was: it's all in Calder. He's generously given it to me so that I can now say: it's all in the valley. Welcome our friend Doug Elniski.

### Introduction of Guests

**Mr. Young:** Mr. Speaker, I'm pleased to rise here today and introduce to you and through you to all the members of the Assembly a school in my riding, the grade 6 class of Belgravia school. I'd like to ask them to rise and receive the traditional warm welcoming of this Assembly. With them today are Mrs. Rosanna Hansen, Mrs. Lara McMillan, and Ms Kirsten Kinsella, the teachers, as well as Mrs. Barb Forbes.

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

**Mrs. Towle:** Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you today to all hon. members 115 grade 6 students from the Innisfail middle school in my constituency. Keeping this large group of students in line are 12 very patient parents and teachers. I'll read out their names: Mrs. Jill Neilson; Mr. Tom Stones; Mr. John Pierzchalski, who, by the way, taught me when I was a student; Ms Gloria Thompson; Mrs. Kari Fox; Mrs. Debbie Penner; Mrs. Charlotte Hagglund; Mrs. Carla Gabert; Mrs. Denise Bennett; Mrs. Diane Martin; Ms Ria Brown. I had the pleasure of meeting with them earlier this morning, and they had lots of questions about democracy and our role in this House. I would like to ask this fantastic group of future leaders to rise and receive the traditional warm welcome of this Assembly.

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

**Mr. Horne:** Thank you very much, Mr. Speaker. It's a pleasure to introduce to you and through you to all members of the Assembly guests joining us from the College of Physicians & Surgeons of Alberta. Dr. Trevor Theman is the registrar of the college. He has served in this role since 2005 and is a proud resident of this city. Joining him this afternoon is Barbara Krahn, communications adviser with the college. Later this afternoon I'll be tabling the

annual report of the college, and I'm very pleased they are able to join us for the tabling today. I'd ask them to rise, and I'd invite all members to provide them with our traditional warm welcome.

**The Speaker:** The Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you very much, Mr. Speaker. I'm very pleased to rise today and introduce to you and through you to all members of the Assembly four individuals whose programs are the most recent recipients of civil forfeiture funding. Yesterday I announced \$1 million in funding for eight community projects focused on gang prevention. I had the great privilege of meeting these people and many other community leaders who are in Edmonton for the first meeting of the Alberta gang reduction network.

I ask each of you to rise as I introduce you: Dwayne Yellowknife, who is from Wabasca and represents the Wabasca gang reduction initiative; Mrs. Tracy Zweifel, who is from Peace River and represents the Sagitawa Friendship Society; Mrs. Janet Swampy and her daughter Taryn – Mrs. Sawmpy is from Hobbema and represents the healing life program; I had the privilege of listening to some of her stories earlier – Mr. Vaughn Daniels, who is from Morley and represents the Stoney Nation youth engagement strategy. Of course, finally, I want to introduce Mr. Gerald Lamoureux and Mrs. Carmen Parent with the safe communities initiative. I want to take this opportunity to thank all of them and the safe communities members for their exceptional work, and I ask the members to please give them the traditional warm welcome of the Assembly.

**Mr. Scott:** Good afternoon, Mr. Speaker. I'd like to introduce to you and through you to all members of the Assembly two individuals from the Fort McKay Métis community. As the president of the Fort McKay Métis community Ron Quintal has helped establish a number of positive initiatives in the community such as the development of the five-year strategic plan, which outlines the main goals of the community, and the establishment of the Fort McKay Métis Group, that has helped fund community projects. Ron has volunteered with the community and the Métis Nation of Alberta and other local Fort McKay initiatives. I would ask that Mr. Ron Quintal, president of the Fort McKay Métis community, and Mr. Jeffrey O'Donnell, executive director, please rise and receive the traditional warm welcome of the House.

**The Speaker:** The hon. Member for Fort Saskatchewan-Vegreville, followed by Olds-Didsbury-Three Hills.

**Ms Fenske:** Thank you, Mr. Speaker. It's my pleasure today to introduce to you and through you to all the members of the Assembly three people from the constituency of Fort Saskatchewan-Vegreville. Two of these individuals have known me every moment of my life, so you can either blame them or thank them for the way that I am today. I am very pleased to have my mother and father here, Ann and Gordon Liske.

In addition, I am also pleased to have Sylvia Smith with us today. She womans our constituency office in Fort Saskatchewan-Vegreville Wednesday to Friday. If they would all three rise and if we could greet them, please.

**The Speaker:** The hon. Member for Olds-Didsbury-Three Hills, followed by Dunvegan-Central Peace-Notley.

**Mr. Rowe:** Thank you, Mr. Speaker. I am delighted to rise today to introduce to you and through you to all members of this Assembly a very special person. He is committed to giving one

hundred per cent to everything he does at school and in his personal life. Kind, thoughtful, and polite are a few words that best describe him. He is active in sports and an avid reader, taking after his Grandpa Brian and his granduncle, that being me. He is with the Innisfail school group, which was divided into two because of their size. I'm not sure that he is in the gallery as I'm speaking, but I would ask that Hayden Jacobs rise and be given the traditional welcome from this Assembly.

**The Speaker:** The hon. Member for Dunvegan-Central Peace-Notley, followed by Edmonton-Highlands-Norwood.

**Mr. Goudreau:** Thank you, Mr. Speaker. It's also my pleasure to introduce to you and through you to the members of this Assembly two individuals from Ironstone Resources. Ironstone is a proposed iron ore and vanadium mining project in my constituency, with over 650 million tonnes of compliant iron ore resources and 2.5 billion pounds of vanadium pentoxide that are ready for production. Ironstone is currently building a technology centre in Hines Creek to commercialize technology originally developed in the '70s by the Alberta Research Council. My guests are sitting in the members' gallery, and I apologize for having missed a meeting with them because of the Members' Services Committee being stretched out so much. I would like to ask the Ironstone president and CEO, Barry Caplan, and the vice-president of corporate development, David Thiessen, to stand and receive the traditional warm welcome of the Assembly.

1:40

**The Speaker:** The hon. Member for Edmonton-Highlands-Norwood, followed by Cypress-Medicine Hat.

**Mr. Mason:** Thanks very much, Mr. Speaker. I'd like to introduce to you and through you to all members of the Assembly a group of guests who are members from the Alberta Union of Provincial Employees. These workers represent nearly 90 licensed practical nurses, health care aides, housekeepers, and food service staff who've been locked out at Monterey Place in Calgary since June 26th. Their employer, Triple A Living Communities, receives a financial subsidy from this government. However, instead of giving these hard-working individuals the deal they deserve, Triple A has been paying wages up to 27 per cent lower than industry standards while padding their own bottom line. The Alberta NDP is proud to stand with these workers in their struggle.

I would now ask my guests to rise as I call their names and then receive the warm traditional welcome of the Assembly: President Guy Smith, Susan Slade, Crispina Bagtas, Rosalia Burguete, Lilia Roxas, Cleofe Gapasin, Bhupinder Gill, Elizabeth Lado, Maria Lemus, and Clarita Natividad. I'd ask all members to give them a warm welcome.

I have a second introduction, Mr. Speaker. I'd like to introduce to you and through you to this Assembly my guests Carissa Halton and two of her three children, Madi and Alistair. Until the end of last year Carissa worked as my executive assistant. Currently she is keeping busy with three wonderful children, Alistair being the latest addition, and volunteering on various projects to help with the renewal of the Alberta Avenue neighbourhood. Carissa also writes a regular blog called the Avenue Homesteader, in which she explores and promotes urban agriculture and sustainable living practices. I would ask Carissa, Madi, and Alistair to rise and also, through television, say hello to Lily, who's not here, and receive the warm traditional greetings of the Assembly.

**The Speaker:** The hon. Member for Cypress-Medicine Hat, followed by Innisfail-Sylvan Lake.

**Mr. Barnes:** Thank you, Mr. Speaker. I am pleased to rise today to introduce to you and through you to all members of this Assembly Denise Baillie of Edmonton. Although she is not able to be here today, I would also like to recognize Rosanna Gullekson, one of my constituents from Cypress-Medicine Hat. Both of these women are strong and caring Albertans coping with MS. Both of these women want our health system to be even better and even stronger for the future, with more choice for Albertans afflicted with MS. These women do not just sit back and hope this will happen. They are speaking to Albertans and working hard to make sure that our system is improved and will be better for all for the future. With that, I'd ask that Denise wave – and thank you for standing – and that all members of the Assembly please give Denise the warm and traditional welcome.

### Members' Statements

**The Speaker:** The hon. Member for Dunvegan-Central Peace-Notley.

### Francophone Education

**Mr. Goudreau:** Merci, M. le Président. J'ai aujourd'hui le grand plaisir de souligner le rôle joué par les écoles francophones de l'Alberta pour appuyer la réputation d'excellence de la province dans le domaine de l'éducation. L'Alberta est fière de compter parmi ses habitants une population francophone grandissante et dynamique qui continue d'enrichir et de renforcer nos communautés petites et grandes, rurales et urbaines.

La riche histoire linguistique et culturelle de cette population se reflète dans les 34 écoles qui, dans notre province, offrent des programmes d'éducation en français à près de 6,000 élèves. En plus de leur présence essentielle pour répondre aux besoins des élèves francophones et de leurs familles, ces écoles témoignent des normes élevées et de l'apprentissage axé sur les élèves qui ont fait connaître le système éducatif de l'Alberta dans le monde entier.

En 2010, par exemple, l'équipe de robotique de la classe de 8e année de l'école Joseph-Moreau a remporté le championnat de robotique provincial et a représenté l'Alberta au Smart Move World Festival, le concours international de robotique tenu à Atlanta. Nous pouvons tous être fiers de la manière dont ces élèves ont personifié l'esprit d'innovation et de créativité de l'Alberta dans le domaine des sciences et de la technologie.

Pour ma part, M. le Président, j'éprouve aussi une grande fierté à faire partie d'un gouvernement qui s'engage à ce que l'Alberta demeure un chef de file dans la présentation de possibilités d'apprentissage à la population francophone. Grâce aux investissements dans l'éducation consentis par le présent gouvernement, nous attendons avec impatience l'ouverture de quatre nouvelles écoles francophones en septembre 2014. Ces écoles, situées à Jasper, à Red Deer, à Airdrie et à Cochrane, offriront un milieu d'apprentissage moderne qui contribuera à préparer la réussite d'une nouvelle génération d'élèves francophones.

Merci, M. le Président.

[Translation] Thank you, Mr. Speaker. It is with great pleasure that I rise today to highlight the important role of Alberta's francophone schools in supporting our province's reputation for excellence in education. Alberta is proud to have a growing and

dynamic francophone population that continues to enrich and strengthen our communities, both large and small, urban and rural.

This vibrant linguistic and cultural history is embodied in the 34 schools that provide francophone education programs to nearly 6,000 students throughout our province. These schools are not only instrumental in helping to meet the needs of francophone students and their families; they also reflect the high standards and student-centred learning for which Alberta's education system has become known throughout the world.

In 2010, for example, the grade 8 robotics team from l'école Joseph-Moreau won the provincial robotics championship and went on to represent Alberta at the Smart Move World Festival, an international robotics competition held in Atlanta. We can all take pride in how these students exemplified Alberta's spirit of innovation and creativity in the field of science and technology.

Mr. Speaker, I am also proud to be part of a government that is committed to ensuring Alberta remains at the forefront of providing leading-edge francophone learning opportunities. Thanks to this government's investments in education, we can look forward to the opening of four new francophone schools in September 2014. Located in the communities of Jasper, Red Deer, Airdrie, and Cochrane, these new schools will offer a modern learning environment and help prepare a new generation of francophone students for success.

Thank you, Mr. Speaker. [As submitted]

**The Speaker:** Thank you.

I believe a courtesy translation copy is on everyone's desks.

#### Justice System Review

**Mr. Anderson:** Mr. Speaker, as we all now know, there's a wonderful and courageous Airdrie girl who was raped repeatedly for eight years only to have her case dropped because of delays in our justice system. Child sexual abuse, indeed sexual assault of any kind, is a heinous and awful crime. Many people may not know that 1 in every 3 girls and 1 in every 5 boys is sexually abused at some point in their life, primarily when they are young. Child sexual abuse is an evil epidemic that is more common than many of us understand.

Politicians often express outrage when such awful things occur, but outrage without action is meaningless and hollow. Mere outrage cannot bring back a victim's innocence. Speeches do not have the power to turn back time or bring about justice. But outrage that spurs righteous action: that is powerful.

We as MLAs cannot sit back on this issue any longer. Unlike the precious children who have been victimized so horribly, we have the power to do something about it, but we first have to be willing to admit there is a problem. Our justice system has lost the public's confidence. You don't have to take legal training to see that. Due to a lack of resources prosecutors are often forced into offering light-sentence plea deals or risk cases getting dropped because of delay, often resulting in mere months of jail time for violent sexual offenders and predators. In some cases like this one in Airdrie the charges are completely dropped, and it is not as rare as the Premier says it is.

This Airdrie case is a wake-up call that real changes are needed and needed now. Let's bring in an independent investigator from another province to talk to those involved in this case, assess whether we need more Crown prosecutors and what other steps can be taken to ensure this kind of outrageous miscarriage of justice does not happen again in our Alberta.

We have the power to do something about this, hon. members. The time for words is over. It is now time for us to act on behalf of those precious little ones, who cannot act for themselves.

#### Managing Extractive Industries

**Ms Kennedy-Glans:** Mr. Speaker, at your kind invitation I participated last week in a global dialogue with a dozen other Commonwealth parliamentarians, elected representatives from jurisdictions also dependent on extractive industry revenues. The goal of this exchange was to explore ways to strengthen parliamentary oversight of extractive industries to ensure that the benefits are shared across communities and across generations. Other participants included ministers of energy from Western Australia; Queensland, Australia; elected representatives of parliaments from Zambia, Nigeria, Ghana, two states in India, Trinidad and Tobago, Bangladesh, and Uganda; and someone closer to home, a member from Saskatchewan's Legislature.

Mr. Speaker, members of this Assembly and Albertans across this province are concerned with the best means to budget and manage extractive sector resources. We face several challenges: volatile commodity prices and markets, finite nonrenewable resources balancing investment in sovereign wealth funds with ongoing infrastructure and human needs. Many of my constituents in Calgary-Varsity ask questions about these issues, and these questions have been the focus of ongoing conversations with Albertans hosted by the President of the Treasury Board and Minister of Finance.

Not surprisingly, Alberta is not the only jurisdiction facing these challenges. At this seminar participants could share experiences in a practical and constructive manner, supported by experts from the IMF and Revenue Watch. I cannot in two minutes provide a full report on this dialogue. However, a document summarizing the insights of participants will be finalized later this month, and I will ensure that that document and other materials available are shared with the House's Standing Committee on Resource Stewardship and with any other interested hon. members.

Thank you, Mr. Speaker.

1:50

#### Oral Question Period

**The Speaker:** The Leader of Her Majesty's Loyal Opposition.

#### Justice System Review

**Ms Smith:** Thank you, Mr. Speaker. It seems everything this government does needs to be investigated. The latest investigation required is because of a botched prosecution of a child abuser. He is free because of an overworked, understaffed Crown prosecutor's office – at least, that's what a lot of people are saying – but the Premier denies it. That's why we need a immediate, impartial, independent review rather than having her former department investigate itself. As the Premier pointed out yesterday, I'm no lawyer, but isn't it obvious to the Premier that you won't get the best result if the department investigates itself?

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

**Mr. Denis:** Thank you very much, Mr. Speaker. Like this member, I, too, was saddened by the recent events, and that's why I ordered an investigation into this matter last Thursday. Over the next two months if the investigation actually turns out that we require an outside prosecutor, an outside individual to come in, the

investigation will indicate that. I have full confidence in this institution and also in the independence of the judiciary.

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

**Ms Smith:** Thank you, Mr. Speaker. That's progress, but it's not enough. Once again we get different information in the Assembly than we do in the newspaper. The government insists that an internal departmental review is enough, but her office staff are now saying that they may need to go deeper. We agree that an investigation into multiple cases of botched prosecutions needs to be done properly, completely, and independently. Now, I'm no lawyer, so maybe the Premier can explain why it is that she is opposed to having an independent, impartial review now?

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

**Mr. Denis:** Thank you very much, Mr. Speaker. As I indicated in my previous answer, I have every confidence in the current investigation, and if we have to bring in any outside parties, that investigation will indicate such.

It's more important to note that justice is not just about justice. It's also about healing. Over the last five years our civil forfeiture office has put in \$1.8 million of funding for victims, and I will proudly continue this regardless of the outcome of the investigation.

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

**Ms Smith:** Thank you, Mr. Speaker. Here in Edmonton we hear as well that it took 10 years to deal with the case of a police officer charged with using excessive force. His punishment was mitigated because of delays attributed to the Crown. Now, I'm no lawyer, but isn't it obvious to the Premier that there is something wrong that warrants an immediate independent, impartial investigation now?

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

**Mr. Denis:** Thank you very much, Mr. Speaker. That is exactly, again, what we are doing. It is an immediate impartial investigation, and if there are outside parties that we have to bring in, that investigation will identify it. At the same time it saddens me, the lack of faith that some people in this Chamber have about our judicial system. I have full confidence in this review. Let's get to the bottom of it because one case – one case – is too many.

**Ms Smith:** Actually, we've now mentioned three cases, Mr. Speaker.

### Health Services Expense Reporting

**Ms Smith:** On to another issue. Mr. Speaker, we're glad to see Dr. Chris Eagle has decided to pay back some personal expenses that he incurred as head of Alberta Health Services. Now, the amounts are relatively small, and they came under AHS's tough new expense policy, implemented last month. You have to wonder about expenses incurred by others before that new policy came into place and how much of those expenses are going to be paid back and how many expenses were offside at the multiple health regions before they became the AHS. To the Premier: why is it Alberta taxpayers can't have this information?

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

**An Hon. Member:** You be careful how you answer this one.

**Mr. Horne:** Thank you very much, Mr. Speaker. I think the questioner should be careful about how the question is asked.

The fact of the matter is that there has been no finding whatsoever that any of the expenses that Dr. Eagle chose to repay violated any of the policies or procedures that were in place at the time under the Calgary health region. The fact that Dr. Eagle has chosen to reimburse Alberta Health Services for the expenses is an example of his concern about public perception on this issue. I think we should congratulate him for doing the right thing, and I think we should recognize that it does not serve us well to undermine confidence in Alberta Health Services or its leadership.

**Ms Smith:** I did commend Dr. Eagle.

I'll ask the question again to the Premier because the Premier has bragged about raising the bar on transparency and accountability. She's even given speeches about it. Here is another opportunity to prove it. I'm asking the Premier: will she order the release of all health region executive expenses going back from 2005 all the way to today?

**Mr. Horne:** Mr. Speaker, we have in this province a Freedom of Information and Protection of Privacy Act that provides exactly the mechanism for access to all of the information the hon. member is referring to.

This government, this Premier have put in place the most aggressive, the most transparent policy around travel and expenses of any jurisdiction in this country. That has been called a gold standard by the Canadian Taxpayers Federation, an organization which the opposition loves to discuss in this Chamber and apparently relies very heavily on their opinion for assessments in these and other matters. We have the toughest policies in place today. The agencies, boards, and commissions that serve this government have all been asked and are expected to adopt these policies.

**The Speaker:** The hon. Leader of the Opposition.

**Ms Smith:** Thank you, Mr. Speaker. Initially it sounded like they were going to do that broader release, but then the Alberta Health Services Board chair said that it would be too expensive. Of course, if you're going to hire some big international accounting firm to do a forensic analysis – but that's not what we're asking for – they could simply post the expenses and let Albertans take a look. Premier, what is it the government is trying to hide?

**Mr. Horne:** Mr. Speaker, if the hon. member would care to check, there are well over a thousand pages of receipts that were posted last week by Alberta Health Services with respect to the expenses that she mentioned. This government has no intention of doing the hon. member's homework for her. We have the most aggressive and most transparent expense and travel policy in the country. It is there for all to see. The FOIP Act is available as a mechanism to look for things that the hon. member might be interested in further. They've made good use of that. We're interested in the health system of today and moving it forward, and we intend to do just that.

### Provincial Fiscal Policy

**Ms Smith:** Now, Mr. Speaker, I know the Premier doesn't have an economics background, so I'm going to direct this next question to the Minister of Finance. While we wait for the minister to deliver on his promise to give us dates, times, places, and participants of the meetings the government held with the Katz Group lobbyists regarding arena funding, let's see if we can

find out what he's doing about the budget. We're pretty sure he's going to try to bury a lot of his capital borrowing by doing what he has called going to capital markets. We call it going into debt. Can the minister tell us how deep into debt is he planning to go?

**Mr. Horner:** Mr. Speaker, if the hon. member is asking me if we are intending on investing in schools, hospitals, roads like highway 63, the answer is yes, we are going to invest in those things. We've looked at what they would rather do, and that's defer the projects out into the future, when they will cost more by their own admissions. We're going to build them now, when Albertans need them, and if we have to borrow for highway 63, we will do so. We've already said that we will.

**Ms Smith:** I see the Finance minister has forgotten the paid-in-full sign that former Premier Ralph Klein presented to Albertans.

Mr. Speaker, energy prices remain low. The Bank of Canada's monetary policy looks out until 2014, and it now shows oil prices converging at \$90 a barrel, yet this government sees prices at \$108 a barrel. In other words, they're off by about 20 percentage points, yet there is no evidence of any adjustments in the government's spending plans to reflect this drop in revenue. To the Finance minister: why not?

**Mr. Horner:** Well, Mr. Speaker, it's rather shameful that this hon. member doesn't pay attention to the announcements of this government before she comes into this House and makes accusations like that. We've already announced that we've raised the in-year savings to \$500 million, a half-billion dollars off this year alone. We've already talked about what we're going to be doing with our capital plan as we move forward. We are adjusting to the economic conditions that we are facing, and we are doing it while building the vision that this Premier has for this province into the future and responding to Albertans' needs, not deferring them out into the future.

**Ms Smith:** Well, Mr. Speaker, unfortunately, the last fiscal update was nothing more than a flimsy collection of coloured graphs and wishful thinking. Albertans deserve the truth. The fiscal accountability act demands full disclosure. The minister has said that the information is too difficult for the media and most Albertans to understand. Will the minister give Albertans just a little bit more credit this time, obey his own law, and give us the full story in the next fiscal update?

2:00

**Mr. Horner:** Well, Mr. Speaker, I apologize if the graphs that were presented in that document were too complicated for the hon. member. We'll try and make that a little better for you.

Mr. Speaker, I find it interesting that the pretend budget that they brought forward on their website actually uses our revenue forecasts. We've changed ours. They haven't told us what they would have cut out of their budget. They haven't told us what school they would have cut. They haven't told us what hospital they wouldn't have built. They haven't told us what road they would have deferred for the next five or 10 years. We're going to build for today and for the future of this province.

**The Speaker:** The hon. leader of the Alberta Liberal opposition.

### Municipal Funding

**Dr. Sherman:** Thank you, Mr. Speaker. We teach our children the importance of keeping our promises. During the last election campaign the Premier promised a better deal for cities. The mayor

of Calgary has said publicly that he has a memorandum of understanding clearly stating the province's commitment to explore all avenues to reduce financial hardships faced by our big cities, a very liberal proposal. Apparently, it's all a misunderstanding as the Minister of Municipal Affairs recently denied municipalities any concessions on new funding or taxing powers. To the Premier: who is right, the mayor of Calgary or the Minister of Municipal Affairs?

**Ms Redford:** You know, Mr. Speaker, I'm so pleased to stand and answer that question, which is actually on government policy. What I want to say is that our Minister of Municipal Affairs is in the middle, right now, of negotiating what I think will be a new deal for cities that is truly going to make a difference to the lives of people in our cities. Now, I understand that one of the mayors of those cities believes that the solution is more taxes. It is not the view of this government, it is not the view of this minister, and we will not support that.

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

**Dr. Sherman:** Thank you, Mr. Speaker. I appreciate the Premier recognizing a good question on policy, but I do have a problem with the fact that the Premier doesn't respect one of the mayors of our major cities.

Given that a big-city charter must include a decision on municipal finances and given that this government has yet again flip-flopped on a clear election promise made by this Premier, to the Premier: who's in charge, you or the Minister of Municipal Affairs, who reneged on your promise?

**Ms Redford:** The Minister of Municipal Affairs and this government and I are entirely aligned with the fact that there are people not in two cities in this province, Mr. Speaker, but in seven cities in this province that are committed to ensuring a better quality of life. Our first step forward with respect to big-city charters, looking at Calgary and Edmonton, is our first opportunity to work not only with mayors but with the citizens of those cities, with our Minister of Municipal Affairs, with council members in those cities to determine how to move forward. Everything is about effective delivery of services. It is not about taxation.

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

**Dr. Sherman:** Thank you, Mr. Speaker. Alberta Liberals have been very clear that any discussion with municipalities needs to be based on three principles: respect for them being equal partners; sustainable, predictable revenue for them; and sharing the responsibility to meet the needs of all citizens. To the Premier: as your government continues to download responsibilities onto our municipalities, why do you still refuse to give our local leaders the revenue and respect and dignity that's rightfully theirs?

**Ms Redford:** Well, Mr. Speaker, I agree with the hon. member that those are principles with respect to any negotiations that we should have not only with city mayors in Calgary and Edmonton but with all municipal leaders and Albertans in general. What I will say is that as we look to what's happening in our two largest cities, we know that we have to think differently with respect to the delivery of services. One of the things that's so important not only in this discussion but in the work that our Minister of Human Services is doing with respect to social policy framework is how we ensure that the provincial government funding that is available is shared amongst communities to effectively support citizens. That's what this discussion is about.

**The Speaker:** The hon. leader of the New Democratic opposition, followed by Lac La Biche-St. Paul-Two Hills.

### Lobbying Government

**Mr. Mason:** Thanks very much, Mr. Speaker. The Alberta College of Art and Design, a publicly funded institution, paid Tory insiders Joe Loughheed and Hal Danchilla \$150,000 to get privileged access to this Tory government. They used public money to get access to the very government that gave them the money in the first place. I can't imagine a worse waste of public money. To the Premier: why does the College of Art and Design have to use public money to pay überexpensive Tory insiders just to get the ear of this government?

**Mr. Khan:** Mr. Speaker, my job as Minister of Enterprise and Advanced Education is to travel the province and meet with our postsecondary stakeholders. I've spent a great deal of the past six months travelling this province, meeting with the boards, the board chairs, and the presidents of the institutions. I will continue to do so, sir, regardless of their government relations and who is serving in that capacity.

**Mr. Mason:** Well, Mr. Speaker, obviously, the minister is going to have to do a whole lot more travelling before he can answer a question in this House.

Given that the leaders of our educational institutions apparently need to hire Tory insiders and unregistered lobbyists to get the ear of this government, can the Premier explain to Albertans how her government has become so remote and so out of touch that its own public institutions need lobbyists to talk to it?

**Mr. Denis:** Mr. Speaker, it was this very government that in 2009 passed the lobbyists registration act. It is still in place to this day. There is a maximum fine of \$25,000. If the Member for Edmonton-Highlands-Norwood has an issue or has some inside information, I'd suggest that he report it to the Ethics Commissioner, who will actually look into it. The Ethics Commissioner doesn't report to me, doesn't report to the Premier, doesn't report to anyone here but to this whole House.

**Mr. Mason:** Well, heaven forbid that I would take an ethical issue to the front bench, Mr. Speaker. That would be a waste of time.

Given that the Alberta College of Art and Design paid Tory insiders \$150,000 of public money to get the ear of its own government, will the government hold accountable the college officials responsible for this ridiculous use of public money?

**Mr. Khan:** Mr. Speaker, as a newcomer to this Chamber I continue to be dismayed by members of the opposition parties continuing to drag respected Albertans through the mud. I would challenge the opposition: if you have courage in your convictions, sir, please make those allegations on the front steps of this building. Please do.

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills, followed by Barrhead-Morinville-Westlock. [interjections]

### Speaker's Ruling Decorum

**The Speaker:** Hon. members, if you persist in these across-the-aisle conversations, that means I have to stand up and consume valuable time, and that means one hon. member will probably not get to ask his or her question later. So, please, let's respect

whoever has the floor. I've said before that you may not like the questions, and you may not like the answers, but the fact is that everybody has the right to offer them.

In that spirit, let's go to the Member for Lac La Biche-St. Paul-Two Hills, followed by Barrhead-Morinville-Westlock.

### Lobbying Government (continued)

**Mr. Saskiw:** Thank you, Mr. Speaker. Every new week it seems the fingerprint of PC cronyism works its way through the fibres of our bureaucracy and publicly funded institutions. Today we found yet another instance. The College of Art and Design felt that the only way they could receive government funding was to pay their dues to the PCs. In fact, \$120,000 in taxpayer-funded dues went to two senior PC insiders. Not only does this smell; it reeks. Will this government now explain to the House why this college was squeezed to fall in line with this out-of-touch PC government?

**Mr. Denis:** Mr. Speaker, as I indicated in the previous exchange, the Lobbyists Act was implemented by this very government in 2009. If this member has any inside information, just like the Member for Edmonton-Highlands-Norwood he should talk to the Ethics Commissioner. Again, that person does not report to any individual minister, does not report to the Premier. This is in an independent officer of this Legislature. [interjections]

**The Speaker:** Hon. members, I asked you politely. Please, let's stop with the interjections. Some of you are on the list to ask questions later. If you wish to speak out of turn now, I will not recognize you later. Be warned.

The hon. member.

**Mr. Saskiw:** Thank you, Mr. Speaker. Given that the former president of the college states that the hiring of the two PC insiders to have meetings with people like the president of the PC Party, Bill Smith, led to some of their "greatest fundraising success" and expedited access, does this really strike the minister as a coincidence, or will he admit this is just more business as usual for an out-of-touch government?

2:10

**Mr. Khan:** Mr. Speaker, with due respect, if the members on the opposite side of the aisle did their research, they would find that ACAD has been funded with the exact same rate of increase as all of our Campus Alberta partners over the past number of years.

**Mr. Saskiw:** A really odd answer.

Given that one individual who was hired by the college was not registered as a lobbyist, will the minister commit to making public all meetings used to lobby this government, or will this culture of secrecy continue?

**Mr. Denis:** I think I'll just say this once and for all on this train. If this member, again, has any information, he should report it. Stop dragging people through the mud here. Take it to the proper channels and not this type of forum.

**The Speaker:** The hon. Member for Barrhead-Morinville-Westlock, followed by Calgary-Fish Creek.

### Rolling Power Outages

**Ms Kubinec:** Thank you, Mr. Speaker. On July 9 the lights went out in Edmonton, Calgary, and Lethbridge, and Albertans were left stuck on amusement rides at the Stampede or in traffic

because Canada's energy province had rolling power outages. It was embarrassing that during the greatest outdoor show on Earth there were kids left dangling on rides while power companies struggled to keep pace with demand. To the Minister of Energy: how did this happen, and what explanation can you provide?

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

**Mr. Hughes:** Thank you, Mr. Speaker. Well, on July 9 I also was in Calgary and witnessed the rolling outages. We saw what happened, which is a circumstance that has now been reviewed by the Market Surveillance Administrator, and we actually have the answers. A number of factors were in play. This is a report that has been released in the public domain. First of all, there was record demand for electricity because of the heat wave. Secondly, generator equipment issues caused by high temperatures caused some facilities to shut down. On the Stampede grounds themselves, though, they had their own little challenge that caused the electricity to shut down on the grounds.

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

**Ms Kubinec:** Thank you, Mr. Speaker. To the same minister. When the rolling outages occurred, there was speculation that it was because of market manipulation or collusion. Was this the case?

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

**Mr. Hughes:** Thank you, Mr. Speaker. Well, you know, there's always an opportunity for a good conspiracy theory, particularly by certain members of this House, but the facts are clear. The facts are clear. I repeat: there was no evidence of market manipulation. This is the judgment of the independent Market Surveillance Administrator.

**Ms Kubinec:** Again to the same minister: what is the minister doing to make sure that this will not happen again?

**Mr. Hughes:** Well, Mr. Speaker, in fact, if you look at the evidence in the province, the important aspect in an electricity system ensuring that we have adequate capacity requires the investment by many private-sector players. If we reflect back over the evidence of the last 10 or 15 years, there has been plenty of investment by plenty of private players. We're extremely well served by the system we have in place today.

**The Speaker:** The hon. Member for Calgary-Fish Creek, followed by Edmonton-Ellerslie.

#### **Mandatory Reporting of Child Pornography**

**Mrs. Forsyth:** Thank you, Mr. Speaker. On April 19, 2010, this Assembly passed a private member's bill I put forward, the Mandatory Reporting of Child Pornography Act. This act is simple and straightforward to mandate the reporting of child pornography. During debate on this bill the now Minister of Justice said, "I am going to strongly support Bill 202 and encourage other people to do the same." To the Minister of Justice: why have you not proclaimed this act to protect our children?

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

**Mr. Denis:** Thank you very much, Mr. Speaker. Since that time the federal government has passed a similar act that has different

reporting requirements, that my department is currently studying. But I want to thank this member for her continued passion in dealing with issues regarding the protection of children. It's much appreciated. It's felt by our department as well.

**Mrs. Forsyth:** Minister, it was passed by us two years ago.

Given that the same minister said that Alberta "requires a proactive measure such as Bill 202 to protect our children from these predators," not the federal government but Alberta, when will you actually provide the protection our children need and proclaim this act?

**Mr. Denis:** Mr. Speaker, as I've indicated, in the two years that have passed since that time, the federal government has passed a similar bill. If we actually go and proclaim this bill, this bill goes and supersedes the federal piece. At the Justice ministers' meeting last week in Regina this was a matter of discussion that we are continuing on with the federal government.

**Mrs. Forsyth:** Minister, it's called protecting our children. This government has never been afraid to challenge anything that the federal government has done. When will the minister drop the excuses and start protecting our children?

**Mr. Denis:** Mr. Speaker, one thing that we are actually looking at right now is whether or not the federal bill provides greater protection than this member's bill. Regardless, I think it's time for this member to realize that this is a Canada-wide issue and that, perhaps, the federal bill is the one where we need to look. If we go and proclaim her bill, what will end up happening is that it will supersede the federal legislation, and I'm not sure that's exactly where we want to go in the best interests of our children in this province.

**The Speaker:** The hon. Member for Edmonton-Ellerslie, followed by Calgary-Mountain View.

#### **Primary Care Networks**

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. Primary care networks perform an extremely vital role in our communities in delivering the health care system to Albertans. Since their introduction several years ago PCNs have been struggling to be recognized as part of the master agreement. All of my questions are to the Minister of Health. Is this government planning on replacing PCNs with family care clinics?

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

**Mr. Horne:** Thank you, Mr. Speaker. The answer is emphatically no. In fact, there are over 40 primary care networks across the province. In keeping with our government's commitment to PCNs, last year we introduced a \$12 increase in the per capita amount that's paid to PCNs. They have a critical role in delivering primary health care in the future as will FCCs.

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

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. My next question to the same minister: will the minister clarify to all of my constituents, where we have many PCNs, and to all Albertans the real difference between the PCNs and the family care clinics?

**Mr. Horne:** Well, Mr. Speaker, I can certainly assure the hon. member that this government has every intention and, in fact, a very a sound plan to improve the level of all primary health care

that's delivered across Alberta. We've talked before in this House about our intention to ensure a greater consistency of services across the province so that all Albertans can rely on a base level of primary health care accessible in or near their own community. Both PCNs and FCCs will play a critical role in doing this. We'll be guided by plans that are developed by communities, and we'll work to support both models in delivering better access to care.

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

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. My final question to the same minister: given that Alberta already spends a lot of money on health care and given that Alberta already has a shortage of health care workers, how do you plan to pay for and staff the family care clinics?

**Mr. Horne:** Well, Mr. Speaker, it is true that we invest a great deal of resources in primary health care across the province. Support for primary care networks is above \$180 million at present. We expect to continue to invest more in the future. The most important thing I would say to the hon. member is that the goal of this exercise is to broaden access and, in doing so, help us to stop doing things in the hospital that we can and should be doing in the community.

#### **Speaker's Ruling Decorum**

**The Speaker:** Hon. members, I've asked you to please stop the conversations across the bow, yet you continue to do it, and it's becoming terribly rude. We have people who are here trying to listen to questions, trying to listen to answers, yet some of you are engaging in this across the bow. Please stop offering the bait, and, others, please stop taking it.

Let us carry on. Calgary-Mountain View, followed by Edmonton-Strathcona.

#### **Child Poverty**

**Dr. Swann:** Thank you very much, Mr. Speaker. Children cannot wait. Deprivation each day in Alberta for 70,000 children, including aboriginals, means failure to develop fully, learn, and succeed as well as suffer preventable illness. This is the most important responsibility of government. The Premier has promised to eliminate child poverty in five years and cut this huge loss of human potential and societal loss. To the minister: given the variety of definitions of poverty how do you define child poverty?

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

**Mr. Hancock:** Thank you, Mr. Speaker. I appreciate such an important issue being brought to the floor of the Legislature today. There is nothing more important than ensuring that our children have a good start in life. Many children in Alberta have strong families. They have families that can support them, and they get to go to school with breakfast in their tummies, ready to learn. But for so many Alberta children we've got more to do. The Premier has promised that we'll end child poverty. That's a very, very lofty objective, but it's a very, very important challenge. By starting with the Department of Human Services and talking about the fundamentals of society, we're beginning that journey.

2:20

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

**Dr. Swann:** Thank you, Mr. Speaker. I do hope that the minister will come up with a definition so we can define the benefits to make good on the Premier's promise to eliminate child poverty, including aboriginal children.

Financial resources are needed to ensure that these children grow up healthy. With a \$3.5 billion deficit this year where does the minister plan to find the money? [Mr. Hancock gestured at the Minister of Finance]

**Mr. Horner:** Good luck.

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

**Mr. Hancock:** Thank you, Mr. Speaker. We do have to keep a sense of humour about us because some of the challenges that we have are so very, very important and some of the situations that children are in are very tragic.

The hon. member asked me to define poverty. In fact, that's one of the problems we have. There are so many people going around trying to define what poverty is. I think we need to focus on what kind of a society we want to have and how we ensure that every child has the opportunity in Alberta to reach their potential and take advantage of the opportunities that we have here in this province.

**Dr. Swann:** Well, I'm not sure if the others heard, but I heard the Finance minister say: good luck. That's unfortunate for our children. Ensuring that children do not live in poverty is a noble goal, but without plans, without a commitment to it and no appetite to ask the public to pay, is this not simply an empty promise as children lurch from crisis to crisis in this province?

**Mr. Hancock:** No, Mr. Speaker, it's not an empty promise. This Premier has promised and this government has promised that we will work with Albertans. We are working with Albertans and discussing a social policy framework that helps us to understand what kind of a society we want to have and how important it is in that society for each and every child to be able to reach their potential. That means all of us, not just government, not just this government. All governments, all societies, all individuals have to come together to deal with this important societal problem. It's not one to make light of. Yes, I did make a bit of a joke; I think it's important for us to keep our sense of humour. But it's really important for us to make sure that every child has the opportunity to succeed.

#### **Children in Care**

**Ms Notley:** Mr. Speaker, since 1997 the children's advocate has repeatedly identified one issue on which this government is failing. The number of aboriginal youth in care is growing every year. Yet 15 years later, according to the advocate's report of yesterday, "there has still been no concrete action plan developed and implemented." To the Minister of Human Services: why not?

**Mr. Hancock:** Mr. Speaker, it would be helpful if the hon. member would read the whole report in which the Child and Youth Advocate talks about the advances that have been made, the fact we have hired an assistant deputy minister responsible for aboriginal relations, that we have focused conversations with the stakeholders right across the province, building the relationship that's so necessary. If you want to have a culturally sensitive approach to aboriginal children in care, having those relationships, building the opportunities for foster families in aboriginal communities, building the opportunity for permanence: those are



so very important. It can't be done if we just set a top-down structure. We have to build those relationships, and we have to deal with those communities.

**Ms Notley:** Well, Mr. Speaker, 15 years later and no plan.

Now, given the advocate's report also points out that actions taken by the ministry to address neglect are "not evident" and given that the ministry's focus on family support has decreased in the face of growing emergent child protection demands, why won't the minister admit that additional resources are required to support our vulnerable families before child protection becomes necessary?

**Mr. Hancock:** Mr. Speaker, additional resources are necessary to support families before child protection is necessary. That's a fundamental. The focus of the whole child and family enhancement act is to support families and strengthen families so that they can properly take care of their children, they can get through their troubled times, whether they're sporadic or chronic. They can be there to support the families and, if that doesn't work, then to deal with apprehending a child or taking a child out of a circumstance where they may be in danger. But absolutely we need to put our first focus on supporting families and making sure that families are strong so their children can be strong.

**Ms Notley:** Given that social workers have begged this government to deal with workloads for years and given that yesterday's report also identifies failures that can only be fixed with more resources like giving caseworkers time to help kids with building relationships and working with families to reduce neglect beforehand, why won't the minister commit to demanding publicly additional resources – additional resources – so his ministry can start the work necessary to protect our most vulnerable children?

**Mr. Hancock:** Well, because, Mr. Speaker, I don't start by demanding more resources. I start by saying: "Are we making the most effective use of the resources we have? Are we doing everything we can to ensure that our children have that opportunity?"

I want to say this. We have 7,000-plus employees in the Department of Human Services, and they're doing very good work each and every day. We can read about the reports, and we want to have the reports to talk about what we could do better and how we could do more. But I want to say here and now that the resources we're putting in place are allowing Human Services employees to help families each and every day in this province.

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

### **Lobbying Government** (continued)

**Mr. Bikman:** Thank you, Mr. Speaker. Unfortunately, municipalities are not the only ones who have to beg favours from this out-of-touch PC government. Today we heard that a postsecondary institution in Calgary has been paying a PC insider a monthly fee to score big cheques from the government. In other words, they're giving tax dollars to PC insiders to try and get more tax dollars from PC insiders. To the Minister of Enterprise and Advanced Education: just how inaccessible are you that postsecondary institutions have to pay PC insiders just to get you to listen?

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

**Mr. Khan:** Thank you, Mr. Speaker, and thank you for the question, hon. member. Apparently, the hon. member hadn't listened earlier to some of the conversation we've had today, so we'll take another run at this question for the hon. member. It's my job to travel the province and meet with our postsecondary stakeholders regardless of who manages their government relations. It's a job I take very seriously, and it's a job I've been working very hard at for the past six months. To suggest that there's some type of graft or corporate corruption going on is an insult to our postsecondary stakeholders, to the hard-working people at these postsecondaries, and to the students who value those institutions.

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

**Mr. Bikman:** Thank you, Mr. Speaker. Perhaps the minister is not aware that his job is to fund postsecondary institutions based upon objective need, not political favour. Again to the minister: given that the former president of the institution in question raved about the success his Tory lobbyist had in securing taxpayers' goodies from this government, can the minister give some kind of indication on which other postsecondary institutions lost out on funds because this particular one had friends in high places?

**Mr. Khan:** Mr. Speaker, again, unfortunately, we have a redundant question. The answer is the same. Had the hon. member done his homework, he would see that the institution in question is funded at the same rate of increase as all of the other 26 members of Campus Alberta.

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

**Mr. Bikman:** Thank you, Mr. Speaker. Given that the PC culture of corruption has led to institutions being forced to pay money to a political party to gain access to a minister and given that this appears to be the case even within the so-called government family, will the Minister of Enterprise and Advanced Education explain to Albertans why PC Party fundraising plays a role in his ministry?

**Mr. Denis:** Mr. Speaker, as the minister of advanced education mentioned, this question has been asked and answered. The Ethics Commissioner does not report to me. He does not report to anyone else. He is fully independent. It's not my job to police him. If the Member for Cardston-Taber-Warner has some specific information, I encourage him – in fact, I insist that he go to the Ethics Commissioner today.

**The Speaker:** Edmonton-Riverview, followed by Chestermere-Rocky View.

### **Disaster Assistance**

**Mr. Young:** Thank you, Mr. Speaker. Each year we look to the sky and in our way pray for our families, our health, sun, rain, and success but, more importantly, to be free from disasters. However, disasters do occur. Property is damaged; lives are lost. Recent history such as flooding in Youngstown, in Edmonton even this past summer, and the disaster of Slave Lake tell us that they occur far too frequently. Now, we don't know when or where the next disaster will hit, but each year they do occur. To the Minister of Finance and Treasury Board: why is it that our budget fails to account for reasonable costs of disasters?

**Mr. Horner:** Well, Mr. Speaker, that is a very interesting question, and it's something that we have considered. Should we

allocate limited taxpayer dollars to spending that may or may not occur, thereby taking it away from some of the other priorities that Albertans have? We do have a process in place for when these disasters occur, and they are many and varied. We have a process to deal with them and to pay for them. We prefer that approach at this time instead of setting aside money that may or may not be used and thereby taking it away from priorities of Albertans.

2:30

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

**Mr. Young:** Thank you, Mr. Speaker. Will the minister commit to including reasonable budget costs for disasters and the provision that in years with few disasters budget amounts in excess will be carried forward to build a reserve for years that have more disasters so we don't face overruns?

**Mr. Horner:** Well, Mr. Speaker, I'm not prepared to commit to that today. We are in the process of the budget, and we've also been in the process of looking at that renewed fiscal framework.

I would note that one of the purposes of the sustainability fund is exactly that: to be there specifically to provide for unanticipated spending on emergencies and disasters. To that end, it has performed extremely well.

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

**Mr. Young:** Thank you. Mr. Speaker, given that we do spend large dollars on disaster funding from year to year, to the Minister of Municipal Affairs: what guidelines are in place to ensure that the supports for disasters don't become financial disasters unto themselves?

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

**Mr. Weadick:** Thank you, Mr. Speaker. That is a very good question. Disasters do happen, and we can't predict them, but we are here to support Albertans at those very important times like the fire that happened in southern Alberta this year, which threatened many homes and families there. Many losses are insurable losses, and those are covered by insurance companies. We're here to support homeowners and Albertans in replacing what they have lost that is uninsurable. It's a manageable amount, but it's very difficult to predict.

**The Speaker:** The hon. Member for Chestermere-Rocky View, followed by Lethbridge-East.

### School Fees

**Mr. McAllister:** Mr. Speaker, thank you. More troubling news for parents on the issue of school fees has just come to light, with the Calgary board of education revealing that it collected \$2.8 million more than it needed to in transportation fees last year. In other words, parents paid nearly \$3 million more out of their pockets than they had to for bus fees. To the Education minister: does this concern you, and what would you propose you do about it?

**Mr. J. Johnson:** Mr. Speaker, yeah, it's a little bit concerning, but I would suggest the hon. member talk to the CBE about it. My understanding is that when their budgets come back – and keep in mind that they're running about a \$1.2 billion budget – if there are any surpluses, they get invested in the transportation budget in the following year, so it goes right back in to eliminate fees that parents would have to pay in the future.

**Mr. McAllister:** And here I thought the government's job was to represent Albertans, Mr. Speaker.

Given that this is the same school board that has a collection agency chasing 3,000 sets of parents for unpaid fees, can the minister understand that parents are starting to get confused as to which fees are actually legitimate and which aren't? Can you understand parents' frustration on this issue?

**Mr. J. Johnson:** Mr. Speaker, the frustrating part of this issue is the flip-flops from the members opposite. Let me read you a quote from an article that was published by their leader: they can find ways to live within the resources taxpayers already devote to education, or they can pay for these extras themselves. Out of the same article: user fees are precisely what's needed. This is what the Leader of the Opposition wrote. Then a few nights ago the Member for Innisfail-Sylvan Lake said, "Albertans should never have to pay a mandatory fee for anything." So I'm not sure what the policy is from across the aisle, but I'll tell you what we want to do. We want to have a dialogue with parents, and that's why we've put the ability of the Education Act to deal with this in regulations.

**Mr. McAllister:** Mr. Speaker, I see why it's called question period and not answer period. Anybody watching knows you have no intention of answering the question.

Given this government wastes hundreds of thousands of dollars on unused hotel rooms, given the government spends billions of dollars on private projects that we don't need to, could it be, Mr. Speaker, that the government is shortchanging boards by mixing up its priorities and not allowing boards to do what they need to do and, in effect, punishing parents with hidden fees?

**Mr. J. Johnson:** I'm not sure if that was a spending question or a cutting question. On one hand we're being told there's a surplus that we've got to deal with, and on the next hand we're underfunding education. Mr. Speaker, we put a lot of trust in teachers and in school boards every day, and they're entrusted locally to make those decisions. We think that school fees are something that we do need to discuss, and that's why we put right in the Education Act that the minister has got the ability to set regulations around those fees. We want to go out and talk to parents about that, and I think that's where we should be having this discussion and not in the Assembly.

**The Speaker:** The hon. Member for Lethbridge-East, followed by Little Bow.

### Urogynecology Wait Times

**Ms Pastoor:** Thank you, Mr. Speaker. I'm repeating this question because I believe in its importance. I'm a nurse, and although this topic doesn't embarrass me, there may be a few in this House that will squirm. Maybe that's why thousands of Alberta women are living in needless discomfort. Childbirth, heavy lifting, and, yes, lack of exercise can cause bladder and uterine prolapse into the birth canal. This condition causes incontinence, repeated bladder infections, and often severe pain and sometimes immobility. To the Minister of Health: why are the women in this province waiting for as long as two years plus – and now at this point it might be three – to receive the surgical procedures needed to correct the most serious case of bladder and uterine prolapse?

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

**Mr. Horne:** Thank you, Mr. Speaker. This is an issue that I've discussed with the hon. member as well as professionals who work in this field, urogynecologists. As the hon. member may know, there is a shortage of urogynecologists in Alberta. The waiting times for the procedures that she mentioned are long. They are much longer than we would like them to be. Alberta Health Services has established an internal team focused on women's health that is looking at this issue. I can tell you that I would agree entirely with the hon. member that women are waiting far, far too long for this procedure, and we know that the impact on quality of life can be very significant.

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

**Ms Pastoor:** Thank you, Mr. Speaker, and thank you to the minister, who answered part of my question. Yes, we have had conversations about it.

My next question would be: could we add to the online wait time registry so that women could at least see where they are in that lineup for these very lengthy waits?

**Mr. Horne:** Well, Mr. Speaker, I can certainly take that up with Alberta Health Services and get back to the hon. member. As the hon. member knows, urogynecology is a subspecialty, and although the women who are waiting for this are affected profoundly by the wait, there are a smaller number dealing with a smaller group of subspecialists than other procedures that we more commonly provide.

I think, Mr. Speaker, part of the answer to this, as well, is opening up more operating room capacity. In Calgary, for example, the south Calgary health campus, when fully open in the spring, will provide additional operating room space. That coupled with a renewed effort to recruit more specialists in this area is, I think, ultimately what we need to do to reduce the wait times.

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

**Ms Pastoor:** Thank you, Mr. Speaker, and thanks to the minister. You've basically answered my third question. We really have to fast-forward this process. I know that AHS is working on it, but I would like to see some kind of a time frame put on it when they have to come forward with their report.

**Mr. Horne:** Mr. Speaker, as I said, I will discuss this matter with Alberta Health Services and get back to the hon. member. I will include in that discussion an indication of an appropriate and achievable time frame to address this issue.

**The Speaker:** The hon. Member for Little Bow, followed by Fort Saskatchewan-Vegreville.

### Municipal Taxation

**Mr. Donovan:** Thank you, Mr. Speaker. In 2007 the report to the Minister's Council on Municipal Sustainability was offered by the mayors of the day of Edmonton and Calgary and members of the AUMA and AAMD and C to the past Minister of Municipal Affairs. The title transfer tax was raised and buried at the time, and reading the *Calgary Sun* dated November 2, 2012, I see the new mayor of Calgary has raised this issue again. Will the Associate Minister of Municipal Affairs please clarify with this House: will there or will there not be a title transfer tax allowed?

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

**Mr. Weadick:** Well, thank you, Mr. Speaker. I'm very pleased to rise and speak to this particularly important issue. We know that the mayor of at least one large city has speculated about new taxing authorities that they would like to see. We on this side of the House understand there is one taxpayer. There's only one taxpayer in this province, and we realize that they already feel overtaxed. Our new civic charters are not about creating new taxes.

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

**Mr. Donovan:** Thank you, Mr. Speaker. I have a newsletter, which I'll be tabling here, from the Alberta real estate board that states that they are very concerned about the land transfer tax, which equals, basically, a homebuyer's tax. Given that even at 1 per cent the average home would cost another \$3,600 more to buy, to the associate minister: would you please reassure all Albertans that the province and the cities will not try implementing any kind of these taxes?

2:40

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

**Mr. Weadick:** Thank you, Mr. Speaker. I am aware that these types of taxes have been used in other parts of Canada, but we have been very, very clear. We are not talking about new taxes; we're talking about how to take the best advantage of the funding that's in place now. The mayor of one of our large cities said: we believe there is enough funding in the system to fund the necessary programs. I can say unequivocally that there will not be a land transfer tax.

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

**Mr. Donovan:** Thank you, Mr. Speaker, and thank you to the associate minister because that's very key and crucial to my next question. Would you please, then, author a letter to the Alberta Real Estate Association board to confirm that this will never happen during this government's tenure?

**Mr. Weadick:** Mr. Speaker, I'm pleased to take that under advisement. We have made that statement very clearly in the House today. This is public. There will not be a land transfer tax. We will stand by that.

**The Speaker:** Hon. members, that concludes Oral Question Period. In 15 seconds from now we'll reconvene with Members' Statements, and it will be Calgary-Glenmore up first.

### Members' Statements

(continued)

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

### Literacy

**Ms L. Johnson:** Thank you, Mr. Speaker. I rise today to acknowledge the hard work of literacy tutors, facilitators, and learners in Alberta. Recently the Literacy & Learning Symposium was held here in Edmonton, a joint effort of the Community Learning Network, the Centre for Family Literacy, and Literacy Alberta. Over 300 tutors, facilitators, and adult learners participated so they could both strengthen and continue the hard work done throughout the province. The opening address was delivered by the Premier, and sessions throughout the symposium addressed such topics as community engagement, what the

connection is between literacy and health, and supporting Alberta's next generation economy.

Mr. Speaker, because of the actions of the hosting agencies and others adult learners are improving their literacy skills, increasing their community involvement, and expanding their employment prospects with additional career training. This also means that these Albertans along with their families and their communities are able to realize their full potential and participate in the economic success of this great province.

UNESCO defines literacy as "the ability to identify, understand, interpret, create, communicate and compute, using printed and written materials... with varying contexts." Literacy is an essential skill that affects an individual's quality of life at home, at work, and in social situations. Unfortunately, too many Canadians do not have the appropriate level of these essential skills. Mr. Speaker, this is a reality within both the Canadian-born and the new-Canadian communities.

As this is Financial Literacy Month, I would like to congratulate again the Community Learning Network, the Centre for Family Literacy, Literacy Alberta, and other agencies involved in literacy projects for the good work that they are doing and thank them for their successes to date assisting adult learners.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Red Deer-North, followed by Innisfail-Sylvan Lake.

#### Travel Alberta Alto Awards

**Mrs. Jablonski:** Mr. Speaker, tourism is the third-largest industry in Alberta, generates \$5 billion a year, and employs more than 90,000 people. This Legislature is very proud of the awesome organizations and individuals who received this year's Travel Alberta awards. On October 22 Travel Alberta hosted its 12th annual industry conference, and the hon. Minister of Tourism, Parks and Recreation presented awards to organizations and individuals whose enthusiasm is contagious and whose passion for Alberta and our tourism industry is inspiring.

The winners included Stoneridge Mountain Resort in Canmore for service excellence, Head-Smashed-In Buffalo Jump in Fort Macleod for sustainable tourism, Banff Lake Louise Tourism and the town of Banff for tourism community of the year, Edmonton's Ice on Whyte Festival for the Alberta pride award, Ms Lola Brown for her story Come to Calgary!, Tourism Calgary and the Calgary Philharmonic Orchestra for their singing tweets marketing partnership, and the Calgary Stampede's We're Greatest Together marketing campaign. And Tourism Red Deer won two awards, one for the 2012 Scotties Tournament of Hearts outstanding online marketing campaign and one for the exciting central Alberta Country Drive marketing campaign as well.

Last but not least, Mr. Randy Bertrand of Devon was recognized as one of our greatest tourism ambassadors. Thanks to his vision and dedication tourism is becoming the largest economic driver in his town.

We are so fortunate to have dedicated, enthusiastic, and passionate people like this who are driven to make our province and this industry even better year after year. I ask all members to join me in congratulating them for a job well done.

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

#### Driving Competence Test

**Mrs. Towle:** Thank you, Mr. Speaker. Confusion over the DriveABLE program seems to be running rampant. It's a test

some seniors are forced to take when renewing their driver's licence at a cost of up to \$300, a test that's long been complained about, that is unfair, inaccurate, and ineffective.

Yesterday in question period the Minister of Transportation told the House that the DriveABLE program was under a review by his department. This was a very surprising and interesting piece of information for me to hear because up until yesterday I and other concerned Albertans were told that the Department of Transportation had nothing to do with DriveABLE. In fact, not so long ago the now Minister of Health wrote in a letter to a seniors' advocacy group that DriveABLE was a private company with no affiliation with the government of Alberta.

Mr. Speaker, this is the basis of the confusion. How can one minister say that the government will review DriveABLE, yet the other minister says the government has nothing to do with DriveABLE? The only thing clear about this situation is that both the Minister of Health and the Minister of Transportation are confused and, clearly, inconsistent.

Concerns about DriveABLE are not new to this government. These concerns regarding seniors' independence and privacy did not just come out now from the woodwork. Seniors have been voicing their concern about this program for a significant time. For the minister to now say that DriveABLE is under review is quite an admission.

Not long ago DriveABLE was a pilot project, a private company doing some research. However, now somehow it's under the wing of the Minister of Transportation and under a reviewable mandate of that minister. If that's truly the case, Alberta's seniors will be shocked to hear that at the same time they were bringing their concerns forward about DriveABLE, the government was quietly establishing itself as official judge, jury, and executioner of the seniors' driving privileges and ultimately their independence. This has raised many questions amongst Albertans. Most importantly, what is the appeal process? Unfortunately, instead we're left with no answers.

Thank you.

#### Tabling Returns and Reports

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

**Mr. Horne:** Thank you, Mr. Speaker. I'm pleased to table the requisite number of copies of the 2011 College of Physicians & Surgeons annual report, entitled Good Medical Practice: It's What We're All About. The report discusses a new strategic plan for the college, a new online program developed to introduce new registrants to the college, and describes the 3.3 per cent increase in physicians registered for independent practice in that year.

Thank you, Mr. Speaker.

**The Speaker:** The Associate Minister of Seniors.

**Mr. VanderBurg:** Thank you, Mr. Speaker. I'm pleased to table the requisite number of copies of the 2011-12 Alberta College of Occupational Therapists annual report on behalf of the Minister of Health. The report illustrates the college's and the therapists' commitment to fulfill the Alberta commitments to health.

Thank you, sir.

**The Speaker:** The hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Mr. Speaker. I have three things to table. Five copies of Concern: Land Transfer Tax = Home Buyers' Tax, which I referred to earlier, from the Alberta Real Estate Association.

I have five copies of the Friday, November 2, *Calgary Sun* article I talked about, the Municipal Affairs minister.

And then from last night's debate I have five copies of the Strathcona county minutes from the June 28, 2011, regular meeting.

Thank you.

**The Speaker:** Thank you.

The hon. Member for Edmonton-McClung.

2:50

**Mr. Xiao:** Thank you, Mr. Speaker. As chair of the Standing Committee on Legislative Offices and in accordance with section 4(2) of the Election Finances and Contributions Disclosure Act I would like to table five copies of the 2011 annual report of the Chief Electoral Officer. The copies will be provided to all the members of this Chamber.

Thank you.

**The Speaker:** Edmonton-Calder, please.

**Mr. Eggen:** Thank you, Mr. Speaker. I would like to table the appropriate number of copies of 202 e-mails regarding Monterey Place in Calgary, where 90 workers have been locked out since June 26 by Triple A Living Communities. These e-mails highlight that this private facility receives a financial subsidy from the government, and we would like to see the payment of the workers at Triple A be comparable to the public sector.

Thank you.

**The Speaker:** The hon. Member for Fort Saskatchewan-Vegreville.

**Ms Fenske:** Thank you, Mr. Speaker. I would like to table five of the appropriate copies of an e-mail that I referred to in my remarks last night with respect to Bill 2.

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

**Mr. Bilous:** Thank you, Mr. Speaker. I'd like to table the appropriate number of documents related to the Alberta College of Art and Design's lobbying activities with the provincial government. The first document is a contract between the Alberta College of Art and Design and a Tory insider, which shows that the college wished to obtain access to the Minister of Advanced Education.

The second is a \$50,000 purchase requisition from the Alberta College of Art and Design for community and government relations.

The third document is a statement of account from Fraser Milner Casgrain to the Alberta College of Art and Design for services from a PC insider in relation to a meeting with the PC Party president among others.

The fourth and final document relates to expenses, including expenses for representatives for the Alberta College of Art and Design to attend the Calgary Premier's dinner.

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

**Dr. Brown:** Thank you, Mr. Speaker. I'm pleased to rise and table the appropriate number of copies of a notice of amendment regarding Bill 202, which I referenced in my speech yesterday.

## Orders of the Day

### Government Bills and Orders Committee of the Whole

[Mr. Rogers in the chair]

**The Chair:** I call the Committee of the Whole to order.

## Bill 2

### Responsible Energy Development Act

**The Chair:** I believe that the hon. Minister of Energy has 14 minutes left to speak. I recognize the hon. Minister of Energy.

**Mr. Hughes:** Thank you very much, Mr. Chair. I've been following the debate surrounding Bill 2, obviously with great interest, and I appreciate the very constructive input from members on all sides of the House. As a new member of this Assembly I'm very delighted to be part of this whole process. Of course, my family has a long and rich history in this province, and I'm pleased to be supporting and bringing forward to the Legislature a bill like the Responsible Energy Development Act.

We've heard a lot about the bill in the past two weeks, but I want to take us back for just a moment to the beginning of this important project. The Responsible Energy Development Act has always been about creating an efficient and effective single energy resource regulator. When my colleague from Drayton Valley-Devon first embarked on this endeavour two years ago, it was to ensure that Alberta remains a competitive and internationally respected place to do business.

Alberta has been blessed with immense resources, and our stewardship of those resources is a responsibility none of us take lightly. It's a responsibility we owe to Albertans today and to future generations to come. It's all about finding that balance, Mr. Chair, that balance between environmental stewardship, economic development, and respect for landowners.

We also want to remain an attractive place to do business, though, Mr. Chair. We want it to continue to be a good place for good jobs, to build the economy so we can continue to invest and have the resources in the public domain to be able to invest in education, in health care, in caring for seniors, and other important infrastructure. There are billions of dollars' worth of investment in play here that this new regulatory organization will oversee, and it's extremely important to the quality of life of all Albertans. That's why the timing of this new regulator couldn't be better.

The new regulator for oil, gas, oil sands, and coal will be a one-window approach to energy regulation, something our province needs and which has received support from both sides of the floor. What we're talking about here is bringing together the regulatory functions of the Energy Resources Conservation Board and the Ministry of Environment and Sustainable Resource Development for energy resource activities.

As I've followed the debate, I've heard questions about how the bill will affect landowners. These are important questions. Landowners' interests are vital. We have spent two years engaging landowners and other stakeholders in discussions about the current energy resource regulatory system, and we listened to what they had to say. In particular, Bill 2 makes important provision to ensure that landowners have timely information about proposed energy activities.

As you'll note in section 31, this new regulator will be required to give Albertans notice about all project applications that it receives. This is not something that's currently required, Mr. Chair, and it confirms that we listened to community members, to landowners, First Nations, and others who had concerns about the existing regulatory agencies in the province. Every potentially affected Albertan can then submit a notice of concern directly to the regulator.

Based on the issues raised in debate, I'm going to propose an amendment to clarify that the regulator must provide public notice of an application. In this regard, I want to assure Albertans that

they will be heard, because I think that there is some confusion on this point as indicated by the debate.

I'm going to propose an amendment to section 32 to clarify that any person who believes that they may be directly and adversely affected by an application may file a statement of concern with the regulator. This clarity is important. The ability of Albertans to inform the regulator of their concerns is critical so that the regulator will have good information at the front end of the process to take into account all concerns as it begins to consider any particular application.

In the current regulatory system providing notice of proposed energy activities is not always required, and Albertans do not always have the opportunity to inform the regulator of their concerns, at least not at the front end of decision-making. This often results in challenging a decision that has already been made. Bill 2 provides a better opportunity for Albertans to be informed and to have input into proposed energy resource activities.

3:00

Bill 2 also provides for important appeal processes. In the current system Albertans and landowners use the existing appeal mechanisms for the reasons I stated a moment ago. Because decisions are often made without hearings, the only recourse left is to appeal decisions. Through Bill 2 the regulator is able to involve Albertans and landowners much earlier on in the process.

**The Chair:** Hon. minister, if I may, would you please just pause for a moment and distribute the amendment and then return to speaking?

For the record you actually had 20 minutes, so you have some 14 and a half minutes left.

**Mr. Hughes:** Thank you very much, sir. That's an expansion on the earlier instructions.

**The Chair:** We'll have the amendment distributed. Please continue, hon. minister. Thank you.

**Mr. Hughes:** Thank you, Mr. Chairman. Through Bill 2 the regulator is able to involve Albertans and landowners much earlier on in the process, before decisions are made, as I was saying. If you have the right to appeal to the EAB today, you will have the right to request a regulatory review tomorrow. It is also important to note that unlike in the ERCB system today hearings will be conducted by hearing commissioners who are appointed separately and quite independently from the board and the CEO of the regulator. This provides an additional element of independence. The structural change drastically reduces the potential for conflicts and supports fair decision-making.

I think there is some confusion about whether or not the reference in the bill to regulatory reviews is, in fact, an avenue of appeal. Regulatory reviews are a form of appeal. To clarify this, Mr. Chair, I propose an amendment to change all references in this case from review to appeal. This will make it clear that there's an appeal mechanism that is in addition to appeals to the court, but at the end of the day if there is still disagreement about the regulator's decision, Albertans still have access to the court, as they always have.

I'd like to discuss further the makeup and composition of both the board of directors and hearing commissioners. Through the Responsible Energy Development Act we are ushering in a modern governance model. Mr. Chair, as somebody who has spent a lot of time learning about and practising the practice of

governance of organizations large and small, this is very important. Under this new structure there is a separation in the governance function of the board of directors, the management responsibilities of the chief executive officer, and the conduct of hearings by hearing commissioners.

This structure enables us to recruit the right people for the job. It allows us to gather the most talented people we can find for the governance board, for the management group, and importantly it will enable us to recruit people with the right mix of expertise required for the hearing process. This is the flexibility we need in order for us to build a regulator which is truly world-class and stands out in the global community of those who provide regulatory oversight.

We also think it's crucial that the regulator have the time it needs to make the right decisions for this province by gaining the right information from stakeholders, landowners, and Albertans. We have not prescribed hard timelines for decisions because we don't believe every project takes a one-size-fits-all approach. Rather, we are giving the regulator the tools and the flexibility it needs to be nimble, responsive, competitive, and efficient. That's what we heard landowners, industry, First Nations, and Albertans want, and that's what we're doing.

Finally, I would like to talk about consultation as a whole. Let me be clear. Albertans will be engaged, and they will have more opportunity to provide input into the new system than ever before. Albertans will be engaged on important resource policy issues as we move forward. We remain committed to consulting with the province's First Nations. This responsibility rests with the Crown, which is why we haven't given the regulator the authority to determine the adequacy of consultation. It is the government's responsibility, Mr. Chair, to engage and consult with First Nations, and it's a responsibility the government of Alberta takes very seriously.

I'd like to end by saying that this is a once-in-a-generation opportunity to truly revolutionize the way we regulate energy resources in the province. We're going to take the best practices from the past and build on them for the future. I believe that with the Responsible Energy Development Act we are creating a system that is efficient and effective for all parties involved. It will set high standards and will ensure that we remain a competitive place to do business while protecting Albertans' property rights and protecting our environment.

Thank you very much.

**The Chair:** Thank you, hon. minister.

**Mr. Hughes:** I'd just like to table the amendment I referenced earlier.

**The Chair:** Yes. We've recognized that. Just for the record this will be amendment A1.

I'm going to recognize the Member for Edmonton-Centre on a point of order.

#### Point of Order Separating Amendments

**Ms Blakeman:** Yes. Thank you very much, Mr. Chair. The citation I'll give you is *Beauchesne* 688, which would allow me to ask that the clauses of the government's amendment be severed, and this is following with the tradition and precedents of the House. This is definitively to discuss the various sections separately and also to be voted separately.

**The Chair:** Thank you, hon. member.

**Mr. Anderson:** I would like to speak to that point of order.

**The Chair:** You will in a minute, hon. member.

The rules indicate that this does not require a vote. This is a courtesy that the chair will allow. We will split it as you have requested, hon. member. So there is no further point of order.

**Ms Blakeman:** Thank you.

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

**Mr. Hancock:** Thank you, Mr. Chair. Just what are you splitting? You're splitting it for voting purposes, but for discussion purposes anybody speaking to this can speak to the whole package?

**Ms Blakeman:** With respect, Government House Leader, and speaking directly to the chair – help me with the math here – there are something like 14 different sections that are being modified by the government amendment. While I wouldn't say that anyone couldn't speak to all of them, my intention, which you have concurred with, was that they be debated separately and voted separately. This is affecting a number of different sections in the bill, and it requires that kind of attention. According to 688 we are allowed to discuss this word by word, clause by clause. This is the working session on the bill, and I would like the opportunity to work the bill.

Thank you.

**The Chair:** So for clarification, then, hon. member, you're requesting that we discuss and debate from A through N separately?

**Ms Blakeman:** Yes, sir.

**The Chair:** Okay. Thank you.

Hon. Government House Leader, did you care for further clarification on that, or is that good enough that we move forward?

**Mr. Hancock:** Thank you, Mr. Chairman. The custom and the practice of the House has been on occasion, when requested, to separate particular sections for voting purposes but to treat the amendment as a whole. I would request that we continue with that custom and practice of the House.

**Ms Blakeman:** Mr. Chair, as the person who has requested this in the past, I can tell you that both have been granted to me.

**The Chair:** Hon. members, I believe that for clarity it would serve us to debate each separately and vote separately, so we will proceed accordingly.

### Debate Continued

**Mr. Anderson:** Mr. Chair, I do appreciate your ruling very much, but I have to say that this amendment has not been provided to us in advance. This is the first we've seen of it. This is . . .

**An Hon. Member:** Raising the bar.

**Mr. Anderson:** . . . apparently raising the bar in this democratic process.

What it seems to be to me is a way to amend certain sections knowing full well that we cannot, once these sections are debated and voted on as an omnibus package, bring our different

amendments that we have one by one. With your ruling, that's less of a problem now because we can go through and debate each one of these clauses. However – and this is important – we will need time to look at this amendment and see how this alters the bill.

3:10

I mean, it's just – we'll keep it simple. It's difficult to understand how the opposition – we've prepared 12 amendments to this bill. The NDP caucus, I know, has at least six, maybe eight, and I know the Liberals probably have some as well. We're in a position here as a caucus where we would have to study this amendment to see what subamendments we would need to bring to these different clauses because if they affect amendments that we were going to bring, this is our one shot to talk about them.

Mr. Chair, I would ask the Government House Leader to consent to adjourning debate on this bill. Give us a day at least anyway to take a look at the different amendments, how this affects the bill, and come back, hopefully, with amendments or subamendments – which ones we can support, which ones we can't support – just some basic time to go over this. Otherwise, I fear we're going to be spending a lot more time than necessary in Committee of the Whole.

It just doesn't make sense to do it this way. If we had had this given to us in advance, even a few hours in advance, we could've prepared something for it. But at this point I don't know how we can proceed without adjourning debate to a future day. So I would move, hopefully with the Government House Leader's approval, that we adjourn debate on this matter until we can review this amendment in full.

**The Chair:** Thank you, hon. member. Just for the record the rules do not require that notice be given of where we are today.

However, I will look to the hon. Government House Leader. Did you want to respond, hon. Government House Leader?

**Mr. Hancock:** I would dearly love to, but a motion to adjourn is nondebatable.

**The Chair:** You have moved that we adjourn debate?

**Mr. Anderson:** Yes.

**The Chair:** Okay. That's not debatable.

**Mr. Anderson:** It's just a vote.

**The Chair:** Then I'll call the question.

[The voice vote indicated that the motion to adjourn debate lost]

[Several members rose calling for a division. The division bell was rung at 3:12 p.m.]

[Ten minutes having elapsed, the committee divided]

[Mr. Rogers in the chair]

For the motion:

Anderson	Eggen	Saskiw
Anglin	Forsyth	Smith
Barnes	Fox	Stier
Bikman	Hale	Strankman
Bilous	McAllister	Towle
Blakeman	Pedersen	Wilson
Donovan	Rowe	

Against the motion:

Allen	Goudreau	McQueen
Bhardwaj	Hancock	Olesen
Bhullar	Horne	Quadri
Brown	Horner	Quest
Campbell	Hughes	Sarich
Casey	Jeneroux	Starke
Cusanelli	Johnson, L.	VanderBurg
Denis	Kennedy-Glans	Weadick
Fawcett	Khan	Xiao
Fenske	Kubinec	Young
Fritz	McDonald	
Totals:	For – 20	Against – 32

[Motion to adjourn debate lost]

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

**Mr. Hancock:** Thank you, Mr. Chairman. Well, I just wanted to briefly, then, speak to the amendments and indicate that it's interesting to have what we've just gone through with respect to the motion to adjourn debate. I understand the opposition's concern about an amendment being tabled that they haven't had a chance to look at and that they have to read, digest, figure out how it fits into debate on the bill. That's what we face every day in this House when we go into committee. Amendments come up.

I have as House leader always extended the arm to opposition members to say that if you have amendments to the bill, to any bill, you know, share them with us, and we'd be prepared to discuss. [interjections] I hear members opposite saying: we did.

Last night during debate there was mention a number of times of 12 amendments. As I understand it, four have been shared, so there are another eight that haven't been shared. Then when I talked to other opposition members, they say that they have five, but those haven't been shared. The dilemma I have here as a House leader is: do we adjourn the House every time an amendment is tabled so that people can read it and digest it and see how it affects life and see how it affects subamendments?

Now, part of the problem appears to be – and I do appreciate the dilemma – that members opposite say that the amendments have been submitted to the table and haven't yet been approved. I can understand that. So, then, in scheduling House business, that creates a bit of a complication. I think it's a complication that we need to address because if the amendments that have been submitted and haven't come back are not available for tabling in the House or for sharing, then as House leader I really ought not to be scheduling the debate on the bill. But we did actually give notice to everybody that debate would be scheduled, and nobody actually came back and said: "Well, we're not ready for debate in committee on this bill. We don't have our amendments back from the table yet."

So we do have a bit of a dilemma, and I think it's an interesting one because I have to say that I can only remember a few occasions where I've actually risen to ask the House to adjourn debate in committee so that we might take an amendment back and look at it. We have done that because I am absolutely sincere when I say to members of the House that I believe that our role is to make the best possible legislation we can, and that means that we should be looking at amendments that come forward to determine whether, in fact, we think they actually will improve the bill.

I think it's a given that there are some things that we're just going to disagree on. We know that amendments come forward to allow for political statements to be made. When I use the word

"political," I'm not using that in any sense in a negative way. I think that the art of politics is to discuss public policy in public and to put opposing positions forward, and I know that a significant number if not most of the amendments that come forward on any given bill are with respect to a true difference of viewpoint as to the direction that a bill should take.

Others that are brought forward are truly intended to improve the legislation in terms of its operation, and those, I think, bear a significant looking at. In some cases, where those amendments are clearly discernible, we can work with the minister or the bill's sponsor. We can look at it and make a determination whether there are likely to be any unintended consequences, those sorts of things, and amendments can be accepted on the floor of the House, so to speak.

In other cases, where an amendment looks like it might be an amendment which is designed to truly improve the quality of a bill but requires some additional look, I have in fact asked the House to adjourn so that we could take it back. We're very reluctant to do that because House time is valuable.

That's why I always extend the arm of, dare I say, friendship to opposition to say that if you have amendments that you want to bring forward to a bill that are truly intentional in terms of improving the bill, share them. We'll have discussions in our respective caucuses, and we'll bring them to the floor for informed discussion. If they're not, then we'll presume that they're political in nature, and we likely won't have an informed discussion on the floor because we'll assume that they're intending to provide a platform for a political discussion.

3:30

Now, I'm truly in a dilemma here because we have tabled some fairly straightforward amendments but amendments that, nonetheless, will take somebody a few minutes to check back on the various sections to see what they're doing. Given that this is amending a wholesome act – in other words, one doesn't have to go and check back to the existing statutes; it's just checking it against the bill to see where it is, so it's a relatively more easy process – I would expect that we would be able to deal with it. Nonetheless, if the members opposite are prepared to undertake to share their amendments with us on a timely basis, say before end of business this afternoon, I would certainly encourage us to consider adjourning debate so that they can have a look at these amendments and see how they impact and see how they might impact other amendments. Then we can determine what time is necessary in conversation with the table with respect to when amendments that they've indicated are coming might be completed.

This is truly a problem for this House if we cannot get our amendments on the table in a timely basis. We have a period of time that we're sitting here. We've done some very heavy lifting, actually, over the last two weeks. Members on both sides of the House have been very co-operative in terms of dealing with the work of the House. We've had up until now, I thought, a very good conversation around scheduling although I hadn't noticed that the leader of the Liberal opposition had stopped speaking to me, but I now notice that. We have endeavoured to ensure that everybody was aware of the course of business that we wanted to undertake for the week, what our goals and objectives for the day were, and how we were to proceed.

I would have hoped that if parties were not ready to proceed with debate, they would let us know shortly after we put it on the table so that we could take a look at it and see how we could do it better. I have no intention as House leader to bring business to the floor of the House that's not ready for debate, but we do have to



have business on the floor of the House, and we do have a lot of business to do. I would look to advice from the hon. members opposite if they're prepared to undertake to share amendments on a timely basis. Whether or not they're in official, finished form is not relevant to me as long as they show the intention. What's fair for one is fair for the other.

Amendments coming forward are dropped on the floor of the House and distributed, and then we're expected to get up and vote on it. I have to scramble, as I do with each and every amendment, to look it up, to see what it does to the bill and what it does to the existing act if there is an existing act. I do that every time. When I'm on the floor of the House, every time an amendment hits the floor, I have to do that work on the fly at that moment to determine what the efficacy of that amendment is, consult with the bill's sponsor, consult with members on the floor of the House, and see how to proceed.

We don't get that courtesy from members of the opposition very often, not in the 15 years that I've been House leader, and we certainly haven't had that kind of co-operation now. Yet one government amendment is tabled, and all of a sudden it's an affront to democracy if we don't adjourn the House so that everybody can sit down and examine it in full detail. What's good for the goose is good for the gander, as they say. I'm not sure what that expression means, but it is an expression. I think what it means is that we can't adjourn the House every time an amendment hits the floor, so the only way the House can reasonably proceed, if that's a requirement that people have, is if people share amendments on a timely basis. Maybe that's an amendment we need to make to the rules; I don't know. I would think this would be something that could be done by people of goodwill working together and collaboratively.

**The Chair:** Thank you, hon. Government House Leader.

I'll recognize the Member for Airdrie, followed by the Member for Edmonton-Centre.

**Mr. Anderson:** Thank you, Mr. Chair. I'd like to thank the Government House Leader for that wonderful explanation of what we're seeing here today. Just to give background on what did occur, this caucus, for our part, sent over our critic, our deputy House leader, to meet with the Minister of Energy and their lawyers. In fact, I believe there were two meetings that evening but certainly one that lasted a while. Our critic for Energy went over exactly the concerns, the amendments in rough form, the subject matter of the amendments, what they were going to be. He didn't have the exact wording, of course, because it was before Parliamentary Counsel. This government did know of the amendments long in advance. We have done everything we could to reach across the aisle and try to co-operate with them in that regard.

What day did you send them the four amendments?

**Mr. Hale:** This morning.

**Mr. Anderson:** This morning we sent them four one-line amendments – one-line amendments, very small amendments, anyway, simple amendments – in advance so that they could see them, with the promise that we would get the other eight to them as soon as they came from Parliamentary Counsel, where they're at.

I would also say that I hope our Parliamentary Counsel doesn't wince from the bus tracks that are over their backsides right now. They are severely overworked. Frankly, it's just ridiculous that we're here till midnight every night. We have amendments in this committee that they're trying to get together, and they have to be

here to help run the House and help the chair run the House late into the evening. To sit here and somehow infer that they're not doing their job because they can't get the amendments out quick enough for folks – we have a serious problem. The serious problem is that we have a government that decides they want to ram through legislation and stay up till all hours of the night to do it and only sit 20 weeks of the year in this Legislature while giving themselves a 16 per cent raise or an 8 per cent raise, whatever it is that week. That's what the problem is with this democracy, frankly, Mr. Chair.

I certainly would like to commend Parliamentary Counsel for the good work they do for the opposition. Maybe we could spend some of that money that we would have spent on trips to the Olympics and, instead, spend it on another couple of folks and support staff to help these folks, who are working as hard, probably harder than most of the folks if not all of the folks in this Legislature. I don't think they have anything to be ashamed of, and I want to make that clear. They're working very hard.

Now, I would also say that this is why we debated in second reading over and over and over again the idea of sending this to a public policy committee. This is the exact reason why. Now we've got some kind of bologna sausage-making going on here, legal sausage-making, that's going to result in an absolutely horrendously flawed bill.

If we had just put this and taken the time, we wouldn't be here debating. How many sections does this amend? Fourteen. Well, there are several subsections, too. Fourteen amendments in one omnibus amendment, including number M here, which amends sections 12, 15, 18, 38, 39, 40, 41, 60, 61, and 78; and number N, sections 38, 39, 41, and 60; and there are others. It's just really amazing to me.

Of course, as the hon. member knows, if we amend these sections and they're in the same sections that we have amendments for, even though they're very minor amendments, just changing "regulatory review" to "regulatory appeal," it means that we can't bring in substantive amendments. While you're playing word games with it, that means that we won't be able to bring substantive amendments that would actually alter what the bill does and what it does not do, et cetera. This is, you know, a cheap parlour trick, frankly.

The government should be, I think, ashamed of themselves in the way that they've conducted themselves. I think we've been very clear in the House leaders' meetings that we've had. In other meetings and discussions that we've had, I've been – and I've got the e-mail correspondence to show it, and I'd be happy to table that e-mail correspondence – nothing but co-operative with this Government House Leader. Nothing but co-operative. I respond to all of his e-mails in the most polite way possible. I know that's amazing for folks over there to hear, but it's very, very polite. I try to offer solutions. I try to get back to him immediately. I'm doing everything I can to try to change the tone from the regular dysfunctionality that is in this House into something that's more functional, and this is the return.

3:40

To stand there and compare the amendments that we're bringing forward – which, again, we went over. We went over the subject of each of these amendments, Mr. Chair. They were shown to this minister and his legal staff. Then we gave him the four actual amendments that were approved by Parliamentary Counsel. We gave that to him this morning to look at, full well prepared and excited, frankly, to debate those amendments. Folks here had prepared speeches on this side, not everybody to every amendment but, I'd say, five, six per amendment. We could have

gone through this process. We could have made, I think, great progress on this bill.

Instead, we get a massive amendment that there has been no time to look at. I mean, the government full well knows the difference between a one-line amendment that changes one thing in the bill, which they got in advance, and some monstrosity, Franken-amendment here, that is brought forward, plopped on our desk, and we're expected to react to it and see if this is good legislation. This is not how you run a democracy. This is not how you run a House. This is a joke. I mean, come on, guys.

Surely, we have more respect for the democratic process than to do things like this. If we're going to skip parliamentary committees, which they have in Ottawa and they have in other normal, functioning democracies, if we're going to skip that whole process and, instead, just bring in folks to randomly assess questions that the government decides that the committee is going to assess through their chairs that they direct, if that's all that they're going to do, well, what's the point? What's the point of it, you know?

I mean, I just don't understand the intent here. We were getting business done. We've got business done every single day and night since we returned to session, good progress done on bills, on second readings, Committee of the Whole. We've had good back and forth. We've had just a lot of good discussion. We've had good meetings between myself and the House leader saying, "Okay, what can we get done?" We say, "Well, how about this?" We get this done. It's been a good, mutual understanding, a very healthy understanding. What's with the cheap parlour trick?

I don't know how the Energy minister conducted himself as an MP under the Mulroney government. I have no idea, but I tell you what. If this is the way he conducted himself, that would explain why you got two seats at the end of your distinguished career there, sir, because this is a freaking disaster. It's absolutely shameful that we come into this house and, frankly, you know what all over the democratic parliamentary process. It's offensive.

We are here to make good law, to make sure that our laws are something that the people of Alberta can be proud of, something that we can put our stamp on after we leave this House. We're not here to play games with each other. We know in question period there's give-and-take, and there are political statements given. We know the form of that, and we know why we do that in question period and Members' Statements and so forth. We understand that that gets heated and that there is political pontificating and all that sort of thing. We get that. That's part of the process. We get that. But when we get down to committee and when we get down to second reading and when we get down to the actual business of crafting and amending these bills, I think we have, so far anyway, been able to put that aside and actually concentrate on the bill in front of us and try to get a good piece of legislation out to the people of Alberta. We don't turn it into some kind of pathetic excuse for legislative sausage-making that this is. I don't understand it.

I hope that we can push the reset on this. I hope that this event today does not change the pattern for the entire four years that we're here. I hope that we can maybe cool off a little bit, all of us, over the dinner break. I still hope that we'll adjourn this and go to Bill 4 – we were ready to debate Bill 4 as well – that we get some progress done so that when we come back here tonight, we can get progress on some amendments.

We're going to have to look at this in detail. At least give 24 hours to us or until tomorrow to figure out what we can support and what we can't support in these amendments and actually get some progress done. What happens, Mr. Chair, if we don't do that is that it turns into a bit of a gong show in here, and instead of

passing amendments and debating amendments and getting progress and getting through third reading and stuff like that, we're all here until 4 in the morning. I know that there are several members over here that are really excited about the prospect of staying until all hours and doing all-nighters. They think it's kind of cool. They want to be a part of that. You know, they've been waiting. "This is our chance to make a statement." I said: "You know what? As long as the government is co-operating with us, we can co-operate with them. We don't need to make any big, brash political statements and so forth. We can co-operate with the government because they're co-operating with us. They're letting us get our amendments on the table and so forth." Until today.

The games have started. This was a pre-emptive strike, so to speak, on debate on this bill, and I think that it's ill timed. I am more than willing and I think our caucus will be more than willing to pretend this event did not happen on a go-forward basis as we try to go through these bills. We still have Bill 7, Bill 4, Bill 2. These all have a lot of proposed amendments coming forward on them but doable amounts of work on them. I think that if we do that, we can actually get progress so we can be out of here without having to resort to cutting off debate using time allocation and all these other draconian things that sometimes the government uses.

We can do that. I don't think we need to resort to some of that stuff, but if this is the type of shenanigans, then, you know, we can't just sit here and get punched in the face over and over and over by this government and not defend ourselves. That's not what we're willing to do, metaphorically speaking, of course.

I hope that the Government House Leader and the other House leaders, if they want to bring it – I've already brought a motion to adjourn, so I'm not going to bring another one. If they want to bring another motion to adjourn so we can adjourn this and can all take a big deep breath and figure out what's going on here and cool down and take it from DEFCON 2, you know, bring it down to DEFCON 5 a little bit, then I think we can get a lot of progress done in this House. But if it's going to be games, well, you know what? We've got 17 very hungry MLAs that are more than willing to play games over here if that's what the government wants to do. We're a pretty relentless group here, so let's try to get some work done for Albertans.

**Ms Blakeman:** Oh, the Member for Airdrie is talking about hunger, and when we do those all-nighters, we always get pizza, so now I'm thinking about pizza.

I just want to respond to what the Government House Leader is laying out here. You can always tell when I'm a little exercised because my writing is appalling. What it says here is: I'm not playing that game.

Let me just go back to some of the history around this because I know how much everyone enjoys my little historical vignettes. The first time I ever saw the government bring forward an amendment that looks like these – we've now come to accept them as the way the government does amendments, which is, you know, in this case 14 sections that are being amended. You know, the whole time the other two have been talking, I've been plowing my way through, marking everything in my script, and I'm not even halfway through at this point, so it does take a while to find all of that. The very first time I saw this was at the end of an all-nighter more than 10 years ago. The then minister of education thought it would be really funny – it so amused him, I remember – if he brought forward a 14-page series of amendments. I couldn't even begin to tell you how many sections were amended, 36 or something. I can't remember.

At 5 o'clock in the morning, just as the government shift was changing over and their second shift was coming in – and, of

course, the opposition people were going: oh my God, I'm going to be here for the whole day – the minister of education brought in this 14-page amendment, which we were all supposed to jump up and start reacting to. Our critic for education gamely got to his feet. He didn't even have time to read the amendments. He just got up and was gabbling, trying to postpone everything long enough for us to run outside, read this, and phone anyone else in our caucus that wasn't already there to get them to come in. Indeed, we did debate that until well after noon, I think, that day. That sort of set the tone, and we've pretty much had that kind of government amendment ever since, where it's a multipronged amendment.

3:50

Now, part of our job here in the opposition is to present an alternative view. Sometimes it's criticism, but sometimes it's an alternative view. That's our job. There's no requirement in any of the parliamentary books that I'm aware of – and I do read these for fun. I know that's a little strange, but I do read them for fun. I'm not aware of anything that says that the government has to preapprove an opposition amendment before it actually gets any traction here, yet that is exactly, in his inimitable style, what I hear the Government House Leader proposing to us. If we just gave him our amendments in advance, he'd be able to check all of this, and everything would run so much more smoothly. Uh-huh.

You know what? I have never had the government approve an amendment that I submitted to the government to review in advance. Never. Every single one of the amendments that I have won – and there have been a number of them – has been won on the floor because I convinced people on the floor that it was the right thing to do.

I came to believe that if I wanted an amendment torpedoed, stomped on, annihilated, never to be seen again, submit it to the Government House Leader for review by the government caucus, and that would ensure its death. So I stopped doing it. I mean, it was just such a bad reaction. You know, in the opposition you kind of get used to being kicked around, but at a certain point you go: "You know what? I'm not going to do that anymore. I'm not going to repeat that. I know I'm going to get kicked around, so why in heck would I give you my amendment so you can stomp all over it?" So if the Government House Leader is wondering why he doesn't always get those anymore, he might want to look back at past history.

Now, there are a few of my colleagues that indeed did get their amendments accepted, and that's great. Thank you. I didn't. I don't think there was a conspiracy there. What is that phrase? Never explain by suggesting a conspiracy when simple incompetence would cover it. I'm paraphrasing really badly, but there you go.

So, no, I am not going to encourage any of my colleagues to submit amendments to the Government House Leader for preapproval. I think it's perfectly acceptable for us to be making these amendments on the floor as in comparison to the 14-section amendment that we've just had in one fell swoop from the government. I have never seen a 14-section amendment come from any member of the opposition while I've been on this side, so there's a slight difference in the way people do amendments.

The government has the power to call us into this Legislature, to adjourn us out of this Legislature, to give direction on how things are handled. They have a majority, so they get whomever they want on the all-party committees. Yes, they're all party but nothing that any other member of a party ever wants happens because it goes through the majority vote by the government members. It might be all party. It certainly isn't nonpartisan.

We've recently had a change that was dictated by the Government House Leader, I think, around amendments. I don't want to call it an oddity, but the other part of what the Government House Leader well knows that he has done in submitting 14 – I'm sorry, Mr. Chair?

**The Chair:** Carry on. There was another member trying to catch my eye. Please continue.

**Ms Blakeman:** Thank you very much. All right.

When these are put before the Assembly and debated, of course on any other amendment that would've gone to the sections, the government always gets first dibs, right? So their amendment is going to get debated. Any other amendment that amended any section – in here we've got, you know, part 2, division 3, heading of part 2, section 31, section 32, section 34. Any other amendment to any of those sections would now have to be resubmitted and redone as a subamendment, and that takes time as well. That, again, is a burden on our very hard-working and very competent Parliamentary Counsel staff.

It isn't just a matter of us not wanting to be co-operative. We literally have to redo a whole bunch of work, and the Government House Leader, of course, would know that.

We have some really interesting bills in front of us. I'm interested in the pension reform bill. The Education Act is still out there. The government has really been able to push the agenda along very quickly and is very hard working. I find it very interesting that the Government House Leader is shocked and appalled at the temperature of House when, in fact, I made sure to point out to him that if you work people all afternoon and all night and make them go to committee meetings in between – and we are now blessed to find out we're allowed to eat at the table during our committee meetings. Everyone was so thrilled last night in the meeting, and I thought: "Are you serious? This is what we're excited about, that we now have the Speaker's permission to eat in the middle of an hour-long meeting in the middle of an hour-and-a-half break?" Oh, my goodness. The world has opened for me and embraced me with its generosity. Wow.

But, honestly, you're going to have people in here for three hours in the afternoon. You're going to work them for an hour over the hour-and-a-half supper break. I'll tell you: some of them are getting some exercise. There might be some weight loss happening here running back and forth between the Assembly and the Annex in order to get to the room where you're now allowed to eat while the meeting is going on and then rush back to the Assembly and then sit in here until 11 o'clock, 11:30, 12, 12:30. I've been watching the adjournment times. How are you not going to have people that are tired and cranky and PO'd and not as able to control their temper as they would like to? Well, duh. Of course that's going to happen, so nobody should be surprised about this.

Now, I know that the minister is patiently waiting for us to return to his bill, and I appreciate that, but perhaps in the future when he is quarterbacking a bill through, he would keep in mind some of the things I've pointed out. If he did wish to bring 14 government amendments [interjection] I'm sorry, how many? Fourteen.

And how old is this bill? Oh my goodness. It's not an amendment act. It's a brand new act, the whole thing, so they've been able to work on this at their leisure until they decided to bring it home. Oh, wait a second. There was a whole other study that was done on this by the now minister of environment and a couple of others that came out in December of 2010, so you had all of that front work, and now you need to amend it because –

what? – you didn't see this one coming? You'd never heard this before?

You know, there are just times when you think: what were they thinking that we would need to have 14 amendments to a brand new bill that they've been working on for . . .

**An Hon. Member:** Two years.

**Ms Blakeman:** Well, yeah. I would have said donkey's years because it could be longer than the two years. This report came out in December of 2010. They could have been working on it since December of 2008.

So just a few observations, Mr. Minister. Even if you had kind of given those to us in little bits, there wouldn't have been quite such a temperature rise in here. Just for the future you might want to keep that in mind.

Mr. Chair, in response to the points that the House leader has raised, I think he understands now that we're going to have to spend some time changing things in reaction to what he's talked about. There are lots of people here that would like to just speak to this bill in Committee of the Whole, and we can spend the rest of the afternoon doing that. I have a number of notes here, and I'm – oh, sugar. No, we can't do that because now we've got a government amendment on the floor, so we'd have to speak to the government amendment. Huh. Well, you see the problem that we've got.

Thank you very much for the opportunity to raise these points.

**The Chair:** Thank you, hon. member.

I'll recognize the hon. Minister of Energy.

**Mr. Hughes:** Thank you, Mr. Chair. I appreciate the comments from members opposite and take them in. I would agree with the hon. Member for Airdrie. I will not engage at that kind of level that he has taken it to, but I would encourage the hon. Member for Airdrie and all members to take a deep breath. Actually, you know, listening to my colleagues here today, one would think that we had substantively changed the Magna Carta, but in fact what we have proposed changes out one word for another and adds five new words. So six words changed in this legislation have led to this discussion.

4:00

Let me tell you why we have done that, Chair. We listened to Albertans. I know that my colleagues in the opposition might not take this well, but we actually weren't focused on what they were doing. We were focused on what Albertans were telling us. We were listening to Albertans. You know, we were listening to Albertans who were reading Bill 2. They were seeking to understand it. The amendment which I have put forward responds to that feedback that I have received, that my colleagues have received as well on this side of the House.

There are three main themes, Mr. Chair. The first one is to help people understand that a regulatory review is actually a regulatory appeal, and by removing the word "review" and replacing it with the word "appeal" – and I know that leads to several sections being changed because it's there in several places. That's one swap of one word for another that helps people understand that there is a very legitimate set of appeal processes built into this new regulator, and that helps Albertans understand the nature of how this process works.

Now, the other one, which I know all members in the House would welcome, is under the notice of application. We've added the word "public" so that public notice must be provided by the regulator, which is a clarification which wasn't there, which we

thought made sense, which we heard from people as well. Instead of just saying that notice must be provided: public notice. Providing public clarification is actually an important part of the democratic process and an important part of the regulatory process. What we're trying to do is ensure that at the front end of the regulatory process all of the information is there. You ensure that it is out there in the public domain, that there's going to be a hearing or there's going to be an application coming through. I can't imagine that any members of this House would be opposed to that.

Then in section 32 we're actually adding to create greater clarity so that a wider group of people actually has standing before the regulator, that a person can self-identify if they believe that they are directly and adversely affected and they may not have been identified by the regulator as somebody that is adversely or directly affected. If they only believe they are so adversely or directly affected, then they can bring that to the attention of the regulator and be part of the process.

With these six words changed, we're actually trying to create greater clarity. I know everybody is working hard to ensure that we deal with the business before the House in a timely fashion and that we do so with the greatest possible attention to detail. We all have work to do. We have work to do. We have all been working. I know that other parties in the House have further amendments to bring forward. I'm grateful to the critic from the Official Opposition, who shared with me four of the 12 amendments that they have under way today.

You know, I've watched public statements by the Leader of the Official Opposition, and I have listened to members on the other side. Until you actually see an amendment in clear writing, you're not sure exactly what it's going to look like. We all are working hard to try and get our amendments into the process, and I encourage members on all sides of the House to get their amendments in on a prompt basis. We have work to do. This regulator is responsible for a big chunk – a big chunk – of the economic capacity of this province. We have work to do. People expect us to deliver on this.

Mr. Chair, I'd encourage all members of the House to move as quickly as they can to get the amendments on the floor so that we can address them and move forward. Thank you.

**The Chair:** Thank you, hon. member.

I'll recognize the Member for Strathmore-Brooks.

**Mr. Hale:** Thank you, Mr. Chair. Well, I'm pretty disappointed, actually. You know, I was under the impression that we were all acting as adults here. A little common courtesy. Twice I went and spoke with the hon. Energy minister, went through the bill, all my concerns, everything highlighted, talked to him and said: "Can you explain this? What do you think about this? Do you think we could change this?" He said: "Yeah, you bet. We'll look at it." I mentioned yesterday: "You know what? We're getting these amendments ready. When I go through Parliamentary Counsel and get the actual stamp, I will give them to you." That is what I did.

This has not been through Parliamentary Counsel. There's no stamp on here. Common courtesy would have been to have shared and to have said: "Hey, you know what? I've got 10 amendments that I'm going to share with the House." Give us a heads-up. Let us know. If he wanted the amendments before they were approved, we could have given him a rough draft. But we might as well get it right the first time, like we're trying to do with this bill, get it right, and give you the finished document so that you can see it.

You know, the hon. House leader talks about getting these amendments before. This is the first we've heard about it. At least they had the heads-up that we were bringing 12. We had no idea. The only one that was mentioned to me was C. That was the very first, where they were going to put "public" before "notice." That was it. That's the only amendment I'd heard of in this bill.

The hon. Energy minister talked about consultations, how this bill is great. If the consultations were done and this bill is so great, why are all these amendments coming forward? Maybe it's a little bit of naïveté on my part . . .

**Ms Blakeman:** Yes.

**Mr. Hale:** . . . which it is. I'm new, and I thought: we're all acting as adults here, so I will share. I'm still going to be showing my amendments to them so that they have ample time to discuss with caucus and come to a decision. If they want, they can come back to me and say: "Yeah. You know what? This one looks okay. Would you mind changing this?" Sure. We're here to work.

From day one I've said that this bill is good for industry. This bill is something that industry wants. It's something that industry needs. We support the theory behind this bill. We just want to see some changes. We want to see these changes in a democratic process, which is in this House, where we can debate back and forth, and we can talk about it. We can exchange ideas and concerns and solutions to our problems to get it right the first time, not to show up and underhand us and try to pressure us and trick us when, as far as I'm concerned, you know, I thought I was being above board and trying to uphold the high morality of this Chamber.

**Mr. Mason:** I've got a Christmas video you should watch.

**Mr. Hale:** Well, yes. And does anyone have oceanfront property in the middle of Alberta? Maybe I'll be looking for some new property.

You know, I hear from the other side how we should be acting, how we have to uphold this democratic process. Then things like this happen. It makes me wonder. Is this all a bunch of talk, all a bunch of fluff? You just come across and do what you want anyway.

**Ms Blakeman:** Yes. What did you think?

**Mr. Hale:** Well, you know what?

**Mr. Mason:** He's new.

**Mr. Hale:** It's time to change. I may be new, but if it's always been done that way, does that make it right? No.

**Ms Blakeman:** Do you honestly think I've sat here for 15 years and not tried to change it? I mean, good luck.

**Mr. Hale:** Well, we're new. We've got high hopes. We've got maybe a little bit more energy because we can sit here till 4 o'clock in the morning. We can do that if that's what it's going to take. [interjections] Well, I know. Okay. I rescind that comment.

You know, this is something I mentioned yesterday when I talked about this bill. This is something that affects every single person in Alberta one way or another. It's something that we need to get right. We need more than two hours in the afternoon to hurry and hash and say yes or no to these amendments. This is something that's going to affect people's lives for many, many years. It's something that needs lots of time.

**4:10**

I respect the hon. Environment and SRD minister for taking the time to do the consultations, but since this bill has come forward, I've received e-mails. I mean, I've got e-mails right here that Bill 2, the Responsible Energy Development Act, is totally unacceptable, that this piece of legislation will never be accepted by landowners of this province. This is from a property rights advocate group. I don't know if they were missed in the consultations or if they didn't know about it or what happened. I'm not sure. This is what we're hearing now. [interjection] I'll show it to you after if you'd like.

You know, we need to take the time to get this right. If we hurry through all of this stuff and try to change our amendments and make subamendments and – you know what? Hurrying isn't going to make it right. Hurrying is going to hurry up and get it done. Then we're going to say: "Oh, crap. This isn't right. We need to come back, and we need to fix it."

**An Hon. Member:** Don't say that.

**Mr. Hale:** Sorry. I can't say "crap." [interjections] No. That's right, and that's part of the whole process that I'm talking about. That's why I made the offer to give the hon. Energy minister and the hon. environment minister our amendments before so that you guys would have time to look at them. Parliamentary Counsel is doing an excellent job under very, very strict – I mean, they're very, very busy.

Like I said before, I waited till I got this, gave it to you guys, let you discuss it so that we could have a conversation with each other or some debate to fix it. I mean, we're not saying that we're perfect. We're not saying that these things are exactly right, but if we work together, we can get it exactly right. If we're too worried about: oh, you're on the government side; we're on the opposition side – just because the opposition says it doesn't mean it's right. And we can't be saying: oh, just because the government wants it, that means it's wrong.

This is something that we need to work together on because it's something that goes far beyond the walls of this Chamber. This goes across the whole province. It's going to affect people across Canada. How many workers do we get all the way from Nova Scotia and New Brunswick and Prince Edward Island who come over here and work on the rigs, work in the oil field? Lots of them. This is something that needs to be handled professionally and with the best interests of Albertans at hand.

With that, I would like to end with a motion to adjourn debate.

[Motion to adjourn debate carried]

## Bill 5

### New Home Buyer Protection Act

**The Chair:** We're debating amendment A1, moved by the Member for Edmonton-Beverly-Clareview.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chairman. With respect to Bill 5 I'm hoping this afternoon that we can actually have a good and interesting discussion.

In doing so, I want to make sure that it's clear that the remarks that I made earlier with respect to Bill 2 with respect to table officers were not intended – I heard comments from people opposite praising the table officers. I want to make sure that I was not intending in any of my remarks to suggest that the table officers were not doing their jobs. I was only talking, really, about the work that needs to happen between House leaders to make

sure the work of the House progresses smoothly and the need for communication to ensure that if things aren't ready to go, we know that so that we can schedule work that is ready to go. The worst thing that we can do in this House is waste the public's time and money by debating just so that we can buy time.

I did want to also acknowledge, as we move on to Bill 5, that the relationship that I've had with the House leader for the loyal opposition has been a very good relationship. He made the comments – and I wanted to acknowledge those comments – that we actually have been working very well together to date in terms of scheduling business for the House. I wanted to put that on the record as we start the debate on Bill 5, that this House works best when we work together, not to agree all the time on everything. We're not going to agree on everything. In fact, it would be a very boring place if we agreed on everything. We need to have a full, robust discussion on the various aspects of things, but in order to have that robust discussion, we need to work together to appropriately schedule it.

I've been very proud over the years in this House of the way we've been able to work together as House leaders, not always agreeing but working together for the benefit of all members in the House in terms of scheduling bills. I believe that this afternoon we've come to an understanding in the interim of the debate that went on on Bill 2 that we can proceed to Bill 5 in committee this afternoon, that we may have an opportunity to proceed to Bill 4 in second and Bill 8, and that we come back to Bill 2 tomorrow. I hope that everybody will understand that sort of order of business, that the work will be ready.

I do have to say that I am a little bit nonplussed by the reaction to the tabling of the amendments. As far as amendments go, even as far as government amendments go, this one is, with no offence intended to the hon. Minister of Energy, very light. I mean, I was able to read it in about four minutes. You know, they're talking about amending 34 sections, but 33 of them, more or less, are changing "reviewable" to "appealable." That's the difficulty that I have with some of the comments that were made.

But as we always do come together in the full agreement and understanding that the people's business is important and must move ahead, I'm really pleased that we've been able to come to the conclusion that we should proceed with Bill 5 this afternoon, which is a very important bill, Mr. Chairman, for this House.

**The Chair:** Thank you, hon. Government House Leader.

Are there other comments to be offered on amendment A1 to Bill 5?

**Ms Blakeman:** If I knew what amendment A1 was, that would . . .

**The Chair:** I'll read the amendment for the benefit of the memory of the hon. member. Notice of amendment, Bill 5, New Home Buyer Protection Act.

Mr. Bilous to move that Bill 5, New Home Buyer Protection Act, be amended in section 28 by adding the following after subsection (1):

(1.1) Regulations under subsection (1)(e) shall be made no later than 6 months after the date this statute comes into force.

That is amendment A1, hon. member. Do you wish to speak to that amendment, hon. Member for Edmonton-Centre?

**Ms Blakeman:** Well, I appreciate what the member is trying to do, and that is to give parameters for how long we could expect to wait to see the regulations come forward. You did say section 28, correct? Yeah. So this is saying that the regulations that the

Lieutenant Governor in Council makes regarding a bill need to come before us within a six-month time period.

**Mr. Eggen:** Yeah. That's right.

**Ms Blakeman:** Okay. Good point.

Lots of times – another historical vignette. We used to have an all-party committee that was called Law and Regulations. Before my time, given that I'm so ancient, the regulations used to come to the floor to be debated by the members of the Assembly. That stopped before I was elected in 1997, so we never saw the regulations. Actually, they're easier now with computers, but it's still kind of hard to find out where the regulations are and when they're officially published. Sometimes you can catch somebody in the ministry that will actually send you a copy, or the minister will give you a copy, but for the most part we pass the acts here, and they're gone. We don't see the regulations, and in some departments they won't give you the regulations even once they're established.

4:20

There is so much. Every bill I see has more and more references to the regulations, more and more references that "the minister can make regulations on the following," "the specifics on this issue will be made through regulation," et cetera, et cetera, et cetera. What those regulations are becomes really important, and it's a wise choice of the Member for Edmonton-Beverly-Clareview to try and hasten, well, not hasten necessarily but probably, to say that these need to be complete within a six-month period.

My only issue with that would be that I'd like to be reassured by the proposing member that he has discussed this with the minister because what I don't want to see are regulations that are not well thought through. Trying to figure out the unintended consequences of what we do here is always a challenge, and even that is kind of funny. If you read the remarks in *Hansard*, well, what did she mean by unintended consequences? How are you supposed to figure out what was unintended? Well, true enough, but that's what we've got to do because sometimes when we change a law, there is a consequence that happens way down the road that we didn't think was going to happen. It never occurred to anybody that that would be the result of what was being passed. I want to make sure that in six months it's actually possible to get all of the regulations through that are being considered under this act.

This is an important act for me. I represent the fabulous constituency of Edmonton-Centre. I have somewhere between 45,000 and 50,000 people now. When I started, I had about 25,000, so it's almost doubled in the time I've been representing it. At one point I had 500 single-family homes. I'm under that now. Most of my constituents live in either rental apartments or high-rise condominiums.

The effect of this bill is something that is going to be really important for us. We have had a series of condominiums built in the fabulous constituency of Edmonton-Centre that could have used this act. I think part of the coming about of this act was my repeated references to it because it was affecting so many people and so much money. You know, I did a big media show at one point a couple of summers ago, dragging all the media down to look at one of the condominiums. Interestingly, with the same builder, in every single one of his condominiums the same thing happened. They all look the same. If you want to drive around, I'm sure you can figure out who the builder is.

What happened to them was that by the time they figured out what the problem was, that the roofing wasn't very good, and the acrylic siding wasn't very good, and the water got in and ran down

inside of the acrylic siding and came in through the roof and ran through the skeleton of the building, through the actual – oh, I'm not a construction person – timbers that are holding it upright, it started to rot from the inside out, so rotting the walls, rotting the flooring. The balconies always fell off. By the time they figured out what was wrong, they started to see the watermarks, and the balconies started to kind of pull away from the main structure.

Of course, the first thing you do is that the board approves that you're going to hire someone to come in and have a look at it. You do that, and that costs you money, so that's another couple of thousand that each condominium owner has to fork over. They go through it. They come back, and they go: yeah, you've got a huge problem. The assessments for most of the people in that building were \$30,000 by the time the smoke cleared. Imagine buying kind of a nice but middle-of-the-road condominium. You put your down payment on it, and you've got your monthly payment. All of a sudden you are supposed to come up with \$30,000 in order to keep your condominium, that you've already been paying on, and now you've got this additional payment.

It was a deal breaker for some people. They just couldn't afford to pay more money on top of what they were already committed to. They thought they were in a certain economic bracket for what they paid, and they could handle the condo fees for the maintenance of it. They just couldn't handle the extra assessments that were happening, and they lost it. So there went their single-biggest purchase. Will this act help them? Will that situation repeat itself? My hope is no, but I will get into some of the details later.

Specifically, on the floor right now is the amendment that the regulations should be brought in within a six-month time period from the proclamation of the bill. I suppose that if the government wasn't ready, they could just put off the proclamation of the bill until they were ready, and then it would all be fine. I've just answered my own question. I'm handy that way.

I am in favour of the amendment that's before us, and I look forward to another opportunity to speak generally to Bill 5, the New Home Buyer Protection Act. Thank you very much.

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

**Mr. Eggen:** Well, thank you, Mr. Chair. I just want to make a few comments, obviously, in favour of this amendment A1 on Bill 5, the New Home Buyer Protection Act. I worked together with the Member for Edmonton-Beverly-Clareview and our staff with some detail on these amendments.

Certainly, as the hon. Member for Edmonton-Centre just related, we have across the city and, really, across this province a significant problem with new-home construction and condo construction that is not meeting the needs of perhaps the weather we have here in Alberta or the structures themselves just not being put up to the standard that they should be.

Quite literally, we have hundreds of people that have been left holding the bag on new condos that they've purchased, and within three, four, five years they find themselves with a bill that is quite difficult to pay off or, quite frankly, having to walk away from their purchase. I was taken by the Member for Edmonton-Centre's comments about the actual bills on some of the places that you had here in Edmonton-Centre. I was watching Glenora Gates, for example, being totally reclad from the outside, from start to finish, a terrible inconvenience for the people in there and, as you say, a \$30,000-bill per unit.

Well, in Edmonton-Calder, just behind 137th Avenue, with a very large double condo unit called the Palisades the exact same thing with the exact same cladding and very similar even in the blueprints – right? – with people getting a \$20,000 to \$30,000 bill

five years after they purchased it. In the Palisades it's about 15 per cent of the people that are just having to walk away.

We had terrible, terrible stories from young couples that bought these places, you know, going bankrupt, from seniors that lived in the older part of Edmonton-Calder looking for some more convenient lifestyle in retirement, close to the Safeway, very visually nice apartments, and they turn out to be fatally defective.

I am from that approach coming to this New Home Buyer Protection Act. I looked through it with a fine-toothed comb to ensure that that sort of thing does not happen again. Quite frankly, we need to consider addressing the people who have been left holding the bag over these past few years. It's not just water damage. We can go to Fort McMurray, where people had 45 minutes to evacuate their place – it had to be torn down, and people still paid mortgages on the thin air that used to be a condo up there – or to the place in Leduc. You know, Mr. Chair, I'm sure you've seen that one with your own eyes – right? – the gentleman not following the code at all and, really, committing fraud against the people who purchased that place in Leduc. Calgary, Lethbridge: everywhere I go, I see a similar trail of destruction.

4:30

This is a chance for us to make redress for those people and to put their hearts at ease to know that perhaps Albertans in the future are not going to get ripped off. This first amendment that was put forward is to propose that the government has six months from the proclamation for regulations to be determined regarding building assessors and building assessment reports. As the bill reads now, it indicates that condominium coverage begins when a building assessment report has been completed. But, you know, we would like to find more about what that building assessment actually is. Section 28 gives cabinet the responsibility for determining what a building assessment report is, what kinds of documents it contains, who a building assessor can be, what their qualifications may be, and that person or office to whom those reports are submitted.

Again, I think part of the fatal combination of events that left people in Glenora Gates and the Palisades in Calder holding the bag was the fact that these assessments, these building inspections, were not done with the independence and with the authority that should be required to do so.

You know, it's interesting. I did some research on it, and we had independent provincial inspectors up till 1993 in this province. The loss of those independent provincial inspectors – right? – as bureaucrats was a fatal blow to this whole integrity of the building system. In '93 were the massive cuts and downloading onto, basically, private contractors committing this thing. Now, as we're many years later, certainly we want the independent inspectors, but we want to ensure that the independent inspectors and the process that they go through is comprehensive and transparent and that these inspectors do not have a relationship with the builder, that there's a degree of separation and independence during that process.

I think this is pretty basic. We know when they're putting up the cladding on the exterior of these condos that I have in my area that an inspector could have caught that before they went to the next stage or process and not have the balconies tilting inwards so that the water was going into the walls and black mould was growing up through the baseboards and into the floors, where you could do the inspection on an independent basis at each stage along the way before the problems were buried by the next stage of construction.

If we don't fix this uncertainty – right? – regarding building assessment reports, I think we could potentially be approving a loophole that could permit ongoing problems that we saw. You

know, it's one thing to have a warranty and the insurance that goes with that, but if you're not ensuring that the integrity of the code is there, it's like buying expensive insurance on a 1974 Pinto. You have a car that is famously known for its dangerous explosive properties. You can put the best insurance in the world on that, but is that really going to serve the best interests of safety and so forth? That's the angle that I'm taking with this particular amendment.

This amendment also requires the government to make regulations pertaining to building assessment reports within six months of proclamation so that this all kind of comes together in a timely manner, Mr. Chair.

Again, this is my first chance to speak on Bill 5. I'm very excited for the prospects and the possibilities of it, but I have some adjustments that I think we can make so that we put something out the door here that we all can be proud of.

**The Chair:** Thank you.

Other speakers on amendment A1? The hon. Associate Minister of Municipal Affairs.

**Mr. Weadick:** Thank you, Mr. Chair. It was nice to hear the positive comments about our bill from the members across the floor. We, too, believe this is an excellent piece of legislation to protect homeowners.

But not to get into all of the bill at this time, this particular amendment is about setting a time frame. I would speak in opposition to that. I believe that we need to just leave the minister and the department to take the appropriate amount of time to get this right, to get the appropriate regulations in place. This bill will come into force on proclamation. It will be proclaimed and come into force. But in the future we also need the ability, Mr. Chair, to make changes potentially to these regulations around these assessment reports as we go forward. Putting these types of timelines in will not positively impact the bill, but they could negatively impact it into the future.

I would ask that we not support this, but I do appreciate the support for the bill and look forward to your other amendments to see if there may be other things coming forward.

Thank you.

**The Chair:** Thank you, hon. minister.

Further speakers? The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Rowe:** Thank you, Mr. Chairman. I do want to compliment the government, and particularly the minister himself, for bringing this whole act forward. It's been long overdue. It's a very good piece of legislation. There are some concerns that I have with it as the Municipal Affairs critic. The existing homeowners' warranty program: I'm not sure how they're going to relate that to the new warranty companies that come in and what relationship that will have. That's a little bit vague.

Also, there are some concerns we have with the mobile home aspect of it. Mobile homes are typically built in a factory, and they're then moved out of that factory onto a site. What happens with that warranty? If I'm the manufacturer of that home, once it leaves that factory, I'm done with it. I wouldn't want to be responsible for what happens on a truck to a site, how it's put on the foundation, how it's hooked up to plumbing and electrical, how the foundation is built, and so on. That could drastically affect the structure of the building.

Those are a couple of things that I think we need to clarify down the road. I wouldn't hold up the bill just for those things, but I think eventually they are going to need to be addressed.

Again, congratulations to the minister, and I really appreciate his consulting with me, sitting down with me and going over some of these things, before we got here.

This is a sorely needed piece of legislation. I'll get to the amendment in a second, but my colleague mentioned some of the condo disasters that have happened throughout the province, and it's not just one incident. There have been several of them. Fort McMurray was probably the worst one, but it happened in Leduc, it happened in Calgary, and it has happened in several other places. The one in Fort McMurray: I do have some, I suppose you could say, inside information on it as I sat on the Safety Codes Council board of directors. We got some inside information on that situation at the time. I can't get into the details of it because, obviously, it's in court right now.

I have 35 or 40 years in the construction trade, so I know a little bit about construction. Even though I was an electrical contractor, you see all kinds of things. What I heard about that building was terrifying. Absolutely terrifying. They gave those people one hour to get their personal belongings out of that building and get out. They're still paying mortgages, as my colleague said, on thin air. That's the kind of thing this bill, hopefully, will prevent in the future. So, again, congratulations. I could get into a horror story about a house I had built in Calgary, but that's a long time ago.

Back to the amendment. Now, this amendment would require cabinet to have the regulations surrounding building assessment reports completed within six months after the passage of Bill 5. This amendment would ensure that cabinet outlines the rules surrounding building assessment reports: what information is to be included in the reports, when and to whom those reports are to be submitted, and the qualifications and powers of building assessors to be completed in a timely fashion. Anything we can do to clarify the issues that have been raised and to ensure that those in the building industry will clearly understand what is expected of them is a positive step forward. I would highly recommend that we vote for this amendment.

Thank you.

**The Chair:** Thank you, hon. member.

The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Chair. I will be brief. I just want to clarify, and maybe the associate minister could help me understand this. I don't see in the amendment that it says that cabinet could not go back after the six-month period and then change the regulations. I'm wondering why you choose to, I guess, oppose this amendment based on that at this point in time. I do believe that there's validity to what's being proposed here, so if you could perhaps offer clarity around that, Mr. Associate Minister.

Also, I'm curious if the Member for Edmonton-Calder could clarify for me how this amendment will specifically fix some of those issues that we're talking about with the condos? The horror stories are endless, right? How does this specifically tackle that?

Thank you.

4:40

**The Chair:** Hon. associate minister, would you care to respond?

**Mr. Weadick:** Yeah. Thank you, Mr. Chair. I can't tell you exactly how long it'll take to get these regulations right. I can tell you we're going to work at it as quickly as we can and get them right.

The other thing is that this specifically says, "Regulations under subsection (1)(e) shall be made no later than 6 months after the



date this statute comes into force.” It doesn’t say anything about changing them. Throwing that in there and leaving us with, potentially, the inability to make changes to that regulation in the future as the world changes would not be a good thing to do. Regulations change from time to time as the world changes. We need the ability to do that.

We also need the time to get this right, and if it takes seven months to get it right, we’re going to take seven months. When brought out, with all of this done – it’s going to take interministry work between Service Alberta and our ministry to make sure that these forms and the people that are going to be administering them are properly trained and can do the job, so we want to do this right. That’s why we want to make sure we have the time to do it, and I don’t believe that arbitrary dates into the future would be helpful.

Thank you.

**The Chair:** Thank you, hon. associate minister.

The hon. Member for Edmonton-Centre, followed by Edmonton-Calder.

**Ms Blakeman:** The Member for Olds-Didsbury-Three Hills: I listened carefully to what he was saying and his concerns about manufactured homes. I’m just wondering where the concern is because in the interpretations it actually does define a manufactured home and it defines a new home.

**The Chair:** Hon. member, are you speaking on the amendment?

**Ms Blakeman:** Yes, because that’s what he was talking about.

**The Chair:** Okay. If you can try to keep it to the amendment, that would be great. Thank you.

**Ms Blakeman:** Then you need to talk to him, not me.

**The Chair:** I’ll remind all members accordingly. Thank you.

**Ms Blakeman:** Thank you so much.

What is the particular part? Because as I start to read through this as I was researching it for the purposes of the amendment, it’s pretty clear that it talks about a new home in every section, so I’m not clear on what section he’s particularly concerned about that relates to manufactured homes. Even the parts that are talking about hooking things up, where it talks about – hang on; I’ll get it. You know, it does talk about a residential builder, but it also means whoever is hooking the stuff up and doesn’t include this, that, and the next thing. Oh, here we go. “‘Delivery and distribution systems’ include electrical, gas, plumbing, heating, ventilation and air-conditioning systems to which the Safety Codes Act applies and any other system prescribed as delivery and distribution systems.” I’m not quite catching what’s not covered.

**The Chair:** Hon. member, if you can try to tie that into the amendment somehow, that would be great.

**Mr. Rowe:** Yes, I will. When a home is built on-site, it’s all done under one umbrella, under one contractor, typically, a home builder. The foundation is dug and the house is stick built from there up, so all of those things – the electrical, the mechanical, the drainage systems, and all the rest of it – are all part and parcel of that one construction project. When a manufactured home is built, it’s built in a factory, and all that work is done with connections stubbed out into the lower floor to sit on a foundation. Once it leaves that building, the person who built that home, the manufacturer, has nothing to do with the hookups on-site. So as a

warranty supplier, as an insurance company supposedly giving a warranty, I’m not sure how they’re going to separate those two issues because one can have an effect on the other. Do you need two warranties? I’m not sure how that’s going to be covered, and that’s a concern.

**Ms Blakeman:** It’s not specifically applying to manufactured homes; it’s applying to the new homes. Okay. I got it.

**The Chair:** Hon. members, other comments on the amendment? The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Yeah. Very briefly, the Member for Calgary-Shaw was asking me how this might improve that. I think what it’s doing is that you need the regulations to follow the legislation in a close and timely way. You know, really, without it you are not having the full force or benefit of this law, if we make it a law, without the regulations around assessment. We’re saying to bring those in quickly and timely. It doesn’t preclude the possibility of changing those, right? You can still change them by cabinet or whatever process they have in place. It just brings the full force of the legislation into effect in the shortest possible time, in a timely manner. Let’s put it that way.

**The Chair:** Thank you, hon. member.

The hon. Member for Lacombe-Ponoka on the amendment.

**Mr. Fox:** On the amendment. Thank you, Mr. Chairman. I’ve been reading through the NDP amendment here. On the whole, you know, I do like where this is coming from. I’d like to know: why six months and not a year, not 18 months, not three months? I’m curious why six months was picked for this amendment. Is there a particular reason, or is there something that is set out in statute?

**Mr. Eggen:** Thanks for that. I think we chose that as sort of parameters that are commonly used in legislation, you know, between the process of proclamation and then regulation. It’s following a certain pattern of legislation that is accepted here.

**The Chair:** Thank you, hon. member.

Further comments on the amendment?

Seeing none, I’ll call the question on amendment A1.

[Motion on amendment A1 lost]

**The Chair:** Back to the discussion on the main bill. The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much, Mr. Speaker. I don’t have any amendments to this act. I was very happy to see it. As I say, I’ve been advocating and campaigning for it. I’ve been making helpful suggestions to the government. I’ve been embarrassing them. I’ve had media extravaganzas. I’ve done whatever I can to move this along.

There are a couple of opportunities I want to give here. One of the things that the Liberal act had suggested – and that was Bill 209 from 2012, previous to the election. It’s fun to have a year in which there are two complete sets of bills with the same numbers. My colleague from Calgary-Buffer had introduced the Homeowner Protection Act, and it had exactly the same layout of coverage. One of the things that we were considering was licensing, if the contractor would have to have a licence. If they failed to produce a quality build, their licence could be suspended. They would have to fix that before they would be issued a licence. They could not continue on.

Of course, one of the problems that we see is that an unscrupulous builder can just leave the name of the company and leave the company with no assets. You can sue them for problems like we've been describing, and you can even win according to what the court says, but you've won nothing because there are no assets left in the company. Some of these contractors keep slipping away and not being held responsible. So we wanted a system that would stop that kind of thing, and we had suggested this licensing.

Now, when I spoke to the minister, he had said that they were doing that, but they were going to make the warranty company offer the licensing. So the licensing was not on the work as such; it was going to be through the warranty. Basically, you've got to have a warranty. If you did not fulfill all of the requirements, the next time you wanted to go and build something, you would have to get another warranty, again, through the insurance companies. Since you didn't fulfill the last one, they wouldn't give you a warranty for the next one, and that would stop some of it. I have been trying to find where that is in the bill, so if the minister or associate minister would like to point me to the right section, seeing as we're in a section-by-section analysis, that would be helpful.

I think that when we consider things like the New Home Buyer Protection Act, certainly I can't unweave it from the two other pieces that we have seen fail us. One is part of the building codes, but it's not so much the building codes themselves. It's just shoddy business practices, or it's not clear enough that there's an expectation that it's well built and what some of those details are.

4:50

If you want some past examples of where that's failed people in Alberta, we had, for example, the government approve a certain building material in the mid-90s called pine shakes. They were on a list of approved materials that people could use, check-marked, you know, kiss of approval from the government. So they believed that this was a good product, and they bought it. It was substantially cheaper than the cedar shakes. In fact, they were terrible. They moulded; they cracked. The scandal of the 2010s was the pine shakes scandal of the 1990s, basically.

The whole craftsmanship building products, to me, is interwoven with the warranty and one other piece, and that is always the monitoring for compliance and the enforcement of compliance. With any one of those set apart, if they don't have the other two pieces in them, they don't succeed. I think we have to consider them together.

I would have liked to have seen this extend beyond the simple warranty program that they've done here, which is essentially an insurance program, but they're making you get it. Like car insurance, where the government says that you have to have PL and PD. You must have it; it's the law. You can't drive a car without it. The government says that you have to have it, so then the government regulates it so that it is affordable for people because you can't put people in a position where you say that they have to have this, and then it's too expensive for them to have it. Like car insurance, we're now developing a corollary here in the New Home Buyer Protection Act where the builder has to have that warranty, which is, in fact, an insurance plan. The builder is betting things will go wrong, and the insurance company is betting that they won't and that they'll make money on it.

I'm not particularly seeing how this is all going to knit together. Let me just give you a few examples of that. I don't know how many of you, when you drive around, have seen that very common kind of California strip mall design. You can see it from a ways away. It's always got a little peaky thing and often a little circle in

it. It's just so California strip mall, and you think: "Who would build that here? This is a winter city."

I would like to see us be proud of the things we've learned as winter people in a winter city in a winter province because we have developed ways of doing things that do take into consideration the fact that we live in a place where it snows and it gets cold, even far enough north where you get permafrost. You've got to deal with all those things. [interjection] Yeah, snowmobiling; that's good, too.

Why aren't we promoting our knowledge of building materials and building construction models that understand and use a winter city's approach? It's another way we could be marketing some of our knowledge.

I'm sure I don't have to prod people very hard to think of some of the things you've seen and you went: "Why on earth would they do that here? What a stupid idea." I'm thinking of those pebbles and glue that were used in a number of sidewalks. I went through university by cutting grass in the summer and shoveling snow in the winter, and I took one look at that stuff and went: not going to wash. The first time you brought along a steel blade on that pebble-and-glue stuff, it broke the pebble stuff up. It just made a mess of it. It worked great around the pools in the California brochure that you looked at. Not a good idea for use in Edmonton or Calgary or even Lethbridge.

It's not just the material; it's also the usage of the material. You heard me talk earlier about the acrylic – hang on.

**An Hon. Member:** The siding.

**Ms Blakeman:** No, it's not the siding. It's the plaster. It's the goopy stuff.

There are two kinds of it, cementitious and acrylic. The acrylic was fairly new, and it was much loved. It is still fairly new. People really liked it because you could get vibrant colours. With the cementitious plaster – I hope I'm saying that right; yeah, I guess that's the word for it – it was very soft, muted, pastel sorts of colours. The thing is that with the acrylic, you can use it here. We did develop it well enough. You can use that acrylic plaster, but it has to be thick enough. You can't put it on in a three-quarter inch. I couldn't tell you exactly how it has to be. I can just tell you that I know that it's thicker than the standard.

There are a couple of things that we could be doing to promote ourselves and our own expertise when we've got somebody in the back there that used to build manufactured homes. I'm sure that, you know, the way he built them to deal with our winters is different than somebody would build it in Arizona.

The final point I want to make is how you knit this together with the inspections. You can pass as many of these pieces of legislation as you want, but if we don't have the inspection or monitoring provisions in place to make sure that there is compliance with what's been set out, it's useless. I'm sorry; as soon as they know that nobody is watching them, people are going to do it. They want a profit. They're going to cut a little bit of a corner, and when nobody says anything, they're going to cut a bigger corner. It happens. I want to know that we understand that these kinds of things do need that monitoring for compliance and, more than that, that there's an enforcement for compliance.

Sometimes that enforcement for compliance can be quite innovative. It doesn't always have to be a stick. Sometimes it could be a carrot. It doesn't always mean a fine because sometimes that will just make people try and figure out a different way to do it to simply avoid the fine. To me, these things go together: the warranty, the building codes, the building processes, and the inspection and monitoring for compliance.

Thank you to the government for listening not only to me but to many other people who were quite concerned about this.

It doesn't help anyone that's already owning their condominium. Last plug on this one: we also need to update the Condominium Property Act itself, which is decades out of usefulness. It always was, actually. It was always way behind. Most of the condominium act is focused on a developer building a condominium and at what point he hands it over to the people that have bought it. It doesn't deal with the fact that we now have condominiums that are 30 years old. We now have condominiums that have been converted from apartment buildings into a condominium.

The frustration and struggles that people are having currently with living in a condominium and that whole condominium life are not covered under the current condominium act, and it has to be. We have more and more people living in that situation. It really needs to be covered. I've been asking Service Alberta for probably four or five years. I'm sure I'm going to be told by the minister that they're consulting. Well, the previous minister consulted.

I even had someone on that committee, and it just turned out to be a bunch of lawyers – God bless them – who represented different parts of the condominium community. Some represented the builders, some represented the condominium boards, and some represented the property management companies. But they were all lawyers, and all they did was sit around and talk about the nitty-gritty of it. Guess what? Nothing happened with the committee. The Minister of Service Alberta actually has one of the neatest ministries going because it's consumer protection. I am now going to turn my laser light gaze upon him to be moving that condominium act along because it's quite deficient and needs to be brought up to speed.

5:00

Finally – I am way off on a tangent here, and I recognize that, Mr. Chair; thanks for your patience – we do also need legislation on life-lease arrangements. I will not go into any more detail on that other than to say that I've got a life lease. Where's the other one? Clareview, I think. I know that they're coming. They're turning up in smaller towns. They are, really, a living situation that's halfway between a pure rental arrangement and a condominium. But right now there's no legislation that governs them, and they're starting to have some issues about: how are they taxed, what happens when you sell, is that considered a capital gain? They're getting into court, and there's nothing for the judges to work with. So for those of you that don't like judge-made law, remember that the judges can only interpret what is actually written, and right now they don't have anything to work off of for the life-lease situations.

So for the Minister of Service Alberta there are two things that I'm putting on his plate. One is the life-lease arrangement. The other is the condominium act.

Thank you very much to the Minister of Municipal Affairs for doing the work on this new-home buyer protection. I am very happy to support it in Committee of the Whole, and I look forward to discussing the anticipated effect of it, which should be wonderful, in third reading.

Thank you.

**The Chair:** Thank you, hon. member.

The hon. Member for Lacombe-Ponoka on the bill.

**Mr. Fox:** Thank you, Mr. Chair. It's a pleasure to rise and speak to this bill because it really is out there as a consumer protection

bill, and I am for consumer protection. I don't think any member would argue against taking steps to enhance consumer protection. In fact, I think bringing forward consumer protection measures for the largest purchase most Albertans will ever make in their lifetimes, their homes, was long overdue. There are some things, you know, that are in this bill that I'm a little iffy about. There are some positives. There are some negatives. The intent of this bill, as I said, is to increase consumer protection for their most valuable purchase, and it's something that I do think we should support.

Some of the positives that I'm seeing in this is that it does propose a mandatory home warranty for all new homes to protect consumers against shoddy building defects, materials, and it gives homeowners a little bit stronger protection if something goes wrong with their new home. I do like that we're also looking to increase the general quality of new homes here in the province. I know that I for one would like to think that if I'm purchasing a new home, I'm not going to have to do any major repairs to it within the next six months, two years, 10 years. I mean, the purpose of buying a new home is not to have to retrofit the thing as soon as you buy it.

One of the negatives here that I'm worried about is: how much more bureaucracy is this going to create? We're talking about a new registrar. Who is that registrar going to be? What is their mandate going to be? How are they going to operate? Where are they going to go? What are the regulations going to be behind this? I mean, we're looking at this from a 10,000-foot view, but we don't really know how everything is going to be implemented.

Are we going to utilize some of the databases that already exist within Service Alberta, or are we going to create something new? You know, I'd like to think that maybe we might get a little extra bang for our buck on this one and upgrade some of the existing registry systems that we have and roll this in with it rather than creating a whole new one. I guess that's the fiscal conservative in me wanting to minimize the amount of tax dollars spent in the province on these sorts of initiatives.

Now, another question I have about that database. It's pointed out that it's going to be publicly accessible. How is it going to be publicly accessible? Is it going to be something that we can just access off the Internet, or is this something where we're going to have to go through a registry office? Or are we going to have to go to land titles and basically do a search of land titles through the SPIN program? These are things that we really don't know and that I'm hoping we will see in the regulations.

Again, it would've been nice to pass the first amendment because it would've put a time span on that. We would know how quickly these regulations are coming out, have them reported back, see it and be able to maybe offer motions and advice if it's something that we don't think is actually going to be in the best interests of Albertans to look after consumer protection here in the province.

Now, I remember when I bought my very first new home. I bought it in 2003. It was when I moved to Lacombe, actually, and it was a very proud moment in my life. This was the first home that I'd owned that nobody else had owned before. I was lucky in that I knew the builder. I had a personal relationship with that builder, and I trusted that builder. You know, it was reassuring to know that they had a home warranty program on that home then. When I looked up in the rafters, I could see stamps on the rafters and on the floor joists that had information on them so that I knew I was covered and that if something did go terribly wrong, if there was a defect in that material, I was going to be protected and I

wasn't going to have to come up with \$10,000, \$20,000, \$30,000 to try and fix a home.

For many of us and many Albertans, with the way the price of homes has gone, a lot of us are leveraged way out there on these things. On a \$300,000 home for a family you're paying quite a lot of money every month just to afford the mortgage on that. Now, I can't imagine – I really can't imagine – what it would be like if all of a sudden there was a problem with that house, and it wasn't covered under warranty, that there were some issues with the materials or with the workmanship in that home, and I now had to put another \$40,000 or \$50,000 into it. Where's that money going to come from? For the average Albertan, I mean, they're scrimping and saving and working as hard as they can just to have that house. What happens now? At least now, maybe, with this bill they'll have some recourse. They will have some protection and some ability that they never had before, especially in expanding out the envelope.

I'm also curious about what my colleague from Olds-Didsbury-Three Hills was talking about with the manufactured homes. Who is ultimately responsible for that contract? Do we have two warranty programs that each have to be purchased, one by the manufacturer of that home and then one by the owner once they decide to place it on a foundation? How much more is this going to cost Albertans? I mean, if this is a \$2,000 charge for the warranty from the home builder and then a \$2,000 charge to the Albertan when they place that manufactured home on the foundation, we have now effectively doubled the cost of the warranty program to that homeowner. Is that something that we want to saddle Albertans with? It's something that I would like to see fleshed out in these debates here tonight.

Now on to the subject of condos. I do have to say that I agree with the Member for Edmonton-Centre on the need to go into the Condominium Property Act. This thing is a couple of decades old. I know that when I was an insurance broker, the scariest thing that I would always be putting out there to my clients was: "What happens if there is a problem with that building, with the common area? It's now going to be assessed back against you. Can you afford that assessment?" Again, I relate that back to when I bought my first new home because when I bought that home there was no way – there was absolutely no way – had there been a defect in that property, that I was going to be able to afford to fix that defect so that I could either live in the home or then sell the home. If there is a defect in a condo, not only are we affecting one family, we're affecting hundreds of families just in one building.

We saw what happened out in B.C. with the leaky condos. It actually bankrupted their B.C. new-home warranty program. Now the only thing that's offered out there is through insurance brokers themselves. [interjection] Which is this. Yes, that's right.

**5:10**

This is something that's scary. Can you imagine that for just one – just one – condo in downtown Calgary the claim back against the warranty program was in excess of \$400 million? Four hundred million dollars. If that doesn't get paid out, what happens to those owners? They're bankrupt. There is no way that they can come up with the funds to fix that building. I mean, \$400 million assessed against – what? – 100 people. That's \$400,000 apiece for a condo that was probably worth \$200,000 to \$300,000.

What are we doing to Albertans when we don't put this protection in place so that they can have confidence in their biggest purchase, their home, something that they should be able to take pride in, not something that will crush them under burdensome debt and destroy their lives if there's a defect in that condo?

**Ms Blakeman:** Consumer protection.

**Mr. Fox:** This is consumer protection. You bet.

I like speaking about consumer protection because there is nothing better than seeing Albertans thrive through their purchase of property. I mean, we talk about property rights in this Legislature a lot, especially in this first session with the bills that we have going on, Bill 2, Bill 8. I mean, these are major property rights issues. We want to make sure that Albertans are protected in their property rights and in their property so that their investments in this province don't bankrupt them.

What service does it do Albertans if we bankrupt them because they don't have the protection when they make their largest purchase in the province, the purchase of their home? We want to make sure that they are covered. We want to make sure that the programs that are in place to cover them remain viable. Again I refer back to the B.C. new homeowners program. When that went under, I can't imagine how many citizens in that province that hurt. I can tell you it would have bankrupted a lot of them.

Now, when we have Albertans here purchasing their homes, we want to make sure that that program is there in place when they need it. We hope they never have to use it. I mean, that was the case with insurance. We always hoped that you'd never have to use your insurance policy, but it was nice to know that it was there. I can tell you from personal experience that that policy was usually the most expensive piece of paper that that person would ever buy, but the day that they needed it, that piece of paper was invaluable. There was no amount of money that would cover off what that piece of paper would do for them. It gives you peace of mind. It gives you the knowledge and the firm conviction that something is standing behind you and that you're not going to lose everything and that you're not going to be left on your own in the times that you need that assistance.

One thing that I would like to ask is: do the companies that are going to be providing these warranties have the necessary reserves to cover off catastrophic loss here in this province? If there is another condo in Fort McMurray or down in Calgary, two or three of these in one year, who needs to claim against the new-home warranty program, are they going to have the necessary reserves to compensate those homeowners, those condominium owners in that case? I would hope that if that happens, those people are covered, that it doesn't fall back on them so that they now have to declare bankruptcy and move, maybe even leave the province, because we didn't ensure that there were necessary reserves behind these programs.

We did do some stakeholder consultations in looking at this bill, and we did talk to the Canadian Home Builders' Association. We're happy to see that they're generally in favour of the bill. They do have a concern for owner-builders selling their homes within a short period of time. They want to make sure that the entire industry is represented and that they have a good name in the province and that they're not hurt by these one- or two-off builders that are out there building a shoddy product and giving the whole industry a bad name.

I mean, I worked in an industry where just one bad broker tainted us all. It was a horrible feeling to have somebody walk in and call you a crook or a cheat or a liar because of something somebody else did somewhere else in the province.

**An Hon. Member:** It's like being in politics.

**Mr. Fox:** Yeah, I guess it's like being in politics. It was a good place to earn a thick skin.

**An Hon. Member:** Or law.

**Mr. Fox:** Yeah. Yeah.

We have to make sure that Albertans are protected. It's just my pleasure to stand here today in support of a consumer protection bill. Now, I just hope that some of the amendments that are coming forward are looked at seriously and not just glossed over and voted down. I mean, far be it from me to stand up here. I call myself a fiscal conservative. I've been a hard-core conservative from the moment I entered politics, but that doesn't stop me from recognizing when I have colleagues in the NDP putting forward decent amendments that I think in some ways I can support.

With that, I thank everybody very much for their time, and I'll sit down and take any questions there may be.

**The Chair:** I'll recognize the hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Chair. I'm pleased to be able to rise to speak to Bill 5, the New Home Buyer Protection Act, and to talk about some of the specific elements of it, that which is positive as well as that which I think needs some more work.

Generally speaking, I think the intent of the government is laudable in that we're attempting to provide protection to Alberta's new-home buyers. As many other people have already said, it's often going to be the biggest investment that anybody will ever make. It's not only an investment. It's about home. It's about where you live. It's about security. It's about using that security that you get from your home, that allows you to then propel yourself through the rest of your life. That's one of the reasons why, as a bit of a digression, we constantly talk about the need to provide housing for low-income families and families at risk. When you don't have that basic, basic foundation, then it's very, very hard to make your way successfully in other areas of your life. Homes are an investment and also a critical component to the well-being of all of Alberta's citizens and families. To the extent that this bill does provide some protection to those new-home buyers, I think that's a good thing.

[Ms Kennedy-Glans in the chair]

Of course, I'm always in favour of anything that allows for consumer protection. We reside in a province that has somewhat limited consumer protection initiatives relative to many other jurisdictions. We certainly have limited access to legal support should consumers need to pursue their rights in the courts. Heaven knows they probably have no hope of being able to secure those rights in our judicial system right now as it sits, so any kind of consumer protection initiative is a positive one.

But we do have some concerns. The previous speaker talked about how this is, in effect, an insurance system, that it's modelled on what they have in B.C., which was put in place after their horrendously unsuccessful building codes resulted in a disaster of huge proportions for many British Columbians in terms of leaky condos. Ultimately what happened was that the system that they had in place before went bankrupt, and people had no assistance, so now we have this system that they have now, which is somewhat mirrored by the legislation that we're looking at today. I think it's important to understand and to have a bit of an assessment of how it's working in B.C. because it is, as I say, a bit of an insurance model.

The last speaker sounded a little bit like one of those, you know, Manulife or whomever type commercials, where someone tells you that if you buy your insurance, it's all good, and you'll sleep well for the rest of your life, and everything will be perfect. They're just there constantly to make your life better. I mean, I suppose because I have been in that position of trying to extract

insurance benefits from insurance companies, I know it's not always sunshine and singing birds.

In any event, in B.C. in the last year, from June 2011 to June 2012, their home warranty program received 1,739 claims. About 574 of those, a little less than a third, were resolved between the claimant and the builder, being able to mediate a solution. Then there were about 161 of those 1,739 where some type of benefit was paid out, and the remaining 550 of them were rejected. I think that adds up.

5:20

What we're looking at there is not an overwhelming story of success, Madam Chair, because, unfortunately, there were a number of people that made claims who didn't actually have those claims resolved through the program that they have in B.C., which, of course, is mirrored by the program that we have in place here. I think we need to be a little bit cautious about, you know, breaking out the tickertape parade around this particular initiative.

Now, that being said, assuming that there is benefit to be provided by it, of course, one thing that we need to be aware of that this legislation does not deal with and that others have talked about is the fact that there is no retroactivity to it. We've just come – well, not just now but in the previous eight years or so, I suspect it would be fair to say – through quite a gargantuan building boom. The fact of the matter was that if any of us here knew of people who were working in the residential construction industry in 2007-2008, they knew that most of those certified tradespeople had been drawn in or sucked into the industrial sector, in most cases, because it paid better, and there was a shot that it might be unionized. Those who were working in residential construction often had less certification, less training, so some of what was being built was perhaps not the best thing. That's what happens when you've got booms. The quality of construction does tend to deteriorate.

[Mr. Rogers in the chair]

We've got a whole bunch of folks out there whose homes are now anywhere from four to 10 years old who are not covered by this, so we have some reason to be concerned about that. Of course, we have the examples in the condominium industry and, you know, some of the most obvious examples where there have been some horrible structural failures. Those people have at this point very little to provide them with assistance. Retroactivity is an issue that we're concerned about.

The length of time for the warranty that is prescribed in this legislation is also of some concern for us. There are many experts that suggest that the length of time that's currently laid out in this legislation is simply not adequate to ensure that structural deficits or mechanical deficits or whatever kind of deficits are possible are evident before the warranty expires. It's a problem that the warranty is so short lived. We're giving people a great sense of comfort, as the previous speaker suggested, but the problem is that we may be doing that a little bit falsely. The fact of the matter is that they may discover that they've got this great level of comfort only to find that as a result of this legislation the warranty that they had tucked underneath their pillow at night actually expired about six months before they discovered that they had mould or that the envelope was faulty or whatever the case may be. That's a concern that we have.

Another issue that we are concerned about is the issue of the building inspection and the fact that this act sets up or does not appear to prohibit the practice of having the building inspectors working for the warranty provider. That is a concern because I think that raises the potential for a conflict of interest. The

warranty providers, as much as that sounds really good – you know, it's the warranty provider; they sound really warm and fuzzy when you call them that, and I'm sure that that's the intention – really are insurance companies. Relying on an employee of the insurance company to tell you, "Oh, look at me; the people that we insured made a mistake, so yes, now we are the insurance company, and we have to pay you out" is problematic. There's nothing in this act that prevents that, so we are concerned that that's going to raise some issues.

The other thing that I wanted to talk about briefly is just the fact that, overall, what we really need to do – and I know other speakers have spoken to this already – is that we have to seriously look at our building code. Ultimately, a building inspector doesn't look at a building and conclude that the building is sound. What the building inspector does is say: has the building been built in accordance with the criteria that it must be built in accordance with? That's all they do. Often that criteria is, you know, signed off by an architect or somebody else. All the building inspector says is: did they follow the rules? But if the rules themselves weren't the right rules, then the warranty won't pay.

For instance, imagine you're in the situation, you know, 15 years ago in B.C. At the time it was perfectly okay to build a condominium that allowed for a great deal of leakage and ultimate deterioration because that's what the code allowed for at the time. Then the building inspector looks at it and says: "Well, they followed the code. Nobody made a mistake there." Then the person's house starts to rot because the code itself was inadequate, and then the person doesn't get anything from the warranty program.

The concern we have is that if this is not inextricably tied to an increase in the standards of the building code, then, again, there's a loophole that's awfully darn large, that you can, well, maybe not drive a truck through but certainly rain a whole bunch of water through. That's the concern that we have.

The final thing that I want to talk about is the issue of, as I said before, the length of time over which the warranty lasts. Let's say that we're talking about structural integrity and a failure in the structural integrity of the building. If the warranty runs 10 years and you discover that there is a significant breach in the structural integrity of the building that you have purchased at nine and a half years, you're cooking with gas. It's great. If you discover it at 10 and a half years, you're done for. There's nothing that you can do in terms of the warranty.

Now, as I said before, 10 years is a bit of a dicey time period because many people will tell you that 10 years is not enough time to determine that there is a structural deficit in the structure of the house. With condo owners we have an additional problem, and I would like us to consider finding ways to fix that additional problem, so I'm going to propose an amendment on that basis. As things stand now, that warranty on a house starts to run once the first person takes occupancy of that house, once they are certified to take occupancy, and once the title has transferred. That's when the warranty on the house starts to run. That's a good thing. That makes sense.

Unfortunately, the warranty starts to run on a condominium at a much different time, and it starts to run at a time when we are not entirely sure what the relationship is between when the warranty starts to run and when the owner-occupier actually moves in. What we could actually end up with is that, effectively, the person who buys it only actually has a warranty from eight years after they move into the place as opposed to 10. We would like to correct that.

Mr. Chair, I'm going to be proposing an amendment to Bill 5, and I will provide it to the table and then wait for it to be distributed amongst the members of the Assembly.

Thank you.

**The Chair:** Hon. members, this amendment will be A2, and as soon as we have a copy at the table, I'll invite the Member for Edmonton-Strathcona to speak on the amendment.

**Ms Notley:** On behalf of the Member for Edmonton-Beverly-Clareview I am moving that the New Home Buyer Protection Act be amended as follows, that section 1(1)(y) is amended by striking out subclause (ii) and substituting the following:

- (ii) in the case of the common property of a condominium corporation, 10 years beginning on the later of the date that
  - (A) a building assessment report is completed as prescribed, and
  - (B) the first unit is occupied.

Then in part B section 3 is amended by striking out subsection (4) and substituting the following:

- (4) With respect to the common property of a condominium corporation, coverage begins on the later of the date that
  - (i) a building assessment report is completed as prescribed, and
  - (ii) the first unit is occupied.

5:30

In essence, Mr. Chairman, this amendment seeks to change the date on which condominium coverage begins. As I said before, currently the bill indicates that the condominium coverage begins when a building assessment report has been completed. But, again, as we've already outlined in speaking to our previous amendment, since we do not yet know exactly what a building assessment report will be because the regulations around that have not been made, because we don't know how many inspections it's precipitated upon, because we don't know where in the building process the building assessment report is completed, because we don't know the relationship between the building assessment report's completion and the occupancy of the first unit, because we don't know any of these things because, of course, the government is keeping to itself massive regulatory authority, which is hardly new – it's what they do in most legislation – because we don't know that, we don't then know the effective length of the warranty that people are purchasing.

There have been occasions where a condominium is completed, where I can anticipate or imagine that a building assessment report would be completed and signed off on fairly early, but then a whole host of other issues arise which interfere with the purchaser and the owner-occupier's ability to take occupancy of that condominium. It's more common with condominiums than it is in the case of a single dwelling, obviously, because you're dealing with a multiplicity of people.

In any event, because we don't have the regulations completed around the building assessment report, the problem is that we could easily find ourselves in situations where people are actually paying for a home warranty – and they'll pay for it perhaps when they prepurchase their condominium, so they pay for their home warranty there – and then the building assessment report is not completed until later. Then the person for whatever reason is not allowed to move in until much later, so the warranty itself is abbreviated in relation to what happens with fee simple owners of a single property.

Given that often condominium owners tend to be younger people – well, not always. I shouldn't say that, I suppose. I'm probably speculating here. Certainly, seniors are a higher

proportion of condominium owners. I think I can say that with some certainty. But what we're doing is that we're providing a differing level of protection for condominium owners than we are for single-family or duplex-type residential owners because for those people the warranty doesn't start to run until they move in, but for condominium owners the warranty may well start to run a couple of years before they move in. We really don't know.

The point of this bill, then, is to ensure that that kind of thing doesn't happen. I can't imagine that the drafters of the bill anticipated that that kind of thing would happen. I imagine that they were trying to deal with the complexity that exists around the fact that you have a whole schvack of people moving into one common property and you've got to pick a date and find a time to properly assess: when is the trigger point, and when does the warranty start to run? That being said, there have been countless cases where the building is for all intents and purposes finished and then it deteriorates into a whole bunch of legal wrangling between all the multiplicity of parties that have to be involved in the investment and development of that building, and you can find there being a long delay between completion and occupancy.

This amendment simply seeks to ensure that condo residents are just as protected under this legislation as are new single-residence homeowners. As I said, this amendment simply means that coverage will begin for condos only at the point where a building assessment report has been completed and the first unit is occupied.

I was speaking with another hon. member and wondering whether that even in itself might be too early a trigger. Maybe we should be talking about when one-third of the units are occupied. You know, there's no question that there's some merit to that observation. I mean, in many respects we're kind of lowballing this, at least trying to ensure that somebody is able to move in there. So then a portion of the common legal barriers that exist between completion and occupancy, we can be sure, have been resolved before the warranty starts to run.

This amendment is solely designed for the purpose of protecting consumers, expanding consumer protection whenever possible, ensuring that home purchasers and condo purchasers in Alberta, as I said, the preponderance of whom I suspect are seniors, are as protected as they can possibly be under this legislation, that notwithstanding some of the other shortcomings we've identified under the legislation as it currently exists that we enhance their protection and also treat them fairly, equal to those who purchase single-unit homes.

I hope that members in this House will give some due consideration to supporting this amendment that's being made on behalf of the NDP caucus and, in particular, the Member for Edmonton-Beverly-Clareview.

Thank you.

**The Chair:** Thank you, hon. member.

Hon. associate minister, did you care to respond?

**Mr. Weadick:** In a moment. I'll hear some other folks, too.

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

**Ms Blakeman:** All right. I'll give the minister time to come up with something.

I do support this amendment, and I was talking to the hon. member about it a bit earlier. I know of at least one condominium that was built, happily not in the fabulous constituency of Edmonton-Centre, in which people were expected to prebuy or at least put a sizable instalment down and then continue to pay. So I guess, actually, that arrangement was with their bank. They were

expected to prebuy the condominiums. Then I'm hearing people say that, well, they haven't moved in. This is two years down the road. I'm thinking: "Well, why not? Didn't you buy this condo?" "Oh, yeah. I'm still paying the bank for it. But there's been this problem and that problem and the next problem." They've never moved in. I think they might have even changed ownership. You think: well, that's not working out.

I agree that we need to be careful about when the clock starts ticking to start the warranty program, or the insurance program. This is all about timing. This whole act is about, you know: as long as the extension or the warranty or the assistance or the coverage will be for one year or three years or five years or 10 years. I mean, it's all about timing. Therefore, to be saying, "Okay; well, when the last tradesman walks away, that's when it starts," well, the last tradesman walking away may not be when people actually start to occupy that building.

If I can think of at least one, then this is not just a solitary problem. I know it'll be a surprise, but I'm not all-knowing and all-seeing. This problem exists in other constituencies throughout Alberta where we have that time lag. So I actually think it's a very good suggestion that we start the clock ticking when we have someone in a unit. Since for the condominium units you end up buying it yourself and different people can buy their coverage at different times, it's less an issue of when everybody is in and when the condominium association is formed because your coverage, as the associate minister has explained, covers your building envelope but also your share of the common areas.

So that might actually work the way it is, but I'm certainly grateful that it was raised because I had forgotten that timing does really become critical when you start launching these things. It's all about timing and when these things start and when they end.

I would recommend that my hon. colleagues support the amendment brought forward by Edmonton-Beverly-Clareview as presented by Edmonton-Strathcona.

Thank you.

5:40

**The Chair:** The hon. minister.

**Mr. Weadick:** Well, thank you. I appreciate the thought behind this because at first when I read it I thought: you know, maybe this is a reasonable thing. Then I looked at some of the issues around condominiums and around how they're constructed and at some of the issues around redevelopment of existing buildings, apartments, that are condominiumized. It starts to not work so well. I'm going to give you some examples. Many of our condominium developments are phased, so you would get a part of the construction under way, some people would move in, and construction continues. There are people living there, but people may purchase units two, three, four years after that fact, so we could've started the clock ticking way ahead of when we want to.

What we've determined is that we're going to use the building assessment report. We're going to include in that triggers for when the insurance can start so that even in a building that's under construction or in phased construction or reconstruction, you could set some parameters around when it actually started for different parts of the building. I don't want to limit it and maybe see it reduced. I think that's probably a very minimum, when the first person moves in, but in many construction cases you might be reducing the amount of warranty available to some of the members by a significant amount if it triggers when the first people move in.

I like the idea behind it, but I would speak against it and only say that we're going to ensure that all the people in the building, in

the condominium, both for their private property and the common areas have the full warranty that any private owner would have, which is right up to 10 years on the structure. We don't want to limit it in any way, and I think this might do that.

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

**Ms Notley:** Thank you. Well, I very much appreciate the associate minister engaging in this discussion and this conversation. I think it's quite useful. Of course, you know, the process for developing a condominium will vary based on the condominium, whether you're dealing with redeveloping what was a walk-up, which is, unfortunately, happening far, far too much in my constituency, or whether you're looking at brand new construction. What I would simply point out to the associate minister in terms of his comments is that the proposed amendment says that it would be the later of the two. It would be the later of either a building assessment report or when the first unit is occupied. So it doesn't mean that it has to start when the first unit is occupied.

If for the reasons that the associate minister describes, the first unit is occupied earlier than it is appropriate to have the warranty commence, then it would be later that the warranty started because of the way this amendment is structured. It's structured to ensure that the warranty starts running at the later of the two options. It ensures that if for some reason there's somebody occupying one part but the building assessment report has not been completed appropriately for the full building or whatever, the warranty would not commence until the building assessment report was completed.

What this amendment is attempting to deal with is the opposite situation, where in some cases you could have the building assessment report completed, but you wouldn't have anybody occupying it yet because of other often indirect legal obstacles that may occur if, for instance, financing falls apart and suddenly the financiers and the developers are all fighting, and nobody takes occupancy because that creates a whole new set of legal rights, so everything is put on hold. In my riding, for example, there has been an example of that, of one condominium that went up on Saskatchewan Drive, a beautiful, luxurious condominium, that actually stood empty for about two years after it was completed because of that kind of dispute.

What this amendment is attempting to do is to protect consumers at all levels and to just ensure that it's the later of the two. Because the rules are not yet clear on exactly when the building assessment report would be done and because it's not possible for us to be sure that it might not be completed before occupancy occurs, or that it might be completed well before occupancy occurs, that's why we're proposing this.

I appreciate the associate minister's concerns, but I think the amendment deals with them by providing for the later of the two.

**The Chair:** The hon. associate minister.

**Mr. Weadick:** Well, thank you, Mr. Chairman. We believe that using the building assessment report to trigger this based on the type of construction is probably the best way to do it, but what we will do is take that recommendation around first unit as one of those considerations as we're developing what the building assessment report might impact. That may be one of those triggers that could trigger a building assessment report.

I think the spirit of it is good. I don't want to limit how we can use the building assessment report in various types of construction to ensure that we can get the maximum benefit for the homeowner.

**The Chair:** Are there other comments on the amendment? The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Rowe:** Thank you, Mr. Chair. I'll support this amendment. Again, it has to do with the assessment report. There is some concern that we're not sure when that has been completed. We're not even sure what a building assessment report will be because a regulation has not been made.

Those are some of our concerns. I won't belabour the point. I would just recommend that my colleagues support this one.

Thank you, Mr. Chair.

**The Chair:** Other comments on the amendment?

Seeing none, I'll call the question.

[Motion on amendment A2 lost]

**The Chair:** Back to discussion on the bill. The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Okey-dokey. Well, as I've said, we have a few concerns about this bill. I think I outlined a lot of them originally as I started speaking, but one of the additional concerns that we have refers to mandatory minimum coverage periods for statutory protection under the contract. I have an amendment that relates to that, so I will provide that to the table and wait for it to be distributed.

Thank you.

**The Chair:** This amendment will be A3. As soon as we get a copy to the table, hon. member, you can speak to the amendment.

Hon. member, please proceed.

**Ms Notley:** Thank you, Mr. Chair. As I've said before, we are concerned that the mandatory minimum coverage periods outlined and stipulated in this legislation are not adequate to provide full and comprehensive protection to new-home buyers in Alberta. The legislation as it is currently written sets mandatory minimum coverage periods for statutory protection under all new-home warranty insurance contracts in Alberta. As it currently sits, a warranty must include at least one year of coverage for defects in materials and labour, two years for defects in materials and labour related to delivery and distribution systems, five years of coverage for defects in the building envelope, and 10 years of coverage for structural deficits.

Mr. Chair, we have consulted in the NDP caucus with experts who raise serious concerns about two of the coverage periods, at least, specifically one year of coverage for defects in materials and labour and five years of coverage for defects in the building envelope. One year, we're told, is very little time to determine if defects in materials or labour are present if, as is sometimes the case, it takes several months for new-home owners to move into their new residences. Therefore, we are proposing extending the minimum coverage period for these defects to at least two years. Secondly, according to the experts that we have consulted, defects in the building envelope may take 10 years or even longer to become apparent. Therefore, we are proposing to extend the minimum coverage period for building envelope defects to at least 10 years.

5:50

Mr. Chair, I had the great privilege of living in British Columbia during the '90s for a period of time. I was much younger there – I was in my early 30s – and several of my friends went out and purchased condominiums during the time that I was there. I still to this day feel some guilt in relation to one friend who I very, very enthusiastically encouraged to purchase a condominium that overlooked the Burrard Inlet. A lovely, lovely condominium: a stunning view, beautiful roof deck, all that kind of stuff. The



building itself – I can't remember how old it was now – was not very old. She reached to the very end of her financial wherewithal, and she purchased this lovely condominium that overlooked Burrard Inlet and the Lions Gate Bridge. You could hear the seagulls when she was out on the deck. It was a lovely, lovely place.

Unfortunately, within a year she and her co-condominium owners became aware of the fact that that building had significant leaking problems that had not been discovered in the course of the inspection that she engaged in before she purchased it and that had not been disclosed or people had not been aware of before that was finished. Ironically, after spending all this money for this spectacular view, she then spent, not a word of a lie, two years with the view covered in a tarp. She had no ability to actually see that Burrard Inlet and that beautiful Lions Gate Bridge because of the tarp that covered the whole condominium. Anyway, when all was said and done, she had to spend an extra \$200,000 on getting her portion of the condominium corrected.

Mr. Chair, the point is that the building was older than 10 years when she moved into it, not much older than 10 years but a bit, and it was certainly well beyond five years old. Had she spent extra money on top of the premium that she paid for the stunning views and the seagulls and the Lions Gate Bridge and purchased the warranty that is being proposed under this legislation, she would have not been successful, you know, had she been there when it was first built because the leakage occurred and became obvious to everybody well after the five-year period. And that's in a place like Vancouver where it never stops raining, ever, except on that one day every 30 days when you go house shopping, and it talks you into buying the condominium with the great view on that particular day.

Anyway, the point being that it was very clear, and anyone in Vancouver can tell you that building envelope problems do not become obvious, necessarily, within the first five years of construction. Having that in this warranty means that we are going to exclude a number of new-home buyers from coverage by the warranty. We know that the leakage issue is, in fact, a growing problem in Alberta. We've had experts, and we've had architects out there saying that our building code as it currently exists is not too dissimilar from the building code in B.C. As a result, the same vulnerability that existed there with respect to leaky condos now exists in Alberta. We are concerned about this, and we're proposing these changes.

Our amendment is supported by Professor Tang Lee. Professor Lee has been teaching architecture students about building envelopes at the University of Calgary for over 35 years, and he has consulted and served as an expert witness in cases of leaky condominiums and other buildings. He's an expert on the National Building Code of Canada, specifically part 5, which addresses building envelopes and environmental separation. He tells us that five years is not long enough, folks.

If we want this warranty program to be all that the government claims it is, we should make these changes. This legislation should not in any way be a protective mechanism for incompetent home builders or the private companies that serve to benefit greatly as warranty providers through this legislation. In endorsing the spirit of this legislation, let's at least make sure that it is strong enough to protect the interests of the consumers and that the time periods stipulated are in accordance with expert recommendations.

So I ask the members of this Assembly to support our motion with respect to amendment A3, the motion that is being submitted, once again, on behalf of the Member for Edmonton-Beverly-Clareview.

**The Chair:** Thank you, hon. member.

I'll recognize the hon. associate minister.

**Mr. Weadick:** Thank you. It's getting to be a bit of a habit, but I'll speak against this amendment as well, not because of the spirit behind it. I like the idea that they're trying to get extra. Don't forget that this is a mandatory home warranty program, so this is the minimum. This is what people have to provide when someone builds a new home or condominium.

Mr. Chairman, the numbers that we put in, one year and five years, are consistent. But don't forget that on the five-year building envelope we're having companies have to offer a seven-year option. It's mandatory that they offer a seven-year option to homeowners on building envelope. That's not to say that people can't buy more than this if they choose from their insurer, if they think that building envelope is a big issue, but it drives up the cost of each and every home.

It's a cost issue. We know that we can get this kind of protection for homeowners for about \$1,700 to \$2,000 per home. We believe it's reasonable. It's a great level of coverage. We aren't even sure what the seven-year building envelope will cost, so what we've asked the industry to do is work out the costs and offer it to homeowners as an option. Homeowners will have the option to say, "I believe going to a seven-year envelope would be appropriate, and I'm willing to pay for that," because, of course, the homeowner does pay for it anyway. I'm guessing that over time you may see increased coverages available, not mandatory but optional, for the homeowner to pick what kind of coverage they want, the same as they can when they insure anything else.

We've set a standard that we believe is appropriate, that's affordable for Albertans, that will keep home ownership affordable in this province, that will meet the biggest issues that we see around timing for mechanical systems, for envelope, and, ultimately, for structure. We believe that the bill as it's set up really does meet those minimum standards that we think are appropriate for Albertans.

Thank you.

**The Chair:** Other comments? The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Mr. Chair, and thank you to the associate minister. I did have a couple of comments and questions on this. When you're offering this product – if you're buying a spec home, the warranty is already purchased on it. So is there going to be an availability for the consumer of that spec home to turn around and come back to another warranty provider to purchase the additional coverage, or is that coverage going to need to be purchased at the time that the builder actually purchased it, when they started construction of the home? Usually these warranties are purchased in lumps by the builders. They're not really one-offs.

I know several in town that are just on a program with the warranty provider, and it's automatically attached to every new home that they build. So what mechanism is there going to be to make sure that the consumer knows that this option exists, that there's an extra cost to it? Where are they going to go to purchase it? I don't know of a product that exists right now within the industry to cover this off.

**The Chair:** Thank you, hon. member.

Hon. members, pursuant to Standing Order 4(4) the committee is recessed until 7:30 p.m.

[The committee adjourned at 6 p.m.]



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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Tuesday evening, November 6, 2012

Issue 16e

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta**  
**The 28th Legislature**

First Session

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## Legislative Assembly of Alberta

7:30 p.m.

Tuesday, November 6, 2012

[Mr. Rogers in the chair]

### Government Bills and Orders Committee of the Whole

**The Chair:** Hon. members, I'll call the Committee of the Whole back to order.

#### Bill 5 New Home Buyer Protection Act

**The Chair:** We are debating amendment A3. I'll look for the next speaker on amendment A3. The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Rowe:** Thank you, Mr. Chair. I have to admit I'm torn with this one. I would concur in the amendment in that the one and five years are probably a very minimum standard for a warranty. I want to say that I agree with the amendment. I know in talking with some of my colleagues that there is a concern about the added cost, and there are recommendations from Professor Tang Lee from the U of Calgary, who has 35 years in this business, who is recommending that this is what we do. However, as I said, I am concerned with the added costs. There are no estimates in here of what that cost would be, so it's a little difficult to get off the fence on this one, but I will.

After a long time in the construction trade I liken this to buying a car. The car salesman says: you can choose a warranty which lasts long enough for you to get off the lot, or you can take the one-year warranty at an added cost.

I will support the amendment, and I know that some of my colleagues may choose to not support it. That's the beauty of our party. We have the right to free votes, and that's important. My personal recommendation is that we would do this. I believe the costs would be minimal. Once you have a warranty established to extend that, I think the cost would probably be minimal related to the total cost of your home. As has been stated before, this is the biggest investment that the average Albertan will ever make, and I think protecting that investment is of paramount importance. I think the dollar value between the two would be minimal related to the overall cost of the home.

I personally will be supporting this amendment, and I would encourage others to do so, too. Thank you very much, Mr. Chair.

**The Chair:** The hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Mr. Chair. I as well am speaking in favour of this amendment. I share the same concerns as most of my caucus as it relates to cost to the homeowner and to the taxpayer and to the government, those sorts of things. The concern that I have as a former real estate broker is that often when a person takes over ownership of their property, it can easily exceed the period of one year for defects and materials and labour. It can easily exceed even two years, but I think two years is a very reasonable option.

More important, though, are the defects in the building envelope and the structural defects. I know from personal experience in owning a real estate company and being a real estate broker that there are situations out there where, you know, there is a structural defect that comes to light – cracked foundations, damage to how

the structure was actually created – that is in a time period that would exceed five years, and the homeowner is left with really no options.

Sure, they could possibly sue the home builder, but a shoddy home builder doesn't stay in business anyway. They've already moved on after five years. We've heard time and time again about those home builders that, unfortunately, don't take a lot of pride in their work and go around this province and create homes that are just not up to standard, and five years later they're out of business and gone. The people that feel the effects of that person and that business that has shoddy workmanship may not begin to feel those effects until between that five- and 10-year period.

I also have experienced and have had clients who have actually experienced where it isn't just limited to a major defect. In a really heavy spring they find out there's flooding, and then they call in the experts – and that might be in year 7 – only to find out that the type of cement that was used to pour their foundation or the structure that was created now leaks, and they have no recourse. I think that the change from one to two years on the defects in materials and labour is a reasonable change. I also think that there is some reasonableness about changing it from five years to 10 years in the structural defects.

I understand that there is often a concern about how much we protect, you know, the homebuyer when they're making a private purchase, but I think that if we're offering some sort of responsible governance in these types of things, we need to make sure that we're looking at all options. For most people the purchase of their home is the largest investment they'll ever make. They truly do intend to use that as part of their retirement fund, and then they find out that literally that building is structurally defective or even defective in the materials and labour. Some of that just takes longer than we would normally expect.

I share my caucus's concern about the costs. I think the costs would be minimal, but I do think that to extend the years of coverage for these types of things is relatively minor, and it's easy to show homeowners that we're actually taking a look at what their needs are as well.

So I speak in favour of this amendment, and I thank the hon. member for bringing it forward.

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

**Mr. Hehr:** Well, thank you, Mr. Chair. I, too, will speak on this amendment. I think it's a good move, particularly in light of the fact that many condominiums are built in not only Calgary-Buffalo, the area I represent, but all across this province. This is continuing to be a trend that we see and that home purchasers are seeking out. In particular, I think this amendment goes a long way to protecting people involved in those types of purchases as well as individual homes from some of the vagaries of workmanship or the like that may not be quite up to snuff. It would give them some sort of protection from these shortcomings, I guess, in the actual building practices. I think moving to two years would be an eminently reasonable move.

In fact, moving it from five years to 10 years on the building envelope is very important. In my research on this topic the building envelope is probably the most important piece that goes into a condo building and – I'm not an expert on this – may in fact be the most important piece that goes into a home. The building envelope ensures that the foundation is solid and the like, and it's from that that we often don't see any damage to the property for five years. If it is substandard, those types of cracks or foundational developments don't usually appear in the first five years.

For instance, I have a constituent, Maritza. I can't remember her last name, but she was involved in a condo purchase just outside of the downtown core in Calgary-Currie. She purchased a unit in this home. In fact, I think almost 200 people did, and they purchased a brand new residence in this building in 2005. They became aware this summer – that's 2012 – that the building envelope was faulty, that it was causing undue leakage and the like, and that the entire building was flawed structurally. She got a cash call for \$120,000 to simply remain in her condominium.

That's a real-life example of a situation where a building envelope was structurally flawed right from the beginning. Make no bones about this, Mr. Chair. It was structurally flawed from the day this condominium was built, yet the damages to the building envelope and the damage that happened to the building didn't come out for six years. If you looked at that file, if you looked at the inspectors' report after the damage became apparent, the inspectors went in and they said: "Oh, my goodness. This thing is flawed from soup to nuts right from the beginning." They identified all of these things. They said that it was a building that was not made with the right materials, the building envelope was shoddy, the workmanship was shoddy, and the like. Needless to say, even with all of this hindsight the damage did not appear for six years.

7:40

I would agree with the changes put forward in this amendment. I think, especially in light of the concerns around building envelopes, that it would make sense given the nature of where people are choosing to live, many times in my constituency. Nevertheless, I think they're good changes. I think they're actually reflected in a private member's bill that the Alberta Liberals did on this issue a year ago. I think when we did that private member's bill, it was based on some talks with individuals and condominium owners and, actually, even builders of condominiums, who pointed out theirs is a real talent and an art and there's a need for having not only quality builders – there are many of them out there – but a need for warranties to ensure that those practices are handled.

Needless to say, I think it's a good amendment. I think it recognizes some of the concerns I brought up, and I would urge all members to support this amendment.

Thank you.

**The Chair:** Thank you.

The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I'm going to rise, and I'm not supporting this amendment. I will explain why. I could easily live with the amendment from one year to two years. I think for labour that would be reasonable. But the issue I have a problem with is raising it from five to 10 years, particularly with distribution systems. The labour should show itself within one year. Raising it to two years, in my experience, would be reasonable, but to have that hanging for 10 years: I would see issues of abuse with the system.

There are materials that last five years. There are manufacturers of material that will actually say: this is going to last you a lifetime or 20 years. For the issue of materials that's not a problem, I don't believe. I worry about quality craftsmanship and that craftsmanship being held hostage for eight years, seven years, nine years out because there's been a shift in some other work that infringed upon the initial work done. I think that what that would do is penalize even good craftspeople, good quality builders and add to the extra cost just because of these extra years.

I've had the privilege in the past of building my own buildings. I've had the privilege in the past of wiring condominiums. I understand the difference in the quality of labour, but one of the things that is missing throughout all this is the initial inspection. I think that's problematic because realistically, when you look at this bill and you look at the amendments to this bill, what we see here is an attempt to correct a problem because we're not properly inspecting these buildings in the first place. We have a hole in our inspection process. I see that not just in dealing with the condominiums in the large cities. We see that out in the rural areas with some of the homes that are being built. There is quality workmanship taking place, yet we still have people building buildings that are going uninspected, and I don't understand why.

If you look at the rules and regulations of any small community, they require that a building inspector show up and inspect, but what we see from community to community – and I talked it over with the hon. member here in my own caucus – is that there are builders who are closing up a building before they even get inspected for structural quality control, before they get inspected for plumbing or wiring. How can that be? Yet, we allow that, and when we allow that, now what we have going on here are the problems we've created.

Realistically, when I look at this, what we're trying to do is put all the onus on the builders. That may be so, but then they have to carry that liability, if this amendment passes, out into a full decade. In real terms, when you get beyond that one or two years, I think it's very difficult to say that it was the quality of the workmanship or it was the labour that was the problem. You might be able to look at the material and go at the warranty of the people who provided the material if the material truly was defective, but the labour portion of this amendment is problematic and troubling. I had the opportunity to talk to a lot of builders in and around my riding who are fully aware of this bill, and they have talked to me about their concerns. They don't like it because it's going to add just a little bit more to the cost that they will pass on to the purchaser of these buildings.

As a whole, I think it's a punishing amendment by holding the labour portion hostage for a full decade. I think that's unfair. I think that's unjust. I think that'll add just that extra little cost also because to insure this going out one year or two years – unfortunately, anyone who's had a car warranty knows that you have the warranty, but as soon as it expires, something goes wrong. I don't get it. It's Murphy's Law. It happens. It's almost inevitable. Maybe that will happen with labour. I don't know. But to have that go all the way out 10 years, to me, is abusive.

For that reason, to my fellow caucus members, I can support the first part, but I can't split this amendment apart anyway, so I can't support the amendment. I can easily support going from one year to two years. That would be reasonable. I cannot support five years to 10 years. I think that's unreasonable, and for that reason I will not support the amendment.

**The Chair:** Thank you, hon. member.

**Mr. Kang:** I agree with the Member for Rimbey-Rocky Mountain House-Sundre, but I also support this amendment. I think our inspection process is not really stringent. It's just lax. If we want to have good-quality work on the homes, I think our inspection process should be better than what it is today. For sure, corners are being cut in the inspection process. I know from experience. We have so many builders who are small builders. They come into the business, and maybe four or five years down the road they will be out of business.

I think this is the biggest investment that Albertans are going to make, and if it's going to cost a little more, 1 or 2 per cent, so be it. I know that will give them peace of mind. They will not find any surprises eight or 10 years later where they will be liable and they will have to pay from their own pockets because sometimes the costs are much higher than the cost of the warranty. I support this amendment because this will go a long way to giving peace of mind to the homebuyers.

I'm a strong believer in warranties. I buy warranties on almost everything, and I have used the warranties. I may be the unlucky one. When things go bad with the TV or washer or dryer or whatever, those small things, you can always afford to buy them. But a house: you can't just go out and buy another one because it's the biggest investment.

I think there should be a proper inspection process in place. With the warranties it will be a good idea to go from one to two years and five to 10 years because for five years things may be okay, but in the sixth year problems may occur. It has been happening in the condos. There's a building downtown at 11th and 1st where they had a problem with the parkade, so it's costing them hundreds of thousands of dollars.

I will be supporting this amendment, but I think we should look at the inspection process as well. Thank you, Mr. Chair.

**The Chair:** Thank you, hon. member.

If I could just ask all the members to please keep the side conversations down, I would really appreciate it so that we can hear the member who's got the floor. Thank you.

I'd recognize the Member for Cardston-Taber-Warner.

7:50

**Mr. Bikman:** No jungle stories tonight, Mr. Chairman.

**An Hon. Member:** Why not?

**Mr. Bikman:** I've run out.

I am against this amendment. I'm a caveat emptor kind of guy. I believe that we have an obligation to perform due diligence.

**Mr. Wilson:** Latin? Nice.

**Mr. Bikman:** Bless you, my son.

We ought not take that obligation and responsibility away from individuals. We're grown-ups. In this technological era it's so easy to get online and check out a person's reputation, a builder's reputation, other people's experiences, everybody's ratings of something these days.

I think that the additional cost may be prohibitive and punitive to first-time buyers and to builders that are doing a good job. I understand that discussions were held with builders, and I know that, in the main, reputable builders support this bill as it's been crafted. I'll surprise you on the other side of the House. I have confidence that you've done your homework on this and know what you're talking about when you propose this and that you've balanced the issues, the protection that people need, that consumers need against the needs of the builders and the contractors. So for this reason I can't support the amendment.

**The Chair:** Thank you.

The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Chairman. I'd like to echo some of the comments that have been made here already this evening just since we've been back. As I mentioned when I first spoke to this bill, I recently went through the purchase of a new home. The builder had offered a warranty which is very similar to what we

see in this act, and it was quite sufficient. Now, there was an option to purchase more. We had I believe it was 60 days after we took possession of the home where we could take up that option, and it was a charge of a maximum of \$250 to double all of the clauses outside the exception of the one-year to two-year. It would take the structural to, I believe, a 20-year warranty. So the options are there for consumers in the current market. I think that, you know, it is reasonable to assume that if someone wants that additional warranty protection at a cost of \$250 when they're buying a \$300,000 home, that's not going to be a prohibitive measure for them to go ahead and take that into their own hands.

I also agree with what the Member for Rimby-Rocky Mountain House-Sundre said. From one year to two years could be a reasonable number to insert here, but taking five years to 10 years in the other part of the clause certainly makes this amendment something that I will not be supporting.

Thank you.

**The Chair:** Thank you.

Are there other comments? The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Chairman. I'm prepared to just make a few comments with respect to my colleague's amendment. The sections outline the mandatory minimum coverage periods for statutory protection under a new-home warranty insurance contract. Our amendment seeks to increase the minimum coverage period for two types of coverage: defects in materials and labour and defects in the building envelope. The legislation as it's currently written sets mandatory minimum coverage payments for statutory protection under all new-home warranty insurance contracts in Alberta.

We've consulted with experts who raised serious concerns about two coverage periods, specifically one year of coverage for defects in materials and labour and five years of coverage for defects in the building envelope. Mr. Chairman, one year is very little time to determine if defects in material or labour are present if, as is sometimes the case, it takes several months for new-home owners to move into their new residences. We, therefore, propose extending the minimum coverage period for these defects to at least two years.

Secondly, according to the experts that we did consult with, defects in the building envelope may take 10 years or even longer to become apparent. Therefore, we propose extending the minimum coverage period for building envelope defects to at least 10 years.

Mr. Chairman, we talked to Professor Tang Lee, who has been teaching architecture students about building envelopes at the University of Calgary for over 35 years and has consulted and served as an expert witness in cases of leaky condominiums and other buildings. He's an expert on the National Building Code of Canada, specifically part 5, which addresses building envelopes in environmental separation.

We want this legislation to do what it is advertised to do: protect homebuyers. The legislation should not in any way be a protective mechanism for incompetent home builders or the private companies that serve to benefit greatly as warranty providers through this legislation. Endorsing the spirit of this legislation, let's at least make sure that it's strong enough to protect the interests of consumers and that the time periods stipulated are in accordance with expert recommendations. Mr. Chairman, I think that's the least we can do.

One of my colleagues suggested a few minutes ago that it would be onerous on those builders that do a good job. I think the logic

of that is faulty at best, Mr. Chairman, because if they're going to meet these requirements, they need exert themselves no further. They have provided a good product that will meet these requirements, and there is no additional burden placed upon them. Where it places an additional burden is on those builders that don't do a good job, that sell shoddy products and pass off extensive repair costs onto unwitting consumers. Those consumers deserve our protection, and I would urge all hon. members to support this amendment.

Thank you.

**The Chair:** Thank you.

Are there other speakers on the amendment? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I just have a question for the hon. member. I think we're talking two different things here when you speak of envelope, particularly in regard to condominiums such as in the city here, in Edmonton, which are significant in nature. The people I represent, particularly in my local riding, and the builders I represent in my local riding are single-home builders, and I'm trying to differentiate between the two. Clearly, there's a difference. I would hope the member would see the difference.

When I mentioned a punishing nature on the local home builder, I'm talking about the individual who makes their living on their reputation, hires maybe five or six people as the crew, and they build a home. I'm just curious. Would you agree that there's a difference in the envelope of the single-home structure versus the condominium, and would that coverage then have to be different? What I can't reconcile is that 10-year mark. I can't find where that is beneficial to the reputation of the quality, competent home builder versus the construction company that would build a \$30 million, \$40 million project with hundreds and hundreds of craftsmen, maybe even to the tune of thousands. We're definitely talking about something different.

Again, it goes back to the issue, to me, of the initial inspection, which is required by law in almost every jurisdiction. I don't know of one that doesn't require it here in Alberta, so I will take the presumption that every jurisdiction requires home inspection. I see someone shaking his head; he might get up later.

I was wondering, Mr. Chair, if the hon. member would comment on that.

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

**Mr. Mason:** Well, thank you, Mr. Chairman. I can probably see that in a smaller community. When people are in the business on a long-term basis, they depend much more on their reputation. I guess what I can't reconcile is that if they're doing such a good job to the extent that it makes this unnecessary, then what is the downside of keeping it?

**The Chair:** Thank you.

The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you very much for recognizing me again, Mr. Chair. Many things have been brought up since the time I last spoke, so I'd like to speak further in favour of these. As was pointed out, a one-year limitation on some of the minor flaws, not necessarily minor flaws, is a relatively limited time period to have that type of protection. You're going to have a person move in and, basically, 365 days later have to do an assessment as to whether things have been built correctly. I think going to a two-year period,

it would match up, give time for the ground to settle, the cracks to appear, and go forward on that basis.

**8:00**

When it comes to the building envelope, I honestly believe that 10 years, given what experts in condominium and home design say, is a fair number to arrive at. The building envelope is, like I said before, probably the most important aspect of any home or condominium that goes up. The five-year warranty on this portion of the building envelope simply does not allow the time for a purchaser to assess whether any damage is being done. Ten years is what the experts in condominium design and home design are suggesting to go for, people like Mr. Tang Lee and the like, who are recognized experts in the field.

Really, having builders live up to this standard, the ones who are doing it already, don't have a problem. Simply put, they're going to keep doing business, and they're going to keep selling homes and the like and go forward as planned. The people who may have a problem with this legislation are the substandard builders, which are the ones we're trying to keep from building faulty homes and keep from building faulty condominiums. In my view this looks to be a perfect sort of bill in that regard. It will actually allow those already doing quality workmanship to continue to succeed. Those are the people we should want to stay in the business.

I will just take a sec to correct the hon. Member for Rimbey-Rocky Mountain House-Sundre on the fact that in Alberta what we have is safety code inspectors. We don't have, actually, building inspectors. My understanding is that what we have is that the architect and the developer get together; they sign off on the deal; the architect, under his insurance, covers the design; and the builder has to ensure that the actual structure, the building envelope and the like, are done.

Here's where things get a little wonky in that process. What happens is that oftentimes a project, say a condominium, is started with the best of intentions, started with the economics in play. The builder gets started. All of a sudden, oh, my goodness, we don't quite have as much money to build this as we thought we did. Maybe some seed sales haven't gone as well. Inevitably there's that economic crunch where they start to cut costs, and they start to cut costs on materials, labour, and the like, and there you have the problems.

In Alberta you can get a safety code violation, but it's not actually a builder inspection. There is no inspector ensuring that this is actually done. The onus here in this province is on builders and developers to insure their workplace, and there is no enforcement out there. I'm just correcting the hon. member on that point.

Given that's the state of the way we run things in Alberta, that the builder and the developer and the architect are on the hook, well, we have to do something to ensure that there are actually rules and regulations in place to ensure that they are doing what they said would be done, that there is a recourse for homeowners and condo purchasers when things go south.

I would say that this is a good amendment. It covers off some concerns that we had referenced throughout the years on this file. I will point out again that the Alberta Liberals first asked a question on condos and protection for homeowners in 1997, that we had a series of private members' bills asking for protection for homebuyers and condo purchasers. In fact, in 2008 an all-party committee came back with a report that stated that homeowners and condo purchasers were not being protected in this province. What we have here is a 15-year drag on getting actual legislation in place.

I might point out, hon. Chair, that the British Columbia government had these protections for citizens of that province in 1997. Things go slowly here in Alberta. Thank God the new hon.

Minister of Municipal Affairs is now on the file, and six months he could rectify this malfeasance that has been allowed to drag on in the Albertan populace for so long.

In any event, I would urge all members to support this amendment and allow homeowners and condo purchasers to have the protections they are rightfully entitled to.

**The Chair:** Further comments?

Seeing none, I'll call the question.

[Motion on amendment A3 lost]

**The Chair:** We're back to the main bill. Comments on the bill? The hon. Member for Edmonton-Highlands-Norwood, followed by Olds-Didsbury-Three Hills.

**Mr. Mason:** Thanks very much, Mr. Chairman. I actually have two more amendments that I'd like to introduce.

**The Chair:** Proceed. If you would send them to the table, hon. member.

**Mr. Mason:** I will provide the chair with the requisite number of copies of the next one, and he can call on me when he's ready for me to speak.

**The Chair:** This new amendment will be A4 as soon as it's circulated.

Hon. member, you may start to speak to the amendment.

**Mr. Mason:** Thanks very much, Mr. Chairman. Certainly, if I thought that there was any chance that this government would vote for an opposition amendment, I would have shared it with them gladly months ago. Pardon me if I've become a little cynical after a few years in here. I urge the hon. Wildrose members to watch the Christmas video. It should be part of your training. Okay.

Mr. Chairman, I move on behalf of my colleague the hon. Member for Edmonton-Beverly-Clareview that Bill 5, New Home Buyer Protection Act, be amended as follows. Section 1(1)(s) is amended by adding "or" before "relocatable work camp" and by striking out "or any building exempted by the regulations from the definition of a new home." Section 28(2) is amended by striking out clause (a).

For the benefit of the hon. Solicitor General, whose legal fees may not be paid by the Legislature – I don't know – I would like to speak a little bit to this to elucidate and help him understand the richness of our approach to this question.

Mr. Chairman, this section outlines cabinet's regulatory authority, and this subsection authorizes the minister to make regulations exempting

- (i) persons or categories of persons from all or any portion of this Act . . .
- (ii) a building, a class of buildings, a portion of a building or the common property, common facilities and other assets of a condominium corporation from the definition of new home in section 1(1)(s), or
- (iii) a category of persons from the definition of residential builder in section 1(1)(dd).

Are we clear so far, hon. minister? That was just your part. This amendment removes the authority of the minister to issue such exemptions.

8:10

Mr. Chairman, we asked Municipal Affairs about the purpose, intent, and necessity of including such ministerial authority

regarding exemptions in this legislation. Their response was that there may be types of homes or houses that this legislation does not apply to. For example, in B.C. houseboats are exempted. That's unlikely to be the case in Alberta, but there may be types of homes that simply do not feel the need. With regard to common facilities in some cases such as bare land condominiums, where the roads might be common property but do not form part of the home, the minister may need to make an exemption. On the other hand, in a high-rise condo the common property is an integral part of everyone's home. For instance, the stability of the parking garage located under the building could impact everyone's place of residence; therefore, exemptions wouldn't be considered for this type of common property.

Well, Mr. Chairman, we didn't really think that it was an adequate explanation. Our amendment is based on the understanding that ministerial power to make exemptions constitutes a loophole in the legislation that could potentially undermine the force of the legislation. So we ask: how does an exemption serve to protect new-home buyers and to assure them that all new-home buyers will be served by this legislation? This amendment seeks to ensure that all new-home buyers and all new homes will be governed by this legislation and cannot be exempted from the legislation at the whim of the minister.

Mr. Chairman, those are my comments with respect to this amendment.

**The Chair:** The Member for Olds-Didsbury-Three Hills on amendment A4.

**Mr. Rowe:** Thank you, Mr. Chair. I'm also not a lawyer, so I'm going to plead ignorance on this one. Just where it's leading us I really can't say. I'm not going to support this because having just recently looked at it, I haven't got my head around exactly what the implications of this are going to be. In that light, I will plead my ignorance and step away from it by not supporting it.

**The Chair:** Thank you.

I'll recognize the hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. Maybe the minister might want to actually answer this question versus the amending member. I'm just curious as to what would constitute an exempted building. You know, what kind of building would be exempted?

**Mr. Mason:** A houseboat.

**Mr. Anglin:** A houseboat. I would call it a boat and not a building. Some are pretty big, but they're still floating. Maybe we need to go back to the definition of what a building is because I can tell you that a ship is a ship is a ship, and they are ruled by Canadian law, not Alberta law.

I'm just curious because I read the amendment. It seems like a simple amendment, but I can't get my head wrapped around what would be an exempted building under regulation. Maybe someone can answer that question and help us understand this amendment.

Thank you, Mr. Chair.

**The Chair:** Thank you, hon. member.

The hon. Associate Minister of Municipal Affairs.

**Mr. Weadick:** Thank you, Mr. Chairman. Yes, there are a number of buildings that could be exempted under this. I mean, we're talking about individual home ownership here. This is about people that are going to buy a home to live in. We're trying to

provide a warranty product that will allow them the comfort when they invest. Don't forget, 80 per cent of the homes built in Alberta today are under home warranty, so people have been getting warranty or receiving warranty, and our builders are building a fabulous product.

We've heard discussions around inspections. I'll tell you what. Our municipalities do a great job of inspecting. Electrical inspections, plumbing inspections: all that is done at various stages right from when the first footings are poured and inspected by a gentleman on site right to when you hang your light fixtures and they're inspected by an electrical inspector to ensure that everything has been done. Having been through the process and been in the industry for 30 years, if anything most builders feel they're overinspected, not underinspected. So there's great inspection.

But to answer the question, in Alberta we have a number of types of buildings that would be exempt. Work camps across the north that are built: they're utilized for a period of time; they may be moved. ATCO facilities are brought in and moved and taken out. That would be one example. Dormitories. These dormitories could be on campuses or colleges or a whole host of places, but trust me, we don't want our colleges and universities buying new-home warranty for products that they own, that they build for the benefit of their students. Hotels and motels. These are facilities that are built by people. They own them. They build them for a business purpose. This act is not constructed in any way for those types of facilities.

As you can see, there are many, many types of buildings that are constructed here that people use that would be exempted under this act. There may be others that will come up as well that I haven't even thought of. For now, we need to leave the exemption in to allow the warranty to act as it's supposed to, which is to protect homeowners that are buying a home to live in or a condominium to live in so that they can make sure that it is well built.

Trust me, in Alberta we have some of the finest construction in the country. We follow the building codes. Mr. Chairman, I just have to defend our builders here. I've heard so much tonight, but let me tell you: our builders do a fabulous job. I work with many of them. I know many of them.

As a nine-year municipal councillor in the city of Lethbridge I can tell you that we have an extremely active inspection group. They go out. They do plumbing inspections. You must buy permits for all the aspects of your construction on a building.

Within this legislation for significant reconstructions there will also be an opportunity for people to get warranty. This is a wonderful piece of legislation that will only enhance what's already being done in this province at a very high level. That's why the exemptions are there.

**Mr. Mason:** I'm just a little bit dismayed at that commercial for the building industry from the associate minister who's supposed to be regulating them. I don't think that was very appropriate at all, quite frankly, Mr. Chairman, and it makes me even more suspicious of the legislation. There are literally hundreds of leaky condos in Edmonton and Calgary and other centres in this province that cry out for strong legislation and strong protection. For the associate minister just to stand up there and very blandly suggest that everything is just fine and we have a wonderful product and so on, it makes me wonder why we even have a piece of legislation in the first place if things are so great.

Quite frankly, Mr. Chairman, we need strong protection for people in condominiums and for homebuyers who are not commonly but often enough left with a difficult and expensive mess years down the road after buying a new product. I think that it

would be far better if the associate minister was a little bit more objective with respect to the actual circumstances that many Albertans find themselves in.

**The Chair:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I'm not as insulted. I do respect the answer, but I will say this: if inspections were really that good, we wouldn't need this bill. We have a good bill here, and I'm going to be supporting the bill, but I will tell you this: the inspection process in my communities is not working very well. It's ineffective.

I can tell you right now that across the street from the Rimbey hospital, there's a seniors' facility. It is private, it is condominium based, and those seniors are in trouble. The builder has left. They needed this bill before that building was ever constructed, closed up, and the builder left. By the way, the builder is being sued for something else up in Fort McMurray right now, as he leaves his trail around this province. Unfortunately, had we had proper inspection, we probably could have headed off a lot of that.

I can cite examples in Sundre, I can cite examples in Rocky Mountain House where building inspections have failed us. They have penalized the homeowner. They have penalized particularly our seniors, and it is a problem. That's why this bill is good.

**8:20**

To the hon. member, though. Each of the instances that you mentioned is actually laid out in the bill. They are exempt. So going to my question, I didn't understand why that one clause would allow this sort of loophole, as the hon. member would call it, or any other building exempted by regulation. Someone brought up a houseboat. I still would not call that a building. I'd call that a boat. I was just trying to get my head wrapped around whether that could be restructured so there wasn't this gaping loophole. It had to apply to something as far as some sort of parameters so that nobody could be exempt in the sense of allowing abuse. I think that's what the member is trying to get to.

See, I have one issue with government. [interjections] It's my one issue. Write it down. It is this overreaching parental authority to make rules and regulations to take rights away. That is my one major issue. I may have fibbed because I probably can come up with more issues, Mr. Chair. Again, when I look at laws, when I look at new legislation, I always look at it with a view that any time we pass legislation, we take away a right. That legislation should have a limit. All legislation should have a limit in the powers it gives government. That's what I'm looking for: the limit.

Maybe the member could take a look at it again because I went down and there are a number of exemptions here. They're well laid out, and I agree with that. I was just trying to get my head around: why the one open clause? Could someone explain why the open clause? What was not thought of, I guess? What's out there? That's the question.

Thank you, Mr. Chair.

**The Chair:** Other speakers? The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you, Mr. Chair. You know, I always get a little nervous when things are included in regulation as it doesn't lead to as much clarity or consistency or the rules being applied in a fair and above board manner. That's not in all cases, but I think a healthy dose of skepticism around regulations is good for not only members on our side of the House but for the governing party as well.

I heard the explanation that oftentimes this was relating to dormitories, some work camps, and sort of the one-offs. They're not condominiums and/or single-family homes if you want to use the definition. When I look at the exemption – and I'll just read from the act: a building, a class of buildings, a portion of a building, and the common property, common facilities, and other assets of a condominium corporation. Okay? That seems to me to suggest pretty clearly that this is applying to condominiums, condominiums that the hon. member from the fourth party indicated were clearly having difficulties. Clearly, numerous condominiums in Calgary-Buffalo, downtown Calgary, Edmonton, and Fort McMurray are there.

The way I read that, unless you can explain to me otherwise how this is not specifically related to the common property and common facilities and parking facilities and the like, I have no choice but to accept this definition as it reads to me. It says pretty explicitly those types of assets. Maybe you want to try another crack at it because maybe I didn't quite hear you correctly the first time.

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

**Mr. Griffiths:** Thank you, Mr. Chair. I understand the member's concerns. Condominium associations and corporations can take many different forms. There can always be some circumstances that you can't foresee when you're trying to build legislation. You want to make sure that you don't prevent yourself from having years before you can actually change the law to adapt.

I didn't even know they existed, quite frankly, Mr. Chair, until about six months ago, when I discovered that I do know a couple of people who live on what they call bare-land condo associations. A bare-land condo association means that there is a lot of collective land that's also included in the condominium association, but none of that would need to fall under a new-home warranty program. So there would be circumstances where you would take some condominium property and exempt it from being a part of the new-home warranty because you couldn't take bare land and cover it under a new-home warranty. That's the idea. That's the only sort of circumstance we would use. I didn't know that those sorts of associations, those types of condominium organizations existed, and I would hate to create something that has undue consequences.

I have no intention and no one in this House has any intention of causing any undue effects to anybody who really deserves home warranty protection on a condominium or general property that's collectively owned by the condo that's part of the home itself, but there could be something that would arise where we'd need to give an exemption, and entrenching it in legislation, preventing us from doing that, leaving someone in a lurch for a couple of years may create circumstances that would be bad the other way. That's why we've created the ability to make some exemptions that wouldn't fall under the new-home warranty.

If you read through here, Mr. Chairman, it doesn't list houseboats as being exempt or work camp trailers or homes on wheels or trapper's cabins or other circumstances where a new-home warranty maybe should be exempted and not apply. You can't forecast or foresee every single circumstance where it may need to apply. That's why most every act – and it's not just this government; it's governments from 1905, when this province was created, that have created circumstances, created pieces of legislation where exemptions can be made under special circumstances. It's pretty common practice so that we can avoid undue consequences to people who, frankly, through no fault of their

own may wind up in contravention of the act when we had no intention of putting them under it.

**The Chair:** Thank you.

Are there other comments? The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Mr. Chairman. I like the bill, and I understand where this amendment is coming from. I think it stems from a concern that a lot of people have when you give sort of a blanket authority or a blank cheque to somebody. I think in the past maybe I and lots of others perhaps had more faith in the institutions of government than we currently have. Some of our fear, my fear at least, is that this could be subject to abuse, could be subject to inappropriate persuasion. I'm uncomfortable seeing this kind of authority vested without some limits to it, and that's where my concerns come in.

Thank you.

**Mr. Hehr:** I honestly appreciate the hon. minister's comments. They really actually made some sense, and they did bring some things into focus for me. Nevertheless – there's always a nevertheless – in my view, it could have been slightly better drafted by your draft-makers to reflect some of the misgivings here. I'm not sitting here drafting it right now, hon. minister, and I know you're not either, but possibly something that reflected the fact that it wasn't the actual condominium building that was actually built to house people but the condominium assets. Okay?

I think that would have narrowed this to a certain extent for my liking. It would have alleviated the need for this amendment and I think would have at least given me a little more cause for understanding that the regulation is there for a reason, as you rightfully pointed out. But it possibly could have been worded better to more narrow the scope of what the purpose was than to allow for a relatively broader interpretation of what this could actually mean for people interpreting it.

Those are my comments.

**The Chair:** Thank you.

Further comments?

I'll call the question.

[Motion on amendment A4 lost]

**The Chair:** We're back to the main bill. The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Chairman. I will move our fifth and final amendment to this bill. If you just let me know when to begin, I will.

8:30

**The Chair:** Send the copies to the table, and as soon as there's a copy at the table, I'll invite you to start your comments.

Hon. member, you may begin on amendment A5.

**Mr. Mason:** Thank you very much, Mr. Chairman. On behalf of my colleague the hon. Member for Edmonton-Beverly-Clareview I move that Bill 5, the New Home Buyer Protection Act, be amended in section 3(2) by striking out “, and” at the end of clause (a), by adding “, and” at the end of clause (b), and by adding the following after clause (b):

- (c) the new home has been inspected by an individual authorized to engage in the home inspection occupation under the Home Inspection Business Regulation who is

not employed by nor will receive payment from the warranty provider.

Mr. Chairman, this is, quite simply, an amendment to prevent a conflict of interest by requiring that home inspectors who make an inspection on a new home are not employed by the person or company that's providing the warranty. The section of the act that is being amended indicates the conditions that must be met before a home can be offered for sale. Our amendment indicates that a new home must first be inspected by a home inspector "who is not employed by nor will receive payment from the warranty provider." Bill 5 right now has nothing to say about home inspections, and at present in Alberta they're a mixed bag. They're either employed by municipal governments, accredited agencies, and/or corporations that provide compliance monitoring services.

New-home buyer warranty legislation already exists in British Columbia and Ontario. It has existed in Ontario since 1976 and in B.C. since 1999. In both provinces there have been major problems, and we can learn from their experiences. In B.C., for instance, there have been problems with home warranty providers who employed home inspectors and then withheld inspection reports from homeowners when a problem was reported or a claim was filed.

This amendment seeks to ensure that homes are inspected by people who are regulated under provincial inspection regulations, the home inspection business regulation within the Fair Trading Act, and are not employed by the warranty providers.

Mr. Chairman, home inspectors who are working for an inspection business must have a licence. To have a licence, a home inspector must first be employed by a home inspection business, be a registered home inspector or a certified master inspector or have a degree, diploma, or certificate in home inspection from an approved school, and pass a test inspection by the CMI – that's the certified master inspector – from the International Association of Certified Home Inspectors Alberta or a registered home inspector from the Canadian Association of Home and Property Inspectors or hold an approved home inspection designation from an approved industry association or a licence from an approved regulatory body.

The amendment will provide new-home buyers with a third-party opinion on the quality of their new home. New-home buyers will not just have to take the word of the buyer and the warranty provider. Mr. Chairman, we need to remember that warranty providers consider the builders to be their clients or members. They are not looking out for the interests of the homeowners because it is the builder who has, first, paid the warranty and joined the membership in the warranty provider corporations before, two, passing on the cost of the warranty to the new-home buyer.

Therefore, it's essential that we include a provision in this legislation which requires homes to be inspected by inspectors who are not employed by the warranty provider but are instead hired by the new-home buyer. It ensures that impartial inspections will be completed, that there is no conflict of interest, and that the new-home buyer will be fully informed about the quality of their new home.

Thank you very much, Mr. Chairman.

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

**Mr. Hehr:** Thank you, Mr. Chair, for recognizing me to speak on what I think is a very good amendment. Essentially, it's taken some of the learning practices that B.C. from their legislation has had in place for over 13 years now and from Ontario, which has had their legislation in place for a lot longer, since 1976. It builds

on some of the information-gathering processes and some of the pitfalls that they saw occur.

Essentially, this is to ensure conflicts of interest don't exist, to ensure that the one who is providing the inspection is not directly connected to the warranty provider. This seems like an eminently reasonable amendment, one that should be referenced and, I think, would add to the act and really wouldn't be that difficult to comply with. I know that here we've had some debates about red tape and all that stuff, but this is a minor amendment that I think does great value to ensure that a conflict of interest is not happening in this business. We've seen from the examples given by the hon. member that this has happened in other jurisdictions, and we should take lessons from that, so I would say that we should do this. I think it's an easy amendment to accept, and I'm sure the hon. minister is looking at it, reviewing it. In my view, both the opposition parties as well as the government members should accept this as a friendly amendment that adds to the protection of homebuyers.

Thank you, Mr. Chair.

**The Chair:** The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Rowe:** Thank you, Mr. Chair. I can see the concern of the member that put forth the amendment, but I kind of look at this as: is the glass half full or half empty? I choose to look at it as half full, and by that I mean that if I'm a warranty provider, who else would I want to trust to do my inspections to my satisfaction? Would I want the existing system, which has given us many faults, as we have heard in this whole discussion, and is the reason for this bill? Do I want to use those inspectors, or do I want to use somebody that I am employing and I am paying and I expect to do the job to get that home inspected? It's my neck that's going to be on the line if something goes wrong five years from now or a year from now. I'm the one that's going to have to pay out of pocket to fix that, so I would like control on that. As I said, I choose to see this glass as half full, and I would want that control if I was going to supply the warranty. So I will not support this.

Thank you.

**The Chair:** Further comments on amendment A5?

Seeing none, I'll call on the hon. Member for Calgary-McCall.

**Mr. Kang:** I also support this amendment, Mr. Chair, because I know conflict of interest. There may be some unscrupulous builders out there, you know, fly-by-night builders. They may hire the inspectors. They may get the job done and then go out of business, go bankrupt, and I think there will be no protection for the homebuyer because those people are in the business to make money. I think this is a friendly amendment. I think we should all support this amendment because this will, I think, protect the industry and homebuyers equally. I'm going to support this amendment.

Thank you.

**The Chair:** Thank you.

Further comments? The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Chairman. In response to the comments from the hon. Member for Olds-Didsbury-Three Hills, I think that's a very generous view of the interests of someone who has built some condominiums. If they have built a very quality product and they want to make sure that it will meet all the requirements of the act and they want to make sure that there's a thorough inspection, then I agree with them, but that's



not what the act is for. The act is for those instances where somebody might just want to hope that while they haven't quite provided the best quality of product, maybe it'll make it and that maybe somebody is, you know, not going to come back at them by the warranty. I fully acknowledge that's probably a minority, possibly a small minority of home builders, but those are the ones that the act is designed to protect against. So it has to do so, and without this, I don't think it will.

Thank you.

8:40

**The Chair:** Further comments? The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Chair. I read this, and I kind of go back and forth. My gut is telling me that this is the type of amendment that should be supported. I say that because, again, as I reflect on the experiences of purchasing a new home, when I had my one-year warranty period expire, I paid for a licensed inspector to come and do the inspection because I didn't trust the builder's inspector to actually see everything and/or agree with certain elements that would not necessarily be caught. Having someone who came in as a licensed inspector gave me the peace of mind when my warranty was expiring that everything that was going to be covered was caught and that it was fair.

Further to that, when I told the builder, who came to do the inspection, that afterwards, they even admitted that it's unfortunate that this happens so often that consumers feel they have to go outside of the realm of the warranty provider to employ or pay out of pocket for a licensed home inspector. Again, my gut says that if our goal here is to ensure that we are properly protecting consumers, then I see no reason why not to support an amendment that suggests that these inspections be done by independent and licensed providers.

Thank you.

**The Chair:** Further comments? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I have a question here for the hon. members. When I look at this amendment and I read it through and I put myself in the position of the warranty provider, I could not imagine hiring somebody to falsify the warranty and put me in jeopardy. That doesn't make sense to me. There's a CYA thing going on here. I understand the hon. member hiring his own inspection; I would do the same.

**Mr. Mason:** Why?

**Mr. Anglin:** I don't trust anybody, one of those other issues I have with government.

But the reality is that it's a logical, common-sense connection. In my mind I know what the amendment is trying to do. I don't believe it's absolutely necessary. It's problematic in one sense, and I will tell you where I think it's problematic. If I'm the person that's providing that warranty, I want to pay somebody to make sure they're covering my rear end and that they are doing that inspection. I'm on the hook. I'm on the hook to pay if I'm doing the warranty. So if I've got to hire somebody else – I don't trust them. As you just said, you want to trust the person you're hiring. If I'm covering home after home after home as the warranty provider, I want to make sure those things are built correctly and that I'm not paying out on warranty. I mean, I really want to know that.

Again, I won't be supporting the motion, but I'd be interested in some comments.

**The Chair:** Further comments?

**Mr. Griffiths:** Just quickly. I hate to say it, but those were some of the most valid comments I've heard. I mean, Mr. Chairman, it's exactly as the member explained. I don't understand the purpose of this proposed amendment. The independent person cannot be paid by the warranty provider even though the warranty provider is going to be responsible if there's any damage and would want to hire the best, most qualified person to find out if there's damage to make sure they don't have to pay out the warranty. They want a quality product being built.

You've got to ask yourself, then: who's going to be responsible? Are you now taking all the new-home buyers and telling them they have to pay for an independent person? It doesn't even make sense, Mr. Chairman. I won't be supporting this amendment.

**The Chair:** Further comments?

Seeing none, I'll call the question on amendment A5.

[Motion on amendment A5 lost]

**The Chair:** We're back to the main bill. Questions or comments?

Seeing none, I'll call the question.

[The clauses of Bill 5 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported?

**Hon. Members:** Agreed.

**The Chair:** Opposed? That's carried.

The Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chair. Perhaps you could try and see whether anybody would be opposed to rising and reporting on Bill 5 and progress on the bill, too.

[Motion carried]

[The Deputy Speaker in the chair]

**Mr. Goudreau:** Mr. Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports the following bill: Bill 5. The committee also reports progress on the following bill: Bill 2. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

**The Deputy Speaker:** Thank you, hon. member.

Does the House concur in the report?

**Hon. Members:** Concur.

**The Deputy Speaker:** Opposed? That is carried. So ordered.

## Government Bills and Orders Second Reading

### Bill 4 Public Interest Disclosure (Whistleblower Protection) Act

[Adjourned debate October 31: Mr. Scott]

**The Deputy Speaker:** The hon. Associate Minister of Accountability, Transparency and Transformation.

**Mr. Scott:** I have nothing further. We're ready to call the question, sir.

**The Deputy Speaker:** Thank you.

I will recognize the hon. Leader of the Official Opposition.

**Ms Smith:** Thank you, Mr. Speaker. On October 23 I gave a member's statement detailing some of the things that I thought the government had copied from our Wildrose platform, and I celebrated their inclusion of whistle-blower protection, which was found on page 42 of the Wildrose campaign platform. Unfortunately, I was celebrating too soon because even when the government does attempt to adopt what should be good policy, they do sometimes manage to find a way to implement it in a way that doesn't quite do the job. So we have before us Bill 4, the Public Interest Disclosure (Whistleblower Protection) Act, which, I'm saddened to say, is a rather flawed piece of legislation that I cannot support without significant amendments.

I do want to give a bit of history about how it is that we got to where we are today, and I can't do that without acknowledging my colleague the hon. Member for Calgary-Fish Creek, who over a year ago began the process of putting motions forward to urge the government to adopt whistle-blower legislation. She was even in the process of developing her own private member's bill, which would have been introduced in the spring session. I am, having looked at this legislation, kind of wishing the government had held off and waited for the hon. Member for Calgary-Fish Creek to put forward a better bill because I was quite surprised to hear, when the bill was released, my hon. friend say that the government had not worked at all with the Federal Accountability Initiative for Reform, or FAIR.

FAIR is a registered Canadian charity that is run by volunteers and supported by individual contributions. It promotes integrity and accountability within government by empowering employees to speak out without fear of reprisal when they encounter wrongdoing. Its aim is to support legislation and management practices that will provide effective protection for whistle-blowers and, hence, occupational free speech in the workplace. Now, had the government worked with this organization closely, I think they would have avoided some of the unfortunate errors that they have made in this bill. But, fortunately, we have been working with FAIR, and we will be putting forward several amendments designed to be able to correct what we see as flawed legislation.

8:50

Let's also remember why it is that we're having this discussion, Mr. Speaker. In the context of the last few years I first became aware of the kind of bullying and intimidation that we saw by this government when I became leader of the Wildrose and had numerous donors and supporters fearful of reprisal in the event somebody knew that they were supporting the Wildrose or somebody knew that they were coming to a Wildrose event. The hon. Member for Calgary-Fish Creek and I used to have a laugh when we went to restaurants about how the people we would meet would put their back to the door just in case anybody saw them sitting with us because that is the culture that has been created by a government that has been in power for 41 years.

We've also seen that it goes far beyond that. We've seen municipalities, schools, and colleges that feel as though they have to hire high-priced lobbyists or give dollars to the Progressive Conservative Party in order to be able to get grants. We've seen letters written to school boards saying: you'd better be quiet; otherwise, you might not end up getting that school project in your

riding. We've seen the Deputy Premier even threaten a group of parents in Airdrie that the reason they might not get their school is because of an outspoken MLA from Airdrie-Chestermere at the time.

This is what we've been accustomed to seeing from this government, this kind of bullying and intimidation. Of course, it culminated with the AHS review by the Health Quality Council and all of the allegations of health care professionals being bullied and intimidated. Once again, of course, the Premier had promised that she would do a full public inquiry into the issue of bullying and intimidation of health care professionals. It didn't happen. But we know that there have been serious cases.

I'll mention a couple of them. Dr. Ciaran McNamee, a doctor here who ultimately ended up leaving this country and going to work down in the United States because of a toxic workplace environment. We also introduced the public last year to Dr. Tony Magliocco, who tried and tried and tried through the proper channels to raise issues he felt were going to cause a serious concern in the diagnosis and treatment of various forms of cancer. He got nowhere when he went through the official channels and, ultimately, once again, ended up leaving this country to go to another country to practise medicine. We even had a candidate for our own party, Dr. Peter Rodd, who was a doctor at Alberta Hospital, who also felt that he had been bullied and intimidated for trying to stand up and talk about certain practices that his superiors didn't want to hear.

Now, the problem with this bill that we have is that we know that this is the context under which we are talking about whistle-blower legislation, because we want these front-line workers, we want those who are involved at different levels of public office to be able to come forward and talk about the concerns that they have without fear of reprisal. Unfortunately, this whistle-blower protection bill as it's written does not go any of the way towards addressing this very, very serious concern.

It can be corrected. There are ways in which we can make amendments to be able to close this loophole, and I'll go through a few of the issues that we've identified and some of the issues that we hope the government will look upon favourably when we're putting forward amendments because I think we all share the same goal. We want to be able to have strong whistle-blower protection. We want to be able to have front-line workers feel that they have an environment where they are respected, where they are valued, where they can bring issues forward without being harassed or bullied or intimidated or threatened or in some other way forced to operate within a toxic work environment.

Now, in question period last week I was a little bit concerned because it seemed to me that the Associate Minister of Accountability, Transparency and Transformation didn't quite know what his own bill said. In Bill 4 he said that it allows a whistle-blower to go to anyone that they wish, but that of course is not what this bill says. I want to use that as a jumping-off point because I want to talk about the way in which we're judging the effectiveness of this bill. We're judging the effectiveness of this bill on seven different measures.

The first measure is that we believe proper, appropriate, complete whistle-blower legislation will allow a prospective whistle-blower to disclose anywhere. We do not want to see a highly prescribed process for disclosure of concerns. It may well be that an employee feels perfectly comfortable going to their deputy minister, going to their boss, going to a senior official within their own department, but it could well be that they're actually concerned that the person they've got a problem with or the environment that they've got a problem with does not allow them

to go through those official channels. They may want to go to the commissioner as a more comfortable way of bringing it forward. They may want to go to the police directly.

They may want to go to a board if they're with an agency and they've got it overseen by a board. There may be somebody on the board of directors that they feel they have a relationship with and can go to. They might want to go to the media. They might feel so concerned about an issue that they feel the only way to be able to get it addressed is to go to the media. We've seen that before. They may want to go to an MLA. I can tell you that the hon. Member for Calgary-Fish Creek receives almost daily phone calls and e-mails from people who are talking to her about the kind of environment that they're operating within and the kind of concerns that they have, the kind of issues they want to be able to bring forward without fear of reprisal.

The problem that we see with this bill is that it creates a highly prescriptive process. It's actually quite interesting the way this is described under Procedure for Disclosures, under section 5. They call it "procedures to manage and investigate disclosures," and that, I think, is really interesting language because it's quite clear that the government is trying to create a process to manage an issue as opposed to getting to the disclosure part of it. It seems very clear – and I think that this is a fair criticism from FAIR – that they want to bring forward legislation that unfortunately will cause employees to have their concerns go into a black hole, and they may never see the light of day. That's what we want to avoid. We want an employee to be able to disclose their concerns wherever they feel the most safe and the most comfortable disclosing it. Point one, they have to be able to disclose anywhere.

Second point. They have to be able to disclose at any time. I am concerned that there are a number of provisions in the legislation that restrict that ability to disclose at any time. For instance, even in the case where we have an employee concerned that if they don't disclose that there's going to be an imminent danger, an imminent risk to public safety, even in that situation the legislation still requires that even after they've disclosed it, they have to go back through this bureaucratic process to be able to make sure that the deputy minister is looped in through every step of the way. I would say that this again goes to this issue of having the security that you can disclose at any time without feeling like you're trapped into an overly prescriptive process.

The other concern that I have is that there is a two-year limitation on being able to go after an issue from the time of the incident. We agree that there does need to be some kind of reasonable time period, but we think that time period should be a two-year limit from the time of disclosure. For a person who has been working in an environment where they see wrongdoing for some time or where they've experienced an environment where they don't feel that they can be open for some time, it may well be that it will take them some time to work up to being able to tell somebody about it. So we think that being able to have this addressed in a timely way is important, and that means that from the moment it is disclosed, you would have a two-year time limit, not from when the incident first occurred.

The other part that we are concerned about – again, we've seen this time and time again with the government – is that it's always on a go-forward basis. When we look at this bill under part 1, section 3(2), "This Act applies only in respect of wrongdoings that occur after the coming into force of this Act," which is pretty remarkable when you think about it. There may be somebody here today, right now, who wants to be able to be protected under whistle-blower legislation because something is happening right now in their department. This legislation prohibits them from being able to talk to anybody about it, to disclose it, and to have it

addressed because it's not retroactive. Even though we've been talking about this for some time, even though it's on the Order Paper, even though it's going to be proclaimed in the next couple of months, if something is currently happening today, it can't be discussed because now the bill says that it's going to be on a go-forward basis.

We think that that is a way of trying to actually quash any genuine exposure of wrongdoing in the government, and we don't think that this is in the spirit of what the hon. Premier promised when she started talking about whistle-blower legislation during her run for the PC leadership.

The third way in which we're going to be judging this legislation is that whistle-blowers have to be able to disclose for any reason. Once again, when we do look at this list of wrongdoings, it is again fairly prescriptive, fairly tight, and also focused on only the most serious types of violations.

9:00

I don't object to the things that they have on this list. Again, I'm looking now at section 3(1). It talks about if there's a contravention of an act or a regulation under section 3(1)(a). It talks about, under section 3(1)(b), if an act or omission might create "a substantial and specific danger to the life, health or safety of individuals" or "a substantial and specific danger to the environment." Section 3(1)(c) talks about the "gross mismanagement of public funds or a public asset." Section 3(1)(d) talks about "knowingly directing or counselling an individual to commit a wrongdoing." Absolutely all of these things do need to be parameters under which somebody would have the opportunity to blow the whistle.

But we also want to make sure that we're able to address this issue of bullying and intimidation, a feeling like you can't come forward and talk about things that are going wrong in your department; otherwise, you might lose your job; otherwise, you might be demoted; otherwise, you might face some reprisals. So this does not go far enough, and it doesn't actually get to the issue that I think prompted all of the public discussion about why we needed whistle-blower legislation in the first place.

We need to have an amendment that deals with the issue of being able to have protection for disclosing bullying and intimidation, having an ability to blow the whistle if there is a breach in the code of conduct or code of ethics or policies or directives that are occurring as well within a ministry. I think that that is just as important as these very serious violations that would be outlined here.

The fourth way in which we'll be judging this bill is by looking at how broadly it covers those who might be impacted by government decisions. Now, I think the language initially was intended to be quite broad, but one of the things that we're quite concerned about is the ability to see certain exemptions. For instance, it may not cover all of those agencies that do contract work with government. All that we read in the legislation is that it may extend at the discretion of the commissioner. It may extend to all of those different types of organizations that are doing work with almost a hundred per cent or a large share of their funding coming from government.

Of course, we know that there are a whole range of different entities that do work on government's behalf, whether it's our charitable organizations or nonprofit organizations that are administering to children, that are administering to the poor, that are administering to seniors, that are administering group homes. I think it would be an error in this legislation if we didn't extend this whistle-blower coverage to all of those entities that are also relying almost a hundred per cent for their work on the contracts

that they're getting from government. It's not just employees when you factor that in. It's not just employees, then, who are impacted. We could potentially have volunteers who want to be able to raise the alarm as well. We think the language in this legislation is far too narrow.

The second thing is, of course, the exemptions for the Executive Council. We think that if there is wrongdoing among cabinet, that should also be disclosed. I think that there needs to be some provision that there aren't exceptions. We all have to live to a high standard, and I think that whistle-blower protection should apply there, too.

But I think the thing that concerns me the most is section 31. This leaves it incredibly wide open. Under section 31 it reads:

(1) The Commissioner may, in accordance with the regulations, exempt any person, class of persons, public entity, information, record or thing . . .

There's that word again: "thing."

. . . from the application of all or any portion of this Act or the regulations.

That's a pretty broad level of power for exemptions.

(2) The Commissioner may impose any terms and conditions the Commissioner considers appropriate on any exemption provided for under subsection (1).

(3) The Commissioner must provide reasons for giving an exemption under this section and must ensure the exemption, including any terms or conditions imposed, and the reasons for giving the exemption are made publicly available.

It seems like an awful lot of verbiage for a section that shouldn't be in there in the first place. We think that this entire section should be withdrawn from the legislation. If we're going to have whistle-blower protection that is complete, that is broad based, we can't be allowing for the commissioner to be able to exempt any person or thing from the protection of the legislation.

The fifth area in which we'll be judging this legislation is whether or not the ombudsman or commissioner is appointed by an all-party committee. There does seem to be a lack of clarity about where this power will reside, whether it will be with the ombudsman or whether it will be independent. I'll look forward to the debate to see whether I can get some further clarity on that. But the main thing is that it does need to be an office that reports to the Legislature. The Legislature, I believe, needs to be able to have the power to be able to provide the oversight to this independent office in order, once again, to be able to give the confidence to whistle-blowers that they do have the option of having all parties able to get the information that they need to be able to support them in their efforts to address the issues that are going wrong in their various departments.

The sixth area that we'll be judging this legislation on is whether or not, when wrongdoing is found, there is an open, public reporting of that. At the moment the way this legislation is written is that the public reporting is only optional on the part of the commissioner. Now, we've seen how this has happened in a couple of instances over the last year. It's sometimes not enough that you have an independent commissioner. We saw that, for instance, in the case of a particular MLA who lost the last election and was able to get an exemption from the Ethics Commissioner to be able to operate outside the provisions of the conflict of interest law. We have also seen the Chief Electoral Officer forbidden by legislation from being able to report 45 instances of elections violations, of illegal donations to a political party. We've seen as well what can happen when you are not allowing the full latitude for an independent officer to be able to do their work.

I worry that in this legislation, because there is that wiggle room – my experience with the way the government operates is that they

do tend towards keeping things secret and not disclosing as opposed to reaching the higher bar that the Premier has set of openness, accountability, and transparency. We're asking for the government to reach for the higher bar in this legislation, to raise the bar and make sure that all wrongdoing is publicly reported in a way that is not only annual but also whenever instances are occurring as it's going along so that we can make sure that issues are resolved. Part of the reason why whistle-blowers come forward is not just to be able to protect themselves if they're facing a toxic work environment, but chances are that it's because they see some issue that needs to be resolved. We need to make sure that we know what the issue is, protect the whistle-blower, and then get on with actually resolving the issue that is in that department.

The last thing that we would be looking at is protection against harassment for those who come forward. This, I think, is where this legislation falls the most short, where it is the most inadequate. We look at the cases of these doctors – Ciaran McNamee, Tony Magliocco, Peter Rodd – who all got chased out of the health care system, in some cases chased out of the province or chased out of the country, because they did not feel that they had a work environment where they could operate. They wouldn't have been able to move to a different hospital because of the harassment, because of the intimidation, because of the bullying. There isn't any recourse against those who bullied and intimidated them. We don't even really know the names publicly of those who created such an uncomfortable work environment for these three men, and I don't think that we actually even resolved any of the issues that they raised.

This, I think, was another example of failure. We don't have protections against harassment for those who come forward and do blow the whistle. We have to make sure that if whistle-blowers are going to have the confidence to come forward, the public knows why it is that they felt such a serious need to expose what is going on in their area of work. We need to make sure that they're protected so that they continue on doing the work that we hired them to do.

Mr. Speaker, there are other problems with the bill. As I mentioned, Wildrose will be bringing forth many amendments to it, but I do want to conclude by saying that I am reminded that previously the Premier had said: we either have open government, or we don't. Well, when you take a look at this bill, it's quite clear that we don't. The Premier has also said that we need to keep raising the bar on accountability and transparency. Well, I think that this bill also fails on that count. The government needs to go back to the drawing board on this bill in an awful lot of ways.

We're hoping we'll be able to put forward amendments that can repair the worst deficiencies that we see in it. I would also hope that the government would be open minded about putting this bill forward to a committee, one of the policy committees, so that we can look at it once again, we can debate it through, we can identify the flaws, we can identify the amendments, so that we can fix it. If we can't fix it, it shouldn't pass.

9:10

We believe that we need to have whistle-blower legislation that isn't just words on a page, that isn't just a piece of paper, that isn't just something that the government can pass so they can feel good about themselves because they have now got whistle-blower legislation on the books. We actually want to have a piece of legislation that the workers it is supposed to protect feel good about and processes in place where we know that whistle-blowers will be protected so that we can continue to restore the value that we have for our front-line workers, who are doing the work on

behalf of Albertans every single day. I think that's what we've got to keep in mind: who is it that this is designed to protect? It's designed to protect those hard-working, front-line, public-sector workers who are doing so much every single day to make sure that the public services Albertans value are delivered in a way that has the highest value for taxpayer dollars as well as the very best service that Alberta taxpayers have come to expect.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. leader.

I'll recognize the Member for Calgary-Buffalo.

**Mr. Hehr:** Thank you, Mr. Speaker. It's, as always, a privilege to discuss legislation in this House. It is similar in that case right now. We have in front of us Bill 4, the whistle-blower protection act, which is part of Ms Redford's promise to bring forward open and transparent government to this . . .

**The Deputy Speaker:** Hon. member, the names.

**Mr. Hehr:** Ah, yes. Thank you.

The hon. Premier's promise was to bring openness and transparency to this great province, and whistle-blower legislation was to be part of that new agenda and that new mandate.

I would be remiss not to say that, you know, not all the new ideas have stemmed from the Wildrose addition to this Chamber. I know the hon. Member for Calgary-Fish Creek probably remembers, when she was in government, when the hon. Hugh MacDonald, my former colleague from Edmonton-Gold Bar, first brought whistle-blower protection laws to this Assembly. He came up with a private member's bill in 1998 and championed the cause for some 14 years before we saw any whistle-blower protection being thought of by this government.

I will note that the legislation brought forward by Mr. MacDonald back in 1998, in my view and probably in any objective view, had much more teeth, much more protection for whistle-blowers, much more ability for people to feel comfortable and to bring forward legitimate complaints when they find issues of malfeasance or otherwise while working for a public body. I do note that my former colleague was very passionate about whistle-blower protection and would often talk about it in our caucus meetings and wonder why we didn't have this law in Alberta.

We can also see that this legislation was introduced by the Minister of Service Alberta as ushering in a new era of openness and transparency; in fact, he called it a new bar for accountability and transparency. In my view of the legislation, that is not quite happening. If you're looking at bars for trying to provide whistle-blower protection that actually works, that actually give the whistle-blower protection, that actually allow them to feel comfortable, there are ample examples of this throughout the world. Other jurisdictions have been through this process, have moved forward on progressive legislation that not only gives lip service to openness and transparency but actually gives the words some meaning and justice. You have areas in the world like England, Australia, and New Zealand which have gone far beyond what this legislation has to offer.

I think that's something to be considering. I know the hon. Associate Minister of Municipal Affairs commented yesterday, when they introduced the condo legislation, that they looked at legislation across the provinces with regard to homeowner protection. It's surprising that it appears that this has not been the case. You would think that if we were going to go down a path of introducing whistle-blower protection here in this province, we would look to the jurisdictions that are providing the most

comprehensive, most effective forms of whistle-blower protection. It seems redundant to do otherwise.

Why would we want to go with a substandard act or an act that doesn't give whistle-blowers the same protections or better protections in the spirit of openness and transparency, when that information is readily available? You don't have to reinvent the wheel, and in this case this is obviously true. This government didn't do much research, in my view, on what exactly constitutes adequate whistle-blower protection. That is referenced not only by members of the opposition, but it seems to be a common call if you look at the papers in this province, editorial comments and the like, that are all resoundingly saying that this whistle-blower law falls far short of what we expected, of what I think the Alberta public was led to believe was going to happen with the new Premier's government and, in fact, that has let not only whistle-blowers but the general public down in that regard.

I think we can start with: what should a whistle-blower protection law look like? Really, an excellent job was done by Mr. David Hutton in this regard. He is the gentleman who is a recognized expert in assessing these laws as to whether or not they are really doing what they're said to do. David Hutton is the executive director of the Federal Accountability Initiative for Reform, which works to protect whistle-blowers who safeguard the public interest.

We must remember that there are those words "public interest" again. It's easy to talk about the public interest. It's difficult to get a handle on it. In my view, never having been in government, when you're in government, it's easy to want to stifle public interest. Oftentimes they have their own ideas of what direction they should be going in or the like, but I think there's always an opportunity to learn not only from other jurisdictions but from recognized experts in the field.

David Hutton says that you need full speech rights.

As a general rule, whistleblowers must be able to blow the whistle on wrongdoing anywhere, anytime and to any audience, with restrictions maybe in cases of national security.

Weak laws tend to limit whistleblowers' options, forcing them into cumbersome, often-secretive bureaucratic disclosure regimes that, under the pretext of giving them due process, silence them and bury their allegations.

It appears to me that that appears to be what is happening in the currently drafted whistle-blower legislation. It doesn't appear to open up free speech, open up the opportunity for whistle-blowers to bring this up in any form or fashion without fear of reprisals from their boss or their employer or the government. That, to me, is fairly evident when you look at the act.

## 2. Right to disclose all illegality and misconduct

There must be a broad definition of what types of wrongdoing whistleblowers are allowed to report.

Weak laws exclude acts such as violation of policies, regulations or codes of conduct – effectively blessing such misconduct and creating uncertainty about what can be reported. These uncertainties can enable the accused organization's well-funded legal team . . .

Often they are.

. . . to tie up the whistleblower in legal technicalities until they are exhausted and bankrupt, while the wrongdoing goes unchallenged.

The law should also cover all sectors of the economy, not just government, since private sector wrongdoing can harm the public just as badly as government misconduct.

9:20

We don't see any of this in the act, and as was pointed out earlier, other jurisdictions have covered this much more broadly,

much more extensively. If we are going to have an open and transparent government, let's do it as best as we are able or as best as other countries and jurisdictions are doing so. This is not being done at the present time.

3. No harassment of any kind

Whistleblowers are typically subject to a wide array of reprisals, ranging from the subtle to the brutal. These include social isolation and humiliation before their peers, being cut out of the information loop with their responsibilities given to others, impossible work assignments or no work at all, false accusations and retaliatory investigations.

We must note that it takes tremendous courage to be a whistleblower. It takes tremendous courage to stand up to a government or a department or an employer or the like when you see something that is clearly wrong. You have to establish protocols and provisions that allow this person to not be harassed when they are making their full and fair disclosure to the powers or to any outlet that will hear their cause and give them their day. However, that does not appear to be in this legislation.

4. Forum for adjudication, with realistic burden of proof and appropriate remedies

Whistleblowers are usually forced to seek some kind of remedy after the reprisals have already begun, by which time they may... be unemployed, impoverished and suffering from stress-related injuries caused by harassment.

Weak laws send truth tellers to tribunals, which are set up as kangaroo courts because the whistleblower has to prove that the employers' actions were intended as reprisals. This is virtually impossible – employers are rarely foolish enough to confess their motives.

In other jurisdictions...

Again, other jurisdictions have already written this legislation. The work has been done. You don't even have to do any more. Just go hit print on your printer, print it out, bring it back here with some comprehensive legislation. It's been done, so it wouldn't cause you guys any more work over there.

... the whistleblower is given a fighting chance by shifting the burden of proof: once a connection is established between the whistle-blowing and the reprisal (e.g., if one followed immediately after the other), the onus is on the employer to show that these actions were justified and not intended as retaliation.

It'd be a similar provision to what we see in the workers compensation legislation that we've seen brought in by this government earlier, where we had presumptive coverage for first responders. This would be a similar type of provision except it would be available to whistle-blowers, so the government is not unaware and has used similar, analogous – not exactly analogous circumstances but similar situations to rectify a wrong where they saw it in the WCB legislation. In my view, they should be incorporating this into theirs.

Strong laws can also shield the whistleblower from being harmed in the first place, for example, by allowing injunctions to prevent dismissal or disciplinary action until the allegations have been investigated. They also provide "make whole" remedies to properly compensate people whose careers and future earning potential have been devastated.

As was pointed out by the hon. Leader of the Official Opposition, this has happened in Alberta's past. It has happened to members of this House. It happens to Joe and Jane Albertan on a regular basis. If we are going to stand up for these people, we need legislation that actually says what their protections are. It doesn't imply what they are; it says what they are.

5. Mandatory corrective action

Attacking the whistleblower turns the focus away from the wrongdoing, and even when the misconduct is eventually

proven, there is a strong tendency for employers to let the wrongdoers off lightly. Unbelievably, wrongdoers often receive promotions. This defeats the entire purpose of whistleblower legislation, which is to deter wrongdoing.

These are some of the essential elements that, in my view and in David Hutton's view, are not in the act, which does not provide for a comprehensive whistle-blower legislation, that doesn't allow whistle-blowers the protection we need in this province. In my view, this is lacking in substance of what we should be striving for in this government, that we were led to believe that under the new Premier would be happening in this government, open and transparent government.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Are there any questions or comments for the member under Standing Order 29(2)(a)?

Seeing none, I'll recognize the Member for Calgary-Fish Creek, followed by Edmonton-Highlands-Norwood.

**Mrs. Forsyth:** Thank you, Mr. Speaker. Actually, I am grateful for the opportunity to speak on Bill 4, the Public Interest Disclosure (Whistleblower Protection) Act. While I appreciate the hard work that the minister has put into crafting Alberta's first piece of whistle-blower legislation, I have to get on the record that I'm bitterly, bitterly disappointed in Bill 4, and I'll tell you why.

As the Leader of the Official Opposition has said in her speaking notes, I have been working on the whistle-blower legislation for some time. In fact, if you go to the Order Paper, you can find my motion that is going to be debated, hopefully, sometime this fall. I doubt if we'll have time to be able to debate it because of the timing. But I also am bringing forward a private member's bill in the spring session, which happens to be the second private member's bill that we'll be dealing with in the spring session.

I was excited about having the opportunity when I heard that the government was bringing the whistle-blower legislation to the House. I guess maybe I was in fantasyland or had been into something I shouldn't have been because I had a lot of hopes for what the Premier talked about, you know? Well, I'm not a lawyer, Mr. Speaker. She is. I guess my disappointment is – and we have several lawyers on both sides, actually. I can tell you that I sat down with the lawyers on our side, and we've discussed this piece of legislation. I'm not going to go into great detail about what they've said because every single member of our caucus is going to speaking on Bill 4 tonight. That's how strongly they believe in what they don't see in our Bill 4.

It's interesting that when I read Bill 4, the front cover says, "Bill 4, Public Interest Disclosure (Whistleblower Protection) Act." It's the Associate Minister of Accountability, Transparency, and Transformation. I have to really ask the minister: where's the accountability in this bill, where's the transparency in this bill, and where's the transformation in this bill?

I think, Mr. Speaker, one of the nice things about being a member of the opposition – and we've heard various speakers before me talk about Mr. Hutton from FAIR. I've had the opportunity to converse with Mr. Hutton since the summer in regard to his vision of whistle-blower legislation. What was so interesting when I talked to David is the fact that he said: well, you know, Heather, the government is bringing forward this whistle-blower legislation, and you know that the Premier has said how she's going to be open, accountable, and transparent, and she's going to govern differently.

9:30

We're really quite excited about seeing this whistle-blower legislation, so we said, "Yes, we'll certainly help you" because we think it's important to have a very comprehensive piece of legislation. We think it's important to have a concise piece of legislation. More importantly, we think it's important that this piece of legislation does what whistle-blower legislation should be doing, and that's to protect the whistle-blower.

I was lucky enough to get an e-mail from David. David has, in my mind, no political stripe. I've never asked him how he feels. In fact, I think the hon. Member for Calgary-Mountain View was one of the previous directors or volunteers at FAIR, so there is no political stripe. You can't be blaming, "Oh, well, he's a supporter of the Wildrose" because I doubt if he is a supporter of the Wildrose Party, to be honest with you. But he certainly has provided us with a good analogy of how he feels about the whistle-blower legislation.

They have concluded that

this is a misleadingly-named piece of legislation which shields the government from damaging disclosures, may be used to protect government wrongdoers, and does not protect whistle-blowers at all.

He goes on to say:

This bill is a backward step because it does the opposite of what it claims, effectively shielding the government from embarrassing publicity while doing nothing to protect whistleblowers or the public.

Mr. Speaker, those are two very, very, very damaging statements. In fact, if I was the Associate Minister of Accountability, Transparency and Transformation, I've got to tell you, Member for Fort McMurray-Conklin, my spidey senses would be going: we have a problem here.

I was a previous member of this government. Your legislation goes through a gruelling process, and I don't know if it's changed. I mean, maybe you can tell me. I know you have your process of legislation where you go through legislative review. You have a bunch of lawyers and your Leg. Review Committee around you, and they tell you about what's right in the legislation and what's wrong in the legislation. I have to ask you, Minister: did you do that?

I've been in this Legislature for a long time, and I hate bloody well saying that because that just ages you, and I've got this young leader beside me. You know, it's like the old chicken and the new chicken – I don't know – something old and something new, something borrowed, something blue, and I'm the old one.

How can you even seriously consider tabling this legislation? I have gone through this bill page by page, word by word, spent my entire weekend, when I was supposed to be celebrating my wedding anniversary on Saturday. I said: "You know what, honey? I'm sorry; I've got more exciting things to do. I'm going to read the whistle-blower legislation." I mean, that really impressed him.

Minister, honest to goodness, maybe you and I should get together, and maybe you and I should read this legislation. Maybe you can explain it to me. You can explain it to FAIR, who's probably North American renowned on whistle-blower legislation. In fact, they get called on whistle-blower legislation from all over the world. If you talk to Mr. Hutton, he'll say to you: Minister, maybe you should look at the Australian model, or maybe you could take a little bit of the model that's happening in the States. He says that this is the worst piece of legislation in Canada by far, and he's very critical about other pieces of legislation that have been tabled in other Legislatures across this country. He said that by far this is the worst legislation in the country.

I was at your news conference where you and the Service Alberta minister stood up very proudly in front of a whole bunch of press and said that this is groundbreaking, that this is leading. I don't know what else you said about the legislation. I'll have to go back. I thought: "Well, maybe we're onto something. Maybe this is an exciting piece of legislation." When the Member for Lac La Biche-St. Paul-Two Hills and the Member for Lacombe-Ponoka were briefly going over the legislation as the critics . . . [interjection] Minister, we've got three critics on this piece of legislation because that's how important the Wildrose thinks this legislation is.

We were all kind of briefly reading this legislation, and we were going: "Oh, my God. Oh, my goodness. Oh, crap. This is a bad bill." I'm reading it. [interjection] Well, I know the Member for Edmonton-Whitemud, a lawyer. I'm not a lawyer, okay? I'm really excited to have the lawyer from Edmonton-Whitemud get up and give his legal opinion on Bill 4. I'm not a lawyer, so I think that's important.

You know, Mr. Speaker, I think what Albertans were expecting was a big step in this piece of legislation. It was the first time that we were going to allow government employees, servants of the public, to come forward when they know of lawbreaking and gross mismanagement in the public sector because they understand, our hard-working front-line workers, the vital need for democracy in this province.

Checks and balances in this province aren't just about the governing party and the opposition party or the provincial government and the federal government. It also includes civic-minded people coming forward, brave enough to say: enough is enough on illegal behaviour in our government.

I have to tell you that I admire whistle-blowers. I admire their bravery in the face of the governing party. I've been in government, and I've been in the opposition. I've been on the front bench. I've been on the backbench. I've been on the side bench so far outside that one of my constituents asked me if I was going to be in the men's washroom in the next move. I know how it feels. I absolutely know how it feels, honestly, Mr. Speaker, to be in the wrath of government. I know that when you say to yourself, "Enough is enough," enough is enough.

When I made my decision to change parties, it wasn't easy. I've spoken about that. I faced threats. I faced intimidation. I lost relationships with people that I thought were close friends. Some of those people, Mr. Speaker, have not spoken to me to this day. But you know what? I made the right decision, and I made the decision on the path of the people that I serve.

I can't imagine – I cannot imagine – how a government employee would feel confronting their bosses, putting their jobs on the line by speaking out about what they believe in and what they think is right. They're not only risking a paycheque, a job. They are likely risking their livelihood and their career. If you work for the government of Alberta and blow the whistle, your career is, effectively, over. It's their way, or it's the highway.

I think of people like Dr. Tony Magliocco, respected around the world, not only in this province but around the world. He worked hard every day to ensure that Albertans were safe. He did what he thought was right. He took issue with how cancer care, in his opinion, was being degraded to save a few pennies. Diagnoses could be made incorrectly, just like in other Canadian provinces that made the same mistake. You know what? Predictably, his contract wasn't renewed. Was it because he wasn't skilled enough? No. His skills allowed him to be in charge in the first place. It was because he spoke up. He had the confidence and the bravery to speak up for the cancer patients in this province.

Where is he now? He's in Florida. He is at one of the premier cancer clinics in the world now. He couldn't find a job here, and

now all Albertans are suffering because people in this government couldn't handle what he had to say. Mr. Speaker, quite frankly, that is disgusting.

9:40

In light of Dr. Magliocco's personal experience, as I indicated earlier, I was excited about the whistle-blower protection act. I really was. It's about time, but, Mr. Speaker, as I've indicated, I'm truly disappointed in the content of this bill. There are so many flaws that I'll run out of time mentioning them. The leader has spoken about some of the flaws in the bill. I can guarantee you that we are going to bring forward, this party, many amendments to try and band-aid the bill so that we can protect the people who truly want to do the right thing, and that's to blow the whistle on this government.

**The Deputy Speaker:** Thank you, hon. member.

Questions or comments under Standing Order 29(2)(a)? The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. There was an article on October 23 that said how the whistle-blower minister would blow the whistle, and bizarrely he said that instead of going to the whistle-blower official, he would go straight to the Ethics Commissioner. So you had the minister who actually put forward this legislation saying that he wouldn't even go to the whistle-blower commissioner. I'm just wondering what your thoughts are on that, whether or not that just shows another flaw in the legislation.

**Mrs. Forsyth:** Well, Mr. Speaker, I mean, if you have a minister of the Crown speak and he's asked about how he would deal with whistle-blowing and he thinks he goes to the Ethics Commissioner, I think there are two mistakes here. First of all, he blatantly is saying that he doesn't support his own whistle-blower legislation. There's just no question.

Secondly, I don't think the Ethics Commissioner is somewhere that is possibly the right place to go. I'm sure the Member for Fort McMurray-Conklin is listening, and I'm sure, knowing he's the Associate Minister of Accountability, Transparency and Transformation, that we're going to ask him to do the right thing. The leader has said that maybe he'll consider moving this to a committee, but those are things that I think need to – as we move forward, we're anxious as the Wildrose to have the opportunity to hear what the government has to say. There are 62 of them; there are 17 of us. I think it's key. [interjection] Sorry; 61. [interjection] I can see Edmonton-Gold Bar is just getting really excited about the debate, and I can hardly wait to hear him get up because I know he's very passionate and concerned about his constituents. I can't wait to hear him stand up and speak in support of this legislation or, for example, maybe recognize the errors of this legislation. I, quite frankly, look forward to the debate.

**The Deputy Speaker:** Thank you, hon. member.

Are there other comments or questions under 29(2)(a)?

**Mrs. Towle:** I would just like to ask the hon. member: when she was the minister of children and family services and also the Sol Gen of this fine province, did she ever run across a direct opportunity where people wanted to come forward and knew for sure they would lose their job? If she could explain how those people felt about that.

**Mrs. Forsyth:** Well, I have to say that I was very, very fortunate with the people that worked for me in the Solicitor General and

the ministry of children's services. We had an open-door policy, and the open-door policy was the fact that if there was a concern where they were dealing with the ministry, then they knew that they could come to the minister without any fear of reprisal. I had the opportunity on several occasions when people that worked for me in the department came forward and brought a concern to me, and I think I dealt with it in a very fair way. Will that same thing happen at this particular time? I doubt it. I mean, we've seen over and over and over again what's happening in our health industry.

I can tell you, and the leader has mentioned it, that we have had – I might have a day go by that I don't get a call. But I can tell you that I'm considerably busy, as you are, Member, as the Seniors critic now. You know how many concerns and complaints that we get on a daily basis where they want to talk. I mean, I have spent so much time talking to the wonderful doctors and health care professionals in this province. We have given our word that we're going to fight on their behalf so that the bullying and intimidation in this province will come to a stop.

**The Deputy Speaker:** Are there others? I'll recognize the Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Speaker. I'm pleased to rise to speak to this bill, which is Bill 4, the Public Interest Disclosure (Whistleblower Protection) Act.

Before I begin, Mr. Speaker, I'm pleased to announce the re-election of President Barack Obama in the United States election. He's now passed 270 electoral votes. I think that's good. There's a marked lack of enthusiasm from my Wildrose colleagues and, frankly, over there. There are a few closet progressives left over on that side.

Mr. Speaker, when I was first elected in 1989 to city council, I dealt with some individuals who were whistle-blowers. One was an engineer that worked for the city, who talked to me about how a major sewer project worth millions of dollars was being constructed. It was to replace an old one, but the old one was actually in good condition.

Another person came to me, a welder, just a welder.

**Mrs. Forsyth:** Just a welder?

**Mr. Mason:** Well, he was pretty low. What I mean by that is that he was at the bottom of the hierarchy.

**An Hon. Member:** He wasn't a lawyer.

**Mr. Mason:** He was not a lawyer. No, he wasn't.

He told me about a water main that was built in the west end in Edmonton that had been improperly installed, and the result was that it would rust through within 10 or 15 years. They actually drained that water line, because it had already been put in service, and right where he said the faulty construction was, it was.

They had something in common with other whistle-blowers, and I learned a valuable lesson. They were fired, Mr. Speaker, and I've seen that pattern repeat itself throughout my public career. It's been mentioned that the hon. Member for Calgary-Mountain View was fired, other doctors were fired, people who have exposed illegal Conservative fundraising tactics have lost their jobs. It seems to be a pretty standard consequence of people who are whistle-blowers.

This government, when it was elected, purported to be open and transparent and was going to show Albertans that it was possible to be a progressive Conservative. That was what the Premier promised, and she even went so far as to appoint an Associate Minister of Accountability, Transparency and Transformation.



Reporters asked me about that. Isn't that evidence, they said, that this Premier is actually interested in transparency and accountability? I said: "Well, you know, I've been here a little while, and I've heard different Premiers talk about the importance of transparency and accountability. They talk about it a lot, but they don't actually do it. Nothing really changes in terms of the culture."

9:50

Then why appoint an associate minister? Well, in my view, if the government simply wanted to be transparent and accountable, it would just do so. It would just do it. You don't need to appoint a minister and a staff and have all of those costs in order to make your government accountable and transparent if you lead by example. Why do you need it, then? Well, it's an interesting question. I have a theory. It's just a theory. If you want to look like you're transparent and accountable but make sure that when push comes to shove, you really aren't, you actually need a bureaucracy to do that. I think that's actually where we're at with this particular government in respect to that.

Mr. Speaker, this is a really bad piece of legislation. It purports to be a whistle-blower protection act, but it's actually a whistle-blower management act. It's a way to manage whistle-blowers so that they can't do damage.

**Mr. Anderson:** That's exactly what it is.

**Mr. Mason:** That's exactly what it is. So they can take a whistle-blower, and they can take him or her and put them through certain channels and so on, and you know that in the end they're not going to do any damage to the government.

I'm prepared to go through some of the things that are wrong with this act. Only public-sector workers are covered. Private-sector workers need protection as well because, as we know, the vast majority of economic activity in our society is still carried out by the private sector, and all of that activity can produce harm if it is not done in the interests of the public. There's no coverage whatsoever for private-sector workers, and it's a huge shortcoming in a province with many government contractors and persistent issues around the contracting out or privatization of public functions. The commissioner, for example, for any reason he sees as valid can exempt workers from coverage in the bill.

Under section 19 the bill makes it clear that the commissioner is not obliged to investigate any disclosure. There is a complete lack of ability for individuals to appeal a decision of the commissioner. There is no access to the courts and no possibility for a judicial review.

Section 52 clearly states that "no proceeding or decision of the Commissioner shall be challenged, reviewed, quashed" or questioned by any court. Mr. Speaker, that's completely unacceptable because strong and correct whistle-blower protection always provides avenues in addition to access to the courts, not instead of access to the courts.

The provision set out for annual reporting by the commissioner and the chief officers is weak. It's worse than the federal law, which requires disclosure to Parliament within a reasonable time frame. The commissioner doesn't need to disclose many details, beyond annual statistics, to the Legislature, and there's no clear process for disclosure to the public. The commissioner may – and that's may, not shall – publish a public report. He's not obliged to do so.

There is no criteria given for the exemption of employees or public entities from coverage under the act. Sweeping exemption powers allow a commissioner to freely designate certain people,

departments, offices, and so on as above or below the law. That's completely unacceptable as it erodes the scope of coverage of this act.

Mr. Speaker, in the U.K. the whistle-blower act focuses on remedies for whistle-blowers and provides that compensation will be given to whistle-blowers. In other words, the whistle-blower in that legislation must be made whole from the damages suffered from the whistle-blowing process. This bill does not have anything whatsoever that protects and compensates the whistle-blower. It's the most glaring evidence that this bill is not about whistle-blower protection; this is about government's protection from whistle-blowers.

Many whistle-blowers lose their jobs and face immense legal and other costs, so it's essential that the bill have robust details regarding remedies in order to make it an effective law for whistle-blower protection.

Mr. Speaker, the strongest provisions are in Australian law. If the bureaucracy refuses to investigate, the whistle-blower has the right to go public and be protected.

Strong whistle-blower protection must turn delay tactics on their head, especially considering the limitations in this bill and the prosecution timelines. There should be no restraints on going beyond internal measures. The validity of the disclosure can be assessed after the disclosure has been made, but whistle-blowers must feel comfortable going public if necessary.

The commissioner's annual report to the Legislature will not provide enough information for the public and will likely be filled with empty statistics. Details missing will likely include things like departments and individuals involved in investigations, remedies sought and awarded, penalties to departments and/or to individuals, and the specific steps taken to remedy any wrongdoing. The secrecy throughout this bill, especially when it comes to the internal disclosure process, will silence whistle-blowers and intimidate those who do not feel comfortable going through internal processes.

There's a monopoly of control over this process, under the control of one person, the commissioner. No appeals to the courts are possible, no accountability of the commissioner to any other officer other than annual reports to the Legislature. As a result, the commissioner can effectively shield the government from whistle-blowers.

Mr. Speaker, governments historically use different strategies to cripple whistle-blowers. There's quite a bit of literature on this. Often the provisions set out in whistle-blower legislation actually enable the government to do the opposite of encouraging whistle-blowers in the name of the public interest. Governments use the following to protect themselves from whistle-blowers: one, no teeth in the law itself; two, inadequate resources given to people responsible for enforcing the legislation; three, appointment of the wrong person to the office of the commissioner; and four, setting time limits for investigation. In this case, prosecution can't take place later than two years after the alleged offence was committed.

In conclusion, Mr. Speaker, this is a terrible piece of legislation. This is a piece of legislation that this government should be ashamed of and which I urge the government to withdraw. I know that the Wildrose has said they've got multiple amendments. We know what's going to happen to those. I think we could all save a whole lot of time if the government would just withdraw this deplorable piece of misnamed legislation that, as I said at the beginning, is not designed to protect whistle-blowers but to channel them, to manage them, and to make sure that they can't do any harm to the government or to the bureaucracy in that case.

As such, it will not protect the public. It will not meet the goals that the government claims it's intended to meet. It will in fact, in

my view, make the situation worse. I pity the poor person who really sees something wrong within the government and thinks the public has a right to know and tries to follow the steps in this bill because they will be blocked and channelled and will not be able to give effect to the cause that set them off in the first place. There is no end to the intimidation that is continued under this bill. I wouldn't feel comfortable recommending to any individual who saw some wrongdoing to follow the processes set out in this bill.

I'd feel much more comfortable to say: "Come to us. Come to one of the other opposition parties. We'll make sure that we protect you, but we'll do our very best to get your information out to the public." That's a far better approach to take if you really want the public to know what's going on behind the closed doors of this government, Mr. Speaker.

I urge all hon. members to vote against this terrible bill. Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Any questions or comments under 29(2)(a)?

Seeing none, I'll recognize the Member for Calgary-South East, followed by Olds-Didsbury-Three Hills.

**Mr. Fraser:** Thank you, Mr. Speaker. You know, I've listened to a lot of things tonight, and one thing is for sure. People aren't perfect. To the Member for Calgary-Fish Creek: it's very unfortunate, some of the things that you've experienced in your life in this House, in this Legislature. A couple of things. First, I commend you for standing up for your constituents and running in an election. That takes a lot of courage. Second of all, to cross the floor, I can't imagine, and then if there's a breakdown in relationships, which doesn't just happen in government between parties but between people on the street.

**10:00**

When we talk about some of the things in health care, Alberta Health Services, which is my past full-time employer – I'm a paramedic. I still work on the ambulance. In fact, I was president of the Calgary paramedics. I was a spokesperson for many paramedics across this province that had issues with government, transition, all those things. I have to tell you that if you ask the hon. Health minister and the Health minister before him and some of the other hon. colleagues around here, I was a pain in their butt in some cases and still am.

So when we talk about whistle-blower legislation, I just have to say a few things. When I ran, clearly, I had issues with some of things that government was doing, and I was an advocate. I made a promise to stand up for the paramedics in this province, not just paramedics but be a liaison in emergency room departments between physicians and nurses. I would dare say that some of the bullying that takes place between practitioners can be pretty heavy because they're Type A personalities, and they want to care for patients.

When I made a decision to run for this government, it wasn't a matter of: I don't like particular people. What I saw on this side was an opportunity to build on the strengths that this province already has. When we talk about being able to advocate for patients, that's really the bottom line when we think about health professionals. I've been there in those tribunals, and I've been there with those conversations around the Protection for Persons in Care Act. Any time a paramedic steps out of line or a physician steps out of line – because the argument can be made that every time a physician or a nurse or any practitioner can't perform their duties on a patient, it's inhibiting the ability to care for the patient, and the persons in care act speaks to that. That's one step moving forward.

This legislation is not about words and legalese, which we seem to be getting into about a number of bills here. I guess in some ways I'm putting a challenge. What if we take the politics out of it? What if we as 87 representatives and advocates for our constituents around this province push people, encourage people, lift people up and move them towards this legislation to report these abuses, to be the whistle-blower, to empower them? Instead, every time that a piece of legislation comes around this House, there have to be amendments because it can't be perfect. You know, this bill talks about the ability to go back and review it. The commissioner is asked to report on the inquiries that happen on a yearly basis. The legislation is to be revisited in two years because I can tell you one thing: whether it's legislation we wrote 10 years ago, two years ago, or the legislation that we write today, it's always going to have to evolve. We're always going to have to be diligent. We're always going to have to review it, and none of us in this Chamber are perfect.

Together, if we start working on the real work that needs to be done for Albertans, encouraging them that: "You know what? This is the number one place in the country and, I argue, in the world to live." That's because of the people that live here, that pay taxes every day, raise their families, because of the opposition on this side, the government on this side, because we work together for a better Alberta. We don't always agree, but that doesn't mean we always have to rip down every institution that this government has. I fight hard every day when I'm on the ambulance or with my constituents to defend them, to protect them. I'll be the first one to stand up for the little guy. That's what we should be doing. Not discrediting people or saying that this is terrible legislation. How about stand up for it? How about push people to this legislation? Push it to the max. Push it to the point where it does ultimately fail in certain spots so that it can be improved, rather than trying to always drag it back into legislation.

Now, when we talk about some of the other things – and just to be clear, we need to be truthful in this House. We need to talk about the reality. Health care is very complex, and you have Type A personalities and practitioners right across the board. But the one thing that I don't believe – I've been a part of that bureaucracy that's there and the fail-safe that is created to make sure that not one person is making the decision or one profession but a multiple group of people making a decision for the betterment of patient outcomes at the end. I'm sorry, when a physician happens to be one of 10 making a decision on whether it's clinics or in some of the things that the opposition has mentioned when we talk about policy around how we should develop health care for better patient care, if that one person is on the outside, they absolutely have the right to be outspoken, they have the ability to go to the media, and in that maybe it does put them in front of the commissioner. Maybe it raises a certain number of questions.

We also have to believe that there's a process of building relationships and building trust, and when people go outside that and handle themselves in a particular way, sometimes it does create friction. Sometimes the ultimate part of it is that relationships break down. It's unfortunate, and I hate to hear that. But we've got to start talking about what's right and stop trying to make an amendment to an amendment that confuses it.

We should be encouraging people to stand up. You know what? Really, that's what this is. People stand up and there's reprisal. When that reprisal takes place, they're going to get fined, and the legislation talks about that. Apart from any investigation by the commissioner those who carry out reprisals against employees will have committed an offence under the act, may be prosecuted

in court, and upon conviction face fines up to \$25,000 for a first offence and \$100,000 for a second and subsequent offence.

That's what we should be doing in all aspects of our legislation. When people break the law, we make harder judgments against them. We need to stand up together on this. We need to pass this bill, and then we need to push people towards it, not by saying that this is the weak side or that's the weak side or the weak link. This is one where we have an opportunity to collectively lift people up, stand up for those who are being bullied by administration, because, inevitably, that's never going to change. As humans we're all fallible, and that's going to happen. But if you stand up together, we're going to move forward.

So I look forward to hearing the amendments that might come forward, but I'm in support of this bill. I think that it's more wholesome than what we've had before. It makes it very clear that if you're going to create problems for people who are whistle-blowers, we're going to penalize you. We're going to report our outcomes. We're going to encourage people to move that way. Here's the deal: 87 people, 87 MLAs; managers – because not every manager, believe it or not, in Alberta Health Services is a bad manager; they care about people; they care about ensuring that their members can do their job – there are unions; there are labour groups; there are many avenues.

This is not about stifling people. This is letting them know that when they get bullied, we're going to respond. We're going to charge them. We're going to investigate them. This is a part of open government. I support this. I support the minister of – I can't say it all, so I'll say the minister of alphabet. Pardon me. I'm just kidding. At the end of the day I support this, and we need to move forward on it.

Thank you.

**The Deputy Speaker:** Questions or comments under Standing Order 29(2)(a)? The Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Speaker. Thank you to the Member for Calgary-South East for your very passionate speech. I certainly appreciate where you're coming from. There are some hard realities here, though, that I think the members across need to recognize. Any time an amendment is brought forward, it's not purely for political gain. There are some real issues here, and the insistence that everything that is being put forward has a level of perfection: that arrogance just doesn't sit well. Recognize that like the mandate your party was given, the opposition was given a mandate with 55 per cent of the popular vote in this province, more than half. It may not be recognized in the seat count. But I think that, you know, some of the things we saw yesterday, us here begging your party to allow Bill 2 to go to a committee to be debated in a nonpartisan environment only to be shut down – so just for consideration, and again I appreciate your passion.

Specific to the bill, though, I would like you to comment, please, if you would, hon. member, on section 31(1), which reads:

The Commissioner may, in accordance with the regulations, exempt any person, class of persons, public entity, information, record or thing from the application of all or any portion of this Act or the regulations.

Your thoughts, please.

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

10:10

**Mr. Fraser:** Thank you. Well, I have to say this about the hon. member across the way: he's a fine gentleman and a constituent of mine, and I appreciate his comments.

Let me speak specifically to that, and I'll relate it to my own profession as a paramedic. Every time I make a decision, whether I decide to treat or not to treat, whether I exempt a protocol or add a protocol that happens not to be there, I have to answer for it. I have a legal obligation to answer for it, and I don't just answer for it once in a patient care report. When I go to a physician and, let's say, I do a terrible call and I feel that I need to do something extreme that doesn't fit inside the guidelines, the first person that I have to answer to is the trauma physician, and then I have to answer to the multitude of nurses, and then I have to answer to the student physicians, the ones in residence. Then I have to answer to a board that may call into question my actions. I am prepared to do that.

I believe this is the same reason that the commissioner has to give a report every year. If he exempts something and it's distasteful to this House or the people that he was exempting, then it should be brought about. That's our job, to hold him accountable, to make sure that people are protected. That's what I believe that is talking about.

Again, when we go back and we talk about some of the very complex things, whether it's health care, land rights, you name it, sometimes that impartial person needs to make decisions based on, maybe, previous rulings, knowing where it's going to go, to help streamline the process. And as we move through that process – and that's why I encourage you – force people through this. It's called plyometrics. Push it till the muscle fails so that we can find the flaw because at the end of the day we'll find a better result for the people that need it.

Those are my comments.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thank you, Mr. Speaker. I was very encouraged to hear the member stand up and speak on behalf of Bill 4. I was very encouraged to hear him talk about his experience as a paramedic and how he speaks out for the paramedics. My question to the member. I recently met with the paramedics, and I wonder if you could tell me what the issues of the paramedics are at this particular time. [interjections] He brought it up.

**Mr. Fraser:** Where's Brian Mason?

**The Deputy Speaker:** Relevance, hon. member.

**Mr. Fraser:** Pardon me. Let me tell you. There are obviously some tough things that paramedics went through during the transition, but I can tell you where paramedics are from a professional standpoint right now. They're on very good footing to contribute to the vision that the Premier has around family care clinics being part of PCNs. I see you grimace there, but it is the truth. That was the right path that we needed to go down, but there are some things that we need to address. I'm speaking with the Minister of Health on a regular basis, and he will tell you that because when he sees me coming, he's like: "Oh, no. Here's Rick again." At the end of the day there are some issues around past legislation that I've spoken about regarding union affiliation, and if you talk to the members, by and large – they contact me, and I see them in coffee shops, and you name it – they feel unrepresented.

**The Deputy Speaker:** Thank you, hon. member.

I recognize the Member for Olds-Didsbury-Three Hills.

**Mr. Rowe:** Thank you, Mr. Speaker. I am very pleased to be speaking to this bill, Bill 4, tonight. If we were to implement proper whistle-blower protection in this fall session, that could be something that would benefit the province for many years to come. It could be a highlight of this fall session. However, what has been presented to us in Bill 4 is not something that will leave a good legacy. Instead of implementing proper legislation with teeth to defend whistle-blowers, the government decided to bring forward legislation that will defend them from the whistle-blowers.

I am disappointed that the bill doesn't apply to ethical behaviour. The government knew well that the public was looking for action following the alleged intimidation of health care professionals and the accepting of illegal donations. This should have been a part of Bill 4. We should take issues like intimidation of health professionals and other public servants very, very seriously, but the government has chosen not to do so. It is very disappointing.

The bill is also currently structured to keep highly damaging information as private as possible. It indicates that the government wants to hide from the whistle-blowers, not protect them. Under the proposed legislation, government employees that are seeking advice on blowing the whistle can be forced to submit their request in writing. This seems disturbing and a way of intimidating people to not even think of blowing the whistle or finding out how to do so. Further, section 10 makes it clear that you cannot blow the whistle to the public interest commissioner unless you have attempted to work within your organization. Mr. Speaker, I fear that this will deliberately scare public employees out of doing what is right and coming forward with information that is beneficial for the public good.

Let's imagine this. Imagine if you worked in a place where your superiors were public employees that were making over-the-top expense claims. Imagine they were charging taxpayers thousands of dollars for things that were not necessary to their job, things like butlers, Mercedes upgrades, and that sort of thing. Imagine if you had the good conscience to come forward with this and save the taxpayer from being abused. Should you really have to bring this up first with the manager that is abusing the taxpayer? Wouldn't doing that possibly intimidate the individual out of coming forward in the first place? It just isn't a good idea, Mr. Speaker. I do not think this is right.

We should work to encourage whistle-blowers. They can help stop ethical lapses and financial mismanagement as soon as it happens. If we'd had good whistle-blower protection, perhaps a public employee could have come forward in the recent health expense scandal. That could have saved taxpayers thousands of dollars. Why wouldn't we want to include that in this legislation?

Furthermore, the act is on a go-forward basis. If we want to ensure that Albertans are getting proper use of their tax dollars, we should be ensuring that this legislation allows brave whistle-blowers who are already putting their neck on the line to be protected if they want to let the public know about recent issues. This may include issues that we do not know about yet, but it would be better for the government to learn from previous mistakes than to repeat them in the future. Instead of doing this, the government is trying to make this effective only from the day the bill passes. By doing that, the government closes the door on any wrongdoing that has gone on in the past. The government has done more to cover their tracks than they have to put Albertans first with this legislation.

Formal whistle-blowing legislation is welcomed by the Wildrose, but this bill falls far short of what would be called good

legislation, like the government's FOIP Act, in that it is designed to protect the government and not the public.

I still hope that we can work together to create more effective legislation than what we have been presented with. This is still a first for Alberta. There has been no protection of whistle-blowers in government previously. So it is a good thing that the government has brought this forward, but we should ensure that this legislation will leave a lasting, positive legacy, not just assist the government in sweeping things under the rug. The Wildrose will be putting forth a good many amendments to try and make this work better than it obviously is now, and I would commend the hon. Member for Calgary-South East for his offer to work with us. All 87 of us should be working together to make this legislation something that we can all be proud of.

Mr. Speaker, if we are not successful with the majority of these amendments, I fear it will be akin to putting lipstick on a pig, and this legislation is a pig or a dog or anything else you want to name it. It's just not good legislation.

Thank you.

**The Deputy Speaker:** Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the next speaker, the hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Mr. Speaker. It's a pleasure to rise here and speak on Bill 4, the Public Interest Disclosure (Whistleblower Protection) Act. I echo the concerns of my colleagues about this bill. Quite simply, the government had a prime opportunity to bring forward some real legislation with teeth to defend whistle-blowers. Instead, the government chose to bring forward another half-measure that will do more to enable the government to defend itself from bad publicity than protect whistle-blowers who speak out.

Mr. Speaker, this is another broken promise from a Premier who vowed to bring forward whistle-blower protection that would defend people regardless of the manner in which they chose to disclose wrongdoings. This legislation doesn't do that, and it's a great disappointment. It shows that this government hasn't learned from its mistakes. It shows that this Premier isn't interested in living up to the commitments she had previously made. It's become her MO. It shows that this government isn't interested in providing real measures to regain the public's trust.

**10:20**

After the doctor intimidation, illegal donations, broken promises, and expense scandal after expense scandal the government has brought forward legislation that will primarily assist it in sweeping future issues under the rug. The sorts of things Bill 4 could prevent are not the sorts of things we should be working to sweep under the rug in Alberta. We now spend more than \$41 billion every year. This is money that comes from every hard-working taxpayer in the province, and it's something that the provincial government should ensure is spent properly. When whistle-blowers come forward, they are helping ensure that money is being spent in an effective manner. They're helping ensure that taxpayers, who are increasingly nickelled and dimed by this government – school fees, for example – are not having their tax dollars go to luxurious expense claims or unused hotel rooms.

We should be encouraging whistle-blowers, not dissuading them from coming forward. Dissuading whistle-blowers is something we have constantly done in this province. The Wildrose Official Opposition has heard from public employees that they are afraid to speak out because they worry that there may be reprisals if they do so. Honest Albertans, who just want to see everyone in

the public sector act honestly, are forced to watch as a few others cheat the system, knowing they cannot make a difference by speaking out. This hurts all of us, and we all fail in this Assembly when that happens.

This is why I was happy to see this legislation come forward. I believed, hoped that it would provide real whistle-blower protection. I hoped – and so did all Albertans – that it would be retroactive so we could see areas we could currently fix in the system. This isn't what we got. It makes me think of all of the honest Albertans who may want to come forward but now remain unable and afraid to do so. Making the act retroactive to include previous gross mismanagement or any other wrongdoing in the last couple of years is a way in which the government could have made this bill much more effective.

Now, we are not asking the government to span back decades to try and save money, but I do not think it is unreasonable to have the government look at programs and departments that are still in place where the government could be doing a better job or, I would hope, where they want to be doing a better job. At the very least, honest Albertans who want to see a more effective public sector should be able to come forward without reprisal, but by the government making this bill only active from the day it passes, they prevent this from happening.

This makes me wonder: why not do that? If the government doesn't have things to hide and wants to be open and honest with the public, why not make it go back to 2008? This is a measure that could help give this bill legitimacy and help restore Albertans' trust with this out-of-touch PC government. It's something the government should do. If they really don't believe this legislation could cover that, I would be happy to hear anyone on the government side explain why because I can't seem to get my head around it.

I'll sit down now. I look forward to hearing others' input. We still do have a chance to amend this act, and I pray that we can work together with government and other opposition parties to construct some real legislation that'll be retroactive and have some teeth.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a). The hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you very much, Mr. Speaker. Just a quick question for the Member for Cardston-Taber-Warner. I was listening attentively to his speech this evening. He talked about retroactivity of the legislation. I'm curious as to what authority he would seek to make legislation retroactive that is consistent with a constitutional and legislative principle in this country.

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

**Mr. Bikman:** Well, thank you, Mr. Speaker. That's a great question. Given the amount of retroactive things that this government has done in the past, I would think they could teach us all how to do that.

**The Deputy Speaker:** Are there others? I'll recognize the Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Speaker. I'm pleased to rise and speak on this bill, the Public Interest Disclosure (Whistleblower Protection) Act. When we were briefed by the associate minister and the Minister of Service Alberta, that was a wonderful briefing we had. I was excited about this legislation. The minister asked us

if he had the unanimous support from the opposition, and I said to the minister: "We will see about that. It will all depend on what kind of surprises you have in the bill for us." Mr. Speaker, we've got the bill in front of us, and it's full of surprises.

I said that if the legislation met our scrutiny, we would support the bill. From the outset, this isn't a good bill. We all want to support this bill but not in its present form. This bill is flawed in more than one way, Mr. Speaker. The Premier promised during the election to have an open and transparent government. The more they talk about openness and transparency on the government side, the more opaque it gets.

Mr. Speaker, why reinvent the wheel? The minister talked about going a step further and raising the bar on openness and transparency. I think that the minister has gone backwards with this bill, that this bill is there to silence whistle-blowers, not to protect but to scare them into not coming forward. Because they have to go through all the hoops, all the red tape, they will be afraid to come forward. We need legislation that is most comprehensive, most effective, and that will fully protect whistle-blowers from any reprisals for coming forward against whomever. The whistle-blower shouldn't be worried about any intimidation, isolation, or being the black sheep when they come forward.

Mr. Speaker, all the critics and newspaper articles are saying that this whistle-blower bill is failing whistle-blowers, that it offers them no protection. I was in the hospital, and the nurses, the staff were complaining about this. They said, "Don't name us," because they didn't want to come forward against the management, and they didn't want to lose their jobs or jeopardize their chances for promotion.

That brings me to Dr. Paul Thomas, a professor from the University of Manitoba, who says that they're overhyped as integrity cure-alls, entangle the bureaucracy in more rules and laws, and that they can backfire by deepening public cynicism and mistrust of government. He says that it comes with a huge price both for whistle-blowers and the people or organizations accused of wrongdoing or mismanagement, that government isn't going to stop or fix wrongdoing in government unless it makes broader changes to the political and administrative cultures of the government, and that today's style of politics has fed an unhealthy obsession with accountability that's aimed at catching and blaming people rather than getting at the management problems or weaknesses in the system that led to wrongdoing in the first place.

Here is the fear, Mr. Speaker. I've got a few examples of witch hunts. An investigation was initiated when an ASC employee came forward with complaints about the organization, revealed allegations, including favouritism, lewd conduct, a highly sexualized environment, poor employee relations, and interference in enforcement cases that benefited select high-profile and influential individuals. The four senior directors were pushed out by the acting ASC chair, and a witch hunt was conducted to rid the organization of whistle-blowers.

In a letter to the minister the ASC staff warned that many ASC staff find themselves unable to perform their jobs effectively due to extremely negative, intimidating, and stressful work environment created and fostered by the chair and the executive director, an environment that continues to deteriorate daily. The whistle-blower was let go as director of human resources by the interim chair for making a 27-minute telephone call to a newspaper reporter from her desk. The head of administrative services was dismissed for questioning a computer audit. In spite of this information, at no point did the ministry intervene to remove the acting chair of the ASC, who had attempted to stall the AG's investigative process, fired the four top ASC officials, all of whom could have been key to the investigation by the AG into enforce-

ment irregularities, and threatened current ASC staff with more pink slips, thereby increasing the fear level within the Securities Commission.

10:30

Mr. Speaker, whistle-blowers should be able to speak anywhere, anytime, to anybody they wish without fear of the reprisal they're going to have. We can only support this bill if we have amendments, and I will be bringing forward those amendments to clause 3(2), clause 19(2), clause 51, and clause 52. If we want to really put teeth in this bill, we should be going back to the drawing board and bringing this bill in a form which will have more teeth.

The government accountability watchdog says that the best whistle-blower protection regimes operate within countries such as Australia, the United States, and the United Kingdom, but we are not borrowing a page from their legislation. The act only protects government workers, not those in the private sector, something opposition MLAs point to as a major weakness in the bill. This bill should be protecting everybody. We've been through the XL beef shutdown because the employees, you know, didn't want to come forward, maybe because they were not protected.

Mr. David Hutton brought up lots of concerns about this bill. He's the executive director of Federal Accountability Initiative for Reform, and he points out that there should be full free speech rights.

As a general rule, whistleblowers must be able to blow the whistle on wrongdoing anywhere, anytime and to any audience – with restrictions only for cases where the law prevents disclosure.

That's, like, national security.

Second, the right to disclose all illegality and misconduct.

There must be a broad definition of what types of wrongdoing whistleblowers are allowed to report . . .

The third one, no harassment of any kind.

Whistleblowers are typically subject to a wide array of reprisals, ranging from the subtle to the brutal. These include social isolation and humiliation before their peers, being cut out of the information loop with their responsibilities given to others, impossible work assignments or no work at all, false accusations and retaliatory investigations.

Bullying or firing is easy to see, but these punishments are not easy to see, Mr. Speaker.

The fourth one, forum for adjudication, with realistic burden of proof and appropriate remedies.

The whistleblowers are usually forced to seek some kind of remedy after the reprisals have already begun, by which time they may already be unemployed, impoverished and suffering from stress-related injuries caused by harassment . . .

Strong laws can also shield the whistleblower from being harmed in the first place, for example, by allowing injunctions to prevent dismissal or disciplinary action until the allegations have been investigated. They also provide "make whole" remedies to properly compensate people whose careers and future earning potential have been devastated.

The fifth one is that there should be mandatory corrective action.

Attacking the whistleblower turns the focus away from the wrongdoing, and even when the misconduct is eventually proven, there is a strong tendency for employers to let the wrongdoers off lightly. Unbelievably, wrongdoers often receive promotions. This defeats the entire purpose of whistleblower legislation, which is to deter wrongdoing.

There are so many issues with the bill, Mr. Speaker, and unless we bring in legislation which will address all the concerns that

have been raised by other members as well as by the opposition, I cannot support this bill.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Mr. Speaker. It is a pleasure to rise here and speak on Bill 4, the Public Interest Disclosure (Whistleblower Protection) Act. Sadly, I'm unable to support this bill as it is currently written.

As a new member I've had the honour and privilege of working very closely with the hon. Member for Calgary-Fish Creek, and as Yoda has said, smart she is. I have listened intently to her passion, to her dedication for the most vulnerable in society: the seniors, the children, and others who are afraid to speak up for themselves and those that care for them. Many of you in this House have worked with this hon. member, and you know that this dedication and passion has guided many such pieces of legislation in this House. That is why we should all strive to learn from this member, who has worked diligently on promoting the effectiveness of this House, and ensure that we protect Albertans with good legislation.

Mr. Speaker, it is worth noting that this is the first time the government has brought forward whistle-blower legislation in the Assembly. As I said, my colleague from Calgary-Fish Creek has worked tirelessly on this type of legislation, and it's good to see the government finally taking this issue seriously enough to bring this legislation to us. The problem is that the legislation is not enough.

Mr. Speaker, like many Albertans, I've had time to reflect on so many situations in which this government has not been held accountable. We see how an out-of-touch PC Party has accepted thousands of dollars in illegal donations and one donation of \$430,000, possibly from a single individual. While the government was so blatantly wrong on these issues, they were still shocked that anyone could accuse them of wrongdoing. The article that I'm referring to is simply one of many articles that we have read over this past week. This is an out-of-touch PC government that seems incapable of recognizing its own problems.

Unfortunately, I think that could be the theme of Bill 4. We have a government that is incapable of recognizing its own problems. This bill seems as if it was carefully drafted to make sure it doesn't address the problems that need to be addressed. After what has been presented to us in Bill 4, it seems as if it was carefully crafted by a government so that it would not apply to them. You will notice that the intimidation of medical staff, the donations by prohibited corporations – it's not covered. How can this be?

How does this government not draft legislation that ensures that all are protected regardless of the date and time when that protection was required? What would they be afraid of? Nothing to hide? Why not do it? We don't need to go too far into these issues, but it is fair to say that this is an area where this government has hurt the public's trust.

In addition to that, Mr. Speaker, we have to make sure that whistle-blower protection applies to organizations that receive government funding like our seniors' centres. If seniors or those who help our seniors want to blow the whistle about ethical lapses or financial mismanagement in our seniors' centres, this legislation should protect them. It does no such thing. How does this government rationalize that the most vulnerable people who

are begging for protection have no avenue to come forward without retaliation or fear? Is this government telling these people and front-line workers that they don't matter and that they are not important enough to have the protection if they need it?

The fact that this legislation seems to stickhandle around these very areas is telling of how sincere this government is about effective whistle-blower protection. This bill is flawed in that it would not apply to the gross violations we have seen recently in this province. The government is failing to recognize its own problems.

10:40

Mr. Speaker, let's recognize what's at stake here. Adopting whistle-blower protection is significant, being that this is the first time we're allowing government employees to come forward when they know of lawbreaking and gross – I'm saying gross – mismanagement in the public sector. This will benefit our province in so many ways and for generations to come. Checks and balances are not just about the opposition parties keeping the governing party honest. Proper checks and balances also include average people who care about our province coming forward to let the public know about illegal behaviour and improper spending in our government. We should allow and encourage any individual to do just that.

Mr. Speaker, this bill is about more than whistle-blowers. This bill is about integrity: integrity in the process, integrity in the system, and integrity in government. Albertans want integrity, they want protection, and they want us to ensure that they can come forward if they need to. They want that security. As elected officials it is key that we ensure that they have that ability.

I have a tremendous amount of respect for whistle-blowers. Mr. Speaker, I was recently elected to this Assembly, so I understand what people say outside of the dome of the Legislature. There is a lack of trust for elected officials and how they manage the public purse, and after scandals like the recent health expense scandal, who can blame them? We should recognize that this is a problem and do something – something – about it. Instead, the government has failed to recognize their problems and has brought forward legislation to protect the government from whistle-blowers, not whistle-blowers from the government.

It's as if they want to create a system where Merali would continue to pay his butler on the public dime, but the government wouldn't get in trouble for it. It's as if the government wants to create a system where the intimidation of health care professionals continues, but it doesn't become public. It's as if the government wants to spend \$113,000 on unused luxurious hotel rooms but doesn't want to have to explain that to the public. This is the wrong message to send to the public, but it's just what Bill 4 does. This is another broken promise from the Premier, who promised protection for whistle-blowers regardless of the manner in which they choose to disclose the wrongdoings.

But, Mr. Speaker, what has surprised me this week is how the government has brought this bill forward. Since releasing the Public Interest Disclosure (Whistleblower Protection) Act, those on the other side of the House have been trying to build this up to say that it goes further than any other piece of legislation in Canada and that – it's really hard for me to actually say this – it sets a new bar for accountability and transparency. Well, if that doesn't prove that the government is failing to recognize its own problem, I don't know what does.

This bill has been opposed by opposition parties, ordinary Albertans, and stakeholders. David Hutton, who has already been referred to today, the executive director of the Federal Accountability Initiative for Reform, which is a charity focused on

improving whistle-blower protection, gave his opinion of this bill last week. He called the release of this bill disappointing. He said that if this act passes, "it compels the whistleblower to enter a secretive, bureaucratic and tightly-managed process which is likely to bury their allegations and is unlikely to protect anyone except the wrongdoers."

More important, Mr. Speaker – and this is very concerning – is the hypocrisy of this government. How are we to have any faith in this failed legislation when even the Associate Minister of Accountability, Transparency and Transformation has awkwardly come out against this bill. The associate minister has publicly stated that if he had cause to use this legislation, he wouldn't, that he'd go to the Ethics Commissioner. If the minister himself cannot endorse and trust this legislation, how can he possibly expect that Albertans would support legislation that he himself does not even stand behind?

Mr. Speaker, we can do better than that on an issue as important as whistle-blower protection. My colleagues and I could just vote against this bill, but that's not what Albertans sent us here to do. I would hope that the members across the floor would remember the respect that they had for the hon. Member for Calgary-Fish Creek and actually review her amendments and give serious thought to them. We want to make this bill better. We want to work with all members of this House to ensure that we enact legislation that is effective and just. We will be bringing forward amendments that can do just that, and I hope the government will work with us in implementing things and raise that bar and ensure that whistle-blower protection is strong.

We still have the opportunity to make this legislation one that sets a new bar for accountability and transparency. It will take a lot of work, but it's something that I believe is entirely possible if the government decides to hear what Albertans are saying as opposed to telling them what they need to hear. We can work together in this Assembly. We can build off of each others' strengths. We can pass a good piece of legislation. Co-operation, listening, and the ability to want to do the right thing are all it takes.

I implore this government to do that with Bill 4.

**The Deputy Speaker:** Thank you, hon. member.

Comments or questions under 29(2)(a)?

Seeing none, I'll recognize the Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Speaker. It is always a pleasure to rise in this House. However, it is with mixed feelings that I rise today to speak about Bill 4, the Public Interest Disclosure (Whistleblower Protection) Act. I believe that it is a positive step that whistle-blower legislation is being introduced in this province; however, I do believe that the government has missed the mark.

Mr. Speaker, the government and specifically the Associate Minister of Accountability, Transparency and Transformation claim that this is the most comprehensive, the strongest, the best, the most inclusive, the most wide-ranging, the most complete piece of whistle-blower legislation in the country. Well, I have a bit of bad news for them. This piece of legislation is flawed, it has no teeth, and if this is an example of the Premier raising the bar, it's safe to say that even a mouse would trip over it.

Seeing that even this government chokes and goes into a speed wobble when trying to articulate what the Ministry of Accountability, Transparency and Transformation does, speaking against this bill is like booing at a peewee hockey game. You know you shouldn't do it because they're just kids. There's little skill on the ice, and why would you expect anything from someone who's

barely played the game? It's just mean. That's what we have here, a government that has never had to be transparent or accountable trying to play a game and look like pros. Mr. Speaker, they've failed to do so, and they do not deserve the encouragement that some of them think that they do.

Part of me wants to say that I'm surprised that this government has failed on yet another promise, but sadly I'm not. It's starting to become more of an expectation, and I think I'll be shocked when they actually do not. When the Premier appointed the Associate Minister of AT and T – I'm going to save us all and introduce that in the House – I think it would be safe to say that Albertans were hopeful this government was going to be held accountable, become more transparent, and change the way that this government does business. So far we have seen anything but.

There are a number of concerns that I'm going to raise with respect to this piece of legislation. The first is pretty simple, straightforward, and it's an easy fix. Bill 4 as it stands is only on a go-forward basis from the time that it's proclaimed sometime in 2013. Well, I'm going to strongly encourage the government to make this piece of legislation retroactive.

**Mr. Denis:** How?

**Mr. Wilson:** You're a lawyer. I'm sure that you can figure it out, to answer the question from the Solicitor General as to how that could be done.

I think there is great benefit for Albertans to know the past mistakes of those working for the public, not just those that are committed in the future.

The second concern that I'm going to raise is quite serious and a little disturbing, to be honest. Section 10 makes it clear that you have to make efforts to raise concerns within the department before the public interest commissioner could become involved. For example, let's say that you know the person you report is doing something wrong. You have to try and work with them to blow the whistle on their wrongdoing. If I may, it would be like the hens having to ask the fox for permission. I think we can all safely assume how that's going to turn out.

Third, Mr. Speaker, is the reporting structure for the public interest commissioner. If there is wrongdoing found, it should be reported to the Standing Committee on Legislative Offices, a committee which most would argue was created for this very purpose. This helps ensure that there's no political interference, perceived or otherwise, which would cause great benefit in restoring Albertans' trust and faith in our government.

Another concern that I have is the exemption policy which is outlined in section 31(1), which states that "the Commissioner may, in accordance with the regulations, exempt any person, class of persons, public entity, information, record or thing from the application of all or any [part] of this Act or the regulations." Let me paraphrase that. If the commissioner wants to exempt anyone or anything for any reason, he or she is entitled to do so.

**10:50**

The reason I am so concerned about this is that just this past summer we saw a flagrant example of what happens when there are loopholes explicitly written into a law. A former minister was hired before the expiry of his cooling-off period by the ministry he was in charge of only weeks before. The hiring was given the green light by the Ethics Commissioner in part because the individual in question was a member of, and I quote, the government family. Mr. Speaker, based on this very questionable rationalization, would the public interest commissioner excuse inexcusable actions because someone was part of the government

family? I understand that there are instances, rare instances, that would require an exemption. However, I cannot think of why there would need to be such a broad range of possibilities that there are absolutely no limitations. None. Zip. Zilch. Nada.

Mr. Speaker, I would like to believe that every member is here for the right reasons. I know there are a number of concerns that will be raised on this side of the House in regard to this legislation, and I'm looking forward to the ensuing debate. I am hopeful that these concerns will actually be heard on the other side of the House, will not be dismissed as political grandstanding but will be recognized as part of the democratic process, and if heard in good faith, will be able to drastically improve this legislation.

Now, I started by saying that I have mixed feelings speaking on this legislation today, Mr. Speaker, and I do. I'm glad to see that for the first time in our province's history we will have a piece of whistle-blower protection legislation, and for that reason, I acknowledge that this is a step in the right direction. However – and this is where I am conflicted – if this piece of legislation is flawed and it passes, I believe we are doing a disservice to Albertans. My constituents put their trust and faith in me to do the right thing, and I do not take that lightly. I cannot properly represent them by supporting a seriously flawed piece of legislation. I could not look them in the eye and confidently say that I did everything I could to strengthen this bill to protect them if they were to ever find themselves in a position where they were to need the so-called protections of this bill.

I encourage my colleagues on all sides of the floor to remember that that is what the spirit of this bill intends to do, protect your constituents if they ever find themselves in this position. However, Mr. Speaker, as written it seems to only protect the government. I have to believe that even members of the governing party would see the flaw in that.

Now, I am perfectly willing to support an improved version of this legislation that would much better serve all Albertans. I know that every time the government's legislation is called into question, they trot out the standard lines of: we're listening to Albertans and having conversations with Albertans. However, I know I'm not alone in wondering who they're truly listening to while they're doing these consultations. The government has rarely been transparent, and this piece of legislation demonstrates that once again.

This bill presents an opportunity to change that. However, with the apparent fear this government has for strong whistle-blower legislation, it really does beg the question: what do they have to hide? Why didn't they want to make it retroactive? Why are they so worried? I think Albertans deserve to know.

Although this bill is well intentioned and a step in the right direction, I think this may be a textbook example of one step forward, two steps back. With improvements such as the amendments that will be brought forward in this House, this piece of legislation could do quite well and could definitely serve the interests of Albertans. Without these, Mr. Speaker, I will simply not be able to support this piece of legislation. As it stands, it does not serve the interests of Albertans.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a). Questions or comments?

Seeing none, I'll recognize the Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker, and thank you to the member that just spoke. I was impressed with the sports analogies. I'm going to rise and not be so harsh on the government. They



brought forward a whistle-blower bill with good intentions, I think in good faith. I will tell you that I had a friend who played on a football team with me. He ran 80 yards for a touchdown. It was the wrong way. When we meet today still, he can point out that it was the longest run from scrimmage of the season and he did score, but for the other team. So as a sports analogy I applaud these members for bringing a whistle-blower bill. We need one, and everyone knows that. I think it's well intentioned that way.

Unfortunately, it scores for the other team. We missed. Call it a pitch in the dirt or a pitch over the backstop. I don't care. Use whatever sports analogy you want. The fact is . . .

**Mr. Hancock:** You're striking out.

**Mr. Anglin:** It struck out. Unfortunately, you're in the wrong ballpark, too.

The reality is that it is well intentioned. I applaud that, and I won't understate that at all. Being well intentioned is one thing. Not being accurate and not being thorough is another matter altogether. That is the concern that has been brought forward by a number of the members already.

There are two ways to go about this. No one should be ashamed either way. One is that we could scrap the bill and just start over. The other is that we could try to fix it from where it sits today. I will tell you that there are a lot of reasons why we should fix it. I'll throw one out to the hon. members on the other side. How do I blow the whistle on the commissioner? It's a good question.

**Mr. Hancock:** No, it's not.

**Mr. Anglin:** I think so. It's a very good question. The commissioner makes the rules.

You're dealing with this issue of absolute control over the whole process and no protection for somebody who is willing to come forward. We're looking at not only the issue of government. We talk about the safety of people, but what about the money that is involved? What about government funds, which are taxpayers' dollars? When you look at a lot of wrongdoing, a lot of times that's around financial things, around misspending.

I will draw a real-life example. I deal, as some members may or may not know, with electricity. I will tell you quite honestly that people from the AESO, people from AltaLink, people from ATCO, people from Enmax all leak information to me. Sometimes I want them to come public with information; they can't do it. Now, AltaLink will tell this government that they think they have a good target on \$12.1 billion, \$12.4 billion worth of government money to build transmission lines, and they may not be far off. They have goals; they have aspirations.

That's a lot of public money. I can tell you that there people in that company who don't agree with some of the things that are going on, but they have no venue, and of course that's not what this bill is about. The bill misses that totally. This bill doesn't cover a company like an AltaLink, yet that's \$12.1 billion, \$12.4 billion of the public's money that they're going to be charged with as far as spending it properly goes.

The closest thing we even have to oversight is a regulatory board who have no authority to really get in there and audit and challenge a lot of this, so you can see some weak spots start to pop up here and there. Looking at this, if we were to draft a whistle-blower bill that had some substance to it, there could be a tremendous payback to the taxpayers of this province along with protection for the individuals that'll make that attempt.

In the news media recently there was an engineer that I believe either worked for Enbridge or TransCanada. I think it might have been TransCanada. He came public. It was in the CBC news.

What he came public on was the inspection processes dealing with the safety of pipelines, which is paramount to this province, and we know that. We dealt with some issues with this last summer. Along with those issues Alberta's reputation was on the line, and our reputation was hurt significantly.

**11:00**

You have a whistle-blower who comes forward, and he gets fired for what he did. There's no protection for him. He's not a government employee. Yet the issue that he's blowing the whistle on is absolutely paramount to what this government's objectives are, which are to enhance the ability of our resources to get to market, which is significant for our economic growth. So there really is that connection, yet there is no protection. That's what I think some of these members were saying when they discussed the gaps in this bill.

I'd like to talk a little bit more about the private sector, that is missed altogether. There are so many examples of private-sector misconduct that costs taxpayers huge sums of money. Had there been proper whistle-blowing protection in process at the time, what we do know about some of these companies is that it could have been prevented. I point to some of the most obvious. Enron was a perfect example, the collapse of Enron, a private company. But what happened is that it also took down an accounting firm, and the taxpayers had to pick up for thousands of employees, how they were going to handle not just the unemployment but the social impacts when that disaster spread out through the community of Houston. WorldCom was another one. Bre-X was another one.

These are situations, private companies, that cost the public dearly. Any time that costs the public, government pays the price. Yet when we look at those situations, had someone had the ability to come forward with some sort of protection, we might have been able to head off a lot of those. I'm not saying that we would have prevented it, but the fact is that whistle-blowers from the private sector have a tremendous amount of value to protect the public sector, to assist the government. That's missing entirely in this bill.

The idea that government would have a limit on what can be investigated over time: that to me is a shield to hide past wrongdoings. I will say that this government has in the past made a lot of legislation retroactive, and I don't see where it's a problem here to get into that issue of making it retroactive to the point that we can hold a lot of misconduct accountable. When I say misconduct, I tabled a number of documents here at the request of the whip of the governing party on the issue of spying on citizens. That's a wrongdoing, and nobody was held accountable. Those citizens that were part of that still know that, and they still want some sort of remedy or justice for what they think is a tremendous violation of what they believe are their democratic rights. But that will never see the light of day in any jurisdiction, whether it's a court or whether it's through this whistle-blower legislation.

I will tell you that there are a number of examples that I find troubling. There was a sour gas well that was going in next to a school in Tomahawk. We had a real problem with the issue of standing. Parents who had their children going to that school who lived outside the normal range of what they called directive 056 were not allowed standing because they didn't live within the range, yet their children had to go to that school where the sour gas well was being drilled. They appealed that, and they were denied standing in the hearing, and then they went to court. In that whole process – and these were all women that did the fighting here, about six of them, because I went and I met with them more than once – their husbands were worried about their jobs. That's a

community where many of the people who live in the community work in the oil and gas sector, and they feared that if they put up too much of a fight to protect their children, they would lose their jobs.

Now, think about that in terms of what's going on. What was being fed, from the husbands who didn't want to lose their jobs, was accurate information going on about the processes dealing with the sour gas wells, information that was not readily available to the mothers, information that was not readily available to the regulator. The regulator was not being given accurate information. So here we go with a situation where this is not government, but it's about the lives of children. It's about the livelihood of the parents, the family and having no protection to come forward with accurate information.

As you can see, the bill itself, as well intentioned as it is, is hollow. It misses the mark. It's a great score for the other team with somebody running the wrong way. It's not hitting the target. One by one we've stood up, and we've said this.

Where do we go from here? Well, we've got a couple of choices. There are the number of votes on the other side that can just take this through, and there we have it. We'll have a whistle-blower's bill that doesn't really do anything for us. Or we can actually make it work. Going through the bill with my caucus members, it's significant. It is significant. I would actually be much more in favour if we either cancelled the bill and started over or put it into committee. Now, no one's making a motion for either one of those, but we need to fix it. We are going to try to fix it, but I get the sense, as is typical for amendments from the opposition, that we might get one or two; we might get none. The likelihood of any correction doesn't seem to be coming from the other side as far as "We're hearing you," or "We're listening."

That means what we're going to end up with is a bill that doesn't do what it's intended to do. That would be troubling. Again, as we started out on some of the other bills, here we are on this bill, where we could have a consensus. We could do something right. We could actually have something that we could show to the public, that this is going to work for you. If we don't get to that point, then it's all for nothing. I will tell you this: if you don't have a really good bill on that third reading, you cannot sell it to the public. I think the public does want it. I think this government wants to give something to the public. So I implore the members of the governing party to listen and to act upon what they're hearing and find that common ground. Let's make something work.

Thank you very much, Mr. Speaker.

**The Deputy Speaker:** Thank you.

Hon. members, Standing Order 29(2)(a). The Member for Banff-Cochrane.

**Mr. Casey:** Thank you. I just need to understand a couple of points here, just to get it straight. So the opposition's position here is that if we have a whistle-blower bill, it would apply to all private corporations? I need to understand that because that's what I heard you saying. That's what I heard you implying. [interjection] Well, he's speaking on your behalf. I thought I had the floor.

**The Deputy Speaker:** Hon. member, through the chair. Thank you.

**Mr. Casey:** Sorry.

I would like that clarification because it became very clear that he was speaking on behalf of his party. I'd like to know if that's the case.

Also, the reference to retroactivity. Everyone keeps referencing it. You mentioned that there were lots of obvious bills in the past that were retroactive. I'm a new guy here, so I'd just like to know what bills you're referencing that have been retroactive.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

The Member for Rimbey-Rocky Mountain House-Sundre in response if you care to respond.

**11:10**

**Mr. Anglin:** Thank you, Mr. Speaker. I always care to respond. I just have to look. It's the Alberta Utilities Commission Act. I wasn't expecting to be called out on that so quickly. Rather than look it up right now, I will get that answer for the member. But I will tell him this. It was a section of the Alberta utilities act. It was made retroactive to June 1, 2003. What it did is that it repealed section 14(3) of the Hydro and Electric Energy Act. That was actually passed on December 8, 2007, at 3 o'clock in the morning. I was up there. I can dig that out for you.

Now, on the issue of private companies. That's a really important issue, and I'm glad the member heard it.

And by the way, I do not speak for my caucus. I sometimes even vote against them. But the reality is that I speak as the representative of Rimbey-Rocky Mountain House-Sundre, and I am a member of the Wildrose opposition. I don't make policy for my caucus or my party, but I contribute.

Dealing with private companies in particular, what I am actually advocating for – we do have private companies, like an AltaLink, like an ATCO and other companies, that take a tremendous amount of public money. That's a lot of money. That's why I threw out that \$12.1 billion, \$12.4 billion. The public deserves accountability. I don't think anyone is arguing that. When we give that kind of money out to a private company, there needs to be some sort of whistle-blower protection for the public interest.

As the Minister of Health will tell us, they use private institutions. All our doctors are private. There's a tremendous amount of money in our health care budget that goes out to private – you know, private companies provide those services.

We need to be able to have accountability in many different ways. We set up mechanisms for accountability, which is good. But we also need whistle-blower protection so that if something goes wrong in those mechanisms, somebody can come forward with some sort of sense of confidence that they can show that money is either being misspent, misappropriated, whatever the situation is, and have that protection.

I haven't even asked any of my members in my caucus, but I would advocate in my caucus and I would advocate in this House that we try to establish some sort of whistle-blower protection wherever public money goes. If that money goes to private companies, we need to have something there so we can still have that type of protection.

Thank you very much, Mr. Speaker.

**The Deputy Speaker:** I'll recognize the Minister of Justice and Solicitor General.

**Mr. Denis:** Yes. I'll be brief, Mr. Speaker. Standing Order 29(2)(a) talks about five minutes for questions or comments. Well, I just have a comment for the Member for Rimbey-Rocky Mountain House-Sundre. There's a difference between retroactive legislation and retrospective legislation. Retroactive legislation is going in the past and changing the rules. Retrospective legislation is going and shining a light on something that happened in the past. If this member doubts me, I actually had a discussion about

this with a sitting justice of the Supreme Court of Canada about a month and a half ago.

That's the story, and that's the lay of the law, Mr. Speaker.

**The Deputy Speaker:** You have 15 seconds, hon. member.

**Mr. Anglin:** Fifteen seconds. Section 82 of the Alberta Utilities Commission Act, and it changed history.

**Mr. Donovan:** Just looking at the hour, I won't drag this out quite as bad. Again, this is an interesting philosophy to have the whistle-blower legislation. It's almost like a catchphrase more than anything for a lot of people in this room because it was talked about. Being on county council before, I went over this with staff. How do you go over dealing with things when your foreman isn't happy with how you're doing and you can't be happy about how your foreman is doing the job? Your administrator maybe doesn't want to listen to you. What's your next step? Who do you talk to?

The concept of this is absolutely great. Again, I was like the leader of our party, the Member for Highwood, when she talked about how we first saw that. I actually walked around and said: well, this is another great thing this government is adding to this program, that we're actually going to have a whistle-blower legislation. The problem was in the shortcomings of it. Again, I mean, I respect the associate minister for all the work that he's done in getting to this point. The concept was great, but I think there are a lot of issues to it that bother me. You know, when you have these things, why not go about it in the right way and do the right bill and take your time and go through it?

Again, sometimes as soon as you make a commissioner, you know, that has unlimited discretion to do anything or to do nothing – that's the question. You want to make something that at least has some teeth to it. I think all the colleagues that have talked before go on to describe the fact that there's no teeth in this legislation or any mechanism to ensure that public disclosure of any wrongdoing that could be found. The commissioner can grant exemptions at will for any reason. I mean, it's almost like a fairy tale in here in what this commissioner could or couldn't do depending on whether they like the person or not or what goes on.

Any time there's a mechanism that the whistle-blower can go to an MLA or the media at their own risk, again, that always plays into: are you going to have party politics? I'd assume that probably if a person that worked for the government would come to me as an opposition MLA and tell me something, you'd have to hope that that MLA isn't going to make a grandstand of the situation. You'd hope that that person would actually do the right thing and try to solve the problem, but there's obviously a reason why that person hasn't gone through, I'd assume, the proper channels, through this bill, for who they would talk to.

I guess those are things that worry me fundamentally. I think the process, the idea, is great. The government has identified that there are enough people that work, whether it be in the province as a public servant or whatever the process is, that have a way and a means to be able to go out and talk to somebody if they identify that something has been done in a haphazard way which isn't productive for anybody. I mean, we should all be worried as taxpayers in this province about what's being done financially with our money or the process of something being done.

Not to harp on Carmangay but we saw it this summer. We had staff there, and they wanted to speak out against some things. Basically, they had to not do it because they were fearing for their job. This was even with unions involved and everything else. I mean, I'd never point a finger at the unions, but the staff members truly felt that they could not say what they were thinking because

they wanted to be able to get their job in the next location once they figured out the writing was on the wall and that facility wasn't going to be open any longer.

I don't think that's the way that anybody should live. I don't think you should be in your own party and worry about what your leader is going to say to you or do to you. I mean, the hon. Member for Rimbey-Rocky Mountain House-Sundre and I have lots of great discussions in our caucus about different things. We don't always have to agree, but he knows he can speak freely of what he wants to do, and he doesn't have to worry about the bus coming down on him when he's standing in the way, because he didn't get led down the way with the wrong idea. I mean, you should be free to speak forward about what you want and what you believe in. I think we're all elected to be here to speak on what we want and what we believe in ourselves.

I'm not saying that everybody is right or wrong. Actually, I was quite impressed with the speech from the hon. Member for Calgary-South East. He spoke very passionately about being in EMS and the job he did and how he was a pain sometimes to everybody. To me that's not a bad thing to have. I mean, he spoke passionately. He spoke very much of what he would actually go ahead with and what he fought for. I believe he was the president of the EMS in Calgary for three of four years. I mean, definite leadership quality there. That goes to show that you don't have to be the pain all the time, but you have to be constructive to move forward on this.

If this legislation is drawn up correctly, I think it has some great potential to it. I'm not taking away from the minister, who obviously put lots of hours into this. At no time would I ever take away from that, but I think the wording – again, it's always the devil in the details in these things. It could have been a great concept when they thought about it and when he started putting the act together, but it's the wording in it. Again, I'm not a lawyer, and I would never bash a lawyer for that because you do a lot of training to get that job. But in saying that, I wouldn't want you to come and set my air seeder either. So we'll agree to agree on what we can and can't do all the time. I think there are a lot of purposes . . . [interjection] If you ever want to come and run the combine, feel free.

**11:20**

My point is that, I mean, everybody has a title and a job in what they're doing, and they're good at what they do. I just think this needs – we have lots of ideas that could change this. Again, it's going back to having the common courtesy to listen to opposition. In any good government good opposition is key to how it rolls. We've had it for years in this province, and I think we need to continue it. That's how the system works. You need to be a strong advocate.

It's pretty easy when you're the only set of eyes looking at something: yeah, that's the best way to do it. But sometimes if you see some other people's thoughts and ideas – I mean, we have lots of papers and lots of people's opinions on this stuff. I really think that if we sit back and look at it, the idea of the whistle-blower legislation is great. I think the process of it is a great idea.

I think the idea of the commissioner, the whole process of it, is almost like a FOIP inquiry to get anything done. If somebody goes to the commissioner and the commissioner decides that they don't like that or they don't think it's something that is politically correct to do or not politically correct to do or is going to cause a big tidal wave, do you touch it or not? I personally don't think that's the right philosophy to have in legislation. It should be black and white enough to know that everybody can go out and feel free in saying what they see is wrong.

I mean, it's the little things sometimes. Like I say, we always talk about the devil in the details. In my previous experience in municipal council, I mean, there were lots of things. It's just the little things that tip you off, and then when you start actually digging around, you can find some of the problems. People don't go out planning to make a problem, but sometimes it's just easier to keep rolling with the system because they don't want to buck the system and they don't want to cause a problem, Mr. Speaker.

I guess, just in saying that, I mean, I think the concept is good. It's just seriously flawed in how it's written. But I'd be more than happy and our colleagues here on the opposition would be more than happy to sit down with the Associate Minister of AT and T, as so politely put by my colleague of acronyms, on how to do that. We can do some free phone calls and everything with it. You know, we can sit down and have some good discussion on what we could do to change this. I'd hopefully look forward to the associate minister being open to that idea of sitting down and having some rational conversation on what we could change with the amendments and not just close the book on the idea and say that we're a bunch of radicals from the other side.

With that, I'll close on that concept, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Questions or comments under 29(2)(a)?

Seeing none, I'll recognize the Member for Strathmore-Brooks.

**Mr. Hale:** Thank you, Mr. Speaker. It's a pleasure to rise tonight to talk about Bill 4, the Public Interest Disclosure (Whistleblower Protection) Act. Bringing in whistle-blower legislation is a good start towards protection for people who are brave enough to speak out against gross mismanagement of taxpayer dollars and abuse within the system. While I can support a bill bringing in more power for whistle-blowers, I have a lot of trouble with Bill 4. I dispute what the Minister for Service Alberta said last week: we have gone further than the government of Canada and, quite frankly, we have set, in my opinion, a new bar for accountability and transparency. The legislation introduced does not come close to setting a new bar. The legislation is weak in many areas and has been written to protect the government from whistle-blowers, not the other way around.

Under the proposed legislation and the way it is designed and written, a whistle-blower would get buried in bureaucratic red tape as whistle-blowers are forced to report wrongdoing to senior management within their own departments first. Mr. Speaker, this can allow for those who abuse the system to hide wrongdoings from the public. If this legislation was truly intended to protect whistle-blowers, it would allow employees, contractors, and nonemployees to report wrongdoings to anyone, anywhere, and at any time.

If the government is serious about this legislation and wants to set a new bar for accountability and transparency, then it should make every effort to defend the whistle-blower. If we are really setting a new bar for accountability and transparency, why wouldn't the proposed legislation defend workers from across the public sector? Why, Mr. Speaker, would any public servant, employee, supervisor, contractor, board member, or, for that matter, anyone involved in the government with knowledge of a wrongdoing not be protected if they came forward? Bill 4 doesn't do this, and to assert this sets a new bar for accountability and transparency in ignoring the obvious.

Also, the bill does not protect whistle-blowers who want to speak up about recent mismanagement in the PC government. It is only enforced from the day the bill is passed. Therefore, any wrongdoings that have happened in the last couple of years or are

happening right now cannot be looked into. This government seems to be more interested in covering their own tracks, not defending whistle-blowers.

Further, if a wrongdoing has been confirmed and corrective action is required, this legislation does not provide for the outcome to be reported to the Legislature or made public. What that means is that these problems will remain buried under lock and key, with the public not being any wiser. This allows each government department, board, or organization the ability to cover up, to remain silent and nontransparent, no different than how this government has been operating for a few years. Why would the government want to keep all of this a secret? Doesn't the public deserve to know if their tax dollars have been abused or mismanaged? This legislation reduces transparency and creates a loophole to help the government sweep information that should be public under the rug. It creates a black hole that offers no comfort, protection, or solutions for whistle-blowers.

While the government calls this setting the bar high, Mr. Speaker, I think it's time the government picked the bar up off the floor. This is another broken promise from the Premier, who promised protection for whistle-blowers regardless of the manner in which they choose to disclose wrongdoings. The Premier time and time again during the leadership race, the election, and here in the Legislature talks about creating a transparent and engaging government that listens. However, in this legislation the government only extends whistle-blower protections to a limited number of people involved in the public sector and puts too much of an effort into sweeping things under the rug.

The only way to ensure transparency and correct problems that have festered within the government is to introduce strong legislation that protects whistle-blowers from reprisal and encourages them to speak up. If the government is serious about lifting the bar, they should bring forward legislation that does just that. There is still time to go back and make amendments and lift the bar up off the floor and create whistle-blower protection that can be the best in the country. I hope we can all work together to do that.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Mr. Speaker. I've been eagerly anticipating my chance to speak to Bill 4, the Public Interest Disclosure (Whistleblower Protection) Act. The whistle-blower protection in this province is long overdue, and we will join the ranks of Ontario, Manitoba, Saskatchewan, and Nova Scotia in having protection for whistle-blowers.

Whistle-blower used to be a dirty word, Mr. Speaker. It used to be used in the same way as "rat" or "tattletale." I can't help but to see it completely differently. Whistle-blowers protect the public interest and safety by courageously stepping forward despite the odds against them. In a word, they are heroes. Heroes are selfless. They sacrifice for others. They are brave when up against insurmountable odds. They are David to Goliath, and we should do everything we can to make sure that David wins.

Allan Cutler is a hero, Mr. Speaker. He blew the whistle on the Adscam sponsorship scandal. All Canadians owe him a debt of gratitude. Adscam wasn't just about the incompetent use of tax dollars. It was about the deliberate and fraudulent use of tax dollars for political purposes. For far too long, civic-spirited public servants have been afraid to come forward or be destroyed if they do. Careers can end. Jobs can be lost. Ultimately, the liveli-

hood of a person and their family is put at risk when someone in the public service wants to step forward and bring attention to outrageous behaviour. I am pleased that after 41 years of government the party in power is finally seeing fit to bring whistle-blower legislation forward. It's about time.

There are also limitations to prevent frivolous claims against the government. Whistle-blowing is too vital to a free and healthy democracy to be bogged down with the bitterness of some. This legislation should be reserved for those who know of serious wrongdoing in public institutions.

I do, however, have many reservations. If this government is to be believed, this piece of legislation before us will protect those working in the public sector when they blow the whistle. They will not have to fear reprisal from their supervisors or from other management executives in their department.

The problem, Mr. Speaker, is that I don't believe this government. I don't believe this bill was intended to protect employees in government. This bill reads a lot like the FOIP Act. It was intended to protect the government from its employees. If this bill was intended to hold the government to the highest standards and facilitate whistle-blowing, it would read much differently. From the beginning of my reading, this bill seemed a bit suspicious. Why would the legislation only apply going forward? Wouldn't the government be interested in the violations of public trust? Wouldn't it want to know about gross mismanagement of public funds or reprisals against employees who spoke up in their departments?

11:30

One could conclude that there's something to hide, Mr. Speaker, especially since this bill, if passed, would not be implemented for some time. We'd be in limbo until it was passed. This seems less like whistle-blower protection and more like whistle-blower suffocation. What kind of message does this send to the civil service right now? The expense scandal in our health system was only brought to light by a FOIP request from the media. The government tried to hide the scandal. I would surely doubt that this government claims to be perfect, so why gag the civil service in the meantime? Why not make a promise here in the Legislature now to protect employees against reprisal from this day forward instead of at some future distant date that is undefined?

Another issue with this bill is the definition of wrongdoing. I've examined the legislation in Saskatchewan, Manitoba, and Nova Scotia. The bill we are debating is quite similar in many ways to the other provinces mentioned, but this government under the Premier has talked endlessly about being a leader in Canada. While I think we should be a leader on whistle-blower protection, we should set a higher standard of wrongdoing. As it stands in this bill, wrongdoing is limited. It's limited to gross mismanagement of funds, assets, and civil and criminal laws.

We can do better than this, Mr. Speaker. We should be looking at the ethical behaviour. What about the intimidation and bullying of our health care professionals? What about the Merali expense scandal? The CEO of Capital health signed off on Merali's expenses, yet we all know how unethical it is to have five-star dinners and luxury automobile expenses picked up by the Alberta taxpayer.

Another major concern of mine is the exemption section of this bill. To be honest, Mr. Speaker, all barn doors I've seen are smaller than this exemption. The government is asking us to trust the judgment of an ombudsman who is designated to oversee this process. Where I'm from, trust is earned, and memories are long. We have an Ethics Commissioner in this province. We have

conflict of interest legislation in this province. It is clear that the former ministers must cool off for one year before re-entering government service, especially in your own department, yet somehow Evan Berger is now a highly paid consultant for this government.

What's the point of conflict of interest rules if this government is just going to waive them when it's in their best interest? What's going to happen with whistle-blower protection in this province when anyone or anything can be exempted from the act? It's shameful, Mr. Speaker. It's absolutely shameful. Albertans do deserve better than this.

Lastly, Mr. Speaker, I want to discuss how private this legislation is, especially considering that it is designed for the public's benefit. This whole bill seems designed to keep a lid on outrageous conduct inside government. This seems far too secretive for me. This province thrives on freedom. The ministry that crafted this bill has the words "transparency" and "accountability" in its name, yet somehow this bill does not allow findings of wrongdoing to be made public by the public interest commissioner. Every avenue is designed to lead to the Premier's office and cabinet. If the commissioner is ignored by a minister or the Premier or by a deputy minister, there appears to be no recourse so that the public is aware of the situation. Ironically, this seems to be against the public interest.

I find it interesting that this bill closely follows the relevant legislation in Saskatchewan. I find it interesting because there is a significant clause in the Public Interest Disclosure Act of Saskatchewan that allows the commissioner to make a special report to the Speaker if it's in the public interest and relevant to a disclosure made to the office. Somehow section 24 from Saskatchewan fell off the truck on the way over.

I seriously hope this government reconsiders their bills and listens to the opposition so that serious progress is made on this issue. I was hopeful, Mr. Speaker, when I learned that the government would finally introduce whistle-blower legislation, the fifth province in Canada to do so. The Premier campaigned on this issue in the last election, and she campaigned on the issue when she ran for the leadership of her party. She criticized the ombudsman approach advocated by her opponent. She trashed it. Yet here we are watching this government zig when it said it would zag. Calling her actions a flip-flop cheapens the office.

I think my constituents and I don't just feel disappointed, we feel a bit betrayed. Twice the Premier promised significant reform in the way of this but has gone against something she has campaigned for. I hope for the sake of Albertans that this bill is significantly improved over the course of debate. We need to get our acts together on this.

With that, Mr. Speaker, I would like to move a motion.

Mr. Fox moved on behalf of Mrs. Forsyth that Bill 4, Public Interest Disclosure (Whistleblower Protection) Act, be not now read a second time but that the subject matter of the bill be referred to the Standing Committee on Families and Communities in accordance with Standing Order 74.2.

I have the required copies of the motion, 100, that I would like to distribute.

**The Deputy Speaker:** Please continue, hon. member.

**Mr. Fox:** I did hear earlier that there was some indication on the other side of the aisle that you would like to work together – I believe it was the Member for Calgary-South East – and I would like to take that as an olive branch with this motion. I would hope that it is passed and that we can move this to the Standing

Committee on Families and Communities so that we can work on this legislation, we can get it right, and we can do what's in the best interests of all Albertans and make sure that this is an ironclad act that goes forward out of that committee.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

**Mr. Anderson:** I'd like to speak in favour of this amendment, Mr. Speaker. I'm really looking forward to the first piece of legislation that gets referred to one of these standing policy committees. I hope the government will take a look at this and allow us to use these parliamentary committees a little bit more for things like this. We have a great opportunity, I think, to work together in those legislative committees to draft and perfect legislation. I mean, whistleblower legislation, we all agree, is a fantastic idea, but this legislation falls short.

The problem is that by putting something like this into Committee of the Whole – Committee of the Whole is a very awkward vehicle in a lot of ways to appropriately deal with legislation where there are several amendments needed. We saw an example of that this afternoon. It can be very difficult and awkward. You can make little tweaks in Committee of the Whole – that works all right – but with regard to making substantive changes to the legislation, generally that should, I think, be done in a legislative committee.

I hope that the government will think about that and will vote to accept this amendment. This is not a matter of just tweaking this bill. There are very substantive amendments that we need to bring forward. If need be, we will bring them forward in Committee of the Whole, but I think it would be a much better service to the people of Alberta if we referred this to our legislative committees and got to work on this right away.

I hope that we can vote on that in this House because I for one don't know if I can support this bill in its current form. I think that there are so many amendments that are needed to make this a strong piece of legislation. Right now I think that the Member for Edmonton-Highlands-Norwood had it right in that this is more like whistle-blower management. This isn't whistle-blower legislation. This is a way to manage whistle-blowers. I think this is a piece of legislation that is truly full of holes.

I could go through all the different amendments and things that I think we should do to fix this piece of legislation, but I'll save that for, hopefully, the legislative policy committee process. If not, then I guess we'll have to save it for Committee of the Whole.

Hopefully, we can have a vote on this now and see if we can put this to a committee.

**11:40**

**The Deputy Speaker:** Are there other speakers on the amendment? The hon. Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Speaker. I would also like to speak in support of this amendment motion. I have four amendments. I don't know how many the Wildrose caucus has and how many the NDP caucus has. The right thing would be to refer it to the committee and get it right. We don't want to, you know, pass the bill and then have to bring in another bill to correct this one, like we did before. So it will be the right choice to send it to the committee and get it right.

Thank you, Mr. Speaker.

**The Deputy Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. I rise in favour of this motion. Here we are again. A different bill, but the reality is that we are going to attempt to utilize a parliamentary tool that I don't think has been effectively used, particularly in this session. So in good faith, to bring this bill to a parliamentary committee, at least what the governing party can say is: we tried to accommodate the opposition so we can make this a good bill. At best – at best – we can get something that we all agree on and actually have something concrete that is significant, that the government will be proud of, that the opposition will support, and the public will have something with some teeth in it.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Are there others to speak to the amendment?

Seeing none, I'll call the question.

[Motion on amendment to second reading of Bill 4 lost]

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

**Mr. Hancock:** Thank you, Mr. Speaker. I think we should probably resolve into Committee of the Whole and debate another bill for another 10 hours, but I don't think anybody else thinks that, so I'd move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; the Assembly adjourned at 11:43 p.m. to Wednesday at 1:30 p.m.]

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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Wednesday afternoon, November 7, 2012

Issue 16a

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta  
The 28th Legislature**

First Session

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McIver, Hon. Ric, Calgary-Hays (PC),  
    Deputy Government House Leader  
McQueen, Hon. Diana, Drayton Valley-Devon (PC)  
Notley, Rachel, Edmonton-Strathcona (ND),  
    New Democrat Opposition House Leader  
Oberle, Hon. Frank, Peace River (PC)  
Olesen, Cathy, Sherwood Park (PC)  
Olson, Hon. Verlyn, QC, Wetaskiwin-Camrose (PC)  
Pastoor, Bridget Brennan, Lethbridge-East (PC)  
Pedersen, Blake, Medicine Hat (W)  
Quadri, Sohail, Edmonton-Mill Woods (PC)  
Quest, Dave, Strathcona-Sherwood Park (PC)  
Redford, Hon. Alison M., QC, Calgary-Elbow (PC),  
    Premier  
Rodney, Hon. Dave, Calgary-Lougheed (PC)  
Rowe, Bruce, Olds-Didsbury-Three Hills (W)  
Sandhu, Peter, Edmonton-Manning (PC)  
Sarich, Janice, Edmonton-Decore (PC)  
Saskiw, Shayne, Lac La Biche-St. Paul-Two Hills (W),  
    Official Opposition Deputy House Leader  
Scott, Hon. Donald, QC, Fort McMurray-Conklin (PC)  
Sherman, Dr. Raj, Edmonton-Meadowlark (AL),  
    Leader of the Liberal Opposition  
Smith, Danielle, Highwood (W),  
    Leader of the Official Opposition  
Starke, Dr. Richard, Vermilion-Lloydminster (PC)  
Stier, Pat, Livingstone-Macleod (W)  
Strankman, Rick, Drumheller-Stettler (W)  
Swann, Dr. David, Calgary-Mountain View (AL)  
Towle, Kerry, Innisfail-Sylvan Lake (W),  
    Official Opposition Whip  
VanderBurg, Hon. George, Whitecourt-St. Anne (PC)  
Weadick, Hon. Greg, Lethbridge-West (PC)  
Webber, Len, Calgary-Foothills (PC)  
Wilson, Jeff, Calgary-Shaw (W)  
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
    Government Whip

**Party standings:**

Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

**Officers and Officials of the Legislative Assembly**

W.J. David McNeil, Clerk	Stephanie LeBlanc, Parliamentary Counsel	Chris Caughell, Assistant Sergeant-at-Arms
Robert H. Reynolds, QC, Law Clerk/ Director of Interparliamentary Relations	and Legal Research Officer Philip Massolin, Manager of Research Services	Gordon H. Munk, Assistant Sergeant-at-Arms Liz Sim, Managing Editor of <i>Alberta Hansard</i>
Shannon Dean, Senior Parliamentary Counsel/Director of House Services	Brian G. Hodgson, Sergeant-at-Arms	

## **Executive Council**

Alison Redford	Premier, President of Executive Council
Thomas Lukaszuk	Deputy Premier, Ministerial Liaison to the Canadian Forces
Manmeet Singh Bhullar	Minister of Service Alberta
Robin Campbell	Minister of Aboriginal Relations
Christine Cusanelli	Minister of Tourism, Parks and Recreation
Cal Dallas	Minister of International and Intergovernmental Relations
Jonathan Denis	Minister of Justice and Solicitor General
Wayne Drysdale	Minister of Infrastructure
Kyle Fawcett	Associate Minister of Finance
Doug Griffiths	Minister of Municipal Affairs
Dave Hancock	Minister of Human Services
Fred Horne	Minister of Health
Doug Horner	President of Treasury Board and Minister of Finance
Ken Hughes	Minister of Energy
Jeff Johnson	Minister of Education
Stephen Khan	Minister of Enterprise and Advanced Education
Heather Klimchuk	Minister of Culture
Ric McIver	Minister of Transportation
Diana McQueen	Minister of Environment and Sustainable Resource Development
Frank Oberle	Associate Minister of Services for Persons with Disabilities
Verlyn Olson	Minister of Agriculture and Rural Development
Dave Rodney	Associate Minister of Wellness
Donald Scott	Associate Minister of Accountability, Transparency and Transformation
George VanderBurg	Associate Minister of Seniors
Greg Weadick	Associate Minister of Municipal Affairs
Teresa Woo-Paw	Associate Minister of International and Intergovernmental Relations

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on Alberta's Economic Future

Chair: Mr. Amery  
Deputy Chair: Mr. Bikman

Bhardwaj	Quadri
Blakeman	Quest
Donovan	Rogers
Dorward	Sandhu
Eggen	Sherman
Fenske	Smith
Goudreau	Starke
Hehr	Strankman
Jansen	Towle
Luan	Young
McDonald	Vacant
Olesen	

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Quest  
Deputy Chair: Mrs. Jablonski

Anderson  
Casey  
Dorward  
Eggen  
Kubinec  
Sandhu  
Sherman

### Select Special Conflicts of Interest Act Review Committee

Chair: Mr. Allen  
Deputy Chair: Mr. Luan

Blakeman  
Dorward  
Fenske  
Johnson, L.  
McDonald  
Notley  
Saskiw  
Wilson  
Young

### Standing Committee on Families and Communities

Chair: Ms Pastoor  
Deputy Chair: Mrs. Forsyth

Allen	Leskiw
DeLong	Luan
Fox	McAllister
Fraser	Notley
Fritz	Pedersen
Jablonski	Sarich
Jansen	Saskiw
Jeneroux	Swann
Johnson, L.	Wilson
Kang	Young
Kubinec	Vacant
Lemke	

### Standing Committee on Legislative Offices

Chair: Mr. Xiao  
Deputy Chair: Mr. McDonald

Bikman  
Blakeman  
Brown  
DeLong  
Eggen  
Leskiw  
Quadri  
Rogers  
Wilson

### Special Standing Committee on Members' Services

Chair: Mr. Zwozdesky  
Deputy Chair: Mr. Young

Calahasen  
Dorward  
Forsyth  
Goudreau  
Jablonski  
Mason  
Quest  
Sherman  
Smith

### Standing Committee on Private Bills

Chair: Mr. Cao  
Deputy Chair: Ms L. Johnson

Barnes	Notley
Bhardwaj	Olesen
Brown	Pastoor
DeLong	Rowe
Fox	Sarich
Fritz	Starke
Goudreau	Strankman
Jeneroux	Swann
Kennedy-Glans	Webber
Luan	

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Dr. Starke  
Deputy Chair: Mr. Lemke

Allen	McAllister
Amery	McDonald
Bhardwaj	Notley
Casey	Pedersen
Hehr	Sandhu
Jansen	Saskiw
Jeneroux	Towle
Johnson, L.	Xiao
Kennedy-Glans	Young
Kubinec	

### Standing Committee on Public Accounts

Chair: Mr. Anderson  
Deputy Chair: Mr. Dorward

Allen	Hale
Amery	Hehr
Anglin	Kang
Bilous	Pastoor
Calahasen	Quadri
DeLong	Sarich
Donovan	Starke
Fenske	Stier
Fraser	Webber
Fritz	

### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans  
Deputy Chair: Mr. Rowe

Anderson	Hehr
Anglin	Johnson, L.
Barnes	Kubinec
Bilous	Lemke
Blakeman	Leskiw
Brown	Sandhu
Calahasen	Stier
Cao	Webber
Casey	Xiao
Fenske	Young
Fraser	Vacant
Hale	

## Legislative Assembly of Alberta

1:30 p.m.

Wednesday, November 7, 2012

[The Speaker in the chair]

### Prayers

**The Speaker:** Let us pray. Dear God, as elected members of this Assembly help us to remember that we are but servants gathered here to represent a diversity of people. May the common thoughts that unite us shine brighter than those that divide us. Amen.

Please be seated.

Hon. members, just a brief reminder, if I could have your attention for a moment. Kindly be reminded that because of extremely poor weather conditions today a number of roads are closed and a number of public transit systems have been severely interrupted. As a result, we are three pages short in the number of servants that help us today. Please bear that in mind as you communicate with each other with notes and so on.

Thank you.

### Introduction of Guests

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

**Mr. Lukaszuk:** Thank you, Mr. Speaker. I, indeed, have the honour of making a very special introduction in our Legislature today. In schools across Alberta this week students are paying tribute to soldiers who have sacrificed so that we can enjoy the freedoms that we enjoy today. The soldiers we recognize are not just grandparents or great-grandparents. For many, like Tim and Sally Goddard, who are seated today in your Speaker's gallery, we are remembering and recognizing sons and daughters.

Mr. and Mrs. Goddard are in Alberta this week to join the students at Captain Nichola Goddard school in Calgary as they recognize their first Remembrance Day service in their new school. The school is named after their daughter, who was killed on May 17, 2006, while serving in Afghanistan. It was my pleasure to meet Mrs. and Mr. Goddard earlier today, hear more amazing stories about their daughter, and learn about the remarkable humanitarian work that these two parents are now doing not only in Afghanistan but throughout the world.

Joining them, Mr. Speaker, in the gallery is Lieutenant-Colonel Bill Fletcher. Lieutenant-Colonel Fletcher currently serves at the western Canadian Army headquarters here in Edmonton, but back in May 2006 he was Captain Nichola Goddard's company commander. For his leadership and bravery during that development he was recognized by the Governor General of Canada with a Star of Military Valour, Canada's second-highest military honour. May I add that only 10 Canadians have been awarded this particular order. This is an award that recognizes valour, courage, selflessness, and devotion to duty in very difficult situations. It is for that valour, that courage, and that devotion from the hundreds of thousands of soldiers who have fought or are fighting for our country that we recognize during Remembrance Day.

I would ask that all members of this Assembly welcome Mrs. and Mr. Goddard and Lieutenant-Colonel Fletcher in our Legislature. I would ask them to rise and receive our welcome. [Standing ovation]

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

**Mr. Quadri:** Thank you very much, Mr. Speaker. It is indeed my honour and pleasure to rise today and introduce to you from Edith

Rogers school 106 very enthusiastic students who are learning about democracy and the Alberta government. They are accompanied by teachers Dave Hunt, Bev Newsham, Marek Ziomo, and Nikki Kaye. I'm sorry if I pronounced your names wrong. They are here to understand and learn about our Legislature, and they will spend all this afternoon here. I would ask them to rise, please, and receive our traditional warm welcome.

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

**Mr. J. Johnson:** Thank you, Mr. Speaker. It gives me great pleasure to introduce an extraordinary Canadian to all members of this House. Lisa Schamehorn Eades is a personal friend, but she's also a personal reminder to me of the burden that our military families carry. Lisa is the widow of Sergeant Shawn Eades, who was killed in action in August 2008 while serving on his third tour of duty in Afghanistan.

Lisa and her husband are reminders of more than just sacrifice. They're reminders of the incredible work our soldiers do for others while they serve so far away. Our soldiers that fought in Afghanistan did more than just fight, Mr. Speaker, they built. They built schools for millions of Afghan children, including millions of girls who had never been allowed to go to school before. Before Canadians got to Afghanistan, there were about a million children in school in Afghanistan and none of them were women, none of them were little girls. Today there are 8 million children in schools, and about a third of those are girls. These soldiers and their families do not just change lives today; they are changing generations.

Mr. Speaker, Remembrance Day is a day to remember the fallen and those who have served our country. But we also need to remember the families like Lisa and her two young daughters, Breanna and Niya, who will wear the Memorial Cross in recognition of their sacrifice during this year's Remembrance Day ceremonies. We need to continue to remember the burden that our military families carry. I'd ask all members of this House to join me in welcoming Lisa with the traditional warm welcome of this Assembly. [Standing ovation]

**The Speaker:** The hon. President of Treasury Board.

**Mr. Horner:** Thank you, Mr. Speaker. It is an honour for me to introduce to you and through you to the members of the Assembly Ms Heather Smith and Mr. David Harrigan, whom I met with today as part of the ongoing budget consultations. Heather is the president of the United Nurses of Alberta, and David is the director of labour relations. We had a very engaged conversation this morning, and I received some tremendous advice and counsel from these two folks as well as some others. They are seated in the members' gallery this afternoon, and I would ask that you all give them the warm reception of this Assembly.

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. It's my pleasure to rise and introduce to you and through you to all members of the Assembly a constituent of mine, Brenda Bourque-Stratichuk. Brenda is involved in the Métis Nation of Alberta provincially and regionally. She is a vice-president of the region 1 aboriginal business association, chair of the Kids Are Worth It nutritional program, sits on the St. Paul Legal Aid appeals association, and much more. I'd like her to rise at this point in time to receive the traditional warm welcome of this Assembly.

Thank you.

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

**Mr. Luan:** Thank you, Mr. Speaker. It's a great pleasure to rise to introduce to you and through you to the hon. members of this Assembly a very special guest of mine, Mr. Jonathan Dai. He is a prominent scholar, a successful businessman, and a passionate community leader in the Alberta Chinese community. Along with his long list of titles because of his extensive involvement in the community, Mr. Dai is the current president of the Canada-China Council for Cooperation and Development, where he champions the promotion of trade and business relationships between Canada and China. One of the many awards he has received is a citizenship and immigration award in business research and development. Mr. Dai is sitting in the members' gallery, and I would like to ask him to rise and receive the traditional warm welcome from this House.

1:40

**The Speaker:** The hon. Member for Barrhead-Morinville-Westlock, followed by Strathmore-Brooks.

**Ms Kubinec:** Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you today to all members of this Assembly two of our province's long-time farmers and constituents of mine. Danny and Elaine Lyons are from Westlock, and they braved those roads. This shows you part of their fortitude. They celebrated the family's Alberta Century farm and ranch award this summer. This means that the Lyons family has continuously farmed in Alberta and have been dedicated contributors to our province's agricultural industry for over 100 years. Danny and Elaine are deeply involved in their community at Hazel Bluff and continue to live and farm on the family's original homestead to this day. Our province is blessed with so many hard-working farm and ranch families. I am proud to be able to welcome Danny and Elaine to the Legislature today. I would ask them to rise and receive the traditional warm welcome and greetings from our Assembly.

**The Speaker:** The hon. Member for Strathmore-Brooks, followed by the Minister of Environment and SRD.

**Mr. Hale:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all the members of the House seven board members of the Newell Foundation, who have joined us today all the way from my constituency of Strathmore-Brooks. As I call their names, I would like to ask them to rise: Yoko Fujimoto; Debbie Ackerley; Molly Douglass, who, I may add, was my junior high language arts teacher; Sheila Evans; Ike Schroeder; Barry Morishita; Cathy Stephenson. I would now like to ask the members of this Assembly to give our esteemed guests the traditional warm welcome.

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

**Mrs. McQueen:** Thank you, Mr. Speaker. It's a pleasure for me to rise today to introduce to you and through you to all members of this Assembly two really great guests that we have in the members' gallery. Today I'm proud to say that we have our director of communications in ESRD, Mr. Andy Weiler, here with us and a very special guest that he has with him, his daughter Megan, who is with Andy today on a take your kid to work program. They've had a great day getting back and forth and joining us here at the Legislature and had some extra bonding time as they were travelling from home to here. Please, I would ask them to rise and receive the traditional warm welcome of this Assembly.

## Members' Statements

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

### MLA Remuneration

**Mr. McAllister:** Thank you, Mr. Speaker. It is an honour to rise today. I'd like to go back a few years to April of 2008. Premier Stelmach and the Alberta PCs have just won an election. They are riding high. They are on top of the world, feeling so good about themselves, in fact, that their first official act is to go behind closed doors and give themselves a 34 per cent pay increase. I remember that, and I know a lot of Albertans remember that. I would suggest it's a major reason there are 17 Wildrose MLAs over here today.

You think that would have taught them a lesson, but here we are four and a half years later and it's like a rerun. We're watching a bad movie all over again. Until a day or so ago, Mr. Speaker, MLA compensation was roughly \$145,000 a year. Well, now it's \$156,000 a year. PC members say that that's a pay cut. I guess we can figure out why they can't balance the budget.

I ask rhetorically how many of them would be here today if they told their constituents: a vote for me is a vote for another MLA pay raise? It doesn't require an answer. What it shows, though, is that you can change the leader of the party, but you can't change the culture. The Premier came to office promising to deliver change, a different way of governing: more open and transparent, more accountable to Albertans. I'd like to believe that she was sincere, I really would, and she's merely discovering what many Albertans already know, that you can't change the culture.

That's why I'm proudly on this side. I stand with a Wildrose leader and Wildrose MLAs that believe in giving back to Albertans, not taking from them.

Thank you.

### Political Party Fundraising

**Mr. Bilous:** Mr. Speaker, as days go by, Albertans are learning more and more about the PC financing and cheating strategies, especially when it comes to fundraising. First there was the Daryl Katz fiasco and his \$430,000 donation to the PC Party. Then we learned about Joe Lougheed and how he billed the Alberta College of Art and Design \$150,000 for setting up meetings with senior Tory staff and a minister on top of shelling out thousands of dollars' worth of tickets to Tory fundraisers. Now we're learning about a top executive at the Southern Alberta Institute of Technology soliciting political donations for the Tories.

With so much questionable money flowing into the PC's piggy banks, we're demanding answers. This government cannot be trusted to be straight with Albertans when it comes to money and donations. This Premier, when she was the Justice minister, buried efforts to include donations to her party's leadership race in disclosure legislation, so how can Albertans trust her and her government to clean up the financing of politics in this province?

Mr. Speaker, New Democrats have long been the only voice in Alberta demanding a thorough housecleaning. That's why we've called on the Chief Electoral Officer to investigate the Katz donations, and we have just submitted another request, for another investigation into Joe Lougheed's illegal fundraising tactics.

This government needs to take immediate action to prevent another Katz fiasco and to stop Tory influence peddling by making changes to the election financing legislation. New Democrats, like most Albertans, want to see a ban on corporate and union donations. Mr. Speaker, we need strong and principled

election finances legislation. It's the only way to protect our democracy and to finally have a government that cares about the needs of Alberta's middle-class families. How can the Progressive Conservatives call themselves progressive when they continue to fail to be transparent and accountable to all Albertans?

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

#### **Captain Nichola Goddard School**

**Ms Jansen:** Thank you, Mr. Speaker. Across this great province we have hundreds of schools where excellence in teaching and learning take place. Each of those schools is named by its respective jurisdiction and can reflect a prominent or influential community member or historical figure. We can add Captain Nichola Goddard to that list.

This past August the new Captain Nichola Goddard school in Calgary opened to students. The school was named to honour the life, service, and sacrifice of Captain Nichola Kathleen Sarah Goddard, a devoted Canadian, a leader, a wife, a daughter, a friend, and someone who had an infectious smile that could cheer up anyone anywhere at any time. On May 17, 2006, in Kandahar province, while moving her vehicle to provide better protection for a group of soldiers, Captain Goddard was killed when her vehicle was attacked by the Taliban.

Captain Goddard believed that her service would create opportunities for other people to build a better life, specifically through education, Mr. Speaker, and it has. Our military recognized her leadership and posthumously awarded her the meritorious service medal. Her love of life, learning, and service lives on through several significant honours, including scholarships at the University of Calgary and the University of Prince Edward Island. In recognition of Goddard's heroic service to our country the government of Canada announced that the Canadian Coast Guard would name a new patrol vessel in her memory.

Mr. Speaker, with Remembrance Day approaching, we are honoured, humbled, and proud to have Captain Nichola Goddard's name attached to one of Alberta's schools and equally touched to have her parents, Tim and Sally, in the gallery today. Her name and her legacy are now enshrined in our great province, and she will never be forgotten. [applause]

Thank you.

#### **Oral Question Period**

**The Speaker:** The Leader of Her Majesty's Loyal Opposition.

#### **MLA Remuneration**

**Ms Smith:** Thank you, Mr. Speaker. Yesterday PC MLAs voted themselves an 8 per cent pay raise for all MLAs. Now, the Deputy Premier issued a press release saying that it was a cut, but it's not; it's a raise. The full package makes us the second-highest paid provincial MLAs in the country. It doesn't really matter how you try to mask it. It's another 8 per cent increase when Alberta is running a \$3 billion deficit. The PC caucus may believe it is a cut. No one else does. It's a raise. Period. I may have missed something, though. Did the Premier campaign on this?

1:50

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

**Mr. Lukaszuk:** Thank you, Mr. Speaker. Indeed, the Leader of the Opposition has missed, and she has missed a lot. She missed the fact

that this Premier has now eliminated any and all committee pay. She missed the fact that this Premier has eliminated any and all transitional pay. She has also missed the fact that Alberta now is the only province in Canada with no transition pay. She also missed the fact that this Premier eliminated the tax-free allowance. She also misses the fact that this Premier made sure that we don't get a pension plan, and she misses the fact that before the election MLAs were receiving from taxpayers \$170,000. Now they're receiving \$156,000.

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

**Ms Smith:** Thank you, Mr. Speaker. I'd like to teach the Deputy Premier some basic math because they're ignoring that in their lame defence. The transition allowance, committee pay, and tax-free allowances were not part of the package that newly elected MLAs receive. For the last six months, up until Tuesday morning, an MLA made about \$145,000, but by Tuesday afternoon an MLA made more than \$156,000. That's a raise. Why do they defend it?

**Mr. Lukaszuk:** You see, Mr. Speaker, how convoluted they have to get to make this seem confusing. The fact is that it is this Premier that eliminated all those additional benefits as of this election. The fact is that they were receiving from taxpayers \$170,000. The fact is that they are now only receiving \$156,000. Let me tell you one more thing. Also, the fact is that now they have the opportunity to completely opt out from any RRSP if they choose to do so, and I hope that they do.

**Ms Smith:** Well, Mr. Speaker, the PC majority wanted this extra money, and now they have it. They used all kinds of manoeuvres to get it, including renaming the transition allowance a departure allowance. Of course, that didn't work. So now they're renaming a raise by calling it a cut. That won't work either. Is this the sort of thing the Premier was referring to when she talked about raising the bar on accountability?

**Mr. Lukaszuk:** Mr. Speaker, the Leader of the Opposition may want to get as cute with the numbers as she wishes to. The facts are simple: \$170,000 down to \$156,000, no additional pay, no hidden pay, no transition allowance, no pension, transparent, and now an added ability for opposition members, if they choose to do so, to opt out from any and all RRSP contributions.

**Mr. McAllister:** Mr. Speaker, when I got elected in April, I was more than happy to find out our compensation would be roughly \$145,000. Suddenly, in the last day or two, though, it's become \$156,000. Now, I'm no veteran of the intricacies of this Legislature and all the complexities of being an MLA, but I'm pretty sure that 156 is greater than 145, and I'm pretty sure the public gets that, too. Do you understand how the public feels about that, Premier? [interjections]

**Mr. Lukaszuk:** Mr. Speaker, what I know is that the public in the last election voted for a Premier who has undertaken to eliminate committee and no-meet committee pay. [interjections] She has undertaken to eliminate transition pay. They have voted for a Premier who will make sure that Alberta is the only jurisdiction in Canada that doesn't have any transitional allowance. They have voted for a Premier who wanted a very transparent payment method to MLAs, and they voted for a Premier who brought down the pay of all MLAs of this Alberta Legislature from \$170,000 before the election to \$156,000 as of yesterday.

**The Speaker:** Hon. members, the noise level is starting to creep up a little bit. It's reminiscent of the kind of weather we're having out there, not good. Please be reminded that whoever has the floor has the right to speak and be heard.

The hon. member.

**Mr. McAllister:** Thank you, Mr. Speaker. The ripple effect of voting yourself a big raise will be felt across the province. Regular, hard-working Albertans can't do it, unions can't do it, and even though the government is insisting that more money is less money, anyone with a pencil can figure out it isn't. Well, maybe not quite anyone. How will the government spin this 8 per cent raise that it gave itself to the very unions it's trying to negotiate with?

**Mr. Lukaszuk:** Well, it's great that this member is advocating for union raises. We chose not to take a raise. We chose to take a pay cut, and the numbers are very simple.

Let me also add that we have sought the advice of a retired Supreme Court of Canada justice, Justice Major, who reviewed all of the pay of MLAs throughout the country and made his recommendations. His recommendations were significantly richer, which we have not adopted either. As a result, Mr. Speaker, it's as simple as this: from a \$170,000 cost to taxpayers before the election to \$156,000 as of yesterday.

**Mr. McAllister:** Mr. Speaker, the only thing this government needs to cut in addition to the 8 per cent raise is the baloney it dishes out on a daily basis.

Given that doctors have stopped negotiations on a new contract and they're struggling to negotiate a contract with teachers, why doesn't the government understand that an 8 per cent raise for MLAs is a terrible precedent and will make these sensitive contract negotiations more difficult?

**Mr. Lukaszuk:** Mr. Speaker, unlike all the professionals that this member referred to, we are not taking a pension plan either. No, we will not be using this as a guideline for negotiations with other unions because we do not expect other unions to take an 8 per cent cut or from 170 to 156.

**The Speaker:** The hon. Leader of the Official Opposition.

### Justice System Review

**Ms Smith:** Thank you, Mr. Speaker. We continue to ask for an immediate, third-party investigation into the case of the Airdrie girl and several other cases where delayed prosecutions resulted in dropped charges. Even Theoren Fleury, the former Calgary Flame, himself an abuse victim and now an outspoken advocate for victims, says that the Premier is passing the buck, and he's also called for a full investigation. He says that by the time pedophiles get caught, they typically have over 100 victims, yet the government accuses us of playing politics. Why don't they shut us up by ordering a full independent investigation right now?

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

**Mr. Denis:** Thank you very much, Mr. Speaker. This has been asked and answered several times through the House, and I'll answer it one more time. We will and we have undertaken a full and complete independent investigation. If that investigation at its conclusion indicates that we need an external review, we'll go and look at that. Let's let this process work itself out. Let's not politicize what is a very serious and important issue for all Albertans.

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

**Ms Smith:** Thank you, Mr. Speaker. The government claimed the girl from Airdrie was an isolated case, but we are aware of multiple cases where delays in prosecution have forced judges to dismiss charges, denying victims their day in court. Now, judges call these delays egregious and unacceptable, prejudicial, unexplained, and unjustified. The minister wants to spend months having the department investigate itself. That's another delay. Why not do it properly, completely, and independently right now?

**Mr. Denis:** Mr. Speaker, again, that is exactly what we are doing. It saddens me deeply that the Leader of the Opposition has no respect whatsoever for our judicial process in this province. [interjections]

**Ms Smith:** Mr. Speaker, there's the little girl from Airdrie we learned about last week: no justice for her. The victim of a Calgary gang rape: no justice for her. A Calgary woman who was sexually assaulted in 2003 never had the case go to trial because of delays: no justice for her. [interjections] How many more cases does this government need to see before it finally acts to restore public confidence in our justice system?

**The Speaker:** Hon. members, please. May I ask you, particularly those in the front row here, a couple of you: don't heckle when your own leader is asking a question. Let her get out the question. Okay? Please. It's recorded, and I have several examples. I'll be happy to play them for you.

**Mr. Denis:** Mr. Speaker, for the final time today, Thursday we found out about this issue, and Thursday I ordered the investigation. We are acting. This is a very serious issue, and I thank the member for her concern over this particular issue but also for all sexual assault victims throughout the province.

**The Speaker:** The hon. leader of the Alberta Liberal opposition.

### Child Poverty

**Dr. Sherman:** Thank you, Mr. Speaker. Society is measured by how it treats its weakest members, and I can think of no one weaker than the 70,000 vulnerable Albertan children living in poverty. Speaking of heckling, just yesterday the Finance minister wished the Human Services minister "good luck" in response to a question on funding child poverty. To the Premier. Your government doesn't have a problem using taxpayer money to fund fancy dinners and pensions. Why can't you just spread the luck around to help lift our children out of poverty?

2:00

**Mr. Hancock:** Mr. Speaker, it's not good luck that Alberta children are looking forward to ending poverty; it's good government, good management, and good leadership. Our Premier has made a commitment to the people of Alberta that we will have a poverty reduction strategy. We will help those children get the type of life that they need in this province and the opportunity to participate and the opportunity that we celebrate in this great province.

Now, the Provincial Treasurer said "good luck" in jest yesterday in answer to a question. He actually has wished me good luck many times, and I need good luck because this is not an easy task. This is a very, very important task, and it's one that takes good effort.

**Dr. Sherman:** Mr. Speaker, to these guys it might be a joke, and they can wish each other luck and pat themselves on the back, but Alberta's working families are struggling to put food on the table



and pay the bills and the fees that this government has downloaded onto them.

Given that promises such as the social policy framework and the elimination of child poverty cost real money, not lucky money, to the Minister of Finance: how much luck do our children need to have you fund child poverty reduction?

**Mr. Horner:** Mr. Speaker, it isn't about luck. I will wish all of my colleagues the best of luck in this Assembly to accomplish the tasks that they've set out to do. I have full confidence that this minister is going to be able to do that. I am also going to be very proud to be the Finance minister that helps him do that and to achieve the vision that this Premier has set forward with my colleagues on this side.

**Dr. Sherman:** Mr. Speaker, the better that this government funds child poverty, the luckier our children are going to get. Given that this Premier's promise to end child poverty in five years is so far down on its luck since the Finance minister here wants to play the Grinch by refusing to fund it, to the Premier. Please get up and answer this question. In light of your Finance minister's refusal to fund the ending of child poverty, is this just another broken promise or another flip-flop?

**Ms Redford:** I truly congratulate the hon. member for trying to come up with creative words to ask entertaining questions. At no point, Mr. Speaker, has anyone on this side of the House ever suggested in any way that this government was not prepared to fulfill its commitment to fund our child poverty reduction strategy. If we look across the province with stakeholders on what is happening with respect to consultation to end child poverty, we are doing solid work. This minister is doing solid work. Our Minister of Finance and President of Treasury Board is doing solid work, and we are going to keep our commitment.

### Election Finances Legislation

**Mr. Mason:** Well, there's a first time for everything, Mr. Speaker.

When it comes to election financing, the PCs are serial cheaters. We've seen Tory bagmen entice municipal councils, school boards, Métis settlements, and postsecondary institutions to break the law. When they're caught red-handed, the Chief Electoral Officer refuses to reveal details of the law-breaking. To the Premier: when will this government crack down on the biggest election finance lawbreaker in this province, the Alberta Progressive Conservative Party?

**Mr. Denis:** Mr. Speaker, I thank the hon. Member for Edmonton-Highlands-Norwood for his inquiry about the Election Act. It's interesting because back in May I said that we would be bringing in amendments. Guess what? We are bringing in amendments to deal with the issues that he had raised.

**Mr. Mason:** Oh, well, I'm just so relieved, Mr. Speaker.

Given that yesterday I wrote to the Chief Electoral Officer asking him to investigate an invoice sent to the Alberta College of Art and Design by Tory bagman Joe Loughheed for tickets to a Tory fundraising dinner and given that the same Tory bagman pulled the same stunt with the University of Calgary, when will this PC government take decisive action to stop illegal fundraising activity by the PC Party?

### Speaker's Ruling

#### Questions about Political Party Activity

**The Speaker:** Hon. members, I know it's Wednesday, and I realize that many of you have sat until almost midnight or after

midnight for a few days in a row. I understand that tomorrow is Thursday, and there's going to be a break for a week, but that doesn't mean that we should relax the rules to the point where they can be broken.

Hon. Member for Edmonton-Highlands-Norwood, you know what the rules are concerning questions about party matters. So I would ask you, if you wish to rephrase that question, to please do so.

### Election Finances Legislation

(continued)

**Mr. Mason:** Mr. Speaker, I will rephrase this question. The question is: when will the government – the government – who is responsible for enforcing the laws of this province, take decisive action to stop illegal fundraising by a certain unnamed political party?

**Mr. Denis:** Once again, Mr. Speaker, there are very clear rules that this government has established related to conflict of interest, related to lobbying, related to donations. We have a Chief Electoral Officer that's independent.

At the same time, beating that dead horse I've had the last couple of days, I want to quote for this member, so he understands, Dr. Daniel Doz today: I want to be very clear; at no time did Alberta College of Art and Design use public dollars to make donations to a political party or to purchase tickets to political events.

Thank you.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. Given that yet another Tory bagman, a senior executive at the time at the Southern Alberta Institute of Technology, used her work e-mail to illegally solicit political donations from the Alberta College of Art and Design for a Tory fundraiser, will the Premier admit that a pattern of corruption and illegal activity on the part of the PC Party exists and that this government is utterly incapable of fixing the problem?

**The Speaker:** Hon. members, let's move on.

### Justice System Review

(continued)

**Mr. Anderson:** Mr. Speaker, we all now know about an Airdrie girl losing her rights to justice because court delays resulted in the case against her accused rapist being dropped. One of the reasons being given to her by the Crown was a shortage of courtroom availability and staffing. This Premier and her minister have repeatedly claimed in this House that this was just one case, an isolated incident. If this is an isolated case, Minister, why yesterday did your internal investigator into this issue tell the *Calgary Herald* that so far this year eight cases in Edmonton and Calgary have been stayed as a result of lengthy court delays? Is that an isolated issue, sir?

**Mr. Denis:** Mr. Speaker, whether it's an isolated issue or not, one occurrence is one too many, and this is something this government takes very, very seriously. As we move on, I would ask this member to join me in supporting the process that we've outlined and waiting for the process to go through so we know exactly what happened so that this may never happen again.

**Mr. Anderson:** This process needs to be greatly expanded. I think we can all see that now. It is clear that our justice system, the one this minister and this Premier are responsible for, is overburdened and unable to keep up, and as a result of that, victims of serious crimes are being revictimized. Isn't it clear to this minister that he is failing to protect Albertans by not ensuring there are enough prosecutors, judges, and courtroom time to deal with dangerous sexual predators, who now think they can get away with anything in this province? Are you going to spend the resources needed to unclog our system and protect Albertans?

**Mr. Denis:** Well, Mr. Speaker, this was an important issue for this government long before this member brought this very important issue to this House. Just this year I've appointed two more Provincial Court judges. Next year I'm appointing additional Provincial Court judges. Last week at the national Justice ministers' meeting in Regina I lobbied Justice Minister Rob Nicholson for more Queen's Bench justices to deal with the growing population and caseload in this province. I hope this member will join me in continuing to push for more judges on the federal level as well.

**Mr. Anderson:** Lobby harder, Minister.

How about this idea, though? Given that the PCs just gave every MLA in this House a raise of \$11,000 per person, why don't we forgo that raise as a group here and instead use that to hire another judge and three Crown prosecutors to deal with violent crimes like the one in Airdrie and actually start spending money on the priorities that will help protect Albertans rather than spending taxpayer money lining the pockets of PC politicians and cronies? How about that for an idea?

**Mr. Lukaszuk:** Mr. Speaker, I have to tell you that I find it almost abhorrent how an issue that is not only important because it pertains to justice but actually pertains to victims that they have chosen to name in this House – how they would politicize that and link that to MLA pay and other political innuendos. Having said that, the Premier and the Minister of Justice have been very clear. One, let's find out what truly happened in those cases, and we shall find that out shortly. If indeed it is believed that there was something wrong, we will bring in outside investigators as required. But let's not forget that this minister and this Premier have been lobbying the federal government for more Court of Queen's Bench judges.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by Rimbey-Rocky Mountain House-Sundre.

2:10

#### Alberta-U.S. Relations

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. It's no secret that what happens in the United States has a significant effect on Alberta's economic interests. I'm concerned, quite frankly, that Alberta's message as a responsible energy producer risks not being heard in many quarters of the United States. My question is to the Minister of International and Intergovernmental Relations. How will he ensure over the next four years that American lawmakers appreciate that there is no better place in the world than Canada to help the United States meet its energy security needs?

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

**Mr. Dallas:** Thank you, Mr. Speaker. Alberta-U.S. relations are absolutely fundamental to the success of our province. Our

Premier has made it a priority to travel to the United States to meet face to face with key decision-makers. One would need to look no further than her historic meeting with the Speaker of the House of Representatives, the chair of the Democratic National Committee, and also key administrative representatives. She's made it very clear to me that the next four years present a tremendous opportunity for Albertans and that our level of engagement in the U.S. and on both sides of the border must increase significantly, and it will.

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

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. My second question is to the same minister. What specific Alberta-U.S. engagement strategies and actions will you promise will be taken to ensure that Alberta's access to U.S. markets remains a priority of this government?

**Mr. Dallas:** Well, Mr. Speaker, it's of critical importance that we continue to work on strategies that eliminate impediments to the more efficient flow of goods and services across borders. We'll work to develop new markets. There remain significant opportunities to expand our share of the U.S. market for a wide variety of commodities, products, and services. While the U.S. is our largest trading partner, we'll be closely watching how the U.S. leadership handles the health of their economy. No doubt this underlines the commitment that we have to diversifying our markets. It's critical to our future.

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

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. My third question is to the Minister of Energy. With the same President and the same Congress in place in the United States, what does he think of the odds of the Keystone XL pipeline being approved and in a timely manner?

**Mr. Hughes:** Well, Mr. Speaker, I remain optimistic about this project. Obviously, the southern leg down to the Gulf coast has already been approved and is under construction. We know that the issues with respect to Nebraska are being addressed by the local processes there. This government, though, will continue to engage with U.S. lawmakers to ensure that they are fully aware of the importance of this pipeline and of the energy security that Alberta and Canada can provide. Canada and Alberta in particular remain the safest, friendliest, most secure source of energy for America.

**The Speaker:** Thank you.

#### Speaker's Ruling Seeking Opinions

**The Speaker:** Let me just point out some things as we go. *Beauchesne* 409, hon. member, would tell you that a question during question period "ought to seek information . . . [but] cannot seek an opinion." Just a reminder.

Let us move ahead. The hon. Member for Rimbey-Rocky Mountain House-Sundre.

#### Rolling Power Outages

**Mr. Anglin:** Thank you, Mr. Speaker. This week we learned from the Market Surveillance Administrator's report that the July 9 brownouts that gouged Albertans were caused by improperly set controls. The report didn't mention or investigate the forced

reduction of electricity imports at precisely the same time, when the system desperately needed only 200 megawatts of electricity to avoid brownouts. Can the minister explain this omission and discrepancy?

**Mr. Hughes:** Well, Mr. Speaker, what the MSA, the Market Surveillance Administrator, found in their purview and in the work they did was that there was no collusion evident on the 9th of July. However, I am still awaiting another report from AESO, the system operator, and I'll look forward to seeing that full report. Like the hon. member opposite, I want to ensure that Albertans continue to have confidence in the electrical system in this province, that when they turn on the lights, the lights go on, and that we continue to have cost-effective electricity throughout this province.

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

**Mr. Anglin:** Thank you, Mr. Speaker. Given that the data indicate that the system operator, in effect, turned off as much as 400 megawatts at precisely a critical time when the system only needed 200 megawatts to avoid brownouts, quoting the minister, was this "an opportunity for a good conspiracy" to curtail electricity imports to manipulate prices, or was this incompetence just part of the systems operator carrying out this government's failed policies?

**Mr. Hughes:** Well, Mr. Speaker, there is plenty of opportunity for conspiracy theories in the world, and this is just another example of one of them. I would say that this hon. member, clearly, I believe, could run the system better, could plan it better, and could build it better than any other Canadian. You know what? That's a big ambition.

I would prefer to listen to the experts who actually are on the front lines every day doing their best to serve the people of Alberta to ensure that they have a robust electrical system in this province.

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

**Mr. Anglin:** Thank you, Mr. Speaker. I can guarantee you that I can run it better than any sitting cabinet minister. Thank you very much.

Will the minister undertake to table and explain to this Assembly why the Market Surveillance Administrator failed to investigate the reduction of imports when the system desperately needed that electricity to avoid brownouts and provide this Assembly with a detailed record of the flow of electricity imports for that day, July 9, 2012?

**Mr. Hughes:** Mr. Speaker, I made the commitment on the 9th of July and on the 10th of July that I wanted to understand what happened that day, as all members of this Legislature would as well. I made a commitment that there would be full disclosure of the results of that review, and I will do that.

**The Speaker:** The hon. Member for Calgary-Hawkwood, followed by Calgary-Buffalo.

### Market Access to China

**Mr. Luan:** Thank you, Mr. Speaker. China has recently emerged as an economic powerhouse in our global economy. As such, many jurisdictions around the world have developed strategies to increase trade with China. To the Associate Minister of International and Intergovernmental Affairs. You mentioned the work that you have started on the Asia Advisory Council earlier this week in the House. What else is Alberta doing to enhance specific trade opportunities with China?

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

**Ms Woo-Paw:** Thank you very much, Mr. Speaker. Indeed, I cannot stress enough to this Assembly the importance of China as a key market for this province. China places a very high priority on fostering close personal relationships with jurisdictions that they enter into business and cultural opportunities with. We have been doing this through direct relationships through successful missions by our Premier and other ministers along with the work of our Alberta offices in Hong Kong, Beijing, Shanghai, and Taipei. In addition, the work of the business community, cultural organizations, and postsecondary institutions has successfully been building dynamic relationships with China in energy, agriculture, science and technology, and culture.

Thank you.

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

**Mr. Luan:** Thank you, Mr. Speaker. To the same associate minister. As you are aware, there are Albertans that currently live here that already have cultural and economic ties with China such as the Chinese Professionals and Entrepreneurs Association and the Canada-China Council for Cooperation and Development, like Mr. Dai I introduced earlier. To those Albertans, some of them living in my riding, what specifically is the government of Alberta going to partake in to take the strengths that they have to advance our interests?

**Ms Woo-Paw:** Well, Mr. Speaker, the member is correct. Local communities and cultural organizations are important ambassadors for our province, building very positive impressions of Alberta and Canada abroad. Our government works to ensure that the voice of Alberta's Chinese community is reflected in our policies, and we work to develop opportunities such as educational and cultural exchanges. We work with the organizations the member mentions in areas such as supporting ongoing missions and incoming visits by Chinese officials and other delegations.

2:20

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

**Mr. Luan:** Thank you, Mr. Speaker. The last supplemental question is to the same associate minister. In your recent trip to China what specific outcomes did you achieve to enhance the economic and cultural opportunities that you talked about earlier?

**Ms Woo-Paw:** Well, Mr. Speaker, we saw some very important immediate outcomes during this mission, including agreements with leading business development organizations, who agreed to offer exciting international work experience for Alberta graduates. A very exciting follow-up visit has just been confirmed with a Chinese organization seeking to collaborate with us and bring positive results to our province. We continue to work on different initiatives with groups that have a strong interest in what Alberta has to offer in terms of technology and knowledge and know-how. We have a strong relationship with China, and we'll make it bigger and stronger.

Thank you.

### Political Party Fundraising

**Mr. Hehr:** Well, Mr. Speaker, another day, another scandal. Today we learned of another situation of Progressive Conservative Party insiders working at publicly funded institutions breaking clear election laws by fundraising for the PC Party. What makes the details so perverse is that the individual was actually engaged in

fundraising while at work at her computer at SAIT and that she is soliciting funds from another public institution, the Alberta College of Art and Design. To the Deputy Premier: is it government policy to find PC loyalists jobs at publicly funded institutions?

**Mr. Lukaszuk:** Mr. Speaker, two points on this matter. This member has been reminded on a number of occasions in this House that if he has any concerns with any member of the Alberta public doing something that doesn't adhere to our laws, he knows exactly where to turn. He should go to the elections officer or the Ethics Commissioner to report that. To date, they haven't.

Also, let me remind this member that even though, Mr. Speaker, you don't like to talk about political parties over here, the PC Party is the only party that listed any and all donations that they may have received in error and posted them on their website. Now I challenge the parties opposite to do just the same and post their donations that they received that they shouldn't have.

**Mr. Hehr:** That's just wonderful, but is the Deputy Premier telling me that it's a case of good luck that Tory insiders continue to get jobs in key positions and government relations departments in our universities and colleges, or is it government policy to ensure that members of the family are positioned strategically in these institutions to do the government's bidding?

**Mr. Denis:** I will not entertain any of the Member for Calgary-Buffalo's baseless conspiracy theories on this matter. We've been very clear. This government has been very clear. Donation activity from a postsecondary institution is unacceptable. If this member has some information or, again, wants to report this to the Chief Electoral Officer or the Ethics Commissioner, as the Deputy Premier mentioned, I would in fact insist that he do so.

**Mr. Hehr:** All that I'm asking the minister is to use common sense. You look at the names of Tories who have been named as fundraisers for these various institutions. It's clear. I'm just wondering if it's government policy whether you find these people jobs or not.

**Mr. Denis:** Mr. Speaker, it is not up to me or anybody else in this entire Chamber to tell an educational institution as to who it goes and hires. I will just leave, again, these baseless conspiracy theories over across the aisle and take my seat. Hopefully, this is the last time we have to answer this question today.

#### Edmonton Down Syndrome Clinic

**Mr. Bilous:** Mr. Speaker, today is the last day of National Down Syndrome Awareness Week. Ironically, due to Tory cuts Alberta Health Services is eliminating funding for the nurse co-ordinator position at the Edmonton Down Syndrome Clinic in the Stollery children's hospital. Despite recognizing this position as an essential health service in 2011, this government is now trying to download the costs onto a local charity. To the Minister of Health: how can this minister justify cuts to this essential service?

**Mr. Horne:** Well, Mr. Speaker, our first and only concern as a government is to ensure that the needs of these young children and their families are met. I have spoken with Alberta Health Services today. I am assured by Alberta Health Services that this program is not ending, that it will continue. I expect Alberta Health Services to work with the families and with the community organization that represents these families to find an acceptable solution to this issue.

**Mr. Bilous:** Mr. Speaker, given that instead of funding this essential service, this government chooses to pay for things like unused London hotel rooms, will the minister admit that forcing parents to hold a bake sale for essential services is a slap in the face to families affected by Down syndrome?

**Mr. Horne:** Well, Mr. Speaker, this is a very irresponsible distortion of the facts of this situation. As I said in my earlier answer, my office was in contact with Alberta Health Services earlier today. We are assured that this clinic is not shutting down, and I have indicated very clearly to AHS that they need to work with the families and the community organization that represents those families to ensure that these services continue to be provided.

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

**Mr. Bilous:** Thank you, Mr. Speaker. Given that during the PC leadership race the Premier's website said, "I want to identify services that can be transferred to community leadership or privatized" and given that this service has now been passed off to community leadership, can the Premier tell us regarding services for kids with Down syndrome: is this what she had in mind?

**Mr. Horne:** Mr. Speaker, apparently the hon. member is not interested in the answer that I gave him to his first question. I will say to him and to this House once again: there is no jurisdiction in this country and there is no Premier in this country and no government that is more committed to the needs of families and children with Down syndrome than that in Alberta.

#### Driving Competence Test

**Mrs. Towle:** Mr. Speaker, once again this government is confused and inconsistent. The Minister of Transportation indicated that the DriveABLE program is under review, but Alberta Transportation says that there's no agreement with DriveABLE. It seems reasonable to believe that at some point in time there had to be a discussion on the requirements and criteria that would be used when making the decision to revoke the licence of a senior. Assumedly, those discussions would have been held with DriveABLE. Given that we are hearing from many unsuspecting seniors from across this province that they are concerned about the impact of this DriveABLE program, will the minister share with Albertans how the government decided the results of this program would be part of the criteria used in revoking the licences of seniors?

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

**Mr. McIver:** Thank you, Mr. Speaker. I'm not sure that the hon. member knows just how badly she embarrassed and insulted herself with the irresponsible and inaccurate member's statement on this topic that she made in the House yesterday, but we will be correcting that in due course.

Mr. Speaker, the only person that has the authority to take away a driver's licence is the registrar. They use a wide range of evidence, including medical evidence. The evidence may include DriveABLE exams amongst others. When that happens, a person can always go to the Alberta Transportation Safety Board.

**Mrs. Towle:** One only has to wonder if the minister has some cognitive issues he may need to deal with here as well.

Given that there is no agreement with DriveABLE, can the Minister of Transportation explain how this private company would be allowed in any way, shape, or form to share any of the

personal medical information that it obtains from unsuspecting seniors with Alberta Transportation?

**Mr. McIver:** Mr. Speaker, doctors can refer patients to this DriveABLE organization, who can share the information with the doctor as part of their reference. That's how they get involved in this.

**Mrs. Towle:** Unbelievable. They share the information with Alberta Transportation as per an e-mail directly from Alberta Transportation, and I'm more than willing to table that, Mr. Speaker.

Given that many seniors across the province are wondering if they'll be the next ones who will be asked to put their licence at risk, can the Minister of Health table the agreement that must be in place that allows for the use of DriveABLE technology being used at many of our health care facilities across Alberta?

**Mr. Horne:** I don't know what specific information the hon. member is referring to. If she'd care to provide me with some specifics of her request, I'd be very pleased to table whatever information I have.

**The Speaker:** The hon. Member for Leduc-Beaumont, followed by Cardston-Taber-Warner.

#### Transportation Infrastructure

**Mr. Rogers:** Thank you, Mr. Speaker. With the growth in Alberta's international region transportation infrastructure is a major concern not only for the efficient movement of goods and services but also for the safety of those who work in the economic heartland of the Leduc Industrial Park, the Nisku Industrial Park, and the Edmonton International Airport. One of the major outstanding projects in my constituency is the 65th Avenue overpass, linking the city of Leduc to Port Alberta. My question to the Minister of Transportation: what is the status of this project within your department?

2:30

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

**Mr. McIver:** Thank you, Mr. Speaker. I thank the member for the question. We continue through Alberta Transportation to work with the city of Leduc, the Edmonton International Airport, and area developers to determine the best course of action for this particular intersection and how best to share the costs. At this point road construction is not on the three-year plan, but as I've stated before in this House, we will continue to consider it in priority based on needs, based on development, based on safety and a number of other important criteria.

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

**Mr. Rogers:** Thank you, Mr. Speaker. Given that Port Alberta is an ambitious project that benefits all of northern Alberta by providing a commercial hub for goods transported by air, ground, and rail, can the minister update Albertans on what the province is doing to support this economic resource?

**Mr. McIver:** Mr. Speaker, I recognize the importance of Port Alberta, and Alberta Transportation is working on the Alberta transportation strategy, which is a long-term, multimodal strategy to improve transportation safety and security in Alberta and to guide investments and programs in the future. Input from Port Alberta will be considered in the development of this strategy, and

it includes our government's priorities of supporting the economy, families, and communities. We'll be listening to Port Alberta.

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

**Mr. Rogers:** Thank you, Mr. Speaker. Again to the same minister: given that the safe movement of people and goods between highway 2 and Devon is a major concern, particularly on a day like today, can the minister update this House on the progress of the twinning of highway 19? [interjections]

**Mr. McIver:** Well, there seems to be enthusiasm for this question, Mr. Speaker. You know what? We are currently in the design stages of twinning. We're hosting open houses and meeting with local stakeholders. There are municipalities that we're talking to, a few community groups, including some churches, the local MLAs, citizens that have shown interest. As we go through this, the plan will solidify. One of the big things is the airport, deciding the final alignment of the runaway, and as that all becomes clear, we will have an answer.

**The Speaker:** The hon. Member for Cardston-Taber-Warner, followed by Calgary-Fort.

#### Cardston-Taber-Warner Health Facility Concerns

**Mr. Bikman:** Thank you, Mr. Speaker. I'd like to ask three questions that are of concern to my constituents of Cardston-Taber-Warner. The first is from a concerned nurse whose husband has Alzheimer's disease. He's not receiving the care he needs such as regular baths and exercise. The facility he's in doesn't have sufficient staff to provide it. They apparently lack the funds. Errors have been made with his care, and they were reported to management, but there's no evidence of corrective measures being put in place. Will the government please tell us when money will be spent more effectively to rectify these kinds of problems?

**Mr. Horne:** Mr. Speaker, obviously, I can't speak to the specifics of the situation of the hon. member's constituent. What I can tell the hon. member is that we are of course seeing increasing incidences of Alzheimer's disease and other forms of dementia. In the new continuing care facilities that we are planning and in the 1,000 spaces we are opening each year, we are taking that into account very seriously in the design of the facilities to ensure that the unique needs of these residents can be met. It does require in many cases a special model of care.

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

**Mr. Bikman:** Thank you, Mr. Speaker. The people of Milk River have been asking for a restoration of the five acute-care beds taken out of service by Alberta Health Services a few years ago. This has resulted in hardships and delays in receiving necessary care for them and the surrounding district. It's made it virtually impossible for them to recruit doctors because these MDs want to be able to care for patients and practise medicine, not just provide emergency attention and prescribe medication. When will this government do the right thing and restore the acute-care beds and facilitate the hiring of new doctors in the town of Milk River?

**Mr. Horne:** Mr. Speaker, certainly, adequate numbers of continuing care beds in every community is an important ingredient in our ability to care for seniors and to provide a high quality of care. I would be happy upon request to look into the situation in Milk River for the hon. member specifically. He's certainly correct that the availability of those resources is a factor

in attracting physicians, but what I can also tell him is that the role of home care and the support that we can provide at home for seniors is equally important in providing the quality of care that we wish to provide.

**Mr. Bikman:** Thank you. I'll get back to you with those details and will appreciate your help.

Mr. Speaker, the people of Cardston and surrounding area, including the largest First Nations reservation in Canada, are well served by the doctors and medical professionals in their community. They receive great care in spite of having what must surely be one of the older hospitals in the province. They've been promised a new one but would like to emphasize their need. When will this promise be kept?

**Mr. Horne:** Well, Mr. Speaker, the recommendations with respect to where new facilities are constructed in Alberta originate with Alberta Health Services, and those recommendations are developed on the basis of a population health needs assessment for a specific area. It is not simply a question of where a new hospital is required. It is also a question of what other facilities and resources and staffing are available to meet the actual health needs of the residents. I don't know the specifics offhand of this particular case, but again I'd be happy to look into this and get back to the hon. member directly.

**The Speaker:** The hon. Member for Calgary-Fort, followed by Fish-Creek.

#### Royal Alberta Museum

**Mr. Cao:** Well, thank you, Mr. Speaker. The new Royal Alberta Museum is going to cost taxpayers hundreds of millions of dollars. I know that it'll be a world-class building. It's something we should build when times are good but not when times are not as good, when we are still under cost control and balancing our budget. My question is to the Minister of Culture. Is this project necessary now, or can it be delayed until the province is in a better financial situation?

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

**Mrs. Klimchuk:** Thank you, Mr. Speaker. Indeed, this project is very necessary. It invests in community, it invests in families, and it's about our future. We know that for every dollar spent on culture, it's double the return. This project will be going ahead, most definitely.

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

**Mr. Cao:** Thank you, Mr. Speaker. To the same hon. minister: why is it that the government is paying cash for this project when we are going to finance the construction on highway 63, an essential piece of infrastructure?

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

**Mrs. Klimchuk:** Thank you, Mr. Speaker. As many know, this project has been on the books since 2005, since Her Majesty deemed it the Royal Alberta Museum. We know that with the partnership of the federal government and the contribution of \$122 million, this project is going ahead, and it'll be important to the future of all Albertans.

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

**Mr. Cao:** Thank you, Mr. Speaker. To the same hon. minister: how can we pour millions of dollars into the new museum while at the same time allowing the Glenbow Museum in Calgary to struggle financially?

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

**Mrs. Klimchuk:** Thank you, Mr. Speaker. Indeed, the Glenbow Museum is a tremendous facility in Calgary. Last year alone their budget was \$3.1 million. They received a 7 per cent increase last year. It is an independent board that makes independent decisions, but the government supports them with respect to the cost of utilities as well as the city of Calgary. It's a partnership, and we are very happy to work with the Glenbow Museum.

**The Speaker:** The hon. Member for Calgary-Fish Creek, followed by Fort McMurray-Wood Buffalo.

#### Health Quality Assurance

**Mrs. Forsyth:** Thank you, Mr. Speaker. Albertans expect their health care system to provide them with a sense of comfort and healing. Unfortunately, Alberta Health Services is failing them in that regard. The latest numbers show that out of every hundred people accessing health care, a dozen will report unexpected harm. This is unacceptable. Given that the quality assurance committee was created to ensure a process is in place to investigate these incidents, I want to ask the Minister of Health: how many incidents have been investigated?

**Mr. Horne:** Well, Mr. Speaker, it is certainly true that Albertans enjoy a health care system that is focused on their needs and supporting their healing when they are sick. I have no idea what the hon. member is referring to with her statistic. I can tell you that the Health Quality Council of Alberta provides leadership in measuring and monitoring a variety of indicators of quality in our system. I rely on their advice in order to make policy decisions. Alberta Health Services relies on their advice in order to deliver safe and effective services.

**Mrs. Forsyth:** Okay, Mr. Speaker. Let me help the minister on this. It's on page 83 of the last quarterly report of Alberta Health Services. That's your report, not mine, so page 83. Again to the minister: what are the recommendations from the Executive Patient Safety Committee?

**Mr. Horne:** Mr. Speaker, as the Minister of Health, I do not attend nor do I monitor the detailed proceedings of any particular committee within Alberta Health Services. The question of policy, which is probably what the hon. member is trying to get at, is the degree to which we consider quality indicators in the development of health care policy and in the design of the specific delivery of services in hospitals and in other venues. It should be obvious to the hon. member. I think, if I remember correctly, she's been an advocate in the past, at least, for increased focus on quality in our health care system. We take every incident seriously that arises. They arise every day across Canada. We follow up on each, and we strive to do better.

2:40

**Mrs. Forsyth:** Okay. I'm going to try this question, Mr. Speaker. Will the Minister of Health please share with the House the quality assurance review recommendations?

**Mr. Horne:** Mr. Speaker, the hon. member seems unable to specify the specific issue that she has. As a matter of fact, as

difficult as it may seem to believe, I'm not carrying page 83 of the last report with me this morning. If she would like to use the vehicles available in the House such as motions for returns and written questions to have that detailed information provided, I'd be pleased to do that.

Thank you.

**The Speaker:** Hon. members, in about 15 seconds I'll call on the hon. Member for Edmonton-Manning so that we can resume Members' Statements. Fifteen seconds.

### **Members' Statements** (continued)

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

#### **Clareview Community Recreation Centre**

**Mr. Sandhu:** Thank you very much, Mr. Speaker. I'm pleased and honoured to rise today to talk about the Clareview community recreation centre, closed for upgrading since October 2011. The northeast is the last area of Edmonton to receive a new rec centre. I have heard from many constituents and residents of the northeast who are looking forward to the completion of the rec centre.

In June I attended the partnership announcement between the city of Edmonton, Edmonton public library, Edmonton Catholic schools, and the government of Alberta to support construction of the Clareview community hub. The rec centre space will include an 18,000-square-foot public library. Its outdoor park space will include two new sports fields, three ball diamonds, a spray park, and walkway connection to the Clareview LRT station. The centre will be home to a beautiful swimming facility, fitness centre, and an ice rink, which many northeast residents are waiting for.

In addition, the facility will be home to a new Catholic high school as a centre of alternative learning. Mr. Speaker, this new multipurpose facility will be one of a kind in Edmonton.

Recreation and community centres in our province support all Albertans in living a healthy lifestyle. I look forward to witnessing the impact the new rec centre will have on families in northeast Edmonton and all the Albertans who access it in May 2014.

Thank you, Mr. Speaker. I hope you join us in 2014 for the grand opening.

**The Speaker:** The hon. Member for Barrhead-Morinville-Westlock, followed by Strathmore-Brooks, and then a request to revert to introductions.

#### **Century Farm and Ranch Awards**

**Ms Kubinec:** Thank you, Mr. Speaker. I hope that my colleagues across this Legislature don't get tired of me talking about agriculture and how proud I am of it. Farming and ranching are a great part of Alberta's heritage and legacy. They consist of hard work and sacrifice combined with a healthy dose of energy and unrelenting faith. This spirit of vision, complemented by a new land of limitless natural resources, is what brought our forefathers to Alberta. They settled the land to build the family ranch or farm, the place many of us continue to call home today. Courage and determination was what our parents and grandparents had, and they had plenty of it.

Marked by this same spirit of unshakable resolve, it's not surprising that second and third generations continue to build this rich heritage of agriculture. It's a heritage to be proud of, reflected

by personal sacrifices, perseverance, and a commitment to a family way of life. It's a legacy that you, too, may pass on to our children.

Keeping the farm or ranch from generation to generation and actively operating is an impressive achievement for any Alberta family. I stand today with the government of Alberta to recognize these special families who built the foundation of prairie farming and ranching. The Alberta Century farm and ranch award salutes those families who have continuously owned and actively operated the same land for a minimum of 100 years. In my constituency of Barrhead-Morinville-Westlock we celebrated four such milestones just this summer: the McNelly family from Clyde; the Lyons family, who are here today in the gallery, from Hazel Bluff near Westlock; the Marquette family from Linaria, very close to me; and the Messmer family from Naples. It is so important that these families be recognized.

It's that time of year again, when the Canadian Finals Rodeo and Farmfair are going on. We are looking forward to celebrating that today.

Thank you.

**The Speaker:** The hon. Member for Strathmore-Brooks.

#### **Newell Foundation**

**Mr. Hale:** Thank you, Mr. Speaker. I rise today to acknowledge the stewardship of the Newell Foundation in addressing the community's health needs for my constituency of Strathmore-Brooks. The Newell Foundation had the foresight to propose a one-building, aging-in-community concept that will include a hospital and lodge in Bassano. The town of Bassano needs a new hospital, and the Newell Foundation has taken this opportunity to propose something that will improve health and seniors' services for the community. The project will be able to provide everything from a little bit of help for those who need it to long-term care and even palliative care. The project may even provide for health needs such as physiotherapists, pharmacists, a health clinic, and doctors' offices.

I fully support this initiative. It will be an asset in the community for decades to come. I would like to commend the Newell Foundation and its partners and stakeholders for working to make this a reality. It's refreshing to see the leadership of groups like this take the bull by the horns with such a great idea. I would also like to thank the hon. Health minister for taking time to come to Bassano and hear the proposal and for taking the time to meet with the board to discuss this first-class facility today.

This one-stop-shop concept will ease the transition that our seniors face in later years. They can move from the lodge with assisted living down the hall to receive long-term care, to acute care when needed, and not have to face the challenge of moving down the hall in another town. This will end the tremendous burden faced by families when having to make tough decisions regarding the level of care needed for their parents and grandparents.

This project has a way to go yet, and I will continue to support it every step of the way. Once again, thank you to the Newell Foundation for its leadership on health issues in our community.

**The Speaker:** Hon. members, might we get unanimous consent to revert briefly to Introduction of Guests? Is anybody opposed to that?

[Unanimous consent granted]

## Introduction of Guests

(continued)

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

**Mr. J. Johnson:** Thank you, Mr. Speaker. I'd like to introduce to you and through you a couple of ladies who have become fairly familiar here in the Legislature over the last couple of years: Patty Dittrick, president, and Mary Lynne Campbell, executive director, from the Public School Boards' Association. I'm sure they're very anxious to see Bill 3 get into third reading and passed. We welcome them back to the Assembly.

## Tabling Returns and Reports

**The Speaker:** The hon. Associate Minister of Wellness.

**Mr. Rodney:** Thank you, Mr. Speaker. It is a pleasure for me today to table three reports with the appropriate number of copies on behalf of the hon. Minister of Health. The first is the 2011 annual report of the College of Opticians of Alberta. Since 1965 the college has ensured that Albertans are receiving competent and effective care from their opticians. Their motto of Your Vision, Our Focus truly captures the value that the college places on vision care for all Albertans.

My next tabling is the 2011 annual report of the Alberta College of Medical Diagnostic & Therapeutic Technologists. This college regulates over 2,000 members who work in hospitals, primary care networks, and independent clinics, and their work with MRIs, X-rays, and radiation treatment for cancer is truly invaluable in today's modern medical field.

Finally, Mr. Speaker, the 2011 annual report of the Alberta College of Speech-Language Pathologists and Audiologists. These professionals use their training to work with those with difficulty expressing themselves and with those with trouble hearing them. This report highlights the great work the college is doing to increase the quality of life of many Albertans.

Thank you, Mr. Speaker.

2:50

**The Speaker:** The hon. Member for Calgary-Buffalo, followed by the President of Treasury Board.

**Mr. Hehr:** Thank you. Sorry. They're on my desk back in the office, but I will try and remember them tomorrow.

**The Speaker:** Okay. The hon. President of Treasury Board.

**Mr. Horner:** Thank you, Mr. Speaker. I do happen to have mine here.

Today I am pleased to table the required number of copies of the first annual Results-based Budgeting: Report to Albertans. The results-based budgeting process has encouraged government to work in different and more integrated ways and will ensure that every program and every service is delivering outcomes efficiently and effectively. Over the past year work has been under way to develop the process, create the schedule, and recruit external members of the public to participate in the review. This report explains the three-year process that we will use to examine and assess all government programs and services, including those delivered by agencies, boards, and commissions. It also includes

the names of government MLAs and members of the public who will sit on challenge panels and whose responsibility is to bring an external perspective to the review process.

**The Speaker:** The hon. Minister of Justice, followed by Calgary-Mountain View.

**Mr. Denis:** Thank you very much, Mr. Speaker. Just two items to table today, and I'll be brief as they are rather clear documents. I referred today to a document from Dr. Daniel Doz of the Alberta College of Art and Design wherein he indicated he did not use public dollars to make donations to a political party or to purchase tickets. Five copies there.

Secondly, I also table a letter from myself to the Hon. Rob Nicholson, Minister of Justice of Canada, dated July 24 wherein I asked him to honour the request of the Hon. Neil Wittmann, Chief Justice of the Court of Queen's Bench, for four additional justices in this province.

Thank you very much, Mr. Speaker.

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

**Dr. Swann:** Thanks, Mr. Speaker. I table the appropriate number of copies of the document Creating Synergy Health Coalition of Alberta. I attended their gathering yesterday and was introduced to the very energetic and committed individuals who are part of the Creating Synergy Health Coalition of Alberta, or CS, an alliance of informed, knowledgeable, and experienced individuals; voluntary health charities and not-for-profit or nongovernment organizations; and stakeholders representing present and future users of health care in Alberta. Their vision is the best people-centred health care for all Albertans.

Thank you, Mr. Speaker.

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

**Mr. J. Johnson:** Yes. Mr. Speaker, I have the appropriate number of copies of an article here to table. Yesterday I referred to an article entitled The Unreasonable Demands of Education, written by the hon. Leader of the Opposition, where she calls on schools to implement fees on parents to cover some of the extras in the school system.

## Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following documents were deposited with the office of the Clerk. On behalf of the hon. Mr. Olson, Minister of Agriculture and Rural Development, pursuant to the Marketing of Agricultural Products Act the Alberta Agricultural Products Marketing Council annual report 2011-2012; pursuant to the Farm Implement Act the Farmers' Advocate office and Farm Implement Board financial statements 2011-2012; and pursuant to the Livestock Identification and Commerce Act and the Stray Animals Act the Livestock Identification Services Ltd. summary of activities April 1, 2011, to March 31, 2012, and financial statements for the year ended March 31, 2012.

**The Speaker:** I believe that concludes our Routine for today.

On that note, let's move on to Orders of the Day.



**Orders of the Day**  
**Government Bills and Orders**  
**Second Reading**  
**Bill 4**  
**Public Interest Disclosure**  
**(Whistleblower Protection) Act**

[Debate adjourned November 6]

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

**Mr. Pedersen:** Thank you, Mr. Speaker. I am pleased to have the opportunity to stand up today to speak on Bill 4, the Public Interest Disclosure (Whistleblower Protection) Act, or, as some would prefer me to say, stand up and blow the whistle on yet another broken promise and yet another flawed piece of legislation. Many of my colleagues have outlined various concerns with this legislation, but they say that repetition is the mother of all learning, so I'm going to take another crack at it, my children.

What disappoints me most is that we have seen some quality bills presented to us this fall by government, but for some reason this bill seems to have skipped so many important steps of scrutiny that all these other bills were put through. Bill 4 provides protection, but what amazes me is that it's not protection for whistle-blowers from government retribution. Rather, it provides protection for the government from whistle-blowers. It is absolutely amazing to me that the current government thinks that they should be able to get away with this. I guess that's what happens after 40 years of power, when you think the rules don't apply to you.

I am concerned with the lack of accountability this government thinks it should be treated with. The Premier has stated that the only thing worse than making a mistake was not admitting the fact that you did. Well, Mr. Speaker, they sure have made some mistakes with this bill, but I don't hear any admissions from the government on this one. Although there are some positives, I feel that they are so heavily outweighed by the negatives that I will be unable to support this bill.

Why is this bill being introduced on a go-forward basis only? What is it that the government is trying to hide? My constituents and all Albertans want to know. As well, I have yet to hear a plausible and convincing argument as to why this bill should have so many loopholes. Again, why does the current government have so much to hide? What are they worried about? What do they think it is that Albertans do not deserve to know?

Third, why is it that if the public interest commissioner is not satisfied by the follow-up from the department, they can only complain to the department? This should be done through a more public forum, likely through the Standing Committee on Legislative Offices.

As well, although this is by far not my last concern, it is the last one that I'm going to speak at length about. It's about the process for a whistle-blower to navigate in order to report alleged wrongdoing. The fact that someone must first work through their own organization, extremely likely the organization that they are trying to blow the whistle on, before they can go to the public interest commissioner is a process that is beyond me. Again, I am open to being convinced otherwise, but I just cannot see why there is a rational need for this.

Mr. Speaker, my colleague from Calgary-Fish Creek is bringing forward a great many amendments. I think that we would all be well served and, truly, that Albertans would be well served if we put some deep thought and consideration into these amendments.

These amendments are not based on a political agenda. Rather and more importantly, they are based on a passion for doing the right thing. I have been told by my constituents that I should come here for the right reasons, and I believe that we have all come here to serve Albertans but that when we are here, I also need to do the right thing.

Mr. Speaker, I'm going to close with this. I encourage all of my colleagues to listen carefully and think hard about the amendments that are going to be brought forward. Think about what your constituents sent you here to do. They sent you here to stand up for them, to stand up for Albertans, not to protect offenders or wrongdoers and certainly not to protect the government or government departments.

I say once again, Mr. Speaker, that we all came here for the right reasons, each and every one of us, but we also need to do the right thing. For that reason I cannot support this bill as it currently stands. Thank you.

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

**Ms Blakeman:** Thank you very much, Mr. Speaker. I'm really glad that I am getting the opportunity to speak to Bill 4 in second reading. Because we're speaking about the principle of the bill here, are we at all interested in the concept of it? Do we want to see it go forward and try and tweak it a bit or fix it a bit because it's not exactly what we were looking for, or do we just disagree flat out with the principle of it and don't want to see it go forward at all?

I'm really incredibly disappointed to say that I can't support this bill in the way that it's presented, and this is a bill that I have waited a long time for. To see it come forward drafted the way it's been done: it's such a slap in the face for colleagues of mine that are no longer here. The previous Member for Edmonton-Gold Bar had a bill – Bill 207, I think it was – that was actually a really good run at this and had some very good regulations and a process to put very strong whistle-blower protection in place.

3:00

I have to say that I would not recommend to anyone that they step out as a whistle-blower if they're relying on this legislation to protect them because it's not going to. That is what is so sad. More than sad, it's frustrating. It's just bedeviling that this government over and over again can take an idea that they get pushed and pushed and pushed to do by the opposition, by advocacy groups in the community, by individuals, constituents, and they finally say, "All right; we'll do it," and then they come out with something that we might as well not have because it so disregards the principle of what we were asking for. That's what we have in Bill 4. It's called the Public Interest Disclosure (Whistleblower Protection) Act.

[The Deputy Speaker in the chair]

You know, sometimes people talk about: close but no cigar. In theatre when you go to see your friend's play and it's a real turkey, you say: well, that was interesting. Then you talk about the set and the costumes. Or maybe you say: well, it was a good idea, just bad execution. I can't say any of those things for this bill. It's not close enough to deserve any kind of a cigar. As a play you couldn't possibly say that it was interesting. It is a good idea. Well maybe – I agree with my last statement – it is a great idea. It's one that is very needed in this day and age, but it is foul execution in what we have seen brought forward.

The longer I look at this, the more I read it, the angrier I get because we, all politicians, have created a situation where the

public no longer believes us or trusts us, and we've managed to disparage the civil service enough that we've given permission to the public to disparage them as well. Rather than being regarded as an honourable profession that you go into to serve the public and provide a program or service to them in a good way, now they're all called various bad names. What a civil servant is trying to do is deliver a service in the same way no matter who comes through the door, and that's a good concept to work with.

We know in this day and age that we need to look at our programs, review our programs on a regular basis to make sure that they still make sense, that they're still being delivered in an effective way, that they haven't been abused anywhere along the line. Frankly, no program is immune to this. Things go wrong. Things change in other contexts. Other legislation changes affect the way a program is delivered. You want the people that are working there to be able to step out and tell us: "There's a problem here. This is not working the way it should. The taxpayers are not getting value for their money," or, even worse, that there's fraud or bullying or an illegal action taking place. That's the only place we're going to hear this from, so we depend on those people to step out. But we have to protect them.

There are far, far too many examples of people who've taken huge risks. Many of them are well-educated people: scientists, respected academics, people with many years of experience in particular areas . . .

**Dr. Swann:** Doctors.

**Ms Blakeman:** . . . physicians – yes, very good – medical officers, ER doctors, who step out and say, "This is wrong, and it's so wrong that I need to tell someone out there about it so it will get fixed." In most cases they've already tried to fix it on the ground. They've already gone to their supervisor. They've already talked to their colleagues at the coffee table or in their place of work, and nothing is moving. People don't voluntarily step out of their comfort zone and put themselves in jeopardy for fun, you know, or for something to do or because they were bored. It's scary and potentially quite harmful to them. So if we accept that, then somebody that is stepping out to blow the whistle on wrongdoing or illegal activities really does need to be (a) taken seriously and (b) protected.

What we see, whether we're going to look back at things like Enron or other corporate structures in which corporate bullying was endemic to their corporate culture or to see how people get – what's the official word? The human resources term is constructive dismissal. So this is the opposite of that. You know, all of a sudden people aren't getting the assignments they used to get, or they're taken off of a good file. Other people start to mock them or make jokes about them when they walk by. That kind of stuff in your working atmosphere is toxic. It really poisons it.

Or let's say that you lose your job, and you're fighting to get it back because you say: "Hey. I stepped out. I was a whistle-blower, and now I've lost my job directly as a result of that." What happens? We say to them: "Well, prove it. You, an individual person out there on your own, prove that that government structure set out to do this to you." Who's able to do that? I mean, you can't even leave your office with any paperwork anymore. If you get fired, there's somebody at your elbow. Out you go. They're taking your card off your little elastic thing, and you're out, so you couldn't even collect any of the evidence that you would need to try and prove this kind of thing. This is what is so distressing to me in this bill.

First of all, the premise of the bill is that they're going to set up another process or structure in here, that you're going to go to

your own workplace, to someone that's been identified as the – sorry; I'm not remembering the title here – local whistle-blower person and give them your information, and they should be looking after it. Well, for any of you that have ever been in that kind of situation, that's just kind of laughable because they're probably part of the problem. In all likelihood, as I mentioned, you've already gone through the workplace saying, "Don't you find it strange that so-and-so always disappears at this time of day?" Or, "Gee; how come they get to have such and such?" In all likelihood most reasonable people would have done that already and not have seen anything happen and not have seen any change, so by the time they're at the point of doing things officially, on the record, this seems like a strange step to make them go through.

The one saving grace in this is that the legislation does allow that if you don't want to go to your local person, then you can go directly to – I'm sorry; these terms are just not sticking with me today – the legislative officer that they're going to create here, the commissioner of public interest, and they can bring the case before them. Okay. That's one small positive thing to say about it.

Where I'm really concerned is in the lack of protection that's offered here. For starters, there's no protection around somebody losing their job, or if they do lose their job, there's nothing that says: okay; if it turns out that you have lost your job as a direct result of your whistle-blowing, we will compensate you for the time that you were out of work and restore the job or an equivalent job to you. There's nothing in here that says that. So now we know that if somebody blows the whistle, there's no protection.

And there is a way in corporate culture that allows them to minimize, diminish, trivialize. My friends over there are experts in this, so I've got to assume they've passed some of that to the people that work with them. I hope it hasn't trickled down through the civil service, but I can't speak to that. Every day in question period – and we saw it today – a minister stands up and questions somebody's intelligence in the question that they asked or demeans them by saying that, well, they weren't smart enough to understand the question, or trivializes the question by just dismissing it. You know, it happens right here. You all know what I'm talking about. It happens easily, and it happens all the time. Very few people even comment on it. So it's easy to have it part of that corporate culture.

**3:10**

There's nothing that's going to protect people from, as I said, losing their job, nothing that's going to protect them from harassment or bullying at the work site. I could call it going to Siberia. You know, all of a sudden, you're in the desk that's at the end of the hall next to the photocopy machine, and you're missing out on the chit-chat that's back in the main area, the kibitzing. You don't know when everybody breaks for lunch because you're down the hall by the photocopy machine.

It's like blockbusting. It's like corporate culture blockbusting. I said that to a younger person the other day, and they didn't know what I meant. That was something that was used by unscrupulous developers, where they would buy up all the houses around and, you know, a couple of people wouldn't sell or one elderly couple was going to hang in there in their little old bungalow. The developer would basically rent the houses to people that weren't your number one kind of people. They'd start having parties. There's loud music. There's stuff going on. Maybe they don't keep the property so nice. No mufflers on the motorbikes, et cetera, et cetera. This couple is really starting to be afraid, and they're not comfortable in their home anymore. It's a way of busting the block and getting them to move out so the developer can buy the house and put up the development they want.

That's the same concept here. Being sent to Siberia down by the photocopier is a form of blockbusting. It's a way of making people so uncomfortable in their workplace that they give up and just get out because it's so toxic. You want to talk about posttraumatic stress disorder – and I'm not minimizing it here – just imagine the stress that you're under if you're in that kind of a situation. You did a brave thing – you stepped out – and now you're being punished in your workplace. There's no protection for you at all. If things go badly and you decide to quit because it's so bad or you get fired, you know, probably not constructively, let go, now you have no salary, and your family thinks you are a complete idiot for having jeopardized them and their financial security and perhaps their reputation if that's part of it. Still we have no protection here.

I think part of it is that you have to make sure that the legislation is offering whole remedies. That would be the thing about the work and the missing salary, maybe the missing benefits as well, missing pension contributions. There should be no burden of proof put on the individual. Once it's established that there's a connection – and this is not hard to do. You know, if the person blows the whistle and a week later they're let go from their job – well, duh – those things are probably connected. I think there's a very high probability of that. But not to place the burden of proof on the individual, I would say, you know, that the ones with all the money, the corporate culture there, can pay for it.

I'm really looking forward to Committee of the Whole. Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available for questions or comments. The hon. Member for Medicine Hat.

**Mr. Pedersen:** Thank you, Mr. Speaker. To the hon. member of the splendiferous constituency of Edmonton-Centre . . .

**Mr. Rodney:** Sorry. The what?

**Mr. Pedersen:** Splendiferous. [interjection] It is now.

Being that I'm a new member, a new MLA, and that the member talked about a previous bill that had been introduced and mentioned how much better it was than this one, I'd just be kind of curious to hear what she would have to say about what made it better versus what we're being presented with here.

Thank you.

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

**Ms Blakeman:** Thank you. It's the fabulous constituency.

**Mr. Pedersen:** I'm trying to grow your vocabulary.

**Ms Blakeman:** No. We're good with fabulous. Splendiferous could go to somebody else. I'm not going to hog them all.

The legislation. I know that it was the previous Member for Edmonton-Gold Bar. I'm pretty sure it was Bill 207 in its day. Let me just see if I can find the year. Nineteen ninety-eight, I'm being told by my colleague. [interjections] Excuse me? Thank you.

His bill did cover a number of these sorts of protection devices, plus he had some very strong statements. It's a good suggestion. I will dig it up and bring it in so I can talk about it in Committee of the Whole. He had some real rigour in there that protected the whistle-blower but also was very clear about the activity. You see, in some ways I think – and if I remember this correctly, the suggestion was that this should almost go to an outside group like

Democracy Watch or that some outside group should be the arbiter of this.

In creating another legislative officer, well, we know how that works, and it can become tainted as well because in this Assembly the membership on the committees is determined by the number of seats that you hold, not by the popular vote, which has been my suggestion, which would really change the membership on those committees. They're done by the number of seats that you have, so the government always has a majority of the seats.

Even when you're on the Legislative Offices Committee and you're looking at the hiring of this new person, whatever the actual title is called, you're always outvoted by the majority. So, you know, are you really getting an independent member who's well qualified, or are you getting another – what's the phrase? Oh, yes: in the family. Another individual who's in the family and seems to have a lot of luck.

There are a lot of ways that this can go askew although it appears to be on a fairly straight track, and there's an example. Every time we create another legislative officer with the idea that somehow this is going to solve our problem, it doesn't. That officer reports through a committee of the Legislature, but the Legislature is dominated by one party here, as is the committee. Did that help?

**Mr. Pedersen:** Sure.

**Ms Blakeman:** Good.

Thank you.

**The Deputy Speaker:** Are there other questions or comments? The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Yes. Thank you, Mr. Speaker. I guess, just being a new MLA, what would be kind of the most common occurrence of someone that would need this type of whistle-blower legislation? Is it doctors, nurses? What types of individuals have you had in your long career as an MLA that have come to your office? If this legislation actually worked, which individuals would actually use it?

**Ms Blakeman:** Actually, I've had a couple of civil servants who have come who were trying to point out some real problems in the way programs were being delivered. A long time ago there were a lot of issues around the maintenance enforcement program. The current Minister of Human Services was Justice minister, and I was his critic. There were problems in there. The teachers have quite a good process for that. It's a tough one to go through. It's called a review panel or something, but they've got quite a good system there. The other ones were some nurses and somebody trying to qualify to be an LPN.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Member for Edmonton-Strathcona, followed by Cypress-Medicine Hat, then Calgary-Mountain View.

**Ms Notley:** Thank you, Mr. Speaker. I am pleased to be able to rise to speak today to this particular bill, Bill 4. The Public Interest Disclosure (Whistleblower Protection) Act it is called, but as many people have already said, this is not a whistle-blower protection act; this is a government information protection act.

It's really quite disappointing because we have a government, Mr. Speaker, that made much hay out of their alleged plan to usher in a new day, a new, progressive approach to things that was going to be accompanied by transparency and openness and, you know, independence of lots of things. I think there were going to

be a few theme songs and perhaps some birds tweeting and flying around in the background as well.

Nonetheless, what we've gotten instead is this public interest disclosure act, which, just as a starting point, Mr. Speaker, replicates the federal legislation except in some cases it actually is worse than the federal legislation. So we are not actually taking our marching orders from the Harper Conservatives. We're taking what the Harper Conservatives have done, and we're making it worse than what they have done. So this is like Harper Conservative disclosure – quote, unquote – but less.

3:20

It really is quite something, Mr. Speaker, to hear folks on that side try to spin this as good news because really what this is going to do is clamp down on disclosure in a way that is unprecedented. It is absolutely not going to increase transparency, and the government is fully aware of that fact. It is really quite disingenuous that they are spinning this piece of legislation the way they are.

What are some of the reasons why we think that would be the case? Quite frankly, flipping through my notes today, just the simplest version of notes, I found nine amendments already that we are going to need to propose to this to make it not damaging to the careers of our hard-working public servants. Of course, Committee of the Whole is the place where we will go through that in more detail, so I won't go through it all in excruciating detail now, but I will say that it took me literally 15 minutes to scan through and see a whole bunch of things that just jump out at you as something that will be abused and used wrongly by this government to further clamp down on information and to further undermine the rights of the hard-working people who are employed in the public sector.

That's what we're dealing with, and I think it's really important to get that right out there. There's been a lot of discussion and analysis of the federal whistle-blower protection act, and it's been clearly concluded that that act does not do what it was intended to do and that instead what it is meant to do and what it does do is provide a whole new array of tools to the government to clamp down and stomp on people who are attempting to engage in a more transparent public discussion and in some cases to disclose information.

Let me just give you one example. We have the commissioner, the final person that somebody will get to maybe, if they've managed to navigate their way past their boss and keep their job in the process. If the commissioner decides that the person's information is inappropriate and was not something that should be disclosed and if they decide that the matter in question is not something that ought to be disclosed and then, on the flip side, if that information becomes public and that person is fired, because the decision of the commissioner is not eligible for consideration by the courts, what happens, Mr. Speaker, is that that person's legal rights to sue for wrongful dismissal or to access their rights under their collective agreement have now actually been fettered. They've been restricted – they've been restricted – by this process.

So a person goes through this process, and decisions are made about the merits of the concern that the person raises, and then those issues and those decisions are fundamental components of a subsequent wrongful dismissal act or a subsequent grievance or a subsequent application under a human rights tribunal. In any of those cases, the finding of the commissioner is significant in the deliberation in those other forums, yet the commissioner's finding is not subject to review or consideration by a judge or a labour relations board or a human rights tribunal.

What we've done now is that we've taken a great big piece of a wrongful dismissal case, and we've said that public servants no longer get to adjudicate that pursuant to the terms of natural justice with their own counsel and all that kind of stuff because our commissioner has made a finding. That commissioner's finding is unassailable, Mr. Speaker. Right there – right there – I now see that what we've done is that we have limited the rights of our public servants through that process. We've actually stepped on the rights that they would otherwise enjoy under the common law or under the terms of their collective agreement, depending on what we're dealing with. It's a form of discrimination against public-sector employees.

It's ironic because typically when one thinks about whistle-blower legislation, you know, the first thing that comes to mind is: well, it's not good whistle-blower legislation if it doesn't apply to the private sector. As soon as I looked at this, I thought: "Well, sheesh. I don't know if we want this to apply to the private sector. Do we want to take this new set of rules which is going to be used to beat up on public-sector employees and argue that the private-sector employees should also be eligible for beatings under this legislation?" I don't know.

Maybe we don't want to expand it to the private sector. Maybe we want to limit the scope as much as possible of the people who might be negatively affected by this legislation. Maybe what we're going to actually do is try and limit it so that, you know, one person in one office in the back of the Premier's office is the only person that this applies to, and if we do that, we're successful because we want to limit the damage that's being perpetrated by this piece of legislation. I mean, that's one example. I'm going to go through here and find some more, but that's one example where we're actually taking a step backwards, Mr. Speaker.

I thought that we would come in here, and we'd say: well, great idea, great intent, but here are some ways in which we can make it more meaningful and more helpful. I did not expect that I would come in here and after scanning through in a few short minutes be in the position to be saying: "Oh my goodness. This is not only not a step forward in the best way; this is actually not a step forward at all. This is actually a step quite a ways backwards." It's a bit of a revelation to me because I didn't really think that that's the kind of disingenuous strategy that would be adopted on something that is so closely linked to a critical election promise of our Premier, but apparently that's what we're going to do. So, yeah. That's a problem.

Now, because it's whistle-blower legislation and because in theory when you say that, the idea and the impression that is given with that kind of title is that you're protecting whistle-blowers, one would expect to find somewhere in this legislation something which talks about what happens if the whistle-blower has what normally happens to a whistle-blower, which is that they are discriminated against, penalized, subjected to discipline, demoted, or, in the worst-case scenario, fired. In some cases it even goes further than that. They can be publicly criticized and attacked as well. In all those cases you would think: "Okay. What we need to do is to make sure we've got something in place that will protect them and that will ensure there is some remedy."

Yet I've scanned through this act, Mr. Speaker, and nowhere do I see a section that talks about a remedy for the whistle-blower who has been wronged by an employer who is upset about information being disclosed. I don't see the authority for a commissioner to give them their job back. I don't see the authority for the commissioner to pay them damages. I don't see the authority for the commissioner to ask for the perpetrator of the wrong against the whistle-blower to pay pecuniary damages to the whistle-blower. I see none of that.

Of course, those are the authorities that you would see. Let's say you're talking about the authority of an arbitrator or the authority of the Labour Relations Board or the authority of the human rights tribunal or all these other places that in theory, when you have an operational agency of that type, are established to protect the rights of individual employees. That's what this is ultimately about. It's about protecting their rights. In all of those pieces of legislation you have a long list of remedial authorities that are at the disposal of the final decision-maker to ensure that the person who has been wronged is made whole. None of that appears here. None of that. Nowhere. No section anywhere.

3:30

What there is, however, is a long list of duties and responsibilities and processes and rules that the whistle-blower must follow, Mr. Speaker. There are a whole bunch of things that the whistle-blower has to do to stay on the right side of this brand new law, a long list of things that they have to do, but nothing about how we're going to make the whistle-blower whole when they are penalized for disclosing information.

So, really, in many ways what we've done here – the Member for Edmonton-Highlands-Norwood is a wonderful history buff, far more so than I. You know, back in the McCarthyism days there were systems set up where people were encouraged to actually rat out their fellow employees and go after each other. It was generally considered to be a horrific – horrific – morale-killing, job-killing, outcome-ruining process where people were encouraged to rat each other out. It was very, very unhealthy.

Really, since this act provides no venue where any of this information might ever go public and since it provides no protection for the person that's actually disclosing the information, it really reads to me like we're setting up a situation where we're putting a whole bunch of obligation on employees to go after each other, and then we'll keep it all internal. The boss will get to pick and choose what they think is appropriate, and then none of it will ever be made public, which is the irony of ironies because this is whistle-blower legislation.

When the Premier said that we are going to bring in whistle-blower legislation, the Premier was very clearly trying to compel Albertans to believe that she wanted to bring in whistle-blower legislation so that we could swing open the doors of government, invite in Albertans, let them see what's there, and make sure that everybody who helped Albertans see what was there would be protected. That is clearly what the Premier was intending to have Albertans believe when she ran on this.

Well, Mr. Speaker, this legislation is not that. This legislation is the exact opposite of that. This legislation is geared towards limiting, constricting, and intimidating workers in this government from ever making anything public. It is absolutely contrary to what it has been sold as. I think that as we deliberate on this piece of legislation over the course of the next few days, that fact will become increasingly apparent to Albertans. They will become increasingly aware of what it is that this legislation is clearly designed to do. The holes in it in terms of doing what Albertans thought this government was trying to do are gargantuan, and it's very difficult to believe that Albertans would be able to . . .

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. The Member for Calgary-Mountain View.

**Dr. Swann:** Thank you, Mr. Speaker. I'm very interested in the comments made by the hon. member. She indicated that she didn't see any penalties. Well, the government has indicated that there is

a \$25,000 penalty and a \$100,000 penalty for recurrent mistreatment of a potential whistle-blower. How does that relate to her comments that there are no penalties?

**Ms Notley:** Well, Mr. Speaker, I haven't had a chance to go through the bill on a clause-by-clause basis. [interjections] I'm not finished.

What I said is that there is no provision in there for a remedy to the whistle-blower who is wrongly disciplined. It is not clear to me yet whether that penalty can be imposed upon the whistle-blower for failing to keep the information in line with the process. That's why I didn't speak to that issue. I've not yet had a chance to determine whether or not the penalty can be imposed on the whistle-blower himself or herself. But it is very clear that what the penalty does not do is provide a remedy to the whistle-blower who is wrongly disciplined. There is nowhere in that act where the commissioner can give the whistle-blower their job back or where the commissioner can give the whistle-blower damages. That was what I was talking about. The use of the penalty is still unclear.

More importantly, unlike in many other cases, there is no mechanism of appeal one way or the other. Those are things that need to be reviewed, Mr. Speaker. By failing to give the commissioner the ability to give the whistle-blower their job back or give the commissioner the authority to award damages to the whistle-blower if there is a transgression, we have not managed to protect the whistle-blower.

I can imagine a number of cases where the government would say: "You know what? Get rid of that person. If we've got to pay a \$25,000 fine, we'll pay a \$25,000 fine. This person is much more trouble than they're worth, so get rid of them." Then the \$25,000 penalty is assessed. The person says, "I was fired unjustly," and the commissioner comes up with a decision saying: "No. What was disclosed shouldn't have been because I've come up with this new set of rules, which are under the regulations." We don't know what they are yet because the government is suggesting that they'll all be under the regulations.

Then that person can't even sue for wrongful dismissal because the commissioner's decision is final. Or they can sue, but the vast majority of the substance of that decision will not be up for review or adjudication because it will have been finalized by the commissioner, and there'll be no appeal from that process.

Thank you.

**The Deputy Speaker:** Are there others? Okay.

I made a mistake in my earlier announcement of the order. I will recognize the Minister of Culture and then the Member for Cypress-Medicine Hat.

**Mrs. Klimchuk:** Thank you very much, Mr. Speaker. I rise today to give my support to this Bill 4 and to commend the Associate Minister of Accountability, Transparency and Transformation for taking this important step to protect one of our most valuable resources, our employees. I believe profoundly that this legislation is clearly about the protection of employees if they find themselves in the position of having to make a disclosure of wrongdoing, not public relations management.

Last night during the debate there was much discussion and, dare I say, an accusation that we have introduced this legislation to protect ourselves from having a disclosure made against us as a government. That is simply not true, Mr. Speaker. This legislation is meant to maximize the ability of the employee to make safe disclosure.

We all know that these types of situations can be very difficult and stressful for an employee. Not only does this legislation

establish an internal process so that the employee does not have to be subjected to the public spotlight, but it ensures that if the employee does not believe the internal process is safe, they may go to the independent commissioner to disclose the wrongdoing. I emphasize “independent” as the commissioner does not report to the Associate Minister of Accountability, Transparency and Transformation or to the Premier. The commissioner reports to the Legislative Assembly, to all of us in this Chamber. Where the commissioner substantiates the wrongdoing, the commissioner will be the public face for the whistle-blower so that the employee can maintain their confidentiality and does not have to undergo the additional stress that public scrutiny can bring.

There has also been a great deal of focus in this debate so far on how this act deals with disclosing wrongdoings, but I would like to talk about an equally important feature of the legislation: protection from reprisal. Reprisal includes any negative, adverse employment action. It can be as simple as removing the employee from an e-mail distribution list or being excluded from office camaraderie. However, it can also extend to more serious and blatant actions such as intimidation, bullying, ostracizing, changing of job duties or location, or being fired or forced to quit. Concerns brought forward by members of this House that intimidation and bullying are not caught by the definition of reprisal are simply false.

3:40

This bill makes it clear that employees who believe they have experienced an act of reprisal after disclosure of wrongdoing may engage the commissioner directly. The commissioner is empowered to investigate, report, and offer recommendations if a reprisal is confirmed. Apart from any investigation by the commissioner, those who carry out reprisals against employees will have committed an offence under the act, which may be prosecuted in court.

Mr. Speaker, some members across the way seem to be confused about the role of the court. They have suggested that there is no access to the courts. Not only can the commissioner's decisions be reviewed by the court, as is the case with all other officers of the Legislature, but it is the court that finds whether a person has committed an offence under the act. Upon conviction fines of up to \$25,000 for a first offence and \$100,000 for a second or subsequent offence may be levied. Reprisals against employees making disclosures in the public interest are a very serious matter, and this act treats them as such.

Mr. Speaker, this government values the commitment and expertise of all public servants. As a minister I am humbled and appreciative every day of the visionary and innovative work that goes on in my Department of Culture. Bill 4 has been brought before this House as a means to assist them not only in performing their daily responsibilities but also enabling the government to operate with integrity and accountability. Mutual respect goes a long way.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. minister.

Standing Order 29(2)(a) is available. The hon. Member for Cypress-Medicine Hat.

**Mr. Barnes:** Thank you, Mr. Speaker. To the hon. minister. A lot of people have mentioned concern about the power the commissioner has and concern over lack of appeals for any of his decisions. Can you address that, please?

**Mrs. Klimchuk:** With the Public Interest Disclosure (Whistle-blower Protection) Act I think the commissioner is going to be able to do the right thing. What's really important to me is that

employees in the public service know they have a place to go, and that's what this is about. It's very interesting to me. This has been brought forward by our Premier and this government. This has been asked for for a long time. We are walking the talk. We are doing what is needed to be done.

**The Deputy Speaker:** The Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Mr. Speaker. I can appreciate the hon. minister's passion in this bill because she clearly defends it. I think that's great. I'm actually quite impressed that she got up to speak on it, which is even better. Absolutely. The question I would have to the hon. minister – I'm assuming she has a couple of seniors' centres in her riding. I just wonder: does she not find it a little odd that we didn't include all the seniors' centres, whether they're private or Alberta Health Services? They're receiving government money. Does she not think that maybe those seniors would deserve that same protection that you're so passionately defending? I'm with you on defending it. I'm just curious if the seniors deserve that?

**The Deputy Speaker:** The hon. minister to respond.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. I think it's important to note that this legislation applies to the employees of the government of Alberta, the broader provincial public sector, including agencies, boards, commissions, school boards, postsecondary institutions, and health organizations. With respect to coverage of seniors I'm not sure what the hon. member is getting at. Yes, of course, meeting with seniors in my constituency is very, very important to me, and again it's important for me as a minister to be accountable to the individuals who help me do my job. Certainly, this is a step in the right direction.

**The Deputy Speaker:** Thank you.

We still have some time. The hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Actually, I appreciate the answer, and since she's asking me the question, I'll clarify. I'm talking about the continuing care model that the Minister of Health so valiantly supports. That continuing care model is the seniors' centres like Covenant Health, like Capital health, like the Bethany foundation, and they are not covered in this legislation at all. If you care so passionately about seniors, which I'm sure you do, do you not think that those seniors should be afforded the same protection as those in the Alberta Health Services system?

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

**Mrs. Klimchuk:** Thank you, Mr. Speaker. I think that's a decision that those boards and foundations will have to make on their own. I think that with us setting the tone for this whistle-blower legislation, people are going to be watching this, and I think that's a decision that those individuals would have to make in protecting their interests.

**The Deputy Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. I've just got to question that answer. What you're saying is that an entity like Covenant Health will have to voluntarily go under this act? There are no provisions in this act. I'm assuming you've read it. My question to you is: are you standing by those comments?

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

**Mrs. Klimchuk:** Thank you, Mr. Speaker. Well, I'm sure the hon. member has memorized the bill and read it very closely. I think that the Lieutenant Governor in Council, if you look at section 36, may make regulations

designating entities, including an entity that receives all or a substantial part of its operating funding from the government, as a public entity for the purposes of this Act and respecting the application of all or any portion of this Act to those public entities.

Again, the ball would be in their court.

**Mr. Saskiw:** Mr. Speaker, the Lieutenant Governor is actually cabinet. The member is a cabinet minister, and it says that there's a discretionary power, "may make regulations." [interjections] I can stand this way.

**The Deputy Speaker:** Hon. member, through the chair, please.

Other hon. members, the Member for Lac La Biche-St. Paul-Two Hills has the floor, please.

Hon. member, please proceed.

**Mr. Saskiw:** The Lieutenant Governor in Council is cabinet. It's a discretionary power that says: "may make regulations." Why don't you actually just show some leadership and say "must make a regulation" referring to these types of entities? Why are you leaving the discretion there?

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

**Mrs. Klimchuk:** Thank you, Mr. Speaker. The Lieutenant Governor is indeed not cabinet. I think that the leadership that we're showing as a government is that we are taking leadership by presenting this legislation.

**The Deputy Speaker:** Thank you, hon. minister.

I'll recognize the Member for Cypress-Medicine Hat.

**Mr. Barnes:** Thank you, Mr. Speaker. I rise to add another voice to those speaking on Bill 4, the Public Interest Disclosure (Whistleblower Protection) Act, also referred to as the whistleblower protection act. The federal government has implemented whistleblower protection legislation, as have many other provincial jurisdictions. Here in Alberta there is currently no protection for those who blow the whistle in the public sector. I think it is important for our province to follow suit and put a system in place so that if a person working in a public organization has knowledge of wrongdoing, they are not afraid to come forward. They are doing the right thing and should not be punished for doing this. I have heard a few of my colleagues say that Bill 4 will not really protect whistle-blowers, and I tend to agree. Bill 4 as it is written has no real teeth.

Mr. Speaker, let me outline the three biggest concerns I have with this bill. First of all, what this legislation does is tell people to navigate within their own organization when blowing the whistle on the very same organization. I hope my colleagues on the government benches will take a minute to stop and think about what that really means. Imagine that you witness something at work that you know to be wrong. You are an honest person, and you know you have to do the right thing and report this wrongdoing and help and promote the public interest. You want to make sure you follow all the rules, so you seek advice on how to properly make a report. How do you get this advice?

According to this legislation you could be forced to submit your request for advice on the proper way to blow the whistle not to an

independent source but to the very organization in which you work. In other words, your supervisor, your boss, possibly your colleagues will know that you have asked for this information. Talk about a disincentive to even find out how this whistle-blower protection works, let alone actually report something.

Now imagine that you go ahead and write a report on the wrongdoing that you have this knowledge of, but you're not allowed to blow the whistle to the public interest commissioner, the person who has all the power to investigate. No again. This legislation states that you must first try to work within your own organization in regard to blowing the whistle on that very organization. How can the government really think this makes sense? How can they say that this will protect the whistle-blower or promote our public interest?

Now, there's a provision in this legislation that states that if one reasonably believes that a reprisal is likely, he or she can complain outside their organization directly to the public interest commissioner. But will a person somehow have to prove reprisal is likely, and how would they do so? Will complaining directly to the commissioner really accomplish anything when his power is unchallengeable?

3:50

Mr. Speaker, if someone is going to blow the whistle, they should have the freedom to do so to any source they determine to be the most appropriate. It is ludicrous for this government to try to legislate how and to whom a whistle-blower can take their concerns. I wonder why this government would even try to be so prescriptive, and the only reason I can come up with is that they are trying to make it as difficult as possible for anyone within the government or for anyone within the public service to actually have their concerns addressed, to actually have wrongdoing looked into to promote the public interest.

The government claims this legislation provides an avenue for people to blow the whistle on any wrongdoing, but because it is written in such a narrow and prescriptive way, even if a person were to bring forward concerns, it is highly unlikely that the public would ever hear about it because this government will not allow individuals to blow the whistle to the media or any source outside the government family.

My second concern, Mr. Speaker, is that there is nothing in this legislation, not one phrase, not even one word, about how a whistle-blower could obtain a remedy if they suffer reprisals because they have blown the whistle. And let's be realistic here; most whistle-blowers do suffer reprisals. But there are no mechanisms written into this legislation, legislation that is titled whistleblower protection, for an individual to seek redress like compensation for a destroyed career. Again, talk about a huge disincentive to report any wrongdoing.

Mr. Speaker, last but not least, I am concerned about how broad the exemptions that the commissioner can make are. As written, section 31 allows the commissioner to exempt anything – any person, any public entity, any information, or any record – from any portion of the act or from any portion of the regulations which have yet to be written. Given that this act provides no method for any decision of the commissioner to be challenged – not even the courts can be used to mount a challenge – giving such broad exemption powers does not seem wise and does not seem to be in the public interest.

I am not arguing that the commissioner should not have the authority he needs to be able to deal with concerns that are brought to him, but, Mr. Speaker, there should be some sort of provision for a decision made by the commissioner to be reviewed if necessary. Yet this legislation does not provide for that. It does

not provide even one avenue for a decision of the commissioner to be reviewed. How can the government claim that this is transparent? Not only can no one challenge the commissioner, but if the commissioner has any concerns, he can only complain to a deputy minister, a minister of cabinet, an office of the Legislature, or to the Speaker. This legislation prevents the commissioner from going directly to the Legislature, in other words from going to any elected person outside of the Premier's inner circle, and we know their track record.

This government does not often walk the talk. They seem to think that providing catchy sound bites without taking any action to back them up is all that is required of them. In the case of Bill 4 the Premier said that she is leading the way in terms of accountability. Then I urge her to work with those of us who have pointed out the flaws in this legislation, and I challenge her to fix them and make this a great piece of legislation. If she really cares about being transparent and accountable to Albertans, she should be happy to do so.

Mr. Speaker, I'd just like to pause and close. In the six or so months that I've been an MLA – and maybe being an opposition MLA has something to do with this – the three, four, five, or six professionals that have come up to me over this time period and wanted to tell me something but didn't want it to get back to the government, didn't want their name out, or have started the sentence with, "I shouldn't be telling you this" make me totally aware of how important this type of legislation is.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. The hon. Member for Innisfail-Sylvan Lake, through the chair.

**Mrs. Towle:** Thank you, hon. member. I appreciate your interest and your speech, your talking here. Would you give your position on whether or not you believe this legislation should be afforded to all facilities that are receiving government money, whether they be public, private, whatever they are, and how you would perceive that that could benefit them?

**The Deputy Speaker:** Thank you, hon. member.

The Member for Cypress-Medicine Hat, through the chair.

**Mr. Barnes:** Thank you, hon. member. I for one would be concerned about the input into private. My initial thought is that where there are elements of a significant percentage of public funding that crosses with private service providers or where the government, the taxpayer, the citizen, is funding things, my initial thought is that it should apply because that is public money, and to promote the public interest, that should be protected.

**The Deputy Speaker:** Thank you, hon. member.

Are there others?

I'll recognize next the hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Mr. Speaker. A pleasure to rise and speak to Bill 4, Public Interest Disclosure (Whistleblower Protection) Act. This is an initiative that's close to my heart, having spent the last 10 years in politics because of blowing the whistle on a government that I felt wasn't addressing climate change in a serious way and on a health authority that didn't seem to like that news or the health consequences that I saw arising out of climate change, including new infectious diseases, droughts, food production losses, extreme weather events, and floods, which we've seen a growing number of in this last decade in Alberta.

To get to the point, I guess I see a government that is going upstream after decades of eroding public trust. This is really a bill about trust, and I see a government that has, in most instances that have come to our attention, been transparent only about those things that they've been embarrassed about in public, when good media doing investigative journalism have exposed something, when freedom of information requests have exposed something. Only then does this government actually come forward and acknowledge problems within the system: failure of due diligence, wasteful spending, other activities that actually limit and coerce and in some instances eliminate employees within the government services.

Of course, some of the main ones we brought to the fore in the last year or so. Physicians who have actually been squeezed out of the system because they saw problems in the health care system, tried to raise issues with the government, with the health care system, were dismissed and signed confidentiality agreements, had big settlements, as we know. They still don't have the opportunity without a public inquiry to speak to some of the issues that got them fired. What they were really trying to do was improve the system and address some of the queue-jumping that resulted from coercion on them.

I'm thinking specifically of Dr. Ciaran McNamee, whose lung cancer patients were bumped way down the line by cardiovascular surgeons and through influencing the Health minister and the other officials in the department. He was dismissed because he raised the alarm bell on delays in lung cancer surgery because of priority given to others. That's just one example.

I guess that when I say that this government is coming at this bill with a tremendous handicap in terms of public trust and those of us on the opposite side having real trouble believing that they're sincere, it's this history of cover-ups, of unwillingness to address serious and legitimate allegations of penalties to whistle-blowers, in fact, and an unwillingness to open up these issues unless they are absolutely brought to the table and forced to accommodate the reality.

When I think about speaking out in public, I recognize, as someone who has suffered the consequences of this government's approach to whistle-blowers, that it's hazardous to people's well-being. It's hazardous to their mental health. It's hazardous to their future employment. It's hazardous, potentially, to their family's well-being.

This is a critical piece of legislation, and while I applaud the decision to finally get one on the table, I, like many others here, am very skeptical that this is actually going to accomplish what I think it is that we want to see it accomplish.

Several questions have to be answered with any whistle-blower legislation. First of all, does it make it safe to raise objections or concerns about a particular process or expenditure; secondly, will there be anonymity for the individual; thirdly, will there be an opportunity for any kind of retaliation or negative impact on the individual; and finally, will there be accountability for the offender as well as compensation for the whistle-blower should they pay an inordinate or any significant price for their speaking out?

4:00

Those questions, Mr. Speaker, are at the heart of what good legislation would have to ensure so that anyone who decided to take the courageous step to speak out would feel a hundred per cent confident. What I'm afraid I see, not so much in what's written but in what is unwritten and from some of the discussions that we've heard earlier, is that the internal process, the lack of an appeal process, the lack of an ability to go to the courts



afterwards, the inability to define harm after a period of time if a person has been damaged or let go or voluntarily resigned because it was too uncomfortable to work in that situation, and the lack of significant recognition of the costs to the whistle-blower and commitment to paying for that are serious concerns.

In addition, I guess I would have to echo what a couple of other people have mentioned. One, it's not retroactive. When it comes into place perhaps a year from now, it's extremely cloudy whether an individual who has been part of something that's ongoing should blow the whistle or not because it could be called retroactive if they start to raise issues from the past. It makes it, again, a barrier for people to feel confident in raising it.

Second is the lack of protection for contracted individuals, as I was, in the health care system, the lack of ability to hold people accountable in other partially publicly funded services. Covenant Health was mentioned among others. For many of the seniors' care homes that receive significant funding, even the private ones, again, this doesn't apply there.

One would hope that all of these issues would've been considered and that when we do this, put all the effort and expense of going through this process for a bill, we would make this as comprehensive and as bulletproof, I guess you could say, as possible. What we see is a minimalist approach, an attempt to, I think, give us an appearance of protection, an appearance of trustworthiness. As I say, coming from 10 years of watching this government in action, they're starting at a huge disadvantage with both the public and many of us in the Legislature because there has been very little that has been consistent in terms of a willingness to be accountable and transparent in this government.

It would be a huge cultural shift for us to believe that whistle-blowers would be safe, that they would be compensated, and that the perpetrators of malfeasance, mismanagement, or abuse would actually pay the price. Without that trust, Mr. Speaker, without an overarching sense of trust, which I dare say under the leadership of Peter Lougheed would've just been there – when people in Lougheed's day saw something like this bill, they would've said: "Yes. We believe what he's doing. We believe he wants to be serious about this." If he had considered it, we would have given the benefit of the doubt. In this government we give them no inch because we have seen too much evidence that this is hardly in good faith.

If they haven't done their homework, if they haven't looked at the best in the world – and we have a number of countries that have what's considered to be remarkable and state-of-the-art whistle-blower legislation. They didn't even consider those. That's unfortunate, and it gives us, again, the sense that Alberta has to have a made-in-Alberta solution. We know best, we're going to do it our way, and everybody should trust us.

I'm sorry, Mr. Speaker; we have to do better than that. We have to close all the loopholes. We have to ensure that this process is beyond reproach. We have a distrustful public service. We have a distrustful public. People know the prices that are being paid by those who blow the whistle. We have to have robust and, as I say, bulletproof legislation here that gives people absolute confidence that the best interests of the public, the best interests of good management, and the honest regard for accountability and transparency are held by this government. They're going to have to do better than this to convince us that this is actually going to serve the long-term best interests of this province and the employees working in it.

With that, Mr. Speaker, we'll be making some amendments in the next phase, and hopefully the government will take them in the spirit in which they're recommended. We want a robust bill that

all Albertans will be proud of, that people will not hesitate to use when they see malfeasance and malpractice.

I'll take my seat. Thanks, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. I just have one question. There's an independent body called the Federal Accountability Initiative for Reform, or FAIR. They issued a press release stating that based on their reading of the bill, it would "simply create a black hole into which courageous employees place serious concerns that affect the public interest – and get no feedback, no result and no protection." I'm wondering if the hon. member has had any dealings with FAIR and what you think of their comments on this bill.

**Dr. Swann:** Well, thanks so much for that question. Yes, I'm familiar with FAIR. Many of you will know about the famous Dr. Nancy Olivieri, who blew the whistle on the federal government around research results and the inappropriate reassurance around some drug trials that she recognized. She paid a huge price for blowing the whistle on government cover-up of some of the important facts around health care impacts from some of these medications. FAIR has tried as a result of that, her years of battle and her tremendous financial costs through the courts, to get compensation and protection for her career and her family costs, tremendous stresses and depression.

She tried through this FAIR organization to raise the level of debate and understanding around whistle-blowing in the country, and I give them all the credit for both being critics of legislation as it's emerged across the country and giving constructive guidelines. I think this government would do well to listen to some of the several concrete recommendations that FAIR has made to improve this legislation, and I hope that will be taken to heart.

Thank you.

**The Deputy Speaker:** Thank you.

Are there others? The hon. Member for Cypress-Medicine Hat.

**Mr. Barnes:** Thank you, Mr. Speaker. To the hon. Member for Calgary-Mountain View, two questions.

**The Deputy Speaker:** Through the chair, hon. member.

**Mr. Barnes:** The first one is: who do you think whistle-blowers should be able to blow the whistle to? Secondly, I'm wondering if this lack of accountability harms our government and our public interest in other ways when good public employees don't have the option to blow the whistle and maybe feel a bit bullied, for lack of a better word, if they end up doing worse at their jobs.

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

**Dr. Swann:** Thanks, Mr. Speaker. I appreciate the question. From my point of view, any organization that has wrongdoing should allow the freedom and protection of whistle-blowers. We all lose as a culture, as a population when people are doing things that are either fraudulent or damaging to the public good. I could say that almost any organization has impacts on the public good either through the quality of their products and services or in this case, where we're addressing the public service issues, the public purse and, indeed, the services that they provide.

I wish I could remember your second question, hon. member, but it slipped away.

**Mr. Barnes:** Who should you blow the whistle to?

**The Deputy Speaker:** Hon. members.

**Mr. Barnes:** Oh, sorry.

**Dr. Swann:** Who should you be able to blow the whistle to? Well, clearly, we need independence. If we don't have an independent body through which to speak and to bring evidence, it is difficult to believe that whistle-blowers will be confident and trusting in the process. In this case this bill has only an internal process, or in an extreme case they can go directly to the commissioner. That makes it really difficult, I think, to have confidence in the process. I think we need to have at least some semblance of independence so that people can go wherever they wish to raise the issue, where they think they'll get a proper hearing and redress.

In some cases that may mean to the media. In many cases, at least in the months and years until we can prove up this legislation, I think people need to be able to go to the public, as I did, and make sure that there is full and open discussion of the issues, and people through the media can judge for themselves what seems to be appropriate and inappropriate.

4:10

**The Deputy Speaker:** Thank you, hon. member.

Are there others? The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. My question is regarding the definition of wrongdoing. In the current version of the act there's nothing about political bullying, cabinet ministers bullying individuals. There are constituents in my area that felt this very strongly before and during the election. I was wondering if the member had any solutions to the wording on the definition.

**The Deputy Speaker:** The time has elapsed.

I'll recognize the Member for Lac La Biche-St. Paul-Two Hills on second reading.

**Mr. Saskiw:** Thank you, Mr. Speaker. If we were to implement proper whistle-blower protection in this fall session, that could be something that would benefit this province for years to come. It could be a highlight of this fall session. However, what has been presented to us in Bill 4 is something that will not leave a good legacy. Instead of implementing proper legislation with teeth to defend whistle-blowers, the government decided to bring forward legislation that will defend them from whistle-blowers.

I'm disappointed that this bill doesn't apply to ethical behaviour. There were many examples that I had in my constituency where municipal leaders were bullied into making a decision or would face serious consequences in terms of funding. They were fearful of speaking out on those matters, and rightly so.

The government knew that the public, I think, was looking for action following the alleged intimidation of health care professionals and the accepting of illegal donations. This should have been part of Bill 4. We should take issues like the intimidation of health professionals and other public servants seriously, but the government has chosen not to do so, and it's disappointing.

The bill is also currently structured to keep highly damaging information as private as possible. It indicates that the government wants to hide from whistle-blowers, not protect them. Under the proposed legislation government employees that are seeking

advice on blowing the whistle can be forced to submit their request in writing. This seems disturbing and is a way of intimidating people to not even think of blowing the whistle or finding out how to do so.

Further, section 10 makes it clear that you cannot blow the whistle to the public interest commissioner unless you have attempted to do this within your own organization. You know, one example is a health care professional. Are they really going to want to go to Alberta Health Services if those are the people that they feel are intimidating them? There is obviously going to be reprisal. Mr. Speaker, I feel that this was deliberately put in to scare public employees out of doing what is right and coming forward with information that is beneficial for the public good.

Mr. Speaker, let's imagine this. Imagine you worked in a place where your superiors were public employees that were making over-the-top expense claims. Imagine they were charging the taxpayer for thousands of dollars for things that were not necessary to do their job: butler service, a Mercedes, trips around the world. It's very hard to imagine taxpayer dollars being wasted like that, but just try and imagine that. Imagine if you had the good conscience to come forward with this and save the taxpayer from being brutally abused in these situations.

Should you really have to bring this up to the manager that is abusing the taxpayer first? Wouldn't doing that possibly intimidate you from coming forward in the first place? I think the obvious answer to that is yes, and that is why we shouldn't have to force individuals to go through a potentially flawed internal process within the organization that they are trying to blow the whistle on. It just isn't a good idea, Mr. Speaker, and I don't think it's right.

We should work to encourage whistle-blowers. They can help stop ethical lapses and financial mismanagement as soon as it happens. If we had good whistle-blower protection, perhaps a public employee could have come forward in the recent health expense scandal. That would have saved taxpayers thousands of dollars. Why wouldn't we want to include that in the legislation? What are they hiding? What are they trying to stop from being made public?

Furthermore, the act is on a go-forward basis. If we want to ensure that Albertans are getting proper use of their tax dollars, we should ensure that this legislation allows brave whistle-blowers, who are already putting their neck on the line, to be protected if they want the public to know about recent issues. This may include issues that we do not know about yet, but it would be better for the government to learn from previous mistakes than to repeat them in the future.

An example in my constituency is about some municipal leaders in my area as well as their CEO who were in a meeting with the minister, who basically said: you sign this document, or you're never getting another grant. That has to be made public. Those people have to have the ability to blow the whistle on that and not fear reprisal, not fear that their community isn't going to get the funding because they spoke out. It was a shame in our community. It was a black eye on democracy, actually.

Instead of doing this, the government is simply trying to make this effective only from the day the bill passes, and by doing this, the government closes the door on any wrongdoings in the past. This government has done more to cover their tracks than to put Albertans first with this legislation.

Formal whistle-blowing legislation is welcomed by the Wildrose and, I'm sure, is welcomed by all parties. We could have had a full, multipartisan approach, where you put this legislation to a committee that would examine the legislation, look at all the

best practices from organizations like FAIR that have come up with substantive recommendations, and get it right. But just like the government's FOIP Act, it is designed to protect the government, not the public.

I still hope that we can work together to create more effective legislation than what has been presented. This is still a first for Alberta. There has been no protection of whistle-blowers in government previously. It's a good thing this government has brought forward this legislation, but we should ensure that this legislation is one that will leave a lasting positive legacy, not just assist the government in sweeping things under the rug.

You know, we've talked in the past about having legislation done properly instead of having flawed bills come to the Legislature, where individuals don't know that the Lieutenant Governor, the Queen's designate, isn't actually the person that drafts regulations. They're the ones that put it into force, make it come into law. We need to have those types of discussions so that the legislation is done properly. Important pieces of legislation shouldn't be left to regulation. It should be right in the substance of the bill. Regulations are only meant for minor details that can change from time to time.

Key substantive provisions should never be left out of the face of the document. The reason for that is that legislation, at least to some extent, is debated in this House. We have the opportunity to provide amendments to it. But with regulations it's at the sole discretion of cabinet. If cabinet wants to make regulations on this, they could. Under section 36 they may. Well, I don't think Albertans can trust them to definitely make a regulation, particularly when answers on protecting employees of organizations, like, you know, employees of seniors' homes, aren't properly given to us.

You know, our caucus is coming up with many substantive amendments. I know that other members of the opposition are coming up with amendments, too. Let's hope that we can work together to actually take this legislation, that I think in many ways is a facade, breathe some life into it, and make it so that whistle-blowers can blow the whistle at any time and in any place and for any reason that's valid. In particular, we would look to be expanding the definition of wrongdoing to ensure that it includes political wrongdoing. I guess the fact is that if you're a cabinet minister or if you're an MLA or whatnot and you're not doing anything wrong, you should have no problem with putting that protection to the public in the definition of wrongdoing.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a). The Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you, Mr. Speaker. I appreciate the comments of the hon. member. You brought up an organization called FAIR. I, too, have looked at some of their stuff. I read with great interest David Hutton's article in the *Calgary Herald* and other things of that nature. For a government that seemingly was dedicating itself to openness and transparency – there are many examples throughout the world of governments which have actually written good legislation and opened this up to what in that organization's view is very good legislation – why would this government choose to write such a mediocre bill or, as you say, a facade instead of simply getting legislation from another government that was already out there, already proved to be working, as organizations like FAIR said, and just simply cut and paste that and implement that instead of putting in this, to use your words, facade legislation?

4:20

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

**Mr. Saskiw:** Thank you, Mr. Speaker. The organization FAIR – the member refers to it – talks about legislation that's in other jurisdictions like the U.S.A, the United Kingdom, Australia. If there are precedents out there, then why reinvent the wheel, particularly if it's so poorly done? The quote that they use is that this legislation “compels the whistleblower to enter a secretive, bureaucratic and tightly-managed process which is likely to bury their allegations and is unlikely to protect anyone except the wrongdoers.” I think the member states rightly that if there are other jurisdictions with the legislation out there, surely the legal counsel for this government would have looked at other legislation, but that may not be the case.

My understanding – we've had some communications with this organization – is that the government hasn't consulted with them at all. You have a body that has expertise. This is all they do. They have looked at all legislation. They have tons of reports on it, tons of good information, and this government hasn't even bothered to consult with them. It's to their own detriment. We're seeing in the media, you know, that they're looking at this independent body which is making substantive arguments about why this legislation doesn't work, and I think Albertans are starting to understand that this legislation is a failure.

I thank the hon. member for his question, and hopefully – hopefully – we can take some of the recommendations that FAIR has presented, get to Committee of the Whole, put them forward to the government, and hopefully the new minister will accept those recommendations so that we can actually have real legislation. We hope that the creation of this bill in such a poorly written fashion wasn't deliberate. Maybe I'm just a new MLA and I'm being naive on that. There are a bunch of other amendments here that FAIR has put forward. Some of them are specifically related to certain sections here, but we'll take some of their overall principles, incorporate them into our amendments, and hopefully the members on the other side will judiciously look through our amendments.

**The Deputy Speaker:** Thank you, hon. member.

The Member for Innisfail-Sylvan Lake under 29(2)(a).

**Mrs. Towle:** Thank you, Mr. Speaker. Hon. member, we heard over there from the minister of arts and culture that you really couldn't cover seniors' care centres, and she wasn't really sure what the difference between private and public was. I'm just wondering: is there the ability in Bill 4 to ensure that any organization that receives public money could be covered? Is that a possibility in this bill, or is it absolutely impossible, as we've heard?

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

**Mr. Saskiw:** Thank you, Mr. Speaker. It so happens that we actually have an amendment on that. It's just amazing how that happens. It's actually even been approved by Parliamentary Counsel, so it is possible that we can put that in the bill. The hon. minister somehow said that this was some type of impossibility, that if an organization has employees that aren't employees of the government, it can't be included. That's not the case. If there is an entity, whatever type of entity, whether it's a seniors' home or some other entity out there, provided that that entity receives public funding and provided that taxpayer dollars are going into it, there should be the opportunity for those individuals, if they see

mismanagement – and there's a load of mismanagement; we've seen that – to be able to blow the whistle so that taxpayers are protected.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Member for Edmonton-Beverly-Clareview. Please proceed.

**Mr. Bilous:** Thank you, Mr. Speaker. It gives me great pleasure to rise today to speak regarding Bill 4, the Public Interest Disclosure (Whistleblower Protection) Act. I have much to say, so we'll see where this carries me.

First and foremost, you know, when I heard that the government was going to be introducing legislation on whistle-blower protection, I was quite optimistic and hopeful that this legislation would actually in fact protect whistle-blowers. Unfortunately, this bill is fraught with problems that I will attempt to outline in the short time that I have. It's frustrating because, again, as other colleagues have pointed out, whistle-blower protection is something that is sorely needed within this province. The legislation that we have in Canada, unfortunately, doesn't go far enough, as other members have pointed out.

I'd like to begin by talking about how, you know, good whistle-blower protection would cover workers, whether they're in the public sector or the private sector. It would cover all workers, which is the first shortcoming of this bill in that it only covers public-sector employees, and even then it doesn't go far enough. I mean, in our great province there are many, many workers who are contracted. As my colleague from Calgary-Mountain View pointed out, when he was working in the public sector, he was actually contracted, so this current legislation would not have protected him either, which is a major shortcoming.

The way I look at it is that if we are spending our time and resources in drafting legislation in this great House, then we should ensure that it's legislation that is well thought out, where we look at different points of view, where we ensure that no stone has been left unturned. I applaud my colleagues from the opposition parties for their due diligence in looking at this bill and thoroughly going through and adding their points of view and trying to close some of the loopholes. My optimism, unfortunately, is not where theirs is in that this is rife with so many challenges and problems that I'm not sure we can plug enough of these holes. If this was a ship, it would have already sunk.

One of the great concerns I have is that we have a commissioner with an unbelievable amount of power. First of all, if the commissioner decides that not a single instance of alleged wrongdoing has occurred, he has unlimited discretion to decide to do nothing about it. The fact that you've got a single entity, a single person that makes that decision of whether or not something will or won't be investigated is a problem right at the forefront. I'll talk a little bit more in a bit about the reporting that the commissioner has to do, but again we don't get any specifics in this bill. Therefore, we're going to see that many of the details, as far as individual cases, are going to be left in the dark.

First of all, there's a lack of an appeal mechanism, the complete lack of ability for individuals to appeal a decision that the commissioner has made. There's no access to the courts, no possibility of a judicial review of that. I'm not sure what my colleagues across the way were thinking. If a person wanted to challenge a decision made by the commissioner, well, clearly, it's: sorry; there's really nothing that you can do about it. You know, according to David Hutton, a gentleman from FAIR whom others

have quoted, at least in our federal legislation there is the potential for a judicial review.

In section 52 of our bill here it states that "no proceeding or decision of the Commissioner shall be challenged, reviewed, quashed or called into question in any court." That, of course, is a grave issue. You look at our regular court system, and there is an appeal process. Decisions can get taken to the next level until multiple rulings have been made. Unfortunately, in the case of whistle-blowers, should the commissioner make a decision, well, we're all left with that decision forevermore. Strong whistle-blower legislation should protect and add access to the courts, not replace that access.

4:30

The disclosure process and limitations are a challenge. Again, the annual reporting the commissioner will make once a year is pretty weak. This is worse than our federal law because our commissioner, according to this bill, does not need to disclose many details beyond annual statistics. So the challenge is that there is no disclosure or process for disclosure to the public. You know, if we want whistle-blower protection to protect Alberta workers, they need to have that access of going public to ensure that a situation is not only identified, but then something is done about it.

There is some exemption as far as employees for coverage. This is another power that the commissioner holds, where he or she may exempt a person from coverage. The fact that he or she has the ability to freely designate departments, offices, et cetera, from whistle-blower protection – in other words, meaning they are exempted from the law, they're above the law – is a major concern. I mean, it's unacceptable in that it goes completely against the scope of what the government is saying that this bill will do.

In seeking a remedy, at least in the United Kingdom our colleagues' act focuses on remedies for the whistle-blowers, so it provides that compensation will be given to whistle-blowers. So the whistle-blower, for their system at least, is made whole if they suffer damages from that process. This current bill, Bill 4, doesn't have anything that will protect and compensate the whistle-blower. For myself this is glaring evidence that this bill is not about whistle-blower protection. Again, it's about protecting the government from whistle-blowers.

I find it quite interesting that my colleagues across the aisle boast about how proud they are of this bill and how strong it is, yet if you look at section 3(2), it clearly states that: "This Act applies only in respect [to the] wrongdoings that occur after the coming into force of this Act." Well, if this bill is that strong, then why can't you protect whistle-blowers who have had past transgressions, as opposed to saying: okay; the clock starts today. I find that a serious challenge to their position.

Unfortunately for whistle-blowers that do blow the whistle, many of them lose their jobs, face immense legal and other costs. So, you know, it is essential that whistle-blower protection have robust details regarding remedies in order to make it an effective law and to ensure that the whistle-blower is protected.

I'll move onto an example from Australian law. Something that is strong from their own provision is that if bureaucracy refuses to investigate, the whistle-blower has the right to go public, and they are protected. So at least there is a provision where, if the internal mechanism fails, which I'll speak to in a moment – I mean, an internal mechanism for whistle-blowing is already destined to fail – in Australia they have the option then of going forward and going public. They are protected, which is a crucial piece to

whistle-blower legislation, where clearly this bill falls flat on its face.

Strong whistle-blower protection must turn delay tactics on their head and not allow for that. It must consider the limitations. There shouldn't be any restraints going beyond the internal. Again, I've spoken in the past in this House that a whistle-blower should have the ability to blow the whistle anywhere, anytime, to anyone. That is the first and foremost criteria of any good whistle-blower legislation. The start of this bill talks about the limitations on who, when, and how and really does itself a disservice and doesn't live up to what it potentially could be.

Talking about the reports, the commissioner's annual report to the Legislature will not provide enough information for the public. Missing details are likely going to include departments, individuals involved in the investigations, remedies sought/awarded, penalties to departments or individuals, and specific steps taken to remedy wrongdoing, which is a great way for one to learn from their mistakes. Of course, if this Legislature is unaware of all of these details I just mentioned, well, I'm not sure how we're going to move forward in a way that's going to strengthen and improve the system upon which this is being built.

You know, I think the way this bill is currently written: there's quite a bit of secrecy. When we look at the internal disclosure process, that will actually, in fact, silence the whistle-blower and intimidate those who do not feel comfortable going through the internal process.

I've mentioned already the monopoly of control the commissioner will have over this legislation, which, again, works completely opposite to what the intention is and has been outlined by the government in this bill. In the end, you've got a commissioner that can effectively shield the government from whistle-blowers, which is a grave concern.

I want to touch again on the five tenets that have been outlined by various organizations and which I feel strongly should be in this legislation. One, first and foremost, is that a whistle-blower has full free speech rights and that their freedom of speech is protected no matter who they speak with, where they go, and that they have access to the media.

You know, again, I'd like to bring up the example that the incident that happened – and "incident" isn't even strong enough of a word – at XL Foods could have been prevented had we whistle-blower protection that protected private-sector workers. It became clear after the fact that there were workers who were aware, that there were some concerns they had regarding their work at the plant but, of course, fear of reprisal, fear for some – there are many temporary foreign workers who work at the now JBS, the XL Foods plant – of being deported, not just losing their jobs but being evicted from the country. Clearly, they weren't about to sacrifice or take that chance. I'll jump to the public example in a second.

Had we whistle-blower protection that would have protected these workers, they could have stepped forward. They could have blown the whistle. This crisis could have been prevented, the incidents of people getting sick, the fact that our reputation was, I'll say, slightly tarnished by this. It all could have been prevented.

I mean, the purpose of whistle-blower protection, folks, is to not only protect the whistle-blower but also to strengthen and improve our public sector and also our private sector. You know, it causes me alarm, and it makes me think that my colleagues across the way haven't necessarily done their due diligence in research, in looking at other jurisdictions, in looking at laws that exist in other countries like the U.K. and Australia that show that strong whistle-blower protection will actually, in fact, help to save dollars, protect workers.

I mentioned David Hutton with FAIR, and he has also written that, unfortunately, our federal whistle-blower law has not been much better than this one in that the federal government has expended roughly \$30 million with very little coming out in the way of protecting our workers.

It's my contention and, I believe, my colleagues' on this side of the House that, you know, we write this bill, we do it correctly the first time, we ensure that it's going to do what it set out to do, which is, again, to protect the whistle-blower, to ensure that they don't have fear of reprisal, that they're not going to be either harassed or intimidated or, worse, lose their job for speaking out. We have many examples, unfortunately, in our history of when this has happened. If we want to do something to ensure that they are protected, well, then, we need to rewrite this current bill and, honestly, start from the top and consult with industry and experts in this area. I find it amusing . . .

4:40

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. The hon. Member for Livingstone-Macleod, through the chair.

**Mr. Stier:** Good afternoon, and thank you, Mr. Speaker. I appreciate the opportunity to speak to the House again today. I've enjoyed the . . .

**The Deputy Speaker:** Hon. member, this is 29(2)(a), not your opportunity to speak.

**Mr. Stier:** Fine. Yeah.

**The Deputy Speaker:** That's fine. Carry on.

**Mr. Stier:** I've really enjoyed the information that the Member for Edmonton-Beverly-Clareview has been providing us. He spoke an awful lot on things in the bill that seem to be a problem for him. I just wondered, in addition, are there other sorts of legislation perhaps that he might think should be added to this, in his opinion?

Thank you.

**The Deputy Speaker:** The hon. member, in response.

**Mr. Bilous:** Thank you very much, and thank you to the hon. member for that question. I mean, definitely we need to add to this. Of the five I think I only covered the first, talking about full free speech rights. There's also the right to disclose all illegality and misconduct. There should be protection so that there is no harassment of any kind for a whistle-blower or any form of reprisal that can be taken upon a person who goes out and, again, is reporting on this with the intention of improving a system or correcting measures that aren't right.

I think part of the problem is the way this bill is written. The government will speak about how this is to protect the whistle-blower, but truly when one goes through the bill, we see that it is mostly geared toward protecting not the whistle-blower but the government from the whistle-blower. Section 27, I find, talking about human resource management decisions: well, the way that it's currently written, it basically gives an out for a ministry to let go of a whistle-blower for making – I'll read it. "No action lies against a department, public entity or office of the Legislature, or an employee of any of them, for making a reasonable human resource management decision in good faith."

Part of the issue I have is that when you have a bill like this, where we're relying on the definition of one person's idea of good faith, it can be argued in so many different ways that a person was

acting in bad faith, therefore their reprisal or losing their job or other consequences are justified. I don't think public servants or people who are going forward to report this want that decision based on an interpretation of what good faith is. I mean, that's an issue.

Should members go through the bill section by section, I think it's clear that many pieces of this legislation need to be rewritten. There's too much that's either left for interpretation or up to the discretion of one person, the commissioner, which is too much power in the hands of one person and really should be given to the public.

Thank you.

**The Deputy Speaker:** Thank you.

Others on 29(2)(a)? The hon. Member for Medicine Hat.

**Mr. Pedersen:** Thank you, Mr. Speaker. I'd just like to ask the Member for Edmonton-Beverly-Clareview, because he's enlightened us quite well, how can a bill like this with so many holes in it, some large enough to, say – I'll just sort of warn the members across the way – drive a bus through them, be presented to us in the Legislature? Do you think we're being punked here?

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

**Mr. Bilous:** Thank you for that question. You know, it gives me great concern that there are this many holes and, as you've so aptly described, that you could drive a bus through the size of the holes in this bill.

It's just frustrating for myself that there is whistle-blower protection that exists in other jurisdictions that does protect the worker, and I'm unsure why the government hasn't consulted, hasn't looked into these pieces of legislation. We have organizations like FAIR, David Hutton, whose whole scope of work is about identifying and sifting through, line by line, legislation on whistle-blower protection. His organization was not consulted. He was not approached, and he even extended his hand out to the government to give some feedback on this legislation. To my knowledge, my understanding is that he was not contacted and was refused access. So it's quite frustrating.

The potential for this legislation, I think, was great. I think it is definitely needed.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the next speaker, the Member for Drumheller-Stettler.

**Mr. Strankman:** Thank you, Mr. Speaker. I'm uneagerly awaiting my chance to speak to this bill because it is an important bill, and I am not an excellent public speaker, but I do believe that it needs to be addressed. I have serious concerns with the methodology of it and the intricacies of it.

Unfortunately, whistle-blower protection in this province is long overdue. We will join the ranks of Ontario, Manitoba, Saskatchewan, and Nova Scotia in having protection for whistle-blowers. Whistle-blowers protect the public interest and safety by courageously stepping forward despite the odds against them. In a word, they are heroes. Heroes are selfless, they sacrifice for others, and they are brave when they stand up against insurmountable odds. They are David to Goliath, and we should do everything we can to make sure David wins.

With that, Mr. Speaker, I'd like to relate a personal experience that I had in a previous life, when I was in Ottawa and challenged by a Member of Parliament at that time, Dr. Wayne Easter. I was

representing the Western Barley Growers. Going forward, I had heard that some serious questions were going to come forward from opposition in the House either that week or the next week coming. I had a chance to greet Dr. Easter at a committee hearing. He was advising me as a westerner how I would be involved in politics of the country coming forward. I had a chance to grab Dr. Easter's hand and shake it and tell him that Canadians were having an increasingly difficult time discerning between a Liberal and a crook. It was only a very few days after that that the sponsorship scandal broke. Allan Cutler, sir, was the gentleman that broke that sponsorship scandal. He blew the whistle on it.

I have to tell you, sir, that I kind of skipped part of my story. For Dr. Easter to understand that I came from western Canada, I made a statement that with federal Liberals it was difficult to discern between their political aspirations and that of being a crook. His face just simply dropped. He was shaken, and I believe in my heart that he knew that there was something afoot. This whistle-blower came forward, and as we all know, the Adscam scandal broke. It wasn't about the incompetent use of tax dollars. It was about the deliberate and fraudulent use of tax dollars for those political purposes. So I believe whistle-blower legislation is extremely important.

For too long civic-spirited public servants have been afraid to come forward or be destroyed if they do. Careers can end, and jobs can be lost. Ultimately, the livelihood of a person and their family is put at risk when someone in the public sector wants to step forward and bring attention to outrageous behaviour. I am pleased that after 41 years of government the party in power has finally seen fit to pass whistle-blower legislation. It's about time. There are also limitations to prevent fraudulent claims against the government. Whistle-blowing is too vital to a free and healthy democracy to be bogged down with the vindictiveness of some. This legislation should be reserved for those who know of serious wrongdoing in public institutions.

With this legislation, sir, I do have serious reservations and will not be supporting the bill in the present form. This piece of legislation before us will protect those in the public sector when and if they blow the whistle. They should not have to fear reprisal from their supervisors or any other management executives in their department. The problem is that I do not believe in this government, and I don't believe that this bill was intended to protect employees of the government. This bill reads a lot like the FOIP Act, and it was intended to protect the government from its employees. If this bill was intended to hold government to the highest standards and facilitate whistle-blowing, it would read much differently.

From the beginning of my reading, Mr. Speaker, this bill seemed a bit suspicious. Why would this legislation only apply going forward? Why wouldn't the government be interested in violations of the public trust in the past? Why wouldn't it want to know about gross mismanagement of public funds or reprisals against employees, and to the Member for Innisfail-Sylvan Lake, whether they're involved in health care or not?

**4:50**

One could conclude that there is something to hide, Mr. Speaker, especially since this bill, if passed, would not be implemented for some time. This seems less like whistle-blower protection and more like whistle-blower suffocation. What kind of message does this send to the civil service right now? The expense scandal in our health system was only brought to light by a FOIP request from the media. Government tried to hide the scandal. I would surely doubt that this government claims to be perfect, so why gag the civil service in the meantime? Why not make a

promise here in the Legislature now to protect employees against reprisal from this day forward instead of some distant future date yet to be defined?

As it stands in this bill, wrongdoing is limited to gross mismanagement of funds and assets in civil and criminal law. We can do better than this, Mr. Speaker. We should be looking at ethical behaviour. A good friend of mine once said: you cannot legislate morality.

Another major concern of mine, Mr. Speaker, is the exemption section of this bill. To be honest, sir, all barn doors are smaller than this exemption, and there's been comment made about a bus and even a double-decker bus that could be driven through the legislation.

The government is asking us to trust the judgment of the Ombudsman or whomever is designated to oversee this process. Where I'm from, Mr. Speaker, trust is earned, not demanded. Memories are long. We have an Ethics Commissioner in this province. We have conflict-of-interest legislation in this province, and it's clear that former ministers must cool off for one year before re-entering government service, especially in their own department. Yet somehow party hacks wind their way back into government positions before a proper cool-off period. What's the point of conflict-of-interest rules, for example, if this government is going to just waive them when it's in their best interests? What could happen with whistle-blower protection in this province when anyone or anything can be exempted from the act? It's shameful. Albertans deserve better than this.

To that end, Mr. Speaker, I'd like to speak to a campaign promise that I made guaranteeing personal anonymity in whistle-blower legislation. Well before this legislation was brought forward, I ran in the election campaign with a personal commitment to my constituents that if they knew of wrongdoing, not criminal wrongdoing, I would give them a personal guarantee of whistle-blowing anonymity to the best of my ability.

This whole bill seems designed to keep a lid on outrageous conduct inside government. This seems far too secretive for me. This province thrives on freedom. The ministry that crafted this bill has the words "transparency" and "accountability" in its name, yet somehow this bill does not allow findings of wrongdoing to be made public by the public interest commissioner. Every avenue is designed to lead to the Premier's office and cabinet. If the commissioner is ignored by a minister or the Premier or a deputy minister, there appears to be no recourse so that the public is aware of the situation. Ironically, this seems against the public interest. How can this be?

I find it interesting that this bill closely follows the relevant legislation in Saskatchewan, the people's republic of Saskatchewan. I find it interesting because there's a significant clause in The Public Interest Disclosure Act of Saskatchewan that allows a commissioner to make a special report to the Speaker if it is in the public interest and relevant to a disclosure made to that office. Somehow that section 24 from Saskatchewan did not make it to this bill here.

I seriously hope the government reconsiders their bill and listens to the opposition so that serious progress can be made.

Mr. Speaker, I will not be supporting this bill in its present form. Thank you.

**The Deputy Speaker:** Thank you, hon. member.  
Standing Order 29(2)(a).

**Mr. Dorward:** Mr. Speaker, my grandmother's maiden name was Hutton, and as most people here will know, my first name is David. I do want to congratulate the parties opposite from start to

finish for their detailed analysis of a website which is run by a Mr. David Hutton – I believe that is his name – the FAIR website. You know, I clicked on one button on that website, and I found a whole series of comments that are eerily similar to what we've heard here for the last while.

Getting down to a question, I find it ironic that on the day that the Results-based Budgeting Act report is tabled in the Legislative Assembly, all the parties opposite – I think I've heard it from all of them, and I stand corrected if I'm not right, and for greater clarity: the Wildrose, the Liberals, and the New Democrats – have all spoken about opening up this legislation to all sectors. As a chartered accountant who ran a CA business, I can only imagine in my mind's eye, with just the clients that I was favoured to be the accountant for, how this legislation, if it was open to them, would be very expensive. To the member opposite: what will it cost if they open this legislation up to all enterprises?

**The Deputy Speaker:** The hon. member to respond, if you care to.

**Mr. Strankman:** I have no idea, member opposite. I think that's in the hands of the government.

**The Deputy Speaker:** Standing Order 29(2)(a). Are there others?

**Mr. Griffiths:** I'd just pick up where my colleague left off. I think it's very, very important to consider the cost implications that go along with this. I know that when a legitimate whistle-blower comes forward with some issues of wrongdoing that are going on, it has to be investigated. It has to be investigated to also make sure that you don't have some employee coming forward who's got an axe to grind, that just wants to blame somebody. How are you going to hire enough people to police that, and who's actually going to do the policing of that?

**The Deputy Speaker:** The hon. member to respond.

**Mr. Strankman:** Mr. Speaker, I don't think this government is afraid to spend money. It seems quite open in their budget deficit where that money is going. [interjections]

**The Deputy Speaker:** Hon. members, the Member for Drumheller-Stettler has the floor. Thank you.

**Mr. Strankman:** Mr. Speaker, I made the personal commitment in my constituency. It might be possible for the hon. members opposite to do the same in theirs.

**The Deputy Speaker:** The hon. Minister of Finance and President of Treasury Board.

**Mr. Horner:** Thank you, Mr. Speaker. I'm intrigued by the personal commitment the hon. member mentions, and I'm curious as to how many people have come forward to take him up on his personal commitment and have done whistle-blowing through that commitment.

**The Deputy Speaker:** Hon. Member for Drumheller-Stettler, do you care to respond?

**Mr. Strankman:** I'm sorry; could I just have clarification, sir?

**Mr. Horner:** You mentioned that you gave a personal commitment for whistle-blower protection, that you made a personal commitment of guarantee. I'm wondering if you've had in the last eight months any people come forward to take you up on that.

**Mr. Strankman:** Yes, sir. I've had several.

**The Deputy Speaker:** Are there others?

**Mr. Dorward:** Just to clarify that comment, I thought that on that side were the ones who wanted to spend the extra money out there on other entities, not this side. Are they the side that wants to spend that money on opening up the legislation to all entities?

**Mr. Strankman:** To the hon. member: I thought I answered the question. I said that I made the personal commitment and that I would do that in my constituency.

**Mrs. Towle:** I just want to clarify . . .

**The Deputy Speaker:** Through the chair, hon. member.

**Mrs. Towle:** Sorry. Through the chair. It's my understanding, because I spoke about it, that nobody on this side said that it would go to private companies. We said: anybody receiving public money. I just want to clarify. You're not hard of hearing, correct? That is your understanding. I just want to make sure. Is that your intention? Is that what you mean when you're talking about putting it forward to other companies?

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

**Mr. Strankman:** Yes, Mr. Speaker. I'm talking about government money. I'm talking about public spending going forward. If people are saying that there is public money being spent improperly, I would like to know, and I would bring that forward from my position as an elected representative from Drumheller-Stettler.

**The Deputy Speaker:** Thank you, hon. member.

**Mr. Dorward:** Mr. Speaker, there's only one taxpayer. When you add administrative burden, which I think is the suggestion here, you add cost. Is that not the case?

**The Deputy Speaker:** That opportunity has expired, hon. members.

If there are no other speakers, I'd invite the hon. Associate Minister of Accountability, Transparency and Transformation to close debate.

**Mr. Scott:** Thank you very much, Mr. Speaker. As sponsor of Bill 4, Public Interest Disclosure (Whistleblower Protection) Act, I have appreciated the lively and very selective debate by the members of this House. My only wish is that they would have taken the time to read our legislation with attention to detail. Over the last week I've been closely monitoring the commentary about Bill 4. I am proud to see that there has been unanimous support for the core principles of this legislation.

5:00

With this in mind, I believe there have been some misperceptions and mischaracterizations of the operation of our proposed legislation. Let me reiterate what Bill 4 really does. It establishes a formal process to facilitate the disclosure of wrongdoing, conduct investigations into wrongdoings, and protect those making disclosures from reprisal. It also applies to the public sector and is one of the broadest in Canada in its application. This legislation will apply to the Alberta public service, agencies, boards, and commissions, academic institutions, schools boards, and health organizations upon proclamation.

Mr. Speaker, I remind the House of these principles because now I would like to take a few minutes to address some of the statements made by members last night and this afternoon and, in doing so, to set the record straight about how the legislation will actually operate.

I'd like to thank my colleague the Minister of Justice for clarifying the difference last night between retroactive and retrospective application of this new legislation. There was a perception that past wrongdoings are outside the scope of the legislation. I would like to provide some more detail around the matter of retroactivity. Mr. Speaker, investigations by the commissioner can address any wrongdoing, including those that happened before the act comes into force. Furthermore, the commissioner can report their findings and refer the matter to the appropriate authority for action. Sections 18 and 19(2) . . . [interjections] Read the act. I feel like I need to educate everyone here. Read the act. Read it. It would be a nice change if the members on the opposite side of the House read the act before they commented. That's the difference that I think I would like to see from this side.

**Mrs. Towle:** Did you even read it?

**Mr. Scott:** You know what? I think I'm the only one when I compare what I've listened to from the other side.

**The Deputy Speaker:** Hon. associate minister, through the chair, please.

Hon. members, the hon. associate minister has the floor. Thank you.

Please proceed, sir.

**Mr. Scott:** Furthermore, the commissioner can report their findings and refer the matter to the appropriate authority for action, section 22. For example, if the commissioner investigates and confirms an allegation of fraud that occurred in 2011, they can report their findings publicly, make recommendations, and refer the matter for criminal prosecution, section 22.

**An Hon. Member:** We're looking.

**Mr. Scott:** Yeah, open it up.

Of course, offences that are created by this act – for instance, a reprisal or obstructing a commissioner's investigation – cannot be applied retroactively because they were not against the law at the time they occurred. [interjections] You should have been listening instead of talking, and then you would've heard the answer to your question.

**The Deputy Speaker:** Hon. members, please. The associate minister has the floor.

**Mr. Scott:** It would be like prosecuting someone for talking on a cellphone while driving before this government brought in distracted driving legislation.

Last night some members also raised concerns with the definition of wrongdoing. There was some suggestion that the definition is not broad enough. Mr. Speaker, the kinds of wrongdoings reportable under the act are consistent with comparable legislation in other Canadian jurisdictions. A wrongdoing includes violations of provincial or federal law, actions or omissions that create a danger to public health or safety, gross mismanagement of public funds, and counselling any person to do any of the above, section 3(1).

We've also heard members of this Assembly say that individuals should be protected from intimidation and bullying



and that the protection against reprisals that this legislation guarantees doesn't go far enough. What this legislation does is guarantee that should a member of the public witness a wrongdoing, they receive protection from reprisal, which will include:

- (a) a dismissal, layoff, suspension, demotion or transfer, discontinuation or elimination of a job, change of job location, reduction in wages, change in hours of work or reprimand; [or]
- (b) any measure . . . that adversely affects the employee's employment or working conditions.

To repeat, Mr. Speaker, "any measure . . . that adversely affects the employee's employment or working conditions." Clearly, this provides far-reaching protection for employees and includes intimidation and bullying. While this wasn't quoted in the FAIR report, it is in the legislation under section 24.

Earlier today the Minister of Culture explained why the act is structured to enable disclosure through an internal process or to the commissioner. Bill 4 is designed to maximize the ability of the employee to make a safe disclosure. We all know that these types of situations can be very difficult and stressful for an employee. Not only does this legislation establish an internal process so that the employee does not have to be subjected to the public spotlight, but it ensures that if the employee does not believe the internal process is safe, they may go to the independent commissioner to disclose the wrongdoing, section 10(1).

There were many liberties taken last night with interpretations of transparency by this government. Some even went so far as to say that public reporting is not transparent enough and that the legislation prevents wrongdoings from being made public. This is simply not true, Mr. Speaker. The legislation contemplates public reporting in two ways. At a minimum the commissioner and all public entities must report at least once annually, and these reports will bring to light descriptions of wrongdoings found and any systemic problems. That's section 32 and section 33. In addition to the annual reporting requirements, the commissioner is enabled to report about any matter whenever they feel it is in the public interest to do so, section 33(3).

Another mischaracterization of the act suggests our legislation creates red tape. This legislation does not create a bureaucratic maze or black hole into which complaints could disappear. In fact, Bill 4 clearly prevents this for the following reasons. First, an employee making a disclosure internally may simultaneously notify the commissioner to ensure appropriate oversight, section 9(2). Second, employees may disclose directly to the commissioner, where appropriate, and this includes when an employee fears reprisal or is reporting about the individuals charged with administering the internal procedures. That's section 10(1).

Allegations have been made that the commissioner, an independent officer of the Legislature, will abuse their discretion when administering this act by granting exemptions. The power to exempt is necessary to allow the commissioner to ensure that the act applies fairly to a wide range of public bodies. For example, where public bodies are so small that it would be impractical for them to comply with the act's full requirements, the commissioner may exempt them from establishing an internal process, and all disclosures would go directly to the commissioner. Furthermore, to ensure that the exemption power cannot be abused, the commissioner must make public any exemption and supporting rationale, section 31(3). The commissioner will be accountable for every exemption they grant.

One of the most perplexing comments about this act is with

regard to the commissioner's independence. As I've said repeatedly, the commissioner will be an independent officer of the Legislature and will have full discretion to carry out their responsibilities.

There will be situations where it would be simply inappropriate for the commissioner to investigate. In those circumstances they must have the discretion not to; for example, where a complaint is clearly frivolous or malicious, section 19(1). I believe accountability will be achieved through the establishment of an independent commissioner.

Another mischaracterization of Bill 4 is that there would be no way for the courts to review the commissioner's decisions. The courts in Alberta have the ability to judicially review any exercise of discretion by any officer of the Legislature. Let's be clear. The decision by the commissioner is subject to judicial review.

There were two other questions that arose last night about the commissioner. The first was how disclosures about the commissioner would be handled. Disclosures about the commissioner are made to the Auditor General. In these circumstances the Auditor General assumes the powers and responsibilities of the commissioner, section 12. Second, the act clearly states that the commissioner will be appointed by the Lieutenant Governor in Council upon the recommendation of the Legislative Assembly – I'm looking forward to that discussion with all parties – and that's found in section 38.

As I said before, extensive research was undertaken to ensure this bill reflects the best practices nationally and internationally. Some members have suggested our legislation doesn't have any commonalities with the best practices from the Australian legislation. In fact, Mr. Speaker, the commonalities of Bill 4 and the Australian legislation include but are not limited to broad application of the public sector, establishment of an independent commissioner or similar body to oversee the operation of the act and conduct investigations where appropriate, similar reporting requirements for both annual reports and investigation reports, and allowance for disclosures to be made anonymously.

This sets the record straight on the multiple mischaracterizations of Bill 4. Mr. Speaker, I move second reading of Bill 4, the Public Interest Disclosure (Whistleblower Protection) Act.

**The Deputy Speaker:** Thank you, hon. minister.

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

[Several members rose calling for a division. The division bell was rung at 5:10 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Allen	Fawcett	McIver
Bhardwaj	Fraser	Olesen
Bhullar	Griffiths	Pastoor
Brown	Hancock	Quest
Calahasen	Horner	Sandhu
Campbell	Hughes	Sarich
Cao	Jansen	Scott
Cusanelli	Kennedy-Glans	Weadick
Dallas	Klimchuk	Webber
DeLong	Luan	Woo-Paw
Dorward	Lukaszuk	Xiao

Against the motion:

Anderson	Fox	Smith
Barnes	Hale	Stier
Bikman	Hehr	Strankman
Bilous	Pedersen	Towle
Donovan	Rowe	Wilson
Forsyth	Saskiw	
Totals:	For – 33	Against – 17

[Motion carried; Bill 4 read a second time]

### Government Bills and Orders Committee of the Whole

[Mr. Rogers in the chair]

#### Bill 2 Responsible Energy Development Act

**The Chair:** Amendment A1 is on the floor. The hon. Member for Airdrie to speak to the amendment.

**Mr. Anderson:** Just as an observation to the House, there's a very bad snowstorm outside right now. My understanding is that Edmonton public transit is going to be shutting down or already has shut down. We do have a lot of staff in the Leg. and in our caucus offices and so forth, and there are some amongst them, I'm sure, that do use public transit. I'm not sure about those folks on the other side. But it would be something to consider that after we're done here, in half an hour anyway, with the city essentially shutting down with regard to this storm, we might want to think about doing the same so that we can keep everybody safe and get home safely tonight. I would just like to put that on the record as something to think about. Hopefully, in half an hour we can adjourn for the day. We've been working till midnight virtually every day we've been here, which is fine, but it's just something to think about for the safety of folks. If something were to happen, it would be a real tragedy.

**The Chair:** On the amendment, the hon. Member for Strathmore-Brooks. On amendment A1.

**Mr. Hale:** Yeah. Thank you, Mr. Chair. This amendment A1 is something I will be supporting. I just have a couple of questions for the hon. Energy minister about it. When we talk about changing it from a regulatory review to a regulatory appeal . . .

**The Chair:** Hon. member, if I may, just a moment. Based on the discussions last time the committee met, amendment A1 was broken into A1A, A1B, A1C, A1D, and so on. For the record the decision was made that we would deal with these as A, B, C, so we would be dealing with A1A at this point.

Please proceed. Thank you.

**Mr. Hale:** Thank you. I would just like some clarification on changing the word from "reviews" to "appeals" and if that has any bearing on the process within the act. It seems to me that they're just changing the word in the act. It doesn't really explain what the change will mean. Is there a difference, I guess, between an appeal process here or a review process? I was just hoping that maybe the Energy minister could elaborate on that.

**The Chair:** Thank you, hon. member.  
The hon. Minister of Energy.

**Mr. Hughes:** Thank you very much, Mr. Chair. I appreciate the member's question, and I also appreciate the approach he's taken to working through this, very much so. I look forward to working with him through the various amendments that we've got on the floor in the important outcome that we're seeking together for Albertans.

Really, this is a change of the name of the process from a regulatory review to an appeal. It has no substantive impact, but it does help communicate to people that this is indeed an appeal process and that it's an internal appeal process at this stage. It makes it very clear that there is this appeal mechanism in addition, of course, to the appeal to the courts, which is also another part of the bill as well, as is the case in other existing legislation.

**The Chair:** Thank you, hon. minister.

The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Chair. I'm just looking at amendment A1 and the change of the terminology from a review to an appeal under division 3, part 2 of the act. One of the main issues that we had with the bill was the right to a full and independent appeal process that was originally in the Energy Resources Conservation Act. I'll just quote from it briefly. In that section it had a provision that

if it appears to the Board that its decision . . . may directly and adversely affect the rights of a person, the Board shall give the person

And that, of course, is mandatory language.

- (a) notice of the application,
- (b) a reasonable opportunity of learning the [surrounding] facts . . .

So it's also slightly a disclosure requirement. It also gave them

- (c) a reasonable opportunity to furnish evidence relevant to the application or in contradiction or explanation of the facts or allegations in the application.

My understanding is that the opportunity is probably dependent on the facts situation, whether or not that type of evidence would be provided by written appeal or orally.

It also provided what in our judicial system is very important, and that's a right to cross-examine – that was under 26(2)(d) – anyone who presented the application and who presented the facts. Why cross-examination is important – and this has been stated by judges across our country – is that it's one of the only opportunities to really get to the truth of the matter, where you have a free flow, an uninterrupted flow of a direct question and a direct answer back. To my understanding, such a right of cross-examination currently isn't under the proposed Bill 2.

5:30

And then under (e), "an adequate opportunity of making representations by way of argument to the Board or its examiners." Representation I think would be defined as oral representation as well. I get that, you know, the change has been made from "review" to "appeal," but my question is whether or not the meaning of "appeal" now actually includes all these normal rights that are associated with an appeal. You can name something under a statute, call it something, but if the underlying rights associated with that word aren't there, then it's rendered meaningless. So I guess my question is whether or not the changing of the words in this amendment A1A to "regulatory appeal" furnishes the landowner that's been adversely affected by an application with those rights that existed previously under the Energy Resources Conservation Act; namely, the opportunity to learn the facts, the opportunity to provide evidence, and the

opportunity to cross-examine anyone who has put those facts within that notice of application. Without those rights a mere word is meaningless.

**Mr. Hughes:** Well, Mr. Chair, I believe what we're doing here is going through on a clause-by-clause basis. Is that correct? So perhaps that question could be addressed more appropriately with the part of the legislation that addresses that and not imputed into this clause.

**The Chair:** The hon. Leader of the Official Opposition.

**Ms Smith:** Thank you, Mr. Chair. I'm hoping to be able to meet with some members of CAPP and SEPAC next week. We're lining up a meeting for early in the week to be able to go through some of the amendments that the minister has brought forward as well as the amendments that we're bringing forward. I know we're going to be getting through this over the course of the next half-hour or so, so I'm just wondering if the minister can help me answer a couple of questions.

We know that we're trying to balance the interests and rights of a number of different parties here: environmental groups and landowner groups as well as the energy companies. Now, I'm curious. From the minister's perspective when he made the decision to put "review" in there in the first place, who was it that he was consulting with to get that language? Then when he made the decision to switch to the word "appeal," on whose consultation and what advice did you get to make that change?

The reason I'm asking that is because when I meet with these energy industry companies next week and they're asking me the question about this change from "review" to "appeal" and the kind of impact that it might have on how this legislation is interpreted, I want to be able to have an answer for them about where the consultation began, why "review" was chosen, why it's now switched to "appeal," what impact that would have. Is this in response to something that the energy companies have brought forward to you as a concern? Is it something that the environmental groups have brought forward as a concern, or is it something that the landowners have brought forward as a concern? If you could address each of those three different groups so that I can have some satisfactory responses if we do indeed make this change so that I can understand the difference in the terminology.

Thank you, Mr. Chair.

**The Chair:** Thank you.

The hon. minister to respond.

**Mr. Hughes:** Thank you, Mr. Chair. I appreciate the question. It was clear in the early drafting. The consultation was done with all of the groups that the hon. leader has questioned about with respect to leading up to preparing the first version. You know, what we saw out there in various communities over the past 10 days or so since I first introduced the legislation was that there seemed to be a lack of recognition that there actually was an appeal process that was consistent with what people had seen historically. In some of the predecessor legislation like the ERCB the term was actually "appeal" as opposed to "review."

We started out with "review." That was something that was familiar to people in administrative law, but, in fact, what became evident was that it would probably be helpful to revert back to the term "appeal" in order to ensure that there's greater clarity. We're

just trying to seek greater clarity here. So I hope that answers the hon. leader's question.

**The Chair:** Are there others on amendment A1A?

Seeing none, we'll call the question.

[Motion on amendment A1A carried]

**The Chair:** We'll move on to a discussion on A1B.

The hon. Member for Strathmore-Brooks.

**Mr. Hale:** Thank you. Under this one the heading to part 2 is amended by striking out "Regulatory Reviews" and substituting "Regulatory Appeals." First, some clarification on this. When you're saying "regulatory appeal," does that mean that it'll be an outside appeal source through the commissioner that will be listening to the appeals? I guess I can't call them reviews anymore. Or does it go through the board of directors? Do they just have a look at the application and then make their decision? I'm just trying to clarify if every one of these appeals goes to that commissioner. Or does that board of directors make that decision without going to the commissioner?

**The Chair:** Hon. member, we go back and forth here, so if you're asking that question to the minister, I'll invite the minister to respond.

**Mr. Hale:** Sure.

**Mr. Hughes:** Thank you, Mr. Chair. In fact, what I would say is exactly what I said in the previous comments in the exchanges that we had. This is simply substituting the word "appeals" for the word "reviews," and that's consistent throughout the whole piece. We'll see this several times in the course of this amendment.

**The Chair:** The hon. Leader of the Official Opposition.

**Ms Smith:** Thank you, Mr. Chair. Just in the interest of time and easing things through, I guess I'm just wondering, because I notice that when we get to a later amendment in M, you do sort of an omnibus section change to change this wording. I think that's maybe why we're getting a little bit hung up on why these ones are separated. We're just trying to figure out why you wouldn't have included these kinds of changes under section M or N when you seem to be making kind of similar changes there. We just want to make sure that we are not missing any important nuance about why these are itemized separately before we get to some of the other more substantive amendments. If you could just clarify that, I'd be grateful.

Thank you.

**The Chair:** Thank you.

The hon. minister.

**Mr. Hughes:** Thank you very much. Yes, in fact, Mr. Chair, these are simply the same amendments, the same changes for the same reasons and with no greater import other than they're headings as opposed to substantive parts of the other pieces of the legislation.

**The Chair:** Any further questions or comments on this amendment A1B?

I'll call the question.

[Motion on amendment A1B carried]

**The Chair:** We'll move to A1C. The hon. Member for Strathmore-Brooks.

**Mr. Hale:** Thank you, Mr. Chair. In this one section 31 is amended by adding “public” before “notice.” In the bill it says that “the Regulator shall on receiving an application ensure that notice of the application is provided in accordance with the rules.” So my question to the hon. Energy minister is: what sort of public notice? Will it be a mail-out? Will there be public meetings? How will these people being affected, be it urban or rural, receive this public notice? Will it go out to the surrounding area, the province of Alberta? We need some clarification, I guess, on how public the public notice is, how the public is going to receive that notice.

“In accordance with the rules”: well, in the rules it says that the regulator is going to make the rules or the cabinet will make the rules. Is this something that can be predetermined now, or is it something that’s going to have to wait until the regulator is formed, the board of directors is formed, and then they’ll decide what sort of public notice it is going to be?

5:40

**The Chair:** The hon. minister.

**Mr. Hughes:** Mr. Chair, thank you. As the hon. member would know, today there are certain normal practices by regulators in terms of how they give notification to adversely and directly affected parties. There are other aspects of this legislation which make it clear and which actually up the bar in terms of the requirement on the regulator not only to notify people but also to allow people to self-identify, saying: you know, I think I’m directly and adversely affected here over and above whoever you, the regulator, think is affected. That’s all dealt with later in the legislation.

In this case what we also wanted to do was that over and above the process, that we can address later in the legislation, we wanted to ensure that there wouldn’t be just notice but that it was, in fact, public notice. There are many practices that evolve over the years that regulators use for that kind of notice. One would assume that there would be, certainly, a website presence in terms of awareness. That is not necessarily done for all applications today. It’s one step of disclosure and awareness that will be helpful, we believe, to landowners to help ensure that people know if there’s something coming that might affect them, even though they haven’t been notified for whatever reason by the regulator, that the regulator thinks they’re directly and adversely affected. It’s a step up in terms of trying to ensure that there is one more opportunity to make people aware of the application coming before the board.

**The Chair:** Thank you, hon. minister.

The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you, Mr. Chair. I appreciate that definition, but I’m probably going to need a little more help on it. One of my criticisms of the act is that there appears to be – actually, not appears to be. There is no longer any public interest provision. Public interest is no longer part of the act and the like. So because there is no public interest, I’m very interested in what “public notice” is. You also know that “directly and adversely affected,” despite what people may think, really limits the definition of who these regulatory bodies or this new Responsible Energy Development Act needs to communicate with.

Given that the scope of the act has been cut down on public interest, I’m asking, really: what were the requirements before for a public notice? Was it by newspaper? Was it by publication in a newspaper? Was it the like? That, to me, is what public notice would be, something in the newspaper or some other communication tool. What was it then, and what is it now in this current act? I think that if you can tell me that, that would be great.

**The Chair:** The hon. minister.

**Mr. Hughes:** Thank you, Mr. Chair. Interesting question, actually. What we’re witnessing here is an evolution of an understanding of what the term “public interest” really is. In fact, I would challenge the hon. member to define public interest. I think we all know what it is conceptually, but it’s exceedingly difficult to actually define it in a way that has meaning and that gives strength to the public interest that one might be trying to accomplish. It was a term that was used quite widely, perhaps, when the ERCB legislation was put in place, and it really over time has effectively lost its meaning. So we need to be much more specific. This act is seeking to be much more specific. However, this particular amendment is not speaking to public interest at this time. We’ll get to that in later parts of the bill.

What this speaks to is simply ensuring, Mr. Chair, that the regulator must – I repeat must – provide public notice. Public notice reflects current best practices. The Energy Resources Conservation Board today and the environmental regulators, that we’re bringing together in the new regulator, probably pursue slightly different ways to ensure that there’s public notice. There are best practices that regulators follow, and we would be looking to see that they actually follow those best practices. It could involve website – you know, we’re talking here about thousands of applications in a year. There are different grades of sort of impact that different applications might involve.

The goal is to ensure that we get everybody who has an interest into the discussion at the front end of the process, and that’s why you have a public process. There are people who are identified at the front end as adversely and directly affected. Then there are people who self-identify and say: “Hey, what about me over here? I think I’m adversely affected. Here’s why, and here’s the impact.” If you get them all into the discussion at the front end, you get a much better outcome in the regulations process than you do if you end up with a subset of those people in the discussion at the front end, and then somebody says: “Hey, wait a minute. What about me?” after they’ve already gone through the process of review and have tried to make a decision in good faith.

This is an attempt to ensure that we have as wide a base, as wide an engagement as possible of the people who should be there at the front end.

**The Chair:** Thank you.

The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Chair. I’m hoping that the minister can just clarify a little further. I apologize for not knowing this in detail. Public notice. I’m just wondering if there’s any kind of parameter around what constitutes this, if there’s a clear or identifiable amount of public notice that must be given or if it’s a one-off: they throw up a poster on a billboard, and that’s taken care of, and they can cross it off the list. Are there any stipulations or requirements defined either in the act or that are meant to be read in this that will just provide clarity? How does an application – how can they check that off, or how do they ensure that they’ve given public notice? Please.

**Mr. Hughes:** That’s a fair question. For those of us who don’t do this every day, you know, we want to make sure that the intent of the legislation is appropriately followed through on. I would say that the intent here is, clearly, appropriate public notice. Appropriate public notice is to get the job done to ensure that people who maybe believe they would be adversely or directly affected, if they haven’t been notified, would have as good a chance as

possible of receiving public awareness through a public notice of some form. Clearly, common sense tells you that that's not a poster on the wall, that it's not through means that don't achieve the objective of ensuring that it is a genuine public notice.

It could be the website. It could be other means as well. It depends upon the size of the application as well. This could be quite different for an oil sands plant in northeastern Alberta as opposed to a gas well on a quarter section in southeastern Alberta somewhere, where there's nobody living within five miles. You know, it could be quite different.

What will evolve and what has evolved over time is a practice of best practices and rules of conduct by the board, historically by the ERCB, and by the environmental regulators as well. So they would build on that history and those steps to make sure that the objective of public notice was achieved appropriately.

**The Chair:** Thank you, hon. minister.

The hon. Member for Innisfail-Sylvan Lake.

5:50

**Mrs. Towle:** Thank you, Mr. Chair. I'm not going to ask for clarification on, necessarily, what public means, but there are a few things that I would just like to further massage if we could. When you say the rules, it says that "the Regulator shall on receiving an application ensure that [public] notice of the application is provided in accordance with the rules." The question I would have is: given that you would be creating one regulator and that each of those regulators, that were previously separate, would all have different rules as to what their standards were – I'll give you an example. My husband and I were turkey farmers, and we were an intensive livestock, 150,000 birds, and the rules were different. We had one set of rules with the ERCB, and then we had a different set of rules with the NRCB, and then we had a different set of rules with the county, and a different set of rules with, you know, the adjacent farmers.

When you're bringing together multiple organizations, which we all agree is a good thing, to offer one-stop shopping – a fabulous idea – who is going to decide what those rules are? I see that the regulator is going to apply them, but who is actually going to decide what those rules are? And in that decision of what those rules are, who is going to oversee that those rules going out to the landowner are appropriate?

Alternatively to that, if you're going to have a discussion on what the requirements or the rules are going to be in terms of public notice – I know in our case with the turkey farm, we had to notify everybody around us. Then we had to notify through the NRCB everybody within a certain distance of us, and then we had to through the county do a public notification in the paper and also attend a little hearing thing.

Who, then, will decide that all of those rules that you're creating for the public notice are appropriate? Who, then, will be going to the stakeholders to have a discussion with them on whether those rules actually hinder the process or make the process go further, which is ultimately our goal here?

Alternatively to that, you mentioned that you're not really sure who defines public interest. I can appreciate that because bringing multiple regulators together has got to be a little bit difficult. If you're not sure who defines the public interest and the public notice goes out through this section 31, notice of application, then who would define the rules that affect the interest of the public that it could affect? If we're not sure who defines public interest, then I think we need to ensure that we're making this actually

applicable and ensure that public notice actually reflects public interest.

Otherwise, you know, my father-in-law owns a dairy farm, and he has to buy acreages all around him because they might oppose something 20 years from now. It's business planning, right? That same philosophy could be applied to industry. What we don't want is industry struggling and landowners frustrated. We're trying to appease that. So if we're not defining public interest at this point, then how can we make sure that the rules apply to public notice if we don't know who the public is that it's applying to?

Alternatively to that, does anyone get to set it? Ultimately, if the rules are set – we're not sure yet by whom – is it the ultimate distribution of those rules, that are supposed to cover the public interest for the public notice, by cabinet that has a say in coming in and overriding when those regulators get together? And they say: okay; this is what we believe is in the best public interest and what we're trying to achieve. I know it's a lot. Sorry.

**The Chair:** The hon. minister.

**Mr. Hughes:** That's okay. I appreciate it. I'm just glad to know who I can call when I need a turkey or 10 just before Christmas.

Mr. Chair, let me try and take a crack at this. I didn't say that we don't know who is defining the public interest. At least, I didn't intend to convey that. The concept of public interest is a concept that is ill defined just by practice over the last few years. What we're trying to do is move away from an ill-defined, mushy, well-intended concept to something that's quite specific every time we're drafting legislation. That's the reference to public interest.

With respect to who sets the rules for what "public" is in terms of public notice, first of all, the new regulator would take a look at past practices of all of the previous regulatory aspects of this. So the ERCB, the environmental regulators that are being pulled together into this one regulator would look at those. It would be my expectation as the minister that they would go to the highest standard of public notice. If that isn't adequate in some way or if people feel that that is not adequate in terms of public notice, then people have an opportunity to engage with the Minister of ESRD and the Minister of Energy through the policy management office, where we will be setting policy and receiving input on policy issues in general rather than focusing on one application by one applicant.

You know, it might be a little bit like your experience with the NRCB, but every regulator is different – right? – so there's going to be a different experience, I suspect. What we've got to do in bringing together these entities is that they will be charged, first and foremost – the new board and the CEO and the responsible people in the Alberta energy regulator – with ensuring that they have first-class public notice processes. If it isn't adequate, I know I'll hear about it, and so will you.

**The Chair:** Thank you, hon. minister.

Are there others? The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Chair. Just on this amendment, the inclusion of "public" prior to "notice." I really have no concern with that. I guess the one concern is with the rules. It says: "The Regulator shall on receiving an application ensure" that, if this amendment goes forward, the "public notice of the application is provided in accordance with the rules." Given that notice is so important to landowners if there's an application for a project

that's going on their land, it's again going back to this principle that if there's something that's material, something that's important, we should put it directly into the act rather than leaving it to either regulation or, in this case, you know, in accordance with rules. I'm assuming that the rules are the equivalent of a regulation, that the rules would have the force and effect of a regulation.

I guess when looking at this, if you're a landowner and you see this piece of legislation passed and you're worried about notice and you've seen notice provisions in previous legislation, there may be some cause for concern that the rules, once they're drafted, may not afford that landowner sufficient protection. I guess the way these rules are drafted is that the regulator will be the one that first initiates the drafting of the rules. My understanding is that – I'm guessing – the rules that will initially be drafted will be the same rules that were in force under the

previous act, the ERCA. That would probably be the foundational starting point for the rules in this act, but I guess as a landowner you're concerned. You're thinking with the new rules that the regulator is going to put in: is that going to afford you sufficient protection, or are you not going to get the appropriate notice that you would normally receive to defend yourself in a full and open hearing?

I guess the other concern that I do have is that not only can the regulator draft rules that respect this amendment in section 31, but the cabinet minister, in my understanding, can amend any rules under this legislation. Section 60 sets out the areas that the Lieutenant Governor in Council . . .

**The Chair:** Hon. members, it's 6 o'clock. The committee stands recessed until 7:30 p.m.

[The committee adjourned at 6:00 p.m.]

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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Wednesday evening, November 7, 2012

Issue 17e

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta**  
**The 28th Legislature**

First Session

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## Legislative Assembly of Alberta

7:30 p.m.

Wednesday, November 7, 2012

[Mr. Rogers in the chair]

### Government Bills and Orders Committee of the Whole

**The Chair:** Hon. members, we will call the Committee of the Whole to order.

#### Bill 2 Responsible Energy Development Act

**The Chair:** When we recessed, the hon. Member for Lac La Biche-St. Paul-Two Hills was speaking. Please proceed, hon. Member for Lac La Biche-St. Paul-Two Hills, on amendment A1C.

**Mr. Saskiw:** Thank you, Mr. Chair. Previous to the break we were talking about section 31 in the proposed amendment, to put the word “public” in front of “notice of the application.” Some of the issues that are outlined in that is the fact that the section reads: The regulator shall on receiving an application ensure that, if the word is inserted, “public” notice of the application is provided in accordance with the rules.

Later on in the act it’s section 60 that sets out which regulations the Lieutenant Governor in Council will make. Then section 61 provides that the regulator may make rules, and it delineates roughly 20 different grounds upon which the regulator can make rules. It’s section 61(a) that says that the regulator may make rules “respecting the contents of notices of application” and a bunch of other different issues.

I guess the concern that we would have is that if the rules are going to provide for substantive notice to a landowner on a proposed project, would it not be better to specifically outline what notice has to be provided right in section 31? There are obviously the traditional principles of natural justice that should be incorporated or codified into section 31 so that landowners clearly know what rules will be put forward by the regulator, or at least there should be some parameters so that it’s not an all-encompassing power that the regulator has under section 61 and so that the rules that are created are held accountable here in the Legislature rather than giving an unfettered power to the regulator.

Of course, second to that is that the minister has power under this act to essentially override any single rule that’s created by the regulator. That relates to this amendment as it deals with notice that should be provided under the rules. It’s just my submission that the rules themselves should delineate exactly how notice will be provided. On such an important issue we shouldn’t leave that to a regulator. We shouldn’t leave that to a cabinet minister in the future. We should put it right into the piece of legislation.

Thank you, Mr. Chair.

**The Chair:** Did you care to respond, hon. minister?

**Mr. Hughes:** Sure. Thank you, Mr. Chair. I appreciate the comments of the member opposite. I think the intent of his comments is completely consistent with the intent of the legislation in other parts, which is to specifically say that people who are directly and adversely affected must be given notice, and then you have the public notice over and above that as, let’s call it, additional insurance to ensure that there’s a full and complete engagement at the front end of the regulatory process. But I appreciate the sensitivity.

I think it’s difficult, perhaps unwise, to put into legislation today all means of communication. After all, five, 10 years ago who communicated by tweeting? The technology evolves, and the use of it and how it’s taken up by people in society changes and evolves over time. What we want to do, though, is to have the intent reflected here fully. It’s got to be appropriate to achieve the objective of ensuring that all directly and adversely affected parties, or those who believe they are directly and adversely affected, have the opportunity to engage at the front end of the regulatory process.

**The Chair:** Thank you.

The hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Mr. Chair. There was one part of the question that I asked you before that I didn’t get an answer to, so I’d just like to pose the question to you again really quickly. When you talked about the rules and the public notice going back to notice of application, I had asked how we’re going to verify that and who’s going to determine those rules, and you had answered very well that we would all be working together and those regulators would be working together. The question I had, though, is: would there be stakeholder contact and stakeholder consultation as to what rules would be in place and what would constitute public notice? Would they be consulted as we go through this process?

**Mr. Hughes:** In short the answer is yes, in fact, because what we’re creating is a mechanism for the engagement of a wide range of stakeholders at the policy level, the policy level being the Department of Energy, the Department of Environment and SRD. There’s a policy management office. It’s a new organization that we’re creating, and their role is to engage with stakeholders, make sure that any evolution in policy – let’s call it that – takes place in an open process. I expect there to be quite a bit of activity around the policy management office. I expect not-for-profit organizations and interested parties and others to be quite engaged around this on specific issues until we get to a comfort level with how the new regulator is functioning. But the first opportunity will be for the regulator to get it right right off the bat and go to best practices right off the bat, and then it would be unlikely to have a lot of people coming and speaking to the policy management office about public engagement policy.

**The Chair:** The hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you very much because that actually does answer most of my question. I just have one quick other clarification on the policy management office. I’m just curious. Will there be a tender? Clearly, we don’t want every single person coming to you. That’s overly burdensome on what we’re trying to achieve. Will the policy management office do a call-out or have terms of reference that would say: “Okay. These are what we’re looking for. These are the kinds of stakeholders we’re looking for.” Those people could then have an application process of some sort and would be notified that they could come on certain days. There might even be public notice to those groups that we’re looking for input on X, Y, and Z. Is that process in place, or is that going to come afterwards once we pass the legislation?

**Mr. Hughes:** Yeah. The process itself would come after we’ve got through the legislation process and this has been passed. Then we’d start to build the machinery of the operation to make sure that we have a wholesome engagement with stakeholders.

**The Chair:** Any other comments on amendment A1C? I recognize the Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. Hearing the other members that I had an opportunity to listen to, I have a lot of concerns with the narrowness or the vagueness of the whole issue of public notice. This is an opportunity, I think, to maybe make this – I don't want to use the word "broad" – more definitive.

Let me give you an example. There are numerous cases now in Alberta where the public was not notified, and I'll give you a prime example. Section 34(1), 35, and 36 of the Electric Utilities Act would be one example where the public is supposed to be notified. You go back to the old EUB. There were instances when the public was supposed to be notified, and they weren't notified. There are court cases that have resulted from the fact that notification wasn't given.

I'm going to read something that I'll table tomorrow, but this is pertinent to this whole issue that we're dealing with. It comes from my riding, the James River area, and it's the public meeting that was scheduled for November 14. What the notice says – and I'll actually pass one to the hon. minister here if I could. It says:

Unfortunately Alberta Surface Rights Group is going to cancel the public meeting at the James River Hall, scheduled for Nov. 14/12.

We were really looking forward to this meeting as we planned to use a totally new format. Instead of bringing in a guest speaker . . . on a specific topic, we were going to run this meeting as an information [session] . . . an information meeting for our group, to find out what the concerns were within the area. It was going to be an open mike, where people could share their concerns, their problems, maybe their successes!

We knew the area had been subject to a major pipeline spill and a concentrated shale play.

Hopefully we will be able to hold this meeting at a later date.

7:40

The reason we had to cancel was the recent introduction of "the Responsible Energy Development Act" (Bill 2) in the Alberta Legislature, late last week.

Quite frankly it caught us by surprise! This is really bad legislation . . . really bad. This legislation takes away most of the tools in your negotiating tool box. It almost completely destroys your right to an independent and fair hearing on whatever you might find unacceptable. The inclusion of water for energy development under the regulator puts all of our water at risk. Perhaps the very worst thing is it denies you due process of the law . . . it takes away your right to the rule of law . . . fundamental to any democracy!

The spin the government is trying to put on this one surpasses all the lies they told us before about the land theft bills (19, 24, 36, 50). Several lawyers have contacted us telling us just how bad this one is!

We feel this is the "hill to die on"? If the Redford government succeeds with this evil legislation . . . we truly don't believe there is much point in having a landowners rights group . . . because quite simply . . . we won't have any rights!

We need to fight this bill with all our might and all our resources.

Please keep your eye out for future public meetings we will be holding. Please support your opposition MLAs! If you have a PC MLA please send him/her a message that you expect them to stand up for your rights and freedoms . . . and not the oil companies profits!

Truly if there was ever a time to stand up and do your part . . . It might be your last chance.

You don't like that, and I understand that.

**Some Hon. Members:** Who wrote that?

**Mr. Anglin:** I'll find the author. I pretty much know who the author is. But you've got the group name. It's the Alberta Surface Rights Group. [interjections]

But let's talk about it.

**An Hon. Member:** Did Joe Anglin write that?

**Mr. Anglin:** No, Joe Anglin did not write that. Joe Anglin just read it into the record, ladies and gentlemen. [interjections] So let's take a look at how it affects this amendment.

**The Chair:** Please. The hon. Member for Rimbey-Rocky Mountain House-Sundre has the floor.

**Mr. Anglin:** It's interesting. I know you don't like it, but the reality is that it is a concern with the public. I'll give you an example about that concern. Granted, the letter I read would be considered by many in this room objectionable. I understand that. But what you're not understanding is where it came from. That's the point I'm trying to bring to you.

I'm going to give you an example from right here in the House. The hon. member the other day read during question period a statement. I have to get the right . . .

**The Chair:** Hon. member, keep your comments to the particular amendment. I would really appreciate that.

**Mr. Anglin:** I am. I'm talking about the public interest.

**The Chair:** Please try.

**Mr. Anglin:** Okay. Basically, what I want to say is that the hon. Member for Fort Saskatchewan-Vegreville – I wanted to make sure I've got the right riding – read a question that is pertinent to this whole issue of public interest. This is what concerns these people. She was reading section 26(2) of the ERCB. It says: "It goes on to quote section 26(2) of the existing Energy Resources Conservation Act, which says . . ." Then she read the act. Then she goes on to say: "We must look at the act and how it relates to the other sections. In this case the author has looked at section 26(2), which I read, and not looked at section 26(1)." Then she goes on to read 26(1).

Now, the people who drafted that letter picked up, very simply, that section 26(2) makes a comment right at the very beginning. You could look it up. It says, "Notwithstanding subsection (1)." Now, these people understand the law. The reason they understand the law is that they go to these board hearings. They have input even in the board process. What they're having a difficult time doing is following this government's thought processes as it creates this new bill, as it creates this new regulatory body.

I want to make a comment in that regard. The people who do protect the public interest are good people for the most part. The lawyer that was mentioned in that question period was a lawyer by the name of Keith Wilson. He is one of the leading experts on landowner rights. If you don't like it when you run up against a capricious government decision, you will hire somebody like Keith Wilson. But he's not alone. There's another person by the name of Fitch, other persons by the name of Carter, Niven, Secord, Bur, Henry Loots, Johanna Price, Luke Kurata, and Scott Stenbeck. These are the lawyers that practise law in a very, very small field in this province, and they are the experts in landowner rights. They are the experts in the public interest when it comes to oil and gas development. Those are the lawyers that represent the public interest. Now, you may know this, but most law firms in

this province are in a conflict of interest with oil and gas because that's where they make most of their money. That pool of lawyers that represent landowners is a very small pool, and two of the names I read for you came from out of this province. It is a small pool of law that is practised.

I will tell you – you can shake your head – that I have actually participated in a number of these board processes, and there are always the same lawyers there, always arguing 26(2), always arguing the definition of the public interest, always arguing notice. That's what we're talking about here with this amendment. You can shake your head, but the people on the outside are shaking their heads, and if you don't want to listen, then this is going nowhere.

I want to point out – you can mock what was just read, and I will table it tomorrow – that these people are talking about: this is where they want to plant the flag. This is the hill they want to die on. This is where they plan on standing up and fighting. It will not serve the oil and gas industry. It will not serve our development. This is important. It will create chaos if you don't make these people somehow believe that what you're trying to do is going to work for both sides. Here we are right here, dealing with this issue of public interest, which is a very broad term in law, and rightfully so in many ways, but it can be narrowed in scope in the parameters of: how are we going to give public notice, and what exactly is public notice? There's a difference between the public and the individuals that are adversely and directly affected, and this one right now is all encompassing. It just says "public."

What people are worried about is when they are notified in the newspaper in the typical advertisement. By the way, in most of your local newspapers – pick any one out as an example – there are probably five or six notices today, all looking pretty much the same unless you look at that map. You may or may not have a chance to read it because you're that typical person that doesn't pick up your weekly newspaper until four or five days later, or you may not even see that week's newspaper. You get that public notice out there, so-called in the public interest, but the people who need to be notified aren't exactly given the proper notice. That's what creates the problem.

I said this once before in this Assembly, and I'll say it again. It's never been the money in settling the issues with oil and gas development. It's not. It's always been about respect, and it's always been about the fact that either they don't get notice, or even when they get notice, they don't get standing. That is all about the public interest.

I understand what you're trying to do, but I don't see the meat in the matter here. I don't see where the public is protected by this idea of: okay, we're just going to put out a public notice. As an example – and it may have been given today – somebody wakes up, and there's equipment 75 feet from their home working, and they never had any idea. They just find out that it's actually on somebody else's property over the fence, and they weren't told. Again, that was a failure not just of public notice, but that was a failure of the individual who was adversely and directly affected, and it was a failure of the system. So it starts a problem right there.

Let's be honest: most reputable oil and gas developers don't run into this problem. They generally go above board. They raise the bar, and they do amazing things. In my riding we have an organization called SPOG – it's Sundre Petroleum Operators Group – and they function really well working with the industry. [interjection] You can mock me, but I've got one of your members agreeing. They're a good group. They set a bar. They work with industry, and they feel frustrated right now by this bill. They're

the ones that actually sent me a copy of that letter. They said: did you see this?

7:50

Here we have a group that wants to work. Here we have a group that understands what the public interest is in their jurisdiction or their geography of where they operate. They do an outstanding job, and they feel slighted by what's going on here. What I'm trying to tell the hon. minister, as I'm looking at your amendments, as I look at each one of these amendments – I've read the bill – is that I'm looking for the amendments to actually do something. What I'm seeing here is just a little play on words. I'm not saying that you're intending to do that, but what it's not doing is putting some teeth into the various sections.

On the issue of notification what I would prefer to see in the legislation is that mandatory: they will be notified. And not just that, but it has to go to those who are adversely or directly affected. When we leave it up to the rules, the rules have sometimes failed us. The rules sometimes change.

We are right now dealing with an issue of emergency procedures. You may know this. It's in your department. There's a draft memorandum going around, and it has to do with sour gas. That issue dealing with notice is going to be a contentious issue, and we're dealing with a directive. I think it's directive 051, but I may stand corrected. It might be 057. You might have to double-check my number on that; 056 is the notification one.

That's what I think is frustrating people. SPOG is one of these groups. They have channelled that one emergency directive around to their members to take a look at. They are working on that. They're hoping the government will respond. What they're worried about is that the whole issue of public interest and public notification is getting washed, and they're concerned. So as we bring this amendment forward, while we insert a word, we don't give it any great depth or any great meaning. To the hon. minister: I'd like to hear your comments concerning that.

With regard to the letter I just passed you, that I will table tomorrow, in good faith, I just received that tonight. Aside from heckling a little bit, I didn't write it. I know who wrote it, and I know the group, but there are lots of groups like them. What I'm looking for is: how do we answer these groups? That's really important. But saying that lawyers are fearmongering is not really going to help the situation. Working together, coming up with a solution, is something that we can do to calm fears, to give confidence, and to give trust to the public. That's my goal here, working with you, trying to get some amendments and some depth to these amendments.

To the hon. minister: I was hoping you'd comment on my submission.

**The Chair:** Thank you, hon. member.

The hon. minister.

**Mr. Hughes:** Well, thank you very much, Mr. Chairman. It's hard to know where to start, but let me take two or three pieces. I'm sure I won't address all of those aspects, but I'll do my best to hit the salient ones.

First of all, how do we respond? How should the hon. member, how should members of this House respond to inquiries such as that which he's received? My counsel is to tell them the truth. The truth is, Mr. Chair, that under the existing system, the ERCB system today, notification to directly and adversely affected landowners is not mandatory. Under the new rules that we're creating here, under the new legislation that we're putting in place here under Bill 2, it is mandatory. So we are improving the notifi-

cation process, not in this one small section that we're debating here but in other parts of the bill.

I appreciate that there's a lot of meat to this bill and that there's a lot of substance to it. The hon. member may not have noticed it in his review through it, but there are aspects here which clearly spell out that the regulator must give notice to people that it has determined are directly and adversely affected. If they get it wrong, people can self-identify and bring it to the attention of the regulator. "Hey, I think I might have been affected. I might be directly and adversely affected here. Here are my views, and here are my concerns." The regulator has to take that into consideration at the front end of the process.

So I think that's an important aspect of this. I would note that what we're talking about here is public notice, not public interest. We can have the debate about the public interest aspect of this in a relevant clause, but that actually doesn't speak to this clause.

Thank you, Mr. Chair.

**The Chair:** Other comments? The hon. Minister of Environment and Sustainable Resource Development.

**Mrs. McQueen:** Thank you, Mr. Chairman. I just want to add to the comments that the hon. minister has made with regard to the hon. member from Rocky Mountain House-Rimbey-Sundre. Sorry, hon. member. We're going to get this right.

With regard to the public notice when we did the consultation for two years with a variety of groups, if you look at the regulatory enhancement review Enhancing Assurance, it lists in there who all the stakeholders were, so I'm not going to talk on that piece.

But what was really important that we heard from the landowners' groups was this. The landowners' groups brought this forward to us, and when you see that we talk about this, making sure that notice must be given, under the current regulator, the ERCB, they choose whether or not notice will be given. What we heard from landowners that they thought would be very, very important is that we would take it back and that notice shall be given. So when you see that in there, that's what the current piece of legislation reads, that notice shall be given. The hon. minister is strengthening that to say that public notice must be given, in hearing some of the discussion that we've heard. I think that really clarifies. Landowners currently may be notified. Now they shall be notified, and I think that's very important because that was one of the fundamental things of many that the landowners gave us and that we put into the legislation.

The other fundamental piece that the landowners gave us – and I had the opportunity to speak in Red Deer a week ago to the Synergy Alberta group. SPOG is one of the members of that group, and I would agree with the hon. member that SPOG is known for the good work and collaboration that they do in the province. They are a good synergy group. When I spoke about the single regulator and the regulatory enhancement project amongst other things of integrated resource management, the question that came from the landowners was: when can we start registering on the registry? So people are really engaged to do this. This was key for the landowners, and one of the first things I brought to industry when we were bringing this forward is: this is what the landowners want.

As the hon. member has mentioned, the majority of the industry companies are very good and honour their agreements, but when a landowner decides not to take a company to a hearing and they come up with agreements, the landowners, on occasions when you've got a company that won't fulfill those agreements, really wanted to make sure that there was a place that it could be

enforced. Now under this new regulator that the hon. Minister of Energy is bringing forward, the landowners will have an opportunity to register that if they choose. That's the key part that landowners want.

Some want to be able to register, and others want to make sure that they don't have to register. We've made it very clear. First of all, this has been brought forward by the landowners, and the opportunity to choose to register is certainly something that they have brought forward and certainly something where we listened very closely to what the landowners said would be important to them.

The other piece that the hon. member mentioned that I'll raise – we'll talk about it later on in the evening and in the coming times that we'll have a chance to talk about it, but because it was raised in the discussion, I'd like to address it for a couple of minutes – is with regard to water and water issues and how people will make sure that they can still have an appeal mechanism. When the legislation was drafted, we looked at appeals being more clear so that we would have a regulatory review and that appeals would mean to the courts. We've heard what people have said with regard to that, that it's not entirely clear, so the hon. member has done a very good job in saying that we'll move from an amendment, from a regulatory review, to a regulatory appeal.

The policies and legislation regulations that apply today in the department of ESRD will apply tomorrow with the new regulator. I think what people are thinking of and maybe forgetting about is the fact that they're thinking that this new regulator is ERCB enhanced. Well, it's not. It's a new regulator made up of Environment and SRD, ERCB, all coming together and holistically, in a one-window approach, having an application come before them for oil, gas, oil sands, or coal and that they will all look at it together instead of how we currently do it, in three different formats and not holistically.

So people have to come to grips with what this new regulator is. It's not just the ERCB taking over water issues. What it is is a new regulator regulating under all of the regulation, policies, legislation that we have.

**8:00**

The important piece of this is that government will make policy. That is the job of government, to work with Albertans and to create policy. The policy will then be given to the regulator to implement. So whether it's under the Water Act, the Public Lands Act, or 10 of the acts of Energy, the regulator will be implementing under those.

If, indeed, the regulator, the government, or Albertans identify a policy gap, that will then come to the policy management office. The policy management office will then have the opportunity as crossministries to, once again, holistically look at the policy gap, have the opportunity as Energy and ESRD and any other ministry that it may affect to come together, look at that policy, consult with Albertans on that, and then be able to give that policy to the regulator to implement.

We will not see the cases that have happened before where the regulator under the ERCB once in a while – and people were busy – created directives which were in fact policy, which was the role of government. This will be the role of government, to ensure that we develop the policies, and the new regulator will implement under those policies.

These are the things that we spent two years talking about individually with landowner groups, with all different sectors that we talked to, and then brought back collectively. I think it's very, very important. When we look at the piece about notice, that came directly from landowners. The piece about the registry came



directly from landowners. The piece about the policy management office actually was an idea from the environmental groups and landowners with regard to: we don't have the time to have the discussion at every particular well application, but we want a policy management office so that we can talk broadly about policy in a big fashion, whether it be water, land, whatever the policy happens to be, and we don't have to do it at every well application.

We had great input from so many Albertans with regard to this over two years. What's excellent about this and what I think what was very good at the Synergy group was when the landowners stood up and said to me: how soon can we register our agreements? That, to me, said that we've taken what they've said, we've listened to what landowners have said, and they are asking: when can we turn this on so that we can do it?

Thank you, Mr. Chairman.

**The Chair:** Other comments? The hon. Member for Edmonton-Calder on the amendment.

**Mr. Eggen:** Yes. On the amendment. That's right. I missed the beginning of the amendment process, I think, this afternoon. I apologize.

**The Chair:** We're dealing with this, hon. member, in individual pieces, A, B, C. We've voted on A and B. We're now dealing with C.

**Mr. Eggen:** Yes. That's right. I've got you.

**The Chair:** Please proceed.

**Mr. Eggen:** I'm good. Thank you. I know where I am. I was out shovelling snow, so I apologize for missing the first parts.

**An Hon. Member:** It's better than shovelling something else.

**Mr. Eggen:** Yeah, well, that's true.

I appreciate us having some time to go back on this amendment. It's very substantive – well, at least at first impression I thought it was quite substantive, but in fact when we go through it, there's mostly just superficial changes to language. While it took us a while to figure out where it was going, I think we only really found a couple of areas where we wanted to make specific comments on this amendment, so I'll do it in just a couple of different parts.

We all worked to build individual amendments that could be studied separately, you know, to ensure that the substantive issues of this bill could be separated into different amendments. This larger amendment that we see here today doesn't follow that practice. It seems to lump together changes which go across the entirety of the new legislation. It made it a bit difficult. We had to go back to the bill to look through our amendments and then look for correspondence through that. All of this duplication of effort is necessary now by us and by the other opposition members, and really what we see is nothing very substantive.

I guess the section that is before us now here in terms of adding "public" before "notice" is useful, but again we could've maybe seen this change earlier. Part of what I think I see with this amendment sort of coming out – it took me a few hours to kind of figure out what was happening. On first blush it seems to me it's a reflection of this bill not being fully formed before it came to us here in the House. I find that a bit disturbing because it's not a superficial bill by any means. For the level of change in language that I see here – like for section 31, C here, for example – it just

gives me this feeling that: has this whole thing, in fact, been tested and formed the way that it should, commensurate with the gravity of the issue?

I guess, as we go through this, I don't want to make a great deal of comments, but I just did want to express that concern. I don't think a lot of people have seen this particular process happen like it did yesterday. Again, that gives my constructive critical eye a sharper focus, which I am continuing to use now as we move through this.

Thanks.

**The Chair:** Any further comments?

Seeing none, I'll call the question on amendment A1C.

[Motion on amendment A1C carried]

**The Chair:** We'll now move on to D. Any comments? The hon. Member for Little Bow – no. Strathmore-Brooks.

**Mr. Hale:** Thank you, Mr. Chair. I think by the end of tonight you'll probably get that figured out.

**The Chair:** Absolutely.

**Mr. Hale:** In this amendment here they are adding "believes that the person." So the way it'll read after is:

32. A person who believes that the person may be directly and adversely affected by an application may file a statement of concern with the Regulator in accordance with the rules.

It's just a little confusing with the grammar. A person who believes that the person: to me, that doesn't make sense. Should it maybe be: the regulator who believes that the person? Like, it doesn't sound right: "a person who believes that the person." That's a little bit I have, a little question or not. I'm not sure about the grammar.

Also, throughout this act there's nowhere in there that has a definition which defines "directly or adversely affected." Now, I know that, you know, we're taking the ERCB, the Environment and SRD, and putting everything together, but in this act nothing defines that. So when someone who has an issue with a project – and by all means if I didn't see it in here, please point it out. But we've looked and can't seem to find it.

People will have different views of how they are directly or adversely affected. I think one thing that we want to accomplish with this bill is so that we don't see the same instances in the Northern Gateway where, when people believe that they are to be affected by it, they have thousands and thousands of people applying to the regulator. We agree that we want to streamline this. We want to make it more efficient for the oil companies and the gas companies. So a definition of "adversely affected" may be needed. We can kind of put something definite in there so we don't get a group of individuals that feel that, you know, if they have their heart set on saving some forest somewhere, that may be part of a project where they feel that they're going to be affected. They might not live close to it or they might not have much to do with it, but in their mind they think that they're going to be affected by it.

**8:10**

You know, I've got many neighbours at home that are affected by different things. Their view of how they're affected is different than my view. I've had oil companies come on my land and drill shallow gas wells. A big snow storm blows in one spring, and they couldn't get down their access. I said: "Drive across the field. You know, point A to point B. Go straight. Don't worry about the access." They were actually pretty surprised because the neigh-

bour down the road is going to fine them for every tire track that's off access, and then they come onto my place, and they can drive wherever they want. To me, that didn't affect me. I drive on it; they can drive on it. That doesn't affect me, but it affects my neighbour. So I think there could be some confusion there about who's adversely affected.

Now, I want to talk a little bit more about the rules. It says you can "file a statement of concern with the Regulator" according to the rules. When we go look at the rules, again, a rule means:

... a rule made

- (i) by or on behalf of the Regulator under this Act or by the Regulator under an energy resource enactment.

Okay. Fine. You know, the regulator is going to come up with some new rules. But in the other section below it:

- (ii) by the Lieutenant Governor in Council pursuant to section 68.

If you go to section 68, it says that

The Lieutenant Governor in Council may make rules in respect of any matter for which the Regulator may make rules under this act or ... enactment.

The way I read that is that the regulator can make the rules. They can make the rules for how these issues are dealt with, but then the Lieutenant Governor in Council, so the cabinet, can come at any time and change those rules. That doesn't give industry or landowners any sort of specific guidelines, knowing that those rules could be changed at any time. If the rules get changed, the people who believe that they're adversely affected is going to change.

I would like to see somewhere in that, you know, that there's a definite set of rules that cannot be changed on the whim of cabinet at any time. We do have quite a few reservations about this section, so we do have a subamendment and the required number of copies.

**The Chair:** Okay. Hon. members, this will be a subamendment to D, so this will be referred to as A1D-SA1.

Proceed, hon. member.

**Mr. Hale:** Thank you, Mr. Chair. The amendment we're proposing is that section 32 is struck out and the following is substituted.

Notification and hearings

32(1) If it appears to the Regulator that its decision on an application may directly and adversely affect the rights of a person, the Regulator shall give the person

- (a) notice of the application,
  - (b) a reasonable opportunity of learning the facts bearing on the application and presented to the Regulator by the applicant and other parties to the application,
  - (c) a reasonable opportunity, after filing a statement of concern in accordance with the rules, to furnish evidence relevant to the application or in contradiction or explanation of the facts or allegations in the application,
  - (d) if the person will not have a fair opportunity to contradict or explain the facts or allegations in the application without cross-examination of the person presenting the application, an opportunity of cross-examination in the presence of the Regulator, and
  - (e) an adequate opportunity of making representations by way of argument to the Regulator.
- (2) When by subsection (1) a person is entitled to make representations to the Regulator, the Regulator is not by subsection (1) required to afford an opportunity to the person
- (a) to make oral representations, or
  - (b) to be represented by counsel,

if the Regulator affords the person an opportunity to make representations adequately in writing, unless the statutory provision authorizing the Regulator's decision requires that a hearing be held.

Section 33(1) is amended by adding "section 32 or" before "section 34."

What this would accomplish for us and, hopefully, you is that this actually specifies what these people are going to receive, the people that are going to be affected. They will get a notice of application. We talked about public notice. This says that they will get a notice of application. They will have an opportunity to learn the facts. This will ensure that for the people that are being affected, all their questions will be answered from the start. That's what this bill is trying to accomplish: have everything run smoothly, have the energy companies not have any backlash when they get halfway started in a project.

I mentioned this the other day. If those energy companies know the questions that they have to answer before they start and if the landowners that are being affected have that opportunity to approach the regulator before anything starts, everything can be solved. This will not slow down the process. I think this will actually speed up the process because then during the middle of the process you're not going to have any issues. Everybody can start on the same page when these projects are put forward by the regulator.

I'm hoping that you guys will look at this. I know the hon. Energy minister has received a copy before. We feel that this would answer some substantial questions to landowners plus provide the energy companies some satisfaction in knowing that they're working with the landowners, that they're going to be able to solve the problems before they start and just get to work.

**The Chair:** The hon. Minister of Energy to respond.

**Mr. Hughes:** Thank you, Mr. Chair. I must say that I think I see a consistent pattern here of trying to create work for lawyers. I'm not in the business of trying to create work for lawyers of any kind, and I'm not about to promote them or do anything of the sort in this House.

I do appreciate the intent of the subamendment put forward by the hon. member, but really the unfortunate unintended consequence of his motion is that it would actually not contemplate what we have proposed in this section of this amendment, and that is to ensure that landowners, if they believe that they are directly and adversely affected, can self-identify. That's a critical factor. We're trying to widen the ability for landowners to engage at the front end of the process. That's an important principle we're establishing here.

What I think it is unwise to do is to try to prescribe rules of practice and administrative practices of an organization that has to remain nimble, that has to remain responsive, and that over time may need to change those practices to respond to getting that right balance between landowners and energy developers and the environmental concerns that people have as well.

Mr. Chair, I would not support this subamendment.

**The Chair:** The Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Mr. Chair. I appreciate the hon. member's comments. You mentioned that you thought that this was more work for lawyers, but it would seem to me that if we're talking about the statement of concern, I believe that currently section 32 reads, "A person who may be directly and adversely affected by an application may file a statement of concern with the Regulator in accordance with the rules." I believe that your

amendment says: a person who believes that the person may be directly and adversely affected by an application may file a statement of concern with the regulator in accordance with the rules.

8:20

I'm not a lawyer, clearly, but that whole statement just sort of seems a bit roundabout. It doesn't really say who is affected. It says that a person who believes somebody may believe that somebody believes that somebody could be affected. So then they now have standing. It would seem that we need to drill that down and make it much more clear as to who the person is and who the person is that believes that the other person could be adversely affected because, really, what this does is open up the door for anyone – literally, anyone – to come in and say: well, I believe that Mr. So-and-so is adversely affected, so I now have standing at the hearing. That wouldn't necessarily give the landowner standing. The clause that you've suggested that would make the amendment isn't clear. I would suggest that that in itself would make more work for lawyers.

More importantly, when you go to the hon. Member for Strathmore-Brooks' amendment, what's important about that is that it's saying specifically, "What is the notification, and what are the hearings?" in comparison to the amendment that the hon. member across the way has provided, which just says: a person who believes that a person might be adversely affected. I understand and I appreciate that the hon. member has been very good so far about wanting to be clear and consistent. You answered very good questions with regard to public notice and who the stakeholders are and how that process would happen. But then we get to statement of concern, and it sort of just gets mumbled and jumbled together and doesn't seem to make a lot of sense.

Notification and hearings, section 32, which the hon. Member for Strathmore-Brooks has presented here, would really allow for the rights concerning notification and hearings for landowners to follow what we had in section 26 under the Energy Resources Conservation Act, which was passed by this fine House, and everybody was okay with it at that point in time. What we have to really understand here is that energy companies with subsurface leases have the right to enter people's land. Short of the oil sands lease, really you're a guest of my land and every other Alberta family's land.

It doesn't matter if it's a farm, a ranch, an acreage, a recreational or an investment property. Why wouldn't we be very clear what the notification process is, what the hearing process is? Why would we just leave it open to somebody who believes that the person may be directly and adversely affected? I would think that the government on that side would want to set out the rules very clearly because we're trying to create a single regulator which we want to streamline the process, but the amendment from across the way really allows for any member in Alberta to say: well, I think he's adversely affected, so I'm going to join in. That person could be in Fort McMurray talking about a property in Strathmore-Brooks, or it could be any group. An aboriginal group could easily come in and have a say, as rightly they may need to.

At least with the notification and hearing section that this hon. member has proposed, it is clearly laid out. It says that you need a notice of application, that you should give the person "notice of the application." That seems reasonable to me. You should give the person "a reasonable opportunity of learning the facts bearing on the application and presented to the Regulator by the applicant." I can't imagine that the regulator wouldn't want that, a reasonable statement of facts.

The regulator shall give "a reasonable opportunity, after filing a statement of concern in accordance with the rules," which you told me would be written a little bit later, to explain the facts or why he's bringing it forward. I would think that that would lessen the workload on the regulator, which is ultimately the goal here, and allow for the person presenting the application to do so without cross-examination initially and an opportunity of cross-examination in the presence of the regulator. I would think the regulator wouldn't mind that either. It allows for a back-and-forth.

Furthermore, 32(2) of the amendment says that

a person is entitled to make representations to the Regulator [and] the Regulator is not by subsection (1) required to afford an opportunity to the person

- (a) to make oral representations, or
- (b) to be represented by counsel.

Now, like I said, I'm not a lawyer, but it seems that that's a pretty clear layout. I don't know. I can't imagine that anybody in this House would actually disagree, but if I'm actually being told that somebody is coming onto my land, I should get a notice of application. I don't know why that would be so disagreeable. I should have an opportunity to learn about the application and have a discussion with the regulator. It would seem to me that's reasonable. And after filing, if I have a disagreement with why that application is coming forward, I would have a reasonable opportunity to make my case to the regulator.

These are all things that we ask for every day. If our employer asks for us to be disciplined or something like that, we ask for an opportunity to state our side of the story and give the facts and then make a decision. In a court of law we say every day that we make an application to the court and the court offers an opportunity for us to be heard, and we take that opportunity. Now, in the end if they rule against us, then we'll deal with that.

It seems to me that to take this section outright and not even give it any value is doing a huge disservice to what you're trying to achieve. I think what you're trying to achieve is very honourable and that it's the right way to go, but it seems to me that we're going to make a vague statement, saying that a person who believes that the person may be directly or adversely affected, when we can clearly drill it down and say that it is only fair that I get a notice, that I'm allowed to talk to that notice, and that I get an opportunity to make my argument to the regulator. There just might be a time when it's actually valid that you maybe don't need to come onto my land or that maybe there's a better route, and if you just had that conversation with me, you might see that there's a better route. By offering the opportunity, then this legislation provides landowners to know, whatever is happening on their land, that every opportunity of appeal or discussion was given to them.

What I heard from this House so many times this last two weeks is that we want to be fair, we want to be open, we want to be transparent. If that's the goal, to do all of those things, it would seem clear to me that we would want to err on the side of being overly cautious to allow the landowner to have a say on what goes across his land.

I don't know if we've all forgotten in here, but I paid for my land. I don't know. I mean, I make the payments to the bank. I own it. I don't know if that's a shocker to anybody who owns property, but each one of you owns land. What this is saying to you right now is that if somebody comes onto your land, you don't get a say. Whether you're rural or urban, this should cause you to stand up and just take a look. Are we really asking for too much if we ask for notice of application? Are we really asking too much if we say: I'd like to be heard on what's going across my land? I guarantee that you would if it was a pig farm coming in beside

you. You'd want a notice. You'd want a hearing. Absolutely you would want all those things. Just because it's an energy company now, are we going to throw all of those normal things that we do every other day out the window?

Literally, people, we need to take a look at the bigger picture. I mean, it all looks good to just sort of shove it into section 32 here, but what we're really doing is taking away a landowner's ability to receive notice, a landowner's ability to speak – to speak – to that, a reasonable opportunity to learn the facts. This is something you already had. You had it under section 26 of the ERCA, the Energy Resources Conservation Act. I'm sure the minister of environment, who keeps shaking her head at me and mouthing whatever she's mouthing – I have no idea; I can't hear her. You are the minister of environment, and you are the Minister of Energy. You agreed with these under the Energy Resources Conservation Act. Are you saying that this section 26 is so egregious and so insulting that you would have it in those acts but you wouldn't consider protecting landowners under the Responsible Energy Development Act? It's just kind of mind boggling how under one act it's perfectly okay and it's perfectly reasonable, but under the Responsible Energy Development Act this is just unheard of. It's like: what are you asking for?

8:30

Literally, you're standing over there or sitting over there, you know, and you're just mind boggled that we're even asking for a clearer definition of notification and hearings, yet we already do this. We already say this is a landowner right. We incorporate it in other acts. It's a standard part of the act. I'm not asking for anything that's not – we're not re-creating the wheel here. It already exists. Why wouldn't you?

I'm actually surprised the hon. Member for Lesser Slave Lake doesn't support this given how many of her people it's literally going to have implications for if this comes across their land. So that's interesting to me.

It's something that literally is already covered, so there's no reason why it cannot be applied to this act very clearly. There should be no reason why any member wouldn't support the opportunity to receive notice of application. That's what this is asking for. It's not asking for the world. It already exists. It can easily be done. Remember that, rural or urban, this affects you. [interjections] You can cackle at me all you want. I've been cackled at by worse people. It's not a big deal.

The important part here is that we're talking about landowners. We're talking about people who own any parts of land. That includes every landowner. It includes our aboriginal people. It includes urban. It includes rural. Everybody should have the right to have this notice. Everybody should have an opportunity to learn the facts. Everybody should have a reasonable opportunity to stand up and defend their own property. This is fundamental to Canada. This is fundamental to Albertans.

The reality is that if you don't take this seriously, what you're going to have are landowners who come up and are going to revolt. They're already revolting. They're telling you that there are parts of this bill that are key to them, and this is one of them. Offering them notification when we offer them notification under several other legislations doesn't seem unreasonable.

I think the Minister of Energy has done a fantastic job – you've done a fantastic job, a hundred per cent – I absolutely do. My understanding is the Minister of Energy and our critic have worked together to work through some of these amendments, and I think even the Minister of Energy has acknowledged that they have been working together. I think you're doing a great job. What comes down is: let's not stop there. Let's continue to do a

great job and make sure that we're protecting landowners and creating a simpler system for energy and for industry. That's the goal here.

Allowing landowners the right to speak to things that are on their land is not really that big of a burden. But telling landowners that it's anybody, any person that believes the person may be adversely affected by an application, is going to be a nightmare. It's going to be a nightmare for the regulator, an absolute nightmare. So let's solve the problem. Let's sort it out and work on the subamendment and see if we can't come to an agreement. That's what we're here for. That's what we're here to do.

Thank you.

**The Chair:** Other comments? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I passed that letter to the hon. minister earlier because it's really about this section right here. This is it. This is what the landowners are trying to tell you, but it's not just landowners; it's what property owners are trying to tell you. Because when you have a conflict with a small oil and gas developer with another oil and gas developer that comes onto the same quarter section, there are conflicts and issues that have to be resolved.

Now, keep in mind that the issues that are generally resolved are almost always resolved, 90 per cent, without any problem whatsoever. Of the 10 per cent that remain, 90 per cent of those get resolved without a board hearing process. So we're talking about 1 per cent here. Realistically, what they're looking for is respect for due process of law.

Now, it's interesting that there was some cackling going on about this because the reality is that it's in the Alberta Utilities Commission Act. It was in Bill 46 back in 2007, and it was all there prior to that, but it's missing in the Responsible Energy Development Act. What we're trying to do is to give that respect back to landowners so that they have some sort of right to say: "I've got to have my concern heard. My concern can be resolved." I'm not going to tell you we're going to have to guarantee to them that they're going to be satisfied. What I'm saying is that there has to be due process for them because it is that 1 per cent that can take down the system. It is that 1 per cent that starts getting everyone else upset. It's also the ability to abuse property owners, to abuse landowners, that causes the problem. When companies – I won't say companies but landmen – are not reputable and abuse the language or the situation, they cause tremendous problems throughout our community.

I'm going to share a story with you about a number of landowners who showed up at a hearing really looking for respect. There were three board members assigned to this hearing process, and all they had asked was for one of the board members to have some agricultural experience. Now, interestingly enough, the board chair agreed, so they dismissed one board member and brought another board member on. But he didn't have any agricultural experience. We got into this little discussion, and the only agricultural experience he had was that he was arrested for a grow op back in the 1960s. Well, the argument was that at least he had a cash crop going. But the reality is that it made a mockery of the whole process for those property owners that were dealing with the board. That disrespect, not only to the people attending that board hearing, tarnished the reputation of the board. The more that happens, the system starts breaking down.

We're in a situation that you're dealing with right now, that this amendment can address, which is – you saw the letter that came from the Pine Lake Surface Rights Group. That's where it really

came from. Those were the authors under that. [interjection] Yeah, but they're the largest group in central Alberta by far. They've got close to a thousand members, and they attend meetings well. You don't have to agree with them, but you need to know they're there. They are a significant group, and they do affect the dealings with oil and gas companies in that whole central Alberta region.

I will tell you that the Pembina Surface Rights Group, right up in the hon. Environment and SRD minister's riding, is right in there also. They're in agreement with that.

So when you look at that letter that I gave you and then you look at this amendment, this is the cure. This is the treatment. It can mitigate some of these concerns. You need to think about this point by point by point because it's not asking for a whole lot. It's saying that they've got to get notice, that they have a reasonable opportunity to learn the facts. They need to be heard. It's so important that whoever comes in front of regulator is given respect and dignity and that they are heard. Again, we're not looking to create legislation that guarantees them a remedy. What we're looking at is to guarantee them a process, a process where they can have fairness and they can have basic justice.

I will tell you that nowhere in this bill does it say that these people, whether it's a company or whether it's a landowner, have to be treated fair or get justice. It is a word that is missed a lot of times in our legislation. This section right here, that we are proposing, is already in other legislation. It has just been removed from this new bill. I don't know why it's been removed. It's a valid question because what caused much of the rumblings out in the rural areas right now was when they saw this language removed. They want to be able to have an opportunity.

Oh, by the way, I had to compromise in my own constituency to agree to this because this section 2(b) is one of the ones that I've always had a problem with. I always think it's a right for somebody to be represented by counsel. There are situations where there are people who don't read very well, that have a very difficult time, and when they come in front of this type of board process, it's new to them. It's not something they're used to. It's a first-time event. They're scared. They're intimidated. They're told they can't make an oral representation; they have to make a written representation. That's extremely difficult for somebody who doesn't write very well.

**8:40**

There are people in my riding who are illiterate, as there probably are in some of yours. You may or may not know them. But I know a few. We have a retired postmaster who actually is illiterate. He is an amazing man, and he's a good man. But he actually never quite learned to read. It was quite fascinating how he could deliver the mail. It's a great story. The fact is that he would never be able to go in front of a board and provide a written representation.

So I compromised with my own caucus because this is the way it was: the only thing I'm really concerned about is losing ground for the rights of those who are directly and adversely affected. They have a necessity to have a right. What this bill is doing is taking that away, and what this amendment is doing is trying to put that back. It's trying to restore something that they once had. If you cannot look at this with an open mind, then just as that letter said: they're going to plant the flag on this hill to die on. This is where they're going to fight for their rights. If you don't believe that, then I don't know where you've been for the last four years because that's what's happened out in the rural areas.

I have to tell you that there's a situation brewing right now up in Peace River that is on the verge of exploding into violence. I know some of the members over there know about it. I've been

contacted about it. It's a situation that is extremely tense right at the moment. It has to do, again, with respect. It has to do, again, with process. If we give that respect, if we allow the process to work, we can stop violence where in these situations it builds. I say this with all sincerity. We've had a couple of people already in the last decade, the last 20 years get killed out there. The reason violence broke out was the frustration of: "I don't get heard. I don't get the respect. There are no teeth in the regulations."

Property owners, landowners, businesses all want the same thing. They want to set clear-cut, concise rules and regulations that they can follow. We can streamline this. But you can't streamline this by taking away people's rights. That's not going to work. There'll be push-back out there. And when there's push-back, what you will do is hold up energy development. You will cause a lot of problems where there should not be problems. It will end up doing just the opposite of what you want to do.

We have the ability to have our cake and eat it, too. We have the ability to streamline the process, to get rid of some regulation that is unnecessary, particularly the red tape that companies go through. We want companies to be able to apply, to be able to look at the rules and know exactly what those rules are so that they can get their permits, they can get their licence, and they can get the job done. We want in the same process exactly what's in this amendment so that the property owner, whether it's a company or whether it's a farmer, has the ability to look at the application, has the ability to learn the facts of the matter, has the ability to take those concerns forward and be heard. That is so critical to this process. If you don't accept this in one form or another, then it's absent from the whole process.

I will tell you that this is an important gear to make this work. This is fundamental to the new regulation, the new legislation that the hon. minister is proposing. It is so paramount that those who are directly and adversely affected understand that they can count on this if it is something that they require.

I'm going to share – because there are problems with all of the boards. There have been problems developing over a period of time. I don't think the boards see it. But time and time again people have come forward. Some companies have come forward, and I'm going to share one. It was the group dealing with the MATL line south of Lethbridge. They had concerns. They had concerns about their property – some of them were potato farms – and mostly with irrigation.

What happened was that the Energy and Utilities Board, even though this applied because this was part of it at the time, told them to take their concerns to the NEB because this was an export line, so they had to go to the NEB. They took their concerns to the NEB. The NEB, the National Energy Board, said: "No, no. You don't take your concerns to us. That's a provincial matter." When this goes back to the provincial hearing process – "You take this concern to the provincial hearing process" – they got to the provincial hearing, and the energy regulator in this province told them: "Sorry. It's too late. You should have taken that to the NEB."

These people never got justice. They never got a chance to be heard. Their concerns were never addressed. That issue ended up going to the courts, in my mind unnecessarily. What was ruled in the courts was that those property owners had no rights. They voted Wildrose in the last election as a result.

So here you have it. This isn't something that's designed to tie anything up with lawyers. As a matter of fact, it says that they don't even have to be represented by counsel, so we can't be taking that kind of criticism, although I still think they should have the right to counsel. But this is designed to give the board, the regulator, the guidance on how they're going to treat these

people when they come forward so that we know that when they're going to be developing oil and gas or any other resource extraction, there is a path to follow to make sure that people's rights are protected. That's what this amendment is all about.

Thank you very much, Mr. Chairman.

**The Chair:** The hon. Member for Little – Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Chair. These late nights are getting to all of us, I'm sure.

I just wanted to make a comment about section 26 of the ERCA. My understanding of it – and maybe the minister can comment on this – and I will promise to be brief, sir, is that it's been thoroughly interpreted by the courts. What you're presenting here in Bill 2 under section 32 is inherently vague and will just open yourself up to further court challenges, which is counterintuitive to why you're rejecting this subamendment that the hon. Member for Strathmore-Brooks has put forward.

It does not create work for lawyers. Section 26 has been well established, and the ERCB understands and respects it. It has a history of striking a balance, which again is the intent of this bill, and I guess what we've been hearing from the other side is that we're striking a balance to ensure that everyone who is truly affected – and not just frivolous complaints. That's not what this is about, introducing frivolous complaints. It's to give them their chance for a hearing. These hearings are not court. They are simply a chance to have your say. Mr. Minister, if you have a moment, I would like to hear your thoughts again on that, please.

**The Chair:** Other speakers? The hon. minister.

**Mr. Hughes:** Yeah. Mr. Chair, I'll just respond to that one aspect. You know, there's much being made of section 26 under the old ERCB legislation. It's really important to note that under the current act the granting of notice of hearings is actually at the sole discretion of the board. What we're proposing in this new legislation actually opens that up considerably.

First of all, they absolutely must give notice to landowners who are directly and adversely affected. Over and above that, we're creating a public mechanism, an aspect we addressed earlier. We're making sure that there's public notice as well, which is not a requirement historically. Thirdly, we are ensuring that if somebody believes that they are directly and adversely affected, which is actually the subject of the amendment that this subamendment we're discussing is related to, they can self-identify, and they can make sure that their input is in at the front end of the process, which is what we really want, really robust, all the information together at the right place at the front end of the regulatory process.

I'm not worried about creating work for the regulator. I think the process will settle out just fine over time. You know what? For a regulator to have to read an extra letter or two or three on any given hearing is not going to slow things down, but what it will do is ensure that it's fair to the landowner and it's fair to all who are directly or potentially directly adversely affected. I think that's in the public interest, very much so. That's the subject of that.

8:50

The subamendment that we're addressing here right now, Mr. Chair, has the potential to create a very time-consuming set of processes. There are 40,000 applications that go through the ERCB today, plus or minus. There's a lot of stuff that goes through the regulator, and then you look at the environmental side as well. The last thing you want to do is create an exceedingly

onerous process that ties up the economic activity that pays the bills for our whole province in a lot of ways as well.

Thank you.

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

**Mr. Stier:** Thank you, Mr. Chairman. I appreciate the opportunity to speak to this bill this evening, to the minister particularly, whom I've met and talked to on numerous occasions.

Mr. Chairman, I have a background in oil and gas. It was in the seismic world, but certainly I was exposed to many of the things that went on in downtown Calgary for 25 to 30 years. I also have a background in municipal government. I spent a lot of years working with development appeals, subdivision appeals, and assessment appeals, and I even had the opportunity to go down to speak to the Municipal Government Board on many occasions on behalf of our municipality and, often as not, sometimes later on against our municipality. So I have some of that background.

I look at this amendment that we have presented here and this subamendment, and I feel that this one has a lot of merit. I wonder if it isn't something we should take a moment to review a little bit in the sense that when you look at section 78(f) of the new bill, it talks about how regulations could be brought through by the Lieutenant Governor in Council at some later time. I'm just wondering if it's the case where we're going to see, as we do in some of other acts, regulations come through later on regarding this appeal process that would perhaps change things somewhat and make this more of a favourable amendment to consider in that light.

I say that because in the Municipal Government Act they describe different kinds of developments and development appeal processes. They also talk about subdivision, but when they went about looking at appeal processes in subdivision, they also produce a set of regulations later on. Those regulations are fairly specific about how appeals can be conducted and how proper notice is given and to whom the appeal goes. When I look at the Surface Rights Act, the Surface Rights Act mentions a little bit about appeals, but they also in the regulations have more definite clauses regarding those topics.

I'm just wondering, then, to the minister: is it not the case that perhaps as a consideration these kinds of appeal clauses might be coming up in regulations, or is it perhaps better that we deal with this at this time?

Thank you.

**The Chair:** The hon. minister.

**Mr. Hughes:** Thank you very much. I appreciate the intervention by the hon. member opposite, very thoughtful and, clearly, out of your many years of experience. Yes, there will be regulations that will be developed as a result of this legislation. In fact, that will form an important part of the structure that governs how the new regulator will function, just as is the case today with the ERCB and the other regulatory processes in ESRD. It's an important point to make, that there will be greater clarity. In fact, the greater flexibility comes about if you can create some of the processes in regulation as opposed to in legislation because then you can be more flexible and ensure that the regulator is able to respond to changing dynamics.

This industry, the oil and gas industry in particular, is particularly nimble and is evolving fast, with different technologies being used in different ways. The regulator really has to be on its game. What we want to do is create a regulator that actually is able to respond to evolving situations because there are potentials for conflict in the future, I'm sure, as there have been in the past

between landowners or environmental objectives or development objectives simply because of the fact that the technology has changed, and that technology creates a new kind of conflict or a new kind of dynamic in the relationship with the landowner. You need to be able to respond to that. It's probably way better to ensure that that is embodied in regulation rather than trying to predict how we're going to run all the process in legislation at this time.

I appreciate the member's comments.

**The Chair:** Other comments? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. To the hon. minister. You just mentioned something that I think is paramount, not just to this amendment but to the entire scope of the legislation. We don't want to create anything that's onerous and would hold up the development of our natural resource extractions, that is unnecessary in many ways, basically. You didn't describe it that way, but you mentioned that the whole idea is to streamline the process.

Now, if I heard you correctly, and I need you to clarify this: is anyone actually saying that giving a person a right to notice of the application would be holding up the process? Is anyone actually saying that giving a person a fundamental right to a reasonable opportunity for learning the facts of the application is holding up the process? Is anyone here saying that when you get that information and you have an opportunity to learn the facts, that having a right – you don't have the right to cross-examine, but if you're not given the right to cross-examine, at least you have the right to cross-examine the evidence so you can present your facts and the counterfactuals, I guess you would describe it, so the regulator can make a decision. In other words, that's a fair opportunity to be heard. I don't think anyone here is saying that that's going to hold up the whole process. It's really important.

When the regulator agrees that you're entitled to make a representation, I don't think anyone here is saying that being able to make a written representation is holding up the process. That's really what's going on here. If the idea is that what you're not accepting, what you're not bringing forward into the legislation, are those sections of the former legislation, those sections of the former regulations that, in your opinion, hold up the process, this section right here is the fundamental rights of many farmers, many landowners, many property owners for whom their property is their small business. That is paramount to their survival in many ways, to their economic activity.

Remember, when we talk about property rights, a lot of times many people in this Assembly are thinking rural people, farmers. But property rights are many of those small businesses. Many of those are located in the cities, that come out into our areas, and they work and they do business out there because they are oil field service companies. They have property, and there are conflicts between developments on their property. It's really important that we always settle these conflicts. All this amendment does is provide them with a right in legislation, and that's all we're asking for. So I would ask the minister to clarify: is there any portion here that he says is holding up any type of development of our resources?

**The Chair:** The hon. minister.

**Mr. Hughes:** Thank you, and to the hon. member through you, Mr. Chair. You know, the fundamental right that is being prescribed here for landowners is the right, as any of us would expect, to engage in a process if they are going to be directly or

adversely affected and to be engaged at the front end of it. We're widening the ability for people to do that by this new legislation. We're widening the opportunity to participate. We're making it mandatory for the regulator to notify people, and we're making it mandatory for the regulator to make it public notice, and we're creating an opportunity, if people feel that somehow they've been missed in the process, that they can self-identify into that process.

The appropriate thing here is to ensure that we have all of the input at the front end so that the regulator can make a complete, fully informed decision on doing the right thing in each circumstance.

9:00

**The Chair:** The hon. member.

**Mr. Anglin:** Thank you, Mr. Chair. I understand what you mean when you say that you're widening it. I understand that process. But this language is more prescriptive, and what it does is that it becomes definitive. It is in more plain English for people to see exactly where their rights are. When you say that you have a right in these broader terms, I have to ask you, looking at the legislation: where's my right? This amendment says it in clear, concise, plain English; here it is.

Once the regulator makes that decision – now, remember, it's based on the regulator making the decision – that on application you may be directly and adversely affected, so they've made that decision, you have a right to a notice of application. You have a reasonable opportunity to learn the facts. That's being a little bit more prescriptive, and it's more definitive in plain English so that people know the rules. They can rely upon that. When you say broad, there's nothing very prescriptive in your broad language. It's just that we have this umbrella. I have to tell you that the experience of many people having to deal with these board processes has not been fair in many ways.

I want to explain that. I don't mean it's unfair because it's uncharacteristically designed to be unfair. What's happened that's unfair is that these people come forward, and they're not legal minds. They really don't want to hire lawyers. What they want to do is present their case. If you have it broad like you say, then definitely some of these farmers have to get lawyers. I will tell you that a lot of people – and I've represented them myself, and I told them: "This is how you go. You prepare it. You go in front of the board. You tell the board your concern." I think the board likes that.

These rules help those people. It is definitive in that nature. I have seen the boards, whether it's the ERCB or whether it was the EUB or whether it's the AUC, not respect individual concerns. I would suggest to you that it's much like this Chamber. When people get tired, they tend to want to get things on faster. I don't think the board is any different than that. If you've ever sat through a long, boring board hearing at the end of the day on a Thursday or a Friday, when they're thinking of going home, that is an awkward time to have a 75-year-old grandmother come in front of the board to present her concerns, which are valid concerns, and get dismissed because she is not given these prescriptive rights.

I don't believe that holds up the process. I don't. I think that helps the process. I think that the energy company can look at this and say that when they're dealing with Mrs. So-and-so, they know they have to give her the information because it says so. They know that if she has a concern, if they don't deal with that concern and the board agrees she has a concern, she has a right to learn the facts and a right to make her evidence and, you know, check their evidence.

If they come to the board and say, "Here's what we're going to do to your land," and she says, "No, no, no; that doesn't happen

on my land because this is what happens on my land," she has a chance to challenge their evidence because it's in writing. What you're proposing is not in writing. It's just a broad umbrella. The board can misinterpret that late on a Friday afternoon. The regulator can. I've watched them do it. They can dismiss people because it's not prescriptive.

I'm saying that that will not hold up the process at all, and I'll tell you why. If it's in writing, the energy companies know it's in writing. They can deal with it long before it ever gets to the board. This is where regulation sometimes actually assists companies to make sure that they take care of these matters. You all know it. The good, reputable companies don't end up in front of the board. They get out there. They talk to the people. They hear their concerns long before the board ever hears their concern, or it may never hear their concern. The energy company itself addresses those concerns. The lease agreement is signed, the lease is constructed, and business is taken care of.

Properly written legislation with guidance for the regulator: the industry itself will look at these rules. These are the rules that they go by. They know the rules that are going to apply to these landowners, property owners, and these other small businesses they may run into. They will take care of business because they know how to do that. That's all I'm saying. I don't think any one of these holds anything up. It actually smoothes the way to get things done by providing certain rights.

Thank you, Mr. Chairman.

**The Chair:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thanks, Mr. Chair. I'll be very brief. I think this subamendment really gets to the bottom of the issue. In these types of situations it's the last resort that a landowner has when their land is being affected. We have to remember that these projects don't happen just on Crown land or the land of energy companies. It's their land. It's farmland and ranches. It's quite significantly different, our subamendment, compared to what the Energy minister has come up with. It reads very clearly:

If it appears to the Regulator that its decision on an application may directly or adversely affect the rights of a person, the Regulator shall give that person

(a) notice of the application,

Shall give them:

(b) a reasonable opportunity of learning the facts,

Shall give them:

(d) an opportunity of a cross-examination.

All of these rights are here. If you're a rural MLA and have landowners that are going to be affected by energy projects or by these applications, I think you should read this subamendment because this is what we're going to be debating two years from now, when there's an uproar across the prairies just like with bills 19, 36, and 50. We're going to be coming back here, and we're going to be debating a similar type of amendment because the public pressure is going to be huge if you don't accept this.

I just implore the members opposite to take a look at this and know that these are very reasonable provisions. They were in section 26 of the RCA. They've been litigated for years. There's a well-established jurisprudence. Everybody knows what the rules are. It's not going to delay energy projects. Please take a look at this, and I hope that you consider this amendment.

**The Chair:** Further comments?

Seeing none, I'll call the question on subamendment SA1.

[Motion on subamendment A1D-SA1 lost]

**The Chair:** We'll move on to amendment A1D. The hon. Member for Strathmore-Brooks.

**Mr. Hale:** Yes. Thank you, Chair. Back to the original amendment that the hon. Energy minister put forward, I would like some clarification on the wording: a person who "believes that the person." Is that any person? What person? We need clarification on that.

32 ... may be directly and adversely affected by an application may file a statement of concern with the Regulator in accordance with the rules.

We go back to the rules that the regulator is going to make.

You go down to:

33(1) Where a statement of concern is filed in respect of an application, the Regulator shall decide in accordance with the rules [that the regulator makes] and subject to section 34 . . .

Section 34 says:

(1) Subject to subsection (2), the Regulator may make a decision on application with or without conducting a hearing.

The rights of all the landowners are gone. The regulator makes the rules. The regulator decides whether the landowner gets to have an appeal. The regulator decides on the appeal. Everything is directed at the regulator.

Now, we all agree – everybody agrees – that we want the energy industry to be streamlined. That's a given. Everybody agrees to that. We want to get rid of the red tape, help out. It's all about making it easy on the oil companies. This is not going to make it easy on the oil companies. There's going to be such a huge backlash of landowners. It's actually going to be detrimental to the oil industry. They're not going to have any favour with the property rights owners. What would make for a better industry is if the oil company, the landowners, the regulator, everybody, get along. They're happy to see you coming. It's not going to happen.

9:10

33(2) If the Regulator makes a decision on an application without conducting a hearing, the Regulator shall publish or otherwise make publicly available the Regulator's decision in accordance with the rules.

It's very vague. Are they going to put it in the paper?

This strips the rights of everybody. You know, it's not going to be received very well, and I'm fearful that the oil companies are going to take the brunt of it because we're allowing the regulator to make all the rules. As I've said before, when you go to the rules, the cabinet can change those rules which the regulator is going to have to adhere by. That gives so much indecision to the oil companies because they don't know if the rules that they're following are going to be changed. The oil companies are trying to do things right and by the rules, and all of a sudden one day the rules get changed. They don't know where they stand. We need to have some substantial information that these oil companies and landowners can go by so that they can make the proper decisions.

Thank you.

**The Chair:** Are there further speakers on amendment A1D?

Seeing none, I'll call the question.

[Motion on amendment A1D carried]

**The Chair:** We'll move to amendment A1E. The Member for Strathmore-Brooks.

**Mr. Hale:** Well, I'm just going to talk a little bit more about the regulator and the decisions that they can make. Section 34 states:

(1) Subject to subsection (2) . . .

where the regulator makes a decision,



... the Regulator may make a decision on an application with or without conducting a hearing.

It's up to the regulator to decide whether he wants to make a hearing or not.

- (2) The Regulator shall conduct a hearing on an application
  - (a) where the Regulator is required to conduct a hearing pursuant to an energy resource enactment,
  - (b) when required to do so under the rules ...

The rules, again, that the regulator makes.

- (c) under the circumstances prescribed by the regulations.

Well, the regulations are what the regulator makes. Everything is based around the regulator.

Then they want to add:

- (2.1) If the Regulator conducts a hearing on an application, a person who may be directly and adversely affected by the application is entitled to be heard at the hearing.

But if the regulator decides there's not going to be a hearing, what good is (2.1)? They don't have any justification as to whether they receive a hearing. Only the regulator, who makes the rules, who enforces the rules, says if they can have a hearing or not. This is very, very, very empty. It doesn't specify any rights, any privileges.

Again, it's going to affect the oil companies. They're going to receive backlash because if people don't feel they have had due process in a decision, they're not going to be happy. If they can go through the proper steps, if they get to plead their case and then they get turned down, then: "You know what? I tried. Not much else I can do about it." But if they don't even get that process of where they're heard, they're not going to be happy. It's going to make it tougher on the oil companies, and the process we're trying to streamline is actually going to get worse.

I'm not convinced that this is the best legislation out there for the oil companies or the property rights owners.

**The Chair:** Are there other speakers on the amendment? We are on A1E.

The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thank you, Mr. Chair. Section E of the government's proposed amendment says that it's necessary to say that hearings which are held for consultative purposes will be used only for consultative purposes. You know, that just seems a bit redundant to me. The amendment says specifically, "If the Regulator conducts a hearing on an application, a person who may be directly and adversely affected by the application is entitled to be heard at the hearing." My question is: shouldn't this entitlement already have been included in the original? What's the point of holding a consultative hearing if you don't allow those affected to participate?

This amendment, you know, it seems to me, is a demonstration again, as we've heard from the Wildrose, that this government is missing the mark on the public interest in regard to this bill and using this amendment as some sort of Band-Aid for an otherwise much larger gaping hole in this bill.

As well, this amendment really doesn't, in my mind, do the necessary work to ensure that those who may be affected will be, in fact, personally notified. The old section 26 of the Energy Resources Conservation Act ensured that if the board thought people might be damaged by a decision, the board would personally notify them. Not only that but the board would give people a reasonable amount of time to put their case together and could provide them a platform for their case to be heard. All this amendment does is that it says that individuals will be allowed to

come to the hearings and speak. You know, that just doesn't seem sufficient, in my mind.

Finally, this particular change I don't think really does much to ensure that a hearing takes place when it comes to a major project that will seriously affect people as a result. I notice that this amendment begins with "if." A big fat if. If a hearing takes place. That means that individuals can be heard only if there is a hearing called by the regulator. In other words, there will still be decisions made by the regulator without a hearing, following logic here – right? – where individuals may be adversely and directly affected. Therefore, two original problems with this bill remain despite this change. How will the regulator ensure individuals are personally notified of energy projects?

Then, number two, will the regulator ensure that directly and adversely affected individuals are in fact being heard in the cases where hearings are not being held? Again, this brings back unpleasant memories to me of when I was dealing with issues around energy, specifically electricity power lines. This is something that can not only affect, I guess, people's sense of what is just and right, but it can actually get in the way of moving a project forward. Once people are agitated on these issues and perceive injustice to be taking place or that they're being railroaded or steamrollered, then things can go sideways so quickly.

You know, we're at a certain point where I think we need to step back and not streamline our consultative process but expand the consultative process with landowners in this province because I think, quite frankly, that you're playing with fire if you don't deal with these things properly. Again, my original comments on Bill 2 were that because we've had these amendments come through, it seems as though a lot of Bill 2 is, in fact, a bit half baked and needs to go back to where it came from to be finished off and then made more palatable for general public consumption by the landowners here in the province of Alberta.

Thank you.

**The Chair:** Further comments on amendment A1E?

Seeing none, I'll call the question.

[Motion on amendment A1E carried]

**The Chair:** We'll now move to amendment A1F.

**Hon. Members:** Question.

[Motion on amendment A1F carried]

9:20

**The Chair:** We'll move to A1G. Questions or comments? The Member for Strathmore-Brooks.

**Mr. Hale:** Thank you, Mr. Chair. So I just want to ask the hon. Energy minister or the Minister of Environment and SRD about section 36. To me it looks like in this section you're just changing the order around. Instead of reviewable decision, you know, it's pretty much the same thing. This is something that is not going to have much bearing on the process. This is something that happens after. This is taking away from the Environmental Appeals Board. It's not letting anything go to the Environmental Appeals Board.

If you're adversely affected, then

- (i) a decision of the Regulator in respect of which a person would otherwise be entitled to submit a notice of appeal under the Environmental Protection and Enhancement Act or an appeal under the Water Act or an appeal under the Public Lands Act or

- (iv) a decision of the Regulator that was made under an energy resource enactment . . . [that] was made without a hearing, or
- (v) any other decision or class of decisions described in the regulations

are reviewable decisions. And if you're an eligible person under any of those as it stands now, you can go to the Environmental Appeals Board, which is arm's length, which does not have anything to do with the regulator.

For issues that happen after the process – so you have a pipeline going across your land, and after the well is drilled, after everything is done, it has a leak, so you call, and they come and clean it up, but you don't think that it's been cleaned up properly – you can go to the Environmental Appeals Board. That is not going to have any bearing on the approval process for any projects of the oil companies.

I would like to propose a subamendment to this one if I could. I've got the proper number of copies if we can hand them out.

**The Chair:** Yes, please.

Hon. members, this will be subamendment 2. So we'll be dealing with A1G-SA2.

Proceed, hon. member.

**Mr. Hale:** Thank you, Mr. Chair. This amendment says:

- (a) in the proposed section 36
  - (i) in clause (a) by striking out subclause (i), (ii) and (iii)
  - (ii) in clause (b) by striking out subclause (i);
- (b) by adding the following after the proposed section 36:
 

36.1 A decision of the Regulator in respect of which a person would otherwise be entitled to submit a notice of appeal under

  - (a) section 91(1) of the Environmental Protection and Enhancement Act,
  - (b) section 115 of the Water Act, or
  - (c) section 121 of the Public Lands Act

may be appealed in accordance with that section notwithstanding that the decision was made by the Regulator.

This allows people, if they have issues that the decision was not made by the regulator, to go back to the Environmental Appeals Board.

We feel that the Environmental Appeals Board is a very, very substantial board that deals with issues that happen after projects are completed. This is something that is very, very important so that people have somewhere to go. If they have to go back to the regulator – again, the regulator makes the rules, the regulator enforces the rules, and the regulator makes the decision. This gives them another avenue to go and voice their concerns. It is not going to hamper the process of streamlining, which we all agree we all want, the streamlining, the one-window shopping. This has absolutely no effect on the bill.

I would like to ask the hon. minister of environment if she can explain to me how she thinks this will have an effect on the streamlining, the one-window shopping of this bill when all this is doing is looking after issues through the Environmental Appeals Board.

**The Chair:** The hon. Minister of Environment and SRD or the Minister of Energy to respond.

**Mr. Hughes:** Let me start, and my colleague will deal with the difficult questions. This subamendment to the amendment really has the effect of not achieving a single regulator. I would note that it's my understanding that, for example, some of these appeal mechanisms that are today in existence have very limited use.

There might be 15 applications in a year or something like that, so it's not as though this is something that is a big normal course of business for a lot of applicants, important though it is.

I would note that the commissioners that we're going to appoint are separate from the governance of the new energy regulator. They do have an independence, which will provide very good oversight in terms of these kinds of important environmental acts that are regulated by the regulator. On that basis, Mr. Chair, I would not support this subamendment.

My colleague the hon. minister perhaps has additional items to add to that.

**Mrs. McQueen:** Thank you, Mr. Chairman. The hon. Minister of Energy has done an excellent job of explaining that.

I talked about this earlier this evening, that I think we have to think about this regulator as a new regulator. It's one regulator. It's one window. The current regulators of ERCB and Environment and SRD are now one regulator. To bring that together, we have different pieces of legislation that currently fall under ESRD, and we have the ones under the Energy department. These all come together, and the regulator will be regulating under all of these pieces of legislation.

To deal with what the hon. member across the way is talking about, if you go to section 36 and look at that section in its entirety, that explains with regard to if someone has an issue with regard to the Environmental Protection and Enhancement Act, the Water Act, the Public Lands Act from the area of the Ministry of ESRD. That is where the reviews are. That talks about the definitions and who becomes eligible and the reviewable decisions. Then if you look into section 38(1) and (2), it then talks about the review requests and how the eligible person can actually make the request.

I know it's hard for people to understand – and I don't mean that negatively at all when I say that – what this one new single regulator will be. It's all of these together with all of the pieces of legislation, looking at it holistically. All of those pieces of legislation that apply now today under the two regulators of ERCB and ESRD all apply under the new regulator but will be looked at at one time, holistically. So all of those areas still apply to people under the Water Act, the environmental protection act, the Public Lands Act. All of the statutes under the Energy minister's responsibility also, then, fall under this regulator.

**The Chair:** The hon. Member for Drumheller-Stettler.

**Mr. Strankman:** Yeah. That's the place, sir. I'd like to question either the hon. Minister of Energy or the hon. minister of environment. Recently I've asked the environment minister questions about endangered species. Going forward, if in that case the energy company would have affected endangered species prior to or, in this case, after the licensing of the facility, who would have been in charge of the investigation? Would it have been the regulator, or would it have been the ESRD?

**The Chair:** The hon. minister.

**Mrs. McQueen:** Thank you. And thank you for the question. What the single regulator is doing is approving or denying applications with regard to oil, gas, oil sands, and coal. If something falls under the Species at Risk Act or, in our particular case, the Wildlife Act, that is different than the approval of the regulation. If something happens under the Wildlife Act, we regulate that. Of course, the hon. member knows that the Species At Risk Act is a federal regulation.

9:30

**Mr. Strankman:** To the question, though, in the case of the energy company, if the energy company would have violated the act after the energy company received a licence for their development, how would the process fall?

**The Chair:** The hon. minister to respond.

**Mrs. McQueen:** Yeah. So the enforcement piece after an offence may occur is what you're talking about. Is that correct, hon. member?

**Mr. Strankman:** Yes, Mr. Chair.

**Mrs. McQueen:** Okay. That then falls within the different pieces of acts, so depending on if it's under the Wildlife Act, if it's under the Species At Risk Act, if it's under different provincial park acts or federal park acts, depending on what the case is, that's where it would be. Those pieces under the current ministry would follow under the ESRD ministry with regards to that because that is not the approval of the regulatory application.

**The Chair:** Further comments? The hon. Member for Strathmore-Brooks.

**Mr. Hale:** Thank you, Mr. Chair. A question. Either one of you can answer. In this amendment all you did was change "reviewable decision" to "appealable decision." Why, then, did you switch and put "eligible person" under section 36(b) when it was 36(a) before? Why was that switched?

**Mr. Hughes:** It's alphabetical.

**Mr. Hale:** No. In section 36 you have:

In this Division

(a) "eligible person" means . . .

Then you have what defines an eligible person.

Then you go to 36(b) and you changed "reviewable decision" to "appealable decision," and then you list it in this act. Go to page 22. All you did is switch them around. Is there a reason why you switched them around?

**The Chair:** Through the chair.

**Mr. Hale:** It's not alphabetical because in here you have 36(a). Section 36(a) on this one is now 36(b) on here, and 36(b) on this one is now 36(a), and you just changed two words.

**Mr. Hughes:** Yeah. Just to answer that, Mr. Chair, as I understand it, when you get into the nuances of drafting legislation, alphabetical actually does apply, so in this case "appealable decision" begins with an A under section 36(a), and "eligible person" follows in alphabetical order. That's all it is in terms of drafting the legislation. It's nothing more complicated than that, surprisingly.

**The Chair:** Further comments on subamendment SA2? The hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Mr. Chair. Obviously, I'm rising to speak in support of the amendment. I sort of feel like I was asking this question a little earlier because once again this government seeks to take out the right to appeal to the Environmental Appeals Board, which is something that's been existing since 1993, and it's something that's been providing landowners with an appeal of last resort for the last 19 years. They thought it was okay then.

They thought it was okay yesterday in other options, but Bill 2 brings that to a complete end.

Why would we want to bring that to a complete end if we've been offering it to landowners for 19 years and there really was no amendment to those things that it was affecting all that time? But all of a sudden in this specific act we're saying, "No; we had that, but now we want to just completely end that," which really means no more independent appeals to the EAB for landowners whose lands might be contaminated. This bill is proposing that the new energy regulator will make all of the environmental decisions relating to that land.

It would seem that we're right back to what we discussed in the previous amendment, when we were talking about the statement of concern, when we took out the ERCA, section 26, which, once again, protected landowners. You know, it just seems a little odd to me that everything we're removing is exactly what the landowners are asking for for protection. I would think that as government and as legislators it's our job to not only work for the industry – and it's my understanding that that includes the Minister of Energy, that it's not his job to only do whatever benefits the industry – but you also have to make sure that it benefits the landowner and to streamline that process.

If it doesn't benefit the landowner or it's not a win-win for the landowner and the industry, what you're going to have is absolute chaos, which we saw with those bills 19, 24, 36, and 50. This is really bringing that right back into there. It doesn't seem to make a lot of sense to remove something that we've had for 19 years and put an end to independent appeals to the EAB for landowners. That just doesn't even seem democratic.

If a landowner thinks the energy regulator missed something or got something wrong, his only remedy is to ask the regulator to review that decision. There's no independent review. Yet in the House today we talked about justice. The Minister of Justice went on and on and on and on about the importance of independent review. When we asked for an external review of that situation, he said: "No, no, no. We've got an independent review." He was adamant about it. He said that the government's mandate is an independent review. But we're taking that away from landowners. We're now saying: "No. Not only do you not get a review; you don't get an independent review. The regulator will review its own decision."

I mean, when does the regulator ever overturn its own bad decisions? Time after time I think most of us can agree that regulators almost always will decide that they got it right the first time. Why would they reverse on appeal unless it was so grossly unjust that they were forced to or unless landowners revolted, which we saw with Bill 50? Bill 50 was brought back to this House to be rediscussed and re-evaluated because we got it so wrong. This government got Bill 50 so wrong that for the last two years you have been inundated by landowners who were so disappointed in Bill 50 that they said: "You will hear us, we'll make sure you hear us, and you will make changes to Bill 50," which you had to do.

But then we're right back to this bill, the Responsible Energy Development Act, and literally we're saying: we know we got it wrong the first time, but we're going to try this all over again and do the exact same thing. An independent appeal process is a standard in modern democratic countries. It's an absolute standard. Everything has the right of appeal but this, which is mind boggling. This does not have a right of appeal. I just find it hard to believe that the only people who are seeing that is this side. I find that mind-boggling.

Right now under the current system a landowner appeals to the EAB a decision of Alberta Environment that the landowner thinks

was inadequate. Alberta Environment makes a decision. The landowner has the opportunity to appeal to the EAB. Then Alberta Environment has an opportunity to take a position at the EAB hearing that Alberta Environment got it right, that there's no need to change its own decision. Often the EAB is actually an excellent advocate for landowners. They'll often rule against Alberta Environment. There have been cases where the EAB finds that something was missed and that additional steps need to be taken to deal with those environmental concerns, so it would appear that that system kind of works. Why would we not restore that and ensure that the people falling under this act would have the same rights to appeal that people falling under the other acts would have?

It seems like you're purposely punishing landowners because you want to create a single regulator, yet landowners are begging for a single regulator. They just want to be treated fairly in the process. By removing the right to appeal to the Environmental Appeals Board, you're saying to them: we just really don't care what you have to say. I don't see how they could read it any other way.

9:40

Quite honestly, that can easily be fixed by quite literally taking a look at the amendment by the Member for Strathmore-Brooks, that actually puts that protection for landowners right back in there. I would think that if you have the protection for landowners back into the act, then landowners know that they can negotiate in good faith with industry. They can come to an agreement, and most of them do.

My husband works in oil and gas. He works for an oil services company. Most of the time, most good companies – this is all that we're dealing with here – do the right thing. That's the majority of industry. But the regulator is now forcing animosity between the industry and the landowner and the government.

It would seem to me that if we're going to streamline the process, why don't we make it clear what those rights to appeal are?

Over and above that, it's not enough that we took away the rights to appeal to the Environmental Appeals Board. It goes further. We took away the rights to appeal any energy-related decision to the Public Lands Appeal Board. That means Bill 2 strips people of that right as well. Neither appeals to the EAB or the Public Lands Appeal Board delay any energy projects. The project still goes ahead. The appeal just gets to be heard, and you give landowners a voice at the table. They only occur after the energy project has been approved, so there's no harm in ensuring that this right to appeal is in the act.

It would be a complete win for the government side to say: "You know, that's not bad. We can appease the landowners. They have some protection." Industry still gets a streamlined process, and if there is a problem, it doesn't act as a stay. The appeal is fine. It allows the government to show that there's a fair process, and it recognizes the importance of fairness. From what I'm hearing from landowners and from industry – I'm not solely hearing from landowners – industry is saying that they want it to be fair. They want it to be a just system. Landowners are saying, "We want it to be fair for industry, but we want it to be fair for us, too." So if it's fair for one, why can't it be fair for landowners as well?

It would seem to me that our northern friends across the way would have the same issues as our southern friends. It would seem to me that our rural friends across the way would have the same issues that our rural friends on this side are expressing. It would also seem to me that our urban friends across the way would have

the same issues over here as our urban friends. Now, I don't know of anybody who would say that it's the right thing to do to take away any abilities from the person who owns the land, whether that be city, rural, wherever. If you own the land, you should have the right to appeal a decision that you don't think is fair.

It's offered in every other system, every other act. Why in Bill 2 would it be removed specifically, when it occurs in a majority of your other acts? It may not be under the Environmental Appeals Board, but, you know, the Minister of Justice talked about the right to appeal, about due process and the rule of law and how we have to make sure that everybody who has an issue can appeal. We heard that. We've heard it in health. You have the right to appeal any decision. We hear this every day. All we're asking for is that landowners be treated fairly, that the person who owns the property has the ability to have a fair decision made, and if they feel that it's been an unfair decision, they have the ability to take it to the next level to ensure that they are heard.

It would seem to me that that wouldn't be that much to ask of this government given that these current boards, the Environmental Appeals Board and the public lands board, already exist, already are in place. In the case of the Environmental Appeals Board it actually works. You know, the Environmental Appeals Board is actually a board that landowners trust. So you have a board that's working. It would seem that you could make that the model.

The Minister of Energy has done a really good job on this bill, and he seems to have hit all the right notes, and he's worked really hard. I know that our critic here, the hon. Member for Strathmore-Brooks, has worked equally hard on trying to ensure that what we're bringing forward is reasonable and not unrealistic. It would seem to me that it would be imperative for us to actually consider those options given that they already exist in other acts.

I would implore the Minister of Energy to remind himself that the Environmental Appeals Board works. Landowners like it. Industry likes it. So why not appease both groups and make sure that the right to fairness is in this act?

Thank you.

**The Chair:** The Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I'm actually ashamed of this amendment. It saddens me, hon. member. This is an antilawyer amendment. How is a lawyer to make a living if we allow people to go to an appeals board that is some independent? These lawyers need to go to court. They need to charge \$500 an hour to take their case to the Court of Appeal. I'll guarantee you one thing. I don't like lawyers anyway, but I like this one, by the way. I like this one. [interjection] Well, I don't know. I won't even mention my hon. member. I have issues with lawyers, as I have issues with many things.

The reality is this, hon. member. Without a process what this will do is save money. I will guarantee you. I don't care how you write legislation; you will find two lawyers to take each side of the argument, and they will find a way to take this to court. They will find a way to take it to court. What you have here is the process that is actually in place now that has been removed under this act and that we want to put back into it.

So there's a process to appeal to an independent body to resolve the issue, to prevent it from having to go to court. That should be paramount in trying to accelerate the approval processes, to get things moving along, in the end finding a compromise to resolve the issues. We're talking about resolving. Sometimes the issue is pride more than it is anything else. We resolve these issues

through the whole board process. If the board gets it wrong, by having an independent appeal, we can alleviate the necessity of going to court. That, to me, has tremendous value in streamlining what your intent here is, the approval process, so these companies can get on with the business of extracting resources in the best interest of the public.

By not having an independent body, you create a problem. I understand what you're trying to do with the bill, but it doesn't make it. It doesn't do it. You're appealing to the regulator, and there's this human psychological condition called: people don't like to admit they're wrong. It's very difficult for that same regulator to make a decision and then have somebody appeal it to them.

**An Hon. Member:** He's baring his soul here.

**Mr. Anglin:** At least I've got a soul.

**An Hon. Member:** Says who?

**Mr. Anglin:** Say a lot of people. Come on over on this side.

I also have integrity for standing up for landowners. I have the courage and the integrity to go to those people who don't understand the process, who have a fear of going in front of a board, who don't trust lawyers but have an issue, and sometimes it's an important issue. So when a single little old lady living alone, who still wears a cookie apron, is told by somebody working for industry that if she doesn't sign the papers, they're going to bring the police – now, to a normal person that's not even a valid threat, but to an immigrant who came from Nazi Germany, who still fears the police showing up, that is a real threat, and in my mind that's an act of terrorism by that individual. Who's going to come to her aid? Who's going to stand up for her? You, the members on the other side?

**An Hon. Member:** Yeah.

**Mr. Anglin:** Really? That's really nice to know. I didn't see you there when I stood up for her.

The reality is that there are people out there that need a process to go through. They are innocent victims, and many of their concerns are valid concerns. They are resolvable. They don't have to go to court, but if you remove this right to go to an independent appeals body, all you're doing is making a case for lawyers to charge more.

Thank you very much.

9:50

**The Chair:** Other speakers on this amendment? The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you, Mr. Chair. It's an honour to speak to this important amendment, I think probably the most important issue that this bill and this amendment omit. With your permission I'd like to quote, and I hope to pass this on in writing to the minister. This comes from Nigel Bankes, an environmental lawyer from Calgary. Because it's so well and so succinctly expressed, I thought I would just read it.

He asks the question:

What then are the most important differences between the current scheme under [the Environmental Protection and Enhancement Act] and the Water Act which provides for an appeal to the EAB and the scheme that will prevail under Bill 2 where there are "powers, duties and functions" "in respect of energy resource activities."

He cites six problems that he sees with this, and they can be easily remedied, as I think others have suggested, by reinstating the EAB.

The first problem, which he expresses so well:

- (1) The review is internal to the Regulator. There is no opportunity for a view from the outside.
- (2) It seems unlikely that the review panel will be receptive to creative and purposive interpretations of the legislation that are markedly at variance with those that informed the original decision by the Regulator that is under review. That is, I think, an observation on human nature as much as it is an observation of law. And if a creative interpretation is unlikely to succeed on a review application it is even less likely to succeed if included as part of a judicial review application given the deference that the courts say is owed to the expert body when interpreting its own statute.
- (3) The current bifurcation of responsibility between the EAB and the line departments creates the possibility for a form of "conversation,"

shall we call it. That is

the idea of a conversation between the courts and the legislature in relation to Charter issues – i.e. not a real-time conversation – between the EAB and the Department . . . It seems unlikely that the Regulator will have a conversation with itself (i.e. it won't be critically reflecting on what the "other" has decided or observed).

- (4) The review will be a review and not a de novo appeal, i.e. it will be a review on the record. It seems unlikely there will be an opportunity to introduce new material except in exceptional circumstances (but here much may depend on the rules that the Regulator develops).
- (5) Access to the courts following the review is channeled to the Alberta Court of Appeal, with leave, rather than directly to the Court of Queen's Bench on a judicial review application (without leave).

I don't know what that means, but obviously this is a lawyer saying that this doesn't address real justice concerns of people who are trying to get redress for something they feel has been wrongfully done to their property.

Finally:

- (6) The new scheme has done nothing to advance the accountability function of a review/appeal by sanctioning a form of public interest standing to supplement the current rules that confer standing based on direct and adverse effect (a test which favours private interests rather than broader public interests).

To me that relates to the question of reducing the ability of interest groups to act on behalf of public lands where there is no directly affected person. We need to have the ability as individuals who represent a broader, nongovernment organization or as individuals with special expertise to stand up for public lands that have no direct, perhaps, adverse effect and no one to stand up for them, therefore.

And finally there is the sheer incongruity that will result from the application of Bill 2 to statutory approvals that relate to energy projects while the same air and water approvals for non-energy projects will continue to be subject to the existing regime.

There's an incongruity there that he cites.

It makes sense to me on a number of levels, but the language is legal, and I put that to you to please review that. I think that's going to be a hill for us to die on over here.

**The Chair:** The hon. minister to respond.

**Mr. Hughes:** Thank you, Mr. Chair, and I thank the hon. member for his thoughtful intervention. As he has observed himself, this is

a fairly technical area and a fairly technical argument made by somebody who obviously has a really keen interest in this and knowledgeable interest.

Let me just sort of clarify a couple of points that I think might be helpful to the person that you've heard from and to others as well. That is that the commissioners that we will be appointing to fill out panels on behalf of the new regulator will have a kind of independence that does not exist today in the ERCB and even in some ways in other regulators that are being affected by these changes as well. Again, they're appointed by cabinet. They will be selected on a competency basis, so it'll be a mix of people and a mix of skill sets and understanding and life skills, all those kinds of qualities that you look for in a good panel.

Those commissioners are not involved in the preliminary decisions, so when there's an appeal, it's not appealing to the same person. It's appealing to people who are specialists in the area who are skilled at understanding whether or not the folks in the organization have actually gotten it right in terms of interpreting regulations properly according to the policies that they've been given. There is a greater independence there, and that goes some way at least, I believe, to addressing some of the technical concerns that the hon. member has raised.

With respect, though, to the concerns of interest groups who have a concern about a particular policy area, we're creating a policy management office, which is a new entity, which will be responsible to the two ministers and which will be a place to focus debate around policy issues, which doesn't exist today, which we think will be very helpful particularly to engage folks who have a policy concern and would rather deal with the policy issue at the policy level as opposed to at a particular application level, where there's an opportunity to intervene or try to intervene. What we're trying to do is ensure that the policy debate is at a thoughtful level, where it engages all the right players who want to be part of that, and not have policy developed by wrapping it around a particular application because in today's world that's kind of the only place where people have a chance to engage.

I hope that helps clarify a bit how this is an improved process in a single regulator. I mean, you either have single regulator or you don't, and we're proposing a single regulator. That means, as a result of that, that there are some changes in who appeals go to. What we have structured here is a number of changes that have to be looked at in the full, broad spectrum of changes that we're bringing forward that will create a new, more efficient, more effective regulator that respects that balance that we're all trying to achieve as Albertans between development, environmental responsibility, and landowner respect.

**The Chair:** Further comments on amendment A1G-SA2?

Seeing none, we'll call the question.

[Motion on subamendment A1G-SA2 lost]

**The Chair:** Back to amendment A1G.

**Hon. Members:** Question.

[Motion on amendment A1G carried]

**The Chair:** We'll move to amendment A1H.

**Hon. Members:** Question.

**The Chair:** The question has been called on A1H.

[Motion on amendment A1H carried]

**The Chair:** We move to amendment A1I.

**Hon. Members:** Question.

[Motion on amendment A1I carried]

**The Chair:** We move to amendment A1J.

**Hon. Members:** Question.

[Motion on amendment A1J carried]

**The Chair:** We move to amendment A1K.

**Hon. Members:** Question.

**The Chair:** The question has been called.

[Motion on amendment A1K carried]

**The Chair:** We move to amendment A1L. The hon. Member for Strathmore-Brooks.

10:00

**Mr. Hale:** We were on a roll. Thank you, Mr. Chair. This amendment doesn't seem too bad. In their amendment it says . . . [interjection] No, I'm not done yet.

Section 84(1)(a) is amended by striking out "at least 2 other members" and substituting "such other members as the Lieutenant Governor in Council considers necessary." That's something that we're in favour of, having more than two members.

Now, the issue is: what members? I'd like to propose a subamendment that I'm pretty sure you guys will all find favourable. I have the proper number of copies.

**The Chair:** Please, if the pages could distribute the amendments. Once we have a copy at the table, then the member can start to speak to that.

This amendment, hon. members, will be SA3 to amendment A1L.

Proceed, hon. member.

**Mr. Hale:** Thank you, Mr. Chair. In this subamendment section 84 is amended (a) in subsection (1)(a) by striking out "2" and substituting "4" and (b) by adding the following after subsection (1):

- (1.1) Members appointed to the transition committee shall include at least
  - (a) one individual with demonstrable expertise in property rights,
  - (b) one individual with demonstrable expertise in environmental conservation, and
  - (c) two individuals with demonstrable expertise in the energy industry, each in different sectors of the industry.

What we're trying to achieve here in the transition committee is that there are representatives from the major players affected by this single regulator. The energy industry, which is a huge industry, has many different types of industries within it. You know, it could be someone with shallow gas and conventional oil expertise and someone with oil sands expertise. We feel that there needs to be someone with environmental expertise to look after the EUB decisions, all the environment. Then someone with property rights experience is someone who can relay the property rights expertise that needs to be implemented in this section.

Now, I noticed that on November 5 one of the government members actually touched on this. It's in *Hansard*. It was the Member for Banff-Cochrane talking about

a roster of people . . . those commissioners, that, in fact, have the background, the knowledge, the education, and not only the

industry perspective but the landowners' perspective, the social perspective, the environmental perspective.

And he carries on.

Now, that's talking about the commission. This is talking more about the transition committee. But I'm honoured to realize that he sees that, you know, there needs to be equal representation so that the voices can be heard. That's why I'm putting forward this subamendment, to ensure that all facets of this industry and the industry players are represented.

Thank you.

**The Chair:** Further comments on the amendment? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I will be short and brief on this one. This is logical. This makes sense. It's not telling the government who to appoint. What it's saying is that when you make your appointments, find these areas of expertise to balance the board, to get the appropriate knowledge. To us, that's common sense. It just puts it in legislation to guide further governments down the road, particularly when the Wildrose is sitting over there.

**The Chair:** The hon. Minister of Energy to respond. Did you care to respond, Minister? No? Okay.

I recognize the Member for Olds-Didsbury-Three Hills.

**Mr. Rowe:** Thank you, Mr. Chair. I've sat here most of the evening now and heard the different comments, looked over these bills until they're blurry, to the point where I thought I should get up and say something. Through this whole course of this bill, from beginning to end, there's one theme that keeps coming up on every amendment in every clause of this bill. It's mainly the reason why there are 17 members sitting in this opposition, and that, fellow members, is property rights. That's key to every one of these bills, to every clause in them and to every amendment. It was key when the government of the day enacted Bill 19, Bill 24, Bill 36, and Bill 50, and we're back to it again.

We have a chance here to address these issues. This amendment to the amendment does exactly that. It puts people with property rights expertise on a panel to address these issues. If there ever was a chance to fix this, this is it. I would ask that we get some support for at least this amendment on this bill because it will make a difference, a huge difference. During my campaign a common theme kept coming up again. Every farmer that I talked to, every rancher, everybody that was impacted by those power lines: they kept going back to property rights, property rights, property rights. It's not about landowners and energy companies. It's about property rights and being treated with respect and dignity and being included in the process. This will do it, so I ask you to support this amendment.

Thank you.

**The Chair:** Thank you.

The hon. member for Livingstone – Drumheller-Stettler.

**Mr. Strankman:** You're going to get it right, sir.

I'd like to chime in to support my member also on that. I spoke to it earlier in another statement, where I talked about having an elected board of directors. That may be too advanced for some people's thoughts, even for one of my members here, Rimbey-Rocky Mountain House-Sundre. I'd like to compliment the member for bringing this amendment forward.

I'd like to challenge the government to appoint people of proper expertise to this board and to speak to private member's Bill 202.

When the member was in my riding and I had a chance to meet him, I said: if you can go forward with this private member's Bill 202, I'd like to be seen in a public arena giving you a hug because that would guarantee my re-election. The minister for environment actually spoke in favour of my position on Bill 202, and I'd like to compliment her for the record on that.

Going forward, I'd like to just say that I'd like to have you endorse this amendment.

**The Chair:** Further comments? The Member for Little Bow.

**Mr. Wilson:** Calgary-Shaw.

**The Chair:** Calgary-Shaw.

10:10

**Mr. Wilson:** Again, Mr. Chairman, I understand. Long nights. No harm, no foul, sir.

I, too, would like to speak in favour of this amendment. I think that it demonstrates a clear objective. If we're going to have this board, having these people with these specific skill sets on the board and defining what those are is the best possible way to ensure that that balance is being struck on all levels. I do hope that the hon. ministers who are in charge of this bill give this serious consideration because this is one of those things that just seems to make sense. If what we're here to do is put forward good, common-sense policy, this is one of those amendments that simply just makes sense.

Thank you.

**The Chair:** Further comments on amendment SA3? The Member for Little Bow.

**Mr. Donovan:** See? You've been dying all night to say it. Thank you.

Again, I just want to reiterate what the rest of my colleagues have been talking about, property rights. That's right in this amendment here. This is what people want in this province. I think it's been identified, and I think we'll hear about it for weeks because we have lots of colleagues in here that either understand property rights or they don't. If they don't, they're going to soon understand them because it keeps coming back to that hour after hour in here. We're not going to give up on what we feel is right.

Thank you.

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

**Mr. Wilson:** Thank you. I just wanted to add that as much as many of my colleagues are consistently bringing up the idea of property rights, what we have here is an opportunity to ensure that we've got a three-pronged approach, that we're also looking after the industry's interests by having at least two members with identifiable experience in the energy industry and that we're also looking after the environmental side of things by ensuring that someone has demonstrable experience in environmental conservation. Again, we're not just simply suggesting this is all about property rights. This is about striking the balance that this whole bill was intended to do in the first place. I just wanted to add clarity to that and ensure that that was on the record as well.

**The Chair:** Thank you, hon. member.  
Other comments?

**Mr. Hughes:** Well, perhaps, Mr. Chair, if I could wrap up the discussion on the amendment and the subamendment but address

the proposals in the subamendment. You know, I'm very sympathetic to the intent of the message that's being sent here. When you're appointing people to take on an important transition, you want people who actually understand the subject matter very deeply. I completely accept the intent of this. I just think that the part that isn't perhaps as commonsensical is to put it in legislation, but I know that the hon. members will take me at face value that I will take on the representations and the intent that they have made here tonight when we're making a judgment about who should take on the leadership role here. I appreciate it, but I would not support putting it in legislation.

Thank you.

**The Chair:** Further comments?

I'll call the question on subamendment SA3 to A1L.

[Motion on subamendment A1L-SA3 lost]

**The Chair:** We're back to amendment A1L.

[Motion on amendment A1L carried]

**The Chair:** We'll move to amendment AIM.

**Hon. Members:** Question.

**The Chair:** The question has been called on AIM.

[Motion on amendment AIM carried]

**The Chair:** We'll move to A1N.

**Hon. Members:** Question.

**The Chair:** The question has been called.

[Motion on amendment A1N carried]

**The Chair:** That concludes amendment A1.

The hon. minister.

**Mr. Hughes:** Thank you, Mr. Chair. I just have one more amendment to put forward, and I shared it with our colleagues across the way earlier today, or at least most of them. The amendment is being circulated now, I believe, or is available for circulation. It really speaks to section 15, where section 15 is amended by adding "including the interests of landowners" after "prescribed by the regulations."

**The Chair:** Thank you, hon. minister.

For the record, hon. members, we will treat this one as amendment A2.

**Hon. Members:** Question.

**The Chair:** The question has been called on amendment A2.

[Motion on amendment A2 carried]

**Mr. Hughes:** Mr. Chair, I move that we adjourn at this point so that people can return to their warm homes.

[Motion to adjourn debate carried]

## Bill 10

### Employment Pension Plans Act

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

**Ms Kennedy-Glans:** Thank you, Mr. Chair. I was going to spend 10 minutes talking about the virtues of lawyers, but it would be very difficult to consolidate all those good ideas into 10 minutes.

I was very pleased to see the support that Bill 10 received in second reading. This support rightly recognizes that the new Employment Pension Plans Act is meant to make it easier and more affordable for private-sector employers to offer pension plans to their employees. With estimates showing that only 1 in 6 Albertans working in the private sector have pension coverage, this legislation is more important than ever.

This act isn't all we're doing to improve pension coverage for Albertans in the private sector. The federal government recently passed legislation allowing for pooled registered pension plans. These plans will help private-sector employees and the self-employed who are without access to a workplace pension plan by creating a voluntary retirement savings vehicle that will be cost-effective and easy for employers to offer. This will help improve both pension coverage and retirement savings income for Albertans. This is the type of targeted solution Alberta has been advocating for years to address concerns that many middle-income Canadians are not saving enough for retirement. We are looking at ways to bring these types of plans forward for Albertans.

I'd also like to respond to some of the questions raised. One of the points brought up during second reading was around the experiences of Nortel employees, some of whom are in my constituency. Their pension plan didn't have the necessary assets to fully pay for their expected benefits when the company went bankrupt. I believe the question was whether or not Bill 10 would prevent that unfortunate situation from happening again. No pension legislation anywhere in Canada would have prevented that from occurring. Legislation to prevent a Nortel-like situation would require plans to be 100 per cent funded at all times. This would be a very difficult and expensive requirement given that pension funds are invested in the markets. We all know that markets carry various levels of risk and that they can perform very well at times but also very, very poorly at others.

What our legislation does is to introduce new funding policy requirements and also call for more transparent disclosure to members. In addition, provisions have been added to require the plan administrator to notify the superintendent if insolvency proceedings begin. This means the superintendent can take immediate action to protect plan members' interests. This action includes the ability of an administrator to wind up the pension plan to ensure that members' interests are considered. The new act also makes provision for an equitable distribution of plan assets between all members if there is a bankruptcy.

10:20

This new act also allows for the development of solvency reserve funds. Under current pension legislation employers are responsible for making regular contributions to the pension plan. They must set aside contributions in a pension plan to pay for future benefits, and they must invest the fund. If the plan is a defined benefit plan, the employer is also responsible for making special payments to fund any deficiencies that arise in the pension plan due to adverse events such as investment losses or drops in interest rates. This deficiency must be paid back over no more than five years, and the special payments are paid into the pension plan fund itself. If the plan ends up in a surplus position in subsequent years due to better investment returns or additional required funding, the employer may be legally constrained from removing any excess dollars from the pension plan fund due to the old wording from the plan's rules. Because of this restriction



employers may be reluctant to fund benefits at greater levels than the minimums required.

This act permits the creation of a solvency reserve fund account, which would be in addition to the regular pension fund and subject to the rules set out in legislation. The employer would make solvency deficiency special payments into that account. Of course, the employer would still make regular contributions to the main pension fund. If the plan funding improves and the assets in the main pension fund are sufficient to pay for all benefits, the employer would have the ability to access the excess funds in the solvency reserve account. Before a withdrawal could be made, the employer would require consent from the superintendent of pensions. They would also have to leave a contingency amount in the account. With this change employers may be more willing to fund benefits at greater levels, and employees' benefits will continue to be protected as well as or better than under previous rules.

This legislation includes changes that benefit members and employers. Immediate vesting, which gives members immediate entitlement to benefits that accrue under the plan, has been added to recognize that pension plans are part of an overall compensation package. Pensions are part of employees' compensation.

I said earlier that this legislation is meant to make it easier and more affordable for private-sector employers to offer pension plans to their employees. It sets out standards for two new types of plans, target benefit plans and jointly sponsored plans, and allows the superintendent to consider other types of plans as ideas arise. Both of these new types of plans will see employers and employees sharing the risk that comes with funding them, which has traditionally fallen mostly on the employer. This will help the private sector provide pensions at affordable costs without disproportionately burdening anyone with risks.

These are just some of the highlights of Bill 10, but there are many others, which I won't cover tonight. We sincerely hope that this will increase pension coverage for working Albertans. At the end of the day, Mr. Chair, our goal is to help working Albertans prepare for their retirement years. In order to do this, we don't want to force employers into a one-size-fits-all regulatory environment and make it even more challenging for them to offer pensions. This doesn't serve anyone's needs. What we can do is give the private sector the tools they need to develop plans that will work for them and will work for their employees. We very strongly believe that Bill 10 does this, and I look forward to the support of all members in moving this legislation forward.

Thank you.

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

**Mr. Wilson:** The third time is a charm, sir. Thank you, Mr. Chair. I just wanted to stand up and briefly point out that when legislation makes sense, this opposition is here to support it, not to needlessly oppose it, and that is what we will be doing tonight.

Thank you.

**The Chair:** Are there other questions or comments? The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thanks, Mr. Chair. I concur with the Member for Calgary-Shaw. Certainly, it's a good thing. But I think when we have an opportunity to talk about pensions – and I will again when we bring this back to third – we know that there are a lot of workers in Alberta that are not covered by pensions, right? We have about 2.2 million workers in this province, and there are only 236,628 people in registered pension plans, so we have a lot of work that we can do on pension reform. The goal for us should be

that all workers have some sort of security for the future to ensure a reasonable standard of living when they are retired.

This bill, I think, is a good first step, and I appreciate the review that we had in regard to it. I will make further comments when we move into third.

Thank you.

**The Chair:** Thank you, hon. member.

If there are no further questions, no further comments, I'd ask: are you ready for the question on Bill 10, the Employment Pension Plans Act?

**Hon. Members:** Question.

[The remaining clauses of Bill 10 agreed to]

[Title and preamble agreed to]

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

**Hon. Members:** Agreed.

**The Chair:** Opposed? That's carried.

The hon. Deputy Government House Leader.

**Mr. Campbell:** Thank you, Mr. Chair. I move that the committee rise and report Bill 10 and rise and report progress on Bill 2.

[Motion carried]

[The Deputy Speaker in the chair]

**The Deputy Speaker:** The chair recognizes the Member for Calgary-East.

**Mr. Amery:** Thank you, Mr. Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bill: Bill 10. The committee reports progress on the following bill: Bill 2. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

**The Deputy Speaker:** Having heard the report by the hon. Member for Calgary-East, do you concur?

**Hon. Members:** Concur.

**The Deputy Speaker:** So ordered.

## Government Bills and Orders

### Third Reading

#### Bill 3

#### Education Act

**The Deputy Speaker:** The hon. Deputy Government House Leader on behalf of the Minister of Education.

**Mr. Campbell:** Thank you, Mr. Speaker. On behalf of the Minister of Education, the MLA for Athabasca-Redwater, I'm very pleased to rise today to move third and final reading of Bill 3, the Education Act.

The Education Act is a blueprint for where we want to take our education system, a blueprint built by Albertans for Albertans, and we are proud of that. We are proud that the vision Albertans shared with us during Inspiring Education, Setting the Direction, and Speak Out is reflected in this legislation.

We are proud that the act puts students first. We are proud that it helps all of us take a stand against bullying and will ensure our

schools are welcoming places where diversity is respected and every child feels safe. We are proud that it empowers school boards to make local decisions, and we are proud that the Education Act affirms the important role the family plays as the primary educator of their children.

We sincerely hope that you will all join me in supporting this extremely important piece of legislation. Thank you, Mr. Speaker.

**The Deputy Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. I rise in support of this bill. This has been a long-awaited bill, multiple tries. Yes, we offered amendments, and maybe some way down the path in the future we'll get to correct some issues dealing with the bill. But it is a necessity, and it is anticipated that this bill is going to do some really good work in our system of education.

I want to compliment the hon. member and I want to compliment the hon. opposition members for working together to try to get this bill passed for the benefit of all Albertans. Thank you very much, Mr. Speaker.

**10:30**

**The Deputy Speaker:** Thank you.

The hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Mr. Speaker. We brought up a couple of amendments that didn't quite make it through, but that's part of

how the world works sometime, I guess. I think this is a good bill. I think it's a much better bill than the original Bill 2, that was introduced back in the spring. It has a lot of highlights in it. It eliminated a lot of the controversial language in section 16, which in my riding was key and crucial, where my constituents said that this is a better bill now. There's general support for the autonomy for parents with elected boards, the agreement to combine with other boards, the allowing of boards to appoint superintendents without the approval of the minister. With most of the school boards in my riding that I talked to, that was one of the key things.

I just think there are a lot of bonuses to this. I think there was some good work put into it. I think there was some good debate around it. In saying that, I think it's a good bill.

Thank you.

**Mr. Khan:** Mr. Speaker, I move to adjourn debate.

[Motion to adjourn debate carried]

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

**Mr. Campbell:** Mr. Speaker, I would suggest that we've had good progress tonight and that we adjourn the House until 1:30 tomorrow afternoon.

[Motion carried; the Assembly adjourned at 10:32 p.m. to Thursday at 1:30 p.m.]

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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Thursday, November 8, 2012

Issue 17a

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta  
The 28th Legislature**

First Session

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Bhullar, Hon. Manmeet Singh, Calgary-Greenway (PC)  
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Fox, Rodney M., Lacombe-Ponoka (W)  
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Goudreau, Hector G., Dunvegan-Central Peace-Notley (PC)  
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Wilson, Jeff, Calgary-Shaw (W)  
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
    Government Whip

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Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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Jansen	Towle
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Cao	Webber
Casey	Xiao
Fenske	Young
Fraser	Vacant
Hale	



## Legislative Assembly of Alberta

1:30 p.m.

Thursday, November 8, 2012

[The Speaker in the chair]

### Prayers

**The Speaker:** Hon. members and guests, let us pray. Holy Creator, as we recall and reflect on the great privileges we have and the ones that we enjoy in our province and our country, let us be ever mindful of those who sacrificed so much to allow us those privileges. Let us never forget that the poppies we wear at this time we wear in their honour. Amen.

Please be seated.

### Introduction of Visitors

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

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. It gives me great pleasure to introduce to you and through you to all members of this Assembly a very distinguished special guest, Mr. Jean Gauthier, former Deputy High Commissioner of Canada to Nigeria. Mr. Gauthier has just recently retired after more than 35 years with Canada's foreign service. The countries he's served in include Egypt, Kuwait, Iraq, Saudi Arabia, Yemen, and most recently Nigeria, which is where I had the good fortune to meet Mr. Gauthier. In 2005 Mr. Gauthier was the recipient of a Professional Association of Foreign Services Officers award in recognition of his dedication and commitment. He's found himself in the thick of many a crisis and participated in assisting in the evacuation of Canadians and Americans from Baghdad in 1990 and negotiating with rebels in eastern Zaire in the mid-1990s. Mr. Gauthier is joined by his wife, Mrs. Danielle Fortin, and they are seated in the Speaker's gallery. I would ask that Mr. Gauthier and Mrs. Fortin receive the traditional warm welcome of this Assembly.

### Introduction of Guests

**The Speaker:** The hon. Member for Edmonton-Mill Woods, followed by Edmonton-Centre.

**Mr. Quadri:** Thank you very much, Mr. Speaker. It is indeed my honour and pleasure to rise today and introduce to you a school from my riding, Kameyosek elementary school. "Kameyosek" is a Greek word that means beautiful, like the students that are here today. They spent all day here and observed the services we offered today in our rotunda. Now I would request them to please rise and receive our traditional warm welcome.

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

**Ms Blakeman:** Thank you very much, Mr. Speaker. I am just thrilled today because I have two introductions, both of people that are pursuing their education. The first group is a number of people. There are 16 visiting us today from NorQuest College in the fabulous constituency of Edmonton-Centre. These people are always self-motivated. They're upgrading; they're pursuing training. I have a lot of admiration for what they're doing. Could I please ask the class from NorQuest along with their teachers and group leaders Brenda Chwyl and Carol Spence to rise. Please welcome them to the Assembly.

The second group I get to introduce today is a special school for me for a couple of reasons. This is the school that my father retired from. He was vice-principal there in the '80s and '90s. I also have a very good friend who is a teacher of one of the classes, and that's Nancy Adamson. The second teacher with us today from Victoria school is Stacey Taylor, and we were lucky enough to have Mrs. Joanne Lappa come with them as the parent/guardian/supervisor. Now, Mr. Speaker, I did go and visit this class, and you will all be thrilled to know that I taught them all how to do amendments. I knew you would love that. Please join me in welcoming the grade 6 class, 65 of them, from Victoria school.

**The Speaker:** Hon. members, I think that concludes the introduction of school groups. We're now going on to other guests. We have 14 introductions at least, so I would ask you from this point on to please bear that in mind as we begin with the hon. Member for Medicine Hat.

**Mr. Pedersen:** Thank you, Mr. Speaker. I am honoured to introduce to you and through you to all members of the Assembly my much better half, Angela Kolody. Angela is a realtor in Medicine Hat, the community we are proud to call home. Among her numerous accomplishments she is also on the cover of the November issue of the *Women in Business* magazine for Medicine Hat. I think all of my colleagues, especially the hon. Minister of Transportation, can appreciate just how very lucky I am to go home to a beautiful cover model. I would like to ask Angela to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Minister of Education, followed by the Minister of Tourism, Parks and Recreation.

**Mr. J. Johnson:** Thank you, Mr. Speaker. I've got two sets of introductions today. In the first I have the honour this afternoon of introducing to you and through you four women who are seated in your gallery who joined us this morning in the rotunda as we paid our respects for Remembrance Day. These brave women were here today representing the families left behind when a soldier is lost, those who wear the one military medal that no one ever wants to be awarded, and that, of course, is the Memorial Cross. As I introduce them, I'd ask them to stand and please remain standing.

With us today we have Darcia Arndt, widow of Master Corporal Raymond Arndt and cofounder of the Memorial Cross network, a support group for families of the fallen that two brave Alberta widows started several years ago. Her husband, Master Corporal Raymond Arndt, served in the Loyal Edmonton Regiment and was killed in August 2006 in Kandahar.

With her in the gallery is Sherry Clark, mother of Private Joel Vincent Wiebe, 3rd Battalion Princess Patricia's Canadian Light Infantry, and Joel's sister Amanda Wiebe. Joel's wife, Anna, was the other cofounder of the Memorial Cross network. She's not here with us today. Private Wiebe was killed by a roadside bomb in June 2007 along with two other Canadian soldiers while serving in Afghanistan.

We also have Amanda Anderson, widow of Corporal Jordan Anderson, 3rd Battalion PPCLI, who was killed in July of 2007, only two weeks after he was part of the ramp ceremony for Private Joel Wiebe.

Mr. Speaker, in honour of all that they and families like them have done and sacrificed so that we can be here today, I invite and I encourage the Assembly to give them the traditional warm welcome. [Standing ovation]

**The Speaker:** Thank you.

The hon. Minister of Tourism, Parks and Recreation.

**Ms Cusanelli:** Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to members of this Assembly the contestants, organizers, and judges from Miss Rodeo Canada, seated in the gallery today. We welcome Miss Rodeo Canada Arleta Bowhay; Miss Rodeo Australia Bobbie-Jo Geisler; Miss Rodeo Airdrie Gillian Shields; Miss Rodeo Okotoks Nicole Schlaak; Miss Rodeo Grande Prairie Sarah Michel; day judge Shannon McCarthy; the president of Miss Rodeo Canada, Jocelyne Lambert; the vice-president of Miss Rodeo Canada, Anne Lamers; pageant co-ordinator Sharon Coke; and photographer Linda Finstad. In the days leading up to the Canadian Finals Rodeo in Edmonton, contestants from across western Canada will participate in a rigorous pageant that produces a female ambassador, who in turn brings Alberta's authentic western culture of the rodeo community to the world. I would now ask that my colleagues please join me in giving the traditional warm welcome of the Legislative Assembly.

1:40

**The Speaker:** The hon. Member for Leduc-Beaumont, followed by Edmonton-Meadowlark.

**Mr. Rogers:** Thank you, Mr. Speaker. It is my pleasure today to introduce to you and through you to the members of the Assembly students from the Faculty of Law at the University of Alberta who are enrolled in a course on legislative process and legislative planning taught by the Law Clerk, Rob Reynolds, and the Chief Legislative Counsel, Mr. Peter Pagano. I believe that they are seated in the members' gallery, and I would ask that these fine members of tomorrow's bar rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Meadowlark, followed by Edmonton-Decore.

**Dr. Sherman:** Thank you, Mr. Speaker. I'd like to introduce to you and through you to the members of the Assembly a young woman who as part of the Edmonton Youth Choir was involved in the wonderful singing we heard this morning as we honoured our heroes at the Remembrance Day observance, Tobyn Walker. Tobyn has been in our chorus since the age of eight and has sung around the world in various choirs, and most notably she sang *O Canada* for the Canada Day celebrations at the Edmonton Garrison. Tobyn has been an active political commentator at Victoria school of the arts, where she's in grade 10, and she's been nominated by the Deputy Speaker, the MLA for Leduc-Beaumont, to represent the constituency in the TUXIS Parliament. Not only that, but she is the daughter of one of our research analysts and, I believe, a future MLA for Leduc-Beaumont. Tobyn is seated in the members' gallery, and I would ask her now to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Decore, followed by the Minister of Aboriginal Relations.

**Mrs. Sarich:** Thank you, Mr. Speaker. It's an honour and a privilege to rise today to introduce to you and through you to all members of the Assembly special guests seated in the Speaker's gallery from the Ukrainian National Federation of Canada and affiliate organizations. My guests this afternoon will be attending the Ukrainian National Federation of Canada's 37th national convention, which opens today in Edmonton, our province's capital city. Also, with pride the organization will be commemorating their founding, which occurred in 1932 at a historic

meeting in Edmonton. Congratulations to the Ukrainian National Federation of Canada for 80 years of dedicated service.

I would ask that the representatives please rise and remain standing as I call their names: Mr. Taras Pidzamecky, national president, Ukrainian National Federation of Canada; Mr. George Yopyk, president, Edmonton branch of the Ukrainian National Federation of Canada and national vice-president west; Ms Mary-Ann Sech, president, Edmonton branch of the Ukrainian National Youth Federation; Mrs. Yaroslava Iwasykiw, national president, Ukrainian Women's Organization of Canada; Mrs. Tamara Vorotilenko, president, Edmonton branch, Ukrainian Women's Organization; Mrs. Olya Grod, executive director, Ukrainian National Federation of Canada, who could not be with us this afternoon; Mr. Olek Wowk, Edmonton branch, a long-standing member of the Ukrainian National Federation of Canada; Mr. Leo Zalucky, Edmonton branch member of the Ukrainian National Federation of Canada. I would now ask my guests to please accept the traditional warm welcome of the Assembly.

Thank you.

**The Speaker:** [Remarks in Ukrainian] Welcome.

The hon. Minister of Aboriginal Relations.

**Mr. Campbell:** Thank you, Mr. Speaker. It's my honour to introduce to you and through you a special guest from my constituency, West Yellowhead. I'd like to welcome, seated in the member's gallery, Kristie Gomuwka from Edson. Kristie is the assistant executive director of the Edson Friendship Centre. The centre is not only an important place for aboriginal people in the Edson region, but it's a highly respected organization that brings the entire community together through various events and programs that it offers. Besides her work at the centre, Kristie has an eight-year-old daughter, Keira, and still finds time to be an active volunteer in the community. This includes the Edson Boys and Girls Club, the regional Edson Parent Link Centre, and the Edson and District Drug Action Coalition. Probably her most important volunteering this spring was when she knocked on a few doors with me during the last campaign. I'd like Kristie to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview, followed by Bonnyville-Cold Lake.

**Mr. Bilous:** Thank you, Mr. Speaker. I'm honoured to rise today to introduce to you and through you to this Assembly a group of very hard-working, dedicated, and determined guests from Fort McMurray. Annie Lelièvre's son was tragically killed on the notorious highway 63 on December 1, 2011. Today with her is a group of friends and supporters who have helped collect 16,245 signatures and an additional 23,000 online signatures in a petition to force the government to finally take action to twin this deadly highway. We'll be tabling these signatures later today. The promise to finally twin all of highway 63 by 2016 cannot become yet another broken promise from this PC government. The NDP opposition, Annie, and the nearly 39,000 people who signed this petition will make sure of that.

I'd now like to invite my guests to rise as I call their names: Annie Lelièvre, Trieva McBeth, Lisa Avery, Deborah Cinnamon, Jane Glavine, Jessica Lebedynski, Brenda Isbister, Hilda Kristman, Marlene Fargey, John Fargey, Katie Stacey, Michelle St. Jean, Dion Lefebvre, and Henry Hollett. I'd now ask my colleagues to join me in giving them the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Bonnyville-Cold Lake, followed by Banff-Cochrane.

**Mrs. Leskiw:** Thank you, Mr. Speaker. It is a pleasure to rise today to introduce to you and through you to the members of the Assembly five great Albertans: Ludvik Marianych, Sheila Miller, David Jackson, Darren Boisvert, and Olesia Luci-Andryjowycz. David, Olesia, Sheila, and Darren joined me and 45 other Albertans to help oversee the elections in Ukraine and help with the democratic process. The composition of our team was broad, including academics, current and former MLAs, public servants on leave of absence, current and former Canadian professional electoral officials, retirees, students, and professionals. Every province and every territory in this great country was represented. We are proud of our participation in the democratic exercise in Ukraine. They are seated in the members' gallery, and I would ask them to rise and receive the traditional warm welcome of this Assembly, please.

**The Speaker:** The hon. Member for Banff-Cochrane, followed by Edmonton-Riverview.

**Mr. Casey:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of this Assembly Miss Kianah Howk, a grade 6 constituent of mine who earlier this morning shared her poem, *Soft and Free*, with members at the Remembrance Day ceremony in the rotunda. Kianah received first place in the Alberta-Northwest Territories Command 2012 junior poem competition and first place in the 2012 Royal Canadian Legion Dominion Command competition for her wonderful poem. Joining her are proud parents, rightly so, Loren and Shelley Howk, and her younger brother, Kaeler. I would ask them now to rise and receive the traditional warm greeting of this Assembly.

**Mr. Young:** Mr. Speaker, I'm pleased to rise today and introduce to you and through you to all members of the Assembly Laura Fitzgerald, one of my constituents, along with Leigh Allard and Janis Seville of the Lung Association, Angeline Webb of the Canadian Cancer Society, Les Hagan of the Action on Smoking and Health, Paul Dowson of McNeil Consumer Healthcare, along with Arleta Bowhay, previously introduced, Miss Rodeo Canada.

The rodeo swap to stop is a partnership of the Lung Association, Canadian Cancer Society, Action on Smoking And Health, Miss Rodeo Canada, and McNeil Consumer products. This group has visited two rodeos this summer and will be at the Canadian Finals Rodeo to provide information to rural Albertans and support Albertans on how to quit smoking and other forms of tobacco, including chew. To date they have talked to 3,000 rural Albertans, and they hope to speak to many more at the CFR. I'd like to ask them to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Mr. Speaker. I'd like to introduce to you and through you five wonderful neighbours and friends who have trekked up for the CFR this weekend. Two of them don't live in the riding anymore. They moved a half-mile out. Bruce and Joan Gateman are long-time friends and neighbours. I'd ask them to rise. Bill and Carol Steiner, some friends and neighbours from Arrowwood, are also farmers in the area, and Iona Wark, who is travelling with them, is also a next-door neighbour. Her daughter is the same age as me, and we went to school together all the way through. I'd like to ask this House to give them the traditional warm welcome of this Assembly.

1:50

**The Speaker:** Are there any others? I don't think so. The clock is marching, so we'll carry on. Just a moment, please. You have one brief intro?

**Ms Kennedy-Glans:** Yes.

**The Speaker:** We'll hold the clock, and then we'll be done intros. Please, quickly.

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. I'd like to introduce to you and through you Ms JudyLynn Archer and Mr. John Young. They're joining us today to acknowledge the work of Women Building Futures, a remarkable not-for-profit here in Edmonton. JudyLynn is the president and chief executive officer. I'd ask her to stand. John Young is also a director on the board. He was with the Calgary Police Service as aboriginal liaison and now works in energy, has been adopted into the Siksika, Piikani, Kainai, Stoney, and Seabird Island communities. They are both seated in the members' gallery, and I would ask that they both rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** Hon. members, there is inclement weather happening. Some people have driven a long way, so we're going to allow one final introduction by the Government House Leader with your indulgence, please.

**Mr. Hancock:** Not an introduction, Mr. Speaker, but an unusual unanimous request to ask that we proceed with Ministerial Statements before question period today and that we also extend past 3 o'clock for the Routine.

**The Speaker:** Hon. members, I would ask you one question, then, and the question would be: are you all in unanimous agreement to allow the request as presented by the hon. Government House Leader, and that is to proceed with Ministerial Statements at this time? That would delay question period for a few minutes. Does anyone disagree with that?

[Unanimous consent denied]

### Oral Question Period

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition.

### MLA Remuneration

**Ms Smith:** Thank you, Mr. Speaker. We're getting hundreds of calls and e-mails about the giant pay raise that the PCs pushed through under the direction of the Premier. Now she's uncomfortable answering questions, which is understandable. It's pretty hard to explain how \$156,000 is actually less than \$145,000. Maybe they'll get it when they get 156,000 complaints. Let's see if the Premier is willing to share her thoughts today with the Assembly and with Albertans. Does the Premier still think that this 8 per cent pay raise is a good idea?

**Mr. Lukaszuk:** Mr. Speaker, what one can easily get tired of is explaining simple mathematics that I know this member understands and I know every single member of this Chamber understands but chooses, simply, to play politics with. The simple fact is this: the day before the last election, aside from the fact that the Premier eliminated committee pay and transition allowance and made sure that there are no pensions and no outstanding

liability to Albertans, we also changed the pay structure so that altogether MLAs are receiving, from what used to be \$170,000, now \$156,000.

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

**Ms Smith:** Thank you, Mr. Speaker. Most Albertans want MLAs to be paid fairly, and \$145,000 is certainly fair. That's what everyone who ran for us in April was prepared to earn, but six months later under the orders of the Premier her MLAs just grabbed themselves another 11 grand. The Premier eliminated the transition allowance, as the Deputy Premier acknowledged. Will she now eliminate the 8 per cent pay raise?

**Mr. Lukaszuk:** Mr. Speaker, it is also very tiring to hear this member right now applauding this Premier for eliminating transition allowances and actually making Alberta the only province in Canada that doesn't have a transition allowance when she is on the record just a few weeks ago arguing for a transition allowance.

**Ms Smith:** That's not true, Mr. Speaker. I'd ask the Deputy Premier to check the *Hansard*.

Mr. Speaker, if a retailer raises the price of a product and then lowers it and calls it a discount, he is subject to prosecution under consumer protection laws. Albertans find it offensive that the PCs are trying to argue that up is down and left is right and black is white and more is less. Will the Premier do the right thing and eliminate this 8 per cent pay raise?

**Mr. Lukaszuk:** Mr. Speaker, I think the member is simply insulting Albertans by trying to introduce explanations about used cars and other things. Albertans know one thing for sure. The Premier made a commitment to have the most transparent method of paying MLAs in the country, she made a commitment that there will be no hidden pay, she made a commitment to lower MLAs' pay, and she has delivered on all of them. Albertans know what is right, and they showed what is right in the last election by giving this Premier the mandate to govern this province.

**The Speaker:** The hon. opposition leader for her second main set of questions.

**Ms Smith:** Well, they certainly didn't campaign on that.

Mr. Speaker, in his desperate attempts to spin to Albertans that big is small, that over is under, and that here is there, the Deputy Premier apparently also believes that false is true. He told a radio audience that \$156,000 is the total cost to taxpayers for each MLA and that they don't receive any other expenses or allowances. Wrong. There are mileage allowances, fuel expenses, car washes, housing allowances, daily session allowances, not to mention cellphone, home Internet, home security systems, parking, rental cars, and so forth. Will the Deputy Premier set the record straight and acknowledge that he misled the public?

**Mr. Lukaszuk:** Mr. Speaker, I guess one could be calling points of order on this question all over the place.

I was under the impression that up until this time we were discussing MLAs' salaries. Indeed, there are no added expenditures to Alberta taxpayers relevant to MLAs' salaries. It's all laid out, and the opposition is getting very upset because it is very transparent and very easy to understand. But, yes, the member is correct. MLAs do get cellphones, and MLAs like the Leader of the Official Opposition who don't live in Edmonton also get to have some accommodation allowance.

**Ms Smith:** Well, he told Rutherford something completely different.

Mr. Speaker, questions about government behaviour seem to bother the Premier, and she obviously doesn't want to be seen to be defending her leadership on this issue, but we suspect she's doing all of this because she needs a way to keep her caucus in line after forcing all of them to chip in to pay back the no-meet committee pay. Is this what the Premier calls raising the bar on accountability? [interjections]

**The Speaker:** The hon. Premier has the floor. Let's respect that, please.

**Ms Redford:** Thank you, Mr. Speaker. On April 23 Albertans voted for a government that had a vision that defined the future of this province, and in every constituency in this province they voted for candidates that they believed represented their vision and their values. As a result of that, we have a front bench and a caucus of Progressive Conservatives that I am proud to stand with, that I am proud to call colleagues, and whom I trust completely to deal with the issues that the opposition raises in question period.

**Ms Smith:** Glad she started answering questions, Mr. Speaker.

The way this RSP scheme works, we get an extra cheque sent to each MLA every fiscal year for \$17,400 and another \$4,900 in matching funds as an RSP benefit, for a total of \$22,300. Now, in May the Assembly ordered the Members' Services Committee via Motion 11 to report its recommendations on alternatives to the MLA pension plan. Presumably, this is to give us a chance to review, debate, and vote on those recommendations. When will that happen?

**The Speaker:** Hon. members, the report has not yet been completed, as you know, and it will be coming forward to the Assembly once it is.

I've noted a point of order from the Government House Leader and another point of order by the Member for Lac La Biche-St. Paul-Two Hills. We'll deal with those at the right time. At that time we will hear the point of order, and then we'll also address them.

**Mr. Saskiw:** No. Point of clarification.

**The Speaker:** You need something clarified, do you? Something that I have said that you need clarified?

**Mr. Saskiw:** Yes.

**The Speaker:** What is it, please?

**Mr. Saskiw:** Mr. Speaker, according to Government Motion 11, that was passed on May 29, 2012, the report was supposed to be tabled to this Legislature once it was done. On November 6 there was a report that was produced in the committee, and we're wondering whether or not that report will actually be put forward, or will the will of the Assembly be neglected?

**The Speaker:** Thank you. I'll clarify that for you later. We're running a little late right now, but I will clarify that for you.

The hon. leader.

### Justice System Review

**Ms Smith:** Thank you, Mr. Speaker. We've seen the government avoid a number of crucial issues, from illegal political donations to out-of-control executive expenses and now the most serious

matter of child abuse and sexual assaults. The Premier has refused to talk about it in the Assembly. The Justice minister then brushed it off as an isolated incident, yet the Justice department itself now admits that there are multiple cases of stayed prosecutions, which means sexual predators are at large in our communities. Why won't the Premier and the minister order an independent, impartial investigation to prevent more victims from being denied justice?

2:00

**Ms Redford:** The information that came before the House last Thursday was tremendously serious, very important, and needs to be looked into. It's very important that we ensure that justice is obtained in every case that we have before the courts in Alberta.

Mr. Speaker, the Minister of Justice and I along with the Minister of Human Services this morning were at a Breakfast with the Guys event with 500 people in Edmonton who are all fully aware that there are very difficult and tragic circumstances affecting victims of domestic abuse and child sexual abuse in this province. We take that seriously, we work through our programs with our ministers to ensure that happens, and we will ensure that this issue is dealt with appropriately in the justice system.

**The Speaker:** Thank you.

**Ms Smith:** Mr. Speaker, the department investigating itself is not the answer, and the investigation needs to go far beyond this case of the little girl in Airdrie who was repeatedly abused and never saw her abuser face trial because of delays. There are many such cases. In fact, judges are warning us that something is terribly wrong. One ruling said that the court cannot simply accede to the government's allocation of resources and tailor the period of permissible delay. When will the government admit that it's allocation of resources is failing Albertans?

**Ms Redford:** Mr. Speaker, we know that in our justice system the Crown prosecutors, more Crown prosecutors than five years ago when our safe communities program started, are doing their work every single day to ensure that people are brought to justice. The strength of a justice system is that we ensure that there are rules in place. That is part of what we need to deal with with respect to this issue. It is not helpful to have people making political hay of the fact that there are victims suffering in this province. We need to ensure that we are healing victims, protecting victims, and preventing people from becoming victims as well as strengthening the justice system, and that is what we are doing.

**The Speaker:** Thank you.

**Ms Smith:** Mr. Speaker, we need to make sure that justice is served, and we think this matter of funding is critical for the administration of justice in our province. Either there are too few resources or the allocation of those resources is seriously flawed, and the consequences are horrific. The investigation of this matter by the department itself is not adequate. We don't understand. Why won't they simply order an independent investigation so we can get to the bottom of it and fix it?

**Ms Redford:** Mr. Speaker, every day in the justice system we have professionals that are working to deal with these issues. These are the professionals that run our system, including the assistant deputy minister of public prosecutions. It is entirely appropriate for us to ask our professional public servants to ensure that the circumstances in every court in this province are exactly what they should be, and that is what we are doing today.

**The Speaker:** The hon. leader of the Alberta Liberal opposition.

### Child Poverty

**Dr. Sherman:** Thank you, Mr. Speaker. This government has its priorities all mixed up. We face a moral crisis in child poverty, with thousands of aboriginal children in government care, yet these Conservatives are more concerned about padding their own RRSPs while Alberta Liberals want to focus on values of equality of opportunity for less fortunate Albertans. The Finance minister has no funding plan to deal with these 70,000 children in poverty other than to wish them good luck. To the Premier: will you do the right thing and institute a government-funded school lunch program so children living in poverty don't have to learn on an empty stomach?

**Mr. Hancock:** Mr. Speaker, we are looking into, through the social policy framework discussions and further, a program to reduce and eliminate poverty in this province at a higher level than simply on a program-by-program basis. Yes, it's important that every child go to school having had something to eat and ready to learn, but solving child poverty is not just as simple as the hon. member would suggest. It's a lot more complex than that, and simple solutions will not solve the problem.

**Dr. Sherman:** Mr. Speaker, basic nutritious food is one of the basic needs we as human beings have. Given that these children are our children, their future is our future, and their care is our shared responsibility and given the overwhelming evidence that investment in early childhood leads to higher literacy, graduation, employment, better income rates, better health outcomes, and less crime and actually ends up saving the government money, to the Premier: will you keep your promise to Albertans by funding early childhood learning, full-day kindergarten, preschool and after school care, especially in communities of high risk? Please, Premier, will you do the right thing?

**Ms Redford:** Mr. Speaker, there is nothing that this hon. member has said that our government does not agree with. That is one of the platforms that we ran on in the last provincial election. It's why we have introduced this terribly important work with respect to the social policy framework, and it's one of the reasons that we support organizations such as Women Building Futures, which I know another hon. member will be speaking to later. We have to ensure that families are strong, that parents are employed, that parents have skills so that they can participate in the economy. We have to make sure that our Department of Human Services is putting programs in place to support vulnerable children. That is how we will ensure that every child is able to excel to the best of their ability.

**Dr. Sherman:** Mr. Speaker, Albertans don't need excuses, and they don't need to be wished good luck. They need real action.

Given that Alberta's parents are working harder than ever to make ends meet, all they need is a hand up, yet this government demands a handout from them in the form of mandatory school fees. If they can't afford to pay, they send the collection agencies after them, and the kids can't even attend grad. This is shameful in the wealthiest place on the planet. To the Premier: why do you insist on nickelling and diming our families for school fees? Why can't you just bring in a progressive tax system?

**Mr. J. Johnson:** Mr. Speaker, our education system is the best funded in Canada. Certainly, we do have some school fees, and those are set locally by the school boards in consultation with the

parents. We had a long discussion about that in committee and in second reading with respect to what we're going to do in the Education Act and what the strategy is going forward. I don't recall the hon. member chiming in on that debate. It's nice to hear his feedback now. Maybe he can take part in the regulatory review on school fees that we promised after the Education Act.

**The Speaker:** The hon. leader of the ND opposition, followed by Little Bow.

### Election Finances Legislation

**Mr. Mason:** Thank you very much, Mr. Speaker. Every time we ask this government a question about election financing, the Minister of Justice jumps up to tell us that he'll be introducing changes in legislation in this session. What he has apparently forgotten in drafting this legislation is that the PCs are not the only political party in the province. No one representing the Alberta NDP was consulted by this minister while he was considering changes to the act that most impacts our ability to do our work as a political party. To the Minister of Justice: did he simply forget about other political parties while he was drafting the legislation, or was this yet another attempt to create a piece of legislation that only works for his party?

**Mr. Denis:** Mr. Speaker, with respect to the Member for Edmonton-Highlands-Norwood's rather untrue comments they're just that, untrue. My office and I have met with people from the Wildrose caucus, people from the Liberal caucus . . .

**Mr. Saskiw:** Point of order.

**Mr. Denis:** . . . and an invitation was also sent to the New Democrat caucus. I'm not exactly sure what's happened with that. At the same time I take it seriously that when we have these meetings, they're also on an embargoed basis. There have been meetings, and there have been offices – I'm not exactly sure what this member is talking about.

**The Speaker:** Hon. Member for Lac La Biche-St. Paul-Two Hills, you had a point of order. It's noted.

The hon. leader.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, given that this government is quick to differentiate between the government and PC MLAs and the PC Party when it suits them and given that a bill briefing with an MLA is entirely different than a consultation with appropriate officials of a political party, that should be necessary to draft legislation affecting the electoral process, why is this minister attempting to confuse the issue in order to dodge responsibility for failing to consult with affected political parties except, of course, his own?

**Mr. Denis:** Mr. Speaker, if anything is confusing, it's this member's rambling comments. I really don't know where this member is coming from. Regardless, we will be introducing the Election Accountability Amendment Act, 2012, the week after next, next week, of course, being the break week. I welcome the member to join the debate.

2:10

**Mr. Mason:** Mr. Speaker, for the record will the minister tell the House whether or not there was consultation with the Progressive Conservative Party of Alberta in the drafting of this legislation and, if so, what the nature of the consultation was and which individuals were involved?

**Mr. Denis:** Mr. Speaker, again, I don't know where this member is coming from. We've had consultations with all three opposition parties here. I'm not really sure what his issue is.

**Mr. Saskiw:** Point of order.

**Ms Blakeman:** Mr. Speaker, point of order.

**The Speaker:** Hon. Member for Lac La Biche-St. Paul-Two Hills, you have another point of order. It's noted.

I believe, Edmonton-Centre, you had a point of order. That is also noted.

On that point, let us move on to the hon. Member for Little Bow, followed by Fort Saskatchewan-Vegreville.

### Victims of Sexual Assault

**Mr. Donovan:** Thank you, Mr. Speaker. A story in the *Lethbridge Herald* last week tells of a heroic 15-year-old girl who was proud enough to stand up and defend herself from what happened. She got assaulted when she was six years old. The young offender served time for the crime, was prosecuted, and his therapy was paid for by this government. However, the victim of this case was not able to have her therapy fully paid for. Due to the court order, the restraining order, the victim was forced to drive to Calgary from Coaldale for her treatment. To the Minister of Justice: can you please look into this case and ensure that the family is fully compensated for their therapy and their travel costs?

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

**Mr. Denis:** Thank you very much, Mr. Speaker. I thank the member for that question. I'm not aware of that particular case, but I will look into it right after question period. We'll be in consultation with his office.

**Mr. Donovan:** To the Minister of Justice. I thank him for that, and I will get you all the information. To the same minister. I think there's not one Albertan that would want the victim of sexual assault to receive second-class service. Given the offender priority will this minister tell the House how we can go about changing this government's misguided policy and make sure we put our victims first?

**Mr. Denis:** Well, Mr. Speaker, there are many elements to the justice system. This member is quite correct. I think that victims do deserve to be put first, and I look forward to the meeting that he and I can have to discuss this particular issue in a private forum and also to talking to the victim myself.

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

**Mr. Donovan:** Thank you, Mr. Speaker. Last night I had the opportunity to talk with a good friend of mine, Sheldon Kennedy, who is a strong advocate against sexual predators. He told me we need to educate the public, attempt to prevent the abuse before it happens, and also how to help all of these victims. To the minister: what programs do we have in place to educate the public on sexual abuse and sexual predators?

**Mr. Denis:** Mr. Speaker, as the Premier mentioned, just this morning I was at a private-sector event that seeks to raise awareness of women that have had violence against them. That also includes sexual violence. I again thank the member for his passion on this issue. I look forward to talking to him further.

I also wish to critique the Leader of the Opposition. At no point did I say it was an isolated incident. Even if it was, one is too many.

**The Speaker:** The hon. Member for Fort Saskatchewan-Vegreville, followed by Calgary-Fish Creek.

### Bitumen Upgrading

**Ms Fenske:** Thank you, Mr. Speaker. In Alberta's Industrial Heartland we've heard the question asked several times: are you there yet? We have finally had the answer: yes, we are. I note that the North West Redwater Partnership upgrader has announced that it will begin construction next spring on a refinery, the Sturgeon bitumen refinery, in the Industrial Heartland to process bitumen that the province has taken in lieu of cash royalties for the benefit of all Albertans. My question is to the Minister of Energy. Does this mean that the government is back in the business of being in business, and are we using tax dollars to prop up big business?

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

**Mr. Hughes:** Thank you very much, Mr. Speaker. I'm pleased to receive the question from the hon. member. There are no public funds going into this. What we have done is that we are using bitumen in kind that can be upgraded to give greater value for Albertans. It's a very responsible policy. This is the first new refinery to be built in this province in 29 years. This refinery takes raw bitumen and turns it into much more valuable commodities such as diesel, which are then worth much more than bitumen.

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

**Ms Fenske:** Thank you, Mr. Speaker. To the same minister. I believe that you've somewhat answered that question. Could you further explain what the benefit is to all Albertans of taking bitumen as the product instead of royalties in cash?

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

**Mr. Hughes:** Well, thank you, Mr. Speaker. There are many good reasons to take bitumen in kind. One of them is that you can use it as a strategic asset to put into play to help ensure that we get value-added refineries in this province like this one. You know, this creates some 8,000 jobs during the construction, Mr. Speaker, and the province is also making a much better margin on our product when we sell it.

Thank you.

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

**Ms Fenske:** Thank you. My last question is to the same minister. I understand that this upgrader will also incorporate carbon capture in the initial design. What are the benefits, please?

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

**Mr. Hughes:** Thank you very much, Mr. Speaker. There are several benefits, obviously, to incorporating carbon capture in this. One that people will notice right off the bat is reduced emissions. Just as importantly, carbon dioxide that is captured has additional value and can be used for enhanced oil recovery; i.e., put back into the reservoir. It helps improve the production at the end of the day, so we're getting more oil out of the ground as a result of this

investment. Of course, that means more longer term jobs in rural Alberta and more royalties for the taxpayer over the long term.

Of course, we all await the policy on climate and science from the opposition.

**The Speaker:** Thank you.

The hon. Member for Calgary-Fish Creek, followed by Sherwood Park.

### Mandatory Reporting of Child Pornography

**Mrs. Forsyth:** Thank you, Mr. Speaker. It's sad that this government continues to insist that the case of an Airdrie rape victim's day in court being dropped is just a one-time incident. The cracks in our justice system have been clear since 2007, when I chaired the safe communities task force, when the report clearly said: "The current criminal justice system is not working." "The system is fractured," and we will need to increase "the number of Crown prosecutors" in the province "to handle the increased volumes of cases." Could the Justice minister then admit that the justice system in this province remains fractured? How many Crown prosecutors . . .

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

**Mr. Denis:** Yes. I'm very happy to answer that question, but first I must correct an inaccuracy. At no time did I use the words "isolated incident." Secondly, we've added 69 new prosecutors since 2006. Mr. Speaker, this year I've added two new Provincial Court judges. Next year I'll appoint two more. On top of that, as we've discussed over the past few days, we've also advocated that the federal government put four more Court of Queen's Bench justices. If there's one thing that this member could do, it's join me in advocating for that from the federal government because it's a federal responsibility. It's the least she could do.

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

**Mrs. Forsyth:** Thank you, Mr. Speaker. I'll be happy to join him in getting more judges in this province.

Given that the federal minister has said – now, I want you to listen – that the Mandatory Reporting of Child Pornography Act is stronger than the federal legislation and, in fact, is in concert with the federal bill, can the Justice minister please explain why he continues to hide behind excuses instead of proclaiming our bill and protecting our children?

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

**Mr. Denis:** Thank you again, Mr. Speaker. The same question several days ago; the same answer is going to happen today. Just last week I brought this very issue up to Minister Rob Nicholson, the federal Minister of Justice, and he indicated to me, quite correctly, that if we want to proclaim this bill, it supersedes the federal bill. There are different reporting issues here in this particular bill. We're on this topic. We have the same end goal in mind as this particular member, but at the same time it really puzzles me as to why she doesn't understand the division of powers in the Constitution.

**Mrs. Forsyth:** I understand the divisions because I did it with the PCHIP legislation along with the Criminal Code.

Given that the Justice minister voted against the Justice System Monitoring Act – it's on record – that followed recommendations from the five-year-old safe communities task force report to require annual reporting on our justice system and given that this

government has failed to implement the Mandatory Reporting of Child Pornography Act, how can this minister keep making excuses for his lack of action on keeping Albertans safe?

**Mr. Denis:** Mr. Speaker, it is beyond me how this member keeps making excuses for her own bill versus the federal bill when I've clearly outlined what the issues are. If she'd like a meeting, all she has to do is call my office.

**The Speaker:** We're going to recognize Calgary-East, followed by Calgary-Buffalo.

### Driving Competence Test

**Mr. Amery:** Thank you, Mr. Speaker. As a result of questions and statements made in this Assembly in recent days, I have been getting calls from seniors in my constituency concerned that the government is going to take away their driver's licence. Can the Minister of Transportation please tell this House and all seniors around this province, once and for all, what is going on, sir?

2:20

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

**Mr. McIver:** Thank you, Mr. Speaker. I would like to assure this member and this House and all drivers in Alberta that the privilege of driving will not be suspended for medical reasons without proper information from a doctor. There is testing, which may include a supervised road test, and suspensions are only at the decision of the registrar of motor vehicles in accordance with the Canadian Council of Motor Transport Administrators medical standards for drivers, which is the national guide used by both physicians and others. I will table that today in the House.

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

**Mr. Amery:** Thank you, Mr. Speaker. Could the minister clear up the confusion related to driver ability reporting and issues about testing methods that have been raised in this House and are concerning to all of my constituents?

**Mr. McIver:** Mr. Speaker, anybody with a concern about a person's ability to operate a motor vehicle can, under the Traffic Safety Act, provide information to the registrar of motor vehicles. The registrar reviews the concern, and if he sees validity, he can request that the licence holder meet with the registrar or have a physical condition assessment completed by a physician and sent to the registrar in accordance with the CCMTA medical standards for drivers. This could include eyesight tests, hearing tests, DriveABLE and SIMARD tests. These test results are provided by the licensee's doctor and are kept confidential by the registrar.

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

**Mr. Amery:** Thank you, Mr. Speaker. Mr. Minister, talking about these medical conditions and medical reports, all these medical reports and results can be complicated and difficult to understand. I know I can't always read my prescriptions from my doctor. How does the decision to suspend a licence occur?

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

**Mr. McIver:** Thank you, Mr. Speaker. Alberta has a Medical Review Committee, established under section 59 of the Traffic Safety Act, as an advisory body on matters concerning health and physical conditions that may constitute a hazard to the public in the operation of vehicles. The registrar uses the committee's

advice, and the driver's physician completes the medical examination for motor vehicle operators form as part of its review of a driver's licence. If the decision to suspend a licence is made, the registrar provides written notification to the licence holder. This decision can be appealed to the Transportation Safety Board.

**The Speaker:** The hon. Member for Calgary-Buffalo, followed by Edmonton-Beverly-Clareview.

### Oil and Gas Royalty Revenues

**Mr. Hehr:** Thank you, Mr. Speaker. The Premier has said that we need to ensure that our actions are fiscally responsible and fair not only to this generation but to those that follow. I agree with this statement, but actions speak louder than words. Currently this government spends all of the \$11 billion it brings in in nonrenewable resource revenue. The province is taking on substantial debt to pay today's bills, while Norway has saved \$600 billion for when the oil and gas runs out. To the Finance minister. Given the heritage trust fund is worth less in real terms than it was in 1976, does your government believe it has a God-given right to spend all of the oil and gas revenue as soon as it comes in?

**Mr. Horner:** Well, Mr. Speaker, we do not have a God-given right to spend taxpayers' money. We have a responsibility to taxpayers to spend their money wisely. They entrusted us with that responsibility on April 23 of this year over the social credit policy, or the tax me more policy, or the tax me even more policy. We will be bringing forward in this Legislature a budget that is balanced, a budget that will include operating, a budget that will include savings, and a budget that will include a capital plan. [interjections]

**The Speaker:** Hon. members, I know it's Thursday. [interjections] Hon. members, I know it's Thursday, and I know that we're all a little bit anxious; however, I would ask you to please return to the decorum we had a few moments ago.

Hon. leader of the New Democratic opposition, you rose on a point of order?

**Mr. Mason:** Yes.

**The Speaker:** Thank you. We'll note that point of order. I believe that is point of order 6, and we'll deal with those in the order in which they arose.

Hon. Member for Calgary-Buffalo, you have the floor.

**Mr. Hehr:** I realize this House seems to have a lot of fun with actually paying for things that we use with revenue we bring in, but I stand by that first statement. I don't think the hon. minister answered it in any way, shape, or form. Do you consider the royalty wealth that we bring in in this province our God-given right to spend in one generation? That is what we have done.

**Mr. Horner:** Mr. Speaker, I did answer the question. No, it's not anyone's God-given right to spend the natural resources that this province has been blessed with. What we are doing is spending taxpayers' money wisely based on the financial policy that we have brought forward. It's unfortunate that they don't agree with it. Obviously, Albertans did, or they wouldn't have put us on this side of the House.

As I said, we will be bringing forward a balanced budget in the spring that will include an operating plan, a savings plan, and a capital plan. I've said it before, I'll say it again, and I'll keep saying it even to those folks who don't seem to listen to it.



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

**Mr. Hehr:** Thank you, Mr. Speaker. Has this government simply given up the hopes and aspirations of former Premier Lougheed of saving something for when this province is out of oil and gas? That's what I'm hearing from this minister.

**Mr. Horner:** Mr. Speaker, as someone who grew up with many members of the Lougheed family and with someone who was very close to Mr. Lougheed – he was somewhat of a mentor to me – I can say no, we have not given up on the future of this province, as some others may have. We believe in the vision of this province. We believe in the opportunity that it presents not only for the pioneers who came here originally but for all of those new Albertans that are coming and the Albertans that are here. They are here because we create opportunity for them now and into the future, and we will continue to do so.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview, followed by Lac La Biche-St. Paul-Two Hills.

### Pathology and Radiology Standards

**Mr. Bilous:** Thank you, Mr. Speaker. According to a report by the Alberta College of Physicians & Surgeons there are serious deficiencies in the accuracy of health care diagnoses, but there are no provincial standards. Patients are forced to gamble with their health. Yesterday the minister was quoted as saying that he's not concerned about the quality and safety of health care services in Alberta as a result of this report. My question is to the Minister of Health. Why isn't the minister being straight with Albertans?

**Mr. Horne:** Mr. Speaker, the report to which the hon. member refers was not prepared by the college of physicians of Alberta. It was prepared by Dr. Dennis Kendel, the former registrar in the province of Saskatchewan for the college there. The report was in response to a request by me, following a series of incidents last year in which errors were detected in radiology and pathology tests, to look at how we can, in fact, strengthen our system and improve it, to do all we can to prevent further errors from occurring in the future. The report does not present any concern to me, nor should it to Albertans, about the quality and safety of radiology or pathology services in this province.

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

**Mr. Bilous:** Thank you. Given that 29 men at the Royal Alexandra hospital were falsely led to believe that they did not have prostate cancer and given that in Drumheller alone almost 14 per cent of cases were either misdiagnosed or misread, to the Minister of Health: what evidence do you have that no one has suffered unnecessarily, when your ministry has failed to set standards to protect Albertans?

**Mr. Horne:** Mr. Speaker, what's given here is that it appears that the hon. member is attempting to engage in fearmongering for patients in our health care system about the quality of services they receive. There was no evidence presented. In fact, the point of the review, as the hon. member should appreciate, was, first of all, to look at the systems and processes that were in place in the specific facilities, see what could be done to strengthen them. At no time and in no case was it indicated that there was any serious harm done, nor did anyone die as a result of these errors. Errors occur in our health system from time to time. Our responsibility as government is to do all we can to prevent that.

**Mr. Bilous:** I'm sure the Minister of Health will appreciate this quote. Given that the report clearly and explicitly states that "no one, including the Minister of Health, can assure Alberta citizens of uniformly safe and high quality of care regardless of where health care is accessed in Alberta," why did the minister mislead Albertans by saying that he has no concerns about the quality of health care services in Alberta?

**Mr. Horne:** Mr. Speaker, as I guess we should have come to expect from the hon. member, the quote is presented entirely out of context. The report concluded that there were a number of areas, particularly information sharing, where the College of Physicians & Surgeons and Alberta Health Services needed to work closely together to document privileging of physicians in Alberta facilities, to provide information to support the licensing and the privileging process, and that with the strengthening of those processes in Alberta we would in fact be in a position to provide even stronger assurance in the future that our health services are safe and that they are effective. That is the only message that should be presented.

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills, followed by Sherwood Park.

2:30

### Lobbying Government

**Mr. Saskiw:** Thank you, Mr. Speaker. With PC cronyism seemingly at an all-time high in this province, I'd like to report to the Justice minister that I have taken his advice with the Ethics Commissioner regarding a pair of possible breaches of the Lobbyists Act to slosh taxpayer money among the government family. However, I am shocked that the minister should have to rely on us to clean up the ethical disasters of this government. Doesn't the Justice minister agree that when evidence surfaces of possible illegal lobbying activities, it's his job to take the bull by the horns, not ours?

**Mr. Denis:** Mr. Speaker, to anyone who has any information of a wrongdoing I always say: take it to the Chief Electoral Officer. I'm very happy that this member has taken my advice and done so.

**Mr. Saskiw:** Mr. Speaker, given that the Lobbyists Act intends to curb inappropriate influence on government and that the Treasury Board president and Finance minister admitted to meeting with the \$430,000 PC donor demanding money from the government in 2011, will the Justice minister finally do the right thing and once and for all call an investigation on these lobbying activities?

**Mr. Denis:** Mr. Speaker, once again, it is not incumbent upon the Justice minister or anybody else in this government or in the opposition to call for an investigation. Investigations are independent. If this member has any information – he's a lawyer, I know – he should just forward it over to the appropriate authorities. It seems like he has.

**Mr. Saskiw:** Mr. Speaker, I took the Justice minister's advice, but it doesn't let him or the government off the hook. Will the minister tell the Assembly why it is necessary for the opposition to fight for answers that taxpayers are entitled to in a free and democratic society and why this government won't do the right thing right off the bat? Why wait?

**Mr. Denis:** Mr. Speaker, what I would really like to know is why the Member for Lac La Biche-St. Paul-Two Hills keeps dragging

people's names through the mud here when there has been no finding of guilt whatsoever. Let's let this process work. He's a lawyer. He knows people are not presumed guilty in this country.

**The Speaker:** The hon. Member for Sherwood Park, followed by Medicine Hat.

### Strathcona Community Hospital

**Ms Olesen:** Thank you, Mr. Speaker. As we all know, health care is one of the top priorities for all Albertans. As our municipalities continue to grow, our health care system will have to meet growing demands in order to ensure quality health care for all. Recently there have been many new hospital announcements. To the Minister of Health: what is being done to ensure that phase 1 and phase 2 of the Strathcona community hospital are constructed on schedule to meet the pressing health care needs in my constituency.

**Mr. Horne:** Well, Mr. Speaker, I certainly appreciate and commend the work the hon. member has done on behalf of this project and continues to do on behalf of the people of Sherwood Park. Phase 1, scheduled to open next year, is on track. Work is under way. The building exterior and roof area have almost been completed. Work on the interior spaces has begun. Floor slabs have been poured, and mechanical and electrical service rough-ins are now being installed. The construction continues, and phase 1 is on track to be completed in 2013.

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

**Ms Olesen:** Thank you, Mr. Speaker. To the Minister of Health: what type of advanced medical services will be available in this hospital to ensure that my constituents can receive the quality health care they deserve and need?

**Mr. Horne:** Mr. Speaker, plans for the scope of services at the hospital were the subject of extensive consultation with area health professionals and community leaders. Some of the services include 24/7 emergency department service; urgent care; allied health services such as rehabilitation, occupational and physical therapy, chronic disease management; a full-service laboratory with diagnostic imaging, including X-ray, CT, and ultrasound; and several ambulatory clinics, that will include addressing needs such as IV therapy and orthopaedic follow-up in the community.

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

**Ms Olesen:** Thank you. To the same minister. I have received actually dozens of calls from my constituents in Sherwood Park who would like to see dialysis treatment offered at the Strathcona community hospital. Can you tell me if dialysis treatment will be included in the plans for phase 1 or phase 2 of our hospital?

**Mr. Horne:** Mr. Speaker, I thank the member for the question. Access to dialysis treatment is a subject of growing interest across the province as more people develop kidney disease. We have not yet completed the final functional program for phase 2 of the hospital. Dialysis treatment is certainly one area that could be considered as part of the planning process.

**The Speaker:** The hon. Member for Medicine Hat, followed by Edmonton-Decore.

### Addiction Services in Medicine Hat

**Mr. Pedersen:** Thank you, Mr. Speaker. Albertans are honest, Albertans work hard, and Albertans are truthful. So when someone makes a promise, Albertans take them at their word. Unfortunately, this PC government has shown just how out of touch they are, breaking promise after promise after promise. Frankly, Albertans are more surprised when this government actually does something that they say they're going to do. Medicine Hat has been promised a much-needed detox and treatment centre, and this government has yet to follow through on their promise. Will the Minister of Health please tell the people of Medicine Hat when he will keep his promise?

**Mr. Horne:** Well, Mr. Speaker, this government has made a commitment to a new detox and treatment facility in Medicine Hat. We have been working diligently for some time now with the local community. As the hon. member may or may not know, one of the key steps in the process is to determine the site for the project. I understand that a very important meeting involving the city has or is about to take place to confirm that point.

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

**Mr. Pedersen:** Thank you, Mr. Speaker. Given that Medicine Hat is still the only major community without a residential detox and treatment centre and given that the 2007 safe communities report, of which the Minister of Transportation was a member, said that the number one priority is to take action and treat addictions, can the Minister of Health explain why the PC government can't keep their promise?

**Mr. Horne:** Mr. Speaker, as I've just indicated, we are keeping our promise. I know that I personally have met with the municipal elected leaders in Medicine Hat in the last few months as well as the key community stakeholders in that area to discuss this issue and others that are of importance to them. No government that I'm aware of in Canada has placed as much focus and attention on addictions treatment and mental health services as this government. We will continue to pursue the needs across the province, including those in Medicine Hat.

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

**Mr. Pedersen:** Thank you, Mr. Speaker. Given that this government is starting to come around on the Wildrose proposal to have an infrastructure priority list, will the Minister of Infrastructure give us some kind of indication of where the Medicine Hat detox and treatment centre ranks on the government list?

**Mr. Horne:** Mr. Speaker, all I can say is that this government and this caucus has had a priority list for some time. We presented it in the weeks leading up to April 23, and the people of Alberta endorsed it.

**The Speaker:** The hon. Member for Edmonton-Decore, followed by Drumheller-Stettler.

### Long-term and Continuing Care

**Mrs. Sarich:** Thank you, Mr. Speaker. We've heard a great deal about seniors requiring long-term care and also that seniors are taking up acute-care beds in hospitals and creating problems in

acute-care systems. There is an important distinction between continuing care and long-term care, which is under the Health Act. My questions are for the Minister of Health. How many of the 1,000 new continuing care spaces being created this year and next do you estimate will be used to accommodate seniors assessed as requiring long-term care?

**Mr. Horne:** Well, Mr. Speaker, thank you to the hon. member for the question. The answer, of course, depends on how many seniors require long-term care. What we are finding is that the majority of people who are waiting for placement in continuing care, in fact, require everything from home care to supportive living. A small number do require long-term care. Our philosophy and our approach – and I'm pleased to restate it – is to bring health care to people in their home environment, and that includes supporting people at home as much as possible and providing them with facility-based long-term care when their needs require it.

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

**Mrs. Sarich:** Thank you. To the same minister: given the requirements of the Nursing Homes Act how does the minister plan to find the staff required to operate the significant increases in the number of long-term care spaces?

**Mr. Horne:** Mr. Speaker, the Nursing Homes Act and a regulation under that act do prescribe the number of hours of skilled nursing care that are to be provided to residents in long-term care facilities, one of the classifications of care. It is an ongoing challenge across the country to recruit nursing staff, particularly registered nurses who are available both part-time and, increasingly, full-time, to ensure that we can meet those requirements. I guess going forward, we'll continue the work on our health workforce strategy. We'll continue to try to create the most attractive working environment for nurses and other professionals in our province. I dare say that we've had a lot of success at doing that.

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

**Mrs. Sarich:** Thank you. Finally, to the same minister: given that many constituents of Edmonton-Decore have asked about the seniors' advocate, can the minister provide more information about the role and mandate of the seniors' advocate that is proposed? Will it be similar to the mandate of the Child and Youth Advocate? If not, how and why will it differ?

2:40

**Mr. Horne:** Well, Mr. Speaker, we are currently in the policy development stage with respect to the seniors' advocate. Our government will meet the commitment that we made during the election to establish the advocate. In doing so, obviously, we're looking for what the advocate can do in terms of addressing specific complaints that are brought forward. But we are also looking at the role of the advocate and the advocate's capacity to assist seniors to navigate the health system. We all find as MLAs on this side of the House that the vast majority of the concerns that are expressed to us by seniors are a health-related concern. So we're looking not only at the dispute resolution process, but we're looking at supporting seniors to make informed decisions.

**The Speaker:** Thank you.

The hon. Member for Drumheller-Stettler, followed by Calgary-Bow.

### Berry Creek Reservoir

**Mr. Strankman:** Well, thank you, Mr. Speaker. The local disaster at the Berry Creek reservoir started this past September, and the only contact affected landowners have received is the contractor calling to say that it wasn't his fault. My questions are to the Minister of Environment and Sustainable Resource Development. When will this minister show leadership and have her department contact the landowners who have been affected by this unnecessary blunder?

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

**Mrs. McQueen:** Well, thank you, Mr. Speaker. Quite frankly, our department is in contact with landowners in that area. Twice a year our department meets, at the beginning of the season and on November 21, as I've shared with the hon. member and with a certain constituent of his whom he asked me to call. We've shared that our department will be meeting with stakeholders in his constituency on November 21 to talk about this particular item. We meet with them twice a year every year.

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

**Mr. Strankman:** Thank you, Mr. Speaker. Given that fixing this problem will be expensive enough and given that hard-working farmers, ranchers, and landowners have told me that this may be a complete disaster for them, will the minister ensure that farmers and ranchers will be compensated if they have any financial losses due to this unfortunate government blunder?

**Mrs. McQueen:** Well, Mr. Speaker, the constituent that this member asked me to call – I asked that particular constituent what his issues were, and Mr. Pedersen let me know that there were two issues that he had. One was safety issues with the valve, that we get that right when we're repairing that, and that absolutely is happening. The other issue that he talked about was the reclamation, and it had to do with the silt, that when we are doing that reclamation, the silt will not interfere with the irrigation equipment.

**Mr. Strankman:** Given that this ministry has blundered on the ferruginous hawk issue in my constituency and the government failed to protect Alberta's precious environment and the ecosystem of the special areas, how can we trust that they will take the local disaster at the Berry Creek reservoir seriously? We want action now.

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

**Mrs. McQueen:** Thank you, Mr. Speaker. Well, we take this very seriously, and we take all of the issues in our department and in this government's departments very seriously. As I've said, we are working on this issue. The safety issues are first and foremost to us. We are working on the safety issues to repair this to make sure that in the spring if there are water issues, that will be provided for the irrigators as well. We are working on this. We are dealing with safety issues, we are dealing with landowners, and we are making sure the community is very well informed.

### Ministerial Statements

**The Speaker:** The hon. Associate Minister of Services for Persons with Disabilities.

### Care Home Scalding Incident

**Mr. Oberle:** Thank you, Mr. Speaker. It's my sad duty today to inform the House of a serious incident that has taken place within a care home. On November 2 at a home in southern Alberta a person with a disability was given a bath. The water was too hot, and the person was injured, receiving burns and blisters to their ankles and buttocks. I learned of this incident just yesterday, on November 7, and this is my first opportunity to inform the House.

I will begin by expressing my profound regret to the family and to the person involved. I expressed the same directly to the father and mother in phone conversations last night and this morning. Mr. Speaker, I'm sure I speak for all members of this House when I say that I am shocked and outraged that this has happened within our province, that it has happened to a person unable to fend for themselves and fully dependent on others for their well-being.

While more details will emerge as a result of the investigation, I can currently share the following with the House. A staff member prepared a bath for this person and lowered the person into the bath using a lift device. It became apparent that the person was experiencing distress, and they were removed. The person developed blisters and was transported to the hospital for medical attention. The person was attended and diagnosed by an emergency room physician, and treatment was administered, Mr. Speaker.

The worker responsible fully briefed their supervisor on November 4. The supervisor and employee of a contracted care agency notified the persons with developmental disabilities authority, and they subsequently notified our department. As I stated earlier, I was notified yesterday.

A protection for persons in care unit is currently investigating, and it is not my intention to interfere in that investigation. However, Mr. Speaker, I do not feel it is acceptable or responsible to wait before proactive steps are taken. Accordingly, department staff have moved the injured person to a different care setting, and home care, through Alberta Health Services, is providing care and attention at this time. Further, I have asked the department to review all of the facilities of the contract service provider involved, to review the files of all of the people in the care of this particular agency, and to review the inspection and maintenance records of their equipment. I will stress that at this time I have no reason whatsoever to suspect that this examination will unearth anything untoward. I take these steps as a precautionary measure.

Mr. Speaker, I'm particularly troubled because this has happened before in our province. In one case familiar to all of us in this House it led to the tragic death of a person in care. Since that horrific incident the government has paid to install over 2,000 temperature control devices in care settings and has facilitated the training of some 850 workers.

I am currently of the understanding that the home involved in this case was in fact equipped with a temperature control device and the staff trained in its use. I also understand that the staff were trained in proper bathing protocols and that the proper bathing protocols were posted at the bathing site. Given these precautions I cannot currently speculate as to why the incident occurred, and I'm forced to await the outcome of an investigation in order to answer those questions. Mr. Speaker, at this time I wish to assure this House that department staff will again review bathing protocols with all care agencies' staff and with our own front-line care staff.

Mr. Speaker, I wish to close this statement by again expressing my profound regret and deep feelings to the injured person and to their family. I can assure this House that we will co-operate fully

in the investigation that's now under way, and we will learn from the results of the investigation.

Thank you.

**The Speaker:** Hon. members, before I ask for a response from Her Majesty's Loyal Opposition, unanimous consent has been asked for from the Liberal caucus and the NDP caucus to allow them to also comment. I would ask for that unanimous consent at this time, which would allow them a little bit of time to prepare some comments.

Does anybody object to giving unanimous consent to the Liberal and NDP caucuses to offer brief comments on this subject matter? If so, please say so now.

[Unanimous consent granted]

**The Speaker:** We'll recognize first Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Speaker. This is truly a tragic situation, and I thank the minister for his statement. Our thoughts are with the victim, the family, and everyone involved, and we commend the associate minister for reaching out directly to the family members yesterday.

We look forward to working with the government to ensure that this type of event does not occur again. It is disturbing that it's not the first time this issue has been raised, and I believe we all know how important it is to correct this issue as soon as possible. We are glad to hear that the government will be looking into this situation and implementing the recommendations that will help ensure that our most vulnerable Albertans are kept safe. As more details emerge, I'm sure the minister will keep the Assembly apprised, and I'm confident that together we can work to resolve this.

Thank you, Mr. Speaker.

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

2:50

**Dr. Swann:** Thank you very much, Mr. Speaker. I, too, extend my serious condolences to the family and the individual involved.

I want to make a few comments about this repetition of problems in the Alberta health system. Once again we are shocked and dismayed that one of our most vulnerable citizens with disabilities was scalded in a bath four days ago. Six years ago the Auditor General pointed out inadequacies for persons in care in a scathing report focused largely on long-term care. In 2006 a judge at the fatality inquiry of that individual made a number of recommendations, some of which have been implemented by the government. The Seniors minister last year said that he took the issue very seriously and committed to preventing it from happening again under his watch. In January he committed to ensuring safety in Alberta's group homes. It appears both he and the Associate Minister of Services for Persons with Disabilities need to look again at the deficiencies that still threaten the lives of dependent individuals in care.

There are many questions about this. Was the home accredited? When was it last reviewed? Were there sufficient staff, and were they adequately trained to deal with the needs of the persons living there? What oversights exist to ensure that training, safe physical conditions, and temperature monitors are in place and working? A full investigation is needed to assure everyone, especially our dependent populations, that this will not happen to them. The case is tragic and preventable.

As important, how are we addressing underlying problems of high staff turnover, low salaries, and very challenging work

conditions? How can we attract people to this important public service when we fail to financially recognize their importance? Government must examine very concretely the training, the career path, and compensation as well as ongoing professional support for these critical workers. Long-term solutions require that the government go beyond the crisis and address root problems that continue to threaten our most vulnerable citizens.

Thank you, Mr. Speaker.

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

**Mr. Eggen:** Thank you, Mr. Speaker. Again, I offer my sincere condolences to the individual and their family after this accident has taken place and appreciate the swift action of the associate minister in bringing this to the attention of everyone. We know that our long-term care and care for persons with disabilities has been an ongoing problem here in the province of Alberta for the last number of years. Perhaps this is a chance for us to all rally together, to come to a cathartic moment, to build a provincial standard of care for all persons with disabilities and all persons staying in continuing care and long-term care.

We have a pattern of this sort of incident taking place in the province, and since I've been following it, it usually is stemming from overwork and overcapacity of individuals who have to administer the care to our most vulnerable persons in this province. We have not just a duty but, I think, a responsibility to ensure that we build a pattern of responsible care that ensures that these sorts of things don't happen again. We as a caucus and, I think, all of us here this afternoon have some sense of unity that we can now deal with this in a systematic and reasonable way with the best outcome for everyone.

Thank you.

**Mr. Hancock:** Mr. Speaker, might I again ask for unanimous consent? Because I bungled the two before, I think it might be appropriate to ask again that we extend the clock at 3 o'clock and allow Members' Statements to be completed as well as the rest of the Routine.

**The Speaker:** Hon. members, the clock is moving toward 3 o'clock, which would signal a change from our Routine to Orders of the Day. However, unanimous consent would be required to go on with Routine, should it become necessary, beyond 3 o'clock. Does anyone object to that request for unanimous consent? If so, say no now.

[Unanimous consent granted]

**The Speaker:** I'll ask the House, just while we're waiting here, if we could briefly revert to Introduction of Guests. If so, please say it's okay, and if not, please say no.

[Unanimous consent granted]

### Introduction of Guests (continued)

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

**Mr. J. Johnson:** Thank you, Mr. Speaker. I'd like to introduce to you and through you a couple of special guests joining us in the audience to, I imagine, pay close attention to the potential debate on the Education Act. We have with us the president of the Public School Boards' Association, Patty Ditttrick, and the executive director of the Public School Boards' Association, Mary Lynne Campbell. We also have Dean Sarnecki, the executive director of

the Alberta Catholic School Trustees' Association. I'm sure we want to extend the warm and traditional welcome of the Assembly.

### Members' Statements

**The Speaker:** The first of the members' statements goes to Edmonton-Decore, followed by the Leader of the Official Opposition.

### Ukrainian National Federation of Canada 80th Anniversary

**Mrs. Sarich:** Thank you. It's an honour and privilege to rise today in recognition of the Ukrainian National Federation of Canada and its affiliate organizations for their lasting accomplishments and contributions, which span over eight decades. The forerunners of the Ukrainian National Federation of Canada were the Ukrainian War Veterans' Association, established in 1928, and the Ukrainian Women's Organization, established in 1930. They became Ukrainian National Federation of Canada affiliate organizations along with the Ukrainian National Youth Federation of Canada, which was established in 1934. Mr. Speaker, 1932 saw their historic formation in Edmonton, and within four years 50 branches were established across Canada. The organization was formally incorporated by an act of Parliament in 1950.

Mr. Speaker, the growth and vast contributions of this organization in the early days included pioneering the development of Ukrainian dance and choral ensembles across Canada, establishing youth leadership and cultural educational courses, participating in the World War II war effort, and advocating for the establishment of an independent and democratic Ukrainian state.

The Ukrainian National Federation of Canada along with the work of Senator Paul Yuzyk advanced the vision of Canada as a multicultural society. As a result, they were one of the leaders in promoting the government of Canada's multiculturalism policy in 1971. Today, Mr. Speaker, their focus remains dedicated to the preservation of Ukrainian Canadian history and the cultural heritage of Ukraine, the promotion of good Canadian citizenship, and the development of youth through the Paul Yuzyk Institute for Youth Leadership.

Mr. Speaker, I extend my heartfelt congratulations to all those who have tirelessly added to the success of the Ukrainian National Federation of Canada and all its affiliates. Thank you for the immeasurable contribution to our great country, provinces, and communities. God bless.

**The Speaker:** The Leader of the Official Opposition, followed by Edmonton-Riverview.

### Battle of Kapyong, Korea

**Ms Smith:** Thank you, Mr. Speaker. Each November 11 we reflect on service, sacrifice, and selflessness. Honouring the men and women who served the rest of us in the military is a privilege. We enjoy the nation we have today because of their actions on our behalf and for millions of others around the world as well.

When we participate in Remembrance Day events, when we wear a poppy, we're usually thinking about Canada's participation in some major conflict like the Great War or World War II, or we're reminded of one of the more recent conflicts in Afghanistan, Iraq, or Bosnia or one of Canada's many peacekeeping missions. But let me on this Remembrance Day remember the men who

fought, were injured, or died in what has become the forgotten war, the Korean conflict.

The story of just one battle site, one engagement with the enemy in April 1951 tells a lot about the strength, courage, and resolve of Canadian soldiers. It was the Battle of Kapyong, where the Princess Patricia's Canadian Light Infantry, affectionately known as the Princess Pats, were all that was preventing a massive Chinese assault across the entire Korean front that would have swept up the Kapyong Valley and allowed a recapture of the capital of Seoul.

The Princess Pats D Company bore the brunt of the attack as the enemy assaulted in large numbers from two sides. One platoon was overrun, and another platoon was cut off. There was hand-to-hand fighting. Company HQ in the rear was surrounded. Cooks and bottle washers had to man the machine guns that had been sent in for repair. They inflicted heavy casualties on the enemy. The fighting continued throughout the night, but each enemy attack was driven off by artillery fire.

By dawn the Patricia's were still there, victorious. What did the victors and their leadership say about it? "It was no big deal. We just did what soldiers do." That's the Canadian way: calm, devoted, steady, resilient, effective.

We must not forget.

**The Speaker:** The hon. Member for Edmonton-Riverview, followed by Bonnyville-Cold Lake.

3:00

### Philanthropy

**Mr. Young:** Thank you, Mr. Speaker. It's no secret that Albertans are among the most generous Canadians when it comes to charitable giving. The people of this province understand that philanthropy is not just about wealthy individuals donating huge sums of money to a cause. They know that the true meaning of the word is the desire to do good, to create positive change, and to help others. Whether it's through volunteerism, personal financial decisions, or endowment, Albertans have always found a way to give back to our communities.

The principle behind a charitable gift is simple. It's an investment: investments that help conserve the natural beauty and splendour of our province for future generations to enjoy; investments that support the most vulnerable in our society, from children living with debilitating diseases to newcomers making their new homes in Alberta; investments that create additional funding resources for our nonprofit and voluntary sectors, enriching the arts, heritage, and cultural institutions that make Alberta such a vibrant place to live, work, and visit.

As someone who has worked in the field of community development with different organizations, I have seen first-hand how the generosity of Albertans can help make a big difference. These donors are motivated by different reasons, but the one thing they have in common is that they're united in their commitment to leaving a lasting legacy.

Mr. Speaker, November 12 to 16 is National Philanthropy Week. It is a wonderful opportunity to recognize the contributions made by benefactors, whose donations have impacted the lives of Albertans of all ages. These gifts are a testament to the spirit of generosity for which our province is known.

Through the community spirit program the government of Alberta is committed to making sure that donations see a return on their investment through one of the most generous tax credit programs in our country. It helps to ensure that nonprofit and voluntary sectors receive needed support and encourages

Albertans to continue enjoying generosity to their favourite organizations.

In the following week and throughout the year I will encourage all members and all Albertans to take time to thank and honour the philanthropists in our community for leaving a lasting legacy to future generations.

**The Speaker:** The hon. Member for Bonnyville-Cold Lake, followed by Calgary-Varsity.

### Ukraine Election Mission

**Mrs. Leskiw:** Thank you, Mr. Speaker. On October 18 50 Albertans and I left to supervise the election in Ukraine with Missions Canada. Prime Minister Stephen Harper greeted us in Ottawa and provided a beautiful send-off and expressed the importance of this mission. The government of Canada sponsored a total of 500 Canadian observers to participate. Most of these went through Missions Canada, an independent, stand-alone, bilateral observation mission. Canada's stand-alone mission was the second-largest international observation mission in Ukraine, with 422 short-term observers and 65 long-term observers, who were there for three months getting things ready for us.

We went to help Ukrainians to have a free and transparent election. We visited 10 to 12 polling stations a day, observed the opening and closing on election day, and even stayed up till 5, 6 o'clock in the morning observing the count. The Ukrainian people were warm and hospitable. They could not believe Canadians would cross the ocean to help them achieve democracy. Our job was not to judge. We were to observe, record, and report. The mission management was to analyze and assess the pre-election environment and the electoral framework.

Mr. Speaker, as I said, 51 Albertans took part as short-term observers. We made up around 12 per cent of the election observation force, from a province that comprises almost 10 per cent of Canada's population. The composition of our team was broad. Every province and territory was represented, and our team was deployed to every corner of the Ukrainian soil.

I am thankful that the Premier allowed me to go and participate in this mission. I'm even happier to be back in Canada and to be a Canadian. We have much to be thankful for living in this great nation. Mr. Speaker, we are proud of our participation in this democratic exercise in Ukraine and hope that the democratic dreams will be one day be realized by the Ukrainian people.

Thank you.

### Women Building Futures Program

**Ms Kennedy-Glans:** Mr. Speaker, I am pleased to report that the stereotype of truck drivers, forklift and crane operators, welders, plumbers, and electricians being the exclusive preserve of men is now a thing of the past in Alberta. That's in part because of the work of organizations like Women Building Futures, a capacity-building organization located right here in Edmonton. A few weeks ago the hon. Minister of Aboriginal Relations and I had the opportunity to visit the Women Building Futures facilities. It would be an understatement to say that we were impressed.

Women Building Futures started as a nonprofit society in 1998. It was a small group of women, mostly social workers, who set out to fulfill their shared dream of helping women achieve economic prosperity through trades training and mentorship.

Today this organization has grown from that small grassroots group to a market-driven organization providing hands-on

training, realistic understanding of nontraditional workplace culture, academic upgrading, placement support, job retention coaching and mentoring, and on-site housing for students and their children in housing that is safe and secure.

Students come to Women Building Futures from all over Alberta, even from other provinces and territories. Thirty per cent are from rural Alberta, and 30 per cent are aboriginal. Over 600 women have trained through Women Building Futures, with an employment placement rate of 90 per cent or greater, helping Alberta achieve a more than 60 per cent increase in the number of women in the construction workforce in the last decade.

Mr. Speaker, Women Building Futures isn't just pushing the edges. They're breaking the boundaries, and they've only just begun.

Thank you.

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

### Progressive Conservative Party Anniversary

**Mr. Luan:** Thank you, Mr. Speaker. As a new MLA I'm so proud to be a member of this Progressive Conservative government caucus, that has led Alberta for the last 41 years. Today Alberta is one of the best places to live, work, and play in Canada. This is why people like me and thousands of others from all over the world continue to choose Alberta as our home. Alberta has the best education system in the world. Alberta has world-class postsecondary institutions. Alberta has a thriving cultural sector that promotes the vitality of our community and the unique Alberta pioneer spirit. Alberta is the economic engine of Canada and leads the nation in economic growth. Alberta has the lowest overall tax and the highest average income in Canada. Alberta is the only province that has a net assets position, and it has the lowest unemployment rate in Canada. Alberta now is a place where people don't just come to make a living but come to make a life.

Mr. Speaker, all of those great things and enormous accomplishments did not happen by accident. These are the results of 41 years of inspired leadership, from Premier Peter Lougheed to the current Premier. It is the result of the sustained efforts of Progressive Conservatives sharing the value and vision of Albertans and working with them to push for innovation, entrepreneurship, and open and transparent government to build a climate where family, community, and business thrive.

Mr. Speaker, we're so proud to have governed Alberta for the last 41 years, so proud to have earned Albertans' continued support today, and so proud to continue to lead Alberta onto the new world stage.

Thank you, Mr. Speaker.

### Tabling Returns and Reports

**The Speaker:** The hon. Minister of Education, followed by Rimby-Rocky Mountain House-Sundre.

**Mr. J. Johnson:** Thank you, Mr. Speaker. On behalf of the Minister of Environment and Sustainable Resource Development and MLA for Drayton Valley-Devon I'm pleased to rise and table five copies of the environmental protection security fund annual report for 2011-12. The environmental protection security fund ensures that money is available to reclaim land used for activities such as coal and oil sands mining, landfills, hazardous waste, et cetera, to ensure Albertans aren't left with the cleanup costs.

**Mr. Anglin:** Mr. Speaker, last night I read into the record a public notice, and I am tabling the requisite five copies for this House.

**The Speaker:** Thank you.

The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Speaker. I would like to table the appropriate number of copies of a petition demanding that the government take immediate action to twin highway 63. The petition contains 37,751 signatures. I am tabling 3,010 of those signatures today.

3:10

**The Speaker:** Thank you.

Are there others? The hon. Member for Edmonton-Calder, followed by the Calgary-Shaw.

**Mr. Eggen:** Thank you, Mr. Speaker. I rise to table the appropriate number of copies of a letter sent to the Minister of Justice from the provincial secretary of the Alberta New Democrats in regard to not being consulted on the proposed election legislation that's coming up here in this fall session.

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

**Mr. Wilson:** Thank you, Mr. Speaker. I have two tablings today. I have the requisite number of copies of two poems that were submitted to my office from constituents, one by 11-year-old Janine Hachey called What Remembrance Day Means to Me and a second poem, also titled What Remembrance Day Means to Me, by her older sister, Chantelle Hachey.

Thank you.

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

**Mr. McIver:** Thank you, Mr. Speaker. Two tablings today. The first one is on behalf of the Minister of Health. It is Review of Physicians Licensure by the College of Physicians & Surgeons of Alberta, conducted by Dr. Dennis Kendel, independent consultant.

Mr. Speaker, the second tabling is the Canadian Council of Motor Transport Administrators medical standards for drivers, which I referred to in answering questions in question period today. The medical standards or guidelines proposed in this document were developed by medical advisers and administrators from Canadian provincial drivers' licensing bodies.

**The Speaker:** Thank you.

Are there others? Seeing none, I would take this opportunity, hon. members, pursuant to section 39(3) of the Legislative Assembly Act to make a tabling. I will present the Assembly with five copies of the following order that was passed at the November 6, 2012, meeting of the Special Standing Committee on Members' Services, Members' Services Committee Order 09/12, Members' Allowances Amendment Order (No. 24). This order is effective November 6, 2012.

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following documents were deposited with the office of the Clerk. On behalf of the hon. Mr. Denis, Minister of Justice and Solicitor General, the Alberta Law Enforcement Review Board 2011 annual report; pursuant to the Legal Profession Act the Alberta Law Foundation annual report 2012 and financial statements and other financial information for the year ended March 31, 2012.

## Projected Government Business

**The Speaker:** Someone from the Official Opposition, Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. Under Standing Order 7(6) I'd like to ask the Government House Leader for the projected business for next week.

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

**Mr. Hancock:** Thank you, Mr. Speaker. We anticipate that on Monday evening in Committee of the Whole we will continue to deal with Bill 2, the Responsible Energy Development Act; time permitting, Bill 4, Public Interest Disclosure (Whistleblower Protection) Act; Bill 8, the Electric Utilities Amendment Act, 2012; and as per the Order Paper.

On Tuesday, November 20, in the afternoon we would anticipate, after having first reading on Monday the 19th, second reading of Bill 7, the Election Accountability Amendment Act, 2012; time permitting, Committee of the Whole on Bill 4, the Public Interest Disclosure (Whistleblower Protection) Act. In the evening we would anticipate dealing with those same two bills, depending on progress, and as per the Order Paper.

On Wednesday, November 21, in the afternoon Committee of the Whole on Bill 7, the Election Accountability Amendment Act; third reading of Bill 2, the Responsible Energy Development Act, and as per the Order Paper; in the evening the same two bills, depending on progress, and as per the Order Paper.

On Thursday, November 22, in the afternoon for third reading Bill 5, New Home Buyer Protection Act; Bill 6, Protection and Compliance Statutes Amendment Act, 2012; Bill 9, Alberta Corporate Tax Amendment Act, 2012; and Bill 10, Employment Pension Plans Act; and as per the Order Paper.

**The Speaker:** Thank you.

Hon. members, I think we're moving on to points of order. There are several. I believe the first one is the Government House Leader on a point of order, so let's try and hear that one first. That point of order has been withdrawn.

The second point of order, almost at the same time, was likely Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. I did stand up when the hon. House leader made his point of order. It was with respect to a tabling that was made today, actually, just prior to me getting up here. It is with respect to a decision that was made on November 6 that was just tabled as a report. It's a really awkward situation because if we look at Government Motion 11, that was made on May 29, 2012, it stated: Be it resolved that the Assembly refer to the Special Standing Committee on Members' Service the report that was made . . .

**The Speaker:** Hon. member, I'm sorry. I just didn't hear the citation you were referring to. It's a point of order you're doing now?

**Mr. Saskiw:** Yes.

**The Speaker:** Okay. Which citation is it just so that we're all clear and we can follow?

**Mr. Saskiw:** Section 23 sub – just one second.

**The Speaker:** That wouldn't be a point of order. That might be a clarification motion. I recognized you for a point of order. Do you have a point of order, or should we just move on?

**Mr. Saskiw:** Clarification.

**The Speaker:** Okay. We'll come back to that.

We're just going in sequence here. I think the next point of order was likely Edmonton-Centre.

## Point of Order

### Factual Accuracy

**Ms Blakeman:** Indeed it was, Mr. Speaker. Thank you very much. The point of order was raised in response to the Minister of Justice's third response to a series of questions asked by the leader of the fourth party, the Member for Edmonton-Highlands-Norwood. The citation that I'm using is on page 508 of the *House of Commons Procedure and Practice*. Replies to oral questions "are to be as brief as possible, to deal with the subject matter raised and to be phrased in language that does not provoke disorder in the House." Clearly, it provoked an exceptional amount of disorder in the House in that the member had already made a few statements using particular wording that was disputed by others.

Mr. Speaker, saying something is so, even if you're a government cabinet minister, does not in fact make it so. The minister continued to repeat his statement, which under Standing Order 23(j) I considered abusive and insulting. In looking at 23(h), there is an allegation that was made as part of that.

**Mr. Denis:** What was it?

**Ms Blakeman:** The minister is trained in law and will know from this process that he will get an opportunity to speak as compared to yelling at me across the well, and I'm sure he'll take advantage of that.

The member is trained in law. He knows or should know that language is very important and that the precision of language is very important. For example, the difference in legislation between shall and may is an immense difference.

In particular, the hon. minister continued to say that he had consulted with the Liberal caucus and the ND caucus and maintained that a briefing would accomplish that and that we had had meetings. I can tell you that using my handy-dandy dictionary a consultation indicates an action, an activity that has taken place prior to something. It is to seek advice from, to consider, especially in making plans, and to confer. All of this is in advance of something. A briefing is an end product. It is a summary, a synopsis. It is of short duration. It is points of fact or law for conducting a law case. Finally, a meeting is the act of coming together an assembly of persons, a place, or a point of contact.

To clarify, Mr. Speaker, at no point did the government approach the Alberta Liberal Party and, my understanding from the tabling, the Alberta New Democrats for consultation in advance of preparing the bill that the minister is referring to. Indeed, he did give us a briefing. He supplied me with several pages and told me: this is what was going to be partially in the bill. There was no consultation. There was certainly no invitation for me to give input that would actually be considered as part of the bill being done. It was already done. It had been drafted.

3:20

For the minister to continue to insist that his department or he consulted the political parties that will be affected by the changes



made in the legislation is simply not true, and to try and pretend that a briefing given by a minister to a critic or a member of a caucus somehow replaces that or, in fact, is that consultation belies every dictionary in the English language.

I would like to have the member acknowledge that and that he has in fact created disorder in the House and withdraw his statements. Yeah, I think he should be withdrawing the statement.

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

**Mr. Denis:** Thank you very much, Mr. Speaker. I thank the Member for Edmonton-Centre for her comments, but I refuse to withdraw my statements as they were not inaccurate. Throughout this time I appreciate that question period can get heated on both sides of the Chamber. Dealing with a particular bill, I sent someone from my staff to meet with the Member for Lac La Biche-St. Paul-Two Hills' staff. The Member for Edmonton-Centre insisted I meet with her directly, and I did meet with her directly and then dealt with the matter of the fourth party.

I would put to you, Mr. Speaker, that if there was no consultation, no meeting at all, how could the Member for Edmonton-Highlands-Norwood even bring up items which he had in a letter that has already been tabled by Edmonton-Calder earlier today? It refers to specific things in the bill that he thinks would be in there. I have had a conversation with the Member for Edmonton-Strathcona, but again the very fact that that letter was sent proves that there were meetings, proves that there were consultations.

Now, Mr. Speaker, I wanted to also mention that the Member for Edmonton-Centre had indicated problems with my language, but she has failed or neglected to point out any specific term in my language that she found offensive and no specific term whatsoever in *Beauchesne's*, and I would indicate that that must be respectfully thrown out.

Mr. Speaker, Bill 7 will be introduced, as I have indicated, the week after the session break, which is only a few hours away, and I would suggest that the time for this debate would be at that juncture and not here by way of a point of order.

In conclusion, Mr. Speaker, I would indicate that at no time during the question period did I indicate that I had met with any particular party but, rather, the members themselves.

**The Speaker:** Thank you. I've ruled on this a few times before.

**Mr. Saskiw:** May I speak on the point of order?

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills, briefly.

**Mr. Saskiw:** Thank you for the point of order from the hon. member. I would also refer to 23(h), (j), and (l) as well. In his comments the Justice minister had clearly indicated that he had consulted with us. That never occurred. You know, he may have given us some type of document. Under no definition, whether it's in a statute, in a dictionary, anywhere, would it ever say that giving one document is a consultation.

Why that's particularly offensive is that we've seen in this Assembly that various pieces of legislation have come forward with no consultation, and we've seen the disastrous results. So for him to stand up here and say that he has consulted with us, that's not the case. We had no input into this legislation. So when this disastrous bill eventually comes forward – that's the expectation – if he hasn't done proper consultation, we want nothing to do with that.

I would refer the Speaker to references as well. Under 23(l) part of that deals with misleading the House, and the references there are the *House of Commons Procedure and Practice*, the second edition, page 86, footnote 128; page 83; and *Erskine May* page 132.

I guess what we would suggest is just a retraction that there's ever been a consultation, that you've provided a report. That's it.

**The Speaker:** Thank you for that clarification.

Hon. members, we have a number of other points of order still here. We're going to consume the whole afternoon on points of order, and I do not wish to see that happen. However, I'm at your mercy, so very, very briefly, please, the hon. Member for Edmonton-Calder on this point of order.

**Mr. Eggen:** Thank you, Mr. Speaker. I'm certainly at your service as you are at my mercy. Just very briefly, the key here, I think, is from our standing orders, section 23(h), (j), and (l), and specifically from the *House of Commons Procedure and Practice* as well, page 86, talking about misleading the House.

The idea here is the difference between consultation and a briefing, and this is quite serious because it will put this legislation in jeopardy. Maybe you did some briefing, you met with some of our staff, talking about what you're intending to do, but that's different from the construction, building that legislation in the first place. We're not just talking about something like paving a road here or a new Education Act or something like that. We're talking about something that is fundamental to the construction of our democracy itself.

Let's not forget, Mr. Speaker, that we have other parties as well in this province. Did the consultation take place with the Social Credit Party or the Green Party or the Alberta Party? This whole idea of consultation on a construction of our democratic process is confusing it with a briefing and, I think, is misleading this house.

**The Speaker:** Thank you. You're quite right. We do have a number of parties, and I've now heard from all of them. I believe the subsequent points of order probably deal with the same issue, according to what we've been able to extract from the Blues. So we'll deal with this one, and then we'll go to the point of clarification, and that should end all of this.

You know, hon. members, it's not infrequent, as you well know, to have two very differing versions of the exact same occurrence, event, activity, statement, whatever have you, and I've commented on this at least once if not two or three times in this House already just in the time that I've been in the chair. However, for those of you who are new, I want to just take you back to *Beauchesne* 494, as I did on October 29 or thereabouts, when I indicated to you under the title Acceptance of the Word of a Member: "On rare occasions this may result in the House having to accept two contradictory accounts of the same incident." I think that's partly what we have occurring here right now. We have some people for whom the word "consultation" means one thing. For other people it might mean the other.

Now, I'm not here to judge whether or not a consultation took place the way that one member meant it to take place or another one meant it to take place or whether it was a conversation or a phone call or a casual bump into each other on the street or whatever it is. One member says that a consultation occurred; another one says that it hasn't. I think both the person who raised the point of order and the respondent have amply clarified their positions on this. The Member for Lac La Biche-St. Paul-Two Hills on his caucus' behalf has clarified his, and Edmonton-Calder, you have clarified your position.

What I would caution you to do, though, is to please choose your words a little more carefully when you're both asking the questions and when you're answering the questions to be really clear, as clear as possible as to what you mean. If you mean that a true, honest consultation in this occasion did occur, then please be prepared to say so, defend it. Give us dates, stats, facts. You have almost an hour from the time that this particular point of order was raised until now, and some of that information, hon. Minister of Justice, could be available to you.

I'd ask you to please reflect on that over the break and come back. You can augment, or you can provide more information as you wish, and I would invite you to do that. The same with the hon. members for Edmonton-Centre, Edmonton-Calder, and Lac La Biche-St. Paul-Two Hills. If you have some additional information you'd like to bring that would enlighten the Minister of Justice in that regard, I invite you to do the same.

As such, we will move on to the point of clarification.

### Point of Order

#### Explanation of Speaker's Ruling

**Mr. Saskiw:** Thank you, Mr. Speaker. I was hoping to discuss this after the Government House Leader's point of order, but he has withdrawn it. I think we have a very serious issue here.

**The Speaker:** You're asking for clarification under 13(2)?

**Mr. Saskiw:** Yes, Mr. Speaker.

**The Speaker:** Just tell me briefly what it's about because if it's to do with the Members' Services Committee, I've already ruled on that. I can comment briefly if you like.

**Mr. Saskiw:** Yes, I would like clarification. Under that motion, Government Motion 11, it stated that once the matter was referred to the Members' Services standing committee, "subject to the following exceptions" a bunch of things would happen, and under (d), it states: "the committee examine alternatives to the pension plan for members proposed in recommendation 12 . . . including defined [pension] plans, and report to the Assembly." Report its recommendations.

3:30

**The Speaker:** Thank you, hon. member.

I think we've had this particular discourse once before in the House, and I've ruled on it before. I will just remind all members about that because, clearly, there is a *Beauchesne* citation in this regard. I believe it's 411 that would tell you, in this respect, the following: "Some further limitations seem to be generally understood. A question may not . . . seek information about proceedings in a committee which has not yet made its report to the House." That is the rule. It's not my rule. It's not your personal rule. But it's a rule that we all must follow.

That report has not yet been brought to the House, and the reason it hasn't, I'll remind you once again, is that the committee has not yet completed its work. There is still one outstanding item. Those of you who are on that committee know very well that we're still dealing with the issue to do with a review mechanism.

Let's not consume any more time on this. That is the clarification I gave once before. I've just given it again. So if you wouldn't mind to just be patient, we'll get that committee's report into the Assembly as soon as it possibly can be ready. Thank you.

As such, that clarifies that matter, and I think we can move on.

## Orders of the Day

### Government Bills and Orders

#### Third Reading

#### Bill 3

#### Education Act

[Adjourned debate November 7: Mr. Khan]

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

**Ms Blakeman:** Thank you very much, Mr. Speaker. I was getting quite concerned that I wasn't going to get a chance to speak to this bill at all, so I'm really glad that it came up while I was still here.

This has been an interesting process because this is round 3. I guess it's appropriate that it has the number of Bill 3 because it is round 3 in trying to put together a new and modern version of the Education Act. We did have an opportunity to have some debate on it, but, as I argued with the Government House Leader recently, there were a number of changes between version 2 and version 3. A lot were in reaction to issues that were raised on the floor, but I have the sense that even more was related to pressure that came from outside of the Chamber from various groups that were particularly interested.

[Mrs. Jablonski in the chair]

There are kind of three categories of issues that I see here. There are the issues that were resolved or strengthened in some way, shape, or form; some that were left on the table, or not dealt with; and some problems that were created. So we have some resolved, some parked, which could be a problem, and some that were created.

Let me just go through some of what I see happening here because we're in third reading, we're talking about the anticipated effect of the bill. It's a done deal. You know, this is our last chance, this is our last – well, no; that would be abusing animals. It's our last opportunity to speak to this bill, and we are directed through various parliamentary rulings to concentrate on what we think will be the effect of the bill once it's in place.

What I did was: I started to churn my way through all of the amendments that had come from the previous Education Act, Bill 2, which was debated at the end of the last Legislature. I also looked at the amendments that were brought up this time in response. I think some things were, in fact, resolved or strengthened. There was an integration of, I think it was, an amendment from my colleague from Calgary-Buffalo to recognize that bullying in the schools is not just a matter between children, between school attendees – let me put it that way – but can in fact be between the people in that community, and the wording "in the school community" was adopted, which I think solved a few problems.

There was recognition of some of the concerns that had been raised around the charter schools, that there needed to be a clear statement that their business was restricted to that of offering the classes, and in fact that happened. Also, the local school boards had, if I may paraphrase, the first right of refusal, and it was an expectation that those wishing to start a charter school would go to the local school board, who had first right of refusal to say: no, we're not interested in taking you into our school board. I'm very glad to see that. I think that's another issue that got resolved there.

I don't want to minimize the successes in this bill because I know there are people in the gallery from the Alberta School Boards Association . . .

**An Hon. Member:** Public School Boards' Association.

**Ms Blakeman:** Yeah. Sorry about that. They were introduced earlier.

... who are very eager to see this passed. I know the various school boards would like to see it passed, individual trustees. I haven't heard from the ATA, but one assumes we'd all like to get on with this.

Now, I'm the child of two teachers, so I'm very aware of how decisions are made, how important that act is as an overriding policy umbrella, with the specifics of how things go. There were some things that got parked. Sorry. I was saying all of that by way of going: I'm not going to go through the whole list of things that I think got resolved between the second and the third version. It's a pretty good list. My compliments to the minister for having done that. I guess if he really feels lonely, I could go through the list, but I think he's aware of the work that he's done, and I don't need to spend any more time on it.

The next category I had was the issues that were left on the table, or parked is one of the ways you talk about it. This concerns me because for big acts like this it takes a long time to get this stuff in front of the Legislature. For any of you that are listening or watching the live streaming or sitting in the gallery, it took – what? – 10 years at least to get this new act to this point. There are a lot of, you know, problems that get noted and brought up, and it moves along, and the staff start to work on it in the department, and the minister gets involved. We've had three different ministers on this file. We had the first minister do two years' worth of consultation on it. The second minister also did a consultation on it. The third minister just got down to business.

It does take a long time to get legislation here, and I always have to say to myself: "Okay. You're going to have to live with this for a good 10 years. Can you live with it? Is this as good as we could get the act to be? Are you going to be happy with it? It's going to be at least another 10 years before we get it back in front of us, at which point it needs evergreening or reviewing of some kind."

I'm reminded of this because I just had a woman who's very irritated at daylight saving time, and she's writing to me saying: "Tell me how to stop daylight saving, to get rid of it. What is the process I have to do?" I said: "You know, I'm sorry. You're going to have to go and lobby the government to change the law. That's the only way that's going to happen here. There's no way for the public to force a plebiscite or a proposition as they do in the States or even a referendum. That is the prerogative of the government to decide to put that up at an election time if they wish to do so." We're in the same position here. This is what we're going to have to live with.

3:40

So what's being left on the table? I think what was not resolved, in my opinion – and the minister certainly has an opportunity to get up and tell me his point of view on this – was the whole issue of the blending of school boards, the incorporation of schools that are following other faiths. That didn't get done up as far as I was concerned. We have some constitutional requirements that are laid out in front of us. We have to remember when we talk about the public school system that for the most part, and there are a few exceptions, the public school board here is a religious-based Protestant system for all intents and purposes. It's not based on Muslim teachings. It's not based on Jewish teachings. It's based on Protestant teachings. The separate school board for the most part, not every time, and there are a few exceptions, is based on Catholic teachings. It's important for the Catholic schools to have

their religious items in the school and that the school follows a particular religious teaching there. Okay. So that's our public and our separate school board.

Now, into this we've started to sort of drift off into other places. We've got the private schools, and we've got the charter schools. I'm beginning to think that the intention of the minister is to let the other particular ideologies or religions or race-based instruction drift off into that category of charter schools. This is something that got left on the table. It didn't get resolved, in my opinion. It's still sitting there. It's parked if you want to call it that. Are we going to be able to leave it parked there for 10 years? Is that a reasonable assumption? One of the effects of this bill is going to be that some of these things were not resolved, and this is one of them.

The whole concept of school fees was also not resolved or, let me say, it was maintained. One of the issues that the Liberal caucus has continued to raise is that it is allowed for schools to charge fees for things that are not just ancillary activities like a school trip or participating in athletic activities. We strongly believe that school fees should not be charged for educational material or for the educational portion. That issue is still in there. I believe that it sits in that parking lot of unresolved issues.

The issue that was created was for me around the changes in definitions around section 16. That's the breaking point for me. If I can't have values that I can stand behind and believe in, if I can't serve my constituents, then I shouldn't be here. Despite the fact that I can see merit in what has been proposed in this Education Act – and I've admitted that it is by no means perfect; there are some things that have been left – I absolutely cannot vote for an act in which discrimination against an identifiable group of people is permitted. I just can't.

What happened here was that between version 2 and version 3 language was changed in section 16. The original version – you know what I mean – referred specifically to the Canadian Charter and to the Alberta Human Rights Act. I don't know which group, but certainly from correspondence I received and newspaper articles I read and members opposite that I spoke to, there seemed to have been a great deal of pressure from people who put themselves out as representing home-schooling people that wanted that reference to the Charter and to the Human Rights Act to be removed. That's my point of no-go because to me it was an unforgivable caving in to pressure in that it exposes a group to prejudice, to discrimination.

Even though under section 33(3), which appears on page 42 of the bill, it talks about reducing the – it's around bullying. I know that some of the members opposite said: "Oh, come on, now. We're still protecting people. Go and look at that section." Well, I did. Really, it's in specific reference to bullying between students, and then it refers to a code of conduct for those students, and then it talks about: when the school writes that code of conduct, they must have at least one line that refers to the Alberta Human Rights Act. That is not the same as saying that instruction should be given in a way that does not allow discrimination against, specifically, the gay, lesbian, transgendered, bisexual, queer community in Alberta. That's a community that is important to me. I represent a lot of people in that community. I represent people in your constituency that you don't want to represent. I'll take them all. But I cannot vote for an act that deliberately took protection away from a group of people and allowed other people to use that in a way where I don't know what will happen. There's no protection there.

Finally, the government refused to move that odious, hideous section 11.1 into the Education Act, where, if that thing must live, it should live. The refusal of the government to do that is

regressive. It is nasty. It's just not the modern Alberta that I want to live in.

I will not be supporting this bill. I didn't support it at any of the other stages, and I most certainly will not be supporting it in third reading. Thank you.

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is now applicable. Are there any members that would like to question and comment? The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you very much, Madam Speaker, and I'll thank the Member for Edmonton-Centre. I was just curious. Could I hear a few more of her thoughts regarding this bill and pieces that are missing from it that she thinks should be in an education act?

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

**Ms Blakeman:** Yeah. Let me get my glasses on here. Actually, if you go backwards through the various amendments that were brought forward, you do start to get a real sense of what was missing. Now, I wasn't here, so maybe I'm wrong, but there was an amendment brought forward to allow teachers to assign grades of zero for work that wasn't submitted. Did that pass? Well, there was a suggestion, right?

I said that I was the child of two teachers. I cannot see either one of them ever giving marks for work not done. They weren't going to let me get away with that, and I cannot see that they would ever have done that with their students. My parents were exceptional teachers. You know, there's an idea that didn't happen.

There were a couple of other suggestions that came forward about audit committees. They did resolve the problem around the trustees. There was an inequity in the francophone trustees. They did in my opinion fix that. You are not required to have a child in the francophone system in order to vote for their board of trustees. To run as a trustee, you have to meet the requirements of anyone else running for public office: Canadian citizen, over 18 years of age – and I'm missing one here – and a francophone. So they certainly did deal with that one.

I think that raising the age was actually a good idea as well as increasing the age of access. The point here was to get people to complete high school at a better completion rate, and if that's what we need to do, I'm all for it. I had one parent that was in the high school system for a long time, and he talked about that a lot.

There were a couple of other issues around charter schools, but the member might know more specifics about that than I do because he was in a specialty school. Maybe he wants to make a statement about that.

I hope that was helpful.

3:50

**The Acting Speaker:** Thank you, hon. member.

We still have a minute and a half left in Standing Order 29(2)(a). Are there any other members that would like to question or comment? The hon. Member for Edmonton-Riverview.

**Mr. Young:** I just have a question of the hon. member from the fabulous constituency of Edmonton-Centre. What part of section 16(1) do you disagree with? It says:

All courses or programs of study and instructional materials used in a school must reflect the diverse nature and heritage of society in Alberta, promote understanding and respect for others and honour and respect the common values and beliefs of Albertans.

**Ms Blakeman:** The issue around that is that once you start a list, you have to put everybody on the list because when it gets to court – and we have enough Supreme Court decisions that are made on that – if you're not on the list and there's a list, you're not on the list. Right? When they started, they switched from section 16, which said:

All courses or programs of study offered and instructional materials used in a school must reflect the diverse nature and heritage of society in Alberta, promote understanding and respect for others and honour and respect the Canadian Charter of Rights and Freedoms and the Alberta Human Rights Act.

In changing it from that to the newer version, what they did was take out the reference to the Charter and to the Alberta Human Rights Act. So those are no longer paramount here, and they start a list. Guess what? On the list in section 16(2) you "must not promote or foster doctrines of racial or ethnic superiority."

**The Acting Speaker:** Thank you, hon. member.

Are there any other members who wish to speak? The hon. Leader of Her Majesty's Loyal Opposition.

**Ms Smith:** Thank you, Madam Speaker. It is my pleasure to rise today to speak in third reading of Bill 3, the Education Act. I will acknowledge that the process of arriving at this version of the Education Act has seemed to be kind of tortuous for all of us, but I think that in the end it's been worth the pain that we've all gone through.

Madam Speaker, as I mentioned in my second-reading speech, the Wildrose has consistently supported the underlying principles of creating an Education Act to replace the outdated School Act. I can tell you that, having spoken with the superintendents that are overlapping the area that I represent, they are very pleased with most of the elements of the act and are looking forward to seeing it implemented. Again, the School Act has served us well, but I think we can all agree that the new bill is going to serve Alberta students, parents, and teachers well in the years to come.

Madam Speaker, I also want to express my satisfaction with three elements of the bill which were in there when the government introduced it but were not there in previous versions of the act. I think there have been some changes that have been good, and I would say, with some small measure of satisfaction, that the Wildrose led the fight in modifying against those previous bills. The first, of course, was the removal of the reference to the human rights code applying to home-school families. We do know how concerned our home-school families were about that. I'm very pleased that the Education minister listened and changed the language to be more reflective of what was in the previous School Act so that everybody's rights are protected, and we can also protect those minority groups who would face discrimination. I think that was a good change.

The second, of course, was the reintroduction to the act of recognizing the fundamental primacy of parents in being able to choose the type of education they want for their children. This is one of the reasons, I think, why when you look at the government's record over the last 10 to 15 years, education reform has really been one of the shining examples of where they're doing things mostly right by giving parental choice, having a number of different options. We are very pleased to see that they recognize that fundamental primacy of parents.

Then, of course, the issues dealing with Catholic school boards. I know that the Catholic school trustees were quite concerned that some of the language would seem to indicate that they would be forced into amalgamation. We do know that there are some interests out there who want to eliminate Catholic school

education altogether and have everything rolled under one massive public school board. I happen to think that having two schools boards, a public school board and a separate school board, to give that additional choice to parents is something that our Alberta parents have been asking for us to maintain. I'm glad that the Education minister acknowledges how important it is to maintain the independence of the Catholic school board as well.

Originally, though, the government didn't listen to the concerns that were raised, so 2,000 parents, you may recall, rallied on the steps of the Legislature. The Wildrose was proud to be there. I remember the hon. member for, at the time, Airdrie-Chestermere spoke to that group of 2,000 parents and their kids. I think also that after an intense electoral scare, the government came to their senses and made the improvements that were requested. I'm glad to see that. Truly.

Madam Speaker, at second reading I suggested that we generally like the changes that were made in the Education Act. The act has been improved through the amending process – I'll get to that in a minute – but I do think it could have been further improved, and I think that there were some missed opportunities. I'm disappointed that the Education minister didn't take seriously three of our amendments, which I think would have gone a long way towards improving the act.

First, on charter schools, to be able to acknowledge the important role that the innovation in charter schools plays in improving our public education system altogether. We want to make sure that we have continual innovation. We want to make sure that teachers and school boards are able to try new things. I think that the amendment that was put forward about charter schools would have gone a long way towards sending the signal about how this government looks at charter schools as being important.

I'll give an example of why I think charter schools have a great role to play in improving education for all students. I look at the school Foundations for the Future. When it began as a traditional learning centre, it was so popular that it very quickly grew to four campuses in Calgary. Very quickly there were news stories out there about them having 4,000 parents waiting to have their kids on the waiting list to be in the school. The Calgary board of education responded to that. They created their own traditional learning centres. The last time I spoke with someone from the CBE, they now have 15,000 students enrolled in traditional learning centres. To me, having this positive interplay between charter schools being able to set up, establish, innovate, and being able to take our successful models and see them come into the public school system so that more students are able to take advantage of that – I think there was a missed opportunity in not reinforcing just how important a role our charter schools play in doing that and expanding and encouraging more of them.

The second point I would make is on the no-zero policy. I know the argument that the Education minister made about not wanting to be prescriptive, but, Madam Speaker, I'm holding Bill 3, which is 188 pages prescribing how school boards should act, how principals should act, how teachers should act. It really would not have been any additional burden to have put in the simple amendment. It's true. It would have been in section 197.

I mean, just to give an example of what we're already prescribing principals to do, just so that we can put it into context for parents puzzling, as we are, to understand why the province rejected this, in section 197 we have 10 different provisions prescribing what principals should do. I'll just read this into the record because I think it's important for us to remember that it is part of the act and part of the job of the Legislature and part of the job of the Education minister to respond to what parents and

students are telling them and to create prescriptions in the event that we see a behaviour that we want to make sure doesn't occur again. I would say that the no-zero policy, the no-zero firing is an example of that. We say that

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- (a) provide instructional leadership in the school,
- (b) ensure that the instruction provided by the teachers employed in the school is consistent with the courses and programs of study prescribed, approved or authorized pursuant to this Act,
- (c) evaluate or provide for the evaluation of programs offered in the school,
- (d) ensure that students in the school have the opportunity to meet the standards of education set by the Minister,
- (e) direct the management of the school,
- (f) maintain order and discipline in the school and on the school grounds and during activities sponsored or approved by the board,
- (g) promote co-operation between the school and the community that it serves,
- (h) supervise the evaluation and advancement of students,
- (i) evaluate the teachers employed in the school, and
- (j) subject to any applicable collective agreement and the principal's contract of employment, carry out the duties that are assigned to the principal by the board in accordance with the regulations and the requirements of the school council and the board.

4:00

So you see, Madam Speaker, this act is very prescriptive of what a principal can and cannot do. It would not have been a hardship to add an additional clause to ensure that teachers are free to assign grades of zero for work not submitted by students. I don't buy the minister's argument on this. I don't think Albertans buy the minister's argument on this. But it's not enough for me to vote down the bill. I did just want to say that I think we could have improved it if we'd put that in – and who knows? – we might see a private member's bill in future dealing with this as well.

The third point is on the issue of school fees. Now, I know the Education minister took great delight in digging up a column that I wrote 10 years ago, but I think we have to put into context that in a decade what we have seen is an increase across the board of a whole range of school fees. I remember that when I was in elementary school, we used to get scribbles provided for us. We didn't even have to pay for those. We used to also have big red thick pencils, I remember, that were provided for us as well. How funny I think it is now when you think back to then, about the kinds of things that the school system used to provide.

But as we went through the difficulties of the '90s and needed to get back into a balanced budget, I do think that parents were willing to pay for school supplies. They understood that. I do think that parents by and large understand that paying for field trips is something they should do. I know busing fees have become an increasing difficulty.

When I went to school, I took public transit. I was delighted that public transit actually paid for my bus passes during the school year so I didn't have to pay for that. But busing fees have become a growing issue. I don't think it was the same issue when I was in school. When you see what our hon. Member for Chestermere-Rocky View brought up, about how actually busing fees are now being used as an additional source of revenue, that it's actually being overcharged in the case of some school boards, I think that that points very clearly to something going quite wrong in the way fees are being levied, and I think that's what happens.

The minister may want to point to something that happened 10 years ago; I'd like to sort of speed up a bit and point to what's happening today. What's happening today is that parents are being dinged for textbook fees. Parents are being dinged for instructional fees. Parents are being dinged for locker-room fees, for classroom fees, for administration fees. There's a whole range of different fees that are now being levied against parents, who are now being taken to collection agencies. I think it's been mentioned in this Legislature: 3,000 parents being taken to collection agencies. I don't think this was the world I was talking about 10 years ago when I was writing a column, but this is the world that exists today.

In the world that exists today when I was asked by parents to raise this issue, we actually developed a policy and campaigned on making school fees transparent, first of all, so we could figure out how big a ding parents are getting and, secondly, to eliminate them, to eliminate these mandatory school fees so no one has to pay to send their kids to chemistry class, so no one has to pay a locker fee so that their kids can store their stuff in their lockers between classes. We're talking about two different things.

I'm very disappointed that the minister, when he had the opportunity to do something about it, chose to vote against it. Now, I campaigned on eliminating school fees. My 17 colleagues here campaigned on eliminating school fees. When we had the opportunity to bring forward an amendment to eliminate school fees, we did. We spoke in favour of eliminating school fees, and I made a special effort to be here the night it was being voted on so I could vote to eliminate school fees. I would point out that the Minister of Education voted to keep them. Voted to keep them.

That, I think, is what parents need to understand. The Minister of Education once again had an opportunity to show that he was listening, to show that he cared, and to stop this practice of taking parents to collection agencies to pay for fees that should already be covered under the amount that is paid for through provincial education funding. We have this real problem with dollars not flowing down into the classroom. Unfortunately, the Education minister did not demonstrate that he's taken this issue as seriously as we think he should. Having voted it down, I think that sends a message to parents that he is not as concerned as the Wildrose caucus is about making sure that our middle-class families are not overburdened when they send their kids to public school.

The one last thing I would say is – and I'll go back to talking about the positive because I have talked about three of the things that I wish the minister had fixed to have made this bill better, but being that he didn't, well, I'm sure we'll have lots and lots and lots of time to talk about this in this Legislature and, certainly, lots and lots and lots of time to talk about that during the next election.

I also would say that in many ways the work on this bill is a good demonstration of how work in this Chamber can be done well. I was delighted to see that the minister did vote to accept one of our amendments. Of course, this is the amendment that was put forward by my hon. colleague from Calgary-Fish Creek. The Member for Calgary-Fish Creek introduced an amendment dealing with bullying and improper behaviour in schools, something I know she feels very passionately about. The Member for Calgary-Fish Creek has served in this place for many years, and she has built up a wonderful group of stakeholders that she can go back to again and again to get advice on various things that she brings forward, and I think that's why she's so successful. She can always be counted on to introduce issues that Albertans want considered in legislation but are often overlooked.

This time the government saw fit to accept her amendment, which was based on many, many discussions that she had had with law enforcement officers who deal directly with schools. I

appreciate that the whip worked closely with the hon. member to ensure that that amendment went forward and was approved in his caucus. We're grateful for it, because I think that this bill has been much improved by those efforts and by the willingness of the government to consider adopting that amendment. So I'm glad to see that.

As I say, I do think that this is an example of how legislation can work properly. It was brought in the first time, and it was flawed. It was brought in the second time, it was still flawed. It was brought in the third time, and it looked pretty good, but we were able to have some discussion to make it a little bit better. I wish we'd been able to tweak it on a couple more areas so that we could have made it even better, but I do think that this is exactly the kind of thing that a certain leadership candidate for the Progressive Conservative Party saw when she campaigned and wrote: we need to change how the Legislature and MLAs operate, more free votes so MLAs can reflect constituent views, more time between proposing and voting on legislation.

The amount of time that was taken to make sure that this bill was drafted in a form that was acceptable to all the stakeholders, to trustees, both public and Catholic school systems, to those who are involved in different types of education, whether it's private or charter schooling, whether it's home-schooling or virtual schooling, I think the product at the end of this reflects the incredible amount of stakeholder consultation, give-and-take, and, I think, positive dialogue and discussion that took place in this Chamber. So I would like to congratulate the Education minister for that.

While I commend the government for doing a good job on this bill, I will note for the record that the government is not heading in the same correct direction regarding the ongoing and very important debates that are happening on Bill 2 and that are happening on Bill 4 and which I fear will happen on Bill 7.

Hopefully, this can once again be looked at as a constructive example of how at the end of the day if you take the time, if you listen to the opposition, if you listen to parents and stakeholders, if you listen to those who are impacted by legislation, you can end up with good legislation. I think that if we took those same lessons on those other bills, we might be able to move further along in making sure we're passing the very best legislation for Albertans. Once again, I think the government should strive to meet the Premier's standard of raising the bar on accountability and transparency by using the talents and skills of this place to improve legislation like what was done with the Education Act.

Now, Madam Speaker, in closing I will say that I will vote in favour of this now much-improved bill on third reading. Hopefully, I will get the chance to be able to repeat that same phrase over the next three and a half years.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you.

Under Standing Order 29(2)(a) are there any hon. members who wish to question or comment?

**4:10**

**Mr. Dorward:** Madam Speaker, school fees are essentially a user-pay mechanism which, I think, is best talked about at the school board level. As we talked about it in Committee of the Whole, it was debated back and forth and back and forth and discussed in that context. Fees are all over the map. You know, they vary between schools and school boards, so that's where they need to be left and not in legislation.

I note that the Wildrose are again in favour of spending more money and adding a cost and a burden to the overall people of

Alberta. The question for the Member for Highwood is: if school fees were somehow covered, say magically that cost was there, what would happen if five years later that list of school fees was even greater? Would it grow and grow and grow and grow, which seems like a Wildrose Party concept in terms of spending money? Whereas I hear from this government that we're concerned about not spending money and, thus, have the policy that's in place now.

**Ms Smith:** Well, I thank the hon. member for his question. I think the context for all of our comments on this side whenever we're identifying priorities is – and we ran on this, too, we ran on our balanced budget initiative, which would have required that we return to a no deficit rule in our Fiscal Responsibility Act, that we limit year-over-year spending increases to inflation plus population growth, that we have a limit on capital funding that is consistent with the per capita funding of other provinces. So that would be about \$4 billion per year. Over a 10-year period that's \$40 billion. If you develop a priority list over a 10-year period and spend \$40 billion, you actually can clear the infrastructure backlog as well as get ahead and start building for the future. That's part of what I think the hon. member often misses when we're looking at the framework of how we would manage to balance the budget as well as meet priorities.

The last thing I'd say is that we'd cut wasteful spending. I mean, I don't know if I could, in this short amount of time I have, list all of the areas of wasteful spending that have been exposed over the last year. Obviously, we do not share the government's enthusiasm for giving \$2 billion for carbon capture and storage. We do not share the government's enthusiasm for other corporate welfare grants, whether it's through the Alberta Livestock and Meat Agency, whether it's through the BRIK program, whether it's through any number of other initiatives. We wouldn't support giving funding, direct or otherwise, to arenas for taxpayers to pay for. We certainly thought that there were infrastructure projects that could have been deferred to a year or two down the road to be able to pay for high-priority items.

On this issue of education, in particular, I suspect that we're running into the same problem in education as we've seen in health care, as we're seeing in justice. Even though we have seen an increase of 63 per cent in education funding over the last 10 years – and these are numbers from the government's website – that 63 per cent increase in education funding over the last 10 years I believe compares to something like a 10 per cent increase in student enrolment. The money is going in, but it's not, actually, getting down to the front line, and we're asking the question: why not? Where's it going?

One of the things we would observe is happening in the health care field – and I've spoken with AUPE president, Guy Smith, about this as well. He remembers back in the 1990s when former Premier Ralph Klein made some of the significant cuts to the layers and layers of middle management. The AUPE was initially quite excited about that because they got to a level where the government was hiring one manager for every 16 front-line workers. Well, today we've got one manager for every three front-line workers.

I suspect that this is a problem across the board. Do we really need more senior executives making \$100,000-a-year salaries with overcapped pensions that are noncontributory, that you can't get rid of even if they do make mistakes otherwise you have to pay them massive severance packages, that continue to ding the taxpayer for hundreds of thousands of dollars of expenses?

So when I'm asked the question, "Do I think that in a \$4 billion education budget we can manage to squeeze out \$40 million to eliminate school fees?" I would say: you sure bet you can.

**The Acting Speaker:** Thank you, hon. member.

Are there any other members who wish to speak? The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Well, thank you, Madam Speaker. I'm delighted to get up to speak to Bill 3, the Education Act, in its third reading here this afternoon. You know, this bill has been a very appropriate reintroduction for me into the procedures in terms of legislation that take place here in the Legislature and outside the Legislature, too. One refreshing change that I saw from when I was here previously was that I had a constructive and interactive discussion with the Minister of Education on this bill on a number of occasions, so I wanted to thank the Minister of Education for doing that. It was a nice new world to be able to actually discuss these things, including amendments and so forth.

However, I also was reintroduced to something that had always troubled me about the Legislature and the way we do things here, particularly in Alberta, and that's this thing that we do here more than other provinces, which is have legislation and debate late at night. You know, I think it had something to do with how we approached the amendment process for this Bill 3, the fact that I was introducing five amendments after midnight of the day that we were doing it. We worked really hard on this. I mean, this is not just a process of putting words on a page and watching time pass. We worked hard on this because I take this critic area very seriously as a teacher of more than 20 years – right? – with all of my children going through public school, and considering just the landmark legislation that we're dealing with here, which is Bill 3, which will become the Education Act.

I look at this bill as not just being another small piece of amending legislation but as something that we can send a message with for the next 20 years and 30 years. Who knows who will be governing then? Who knows what the circumstances will be? We want to have certain signposts in place that send a definite message on what we consider to be public education and the direction of public education here in the province of Alberta.

We went through the bill, which was no small thing, and found a number of places where I think the potential act could be strengthened. As I said, all of my amendments were defeated. I expect lots of things like amendments to be in fact defeated or changed, but I suddenly just realized that I couldn't sleep or in good conscience proceed without speaking at length and explaining exactly what we were doing with these amendments. I've also been shopping these around to different places, amongst teachers and amongst different public organizations here in the province of Alberta and even across to other provinces, too, to see how they approached rebuilding or modernizing their education acts across the country. Certainly, I'm speaking here with considerable deliberation and concern about this.

The first amendment that I had had to do with section 16 of Bill 3, the Education Act, as it stood, and the troubling thing that we saw from the spring session, when this was Bill 2, to this legislation that we have in front of us now – the thing that changed was, of course, that the Canadian Charter of Rights and Freedoms and the Alberta Human Rights Act were removed from the legislation here before us today. I know that this was a sensitive topic because people had quite significant explanations and excuses for doing that right away. The argument that was mostly used against my amendment was: "Oh, well, those two pieces of legislation, one being provincial and one federal, exist anyway, right? We don't need to have them in the Education Act because we already have them in other places in law." Well, I don't think that that argument holds much water, Madam Speaker.

4:20

Let me just go back to another place of emphasis in this proposed Bill 3, which was on bullying and antibullying strategies. I am very strong on this as a teacher of 20 years or more dealing with, you know, perhaps some of the most destructive behaviour that we see in schools, which is bullying, and having a comprehensive and focused attack against this unfortunate human behaviour. But using that argument back that was used against the removal of the Human Rights Act and the Charter of Rights and Freedoms: well, we do after all have laws against assault; we do have laws against defamation and other things that constitute bullying as a practice. Extending that logic, then, why should we mention the bullying in here?

Well, I think we should, and I think we do, but I think we also need to make sure that we mention and redouble our commitment to the Alberta Human Rights Act and the Canadian Charter of Rights and Freedoms for the very same reason, because we believe that that's important as a society, and we believe it should be emphasized and carried as a signpost for not just the five years but the next 20 and 30 years down the road to tell and guide how our public education system should be constructed and conducted. That's the way I look at it. I think it's a compelling argument. Certainly, whenever people start removing or taking shots at the Alberta Human Rights Act, for example, that's the time to get your back up as a person who believes in social justice, as a person who believes in equality, as a person who believes that we can enshrine those values into law.

People did believe that here in this House, presumably, back in 1971, when they created the Alberta Bill of Rights, I think, the Bill 1 of a former Conservative government that realized the value of modernizing our human rights legislation in this province to carry us through and to have that permeate through all of the things that we do here in this province in making legislation and laws. So, yes, the Alberta Human Rights Act and the Canadian Charter of Rights and Freedoms do belong in our Education Act, and I really, really regret that they were removed here for whatever reason.

The second area where I wanted to just make some change here – right? – on this Bill 3 was in regard to school fees. I know there's a compelling argument talking about school fees on a school board level, on a school level, on a very localized level, but once again we're inserting a signpost here, a direction that we want to go as a society for public education, to say that we do not, we should not, and we will not have instructional school fees built into our public education system.

If you don't have those signposts firmly in place, then there is that insidious creeping of charging for this and that that we are constantly having to beat back. That tension is always there, but we can set our line in the sand, a firm line in the sand that tells people that, no, you do not do that and you will be pushed back by law if you try to do so, once again building something we can be proud of, a cornerstone of public education. For 20 or 30 years we needed to have language on the banning and the prohibition of instructional school fees here in the province of Alberta. We missed that, and I regret it. Certainly, you know, we need to remember that kind of stuff. That's the second one.

The third area of concern that I had in regard to Bill 3, the Education Act – and it really hardly got any mention at all, and I regret it – was a moment of brilliance that I saw from the Ontario Education Act. It was brought to my attention by the Edmonton

public school board, by one of the trustees there, and it was on having language in our school act that said that we are responsible for the health and the well-being of all students.

Now, you might say: well, that sounds like a self-evident truism. Right? Of course we are responsible for the health and well-being of all students. But the intent behind this amendment was to say that we are building programs and we're building a curriculum that deal specifically with all aspects of mental health and physical health, including food. We've made some progress in regard to promoting healthy eating and food in our schools, but this would have taken it a step further, not necessarily on cost but just in terms of direction, ensuring that we look after the nutritional needs of students and that we look after their physical and mental health as well. It would have been a very, I think, useful addition, and I think we missed an opportunity there as well.

The next area that I wanted to talk about that I think is very important – and I can see this on the horizon right across all 87 of our constituencies here in the province of Alberta – is the issue of school closures. Now, we know how destructive and disruptive school closures are, the process. We have dealt with that here in the city of Edmonton, but, you know, like I say, I don't think anyone escapes the spectre of school closures anywhere in the province of Alberta.

The amendment that I put forward in regard to school closures is that we share some of the responsibility in regard to closing schools, not just putting it onto the individual school boards but bringing it back to the ministry specifically to say that we go through a consultative process through the Education ministry to ensure that we are making the right decision in regard to a possible school closure.

Further to that, there is a whole range of things we can do through this Assembly to ensure that the full extent to which a school is being used in a community is recognized as part of the utilization formula, that determines whether a school is being used to its reasonable capacity or not, so that, again, we're not just using the same blunt tool to have school closures take place around the province, but we are sharpening it, and we are using better equipment to make sure that we have a utilization rate that recognizes all uses of a school, as a community centre and so forth, and that we're not closing schools unnecessarily.

We know that once a school is closed, it's very unlikely to be opened again. We know that it's like chickens and eggs, right? You will not have more young families moving into a community because if the school is closed, they will move to where there's a school. I know it's not an easy thing. I know that we will be dealing with this lots in the next number of years. Then what better place to have a thematic direction than in the iconic school act, that we will be, you know, presumably passing here in these next few days?

Those are some of the areas that I was most concerned about in terms of my amendments. As I said before, you know, we went through a process here that I think really involved a number of years, and I think that there's a lot of structural framework here in this new act that is good.

**The Acting Speaker:** Hon. member, I hesitate to interrupt you, but it is 4:30.

[The Assembly adjourned at 4:30 p.m. to Monday, November 19, at 1:30 p.m.]



## **Bill Status Report for the 28th Legislature - 1st Session (2012)**

**Activity to November 08, 2012**

The Bill sponsor's name is in brackets following the Bill title. If it is a money Bill, (\$) will appear between the title and the sponsor's name. Numbers following each Reading refer to Hansard pages where the text of debates is found; dates for each Reading are in brackets following the page numbers. Bills numbered 1 to 199 are Government Bills. Bills numbered 200 or higher are Private Members' Public Bills. Bills numbered with a "Pr" prefix are Private Bills.

\*An asterisk beside a Bill number indicates an amendment was passed to that Bill; the Committee line shows the precise date of the amendment.

The date a Bill comes into force is indicated in square brackets after the date of Royal Assent. If a Bill comes into force "on proclamation," "with exceptions," or "on various dates," please contact Legislative Counsel, Alberta Justice, for details at (780) 427-2217. The chapter number assigned to the Bill is entered immediately following the date the Bill comes into force. SA indicates Statutes of Alberta; this is followed by the year in which it is included in the statutes, and its chapter number. Please note, Private Bills are not assigned chapter numbers until the conclusion of the Fall Sitings.

**1\* Workers' Compensation Amendment Act, 2012 (Redford)**

First Reading -- 8 (May 24 aft., passed)

Second Reading -- 177 (Oct. 23 eve.), 193-96 (Oct. 23 eve.), 233 (Oct. 24 eve., passed)

Committee of the Whole -- 336-39 (Oct. 29 eve.), 354-71 (Oct. 30 aft.), 373-80 (Oct. 30 eve., passed with amendments)

Third Reading -- 476-84 (Nov. 1 aft., passed on division)

**2\* Responsible Energy Development Act (Hughes)**

First Reading -- 207 (Oct. 24 aft., passed)

Second Reading -- 263 (Oct. 25 aft.), 424-43 (Oct. 31 aft.), 445-57 (Oct. 31 eve.), 526-46 (Nov. 5 eve., passed)

Committee of the Whole -- 563-71 (Nov. 6 aft.), (Nov. 6 eve.), 644-48 (Nov. 7 aft.), 649-69 (Nov. 7 eve., adjourned, amendments agreed to)

**3\* Education Act (J. Johnson)**

First Reading -- 155 (Oct. 23 aft., passed)

Second Reading -- 219-31 (Oct. 24 aft.), 238 (Oct. 24 eve., passed)

Committee of the Whole -- 380-407 (Oct. 30 eve., passed with amendments)

Third Reading -- 669 (Nov. 7 eve.), 688-94 (Nov. 8 aft., adjourned)

**4 Public Interest Disclosure (Whistleblower Protection) Act (Scott)**

First Reading -- 352-53 (Oct. 30 aft., passed)

Second Reading -- 423-24 (Oct. 31 aft.), 593-614 (Nov. 6 eve.), 627-44 (Nov. 7 aft., passed on division)

**5 New Home Buyer Protection Act (Griffiths)**

First Reading -- 261 (Oct. 25 aft., passed)

Second Reading -- 354 (Oct. 30 aft.), 457-59 (Oct. 31 eve., passed)

Committee of the Whole -- 546-49 (Nov. 5 eve.), 571-83 (Nov. 6 aft.), 585-93 (Nov. 6 eve., passed)

**6 Protection and Compliance Statutes Amendment Act, 2012 (Jeneroux)**

First Reading -- 155 (Oct. 23 aft., passed)

Second Reading -- 209 (Oct. 24 aft.), 264 (Oct. 25 aft., passed)

Committee of the Whole -- 459-62 (Oct. 31 eve., passed)

**8 Electric Utilities Amendment Act, 2012 (Hughes)**

First Reading -- 156 (Oct. 23 aft., passed)

Second Reading -- 233 (Oct. 24 eve.), 316-36 (Oct. 29 eve., passed)

**9 Alberta Corporate Tax Amendment Act, 2012 (\$) (Horner)**

First Reading -- 156 (Oct. 23 aft., passed)

Second Reading -- 209-10 (Oct. 24 aft.), 272 (Oct. 25 aft.), 311-16 (Oct. 29 eve., passed)

Committee of the Whole -- 462 (Oct. 31 eve., passed)

**10 Employment Pension Plans Act (Kennedy-Glans)**

First Reading -- 261 (Oct. 25 aft., passed)

Second Reading -- 521-26 (Nov. 5 eve., passed)

Committee of the Whole -- 668-69 (Nov. 7 eve., passed)

**201      Scrap Metal Dealers and Recyclers Identification Act (Quest)**

First Reading -- 92 (May 30 aft., passed)

Second Reading -- 291-301 (Oct. 29 aft., passed)

**202      Public Lands (Grasslands Preservation) Amendment Act, 2012 (Brown)**

First Reading -- 130 (May 31 aft., passed)

Second Reading -- 501-13 (Nov. 5 aft., adjourned)

**203      Employment Standards (Compassionate Care Leave) Amendment Act, 2012 (Jeneroux)**

First Reading -- 473 (Nov. 1 aft., passed)

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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Monday afternoon, November 19, 2012

Issue 18

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta**  
**The 28th Legislature**

First Session

Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC), Speaker  
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Fraser, Rick, Calgary-South East (PC)  
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Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
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Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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Fraser	Vacant
Hale	



## Legislative Assembly of Alberta

1:30 p.m.

Monday, November 19, 2012

[The Speaker in the chair]

### Prayers

**The Speaker:** Hon. members, let us pray. Gracious Lord and Holy Creator, fill our hearts, our minds, and our hands with the wisdom, determination, and action to always do what is right for our constituents, for our province, and for our country. Amen.

Please remain standing now for the singing of our national anthem led by Mr. Paul Lorieau. I invite you to join in in the language of your choosing.

### Hon. Members:

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

**The Speaker:** Merci beaucoup, M. Lorieau.

[Translation] Thank you very much, Mr. Lorieau.

Thank you. Please be seated.

### Introduction of Visitors

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

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. It gives me great pleasure to introduce to you and through you to all members of this Assembly two very distinguished special guests, Tawakkol Karman and Leymah Gbowee. These two women shared the Nobel peace prize in 2011 for their nonviolent struggle for the safety of women and for women's rights to full participation in peacebuilding work. They did this by spearheading and sustaining social revolutions in Yemen and Liberia, traditional societies dominated by men. Today I had the honour of cohosting a luncheon with the hon. Minister of Human Services and the hon. Minister of Education to celebrate these two women and introduce them to our female parliamentarians and to many female youth from Alberta.

Tawakkol Karman was born in Yemen, earned a master's degree in political science at Sana'a University, and in 2005, when I met her, she helped found Women Journalists without Chains, an organization that advocated for press freedom in Yemen. At 32 she earned the nickname the Mother of the Revolution, and some tribal leaders I know call her the reincarnation of the queen of Sheba.

Leymah Gbowee grew up in Monrovia, Liberia's capital, was a social worker in the late 1990s but fled to Ghana, and in 2001 earned a degree from Mother Patern College of Health Sciences. She is a leading member of the women in peacebuilding program and the West Africa Network for Peacebuilding. She is now director of the Women Peace and Security Network in Africa and the author of the 2011 memoir *Mighty Be Our Powers: How Sisterhood, Prayer, and Sex Changed a Nation at War*.

Mr. Speaker, they are joined today by their husbands, Mohammed and Jay, and are seated in your gallery. I would ask

that Tawakkol and Leymah receive the traditional warm welcome of this Assembly. [Standing ovation]

**The Speaker:** Congratulations, and welcome.

The hon. Minister of Enterprise and Advanced Education.

**Mr. Khan:** Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to all members of the House one of my predecessors in the constituency of St. Albert, Mary O'Neill. Mary served as the MLA in my riding from 1997 to 2004. She's a prime and wonderful example of the great PC leadership my constituency has been blessed with. Mary continues to serve in our community and to serve Albertans through a number of different initiatives, most recently as past executive director of the Glenrose Rehabilitation Hospital Foundation. She continues to work in our community and is a mentor to me. I am so honoured to introduce her today. She is seated in the Speaker's gallery. I'd like everybody in the Assembly to welcome Mary O'Neill.

**The Speaker:** The hon. leader of the Liberal opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of this Assembly former Alberta Liberal MLA Rick Miller. Rick was the MLA for Edmonton-Rutherford from 2004 to 2008 and served as the Alberta Liberal caucus chief of staff from 2009 to 2012. Prior to that he was the Liberal Party president from 1999 to 2001. As you may have noticed, I'm growing a moustache, and I have a Chia Pet on my chin for Movember. I'm growing it in support of Rick in his battle with prostate cancer and the 1 in 8 men in society who get prostate cancer. Rick was diagnosed in February, and despite that, he campaigned through the election. If all members, and you, Mr. Speaker, would like to donate to Rick's fight, not just for him but for all us – the sons, the fathers, and the grandfathers in society – you can donate to mobro.co, and his account number there is 3396525. Hon. members, please welcome one of us in the Speaker's gallery. Rick, if you can please stand and receive the traditional warm welcome of the Assembly.

### Introduction of Guests

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

**Mr. Dorward:** Thank you, Mr. Speaker. It is my pleasure to rise today and introduce to you and through you to all members of this Assembly a long-time resident of the Edmonton-Gold Bar community and first-time attendee at question period, Mr. Stan Edwards, who is here with his son James. Stan is an avid ham radio operator and is active in the South East Edmonton Seniors Association. Stan's son James now lives with his wife and two daughters in the hon. Speaker's constituency of Edmonton-Mill Creek, and, a surprise, his eldest daughter, Claire, a first-year political science major at the U of A, is a page here at the Legislature. So we have three generations of the Edwards family gracing us with their presence today. Stan and James are seated in the Speaker's gallery, and Claire is here with us. I would ask all of them to please rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. Today I have three introductions if I may. First of all, it's a pleasure today for me to introduce to you and through you to members of the Assembly four alumni members of the Youth Advisory Panel: Nicole Baker,

Catheryn Derker, Kirsten Mandes, and Samantha Sperber. The Youth Advisory Panel is committed to supporting Alberta's children and youth to reach their full potential by ensuring that the voice of youth is reflected in the work of the Alberta government.

It's also my pleasure to introduce four grades 11 and 12 students from my constituency: Kristen Falconer, Zeinab Elbarrad, Erinn Mills, and Magie Aiken as well as their teacher, Davey Thompson. They have each shown leadership and initiative at Lillian Osborne high school. This morning both groups attended the special luncheon in honour of the two female Nobel peace prize winners, Mrs. Gbowee and Mrs. Karman, whose stories have no doubt inspired these gifted young female youth to work with even more conviction and compassion to create a better world. I'd ask them all to rise and receive the traditional warm welcome of the Assembly.

**1:40**

Mr. Speaker, it's also an honour today to introduce to you and through you to all members of the Assembly Ms Deborah Miller. Last Friday night I had the pleasure of presenting the inspiration awards to members of our community who have made outstanding contributions in the prevention of family violence. Ms Miller is one of those community leaders. In fact, she is the recipient of a lifetime achievement award. She's spent more than 33 years supporting survivors of domestic violence. Through her career as a lawyer Ms Miller has provided legal advice and support to women in shelters. She spearheaded the establishment of the family law office within Legal Aid Alberta to assist vulnerable and low-income Albertans who experience family law problems, including violence in the home. Deborah is seated in the members' gallery, and I would ask that she rise and receive the traditional warm welcome of the Assembly.

Mr. Speaker, it's inspiring for me to introduce to you and through you to members of the Assembly a wonderful group of 29 grade 6 students from Monsignor William Irwin school, located in the constituency of Edmonton-Whitemud. Accompanying the students is their teacher, Michael Leskow, along with student teachers Andrew Wiens and Kelsey Reimer and parent helper Maura Balante. Wonderful students, inspiring future for this province, and I'm pleased to have them here with us. They're in the public gallery. I'd ask them to rise and also receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Highlands-Norwood, followed by Edmonton-Mill Woods.

**Mr. Mason:** Thanks very much, Mr. Speaker. It's a great pleasure for me to introduce to you and through you to everyone in the Assembly 26 brilliant students and an outstanding teacher from St. Alphonsus school. Mrs. Laura Galbraith is the teacher. They've had a tour, and they're here all week for School at the Legislature, which you put on and organize. Having very much enjoyed their tour, I would ask them to please rise and receive the warm welcome of the Assembly.

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

**Mr. Quadri:** Thank you very much, Mr. Speaker. It is an honour for me to rise today and introduce to you and through you a class of grade 6 students from St. Elizabeth Catholic school in my constituency of Edmonton-Mill Woods. You know, there is so much brightness coming from them. They are so bright. I had a chance to meet them last week. They've come today to go through our Legislative Assembly and learn about how the Alberta government works. Also, they are accompanied by their teachers

and a parent helper. I'm just going to walk through their names: Kristin, Shauna, Cindy, Tania, and Kirstie. Please rise and receive our traditional warm welcome.

**The Speaker:** The Associate Minister of Wellness, followed by the Minister of Education.

**Mr. Rodney:** Well, thank you very much, Mr. Speaker. I actually have two sets of introductions, but I will indeed keep them short. It's a pleasure to introduce to you and to all members of the Assembly two guests from the College and Association of Registered Nurses of Alberta. Dianne Dyer is the president of CARNA. She is an RN from Calgary and has served as the president of CARNA since 2009. Joining Dianne is Mary-Anne Robinson. She is the CEO of CARNA. Later this afternoon CARNA's annual report will be tabled, and I'm so pleased that Dianne and Mary-Anne are able to join us for that tabling today. I would ask them to rise as I invite all members to provide them with a warm welcome.

The second introduction. It's a pleasure to introduce two guests from the Alberta College of Pharmacists. Kaye Moran is the president of the college. She is a clinical pharmacist at the Foothills family medical centre in Black Diamond and is a pharmacy practice leader with the Calgary Rural primary care network. Joining Kaye is Greg Eberhart. He is the registrar of the college. Later this afternoon the Alberta College of Pharmacists' annual report will be tabled, and I'm so pleased that Kaye and Greg are able to join us for the tabling today. They're standing, and I'd ask the House to give them our very warmest welcome.

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

**Mr. J. Johnson:** Thank you, Mr. Speaker. I have two sets of introductions here this afternoon. First, I'd like to introduce to you and through you a young Albertan who has taken some strong action on stopping bullying in her school. Jaren Voigt is in the fifth grade here in Edmonton at Sister Annata Brockman school. She's here with several members of her family: Petra, Roman, Michelle Wiley, Greg Voigt, and Joan and Carl Voigt. They're also with Jaren's teacher from last year, Ms Monica Murphy, and the principal of Sister Annata Brockman school, Doris Leboldus-Campbell. We'll be hearing more about the amazing work that Jaren and her classmates have done to teach about antibullying and a great project she did, but I can attest she is a fantastic girl. I met her earlier today. They're up in the members' gallery, and I'd ask them rise and receive the traditional warm welcome of this Assembly.

Mr. Speaker, I'd also like to introduce to you and through you to members of the Assembly some members of my Student Advisory Council who participated earlier today in a luncheon honouring the two Nobel peace prize winners that were introduced earlier and who have of course done some amazing work. These students had the opportunity to hear first-hand from these women today, as I did. I trust that they will be able to take those remarkable stories back to other members of the council and learn from the example. In the members' gallery we have Julie Carter, Maria Baclic, Nadia Baheri, Amy Berlinguette, Khadija Farooq, Mikaela Gilhooly, Emily Marriott, Mackenzie Martin, Nicola Singer, and Heather Whitfield. Also joining them is the department lead for the council, Mr. Al Chapman. I'd ask them to rise and please receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Minister of Service Alberta, followed by Lesser Slave Lake.

**Mr. Bhullar:** Thank you very much, Mr. Speaker. It's my privilege today to introduce four members of the Service Alberta team who have come up from Calgary. I'd like Mike Areshenko, Trevor Schulz, Shawnti Enns, and Stephen Macumber to stand. The four members of the Service Alberta team who are here this afternoon drove up from Calgary to pay respects to our fallen Deputy Minister of Service Alberta, Doug Lynkowski. I'd ask all members of the Assembly to give a warm welcome to these great public servants.

**The Speaker:** The hon. Member for Lesser Slave Lake, followed by the Associate Minister of IIR.

**Ms Calahasen:** Thank you, Mr. Speaker. It is indeed a privilege and an honour to introduce to you and through you to members of this Assembly one of those young people who came and listened and met the two Nobel prize winners today at the luncheon hosted by the Minister of Human Services and the Minister of Education. She is a young lady from the community of Peerless Lake, and her name is Joanelle Netowastanum. She is in grade 10 and is a mover and a shaker in that community. She indicated to me what an honour it is to drive that far, because it's an eight-hour drive, to meet the honoured guests. I'm sure this day will mean more to her than we can explain to anyone about the luncheon. She is seated in the members' gallery, and I'd ask that she stand and receive the warm welcome of this Assembly.

**The Speaker:** The Associate Minister of International and Inter-governmental Relations, followed by Calgary-Glenmore.

**Ms Woo-Paw:** Thank you, Mr. Speaker. It is my honour and my pleasure to introduce to you and through you to all members of this Assembly our special guests from Chongqing, Beibei, in central China. This delegation represents some of our greatest connections in the area of international education and the latest example of a successful and mutually beneficial partnership between our province and China. During their stay this great group of people, following up on an earlier visit in China by a group of Alberta school superintendents, will be meeting with their Alberta counterparts to identify and develop co-operative programs which will connect the students and teachers through a wide range of initiatives.

**1:50**

I would ask that they please stand and remain standing as I introduce them: Mr. Xiao Biao, educational inspector and head of the delegation from the Chongqing, Beibei, Education Committee; Mr. Dan Hanguo, head teacher at the Jinpei high school; Ms He Xiaoxia, deputy head teacher at Chongqing Jianshan high school; Mr. Zhou Ji, deputy head teacher at Chongqing Chaoyang high school; Mr. He Jianqiang, school supervisor at Chongqing Chaoyang elementary school. They are accompanied by Mr. Doug McDavid, associate superintendent at the St. Albert public school district; Ms Jenny Luo, education officer at the Alberta government office in Beijing; and Ms Fang Xinxin, special Chinese language adviser for Alberta Education; and Mr. Waldemar Riemer, director, international education services, also at Alberta Education. I will ask the members of this Assembly to join me and give our guests the traditional warm welcome of this Assembly.

### Oral Question Period

**The Speaker:** Hon. members, the clock requires us to move to Oral Question Period. We'll begin with the Leader of the Official Opposition.

### Capital Infrastructure Financing

**Ms Smith:** Thank you, Mr. Speaker. I'm going to get to the illegal donation scandal in a minute, but first, over the break the Premier officially broke her promise to balance the budget and is taking Alberta back into debt. She claims there's been a change in the fiscal reality. The fiscal reality is this: PC governments have blown through our savings, they've squandered our prosperity, and now they have to borrow to cover the basics, like building roads and schools. They can't prioritize. That is the reality. When are they going to balance the entire budget? Is it going to be this year, next year, or never?

**Mr. Lukaszuk:** Well, Mr. Speaker, you don't have the luxury in this House of dealing with some matters later and some matters sooner. As a matter of fact, this member has been rising in this House and accusing many members on this side of the aisle, including the Premier, of inappropriate conduct, of inappropriate donations. Guess what? Today we find out that while attending a federal Conservative fundraiser, she expected the Alberta taxpayers to eat the cost of those tickets by claiming them from taxpayers not only for herself but also for her husband.

**Ms Smith:** Point of order, Mr. Speaker.

**Mr. Lukaszuk:** While accusing the Premier of maintaining Law Society membership, this member, as a matter of fact, has expected Alberta taxpayers to pay for her Chamber of Commerce membership.

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

### Speaker's Ruling Questions about Political Party Activity

**The Speaker:** Hon. members, we've noted a point of order from the Leader of the Official Opposition. We've noted another point of order from the Member for Airdrie. We aren't even through our very first question and answer, and we're already running on that fine line of disorder. I'm not going to let that happen.

I'm going to remind future questioners and future responders that under no circumstances are you to bring issues into this Assembly that pertain to party business. I don't care which party it is, and I don't care which member it is, government or opposition. The rule is the same for both sides of the House.

Hon. Leader of the Opposition, please proceed.

### Capital Infrastructure Financing (continued)

**Ms Smith:** Thank you, Mr. Speaker. The Finance minister says that there are two components to budgeting. There are operations, and there's capital. It looks to me like there are two components to PC budgeting. It's actually overspending and borrowing. The Premier now blames her choice to go into debt on decisions that were made 15 years ago by her predecessor's predecessor. When will she take responsibility for our finances because she has overpromised, mismanaged, and is now personally taking us back into debt?

**Mr. Horner:** You know, Mr. Speaker, there's financial literacy, there's literacy, and I would ask the hon. members whether perhaps they need some remediation in the literacy component. Frankly, this was part of the budget that was delivered this spring. There was a component in there that talked about alternative

financing. We will continue to do that. We haven't blown through Albertans' savings. The Alberta heritage savings trust fund is there. The sustainability fund is there. You don't let ideology and dogma punish Albertans and make them wait for the infrastructure they need today and take all of the tools out of your toolbox.

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

**Ms Smith:** Thank you, Mr. Speaker. The government has blown through our savings. It was a high of \$15 billion. It's going to be wiped out within the next year or two. The Finance minister is in love with the household mortgage analogy as he tries to spin this debt and borrowing as something else. A household mortgage is paid by the homeowner. It's not passed on to the homeowner's children and grandchildren. If the minister can't balance the budget today, when budget revenues are at record highs, why does he think that it is going to be easier at some point in the future?

**Mr. Horner:** Mr. Speaker, the kids in that home enjoy that home while they're there, and then they'll buy a home afterwards.

Let me go back to this, though. Alternative financing is nothing new to this government. We've been doing alternative financing since 2005. It would probably do the opposition a little good to do some homework for a change as opposed to simply reading what they produce themselves. The tools that we have at our disposal are for proper financial management. That includes P3s. That includes borrowing. That includes capital financing through other markets or other means, including bonds.

**The Speaker:** The hon. leader. Second main set of questions.

**Ms Smith:** Thank you, Mr. Speaker. They did not campaign on going back into debt.

### Health Regions' Expense Reporting

**Ms Smith:** Mr. Speaker, the political donations scandal involves more than 40 illegal donations to political parties, and then, of course, there's the health expenses scandal, where precious health dollars are being spent on lavish dinners and car repairs. Well, now there are new revelations that bring both of these scandals together. An employee with the former Calgary health region made expense claims for thousands of dollars in donations to political parties. Will the Minister of Health agree that enough is enough, that it is time to start a full investigation into all of the executives at all of the health regions going back to 2005?

**Mr. Lukaszuk:** Mr. Speaker, if this is not hypocrisy, I do not know what it is. While this member will stand up and accuse the Premier and accuse civil servants of making inappropriate donations – as she very well knows, if she has any proof thereof, she should file it with the electoral officer, who will investigate it – what she will not tell you is that she attends federal Conservative Party fundraisers and expects the government of Alberta to pay for it. [interjections] This is the federal Conservative Party.

What she will not tell you is that she pays for professional memberships and expects the taxpayer . . .

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

A point of order from Airdrie?

**Mr. Anderson:** Yes.

**The Speaker:** It's noted.

Hon. leader, proceed.

**Ms Smith:** Thank you, Mr. Speaker. There is a cloud of suspicion over all of this. Whether it's complete disregard for the taxpayer, with lavish personal expenses, or whether it's a complete disregard for the elections law, with partisan donations, it needs to be investigated, exposed, and eradicated. Why won't the Health minister order Alberta Health Services to come clean and release all of the expense reports?

**Mr. Horne:** Well, Mr. Speaker, to my knowledge all of the expenses that have been requested through the Freedom of Information and Protection of Privacy Act have been released. The fact of the matter is that this province and Alberta Health Services employ one of the strictest policies with respect to political donations that you will find anywhere in this country. If the hon. member wants to persist in talking about former health regions that no longer exist, that's entirely up to her. We're focused on the rules that we have in place today. Those rules are being followed.

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

**Ms Smith:** Thank you, Mr. Speaker. The problem is that all of those same executives are in the current Alberta Health Services. The government seems to be hoping that they can sweep this all under the rug just by hanging out Allaudin Merali to dry, but now there's Lynn Redford: two executives out of hundreds, two regions out of nine. We believe there are more out there. If the government is confident that there aren't, why not clear the air and release all of the expenses today?

**Mr. Horne:** Mr. Speaker, as I've said and I'll say again, what this government is confident about is that we have the toughest regulations with respect to political donations and with respect to travel and expense claims that will be found anywhere in the country. Those rules have been in place since the Alberta Health Services Board was formed. They comply with provincial law. They were strengthened a number of years ago, again under the new board, and I continue to have confidence that those rules are being followed today.

### Political Party Financial Contributions

**Mr. Saskiw:** Well, another day, another example of this government's culture of corruption. We know the Chief Electoral Officer confirmed that thousands of public dollars flowed illegally to a political party. There was the Merali expense scandal with the health dollars being spent on butlers and car service. Now we find out that a senior executive in the Calgary health region has been busy reimbursing expenses for MLA barbecues and fundraisers. Now, I know this government family is close but not that close. How can Albertans trust this government when hard-earned taxpayer dollars are wasted on politics instead of public services?

2:00

**Mr. Lukaszuk:** I'll tell you how, Mr. Speaker. I'll tell you how. While this government has been focusing on governing this province, while this government has been focusing on building infrastructure – schools, highways, hospitals, seniors' homes, and the list goes on – while the government has been focusing on delivering good health care in this province, while this government has been focusing on working with agriculture during a time of disaster not too long ago, these bottom-feeders have been only poring through receipts and hoping to find something scandalous while not telling us that they are actually charging Albertans for . . . [interjections]

**Speaker's Ruling**  
**Questions about Political Party Activity**  
**Referring to a Nonmember**

**The Speaker:** Please. I assume that Airdrie rose on a point of order, and we're getting right to your time, Deputy Premier, so let's just take a short breather here. There. I think we all feel better now.

Let's be very careful, again, about issues pertaining to political parties. And while I'm on my feet, let's also be careful when we start naming people out there by their first and last name who are not here and unable to defend themselves. Let's please be very careful about that going forward. You were cautioned once.

Hon. Member for Edmonton-Strathcona, I may have you on the list later, so please await your turn. That would be appreciated. Thank you.

Let us proceed onward with Lac La Biche-St. Paul-Two Hills.

**Political Party Financial Contributions**  
*(continued)*

**Mr. Saskiw:** Thank you, Mr. Speaker. Given that a change of leadership hasn't changed the culture of the government family and this Premier turns a blind eye to clear ethical lapses and breaches of her own laws, will this government admit that it can't put an end to its own culture of corruption?

**Mr. Lukaszuk:** Mr. Speaker, while the leader of this government has posted all of her donations from her leadership race, we are still waiting for the Leader of the Opposition to tell us who donated and how much. [interjection] They rise on a point of order.

While this government is focusing on governing this province, the MLAs on the other side are denying writing e-mails that they have written, are recalling events that have never occurred, and continuously are trying to insinuate that there is something unscrupulous going on, accusing Albertans of wrongdoing who don't even have the ability to defend themselves in this particular Chamber. If it is not true, be clear that it isn't. [interjections]

**The Speaker:** Hon. members, Lac La Biche-St. Paul-Two Hills has the floor. Let's let him go.

**Mr. Saskiw:** Given that the most recent scandal was only made public after multiple FOIP requests and it is clear that thousands of tax dollars are being inappropriately wasted, will the Justice minister admit that it's time to fix the ineffective legislation and make sure public dollars are being spent on public services and not politics?

**Mr. Lukaszuk:** The most recent scandal is the one of about 30 minutes ago, where I learned from reporters from CTV, the best research source that the opposition has ever had, that the Leader of the Official Opposition expenses fundraising events and memberships to professional organizations in the hopes that the taxpayers of Alberta will eat that up. This is the most recent scandal. Finally, Mr. Speaker, I hope that they will stand up and speak to some of their conduct instead of insinuating that there is wrong conduct being done on this side of the House.

**Speaker's Ruling**  
**Decorum**

**The Speaker:** Hon. Member for Airdrie, we noted your point of order at 2:02, just so you know. That so far is the fifth or sixth point of order. Perhaps there will be more. But I wonder if we

could stop with the outbursts. It really is rude to whoever has the floor. Again, I don't care which side of the House is speaking or asking or questioning. They deserve to have the floor at that time.

The hon. leader of the Alberta Liberal opposition.

**Physician Services Agreement**

**Dr. Sherman:** Thank you, Mr. Speaker. I'd like to move away from the culture of corruption to the culture of fear and intimidation. Last Friday the Health minister continued his tradition of bullying Alberta physicians when he reneged on the agreement in principle that he signed just before the election. He walked away from negotiations, and he unilaterally imposed a contract. The president of the AMA calls this minister's actions a frontal assault across the board and another form of physician intimidation. To the minister. You've had a weekend to think about your mistake. Will you do the right thing now and rescind your heavy-handed approach and get back to the negotiating table?

**Mr. Horne:** Well, Mr. Speaker, as the hon. member knows, this government has been in negotiations with the Alberta Medical Association for over 20 months now. Alberta has the distinction – and we're proud of it – of providing the best pay in Canada for our physicians, at 29 per cent over the national average. The increases that were announced on Friday extend that by an additional \$463 million over four years. This is a very important development that will provide stability for physicians and their ability to plan after a very long period without any knowledge of additional monies coming their way.

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

**Dr. Sherman:** Thank you, Mr. Speaker. While the doctors have been negotiating, you've been busy changing leaders, deputy ministers, and ministers.

Given that there's a major shortage of family doctors in urban and, especially, rural Alberta and that the physician retention benefit and office costs programs keep experienced practising doctors practising longer, why is the minister going to make this crisis much worse?

**Mr. Horne:** Well, Mr. Speaker, in addition to paying our doctors the best in Canada – and we believe we have the best doctors here in Alberta – the hon. member should also know that Ontario physicians are facing a fee cut and that the additional funds that were announced on Friday exceed the recent deal that was entered into in British Columbia with their physicians.

With respect to the two programs that the hon. member mentions, he should know that that \$120 million is earmarked and will stay earmarked to support family physicians in practice in our primary care networks, in our family care clinics, and in physician offices.

**Dr. Sherman:** Mr. Speaker, the doctors of Alberta don't know what this guy is doing. He didn't talk to them. He just walked away from them. They had to read about this in the newspapers.

To the same minister: given that this minister has completely lost the confidence of the physicians of this province, the AMA, and the public and has proven that he is not a responsible leader, Minister, will you resign? Will you resign, Minister?

**Mr. Horner:** Just say no, Fred.

**Mr. Horne:** Just say no?

Mr. Speaker, as usual the gap between what this hon. member knows and what he thinks he knows continues to widen. The fact

of the matter is that this is a very generous financial offer to our physicians. We will continue to work with them in order to improve the allocation of physician compensation resources within our global budget. We're anxious to begin that work. I've had some very constructive discussions with the new president on how we might go about that. Albertans can remain confident that we will work in close collaboration with our physicians to improve the system.

### **Speaker's Ruling Preambles to Supplementary Questions**

**The Speaker:** Hon. members, I want to just remind you briefly that there should not be any preambles to questions. Those of you who are coming up on the roster soon, please bear that in mind. I know that the next speaker will demonstrate to the best of his ability how this is done.

The hon. leader of the New Democratic opposition.

**Mr. Mason:** I will try to live up to your ideal, Mr. Speaker.

### **Political Party Financial Contributions (continued)**

**Mr. Mason:** Documents from the former Calgary health authority show that Lynn Redford, the Premier's sister, charged the authority for political donations. If true, this is not only morally wrong; it is illegal. But this government refuses to do anything about it, and I wonder why. To the Premier: what did the Premier know about these illegal acts, and when did she know it?

**Mr. Lukaszuk:** Mr. Speaker, I cannot answer the question on what she knew – she will be in the position to tell you that when she will be in the House – but I can tell you one thing. If there is anything that this member knows or believes has happened and believes was illegal, as he now indicates it was, and believes he has some documents or evidence to substantiate it, file it. File it with the Chief Electoral Officer, who only reports to this House, not to the government, not to the Premier. He will conduct an investigation, report it to you, and we will find out what did or didn't happen.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, the Premier tries to hide the truth, and when that doesn't work anymore, the government hides the Premier.

Given that this government refused to prosecute illegal political fundraising activity when asked by its previous Chief Electoral Officer and that the current one insists on keeping the results of any investigation secret and won't even tell us if an investigation is under way, will the Premier help lift the cloud of secrecy and corruption that is hanging over this PC government and tell Albertans what she knew and when she knew it?

**Mr. Lukaszuk:** Mr. Speaker, I can tell you two things. I certainly hope that this member is not insinuating that the Chief Electoral Officer is in any way going to, quote, unquote, hide the truth. I can tell you that tomorrow is a very special day in this Chamber. Tomorrow the Minister of Justice will be tabling the new elections act, which will also be dealing with election finances, and that member will have all the privilege and ability to deal with this act. I think he will be shocked to find out that yet again Alberta will be leading the way in Canada relative to transparency with election finances.

2:10

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

**Mr. Mason:** Thanks, Mr. Speaker. Given that I and other members of this House have referred several cases to the Chief Electoral Officer as the Deputy Premier suggests and we don't even know if an investigation is under way and given that Albertans are demanding to know that illegal activities are prosecuted and given that the expenses of the Premier's sister appear illegal, will this government ask the Chief Electoral Officer to investigate this case and, if illegal donations were in fact made, prosecute Lynn Redford?

**Mr. Lukaszuk:** Mr. Speaker, if there are cases that are prosecuted, this member would definitely know about it because (a) he would be a witness as a complainant, and (b) the dockets of our courts are public information. However, as I said earlier, this government will make sure that we have one of the most transparent and progressive legislations relative to campaigns and financing of campaigns. He will see the bill tomorrow, tabled in the House, and I think he will be pleased with what he sees.

**The Speaker:** The hon. Member for Airdrie, followed by the hon. Member for Edmonton-Mill Woods.

**Mr. Anderson:** What an absolute gong show in here from the Deputy Premier.

### **Capital Infrastructure Financing (continued)**

**Mr. Anderson:** Mr. Speaker, since 1993 this government's policy has been to not go into debt. The Premier changed this policy last weekend, saying that Alberta will go back into debt to build capital. The Finance minister followed up, stating that anyone who believes in a no-debt policy, which would presumably include former Premier Klein and former Treasurer Jim Dinning, was a Socred retread. Minister, the only retreads Albertans see are the failed Trudeau-like, borrow-and-spend policies of this government. Why can't this minister just admit that it is your highest-in-the-nation wasteful spending that has Alberta back in debt?

**Mr. Lukaszuk:** I am shocked to hear that, because as a former Progressive Conservative this member should know that, as a matter of fact, the first P3s that were brought into this province and have proven themselves to be successful to the point where our current Premier just picked up an award for the best P3s in Canada were by Premier Klein. Mr. Speaker, he would be surprised as a former Progressive Conservative. I guess he forgot that it was Premier Klein as mayor of the city of Calgary who financed the Olympics, who financed the Saddledome, and who financed the light-rail train system in Calgary, all by deferring the cost of infrastructure, from which we are so greatly benefiting today.

**Mr. Anderson:** It's good to see the Deputy Premier throw Premier Klein under the bus. Very good. Very good. Real classy.

Mr. Speaker, if they want some ideas for cuts, here are some. Why don't they cut the 8 per cent salary increase that they just gave themselves? Why don't they cut the million-dollar junket to the Olympics that they just gave themselves? How about \$800 million for carbon capture and storage to Shell Canada? The fact is that your government is wasting away the taxpayers of Alberta's money. You should be ashamed. What are you going to do to get our budget balanced?

**Mr. Horner:** Mr. Speaker, it's interesting, especially coming from this particular member, who is the Finance critic, that he obviously has not read any of the budgets going all the way back to 1993, or he would know. He would know that we have had debt on our books for some period of time if you include the tools of a P3, which the Leader of the Opposition has been in support of in the past. I'm assuming now she has changed her position and doesn't support that alternative financing anymore. You know, coming from a party that says that we should have more infrastructure spending in Nobleford, new roads, protection for seniors, health services that are needed today . . .

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

**Mr. Anderson:** Apparently, now Premier Klein is the master of debt. He's the one that brought debt to this province. Premier Klein brought debt to this province according to this minister. Incredible.

Minister, you did not campaign on this. You did not campaign on returning Albertans to debt. Will you at least do the decent thing? Call a referendum for Albertans. Ask them – ask them – whether they want this province to go back into debt. Quit campaigning on one thing and then changing your mind after the election just to save your political skins.

#### Speaker's Ruling

#### Preambles to Supplementary Questions

**The Speaker:** Hon. members, I cautioned you about preambles, and now it's time to enforce the caution. We've just heard some examples here of preambles that are bound to lead to some disorder in the House, and I said earlier that I will not let that happen. I took an oath, just like you did. My oath is just a little different in this respect, and that is to ensure that we don't go into the kind of behaviour that leads to the kind of disorder that we've seen in other parliaments around the world. That's not going to happen here, so you're all on advisory now. No more preambles today. I'm talking about preambles to supplementary questions, by the way. To supplementary questions.

The hon. President of Treasury Board.

#### Capital Infrastructure Financing

*(continued)*

**Mr. Horner:** Thank you, Mr. Speaker. I appreciate the ruling.

In our budget, tabled in this House prior to . . . [interjections] Obviously, they didn't hear you, Mr. Speaker.

We tabled a budget in this House prior to the election. If the hon. members would take the time to do what they should be doing as representatives of their constituents and as members of this Assembly and read the document, they would see that we clearly articulated that we would be using alternative finance for capital. We intend to do that.

Mr. Speaker, the referendum was in April of this year. We won.

**The Speaker:** Hon. Member for Edmonton-Mill Woods, you're on deck, followed by Calgary-Fish Creek.

#### Campaign Financing Disclosure Policies

**Mr. Quadri:** Thank you, Mr. Speaker. Following the April provincial general election the opposition has been almost singularly focused on creating scandal and conspiracy theories. This is their version of politics. This is their version of hope: anger and scandals. My question to the Deputy Premier: given there has been

a significant discussion on the accountability and transparency of government expenses, how is this government leading in expense and disclosure policies?

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

**Mr. Lukaszuk:** Well, thank you, Mr. Speaker. We have been very clear for months already. We have taken the lead with our Premier disclosing her leadership campaign financing, not only indicating who donated but also how much they donated. We're still waiting to see that from the Leader of the Official Opposition. We are tabling a piece of legislation tomorrow in the House that will make financing of campaigns and financing of provincial elections in Alberta the most transparent and the most rigorous in the land. We have also mandated our political party to list all donations that were inappropriate.

They did for a few minutes, but they took that page down from the Internet shortly after.

**The Speaker:** Thank you.

Hon. Member for Edmonton-Mill Woods, let's see how we do with no preamble, please.

**Mr. Quadri:** Thank you, Mr. Speaker. Back to the Deputy Premier again: given that it was revealed today that the Leader of the Opposition posted an expense for the federal Conservative barbeque but then removed it when it became inconvenient, can the Deputy Premier assure this House that government expenses will be fully disclosed regardless of the convenience?

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

**Mr. Lukaszuk:** Yes, Mr. Speaker. I'm looking at a document, which I will be tabling later. It tells me that the MLA for the Highwood constituency, which makes it the Leader of the Official Opposition, and her husband have attended a fundraiser for the federal Conservative Party for the Macleod electoral district association, purchased tickets for that fundraiser, and expensed both of those tickets to their constituency office budget.

**Mr. Anderson:** Point of order.

**The Speaker:** Thank you.

Another point of order, at 2:18 p.m., from Airdrie.

Hon. Member for Edmonton-Mill Woods, you did well with no preamble. Let's see if you can do it again.

**Mr. Quadri:** Mr. Speaker, back to the Deputy Premier again: although the opposition is not concerned with the true issues of Alberta, our province is faced with some serious issues, significant growth that we need to be prepared for. How are we building our future, our province?

**Mr. Lukaszuk:** Well, Mr. Speaker, I spoke to that somewhat earlier. While they're digging through receipts and are hoping to find something and making allegations which in most cases are unfounded, this government has been focusing on a number of fronts. As a matter of fact, right now our Premier is meeting with other Premiers and discussing our Canadian economy, not just Alberta but our position in the world economically. We have been meeting with a Nobel prize awarded economist, helping us and advising us on how to structure our economy in the province. We've been meeting with stakeholders and discussing infrastructure. While they're asking for hospitals and urgent care clinics and highways in their ridings, they don't want us to pay for

it. We've been focusing on governing this province, something that the opposition hasn't offered.

**The Speaker:** The hon. Member for Calgary-Fish Creek.

### **Alleged Intimidation of Physicians**

**Mrs. Forsyth:** Thank you, Mr. Speaker. This government's record on the bullying and intimidation of our health professionals is truly shameful. The Health minister has tried to deny that there is a problem, stating: "Don't worry; be happy. We'll collaborate. Of course I care." But when doctors got too vocal, the minister responded by failing to call an inquiry into physician intimidation, shutting doctors out of the family care clinics consultation, and ending all contract talks by imposing a long-term deal. Given that the engagement of our physician community is critical – and, Minister, those are your words, not mine – how low does physician morale have to fall before it hits rock bottom?

2:20

**Mr. Horne:** Well, Mr. Speaker, hopefully no lower than the premise of the question that was just asked of me this afternoon.

We're very proud as a government of our collaborative work with our physicians both within our agreements with the Alberta Medical Association and outside of those agreements in our everyday work to improve health care across the province, especially in areas such as primary health care. We're proud of the fact that our physicians are paid 29 per cent more than the national average, and we're very proud to be in a position as a government to supply them with an additional \$463 million over the next four years to improve that position further.

**The Speaker:** The hon. Member for Calgary-Fish Creek, with no preamble, please.

**Mrs. Forsyth:** Given that the Alberta Medical Association has said that family care clinic consultations are being held in the dark, away from the input of doctors, does the minister think shutting physicians out of consultations is in the best interests of Alberta families?

**Mr. Horne:** Well, Mr. Speaker, I'm not aware that anyone is saying that at all. In fact, I just came from a conference in Banff called Accelerating Primary Care, during which I met with many, many family doctors working in PCNs, some working in family care clinics across the province, working very collaboratively with us. In fact, a committee of the Alberta Medical Association called the Primary Care Alliance is an integral part of our Advisory Committee on Primary Health Care, which is guiding the future direction of this important area in our health system.

**Mrs. Forsyth:** Will you immediately begin clearing up your own terrible record, fix the wrongs, rebuild broken relationships, and expand the scope of the health inquiry to include the issue of the intimidation of our health care workers?

**Mr. Horne:** Mr. Speaker, that question has been asked and answered in this House many, many times in the last two sessions as well as of the Premier. The answer is no.

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

### **Highway Safety**

**Mr. Webber:** Thank you, Mr. Speaker. This last Thanksgiving weekend in Canada Calgary Janice Cairns was killed – she was killed – when a rock the size of a baseball dislodged from a semi tractor-trailer and smashed through the windshield of her family vehicle. Just last month, no word of a lie, my very own sister-in-law JoAnne had a rock the same size smash through her sunroof as she travelled down the QE II highway around Red Deer. My question is to the Minister of Transportation. What is your ministry doing to ensure that our highways are safe from these hazardous projectiles?

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

**Mr. McIver:** Well, thank you, Mr. Speaker. I'd like to express my sympathy for the person that died from the incident. I think we all agree on that.

I'd like the hon. member to know we do take this and the overall safety of Albertans seriously. Our maintenance contractors patrol Alberta highways on a regular basis, the high-volume highways at least once a day and the lower volume highways at least once a week. Their instruction is to pick up debris as soon as it's discovered and remove it right away. Of course, we encourage all Albertans to work with us, because this truly is a partnership, to call us if there is something there that we haven't picked up yet.

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

**Mr. Webber:** Thank you, Mr. Speaker. My second question, to the Minister of Justice and Solicitor General: what is your department doing to enforce existing laws and ensuring that these offenders stop spewing fatal projectiles from the back of their rigs?

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

**Mr. Denis:** Thank you very much, Mr. Speaker. I thank the Member for Calgary-Foothills for that question. To date this year there have been over 30,000 inspections done, and there have been just over 3,500 infractions. I want to take the time to say thank you to our Transportation officers as someone who travels the highways a lot. These are some unsung heroes that really protect us. Really, many people do not even say thank you or do not know the good things that they are doing.

**Mr. Webber:** Back to the Minister of Transportation: given that education is an important tool in addressing poor practices, what are you doing and what is your ministry doing to educate the trucking industry?

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

**Mr. McIver:** Well, thanks, Mr. Speaker. We meet regularly with the industry associations and the Alberta Motor Transport Association. They actually provide cargo securement courses, workshops, instructional videos to their member carriers. When that fails, we actually take a harder stance, and we give fines. The fine for failing to properly secure a load is \$575. Again, this truly is a partnership. I encourage the hon. member to keep on me and my department on that because I don't think this problem will ever go away. We're dealing with real life.

**The Speaker:** The hon. Member for Calgary-Mountain View, followed by Edmonton-Calder.



### Physician Services Agreement (continued)

**Dr. Swann:** Thank you very much, Mr. Speaker. This government has reneged on the agreement in principle with physicians signed just before the election, where physicians clearly agreed to zero increases for year 1 and year 2. This is clearly not about money, Mr. Minister. This is about respect and not token consultation, which he talks about frequently. To the minister: does the minister not see a connection between our demoralized family physician workforce and these disrespectful negotiations on quality of care for Albertans?

**Mr. Horne:** Mr. Speaker, I'm not aware of many governments in this country that have invested willingly and will continue to invest more than 20 months in negotiations with our physicians. It is a reflection of the trust and the respect that we have for the medical profession, and it is in that vein that this government, recognizing that we are at present in an impasse in those negotiations over fee increases, provided certainty and stability for our physicians in announcing an additional \$463 million in support.

**Dr. Swann:** Trust and respect. It's not coming from the profession, Mr. Minister, and you know that.

Cancelling the public inquiry into physician intimidation now makes sense, Mr. Speaker, since this government is the bully. Why doesn't the minister just admit that this is clearly part of the Premier's strategy to emasculate the AMA? Admit it.

**Mr. Horne:** Well, Mr. Speaker, this is hardly a question of government policy, but I'll take the opportunity to say this. The issue of physician intimidation was investigated thoroughly by the Health Quality Council of Alberta in a report that they released last year. In the report they suggested that it would not be a wise use of resources for the government to re-examine this through ordering another inquiry to cover the same ground. They advised us to take note of the steps that they outlined in the report to improve the workplace culture for physicians in our province. We've taken that advice. We're well on our way to implementing those recommendations. That's what trust and respect are.

**Dr. Swann:** Well, with another deficit of \$3.5 billion in this province, this is clearly another desperate attempt to find dollars for the Premier's pet project, family care centres, regardless of the cost to health professionals. Is this the best you can do, Minister, to improve primary care in this province?

**Mr. Horne:** Mr. Speaker, I'd suggest to you that in an environment where physicians are facing fee cuts in other parts of the country, retaining our position of paying 29 per cent above the national average to physician compensation is a pretty good deal for physicians.

**The Speaker:** The hon. Member for Edmonton-Calder, followed by Calgary-Shaw.

### Political Party Financial Contributions (continued)

**Mr. Eggen:** Thank you, Mr. Speaker. Before he was fired for just doing his job, former Chief Electoral Officer Lorne Gibson referred 19 cases of illegal donations to the Justice minister, but the Justice minister, who is now the Premier, refused to prosecute these cases. Today we learned that Lynn Redford, the Premier's

sister, made illegal donations at the same time. Albertans need to know that wrongdoing will be prosecuted even if the culprit is related to the Premier. We need to know: what did the Premier know, and when did she know it?

**Mr. Lukaszuk:** Mr. Speaker, I'm sure the Justice minister will speak to this question in detail, but I suggest to you that you would get much better answers in this House if the questions were prefaced with factual statements. The Chief Electoral Officer for this province was not fired. He was not laid off. He served this province to the end of his contract. His contract ended, and it simply wasn't renewed. This Chamber chose another Chief Electoral Officer. His employment was never cut short. [interjections]

### Speaker's Ruling Referring to a Nonmember

**The Speaker:** Hon. members, let's be reminded for the last time today: please, let's not raise first and last names of people who are not here to defend themselves. I would do this regardless of whom it's about because it's simply unfair to them. If you want to refer to positions or come at it some other clever way, please feel free to do so, but if I hear another personal name mentioned, I will intervene and move to the next questioner or the next answer person. Those are the rules that we try to abide by, and I'd really, really ask to you to please abide by them from your point of view as well.

The hon. Member for Edmonton Calder.

### Political Party Financial Contributions (continued)

**Mr. Eggen:** Thank you, Mr. Speaker. Well, given that the Justice ministry at that time refused to prosecute illegal fundraising, which may have included the former Justice minister's sister, Albertans need to know: what did the Premier know, and when did she know it?

2:30

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

**Mr. Denis:** Thank you very much, Mr. Speaker. I wish to remind this member that all prosecutions and investigations throughout this entire province are fully independent. Further to that, the Chief Electoral Officer is a fully independent body.

Mr. Speaker, I'm bringing in Bill 7 tomorrow. We could have a further discussion about elections and accountability at that time.

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

**Mr. Eggen:** Thanks, Mr. Speaker. Given that the Premier may very well have placed herself in a serious conflict of interest by not prosecuting friends, family members, other people, and fellow PCs when she was Justice minister, Albertans have the right to know: what did the Premier know, and when did she know it?

**Mr. Denis:** Mr. Speaker, I really question whether or not this member and his caucus want the Justice minister, be it me or anybody else, picking who to prosecute. Prosecutions are independent, as are investigations, and they will remain so.

**The Speaker:** Hon. Government House Leader, you rose on a point of order at approximately 2:31 and also at 2:29? They've both been noted.

### Calgary Ring Road Southwest Portion

**Mr. Wilson:** Mr. Speaker, the Minister of Transportation suggested that the best way I could help him with the negotiations of the southwest portion of the Calgary ring road was to sit back and shut up. His own backbenchers publicly ask him puffballs about the progress, so I figure this is fair game. Residents of south Calgary have been held hostage by failed negotiations for 28 years, and they are understandably cynical about this minister's ability to deliver results. In the spirit of being open and transparent, does the minister have a timeline in mind for this round of negotiations specific to when he may have to accept failure and move on?

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

**Mr. McIver:** Thank you, Mr. Speaker. The hon. member is actually correct. I didn't use the pejorative terminology that he used, but I agree with what he said. I did suggest to him that the best way to help is: don't help. Just for the record I've said the same thing to members of our caucus because negotiating in the Legislature is just not really a good strategy for success. I think the hon. member might even agree with that.

Our neighbours to the west, the Tsuu T'ina, are in the midst of an election right now, which takes place, I believe, on the 26th of this month. After that point I hope to restart negotiations as soon as possible with the intent of getting a good result for this member and all Albertans.

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

**Mr. Wilson:** Thank you, Mr. Speaker. Given that past results are the best indicator of future results, would the minister articulate what his plan B is in the event that negotiations fail?

**The Speaker:** Hon. minister, it calls for an opinion, but I'll allow you to answer if you want.

**Mr. McIver:** Fortunately, I have opinions. One of those opinions is that negotiating a business deal in this House, as it's being suggested I do here, probably isn't the best path to success. So I won't do that, and I hope the hon. member can respect that even if the hon. member doesn't really appreciate that. So, Mr. Speaker, that's where it is. I'll be doing the best I can on behalf of Albertans, and when there are results, this House will surely know about it.

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

**Mr. Wilson:** Thank you, Mr. Speaker. Given that we have no answer for a timeline, we have no answer for a plan B, and the minister, formerly known as Dr. No, campaigned on being able to fix the congestion on Deerfoot Trail and is now in a position to do so, can Calgary residents expect him to follow through on his personal commitments, or will he be saying no to them as well?

**Mr. McIver:** Mr. Speaker, I'd almost think the questions are coming from our side of the House. I appreciate the question. The attention to congestion in and around Calgary, including Deerfoot Trail and other places, is high on my agenda, of course, but even as Transportation minister I need to balance it with the whole rest of the province because I am responsible to all Albertans for their network. But, yes, that most certainly does include the areas in and around where I get elected.

**The Speaker:** The hon. Member for Calgary-South East, followed by the Member for Little Bow.

### Traffic Congestion in Southeast Calgary

**Mr. Fraser:** Thank you, Mr. Speaker. Calgary-South East is growing at a very aggressive rate with the attraction of downtown corporate offices relocating to our business parks, retail businesses setting up shop to service our growing families, the addition of seniors' complexes, and the 100,000-plus people that will come and go on a daily basis to receive world-class health care at the south health campus. To the Minister of Transportation. Traffic in Calgary-South East is quite terrible. What are the government's current strategies, progress, and dialogue with the city of Calgary to install the southeast leg of the south LRT?

**The Speaker:** Through the chair, hon. member.  
The hon. minister.

**Mr. McIver:** Thank you. Through the chair, Mr. Speaker, I thank the hon. member for the question. I agree with the premise of the question that traffic congestion is a challenge in southeast Calgary. I would say to the hon. member that aside from working on the road projects which were previously mentioned, the city of Calgary is primary in deciding when and where and if the next LRT lines go. I've had several discussions. They do know that I'm aware that the only quadrant of the city that doesn't have a line is the southeast. Hopefully, that will lead to some success.

**The Speaker:** Hon. member, first supplementary, without preamble, please.

**Mr. Fraser:** My constituents are impatient, and I don't blame them. In the short term what are your plans to reduce the bottleneck of Ivor Strong Bridge, Anderson Road, and Deerfoot Trail to move traffic along?

**Mr. McIver:** Well, Mr. Speaker, the thing that I must do is put things forward, take it to my department, and then I need to convince the Treasury Board that it's a high priority amongst all the other priorities of Alberta. I certainly plan to do that. As the Finance minister will know, nothing for the next year's budget has been confirmed yet; that is, it hasn't been formalized. When it is, I'm surely hopeful that there will be some good news.

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

**Mr. Fraser:** Thank you, Mr. Speaker. The final question is on behalf of my constituents in the southwest end of my constituency. Like the hon. Member for Calgary-Shaw, they want to know what's happening to build trust with the Tsuu T'ina Nation and the city of Calgary on alternative routes for the southwest ring road.

**Mr. McIver:** Well, Mr. Speaker, it's like: is it live, or is it Memorex?

Similar to what I said earlier, one of the things I'm doing to build trust with the Tsuu T'ina people is not negotiating in the Legislature. Now, I appreciate that this hon. member is very keen for an answer, and I appreciate that other hon. members may really want an answer, but the standard is the same for all members on this question, and that is that negotiations in the House will not succeed. I'm doing my best to get that done, and I'm sure all members in and around southern Alberta will be very happy to know the results.

**The Speaker:** The hon. Member for Little Bow, followed by Calgary-Glenmore.

#### **Little Bow Continuing Care Centre**

**Mr. Donovan:** Thank you, Mr. Speaker. The events this summer came as a shock to the community of Carmangay when Little Bow continuing care centre was hastily shut down and misinformation was spread by this government. Now, almost four months later, we are still waiting for a FOIP inquiry to come out with the real reasons why this facility was shut down. I'd like to know if this government will commit to releasing the full report, including the minister's correspondence, on the rash decision to shut down the Little Bow continuing care centre.

**Mr. Horne:** Well, Mr. Speaker, the hon. member appears to be referring to an information request that he has made or someone has made on his behalf under the Freedom of Information and Protection of Privacy Act. My best advice to him is to await the due processing of that request. This government does not make those decisions. They're made independently under the provisions of the act.

**The Speaker:** Hon. member, without preamble, your first supplemental, please.

**Mr. Donovan:** Thank you, Mr. Speaker. Given that the FOIP request can take months or up to a year even, is expensive and complicated, and is at the discretion of the minister, will the Associate Minister of Accountability, Transparency and Transformation please explain how this government believes this is a transparent process?

**Mr. Scott:** Mr. Speaker, I'm very proud that we have one of the leading FOIP processes in all of Canada. We're reviewing the FOIP process, and we're going to be consulting with all Albertans to improve that process. I'm looking forward to the input of the opposition in that process. We want a constructive and meaningful piece of legislation that's accountable to all Albertans, and that's exactly what we're going to aim for.

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

**Mr. Donovan:** Thank you, Mr. Speaker. Given this government's recent trend of disrespecting Albertans' right to public information, can the Associate Minister of AT and T take the first step in the right direction and produce the information that this Health minister obviously seems to want to hide?

**Mr. Scott:** Mr. Speaker, I'm very proud that we have a Premier that supports openness and transparency. That's why she has instructed me to review the freedom of information and protection of privacy legislation. That's what we're going to do, and we're going to do a very effective job. We're going to consult Albertans, and we're going to consult all the interested parties, and I believe that we're going to come up with a very good result. It's going to serve Albertans. We believe that the information is Albertans', and Albertans are going to have a right to get it. We want to set up a fair process where that can be achieved.

**The Speaker:** The hon. Member for Calgary-Glenmore, followed by Rimbey-Rocky Mountain House-Sundre.

2:40

#### **Literacy**

**Ms L. Johnson:** Thank you, Mr. Speaker. Literacy is so critical to our daily lives. Literacy is more than just reading. It is words but is also numbers, synthesizing information, and solving problems. As politicians we know as well as anyone that our jobs would be impossible without these skills. My questions today are for the Minister of Enterprise and Advanced Education. We know that there are a number of Albertans who struggle with literacy. Can the minister advise the House as to the levels of literacy in Alberta?

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

**Mr. Khan:** Mr. Speaker, thank you for the question, and thank you to the hon. Member for Calgary-Glenmore for her outstanding work on this very important issue that affects so many Albertans. I would agree with her that, unfortunately, literacy challenges affect too many Albertans in day-to-day issues as simple as reading prescriptions on their medical bottles. That's why predecessors in my ministry have worked very hard to develop a living literacy framework. The main goal of the literacy framework is to increase province-wide literacy rates by 10 per cent.

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

**Ms L. Johnson:** Thank you, Mr. Speaker. I'm familiar with that document and the goals outlined in it. Can the minister advise the House as to where we are on the path to accomplishing those goals?

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

**Mr. Khan:** Thank you, Mr. Speaker. As previously mentioned, the key goal of that framework is to see significant increases in literacy across the province. That 10 per cent increase by the year 2020 will equate the equivalency of high school and post-secondary entrances. We're hoping that by increasing those levels of literacy, more Albertans will be able to be engaged in all of the benefits of this wonderful province.

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

**Ms L. Johnson:** Thank you, Mr. Speaker. We are going to be short of skilled workers here in Alberta in the next 10 years. I think it's 115,000 workers. What are the minister and his department doing to address that need?

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

**Mr. Khan:** Thank you, Mr. Speaker. My department is working on a number of initiatives. For example, our community adult learning program provides \$16 million in funding and other supports to 125 community-based organizations so they can add to basic offerings in terms of adult literacy. Our postsecondary is also playing an important role in developing literacy. This fall I toured Keyano College, and I was so impressed with their LINC program, whereby they engage brand new Albertans from all over the world in increasing their literacy so that they can be a vibrant part of their community and the workforce in Alberta.

Thank you.

**The Speaker:** Hon. members, in a few seconds from now I will continue with Introduction of Guests.

## Introduction of Guests

(continued)

**The Speaker:** The hon. Member for Calgary-Glenmore, followed by the hon. Member for Lac La Biche-St. Paul-Two Hills.

**Ms L. Johnson:** Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you to members of the Assembly a young lady who is near and dear to my heart. My daughter Cheryl is making her first visit to question period. Since finishing high school at Bishop Grandin high school in Calgary-Glenmore, Cheryl has completed her bachelor of science degree and her master's in public policy at Carleton University in Ottawa. This past summer Cheryl moved back to Calgary and now is a resident of Calgary-Buffalo. Cheryl works as a policy lead in an environmental consulting firm. She is seated in the members' gallery, and I would ask her to now rise and receive the traditional warm welcome of the Legislature.

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills, followed by Red Deer-North.

**Mr. Saskiw:** Thank you, Mr. Speaker. It is a distinct pleasure for me to introduce to you and through you to all members of the Assembly a great group of 30 energetic seniors from the village of Willingdon along with their mayor, Ms Lillian Bezovie, and their deputy mayor, John Boychuk. Also in their company happens to be a senior, the Speaker's brother, and I've been told that he's much better looking and smarter. That's what was on my paper, Mr. Speaker. These seniors are actively involved in the Willingdon Senior Citizens Association along with the Willingdon seniors' drop-in centre, hosting card tournaments, floor curling bonspiels, and various community dinners and events. These seniors appreciate the opportunity to witness the democratic process in action that takes place here in the Assembly. I'd like to thank them all for attending the House today and ask them to rise, and I invite all members of this Assembly to join me in giving them the traditional warm welcome of this Assembly.

**The Speaker:** Thank you, hon. members. I rarely have family who attend, but I'd like to welcome my brother John and his lovely wife, Marie. John is the one that's waving. Now, he's the much better looking one referred to.

The hon. Member for Red Deer-North.

**Mrs. Jablonski:** Thank you, Mr. Speaker. It's my great honour to introduce to you and through you to members of this Assembly Mr. Lawrence Lee, the board chair for the Red Deer public school board. Lawrence is also a director on the Executive Committee of the Public School Boards' Association of Alberta, and he's the president of the Red Deer & District Chinese Community Society. Lawrence has two daughters. He's in the members' gallery. I just want to say that it's a pleasure working with Lawrence. He's more like a peacemaker than a chairman. I'd ask Lawrence to rise and accept the traditional warm welcome of the Assembly.

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

**Mrs. Leskiw:** Thank you, Mr. Speaker. I'd like to introduce to you and through you two wonderful constituents of mine that just arrived, and I would be remiss if I didn't introduce them. First of all, Colonel Pat Laroche, the colonel of 4 Wing, Cold Lake, the largest air force base in Canada. Could you please stand? Also with him is the mayor of Cold Lake, His Worship Craig Copeland.

Welcome to our Assembly. Please give them the warm welcome of this Assembly.

## Members' Statements

**The Speaker:** The hon. Member for Edmonton-South West.

### Bullying Prevention

**Mr. Jeneroux:** Thank you, Mr. Speaker. I rise today to tell you a story about a book, a book written by Jaren Voigt, a fifth-grade student at Sister Annata Brockman school in my constituency, and her former teacher, Ms Monica Murphy. This book is called *Bulldoze Bullying*. It was written last year by Jaren and her classmates to help people learn how to recognize a bully and how not to become one, but it's so much more.

As chair of the Youth Secretariat I can attest that bullying does exist inside and outside our classrooms. That's why it's such an honour to talk today about Jaren and her incredible initiative. *Bulldoze Bullying* is a group of young students' way of reaching out to say stop, that bullying is not okay; it is not just part of growing up.

The lessons within Jaren's prose are relevant to any age, culture, or belief. I quote from Jaren's poem, titled *The Possible Dream*.

My possible dream, is when the world gets along,  
Always singing, always a song!  
In the dream, sharing is caring,  
And it's all clear as the clothes you are wearing.  
There's a culture of kindness here and there  
There's a culture of kindness everywhere!

Mr. Speaker, this dream is possible, and I congratulate everyone involved in the creation of this book. Jaren and Ms Murphy are examples of the amazing teaching and learning that happens in Alberta's classrooms, and that makes me inspired for the future generations of this province. This Premier has made a commitment to bulldoze bullying, so I think that we can all take a page from Jaren's book and put a stop to bullying everywhere.

**The Speaker:** The hon. Leader of the Official Opposition.

### Capital Infrastructure Financing

**Ms Smith:** Thank you, Mr. Speaker. Last week a great Albertan received a long-overdue honour. Former Premier Ralph Klein was given the Order of Canada at a small ceremony in Calgary. Colleen Klein accepted the honour on his behalf while wearing one of Ralph's old campaign buttons.

Premier Klein is and always will be one of Alberta's iconic leaders, his warmth and personal touch matched only by his unwavering commitment to his promises and his determination to see them through. His legacy: Alberta liberated from deficits and debt, able to meet its priorities and put money in the bank for the future. This is a legacy Albertans are proud of. It's a shame the government members don't share that pride. No sooner was Klein's induction announced than senior ministers of this government were out pitching opinion pieces that blasted the former Premier's debt-slaying legacy.

2:50

Of course, nothing says more about their contempt for Klein's legacy than their decision to take us backwards, back into debt. This government's rationale for returning us to the Getty era, that Albertans have to choose between schools, roads, hospitals, or debt, is ridiculous.

In Wildrose's balanced budget alternative we show that Alberta could spend \$50 billion on infrastructure over the next 10 years and remain debt and deficit free. We believe that \$50 billion spent in a transparent and prioritized manner is enough to build the infrastructure that Albertans demand and need.

The government's case, that debt is needed to finance high-priority infrastructure, is wrong, and it's an insult to Albertans. Albertans know that high-priority items are just that, high priority. They get paid for first, no debt required. The real reason debt is back, Mr. Speaker, is because this government can't say no to any of its pet projects, corporate welfare, new MLA offices, and seemingly endless pay hikes. It's an affront to the Klein legacy, a legacy this government seems all too willing to ditch.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by Edmonton-Gold Bar.

### Nobel Peace Prize Winners

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. Earlier I introduced two remarkable women, Tawakkol Karman and Leymah Gbowee, two women who had been awarded the Nobel peace prize, and one of the questions I asked myself was: how did these two young women, both mothers, both wives, lead this kind of change in such traditional patriarchal societies? I just want to introduce some ideas to this House.

Tawakkol Karman was a political activist in Yemen. She was a member of the Islah Party, Yemen's most conservative Islamic opposition party. When I first met Tawakkol in 2005, she was wearing a flowered head scarf in the midst of black chadors. She was also launching an advocacy organization called Women Journalists without Chains. She wanted to partner with the Canadian organization I was part of, Bridges Social Development, to build the capacity of female journalists in Yemen and integrate females into Yemen's predominantly male workforce. She knew how to reach out across cultures and across faiths, across many lines. She wanted to train media to be able to tell stories of girls and women in Yemen. It was an amazing partnership and one I'm grateful for.

When the Arab Spring gained momentum in the Middle East and North Africa, she was perfectly positioned to lead Yemen's social revolution and challenge the status quo. At great personal risk she set up a tent in the middle of downtown Sana'a and stayed there until Saleh left.

I also looked at the story of Leymah Gbowee. She won the Nobel peace prize for her part in ending Liberia's civil wars. She was a trauma counsellor and worked with the ex child soldiers of Taylor's army. She was a Christian who reached out to the Muslim community and helped organize widespread nonviolent prayer protests that in 2003 helped to bring an end to that civil war. She gained fame for leading a sex strike, urging Liberian women to refuse intimate relations until the war stopped.

I'm quite impressed by both these women.

**The Speaker:** The hon. Member for Edmonton-Gold Bar, followed by Grande Prairie-Smoky.

### Economic Indicators

**Mr. Dorward:** Thank you, Mr. Speaker. It may come as no surprise to everyone in the Assembly today that I love numbers, real numbers. Earlier this month Statistics Canada released the latest job figures. These figures showed that in October for the fourth month in a row Alberta created jobs, 5,000 jobs to be exact. [interjection] This has helped Alberta have the strongest

employment growth of all the provinces so far this year and maintain Canada's lowest unemployment rate at 4.5 per cent, well below the average of 7.4 per cent. [interjection]

Our strong employment figures are part of an overall big picture, a picture that shows Alberta's economic future is bright. Private-sector forecasters continue to predict that Alberta will lead the country, indeed, in economic growth this year. Canadian Imperial Bank of Commerce, the Conference Board of Canada, Bank of Montreal, Royal Bank of Canada are just some of the organizations that expect Alberta to be Canada's growth leader. In fact, CIBC World Markets recently released a report predicting that Alberta would be the country's economic growth leader for the next decade. That's 10 years, Mr. Speaker.

Other positive signs include strong year-to-date housing starts and retail sales, which are up by 33 per cent and 8.9 per cent respectively over last year. Manufacturers saw shipments grow by almost 9 per cent over the first nine months of this year compared to the same time last year.

Mr. Speaker, Albertans know our province is strong, and others realize this as well.

We continue to lead the provinces in population growth, people are coming here, with Alberta gaining more than 54,000 people in the first two quarters of 2012. That's like adding another city close to the size of St. Albert to our province. People from other provinces are moving here because it's the best place in the country to be. People from abroad, around the globe are also choosing to make Alberta their home. They see the potential, Mr. Speaker, and they want to be here as we continue to lead the way.

### Speaker's Ruling

#### Interrupting Members' Statements

**The Speaker:** Hon. members, we have a long-standing tradition in this House to not interrupt members during private members' statements, nor to heckle them, nor to add our own comments, but to yield the floor to them. I am reviewing this current practice, just so you know, and I expect I'll be making a statement on it very soon.

The hon. Member for Grande Prairie-Smoky, followed by Calgary-Mountain View.

### Mountain Pine Beetle Control

**Mr. McDonald:** Thank you, Mr. Speaker. I rise today to speak about a growing infestation that is threatening the livelihood of Alberta's very treasured and majestic forests. Mountain pine beetles, indigenous to American pine forests, measure about four to seven and a half millimetres in length, or the size of a grain of rice. These pests may be small in size, but they have the potential of annihilating our pine population by infecting our forests with blue stain fungi. The fungi is carried in one of the mouthparts of the beetle itself, and when it starts chewing the bark, the larvae feed on the phloem of the tree, destroying its living cells.

Alberta has 6 million hectares of pine forests at risk, and if infestations are not managed while numbers are low, an outbreak can wipe out thousands of hectares of our mature pines in just a few years. In B.C. 60 per cent of the pine forest is affected, leading to drastic economic impacts on its own forestry industry. In Alberta estimates suggest that the mountain pine beetle could have the negative economic impact of \$420 million to \$600 million per year if the beetle population is not controlled.

The hon. Minister of ESRD and I toured the forests southwest of Grande Prairie earlier, in September, and we got a first-hand

look at the damaged areas of green forest of the infected areas. Recognizing the potential disaster to our forests, the government of Alberta has dedicated \$30 million for detection, control, and prevention programs while allocating another \$10 million for reforestation in affected areas.

Mr. Speaker, protecting the natural beauty of Alberta's forests begins with proactive approaches, and that's why I am very proud to see our government stepping up to ensure that we'll be enjoying our forests for many, many years.

Thank you.

**The Speaker:** Thank you.

Hon. members, we have less than two minutes remaining before 3 o'clock. Before I ask for Calgary-Mountain View to deliver his member's statement, I wonder if the Government House Leader wanted to address the Assembly.

**Mr. Hancock:** Thank you, Mr. Speaker. Again I would ask for unanimous consent to extend past 3 o'clock.

**The Speaker:** Hon. members, the Government House Leader has requested unanimous consent to proceed beyond 3 o'clock in order to finish the Routine. We need unanimous consent, as I indicated. Is anyone objecting to that request for unanimous consent?

[Unanimous consent granted]

**The Speaker:** The hon. Member for Calgary-Mountain View for our final member statement today.

#### Physician Services Agreement

**Dr. Swann:** Thank you, Mr. Speaker. Last week this Health minister dealt another blow to our cherished health care system even as it teeters on the brink of crisis through four years of mismanagement. After 18 months without a contract and speaking softly last month about working constructively with the AMA and physicians, the big stick has now come down with the reckless imposition of a four-year contract. In the words of the AMA president, Michael Giuffre, quote: everyone from primary care physicians to specialty care physicians will find this imposition astounding, disappointing, and far reaching. This truly is a frontal assault across the board. End quote.

Axing support programs will especially hurt primary care doctors, where the need is greatest, taking out as much as \$30,000 a year in the face of rising Alberta overhead and staffing costs. The Premier, reneging on her commitment last year to a public inquiry into doctor intimidation, has again contradicted Alberta Health Services' claim to be developing a just culture and trust among its workforce, including physicians.

Earlier this year the Health Quality Council confirmed widespread bullying of physicians who advocate for their patients. Responsible advocacy clearly comes at a price with this 42-year PC government. With physicians having agreed last year to zero increase for the next two years, clearly this is not about money. It is about power, disrespect, and token consultation on the direction of our health care system and how to improve quality of primary care.

3:00

Astonishingly, this minister does not appear to understand the connection between our demoralized family physician workforce, these disrespectful negotiations, and the decline in quality of care for Albertans.

With a projected \$3.5 billion deficit this year, removing \$120 million from physicians is another desperate attempt to find dollars for the Premier's pet project, family care centres, regardless of the cost to comprehensive patient care and public trust. The minister has lost the confidence of physicians, health workers, and the public in this latest abuse of power. He must resign.

#### Presenting Petitions

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

**Mr. Luan:** Thank you, Mr. Speaker. I'm pleased to rise and table a petition put forward by the Alberta Grandparents Association, that happens to reside in my constituency. The organization is encouraging the government to amend the family law statutes to enable grandparents to more readily obtain access to their grandchildren when access is denied. As is the case, I'm pleased to table this motion on their behalf.

Thank you.

#### Tabling Returns and Reports

**The Speaker:** The hon. Associate Minister of Wellness or someone on behalf of.

**Mr. VanderBurg:** Thank you, Mr. Speaker. I'm pleased to rise today and table the requisite number of copies of the 2011 College of Dietitians of Alberta annual report and the 2011-12 Alberta Health Facilities Review Committee annual report on behalf of the Minister of Health. These reports illustrate the college's and the committee's dedication to fulfill the Alberta government's commitment to health.

Sir, I have three more tablings. As well, I'm pleased to table the requisite number of copies of the Alberta College of Pharmacists 2011-2012 annual report. The college governs pharmacists, pharmacy technicians, and pharmacies in Alberta. Since 1911 the college has worked to ensure that Albertans receive the highest quality of care from their pharmacists. For the past 100 years the college has taken responsibility for pharmacy practice by setting and enjoying high standards of competence and ethical conduct. They have led the practice of pharmacy in Canada by being the first to implement mandatory continuing education, patient medication records, and to gain the authorization for pharmacists to administer drugs by injection and prescription. Thank you, sir.

As well, I'm pleased to table the requisite number of copies of the College & Association of Registered Nurses of Alberta 2010-11 annual report. CARNA is the professional and regulatory body for Alberta's more than 33,000 registered nurses, including nurses in direct care, education, research, and administration as well as nurse practitioners. Its mandate is to protect the public by ensuring Albertans receive effective, safe, and ethical care by registered nurses. This year's annual report highlights many of the technology-based initiatives that support their work. It also showcases the many ways CARNA and its members are creating global connections that will support the quality and safety of patient care in Alberta.

Finally, Mr. Speaker, I'm pleased to table the requisite number of copies of Physician Credentialing & Practice Privileging for Pathology & Radiology: A Review of Alberta Health Services report, referred to as the Kendel report. The report was released by the hon. Minister of Health on November 8, 2012.

Thank you, sir.

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

**Dr. Sherman:** Thank you, Mr. Speaker. I have four tablings today. The first two are from the AUMA. Resolution 2012 provincial scope 10 pertains to physician licensing and privileges. I have five copies.

The second resolution is again from the AUMA. Resolution 2012 provincial scope 9 is about physician recruitment in rural Alberta. I'd like to table five copies.

The last two tablings are from the AAMD and C fall 2012 convention, on October 24, 2012, resolution 7-12F on physician licensing and privileges, endorsed by the Foothills-Little Bow district. I have five copies.

The last one, Mr. Speaker, is again from the AAMD and C 2012 fall resolution convention, dated October 24, and it is resolution 26-12F. It's about access to health care and economic development, brought in by the MD of Big Lakes. I have five copies.

Thank you.

**The Speaker:** Are there others?

**Mr. Lukaszuk:** Mr. Speaker, I have the requisite number of copies of two documents. One is a PayPal payment made by the Leader of the Official Opposition purchasing two tickets to the Conservative Party of Canada Macleod Electoral District Association. It depicts that one ticket is for her, and the other one is for one David Moretta, whom I believe to be her husband, shortly thereafter claiming those very two tickets as an expenditure to her constituency office in the constituency of Highwood.

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

**Mr. Hehr:** Thank you very much, Mr. Speaker. I have a copy of an e-mail and the requisite five copies sent to me by Mr. Paul Gray, a constituent of mine who is very concerned about access to the HPV vaccine in school boards across this province regardless of religious aspects of it. He finds it a health care aspect and believes it should be available in all schools as a priority.

There's another letter I have from another constituent, Mr. Terry Sherwood. He had a recent stay in a local hospital and was concerned about food preparation and some of the nutritional contents. I table this for the record.

Thank you.

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

**Mr. Anderson:** Thank you, Mr. Speaker. I'd like to thank the office of the Legislative Assembly of Alberta for providing these documents on such a short notice. I have five copies in my hand of a receipt from the Legislative Assembly of Alberta in which it clearly shows that the leader of our party, once she became aware that she was not able to claim this expense, immediately withdrew that claim of expense, which we'll go into in the point of order. It's very clear. The LAO is preparing a letter showing that the Official Opposition Leader requested as soon as she knew that.

Anyway, facts are fun things, aren't they, Deputy Premier?

The second piece of information is two articles. The first is an article printed in the *Calgary Sun* which is entitled Game On for Opposition as Election Call Looms: Smith Releases Leadership Donors. It lists all of those leadership donors. The Official Opposition leader, while she was running for the leadership of the Wildrose Party, obviously received substantial donations. It lists them individually.

So, too, from our website. It looks like indeed the donors were listed on our own website as well, Mr. Speaker. Five copies of that as well.

**The Speaker:** Thank you.

The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Speaker. I'd like to table the appropriate number of copies of a petition demanding that the government take immediate action to twin highway 63. The petition in complete contains 37,751 signatures. Today I'm tabling 2,996 of those.

Thank you.

**The Speaker:** Are there others?

If not, I would take the liberty of tabling the requisite number of copies of the office of the Ethics Commissioner annual report 2011-2012. The report has been prepared pursuant to section 46(2) under the Conflicts of Interest Act.

3:10

Hon. members, we're going to proceed with some points of order. Before we do, I just want to note that we have eight of them to deal with so far. We've recorded the times, and we'll do our best to have them heard. However, I suspect that some of them might be grouped under one general heading. We'll listen to the first point of order, which was raised by the Leader of the Official Opposition. We'll hear a response from the government, perhaps from one or two others, and we'll just see how we can deal with these issues. I suspect they are mostly to do with some of the cautions, warnings, and admonishments that I gave not only today but in previous days. You can probably expect to hear that.

Let's proceed with the first point of order. The hon. Member for Airdrie.

#### **Point of Order Parliamentary Language Factual Accuracy**

**Mr. Anderson:** On behalf of the Official Opposition leader, Mr. Speaker. Before I begin, real quick, I think that one of the reasons things get off the rails a little bit is that I know that on our side there is not one person in this House with more integrity than this Leader of the Official Opposition. Not one. That's why it was quite something to see the Deputy Premier make such a spectacle of himself today.

The citations that I'm citing under the orders here are Standing Order 23(h), (i), (j), and (l) as well as *Beauchesne's* 485 regarding unparliamentary language. I'll group everything under one so we can just deal with this all at once, Mr. Speaker. Obviously, dealing with the easiest one first, the minister across the way talked about this member, implying that this member over here was a bottom-feeder. I don't know whether he was looking in the mirror when he said that, but that was the accusation that he made. The fact is that that was very unparliamentary language. There are ample examples of what's considered unparliamentary language in *Beauchesne's*. "Debased" is one of those things. I did not see in there "bottom-feeder," but I would suggest that bottom-feeder is far worse than most of the phrases used in that section.

We just had a member last week saying that the other side was being pathetically cowardly. He had to withdraw that comment, and he did, and he apologized. In the interest of fairness I think that it's very clear that this minister should do the exact same as our hon. member did on this side of the House and withdraw that

comment. So that's the first piece, the issue of saying "bottom-feeder."

The second piece, Mr. Speaker. As you've said many times, we do allow for a disagreement on the facts, and we have these discussions in here, but when a minister of the Crown, indeed the Deputy Premier, stands up in this House and says two things that are just completely factually false and impugns the character of the Leader of the Opposition, obviously it's going to raise a huge amount of disorder in this House. It imputes false motives to this member.

Here are the two things. The first issue, that she hadn't posted her expenses from her leadership election: with regard to the copies that we just tabled in the Legislature on that, clearly that wasn't true. She has in the media and on our website publicly disclosed all of her leadership donations from her campaign, and she did that, I would say, at great personal risk. She had to phone every one of those individuals because a lot of them were scared of having their name put out there, known by the PC Party as supporting her. She had to phone them and get their permission to do it, and she did that of her own time and put them on there so that . . .

**Mr. McAllister:** Leadership.

**Mr. Anderson:** That is true leadership. Indeed, that is leadership.

We'd ask him to withdraw that erroneous statement.

The next piece is this idea that the Leader of the Official Opposition attended an event for the Conservative Party of Canada, which is true – I don't know the exact amount; \$150, \$100, something like that – and then was reimbursed for that expense by the Legislative Assembly Office. Well, not only is this not true – and we've produced the documents, and we will have a letter forthcoming to confirm that that was not true, that the opposition leader was not reimbursed for those expenses – this is what happened, Mr. Speaker. A new employee, who had just been hired, was asked to do the expenses because our leader had already committed during the election to post all of her expenses online.

So you can imagine that one of the first things she does is that she has all of these receipts . . . [interjection] This is what the truth is. She has all of these receipts, and she looks to try to submit those receipts. What occurs is that after putting these receipts to her secretary, she fills out the paperwork, and her assistant notices: oh, there's a document here that we can't expense. Upon knowing that, they immediately sent word to the Legislative Assembly Office – we will get a letter in writing that this was done – saying, "Sorry; we mistakenly submitted that receipt; that's not a receipt that we can submit" and immediately took that receipt back. So it wasn't even a mistake; they took it back. I mean, they just took it back before the LAO even had to tell us that it was a mistake. Again, that's what transparency and accountability look like.

I would also point out that the Deputy Premier talked about the chamber of commerce membership, that the opposition leader's office is now a member of her local chamber of commerce. Well, Mr. Speaker, you well know that those expenses have been submitted by many MLAs in this House. It is standard practice and can be done and is something that is reimbursed by the LAO. But I'll tell you one thing that's not reimbursed by the LAO, and that is Law Society fees. I personally asked, "Are those fees reimbursable under the LAO rules?" and was told they were not. That's why it's kind of funny that he would list those things when the Premier herself is getting the government to pay for her own Law Society fees. A little bit of hypocrisy, isn't it?

Anyway, Mr. Speaker, I would ask that this member – and the only reason he knew about those fees, by the way, was because this hon. Leader of the Official Opposition posted the fact that she had purchased that chamber of commerce membership online, you know, before anybody else, and it's a credit to her.

I would ask the Deputy Premier to withdraw the false statements that he made, to withdraw the unparliamentary language that he used, and that perhaps he could take a lesson from this leader in what integrity and transparency look like because he has neither.

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

**Mr. Lukaszuk:** Well, thank you, Mr. Speaker. I'd gladly speak to some of those points raised by the member. First of all, let's start with his objection to my usage of the term "bottom-feeder." I have to assure the member that my comment was not directed at the Leader of the Official Opposition but actually was a more general application and was aimed at all members of the Official Opposition. Let me explain why and what I meant by it, and then if you find it to be unparliamentary, I will definitely withdraw that particular term but not the underlying reasoning for which I used that term.

Mr. Speaker, you've been in the chair now for some six months, and you know that for the last six months if there was one overarching theme in this Chamber that is coming from the Official Opposition, it is continuous allegations and innuendoes, very often unsubstantiated, of wrongdoing, calling individuals liars, cheaters, dishonest, immoral, accusing them of criminal activity, that they should be prosecuted. Those terms are all in *Hansard*, and they're used interchangeably by all members of this opposition, often levied against members of this Chamber or, even worse, individuals who have no privilege of sitting in this Chamber and have no ability to defend themselves. Yet none of those allegations are ever made outside of this Chamber because they know that there would be consequences if they made such allegations outside.

So how do you refer to this kind of practice of playing politics, Mr. Speaker? Is it something that all politicians should aspire to? No. I often say that that is scraping the bottom of political discourse, so saying that one is bottom-feeding would not be far fetched. If they take objection to it, perhaps the best way to resolve it and never have to hear a term of this nature or anything similar again is to simply disengage from this kind of practice of waging innuendoes against individuals and focus on more important matters that should be discussed in this Chamber, and that is the matters that are important to the province and managing this province. Perhaps that will address this particular issue.

3:20

Mr. Speaker, with respect to donations it is interesting that this member will say that the hon. member made an honest or a dishonest mistake or no mistake. However you term it, the fact is that she did attend a federal political event, which is a donation to the federal party, with her husband, and then she claimed it. Whether she caught it later or somebody else caught it later, the fact is that she made that donation, much the same as others have.

They have been accusing honourable Albertans who are sitting on boards of colleges or work for colleges who made by mistake a donation to a party, later withdrew it or reimbursed the institution for it. That is never said. When the Leader of the Opposition does that, that is called an honest mistake. When a member of the public does it to the PC Party or a member on this side, even



though often they have no proof, that is called criminal, cheating, lying, and the list goes on and on.

Mr. Speaker, I accept the fact that she did make an honest mistake, and I do accept the fact that our staff are not infallible. They will err from time to time either in process or judgment, but so will it happen among Albertans in general. If you want to engage in this kind of practice, do so, but do it at your own peril because excusing it yourself as a, quote, unquote, rookie mistake or a staffer's omission or error simply doesn't quite cut it. When you choose to judge others by a different standard, you should live up to that standard yourself.

Now, the same goes, Mr. Speaker, for the issue of the membership in the chamber of commerce. Questions were raised. Why would the Premier, who is a lawyer by profession – and her legal expertise is often utilized in the carrying out of her duty as Premier but definitely as a Minister of Justice. Why would a Minister of Justice hold a membership with the Law Society and have government pay for it? Well, the only reason she can be a Minister of Justice is to be a lawyer, a practising lawyer, a lawyer in good standing with the Law Society. So I don't see anything wrong with that.

The fact is that this member chooses to be a member by choice of a chamber of commerce and to be reimbursed for that. Again, is this criminal? No. Is it defrauding Albertans in any way? No. Is it acceptable? I would say perhaps. The fact is that the moment you start judging others and you start throwing arrows and spears at others, expect to have the same done to you. I strongly suggest that discontinuing this kind of activity will put an end to all of it.

Now, Mr. Speaker, with respect to the leader posting her donations from the leadership race online, it's true. She did do so. I will have to rely on members of the opposition, but she became a leader of this party sometime in 2009, I believe – correct me if I'm wrong – and she posted the donations, after significant pressure from media, from this side of the House, and from Albertans, in 2012, some two years later. I accept the fact that she chose to call those who donated to her. I'm wondering what she would do if they said: no, we don't want you to post it. Would she then not post it? I'm wondering if this list is complete, because maybe some haven't agreed to it, if it's only done by consent.

The fact of the matter is that, again, rising in this House, they're questioning members of this side of the House on how we fund raise our money for leadership. They want the full disclosure. It took them more than two years to make a disclosure. We still don't know whether it's complete or not. Mr. Speaker, in frankness, if they want to engage in that, if they think that their only role as an opposition is to continue dredging and looking through receipts – and let's not forget one thing. Yes, they did post all of the leader's expenses on their website, only to soon have it disappear. They took it down from their website instantly and then reposted just a fraction of the receipts that had been posted initially.

If you want to talk about disclosure, if you want to talk about transparency, if you want to make sure that you are immune from accusations and innuendoes, the best way to do it is: don't do it yourself.

Thank you, Mr. Speaker.

**The Speaker:** Well, we've had about 15 minutes or so of comment from the Official Opposition and from the Deputy Premier. I'm wondering: are there any other members who wish to join in on this point of order? No? All right. Well, thank you for that.

As I indicated earlier, hon. members, I've commented on issues like this before, and I suspect I may be called upon to comment on

them again. The hon. Member for Airdrie rose on a point of order and wrapped, basically, two items into it, which perhaps is part of the capsulizing of the entire list that I had said that we have today in terms of points of orders.

On the first point of order the hon. Member for Airdrie was basically asking the hon. Deputy Premier to withdraw what, in the Member for Airdrie's opinion, was unparliamentary language. Now, I have dealt with this issue before, and I'm going to try and save the House a little bit of time, but suffice it to say that the tone and timbre as well as the actual words used are important factors in determining whether or not something is unparliamentary.

On the one hand, you can see a term like "bottom-feeders" referring to a particular type of fish or perhaps a type of hook used when fishing. I mean, there are many different ways that that can be used, and it would be totally acceptable, I suspect. Nobody would be offending any fish.

However, when they're used in this House, the way in which terms like that are used can be offensive. They can give rise to what the Member for Airdrie characterized as 23(h), (i), (j), and (k), under the pretense or the reality of what he felt was making allegations against another member, imputing false or unavowed motives to another member, and then using abusive or insulting language of a nature likely to create disorder, or 23(k), which is rarely referenced: "speaks disrespectfully of Her Majesty." I don't know that I would agree with that one being raised in the context in which you raised it. I realize that Her Majesty's Loyal Opposition is used for the party that has the official status. However, that would be stretching it a bit.

Nonetheless, with respect to the unparliamentary language that was used, let me just remind all members that the knife of egregious comments slices both ways in this Assembly. If I were to rise every time that I heard a questioner or a responder use something that I thought was on the borderline of creating disorder or might be unparliamentary in my view, I would be on my feet very, very frequently, and I think all of you know that. In fact, I have been on my feet rather frequently trying to get all of you to abide by what I thought we had some general buy-in to back in May, when I made a few comments that I referred to as the credo speech.

That having been said, I do find that the way the term "bottom-feeder" was used was perhaps inappropriate in this instance, Deputy Premier. I appreciated you saying that you were prepared to offer a withdrawal of that comment, so I'm going to allow you an opportunity to do that in just a moment.

However, on the bigger picture, let us be reminded of the rules that the House leader of the opposition referred to, which is *Beauchesne* 485. I'm going to read some of this to all of you again. It doesn't give me any joy to use up the House's valuable time, particularly on a Monday, which is set aside for private members' business, but we're dealing with eight points of order, and hopefully by taking a few minutes here now, we can avoid having to go through six or seven more.

The Member for Airdrie quite correctly cited as part of his statement, under Unparliamentary Language, *Beauchesne's* 485, and here's what it says, again, as a reminder to you.

- (1) Unparliamentary words may be brought to the attention of the House either by the Speaker or by any Member. When the question is raised by a Member it must be as a point of order and not as a question of privilege.
- (2) Except during the Question Period, the proper time to raise such a point of order is when the words are used and not afterwards.

That was all done.

It goes on to say:

- (3) Unparliamentary language offending against the proprieties of the House, when the Speaker is in the Chair, cannot be withdrawn in Committee of the Whole.

Here's the last part of this. *Beauchesne's* 486 states:

- (1) It is impossible to lay down any specific rules in regard to injurious reflections uttered in debate against particular Members, or to declare beforehand what expressions are or are not contrary to order; much depends upon the tone and manner, and intention, of the person speaking; sometimes upon the person to whom the words are addressed, as, whether that person is a public officer, or a private Member not in office, or whether the words are meant to be applied to public conduct or to private character; and sometimes upon the degree of provocation.

And it goes on and on and on.

I think we all get the point. At least, I hope we do by now because I have quoted from this section or sections similar to it before.

3:30

Now, all of this starts during one of our favourite aspects of the House called question period, which more and more of you are getting more and more familiar with now, I'm sure. Let me remind you as well of what *House of Commons Procedure and Practice* says on page 502, where it states about question period: "Furthermore, a question should not . . . concern internal party matters, or party or election expenses," and there are other admonishments in here as well.

On that score I noted who it was that first raised a party matter this afternoon. I'm cautioning the government side and I'm also cautioning again the opposition side to please stop referring to partisan political party matters in the House because they are expressly forbidden and ought not to be raised by anyone at any time. I'm not talking specifically only during question period in this regard. You might want to refresh your memories of *House of Commons Procedure and Practice*, page 504, where it specifically says that issues that "concern internal party matters, or party or election expenses" ought not to be raised in the House. It is not the purview of the House, it's not the purview of the government to comment on partisan political activities or fundraising or whatever else is abided by according to the traditions of the House.

I've reminded you of that before on several occasions, and I hope it's the last time I have to remind you because if it comes up again, I am obliged to enforce these rules. I think I have given sufficient cautions to both sides of the House now, and I'm not going to have to give any more cautions, I hope. I will simply intervene, and it will be rejected.

Now, hon. member, let's deal with the first point, and that is your offer to withdraw any comments you may wish to make. Let's hear from the Deputy Premier with respect to that first.

**Mr. Lukaszuk:** Thank you, Mr. Speaker, for that reminder of the rules. I will take this opportunity to withdraw my naming of all of the members of the Official Opposition as bottom-feeders, and I promise that I will find pronouns much more accurate in the future.

**The Speaker:** Thank you. That will conclude that matter. We appreciate the withdrawal.

Again, I'll take this opportunity to remind all members that perhaps there are some things you may have said or done in the past few weeks that might require a revisit as well. That goes to all members.

On your second point, hon. Member for Airdrie, you raised an issue about a political partisan party event. You tabled a number

of items which clarified that issue quite succinctly, in my opinion. I think even the Deputy Premier indicated that he accepted that she made an honest mistake or may have made an honest mistake or words to that effect. We're grateful for that.

You also talked about setting a standard, Mr. Deputy Premier, and that standard ought not only apply to one particular side of the House. It ought to apply to everyone, including the Speaker and including all of you. We all have standards to guide our lives by, and there's no need for those standards to be lowered, lessened, or diminished when you walk into this Assembly either.

I will just remind you in that respect about what I suspect might be appropriate at this time, and that's one final guideline regarding personal attacks. Perhaps this will close the issue, and we can get on with the day. On page 422, chapter 10, of *House of Commons Procedure and Practice* under guidelines it states:

In presiding over the conduct of this daily activity, Speakers have been guided by a number of well-defined prohibitions. In 1983, when the procedure for Statements by Members was first put in place, Speaker Sauvé stated that . . .

- personal attacks are not permitted.

And it goes on and finally says:

The Speaker has cut off an individual statement and asked the Member to resume his or her seat when:

- offensive language has been used.

I'm very mindful of this, and I'm going to be enforcing it a little bit more.

I recognize that we've had a week to work with our constituents, and we've come back full of vim and vigour and other things. You've all missed each other terribly, and you're anxious to engage with each other, and I respect that. However, I will intervene the minute I hear any personal attacks.

My final reminder is that people who are not in this House and cannot defend themselves ought not to be slurred, maimed, derided, chastised, or assassinated with political words.

Those are the rules that govern this House. I would ask you again to remember them.

Please follow some of the other leads, with respect to preambles, for example, to supplementary questions. I noted that the hon. Member for Edmonton-Mill Woods, followed by the hon. Member for Calgary-Fish Creek got through their main questions and both their supplementals with no preambles, and it was wonderful. The decorum was preserved. I'd ask that you look at either of those two as an example from today's *Hansard* of how to handle yourselves.

Accordingly, clarifications have been given, and I hope that this concludes these particular points of order for today. However, there are other points of order that may still be required to be raised. Perhaps I haven't covered them. If there are, then I will turn to the next person on my list, who is the Government House Leader, if you have one.

## Point of Order

### Allegations against a Member

**Mr. Hancock:** Thank you, Mr. Speaker. I do want to briefly rise on a point of order relative to a question that was raised by the Member for Edmonton-Calder earlier today. That point of order is being raised under Standing Order 23, which is:

- (h) makes allegations against another Member;
- (i) imputes false or unavowed motives to another Member;
- (j) uses abusive or insulting language of a nature likely to create disorder . . .
- (l) introduces any matter in debate that offends the practices and precedents of the Assembly.

I also would refer to *Beauchesne's* 375 although you have commented at length on the naming of a person outside the House, so I won't deal with that aspect of it.

This point of order was raised, Mr. Speaker, when the member did two things which violated those particular rules. One referred to the government firing the CEO, the Chief Electoral Officer, which, of course, the hon. member knows is not accurate. He knows that it's a complete mischaracterization of what happened. The Chief Electoral Officer reports to the Standing Committee on Leg. Offices. The Chief Electoral Officer is on a fixed-term contract, and in that particular circumstance the fixed-term contract expired. The committee determined not to renew that contract but, rather, to go to a competition and, in fact, in that competition hired a new Chief Electoral Officer. No one was fired. The term was completed. You can like it or dislike it – much comment was made at the time – but to characterize it over and over again as a firing of the Chief Electoral Officer is just a blatant misapprehension of the facts and does not suit the House very well in terms of the discourse that we have here.

The second part of the point of order is relative to a reference, and this is the one that's particularly egregious, I think. There were a number of references today in the House to somebody outside the House who is purported to have made a contribution to a political party and who is purported to have charged it to an employer who's not eligible to make contributions. Now, quite apart from the admonitions that you've made relative to discussion of political parties and political party financing in the House, the allegation that was being made here was that the Premier in a previous portfolio as Minister of Justice may have in some way interceded in prosecution of an offence which may have been reported to, presumably, the prosecutors branch at the Department of Justice at the time that she was the minister, which may have included the offence that was being discussed.

The hon. member has absolutely nothing to suggest that any of that happened. It was all rumour and innuendo. It was particularly egregious and totally offensive to suggest that a member, to make an allegation – there was an earlier reference in a point of order in this House to: not one person with greater integrity. The fact of the matter is that in this House we all have integrity. In this House integrity is one of the things that are key to our being able to carry out our affairs.

3:40

I don't have any problem at all with tough questions and with people holding government to account for things that government should be held to account for in terms of policy. I have no problem with people intelligently putting questions on any manner of subjects, including very spicy matters of discussion. But for someone to stand up in this House, someone who knows better because he's been here – he knows the process, he knows the procedure, and he knows that this House relies on us having intelligent discourse and integrity – and make a drive-by smearing like that is absolutely outside the rules and untenable.

The hon. member knows that if he has any – any – information of such an offence, he should supply it to the CEO. He also knows that a commitment has been made because of the CEO's interpretation of the act, which says that he can't disclose the results of an investigation that has come to a conclusion. That will be amended when the act is brought forward. That's been made clear in the House. Until it is, he can make hay on that one all he wants. But the fact of the matter is that he's not entitled to add the innuendo and aspersion.

There is one further thing, Mr. Speaker, that I want to raise: "introduces any matter in debate that offends the practices and

precedents of the Assembly." The hon. member ought to know – and if he doesn't know, he should consult another member of his caucus, who surely ought to know because she was employed by the Department of Justice – that one of the things in our justice system that we hold sacrosanct is that there is no political interference in prosecutions.

In fact, that's the one area where even the Minister of Justice has to hold himself or herself separate and apart from colleagues in cabinet to say that there is no ability to interfere with prosecutions. There is no political interference with prosecutions. Nobody tells Crown prosecutors who they prosecute and who they don't prosecute. Sometimes that provides for some embarrassing opportunities, but that is the nature of the role that the Minister of Justice carries with him or her.

To have the innuendoes that somehow a Minister of Justice interfered with a determination as to who might have been prosecuted or not prosecuted, when some 19 files are alleged to have been referred to the prosecution for further work, is absolutely inappropriate. It's wrong. It not only brings this House into disrepute, but it brings our system of justice into disrepute. The hon. member should know that. He should stand in his place, and he should retract those comments.

Thank you, Mr. Speaker.

**The Speaker:** Anyone else? The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Speaker. I'm pleased to be able to rise to respond to some of the concerns raised by the hon. Government House Leader relating to the questions that were asked today in question period by the Member for Edmonton-Calder. Let me start, I guess, with the third point first.

It is correct, I believe, that at one point in his questioning the Member for Edmonton-Calder, rather than saying that prosecutions were abandoned by the Justice ministry, suggested that the prosecutions were abandoned by the Justice minister. I believe that was an inadvertent slip of the tongue, and he informs me that he is more than prepared to withdraw that part of his question. What he's doing is outlining that the charges were abandoned by the Justice ministry when the now Premier happened to be in the position of Justice minister. Those are two very separate things because, of course, as the Government House Leader rightly points out, Justice ministers do not engage and interfere in conversations about whether issues should be prosecuted.

However, Mr. Speaker, the fact of the matter is that there is the occasion where issues that come up for consideration for prosecution appear and have on the face of them the potential for there to be a conflict of interest, and just the simple appearance becomes an issue. It is well understood in law that there is this notion that justice must not only be done but must be seen to be done. For that reason there is a long tradition – particularly in other jurisdictions it's a much more advanced tradition than what we have here in Alberta – where within the Ministry of Justice there is a provision for the Minister of Justice to appoint a special prosecutor to review whether certain issues should be prosecuted in order to deal with that appearance of conflict of interest.

The fact of the matter is, Mr. Speaker, that when the Chief Electoral Officer referred 19 matters to the prosecution for them to be prosecuted and the prosecution chose not to proceed with them, our caucus asked the Justice minister to appoint a special prosecutor to ensure that any potential appearance of conflict would be remedied. That decision was ignored and rejected by the then Justice minister, the current Premier. That was the context that informed the questions that were offered up by the Member for

Edmonton-Calder, and that was what he reviewed in his first question, where he was allowed to give a bit of an introduction to his question. That was the point where he also referred to the fact that it was a decision made by the ministry rather than by the Justice minister. It was in that context.

Absolutely, Mr. Speaker, we should not be suggesting that the Justice minister made a decision not to prosecute because it's quite true that's not what happens. The ministry itself, or an element of the ministry, actually the Crown prosecutor's office, does make that decision.

It is true that there are occasions when, if there is a concern about an apparent conflict of interest, the Justice minister has it within her purview or his purview to appoint a special prosecutor. It has not been done often in Alberta. It's a much more advanced, much more commonly relied-on process in other jurisdictions, but it is one that is commonly understood to deal with these kinds of issues where political parties, for instance, that may well be the political parties that happen to be the governing political parties become subject to criminal and/or other types of prosecution. In this case we're talking about prosecution under the Election Act, and we're talking about 19 files that were referred to the Crown by the former Chief Electoral Officer. Again, Mr. Speaker, happy to withdraw or to clarify that one point, but giving the context of why that question was the way it was.

The Government House Leader also indicated that the Member for Edmonton-Calder implied a number of things or did a drive-by smear, I think was what the Government House Leader suggested, with respect to the Premier. Mr. Speaker, I think that it is very important for all of us in this House to try to have as respectful a conversation as we can about issues like this, which are highly sensitive, where we are tasked with essentially governing ourselves and our own conduct, including the process and the conduct that gets us into this building. It is absolutely appropriate that when we are talking about the enforcement or the writing or the application of the Election Act, that is totally, appropriately within the jurisdiction of this body to discuss in question period or anywhere else.

When the application of that act and the enforcement of the act and potentially the prosecution of that act have implications for individual members of this House, then we need to identify that. It doesn't mean that there is an intent to be corrupt or that there is an intent to mislead. What it does mean is that there is an appearance, and all of us as legislators, Mr. Speaker, need to acknowledge that appearance, address it head-on, and then talk to the rest of Albertans honestly about how we're going to ensure that we're dealing with this in a balanced and fair and transparent way.

I would suggest that simply raising what is obvious to anybody from the outside looking in, the fact that there is an awfully dramatic and problematic appearance of some conflict of interest here, and saying that we need to come up with a way to deal with this and then saying that that is somehow smearing somebody, well, just shuts down debate. Mr. Speaker, I would suggest that that's not healthy for this Assembly, and I would suggest that that's not what the Member for Edmonton-Calder was doing. He simply laid out the facts, laid out the role that was played by the Premier, then Justice minister, laid out the fact that there were certain files that were forwarded to the Crown, and then asked a simple question: what did the Premier know, and when did she know it? Had there been an answer saying, "I knew nothing of this; I never did," then the issue would be addressed. By simply saying that we can't ask that question, then you might as well suggest we never debate anything.

3:50

The third thing, Mr. Speaker, that the Government House Leader raised is the issue of what happened to the former Chief Electoral Officer. Now, as you may know, we had a Chief Electoral Officer who right before his term ended did in fact refer 19 files for prosecution to the Crown. Interestingly, even though on his own admission the current Chief Electoral Officer has investigated and found some substance to about 1,200 breaches of the Election Act, none of them have been referred to the Crown for prosecution. Nonetheless, the fact of the matter is that the term of the previous Chief Electoral Officer was not extended.

Now, there is a way of speaking in this House where we talk about how that is a decision of the committee and that's not a decision of this House. Well, Mr. Speaker, I'd just simply like to quote from a comment that was made by the Deputy Premier of this province about a week and a half ago, where he said:

It's a caucus decision. Keep in mind that it is something that we have deliberated as a caucus . . . It's a very difficult decision to make . . . It is something that has been pondered [a lot] by our caucus . . . This is a decision that, finally, Conservative MLAs came forward with . . .

Now, in that case the Deputy Premier was talking about a decision of the Members' Services Committee around pay. Of course, it was a decision of the Members' Services Committee, yet the Deputy Premier is saying that, well, actually, it was a decision of the Conservative caucus.

The fact of the matter is that the Legislative Offices Committee, which decided not to extend the contract of the former Chief Electoral Officer, was dominated by Conservative MLAs, all of whom voted not to extend the contract of that Chief Electoral Officer. According to the Deputy Premier now these kinds of things are commonly discussed in caucus, and they are government decisions. So I believe, Mr. Speaker, that it was an absolutely reasonable characterization for the Member for Edmonton-Calder to make, that, in fact, it was a decision of this government to end the term of the former Chief Electoral Officer, who coincidentally had been the one who had referred a number of charges to the Crown for prosecution about – wait for it – illegal donations to certain political parties in this province.

So, Mr. Speaker, with that all being the case, I would suggest that the questions that were asked by the Member for Edmonton-Calder were completely appropriate. It is difficult to navigate such a sensitive and potentially inflammatory topic without getting people's backs up, but the fact of the matter is that were we to suggest that somehow we cannot talk about things that are governed by law, are prosecuted according to the letter of the law and laws that are written in this House, and that were we to suggest that those things are somehow off limits for this House, then I think that we would deeply – deeply – compromise public faith in this House.

Those are our comments. Again, as I say, on behalf of the Member for Edmonton-Calder I'm quite happy to withdraw the statement that the Justice minister made a decision about prosecution, but in fact it was the Justice ministry that chose not to prosecute several charges. With that amendment in mind, I will take my seat.

Thank you.

**The Speaker:** We've had an interesting afternoon.

There's one more speaker on this? The hon. Member for Lac La Biche-St. Paul-Two Hills, briefly.

**Mr. Saskiw:** Thank you, Mr. Speaker. Regarding the first part of the Government House Leader's comments with respect to

whether or not the Chief Electoral Officer was fired, I think it's very important that in these circumstances you look at all the surrounding facts and circumstances to actually look at the definition of that term. What we saw was a former Chief Electoral Officer who made numerous recommendations to this government, part of which was to have stiffer penalties for illegal donations, part of which was to have people who are found guilty of either illegally accepting or soliciting donations made public so that everyone could see those wrongdoings.

The Chief Electoral Officer made those recommendations to the Premier, who was the then Justice minister, and she rejected those recommendations. Then subsequently, lo and behold, the Chief Electoral Officer is no longer there. The Government House Leader talks about how, you know, his contract was not renewed, but you have to take a look at all the circumstances. The government was obviously embarrassed with all of these recommendations, none of which were actually implemented into law.

I think it's an arguable point. If someone's contract isn't renewed, there is a termination. That relationship has subsequently terminated. Whether or not the word "fired" is the appropriate word to use in that circumstance, you have to look at all of the circumstances. I think it's a fair argument for the Member for Edmonton-Calder to make that statement. It reflects what I think a lot of laypersons would see in this situation. The Chief Electoral Officer made a damning report on this government. They ignored it. His contract was subsequently not renewed. So I think that this is just another situation where there is a reasonable debate on the language.

The second was with respect to the Government House Leader's comment about a drive-by smear. The facts here are that there were, I think, 19 cases in which the Chief Electoral Officer found that people had been guilty of illegally making donations to a certain party. Typically in these situations those cases would go to a Crown prosecutor, and that Crown prosecutor would use the full force of law and punish those people. So, you know, what the hon. member was questioning was why those people weren't punished. There was no inference that the Justice minister interfered with it, but he had valid questions surrounding that whole subject matter. I think it would be a very, very disastrous precedent to prevent an hon. member from making these inquiries no matter how difficult it is for the other side.

Those are my comments on these two points of order.

**The Speaker:** Hon. members, I think we've heard enough on this particular point of order. The Government House Leader has stood up and indicated some enlightening information, I'm sure, with respect to a former officer of this Assembly, the Chief Electoral Officer, and cited 375 as being one of the citations under which he was rising. Just for your information, hon. members, 375 says this:

Members have been cautioned to try to avoid using statements as a vehicle for naming persons who are not Members of the House and thus have no opportunity to respond to negative comments.

Without using the actual person's name, everyone knows who was being referred to because, of course, this person was an officer of this particular Assembly. I listened very carefully to what it was that the Government House Leader had indicated by way of what he termed innuendo and words to that effect as offered by the Member for Edmonton-Calder. In fact, I think he asked for Edmonton-Calder to withdraw his comments in the process of all that.

Now, I would again remind all of you on this point to be very careful with the choice of words and perhaps be even more careful

with the research that you have done into the background of your question. Is it truly based in fact, or is it based in opinion or he said, she said, they said or some other form of questionable repute?

In that respect, there are examples in our traditions that you need to be reminded of. Let me give you a short quote from *Beauchesne's* 409 citation, which is under the heading Oral Questions. It says:

In 1975, the Speaker expressed some general principles in order to clarify the regulations and restrict the negative qualifications which traditionally have guided the Question Period:

"A brief question seeking information about an important matter of some urgency which falls within the administrative responsibility of the government or of the specific Minister to whom it is addressed, is in order.

(1) It must be a question, not an expression of an opinion, representation, argumentation, nor debate . . .

(3) The question ought to seek information and, therefore, cannot be based upon a hypothesis, cannot seek an opinion, either legal or otherwise, and must not suggest its own answer, be argumentative or make representations.

There are other examples in *House of Commons Procedure and Practice* on page 502, which I would refer you to, again with respect to question period. It says, "Furthermore, a question should not . . . be hypothetical." I could cite you many other examples of that.

4:00

So whether the issue raised and the way it was raised by Edmonton-Calder is a matter of opinion or a hypothesis or a representation that has or doesn't have grounding or merit is perhaps questionable, perhaps not, but I know that in this House there are frequently offered two differing versions of the same occurrence. I have mentioned this to you before. In fact, if you want clarification of that, you can go through *Hansard* that you've experienced in the last few weeks, and if you need more, you can read *Beauchesne's* 494.

Hon. Member for Edmonton-Calder, I'm going to call on you in a moment to clarify, if you wish, your comments, but before I do, I want to move on to a few comments that the hon. Member for Edmonton-Strathcona made, where I thought I heard her either offer to have some comments withdrawn or perhaps asking for the hon. Government House Leader to withdraw. I couldn't quite hear it; there was a little bit of chatter here. So I'm going to ask for that little bit of clarification from you, please, before I ask the Member for Edmonton-Calder. You're quite correct. There are a number of facts that have been laid out in this Assembly during these points of order, but I'm hesitant to agree or disagree when there are such differentiations between what one person perceives as the facts versus what another perceives to be the facts. Let me hear that very briefly, hon. Member for Edmonton-Strathcona. Would you mind just giving me a quick comment on what you were exactly referring to when you used the term "withdraw" certain comments, please.

**Ms Notley:** Yes. Thank you, Mr. Speaker. I don't have the Blues with me, but I do believe that in perhaps his second, perhaps his third question, not his first one, the Member for Edmonton-Calder referred to the Justice minister as having not prosecuted or having rejected prosecution of some charges. What I was suggesting was that the Member for Edmonton-Calder is quite prepared to withdraw that comment because what he meant to be saying was that the Ministry of Justice chose not to proceed with the prosecution. So he was quite prepared to make that clarification.

**The Speaker:** Understood.

Hon. Member for Edmonton-Calder, would you prefer to comment any further, or does that clear up the matter?

**Mr. Eggen:** No. Thank you. It's been very . . .

**The Speaker:** It's the custom of the House to have the member who offered the statements actually correct himself or make some comment about it, so I'll offer that opportunity to you. You can rephrase it however you wish.

**Mr. Eggen:** Sure. This being my first occasion to be in this position, I am edified and have learned a great deal. Yeah, my colleague from Edmonton-Strathcona has expressed pretty much what I feel about it and how we choose to proceed.

Thank you.

**The Speaker:** The chair had a little difficulty hearing you, hon. member. I want to make sure before I rule on this that we heard correctly that the essence of what you're saying is that you're going to withdraw the comments, the way you made them. Is that what I'm to understand?

**Mr. Eggen:** Yes.

**The Speaker:** Yes? Would you please rise and indicate that, then, quickly, and we'll move on.

**Mr. Eggen:** Yes. As I said, I was suitably chastened. As the Member for Edmonton-Strathcona had pointed out, I was saying the Justice minister when I meant to say the Justice ministry. So if there was any confusion about that, I certainly withdraw that and thank you for your ruling.

**The Speaker:** Thank you.

At the same time I wonder if the Government House Leader wishes to rephrase the comment about the drive-by smearing, which was referred to by one of the hon. members. Perhaps that would help conclude this matter, and we could move on with that given the nature of the withdrawal that was just made by Edmonton-Calder in particular.

**Mr. Hancock:** Well, Mr. Speaker, I think that any time anybody puts three different comments in the same sentence, there creates an association and thereby an innuendo. People can say, "Well, I meant Justice ministry rather than Justice minister," but what they really meant was prosecution. They confuse the public, and they create that innuendo by using that kind of language. So I don't think it's been appropriately dealt with. Quite frankly, that's a nice way out.

Now, if you believe that "drive-by smearing" is the wrong way to characterize that type of slyness, then I will withdraw the term "drive-by smearing," but I still believe that it's inappropriate to string things together, create innuendoes, and call into question the integrity of members of this House.

**The Speaker:** Thank you. I think everybody would agree with that. So that would conclude this matter.

I thank you for engaging in almost an hour's worth of clarification and debate on these eight points of order. I am assuming we have now dealt with them all in this sort of aggregate fashion. However, if there are any other points of order – I had eight listed altogether – which have not yet been called, I would recognize anyone else who might have a point of order that was brought to my attention. If not, then we'll proceed in a few seconds here to Orders of the Day.

## Orders of the Day

### Public Bills and Orders Other than Government Bills and Orders Committee of the Whole

[Mrs. Jablonski in the chair]

**The Deputy Chair:** I will now call the Committee of the Whole to order.

#### Bill 201

#### Scrap Metal Dealers and Recyclers Identification Act

**The Deputy Chair:** I would recognize the hon. Member for Strathcona-Sherwood Park.

**Mr. Quest:** Thank you, Madam Chairman. It's a pleasure to finally rise and open the Committee of the Whole debate on Bill 201, the Scrap Metal Dealers and Recyclers Identification Act. I'd like to thank my colleagues on both sides of the House for sharing their thoughts and comments over the course of second reading and thank the organizations and committees across Alberta who have endorsed this bill. This is beneficial to all Albertans.

Quickly I'd like to review the key components of Bill 201, and then I'd like to move an amendment. If the Scrap Metal Dealers and Recyclers Identification Act is brought into force, all scrap metal dealers will be required to request proof of identification from each seller, record specific information about each transaction as determined by regulation, make that information available to law enforcement officers upon request, and report suspicious transactions such as purchases above a certain weight or with identifying features. The intent of this bill is to narrow the market for stolen goods. It won't get rid of all scrap metal theft, but it will make it much harder for thieves to find a buyer.

Given that first reading for Bill 201 took place last spring, there's been a lot of time for stakeholder consultations. In response to the concerns raised during the last several months, I'd like at this time to move an amendment to Bill 201. We'll pass around copies of the amendment and then bring them to the table.

**The Deputy Chair:** Thank you. We'll pause for a moment while we distribute the copies of the amendment. It will be known as amendment A1.

Hon. member, we can now proceed with amendment A1.

4:10

**Mr. Quest:** Thank you, Madam Chair. There are a couple of very important changes to the bill, so I'd urge all members to consider this amendment seriously and follow along. To begin with, section 1(b) currently contains the definition of peace officer as found in the Provincial Offences Procedure Act. This definition of peace officer includes park wardens, traffic officers, and persons appointed under the National Defence Act. That's a little broad and unnecessary for my liking and for the Privacy Commissioner as well.

So we're proposing that section 1(b) be amended by striking out and substituting the following peace officer definition:

- (i) a police officer under the Police Act, while the police officer is in the exercise or discharge of the police officer's powers or duties,
- (ii) a member of a police service under the Police Act, while the member is in exercise or discharge of the member's powers or duties, or

- (iii) a peace officer appointed under the Peace Officer Act, while the peace officer is in the exercise or discharge of the peace officer's powers or duties.

Make note that the Alberta Association of Chiefs of Police and the Privacy Commissioner support this change in definition.

The next two parts of the amendment are rather straightforward, so I'll just read them through. Section 3 is to be amended by adding the following after subsection (2):

- (2.1) A scrap metal dealer or recycler shall, at the time of the transaction, take reasonable measures to ensure that the proof of identity provided under subsection (1)
  - (a) has not been altered or defaced to misrepresent the age or identity of the person,
  - (b) was issued by the issuing agency to the person, and
  - (c) is not otherwise forged or fraudulently made.

And the following is to be added after section 3:

- 3.1 If a scrap metal dealer or recycler has reasonable grounds to believe that metal in the possession of the scrap metal dealer or recycler is stolen property, the scrap metal dealer or recycler shall immediately report the matter to a law enforcement agency.

These are two bits which, although seemingly self-evident, were clearly outlined and stipulated in the pieces of legislation from other jurisdictions.

Now, the next amendment, concerning reasonable and probable grounds, was a bit of a hot topic for some of our stakeholders. Sections 4(1) and 4(2) and section 5(2) currently use the terms "reasonable grounds" and "with the permission" in reference to investigatory powers. Various conversations we had, including with law enforcement authorities, indicated that the legislation requiring permission to inspect would essentially leave peace officers in the same position they are now: with their hands tied. We consulted with the Privacy Commissioner, reviewed similar legislation in other jurisdictions, and spoke with business owners and operators to conclude that the term "reasonable grounds" needs to go. I understand that this does raise some red flags and want to ensure that this change is consistent with what we see in legislation regarding other regulated businesses.

For example, the Traffic Safety Act, the Tobacco Reduction Act, and the Fuel Tax Act set out powers of inspection without establishing a threshold for reasonable grounds or requiring an officer to obtain a warrant. Section 2.2(1) of the Traffic Safety Act authorizes an investigator to

- enter any premises, other than a private dwelling, and investigate, inspect and audit the premises and any records, including electronic records, reports and documents, and any vehicles and equipment within the premises to ensure compliance with this Act and the regulations.

Under section 9 of the Tobacco Reduction Act inspectors may enter and inspect at any reasonable time any place or premises, other than a private dwelling, where tobacco products are sold, and about Alberta's Gaming and Liquor Act, for example, or Edmonton's business Bylaw 13138, which regulates pawn shops, amongst other businesses, stating: "A Licensee shall permit a Peace Officer to enter and inspect any Business premises for the purpose of determining compliance with this bylaw."

So what we see here is that for regulated businesses and industries, authorization to inspect without reasonable grounds is a fairly typical law enforcement power. I'm sure we'll hear more about the removal of "reasonable grounds" in the discussion, but I want to ensure that this is consistent with the other legislation that we see here in Alberta.

After section 5 we added the following:

- 5.1 No person shall obstruct, impede or refuse entry to a peace officer who is exercising powers or performing duties under

section 4, or under an order issued pursuant to section 5, for the purposes of enforcing this Act.

Consultations indicated that the bill didn't expressly say that it is an offence for a person to obstruct an inspection by police. The addition of this offence provision can operate in conjunction with the penalty provisions in section 7.

The last two proposed changes were developed in response to discussions with the Privacy Commissioner, who advised an express statement authorizing law enforcement agencies to indirectly collect personal information under section 34 of the Freedom of Information and Protection of Privacy Act.

That sums up the proposed amendment. I know there's quite a bit there, but I think it signals the amount of time, thought, and consideration that has gone into the drafting of this legislation and the amount of consultations that we've held and the degree to which we're committed to ironing out the wrinkles in this bill before it is passed.

I know some of you had concerns about the photo identification requirement. This raises a barrier to transact for those who don't have access to a driver's licence. I want to assure them that this was discussed and taken into consideration. We know that anyone who does not have a driver's licence still must have a form of photo identification in order to access such services as health care. For those unable to afford your standard photo identification, the Boyle Street community centre, for example, provides the government alternative for photo identification for \$5.

I hope that adding some context for the proposed changes has made it a bit more clear so that you can be more informed about the choice going forward. I look forward to hearing your feedback and urge everybody to support the amendment because it does represent a thorough response to the various concerns raised over the past six months or so.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you very much, hon. member.

Is there anybody else who wishes to speak on amendment A1? The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Madam Chair. I'd like to thank the Member for Strathcona-Sherwood Park for bringing this bill forward. This is indeed a very good piece of legislation and a very timely piece of legislation as theft of materials has become an increasing problem in the province. I've had the opportunity to look through the proposed amendments, and on the whole I like what I'm seeing here.

I did have some questions, though, in regard to section 4, what you've got listed here as amendment D. I'm just curious if there will be a set regulation on how often a peace officer may enter a business and ask them to produce this. I would hate to see that become a way to badger a business owner. I don't know if there's a precedent on that or not or if you have an answer for me on that. Would you like to answer that now? If you don't mind going back and forth, that would be great.

**The Deputy Chair:** Thank you, hon. member.

**Mr. Quest:** That would have to be established, I think, in regulation. We also have to assume that our law enforcement are going to execute their duties in the best interest of the public, the dealers, and all involved.

**The Deputy Chair:** The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you very much, Madam Chair, and thank you to the hon. member. I do appreciate that. I actually have had a chance

to speak with law enforcement at length on this bill, and I am happy to say that they are in support of this. They do like this piece of legislation. They were asking me how I was going to be voting on this, and I can't see many reasons why I would think to oppose this. It's, as I've said before, a very good piece of legislation.

Now, there was a question that I had on section 8, on G, as well. Maybe I'm too far ahead here. Sorry. It's amendment E, section 5, about "a specified period of time." Is there a reason we are adding this? I kind of like a peace officer to be able to answer at a time that would be timely for them rather than having to give notice to the owner that they're coming and giving them the opportunity to maybe shred the documentation that the peace officer would need to see. I don't know if you have a comment on that or if you'd like me to keep going.

**The Deputy Chair:** Hon. member, there is no question-and-comment part to Committee of the Whole unless there are no other speakers, but we have a large speakers list.

4:20

**Mr. Fox:** Okay. Well, we'll keep going then.

**The Deputy Chair:** Okay. Thank you.

**Mr. Fox:** Thank you for clarifying that.

Amendment B, reasonable measures to put the onus on the recyclers and the scrap metal dealers to make sure that there's proof of identification. I am in support of that. I think it is prudent that the law expect the recycler and scrap metal dealer to request identification. It is also reasonable to ask them not to accept any obvious forgery or altered identification. So I am in agreement with amendment B here as well.

Amendment C. What I get from this is that it's making it mandatory for metal dealers or recyclers to report immediately to law enforcement any metal in their possession that they suspect to be stolen property. Again, I am in support of this, but what I do worry about is that in their holding onto that material until law enforcement can come in and deem what it is, they may be incriminating themselves and risking confiscation of property without compensation. We just want to make sure that in exercising their rights under this piece of legislation, they don't indeed incriminate themselves in a legal matter later on.

Amendment D I believe has to do with adhering to the letter of the act and making sure that the dealers themselves are acting in compliance with the act. I really have no issues here either. I'm happy to see that a peace officer would be able to go in and inspect premises and make sure that those that are operating that business are operating it within the confines of the law and that they are operating within the confines of this act.

Amendment E is that they may request the Court of Queen's Bench for an order based solely on the oath of a peace officer, and it states that law enforcement must provide a specific time period in order to enter the premises. I think I brought this up a little bit earlier, that I don't know if we really need the peace officer to be specifying a time period. Just give them the opportunity to enter that place of business and inspect the books so that they can verify that the company is operating within the confines of this act.

Amendment F, from what I get, is reinforcing the powers granted under amendment D. I would hope that if law enforcement does have to go to the Queen's Bench to get an order, the individuals will not obstruct entry and that if they do, they will be prosecuted for doing so.

Amendment G I didn't really have any issues with at all either.

Amendment H. We just want to make sure that compliance with these orders is in relation to the Freedom of Information and Protection of Privacy Act, the FOIP Act, especially under sections 33 and 34.

Again, I think these amendments on the whole are good amendments, and I am happy to say that I will stand in support of them and will be voting in favour of this bill. I do think that it is a good bill, and I commend the member opposite for a very good and a very timely piece of legislation. Thank you for bringing it forward.

**The Deputy Chair:** Thank you.

The hon. Member for Edmonton-Riverview.

**Mr. Young:** Thank you, Madam Chair. It is my pleasure to rise and speak to this amendment. First, I'd like to say a few words about our sponsoring member. I know all members can see the tenacity and dedication that the Member for Strathcona-Sherwood Park has put behind this bill. The member's efforts are admirable and an example for all of us.

While working with the Edmonton Police Service, I was involved in efforts to implement a city bylaw with similar objectives. At that time it was widely recognized by the police in both Edmonton and Calgary working in this area of stolen metal that provincial legislation was required rather than a region-by-region approach with a patchwork of municipal bylaws.

It has been a long road for the member, and the advancement of this bill to this point is very welcome. Through this amendment I can see that he's continued to work on making this bill work for everyone. I speak in favour of this proposed amendment. I think it's admirable, and I can confirm that this member has engaged and listened to the full spectrum of stakeholders that are affected by it.

I want to specifically address part D of the amendment. Part D strikes out section 4 subsections (1) and (2). Section 4 specifically deals with investigative powers under the act and those circumstances which warrant an inspection. Those who enjoy powers under the act are peace officers, and I'm glad the definition was narrowed to the satisfaction of both law enforcement and others. The proposed specific change to the definition of peace officer for the act has been addressed previously, so I'll focus on section D. Under the proposed amendment it is the removal of the reasonable grounds test for the powers of investigation. Currently section 4 (1) reads:

A peace officer who has reasonable [and probable] grounds to believe that a person has committed an offence under this Act or the regulations may, after explaining to the person or to the person's agent that the peace officer wishes to enter the person's business premises for the purposes of carrying out an investigation, request permission to enter the business premises.

Now, this is just not practical. The folks that I've talked to have said that this just does not work, so the amendment is very well received.

Some may wonder why this was seen as not as adequate or forceful enough to ensure that the bill would empower peace officers under the act. Simply put, the reasonable grounds test is always in place for criminal offences such as theft or possession of stolen property. Subjecting the activities of inspection to reasonable and probable grounds negates the purpose of increased record keeping. In fact, that provision would leave scrap metal dealers subject to less scrutiny than vehicles under the Traffic Safety Act, places of business under the Tobacco Reduction Act, the fuel distribution at processing facilities under the Fuel Tax



Act, and, as mentioned previously by the sponsoring member, bylaws regarding pawned property that parallel this amendment.

That's why I'm happy that the hon. member has proposed this amendment to strike out the existing section 4(1) and replace it with "A peace officer may conduct an investigation for the purpose of determining whether a person is in compliance with this Act." The amendment continues with subsection (2): "For the purposes of an investigation, a peace officer may, during normal business hours, do any of the following," and there's a list there that's quite appropriate. Those are all the elements required for a proper investigation.

The proposed amendment changes four subsections and gives real teeth to the bill. Without the proposed amendment if a scrap dealer refused a peace officer access to their premises, a peace officer's only recourse would be to fulfill their reasonable and probable grounds requirements before a judge in order to conduct an investigation. Given the nature of scrap metal theft it is rare that officers of the law could gather enough reasonable grounds before having done the investigation. The whole idea of the inspection is to conduct an investigation of criminal activity so you can form reasonable and probable grounds and make that arrest.

The principal activities for the purpose of an investigation outlined in the proposed amendment to section 4(2) are very reasonable. In fact, the powers are limited to the application of normal business hours to reduce the disruption to the business. To the point from the member opposite about badgering or being unduly onerous on the business owners: this is not the case. In fact, the pawnshops in many of the major centres are under similar bylaws and comply with this, and I would argue that they are maybe not as sophisticated as a large industrial recycler.

The power to question a person for the purpose of an investigation is also very important and just simply germane to a proper investigation.

I'm just going to skip forward in light of the time. This is clearly well supported by not only the law enforcement, the metal recycling businesses in terms of best practices, but this amendment is going to give it the teeth required.

Thank you very much.

4:30

**The Deputy Chair:** Thank you, hon. member.

Are there any other members wishing to speak on amendment A1?

Seeing no one, we will call the question.

[Motion on amendment A1 carried]

**The Deputy Chair:** Now we'll move back to the bill itself. Are there any members who would like to speak on it? The hon. Leader of the Opposition.

**Ms Smith:** Thank you, Madam Chair. I have an amendment that I'd like to make to this bill in section 3 and section 8. I have the appropriate number of copies that I would like to circulate. I will get it circulated before I speak to it.

**The Deputy Chair:** So we'll pause for a minute while we circulate the amendment. This will be known as amendment A2.

It looks like most members have their copy. We can proceed.

**Ms Smith:** We received a letter from the CAODC in support of this bill, so we do recognize that this is something that industry wants, that there are many victims of this type of crime, and they are hoping to be able to give law enforcement the tools that they

need to be able to effectively address it. That being said, we want to make sure that we are going after the criminals rather than treating the small-business dealers as if they are criminals.

I think the amendment that the hon. member put forward and that was just passed goes a long way towards addressing some of the concerns that I had, particularly section 3.1, the way it's reworded:

If a scrap metal dealer or recycler has reasonable grounds to believe that the metal in the possession of a scrap metal dealer or recycler is stolen property, the scrap metal dealer or recycler shall immediately report the matter to a law enforcement agency.

My sense of this is that scrap metal dealers and recyclers want to be able to get to the bottom of those who are committing criminal offences. They don't want to enable those who are committing criminal offences, and I think they probably have a fairly good radar for when a certain amount of material comes in, whether or not it is something that should be reportable. That's why I think that with the amendments that were made, some additional amendments should be made just to make sure that we are focusing our law enforcement efforts on the people who are committing the crime rather than those who are the victims of the crime. Let's face it: the scrap metal dealers and the recyclers are also going to be ones who are potentially victims of this type of crime.

If you look at the amendments that I'm proposing, I'm proposing that now that we've got these new amendments in place, we can strike a couple of sections. I would propose striking subsection (5) and subsection (6). I'll read subsection (5), and hopefully you'll see as I do the extra burden and difficulty this might create not only for the scrap metal dealer but for law enforcement as well. Subsection (5) says:

Within 24 hours of purchasing or receiving scrap metal of a weight that is greater than a weight prescribed in the regulations, a scrap metal dealer or recycler shall provide the prescribed information collected under this section to a law enforcement agency.

In addition to that, subsection (6) says:

For the purpose of calculating the weight of scrap metal received or purchased as required under subsection (5), any transaction or series of transactions with the same individual during a 7-day period is deemed to be [more than] one transaction.

Now, if we strike these two, the related section that would have to be struck is section 8(e), where we prescribe a weight for the purpose of section 3(5). The problem with these two clauses and the reason I do think that they need to be struck is because we don't want to be in a position where we're putting an undue and unnecessary paperwork burden onto our scrap metal dealers and our recyclers. We don't want to make our scrap metal dealers and our recyclers criminals just because they weighed material wrong and they didn't report it within the prescribed period of time or they weighed it wrong over a seven-day period and didn't report it in the prescribed period of time. We don't want to create reporting crimes with this. We actually want to create tools for law enforcement to go after real criminals. So it does seem to me that with the amendment put in, where if an individual believes that it has been stolen property, then they would use their own judgment to contact law enforcement, I think that's a better provision than this arbitrary requirement of 24 hours.

There are a couple of reasons why I think this will actually work against our law enforcement efforts if these are put into place. If you, for instance, prescribe that one tonne or maybe 100,000 kilograms is the amount that you determine to be a suspicious amount, then you can well imagine that criminals are

going to divvy up the amount of product that they give to a scrap metal recycler so that they are just below the prescribed limit so that they can avoid having this provision catch them. I think that would then create an unnecessary burden on the scrap metal dealer and the recycler, but it would also give guidelines to the criminals about how they can get away with doing this kind of theft because you're actually prescribing what you think is a suspicious level for each of the different types of metals.

I don't know how many different types of metals, frankly, are subject to this kind of regulation, but I think if you have this kind of requirement on our scrap metal dealers, you're going to be spending an awful lot of time filling out forms and paperwork and dealing with the different types of weight: whether they should go up, whether they should go down, amending the amount of weight up and down, looking at the different types of metals up and down. It seems to me that that gets away from what it is we're trying to do. We're trying to give law enforcement the tools that they need. If they hear that there has been some scrap metal that has been stolen, then they will be able to proactively go out to these different dealers and be able to go through their books. That's a perfectly legitimate and reasonable portion of this bill.

Turning the onus back to the recyclers and turning the onus back to the scrap metal dealers I think gets us away from what it is we're trying to achieve with this legislation. We don't want to treat our small-business owners like they're doing wrong just because they happen to be in this business. I would hazard a guess that the vast, vast, vast majority of metals and scrap that they deal with is above board, is legal. Yet what you're doing with this provision is making them potentially guilty of paperwork crimes if they end up recording it wrong, not doing it over the seven-day period, misunderstanding how the regulations are written, maybe not knowing what it is for one piece of metal versus another piece of metal.

Let's make it easy for our scrap metal dealers and our recyclers to work with law enforcement to be able to enforce this. The onus really should be on the peace officers. The onus should be on law enforcement once they've identified that there has been a theft for them to proactively go out to the dealers and look through their books. We shouldn't be forcing our scrap metal dealers and our recyclers into a position where they're having to keep reams and reams and reams of unnecessary paperwork, essentially creating a needle in a haystack when it comes right down to it. We want to make it easy for our law enforcement to be able to identify the perpetrators of crime rather than put the onus on our dealers and our recyclers, who I think under this type of proposal would feel like criminals themselves.

So with that, I'm hoping that the hon. member will consider striking out subsections (5) and (6) and amending section 8 to strike out clause (e). If we can do that, I think that this legislation is something that would be welcomed not only by law enforcement, also clearly by companies that have been victims of this kind of theft, but also something that can be embraced and supported by the scrap metal dealers and recyclers themselves, who really are going to be at the front line on making sure that we identify those who are doing wrong and making sure that we can punish them.

Thanks, Madam Chair.

**The Deputy Chair:** Thank you very much, hon. member.

Is there anyone else who wishes to speak to the amendment A2? The hon. Member for Strathcona-Sherwood Park.

**Mr. Quest:** Well, thank you, Madam Chair. I think we sort of appreciate where the intent of the amendment is. Practically, first

of all, this needs to be left to regulation because values will change. What 100 pounds of copper is worth today may vary years from now, and we're not going to want to come back in legislation and start relooking at these things.

4:40

I don't think it's onerous on the scrap metal dealer. I think we have to have confidence that those who'll be responsible for the regulations will set the weights at reasonable levels so that it's not onerous on the business owners. It's interesting because in the discussions I had with the scrap metal dealers association, they didn't actually bring it up with me. But perhaps it's arisen since. That was a few weeks ago.

With respect to the comments from the member about the sort of divvying up of, say, a spool of copper wire, while the intent of this legislation is, as I said earlier, not going to stop all scrap metal theft, it's to make it harder. It's going to make it harder on thieves if they do have to start divvying things up. Because of the provision for reporting numerous transactions in the same week, again, if they want to start running all over Alberta trying to sell tiny pieces of copper wire, well, that's going to make it a lot more inconvenient for them, and it's going to make the product a lot less attractive to steal.

Those are my points, and for those reasons I won't be supporting the amendment. Thank you, Madam Chair.

**The Deputy Chair:** Thank you.

The hon. Member for Rimbey-Rocky Mountain View-Sundre.

**Mr. Anglin:** Close. Rimbey-Rocky Mountain House-Sundre, Madam Chair. Thank you very much.

I'm going to stand and actually speak in favour of this. I did not speak to the last amendment, but there needs to be consistency in language in the legislation. I think it's important. As a former police officer I do believe there needs to be reasonable cause to think that somebody is violating the act. I think the language needs to be consistent across all legislation. I understand how that last amendment came to be. I'm definitely going to be supporting this act. I think it's a good act, that we take a positive step to reduce crime, and I don't think there are too many people here that disagree with that.

I do want to speak to small businesses, though, and particularly the onus of whose job it is to investigate crime. Under the former amendment it was made clear that if the scrap metal dealer suspects there's been a crime, they are compelled to report it. I think that's good. What this amendment does is it relies upon the previous amendment to do its job. It removes the paperwork and the necessity of possibly penalizing an innocent business.

I'm always cautious of unreasonable search and seizure. I'm always cautious of penalizing those who are trying to abide by the law. I don't want to make them victims of an administrative fine or civil problem because their goal was to comply with the law. They determine according to the other amendment that there was a situation where they suspected a crime. They reported it properly to the authorities. The local authorities now have the ability to come out and investigate and do the work that we want them to do. What I don't want to see is somebody that's in trouble because they miscalculated the weight or they missed that time frame and they could be subject to a violation of this act. That's why I support this amendment, because that's really important.

When I ran a small business, there were so many things that you had to do to comply with rules and regulations depending on your business. Scrap metal dealers are no different. But when you add one more, if they were to honestly miss this – I'm not talking

about the scrap metal dealer who's looking to violate the law. This act does a very good job of bringing them under the umbrella of the law, where we can prosecute them. I'm focusing on those dealers who are conducting an honest business, who are looking to just do their daily routine and not have this extra onus put upon them.

Madam Chair, I have to compare both amendments because they're so new. The previous amendment, just passed, did the trick in my mind. It puts the onus on the business. If they so much as suspect, they are compelled to report it. If they don't, they would be in violation of the act. But having subsections (5) and (6) in there also is just a tripping stone, for me, on these honest businesses who are trying to comply with the law. What we've done here is just submit an amendment that says that everything flows well. What we don't want to do is put someone in violation of the act who had no intention of being in violation of the act.

As the hon. member said, the weights will change. The value of copper will go up and down. Regulation will have to chase that accordingly, and that's unnecessary, really.

What we're after is the theft, regardless of the weight. That's really important. When you have that 24-hour reporting, it makes sense sitting here in the Legislature; it may not make sense if you're running a business, and you're not watching the clock, and somebody points out to you in two days or 48 hours. It's like: you didn't report that in 24 hours, so that would be a violation. I'm not saying we would prosecute them, but they would be in violation of the act, unnecessarily, and they shouldn't be.

That's how I look at this, and I would hope the hon. members would give another look at this and say: does the act do what we intended to do? I submit to you that it does. It looks at the crime. It looks at how we can make it so that the peace officers, the RCMP, whoever is investigating has the ability and the authority to conduct their investigation properly. It also allows us to get these people to justice, where we can hold them accountable for breaking the law. I think the act does that. What we don't need to do is overburden anything with this language in sections 5 and 6. I'm curious if anyone else shares that same opinion.

But I do support this amendment. To me, it makes it a little bit more streamlined. I know if the Energy minister were dealing with streamlining, he would always agree that we should streamline various legislation.

Thank you very much.

**The Deputy Chair:** Thank you, hon. member.

Is there any other member who wishes to speak on amendment A2? The hon. Member for — uh-oh.

**Mr. Bikman:** Wherever I'm from. Cardston-Taber-Warner. Unless you're from Taber, and then it's Taber-Cardston-Warner.

**The Deputy Chair:** Cardston-Taber-Warner. Thank you.

**Mr. Bikman:** Thank you, Madam Chair. I support this amendment, of course, because it does simplify things. We don't want to put these scrap metal dealers in a position where they're reluctant to draw attention to themselves for fear that there might be some little letter of the law, an i not dotted or a t not crossed, and I think that the friendly amendment that's been suggested will accomplish that and make them more likely to comply because they're not fearful that somehow there's some other tiny little regulation that they've missed. I support what has just been said and add to it that thought and perspective.

In addition, I think it's important that we realize that a basic law of economics is supply and demand. People aren't likely to steal if there isn't a place that they can sell it to, so we try and make it

more difficult for them to find places to sell their stolen goods at, and the bill, I think, does that. But I think it still correctly leaves the onus on the scrap metal dealer to report it. We are proposing a bill that will affect all scrap metal dealers. I think most of them are honest — at least, I hope they are — but I know there are some who aren't, and we want to make it more difficult for them to get away with continuing to create or remain in demand for product. You know if something is stolen. I think you have a sense of it. You know, it doesn't pass your sniff test. Where did this come from? What's the provenance? How did this guy just happen to show up with a coil of wire, or whatever quantity that he proposes to sell?

I think the bill addresses these things, and this amendment makes it easier for the bill to do its job. I hope also, as my colleague suggested, that we'll consider this amendment as facilitating the result that we're all seeking.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

This is on amendment A2?

**Ms Blakeman:** It is.

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

**Ms Blakeman:** Thanks very much. This is one of these amendments that I wish we could sever because there are parts of this that I agree with, and I'm going to break it out here. When we look at amending section 3 and striking out subsection (5), which is the time period that is prescribed here, that within 24 hours of purchasing or receiving the metal with a certain weight that's prescribed, the dealer has to provide the information that they collect to a law enforcement agency, presuming that they think there's something wrong, the issue with the 24 hours is that our world doesn't work that way. We have statutory holidays, we have weekends, we have extended Christmas holidays, and this doesn't allow for any of that. If on Christmas Eve or the day before Christmas Eve you take in something, you're now going to have to report on Christmas Day, supposedly, and if you don't, you're in trouble.

4:50

I think part of what really offends me — and I will try very hard not to go over ground already trod, Madam Chairperson — is that this is not doing what it was supposed to do. Already in the discussion I've been hearing in this House that the focus is entirely on the dealer. When you guys get out in front of the media, you're going on and on and on about how this is going to stop the thief, but you actually look at the bill, and this is about requirements from the dealer. So you are making a small businessperson jump backwards through hoops while holding, you know, a glass of water. All of the onus here is on the small-business dealer. You have failed utterly to convince me that that is going to stop any thief.

Everything that's in this bill is after the fact. The theft has occurred. All you're trying to do is build a database in which to chase somebody down after the fact if you can actually find them. In the meantime you have now put a whole sector of people, a whole — I don't know what you use to describe a certain kind of business — certain kind of business under all of these prescriptions. They have to report it within 24 hours. It has to be a certain way. All of the onus is on them. They have to do all the work.

The 24 hours thing. Well, I mean, I'm remembering the movie *Garden State*, in which, you know, there was a scrap metal dealer in there that was doing very strange things, and he might well have worked 24 hours, seven days a week. But most people in

North America still manage to close their business for some period of time, so this is an unreasonable requirement of any businessperson. It doesn't take into consideration any kind of – like, if you want to say 24 hours of a business day, okay, I'm in. If you want to say 24 hours Monday to Friday, okay. But this is 24 hours. Stop.

You now expect someone, you know, if you sell it at 8 o'clock at night because you're open – I'm getting a bit silly here, but you get my point. Because you're open late on a Thursday night and at 8:55 you sell something, that means the next night when you close at 6, it doesn't matter. You've got to stay late in order to hit your deadline unless you can manage to get it done earlier. It's just the kind of thing that makes me nutty about legislation because it doesn't take into consideration the way people actually work, and I really resent making the small businessperson the bad guy here, which is what this does.

Just to close that circle, I am in favour of striking out subsection (5). Subsection (6) I'm a little less exercised about because I'm assuming that it's in there to make sure that somebody doesn't cut something up and come back day after day after day with seven pieces and altogether they make one big spool. Am I correct in that? I'm looking at the member. This section 3(6) was to make sure that they couldn't bring in pieces of the same thing because it's talking about a seven-day period being all treated as one? Well, that actually helps out the small businessperson because they don't have to register seven different things, so that actually, I think, helps them. Then section 8 is just following up on the weight requirement that turns up in the regulations.

I'm really in favour of the A2 amendment that strikes out subsection (5) because I just think it's unworkable and not fair, less concerned about striking subsection (6) . . .

**The Deputy Chair:** Excuse me, hon. member. I hesitate to interrupt you, but according to Standing Order 8(6) we are now required to rise and report.

[Mrs. Jablonski in the chair]

**The Acting Speaker:** Thank you, hon. members.

I'd now ask the Member for Calgary-Mackay-Nose Hill to read the report.

**Dr. Brown:** Madam Speaker, the Committee of the Whole has had under consideration a certain bill. The committee reports progress on Bill 201. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

**The Acting Speaker:** Thank you.

Does the Assembly concur in the report?

**Hon. Members:** Concur.

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

Thank you.

### Motions Other than Government Motions

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

#### School and Community Facility Partnerships

503. Mr. Fraser moved:

Be it resolved that the Legislative Assembly urge the government to construct new school facilities in collaboration with municipalities, school boards, and other

stakeholders which would function as schools during the day but have the ability to offset operational expenses by partnering with compatible public and private enterprises such as but not limited to libraries, daycares, and recreational facilities.

**Mr. Fraser:** Thank you, Madam Speaker. I'm pleased to rise today and open debate on Motion 503. I'm proposing this motion because innovation in the construction of school facilities holds promise for cost efficiency and multiple community purposes. Motion 503 urges the government to explore potential partnerships between public and private enterprise in school construction and maintenance. By doing this, the government would decrease the costs of building and maintaining school facilities.

In addition, Madam Speaker, these partnerships would allow for other temporary and permanent uses for school buildings. Multiple-use school facilities could result in other revenue streams for school boards, which could in turn reduce operational expenses. While there are already examples of this type of public-private co-operation in Alberta, Motion 503 would encourage the government to pursue more of these partnerships in the construction of future schools in order to lower capital costs.

Students spend a lot of their time in school facilities, and it's essential that these spaces are capable of offering world-class programs. These buildings must be safe, clean, and fully outfitted with the technologies and tools of modern learning. To fulfill these requirements, we need cutting-edge innovation at every step of planning, designing, constructing, and operating our schools. Resources such as gymnasiums, libraries, laboratories, swimming pools, and outdoor sporting facilities contribute to an exceptional learning experience. As well, these spaces also create the opportunity for joint use in the community. All communities require public facilities to interact socially, exercise, study, or read, among other things.

Schools are natural centrepieces of our communities, providing focal points and meeting places for families and neighbourhood events. Because of this, Madam Speaker, it makes social and economic sense for these community facilities and services to be consolidated in local schools. From a social perspective the combination of educational, recreational, and other infrastructure allows for a common meeting place for a community. Economically speaking, consolidating these facilities reduces the number of sites that are needed to be developed and subsequently maintained.

Madam Speaker, Motion 503 proposes partnering with compatible public and private enterprises to effectively pursue further construction and utilization of joint-user facilities. Joint-use facilities constructed and operated through these types of partnerships can already be found in this province. For instance, the Red Deer public school district has partnered with the city of Red Deer to enhance and enlarge a public school's library so that it can be used by the public library as well. In Lac La Biche a new high school will be connected to a multiplex recreational facility built by the county. These are only two examples, and they hold great promise. In addition, they illustrate the types of partnerships that are feasible in both urban and rural communities.

As many of you know, the capital plan has already seen the completion of 14 schools in Edmonton and Calgary by the close of 2012. By 2012 nearly 13,000 new student spaces will have been added, with a further 8,000 in subsequent years. However, in the past, analysis by the government found that results could be improved through a combined procurement approach. These combined methods include private-public partnerships, regionally bundled projects, and design-bid-build projects. Madam Speaker,

it is expected that this combined approach could result in savings of more than 10 per cent over the traditional procurement procedures. By pursuing such innovative practices and these combined methods, the province could increase the number of joint-user school facilities in service.

5:00

Madam Speaker, despite the evident economic advantages offered by Motion 503, the social impact on the community is no less important. A joint-use facility can become a community hub accessible to all citizens, and it focuses and centres an entire community. These facilities can provide expanded recreational opportunities both indoors and outdoors in the form of hockey rinks, gymnasiums, swimming pools, track and field areas, or fitness centres. They can also ensure ready access to print materials through shared library services. These facilities can house expanded student, community, family, and other social services. Importantly for the educational system the presence of these facilities and services in a single location can mean that the school curriculum is enriched and enhanced with access to library, laboratory, and recreational resources that may not otherwise be available to students.

I'm certain that we will agree that Alberta is the forefront of education both within Canada and around the world. My reason for tabling Motion 503 is to encourage the continuation of that tradition of excellence and thinking outside the box that allows Alberta to be prosperous and the province that it is. Motion 503 exposes children to innovation from a young age, and they will innovate for the future. Motion 503, Madam Speaker, is meant to encourage the government to rethink its approach to the delivery of both education and community services across this province.

I urge all hon. members to take an interest in this debate and consider fully the advantages of pursuing the changes proposed by Motion 503. Thank you.

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

**Mr. Barnes:** Thank you, Madam Speaker. I rise today to give my support to Motion 503 and to thank my colleague from Calgary-South East for bringing this motion forward for us to debate. We know that a school facility can be more than just a school. A school can also be a community hub, especially when it houses a community library, daycare, or rec centre. In many schools, especially in rural areas but also in urban areas, partnerships like these are already occurring.

This motion calls upon the government to actively collaborate with a community when constructing new school facilities by urging the government to work with municipalities, school boards, and other interested stakeholders before the construction of a new school facility. This is because there are many compatible enterprises both public and private that could partner with a school facility to meet the needs of the community and, in turn, share in the operating expenses of the facilities.

Madam Speaker, I much prefer the approach outlined in this motion to the approach recently outlined by the government. The government's approach is to borrow its way into debt, claiming that the only way infrastructure in our province will get built is this way. I much prefer the approach, outlined in this motion, of actually working with the local community to see what other needs it has that could be partnered with a new school. This will ensure that the community gets the best value for the money spent to construct and operate both the school and whatever other enterprises it partners with.

A great example is in my constituency of Cypress-Medicine Hat. It's an example where a partnership like this between a school and a community facility and the municipality is working very, very well. In Medicine Hat Notre Dame academy and the Medicine Hat Family YMCA are located at the same site and share the use of facilities. Students at Notre Dame use the YMCA facilities, some six gyms combined, as well as the activities offered by and run by the YMCA itself. The city of Medicine Hat also co-ordinates recreation and other activities such as classes and meetings using both the YMCA gym and the school facilities. Clearly, this arrangement is working well. It is a first-class, very-well-used facility and school. This arrangement is working well not only for the school community of Notre Dame but also for the wider community of the city of Medicine Hat and the area of Cypress-Medicine Hat.

I agree that I think it would certainly be beneficial for research into whether there are community partnerships available for a new school facility to be a standard part of the preliminary planning when the government is considering where to construct and how to share new schools. Partnerships between a school and an enterprise that will be using the school's facilities would lower the cost to taxpayers when everyone using the facility shares in its operating costs. Of course, Madam Speaker, there is only one taxpayer. In some cases, particularly in rural areas, a partnership between a school and another community enterprise may be the only way either of these facilities could feasibly and economically be built.

Madam Speaker, these are some of the reasons, along with some of the other very good points raised by my colleague, why I will be supporting this motion. Thank you.

**The Acting Speaker:** Thank you, hon. member.

The hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you have very much, Madam Speaker. I'm pleased to rise today to talk in favour of Motion 503, brought by the Member for Calgary-South East, which calls for innovation in building combined facilities for new schools. In fact, the motion actually calls upon the government to seek new ways of building schools that will not only save costs, one of my favourite topics, but will also amount to an investment in the communities in which schools are built. Now, examples of these schools include combined school and recreation centres as well as combined school and library services. The result of this innovative approach to constructing schools as providers of multiple services is the increased use of facilities by community members as well as construction and maintenance investments from parties other than the government.

Madam Speaker, given the consolidation of services that these combined new schools offer, what this motion proposes could potentially be practical throughout the entire province but, I'd say, specifically in rural communities, as the Member for Cypress-Medicine Hat has mentioned. Smaller towns may not have the population necessary to justify the construction of multiple buildings in which to house services nor may they possess the space required for a large number of separate facilities. It may be unlikely that a rural community that houses, for example, a school, a library, a community centre, and a recreation centre would see all of these services utilized to their full capacity, but all of these services, though, are very important and vital to the particular community.

This has already been recognized by a number of communities across the province and elsewhere. There are already a variety of examples of combined-use facilities that are in the planning

stages, that are being constructed, or even some that are already in use. In fact, Madam Speaker, a number of these buildings are located in smaller rural communities, as I mentioned.

For example, there's currently a project under way in the town of Penhold, which I have the pleasure of driving by twice a week. This project is the result of co-operation between the town of Penhold and also the Chinook's Edge school division, and it entails the attachment of a multiplex centre to an existing school. Penhold has a population of about 2,000 people, and it would be very difficult for a town that size to support multiple specific-use locations, but again these are very vital to the community itself. By appending a new multiplex facility onto an existing high school, costs that would otherwise have gone toward building an entirely new structure are spared.

In addition to this cost-saving initiative, Madam Speaker, the town of Penhold has a new and more versatile centre that can function as a centerpiece for the community. When completed, this joint-use building will serve as a common area not only for families with children in attendance at the school but also for community members seeking a venue for recreational activities. To cap off the many advantages of the new facility, the students enrolled in the school will have access to new, fully equipped spaces that will enhance both the physical education curriculum and the health and wellness of students. It is encouraging to see rural communities pursuing such projects of their own accord.

Madam Speaker, the nature of joint-use facilities such as the one that I discussed is not only in the utility once built but also in the dynamic partnerships formed in planning and building them. To cite the Penhold example once again, the combined school/multiplex project was made possible by a partnership between the town of Penhold and the Chinook's Edge school division. Partnerships of this kind can contribute to an exchange of ideas that may help maximize fiscal efficiency and nurture social and cultural vibrancy regardless of the size of the community.

#### 5:10

I'm pleased to see that Motion 503 acknowledges these already noteworthy accomplishments. Nongovernment involvement in these projects could allow rural communities to benefit from self-sufficiency in the maintenance and operation of joint-use buildings. This province was built by enterprising citizens, Madam Speaker, and it appears, again, that the hon. Member for Calgary-South East recognizes this and wants to move forward on this path.

If Motion 503 is adopted, there is a potential that costs to schools may be reduced. I've mentioned the rural community aspect, but speaking to this as someone who represents a rather mature community that has not had a school built for many years, we could also look at ways that we can employ the usage of existing facilities to make these end gains regardless of where you are in the province.

I'd like to thank again the hon. Member for Calgary-South East for bringing forward this motion that's allowed the House to highlight the accomplishments of rural communities in pursuing their innovative solutions to the challenges. Madam Speaker, we also have to realize that in these rural communities you're going to have some places where you can't have all of these facilities, but if you put them together, they can make for a very vital community. At the same time you may see a net cost reduction in construction but also places that might have individuals, groups rent the particular facility not only for this year but for many years ahead of us. This may be something where we may be really on to something good here when it comes to the vibrancy of our local communities regardless of where you may be in the province.

With that, I will take my seat, and I look forward to hearing from the next speaker.

**The Acting Speaker:** Thank you, hon. minister.

The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Madam Speaker. It's a pleasure to rise to speak to this motion. It raises a number of important issues. Certainly, we've heard a great deal of debate in this House over the course of the last several years that I've been here, actually, about the need for new school facilities and about the struggles that we are seeing in a number of communities.

There are a couple of things that I'd like to comment on in relation to this. First of all, as a member who represents a riding that's in the inner city, we have a significant concern in that there is a tremendous amount of pressure being brought to bear by this government and its policies on school boards to close inner-city schools. Unfortunately, what tends to happen is that it's presented as an either/or sort of scenario. The school board is told: well, if you don't close these inner-city schools, we're not going to open anything or build anything out in the suburbs. Quite frankly, Madam Speaker, I don't think that that is the right approach to dealing with the problem.

In no way, shape, or form do I negate or deny that there's a tremendous need for school infrastructure both in the suburbs as well as in many of the rural communities that the previous speakers have identified, so there needs to be work done in that regard. However, we also need to take on the fact that at this point the administration of school infrastructure and the processes which impact on it are actually governed by three levels of government: it's the school board, the municipality in terms of the development that they approve, and then the Minister of Education through his funding.

By failing to bring those bodies together, we seem doomed to make the same mistakes over and over and over again, mistakes that we've seen happen in much more mature jurisdictions than ours, where we see inner-city communities dying as a result of sort of very short-sighted infrastructure decisions being made with the decision-makers being spread across three different authorities with three different interests in play, and then you're left with what could have been vibrant urban communities being challenged as a result of many of these infrastructure resources being eliminated through a failure to plan. So I just think it's really important to talk about that.

Our party in the last election talked about creating a community regeneration fund that would go hand in hand working with municipalities and school boards to ensure that we did what was necessary to preserve the integrity of our school infrastructures in inner-city communities so that with the expected evolution and sort of revolution around where people choose to settle over time, we still have the resources in those central communities to maintain the health of those communities and to maintain the viability of those schools.

Having said that, there are many good points in this motion, in particular the idea of bringing together different types of community activity in one building.

When you're talking about child care, for instance, when you're talking about recreation, those are all really important things, the idea of using these institutions and having them maximize their benefit to the community so that we're not just looking at the hours of the school, but we're looking at the weekends and the evenings and all that kind of stuff because schools are community hubs, and they are integral to community development and community health. That's why I made the other points previously

that we just can't blindly go about pressuring school boards to close schools in currently functioning, mature communities.

The one thing I would say that I'm a bit concerned about is this notion of partnering with compatible public and private enterprises not limited to libraries, daycares, and recreational facilities. Those are really good. I could see adding arts facilities to them. I'm little nervous about partnering with, you know, the Walmart rock-climbing centre or the Cineplex/Coke cinema centre. I don't know. I'm just making this up as I go along. The point is that the way the motion is crafted, I'm not entirely sure who it is we might be partnering with and what limits might be placed on it.

Of course, as you know, Madam Speaker, it is our party's position that any kind of P3 scheme being used as a means of funding school infrastructure is problematic because, essentially, P3s are debt. They're debt the same way as is borrowing on the market to build the new infrastructure, that has been the subject of so much conversation for the last two weeks. In the same way that's debt, except in many ways it's the worst kind of debt because we have even less control and oversight, and taxpayers have less accountability for the debt that we've taken on. So we take on a debt. P3s are a politically expedient debt because we take it on and we keep it off the books. But it's still a debt that ultimately comes back to the taxpayers. It's a debt where we have less control over how we use those facilities, we have less control over the size of those facilities, and we have less control over how we can build onto those facilities.

Of course, we have already seen examples of that with respect to the P3 schools that are already in existence in Edmonton, where the P3 arrangement has prohibited rational common-sense use and development of an infrastructure that was designed for the community, but unfortunately because of the P3 ownership relationship we're not able to get the best bang for our buck. So on one hand, we're on the hook for the ultimate cost of that P3 because, just to be clear, P3s, you know, are like the quick and dirty. You get it right away, but the financial liability rests with the taxpayer. It always does, and it will in the end. So we have that liability, but we don't have the control and the ability to maximize it in a way that's both commonsensical and rational and clearly designed and suited for the best interests of the community for whom it's built.

I am concerned about this motion in that it doesn't seem to preclude the increase in P3 funding. Indeed, it seems to potentially invite it. That would be a concern that I have because I don't think that is a wise long-term path forward. In some cases it does make sense to borrow for infrastructure, and I'm sure that Madam Speaker is aware that members in our caucus have identified that for many, many years now. But when you do borrow, you don't give away the keys and say, "Geez, I hope you don't mind if I use it every second weekend," and then leave it at that, which is what you're essentially doing when you go with the P3 funding model.

However, I do want to end on a positive note. I think the idea of collaborating with municipalities and school boards is good. I think the idea of having a multiplicity of uses in these institutions is very good. Of course, you know, the government has been talking about wraparound schools for as long as I've been elected. However, it doesn't seem to be happening quite as quickly as we would hope. Perhaps that sentiment will be more persuasively shepherded through the current version of this Conservative caucus, and we'll see more of that in the future.

Thank you.

**The Acting Speaker:** Thank you, hon. member.  
The hon. Member for Edmonton-Gold Bar.

5:20

**Mr. Dorward:** Thank you, Madam Speaker. It's an honour for me to rise today and speak to Motion 503, the goal of which is to seek partnerships and other innovative approaches in the construction of new school facilities. I'd also like to thank and congratulate, in fact, the hon. Member for Calgary-South East for bringing forth his first, and hopefully not last, motion in this House.

Madam Speaker, this is an issue that is dear to my heart. Many will know that I've spent a good portion of a decade – that sounds like a long time – of my life in a project that I felt was necessary for the city of Edmonton. The building, indeed, is called the Saville Community Sports Centre, often referred to as the GO Centre. That centre was a need in our city somewhat because we don't have extensions of the schools. In fact, it was very difficult at the time that I was doing the initial work on that project to get into the schools to be involved in sport and, indeed, to get youth and kids off the streets and out of the malls. Not that malls are bad, but it's better for them to be in a place where they can bounce a ball and have some athletic endeavours in their life. This bill speaks to those kinds of issues, and I do hope that the government will certainly pay attention as we move forward with this motion.

As we have continually heard from both sides of the House, Alberta is growing and requires more schools. With one of the best educational systems in the world it is important that we strive to provide the amenities that support that system. To achieve our goal, this government is always seeking new and innovative approaches to planning for, designing, building, and managing educational facilities. The hon. member's motion seeks to encourage just that by partnering with public and private enterprises when building public schools.

The greatest benefit would be to alleviate the cost to government, indeed, for building and maintaining schools. This, in turn, would free up more funds for priority education projects. By allowing other temporary and permanent uses for schools, we could open up operating revenues for school boards by aiding them in reducing operating expenses. We've already seen a number of arrangements that involve private partnerships. We've heard about them already. However, this motion entrenches this approach whenever feasible.

As I have mentioned, Madam Speaker, Alberta is growing. This province has experienced the highest population growth across Canada in the last decade. Since 1996, in fact, Alberta has surpassed the average national population growth rate of 1 per cent by more than double, at 2.1 per cent. I think it's a pretty safe assumption that we will continue to see this extensive growth in Alberta. Actually, statistically speaking, Alberta has the lowest mean age at 35.7 years – some people are surprised at that – and the lowest population of seniors at 10.4 per cent across the country.

Currently, however, we have approximately 600,000 school-aged children, and it's estimated that we will increase that by about 100,000 students by the year 2020. So the Alberta government has to find a way to accommodate that 100,000 more children in eight short years. That's why we need to continue to be innovative when planning to accommodate the rise in population of school-aged children, and that's why we need to build the necessary infrastructure for this province.

I think it is great that the hon. member is looking to the future and making us all take a good, hard look at different options for infrastructure planning in the debate today. Presently the Alberta government is constructing 22 new and replacement schools, with a focus on meeting local needs of our fastest-growing commu-

nities such as Airdrie, Beaumont, and Fort McMurray. I think I saw some sod-turnings in that regard recently.

In addition, to handle the growth pressures and to maintain infrastructure, Alberta's capital plan calls for the modernization of an additional 15 schools. As we heard, I think it's possible that we can weave this into those as well. These 35 school projects, that are in the 2012 to 2015 capital plan, have a combined budget of over \$550 million. Half a billion dollars, Madam Speaker.

In an analysis conducted by the government, it has been found that when using combined approaches such as those that the hon. member proposes in this motion, the cost savings are more than 10 per cent of the traditional procurement methods. Madam Speaker, there are a variety of methods that can be applied to the construction of combined-use facilities. Indeed, I had to go through this process with the Saville Community Sports Centre. They include private-public partnerships, or P3s, regionally bundled design-build projects, individual design-bid-build projects, and regionally bundled design-bid-build for modernization projects. Those are interesting terms when you dive into them, very, very interesting.

Now, there's much that can be said about these diverse options, and I would encourage my colleagues to become familiar with them. It is important that we understand infrastructure and the need to properly plan for our future. By using these approaches, not only will we see projects being completed more quickly, but they have the opportunity to provide optimal value for hard-earned tax dollars.

However, in part the 10 per cent savings I've mentioned, Madam Speaker, will be realized as a result of utilizing government expertise to manage the large construction projects and provide oversight of project scope. This government is able to achieve economies of scale through this bundling. For example, this can result in scheduling, administrative, and consultant fee savings. Additionally, when the government of Alberta tenders the project, it receives a guaranteed fixed construction price. By contracting out the projects, much of the financial risk is transferred to the contractor and not the government.

That being said, Madam Speaker, I look forward to discussion on the motion and to further pursuing research on these other possible cost savings. Once again, thank you to the hon. Member for Calgary-South East for bringing forward such a timely and important topic for discussion, one that's very close to my heart.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

The hon. Member for Chestermere-Rocky View.

**Mr. McAllister:** Madam Speaker, thank you. It is a pleasure to rise and speak to this Motion 503 from the Member for Calgary-South East. I like the tone in here a lot better than we had a couple of hours ago. It seems we're all in agreement on this motion, which is a good thing. I think on the focus of education we pretty much always are. Although we might have a different idea of how to get to the end goal, we all agree that we want what's best for our kids.

I think the intent of this motion is a very, very good idea. We want schools, of course, to function as a hub in the community, someplace that we can all go to and share time, watch that community grow. If there are measures that we can take to encourage partnership with local enterprises where new schools are built, how facilities are constructed, I think that could benefit not just the school community but the community as a whole.

There are sort of two angles to looking at this motion, and I see them both as potentially positive. I just want to make a point to all of us to remember back to our childhood here for a second. I had

the great pleasure, Madam Speaker, in my previous career of moving around the country quite a bit. Although I've spent 25 of my 40-plus years here in Alberta, I've lived in half a dozen provinces, and this practice is applied in most provinces in the country, to my knowledge. I can think of being a youth in New Brunswick and attending a youth group at a school, and I can think of being in Ontario and going to use the school for community floor hockey, out on Vancouver Island the same thing. Currently here in Alberta the church service I attend on Sundays in Chestermere is in a Catholic school. It's Our Lady of Wisdom.

These are hubs, you know, for communities. I don't think everybody does it the same way, and I'll come back to that point in a minute because I never want to get to the point where we try and pigeonhole a one-size-fits-all approach, but I think we all support that notion.

As the Education critic, or advocate, as I like to say, for the Official Opposition, I have had the privilege of engaging with students, with teachers, with school board representatives right across the province, and I think it is accurate to say that in many communities the idea is already being practised. Many school facilities are so much more than classrooms. They might house a library, as some have mentioned here today, community meeting centres, gymnasiums used by groups as well. The Member for Cypress-Medicine Hat mentioned Notre Dame academy in Medicine Hat. What a wonderful example of how a community works with a school district to have a facility for the entire city. My son was a member of Notre Dame academy for four or five years, and I used to use the facility when I was in Medicine Hat. You know, it's looked upon very favourably by the city of Medicine Hat, and it's a great example, I think, that we can look to as we look to expand the hon. Member for Calgary-South East's motion.

An example is the Rocky View school district in my constituency. I had the pleasure and opportunity to meet with the board last week. You know, they talk about, for instance, the critical hours from 3 to 6 when school gets out and when some kids more than others need more programs. They really focus on those hours, and I bet many boards do in working with the community, again, to use those schools as hubs to provide them. In this case on the financial angle, while it might not relate to the motion, it might be something to be aware of from the government side.

5:30

I'm pretty sure that Rocky View school district runs a deficit of \$120,000 on this issue just to contribute to the community programs, and I know they see it as a positive to give back, but it is something to look at going forward, to be aware of. They pick up the electricity costs and all the rest of it for their community groups.

As I said, you know, the Medicine Hat example is, I think, a great example of building a facility that can be used in partnership. Now, it might be tough – and I don't think this is the intent of the member, and I would even ask for a quick response if that's permitted or if the member wants to respond. I don't think the intent is to come up with a one-size-fits-all approach because I don't think that would work. There are so many school districts in this province, and everybody has a different idea of how things are working. Some of them have been doing it for so long that they do have very effective plans, and we'd never want to see them take a step back to try and fit an approach that we are mandating for them.

On the expenses, going forward, I know we're trying to save money as a province. I know we often talk about the debate in here: well, you guys are calling for infrastructure cuts, yet you're



calling for expansion of programs at the same time. I see the valid argument when that's thrown our way, and I always try and counter it with prioritizing. You know, that's how I view it, in terms of where you're spending, but I wouldn't want it to come to a place on a private member's motion like this where, if it ever came to fruition, we were making up lost money by putting it on the backs of somebody else in user fees and all the rest of it. While recouping costs is necessary and facilities are expensive to run as community centres, we want to make them accessible to our community groups. I think we need to keep that in mind.

I would just say that I am supportive of the motion, as I said, as long as it doesn't, to me, have a one-size-fits-all approach. We should also look to those that are doing it right. There are many boards in this province, many of yours maybe, that have examples. The Member from Edmonton-Gold Finger – Edmonton-Gold Bar gave a good example. [interjections] That is a compliment, sir. I think it's important that we look around and see who is doing it right and learn from it as we develop it.

To the Member for Calgary-South East: thank you very much for the motion.

**The Acting Speaker:** Thank you, hon. member.

The hon. Associate Minister of Finance.

**Mr. Fawcett:** Thank you very much, Madam Speaker. It's an honour to rise to speak to Motion 503, brought forward by the hon. Member for Calgary-South East. It's actually kind of humbling to rise to speak to this motion. I remember being a newly elected MLA back in 2008. I think it was Motion 509 of the day, in which I brought forward the concept of creating an urban planning organization, specifically for our two major cities, that would involve bringing together all the entities that go in and plan public infrastructure development in our cities. This went from the municipalities, the provincial government, the federal government to school boards to the health regions or the health authorities at that time, that delivered health care, to the stuff like the airport authorities and these types of things.

Far too often my experience with building public infrastructure is that it typically tended to be very siloed and very disconnected from the reality, and the reality is that at the end of the day taxpayers and citizens are all of the same. What we need to do is make sure that we're delivering services, whether they be services such as education or health care but also public infrastructure, in a way that's co-ordinated because (a) that means citizens are getting much more value in their services, and (b) taxpayers are in the end going to get much more benefit or much more value for the dollars that are being spent. Obviously, that was a much broader concept than the one that's here in Motion 503 before us today, but there are some very, very similar entities.

I think that the values that underlie both the motion that I brought forward at that time, in 2008, and the motion here are the values of innovation and collaboration. I think it's important to know that this does happen out in our communities quite often. There are some very, very good examples of projects that have moved forward with these values, but I still think we still have a long way to go, Madam Speaker, because we do talk about schools not necessarily as hubs of communities but as just schools. We know that in reality, when it comes down to how the communities view these types of buildings, that's not exactly how they look at those. They do look at those as hubs of communities, and I think they look to their government to show leadership to recognize that and make sure that we deliver programming and the physical bricks and mortar that are consistent with that. This is a

very good motion, that I think we in the Legislature should be supporting.

One of the challenges around moving ahead with this at a very broad level is that when you start talking about innovation and collaboration, it really throws the whole model out the window. I know that the members opposite have always talked about making sure that we prioritize things and that sort of thing. Prioritizing is very easy when you're comparing apples to apples or oranges to oranges. When you start having to compare apples and bananas and oranges and those types of things, it becomes much more difficult to do.

That becomes a challenge. When you start to collaborate and when you start to bring in other entities that are bringing certain groups of funding into projects or when you start to bring forward innovative projects that have multiple groups, how do you put that into the prioritization list? An example of this is that in northeast Calgary there's a need for a high school to be built there. The community has come up with a great idea to partner with the YMCA to build a great community facility that would serve generations of people in northeast Calgary for years and years to come: their recreational needs, their community meeting needs, that sort of stuff. We've got a great facility up there. The government has put a lot of lottery money into that facility, that partnered with the YMCA.

The problem is: no school. Why is there no school there? Because it wasn't on the priority list for a school. But are we talking about schools, or are we talking about serving communities? That becomes the huge problem. When we talk about collaboration and innovation, we have to allow ourselves to be flexible enough to allow these projects to come forward and say: hey, this one might need to be treated a bit differently, right?

I saw in the media some members of this Legislature being very critical of an innovative project that the Calgary board of education was bringing forward in regard to a sports school and building a facility there. Well, the problem is that that's a very innovative, very collaborative project that is different than community schools. Trying to compare whether that should get the priority or community schools should get the priority becomes very, very difficult. What we need to do is use common sense and say: hey, does this make sense for the people that it's trying to serve? For those people it does make sense. It makes fiscal sense and it makes common sense when it comes to building those types of facilities.

You know, Madam Speaker, I'm very supportive of this. It means that as government we need to be more flexible, more adaptable to identifying needs in communities and putting the financial incentives out there to allow communities to come forward with ideas. When they come forward with ideas, we can't just go, "Oh, can't do that; it's not a priority," like what's happened in northeast Calgary. We need to come forward and say: "Hey, that makes sense. It makes sense in the long run financially. Let's not delay this. Let's look at ways to get this done." That might mean possibly looking at bringing other entities in to help finance it or looking at the government to expand its options on how to finance these types of things.

5:40

At the end of the day what usually does happen with a lot of these types of projects is that they do typically become more expensive, both on the operating side and on the capital side at first, but over the long run they tend to save taxpayers money in the end.

There are a number of challenges when doing this on a practical level. My great example is this. You know, along with the

Minister of Service Alberta I had the fortunate opportunity to attend Lester B. Pearson high school in Calgary.

**An Hon. Member:** The Patriots.

**Mr. Fawcett:** Exactly. The member knows what he's talking about.

That was built in I believe the mid-90s and was supposed to be sort of the flagship school, what modern schools were supposed to look like, very technologically advanced. One of the things is that it was built right across the road from the city-owned leisure centre, the public library. There were hockey rinks, wave pools, gymnasiums. What a great idea. Why don't we, you know, utilize those resources? So a +15 was created between the two buildings so that there would be seamless interaction between the two buildings. I know that the hon. member would be able to tell you what a waste of money that was because that +15 was always closed. It was for security reasons. You can't really leave the school open to a public building for security reasons. You could have people walking in and out. The safety of our students is, obviously, a very, very important value.

The reason why I say that it's a bit of a joke: I think the only valuable thing that that thing was used for was the one time that a bunch of chlorine fumes from the pool funneled down the tunnel, and there was a bit of an issue in the school, and we got half a day off school. That was great. That was about the only value.

My point is that this is great to talk about – I think we're all in agreement that this is a really good idea – but at the end of the day there are some real practicalities that go to making sure that this happens on the ground. Those are the challenges that we face as government and that we will continue to work on. I'm glad that this member was able to bring this forward so that we could have this discussion today, highlight some of those challenges, and continue moving on. Hopefully, the good work that was done in my motion, Motion 509, back in the day and on this motion could go to help the government keep pushing this agenda forward.

Thank you very much, Madam Speaker.

**The Acting Speaker:** Thank you, hon. minister.

The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Madam Speaker. I appreciate the opportunity to speak to this motion, brought forward by the Member for Calgary-South East. I think it's an excellent motion. I think it addresses some situational realities that we are all aware of, and I'm grateful to hear from others that what happens in my own community of Stirling and in other parts of my riding of Cardston-Taber-Warner is also happening throughout the province.

I appreciate, too, the comment made by my colleague that we don't have to reinvent wheels that already exist and are working in other parts of the country. We should never be too proud to borrow a good idea, perhaps tweak it and apply it to our own circumstances. One size doesn't necessarily fit all, but the concept is so valid and is based on common sense and the logic that suggests that a facility that costs as much as a school does ought to have more use in general than just the time from perhaps 8 a.m. to 3 p.m. There are many uses that could be made of it, as has been mentioned, and I don't think I need to reiterate them.

But I can tell you that it is occurring in our riding. The three school districts that constitute the educational system within Cardston-Taber-Warner are all in favour of this concept and are doing it, more or less, at the present time. They're supportive and hope that it can be expanded.

We do need to address the reality, again, and need to respect that the buildings are, first and foremost, schools. They need to be designed to address the needs of our young people and our students but also could be built and designed with the idea in mind that they will be multiple-use facilities that will respect the rights of the school to their privacy and their needs but also allow for other uses, as has been mentioned.

One other thing that could be considered perhaps, although not necessarily part of this motion, would be finding ways to expand their use within the school system. I attended a university where classes began at 7 o'clock in the morning, and the final class of the day ended at 10 o'clock at night. We had a school, then, that was covering 15 hours of the day perhaps through some creative use and, obviously, negotiations with various stakeholders.

**Mr. McAllister:** Where was that?

**Mr. Bikman:** Where was that? It was in another place, in another time, in a Jurassic era.

But it's a still a good idea that we could in fact use the schools more extensively for their intended primary purpose of education. There may be ways to create some sort of a shift use of the school.

Certainly, to speak specifically and exclusively to the issue raised in Motion 503, I think it's a terrific idea. As has been mentioned by the associate minister, who just spoke prior to me, it's not going to be without challenges, but good things are worth addressing those challenges for and finding creative solutions. This is in a sense continuing with a common-sense approach, thinking a little bit outside of the box, and trying to include more uses for the schools, this great asset that we have that represents a huge investment in money across the province. If we can find ways to make them multiple-use facilities, expanding existing schools, we're going to all be better off.

As has been mentioned by several speakers today – and it's great to see it acknowledged and recognized – there is really just one taxpayer. Government doesn't have any money of its own. It's got our money as taxpayers to use prudently and judiciously. This motion addresses that and will help that be accomplished. I'm certainly in favour of it, recognizing that it will be challenging to implement and execute, but I think we're up to that challenge. Certainly, it's worth striving for.

Thank you very much.

**The Acting Speaker:** Are there any other speakers on the motion? The hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Madam Speaker. Again, I'd like to definitely give kudos to the Member for Calgary-South East on this motion. In my riding already this has been done for numerous years, involving this government in funding it, and I'd like to thank them for that. In Vulcan they had the cultural centre, which is tied to the high school, which is used for multiple facilities. In Lomond they've fundraised over the years, the community itself. The county paid into it, and also the province helped fund that, which is also commendable, to make a multipurpose facility that the community could still use.

In rural Alberta and even in the cities, as I've heard from my colleagues here, it is key to keep these facilities open and usable for everybody. I think that everybody wants to have something that's tangible and usable, where you're not going to waste money having two facilities side by side. I think that's always been done in this province. In my neighbouring riding of Strathmore-Brooks the Strathmore high school is tied to a rec facility, which works quite well and allows the kids to be able to do what they need.

To me, it's a great idea, and I think the motion has done well. Also, to hear from my colleague from Calgary-Klein, who thought of it four years ago – obviously, it's catching on slowly but surely.

**Mr. Hale:** It's his idea.

**Mr. Donovan:** Okay. Well, they can fight over that later in the playground.

I think it's good. I think that the key to this is that if we're doing P3s, we've got to remember always that in P3s the private sector assumes the majority of the responsibility. I think that's the key to it myself. I think there's definitely a difference, in doing P3s, in making sure that we have the risk and the finance shared over top with the actual sector that's doing it and that we're not doing debt financing, which is a different way to do things. I mean, how you balance the money: I think that always needs to be identified amongst everybody. I can list out numerous things, as many of my colleagues have here, on how we tie things together, but I think we want to definitely identify the difference between a P3, which I think is in this member's motion, which I'd be supporting, the concept of a P3, versus going to debt financing, borrowing the money to make this work over time. I think we need to identify the differences in that.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

Are there any other members who wish to speak on Motion 503?

Seeing none, I would invite the hon. Member for Calgary-South East to close debate on Motion 503.

5:50

**Mr. Fraser:** Thank you, Madam Speaker, and thank you to all my colleagues that have spoken tonight in support of this motion. You know, when I thought of this motion, I was coaching basketball for my children. I'd go to the local school, and I'd coach the kids. Right away after that practice, that one-hour period, the school would shut down. I would look at other districts, and I would look at other areas where they had joint-user agreements with recreation facilities or libraries. Some of them might even be tied to churches. In respect to the Christian schools that did create that community hub. I was always asking myself, you know: why isn't this happening with every single school?

To kind of answer your question as I close debate, we recognize and I certainly recognize that one size does not fit all. Another big

part of this, when we look at examples from places like California, Arizona, where it's not just a motion that a government put forward, is that it was out of necessity, out of population growth, and a lack of revenue. In Alberta we're so blessed to have so much all the time that sometimes I think we can be a little bit lackadaisical in terms of how we see our community infrastructure. We get stuck in a mould.

The motion was really to promote, you know, what the hon. Associate Minister of Finance mentioned, about being innovative and collaborative and working with communities. The one thing that I recognize about this province and why I'm standing here is that I believe that we can do it better than anybody else anywhere in the world. I know that we can build on our strengths. I hope this motion catches fire and that we continue to build on our strengths and build on the strengths of people in this province. I believe that's what we're here to do. I think that with purpose we can do things that other regions have done.

It's interesting to me when we hear about other regions failing in certain concepts. Again, I'll dare to say that I know we can do it, I know we can do it better, and we'll be successful because we've been successful for hundreds of years and will continue to do so.

I'd like to close debate on this. I believe it's going to be of benefit to our children and our families for years to come. Creating families and communities: I'm certainly committed to that. I believe the Premier and this government are committed to that, you know, not just in education but in health care because we do recognize that with those public services one size does not fit all. That's why we need to be adaptable, whether it's family care clinics, and build on the strengths of primary care networks, all these different things. I just believe that we're in the best place in the world. Let's build on that. I hope this motion speaks to that and moves that type of thinking forward.

Thank you to everybody.

[Motion Other than Government Motion 503 carried]

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

**Mr. Hancock:** Thank you, Madam Speaker. I move that we call it 6 o'clock and adjourn till 7:30 p.m.

[Motion carried; the Assembly adjourned at 5:54 p.m.]







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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Monday evening, November 19, 2012

Issue 19e

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta  
The 28th Legislature**

First Session

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## Legislative Assembly of Alberta

7:30 p.m.

Monday, November 19, 2012

### Government Bills and Orders Committee of the Whole

[Mrs. Jablonski in the chair]

#### Bill 2 Responsible Energy Development Act

**The Deputy Chair:** The Committee of the Whole has under consideration Bill 2, the Responsible Energy Development Act. Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Strathmore-Brooks.

**Mr. Hale:** Yes, Madam Chair. I do have an amendment. I have the recommended copies that I would like to pass out now.

**The Deputy Chair:** We'll pause while the amendment is being passed around.

Seeing as most of our members have a copy of the amendment, we'll call this amendment A3. You may proceed.

**Mr. Hale:** Great. Thank you, Madam Chair. The amendment I passed out amends section 9(1) under the duty of care. We feel that there needs to be a little more wording regarding public interest. In the amendment I passed out, we would like it to read:

- Every director, hearing commissioner and officer of the Regulator, in carrying out powers, duties and functions, shall
- (a) act honestly, in good faith and in the public interest,
  - (b) avoid conflicts of interest, and
  - (c) exercise the care, diligence and skill that a reasonably prudent person would exercise under comparable circumstances.

We are just adding the words "in the public interest."

This bill works for all Albertans. The regulator will be working for all Albertans in the best interest of Albertans. We are leaving a lot of power in the hands of the regulator, and we want to ensure that the decisions they make are in the best public interest. Again, we support the energy industries. We think there needs to be expansion within industry. This will make it easier. We just want to ensure that what they do is in the best public interest. We want to ensure that the decisions that they do make will not benefit just one company or two companies and put members of the public at risk. We want to ensure that when they make a decision, it's for the good of everybody, so there isn't a winner and a loser. We want everybody to win with this act.

The public, the people of Alberta, own the resources, and they need to be represented. They need to ensure that the development is approved in a respectful and responsible manner. We feel that if the regulator has the mandate to do that in the best public interest, that is what they'll do. You know, we, obviously, are putting quite a bit of faith in the regulator when it makes up its rules, so we're hoping that when it makes up these rules, it will make them up in the best interest of all Albertans, not just the oil companies, not just the landowners but for every Albertan involved, that this bill will continue to serve everybody.

There are going to be many projects that are opposed, but if the regulator has the mandate – you know, not everybody is going to be happy all at the same time. There are going to be some people that maybe won't agree, but if the regulator, like it says here, can "act honestly and in good faith," say that this is in the best public interest to approve this project, then that's something that we as

members of the Legislature and Albertans, I think, will agree with, that we have to look at the one good common goal for the province of Alberta.

There are many projects now that are being opposed and many projects that are going to come up, but if we can ensure that the public interest is upheld and, you know, good communication skills within the regulator and within the oil companies to portray the goodwill and the benefits of the oil industry and the gas industry and what these certain projects will provide for Albertans, if we're upfront and honest right from the start, it's going to be hard for people opposed to have legitimate concerns.

We have to act as legislators in this Chamber. Our job is to do what's best for Alberta and our constituencies, and if we can enforce that on the regulator, to do what's best for Albertans and the oil industry and the landowners and the environment and, you know, get a good handle on everything, make up a good set of rules, I'm confident that through proper communication and public input and public communication and public notice we can carry on in the energy industry and have a very bright future.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

Are there any other speakers to the amendment? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thanks very much, Madam Chair. As I begin to speak on this amendment, I first want to thank the hon. minister. We actually spoke about this amendment unbeknownst to me when he came down and visited Vulcan. I would like to say that this issue of the definition of public interest and the public interest test is an important issue, and as the hon. minister may remember, that topic did come up at that public meeting in Vulcan.

Now, we also had a public meeting in Sylvan Lake, as some of you may have heard, and we may discuss that at another time, but the reality is that the hon. minister came down, there were some people who were emotional, and he answered their questions. He treated them with respect. He agreed where he could agree, and he disagreed where he just didn't want to be agreeable. But the reality is that we left together, and I think the public for the most part respected the fact that you discussed public interest.

This test is section 3 of the ERCA. This is important because I actually don't think this amendment goes far enough. This amendment is basically putting the public interest test under the duty of care. That is acceptable, but under the old act, under the ERC Act, the public interest test was under section 3. It was well laid out, and it was quite explicit.

7:40

It's interesting because if you flip to section 3 – it's quite extensive, but I'm just going to read the very last portion of it rather than the whole thing. It says that when they look at the public interest, the board must "give consideration to whether the project is in the public interest, having regard to the social and economic effects of the project and the effects of the project on the environment."

We're not looking to define the words "public interest." We're satisfied with using it in the broad context that jurisprudence has always applied. What it does do is it now puts the onus of this responsibility beyond just the development. It says that the social and economic interests of all the public have to be considered. It mandates that the environment is now under consideration on how we protect the environment. It also mandates that First Nations interests are covered.

So this public interest test is a broad term, but it's been one of the criticisms this hon. minister has heard now out in public, that it is not covered, that it has been removed from this Bill 2. Here is an opportunity to put it back in, to satisfy some of the criticism. I've not heard a satisfactory answer yet to why the public interest test has been removed from what has been our current statutory makeup, and under this bill it is no longer there. To me that's problematic because most all our laws do basically look at the public at large. We just got done discussing this on the private member's bill dealing with law enforcement. The whole purpose of that is the public interest, the protection of the public.

In this case who owns the resource? Well, the public does. This is their resource. This is our resource. So by putting this test back into legislation, then it's reinstalling what I consider a right of the public, to make sure their interest is looked after. If the regulator doesn't do that, then the public has recourse to question that. They have recourse to take that error in law to the appeals court if the regulator does not comply. That is a check and balance.

We are looking at streamlining this process. As some lawyers have pointed out, there is a problem here because without the public interest in this legislation, the public interest test, there is other jurisprudence legislation, even federally, that the public interest test could be drawn upon to go to court and challenge decisions made under this.

If you look at the criticism of the Environmental Law Society, they say, if they're correct – and anyone can debate that – that this would probably cause more lawsuits to go to the appeals court to have the court decide what is correct versus what we think is going to happen, which is streamlining. In other words, it would be counterproductive. I happen to believe that, seeing some of the things I have seen tested in court. It makes sense, particularly if a decision is made that would be contrary to what has been done normally in the public in the past.

Here we have an amendment trying to reinstall the public interest test, which is I believe a basic right for the public, a basic right for all Albertans. I'm not sure why it went missing under this Bill 2. The hon. minister and I actually debated this a little bit down in Vulcan, and we talked about this significantly. There are a number of examples we can draw upon. When you are looking at an owner of land – and a lot of people were discussing this – or an owner of a business that would fall under this legislation, what about those who lease, who are not the owners of the land but they are the leaseholder? When you take a look at this bill, it actually excludes them. The minister knows what I'm talking about because this was brought forward when we actually talked about the disposition.

Beyond that, there are a number of other examples. When you take on a major project, drilling multipad wells – and I'll use that as an example – a whole community could be affected if it is tapping into their water source. I'll give you an example. West of Rimbey a company came in to use water injection, potable water, a whole lot more than the town of Rimbey would consume in a month, and they were planning on doing that every day. The town now had an interest in what this company was doing. Under Bill 2 that's not the case anymore. They could apply. They could actually file, but under the bill they do not have a right. There's no public interest test, and then, of course, there's no right for them to intervene and actually bring their case forward.

Projects are not always streamlined in the sense that one project is the same as the next. They can affect property owners or a community in a very, very small geographical area like a quarter section, or they could be significant and affect a much larger area,

particularly when you're dealing with issues of water and water rights. This is where the public interest test is of great value to the community.

Now, there are other aspects to this. The narrow term “directly and adversely affecting” eliminates the participation in some of these hearings of experts that might have tremendous value to the board or to the commission, in this case, when they are hearing a proceeding. That has happened in the past, when the commission or the board, in this case, has engaged in a hearing, and somebody, say, from the University of Calgary or the University of Alberta or even some company with experts came into the hearing process because they had an interest in what was happening. They were not necessarily directly and adversely affected, but they had an interest. Again, here we are back to the test of the public interest.

There are a number of examples that I could bring forward. I don't want to bore people in this Chamber.

**An Hon. Member:** Why not?

**Mr. Anglin:** Well, I'll have lots of time to talk.

I support this amendment because we need to make sure that the public has faith and confidence in this legislation, and if we don't achieve that, everybody is going to lose. The industry is not going to gain any type of streamlining if the public at large doesn't have confidence and faith that this legislation protects their interest. That's paramount. Without that, it all begins to fail.

If companies don't get the streamlining process that this bill intends to achieve, then what's the purpose? What's the purpose? We've failed. There's no reason for us to fail on this one. We want a streamlined bill so the public has confidence. I know the hon. minister wants a streamlined bill so that we extract our resources and we do it in an orderly fashion. But what we want to have is the language that has not just the confidence but that has listed out in very plain English for the public so they can exercise a right when they feel that their right has been denied. That's important. I cannot emphasize this enough. If the public doesn't have confidence, the bill begins to fail. The system is not streamlined.

I will use the example now of our meeting with the minister in Vulcan versus a meeting that took place in Sylvan Lake. In the same context there were people that attended that meeting that attended both meetings. I will tell you that the meeting with the hon. minister went well. He may have a different idea, but the fact is that I think it went well. The meeting in Sylvan Lake did not go well. It did not go well at all. The difference is what? Well, I would argue that the difference is the confidence of the people, that they thought they were being heard. That was the major difference.

7:50

Now, we can get into personalities if you like, but I don't think we need to go there. The reality is that people needed confidence that they could at least bring their concerns forward. They may not have liked what the hon. minister said. In some cases they didn't, but at least they felt they got heard. That's the difference between a process that I would say was positive in the sense that it worked versus a process in Sylvan Lake that did not work. That's a real microcosm example, but it is still an example. If we go and create this commission that does not have a public interest test and end up with a process where the public does not feel like they can be heard or that we do not listen, then we're going to end up with on a macro level what we saw on a micro level in Sylvan Lake. And I will tell you that the industry will not win. They will lose.

We need a process that even if property owners or businesses or even oil companies and gas companies don't like the decision that they got, as long as they know they had a fair process, that they got a decision in a timely fashion – and you know as well as I do that some people are just not going to be happy at the end; that's true. But if the process generally is fair, they will accept it, and we will get on with doing the business that we should be doing. By removing certain rights from this Bill 2 that are in the ERC Act, I think we're heading down the wrong way. We're not going to achieve what we want to achieve, and we will then fail. We will fail industry. We will fail the landowners, the property owners. We will fail those small businesses, and we will fail those communities.

It is imperative that we have the public interest test reinserted back into this bill. Doing it under the mandate of duty of care is sufficient. It's not exactly how I would like to have seen it. I would like to see it with its own section as part of the decision-making processes. Maybe one of my fellow members might bring that amendment forward later, but right now we're dealing this amendment, and it is an extremely important amendment. If you reject that amendment, I think that's a rejection of the public at large.

**An Hon. Member:** Oh, garbage.

**Mr. Anglin:** Seriously. I really mean that. [interjection] Well, if you say that we don't want to have the public interest test, what does that say to the public? I mean, that's really what we're saying here.

I realize we engage here a little bit differently than when we engage out in public, but I will tell you this: the public sees these words differently than maybe we do, and they see our actions maybe a little bit differently than we do. We're not talking about us here across the aisle. We're talking about the public's participation in a hearing process so that we can get on with the business of extracting our resources. We can do it in an orderly fashion, and we can treat people fairly and justly. By the way, those two words "fair" and "just" don't appear in the bill anywhere. We're not treating people like that. It's not mandated.

By putting the public interest test back into the bill, we're partway there, and that's important, to keep going in that direction versus the other direction we're heading. The other direction we're heading is that there are going to be battles out there in the development of our resources, and with that nobody gains.

Thank you very much.

**The Deputy Chair:** Thank you, hon. member.

Hon. members, I am seeking unanimous consent to revert to introductions.

[Unanimous consent granted]

### Introduction of Guests

**The Deputy Chair:** The hon. Minister of Environment and Sustainable Resource Development.

**Mrs. McQueen:** Thank you, Madam Chair, and thank you to the House for agreeing to this. I want to introduce a very dear friend who's in the gallery joining us here this evening, a great volunteer in our community, the treasurer of my constituency association, and the chair of our school board for Drayton Valley-Rocky Mountain House. Nancy McClure does an outstanding job for students and for parents and families across this province. Nancy, would you please rise and receive the welcome of this Assembly?

## Bill 2 Responsible Energy Development Act (continued)

**The Deputy Chair:** We shall proceed. On amendment A3 are there any other comments? The hon. Member for Banff-Cochrane.

**Mr. Casey:** I would like to speak to the public interest piece of this. I think there's a very legitimate reason why it's not included in this. It has nothing to do with property rights, and it has nothing to do with taking anyone's rights away. I've lived a very real example of this for 20 years. A decision was made in our community by the NRCB in the public interest. People somehow confuse the public interest with an individual in the singular term, in the case of a landowner, or a community concern, but that's not the case. That's one of the reasons why it's out of the act. It's because there's confusion around what it really does mean.

If you interpret public interest to mean in the greater interest of all Albertans, then from a landowner perspective you couldn't want anything more detrimental to be put in this act than reference to community interests because that adds justification to anybody to overrun you, to put the interests of what they perceive to be those of all Albertans ahead of you as a landowner. That, Madam Chair, is absolutely out of line with anything to do with property rights. This is not about property rights. You know, the statement of public interest has nothing to do with individual property owners having a say. The act that says that if you consider yourself or that you believe yourself to be affected does. The part in the act that speaks about registering your agreements and having the province step up and defend those for you does have something to do with property rights. But public interest is an extremely dangerous term for any landowner in Alberta.

I can tell you that after 20 years of dealing with that term and I don't know how many hundreds of thousands of dollars in legal fees that we have spent as a municipality as well as the landowner has spent trying to figure out what public interest really meant and how far that could really go, at the end of the day it was in nobody's interest, no one's, not the public, not the community, not the landowner.

So I think that it's more than appropriate that any reference to public interest be out of this act. If you need that kind of detail about who and when and where and what would be considered, then put it in the regulations so you can amend it from time to time to reflect the importance of the community, the importance of landowners as you move forward. But the wrong place to put it at this point is in this act.

Thank you, Madam Chair.

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

**Mr. Hehr:** Thank you, Madam Chair. It's an honour and privilege to be able to rise and speak in favour of this amendment. I do so on a few fronts. One thing that struck me when this bill was brought to the table is that most bills are given quite a bit of a preamble or some purpose of intent of what the new Responsible Energy Development Act will be in essence used for, what will be some of the interpretive language used not only to guide people who serve on this board but also to give some people who are utilizing the act to defend their interests or garner some purpose as to what an act is actually about. That is sort of contained in the preamble.

You saw that, of course, with the Education Act recently. There was a long preamble on what the legislation was supposed to provide, what was the balancing act that the government was trying to achieve, and what were the goals listed that the govern-

ment was trying to achieve by the act. One of the difficulties with the Responsible Energy Development Act is that there is no preamble that gives some sense of direction or some sense of well-being or sense of purpose to what the act is able to do or trying to achieve. Oftentimes a preamble is necessary. It's necessary for people working under the Responsible Energy Development Act and also for people trying to use it. Without that broad stated purpose of what the act is supposed to entail, well, that gives me some concern. It leads me directly to this amendment.

8:00

If there had been a broadly stated purpose of the act and what it's supposed to do, what goals and overarching abilities it had, and what it was trying to achieve, I would be less worried about there being a reference to public interest. I would be less worried about the lack of it from that kind of perspective. As pointed out, public interest is a very difficult – everyone understands it, but they always understand it through their own lens. It's very difficult to get a broad handle on public interest because everyone has a different viewpoint on it.

Nevertheless, legislation is not supposed to be easy. Governing is not supposed to be easy. In fact, a responsible energy development community would not be worried about making things easy. One of the reasons I am in favour of this is that this omission is new here in Alberta. Previously, in section 3 of the ERCB Act, they were to make decisions on energy projects “in the public interest, having regard to the social and economic effects of the project and the effects of the project on the environment.” This was fundamental to the ERCB's mandate. People knew it, they referred to it, they understood it, and they understood it in different contexts, although it wasn't always easy to convey that message.

I do note that the last speaker did point out that this was obviously difficult to do. The government apparently has bought into that and sought to do away with it. But the thing is: what will stand in its place? Since we have no preamble that says what the act is trying to accomplish, what the roles and responsibilities are of the people, or what the overarching goal of this act is, what is to replace it? There is no clarity into what is supposed to replace it. We're supposed to trust that this is going to be subsumed in regulation, where it will be listed with more clarity that will describe what is meant by public interest or what, in fact, will be the new public interest of this body. We're supposed to just simply trust that that is there. It might be that this is where the act falls short.

If the government in its wisdom was going to do some new version of public interest, this should not be stated in some regulation that can change from government to government, that can change from minister to minister, that can change with, I guess, the stroke of a pen. Sometimes acts like these need to have it referenced somewhere within. Since the government hasn't given me any other clear indication of what is to replace public interest but is more just dealing with the words “safe” and “environmentally responsible,” which they're reviewing on a project-by-project basis, safe and environmentally friendly, that causes me concern.

Maybe there's going to be something in the regulations dealing with cumulative effects. Maybe there's going to be something in the regulations that deals with the overarching concerns of Albertans around cumulative effects and the like and dealing more with that broad public interest mandate that would be reflected in that. At this time I don't see it. Since I don't see it at this time, I feel it is necessary to fill in some of the blanks as to what, actually, an act of this magnitude and with this direct effect on not

only our energy industry but on our citizens at large and future generations at large – we need some more clarity around this.

So in that way I applaud the hon. member for bringing forward this amendment to try and clarify what this act is trying to achieve, what is the broader mandate, and what the people working under the Responsible Energy Development Act can refer to: what is their mandate, what are their goals, and how are they supposed to apply these broad-based principles?

I would urge all members here tonight to support this bill or, in fact, maybe try and bring some of this stuff forward in a more clarified fashion so that we can understand what the overall goal, the overarching mandate of this bill is. To date I'm having trouble getting some clarity on that.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

Are there any other comments on amendment A3? The hon. Member for Lac La Biche-St Paul-Two Hills.

**Mr. Saskiw:** Thank you, Madam Chair. Just with respect to the amendment that was put forward by the Member for Strathmore-Brooks, essentially it includes “in the public interest” in section 9(1)(a). You know, there's some commentary about how public interest is a very vague type of concept, whether it means an individual or community. The fact is that public interest has been in previous legislation for years. There's been a vast amount of jurisprudence generated through court decisions and administrative decisions. You have a bunch of principles that have been put in place, delineated tests that decision-makers look at when they consider public interest. It's been in place for years and years and years. That's one of the parts of the system that works quite well. If you don't have an overarching principle like public interest, you get narrowed in on your decision. As a decision-maker you're stuck according to a bunch of very hard-and-fast rules.

Instead, with the public interest you can actually take a broader perspective of things. There's a simple analogy. Should you put another cow in the pasture? Well, you have to look at everything. How many other cows are there? What's the field like? Are there neighbours that have a problem with it? Public interest allows the decision-maker to take a much broader approach throughout the process.

The other thing that I think is becoming readily apparent is that this was a deliberate removal from the act. We see from the previous legislation that they've taken out every single reference to public interest. This gave landowners the legal foothold upon which they could base their appeal. As a result of this act, they've completely taken away that right, and I think this is going to backfire when you go out to the public. I've talked to my constituents about this, about the fact that they won't even allow the decision-maker to take a look at the public interest. I think most people find that pretty obvious, that a decision-maker should look out for the public interest, that they should take a general, broad-based viewpoint when they make their decisions.

There was some commentary about leaving this to regulation. Of course, again that just goes back to the same flawed decision-making when you make laws. If it's an important principle, it should be explicitly stated in the act so that there's no debate on whether it's in there.

Now, with respect to the amendment under section 9 – it's under the duty of care provisions – one of our members mentioned that it probably doesn't go far enough if you look at previous legislation in different areas. That's why I think, you know, that this is another argument for the minister to actually take a look at



this and accept such a very reasonable amendment. This is something that this government should get behind. If we go out in the public forum, if you go to a group of landowners and say, you know, "Should the decision-maker look at the public interest?" I think they will all say: yes, obviously. Then when you further indicate that this has been done for many years, that it's worked very well, that all sides, whether it's landowners, companies, or environmentalists, saw this public interest and it's worked well for many years – if you make that further argument, I think it becomes even more apparent that public interest should be included in the legislation.

You know, it's just interesting what the reason or rationale is for taking it out of the legislation. Why has this not worked in the past? What's the rationale for this? I haven't heard what it was. Maybe it was discussed in Vulcan what the reasons were. I'm wondering if there's anybody that has some examples of where the decision-maker looked at the public interest and why it's especially important in this context.

8:10

**The Deputy Chair:** Thank you, hon. member.

The Member for Rimbeys-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you very much, Madam Chair. I would disagree with the hon. member on the fact that it is not really directed at property owners per se. That's the best thing about that public interest test. It can be applied very broadly, or it can be applied very narrowly, and courts in jurisprudence have done both.

I'm going to give an example where the public interest test is absolutely paramount, and that deals with a situation where Suncor built a gas plant in the county of Clearwater. Now, all of you, particularly from rural areas, know that counties really get very good tax dollars from the development of oil and gas, particularly when a gas plant is built. They get good taxes from the pipelines that feed those gas plants.

So you have the county of Clearwater who gets this gas plant, and now they're going to get the tax revenue from this gas plant. Unfortunately, the only road to the gas plant goes through the county of Ponoka, which gets no tax revenue, but they get all the beat-up roads as a direct result. That's part of the public interest, and it got missed. What happens is that the county now has an objection under our existing law saying: "Hold on a sec. We get no revenue from this. We're not against this development per se, but we're taking all the costs, we're assuming all the risks, and we're paying the price on the wear and tear on our roads."

So there was an imbalance there. Now, I will tell you that that imbalance has been adjusted not by tax dollars but by other means. Suncor stepped up to the plate, realized – hopefully, they're going to continue to realize because that example goes beyond the counties – that there are property owners right there, individual property owners who are inconvenienced per se by the traffic. I'm talking the B train chemical trucks coming in and out, lots of truck traffic where there never was before.

They are the public interest. They weren't adversely and directly affected by the proposal itself. That proposal is further down the road. They saw no adverse effect initially when that first was proposed. It was only after the fact that they realized that their country road turned into a massive highway with trucks up and down 24 hours a day. These people had an issue. Again, that's the public interest because it's the way that a term applies to the public at large. I'm working with Suncor now to resolve this. It's not hard to resolve. Sometimes it just takes an effort.

The fact is that under the current law, with the public interest test there, this is where those people can draw upon the current legislation and say: this is my right. Now, they have the right to go back and ask for a review in variance under that public interest test. I don't think we're going to have to do that. I think we will resolve that. [A cellphone rang] Jeez, I could have called over there, too. Not guilty.

Having it in legislation is an example of where the public interest test applied broadly to the counties, to the county councils, and where the public interest test applied to the individual. In both of those examples they had the right to go back to that legislation and say, "There's an issue here now," because that legislation said that the board must – the board is not perfect. They can't be perfect. They will make mistakes. In this case they did make a mistake because nobody saw the adverse effect for the public interest on two scales. Now we get to go back and we get to correct that because the legislation says that public interest matters. That's important, and that solves an issue.

Because it's in legislation, we're probably not even going to have a review and variance hearing. We're going to get things settled because all parties just want to come to an agreement. We've already agreed in principle on a few issues. There are a couple remaining, and I think we're going to get agreement on those. But the leverage to get the agreement is the legislation. That's what gets our agreement because if we can't come to an agreement, we have a recourse on the public interest test to go to a hearing. So, clearly, it does apply broadly, and it does apply specifically. Individual landowners can call upon that public interest test because they're part of the public.

Thank you very much.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Edmonton-Gold Bar.

**Mr. Dorward:** Thank you, Madam Chair. I cannot speak for this amendment, that be sure. If I'm reading this correctly:

9(1) Every director, hearing commissioner and officer of the Regulator, in carrying out powers, duties and functions, shall

(a) act...

the amendment says

... honestly, in good faith and in the public interest,

which forces a director, hearing commissioner, or officer to act in the public interest.

The public interest is indeed an ambiguous and confusing term. In fact, one could argue that an individual that is a subset of the general welfare of the population is part of the public interest. I don't think anybody would understand that a decision made by these folks would be in the positive interest of absolutely everybody in the population. Thus, I think I think it would fail on that test alone.

Madam Chair, I think that the good Member for Banff-Cochrane said it best with his personal experience in this regard. I think that a policy debate as to whether something, in general terms, is being treated in the public interest is all right, but to entrench it in legislation I think is wrong.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Madam Chair. I guess I'm speaking in favour of the amendment because I think the public interest needs to be added to this whole point. I think that's what we're all here for, for the greater public interest, even to the point where your own government has tabled a bill, Bill 4, the public interest

disclosure act. [interjections] I know. It's true. It's right here. It's in writing. To me: why is it good for one thing and not for the other? It's public interest for all of us.

I understand that the Member for Banff-Cochrane has some issues with that. I understand that. The point is that I think we're here to do what's right for Albertans. Yes, it is inconvenient sometimes. Yes, there are public hearings that last too long. But, I mean, your own book puts it right to it. You're saying in one bill, Bill 2, that you don't want public interest, and in Bill 4 you make a whole bill about it. So I guess I'm confused on it, and I'd like your support on that.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

**Ms DeLong:** I find this very strange. You know, I actually do believe in private property rights. I actually believe in it, okay? It's basic to my personal beliefs. And I find it very strange that for political reasons you would want to abandon private property rights just to put in the phrase "in the public interest." Now, I'm also a believer in the public interest, but I am not a believer in putting in a phrase, "in the public interest," that would totally override private property rights just to get a little bit of political spin. It makes no sense to me at all because I actually do believe in private property rights.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Chair. Let's pull it back a little bit. Let's just be logical. Based on my past actions and behaviour, I would not put anything out or support anything that would violate property rights knowingly – knowingly. If I make a mistake, I will absolutely admit I made a mistake on the property rights issues and then go back to defend property rights. But putting in this issue of public interest is significant in many ways because it is about property rights. It's not overriding property rights, and it's actually done very well. I'll tell you something else. It's in law now. It's called the public interest test, section 3 of the ERC Act. It's now been taken out. Why has it been taken out?

8:20

When you read the section in the amendment, it says that they must act honestly. If you don't understand what the heck public interest means, then what does honestly mean? How can you prove they acted honestly? How can you prove that they acted in good faith? It is really a determination of a court if you actually went there. You're looking at what the obligation of the commissioner is. So if you would like to put a subamendment that the commissioner should be acting honestly, in good faith, in the public interest, and in the interest of the individual property rights owner, I'd be happy to accept that subamendment also, but I don't think it's necessary.

I think what is necessary is that we put the public interest test somewhere back in this because the entire bill is missing it. This is serious in that sense because in all our acts, as one of the members just mentioned, we do look after the public interest. That is our responsibility. And if we don't put it in legislation, then it is not a mandate of that regulator or commission to look at the public interest. That's what's important here. Public interest does affect every individual. That is important.

We always try to balance the individual's rights with the public at large, and I'm not saying that there's a clear-cut formula. Every situation is different, and we know that. That's why section 26(2)

should be back in this legislation, which was that issue dealing with the individual landowner on actually getting notification, the reasonable opportunity to learn the facts, and the right, the actual right, to challenge the facts as they were presented. That's not in this bill, but that protected the individual landowner. The public interest test now threw the balance back in here, and that's what we're missing out of this entire bill if we want to make it work for industry.

I understand the minister wants to make this work for industry, so how do we get there? If you say that we get there by eliminating the public interest, I think you're wrong. I disagree. The public interest actually plays a very important role in the whole process of our legislative makeup, of our legislation, even dealing with individual property rights. It is that balance. It's always the balance that we have to measure. What we have here is a bill that's missing the various elements that are so important to make this a streamlined bill.

**An Hon. Member:** Over the rights of the landowner?

**Mr. Anglin:** I don't know how anyone figures it's over the rights of the landowner. The fact is that having the commission act in good faith is over the private landowner, acting honestly is over the private landowner, taking the public interest under consideration, which includes the environment, by the way. I think every property owner out there, every farmer out there will tell you, and I will tell you this: they are more environmentalists than anybody that ever wore dreadlocks. These farmers that are third and fourth generation who love the land are people who know the land, and they are the true environmentalists. They are the people who will protect the land, and they're the ones that will actually guide the public interest test.

I do not believe for one instant that you can be serious to say that having the public interest test in this bill eliminates property rights. That's just a play on words that has no value whatsoever, and I will tell you why it has no value. It's in various legislation all throughout North America, the public interest test. What we're trying to do now is remove it from legislation, and I don't understand why. I don't understand why. I'm going to tell you what: this bill on another level eliminates many individual property rights, and we're going to discuss that as we go further down the bill. When we get to there, that's another argument.

On this amendment we're looking to make sure that the commission itself, the regulator acts in the public interest, and I think that's actually a good thing because this is the public's resource. This resource doesn't belong to anyone else except the public. So having that as a broad base to start from is a good base to start from.

Thank you very much.

**The Deputy Chair:** Thank you, hon. member.

Are there any other comments? The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Madam Chair. I rise this evening to speak in favour of this amendment.

**Mr. Anglin:** That's the socialist.

**Mr. Bilous:** Social democrat. Social democrat.

I rise to speak in favour of the public interest on numerous different fronts. I do find it most interesting if we go back to the basic question of why the government took out the public interest when it was part of a long-standing bill and law in this province. It concerns me greatly that under section 3 of the ERC Act public

interest was included. As my colleague from Rimbey-Rocky Mountain House-Sundre so eloquently put it, it was there to serve a purpose, to ensure that all different perspectives and points of view were looked at.

There are numerous examples, I believe, in history where people thought that they looked at all the different implications, all the different possible outcomes of a decision, but that turned out to be untrue in light of bringing more people involved into the discussion to look at the different implications. I find it really interesting that this public interest piece is now taken out. Actually, I find it quite disheartening and quite scary. Decisions that are being made need to include and look at the overall benefit, the cost benefit of not just individuals or groups but of all Albertans and, larger than that, of all Canadians and people around the world. I mean, we talk about the environment. Well, the environment is something that's shared by everyone, not just, you know, divvied up on one plot of land or one small section.

In order to ensure that decisions are well thought through and go through due process, public interest needs to be reinstated in this bill. Again, I find it quite frustrating that our friends on the other side are at this moment unwilling to listen to something you have half of the House calling for, something that not only is reasonable but has been a part of so many other bills in Alberta's history.

I'd also like to mention that it's unfortunate that the public interest test has been completely removed. How can Albertans be confident that all of our interests collectively are going to be expressed or protected under this new regulator? I for one have my own concerns, I mean, by the fact that this leads to some other issues. You've got a regulator that's now obviously appointed and dealing with making decisions that are going to have long-term impacts and consequences on all Albertans, and not only on us but on all Canadians.

It's my contention that reinstating the public interest, voting in favour of this amendment, is a step in the right direction. The majority of Albertans are behind ensuring that their ideas regarding the economy, the environment, social policy are given an avenue and are going to be taken into consideration when we're looking at different projects.

I'd ask all members of this House to seriously consider including public interest, that, as I've mentioned, has been in many other bills that this government has passed in Alberta's history, reinstating it, bringing it into this bill to ensure that we're looking at a wide scope, that processes are in place. It's just another way to ensure that we're really looking at a cost-benefit analysis and looking at all the different sides and all the different perspectives that are being represented.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Madam Chair. I'm moved to participate in this debate for a number of reasons. I'll try and be very succinct. First of all, section 9 is talking about the duty of care, essentially, of a director, hearing commissioner, or officer. If you think about what the duty of care of an individual appointed to a board is, that relates to their personal duties relative to their obligation to avoid conflicts of interest, to act honestly and in good faith, those sorts of things. It doesn't relate to the broader interest of the act in terms of ensuring that the goals of the act are carried out in the public interest. Obviously, the act itself is being promulgated in the public interest, and the duty of the hearing

commissioners as with commissioners at any hearing is to balance the public policy interest that has been established.

**8:30**

Clearly, one of the effects of bringing this act into place is to put in place the clear distinction that the now Minister of Environment and Sustainable Resource Development put into her report, which is the backdrop for this, which clearly says that the policy interests should be determined by the Legislature and by the government through the enactments, and the regulatory agency that's set up under this act basically enforces those policy interests and makes determinations with respect to those policy interests.

Members, I would humbly submit, are confusing the role of a director under section 9 in terms of the personal requirement of a director to act responsibly, a duty of care, a duty of fidelity, in essence, as a result of being appointed, with the public interest, which underlies the whole concept of the act and which is represented by the split in jurisdiction between the policy-setting role of government and the regulatory function that's carried out by the act. Nobody is losing the public interest here. The public interest underlies the whole thesis here. This particular section is basically saying that a director must avoid a conflict of interest. That in itself speaks to the question of public interest because what it's saying is that you have to avoid looking at your private interest. That's what a conflict of interest is: looking at your private interest instead of looking at the public interest.

Here we're talking about the appointment of a director or a hearing commissioner and where that director has their obligation. It's not a private interest that they're being appointed to serve. It is, in fact, a public interest. That's inherent in it. With respect, members are confusing the whole concept of a public interest test and even the idea of a public interest disclosure act, which is an entirely different beast for an entirely different purpose and is intended to serve a whole different area, with the very narrow confines of this particular section in terms of the duties of a director in the context of a much larger purpose, which is to divide the policy role of government and the Legislature from the regulatory role that's enacted in the act here.

**The Deputy Chair:** Thank you, hon. Government House Leader.

The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Chair. Of course, I'm going to disagree with the hon. member. Surprise. Surprise. But he raises a very important point. The presumption is that the public interest test underlies the entire act. That's the presumption because the public interest test has actually been removed in a literal sense because section 3 of the ERC Act laid it right out. It says: this is the public interest test. That was the title. Then it specifically states what has to happen on that public interest test.

What's happening here – and the member is correct – is about a fiduciary duty of the commissioner, or in this case the director, and this is about what that director has to undertake on a personal level in dealing with a conflict of interest. That is true. What this amendment does is that it then adds to that and makes sure that that commissioner must act in the public interest.

I'm going to give a couple of examples of where this is really important. Enbridge is proposing something called the Gateway project, which is fundamental to our economic system here in Alberta. It is fundamental to the business advancement and profitability of Enbridge. Absolutely. It's also fundamental to the profitability of some companies that will be shipping their products down that pipeline. It's also a public interest test, and it's fundamental to the public interest of this province that we get this

built, get this online, and get product to export markets. The Gateway pipeline could be considered the same. There's a public interest that is paramount beyond the private interest, which we want to enhance, to encourage, but we also are doing this because of the public interest.

What this does on the individual commissioners – because it's nowhere else in the bill. Literally nowhere else in the bill is it written. What it does is that it places that onus now on the individual commissioners that they must act honestly, in good faith, and not have a conflict of interest. That is a presumption on that and rightfully so. But they must act in the public interest, too. Again, these resources belong to the public, and we benefit from the extraction of these resources. It needs to be somewhere.

As I started out in speaking to this amendment, I don't think it goes far enough. I think we should have a public interest test in another section, but I will support this because at least it gets us partway there, that we have the commissioners thinking in terms of: I have an individual responsibility to act honestly, in good faith, and in the public interest. I think that is an important aspect of the fiduciary duty when we list it out specifically.

Thank you very much.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Medicine Hat.

**Mr. Pedersen:** Thank you, Madam Chair. I rise to speak in support of this amendment as brought forward by the Member for Strathmore-Brooks. I'm a little confused by what the Member for Banff-Cochrane was talking about, and maybe this is just my newness to this position. Basically, he's defining the public interest more like private interest, and I was a bit confused there.

When we're talking about public interest, I think that's why we're all here. We wouldn't be here if it wasn't for, you know, the public interest, so I think it's very, very important that public interest is in there. If you narrow it down to private interest, it's a whole different story. The Member for Edmonton-Whitemud said that the public interest is implied in this bill. So why don't we just add it? If it's so obvious, then let's just put it in there. Let's make sure that we legislate it and don't leave it up to the regulators.

In discussions with different individuals on this bill or any other bill the advice to me was: try and legislate as best as you can up front because once you leave it to the bureaucrats who are the regulators, they tend to not consult the stakeholders, and then you have all kinds of changes. You have a mess. Whereas if we legislate it, it may be a pain to bring it back to the House to make some amendments, but at least it's brought back to this group, and we all make those agreements for the changes. They said: "If you leave things wide open, it's just horrible because then the stakeholders never ever get consulted. Bureaucrats love making their own rules for the sake of rules, and they'll just bury you with paperwork and regulation."

I mean, everything that we do in the resource sector has to be done in the public interest. It's one of the things that makes Alberta great. If we didn't have the resource sector – that's oil and gas; that's forestry; that's mining. It's for the benefit of Alberta. It's for the benefit of the public interest.

If we don't go forward with this, you know, it just doesn't make any sense. Denying what is best for the public would be the ultimate form of denial of acknowledgement of what is the most important to the public, and that is being recognized as the ultimate stakeholder. That is why we're all here. I think the public interest addition amendment covers off the property owner, the resource company, the environment, and all residents of Alberta. It's a balancing act. This is key to keeping all of the above groups

in a harmonious and balanced fashion, to help reduce the friction between these parties as much as possible.

If we have a balance between all the parties involved, there's a better chance that there will be progress. There'll be a chance for new projects going forward because the last one went so well. We have to make sure that we set the groundwork and the framework for each project that comes across. That's going to build support in the public, it's going to build support in the resource, it'll build support with the landowner, and it'll build support within the environmental groups. If we build on every success, we have a better chance of going forward with the next success. If we take the public interest out of it, I think we're in for trouble.

8:40

My other concern is that by having public interest added, it will help to balance or reduce the bias or power by any member or group of appointed individuals to the regulator board. I guess what I'm saying there is that, yes, they are supposed to act on behalf of the public. You know, they're supposed to act honestly and in good faith, but if we put public interest in there as well, I think we have a better chance of making sure that we're not going to be overrun by a group of people making decisions with a very, very small mindset. If we include public interest, it broadens that. It extends a scope across all levels of the parties involved, and I think we have a better chance of having a successful approval at the end.

Thank you very much.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Cypress-Medicine Hat.

**Mr. Barnes:** Thank you, Madam Chair. I rise in support of the amendment and substituting the words "honestly, in good faith and in the public interest" because to me and the vast majority of my constituents property rights are in the public interest. My constituency week break was hallmarked by two things. Number one, my two oldest boys were home from university. It was very good to see them again. Number two, some side of 15 or 20 of my constituents and landowners called me to say: "What is happening with Bill 2? Here we go again."

**An Hon. Member:** There's no bogeyman.

**Mr. Barnes:** Well, there's a perception that there's a bogeyman. Sometimes perception is reality, and sometimes it's best to deal with the perception.

Constituents are very, very concerned that their property rights are being attacked. I came from a meeting earlier, in between the session, where a couple of big businesses talked at length about the importance of certainty in their business, the importance of some cost certainty, and the importance of the property rights that they were looking for to make huge projects go that would have been very, very much in the public interest of Alberta. I think that sometimes we have to look past the narrow definition of property rights: 20 East Glen Crescent or your back quarter or your small ranch. Property rights are so much broader than that, so much bigger. Property rights include our chattels, include our ability to sell our labour, include our ability to make Alberta grow and to make Alberta strong. This certainty is going to be crucial in the next two or three years.

Another reason that my constituents called me a lot over constituency week was that they were concerned about the deficit, the spending, and the potential for the long-term price of oil to be at \$85 compared to the budget at some side of \$114.

**An Hon. Member:** Or less.

**Mr. Barnes:** Or less.

To me that makes it all the more important for the good of all Albertans, for the good of our economy, the good of our quality of life that we get our legislation right, that we do it as well as we can the first time, and property rights in the public interest is getting it right.

**The Deputy Chair:** The hon. Member for Chestermere-Rocky View.

**Mr. McAllister:** Thank you, Madam Chair. Is this the first amendment tonight, by the way, that we're discussing? It's like one of those – you know, maybe we need a refresher just to go back to it briefly while I make my points. I'll try to be succinct also. The amendment as proposed, that I support, strikes out "honestly and in good faith" and substitutes "honestly, in good faith and in the public interest."

I've listened with great interest to what's been said tonight from all members of the Assembly, from all parties. I think it's important to do that and not just have a blind approach: we're right, and you're wrong. I'm really trying to hear from the government side on this. I'm trying really hard, but here's the thing. What's being referred to us from the other side is that you want this put in. What we're saying is: you have taken it out. Putting it in, taking it out; tastes great, less filling: it's the same thing. They have taken it out. We are saying: put it back in.

The Responsible Energy Development Act has zero references. Now, it did, but they've been taken out. Zero, nada, zilch, goose egg. That's the problem landowners have. Even if the intent is not to create any bias or to make governing more convenient, the perception from landowners, Madam Chair, is that this is another infringement on rights.

One member spoke – I believe it was Calgary-Bow – and said: you know, I'm all for landowner rights. We all pounded our desks and said: that's great. I wonder where that member would be on Bill 19, Bill 24, Bill 36, and Bill 50. See, if it's just about governing for convenience, the problem is that landowners are skeptical of the government. They have had it because of these bills. Bill 8 is repealing Bill 50 after the horse was out of the barn. People don't trust you when you do things like that. When you take out public interest, even though it may be an inconvenience sometimes for the governing party, you've said to landowners: you don't matter. That's what I'm hearing in Chestermere-Rocky View, and that's what we're all hearing. Remember that we have to take this back to the people that we represent.

I'm supporting this amendment. I don't see it as any colossal problem, anything that should be of great concern for the government to be willing to put back in "in the public interest." As the member beside me said, that is the reason that we are here. There is no faith right now from landowners. This would go a long way to restoring some of it.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you.

The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you, Madam Chair. I'm going to speak on this amendment again. I'm always wise to listen to the hon. Minister of Human Services. He is a very thoughtful gentleman and often brings some clarity to the issue. I agree with him on one aspect of this. It's a fact that possibly – possibly – the term "public interest" has been shoehorned into this amendment, okay?

Nevertheless, I'm still supportive of this amendment because it's important that public interest is involved in this act.

I respect the hon. member who put forward this bill to try and get some of that component recognized in the new Responsible Energy Development Act. I go back to it because this amendment is dealing with the directors. The directors are the people who will be responsible for this act and its interpretation and the like.

I go back to my first point. Right now, because of the writing of this act, there is no detailed preamble or introduction to what the bill is about. It does not say what the purpose of the bill is, what it will do, what it will define, what its goals are, and the like. Like many of our other acts, like, as I said, the Education Act, it doesn't tell people who work for that organization what their goals should be, what their mandate should be, and the like. How will the decision-making by the new AER be guided in situations of legislative uncertainty without such purposes in the event of a lack of specific direction by a regulation, where we don't know what the regulation will hear?

Actually, if members of this honourable House want to get a good briefing on this, it's done by Ms Nickie Vlavianos at [ablawg.ca](http://ablawg.ca). That's [ablawg.ca](http://ablawg.ca). Ms Vlavianos has been a long-time practitioner with many reputable firms in Calgary and, in fact, has brought up some of these in her commentary and some of the questions she has in this regard.

8:50

It's not just members of this side of the House that are concerned with distinctions and definitions and how this is going to work. It's esteemed members like Nickie Vlavianos of our legal community and other people who have written on the workings of this bill. I indicated that there are other people who have written in great depth about this. Professor Nigel Bankes of the University of Calgary law department has brought up some very cogent arguments as to some of his questions with the bill. Some of those questions outline what the act is trying to achieve, how public interest is now going to be defined, how government policy is now going to directly affect what these institutions do.

Remember, Madam Chair, that these are supposed to be set up as arm's-length jurisdictions or arm's-length governing bodies. There is no more arm's length to this new energy regulator. It is directly tied to the whims and the will of what the government of the day wants, and they can change that with the stroke of a pen because it's not referenced in our legislation. That, to me, is the broader concern. Even though, as the hon. minister may have pointed out, it may be shoehorned into this amendment, I think it's necessary because we want some of that clarity in there.

Again, I speak in favour of the amendment. If not here, at some place in this act there has to be some reference to: what is the mandate of this organization, what is the public interest, how will it be defined, and how will that be changed?

Anyway, thank you, Madam Chair.

**The Deputy Chair:** Thank you very much, hon. member.

The Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Madam Chair. Of course, I will add to my colleagues on this side of the House. I will be speaking in favour of the amendment provided by the hon. Member for Strathmore-Brooks. But I think it's important to understand that the hon. Member for Calgary-Bow talked about that she's a supporter of property rights and landowner rights and that she believes wholeheartedly in those. I am curious, as many others are, as to exactly what her position would have been on 19, 24, 36, and 50, especially Bill 50, which was brought back to this House.

It was so erroneous that it needed to be brought back here for a reconfiguration because, clearly, there were so many mistakes in that one.

More importantly, with regard to this bill here, eliminating the issue of public interest, that aspect has been in force and has been a long-standing part of the social contract that was the mandate of the regulator, that said what could and couldn't be done by the energy industry on a person's private land. I think we need to dial this all back and just remember exactly what we're talking about. We're talking about a landowner who paid for his or her land that they control, they live off, and it's their land, period. With anything you want to do on their land, we need to be respectful of that. Clearly, by eliminating the public interest portion of it, we're just not being respectful.

More importantly, section 3, consideration of public interest, read:

Where by any other enactment the Board is charged with the conduct of a hearing, inquiry or other investigation in respect of a proposed energy resource project or carbon capture and storage project, it shall, in addition to any other matters it may or must consider in conducting the hearing, inquiry or investigation . . .

And this is the important piece.

. . . give consideration to whether the project is in the public interest, having regard to the social and economic effects of the project and the effects of the project on the environment.

Now, there's absolutely nothing about that section that's controversial, offensive, and in no way does it hinder the government at all from doing the right thing. Clearly, it doesn't. It actually says – and I'll say it again because I'm not sure if you heard me:

Give consideration to whether the project is in the public interest, having regard to the social and economic effects of the project and the effects of the project on the environment.

At what point in time does that clause there say that you're not protecting landowners? At what point in time does that clause there become so offensive that you need to remove it from the bill? It just doesn't make any sense.

The interesting part is that we actually take that consideration of public interest and we apply it to everything else we do. You want to build a school? We look at public interest. We look at the social and economic effects of building that school. You want to build a highway? Once again, consideration of public interest. We look at the social and economic effects of the project and the effects of the project on the environment. But for some reason, when we're talking about utilities or when we're talking about the energy industry and we're talking about landowner rights, everything that we normally would be doing we toss out the window, and we say that we don't need it because it's implied. Oh, it's implied all right. That's the problem, literally.

The hon. House leader talked about the duties of the director, the fiduciary duties and the duties of care, and I agree with him a hundred per cent. The problem, as I understand it from the bill, is that the appointment of the director position is done by the minister, who doesn't have that same obligation. If the minister doesn't have that same obligation, then it would seem to me that consideration of the public interest would absolutely need to be put right in there. We saw this with Bill 50. It was a mistake then, and it's a mistake today.

The other part of it – and the hon. Member for Little Bow brought it up. It's interesting with Bill 4, the Public Interest Disclosure Act. I'm not a lawyer, and I'm new. Clearly, you know, I probably don't understand half of this. But consideration of public interest that talks about the consideration of the environ-

ment and socioeconomic impacts: my 10-year-old could probably understand that.

In Bill 4 it talks about:

Disclosure must be in writing and must include the following information, if known:

- (a) a description of the wrongdoing;
- (b) the name of the individual or individuals alleged
  - (i) to have committed the wrongdoing, or
  - (ii) to be about to commit the wrongdoing;
- (c) the date of the wrongdoing;
- (d) whether a disclosure in respect of a wrongdoing has been made pursuant to the procedures established under section 5 by the department . . .
- (e) any additional information that the designated officer or Commissioner may reasonably require . . .
- (f) any other information prescribed in the regulations.

This is from Bill 4. So we thought it was so important to write that anybody making a complaint under the whistle-blower legislation would have to disclose, would have to provide all the information, but landowners don't get that consideration. Hmm. Maybe we need to cover landowners under Bill 4. That might be a good idea.

Also, when we go into the office of the public interest commissioner – we now have a public interest commissioner, but we don't have consideration of public interest in the bill – it talks about who they are, so that's good. We've covered that in Bill 4. We've also talked about: the office of the public interest commissioner should be fairly independent, answer to the minister, all those fun things. But we have a whole bill here that's – I don't know – 40 pages long that talks about the importance of a public interest disclosure, yet landowners don't get that same respect. It would seem to me that if we're going to ask those who fall under the whistle-blower act to follow a public interest disclosure, why would we not ensure that landowners have those same abilities?

Landowners' groups have come forward. They've come in droves. They've posted. You know, if you don't care about the landowners' groups, that's fine; you don't have to. But they're Albertans, and they have an opinion. They have a vote, they have a say, they own land, and they're not happy with this bill as it's written. So we can all shake our heads. That's fine. We can do that. Or we can actually stand up and take a look at this bill and realize that it was always in there before, so why can't it stay in there? If it's implied, there's no reason why we can't be clear. In the interest of being more open and transparent, raising the bar, all those fun things, there should be no reason why consideration of public interest shouldn't be included, because as I said and as I read, the actual statement is clearly not offensive and doesn't hurt the government in any way and shouldn't hold up the process.

**9:00**

I'd also like to mention that this bill hasn't even passed yet, and there are already public meetings going on. Most recently the hon. Member for Little Bow held a public meeting in Vulcan. The hon. Minister of Energy attended, and I understand it was actually a very good meeting. There was a lot of nice dialogue back and forth, and it seemed that, you know, two people were coming together to have an opinion and listen to Albertans. It's what we should be doing.

The reality of it is that that was just 60 people at one meeting on a Friday night. If this goes through, you're going to see what happened with bills 19, 24, 36, and 50. The reality of it is that it's not just going to be 60 people. All of a sudden we're going to be in Eckville, and we don't have Mel Knight and Luke Ouellette to come down and have a visit.

While it's disappointing, because I'm sure we'd love to make another video, I think it's more important that we do the right

things so that we don't have to have 600 people show up to Eckville and literally cause this government a problem. It's 60 people showing up today, 600 people are going to show up two months from now, and 1,200 people are going to show up from there. They rallied against bills 19, 24, 36, and 50. They will organize and rally again.

We all might want to say, "You know, with that side of the House over there and this side of the House there and nobody gives in – oh, my gosh, I just can't give in to those Wildrosers. Oh, that's just too much to ask." Rather than doing that, you might want to take a listen to the people in Vulcan, the 60 people who spoke there. You might want to take a listen to their concerns about this bill. You might want to engage with the land surface rights groups and have a sit-down with them. Hey, they're not perfect. Nobody says they are. But removing the public interest portion of this bill isn't the right thing to do.

We need to make sure that these bills are a win-win for industry and landowners because without landowners you don't have land. We cannot erode their rights. They paid for it. They bought it. They own it. It is unfair of us as legislators to stand up and to just run roughshod over them and literally tell them they don't matter. The public interest disclosure is easily done and easily put back in there. There is no way that this amendment offends the government or will stall the process.

It also guarantees the landowners some say and some consideration on carbon capture and storage because the reality of it is that we don't really know where that's going yet. It's just starting. It's just beginning. To say to landowners that we're going to ignore them when we don't even know what carbon capture and storage means yet, that is unfair. We as legislators are elected here to represent all Albertans, not just the ones we cherry-pick to represent. All Albertans.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Chair. One of the members over here just said it fairly succinctly. We're not asking for something new here. What we don't understand is why you removed it from the bill. To the hon. House leader, who doesn't think that it belongs in the fiduciary duty of how the commission or, in this case, the director should act, let me just back up everybody here, and let's talk about property rights and the protection of those property rights because there is a contradiction going on now that either this party in power is supportive of property rights and has gotten it wrong all the way until now or that it is doing something that is protecting property rights by removing property rights in the public interest.

The initial bill, the bill that is being repealed, the Energy Resources Conservation Act, basically says under 6(1): "Every member, in exercising powers and in discharging functions and duties . . . shall act honestly, in good faith and in the public interest." All we're asking is to put it back in.

When you go to Bill 46 in the year 2007, this government passed something called the Alberta Utilities Commission Act. Under section 6(1) of that act it says that the commission and every commissioner "shall act honestly, in good faith and in the public interest."

That's in one act after another act after another act. It was in the Alberta Energy and Utilities Board Act, that was repealed when the Alberta Utilities Commission Act and this new ERCB Act came into effect in 2007.

What we're asking here is simply this: why did you take it out? Why did you take it out? The fact of this matter is that it has been in law for the last 20 to 30 years and probably goes back further. It's been there. The public interest test and the duty of the commissioners to act in the public interest has been there. It's there now under the Alberta Utilities Commission Act. It is in the Energy Resources Conservation Act. Under this new bill, the single regulator, it is removed.

Basically, what I'm hearing then is, if this is true from the hon. members, that those people that are dealing with transmission lines are being abused on their property rights because the public interest test is the duty of the commissioner, the fiduciary duty of the entire commission, and I don't believe that. I don't believe that one bit. I think that that section of law comes from a time when we treated property owners with respect and with dignity, we treated the community with the same respect and dignity, and we balanced that. It was in law. It's in law till we pass this bill. So what gives? Why are you taking it out?

What you've done now is you've taken out section 26(2), which actually gave a property owner a right of notification, a right to have just a reasonable opportunity to learn the facts, a right to challenge the facts. That's been removed from the individual property owner. Now we come down to this section, and we take out the public interest altogether. There is no public interest test in the legislation, and there's no fiduciary duty for the commission or the directors, in this case, to act in the public interest. It's been stripped out. So what do you tell the public? "We've taken your rights away." That's what you've done. You don't like it, but that's literally what's happened in this bill. All we're asking is to put it back in – to put it back in – to respect the public at large, to respect the individual landowners. We're not asking for anything new. We're asking for what you're taking away and to put it back in.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

**Ms DeLong:** I'm finding this fascinating – fascinating – because on this side of the House we actually do believe in private property rights. We don't see it as a political toy to play with. We actually believe in individual private property rights, okay? One of the things that we're doing in this bill is strengthening private property rights, okay? This innocuous little phrase that you want to add in here, you know, it isn't just a little phrase that gets added in here and, oh, it makes people feel good. This is a phrase that is extremely dangerous to private property rights. Now, you can put a phrase like this in other places, and it wouldn't make that much difference. It would just make everybody feel good. Unfortunately, in this case you're actually taking away private property rights. I'm speechless.

**The Deputy Chair:** Thank you, hon. member.

**Mr. Anglin:** Well, I'm flattered that the member would think it's a violation of property rights because it's in the Alberta Utilities Commission Act as it sits today, but as I understand this government, it's not violating property rights when the hon. minister is approving transmission lines. You can't have it both ways. It is in the Alberta Utilities Commission Act. It's not an innocuous phrase. It is a section of the law, and that's what it is. It is in the ERCB Act right now, section 6(1). It is there, and it has been there since this act was passed and came into force. It was there under the Energy and Utilities Board Act. It's not something that we just want to slip in as a phrase; it is a right of the citizens of Alberta that we want to reinstate in the law.

I'm not sure who is counselling people under the law out here because I will tell you this: since it was in the act, somebody must have counselled this party in power at one time to put it in the act. It's been there for the last 20 to 30 years. All of a sudden, we're removing it, and somebody needs to explain why to the public because you're taking a right away from the public. You're telling the commission, in this case the directors, that they no longer have a fiduciary duty to act in the public interest when all of the other acts say that. What gives? That's a valid question.

Thank you very much.

9:10

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak on amendment A3? The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Madam Chair, and thank you, hon. Member for Rimbey-Rocky Mountain House-Sundre. He's going to keep standing to speak until you get it right every time. You know that, don't you?

I'm surprised that it hasn't come up yet, but this needs to be said. It needs to be on the record. I for one and I suspect many others here, particularly in this little group that I'm part of, resent very strongly any reference to being fearmongerers because we speak up for our constituents. I think that's a load of hooey, if I'm allowed to say that, to suggest such a thing, that anybody who speaks up for their constituents is fearmongering. That's ridiculous.

I suspect, Madam Chair, that what's being proposed by leaving out this little tiny phrase, that apparently scares all of you a lot more than it scares the rest of us, is that it will produce some short-term gain. I think you're looking at that and the expeditiousness of the act itself, Responsible Energy Development Act, which we certainly support and agree with the principle. But the devil is in the details, my friends, as you all know. You didn't get to your ages without realizing that. We're looking for short-term gain, but we're going to suffer some long-term pain if we don't include and respect the public interest, which includes property rights.

People need a say in decisions that affect them. The public at large must perceive that their interests are being respected and protected. They're suspicious, they're skeptical, and they've been fooled four times by the hon. members on the other side, or at least the government and the party they represent, with bills 19, 24, 36, and 50. Acts are now being proposed to correct the mistakes and the deficiencies in Bill 50 that will have resulted in a waste of perhaps \$16 billion to \$32 billion by the time those unnecessary lines are built.

I understand, too – it just sort of has come to me as I've listened to the discussions tonight and over the last few weeks – what it is that bugs all of you about us over here. It's that we've staked out a part of your constituency that you have chosen to abandon. That's the true small "c" conservative people in Alberta that wonder why their party left them. Somebody asked me: Gary, why did you leave the PC Party? I said: I didn't leave the party; the party left me. There are a whole heck of a lot of people where I'm from and where these other good folks are from that feel the very same way.

What are you afraid of? You're afraid that your constituency that you've abandoned is going to come up and bite you in the behind. It will if you don't respect their rights. I'm suggesting to you that all we're doing is speaking up, not fearmongering but representing people who feel like they lost their voice. That's why they voted the way they did. We're doing our job in trying to remind you to come back and be true to your roots and the original

values that you once had and remind you of those values. You all need to get back to them.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

Hon. members, I am seeking unanimous consent to revert to introductions. If there are any who are opposed, please say no.

The hon. Member for Strathcona-Sherwood Park.

## Introduction of Guests

(*reversion*)

**Mr. Quest:** Thank you, Madam Chair. I'll be brief. I just wanted to introduce to you and through you to all members of the Assembly here this evening Mr. Tony Sykora, chair of the Elk Island Catholic school board and chair of the Catholic school boards of Alberta; Charlene Melenka of Vegreville, school trustee for Elk Island Catholic; and Dean Sarnecki, also of Sherwood Park and Elk Island Catholic. Thank you so much for being here this evening to receive the warm welcome of the Assembly.

**The Deputy Chair:** The hon. Member for Calgary-Glenmore.

**Ms L. Johnson:** Thank you, Madam Chair. I, too, rise to introduce a member in the gallery, a constituent. Mary Martin, who is chair of the Calgary separate school board, is joining us this evening as well. Thank you, Mary, and I'd like to welcome you to the Assembly.

## Bill 2

### Responsible Energy Development Act

(*continued*)

**The Deputy Chair:** Are there any others who wish to comment on amendment A3? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Chair. A lot of comments have been made about this debate. I've heard a few comments about placards. I will tell you this. I do not believe there were placards when the hon. minister came to Vulcan. I don't remember seeing one, but I will stand corrected if he says he saw one. We talked about this very issue with the public interest test, as he's fully aware. I did see some placards in Sylvan Lake. I believe there was a widow, somebody who lost their husband on a different issue than this. I have to tell you I was embarrassed at the reception she got. I saw a placard dealing with an intersection but not a placard dealing with this amendment.

Those people that came to Sylvan Lake to listen to this amendment were told to gather at one end of the room while a certain individual who said that he would listen to them fled and left by the back door, a straight beeline. So I will tell you this. Those people still want to hear from that honourable person. Hopefully, they still will.

I saw two signs in Sylvan Lake. I don't think they were offensive. No one ever said they were offensive, but I understand now – I was pointing out incorrectly – there were actually other signs. There were little children running around with signs, but I didn't actually count those.

I was more interested, when I went to Sylvan Lake, in this particular issue, which addresses this particular amendment, which is the public interest test. I will tell you that right across the aisle I know the hon. Minister of Environment and SRD attended a number of public forums I did on other bills. I know two ministers there have attended forums that I did on other bills, and I will tell



you that I had nothing whatsoever to do with organizing Sylvan Lake. I attended. I didn't participate, but I listened, and I didn't see anything different from any of the other public forums, at a minimum four, that these ministers have attended. So I can't explain to you why placards would drive someone out of a meeting. If I knew that would work, I'd probably bring a placard in here, but I don't think it works, and I don't think anyone here has a fear of a placard.

The fact is that we do get emotional, as we realize, Madam Chair. Even in here it sometimes gets a little loud, and the Speaker has to bring things back into order. We understand that. We try to behave a little bit better. But we can't lose sight of what the issue is here. The issue here is the public interest, and it is the public interest that matters.

I have to put this question to the hon. ministers who have brought this bill forward. I think there are actually two responsible, and they share responsibility. Why was this taken out? This isn't something we're putting in to say: this is new. It's in law now in the ERC section 6(1). It's there, and I don't know why it's been removed. It's called the public interest test. This is the fiduciary duty portion of the commissioners, or in this case this will now be the directors who have to "act honestly, in good faith and in the public interest." That's a very good question because the public wants to know.

Somebody says that this is a violation of property rights. Well, if that's the case, then everything that has been said up to this point in time under the ERCB, under the AUC, under the EUB, has been a violation of property rights, which means I was right all along. So I don't think they want to say that just yet.

9:20

We need to keep the public interest test up front. We need to respect the public's rights. We need to respect individual property rights. What's happened in this bill is that the public test is gone. The fiduciary duty of the commission does not have to respect the public interest. It's been removed. The individual property owner's rights under 26(2) that they currently enjoy now are missing in this bill, and that's not right. That's a violation of the public trust, not having the public interest in this bill.

Thank you very much.

**The Deputy Chair:** Are there any other members who wish to speak on amendment A3? The hon. Member for Little Bow.

**Mr. Donovan:** Thank you. Again, there's been some good information and conversation back and forth. I do thank the minister for coming to Vulcan on Friday night. It went very well, I think. We had both sides. We had some good discussion. I did have to cut Joe off a couple of times because I was a mediator at that one.

**An Hon. Member:** You can't say his name.

**Mr. Donovan:** Oh. Sorry. The Member for Rimbey-Rocky Mountain House-Sundre. I can't here? Okay.

I cut him off a lot, but anyhow the point is that you can sit back and forth, and you can have a discussion about what's valuable and what's not and whether people always take it or not. I slid over to that side for a second to show a couple of members just what I had pulled up quickly on the Internet. "The public interest refers to the 'common well-being' or 'general welfare.' The public interest is central to policy debates, politics, democracy and the nature of government itself." To me, I think, that's the key to it. I think that's what we're trying to hammer through here, public interest.

I've sat on council for 16 years. I get that there are a lot of times when you're at a meeting, and there's a process that goes through,

and you're, like, "I wish we could shortcut this," but it's not right. The right thing to do is to sit back and listen to people's concerns and issues. That's democracy. That's how the process works through.

I mean, there have been 800 and some ahead of us through this House itself as sitting members, and I'm sure there'll be lots after us. It's the process. I mean, there are multiple lawyers in the room who understand how process works, and that's great. We need that. You can sit and argue about process and the due way to get things done, and sometimes, yeah, it does take time. Sometimes you need to sit there and figure out that there might be a quicker process, but you don't want to cut somebody's rights short of that. That's just what I have to add about public interest.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

The hon. Minister of Energy.

**Mr. Hughes:** Thank you, Madam Chair. I certainly have a great interest in the discussion here this evening. I appreciate all the observations. I also actually would like to thank the hon. Member for Little Bow for facilitating my attendance at the meeting in Vulcan on Friday night. I did think it was a very constructive event. It clearly was carried out in the spirit of good public interest, so that was very constructive.

Now, Madam Chair, I'd like to assure all hon. members here that the concept of the public interest, in fact, remains a factor that the new regulator must take into account. The public interest provision actually is included and will continue to be included in the statutes administered by the regulator that will not be changed by this bill, Bill 2. They obviously will continue to be a factor guiding energy resource development.

I'll just remind everybody here of the nature of what we're doing here today. We're creating a regulator with one act, Bill 2. That bill and that act, when it becomes proclaimed, will regulate industries under 10 different acts that already exist, six of those related to the energy sector. Those are specifically the Turner Valley Unit Operations Act, which predates the concept, probably, of the public interest as a common usage; the Coal Conservation Act; the Gas Resources Preservation Act; the Oil and Gas Conservation Act; the Oil Sands Conservation Act; and the Pipeline Act. Those six acts are all the energy-related acts that continue to apply and be used as the basis for the regulatory actions of the new regulator. Five of those acts speak specifically to and make reference to and include the public interest in the way that was common historically in this province.

I would simply say that far from it being gotten rid of, we're simply reflecting upon the historical usage that has been defined and clarified in law in this province of this term, "public interest." We're seeking greater clarity in this act, Bill 2, so we're not including it in this act.

There are four other acts that this regulator will be referring to as governing acts as well: the Water Act, the Public Lands Act, the Environmental Protection and Enhancement Act, and part 8 of the Mines and Minerals Act, which relates to certain seismic and geophysical aspects as well.

For those who are so deeply attached to this concept, the concept remains there in the legislative construct that the regulator will be using. I would say, though, that in all honesty there is greater ambiguity about that concept than one might wish to be ideal in new legislation.

We heard from a lot of stakeholders. Our colleague here, who did a couple of years of consultations with Albertans, found that Albertans really wanted greater clarity as to what specifically

public interest means. That's why the bill actually makes provisions of explicit factors that the regulator is required to take into consideration. Those will be set out in the regulations as well after even more consultation with stakeholders. Madam Chair, in addition to the public interest provisions that exist in the energy statutes, the regs will provide more specific factors that the regulator must take into consideration when making decisions. These factors will be informed by public engagement. That is my commitment to this House and to the people of Alberta.

With that, Madam Chair, I would say that the amendment is perhaps redundant at best, and I would not be supporting it.

Thank you.

**The Deputy Chair:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Chair. I do not deny that the hon. minister is well intentioned and acting in good faith, but that's not what happens in this legislation. This is important. Section 25 of this new act states:

Except to the extent that the regulations provide otherwise, an application, decision or other matter under a specified enactment in respect of an energy resource activity must be considered, heard, reviewed or appealed, as the case may be, in accordance with this Act and the regulations and rules instead of in accordance with the specified enactment.

What it says is that this act is paramount. It is paramount. It is what is going to happen. You are correct in the sense that the public interest does appear under these other enactments, but this act overrides that and is paramount. That's what's important.

I believe the minister when he says that we're going to take care of this in regulation. I think he's saying that in good faith, and it is important that, you know, I accept that, and I do. But what's happening here is not in legislation. Having that in legislation is really important because, yes, you can change legislation. You have the ability. But you have to propose the legislation first. We go through this whole public debate, this whole process. We've removed it from legislation. It is now something done in regulation that may be done, may not be done. We can't see that until it happens, and the fact is that regulation can be changed retroactively. It's rare. It's happened. Even legislation – we got into this argument before, but I'll say it respectfully – has happened retroactively.

That's not the issue here. The issue is the public interest. Despite these other enactments that were just brought forward, the law is absolutely clear in Bill 2 that this bill applies. Everything will be considered under this legislation, not that legislation, and that's important. From the public's perspective, the public interest: where is it in legislation? It's not in legislation. It has now been demoted to regulation, which does not yet exist. What we want is for the public to have that right in legislation, so they can rely upon that. That's what we're asking for here with this amendment.

Thank you very much.

9:30

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you, Madam Chair. I know this is the third time I've spoken. I wasn't planning on speaking this much to this amendment, but you remember the odd thing, and you try and learn a little bit here. I think the hon. minister made some of the arguments for this side of the House in his submission. Before I go on to those, I will say that this has been an extraordinary task you've undertaken. Putting 10 bills into one piece of legislation

was an awfully difficult task regardless of which government was going to be in this House. I recognize that. It is arduous, onerous to do this new proposed legislation.

At the same time I also understand when the minister says to me that the public interest will be referenced in regulation. That's what gives me concern. Throughout the act we have an absence of what public interest is or any reference to it. In fact, I will go back to my starting point, when I got up a little earlier. This act does not have a preamble, any detailed preamble that says what the goals of the act are, what the guidelines are, what the overarching concerns of this new regulator will be. It has none of that statement of principle that people who work for this organization can go to and look to to guide their daily actions.

I mentioned this earlier, and I'll mention it again. If you look at our Education Act, which we'll probably be discussing a little later, in its preamble it's very detailed. It goes through the goals, the aspirations, the hopes of this government and what they're trying to bring through to the act and what they want our educators to bring through. This is absent from what is present currently in Bill 2. The minister says: "Don't worry. It's going to be in regulation." Well, that's when I get worried because regulations are created – and I know he's an honourable man, and I know he has the public interest at heart, but I do not know that the next Minister of Energy will be so committed to such a just and social responsibility to include in our legislation. I don't know what the next Minister of Energy will believe or three ministers after he has gone on to other things.

That has to be clear, and that's the challenge. If I would see some overarching statement of principle in the preamble or some reference to, in fact, public interest or some other words to describe the fact that our oil and gas resources need to be developed in a socially responsible, economically friendly way that benefits the long-term interests of this great province – and I understand. Public interest is a difficult concept for structures like this to deal with, but at the end of the day that has to be there. There has to be a vehicle where the public interest can be balanced. At this time I don't see that in this bill, and it does not give me any comfort that the hon. minister says: "Don't worry. They'll be in regulation."

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

It's a beautiful evening this evening for guests, and I would seek unanimous consent once again to revert to introductions. Are there any who are opposed? Please say no.

[Unanimous consent granted]

## Introduction of Guests (reversion)

**The Deputy Chair:** The hon. Member for Strathmore-Brooks.

**Mr. Hale:** Thank you, Madam Chair. I'd like to introduce to you and through you to the members of the Assembly some members of the Grasslands school board that are here for a couple of days. I'd like to have them all receive the warm traditional welcome.

## Bill 2 Responsible Energy Development Act (continued)

**The Deputy Chair:** Are there any other comments on amendment A3? The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Madam Chair. A couple of points that I'd like to make. Numerous occasions in this House we've heard how this current government is open and transparent, so I would actually challenge the Minister of Energy. If we're referencing public interest in other acts, then why not put it at the forefront of this bill, this piece of legislation? Let's include "public interest." Let's even go beyond the step of saying "the public interest" to put some parameters around it. You know, I'd love to use the words that are actually in the current ERCB bill, which talks about "regard to the social and economic effects of the project and the effects of the project on the environment."

Public interest is really looking beyond our own scope, beyond our own sights. We're talking about the social, economic, and environmental impacts of decisions that we are making today for the long term, so looking at how that's going to affect not only people, but we're talking about wildlife, we're talking about the environment, we're talking about air quality and land quality, we're talking about water and not just for us and within our own limited lifespans but looking at how a decision today is going to impact and affect our children, our grandchildren, our grandchildren's children.

I'm not comfortable with a bill that implies one thing, that is up to the subjective judgment of an individual or a group of individuals how they define something or whether they're acting on the best behalf of Albertans and Canadians. For myself it needs to be legislated. It needs to be included in this. You know, again, one person may have great intentions. The hon. minister may have great intentions. The person who is appointed to this new board may not have such great intentions. Regardless, it needs to be included in the legislation so that we can ensure that the public interest is protected, is acknowledged over the long term, over the span that this bill is law, and to ensure that all projects are looking at different points of view but especially looking at, again, the impact on the environment.

It's interesting. I've read different accounts from the proposal of the expansion of the Jack pine project, that there are environmentalists that are saying that is not in the best interests of the public, that is not in the public's interest. What are they basing it on? They're basing it on the impact on wildlife in the area, the impact on the air and land, the water sources. They're basing it on how it's going to affect the environment over the long term. That piece needs to be in every decision or every project when it's being evaluated and judged on whether the impact is worth the cost. Without public interest being included in this bill, without it being legislated, I have gross concerns that the public interest is not going to be first and foremost, which it needs to be.

Again, we're here representing 87 different constituencies and millions of Albertans, and we need to ensure and they need to know that their interests, not just the interests of one group or another, are going to be taken into consideration.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

Are there any others? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Chair. No one has responded yet as to why we're removing this from law and removing it out of legislation. There should be a valid reason for that. It's an important question that has not been answered, because there's a contradiction here. It's in law now. It's been in law for 20 or 30 years. It probably goes back further. It's going to stay in law in the Alberta Utilities Commission Act as we propose this amendment. If it's wrong, why is it in law now? That's a valid question.

9:40

It has an important role. I believe it has an important role. I believe that's why this government put it in all these other bills. I only checked a few bills that I'm quite familiar with because I knew it was there. We're talking about a public resource that we are developing for the public good, but we remove from law the public interest test, and we remove from law the duty of the commission to act in the public interest. I don't understand that, and I'm not sure anyone can explain that. If you say that that's a violation of property rights, it's just not a valid argument. It's something we've lived by. It's a right we've had as the public.

I can go on and on naming a number of examples where the public interest test has come to the aid of the public. So I don't understand why we're removing that right, and it's no longer going to appear in legislation. In the same bill individual property rights have now been diminished one more time. Something has to be driving this in the sense of: what's the end goal? If we go down this path – and this was pointed out. I think I may have referred to it earlier, and I apologize if I'm being repetitive, but one of the arguments given earlier or that should have been given earlier is that this could prompt unnecessary lawsuits because there are things in our Bill of Rights, there are things in our Charter of Rights where you can infer the public interest. I won't go down that road, but the Environmental Law Society did in their draft, and the University of Calgary law professor did in his draft.

To streamline a bill so that we can be more efficient makes sense, I think, to everybody in this Chamber. That's the purpose of this. But if we don't get it right, we didn't streamline the bill; we created a bill that is going to cause more hang-ups, more delays unnecessarily. This is problematic for what our end solution, our end goal is.

When I look at this, I see that the public interest test is taken out. I know it's going to get rejected. I sense that from across the room. But it is an important issue for me. When the minister says that all these other acts apply, this Bill 2 specifically says: no, it doesn't. This act, the way we construct this act is going to apply, and our right in legislation, the public's right in legislation is gone. So much of what we do for our economy is all about the public interest. Yes, it is about private business doing private business, but in the end the overriding force is the public interest. The development of our resources in this economy is all about the public interest, and it's not here.

Thank you very much.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak on amendment A3?

**Hon. Members:** Question.

[The voice vote indicated that the motion on amendment A3 lost]

[Several members rose calling for a division. The division bell was rung at 9:43 p.m.]

[Ten minutes having elapsed, the committee divided]

[Mrs. Jablonski in the chair]

For the motion:

Anglin	Donovan	Pedersen
Barnes	Hale	Saskiw
Bikman	Hehr	Towle
Bilous	McAllister	

Against the motion:

Amery	Hancock	Oberle
Cao	Hughes	Olson
Casey	Jansen	Pastoor
Cusanelli	Johnson, L.	Quest
DeLong	Kennedy-Glans	Rodney
Denis	Klimchuk	Scott
Dorward	Leskiw	Starke
Drysdale	Luan	Weadick
Fawcett	McDonald	Woo-Paw
Fraser	McQueen	Young
Griffiths		

Totals: For – 11 Against – 31

[Motion on amendment A3 lost]

**The Deputy Chair:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Madam Chairman. I believe everybody is here now that's coming. I wonder if we could have unanimous consent to shorten any further bells this evening to one minute.

**The Deputy Chair:** We are asking for unanimous consent to shorten any more bells for a division in the future to one minute rather than 10 minutes. Are there any who are opposed?

[Unanimous consent granted]

**The Deputy Chair:** What that means, for those who haven't experienced this before, is that we will ring the bells for 30 seconds, there will be a one-minute pause, and then we'll ring the bells again for another minute. That's what we'll do for the rest of this evening.

We are back on Bill 2. Are there any members who would like to speak on Bill 2?

**Mr. Hale:** Madam Chair, I do have another amendment. I have the required number of copies that I'd like to have passed out.

**The Deputy Chair:** We will pause while the amendment is being distributed, and then we'll go into debate on the amendment. This amendment will be known as A4.

We'll now move to debating the amendment. The hon. Member for Strathmore-Brooks.

**Mr. Hale:** Thank you, Madam Chair. The amendment that you have now deals with section 16, disclosure of information to the minister. I'll just read into the record what it will say when this amendment passes.

The Regulator shall, on the written request of the Minister, provide to the Minister within the time specified in the request any report, record or other information, excluding personal information, that is specified in the request.

We're saying to cross out "including" and put in "excluding" personal information.

The reason I'm putting this amendment forward is that I can't in my wildest dreams figure out why the minister would have access to personal information. There's nothing in here that specifies a limitation to the personal information. As I read it, it says that the minister may request personal information regarding any resource enactment approval with a landowner, you know, between landowners and companies.

10:00

That personal information could mean anything. That could mean mortgages, bank accounts, your wife's information, your

children's information. It's too broad. It leaves the door wide open to any kind of personal information that's available. I mean, that goes against your personal privacy rights. I can see him requesting information dealing with, you know, contracts that you have between the oil companies and landowners, the oil companies and different oil companies if they're subletting leases, roads with special areas, information that deals with the energy sector, but I do not think there should be a clause in here giving access to any personal information.

Now, I don't know. Maybe the hon. Energy minister can explain why he should have access to any personal information. I'm hoping that was maybe just an oversight in this bill, that, you know, maybe he would clarify that it means information dealing with a contract, but as it's written here, it does not say that. It's "personal information." I'm sure many of you have personal information that you don't want the hon. Energy minister to see. If you say that your book is wide open, that he can request any information that you have, I'm sure maybe your husbands or wives or your children would disagree with that. I know mine would, and I know that many of my colleagues would.

**Mr. Saskiw:** What are you up to?

**Mr. Hale:** That's privacy. That's the privacy act.

You know, that's the main reason we put this forward. Sure, we can register our agreements with the regulator as landowners. That's good. That's something that we're not opposed to. We think that's a good section in this bill. If this information requested was just about those contracts, then we wouldn't be having this amendment put forward. It just leaves the door too wide open to retrieve any information dealing with our personal lives. That's the reason I put this amendment forward.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

The hon. Minister of Energy.

**Mr. Hughes:** Thank you, Madam Chair. I think that perhaps I can shed a bit of light on this because I know members have asked about this specific clause. Perhaps before we get into a lengthy concern, a bit of clarity would be helpful.

I would observe, Madam Chair, that I don't think the amendment proposed by the opposition is consistent with public expectations. This section actually requires the regulator to disclose information at the minister's request. Now, the kind of information that one would look for provides for a greater accountability. For example, there will be situations that require personal information like expense information submitted by the board of directors, the CEO, or the hearing commissioners. This is required, obviously, to meet public expectation. Of course, timely exchange of information is required for the government to carry out its constitutional duty of aboriginal consultation.

I'd also like to assure the hon. member opposite that this clause does not override the Freedom of Information and Protection of Privacy Act. In fact, personal information is still protected by FOIP. I do think that this is an important aspect that it is critical that we retain.

Thank you.

**The Deputy Chair:** Thank you, hon. minister.

Any other members wish to comment?

**Mr. Hehr:** Well, I guess that since the minister is here, I'll ask him: is it defined in the act what data the regulator will be allowed to collect? Are there any fences put around this at all, or is it open

to interpretation? If you could help with that, then I may or may not have to speak after that.

**Mr. Hughes:** Madam Chair, I'm not sure I can give an answer that cuts him off at the pass, much as I might wish to. The specific aspects will be defined in regulation, obviously, in terms of what will be required, but this is the normal course of business in terms of managing agencies, boards, and commissions that are agents of the province of Alberta, doing good work on behalf of Albertans. It's important to have that exchange back and forth.

**The Deputy Chair:** Thank you, hon. minister.

The hon. Member for Calgary-Buffalo, but we have other speakers, so we can't keep going back and forth.

**Mr. Hehr:** Thank you, Madam Chair. I guess that answer by the hon. minister served a half measure towards me. I think we've got to take a look at, overall, the way society is nowadays. We have a tremendous amount of technology, a vast ability to collect information – governments and corporations and the like – and we see a growing trend to this collection of information by governments, private businesses, and the like. The key to success oftentimes is information: knowing where people live, knowing what they do, knowing the way they vote, and all of those things. There's a danger in that. If we write legislation that lets us use this information or collect this information with impunity, it is fraught with peril. Things from people's lives and their personal lives, things that the government has no business knowing and should have no right to, are all of a sudden collected, and although they are not collected for any untoward purpose, nevertheless the danger lies there.

We can take a look at the United States. There's a perfect example of that happening right now. There's a very famous general who is involved in, I guess, what would be called a sex scandal. This information was compiled by the CIA and the FBI, and it was for no one else's broader purpose or information. It had no impact on the way he was performing – you know what I'm saying – and the like. Nevertheless, this information was leaked. It was leaked from government departments, from the CIA and the FBI. It was leaked because the government had the information and someone found it, and of course society is often interested in salacious details.

Oftentimes when governments collect information on too broad of a scope or passage, that information can be used against an individual, or something else can be investigated, or something can be looked into. The nature of the collection of private material is that it doesn't remain private if someone is collecting it. So I'm always nervous, especially when we don't write our legislation to attempt to narrow down the scope of what people will be collecting this information, what they're going to collect, and what it can be used for. In my view, I do not accept the argument: well, this is all going to be fleshed out in regulation.

Privacy rights are very important. I think that some broad measure of what that personal information should be that the government can collect, whether it be name, address, phone number, whether it's a contract or the like, some fences around what materials the regulator will be able to request and the like I think would go some way to improving this bill and improving the personal information of Albertans. I think we've got to get in the habit here in the Legislature of trying to encompass that into our legislation. This has been around now for about 15 years. With the increase in technology, the ability for people to get this information, I think it's high time governments took a more earnest look at the reasons why people have private lives, the

reason why people don't want governments to have information. Once governments have that information, the power of the state can be used in an unwieldy, unmannered approach that can trample personal lives and personal freedoms. That's why we have civil liberties.

I'm going to support this amendment. I think it's a good amendment. In any event, even though it may not be accepted, I think it'll spur the minister on to writing some clear and distinct regulations that put some fences around what information the Responsible Energy Development Act and the regulator will be able to get.

Thank you, Madam Chair.

**10:10**

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Madam Chair. Just to speak briefly on this amendment, what's interesting when you read this piece of legislation, in particular section 16(1), is the very broad nature of the language used here, including personal information, without any type of limitation whatsoever. Actually, I'm not sure whether or not the Lieutenant Governor actually has the ability to make regulations on that particular section, but even if there was that regulation-making authority, one would think that all you have to do is define personal information under section 1, the section of definitions for interpretation. If the minister has valid concerns about the requirement of certain information, it should be put out there, and it should be as specific as possible right in the statute.

It's interesting that he mentioned that FOIP still applies. I think that, potentially, the way this reads right now is that the minister could request any type of information: income tax information from a member of the public, business transactions, any type of information that's readily available or collected by a provincial or the federal government. I find that rather scary, that type of nanny state power that's put in this piece of legislation. It's not to say that the minister will go out and do that, but the power exists. It is so broadly stated. If someone does challenge this piece of legislation, particularly this section, I think there are valid, arguable legal arguments to be made that this is a very massive infringement on someone's personal rights. I'm wondering whether or not this actually conflicts with other existing legislation. You know, there's no privative clause or anything like that in place here.

I'm speaking in support of this amendment. Hopefully, you know, the hon. minister will take this amendment in stride. Thank you.

**The Deputy Chair:** Thank you, hon. member.

Any other members who would like to comment on amendment A4?

Seeing none, the hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Madam Chair. I certainly think this is an important consideration. I'm not sure – if I missed it, I apologize – what the reason would be to require personal information without limiting it, narrowing it a bit. I mean, we know Big Brother is watching, but does he really need to know the size and all the measurements? I think not. There needs to be some restriction, whether it's by definition so that we can be specific or whether it can be just eliminated altogether if it doesn't serve a specific purpose. If it doesn't, we ought to know, and I think that people ought to know.

But I don't think that should be there as a sort of disincentive to step forward to object or complain. At this point I think it is. As

the hon. Member for Strathmore-Brooks said, it has the potential to create problems. I think that in good faith we ought to send a message to the people of Alberta to say that we do respect your right to privacy and that we do respect your right to keep some things to yourself even though you want to come forward and object to something. There are a few things we need to know, but we sure don't need to know everything. I hope that in good faith you good folks over there, who value your own privacy and the right to keep some things sacred and perhaps confidential, will support this amendment. I think it deserves your support.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

Are there any others?

**Mr. Donovan:** Again, I'm getting up to speak in favour of this amendment. As it's been covered by my two colleagues earlier here, just how much information does the government need on something? I understand that when the minister spoke, he said, you know, that it's going to exclude. Then the hon. Member for Calgary-Buffalo commented that all these things are planned out, probably good motions and ideas, but stuff gets leaked, information get's taken out of context, and I guess you're just leaving yourselves open for something to come back down the trail and bite you later on.

I guess, in saying that, I'll keep my comments short. I'm in favour of the amendment.

**The Deputy Chair:** Thank you, hon. member.

Are there any others?

Seeing none, I'll call the question.

[Motion on amendment A4 lost]

**The Deputy Chair:** We'll move back to debating Bill 2. Are there any other speakers on Bill 2? The hon. Member for Strathmore-Brooks.

**Mr. Hale:** Thank you, Madam Chair. I do have another amendment with the required copies that I would like passed out, please.

**The Deputy Chair:** We'll pause while those copies of the amendment are being passed out. This will be known as amendment A5.

Seeing as most members now have a copy of the amendment, we can continue. The hon. Member for Strathmore-Brooks.

**Mr. Hale:** Thank you, Madam Chair. This amends section 18 of Bill 2, and I will read my amendment into the record. I move that Bill 2, Responsible Energy Development Act, be amended in section 18 by adding the following after subsection (4):

- (5) prior to or within 9 months of the execution of an agreement under subsection (2), the Minister shall ensure that a Member of the Executive Council introduces a motion in the Legislative Assembly that would have the effect of facilitating a debate in the Assembly on the question of whether the agreement should be approved by the Assembly.
- (6) if an agreement under subsection (2) is entered into prior to receiving the approval of the Assembly, the agreement shall include a provision providing that the agreement shall be of no force or effect if it is not approved by the Assembly.
- (7) if the Assembly does not approve an agreement under subsection (5), the agreement shall not be entered into or, if the agreement has been entered into, the agreement is of no force or effect.

Now, this section of the bill grants the cabinet the power to direct the regulator in negotiating interprovincial and international agreements that could make essential industry beholden to groups that do not share interests. This could lead to agreements that are detrimental to Alberta's energy future. We think that the House should have the ability to look at these agreements.

You know, there are many pipelines that are being proposed now, many interprovincial agreements, international agreements, you know, for exporting our product. It's something that affects not just one company, not just one individual, you know, as a single well does, not just one area as in the oil sands. This is something that has a huge provincial effect on all the people in the province, so I feel that it shouldn't be up to a single minister or a single regulator to make those approvals. It should be something that we can make as a whole group because it's something that is going to affect everybody in Alberta.

10:20

There are good parts about this section already. You know, we need these other pipelines to export our product. If we give the regulator the power to make these dealings on behalf of the people of Alberta, they can have one hearing with all the provinces there. They don't need to have hearings in every single province. They can do it as a whole group, which will speed up the process, which is the intent of this bill. It should be something that is talked about by all the MLAs, not something left just to the regulator or the Energy minister of the cabinet to make a decision on their own.

In regard to international exports as we're seeing now, it's something that all the provinces need to work together on. It's something that one group cannot make on its own. It's a decision that needs to be made as a whole. So we feel that adding these in will allow the regulator and the Energy minister to bring these proposals forward to the House. We can have a debate on it; we can hear the pros and the cons with regard to these dealings that are going on and have the ability to take it back to our people and get their input on it.

This deals a lot with the openness and transparency that's talked so much about in this House. This is just another step to be open and transparent, to communicate with all Albertans how, you know, we're being affected, how the energy industry is being affected. We're all in agreement that we want a single regulator. We just want to ensure that the single regulator acts in the best interests of Albertans. These amendments are a way to bring it back to the House for a good debate to ensure that everything is handled through the proper channels and that we do have the consent of the majority of Albertans when dealing with the resources that they essentially own.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak on amendment A5? The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Madam Chair. In speaking to the amendment put forward by the Member for Strathmore-Brooks in reference to section 18, it just seems to be an extraordinary power that's been given to the regulator, something that you don't often see in legislation. That's under section 18(2), which essentially allows the regulator to

enter into any agreements that it considers desirable with the Government of Canada or an agency of it with respect to a matter relating to the purposes of this Act or any other enactment or with any government of a jurisdiction outside Alberta or an agency of that government in respect of the effects of such a matter in that jurisdiction.

What that says is that the regulator can simply go out and make agreements with governments outside the jurisdiction of Alberta. There's no limitation on whether that's just with other provinces. There's no limitation on whether that's North America. Anywhere in the world the regulator may make deals, may make arrangements on behalf of the government of Alberta. It just seems like an exceptionally odd provision to have in a statute.

I think, you know, that we should have a provision in there that's quite similar to the way other jurisdictions handle extra-provincial agreements that are made, and that is to have the agreement approved in principle or ratified subsequent to the agreement by the Legislature or, federally, by Parliament. It just seems to me that would be the requisite due diligence that we should have when entering some potentially very important agreements.

Maybe this provision is in place for this so-called national strategy, or whatever term the Premier is calling it, in the sense of creating that type of plan. To have this power in the regulator to enter into any agreement without limitation with respect to virtually anything – the only limitation is “agreements it considers desirable,” which, of course, is a subjective test and could include virtually anything. So if the regulator decides it wants to enter into an agreement with South Dakota, it can go and enter into that agreement without it coming back to the Legislature here and without having the appropriate debate on that agreement.

I'm standing in support of this amendment to ensure that there are at least some safeguards. The main safeguards in subsection (5) state that “prior to or within 9 months of the execution of an agreement,” then a bunch of verbiage, and then it basically states that it “should be approved by the [Legislative] Assembly.” One would think that should be a very realistic, proper way of dealing with potentially very serious contracts that have large ramifications for our province. One would hope that the regulator wouldn't enter into some type of agreement that could bind the hands of the province and of all Albertans. So I'm speaking in favour of the amendment.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Calgary-Buffalo on amendment A5.

**Mr. Hehr:** Thank you very much, Madam Chair. I will admit that this is a very interesting amendment, one that I, to be honest, hadn't thought of myself. Frankly, while I'm speaking on it, I'm not sure whether I'm going to support it. I'm going to hopefully work through some of the arguments here and see if I can add something to the debate. That will be up to you to judge, but I'll give it a fair whirl.

Now, if you look under the Constitution, our oil and gas reserves are the people of Alberta's, stewarded by this government and members of this honourable Legislature. Hopefully, we are doing this in the best interests for the long run. Often I've also said that in the long run we're all dead. So that's awfully difficult to do, but that's what we should be doing.

If you look at what is currently happening in Alberta, that many people are paying attention to, the Nexen energy company is being purchased by an arm of the Chinese government, their national oil company. To date we've been relatively, in my view, silent on what our wishes and hopes and dreams are on behalf of the Alberta people and, in fact, what we want for our oil and gas industry. I also understand that it's the federal government's job to regulate trade and commerce. Okay. I understand that. Nevertheless, we have been relatively quiet on whether we deem it in our provincial interest to have a state-owned Chinese oil

company come into Alberta and take a play in our backyard. It's just one of those questions.

If we really want to develop ourselves as a province, to see ourselves as being the stewards of our resources, to be a voice in what we want for the development of our oil sands and other oil and gas regions, then this amendment would add to that voice. It would give us an opportunity to discuss in this House situations where a foreign country may be involved or outside pipeline agreements are entered into with other provinces. That, in my view, would be a good thing.

In my view, we haven't discussed the ramifications of the Nexen deal very much. In fact, currently, Madam Chair, if the CNOOC deal goes through, we will have 14 national oil companies competing in Alberta. Fourteen national oil companies. Now, I guess that would beg the question, Madam Chair, why they're here. I think it's a simple question, but what's the simple answer? They come here, they pay royalties, and then they make lots of money. Allegedly, there's money in this business. They send that money back to their home country to pay for roads, schools, hospitals, and the like. There are 13 of them doing that right now.

**10:30**

At one time, in my view, I thought we had a broader vision of what it meant to be in the Alberta interest. It was under Mr. Lougheed, when he in 1971 or '72 started the Alberta Energy Company – okay? – a company that lasted till approximately 1993 and was a very integrated energy company. It provided a lot of the infrastructure for the oil and gas industry as well as returned a lot of profits not only to this government but to shareholders, who were primarily Alberta citizens. Now, that was a neat idea.

I won't go into the ramifications of what, in my view, was a fit of government not quite thinking about the long run, the selling of the Alberta Energy Company. That was done, and I thought it was a mistake then. I think that to this day the sale of that company left us without a voice in our own future, our own direction, our own ability to have a stake in our own future. I think Mr. Lougheed recognized that, and he often recognized: think like an owner. That means having your own oil company. Or what else does it mean? I think that's something where, you know, if we're going to have an oil and gas industry, we should look at whether that was the best course of action. Allegedly, the oil and gas business is going to be around for another hundred years or so, so there may be no time like the present to investigate whether we're getting a fair return on our oil and gas resources.

You know, I read a report by the Parkland Institute that says that we're receiving approximately I think it's 13 per cent of the total take from the oil and gas industry. There's a country out there, Norway, who developed their oil and gas industry based on some of the ideas of Lougheed, having their own oil company and the like, who bring in roughly . . . [interjection] No. Just wait. I'm talking. That was the hon. Solicitor General. He wasn't sure what I was going to talk about. I'm not talking about savings. I'm talking about their organization of their oil and gas industry, and I'd encourage the hon. Solicitor General to do some research on this issue. I will forward to him the research of a brand new report that came out by the World Bank that analyzed some national oil companies, their responsiveness to market conditions. I know the hon. Solicitor General is a believer in the free market, and understandably so – that's fair enough – as am I in certain instances. But did you know that Statoil, Norway's national oil company, is traded on the New York Stock Exchange? It is valued and recommended by stock traders all over the world. They say that

this is a great thing to invest in. They do despite the fact that government is involved in that.

Back to my main point. The Norwegian government collects roughly 75 per cent of the total take of the energy industry – okay? – because they're actively involved in partnerships with other oil companies. Guess what they figured out? There's profit in this, lots of money to be made. I know it may sound novel, but allegedly there is, okay? The Norwegians have figured it out, like Mr. Lougheed had figured it out.

**The Deputy Chair:** Hon. member, you're speaking on amendment A5.

**Mr. Hehr:** Now back to the amendment. I think that this would create some of that ability for us to look at our broader future as an energy producer, as having a viable voice for Alberta citizens to take part in, and would allow us to review things in this honourable House.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

Are there any others who wish to comment on amendment A5?  
Seeing none, we'll call the vote.

[Motion on amendment A5 lost]

**The Deputy Chair:** Back to Bill 2. Are there any other members who wish to comment on Bill 2? The hon. Member for Strathmore-Brooks.

**Mr. Hale:** Thank you, Madam Chair. I have another amendment.

**The Deputy Chair:** We'll call this amendment A6, and we'll pause till everyone has a copy.

Seeing that the majority of members have a copy of amendment A6, I would ask the hon. Member for Strathmore-Brooks to continue.

**Mr. Hale:** Thank you, Madam Chair. This amendment deals with division 2, the hearing commissioners. We have an amendment to section 11(1). Section 11(1) states:

The Lieutenant Governor in Council shall establish a roster of hearing commissioners consisting of a chief hearing commissioner and such other individuals as are appointed by the Lieutenant Governor in Council.

My amendment, then, states:

(1.1) The Lieutenant Governor in Council shall appoint the chief hearing commissioner on the recommendation of the Standing Committee on Legislative Offices.

The reason I put this amendment in is because as it stands now in the bill – one subamendment I already have put forward – the transition committee is appointed by council, the board of directors are appointed by council, the chief hearing commissioner is appointed by council, and the roster of hearing commissioners are appointed by council. This amendment allows transparency and accountability. There seems to be a common theme with the picking of the people involved in this bill, and it seems that it's left up to the hon. Energy minister and the cabinet.

Again, this bill affects everybody in Alberta, and everybody should have a voice through their MLAs, through an all-party committee. That's why we suggest sending it to the Standing Committee on Legislative Offices to make a list of recommendations. We're not saying, you know, that they have to do it. This is something that they can send to Legislative Offices. As it stands now in that committee, it's one-party heavy, so

chances are that it's going to be who they want anyway, but at least there can be other voices heard.

This way it's not open and transparent. It's only open and transparent in one room. This needs to be something that's discussed and talked about through all the parties because it does have a huge effect, you know, on the hearing process, the appeal process that's in this bill.

10:40

That's why we think that this decision should be made not solely by the cabinet and the hon. Energy minister. It should be made by the all-party Standing Committee on Legislative Offices. You know, it'll go a long way in picking this hearing commissioner so that it doesn't take the form of a specialized appointment, that it is open and transparent and that the right person does get the job. Once again, we need to get this bill right. We need to ensure that when there are appeals that go through and there are issues that need to be dealt with, they're dealt with in a professional manner, that they're dealt with by someone who has a vast knowledge of the industry and the workings of Alberta and how the industry relates to people in Alberta.

This should be an amendment that passes. I mean, I can't see why the government side of the House would say: "Well, no. We want to solely make the decision on our own." I mean, for the simple optics effect, at least you can show that you're being open and transparent. It's practising what you preach. It's something that people need to know, that the person picked for this hearing commissioner is the right person, not an appointment made solely by one party.

I hope that you will vote in favour of this amendment, and I look forward to the discussion.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak on this amendment?

**Mr. Dorward:** Did the hon. MLA give any consideration at all to the fact that a person's name would be discussed in an open meeting of the Standing Committee on Legislative Offices in order to be able to make the recommendation to the Lieutenant Governor in Council?

**The Deputy Chair:** Thank you.

The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Madam Chair. Just in regard to the member's comments this happens in every other jurisdiction on very important bodies, whether it's judges, whether it's senior bureaucrats, whether it's chairs of certain entities. There are discussions that are in public about those people, whether they have the requisite qualifications for that job. For a Premier that gloats about being open and transparent, every single act that has been taken subsequent to that completely negates that argument. It's unfortunate that the member opposite wants to have a secret process when it comes to the appointment of such an important person.

I think the other reason why – I'm surmising – the Member for Strathmore-Brooks is putting forward this amendment is because we should take the politics out of this appointment. Just take the politics out. There are certain circumstances. For example, potentially, the Health minister previously appointed a certain chair of Alberta Health Services, who may or may not be partisan. I think that's one aspect of this. We should actually ensure that the person is nonpartisan. We do this, of course, with other chairs. We do this with the Ombudsman because that person should be truly independent. That's why a legislative committee makes that decision.



Of course, as the Member for Strathmore-Brooks said, it's not that the other opposition parties would put forward one name. It's a bunch of names, and the ultimate decision would still rest with the government, but there's at least some due diligence in the process that's being done. To think that for some reason this has to be a secret process is quite baffling.

**The Deputy Chair:** Thank you, hon. member.

The hon. Minister of Energy.

**Mr. Hughes:** Thank you, Madam Chair. You know, I appreciate the sentiment being put forward in this particular amendment, but it's simply a complete and utter error in law. The Standing Committee on Legislative Offices is involved in appointing six officers of this very Legislature. These are the officers of the Legislature who are appointed by the Standing Committee on Legislative Offices. That's the Auditor General, the Ombudsman, the Chief Electoral Officer, the Ethics Commissioner, the Information and Privacy Commissioner, and the Child and Youth Advocate. At no time, Madam Chair, either in any of the many amendments that have come forward from all sides of this House or in the original legislation was there a suggestion that the commissioners should be officers of this Legislature.

But I can assure my colleagues on all sides of the House that the appointments to the board of directors of the regulator and also the roster of hearing commissioners will be a process which is well adhered to by this government, which is publicly advertised, a thorough process, a process that is appointed by the cabinet and that will be competency based. I give that commitment to the House.

**The Deputy Chair:** Thank you, hon. minister.

Are there any other comments? The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Madam Chair. I guess that with respect to the amendment, saying that it's an error of law is simply not correct. The Standing Committee on Legislative Offices can within their jurisdiction make a recommendation. It's not binding on the minister, and it doesn't have to be an officer of the Legislature. They can make any type of recommendation to the hon. minister, so there is no exclusionary clauses on the mandate of that committee. It's just simply incorrect.

I think we can respect some of these assurances that there would be an open competition, but we, quite frankly, haven't seen that in the past. We saw this with senior bureaucrats in agriculture, where there was no open job competition. It wasn't based on merit or competency. You know, all sorts of laws were being broken.

This just seems to me to be a very valid, reasonable amendment. The governing party would still have the ability to eventually appoint an individual to such an important position, but reasonable due diligence would be done. I would hope that they would accept that.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Madam Chair. I'm rising to speak today in favour of the amendment brought forward by the hon. Member for Strathmore-Brooks. It seems very reasonable, but it also seems that we can't come to reason in this House at this moment.

One of the things that I find interesting is that the hon. Minister of Energy mentioned that it would be a fair and open process. He's assuring us, and that is fantastic. That's what we want to hear. The problem with that is we've heard that before. We saw it

specifically in creating a job for Mr. Evan Berger, creating a job description for said person, and also creating a wage and everything for a job that didn't exist. That job did not go out to open tender, did not go out to any open competition. Why would that be any different than this? There's a pattern with this government that shows that that isn't the way they proceed, and it would seem to me that if it is the intention to proceed that way, then there's no harm in making sure that it's actually protected within the act.

The other part of it is that given that all of the directors are appointed by cabinet and all of the hearing commissioners are appointed by cabinet, we've created a political monopoly, and in no way does that monopoly answer to anybody but cabinet. Given the track record of this government of appointing their cronies and their friends and people in the government family, it would seem that if you want to be open and transparent, you would make sure that that can't happen. You want to make sure that you engage in ensuring that you have trust from the public and from Albertans.

I think it's also important to show Albertans that these appointments are not political. I actually believe that the Minister of Energy does believe that they shouldn't be political, and I think that's great. I think that if he actually believes that, then he would very clearly be able to put it in there, that he's making his appointments on the best wishes of Albertans.

I guess the bigger question that I have is – we've talked a lot and this government has talked a lot about being open and transparent. They've also talked a lot about having the most robust transparency policies in Canada. I believe the Associate Minister of Accountability, Transparency and Transformation has gone on and on and on in this House about how open and transparent this government is and how everything should be on the table. Yet at the same time he says: if you want information from the Health minister, you have to FOIP it; if you want information on expenses, you have to FOIP it; if you want anything done, you have to FOIP it. But we have the most robust and open and transparent policies across Canada.

**10:50**

It would be interesting to hear from the Associate Minister of AT and T exactly how transparent this policy really is. Literally, you'd want to ensure that the openness and transparency of this bill – you as the minister would of course want to ensure that that is fundamental in this process, and you would want to ensure that you have fairness, and you'd want to make sure that everybody who is appointed to this board is done so through an open and fair competition process. Given that that's your brand new associate minister role it would a hundred per cent be: if you want Albertans to believe you can walk the walk, then it would seem to me that you need to talk the talk.

If we're going to have an Accountability, Transparency and Transformation associate minister, then it would seem to me that he would want to ensure that the bills coming before this House are in line with what his goals are. That would just seem to make sense. But if we're going to just have cabinet appoint the directors, have cabinet appoint the commissioners, then how open and transparent is that? I guess if we want to know what their expenses are or what they're doing, we might have to FOIP that as well. I mean, that seems to be the track record we're on. It would seem to me that we need to make sure that this process is the most fair to all parties involved. The only way to do that is to go to the public, to have it open, and to have nominations come forward, have an all-party committee submit those nominations.

What's the fear if the ultimate power ends with the minister and the minister can ultimately pick whoever he wants anyway?

Really, he gets the best of both worlds. He can still pick his guy, and then literally tell Albertans: “Well, I followed the accountability, transformation, and transparency rules. I picked my guy, but I had a public process to make sure it was all fair for everybody.” At least then he can have the insinuation that we had a fair and open and transparent process. It’s a win-win, really. The Minister of Energy really gets it both ways. He gets to have a fair and open procedure. The Associate Minister of AT and T gets to, you know, lobby on: “Woo-hoo. Look at how good we’re doing.” The public get to believe that you actually were fair and open and transparent. Yet you still get to pick your guy. So what’s the big deal?

I mean, you could have done the same thing with Evan Berger, but instead we chose a different route where it was all secret and quiet, and then all of a sudden, you know, we threw him into a job that didn’t exist, with a job description that didn’t exist, and created a wage for him that didn’t exist, and then once it went to the Ethics Commissioner, we created a job description and made sure he had an appropriate title and all that sort of thing.

Given the lack of trust from the public, given the history with Evan Berger, and given that, you know, this government repeatedly appoints their friends and family members to these types of boards it would seem to me that if you want to do that and you want to make sure that we’re open, transparent, and accountable, the best way to do that is to maybe have a conversation with the Associate Minister of Accountability, Transparency and Transformation. Then maybe you could come to an agreement about how that process can be open, accountable, and transparent.

Then you could literally – I mean, we’ve done the work for you. But God forbid, we know that you won’t be able to do that. We’ve literally shown you how this can be open and transparent. You can literally see the establishment of a roster. We already knew you weren’t going to agree with it, so that’s okay. But if you want to be open and transparent, what’s the big deal if it goes to an all-party committee? The government controls the all-party committees too, so literally it’s a win-win. You can control it from every angle you have. It’s all a win-win. But you at least give the semblance of seeming to be open and fair. I don’t know what the opposition would be to that because you win anyway, but at least you can start a process where you can actually build on what the Associate Minister of AT and T is trying to do.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

Are there any others who wish to comment?

**Mr. Bikman:** I heard someone utter, Madam Chair, that this process that’s being recommended through this amendment would be a waste of time. Well, let’s be candid. What goes on in here is a waste of time, I submit, because you already know what you want to do, and you’ve got a majority. You’re just sort of pandering in a sense to an appearance of an open debate, but you know how you’re going to vote, and you know how you have to vote. You can protest as much as you want, but the facts speak for themselves. No one dares vote in favour of what your constituents want. You assume that because you’ve been elected, that gives you the freedom to vote the way that the party tells you to vote, and that’s really not fair and open. [interjections]

**The Deputy Chair:** Hon. members, the Member for Cardston-Taber-Warner has the floor.

**Mr. Bikman:** Glad to see that you’re all still awake.

**An Hon. Member:** Speak for yourself.

**Mr. Bikman:** I am and the people that voted for me. Are you?

You can’t just say that you have a policy of transparency and openness and accountability. Just saying it doesn’t make it so. You’ve got to actually walk the talk. I think that’s what my young friend was trying to say. Talk is cheap. We need to walk the talk. If you’re going to be accountable and transparent and open, you can’t just say it; you’ve got to do it. We’re just asking you to do it. The people that we represent would like to see that happen. People really do need a say in these kinds of things. We need to see what the qualifications are of people and why they’re being considered. And you know what? If you didn’t have the track record you’ve got, you wouldn’t have this opposition to what you’re trying to railroad us into doing.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak on amendment A6? The hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Madam Chair. I’d just get up and again support this amendment. I think that when it goes through the process of having it through the Standing Committee on Leg. Offices, it gives everybody an opportunity to talk about it. I guess I don’t see the problem with having a discussion about who’s qualified and who’s not qualified for a position.

In that, I support the amendment. Thank you.

**The Deputy Chair:** Thank you, hon. member.

Are there any others who wish to comment on amendment A6?

Seeing none, we’ll call the vote.

[The voice vote indicated that the motion on amendment A6 lost]

[Several members rose calling for a division. The division bell was rung at 10:58 p.m.]

[One minute having elapsed, the committee divided]

[Mrs. Jablonski in the chair]

For the motion:

Barnes	Hale	Pedersen
Bikman	Hehr	Saskiw
Bilous	McAllister	Towle
Donovan		

11:00

Against the motion:

Amery	Hancock	Oberle
Cao	Hughes	Olson
Casey	Jansen	Pastoor
Cusanelli	Johnson, L.	Quest
DeLong	Kennedy-Glans	Rodney
Denis	Klimchuk	Scott
Dorward	Leskiw	Starke
Drysdale	Luan	Weadick
Fawcett	McDonald	Woo-Paw
Fraser	McQueen	Young
Griffiths		

Totals:	For – 10	Against – 31
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[Motion on amendment A6 lost]

**The Deputy Chair:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Madam Chair. The debate on Bill 2 tonight has been scintillating, to say the least. I’m sure we would want to do much more, but we have had guests patiently waiting

for us to get to Bill 3, so I would move that the committee rise and report progress on Bill 2 and beg leave to sit again.

[Motion carried]

[Mrs. Jablonski in the chair]

**Mr. Casey:** Madam Speaker, the Committee of the Whole has had under consideration a certain bill. The committee reports progress on the following bill: Bill 2. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

Thank you.

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

**Hon. Members:** Concur.

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

### Government Bills and Orders Third Reading

#### Bill 3 Education Act

[Debate adjourned November 8: Mr. Eggen speaking]

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

**Mr. Hehr:** Well, thank you very much, Madam Speaker. It is a privilege to rise and speak to Bill 3, the new Education Act, that will be enshrined in law after this. Now, I will tell you at the outset that I will be voting against this bill, but I will go through some of the things that I found positive in the bill, some of the things that I hope will be reflected in a new education system, and then get to the more contentious aspect of the bill, which is more a principle or a philosophy, something that I personally can't compromise on, and in fact the Alberta Liberal caucus won't compromise on; that is, the way we treat the Canadian Charter of Rights and Freedoms as well as the Alberta Human Rights Act in this province. Under no circumstances will we support a bill that either does not enshrine those rights or, even if it does, sends mixed messages to groups that those rules do not apply.

I understand this act has been a long time coming. The hon. Minister of Human Services, I believe, started the inclusive education talks in 2008. He then continued around the province for a great many years, moving the stages and processes and consultations on this bill widely and broadly for much of his tenure as the Minister of Education. In fact, he originally tabled the Education Act. I believe it was Bill 18 in its prior form, and in that bill were much of the provisions we see here at this time. That hon. minister in his wisdom chose to include the reflections in section 16 of the act, the contentious portion, that the terms of the Canadian Charter of Rights and Freedoms and the Alberta Human Rights Act were applied. Like I said earlier, the hon. minister is an intelligent man. He understands that words matter and the way that we write legislation matters.

We then had the hon. Deputy Premier take over the file. He did some more consulting, did some more work, had some more meetings with community groups and stakeholders throughout this province. He, too, then tabled a bill. I believe it was last March, and I believe it was Bill 2, the Education Act. That bill, too, contained a recognition that our Alberta education system in all its forms, fashions, and the like would be subject to the Canadian Charter of Rights and Freedoms and the Alberta Human Rights Act. I would also suggest, because he's a smart man, that he

understands that words matter and that people interpret them by what was written and what was done.

Let's get to the merits of some of the act. I like the fact that some of the language in the act reflects an inclusive education system. It reflects the fact that we have many people with special needs in our province who deserve an opportunity to learn. It includes a provision that will enforce the laws to have children go to school till 17. I know full well that's a difficult law to enforce, but it's a statement of principle from this government to members of society that school is so important that you will attend until you're 17. It's a statement of principle. We all know that we can't necessarily enforce that, but as a statement of principle that says something about us. It's a statement that I am proud of, that that happened.

I note that I also enjoy the provision that says that you will be allowed to receive education to complete your high school until the age of 21. A noble cause. We have significant challenges with our graduation rates here in this province. Allowing kids who drop out, maybe to pursue the working world or something else, an opportunity to know that the school doors will be opened to them when they are ready and encouraging that opportunity to complete their high school education is very important. I believe this government should be applauded for it. We have a recognition that if our society is to go anywhere, our kids need to be educated further. If they don't complete their high school education, the consequences are not only dire for that individual as they generally earn less and have more recidivism with the law and the like; it also hurts our province. It hurts us in the fact that we don't have an individual who could be reaching his fullest potential. I agree with that.

11:10

I know school boards were very happy with the natural power provisions. Hopefully, when the details come out in regulation, this will enable them the freedom and flexibility that they need to run the best education systems in their local jurisdictions. I believe that was also a good move.

There is much in this bill that I admire, much in this bill that sets the direction for the next probably 25 years. It was 25 years, I think, since the last education bill came into this province, so this is not a bill that's going to be opened up on a regular basis.

But now I have to get into my concerns. Largely, they stem from what I went through earlier: the process by which this bill, at least under two former ministers, included protections in section 16 under the Canadian Charter of Rights and Freedoms and the Alberta Human Rights Act. This is important because words matter and messages sent to the education community at large about their importance are very, very important to me and to many members of this community. For instance – let's be blunt – people were worried about the term “sexual orientation.” Okay? That was what they were concerned about. Many groups in our province staged a protest at the Legislature saying that they had an obligation to not be included under this act, that, no, the law of the land did not apply to them because of their unique circumstances. Largely that was home-schooling groups.

I understand. I'm a pragmatist. Madam Speaker, I understand that home-schooling is something that we allow in this province and something that I think works in certain instances. I'm also fully well aware that home-schooling by its nature is a private responsibility of the parents. By no means did the act, whether it was written in legislation – there was really little application to the actual principle. It's much like the situation where we say to kids: you shall go to school to 17. Well, Lord knows, if a 16-year-old doesn't want to go to school, the Minister of Education is going to

have a pretty hard time getting him to go to school. It's similar to the way the home-schoolers presented the argument.

One. Let's face it; for them really to be covered by the act, essentially, their son or daughter who is being home-schooled would have to file the complaint that they were being discriminated against. Does it seem logical that that's going to happen? The second thing. If people had bothered to read the Alberta Human Rights Act, the only section that could in any form or fashion apply is on publications. It says that for publications people have every right if they're of the same religious group or otherwise to communicate as they see fit. In any event, if people had bothered to look at the legislation, to look at the way it was written, it had no practical or real application to them. It was simply, I guess, to use a statement from the Bible, a banging gong and a noisy cymbal that was clanging outside of the Legislature, and people saw rights being infringed on that really weren't.

Nevertheless, because this government has now taken that language out of section 16, that group of people and others do not believe that the Alberta Human Rights Act applies to them. I read it on the Alberta home-school defence website: we won; we're allowed to do our thing, so send a thank you letter to the Premier for recognizing that this draconian language in the Alberta Human Rights Act does not apply to us home-schoolers; we are allowed to do what we would wish to do on promoting whatever values. Those were generally – let's be blunt – to teach that being gay is a sin.

I'm also pragmatic enough. My father filled my head full of nonsense, and every parent in this province has the right to fill their kid's head full of nonsense. We have to figure it out for ourselves, okay? That is the right of each and every parent in this province.

That being said, the way this government writes legislation matters for what we believe in as a society. It matters what messages we're sending out, and they're statements of what we as a society believe in. To use an American term, we hold these truths to be self-evident, okay? We hold the Alberta Human Rights Act and the Canadian Charter of Rights and Freedoms to be self-evident. Because of the process that is involved, that two former ministers included the Human Rights Act, section 16, and the new act didn't include that, it sent a mixed message, whether it was real, implied, or otherwise. That language says something about us. In my view, that is wrong. I don't think we're on the right side of what is fair and reasonable and creates an attitude of respect. For that reason, I will not be supporting this bill, for that alone.

Now let's get back to the overall Education Act. Everything that's included there is all words. It's all bluster. Unless we commit ourselves to funding education, to moving forward with some of the things that we've said in this House are true – moving to kindergarten, junior kindergarten, and the like – putting our money where our mouth is, that we recognize that education matters, all of the words and rhetoric in that bill do not mean a thing. We have to properly fund education. We have to ensure through our funding, through our cheque writing, that every kid has every opportunity to learn. Our examples through the way we support our education system through proper funding will be more the telling of the tale of how we survive and thrive as a province, more so than any bill that is written.

Thank you for allowing me the time to speak, Madam Speaker, and I look forward to the rest of the comments.

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) now applies. We have five minutes for any questions or comments. Would anybody like to use Standing Order 29(2)(a)?

Seeing none, I'll call the Member for Chestermere-Rocky View.

**Mr. McAllister:** Thank you, Madam Speaker. I feel like it's déjà vu all over again. I'm pretty sure I was clean shaven when we started the discussion on the Education Act. That said, actually, I'm pretty sure I was clean shaven when we started the discussion on Bill 2 tonight, too, for what it's worth.

I think we've made some great headway on the Education Act, and I am going to be supporting it, but I would be remiss if I didn't mention a couple of things that still trouble me and, I think, many Albertans. I think there's much good in this legislation though, Madam Speaker.

You know, the bullying aspect of it is terrific. I just want to share a couple of things. My daughter is in grade 1 at Prairie Waters elementary school. I think a lot of schools are trying to deal with bullying. They have a pledge that they read out on the loudspeaker, and she was one of them that got to read little things like "I won't stand by." "I will stand up." "I won't watch someone get picked on because I'm a do-something person." You know, on and on and on. I think we're trying to change the culture of bullying and get rid of it, frankly, in schools. I think teachers, administrators, parents all play a hand in it. I'm just absolutely stoked to see that our government is trying to lead the way on it as well. I think it's one of several really good things in the Education Act, and I want to applaud that.

I also want to applaud the Education minister for his work on the bill and the countless stakeholders that took part. I can't imagine all of the hours, all of the people that were consulted and had their viewpoints put forward. Education is such an immense field. Everybody is so passionate about it. You'll never get something that everybody agrees with. I just think it's a magnificent effort, as we said, 25 years in the making. Let's move ahead, not backward.

**11:20**

That said, there are a couple of things I want to mention that I think we could have done better on. Anybody want to guess what the first one is about? I'll give you a hint. It is the no-zero policy employed in some parts of this province. I think we had a real opportunity, Madam Speaker, to change for the better the education system for Alberta kids. I think we let one go by, probably for political reasons, when we all knew what the right thing to do was.

There are two sides to that debate. I will say first and foremost, before I speak to it, that I completely respect the stakeholders that did not support, you know, pushing forth some kind of amendment to eliminate the no-zero policy. They have reasons on that side of the debate, and I understand it. I don't necessarily agree with it, but I've had great discussions with those that are opposed to it, and you always have to respect the other side of a debate.

I don't necessarily respect the government on it because I think that our job as MLAs, our job in government is to listen to Albertans, and Albertans spoke loud and clear on this. The noise was deafening in this province that it's not good for students to teach them that accountability doesn't matter. We had a chance to put forth 16 words: ensure that teachers are free to assign grades of zero for work not submitted by students. I would just put to you that if that's offensive to somebody, I cannot understand why that would be. I cannot understand why that would be. When Albertans rise up and say, "We would like this for our students," why can't we make that change?

If you've read it, the act has hundreds of references to what the minister can do, what the minister should do, what the minister shall do. This would have been another clear indication that we did listen to Albertans and we did do what was right, what our constituents asked us to do. That's where I always come at it from. I heard it loud and clear, and I would bet that many probably did, and we're still going to hear about it for the next, oh, three and half years or so. I would suggest it will probably come up again. I don't think it was really offensive.

To the point on teachers, who best to judge what mark to give our kids? Who do we want to make an assessment of our children and their work? I would suggest that we give them the freedom to do that.

**An Hon. Member:** Not the government.

**Mr. McAllister:** I would agree, not the government and not the bureaucracy. It's shameful that we would allow the bureaucracy to determine what we do. That's what I'm getting at.

Again I say with respect to the stakeholders that have their own agenda, that I understand autonomy and how they're coming at it, but I think that we needed to come at it with some courage and say: this is better for our kids. It's probably better for teachers, too, from those I speak to. We could have made some headway there. Thank you for listening to me make my point on that.

The other point I'd like to talk about is school fees. I'll say right up front that there is no easy answer to this subject, but I think we again have an opportunity to show some leadership and ban at least mandatory school fees in this province. It's gotten to a point where as a parent of three now – well, one has just finished and one has not started, so I guess I'm paying for one – you're not really sure what you're paying for from year to year.

I do have a great privilege as education advocate to travel and talk to, you know, boards and parents and teachers, and I hear it all the time, particularly from those that are having a tough time making ends meet. We may not be in that category here, so it's easy to dismiss it and say that you can write these extra cheques. But for those that do, it adds up when you have to pay for noon supervisory fees, and you have to pay for locker fees, and you have to pay for administration and photocopying. Look, face the facts. At some point in the last 10, 15 years – I don't know when it was – something went awry here with fees.

Now, I'm not quick to assign government the blame and say, "Maybe you're not giving boards enough money" or to assign boards the blame and say "Maybe you were doing the wrong thing," but I think we have to recognize that this went awry somewhere, and we need to fix it for Albertans because it's why we're here. People are PO'd about it, and I know we're going to hear more about it in the years to come. Fees have gotten ridiculous. We have 3,000 parents being chased down by a collection agency for not paying their public school fees. That's a problem, so I wish we would've acted on it.

There are 62 boards in the province. I believe completely in autonomy, and I believe that they have a tough job to try and balance what government gives them with the needs of their parents, with the needs of their students. You know, it's an admirable attempt to try and make up for shortfalls.

Lethbridge, for instance, does not charge mandatory school fees. I always say, no matter what the subject – I said it earlier tonight on another issue – that we can always look to a model that works and learn from it. Maybe there's something there that we could take and apply, open up the dialogue and find out a way to give parents a break because I do believe they're being nickelled and dimed to death, and I do believe that they're tired of it.

We have another issue that I think is probably going to become a bigger issue. I would just ask for those of you that haven't heard about it in here in terms of education to talk to some of the teachers in your riding, and maybe we can put our heads together and find out a way to fix it. The issue of inclusion is causing some problems in schools. It's not because the concept isn't right. It is right. It's because, again, there isn't a one-size-fits-all approach to inclusion.

I tell you that I've heard this in at least 10 different areas that I've been, not just my own board. What's happening in some of the ridings is that when you have a class with three or four ESL students, English as a second language students, which may have a different acronym now as they change frequently, and then you've got two, three, four, five, six students that are below the level of learning by two, three years, and you have a couple of special-needs students, maybe somebody with severe – pick the condition – Tourette's or something like that, you've got a problem.

The teacher can no longer be all things to all people. I hear that the supports aren't there. It would be easy for me to say: well, geez; I wish that government would just give everybody way more money and we could really fix that. But I believe in fiscal responsibility, so I don't think that's the answer. I do believe there's a shortage of supports getting to the classroom, but my biggest concern is that we're putting teachers in a position that they're not comfortable with, that goes beyond the realm of teaching. I've heard it from several teachers.

**An Hon. Member:** Hundreds of students.

**Mr. McAllister:** You're right.

I think what happens is that every student suffers from that. It's not fair to the student with special needs. It's not fair to the student that's Larry Lunch Bucket, you know, that's trying to get through, like the Member for Little Bow. I mean, he might need a little extra attention.

It's not fair to the advanced student that might get a little more one-on-one time. In the end we're punishing students, so I just tell you that this is a big issue. I hope that maybe – the Member for Calgary-South East today came up with a private member's bill that was very good and that we all discussed. Maybe we can put our heads together on this one and meet with stakeholders and find a way to make a positive because I really believe that we've got a problem. I've heard it from several teachers.

**Mr. Hancock:** It's both action and prudence. It's been discussed for years.

**Mr. McAllister:** Sorry. I'm half distracted because I'm trying to answer that question, and I didn't quite catch it all.

Whether we can do anything about it or not after the fact, I guess, is maybe, as a rookie, what I need to understand. I just think it's an issue in education, and I raise it as we discuss the Education Act because I hear it from educators.

I've made a couple of points that I think are pertinent, and again, as I said at the start, I do so with respect to the other side of that argument and the other side of that presentation, particularly from the stakeholders because I believe that they have reasons for doing the things that they do. I just know this: I was put here, you know, by people that expect me to do what they asked me to do. I think that in this case we could have gone a little bit further. I'm proud of the changes made to the Education Act by the current minister. I wish the previous minister had been a little more forthcoming back in the spring, but it is what it is. May we all do all we can for the betterment of our kids going forward and put this bill through, and

then do all we can for our administrators and teachers to make sure they can do the best job they can for our kids.

Madam Speaker, it's always a pleasure to speak on a bill such as this. Thank you.

11:30

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is now in effect. Are there any members who would wish to comment or question? The hon. Minister of Tourism, Parks and Recreation.

**Ms Cusanelli:** Thank you, Madam Speaker. I just wanted to talk to a couple of points presented by the hon. member here. First off, to start with, the no-zero policy. To me as an educator the no-zero policy has no place in a school act. It is a very specific thing that a district along with its district personnel needs to decide upon. A no-zero policy within a school act is simply going to say that teachers, in whatever circumstance that they should decide, don't have to advocate for that child who hasn't handed in an assignment. That's where the no-zero policy comes into play. It's not a no-zero policy for those students who don't want to be accountable. That will catch up to them eventually.

I will tell you from personal experience, Madam Speaker, that when I have had to advocate for students who weren't able to hand in an assignment or who weren't able to keep up with their studies, it had everything to do with the fact that that student needed an advocate and needed somebody to be standing alongside them to walk them through whatever their differentiated need was. I've taught kids that, for them, walking across a desert in order to find their mother was something that they had to do, and then they landed in Canada. Here they are learning a new language and a new culture. For them, handing in an assignment when their parents aren't there, like many students' parents aren't, is a difficult thing.

If we don't have teachers who are being held accountable within a district because that's the district's decision to be able to make sure that they advocate and walk alongside that child, then we affect all kinds of things. The domino effect will continue. That means that we will have higher rates of students who don't graduate. I will tell you this: those students that I have taught who are new Canadians absolutely deserve to graduate and absolutely deserve to have somebody, a teacher, a principal, advocate for them and be able to understand that each and every one of those children that we teach has an individual need.

A personal example as well. My own daughter has what is called a code. She has a learning disability, and she has an anxiety disorder. Without the advocacy of the school, my daughter isn't going to hand in that assignment because she is going to get overwhelmed. She's going to need the principal of the school and she's going to need the teachers in the school to have an understanding of what she requires. Sometimes she might hand in that assignment three weeks later. But you know what? In life that's how things go.

**The Acting Speaker:** Hon. member, do you have a question?

**Ms Cusanelli:** I do have a question. I wonder why it is exactly that you think that schools should not on their own be able to decide such a thing and why you think that the government ought to be taking the responsibility that is inherently the district's to work with its personnel and understand the culture of its district. Could you answer that?

**Mr. McAllister:** There's a lot to speak to. Thank you to the hon. minister. That was top shelf. Thank you for the question. It's

interesting that the minister contradicts the Education minister on the other side, who has openly said that the no-zero policy is ridiculous and he doesn't have any problems with a zero. In fact, I think half of that side pretty much said that, but let me get to your point.

First of all, you mentioned the School Act and why we should mandate it in the School Act. This wasn't really the question. It was sort of the start of the pontification. The School Act is in place as a policy for boards to follow. It's public education. It's what we do. As I've said a hundred times during these discussions, there are hundreds of references to what the government, what the minister can, can't do, shall do in the act. We ask ourselves: could we have done some good with the no-zero policy? I don't think for one second that any Albertan thinks this debate is about immigrants that can't speak the language or is about a teacher sitting at the desk with a red Sharpie waiting for the bell to ring and the assignment deadline to pass so that they can circle a zero and say: ha, you're going to fail. I don't think any teacher in Alberta is that kind of teacher.

That's not the point of this issue. The point of this issue is – I'll speak to it from a personal standpoint. Look, I had a son graduate last year who more often than I'd like to admit didn't get assignments turned in. We got a phone call at home. You know, you're on a hockey bus – I'm not making an excuse for him because I rarely do that but just as an example – and you don't get the assignment turned in. At the end of the day, I think, we do our kids . . .

**The Acting Speaker:** Thank you, hon. member. Thank you very much for that.

Standing Order 29(2)(a)?

We'll move on to our next speaker. The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Madam Speaker. It's my honour to rise and speak to the third reading of Bill 3, the Education Act, and also, I feel, my responsibility not only to my constituents but especially to past students and as a teacher. This act is a work that has been a long time in the coming. It's sad for me that there are certain elements that are missing from this piece of legislation that we'll be voting on likely this evening.

First and foremost, I think, I find it a little bit at odds, the fact that our former Premier of this great province Peter Lougheed introduced the Alberta Human Rights Act in 1982, which has been a part of previous education acts and is now being removed by this current government. I find that frustrating for a number of reasons. First and foremost, it's one thing to say that the Canadian Charter of Rights and Freedoms and the Alberta Human Rights Act have been replaced by nice language that supposedly covers the same thing. Unfortunately, if that were true, then I ask the hon. members across the aisle why they took them out to begin with.

This is something that ensures that people's rights are protected, that students and individuals aren't discriminated against, and it's something that needs to be in there. I mean, I can appreciate the fact that in this new Education Act bullying is a topic that is covered quite thoroughly and is an importance and a priority for this government. I think an antibullying strategy is a priority for all 87 members.

My concern is that with Bill 44 in place there are limits then. If an act of bullying is transpiring in a school and is based on jokes about a student's sexual orientation, et cetera, parents can then opt their child out of being a part of that discussion, which is quite alarming. I challenge members to go beyond the word "tolerance."

I find that word is insufficient in that we should be accepting and celebrating everyone and all people for who they are. Unfortunately, in this day and age we still do need legislation to protect all individuals and their rights. I look forward to the day when that legislation isn't necessary, when we are truly in a society that is respectful and accepting of all people everywhere. However, there's much work to be done. It's with great sadness and frustration that those two documents are taken out of this current bill.

**11:40**

As well, I think, something that other members have touched on: the issue of school fees and how they're continuing to climb. You've got many families that are struggling to make ends meet. You know, they're being hit with fees that 10, 20, 30 years ago didn't exist and were covered. So it begs the question: given the fact that we're living in the wealthiest province in the country, how is it that we continue to download these costs onto families and parents which should be included and should be a part of our public education system?

Another point I'd like to touch on. The Minister of Education recently had talked about his position of being in favour of the corporatization of our public school system. For myself and New Democrats in this province I have a real concern when Walmart can open a high school or we can have a McPlayschool. I find that there isn't a place for businesses and corporations to be running schools. Public education needs to be just that. It needs to be public. We need to have true, open, and spirited debate on different sides of different issues, and when you have a business or a multinational corporation that's able to invade a school and to put forward only their position or their point of view, students aren't getting a holistic education. They're not looking at all different sides of the story, as it were.

Again, you know, if we open the door an inch, well, we know what happens when we do that. We need to keep public education public. It needs to be publicly funded, publicly delivered. Corporations and businesses can be discussed but should not be running our schools or paying for much-needed supplies. Again, if this government takes education as a priority – you know, it's a matter of how we're managing our dollars. If education is a priority, then our education system should get the dollars it needs, which leads me to my next point, talking about school closures.

The issue that I have with this government downloading that responsibility solely onto school boards to make that unilateral decision is that it's a way for this government to basically opt out of and shirk their responsibility. I say that because at the moment with this current bill the government can say: "Well, if a school closes, that was a school board's decision, not ours. Our hands are clean on this." Unfortunately, no, they're not. I mean, you look at how school boards are funded and that formula. They're not the ones that decide how many dollars they get. There's a formula, and I'll speak to that in a moment, how that's quite antiquated in today's day and age. That responsibility needs to continue to be shared.

My concern with school closures is that schools are really the hub of a community. I mean, that's where you have families and people gathering not only for what goes on in the school during school hours but in the evening as well and on weekends. There are many families that will move to a community because of its school and often what mature neighbourhoods can offer. When you have a school closing in a mature neighbourhood, it now contributes to families moving out of that neighbourhood, which further gentrifies the neighbourhood, which further, you know, hollows out our mature neighbourhoods and does the opposite of what I believe we should be encouraging, which is the best

possible use of our space and land so that we can cut down on the urban sprawl that many of our urban centres are experiencing.

I think school closures is an issue that we and this government need to do much more to prevent. One of the other reasons that schools are having to close in mature neighbourhoods is part of the utilization rate, the formula on how schools are funded. Many mature schools are actually penalized. There's a space utilization rate formula that takes into consideration square footage and space usage. Well, mature schools have larger gymnasiums. They have large hallways, stairwells, and all of that space is actually counted against them. Unless we want our teachers and our educators to be teaching in the coat room and in the hallway and under the stairs, they're going to be penalized for having a larger facility.

Earlier my colleague from Chestermere-Rocky View commented on inclusive education. I'd like to continue or at least add to what the hon. member said. I think inclusive education, being an educator, is a wonderful concept. It's fantastic. However, if we want it to do what it is intended to do, then there needs to be the appropriate amount of supports available.

What I'm talking about is that, you know, you have a classroom with 25 to 35 students, and you have one teacher. You have a handful of students with a variety of different needs. Some of them might be behavioural. Some of them might be physical, special needs that some students have. We have English language learners, students that are learning English for the first time, all placed in one classroom alongside other students. How can a teacher or an educator possibly deliver the highest quality of education to every student in that room? The truth of the matter is that they can't. Sure, we may say: well, we'll throw an aide in the classroom. Again, for that number of students that's a disservice to all of the students in the classroom. It's unfair to the teacher, it's unfair to the parents, and it's unfair to the education and future of all of our students.

Therefore, if we want inclusive education to work in this province, there need to be the supports. When I say "supports," I mean there needs to be adequate teacher training so that they can work with students with a variety of needs in order to provide the best possible education and services. There needs to be access to supports, whether we have students coming with empty bellies that are hungry, that need nutrition in order to be able to concentrate and learn, or students coming with inappropriate clothing or students that need a variety of other supports to be there.

I am a fan of the concept of inclusive education. I've seen it work. I've actually experienced it in my own teaching career. But I can tell you that in order for it to work, there need to be a large number of resources available from materials to adequate staff to reducing our class sizes to ensure that, again, students are getting the highest quality of education and that we are truly preparing young Albertans for the future and to take us forward in the 21st century.

You know, it's with frustration that I have to share with this Assembly that I will not be supporting this bill. Although there are certain aspects of it that I think are a stride forward, there are too many things wrong with this bill. Unfortunately, our amendments that the Alberta New Democrats put forward, that addressed each of these issues that I've spoken of, were voted down. Otherwise, the New Democrat caucus would have been happy to support this bill.

It doesn't go far enough to protect our students, to ensure that their rights are protected. It doesn't go far enough to ensure that our public schools are not going to be overrun by corporations and that schools aren't going to be closed down and that this government can again wash its hands of its responsibility and pass it on to our school boards.

I mean, there are other issues that I haven't touched on. The fact that there still are provincial achievement exams for grade 3

students is a ridiculous usage of resources. An overwhelming number of teachers have called for diagnostic assessments for students in grade 3, that can then help teachers identify what supports these students need in order to be successful as opposed to seeing how they rank on an exam that isn't going to serve their own needs as lifelong learners.

So it's unfortunate that I stand here and say that I will not be supporting this bill. The Alberta New Democrats do not support this bill as is.

I thank you, Madam Speaker.

11:50

**The Acting Speaker:** Thank you, hon. member.

The hon. Member for Chestermere-Rocky View under Standing Order 29(2)(a). Please proceed.

**Mr. McAllister:** Thank you. I appreciate where the Member for Edmonton-Beverly-Clareview is coming from. You know, I don't often say that. I think that quite often we differ in our viewpoints on an issue. I'd like to ask him to go a little bit further on the subject of inclusion because I believe the member to be a teacher and a parent. I'm wondering if the member has heard, Madam Speaker, from teachers on the inclusion issue specifically. You know, how are they describing the situation in the classroom to him, or what does he see?

**The Acting Speaker:** Thank you.

The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Madam Speaker, and I'll thank the Member for Chestermere-Rocky View. That's a great question. You know, as a teacher I have spoken with many of my colleagues. I have quite a few friends that are teachers. Honestly, they find it quite frustrating. Suddenly you have an idea where you want to throw all these different students with differing needs and differing levels into the same classroom. We call it inclusion, and we say: look how fantastic this is. But if the schools, the teachers, the school boards aren't given the resources they need to help all of these students to be successful, it's a system that's set up to fail. It's unfortunately failing students, it's failing teachers, it's failing parents, it's failing families, and it's failing communities.

The concept is correct in that I do agree that students can benefit from being in a classroom, being together with different students of different abilities. But in order for that to happen, teachers need the supports. We need to reduce our class sizes to ensure that there's a lower ratio of students to teachers or students to staff. We need to ensure that staff have the proper education for this.

You know, when I went through university and took my bachelor of education, there was only one class in a four-year degree that I had to take on inclusive education, on inclusion, one class to deal with all students with various needs. That's insufficient. It's inappropriate. It's not enough training.

Alberta is a booming province. There are many families moving to Alberta, so we have a higher number of new Canadians. We have a higher number of English language learners. That's the old ESL. They're now called English language learners, for those of you who aren't educators. That's fantastic, but a lot of them will come and be thrown into a grade 6 classroom when they speak less than a sentence of English. A teacher feels torn. They want to help this student, but they can't be in 20 places at once. They either don't have the training or the skills or the time to help that student to improve their language. Therefore, that student, then, is flustered, is frustrated with the system, doesn't understand what's

going on, and now we have other behaviours that could possibly erupt, or we have students that don't feel like going to school.

I've talked to schools. They might be able to pull a student out for a class here or a class there to do some small instruction for improving their language. Wonderful. But it needs to happen more than one block a day when for the rest of the day the student doesn't understand what's going on.

You've got a teacher that feels frustrated. I mean, teachers in this province and, I would argue, in this country and everywhere want their students to succeed. I mean, people go into teaching because of the sense of pride and accomplishment that they feel when they help students to be successful. It's unfair to teachers to put them in this predicament where they cannot help every single one of their students to be successful.

It's frustrating for parents. You know, some at one time had an adequate number of supports if their children had severe needs where now that worker is being shared amongst 25 students, 35 students, and now a lot of that one-on-one time is cut back because of inclusive education.

You know, I'm very much a fan of it. I think it's possible. But, again, the resources need to be allocated. The government needs to do a better job consulting with teachers, consulting with educators, consulting with those in the field who know what they need to be successful.

Again, we're living in the richest jurisdiction in the country. If education and ensuring that our students are getting a proper education was a priority, the government would allocate resources for that. I mean, it's a matter of priorities. Unfortunately, this is another example of the government saying something that sounds wonderful on paper and failing to deliver in practice.

Thank you.

**The Acting Speaker:** Thank you, hon. member.

The hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Madam Speaker. I'm pleased to rise to speak to Bill 3, the Education Act, and I will be supporting the Education Act going forward. But before we go to that point, I'd like to just make a few points.

As a parent of two children and one of them in the system right now, it's really important to me that when my child goes to school, she knows that there are consequences to everything she does. She also knows that she's accountable to the teacher, she's accountable to me as a parent, but more importantly she's accountable to herself. Each and every day we drill into our children's heads that in order to be a good citizen of this province, in order to be a good Canadian you need to have a work ethic, you need to have responsibility, you need to be accountable, and you need to be trustworthy.

Part of that comes with your homework assignments, and some of that is taught by the teacher. The teacher in my own school is awesome.

**Mr. McAllister:** Most are.

**Mrs. Towle:** I would agree that most are. I'm not saying that at all. I'm just talking about my school. I've a fabulous, fabulous school in my riding. St. Marguerite's is where my child goes.

In the case of my student's teacher and her students all the way up to grade 5 there was an expectation of each and every student in her class that when an assignment was given, they had to actually hand it in. There was an expectation that when that assignment was handed in, it would be graded. There was an expectation that if you missed the assignment, then you would get a zero. There's also the expectation that if you get that zero or if



you fail that assignment, you have the opportunity to rewrite. This is important. The teachers in my school go above and beyond, as most teachers do. The no-zero policy is not about punishing our students. Almost every single teacher that I've talked to – and I know that in my daughter's school literally every single one of them gives them every single opportunity to make up that mark.

To be fair, my 10-year-old daughter was lazy. She got an assignment, she was supposed to study for a test, and she blew it. She blew it on Thursday afternoon. She came home with 21 per cent. She said: but, Mom, that's satisfactory. So I went through an education process of what's a passing grade and what's not a passing grade and how that's not satisfactory. We spent all weekend learning about cumulus clouds and all those fun things because her teacher gave her the opportunity on Monday to redo that assignment and to redo that mark, gave her that opportunity.

**Mr. McAllister:** Didn't they all fail?

**Mrs. Towle:** Yeah. To go further than that, the whole class failed. There was not a single mark higher than 36 per cent, and that teacher offered that opportunity to every single student. I don't know what her mark is because it's midnight, and we're here. I have no idea how she did today, but I know for a fact that if she was not successful today, her teacher would give her another opportunity in a different manner.

That's teaching my daughter responsibility. It's also teaching her that she has a role to play, that if you're given something and there's an expectation of you, you have a role to play in the response that you give back. That's creating better Albertans.

I also know that in a neighbouring classroom where that teacher has sort of a similar teaching strategy, there's a child with autism. They don't give that child zeros. They find different avenues to ensure that child is learning, to ensure that child has the opportunity to have a positive education experience, and to ensure that that child goes through the school system without being punished. My child is given the same opportunity, but that teacher knows the difference between what abilities each one of those students has.

We talk about local autonomy. We talk about: give it to the school boards. Well, if we're truly going to talk about autonomy, who better to know the capabilities and understand the abilities of these students than the teacher who is with them five days a week, eight hours a day? That teacher knows if that student is capable of performing better than a zero. That teacher knows if the will is there to make up that mark.

If we truly want to be fair about autonomy, autonomy doesn't end at the school board level. Autonomy can go further, and that's what the amendment from the hon. Member for Chestermere-Rocky View allowed for. If we're truly going to talk about autonomy, let's talk about it. But why are you saying to a teacher that you can't do something when that teacher is with that student every single day?

**12:00**

There's an added effect there. As we go forward, when these young learners head out into the workforce at 18 or 21 or whatever day we choose that they're going to go to the workforce, employers have an expectation that they show up for work, that they're given a task, and that they perform it properly and perform it with capability.

In university if you get a zero, you don't get a degree. There is no leeway in university for passing and getting your degree if you don't try. If you get zeroes all the way through, you don't get a degree, period. So literally what we're doing is that we're saying: with all from grade 12 downwards we'll be tolerant, and we'll do

all these things, and you don't really have to work that hard. But when we hit university, it's a whole different world, and then when we hit employment, it's a whole different world.

If we literally want to create better Albertans, we have to consider that that amendment would have done that. Clearly, they didn't, and that's fine, but it has to go on record that not every school board supports this and that not every teacher supports this.

**Mr. Dorward:** That's why we give them the choice.

**Mrs. Towle:** Absolutely. Let's give them the choice. That's exactly what that amendment did, a hundred per cent. It didn't say that you have to give a zero, and it didn't say that you didn't have to. It said that it allowed the teacher to give a zero if they chose to.

It's interesting. The other night I attended the ASBA awards, a fantastic event. I appreciated that there were six new teachers there that received awards. Each one of them talked about how engaging they were with their students, how each of them had created different methods of teaching. Most of them created different methods of teaching to teach special-needs students or ESL students or students from rural communities that were difficult to keep in school. It was fantastic. They had innovative ideas. They brought tools into the classroom, SMART boards, laptops. The one teacher talked about literally using iPads to work with autistic kids. What a fantastic ability.

The background to that is that we've now come up with a funding model that hurts special-needs funding, and it hurts some schools. In my own area there are at least two schools that are going to be short of upwards of \$3 million because of the change to the new funding model for special-needs children. We're talking about inclusiveness, and we're talking about inclusion. As the hon. member with the NDs had said, it's great to talk about inclusion, but if the resources are there – it's not always in funding; it might be in training; it might be in ensuring that class sizes are appropriate, those sorts of things – then we need to do it in the right way.

Some of the boards that I've been chatting with have even talked about how they may have to go back to segregation. Well, how does that help our Alberta children? How does it help when we've worked so hard and literally come leaps and bounds forward with inclusion, that just because we changed a funding model, we might have to separate and go back in time? That doesn't seem to me to benefit Alberta children.

I think it's important that we absolutely keep that in mind. When you talk to the new teachers who received the awards last night and you talk to teachers who have been teaching for 30 years – my own mother-in-law was a teacher for 30 years; one of my good friends is a teacher at a French immersion school – each and every one of them is dedicated to this profession. Each and every one of them that I've talked to is literally dedicated to each and every child in their room. All they want to do for each and every one of those children is create a better learning experience. We need to make sure that they're able to do that.

By not acknowledging the no-zero policy, by changing the funding model of inclusion, we're not doing that, and that is going to create a situation 10 years from now that is going to be damaging to our children. We need to make sure they're responsible, and we need to make sure that our children know that for the tasks that they're given, there is a consequence and an action for everything they do. We do it at home. We do it in the community. There's no reason why that can't extend to schools, and every single teacher that I've met is doing that. The problem is that they're limited.

We can go on and on and talk about why a certain teacher was fired, whether he was fired for insubordination or if he was fired because the insubordination came as a result of him giving a zero. That's all semantics. The reality of that amendment to this bill did not force any school board to enforce a no-zero policy, and it didn't put any teacher in a position where they had to be insubordinate to their principal so that they could get fired. What's important is that right now we are putting some teachers in the position where the only way they can effectively teach their students and the only way they can give a zero when it's deserved, and only when it's deserved, is that they have to be insubordinate to their principal and have it result in a disciplinary hearing. That's just not the right way to do things.

Thank you.

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a), five minutes of comments or questions, now applies. The hon. Member for Chestermere-Rocky View.

**Mr. McAllister:** Thank you, Madam Speaker. I want to follow up on a point that my colleague raised in referring to the no-zero policy. Earlier it was mentioned that perhaps teachers would flunk kids that couldn't speak the language, flunk kids that were having learning difficulties or maybe with special needs. To the member: did you ever think that that was the intention of the no-zero policy, that any teacher in this province would be ready to do that sort of thing, or is that just ludicrous?

**Mrs. Towle:** I absolutely a hundred per cent believe that it is not the intention of any single teacher in this province. I believe every single teacher in this province is trying their best to make sure that students get through the education system in a positive manner. They're trying to find the best learning tools to ensure that that happens, and they're trying to ensure that each one is successful in whatever goals are set for them.

Clearly, that is not the intention of any of them. However, in the instances where a student puts zero effort into the assignment that's given, where a student ignores their ability to get any mark, a zero says that they actually, literally, did nothing. They could have gotten 14 per cent; they could have gotten 21 per cent. If that's the best that they can do, that's fine. But zero implies absolutely zero. It means you put no effort into it whatsoever. Then the teacher goes and he or she says: oh, I'll give you another opportunity to do that. The student takes the opportunity and does nothing again. Then the teacher finds a different method to create the same result of getting a mark. I don't think for a second that any single teacher is sitting in the classroom ready to flunk a student. I think a teacher that would make that decision to give a zero doesn't do it lightly. I think they literally probably stew over it.

I know that in my daughter's case there are many chats with parents long before that zero would ever come. I know even in my case the teacher was kind enough to call me to let me know that, actually, the whole class failed, and she was asking me, "What can we do to help this classroom understand better?" I looked at her and said: "What can I do to help my child understand what you're saying better? You're doing a good job. I don't know the curriculum. How can I assist my child in her study habits or what you're trying to teach her so that she can get a better mark and you can achieve your goals?" I think every single teacher tries to do that. But when we literally say to our students, "It doesn't matter if you get a zero, and I can't give you a zero" and that if they don't want to do the work, they don't have to because they know there's absolutely no consequence to them, that's a sad day.

Thank you.

**The Acting Speaker:** Thank you, hon. member.

The Member for Calgary-Buffalo under 29(2)(a).

**Mr. Hehr:** Just a question to the hon. member. I appreciate her passion. Does she think that maybe teachers and school boards and the ATA, professional associations who have developed these policies and protocols around marking, encouraging kids to stay in school, might know something about what they're recommending? Or do you think that this is all buffoonery? They use this body of knowledge to craft programs to go forward. The ATA, which teaches 95 per cent of our students, says that they're fine. Okay? School boards across the province say that they're fine. Or do you think they're making these decisions in an absence of any information whatsoever, a vacuum?

12:10

**Mrs. Towle:** Thank you, hon. member. I absolutely do not think that the teachers that have made these decisions in certain school boards are not making them validly. A hundred per cent they probably are. What I am saying is that not every single school board follows that policy, and those school boards also have a validity and a statement to make as well, and those teachers who choose not to follow a no-zero policy have as much value and have as much education and as much input into the system as the school boards that choose to.

The other thing that I would suggest is that I'm not so sure that teachers are making the decision. School boards are making this decision, but I'm not so sure that it's actually coming down to a full teacher level. What I'm hearing in my riding and neighbouring ridings is that that's not the practice of my riding and neighbouring ridings around me. They don't use the no-zero policy. There are two very big school boards in our area.

I'm not suggesting that those who decide to use it are buffoons or anything like that, but what I am suggesting is that there is some ability to be flexible. The amendment allowed for: those who want to use it can; those who don't can't.

**The Acting Speaker:** Thank you, hon. member.

The Member for Cypress-Medicine Hat.

**Mr. Barnes:** Thank you, Madam Speaker. There's no Albertan who does not have some connection to the education system. We all went to school. Many of us have children who are currently in school or have completed their journey through the school system. Many Albertans are teachers or have a friend or relative who is a teacher, who works at a school, or who is involved on a school board.

The Education Act we are debating, which is basically the updating of Alberta's School Act, is so important because, as I said, our education system is one of the few things in the province that almost every Albertan will use. Madam Speaker, we certainly learned last spring that the Education Act is a complex piece of legislation. It is very important that we take the time to get it right.

In general, I am supportive of this third version of the Education Act, as are many of my Wildrose colleagues. Without a doubt, a lot of work has gone into Bill 3, and I think three is the appropriate number for this bill since it is the third stab at the new Education Act. There has been a lot of hard work poured into this legislation from education stakeholders, from public servants, public servants in the Education department, and from folks here in the Legislature, including three different Education ministers. I have been impressed to see that the current Education minister did do his homework before bringing Bill 3 forward and actually talked to Albertans about what they wanted and what they didn't want to be included in the third try of the Education Act. Yet I

can't help but feel that despite efforts from all the different sides and all the different groups who have worked hard on this Bill 3, the government has passed up a chance to listen to Albertans after the introduction of this bill and after Albertans had a chance to read through the specifics of the legislation.

Madam Speaker, Albertans had a couple of ideas that the government could have incorporated into this legislation to further improve it. Many Albertans – parents, teachers, and students alike – as has been so often expressed here again tonight, have expressed disagreement with the no-zero policy employed by some school boards in our province. This policy basically prevents teachers from giving a zero to a student for incomplete work, and as has been pointed out, sometimes with the best interests of the student in mind, with the best interests of the student's family, with the best interests of all, it is the right policy to help advocate for this young person.

Albertans across the province became aware of this policy when a teacher in Edmonton was fired for giving a student a zero. I don't think that anyone would dispute that in general teachers will do all they can to make sure that students complete all of their assignments. But when a student absolutely refuses to do their work, teachers should have the discretion to give that student a zero. I have heard parents say so, and I have even heard students themselves say so. The only people who seem to disagree are some of the members on the government side. As a father of three boys sometimes they deserve a zero, sometimes they need a zero, and sometimes it is the best course of action.

Madam Speaker, over and over again I have seen Albertans unite on an issue such as being opposed to a no-zero policy, and I've heard them call upon the government to take action. Over and over again my colleagues and I on this side of the House have reminded the government that the reason all of us are sitting in these seats is to do what Albertans have called us to do, yet over and over again this government tells Albertans that it knows best and refuses to do what Albertans are asking it to do. Too much management.

Another perfect example of this in regard to Bill 3 is on the issue of mandatory school fees. It is increasingly and alarmingly becoming common practice for schools to charge parents more and more in the form of these mandatory school fees. For example, parents are often required to pay fees to cover administration costs, and parents are even charged fees to cover the costs of programs that are mandatory, that students must participate in as part of this curriculum. These fees can certainly add up when you have a few school-aged kids.

I've talked to a few educators and administrators that spend far too much of their productive time chasing fees, turning them over to collection agencies in some instances, phoning parents for bounced cheques, phoning parents who, unfortunately, maybe aren't in a situation where they can currently afford it, wasting important professionals' time and resources and putting undue stress on the important education of some of our children. As a matter of fact, participating in the MLA for a Day program about a week or two ago, I went to a school in Cypress-Medicine Hat that actually had a full-time person sitting there collecting fees. I can't imagine the effectiveness of that position. I can't imagine how that could impact some of the people who temporarily cannot afford it.

What Albertans have asked is for the government to establish some guidelines for school boards around what they can and cannot charge parents for so that parents are required to cover the cost for things like extracurricular programs their children choose to participate in but are not required to cover the cost for things that are a mandatory part of our school system. This seems like common sense to me.

Madam Speaker, the Alberta School Act came into effect in 1988. Twenty four years passed before Albertans will now soon see their school system updated through Bill 3. Twenty four years is a long time. Will Albertans have to wait another 24 years before their concerns such as ending the no-zero policy and getting rid of unnecessary school fees are addressed? I certainly hope that will not be the case.

I have highlighted some of the measures Albertans wanted to see included in the Education Act that, unfortunately, the government refused to include. However, I'm not afraid to give credit where credit is due, and I do thank the Education minister for listening to Albertans and removing the controversial language in section 16 that we saw in the previous Education Act, that could have potentially made all education subject to both the federal Charter and the Alberta Human Rights Act.

It's very, very refreshing for me to see parents involved in school, parents involved in home-schooling, parents with the best interests of their children at heart so willing to take a stance and let the government, let all Albertans know that the education of their children is very, very important and that they want to have the paramount responsibility for it. The decision to instead use the antidiscriminatory language of the previous school act, which, I understand, is what the Wildrose suggested back in the spring, was the right adjustment to make, and I've heard a lot of positive feedback about this from Albertans.

Madam Speaker, as I have said, I am generally supportive of Bill 3. It is a fairly good piece of legislation. Although I am disappointed that the government would not work with the issues that Albertans raised, again, around the no-zero policy and mandatory fees, I will be supporting and voting for the bill, and of course I will still be raising the views of my constituents on the measures they wanted to see included but were not.

In conclusion, Madam Speaker, while I'm still on my feet, I would like to thank all the people who worked hard on Bill 3, even to 20 after 12 in the morning. To all the teachers, for all the tools that they need in the education system – I thank all of them for all of their hard work.

Thank you very much, Madam Speaker.

12:20

**The Acting Speaker:** Thank you, hon. member.

We have Standing Order 29(2)(a), that allows five minutes for comments or questions. Are there any members who would like to participate?

Seeing none, I would ask if there are any other members who would like to comment on Bill 3? The hon. Member for Medicine Hat.

**Mr. Pedersen:** Thank you, Madam Speaker. I'll make this as fast as possible.

**An Hon. Member:** No, no. Take your time. It's important.

**Mr. Pedersen:** It is. I mean, I just want to be on the record for my constituents, so if you could just give me five minutes.

I'm rising in support of Bill 3 for the most part. Although I don't have the good fortune or the privilege to be a parent, it was a hot topic during the election, and we heard a lot about it before, during, and after. It was an issue for parents, it was an issue for teachers, and it was an issue for boards. I heard time and time again from parents how they wanted their rights to be respected by the government and that they wanted the best for their children not only inside the classroom but, you know, to allow the teachers to teach their children. I also heard that the teachers and the boards have been looking for an updated Education Act for some time to

deal with today's reality, and I hope that Bill 3 will deliver on this request.

Madam Speaker, we're proud to live in Alberta. You know, we are very lucky to live here. There's no reason that our children should not have a world-class education in a province as great as ours. There's also no reason that our children should not be raised in a strong and free Alberta, an Alberta where parents' rights are respected, and an Alberta where students are truly being put first.

I'm glad to see that the current government has listened to the many concerns that were raised in this sitting as well as the previous session and that parents will have the ultimate say in their children's education. I know that the recognition of parental rights will ultimately provide a better education for our future generations, and making sure that the parents are the ultimate decider will go a long way in that.

Madam Speaker, it's great to see that we have an Education minister that has recognized the many flaws in the previous versions of the legislation and has listened to the concerns of the opposition and the parents and the teachers and the boards. I really appreciate that. You may remember that parents had to actually march to the steps of this very building in order for their voices to be heard. You know, going forward, although it took such measures for their voices to be heard, I hope that the government has learned that you need to meet with the stakeholders and listen no matter what bill we're dealing with. By doing so, the best possible results will be achieved.

I just want to raise one issue. We did bring an amendment forward. The Member for Airdrie, I think, requested a change to the charter schools system to make it easier for them to gain access to the system to make some changes. Right now they're kind of limited in the way that they operate. Medicine Hat is very fortunate to still have operating one of the first three charter schools in the province. That's the CAPE school, and they are a K to 9 school. CAPE stands for the Centre for Academic and Personal Excellence. I've had the good fortune of touring their school. I was awkwardly put in place to be a judge at their science fair this past Saturday. I mean, I haven't done anything like that for 30 years, so it was very interesting to be intimidated by grade 8 students.

**An Hon. Member:** How'd that work out for you?

**Mr. Pedersen:** They taught me a lot, and I sat and listened.

Anyway, the amendment, I think, would have gone a long way to allowing charter schools to extend what they're trying to do, to do things a little bit differently, and to make sure that everybody realizes that charter schools are public schools. They are fully funded, and sometimes people get that misconstrued.

Lastly, before I close here, I think probably one of the most important things that this act has brought forward is the tools that teachers and boards and parents and students have been asking for in tackling the bullying issue. I know that efforts were made in previous sessions by other Education ministers to update this act, but I think that the bullying issue is probably one of the most important things, to me anyway. I sincerely hope that this new bill gives the tools to the educators, to the boards, to the parents, to the students to finally put an end to bullying in school systems. I think that's very important. I sincerely hope that this bill does provide the tools and the guidance and the direction required to end this.

You know, let's put this through. Let's get this bill into the hands of the educators, the parents, the teachers, the boards. Let's see them make a future of this. Thank you very much.

**The Acting Speaker:** Thank you, hon. member.

Under Standing Order 29(2)(a) is there any member interested in participating? The hon. Member for Chestermere-Rocky View.

**Mr. McAllister:** Thank you. Just wondering, the member mentioned his intimidation by grade 8 students. Have you seen the movie Adam Sandler starred in, and could you have taken any of those tips as to how you might have fended off those kids?

**The Acting Speaker:** Hon. member, see if you can make it relevant.

**Mr. Pedersen:** I can't.

**Mr. McAllister:** You know, I think I'm just going to withdraw the question, Madam Speaker.

Thank you.

**The Acting Speaker:** Are there any other members who wish to speak under Standing Order 29(2)(a)?

Seeing none, are there any other members who wish to speak on Bill 3 in third reading?

The hon. Deputy Government House Leader to close debate.

**Mr. Denis:** I move that we call the question.

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

[Several members rose calling for a division. The division bell was rung at 12:28 a.m.]

[One minute having elapsed, the Assembly divided]

[Mrs. Jablonski in the chair]

For the motion:

Amery	Hale	Oberle
Barnes	Hancock	Olson
Cao	Hughes	Pastoor
Casey	Jansen	Pedersen
Cusanelli	Johnson, L.	Quest
DeLong	Kennedy-Glans	Rodney
Denis	Klimchuk	Saskiw
Donovan	Leskiw	Scott
Dorward	Luan	Starke
Drysdale	McAllister	Towle
Fawcett	McDonald	Weadick
Fraser	McQueen	Woo-Paw
Griffiths		

**12:30**

Against the motion:

Bilous	Hehr
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Totals:	For – 37	Against – 2
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[Motion carried; Bill 3 read a third time]

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

**Mr. Hancock:** Thank you, Madam Speaker. It is so exciting that Bill 3 has passed. I'm tempted to use that enthusiasm more on Bill 2, but I'm afraid we should move to adjourn until 1:30 p.m.

[Motion carried; the Assembly adjourned at 12:33 a.m. on Tuesday to 1:30 p.m.]





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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Tuesday afternoon, November 20, 2012

Issue 19a

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta**  
**The 28th Legislature**

First Session

Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC), Speaker  
Rogers, George, Leduc-Beaumont (PC), Deputy Speaker and Chair of Committees  
Jablonski, Mary Anne, Red Deer-North (PC), Deputy Chair of Committees

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Amery, Moe, Calgary-East (PC)  
Anderson, Rob, Airdrie (W),  
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Anglin, Joe, Rimbey-Rocky Mountain House-Sundre (W)  
Barnes, Drew, Cypress-Medicine Hat (W)  
Bhardwaj, Naresh, Edmonton-Ellerslie (PC)  
Bhullar, Hon. Manmeet Singh, Calgary-Greenway (PC)  
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Cusanelli, Hon. Christine, Calgary-Currie (PC)  
Dallas, Hon. Cal, Red Deer-South (PC)  
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Denis, Hon. Jonathan, QC, Calgary-Acadia (PC),  
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Fenske, Jacquie, Fort Saskatchewan-Vegreville (PC)  
Forsyth, Heather, Calgary-Fish Creek (W)  
Fox, Rodney M., Lacombe-Ponoka (W)  
Fraser, Rick, Calgary-South East (PC)  
Fritz, Yvonne, Calgary-Cross (PC)  
Goudreau, Hector G., Dunvegan-Central Peace-Notley (PC)  
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Webber, Len, Calgary-Foothills (PC)  
Wilson, Jeff, Calgary-Shaw (W)  
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
    Government Whip

**Party standings:**

Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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Donovan	Rogers
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Eggen	Sherman
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Goudreau	Starke
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Jansen	Towle
Luan	Young
McDonald	Vacant
Olesen	

### Standing Committee on the Alberta Heritage Savings Trust Fund

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Casey  
Dorward  
Eggen  
Kubinec  
Sandhu  
Sherman

### Select Special Conflicts of Interest Act Review Committee

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McDonald  
Notley  
Saskiw  
Wilson  
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### Standing Committee on Families and Communities

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Anglin	Johnson, L.
Barnes	Kubinec
Bilous	Lemke
Blakeman	Leskiw
Brown	Sandhu
Calahasen	Stier
Cao	Webber
Casey	Xiao
Fenske	Young
Fraser	Vacant
Hale	

## Legislative Assembly of Alberta

1:30 p.m.

Tuesday, November 20, 2012

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon.

Let us pray. Dear Lord, let us be reminded of the great privilege we have to live in a province and in a country that allows us to be free, free of persecution for our cultural or religious or other personal beliefs. Amen.

Please be seated.

### Introduction of Guests

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

**Mr. Lukaszuk:** Thank you, Mr. Speaker. I have to tell you it brings me particularly great pleasure today to be able to introduce to you and through you to all members of the Alberta Legislature fine Polish-Canadians who are members of the Polonez Polish Folk Arts Ensemble. They are sitting in your gallery today. You, I know, know them through your previous engagement in the world of culture and dancing, but I know that all members would have met them at one time or another as they perform not only throughout the province and the country but throughout the world. With us today are John Szumlas, the honorary consul of Poland; Patrycja Zatonska; Daniel Komaniecki; Marek Komaniecki; Monika MacDonald; Courtney Flisiak; Mikolaj Moss; Zygmunt Bloniarz; Dr. Walenty Michalik, the choreographer and long-time mentor of the ensemble; Anna Michalik, his wife; Izabella Common; Czarek Dembowski; Marcin Szczepanski; Joanna Walczak; and Aleksandra Cieslik. Also joining them today is Zack Ziolkowski, whom you would know as legislative assistant to the hon. Member for Calgary-East. I would like them all to rise and receive our welcome today.

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

**Ms Redford:** Thank you, Mr. Speaker. It is an honour to rise today to introduce to you and through you to all members of the Assembly five members of the GANG, Grandmothers of Alberta for a New Generation. Their names are Jan McGregor, Grace Hamilton, Laretta Howard, Louise Barr, and Judy Dubé. GANG is a nonprofit, grassroots group of grandmothers who raise money in the Edmonton capital region and over the past six years have raised over \$352,000 for worthy causes, including the Stephen Lewis Foundation. Their latest project is a food memoir called *Reflections and Recipes*. It's a collection of 80 submissions and recipes. There we are. They're \$20 a book in case you're interested.

**An Hon. Member:** Available in your nearest gallery.

**Ms Redford:** Available in your nearest gallery, and it now includes my granny's shortbread recipe, Mr. Speaker.

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

**Mrs. Leskiw:** Thank you, Mr. Speaker. It's my pleasure to rise today to introduce to you and through you to all members of this Assembly five special guests: Mr. Leonid Korownyk, Mrs. Anna Korownyk, Mrs. Natalia Talanchuk, Mr. Peter Dackiw, and Mrs.

Motria Dackiw. The five guests are visiting the Legislature to mark the fourth anniversary of this House passing the Holodomor memorial day act. Mr. Leonid Korownyk and Mrs. Natalia Talanchuk are survivors of the Holodomor and stand in testament that a tragedy like this must never be allowed to happen again. They are seated in your gallery, and I would ask them to now rise and receive the traditional warm welcome of this Assembly. [Standing ovation]

**The Speaker:** The hon. President of Treasury Board.

**Mr. Horner:** Thank you, Mr. Speaker. It's an honour to introduce to you and through you to members of the Assembly a group from the Parkland Home Educators Association which includes nine parents and 21 children ranging from grades 3 to 12. This volunteer organization of home-schooling families is a Christian support group for home educators in Parkland county dedicated to supporting quality home education by sharing ideas and resources and offering help and support with the challenges of home-schooling. They also offer a physical ed program for home-educated children in the area. They are accompanied by Mrs. Kari-Lynn Hastman, Mrs. Bobbi-Lynne Rushton, Mrs. Roxanne Jegodka, Mrs. Dana Kangas, Mrs. Christine Ridderikhoff, Mrs. Lisa Baron, and Mr. Jay Valencia. It's a great example of choice in our system. They are seated in the members' gallery this afternoon, and I would ask that they all rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Rowe:** Thank you, Mr. Speaker. It is indeed a pleasure for me to introduce to you and through you members of the Three Hills school who are visiting us this afternoon. There are 68 visitors. In the interest of time I won't introduce them all, but there are 60 in the members' gallery and eight in the public gallery. I would like to introduce the teachers – Mrs. Christina Hoover, Mr. Jamie Keet, and Ms Melissa Matwychuk – and the parents accompanying them as helpers: Mrs. Laureen Smithers, Mr. Cody Ferguson, Mrs. Brenda Jewel, Mr. Brad Luijckx, and Mrs. Jody Varga. I would ask that they stand and receive the traditional welcome of this Assembly.

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

**Mr. Amery:** Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you to all members of the Assembly 54 students from the Almadina charter school. Almadina charter school is home to students from 40 different countries located in my constituency, the great constituency of Calgary-East. Accompanying the students today are Mr. El-Masri, Mr. Tarrabain, and Miss MacGillivray. They're seated in both galleries. I would ask them to rise and receive the traditional warm welcome of the Assembly.

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

**Mr. Young:** Thank you, Mr. Speaker. I'm pleased to rise today and introduce to you and through you to all members of the Assembly retired Inspector Lance Valcour. After 33 years of service with the Ottawa Police Service he now works for the Canadian Association of Chiefs of Police, fire and emergency medical services, as the executive director of the Canadian Interoperability Technology Interest Group, or CITIG. CITIG recognizes that if first responders can't communicate during an emergency or major event, lives can be in jeopardy. The Canadian

Interoperability Technology Interest Group was created to improve Canadian public safety communications interoperability and spearheaded the creation of the communications interoperability strategy for Canada. This government was a proud signatory in 2011. Mr. Valcour and CITIG continue to work closely with the Alberta Emergency Management Agency on a number of issues and priorities, including cross-border interoperability with Montana and issues of 700 MHz broadband for mission-critical public safety data. I ask that Mr. Valcour rise and receive the traditional welcome of this Assembly.

**1:40**

**The Speaker:** The hon. Member for Fort Saskatchewan-Vegreville.

**Ms Fenske:** Thank you, Mr. Speaker. Today it is my pleasure to introduce to you and through you to all members of the Assembly a respected elected official, a long-time constituent, and a friend of mine, Natalia Toroshenko. As we commemorate the Holodomor today, I think it is important to recognize Alberta's rich Ukrainian heritage and along with that the many Ukrainian families who survived this genocide and came to Canada to create a homestead in our province. Natalia's family is one of those families, and I am honoured that she is here today. Natalia is a municipal councillor with the town of Vegreville and recently returned from the Ukraine, where she was the division leader of the Alberta delegation sent to observe the Ukrainian election in October. She brought the international Holodomor flame to Vegreville in 2008. I would like to ask Natalia, who is seated in the Speaker's gallery, to rise and receive the traditional warm welcome of this Assembly.

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

**Ms Notley:** Thank you, Mr. Speaker. Today I'm very pleased to introduce to you and through you to this Assembly our guest, Denise Baillie. Denise is a constituent of mine who suffers from multiple sclerosis as well as chronic cerebrospinal venous insufficiency, or CCSVI. Denise is campaigning to improve awareness of CCSVI in Alberta. She is asking the provincial government to help Albertans suffering from MS and CCSVI by funding clinical trials of experimental treatment. I would now like to ask Denise to wave and receive the traditional warm welcome of the Assembly.

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

**Mr. Olson:** Thank you, Mr. Speaker. It's my pleasure today to introduce to you and through you to all members of the Assembly two wonderful Albertans who have devoted their lives to agriculture, youth, and rural Alberta. They are the Alberta 4-H Hall of Fame inductees Edith Walker and Timothy Church, who are both sitting in the members' gallery. Edith since 1952 has been involved in any number of organizations involved with agriculture and 4-H in the Wetaskiwin area. She was involved with the creation of the Alberta 4-H Centre. For Timothy Church the same type of story: since 1969 he's been involved in numerous positions with the Hesketh and the Hesketh-Orkney 4-H beef clubs and director of the Alberta 4-H Foundation. Edith is here with her husband, Bill, daughter Fern Walker Armstrong, and friends Connie Matson and Marguerite Stark. Timothy is here with his wife, Kelly. I'd ask that they all rise and receive the traditional warm welcome of the Assembly.

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

**Dr. Swann:** Thank you very much, Mr. Speaker. It's a great honour for me to stand on behalf of the United Church women's initiative for child well-being. My wardrobe today has been significantly enhanced by the work of these women. The United Church women and men are headed up by Carolyn Pogue, Sharon Prenevost, and Lillian Stewart. They are here asking why Alberta is nearly the last province to have a concrete plan with timelines and budget to end child poverty. I'd like them to stand in the public gallery if they would and be recognized by the Legislature. Some are in the members' gallery.

**The Speaker:** Good job, hon. member. Thank you. Jackets are required, but there are special occasions when important introductions have to be made, I guess.

The hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Mr. Speaker. It gives me great pleasure today to introduce to you and through you four hard-working individuals from the Alberta Barley Commission. The commission represents Alberta's barley producers by not only providing a multitude of services but advocating on their behalf at all levels of government. They are seated today in the public gallery, and as I call their names out, I'd ask them to please rise: Trevor Petersen, Shawn Gorr, Bryan Adam, and a friend of mine, Glenn Logan. I started in politics in 1995, and Glen always jokes that he knew me before I hit puberty, before I could shave, so he has gotten to watch me go through the whole process. I'd ask this House to give the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Associate Minister of International and Intergovernmental Relations.

**Ms Woo-Paw:** Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you to all members of the Assembly Mr. Maurice Fritze, who is a communications specialist with international experience as a producer of Canadian performing artists. He spent many years as Canada's Bob Hope, producing entertainment for our armed forces serving in United Nations peacekeeping roles and in areas of armed conflict. Maurice's shows have toured four continents representing private interests, the Alberta government, and the Canadian government. One of Maurice's Alberta initiatives was the celebration of Japan project. Today he's a mediator, and he teaches conflict resolution at MacEwan University. I would like members of the Assembly to join me in giving Mr. Maurice Fritze the warm welcome of the House.

**The Speaker:** The hon. Member for Edmonton-Calder, followed by the Minister of Justice.

**Mr. Eggen:** Thank you, Mr. Speaker. I would like to introduce to you and through you to all members of the Assembly my favourite GANG and the leader of the GANG as well. I know the hon. Premier did make mention of the grandmothers with the Stephen Lewis Foundation, but she did omit a couple of details. First of all, Lauretta Howard, Grace Hamilton, Judy Dubé, Jan McGregor, and Louise Barr are all good friends of mine, and Louise Barr, the GANG leader, is my auntie as well. If they could stand one more time and receive the warm welcome.

**The Speaker:** The Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you very much, Mr. Speaker. It's my pleasure to rise today to introduce to you and through you four people who are visiting us from Calgary. First, I want you to please welcome

Tammy McCorkell, who resides in the great constituency of Calgary-Foothills and does terrific work with the Calgary Youth Justice Society. Please also welcome Kimberly Nelson, who does great service for persons with developmental disabilities and is a constituent of beautiful Calgary-Acadia. She indicated to me she had the privilege of meeting the Premier two weeks ago in an elevator in Calgary.

Finally, Mr. Speaker, I'd also like to introduce two Calgarians well known in political circles, David Crutcher from Calgary-Acadia and Craig Chandler from Calgary-Hays. Please give them a warm welcome.

### Members' Statements

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

### Holodomor Memorial Day

**Mrs. Leskiw:** Thank you, Mr. Speaker. I'd like to ask each member of this Assembly to consider the people in their lives: their family, their friends, colleagues, and Albertans they serve and interact with each and every day. I'm certain that several of the people on your minds are of Ukrainian descent. In our province there are more than 332,000 Albertan-Ukrainians. That's 1 in 10 people, making Albertans of Ukrainian heritage the fourth-largest ethnic group in this province.

As a Ukrainian-Albertan I am proud of my roots and feel it is a fitting and true honour to acknowledge the fourth anniversary of the Ukrainian Famine and Genocide (Holodomor) Memorial Day Act. Passed unanimously in 2008, the act commemorates a horrific man-made famine enforced by Stalin's regime that brought misery and death to millions of men, women, and children living in rural Soviet Ukraine between 1932 and 1933.

Known as the Holodomor, which means the extermination by means of starvation in Ukrainian, this famine was an act of genocide. Farmers were forced to fulfill unrealistic government quotas that left them without food for themselves and their families. Those who resisted had their crops, livestock, and seed grain confiscated. Those who tried to keep food for themselves were executed. It was a cruel policy of forced starvation that must never be repeated and always be remembered.

1:50

As a province we honour every fourth Saturday in November the fallen victims and those who survived, and on November 24 I urge all members and all Albertans to recognize this important day. It is an opportunity to honour the value of democratic freedoms, human rights, and rule of law. It reminds us to cherish the multicultural vibrancy of our province and helps us acknowledge the many Holodomor survivors and their descendants living in this great province called Alberta, who have enhanced our cultural, economic, political, and educational life. This day also helps us ensure that by remembering the dark times of our past, we can ensure a bright, inclusive future for all Albertans.

[Remarks in Ukrainian] Eternal memories.

### Oral Question Period

**The Speaker:** The Leader of Her Majesty's Loyal Opposition.

### Health Regions' Expense Reporting

**Ms Smith:** Thank you, Mr. Speaker. I'm going to look into the government's horrible decision to take us back into debt in a

minute, but first there are pressing issues about the health care system and the erosion of public confidence. When an employee of Edmonton's former health region was found to have lavish but legal expenses, he was fired. Now an employee of the former Calgary health region was reimbursed for expenses that were directly related to partisan political activities. This, of course, is illegal. Since the employee is still under employment with Alberta Health Services, we wonder: what is the Health minister going to do about it?

**Mr. Horne:** Mr. Speaker, as we discussed yesterday in the House in response to similar questions, these expenses that the hon. member refers to occurred among health regions that no longer exist. Since the creation of Alberta Health Services in 2009 the policies and procedures around political donations have been made very clear. They are in conformance with provincial law, they are enforced, and I have no reason to worry as minister that those policies are not being followed today.

**Ms Smith:** Mr. Speaker, that was the same case with Allaudin Merali.

The Deputy Premier challenged us yesterday to produce evidence of illegal donations, and we have produced such evidence, thousands of dollars' worth, and so has the media. We believe that there could be more evidence, yet the Deputy Premier's colleague the Minister of Health doesn't want to look at it. What are you both covering up?

**Mr. Horne:** Okay. The first thing that should be very clear to the hon. member is that the Minister of Health does not make hiring or human resources decisions for Alberta Health Services. The policies and procedures that the hon. member is aware of today, that are in place today, are what are of primary concern to this government. If the hon. member wants to talk about health regions that no longer exist, perhaps she could explain to us why she ran to be the government in 2012? That's a non sequitur, Mr. Speaker, that we don't understand.

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

**Ms Smith:** Thank you, Mr. Speaker. The problem is that it's the same executives who are in positions in AHS who were in positions in the former health regions.

Now, yesterday we asked the minister to do something to help erase the growing cloud of suspicion over the health care system: expenses, donations, bullying and intimidation, queue-jumping, forced contract settlements, and even the threat of a doctors' strike. It's a mess. When will the minister clear the air, begin to release all of the expenses of all of the executives for all of the health regions going back to 2005?

**Mr. Horne:** Mr. Speaker, what is clear is that the hon. member, with all due respect, is very adept at construing, loosely, conspiracy theories from one issue to another. The fact of the matter is that this party and other parties in this House have the opportunity to avail themselves of the provisions of the Freedom of Information and Protection of Privacy Act. They have had ample access to information that makes it possible for these discussions to go on and on ad nauseam in the House. The policies and procedures are clear today. This is a government of 2012. We stand by the policies of Alberta Health Services. They are in conformance with provincial law.

**The Speaker:** The hon. Leader of the Opposition. Second main set of questions.

### Judicial Inquiry into Health Services

**Ms Smith:** Thank you, Mr. Speaker. The government's sloppy management has badly eroded Albertans' confidence in the health care system. There is a judicial inquiry under way over the issue of health care system queue-jumping. Job expenses for a former government relations executive at the former Calgary health region indicate that her job was largely partisan in nature. That same individual was described by a former minister of health in an exchange with the former MLA for Calgary-Varsity as the person to speak with if an MLA had a constituent access problem. He even claimed that they could get service within two hours. Does the minister agree that there's at least an appearance of a problem with this?

**Mr. Horne:** Well, Mr. Speaker, we continue to see the hon. member attempt to construe one unproven allegation after another in the hopes of fearmongering and diminishing Albertans' confidence in their health system. Every time she does that, she insults the health professionals and other support workers that work very hard to deliver health care services every day. She knows full well that the information is available to her. She's accessed that information. There is really nothing further to say on behalf of this government with respect to these unfounded allegations.

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

**Ms Smith:** Thank you, Mr. Speaker. There is something further to say. I've written Mr. Justice Vertes, pointing out some of our concerns and suggesting that such government relations employees be called as witnesses before his inquiry to explain how their jobs related to helping certain politicians work through the health care maze. Perhaps the minister can tell us: what does a government department need a government relations person for?

**Mr. Lukaszuk:** Mr. Speaker, I have to tell you that I am troubled to hear that the Leader of the Official Opposition has written letters trying to influence the justice relevant to what the opposition has been asking for for months, to have an independent judicial inquiry. Now as an opposition they ask the minister to interfere with the justice to direct the inquiry, which way it should be moving and who the witnesses should be. That is directly contrary to what they have been asking for for months. They've been asking for an independent inquiry, and they shall have an independent inquiry.

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

**Ms Smith:** Thank you, Mr. Speaker. Queue-jumping, illegal donations, lavish expenses, bullying, and intimidation have added to a cloud of suspicion, yet the Minister of Health seems unwilling to look into the obvious issues that have existed for years, insisting that everything is okay now. Will he join us in asking Justice Vertes to call all the government relations officers before his inquiry so we can get to the bottom of the queue-jumping scandal?

**Mr. Horne:** Mr. Speaker, the very fact that the Leader of Her Majesty's Loyal Opposition would ask in this House during this question period for a member of this government to work with her in order to interfere in an independent, judge-led inquiry, that this opposition asked for, is an answer to the question in and of itself. It's not only inappropriate; it's an affront to the independence of the judicial panel, and the hon. member should know better.

**The Speaker:** The hon. Leader of the Opposition for your third set of main questions.

### Capital Infrastructure Financing

**Ms Smith:** Now, Mr. Speaker, my debt question. This government is taking us back into debt to cover the basics like roads and schools. They have a variety of stories to cover it, but the stories keep on changing, especially when you listen to what they said before the election, what they said during the election, and what they're saying now. The Premier blames the change on the fiscal reality, saying that the economy is forcing them to take on debt, yet yesterday the Member for Edmonton-Gold Bar was telling us that employment is up, private forecasts are bright. Housing starts, retail sales, and manufacturing: they're all up. But the Premier thinks there's a downturn. Which is it? Are we in trouble or not?

**Ms Redford:** It was very interesting last week to be at AAMD and C, the Alberta Association of Municipal Districts and Counties, and to talk about community investment, to talk about schools and hospitals and roads and water systems. We made a commitment on April 23 that we would build Alberta for the future, that we would not look back, and that we would be a pragmatic government for Alberta. Now, I don't know what the Leader of the Official Opposition thinks has happened in the past eight months, but one of the things that you need to be able to do if you want to be a good government that reflects the values of the people that elected you is to understand – hear it, Mr. Speaker – that sometimes things change. Good government adapts to that, and that's what we're doing.

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

**Ms Smith:** Thank you, Mr. Speaker. Good governments keep their election promises.

Now, the Premier made an election promise to build and renovate 120 schools and said that it would be paid from budget surpluses. It was obvious after the election that there would be no PC budget surpluses. Rather than adjust spending, the Premier is now determined to go into debt. Why don't they cut their wasteful spending, balance the budget, and build schools?

2:00

**Mr. Lukaszuk:** Mr. Speaker, I just can't miss this opportunity. Good governments keep their promises. Good oppositions keep their promises, too. I would suggest to the Leader of the Official Opposition that she should be preoccupied for the next two or three days with her upcoming convention and how she will keep her promise and not turn her party into Wildrose Lite and talk about conscience rights and talk about all the switches that they have done. That is something that the Leader of the Official Opposition should be concerning herself with right now.

**Ms Smith:** At least, the media are invited to our convention.

The government did not campaign on alternative financing. They did not make election speeches about going to the capital markets. They did not put going into debt into their campaign brochures. If they're so convinced it's a good idea now, why didn't they mention it in April during the election?

**Mr. Horner:** Well, Mr. Speaker, I'm going to rise again and say what I said yesterday, and that was that we did tell Albertans that we were going to use alternative financing. We passed the budget in this House, which had it in the budget. I would also say as a past member of the Klein cabinet and a past member of his



Treasury Board that he understood that you use certain financial tools in certain financial circumstances. In fact, Premier Klein was the first Premier of Alberta to use alternatively funded P3 projects. The Anthony Henday ring road in Edmonton in 2005 showed that he knew when to do things differently and to make the right changes.

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

**Mr. Hehr:** Thank you, Mr. Speaker. Following the passing of Premier Lougheed one writer compared the province he created to the one that exists now and noted that the current structure of this province from our oil and gas industry to our fiscal management systems was established by Mr. Klein. Calling yourself a progressive without changing this is just window dressing. It's simply code for spending the oil wealth faster. To the Premier. You recently stated that government decisions must be fair to future generations. Is it your view that spending all \$11 billion of our nonrenewable resource revenue and now taking on debt is fair to future generations?

**Ms Redford:** Mr. Speaker, what is fair to future generations is what Albertans know, that if we invest now, we will have successful future generations. That means investing in schools, investing in education, investing in universities, and making sure that we are qualifying people who will be able to participate in our economy. Other people that think this is a good idea include the managing director of the National Bank, the vice-president of capital markets at RBC, the CEO and president of Maclab Enterprises, successful businessmen who understand that you need to make smart, strategic, long-term decisions for the future and that that's what leads to success and is fair for future generations.

**Mr. Hehr:** Mr. Speaker, I agree with the Premier. We need to build schools, we need to implement full-day kindergarten, build family care clinics, and the like, but is it fair to future generations to be the lowest taxed jurisdiction by a country mile, spend all of the oil wealth in one generation, and now go into debt? Is that really fair to future generations?

**Ms Redford:** Mr. Speaker, we have a passion about the future of this province that ensures that future generations are going to be well taken care of. We know that we've had success with this in the past. We certainly follow the legacy of previous Progressive Conservative Premiers who've been pragmatic, who've been innovative, who've been creative, and who've understood that if you invest wisely now, future generations will succeed.

**Mr. Hehr:** Well, Mr. Speaker, there's an old saying in my neighbourhood: you lie to my friends; I'll lie to my friends; let's not lie to each other. If we look at what is going on – the spending of all the oil wealth, the going into debt, and not being willing to tax anything – it's simply lipstick on a pig. Will you admit that your current resolve shows no regard to the future generations of this province?

**Ms Redford:** I believe that this discussion that we're having now is fundamentally what we talked about in the last provincial election, and I have no doubt that for the next six months we will talk about this. I tell you, Mr. Speaker, this government, this caucus, and this cabinet would not be doing this if we did not have a resolve that this was the right thing for future generations in this province.

**The Speaker:** The hon. leader of the New Democrat opposition.

### Political Party Financial Contributions

**Mr. Mason:** Thank you very much, Mr. Speaker. Apparently, there have been a number of illegal campaign donations that were made in previous years, including the time that the current Premier was the Minister of Justice. I want to put the same question to the Premier I tried to put yesterday. What did the Premier know about these offences, and when did she know it? [interjections]

**Mr. Lukaszuk:** I'm starting to think that they don't like me, Mr. Speaker. [interjections] Now I know that they don't like me, but they don't like me because I throw some of their questions right back at them, and they don't like that very much.

But, Mr. Speaker, in answer to this, I've been clear on a number of occasions. If any member of this House believes that they have an allegation and believes that they have some evidence of an allegation, there is a process that is very much a time-tested process not only in this Legislature but throughout this land. File a complaint to the Chief Electoral Officer or to the Ethics Commissioner, have it properly investigated, and then we can talk about facts. These are just allegations, and we won't be dealing with that.

**The Speaker:** Hon. members, let's be reminded of what the rules of the House are regarding matters pertaining to partisan parties and to campaign or election funding. I've raised it before.

Hon. member, let's see how you do with that reminder.

**Mr. Mason:** Thanks very much. Well, Mr. Speaker, given that the Deputy Premier suggests that we just take these things to the Chief Electoral Officer and that when we do, the Chief Electoral Officer won't even tell us if he's going to conduct an investigation, much less the result of that, and given that that legislation was put in place by the current Premier when she was the Justice minister, can the Premier tell us with regard to offences under the Election Act that have taken place during her tenure: what did she know, and when did she know it?

**Mr. Lukaszuk:** I happen to have some good news for the leader of the fourth party. Today in this Legislature we will be debating an act that will be speaking to that very issue, election financing, and all the rules and laws and regulations that pertain to electing officials into this Chamber. I suggest to this member that he hold on to his powder, keep it dry, and he will have all the opportunity in the world to debate that bill and make sure that the transparency that he's seeking will be there. I can assure him of one thing, Mr. Speaker. We will have with the passage of this bill the most transparent piece of election legislation in Canada.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, I think that given that Albertans are very tired of the kind of corruption of this governing party, which seems more concerned with covering its own illegalities than with creating legislation to ensure it doesn't happen again, will the Premier ensure that the legislation that is introduced by her government will in fact allow us to look back retroactively to the period going back as far as 2007 and 2008?

**Mr. Lukaszuk:** Mr. Speaker, only in this Chamber and only members of the opposition will use terms like "illegal" and "corrupt" without having any evidence or without even giving a person the opportunity of having that evidence presented and having it investigated. If that member indeed has any documents

or information where he believes that anyone in this Chamber is doing anything illegal or is corrupt, table it, have it investigated, and stop making these inflammatory accusations.

**The Speaker:** Thank you.

The hon. Member for Calgary-Fish Creek.

### Physician Services Agreement

**Mrs. Forsyth:** Thank you, Mr. Speaker. This government's relationship with the doctors of our province is deteriorating rapidly. On Friday afternoon the Minister of Health decided to throw his weight around, and he imposed a long-term contract on physicians. This ended months of good-faith negotiations. Doctors feel bullied, undermined, intimidated, and disrespected. The AMA has asked the minister to mend this relationship, come back to the table, and negotiate a deal by the end of December. To the Minister of Health: will you commit right now to rescinding this imposed deal and return to negotiations with the AMA?

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

**Mr. Horne:** Thank you, Mr. Speaker. It is true that this morning I received a letter from the president of the Alberta Medical Association asking to return to negotiations toward a new agreement between government and the association. I take this as an encouraging sign for a number of reasons, not the least of which is that the president has clearly recognized that an agreement between doctors and government is in the interests of our health care system and the Albertans that we serve. That said, I need to be very clear that with respect to a financial offer government did put forward its best financial offer, the maximum amount of money, \$463 million, that is available.

2:10

**Mrs. Forsyth:** Minister, it's about respect. That's what it's about.

Given that the AMA contends that all options are on the table and that options could include job action, does the minister not see in the end that his bullying and intimidation behaviour isn't going to harm doctors, that it's going to harm the patients?

**Mr. Horne:** What I see, Mr. Speaker, as I said in my previous answer, is an interest on the part of the AMA in resuming discussions. I will tell the hon. member that I think there are a number of issues on which we could resume discussions with the Alberta Medical Association. That said, I think we need to be very clear about what the issues are that we would like to address, and we need to ensure that we are positioned to be successful in the discussion of those issues. I'm going to give some very careful thought to the letter that was sent to me this morning, and I'll be replying as quickly as I can.

**Mrs. Forsyth:** Well, Mr. Speaker, if he would have done this last Friday, we wouldn't be here today.

Given that the AMA is willing to live by the findings of an arbitrator, why won't the minister use this resolution tool to come to a mutual agreement?

**Mr. Horne:** Well, Mr. Speaker, what we will not do is that we will not negotiate a new agreement with the Alberta Medical Association via this member or via this Legislature. As I said, we feel that there are a number of areas where with a focused discussion and a clear plan to position both parties for success, we may in fact be in a position where we can resume some discussions. I'm going to look at this and consider it carefully in my reply to Dr. Giuffre, and I will have any discussions that we wish to have

with him and with the Alberta Medical Association and not with the opposition.

**The Speaker:** The hon. Member for Edmonton-Gold Bar, followed by Lac La Biche-St. Paul-Two Hills.

### Public-private Partnerships for School Construction

**Mr. Dorward:** Thank you, Mr. Speaker. This morning I had the opportunity, the early opportunity, to have breakfast with 400 or 500 school board trustees from across the province. It was clear that many of them had a renovated or new school on their mind. So many made it clear to me that the need for schools is significant and that it can't wait. To the Minister of Finance: can you elaborate on your comments just recently on the alternate financing you mentioned to allow the building of these schools now?

**Mr. Horner:** You know, Mr. Speaker, the hon. Member for Edmonton-Gold Bar, who is a chartered accountant, I would add, would appreciate that we will consider all of the financial tools that are available to us to get those schools built that Albertans and their communities need today, and we're going to choose the method and the tool that makes the most financial sense. P3s have been one of those tools that we've been using since, as I said earlier, 2005. We've used them to build the Light of Christ Catholic and Saddle Ridge schools in Calgary, the Elizabeth Finch school in Edmonton, even the Westmount school in Okotoks, which is the Leader of the Opposition's riding. I'm sure she appreciates that P3s are a good way to go.

**Mr. Dorward:** To the Minister of Infrastructure: how do you justify using the P3 option when I noted at the ASBA breakfast this morning that those trustees, in fact, overwhelmingly supported borrowing for the infrastructure we need?

**Mr. Drysdale:** Mr. Speaker, this government will do what's right for Alberta families and communities. Alberta's use of P3s to deliver needed public infrastructure such as schools has proven successful. Benefits include fixed costs, fixed delivery dates up to two years sooner, with maintenance and warranty for 30 years. P3s are only used when they make sense and when value for money can be demonstrated compared to the cost for more traditional project delivery.

Mr. Speaker, I'm sure we can all agree, including the members across, the faster we can build schools for the students and families of today, the better. We need them today, not five and 10 years into the future.

**Mr. Dorward:** Mr. Speaker, to complete the trifecta, to the Minister of Education: can you update us on the progress of the P3 models from your perspective?

**Mr. J. Johnson:** Mr. Speaker, I hate to point out the obvious, but P3s are actually borrowing and allow us to build schools faster than normal. This government has built 28 P3 schools recently, and we have 12 more new schools under construction right now. As a matter of fact, we just broke ground on three P3 schools this last Friday alone, two in Airdrie and one in Chestermere.

While the members opposite criticize and confuse Albertans with sound bites on why we shouldn't borrow to build infrastructure, their members are more than happy to celebrate these P3-financed school groundbreakings provided they're in their constituencies.

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills, followed by Barrhead-Morinville-Westlock.

**Political Party Financial Contributions**  
(continued)

**Mr. Saskiw:** Thank you, Mr. Speaker. After 41 years of the same government, it doesn't matter who's in charge. The entitlement and mutual back-scratching stays the same. We know that a community relations officer at Calgary health expensed thousands of dollars that she donated to the war chest of a political entity, and this, according to AHS, was just how business was done. Now we know that that same individual is working within AHS as a provincial officer for special projects. Can the government simply clear the air and tell the House exactly what is the job description of an officer for special projects?

**Mr. Horne:** Mr. Speaker, I don't have that information, nor would I think that the hon. member would expect the Minister of Health to have detailed job descriptions for people within Alberta Health Services. If the hon. member is making an insinuation that that particular position is somehow not important or significant or otherwise of value to the health system, I suggest that he's got a bigger challenge than he already realizes.

**Mr. Saskiw:** You don't even know what the job is, so how would you know what I'm insinuating?

Given that it is imperative that Albertans have full confidence that their taxpayer dollars won't be used to benefit any political party, will the government clarify whether or not the latest donations to a political party expensed through our Health budget will be returned to Albertans?

**Mr. Horne:** Mr. Speaker, the opposition persists in talking about issues involving health regions that no longer exist. What Albertans can have confidence in is very clear. They can have confidence in the fact that Alberta Health Services policy with respect to donations has been updated twice since AHS was created. It fully conforms to provincial law. He can also have confidence that there is an independent officer of the Legislature, a Chief Electoral Officer, to whom he can report his concerns, and they can continue to have confidence that this Minister of Health is in close contact with the board of Alberta Health Services, which is doing an excellent job and providing oversight in this area.

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

**Mr. Saskiw:** Thank you, Mr. Speaker. If you want to return the money, there's a poverty group out there that sure could use it.

Given that the Premier broke her promise to hold a full health inquiry covering the time in which her sister worked at the Calgary health region and was publicly known as the go-to person for politicians to deal with wait time issues, can the government explain whether the Premier's sister is at all involved in the planning, co-ordination, or execution of the queue-jumping inquiry?

**Mr. Lukaszuk:** Well, if we're seeking clarity, Mr. Speaker, maybe I'll ask for some clarity because I'm still a little lost from yesterday. Yesterday the Leader of the Opposition first said that she would never write off expenses of donations to political parties. Then 15 minutes later she admitted the fact that she has but that it was a rookie mistake. Then 15 minutes later she said that she has, but she doesn't know whether she sent it to the Assembly for reimbursement or not. Now she's denying it, and she threw her

secretary under the bus to take the rap for it. I would like some clarity on that.

**The Speaker:** The hon. Member for Barrhead-Morinville-Westlock, followed by Edmonton-Centre.

**Orthopaedic Services in Northern Alberta**

**Ms Kubinec:** Thank you, Mr. Speaker. Westlock hospital is in desperate need of a new and enlarged orthopaedic surgical unit to fulfill the needs of the large population in northern rural Alberta to access the hospital not only because it is in close proximity to their homes but due to the world-class level of care that the doctors and surgeons provide at that hospital. We have a doctor from South Africa who is world renowned for his hip and knee replacements. My own brother had two knees replaced there. My question to the Minister of Health: will the minister please advise us as to what is being done in regard to reviewing any plans?

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

**Mr. Mason:** I bet he knows the answer.

**Mr. Horne:** Thank you. Well, Mr. Speaker, like the rest of my colleagues here sitting before you, we are up on our briefs, and we are prepared to answer.

I've had the privilege of meeting with the orthopaedic surgeons that the hon. member refers to twice, both through her and through her predecessor, the former MLA in that area. I can tell the hon. member that Alberta Health Services is looking very closely at the role of Westlock hospital in orthopaedic surgery as part of a north zone regional plan for the delivery of orthopaedic surgery services. It's true, Mr. Speaker, that there is considerable capacity that is available in terms of surgical capacity at the hospital, and we want to ensure that we make the best use of it as part of the regional plan.

2:20

**Ms Kubinec:** My second question is to the same minister. Will the minister please advise as to what is being done in regard to reviewing any plans and when we can have an answer as to when that might happen?

**Mr. Horne:** Mr. Speaker, certainly appreciating the hon. member's desire to have some resolution of this particular issue, we are looking at a plan for the north zone that involves all health care services; in other words, going beyond orthopaedic surgery, looking at all primary health care and tertiary level services. It's expected that that review would be complete in 2013.

**Ms Kubinec:** Through you, Mr. Speaker, to the minister: will those plans be made public so that the people in my constituency will know what is happening?

**Mr. Horne:** Well, Mr. Speaker, the public is actually part of the planning process. Alberta Health Services is actively engaged with the communities throughout the north zone in looking at the resources that exist in the community now, what may be needed in the future, and also, very importantly, how the hospitals and other health facilities and health professionals who are practising in that area work together to deliver a system of care that meets all of the needs of the people in the north zone, including Westlock.

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

### Alberta Police Integrated Information Initiative

**Ms Blakeman:** Thanks very much, Mr. Speaker. Employers are using police information background checks to vet possible employees, and volunteer agencies are required by law or public demand to check their volunteers. But police keep more than conviction information on citizens in their databases, and this nonconviction information is regularly released. To the Solicitor General: what action is the government taking to work with employers and NGOs to make sure that they understand the distinction between conviction and nonconviction information disclosed in police background information checks?

**Mr. Denis:** Well, Mr. Speaker, I thank the member for that question. You're right. She's quite correct. There is a distinction between conviction and nonconviction information, but her question was very vague as to what specifically she is alleging. I would just ask her to please clarify that in the follow-up.

**Ms Blakeman:** Back to the same minister. Given that information collected and kept as part of Alberta's police information database, now known as API3, can include officer observations, opinions, and even hearsay, why does Alberta persist in allowing the retention and release disclosure of nonconviction information during background checks? It's just not right.

**Mr. Denis:** Mr. Speaker, it really saddens me that this member has very little regard for public safety but also for the facts. API3 is going ahead. You want to know what API3 is, I say to everybody here? API3 is a system that will allow police information on other jurisdictions if they actually happen to come in contact with a suspect. It's about officer safety, and it has undergone a full and complete privacy assessment. Back to this member.

**Ms Blakeman:** And it still includes hearsay, officer opinions, and observations.

But the legal framework in Alberta is feeble and allows significant individual officer discretion over what information is released as part of these police checks. So why is training, monitoring, and compliance not mandatory for all officers working in this area? They can do whatever they want.

**Mr. Denis:** Mr. Speaker, I say again that the API3 system has undertaken a full and complete privacy impact assessment, and we worked with the Privacy Commissioner. We have been given a clean bill of health. Again, it saddens me that this member has very little regard for officer safety but also for public safety.

**Ms Blakeman:** Point of order, Mr. Speaker.

**The Speaker:** A point of order has been noted by Edmonton-Centre at 2:25.

The hon. Member for Edmonton-Strathcona, followed by Livingstone-Macleod.

### Political Party Financial Contributions (continued)

**Ms Notley:** Thank you, Mr. Speaker. Yesterday Albertans discovered that the Premier's sister directed Calgary health region funds to Alberta's Conservative Party in violation of the Election Act. In defence of the Premier's sister Alberta Health Services stated that, quote, the Premier's sister and the Calgary health region were meeting the expectation and norms at the time. End quote. To the Deputy Premier: if AHS can casually state that illegal election donations by the Premier's sister were just another

day in the office, how can Albertans be expected to believe that this illegal activity is not endemic to the whole government run by this Premier and this party?

**Mr. Lukaszuk:** You know what, Mr. Speaker? If the Member for Edmonton-Centre sat down with the Member for Edmonton-Strathcona, they would have an interesting discussion because the Member for Edmonton-Centre just argued that unless you're convicted, you're not convicted, and there shouldn't be any negative information spread about you. This member over here argues that even though nothing has been proven, even though there are no allegations, no investigations, all of a sudden those individuals are somehow criminals. Why don't you two get together and discuss that issue?

**The Speaker:** Hon. Member for Edmonton-Strathcona, I'll allow your first supplemental, and I'm going to listen carefully to how it goes.

**Ms Notley:** Well, to the Minister of Health: given that illegal funnelling of public money to the Conservative Party was apparently, quote, meeting the norms and expectations at the time at Alberta Health Services, will the Minister of Health take immediate action to dismiss all those who were involved in and aware of this activity, or will he further compromise the remnants of this government's integrity by suggesting Albertans should accept this as water under the bridge?

**Mr. Horne:** Mr. Speaker, again, recognizing the nature of the question and your previous rulings on the issue, what I will tell the hon. member and what she well knows is that the responsibility for overseeing the operations of Alberta Health Services is with a board that is appointed by this government, that is accountable back to this government. If the hon. member wants to persist in discussions about the operations of health regions that no longer exist, that's entirely up to her. The AHS board has made it clear and clarified on two occasions that the organization's policies with respect to political donations conform to provincial law and they continue to be followed. This government stands by that.

**The Speaker:** Let me just remind everyone again. Questions to do with party financing, party matters are expressly forbidden according to the rules, so let's be very careful how we word our questions.

Final question. The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Well, Mr. Speaker, to the Attorney General: given that illegal funnelling of public money to the Conservative Party was, quote, meeting the norms and expectations at the time and given that the Election Act currently prevents investigations that would go back past three years and would be done in secret regardless, can the minister promise this House that his new elections law will permit full and historic disclosure of this endemic illegal activity, or will he simply come up with new ways to sweep it under the rug?

**Mr. Denis:** Well, Mr. Speaker, if this member would like to wait just a little bit more than half an hour, that's when I intend to table an act. I think that under the standing orders it would be inappropriate for me to comment on it in detail at this juncture.

**The Speaker:** The hon. Member for Livingstone-Macleod, followed by Lethbridge-East.

### Health Services for Rural Alberta

**Mr. Stier:** Thank you, Mr. Speaker. In my constituency of Livingstone-Macleod and in all of the rural areas of Alberta people travel hours to regional hospitals for medical treatment. With the recent raw deal imposed on doctors and support personnel, the challenges affecting rural health facilities are even more acute. Last week's unilateral decision by the government will negatively impact delivery of health services in rural primary care networks. To the Minister of Health: considering this negative impact on rural health care delivery will this government please go back to the negotiating table with doctors?

**Mr. Horne:** Well, Mr. Speaker, earlier in question period I answered a specific question about the letter that was sent to me today by the president of the Alberta Medical Association. This hon. member is attempting to connect that issue with what he obviously feels are some issues with respect to rural health care delivery in his community. Rural health care delivery is of significant interest to this government. In the last five hospital expansion announcements, that were made just a few weeks ago, the hon. member may have noted that a number of specialty services have been placed in rural hospitals to avoid the situation that he describes. A recent example would be the inclusion of a dialysis unit in the Edson hospital. That will prevent many people from making a trip into Edmonton for that.

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

**Mr. Stier:** Thank you, Mr. Speaker. Considering the deteriorating relationship between the Alberta Medical Association and the Minister of Health and considering that the new fee schedule will be harmful to recruiting and retaining rural doctors, what will the minister do to remedy the glaring problems facing rural health care?

**Mr. Horne:** Mr. Speaker, the hon. member referred to a fee schedule. What this government announced last Friday is the addition of \$463 million over the next four years to a physician compensation budget, which on average pays 29 per cent more than the national average in this country.

Mr. Speaker, we're proud of the fact that we have the best doctors in Alberta. We're proud of the fact that they are the best paid.

We have a number of issues that we are working with the Alberta Medical Association on, and I will be responding to Dr. Giuffre's letter in due course.

2:30

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

**Mr. Stier:** Thank you again, Mr. Speaker. Considering that the Minister of Health accepted the Health Quality Council report, how can the minister justify imposing huge changes on Alberta Health Services such as with the family care clinics without close collaboration with those doctors at all?

**Mr. Horne:** Mr. Speaker, let's be clear. We would not have the quality of health services in urban and rural Alberta that we enjoy today without close collaboration between this government and our physicians. They deserve as much credit as anyone else for our success. They are also actively involved in practical ideas to improve access, particularly in areas like the hon. member's constituency.

**The Speaker:** The hon. Member for Lethbridge-East, followed by Innisfail-Sylvan Lake.

### Agricultural Societies

**Ms Pastoor:** Thank you, Mr. Speaker. The government last February at the Alberta Association of Agricultural Societies recognized their 100-plus year contribution to Alberta's largest sustainable resource, agriculture. Agricultural societies and regional exhibitions manage the infrastructure of the largest facilities of their kind in their respective communities. To the minister of agriculture: what is the plan for provincial investment in these valuable agricultural community builders, rural economic providers, tourism drivers, and community gathering places?

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

**Mr. Olson:** Thank you, Mr. Speaker, and thank you to the member for the question. The plan is to continue supporting these organizations. As the hon. member points out, they are integral to many, many communities. There are 295 ag societies around the province, for which our government provides some \$30 million in annual support. We plan on continuing with that support.

**Ms Pastoor:** Well, that's good to hear. Thank you.

Again to the same minister. One of these regional exhibitions in particular, Lethbridge & District Exhibition, is in need of a major renewal in the very near future in order to maintain its community commitment. What role is the province prepared to play in investing in this project, which will be a game-changer in southern Alberta?

**Mr. Olson:** Well, Mr. Speaker, it may not surprise you to hear that this isn't the first time I've heard this from this member. She is a great advocate for her community, and we talk fairly often about this issue. I have had meetings with that particular agricultural society. We do provide to the seven regional societies funding of about \$358,000 a year, \$258,000 of which is unconditional and \$100,000 of which is for operations. We also in 2005 provided \$40 million for the seven regional ag societies, including \$6.5 million for the Lethbridge ag society for capital.

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

**Ms Pastoor:** Thank you very much. This question isn't just about me; it is about all the others. I know that it's a generous amount of money, but clearly, to keep these organizations going, we're going to need a change in what we do. My last question is about the rest of the B and C exhibitions. What kind of discussions are going on regarding the importance that they play in our rural communities and in our medium-sized cities, keeping agriculture to the fore, where it belongs?

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

**Mr. Olson:** Thank you, Mr. Speaker. I also have one of the regional ag societies, one of the seven regionals, in my constituency. I know that these agricultural societies, no matter what their size, from the smallest of the small to Northlands and the Calgary Stampede, are very, very important for their community. Everybody wants the government to support them. I'm fully engaged in discussing these issues with all of them. It's a work-in-progress. I'm not in a position to make any commitment to the hon. member right now other than my absolute and unconditional interest in discussing these issues with them.

**The Speaker:** The hon. Member for Innisfail-Sylvan Lake, followed by Vermilion-Lloydminster.

### Sylvan Lake Public Meeting

**Mrs. Towle:** Thank you, Mr. Speaker. Recently the Deputy Premier visited Sylvan Lake and held a public meet-and-greet. Constituents were disappointed to learn that the meeting was really a handshaking session with no format to ask questions publicly about the issues they were concerned about. The Deputy Premier went on to call my constituents a mob. He went on to insult the widow of a gentleman who had recently passed away for bringing a placard. Then he went on to tell a small group of property rights advocates to wait until the end of the meeting to speak to them, only to slink out the back door. To the Minister of Accountability, Transparency and Transformation: is this type of behaviour from the Deputy Premier what was meant when the Premier said that she wanted to raise the bar of accountability?

**Mr. Lukaszuk:** Mr. Speaker, you know, this is almost unbelievable. First of all, this member has written an e-mail and asked everybody to spread that e-mail even further, asking for everybody to show up and show force and bring placards. Then in an interview to the media she says: "Oh, I never wrote such an e-mail. I never asked anybody to bring placards." Then, much like the Leader of the Opposition, she flip-flopped again and said: "Oh, yes. Sorry. I forgot. I was asked too many questions." Furthermore, this is the MLA that needs a mediator to allow her to talk to her city council. Furthermore, I left through the front door, and there is actually news footage to show that. [interjections]

**The Speaker:** Hon. member, I'll invite you to give us your second supplemental, and I'll invite your colleagues to allow the answer to be heard by you.

**Mrs. Towle:** Sure. Unfortunately, I was there, and you went through the back door.

To the Minister of Health: given that the Deputy Premier chastised a widow for bringing a placard of her husband, who'd passed away, saying that all she had to do was request a meeting with you, and given that that constituent has requested that meeting with you since August, since her husband died, will the Minister of Health finally meet with the Boychuk family, as the Deputy Premier says that you're willing to do?

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

**Mr. Horne:** Well, thank you very much, Mr. Speaker. As the hon. member knows, I have had contact with residents of Sylvan Lake on a number of matters, including the elected officials, the mayor, and council, with whom I have met to discuss the issue to which she refers, which is the desire for an urgent care centre in Sylvan Lake. We're continuing our work and Alberta Health Services is continuing its work with the elected local representatives in Sylvan Lake. I am happy to continue to provide the hon. member with updates on the progress of that work. But the fact remains – and I think this is evidenced by the Deputy Premier's visit to the community – that we do not require an intermediary as government in order to work with local communities.

**Mrs. Towle:** Well, given that the Minister of Health didn't answer my question, given that the Deputy Premier chastised a widow for bringing a placard of her husband, who'd passed away, saying that all she had to do was request a meeting with you, and given that Annie Boychuk has requested a meeting with you, Mr. Minister,

since August, since her husband died – we're not talking about urgent care; we're talking about Annie Boychuk – will you finally meet with the Boychuk family, as the Deputy Premier has said that you're willing to do?

**Mr. Horne:** Mr. Speaker, I will not participate in the use of an extremely sad and tragic situation, referenced by the hon. member, as fodder for whatever interpersonal issues she may have with other members on this side of the House or other sides of the House. I have corresponded with the family to whom the hon. member refers. I have expressed the sympathy and the condolences of this government and of all of my colleagues to that family for that tragic incident. We are engaged in a policy issue with elected representatives of Sylvan Lake in determining how best to meet that community's health care needs.

### Front Licence Plates

**Dr. Starke:** Mr. Speaker, rural crime watch associations provide a valuable service to law enforcement agencies across the province, acting as an extra set of eyes and ears because, of course, the police can't be everywhere. At their recent annual general meeting the provincial Rural Crime Watch Association passed a resolution urging government to require that licence plates be shown on both the front and the rear of vehicles once again to help identify vehicles possibly involved in illegal activities. To the Minister of Service Alberta: has any consideration been given to offering support to our selfless crime watch associations by honouring this simple and common-sense request?

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

**Mr. Bhullar:** Thank you very much, Mr. Speaker. Our government appreciates the work that the Rural Crime Watch Association does. They are the eyes and ears of law enforcement in many rural communities, and we appreciate everything they do. As the member knows, front licence plates were discontinued in 1992. Since then we've had a vast amount of public input on this issue. Upwards of 80 per cent of Albertans have in fact said that they prefer just having one licence plate, but we will always look at new ideas and new options and evaluate the merits of them.

2:40

**Dr. Starke:** Mr. Speaker, a supplemental to the same minister. Now, I realize that back in 1992 the minister was merely a young lad watching the hon. Member for Calgary-North West reading the news on TV, but does he know what the motivation was for making the change from two licence plates to one licence plate?

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

**Mr. Bhullar:** Thank you very much, Mr. Speaker. In 1992 I was a young lad, and in 1992 I could grow a better mustache than that individual.

Mr. Speaker, this change has saved the taxpayers approximately \$12 million, and it's saved Albertans themselves a lot of money. Should any changes be required now, it would require additional costs on the part of Albertans.

**Dr. Starke:** Well, Mr. Speaker, I was going to say that I'm cut to the quick, but I guess I'm shaved to the quick.

In any case, my final supplemental to the same minister, facial hair aside: will the minister undertake to conduct a full investigation of the feasibility, logistics, and costs involved in returning to a two licence plate system and report these findings back to the members of this Assembly?

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

**Mr. Bhullar:** Thank you very much, Mr. Speaker. Nearly 30 jurisdictions in North America have in fact moved to a single licence plate, and that number is growing. However, I will take this member's recommendation and the association's recommendation, and we will evaluate this issue next time we come to working on our plates.

**The Speaker:** Hon. members, that concludes Oral Question Period for today.

In a few seconds from now we will resume with Members' Statements, commencing with Rimbey-Rocky Mountain House-Sundre.

### Members' Statements

*(continued)*

**The Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

#### Public Meetings in Vulcan and Sylvan Lake

**Mr. Anglin:** Thank you, Mr. Speaker. Last week I attended two public meetings, one in Sylvan Lake with the Deputy Premier and one in Vulcan with the Minister of Energy. The meetings were similar in context and content. I listened and I watched in Sylvan Lake as the Deputy Premier berated some people in attendance. He insulted proponents of a highway intersection, which prompted a very sharp rebuke. When the Deputy Premier insulted the widow of a gentleman whose death might have been prevented had there been a critical care facility in Sylvan Lake, emotions exploded. Elevated voices demanded an apology. However, the Deputy Premier was unresponsive and unapologetic.

The meeting ended after the Deputy Premier asked all those with concerns about Bill 2 to gather at one end of the facility. He then abruptly turned and fled out the back door with people shouting at him: you said that you would talk to me. Later it was discovered that the Deputy Premier hid outside in the parking lot after everyone left, and he re-entered the building and now claims he never left. There were no placards of protest at the meeting. None. I only saw two placards promoting two causes, not protesting.

The meeting in Vulcan was no less emotional than the Sylvan Lake meeting, but it was organized completely differently. I debated the Minister of Energy in Vulcan. We both discussed the issues. We agreed where we could, and we agreed to disagree. Emotions were equal to what I experienced in Sylvan Lake, but I can say without hesitation that the Minister of Energy conducted himself honourably and deserving of respect. That said, two people that attended both the Sylvan Lake and Vulcan meetings witnessed two entirely different outcomes. They were treated with respect by the Minister of Energy no matter how far they travelled. In contrast, the Deputy Premier and his supporters are still ridiculing the people that travelled a long distance to attend the meeting in Sylvan Lake. The difference between the two meetings is the difference between class and classless.

#### Speaker's Ruling Members' Statements

**The Speaker:** Hon. members, just a cautionary note about Members' Statements. I referred to this a little bit yesterday. You might want to revisit what you said in the first half of your statement there. Members' Statements is a privilege given to us, at

which time they should not be statements that deride or particularly try to verbally assassinate any member of this House or any member of the public for that matter. I'd just ask you to keep that in mind when you craft future statements, please.

I indicated yesterday I might have more to say about this, and I will have more to say about this now, definitely.

In the meantime let us hear from the hon. Member for Barrhead-Morinville-Westlock.

#### National 4-H Month

**Ms Kubinec:** Thank you, Mr. Speaker. I will speak on a topic that you all know I am passionate about, and that would be agriculture and 4-H. This is national 4-H show your colours month. Throughout this month of November we have been celebrating the positive contributions of the 4-H program which are so important to the well-being of our rural communities and bring enthusiasm for agriculture and the rural way of life. Maybe that's why I'm so passionate about it; I was a 4-H'er as were all my kids.

The 4-H is one of the most respected and longest running youth mentorship organizations in our province, helping to shape the lives of more than 250,000 young Albertans over the past 95 years. Club members and leaders have gone on to be successful and accomplished members of society who understand the meaning of community service. The 4-H program brings together the young and the young at heart. The program depends on family support and community volunteers who share their time and their knowledge with the leaders of tomorrow, volunteers like Edith Walker and Timothy Church, who were introduced today, this year's 4-H Hall of Fame inductees. They demonstrate how giving back to the community can be such a rewarding experience. With the motto of Learn To Do by Doing, 4-H recognizes the importance of giving youth the opportunity to take part in activities that increase their knowledge and the development of life skills.

Members today continue to acquire a well-rounded understanding of agricultural industry but also learn about such diverse topics as running a business, preparing food, computer skills, performing arts, public speaking, photography, veterinary science, and more. Whether they are involved in a project or taking on a summer camp, 4-H youth build lifelong friendships with people from all over the province and through these opportunities develop leadership skills and enhanced confidence which helps them throughout their lives. Our youth want to be involved, accepted, valued, and heard. The 4-H program is the way that they can do that.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Glenmore, followed by Lesser Slave Lake.

#### Alberta Men's 65+ Hockey Team

**Ms L. Johnson:** Thank you, Mr. Speaker. The 2012 Canada 55+ Games were held this past summer in Sydney, Nova Scotia. Competition took place in over 20 events with participants from across Canada. Alberta athletes did well, finishing with over 100 medals, which I am proud to say was more than any other province.

Today I rise to recognize the Alberta men's 65+ hockey team. This team won all of their preliminary games, defeating their opponents with scores such as 10-nothing against Nova Scotia, 7-nothing over P.E.I., and again playing Nova Scotia and winning 1-0. Most importantly, the Alberta team won the gold medal game when they defeated Ontario with a score of 3 to 2.

Mr. Speaker, team members came from across Alberta, and I would like to read their names so we can recognize their achievement: from Banff, Graham MacDonald; from Strathmore, Doug Blaney; from Okotoks, John MacKillop; from Edmonton, Tony Saulnier; from Calgary, Jeff Bowles, Phil Bullough, Rob Chartier, Gord Christensen, Barry Dorin, Pat Halas, Peter Kneeland, Eric Shepard, Rich Shillington, and Rick Turpin. Arnie Godin was a player and team manager. Another member of the team was the former MLA for Calgary-Hays, Art Johnston.

Mr. Speaker, on behalf of this Legislature I would like to congratulate the team and all the 2012 Canada 55+ Games participants for a job well done.

### Métis Week

**Ms Calahasen:** November 11 to 17 marked the annual Métis Week in which the Métis people proudly celebrated Métis language, culture, and history. Last week's events highlighted a tradition going back to a time before Alberta was a province and before Canada was a country. In the Métis world this long history is punctuated by one person in particular, the leader of Canada's Métis people, Louis Riel.

2:50

Louis Riel lived at a critical time in our country's history, when Canada was struggling to take hold of its nationhood. We were a country in our infancy, trying to find our footing, defining our boundaries, our people, and our direction. Louis Riel's life embodied many of the characteristics of our emerging nation. He spoke the languages of early Canada: English, French, and Cree. He was a catalyst that forged east and west, bringing Manitoba, the first western province, into Confederation. He was the son of a new nation, born from the intermarriage of First Nations people and newcomers.

On November 16 we honoured the life of this remarkable individual here in the Legislature. When we honoured Louis Riel, we also honoured the Métis people of Alberta. Thank you, Mr. Speaker, for hosting this event.

As we continue to celebrate the continuing journey of a people who helped Alberta become a thriving, diverse province with infinite opportunities and unlimited promise, let us build a future together that is bright and filled with even greater promise and vision. Let us be inspired by the legacy of strength and determination that defined Louis Riel and his people, the Métis.

**The Speaker:** Thank you.

The hon. Member for Calgary-Mountain View.

### Child Poverty

**Dr. Swann:** Thank you very much, Mr. Speaker. In relation to the scourge of child poverty hundreds of women of the United Church in Alberta and men, too, rallied today in front of the Legislature. They're asking important questions. What are this Premier and this Human Services minister going to do to eliminate the common experience of hungry, homeless families, including children, in their church basements moving each day to another church? Why is Alberta among the last three provinces to have a child poverty plan, with a timeline and a budget and actions to stop this travesty in the richest province in Canada? Finally, how is it that in 2012 there are 91,000 children, by latest count, living below the low-income measure, hungry, unsafe, unwell, losing potential daily mentally, physically, emotionally?

Leadership is critically needed. These women applaud the Premier for committing herself to eliminating child poverty in five

years. But according to the deputy minister a report isn't expected till mid-2013, that means 2014 before a bill. Children cannot wait. Children deserve concrete actions to protect them today and for life. After decades of studies we know what programs are needed.

The Poverty Costs report issued by Vibrant Communities Calgary this year indicated that keeping people in poverty also costs Albertans financially between \$7 billion and \$9 billion a year in health care, lost productivity, addictions, and remedial services. Increased resources, material and educational, for children and their families is what's needed. Children need good food, a consistent safe home, stimulation, and love.

The Liberals child poverty initiative involves the establishment of a school nutrition program, a child benefit program. We need to work towards universal, quality, affordable child care and full-day kindergarten. Child poverty is not a partisan issue. We will support real targets. We want to work together with government to celebrate real investment in children and families. Let's get on with the job, Mr. Speaker.

### Presenting Petitions

**Mr. Casey:** Mr. Speaker, I would like to rise today and table this petition signed by 311 Albertans from Fort McMurray to Calgary and all points in between. These concerned Albertans petition the Legislative Assembly to "pass legislation requiring that all interviews conducted by Alberta Child and Family Services be videotaped."

Thank you.

### Introduction of Bills

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

#### Bill 7

#### Election Accountability Amendment Act, 2012

**Mr. Denis:** Thank you very much, Mr. Speaker. It is my privilege today to rise to request leave to introduce first reading of Bill 7, the Election Accountability Amendment Act, 2012.

This act will amend the Election Act, the Election Finances and Contributions Disclosure Act, the Senatorial Selection Act, and the Local Authorities Election Act. Mr. Speaker, the proposed amendments will help make our electoral system more democratic and will enhance accountability and will also update and improve how provincial and municipal elections are held. I would like to say a particular thank you to the Government House Leader as well as to the Minister of Municipal Affairs for their assistance with this bill.

[Motion carried; Bill 7 read a first time]

### Tabling Returns and Reports

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

**Mrs. Jablonski:** Thank you, Mr. Speaker. Today I'm tabling the necessary five copies of the Alberta Committee of Citizens with Disabilities Barrier-Free Health and Medical Services in Alberta: Understanding the Needs of Albertans with Disabilities research document, which identifies barriers to health and medical services experienced by Albertans with disabilities when accessing preventative and ongoing health care services. Through an extensive literature review, needs assessment, and discussions with Albertans with disabilities ACCD developed recommendations for improvement to Alberta's health care system.



Albertans with disabilities are passionate about health care issues, and they contributed to the development of the recommendations. The intent of the document is to inform and assist decision-makers to produce policies that will remove barriers so that Albertans with disabilities will be able to receive adequate medical and health care services.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview or someone on behalf of.

**Mr. Eggen:** Yes. Thanks, Mr. Speaker. I'd like to table the appropriate number of copies of a petition demanding that the government take immediate action to twin highway 63. The petition has 37,751 signatures, of which I am tabling 3,007 of those signatures today.

Thank you.

**The Speaker:** Are there others? The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you, Mr. Speaker. I have a few tablings by the University of Calgary Faculty of Law blog on developments in Alberta law, their commentary and critique and the like of Bill 2, the Responsible Energy Development Act. They're done by professors Nigel Banks, Nickie Vlavianos, and Shaun Fluker. I hope all members of this House look at it and look at how this bill needs to be improved.

Thank you.

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following document was deposited with the office of the Clerk: on behalf of the hon. Mr. Horner, President of Treasury Board and Minister of Finance, pursuant to the Gaming and Liquor Act the Alberta Gaming and Liquor Commission annual report 2011-2012.

**The Speaker:** Hon. members, just before we get into points of order, I see it's one minute to 3. I know the Government House Leader would probably allow us to continue here. We'll go beyond 3 a little bit with my ruling.

The hon. Member for Edmonton-Centre.

### Point of Order

#### Allegations against a Member

**Ms Blakeman:** Thank you very much. The first citation I'm going to direct the Speaker to is our own standing orders, and that's 23(h), which specifically prohibits making allegations against another member. Now, this refers to the exchange in question slot 10 between myself and the Solicitor General. As part of that – and, of course, I don't have the benefit of the Blues – in his second and third responses he makes allegations specifically toward this member. It wasn't a general statement of everyone in my caucus or everyone in this House. It was specific to this member, that I somehow didn't like or respect or hold in high esteem members of our police service, and with that I would include the RCMP and the sheriffs. [interjection] Well, if the minister would like to provide me with the Blues, then I'm sure I'd be interested in doing that.

I would argue, Mr. Speaker, that the member clearly intended that others hearing him would believe that I do not support our police services, and I think he intended that that was what people hearing this exchange would believe. Now, Mr. Speaker, I didn't say that. In reviewing my notes for my question, there's no

commentary on the behaviour of services. It's asking the government why they weren't giving them support by giving them training, asking them why they didn't have legislation around the disclosure of information that's kept and the very fact that nonconviction information is kept. None of that is a commentary on the character or professionalism of people involved in that particular sector.

3:00

What we do have – and I'll direct the Speaker toward page 508 in *House of Commons Procedure and Practice*. The member didn't answer the question. When you look at 508 in *House of Commons*, it does say that there aren't explicit rules about the form or content of replies to oral question periods. If I may quote, it is

to deal with the subject matter raised and to be phrased in language that does not provoke disorder in the House. As Speaker Jerome summarized . . . several types of responses may be appropriate.

That is to

- answer the question;
- defer their answer;
- take the question as notice;
- make a short explanation as to why they cannot furnish an answer at that time; or
- say nothing.

Now, what we got instead, Mr. Speaker, was avoid-and-attack politics, none of the things that are suggested as appropriate as a ministerial response to a question. No, what we have is the member attacking the character of another member and making allegations on how she views a particular sector of workers.

I'll direct the attention of the Speaker to page 619 of the same *House of Commons* book, in which it asks that the Speaker takes into account "the tone, manner and intention" of the person that is delivering the particular remarks. I ask the Speaker: what does the minister intend the effect of his attack to be, that somehow these officers would now refuse to assist me or to offer services to me because he claims I don't believe in them? Why would he say such a thing unless it was to diminish what I was saying and to pivot to some non answer? I think that, if anything, that casts a very bad commentary upon the police services, that they would somehow not assist a citizen because of what she had said in the House. That may be what he tried to do. I don't believe that would happen.

I will also remark, Mr. Speaker, that this issue has been raised and argued and published by the Canadian Civil Liberties Association in depth. It has been published, and I would have expected that he as the Solicitor General would be familiar with the content of this as it does fall under his ministry. Now, if he is not familiar with it, then I could understand his unwillingness to directly answer the question.

As it is, I do not believe that what he did was appropriate. I ask the Speaker to find him in violation of 23(h) and in violation of the replies to oral questions as set out on page 508, and I would ask that he withdraw those comments. They were made to offend, they were made to create disorder, and they were made to cast an allegation upon me that I did not make. I resent it, and I ask that he be made to withdraw the comments.

Thank you.

**The Speaker:** Hon. member, I'm going to do something uncharacteristic before I invite the Minister of Justice to reply. I'm going to read you what was said in *Hansard* according to the Blues. This is unofficial; however, it may guide you in your

comments. The hon. Member for Edmonton-Centre rose and asked a question. In response the Minister of Justice replied:

Mr. Speaker, I say again that the API3 system has undertaken a full and complete privacy impact assessment, and we worked with the Privacy Commissioner. We have been given a clean bill of health. Again, it saddens me that this member has very little regard for officer safety but also for public safety.

I will now invite the hon. Minister of Justice to explain this.

**Mr. Denis:** Thank you very much, Mr. Speaker. I have to say that I'm saddened by this member's comments. I know there are no points of order on points of order, but I'm rather offended by her last comment. At no time did I ever suggest that the Calgary Police Service, the Edmonton Police Service, any other police service would not be willing to assist or anything in that regard. At no time does that appear in the Blues. At no time did I make any allegation whatsoever.

I just think that for the edification of this House we should know what API3 is. The main objectives of the API3 system are to "increase officer safety" and to "increase public safety." I'm referring from my own department's website. My comments were that in opposing this item – she clearly does indicate throughout this exchange that she does not support this measure, which has regard to increased officer safety or increased measures for other people – without this system, Mr. Speaker, police and the public are more at risk. There have been situations – there was one in Calgary even – where a particular member of the Calgary Police Service was put at greater officer risk because of a lack of knowing this particular system.

I reiterate, Mr. Speaker, that at no time did I say that the police should somehow fail to assist this member. We live in a free society. This is the base of the rule of law. She'd have the same protection as myself or anyone else here. So I would indicate to you that the onus is on the member, like proving a case, to assert where another member has been wrong.

As I've clarified my comments as to whether or not she would support this increased safety, I think that that was a reasonable conclusion having regard to her issue. I apologize if she was offended, but I do not feel that I should have to withdraw the comments.

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

**Mr. Anderson:** Briefly, Mr. Speaker. Clearly, according to the standing orders a member will be called to order if he makes allegations against another member. That's 23(h). But Standing Order 23(i): "imputes false or unavowed motives to another Member."

You know, we have a lot of disagreements in this Chamber, absolutely. Even on this API3 issue I'll have some disagreement with the Member for Edmonton-Centre on it, but there is no doubt in my mind that this hon. member cares about the safety of our police officers, about our sheriffs and all of these officers in the RCMP, city police, or otherwise just as much as the Solicitor General does, just as much as I do, and just as much as anyone does. When somebody comes into the House and accuses them of essentially what you just read, Mr. Speaker, essentially accused this member of literally not caring about their safety, the safety of our police officers, that is a despicable thing to say.

You know, things are said in passion. I've had to retract statements in this Chamber. Members of my caucus have had to retract statements in the Chamber. That is definitely something that should be retracted, and this member should be apologized to.

**The Speaker:** Are there others?

Hon. members, I read the Blues out intentionally in advance of the hon. Minister of Justice's reply because I was hoping to draw a distinction between the API3 system as was described by the Minister of Justice. That is not what is in question. What is in question here is what followed that. I'm going to read it again, where the Minister of Justice said, "it saddens me that this member has very little regard for officer safety but also for public safety." So I'm going to invite you, hon. minister, to just rethink those comments and perhaps do the right thing. Otherwise, I can go on with a more lengthy ruling if you wish.

**Mr. Denis:** I'll reluctantly withdraw those comments. I will be calling further points of order against this member.

**The Speaker:** Well, hon. minister, I appreciate the withdrawal. You know, a reluctant withdrawal is a withdrawal, and I'll accept that, but let's be very, very careful here, ladies and gentlemen, as we go forward in the discussions, whether they're in debate or whether they are questions during question period or whether they are private members' statements or whether they are petitions or some other instrument or vehicle that we use in this House, to not impute motives to others even in the heat of the moment. But if we do, then stand up, realize what was said, realize what was recorded in *Hansard*. The Speaker oftentimes does not hear the exchanges that go on because of clapping, pounding, heckling, and so on.

But we've clarified here. I think the Member for Edmonton-Centre is right. She has clarified her position. I don't know that there are any members in this House who have no regard for public safety. Hopefully there are none.

Hon. Minister of Justice, we accept your apology. I don't know where else you might want to go with this, but we'll leave it on the record that you have withdrawn it albeit with some reluctance. It may lead to further complications down the line. I hope not. But if that's what you want to stand by, then I'll have to have a look at it a little further, a little more deeply. Again, I'm just going to ask you if wanted to make one final comment on this matter.

3:10

**Mr. Denis:** I think I've made my comment, Mr. Speaker, that I will reluctantly withdraw it. It was not my intention, and I'm not going to belabour the point. Leave that as the end of the story.

**The Speaker:** All right. Thank you. I'm happy with that.

I hope, hon. member, that you're okay with that as well. If you wish to make a concluding comment, I'll recognize you for it, and then we'll move on.

**Ms Blakeman:** Well, you asked me if I was satisfied it. Mr. Speaker, I'm not. A reluctant withdrawal – I will respectfully disagree with you – is not a withdrawal of a comment. Further, to have him utter, which I'm sure will turn up in *Hansard*, essentially a threat to me that in the future he will be pursuing many more points of order on me on this account is exactly that. He meant to threaten me, and he did. It's on *Hansard*. So I don't think this was, as far as I'm concerned – and that was your question – a satisfactory conclusion to this. He did impute something against me. I think you've recognized it. You asked him to withdraw. He gave a weak withdrawal and then threatened me. So, no, I'm not happy with it.

**The Speaker:** All right. Nonetheless, the point stands, clarified, explained, and a withdrawal was made in the second offering, which was, in my view, better than the first one. With that, we conclude this matter.

**Orders of the Day**  
**Government Bills and Orders**  
**Committee of the Whole**

[Mr. Rogers in the chair]

**Bill 2**  
**Responsible Energy Development Act**

**The Chair:** Hon. members, I'll call the Committee of the Whole to order. Are there speakers that wish to speak? I'll recognize the Member for Edmonton-Calder, followed by Strathmore-Brooks.

**Mr. Eggen:** Thank you, Mr. Chair. I'm happy to rise and speak on Bill 2. I guess my comments here this afternoon begin with what is not there in this new Bill 2 but rather what was omitted from the previous legislation that governed these things. I have an amendment here that is really going back to the essence of, I think, what was important in the previous legislation.

**The Chair:** Hon. member, if you would just have the amendment distributed, a copy to the table, and then I'll ask you to speak to it.

**Mr. Eggen:** Yeah. No worries. Here it is, the appropriate amount of copies, and the original is on top.

**The Chair:** Hon. members, for the record this will be amendment A7.

The hon. Member for Edmonton-Calder, please. I believe it's almost there.

**Mr. Eggen:** Yeah. It looks like we're almost there. Well, you know, I can perhaps just make a few introductory comments, and then we can get it.

This amendment I'm bringing forward on behalf of our leader from Edmonton-Highlands-Norwood. The amendment reads that the Responsible Energy Development Act be amended in section 2 by adding the following after subsection (2):

- (3) Where by any enactment the Regulator is charged with approving the development of energy resource activities in Alberta, it shall, in addition to any other responsibilities, give consideration to whether any proposed energy resource activity is in the public interest, having regard to the social and economic effects of the project and the effects of the project on the environment.

The main deal here, Mr. Chair, is that the current bill makes no mention of the public interest in regard to the responsibility and role of the proposed regulator. This amendment will ensure that Alberta's regulator and associated staff will continue a commitment to responsible energy development in the name of the aforementioned public interest. The public interest is central, I think we all can agree, to responsible energy development, and it should be enshrined in the mandate of the regulator to ensure that its conduct reflects the best interests of Albertans.

As it stands, the bill currently emphasizes resource development over the public interest, and the Energy Resources Conservation Act provides a section that enshrines the public interest as a commitment of the soon-to-be-dissolved Energy Resources Conservation Board. Since the ERCB will soon be dissolved and a new regulator will take over much of the ERCB's roles and responsibilities, it is also crucial that the regulator be similarly committed to the public interest. The ERCB was the backbone of our energy regulation in this province for many decades, and it's simply not good policy to throw out the accumulated wisdom and authority of this former board in this new regulation.

A discussion document was put out by Alberta Energy, released in 2011, Enhancing Assurance, that said that a single new regulator must act "in the public interest." So even the government's own recommendation studies and recognizes the importance of the public interest in energy resource regulation. No worries. Obviously, this language is a bit of a signpost that tells us where we need to be going with our energy development in all respects, not just with fossil fuels but all forms of energy, and which direction we should be going in.

It's a different world here in Alberta, Mr. Chair, from 40 or 50 years ago, when we were drilling light sweet crude oil and natural gas with much fewer people, much less development, a much smaller population, and so forth. Here in 2012 we have the fastest growing population in the country, have many more different industries developing, and it's very important that we have a respect for the public interest enshrined in this new legislation to ensure that we're not trampling over the toes of the people who live here in the province.

3:20

We've all seen experiences of where public interest is compromised. Quite frankly, it's in the best interests of energy companies and corporations to have tough regulations and laws in place so that we don't end up with conflicts and clashes that result in really losing money and time and resources because the legislation wasn't put in place with a sufficient degree of thoroughness. I know that we've seen examples of this. I'm just thinking of my own personal examples, not starting with an oil story but, rather, with electricity, where we had a plan to run an electricity power line down the west side of highway 2, starting from Lake Wabamun and going down along the west side of highway 2 through Rimbey and so forth. Because there was a lack of attention to the public interest, so many resources and much time and energy were devoted to a power line. By slipping up on this one small issue, we ended up with a lot of social unrest, a great deal of money being expended and wasted, and eventually the whole project being shut down.

When we can build legislation here to look at all the contingencies that might be put in place that we can foresee and some that we cannot even foresee, it's not a question of constraining our energy industry, but it's a question of clarifying what their actions and responsibilities are. When you do that, I believe in the long run you build a much stronger industry that is not constantly second-guessing or having to look over their shoulders to see if other legislation might be coming down to change the way things are. Energy companies do not leave a jurisdiction because the laws are too stringent. They leave because the laws are too variable and uncertain and decisions coming out of the governance, whatever it is, provincial or national or whatever, are not stable.

Here we have an opportunity now with Bill 2, the Responsible Energy Development Act, to put in place that level of stability. That level of stability does not mean that anything goes, that it's a Wild West, drill where you want, build where you want, and away you go. Rather, I think what the oil companies should want and ultimately do want is a strong sense of good, solid, tough, responsible laws that are functioning in the public interest.

That's why we have decided to insert this amendment into section 2(2). It's not a big change. Really, I'm just reaching into the past here to reinsert something that was already there.

Thank you.

**The Chair:** Are there other speakers? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you very much, Mr. Chair. I get to speak to the public interest test again. I can be accused of a lot of things, but not being passionate about this issue is one thing I haven't been accused of.

Here we are again trying to reinsert the exact language that has been left out, the exact language that is in the law as it is today. I never got an answer – and it would be appropriate if we got an answer – as to why this language is being removed. That's really what we need here. That's what the public deserves because this is a public resource that we develop in the public interest. We use private enterprise to develop it, and we use a competitive marketplace to exercise, basically, that competitive right that we give industry. But in the end this is a public interest resource. This belongs to all Albertans.

When we look at the previous legislation, which is the current legislation, the Energy Resources Conservation Act, this is the language. It mirrors the language in the Hydro and Electric Energy Act. It mirrors the language in the Alberta Utilities Commission Act. It's all there. If the language is wrong, why is it in the other acts? It is staying in the other acts. Why has it been in law for the last 30 years? Can someone actually say: "This is where it did not work well. This is the reason the previous legislation did not work well"?

I can't find an example, but I can find numerous examples of why it worked well and how it served the public well, both private industry and the public because both participate in the public interest. That's why that broad term "public interest" is not just necessary but fundamental to the streamlining process. When we remove it, we create an imbalance. That imbalance, in my opinion, is going to counteract any streamlining intent.

As some members here know, there are other public interest tests, the Alberta Human Rights Act and also dealing with Charter issues. They are very significant public interest tests that are broader in terms. Albertans deserve to know that answer. Why is this government removing the language? Why is this government not carrying this language forward? What is wrong with "the public interest" that it now has to be removed from legislation? Why is it in other legislation? Why was it in past legislation, and it cannot be brought forward?

Here we deal with an amendment that is just basic to protecting the overall public interest. We've not yet gotten to the private interest, which we will, hopefully. Someone will bring an amendment forward to give us that balance. The real test of this legislation will inevitably be the regulation. We haven't made that regulation. Nobody knows what that regulation is going to be. If we don't put the public interest test back in the legislation, then there's no mandate to make regulations to do that. That's why it needs to be in legislation, in these words. Then it forces the regulator to obey the legislation, make the regulations to abide by this process, and to make sure that this interest is protected. It's significant because when you look at this bill, this bill gives a tremendous amount of power to the regulator. In whose interest is this regulator working? It's a good question because the law should tell the regulator exactly whose interests they are working in and for, and the public interest test is not in the bill.

I would hope that one of the members or at least the sponsoring member might rise to the occasion and explain some of the deficiencies and why this public interest test is no longer required and what the justification is for removing it from the legislation. How is it going to streamline the process by eliminating the public interest test? What are the obstacles? Can someone give specific examples where the public interest test has stopped a process from going forward?

That's really important because that's one of the criteria that we're dealing with here when we bring this bill forward and say: we want to streamline a bill. I can tell you that the members over here would like to streamline a bill, get rid of unnecessary regulation. But we're not talking about regulation; we're talking about legislation. Where is this unnecessary legislation? Again, the devil is in the details. The details are yet to be known. By making this into legislation, those details now have rules to be guided by so that they will create those details, those regulations with the public interest in mind, and the regulator can be held accountable to the public interest test.

3:30

This is a very important aspect, and I'm happy to have the opportunity to actually address it more than once. It is fundamental to this process going forward. I'd be hopeful that somebody would speak up and explain a lot of those questions that I just asked, why this is happening.

Thank you very much.

**The Chair:** Are there others that would like to speak to amendment A7? The hon. Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Chair. I would also like to speak in support of the amendment. Whatever we do in this House we do for the good of Albertans, for the good of the public. I don't know how not leaving the public interest in the bill would help the public interest. I think with any developments going ahead, we should, you know, look at the tax and revenue, and all that is spent on Albertans, all that is spent on the public, and I think that is in the public interest. I don't know how this would slow down the process, to leave it in there. We should be cutting red tape but not taking the public interest out of the bill. We should leave it in there.

I would also like to hear why we are taking it out. How would it speed up the process, and how would it cut down the red tape? I think it will bring more chaos if we don't leave it in here. It goes to show: what are we trying to hide here? I think, you know, it should be plain and clear. The public interest should be in here, and I support this amendment because this will put the public interest back in the bill. I think that that would be the right way to go instead of fixing it later on. Why don't we do it right to begin with?

I'm going to fully support this amendment because everything we do here is for the public interest. Thank you very much, Mr. Chair.

**The Chair:** Thank you, hon. member.

Are there others that would like to speak to the amendment? The hon. Minister of Energy.

**Mr. Hughes:** Thank you, Mr. Chair. I'm sure many other colleagues have a sense of Groundhog Day, that we've perhaps spent quite a bit of time on this. Here we are, a different time, but it's still Groundhog Day today after talking about the public interest at great length last evening.

You know, Mr. Chair, we agree, obviously, that the public interest should be taken into account when developing legislation such as this. What we've done, really, in Bill 2 is ensure that in its taking responsibility to create the regulator for 10 acts, 10 pieces of legislation, there are amongst those at least five energy-related acts. There are six from the energy field, four from the environmental field. The new regulator will be responsible for regulating under those acts. Those existing pieces of legislation actually do include reference to the public interest, and those will continue to

be referred to in the interpretation by the regulator. All of those past references continue into the interpretation as it will be done by the new regulator.

So I would argue, Mr. Chair, that this amendment is, in fact, redundant.

**The Chair:** Thank you, hon. minister.

The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. As we discussed last night, I understand the other acts do apply but not to the extent that I think the member is stating. Now, let me explain. Section 25 of this bill states specifically:

Except to the extent that the regulations provide otherwise . . .

So, again, we don't know what the regulations are.

. . . an application, decision or other matter under a specified enactment in respect of an energy resource activity must be considered, heard, reviewed or appealed, as the case may be, in accordance with this Act and the regulations and rules . . .

And the key word here is "instead."

. . . instead of in accordance with the specified enactment.

Clearly, what's happening here is that this bill is paramount to these other enactments by that wording alone.

Here we're dealing with a situation where the hon. member is saying that the public interest test and the public interest mandate are covered by these other enactments. What we know to be true is this. Hearings are conducted under this act and not under those other enactments. They're always conducted under this act. That's important to note when we look at the wording. That's why the wording belongs in this act. The wording was and still is in the existing act when the ERCB holds a hearing. As I understand the member, what he is saying is: we want to protect the public interest, and we're going to protect the public interest. That's great. Then let's put it back into the legislation so we know the public has that right. It's there.

What we're asking is simply this: do what you say you're going to do. Write it into law. Actually, how about this? Let's not remove it from law. [interjection] I always stand up to speak for the public interest and property rights, hon. member, and I will continue to do so and will go on and on and on. I will tell you that the public and property rights will have no greater advocate than the person standing right here. I will fight for them and continue to fight for them, and I will not go away.

Here we are dealing with the public interest test. It is absent from this legislation, yet no one has given a justifiable answer, a valid answer to the number of questions I have posed. Why is it being removed? Why is it already in law in the Hydro and Electric Energy Act, the Alberta Utilities Commission Act? It was in the Alberta Energy and Utilities Board Act before that was repealed. It's been around for 30 years or longer. I only went back about that far. I'm sure it was there, you know, going back even further. It is in other jurisdictions as far as dealing with resources.

Here's a real mandate. In all these decisions dealing with the development of energy, the great public interest here is those royalties we get from this extraction. We talk about the debate over budget. That's where our funding comes from. That is what makes us unique as a province. That's where our local municipalities get, really, the bulk of their tax dollars. When you go out to these counties and you look at how they receive their local funding, it is right here in this bill. It is the oil and gas plants. It is the pipelines. It is the development.

It isn't like we have people opposed to this. We're not trying to hold this back. There is industry, there are property owners, there are municipalities who all want this, but when you put all three on

the table, they are the public interest as a whole. Their interest as a whole has to be balanced with the interest of the company which is developing in that, with the interest of the landowner who is affected by that, with the interest of the municipality. If we do not balance that, we basically fail in protecting their interest.

Again to the hon. minister, I fully understand what you're pointing out, but if it was put back into legislation, we would have no more discussion left. What we're asking to happen here is for you to do exactly what you say that you want done, which is to protect the public interest. I'm curious as to why there would be a fear to have that language in this legislation, as it has been in the past, as it is now in other legislation that doesn't apply necessarily to energy development.

It's really interesting. We were looking today in other jurisdictions. You'll find the public interest test in the Municipal Government Act. You'll find the public interest test in a number of other ministries to the point that we pointed out. We have legislation coming forward dealing with the public interest. So this is actually quite important.

We're dealing with the language of the legislation, and we don't have a satisfactory answer as to why we're removing accepted language that has been part of the process for more than a few generations. Again, I really would like a more specific answer as to why this language has to be removed and cannot be reinstalled into legislation.

Thank you very much, Mr. Chair.

3:40

**The Chair:** Thank you, hon. member.

I'll recognize the Member for Banff-Cochrane, and then Little Bow.

**Mr. Casey:** Thank you, Mr. Chairman. I guess a couple of points. Number one, I have to say that I feel slightly offended by the fact that there seems to be an implication that only this member or this party happens to care about property rights.

**Mr. Anglin:** Let's give him, everybody.

**Mr. Casey:** Excuse me, Mr. Chairman. I thought I had the floor.

**The Chair:** Yes, you do, hon. member. I'm sure the Member for Rimbey-Rocky Mountain House-Sundre will make sure that you have your time on the floor, sir.

**Mr. Casey:** As I did with him. Thank you. [interjections] Sorry. I lost my thought for a moment.

**The Chair:** Proceed, hon. member.

**Mr. Casey:** Thank you.

**An Hon. Member:** Your own members are distracting you. Those are your members distracting you.

**Mr. Casey:** No. It was your members here. Anyway, thank you very much.

If I might, Mr. Chairman, I can't speak as to why it's not in here, but I can talk to this. I can't say enough how important it is if you are a landowner to think about this. I have been on the landowner side of this albeit from a municipal point of view. This is in legislation not to protect landowners but to simply override landowners. It is in legislation to give the government, to give these boards a veto over any decision on land rights of the individual because you can do it because it is in the greater public interest.

Any individual landowner in this province would be ill served by having the public interest inserted back into this because the only thing that that protects is the mandate of the government. The only thing that is protected in that is the mandate of the province of Alberta, not the individual landowner. I'm concerned with the individual landowner, Mr. Chairman, as well as I am concerned with the overall good of the province of Alberta. One does not necessarily have to be counter to the other. In fact, if you want to have personal property rights entrenched, do not put public interest back into this bill. It gives an automatic veto for any private landowner to object to any project that is deemed to be in the greater public interest.

If we are arguing that the greater public interest should be put back into this to ensure the government mandate can be met, then put that forward. Say it in those terms. But don't tell me you're putting public interest back into this bill to save landowners and property rights of individual landowners because, Mr. Chairman, that is nothing but bunk.

Thank you.

**The Chair:** The Member for Little Bow.

**Mr. Donovan:** Thank you, Mr. Chairman. I want to thank the Member for Banff-Cochrane for bringing this up because we were outside having a coffee about it, and we just discussed it. The nice part of being in my party is that I'm allowed to talk to everybody else and listen to their ideas and thoughts, and I might not get lynched. Anyway, we'll find out. I'll get dealt with afterwards.

It was interesting. The member brought up how it gives the government the right to go through, and you actually take away from your property rights, as he's just stated. I sat and thought about that for a bit. You get thinking of all the different bills that we have it in. The member has a valid point, that that gives the government the right to ram something through.

As we all know, I'm not real big fan of rules and regulations and everything that goes on. I understand that we need to have it to govern, to go to a point, but I'm not a big fan of red tape and being told what you can do on stuff. It brings a very valid point about all the other legislation that we have that has that in there. Is that truly in our, quote, public interest to have that in the other legislation that we have? We've named it off. My colleagues went through the Municipal Government Act. There's everything else in it.

The question comes back to: is this really what we want in this? And it's the play on the words "public interest." It goes back to – I mean, you've got to look at the whole thing for what is good for your province. Whether you're the landowner or you're the guy that is producing power or you're guy that's producing the oil and the gas that's going through the pipeline, you've got to look at what's good for the whole province. It's that balancing act. When you put public interest into it, is it the public interest – as the colleague from Banff-Cochrane had kind of said, it gives the government the right to take away when you have that in there. When you look at both sides of the coin, it's always an interesting time, I guess. You sit and you wonder: is that why it was taken out? If that's the point, then my question is that I guess we need to really have a pretty diehard thought about what public interest is for this province.

I don't want the hon. Member for Edmonton-Whitemud to come out of his seat when I get on about Bill 4, the public interest act, but it gets you really thinking. In one act we talk about how the public interest is actually giving the government too much control, and when you take that out, if you listen to my colleagues from across the floor, that takes away the landowners' rights,

which would dial into what Calgary-Bow was talking about yesterday, the public interest in it. Until you sit and you look at it that way, their thoughts are, if you use their rationale, that if you have public interest in there, the government gives them the veto right to go in and do what they want to do with something. If that's the case, then how many other pieces of legislation do we have and how many things have we gone through, other bills or other acts in this session alone, that have public interest written into them?

The question, to me, is: is the government picking and choosing whether public interest is put in a bill or not put in a bill depending on what the situation is? I think it's kind of a good litmus test of whether we're picking it just because it's energy – I mean, hey, that's what makes this province. I'm not here to kid anybody. I've got the odd pumpjack on my land. I've got mineral rights. I'm all for helping me out a little bit. Don't worry about Ian. But the question is that we take public interest out of this one. And we've fought very vigorously. Honestly, until I had coffee with the Member for Banff-Cochrane here, I really wondered what side of the moon you people are on when you're so defensive of having public interest in this. The other side of the coin is: why do we have it written in so many other bills and amendments that we've brought in this fall session? I throw it back.

I like the debate; I truly do. I know it feels like Groundhog Day as we were just here hours ago debating this whole thing from our side as a motion. But the question, I guess, lies back into: if the member is right and the rationale is that public interest actually takes away property rights, which the Member for Calgary-Bow talked about yesterday – in all honesty, I sat and I couldn't figure that one out. Then when I had the opportunity, as I said, to talk with the Member for Banff-Cochrane about it, it was: well, if you have that in there, it gives the government the right to take away because it's in the public interest; a.k.a. I don't want a massive power line through my land, but in the public interest for the whole province it has to go through there so that the members for Strathmore-Brooks or Rimbey-Rocky Mountain House-Sundre could have power. In that rationale, that's public interest for the province.

Yet there are other bills that have been brought forward this fall that have public interest in them. As the Member for Rimbey-Rocky Mountain House-Sundre said: for 30 years public interest has been in the MGA. Has it been abused? That's the question that I guess arises. I know the Member for Banff-Cochrane talked about how he's been a long time dealing with that and fighting with it on the municipal side. Again, I was on the municipal side for 16 years. The question was that when it's in there, it actually gives the government too much power, too much control because it gives them the veto right to go through because they say it's in the public interest.

It's kind of the age-old question: what are we here for? Are we here for the public interest? Of course, we are. I think there are 87 of us in here most days, when everybody is here, that are here for the public interest and the best for Alberta. But if the government has been given this and it's been put in legislation for as long as I've been alive, the idea was that it's for the public interest and for the best. But the concept, now that we're reiterating and digging into it, is that it actually gives the government too much power, that it gives them the right to go into everything.

3:50

So if it's been identified in this bill that it's in the public interest and we're taking it out to give landowners property rights and to give everybody their property rights back, how many other bills are out there? How many other bills have been brought forth even

in this fall session – in all honesty, I'm throwing out a question, and I've got absolutely no idea what the answer to it is. How many of them have the public interest written in them, other than Bill 4 because that's the title of it? I get confused on that.

If we've identified that in Bill 2 we're taking out the public interest to make sure that all people actually have more rights, then why are we making a bill, Bill 4 – you know, it's the whistle-blower; it gives everybody the right for public interest and the best thing to do. I guess I'm confused on it because, you know, if the comments are correct – and I have no reason to doubt the Member for Banff-Cochrane on it – we've taken it out of Bill 2 because we want to give everybody more rights. So how many more bills and motions have we brought in this fall that have public interest in them? If we have, why is it we have to have it out of Bill 2, yet it's okay for the other bills?

I'm just throwing it out there. It just really got me thinking, sitting outside. As we sat and talked about it, I was wondering: why are they so passionate about not putting public interest in there, and if this is the rationale and if this is right, then how many other bills have we brought forth this fall that say public interest? Just too many hot chocolates and coffee for the afternoon.

**The Chair:** Thank you, hon. member.

I'll recognize the Member for Rimbey-Rocky Mountain House-Sundre on amendment A7.

**Mr. Anglin:** On amendment A7. You know where I'm going with this. To the hon. member's comment about bunk, it's really important that we bring this back a little bit. There's a piece of legislation out there – and I really do respect the fact that we want to talk about private property rights, but we're talking about the public interest. The private property rights had been removed when 26(2) was not brought forward and was rejected.

So we're dealing with a bill here that has a balance. You have the developer's right to the resource, to extract the resource and develop the resource. You have the right of the private property owner, which is now missing from the bill. We have not brought it forward to reinsert it. You can't find me that in this legislation; it's not there.

Now what we're dealing with is the broader scope, which is the public interest, because the public interest test is the private property owner's last resort for protecting their private property. In our province, in our economy, in our society it is in the public interest to protect private property rights. That is something that is well established in most legislation, and it is well established in jurisprudence. It is not something that is fabricated or made up. It is always about a balance. It has always been about a balance. What we're looking for is the language in the bill to make sure that we maintain the proper balance.

Nobody here at this chair or on this side is saying that we're going to railroad private property because we're going to put the public interest test back in. That's not the intent, and I would say that it was never the intent of putting the public interest test of any legislation. What's happening here is that we've removed private property rights. Now we are removing the public interest test. What is left? This is important because the resource itself is the public interest.

That's why we have the Surface Rights Act. That act was developed so that property owners had to allow the resource to be developed because that resource was now bid and sold to be extracted. We had this balance we had to deal with. I'm not a big fan of the Surface Rights Act. Don't get me wrong. I've had to deal with it. I think it's unfair to many property owners, but it is

something that has been well tested in time. It's well accepted in Alberta, and that's what we work with. That's the public interest.

Now, dealing with existing legislation, I would ask the members who claim to protect private property rights to go to something called the Land Assembly Project Area Act, look at sections 4(1)(a), (b), (c), and (d), and then tell me that this government has abided by protecting private property rights. That did not happen in that legislation.

We're looking now to try to restore balance to this legislation, put back in a person's right to have a reasonable opportunity to be informed of the facts, to have a reasonable opportunity to at least be notified to be able to challenge the facts of a project, and that's been denied. Now, all of a sudden if they were to come back under this amendment under the public interest test, they do not have that right either. Every private property owner is part of the public. Nobody here is advocating railroading landowners. That's just what we're trying to stop. This bill without these amendments is heavily weighted to the development at the expense of the private property owner, at the expense of the public interest, because when they do not appear in the bill, then there's no legal recourse for these people to come back.

By putting it in the legislation, as the amendment has it laid out, what it requires to happen is that the regulation has to abide by the legislation. So the regulator has to make those regulations to make sure, and what should be in this bill is the public interest test because the public does have a right as a public because it is the public's resource. This is where we actually get our revenue to run this province. Private property rights should also be reinstated in this bill, which will be another matter. We've already dealt with it once on the notification, the right to a reasonable opportunity to be informed of the facts and the right to challenge the facts. But to say that just inserting the public interest is somehow railroading landowners, then what we're saying is that every bill you've passed so far in the last 100 years has railroaded landowners. You can't have it both ways. You cannot have it both ways. It's one or the other.

Looking at the issue of public interest, this is about taking this one step at a time, dealing with one issue at a time. The public has a right to have the public interest test here. We'll deal with the private property and private landowner when we get to that yet one more time.

Thank you very much.

**The Chair:** Thank you, hon. member.

I recognize the Member for Calgary-Bow.

**Ms DeLong:** Thank you very much, Mr. Chair. I find this very interesting in that, you know, bills are not just little phrases here and there that you just pull out when you need a special few words to get someone excited about something. You know, bills are actually structured. They have meaning within themselves and within the context of them. They're made out of full sentences rather than phrases, they have intentions, you know, usually at the beginning of the bills, and they are complete documents. They are not just odd phrases that are thrown in as in "private property rights" or "public interest" or whatever catchphrases you want. They are actual full sentences. They are an actual part of a bigger whole.

Now, as a government we have absolutely nothing against the phrase "public interest." We have nothing against the phrase "private property rights." In fact, both of those are things that, you know, we hold very close to our hearts. These are things that really matter to this party. Okay? Bills are actual complete documents, and just because you like a phrase, it doesn't mean that you

can throw it anywhere in there and not affect the actual meaning of the bill.

You know, if you guys want to search through and find a place where public interest should be put without taking away from private property rights, I'm all for it. Get in there, get searching, find that special place where you can put it in – okay? – but don't put it in a place where it's destroying private property rights. You've got to be smarter about this.

Thank you very much.

4:00

**The Chair:** Thank you, hon. member.

I'll recognize the Member for Drumheller-Stettler.

**Mr. Strankman:** Thanks, Mr. Chair. It's a pleasure for me to speak on this bill because I, too, am a landowner, and I have what I believe to be property rights. I have a lot of energy development on my property, and I recognize that those energy producers have access to their property. This bill, even though it's quite thick – I've got lots of little tabs here of points of interest, if you will – is very significant to me personally, to my constituents, and, I believe, to this province. I'd like to talk also about the public interest because I believe, somewhat differently, possibly, than the hon. Member for Banff-Cochrane, that private property rights are the trumping thing, and that is necessary for the public interest. Property rights and individual property rights are the basis of a complete and free democratic society.

In the British model that we have – we call it Canada – in the formation of the province we decided to segregate the property rights from the mineral rights. That has created onerous responsibilities and, therefore, complicated ongoing legislation, which we need here to try and effect the property rights of the mineral rights holders, which are below the surface. We've been developing and debating this, and we are going to probably be debating this long after this bill came forward.

I was astounded to see the presentation of this bill when it first came forward, that the government itself came forward with lots of legalese-type amendments. I was astounded that they should have had this brought forward prior to ever even tabling the legislation. I take great heed of the word "responsible" here because that is our position. Our job here in this Chamber is to be responsible when we pass legislation. To the hon. member opposite who just talked about legislation: I view that legislation should not simply be words picked from the atmosphere at a whim. This will be written in history. This will be debated and talked about long after we're in this Chamber.

I think that we have a very serious responsibility to do things correctly. I think this amendment needs to be translated correctly in the minds of all the members of this Chamber. The public interest is ultimately what we are trying to achieve.

**The Chair:** Thank you, hon. member.

**Mr. Anglin:** Maybe there needs to be clarity on what the motion is that we're dealing with. It says:

Where by any enactment the Regulator is charged with approving the development of energy resource activities in Alberta, it shall, in addition to any other responsibilities, give consideration to whether any proposed energy resource activity is in the public interest, having regard to the social and economic effects.

Those social and economic effects have a lot to do with our resources as far as the revenue. I would argue that, and I would also say to the hon. member: words do play a very important role

in every little part of legislation. What we're trying to do here is not quite absolute, but it's a little bit more prescriptive.

I will remind the members that we're not removing public interest according to the hon. House leader. As he stated last night, the underlying premise here is the public interest. All we're trying to do is say: "Make it more prescriptive. Put it back in legislation." Nobody here is saying that we're going to take over property rights. As a matter of fact, I would rather take that debate up right now, but right now we're dealing with the public interest. The public at large, Albertans at large, have certain vested rights, and I don't think that's disputed. What we're making sure of here is that those rights are carried forward in this legislation. As the hon. minister who is authoring this bill has already said, the public interest test is in these subset bills, the coal act and a few other acts beyond that, that this bill is the umbrella for.

No one is actually saying – at least, I'm not hearing it – that we're getting rid of the public interest per se. It's just not written in this bill. It's not prescriptive in this bill, and that's problematic when you go forward in the development because somebody can make an argument that coming forward, opposite to what the minister has just said, the public interest test will be protected.

What we're saying is that that should not be left up to a court to decide. That should not hold up a project. You should list it right in the legislation so that it's clear to the regulator to make regulations so the public interest test is protected. Now, we'll deal with property rights on another issue altogether, and we will get there, but I will tell the hon. member that when a bill says in specific and prescriptive terms that no person is entitled to compensation by reason of this act or any other enactment or regulation made thereunder, I think it's real clear to a landowner that they just lost some rights. We had to fight that and get this government to change that in other legislation.

Here we're dealing with the situation where there are no landowner rights to be found, which is only one element of the three parts of this development. The public interest test is not in the legislation now although the hon. ministers say that it's the underlying premise. This creates an imbalance for the developer. If that's your intention, then state it to be so because I've not heard that. I've heard nothing but: we want balance.

It is absolutely clear that singular words aren't just pulled out of the air. They are very much prescriptive. When you put in the words "may be" versus "they shall," that's prescriptive in the sense that you know how this thing is going to be interpreted. So this is not something that is a hodgepodge. This is something that is well established in legislation, and we're only intending to put it back in legislation. It's not just being put in another spot. It's put in the spot where it was originally under the legislation. It wasn't something that was thought of randomly. It was well discussed not just in our own caucus; it was discussed between various parties. And I will tell you that I suspect some of you would agree if you did not have to deal with the fact that you're going to oppose it.

It's common sense. It's not stupid. It's smart. That's what it is. It's about protecting the public interest, and we need to address the balance of property rights. It's always been the Alberta way, and no one is asking for a change here. What we're asking for in this bill is a streamlined process. Nobody is asking to remove the public interest or to remove private property rights. What we want is a bill that functions well for what we want to do as a society. We want to streamline the unnecessary regulation.

This bill doesn't touch upon the regulation yet. It's always the regulation that causes the hang-up. The bill gives us the umbrella to tell the regulator how to create those regulations, and that's what we want. We want to make sure the regulator takes in the public interest as well as private property rights. We have our



work cut out for us. We have to get that language back in, and we have to be able to get this bill so it does exactly what it's intended to do, to streamline the process so we can get the development of those developments we're supposed to get but that we treat every party to the process fairly and justly and that they feel as if they have a venue. If they have concerns, if they are directly and adversely affected, they have a process where they can be heard.

You need that public interest test to make that work, and I tell you now that if you do not put that back in, you will create more problems, not fewer. You will not streamline. You will end up going to court and letting the courts decide by jurisprudence what that's going to mean without these words, and there are going to be some significant issues that we'll have to deal with.

Thank you very much, Mr. Chair.

**The Chair:** Are there other speakers to amendment A7? The hon. Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Chair. The minister claimed that the public interest is protected under other bills, and this bill may override the public interest which is covered under other bills, so my concern is the motive here. If it's protected in other bills, why can't we leave it in Bill 2? I think the public interest should be paramount. Whatever we do here – we brought in Bill 1, Bill 4, Bill 3. All those bills we brought in here were done in the good of the public interest. If it's okay to leave the public interest in other bills, I think we can put that back in here, too.

Those are my comments on this, Mr. Chair, and that's the reason I'm supporting this amendment. Thank you.

4:10

**The Chair:** Hon. Member for Edmonton-Calder, did you wish to speak next?

**Mr. Eggen:** No. I think I'm okay. Thanks.

**Dr. Starke:** Mr. Chair, I'm not wanting to unnecessarily prolong debate. However, I feel that there have been some questions levelled by members opposite about sort of the background and the interest and where we're coming from on some of these things. I'm going to try a slightly different interpretation, but you'll find that there are similarities to the comments made by my colleague from Banff-Cochrane.

With regard specifically to public interest let me just back up a little bit on where this comes from. First of all, I'm not a landowner – okay? – but throughout the course of this debate I've often heard the phrases "I've owned land for X number of years" or "I own this much land" or "I own that much land." I'm not sure if that preface is always attached to the comments in order to indicate that therefore you have more authority when speaking on the issue. I don't own land, but that doesn't make me less interested in property rights. I don't own land, but that doesn't make me less interested in those who have land and who are concerned about it.

When I ran in the election this spring, I met with many of the people that I had done work for for close to three decades. These were people that in many cases put their livelihood, their financial well-being into my hands, sometimes in a small matter but sometimes in a much larger matter. The trust of those people was something that I'd built up over a long period of time. That trust was challenged in some situations where they felt that some of the issues surrounding some of the acts dealing with property rights were not in their favour. What I will tell you is that in many cases what we were dealing with was the interpretation of certain words. We've heard that said a lot here this afternoon, that words are

important, and how individual words are interpreted is very important.

I will tell you that a lot of the objections that a lot of these constituents of mine had to some of the legislation that has been passed in the past years comes from interpretation of certain words and phrases within that legislation and specifically because these are legal documents and how different lawyers will interpret those specific words. I mean, that is one of those questions that can be very difficult. I have had constituents tell me that, in fact, they see public interest and the notion that something could be acting in the public interest as being very contrary to their personal property rights.

I'll give you an example. I would use a hypothetical example. I'd say, "What if in the public interest it was decided that we needed to build a school or a hospital or a water reservoir on your land?" They said: "Well, wait a minute. I've got property rights. I don't want that there, and I could care less about the public interest. The public interest can't trump my individual property rights." So the insertion of public interest or putting it back, if you call it that, into this act I think, at least for my constituents, would cause a great deal of consternation. They would have concerns with that. From my standpoint, if we're going to have terms like "public interest" – and let's face it, public interest can be interpreted very broadly – I know my constituents are going to look at that and say: "Wait a minute. What happens when the public interest doesn't happen to align with my personal property rights?"

That's the basis of my objection to reinserting this. I mean, you folks have asked, and you folks have intimated that all of us here are just thinking like sheep. Well, I don't, because I know how sheep think, and it's not pretty.

You know, from my standpoint and from the conversations that I have had with my constituents, I'll tell you that these constituents, that are very passionate about a variety of issues, including property rights, are also people that became my friends. They're my clients, and they're still my friends even though now I don't get to see them at 3 in the morning anymore. The reality of it is – and I told them when I was elected – that I would continue to act on what I felt was their behalf and that I would continue to act in my new capacity, as I had for the previous 28 years, in their best interests. So in acting in their best interests, I don't believe that insertion of "public interest" here into this legislation is helpful to them. You asked for a reason why I was against it. There it is.

**The Chair:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you very much, Mr. Chair, and thank you very much for that response. But there are some real open questions now. If we don't have a public interest test and this is not going to be in the public interest, how does this now impact what we want to do?

I don't think we're going down this road, but if I hear you correctly and if I hear other members correctly, what happens now when – I can give you a lot of examples here – a developer comes in to develop the resources? Now, you have the person whose property is directly and adversely affected, and they have their issue. But you know and everyone else here knows you've got to build a pipeline to get to that property. If it's going to be an oil and gas well, you've got to get it out. Okay? For my example, we always build pipelines. Out west of me it's always pipelines. We don't truck. It's a lot of fuel to truck. We've got lots of pipelines. As a matter of fact, I don't think you can buy a quarter section out

by me that doesn't have a pipeline under it. That's just the way it works.

Does a property owner, then, have the right to say no? That's a good question. I actually think they should, but they don't have that right. I actually think that if a property owner had the right to say no, that would make a much more level playing field. Most property owners want the development to go forward. We know that. We know that from our own history. Ninety per cent of all applications are approved, settled without any problem. Of the 10 per cent that are left, 90 per cent get settled without a board hearing. This is a standard statistic that is still true in our province.

We're really dealing with the 1 per cent that need to go to a hearing. They may not go to a hearing. They may go to an ADR, which is an alternate dispute resolution – that's the process we use – and they have a success rate. What we find – and I've always found this in dealing with property owners – is that it's very rarely about money although money generally settles it in the end. It's always about respect and the disrespect that developed when the initial negotiations started.

What happens when a gas plant starts leaking fumes? That is a public interest, depending on where those fumes go. What happens when that infringes upon a property owner who is not even in that near vicinity, but now their individual property rights have been infringed upon? Again, you have the clash between the public interest or the clash between private and private.

One of the reasons that the public interest test is so universal in all our legislation is that it does give these judges the ability to look objectively on a very macro level in addition to a micro level, and that is important. I believe that's why that wording is in a number of pieces of legislation where quasi-judicial boards make decisions. It is not trumping one over the other. It is in addition to. That's what it says here in this amendment. It basically says: giving consideration "in addition to any other responsibilities." It's not about trumping one over the other. It's about balance. That's the way it's always been constructed in legislation, and that's why it's been put in legislation. It is the scales of justice.

4:20

When I look at this, having known this, going to court with this argument in the public interest, it is important. Every property owner knows, particularly in the rural areas, that you at some time might be confronted with having to sell your land for a road; in other words, a road widening. You may have to sell or give up some of your rights, which we compensate them for, for gas pipelines and oil pipelines. You may have to allow a transmission line to cross your property for the public good. That is all part of the public interest test. What we want is for these people to be treated fairly, justly, and compensated and made whole if they have losses. We're not looking to have people abuse the system. We want the system to work, and I will tell you that the public interest is all part of that. The public interest is about protecting landowner rights. It is not about violating them.

Let's back up a sec. Property rights, not necessarily land but your property as a business owner, which are the tangibles and intangibles: that's public interest, too, and that plays an important role. Public interest is not something arbitrary that trumps one thing over another or abuses. Public interest is an umbrella test to make sure that we as a society, we as a regulator, because we're going to create this regulator, take into consideration in addition to others, not trumping over others. That's the balance. Those are the scales of justice that property owners also need. It is important.

If it is so wrong in this legislation, why is it right in all the others? Why has it been right for so many years? Where did it go wrong? I don't know. This is important. If we can't come to an

agreement, maybe we ought to put this back in committee and have some serious discussions and bring people in to give testimony to it to resolve this.

Thank you.

**The Chair:** Are there other speakers to amendment A7?

**Mr. Donovan:** One last comment. It's interesting. This is what I think is probably what we're supposed to be doing here as MLAs, sitting back and listening to different ideas and thoughts. You kind of get the juices flowing on what should be done or not done. The Member for Calgary-Bow had stated that you can't pick and choose where you put in the wording of public interest or, you know, land rights and stuff like that, the situation with public interest. It's very resounding, I guess, from this side of the floor. I'm going to probably have a better mustache in a week than the Member for Vermilion-Lloydminster by the time we get this done if I shave tonight. There's just no way it's going to be allowed to have public interest written into Bill 2. It's resounding. It doesn't matter what we say or where we put it.

I just find it intriguing that, say, on some bills public interest is key, and on some it's not. I'm not trying to play politics on it. I think there are a lot of amendments that have public interest. And it's not that it's just using it as a key word. I think it's worded correctly. I mean, this is an NDP motion, too, I believe. I'm talking to that also, I guess. It's public interest. The Member for Calgary-Bow put in that you can't just pick and choose where you put in the words. Who gets to decide the pick-and-choose part? I think that with amendments people look at it, they go through it, they come up with things where public interest is allowed to be put in, and I'm not seeing why we're not allowed to be part of that choice or that process.

I get that the hon. Minister of Energy has done a ton of work on making this bill and doing that. There were – what? – 14 amendments that came from the government side on it that showed that maybe it wasn't quite the right bill. That was fine; I respect that. I like the concept that there were some things identified, and I liked the fact that the minister came out to Vulcan to talk to landowners. And to the Member for Vermilion-Lloydminster: you know, it's not whether you have farmland. I mean, you have a lot number where your house is at if you own it. Even if you don't own it, you're paying rent, which is part of the process. Somebody owns that land. Everybody is basically a property owner at some point unless they're a lifetime renter, which I'm not sure everybody is or isn't, whatever. I'm not here to judge. It's not the end of the world.

This even goes to the lot plan. Rimbey-Rocky Mountain House-Sundre mentioned block number also in his comments, whether it's, you know, the northwest quarter of something or if it's block number 210 Centre Street, Vulcan. I mean, it's property. It's an actual, defined piece of land, whether it's farmland or not.

I guess that from this side I look at: if we bring up the idea of public interest – this is just my biased opinion of it, obviously – right away it gets shot down. "No. There's no public interest in this. You can't put it in there. It doesn't matter what words we use or don't use. You've got to pick and choose where it goes." I think we've looked and it, and I think it's been looked at. I don't think people are making amendments just to make amendments and add words into it. I think people are looking at it as to what's right for their constituents.

I mean, I respect the fact that the Vermilion-Lloydminster MLA talked to his constituents, as I have to mine. For my constituents public interest is the thing they bring up. They feel that's what it is. I find it interesting when another member brings up that it gives

the government too much power, and that's why you want it back out of there now. It makes you sit and think. One member, Calgary-Bow, says that you can't just pick and choose where public interest is put in and especially from this side of the floor, it would seem, yet on that side of the floor, if there's an amendment made, which is just as important as an amendment from this side, I would think, if it was allowed from that side, then it should be allowed from this side.

It would be neat if the Minister of Energy put it in, but obviously it's not going to happen. It's the fact that it just seems like we get stopped all the time. As soon as it's something, I feel, that we come up with – and I don't think people pick and choose where “public interest,” if those are the key words today, goes in. People work hard, put through amendments, my colleagues from the fourth party and the third party, and we're the Official Opposition. I guess that is how it all rolls out when we're rolling it out. People take their time, and they put through what they think is right and what needs to be changed to something. That's the idea of amendments.

I mean, it was identified by the government right off the bat when they brought out the bill that there were some amendments to be made. My colleague from Drumheller-Stettler brought up, you know, that when it was first brought out, obviously, some stuff was missed because there were amendments brought from the government side to change it. I sit there and go: why can we not listen back and forth on the stuff?

**An Hon. Member:** Why can't we just get along, right?

**Mr. Donovan:** Yeah. Well, it's a little *Kumbaya*, obviously.

You know, the question is: how do you sit there? It's okay for that side to bring amendments, and it's considered gospel and it's fine then. If this side brings amendments – we've been told by the Member for Calgary-Bow that you can't pick and choose where public interest goes in. I respect, say, Member for Vermilion-Lloydminster, that your constituents feel that public interest shouldn't be in it, and I believe that. I believe there are probably some people that have those thoughts and ideas and values – I guess we have ours – but it always comes to the loggerhead back and forth of “Oh, you can't use it in this act, but we're going to make another act that has it,” which is totally different in other ways. I get that.

But it's the challenge, I guess, of being in opposition, and I understood that when we took that role. You sit and you wonder: why do we sit up till 1 in the morning arguing over stuff? It's because we believe in it. I believe in it. I think most of the colleagues believe in what we're saying. We're not here just to argue. We're not here just to talk eight hours on it. It's to sit here and actually look at what makes sense. If the wording in something happens to be the words “public interest” – you know, I think that in this motion alone that's why we're supporting it, because it has a purpose. It has a purpose in this. It wasn't just thrown in there to say that we've put public interest in Bill 2 just to cause the Minister of Energy a slight heart problem or a blood pressure problem on it. You know, these are reasons why they're put in here.

It's interesting, I guess, from my side on why sometimes it just feels like it's a challenge to throw out words, and there's a challenge as to whether it's something good or not. You know, you feel the challenge in here of trying to get something put through, key words. Obviously, there could have been a memo sent around over there that if they say “public interest,” jump on it and abandon ship; get on top of the grenade because it's going to go bad for everybody.

Then another comment made by Calgary-Bow, that you can't just put public interest in here or there. I don't think it is. I think people have actually looked at their amendments, and when they're putting in an amendment – and public interest isn't the only one they put in – it just seems like you get stopped. You get blocked right away. As I say, it can be a challenge, which – don't get me wrong – I'm all for, but you can see how you sit there and wonder sometimes why you put through all these amendments. It seems like not everybody even wants to listen to them. As soon as there's a catchphrase or a word in it, it's just ditched. I don't know. I just find democracy weird some days in how it works.

But that's the end of my rant.

4:30

**The Chair:** Are there other speakers on amendment A7?

Seeing none, I'll call the question.

[Motion on amendment A7 lost]

**The Chair:** We'll go back to the bill. The Member for Strathmore-Brooks on the bill.

**Mr. Hale:** Thank you, Mr. Chair.

**The Chair:** It looks like you have an amendment.

**Mr. Hale:** I do have an amendment to put forward.

**The Chair:** Okay. Would you circulate those, please? This will be amendment A8.

Hon. member, you can start speaking to amendment A8.

**Mr. Hale:** Thank you, Mr. Chair. The section I'm amending is the mandate of the regulator. This would be put in as 2(1)(a). We would like it to read:

2(1) The mandate of the Regulator is

- (a) to provide for the efficient, safe, orderly and environmentally responsible development of energy resources in Alberta in a manner which respects landowners through the Regulator's regulatory activities.

I'm happy to see all of the great discussion about property rights and landowner rights from the other side. This is a great example of a place that we can show respect for landowners. Not just landowners, but we must also respect the leaseholders of our public lands. This is something that we've talked about on many of the other amendments about property rights. Just this afternoon many of the government members stood up and said: you know, we love property rights. Well, this is the place to show it. This is in the mandate of the regulator where we can show that we are respecting landowners. There's nothing in this amendment that's going to hold up the single regulator, nothing that will stop the streamlining effect.

You know, a couple of our members have stated in their talks that landowners want respect. It's not all about the money that they get from the lease agreements and the money that's paid to them. It's about respect. It's about being asked if they can come on their land. Property rights are the essence of every democracy. Property rights doesn't mean just the landowner. You own a car, that's your property. You own a house, that's your property. Your clothes on your back are your property. Property rights doesn't mean just landowners. Property rights means the rights to the property that you own.

I have a couple of letters. Actually, I believe this one was addressed to the hon. Energy minister. I was CCed on it. It talks in here, and I'll quote: this inevitably will do serious and irreparable

damage to the good neighbour relationship between landowners, energy and industry companies. This has a lot to do with respect. You know, if the landowners are shown respect from the start, it will go a long way to streamlining this regulatory process. There will be fewer holdups. There will be fewer appeals if they're shown that respect: the respect of consultations, the respect of notices, the respect of the ability to challenge the regulator on decisions that they're making.

The respect that the hon. Energy minister has talked about with landowners that is going to be put in the regulations cannot just be implied. People want to see it. The oil companies want to see it. Everybody wants to see what their rights are, what their privileges are. Inserting this statement in here, "in a manner which respects landowners," is very broad, but it gives the landowners a sense that: "You know what? Maybe they are going to look at our concerns. Maybe they will respect it if it's put in legislation."

It's something that every one of us – I mean, the hon. member opposite mentioned he doesn't own land, but he owns a house. I believe he mentioned that he owns an acreage. I mean, that's property rights. You deserve respect if someone wants to come through your property. I think we all understand that. We deserve respect for anything we have. You can't just go in and say: yeah, I think I'm going to take your car for a joyride. You know, we have to respect that owner's rights to his property.

We've received many e-mails and letters. One e-mail from a lawyer from the University of Calgary . . .

**Mr. Denis:** Lawyers.

**Mr. Hale:** Yeah, lawyers. There you go.

He talks about the competitive advantage, and in his statement he said: industry is not entitled to a competitive advantage at the expense of landowner rights. This goes a little way into showing the landowners that they will be respected.

Now, a lot of it is going to be left up to the regulations that the regulator makes in how they're going to deal with that respect, but I think this is a good start. It's a good start to showing that: hey, we actually do care about property rights, and we do care about landowners. You know, I think this should be a really hard one for the government to vote down considering the comments that we've heard today about property rights and landowners.

This is common sense. We're not asking for anything outrageous. We're asking just to put in there: show a little respect. I think that will be well received in the energy industry. Many of them already respect landowners. They have consultations with them before they come on. You know, the companies that are doing great work in the communities already respect landowners. It's an unwritten rule, but it goes a long way to write it in this legislation saying: hey, we're going to respect them.

I've mentioned it before. The company I used to work for had a lot of respect. They would go out and have consultations before the projects even thought about starting. That's respect. It's good. The companies do that, and if the companies continue to do that and for some new companies that start up, you know, if there's a little bit of law here to show them that we as Albertans demand some respect, I think that will go a long way into helping our industry and streamlining the process and meeting at the end what we all want, a single regulator that's going to work well for industry, work well for landowners, work well for all Albertans.

I hope you guys take into consideration this statement and vote in favour of it. Thank you.

**The Chair:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you very much, Mr. Chair. I rise in favour of this amendment. I would like to tell the hon. members that the reason we had such a long discussion about the public interest is so we could get here, and here we are. All we want to do is make it a mandate of the regulator to respect landowners, and it's in the right spot. It's under the mandate of the regulator so that when they make decisions, they respect the landowners.

4:40

That interpretation is broad, but it is also very flexible in the sense that the regulator is basically going to make regulations that have respect in this hearing process for a property owner, a landowner because those are the ones that are the individuals, not the broad public but the individuals, that will be coming in front of a board, in front of the regulator with a concern, whatever that concern can be. We can come up with multiple concerns, but that's the whole hearing process. All this does is say to the regulator: you have to respect the landowner – and you could actually extend that – that will be coming before you, in every sense of the word.

As one of the members said I think a couple of weeks ago: even a blind squirrel can find a nut every now and then. I think we might have found a nut. I would hope so, that we can agree on it and say: "You know what? This is good. This is protecting a landowner in the sense that at least we're going to make regulation that respects the landowner." Because that's what's happening here. This is in the right spot. It is the spot that says: this is the mandate of the regulator. When the regulations are made – and they will be forthcoming – those regulations dealing with those particular landowner issues are going to be complex. We know that. I mean, this is a very broad bill. It takes in a very wide area, everything from the environment to energy development.

This is paramount to me, that the regulator respect the landowner. It doesn't say that it gives them rights above anyone else. It doesn't say that one has supreme rights that are paramount to another. It just says that when they are exercising their fiduciary duty, they will respect the landowner. I think this is a very positive step forward in dealing with some particular landowner issues and property rights issues.

I think this is really important because a lot of this development is on private property and a lot of the development that's on SRD land are really issues dealing with many of the aboriginal peoples, traditional lands that are not necessarily reserve. As anyone knows who has aboriginal peoples in their ridings, traditional lands can be quite expansive. We're not saying anything other than that we're going to respect them. It does even apply to aboriginal peoples as much as it applies to the individual landowner who owns a quarter section or a section of land.

The whole process, then, now starts to flow because it gives us a little bit of balance. We are telling the regulator in its mandate that it will make those regulations with this in mind.

Thank you very much.

**The Chair:** Thank you.

Are there other speakers to amendment A8? The Member for Airdrie.

**Mr. Anderson:** Well, thank you very much, Mr. Chair. I would like to stand and support this amendment from the Member for Strathmore-Brooks. I think it is a very reasonable amendment.

I enjoyed the speech from the Member for Banff-Cochrane. I like it when members of the governing party get up and defend their bills. That's a good thing, and they should be commended for that. He says that he's tired, and so he should be, of folks ques-

tioning his government's commitment and devotion to upholding landowner rights.

The reason that people feel that way is because this government has an abysmal record on upholding and protecting landowner rights, which is manifest by the fact that we have 17 MLAs mostly from rural Alberta sitting on this side of the House. Landowners slightly north and then south of Red Deer felt – and, of course, how could we forget Lac La Biche-St. Paul-Two Hills? I'm sorry about that. All those folks felt very strongly that, indeed, this government does not respect landowner rights. You can tell that.

It's very interesting. If you go into the Elections Alberta data that they release, the different poll-by-poll constituency election results you will see, particularly in southern Alberta, the results in some of these rural areas where the power lines are coming down, where some of these changes in the law will have the most effect, it's 75 per cent, 80 per cent in some of these areas. It's just incredible. Places like Madden, by Crossfield, up by Lochend in my constituency just overwhelmingly voted Wildrose in the last election.

The reason they did that was not because of my sparkling personality.

**Ms Blakeman:** Oh, yes, it was.

**Mr. Anderson:** Well, I don't think it was, Member. I don't think it was my sparkling personality. I think the government will agree with that. [interjections] Yes? We have agreement? But I think it had something to do with those . . . [interjections] Okay. There you go.

I think it didn't have something to do with that. Maybe not everything but certainly a huge portion of it had to do with the government's inability to support landowners' rights or protect landowners' rights adequately enough.

Now, that said, do I think that the government is antilandowner? No, not really, but I think that they have made a lot of mistakes and that they have let the ends justify the means, so to speak. In the interest of promoting a province that is well planned and maintained and so forth, they feel that they need to undercut certain rights among landowners. I think that that is a pattern that the previous administration fell into prior to the last election. That is a huge reason why 34 per cent of Albertans, more than one-third of Albertans, including many, many in rural Alberta, voted for the Wildrose. That was a key issue in the last election, and that's why I'm surprised that the government is not seizing this moment to take a very important issue, an arrow in the quiver of our party, I would say, away from us.

Why are they not seizing the mantle of protecting landowner rights? Bill 2 does not adequately protect landowner rights. The government has the ability to show that with this bill they protect landowner rights, and they can balance those with the need to make sure that we have effective, streamlined regulation with regard to oil and gas development and other developments in our province. That's what Bill 2 could do, but it falls remarkably short of that.

Because of that, they're essentially freeing up my friend from Rimbey-Rocky Mountain House-Sundre and many other folks to tour the province for the next four years and talk about this bill and other things that the PCs are doing with regard to going ahead with power lines, in particular, despite admitting that they shouldn't have given that power to cabinet, as we see with Bill 8, which is on the Order Paper. Because of those mistakes, now we will have many more town halls. Frankly, they weren't necessary. This could have been fixed, but now we will. People will be upset again about it, and rightfully so, because this government has

again shown that it is unable to compromise and hear out landowners and the issues that they bring forward.

I think that if the government were serious about some of these amendments – not only that, but we have this process now where we have a chance to look at some of these amendments and actually put them into law, again giving the government a chance to take away the battering ram. Why do they love pain so much? I don't understand the pain. I don't understand why they like it so much. It's like they enjoy these town hall meetings. They enjoy it. The Deputy Premier must enjoy going to Sylvan Lake and being as warmly received as he was the other day. They must enjoy that.

I don't understand why we're not just doing what clearly needs to be done, which is to start with an amendment like this. Just put an olive branch out to landowners. Change section 2(1) to say: the mandate of the regulator is to provide for the efficient, safe, orderly, and environmentally responsible development of energy resources in Alberta in a manner which respects landowners through the regulator's regulatory activities. How is that hard? How is that difficult? Why is it so hard to mention landowners? It's not asking for tons. It's just saying that the decisions the regulator makes will be in a manner which respects landowners.

Now, of course, if we don't pass this amendment, then what the Member for Rimbey-Rocky Mountain House-Sundre and our good friend Keith Wilson can go around saying to everybody is that the government voted against adding "in a manner which respects landowners" into this mandate of the regulator. By voting against it, what they're really saying is that they are voting specifically to say that the regulator should not have the mandate of ordering efficient, safe, orderly, and environmentally responsible development of energy resources in a manner which respects landowners. That's, effectively, what they're saying. "No, we don't think that should be the mandate of the regulator. We think that they should be obviously making sure there is efficient, safe, orderly, and environmentally responsible development, but that development does not need to be in a manner which respects landowners."

4:50

You know, when folks are voting against that, again, you're just giving these folks a club, metaphorically of course, to beat you senseless with for the next four years. I just don't understand it, Member for Little Bow. I do not understand. It's almost masochistic. I don't understand it.

So here we are. But I feel that my words are striking a chord with the government over there. I can see opinions swaying, swinging over to a yea vote on this amendment. Yes. See, there are smiles in the back. I know it's coming. Oh, sorry. That was laughter. My bad.

I think that we can all agree that we need to respect landowners, so let's actually do something which shows that we're serious about that. I'd love to hear from the members of the Wildrose Party, a party which clearly respects landowners and has done so repeatedly with our actions, not just our words.

Thank you, Mr. Chair.

**The Chair:** Thank you, hon. member.

Other comments, questions? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you very much, Mr. Chair. There are a number of examples where the whole issue of respect comes into play, and I want to use one in particular. Some of you may remember an incident that happened last summer with a company that had an oil leak in the Red Deer River. Now, that is a matter of

environmental concern. That's a matter of an after-the-fact decision, cleanup, and all that. That's actually still under investigation. Here is a situation where you have an event that took place, property owners that were adversely affected, and then all of a sudden another application comes before the regulator dealing with these exact same property owners.

So you have one property owner who had a massive oil spill across their quarter section. They're trying to clean that up. They're trying to deal with that issue, and now you have an application coming in for a well site at the same time. Now, the conflict that that property owner is going through is one where we need respect because the circumstances are unique, hopefully will never be repeated, but the reality is that the circumstances, in effect, have to change how this regulator is going to deal with the situation. The current law actually takes care of that in many ways. In this new bill it's very important that the regulator have some sort of guideline on how it needs to deal with this issue.

Now, you can say: trust the regulations. That would be exactly the way this bill is going, but if we have in the bill that these regulations will be constructed to respect the landowner, then this situation can be dealt with. That's why we think this is important. That's why we think that some of the members across, in the government, are really contemplating supporting this amendment because it's smart. Well, I hope you are smart. We don't need to question that. I think you are. I want to believe you are, in good faith. I don't think you should necessarily doubt that. By the way, what better way to shut me up than to pass this thing? [interjections] Now you're awake.

**The Chair:** Hon. members, please. The Member for Rimbey-Rocky Mountain House-Sundre has the floor.

**Mr. Anglin:** There are times when I can gain their attention, Mr. Chairman.

I know they would want to, and I would be willing to give it up if we can get certain provisions put back into the bill so we can make sure that this respect to landowners is brought forward. I think we have that opportunity now.

Thank you very much.

**The Chair:** Thank you.

The hon. Member for Banff-Cochrane.

**Mr. Casey:** Thank you, Mr. Chairman. I just need to get this off my chest, so it shouldn't take that long. I've been around the public policy world, although on a much smaller scale than this, for the last 15 years at every level, and I've been in a thousand different debates and a thousand different arguments with provincial governments down to regional governments and you name it. I'm more than familiar with debate, but never in all of that time have I heard an argument to vote for an amendment being a threat of my political demise.

For the last three weeks we've heard nothing but: if you don't vote for this, you are going to lose the next election. Well, this is about doing the right thing. If you want to put an argument forward that speaks to the bill, that speaks to the amendment that happens to be on the floor, then great. But to threaten me with some political bogeyman every time you put an amendment on the floor, I have to say that it just puts me a little bit over the top. If you wouldn't mind just sticking to the bill and sticking to the amendment and leaving out the threats, the rhetoric, and the innuendoes, then we'd have a productive meeting here.

Thank you, Mr. Chairman.

**The Chair:** The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Rowe:** Thank you, Mr. Chairman. We can have a really productive meeting here if we just pass this amendment. [interjections] Well, you asked.

As I've said before in speaking to this bill – and I'll get back to the election. I won't mention anybody else's campaign, but I'll mention mine. The recurring theme that kept coming up in discussions, in door-knocking, constantly, was property rights. That was the main theme that I heard the whole campaign. We're not asking for special rights here. We're just asking for equal rights. We're asking for respect for each other. We're asking that landowners' issues be dealt with in the same light, in the same vein as energy companies' are. We all want the same thing. The energy companies want to get along with the landowners; the landowners want to get along with the energy companies.

As I said, we're not asking for special rights for property owners. We're just asking for equal rights and equal respect. I think we sometimes confuse property rights as being just a strictly rural issue. It's not. Property rights are an Albertan issue. If you live in downtown Calgary or downtown Edmonton, who's to say that a wireless company can't come along and say, "We need that piece of property for a cell tower"? If they can do that with power towers, if they can do that with energy drilling, why can't they do it with a wireless tower? It's a huge issue.

We're arguing over semantics here, I think. As was mentioned by the hon. Member for Banff-Cochrane, he was seeing those issues as a threat to property rights. There's another way to look at that. Property rights are paramount to all Albertans. It's not just a farming issue. It's not just a rural issue.

This is a no-brainer, in my eyes. This is where we can show all Albertans that we can co-operate and we can do the right thing here. I ask for your support in passing this amendment.

Thank you, Mr. Chair.

**The Chair:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

5:00

**Mr. Anglin:** Thank you, Mr. Chairman. With the greatest respect to the hon. member, there's some validity or some merit to his claim that he doesn't want to hear certain verbiage, but I would not call it a threat. I would never intend to threaten. But I will tell you this as a reciprocal. I do not particularly like it that when I go out to tell the truth, somebody calls it fearmongering, but I have to listen to that a lot. But I will tell you this. When I go out and debate in these public halls, I put up the legislation, and we discuss it. Now, some people are good with that. The hon. minister who came to Vulcan sat there; he listened. He disagreed. We disagreed.

The situation in Sylvan Lake did not serve this government well at all, and I know that some of the blame is being pointed over here. I can assure you that no one over here organized it. We only attended. Yet that behaviour was an example of what these landowners have come to know and expect sometimes, and they're tremendously disappointed. If that doesn't concern you, that's fine, but it concerns me as an Albertan.

I will also tell you that when I go out to these public halls and when I organize them, a lot of people come out. In some cases industry – I should back up, not industry but these agencies that the government has appointed like the AESO. I should say that industry, I guess, like AltaLink don't like coming out to those hearings with me. I've had them sitting in the front row, their heads down, not participating, and then thank me for saying something nice about them during the evening, but they didn't like what they heard. To me that was the greatest compliment because

they could have argued like the hon. member did here, saying that it was threatening or something like that. But they didn't do that.

I actually have a lot of respect for many of the engineers that I have met in other areas, but I disagree with the way things have happened, and it goes right to this amendment about respect for landowners. This is a real issue out in Alberta. It's an issue of trust; it's all about trust. If you were to go out in my area right now, you'd hear that loud and clear. That's all the Deputy Premier was hearing, but I'm not sure he actually heard it. I don't know what he heard, so he'll have to explain that himself, but that's what I was hearing. What people wanted to do was exactly what the hon. Minister of Energy did. They wanted to let a government minister know exactly what their feelings were. The last thing you can tell people out there and think that you can keep the respect the same is: when somebody tells you the opposite of what I'm telling you, that's fearmongering.

Now, I will agree that we can disagree on interpretation, but it's not fearmongering. There are certain things we cannot disagree on: when the fact is the fact, which is exactly what is in writing. That's left to their interpretation, and that's it. So when you have a piece of legislation like the Land Assembly Project Area Act, that is quite specific on how much control the government has over a person's property, you may or may not want to discuss that in front of a bunch of property owners, landowners when that's up on the board. When you're dealing with this amendment and you're out in front of the public and this amendment says specifically "which respects landowners" and you oppose that, well then that would be a fact if you do indeed oppose that. Then you have to deal with that. If one member here were to say: we put this amendment forward, and that governing party opposed it . . .

**An Hon. Member:** Threat.

**Mr. Anglin:** That's not a threat if you did it. That would be fact. That's the difference.

That's what I'm trying to point out. If it is the fact, then it's not a threat, and then you have to deal with the consequences of the action, which is what you supported or what you didn't support. That's all. It's not a threat, and it's actually not dangerous, but it is the reality of the decision, and it is left to the interpretation of the public. I have to tell you that the public doesn't have trust right now. If you don't believe that, then you haven't really been out in the public a lot. The public doesn't generally trust government. It is incumbent upon all of us, even us as the opposition, to encourage the population at large to trust government. It is. It may sound like a lot of BS to some of the members, but it actually is part of it. I mean, we want it to work for all Albertans. I may have to retract that BS statement. Okay. I retract that.

I think the point was taken that it is incumbent upon all Members of this Legislative Assembly to gain that trust of the public. Here is an amendment that is a step in the right direction. I'm not saying it's going to do it. I won't threaten you with that. I'm saying that it'll get you on the path to gaining that trust.

Thank you very much.

**The Chair:** The hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Mr. Chairman. Again, I think this goes back to what everybody in this room talks about, "in a manner which respects landowners." I mean, the amendment says it. It's not asking for the moon or the sky or the things in between.

It was great for the minister to come out to Vulcan and talk to landowners. I think the universal conversation that night was how the government guaranteed they would respect landowners' rights. We talk at different meetings. I wasn't at the Sylvan Lake meeting

that the Deputy Premier was at. You know, it's different personalities, and it's the different ways of how some people interact with others. It's the confrontational mode of how things were set up. I think there could have been the chance of failure being set up at the one meeting because it was interpreted that way, that it was going to be confrontational, and it was. If you think you can or you think you can't, you're always right. That was the situation there. Sylvan Lake looked like it was going to be confrontational, and it was. It came across that way for the Deputy Premier. I wasn't there.

I reassured the Minister of Energy when he came to Vulcan that I'd chair it and that I'd make sure there were no problems. It went well. It was a reversal of the flower between two thorns. We had two Wildrose and a PC in the middle at the front table there, but it went well. It went back and forth. We had good dialogue. At the end of that I think everybody came back out of it – it's simple wording: "in a manner which respects landowners." We're not asking for public interest. I've accepted that that one probably isn't going to be accepted in Bill 2. I'm starting to get off that horse a little bit. Don't get me wrong; I like arguing with everybody over stuff, too. I think it's very plain and simple, "in a manner which respects landowners." I think that's all we're asking for on this.

With that, I'd hope, please, that everybody would accept our amendment, which adds that to section 2(1)(a). Thank you.

**The Chair:** The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Mr. Chair. It's a pleasure today to rise and speak to the amendment put forward by my fellow colleague, which amends section 2(1)(a) by adding "in a manner which respects landowners" after "Alberta." Now, the reason why I'm standing to speak to this is more to go back to the principles of government. Why are we here? What brought us to this point in history? Why do we sit in the Legislature like this under a Commonwealth democracy like we have? Well, we can go all the way back to the Magna Carta and thank the work that was done on that. You know, that was brought forward to limit the power of government back in 1215.

Why was that? Why are governments in existence, and why do they all fall back to this? Well, it's because life, liberty, and property do not exist because we make laws. It's the fact that life, liberty, and property existed in the first place. This is the reason we are here to make laws. We need to take this to heart. Property: it's right there. Property existed before we were here to make laws. We need to respect that property is owned by Albertans and that what they want for their property, what they want for Alberta comes out of that. Where an excess of power prevails, property of no sort is duly respected, no person is safe in his opinions, no person is safe in their faculties, and no person is safe in their possessions.

**5:10**

We as a government have no other end but the preservation of property. By standing here, by debating this, by talking about this and even, dare I say, passing this – and I hope you will pass this – we are just giving respect to all Albertans in their ownership of property. Winston Churchill said way, way back – well, it seems way back to me; I'm sure there were a few of you around then – that 10,000 regulations kill all respect for the law. Let's not have that.

Albertans need to respect the laws that we craft here in this House, that we pass in this House. We are here as their representatives. We want to make sure that they have respect for these

regulations and that these regulations respect them. Without that respect we're going to have more of what we've seen in the past. We're going to have people standing on principle and fighting: fighting regulators, fighting energy companies that are looking to enter their property. Do we really want this? Is this really what's best for Albertans, just standing on principle because there is a regulation somewhere that doesn't even say that it respects somebody's right to own something, to own property?

I think that's not why we're here. We're here as a matter of honour. We're here because we were humble and we stuck up our hand when asked who would speak for the constituents. We are here to speak on their behalf. Landowners, property owners are every Albertan. We are here on their behalf, and we have to make sure that we are passing laws that respect them and their rights.

I think this is a no-brainer. This doesn't change the bill. All this does is give landowners, property owners the ability to say: yes, our regulators respect us. Thank you.

**The Chair:** The hon. Member for Drumheller-Stettler.

**Mr. Strankman:** Thanks, Mr. Chairman. I, too, would like to rise and speak in favour of this amendment by my hon. colleague from Strathmore-Brooks. I'd like to challenge the member that earlier talked about the public interest. I feel that the gentleman from Vermilion-Lloydminster took umbrage at my comments about being a landowner. He viewed that property rights were only relating to landowners. Not unlike his clients that have livestock, they too have property. Even the hon. member's place of business is a property. His licence to practice is a property right, and his clientele are landowners.

I think we're getting hung up on this word "landowners" as a single, improper faction there. I don't see the name "landowner" very well represented in this Bill 2. I think this is the beginning. As I spoke earlier – I'm sorry, hon. members – I do own land, and I do recognize the rights of the energy person, the person who has access to that energy. I believe it was an ongoing mistake and it will be an ongoing mistake to have division between the energy rights and the landowner rights. They should have been all encumbered as one under the landowner, the property rights owner. A country south of the 49th parallel does that. This country, based on the British model, did not, so we are therefore going to be struggling with legislation like this for ongoing generations quite possibly: nuances, wordage, and everything going forward.

I'd like to start right here and now. With a new party, a new view on the provincial landscape, and a new bill – we're coming forward with a new bill – with a new vision coming forward, we would specifically put in there that we would recognize the people who are affected by this legislation. It's very important, Mr. Chairman, and I'd like to speak in favour of the amendment.

Thank you.

**The Chair:** Other speakers on amendment A8? The hon. Minister of Energy.

**Mr. Hughes:** Thank you, Mr. Chair. I appreciate the representations made by members on all sides of the House on this. Clearly, we all have great respect for landowners and have sought to ensure that we take into account landowner interests in the course of this work on this bill.

Colleagues will recall that before we broke for the constituency week, we passed an amendment which actually addresses this and in a more practical, more businesslike fashion. That is the way I would characterize it. That was under division 3, General Powers, Duties and Functions of Regulator, in section 15, Factors To

Consider on Applications. That is where we added specifically as an amendment that I proposed that we include the interests of landowners. So the paragraph does now read:

15. Where the Regulator is to consider an application or to conduct a regulatory review, reconsideration or inquiry, it shall, in addition to any other factor it may or must consider in considering the application or conducting the regulatory review, reconsideration or inquiry, consider any factor prescribed by the regulations, including the interests of landowners.

This, Mr. Chair, is a very specific, applied, practical, and on-the-topic kind of amendment that this House made, this committee made a couple of weeks ago. So I would say that the amendment here before us today actually has already been addressed in a very substantive, where-the-rubber-hits-the-road kind of way, that serves the interests of landowners, actually, better than a generic reference to landowners in the mandate.

With that, I recommend that we actually not accept this amendment today.

**The Chair:** Thank you.

Further comments on amendment A8? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you very much. I'm going to actually disagree with the hon. member on this although I do respect the fact that you did introduce that amendment. What this does under the mandate is also balanced out. It makes sure that it is covered in both sections of this act. One is only dealing with the interests, but the other, which is proposed right now, says "respects," and that's a different term than just the interests. Respect the landowners. That's important. So I just want to point that out.

If you say that this is going to harm the bill, then I would be interested in how it harms the bill. What it does is that it puts it into the mandate of the regulator under this amendment. So what you have now is not just the hearing process that takes into consideration the interest, but in the design of the regulation under the mandate of the regulator all aspects of regulation will have to take into consideration the respect of the landowner on those particular points that would affect the landowner. In my view, that's why it is important, why we should put it under the mandate so that it gets carried forward.

I would argue with the hon. member that your amendment is specific to that one hearing process. Respect of the landowner is very broad in many other terms in the creation of that regulation, and that is important, in my view, to the landowners and, in my view, expressly for this government to show that you are true to your word, that you respect the landowners, that you have the actual, literal word in the legislation.

Thank you very much.

**The Chair:** Other comments? The hon. Member for Drumheller-Stettler.

**Mr. Strankman:** Yes, Mr. Speaker. I'd just like to reiterate and speak to comments by the hon. minister. If you go to section 33(2), the section I have before me says, "if the Regulator makes a decision on an application without conducting a hearing." I have great credence in that because we seem to be tagging on wordage here, and we're talking about reiterating landowners' or property owners' rights in this case.

5:20

They have written into the legislation the word "if." It's quite disturbing to me that in legislation that should be definitive, this type of wording is brought forward. I would like to encourage that



we try and be as succinct as we can and support amendments like we're trying to bring forward here that would support property holders' rights in the legislation.

**The Chair:** Thank you.

Other comments?

Seeing none, I'll call the question on amendment A8.

[The voice vote indicated that amendment A8 lost]

[Several members rose calling for a division. The division bell was rung at 5:21 p.m.]

[Ten minutes having elapsed, the committee divided]

[Mr. Rogers in the chair]

For the motion:

Anderson	Forsyth	Saskiw
Anglin	Fox	Starke
Blakeman	Hale	Stier
Donovan	Pedersen	Strankman
Eggen	Rowe	

Against the motion:

Allen	Fraser	Kubinec
Bhardwaj	Fritz	Leskiw
Bhullar	Goudreau	Luan
Brown	Hancock	McDonald
Campbell	Horner	Olesen
Casey	Hughes	Pastoor
Cusanelli	Jeneroux	Quadri
DeLong	Johnson, L.	Scott
Denis	Kennedy-Glans	VanderBurg
Dorward	Khan	Webber
Fenske		

Totals:	For – 14	Against – 31
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[Motion on amendment A8 lost]

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

**Mr. Hancock:** Thank you, Mr. Chairman. I would ask the unanimous consent of the House that in the situation that further bells are required this afternoon or this evening, they be reduced to one minute and that at the start of the evening session you remind members of the one-minute bell.

**The Chair:** Thank you.

The hon. Government House Leader has moved that on any further divisions for the rest of the evening the bells be shortened to one minute.

**Mr. Anderson:** Can I just suggest that we separate the motions? I think that we'd be happy to do it for the rest of the afternoon, but for the evening I'd have to confer with my caucus.

**The Chair:** Hon. Government House Leader, just for the rest of the afternoon, then, and we'll deal with the evening once we reconvene at 7:30. The motion is on the floor. It requires unanimous consent. Is anyone opposed to the motion by the Government House Leader? Seeing none, so ordered.

[Unanimous consent granted]

**The Chair:** Any future bells, then, will be for one minute in duration.

Back to the bill. I'll recognize the Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much, Mr. Chair. You will all be delighted to know that I have an amendment to Bill 2. It is at the table. I will ask that it be distributed now. For those of you that want to work ahead, it is amending section 16 under general powers, duties, and functions of the regulator.

**The Chair:** Can we maybe just pause while we distribute the amendment? I'd appreciate it. Thank you.

**Ms Blakeman:** Sure. I was just going to give you a page number, but okay.

**The Chair:** Okay. So you're not speaking to it; you're just telling us where it is? Would you then proceed, hon. member.

**Ms Blakeman:** Thanks. It is under division 3, the section on general powers, duties, and functions of the regulator. Specifically, it appears on page 13 of the hard copy.

**The Chair:** This amendment for the record, hon. members, will be A9.

**Ms Blakeman:** Thank you.

**The Chair:** Proceed, hon. member.

**Ms Blakeman:** Thank you very much, Mr. Chair. Well, it will be no surprise to most of the people in here that the section I'm looking to amend is around collection and disclosure of personal information, which is a topic near and dear to my heart. I was a little surprised to find that in this bill, but when I did, I didn't like the way it's in there. We collect too much information, and then we keep it too long and use it for purposes beyond what we've collected it for. Then we're not careful about how we get rid of it. And we repeat that. The government through legislation and policies and regulations repeats that over and over again.

It's not just, you know, the example that I gave recently in the House around safekeeping of records with personal information, which was a private business, the hospitality group that managed to lose their USB. What are those things called that you poke in the side of the computer?

**An Hon. Member:** A thumb drive, a zip drive.

**Ms Blakeman:** Thumb drive. Zip drive. Okay. Here we go. High tech. Thumb drives.

On it was all the personal information of every employee they'd ever had, and it wasn't encrypted. That's the same group that also scanned and kept all of the drivers' licences with the permission and encouragement and assistance of this government, for which I will never forgive them. You know, that's a private company. We've got examples of doctors' offices where the doctor retires, and they don't know what to do with his files. They end up going to his nurse. The nurse retires. It's in a box in her garage. She dies, and somebody is trying to throw out a bunch of medical files that were in a garage. You know, there are lots of different ways this can happen.

So, one, don't collect so much information. Collect only what you need to use. The one piece of legislation where the government actually managed to do that right was in the Health Information Act. It very specifically says: collect only what you need, and that must be the least amount that you could possibly collect. That's the collection part of the information.

Just so that you're all with me here, this is amending section 16 under division 3, general powers, duties, and functions of the regulator. Then we've got the powers of the regulator, factors to consider on applications. Then the third one, which is actually section 16, is disclosure of information to the minister. Right. We've got:

The Regulator shall, on the written request of the Minister, provide to the Minister within the time specified in the request any report, record or other information, . . .

Here it comes.

. . . including personal information, that is specified in the request.

Where we're changing it to say:

. . . any report, record or other information, including personal information if the person whose personal information that is specified in the request consents in writing to its disclosure.

5:40

Remember, there are three parts to this, right? There's the initial collection of the personal information, there is the use of the personal information, and there is the disclosure of the personal information. What we're talking about here is the disclosure of it, essentially, because it's already been collected. The minister has now said: I want to see this information. Now, interestingly, it doesn't say why the minister wants it, and he/she is not required to tell anybody why they're collecting that information. You know, I just don't want my personal information collected by the minister when he can't tell me why he wants it.

I'm going to ask my colleagues from the Wildrose to talk about what kind of personal information is collected that would be in these files, that could then be requested by the minister, because they're much more up on that than I am. So we've got a situation where the minister can say: I want this information. The regulator hands it over. The person doesn't know it's been requested by the minister, doesn't know it's been handed over to the minister, and if it's incorrect or unverified has no ability to know that it's now being disclosed to somebody else, the minister specifically, no opportunity to correct it. They don't even know it's happened.

The second piece that I'm trying to change here is that where the minister does request it, that request has to be made public, that that's part of it so that it would come out that the minister has asked for a report, a record, or other information, including personal information. Two things are happening here. One, the individual whose personal information is being disclosed to the minister would have an opportunity to sign a consent. And if you guys accept this and you make it a blanket consent form, I will haunt you because that's the other thing that the government . . .

**An Hon. Member:** That's a threat.

**Ms Blakeman:** For a long time.

Because that's what happens. You know, when we brought in personal information, we were supposed to be protecting everybody's personal information. And what happened? Well, every doctor's office, dentist, massage therapist, hospital check-in, just about anywhere that you went where they could possibly have your name, they now say: before we can give you service, you need to sign this. People go: "Oh, okay. Well, whatever." And they sign it. It's a blank consent form, which then gives them permission to pretty much do whatever they want with the information without ever coming back to you again. We don't call that informed consent on my side of looking at this stuff.

We're asking for two things here. One is that the individual gets an opportunity to decline, and if they're going to give permission, they're going to give it in writing so that we've got a record of it

all; and two, if the minister makes that request, it's going to be public so that we all know that the minister requested that information. This is important because so much information is being collected on individuals – and we don't know why, and we don't know, again, how long they're going to keep it – just because it's so darn handy, especially when it's in those electronic databases. You can just – there's a visual here – hit the button with your finger, and that information goes out and can be data matched with other banks of information, and now all of a sudden even if you had managed to use just bits of information, you can literally reconstruct the individual by data matching. I think this is important. I know people laugh at me about this, but there's too much information about us out there in the world, where we might say: "Okay. Well, hopefully, the government has our best interests at heart when they're collecting our information."

There are so many points of interconnection between the public sector, the government now, and the private sector, who really don't have our best interests at heart and shouldn't. They're there to make money. They're there to make money for their shareholders. That's what makes the economy go round. They have no obligation to be nice to us, nor should they.

As a result, in those points of interconnectedness – now, where does that happen? Let's talk P3s for schools. I mean, everything is contracted out with this government: cleaning services in the hospitals, whoever services the fleet of cars for the government, whoever provides child care beds. All of that stuff is now contracted out. Every time that happens, some information goes out into the private sector.

You know, I'm not saying that they're bad people. They're not. They should be making money for their shareholders. Good on them. But part of that is not a commitment to do the right thing with our information, and there are certain requirements. PIPA would cover them, for example, but it's not the same commitment as what we expect from government.

I want to put the onus here in the legislation that they have to get the person's permission, which means that they would know, which I think is fair. I can't see a reason in here, but I look at the minister to see if he's going to stand up and give me a compelling argument, like an earth-shatteringly accurate, pithy, to-the-point argument about why you would need to be collecting someone's personal information and not letting them know. I can't see that you're going to be able to come up with that one. Secondly, why are you collecting that information? For what purpose are you going to use it? And how do you make sure that anyone else that gets that information doesn't misuse that?

Now, why is that possibly the minister's concern? Well, because that's the way we do privacy of information. We say that whoever has it is responsible for doing the right thing with it. In this case, if the government gives it off to a contractor, they are responsible for making sure that the contractor does the right thing with that information. As I said, it's not the contractor's business to do that, so they have oversight from the government, who is ultimately responsible for the protection of our personal information. None of that protection is built into this act.

I don't need to belabour the point, but I am going to ask some of my colleagues that have a deeper understanding of how the act works to just talk about under what circumstances somebody's personal information would be held by the regulator and possibly asked for by the minister. It's important to know under what context this kind of thing is going to happen, you know, and what kind of personal information. There's a difference between the tombstone information of, you know, name, address – well, actually, as soon as you start putting together any two of a photograph, any biometrics like a fingerprint or an iris print, a

signature, a full name, address, birthdate is a big one, with the biometrics could also be blood types or DNA, you've got a lot of information on people.

Why would they be collecting that? I'm going to let my colleagues talk about for what purposes they would be collecting personal information, and you'll start to get a picture of why it's important to make sure that you have to go back to the individual to get consent for them to pass that information on to the minister and that the minister would have to make public the fact that they've requested that information.

Just so that you know this isn't unusual, did you know that the Minister of Health can request any of your personal health records?

**Mr. Hancock:** Why would he want to?

**Ms Blakeman:** The Minister of Human Services says: why would he want to? I don't know, but he can, and you empowered him or her to do that in the act. They are able to, and they wouldn't have to tell us about it at all.

This is the kind of thing I'm trying to prevent here. So if the minister wants to collect that personal information, you've got to come and get my permission and, two, you're going to have to publish the fact that you asked for my personal information. That's the amendment. It is on the books now as A9, and I hope this is going to generate a rousing discussion and the blessing and support of the Minister of Energy along with his colleagues on the government side and my colleagues in the opposition.

Thank you very much.

**The Chair:** Thank you, hon. member.

I'll offer the minister a chance to respond, and then I'll recognize the Member for Rimbey-Rocky Mountain House-Sundre.

**Ms Blakeman:** Ooh, pithy and brilliant, let's go.

**Mr. Hughes:** Well, I can't promise it will be either pithy or – what?

**Ms Blakeman:** Brilliant.

**Mr. Hughes:** Brilliant, yes.

**An Hon. Member:** You just said that so she'd say it again.

5:50

**Mr. Hughes:** Yes. There you go.

Mr. Chair, really, we need to be practical here in terms of how we look at this. Everybody needs to recognize the fact that we're not overriding FOIP here. Personal information is still protected by FOIP. All of the individuals involved within the government as well as the regulator are still under the constraints of FOIP and ensuring that personal information is protected.

There might be times – you know, the hon. member asked for examples of what might include personal information. One example is – oh, I don't know – the expense accounts of the CEO or the board members or the commissioners. Those are things where you would need to have this in place in order to enable the receipt of that kind of information.

The goal here is to ensure that there is good open communication between the regulator and the Department of Energy so that policy issues as they're being considered can be looked at in the full light of the knowledge of both the regulator and the Energy department.

Those are just a couple of examples. I suspect it's not a whole-some enough answer to satisfy the hon. member, but she did ask for examples, and those are the examples I can give.

**The Chair:** Thank you.

Did you need to respond, hon. member?

**Ms Blakeman:** Yes, I do.

**The Chair:** And then I'll get to the Member for Rimbey-Rocky Mountain House-Sundre.

**Ms Blakeman:** Well, I'm afraid, Minister, it wasn't brilliant, but it was clever, using examples of things that the opposition have recently requested or like to look at for appointed people that are on boards and commissions. But the fact of the matter is that you don't need personal information to get that because there's a financial hook to it. You don't need, for example, to actually be naming the person. You can ask for, as you did, the expense reports for the CEO of X board. You don't have to name them. So you can get the information that you described without getting additional personal information from them but by going through a financial request. I don't accept that that is a reason for you to decline your support for the amendment.

I know there's a practicality to this. I know sometimes it would be hard to chase people down and get their consent, but you haven't been able to tell me how many people you'd usually be requesting information from. If you can stand up and tell me it's a million and a half people every year. Okay. We're talking a little bit different approach to this. But that still doesn't, in my opinion, excuse the government from having to get permission from someone to take and use their personal information.

I cut off my hon. friend, here, so I will take my seat. You know, maybe I can engage the minister again.

**The Chair:** I'll recognize the Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. This amendment I rise to support, very much so. One of the greatest defences of democracy is to eliminate, basically, the power to abuse. It's not about the abuse of power. It's about giving government the actual power to abuse. And for what reason? There always has to be checks and balances, and that's why the hon. minister mentioned the FOIP Act. Unfortunately, I would disagree that the FOIP Act does not stop the collection of information.

There are a couple of things that are problematic. We're going to allow landowners and companies to register agreements, and I still don't understand that concept. I like the concept of the regulator being able to enforce an agreement. We don't have people register their business agreements with the courts. We just have people go to the courts when they have a disagreement, particularly on contractual law, and they deal with that issue when they show the court their contract, their disagreement, and they get a decision.

Here we're going to have a situation where we're going to encourage them in many ways – and I think it's not necessarily a bad thing. But people will register their business agreements with the regulator with the intent that: "I don't need to go to court if there's a disagreement. I can get the regulator to make a decision or enforce my agreement."

That's powerful information not just on the personal level but on the business level. If that were to be abused, that would be significant. That is tremendous information. So there is a situation where I think it's not the intent of government to abuse power

here, but what we're doing here without any limitations is there is a power to abuse as we go down the road because information can be used against individuals. It can be used against people.

I'm going to draw on my own example. As I tabled in this Legislature – I forget when, but I think it was the very first week. I was challenged by the hon. whip of the governing party, and I tabled an instance where information was collected on me by private investigators hired by the regulator. That's not in dispute. That's a matter of fact. But what happened was that two days after the private investigators were hired, there was a communications log with the Premier's office, approved by the Premier's office.

Of course, that information was not released to me, but the subject was me. I don't get to see what information they collected, but clearly they collected information. You shake your head, hon. member, but the fact is that those notes were there, and they were passed along. We just don't know what the Premier's office involvement was. All we know is that the communication log said: subject, Joseph V. Anglin. That's this person right here.

Clearly, we need some sort of limitation on the abuse of power. And I will tell you, quite honestly, that there have been violations in the past. We're going back to the issue of trust with the public. What you have here is the ability of government, the minister to just direct the regulator to turn over information.

Now, this amendment does not stop the flow of information in any way, shape, or form that's particularly legitimate. It doesn't stop that. It doesn't infringe upon that. That will automatically happen. But what it does do is something this government has proclaimed it will do: it will require transparency. That will give

the trust to the public that if the minister gives that direction and that is publicly disclosed – because I can't think of an example of why the minister would request information and not want that information to be public. I'd be willing to hear some other arguments on that.

When I look at this amendment or amendments, however you want to look at it, this is about putting a cap on power. One of the things that has been pointed out I think by another member was that we have these rights, and when we pass laws, we eliminate or reduce or restrict rights. That's a philosophical way of looking at the creation of governments and legislation. On another philosophical level every time we pass a law, we eliminate, reduce, or restrict rights, and where the power of that legislation ends, that's where that right is generally returned to the public.

I do not believe – and I don't read it in this amendment – that this is going to restrict government from collecting information. This is not going to inhibit or clog the system. The underlying principle of the bill is to do one thing, which is to streamline the process. The information will still flow, but it does throw a little added protection for the privacy of the individual, which I believe I've heard from a number of members here that they respect although I don't think we added that in on the other amendment. But I believe you do. In good faith I believe you do.

**The Chair:** I hesitate to interrupt the hon. member, but it is 6 o'clock. The committee will stand recessed until 7:30 p.m.

[The committee adjourned at 6 p.m.]





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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Tuesday evening, November 20, 2012

Issue 20e

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta**  
**The 28th Legislature**

First Session

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Jablonski, Mary Anne, Red Deer-North (PC), Deputy Chair of Committees

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Strankman, Rick, Drumheller-Stettler (W)  
Swann, Dr. David, Calgary-Mountain View (AL)  
Towle, Kerry, Innisfail-Sylvan Lake (W),  
    Official Opposition Whip  
VanderBurg, Hon. George, Whitecourt-St. Anne (PC)  
Weadick, Hon. Greg, Lethbridge-West (PC)  
Webber, Len, Calgary-Foothills (PC)  
Wilson, Jeff, Calgary-Shaw (W)  
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
    Government Whip

**Party standings:**

Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

**Officers and Officials of the Legislative Assembly**

W.J. David McNeil, Clerk	Stephanie LeBlanc, Parliamentary Counsel	Chris Caughell, Assistant Sergeant-at-Arms
Robert H. Reynolds, QC, Law Clerk/ Director of Interparliamentary Relations	and Legal Research Officer Philip Massolin, Manager of Research Services	Gordon H. Munk, Assistant Sergeant-at-Arms Liz Sim, Managing Editor of <i>Alberta Hansard</i>
Shannon Dean, Senior Parliamentary Counsel/Director of House Services	Brian G. Hodgson, Sergeant-at-Arms	

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Alison Redford	Premier, President of Executive Council
Thomas Lukaszuk	Deputy Premier, Ministerial Liaison to the Canadian Forces
Manmeet Singh Bhullar	Minister of Service Alberta
Robin Campbell	Minister of Aboriginal Relations
Christine Cusanelli	Minister of Tourism, Parks and Recreation
Cal Dallas	Minister of International and Intergovernmental Relations
Jonathan Denis	Minister of Justice and Solicitor General
Wayne Drysdale	Minister of Infrastructure
Kyle Fawcett	Associate Minister of Finance
Doug Griffiths	Minister of Municipal Affairs
Dave Hancock	Minister of Human Services
Fred Horne	Minister of Health
Doug Horner	President of Treasury Board and Minister of Finance
Ken Hughes	Minister of Energy
Jeff Johnson	Minister of Education
Stephen Khan	Minister of Enterprise and Advanced Education
Heather Klimchuk	Minister of Culture
Ric McIver	Minister of Transportation
Diana McQueen	Minister of Environment and Sustainable Resource Development
Frank Oberle	Associate Minister of Services for Persons with Disabilities
Verlyn Olson	Minister of Agriculture and Rural Development
Dave Rodney	Associate Minister of Wellness
Donald Scott	Associate Minister of Accountability, Transparency and Transformation
George VanderBurg	Associate Minister of Seniors
Greg Weadick	Associate Minister of Municipal Affairs
Teresa Woo-Paw	Associate Minister of International and Intergovernmental Relations

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on Alberta's Economic Future

Chair: Mr. Amery  
Deputy Chair: Mr. Bikman

Bhardwaj	Quadri
Blakeman	Quest
Donovan	Rogers
Dorward	Sandhu
Eggen	Sherman
Fenske	Smith
Goudreau	Starke
Hehr	Strankman
Jansen	Towle
Luan	Young
McDonald	Vacant
Olesen	

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Quest  
Deputy Chair: Mrs. Jablonski

Anderson  
Casey  
Dorward  
Eggen  
Kubinec  
Sandhu  
Sherman

### Select Special Conflicts of Interest Act Review Committee

Chair: Mr. Allen  
Deputy Chair: Mr. Luan

Blakeman  
Dorward  
Fenske  
Johnson, L.  
McDonald  
Notley  
Saskiw  
Wilson  
Young

### Standing Committee on Families and Communities

Chair: Ms Pastoor  
Deputy Chair: Mrs. Forsyth

Allen	Leskiw
DeLong	Luan
Fox	McAllister
Fraser	Notley
Fritz	Pedersen
Jablonski	Sarich
Jansen	Saskiw
Jeneroux	Swann
Johnson, L.	Wilson
Kang	Young
Kubinec	Vacant
Lemke	

### Standing Committee on Legislative Offices

Chair: Mr. Xiao  
Deputy Chair: Mr. McDonald

Bikman  
Blakeman  
Brown  
DeLong  
Eggen  
Leskiw  
Quadri  
Rogers  
Wilson

### Special Standing Committee on Members' Services

Chair: Mr. Zwozdesky  
Deputy Chair: Mr. Young

Calahasen  
Dorward  
Forsyth  
Goudreau  
Jablonski  
Mason  
Quest  
Sherman  
Smith

### Standing Committee on Private Bills

Chair: Mr. Cao  
Deputy Chair: Ms L. Johnson

Barnes	Notley
Bhardwaj	Olesen
Brown	Pastoor
DeLong	Rowe
Fox	Sarich
Fritz	Starke
Goudreau	Strankman
Jeneroux	Swann
Kennedy-Glans	Webber
Luan	

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Dr. Starke  
Deputy Chair: Mr. Lemke

Allen	McAllister
Amery	McDonald
Bhardwaj	Notley
Casey	Pedersen
Hehr	Sandhu
Jansen	Saskiw
Jeneroux	Towle
Johnson, L.	Xiao
Kennedy-Glans	Young
Kubinec	

### Standing Committee on Public Accounts

Chair: Mr. Anderson  
Deputy Chair: Mr. Dorward

Allen	Hale
Amery	Hehr
Anglin	Kang
Bilous	Pastoor
Calahasen	Quadri
DeLong	Sarich
Donovan	Starke
Fenske	Stier
Fraser	Webber
Fritz	

### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans  
Deputy Chair: Mr. Rowe

Anderson	Hehr
Anglin	Johnson, L.
Barnes	Kubinec
Bilous	Lemke
Blakeman	Leskiw
Brown	Sandhu
Calahasen	Stier
Cao	Webber
Casey	Xiao
Fenske	Young
Fraser	Vacant
Hale	

## Legislative Assembly of Alberta

7:30 p.m.

Tuesday, November 20, 2012

[Mr. Rogers in the chair]

### Government Bills and Orders Committee of the Whole

#### Bill 2 Responsible Energy Development Act

**The Chair:** Hon members, I'll call the Committee of the Whole back to order. We are continuing with debate on Bill 2, amendment A9.

I'd look for the next speaker. I recognize the Member for Airdrie.

**Mr. Anderson:** Thank you very much, Mr. Chair. Obviously, we're back on Bill 2 here, the Responsible Energy Development Act. Everyone is getting back settled from dinner. We're on A9 with regard to the amendment. I believe this is an amendment put forward by the hon. Member for Edmonton-Centre. Just to review it real quickly, it is moved that Bill 2 be amended in section 16. So if we go to section 16, which currently is talking about disclosure of information to the minister, the amendment is asking us to strike out subsection 1, which currently says:

The Regulator shall, on the written request of the Minister, provide to the Minister within the time specified in the request any report, record or other information, including personal information, that is specified in the request.

It is being suggested that we change that to:

The Regulator shall, on the written request of the Minister, provide to the Minister within the time specified in the request any report, record or other information, including personal information if the person whose personal information that is specified in the request consents in writing to its disclosure.

Then, under subsection 2 adding subsection 2.1, where it would say:

Where the Minister makes a written request under subsection (1), he or she shall make the request publically available.

I really like the intent under which this amendment was brought forward because it does speak to a real problem with regard to this idea in society that we should be allowing the government to have essentially unfiltered, unbridled personal information. We always think that when these laws are passed or when we write these laws: "Well, we would never use this for harm. We would never use this for anything nefarious." But the fact of the matter is that governments around the world have used their authority when they have this type of authority to compel personal information like this. If it's not this government that chooses to abuse this, then it could be a future government.

I think it's very important that we really make sure that when we pass these pieces of legislation, we do everything in our power to make sure that there's no room for abuse of power if at all possible or to keep that room for the possibility of abuse of power as small as is justifiable. I don't think the legislation as currently written does that. I think that it's quite a broad power. If you look at it:

16(1) The Regulator shall, on the written request of the Minister, provide to the Minister within the time specified in the request any report, record or other information, including personal information, that is specified in the request.

That is a very broad power, and it's unnecessary, frankly. Why should the regulator on the written request of the minister be able to compel any type of personal information that they want?

I'm trying to be open minded about this, but as you look into subsection 2 – please point it out, minister, if I'm missing the clause that should be in here – there's no restriction on that power at all. As you look at it, one has to wonder if there's going to be no restriction on the power of the minister to compel personal information. I mean, what could that include? If you notice, it doesn't say "relevant information." Perhaps we should put that in there, members of the government. Just at least keep it relevant, because right now, as it reads here, there are no limits. They could compel medical information under this. They could, Member for Calgary-Mackay-Nose Hill, who's a lawyer and a very good parliamentarian. I read this, and on the face of it, I see absolutely no restrictions on the power that's being granted under this. This is section 16(1) of Bill 2. It could be medical records; it could be school records; it could be any record. A personal record or personal piece of information could be requested under this clause.

Now, I'm not saying that it's the intent of the government to do so, but then why give the regulator that kind of power, and why give the minister, frankly, that kind of power to be able to compel such information? That's a little bit disconcerting, I would imagine. If there's a limitation in here that I'm missing on that, please point it out to me. I'd like to know what it is. If it's reasonable, if it somehow narrows or contains this power, then I think we can agree to it. On the face of it, if it's saying that the minister can request any type of personal information, that's pretty scary. That's really scary.

Obviously, the Member for Rimbey-Rocky Mountain-Sundre has had some first-hand exposure to how disconcerting the power of the state can be with regard to the well-documented and well-publicized case of the spying scandal on landowners. That's bad enough, but this seems to say that the government, the minister, if they wanted to, could just request any personal information. We have former police officers in this Chamber that could speak to this. We've got certainly quite a few lawyers on the other side who could speak to this. [interjection] Well, I mean, exactly. You're the Solicitor General of the province. Does this not concern you? Does this section not concern you? Section 16: the minister within the time specified can request any report, record, or other information, including personal information, that is specified in the request. That doesn't concern you at all? Bueller? Bueller?

**An Hon. Member:** He's over there.

**Mr. Anderson:** Oh, no, not Bhullar. Bueller. I'm not asking him another question for a long time.

This is a little bit disconcerting, for sure, so what the Member for Edmonton-Centre is suggesting, I think, is very reasonable. Again, if this isn't the right language, by all means – we have subamendments that are allowed on the floor, so let's have the government bring a subamendment to bring in language that they're comfortable with. What the Edmonton-Centre member has said gives the regulator the power:

... on the written request of the Minister, provide to the Minister within the time specified in the request any report, record or other information, including personal information if the person whose personal information that is specified in the request consents in writing to its disclosure.

In other words, they can request any report, record, and other information, but with regard to the personal information the person has to give their consent. I think that's a reasonable restriction. If it's not, if there has to be something more narrow or it has to be more clearly delineated, what we're talking about here,

then fine. I think we'd all be willing to hear what the government could come up with with regard to a subamendment on this. I just don't see how we can support a bill that gives such broad, sweeping powers.

I would just ask members opposite for somebody to please speak to this and why it's in here. That would be a good first step. Why it's in here, and what restrictions are on this other than just the goodwill of the minister, because that – I'm sorry – is not good enough. This Energy minister might surely be a man of integrity and honour, but there is no guarantee that his successor will be. We've got to always think about that when we pass these laws. Heck, you know, who knows who could be in charge? I mean, the Member for Little Bow could be the Energy minister one day. Do you want him to have this power? Really? I don't know about that. I don't know

7:40

Anyway, I'd like to see what other members have to say to this. I think it's a good amendment, and I hope the government will bring a subamendment that they're comfortable with because it's inexcusable to pass this as currently worded.

**The Chair:** Thank you, hon. member.

Before I recognize other members, might we revert briefly to the introduction of guests?

[Unanimous consent granted]

### Introduction of Guests

**The Chair:** The hon. Member for Vermilion-Lloydminster.

**Dr. Starke:** Thank you, Mr. Chair. It's my very great pleasure to introduce to you and through to you to all members of the Assembly 23 young people who are in attendance tonight as members of the Forum for Young Albertans. This group of young people are on a week-long program to study democracy, to learn about various facets of public and democratic life in Alberta and in Canada. We had supper with them, and I think we can be very confident that the future of our province is in very, very good hands, especially given that four of these young people are from the highly democratic constituency of Vermilion-Lloydminster. I would ask at this time that they along with their chaperones rise in their places and receive the traditional warm greeting from the members of this Assembly.

**The Chair:** Thank you, hon. members.

### Bill 2

#### Responsible Energy Development Act (continued)

**The Chair:** We are discussing Bill 2, amendment A9, and I'll recognize the next speaker. The hon. Member for Strathmore-Brooks.

**Mr. Hale:** Thank you, Mr. Chair. I think maybe I can answer the hon. Member for Airdrie. The hon. Energy minister has given the same answer twice. Last night, when I was amending a similar section with regard to property rights, his answer last night and today was that "there will be situations that require personal information like expense information submitted by the board of directors, the CEO, or the hearing commissioners," but never once did he mention the other side of that equation, which is the person,

the landowner, the property rights owner who has that application to go on their land. Nothing was ever said about that.

I think it may be advisable if the hon. Energy minister would make a subamendment to this stating that we will obtain personal information with regard to the board of directors, the hearing commissioner, the members of this new regulator if that's the intent of this statement in this bill. If it's not the intent of this statement, then maybe, you know, we should support this. If somebody wants to know my personal information and I give them the authority to do that through a signed document, well, that's fine. But there's no reason that without my consent my personal information can be requested. I would pass this on through the Deputy Premier to bring it up with the hon. Energy minister to see if maybe he wants to put this subamendment forward and clarify this issue so that everybody involved knows what the limitations are of what information he can request.

Thank you.

**The Chair:** The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thank you, Mr. Chair. This is an interesting bill for me. When I spoke on it when we were in second reading, I had talked about . . .

**The Chair:** On the amendment, hon. member. Thank you.

**Mrs. Forsyth:** I'll get to the amendment.

I had talked about balancing the rights of property and the industry. I've sat very quietly through this whole debate as I listened to amendment after amendment after amendment. I've found all of the amendments very interesting, listening to my colleagues and some of the colleagues that occasionally get up on the other side to speak.

This one intrigues me, and I'll tell you why it intrigues me. The Member for Edmonton-Centre, who spoke about this amendment earlier on, no one, absolutely no one, in this Legislature, period, knows the FOIP legislation or anything to do with personal information like that particular member. I say that as a member when I was with the government, and I say that as a member of the Official Opposition now because I've run into this member on several occasions when we've discussed FOIP legislation, both as the former minister of children's services and the former Solicitor General and then being on a FOIP committee with the member.

When I saw this amendment cross our desks this afternoon and then as I listened to her – you know what? This is when your senses kind of go off and you think, hmm, maybe I better listen to what that particular member has to say and what she's bringing to the floor of the Legislature in regard to her concerns about FOIP.

What I find very interesting in this is that when you read her amendment, it talks about striking out subsection (1) and substituting the following:

The Regulator shall, on the written request of the Minister, provide to the Minister within the time specified in the request any report, record or other information, including personal information if the person whose personal information that is specified in the request consents in writing to its disclosure.

Then it goes on.

I'm trying to rationalize it in my brain. My colleague from Strathmore-Brooks brought up some comments that he used in *Hansard* after debating for the last two days when the Minister of Energy was asked why this particular clause is in the bill. My colleague from Strathmore-Brooks read into the record of *Hansard* what the minister has said, and . . .

**Mr. Hale:** Twice he said that.

**Mrs. Forsyth:** Twice.

... he still has not really answered the question.

So I kind of put myself in the place of: why would I want to give any personal information about myself to anybody? While I try and figure out the situation, I'm not so sure that I'd be handing over any personal information to any regulator to try and figure out why he would need that disclosure of my personal information anyway.

Now, the Member for Rimbey-Rocky Mountain House-Sundre spoke in the House, actually, in regard to his concerns about this particular amendment and some of the things that have happened to him. It was like an *I Spy* movie or a 007 movie, and I'm not a James Bond kind of girl.

**Mr. Anderson:** What do you mean? You're not a Bond girl?

**Mrs. Forsyth:** No, not a Bond girl at all.

I can imagine why people would want to find any information about something. I mean, there are times when the FOIP has to be shared, and I can say that I'm on the record as the former Solicitor General and the former minister of children's services in regard to FOIP being shared amongst agencies. If you have a child that's in some trouble and you know that there are some difficulties that the child is going to be facing in school or any of those kinds of things, I think that information has to be shared with the schools. Having said that, it's probably one of the biggest complaints that we're hearing from the police and other agencies like that in regard to the sharing of FOIP information. All of a sudden we're reading in Bill 2 about how they want to share that particular information.

I guess that I, like my colleague from Strathmore-Brooks, would like to understand why the government would want this particular section in a bill that's probably close to 80 pages long and for what value or for what reason. I know the Minister of Energy has gotten up twice on this particular bill. He says, for example, that there will be situations that require personal information like expense information submitted by the board of directors, the CEO, or the hearing commissioner. What do they exactly mean by personal information? What personal information? Is it their SIN number? Is it their address? Is it their personal bank accounts?

7:50

I mean, when you start talking to me about personal information, it's exactly what it says. It's personal information. I'm very hesitant about sharing any personal information myself. I mean, I've learnt, not only through my previous ministries but through age, that you just don't give out personal information because of all of the things that are happening in the world and social media, et cetera, like that. They're stealing your ID, identity theft, and all of that thing.

So I'm going to wait to hear from the government, let the government explain not only to the Official Opposition about this clause in the bill, but I think, more importantly, they need to share with Albertans in regard to why they are looking at putting this in a bill.

With that, I'll sit down and let someone else speak.

**The Chair:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. As I started speaking to this amendment earlier, there are a couple of problems with the current legislation, the way it's drafted. One of the most glaring problems is giving government the ability to abuse. Now, I'm not making an

allegation that the government is being abusive. What I'm saying is that you never in a democratic society give the power to abuse. I know the hon. member is giggling at this, but this is a government that has abused in the past. There are regulators that have abused in the past, and it's important that in the defence of democracy there are always limits to government powers. That is one of the primary defences in a democracy. If you read the current legislation, the way it's drafted allows the government to collect any information it so desires from the regulator, even personal information.

Now, given the fact that we're going to have contracts allowed to be registered with the regulator, there's nothing there that stops the government, basically the minister, saying: I want to see a copy of those contracts. FOIP doesn't stop that. FOIP prevents the so-called release of that information to the public, but it does not stop that information from going to the minister.

In my own example we had a regulator who hired private investigators. That is not something that is subjective. That is fact. The regulator admitted it. They spied on citizens. They collected information. The evidence submitted was that it was covert intelligence gathering, and that information was tabled right here in this Chamber. You had a regulator that absolutely was being abusive. But what has never been explained is why the government had information on me at that very same time and did not release it under FOIP. It is clear by the record that it existed, and I tabled the evidence. If you don't believe it, then just research it, because the evidence is absolutely there. If you want to see more, I will then table more. It speaks to this amendment. It speaks to this amendment.

**The Chair:** Can we keep the level of noise down, please? Thank you.

**Mr. Anglin:** There need to be limits on what the government's powers are with regard to the collection of information.

Now, this amendment does not prevent, it does not stop or inhibit the collection of information. What it does is it protects the privacy of particular individuals, and what it does is it creates transparency. We know the government wants to collect reports and a number of records and a number of other materials that would maybe be relevant to what the government needs to do concerning policy. I don't think anyone is in disagreement with that. What we're talking about is putting into legislation a cap on the power of how that information is collected and also making sure there's a guarantee that there's transparency. That's all. I don't think that's a whole lot to ask for.

Going back to this example of the power to abuse, it is not my allegation that anyone here is intending to do that. That's not what I'm bringing forward. What I'm saying is that you're putting into legislation that power for any government to abuse, and that is fundamentally wrong. You should never hand that over to the next government. You should never even be able to have the right to exercise that power. It is paramount that we protect privacy of information. When you put no limits on what the government can collect, you create a situation where abuse can take place, whether intentionally or unintentionally. By making sure that that abuse doesn't take place, by passing this amendment, then the allegation can never appear.

Again, this does not stop, this does not inhibit, this does not restrict the government from collecting information. What this amendment only does is make sure that it gets consent from the individuals, which is no different than what FOIP requires, to collect the information, and it makes sure that the public is aware of whatever information the government does collect so we have that full transparency. That is important on a number of levels.

I want to go back to the idea of registering contracts. I'm in favour of what has been proposed, where the regulator can enforce a contract if there's a disagreement. If we can keep the courts free of these disagreements, particularly when they can be resolved by the regulator, I think that does in effect what you want the bill to do. But if you require the registration of information, the registration of the lease agreement, the contract, that's a lot of information that I don't think is absolutely necessary to do what you intend to do. That information can be used or abused, not for what it was intended, particularly if the government decides to collect that. I don't understand that.

No court collects all civil contracts. The only time a courtroom ever sees a civil contract is when it goes to court. I actually think that's what should happen here. If there's a disagreement out in the public and it is under the jurisdiction of the regulator, only then should someone be able to go to the regulator with the contract and ask to have that contract enforced.

It is this idea of being sort of proactive, where we do not allow the collection of information unnecessarily. That to me is about balance of power. That is also about protection of democracy. It's about protecting the public from too much power of a government authority. Again, I'm not saying that you're going to abuse that power, but by keeping the legislation the way it is, you have the power to abuse, and that's wrong. That's wrong in my mind. You need to look at that because if you say that you're not going to abuse that power, which I believe in good faith you don't intend to or don't have any plans to abuse that power, then why would you want that power?

Those are some very good questions that I think need to be answered by those who would be opposed to this amendment.

Going back to my own particular example, that caused the disruption of an entire hearing process. It should not have ever happened. It caused the system to fail. Had the law been abided by, had the rules and regulations been followed, the system would never have broken apart.

We're here to talk about a bill where we're trying to streamline a process so there are no infringements upon these applications unnecessarily, there's no delay unnecessarily, and we can make this work. It is my view that if we allow this to stand unchecked, then there's always that potential that something can be abused, which would then interrupt the process unnecessarily, infringe upon this process unnecessarily as far as the streamlining process, and do exactly the opposite of what we intended to do with this bill.

8:00

Before I sit down, I just want to say that we are in favour of a single regulator and a streamlining process. We can come to an agreement if there are certain measures that are taking place to protect the property rights of individual people by protecting the privacy, which is the collection of information this amendment speaks about. That is really important for a universal sort of support or unanimous support to try to get this bill right. We can get it right. I think industry wants it. I think landowners want it. I think the public interest wants it. We're not going to go there right now, but if we get it right, then we're all happy and better off for it.

Thank you very much.

**The Chair:** Are there other comments? The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Mr. Chairman. I appreciate the opportunity to speak to this amendment. I'm certainly in favour of

it. I'm in favour of the bill itself, as my colleague just mentioned, with certain tweaks that will vouchsafe and preserve and guarantee and ensure that certain rights are protected. Good laws are clear and focused, not vague and global and not easily interpreted in ways that could allow for government abuse. Laws should not rely solely on the integrity of those who govern or their agents. We have learned by sad experience that it is the nature and disposition of almost all persons in government that as soon as they get a little authority, as they suppose, they eventually, often immediately begin to exercise unrighteous dominion. So why write laws or pass acts that could allow it?

No act will be perfect, but when we pool our intelligence – there's a lot of intellectual horsepower in this Assembly, I submit – and the perspectives that we all bring given our various backgrounds and differing life experiences, together we can produce better and safer laws that restrict the government or its agents from infringing on more rights than absolutely necessary. I believe, personally – and many others do, too – that all rights reside in the people, not the government. People collectively can agree to delegate a certain few of their rights to form a government for purposes of peace and security and greater good, but people can't delegate a right that they do not have themselves.

For example, picture this. A pioneer farmer in the 1800s relies on his horse to plow land. His horse dies for whatever reason. His neighbour has two horses, so he goes to his neighbour and asks for one of his horses. Now, he may offer to rent it, he may offer to buy it, he may just want to borrow it, but the horse isn't his. It's the neighbour's. The neighbour can choose to be kind and share it, or he can rent it or sell it. But if he chooses not to, that pioneer whose horse just died doesn't have a right to go to the sheriff and say to the sheriff: make my neighbour give me his horse or sell it to me or rent it to me. He can't delegate a right that he doesn't have. We can't do that either as a government. We can't take to ourselves rights unless the people give them up.

We need to be careful and protect the rights of individuals and certainly the right to privacy, the right to not have my personal information shared with the world or with the regulator, who may use it or abuse it in ways that I don't approve of, unless it's absolutely necessary. I haven't yet heard anybody present to us sound reasons why a lot of personal information would need to be shared with the regulator or their agent. I think there needs to be that privacy. I think that putting in this little amendment, simple as it is, that I should have to be required to consent in writing to someone seeking my personal information, is critical. I shouldn't have to provide it just to intervene or appeal something that's going to affect my right to enjoy my private property in peace and without unnecessary trampling of my rights.

I submit that this amendment is consistent with what philosophers throughout the ages and certainly with what intelligent political scientists have concluded, that we need to restrict the rights and abilities of government to abuse their power. We shouldn't be relying on the integrity alone of the people that have been elected to govern. I believe that this little amendment does that.

Thank you, Mr. Chair.

**The Chair:** Are there other speakers on amendment A9?

Seeing none, I'll call the question.

[Motion on amendment A9 lost]

**The Chair:** Now back to the bill.

**Mr. Hancock:** I certainly don't want to interrupt, but might I ask for unanimous consent to reduce the bells to one minute?



**The Chair:** Oh, yes. The motion from the Government House Leader is to reduce the ensuing bells to one minute.

[Unanimous consent granted]

**The Chair:** The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Mr. Chair. On behalf of the Member for Calgary-Buffalo I'd like to move the following amendment to Bill 2, Responsible Energy Development Act.

**The Chair:** Would you hand the amendments to the page, hon. member? Just give us a few minutes, and then you might speak to it.

This will be amendment A10, hon. members.

Hon. member, you may speak to the amendment.

**Dr. Swann:** Thanks very much, Mr. Chair. Mr. Hehr to move that Bill 2, Responsible Energy Development Act, 2012, be amended in section 33 by adding after subsection (2):

- (3) Subject to the regulations, the Regulator must render its decision within a specific prescribed time period based on the nature of the application.

I think it's pretty self-explanatory, Mr. Chairman, that applicants – that involves investors, citizens – would like to know that some kind of reasonable timeliness will be followed with respect to decisions and that matters will not be in limbo. The current clause 33 makes no reference to any particular timeline or any expectation of movement and decision, and I think all would benefit from having at least some indication that there will be a concrete timeline. I think everyone would benefit from that. It's not a major thing, but I think most people would agree it's helpful that in these kinds of significant investments and decisions we apply some kind of reasonable time limit to allow things to move in a responsible way.

Thanks, Mr. Chair. I'll wait and hear how people feel.

**The Chair:** Okay. Thank you.

Anyone else to speak to the amendment?

**Mr. Anderson:** Well, I would like to speak in favour of this amendment. I think it's a very practical amendment. We have an amendment that deals with a different section, but it's somewhat similar in nature, and perhaps we'll spend a little bit more time as a caucus talking to that amendment when it comes up. It's a little bit more specific than this one. However, it's the same spirit.

8:10

Really, the whole point of this single regulator was to reduce the time that it took between the application for a project and so forth and the time a decision on whether to move forward with that project is granted or not granted or granted subject to certain conditions. That's the whole point. I think we all agree that that's one of the major points of this bill. That's a good thing.

Obviously, our energy industry is very important. We've become very uncompetitive with regard to our regulatory regime in that it takes a long time to get projects approved. One thing industry can't stand is uncertainty, and that includes uncertainty for the time they have to wait for determining whether they're going to be permitted to move on with their project or not move on with their project and so forth. When a project is kind of in the holding pattern, that means that a whole bunch of capital and a whole bunch of resources – staff resources, capital resources, borrowing resources – are all being held kind of frozen until the application is approved or not approved, and then they can either go forward with the project or not and so forth.

I think it's a little odd that the government would present a bill like this – the whole purpose of this is to streamline the energy development process – and then not put in any kind of teeth, any kind of benchmark to ensure that these applications for these developments are indeed processed in a timely and expeditious fashion. I think that this is certainly an amendment that is needed. You know, what's the point of passing this thick piece of legislation if we're not holding the regulator to account, essentially, and saying, "Regulator, we're not saying how you have to find – yea, nay, or yes with caveats – we're just saying that you have to find within a reasonable period of time?"

Obviously, there are different types of applications. You know, some are going to be shorter in duration than others to assess, but there should be some sort of benchmark that makes us competitive with other jurisdictions and decreases the overall time of the energy development process.

I think this is a good amendment, and I would urge members to support it.

**The Chair:** Thank you.

The Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chair. I just want to speak briefly to this amendment because I'm not sure I understand why the amendment would be put forward. As I read the amendment, it says that "subject to the regulations, the Regulator must render its decision within a specific prescribed time period based on the nature of the application." In other words, there needs to be a regulation to deal with time frames. Sections 33(1) and 33(2), both of those sections, are made in accordance with the rules. The rules are, essentially, as differentiated from regulations, things that apply to the regulator as opposed to regulations, which are passed by order in council.

Under the definition of rules on page 7 of the bill it says:

- (r) "rule" means, except in section 47, a rule made
  - (i) by or on behalf of the Regulator under this Act or by the Regulator under an energy resource enactment, or
  - (ii) by the Lieutenant Governor in Council pursuant to section 68.

In other words, regulations. So the provision is already in the act to set the regulations by which the regulator would operate. Presumably, one of those regulations would be with respect to the time frames. I mean, I can understand why the hon. member wants to have it clear in the act, I suppose, that there need to be time frames, but the reality is that there need to be time frames, and they'll be in the rules.

**The Chair:** Thank you, hon. Government House Leader.

The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. That's a good presumption, but it's not in the legislation to govern the regulations. I know the hon. minister had an opportunity to discuss some of these with industry because we had the opportunity to sit down with industry and discuss this also. Having goals, specific goals, is something only the regulator can do. What this amendment does is just basically tell that regulator that once you set out to set out the rules and regulations, one of those goals has to be a time frame. The section that was just quoted actually doesn't say that. It just refers to the rules, but it doesn't say specifically to set out time frames for approval.

Now, I will remind hon. members that this is actually in law in other legislation dealing particularly with transmission lines. It's actually a smart idea. It used to say that a transmission line had to be approved within 180 days, and now I think it's subject to 180

days and allows the regulator to extend that if they need to extend that. That's the flexibility you allow a regulator. What this does is that it makes it very clear in legislation that the regulator has to look at the different applications, which is the nature of the application. When you talk to industry, it's complicated because certain categories of applications probably can be decided within a week; certain categories of applications are going to take months. What you're asking here is for the regulator to set out timelines. It sets its own goals.

This does two things. It helps to streamline the process by setting goals, but it also informs the industry: when you file an application, here's what the regulator has said. When you table that application for submission, they have an idea of what kind of time frame they're looking at. Hopefully, the regulator can meet its goals. I see no reason why it can't. The fact is that they can now take a look at what type of application they plan on filing, and they can have a reasonable expectation. If the regulator has set out in regulation that it has to be done in three months or one week or 180 days, whatever the regulator sets, that gives that company a chance to take a look at the overall picture and plan appropriately.

There's nothing worse for industry than to file an application that it thinks is routine and not get an answer back and not understand why it hasn't got an answer back when applications of that same type have generally only taken a matter of a couple of days. I would ask some of the members to contact some people in the industry, and they will tell you that that type of approval process has always frustrated them. Where they could not see a roadblock, they just don't understand why the application is sort of in never-never land. It hasn't been rejected. It hasn't been approved. It is somewhere in the chute, so to speak, waiting for adjudication.

When I look at this on specific terms, dealing with the actual statement that they have to set out the time frames, I think this is one of those – as the hon. member said, even a blind squirrel can find a nut on a given day. Maybe we have a nut here that the blind squirrel can agree on. If you're opposed to the amendment, the question I would have, then, is: how would this possibly hold up the streamlining process? All it does is provide guidance to the regulator in legislation. To me the whole purpose of the legislation is to provide that guidance.

Now we would know that the regulator, if you were to adopt this and pass this, would then on its own merits, based on the legislation, start figuring out how it's going to set reasonable time frames, reasonable goals that it can achieve so that the public knows. I think that enhances this piece of legislation, and it allows this process to work exactly the way you want it to work, which is streamlining. Without that, yes, the rules will be the rules, but there are no time frames and no requirement to set a time frame in those rules. We just know there are going to be rules forthcoming, but nobody knows what those rules are going to be.

Setting it out in legislation gives us some sort of clear indication of what some of those rules will be. That's a very good thing for industry. That's actually a very good thing for landowners, too. They will have some sort of reasonable expectation of when that decision will be forthcoming. I think that serves everybody on each side of the equation should anything go to a hearing process or any kind of dispute resolution process, some sort of indication of what they're dealing with with the application.

Thank you very much, Mr. Chairman.

8:20

**The Chair:** Thank you.

Are there others? The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Mr. Chair. Again, I appreciate the opportunity to be here and to participate in this discussion. I'm learning a lot, and it reinforces what I think good legislation really looks like, what a good act will accomplish. Just to draw upon something my hon. friend mentioned about goals, a goal or a good intent of the purpose, of the result that we're looking for is really just a wish until it's written, and by writing it, it makes it crystal clear. It crystallizes it and helps us have something to strive for.

One of the key tools to help streamline is to have deadlines as well as timelines for parts of the evaluation and decision-making process. They need to be realistic, of course, but without them we have the Parkinson's law situation, which I'm sure you all know: work will expand to fill the time allotted for its completion. So we need to keep the time frame as short as practicable. There need to be consequences, certain, not severe, for success or failure to encourage the expeditious processing and arrival at the desired conclusion.

A good management tool that ought to be considered as we work towards making this really be an effective streamlining process would be some kind of performance agreement. It's just part of good management. We have mutually agreed upon desired results so that the parties involved understand what's expected, clear expectations, critical to success, and clear expectations that are specific, not global. We have guidelines. For example, one of the guidelines would be that it has to be legal, moral, and ethical. Another might be that we need to meet certain timelines. Then we've got the resources that are available to help us achieve the desired result. Those need to be clearly specified as well, I submit. Then you've got accountability, how you're going to report your stewardship, and then the consequences, as I said.

Certain, not severe, perhaps performance bonuses for achieving certain successes within or under the timelines, and then penalties or consequences if the regulator isn't performing at the proper level. They certainly shouldn't be getting bonuses as has happened in AHS and other governmental departments for underachieving. We need to set the bar high. The expectations need to be clear because industry as well as the public and the landowners will want this process to be swift. We want to be able to compete with our neighbours to the east and west of us, who seem to be able to approve projects much quicker than we've been able to do.

So I believe that this will help. I think it's critical that we have timelines so that we don't just have it loosey-goosey and it can take as long as it wants but that it's a strict requirement for the performance of the job of the regulator, or they need to be looking for a new job.

Thank you.

**The Chair:** Again, are there others? I'll recognize the Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. In any typical industry if a company setting out a business plan to engage in a project, particularly with project management, it is always set according to timelines, whether you're dealing with financing, whether it's the logistics of purchasing material, costing your labour. It doesn't matter. It is all based on timelines under a project management system.

If we require the regulator to set out reasonable timelines – and it doesn't even say reasonable; it just talks about setting out the timelines – it gives a mandate to the regulator to put that into its regulations so we're assured that it is done in regulation. That now can be used in any project management plan. As these applications come forward, they can now not just look at the geology, you know, on the resource development and the logistics of the drilling

and everything that takes place prior to it, but also they can back right up to when they're doing the planning stages. They'll know when they file that application what reasonable timeline they can plan for to engage these services.

That is not perfect in every sense of the word, but that gives a better planning tool to our industry. All that's happening here is that we are asking to put it in legislation so the regulator must comply and create reasonable timelines – I'm going to make the assumption that they would do that – and there are reasonable goals, and people, industry can rely upon that. That makes for a seamless application process. Without that, if there is no mandate – yes, it can happen without the mandate. That is possible, but it's possible it might be missing. All you're doing here by accepting this amendment is making sure that does not go missing so that we can create a seamless approval process.

Thank you very much, Mr. Chair.

**The Chair:** Thank you, hon. member.

Are there others to speak to amendment A10? Seeing none, I'll call the question.

[The voice vote indicated that the motion on amendment A10 lost]

[Several members rose calling for a division. The division bell was rung at 8:26 p.m.]

[One minute having elapsed, the committee divided]

[Mr. Rogers in the chair]

For the motion:

Anderson	Fox	Strankman
Anglin	Hale	Swann
Bikman	Mason	Towle
Donovan	Rowe	Wilson
Forsyth	Stier	

8:30

Against the motion:

Allen	Horne	Olesen
Bhardwaj	Horner	Olson
Brown	Johnson, J.	Quadri
Calahasen	Khan	Sandhu
Casey	Klimchuk	Sarich
Denis	Lemke	Starke
Dorward	Leskiw	VanderBurg
Drysdale	Lukaszuk	Weadick
Fenske	McDonald	Xiao
Griffiths	Oberle	Young
Hancock		

Totals:	For – 14	Against – 31
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[Motion on amendment A10 lost]

**The Chair:** Hon. members, just a reminder that when you submit amendments to the table, we need the original that was signed by Parliamentary Counsel and signed by the member proposing the amendment.

I'll recognize the next member on the bill, the Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Mr. Chairman, thank you very much. I would like to propose an amendment to this bill, and I will provide copies to the table. I do not see the original here, so I will defer to my colleague for Calgary-Mountain View until I find the original signed copy.

**The Chair:** Okay.

I'll recognize the Member for Calgary-Mountain View.

**Dr. Swann:** Thank you, Mr. Chair. I have a further amendment to Bill 2, the Responsible Energy Development Act. I'll circulate it before I comment.

**The Chair:** This amendment, hon. members, will be A11 once it gets to the table.

Hon. member, you may speak to the amendment.

**Dr. Swann:** Thank you very much, Mr. Chair. Under part 4 Mr. Hehr moves that Bill 2, Responsible Energy Development Act, 2012, be amended in section 67(1) by striking out the word "and" at the end of clause (a) and striking out all of clause (b), which appears to be entirely redundant.

The existing section 67 states:

67(1) When the Minister considers it to be appropriate to do so, the Minister may by order give directions to the Regulator for the purposes of

- (a) providing priorities and guidelines for the Regulator to follow in the carrying out of its powers, duties and functions, and
- (b) ensuring the work of the Regulator is consistent with the programs, policies and work of the Government in respect of energy resource development, public land management, environmental management and water management.

We fail to see how that adds materially to the bill and may give a false impression to some ministers that they can carry out far more intervention than is appropriate. So we see nothing that isn't included under subsection (a) and would suggest that part (b) is either redundant or could be misused.

Thank you, Mr. Chair.

**The Chair:** The hon. Government House leader.

**Mr. Hancock:** Thank you, Mr. Chair. I'd have to speak against this amendment. Clause (b) is clearly a very important part of the bill. What the report that was done as a backdrop to this bill very clearly set out is that in order for us to do appropriate sustainable development in this province, balancing the interests of industrial development and the environment, the interest of Albertans, there needs to be a policy process that's set by government through the Legislature on behalf of Albertans. The government sets the policy. The Legislature sets the legislation. Those are the structures that are put in place. The regulators don't make policy. They carry out policy in terms of implementation.

Section 67(1) very clearly says in (a) that the minister can give priorities and guidelines in terms of how they carry out their duty and in (b) ensures that the way they carry out their duty is done in compliance with the policies, rules, and processes set out by government. It sets out the very clear delineation of responsibility. Policy is the role of government and the Legislature. Carrying out the policy with respect to this area is the role of the regulator.

**The Chair:** Are there other speakers on amendment A11? Seeing none, I'll call the question.

[Motion on amendment A11 lost]

**The Chair:** We'll move to the hon. Member for Edmonton-Highlands-Norwood on the bill.

**Mr. Mason:** Thank you very much, Mr. Chairman. I have an amendment to Bill 2. I will provide the necessary copies to the table, and you can tell me when to proceed.

**The Chair:** I will, hon. member.

This amendment, hon. members, will be A12.

Proceed, hon. member.

**Mr. Mason:** Thank you very much, Mr. Chairman. I move that Bill 2, the Responsible Energy Development Act, be amended in section 16 by renumbering subsection (1) as subsection (1.1) and by adding the following before subsection (1.1).

16(1) In this section, "Minister" means

- (a) the Minister of Energy,
- (b) the Minister of Environment and Sustainable Resource Development, or
- (c) any other Member of the Executive Council responsible for energy or environmental matters.

I'm pleased to speak to this, Mr. Chairman. Presently the bill only provides for disclosure of information to the Minister of Energy, who is the sponsor of the legislation, meaning that all environmental data and analysis gathered by the regulator will not be shared with the minister responsible for the environment.

This amendment ensures that if the minister of the environment requests information pertaining to energy resource developments, he or she will be given that information in order to be able to assess the regulator's work on environmental monitoring. The regulator will be responsible for the protection of the environment when it comes to energy development, but nowhere is there any mention of the ministry of the environment. The ministry of the environment is invested in assessing and managing the cumulative effects of human activity. In order to more effectively study cumulative effects on the environment, the minister of the environment must be able to access the full information regarding resource development in Alberta.

According to the Ministry of Environment and Sustainable Resource Development the province's cumulative effects management system is evolving, and the new Responsible Energy Development Act should evolve with it. This amendment will show a real connection to the province's cumulative effects language and policy because cumulative effects research must be based on open collaboration and the sharing of knowledge. The regulator will have key information on potential environmental effects of proposed and approved energy development plans that pertain to specific regions.

**8:40**

The lower Athabasca regional plan intends to balance large-scale economic growth in northeast Alberta with so-called world-class environmental monitoring. If the single regulator is solely responsible for environmental monitoring, how can the lower Athabasca regional plan be successful in its vision? This amendment will provide the avenue for the Ministry of Environment and Sustainable Resource Development to examine whether energy projects comply with overall development plans such as the lower Athabasca regional plan.

The Ministry of Environment and Sustainable Resource Development has committed itself to increased environmental monitoring, beginning in the oil sands region and extending to cover the province. This monitoring will likely focus on regions in Alberta where resource development will have major effects on the environment. According to the Ministry of Environment and Sustainable Resource Development this agency is a new step in addressing how we monitor the development of our natural resources. In order for environmental monitoring to be effective, information on energy development must be readily available from the regulator. The regulator will have the most immediate and complete information from energy project applicants, and rather

than duplicating efforts in different offices, this amendment allows for the quick sharing of information generated from the regulator.

Mr. Chairman, it's clear to me that if the regulator under this act is responsible for gathering data and monitoring the impacts of development in considering applications and afterwards, that regulator should be sharing that information not just with the Ministry of Energy but also with Environment and Sustainable Resource Development. This is an attempt to correct what we think is a major flaw in the approach of going to a single regulator. The environment will be sacrificed and with it the rights of landowners. You cannot protect the rights of landowners if you don't protect the land itself. I think that that's a critical link that needs to be made in consideration of this bill. You cannot separate those two things. This is an attempt to at least ensure that the ministry of environment is in the loop when it comes to the impact of large-scale energy developments on the environment.

Thank you, Mr. Chairman.

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

**Mr. Hancock:** Thank you, Mr. Chairman. I'd draw the House's attention to the definitions section in Bill 2, which indicates:

- (n) "Minister" means the Minister determined under section 16 of the Government Organization Act as the Minister responsible for this Act.

Under the Government Organization Act section 16(4) says:

Two or more Ministers may be given common responsibility for the same Act, and in that case any reference in the Act or a regulation . . . to a Minister, the Minister's deputy or the Minister's department is to be read as a reference to any of those Ministers and their deputies and departments.

We have a naming protocol, which was established in this province a number of years ago, under the Government Organization Act which facilitates the changes, reorganizations that happen from time to time. Sometimes the ministry of environment is called the ministry of environment and water. Sometimes it's called the Ministry of Environment and Sustainable Resource Development, depending on how the organizational structure is. You don't go through then and amend all the acts to change the names. The Government Organization Act facilitates the naming and transference of responsibilities with respect to any specific act.

I would suggest that this amendment is not only unnecessary but complicates the process because it's very straightforward to name the ministers responsible for an act. There can be more than one minister, in fact, responsible for an act. Different ministers can be responsible for different sections of acts. That's all clearly set out under the Government Organization Act and the regulations that are made there from time to time.

**The Chair:** Are there others to speak to this amendment? The hon. Member for Airdrie.

**Mr. Anderson:** They come fast and furious at us. I need caffeine, clearly, because that was a mouthful.

I'm just flipping to section 16(1) first. We're dealing with the section regarding disclosure of information to the minister. This did come up earlier, and there was no explanation given with regard to our questions on this. I think the hon. House leader obviously has a very good grasp of this bill, so I would like to understand the explanation for why this is in here. In section 16(1) it says right now:

The Regulator shall, on the written request of the Minister, provide to the Minister within the time specified in the request

any report, record or other information, including personal information, that is specified in the request.

Now, that to me seems very broad, and it's a little bit disconcerting that there just seem to be no parameters on that section. In other words, it seems to be saying – and please correct me if I'm wrong. No one was able to point out to me in the act the reason why that's there. That seems to suggest, unless I'm wrong, that a minister could ask for someone's medical information under this or they could ask for something like that. So if you could address that.

**Mr. Hancock:** Mr. Chairman, obviously, it's not that broad. The only information which the minister can request is information that the regulator has. There's no good reason for a regulator to have medical information on an individual unless, perhaps, they're regulating some environmental impact piece that has medical impacts. If there are medical impacts on individuals in an area, then that might be part of the report. Rather than sever that from the report, the minister would be entitled to get the report, including any personal information that was in the report with respect to medical impacts. That's speculation there.

It's only the information that a regulator has in a report or an application or a regulatory review that's available. If the regulator has the information, presumably it's information which is attached to something that they're reviewing or looking at and, therefore, is relevant to the subject matter. All it's saying is that the minister can have the same information that the regulator has in order to be able to look at the policy implications that might be needed out of that information.

**Mr. Anderson:** Okay. That's a good answer to that question. So we're only talking about information that the regulator already has in their possession.

Now, I would be a little bit concerned still that, you know, the regulator could – for example, let's say that a landowner feels that they're being negatively impacted by some fracking in the area, and they submit to the regulator, as I've seen if you've been to some of these fracking conferences, just awful pictures. They're just claims. I'm not an expert on fracking. I'm not saying that there's a problem with it. I just know that there are a lot of people that do feel there's a problem with it. They submit some graphic details about how they're being damaged. It includes medical information, very detailed pictures, and all kinds of bad stuff.

So if that went to the regulator, then at that point that information, if I'm understanding it, would be made available to the minister if they asked the regulator for it. Is that correct? Is that your understanding?

**Mr. Hancock:** In the circumstance of this particular section my understanding would be that the regulator is carrying out a function on behalf of government in terms of carrying out policy that's been put in place with respect to the implications of how people who are applying to do things are regulated under those policies. If the information is in the hands of the regulator, it is in the hands of the minister to request, as it says, a "report, record or other information," but then the minister has the same duty and obligation as the regulator with respect to how you handle that personal information.

One could assume that if there's information that's provided to a regulator that's relevant to what the regulator is doing, then it may be relevant to the policy-setting process, which is in the hands of government. The minister can ask for that information because the minister is the person who advises government with respect to how policy needs to be changed from time to time. The

issue is: why does the regulator have the information, and what's the purpose of the information?

8:50

**The Chair:** I recognize the Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you very much, Mr. Chair. Listening to the hon. House leader, I follow the point about the Government Organization Act. I don't have that act in front of me, but I remember looking at that act on a number of occasions on different matters. Looking at this amendment, I'm not sure how it impedes or contradicts or would make things complicated in the change of the title of the ministry. Maybe I'm wrong. It would be section (a) more than (b) or (c). This is the Responsible Energy Development Act. I mean, this is about energy. It is presumed that the Energy minister by any other name is the Energy minister. If I'm wrong on that, then please say I'm wrong on that.

What it says beyond that is:

(b) the Minister of Environment and Sustainable Resource Development, or

(c) any other Member of the Executive Council responsible . . .

Now, it's not talking so much about the ministry but the area of the responsibility for energy or environmental matters. It doesn't say the ministries as much as it's talking about those matters that deal with both energy and the environment. That, to me, would not make it difficult to change the title of the minister, to require a legislative change or anything.

When I look at section (a), that's where my question lies. I can't imagine changing the title of the minister, but it's possible that we won't call the Minister of Energy "the Minister of Energy" for whatever reason. I just don't see where that's problematic.

When I look at this, other than being specific in literal terms, it just provides a little bit more clarity to the bill, to exactly what you intend it to do. I would encourage anyone to comment. Particularly, does section 16(1)(a) of this amendment violate what you just described in the Government Organization Act? Does that cause a problem?

**Mr. Hancock:** Mr. Chairman, it doesn't violate anything. It's surplusage. It's unnecessary, and it creates issues down the road when you change names of departments. The Minister of Energy at one time, if I recall correctly, was the minister of energy and sustainable resource development. Names change from time to time for various reasons. That's why the Government Organization Act was set up, so that you could actually facilitate those changes without having to go through, find all the mentions in all the statutes, and amend them from time to time.

It doesn't create any particular problems because – you're right – it says that it could be the Minister of Energy, the Minister of Environment and Sustainable Resource Development, or any other person who is responsible. The Government Organization Act clearly sets out who is responsible for what acts and what sections of acts and sometimes co-responsibility.

It's surplusage. It just creates issues down the road when clearly the way the legislative drafting has happened over the last few years is to take those references out of these acts. Everybody knows where they are, and you can go to one place to see who is responsible for any act or sections of acts.

**Mr. Anderson:** I love it when the Government House Leader is here because you learn new words like "surplusage." I didn't know that word. That's a good word.

**Mr. Hancock:** Hopefully, this is the penultimate amendment.

**Mr. Anderson:** Fair enough. Surplusage, umbrage, all these great words.

I really want to thank the minister for answering those questions. It does seem to me to suggest, though – and I think that you did answer it clearly – that it's anything that's in the regulator's hands that's subject to a request by the minister, anything that's been given to the regulator. So that could include medical information. It could include some very personal information about landowners, about anyone else adversely affected who submitted that information that the regulator has gotten a hold in some way, whether through a proceeding or a forum or if it was just mailed to them and so forth.

I would say that that's still too broad. I guess we'll have to agree to disagree on that. When somebody submits something to any government body, especially when it comes to personal information, certainly personal medical information about a sickness that they have because of what they perceive to be development and so forth, that is to them a very personal thing. They're doing it because they feel that they have to. They have no other choice but to submit what can be some very sensitive and embarrassing facts to the regulator in order that they are heard and perhaps compensated or perhaps so the project won't be expanded or won't go forward, or whatever. I don't think that the minister should have the blanket authority to ask for that information and have it in his or her hands. I think that that's too broad.

If we could put something in there that just said: relevant to his duties, relevant to his duties as minister, relevant to whatever. I mean, there's got to be some limitation that shows it's not a complete free-for-all, that they can ask for any information. You know, who knows? I mean, maybe somebody submitted their credit card number to the registrar in order to purchase copies of forms and stuff like that. Well, you would think that that information would be private. Again, I think we've got to realize that we have to be very careful when we start giving blanket powers to ministers to simply say, "I will take whatever I want when I want it from the regulator," because that could include some very personal information that was never intended for the eyes of the minister.

Other things, too. There are a lot of people, obviously, that live on acreages or hobby farms or other places that may have jobs in the public service. It's quite possible that they might not want to be identified if they were to write, say, a really sharp letter criticizing the government for something, and they send it to the regulator as part of their package or submission on a certain issue. Then if the minister can ask for all that information, again, that could be problematic, as could his contact information: his e-mail addresses, his phone numbers, his address, his business address, his place of employment, whatever.

Again, if it's relevant to the minister's duties – and I agree with the Government House Leader – then that's fine. But if it's not relevant to the minister's duties, if you're just giving a power that is essentially unfettered for the minister to ask from the regulator anything that it has in its possession from an individual, regardless of whether it's material to the minister's duties or not, I think that that is problematic or could be problematic, and I think that that should be changed.

With regard to this particular amendment I think it is reasonable because, as stated here, it's the Minister of Energy and the Minister of Environment and SRD and then subsection (c) catches what the Government House Leader was saying: "any other Member of the Executive Council responsible for energy or environmental matters." If the names of departments did change, then that subsection (c) would clearly catch the new name, whatever that is, of the minister that deals with energy,

environment, or sustainable resource development. So I think that it's a reasonable amendment.

I think that, frankly, it should be much broadened with regard to narrowing what the minister can and can't ask with regard to personal information. Reports, I agree. Any report the regulator has, I think that's fair game, anything generated by the regulator. But when you're talking about personal information that's been given to the regulator in confidence, I think that this is a very problematic section.

Thanks, Mr. Chair.

**The Chair:** Further comments on A12? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I want to thank the minister for explaining that. I'm not sure it causes a problem in the sense that the Government Organization Act and any other piece of legislation that changes a department's name generally makes reference to what once was and what will now be. Everything is assumed to be exactly as it should be. Far be it from me, though – I just hate the idea of naming another minister that will get private information. I was trying to limit the power of this a few amendments ago. I'm still more inclined to look for limits on the amount of information that should flow.

9:00

I think I will be supporting this, particularly on the environmental side. It does provide clarity that information can flow, if anything. I don't think it harms the bill. I don't think it affects the bill and what the bill's intention is. I think what it does is to make some clarification for the public at large so they get some sort of sense of trust – I don't want to use the word "trust," but I guess the word "trust" is applicable here – that the information goes where they think it should be going regardless of what the Government Organization Act stipulates. You know, one of the things that has to happen with this legislation is that it has to give the public confidence. It has to give the public a sense that they are not just getting a streamlined regulator but that their rights are being protected in the process by stipulating in legislation who is going to be getting the information, particularly when you are dealing with environmental matters. That was brought to this.

Now, I will tell you from personal experiences that there are problems with fracking. This is not something that is arbitrary or alleged. It is something industry has to deal with. It happens every now and then, and it happens sometimes in strange and weird ways. It even surprises industry. These would be issues that landowners would take to a regulator. Now, one of the most recent ones, of course, happened down in Innisfail. We had a blowout. The fracking company was over the hill on another section of land altogether, and all of a sudden the farmer had a blowout. I don't think it was an abandoned well. I think it was actually another shallow well, if I'm not mistaken. We had a huge blowout happening there.

Now, in that situation the energy company was not following the proper protocols, and that led to probably more of a mistake than there needed to be. Again, this would be a case where the property owners themselves would want the regulator and possibly in this case the ministry of environment to get involved. This was not just an energy development issue. This now became an environmental issue when we had that unexpected blowout, that unfortunate blowout, and there was a tremendous problem created as a result of that.

We had the same thing with the pipeline crossing down on the Red Deer River. We had a spill. It appeared to be significant

downstream. What we found out after the fact is that it was significant, actually, right there for the adjacent landowners on both sides of the bank. It, unfortunately, happened, but at the same time fortunately it happened at the same time that we were at the high-water mark for the year. On the fortunate side it actually placed that oil well up high. Unfortunately for the landowners that were up there, they got covered with oil, so it had that drawback to it.

Again, it's about: now what happens? Who gets the information? Who has the power to get the information? If we were to pass this amendment, it would be laid out in very clear terms.

Listening to the hon. House leader, I understood what you said, and if I'm wrong, I know you'll stand up and say that I'm wrong. The Government Organization Act and any other piece of legislation that we pass, including this one, will make reference – and it does – to where it comes from and what changes. I don't think that creates a problem in the future at all. We have that flexibility. What this does is make it clear and concise for the average person to understand how this bill works and says in specific terms that they can bring these environmental concerns and ask the ministry of environment to get involved in those situations where they need to.

Thank you very much.

**The Chair:** Are there other speakers to amendment A12?

Seeing none, I'll call the question.

[Motion on amendment A12 lost]

**The Chair:** We're back to the main bill. The hon. Member for Strathmore-Brooks.

**Mr. Hale:** Thank you, Mr. Chair. I have an amendment, and I have the required number of copies I'd like to hand out.

**The Chair:** Have you got the original, hon. member, sent to the table?

**Mr. Hale:** Yes.

**The Chair:** Thank you. Just a brief moment while that's circulated.

Hon. member, you may speak to the amendment. This will be amendment A13, for the record.

**Mr. Hale:** Thank you, Mr. Chair. As you can see, we want to amend division 4, reconsideration by a regulator, specifically section 43. As it reads in the bill now, it says, "Subject to the regulations, the Regulator may conduct a reconsideration with or without conducting a hearing." My amendment will strike section 43 and replace it with

43 The Regulator shall provide a minimum of 60 days' notice of a reconsideration to any landowners, companies, or other persons directly affected by the decision and shall provide those persons with the opportunity to present evidence to the Regulator before the reconsideration is complete.

Now, this amendment is good for everyone involved. It's good for the companies. It's good for the landowners. It gives everyone a sense of certainty. They know what's going to happen not on the day that it happens. This will allow the rug not to be pulled out from the oil companies. We've already witnessed up north the oil sands leases that were cancelled. These oil companies spend thousands, hundreds of thousands, millions of dollars preparing and going through this application process. To all of a sudden have the decision of the regulator stop their process costs them lots of money.

We're still not a hundred per cent sure. I did ask a question in question period regarding the repayment to these oil companies of

the leases that were cancelled. Are they going to be repaid the original costs? Are they going to be repaid the original costs plus a rate of return? Or are they going to be repaid their costs plus a rate of return plus lost revenue? That could cost the Alberta taxpayers millions and millions and millions of dollars.

This amendment will allow the oil companies to have a voice with the regulator. It'll allow them to make recommendations, to plead their case, if you so wish. You know, it'll allow them to be involved in some sort of a discussion as to why, give them time to make their cases, to make their point, to say: why are you pulling these leases from me? It's not necessarily about the landowners. I mean, it could be that the decision of the regulator is to not allow it on a piece of land, then all of a sudden on a whim the regulator decides to approve it without giving any sort of notice.

I believe – and the hon. Energy minister may correct me – that this section of the bill deals more with cancelling of leases, suspending application processes. We feel that these oil companies deserve the respect of the regulator to give them notice, to give them 60 days, two months. Many of these oil companies spend months and months right now going through this process, deciding on their projects. This will allow them time to make recommendations to the regulator, to, hopefully, change the regulator's mind as to why this resource development is good.

9:10

You know, we've heard throughout the amendments of this bill, we've heard throughout proceedings in this Chamber for weeks now about accountability and transparency. This amendment allows for accountability and transparency between the regulator, the energy companies, and the landowners. I don't think that this is too much to ask for companies that spend all this money on the taxpayers' dime. I mean, taxpayers own the resources – they own them – and when situations arise where we have to spend extra taxpayer dollars to compensate these oil companies when maybe they have good reasons and they can persuade the regulator to allow them to continue their resource development, you know, these companies must be allowed to provide evidence.

I can almost hear the answer of the hon. Energy minister to my questions and to this amendment, that it will be dealt with in the regulations, in the rules, but again that leads to so much uncertainty. You know, these companies that are worth billions and billions of dollars want to know where they stand. They don't want to leave it up to the whim of the Energy minister or the regulator. They want to know cut and dried what's going to happen. I think they deserve the respect of this Chamber, and I think they deserve the respect of the Energy minister and everyone involved to have that certainty, to know where they're going to stand.

So I would hope that you guys would take a look at this and come up with some really good explanations as to why you don't want to pass this amendment or, you know, clarify, other than saying that it's going to be in the regulations later. I'd like to see in the bill where this will provide certainty to the energy industries.

Thank you.

**The Chair:** Other comments? The hon. Member for Airdrie.

**Mr. Anderson:** Yeah. I personally think that this amendment is more than reasonable. It's, frankly, essential. Again, it's good that the Government House Leader and the Energy minister are here to answer our questions in this regard, but if you look at section 43, again, of the current act it says, "Subject to the regulations." I know, regulations. You could put something in there maybe, but

you can't take that to the bank, so pretend that's not even there. "Subject to the regulations, the Regulator may conduct" – may conduct – "a reconsideration with or without conducting a hearing."

Now, I don't see how that is due process, frankly. I'm not understanding how folks can go through this process and go through a proper hearing where a decision is rendered, and then the regulator is free to go back, reconsider that decision, and change its mind, essentially, or alter its decision without consulting or hearing from the impacted folks. That doesn't make sense.

I'm fully aware that this is a very thick bill. I've a lot of respect particularly for the Government House Leader and his ability to understand and weed through government legislation and point out where we're missing things and where we're misinterpreting things and so forth, but on 43 I don't understand why we would want to give the regulator the ability to reconsider a decision and alter a decision without hearing from the folks that are affected by it. Again, that to me is a little bizarre.

The amendment here states:

43 The Regulator shall provide a minimum of 60 days' notice of a reconsideration to any landowners, companies, or other persons directly affected by the decision and shall provide those persons with the opportunity to present evidence to the Regulator before the reconsideration is complete.

I'm glad that our Energy critic also brought up the fact that this applies not just to landowners, which is important – it should apply to landowners – but it also applies to companies. Under this a company could essentially get a permit to drill or to do its work, and then there could be a reconsideration of that without a hearing. So the company could go through all this effort. There are hearings and all that. They get the permit, and then all of a sudden for whatever reason, political or nonpolitical, the regulator decides to reconsider the decision to allow that drilling permit and makes a decision without even hearing from the company, whom it would just devastate.

Again, I'm not saying that the government plans to do something so nefarious as that, but that's what this seems to do. Is there an unintended consequence here? Perhaps the Energy minister or the Government House Leader or the ag minister, also a great parliamentarian and someone who understands legislation very well, could explain if that is indeed the case. Why do they need to make it so that a regulator may conduct a reconsideration with or without conducting a hearing? Doesn't that seem like a problem?

**The Chair:** Before I recognize the next speaker, may we briefly revert to Introduction of Guests?

[Unanimous consent granted]

### **Introduction of Guests** (reversion)

**The Chair:** The hon. minister of agriculture.

**Mr. Olson:** Thank you, Mr. Chair. I notice that we've had some visitors just arrive in the members' gallery. I was at a dinner reception earlier this evening, and it was to celebrate the agriculture industry. It was sponsored by Alberta Pork, Alberta Barley Commission, Alberta Lamb Producers, Alberta Pulse Growers, Alberta Canola Producers Commission, Alberta Sugar Beet Growers, Alberta Wheat Commission, and the Potato Growers of Alberta. I actually might have mentioned to some people there that sitting here evenings is somewhat reminiscent of

an intensive livestock operation where we sit, and we sit, and we sit, then we go out and eat, and then we come back and sit some more. Anyway, these gentlemen were, I think, curious enough to come over and see what we do here in the evenings. I'd like to introduce to you and through you to the members here Chris Perry, John Boorman, Louis Ypma, Laus Stiekema, and Jake Hoogland. My apologies if I've mispronounced any names. Welcome.

**The Chair:** Thank you, hon. member.

### **Bill 2** **Responsible Energy Development Act** (continued)

**The Chair:** We'll return to debate on amendment A13. Are there other speakers? The Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Mr. Chairman. It's a privilege and a pleasure to rise and support this amendment about giving

a minimum of 60 days' notice of a reconsideration to any landowners, companies, or other persons directly affected by the decision and shall provide those persons with the opportunity to present evidence to the Regulator before the reconsideration is complete.

The reason that this amendment is actually quite important is because in the act itself, the Responsible Energy Development Act, section 43 is pretty vague. It really just says, "subject to the regulations, the Regulator may conduct a reconsideration with or without conducting a hearing." The most common-sense thing to do would be to literally be able to provide the landowner and the company with a minimum amount of notice. Why would we expect that anybody should get zero notice, that the regulator can make a decision, and then after that decision is made can come back and change that decision with no notice to the landowner, no notice to the company, really, no notice to anybody but themselves and probably the minister?

9:20

In the interest of being as fair, as open, and as transparent as possible, it would seem that we want to make sure that this is a win-win for all. I would think that industry would need this as well so that these decisions don't bounce back on them. You know, time and time again we repeatedly hear about how much investment industry makes into these projects, how much effort and time and months go into the planning, into the permits, into the development of whatever this project is going to be. In order to make sure we're not shortchanging industry at all, if there's going to be a hearing or there could be a hearing or there might be a hearing or there was a hearing or a reconsideration of any sort, then surely the industry would want and the government would want to make sure that all those who might be affected have an opportunity to know that that has changed.

The importance of that is that it then allows that industry member to redirect funds if they need to, change permits so that the project isn't stalled, and allows the industry member to further meet all of the guidelines that the regulator is actually putting on them. A change or a reconsideration literally could mean that you're changing the guidelines that the industry person has to meet, and we would want to give them notice of that. Just as important, surely, is that we'd want to give the landowner notice that we're going to reconsider or conduct a hearing on something that, again, is on their private land.

The problem with leaving it so vague is that it really is a concentration of power. I believe that this government wants to be



more open and transparent. That's what they've said they want to do. A perfect way to do this is just to ensure that there's no secrecy. Nobody is saying that they want it to be secret but just to make sure that that is an open process.

Requiring notification of a hearing with affected persons and giving them 60 days' notice is a reasonable amount of time. If there's a different amount of days, you know, I'm open to hearing that as well. If there's a little different wording that the government needs to have in there to make sure that there's some sort of notification to the landowner, to the industry, and all the affected members, then certainly I'm sure that the Minister of Energy could provide that reasoning.

It seems that there would only be very few reasons as to why you'd purposely leave it out. There doesn't seem to be any logic and any reason as to why you wouldn't notify not only the landowner, the person's land that they own that you're going to be affecting, but also the industry member so that we can ensure that industry is able to meet all the requirements that are placed upon them. This is not onerous on the regulator when changing the decision. It's a simple notification allowing everyone to know exactly what's going on and allowing everybody to have the opportunity that if they don't like the notice or they don't like what's going on, they can take whatever avenue is open to them.

We've already heard that one of the avenues that is open to them is to have a discussion with the minister because that's how they're going to appeal that decision. But if they don't have any notification, how does either side make that happen? If industry doesn't know that you're going to change or have a reconsideration with or without a hearing, then it almost makes it impossible for them to put it in their side as to why this is a good idea or not.

More importantly, once again, by omitting it, it's not open and transparent. That is the most important part of everything that we're doing here in the Legislature. It needs to be open and transparent. If you're not going to allow the industry and the landowner any notification that you've held a hearing or that you might have a reconsideration with or without a hearing, then there's absolutely no way that that process can be seen as open and transparent. It is imperative that both the industry and the landowner know what's going on, are kept apprised of the process all the way through, and are allowed to have the opportunity to make any changes or adjust their budgets or adjust their business plan to make sure that some of these projects go through.

We know on the government side there's a pretty heavy emphasis on carbon capture and storage. They've invested a lot of money, \$800 million, into carbon capture and storage, and I would think that any of those plans that go through – you'd hate to see one of them go off the rails because you had a reconsideration or a hearing that was done with no notice to industry. So it protects industry just as much as it protects landowners. Actually, I think in this case it almost protects industry more because industry is the one who's shelling out a significant amount of money. Given the subsidies that some of these companies get on carbon capture and storage, it actually would protect taxpayers, too, because if they're given the 60 days' notice and need to make some adjustments in their plans, then they have the ability to do so.

Once again, I mean, 60 days' notice is not onerous. It's not difficult to do. It shows that this government is open and transparent. It allows the landowner a say, and it allows the industry a notification, which is a simple process. We notify about many, many different things. You know, in our municipalities they notify when they're going to pour sidewalks. The government notifies when they're going to build anything. If you're going to operate an intensive livestock farming operation, you

have to notify all of your neighbours – you have to put out the little billboards, send some notices – and then they have 60 days, usually, 30 or 60 depending on what type of operation it is, to actually reply, and the neighbours around them also know what's going on. Providing 60 days' notice to the landowner and the industry when the regulator may conduct a reconsideration is just really good business practice.

I would suggest that we take a minute to take a step back and seriously consider these amendments. A lot of hard work has gone into them by the hon. Member for Strathmore-Brooks. These are not frivolous amendments. He's put a lot of effort into talking with industry and with landowners. He's just trying to provide better options for a bill that I think could be good but, certainly, could be better. Ultimately, as legislators that's our goal is to make sure that the best bill comes forward to the public and to industry and that we have a win-win.

To ensure that we do that, I think one of the first and foremost issues that we have to deal with is the trust issue. Currently there is a trust issue. The public doesn't trust that when you come onto their land, you're always going to do the right thing. The public doesn't trust that everything that we say is going to happen in this bill is going to happen. That's a reality. That's what we're facing today. We saw it with bills 19, 24, 36, and 50. They are lacking trust in what politicians do, and in order to rebuild that trust, we need to make sure that we don't make the same mistakes that we saw in Bill 50. Bill 50 came back to this House because people literally rallied up and said: this is not an appropriate bill; it doesn't do what you thought it was going to do, and we need to make some revisions. I applaud this government for bringing Bill 50 back and recognizing that it wasn't as good as it could have been.

I think that this is one of those instances where this one certainly could be a lot better and could literally put the government in a position where it's a win-win for them as well. They're clearly open and transparent if they were to provide notice. It's not onerous. You know, it would certainly make the bill better, and it would build public trust in what we're doing here. The reality of it is that what we're going here is very, very important work, but we have to make sure that we're talking about all Albertans, and we have to make sure that we're talking about all industry and the regulators.

I know for a fact that I can't imagine there's a single person in here that if something was going across their land and was affecting their property and may or may not affect what they do with that land or any setbacks or anything else that they wouldn't want reasonable notification that something has changed. It would seem to me that any reasonable landowner and any reasonable industry person would also like that same courtesy.

I would suggest that the government take a look at this amendment and support it as I will. Thank you.

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

**Mr. Wilson:** Thank you, Mr. Chair. I rise today to speak in favour of this amendment. I think that the intent behind this amendment speaks to an element of fairness when, you know, the regulator is given this power to sort of pull the rug out from underneath others, whether that be industry, whether that be landowners, which seems to be what our caucus talks about quite often over here.

But the reality is that the intent of this bill is to streamline a process, and pulling the rug out from under people has the unintended consequence of potentially bogging things down on the back end. You know, if lawsuits and/or further appeals are held trying to, I guess, challenge the regulator's decision on a

reconsideration, I think that having the ability for evidence to be presented by all parties affected by a reconsideration just simply makes sense, and it will allow this bill to actually fulfill its intent.

9:30

Absolute power is a frustrating animal for anybody and truly can only lead to negative outcomes if not tempered. There is, as the Member for Airdrie suggested, the potential for politics to be at play, again, whether that's a perception or a reality. If a lease is cancelled and it's because a company did something that the government didn't appreciate or if there was, again, an individual within a company that blew the whistle on somebody and then all of a sudden the regulator decided to pull their lease, there is the potential for this perception of absolute power.

You know, I say this sort of tongue-in-cheek, but it relates to a situation we have here, where despite strong evidence and undeniable logic being offered from this side of the floor on many of the amendments that we're putting forward, the regulator on the other side, being the government, at least hears us out. At least you hear us out. You may not like what we have to say, we may not get our way, it may not go our way, but that little token of at least being able to present our case lets us go home at night and sleep well.

I think that that's what this amendment speaks to. It's going to allow those impacted individuals to be able to do that, to have their voice be heard when they are impacted. In the case of industry, where we have millions invested, I mean, this can be a pretty big blow. In the case of an environmental impact assessment being done, that needs more clarity or more – if they need to be at the table, at least having the regulator notify them and hear evidence from all sides just simply makes sense.

I would implore the hon. minister to give this amendment strong consideration because I do believe it just simply speaks to fairness. Thank you.

**The Chair:** The hon. Minister of Energy.

**Mr. Hughes:** Thank you very much, Mr. Chair. Just to answer some of the points that colleagues opposite have raised, really this is a matter of practicality. We all know that no one size fits all applications. You know, the ERCB today deals with 30,000 to 40,000 different applications in a year. Some are through in two days, like to drill a well in an existing program. Some take two years, like for a large plant in northeastern Alberta.

To write into the legislation sort of a one-size-fits-all notice of reconsideration perhaps creates a process which is unduly constrained and not responsive, actually, to either landowners or any of the parties: environmental concerns that are raised, landowners, or applicants into the system. Actually, one of the reasons why this section under division 4, Reconsideration by Regulator, is there is that people make mistakes. Sometimes the regulator can make a mistake. You don't want them to be hung up in a very tightly prescribed process in order to correct a mistake that's been done.

So for many reasons, these included, this is best addressed within the regulations, which it will be, Mr. Chair. Thank you.

**The Chair:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair, and thank you very much for the explanation. I will say this. The regulator is the master of its own destiny. That's the way the bill is constructed, and that's what we want in real terms. The regulator will make regulations accordingly, based on this legislation. As with all regulators

existing right now, the Alberta Utilities Commission, they are the masters of their own destiny. They have those powers that they can exercise.

This amendment would not hold up the regulator one iota if they have to reconsider. What the amendment says is that they do give 60 days' notice before the reconsideration is complete. What is actually in legislation – and it's consistent across our regulators now – is that if the regulator needs to act, they have the power to act. They do have that power to change immediately, based on the need, but the process itself for reconsideration can still be open so that they can get evidence.

The real key is exactly what the minister said: "Mistakes do get made, and we realize that. Those mistakes need to be corrected." The bill empowers the regulator to correct the mistakes. That I don't dispute. But what allowing mandatory 60 days' notice before the reconsideration is complete does is that that allows for those industry members in particular, those people who want the efficiency of a seamless application process, if they do receive a decision that is going to be rescinded for whatever reason – we can come up with a number of reasons – at least they will have the opportunity of notification and realistically about 60 days before the reconsideration is complete. There's nothing here that says that the regulator upon receiving that evidence might not change their mind.

By putting that there – and you could put any time frame at all in there: 60 days, 30 days, 15 days, or even 90 days; it doesn't matter – the regulator can take whatever action it deems necessary to do its functions. That's already embedded in the act, and it has been embedded in all these regulation acts dealing with the ERCB, dealing with the AUC, dealing with the former EUB. It's all consistent. They had the ability to act.

What this motion just says: you've got to go tell those people who are directly and adversely affected and give them 60 days before your reconsideration is complete. I would argue that the completion is when they file that report. So they have the ability to take the action – let's say that it's in the public interest; I don't want to argue that one again – because of safety reasons, and they have to rescind a licence that they just granted for whatever reason. On the rescinding of that licence, if they give 60 days' notice before they make that reconsideration and close out the formal process – they create the process in regulation, anyway – before the process is absolutely complete, they're allowing at least 60 days here for those people to be notified and to provide evidence.

Now, will the regulator change their decision? Maybe, maybe not. But at least they gave those industry members, those people that are directly and adversely affected a time frame to get evidence together to say: wait a minute; maybe you don't need to rescind that licence.

Of course, it can work in the opposite way, where the regulator decided not to issue a licence and then decided to rescind that decision and issue the licence. Well, somebody has to be in that case probably directly and adversely affected. By giving them notice – and I will say this – when we appeal any of these decisions, that does not stay the order. If the regulator makes a decision to terminate a licence, rescind a licence, or grant a licence, the order is not stayed just because somebody appeals it. That's in the legislation. All that's happening here is that you've created a timeline so somebody can get notice and ample opportunity and let's call it reasonable opportunity to challenge the facts or submit evidence, based on the reconsideration by the regulator.

9:40

With respect to the minister saying that it would unnecessarily create a problem, I do not think so. I think it does just the

opposite. It helps to keep the system seamless so we can deal with an issue. I will tell you it is the mistakes of the regulator that probably cause the most problems, more than any other aspect of the process. It's very frustrating for industry members when they run across a mistake by the board, the commission, or in this case the regulator. That is the whole intent for bringing this bill forward, so that we can eliminate some of those mistakes. Now, the best way to eliminate or at least remediate or even remedy those mistakes is to get evidence, and what better way to get evidence than to notify somebody who may have evidence or may want to bring evidence forward?

The bill itself does what it's supposed to do. The regulator gets to act in good faith, the way the regulator is intended to act. If they have to rescind a licence, they can rescind that licence immediately. They do not have to close that process out on the reconsideration. They can leave the process open, give 60 days' notice, receive other information. Just because they are under reconsideration, they do not have to and there is no right to stay the original decision. It's just not in the act. It's just the opposite. This act is absolutely clear. Just because something is being reconsidered or appealed, there's no staying power there. Not until the regulator makes it final.

All this does is create that one opportunity that opens up a window that others can bring evidence in. Where this is really important is not so much in dealing with landowners and landowner issues; this is in dealing with companies with issues with other companies. That happens. That happens a lot, and they have to deal with those issues. We have this situation where the regulator generally arbitrates in many cases, and if you have that kind of a problem that the regulator is dealing with, giving 60 days' notice, I think, is not just reasonable, but it's ample time.

Now, if you want to shorten it or extend it, I don't think it changes the context of what's happening here. I don't think it burdens the regulator in any way because, again, the regulator's decision – they are the master of their own destiny. If they pull that licence, it's pulled. The decision to pull the licence is not stayed because they are reconsidering it. It is not stayed because it's under appeal. They still have the right to hold a hearing or not hold a hearing. They have that ability. It starts right out in section 34(1).

The whole idea of reconsidering a decision is important, but to try to limit or minimize mistakes I think is crucial to keeping the intent of the bill. I can give an example of mistakes made by a former commission, the Energy and Utilities Board. They were not intentional mistakes, but they were mistakes nonetheless, where the utilities board decided for whatever reason – and you can look this up in the transcripts – not to go by the regulations. Now, I never could understand that when that decision was first made because the utility board made the regulations. The law is the law is the law. Since they made the law, which is the regulation, then they have to abide by their own law even though they have the power to change it. They didn't do that. That was an error, in my estimation, and of course the courts agreed with that. I think that had a process like this been available, where 60 days' notice was given or any notice was given of the change in the decision not to go by the regulation, had they had the opportunity to get input, that could have been prevented.

That's what we want. We want to be able to prevent mistakes. I think this actually assists in helping to prevent mistakes. It does not hold up any decision of the board. It does not stay any decision of the board. It just opens up that process of reconsideration regardless of the action of the board, but it mandates to the board that they have to give notice, and it gives people the opportunity, which, again, is that trust issue. People can live by

the decision of the regulator as long as they feel they've got an ample opportunity to be heard fairly. They may not like the outcome, but at least if we have that process that allows them to be heard, that allows them to submit evidence, that they presume is fair and just, then the system works.

I speak in favour of this amendment because of that one principle, that it gives the sense that we're going to open the process up regardless of the action of the regulator, and in that process of 60 days, if they do not submit evidence, if they do not come forward, the regulator closes the process. No decision has been stayed, and we have a seamless application process that has continued forward.

Thank you very much.

**The Chair:** Thank you.

Are there other speakers? The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Mr. Chair. The bill now reads in section 43, the one we're proposing to amend – and I support the amendment – “subject to the regulations, the Regulator may conduct a reconsideration with or without conducting a hearing.” It makes me wonder and I suspect people looking in on us will wonder, too: where are we exactly? Is this eastern Europe? Are our regulatory models Venezuela or Russia?

The regulator shall provide a minimum of 60 days, and as has been eloquently addressed, that seems to be quite reasonable. Corrections could be made in a day if all parties agreed with them and agreed that there's no need to present evidence. That would speed things up, which, clearly, is the government's intent and would be in the best interests of industry, the companies involved, as well as landowners.

This is about property rights, of course, those acquired by energy companies through purchases of leases and mineral rights as well as the property rights of the property owner, the landowner, where relevant, and in some cases, obviously, it will be government itself on Crown lands. It's respect for the rights and investments, the plans that have been made by corporations, their investors. Companies are owned by people. Companies aren't owned by some nebulous entity. It's people. It's people like you and me.

Many times it's part of our RSP or investment program, and we want the certainty that clauses like this amendment will provide. We need that certainty. It restores trust, and it's necessary to initially obtain and to retain investment in our province. It establishes credibility that the government is prepared to create a level playing field, create rules that are just and logical and based on common sense and are realistic. It provides certainty. Certainty is needed when you want to attract people into a market. It's needed if you want them to remain in the market. It's consistency, which is necessary for long-term plans.

Many of the projects that we're talking about require hundreds of thousands of man-hours and millions and millions of dollars to create the plans that are based upon the trust and the credibility of the government to deliver on what it promises, and that's stability. We need to make sure that the things that we do, such as including amendments like this, will give confidence. Investor confidence was seriously wounded when the unilateral royalty changes were made four years ago, and I don't think that trust, the credibility has yet been completely restored. That confidence is still a little bit lacking, and I suspect that some investors may never return to this jurisdiction.

I think that creating this bill will help. Doing the tweaks that we're suggesting and that others are suggesting are just good

common sense, and they'll help restore that confidence and bring investors back because they'll have the certainty that they need. It's all about rights and due process. It's fairly simple, and I think that this simple little amendment will provide what we're looking for to provide a streamlined process or system that companies and landowners can count on.

Thank you.

**The Chair:** Are there other speakers to amendment A13? The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Mr. Chair. I stand today in support of the amendment of the Member for Strathmore-Brooks to section 43 of Bill 2, the Responsible Energy Development Act. What section 43 currently states is:

Hearing on reconsideration

43 Subject to the regulations, the Regulator may conduct a reconsideration with or without conducting a hearing.

What this member is looking to change it to is:

43 The Regulator shall provide a minimum of 60 days' notice of a reconsideration to any landowners, companies, or other persons directly affected by the decision and shall provide those persons with the opportunity to present evidence to the Regulator before the reconsideration is complete.

The way that I read this is that we're just trying to offer in good faith affected Albertans – persons directly affected, landowners, and the industry – the ability to be brought into the reconsideration so that they are able to be part of the process rather than just a spectator to it. Part of the reason why I sought the nomination and why I wanted to be elected was that I was tired of being a spectator. It was time to become part of the process, to help drive change or to defend those issues that are important to me and important to my constituency.

9:50

When we look at things like this, we're talking about Canada's economic engine, the Alberta energy sector. Really, this is what drives our country, this is what drives our province, and it's what drives investment into our province. We want to make sure that this is a stable environment. Myself, if I'm looking to invest, I want to invest in stability. I want to see something that is stable and will give me a return. Well, if you have a reconsideration – you put money into a project, and when you're talking energy, you're talking big money. This is a lot of money that these companies invest and that these landowners and other persons that are directly affected invest into this economy. When you're investing those kinds of dollars, you want to make sure that you have the stability. Then if you are going to be going through a reconsideration, if somebody is going to be looking at your licence, you have the ability to stand up and have input into that process rather than just sitting back and getting told by a regulator what's going to happen.

Any time that I've been involved in a process, I've wanted to have input into it. I've gone to numerous policy delegations, policy AGMs. To just sit back and spectate, it does nothing. You have no ability to sway arguments. You have no ability to have any control over your destiny. All of these entities within Alberta – the landowners, the companies, and other Albertans directly affected by these decisions – they want to have control over their destiny. They want to have control over what they're investing in. To be able to have that control, they've got to at least have some input.

Whenever somebody is talking about reconsidering some of the licences that they've been issued – I mean, when I renew my driver's licence, it's not just that there's a date on my driver's

licence. The government actually provides me with a sheet of paper that comes in the mail that gives me notice. It gives me 30 days' notice that my driver's licence is about to expire. With that notice I know that I can go in and see the registry agent and renew my driver's licence. Now, if I have any issues when I go in to renew my driver's licence, there is time because I've been given 30 days' time to talk about or to fight whatever might be there.

With this we're just saying that the regulator has the ability to make a change, make the decision, and notify afterwards. There is no opportunity for input. There is no opportunity for notice where a company, a landowner, or a person can have input into this or even know that it's happening. If somebody is going to pull a licence on me, if I have a business licence, I want to know that that licence might be pulled. I don't want to find out afterwards. I want to find out now so that I can either fight to keep the licence or find a way to move my assets so that I'm not going to be caught unable to do business.

I think the same respect should apply to the regulator under the Responsible Energy Development Act. We're talking about Alberta's largest industry. We're talking about the energy industry. We've got to make sure that we respect all players in this: the landowners, the companies, and all Albertans that are affected by the decisions that these regulators make.

I said earlier that ten thousand regulations can cause people to lose all respect for the law. We don't want to see that happen. We want to make sure that they have the ability to have that notice so that if there is a reconsideration, they may be able to present that evidence to the regulator before the reconsideration is complete, not afterwards, not having to fight to reapply.

It just doesn't make sense. I don't understand why anybody would oppose this. This is just common sense. It's good faith. I mean, we put these things forward in good faith. There are no partisan politics behind these. We are here doing the job asked of us, and we're doing this in good faith. We're putting forward amendments like these that are, I think, very reasonable, and we're doing this because we want to see this bill be passed. We want to see this bill be a strong, strong act and that this new regulator is created and created right. By passing this amendment, I believe we are just one step closer to making this a stronger act.

I'd like to thank you very much for your time here this evening and hearing me out on this.

**The Chair:** Other speakers? The Member for Olds-Didsbury-Three Hills.

**Mr. Rowe:** Thank you, Mr. Chairman. Again, I rise to speak in favour of this amendment. Section 42 and section 43 give the regulator the power to reconsider its own decisions at any time and for any reason. There must be some restraints on this reconsideration power. Requiring notification of and a hearing with affected persons, whether landowners, companies, or others, is not onerous when the regulator is changing a decision. It ensures transparency.

It is about due process, Mr. Chairman. This, again, is about respect for all parties concerned, whether you are an energy company, a landowner, or anyone else involved. It's about huge investments that energy companies may make, huge amounts of money being tied up while this process takes place. This bill is about speeding up the process, not slowing it down, is it not? It's about streamlining our whole process.

I imagine myself as a landowner or an owner of an energy company that has got considerable investment in your livelihood, and having that investment put on hold is going to cost an awful lot of money until this is resolved. As was mentioned, we can do that

with our drivers' licences, and in any other number of businesses we don't have to put up with this kind of a roadblock to our success.

I'd urge our fellow members to support this amendment and, as I said, help speed up this process, which is the whole purpose of this bill. With that, I'll close, Mr. Chairman, and turn it over to my compatriots.

**The Chair:** The hon. Member for Drumheller-Stettler.

**Mr. Strankman:** Thanks, Mr. Chairman. I'd just like to speak briefly to this. I just find it quite depressingly interesting that there would even be a piece of legislation tabled that reads: "Subject to the regulations, the Regulator may conduct a reconsideration with or without conducting a hearing." Why would the regulator even consider it in the first place? Why would anybody even consider that the regulator would have any credibility? They could change their mind before or after, during, at any time going on. It's not unlike the people's Soviet republic east of me called Saskatchewan, where a lot of people left that province in the middle of the '30s and '40s. One hon. member of a certain political vent left more recently to come to this fantastic province.

When you read this sort of stuff, it just makes me upset. I think that this sort of thing needs to be changed, and this amendment would work in that regard. I wish to speak in favour of the amendment, Mr. Chairman.

**The Chair:** Thank you, hon. member.

Are there others that wish to speak to amendment A13?

[The voice vote indicated that the motion on amendment A13 lost]

[Several members rose calling for a division. The division bell was rung at 9:59 p.m.]

[One minute having elapsed, the committee divided]

[Mr. Rogers in the chair]

For the motion:

Anderson	Fox	Strankman
Anglin	Hale	Swann
Bikman	Mason	Towle
Forsyth	Rowe	Wilson

Against the motion:

Allen	Hancock	Oberle
Bhardwaj	Horne	Olesen
Brown	Horner	Olson
Calahasen	Hughes	Quadri
Casey	Johnson, J.	Sandhu
Denis	Khan	Sarich
Dorward	Klimchuk	Starke
Drysdale	Lemke	VanderBurg
Fenske	Leskiw	Weadick
Fraser	Lukaszuk	Xiao
Goudreau	McDonald	Young
Griffiths	McQueen	

Totals:	For – 12	Against – 35
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[Motion on amendment A13 lost]

**The Chair:** Back to the bill. The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Chairman. I have another amendment to offer, and I will await your direction to make the motion.

**The Chair:** Okay. We'll circulate the amendment, hon. member, and I'll give you a chance in a few minutes to speak to it.

This amendment, hon. members, will be A14.

Hon. member, you may speak to the amendment.

**Mr. Mason:** Thank you very much. [interjections] These Tories are very tricky, Mr. Chairman. You always have to be on your guard. Let this be a lesson.

**The Chair:** Hon. member, it sounded like someone was calling the question. Proceed, hon. member.

**Mr. Mason:** All right. Mr. Chairman, I will move that Bill 2, Responsible Energy Development Act, be amended by striking out section 21 and substituting the following:

Consultation with aboriginal peoples

21 The Regulator shall ensure adequate consultation occurs with aboriginal peoples in accordance with existing treaty rights.

I move this because the current bill includes a caveat, section 21, that states that the Alberta energy regulator has no jurisdiction to assess the adequacy of Crown consultation with regard to rights associated with aboriginal treaty rights protected under part 2 of the Constitution Act of 1982. The amendment will ensure that the new regulator takes responsibility for ensuring that applicants have adequately consulted aboriginal people according to their current treaty rights.

Currently section 21 of this bill abdicates all responsibility for ensuring adequate consultation with aboriginal peoples by deferring to the Constitution Act of 1982. This is insufficient reasoning due to the fact that the responsibility for the development of energy resources in Alberta falls under provincial jurisdiction, and the regulation of this development will, according to this bill, fall to the single regulator.

The bill as it stands places responsibility with the regulator when it comes to hearings, decisions, and appeals with regard to energy resource activities. It also places the responsibility with the regulator when it comes to communication of decisions, section 33(2). Therefore, it stands to reason that adequate communication and consultation of applications to aboriginal people should be ensured before decisions are made. Alberta's First Nations Consultation Guidelines on Land Management and Resource Development, 2007, states that it "acknowledges a duty to consult with First Nations where Alberta's actions have the potential to adversely impact treaty rights." That's something that this government signed onto, Mr. Chairman. Seemingly, it's been forgotten. The Department of Energy should ensure that the spirit of this commitment is enshrined in Bill 2 despite the regulator not being an official agent of the Crown.

Currently section 21 brusquely shirks its responsibility to engage with aboriginal peoples by deferring to the Constitution Act of 1982. Although this section may be legitimate according to jurisdictional responsibilities, it sends a negative message, in our view, to First Nations communities, who very likely will be affected by many of the decisions of the proposed regulator in this bill. The regulator should therefore take responsibility to ensure that all consultations and communications have taken place when it comes to energy projects defined in Bill 2.

Mr. Chairman, I would urge all hon. members to support this. I think that it makes eminent good sense. Thank you.

10:10

**The Chair:** Thank you, hon. member.

I look for other speakers to the amendment. The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you, Mr. Chairman. I stand in support of this amendment. I think that if there's one area where we could actually improve the image of Alberta, improve our relationship with First Nations, improve our consultation process and the accommodation process that's supposed to go along with the consultation, it's in the area of aboriginal consultation. There's an opportunity here to strengthen what has been seen both provincially and beyond the province, even internationally, as being a travesty: the way that we in this province allow First Nations to have token consultations in a lot of these energy developments, often after the forest has been cleared, as we discovered a couple of years ago in a line that was seismic and cleared without the awareness of the First Nations band.

There's an opportunity here to strengthen, I guess, and enhance and actually show the world and show our First Nations people that we are going to go the next step, that we are going to actually encourage and require our regulators here to not only assist with and facilitate consultations but ensure that they are communicated well and that there is a genuine effort, a visible effort, a way of communicating how the accommodation is going to happen with First Nations issues. I think it will be a real lost opportunity if we don't step up as a province and really show some leadership in this area, which has been such a thorn in our side and such a challenge, I guess, to our credibility as a province, that we're serious about First Nations issues.

I hope other members will see the opportunity here. It may not be essential, but it is an opportunity to really show both our First Nations and the rest of the world that we're going to lead, not drag our feet in terms of consultations and accommodation of First Nations' interests. We're going to bend over backwards and ensure that we have a strong agenda that is not going to exploit, that is not going to take advantage of the lack of technical support in First Nations, the lack of manpower, the lack of understanding in some cases, and the distance from, you know, good technical support or the distance in some cases from some of the consultations that would occur. Let's show leadership on this particular and very sensitive issue.

Thank you, Mr. Chair. I encourage all others to at least get into this debate. This is an important issue for Alberta.

**The Chair:** Thank you.

The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. The issue of aboriginal people is quite interesting. We're talking about a bill here for streamlining the approval process and the extraction process. There was an article written – I wish I had it in front of me; I just read it last week – that talked about First Nations, Métis, and Inuit. It went looking throughout northern and western Alberta at issues dealing with aboriginal peoples and the development of energy resources. The thing that was dominant in that article was that the lack of consultation and the lack of respect for aboriginal people were two things that caused more problems than not.

I have to tell you that putting the onus on the regulator just to ensure that they consult according to existing treaty rights – I cannot speak for, you know, First Nations people on the various treaties and what treaty sections they have, but I will tell you this. The relationships I have with various bands has always been around the issue of their treaty. When I dealt with the Montana band in Hobbema – I have a relationship with a number of the members of that band – their treaty rights were paramount. I met with the O'Chiese, which are new to me because they're new in my riding; my riding changed in the last election.

I sat down with the O'Chiese band, and I spoke with the elders. Again, in that same conversation the thing that stands out to them most is their treaty rights. That is something that they are just tremendously cognizant of. It was interesting because one of the suggestions to me was: did I read the treaty? That's what they go by.

I don't see where this amendment changes a whole lot. I don't see where it puts a great onus upon any company or even the regulator itself. It just makes sure that the mandate is there, that we are cognizant of the treaty rights. That, to me, is a public relations gain as much as it is the idea of respecting individual First Nations and aboriginal people, the Inuit, and the Métis. This is what we've talked about time and time and time again.

I know one of the biggest problems we have is not so much on the reserves but what we refer to as traditional lands. That's that grey area. Various bands will tell you that that is not a grey area. That is their traditional lands. How do we deal with this? The right way to start down the path to deal with it correctly is to respect their existing treaty rights. All this is saying is that when the consultation occurs, "the Regulator shall ensure adequate consultation . . . in accordance with existing treaty rights." That, to me, is not something that's going to get in the way so much of the seamless approval process; it's something that's going to enhance it. In the end if we do not show respect or if it's assumed to be disrespectful, we're going to have a problem in doing the things that we want to do to develop these resources.

These treaties now have been in place. The experts generally on the treaties are not so much the white man as they are the aboriginal peoples. They are the experts. I'm not sure how many people here have read treaties. I found out there's not too many people that do. Their existing treaty rights are paramount, and they're fundamental to our relationship in dealing with these different bands. Being disrespectful about them is not helpful in the matter. This is important to them. It's important to their independence. What we're trying to do is create an energy regulator that is a one-stop-shop process to get these projects approved and up and working. To be respectful of First Nations, to be respectful of aboriginal people is a right step in that direction.

The way the existing law is read puts it all on federal. I'm not so sure, considering that this is a provincial regulator, that the provincial regulator does not play a role in this. We're not asking the provincial regulator to overstep the boundaries. What we're saying is that they respect in accordance with existing treaty rights. That consultation is something that has to be done every day in a number of areas.

I will tell you that right now in my riding alone there is consultation going on with these bands dealing with their own economic independence on a number of different issues. Sometimes they wish the consultation would go better. I think that's the key word. They want the consultations to go better. This is putting the onus on the regulator to make sure that they understand that and that they take that into consideration. They're only being asked to respect the existing treaty rights. It's not about adding anything more. It's about just putting respect into the legislation.

Thank you very much.

**The Chair:** Thank you.

The hon. Associate Minister for Services for Persons with Disabilities.

**10:20**

**Mr. Oberle:** Thank you, Mr. Chairman. Just a couple of brief comments, and I certainly stand to be corrected by the hon. minister. With respect to the gentleman opposite I think you may

be reading the situation backwards, exactly opposite to what your intent is here, and I'd bet you that we have the same intent. The Crown has a duty to consult. By virtue of the Transfer of Natural Resources Act that duty falls upon the province. The province cannot abdicate or delegate that responsibility. Well, we can delegate, but we don't give up our responsibility to do it. We cannot abdicate our responsibility, and I would suggest that your amendment suggests we do exactly that, to make the regulator responsible to ensure adequate consultation. That is our duty under the Constitution, and we cannot abdicate that.

I further suggest that the very fastest way to make the aboriginal community, the First Nations, very upset with us is an attempt by the government to abdicate that responsibility. We retain it. We know we retain it, and that's why we're clarifying that the regulator does not retain it. That is the intent of this clause.

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

**Mr. Mason:** Mr. Chairman, if I could ask the hon. minister how exactly consultation takes place when decisions are made by the regulator. Those decisions in some cases will affect aboriginal rights, First Nations rights. How, then, do those rights and that consultation take place when the regulator is making decisions?

**Mr. Oberle:** I'm sure the member would be aware that through the Minister of Aboriginal Relations we have an ongoing, constantly revisited consultation policy with the aboriginal communities. They have input, and we have input. Those matters are negotiated, and there's a protocol established on how we consult with First Nations. We've always done that. On all projects we consult with First Nations. That's a constitutional duty. That's nothing, as I said, that we could abdicate. We do it, we continue to do it, and the manner of our doing that is subject to continual negotiations between our government and those governments. That's kind of the point. They're looking for government-to-government negotiations. That's what they have in establishing the aboriginal consultation policies that we have.

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

**Mr. Bikman:** Thank you. I appreciate that clarification. It's reassuring. As the MLA for the largest First Nations reservation in Canada I've had consultations myself with Chief Weaselhead and the band council. They do want and need that respect. They are noble people, as you all know, and have a proud heritage. They want to have a say in decisions that affect them, so it's important that we are working closely with them and consulting them on anything that impacts them as a people and their own treaty lands. I think that this amendment helps make that happen. It helps ensure that it will. With the regulator being an agent of the government, I think it's useful to include this. I believe that the chief and the band would like to make that point with you.

**The Chair:** Other comments?

Seeing none, I'll call the question on amendment A14.

[Motion on amendment A14 lost]

**The Chair:** We'll move on to debate on the bill. I'll recognize the next speaker, the hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Chairman. I have another amendment, which I will pass down to the table, and I await your instruction to proceed.

**The Chair:** Hon. members, for the record this will be amendment A15.

Hon. member, you may proceed to speak to your amendment.

**Mr. Mason:** Thanks, Mr. Chairman. I think this is an excellent amendment. I would recommend it strongly to all hon. members. I think it improves the act immeasurably and would urge all hon. members to vote for it.

**The Chair:** Other comments on the amendment?

Seeing none, I'll call the question. Oh, the hon. Member for Airdrie. You've got to be quick.

**Mr. Anderson:** You've got to be quick. You've got to get going.

**The Chair:** You've got to be quick, sir. Please.

**Mr. Anderson:** All right. Well, obviously, this amendment deals with section 101, so, everybody following with their own bill binder at home, please turn to section 101, and we'll figure out what the heck this amendment even says. I just like to know what the heck is going on before we vote on these things. Oh, boy, this is a long bill. Page 74. Good grief. Okay. Yeah. Here we are. The minister of persons with disabilities was bang on. It's 74. I've just got to start listening to you from the start. I should have done that before, too, frankly.

Section 101(12).

Section 36 is amended

- (a) in subsection (1)(a) by striking out "and the Department of Environment";
- (b) in subsections (1) to (3) by striking out "Board" wherever it occurs and substituting "Regulator"

It appears here that they want to strike out clause (a), which is "and the Department of Environment." I guess I'd just like a little bit more explanation from the member bringing the amendment as to why this is important. I didn't get it the first time, so if you could explain this. I'm seeing it. I want to believe you. I just want a little more explanation.

**Mr. Mason:** Well, thank you so very, very much for that. Mr. Chairman, I can assure the hon. member that there are very sound reasons behind this amendment. I'm sure if he reads the bill carefully and the amendment, being a lawyer, it will become clear to him, as it is to me, the value of this amendment, which he should vote for.

**The Chair:** It would seem that the Member for Rimbey-Rocky Mountain House-Sundre could offer some clarity. Maybe not. Maybe the Member for Strathmore-Brooks could offer some clarity.

10:30

**Mr. Hale:** I know what it is, Mr. Chair.

36(1) When a substance escapes from a pipeline and it appears to the Board that the substance may not otherwise be contained and cleaned up forthwith, the Board may

- (a) direct the pipeline operator or licensee, or those pipeline operators or licensees who in the opinion of the Board could be responsible for a pipeline from which the substance escaped, to take any steps that the Board considers necessary to contain and clean up, to the satisfaction of the Board . . .

This is what he wants to scratch: "and the Department of Environment."

. . . the substance that has escaped and to prevent further escape of the substance.

It sounds to me like you just want to get the ministry of environment out of any . . . [interjections] I have the Pipeline Act. It looks to me like section 101 is the Pipeline Act, correct?

**The Chair:** Through the chair.

**Mr. Hale:** Sorry.

In here it talks about the Pipeline Act, and your amendment says in section 101(12) that section 36 is amended in subsection 1(a) by striking out “and the Department of Environment.” You want to put that back in. You guys are taking it out, so the department of environment doesn’t have anything to do. You want to put the department of environment back . . . [interjections]

**The Chair:** Hon. members, if we can have one conversation through the chair, I’d appreciate that.

Thank you.

**Mr. Hale:** I really don’t have any other comments than that. Just to kind of clarify it because there seemed to be some confusion there with the member’s amendment that he was putting forward. I don’t know if that helped at all or not, but it’s dealing the Pipeline Act and with the ministry of environment if there’s a spill.

**The Chair:** Are there any other clarifications that might be offered before we call the question?

The Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Of course I’m going to get up. Thank you, Mr. Chairman. I will tell you it is just unnecessary, and that’s why it’s being struck. It should go to the Minister of Environment and Sustainable Resource Development or to the Department of Energy, one or the other. But the reality is . . .

**An Hon. Member:** It’s garbage.

**Mr. Anglin:** Well, it isn’t garbage – well, it is garbage. It’s in the law at the moment, but it means nothing.

That’s why it’s being struck. Does it need to be in there? Not really. Should it be struck? Sure. It should be replaced, and I’ll let the hon. members figure out how they want to fix their bill and the language on that.

Thank you.

**The Chair:** Thank you.

Are there any other offerings?

I’ll call the question, then, on amendment A15.

[Motion on amendment A15 lost]

**The Chair:** We will move to continue further debate on the bill. The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** I have more.

**The Chair:** Do you wish to offer another amendment, hon. member?

**Mr. Mason:** Yes, I do.

**The Chair:** Please proceed. Hon. members, for the record this will be amendment A16.

Hon. member, you may speak to the amendment.

**Mr. Mason:** Thanks very much, Mr. Chairman. I move that Bill 2, the Responsibility Energy Development Act, be amended as follows: (a) in section 86(13), in the proposed section 49, by striking out subsection (2); (b) in section 91(6), in the proposed

section 19, by striking out subsection (2); (c) in section 97(29), in the proposed section 110, by striking out subsection (2); (d) in section 99(11), in the proposed section 26, by striking out subsection (2); (e) in section 101(16), in the proposed section 54, by striking out subsection (2).

Now, Mr. Chairman, in speaking to this, the amendment ensures that the increases in penalties under the Coal Conservation Act are actually enforced by the regulator in all cases where an offence has been proven. The government has been touting this bill by referring to the increase in upper limits to fines that can be leveled against corporations and individuals who contravene agreements with the regulator. The section that we are amending currently gives the regulator much too broad an avenue for interpretation of what offences should be fined.

Without absolute offence fines, which can range from lower to upper limits, corporations or individuals may take liberties with the agreement signed with the regulator. Without absolute offence fines that must be levied by the regulator, the regulator will not be inclined to levy fines in cases where an individual or company may have access to strong legal resources. The administration and legal costs associated with distinguishing between offences that are fined and offences that are not is unnecessary. Instead, the regulator should determine in advance the guidelines that determine the amount of a fine associated with a particular offence and commit to those guidelines, Mr. Chairman.

That is the purpose of this amendment.

**The Chair:** Are there any other speakers on the amendment?

[Motion on amendment A16 lost]

**The Chair:** We’re back to the bill. The hon. Member for Strathmore-Brooks, you have an amendment?

**Mr. Hale:** Yes, I do, Mr. Chair, and I have the copies.

**The Chair:** Please send that to the table. Thank you.

This amendment will be A17, hon. members.

Hon. member, you may speak to amendment A17.

10:40

**Mr. Hale:** Thank you, Mr. Chair. The amendment that I am proposing amends section 5 in subsection (1) by striking out “2” and substituting “4” and (b) by adding the following after subsection (1):

(1.1) Members appointed to the board of directors of the Regulator shall include at least

- (a) one individual with demonstrable expertise in property rights,
- (b) one individual with demonstrable expertise in environmental conservation, and
- (c) two individuals with demonstrable expertise in the energy industry, each in different sectors of the industry.

**Mr. Hancock:** Can they all do the same kind of thing like Joe?

**Mr. Hale:** Well, no, because it went from two to four, so you’d have to clone Joe into four.

This amendment deals with the makeup of the board, obviously. I know we have put forward a similar amendment dealing with the expertise of the transition committee; this one deals with the board. I know that the hon. Energy minister has mentioned that they want to have experts with corporate business experience to run this, not necessarily industry experts. I’m pretty sure that we could find in the province of Alberta experts in all of these fields



that have very expansive business sense. Many of the oil companies are run by just tremendous individuals that could be put on this board of the regulator. The same goes for the environment. I mean, there are many, many people involved in the environment, that have a vast knowledge of the environment, that know how to run a business. Same as with landowners, you know, they all run businesses. Many, many of them are very, very successful and run it as a business.

I think we really need to look at the makeup of the board. We need to ensure that all aspects of Alberta that are affected by this bill have representatives that can make decisions with regard to how this bill operates. You know, we mentioned in here two individuals with expertise in the energy industry, in different sectors of the industry, specifically so that someone with a vast knowledge of the oil sands can be on the board, someone with a vast knowledge of conventional oil and shallow gas, that knows how to deal with those plays can be on this board, so they can bring their knowledge forth.

This allows for openness, transparency, accountability. If this board is picked through an open process – and I know the hon. Energy minister has stated before that there will be notices sent out, you know, they'll take in applications. But, ultimately, it comes down to his decision.

We would just like to see these different sectors of this energy industry, different sectors of Alberta that are involved in this bill be allowed to be on this board. You know, there are so many great people in this province of Alberta that have vast knowledge in all of these sectors, that know how to run a business, that will do very well running this business. I think it's something that needs to be looked at. What better wealth of knowledge, dealing with the issues in this bill . . . [interjections] It's not that funny, is it? This is serious business. We're talking about the future of Alberta. You can fill me in later.

I'm expecting some robust discussion again with the makeup of this board, and I hope you guys will take into consideration the makeup of the board and really think deep and hard on what's best for Alberta and, ultimately, best for Albertans and taxpayers and us as a government. You know, if we can put this amendment in, we can say: "Hey, look. We did it right. We did what's best for Albertans." I feel that putting this amendment in will help achieve that and it will help achieve the theory of this bill, which is to do what's right for the energy industry, to do what's right for all Albertans, the landowners, the environment.

You know, we've been saying it over and over again. We support the theory of this bill, but there are some changes that need to be made, and this is one of the significant changes because these are the people that will be running this regulator. It's very, very critical to have the right people in place, to have the right people that know the industries.

I hope you will consider this amendment. Thank you.

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

**Mr. Mason:** Thanks very much, Mr. Chairman. I'm happy to get up and debate this particular amendment. You know, I appreciate what the hon. member and what the Wildrose caucus is trying to do here. They're trying to make a silk purse out of a sow's ear because they find themselves in a bit of a jam here. This bill is fundamentally going to harm the interests of property owners in this province, and it's going to do that for a single reason, which is also the basis of the bill, which is to eliminate dual oversight of oil and gas operations in this province and to remove environmental oversight of those operations, which is fundamentally what it is that represents the attack on landowners' rights because they will

no longer have protection. You cannot protect the rights of landowners if you cannot protect their land. This is the fundamental flaw of the bill and the reason why you can't have it both ways.

Those people on the other side long ago decided that when it came to the difference between protecting rural people and their property rights and the oil and gas industry, they know exactly what side they're on. They know where their bread is buttered. They know who finances their political parties and the major economic interest that they support.

We had Bill 50, we had Bill 19, we had all of those bills, and the Wildrose made great hay out of it when they were a small caucus leading up to the last election. But now the Wildrose needs to make a choice. The Wildrose needs to decide which of those masters they're going to serve because you cannot do both. You can try these amendments all you like, and you can put somebody on there with property rights, but when you take away environmental oversight of the oil and gas industry, you open up the property owners of this province to devastating attack. You cannot fundamentally deal with it except to vote against it.

You know, I think there are a lot of people, a lot of rural people, a lot of property owners that are pretty much up in arms over this bill. I don't think they're going to judge the response of the Wildrose as adequate to their needs. Certainly, the response is quite different than the case before the election, when all the organizing took place around Bill 50 and Bill 19 and so on.

I want to be very, very clear on this. I do not believe that even if the Tories pass these amendments, which, of course, they're not going to do, putting one individual with demonstrable expertise in property rights is going to fix the fundamental flaw of this bill. This is a bill that gives the oil and gas industry a free ticket to go pretty much anywhere they want and do anything they want on anybody's property because the basic protection of environmental protection is being stripped away. As long as that's happening, this bill will represent an attack on property rights. I can assure you that if the Wildrose won't stand against Bill 2, the NDP will.

**Mr. Anderson:** Well, that was a passionate speech by the passionate leader of the NDP caucus.

You know, what's great about our party is that we actually do believe that the secret to the success of Alberta is that the rights of landowners and the need to develop our energy is not a mutually exclusive interest. In fact, we feel that by industry supporting the rights of landowners and landowners supporting the need to develop the resources on their lands, all Albertans benefit in this province. That's what makes our province unique, I think. It's that we feel that those interests are not mutually exclusive at all. In fact, we think that they build on each other. We think that that is critical.

What we do think, though, and where I want to make it clear that we have agreement with the NDP is that this bill is not acceptable as currently written at all. This amendment would improve the bill, but the flaws in the bill are absolutely such that it's going to make it impossible to support this bill. We feel this bill as currently written is terrible for landowners. It doesn't take into account environmental concerns. It doesn't allow landowners to have a right of appeal to the Environmental Appeals Board, and that's necessary if we're going to develop our resources in a responsible way. We think that taking those rights away from landowners is a mistake.

**10:50**

We also think that this bill is not going to help industry that much anyway because it does not set clear timelines and timetables for giving the answer of yes, no, or yes with caveats.

As I said earlier, oil and gas companies want the answer. We understand that sometimes the answer is going to be no. They understand that sometimes the answer is going to be no if they haven't done their homework or if it's not a project that's going to be environmentally responsible or responsible to landowners' rights and so forth. But the point is that they need to know. They need to know yes, no, or yes with qualifications, and they need to know it within, probably, a period of about six months so that they can make the decisions that they need to make and move on.

This bill does not, I think, guarantee industry what it needs, which is certainty within the regulatory process. I think that it's window dressing. I think it's a rushed attempt to create a pro-energy bill that would be helpful to the energy sector, but I don't think it accomplishes that at all.

However, it also does a double bad in that it hurts the rights of landowners even further than they've already been injured. There's no way one can look at this bill and see the processes, the rights of landowners that have been taken out of this bill and say that this is a pro landowner, pro property rights bill. It just simply is not. It does not protect the rights of landowners sufficiently. It does not streamline the process and guarantee industry an efficient and streamlined process that's going to be shorter than the regulatory gridlock they face right now. It does not effectively protect the environment.

What's so frustrating about this whole process is that this bill, if we had done it properly, if we had referred it, taken the work that the Minister of Environment and SRD had done on it, which was good work, good preconsultation, very good work, absolutely, minister – the work that she had done was a good start to things. That draft that had been circulated in first reading, if we had then put it to a committee where we could have brought in legal experts, environmental experts, property rights experts, folks from the industry – we could have brought them in. We could have had a discussion, and we could have come up with a bill that was pro industry, that respected the rights of landowners, and that respected our need to develop in an environmentally sustainable way. We could have done it.

Unfortunately, we have a mess before us, and the government has shown total unwillingness to deal with it. They could have hit this out of the park. It could have been a home run. Instead it's a foul ball. That's right. It's a foul ball. Since the NHL is still on strike, we're not going to use NHL hockey metaphors out of protest in this party. Because the NHL is not on, we're going to use nothing but baseball metaphors until the NHL is back on. So no more foul balls from this government. That's it.

I'm sure the NDP would like to claim the mantle of protecting property rights, wrestle it from the Wildrose, but we're willing to share. That's the thing. We're willing to share that with anybody, with the government, in fact. We're willing to share that.

**Mr. Mason:** We did it before you even existed.

**Mr. Anderson:** That's right.

**The Chair:** Hon. members, through the chair, please.

**Mr. Anderson:** Anyway, we're happy to work with any party on protecting landowner rights, making the regulatory process more efficient for energy, and protecting our environmental responsibilities, but this bill does none of those things.

Therefore, I think this is a fantastic amendment, one that shows those three balancing interests. Members to this board of directors of the regulator should include at least

- (a) one individual with demonstrable expertise in property rights,

- (b) one individual with demonstrable expertise in environmental conservation, and
- (c) two individuals with demonstrable expertise in the energy industry, each in different sectors of the industry.

I think that's a very good compromise. That would make sure that this board is robustly hearing all of the interests at stake here: environment, landowner rights, industry. They would make decisions that were well thought out, that were for the good of this province, instead of what I have a feeling might become just another political board appointed generally, a lot of times anyway, out of patronage or at least opens up that danger.

There have obviously been good folks that have served on those regulatory boards in the past, but there have also been many political appointees. This makes sure that if they're going to do political appointees, they at least have some experience in the areas that matter. Hopefully, the government will take that responsibility seriously.

So I hope people will absolutely support this amendment. It's a great amendment, hon. Member for Strathmore-Brooks. Thank you.

**The Chair:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I will actually disagree with my own House leader. It's not great. It's not fantastic. It is a last-ditch attempt to try to protect property rights. It would be great, it would be fantastic if it were true that property rights and the public interest were in this and the environment was protected, but that's all missing in the bill.

I will tell you this. It is interesting because I know that the hon. minister wants to have this umbrella of experience on the regulator. I will tell you from first-hand experience that so do interveners when they go to hearings. As I mentioned, I think, the other day when we were discussing something about board panel make-ups, we had asked in 2006 that when we were dealing with a farming issue, there be at least one person on the board panel who had agricultural experience. What they gave us was a board member whose only agricultural experience was getting arrested for a grow op in 1969. The standard comment at that meeting was that at least that person dealt in a cash crop.

But we missed the opportunity here. It was important to all those farmers in that hearing that somebody understood what their concerns were. That's so important. Here we are putting together a regulator with expanded powers, more so than ever before, and the purpose is to try to streamline. We do need the expertise that is as expansive as the bill is intended to be, so that is important, putting it into legislation. If the minister would like to respond: how large should it be? I think we put a figure down here of four. The bill actually had two originally. What is appropriate? Looking at four seems acceptable to me. It could be six. This is complicated in many ways. But to ask for a spread of experience, then it seems likely that we would raise that number from two to four, so we would get that. I would even go further, take it to six, if that was something that the minister wanted to deal with.

Dealing with the amendment the way it's written, we would expand at least to four members and have this experience laid out in legislation so that we don't get a grow op operator listed as having agricultural experience. We take it seriously.

**Mr. Denis:** We're working on that.

**Mr. Anglin:** You're working on that. That's right. You're Justice, and you have access to that information, too.

It is, I think, paramount to the confidence of the public to create

that trust that we talk about creating, that this type of experience be mandated to be represented in the regulator. When these complex issues are brought forward – and they are complex, very much so – at least there are people with certain expertise represented who can understand without going through a massive learning curve. [interjections] Okay. But they would know, and they could help and assist the board process.

11:00

How else are we going to deal with this? I know when we spoke with the minister both in private – and I believe here, and I'll stand corrected if he didn't – the minister stated that he would like this umbrella of experience, that he would be in favour of this. I don't understand why we would agree in principle that this is what we would want but not put it in legislation. I don't see where the harm is in getting it in writing.

With the experience that I've had in front of boards multiple times, I think if we had a broad umbrella of experience, some of the problems that we experienced might not have happened. That's theoretical. I mean, we don't know that. But having experts in different aspects of this discipline – and this is the discipline of streamlining the process – I think is important not just in the sense of dealing with the public or dealing with even industry but dealing with making sure the process works effectively. I think this is what the hon. member is intending to do from what our discussions were. Why wouldn't we put it in writing in the legislation to make sure it guides us when we appoint these regulators and we create the board? I think that's really important.

Moving forward, this amendment doesn't inhibit or restrict or impede the process of developing our resources. What it does is grease the skids so this thing can happen seamlessly, with the knowledge in place that would allow this to happen. All it is is a mandate to make sure that we do it, that we see this board properly and have that experience in place so that it is guided properly. This is an important task not just for the board but for the province. I know the hon. member will be looking for the most experienced people and the most credible people to try to make this work, but to mandate that we have this individual expertise represented I think is going to complement the system that much more.

Thank you very much, Mr. Chair.

**The Chair:** Thank you, hon. member.

The Member for Olds-Didsbury-Three Hills.

**Mr. Rowe:** Thank you, Mr. Chairman. I believe this amendment is fundamentally a key component to the success of the board and therefore the bill itself. In my 11 years as a municipal politician I served on a number of provincial boards starting with the AUMA board, which a number of the members in the House here were also a part of. I'll put a plug in for the AUMA, saying that without AUMA experience many of us probably wouldn't be here. What was key to the AUMA board's success was the diversity that that board encompassed, and that was representation from every size of urban municipality in the province, including summer villages right up to the cities of Calgary and Edmonton. That's what made that board and makes that board today a success.

We also in that time on AUMA established AMSC, the Alberta Municipal Services Corporation. It was part and parcel of that. Again, when we did that, we looked for outside experience to come to our board and help guide us through that process. Those were lawyers, accountants, businesspeople that gave us what we needed to make that board a success.

Carrying that theme right through, the Municipal Affairs

minister will attest to the success of the Safety Codes Council, that I served on for, I think, seven years or something to that effect. Again, we brought together a diverse group of individuals in all aspects of the building trades: lawyers, accountants, builders, and so on. Today that new board that was formed is a huge success.

I sat on the Beverage Container Management Board. Again, we had representation from all of the fields that that would encompass: pop, beer, milk cartons, and so on. We had all of those people at the table, and that's what made that a success.

So if you delete the expertise that we're recommending here from that board for that regulator, I can't see it helping it at all. It can only add to the effectiveness of that regulator if we have those people sitting at the table helping make these decisions.

I would urge we accept this amendment. It can't hurt. It can only help the whole process.

Thank you, Mr. Chair.

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

**Mr. Wilson:** Thank you, Mr. Chair. I appreciate the opportunity to rise and speak in favour of this amendment. We saw something similar to this a couple of weeks ago in a subamendment that the hon. Member for Strathmore-Brooks brought forward. It made sense then. It makes sense now, I think, even more so today than it did then.

Again, the name of the bill is the Responsible Energy Development Act. If the intent of this is to streamline a process, be responsible, and have these three parties find a way to make energy development in this province work in the future and be streamlined, then the best way to do that is clearly outlined in this amendment. You know, the reasons for it have been discussed. Obviously, we need to take care of responsibly developing the resource that our province is funded by, we obviously need to take care of the environmental aspect when developing that resource, and we obviously need to be aware of landowner rights as we're doing this.

Again, there are flaws in this bill, but having this written into the legislation and not just added as a regulation after the fact on the hon. minister's word that that would happen and that the intent of this amendment would then follow through as they were choosing the board: that's all well and good for today. Maybe that's all and good for 12 months from today. But this act is going to be in place for four, eight, 10, however many years it will be around for. So having this in the legislation ensures that moving forward, that board composition always has the core components to ensure that decisions are being made with input from the three major components. You know, I look at it as sort of like a triangle trying to balance on a ball. If it tips too far in one of those three directions, it's not responsible energy development.

So having this in the legislation just simply makes sense, and I do look forward to hearing the minister's reasons as to whether or not it will be accepted or if they would like to further discuss this. But, again, I think if the intent of this act and the intent of Bill 2 is to move forward and ensure that we are developing our resources properly, with a single regulator that streamlines the process and is still aware of the environmental side, the landowner side, and well aware of industry, this is definitely a key component to it.

Thank you.

**The Chair:** The hon. Member for Drumheller-Stettler.

**Mr. Strankman:** Thanks, Mr. Chair. I may be using harsh words going forward here, but I feel I'm capable. Absolute power corrupts absolutely, and I don't understand what the level of fear is that's being propagated that we wouldn't allow this board or

these representatives to be elected. I have an hon. member who has spoken against me on that, and I understand his opinion, but we have a new opportunity here to make some serious changes. This is called the Responsible Energy Development Act. It's going to be historical for the province, and I understand the want and the willingness of the government to come forward with a streamlined regulation.

On our side of the House we understand that, and we are wanting the same thing. I don't understand why this government has a fear to want to even come forward or accept an amendment where we would ask for people who have demonstrable expertise. We were all chosen here by the people of our constituencies based on democracy, and I don't understand why this government is hesitant to bring this sort of thing forward. Is it based on fear? What's the motive here?

In that regard, I would speak in favour of at least some movement towards accountability to the people that this act is designed to serve. I speak in favour of the amendment.

**11:10**

**The Chair:** Thank you.

The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you. I'll be as brief as I can. I appreciate the amendment, and I compliment the hon. Member for Strathmore-Brooks. I think it's an excellent amendment. It provides the regulator with people who will be resources to him or her, and you can never surround yourself with too many good people.

It's specific. It removes arbitrariness, whimsy, or partisanship in the selection of this board, so it passes that test of transparency and accountability, and I think that's a terrific thing. It sends a message to those who are concerned with some of the omissions in the act and to some people who feel threatened because of that. I suspect that some of them are your constituents, too, if you have the courage to speak for them.

One of the sharpest administrators, human resource people that I know has identified six characteristics that every good organization will look for in its people, and he's had tremendous success in creating highly efficient and effective teams that have taken on tasks that are world class. He has recently been identified and complimented for his accomplishments as being world class and is consulting with businesses in Asia, Japan in particular. I think that speaks to his qualifications.

He identifies six things that we ought to look for in people that we want to surround ourselves with when we're trying to create effective teams. And that's what we want. We want an effective team of people that will work with our regulator to make this Responsible Energy Development Act that streamlined process that will accelerate approvals and restore confidence in our province and attract investment back to it at the same time as it reassures our property owners that their rights are going to be protected. This amendment addresses that with the composition that it suggests would be ideal, and I submit to you that it is ideal.

Here are the six characteristics that we look for, in order. Number one, integrity. Nothing is more important than being trustworthy, reliable, dependable, truthful. That's the characteristic that we look for first in anybody that we want to work with us to help us accomplish good tasks.

The second thing is that they need to have motivation. They'll be self-motivated. They'll have the motivation to work towards the task without having to be prodded unnecessarily or nagged.

The third thing we look for is capacity. That's the ability to learn, to develop the skills that they'll need to be effective in this job.

Understanding: understanding of the demands of industry,

understanding of the demands of the property owners and their rights, understanding the environmental needs and concerns as has been so well articulated tonight by the hon. Member for Airdrie.

We want that person to have knowledge, so formal training and instruction of some kind or another as well as experience.

Now, experience is the sixth qualification in order of importance because the last thing we would want would be to put that first and have somebody who was not honest or didn't have integrity but was highly motivated and intelligent and had capacity and understanding but didn't have integrity. That's a disaster.

Now, the only reasons that I can think of for the government to reject this amendment would be, number one, that you've got a hidden patronage agenda. You want to stack this board in some way or another. The second thing might be simply fear of having to acknowledge that good ideas can come from other sources than yourselves.

Thank you.

**The Chair:** Thank you, hon. member.

The Member for Calgary-Mackay-Nose Hill.

**Dr. Brown:** Thank you, Mr. Chairman. I just want to briefly comment. I think that this amendment is unnecessarily prescriptive. It's restrictive. The Member for Olds-Didsbury-Three Hills mentioned the AUMA and a number of other boards which he served on in which he found that there was a diversity of opinion and a diversity of backgrounds and whatnot. What we're talking about here is restricting that certain expertise to certain demonstrable areas, property rights, environmental conservation.

I would suggest that there is a diversity when you appoint someone to a board depending upon what their background is and a lot of skills. There may be lots of expertise which is not listed there. I'll give you a couple of examples: the experience in conflict resolution, the experience in dealing in quasi-judicial tribunals. Perhaps somebody has administrative skills that they could bring to a board of directors like that. To have it unnecessarily prescriptive, where you have to fill a little box with a certain type of person, I think just goes far beyond what is required to get a proper adjudication. What we're trying to do here is get an impartial expertise, a board that can make proper decisions and be a quasi-judicial tribunal. I just don't see where putting people into little boxes achieves that end.

**The Chair:** Thank you.

The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Mr. Chair. Again, what a pleasure it is to rise this evening and speak in favour of an amendment that was put forward by my friend and colleague from Strathmore-Brooks. I'm looking at the amendment here and the changes that it proposes to make. I'm going to read here 5(1): "There shall be a board of directors of the Regulator consisting of a chair and at least 2 other members appointed by the Lieutenant Governor in Council." I mean, already I'm seeing a compromise here in this proposed amendment. We're looking at increasing the number of people that the Lieutenant Governor in Council could appoint to this panel. As well, we're not asking for it to come back to the Legislature. We're looking at an amendment where we want the Lieutenant Governor in Council to actually make these appointments.

Now, what we also want to add here, and I'm going to start from the bottom: "two individuals with demonstrable expertise in the energy [sector], each in different sectors of the industry." I mean, I don't see how this could be an issue. We definitely want to see people making decisions on the energy industry who do

have expertise in the energy industry. Why would we want somebody from the health care system being appointed to a board that develops the energy of the province? I just don't understand the logic in that. By prescribing this in the legislation, we're actually showing that we do care that we have expertise on this panel.

Again, "one individual with demonstrable expertise in environmental conservation." I mean, I want to make sure that my children can enjoy the environment here in this province. When we're developing the energy industry, which is developing our resources coming out of the province and out of the ground, I want to make sure that there is no damage happening to the environment or that it is mitigated so that future generations can enjoy the pristine environments in this province.

Now we get to the last one here, and the last one is probably my favourite subject, property rights: "one individual with demonstrable expertise in property rights." Well, friends, property rights are the basis of the individual freedom and economic security of this province. I mean, this is something that we need to protect. Without private property rights we lose the ability for wealth creation. What happens when those property rights are gone? Wealth creation stagnates or even declines. We don't want to see this in this country. We don't want to see this in this province. We want to see the province of Alberta continue to drive the economy here in Canada.

When we talk about property rights, there are also two threats to property and property rights: thieves and government. What's really interesting is that one was created to stop the other or protect us from the other. Society has been plagued by governments that have been predatory. We've seen it with Bill 36, Bill 24, Bill 19, and Bill 50. We end up with the same results as the societies plagued with thieves: loss of property, loss of property rights.

**11:20**

Let's reverse that. Let's reverse that right now. We can reverse that with this just by placing one individual on that board that has some demonstrable expertise on what property rights mean. I mean, we don't need to go out and have a conversation with all Albertans to find out what property rights mean to them, but we definitely need somebody who understands exactly how property rights affect the province, affect Albertans when they start discussing companies entering somebody's property to extract the resource from underneath it, which belong to Albertans, so their property.

Again, we have the opportunity to stand up here today with this good common-sense amendment to make sure that not only are property rights covered off but that environmental conservation is covered off and, as well, the needs of the industry are covered off.

I mean, I agree with the intent of this bill. The intent of the bill is to streamline this, but in streamlining it, we've got to make sure that all parties – and I'll reiterate that: all parties – have the ability to come to the table on this. Now, with only three members, a chair and two others, we don't know exactly what we're going to get, but by asking for it and placing it in legislation, we know what we're going to get each and every time a new member comes on that board.

I would submit to you that this is a common-sense amendment to a piece of common-sense legislation. I have to commend you on bringing forward Bill 2 because it is common sense that we streamline regulation. I want to see this happen, but I want to see this happen in a way that benefits all Albertans. I believe that this amendment is another amendment in good faith that will benefit

all Albertans. It will benefit our industries, and it will benefit future generations.

I can't understand why anybody would stand up and oppose this. I mean, there's nothing here that, again, attacks anything that anybody said here this evening. This is here to strengthen the province. This amendment is to strengthen the province, not to weaken it. We stand here in good faith. We come here in good faith looking for your support to help fix just a small oversight, maybe, to make sure that we're all working in the same direction and that we have the right intent with this bill.

Now, like I said, we want to move forward with this. We want to make sure that Albertans are protected. I believe that with this amendment we can protect all Albertans, future generations, our industry, and our environment, just by making this simple amendment.

Thank you.

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

**Mr. Mason:** Thank you very much, Mr. Chairman. You know, I'm compelled to just make a few comments. Governments don't attack or take away property rights just because they're governments, just because there's something about them that makes them. It's because they represent interests. When this government brought in Bill 19 and Bill 50 and so on, they were representing the interests of large energy companies against the rights of small property owners, and they trampled on those rights not just for fun but because they had some specific goals in place. They wanted to be able to put power lines in, and they wanted to be able to put pipelines in, and they wanted to be able to put other large energy-related infrastructure in with a minimum of nuisance and fuss from the people who might be affected by it.

The single regulator approach that is at the core of this bill is designed to assist the energy industry to accomplish the very same goals in a different way. That is why I think the landowners in this province are rising up against the bill. You know, in terms of the approach here – one individual with demonstrable expertise in property rights, another in environmental conservation, and two people with demonstrable expertise in the energy industry – it's not going to change the fundamental nature of what's happening here in this bill.

You know, you can put somebody on there from the Fraser Institute for all I care, and you can balance it with somebody from Greenpeace. You can put on somebody from CNOOC, and you can put on someone from Exxon, but it doesn't mean you're going to get good decisions, because they're going to be governed by this legislation and this approach, which is designed – designed – to overturn property rights in the interests of the oil industry, that backs this government.

**The Chair:** The hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Mr. Chair. I'd actually like to move a subamendment to amendment A17, and I have the requisite number of copies to be passed around.

**The Chair:** Thank you.

Okay. This amendment, hon. members, will be SA4.

Hon. member, you may speak to the subamendment.

**Mrs. Towle:** Thank you, Mr. Chair. I am moving as a subamendment that amendment A17 to Bill 2, the Responsible Energy Development Act, be amended in clause (b) by striking out the proposed section 5(1.1) and substituting the following:

(1.1) Members appointed to the board of directors of the Regulator shall include at least:

- (a) one individual with demonstrable expertise in environmental conservation,
- (b) one individual chosen from a list of nominees provided to the Minister by Alberta landowner groups, and
- (c) two individuals chosen from a list of nominees provided to the Minister by energy industry groups.

(1.2) The Lieutenant Governor in Council may make regulations respecting the lists of nominees under subsection (1.1).

(1.3) Subsections (1.1) and (1.2) come into force 12 months after the coming into force of the remainder of this Act.

The reason that we're moving to make a subamendment to this amendment is because stakeholders have told us that a key factor to making this new regulator function properly is to ensure that we have some expertise on the panel. It is important to keep the regulator nimble and reactive to rapid changes in the industry, but some aspects must be written into legislation in order to maintain the integrity of the organization.

The reality of it is that asking for people to be on the board that have a demonstrable expertise in environmental conservation, that a list of nominees be provided to the minister by Alberta landowner groups, and that two individuals be chosen from an additional list of nominees provided to the minister by energy industry groups allows for the public to have input into who's on the board, and it allows for the stakeholders to have input as to who's on the board, but it ultimately still allows the minister the ability to choose whom he feels are the best representatives of Alberta.

That's really the goal here. The goal ultimately is to ensure that we're having a fair and transparent and open process, and by allowing stakeholders and Alberta landowner groups and energy groups all to provide a list to the minister, then the minister can take into account that maybe he does not know every single possible best person for this board, but he actually may be able to be given the opportunity to have a different outlook and ensure that all Albertans are represented and that industry is represented fairly.

The reality of it is that by mandating the backgrounds of the board of directors members, there can be some level of assurance that the right people for the right job are placed on the board of directors without totally hamstringing the cabinet or the regulator's ability to fill the positions. The importance to Albertans is what they want to see as a fair process, and we want to make sure that the person that's on the board is actually doing what they're supposed to do in the best way possible.

**11:30**

Now, I know the hon. member from across the way talked about that we don't want to make it too prescriptive and that that might be restrictive. The amendment clearly says that it "shall include at least," so that leaves the door open for the minister to make changes as he sees fit, and it also leaves the door open for the minister to ensure that it's "at least." It can be more if he chooses to be more fair, but there's a minimum standard required.

Clearly, given this government's track record with appointing people to important positions based more on their loyalty to the PC Party than their qualifications, as we saw with Evan Berger's appointment to a job that didn't exist and with a job description that didn't exist, this ability allows for the government to have an essence of being fair and transparent, which the government clearly touts all the time as their number one priority. The current legislation is very vague about the makeup of this powerful board

of directors except to say that the PC cabinet will be appointing a chair and at least two other members.

Now, if you want to ensure fairness to Albertans – and that's what Albertans are telling you – then there are no assurances right now that the members will bring the breadth of experience needed to serve the energy industry and Albertans and landowners and ensure that we have some environmental conservation. If we're going to be open and transparent about it, which we want to do, then we need to make sure that we have that.

Now, an example of how easy this is to do is that the Land Title and Survey Authority Act of B.C. has a board where each of the Law Society of British Columbia, the government, and the Association of B.C. Land Surveyors provides a list of at least three and not more than five nominees for the director, and the director chooses one from these lists. Very easily, it just says:

(1) The board of directors of the Authority is to consist of 11 individuals of whom

(a) 6 are to be appointed from the nominees provided under section 7(1) by stakeholder entities, with 2 directors being appointed out of the nominees provided by each of the 3 stakeholder entities, and

(b) 5 are to be appointed from nominees provided under section 7(2) by stakeholder entities, with one director being appointed out of the nominees provided by each of the 5 stakeholder entities.

Then it goes on to talk about the terms of office and how long a director may be appointed for and what happens when you've served the maximum number of terms. It's not that this has never been done before. It very clearly has been done before, and other organizations are being much more open and transparent than we are being, so there's no reason to say that this can't be done. The system is set up to do it, the layout is already there, and all we have to do is just ensure that it's a fair process. It still leaves the director and the minister the ability to choose from any one of these lists, and these people know exactly who is on the ground and who might be the best person to come forward and protect Albertans as a whole.

The other example is the Arts Board of Saskatchewan. The Lieutenant Governor must appoint a board of nine to 12 where no less than one-third of the members are appointed from a list provided by the arts community. Once again we're seeing the province of Saskatchewan saying clearly that the citizens of Saskatchewan matter, so we're going to be open and transparent with our process, and we're going to make that process very easy to do. Very clearly, in their board of directors under section 14:

(2) Not less than one-third of the members of the board of directors shall be appointed from a list of nominees provided by the arts community.

(3) The list of nominees mentioned in subsection (2) is to be compiled from nominations to the minister provided by the arts community in accordance with the procedures prescribed in the regulations.

Now, these are two examples of what's already being done in other provinces. It's very easily set up, and it allows for this province to literally look at other options and set them up.

I understand. I mean, the members across the way can rip their papers and crumple them up and think they're going to throw everybody off the target, and they're telling Albertans they don't care, and that's fine. That's absolutely fine. If that's how they really want to go about talking about amendments that matter to landowners, to industry, and to average Albertans, if that's the attitude this government has, continue to be like that. That's absolutely fine. It's not going to stop me or this party defending landowners and defending an open and fair and transparent process, which is exactly what our duty and our obligation is to do

as legislators. If you want to be a child, you're more than welcome to do that, or you can be an adult and stand here and be respectful and listen to a proper amendment that's coming out.

The minister already has vast powers over the regulator. This amendment allows the minister to continue to have some discretion to choose well-qualified candidates to serve on the board, but they will be able to work alongside people who are suggested by other stakeholders groups. What is the harm in having an open mind and realizing that there might be others out there in the community or out there in the industry or out there as stakeholders who are able to represent Albertans on this board?

The nominating procedure is not set in stone. The minister can still use his or her judgment and decide on a nominating procedure that works well for the government and the stakeholder groups: groups advocating for the environment, groups invested in the energy industry, and groups working to protect property rights. That goes to subsection (1.2), where it says that "the Lieutenant Governor in Council may make regulations respecting the lists of nominees" under the subsection. So nobody is saying that it's written in stone that they have to follow this exact process. It allows for some leeway and some development of regulations that work for everybody.

The minister will have the ultimate power to choose the individual from the list of nominees. That will allow the minister to decide on the particular nominee that best fits the needs of the board of directors and also fits the needs of industry, environmental conservation, and landowners. This system ensures that the entire board does not directly owe their positions to the minister, and this structure keeps a board that is connected in a healthy way but also independent. They're free to ensure that they pursue the interests of all Albertans, and that's ultimately what we want, a fair and open process.

Landowners and industry need tools that they can use to have an independent voice, and this allows them to do that. The subamendment to A17 allows industry, landowners, and environmental conservation to come to the table and work together. They could use this for work in their industry in a transparent and positive way.

More important than a lot of this information is that we're talking about streamlining a process. We're talking about making this process faster. What better way to do that than to make sure all the players are at the table to iron out any concerns that may come up long before they hit the public and long before landowners and industry are affected? That is a reality. There are clearly some concerns over this bill, and if you can actually have them at the board of director level, you'll eliminate them, ultimately making this a quicker process and an open and transparent board. Albertans need to believe in the integrity of the process.

Now, under subsection (1.3) nobody is even asking for them to implement this immediately. We realize that there has to be some consultation. There has to be time for the stakeholders to talk to whom they need to talk to, to figure out who the best person is to nominate. We realize it's going to take some conversations across Alberta to make sure that we have the best people in the right job doing the right kind of work. That's why we're saying that this isn't tomorrow, it's not next week, and it's not two weeks from now. It's 12 months after this act comes into force.

That's a reasonable amount of time, that allows the transition board and the current board to get things set up, to figure out what works and what doesn't work. But it says that after 12 months you will ensure that each one of those groups – those with expertise in environmental conservation, those that are representing Alberta landowner groups, and those that represent energy industry groups – has the time to present you with a reasonable list of people that

have the expertise in these areas or at least could possibly come forward and say, "You know, there are things about this that I could communicate and contribute back to the board," which thus would then turn around and literally make it so that this board functions better and ultimately streamlines the process.

We may just find that if we open this up to stakeholders to say, "Hey, I could suggest this person and this person and this person," some of those people might actually already be working together. I would find it hard to believe – my husband is in oil and gas. They do talk to landowners, and I believe that most of the industry actually does talk to landowners. I believe they're doing the right thing. I think it's very few people that are actually, you know, overriding or wanting to fight with the landowner. So what we might actually find if we go back to Albertans, who really and truly know who is the best to do these kinds of things – they will literally be able to put the best person forward, and you might find that they're already all working together, which ultimately goes back to streamlining the process, which is exactly what Bill 2, the Responsible Energy Development Act, is all about.

11:40

We heard at the very beginning that this is all about streamlining the process, so let's get the groups together. Let's have them working together, and there's no reason why they can't do that and have some input into the board makeup. This does not threaten and is not onerous on the minister at all because he makes the ultimate decision. It's literally an easy win-win for the government.

You know, it's an amazing thing. The members across the way are ripping their pages and all that sort of thing, and that's fine. We've had excellent opportunities, and we have actually had ministers in this House who've accepted amendments from this opposition. I know it's shocking. It absolutely is shocking, but we've had ministers who did that. The hon. Minister of Education accepted an amendment from Calgary-Fish Creek, and I believe there was an amendment from the hon. Member for Calgary-Shaw that was accepted, which was an opposition amendment. This is not something that we've never seen before.

It is okay to actually say: "Hey, that's not a bad thing. The amendment can be considered, and the amendment might be okay to go through." It seems shocking because we want to believe that we cannot accept anything from the opposition, but the reality of it is that if it's in the best interest of Albertans, it should be considered and it should be reviewed, and it absolutely should be an open, transparent, and accountable process, which is exactly what this government has proposed as their mandate. If that's true, then they'll make sure that this process is open to all Albertans.

Thank you.

**The Chair:** Other speakers on this subamendment?

Seeing none, I'll call the question on subamendment SA4.

[Motion on subamendment A17-SA4 lost]

**The Chair:** We'll go back to amendment A17.

If there are no speakers on amendment A17, I'll call the question on A17.

[The voice vote indicated that the motion on amendment A17 lost]

[Several members rose calling for a division. The division bell was rung at 11:42 p.m.]

[One minute having elapsed, the committee divided]

[Mr. Rogers in the chair]

For the motion:

Anderson	Fox	Strankman
Anglin	Hale	Towle
Bikman	Rowe	Wilson

Against the motion:

Allen	Hancock	McQueen
Bhardwaj	Horne	Oberle
Brown	Horner	Olesen
Calahasen	Hughes	Olson
Casey	Johnson, J.	Quadri
Denis	Khan	Sandhu
Dorward	Klimchuk	Sarich
Drysdale	Lemke	Starke
Fenske	Leskiw	Swann
Fraser	Lukaszuk	VanderBurg
Goudreau	Mason	Weadick
Griffiths	McDonald	Xiao

Totals: For – 9 Against – 36

[Motion on amendment A17 lost]

**The Chair:** The hon. Member for Edmonton-Highlands-Norwood on the bill.

**Mr. Mason:** Thank you very much, Mr. Chairman.

**The Chair:** It seems we have another amendment, hon. member.

**Mr. Mason:** I do have an amendment, indeed.

**Hon. Members:** Question. We're calling the question now.

**Mr. Mason:** I have notes for this one.

**The Chair:** Hon. member, you may proceed to describe your amendment. This will be amendment A18 for the record.

11:50

**Mr. Mason:** Good. Thank you very much, Mr. Chairman. I move that Bill 2, Responsible Energy Development Act, be amended by adding the following under section 33:

Local interveners' cost

33.1(1) In this section, "local intervener" means a person or a group or association of persons who, in the opinion of the Regulator,

(a) has an interest in, or

(b) is in actual occupation of or is entitled to occupy land that is or may be directly and adversely affected by a decision of the Regulator in or as a result of a proceeding before it, but, unless otherwise authorized by the Regulator, does not include a person or group or association of persons whose business includes the trading in or transportation or recovery of any energy resource.

(2) On the claim of a local intervener or on the Regulator's own motion, the Regulator may, subject to terms and conditions it considers appropriate, make an award of costs to a local intervener.

(3) Where the Regulator makes an award of costs under subsection (2), it may determine

(a) the amount of costs that shall be paid to a local intervener, and

(b) the persons liable to pay the award of costs.

(4) The local intervener or a person who is determined by the Regulator to be liable to pay the costs awarded may request that the Regulator conduct a review of the award of costs.

(5) Where the Regulator conducts a review of the award of costs, the Regulator may

(a) vary the award of costs,

(b) refuse to vary the award of costs, or

(c) deny the award of costs.

(6) If in the Regulator's opinion it is reasonable to do so, the Regulator may make an advance of costs to a local intervener and it may direct any terms and conditions for the payment or repayment of the advance by any party to the proceeding that the Regulator considers appropriate.

Now, speaking to that amendment, Mr. Chairman, this amendment was taken from a previous piece of legislation, the Energy Resources Conservation Act. This act will be repealed by this bill if the Legislature passes it. The current bill does not provide for local intervenors' costs, which can be awarded to interested parties who are taking part in the energy project approval process. The local intervenors' cost section will ensure that the regulator takes responsibility for reviewing and ruling on the costs that need to be paid for intervenors.

Mr. Chairman, currently if you participate as a local intervener in a hearing, you may make a request to the panel that some or all of the costs you've incurred with respect to your intervention will be paid by the proponent. A local intervener means a person, group, or association who has an interest in land that might be adversely affected by a decision of the panel as a result of a proceeding but does not include the persons whose business is related to the trading, transportation, or recovery of an energy resource. This amendment will ensure that the act maintains the definition of a local intervener so that those who take the time, energy, and resources to speak to an energy proposal may be heard. In other words, the definition of local intervener focuses on individuals and associations other than those businesses or corporations applying to develop energy projects.

Although individuals could represent themselves in front of a hearing panel held by the regulator, it is often daunting to grasp all the aspects of the energy development proposal. Therefore, hiring a lawyer is often helpful to interested parties to represent their interests. Lawyers are trained to represent a client's case and make arguments on behalf . . .

**An Hon. Member:** Lawyers?

**Mr. Mason:** Why am I defending lawyers?

Frankly, Mr. Chairman, the real point here is that people who are affected may not have the resources to adequately research and make their case when they're up against giant energy companies with very, very deep pockets. Previously there was wisdom in this regulatory process in that it provided some equality of resources so that people could actually make a case and argue on a nearly equal footing with proponents of projects that may negatively affect them. Not everybody can afford to do this. Not everybody can afford to hire a consultant or a lawyer or another professional person in order to help them research and make their case. The regulatory process, as I've understood it, in the past provided that by allowing the awarding of costs at the expense of the proponent to people who had an interest at stake and needed some financial support to deal with it.

That's in there now, and this act takes it out. It's part of the process, which I think is represented in this act, of tilting the balance too far in favour of the energy industry and too far away from the rights of ordinary Albertans. We're just putting back what's been there in the past, which in our view has served property owners and served the ordinary folks of this province very well. It's going to be a lot tougher to argue your case against a battery of lawyers of one or more large oil companies when you don't have this section. We want to put it back. We want to ensure that there's at least a little bit of balance and a little bit of equality



of resources so that the hearings have at least the potential of representing the interests of both parties. And with the current act not including this, I don't think that's going to be the case. I think it's a shame. I think it needs to be there, and I would urge all members to support this amendment.

Thank you.

**The Chair:** Thank you, hon. member.

The Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I'm all full of surprises for the hon. member. I rise in support of this motion. Bill 2 contains no statutory power, never mind any obligation of the regulator, for the regulator to make cost awards in favour of a landowner who participates in any regulatory process. This bill repeals the local intervenor cost provision under section 28, and all this hon. member is trying to do is to reinsert it back into this bill.

The only thing Bill 2 does is give the regulator rule-making authority to award costs under section 61, but it removes that statutory power. That's significant in dealing with any application process. People are put at a tremendous disadvantage going in front of these board processes and these board hearings. For many landowners it is generally their once-in-a-lifetime experience. Most farmers may go in front of the board once. Rarely do they go in front of the board twice. Beyond that, it's extremely rare that anyone would go more than that. It's daunting. It is intimidating to these people. It's not the process they're used to.

For anyone who's been part of a board process or a commission process – now we're going to call it a regulator process – this is very much like a court setting. The regulator will have legal counsel there along with experts. They normally do. It is the general rule of the day. When industry comes in, they come in with a team of lawyers, with a team of experts, and you have a landowner standing there generally alone. How do they actually make their case? How do they articulate their argument in front of this regulator, this board, if they do not have the ability to have legal counsel? I will tell you that when it's left to just their pocketbook, then they are at a tremendous disadvantage.

This isn't just about fairness; this is about process. You know this. It's happened. The hon. Deputy Premier was somewhat, I think, part of this at the Sylvan Lake meeting. When people are frustrated, they do get louder. They do. I will tell you that we've had people out there engage in violence. We all know the stories. Nobody has ever asked the question: why does a 70-year-old lady go after a 30-year-old EUB lawyer and try to beat him up? I mean, it sounds comical, and it was to watch it, to be honest, but it's not right. Nobody bothered to ask the question: how did that come to be? How did it come to be that somebody who was law abiding and has lived an entire life and never even got a traffic ticket finds themselves dealing with an assault charge at the age of 72? Think about that for a second. We've actually had people out there killed. It's not something that we've not had to deal with. In each case it has to do with the level of frustration people felt in the process.

**12:00**

If you remove this statutory power and we put these people at a disadvantage, one thing that I can guarantee is that the level of frustration will rise, and then the repercussions of that frustration are something that we will have to deal with. But there will be a push-back in the public. We know that not just from the theoretical; we know that from our real life experiences. People need a process that they can go through where they feel they've been treated justly and

fairly. The idea here is to create that, but without these intervenor costs, we have a tremendous disadvantage.

I will tell you that there are companies out there who take no prisoners when it comes to dealing with the legal system. They do everything to their advantage regardless of the landowner or the property owner. It's the way the system is designed, and these people are competent, these industry lawyers. This is what they do for a living. So when they come up against the one individual who has absolutely no experience in dealing with this, we find they get taken advantage of many times. This is a process that if we don't have some sort of equalization here, some sort of remedy so these people can be represented in a fair and just manner – I mean, they can complain about their lawyer afterwards, saying, "My lawyer didn't do a good job," but at least they got a decision, and an argument was made, and their concerns were brought forward. If they can't get that brought forward, that frustration level is going to boil over.

I know where industry's going with this one. By not having it in there, there is no right to that intervenor cost. There is no mandate on the legislative side to actually do this. All it says is that they will make rules. This has been a problem going back in time. It still is a problem. Industry will cry that landowners abuse the system. Landowners, on the other side, will complain that they're at a disadvantage now. But right now the way the system is, the commission or the board – in this case it will be the regulator with its hearing commission – should be able to make that decision. It should basically be in the legislation to level the playing field.

It does another thing, too, besides leveling the playing field. It also helps the process. I will tell you how we won at the board. We didn't get a lawyer. We showed up with 200 people at the board without a lawyer, 200 people who didn't know the process. If you ever wanted to see how that worked, you just let them go to that board without any idea of how the system runs and let the board figure it out. From the board's perspective at the time – you can shake your head, but it's a tactic. Because those lawyers use tactics, we have to use tactics. We want to be heard. If you want to basically get this process up and running, then give them a fair chance. This is what lawyers do. They basically teach these landowners how to navigate through this process.

What you're going to end up doing is just what I told you, that you didn't like hearing about. These landowners are going to be showing up without counsel. They can't afford it. If they show up en masse, then the board or the commission is going to have to deal with it. I will tell you that it's a zoo. It's a zoo if they're not represented well, and then the board has to figure out how it's going to pull that all apart. The system, I tell you, when I went through it, it broke down. It broke down. It was the board that misbehaved more than the landowners misbehaved. The board then declared a 70-year-old lady a terrorist, hired private investigators, and the next thing you know we had a fiasco in the newspapers.

**An Hon. Member:** Is this to the amendment?

**Mr. Anglin:** This is all to the amendment. That is exactly what this is about. This is about those intervenor costs and about making the process work.

It's not costly in the sense that it costs more for the applicant, although they will complain. What is costly for the applicant is the holdup of the process. What is costly for the applicant is when they don't get this seamless approval process that they want to get so that they can get on with the situation of developing their energy resource. That's the intent of this bill.

If we do not have legislative intervenor costs – this does not mandate it. You do not have it. It's not there in legislation. It's been removed. Take a look at section 28 under the old act. It does not appear in this new act. What does appear right now is this amendment, which says that if we put it back in, it will then be there just the way it has been all along prior to this bill.

With the greatest respect, making light of this is fine, but this will be a problem. This will be a problem. When you create this imbalance, this is going to be a problem, not so much maybe on the small projects but on those big projects because people are going to want to be heard, and they will not have the resources to allow them to be heard in an orderly manner. They will show up, and that you're going to have to figure out how to deal with.

I will tell you that we are dealing with a situation like that right now up in the Peace River region, and it's almost deadly. If it doesn't get resolved peacefully, there's going to be a problem. The RCMP are involved. There are local negotiators involved, trying to get tempers and emotions calmed down. We know this stuff goes on. So if we know that it goes on, we should take measures to make sure we keep things civil. The intent here also is to make sure we keep things civil.

I'm going to throw out the example of Sylvan Lake versus Vulcan. I would say and I would argue that it was the organization of the meetings that made all the difference, and it was the difference between night and day, between what the hon. Minister of Energy experienced versus what the Deputy Premier experienced.

Again, we can have a board hearing where legal counsel represents landowners and legal arguments are made and professionals come in and basically do their duty, whether it's water, whether it's geology, whatever the application is doing as far as the expertise required, or we have a fiasco of people showing up without the ability to balance or even understand what is happening in front of them. That's usually where the trouble begins, when they don't even understand the legal process and they're going up against a company lawyer without any understanding of the law whatsoever.

This has played a very important role in the process to date. It has actually worked quite effectively. The board has the decision to determine how much, if any, intervenor costs are awarded, but it is in legislation. This bill does not have it in legislation. By omitting this, we now start to think about this system not being able to be streamlined and people getting frustrated. The playing field is not fair. It is not level. We'll get away with it for a while, and then there will be a push-back in the public. How that push-back appears or grows could be anybody's guess.

My argument here in support of this motion is that it's worked, and it's worked effectively. Why would we get rid of it? Yes, there are complaints on both sides of the equation, but overall it has worked well. Why would we get rid of it? Why would we not put this back in and make sure that we keep that level playing field?

The average farmer out there, the average landowner who's running a business, whatever type of agricultural business it is, they're going about their duty whatever their business is, and then the developer shows up and says: "We're going to drill for oil and gas. We're going to build a pipeline across your property." Now, all of a sudden, if you're not aware of the process, you have to not just stop what you're doing; you have to go through this learning curve. This is something that they did not invite into their lives. It is something that just happened to come on probably the most ill-planned day in their lives. Whether it's seeding, harvest, whatever, it doesn't matter. It's never a great time, and they have to get caught up very quickly.

## 12:10

Being able to hire a lawyer or an expert to help them, particularly if the development is complex, and having a right to apply for intervenor costs is significant in streamlining the process. If that's the intent, to streamline the process, these property owners are going to need help. These intervenors are going to need help. If they're left to their own devices, basically, who knows how this system is going to work?

It has its advantages. It has its benefits when we allow the intervenor costs. I realize there are people out there that talk about abuses on both sides of the equation, but overall the board has, I think, the generic support by probably a majority of people that the system is working with the intervenor costs. If you are directly and adversely affected and the board decides that you have a right to intervenor costs, by legislation, then, they will award those intervenor costs.

So I rise in support of this bill. It is significant to keep to this idea that we're going to streamline the process. Thank you very much.

**The Chair:** Are there other speakers to this amendment? The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Mr. Chair. Again, it's a pleasure to rise and speak to Bill 2, the Responsible Energy Development Act, and speak about amendment A18 that was put before us.

### Local interveners' cost

33.1(1) In this section, "local intervenor" means a person or a group or association of persons who, in the opinion of the Regulator,

- (a) has an interest in, or
- (b) is in actual occupation of or is entitled to occupy land that is or may be directly and adversely affected by a decision of the Regulator in or as a result of a proceeding before it, but, unless otherwise authorized by the Regulator, does not include a person or group or association of persons whose business includes the trading in or transportation or recovery of any energy resource.
- (2) On the claim of a local intervenor or on the Regulator's own motion, the Regulator may, subject to terms and conditions it considers appropriate, make an award of costs to a local intervenor.
- (3) Where the Regulator makes an award of costs under subsection (2), it may determine
  - (a) the amount of costs that shall be paid to a local intervenor, and
  - (b) the persons liable to pay the award of costs.
- (4) The local intervenor or a person who is determined by the Regulator to be liable to pay the costs awarded may request that the Regulator conduct a review of the award of costs.
- (5) Where the Regulator conducts a review of the award of costs, the Regulator may
  - (a) vary the award of costs,
  - (b) refuse to vary the award of costs, or
  - (c) deny the award of costs.
- (6) If in the Regulator's opinion it is reasonable to do so, the Regulator may make an advance of costs to a local intervenor and it may direct any terms and conditions for the payment or repayment of the advance by any party to the proceeding that the Regulator considers appropriate.

Now, in reading that and listening to the comments of the Member for Rimbey-Rocky Mountain House-Sundre – look at that; I even got it – I've kind of rethought what I was thinking on this amendment. In this bill, in terms of efficiency, it's essentially taking failed bodies that were in place and stuffing them into a superregulator. There's a clear risk that this is going to be a

Frankenstein-like body if the new regulator does not overhaul the process.

In terms of the balance the only place this bill makes explicit gains is in the efficiency. In terms of landowner rights it does not maintain the requirements for landowner involvement at the outset, which was entrenched in the ERCB, nor does it give Albertans the right to appeal to the Environmental Appeals Board if the energy developer on their land causes environmental damage.

I guess what I was hearing from you, Colleague, was that, you know, we need something like this in place. We need it in place to protect the landowner, the person that doesn't always deal in this, that doesn't have the expertise in this, that they can call in somebody to help them out on this so that they can deal with the regulator on almost an even footing with the energy companies. I'm sure the energy companies would appreciate this as well.

You know, we all want to make sure that we have good corporate citizens in this province, and I know that these energy companies and industries want to be good corporate citizens here in the province of Alberta. Doing this is going to give some balance and give a little bit of weight back to the landowner. We want to make sure that the landowner is protected and that the industry and the landowner can come to these boards on a level playing field and discuss their issues and hash them out so that it doesn't prolong the process.

I think that I'm in support of this motion. Again, it seems strange to be speaking in support of the members of the NDP because a few years ago I couldn't believe that I'd be doing this myself. You know, there is some pragmatism in this. I can recognize that there are good ideas that come from all over. They come from the members of the NDP, they come from the members of the Liberal Party, and they come from the members of the Wildrose Party. I know that is something that is hard to fathom. They even come from the Progressive Conservative Party as well. Look at that. I'll even give you credence on that, that good ideas come from all Albertans, all members in the Legislature.

I think there is some merit in this here this evening. Let's not just throw this out. Let's deal with this. Let's look at this. Let's debate this, not just glaze over and go sleep and wake up at 7 a.m. and find me still standing here talking. Now, I'm not sure if there's anybody else that has any more comments on this, but I would like to hear some more.

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

**Mr. Bikman:** Thank you, Mr. Chair. We're looking at a David and Goliath situation, as has been mentioned several times in this House. I believe this amendment addresses that to some extent, and I rise to speak in favour of it and to talk about the bill generally since I understand that we're expected to be here all night to prove that we're all men and, I guess, women too. [interjection] I prefer to be what I am anyway.

In a masterful speech by the Leader of the Official Opposition a few weeks ago we heard horrific examples of delays in project approval here in Alberta. Compared to our neighbouring jurisdiction of Saskatchewan, similar projects there are being fast-tracked in as little as one-sixteenth the time that it takes here in Alberta. The purported purpose of this bill is to streamline that process, and that's admirable. It's a worthy goal. It's intended to rectify this imbalance with our neighbouring provinces and make Alberta once again a more attractive place for the energy industry to invest.

However, Mr. Chair, it takes a long time to restore lost faith and

win back trust. Over many years, dating back to the 1950s, Alberta was held up as a model for the rest of the world. Leaders and ministers from a variety of countries visited to learn how to strike the right balance between providing investors an attractive return while reassuring Albertans that their fair share of resource revenue was received and protecting and preserving property rights. That's a proud heritage, one that we need to I think consider when we have the opportunity to do the right thing and to make sure that everybody is treated equally. This trust between energy companies and our province took a long time to create. It sustained us through decades of growth, ensuring a high standard of living for Albertans.

The protection of landowners' rights in providing a wealth of employment opportunities was a result of consultative engagement among all stakeholders and for many years remained a standard worth emulating. Sadly, over the past five years this government acted unilaterally to change the rules of the game. Investors fled, and jobs followed. I'm told that some investors still haven't returned. The government also lost the confidence of rural Albertans when they rammed through bills 19, 24, 36, and 50, as has been mentioned numerous times this fall session. It was hoped that this act would make our process competitive with our neighbours' and restore energy companies' faith in Alberta and make it easier for them to plan and initiate new projects in a cost-effective way.

**12:20**

I hope we all know that it's private enterprise that creates wealth-producing jobs, that increase our standard of living, and boost provincial revenues. Not public jobs but private-industry jobs create wealth. We do need to streamline project approvals. We need to do it as soon as we can. It takes a long time to re-earn the trust of those companies who saw millions of dollars of planning rendered useless and irrelevant through the unilateral stroke of the legislative pen following . . .

#### **Chair's Ruling Relevance**

**The Chair:** Hon. member, are you speaking on the amendment?

**Mr. Bikman:** I certainly am.

**The Chair:** Okay. Please, if you could keep your comments to the amendment. Thank you.

**Mr. Bikman:** And how am I not?

**The Chair:** Well, it seems you're talking about the bill in general, hon. member, and we're going through the amendment.

**Mr. Bikman:** I think that this amendment relates to the bill in general, and I'm talking to the generality of the bill and the specifics of why this is important, what we need to do restore the confidence that makes the bill even necessary in the first place.

**The Chair:** If you could keep your comments to the amendment, hon. member – that's how we get through it; it's piece by piece – I'd really appreciate it.

**Mr. Bikman:** I thought we were supposed to be here all night and keep you all busy and entertained. Did I misunderstand the rules of this game? [interjections]

**The Chair:** The hon. member has the floor. Thank you.  
Carry on, hon. member.

**Mr. Bikman:** I was carrying on. I thought that was what you were chastising me about.

### Debate Continued

**Mr. Bikman:** Well, let me see if I can be a little more specific. We're very concerned about property rights. The David and Goliath aspect of this relates to that, and this amendment certainly speaks to that, wouldn't you say? Are we concerned about having the weakest and the least wealthy, in most cases, members of this equation, who are the property owners, having some of their costs covered? As has been pointed out and as I think we all realize, when you're going up against an energy giant and you're simply a farmer or a rancher or a landowner, we're not creating a level playing field. It isn't an equal situation no matter what you think.

The farmers, the ranchers, surface rights representatives, and property rights advocates are concerned about the direction that this government is taking our province in with this bill. They've written all of us letters about that, and I'd be surprised if some on the other side hadn't received some of those letters and concerns. Whether you think they're from credible sources or not, I think people at the University of Calgary from the Faculty of Law there and other landowner advocates are concerned about the ability of farmers and ranchers, landowners in general to play in this game and defend themselves. They need to be compensated, and lawyers aren't prepared to represent them as willingly as they have in the past because they've been unable to collect their normal fees because the farmers and ranchers aren't being compensated. The compensation for their efforts has been cut back and cut back so many times that it's very hard for them to receive payment for their time. I think that's critical, and I think that undermines the credibility of this bill and undermines the credibility of the government itself as it relates to the energy industry itself.

I don't think the energy industry is as interested in railroading or ramming through something that isn't going to keep the playing field level. They want efficiency, but they're not complaining about the landowners creating inefficiency and delaying the process. But the landowners' rights need to be protected. They're concerned about having things fair and equitable. It's in their best interests to see that that happens, and it's in their best interests to see that farmers and ranchers and landowners in general can defend themselves and that if they don't have the wherewithal in their own pocket, their own money, they'll be compensated for it.

We've seen what I would consider to be frivolous lawsuits funded by the government when people appear to be or think that they've been offended by somebody's opinions that they take exception to. Well, if we're prepared to do that, I think that the least we can do for the hard-working people of our province, who have pioneered and have in some cases been on the land for generations – they need to know that they can have access to funding to help fight the battle against inequity. I think that much of the inequity that they're concerned about isn't so much from the energy industry, in fact; it's from the government.

We know that the government isn't the 87 people elected to sit here. We've had it pointed out to us that we're not part of the government, that most of the MLAs that are sitting in the governing party, the party in office, are not the government. It's the Premier and her cabinet that are the government, and the decisions that they make behind closed doors are affecting and impacting our stakeholders, the people that have elected us. If we won't speak up for them, then we're not doing our job. In speaking up for them in defence and in support of this

amendment, we're just doing our job. We're trying to help make sure that they will have the ability to defend themselves when necessary, whenever the appeals need to take place, by being able to hire experts whose qualifications and skills exceed their own in advocating for them. I think that's part of what this amendment is intending to do. I'm fully in favour of it.

If I've somehow offended the chair or this House by talking about things beyond this narrow focus, I apologize, but I believe that what you're trying to do tonight is to get this thing rammed through. I don't think we ought to be ignoring the rights of the weakest stakeholders in this equation.

**The Chair:** No offence, hon. member. I'm just trying to keep us on task. Thank you for your comments.

The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Mr. Chairman. I'll be brief. I think the Member for Edmonton-Highlands-Norwood has put forward a very responsible and reasonable suggestion to strengthen the bill. It's essentially saying to people who are at a huge disadvantage as landowners or as neighbours or as small property owners or people who have a direct vested interest in the development: "We value your perspective. We need to have you onside as much as possible. We want to give you a fair opportunity to raise issues, to defend your right as a property owner, to put forward a well-researched, cogent case about balancing interests here."

The metaphor of David and Goliath does come often to mind as we look at these huge, huge operations and their ability to steamroll whole First Nations communities, as we've seen in the past, let alone individual property owners who have, perhaps, little background, little resource, and little capacity to understand the fine points of legislation and intervention. It just strikes me that this would be in government's best interests, it would be in industry's best interests, and surely it would be in the landowners' and affected parties' best interests to ensure that we provide a fair hearing and give not only the appearance but the reality of support for people who want to just stand up for their rights and want to have a fair settlement at the end of the day that reflects a balanced view from all sides. They cannot do that without resources. They cannot do that without expertise. To do anything less would be to violate, I think, a tradition in Canada, let alone Alberta, where we value landowners and their rights and we value fairness and we value the courts and we value the importance of specialized legal assistance in this modern day.

I don't need to say much more. The technical support, the financial support, the level playing field: it's a no-brainer. We would all want it ourselves, especially if we didn't have much in the way of resources. Let's just offer the same benefit to those among our neighbours who are essentially wanting to make sure that there's a fair process and they have been fairly treated.

Thank you, Mr. Chair. I'll be supporting this amendment.

**The Chair:** Thank you.

Are there other comments on amendment A18?

Seeing none, I'll call the question.

[The voice vote indicated that the motion on amendment A18 lost]

[Several members rose calling for a division. The division bell was rung at 12:30 a.m.]

[One minute having elapsed, the committee divided]

[Mr. Rogers in the chair]

For the motion:

Anderson	Fox	Swann
Anglin	Hale	Towle
Bikman	Mason	Wilson

Against the motion:

Allen	Hancock	McDonald
Bhardwaj	Horne	McQueen
Brown	Horner	Oberle
Casey	Hughes	Olesen
Denis	Johnson, J.	Olson
Dorward	Khan	Sandhu
Drysdale	Klimchuk	Starke
Fenske	Lemke	VanderBurg
Fraser	Leskiw	Weadick
Goudreau	Lukaszuk	Xiao
Griffiths		

Totals:	For – 9	Against – 31
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[Motion on amendment A18 lost]

**The Chair:** We're now back to the main bill. The hon. Member for Strathmore-Brooks.

**Mr. Hale:** Yes, Mr. Chair. I have an amendment I'd like to put forward. I have the number of copies.

**The Chair:** This amendment, hon. members, will be A19.

Hon. member, you may speak to the amendment.

**Mr. Hale:** Thank you, Mr. Chair. This amendment I am proposing is another amendment dealing with public interest. Section 1(1) is amended by adding the following after clause (c):

(c.1) "carbon capture and storage project" means a project for the injection of captured carbon dioxide conducted pursuant to rights granted under an agreement under Part 9 of the Mines and Minerals Act.

It further goes on. Section 2 is amended by adding the following after subsection (2):

(3) Where by any enactment the Regulator is charged with the conduct of a hearing, inquiry or other investigation in respect of a proposed energy resource project or carbon capture and storage project, it shall, in addition to any other matters it may or must consider in conducting the hearing, inquiry or investigation, give consideration to whether the project is in the public interest, having regard to the social and economic effects of the project and the effects of the project on the environment.

This amendment deals with public interest mainly dealing with carbon capture and storage. Some good examples of this – looking at the public interest, I know we've had heated debate, and people think the public interest takes landowner rights away, which is totally false. It does not.

A perfect example of this is proposed carbon capture and storage projects that we really don't know much about. We're going to be pumping gas into the ground beneath landowners that may not even know it's there. There are huge, huge pools of gas that are going to be placed under families that will not know they're there. Who's going to know what's going to happen? We don't know. We don't know how the gas is going to react in the ground, how it's going to find formations to go through. If these projects are approved without any public interest, who's to say they can't eventually pump them under towns? Of course, it's going to be, you know, miles deep, but how do we know what's going to happen to the earth? We don't know. We don't know what's going to happen.

If we allow these projects to go ahead without any public interest, say in a town, if we allow them to pump gas beneath the town and years later the gas comes to the surface and, heaven forbid, people get sick or die, and we think, "Well, you know, we didn't put the public interest into that act; we just let these companies do whatever they wanted in these towns," it's not the companies' fault. It's the mandate of this regulator, which allows them. They're following the rules that were set into this bill. If things happen that we have no control over and we didn't take the interest of the public into consideration, whose fault is it? It's the fault of this legislation.

Another example. This summer they were proposing drilling a well. It might as well have been right in Calgary. I think it was a school or a Walmart or something that was right there beside it. That's in the public interest because it's going to affect the public. You know, if it's a sour gas well and you get a bad wind and there's a blowout, who suffers? It's the public.

**12:40**

These are things that need to be in consideration. We're not talking about the landowner, taking away his rights if it's in the best interests of the oil company to drill a well on that land and that farmer doesn't want it there and then all of a sudden the regulator can say: "Well, yeah. This is bigger." We've got to step back and take a 30,000-foot view and say: well, as industry expands, you know, wells are going to get closer. I've talked to a couple members from the other side that want some sort of urban drilling program, a policy that doesn't allow drilling wells close to towns. Well, with the urban sprawl that we see, cities are continuing to grow and grow. Eventually, if we set a limit of two miles from town, who is to say that in 20, 30 years that well is not going to be right in somebody's backyard?

Those are public interest concerns that we have to continue to look at. This carbon capture should be a huge concern for the public because who's to say where that gas is going to go? Who's to say that eventually, you know, there aren't going to be communities expanding and built overtop of ground that has gas that they don't even know is there? Wrecks happen. We don't plan for these sorts of disasters, but who does? You never know when something is going to happen. It's our job to get this right in legislation now so that we can protect our future Albertans and our communities and our towns and do things that need to be done to protect their safety. That's the public interest we're talking about. It's the general public that can be affected by decisions that we make here.

Thank you.

**The Chair:** Are there other speakers? The hon. Member for Airdrie.

**Mr. Anderson:** Thank you, Mr. Chair. This is a very good amendment. It's one of my favourite subjects, carbon capture and storage. What a gong show. Carbon capture and storage. You know, I don't think I have met one Albertan at the doorstep, not one – I think I, like many others here, have door-knocked literally thousands of doors, especially in that last election. I think we can all agree we door-knocked – I'm sure the other side, too – thousands and thousands of doors. Does anybody recall somebody saying: "Oh, thank you. I'm so glad you're here. You know, whatever you do, stick to your guns on carbon capture and storage. That's the key. If we can make sure to pump CO<sub>2</sub> into the ground, into those aquifers, I know that's going to better the lives of my children. I know that that's going to better the lives of the sick and the disabled. I know that it's going to better their lives."

You know, I'm pretty sure that not once did folks hear that at the door because it's not a priority for Albertans. Apparently the Member for Edmonton-Gold Bar has said that he did hear that at the door. That's fantastic. That's fantastic. I did not, and I'm sure most did not. Maybe he did hear it at the door. Maybe there are a couple people out there that feel this is a priority for Albertans. I would say that the vast majority do not.

I would say that the vast majority think that – well, they break into several different groups. Some think it's a danger. I heard that quite a bit. It's unproven at such a large scale. This has never been undertaken at such a large scale. What are the effects going to be? Much like fracking and so forth, we don't necessarily understand all the effects, so there are some people that feel that way. I'm open to seeing what the facts and the studies and the research and the science say on that. But, you know, that certainly was one concern that was expressed with regard to carbon capture and storage, the safety on such a mass scale.

Another one you would hear is that it just costs too much money. How can we possibly justify spending \$2 billion on projects like this, giving money to some of the largest corporations like Shell? Nothing wrong with Shell, but they sure don't need \$800 million, or whatever they got. They don't need that amount of money. They've got plenty of money in the bank to spend, so why are we spending that \$800 million?

You know, the other side is always saying: "What would you cut? What would you cut?" Then you give them a \$2 billion thing to cut, and they say, "Oh, well, what would you cut still?" Well, \$2 billion is a massive amount of money. I don't know if the other side understands that, the amount of money that that would cost, \$2 billion for carbon capture and storage. It says specifically that we have to consider the public interest, "having regard to social and economic effects of the project." Dead on. Dead on. If we're looking at the economic effects of the project, as is said in this amendment, we have to consider: what could that money be spent on? What are the opportunity costs of that money, that \$2 billion? Well, \$1 billion is roughly the cost of twinning the road to Fort McMurray. Half of that amount is enough over four years: \$250 million or so a year, if that's how long it takes, four years. You wouldn't have to borrow. Imagine that. You could just twin your road to Fort McMurray.

If you didn't want to do that, you could build schools. Could you imagine, Minister of Education, how many schools you could build with \$2 billion? Could you imagine? It would be huge. You could immediately take care of any school infrastructure deficit you had with, probably, less than a quarter of that amount of money. It would be doable.

When we put this money down there, we have to think: well, what aren't we buying in this regard? What are the opportunity costs. What are we giving up? Of course, we're giving up a balanced budget. People say, "Oh, well, you know, we've got a triple-A credit rating." Well, guess what? France had a triple-A credit rating until yesterday. Now they don't. The United States had a triple-A credit till last year. Now they don't.

**The Chair:** Hon. member, we're not debating carbon capture and storage. So if you could stick with the amendment, please.

**Mr. Anderson:** Absolutely, Mr. Chair. I'll repeat it for everyone's benefit. Section 2 is amended by adding the following after subsection (2).

- (3) Where by any enactment the Regulator is charged with the conduct of a hearing, inquiry or other investigation in respect of a proposed energy resource project or carbon capture and storage project, it shall, in addition to any other matters it may

or must consider in conducting the hearing, inquiry or investigation, give consideration to whether the project is in the public interest, having regard to the social and economic effects of the project and the effects of the project on the environment.

So speaking to the bill, speaking specifically to the last sentence there of the last paragraph, "having regard to the social and economic effects of the project," that means that what we're proposing here is that the regulator needs to look at whether these projects, which cost money, will have a social or economic effect that is positive and in the public interest. Obviously, one component of the economic effects and the social effects and whether this is in the public interest is cost. That, obviously, is a huge consideration. If we're spending billions of dollars on these things, what is the side effect of that? What are we giving up because of that? Of course, when we spend any money, that means you're making a choice. You're just deciding to spend it on one item and not on another. That's just the way it is.

**12:50**

So you've got to take into effect what the opportunity costs are. That's why I think one of the opportunity costs is that when we spend money on such costly projects, one of the economic effects is that we are endangering over the long term, not the short term, surely – over the long term we are putting ourselves and our children at risk of falling into the same spiral as France, the United States, Spain, Greece, and other countries that just a few years ago you wouldn't have thought would have had any problems, much like Alberta is today. You wouldn't think that we'd have problems down the road. Just like: who knew that the U.S. five years ago would be having problems? It happened very quickly because spending got out of control on things like carbon capture and storage and other silly projects that were not necessary and that were economically costly. Now major countries are losing that credit rating and are in a spiral of debt and, frankly, financial ruin.

We're not there yet, by any stretch. No doubt about it, we have a head start because of Premier Ralph Klein and his group. Some of the folks across sat with that group and should be proud of the fact that they paid off \$23 billion in debt and set ourselves up, gave us this breathing room that we have now. Again, if we continue to spend money on carbon capture and storage, then the economic effect of that, the social effect of that in the long term is going to be one of suffering. It's not good. We need to start thinking about that; that is for sure.

I would like to suggest that when we are speaking with regard to this bill, when we are undertaking something like a carbon capture and storage project and the regulator is looking at it, then we have to make sure that they do take some time to adequately assess what all of the social and economic impacts are and whether they are in the public interest. As I said earlier, when we were door-knocking out there, I don't think you had too many people rushing up, maybe one or two but certainly not a lot, saying that this was a huge priority for the people of Alberta. Because of that I think that the regulator, the board and the regulator being established by this piece of legislation, should spend the resources that it needs to calculate properly the economic effects of these projects, whether they're in the public interest, and what exactly are the social and economic benefits or nonbenefits, damages.

One of the social problems, of course – well, there are many. We talked about the safety issue. We talked about the opportunity cost. If we even had half of that \$2 billion, how much could we spend on the elderly? How much could we spend on making sure that we took better care of our autistic children, of our students with special needs, who are chronically underfunded after the

preschool program, which is very good, but afterwards the funding goes way down and they don't have what they need. Anybody with an autistic child will tell you that. There are all kinds of different social and economic effects that come out of this, and unless we have a full vetting of those things before we undertake such costly and potentially dangerous projects like these massive carbon capture and storage boondoggles, then I just think that we're setting ourselves up for a lot of unfortunate, deleterious effects.

That's just one way of looking at this amendment. We'll certainly have a lot more to say on it, but I think that we need to make sure that these carbon capture and storage projects, since we are spending so much money, are part of this piece of legislation. I think that our caucus and that caucus should get up and talk about this issue and have a full and frank discussion about it.

**The Chair:** Thank you, hon. member.

Are there others? The Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Mr. Chair. It's once again a great pleasure to rise and speak to Bill 2 and the amendment put forward by the Member for Strathmore-Brooks. It's an honour to be here with him in this Legislature and with the rest of my colleagues.

Now, we are debating the amendment put forward on public interest. I'm going to focus in on section 2, which is amended by adding the following after subsection (2):

(3) Where by any enactment of the Regulator is charged with the conduct of a hearing, inquiry or other investigation in respect of a proposed energy resource project or carbon capture and storage project, it shall, in addition to any other matters it may or must consider in conducting the hearing, inquiry or investigation, give consideration to whether the project is in the public interest, having regard to the social and economic effects of the project and the effects of the project on the environment.

Now, we have noticed that throughout Bill 2 all references to the public interest have been removed, and there were four in the previous ERC Act, as difficult as it may sometimes be to ascertain. Given the expanded and consolidated powers of the regulator, it is even more important and it is our duty to consider that the public interest be present in this bill.

Precisely this exemption from considering the public interest is part of what allowed the massive overbuild of power lines to occur under Bill 50. Massive overbuilds. These kinds of exemptions just cost Albertans. They cost me, they cost my friends, and they cost you. They cost all of us. It's really not necessary to add burden to all Albertans, including ourselves here in the Legislature, because of these kinds of things.

Now, I wouldn't want to see something happen that we could have caught with an amendment like this on public interest. I mean, let's focus in on the mandate of the regulator.

2(1) The mandate of the Regulator is

- (a) to provide for the efficient, safe, orderly and environmentally responsible development of energy resources in Alberta through the Regulator's regulatory activities, and
- (b) in respect of the energy resource activities, to regulate
  - (i) the disposition and management of public lands,
  - (ii) the protection of the environment, and
  - (iii) the conservation and management of water, including the wise allocation and use of water, in accordance with the energy resource enactments and, pursuant to this Act and the regulations, in accordance with specified enactments.

(2) The mandate of the Regulator is to be carried out through the exercise of its powers, duties and functions under the energy

resource enactments and, pursuant to this Act and regulations, under specified enactments, including, without limitation, the following powers, duties and functions:

- (a) to consider and decide applications and other matters under energy resource enactments in respect of pipelines, wells, processing plants, mines and other facilities and operations for the recovery and processing of energy resources;
- (b) to consider and decide applications and other matters under the Public Lands Act for the use of land in respect of energy resource activities, including approving energy resource activities on public land;
- (c) to consider and decide applications and other matters under the Environmental Protection and Enhancement Act in respect of energy resource activities;
- (d) to consider and decide applications and other matters under the Water Act in respect of energy resource activities;
- (e) to consider and decide applications and other matters under Part 8 of the Mines and Minerals Act in respect of the exploration for energy resources;
- (f) to monitor and enforce safe and efficient practices in the exploration for and the recovery, storing, processing, and transporting of energy resources;
- (g) to oversee the abandonment and closure of pipelines, wells, processing plants, mines and other facilities and operations in respect of energy resource activities at the end of their life cycle in accordance with energy resource enactments;
- (h) to regulate the remediation and reclamation of pipelines, wells, processing plants, mines and other facilities and operations in respect of energy resource activities in accordance with the Environmental Protection and Enhancement Act;
- (i) to monitor energy resource activity site conditions and the effects of energy resource activities on the environment;
- (j) to monitor and enforce compliance with energy resource enactments and specified enactments in respect of energy resource activities.

1:00

Now, I really don't see why we don't want to include the public interest in this and add through this amendment:

(3) Where by any enactment the Regulator is charged with the conduct of a hearing, inquiry or other investigation in respect of a proposed energy resource project or carbon capture and storage project, it shall, in addition to any other matters it may or must consider in conducting the hearing, inquiry or investigation, give consideration to whether the project is in the public interest, having regard to the social and economic effects of the project and the effects of the project on the environment.

Now, I don't see where there could be any issue with this. I mean, we're here for the public interest. We're here because of the public interest. We're here to speak on behalf of our constituents and to make sure that they are protected under law. Well, this is one where we can protect them. We can protect them through regulation. We want to make sure that their interests are seen, heard, and listened to. Well, not even listened to; comprehended. I mean, it's one thing to listen, but it's another thing to actually listen and comprehend what the speaker is saying. Well, let's listen to and comprehend what Albertans are saying and what Albertans are telling us. They're telling us that their interests are important. Of course they're important. They elected us to be here to speak for their interests.

Now, there are varieties of interests, but I think specifically in this act the interests that we're talking about are their safety

interests. I mean, what would happen if we inject carbon dioxide into our aquifers? We hold millions upon millions of cubic feet of this gas underground, and it escapes. It escapes in a town. Are we suffocating? Maybe. Are we getting hurt? Probably. Are we hurting our province? Most likely. Are we hurting society? Definitely. I mean, that's not in the public interest. We need to have the public interest taken into account when we talk about these kinds of legislations. We need to make sure that their interests are protected when we debate legislation, when we craft legislation.

Here we are. We're talking about an amendment on public interest. We have a golden opportunity to include this in Bill 2 and make sure that Albertans' public interests are covered off. Now, I don't understand why we would need to stand here all night and talk about this. I feel that, you know, the way that everyone pays attention here, I shouldn't have to repeat myself and we shouldn't have to repeat ourselves over and over again and that we can extend the olive branch and say: look, we're just trying to make a piece of legislation better, and we can do that as all 87 MLAs in this Legislature.

Now, public interest is probably the number one reason why we're here. I think I said this earlier. I mean, we have to take paramount – paramount – efforts to make sure that we're covering off the public interest, that we're covering off Albertans' interests. I want to make sure that this amendment is debated and considered and voted on and hopefully passed. I stand up here in good faith and speak on behalf of the constituents of Lacombe-Ponoka. I keep their minds in my heart when I'm doing it because they're the ones that are guiding me on what they want me to say here in the Legislature, what message they want to have brought forward, and public interest is that message that's being brought forward.

I mean, we saw it with Bill 36, Bill 24, Bill 19, Bill 50. They didn't feel that their interests were being heard when those bills were passed. Now we're looking at a bill, Bill 8, which rescinds part of Bill 50, and clearly public interest was heard on that. Let's not have to pass a bill without public interest in it and turn around and come back inside six months, a year, maybe two years, after Albertans rise up and say, "Were we consulted? Were we heard? No. Do we need a change? Yes," and then have to go back and go through this all again just to pass something that should have been in all along. I mean, we just shouldn't be having to do that. I'm hoping that the members here tonight will vote in favour of this amendment because it is a good amendment. It's a common-sense amendment. It's an amendment that all Albertans can rally behind. I really feel that all of the MLAs here could actually rally behind it, too, and pass it. There really is no justifiable reason why, I think, we should not pass this.

It's giving consideration back to the public interest, back to Albertans. Albertans need to be heard on this. Their interests need to be thought about every time – every time – we do anything that affects their lives in this province. I would hope that when I sit down here, we have the opportunity to continue to debate this and that maybe we can win some of your hearts and your minds over if you are indeed listening to what we are saying here tonight and listening to what Albertans are saying and put their interest, the public interest, at the forefront of our thoughts. I know that they are at the forefront of my thoughts. I know that they are at the forefront for the Member for Rocky Mountain House – or Rimbey-Rocky Mountain House-Sundre.

**An Hon. Member:** Almost got it right.

**Mr. Fox:** Almost.

**An Hon. Member:** It's getting late.

**Mr. Fox:** Yeah, it is getting late, isn't it?

The Member for Calgary-Shaw, the Member for Airdrie, and the hon. Minister of Energy over there as well – I know that he wants to put the interests of Albertans first and put the public interest first as well, so I would hope that we do support this amendment, that we do pass this amendment, and that we can say emphatically that the public interest is in this bill.

Thank you.

**The Chair:** Thank you.

Other speakers? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you very much, Mr. Chair. This is significant. Carbon capture is not something that the public has taken lightly. It's not something that the government has taken lightly, given the amount of money that has been designated for this. We know that that's only the beginning, not even remotely addressing the problem. Meeting with industry dealing with this very complex issue, industry is not dishonest about this whatsoever. They know that the technology has not been fully developed. It is still in the theoretical stages in every shape, way, and form. There are trials going on dealing with carbon capture, but the data, the results, the findings of how well it is working are not yet determined. There are some initial results, yes, but the overall idea of what we want to do for carbon capture has not been finalized, and the technology itself has not been developed to where they can do the type of carbon capture that they want to.

I get to talk now about my favourite subject, which is the public interest test. I thought I heard somebody pray there for a second. Dealing with the public interest, Mr. Chair, it's one thing for this regulator to be dealing with an individual landowner, farmer, an individual company. When we look at these carbon capture projects, these are significant in size and magnitude. Depending on what we are dealing with as far as geology, there is this level of unpredictability.

What we do know about one of the carbon capture trials that took place – and this happened to be in Saskatchewan. There was a failure in what they did. Now, the interesting thing about the failure, and this is where it comes to dealing with the public interest: it happened to an adjacent landowner. It didn't happen to where they had – I'd have to go back and check the data, but I think it was a substantial piece of land that they retained to trial this project. It was an adjacent landowner much further away that experienced the problem. Again, somebody who was not directly and adversely affected when this was first proposed suddenly becomes now directly and adversely affected.

**1:10**

When we deal with any type of regulatory process – in this case this will be the regulator – they will make regulations making the determination of various distances, dealing with everything from sour gas, everything from flaring, and it gets even more complex. Distances as far as those who are directly and adversely affected will be adjusted accordingly. All that will be taken care of in regulation. We're going to do that with carbon capture.

The question is: when they do it, under what mandate do they make this determination? Do they make it under the mandate of just dealing with the company that wants to incorporate carbon capture, or do they do it just strictly on the mandate of the individual landowner? Really, with carbon capture this is the whole public interest all in one nutshell. The only reason we're



doing carbon capture is because of our public image of dealing with the oil sands and the type of development that we do.

Now, truth be known, carbon capture is a real issue in the coal-burning environment. We know that. We have a federal mandate to accelerate the decommissioning of our coal generation or the upgrading, which is significant, to where it does what we call combined cycle gasification. In order to capture carbon from coal, you have to do the gasification methodology. There's no other way you can capture that CO<sub>2</sub>. It's really important because the social and economic effects of this, which are what this amendment addresses, spread out now throughout the entire province.

Carbon capture through combined cycle gasification is extremely expensive. If it is determined that that's the methodology we're going to use for carbon capture, keeping our coal generators versus retirement – those are the two options coming – there are two things that are directly affecting the public at large. One is the cost of carbon capture and what do to with it. The second is the added cost of electricity as a result of the generation because we've taken what used to be, then, cheap coal, and we have now raised that price up to where it's no longer cheap.

Now, a prime example of that is Genesee 3. Genesee 3 is one of those more efficient – it's not really combined cycle, but it's using a different technology where they do not pollute, they do not admit the CO<sub>2</sub>. I shouldn't say that. They do not admit all the nasty other pollutants that what we call the pulverized burning method does. The coal pulverization isn't happening there. They're doing something different, which is basically cooking the coal and doing something very similar to combined cycle gasification. The problem that they've discovered is that they can't be competitive. That's a problem for the entire public here.

We're dealing with the issue of the public interest when we ask this regulator to look at this. The mandate is for the regulator to deal with carbon capture. That has to be part of the equation for the regulator to figure out, how they're going to make a decision that is not just for the public interest but the social and economic effects that the project is going to have on the public. Now, this is important.

We have discussed this with transmission lines on and off, and I know we'll discuss it again in another bill. The cost of energy is paramount to the efficiency of our economic system, particularly growth. If we have a high energy cost internally in Alberta yet we are a very wealthy province in energy development, in energy extraction, in energy export, we're penalizing ourselves and are hurting our own economic activity, particularly when we deal with those subsidiary industries that actually benefit from our energy development. What happens, what they're telling us is going to happen if internal prices in Alberta are high: this is all related to the social and economic effects of a project. We have industry members who are telling us that if costs rise to a certain level, it is then an option for them to relocate to another jurisdiction where they can have consistent, cheap, and reliable electricity prices so they can run their business.

I'll give you an example. There was a plastic manufacturer that I had spoken to who basically gave me a scenario. If they were looking to relocate, they would like to relocate to Alberta because it made sense because that's where the natural resource is that they use in their processing for their business. However, electricity costs that spike up and down would be detrimental to their business. Then it would make better sense if they were to relocate as close to Alberta as possible but in a jurisdiction where they had more stability. They still would be close to the resource as much as possible. The jobs would go to another jurisdiction and not to

Albertans. So it does play a role in our economic activity, in our economic growth.

This is not a light subject in the sense that it's one of those fuzzy, feel-good amendments saying that the social and economic impact of any project should be dismissed arbitrarily. It is in the public interest that these projects be evaluated not just on the merits of what they are doing for the industry that's proposing them but also on the merits of their entire broad impact on the public.

Looking at this amendment, it allows the regulator the flexibility to make this determination and this evaluation.

Backing further into this amendment, when it's talking specifically about carbon capture, the impact of what that project could do is not just related to pumping the CO<sub>2</sub> under the ground. Also, there's going to be the necessity for massive pipelines to push that CO<sub>2</sub> to where they want to then pressurize and put it underground. So there need to be pipelines that are built. Do they get built from point A to point B in a straight line? Not necessarily. Should they be built in a utility corridor? That is important. I would say yes. We should look to create utility corridors. It makes sense from a business point of view. Industry likes the idea. The public generally likes the idea although nobody wants to sell their land for a utility corridor unless they get a lot more for what it's worth. But for our future growth that would be one of the aspects that this regulator should have to consider, and that would fall under the economic effects.

On the social effects of a project, it does change the demographics of a community depending on what type of industry is just plopped down. I'll give you an example. I believe it's west of your riding, Mr. Chair, where they were talking about developing a major coal mine. I think it was northwest of your riding if I'm not mistaken. That was significant because that took a large geographical area, and it affected barely 200 or 300 people, but the size of that area was probably bigger than Edmonton. I mean, it was significant because there were large landholders out in that area.

It took a huge area, but then when you develop that, what happens to the water table? That was an important question. So you're dealing with the same situation, where the social and economic effects of a project spread out well beyond those who are participating, well beyond the people who are directly and adversely affected as landowners. Now you're dealing with an aquifer that feeds an entire water system that many communities would feed off, not just individual landowners.

Now, we have that same type of situation west of Rimbey. We have an aquifer that goes from Rimbey all the way back to the foothills. It's well established, it's well documented, and hydrologists and geologists are quite familiar with it. What happens when we start pumping CO<sub>2</sub> into the ground? This is a question that I don't think anyone has an answer for, but it is something that the regulator would have to be concerned with. We know we run into problems because we've experienced problems when we've pressurized and tried to push something down a well and found out it blew out another hole two or three miles away. That just happened down in Innisfail, and I brought that example up earlier.

1:20

We know that with carbon capture there's a significant amount of pressure that has to be utilized to push that CO<sub>2</sub> underground. Whenever you pressurize underground, it's always the path of least resistance. One of the huge problems we have in this province is that we've got lots of areas where it's like a pincushion. We've got abandoned wells that people don't know

anything about unless you were the person that was there 50, 60 years ago when they first did a test well that was unproductive. We have lots of seismic activity where they barely plugged up the top of the hole, but we have lots of holes underground. Once you start pressurizing, wherever we're going to plan on pushing the CO<sub>2</sub> on this carbon capture, we're going to find out where the weak spots are.

Also, one of the other problems that no one knows anything about is all the fracking that we're doing, and we're doing a lot more fracking than we've ever done in the past. That is done horizontally. As we break those coal seams, we are creating a path of least resistance once we pressurize CO<sub>2</sub>. We know from experiments in Colorado that that travelled great distances and came up in waterways. It shocked them, it surprised them, but they were able to trace that back.

We're back dealing with the whole issue of the public interest test. It's important that it be in this legislation for this particular industry, which is the carbon capture. Now, there are other aspects to this, and that has to do with the whole purpose of carbon capture. The only reason we're doing carbon capture is for the public interest. We have an issue in the world called global warming. We have an issue in the world that is about the rising levels of CO<sub>2</sub>. We deal in an industry that is going to benefit both in a public relations scenario and in a – well, let's just deal with the public relations scenario. Our customers are international customers, our resource is an international strategic resource, but we have people who are giving us a black eye environmentally for our industry's repercussions, let's call it. For our own markets if we clean up our act, we enhance our ability to export our products. That would go to the public interest, that social, economic effect of the project.

Here we're dealing with issues of CO<sub>2</sub>. What do we do? There are a number of things. What is in this amendment that has not been pointed out is that it talks about inquiry and investigation. If the regulator did some inquiry investigation, much like our sustainable resource committee, what they might find is that with the development of hydro up north, the oil sands would no longer need to burn natural gas, in particular coke from the bitumen that they burn, which is about half a million barrels a year according to their own statistics.

If we brought that hydroelectricity down to the oil sands and they no longer had to burn that fuel but that fuel could be used for sale, that's an immediate payback for that industry. But the most important payback is environmental, that they would reduce that CO<sub>2</sub> emission. That is significant compared to the cost of carbon capture. That would fall under the whole idea of investigation and inquiry in the public interest, which is what is brought forward here in this amendment. If you bring that hydroelectricity all the way down to Redwater and tap into the local grid, now we have something to work with to deal with the coal plants that we've been mandated by the federal government to accelerate the decommissioning of.

Now, with a regulator that has that ability and is mandated to investigate and to inquire, we could in effect, if we were to accelerate that hydroelectric development, have one of the lowest CO<sub>2</sub> emissions in North America yet still be a high exporter of oil and gas. That is huge in our public relations in dealing with our major driving economic engine, which is the oil sands. So in dealing with environmental groups who want to do nothing more than give us a black eye, we actually have a mechanism that says that we can improve what we're doing without increasing our export level yet reducing our environmental footprint. That is better than going out and denying that we are something we are

not. What it does is that it allows us to go out and say: "Look at us. Look how well we're doing it. We're cleaner than you."

Dealing with the issue of carbon capture is a significant issue. It has tremendous impact on how we as a government, how we as a society, and how we as an industry . . . [Mr. Anglin's speaking time expired]

**The Chair:** Thank you, hon. member.

The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Chairman. I rise today to speak in favour of this amendment. I do believe that it is worthy of consideration, and I hope that the government does consider it. I reflect back on my time knocking on doors during the last campaign, and this was a rather polarizing issue. There were many people who were confused as to the government's decision to take a giant piece of an economic pie and invest it in an unproven technology. I will admit that I ran into one individual who was rather up to speed on the whole, I guess you could say, way in which it's done. He's involved in fracking and has a great understanding of the potential for carbon capture, but even he was very much confused about how there could be any economic benefit or net benefit for this.

I will note as well that we're fast approaching 1:30 in the morning. I believe this is a record for the 28th Legislature. I would like to thank the support staff, Parliamentary Counsel, and our pages, who seem to age rather drastically at around 10:30, 11 o'clock at night. It's great to be taking part in democracy in Alberta at 1:30 in the morning. Thank you to all the government members for having us here.

**The Chair:** Hon. member, if I could just remind you to keep your comments to the amendment and not, maybe, to a larger topic.

**Mr. Wilson:** Oh, I'm sorry. Am I supposed to be talking to the amendment? I apologize, Mr. Chair.

**The Chair:** No, no. I appreciate your thanking the staff, but a lot of the speeches recently seem to be going on a much broader topic than what is the amendment. I hope you would keep your comments to the amendment.

Thank you.

**Mr. Wilson:** Thank you for the clarification, Mr. Chair. I appreciate that.

I do believe that there is reason to have a regulatory process involved, specifically around the carbon capture process. You know, when we look at the fact that it is an unproven technology and that it has been documented, well documented, that leakage does have a potential for long-term impacts, that should not be taken lightly. That is a clear need for a regulator to be able to weigh the balance of an environmental impact with the needs of the public interest of Albertans and the needs of an energy industry.

Again, if you look at some of the economic concerns with CCS globally right now, it is an industry in decline. I believe there are eight actual projects that are up and running, and many of them are not economically viable at all. Because any sort of leakage could cause large-scale atmospheric warming, it's possible that it could require even more investment long term to actually re-sequester the lost carbon. I'm not pulling these facts out of thin air. This is documented evidence that people who are much more familiar with climate science than I am have stated in their case.

1:30

The act itself talks about how the mandate of the regulator is "to

provide for the efficient, safe, orderly and environmentally responsible development of energy resources in Alberta through the Regulator's regulatory activities" specific to the protection of the environment. So if we have CCS and we know it's unproven, it just simply makes sense to have a body in place that is going to be able to weigh all of the costs.

I guess the global market for CCS is also in decline as well, and Kyoto was kind of a motivating factor and a catalyst for the start of this industry. It seems to have failed. It's not going to come into effect. I think that in the public interest of Albertans it's important that we look at the amount of money we are going to be spending on this. If we do look at specifically the social cost, which is what this amendment addresses, we look at the amount of money that we could be reinvesting elsewhere. We talk about antipoverty. We talk about how this Premier has put forward a promise to Albertans to end homelessness, to end youth poverty, child poverty, yet here we have a massive amount of budget going to an unproven technology.

Again, if we had a regulator as per this amendment, they might have the wisdom. If this board is comprised of the types of individuals that we had debated about earlier in our amendments, that are sound business minds, many of them would probably look at the net benefit of this and go: "This is ridiculous. There's no possible way that there is an economic benefit to Albertans."

I believe that there is plenty of reason for us to look at this, to give it strong consideration. I appreciate the time. Thank you, Mr. Chair.

**The Chair:** Thank you, hon. member.

Are there others? I'll recognize the Member for Vermilion-Lloydminster.

**Dr. Starke:** Thank you, Mr. Chair. I rise tonight to address this amendment because it does address the issue of carbon capture and storage and the interesting comments that were made by the hon. Member for Airdrie, in which he called carbon capture and storage a gong show and, you know, some of the other spectres that we're raising with the unproven technology, as it's been quoted, and some of the other quotes.

You know, I've spent a fair bit of my professional career explaining science in some issues that can be twisted. The whole world is not scientific. One of the areas, for example, that I get really frustrated with is some of the half-truths and in some cases flat-out nontruths that deal with, for example, production of beef. That's something that I've defended throughout my career. You know, we get some friends like Dr. Suzuki who tell us that there are hormones and that there's all this other stuff that is going to be bad if you consume beef. Well, we've spent a lot of time defending the beef industry. We've defended the beef industry here. I'm not a geologist, and I'm not a petroleum geologist, so I don't know everything there is to know about some of the background on carbon capture and storage, but I do want to say a few things and clarify a few things to members of the House so that there is a balanced discussion on this issue.

Carbon capture and storage has in fact been going on for not just the last month or the last year, but since the year 2000 carbon capture and storage has been going on in the area around Weyburn, where it's involved in an enhanced recovery oil project in which a coal gasification plant in North Dakota runs a 330-kilometre pipe up to the fields near Weyburn. They've been doing enhanced oil recovery in those fields since that time.

Now, the estimate from geologists is that there are hundreds of years of capacity for carbon dioxide storage down there. The notion that somehow the Earth is going to explode under our feet

because there is too much pressure: these are the kinds of things that for a society that maybe doesn't have a lot of scientific background, to start to raise the spectre that these sorts of things are going to happen is, I think, somewhat irresponsible.

I think that what we have to do is rely on the science as best we know it and recognize that not all science is perfect and that at times things change. But to suggest and to speak in public and say that this is untested technology and that there are going to be all these dire consequences from this, it's not an accurate depiction. Not everything is perfect – I recognize that – but to suggest that there are some dire consequences from this is problematic to me.

The second thing that's been raised about carbon capture and storage is this huge amount of money that the Alberta government has devoted to this. With regard to the amendment here and how we're going to regulate this, I'd like to say that the Saskatchewan government, which some of our friends opposite have so often quoted as being such a great government, have also devoted \$1.24 billion to carbon capture and storage technology. This is not something that's exclusive to Alberta, but Saskatchewan and, in fact, many jurisdictions world-wide are investing in CCS technology because it's the price you pay for being in energy extraction today. That is the price you pay.

In fact, the hon. Member for Rimbey-Rocky Mountain House-Sundre said that, that in order to play in this game and in order for your energy extraction industry to be accepted world-wide, you have to demonstrate that you are doing something to address the situation of global warming and carbon dioxide. That is how we are addressing it. It is the admission price, if you like. It is the cost of doing this business. If you don't want to spend the money and say, "You know, that's how we could pay for these other programs," well, that's fine, but if you think that Alberta oil is being hard done by on the world market today, watch what would happen if we dropped all reference to CCS. Folks, whether we like it or not, whether we think it's tested or not, whether we think it's good technology or not, at least for right now it is the price of admission into this game, and that is something that we need to recognize.

Now, the other thing I'd like to point out is that there was talk about: when we were door-knocking, was there talk about this? Well, actually there was, Mr. Chair. I'd like to say that with regard to the regulation of this and what's suggested in this amendment, we, in fact, have carbon capture and storage going on right in my constituency. Well, technically it's not my constituency because it's on the other side of the border, but it's real close, and quite frankly I'm not worried about carbon dioxide bubbling up under the ground on my eight acres. In May of this year I attended at the Husky carbon dioxide recovery plant in Lloydminster. This is a major project, and there's a lot of excitement. Even the CEO of Husky said that it's a double bang for the buck because they are collecting carbon dioxide from our ethanol plant, and then they are using it for enhanced oil recovery from our heavy oil fields around Lloydminster.

Mr. Chair, with regard to the discussion on this amendment and with regard to the whole introduction of the discussion of carbon capture and storage, I will say, members, that while I don't understand necessarily everything there is to understand about geological engineering or the whole petroleum engineering field, when I read on websites that are published, for example, by the Massachusetts Institute of Technology and they deal with and list and talk about CCS technology, I tend to rely on the expertise of those people. I would suggest that rather than using CCS as a political football and sort of saying, "You know, under the spectre of this untested technology we're going to pump hot air into the ground" – in fact, it's been going on for quite a long time. It's

been going on, as I said, in our neighbouring province, the province that many of us are now saying is catching up to us, and perhaps they are.

The province of Saskatchewan, which I'm at least somewhat familiar with because I went to school there and I can see the province of Saskatchewan from my front door, unlike some references that were made a few years ago, they are doing this. They're doing this very successfully, and I would suggest that they are investing a huge amount of money into this technology as well, not just the province of Alberta. And, by the way, the federal government is also involved in investing in this.

Mr. Chair, those are my comments with regard to the amendment, and I thank you for your attention.

1:40

**The Chair:** Thank you, hon. member.

I recognize the Member for Airdrie.

**Mr. Anderson:** It's always great to hear a government member stand up and talk to an amendment. [interjection] Yeah. I'm just responding to exactly what he said. Ten minutes.

We talk about the price of being an energy producer. It is \$2 billion for carbon capture and storage. How is that working for us? We can't get our pipelines built. The environmentalists are all over us on every single level. We can't convince the President of the United States to finish that pipeline. Nothing is getting done. The differentials are worse today with regard to the discount that we take on our bitumen than they have been in a very long time because of that.

You can't negotiate with these people, hon. member. They're not open to negotiation. These are extremists that we're dealing with in a lot of cases who will not stop until we stop producing oil sands oil. You can spend \$5 billion, you can spend \$10 billion on carbon capture and storage. It ain't going to make a difference. They are going to continue to come after us over and over and over again. So we can either look at that and say, "Okay; well, we're just going to spend \$4 billion or \$6 billion or \$10 billion or \$20 billion on this," or we can do things that are actually going to help the environment immediately in Alberta, that are actually going to improve air quality, that are actually going to improve access to public transit, that are going to improve lives and the economy and all these things. Those are the things that we can do that will have environmental benefits and will help the people of Alberta. We can spend it on education. We can spend it on all the things that are going to help Albertans. If it's just about pouring money into this carbon capture for the fleeting hope that these environmental extremists will back off Alberta, they won't. Greenpeace is going to keep on doing it.

I think that we have to be very truthful in thinking about this. We can't just run around and try to claim that throwing more money at a public relations exercise, which is really what this is, is going to somehow benefit this province. It's not. I mean, I've heard former Premier Stelmach talk about this, and I believe his intentions were absolutely sincere. He felt and others feel that in order to play in the energy business, we have to throw some money at this technology or that technology or whatever to be seen as doing something.

**The Chair:** Hon. member, with all due respect, could you . . .

**Mr. Anderson:** Well, he just talked for 15 minutes on this exact thing, and you didn't say a word.

**The Chair:** I did. Did you see me doing the same thing, hon. member?

If we could stick to the amendment, please, both sides.

**Mr. Anderson:** I'll stick to the amendment.

**The Chair:** Thank you.

**Mr. Anderson:** All right. When we're talking about the public interest, when we're talking about the social and economic effects of the projects, including carbon capture and storage, I think one of the social and economic effects of these projects is the cost and what it costs Alberta. We do need to think very hard about whether we are just pumping money down a black hole. That's what it feels like. I don't see any kind of benefit that we've received from doing this, nor will we, I think.

Obviously, it's important to go to our trade partners and talk with the reasonable human beings out there that actually care about energy independence in North America and care about having good, low energy prices for economic development and so forth. Those are reasonable people, and they exist in Congress down south and so forth. Let's talk to them and do the best that we can. But the people that we're trying to placate with this CCS stuff – it is not working at all, and I don't think it will work. It's just a black hole. I would say the same thing to the Saskatchewan Party in Saskatchewan or the federal Conservative government. It's a mistake. It's well intentioned, but it's not working, and you'll never satisfy these folks no matter how hard you try.

Going back to this amendment, with regard to the social and economic effects of these carbon capture and storage projects I will say that absolutely we need to look at the best, most recent science that we have on CCS. He quoted studies from MIT and others. There's no doubt that CCS has been used for a very long time but not on a large scale. It's been used, obviously, for enhanced oil recovery. It is a proven technology in that vein on a small scale. But when you're talking about this massive-scale project, these massive aquifers that we're talking about, pumping a huge amount – a huge amount – of CO<sub>2</sub>, that has never been done before at these levels. Enhanced oil recovery takes a fraction of the carbon dioxide. It's a fraction that's used compared to these large-scale projects that we're talking about.

The other piece is that things have to be economical. In a lot of cases here, like with regard to Shell and a lot of these coal projects, some of these projects that are applying for the CCS grant money are not even doing it with enhanced oil recovery. They're just pumping it straight into the ground, and that, to me, is an even worse waste of money. It's not economical to do this, which is why the government has to put so much money into it.

I guess my view of it is that if it's not economical, why are we doing it? If it's not economical for a company as large as Shell, who has all the economies of scale that a company could possibly want or wish for to work with yet still can't make it work without \$800 million in a grant to a private corporation – only then can they make it work and justify the economics – I mean, what's the point? Surely, that's a negative social and economic effect, as this amendment alludes to. So that's something to take into consideration, too.

Why do we feel the need to have to sponsor these things as a government? Why do we need to continue to give these corporate handouts? It's just not necessary, and it just hurts us on so many different levels. We could be spending that money not only on balancing the books but just on all kinds of issues. You can talk about child poverty issues. You can talk about any social injustice that's out there. We could help to address those issues with that kind of money. Hopefully, we will. I just wanted to point that out.

That said, I do appreciate the Member for Vermilion-Lloydminster's comments on it. You know, I understand the argument. I just think that when we're addressing the social and

economic effects of these projects, we have to be very careful to not include in that column the fact that we've got to do this in order to placate the environmental detractors. The fact is that our environmental record in this province is very good. It could always be improved, but it is very good.

We're doing everything we can. I mean, the classic example, of course, is the birds and the ducks. You know, the lengths that we go to to try to make sure that we don't lose any of those birds is just incredible, the cost that's spent on it. We do that, and it's regulated. Who knows how many we save, but it's millions of them or hundreds of thousands, anyway, each year. Then at the same time when you're talking about windmills and so forth, they kill far, far more animals than our tailings ponds. It's not even close. Of course, we don't want one duck to perish. But why do the folks with the windmills get to slaughter tens of thousands of them and there's no second thought? I guess that's one good thing about CCS. It doesn't kill ducks. That's a good thing. It's probably a zero-duck killer. That's probably a good thing.

So much to discuss on this amendment. This is such a long amendment with lots of words in it. Lots to discuss. I'd like to see what my fellow caucus members or members of the government have to say about that.

1:50

**The Chair:** Thank you.

Further comments on the amendment? Hon. Members, please, if you could really try to keep your comments to the amendments. I know there is a larger subject here, but for process we're trying to get through this amendment and trying to convince each other of the merits thereof, so if you would.

The hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** In speaking to the amendment, section 1(1) is amended to add the following after clause (c): "Carbon capture and storage project" means a project for the injection of captured carbon dioxide conducted pursuant to rights granted under an agreement under Part 9 of the Mines and Minerals Act." I found it very interesting that the hon. Member for Vermilion-Lloydminster provided all that interesting information. I think it actually is very helpful because I myself don't have carbon capture under my property, but I know it's possible.

Some of the more important things that he talked about were all the good things about carbon capture, that this is the way of the future and that, in reality, we'd just better get used to it. But there's something more to that story because on April 26, 2012, Dawn Farrell, the president and CEO of TransAlta, addressed shareholders at the company's annual general meeting in Calgary and talked about Project Pioneer, which is a carbon capture and storage project in which they're partners with Enbridge and Capital Power Company. TransAlta Corporation announced that they have now abandoned their plans to build the \$1.4 billion carbon capture and storage facility at an Alberta coal-fired electricity plant because the company had no buyers for carbon dioxide and no way to credit from the plant.

If we're going to talk about carbon capture and storage projects and we're going to funnel money to those projects, then we'd best be making sure that they're actually economically viable and that they have all of the happy effects that the hon. members across the way say. TransAlta noted that its first-quarter profits tumbled on weak power prices and maintenance costs and said it would not proceed with Project Pioneer, a carbon capture demonstration project, with the partners. It also mentions that the project was backed by \$779 million worth of funds between the Alberta and federal governments. So now we're backing with taxpayer money

carbon capture and storage projects that are not even economically viable. When you are literally talking about that these carbon capture and storage projects should be covered, then we need to make sure that they're economically viable.

The hon. member spent 15 minutes educating us, and I really do appreciate that he educated us on all the good parts about carbon capture and storage and how that could really benefit Alberta and how that is the way of the future and how we just need to get used to it. But if TransAlta, who specializes in this important project and partners with the Alberta government, is spending taxpayer dollars, it would seem that it should concern every single legislator in this House that we're spending taxpayer money on projects that aren't even economically viable to the experts in the field.

Again, this literally goes back to public interest because now we're investing money in projects that have no interest to the public. There's no advantage to the public to throw away dollars on things that aren't economically viable. We will never see the money that we invested with TransAlta ever again. It just won't happen. TransAlta mentions that for the carbon capture and storage project, which is a project for the injection of captured carbon dioxide conducted pursuant to the rights granted under an agreement under Part 9 of the Mines and Minerals Act, it found no firm buyers for the carbon dioxide to be captured at the plant and said that there is as yet no cap and trade system that would let TransAlta and its partners sell emission reduction credits.

That is the situation that we're at. I mean, we can invest in lots of innovative technologies. That's fantastic. But we need to make sure that those innovative technologies actually provide Albertans with an economic future. Carbon capture and storage projects don't necessarily do that. But if they do do that, if they are so great and we're investing taxpayers' dollars into these projects – literally the amendment is talking about carbon capture and storage – then there would be no reason why we couldn't amend this by adding carbon capture and storage projects to the act. If you want to be clear and transparent, then we can easily do that. The process allows for that.

TransAlta also mentioned that two things were instrumental in their decision. The vice president of policy and sustainability for TransAlta said that one was the lack of a suitable price for the pure CO<sub>2</sub> created by the project. So we're talking about carbon capture and storage. We're telling landowners that we're possibly going to pump this stuff under their land. For me, whether or not it's going to emit fumes or gases is not the issue. If you're asking landowners to store carbon on your behalf, then they at least should be getting some sort of economic benefit from it. The second was the uncertainty around the value of emission reductions that would be created by Project Pioneer under regulatory frameworks that are still being developed.

Clearly, even the industry is not so all-in on carbon capture and storage. If the industry itself is not promoting carbon capture and storage, then how can we literally say that we should just ignore it or we should be for it? Again, if you're for it and you're absolutely wanting to do this, then amend the bill to make sure that carbon capture and storage projects are actually included in this bill.

The Alberta government has earmarked \$2-billion for carbon capture as it looks to improve Alberta's environmental reputation. At the same time it wants to boost production of carbon-intensive oil sands crude and continue to generate most of its electricity from coal.

That's from your own website. If the province is going to promote and sell this to the people and to the taxpayers of Alberta, that's fantastic, but then also do it in the bill and make sure that carbon

capture and storage projects are referenced in here and are clear and concise as to what's going forward.

The province has also backed carbon capture projects planned by Royal Dutch Shell PLC's oil sands operation and Swan Hills Synfuels, which is planning to fuel a 300-megawatt power plant using synthetic gas created by heating coal deposits deep underground. Again, the Alberta government is partnering on carbon capture and storage projects. If you're going to partner on carbon capture and storage projects, then there's no reason to eliminate them or hide them out of the bill. If you're going to funnel taxpayer money, then there's no sense why we wouldn't reference them in the bill and make sure that it's clear and concise and transparent to all taxpayers and also to the regulator. If you leave it out, the regulator has a grey area as to how to deal with carbon capture and storage projects. Clearly, this is a priority of the Alberta government because they're more than willing to spend significant billions of dollars, billions of dollars that could literally be used elsewhere to build infrastructure, to build schools, to add to our health care system. Instead, we're funnelling it into an industry, and the industry itself is not so sure that they believe in it.

You were talking about that the implied experts would have an opportunity to have a say in this bill on the board of directors and everything. Well, here TransAlta is telling you that the project of carbon capture and storage, this one in particular, may or may not be the answer for the future. The project's name is Project Pioneer. It was cofunded by the Alberta government and the federal government. We are putting money into carbon capture and storage projects, but we're leaving them, eliminating them from this bill. If it's not a big deal, then just put it into the bill. If that allows the regulator to have a clear and concise line – "What am I responsible for? What are we streamlining? What projects are what?" – then literally they can do what's best for Albertans, and the board of directors can do their job properly. Ultimately with this bill, clearly, that's what we're trying to achieve. If we really want to talk about fairness and openness and landowners and a win-win for industry and all that, and if we're truly going to funnel money into carbon capture and storage projects, then just cover it in the bill. It's not a big deal. It's not hard to do.

Thank you.

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

**Mr. Wilson:** Thank you, Mr. Chair. I will be brief. I did just want to briefly add some comments to what the hon. Member for Vermilion-Lloydminster had suggested. I just want to add some context. When we were coming up here talking about how, you know, there is the potential for leaks, it's not about the world crumbling at our feet. I'll table this tomorrow so you can have a look at it. CBC published an article on June 28, 2010. [interjections] Oh, I'm sorry that the hon. Minister of Infrastructure doesn't find the CBC a credible media outlet.

I will just quote from it:

Prof. Gary Shaffer from the Danish Center for Earth System Science examined a range of CCS methods to determine their effectiveness and long-term impacts... "CCS has many potential advantages over other forms of climate geoengineering," says Shaffer. "However, potential short and long-term problems with leakage from underground storage should not be taken lightly."

It goes on to say:

The study reveals leakage of sequestered CO<sub>2</sub> could cause large-scale atmospheric warming, sea level rise and oxygen depletion, acidification and elevated CO<sub>2</sub> concentrations in the ocean.

2:00

**The Chair:** Hon. member, are you going to tie that back to the amendment?

**Mr. Wilson:** I most certainly will, Mr. Chairman, and I again will be brief.

**The Chair:** Thank you.

**Mr. Wilson:** It goes on to say:

Dr. Peter Cook, chief executive of the Co-operative Research Centre for Greenhouse Gas Technologies, says Shaffer's figures for geological sequestration mirrors the conclusions reached by the Intergovernmental Panel on Climate Change...

Which I'm sure we can all remember as the governing board of the United Nations that basically framed Kyoto and other massive climate change regulations across the world.

Again, I recognize that this is a contentious issue. There are members on the other side that are going to stand up and fight and defend until they're blue in the face the fact that we're spending all of this money on projects. Some of them fail. Some of them don't. Some of them go ahead. Some of them might not. At the end of the day this is Albertans' money. This is taxpayer dollars. There is public interest here. That is why I support this amendment wholeheartedly, and I would urge the government side to reconsider their position because, quite frankly, it doesn't make any sense.

Thank you.

**The Chair:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. To the hon. Member for Vermilion-Lloydminster: I agree with much of what you've said. I heard that directly from industry also, that if you want to play in this international market today, this is the price we are currently paying. But does it have to be the continued price? That is the question. When I did bring up the issue of a failure, it was in that Weyburn field, but I don't think it was the storage as much as it was the use of CO<sub>2</sub> for enhanced recovery that caused that failure. I would have to double-check the facts on that. My wife is from that region, and that's why we were somewhat involved with the actual landowners that were there.

It is important to realize... [interjection] Oh, absolutely. I'm talking about carbon capture and why we should have the amendment. The amendment talks about any proposed energy resource project or carbon capture and storage, and it talks about investigation and inquiry. What I'm responding to is that investigation and inquiry. It's important. Investigation and inquiry should be in this amendment because when we look at this on a broader plane, on investigating and inquiring about carbon capture, there are other methodologies that can be usurped and utilized. One of those is carbon reduction. I guess that would definitely fall under an energy resource project because it all ties right back.

If we're dealing with this issue, which is significant because it's in the public interest – our oil sands is the economic engine not just of this province; it is the economic engine of Canada. It is extremely important. There's no one else in here that would be opposed to our Keystone or Gateway pipelines, I do not believe. These both give us access to markets.

**An Hon. Member:** That has nothing to do with it.

**Mr. Anglin:** It has everything to do with it, good hon. member,

because this is about an energy project. With the idea of enhancing our energy projects on an economic basis – we're talking about the social and economic effects, which are right here in this amendment – they should be considering this. This is important. To say that those pipelines are not important to our social and economic prosperity, I would disagree with you. They are. They absolutely are. These issues are really important for the regulator to consider.

Now, we talk about the price to play, and I'm going to quote the member on this. It wasn't my intention to incite fear at all, but I did hear directly from the energy people themselves, from CCS, that they know they have to develop the technology. It is not where they want it to be. So it isn't that we're not doing it in Weyburn or not trying to do it elsewhere, but to the level that we want to do it, we have not developed a major technology. That's significant. That's why this amendment is being brought forward so that the regulator has a chance to actually look at this.

When we actually fully implement this, they know that we're going to build a major pipeline. That pipeline has to have a major transmission line to actually power it. There's going to have to be a tremendous amount of energy utilized to push that CO<sub>2</sub> and then push it underground. That's a fact. I mean, that's not something that's even remotely arbitrary in the theoretical sense. They know pretty much what it will take.

There are other technologies that need to be developed to make this work to their advantage on the level or scale that they want it to work. Really, where a lot of that technology is affecting the carbon capture and the consideration of the social and economic benefits of the project, economic effects, is how we're going to be able to capture that. That's really important because not all processes that produce CO<sub>2</sub> can recapture the CO<sub>2</sub>. I mean, that's just a fact.

Dealing with our coal plants is a prime example. In our coal generation only in the gasification combined cycle, or the gasification of the coal, can there be any possibility of capturing the CO<sub>2</sub>. In your pulverizing method, which is the dominant method that we burn coal in, you cannot. Now, the reason I'm bringing up coal is that that produces more CO<sub>2</sub> than anything we have going on up in Fort McMurray. The pictures up in Fort McMurray are great. Mostly that's steam although they do produce a lot of CO<sub>2</sub> but not on the scale that our coal plants do.

Here we're dealing with a situation, when we talk about the social and economic effects of a project and particularly its effects on the environment, where if we're able to deal with this matter in the inquiry and the investigation and come up with alternatives that support this so that you're not just relying upon pumping CO<sub>2</sub> underground but you have a chance to reduce the CO<sub>2</sub> emissions by just straight reductions, that's significant. I talked about that hydro project, which, by the way, the oil sands working group is very much interested in, and those members who are on the SRD committee got a little bit of insight into that and will probably get more.

If we can retire those coal plants that do not meet gasification standards, that is going to make a significant reduction in CO<sub>2</sub> emissions. That helps these energy projects, which is what we're talking about when we give the regulator the chance to inquire and investigate in dealing with the social and economic effects, which, when I look at it, is about the social and economic prosperity. That's a great way to push this. That helps our industry just as much as the capture and pushing it underground.

There is a wide range of what this amendment can do by putting it in there and asking the regulator to look at it with a very broad brush. That's the importance of the public interest. Just to sort of reference back to the hon. Member for Vermilion-Lloydminster,

the public interest is to assist, not subsidize but assist, our industry to get that bitumen extracted and to the market. We are doing that, I think, in good faith and in many cases efficiently, but there are problems in our way. We know we need to build pipelines to make that work better. We know we need to deal with the CO<sub>2</sub> to make it more efficient and more palatable for our market. But one thing is absolutely clear. What we have is a strategic resource, and if you look at that, it's an international strategic resource. There are two main players that are really looking at our bitumen, the U.S. military and the Chinese economy. They both have their eyes on that. At that level, looking at it from there, this is where we have a price to pay, which is the carbon capture. You want to play; you have to pay. I'm just paraphrasing the hon. member.

**2:10**

We know that our market, particularly in the U.S., has significant issues dealing with CO<sub>2</sub> and global warming, climate change, but China is no different. If you really look at the Chinese market, they are doing things that are not good, and they are well ahead in other areas of doing things that are good. There are important aspects of showing or leading the way in the extraction of our resource and developing that in a way that our market is not offended by.

We give this authority to our regulator to be charged with the conduct of any inquiry or any investigation with respect to the project. It will consider matters when it's conducting this inquiry or investigation, "give consideration to whether the project is in the public interest." That's that broad term we've discussed multiple times today, that we continue to discuss, and that I will continue to discuss because this is where that public interest now comes into play.

It is so important. It's not one individual landowner. We all benefit. In my riding, Rimbey-Rocky Mountain House-Sundre, we benefit. With the development of our oil sands most of my constituents that work in that industry travel up to Fort McMurray. That's where their wages are earned, and they come back down on their time off. To say that it is not in the public interest would be wrong. It very much is so. I would say that its economic effect is felt in Rocky. It is felt in Sundre, Eckville, Benalto, Bluffton, Hoadley. I represent 37 communities, counting the unincorporated summer villages, and each one on its own merits thinks it's as large as the next one, regardless of whether it's incorporated or not. All of their issues are just as important as the next community's, and rightfully so. This development of our resource, the oil sands, is just as important to each one of those communities.

On this issue of dealing with our resource, giving the regulator the ability to consider the social and economic effects of the project, as broad a term as that is, has practical applications in our society. That's why it's so important that I convince all members to support this amendment.

**An Hon. Member:** That's going to happen.

**Mr. Anglin:** Well, you know, if it happened, we'd probably go home, but that's beside the point.

I'm willing to do what it takes to try to convince you. It has all the merits of being a very good amendment, where we could find some common ground, and we could use some common ground, actually.

What we've not talked about and I do want to now start speaking about are the effects on the environment because that's another part of this amendment. What a lot of this is about, the underlying premise of this whole issue, the amendment, the

concept of the development of each one of these projects, is the environment. We would not be engaging in carbon capture whatsoever if there was not that underlying concern of: what is going on with the environment? There are a number of aspects to this. In the context of global warming and climate change it is the increased levels of CO<sub>2</sub>. That's why we're engaging in carbon capture. In the context on a local level of pushing CO<sub>2</sub> underground, there is a natural fear. There's a natural fear among property owners that it won't work, and I'm not so sure science can cure that.

I think the only thing that can cure that is time. In the end science will play a major role, but over time the confidence and the trust of a property owner will only evolve once we have systems in place that show that it is working and that it is not causing problems.

Where the fear comes in, it's more the fear of the unknown than the fear of so-called rumours. I think it's a natural fear for a lot of people. They don't have the trust-me attitude towards government, unfortunately. We would like to think they do, but they don't. So here we have government involved and government proposing it, but what we really know is that it is private industry that's doing it.

What people want is to make sure, first and foremost, that the environment is protected. Each energy project in its own right poses certain risks. When you're dealing with carbon capture, it isn't just about pumping it underground and the risk of it bubbling out. You now have pipelines that are considered, and I tell you that there are certain risks with pipelines. First Nations, I just discovered, aren't particularly fans of pipelines because they basically open up areas that affect wildlife. It provides grazing areas for deer, which they feel impacts elk and moose populations. They're very interesting arguments.

So when you're dealing with this and you're looking at the public interest test and you're applying that to the protection of the environment, I will say first-hand that I don't know of anybody that knows the environment better in my riding than the First Nations people that live there and have lived there for, I guess, thousands of years. They still hunt and they still trap on their traditional lands, and they probably know more about the wildlife and the wildlife habitat and habits than our own SRD people. They are an extremely valuable source of information when you're dealing with this issue.

That concept of social and economic: it's not just about the farmer. It's not just about the communities of Rimbey or Sundre. It is also about our First Nation communities that live out there. Their attitude and their understanding are quite a bit different from the residents of Rimbey, the residents of Sundre, and that has to be respected. No one is saying that we're going to disrespect that, but what's happening here is that we get to take that into consideration when we're dealing with the social and economic effects of a project, particularly on the environment. That's what this amendment puts into legislation, and it makes a requirement of this regulator. It expands the vision of what's going on with the development. [interjections] I'm fine. They can gaggle all they want. I'm good. I'm not listening. I'm just talking to you.

This concept is extremely important not just for the particular project but for the mandate of the regulator to apply the law to consider every aspect of these projects, particularly the carbon capture, as it says here, "in respect of a proposed energy resource project or carbon capture and storage project." So you've got three elements to the amendment, not just one. When you look at the energy resource project, that takes into consideration electricity generation. That takes into consideration the coal extraction, just for the purpose of extracting coal, or any other resource that we

would extract and sell to the market. That's only logical. That only makes sense.

Each one, of course, Mr. Chair, will have a different impact or a different effect. How else are we going to gauge the impact of all this unless we take a step back and a broader look at the economic impact? It isn't just about the wages. It is about the quality of life of Albertans. I would argue that that quality of life is impacted by the quality of the environment, a lower environmental footprint, and the science that helps us lower our environmental footprint when we consider the development of these projects. So this amendment opens up for the regulator a broad ability to actually take into consideration all of the various aspects that affect Albertans. It is something that we cannot take lightly. It is something that we must take seriously. It is an important part of what I think this regulator should do.

2:20

There are a number of examples I can bring forward. I'd like to use this example because it is significant. I used it in the example of notification, but it actually applies here also. In the community of Tomahawk there was a gas development project right next to an elementary school. This is a very tiny rural community. Like all small rural communities, kids are bused great distances to come into the community from off the farm to the local school. Well, there was a local sour gas well very close to the school. I think it was actually three sour gas wells that were proposed, but it was the one that was the problem, not the other two. The one that was a problem: it was so close to the school that parents were afraid. They didn't like the idea of sour gas and children mixing because they don't mix very well. There was a lot of consternation. There were a tremendous amount of problems. That situation could now pop up again, and this regulator would be faced with that problem.

So how did they handle it? That one is really about the social effect of a project more than, necessarily, the economic, and it's still a balance. The parents of those children had no right to standing for that project. [Mr. Anglin's speaking time expired]

I'll be back.

**The Chair:** Thank you, hon. member.

I recognize the Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Mr. Chair. Again, what a pleasure it is to stand up and speak to the amendment on Bill 2, the Responsible Energy Development Act, the amendment put forward by my wonderful colleague from Strathmore-Brooks. What a wonderful opportunity it is to be discussing this and being here in this democracy and exercising it at 2:40 in the morning.

I feel that we're on this amendment, and there still isn't consensus. It doesn't sound like there are many people that want to vote for this on that side of the aisle. You know, we're going to stand here, and we're going to convince you of this. I'm happy to be up here to do this.

What is this amendment on? This amendment is on the consideration of public interest, social and economic effects as well as the environment in the mandate of the regulator. What are we talking about with this? We're talking about statements of principle. Statements of principle are important, like the statement of principle that we bring the public interest into this. Now, why do we have statements of principle, and where do we have them? We have them in all pieces of legislation. We have them in our Constitution. We see it down in the neighbour to the south and their Constitution and in their state constitutions. Why do they have these statements of principle? Because they need to talk about things like public interest. We need to make sure that the



public interest is being considered. A statement of principle is a perfect place to remind those that are going to exercise this act, our regulators, that this is a principle that is important to Albertans.

Now, if we don't state this, it will be forgotten about. I don't know how often it happened to the other members here, but, you know, when I was in school, if I wasn't constantly reminded of things by my parents, like to do your homework, I just kind of sat over there and never did it. Well, here's our reminder. Every time we open this act, there is that reminder to consider the public interest. When are we going to consider the public interest?

**An Hon. Member:** Every day, apparently.

**Mr. Fox:** Well, every day, yes. That's because we're going to pass this amendment to remind the regulators that they need to consider the public interest.

Where by any enactment the Regulator is charged with the conduct of a hearing, inquiry or other investigation in respect of a proposed energy resource project or carbon capture and storage project, it shall, in addition to any other matters it may or must consider in conducting the hearing, inquiry or investigation, give consideration to whether the project is in the public interest.

Again, we're talking about the public interest. Why? Because we need to remind the regulators that when they're dealing with these issues, the issues around conducting the hearing, inquiry, or investigation on matters like carbon sequestration, the public interest is to be given its just prudence.

Now, it's all well and good to say that this proposed legislation supports a balance between industry and landowners. However, we still need to give recognition to the public interest, to those that are affected throughout the province. We want to make sure that society is served by this piece of legislation. Now, the purpose of the new regulator is to move us forward, not backwards. Let's move forward with this. Let's pass this amendment. Let's make sure the public interest has a place in this new act, like it did in the ones that it's replacing.

It's really no secret that there have been times when the government has failed to act in the public interest, you know, especially for landowners. We saw it with Bill 19. We saw it in Bill 24, Bill 36, and Bill 50. I mean, they trampled on property rights, landowner rights. Let's recognize, again, the public interest, people who are citizens, the citizens of Alberta, you and me, who want to make sure that they're heard.

Let's remind the regulators that when they go out and enforce this act, they need to listen to all Albertans, not just to those that they think are directly affected but those that may be subsequently affected, like when the Member for Rimbey-Rocky Mountain House-Sundre was speaking about the citizens in Taber and the questions and concerns they had about the project that was going to be put next to that school. I mean, these are things we need to think about every day. We can't just forget because we're not reminded or our regulators are not reminded of having to keep the public interest in mind. I feel that this is important. I feel that this amendment is important. Stakeholders even have told us that this is a factor in making the new regulator function properly.

We need to make sure that this bill works and works properly and that we don't have to revisit it again in six months. I want to make sure that when we put this forward, when this Legislature puts this forward and puts it out there – and we have to abide by it – we don't have to come back and change it in six months. We want to keep a stable business climate in this province, and by having to constantly go back and amend pieces of legislation that we've just talked about, I mean, we're just up and down and up and down. It's not

really a stable climate for business. We don't know what to expect, businesses don't know what to expect, and we want to make sure that we have a nice level of investment in this province and that they know that the regulations are level and that they're not going to be changed every six months because we can't get a bill right the first time it comes in front of the Legislature.

I think that it would be a great thing if this Legislature would come together and recognize that public interest needs to be a part of Bill 2, like it was for the preceding regulators, that have existed before the enactment of this bill. When we enact this bill, let's make sure that Albertans are heard, that the public interest is heard and acknowledged, and that our regulators are reminded of it every day. I mean, like I said earlier, this is a statement of principle, and it's an important statement of principle.

Now, I don't know what else I need to say to convince you. I don't know if there's anything else that I can say to convince you, but I'm going to keep going until you're convinced or until we run out of time here, and then I'm sure one of my colleagues would be happy to stand up and continue where I've left off.

As I was saying earlier, the purpose of this and the intent of this is to move us forward, not backwards, so let's move forward with this. Let's move forward with this amendment. Let's pass this amendment and put in legislation the public interest once again.

Thank you so much for your time. I'd like to thank the chair and the members around the centre desk and the lawyers for all the work that they've done on this tonight and for bearing with us as we try and convince you that the amendments that are being put forward, specifically this amendment, the public interest amendment that my friend from Strathmore-Brooks put forward, should be passed here today. Well, I guess it would be passed here early this morning. I keep referring to it as tonight because it doesn't feel like it's morning. It still feels like 7 p.m. It still feels like I've got three hours left before I even want to think about going home to bed.

2:30

Again, this is a great amendment. It's a common-sense amendment, and it's one that I think is simple and that Albertans would like us to pass here in this Legislature. I implore you, I ask you: please stand with us. Please pass this amendment so that our public interest is always considered when we're dealing with matters about proposed energy resource projects, carbon capture, and other storage projects as well as other energy projects that are put forward in the province.

Thank you so much for your time here this morning.

**The Chair:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you very much, Mr. Chair. A poor blind squirrel can't find a nut tonight, but we're going to keep on looking. This amendment is a good amendment because of the broad powers it gives the new regulator. It's important that the regulator have these broad powers. This is the public interest, that has been missed so far in all the amendments that we have been speaking about. The public interest is important. It's not public interest in the sense of infringing upon property rights. That's a debate we've already had. It's a public interest test on the economic and social effects of the project for the public at large. This is paramount to our income as a province. It is where we budget and build our hospitals and build our schools. This is what we use to improve and grow our economy.

This whole idea of not having the public interest is something where if it's lacking in this legislation, then we're missing an

opportunity to look at a bigger and larger picture. I want to use an example of a situation west of Rimbey where we have a lot of landowners who participate in the oil patch in the sense that they not only work in it, but they welcome the development of oil and gas and pipelines across their property. They participate in this process. But what happens when something goes wrong? We're talking about not just the social but economic effects of a project. In this case what we had go wrong was a situation where on a pipeline that was proposed and constructed, the general contractor did not pay his subcontractor. Multiple property owners along that pipeline, whose value in land was roughly . . .

**An Hon. Member:** Relevance.

**Mr. Anglin:** That's the economic relevance. It's both social and economic, and I will get to the environment.

What happened to these people was that they ended up with a \$6.2 million, \$6.4 million lien on a quarter section that was only worth \$400,000. The impact of that project on these people significantly affected their lives. We're not talking about just one or two people. We're talking about a dozen or more farmers who were directly and adversely impacted not on the development of the project, not on the application of the project but on the result of a contractor not meeting his requirements and the impact that caused on these citizens, and that's relevant.

What happened was that one person lost a deposit of roughly \$30,000 that was going to be used for the purchase of the land. With a \$6.4 million lien on a piece of property worth only \$400,000, you can imagine that that land deal fell through. Another farmer was hurt because he used his property as leverage to buy his fertilizer. Well, what happened was that he was no longer allowed to leverage that land with a \$6.2 million, \$6.4 million lien on that.

Under this new bill there is no mechanism for the regulator to consider that wide economic effect. This was devastating for these farmers in the sense that particularly there were a couple of farmers who didn't understand the process, and they were just freaked out – that is the only way I probably could describe it – in the sense that they thought they were going to lose everything and then a whole lot more, and they suffered tremendously from that emotionally. This is what we talk about when we talk about the social effects. That was an emotional effect on many of these people.

When we look at a regulator going to these projects or reviewing these projects and taking the application, what this amendment allows is for the regulator to take a broader look beyond just the narrow scope of: this is where this development and the extraction are going to go, what it's going to do to the surrounding lands, the surrounding communities, the surrounding people, who initially were not going to be affected by it but ended up adversely affected by it. Giving the jurisdiction to the regulator to not only look at that but to regulate it and to deal with the issue is important. It's important not just to the landowner; it's important to the development of our resources. It's important to the streamlining process of getting things done efficiently without having to go to court, without holding up projects. In this case here the only thing that needed to happen was that those landowners needed to be made whole. That's it. Now, that didn't happen because that can't happen under the existing law. They suffered for no good reason because they wanted to participate in the development of our resources. That's unfair.

This amendment can change that. This amendment can bring this back into context and allow this regulator, who now has very broad powers anyway – when they by legislation have to have

consideration for the social and economic effects of a project, they can step outside that narrow boundary that is currently in the bill and actually deal with problems outside that narrow scope. That's why it's so important.

It also goes to issues of water, which is a huge issue for the environment. There are a lot of projects dealing right now with water injection for the extraction of our resources. There's competition for our water. West of Rimbey we had a situation where one developer wanted to use as much water in one day as the town of Rimbey used in a month. That was significant, and that had the community upset. All the water was coming out of the same aquifer. As anyone knows, aquifers basically have to regenerate themselves. If the aquifer is not regenerating, then you have to take into consideration: what happens here? How do we deal with it? How do we manage it? That's going to impact the development of our resource.

It is important that we give confidence not just to Albertans but to our neighbours here and internationally. As the hon. member said, we pay a price internationally to play. It isn't just about CO<sub>2</sub> and the capture of CO<sub>2</sub>. It is also about dealing with our environment and setting a good example and going beyond that and actually doing something constructive, lowering our environmental footprint. With a regulator that's tasked with that responsibility, which this amendment does, we can take a look at the science that helps us reduce our environmental footprint. We can make decisions that allow us to optimize how we're going to develop the resource so that we not just protect Albertans but also protect some of our industries.

2:40

One of those industries is tourism, and it is significant. It is the second-largest industry in my riding, and I think it is either the second or largest industry that we deal with in Alberta. We draw a lot of international tourists, and there are people who make an income and a livelihood, and it's significant. Mr. Chair, as I focus now on the effects on the environment, in my riding we could easily have as many as 60,000 people head out to the foothills west of Rocky on any given holiday weekend, and that is huge. That is a huge industry and a huge income for all those tourism operators out there, whether they're running lodges or outback excursions. We have helicopter companies out there giving tours of the icefields, and we have buses upon buses with those really, really nice German tourists that come over to spend their money.

**An Hon. Member:** Because we met them in London at the Olympics.

**Mr. Anglin:** They stayed in all those empty hotel rooms.

All humour aside, Mr. Chair, it is a huge industry, and any effect on the environment affects that industry. With the development of our oil resources or our natural resources – this amendment talks about “proposed energy resource project” – we have a huge forestry industry that works out on the west side of my riding. For those who don't understand, my riding goes from east of Gull Lake all the way to the B.C. line. It is a two-and-a-half-hour journey to get from one side to the other. There are people that live out there, and it's huge on any given day in the winter with the snowmobiling and the quading, and it has a huge population in the summertime dealing with the issue of horseback riding, quading, hiking, canoeing, and all the outdoor activities that take place.

There's that balance. That's the balance of the social and economic benefits, the social and economic effects of a project. We still want to develop these projects, but we want the regulator

to be able to balance the effects, to maximize not just the resource but to maximize how these other industries can flourish out west, where I'm at, and, of course, everywhere else in Alberta where development crosses with other industries or in relations with other industries.

Going back to carbon capture, what happens now is that we develop carbon capture to the degree that industry needs it to rise to. It has to do it without the advantage of actual CO<sub>2</sub> reduction. What we're looking at is significant development of this CO<sub>2</sub> or carbon capture and where we're going to store that, how we're going to store that, how's it's going to affect those communities, and the social and economic impact on those communities. Without the broad authority to evaluate that, to create an inquiry as to the various impacts – how it's going to spread, what it will do to the environment – if the decision is made absent of this, in my mind, we would be creating an injustice on the public at large, which, in dealing with the public interest, would be just a miscarriage of justice. So in creating that mandate, we're back to the public interest. It is important. It is not about stepping on property rights, but it's about also protecting property rights of multiple property owners in the community, in the area, in the jurisdiction where this project is going to be developed. I will tell you that this is not a minor subject. This is not something that is obtuse. This is serious in the overall impact of our economic activity, to be able to look at not just the social benefits but the economic benefits and the effects on both that any project will bring.

Now, on the issue of the environment should we have any type of seepage or leakage of CO<sub>2</sub>, whether it be by a pipeline accident, whether it be by an injection that failed – I'm not talking about the earth itself, I'm talking about the equipment that's actually there. How much CO<sub>2</sub> is released, and what effect would that have? I don't have a clue, but I would want the regulator to be looking at that very scenario to make sure that we do things right.

I'll give you an example of how that changes. We pipe oil and gas today. We have a regulator today that has investigated an oil leak in the Red Deer River. As a direct result, I know that from the Energy side we're going to do an investigation. But what's changing now is quite interesting. We have pipeline companies who are piping the oil, Plains Midstream being one, who are doing things differently. They're not mandated yet, but they don't want these accidents. This is a public interest area now. This is not about just the private owner. So they're doing things completely differently. They're drilling down deeper. They're using what I would call double-hulled – I think double pipe is what they're referring to. They have the technology today that they were not utilizing, that they were not applying prior to the accident. So it's more of a horse-out-of-the-barn routine. What they're doing is voluntarily using the new technology, and other industry members have now adopted that.

What has not happened is for a regulator to come in and say: "You know what? That technology that you are moving to sets the bar a little bit higher than what we were utilizing earlier." Mandating that, giving the regulator the power to mandate that and impose that would be done under this amendment. We're dealing with section B, where they would take into consideration the social and economic effects plus the effects on the environment. That would give them the authority to actually make those changes, to set another higher bar, another standard that industry could meet.

I will tell you this. The projects of reputable members of our industries that actually raise that bar do us a justice. I'm not a big believer in self-regulation only for the reasons of those that would cheat, but on the issue of having a regulator have those broad authorities, that regulator can act universally to raise the bar on the

level of standards and how we would act in practice on the development of our oil and gas industry.

With that, I'd be interested to hear what some of my fellow members might say about the public interest test with its particular effect on the environment. Thank you, Mr. Chair.

**The Chair:** Thank you, hon. member.

The hon. Member for Strathmore-Brooks.

2:50

**Mr. Hale:** Thank you, Mr. Chair.

**The Chair:** On amendment A19.

**Mr. Hale:** Yeah. You bet. I just want to touch a little bit more on the public interest.

I received an article written by Shaun Fluker, I think his name is, at the University of Calgary. He's a lawyer, I believe, or involved in the law department there. He touches on the public interest, and I'll read what he wrote here. The title is Bill 2, Responsible Energy Development Act: Setting the Stage for the Next 50 years of Effective and Efficient Energy Resource Regulation and Development in Alberta. A section of it says:

The bill removes the much maligned "public interest" test from energy project decision-making. (Currently, section 3 of the ERCA requires the ERCB to make project decisions in the public interest, having regard to the economic, social and environmental effects of the decision). So persons who conduct hearings on energy project applications or who review energy project decisions that directly and adversely affect rights of a person may be obligated to implement the will of Cabinet or the Minister, should either of them choose to direct the Regulator on what factors to consider or otherwise how to decide a particular hearing. And there is nothing in the proposed legislation to require this to be in the public interest. It is conceivable on the face of this proposed legislation for the Minister to favour one person's legal rights over another, and direct hearing commissioners to adhere to these politics in deciding an energy project application or a project review. The well-informed person, viewing the matter realistically and practically, can only conclude there is no independent hearing process at the proposed Alberta Energy Regulator.

Now, that has a lot to do with subsection (3) of my amendment, talking about the regulator conducting hearings, inquiries, or other investigations in respect of a proposed energy resource project, mentioning carbon capture and storage again,

in addition to any other matters it may or must consider in conducting the hearing, inquiry or investigation, [and] give consideration to whether the project is in the public interest, [and regarding] the social and economic effects of the project.

I don't know this gentleman. He's not writing this for me. He's just making a statement after he reviewed this bill. We have some lawyers in our caucus and there are some lawyers in their caucus who I think are pretty intelligent individuals. This gentleman: I have no idea what his political views are. I don't know if he belongs to any party for that matter, but he's taken a look at this from up above, not as a member of the government or as a member of the opposition and trying to say: "Well, you know, we're trying to make a point on public interest, and they're trying to make a point against public interest." He's looking at it as an Albertan, someone that can look at the bigger picture and say: "You know what? There are a lot of issues regarding the hearings, inquiries, and investigations in proposing new projects that will affect the public, and there need to be issues resolved in dealing with the public." There are some sections from a letter from the Environmental Law Centre also.

Like I mentioned before, putting the public interest in doesn't take away from property rights. I think it actually enhances the property rights of the individuals, not necessarily just landowners. You know, when we talk about property rights, we talk about the rights of every individual to own private property. There are issues that will affect towns, cities, villages, communities. You know, there are many small acreages around, and in today's world there are many people who don't want to live in town. They live close together. In my area there are a lot of landowners who don't own large tracts of land. You know, they're small landowners. I myself am a small landowner. I mean, I have friends that have 10,000 acres, and I have friends that have a quarter section. There are many, many houses – if you took a 10-mile radius, there might be 15 houses there.

So in regard to carbon capture and storage – I'm getting to that – this is in the public interest. As you've heard, there are some good explanations about carbon capture and storage. There are areas where it's going to work, areas where it's not going to work. As long as the people making the decisions about where these areas are going to be . . . [interjections] They're having a good time over there.

**The Chair:** Hon. members, could we keep the side conversations down, please. Thank you. The Member for Strathmore-Brooks has the floor.

Carry on, hon. member.

**Mr. Hale:** I was just talking about, you know, the conglomeration of houses in a certain area and about carbon capture and storage. I hope there are no issues with it. I hope that they can continue to make advances in technology.

You know, that's what this bill is partly designed to do. The more economically efficient, the more environmentally friendly our natural resources can be extracted from the land, the better. We're going to have to figure out ways to compete in the global market. Obviously, the decision was made for carbon capture to help that.

I had the opportunity of meeting with ICO<sub>2</sub>N, a group of companies that deal in carbon capture and storage, and they had some very good examples of how they're using CO<sub>2</sub> in the development of cement, concrete. I never imagined that they could use that for concrete. You know, there are other things that we can do besides pumping it into the ground. I think that with technology increasing and the intelligence of people around the world, they are going to find other ways to use the carbon that we're producing.

In the public interest many of these oil companies now are reducing their carbon footprint by technological advances. They're doing procedures when they're drilling wells. We have way more fuel-efficient engines on the rigs that are drilling these holes. You know, the way things are going is that it's in the best interests of these companies to reduce their carbon footprint because it takes a lot of energy to produce carbon. So they're going to keep their costs down if they can produce less carbon. That means they're running their equipment more efficiently.

You know, I do respect the carbon capture and storage initiative. Personally, I don't believe that the Alberta taxpayers should be putting upwards of \$2 billion into the project. We should be encouraging these companies to do their due diligence in reducing their carbon footprint for the good of the public interest, for the good of mankind so that we don't have to enforce carbon taxes on them and make them do carbon capture and storage. I think that if we keep working with industry, ensuring that they are continuing to improve their technology, work with

them to try to get it to be common practice that in everything we do we need to reduce the carbon footprint, it will be in the best public interest.

Thank you.

3:00

**The Chair:** The hon. Member for Airdrie.

**Mr. Anderson:** Thank you, Mr. Chair. For those of you following at home, you may have lost track a little bit about this amendment if you've just tuned in. I think it's important to give the context around the specific amendment so that there's full understanding. Of course, part of this amendment, a key part of it, is section 2. It says that section 2 is amended by adding the following after subsection (2). Subsection (2) currently says:

(2) The mandate of the Regulator is to be carried out through the exercise of its powers, duties and functions under energy resource enactments and, pursuant to this Act and the regulations, under specified enactments, including, without limitation, the following powers, duties and functions:

- (a) to consider and decide applications and other matters under energy resource enactments in respect of pipelines, wells, processing plants, mines and other facilities and operations for the recovery and processing of energy resources;
- (b) to consider and decide applications and other matters under the Public Lands Act for the use of land in respect of energy resource activities, including approving energy resource activities on public land;
- (c) to consider and decide applications and other matters under the Environmental Protection and Enhancement Act in respect of energy resource activities;
- (d) to consider and decide applications and other matters under the Water Act in respect of energy resource activities;
- (e) to consider and decide applications and other matters under Part 8 of the Mines and Minerals Act in respect of the exploration for energy resources;
- (f) to monitor and enforce safe and efficient practices in the exploration for and the recovery, storing, processing and transporting of energy resources;
- (g) to oversee the abandonment and closure of pipelines, wells, processing plants, mines and other facilities and operations in respect of energy resource activities at the end of their life cycle in accordance with energy resource enactments;
- (h) to regulate the remediation and reclamation of pipelines, wells, processing plants, mines and other facilities and operations in respect of energy resource activities in accordance with the Environmental Protection and Enhancement Act;
- (i) to monitor energy resource activity site conditions and the effects of energy resource activities on the environment;
- (j) to monitor and enforce compliance with energy resource enactments and specified enactments in respect of energy resource activities.

So that's subsection (2).

Then in subsection (3) what we're saying is to add:

(3) Where by any enactment the Regulator is charged with the conduct of a hearing, inquiry or other investigation in respect of a proposed energy resource project or carbon capture and storage project, it shall, in addition to any other matters it may or must consider in conducting the hearing, inquiry or investigation, give consideration to whether the project is in the public interest, having regard to the social and economic effects of the project and the effects of the project on the environment.

That's where that section slides in.

It is helpful when we're examining why we're here – you know, we're not the only folks that are worried about this bill. There are many others. For example, there's a University of Calgary assistant law professor, Mr. Shaun Fluker. He said that the retraction of landowner rights in Bill 2 is, quote: a colossal gaffe by the Alberta government and a substantial gift to political opponents of the governing Tories. Unquote. He said: I think it is a colossal gaffe because the government doesn't need to be stoking any fires by stripping away these rights. He said, quote: It just seems to me they are going to anger a bunch of people that they really don't need to. If you are the leader of the Wildrose, you must be licking your chops on this. Unquote. Well, I don't know about that. We're kind of sad about it, but I can see his point.

Fluker then said: it really doesn't help the landowner to be given notice of an energy development on their land because nothing appears to propel a public hearing until after the licence has been issued.

**The Chair:** On the amendment, hon. member.

**Mr. Anderson:** Right. This goes to the amendment right here, quote: it will only happen after the shovels hit the ground. For example, shovels hitting the ground on a carbon capture and storage project. It's key.

Fluker said that there's nothing in the bill to ensure there's funding available to help landowners fight projects like carbon capture and storage – he didn't say that; I put that carbon capture and storage in there – and that it is unlikely the regulator will reverse decisions it has made when it hears its own appeals. Then he finishes off: the bill eliminates appeals to the Environmental Appeals Board and provides only narrow avenues of recourse to the court.

Now, let's remember that this individual is an absolute expert in this field. He's a property rights expert. He hasn't been travelling around the province or anything like that – he's at the University of Calgary – but he and many other professors have said, have pointed out that there are just so many flaws in this bill that, frankly, it will be a colossal disaster if it's passed.

What's so frustrating about it, Mr. Chair, is that it's just so unnecessary. There's no point to passing a piece of legislation that clearly – clearly – is not in the best interests of Albertans, clearly takes away specific landowner rights, does not adequately put them back or give them back or compensate landowners for them, and takes away that appeal to the Environmental Appeals Board. When you think about these carbon capture and storage projects, you know, one of the things we have talked about is that we've never done this on such a large scale before, and because we haven't done it on such a large scale before, there are going to be all kinds of different environmental impacts that are possible. If that's the case, then it's unfortunate for our carbon capture and storage project. It's unfortunate that we've taken away the right of a landowner to appeal to the Environmental Appeals Board regarding a project like carbon capture and storage.

I think that what Professor Fluker has said here is that it is a colossal gaffe because the government doesn't need to be stoking any fires by stripping away these rights. And it's so true. It's just not necessary. There's no point to it. All it does is anger landowners. All it does is create a feeling and a reality, frankly, that the rights of the landowners are being put at the bottom of the totem pole, and everyone else's rights are ahead of theirs in this process. I think that that's why you see, again, such a strong push to hoist this bill and to send this bill back to the drawing board so that we can get it right. I think that's really important. [interjections]

**The Chair:** Hon. members, please, if we could keep the . . .

**Mr. Anderson:** That's okay.

**An Hon. Member:** They're having fun.

**Mr. Anderson:** They're having fun.

**The Chair:** Go ahead, hon. member.

**Mr. Anderson:** I appreciate that. They're having fun. I don't begrudge them talking about it.

You know, one of the things that I think we need to remember in this – and maybe we should review a little bit about what exactly carbon capture and storage is and what some of the risks involved in that are. I think that we do need further discussion on this because I think that it's pretty clear to me that the members opposite don't understand that there are severe social and economic effects of these projects when they are being contemplated. The section:

Where by any enactment the Regulator is charged with the conduct of a hearing, inquiry or other investigation in respect of a proposed energy resource project or carbon capture and storage project, it shall, in addition to any other matters it may or must consider in conducting the hearing, inquiry or investigation, give consideration to whether the project is in the public interest.

Again, we've talked about public interest over and over and over again, but I think that it's important that we really hash that out as much as possible and make sure that we take into regard the social and economic effects of the project and its effects on the environment and so forth.

Just a few thoughts for the 3 a.m. crowd at home listening intently to proceedings here. Thank you, Mr. Chair.

3:10

**The Chair:** Thank you, hon. member.

Are there others that wish to speak? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I rise to speak to this amendment again. There are a number of issues dealing with the public interest and this broad aspect of having a regulator that can take this under consideration. There's a situation right now brewing in Rocky View on an individual property owner's land where there's something pretty funky going on. Nobody understands exactly what's causing the land to swell up sort of like a minivolcano – that's what I can call it – but it is the impact of a resource development project that has caused this.

What happens is that when the regulator takes a look at the permitting process of an application, it does need to take a look at that broader aspect of: how is this going to work in relationship with other development? I want to bring up the issue of fracking, which has been both extremely productive and problematic in some areas. It is still . . .

**An Hon. Member:** Fracking? Is that A or B?

**Mr. Anglin:** It is still an energy project, my fellow member. It is just called fracking, and it is an energy project. I'm sure it's an energy project. It would be found under section B where it talks about "a proposed energy resource project or carbon capture and storage project." It has three phases to this: carbon capture, storage, and an energy development project. How do they all work in conjunction with each other? That's where this example is going.

When you're dealing with issues of fracking, the impact of that type of process can be small in scale or extremely large in scale, and how is that going to impact if it conflicts with the process of dealing with carbon capture? Well, one is shallow most definitely, and the storage of carbon capture is expected to be deep, but if one development interferes with the other – and we have that with fracking now. We have an issue where fracking has breached other well bores because the fracking generally goes horizontally. And we do have well bores that are interspersed. Some are known. Some are unknown. Some are abandoned, and those are the ones that probably cause more problems than others. That's exactly why in the public interest, Mr. Chair, that regulator should be looking at this because they're going to give an approval to a resource project, and you cannot ignore what has transpired or taken place prior to that.

As I mentioned earlier, that's exactly what happened in Innisfail. That was an isolated project doing a frack, and about one mile away we had an eruption. That was an accident. It was a preventable accident, of course. It's just that they were not following the proper protocols. But a regulator that has that broad power to consider how this is going to impact others has the ability to possibly prevent some of that because had they looked at the surrounding area, what they would have found were a number of bores that were much closer than anyone knew.

Now, in this example with an energy regulator that has that ability to look after the public interest and consider a wider, broader scheme of things on how this is going to interact, then that type of information could make it to the regulator. That type of evidence could make it so this could be considered, and the whole process, then, would be more efficient on an environmental scale and more efficient for this particular developer. This particular developer suffered greatly financially as a direct result of the accident. Now, some people would say rightfully so. Other people were not so harsh in their words. But it doesn't matter. The accident happened.

If we can prevent environmental accidents because we empower the regulator to take this under consideration, then everybody wins, and that's extremely important. I mean, what better aspect could we have by taking this amendment, putting it into legislation, and creating a win-win opportunity for not just the company that's developing the resource but also for the local property owner who has the development on their property and for the environment and for the greater community?

That would create a situation that I would hope the hon. members would want to be consistent throughout the process, which would in turn be the whole reason why we are creating a single regulator with the responsibility to try to streamline the process. In streamlining the process, having that ability to take into consideration the public interest not just on the social or economic effects but on the effects of the environment, that is one of the biggest selling cards we have as a province.

As I spoke to earlier, we have a huge tourism industry that is highly dependent upon our maintenance and our protection of the environment. As most Albertans do, I also go out to the west country and enjoy it. You can see why it has a large attraction for tourists. Why would we not want the regulator to consider that? Almost all of that is SRD land. That belongs to this government. It belongs to the people of Alberta. It is this government that is tasked with the responsibility for the protection of that land. It's for the enjoyment of everybody. We develop on that land.

On the issue of carbon capture I'm not exactly sure. I know I've heard different theories on where they would want to do this, where they would want to incorporate it on a large scale in Alberta, but nobody has come up with a definitive plan on exactly

where and how they're going to do it. The central southeast was actually looked at at one time, but I know there are other formations that industry has looked at and thought were more applicable. Wherever they decide on, it has the potential to have a huge impact on that local environment. It goes beyond the actual carbon capture process. It is also about the building of the pipeline, the industrial development that takes place, however large, however small. In my area that could potentially cross First Nations lands, which now opens up another entire can of worms. But it doesn't change anything. We still have to deal with it.

Looking at this amendment, to empower the regulator in the conduct of a hearing to both inquire and investigate these proposed projects, based on the social and economic effects of a project or the effects on the environment, is, in my mind, paramount to the quality of life of these communities. It is paramount to the economic sustainability of many of these communities. That's one of the balances that I think sometimes gets missed in this discussion more than outside this honourable Chamber.

All the communities that I represent are pretty much oil and gas communities along with being agricultural communities. Without a doubt, I have a lot of farmers in my area, but most every one of them has one sort of relationship or another. If it's not direct employment, they may actually own a company where they service the oil and gas industry, or in one form or another they are participating in the development of oil and gas. So they have a vested interest as a public in this development, and they prosper as a direct result. What we're proposing here is that the regulator undertake on behalf of that public this jurisdiction to protect both the social and environmental effects by having to actually take that into consideration. That is balanced with the economic effects of how this all meshes together. It's no easy task when you actually think about it in those broad strokes.

### 3:20

There are, again, examples upon examples of how this would be effected or put into place in various communities and in various areas because of the changes in what takes place not just environmentally but what type of energy development occurs in those regions. In dealing with the issue of carbon capture and pipelines, where those pipelines will be located has a significant impact if you are dealing with situations where you have heard about management things like the elk and the caribou and how they're going to actually deal with this pipeline, whether it's going to be above ground, underground, or what type of pumping stations in particular and how those pumping stations, or pressurized stations, whatever you want to call them, are going to be energized.

These are no small projects. These are huge investments. It has a tremendous impact on the public welfare in the sense of the public economic effect, but it also has a greater value to industry, which is the public perception beyond our borders, our customers, who want to see that we're doing things right, who want to have that same sense of security about the environment that Albertans want to have. The public interest test takes into consideration, when they are empowered with this amendment, to look at these projects, and as the hon. member said earlier, it is the price we pay to play in this game. We do have to show our customers that we are going to do something constructive to deal with the issue of CO<sub>2</sub>.

The choice has been made right now that we are going to capture and store CO<sub>2</sub>, which is fine for the time being, but in the end, if we deal with that also in tandem with the reduction of CO<sub>2</sub> emissions, we are that much further ahead of the game, and our

industry prospers, our economy prospers, the individuals that participate in that economy prosper, and that's all part of the social effects of a project.

Again, getting into the very broad strokes of why this amendment is not just sufficient but essential to the effective application of a single regulator, it empowers that regulator to step outside what is a very narrow constraint at this moment to a broader constraint of the public interest, to look at these projects and consider these projects not just in the public interest and not just for the social and economic effects but also based on what's going to happen in the environment.

As some members in this House may be aware, we have significant issues in our environment. The icefield is still receding. We have an issue dealing with the pine beetle, that has still significant effects and has not yet abated though some successes have been made. The fact is that the pine beetle is still spreading and will impact our entire forestry industry, and I will tell you that our forestry is actually quite concerned. These developments that this regulator will consider in dealing with the environment: that's why they need to understand or have that power, that delegated authority to consider the environment or the effects on the environment.

There is a correlation between CO<sub>2</sub> and global warming. If there's not, then why are we doing it? It is important that our regulator be empowered to make good use of the authority that we give him via this amendment to make sure that what we do is not just economic but that it has that social benefit for the community at large, whether it be all of Alberta or just the surrounding communities, and, most importantly, to reduce the effects on our environment, to lower our environmental footprint.

By the way, the hon. member said: the price to play. It's a good quote, and the industry used it, too. It is a marketing tool for our industry. Our industry does a good job. There's no question about it. There are some pretty fantastic things that they are experimenting with. There are good things that they are actually doing, and the future looks bright in the way of technology development to make things even better. It's just a matter of how we're going to get there and how fast we can get there. That's really going to be a technological development as much as anything else, but having a regulator that is empowered to deal with the public interest, that is empowered to weigh in the effects on the environment, that, I say, will assist our industry in developing those new technologies to help them lower the footprint on our environment and to basically enhance not just our oil recovery but enhance our extraction of our resources so that we can get those to market.

Going back to the importance of having that regulator actually have that power or that jurisdiction, that they can take a look at a project and on their own volition look beyond the basic application and invite into the process a wider range of experts or a wider range of information so that they can make a better informed decision on a multitude of effects that this project could have could indeed change what we do and how we do it.

Now, I want to give an example because this came up the other day, and it was an interesting example. Should we approve small hydro projects on rivers?

**An Hon. Member:** That's irrelevant.

**Mr. Anglin:** That's totally relevant, and let me explain why. That's a good question. If you develop on a river like the Peace River a small hydro project, you will affect a very larger hydro project that was possibly planned. It is about layering or scaling the river in the sense of: how do you want to get the most efficient

use out of that river flow that you possibly can? This was brought up to our committee the other day, and I hope to kind of explain it in these terms.

This would be a proposed energy resource project in the public interest. What was explained to this committee was that we need to think about the development of hydro in the long term and not the short term. Yes, you can develop small hydro projects, but if your goal is to maximize how you're going to get the most out of that river and if it is a larger hydro project that you're considering, those smaller projects will reduce the flow however much, and they will restrict it however much.

**An Hon. Member:** What's that got to do with section 2?

**Mr. Anglin:** It has everything to do, actually, with section B here on this amendment, where it talks about proposed energy resource projects. That would be an energy resource project. It just happens to be hydro. It has a real value in extraction of our bitumen up in Fort McMurray in the oil sands. All these projects are in many ways interlaced, and they are dovetailed. That's why this amendment is so important. You want that regulator to be able to step back and look at the larger picture of all the resource development and how it's going to mesh together because the ultimate goal is to maximize the energy for what our purpose is, which is to get this to market.

3:30

**An Hon. Member:** The bill doesn't apply to hydro.

**Mr. Anglin:** No, no, no. But if you take a look at this section B, (3) Where by any enactment the Regulator is charged with the conduct of a hearing, what it talks about is in respect of a proposed energy resource project or carbon capture and storage project . . .

Did I just run out of time? I will explain that the next time I get up.

**The Chair:** Thank you, hon. member.

**Mr. Dorward:** Mr. Chair, I think I've seen the light . . .

**The Chair:** Relative to the amendment, hon. member, proceed please.

**Mr. Dorward:** Absolutely.

. . . because I live right next to the Strathcona refineries, and I'm sure there are some social and economic effects of the project there. They may even apply under this act for something someday. And if they did, I could be here in the middle of the night working away, and I just might phone my wife and say: "Hi, dear. I'm fine. I hope you are. I hope there's no danger there in Strathcona and Capilano." Then I'll sit down.

Back to you, Mr. Chair.

**The Chair:** Thank you, hon. member.

I'll recognize the Member for Strathmore-Brooks.

**Mr. Hale:** Thank you, Mr. Chair.

**The Chair:** Again, hon. member, if I can remind you to try hard as you might to stay with the intent of the amendment, please.

**Mr. Hale:** Sure. This is right in the wheelhouse.

I'd like to talk about, with regard to public interest, the pipeline integrity review that is going on. I had the pleasure of attending the press release that the hon. Energy minister held there a few

months ago albeit, after the media talked to me after his press release, I said: "Hmm. Nothing to disagree about. We agree that this pipeline integrity review needs to be done." And why does it need to be done? For the public interest, for the environment. It's something that affects the public.

We have thousands and thousands of kilometres of pipelines just in Alberta, and we need to review them so we don't have these mishaps and, you know, these pipeline breaks that none of the companies want. Nobody wants it. We don't want it. The environmentalists don't want it. We're doing this review in regard to public interest.

The people that live downstream of a pipeline break: they're hugely affected. The companies are hugely affected. They've got lots and lots of costs that they incur with the cleanups, you know, the fines. There are many, many opportunities for these breaks to happen. There are companies that really look after them. They have lots of testing that they do. There are regulations in place that require them to test their pipelines once a year if it's not sour gas. There's a bunch of different regulations that determine when they have to test them.

I think it's a very good idea to conduct this review to ensure that the regulations that are in place are proper, that they're being enforced properly, that the companies that are doing these pipeline inspections are doing them properly and are qualified companies. You know, it takes one little mishap to put a black mark on the whole industry, and that's something that nobody wants. I mean, we all agree – and everybody has stated it many times – on how important this energy industry is to Alberta, so anything that we can do to improve it and continue to improve it and continue our reputation around the world of being one of the best energy-producing provinces, let alone country, in the whole world.

You know, with respect to the pipelines and their integrity there's a county that's in my area – it's the Wheatland county – that's trying to work with the hon. Education minister and different groups to build an east Wheatland school. One of the issues they're having with the school is finding the proper placement of the school on the land, and the largest issue is the pipelines. They have to build this school on a corridor of land somewhere where there isn't a pipeline, so what they've done is that they've taken some sections that are available to them, and they go and have pipeline companies go and check where these pipelines are to ensure that they don't build a school over a pipeline. That's hugely in the public interest, you know, not to build a school overtop of the . . . [interjection] Well, it depends on if there's a pipeline break.

If there's a pipeline break and the school is overtop of the pipeline, what sort of issues can arise in that school? It's not safe. It's safety. It's public interest. I mean, I feel that my children are part of the public, and I'm pretty sure all of the members here feel that their children are part of the public. It's in our best interest and their best interest to have the safest environment possible, and that includes not putting a school overtop a pipeline or in the vicinity of a pipeline or any sort of other wells or any danger.

We have to continue to work with the industry and ensure that the pipelines that are being put in, the old ones that are put in – we have many, many old pipelines that are deteriorating, maybe from the way that they were put in 50, 60 years ago. I mean, pipelines are the safest, most economical, and reliable way to transport our product. This review will just enhance that and, hopefully, find some issues, and we can continue building on the public safety and the public interest with respect to pipelines.

Thank you.

**The Chair:** The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Mr. Chair. It is once again a pleasure to rise and speak to Bill 2, the Responsible Energy Development Act. I rise once again to speak in favour of an amendment put forward by my good friend the Member for Strathmore-Brooks, an amendment to help save Bill 2, to make sure that Bill 2 is in the public interest.

Now, I was trying to save this, but it's just too good not to share. It's another quote. You know, I do get to read books every once in a while. I love to read, and it gives me great pleasure to read. This one is *Churchill in His Own Words*, by Richard M. Langworth. It speaks specifically about amendments and criticism. It goes like this. "Criticism may not be agreeable, but it is necessary. It fulfills the same function as pain in the human body. It calls attention to an unhealthy state of things."

Like I said, this is very relevant because we're talking about an amendment. We're talking about fixing something in a bill. There is an unhealthy state in this bill right now, and we want to get that fixed. To do that, we're prescribing these amendments, specifically this amendment, the public interest amendment, one that would place back into the bill a reference to the public interest that will be removed when this bill replaces relevant pieces of legislation that exist now. Difficult as it may be to ascertain given the expanded and consolidated powers of this regulator, it is important, and it's a duty to consider that the public interest be present in this bill. I consider that my duty. That's why I keep standing up here to talk about public interest, to keep talking about this amendment.

We've proposed adding a third section to the mandate of the regulator that mirrors section 3 of the current ERC Act, which reads as follows:

Where by any other enactment the Board is charged with the conduct of a hearing, inquiry or other investigation in respect of a proposed energy resource project or carbon capture and storage project, it shall, in addition to any other matters it may or must consider in conducting the hearing, inquiry or investigation, give consideration to whether the project is in the public interest, having regard to the social and economic effects of the project and the effects of the project on the environment.

**3:40**

Well, we've heard from the Member for Strathmore-Brooks. We've heard from the Member for Rimbey-Rocky Mountain House-Sundre, the Member for Airdrie, the Member for Innisfail-Sylvan Lake, the Member for Calgary-Shaw specifically on why we need to pass this amendment, why this amendment needs to be part of the Responsible Energy Development Act. I guess my question is: why don't we have this as part of it? I think we've put forward a very good case, and I'm sure the Member for Airdrie is going to continue on this because we are going to continue on this. We can talk and talk and talk and keep putting forward these convincing arguments as to why we need to have the public interest in Bill 2, in the Responsible Energy Development Act. You know, it's one that facilitates good corporate governance. It facilitates dialogue between the public and the regulator and makes sure that all sides are being heard and that no one group becomes out of balance or heavily weighted when we're considering energy projects or things like carbon capture or storage projects.

You know, we must consider conducting these hearings, inquiries, and investigations and giving consideration to whether the project is in the public interest. Having a project put forward that one group opposes just means that there's going to be constant fighting on that project even long after it's built. They're not going to want it there. Well, if we give everybody the ability to air their concerns in a constructive manner and come together



on these things, we can have a situation like we have in my riding close to Joffre. We have the NOVA Chemicals plant. It is one of the largest plants in North America for the creation of polyethylene. The company there has done a very good job of making sure that all the other stakeholders in the area are kept in the loop as to what they're doing, how they're doing it, and where they're doing it.

I love being able to praise the job that they're doing because they are listening to the public interest. They are talking to the people that are around there. I don't see any reason why we can't expand that so that every time we are looking at a proposed energy resource project, all of these members of the community come together with the industry, with the regulatory board and discuss what their issues are because if they don't fully discuss what their issues are, they're going to come to loggerheads and they're going to butt heads on things. Society works so much better when we facilitate these things so people can talk out their issues rather than just having something railroaded through and not giving due consideration to all the stakeholders and all the citizens in the area and all the people that this affects.

When we have this kind of policy placed in our bills, it reminds the regulators to get everybody together, to get them on the same page so that they're not fighting, and they can work together, and we can see a harmonious relationship between industry and Albertans and all affected parties like I have in the riding of Lacombe-Ponoka. It is amazing that I get to stand up here and talk about that relationship that's out there. I've been to a number of the meetings that NOVA Chemicals holds with the surrounding landowners and stakeholders, and I'm in awe at what they've done. If all of the industry was doing this, we wouldn't be having these issues. These issues just simply would not exist. It's great to stand up here and praise something that works and then to make sure that this amendment becomes part of the act so that other energy projects and stakeholders that come in can emulate what has already been done and what seems to be effective.

Now, I can't say enough to praise the people at NOVA out in Joffre with the work that they've done on this, and it's a wonder to have this in the constituency that I represent. I have to say that it's wonderful to represent that constituency. It is, I believe, the best constituency in the province of Alberta. It's just a blessing and an honour to be asked to represent them and to stand up and share stories like this, where the industry has come with the other stakeholders in the area to strengthen Alberta, to strengthen the constituency of Lacombe-Ponoka, and to be a model going forward, rather than standing here and having to argue and put forward these persuasive arguments to make sure that this goes into legislation. I mean, this is just common sense that it goes into the act, so why don't we just follow common sense, vote this into the act, and save Bill 2?

Now, I don't know where else we need to go with this, but we can continue going on and talking about the public interest and the amendment that we're putting forward, that my good friend from Strathmore-Brooks has put forward, to make sure that these protections and these consultations and these hearings that bring public interest into the decisions of the regulator are continued forward. I mean, this was good in the last piece of legislation, the one that we currently have in force in the province here, so why would we scrap it? Why get rid of it? It's working. Let's keep it. Let's make sure it stays in Bill 2, the Responsible Energy Development Act. Like I said earlier, you know, the criticism may not be agreeable, but it's fulfilling a purpose, and that purpose is to make sure that the public interest is heard and that we have a good amendment to save this bill so we can pass it in good conscience and move forward with it and not have to revisit this.

Let us not make haste or waste. We must not rush forward with an incomplete act that ignores the rights of all stakeholders. We have the opportunity to get it right here this time, right now, this morning at 10 to 4.

You know, it's amazing that at 10 to 4 in the morning we're still here. We're debating. It's unfathomable to me that at 4 o'clock in the morning democracy is still working. I can't explain my great pleasure that I'm here.

Everyone sure knows that it is more efficient and effective to get this right the first time than to have to come back and repair legislation that had unintended consequences. Let's go back. Let's look at this amendment again. Let's talk about it some more and make sure that the public interest is not forgotten, that our regulators are reminded every time they go back to this act that public interest is of paramount importance, that we must get all stakeholders together when we're conducting a hearing, an inquiry, or an investigation to give consideration to whether the project is in the public interest and have regard to the social and economic effects of the project and the effects of the project on the environment. This is what Alberta needs. I believe this is what Albertans want.

Thank you again for taking the time to listen to me at this wonderful hour of the morning. You know, in two hours people are going to be getting up and drinking coffee. It's just wonderful to know that we've been working on this all night and all morning and that their Legislature is working for them.

Let's pass this amendment on public interest. I'm sure the public is interested that we're doing this at 4 a.m. Thank you again for this. It looks like the Member for Rimbey-Rocky Mountain House-Sundre is going to continue on in this vein and push forward on this amendment to make sure that we get it in the bill and that we're saving Bill 2, the Responsible Energy Development Act.

Thank you.

**The Chair:** Thank you.

Hon. Member for Rimbey-Rocky Mountain House-Sundre, I know you'll make great efforts to focus on the amendment and the subject of the amendment.

**Mr. Anglin:** Absolutely, Mr. Chair. I'm more than ready, and thank you very much for the reminder.

To the hon. member: when you really see the light and make me believe that you've seen the light, I know you'll be sitting over here, too. This is where the light really shines.

In dealing with this amendment on the issue of public interest and the broader scope of social and economic effects, one of the things we haven't talked about in dealing with carbon capture is transmission lines. Now, the fact is that you cannot capture carbon and pipe it any great distance without having transmission lines to power that pipeline. That is a fact.

3:50

**An Hon. Member:** No, it's not a fact.

**Mr. Anglin:** Oh, it is.

We'll explain it because it depends on where it's going to go and how far it's going to go. It's going to need electricity – all pipelines do – and it's got to be pressurized to push that. If you take a look at our existing transmission system along with what has already been approved by legislation, this is what a single regulator would be able to take into consideration when it looks at the overall impact of the project. With HVDC between Edmonton and Calgary, which is uneconomic to begin with, you can't tap into that in central Alberta.

**An Hon. Member:** I thought that was your idea.

**Mr. Anglin:** No. My idea was to come down from Fort McMurray. They seemed to miss that one. I actually believe in HVDC technology. I actually believe in AC technology, and I believe in transmission lines and the development of electricity, so that's not a problem. But if anyone said that I recommended a very short-distance HVDC line, that would not be true. I recommended using HVDC over long distances. Now, that would be true because then you can make an argument that it was economic.

Now, I actually brought that forward to the Energy minister, if I'm not mistaken, talking about bringing electricity down from the Slave River region all the way to the Redwater proposed upgrader, which would fit right into section B of this amendment, which is dealing with a proposed energy resource project. Here's where we have an example of why the regulator should have an expanded scope of jurisdiction to consider the wide project impacts, not just social but economic effects and the effects on the environment. Transmission lines and electricity are just as much a part of this as the extraction of bitumen. It is relative to the overall scope of the project. That's important.

When you look at the development of transmission in this province and what we're going to do about it, it's why we should always wait for the economic trigger. That's what you'd want the regulator to do. That's what this amendment would authorize this regulator to do: to step back, take a look at the wider aspects of how all these projects would dovetail together, and make a decision on the social and the economic effects in the public interest. That's all transmission lines are, the public interest. It's not really a private thing unless you're the regulated utility that owns the transmission line, but that's a different matter. That's a regulated company, and they're governed by different legislation. But other developments in the province will make use of that.

Here we're dealing with a situation where, if we were going to integrate carbon capture with what we were planning, we probably would not be building these short-distance HVDC lines. We probably wouldn't even be locating them where they're located. That would be a different matter altogether. But it could save us billions of dollars by doing the project right. So having a regulator empowered by this amendment to step back and integrate a number of projects or a singular project in the various aspects of development can save the public a sizable sum of money. That is something that we're looking at right now, building a couple of multibillion-dollar clotheslines that have no general economic value to the public, and maybe they never will, depending on how generation develops. This is a huge issue in the planning stages, in the approval stages, in the approval process of energy development.

The public interest or the public interest test is not a minor matter. It is a huge responsibility. That responsibility under this amendment is given to the single regulator. When this regulator can give consideration to whether the project is in the public interest, that's the part that they can actually come back to and look at and say: we need to step in and make minor adjustments. In some cases they're minor adjustments, but they could affect billions of dollars in expenditures that would save the ratepayers or the taxpayers of this province a significant amount of money.

The other thing that it can do is create efficiencies. One of the ideas that has been floated in this province for some time – it seems to be developing pretty much on its own initiative in many ways, if that's a good way to describe it – is this green energy corridor, which is proposed by industry, on the eastern side of our province. Now, it's called a green energy corridor because I think

it's just a good marketing name, but really what it is is a utility corridor. It is a corridor where we would locate our transmission lines, our pipelines, and other utilities for the enhancement and the development of oil sands projects and local oil or gas extractions.

How would we deal with the situation of advancing that green energy corridor unless this regulator has the ability to look at each individual project that comes before it, that would be affected by it, and how it would integrate with this green energy corridor? It's significant. This is a corridor that is proposed to come from the Fort McMurray area, down the eastern side of the province, and actually enter into Montana. If I'm not mistaken, down by Havre, Montana, is where it is currently recommended. Whether that will come to fruition or not would then depend upon this regulator. Do they move forward with it? Do they not move forward with it? How does it work?

I would argue that without the ability to have that broad jurisdiction to consider every element as these applications come forward, how they would be integrated in this green energy corridor would be an injustice if this amendment was not passed. The regulator will not have the authority to do that kind of long-term planning so that we get the most efficiency out of our development. That's really also part of that streamlining process. Not every development integrates naturally with the next development. Having a regulator that can have that vision, have that expertise, and have that jurisdiction as a result of this amendment to consider the public interest, that would be the mandate that would give the regulator the jurisdiction to step back, help design with a long-term goal in place to make the most efficient extraction out of our energy development.

The interest of the environment, which the hon. member from the third party opposition had brought up earlier today, was a great concern. I don't know if this amendment would relieve his concern completely, but it certainly would go a long way in helping to relieve that concern if the regulator had the ability to make decisions having regard to their effect on the environment. That is not just isolated to the third party in the opposition here. That is a major concern not just for environmental groups but for the public at large. I don't think it is a subject that is taken lightly in any jurisdiction. As our world grows, as our economy grows, we know we make an impact on the environment. Nobody disputes that.

What we want to do, what the goal is right there on the environment, Mr. Chair, right there on that authority, having regard for the effects on the environment – once it's accepted, this amendment would give that jurisdiction to this regulator, and that's important because we have a huge impact on the environment.

4:00

It's not just isolated to Alberta. We are 3 and a half million people and growing, and as we grow, one of the great mandates in front of us is: how do we lower our environmental footprint? If we give this authority, this jurisdiction, to the regulator, they can then take that mandate and actually make decisions to make the best use out of: how do we lower that environmental footprint? Now, the public interest test on that, then, gets carried forward, which really supports our industry.

One of the great things that benefits our industry is that the more we lower our environmental footprint, the less criticism we get. It's the whole idea behind carbon capture in many ways. It is the price we pay to play. Industry gets it; they understand. They have to get better at what they do. As I mentioned earlier, they're doing good things, but the technology that they're not yet using, that is in the future, that they see coming, can help them do a

whole lot more. When you visit with the oil sands developers, which is a large industry group, they are more than happy to explain the new technologies, what they can employ to reduce their environmental footprint. See, we know we're going to develop the resource, and we also now know we can do it better. The future actually looks bright in the sense that we can even do it better than what we currently are trying to do.

Having a regulator that can take that into consideration when it is getting ready to make a decision or when it is adjudicating a process where it needs to make a decision and not have a set time frame, because that amendment was rejected, at some point it benefits everyone. [interjection] Did someone wake up and hear that joke? I didn't hear it.

It benefits everyone. It benefits the public at large, it benefits the industry that is planning the project, and it would benefit those property owners that are dealing with the adverse effects of whatever development they're dealing with.

The environment is no light matter. It is absolutely imperative that we protect the environment not only for ourselves but for our children, for future generations. There is a marketability to protecting the environment. We do a better job than other jurisdictions that are our customers. We have something to say: "Look at what we're doing to protect our environment. Look at the strides. Look at the accomplishments." The criticism, the black eye that our industry gets is sometimes justified, sometimes not at all. Sometimes it's totally fabricated. It is a battle that our industry undertakes on a regular basis.

I will tell you that one of the leadership applications that this government can take is to give jurisdiction to this regulator to make decisions having regard for the environment. That benefit of accepting this motion will actually give a payback over the long term, in my opinion, that has great, great benefits for our economic growth. It is, I think, one of those miscalculated, underestimated benefits of allowing long-term consideration of energy development having regard for the effects on the environment. In the absence of that, we risk not just abusing the environment, but we risk an opportunity to set the leadership and excel at some of these things that we absolutely do excel at. I know that this government takes great pride in pointing out everywhere it excels. You might say that this government is not shy about that. They're more than willing to make note of that.

If this regulator has the authority and the jurisdiction to make decisions having regard for the effects on the environment, I suppose our goal, then, will be for this government to be able to make the same type of boasting and take credit for an environment that has protection second to none. Nobody would be happier than, I think, myself and probably many of my colleagues. That would be significant not just for all our constituencies; it would be significant for the industry as a whole to show itself off to the world as to how to do this better than any other jurisdiction. Let's face it. It doesn't matter where you develop oil and gas. The criticism is there no matter what country you do it in, no matter what jurisdiction it happens in.

For our jurisdiction, as the hon. Minister of Education pointed out when he gave his speech at the breakfast the other morning – he can't hear me right now – we took great pride in where we excelled. It was just absolutely something where we think we want our industry to have that same type of credit, which is: we're going to develop our oil and gas with the regulator, with the authority of this amendment, to be able to monitor and take care of the environment. Nothing would make our industry more proud than if we were able to have this type of boasting example, which is how well we excelled in lowering our environmental footprint,

in protecting our environment for future generations yet still creating an industry that's growing.

Thank you very much, Mr. Chairman.

**The Chair:** Are there other speakers?

**Mr. Anderson:** Mr. Chair, pursuant to Standing Order 5 I do not think we have a quorum of 20. I would ask that we adjourn.

[Pursuant to Standing Order 5 the division bell was rung at 4:09 a.m., and the Chair of Committees confirmed that a quorum was present]

**The Chair:** Hon. Member for Airdrie, you have the floor.

**Mr. Anderson:** I like to have an audience when I speak, Mr. Chair.

**The Chair:** I'm sure you'll be speaking very eloquently to the amendment, hon. member.

4:10

**Mr. Anderson:** To the amendment. Absolutely. To the amendment, as the minister is reminding me.

Obviously, this amendment talks about public interest, and I think that there is some interesting commentary pertaining to why the elimination of public interest is a problem.

I know that there's no great love for Mr. Keith Wilson in this Chamber except on this side of the House, of course. In a November 4, 2012, letter he sent to the Minister of Energy as well as the Leader of the Opposition and the leaders of the Liberal and ND oppositions, there is a note that he put together on elimination of public interest, and it's very germane to what we're talking about here.

Another aspect of the long-standing social contract is the mandate of the regulator as the overseer of what the energy industry is allowed to do on people's private lands.

The legal provisions that set out this mandate of the regulator are found in sec. 3 of the Energy Resources Conservation Act . . .

3 Where by any other enactment the Board is charged with the conduct of a hearing, inquiry or other investigation in respect of a proposed energy resource project or carbon capture and storage project, it shall, in addition to any other matters it may or must consider in conducting the hearing, inquiry or investigation, give consideration to whether the project is in the public interest, having regard to the social and economic effects of the project and the effects of the project on the environment.

If you notice, that legal provision which is found in section 3 of the Energy Resources Conservation Act is what we're proposing here. It's not like we just took these words out of a hat. This is actually coming from a piece of legislation called the Energy Resources Conservation Act in section 3.

He goes on to say:

Bill 2 repeals this critical section. But Bill 2 it goes much further. Bill 2 removes every reference that exists in the current statutory framework relating to public interest. It carries none of the public interest provisions forward into the Bill.

Bill 2 effectively declares that the public interest no longer applies when it comes to energy industry development in Alberta.

The public interest provisions in the current law – the ones being repealed by Bill 2 – are the legal provisions that direct that the regulator is to exercise wisdom and judgment in its overall decision-making. A public interest mandate is a

hallmark of substantive regulatory boards and commissions in modern democratic countries.

The government's decision to abandon public interest decision-making for energy projects is truly troubling.

I think that's a very interesting letter and thought with regard to this section. I think it's important to understand that last line:

A public interest mandate is a hallmark of substantive regulatory boards and commissions in modern democratic countries.

See, that's the problem. If you don't include the do-over bills, this is the fifth problematic land-use bill that we've had come through this Legislature. The other four have all had to be amended by subsequent bills except the Carbon Capture and Storage Funding Act, which still hasn't been amended. Bill 19, Bill 50, and Bill 36 have all come through this. It's like this movie just keeps replaying over and over again. We've done this every time, where the bill comes forward and the government says: "Oh, you're misinterpreting things. You don't know what you're talking about. The lawyer doesn't know what he's talking about. The lawyers don't know what they're talking about. The professors don't know what they're talking about. No one is listening to us. We've got it right. We've got it right. We've got it right."

We go through this process again and again and again, and then two years down the road, sure enough, the government says: "Okay. Well, we're going to clarify some things." Then they put in some clarifications, so to speak. Sometimes they are very substantive changes to the law to correct mistakes, and other times they are clarifications. That's what's so frustrating here, Mr. Chair. We have proposed – this is amendment A18, right?

**The Chair:** Amendment 19.

**Mr. Anderson:** Amendment 19. We're on amendment A19. We also had five subamendments, I think. How on earth can we go through this process and have 24 amendments come before this House and apparently not one of them is legitimate in the eyes of the government? I guess I don't understand that because, clearly, there've been some good ideas put forward here. I mean, the government said that the reason they denied our referral amendment to the standing policy committee is because: "Well, we've got processes in Committee of the Whole that we can do. We don't need to send it to a standing policy committee and delay the process further. We need this now. We can fix whatever we need to fix in Committee of the Whole."

The Liberals, the NDs, and the Wildrose have all brought forth amendments. I mean, I don't think any of us expect the government to agree with all of them, but surely there have to be some in here that the government can look at and say: "You know what? That's not a bad idea." You know, earlier we talked about the rights of landowners and recognizing that in the mandate of the regulator. In this case, why don't we make sure that when we're doing projects, there's a public interest requirement and when the regulator is assessing these projects, there's a public interest requirement, and so forth? I mean, we could go on, making sure that the board has people with the right expertise on it.

We just go through point after point, yet nothing seems to convince this government that they've done anything wrong, not wrong so much as that they couldn't even improve the bill with any input from the parties that represent 56 per cent of the voting public after the last election. This government has a majority; you bet they do. They got 44 per cent. They got a majority government. That's fine. Surely, they've got to think that the other 56 per cent of the people had a point and that their representatives have a few points that might be legitimate in the discourse. I just don't

see any movement on that side on looking at the proposals we're bringing forward. That's why we're here at almost 4:20 in the morning right now. Frankly, I know our caucus. We represent the views of 450,000 Albertans, which, clearly, is less than whatever – 550,000? I don't know – the government got, but it's still a lot of people, and they're very concerned about these things. They've been contacting us. We've all got tons of e-mail on potential amendments, groups coming to us and saying, "How about these amendments?" and bringing forth all these ideas.

Frankly, I think we're just tired, not physically tired so much, just tired of the people that voted for other parties being ignored and just being taken for granted and being told that they don't have a point and that there's nothing we can do to improve this bill, that not even a word can be changed because this government has it all perfectly right. We saw what happened in the past in that regard.

What's frustrating about this is that we did indeed put out the olive branch on these amendments at the beginning. We released them early; we went to the minister early with them, with this and the 20 other amendments that we put forward. We're almost done. There are only two or three left. We asked for support from them. We were happy to work with them. Nothing. Absolutely nothing. Just zero. That can be a little bit frustrating, so we think that that needs to be pointed out.

It wasn't our intention to be here at 4:20 in the morning, but if that's what it takes to draw attention to this bill and how poor it is and how it's going to injure the property rights of Albertans, how it's not going to do what it's intended to do, which is to cut the time and streamline the regulatory process – I don't think it will do that either because there are still no teeth. There are still no regulations saying that it will be six months before a yea or nay is given. Taking out the Environmental Appeals Board process injures both landowner rights and, I think, the environment.

**4:20**

This is a bill that we were so excited to support. We wanted to support it. In second reading – go back and read the *Hansard* – we wanted to support this. We want to support it subject to a few caveats. We didn't expect to get all of them. We didn't even expect to get a majority of them, but we thought there might be something we could add. Apparently that's not the case. Apparently the government feels it's got it all completely correct. I think some people would say that that's a pretty arrogant way of looking at things. I think that everybody brings something to the table. We've been in here, and there are parts of this bill, the majority of this bill that I support. I've supported NDP amendments to it. I've supported – we all have – Liberal amendments to it. Of course, there are our amendments, and I think they would have made a much better bill, including this amendment that we're talking about now.

We're not going to allow without any fight a bill like this, that is this important to landowners, rural Alberta in particular, to be passed in the middle of the night, when people are asleep. That's just not going to happen. We're going to have to have a discussion about this, obviously, tomorrow. As long as the government wants to have the discussion, that's fine. We'll do it that way. The good thing is that we'll bring attention to this issue yet again, and hopefully over time it will create change. It already has, but there's still more change to be completed for sure.

I think the government will be happy to note that I do think that at some point we will vote on this amendment, but after this is, I'm assuming, rejected, we have to remember that this will have been rejected, the public interest requirement. They also voted against an amendment supported by the Wildrose that would

prohibit the Minister of Energy from being able to demand any and all personal information like medical records that might have fallen into the hands of the regulator, a Wildrose amendment that would mandate the new regulator to uphold property rights, an amendment that would have mandated that should the regulator reconsider a decision it had made previously, it would notify those affected and hold the proper hearing on those issues, and so forth.

I mean, it's just amendment after amendment. These are good amendments. Absolutely some of them should have been accepted. It is unfortunate. Out of all 20 amendments, I think I saw one government member on one amendment stand up and say: yeah, that probably should have been included. I think it was the one that said that we should consider landowner rights. One of the members stood up. You know, I won't single him out because that's like being given the death stare. If an opposition member praises one of the members opposite, his colleagues get really upset with that, so we won't embarrass the poor man. It's disappointing. What can I say?

So here we are. You know, the sun will be coming up in a couple of hours. The folks will arrive, and they'll be asking what we've been doing all night. I'm sure we'll explain that to them, as will the government, and we'll let the people of Alberta decide how they feel about that.

Thank you, Mr. Chair.

**The Chair:** Thank you, hon. member.

The Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Mr. Chair. As my hon. colleague from Lacombe-Ponoka has said many times, it is an honour and a pleasure to rise in this House, even if it is 4:25 in the morning. It absolutely is an honour to sit here with the hon. Member for Airdrie and the hon. Member for Rimbey-Rocky Mountain House-Sundre. I'm the only one who knows your full title. I think it's probably because we're good neighbours.

It really is important that we get this bill correct. The amendment that the hon. Member for Strathmore-Brooks is proposing does just that for landowners, for industry, and for the government. I think that that's the important part. What everybody in this House needs to understand is that putting these amendments forward is not being done just out of pure, "Jeez, this is fun; let's put down 10 amendments."

This actually came from direct consultation with Albertans. It came from direct consultation with industry members. The hon. Member for Strathmore-Brooks has worked very hard on putting these amendments together and making sure that they're fair and reasonable. As the hon. Member for Airdrie mentioned before, he went above and beyond in ensuring that the Minister of Energy had the amendments well in advance so that there was time to discuss them and time to consult their stakeholders as well.

You know, I think that it does pay some heed to mention that this isn't five Albertans; there's a significant number of them. I also know that this side of the House is not the only one receiving these concerns. For everything that we're receiving, from what we can see, they are also being sent to the Minister of Energy as well and some of them to other members of this House on the government side. So it's not that anyone is limiting them to just one specific party. They're actually limiting their concerns with regard to this bill to all MLAs for their consideration and for their discussion. Certainly, I mean, if we're tremendously way off and if there's absolutely no ability to have carbon capture and storage projects, which means a project for the injection of captured carbon dioxide, added into this bill, I'd certainly love to hear from the government members as to why that is absolutely impossible

to do, as we would have liked to have seen on all the other 18 amendments that we've put forward, not to mention the subamendments. It's also interesting that in all parts of this bill, just as the hon. Member for Airdrie mentioned, the public interest portion has been completely removed from most sections of this bill, which should cause everybody a bit of concern.

The hon. Member for Strathmore-Brooks mentioned a document that he received from Shaun Fluker, which was written on November 13, 2012, which I believe he sent to everybody. I don't have everybody's e-mail on this, but it appears that it was sent to more than just the Wildrose Party. I have no idea who he is. I've never met him. I don't follow anything he does. Strangely enough, he's writing in defence of the current hearing practice at the Energy Resources Conservation Board because he feels that that process is more thorough than what we're doing with Bill 2. We're basically saying that we're going to streamline the process, that we're going to merge these departments into one single regulator, but then we're going to eliminate the processes that we have currently in existence which provide the public interest portion of this bill.

He also goes on to state that "Bill 2 significantly reshapes the governing legislation on energy project hearings, and . . . the Bill proposes to repeal existing statutory rights held by landowners" under sections 26 and 28. Now, that's only one part of what he's talking about. But when he talks about the significance of Bill 2 literally reshaping what landowner rights are, well, we've been here before, and if we don't get this bill right through this amendment, we're going to be back here, just as we were on Bill 50, and you're going to have the protests, and you're going to have the town hall meetings that we saw with bills 19, 24, 36, and 50. I'm pretty sure that the government really doesn't want to go there.

Repeatedly we've heard in this House how members of the government side are very much in favour of landowner rights, and I have no reason to doubt that. I strongly believe that there are many in this House that absolutely are. Unfortunately, there seems to be this idea that if they support any opposition amendment, that must mean that all of a sudden they're crossing the floor and becoming a Wildroser. You're certainly more than welcome to do that, but just because you side with what's right for Albertans doesn't necessarily mean you're changing your skin kind of thing. So that's always good. [interjection] No, you're absolutely right. It doesn't necessarily mean you're not either, but we don't hear from the other side, so I guess we don't know what that position is at all.

As I said, I'm more than willing to understand exactly why we would remove public interest in its entirety from this bill. It would be great if that explanation was provided at length and if that explanation could be provided to Albertans because I think they would love to hear it as well.

The next issue you go to as it relates to the amendment is that it talks about the social and economic effects of the project and the effects of the project on the environment. There's an interesting article from the European Environment Agency, and this was done in November of 2011. It promotes carbon capture and storage as a new and innovative way to go, and it talks about how it can bridge the gap for the next few decades in cutting emissions. I think that that's where the government is going, and I can applaud that because we need to look at new technologies and new opportunities to have bigger discussions on what's the best investment for Alberta and all of that.

4:30

But it also talks about that they have reporting that shows that "while CCS may have an overall positive effect on air pollution, emissions of some pollutants may increase. Understanding these types of trade-offs are extremely important if we are to deploy this

technology.” Clearly, Alberta is deploying this technology. When we’re investing \$775 million and eventually \$2 billion into a carbon capture and storage program, we need to make sure that the social and economic effects of this project and of these types of innovative ideas are worth what we’re doing.

One of the things they do mention is that CCS requires approximately 15 to 25 per cent more energy depending on the particular type of technology used. Something that’s not been really made clear to Albertans, as far as I can see, is: what types of technology are available for CCS? How are they used, and what is the best methodology in using them? I think that would be very helpful for Albertans.

It goes on to say that “this in turn can lead to increased ‘direct emissions’ occurring from facilities where CCS is installed, and increased ‘indirect emissions’ caused by the extraction and transport of the additional fuel.” Now, this is where it can cause concern because if you’re asking landowners to store CCS underneath their land, then if it is possible – and I’m not saying that it is or it isn’t; I’m just saying that if it is possible – that there could be direct emissions, then that needs to be researched and that information needs to be provided.

We talk about research on asbestos. We talk about research on emissions from our vehicles. We’re very environmentally conscious on what we’re putting into the environment, and I don’t see that CCS is any different than that. Clearly, when the government of Alberta sees this as a strong technology and an opportunity to go forward, then it would behoove us to make sure that in the act itself it is covered under this amendment. We seem to have just pretended it’s not there.

Going on to more of the economic and social effects of the project and the effects of the project on the environment, there’s also an additional effect. What is the effect of this on our children? Does the cost outweigh the benefits, and has that analysis been done? We have already heard from TransAlta that the costs for them don’t outweigh the benefits, even with a \$779 million investment from the province of Alberta and additional funds coming from the government of Canada. Those costs and those related benefits, whenever they may come, will be something that our children will have to deal with. If we don’t even know really and truly the environmental impact of what CCS does, I don’t know that we should be really putting so much value onto the economic effects of the project when even TransAlta doesn’t really do that.

The generations going forward are going to be the ones that will have to pay. We hear in this House every day about how in the decisions we make we have to take into consideration the future of our children and those who are left after we are long gone to deal with the effects of the decisions we make today. We hear it about schools, and I think that’s an appropriate comment to make. What we do hear about schools is that we need to build schools in a way that impacts 20 and 30 years from now, but we’re not talking about that with carbon capture and storage.

What we’re doing today that might impact us in 30 years certainly has a direct relation to the social and economic status of this province. It also has a direct relation to the environmental effects on this province. If there is a possibility of direct emissions or indirect emissions going anywhere, do we really want to put any Albertan at risk for anything that we are not sure of at the moment, especially as it relates to carbon capture and storage? We wouldn’t do it with other emissions, so it would be sort of odd that we would not apply this to those same things.

The other part of it is that when we’re talking about social and economic effects, by not including carbon capture and storage into this bill, there are really no determinations of: where do these

projects get decided, where do they go, how do they go in there, what are the guidelines of it? If it’s not covered directly under the single regulator, then literally the single regulator doesn’t really have to provide that kind of information. Yet if we provide it under the single regulator, then it’s easily transparent, it’s easily covered, and the single regulator knows: “Okay. This is something I actually have to be paying attention to. I have to make sure that we’re meeting all of the interests of the public, we’re making sure that landowners are appropriately notified, we’re making sure that industry gets proper notification, and we’re also making sure that this is in the best interests of all Albertans.”

Without carbon capture in the bill, those guidelines are absolutely missed, and not by intention, I’m sure. I think that literally most people believe that it’s implied, and I’m sure that it could be, but it may not be. This government prides itself on making sure that it’s thorough and consistent, that it’s covering all their bases. If we’re covering all our bases and we’ve invested so much money into carbon capture and storage, then clearly we should be covering it.

We also have to understand that when you’re talking about environmental effects and social and economic effects, those are a direct impact to landowners. When you go to sell your property and you have to disclose that you have carbon capture storage underneath your property, we don’t know at this point in time whether that devalues your property or increases the value of your property. In certain areas it may not matter, but in other areas it certainly might. What we are doing is we’re imposing a direct economic impact onto the landowner. We’re basically saying to them that the landowner is so unimportant that we won’t look at the public interest and we won’t give you notification and we won’t give you the right to appeal, but we also won’t give you any guidelines on carbon capture and storage programs.

Sorry. I absolutely will not stand here – as many of my caucus mates here I have a duty and an obligation to protect Albertans. When we see something that is so poorly written, then we’re going to be here until it’s righted. It’s an easy way to do it. We’ve proposed 19 amendments. In 19 amendments there were clearly at least one or two or 10 or however many that certainly could have been considered. None of them were. The reason none of them were had nothing to do with being open and transparent. It had nothing to do with whether they were the right or the wrong amendment. The only thing it had to do with was because it was coming from the side of the opposition. That’s just not a good way to govern. There is an opportunity here for the government and the opposition to work together and have a win-win for Albertans. That is really and truly what being a legislator is all about.

We saw it with the former Premier, Mr. Stelmach. He botched bills 19, 24, 36, and 50. He invoked closure on some of those. Many of those bills, unfortunately, were not even read or understood by many MLAs. I know even in my own riding, my own previous MLA admitted in a public forum that he had never even read the bill. He had no idea what it was talking about, yet he was promoting it as a good cause and good for Albertans. Clearly, on Bill 50 that wasn’t accurate. This government travelled the province and tried to convince Albertans that bills 19, 24, 36, and 50 were good for them, that they were in the public interest. Clearly, Albertans didn’t buy that. I would suspect that that’s a big portion of why there are 17 Wildrose MLAs in here today.

The reality of it is that the former Premier didn’t hear the voices of Albertans. Let’s not make that mistake again. The voices of Albertans are coming in. They don’t have to come through the Wildrose. The government is more than able to make these amendments on their own. Had they done that, the Wildrose would actually have supported them. Now, not every one of them.

As the hon. Member for Airdrie had already mentioned, there's nobody on this side of the House that thinks we're going to get a hundred per cent success. But, certainly, the government could have got a hundred per cent success by just listening to Albertans. You would have literally got support from the Wildrose, and you certainly wouldn't be sitting here at 4:40 a.m.

The important part is that we need to ensure that when we are passing legislation in this House, that that legislation does not have a negative effect on those that it's intended to protect. That's the most important social and economic and environmental effect that this amendment can have. We do not want to have a negative effect on Albertans, and that's what this bill does.

4:40

Repeatedly this bill does not meet the lowest standards for public input. It is clearly not wanting to put into the bill the idea of public interest and protecting landowner rights and doesn't afford landowners the ability to have a say in what are the effects on their land. They're the stewards of their land. The government doesn't own an Albertan's land; they own it. They paid for it. They're paying the mortgage on it. They own it. The title is in their name. And we need to always, a hundred per cent of the time, respect that that ability with the landowner remains the right of the landowner.

We take a look at bills like this that remove certain sections, seemingly purposely, that are in other bills all across this province, that have been passed by this fine Legislature and this fine House and the fine members in here, yet it's excluded from this particular bill. That's what's concerning to most Albertans. It is in other bills. We talk about the public interest all the time. We talk about the social and economic and environmental effects on Albertans, yet in this bill in particular we've neglected to put it in. For what reason? I guess that's the question that most Albertans are questioning here today.

I would implore this government just to take an opportunity to look at some of them. There are still three or four – I don't know – or however many more. The more time we have, the more we can make, I suppose. So have a discussion with the caucus about some of these bills and see if they do provide any value to you and see if Albertans have a voice in this Legislature, which I would hope that they would.

Thank you.

**The Chair:** Are there other hon. members? The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chairman. We have made amazing progress on this bill tonight. By my count now in Committee of the Whole on this very important bill for the future of Alberta in terms of the balancing of responsible energy development, responsible development, environmental impacts, sustainability, quality of life – it's a very important bill. That's no doubt why we have spent in committee so far 29 hours and 42 minutes, which is, I think, a fair amount of time to spend on a bill. Particularly when you think that this last amendment, if I recall correctly, deals with carbon capture and storage, an amendment to put "carbon capture and storage" into the bill, that is in itself very ironic given that the position that we've heard from the Wildrose in the past is that they've always been opposed to even considering carbon capture and storage. Now they want a regulatory body to deal with carbon capture and storage.

That quite aside, I also understand that there may be several more amendments. For some reason after probably four hours – I might be wrong on that estimate – on this last amendment, the

members opposite still feel that they have things to say on that amendment. So I'm not sure if they just have difficulty getting their arguments together or whether it's just something that has to be talked out because it's so complex, that they can't get over the concept of carbon capture and storage. I'm not quite sure what it is, but I think we need to have an opportunity for them to regroup and consider their arguments and maybe see whether we could deal with some of the other amendments that they have. Of course, perhaps, as I understand it, there may be a need for someone to be here to address the amendments. Whatever it may be, I think we could probably use a change of pace.

I would move that we adjourn debate on Bill 2.

[Motion to adjourn debate carried]

**Mr. Hancock:** Mr. Chairman, I would move that the committee rise and report progress on Bill 2.

[Motion carried]

[The Deputy Speaker in the chair]

**The Deputy Speaker:** I'll recognize the hon. Member for Fort Saskatchewan-Vegreville.

**Ms Fenske:** Thank you, Mr. Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports progress on the following bill: Bill 2. Mr. Speaker, I wish to table copies of all amendments considered by Committee of the Whole on this date for the official records of the Assembly.

**The Deputy Speaker:** Thank you, hon. member.  
Does the Assembly concur in the report?

**Hon. Members:** Concur.

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

## Government Bills and Orders Third Reading

### Bill 5 New Home Buyer Protection Act

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

**Mr. Griffiths:** Thank you, Mr. Speaker. Good morning. It's a chilly morning out, I understand. It's a pleasure to rise today to present for third reading Bill 5, the New Home Buyer Protection Act.

I'd like to thank all members who have participated in second reading and in Committee of the Whole for their supportive comments and for their questions, Mr. Speaker. Bill 5 is an incredibly important piece of legislation that will protect new-home purchasers and make a real difference in the lives of Albertans and families. You've heard me say this before: buying a home is perhaps one of the biggest purchases any person in this province will make in their lives, and Bill 5 will help protect that investment.

To recap, the legislation will give Alberta the strongest new-home warranty in Canada by requiring warranty coverage in four key areas. The first is one year on materials and labour, two years on delivery and distribution systems such as heating, plumbing, ventilation, and air conditioning systems, often referred to as HVAC. It will provide them with five years' building envelope coverage. Also, Mr. Speaker, warranty companies will be obliged to offer homebuyers an additional two years of coverage, so up to seven years of coverage, on the building envelope. Also, 10 years

on major structural components such as foundation and framing will be offered on the home.

One amendment discussed in Committee of the Whole proposed to extend the coverage on materials and labour and on the building envelope. Mr. Speaker, the one-year coverage on materials and labour, sometimes the stuff that's called the fit and finish, is very much influenced by the people living in the home. It tends to be the part of the home that gets the most wear and tear, gets the most quick changes in the home when people decide they want new colour schemes or new countertops or new cabinets. Therefore, because it's most prone to wear and tear, it's hard to assess defects beyond one year that are beyond the homeowners' direct impact. It was considered in consultation with all parties that extending that beyond one year, at least for the time being, might make warranties more expensive, thereby cost prohibitive for young families who are trying to purchase a home.

It was also suggested, Mr. Speaker, that the five-year coverage on the building envelope is appropriate as our research shows that this is the time frame where most failures become evident. We also have added the requirement for a mandatory offer of two years of additional coverage, which makes it the strongest warranty coverage in Canada. It has been suggested that it should be a mandatory seven years right though, but in our consultations with some of the warranty companies and construction companies and with other jurisdictions that are undertaking the same enterprises, we've realized that this could also significantly drive up the costs of having a home warranty and, thereby, perhaps make the cost of a warranty prohibitive and affect the ability of young families to enter a new-home market.

I'd like to repeat that the requirements in this act apply to all warranty providers currently operating in Alberta and any future warranty providers. I know there were some questions about the Alberta New Home Warranty Program. That's not the new-home warranty law that we're adding here but the New Home Warranty Program. That, Mr. Speaker, is a private warranty company which is not insurance backed. There were questions about that. Because this company, this warranty provider, is not insurance backed, they have an exemption to the Insurance Act.

4:50

The questions and concerns were about whether or not that makes this an unlevel playing field, Mr. Speaker. Though the Alberta New Home Warranty Program is exempt from the act because it's not technically an insurance warranty provider, the exemption explicitly states that they still have to comply with all the rules and regulations that any other company does that is obliged to follow the Insurance Act. So it ensures a level playing field for any and every single company currently operating in Alberta or that may come to Alberta in the future.

There were also some discussions around exemptions. We need the ability to exempt types of dwellings, ones that we may perhaps know about now but ones that may arise in the future as an issue, that are currently in the province or ones we have not even seen as new construction technologies come online, Mr. Speaker.

There are also issues around aspects of common property in a condo that may not have been contemplated in Alberta. I did at one time point out that some bare-land condo associations also include bare-land property lands within the condo association. There's no intention for the new-home warranty to provide warranty coverage on lands, Mr. Speaker. This is supposed to be on homes, which means that the minister has to have the prerogative and the ability to avoid undue consequences and exempt perhaps land and bare-land condo associations from being included in the new-home warranty insurance claim.

There are also buildings, Mr. Speaker, such as hotels and motels and dormitories that will be exempt as their ownership model is completely different from single-family homes and condos, and they're not intended to fall under the new-home warranty. Our objective is to protect Albertans and to protect their homes as assets, not businesses.

We also discussed and I believe I made some comments, too, in Committee of the Whole that it may be required to provide exemptions for unanticipated solutions. It was suggested that perhaps trappers' cabins would fall under there or perhaps mobile trailers or, as some of my southern neighbours call them, homes with wheels or perhaps, Mr. Speaker, really, really fancy tents that some people live in. Those are not intended to fall under the new-home warranty, though some people may consider them permanent or temporary dwellings. We can't foresee all the solutions, and that's why the exemption is incredibly important.

The legislation considers the unique needs of the owners of condominiums with the requirement for a building assessment report. That was discussed a bit. I want to assure all members that the details around this requirement will be forthcoming in a timely manner in the regulations that we'll be crafting soon, not to be presumptive but once this legislation passes. We'll address the unique needs around starting the clock on the 10 years of coverage in a condo when people take possession of their condos at different times and the questions around when everyone takes possession of the common property, Mr. Speaker, because we need to know when to start the clock. That will also be done in proper consultation. I appreciate the Member for Edmonton-Strathcona, who had asked the questions.

The objective of the building assessment report, Mr. Speaker, is to support condo corporations as they make informed decisions about the needs of the building. An amendment was introduced in Committee of the Whole that would have required a home inspection to be conducted by a home inspector, as regulated in the Fair Trading Act, on a single-family dwelling. I'm really thankful that that amendment was not passed. I do believe I spoke against it. Quite frankly, I didn't quite understand the notion.

I think it needs to be put on record that I understand the member's intent for making it so that an inspection be done by somebody very independent. But a warranty company who's covering a house will want an independent inspector to give them a very critical report because they're the ones that are ultimately going to have the cost. Making sure the warranty company cannot hire the inspector and that the potential homeowner has to again drives up the cost for a young family looking to purchase a home and doesn't necessarily serve the needs or provide any added coverage or benefit by not having the insurance company pay for it. They're interested in making sure that the quality of the home is up to par so that they don't have future costs to themselves.

Mr. Speaker, in this act we also recognize that some Albertans wish to build their own homes. It's a critical feature from one end of this country to the other. Owner-builders are quite frankly exempt from the requirements of the act unless they sell their home within the first 10 years of building the home. If they do, they will be required to purchase remaining warranty coverage for whoever would be buying their home.

Now, I know there was some discussion about this in second reading. Warranty companies, Mr. Speaker, have very explicitly and publicly said that they will provide coverage to owner-builders who find themselves unexpectedly needing to sell their home in less than 10 years after completion. We have people all over this province who wind up with different jobs in another part of the province or another part of the country and unexpectedly have to sell. They will have the opportunity to purchase a home



warranty for those that would be coming after them and buying the house. We anticipate the warranty companies will conduct inspections, and the cost of coverage would reflect the level of risk.

Mr. Speaker, owner-builders would be informed at the time they apply for their exemption that if there is any possibility they may sell before the 10-year period, they will be required to purchase the warranty for sale. Owner-builders will also be informed that they have the option to purchase a warranty at the time, which may be a lower cost in the long run, of when they build their home. Regardless, they will be fully informed of the risks of not purchasing a warranty and the potential costs that go with it and the requirement that they will have to buy one if they sell their home.

There were also concerns raised in second reading that administrative penalties seemed high, Mr. Speaker. The \$100,000 maximum fine is just that. It's a maximum. For situations where a violation has resulted in significant financial benefit to the violator, I am sure that some of those maximum fines will not only be warranted but well deserved. We have got to make sure that violations of the building code, building improper dwellings, when somebody is making the largest purchase in their life is not a profitable situation for anyone in this province. If someone has paid an administrative penalty, it also should be noted they cannot be charged with an offence for the same violation. You cannot be charged twice. The fines are consistent with the types of administrative fines in many other pieces of legislation in this province.

For serious violations where administrative penalties aren't appropriate, the Crown prosecutor can charge an individual with an offence, Mr. Speaker, because ultimately this is about consumer protection, and the best way to protect consumers is to make sure there are punishments for those who wish to take advantage of them. A judge would determine the amount of the fine. It could be up to \$100,000 for the first offence, up to \$500,000 for second and subsequent offences. A judge can also award restitution if someone has suffered a loss as a result of an offence.

Again, these penalties may seem high, but in our housing markets today doing a quick turnover with a home and leaving somebody with a shoddy project may also be very profitable, and the penalties have to fit the crime to make sure that the people aren't taken advantage of. These fines are consistent through many other pieces of legislation.

As far as the regulations are concerned, program specifics will be contained in the regulations, which will be drafted, Mr. Speaker, in the spring of 2013. We're going to actually commence consultations as soon as this legislation passes, if it passes, with all stakeholders. This approach will ensure that we have flexibility, that we have a responsive program that can easily respond to Albertans' needs over time and over changing circumstances.

Some items will be worked out in greater detail on the regulations, including specifics around manufactured and modular homes, as I said, through further consultation, but we have been working with the industry to determine how these requirements for warranty will intersect with the manufacturers' warranties in those particular products.

Now, while most homes, Mr. Speaker, are built to withstand the test of time, if things go wrong, the legislation gives homeowners strong protection, some of the strongest protection in the entire nation, to get their homes repaired. We expect and have seen the quality of construction rise in other jurisdictions that have undertaken the same sort of new-home warranty protection we're undertaking here today. That's the ultimate goal. We do not want

Albertans to need a warranty. We want them, in fact, to never need to call on the warranty because they get the best quality homes built in the entire country.

We have brought all stakeholders together on this, Mr. Speaker, everyone from builders and developers, from construction companies and contractors, and from homeowners and consumer groups, and we have yet to find one group in this finished product that we've presented here who is not thrilled about this because everyone wants to ensure that they have a quality product to buy, a quality product to build, and a quality product to sell.

I'd like to ask all members to support Bill 5 because, Mr. Speaker, ultimately this is about supporting fellow Albertans and building strong communities one house at a time. With your support for the new legislation we'll immediately begin work on the regulations, and a detailed implementation will follow up in the fall, when this warranty comes into effect.

Thank you very much, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. minister.

**Hon. Members:** Question.

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

[Motion carried; Bill 5 read a third time]

5:00

**Bill 6**

### **Protection and Compliance Statutes Amendment Act, 2012**

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

**Mr. Hancock:** Thank you, Mr. Speaker. It is my privilege to move Bill 6, the Protection and Compliance Statutes Amendment Act, 2012.

Bill 6 is a very important piece of legislation which will provide amendments to three particular statutes for the protection of Albertans and to encourage compliance with codes which provide that kind of safety and that kind of protection.

The first is the Fair Trading Act, Mr. Speaker. The provisions here will provide for the levying of administrative penalties under the Fair Trading Act. The purpose of levying an administrative penalty as opposed to the penalties that are already provided for in the act is that it provides another level of enforcement, one which is, yes, easier but is in some certain circumstances more effective. In other words, if there's a violation of the act of a less than egregious nature, rather than going to a full prosecution and all the process that's engaged and the time that's engaged in that – and time is really the critical element here – the administrative officers can approach the party that is violating the act, can talk to them about the violation of the act, and if there is not progress made, if there's not a change in behaviour, they can levy an administrative penalty.

This amendment puts into place the ability to use an administrative penalty option, something that's available in many other statutes. Then, of course, there are the corollary pieces to that, which say what happens if you fail to pay the administrative penalty and, of course, the need for and ability to appeal. Obviously, there always has to be an appeal mechanism, so there is a process for appeal. There's a process to make sure that notice of the administrative penalty is made public, so there's a public record of that.

That's the process under the Fair Trading Act. It provides for a right to representation. It provides that if an administrative penalty is levied and paid, there cannot be, then, a subsequent prosecution

for the same offence, so fairness rules in place to make sure that it's utilized appropriately.

One other section with respect to the Fair Trading Act which is important, and that is a change in the penalty amount under a prosecution so that if any person is convicted of an offence – this is going away from the administrative penalty part now and going into the prosecution side – that offence could be up to a \$300,000 penalty rather than the existing \$100,000 penalty.

There is also a provision in the act, Mr. Speaker, for a time limit for prosecution, and that's just to align the offences more appropriately. Under the Fair Trading Act the limitation was three years after the commission of an offence. What this provision puts in place is that where an offence is committed in the course of a consumer transaction or an attempt to enter into a consumer transaction, it would be three years after the date the consumer first knew or ought to have known of the offence and not more than eight years after the date on which the offence was committed.

Those, essentially, are the amendments to the Fair Trading Act.

Then the second act that's being amended here is the Occupational Health and Safety Act, one, Mr. Speaker, that's very near and dear to my heart. Of course, we have in Alberta a compliance process with respect to occupational health and safety that really focuses on working with industry to make workplaces safer. It's a process in which under the occupational health and safety code you're really outlining what the expectation is with respect to workplaces, with respect to employers, with respect to employees and how they can go about making sure that workers can operate safely in the workplace and go home to their families at the end of their workday. Some people do have a workday that actually ends.

So that's important. But in some cases, I'm sad to say, those codes are not followed or not complied with, so there are times when you have to utilize enforcement mechanisms or tools to encourage compliance with safe workplaces. Again, there are two tools that are currently in use. One is essentially an enforcement order – in other words, in the nature of a stop-work order that might be applied – and that can have some effect. It certainly can have effect if it takes a while to achieve compliance; in other words, work is stopped for a while. But in the case, again, of an offence that can be remedied rather quickly, a stop-work order has little effect, and when you have an offence that's remedied quickly and then repeated, it is not an effective tool. But you're not going to actually want to go to a prosecution for an offence like that.

We have on occasion in this province over the past year had, for example, three people who have fallen from roofs. Of course, you're supposed to be wearing a safety harness when you're on a roof, and you're supposed to be tied on. In fact, these three people were tied on, but the ropes were too long, and unfortunately we had three fatalities as a result of those three accidents. [interjection] You know, it's not funny, Mr. Speaker, because some people didn't go home to their families. There were tragedies. There are families who've lost a husband or a father or a brother or a son.

But if you're trying to change the culture that exists in some of the industries, you need to deal with those. You need to deal with them in a way that makes some sense. One of the things that we are going to do is have ticketing offences so that occupational health and safety officers could go to a work site, and when they see somebody either not wearing a safety harness, not wearing safety equipment, or wearing safety equipment that they're using in name only and it's not effective because they've purposely had a longer rope or whatever, they would be able to issue a ticket. Now, this act doesn't provide for the tickets. That can be done

under existing legislation and with a change to regulation, but what this act does provide for is, again, an administrative penalty which could be applied in circumstances which might be more appropriate for an administrative penalty than a ticket, usually because the employer is not enforcing safety standards on the work site, not doing a proper review, those sorts of things.

Again, the Occupational Health and Safety Act, then, would allow for administrative penalties, and again, of course, you have the corollary amendments that are required. One of them, for example, would be to require the identification of a worker or an employer on a site at the request of an officer. Obviously, if you're going to write a ticket, you've got to know who the person is. You've got to be able to have the authority to require that identification. You also have to have appeal mechanisms. If you're going to have an administrative penalty, you've got to have fairness in its application. You've got to have the ability for people to appeal.

Suffice it to say that those provisions will allow for appeals to the Occupational Health and Safety Council and ultimately to the Court of Queen's Bench if necessary. Again, the provisions in the act provide for the limitation on what size of penalty can be administered. In this case the amount set is not to exceed \$10,000 or, in the case of an ongoing offence, \$10,000 for each day.

5:10

One of the other pieces that is being amended. Under the existing act, as in many acts that we have in this province, you can have – what's the term? – in essence, where the parties get together and determine that instead of a guilty plea and a payment of a fine, there will be a negotiated penalty, if you will, and instead of the fine being paid into the provincial coffers, it could go to an agreed-upon purpose. The circumstance, though, that we don't have in the act and that we need in the act is a provision where somebody agrees to that kind of negotiated payment and then fails to pay it. Those are very important changes.

The third change is to the Safety Codes Act. That's very simple. It's a question of increasing the amount of penalties – that's very important because the penalties are significantly out of date – and aligning the prosecution time limit.

Mr. Speaker, a very, very important act for Albertans. As we move forward, we make progress in protecting consumers and making the workplace safer. I would ask all members to support Bill 6 in third reading.

**The Deputy Speaker:** Thank you, hon. Government House Leader. Are there other speakers?

**Hon. Members:** Question.

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

[Motion carried; Bill 6 read a third time]

## Bill 9

### Alberta Corporate Tax Amendment Act, 2012

**The Deputy Speaker:** The hon. Minister of Finance and President of Treasury Board.

**Mr. Horner:** Thank you, Mr. Speaker. I will be brief. It is my honour to rise and move third reading of Bill 9, the Alberta Corporate Tax Amendment Act, 2012.

I did want to just give thanks to the hon. members across the way for a number of good points that were brought up during the debate in both second reading and committee.

Did you want to me to stop, Mr. Speaker?

**The Deputy Speaker:** No, no. Sorry. As I said, it's been an early morning. Please carry on, hon. minister.

**Mr. Horner:** I didn't know whether you were trying to get my attention there or not, Mr. Speaker.

I just wanted to say thank you to the members opposite in all parties for their support of the Corporate Tax Amendment Act, which will ensure that Alberta maintains a fair, equitable, and competitive tax regime. I look forward to their continued support for third reading, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. minister.  
Are there any other speakers?

**Hon. Members:** Question.

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

[Motion carried; Bill 9 read a third time]

### **Bill 10 Employment Pension Plans Act**

**The Deputy Speaker:** The hon. Minister of Finance.

**Mr. Horner:** Thank you, Mr. Speaker. Again, it's my pleasure and honour to rise to move third reading of Bill 10, the Employment Pension Plans Act, which is meant to make it easier and more affordable for private-sector pensions to operate and to change with the times.

There are a lot of things that are involved in the act, but suffice it to say that there has been a lot of very good discussion and debate in this House on the act as it moved through with support, again, I might add, from all sides of this House. Some very good comments, again, were put on the record. I want to thank the hon. members opposite for their support of the bill through all those readings. This is the culmination of a number of years' work, and it's a good piece of legislation.

Mr. Speaker, I move third reading.

**The Deputy Speaker:** Thank you.  
Are there other speakers?

**Hon. Members:** Question.

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

[Motion carried; Bill 10 read a third time]

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

[Mr. Rogers in the chair]

**The Chair:** I'll call the Committee of the Whole to order.

### **Bill 8 Electric Utilities Amendment Act, 2012**

**The Chair:** I'll open the floor for questions or comments.

**Mr. Anglin:** As I understand you, this is Bill 8?

**The Chair:** Bill 8, hon. member.

**Mr. Anglin:** Okay. Caught by surprise.

Thank you very much, Mr. Chair. I will be introducing a couple of amendments, but I want to speak initially to this bill on a

number of different issues. It is really important that we look at what has happened here. The government has accepted the fact from all the stakeholders that it should not be making this decision and should not have the jurisdiction to make this decision. I think that when I first spoke to this bill, when it was first introduced, the comment was that in the medical world you wouldn't want government taking their policy-making ability and turning that into making some sort of diagnosis. That's not what the role of government would be.

In electric utility that is the same. You don't want the government making the engineering decisions. You want the government to make the policies. In the case of what happened with Bill 50, the government decided to do away with the regulator and legislate these lines. The government legislated these lines, took the jurisdiction away from the Alberta Utilities Commission. As the hon. minister said: a different time, a different need. That's a good quote I'm going to continue to throw out to the hon. minister because it is about a different time and a different need.

There have been a lot of mistakes made, and one of the mistakes is that you have removed now or you're proposing to remove the jurisdiction of the cabinet and to return jurisdiction to the Alberta Utilities Commission. That is right, and that is just. It should not have ever been removed. But we have a bigger problem. We have not corrected what went wrong, and that is what's really important here. There's a lot of money at stake. I don't think anyone here was part of those original decisions, so they don't realize the magnitude of the problem that has been created over the years.

This started out as an application for one line, a 500-kV AC line. That's where it all started. AltaLink proposed it to the AESO. The AESO consulted not here locally, but it first consulted up in Fort McMurray, and it admitted that it made the determination to build the 500-kV line before it accepted any consultation from any participant or that it did any research and did its own engineering work, and that's problematic because that's not how you're supposed to do this. That document that they created was called the needs identification document, and it is right here. This is it. This is what it looks like. It's quite thick. It's quite detailed. I tabled it, so it's part of the record.

What you'll find in these documents is that they're quite detailed. That's what they're supposed to be. In this one binder alone there's nothing but wiring schematics on how the system is supposed to work if they do this. Now, what's wrong with this document is a couple of things. To create it, the authors had to exempt or did not consider the Balzac gas-fired generation station, any imports coming in from British Columbia, and they excluded consideration of all wind power.

**5:20**

By excluding those three items, the AESO was able to use the formula of that day to prove under existing rules and regulations that a line was needed. One of the presumptions was that there would never be any growth of generation in southern Alberta. We know now that that's false, but we knew that then. That's what some of the intervenors back then brought forward to the board. They said: we know that's not true; we can prove that because there were industries that were looking to build generation in southern Alberta.

Now, one of the coauthors of this document – his name is Trevor Cline – recently testified that based on the rules and regulations at the time, this is what they had to come up with. He was asked: is this in the public interest based on the circumstances that actually became reality? He answered no. Basically, what happened is that one of the coauthors of this document is basically saying that it was not in the public interest. Let me rephrase that.

He is saying now that it is not in the public interest. He stated that on the record under oath in front of the Alberta Utilities Commission. That's significant.

When any member across the House says that this was determined back in 2005, 2006, this is the document that you're referring to, but it also is a document that was approved originally by the EUB and then rejected. It was refuted, and it was voided by the EUB, and then the decision of the EUB was vacated by the Court of Appeal. So here you have a technical document that the government is relying upon, and the coauthor of this document says that it's not in the public interest mainly because the formula was wrong, and the assumptions have been proven wrong because generation has developed down in southern Alberta. The decision was vacated by the Court of Appeal and voided by the regulator at the time, so the decision should not play a role in anybody saying that it has already been determined.

So what is left is the 10-year plan. The 10-year plan is mandated by law. It is required in every jurisdiction. This is what we do. But a planning document is not supposed to be definitive as a document that indicates that something should be built. That's not what planning documents do. What should happen with an existing planning document is that there needs to be some sort of economic triggering mechanism that requires us to build a transmission line. In this case the requirement has to be that somebody or some industry is going to step up to the plate and say, "We are committed to building a project" or "We are committed to doing this," and that commitment is generally done in monetary terms. They put up a bond, or they put in an investment that is tangible in the sense that now the regulator, or in this case the AESO, can say: that's the trigger.

Now we build that transmission line, and we try to build it according to our plans, but reality dictates that because this is a dynamic market, we have to change to that reality. We can't build to a presumption, and this is where this has gone wrong. What happened under Bill 50 was that the government legislated lines based on the presumption of the plan. What we know now is that things have changed. Just like the minister said: a different need, a different time.

If you look at the proposal for the green corridor, which is what came up at the sustainable resource committee – and that is something that we have known for years – if we were to build a line from Fort McMurray down to southern Alberta, as the vice-president of ATCO stated, we would probably want HVDC. But somebody should be required to make the economic case before we make that decision. We would want to know whether or not the economic case was made, whether or not it was economical, because even though that is probably 700, 800 kilometres long, you still have to do the math to make sure that the technology you use does exactly what you need it to do.

The problem is that we legislated AC lines, and we did it in the wrong place. Now, we're not going to build those any time soon. That's not on the agenda. The lines from Edmonton to Fort McMurray: I think they're estimated to be built in 2020 or 2022. Things may change before we get to there, but the problem is that it's legislated in Bill 50, and we didn't repeal that part in this bill.

We know clearly now that with the upgrader going in Redwater, which we want to go forward, we're going to have a pipeline that's going to come south from Fort McMurray to that upgrader. Now, as I spoke about to the Minister of Energy, it only makes sense that we put that in the utility corridor. That's logical. Industry wants that. Landowners want that. It makes sense. That means that we'd want to put our transmission line in the same utility corridor. That's logical. That would make sense. I still can't tell you what should be the right technology. I think it should be

HVDC, but without an economic case I hesitate to say definitively that that's what we should do, but somebody should be required to make that case.

The problem we have is that we legislated a line further west going in the wrong place, and we legislated AC, which may or may not be the right economic case, particularly if we develop the hydro north of Fort McMurray. If we don't change that legislation, if we don't amend that, then what's going to happen is that we will build something that is unnecessary and uneconomic for the public interest and the public at large.

**Mr. Donovan:** What would the public interest entail, Joe?

**Mr. Anglin:** The public interest is actually in this legislation, so we can talk about that.

That leads us down to these two HVDC lines that did get approved, one in the east and one in the west. They are amazingly expensive. I can tell you they are completely uneconomic because they don't even come to the proper length, where you can even make the cost-benefit analysis. That's what's happened.

The western line: \$1.4 billion, a billion dollars more than an AC line. And, by the way, it doesn't work. It can't work. We cannot use it, and it stated so in the 10-year plan. That's an engineering defect because it's in the wrong spot. We cannot load that line to its proper potential for fear of shutting the lights off in the province. So what it says is that in order to make that line work, we have to double down and build an eastern line.

Now, this is the problem with the eastern line. It connects to Gibbons, down to Brooks, and it doesn't connect to anything in Brooks. It's a \$1.6 billion line by AESO's estimation, and it doesn't connect to anything. Now, you know as well as I do that it will connect to something. The plan is that it will connect to two export lines sometime way off in the future. Nobody knows when, but that's the plan. It's in the 2009 plan. The problem is that until it connects to something, we can't use the western line to its full potential or even to any maximized potential, so it has to stay underutilized.

It's insane in the world of economics to construct projects this way, and nobody will take ownership of why this design came about. This minister was not here at the time, and many of you were not here at the time, and I know there was data that was left out. I'm going to explain some of the data that's left out. The hon. Member for Fort Saskatchewan-Vegreville fielded what we would call a softball question to the minister, which is: "What's the deal with the heartland line? We need that power to come up to the heartland." That's usually what's in the press. [An electronic device sounded] Was that my timer going off? Well, I'll be up again anyway. I mean, you know that.

5:30

**The Chair:** Please continue.

**Mr. Anglin:** At what point do I issue these amendments, anyway?

**The Chair:** Oh, you have an amendment, hon. member? [interjections]

**Mr. Anglin:** All right. Sounds good. I've just been up all night. I've got to get my brain in gear. Let me just continue on.

The hon. member asked the minister when the line would be energized, when it would be constructed, built, and energized, because we need power up in the heartland. Well, the interesting thing about that is that the heartland has 663 megawatts of generation capacity now. That's what they have. The heartland is a net exporter of electricity. Their baseload peak demand is 563

megawatts. That's the last data that the AESO published, which is consistent with being a net exporter. So why would somebody say that we need power up in the heartland when they are a net exporter of electricity? Since it's an AC line, which is unidirectional, you can't push electricity up there on that line and talk about exporting it at the same time. It's not a bidirectional line. Clearly, something is wrong with the estimation.

The reality is that when we develop up in the heartland, what happens is this. When that plant goes online, they will build a cogenerator. That's a given. We just don't know how big the cogenerator is.

**An Hon. Member:** No, it's not.

**Mr. Anglin:** Yeah, it is. It's always a given. It's economical for a major developer like that to cogen. It is always in their business plan, and it's smart business. It's a good business model. That's why the heartland is a net exporter of electricity. That's why they have excess electricity there.

When do you need a transmission line? What's the trigger mechanism for building a transmission line? Well, the formula is called N minus 1, which means normal minus one line. What that means is this. You should be able to lose a line, you should be able to have a line go offline, get a break, and all your transfer of electricity should be able to be carried by the remaining lines. If you have two transmission lines, you should be able to lose one. That one remaining line should be sufficient to handle all your transfer needs. If it's not, then you need to build another line. That's what N minus 1 means. They use N minus 1 or N minus 1 minus G, which is to take a generator offline.

What is the capacity up to the heartland now? Well, you have two 240 lines going up there, you have a third 240 line going around the north end of Edmonton, and then you actually have a twin 138 kV system. What you have there is that you're not bringing up any electricity to supply the heartland. You're bringing electricity away from the heartland when you need to bring electricity away from the heartland.

Now, two hon. members on the other side of the House here I believe went down to Idaho this last week to something called the northwest economic development partnership, something like that.

**An Hon. Member:** Pacific Northwest Economic Development Council.

**Mr. Anglin:** There you go. I'm tired. I've been up all night. Thank you very much.

Now, if you went down there, what you would have seen in one of those presentations – I looked it up on the Internet – is a map of a transmission line originating in the heartland and ending up in Buckley, Oregon. That was part of the plan anyway. That's always been number two on their list. Again, the idea that we are pushing electricity up to the heartland is not true. We are actually taking electricity south from the heartland.

One of the problems we have in our regulation and that this one does not correct, and it should, is that we allow private companies to build what they call market transmission lines. They can build their own transmission line, and basically they can put it in a great spot like the MATL line and just profit on a very short distance. It's a smart business plan. But the public, in correlation to or in comparison to that, are not allowed to build generation. Now, one of the things this province is struggling with is how to get generation located where it needs to get located.

**The Chair:** Thank you, hon. member.

I'll recognize the Member for Little Bow.

**Mr. Donovan:** Good morning. I'd just like to thank everybody and commend everybody for bonding in this House over the whole evening like this. Not to toot my own horn, but I got here and, boom, four bills through just like that in a couple of minutes there at 5 o'clock, so we'll see how it all rolls from here. I'd also like to commend the staff and the security that have been here all night. I guess we have the ability to trade off a little bit here, and, unfortunately, I'm not sure they do, so I commend them. And to the young gentleman that runs the *Hansard* mikes up top there: good on you for hanging in this long.

Now, it's an interesting bill here, Bill 8. This affects my riding quite a bit. We've identified that Bill 50 had some issues with it, and I think Bill 8 actually weakens the public interest provisions, according to quite a few different people. I'm not going to get into the public interest debate because I think we worked on it a little bit over Bill 2, so I'll lead on from that.

A lot of the surface rights boards are very worried and consider Bill 8 to be another attack on property rights. I know this is fresh to quite a few people around the table that don't see it the same way, but I guess the beauty of sitting in this House is that we get to debate all sides of what I might see as an issue and what some other people in this House, other members might not see as an issue. I guess the big question comes up of, you know, the needs assessments and stuff of what we're doing. Now, I see Bill 8 as good because it's going forward, saying that we need needs assessments on lines that are going forward from now, but ones that are already in the planning I guess I see as being pushed through.

Now, in Little Bow there's one line that AltaLink is trying to put through right now. It goes from Picture Butte to the Etzikom Coulee transmission line. Now, I know everybody in this House is very excited that all night tonight they got to listen to Mr. Anglin talk about Bill 8 and how it affects Bill 50. I was very fortunate to have the Member for Rimbey-Rocky Mountain House-Sundre come down to Coaldale and talk to some producers down there about power lines.

**An Hon. Member:** I bet you were.

**Mr. Donovan:** I was very lucky, actually, because when you sit down there and we get down to talking basic facts – now, I'm just a grain farmer in Mossleigh, dry land. I mean, to go around a power pole truly isn't as big of an issue for me as it is if you have irrigation. You get into that south potato belt between Taber and Coaldale, it's very intensive agriculture in there, and there's a lot of money people have spent and a lot of years getting drainage on their land correctly. They've gone to variable rate irrigation so they don't have flooding in the low spots. Technology has come a long way.

Now, that's great when you've done that, but then when all of a sudden a power line comes through and they're told, "It's coming through whether you like it or not," and you put it through the middle of a half section pivot – with wheel moves I guess people could work around that. I mean, irrigation districts have gone a long ways to do a better job now and be more effective, and wheel moves weren't the most effective way to irrigate. I know the minister of agriculture has had an opportunity to be down there and talk with a lot of producers, and he knows that, so there are people on both sides of the floor that are well aware of the time and the money spent by agriculture to be more effective and more efficient in what they're doing.

In saying that, when I was campaigning back in April, we had a forum down there, and the MATL line that was going down there was put through with no consultation and no needs assessment.

Now, when that went through – and the debate with me and the candidate I ran against down there at one of the forums was that, you know, they can't ever force something through. Well, I had three different people get up at a forum and tell about how the RCMP came in with court orders telling them they had to let that power line start. They had to let the MATL line go in and start constructing it. That's very intrusive if you're a farm owner and you have irrigation.

Now, in the one particular situation there's a feedlot which has been situated in the corner of a field so that the pivot can go around, the quarter section pivots, in the most effective way to get a return back on their farmland. The way the line was put through – and this is why the gentleman was so much up for the fight on it. The MATL line that was going in actually went right in the middle of that pivot. It effectively deemed that quarter, I'd say, useless to anybody, so of course he's going to fight for his rights on that. In saying that, he had the RCMP come in and serve him with papers telling him that he had to allow that line to go in.

5:40

I mean, it's like everything else. You wonder if it's true or not until you actually have a ratepayer, a constituent stand up and tell you that they had three cop cars, RCMP come in there and tell them: you have to let them go, or we will restrain you. Now, to me, that's a definite infringement. As well as the PC candidate that I ran against, who I respect very much, we were both in shock over it. You know, you hear lots of these things happening, but until you actually have a landowner come up and tell you that they were told they had to put the line in, there was nothing they could do – now, probably the most frustrating thing was the inability to be able to negotiate in good faith.

I guess at the end of the day, once you figure out that, okay, the line is going to be here, it comes down to money. How is he going to be compensated fairly for the loss of use and for the inconvenience of it for the rest of his farming life? Again, these are farms that have been there for, you know, up to 100 years. Some over; some under. I mean, people have taken a long time to get that land into the situation it is. They do proper crop rotations. They do proper drainage. They do very time-sensitive irrigation so that they get their maximum use, and they show that they are stewards of the land. In saying that, when you are told, "No; this is going through; there is no other way," landowners obviously get very concerned about that.

In saying that, this person has yet to be compensated for that tower that went in, which is probably one of the most frustrating things he's said that he's had in the last two years. He's yet to be compensated. The second most frustrating part is that they haven't even put the lines up on it yet. For the moment, right now, he's got a large tower sitting in the middle of his field, which has affected his whole farming operation, and they haven't even had the common courtesy to put the power lines back up, the actual cable to it to transmit down it.

Now, his point was that it's frustrating enough to get forced to put a tower in the middle of his quarter, which affected, basically, his whole pivot, his income, everything else, yet to be compensated for it, be told it has to go in, and then the most frustrating part is that they're not even using it. I mean, the pigeons stand on it and the odd bird, you know. Other than that, I guess it could be a great view if you want to go up there with a set of binoculars. But it's not even doing the purpose it was supposed to do.

These are concerns that happened in my riding which I'm aware of because I actually heard them. That was back in April. We spin the clock ahead six months, had the opportunity to talk to some more people back in July when the Member for Rimbey-Rocky

Mountain House-Sundre came down to an open house. Still the same situation. Still nothing has changed on the MATL line. So I say we spin it forward to the line from Picture Butte to Etzikom Coulee, where they're talking about now putting lines in.

I fully understand the government in planning ahead. I mean, it's crucial to be able to plan. Being on county council I went to lots of land-use framework stuff. You know, you have to have a plan. I understand that. The key to a plan, though, is to be able to listen to both sides on what is in a plan. It's very easy for somebody else to come in and tell you, "This is how it's going to be," but it's a different side if you're not allowed any input to it.

Now, with the new power line they're talking about doing down there, they've ended up pitting neighbour versus neighbour because they come in with two different plans. In theory it's great: you have plan A and plan B. But if your neighbour is 10 miles away and that's where plan B is, your natural thing is to protect your own land and your vested interest, so you go to all the forums, you fill out all the forms, you tell everybody to go to plan B because that stays away from your land and goes over to somebody else's.

Again, we're dealing with pivots, not a lot of wheel moves down there because everybody has invested a lot of time and money into their farmland by going into low drip irrigation systems, which are the most effective, which goes back into why southern Alberta has, I'd say, an excess of water in their irrigation systems right now because they're that effective with it. They're not using the full allotted amounts they have. In saying that, there are lots of farmers now that are trying to get some more irrigation projects going because the economic turn back from irrigation is huge. We have the heat units down there, so it's very intense agriculture. I'm not saying that agriculture is different in the rest of the province, but with the heat units down there, there's so much willingness with the producers to sit and try different items. They have the potatoes; they have the beets. There are very large, intensive programs down there that are more highly intensive agriculture than you will find in a lot of the other parts of the province, and I think these people should be commended for that.

But when you go in there and you start telling them, "Okay; we're putting in a power line," that's going to truly affect how they've been planning their farm for 20 or 30 years. Most people have a plan on what they're doing on their farm. They're not just deciding to invest \$200,000 on a pivot and an extra \$80,000 on the variable rate technology for the irrigation drip nozzles on it. They're actually planning. Every good business should have a plan.

As well, this government should have a plan on stuff. Part of the planning – I think Bill 8 addresses that on the future power lines – is to have a needs assessment, the problem being that any of the ones that were put in ahead of that do not have to have this needs assessment. I think this is really where a huge issue came in this province between the government and landowners. It was due to that.

So you're sitting there looking at that, and you're the landowner, for instance, and you've got this power line that's been deemed to be needed down there, yet nobody seems to know. AESO was down there – back in, say, May or June they had an open house – and one of the things they did on that was that they were talking about, "Well, if there's ever a windmill farm put down in a certain area," and they had it shaded on their map, which was nice and warm and fuzzy. But the technology on that is changing all of the time. I think everybody in this House has seen that in different news articles and everything else on wind generation and how it's going to work or not work.

Now, I was lucky enough when I was reeve in Vulcan county to have Greengate technologies come down there. They're putting in a large wind farm down by Carmangay, in that general area where my predecessor, the MLA for the Little Bow riding, farms. They went in when they did their needs assessment and figured out where to put the windmills. They're putting a huge investment into that community, so obviously they're going to do their homework and figure out where they need to put that wind farm. Now, when they went in there, they talked to the landowners, got the buy-in first, got the community support, showed all of the economic positives to it, and they've literally had hardly any issues in that area in getting the landowners to sign up and allow the access roads and things like that.

Now, when Greengate came to Vulcan county to talk about it, the key reason they picked that area was the wind. You don't need a lot of wind anymore to make the windmills work. They've come in a huge, huge circle on that from what they used to have to have. When you look in Pincher Creek and area, everybody wanted that 50-mile-an-hour wind – not everybody, but the power companies did – because they felt that's how you had to run the windmills. Now, in this day and age they don't need that kind of wind, so they picked that area.

The second part of why they picked that area is because there are transmission lines there that could take the power that they're proposing onto that line. It had the ability to take that without having to put in new lines. You didn't need a new MATL line. You didn't need a heartland line. You had a line there that had the capacity to take the power that was being generated there right in. So then you eliminate the whole needs assessment, the whole fight for a new power line in that area – again, a huge issue – because then you have community buy-in.

The community buy-in should be great on these items. When you're talking 50 to 60 tandem truck loads of concrete to the base of one of those new windmills, that alone is a huge industry. In the county it's going to more than double the tax base, the actual taxable assessment in that county. Now, as a ratepayer in that county I think that's great because then we don't need to look at oil and gas all of the time and the linear taxes that come off pipelines to be able to do that. So it's a huge thing.

I checked wells for off-farm income for a while. That's how I supported my farm for a bit. There were some tougher years, so one tends to find extra work when one needs to pay bills, and that's been great. In our community I'd say that probably half the people are tied in some way, shape, or form to the oil patch, whether you're checking wells, whether you're a plant operator, whether you're plowing snow to wells, whether you're doing weed whacking and grass mowing at wells to keep vegetation down, or whether you're spraying. You're part of the process.

5:50

Now, in saying that, this is a whole new sector to that. Windmills need technicians to work on them. I had the opportunity to go through Lethbridge College here about a month and a half ago. There's an amazing program where they're teaching everybody down there how to work on the windmills, the whole rebuilding of them. It's great. I thank my colleague the advanced education minister. I know he's had the opportunity to go down through there. It's second to none down there, and it's another great thing in Lethbridge.

I'm sure everybody had the opportunity to deal with Team Lethbridge. The members for Lethbridge-West and Lethbridge-East are always very proud of what Lethbridge has to offer. I think it's a huge thing when you go into Lethbridge College and see the technology and see how industry is working with that college on

how to train people properly. It's like everything else. If you have proper people working on it, you can be way more effective and get way more people to buy into the project. We have a situation down there where we have a college that's working with wind generation because they see it's a need.

Now, I guess I'll go back to the story of the windmills that Greengate is putting in at Carmangay. There are transmission lines already there. They picked that area to put in wind generation because there were already the power lines there to work with. There was no need to fight with anybody over new power lines coming through. That's a great idea. They have the community buy-in there.

In saying that, when we get down to this Picture Butte line, that AESO has decided is needed, they've shaded in an area down there, saying: "Well, there could be windmills in this area. We need to build the power lines so that if that ever happens, they have a way to generate back into the grid." I understand planning, but we're at the point where there's not even a company that has stepped forward and said that this is where they're going to put in lines. It's just that somebody sat there with a general land-use framework map, coloured in a nice green area, and said: "Yeah. You know, due to the studies we see that this would probably be a pretty good area to put in windmills and make some green energy out of that."

I think everybody in here is for that. I think we're all trying to make less of a carbon footprint. I think we're all trying to leave the country in better shape than we found it. I don't think there's anybody that can argue that. I think we've done a good job of that. I commend the government on the processes they've gone through to make that happen. The environmental farm plan was a key one. It's the little things. You know, you eat an elephant one bite at a time, and I think that's a key one. We've sat and we've identified the issues that we have environmentally in this province, and we're working on them.

[Dr. Brown in the chair]

I consider myself a steward of the land because I farm on it. It does me no good to hack up my land and butcher it in any way, shape, or form. I need to try to get the maximum return off that land but still not mine it. You need to keep it in good, balanced shape. Fifteen years ago we didn't do soil samples on what your fertilizer needs were. You basically went to your local fertilizer dealer. You put on your regular blend, whether it be 60 pounds N or 100 pounds N, some phosphorus, some sulphur, depending on what the needs were for the plant. It's a business. You pour a lot of money in. In my area – I'm just dryland – break-even is in that \$200-an-acre range. It's not the old days, when \$50 an acre covered all your input costs and you were good to go. You have a lot of money tied up in this. You sit and figure out what you need to do to nurture that and make it work.

You sit there and you look at the process. If you're south of that area of Coaldale and you're talking about putting in windmills, there's a lot of prime land in there. People obviously get on the defensive, having these products coming in here without a true needs assessment. That's what this comes down to. I commend this government for identifying in Bill 8 that there need to be needs assessments. The question comes in: why were there no needs assessments? Why was it skipped for so long in here? As a landowner and listening to constituents in that area, those are the same questions. I mean, the councillors in the MD of Taber now are quite concerned about this line that goes from Picture Butte to Etzikom Coulee. It's out by Barnwell. Now, they've worked very hard.

Out of time.

Joe, would you like to add anything to that?

**The Acting Chair:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I want to go after this bill pragmatically on the issue of HVDC versus AC. I know I've got the reputation of being – I think the hon. House whip said that I protested Ben Franklin when he first held the kite on a string. I teased him, and I said that I won that protest. We went to AC power, and I believe Ben Franklin had DC technology. I am in favour of electricity. It makes our economy run. It is important. It is extremely important, and HVDC technology is an outstanding technology when used appropriately. Absolutely. So is AC, but our whole system is AC technology.

I want to talk about the heartland because this is where it starts. I just want to give you an understanding that this is all based on fact. It's not something made up or assumed. What did the Alberta Electric System Operator, which is our AESO, say about the heartland? In their overview of the existing system when they filed their application on May 30, 2008 – that's the one that just got approved this last year – they said on page 9 under 1.2, "The Northeast region is currently mostly supplied by the on-site generation within the region itself." What that means is cogen. That's really what it is. Then it goes, "Because the region has more generation than load, the region exports energy to other regions." So, clearly, they're an exporter. The AESO says that they're an exporter. We know they have 663 megawatts of generation capacity, and their demand is 563 megawatts. It gives them about a 14 per cent reserve capacity. That's perfect, actually. That is actually correct.

Now, given the number of transmission lines that go to the heartland currently, since the heartland is self-sustaining, any one of those lines can fail and the heartland doesn't lose its lights. We know that's true. This idea that we have to build twin 500-kV lines because the heartland needs more power is not based on any evidence that supports that. It's just not there. If you say that it does, hon. member, show the evidence. That's all I ask. I know some of the people on this side of the House are more pragmatic in the sense that they want to find concrete evidence. So when the member over there says, "No, that's not true," I would rather see evidence than have someone just arbitrarily say it.

Now, if it were true – if it were true – do we spend \$700 million to build a transmission line to bring power to the heartland or spend \$263 million to build a 243-megawatt generator, which would increase the heartland capacity for electricity by 43 per cent? For half the price you could increase the capacity up in the heartland by 43 per cent. Why should the public, when somebody says that they need electricity, not have the option? Does a transmission line fit the need, or does a generator fit the need? The industry has the option of building a generator or a transmission line. What we're talking about is maximizing the public's money, and if we don't do that, then we're doing an injustice to the public.

[Mr. Rogers in the chair]

The facts show that anyone who says that the heartland needs more power is not supported by any other data. None. So why are we building that line? I'll tell you why we're building that line, and it's the most important part. It connects the two HVDC lines, and it connects that . . . [A cellphone rang] Hello. I'll give you a call in a second.

It connects that to what was proposed back in 2001. You will find that in the needs identification document that I showed you a little bit earlier. In the appendices of that document the oil sands developers wanted to export their excess electricity. Even back

then, in 2004, people said: that's not a smart business plan; that's not economic.

6:00

TransCanada looked at building an HVDC line from Fort McMurray to Buckley, Oregon. They thought it would cost them about \$6 billion to do that. Their assumptions were wrong. They decided not to do it because it was not economical. That now has changed dramatically because the Oil Sands Developers Group has decided they no longer want to export their excess electricity. They want to use it internally for their own future development. I have to tell you that that's what people were saying back in 2003, 2004. They have come full circle, and they have publicly come out and said: we do not want to export our excess electricity. That's a smart business plan.

Why are we building all these lines? If someone says that we have to build these lines to encourage generation, what I say to them is: show us the data that supports that. This idea of building a grid that has zero congestion is not logical. Nobody in the free world does it that way. Only Alberta has that policy, and it causes us to overbuild the system. That is one of the premises of why we're moving forward the way we are with this, but we're not getting a good return on our money.

To make matters worse, under normal conditions not only do we normally require a needs identification document, as I've just shown, but all jurisdictions – and this one used to – require a cost-benefit analysis so that when that application is filed, the regulator could look at how much money they're planning on spending to build a line and what is the payback. Where is that? Well, it doesn't exist because it's not required. Nobody undertakes a project of this magnitude without a cost-benefit analysis. No private investor would ever do that, yet we are planning on doing that. That's not smart. We should make a concerted effort to do the math first and do what's right.

When we get into the amendments, what we should do is look at what the plan is. That plan now has adjusted. We have a potential for hydro development north of Fort McMurray, up in the Slave River region. We have a lot of potential up in the Northwest Territories that could be developed. If that energy were brought down to Fort McMurray, it would free up, on initial estimates, 500,000 barrels of bitumen each year. This is what the oil sands developer estimates: half a million barrels of bitumen that would be available for the market. What that would do over 20 or 30 years is provide a payback on those transmission lines that you would hopefully build south from those hydro projects. [interjections]

Can you be quiet, guys? I'm tired, guys. I'm sorry.

On the payback, though, that's what you want to look for. In other words, you build a line; what's the economic payback? If you look at this, even if we were to develop the hydro potential to its fullest immediately, which is roughly \$60 billion – but that would be staged – you'd get a payback of about \$48 billion initially on the natural gas and the bitumen at current market prices. That's significant. That's what you want to look at on all these lines that have been legislated. What's the payback?

Now, I have asked the Minister of Energy: do we need an HVDC line on the eastern side of the province? The way it's designed now, I would say no, but if you connect that to an HVDC line that's going all the way to Fort McMurray, then you have a case. It's the distance that makes it economical. Is there an economical case for an HVDC line west of Rimbey from Genesee to Langdon? The answer is absolutely not. It's too short a distance. You create too much of a problem. The real drawback to that is that you're not using the benefits of HVDC at all. As a



matter of fact, the system loss for Alberta – and that's one of the things that I find offensive not from the political point but from the engineers, because they know better. Someone tells the politicians or cabinet that the system is bleeding when that's just absolutely not true.

When you look at the data on our electrical system, a normal electrical system loses between 5 and 7 per cent of its electricity. That's normal. We are under the normal range. We have a better-than-average system, and you cannot have an electrical system that's not losing electricity. That's called physics. Every time you put a generator on the system, you lose electricity. Every time you build another transmission line, you lose electricity. It's just a fact of life. If you run a line from point A to point B, the longer the line the more electricity you lose. It's just a fact of life. We deal with it. We're not going to build a zero-loss system. That whole idea of that policy of zero congestion – congestion is all about loss. In the end that's how you're going to measure it, and that's not possible. It's the dog chasing its tail.

What you do is that when you build a transmission system, you look at the system, based on your needs. It is congestion versus the cost of relieving congestion, and you optimize that where those two lines cross on the graph. What happens is that what triggers a transmission line to be built is when the cost of congestion rises to a point that it makes economic sense to build another transmission line to reinforce that area. That's smart planning, and that's smart management.

But to try to build a system for zero congestion: I always tell people it's like the road system. Our road system is similar to an electrical grid. All our roads are interconnected. Some are bigger than others. A zero-congestion road system does not make sense. We have stop signs and stoplights that cause congestion. We have accidents that cause congestion. You would not build a road so wide that you would never have a problem because in theory you can't make it work anyway. You have an accident; you have a problem; you have congestion.

It's true in a transmission system. You can try to build a zero-congestion system in theory, but it is impossible. It is not practical. You will always, inevitably, have a problem. It is the nature of the business. So we build a system that operates to the most efficient level, and we're not doing that. We have a policy problem that has not been addressed.

Dealing with the heartland issue, the people in the heartland, the people that have the most at stake, Alberta's Industrial Heartland Association, are absolutely opposed to the project. They believe it is grossly overestimated. They wrote that in a letter and submitted it.

**Ms Fenske:** Table it.

**Mr. Anglin:** I did table it. It's already tabled.

**An Hon. Member:** Read it.

**Mr. Anglin:** People need to read the evidence. They testified at the heartland hearing, and it's in the transcripts. It's in the record.

**Mr. McAllister:** Mention the member that's speaking so it's on the record.

**Mr. Anglin:** I don't even have my map in front of me. You mention it later.

This is important when we get down to the hearing process. Here we have a system that we're building, and nobody in this House has any evidence... [interjection] Oh, the hon. Member for Fort

Saskatchewan-Vegreville. That makes sense. Unfortunately, it would make sense if you'd look at the evidence.

We're not talking tens of millions of dollars. We're not talking hundreds of millions of dollars. We're talking half the annual budget of this province. That's a lot of numbers. Right now the AESO estimates that in their long-term plan at \$16.6 billion. Now, when the AESO says – and we do this every time, and I believe it was just done on the eastern line – that this is only going to add a \$1.40, \$1.60 to your electric bill, that is not a true cost. What they're doing is looking at the wires and towers and saying: if I pro-rate that, I can get that figure way down. But that's not how you get billed.

**6:10**

You go home and look at your electric bill and flip to page 2 or page 3 and look at your transmission charge, and when you look at that, you will notice that you're being charged about \$10 or \$12 for every \$100 your bill is. If your bill is \$200, you're going to see \$20 or \$22 on that transmission charge. That's based on roughly a \$2 billion asset. This province is proposing to add an eightfold-increase investment. The question I've always posed to the AESO: if that investment goes up eightfold, how does that charge not go up eightfold? For the average consumer bill it would double.

Now, when this first started, I had predicted that bills were going to double, and they did and they have. If you were part of the central Alberta REA or the southern Alberta REA, those transmission charges have already gone up 100 per cent. None of these lines have been pro-rated into the bill, and nobody can explain to them why. Now, there are a lot of reasons why, and hopefully when this report comes out from the hon. minister, we might be able to get to see some of those reasons because it has a lot to do with the ancillary costs, and they're significant.

It's a very complex formula on how we actually pro-rate those transmission charges, but it's not based strictly on the physical plant. There's loss that's based into that and other factors that the AESO allows to be pro-rated into that cost. This is significant. That's why the Industrial Heartland Association, that's why the industrial consumers' association, which is responsible for basically paying roughly 60 to 80 per cent of all electricity costs in this province, opposed this. When you talk to industry, they're not shy about this. Residential is 20 per cent of usage. Industry is 80 per cent of usage.

Claims that southern Alberta is going to need more electricity are actually quite ironic because when you look at the data, the demand from residential growth, although we are growing in population, is not really moving very far. It's slowly climbing but not to the degree that the normal demand of 3 per cent is growing. When you look at the AESO chart, it's quite flat going all the way out 20 years.

Now, there's a theory behind that, and I believe there's a very good reason for that. The projections were originally made before a lot of advancements had happened in what they call demand-side management, and that is that your appliances are getting more efficient, people are going to more efficient light bulbs – that's significant – and the fact that people themselves do conservation measures. Even though we're adding more homes and our population is growing, it is the demand on our industry that is growing leaps and bounds, not the residential market.

Where is that industry? It's northeast of Edmonton. That's where our industry is, yet the bulk of the lines are south of Edmonton. By the way, the heartland line goes from the Eberslie substation to a brand new substation in Gibbons and connects to what? An HVDC line that ends up in Brooks. It gets one feed at a 240 level, and that's it. That is proposed at a later date.

The idea that the heartland needs power is not based on anything that is proposed in the existing plan. We have a conundrum, and the conundrum is this. You have the ability to correct this, before we expend a tremendous amount of money, and do it right. We need to build transmission lines where we need them, and I have to tell you right now that we're not building those transmission lines. Industry will tell you that there are some industry projects that are still waiting for transmission lines to be built, to be connected, and we are focused on this so-called backbone that is absolutely not going to be necessary. The current transfer rate between Edmonton and Calgary right now is 2,200 megawatts. That's our current transfer capacity. Our transfer rate is 800 megawatts. Over the last three years it has dropped, and it continues to drop.

Now, what has happened? Well, we've actually developed more generation down south, and that's what was predicted as far back as 2003, but the big factor coming in: there's an 800 megawatt plant ready to go online in about two years or 18 months, depending on the Shepard plant completion. Once that goes online, the necessity to transfer electricity from Edmonton to Calgary, from Genesee to Langdon dissipates. We will probably be shipping power north to Red Deer.

Now, the other factor that was never factored into the decision is that we have a federal mandate, or a federal plan, for what to do to our coal plants, to either retire them early or force them into what's called gasification combined cycle.

**The Chair:** Thank you, hon. member.

I recognize the Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Chair. Just going back, of course, we're discussing Bill 8, which is an amendment to Bill 50. Throughout the election and previous to the election Bill 50 was a hotly-contested piece of legislation. I had the opportunity prior to the election to work with a group called VALTOA, which I'm sure the hon. Member for Fort Saskatchewan-Vegreville knows quite well. This is a group of landowners out in the Vegreville region. When they first started out, you know, a typical thing: they weren't sure exactly the process for transmission lines. They weren't sure what the government was doing.

At first, when the government decided to build a whole bunch of lines through a bunch of their property, of course they didn't want those lines on their property. It was more about: "Okay. This is on my land. I don't want it there." Eventually, after they became educated on the bills – and it does take some time to go through all the details, as my fellow member has indicated – looking at whether these lines were needed, that's when they said: "No. We don't need these lines altogether. There should be an independent needs assessment done by experts." That sounds relatively simple.

Instead, what this government did was that they put a decision to build \$16 billion worth of transmission lines – \$16 billion worth of transmission lines – to this cabinet here. I don't know where the expertise on electricity and generation is within that cabinet. I think Albertans were rightly shocked and outraged by that decision. This amendment fixes that ridiculous decision to give all the power to these cabinet ministers. It fixes that. The problem is that it doesn't go retroactively to actually stop the building of these transmission lines through that flawed process. That's the problem here. They came up with a flawed process of having some group of cabinet ministers sitting there and deciding this.

This decision wasn't just, you know, on a whim, that all of a sudden they decided to build this. This decision to push forward these transmission lines happened a long, long time ago. I recall meeting with the former Premier's chief of staff Ron Glen, and

even at that time, five years ago I think it was, they were pushing about the need for transmission lines: we need to get these built. It always sounded a little bit suspicious. If there's a need to build transmission lines, go to an independent body, the Alberta Utilities Commission, who has the expertise, provide actual evidence that these lines are needed, and then build them if they're needed. Build them if they're in the public interest.

Instead, what they did was that they gave that decision to a bunch of cabinet ministers. It's just absolutely incredible. You know, I'm not an electricity expert. I shouldn't be making a decision on \$16 billion worth of transmission lines. But these cabinet ministers, the Government House Leader must have been there deciding: "Oh, yeah. We need these lines." On what evidence was that based? No reports, no evidence.

**Mr. McAllister:** But they'll never do it again.

**Mr. Saskiw:** But they'll never do it again.

We're starting to see some of the results of this. We see record electricity prices. That's why I think this debate is very important. You go to the average Albertan. They get their power bill, and now they're starting to see the effects. Even though, of course, this government is mortgaging our future, we're starting to see the effects even right now on power bills. When there are these massive increases in power bills and you see \$16 billion worth of transmission lines getting built, you start to put it together. The government's record on this is skyrocketing power bills.

I think one of the questions in the next election is going to be: do you want higher power bills? If you want higher power bills, vote for this government. You know, we've already seen the results of that.

6:20

The other big problem, of course, is the extinguishment of property rights that was in Bill 50. Previously if a landowner had their land taken away, they would have legal recourse under the Expropriation Act, and under the Expropriation Act there are a whole bunch of classes of compensation. If you had to move your family from that land, you'd have your moving costs reimbursed. If you had to prematurely get rid of your financing on that piece of property and there was a penalty associated, you would get those costs reimbursed. If you had a business on your property and as a result of a government decision to take away your property you lost business revenue, that would have to be reimbursed.

Well, what this government did is that they took the Expropriation Act out, so landowners no longer had those rights. The government can unilaterally take away someone's property rights without full compensation and without recourse to the courts. The compensation side is in the Expropriation Act. Then in terms of recourse to the courts what they did in Bill 50 was introduce what we call in law a privative clause, which prevents someone whose land is affected from appealing to a court. That's what this government did. So you have a landowner whose land is being taken away, transmission lines are going right through it, and you no longer have rights to the Expropriation Act, and you no longer have a right to go to a court to defend yourself when your property is being taken away. That's the legacy of this government. That's why so many Albertans in rural Alberta were upset when they learned about it.

I guess the problem is that it takes some time to learn about these things because you assume your government isn't going to do that to you. It takes a lot of education. It takes town halls. It takes the information getting out there. But I can tell you that as a result of this ridiculous Bill 2 and other bills on the property rights

side, not the overall concept, as a result of the further extinguishment of property rights and as a result of this debate today, I can assure you that Albertans are going to wake up today seeing that the Wildrose is defending landowner rights. We will keep doing that. They're going to be interested, and they're going to learn about what this government has done to property rights in this province. I think that's what's going to backfire here.

Going back to the transmission lines, what also happened, of course, was that we saw some estimates of what these transmission lines were going to cost, but this government in Bill 50 – and this is just so absurd when you read this bill. There were no limits on the cost to build these transmission lines. So we already have massive cost overruns – massive cost overruns – sometimes double or triple the estimated cost for the transmission lines. What's going to happen, of course, and we're seeing it, is: power bills are going higher. Constituents come to my office and they ask me about their power bills, and I say: "Well, look. Bill 50 transmission lines. Not only are they going up; they're going to continue to go up." Four years from now, when the bills are even higher, when they are a record high in the country, that's going to be a big issue, I can assure you.

It makes Alberta less competitive. We used to have this thing called the Alberta advantage: low tax bills, the best health care, low power bills, low regulation. All of that's been completely evaporated. Part of that, of course, is the cost of doing business. If you're a small business and your power bill doubles or triples, your cost of business goes up, and it's less competitive. I've talked to owners of prefabrication companies. Some of them are doing well; some of them aren't. What they continue to tell me is that if these power bills continue to go up, they're going to move out of the province. Why build them here if you can go to another province and have electricity, which is a huge input cost for them? Why build them here? Build them in another province, and if the dollars make sense, ship them to areas like Fort McMurray. That's what's happening here. Alberta is much less competitive as a result of Bill 50 and as a result of the government ignoring what I think were very legitimate concerns from landowners as well as the business community.

The funny part of the government's messaging in this is that these transmission lines are needed for the province. They're needed for industry and all that kind of stuff. The problem with that argument is that some of the largest groups that consume the energy, whose whole business depends on electricity, said: "We don't need these transmission lines. This is a massive overbuild. We don't need this amount of transmission."

Their so-called evidence that this amount of lines was needed was totally negated by industry, whose business and lifeline depends on electricity, and, of course, was negated by just a complete lack of evidence. You don't go to the Alberta Utilities Commission, which has the actual expertise. No. This cabinet here decided to build \$16 billion worth of transmission lines.

I think what's going to come out is that the building of these lines is going to be one of the biggest mistakes of this government. It's going to be interesting eventually to dig through how these transmission lines actually came about. There's a lot of profit that's made on these lines, of course. The utility companies, you know, get their costs reimbursed plus a certain guaranteed rate of return. It will be very, very interesting to see several years ahead how these decisions were actually made, who was lobbying whom, what money passed where.

Going back to the idea of cabinet deciding where these lines are, the problem with all the bills – 19, 24, 36, and 50 – is that you took the power away from the people or independent commissions and put all of that power into cabinet. All of that power into

cabinet. No matter how smart these cabinet ministers are, you should not put that inordinate amount of power to those decision-makers. You should not give them the power to decide to unilaterally extinguish property rights. You should not give them the power to unilaterally decide how many transmission lines should be built in this province. In no other jurisdiction in Canada or North America do they actually take the decision on transmission capacity out of an independent commission and put it into cabinet. No other jurisdiction does that. Except they did it.

Now, this bill amends that ridiculous decision, but what they were saying to us when we were arguing this previously was that of course cabinet should decide that. Clearly, they were wrong. It's nice to see that they've admitted in this bill that their previous legislation was an absolute failure. That's what this bill is. This bill is demonstration that they've failed. They've failed Albertans. The unfortunate thing is that the amount of damage that previous bill has done is going to affect future generations for years and years to come. We're only starting to see that. We're starting to see it in the power bills. We're starting to see it in the massive cost overruns on the initial transmission lines that are being constructed. If you look at that number, \$16 billion of untendered contracts were decided by this cabinet. They should be ashamed of that decision.

Going back to the group in Vegreville, you know, the Member for Little Bow talked about one of his constituents who was threatened with a restraining order and the RCMP coming if he didn't get off his land for a transmission line. I think Albertans could forgive the government for coming on their land. We all understand that some public utilities are needed. I think all Albertans could say: okay; if this government had actually gone to an independent body with expertise and completely demonstrated that these transmission lines are needed in the public interest, they're actually needed for our province to grow, then I think Albertans could forgive the government for all these other things: the unilateral extinguishment of property rights, the elimination of the appeal rights to accord. I think they could forgive that.

6:30

What happened, of course, is that they took that decision, that is normally made by independent utility commissions, and they put it into cabinet. It is not done in any other jurisdiction. We know that they may be called by different names if you look at the state level in the United States, or different provinces will call their commissions different names. But not one of those jurisdictions ever took the decision to build transmission lines out of their decision-making power into cabinet. Not one of them did that. The reason is because cabinet doesn't have that expertise. They absolutely have no clue.

We actually saw presentations that were provided to cabinet, and in those presentations industry said: we don't need these lines. The conclusion of industry – these are big players. These are Shell and other industry players that are involved in an association that specifically deals with transmission capacity. I can't remember the name right off the top of my head. It's the Industrial Power Consumers Association. These are big players. They consume a large amount of power in this province. They said that these transmission lines aren't needed, and the bottom conclusion is that the losers will be Albertans and ratepayers.

To think that through, you have the major industry players in this province saying that these transmission lines are not needed. This amount of transmission capacity is going to make Alberta less competitive. But what did cabinet do? Well, at that time it was pretty clear that they were whipped. They were whipped on the vote to have these transmission lines.

I remember when I used to be on the dark side and was chairing a meeting at a policy conference for the PC Party, and it was on Bill 50. I was chairing that meeting, and there were debates amongst the membership at that point in time. People were starting to look at this legislation and say: "This is completely ridiculous. Why are we going ahead with this? Why are we doing this?" Even at that point they were questioning it. They were starting to question it. They weren't in that groupthink mode that people can get into. So we were having the vote on Bill 50 because some constituency association had put forward a motion to repeal Bill 50. That grassroots process. What happened? You saw right before the vote cabinet ministers rushing people into the room to make sure they voted to keep Bill 50. Instead of having, you know, grassroots democracy at play, you had cabinet ministers rushing people in to make sure that this legislation went forward.

It was an interesting vote because it was so close, actually. It was basically a 50-50 split. The room was so packed. Normally if it's so close, you do a standing vote like we do here, but the room was so packed that everyone had to basically stand, so as chair it was a very disruptive meeting. But eventually it was literally a one-vote victory to keep Bill 50. Going back in time, it would have been really interesting to see what would have happened if a constituency association had actually passed that motion to repeal Bill 50 and we hadn't continued along this dangerous path of building these transmission lines without going through the independent needs-based assessment.

The other thing that we had heard throughout the election and previous to the election was that the way of the future is actually cogeneration, generating the power closest to the source. Rather than building these massive transmission lines to have power go all over the place, you actually have cogeneration in the area. From my discussions with many key stakeholders and industry players, that makes a lot of sense in a lot of areas. One of our members had indicated that up north the industry there is force-generating their own power, and they're going to consume that power for their operations. In many instances they have the capacity to export that power.

Instead what this government was trying to argue was that somehow the north needed all this power sent to them. That's just completely false. It's a complete falsehood that these companies needed power to go to them. They generate their own power. What's going to happen now that power bills are going through the roof? What are they going to do? They're going to go off the grid. What's going to happen when all these big companies go off the grid, generate their own power?

Thank you, Mr. Chair.

**The Chair:** Thank you, hon. member.

I recognize the Member for Fort Saskatchewan-Vegreville.

**Ms Fenske:** Thank you, Mr. Chair. I just have to get up and at 'em. I wasn't planning to do this today. This is usually the time I'm turning over to get up. I want you to know that it's much easier to stay up all night than to have to get up in the morning, in my books. I realize that I will have several opportunities to speak, as was evidenced through the night with other members, so I probably won't get everything out in this one fell swoop.

The Member for Little Bow tabled some information on a motion that was taken by Strathcona county council when I was actually on that council. That particular motion, which was tabled – originally council was determined to ask that all of Bill 50 be rescinded. However, council saw the light, that there were some things in Bill 50 that really did not have to be rescinded. As the

Member for Little Bow did mention, I like to do my homework thoroughly and represent my people, so there were questions.

In representing the people, we, too, at that time had questions on what the requirements would be because life had changed from 2008, when there were going to be eight or 10 upgraders in the area, to 2011, when there really was only one at that point in time. We did reasonably question that, and what that led to was that the government did take a relook at the actual needs. In February of 2012 the Powering Our Economy: Critical Transmission Review Committee report came out and again restated that there was a need for power. I would imagine that this report has been tabled, but I will table it again at the next opportunity.

**Mr. Anglin:** It's tabled. I tabled it.

**Ms Fenske:** It's tabled? That's excellent. It does say that we do need power.

Now, the other thing that came up was that I needed to do my homework because as the Member for Rimbey-Rocky Mountain House-Sundre said, a lot of this information started in 2001, when Alberta's Industrial Heartland was struggling to be identified. It was actually an idea whose time had not yet come. Alberta's Industrial Heartland, that particular organization, happens to be the member municipalities. It is not the industry component. They actually aren't the industry. That would be the NCIA, the Northeast Capital Industrial Association, who does not have an official position on power requirements.

I'm trying to get an education on all things with industry because it certainly relates to my area, so I had an opportunity to speak with people from the North West Redwater Partnership Sturgeon bitumen refinery and to ask them some questions. One of the things, of course, we all talk about is cogen. My question to them was: well, what about cogen? They said that companies now have changed their processes so much that if they are not utilizing all of their steam in their process or just having small amounts of low-grade steam excess, they are not efficient. Just like the way electric light bulbs have changed in efficiency, so, too, has how refineries are built.

6:40

Then I asked them: well, what is your position on the need for power? We need to know that, noting that it doesn't happen overnight that you can actually get transmission lines built. We do have to have some planning. I would like to read to you an e-mail that they sent to me, and I will table that at the next opportunity as well.

Dear Ms Fenske,

I understand you are seeking to understand concerns regarding power requirements related to the development of the North West Redwater Partnership (NWR) Sturgeon Bitumen Refinery. I am pleased to offer you the following statements of fact related to our project power requirements;

- Process power supply for the NWR Sturgeon Refinery will be 240 kV, 3 phase
- AltaLink will be constructing a new Substation to serve the NWR Sturgeon Refinery, to be located on NWR project lands within SE18-56-21-W4. This substation will be dedicated to the power needs of the NWR facility
- A relatively short (approx. 5 km) segment of new 240 kV transmission line will be constructed from existing 240 kV infrastructure near Shell Scotford facilities, directly to the substation within the NWR Sturgeon refinery. Much of the routing of these new transmission lines will be shared with existing 138 kV lines that serve the existing substation near the Agrium Redwater facility

- The new 240 kV transmission lines will be sized to handle the eventual power demands of three phases of the NWR Sturgeon Refinery, although the power flowing through the lines initially will be limited to the needs of phase 1 of the facility
- Through the processes of the Alberta Electric System Operator (AESO) and the Alberta Utility Commission, a “needs identification” review was completed, and it has been confirmed that the existing Heartland power grid is sufficient to provide the power needs of phase 1 of the NWR Sturgeon Refinery
- Through this same process, it has been determined that the Heartland power grid as it is today is unable to provide the power needs of phases 2 and 3 of the NWR Sturgeon Refinery, and that a reinforcement of the Heartland power grid is required to be completed before commitment can be made to provide such power
- As the design for all three phases of the NWR Sturgeon Refinery has been determined by the Alberta Energy and Utilities Board Decision 2007-058/Approval No. 10994 to be in the public interest, NWR will be expecting that sufficient power . . .

Let me repeat: they will be expecting that sufficient power

. . . will be available from the Heartland region power grid for the development of phases 2 and 3 of the facility. NWR has been working with the AESO to ensure that these power needs have been identified, and are on their load forecasts. Any failing of the Heartland power grid’s ability to provide such power to phases 2 and 3 of the NWR Sturgeon Refinery would result in severe economic impacts to NWR and the economic benefits we bring to the Heartland region, the Province, and the Country

I hope this brief background to NWR’s power requirements helps you understand our current and future needs. Please contact me if you have any questions re this.

Sincerely,

Doug Bertsch

As I said, I will table that to show that we have to be thinking beyond what we have today because we’ve heard loud and clear from industry that if we do not have the infrastructure, they cannot and will not locate in our province. That’s why planning comes in handy.

I know that a lot of us have been looking forward to a pipeline, whether it goes east, whether it goes south, or whether it goes west. Those pipelines, once they are in the ground, will require power, several 500-horsepower motors, to be able to push whatever product it is they’re pushing to that market. I’ve been told also that that is going to require a considerable amount of electricity. If we want to get our product to market, we are going to need to have that power in place.

So I was with many of you and questioned the need. The answer came back that we do need power. It came back through the Critical Transmission Review Committee report. Frankly, as I’ve heard our former Premier say many times, I don’t want to be without power when it’s minus 40. I leave that with you. I’m sure I’ll be speaking to some of these things again, but I just wanted to have that information available.

Thank you.

**The Chair:** Thank you, hon. member.

I’ll recognize the Member for Little Bow.

**Mr. Donovan:** Thank you, Mr. Chairman. I have just one question. [interjections] I never thought I’d hear anybody cheer me on to talk. Yeah.

First off, I’d like to thank the Member for Fort Saskatchewan-Vegreville for clarifying the issues. I’ve known her for a long time,

when she was on council, and she’s always done that. She’s always stood up for her constituents as a ratepayer at the time when she was on council. I commend her for that. That was just the one thing.

A quick thing. We talked about biodigesters and people going off the grid. The clarification is on that. I know a producer down by Taber that’s trying to put in a biodigester to use potato waste. They’re not even tying into the grid, yet they still have to pay the transmission fees back into the system for every kilowatt they make, which baffles me because it’s not even getting tied back into the grid. They’re using a totally closed circuit for their own thing. I don’t know how that works. If somebody ever has the chance to clarify that for me, it would be great. They’re running into a ton of red tape trying to put in their biodigester to be able to make energy. That’s great. I think everybody wants that. They have to pay it back, and it seems kind of like a fee on that.

On that note, I’ll sit down for a second because I believe my friend from Rocky Mountain House would like to add something.

**The Chair:** Thank you.

**Mr. Anglin:** The hon. Member for Fort Saskatchewan-Vegreville makes a very good point. We should be building the transmission lines we need. The heartland line does not connect internally to the grid system on a 240 system in the heartland. That doesn’t happen. It’s a 500-kV twin circuit going to Gibbons. It doesn’t connect where she’s talking about. This is why I say that we have to look at this. We have to really take a good look at it. She’s correct: we need to build the lines that we need to build. No one is arguing that.

Now, what you need to understand is this. The fact is that the heartland has more than enough capacity generation to serve itself. All the transmission capacity coming from the Wabamun area through Ellerslie and around the north side of Calgary amounts to – and you have to look at it at baseload, not at theoretical, because if you go to the RETA website, they’ll get angry with me when I give you what’s called baseload – roughly about 1,800 megawatts, maybe as low as 1,500 megawatts on baseload capacity going up there. That’s huge. That’s a tremendous amount. The heartland has 663 megawatts of generating capacity, and its ability to import electricity, if it needed to, from the Edmonton area is roughly well over a thousand megawatts. Now, the way I said it, RETA would get angry with me because on the theoretical side it is right off the chart, but we want to deal with some conservative figures.

The hon. member is correct. Individual companies are not getting connected up properly, so when they talk about that next phase, they will need another 240 line. I don’t disagree with that. What I’m saying is that you’ve got a 500-kilovolt DC line that that can’t connect into. It’s not there. It’s not in the plans. That’s DC, not AC. That 500-kilovolt DC power line costs a billion dollars more than what an AC power line costs. Boy, could we use that money elsewhere in infrastructure.

I tell you that we have another line over in the east: same deal. That’s not up in the heartland. We have oil sands projects that are not getting connected, and we know about that. All you have to do is talk to AESO. What we’re doing on this plan that she pointed out here, Powering Our Economy, is an embarrassment. This is an embarrassment because what they didn’t do was look at evidence. What they did was that they just took the assumptions from . . . [interjections] No. I’m serious. You’re an accountant. I would expect you to really go with the numbers.

They should have looked at the evidence. They should have gone back and said: this is the evidence we looked at. They didn’t do that. They just took the assumptions that were the original assumptions on what they thought was going to happen. That didn’t work.

6:50

I've got to tell you that this document relies upon that needs identification document. It says so. It relies upon the original needs decision, which has been vacated. I have to tell you that the coauthor of the plan that it relies upon, which is the 10-year plan – that's what this is – says: in my opinion, it would not be in the public interest. He has rescinded what he has written. The reason he did that is fairly basic. It's not a big deal. What he basically was saying:

In my opinion, especially with the change in the gas market and the emergence of low-cost shale gas which has a 30-plus-year life, gas generation is going to be the generation of choice, and gas generation sited at the point of load is much more economical than transferring power on transmission lines.

That is right from the author of everything that this government is relying upon. I'm not asking you to make a decision based on the facts that I'm giving you or the facts that the hon. member is trying to quote. What I'm trying to tell you is that when you hear the difference, you should be willing, given the amount of money, to take a real hard look at this. We were told the lights were going to go out by 2009 – so did Ed Stelmach – and the fact is that here we are, and the lights are working. They're working just fine because the assumptions of the AESO were not valid assumptions. They're not assumptions that you should be building transmission lines on. You build a plan on that, and that's important. There's a difference from actually triggering a transmission line.

Now, here's where you need to investigate, and you should. The package is a \$16.6 billion backbone. The heartland line in that package was originally \$240 million, \$260 million. It is now up to \$700 million. The southern Alberta transmission reinforcement, which was a 240 closed-loop system, was originally estimated to cost \$1.2 billion. It is now expected to cost \$5 billion. We haven't started the HVDC lines. They have not started. Every line that AESO has ever estimated has more than doubled in cost.

That should cause you some caution. You should be willing to at least look into that because, I have to tell you, everything has changed. I don't dispute that a project in the heartland area needs power, but what you have done doesn't fix that. It doesn't address that issue. That's the problem. That's a lot of money to not address what she says is an issue that needs to be addressed, and that's the difference. When she talks about a 240 system, you're talking barely \$200 million, \$300 million. We're talking about spending billions, and the need right over here might be \$120 million to \$300 million, depending on the exact project. I don't know the design. That's why you need a needs document. That's why you have to look at how you're going to provide the system and build on the system.

To approve these types of projects and not go through the whole process of determining what's best in the public interest, you can go left or go right in the wrong direction very quickly, spend a whole lot of money, and not have a whole lot of gain. That's a real problem, and that's a waste.

What we have going on here right now is quite simply this. The lights are not going out, and the AESO is not even telling you that anymore. They're not going out. We've actually developed some generation. Do we need to upgrade the backbone between Edmonton and Calgary? It still is a possibility, but you should require that somebody prove it. That's absolute because the Industrial Power Consumers Association will tell you that you probably should reinforce between Ellerslie and Sheerness. That was their first recommendation. Is it a valid recommendation today? I can't tell you that. You need to rework the figures. This is 2012. But if you say that we need an HVDC line, nobody has done their homework on that. That costs an exorbitant amount of

money, and there's no gain. There's no gain, and it does not help what she's proposing in the heartland.

We need to look at this pragmatically. We need to look at this in a very fundamental, pragmatic, quantitative, qualitative way. What the engineer has told us now, who authored every document this government and, by the way, this panel relied upon, which they've never read by the way – they didn't do it. They just took their word for it. That's wrong. When you're talking billions of dollars, that's not sufficient. Somebody needs to dig in deep and start to rework the numbers to find out if it's actually worth it. I have to tell you that it's not.

There's nobody here that can convince anyone in the industry because the people in the industry won't even step up to take credit for it. It's like: who came up with the idea to place a 330-kilometre HVDC line? Whose idea was that? When you go to AESO, they blame you. When I talk to cabinet and I talk to the minister, he says: "No, no. AESO said." We get this circle going around. When I go to AltaLink, I say: "Come on, guys. Who really came up with this idea?" They like to throw up their hands, "Not us," because the engineers are embarrassed by this. You should wake up to that fact and question these people because there's a lot of money riding on this, and there's a penalty here for our economy that's unnecessary. We should build the right lines.

In the member's case that project needs to be looked at. They do a needs identification document. Where that grid needs to be reinforced, she's probably correct because it's a 240 system up there, so they would reinforce the 240 system. That makes sense. But there's more than enough power up there, and there are more than enough transmission lines if we need to push power up there. We're not. We're actually exporting power from there. You need a triggering mechanism to build these massive HVDC lines. Otherwise, they go underutilized, and that's a waste of money. You want the most efficiency you can get out of the transmission system. That's what makes this economy hum. I mean, we can go back and forth, but this information – we need to deal with what is factual.

Where that generation is potentially growing is one thing. Where it is and what has actually grown is another. We know that. We know generation has developed down south, and we know the whole system has changed on that schematic. This is what was tabled by me, the 2009 plan. You can see from even across the room that it is a straight line for the projected future for residential growth. That whole idea that we're building these for residential: it's not real. We should be building this for our industrial, just as the member has said. We need to be building it in the right place, not in the wrong place. That's the key. That's the key.

I have to tell you that there are good engineers at the AESO. There are good engineers at AltaLink and ATCO, and they come to me because they don't have whistle-blower protection, and they actually feed me information to give me... [interjections] I'm sorry, but they did. I've got all the data, hon. minister. The knowledge is good here.

I will tell you this. The problem for the AESO is simply this. I was a fibre-optic transmission engineer, and I understand the planning mechanisms behind this.

**An Hon. Member:** You're wrong.

**Mr. Anglin:** I know; you always say that I'm wrong. I'm embarrassed that an accountant can't figure this out, that numbers matter.

You don't need to be an expert in electricity, but you need to have some fundamental understanding of how much money is being spent. This is an incredible expense, as the Industrial Power

Consumers wrote the entire PC caucus, I think, two years ago. They wrote that letter. What they wrote the caucus is that this is mortgaging our children's future, this is going to make us uncompetitive, and this is going to cost jobs. That testimony came forward. It came forward by Alberta's Industrial Heartland Association, in particular Mr. Ted Johnston of Alberta Food Processors, which is an extremely large employer. AltaSteel has said the same thing.

The hon. Member for Whitecourt-St. Anne tabled a letter from Alberta Newsprint up there. They said in that letter that was tabled in this Assembly that they could not handle their costs doubling, that that was going to be problematic. I know what they're doing right now, as a lot of companies are doing. They're looking to cogenerate so that if they have to get off the grid, they can get off the grid. They are sitting down, trying to make the numbers work. If they are able to get off the grid, that means more of those costs have to be passed down to whom? Those small businesses and the residential.

This has real implications that spread beyond what is initially going to happen. Someone has to listen. I realize some of the members can be mockingly . . .

**Mr. Dorward:** Mockingly?

7:00

**Mr. Anglin:** Thank you, Member for Edmonton-Gold Bar. I wasn't referring to you, but I'd be happy to do that.

This is a real problem. This is a lot of money. It's half the annual budget of this province. That's not small change. That's significant. If we go forward with that, that gets passed on to every electric bill. I know that the information is that the bill would only go up \$3.40 or \$1.40 – I get all those figures – but that's not the truth. They're looking strictly at the material cost, not the overall cost, what's called the loaded rate, for dealing with that. We are looking at the average residential bill doubling again. We are looking at commercial being hurt more, and commercial is small businesses. Those small businesses pay a larger portion than the residents. Then our industrial, of course: for the most part the cogens are probably going to be safe, but those that don't cogen are going to be in serious trouble. That's not good for our economy. We need to get value out of these transmission lines, and someone needs to look at that to make sure we get value out of these transmission lines. We have to build the transmission lines we need. We don't need to be building transmission lines we don't need.

That's the difference between my argument and the hon. member's. She's advocating for transmission lines that we need. I believe that. We need that. We need to reinforce that 240 grid that she's talking about. The backbone of the system that the government has embarked upon is a 500-kV HVDC system. You just can't tap AC power off that. You have to go to the converter.

They're proposing to build a 500-kV AC twin-circuit system all the way up to Fort McMurray, but it's in the wrong place. Even industry says that that should come down to the heartland. You can't move that unless you change the legislation. That's why it needs to be looked at. Even the southern Alberta transmission reinforcement: all that has changed since they started that. They are overbuilding that system. We're not getting a very good bang for our dollar down there at all. It is really a problem.

The idea that we build in advance of the need has been in my view misinterpreted. That need has to be an economically triggered mechanism. In other words, as the hon. Member for Fort Saskatchewan-Vegreville says, you get a project that starts phase 1 and is looking to complete phase 2. There's that triggering

mechanism. If you see an investment that people are making, you can build those transmission lines. One thing you have to remember is simply this. Transmission lines do not create electricity; they only move it from point A to point B. If you need electricity, generation is the most economical way to get your electricity. It creates more.

By the way, the generator that went in at Clover Bar was ahead of schedule, under budget, \$263 million for a 243-megawatt generator. That's significant. Even down at Shepard the 800-megawatt plant is expected to go online ahead of schedule.

There is a lot of capital outlay for a generating station – there's no question about it – but there's a tremendous amount of capital outlay for transmission lines. If you put a \$263-million generator somewhere in central Alberta, you don't need to reinforce the backbone. You just gave it an additional 100 years of life. That's how you can actually extend the life of your existing system. We are heading towards a distributed generation model not because we're intending to but because that's where the market is taking us. Natural gas has dropped in price. They expect it to be low because of the new technologies for quite a long time, a lot more than 30 years. That is the take.

There will be local natural gas generation investments because it's more economical to build a generator close to the load. When you do that, that centralized model of locating all the generators in one central spot of your region like the Wabamun area is more of a sign of the past. As a matter of fact, the Wabamun plant itself has shut down. We have shut down two generators, I believe, at Genesee. It could be Genesee or Keephills. I'll have to look it up. Keephills is still operating. So what we have here is that some of that plant is going to transfer over to combined cycle gasification, as the new technology says. The other is not. It's just going to go offline. The reason it's going to go offline is because it's probably going to be cheaper to build a gas-fired generator elsewhere to serve whatever load it was serving from a long distance. That's just economics. That's a smart plan.

If the heartland were to grow substantially quite quickly, it is smarter and more economical to build a generator than to build a transmission line from over by the Wabamun area. It's as simple as that. It's based on economics. It isn't about the issue that the heartland needs a 240-system upgrade because they've got a plant so we're going to build \$16.6 billion of transmission line that doesn't serve it. That doesn't make sense.

We have other areas just like that example that the hon. member gave. It's all up in that northeast region of Alberta. That's where our oil sands development is happening. They need to be served by transmission lines. We're not building them. Those companies will tell you that we're not actually building them, so why are we spending all this money? It's sort of like when you need a road in a community, like going up to Fort McMurray. Why would you spend multimillions of dollars building a road where you don't need it when you need it up there? It's about priority, and that's what's happening with these transmission lines.

This was an embarrassment, and I know the engineers that were part of this. I also know that the person who led this committee was a former vice-president of the PC Party, a nice guy. When I talked to them – I testified in front of them – they refused to accept evidence. They didn't look at any evidence. Nobody was allowed to submit evidence. Nobody was allowed to examine what they were looking at. They gave four questions to all participants, and you answered four questions. For a \$16.6 billion package I would have thought you would have wanted more.

So when I asked a question of the . . . [Mr. Anglin's speaking time expired]

**The Chair:** Thank you, hon. member.  
Other speakers?

**Mr. Casey:** Mr. Chairman, I guess I just have a question here. I understood we were in committee on Bill 8. I have no idea what we just went through here for the last two hours, no idea whatsoever.

**Mr. Donovan:** I spoke on Bill 8.

**Mr. McAllister:** I spoke on Bill 8.

**Mr. Casey:** Okay. I guess a couple of you did. But let's say about the voice that's been up here for the last 10 or 12 hours speaking nonstop: I have no idea what all this is about. I think the hon. member here pointed out that he didn't feel the cabinet previously had the expertise to make these kinds of decisions. What this bill is about is to make sure the cabinet doesn't make those kinds of decisions. I don't disagree a bit.

Collectively in this room right now there's enough knowledge to be just about dangerous, but it's certainly not enough knowledge to make any kind of a decision. If we're looking at trying to make a decision around any of this, I would say that we need credible, independent information, but that's not what's on the table tonight. Bill 8 is on the table tonight. I'm not sure what we just did for the last two hours except to have somebody's opinion presented. I would really like it if we could get back to discussing what exactly it is we're in committee to do, and that's to address Bill 8 and the amendment.

Thank you.

**The Chair:** I recognize the Member for Little Bow.

**Mr. Donovan:** Thank you, Mr. Chairman. Obviously, somebody would like a new voice to talk for a little while, and I'm charged up. That's good. I got five hours of sleep. I've got lots of talking in me.

I thank the Member for Banff-Cochrane for his comments on that, but I think that kind of why we're here is for democracy and to be able to speak about different things. Now, I get that we're not always going to see the same on everything all the time, and that's the beauty of democracy. Everybody gets to have their opinion on it.

I think the Member for Rimbey-Rocky Mountain House-Sundre has a pretty vast knowledge, as most of you have heard for the last, I'd say, little while here, on the issue. I think that's the key, to be able to listen to some of the facts that maybe weren't heard before. That's why I commend Bill 8 for that. It's identified that Bill 50 probably wasn't the best piece of legislation that came through. This is why we're reviewing Bill 50 with Bill 8. I think it's the process.

7:10

Kudos to everybody that's been here for the whole night. I was lucky enough to go sneak off for a little five-hour siesta, which I think is good for everybody. I mean, everybody gets tired and a little edgy; it's understandable. But I think that's why we're here, to be able to give our opinions on the issue.

In my riding it touches very heavily on that. I think there have been members from both sides who brought up issues in the last two hours since I've been here, since 5 a.m., maybe not exactly tied to Bill 8 itself but clarifying some issues that were brought up. I mean, I was part of that myself because I brought up some issues from the hon. Member for Fort Saskatchewan-Vegreville on some stuff that I'd googled quickly to talk about power lines and such. In saying that, I think that, except for maybe a couple of other

parties in this morning, we're all at fault for that, getting off the topic a little bit.

I think the topic's pretty broad. I think Bill 8 covers a lot of things.

**Mr. Hancock:** Actually, it's quite narrow.

**Mr. Donovan:** Well, I guess I try to make it broad.

You know, when we talk about it, I think it goes back to the part about needs assessment. That's one of the things, the needs assessment, that needs to be added of the stuff that wasn't done. I guess that's what the great debate is about here and probably the amendments that will come forth on Bill 8 from our party, about how to put needs assessments back onto the lines that have already been talked about and have been started.

The question is: is there the need for it? The hon. Member for Fort Saskatchewan-Vegreville brought up a very good letter, an e-mail, which she will table, so we'll have all the exact facts to read off it. I think the nice part to that is that it does show that, yeah, there is power needed in this province. I don't think anybody on this side of the floor has ever argued that. We've identified that power is needed. The question of transmission lines, which she brought up: there are about five kilometres, I believe, in her statement on new power lines that are needed for that particular development in her riding, in her area. Or I might even be outside of her riding, but it's in that area. This is what we're here to do, to bring up facts, bring up information from our constituents about what affects them.

Now, in saying that, there was talk of a substation in her comments, which is great. That's not new generation. That's just a matter of making it available to go the five kilometres to where it's needed. I don't think anybody on this side has ever argued that, that we don't need transmission lines. It's the needs assessment. I think she adds a very valuable piece of information there. This is actually a needed product in that area. It's shown that there is a need, and there is also the comment in there on public interest. Now, I did tap on my desk a little bit on that because I think we've browbeat public interest quite a bit on a different bill, and it's good to hear people bring it up once in a while. It's not a sacred word. I mean, it's not something that we have to hide in the back corner in any way, shape, or form. Industry uses the word quite a bit.

Back to Bill 8, after my little pre-ramble on that. You know, we've got, in my riding anyway, when I bring up a lot of the issues there, the Alberta Irrigation Council, for instance, which talks of all the needs and stuff that they are doing. Their big thing is on education, governance, innovation, publications, and research. Now, research, I think, is key. I think that goes back to Bill 8 and what you need for information to do the needs assessment. Again, it ties back into the line that they want to do in my riding, in my constituency, that ties into Cardston-Taber-Warner's riding and that the hon. member would have, I'm sure, the same opinion of. Agriculture is very affected by these, and this is why we need needs assessments. That's one of the things that I think we need to identify on that.

I'm just going to stop for a second because I think everybody would like the Member for Rimbey-Rocky Mountain House-Sundre to table some stuff, and I think he'd like to go get a little bit of a rest. Then I'll be able to have a fresh water and be able to continue my conversation. Saying that, I'll sit down for a second, but I'll be right back up.

**The Chair:** The Member for Rimbey-Rocky Mountain House-Sundre.



**Mr. Anglin:** Thank you, Mr. Chair. I'm going to move an amendment.

**The Chair:** All right. Would you circulate the amendment, please, hon. member? Send three to the table. Oh, we have three.

**Mr. Anglin:** Yeah. You've got them at the table.

**The Chair:** Perfect. If you'd just circulate them. Thank you.

This amendment will be A1, hon. members.

Hon. member, you may speak to the amendment.

**Mr. Anglin:** Thank you very much, Mr. Chair. This amendment amends Bill 8 by striking out section 3, and section 41.1 is repealed and the following is substituted:

41.1(1) A transmission facility designated as critical transmission infrastructure under section 41.1 of this Act as it read immediately prior to the coming into force of the Electric Utilities Amendment Act, 2012, shall be reviewed by the Commission which shall consider whether the facility for which approval is sought is and will be required to meet the present and future public convenience and need.

(2) In determining present and future public convenience and need under subsection (1), the Commission shall consider:

- (a) the benefit that may accrue to Albertans as a result of the new critical transmission infrastructure;
- (b) whether the need of Albertans for critical transmission infrastructure can be met by the application of non-wire solutions or, in any less expensive but equally satisfactory way, such as upgrading an existing line, building electrical generators closer to the load and programs to reduce the load;
- (c) whether the cost to Albertans of the new critical transmission infrastructure outweighs the public's social economic interest and benefit; and
- (d) reasonable and economic operational alternatives to minimize system constraints, giving consideration to technical efficiencies, reliability and capital costs.

(3) The Commission may, notwithstanding the Hydro and Electric Energy Act

- (a) refer the application back to the Independent System Operator with directions or suggestions for changes or additions,
- (b) approve the application, or
- (c) decline the application.

What this is intending to do, Mr. Chairman, in response to the hon. member – my opinion is, I think, the same as everyone else's opinion. We should be building the transmission lines we need. We should not be building transmission lines we don't need. That's my opinion. When I read from official transcripts of people under oath, that is what they said under oath. That's fact.

When I read exactly what the ISO wrote in its report, that's what the ISO wrote in its report. When I read the testimony of the author of the ISO reports, that's exactly what that individual said under oath. So that's not my opinion; that's evidence.

**An Hon. Member:** No.

**Mr. Anglin:** I know you can mock it, hon. member, but this is not a mocking kind of issue anymore.

**Mr. McAllister:** Just ignore them.

**Mr. Anglin:** That's okay.

This is a serious issue when we look at the amount of money. This is not like looking at the issue of public interest in the last debate. This is about real dollars that can be better utilized and more efficiently elsewhere. I know that some of the members on

the other side have that mentality that we should be more efficient in our use of dollars because I've heard hon. members speak about that. That's a real issue that we have to deal with. I'm not here to say that this is what we should do versus this is what we should do.

7:20

What the amendment is asking is that we should take a look at this not from a political point of view; we should take a look at this from a technical point of view. We should trust the experts. This committee that looked at it, the transmission review committee: that was political, ladies and gentlemen. They didn't look at evidence. We want someone to re-evaluate the evidence and take in new evidence and do the right thing. That's really what this is about. It's a large sum of money.

Now, I just want to make a comment. How this connects all back to Bill 8, when I was speaking earlier – cabinet made the decision, and cabinet has determined that it should not make the decision. So if cabinet says that it should not be making decisions now and it should not be making these decisions in the future, how is it that the decision it made in the past is correct? That's a valid question. This is really important to the future of Alberta's economic activity, to look at this extremely large expenditure.

By the way, AESO's estimate of \$16.6 billion: their estimates on every line they've ever recommended have doubled. That should make members look at this with some caution. When you ask ATCO or AltaLink when they propose a project, "Why does it double?" what they will tell you as the TFO is that they really don't care what the AESO puts out in their plan. What they care about is that when it's delegated to them, they work up their own numbers, and almost inevitably it's double. That's why, when the heartland line was first tabled, it was estimated to be \$240 million to \$260 million. It was tabled at nearly \$500 million. I think it had more than doubled. I think it was \$560 million. I'll stand corrected on a fact check, but I think it was tabled at \$560 million. So it was more than double when it was tabled.

That should be a real eye-opener on taking a look at this massive package that has been legislated. We have problems with what's already been legislated. Those two lines going from Edmonton to Fort McMurray are in the wrong spot. If we develop the hydro, we should probably be using HVDC, not AC. It's going to require legislative change to make that change. So that's really important.

Thank you, Mr. Chairman.

**The Chair:** I recognize the hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Mr. Chairman. Of course, I'd like to speak in favour of this amendment.

**Mr. Horner:** No.

**Mr. Donovan:** I know. I didn't want to be the showstopper. It's 7:25 this morning. I'm kind of a morning person, and I, again, respect the fact of those who didn't have the chance to go have a nap. By any means, feel free to hopefully get traded off.

I think, you know, it goes back to the basics of when you present a bill, and I think we've seen it. I again commend the government for identifying that Bill 50 wasn't working. I think it was hastily put through at one point. I think Bill 8 has started to identify that, but like with any good bill you want to have some healthy debate back and forth across the floor. I think the Member for Rimbey-Rocky Mountain House-Sundre, as quite a few of you have started to learn, knows a lot about power. I guess that, like on my farm, when I need to learn how to fix something, I try to go to

an expert, somebody with lots of experience. I think we happen to be very lucky to have that in this House.

Now, in saying that, I believe the Member for Rimbey-Rocky Mountain House-Sundre has moved that we strike out section 3, substituting the following: the design of the critical transmission infrastructure under section 41.1 of the act

as it read immediately prior to the coming into force of the Electric Utilities Amendment Act, 2012 . . . [thought] to meet the present and future public convenience and need.

(2) In determining present and future public convenience and need under subsection (1), the Commission shall consider:

(a) the benefit that may accrue to Albertans as a result of the new critical transmission infrastructure.

Now, again, this amendment ties into my riding of Little Bow, where, like I say, we have a power line that's being put forward to go through. The situation right now is the needs assessment, whether we need that or not. I think that's part of this. Part of the old lines, I think, is one of the things approved before. I mean, this is a very large issue in my riding and probably one that led to my election. The original lines didn't have a needs assessment. This one that they're proposing right now still wouldn't need a needs assessment because it was proposed before this act, before Bill 8 was proposed to change that.

I guess the question from my constituents is: why can't we have these things done on the ones that are proposed currently? Is there, actually, a true need for them? You know, I guess that as landowners that's the key thing to these people. Are their rights being infringed upon? It's the needs assessment. I don't think there's anybody in my riding that isn't for moving forward in Alberta. I think everybody is looking forward to moving ahead and doing what's right. The key part is: is it needed? As I stated earlier, the needs assessment is key on these things.

When we put in this particular line from Picture Butte, for instance, it goes across some very high-end, I call it, agricultural farmland, which we've already invested a lot of money on for irrigation. We've already taken the time to do that. We've identified that it's good land, that it's arable with irrigation on it. It has a huge return on investment for all Albertans. I think that's key to this government because we put lots of money into irrigation projects. I commend our agriculture department for that. We've identified what we get returned back for stuff, and I think we've identified that our return on investment in agriculture is huge, especially in irrigation.

Next Tuesday the Alberta Irrigation Projects Association – if anybody is interested and wants to come down, we can carpool from here. I'm more than happy to work with everybody on all sides. Come down to Calgary to the Deerfoot Inn & Casino. They're having their annual conference there.

**Mr. Denis:** You just want to play blackjack.

**Mr. Donovan:** Yeah. Well, whatever it takes, I guess. I'm not sure how many lawyers in the room I want to play cards with, but I'm not here to judge that. I guess it all depends how that works.

I mean, I think it would be good for any member of this Assembly next Tuesday night to take that drive down there. There will be constituents there who will tell you – I mean, when we talk about power lines and we talk about costs and people's bills, you know, a lot of irrigation over the years has gone from natural gas or just gasoline-burning pumps to pump the water out for irrigation to electric. That's great, but we're talking with farmers that are getting bills that are \$20,000 to \$25,000 a month for electricity.

Now, don't get me wrong. There's a return on investment there. They've taken the time. They're obviously doing this because

there's a business plan to it. But when half of their bill is for transmission fees, we're talking \$12,000 to \$13,000 a month per farmer. This isn't a large area. This is one single farmer I talked to. That's a huge dollar. My question is: is there that much cost to transferring that power? That's where I have the argument, I guess, and this is what my constituents bring up to me. Somebody is gouging. I mean, there's a definite gouge there. You know, what I think people want to know is: where is that going?

I brought up the conversation about the biodigester of one constituent who's actually just a mile outside of my riding. He's actually in the Cardston-Taber-Warner riding. Very smart farmers. Very outstanding. They've led industry for a number of years – we're talking 30 to 40 years – in the potato industry, and they wanted to do a biodigester. Just to use the power, a closed circuit, in their own facility – and they have to pay back into the grid with that. It just baffles me why we're not promoting more of that, dropping the red tape. Now, I don't know all the facts of it on the government side of why that might be, but it just doesn't seem right to me, I guess. Why are we making somebody that's trying to move ahead, trying to do, I think, all the right things – they're trying to remove the carbon footprint out there. They're trying to make use of the waste, so a waste energy facility, you know, make use of it in their own facility. They've got over \$400,000 invested in this so far, and they're no closer to flipping the switch on on that than I am on my own project because I don't have one.

7:30

I mean, it's taken that long and there is that much red tape. They've invested their hard-earned dollars into this and, I think, for the right reasons. The government has shown incentive to doing these things, but the red tape is holding them up on it. I think it goes back to when we have people looking at that, they're saying: well, why do I even do it? Then it goes back to this amendment of: what's the public convenience and the need for this?

When we look at that whole section of it, a transmission facility designed for critical transmission infrastructure – I think those are key words – are these lines critical that are being proposed? I mean, I can't speak for the rest of the province, but in my own constituency are they truly critical lines for Albertans, or are they being set up to transmit power outside of it? I think that's the question. I know some think not, some do, but that's the question I have in my constituency. Are they needed for this?

Again, I commend the government for identifying that we need needs assessments from here going forward, and I guess my debate will always be: why did we go for that time in there where we didn't have a needs assessment? The question leads into: was that to just be able to railroad some power lines through quickly and not do a public interest test of a needs assessment on it? I know the public interest question always comes in of whether it's there or not, but I think if there is need for power – I don't think anybody in here wants to go without power. We've heard it from numerous members. I mean, it's a daily item at our place. You throw a generator on once in a while if it goes down, but you can't do that all the way through.

You've got to look at the investment people in my constituency and constituencies around it have made. Cardston-Taber-Warner is a very large one also of how they've put, you know, some collaborative decision-making into what they're doing on their farms and spending the money accordingly to get an investment back for Albertans. It's not just that particular farmer, for instance, who gets the money back. It all goes back into the economy. We have the people that put up pivots and irrigation, the electricians. You know, it's the economic dollars, and it goes back to spending

money provincially. If you keep the dollar close, we have something out of it. I mean, it's back into your economy. It keeps rural Alberta vibrant.

[Mr. Dorward in the chair]

The Minister of Agriculture and Rural Development I think has been very proactive in that, and I think that's how we need to keep Alberta sustainable, by keeping rural Alberta vibrant and keeping the development in rural Alberta vibrant. In saying that, I think this is a key way to do it, to figure out whether these things are needed. But it seems like we put up roadblocks once in a while as an agricultural producer of: are we gaining something by some of these power lines? I mean, what's the balancing act with them? Are we gaining something by putting them in? Are we actually being detrimental by putting in certain lines in certain areas on valuable land?

For those that have an agricultural background, that's great. For those who don't, potatoes have a huge investment to start off. I mean, these are people that are dumping \$1,000, \$1,200 an acre just on their input costs. Potatoes are very expensive to grow. They're sprayed numerous times during the year and everything else. I mean, as a farmer myself I'm pretty spoiled because I've got the odd gas well I have to drive around. Don't get me wrong. I collect an annual lease on it, and I can dodge them as need be for that value, but I don't have the irrigation to deal with on it. When you talk with people that have irrigation and they row-crop, you know, if you have a power line out there, it's a challenge for you because you're not nearly as efficient to go through and be back and forth. In this day and age it's about the bottom line and efficiency, so if you put power lines in places that I feel are probably not needed, you're definitely holding up what works for Albertans.

We've talked numerous times about roadblocks. I had the opportunity yesterday to introduce some people from the Alberta Barley Commission, some very forward-thinking people, about how to collaborate to show value-added stuff. Now, I had the opportunity to go to an ALMA meeting in Calgary the one day and talk about value-added and how to sell. I think that's where we're at in our industry. We've got to figure out how to make our product top-end to have our maximum return on it. In saying that, the Barley Commission has identified how we have to try to do that, how we've got to think forward and look outside the box. I know they've talked to the hon. minister of agriculture. I know he was very receptive to that, and I think that's what we need to do.

The one member, Mr. Logan, who's on it, whom I've known, as I said, since I started on council in 1995 with him, has always been very innovative and a forward thinker and a very strong supporter of the party across the floor, which is great. I think he's been doing it for the right reasons. He's supportive of all parties for agriculture. In saying that, one of his things is rural development. I guess I tie it all back around to the rural development side of it. If we have strong rural communities, we're going to have a stronger Alberta because then everybody isn't always focused on the larger urban areas; they've spread out.

That goes back to the infrastructure. We're spending on schools and roads and stuff. I mean, you've got to have a vibrant infrastructure program, or you're not going to have people out in those areas. It's the chicken and the egg. I understand the struggles this government has in trying to balance on how to finance all these items. But, you know, to go out and spend \$3 million or \$4 million on a school in a smaller community such as Arrowwood or Milo or you can go to the south end of my riding, where, for instance, Vauxhall just did a great job there on redoing their

school: they thought forward. They put some time and effort into it. They actually did a needs assessment of whether it was better to rebuild the school or whether it was better to take a wrecking ball in and start fresh. I think those are the things that are going to keep Alberta going. If you keep strong rural towns going, you have young families move back.

In this day and age with technology you can sit and watch your farm grow on your computer and see what's going on. You have the technology to sit and see with variable rate irrigation systems, for instance, what you can gain back on that. You can't use that kind of infrastructure on your farm if you're putting in power lines that impede the progress of that. People wonder why they are going in. Again, the government is going in the right direction and has gone in the right direction on this with Bill 8 because they said: okay; we need a needs assessment on this.

I think that's what the Member for Rimbey-Rocky Mountain House-Sundre is talking about in his amendment. The needs assessment for that and how to make sure that the wording is correct on that but also to identify for the ones that have been out there before that haven't actually started yet, as far as flipping sod and putting concrete in the ground to get the towers up: do we actually need them? My constituents are fine if there's a need for them, but if there isn't a need for them, it's a pretty hard sell as an MLA to tell them that.

I mean, it was just as hard of a sell telling them about the Little Bow continuing care centre closing, and I had numerous conversations with the Minister of Health about that. I'm a pretty level-headed person. If you can show me both sides of the coin, I'm more than happy to tell my constituents how that stuff works. It's the same with these power lines and the needs assessments of them. If I don't have both sides, I can't make a good valid decision on it of how to represent my constituents.

Unfortunately, right now all we hear on our side – and the Member for Rimbey-Rocky Mountain House-Sundre is a very strong advocate, in case anybody in here hasn't noticed that, about power and needs assessments and stuff. You've got to tip your hat to the man. I mean, he has a cause, and he believes in it. I know that some people are not always sure they want to hear about it for 10 or 15 hours straight, but that's what the man's job is. He's here to share his knowledge.

I think we've got to sit and talk about it. There have been members from that side of the floor that have sat and listened to him at a forum and have talked to another lawyer, Mr. Wilson, about it and actually listened to it. The predecessor from Cardston-Taber-Warner sat at a meeting as a past MLA and he actually said: you know, if I would have sat and listened to some of this years ago, it would have given me a better background on what was going on.

It's hard. I mean, everybody is spread thin here. I'm just a rookie. I've only been here six months, and I definitely tip my hat to everybody that's been here longer. It's a very challenging job, and I think we're all here . . .

7:40

**The Acting Chair:** On the amendment.

**Mr. Donovan:** Yeah. I'm good. I'm working on it. Thank you for that, though, greatly. Two thumbs back up at you, Chair.

I think it's a challenging job, but I think, in saying that, it ties into the needs assessment. When we strike out some stuff, section 3 of Bill 8, under the amendment that was brought forward by Rimbey-Rocky Mountain House-Sundre – and I hope that appeases the chair for a little while, adding that to it. I think if we look at all the angles, it's easy to sell this back to our constituents.

I'm not a snake oil salesman. I'm not trying to pound anything down anybody's throat they don't want. They need to sit and figure out if this is needed.

I can say that this bill concludes what we need for needs assessment, but we've missed a huge gap in here of about four or five years where we haven't been having those. I think that's where we see this large uprising of people that want to see some facts and some numbers. I mean, past members of your party, of the government, once they've seen some of these facts, can make a balanced decision. Everybody is allowed to sit and decide whether the information was valid or not valid. That's everybody's human right. That's why we're here, to be decision-makers. To sit back and just close your eyes and your ears to it – I'm not against the closing of the eyes of whoever has been here all night; again, I commend for that. Seriously, sit back and think about that.

I commend the Minister of Municipal Affairs for his commitment to be here all night and, you know, Agriculture and Rural Development and everybody else in here. I think we're here for the right reasons. I think people are here to show that they are here to listen and try to look at the information because nobody wants to go in blind. Nobody wants to go in with just one side of the information.

In my riding especially, as I say, we've got power lines that didn't have needs assessments. As an agricultural producer it's not right for those people who have invested that much time and energy into their farms, to show the info that they've put into it and the backbone and the hours and the sweat, I mean, and a lot of risk.

We talk of debt financing in here. It's always an interesting conversation. I don't think there are too many farmers out there that just write a cheque for everything they do. There's a lot of long-term borrowing to it. And at low interest rates I think that's when people invest and move forward, and it causes some interesting conversations on debt financing.

[Mr. Rogers in the chair]

As a public figure I've been on county council for 16 years, and when I was on council I always said: "Would you do that with your own money? Would you do that on your own farm?" I've had some interesting debates with people across the floor and some other people in my constituency, and they ask the question about debt financing. They say, "Well, at cheap interest rates, would you do that on your own farm?" and it puts me in a tough position because . . . [Mr. Donovan's speaking time expired] I was just going to lead into a real deep conversation there.

**The Chair:** Thank you, hon. member.

I'll recognize the Member for Chestermere-Rocky View. [interjections] The Member for Chestermere-Rocky View has the floor.

**Mr. McAllister:** Thank you, Mr. Chair. I was very curious to hear the end of that. I would very much at some point like to hear it.

Mr. Chair, it's an honour for me to rise and speak to Bill 8, the amendment that we're discussing, which is effectively repealing Bill 50. Interesting to see democracy in action, too, as we discuss it. I guess to those of you who have been here all night: I hope it's effective in the long run. I mean, I guess that's the purpose although one could question how effective it is at this hour.

Let's go back to the amendment. Mr. Anglin moved that Bill 8, the Electric Utilities Amendment Act, be amended by striking out section 3 and substituting the following:

3. Section 41.1 is repealed and the following is substituted:

41.1(1) A transmission facility designated as critical transmission infrastructure under section 41.1 of this Act as it read immediately prior to the coming into force of the Electric Utilities Amendment Act, 2012, shall be reviewed by the Commission which shall consider whether the facility for which approval is sought is and will be required to meet the present and future public convenience and need.

I think I'll probably come back to it a little bit more because I've got 20 minutes, but we'll leave it there for now.

On discussing this amendment, particularly where this bill is concerned, it strikes me that the government went around this province and spoke to Albertans and listened to landowners. I believe that the consensus generally on bills 19, 24, 36, and 50 was to repeal the bills. That is, effectively, what we're doing today. I guess Bill 8 is a repeal of Bill 50. That is a good thing. But it's like the government doesn't have a rear-view mirror. It can't see that what has already been approved is wrong, which is what this amendment, I think, tries to correct. It does need an assessment, and it does need a cost-benefit for Albertans.

Now, I know that we're all here to represent our constituents, and I know that we all want to do the best job that we can. This line is coming right through Chestermere-Rocky View. I do have a file back at the office. Maybe if these all-nighters continue, I'll have to bring it in and read a few of the e-mails and submit them. I would just say that my inbox has been filled over the last six months and even during the campaign by people questioning the lines justifiably and saying: how can we move these through my property if we haven't proven that they are needed and they're not good value for Albertans?

They do have, you know, very legitimate points when they ask those questions, and as their MLA I found it quite frustrating that I have to say to them, "Well, we do have Bill 8 coming through, which will repeal Bill 50, which means the government will never do that again." They say: "Yeah, but the lines are coming right through my property. I don't care if you never do it again. I don't want you to do it right now." I'm not able to give them the answer that they need. All I'm able to say to them is that we'll do, I guess, exactly what we're doing right now, and that is standing up and having a discussion about it in the early morning hours.

It seems easy for me and others that actually did get some rest last night. I can see how tempers get short and patience becomes thin when you have no sleep. You know, sleep deprivation is actually a form of torture in some places, so I applaud all of you that stayed up all night long. I'm sure that we'll all have our chances, including myself, to do it again the way things are going.

Sixteen billion dollars is an awful lot of money to spend. I guess it's nearly 50 per cent, as somebody has pointed out, of what our annual budget would be, our annual expenditures. I think it seems reasonable that if you're going to spend that kind of money, you would want to qualify that it makes sense to do so. That is the point that we continue to come back to. Is there a proper needs assessment done? Is there value for our money? Is there a regulatory approval process? The answers to all of these are no, which is a big problem. You'll understand why constituents in many ridings are questioning why it's going through.

The repealing of the bill is good, but if we just come back to the point of the whole thing for all the people that debate power, like the Member for Rimbey-Rocky Mountain House-Sundre, like the hon. Member for Fort Saskatchewan-Vegreville. Banff-Cochrane stood up, and I'm thrilled that members on both sides do. I guess the point I would come back to is: why repeal the bill if it made any sense? We're repealing it because it didn't. Effectively, what we're saying is: we'll never do it again, but we're going to do it

this time. That's the problem. Just take all the power debate aside. I know there's a huge debate, and since I have 20 minutes, I'll get into that at some point, too, but that's the one that people are stuck on. That's the one that Albertans don't understand. If we've said that it doesn't make sense, if we've said that it was wrong, how can we look at people and say that we're going to do it anyway? Effectively, we've said: "We'll never do it again. We recognize that we're making a big mistake. We're sorry, but please forgive us this time while we push it through."

7:50

I mean, again, it's like my colleague from Airdrie spoke to when the bill was first introduced. It's sort of like your child stealing something from a store and you saying to them: "You can't steal, son. That's illegal. It's breaking the law. That's not how we operate." And then your son says: "Yeah, but you know what? If I could just keep this, I'll never do it again." Well, it's a terrible message, and that's how Albertans are looking at it. It's not how parents operate, and it certainly shouldn't be how government operates. If government wants to put it all to rest, all that has to happen is an independent needs assessment to show two things, that we need the power that they say we need and that we're getting value for our buck. Neither one of those things has taken place, so that is a big problem.

The point about the supposedly independent committee that looked at some of the information as to whether this was needed: I believe it was the Critical Transmission Review Committee, a four-person committee. Well, one of the people on that committee is the former VP of the government party. How could you ever look at that as independent? Again, I just say with great respect that the people look at that and say: even if your intention was true, if your intention was honourable, you could never make that sale because there's bias. It's clear.

Take any example you want. If you want to investigate something and you assign one of your own to investigate it, it's clearly biased. Albertans see that and understand that. They certainly do in Chestermere-Rocky View and, I think, in many other ridings as well. Maybe it is good that these things are discussed for as long as they are because I think it forces people to look at an amendment like the member is trying to pass. Is it going to pass? Probably not.

**Mr. Horner:** Call the vote.

**Mr. McAllister:** You'd like that. I know you would, hon. Minister of Finance. Well, we will at some point, I think.

But people want to pay attention when these things go on all night. I have a sneaky idea as to how the media operates. They'll be watching, saying: what are our tax dollars giving us? Then they'll look at some of these issues a little closer because someone in the newsroom will say: what was that amendment from the hon. member? Well, they won't call him an hon. member. They'll say: what was the amendment from the guy from Rimbey-Rocky Mountain House-Sundre? Then they'll read. They'll read, for instance, this section:

(2) In determining present and future public convenience and need under subsection (1), the Commission shall consider:

(a) the benefit that may accrue to Albertans as a result of the new critical transmission infrastructure.

Then some reporter will cross his eyes and say: "Oh, my gosh, I've got to look into this today, and this is very complicated. How am I going to do it?" Then they'll start to make a few phone calls. One side will say, "Well, we need power; the lights are going to go out," and the other side will say: "Well, I don't think we do need power. The lights aren't going to go out." Then they're

forced to find out from an independent expert whether or not it's true.

**Mr. Donovan:** Or an accountant.

**Mr. McAllister:** Or an accountant. A shot across the bow there, I think. I do appreciate that whatever that member does, he seems to do it with a smile, so don't mock too heavily. We do enjoy that, at least. I would also mention that I think he's the best greeter during introductions of anybody in this House. Without question that is sensational.

Another point to this amendment: whether the need of Albertans for critical transmission infrastructure can be met by the application of nonwire solutions or in any less expensive but equally satisfactory way such as upgrading an existing line, building electrical generators closer to the load, and programs to reduce the load. Well, I don't claim to be a power expert. I don't think most of us do, Mr. Chair. But I do think it's a fair question to ask: what would be the most efficient way to build power should we need it?

What I've heard from people is that there are a lot better ways that we might do it, that we might look at alternate ways besides what's being proposed, these billions of dollars in projects. But that's part of the independent needs assessment that we did not do, and that is clearly wrong. The amendment calls for this bill to make sure that we are doing a proper needs assessment, to make sure before we build. [interjection] It's okay. I understand.

I also understand where this amendment calls for accountability. We pay for the lines, the companies own them, and they are guaranteed a 9 per cent rate of return. This is an interesting one. I wonder how it would be explained to your constituents, those that are invested in the issue. If you said to a farmer, for instance: "Tell you what. Why don't you go build some fences? We're going to pay for all of the posts, the wire, the wire stretcher, staples, nails, whatever it is you use. We're going to pay for all of that for you, top-of-the-line equipment, too. The very, very best, sir, whatever you need. We'll pay you for them. The more you build, the more we'll pay you. And we'll guarantee you a giant rate of return, that you can't get anywhere in today's economic world, of 9 per cent or better." Now, I often knock the farmer from Little Bow in good fun, but I think it's safe to say that if somebody said that to him, he'd be out with a fencing maul pounding in posts the next day just about everywhere he could.

You know, that's what we've done, effectively, and it's not right. We're going to pay for that eventually. We are going to pay for it because the company is going to need to recoup all of that money since they're making the money from it. It comes back to the people that put us in these chairs, and those are the ratepayers, whom we should be here representing.

If big business is paying, as the Member for Little Bow said, \$10,000 or \$12,000 a month . . .

**Mr. Donovan:** Just in transmission.

**Mr. McAllister:** . . . just in transmission costs, imagine if that doubles. This is important regardless, you know, of your take on the issue and where you're going to vote and everything else. Just give me these two minutes. If your bill doubles at home on the transmission cost, that's not a very big deal perhaps to some of us. I'll argue that it is for some in a second. You can live with that potentially. But if you're paying \$12,000, \$13,000, \$14,000 a month on this kind of cost and it doubles, what you're saying to business is: go and operate elsewhere. I think that's what a lot of the big businesses are saying: you're potentially driving us out of the market.

This amendment is trying to prevent that, Mr. Chair. If their power bills are doubling just on transmission costs and they're running an efficient business and they're trying to make a company work, clearly, any business with effective managers and anybody that's interested in the bottom line is going to look to alternatives. And those alternatives may be out of the province.

You look at what's going on in Saskatchewan. They're doing a lot of things right there now. I mean, they've got the Riders: that's not right.

**Mr. Denis:** Go Stamps.

**Mr. McAllister:** The hon. Justice minister and I agree wholeheartedly on that point. Go, Stamps, go on the weekend.

I'll get back to the amendment, Mr. Chair. I'll get back. I promise. Like most of you, I'm just thrilled for Kevin Glenn. He deserves a shot for sure.

Saskatchewan is doing a lot of things right, Mr. Chair. Mr. Chair? I thought maybe you were doing your Clint Eastwood impression there for a second. They're attracting business.

8:00

Darn it, we're all proud of this province we live in. It's the greatest province in this country. I've been blessed to live in six of them and to move around the country. You know all the wonderful things we could say about Canada, and I know we all would, but we want people here. The Alberta advantage exists because we do things right, and I'm fearful that what we're saying to big business is: move a little bit east to operate, and you can save some money. I hear that from people all the time in industry and in big business.

On the point of your personal bill going up, I made this point, I think, yesterday or the day before or the day before that or whenever it was that we talked about this last. You know, if you're living on the edge financially and you're not making \$156,000, which was \$145,000, if you're not making that and your family is struggling and you don't have, you know, the luxury of an 8 per cent hike in your pay, it's tough to make ends meet. So what the amendment is calling for is accountability so that seniors that are struggling to pay their bills don't wind up in a situation where they can't pay them, and those that are on the edge of their financial survival are still enjoying the Alberta advantage.

We're concerned, which is why we've put this amendment forward. We're concerned that we're going to get to a point where our bills go up substantially. If we do get to that point, we're going to have a big problem in Alberta, and so are you, and I know that you as a government do not want that. I know you don't like it when the public is mad at you, and they will be mad at you when this happens, and justifiably so. Then we will say, you know: we were concerned about it and warned you about it. You've been here all night. It must be tough to take. I look at the minister saying: really? We want Albertans to be able to make ends meet, and our concern is that this will not.

When the Member for Rimbey-Rocky Mountain House-Sundre puts this amendment forward, he's got so many points, and it's so technical to most of us that sometimes the message gets lost in all that he's delivering. But to those that really understand, it doesn't. You know, they understand what it is that he's saying.

I go back to some of the things that came out, you know, in the election campaign when Bill 50 was being discussed in town halls, in community centres, in gymnasiums. I go back to those discussions, Mr. Chair. One of the things that was raised . . . [Mr. McAllister's speaking time expired]

**The Chair:** Thank you, hon. member.

I'll recognize the Member for Medicine Hat.

**Mr. Pedersen:** Thank you very much, Mr. Chair. I rise as well to speak in support of this amendment, but I'd also like to thank everybody for working hard through the night. I think it's a testimony to why we all put our names forward on April 23, and that's very important. I also want to thank all of the Legislature staff for supporting this process as well, and I want to say thanks for the teamwork that's going on. You see the rotation of those that sat through the night being replaced by those who are coming in this morning. I think that speaks loudly that this is a team effort, and it's a good effort. So welcome.

On this amendment I might bring a different aspect because Medicine Hat is in a bit of a different situation within the province. We do have our own utility. We have our own natural gas fields. We produce our own power. We transmit our own power within the city. You know, we generate revenue from that, and it's a bit different, so I'm going to try and tie that back into the amendment here.

I think it's important that you read through this:

A transmission facility designated as critical transmission infrastructure under section 41.1 of this Act as it read immediately prior to the coming into force of the Electric Utilities Amendment Act, 2012, shall be reviewed by the Commission . . .

I think that's very, very important.

. . . which shall consider whether the facility for which approval is sought is and will be required to meet the present and future public convenience and need.

So there's quite a bit in there if you break that down. I like the fact that it's now going to be reviewed by a commission, which is very important. I would assume the commission is going to be staffed by experts. I think that's key there. The experts should be looking at information that is relevant and that is current, not something that's based on reports that were done in 2003, which were great at the time, or reports that were updated in 2007 or 2009. It's all great groundwork, but I think the fact of the matter is that times are changing so fast here.

Electricity is also one of those issues that changes very, very quickly. Technology is part of electricity. Innovation is part of electricity. That's what makes all the information in the past relevant to the past and a good groundwork, but it also should be used to create a new baseline for where we're at today and where the experts see us going, you know, in the near-term future and down the road. That is very, very important, that we have those experts involved to gather that information, to go out and seek and consult stakeholders and come up with a new presentation that can be presented and debated. Hopefully, cost-effective decisions can be made upon those discussions.

Determining the present and future public convenience and need, again, is key. What I'll tie it back to is that because Medicine Hat is a power producer for its local residents, we are unique. We do control the transmission to our residents as well as industry. In doing so, we help to keep these transmission costs very, very low. When you look at pricing models throughout the province on electricity itself, the city will actually find an average. They'll go out and check all the different numbers that are being thrown around by electricity producers, and they'll actually pick an average. That's what they sell to their consumer, their residential consumer. Their industrial consumers will have a price. Where they get the lowest cost benefit . . . [interjections]

**The Chair:** Hon. members, if you could just keep the side conversations down, please, while the Member for Medicine Hat has the floor, we'd appreciate it. Thank you very much.

**Mr. Pedersen:** So what they do is take an average of the

provincial electricity costs within Alberta, and that's what they charge the residential customers of the city. The industrial customers also get charged a different rate, where they control the overall cost. What gives Medicine Hat an advantage in power and electricity overall is that we have control of our transmission costs. When you put all those numbers together at the end of the day, the overall bill to a residential customer or to a commercial customer is one of the lowest in the province. I think that's key. That is the way they're able to control the transmission costs. One of the things that we're talking about here is that transmission costs are going to go up. By how much? There are different numbers being thrown around, you know, but that's a given. That's one of the things we know is going to go up.

**8:10**

The fact that Medicine Hat does this whole process differently gives us a bit of an advantage. Medicine Hat is in a position where we're in the southeast corner of the province, and we are dependent upon transmission lines as well because we want to be able to be connected to the system in case we have a catastrophic failure so that we maybe have to import electricity. We're also connected to the grid so that we can actually export power in times of need. So the city is able to actually make a nice profit any time they sell outside of the city. We sell much more than we actually import because our capacity built into our cogen system exceeds the amount of electricity that we need. They always have backup systems in place that they can turn on in times of high power demand peak, which gives us very, very good service, and it prevents anybody from having the lights go out, which is what some people propose might happen, which is what we don't want to have happen.

In saying that, because the city of Medicine Hat has natural gas fields, they also control their feedstock, which is beneficial to the residents of Medicine Hat, but they're also looking at alternatives in providing electricity. I think that's tying back into this determining "the present and future public convenience and need." We do that on a local level as well.

There is a current wind power program that's being discussed. They're looking at putting up three turbines within the Box Springs Business Park area. That's to help bring in some green energy and to offset some of the carbon emissions that the city is trying to take advantage of. It's an environmental solution. It's pointing towards current needs as well as future needs. They've done some negotiations with their partner to guarantee some long-term pricing rates. At the end of the day they've done this so that it is a cost-effective solution. They don't just want to go ahead for the sake of environmental reasons at the sake of the consumer. It has to have this balancing effect of money in, cost-effectiveness coming back, and creating efficiencies using the carbon offset credits that they would actually get for that as well. So they're looking ahead.

As mentioned, a lot of these projects don't happen overnight. It takes time. You know, you have to go through approvals, apply, make sure that you meet all the regulations, terms, and conditions. They spend a lot of time doing that. The end game is to secure energy from an alternative source that's environmentally friendly.

Wind power on its own also has some issues. I mean, you talk to environmental individuals, and there are different studies done around the low-frequency hum that comes from wind turbines. There are many studies happening in Europe that are actually pushing back on a lot of the countries in Europe that have relied heavily on wind energy for many, many years. They're finding out that there is some negative impact in going to wind energy even though it was implied that it is an environmental option to provide power and electricity.

Another thing about wind energy that we have to be conscientious of is the impact on birds and certain wildlife. I think that anyone who has studied it or who has looked at it or who has been impacted by maybe having a wind turbine placed on their property or near their property knows that they are a massive structure. They would certainly make a mess of any bird that would run into any of the blades. It's been a huge impact on a lot of the flying species, whether it's birds, bats. It's a study that's ongoing, and I think that's going to lead more into, you know, what the actual benefit is on the environmental side and the ecological side.

Wind power is one of the options. One of the things I look back on is that coming from Saskatchewan, near the Gull Lake area there's a huge wind farm there. It's one of the most efficient wind farms in Canada. I believe it's running at about the low to high 40 per cent efficiency, which for a wind farm is very, very high. It's very effective. But it also tells you that if it's only running at about 40 to 45 per cent efficiency. It's offline anywhere from 60 to 55 per cent of the time, so you don't always have constant energy flow from wind turbines. On the negative side I think that's one of the issues that you have to look at. You always have to have more of the conventional power generation sources available to you.

Wind farms do supply a nice amount of power, but it's not constant. It also has issues with fluctuations in the amount of electricity it produces at one time, so you have issues with your transformers and your substations, that always like to run more on a constant flow of electricity. With that being, you know, one of the great things about Gull Lake, it was identified that it was a great area to set up a wind farm. That was a needs assessment and location identification because you need the wind. Coming from Gull Lake, I know that it always seems like there's an incredible amount of wind. Now that I live in Medicine Hat, we seem to get all the wind that the Lethbridge folks don't want to use down on their wind farms.

It's a nice, constant flow of energy, but it is not consistent, so when you look at wind farms, you have to look at where you would put these wind farms and what would make them relevant to the area. You need the constant flow of the wind, which is your source for turning the turbine. That's very important. You also need your infrastructure because you're going to need power lines to carry that electricity. The problem with wind is that it doesn't just happen everywhere or anywhere. You have to pick the places where wind is prevalent and wind is constant and wind is steady. You don't have the choice of putting a wind farm close to where the power is required. I guess that impacts a lot of the larger cities and the industrial areas because those are the areas that require the power, but if you don't have wind, you can't put up a wind turbine farm.

Once you establish where you want to put these and it's determined that the needs assessment has been met, now you have to actually put in your infrastructure, which is your power lines. That's very important. You're connecting the power generation to where you want to get this power. That's the tie-in there. Again, the problem is that you have to take those lines and route them through somebody's property. You have to route them down some right of way. You have to impede somebody just for the sake of having a distant power generation source just so that the people who need the power can actually access that power.

The city of Medicine Hat has the Box Springs wind farm, which is approved and moving ahead. There are three turbines that they're going to be working with. I believe there are two projects either in the works or partially approved. I'm not sure if I got the names right, but I was looking on the Internet, and there's Wild

Rose 1 and Wild Rose 2. But there are also the ones closer to the Cypress Hills. I might not have the names exactly correct. I know that there's more and more development going on with wind power generation.

So that is one of those sources that the fine Member for Rimbey-Rocky Mountain House-Sundre identified. In some of the earlier studies wind power was not as heavily considered as it is now. As we move forward, I think you're going to see wind have a larger play on the power generation side, not only on the needs side but on the environmental side.

**8:20**

The other interesting thing about the city of Medicine Hat is that we are one of the sunniest cities in Canada, so that also gives us the opportunity to look at creating energy through solar. So, again, when you're talking about determining present and future needs, I think we've identified the fact that our needs can be met, possibly, by some type of solar energy power generation. From what I understand, we're embarking on a program that is cutting edge. It's the first time it's happened this far north because the issue with solar energy is that, again, you need to have a constant amount of the power source, which is, obviously, the sun, but it's how direct the light is, as well.

So the further north you go, you lose some of that impact of having some of these direct light waves hit you. When you get farther into the south like in the U.S. and Mexico, where they have huge solar arrays set up in the desert, they're closer to the equator, of course, so the rays of the sun are much more direct, more intense, so their efficiency is much higher. That's been one of the problems in trying to develop solar power to augment or replace traditional forms of generating power. With the unique situation that Medicine Hat is in, we have that ability, being one of the sunniest cities in Canada. We are embarking upon that, and it'll be interesting to see how this plays out because by generating electricity from solar, this could have huge potential right across the southern part of Canada. We're a testing ground.

That gets back to the idea of why it's so important to get back to what is relevant today. What is the information today? What are technology and ingenuity saying today? What is relevant today? They're telling us that what was current in 2003 and 2007 and 2009 would not allow us to do this project in 2012. But because technology has moved, it's created a whole new baseline where we can actually put a project forward that was before deemed inefficient or, you know, you just couldn't do it.

So now we have wind power. We have solar power. And within Medicine Hat it's very convenient because we have our internal distribution transmission system. We're able to generate this electricity close to us and distribute it to the people, either residential or to the industry that is looking for secure forms of energy, which is primarily electricity, to run their businesses.

**The Chair:** Thank you, hon. member.

Any others? I'll recognize the Member for Calgary-Buffalo on amendment A1.

**Mr. Hehr:** Thank you very much, Mr. Chair. It's really a privilege to be in here this morning speaking about Bill 8, the Electric Utilities Amendment Act, and the various ramifications and viewpoints that are out there on the future of our Alberta electricity system. There is no doubt that the way we get power, the way we move power around this province, the way that we harness various forms of energy in the coming decades if not the next hundred years is an extreme challenge that has to be met by the government of the day. This act is a very important act that

sets the stage for the way that we will be doing things going forward.

I think I would be remiss if we didn't backtrack a little bit and talk about a few of the things that got us to the need for the Electric Utilities Amendment Act, 2012. It was a series of bills that were brought in – I believe they were bills 19, 36, and 50 – with a view to doing things in a non public disclosure manner, didn't lead to openness and transparency, and really tried to do things in an un-Albertan fashion. As a result, we saw a lot of blowback, a lot of people who were concerned about what their voice was as Alberta citizens in having their say on what an electricity system will look like. No doubt that was an impetus for much of the concern here in this Legislature this morning and last night, and that continues on. I think much of what we're speaking about today is a reaction to that series of bills.

Back to the fact that this is no doubt going to be one of the critical issues facing Alberta over the course of the next 50 years, we look no further than many of the challenges that are out there. We have an increasing population here in Alberta. We are going to add some 1.5 million people to our population over the course of the next 20 to 25 years. Of course, our system for our electricity needs has largely been based on coal-fired power plants, which, obviously, have a large environmental footprint associated with them. They will be decommissioned over the course of the next 50 years.

Of course, we need to find various ways to have our citizens connected to a grid, connected to energy to allow them to not only carry out their daily occupational endeavours but, frankly, to live in a modern world. We are going to have to look at things like hydro, we're going to have to look at things like solar, and we're going to have to look at things like wind development and ensure that our electrical grid is able to handle all of those forms in a flexible and diverse manner that to date has not needed to be looked at here in Alberta largely because of our ability to provide electricity through coal and other means that have traditionally served this province very well; hence, the need for a very robust transmission system, a very far-reaching transmission system that will allow Albertans of not only today but tomorrow to successfully take part in accessing electricity and, hopefully, at a reasonable, fair price that recognizes some sort of cost structure of what the electricity is actually produced at. That is no easy task, Mr. Chair.

In my view some of the amendments that are before us are trying to lend some clarity and some precision to what the people serving in this capacity will look at to determine what is critical transmission infrastructure. Even the term "critical transmission infrastructure" is one worth thinking about. You know, critical transmission infrastructure defines that we absolutely need it. We need it today, we need it tomorrow, and the like. I'm of the view that much infrastructure, whether it's critical or not, may be in the best interests to actually do. Sometimes doing things in a proactive fashion is actually a good thing, and actually moving to a system that is allowed to look at future need is, in my view, a good change to the legislation from where it was in 2000 and 2001, before we went into the series of bills 19, 36, and 50, which weren't able at that time to contemplate future need.

**8:30**

Just going back, I don't think there would have been a need for bills 19, 36, and 50 if that future-need component had been in the legislation prior to that series of bills. Really, if this government would have been looking down the path as to what was best able to achieve the hopes, dreams, and future of this province, it simply would have recognized that in early 2000 and said, "What is the



best way to put together an electricity system?" and would have said, "Well, my goodness, it's by looking at future need" and incorporated that into the various statutes and legislation instead of ramming through a series of bills that tried to hide what, in fact, the government and other agencies were trying to do with our transmission system.

This amendment is trying to clarify some of those things. I look at it. It looks at:

- (a) the benefit that may accrue to Albertans as a result of the new critical transmission infrastructure;
- (b) whether the need of Albertans for critical transmission infrastructure can be met by the application of non-wire solutions or, in any less expensive but equally satisfactory way, such as upgrading an existing line, building electrical generators closer to the load and programs to reduce the load.

That is a noble idea, actually. If you look at the current mix of what is contributing to our energy grid, we do have a large resource of natural gas that can be converted to supply electricity to homes. Right now natural gas is at \$2 and some-odd cents mcf, which is a historically low price. Who knows how long it's going to be there, Mr. Chair, and I grant that. We have to have a grid that is able to adapt to price changes in both commodities as well as structure and the like, to adapt to the various price points along the way. That's one of those things that I think this amendment is trying to accomplish, ensuring that the people who are interpreting this act are looking at all forms of what can go in to create energy at a reasonable cost and in an environmentally friendly way.

We look at 41.1(2):

- (c) whether the cost to Albertans of the new critical transmission infrastructure outweighs the public's social economic interest and benefit.

That's always one of those things we have to balance, our social and economic interests, whether or not those two things are in balance. A term that you could have used there was whether it's in the public's interest to go forward on this one project or not. We have to weigh these things not only for this generation but to look forward to the next and see whether those things balance out.

We're looking at:

- (d) reasonable and economic operational alternatives to minimize system constraints, giving consideration to technical efficiencies, reliability and capital costs.

Now, one would assume that an organization looking at this would already do that. That would be part of their mandate and part of their abilities as a body. Nevertheless, incorporating it into an act doesn't really cause me much concern in that having this clarified in legislation leads to more certainty. It allows for people to understand what is happening. Oftentimes the average Albertan or a person seeking information will go online. They'll seek out the Electric Utilities Amendment Act. They will go to it, access it online. You can go get it, and you can look at it, but then you have to do the tricky thing, if you really want to get into the detail, of going to the regulations. Oftentimes rules and the way the system works are buried in regulations.

I'm of the view – and I think many people are coming to that conclusion – that acts must be written with more certainty to allow people to know their legal obligations or social obligations or economic obligations and what is truly in the public interest. That should be laid out clearly in an act and not be left to as much interpretation as I see in some of the legislation that is currently being written in this province. We should try, when the opportunity presents itself, to make our acts as clear as possible.

I think that would help not only citizens but Legislatures alike. Oftentimes in going to the act, you think you get a pretty good idea of what's going on, but the devil is in the detail, Mr. Chair.

Oftentimes our regulations can be much more stringent, much more strident, much more clear as to what the actual day-to-day workings of an act are than the actual act. That causes many people concern.

Sometimes our acts read like insurance policies. The overarching act lays out the principles like many insurance documents. You're covered for fire. You're covered for hail. You're covered for water damage. You're covered for all sorts of things. Then on the final page of the insurance document you go into a section on disclaimers or things that will make your policy null and void. In that section – and it's often in smaller print – they go through a long litany of things that will make your insurance invalid. Oftentimes these are onerous. These are often minor things that the person buying the insurance is either not aware of, not made aware of, or that are not highlighted to them at the time of purchasing.

For instance, I just recently went through my insurance policy, and it says that if I leave my condominium for more than I think it's three days in a row, my insurance is null and void. [interjection] I don't know. Give me some leeway here. The hon. House leader has pointed out that I may not be exactly correct on that thing, and I may not.

**Mr. Griffiths:** Don't let the facts get in the way of a good argument.

**Mr. Hehr:** You are right. You shouldn't let the facts get in the way of a good argument, and please let me continue with that.

Nevertheless, some insurance policies – and mine is one like that – have some differences as to when I'm protected under my homeowners' insurance policy that either I wasn't aware of, didn't check into, or where I was under the guise that I was protected. Although my facts may not be right on point, the general message is. I'll stick by that story, at least for the time being, and I'll stay by the point that our acts should be written with as much clarity and as much direction to the general public as we can.

I think this amendment goes some measure to try to clarify that not only for the people who are going to be interpreting this act, working on our day-to-day electricity needs, but allowing for those who are looking for how this act will affect them – how it will affect them as consumers, as ratepayers, as environmental stewards, and the like – going forward.

Those are my comments, Mr. Chair, and I look forward to other members discussing this amendment as well.

8:40

**The Chair:** Thank you, hon. member.

The Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Mr. Chair. After a wonderful night's rest, a shower, and a shave I'm returning to the battlefield, reporting for duty.

**Mr. Donovan:** Combed his hair.

**Mr. Bikman:** Combed my hair. I'm ready to re-engage the enemy.

I noticed a lot of cheering as members opposite, fresh faces, showed up for duty this morning. Some of it's because we were just so happy to see you, I'm sure, but I suspect that those who are now allowed to leave are being awarded their Purple Hearts for being wounded in action here last night. [interjections] Not really? Oh, okay.

I want to thank you for the opportunity to speak in support of this amendment, and I want to thank the party in office for giving

us this opportunity, this forum, if you will, to allow us to continue to speak both here in this House and, of course, to the larger population, that's engaged in reading the reports about the events transpiring here and the tactics and methods being used to extend debate and to try to wear down the loyal opposition in an attempt to pass legislation that isn't complete. It's good as far as it goes, I submit and I'm prepared to admit, but it's inadequate. The duty of your loyal opposition, of course, is to spot those little weaknesses and humbly provide some solutions to them.

When we have someone as knowledgeable and capable and as well read, a true student of the issue that Bill 8 addresses and purports to fix, then I think it's incumbent upon all of us to pay attention to him. I'm sure that all of you have enjoyed your evening and the opportunities you've had several times over the past 12 hours perhaps of listening to my neighbour address the issues in his humble attempt to enlighten all of us. I certainly learn from him every time I hear him speak. I appreciate his commitment to this cause and his commitment to the genuine needs, when it comes to electrical transmission, of all Albertans.

Nobody wants to see their power rates rise. Maybe the allegation that rates may go up 200 or 300 per cent might be like scare tactics that we use as parents sometimes on our children: brush your teeth, or they're going to fall out. Well, they don't fall out fast enough, and that really doesn't motivate them, so we try to motivate through love and through persuasion and explaining that you'll have fresher breath, which means the members of the opposite gender will find you more attractive perhaps or that your friends won't shy away from you. Nevertheless, the truth is that once in a while teeth do fall out, and once in a while power rates do increase. Your bill, the transmission part of that bill, will go up. We know it's going to happen. It's bound to happen.

The system that's produced the situation that we're in has prompted the government, the party in office. Thank you for bringing Bill 8 forward, because it was necessary. It's kind of like shutting the gate on the corral after the horse has bolted. It's like shutting the gate on profligacy and irrelevance after these events have transpired, but thank you nonetheless. The gesture is, I think, more than a gesture and could of course be made far more effective if it included the ability to rectify some of the wrongs that have been approved and planned but not yet implemented, which we hope will happen.

Our amendment reads that section 44.1 is repealed and the following is substituted:

41.1(1) A transmission facility designated as critical transmission infrastructure under section 41.1 of this Act as it read immediately prior to the coming into force of the Electric Utilities Amendment Act, 2012, shall be reviewed by the Commission which shall consider whether the facility for which approval is sought is and will be required to meet the present and future public convenience and need.

Much has been made, by many eloquent speakers over the weeks that we've been examining this bill and looking at it, of the fact that it's just prudent to plan ahead. We all ought to plan ahead. We all ought to be prepared for the future, although I submit, as has been mentioned before, that you can plan too far ahead and you can build in anticipation of those plans too far ahead. That's certainly what we're seeing here.

There is a whole host of people that agree, including those who have built significant businesses, commercial and industrial, in our fine province and who in an attempt to mitigate the impact of the presumptuousness of cabinet in ramming through the transmission lines approved by Bill 50 are doing, as prudent businessmen would do, what they can to relieve the impact and avoid the more significant and onerous parts of the impact that will come to the

rest of us. They're finding ways to cogenerate and perhaps even pump back into the system power that will even further reduce their costs. But not all will be able to. We know that significant businesses that might be planning to come to Alberta will shy away from our province because we do have among the highest electrical bills in the country. This is a discouragement and a disincentive.

We're not doing our duty if we don't go back and try and rectify some of those errors of the past. It takes a great person, it takes a humble person to be able to admit: hey, with the best of intentions we nevertheless have made some mistakes. From whatever source the correction comes, wherever the feedback comes from, that allows us to course-correct on our path toward the nirvana of an industry-friendly, business-friendly environment in Alberta, a place that's not just a great place to live but a great place to raise children, a place where we can afford to live, where we're controlling our costs.

I think part of our responsibility as government goes beyond spending. I think it includes controlling our spending. We've submitted in this House and have suggested, quite frankly, that we don't need to go into debt as a province to continue to build infrastructure; we just need to control costs and sniff out waste and attack overheads and reduce those overheads. Billions and billions of dollars could be saved.

In preparation for a responsibility that I was recently given, I've been looking at some of the ways that postsecondary education can be provided more efficiently. I've been amazed at what's happening in other parts of the world and how low the cost of providing that education, a high-quality education, could be. That research has reminded me of the importance of accepting good wherever you can find it and saying thank you and implementing it wherever possible.

When I was growing up in this province, the city of Lethbridge, where I was born and raised, had its own power-generating station and owned its own power lines as many communities did. It gave them security of supply. It allowed them to control the costs of providing that energy. It provided jobs within our community. In my own company I can remember working with my dad when he would go to that plant to help with our heavy moving equipment, to take out generators and replace them with new or remove them to be repaired or do other things like that. I think the citizens were proud that they had that capacity. Well, in the interest of perhaps some short-term gain, selling that power plant seemed to appeal to the city council of the day, so they divested themselves of that with the promise that rates would stay the same or be even cheaper for a period of time. Well, of course, that doesn't last forever, and the reality hits.

When the provincial government steps in to try and make something better, it rarely happens. The three great lies that seem to be commonplace are "Hi. I'm from the government, and I'm here to help you," "Your cheque is in the mail," and "Of course, they'll still respect you in the morning."

**8:50**

We've been misled. We've been lied to. I think people are getting to the point where they're getting pretty darn mad. Part of that anger and frustration at not having a voice in decisions that are affecting them resulted in 55 per cent of the voting population in our province choosing a party other than the party that governs. Those people are entitled to representation, and I think it's incumbent upon the party in office to listen to all voices in the province. I don't think that an inadequate diagnosis allows you to prescribe and have that prescription be accepted with confidence.

It's like going to an optometrist because your vision is kind of blurry, and the optometrist takes a quick look at you. Gee, he's been an optometrist for over 40 years, and he says: "Gary, I know what you need. Here; these glasses have worked really well for me. Try them on. I think you'll like them." So I put on his glasses, and I can't see a thing. I say: "These are terrible. They don't work for me." He says: "Well, you've got a bad attitude. They work for me. You need to try harder."

Well, that's what the people of Alberta are saying to you, optometrists who've been in power for 40 years and have been practising your craft for 40 years. You think your view is right. You think your perspective is the only perspective worth considering. You make a show of travelling the province to see what landowners think about the landowner bills, but it's an exercise in public relations. I have to tell you that it was very well done. It was professionally presented. You made a show of listening. You didn't come to justify the mistakes you'd made. You said: we're here to listen. And everybody went away feeling that, oh, maybe at last we're going to redress some of the wrongs. Bills 19, 24, 36, and 50, the more onerous parts, will be modified. They'll be changed. They'll be tweaked.

You listened, but you didn't hear. You came back to the people of Alberta, this disenfranchised 55 per cent, and you said: "We were listening. We heard that you want a property rights ombudsman." You will be able to come to him and say: "My property is being confiscated. They're stepping onto my property without access to due process of law. They're taking advantage of my property. They're trampling on my rights." And this wonderful property rights advocate, another layer of bureaucracy, will say: "Oh, yeah. They are. I see that. Well, according to bills 19, 24, 36 and 50 they have the right to do that." And then his empathic reply: "I can see that you're hurting. Come and let me give you a hug." I attended some of those meetings. I didn't have somebody offer to give me a hug. I heard them say: scrap these bills and start fresh.

Some of the intent is good. We'll grant you that. There are some things that need to be polished and cleaned up, but for heaven's sake don't do this. You're trampling on historic rights. Hundreds of years of precedent in English civil law say that this is a disregard for my rights.

The amendment that's been proposed by my hon. friend is one that helps you do that. You have a great opportunity. You have an opportunity to rise from being politicians to being statesmen, to being people who have considered all sides of the argument and have acknowledged that there is a point: "Yeah, these glasses don't fit you. Your situation is different. Being mostly city dwellers we kind of missed that. Thanks for bringing it to our attention." That's, of course, what needs to happen.

Now, personally I've got my own little generator. It's an industrial-quality generator that sits behind my house in the event that the power does fail, not because we don't have enough transmission lines – let's get that straight – but because sometimes the wind blows lines down and sometimes heavy snowfall or lightning or other problems knock out a transformer so that we're without power for a while. A couple of winters ago in Stirling we were without power for three days. I sure didn't think we needed \$16 billion of transmission lines to correct my power outage. The guys from the power company worked hard to get the lines fixed and get them restored. In the meantime I didn't have to watch television by candlelight. I could turn on my generator and have all the comforts of home.

If the prices rise as predicted, it may be cheaper for me to generate my own power because at the price of natural gas I could be able to do it and transmit it from my back shed to my house a

hundred feet away a heck of a lot cheaper than it's going to cost me to pay the transmission portion of my own power bill. I suspect that others may discover this is possible, too. I think it will be industrial users, communities, cities who may decide that in order to keep their city competitive, they need to build a transmission line. Will they have to borrow to do it? Of course, they will. But they'll justify it by the return on investment that they'll get, a demonstrable reduction in their power bills.

I think that sometimes we allow certain voices within our society to gain more weight or more volume. We give them a loudspeaker. We give them a forum for their pet projects and their special-interest needs. I think sometimes in a genuine and legitimate desire to protect our environment, we allow those people who are environmental extremists to have more sway on us and to take more opinion because they get good press. But when we analyze some of their arguments, sometimes they don't hold water. Sometimes they aren't in the best interests of the public. They're not in the public interest.

Nevertheless, they've been granted a forum because people become afraid to criticize. It isn't PC – it isn't politically correct, or it isn't Progressive Conservative – to stifle these voices or to be seen to be stifling these voices when, in fact, it's a part of what you ought to be doing and is part of your responsibility when you have the privilege of governing. It's a privilege, incidentally, that is not granted by divine right but by the consent of the governed, in this case, again, less than 50 per cent of the governed, which gives you an opportunity to step forward and say: "We are the government for all the people. We do want to hear from those you've elected who have a different perspective because of what you've asked them to bring forward."

This environmental voice, which is an essential voice, nevertheless can be extreme. Extremism in the defence of any position is rarely justified. You may need to speak a little louder to get someone's attention, but when you've got it, you need to respect their right to weigh in on the topics and not be so dogmatically confident that only your opinion is right. I think that's a disease. I think some in this House have caught that disease whereas we humbly stand up to represent the wishes and the needs and the interests of the families, the interests of businesses, the agribusinesses, for example, and the interests of all industrial and commercial consumers. We stand up and speak on their behalf because we think that the true small "c" conservative voice needs to speak out on behalf of all who feel that way. That's what we're attempting to do.

We appreciate this forum. Again, you're providing us with this wonderful opportunity to speak. What the people are hearing, whether you're hearing it or not, the people who are at the grassroots level, the people that are impacted by the consequences of your decisions that disregard their concerns, is that somebody is a voice for them. The little man has a little woman. The little guys and gals in our society have a voice. There is somebody speaking out on their behalf. And we're honoured to have been elected to do that. We appreciate you using this tactic of having us speak all day and night. Perhaps this will go on for several days. I have no idea. We're up to the task. We have a plan. We can do shift work.

This isn't just a little four-man radical group that you had to face in the last Legislature. We have the wherewithal. We have the power. We have the commitment. We have the principles that are inspiring us. We're receiving on our iPhones and our computers an incredible number of e-mails that are critical of this tactic of yours and supportive of our efforts to continue to lobby and act on their behalf.

9:00

**The Chair:** Thank you, hon. member.

I'll recognize the Member for Calgary-Buffalo.

**Mr. Hehr:** Thank you, Mr. Chair. As always in here when you listen to debate and you hear different things that come forth in the Legislature when discussing amendments and in this case the amendment on the Electric Utilities Amendment Act, you're sometimes surprised. Sometimes you learn things that you may not have felt you would learn and the like.

You know, I was struck by some of the things that were said by the last speaker and, in particular, the reference to the Lethbridge utilities, their history, and that how they operated actually worked. It seemed to me that the last speaker, who is a member of the Wildrose caucus, was essentially recognizing that sometimes there is a need for government to be an organizing structure in people's lives. Sometimes that occurs in cases of transmission and electricity production. It struck me that the last speaker was looking at the public interest and longing for the good old days of governments running electricity systems. He hearkened back and longed for the days of the Lethbridge government being involved in the production and supply of electricity.

I was surprised by that, maybe, because of some of the misconceptions we have of political parties. My thought was that the Wildrose Party was essentially a party who believed in governments staying out of business and handing everything over to the private sector and the like. But I'm glad to hear that at least some members of that caucus recognize that there's a need and a role for government, and sometimes that's in the form of making citizens' lives better. Sometimes things are done at least through a societal organization or for ensuring that access to fairness for not only the wealthiest of our citizens but the poorest of our citizens is done in some fair and equitable manner. Sometimes that is done through the provision of electricity. Let's face it. Electricity is something that in this society you need, whether you're rich or you're poor or otherwise, and sometimes the vagaries of the marketplace disproportionately work against those in economically challenged situations.

So I'm glad to see that at least that member of that caucus believes in government being involved in some aspects of the economy and some aspects of performing things that all of our citizens need. I was glad to hear that, and I was unaware of that from that political party. It's good to remember that we sometimes have to take our blinders off when we're assessing what actually we all mean here.

You know, if we go back here, I thought it was a mistake when this government deregulated the electricity market, and you see over the course of the 12 years that that has not been the wisest of decisions. After we privatized the grid in early 1998, you immediately had spikes in electricity. The market was not working. It was not working efficiently or anything like that, and the government of the day at that time actually recognized that. They recognized that by writing cheques. They didn't like the fact that electricity prices spiked overnight. They didn't like the fact that the electorate recognized that almost overnight they were paying higher power bills in a deregulated system than previously in a regulated system. Because of that, our government then started writing cheques to individual people to subsidize the price of their electricity, all because of a mistake they made in a fit of ideological furor to privatize the grid. They fell into the zeitgeist of the times. They believed the Enrons of the world, that cheap energy was just in the hands of the private marketplace and that all things would be great if you just got government out of the way. Well, they were sorely wrong.

If we look, billions – literally billions – of dollars that should have been saved in our heritage trust fund or in some other form or fashion or invested in education went to cover up a government mistake. It went from this government having royalty wealth at its disposal, and it covered up their mistake. Instead of using this money more judiciously, more wisely, they chose to paper over a fundamental mistake in their thinking. They spent those billions of dollars subsidizing people's electricity rates because of a mistake they made.

That is an example of where the billions of dollars that this government has brought in, some \$350 billion or so in non-renewable resource revenue, has gone. It's gone to paper over mistakes they have made because of some of the ideological furor that was around in the 1990s, early 2000 period. Mistakes were made, and they spent all that money trying to rectify those errors. That is a cogent example of where our billions have gone: the subsidization of electricity rates when they should have left the electricity grid system alone. It was working fine. There were no challenges. We had some of the lowest bills per household in the country. It was simply doing something to do something when there was no problem in the actual workings of the system.

Twelve years later here we are. I am of the full view that it'll be very difficult to reregulate the grid. Sometimes when things are undone, they simply can't be done again. You know, I haven't been convinced of the argument that they can, but we can make that system work better.

I got a call from a constituent of mine, Mr. Nick Clark. I believe he's in communication with the Minister of Energy on a regular basis. He informed me of going to the Charles River report. I look at some of our challenges on our electricity system. We have mass fluctuations in the pricing mechanism on almost an hourly basis. We know how that system works. Some people submit low bids into the system; some people submit higher bids. But on an hourly basis everyone gets paid on what was the highest price paid for electricity in that hour. The problem with the system is that everyone knows what everyone else is bidding. It's an open system, where everyone understands what everyone else is bidding. So at the end of the day they pretty much know what they're going to get paid. That's how we're getting mass fluctuations on an hourly basis, not really reflecting the true cost of energy production in this environment.

The Charles River report, that I mentioned and that my constituent Mr. Nick Clark continually brings up, brings up the New Zealand system, which has a blind system of submitting energy into the marketplace. Other competitive markets don't know what companies or organizations are bidding into the marketplace. This allows for a more efficient bidding process. It allows for less gerrymandering in the pricing. At least, in the New Zealand case it allows for electricity to be sold at a price more commensurate with what the actual cost of production is. I'm hopeful – and I'm certain he is because he receives e-mails from Mr. Nick Clark as well – that when we do see the changes to our electricity pricing mechanism, going to the New Zealand system, one that is proven more efficient and is seen to have been more beneficial for the consumers, will in fact happen. I know the Minister of Energy is listening to my comments with very much vigour and enthusiasm, so I'm certain he will consider that at the end of the day.

9:10

I do take a little bit of umbrage in one of the comments made by the former speaker in saying that there are now 17 Wildrosers, not simply an opposition made up of radicals. To be honest, I don't consider myself a radical; I consider myself a fairly pragmatic

realist. I think I understand the challenge of the government. I think I understand the role of health care, the role of education, and the fact that we have a fiscal structure that is essentially broken and the like. Viewpoints expressed by other members of this House are not necessarily radical. They may be outside the mainstream, you know, but I really don't think so.

Essentially, if you look at blind polling of policy positions, our policies are very well accepted. Now, when you get labels thrown on things, well, then it's a little bit different. But if you look at a policy perspective and what people actually want from their lives, please don't look at my views as being radical because they're not.

Especially we see the Wildrose Party, some of their speakers, essentially saying that they want no school fees. That's a Liberal policy position. It's a Liberal policy position that we see public education as something that should be covered from government expenditures. If they had bothered to do research on the party, it is. They ran for a party under a leader who said school fees should be passed along to the end-user, that government should have a limited role in the provision of education, that people should take more of a pay-their-own-way situation when it comes to going to public education facilities. So I'm not sure. The way I hear people talk, at least on that side of the House they sound a lot more Liberal than their advertising goes. Nevertheless, you learn some things when you listen to debate, and those are some of those things that we discuss from time to time.

Let's look at the amendment. The amendment goes some way to trying to create some clarity and some rules of the game for people to follow when they're assessing a transmission system. Hopefully, it will add some clarity to the Albertans out there who wish to get more information on how our electricity transmission system will be created, what its goals and functions are and the like. So I think it's an amendment that is worth considering.

But let's also just get back to a couple of things. It's strange sometimes, Mr. Chair, how your mind works. There was a long speech that I think was referring to property rights and things of that nature and the Ombudsman and the like, and it was along the line that property rights had been entrenched in law for centuries. In fact, that is really not the case, okay? Governments have always had the ability, rightly or wrongly, to do things in the public interest, to do projects or things that needed to be done in the public interest.

For instance, there is a road in my community, Crowchild Trail, that will be expanded, that will probably cause 300 or 400 people in my constituency to pack up and leave. Is that nice? No. I'm not saying whether it's right or wrong at this time, but those are the things. If the city government looks at this as something that in the main a million citizens are going to need at the expense of the 300 homes, sometimes governments need to do that. What needs to be recognized is that there has to be an open and transparent hearing process, that the people affected will have an ability to speak and be allowed their arguments as to why this may not be in the best interests of the community, and they have a right to a fair value for their properties if the city takes them over.

That's no different than what the provincial government does. The provincial government has the right and the responsibility to do things in the public interest, okay? Sometimes that means a cleavage with individual landowners, individual companies, and the like. But governments have always had the ability. What they have to ensure is that people are given the right to be heard, the right to protest, the right to bring up things, the right to fair compensation. In the main those are there.

The most cogent example of governments being able to do things in the public interest is marching kids off to war. They have

had that right. They will continue to do that in the future. You know, they'll march you to war with a bayonet attached to your butt, saying: you go fight. Okay? Governments have that power. I'm not saying that it's always nice. I'm not saying that it's always pleasant, those things. But governments do have that ability to do them, and I don't necessarily think we should be tying their hands when doing things in the public interest. The hon. Minister of Justice, who I see here this morning, has fully brought up the fact that we have an Expropriation Act here in this province that tends to do some of these things.

I understand that we need a process where people's complaints are heard. I understand that there is a need for the government to be open and transparent and allow those contentious issues to be discussed. But at the end of the day governments need the ability to do things in the public interest, and the big things sometimes have that cleavage with individual rights. That cleavage will exist regardless of who is in power or the like.

So I will point this out. There always will be a tension between private landowners and the public interest in moving great things. The thing is to do it in the public interest, in an open and transparent fashion that allows everyone to know the rules of the game and allows people to be fairly compensated.

In my view, right now the Expropriation Act allows for that, okay? When we go all hyperbolic on this issue and the like, remember that there are systems in play that allow that. That doesn't excuse the government for what they did on bills 19, 24, 36, and 50, which I will agree were not good bills. They really took away some of that openness and transparency, took away that ability to have concerns met. That was wrong, yet at the end of the day governments need the flexibility to do things in the public interest that allow for people to be heard and fair compensation to be paid, and if we have that system in place . . . [Mr. Hehr's speaking time expired]

9:20

**The Chair:** Thank you, hon. member.

I'll recognize the Member for Little Bow.

**Mr. Donovan:** Thank you, Mr. Chairman. I'm getting up and speaking on part of the amendment,

whether the need of Albertans for critical transmission infrastructure can be met by the application of non-wire solutions or, in any less expensive but equally satisfactory way, such as upgrading an existing line, building electrical generators closer to the load and programs to reduce the load.

**The Chair:** I was just wondering, hon. member, if you were on the amendment.

**Mr. Donovan:** Yeah, I'm on the amendment. I just read (2)(b). I was just reading out verbatim.

**The Chair:** Thank you. Proceed, hon. member.

**Mr. Donovan:** I'm all for policy, Mr. Chairman. I appreciate that we all keep on that because we wouldn't want to be here just talking aimlessly about events just to kill time.

**Some Hon. Members:** No, no.

**Mr. Donovan:** I don't think there's anybody on either side of this floor who would like that.

Speaking to that, it brings me to an interesting conversation on this amendment. In southern Alberta there's a southern Alberta waste energy coalition – ironically, it's where a lot of this side of the floor was voted in – which has tied a lot of the facilities

together for waste. The concept of that is that we have so much waste, so let's cogenerate or come up with some way to make use of it instead of burying it for our children and grandchildren and grandchildren's grandchildren, as I've heard people talk about before. I don't think that's a viable way to continue on in the world.

Now, in saying that, I think we need to have some direction from this government and probably from the Minister of Environment and SRD to not allow landfills anymore. When we start giving more licences for that, it allows industry to think that that's still a viable way to do it. We have the technology out there which would feed energy back into the grid, which would allow people to be able to make use of the waste, probably using some off-sales steam and whatnot off that to run generators to pump back into the system. Again, it would use the existing lines that we have, which is also part of this amendment, and upgrade them.

If you go to the United States, they use the same corridors on a lot of stuff. If there's a situation where there's a power line and they feel it's not being used adequately or it needs to be upgraded, they go through the process of putting up more lines. It depends who you talk to as to what kind of waste there is off that, what kind of loss there is. There's talk of 5 to 10 per cent, but I've been assured by quite a few people that there's not that much loss to things.

When we talk about this bill and this amendment of that, this leads to the idea – I revert back to my riding all the time – of not wasting prime agricultural land where we'd be putting in transmission lines that I don't feel are crucial or needed unless we have a needs assessment. Bill 8 touches on the needs assessment on future lines, but it's not talking about ones that have been passed here in the last three to four years. I know that I'm going sound like a broken record on it, but where there's prime agricultural land, I think we have prime ways to deal with it whether it be wind energy or waste energy.

The key to waste energy is getting the buy-in from this government to promote that instead of promoting landfills. Before I was elected, there was a large issue in my riding where a large company wanted to put in a landfill near the hamlet of Blackie. There was public outrage and rightfully so because we're looking at burying something where we don't need to. There are means and ways out there to keep the tippage fees cheaper and not put this back into our land and potentially poison our water source.

We've always talked about how whisky is for drinking and water is for fighting over. I think this is a key thing, and I think that shows . . . [interjection] It's true. There have been lots of wars, and what people will fight over continues on in the world today, and water is key.

I think this is something that when we look at this – this amendment leads into that with section (2)(b) and building electric generation closer to the load lines just in case anybody thought I was getting off topic with it. I wouldn't want to be wasting anybody's time in here by going off topic at any time.

**An Hon. Member:** Are you sure?

**Mr. Donovan:** I'm positive about that.

The key to it, when we're doing this, is that we start building the generation where it's needed rather than putting in transmission lines that aren't needed. This goes back into that. Are they critical? I guess it's just like going to the hospital. If you're critical, you're going to get dealt with quicker in the emergency room than if you just happen to have a cut or a broken limb that can actually sit and take time and doesn't need to be dealt with. We take a doctor's word for what's critical and what isn't critical,

yet we're not willing to listen to the experts in the industry as to what's critical for transmission lines.

I think, in all honesty, we've got to sit back and listen to the people. Bill 8 is a great piece of legislation because it's identified whereas in Bill 50 we didn't identify critical transmission lines. I understand Bill 8 is moving forward on that, but I think we have to look back a little bit and figure out all of the lines that we've approved in this province that are not critical. Again, this is near and dear to my riding and also Cardston-Taber-Warner's riding, with the MATL line that went through and the Picture Butte line that they're talking of right now going through prime agricultural land, divvying it up, and not even looking at the idea if it does need to go there.

If you go to Europe and you talk with people, they bury power lines over there. Yes, it comes at a cost, but what is the economic loss of parcelling up good agricultural land? That is a key issue in my riding, and that's what I'm here to represent, the people of my constituency. In saying that, that's what we've got to look at. Are we divvying up these parcels of land for critical power lines? The question is: are they critical? I go right back to Bill 8. We've identified that we need to do a needs assessment on what critical lines are from here on, but why are we not looking back at the ones that have been approved but have not started yet?

The question lies therein: how much does this government get back for the assessments? It's been proven – it's fact – that these companies are getting 9.25 per cent return on their investment. I think it'd be great if I could dump money back in. That's a guaranteed investment for them because it doesn't matter whether they are running a TV ad, a commercial in a local newspaper, which is good for the economy – don't get me wrong – or anything else. They sit there, and they run all of these ads and are guaranteed 9.25 per cent with absolutely no regulator, nobody on top of how many times they run the ad, how many times they do a public forum, how much of any of those things. They just keep doing it and doing it.

That's the problem. There is zero accountability to what they're doing. It's my understanding that they can sit there, they can run many ads, and they can do as many things as they want because as soon as they spend the money, they are guaranteed 9.25 per cent return on what they're doing. So this is where I'd always like the clarification on these things. If that's the case, my question is: who regulates? Who is the watchdog that watches what they do?

I'm very fortunate in my constituency. I get my power from South Alta REA. The nice part of an REA is that there is local control because you have local board members. Again, you get voted in, which is accountability. There's transparency because you're actually talking with neighbours and friends who are in charge of these things. It goes back to local decision-making, which I think is key. I think that's what's gotten lost in this, in our government so far and where our province is headed at such a fast pace. I understand we've grown quickly, but when are we going to start being accountable to the people that are paying the bills?

As I say, I'm very fortunate with South Alta because it's an REA. I mean, our Agriculture and Rural Development minister is still part of the process of that because some of the funding goes through that because of the way they're structured for their lending amounts. But they only build on what's needed. They are a very well-run organization. They don't just buy a new truck every year because they can. They go over a needs assessment. Is that needed? Are the power lines needed that they put up? Those are the things we have to work with.

There's nobody in this province who wants to go without power, and I don't think we're at that point. There's always talk about whether we're fearmongering on this side – the power's going to go

out and everything else – and we fight the one side, and the government, obviously, fights the other, but the question is always raised: who's right? Until you have a separate, independent needs assessment, nobody's going to know. I mean, so far while I've been here, I haven't seen the lights flicker yet, so I think we're probably okay in this facility. I think we're probably okay in most of this province.

9:30

The question is: where can we start putting generation close to where it's needed? Then you don't need all these expensive transmission lines. The question was always raised in my constituency: are these lines just being put in because they're guaranteed money? Because there's no watchdog. There's nobody telling them where it needs to go. I think this government started to listen just a little bit because I think they identified that Bill 50 was not working out to the point where, you know, there was quite a swing in what the opposition looks like now. I think that's due quite a bit to Bill 50, Bill 36, and Bill 19.

I give Bill 8 full credit for that, that they've identified that Bill 50 was not working for a needs assessment. I guess from what I hear from my constituents, especially in the south end where there is a new line proposed in the Picture Butte area, which again severs up excellent farmland, does not have local buy-in, and does not have a needs assessment – they have a green area coloured in on a map saying that we need wind power, and it could be future wind power. I'm all for that. I'm all for making a better carbon footprint, so we don't have as much of a footprint in the world. I get that. I think there's not one person that's not for that. I think we've identified that.

The question is whether the technology is actually good on wind power. I mean, right now, say when I was reeve in the county, we had one company come in, and they've actually downsized how many towers they need by up to 30 per cent because technology has changed that much in three years. You know, I think the technology has changed to the point that in another five years or 10 years or 20 years from now is wind energy going to be viable, or is there going to be something better out there? Thirty years ago a lot of people weren't talking about wind energy or solar energy. It wasn't something that was dealt with or talked about.

You sit there, and you look back at the whole process, and you think: what could be next in 20 years? I get that we plan ahead – and we have to plan ahead – but is it critical right now? That's one of the key things that I think Bill 8 brings, the critical need for it. But we need to go back and assess the ones that have been licensed. Are they needed? Are they critical? I mean, we've watched this government go back on other contracts, so it's not like we can say that it's going to be the end of the world if we go back to some of these producers that have put in the AltaLinks of the world and say: "Jeez. I know we gave you the contract for putting in this power line, but we really truly need to do a needs assessment and decide if it's critical. Is it critical transmission that's needed in this area? And is it for Albertans, or is this just going to be another line that's set up to sell our power to the States?"

If there's a business plan for that, make it and don't try hiding it. But if we're putting this in as a transmission line to sell to the States, in my constituency that's not wanted. And if it is wanted, I guess, I'd open it up to all my constituents to please let me know by e-mail or phone call what they want. Again, I'm here to represent what my constituents want. Now, overwhelmingly I've heard over the election period and over the summer, visiting with lots of people, what people want.

The fact is that we can go back. We can change these power lines that have been given the right to go through near Picture Butte and along the coulees there and sever up excellent agricultural land. It's not like we can't go back on an agreement or a contract. We watched it in Fort Macleod. We watched where there was a contract signed, there was sod turned, and they went back on it. That to me isn't the end of the issue here if we can identify that it's not needed. I think it's a due diligence here to identify what needs to be done or not done. It goes back to, you know, upgrading existing lines.

You go down to the United States. You go all over. They have corridors. The hon. Member for Rimbey-Rocky Mountain House-Sundre has some valid points about doing a corridor on the east side of Alberta where you have power lines and gas lines and oil lines go down it. Now, I know some people might not think that's the way to do it, and some do, but I think we need to have the debate around here and bring the experts in and talk to them and lay out what's right or what's wrong. By no means am I an expert on it. I think it looks like a good idea. When you go down to the United States, there are all kinds of corridors along there. You know, they put numerous power lines together so you don't affect large areas and you don't wreck good agricultural land. I mean, it just makes sense to me. It's good planning. It's a good thing for what we need to do in this province.

I mean, you've got to sit there and actually look at what's right. You've got to sit sometimes and put your political hats to the side and not say: well, this is what we've done; we already did this three years ago; we're just going to keep forging ahead, even though it's wrong. I don't think anybody in this House thinks that. I truly don't. I think we're all here for the common good. I think we're here for the right reasons. I think we need to sit and listen to what people want.

Now, needs in this province bounce around quite a bit. I mean, it depends where you are in the province and what's needed. We have an excellent source of energy in the north end of this province in Fort McMurray. I've had the opportunity to tour the Suncor plant up there, and I think there's some excellent progress being done up there. To the two members from that area up there: I think it's a huge economic driver in this province, and we can't fight that. But we don't just sit there and clumsily plan everything on it. I think that's where we're failing here on these electric transmission lines right now. I think that's what Bill 8 is bringing to it. It's identified the errors we did in Bill 50.

This amendment on Bill 8 brings up upgrading the existing lines. When towers are already in place – and I'm by no means an expert on this – can we hang more wires on them? Can we upgrade the wires to be bigger to have more transmission down them if that is what's needed? Just to put up a line to put up a line, to say that there could be wind generation in this area 20 to 30 years from now, is that truly a good plan?

If you're the company building the power line, of course you think it's a great plan because you get a 9.25 per cent return on your investment. It goes back to what the Member for Chestermere-Rocky View spoke of earlier. If you were guaranteed that – there are a lot of people in here that are not getting that kind of return on their RRSPs, whether they're putting in the money themselves or the government pays it all. It's still a return that people are not getting.

**Mr. McAllister:** It's even higher than 8 per cent.

**Mr. Donovan:** Yeah. It's better than a pay increase of 8 per cent, which some people think we possibly could have gotten here in the last Members' Services stuff. Again, that's still being identified so I can't talk about all that.

You know, the concept of that is: is this right? As a taxpayer in Alberta do you think it's fair to go out and put up lines that may or may not be needed when you're giving a company a guaranteed return of 9.25 per cent? If those are the correct numbers, which I've been led to believe, I don't think that's right. I don't think in any way, shape, or form you can look any of your constituents in the eye and say that that's a fair deal for Albertans. I'd like to know who makes those contracts. Who signed up? We only really have two major players that do power lines in this province. They've got a pretty sweet deal.

There are even members on that side of the floor that maybe weren't on that side of the floor a couple of years ago that had the question raised in this House. Their questions are in the *Hansard*: is this right for Albertans? You know, that's always the question. Can you look back in your constituents' eyes and say that this is right? Then you go back to the accountability and transparency of it. Who's watching this? Yeah, there's an advocate. There's talk of a watchdog in here. I'm not sure exactly what they're going to do for us other than maybe pour you a coffee afterwards and tell you it wasn't a good deal. But the question goes back to: is this right for Alberta? I argue the point that I don't think it is without actual needs assessments, and we don't have the needs assessments in hand.

Again, we've identified in Bill 8 that we need to do this going forward, but at what point did we decide the last five or six years weren't needed? Questions arise. You know, what kind of deals were made? There are two large power companies that basically get to run free. Who's in charge of them? I throw that question out to any members across the floor that have an actual, viable answer for that: who's in charge of these needs assessments for these transmission lines? We've identified that they've gone up in price. There's talk of 16 and a half billion dollars of infrastructure needed. Who says it's needed? Some say it's only 3 and a half billion dollars.

Thank you.

9:40

**The Chair:** The hon. Member for Lac La Biche-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Chair. I rise in support of this amendment A1, which essentially further delineates the inclusion of public interest.

Just on a general basis, I mean, we're here today debating bills in Committee of the Whole. We've been here for multiple hours, and I think the overall reason for this is that in Alberta we actually sit in the Legislature for the fewest number of days in Canada. That's a problem because not only is there no accountability the fewer days you sit, but you also are forced to rush through legislation and stay late because it's a pretty aggressive agenda in terms of the number of bills that are going through here. I think the number of days is 40 or 45, which is by far the fewest number of days that any provincial Legislature sits.

Going to this amendment, this is, of course, an amendment to Bill 50. How that's relevant in terms of this amendment and Bill 50 is that I think Bill 50 was forced through the Legislature because of the fewest number of days; hence, the need for the amendment in Bill 8. To some extent I think the Wildrose caucus is flattered by Bill 8 because it is essentially a reflection of what we've been arguing for the past two years, which is that in determining transmission capacity, that should be decided by an independent Alberta Utilities Commission, not by cabinet.

With respect to amendment A1 in subsection (2) it makes it mandatory. The wording is "shall." The Alberta Utilities Commission shall look at whether or not a proposed transmission line, whether there is a benefit that may accrue to Alberta.

- (b) whether the need of Albertans for critical transmission infrastructure can be met by the application of non-wire solutions or, in any less expensive but equally satisfactory way, such as upgrading an existing line, building electrical generators closer to the load and programs to reduce the load.

Of course, under subsection (c) there's a requirement to look at the public's social economic interest and benefit.

I think if we had an amendment like this two or three years ago and the Alberta Utilities Commission looked at the proposal to build these \$16 billion of transmission lines through untendered contracts, it very well could be that these lines would not be built. Unfortunately, the decision to build transmission capacity was taken away from the Alberta Utilities Commission and put into this cabinet here. I don't know how many cabinet members in this room were part of that decision, but none of them here even today have the requisite expertise to make such a decision. That's the main problem.

I think Bill 8 is meant to address that issue. This government has clearly admitted that they had a wrong approach, that they were mistaken, that the approval of transmission lines being put into cabinet was not the right decision. It was a terrible mistake. But, unfortunately, Bill 8 doesn't go retroactive to the decisions that were already made. We have a situation now where there is \$16 billion of transmission lines – there are already cost overruns – through untendered contracts and through a flawed process, yet this government is just going through.

For the Energy minister, I don't know why he has to continue this legacy. The Premier was in cabinet, but this is somebody else's legacy, a flawed legacy on Bill 50. And we shouldn't continue with that type of flawed approach. We're starting to see the effects right now. Power bills are going through the roof. They've more than doubled in the last few years. The inclusion of \$16 billion of untendered contracts for transmission lines will only increase the power bills as we go forward. You know, three and a half years from now people are going to say: "Okay. Why did our power bills go through the roof?" It's because of these Bill 50 transmission lines. If they're not necessary, don't build them. If they're not in the public interest, don't build them.

Unfortunately, we had a situation where despite every other jurisdiction in North America that has an independent utilities commission – sometimes they're not called a utilities commission. They're under another name. Every other single jurisdiction had a requirement that on important decisions such as transmission capacity, those would be decided by an independent body that has the expertise, not by politicians and not by cabinet. But this government decided to ignore that long-standing practice in all of North America and put the decision to build \$16 billion of transmission lines into cabinet, not looking at any evidence, not having any expertise. That, I think, is a shocking circumstance. I think that it's going to be a legacy that wears on future generations and current ones. Even though that cost is going to be amortized over a long period of time, we're going to start seeing even more effects on power bills.

It's fixed charges. A senior who's living in a house can turn off her lights, maybe use the stove less. She's still going to have to pay increased power bills because the Bill 50 transmission costs are a fixed component on the bill.

The government has admitted that this is a flawed process. We should have the Alberta Utilities Commission look at need, not cabinet. The government in Bill 8: the Energy minister clearly said that this is a reflection that it was a flawed process. It was a mistake. If it's a flawed process and a mistake, why don't we go back and look at those \$16 billion transmission lines? That's a lot



of money. If you compare that to our health budget, it's a huge amount of money that is potentially wasted. I think it's important that on such huge decisions we go back and say: "Okay. This was clearly a flawed process. Do we actually need these transmission lines?"

**Mr. McAllister:** Get it right.

**Mr. Saskiw:** Get it right. If the Alberta Utilities Commission looks at all the evidence and says, "Yes, we do need these transmission lines," that's another story, but for the decision to be made behind closed doors in cabinet on this type of decision, where no one in that room had any expertise on electricity transmission, is shocking.

The other side of it, of course, is property rights. Through Bill 50 they took out a bunch of property rights that landowners have traditionally had through the Expropriation Act. I talked to various counsel in Alberta, and my understanding is that this is one of the first times when a government has just completely eliminated and extinguished property rights by removing key provisions in the Expropriation Act. Of course, there are innate rights within land and property, but those rights are codified in the Expropriation Act. If a government takes your land, you have these rights. You have various heads of compensation that are specified in the Expropriation Act, and you can go to court and say: "Look, the government took my land. I'm entitled to these types of compensation."

Not only did they take away those rights to compensation; they also eliminated the right to go to court. There's a privative clause in the legislation. A landowner has a line going through their land. The government didn't have to prove that it was needed. They took away their rights to compensation. Then they took away their rights to go to court. What type of government does that?

You know, at that time it maybe could be forgiven. Albertans trusted that their government wouldn't do that to them, that they would look out for their best interests. When there were meetings across the province, it became really self-evident that the MLAs didn't know what was going on in the bill. They hadn't read the bill. The minister had read the bill, but the MLAs just didn't know what was going on.

9:50

Bill 8 is a reflection that, clearly, it was wrong. The government has now found out that, yes, people apparently didn't read the bill, didn't know what the ramifications were. But now that that mistake has been identified, let's go back and say: "Okay. Should we be building a \$16 billion transmission line?" I think that's an important attribute.

Going back to why I think Bill 50 came about, my understanding is that many members got the bill essentially the day that it was going to have first reading. There was very little caucus debate. When you add on that the fact that we sit the fewest number of days in Canada . . .

**Mr. Rodney:** Add around the clock.

**Mr. Saskiw:** Around the clock. Well, I think it's pretty disturbing if the member opposite thinks that going around the clock actually makes good legislation. I don't know. Maybe you're a super-human. You've climbed Mount Everest.

But it's still very difficult to actually create good legislation. This amendment to Bill 8 actually does create good legislation.

**An Hon. Member:** Are you saying that we don't create good legislation?

**Mr. Saskiw:** I've got the floor.

**The Chair:** Hon. member, the Member for Lac La Biche-St. Paul-Two Hills has the floor.

**Mr. Saskiw:** Bill 8 amends Bill 50. Talking about how we used to have the Alberta advantage, part of that advantage was low power rates. What I think this amendment will do is help to lower power rates because what you're going to see is that the Alberta Utilities Commission will have to go through each and every one of these provisions. It will have to look at alternative solutions. It will have to look at nonwire solutions. It will have to look at less expensive solutions when it comes to transmission capacity. These types of things will actually help reduce the power bills, which will make Alberta a great place to live and help create an Alberta advantage. Unfortunately, over the last several years, after 41 years of the same government, that Alberta advantage has been lost.

Now, going back to the amendment, subsection (2)(d) requires the Alberta Utilities Commission to look at "reasonable and economic operational alternatives to minimize system constraints, giving consideration to technical efficiencies, reliability and capital costs." I think this is a common-sense type of amendment that the members opposite should definitely consider. This amendment goes further than just reversing the clouded decision-making that went on with respect to Bill 50. It goes even further than just requiring the Alberta Utilities Commission to look at whether or not certain transmission lines are needed. It goes further. It provides a set number of requirements. It's in the mandatory, not the permissive. It says: shall look at these requirements. You know what?

If the Alberta Utilities Commission doesn't look at these requirements, then there's a legal challenge saying: look, you didn't properly look at the requirements that were set out in the legislation, and that decision should be overturned. It far exceeds what happened previously, when the decision, again, to build \$16 billion worth of transmission lines fell on a few select cabinet ministers behind closed doors, resulting in one of the worst decisions that our province has ever made.

What I think we'll see going forward with respect to amendments like this is that as time goes on, Albertans are going to become even more educated on the issue of transmission lines, and the reason is that their power bills are skyrocketing, and they're going to skyrocket through the wintertime. You have seniors whose bills are going up and up and up, and they're now going to find out that the previous decision to build \$16 billion in transmission lines was flawed, and as a result of that flawed decision-making their power bills are going up. I think that's going to be a critical decision going forward. Do you want to have your power bills up as a result of flawed decision-making within a PC government, or do you actually want to have evidenced-based decision-making, where you go to the Alberta Utilities Commission to actually see whether or not these transmission lines are needed?

I had a local issue in my area, in St. Paul, where a bunch of landowners just recently were told that a transmission line is going to go on their property. If there was an amendment like this, A1, it would be a different story because in that situation the Alberta Utilities Commission would actually have to determine whether or not that line is needed. They'd have to go through all of these different factors. Some of those factors could be cogeneration. There could be other factors in there.

Unfortunately, we had a meeting there. There were ATCO representatives. They were just there to build the line. Every single constituent of mine said: "Do we need this line? Do we

actually need this line for our power needs?” Because amendments like this weren’t in there, they couldn’t answer it. So we’re going to build a line without having to prove need. Property rights are going to be taken away without having to prove need. Expenditures are going to be made without having to prove need. That flawed decision-making as a result of this government is now working its way through decisions that have already been made.

Let’s go back to all those lines that were approved without having to go through the independent Alberta Utilities Commission to determine whether the lines were needed. Previously one of the members had mentioned a critical transmission report and the alleged fact that that had somehow proven that the lines were needed. Unfortunately, that committee was hand-picked by the Energy minister. The chair of that committee was a long-time PC insider, and that’s fine. If that person actually had the requisite expertise on transmission capacity, fine. That’s fine. But, unfortunately, what happened with this committee: no one had the required experience, and they didn’t look at any evidence. They had four very vague questions. We’re going to base a decision to build \$16 billion worth of transmission capacity on a committee without the requisite experience and without looking at any evidence.

If there’s a flawed decision-making, it’s continuing on to another flawed decision-making. Bill 8 actually, going forward, gets it right. It forces the Alberta Utilities Commission to look at whether transmission lines are needed, so let’s go back to those previous decisions, that were through the flawed process, and revisit them.

[Mrs. Jablonski in the chair]

I think that when this amendment says under subsection (c) to look at the “public’s social economic interest and benefit,” that could be read to actually look at whether industry needs this power. Again, if we had had this amendment in place previously, there’s no way that these lines would have been built. Industry – and, again, this is a big, big industry, that consumes a lot of power, whose business relies on power and a stable supply of it – went to the former PC caucus and said: “We don’t need these lines. If you build these lines, Alberta is going to be less competitive. If you build these lines, the only losers are going to be consumers.”

So in that circumstance I think this amendment goes a long way. It requires the Alberta Utilities Commission to actually consult with key industry players, key consumers of power, consult with the public, and look at whether or not the cost to produce a line is warranted and in the public need. Of course, here is an inclusion of public interest.

With that, Madam Chair, I speak in favour of the amendment to Bill 8, and I hope that the colleagues across the aisle will consider it as well. Thank you.

**The Deputy Chair:** The Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Well, thank you, Madam Chair. I rise this morning to speak in favour of this amendment for a number of reasons that I’ll lay out. I find this amendment quite interesting. Coming from a government that is supposedly open and honest and transparent, you’ve got a bill which just is a testament to the fact that this government made a grand mistake years ago when they brought forward Bill 50.

I think what’s interesting is that although this government through their actions through Bill 8 may think that Albertans are fools and won’t see that they’re trying to close the barn doors long after the horses have left, Albertans will see through that and see

that now four different major infrastructure projects have been rammed through. To go back and now make changes to legislation that clearly didn’t take into account the public interest, the public need, and what was in Albertans’ best interest?

**10:00**

We’ve heard from numerous speakers already about how these transmission lines, you know, have taken away certain property owners’ rights. They’re going to actually increase costs and download costs onto consumers and onto Albertans. It’s unnecessary and shameful. Once upon a time, not too long ago, Alberta used to have a regulated electricity market, and we had some of the most competitive rates in the country. Due to the wisdom of the government of the day, or in their view their wisdom, this market was deregulated. Unsurprisingly, costs spiralled upwards. So it’s with great frustration that we do have some of the highest rates in the country, considering Alberta’s capacity to generate electricity.

I think the amendment speaks to things like having a needs assessment, ensuring that with these infrastructure projects, when we’re talking about energy: first and foremost, is there is a need for them? You know, studies that I’ve read have indicated that there wasn’t a need for these major lines to have been approved had we looked at generating energy closer to the source as opposed to shipping it across the province and setting up infrastructure, which really looks like preparing to export much of our energy to our southern neighbours masked in this idea that it is needed in Alberta. A needs assessment is something that is crucial, again, and consulting with the public and looking at the public interest.

Interestingly, in the last week or so we’ve often discussed what is the public interest versus catering to one group or another. I find it quite interesting that this House hasn’t yet decided on an adequate definition of public interest. For myself, we’re looking at short-term and long-term impacts, the social and environmental impacts on people, our ecosystem, our environment, and how this is going to affect not only us but future generations as well. A bill like Bill 8 should have been introduced 10, 12 years ago. Now these projects have been rammed through, and Bill 8 doesn’t retroactively look back at some of the projects that were approved and I think misses the mark.

It’s quite disheartening, I think, to many Albertans when they look at Bill 50, the fact that you’ve got a government that grants themselves sweeping powers to make decisions behind closed doors based on the energy needs of a handful of individuals, who aren’t experts in the field, who haven’t done proper consultation, who are making decisions which affect all Albertans and spending, as colleagues of mine have pointed out, billions of dollars on infrastructure projects which are just going to be downloaded costwise to consumers and to Albertans. Again, is there a need for it? You know, one really has to wonder and question the logic behind some of these decisions.

For myself it’s quite evident that in many ways and many respects this government is quite out of touch with Alberta, with Albertans, and with what Albertans are wanting and needing. You know, this bill seems a little bit out of date, as far as 10 years too late. I think this amendment – I’ll get back to it – highlights some crucial factors that need to be in place in the future when we’re looking at energy transmission: looking at the public need, both present and future, and trying to have a bit of a long-term vision for this province. It’s quite apparent that this government seems to lack that. But that’s okay. We have a strong opposition that will help provide some vision for this government as far as the province goes and what we need in the future.

I mean, I've heard our hon. members on this side speaking about looking at alternative forms of energy and recognizing the fact that much of our electricity is generated through coal and many of our coal plants are now coming to term on their life and needing to recognize that we do need to invest in alternative forms of energy, which strikes me as interesting in that, you know, we're focused on building these critical infrastructure transmission lines. Critical can be debated. But are we looking at energy generation and introducing or expanding upon energy that is more environmentally friendly, that is cheaper, whether we're looking at solar and wind but also being able to power and provide energy for the needs in southern Alberta as opposed to building these lines that go through many different farmers', ranchers' lands? Many of them are unwanted.

The frustration with this is: where was the public consultation, where was the public need, where was the public input? That needs to be part of the formula when we're looking at approving projects like this, especially projects of such magnitude. For myself, for Alberta New Democrats, I mean, this market should never have been deregulated to begin with. Had we a regulated market with proper processes in place, we wouldn't be spending billions of dollars on unnecessary lines to transport energy from the north to the south. My concern is: where is that going next?

**Ms Blakeman:** Public ownership of utilities.

**Mr. Bilous:** Well, that as well. I mean, the utilities really should be public. They're being generated from energy from sources that belong to all Albertans. One of the frustrations of mine is that we're going to be subsidizing the cost of these lines, if not paying them outright, yet are Albertans going to be sharing in the dividends and the profits of this? No. We'll foot the bill, and private industry can take the profits. I have an issue with that.

I think, you know, that if Alberta had a strategy of looking at – how can we become not only an energy powerhouse but also how do we ensure that we'll be able to support ourselves for the long term but do it in a way that we can keep costs low for our consumers and ensure that we're looking at all different sides of projects?

I need to come back to the part of this amendment talking about, you know, building generators and generating stations closer to the load and putting into place programs that will reduce that. Again, focusing on one part of Alberta to be the sole generator of the bulk of our electricity needs and then having to ship it all over the province doesn't seem like the most economical or environmental way of doing things. There is lots of potential for unharnessed energy, especially in southern Alberta, that could definitely be tapped a lot more if this government was interested in looking at that.

**10:10**

You know, I don't think a proper needs assessment was thoroughly conducted. I think that had this government gone out and consulted or consulted to this day with many landowners, they would hear how happy they were about Bill 50 and what the government rammed through years ago. Again, this amendment is a step in the right direction but about 12 years late.

The only other thing I'd like to highlight at this point in time is the fact that it seems a little absurd to some of my constituents that this great Assembly is passing laws that are going to affect Albertans for generations and generations to come, yet it's happening in the wee hours of the night and the early hours of the morning, when members aren't fully rested and able to participate to the extent that there's an expectation that we do. I've had

numerous phone calls already asking why we're debating things at 10 o'clock at night, 12 o'clock at night, 3 in the morning, 8 in the morning. It's a great question. I know that this amendment has been debated for several hours now along with Bill 8. It is cause for concern.

I hope that the government will seriously consider this amendment put forward by my colleagues and look at identifying needs and look at what's in the best interest of the public, of Albertans, not just of one stakeholder or another, whether it be industry or one group or another, and seriously consider where we're going and who's footing these costs.

You know, I can tell you that I already have constituents concerned about the rising electricity costs that they've been hit with, especially some of our most vulnerable citizens in this province, our seniors who are living on fixed incomes. Bills are going up and up and up. When I look to the future and when I think about when these transmission lines are going to be put up – I mean, already there's forecast from industry on how much homeowners are going to have to pay in an increase in their bills. Albertans are not okay with that and are quite frustrated and recognize that their costs used to be much more affordable, again, back when our market was regulated.

This government has taken us a step in the wrong direction and a second step with the approval of these lines. Like I said, now, unfortunately, Bill 8 is coming to close those barn doors, but that train has long set sail from the station.

With that, I will close. Again, I'm in support of this amendment and hope that the government seriously considers this. Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

I recognize the hon. Member for Edmonton-Centre to speak on amendment A1 to Bill 8, the Electric Utilities Amendment Act, 2012.

**Ms Blakeman:** Thanks very much, Madam Chair of Committees, for the reminder of where we all are because we do tend to wander a bit when we've been at it as long as this good Chamber has been.

I think that to my mind and to a lot of my constituents we've sort of lost track of what this was all about. I have been here long enough to have seen most of this process now roll through this House. Now, I mean, with Bill 8, we're in the stage of: "Whoops. Let's go back and try and fix that because it turned out to be a bigger problem than we thought it was going to be, and we're getting beat up about it," not to put too fine a word on that.

So where did all of this start? Well, it starts with provision of electricity, provision of utilities, which is critical. I mean, we live in a place where you need to have provision of electricity. For a lot of people it runs the fans that blow the heat around your home, around your office, that is generated by whatever kind of boiler you've got there, a hot water system, whatever. Well, it's not blowing the hot water system. But you have to have it. Now, my colleague would argue and did that the government should own all public utilities. I actually differ with my caucus because I think that's the way things should be, too. I lost that argument a long time ago, but it doesn't change my mind. I believe that utilities should be public, and they should be publicly run. They're not. At the very least what you usually end up with is government regulating utilities because they are so critical to people and people must have them. So the government acts as consumer protection to make sure that it's delivered at a rate that people can afford to pay for it. [some applause] We are welcoming the Leader of the Official Opposition.

In 1995 the government started a process to deregulate electricity, and they allowed it, essentially, to be broken up into three pieces: generation, transmission, and distribution. Previous to that pretty much every company that we had in Alberta – they’ve all changed names, and I admit I’ve kind of lost track of them. We had Calgary Power, who became Enbridge – no; yeah – and we had ATCO, which I think has always been pretty consistent. Yeah. We had Edmonton Power at one point, that then became EPCOR. They spun off part of the electricity, and they are now Capital Power. It’s a bit hard to trace the names, but there you go.

What we ended up with was splitting the way we get electricity into three parts. Essentially, groups that didn’t want to do all three got out of the two they didn’t want to do and specialized in one. That’s why, when you look at your bill, you’re now paying administration fees on three different things that you didn’t used to. You had one service. It provided it to you from the generation through to the transmission from Wabamun to the city of Edmonton and then, once inside the city of Edmonton, the actual distribution to your home. That was all done by one company. You were billed by one company, and that was it.

Now we have three companies in the game, and they’re each going to charge you an administration fee for having done what they did. That, again, is why you look at your bill and go: “Holy mackerel. Why am I paying more in administration fees than I am paying for the g.d. product?” That’s why. We can all thank this wonderful government of ours for adding those extra costs to our bill.

Now, when we first started, we had relatively cheap, reliable electricity generation and transmission and distribution in this province, so it boggles the mind when we now turn around and look. We’ve had brownouts and blackouts. We’ve had the cost of the electricity go through the roof because three generators went down at the same time, two of them for regular maintenance and then a third one had a problem, so three of them were offline. Now we’re buying electricity from B.C. at absolutely top dollar. For anybody that’s following along with this, there actually is a place you can go online and follow along with exactly what people are paying for the price of electricity per hour at any given time. It’s fascinating to watch because if we’re not generating the stuff locally, then we’re having to buy it from somewhere else.

There was collusion at one point, which, of course, is one of the things we talked about when the then minister from Lloydminster was the Minister of Energy. We raised all this. We said that it’s going to be more expensive, it’s going to be less reliable, and collusion is possible. “Oh, no, no, no, no,” they said. Well, guess what? It did happen. We did end up with collusion at one point, which I think went to court and eventually got settled. They did play around with things so that we ended up having to buy electricity at, you know, \$300 per kilowatt when we should have been able to buy it at 5 cents. You can imagine the difference between \$300 and 5 cents. That’s a lot. And the ratepayers, the people that actually get that electricity into their small business, into their farm, into their manufacturing centre, into their office building, or into their home: they paid that.

10:20

We went from having reliable, cheap electricity to now not as reliable. I don’t want anyone to think I’m saying that the whole system is blown and we’re all sitting here in the dark. Clearly, we’re not. But is it as reliable as it was? No. The big bogeyman in the room at the time was: “Oh, if we don’t move to this system, we are going to be under capacity. People will not build generators because it’s not worth their while; they can’t make

enough money.” Yeah. Right. Uh-huh. Well, we don’t seem to have had a problem with that, and they’re certainly making money on it, but it is not as reliable as it was. Now, when the government changed the way this whole process worked, there were certain companies that really benefited.

Thank you for coming in and listening to us at 10 o’clock in the morning. We appreciate it. Just a little fan club, sports fans. Thanks so much.

When the government did that, they changed it, and we ended up with certain companies that really did well. This is the kind of thing where transparency in party contributions becomes really important. On this side I would tend to say, “Did any of those companies donate and really benefit from this deal?” and I would say, “Yeah.” Of course, the government side would say: “They did not. They absolutely did not influence us with their ginormous donations.” Well, guess what? Without transparency in the system I can continue to say yes, but I can’t prove it, and they can continue to say no, but they also can’t prove it. That’s what’s wrong with election financing. Unfortunately, the bill that we now have before us does nothing to change any of that.

I’m sorry. That was a tangent, Madam Chair. I’ll admit that. But I thought it was worth while.

We’re looking at the amendment from Rimbey-Rocky Mountain House-Sundre. Maybe he talks so much because he’s got the longest name. Do you think? Maybe? Wait a minute; let me put this in context. Bill 8, the Electric Utilities Amendment Act, 2012, was amending two sections in the original bill. They were long sections, I’ll give you that, but two sections in the Electric Utilities Act, which is the one that we redid at the end of the ’90s. Section 41.1 was one of the sections that caused the government grief, caused a number of people in the community consternation because the government took a process out of place in which a number of other things were considered in approving large projects to go ahead. What they did in section 41.1(1) was give themselves – cabinet, also known as the Lieutenant Governor in Council – the ability to do this, the power to do it. You know, they would be given a particular plan, and then they would be the final arbiter, the final decision-maker. There really wasn’t an obligation to consult the public. There wasn’t an obligation to particularly consider public interest. This was Bill 50.

In Bill 8 we now have the big mea culpa from the government, going: “Bad idea. Shouldn’t have done that. Let me take that one back. Let’s change it. Sorry. Whoops. Uh-oh. Let’s take that out and change it to something else.” It really got them in a lot of trouble, and rural Albertans were so not impressed that we now have an Official Opposition caucus of 17 people from a different party.

**The Deputy Chair:** Excuse me, hon. member. Hon. colleagues, the noise level is getting quite high in here. If we could keep it quiet just a little bit so we can hear the speaker, that would be very much appreciated. Thank you.

**Ms Blakeman:** I’m not the least bit offended if people are energized by my speaking in the House. Thank you for that, but I can speak a lot louder than I am now. Not to worry. Okay.

That, as I said, really did not go well for the government. We had the mea culpa bill, Bill 8, saying, “Oops, uh-oh,” backing off, changing this, reverse, and whatever word you want to use. Then we have this amendment coming from Rimbey-Rocky Mountain House-Sundre in which he is suggesting that we not even do what the government’s mea culpa is about. He’s saying: strike that out, and let’s go and have the whole thing reviewed by a commission that would be required to meet and examine “present and future

public convenience and need.” I’m going to agree with the need. “Convenience” is a bit of a strange word to put in a document like this. I’m assuming it was done late at night, and maybe we could forgive someone for that.

Then he goes into a long list of things that should be considered, that benefits will accrue to Albertans. Now, remember before when I was talking about how I believe that utilities should be public because the feedstock for it comes from land that we own? They are resources that all of us own, so why don’t all of us get the benefit of that resource being transformed into electricity? Just one more plug for public utilities. This would work with that because it’s a benefit that would accrue to Albertans as a result of any new critical infrastructure.

It also talks about whether the need of Albertans can be met by the application of nonwire solutions or less expensive but equally satisfactory upgrading of existing lines or building electrical generators closer to the load and programs to reduce the load. That’s a mouthful, and he’s got huge ideas in that paragraph because he’s bringing up a lot of the arguments that we’ve heard over the last 15 years about why would we try – electricity doesn’t transmit very far. It just sort of dissipates. It’s very hard to send over long distances, and you do need to have your generators fairly close to the end receivers of it. Nonetheless, we had a number of plans before us in Alberta where we were going to build power plants near Edmonton to transmit the electricity to Calgary, to which clear-thinking people said: why wouldn’t we build the plant in Calgary if that’s where we need it? That led to a whole bunch of other arguments.

They’re also asking that cost be considered. That was another one of the huge arguments that went on. Who’s paying the price for this? Is it the ratepayers, or is it every single Albertan? Is it every man, woman, and child in this place that is going to pay for infrastructure that certain groups or certain people really get the huge benefit from? Did I talk about those companies that seemed to have done so well under this particular scheme and are also big backers and donors to the party in government and whether there was a close connection? Oh, yes, I think I did. At the same time I said that it’s really too bad that we don’t have stronger election financing laws because then we’d have a clear idea of whether, in fact, there was anything wrong or right. I’m happy to have the government be proved right occasionally, especially when it’s around that kind of thing.

The Member for Rimbey-Rocky Mountain House-Sundre is also suggesting “reasonable and economic operational alternatives to minimize system constraints” – and this could only have come from him – “giving consideration to technical efficiencies, reliability and capital costs.”

He then goes on to amend the second section that is amended in Bill 8, which is to “refer the application back to the Independent System Operator.” This commission could then send it back to the Independent System Operator to be approved, to be declined, or to be changed.

It’s a really comprehensive amendment, and I’m not surprised that we’ve spent several hours on it. It’s worth considering because he really has managed to capture the arguments of about the last 10 years pretty succinctly on one page. We do get dome disease in this place. We are all in here under artificial light. Some people have been here . . .

**An Hon. Member:** What?

10:30

**Ms Blakeman:** It’s artificial light. You plug it in. It’s electricity. It’s what we’re talking about.

. . . for many hours. You do get kind of a funny dome brain after a while. You forget that, really, we’re in here to make decisions for the people that live out there. You know, when I sit in those committee rooms, you’ll notice how I always sit so I can look out the window. It’s so that I can look out the window and see my constituents going by and remember what the heck I’m doing in that committee, so that I don’t forget and start to float around with all kinds of weird ideas. We need a little reminder now that everybody has been sitting in here for 15 hours that the point of this is to serve our constituents, to serve the people of Alberta. What is the best way to do that?

I think the Member for Rimbey-Rocky Mountain House-Sundre is very thoughtful, and I’m sure he’s spent a lot of time on this. He’s actually been thinking about this for probably 10 years. He has managed to encapsulate most of the problems that were identified. Would this bring us back to the point where we had safe, reliable, and cheap production, transmission, and distribution of electricity? Probably not. I think those days are done, frankly. I think that last bird got killed. It’s over. That dog don’t hunt no more. We’re not going back there.

So what are we going to do with what we’ve got in front of us? I know the government is not giving this serious consideration because they’re all looking really cranky over there, but you should.

**Mr. Rodney:** What?

**Ms Blakeman:** There it is, a big smile – thank you so much – from Calgary-Lougheed.

You should because this issue has been a particularly bad one for this government. You haven’t come through it very well. The mud is still sticking to you on this one. You all have beautiful suits, and the mud just doesn’t go with the suit, right? You have got to figure out more positive ways to work your way out of this one.

What you gave us with Bill 8 is not strong enough. It is not addressing the very high cost that people are paying. It’s not addressing the reliability. We had absolutely reliable delivery of power, and ever since the government did this, we get brownouts, we get blackouts, we get points where too many generators come offline, and we’re paying \$300 a kilowatt hour. I mean, come on. You should have been able to do a better job than that, and you didn’t. Bill 8 is not going to dig you out of the hole that you’re in. It’s not going to take the mud off your lapels, and it’s not going to make Albertans think any more kindly about you around electricity. I think you should have tried harder and gone further on that one.

I do agree with and I am willing to support this amendment from Rimbey-Rocky Mountain House-Sundre for having made an attempt to try and capture some of the most egregious omissions and commissions that were made with bills 50, 36, and 19.

Thank you for the opportunity to speak to that. I really appreciate it, and I look forward to hearing from the other side.

**The Deputy Chair:** Thank you, hon. member.

The Member for Olds-Didsbury-Three Hills on amendment A1.

**Mr. Rowe:** Thank you, Madam Chair. I rise today to speak in favour of this amendment. In my previous life, before this political life, I spent 35 years as an electrical contractor, as a journeyman electrician, then a master electrician, and then I operated my business for 35 years. So this whole issue of electricity and transmission and generation and so on has been very interesting to me. When we first deregulated the system, being a true conservative and believing in the whole business situation, I was

encouraged by it. I thought this was probably a good way to go. I've since learned that governments don't do business very well, so again free enterprise should be able to handle this whole situation. Over the years since we first deregulated this system, we've all watched our power rates increase significantly, and that started to concern me, but businesses have to make a profit. To get that service and keep those businesses operating, they need to make a profit. Granted.

Bill 50 really set off the alarm bells. When it first came in and I looked at all these proposals, I thought, oh, my God. What are we doing here? Number one, I'll go back to land rights and property rights again. They seem to have been thrown out the window so that we could get these critical transmission lines in place. I started paying attention to what was going on a little more, and about that same time as Bill 50 came in, we started to get information that the coal-fired generation plants in Wabamun, west of Edmonton, were close to the end of their life cycle.

In fact, my numbers may be a little bit off, but roughly 600 megawatts of power generation was shut down in the Wabamun area. At the same time as that happened, we saw Enmax build a gas-fired generation plant at Crossfield. Now Enmax is in the process of building an 800-megawatt plant east of Calgary in the Shepard area. You don't have to be much of a mathematician to realize that we've shut down 600 megawatts of power in the Wabamun area, and we've created just over a thousand megawatts of power in Calgary, which will be enough to effectively shut off half of Calgary on demand on that line. We need to see a needs assessment done on this line because the math just doesn't add up, folks. It just doesn't add up.

Then they recommended DC lines. I'll get to DC lines a little further down here. What was really troubling was that this \$16 billion to \$20 billion build-out was just handed to two companies: no competitive process, no bidding process, nothing. You can imagine that if a \$16 billion to \$20 billion contract was put out on the street, it would attract bidders from around the world. There is no question with a contract that size. Not only that, they were guaranteed 9 per cent profit. There was no – absolutely no – incentive for any cost control whatsoever. Even the advertisements that we all saw on our TV sets and in our newspapers and everything else – we paid for that – and those companies made 9 per cent profit on those commercials to brainwash us. That, my colleagues, is unheard of anywhere else. It's unheard of.

They did put in a cost control committee, if you will, to supposedly oversee this. As I understand it, the government approved just over a hundred million dollars for preparation to build these lines. The cost today is over \$1 billion. There's no cost control. In fact, the mandate of the cost control committee is not to interfere with the installation of these power lines. So where is the cost control? You and every Albertan are going to pay the price for that.

If our power bills react in the way that we're told they're going to react – if you're a business owner in Alberta, if you're a manufacturer and you manufacture widgets or whatchamacallits or whatever it is and that process is highly electricity dependent, if you use a lot of power, you're going to have two choices to make in the future. Those two choices are going to be to pick up your marbles and go to Saskatchewan or B.C. or you're going to cogenerate.

10:40

In either case who's left to pay the bill when these industries leave Alberta? Who is? All Albertans are left on the hook. Mom and Pop are going to be left to pay the bill because these guys are going to be long gone. That's a fact. The Industrial Power Users

group uses by far the most electricity in Alberta. They're going to be the ones that are most impacted by this. Yes, Mom and Pop Albertan will be and seniors, seniors' homes. That's all going to be impacted in a very, very negative way. We need to get a handle on this and do it right.

I would hope that in the future – just before I make that statement, I'll refer back to (2)(b). It reads:

Whether the need of Albertans for critical transmission infrastructure can be met by the application of non-wire solutions or,

read into that cogeneration,

in any less expensive but equally satisfactory way, such as upgrading an existing line, building electrical generators closer to [where] the load [is required] and programs to reduce the load.

I've talked to several people in my riding, especially farmers and ranchers because they're quite able to do it, who say that if this happens, they'll just go right off the line and start producing their own electricity with gas-fired generation plants. They will do it.

I would encourage anyone who has an interest in this to google Bloom Box, bloom just like the flower. It's a home generator, and it's very, very quiet. It makes about as much noise as your average air conditioning condenser. It's expensive, \$15,000 roughly, but if I was a young person building a home that I expected to live in for 10 or 15 years, I wouldn't think twice about it. I would just go off the line. That's going to happen more and more and more, the more onerous the bills we inflict on people. So that's very, very important.

I'll just read some comments here. You may hear a lot of terminology mentioned during the debate in reference to AC power versus DC power and far too many acronyms to mention. What you need to remember is what is printed on your electric bill: watts. A generator produces watts of power. The transmission company transmits watts of power. Distribution companies sell watts of power to consumers, and we all purchase watts. Whether it's megawatts, kilowatts, or milliwatts, a watt is a watt is a watt. If you have no idea what is being talked about in the debate, just say watt and you'll be back on track.

**An Hon. Member:** What?

**Mr. Rowe:** Watt.

Generator companies generate electricity as alternating current. The power is delivered to consumers in the form of alternating current, or AC. All of Alberta's transmission lines and distribution lines are designed to carry AC power. Transmission lines are high-voltage electrical lines and distribution lines are low-voltage electrical lines. Why then is Alberta proposing to build two high-voltage direct current lines for transmitting electrical power from Edmonton to Calgary if everything is designed for AC power?

High-voltage direct current can be highly efficient alternatives for transmitting bulk power and for special-purpose applications, particularly over great distances. Whether or not high-voltage DC technology is a correct technology to use is a function of many variables. That said, it is well established and accepted in the industry that HVDC technology only has an economic break-even point at roughly 600 kilometres or more. Stated another way, to even consider using HVDC technology, the proposed project length should be a transmission line greater than 600 kilometres or more in distance or length; otherwise, it just doesn't make economic sense. The two HVDC transmission lines being proposed in Alberta are 330 kilometres and 500 kilometres respectively. Both are well under the break-even threshold of 600 kilometres.

I would hope that in the future our grandchildren are not driving down a highway one day and looking at our transmission lines, that we still owe money for, and viewing those in the same way that we view telegraph lines down old railway beds today. That's not such a stretch. Who would have thought 15 years ago that we would be using these things in the manner that we're using them today. Imagine your life without this wireless communication. That's what we could be looking at in the future, folks, not \$20 billion power lines that Mom and Pop are going to be left to pay for.

This is a very, very serious issue. All Albertans need to pay extreme attention to this because it's critical for the future of Alberta.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

Now I'll recognize the hon. Leader of Her Majesty's Loyal Opposition.

**Ms Smith:** Thank you, Madam Chair. Well, I wasn't expecting to be in the Legislature this early in the morning. I think we're now in our 15th hour of debate on one of what will ultimately be three bills that the Official Opposition and members of other opposition parties believe need to have significant amendments to in order to make them right.

The amendment that is before us on Bill 8, the Electric Utilities Amendment Act, 2012, is, I think, the only way that we are going to truly correct the problems that were created when Bill 50 was passed, inappropriately in our view, inappropriately in the view of many watchers of the electricity business, inappropriately in the view of landowners. Bill 8 as it was put forward demonstrates, I think, that they're at least recognizing they made a mistake when they passed it in the first place. But to truly undo the damage that was created when Bill 50 passed, we need to also pass the amendment put forward by the hon. Member for Rimbey-Rocky Mountain House-Sundre.

Before I get to the meat of this amendment, I do just want to talk a bit about process. As a new MLA, a new Member of the Legislative Assembly – and I speak, I think, on behalf of many of my colleagues who are new in the Legislature – we actually took the words of the Premier at face value when she was running for the leadership of the Progressive Conservative Party a number of years ago. I find it remarkable that we are in a position now where we have a government that is prepared to go through and make the exact same mistakes as they've made in the past. I think that this is contrary to what the Premier promised Albertans. I think this is contrary to what we in the opposition expect. I think it's contrary to what new members, not only on this side but also on that side, expected that their Premier would do once she won another majority government.

I want to read a column from the Premier that was written in August of 2011, and I think it goes directly to the issue of what we're facing today. We've got an amendment before us to correct a piece of legislation that was passed in haste, that was a mistake, and now here we are years later having to come back to correct it. What the hon. Premier noted in her leadership campaign was:

We need to change how we make decisions. We must make time and processes available for consulting with Albertans before we pass laws. That doesn't mean every Albertan will agree with every decision, but there will be time to learn about the issue and [there will be time to] weigh in.

We need to change how the Legislature and MLAs operate. More free votes so MLAs can reflect constituents' views...

and, importantly,

... more time between proposing and voting on legislation. This was a commitment.

**The Deputy Chair:** Could you please table that document that you just quoted from at the appropriate time?

**Ms Smith:** I will be happy to table the document at the appropriate time.

**The Deputy Chair:** Thank you.

10:50

**Ms Smith:** Now, I think that if you look at the manner in which the opposition and the new MLAs have been conducting business in this Legislature, you'll see that we genuinely thought that we would be doing business in a different way. There have been, I think, 700 pages, if you count Bill 7, of legislation that have been dropped on this Legislature to go through, review, for us to identify amendments, to debate as a caucus. We are now in our fourth week of debating these issues. In that time, when I look at the way in which we have been able to work constructively with the government, we look at, for instance, Bill 1, where one of our own members, the Member for Calgary-Shaw, was able to propose a number of amendments. One of the amendments was duly debated. It was discussed, it was agreed to, and it was ultimately passed. I think it made the bill better.

It's I think a credit to this Legislature when you look at how that bill passed through its different processes, where the government gave due consideration to the amendments that we put forward. Again, as the Premier said: we may not agree on everything, but we can agree on some things. In that case we did agree on some things. We improved the bill, we made it better, and when it passed, my recollection is that it passed with unanimous consent of this Chamber. Every single party felt that they could support that bill. That to me is the way this Legislature is supposed to work. Again, we may not agree on everything.

I can go to looking at Bill 3, another example where the opposition put forward multiple amendments. One of them was put forward by the hon. Member for Calgary-Fish Creek, working with the whip on the other side to put forward an amendment that would strengthen the provisions for our schools to be able to deal with issues of weapons on school grounds, to deal with drugs on school grounds. This to us and I think to all of the members in this Chamber was an important amendment. It was debated, it was discussed, it was agreed to, it was given due consideration, it was passed, and I think it made the legislation better.

Now, not all of our amendments were agreed to. We know that the Education minister spoke at length about why he opposed many of the other amendments that were put forward by the hon. Member for Chestermere-Rocky View. But the point is that the process in that case worked. We put forward our amendments. We debated them in the light of day without having to go through a full evening session where no one got any sleep. We had respect on both sides of the Chamber. I understand that the debate got heated from time to time, but we were able to debate it, we were able to look at the amendment appropriately, we were able to come to an agreement, we were able to improve the bill, and, ultimately, it passed.

I wasn't here when it was passed because, again, I think it was passed in the wee hours of one of the evenings. I would have liked to have been here, to have been able to have a final moment to be able to discuss that and to lend my support to it and to vote on it. Again, this is an example of how you can work together collaboratively, come to a conclusion, and pass the legislation in a way that I think respects all of the members in this Chamber.

Now, last evening, I don't know how things got off the rails. I thought that our House leader and the House leader of the party opposite were working pretty well together getting legislation through this Chamber. I thought that there was an agreement, some mutual respect, some understanding that the members on this side of the Legislature take the issue of being serious parliamentarians seriously. We read the legislation.

**The Deputy Chair:** Hon. member, I'll just remind you that we need you to be speaking to the amendment.

**Ms Smith:** Absolutely. As I said, this is all related to the fact that we have different processes that worked for dealing with amendments that improved the bills. This is what we are attempting to do with this amendment that we've put forward on Bill 8. We are attempting to go through a similar process that successfully managed to improve Bill 1 and get our support, that managed to improve Bill 3 and get our support. We think that if the government takes that same approach in dealing with this amendment as the way that they dealt with our previous amendments, with respect, with due consideration, we may be able to improve this bill in a way that will not only satisfy the needs of our constituents but also will satisfy the needs of the constituents of the members opposite.

I think you can't talk about this amendment until you talk about why this process has become so dysfunctional in the course of 15 hours. I don't know what occurred over the course of the last 15 hours that has caused us to go from a process that was working reasonably well to going towards a process that is not working for any of us and which, I think, violates the spirit of what the Premier had suggested when she talked about slowing legislation down, when she talked about having a process where we could take time between readings, where she talked about free votes and giving due consideration. I, frankly, haven't seen that. I'm once again wanting to support my colleagues on this side in the fact that we have been constructive in developing a process that we think leads to better legislation.

Last night there were an additional four bills that passed. The home warranty legislation passed which, once again, is one that did not receive a lot of push-back from other members of the opposition. We had issues with Bill 6, the fact that they were increasing the fines extremely without putting those dollars into a special fund to be able to deal with the victims of those violations. We think that could have made the bill better. There wasn't an opportunity for us to be able to amend it, but we certainly spoke to it and made that point. Another piece of legislation that passed, Bill 9, was the bill where we were dealing essentially with some housekeeping issues in dealing with changes to the corporate tax structure. Bill 10, the Employment Pension Plans Act, again allowed for our oversight bodies to have a greater purview to look at a range of pension plans.

Once again, I believe that the opposition members have put forward amendments, they had them debated, there was due consideration. We didn't get our way on all of those amendments, but at least we felt that there was due consideration being given to these bills. Unfortunately, again, something happened in the last 12 hours, and I'm not quite sure what it was. We're not seeing, I don't think, a level of respect and decorum for the process, that was promised by the Premier when she ran for the leader of the Progressive Conservative Party.

I'm glad that the Deputy Premier is here. I'd kind of like him to give me a display of the kind of behaviour that we saw last night. Maybe I'll model it. My understanding is that as our members were speaking, he was doing something like this and actually

handing pieces of paper back to others so that they can go like this. [Ms Smith scrunched a piece of paper] I think there were a couple of hon. members from the other side that were doing things like this as we were speaking. [Ms Smith tore a piece of paper]

**The Deputy Chair:** Hon. member, please address amendment A1.

**Ms Smith:** I'm just trying to understand what we're going to be experiencing today as we debate these amendments. I'm trying to understand whether the hon. members opposite take this process seriously. We have discussions in this Chamber about bullying. I have been to events in the last couple of weeks talking about bullying. The behaviour that I am seeing on that side towards these hon. members is outrageous, the fact that they're sitting here now pretending that they didn't behave this way last night.

I can tell you that what this does is that it diminishes the process. When we come here and we are putting forward hours and hours of our time to go through and read these bills, we are putting forward hours and hours of our time to go through and talk to stakeholders, hours and hours of our time to go through and draft amendments to come here to debate them, that is the behaviour that we see on the other side. Now that we're in the light of day, maybe the Deputy Premier isn't going to behave that way. But I think the media, I think the public need to understand that we have a government that does not take this process seriously. That, I think, is the biggest shame. I do not think that is raising the bar.

What would we do if we were elected? We talked about doing something quite a bit different on the process, and I think what we had proposed was very much in line with what the hon. Premier proposed as well: taking the time between amendments, taking the time to go back and consult, taking the time to make sure that we get the legislation right. We would not be here today addressing this issue and addressing this amendment that has been put forward by the hon. Member for Rimbey-Rocky Mountain House-Sundre if the government had actually had a different process, where we would be able to go through and properly assess legislation, talk to stakeholders, and be able to get an appropriate result.

On the issue of this particular amendment one of the reasons why it is coming forward now is because the government once again took a half measure in how they were trying to assess and deal with the problems that they brought forward because they passed inappropriate legislation in the first place.

11:00

I'm going to read into the record a column that was written and appeared in the *Calgary Herald* which quotes the Energy minister. It talks about the reason why we need to go back, pass the amendment that has been put forward by the hon. Member for Rimbey-Rocky Mountain House-Sundre, and actually fix this bill once and for all.

[The Energy minister] introduced legislation to repeal controversial Bill 50, but he says the law that empowered cabinet to approve \$8-billion worth of critical transmission projects without a public hearing was necessary at the time.

He said Tuesday it was not a mistake to pass the Electric Statutes Amendment Act to seize that power from the Alberta Utilities Commission in 2009.

"Different times; different needs," he told reporters at the legislature.

"Now it's important that we send this responsibility back to the Utilities Commission. The decision to pass that bill to move forward with that critical infrastructure was needed at the time it was done by the government."



The law, which sparked outrage across the province, enabled cabinet to give the green light to five transmission projects, including two high-voltage lines connecting Edmonton and Calgary – worth more than \$3 billion – as well as a \$400-million line into the industrial heartland northeast of Edmonton.

Now, I'll go on referencing this once again because it goes directly to the point.

**The Deputy Chair:** Hon. member, you will table that document as well at an appropriate time?

**Ms Smith:** I'm happy to table this document.

**The Deputy Chair:** Thank you.

**Ms Smith:** It goes directly to the point that this amendment is trying to address. We have acknowledged in our second reading of this bill that part of what occurred when the bill was being drafted, debated, and what's happened today is that the world has changed. Bill 50 was created in a world where we thought that we would have cheap and plentiful coal-fired production into the foreseeable future, where we would see natural gas prices remain sky-high in the double digits, where in this province we were even looking at other potential options.

I recall going up to the Peace Country and talking to a number of people who were concerned about the creation of a new nuclear power plant, with 4,000 megawatts of power. We know that there have been discussions, potentially, about bringing hydro power online.

What has happened between the time that this bill was introduced and crafted, the time that the hon. Energy minister talks about, is that the world has changed. Now, they recognize one portion, that the world has changed to the point where we have to go back and allow for the Alberta Utilities Commission to do a full independent needs assessment. We completely agree with that. We, in fact, felt that we should not ever have taken that power away from the Alberta Utilities Commission because if we had maintained that power with the Alberta Utilities Commission and we had given an appropriate oversight of these various projects that were approved by cabinet fiat, by legislation that allowed the cabinet to make these decisions, we wouldn't be in the position we are in today.

We, actually, would likely have a number of statements on the record by a number of different groups that would either affirm the government's position that, indeed, this critical infrastructure is necessary, or it would reject the government's position and support the position that we have heard from multiple landowner advocates, multiple property rights advocates, multiple consumer association groups. We simply think the government made two mistakes, not only in removing that regulatory process, but the second mistake was thinking that they were power engineers and could figure out what the power needs of this province would be on a go-forward basis.

Now, let's remember what we're hearing now. We're now hearing that at the time the reason why they said that we needed this transmission production was because of the fact that Calgary would be in the dark, that the lights would go out, that we would have blackouts. Well, now what we're hearing is that the argument has changed. Now the argument that we hear is that the reason we're building it is because we're actually building out 30 years into the future. So what has happened is that, yes, the world has changed – and the government has recognized that – but rather than correct the true error that they made and take these projects and put them back to the Utilities Commission for a proper

review, they're trying to change their argument to justify why they're going to burden consumers and industry with the cost of building a bunch of additional transmission lines that we simply don't need.

We believe that by putting forward this amendment to repeal section 41.1 and replace it with the following, we will be able to accomplish this task. So 41.1(1) in the amendment that we're proposing would state that "a transmission facility designated as critical transmission infrastructure under section 41.1 of this Act as it read immediately prior to the coming into force of the Electric Utilities Amendment Act, 2012, shall be reviewed by the . . ." [Ms Smith's speaking time expired]

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Airdrie.

**Mr. Anderson:** Thank you. Good to be back in here. I'd like to thank the opposition leader for a wonderful speech. That was music to the ears. [interjection] The Deputy Premier is showing all the class that he has, so much class. The Deputy Premier, beloved by all.

This bill, Bill 8, and the amendment, of course, that we're talking about here are an attempt to fix this disaster. This bill is a very frustrating piece of legislation because it's saying: "We admit that we did something wrong. We admit that, in fact, we made a mistake by granting powers to our cabinet, that they were all of a sudden pronounced mechanical engineers, power engineers, that they all of a sudden had all this expertise to decide what was needed in this province with regard to power by circumventing the independent needs assessment process, which had been put in place for years." This is a frustrating bill. It's a very frustrating bill.

How can a government on one hand go out there and say: "You know what? We made a mistake in giving cabinet those powers, but even though we used those powers to approve \$16 billion in transmission lines, we're going to go ahead with those mistakes. We're going to go ahead with those \$16 billion in transmission lines, but we're going to take away the power we gave ourselves in order to do that?" I mean, honestly, if it wasn't so serious, if it wasn't so expensive for our seniors, if it wasn't so expensive for our corporations and businesspeople and the people that have businesses and own small businesses, it would be funny. But, unfortunately, it's not funny because of how expensive this is. It's just shocking.

I remember, when I was a member over on the other side, that this issue did come before caucus, and it was actually a pretty divided caucus at the time. You'll remember that, hon. Member for Calgary-Fish Creek. It was actually very divided at the time between those who felt that Bill 50 was a good bill that needed to go forward and those that did not. In fact, it barely – barely – passed caucus. I remember very clearly then Minister Morton voting very strongly and speaking very strongly against the bill to build these power lines. I also spoke against it and voted against it, as did many others in that caucus at that time. Unfortunately, it went through regardless.

Then later on we saw that same minister become the Energy minister, and then all of a sudden he was in favour of it, after being in a position to do something about it. But, you know, we can't be hard on that individual because it happened with so many folks over there who said one thing and then, instead of standing on their principles, did not. [interjections]

**The Deputy Chair:** Through the chair.

11:10

**Mr. Anderson:** Well, we're talking about principles. That doesn't include the Deputy Premier, guys. I mean, jeeppers, calm down. We're talking about principles here.

It's very imperative, I think, that this government account. There has to be a reason why you would say that you shouldn't have given yourself a power, but you use that power to do a bad thing, in our view, and then you take that power away and say: oh, sorry; we shouldn't have given ourselves that power, but we're still going to go ahead with the bad thing. This is wrong. It is just absolutely wrong. You cannot justify doing this. We are talking about \$16 billion in unnecessary transmission lines.

Madam Chair, once we start building these, there's no going back. There's no going back. Once they're built, they will go on power bills. They will have to be paid for by my family, by your family, by the families of everyone in here, by the seniors living on fixed income, by families that have, you know, five kids and a single mom or a single parent at home struggling to make ends meet. It'll have to be paid for by that small business who is trying to eke out every last cent because it's so hard. The labour market is so hard, and they have to pay such high wages to their labourers, and then on top of it, they're going to have to pay these power bills. And we go on and on, and all of these different people are going to have to pay this. Then we're going to look back, and we're going to have this massive 16-lane highway that has four lanes of traffic on it. It's going to make no sense at all, and we're going to be paying for it. It doesn't make any sense, and it's wrong.

One has to wonder why. Why would the government do this? I mean, clearly there are intelligent people over there, right? So why would you do this? Think about this. Why would you base your assessment of what to build in 2012 on 2003 AESO statistics? The world has completely changed. Technology has completely changed. Growth rates have changed. Cogeneration technology has changed. Everything has changed since that time. We're in a totally different world with regard to the technology being talked about here, yet we're going off that. It makes no sense.

Right now the University of Calgary School of Public Policy, IPCCAA – I mean, we can go down the gamut of all the folks aside from AESO. They keep holding up AESO. Every single organization independent of government is saying that this is an overbuild, that it's not needed, it's expensive, it's going to cost too much, that we don't need it, et cetera, yet we're going ahead with it anyway. Honestly, I just for the life of me can't figure out why that is.

We know for a fact that Calgary has more than enough power supply because of the new Shepard plant that's coming onboard and a couple of others coming onboard. There's actually going to be double what is actually needed for the city of Calgary in coming years, especially when you tack onto that all of the incredible energy conservation efforts and cogeneration and everything that's going on, people putting their power back onto the grid.

There is going to be absolutely no need for these lines to keep the lights on in Calgary. Don't you think the MLAs from southern Alberta would be worried about power if that was a problem? Of course we would be. We would be the first people saying: you've got to keep our lights on down here, okay? We've got 15 MLAs south of Red Deer who are directly on the hook if the lights do shut off, so why are we sitting here saying that this is a complete waste? Because it is a complete waste. All of us are going to be the ones paying for it. There is more than enough power, and obviously there does need to be some upgrade of transmission on

the grid, but we need an independent assessment process to help us understand what exactly that is so that we don't spend any more money than we possibly need to spend in order to get this done so that we can keep our power bills as low as they possibly can be.

Madam Chair, I think it's absolutely critical. I think there are folks over there – not all, but I think there are many over there – that do take this process seriously. I don't see how we can move forward in this Chamber and have any kind of reasonable debate when we are up till 11, 12, 1 o'clock in the morning as a matter of regular business, talking through business and then having 10 bills thrown at us in a two-week, three-week period to analyze them, then having leg. counsel draft up 50 amendments. Fifty amendments in that time. It's insane to be doing business this way. No other jurisdiction does business in this way. It's not normal. You don't come back for five weeks or six weeks – probably five weeks is what I think is being aimed at here, but six weeks at the most – to do 10 bills, sitting morning and night, morning and night, morning and night, and then last night coming right through nonstop. It's insane. You can't do it that way. How can we focus on amendments like this, Madam Chair, if we keep doing it this way? It's not parliamentary to do it this way.

I mean, we're going to have our disagreements and so forth, but the people of Alberta expect that bills are going to be debated in the light of day like this, and amendments are going to be debated in the light of day, that there's going to be a regular question period, that there's going to be a time for accountability and members' statements and introductions of guests and tour groups and so forth and all that stuff. That's what they expect their business to be like. They don't expect what this is devolving into.

I really do hope that in the next little bit we can get back on track, that we can kind of find ourselves again. Look, I mean, obviously we're down a track here where we have these evening sittings. I know the House leaders are going to be talking about this in the sessional break, about morning and night sittings, but this is ridiculous. This is insane. I mean, we cannot continue to do it this way. If we have to do it one night or maybe two nights a week to a specific time, a reasonable time like 10:30 or 11, that's reasonable. Anyway, maybe we can do that. If we continue to do what we're doing here, we're making a mockery of this process. We should do better, especially with a Premier that promised to do better.

You know, I bought into it, too. That's what's so funny about it. You have these hopes, and you listen to the stuff. Even I said: "You know what? I disagree with that Premier on a lot of things, but, darn it, maybe she's serious about transparency and changing the way we do business in the Legislature." It's gotten worse. It's gotten worse with regard to how we do legislation. It's like legislative sausage-making at its worst. It's icky.

**The Deputy Chair:** Hon. member, please speak on amendment A1.

**Mr. Anderson:** That's why you get icky amendments from time to time. This is not an icky amendment, though. Let me tell you. It's a special, very good amendment.

Madam Chair, I just hope, again, that the government will reconsider, that they'll support this amendment, that they will get those power lines immediately stopped before any more damage is done, and that we will reconsider the gong show that we're in right now and start conducting our affairs in this place in a way that, you know, doesn't ruin the reputation of this House.

I mean, read a newspaper, guys. Read some of the letters that are being sent your way. You think Albertans are impressed with

the way things are devolving right now, with all of the scandals and the lack of transparency and these bills that we were all looking forward to and what's been lacking? Anyway, I think that there are a lot of folks that are disappointed. Maybe not in every constituency, granted, but I really feel that this is making a difference, and I think you're going to start seeing real indications that things are unfolding in a bad way for the governing party here if this continues.

So, Madam Chair, with that, I will take my place and ask that we please reconsider supporting this amendment, that the government support this amendment, and that we get our act together in this House.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thank you, Madam Chair. I appreciate an opportunity to speak on this amendment to the Electric Utilities Amendment Act. I appreciate the Member for Rimbey-Rocky Mountain House-Sundre for bringing this forward. I think that the Member for Rimbey-Rocky Mountain House-Sundre had an interesting insight into this Electric Utilities Amendment Act, talking about need both in the present and the future and building electricity generating capacity closer to where the electricity is being used.

11:20

Both the Member for Rimbey-Rocky Mountain House-Sundre and I dealt with this issue at considerable length a number of years ago when there was the proposal to build a high-tension line to the west of highway 2, running from Wabamun and then south through many areas, including this Rimbey-Rocky Mountain House area, down towards Calgary. While initially I was involved as the Energy critic here in the Legislature, responding to landowners' concerns around this high-tension wire, I started to become more aware of just what the provincial grid system was like here in the province of Alberta and what our needs and our electricity generating capacity actually were.

As I learned more, I realized that a lot of what the AESO was putting out very strenuously about the dire need to increase our capacity and the need for long-distance, high-tension wires across the province not only in the highway 2 corridor but across the eastern side of the province of Alberta towards Saskatchewan and so forth – a lot of it wasn't adding up, quite frankly, Madam Chair. Both the structure and the choice of transmission lines and the math around what our actual needs were in the province according to the AESO were actually not congruent with what we were finding in reality.

What I started to realize was that sometimes in regard to electricity, logic and reality are bent to meet the needs of certain generators and generating companies that have their own ambitions around producing electricity. As soon as we started to apply more pressure on the proposed western line through the Lavesta group and others and hearings started to pop up both in Red Deer and then later in Rimbey, we started to see that other generating companies – right? – started to look at it as a sign of weakness for that one proposal and started to propose their own generating proposals, then touting those as the correct way to move forward for our electricity industry here in the province of Alberta. There are lots of different ideas, lots of different versions of reality, not any of them necessarily meeting the needs of what was required for future public convenience and need.

That's why this amendment I think is so prescient. It reminds us

of the confusion and the problems we have around a deregulated electricity market here in the province of Alberta. Electricity deregulation has not been good for consumers. It has not been good for sound, rational planning of our electricity grid here in the province over the last 20 years, and certainly it just adds a great deal of confusion for the future and for legislation such as is being brought forward here in Bill 8.

The root, I would suggest, of the impasse that we've come to here, Madam Chair, in regard to Bill 8 and in regard to electricity generating capacity and consumers being ripped off when they open up their bills every month is the fact that we don't need a deregulated electricity market here in the province of Alberta. We need some semblance of sane, rational, reasonable regulation like most other jurisdictions across the country and most developed nations around the world.

Electricity is not something that you can buy and sell like used cars and pizzas. It's an essential service that we live by as a modern, industrialized country. Right? We don't simply buy and sell them in the normal market circumstance, nor has any normal market circumstance evolved or come to pass as a result of these many years of a deregulated market. We were sold a bill of goods on electricity deregulation. We will not come to any reasonable resolution on legislation until we reregulate the market as it should be done and as it's been done in all other reasonable industrialized societies around the world.

It's not as though, as I say, a market has actually developed with any more diversity than we had before this inappropriate decision was made to deregulate the electricity market. It's not as though electricity is a product that you can simply buy and sell in the same way as you can other products, like I said.

Again, this amendment is very useful. This amendment I think speaks to the folly of our choice to be a deregulated market. Inside of it at least it tries to look at some bandages that we can put in place in the meantime. The idea of generating electricity where it's close to being used is an idea whose time has come. We had the high-tension line west of highway 2 going to Calgary and probably south to Montana to sell electricity to the United States as well, as it happens. When that was disapproved, we saw companies such as the local Calgary utility company saying: "Well, we will generate electricity. We will generate dozens of generators around the city of Calgary. We'll produce that electricity, and it'll be used close to where it's generated in the first place."

Every kilometre that you move electricity down a line, you lose a percentage of that electricity. It's gone. So the idea of shipping, let's say, coal-generated electricity from east of Edmonton to southern Alberta is not only absurd; it's highly inefficient. It does not speak to the physics and the science of electricity and how it decays over time when it passes through a line.

The other issue, of course, as I said, is that we have these different companies producing electricity and generating electricity each coming up with their own version of reality in terms of why we need these lines and where they should go. Again, if we are looking to the public interest and the present and future public need and convenience, as this amendment says, then perhaps we will inject a higher degree of honesty when different energy or electricity companies are touting their latest megaproject that inevitably probably needs public subsidy and an increase on our line charges on our electricity bills for us to pay for it.

Again, with the electricity line running west, which was eventually quashed, we saw all manner of absolutely abhorrent behaviour by not just the electricity company involved but by the AESO and other parties as well. At one point the public hearings

were put behind closed doors for some trumped-up charges of potential violence or disruption and so forth. As an elected MLA I went down to Rimbey to participate in these public hearings, and even I was barred from doing so – I don't know why – because somehow someone put a rule in front of that. That was absolutely absurd, it was absolutely inappropriate, and it spoke to the fact that there was something really very wrong with what was going on on the other side of that door. I often still joke with some of the guards around here in the Legislature who were there in an unfortunate position, to bar people from going into those public hearings. Of course, you know, we joke because it was a useful and helpful thing for our cause because it hit the front page of the paper, and it became more apparent to the public how absurd the whole situation going on there in Rimbey was.

Just one more small thing about the Member for Rimbey-Rocky Mountain House-Sundre and I dealing with electricity is that we worked with a group that had sprung up and grew to quite large proportions along that corridor. That group, we learned over time, was infiltrated – get this, infiltrated – by a spy hired by the AESO to spy on us. I was part of that group as well. The AESO hired a spy to spy on a group of which I was a member. Right?

**11:30**

**The Deputy Chair:** Hon. member, I remind you that you're speaking on amendment A1.

Thank you.

**Mr. Eggen:** That's why we need amendments like this – right? – to make sure that they don't stick spies amongst us. We caught that spy, the lawyer for the Lavesta group. We caught him in the bathroom, and after about two seconds' worth of interrogation, he confessed. He wasn't a very good spy. I guess they didn't get him from the top-shelf spy list that they might have somewhere. He confessed almost immediately.

**An Hon. Member:** You have to check your agent status.

**Mr. Eggen:** That's right. You only get what you pay for, apparently, when it comes to spies and private investigators.

Anyway, once again, I mean, a clear illustration of the absurdity of what was going on in regard to building this electricity line, which was not needed, between Edmonton and Calgary. Thank goodness for the citizens that live between Edmonton and Calgary that stood up to that. Thank goodness for the good work of the Member for Rimbey-Rocky Mountain House-Sundre and all of the people in the Rimbey area who stood up to this nonsense of overbuilding high-tension lines for moving electricity over long distances here in the province of Alberta, losing that power along the way and probably aiming to ship that power right out of Alberta and sell it to the United States market. The whole thing was a car crash.

You know, we're trying to help the government here. That's what I really want to do. It goes to my best nature to try to help people, so I reach out to the Energy minister. We've worked a lot together on all kinds of different files. Here we are going from health to electricity. Who knows, Mr. Energy Minister, what file we might be working on together next? You never know. We could be doing justice or transport. I'm just saying that we've gone from health to energy. I'm trying to give you a hand here with this amendment. It's very useful.

Certainly, this is a very well-thought-out amendment to Bill 8. You know, I think another missing element we have here is that there's an electricity report out there somewhere. Wouldn't it be useful to have that electricity report so that we could actually put that missing piece of the puzzle into this so that we actually knew

what was going on? Where is the future heading in terms of electricity? We've seen so many right turns, left turns, backups, car crashes on the deregulated electricity market in this province. Maybe it's time for us to sit down and take a long, sober look. Maybe we can reregulate some elements of our electricity market here in the province.

The last element which this amendment speaks to very clearly and succinctly is the fact that Albertans are tired of getting ripped off every month when they open their electricity bill and see all kinds of extra line charges, administrative charges, and a price variation which is like riding a roller coaster. People can't budget for their electricity and utility prices from month to month when they fluctuate so wildly, right? Then somebody comes along, some young people banging on the door and being quite rude, trying to sell you one of these packages, which everyone's sixth sense says: there's got to be something fishy about this.

**An Hon. Member:** Offering steak knives.

**Mr. Eggen:** Sure. Yeah, exactly. Using the same techniques that people use to try to bully you, to sell you some kind of cleaning liquids or something. Instead, they're selling you electricity, right? Lots of people that I've had to deal with in Calder come to me and say: did I do the right thing signing this thing under duress? I say: no; look at the clause and find a way to get out of that contract because you're just getting ripped off left, right, and centre.

We're left with having to be exposed to extraordinary electricity bills because things like the items that are mentioned here in this amendment are not being addressed in an honest and reasonable way. I know that the deregulated market is a long and tangled road, and it will take us a while to get out of it. I'm willing to acknowledge that, that we can't just turn it back with a stroke of a pen. But maybe with three or four strokes of a pen we can. Maybe over a very short, reasonable amount of time this same room and same Chamber that made the mistake of deregulating our electricity market can start getting back on the road to recovery. I know that people in my constituency would love that.

I know that almost nobody with a straight face can tell me that they actually benefit from a deregulated electricity market. I don't know. Maybe if you produce your own electricity somewhere and so forth, but even that is cumbersome and difficult. Maybe this amendment will help us to open the door for people to produce their own electricity and have it sold through differential pricing back onto the grid – right? – another huge missing link here in the province of Alberta that has been blocked turn after turn by the heavy-handedness of the AESO and under direction from this PC government.

We do have a net energy bill, but it doesn't have the means and the mechanism by which we can price different kinds of electricity appropriately so that it is affordable and makes economic sense for individual consumers and small businesses to start generating their own electricity and selling the excess back onto the grid. People say: "Oh. Well, other countries do it. How come we don't?" It's because they put solar energy and wind energy and geothermal energy on a different price level according to the value of it so that it makes it worth while for people to actually generate it. I could generate electricity in my place. I intend to do so when there's enough of a differential price so that I can have those solar panels functioning for my family and I could also sell the difference back to the grid and pay off the system over a reasonable amount of time.

That's what this amendment really talks about, too. It says, "building electrical generators closer to the load," and "the present and future public convenience and need" of our consumers here in

the province, right? We have to think way ahead, and we have to think past the interests of the big utility companies who tend to write these laws for themselves. We have to start thinking about the consumers and the possibility that, in fact, we may be generating electricity in radically different ways than we are here today.

**An Hon. Member:** Have you got something against coal?

**Mr. Eggen:** Well, you know, I do in a way. I mean, coal has been generating electricity us for a long time, but clearly it's time for us to move away from the dependence on coal. We have the technology and means by which to do so if we choose properly.

Madam Chair, I'm really happy that the Member for Rimbey-Rocky Mountain House-Sundre – he should get an acronym for that, really, shouldn't he? – has put this forward, and I will be very proud to support this amendment when the vote comes, if the vote comes.

**The Deputy Chair:** Thank you, hon. member.

The hon. Leader of Her Majesty's Loyal Opposition.

**Ms Smith:** Thank you, Madam Chair. I thought it might be interesting to just start my comments once again on the amendment by reflecting on the practice of speaking at length. The practice of speaking at length to a piece of legislation has been an effective tool for delaying unpopular, contentious, or, in the cases we see with this bill, bad legislation. If you want to know where the first use of it came from, we see its first use in ancient Roman times. Cato the Younger, a Roman senator, would use the rules requiring senate business to be concluded by dusk by speaking continuously until nightfall. Quite interesting. One of the famous times that Cato used this technique was in 59 BC in response to a land reform bill.

**The Deputy Chair:** Excuse me. Hon. members, I know you're having some important conversations, but can we keep the level of noise lower, please? Thank you.

**Ms Smith:** Thank you, Madam Chair. Once again, they may not believe this on the other side, but we actually are trying to give them an opportunity to correct a piece of legislation, that has caused them great grief for the last three years, through this amendment that has been put forward by the hon. Member for Rimbey-Rocky Mountain House-Sundre.

Going back to an independent needs assessment is absolutely favoured by this caucus, is favoured by the landowners who have been advocating against this bill for some time, but it is not going to be enough for the consumer groups, especially the industrial consumer groups, who are still going to be harmed under the legislation as it is currently written unless we empower the Alberta Utilities Commission to go back and review these five pieces of infrastructure that have been passed by legislation without going through the proper process of scrutiny.

**11:40**

I'm still not quite sure why the government doesn't see that this is actually an opportunity for them to either get independent assessment and approval and validation of the decisions that they made, which will give them the ammunition that they need – and I'm sure they're confident that these transmission lines are needed. It will give them the ammunition that they need if on the table we have the Alberta Utilities Commission saying: "Yes, they're needed. Here are the reasons why. We've done the cost-benefit analysis." Right now we have a situation where we've got

the government saying: "We're not experts in this field. We're looking at a report that was given to us in 2003. The world has changed because of the different prices for coal and natural gas, the different requirements on coal, but we're going to go ahead with it anyway. We've changed the rationale now for why we need them."

That is not going to fly with landowners, and it is not going to fly with consumer groups. If it is the case that we truly need those five independent transmission projects, the government should not have any fear of going through the regulatory process to assess and get the validation that they need. Once you have that independent regulatory approval, once you have the regulator saying, "Yeah, this is important critical infrastructure," I think that what they will find is that a lot of landowners will say, "All right, then." Right now landowners simply don't trust that the government has done the due diligence on this because the rationale for why we need these projects keeps on changing.

The rationale, as I mentioned before, initially began because they said we were going to be in blackout in Calgary in 2009. That clearly hasn't happened. Then there were reports that suggested that part of the reason this transmission needed to be built was so that it would enable the export of power, which, you can imagine, has a number of landowners very concerned that it's Alberta ratepayers who would be paying the price for lines that were ultimately to be able to give American consumers lower electricity costs.

I have to go back to when I first began to be introduced to the issue of electricity and the concerns that we had. I remember back in 2006 that the world was a different place. People were concerned. We had just been seven years into deregulation. As the Alberta director of the Canadian Federation of Independent Business I was receiving calls from my members about the concerns they had about the cost of power. They were actually so concerned about the cost of power that we got involved with the government in trying to change the way the Utilities Consumer Advocate did its work.

What we were hoping to do as I was a representative for small business – and I think this was Bill 46 – was to be able to get an independent oversight body on the Utilities Consumer Advocate. It would have included a representative from small business through the Canadian Federation of Independent Business, it would have included a representative from the Federation of Alberta Gas Co-ops, it included a representative from the REAs, it included a representative from the Alberta Association of Municipal Districts and Counties, it included a member from the Alberta Urban Municipalities Association, all of whom were very concerned about being able to have an opportunity to intervene in a regulatory process to ensure that costs were reasonably shared, to ensure that we only built the amount of transmission that we needed, to ensure that there was oversight of the transmission line and distribution process so that we weren't having extra costs being built into the costs that would ultimately flow through to consumers.

I remember that at the time there were two associations that did not want to be part of this process. One of them was the Consumers' Association. There were a couple of lawyers there who were very, very concerned about all of the groups getting together to do a single intervention. The government was making the argument that by having a single intervention, it would streamline the regulatory approval process, we would be able to move forward ensuring that we weren't having overlapping arguments, we wouldn't end up with weeks and months and years of potential delays on these types of projects, and we would be

able to ensure that we were also doing our work of protecting the consumers.

The other group, though, besides the Consumers' Association, that rejected this process was IPCCAA. They were the big, institutional representatives. The Consumers' Association and IPCCAA, like all of those other associations that I've mentioned – AUMA, AAMD and C, the REAs, the gas co-ops, and CFIB – had expertise on staff to be able to do their interventions at these rate hearings and also interventions when transmission lines were proposed. What was happening is that they were overlapping with each other, so the government wanted to streamline the process. The reason the Consumers' Association and IPCCAA did not want to be part of the process, though, is because they never believed that the government would truly make the Alberta Utilities Commission independent, and they worried that if they collapsed and moved into a government body and did not have that independence, ultimately what would happen is that we would go down the path, and the Utilities Consumer Advocate would not be able to be that effective voice for consumers.

I ended up opting out of this process because it seemed to me that they were going in the wrong direction. At the time CFIB chose not to continue with having a representative on this board. I can tell you that from what I've seen that has happened in the subsequent years, the Consumers' Association and IPCCAA were absolutely right because what happened through the process of Bill 50, when these transmission lines came forward and were approved by cabinet, is that we didn't hear the Utilities Consumer Advocate able to speak publicly about it. They commissioned a separate report, a separate report that actually confirmed what we heard all these other industry groups saying, all of these other consumer groups saying, that it was an overbuild that was unjustified. I feel badly that I didn't listen to the Consumers' Association and I didn't listen to IPCCAA back then. I actually trusted that the government believed that the regulatory process could be streamlined, that all of the interests would be listened to and heard, that the consumer interests would be protected. What we've seen in the subsequent years is that that hasn't been the case.

I suspect part of the reason why the government is not seriously considering the amendment that's been put forward by the Member for Rimbey-Rocky Mountain House-Sundre is because they've lost control over the costing process, especially for the two HVDC lines that are being proposed for the west as well as for the east. I recall reading a report that was provided to me by the Member for Rimbey-Rocky Mountain House-Sundre where the regulator had actually approved a certain amount of costs for the preconstruction and all of the pre-engineering work that needed to be done on these two lines, and they'd received approval for about a couple hundred million, if my memory serves me correctly, of construction costs. What actually happened, though, is that these two companies went ahead and invested well over a billion dollars in both of those two transmission line projects.

Here's the thing. If this is the case, that part of the reason why the government is fearful of going back to the drawing board on these lines is that they're not going to be validated and approved by the Alberta Utilities Commission and they're worried that they're going to potentially have to break contracts with those two transmission line companies, my view is that it's better to compensate those companies for their sunk costs now and limit your liability rather than potentially go through with projects that we don't need and impose tens of billions of dollars of costs on ratepayers.

I will have more to say about this, Madam Chair, but I think maybe if we did a motion to adjourn and came back to this later this evening, that might satisfy everyone. I'm prepared to make

the motion to adjourn, to do that so that we can move on to Bill 2. I will then abridge my comments and hope that we can return to this later.

Thank you, Madam Chair.

**The Deputy Chair:** Hon. member, did I understand that you did make a motion to adjourn debate on this amendment?

**Ms Smith:** I did not.

**The Deputy Chair:** You did not?

**Ms Smith:** No. I was prepared to do that, but I gather that the hon. Member for Edmonton-Strathcona wants to say a word or two on this. I may resume my comments later.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you very much, hon. member.

The hon. Member for Edmonton-Strathcona.

**11:50**

**Ms Notley:** Thank you, Madam Chair. I'm pleased to be able to rise to speak to this amendment to Bill 8 put forward by the Member for Rimbey-Rocky Mountain House-Sundre. I want to say that I'm in favour of this amendment. Now, I need to sort of put it in the context, of course, that this amendment is an attempt to fix a flawed system, and, as we've already said in a number of different contexts, there are much more substantial changes that we could make to correct those flaws and to bring about a better outcome for Albertans in terms of the delivery of electricity services throughout the province. Having said that, though, and understanding that this bill has gotten quite a bit of debate thus far, I think that this amendment by the Member for Rimbey-Rocky Mountain House-Sundre attempts to make the system less flawed, shall we say, Madam Chair.

As we know, I mean, Bill 8 as a whole is a bill which is essentially a half measure – and I would suggest not even a half measure; it's a fraction measure – to address the tremendous insult perpetrated upon the people of Alberta through this government's introduction of Bill 50 back in 2009 wherein they, not uncharacteristic of this government, brought to themselves great authority into cabinet behind closed doors to make a whole bunch of decisions that had wide-ranging implications for all Albertans, quite frankly, and to make those decisions behind closed doors. This bill removes some of that authority from this government.

Now, it's interesting that as far as I could tell, they'd never actually utilized this section, that, in fact, they used their authority through cabinet simply to establish the schedule. As far as I can tell, this particular section that they're eliminating was never actually used to do anything above and beyond the schedule, which was also included in Bill 50, which remains completely unaddressed through Bill 8. So the establishment of the six projects as critical transmission infrastructure through the schedule, which also were immune from any kind of public consideration around what is public interest, remains in place, Madam Chair, and the elimination of the one part of the bill doesn't have an immediate impact on the injustices perpetrated against the people of Alberta through the government's initiative.

Nonetheless, what this bill is attempting to do and what this amendment is attempting to do is inject some greater consideration of the interests of Albertans into the deliberation around those projects which are listed in the schedule as well as any future projects. It is an attempt to compel the government to truly consider what is in the best interests of Albertans and to do so by specifically highlighting the kinds of issues that the commission

needs to attend to. That is a very valuable introduction into this deliberation because up until now, Madam Chair, that kind of work has not been done either by the cabinet or by the AUC.

One of the things our party has called on the government to do separate and apart from this is to make the AUC much more independent of industry and also to change their mandate and the mandate of that very body to ensure that they must represent and make decisions in the public interest by injecting the set of criteria which are included in 41.1(2) of this amendment. It's an effort to do the same kind of thing that our caucus has called on the government to do and represented to Albertans that we would do as part of our energy policy, which is, as I say, to insist that the AUC do a much broader consideration of what constitutes the public interest in deliberating on these projects.

Now, I think it was the Member for Edmonton-Calder who made the very basic comment that electricity is not simply a commodity that we buy and sell in Alberta like other commodities. In fact, electricity is a fundamental need for all citizens of the province and, therefore, as with other utilities, we need to do a job of ensuring that it is accessible and affordable and well managed not only for those hoping to make a buck off it but for those citizens who simply need it as part of their daily living. As things stand right now, we've not been doing a very good job of it.

Other speakers have pointed to the historical policy initiatives of this government wherein they shifted the obligation to pay for transmission infrastructure from the companies hoping to make the money off of it to local ratepayers. Of course, those local ratepayers will then be paying the cost of the infrastructure used in some cases to transmit that particular commodity outside of the jurisdiction, which is a ridiculously unfair situation for Albertans, particularly given that we have such a generous corporate taxation policy in this province. Those corporations who make incredible amounts of money with our natural resources are not through any mechanism paying close to their fair share, so to then have Alberta consumers and Alberta industry pay the infrastructure costs of these corporations adds salt to the wound, shall I say.

Other speakers have also spoken about the fact that in (2)(d) we talk about having the commission consider "reasonable and economic operational alternatives to minimize system constraints, giving consideration to technical efficiencies, reliability and capital cost" and also under 41.1(2)(b) where we're talking about whether the critical transmission infrastructure needs can be met by other alternatives that are less expensive but equally satisfactory. Those clauses are there to get at the reality, which has been identified by a number of opposition members at this point now, that the energy delivery system in this province has evolved in a way that it is really questionable whether or not we need to build six transmission lines which could in many ways amount to an eightfold overbuild in our province.

Then the question becomes: well, what are the other things that we can consider, and what has changed? Many speakers have talked about that already. Of course, we have potentially the availability of more natural gas. We have the capacity to enhance our solar production and something that hasn't really received a tremendous amount of attention in the debate thus far, the ability to engage in conservation techniques.

I think it was in about 2008 that the Pembina Institute produced a report that talked about the trajectory of Alberta's greenhouse gas emission production, and they identified what most of us in this room know, which is that at this point, notwithstanding all the talk about the potential of the oil sands to remarkably increase our greenhouse gas emission production, really it's coal production primarily for electricity which is driving our province's greenhouse gas emissions. They focused their efforts on what could be

done to create an electricity production system in Alberta that would significantly reduce greenhouse gas emissions in those sectors and therefore reduce greenhouse gas emissions for all of Alberta and all of the world since, of course, it's something that goes over boundaries.

At the time they identified that the single biggest reduction in greenhouse gas emission production through coal use in Alberta could be achieved simply through restraint and conservation measures throughout the province, that simply by having the government invest in responsible conservation efforts, we could reduce our reliance on coal-generated electricity by 50 per cent by as early as 2025, I believe. Yet since that report came out, almost nothing has been done in that regard. Yet were language like that which is included in this amendment included in the level of consideration that the AUC had to engage in, we might actually be able to have some objective, science-based, balanced, well-thought-out conversations about how we proceed with electricity and energy generation and production here in Alberta. We might be able to use some of those assets that we have at our disposal to truly move towards a more renewable energy future rather than simply putting out press releases about how we'd like to but then never actually doing anything on it.

#### 12:00

The members for Edmonton-Calder and Edmonton-Beverly-Clareview reminded me that we've been talking for years about the need to consider feed-in tariffs in Alberta to promote local electricity generation mechanisms that would reward consumers, both industrial as well as residential, for making the investment in conservation and renewable energy use as opposed to relying on the energy that is generated through coal. This infrastructure, these six overbuilt lines, are pretty much all premised on the notion of increasing our coal production and electricity generation. It really confounds statements that were made in Disney-like press conferences by this government when periodically they suggest that conservation is a concern.

Having said that, though, it really does all come down to protecting the consumer in Alberta, Madam Chair. I do think that the subclauses in section 41.1(2) are pretty much all focused on, in one fashion or another, protecting the Alberta consumer. When we talk about protecting the Alberta consumer, we talk about doing it in a way that looks at, obviously, the price that we're compelled to pay and the degree to which that impacts on their daily lives. We also talk about the local consumer in terms of local business, in terms of what they need to pay to have businesses viable and productive within Alberta's economy. We also talk about other aspects which impact on the consumer. Again, we talk about social interests and long-term economic interests that indeed impact on how we manage the environmental risks that accompany increased energy production and development and energy use in Alberta.

All of these things are focused on consumer protection, Madam Chair. That is something that was lost completely in the Bill 50 discussion. It has been lost completely by this government in every decision they've taken around electricity production, distribution, and sale in Alberta right from when they chose to deregulate electricity and then download the cost of transmission infrastructure upgrading onto all consumers and then now with Bill 50 also jeopardizing the rights of private landowners and giving them very limited say in infrastructure development in and around the land which they own and in many cases are already using quite productively in other ways. In all cases it's really about consumer protection and compelling the AUC to listen to those needs, the needs, the interests of the average Albertan, the

needs, the interests of our landowners, of our consumers, of those in our community who are concerned about the balancing that needs to be successfully put in place between energy development and environmental preservation.

Those are the considerations that need to go into deliberations on these projects, not simply direction by some major mega-electricity transmission corporation which calls up their friends in cabinet and says: this is what we want, and we're not really going to tell you why or where. Albertans need to be part of this conversation. They haven't been up until now except as engaged political citizens who have tried valiantly outside of this Assembly to get the attention of government. Unfortunately, as I've said before, I don't believe that Bill 8 really represents success in that regard because Bill 8 has absolutely no impact on the plan of action that was crafted by this government without consultation or consideration of Albertans' needs. That plan will continue to go full speed ahead regardless of Bill 8.

This amendment would ensure that going forward a much more qualitative form of deliberation would occur and a much more collaborative form of deliberation would occur with respect to our electricity production and delivery system in Alberta. For that reason we do congratulate the Member for Rimbey-Rocky Mountain House-Sundre for proposing this amendment, and we are very pleased in the NDP caucus to support it.

With that I will end the conversation.

**The Deputy Chair:** Thank you, hon. member.

Are there any other speakers who wish to comment or speak on amendment A1 for Bill 8?

**Some Hon. Members:** Question.

**The Deputy Chair:** Seeing no speakers, I will call the question.

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

[Several members rose calling for a division. The division bell was rung at 12:06 p.m.]

[Ten minutes having elapsed, the committee divided]

[Mrs. Jablonski in the chair]

For the motion:

Anderson	Eggen	Smith
Anglin	Fox	Stier
Barnes	Hale	Strankman
Bikman	McAllister	Swann
Bilous	Notley	Towle
Blakeman	Pedersen	Wilson
Donovan	Rowe	

Against the motion:

Allen	Griffiths	McDonald
Amery	Hancock	Pastoor
Bhullar	Horne	Quadri
Calahasen	Jansen	Quest
Cao	Jeneroux	Rodney
Casey	Johnson, J.	Sarich
Cusanelli	Johnson, L.	Scott
DeLong	Kennedy-Glans	Webber
Fawcett	Kubinec	Woo-Paw
Fraser	Lemke	Young
Fritz	Luan	

Totals:	For – 20	Against – 32
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[Motion on amendment A1 lost]

**The Deputy Chair:** Hon members, we now have under consideration in committee Bill 2.

The hon. Government House Leader.

**Mr. Hancock:** I love your efficiency, but I would move that we adjourn debate on Bill 8.

[Motion to adjourn debate carried]

12:20

**Bill 2**

**Responsible Energy Development Act**

(continued)

**The Deputy Chair:** We are debating amendment A19. Are there any members who have any comments or who would like to speak to amendment A19, Bill 2?

**Some Hon. Members:** Question.

**The Deputy Chair:** Calling the question in committee on Bill 2, the Responsible Energy Development Act, amendment A19.

[Motion on amendment A19 lost]

**The Deputy Chair:** The hon. Member for Strathmore-Brooks.

**Mr. Hale:** Thank you, Madam Chair. I do have another amendment that I would like to put forward. I have the recommended number of copies.

**The Deputy Chair:** We'll pause while that amendment is being distributed.

Seeing that the majority of our members have a copy of amendment A20, I would ask the hon. Member for Strathmore-Brooks to continue.

**Mr. Hale:** Thank you, Madam Chair. This amendment that I'm putting forward deals with part 2, Applications, Hearings, Regulatory Reviews, and Other Proceedings. It's under Applications to Regulator, section 30. I will read my amendment.

30.1(1) A decision on an application made in accordance with the rules must be made by the Regulator not more than 180 days after the application was received by the Regulator.

(2) The Regulator may, with the approval of the Lieutenant Governor in Council, make regulations establishing a different period of time in which decisions on types of applications that cannot reasonably be processed in 180 days may be made.

Now, in my discussions with the hon. Energy minister these last few weeks we talked a lot about timelines. The whole theory behind this bill is timelines, shortening the timeline, shortening the process to get these approvals through, but there's nothing in this bill that states timelines. That's what this whole bill is about, timelines, but there are no specific timelines.

This amendment will hold the regulator accountable to the principle of this bill. It'll ensure that industry has certainty in the approval process, which is something that they want, they need, and is the reason behind this bill. If we don't state specific timelines, it gives the regulator the authority to make up timelines that may not be in the best interests of industry. Joining the two sectors and making them one for the one-window shopping is great, but if it does not improve the timeline process of the applications, then what good is it? You know, our fear is that it will create more red tape and a more strenuous application process that these energy companies must go through.

Now, we realize that there are different application procedures that must be followed for the different types of energy businesses out there, be it oil sands, shallow gas, multiwell pads. There are



lots of different factors in this approval process. That's why we put in section 2, which will give the regulator the opportunity through the cabinet to make changes to set other specific timelines, but for the general shallow gas, conventional oil systems we feel that 180 days should be sufficient.

That's kind of the gist of my amendment, to actually put in some specific timelines, give these guys a little bit of meat to hold on to, and hold the regulator accountable for this bill that's trying to go through the House.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

The hon. Leader of Her Majesty's Official Opposition.

**Ms Smith:** Thank you, Madam Chair. I'm delighted to rise to speak in favour of this amendment. I would just make note that we probably could have avoided being here throughout the entire night if the members opposite had been, I think, respectful of the process, acknowledged that this was the amendment that I was hoping to be able to speak to because I feel quite passionately about it. Now we've gotten, after a lot of lack of sleep, to the point where we were hoping to have been yesterday when the two House leaders began speaking.

I appreciate that the members opposite have allowed me the opportunity to be able to speak to this amendment because it is something that I think is missing from the current legislation. I do think that this will go a long way towards giving the energy sector the certainty that it needs when it comes through this approval process.

In the second reading on this bill I mentioned a couple of examples where the regulatory approval process had been excessively delayed, which I think was the reason why the Energy minister and the Minister of Environment and Sustainable Resource Development embarked on this process for how we might be able to reduce the regulatory timelines. One was an example where a company was able to get approvals in Saskatchewan in two hours but took nine months here. Another was a company that looked to get approval in Saskatchewan and got it within 54 days; it took over two years here. Another was an oil sands project that took nine years and 300 permits and licences and approvals to get through the process. This is the very nut of what it is that this bill is trying to accomplish.

Unfortunately, by failing to put in specific time frames for how the regulator is expected by this Legislature and expected by our elected members to proceed with and approve these applications, it has been left out of the bill. The way the bill is currently written, it gives all of that discretion and latitude to the regulator, and we wouldn't be in the position that we're in today if the regulator had demonstrated responsibly that it was able to proceed with these applications in a time frame that was reasonable for industry as well as respecting the needs of landowners and the needs of our environmental community and the concerns that they have.

When I was down in Montana, I talked with a number of people who were in their department of environment about the process that they went through for approving the leg of the Keystone XL pipeline through the state of Montana. It was very interesting when we began our conversation. They said, "Well, once we received the application, we had nine months to be able to dispense with it." I asked: "Where's this magical nine months? Where does that come from?" They said, "It is prescribed to us that we have to complete this application process within nine months." Now, there are different avenues that can go off that path, but what had happened is that it created a discipline among

the regulators that they had to get all of their work done within a period of time. I think that that's the job of this Legislature. It's to actually set those parameters for the regulators and then have the regulators work towards that.

Now, I do recognize, as the hon. Member for Strathmore-Brooks pointed out, that it isn't a one-size-fits-all. We have talked to industry, and we understand that there are many, many different types of applications. For some you may only need four or five days to get approval for, to be reasonable. For others it may take longer, particularly with some of these oil sands projects. It may end up taking a year or two. This is why I think it has been crafted in a way that allows for the kind of flexibility that the minister believes he needs, which is allowing for cabinet to be able to make the different time periods and different rules, but it sets the overall objective that generally speaking we want the regulator to come up with a decision within 180 days, within six months, once an application has been submitted.

**12:30**

We think that this is a way for us to be able to set a certain amount of parameters that allow us to also have some measure of whether or not we're being successful. Once you've actually established that most applications should be completed within 180 days, then you're able to go back and assess how much success they had in doing that. I know that this is something that the minister wants to have in regulation. What I worry about is that if we leave it to the discretion of the regulator, we're not going to achieve the certainty for industry that we want. I would ask that the members opposite consider this amendment seriously. We think it is something that industry needs to be able to get the certainty that they need.

The only disappointment I would register. Myself and the hon. Member for Strathmore-Brooks have had lots of opportunity over the last week to talk with different associations. We've spoken with CAPP. We've spoken with CEPA. On Monday we spoke with the geophysical contractors. I know that the Freehold Owners Association is taking a look at this legislation, and they would like to have amendments. I am saddened that we are coming to the end of the process to amend this bill. I'll speak more about that when we get to the third reading. I think that because we rushed through it, because certain groups haven't been able to see the actual letter of the legislation and would have liked to have been able to make changes, we actually are shortchanging all of the associations that I think this bill is supposed to benefit. We're shortchanging the landowners, who remain concerned that their interests are not going to be fully protected and actually are seeing that some of the current rights that they enjoy are being rolled back, and the issue of public interest and the concern that the public has about making sure these decisions are made in the public interest, with due respect for the environmental concerns.

I'm worried that because we have raced through and I think the government has not given due consideration to the full range of stakeholder consultation that needed to be done once this bill was introduced, there are still going to be some serious problems with this legislation. To me, though, this one is an amendment that I can't see why the government would oppose. They've stated on the record they want to have timelines. I think it's the job of this Legislature to meet that expectation with the public, with the industry, that there are going to be some timelines. That's what this amendment aims to do.

I would ask the hon. members to register their support. I'll be voting in favour.

**The Deputy Chair:** Thank you, hon. member.

Is there anyone else who would like to comment or speak on amendment A20 to Bill 2, Responsible Energy Development Act?

Seeing none, we'll call the question.

[Motion on amendment A20 lost]

**Mr. Hancock:** Perhaps, Madam Chair, if I could, unanimous consent to shorten the bells if there are any bells?

**The Deputy Chair:** The hon. Government House Leader has moved that the bells be shortened.

[Unanimous consent granted]

**The Deputy Chair:** We will shorten the bells. They'll ring for 30 seconds and then one minute, and then they'll ring for another minute after that.

We are back on Bill 2. The hon. Member for Strathmore-Brooks.

**Mr. Hale:** Thank you, Madam Chair. I'm sure that the government will be very pleased that this is my last amendment. I do have the required number of copies I'd like to pass out.

**The Deputy Chair:** We'll just pause while that amendment, that will be known as A21, is passed out.

Seeing that the majority of our members now have the amendment, we can proceed. The hon. Member for Strathmore-Brooks on amendment A21.

**Mr. Hale:** Thank you, Madam Chair. This amendment that I'm proposing moves that Bill 2, Responsible Energy Development Act, be amended as follows: section 1(1)(r) is amended by striking out subclause (ii), and section 68 is struck out.

Section 68 currently reads: "The Lieutenant Governor in Council may make rules in respect of any matter for which the Regulator may make rules under this Act or any other enactment." This is probably the biggest statement in this bill. It doesn't really matter what rules the regulator makes, what rules the Lieutenant Governor in Council, the Energy minister makes at any given time. They can come back and change it. This should bring a lot of uncertainty to the energy industry, knowing that these rules can be changed at any time. Now, I do know that that's the way it is in the ERC Act and the environment act, but as I stated before, just because that's the way it's always been done doesn't make it right. We need to have certainty in our energy sector, not as we see in Bill 8, that's put forward amending the electricity statutes amendment act. They're not experts in all facets of Alberta.

I'm sure there are many individuals on the government's side that are very well versed in the energy industry and have vast knowledge. But are they going to be the ones making the decisions, making these rule changes, making up these regulations? Don't know. Nobody really knows for sure. Throughout the years as the members change – and some may not come back; some may – the ability to change these rules will also change. This goes a long way toward what the government has been talking about, the openness and transparency. If we take this section out, then that regulator and the commissioners will be at arm's length from the government. I think that will go a long way to our energy industry and to the people of Alberta, showing that – you know what? – maybe we do have a regulator that can act on behalf of Albertans and not necessarily act on the wishes of the cabinet.

I would hope that you would look at this amendment and vote in favour. Thank you.

**The Deputy Chair:** Are there any other speakers on amendment A21 to Bill 2?

Seeing none, I'll call the vote.

[Motion on amendment A21 lost]

**The Deputy Chair:** We are back on Bill 2. The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Yes. Thank you very much, Madam Chair. I have provided the table with a copy of my amendment, and I believe people are distributing it now.

**The Deputy Chair:** We will pause for a moment, Member, while that amendment gets distributed.

12:40

**Ms Blakeman:** It's A22. Well, you know, it's got a nice ring to it.

**The Deputy Chair:** We can now proceed. The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much, Madam Chair. I am moving a motion written by my colleague the Member for Calgary-Buffalo that is seeking to amend section 2(1)(b) in the act. It's attempting to do two things here. One is to set out a preamble, and the second is to as part of that preamble enshrine the concept of public interest.

Now, it is unusual to have a resource bill that doesn't have a preamble. While that preamble can't be argued in court – it doesn't have legal standing, unlike the rest of the bill – it really does help shape the context. For those that are trying to apply the bill, it helps them understand the direction that we, the Legislature, intended. To bring forward a resource bill without a preamble is, well, a little odd. We don't. We go straight from, you know, the usual "enacts as follows" straight into interpretation. We come out of interpretation, which is always the second section, and go into section 2(1), which is the mandate of the regulator.

The mandate of the regulator as it stands now under section 2(1), on page 8 of the hard copy for anyone following along, is

- (a) to provide for the efficient, safe, orderly and environmentally responsible development of energy resources in Alberta through the Regulator's regulatory activities, and
- (b) in respect of energy resource activities, to regulate
  - (i) the disposition and management of public lands,
  - (ii) the protection of the environment, and
  - (iii) the conservation and management of water, including the wise allocation and use of water.

We are proposing to add in a third subsection under that that would say:

- (c) to consider the broader public interest of Albertans including the energy, economic and environmental needs of those Albertans not directly affected by its decisions.

There are two things you need to know as part of this. One is that the phrase "public interest" would now be enshrined in the bill, and it is not in the bill, surprising because it has been in the previous bills. It is very strange. We've got two related things. There is no kind of preamble that sets out the course to be followed, and when we would expect to see something that was enshrining public interest to replace it, we don't have that either. What we're trying to do is essentially make a preamble out of that first section, the mandate of regulator, and in that to enshrine the broader public interest.

The second phrase that's important here is "directly affected." You've heard the arguments many times now in the House about the narrowing of the scope to which much of this applies, to only people

directly affected, and how much concern that has caused. So if you live across the road from where the pipeline or the transmission line is going in, well, you may not have much standing, but if it's actually on your property, then you're directly affected. We wanted to make sure that we were getting that in there as well.

I should make note that I did consult the ablawg.ca, which is the University of Calgary Faculty of Law blog on developments in Alberta law. They have actually written a paper on this particular bill if anybody wanted to look it up and have a look at it. They do raise these two points, which I was very happy to see because it supported what my colleague from Calgary-Buffalo and I felt very strongly needed to happen.

In the case where there are conflicting interpretations and approaches, this particular amendment would give some context and direction for those that are trying to implement it and would put the phrase "public interest" and all of what that means back into the bill. It's fundamental to the current ERCB's mandate. It's surprising, but it's also unnerving that it has completely disappeared out of this bill, the Responsible Energy Development Act, and it hasn't been replaced with anything even close. So that's what we were attempting to do with this.

I don't want to take a lot of time because I know there's another amendment coming. I hope I can get your support in doing those two things. Thank you.

**The Deputy Chair:** Thank you, hon. member.

Are there any others who wish to speak on amendment A22 to Bill 2, Responsible Energy Development Act?

Seeing none, I'll call the question.

[Motion on amendment A22 lost]

**The Deputy Chair:** We are now on Bill 2. The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Chair. I'll give the proper couple of pages of the amendment. There you go.

**The Deputy Chair:** Thank you, hon. member. We'll pause as we distribute the amendment.

Hon. member, we can now proceed with amendment A23 for Bill 2, Responsible Energy Development Act.

**Mr. Anglin:** Thank you, Madam Chair. What I'm proposing to do is to amend section 61, adding in section 61.1, which basically says that notwithstanding the rules made under 61(r), the rules under 61(r) shall not "limit the ability of the Regulator to award fair and just costs to an eligible person as defined under section 36(a)." I will just be brief on this. This government has always made it clear that it wanted to treat property owners, landowners fairly and justly. All this amendment does is put it into legislation in a prescriptive form.

Thank you very much.

12:50

**The Deputy Chair:** Thank you, hon. member.

Are there any others who would like to speak on amendment A23?

Seeing none, I'll call the question.

[The voice vote indicated that the motion on amendment A23 lost]

[Several members rose calling for a division. The division bell was rung at 12:51 p.m.]

[One minute having elapsed, the committee divided]

[Mrs. Jablonski in the chair]

For the motion:

Anderson	Donovan	Stier
Anglin	Hale	Strankman
Barnes	McAllister	Wilson
Blakeman	Pedersen	

Against the motion:

Allen	Fraser	Leskiw
Amery	Fritz	Luan
Bhullar	Hancock	McDonald
Calahasen	Horne	Pastoor
Campbell	Jansen	Quadri
Cao	Jeneroux	Quest
Casey	Johnson, J.	Rodney
Cusanelli	Johnson, L.	Sarich
DeLong	Kennedy-Glans	Scott
Dorward	Klimchuk	Webber
Drysdale	Kubinec	Woo-Paw
Fawcett	Lemke	Young

Totals:	For – 11	Against – 36
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[Motion on amendment A23 lost]

**The Deputy Chair:** We are back on Bill 2. Are there any other members who wish to speak or comment on Bill 2?

Seeing none, we'll call the question. Are you ready for the question on Bill 2?

**Hon. Members:** Agreed.

[The remaining clauses of Bill 2 agreed to]

[Title and preamble agreed to]

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

[The voice vote indicated that the request to report Bill 2 carried]

[Several members rose calling for a division. The division bell was rung at 12:56 p.m.]

[One minute having elapsed, the committee divided]

[Mrs. Jablonski in the chair]

For the motion:

Allen	Fraser	Leskiw
Amery	Fritz	Luan
Bhullar	Hancock	McDonald
Blakeman	Horne	Pastoor
Calahasen	Jansen	Quadri
Campbell	Jeneroux	Quest
Cao	Johnson, J.	Rodney
Casey	Johnson, L.	Sarich
Cusanelli	Kennedy-Glans	Scott
DeLong	Klimchuk	Webber
Dorward	Kubinec	Woo-Paw
Drysdale	Lemke	Young
Fawcett		

1:00

Against the motion:

Anderson	Fox	Stier
Anglin	Hale	Strankman
Barnes	McAllister	Towle
Donovan	Pedersen	Wilson

Totals:	For – 37	Against – 12
---------	----------	--------------

**The Deputy Chair:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Madam Chair. I do appreciate your efficiency. I move that the committee rise and report Bill 2 and report progress on Bill 8.

[Motion carried]

[Mrs. Jablonski in the chair]

**The Acting Speaker:** Would the Member for Calgary-Varsity please give the committee report.

**Ms Kennedy-Glans:** Madam Speaker, I'd be happy to. The Committee of the Whole has had under consideration several bills. The committee reports on the following bills. The committee reports the following bill with some amendments: Bill 2. The

committee reports progress on the following bill: Bill 8. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

**The Acting Speaker:** Thank you.

Does the Assembly concur in the report?

**Hon. Members:** Agreed.

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

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Madam Speaker. It gives me great pleasure to move that we adjourn until 1:30 p.m.

[Motion carried; the Assembly adjourned at 1:03 p.m. on Wednesday to 1:30 p.m.]





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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Wednesday afternoon, November 21, 2012

Issue 20a

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta**  
**The 28th Legislature**

First Session

Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC), Speaker  
Rogers, George, Leduc-Beaumont (PC), Deputy Speaker and Chair of Committees  
Jablonski, Mary Anne, Red Deer-North (PC), Deputy Chair of Committees

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Anglin, Joe, Rimbey-Rocky Mountain House-Sundre (W)  
Barnes, Drew, Cypress-Medicine Hat (W)  
Bhardwaj, Naresh, Edmonton-Ellerslie (PC)  
Bhullar, Hon. Manmeet Singh, Calgary-Greenway (PC)  
Bikman, Gary, Cardston-Taber-Warner (W)  
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Blakeman, Laurie, Edmonton-Centre (AL),  
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Cusanelli, Hon. Christine, Calgary-Currie (PC)  
Dallas, Hon. Cal, Red Deer-South (PC)  
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Goudreau, Hector G., Dunvegan-Central Peace-Notley (PC)  
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Wilson, Jeff, Calgary-Shaw (W)  
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
    Government Whip

**Party standings:**

Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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## Legislative Assembly of Alberta

1:30 p.m.

Wednesday, November 21, 2012

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon. For some of you, good morning.

Let us pray. Dear God, thank you for shepherding us through the various difficulties, deliberations, and decisions that engulf our daily lives and duties, and thank you for providing us with the stamina required to perform our daily chores for those whom we have been elected to serve. Amen.

Please be seated.

**Donald M. Hamilton**  
Former Ethics Commissioner

**The Speaker:** Hon. members, it is with profound sadness that I advise you that on November 14, 2012, Mr. Don Hamilton passed away. Mr. Hamilton had a long and distinguished career in public service, which many of you would know about. Most notably, he became an officer of the Alberta Legislative Assembly on May 28, 2003, when he took on the position of being Alberta's second Ethics Commissioner, a position that he held to the best of his abilities until May 27, 2008. During his term he served many functions, including being responsible for the implementation of Alberta's lobbyists registry. On your behalf, hon. members, I have already sent our deepest sympathies to Mrs. Mary Lou Hamilton, his widow, and to the Hamilton family.

Therefore, in a moment of silent prayer I would ask you to join me in remembering Mr. Don Hamilton as you have known him. Please rise. Rest eternal, Dear Lord, grant unto him.

Please be seated.

### Introduction of Guests

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

**Mr. Lukaszuk:** Thank you, Mr. Speaker. As the ministerial liaison for the government of Alberta to the Canadian Forces it is my pleasure to introduce to you and through you to all members of this Assembly six members of the Canadian Forces who are seated in your gallery. This group of six resident Albertans is drawn from regular and reserve elements of the Royal Canadian Navy, the Canadian Army, and the Royal Canadian Air Force and collectively represents the services and dedication of the entire Canadian Forces. They are here on behalf of those who they serve with, so we may thank them on behalf of all Albertans. After all, it is important that we recognize the special and unique conditions of service of these individuals both here at home, in domestic operations, and when deployed overseas. These servicemen and -women contribute to our nation's defence and security needs and obligations with unwavering commitment and dedication.

Mr. Speaker, sitting in your gallery today – please rise as I introduce you – are Able Seaman Shawn Baker, Sergeant Richard Haggarty, Corporal Philip Millar, Master Corporal Rachelle Holland, Sergeant Brenda Woods, and Master Corporal Chad Smith. Earlier today on behalf of a grateful province and all of the members of this Legislature I was pleased to be honoured and distinguished to have lunch with these fine men and women of our forces. Please welcome them to this Assembly in our usual fashion.

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

**Mrs. Jablonski:** Thank you. Mr. Speaker, it is with great pleasure that I rise to introduce on your behalf your guests, who are seated in your gallery. I would ask them to rise as I call their names and to remain standing until they have all been introduced. Then I'll ask the Assembly to greet them together. Mr. Yash Sharma, managing editor of the *Asian Tribune*; Mr. Baldev Singh Jakhar, a veteran athlete at the provincial level visiting from Punjab; Mr. Harbans Brar, a retired public health engineer also visiting from Punjab; and Mr. Gurtafeh Brar, a partner with Bell Connections here in Edmonton. Hon. members, please join me in giving our guests the traditional warm welcome of the Assembly.

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

**Mrs. Towle:** Thank you, Mr. Speaker. It is my pleasure today to rise and introduce to you and through you to all hon. members 12 grade 6 students from Lighthouse Christian academy. With them is their teacher, Mrs. Katrina Swart, and a proud parent, Mrs. Abigail Schimke. I met with this fantastic group of future leaders earlier today, and I can tell you that they were quite interested to know why we had been here all night and how that process exactly works. They were generally excited to watch the proceedings of the House. I will ask them to please rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. It's been a long time since I actually stood up in this House. It's a pleasure for me today to introduce to you and through you to the members of this House 17 grade 6 students from my hometown of Rimbey and the Rimbey Christian elementary school. Unfortunately, I didn't get a lot of time to spend with them due to the business of the House, but I'd like to thank them today for attending. I would ask them to stand and receive the traditional warm welcome of this Assembly.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. It's a great pleasure for me to introduce to you and through you to all members of the Assembly 61 brilliant students from Highlands junior high school in my constituency, where my son attended and graduated a number of years ago, as well as their teachers, Mallory Koberstein and Derek Lindscoog. I would ask them to please rise and receive the warm traditional greeting of this Assembly.

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

**Dr. Sherman:** Thank you, Mr. Speaker. It's a pleasure for me to introduce to you and through you to all members of the Assembly Spencer Dunn, a University of Alberta student. Spencer is studying bilingual political science because he believes that it will be an integral tool for Alberta in its future economic negotiations throughout Canada and the world. Spencer is also concerned that with amongst the highest tuition fees in the country Alberta students are graduating with higher debt, that Alberta has the lowest postsecondary participation rate in the country, and that government policy is hurting our industry, our economy, and the future of our young people. Despite this, Spencer is determined to push ahead and complete his program and perhaps become a

future Liberal MLA in the House right here. I'd ask Spencer to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Minister of Aboriginal Relations, followed by Calgary-North West.

**Mr. Campbell:** Thank you, Mr. Speaker. It's a pleasure to rise today and introduce to you and through you Team Alberta, the national aboriginal hockey championships. Last April in Saskatoon Team Alberta won the silver medal of the 2012 national championship. Players on Team Alberta hail from all over this province: Sturgeon Lake First Nation, Frog Lake, Carry the Kettle, Sarcee, Bigstone, Fort McKay, Wabasca, Calling Lake, Fort Vermilion, Sucker Creek, Saddle Lake, Hobbema, Beaver, Gift Lake, Peavine, Jasper Cree, and many more. Composed of bantam- and midget-age aboriginal hockey players, Team Alberta competed against 12 other teams representing each province and territory in Canada. Last night the team was attending an Oil Kings and Swift Current Broncos junior hockey game and this afternoon had a chance to meet with myself, the Minister of Education, and the Associate Minister of Wellness. I had an opportunity to congratulate the team before question period. I hope they continue to enjoy their visit to the Legislature.

I would ask that coaches and executives Taylor Harnett, Justin Penner, Jack Wilson, Jon Armbruster, Clyde Goodswimmer, and all Team Alberta players please rise and receive the traditional warm welcome of this Assembly.

1:40

**Ms Jansen:** Mr. Speaker, I rise today to introduce to you and through you to the House three guests here at the Legislature for eye health day. The first is Mr. Brian Wik, the executive director of the Alberta Association of Optometrists; the second is Dr. Troy Brady, the director of internal communications from the Alberta Association of Optometrists council; and lastly, Dr. Aaron Patel, president of the Alberta Association of Optometrists. I ask them now to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview, followed by Calgary-Hawkwood.

**Mr. Bilous:** Thank you, Mr. Speaker. It's my pleasure to rise and introduce to you and through you to this Assembly a group of guests who are members of the Alberta Union of Provincial Employees. These workers, representing nearly 90 licensed practical nurses, health care aides, housekeepers, and food service staff, have been locked out for almost five months. Their employer, Triple A Living, is subsidized by the PC government yet continues to pay wages up to 27 per cent lower than industry standard while making a healthy profit. Despite the cold weather their spirits are higher than ever, and they will continue their struggle until they get the deal they deserve. I would now ask my guests to rise as I call their names and receive the traditional warm welcome of the Assembly: AUPE president Guy Smith, Gopal Ayre, Editha Spencer, Manjit Basi, Laxmi Chand, Milan Gauchan, Eric Ngai, Sushant Shrestha, Nicole Truong. I'll invite all members to join me in giving them a warm welcome.

**The Speaker:** The Member for Calgary-Hawkwood.

**Mr. Luan:** Thank you, Mr. Speaker. It's my pleasure to rise to introduce to you and through you to members of this Assembly a

very special guest of mine, Dr. Bin Hu. He's a professor in the Faculty of Medicine at the University of Calgary and head of the division of experimental neuroscience at the Hotchkiss Brain Institute. Dr. Hu led an innovative team and produced some world-leading research in the area of Parkinson's disease, one of which is called AmbuloSono, which utilizes an iPod device to automatically link walking speed to music playing as an innovative way to treat patients with Parkinson's disease. He is here in the capital city today to discuss that. AmbuloSono is now running in six Alberta cities and includes patients living in several rural areas who have no access to specialized rehab and medical devices. This program attracts international attention and has been recently cited in Canadian Parliament's Standing Committee on Health as a successful example of research and a community-based approach to health and well-being. It has great potential to be implemented into the family care clinics movement that this government has led.

I'm looking forward to connecting him with the right department and professionals in this. Dr. Hu is in the members' gallery. I would ask him to rise and receive the traditional warm welcome from the House.

### Members' Statements

**The Speaker:** The hon. Leader of her Majesty's Loyal Opposition.

### Legislative Process

**Ms Smith:** Thank you, Mr. Speaker. This government has tried to bully doctors. It bullies municipalities into donating to their party. It bullies landowners, and now it's trying to bully and intimidate the opposition into passing horrible pieces of legislation. This from a government led by a Premier who says: "We need to change how the Legislature and MLAs operate. More free votes so MLAs can reflect constituents' views. More time between proposing and voting on legislation." When will we see that change? Today? Sometime in the middle of the night tonight? Tomorrow? Ever?

Mr. Speaker, members of this Assembly on this side of the aisle are doing their jobs, reflecting the views of the people who elected them, proposing alternatives and adjustments. It's our job. It's a function the Premier referenced in a piece that she wrote when she was a candidate for the leadership of her party. She said: "We need to change how we make decisions. We must make time and processes available for consulting with Albertans before we pass laws." Now that she's the Premier, the time for lofty ideas, for generous interchange of ideas, for reflection of the wishes of the people is gone. There is no time. There's minimal consultation. There's a ramrod approach to the legislation: let's do it their way or no way. We say: enough.

Mr. Speaker, the democratic process matters. We are elected by Albertans to come to this Assembly and make sure everything that comes out of it is debated, vetted, tweaked, adjusted, and voted on to represent our constituents' views. That is how this is supposed to work. The arrogance of this government is astounding. Bills are introduced and passed in a matter of days. Amendments are steamrolled as though perfection has already been achieved. Committees are sidestepped. Consultation is ignored. This process has to stop. We cannot keep making laws like this.

Thank you, Mr. Speaker.

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

### New School Construction

**Mr. Eggen:** Thank you, Mr. Speaker. New schools are being built all over this province, but they are quickly being filled up to overflowing. In my riding of Edmonton-Calder the Elizabeth Finch school is at full capacity after just two years. How can this be? Census data recognizes more than a thousand children in the area from zero to the age of four years. The information is there, yet still there's no proper strategy to build adequate space when these children reach school age. The only contingency plan this PC government has in place is to warehouse these students in the hallways of the school, in the gym, to bring in portables, or to increase class sizes in the school. Why didn't this government build larger schools with more module capacity, especially when modules are supposed to be a better solution than portables? And why did this government hide the details of these P3 contracts when they built these schools in the first place?

Mr. Speaker, is it fair just to jam more students into a classroom because of poor planning? If we continue on this trajectory, where are we going to find the space for students in full-day kindergarten and prekindergarten? Is this government just building new schools that are too small and inflexible in an attempt to suppress these long overdue programs?

Mr. Speaker, students, teachers, and the parents at Elizabeth Finch school will fight hard to expand the capacity of their school for the sake of their community but also for the sake of every school in this province that is overflowing and underresourced. This government has failed to respond to the challenges of early childhood education, increasing class sizes, changing demographics and communities, and the hardship of school fees for many families. It's time to make our children's future a priority and to get serious about making public education the foundation for all Albertans' future.

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

### Eye Health

**Ms Jansen:** Thank you, Mr. Speaker. I recently had the privilege of meeting with an optometrist from my constituency, and today many members of the Alberta College of Optometrists were here for eye health day in the rotunda of the Legislature Building. My constituents raised the important issue of the limitations of the scope of practice of Alberta's doctors of optometry. I believe that examining the wider scope that optometrists have in a few provinces and some U.S. states could benefit Albertans, and increasing that scope would allow optometrists to practise what they, clearly, have the education to do. This could include allowing them to give oral medication for eye disease treatments, removing the restrictions on glaucoma treatment, ordering lab tests and imaging, the removal of skin tags, and the use of optometric lasers to treat certain uncomplicated conditions of the eye.

1:50

Mr. Speaker, since the last changes to their scope of practice happened in 1996, this may be a good opportunity to really re-examine the changes that might better support practical, timely, and more efficient eye care for Albertans. One example that was brought to my attention is that a simple bacterial eyelid infection diagnosed by an optometrist currently has to be referred to a family physician or ophthalmologist for appropriate treatment if the treatment requires oral antibiotics.

Re-examining the scope of practice of optometrists would be an important step forward in allowing allied health care providers to practise to the full extent of their abilities and training, and that would be a valuable thing for all Albertans.

Thank you, Mr. Speaker.

### Oral Question Period

**The Speaker:** Hon. members, it's not often the case that the Assembly sits right through the night, having started yesterday afternoon, having sat all afternoon, having sat all evening, having sat all night again, and having sat all morning this morning. That having been said, I'm sure that most of us are very tired from having been on duty or being on call or whatever the case may be, so let's be guided by a little bit of extra courtesy today, bearing in mind how tired some members likely are.

The hon. Leader of the Official Opposition.

### Capital Infrastructure Financing

**Ms Smith:** Thank you, Mr. Speaker. "Debt is the trap that has caught so many struggling governments. Debt has proven the death of countless dreams." I love that quote. Those words stand as a stark warning to governments that think that borrowing is the way to prosperity, and those words should be etched into the collective minds of governments that think deficit financing is a wise choice. This is good advice that Alberta would do well to follow. Does the Finance minister agree?

**Mr. Horner:** Well, Mr. Speaker, of course I do. The ability for us to use all of the tools that are available to us is sound financial management. It's responsible financial management. That's what Albertans elected us to do for them, to be responsible managers of their finances. Debt is one piece or one tool in the tool box, no different than P3s, no different than cash. It's no different than deferring it to a future date, when it'll cost more. That's a tool that we can use too. We're not saying that we're going to use one to the exclusion of any other. We're going to use the entire tool box.

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

**Ms Smith:** Thank you, Mr. Speaker. I'm sure the Finance minister didn't actually hear the quote, so I'll read it again. "Debt is the trap that has caught so many struggling governments. Debt has proven the death of countless dreams." I quote that because it was spoken in this Assembly in October of last year by this Premier. Why won't the Finance minister heed the Premier's warning?

**Mr. Horner:** Mr. Speaker, we have a financial management act in this province that precludes the Minister of Finance from borrowing for operating, and we intend to adhere to that financial management act and that piece of that act. The fact that we will not borrow to cover any operating deficit is clear. We will balance our budget. We will have a savings plan, and we will have a capital plan. There is no doubt in my mind that the world economy is suffering. In Canada, in fact, the federal government has deferred their balancing by another year. We will use all the tools necessary to provide Albertans with what they need.

**Ms Smith:** Mr. Speaker, capital debt is still debt. Roads and schools are the basics. We should look after these needs out of our regular spending, but this government has made too many unsustainable promises and now insists that it has to borrow for what should be regular upkeep. Why can't the Finance minister prioritize and budget better than this?

**Mr. Horner:** Mr. Speaker, the hon. member had a school recently completed in her riding. That school was built using a P3 model. It certainly shows the financial illiteracy of the other side when they can't see that the P3 is a financial commitment of the people of Alberta for 30-plus years, similar to any debt instrument that we might issue. The reason we use the P3 is because it's a right and sound responsible financial management decision to use. It provides the assets for Albertans today and for tomorrow. It's not a money-in-the-mattress mentality. It's sound financial management.

**Ms Smith:** Long-term debt is not sound financial management.

Another quote: we need to ensure that our actions are fiscally responsible and fair not only to this generation but also to those that follow. That is also worthwhile counsel. It could form the cornerstone of a responsible, prudent financial plan of any government, but we've seen anything but that from this government. They will pile up new debt, incurred because the PC government cannot or will not prioritize its spending. Does the Finance minister agree with this counsel?

**Mr. Horner:** Mr. Speaker, I absolutely agree that we will have a sound financial plan that will have an operating plan, that will have a savings plan, that will have a capital plan. Why? Because every Albertan today wants to have a home in the health care system, and every Albertan tomorrow should, too. Every Albertan today should have a place in an education facility in this province so their kids can achieve their dreams today and in the future. We will not penalize Albertans because of some ideological idea that we will not use all of the financial tools available to us. That includes using the capital markets.

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

**Ms Smith:** Thank you, Mr. Speaker. What he calls ideology I call being principled.

Here is the irony. The words I quoted were spoken by the Premier just a few months ago, yet she is going to burden this generation and those that follow with new debt to pay for basics like roads and schools. Why the flip-flop?

**Mr. Horner:** Mr. Speaker, absolutely no flip-flop. We will not use debt to cover our operating deficits. We will not go down that path that other jurisdictions have gone down, including our federal government, including a number of other jurisdictions. The opposition talks about delaying capital projects. Which schools, which hospitals, which roads are they not going to build for Albertans? Our Premier talks about a vision for this province when we have 5 million people, where every Albertan needs to be able to participate in the economy of today and tomorrow. We will fulfill that vision because Albertans asked us to do it.

**Ms Smith:** A perfect place to start is by rolling back the pay hike the PCs just gave themselves.

Mr. Speaker, another quote from *Hansard*. "We will keep the province's coffers full and its outlook bright no matter what the world economy throws our way." Same speaker. Same Premier. But that same Premier now blames the world economy for having to borrow. The fiscal reality has changed, she says, although her Finance minister insists that they were always going to borrow for schools. So what is it, borrowing and debt because of the economic downturn or borrowing and debt because they promised too much?

**Mr. Horner:** You know, Mr. Speaker, the hon. member would do well to listen to some of the financial advice that even some of her backers are providing us. The Alberta Chambers of Commerce have told us that a responsible borrowing plan is the right way to go. Businesses in this province, including businesses that have been donors to their party and probably to her leadership race – I don't know; I haven't checked the list. We have net assets today as a province. We have a triple-A credit rating, the envy of the western hemisphere. We have a strong cash balance sheet. That will not change. What will change is that we will build the infrastructure Albertans need today for the economy of tomorrow.

**Ms Smith:** The fact remains that they did not campaign on that.

### Health Regions' Expense Reporting

**Ms Smith:** When we raise questions about evidence of clear contraventions of the Election Act, the Deputy Premier tells us to submit the matter to the Chief Electoral Officer for investigation. We did. Yet the Health minister, when he is presented with evidence linking a current health executive to such practices, ignores it, and he points to a new policy about expenses that Alberta Health Services has adopted. He says that everything's fine. It's not fine, Mr. Speaker. It's a mess, and this minister refuses to clean it up. When will he clear the air and make all expenses for all executives for all regions publicly available?

**Mr. Horne:** Well, Mr. Speaker, what continues to be concerning and, if I might say, laughable in some cases is this hon. member's attempt to present so-called evidence and connect issues that are simply not related. This question has been asked and answered several times. The hon. members opposite know full well that that information is available to them through the Freedom of Information and Protection of Privacy Act. They've had no difficulty accessing this information, talking about it in the media and in the Legislature. What this government stands for is the most stringent travel and expense policy in place in this country today. It applies to government. It applies to many of our agencies.

2:00

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

**Ms Smith:** Thank you, Mr. Speaker. Yet today there were more revelations of lavish expenses, this time at Covenant Health, an organization that receives \$700 million in taxpayer money to provide health services. Expensive wine, fancy dinners, liquor during business hours. They say they'll change their expense policy, but Albertans deserve to have these kinds of expenses repaid. That's why we want all of the expenses of all of the executives for all of the health regions released going back to 2005. When will the minister act?

**Mr. Horne:** Mr. Speaker, I don't know about the hon. Leader of the Opposition, but the people on this side of the House ran to be the government in 2012. If the hon. member wants to insist on looking into the affairs of health regions that no longer exist, from years gone by, that's entirely up to her. What I can tell you is that these expenses have been made public, including the ones that the hon. member referred to just a moment ago. They are available for Albertans to examine as well as all members of this Legislature. Most importantly, as she has said, the board of Covenant Health has indicated clearly that they will be adopting our Premier's new travel and expense policies, the strongest in Canada.

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



**Ms Smith:** Thank you, Mr. Speaker. The problem is that these same executives are still on the AHS payroll.

Yesterday the Health minister said that we were trying to influence the inquiry process with our questions about Lynn Redford. The inquiry is actually asking for the public's input. Right there on the inquiry website it says, "Do you have confidential feedback regarding preferential treatment in the public health services field in Alberta? If so, we would like to hear from you." That's what we are doing, Mr. Speaker. We are seeking the truth. Don't Albertans deserve the truth, Health Minister?

**Mr. Horne:** Mr. Speaker, it's amazing that the hon. Leader of the Opposition continues to present an affront to an independent inquiry under way in this province by continuing to drag the names of people who may have done nothing wrong through the mud in this Legislature. If the hon. member wants to present documents and information to the independent inquiry, that's entirely up to her. Using this Assembly as a way to bring the names of individuals into disrepute and to defame them is, frankly, shameful.

#### **Speaker's Ruling Preambles to Supplementary Questions**

**The Speaker:** Hon. members, this would be an appropriate time to just remind you of our standing agreement in which it says that supplemental questions ought not be preceded by any preamble. Now, typically, as you would know, those of you who have been here for many years, Speakers have allowed a bit more latitude for leaders of the opposition when they are asking their questions and their supplementals. However, I would ask again that the Government House Leader and the other opposition House leaders please get together and review this because at the moment the wording reads that supplementals should not be accompanied by any preambles. On the other side of that, of course, we could instill "must not," and that would make this job that I'm trying to do a lot easier and lead to a lot less flare-ups.

The hon. leader of the Alberta Liberal opposition.

#### **Health System Executive Expenses**

**Dr. Sherman:** Thank you, Mr. Speaker. Everyone knows that Albertans shouldn't drink and drive, but submitted receipts have shown that senior health officials and even the Premier have been travelling lavishly and drinking on the job. A FOIP request by the CBC revealed that senior Covenant Health executives have also been expensing fine dining and booze on the taxpayers' dime. Obviously, this government has lost control and driven our health care system off the road and into the ditch. To the Premier: will you order Covenant Health to disclose all of its expenses, with the receipts, so that taxpayers can see exactly how many fancy dinners and bottles of booze they've bought?

**Mr. Lukaszuk:** Mr. Speaker, I don't think there is a person in this House who can deny the fact that this government right now has introduced some of the most strict travel and expense policies for all members of government – also, I believe opposition will follow – but also for executives and for employees of our public service. Now, we have also requested that agencies that work indirectly for government or with the government of Alberta adopt these policies, and I believe most, if not all, have already started looking at their expense policies to comply with those of ours.

What I find particularly offensive, Mr. Speaker, is to make allusions that the Premier is drinking on the job. I hope that this member reconsiders that kind of language.

**The Speaker:** The hon. leader of the Liberal opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. Given that 50 per cent of the government's \$41 billion budget is contracted out to agencies, boards, and commissions with little accountability on how they spend public money and given that not only do these executives get huge salaries and golden parachutes, but they're charging taxpayers for all the extras, to the Premier: why are you keeping agencies, boards, and commissions exempt from your new expense policies? What else are you hiding? How many more bottles of booze and fancy dinners are wasting Alberta taxpayers' dollars?

**Mr. Lukaszuk:** Mr. Speaker, we won't engage in that practice. I can almost assure you that right now if we were to pore through the expenses of any member of this Assembly, we would find that the members of the Assembly work late hours, and then often during evenings and at nighttime they go to events. I can tell you one thing. Maybe the opposition could do a better job on Public Accounts. They have the ability every year to bring every agency before Public Accounts and to examine their expenditures of the last year in the public forum of the Public Accounts Committee. I would invite them to call these agencies and put them before Public Accounts.

**Dr. Sherman:** Mr. Speaker, only in this job will they drink and bill the taxpayer for the receipt.

Mr. Speaker, given that the Premier's own sister has been implicated in using public health dollars for illegal political donations, it's no wonder the government wants to keep this issue bottled up. To the Premier: why does the Premier still refuse to order a line-by-line forensic audit of all health spending and the disclosure of all health executive expenses from previous years to the present? What else does she know? What else is she not telling Albertans?

**Mr. Lukaszuk:** Mr. Speaker, first of all, I have to tell you that we are extremely proud of the thousands of public service employees who work for the government of Alberta and do their job diligently every day. I can assure you that when any person's life is in the hands of medical professionals, those professionals are not in any way drinking on the job. I can also assure you that just like in private-sector jobs, just like the leaders of the opposition and all members of this Assembly and, frankly, every Albertan, from time to time as part of your job, when you go to a reception, they may consume a glass or two of wine, and I think that would be perfectly acceptable. With respect to charging it to government, bring it before Public Accounts.

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

#### **Political Party Financial Contributions**

**Ms Notley:** Thank you, Mr. Speaker. In defending the Premier's sister over her delivery of public funds to the Conservative Party, Alberta Health Services stated, and I quote: Ms Redford and the Calgary Health Region were meeting the expectations and norms at the time. It's clear now that the policy of this government is to ensure that none of the facts surrounding donations of public funds to the Conservative Party prior to 2009 will ever see the light of day. To the Premier: is this what she had in mind when she campaigned on being open and transparent?

**Mr. Lukaszuk:** Mr. Speaker, first of all, let's deal with facts. As you know, our leader was the first one to post all donations to her leadership campaign on the web, making it public. Some leaders,

particularly the Leader of the Opposition, did it two years later. She has instilled the most rigorous rules for travel and expense policies of any government in this land. Right now we have an Election Accountability Amendment Act on the floor that will make it one of the tightest acts in this country. If that member has any specific allegations, we also have a process in this province that deals with that. Just throwing loose innuendos simply is not doing anybody any good.

**Ms Notley:** My second question is to the Justice minister. Given the former Justice minister defended this government's failure to prosecute 19 Election Act violations by saying that "in some cases it is not necessary to prosecute. It is only necessary to ensure that the behaviour does not happen again" and given that two years later the Chief Electoral Officer found at least 51 more instances of Election Act violations, to the minister: why are you covering up details of government agency violations of the Election Act that are more than three years old?

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

**Mr. Denis:** Thank you very much, Mr. Speaker. It's true that the election accountability act was introduced yesterday, and I'll be speaking to it in second reading tomorrow. The principle behind the whole act – pursuant to section 52 of the legislation we're going back three years – is that whenever there's been a letter of reprimand issued, whenever there's been an administrative penalty done, which is typically a fine, or when it's been referred to a prosecutor and a charge has been laid, we're having this completely open and transparent, and I encourage this member to speak in second reading and support this amendment to the legislation.

2:10

**Ms Notley:** Well, Mr. Speaker, I know that this government would love to run away from their record.

Given the long history of inappropriate fundraising by the Conservative Party and illegal donations by public bodies run by this Conservative government and given the cover-up by this Premier through legislation designed to keep Tory skeletons firmly locked in the government's closet, why should the citizens of Alberta ever trust you?

**Mr. Lukaszuk:** Mr. Speaker, you will probably agree with me that this question doesn't even deserve an answer because it broke every single rule that one could possibly break in one question. However, let me again be perfectly clear. Let me say it slowly. If there is any member of this House or any member of the Alberta public that has any evidence, any facts, any information that would in any way implicate a member of this side of the House or of the public service, please table it to the appropriate authorities. It will be investigated, and the facts will be found out. I find it offensive that terms like "cover-up" relative to innuendos would even be used in this Chamber.

**The Speaker:** On that note, a point of order by the Government House Leader has been noted at 2:10 p.m.

The hon. Member for Calgary-Fish Creek, followed by Fort McMurray-Wood Buffalo.

### Family Care Clinics

**Mrs. Forsyth:** Thank you, Mr. Speaker. We know that this government has a record of wasting precious health dollars from patients and from the front-line workers. We know that this government shies away from listening and getting advice from our

doctors as they're too busy keeping them in the dark. We still have no document showing how much this Premier's new family care clinics will actually cost, especially compared with the current primary care networks that are in place. Will the Minister of Health please tell Albertans the cost of family care clinics per patient compared to the primary care networks?

**Mr. Horne:** Well, Mr. Speaker, this hon. member is consistently interested in, I guess, a battle on service delivery models within the primary health care system. What we're concerned with as the government, obviously, are the outcomes that we derive from the delivery of primary health care across the province. The fact of the matter is that this government spends about \$181 million a year in supports for primary care networks. We recently expanded that from \$50 to \$62, and we're continuing that into the future. We have budgeted in this fiscal year alone \$75 million to support primary health care, including the development of family care clinics.

**Mrs. Forsyth:** Well, Mr. Speaker, obviously, he doesn't want to answer the question.

Given that the Health minister on Monday said that "the Primary Care Alliance is an integral part of our Advisory Committee on Primary Health Care," can he please explain why the AMA is today asking for its Primary Care Alliance to be involved in the family care clinic process? Who's telling the truth, Minister, the doctors or your government?

**Mr. Horne:** I think the real question, Mr. Speaker, is: who's more confused? The Primary Care Alliance is a committee of the Alberta Medical Association. They have been involved with us in work on the Minister's Advisory Committee on Primary Health Care. I met with members of the Primary Care Alliance at a conference recently in Banff, a major primary health care conference in our province. Doctors are involved, in fact, in many ways with the work that we're doing in this area. They are, obviously, critical to its success. They are a very important, very highly trained and, in some parts of the province, a very scarce resource. We involve them fully in these discussions, and they play a very important role.

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

**Mrs. Forsyth:** Thank you, Mr. Speaker. I'm looking at a memo I've got, dated November 20, AMA expectations of the Alberta government: the entire FCC process needs to be transparent, open, and fair; the AMA's Primary Care Alliance board needs to be involved in the development of the expressions of interest. Are they telling the truth, Minister?

**Mr. Horne:** Mr. Speaker, you know, I really have to say to the hon. member that I'm not going to engage in a game around what documents she may or may not have, who she may or may not have talked to. I speak to this Assembly in my capacity as the Minister of Health, and I have continued to explain to the hon. member – and I'll say it once again – that the AMA and, more importantly, the physician workforce of Alberta, some of whom are represented by the AMA, are fully engaged in the work that we're doing. They're playing a critical role. The hon. member would do well to take note of the very important and constructive things that doctors have to say about primary health care.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo, followed by Rimbey-Rocky Mountain House-Sundre.

### Whistle-blower Legislation

**Mr. Allen:** Thank you, Mr. Speaker. My first question is to the Minister of Justice. While it is all well and good to tell people to take their complaints to the CEO or other investigators, why aren't you doing something to make election rules tougher and the penalties harsher so that people actually start following them?

**Mr. Denis:** Well, Mr. Speaker, that is exactly what we're doing under the Election Accountability Amendment Act, 2012. Under the Election Accountability Amendment Act penalties increase 10-fold, from \$1,000 to \$10,000 per infraction. Of course, it is up to the Chief Electoral Officer to enforce these penalties. It is independent, and investigations will continue in the Chief Electoral Officer's sole and unfettered discretion.

**The Speaker:** Hon. Member for Edmonton-Highlands-Norwood, you rose on a point of order at 2:15?

**Mr. Mason:** I did.

**The Speaker:** Thank you.

Hon. Member for Airdrie, you rose on a point of order at 2:16? Thank you.

The hon. member.

**Mr. Allen:** Thank you, Mr. Speaker. My next question is to the Minister of Service Alberta. The government committed to being even more open about its expenses in the last election, yet seven months later expenses still aren't posted online. When is the government going to act?

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

**Mr. Bhullar:** Thank you very much, Mr. Speaker. All of the information the member is asking for will be available online this December, and it's because of the leadership of our Premier. We've enacted the strongest expense disclosure policy in this country. Institutions like the Taxpayers Federation have come out and said: they have gone further today, and we couldn't be more pleased. Members of the Assembly and members of the media across this country are asking other Premiers to follow the lead of this Premier. We are leading this country with the most rigorous expense disclosure policy in Canada.

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

**Mr. Allen:** Thank you, Mr. Speaker. The people in my riding had expected that when the government brought in whistle-blower legislation, it would include those who do work for the government. Why has this not happened?

**Mr. Scott:** Mr. Speaker, I'm glad to tell my colleague that this is in fact happening. We've introduced whistle-blower legislation that covers any Albertan who wants to make a report. We have created a situation where there's an independent officer of the Legislature who can investigate any complaint of wrongdoing, whether it's by a contractor, whether it's by a volunteer or anyone that does business with the government. This is part of our Premier's commitment to an open and accountable government, and we are achieving it.

**The Speaker:** Hon. Member for Airdrie, a point of order at 2:18. Is that correct? Yes? Thank you.

The hon. Member for Rimbey-Rocky Mountain House-Sundre, followed by Bonnyville-Cold Lake.

### Electricity Marketing

**Mr. Anglin:** Thank you, Mr. Speaker. It's that time of year again when consumers can expect electricity prices to spike on a sudden change in weather. Given that Alberta's wholesale electricity market guarantees that consumers are charged the highest price for the lowest cost electricity, to the Minister of Energy: how does Alberta's wholesale electricity auction market benefit Albertans when consumers can be forced to pay as much as \$1,000 even when a producer is willing to sell that electricity for \$45 a megawatt?

**Mr. Hughes:** Mr. Speaker, I challenge the hon. member to bring forward a consumer invoice paying \$1,000 for electricity in this province.

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

**Mr. Anglin:** Thank you, Mr. Speaker. Challenge accepted.

Given that the rolling brownouts of July 9, 2012, gouged Albertans and forced . . . [interjection] I didn't say retail. Not in there. It doesn't say retail, does it? It says consumers, ladies and gentlemen. No backpedalling.

Will the minister provide this Assembly . . .

**The Speaker:** Hon. member, please. I stand; you sit. Thank you.

### Speaker's Ruling

#### Preambles to Supplementary Questions

**The Speaker:** Hon. members, you can see what happens when we don't follow some of our own basic rules. I just checked on this a little while ago. I just advised you all that our supplemental questions should not be preceded by preambles. So, those of you who are still on the roster, please review your questions now. I know most of you have prepared them and written them down. Please try and eliminate any verbiage ahead of the actual question.

Would you like to rephrase your first supplemental now?

**Mr. Anglin:** Yes.

**The Speaker:** Thank you.

### Electricity Marketing

(continued)

**Mr. Anglin:** Thank you, Mr. Speaker. Given that the rolling brownouts of July 9, 2012, gouged Albertans and forced Albertans to pay \$1,000 a megawatt for electricity, will the minister provide this Assembly and table a comprehensive list of members who were offered and willing to sell their electricity on July 9 for much less than \$1,000?

2:20

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

**Mr. Hughes:** Thank you, Mr. Speaker. I'm not sure I actually heard the whole question, but perhaps I don't need to. The market surveillance agency, which is responsible for overseeing the market in electricity in this province, has issued their report on the events of the 9th of July, and they found that there were no reasons or cause for concern, in their view. I'm still awaiting another report from the AESO, which would give me further evidence on that front, and I look forward to sharing that information with the member.

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

**Mr. Anglin:** Thank you, Mr. Speaker. Given that the withholding of electricity from the market for the sole purpose of manipulating prices is illegal and in some cases criminal in some jurisdictions, can the Minister of Energy explain why this practice is legal in Alberta, and how does this price manipulation practice benefit Albertans?

**Mr. Hughes:** Well, Mr. Speaker, I would suggest that the Market Surveillance Administrator is actually quite well aware of what market manipulation is and what market manipulation isn't. I would say that I take the market surveillance agency's report at face value. They are the experts on this, not the hon. member in this case, remarkably, and I look forward to the report from the AESO.

**The Speaker:** The hon. Member for Bonnyville-Cold Lake, followed by Calgary-Buffalo.

### Health Services in Cold Lake

**Mrs. Leskiw:** Thank you, Mr. Speaker. Our government's budget of 2012 commits \$75 million to strengthening primary care services over the next three years in Alberta. This includes funding family care clinics. In the city of Cold Lake the only major hospital, the Cold Lake health centre, is overwhelmed with patients and has previously relied on community donations for urgent needs. My first question is to the hon. Minister of Health. What can be done to ease the demands placed on the Cold Lake health care centre?

**Mr. Horne:** Well, Mr. Speaker, thanks to the hon. member for the question. Our data, in fact, shows that the health centre in Cold Lake is not being overwhelmed with patients. AHS's most recent quarterly report indicated that 98 per cent of the patients were discharged from the emergency department within four hours, which is well above the provincial target, and 96 per cent of patients were admitted from the emergency department within eight hours, again well above the provincial target of 75 per cent. We know that the health care centre is routinely below capacity, but that said, the hon. member mentioned primary health care. There are initiatives under way to expand primary health care, and I'd be happy to elaborate.

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

**Mrs. Leskiw:** Thank you, Mr. Speaker. To the same minister: how does the Minister of Health decide which jurisdictions are eligible for and in need of a family care clinic?

**Mr. Horne:** Mr. Speaker, in the next few months we'll be making an announcement regarding the process that communities would be asked to follow, the criteria that communities need to meet if they are interested in establishing a family care clinic. We will also announce similar criteria for primary care networks that wish to expand their services to meet some of the new objectives that we're setting for primary health care provincially, a process in which physicians are involved.

Implementation of FCCs will be phased in, with first consideration, I believe, given to communities that are the most high in need; in other words, the most underserved areas of the province. The clinics will feature many features, Mr. Speaker.

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

**Mrs. Leskiw:** Thank you, Mr. Speaker. My final question is to the same minister. What can my constituency do to highlight its

candidacy for a family care clinic, which we so desperately need in the city of Cold Lake?

**Mr. Horne:** Well, Mr. Speaker, the hon. member and her constituents have already been very effective in alerting me to their interest in developing a family care clinic in their community. I believe some information has been made available to the hon. member, and as I said, in a few months we'll have a process that is outlined for communities to participate both in expressing their interest and being involved in the design of family care clinics that could potentially serve their needs.

**The Speaker:** The hon. Member for Calgary-Buffalo, followed by Edmonton-Highlands-Norwood.

### Provincial Achievement Tests

**Mr. Hehr:** Thank you, Mr. Speaker. The Premier has consistently stated that provincial achievement exams for students in grade 3 and grade 6 would be eliminated. A private member's motion by the hon. Member for Bonnyville-Cold Lake was supported by all members in this House in this regard. The ATA, an organization that represents 95 per cent of the teachers in this province and reflects the views of most of the teachers in this province, has been long on the record that this testing is redundant and not in the best interests of student learning. To the Minister of Education: when will this province follow through on the Premier's promise of eliminating these provincial achievement tests?

**Mr. J. Johnson:** Mr. Speaker, it's a good question. Our commitment has been clear. We are committed to eliminating the grade 3 and the grade 6 provincial achievement tests because Albertans have told us that they are less than ideal. On the other hand, we still have a strong commitment to some form of province-wide assessment for students during the life of their K to 12 career with us. We think there is value in that and that's important. Those types of standardized assessment will evolve over time. What exactly a replacement assessment will look like and when it will be delivered and how it will be delivered and what it will ask for, I don't have an answer for that at this particular time.

**Mr. Hehr:** Well, Mr. Speaker, it saddens me. I heard that exact same answer from the last two ministers who were in charge of this file, that they were looking into alternate arrangements for these performance testing measures that teachers disagree with. When can you give a timeline, an indication of when these new tests will be implemented?

**Mr. J. Johnson:** Mr. Speaker, I don't think that we can separate assessment out of curriculum. They come hand in hand. As Albertans know, we've been working on evolving the education system in Alberta. We're working on new curriculum. We're working on new ways of assessment. I would envision that the grade 3 PATs will be the first ones to be removed and replaced with something else. But I would also like to point out that there have been a lot of commitments made by this government and this Premier that have been delivered on, and this is just another one in the long line of great things that the Premier has promised to do and that we will do.

**Mr. Hehr:** Well, given that teachers overwhelmingly agree that every hour a teacher feels compelled to worry about a provincial achievement test or some other replacement test that you wish to put in is time not well spent for helping children learn and become

more critical, curious learners, when will the minister listen to educators and simply realize that standardized testing in any form or fashion does not work for the education system?

**Mr. J. Johnson:** Mr. Speaker, I don't subscribe to that point of view. I think there are many people within Alberta that have a stake in education outside of just educators, as important as they are – those include the students, and they include the parents, and they include every Albertan, including taxpayers – to make sure that the system is delivering what it is expected to deliver.

We've been working on many of the promises that the Premier has made. She promised to reinstate \$107 million in funding. She did that within two weeks of becoming the leader and the Premier of this province. She promised predictable and stable funding for school divisions. She did that with her very first budget. She promised to pass the Education Act. We just did that, Mr. Speaker. She's promised 50 new schools and 70 modernizations, and we're in the process of that. She's promised full-day kindergarten. We're looking at that as part of the early childhood development strategy. And we're going to deliver on the promise of changing the PATs.

**The Speaker:** The hon. Member for Edmonton-Highlands-Norwood, followed by Cypress-Medicine Hat.

#### Electricity Marketing Review

**Mr. Mason:** Thank you very much, Mr. Speaker. Albertans have faced some of the highest and most volatile electricity prices in history as a result of this government's failed deregulation scheme. In an attempt to avoid public anger before the last election, the Premier, of course, appointed another commission to study the issue. The commission's report was sent to the Energy minister months ago, but he is refusing to release it, so my question is to the Minister of Energy. Why is he keeping the report of the Retail Market Review Committee secret?

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

**Mr. Hughes:** Thank you, Mr. Speaker. It's a great report, and I look forward to sharing it with all Albertans very soon. In addition to that, I look forward to the response of this committee that addresses the mandate of some of the issues that the hon. member has raised.

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

**Mr. Mason:** Thank you very much, Mr. Speaker. There's a man behind the curtain who knows all about this report, but the rest of us are in the dark.

Given that Albertans on fixed incomes are harmed by roller-coaster power prices and given that the government is refusing to be open and transparent on this issue, will the minister release the report this week so that it can be discussed in this session of the Legislature? And if not, why not?

**Mr. Hughes:** Well, Mr. Speaker, it's quite clear. I mean, I share the concern of the hon. member with respect to the impact of volatile electricity rates on vulnerable people, so what we're doing is the government is ensuring that when we bring this forward, we have fulsome and well-thought-out and well-articulated responses and initiatives that we can take that protect the vulnerable, that reduce the volatility in the electricity system for retail customers, and which meet the objectives for which this committee was originally established.

2:30

**Mr. Mason:** Mr. Speaker, given that the minister has these wonderful intentions and given that it seems that he wants to make the decisions on the recommendations before the report has been released, why doesn't he release the report first so that he can take advantage of the public discussion before he finalizes his decision on the recommendations of the report?

**Mr. Hughes:** Well, Mr. Speaker, I commit to this hon. member that there will be plenty of debate once the report is released – I'm sure of that – and that I will take into account the views of Albertans as we release that report and as we put forward the choices that we think Albertans face in dealing with these recommendations. There are 41 recommendations. There are 390 pages. I know that the hon. member will read every page of this.

**The Speaker:** The hon. Member for Cypress-Medicine Hat, followed by Strathcona-Sherwood Park.

#### Infrastructure Planning and Maintenance

**Mr. Barnes:** Thank you, Mr. Speaker. There has been a lot of discussion across the province lately about the best way to pay for new infrastructure projects. We've heard some interesting analogies from the government as they try to justify a poorly conceived plan to borrow billions for new infrastructure spending. Despite the announcement of taking Alberta back into debt, the government has not yet answered a rather basic question. To the Infrastructure minister: what is the current infrastructure deficit in our province?

**Mr. Drysdale:** Mr. Speaker, I've been working all summer long with my colleagues to build this infrastructure plan and capital plan going forward, and that includes the infrastructure debt. It's in that plan. I'm working on it with my colleagues, and it'll be presented when we present the budget this spring.

**Mr. Barnes:** Okay. Well, we'll wait with bated breath for that one.

Mr. Speaker, given that Alberta is a growing province and our communities have a lot of wants and needs when it comes to new infrastructure projects like schools, hospitals, and roads and given that the Associate Minister of Finance said that it is sometimes too difficult to prioritize these projects because often they are so innovative and there are often multiple parties involved, when will the Infrastructure minister stop making these excuses and release a prioritized infrastructure list that shows both the current backlog and the plan for the future?

**Mr. Drysdale:** Well, Mr. Speaker, I just answered that question. Daily across the floor – we've heard it today – everybody has infrastructure projects they want in their constituency. Their answer is to push it forward five or 10 years. They're not concerned with the infrastructure for our citizens of Alberta today. They want to push it forward five or 10 years, when it'll cost more.

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

**Mr. Barnes:** Thank you, Mr. Speaker. This government has always had a hard time distinguishing between wants and needs. Given that the Associate Minister of Finance has acknowledged that operating costs are initially higher when a new facility like a school is constructed and given that the Premier recently said that

no new infrastructure will ever be built in our province again unless money is borrowed, how does this government plan to pay for the operating costs of these new infrastructure projects once they are built, with a bottomless pit of debt?

**Mr. Horner:** Mr. Speaker, first of all, there were a number of inaccuracies in the preamble to his last supplemental question. It's very obvious to me that the hon. members are not listening in question period. We will be bringing forward an operating plan, a savings plan, a capital plan that will include all of those facets. Albertans told us they want us to save, they want us to build for the future, and they want us to be prudent and responsible with the day-to-day operating. That is exactly what we're going to do.

**The Speaker:** The hon. Member for Strathcona-Sherwood Park, followed by Airdrie.

#### Colchester and Fultonvale Schools

**Mr. Quest:** Thank you, Mr. Speaker. The Colchester school in my constituency faces imminent closure as parents concerned about health risks to their children will be removing them once the heartland transmission line, which is less than 200 metres away from their playground, is energized next fall. They're anxiously awaiting news about a proposed expansion to the Fultonvale school nearby. My question to the Minister of Education: what can the minister tell us about the status of this very important project?

**Mr. J. Johnson:** Mr. Speaker, what I can tell you is that the official decision on closing the Colchester school has not been made yet. That is a local school board decision. In the meantime the renovation and the modernization of the Fultonvale school I know is the top priority on that school board's list, and it's being looked at as we speak as part of the capital plan that we're developing, that's going through the budgeting process here within the government. I know there's already some preliminary planning being done by my department and helping facilitate with the local school board.

**Mr. Quest:** Well, that's interesting, Mr. Speaker, but what reassurances can I pass along to these parents, who are very concerned about ongoing renovations and what it would mean to their kids at Fultonvale since these renovations could actually take several years?

**Mr. J. Johnson:** Mr. Speaker, what reassurance I can give the parents and the folks from that area is, I guess, the same I would give any, and that's that we'll continue to work with the local school board to make sure that if they decide to close Colchester school, we're taking all of the steps we possibly can to make sure that there are desks for those kids when they come to school in the fall, and any capacity issues that are created by enrolment pressures we're doing everything we can with the school board to try and address.

**Mr. Quest:** We'll assume that means modulars or something along those lines to accommodate, but the question is: does moving modular classrooms in and then moving them out again really make sense to the Minister of Education?

**Mr. J. Johnson:** Mr. Speaker, it may make sense. It depends on the situation. Certainly, we can move modulars in a lot faster than we can build a brand new school, than we can do a major modernization. So moving modulars in could be an option, but that doesn't mean that it's a waste of money. A modernization

may take longer and then free up those modulars. We have a lot of demand for modulars around the province, and we'll have no problem finding a place for them once the modernization is done at Fultonvale.

#### Safety in Long-term Care and Private Rehab Centres

**Mr. Anderson:** Mr. Speaker, I'd like to address two constituent-related issues regarding health and safety today. The first involves bathing regulations for seniors in long-term care. I have constituents who are very concerned about the sores, infections, and other sicknesses their loved ones are contracting in long-term care facilities due to a lack of adequate bathing. In the case at issue only one bath is provided each week, and often it is just a wipe-down. My understanding is that there are actually no regulations requiring regular bathing in provincial long-term care facilities. To the Associate Minister of Seniors: why are there no bathing standards for our seniors in long-term care, and what will you do to address this issue?

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

**Mr. VanderBurg:** Thank you, Mr. Speaker. It's not the bathing standard; it's the appropriate standard. We need to make sure that in all of our facilities our caregivers that are here today, that are some of the best Albertans that provide care for our parents and our loved ones, have appropriate standards. [interjections] Let's not get hung up on the number. We want to make sure that in each and every place our loved ones get the care that they need. If there are some specifics that you'd like me to go through on a one-to-one basis, my office is open. [interjections]

**The Speaker:** Hon. members, let's yield the floor to whoever has it. Right now it's Airdrie.

**Mr. Anderson:** I think one bath a week at least, probably two, would be more than reasonable.

Mr. Speaker, my other question involves safety standards at private rehabilitation centres. In 2007 a 17-year-old at the privately run Serenity Ranch rehab centre tragically died from drinking antifreeze from an unlocked shed. An inquiry was held, and recommendations were given but have not yet been implemented by this government. I also have a constituent whose son recently almost lost his life at this same centre also because of a lack of treatment standards. To the Minister of Health: why are these private rehab centres not regulated for health and safety when they deal with such at-risk patients?

**Mr. Horne:** Mr. Speaker, I'm not exactly sure what type of facility the hon. member is referring to and how it is licensed. I can tell the hon. member that if it is a continuing care facility in Alberta, it is subject to the provincial accommodation standards as well as the provincial health care standards. If that is not the type of facility he is referring to, we'd be happy to look into his constituent's specific circumstances.

**Mr. Anderson:** It's Serenity Ranch, and it's a private rehabilitation centre.

Mr. Speaker, the judge-led inquiry into the tragic death of Taylor Argent – that's who I'm talking about here – was completed in 2010, and recommendations were made to the government to regulate and inspect private addiction recovery centres. Why has it taken so long for the government to accept and implement these recommendations knowing that lives are at

stake? It should be the same for private as it is for public with regard to safety.

**Mr. Horne:** Well, Mr. Speaker, I have no difficulty agreeing with the hon. member that the standards should be the same regardless of the provider. I would have to look into the specific circumstances at Serenity Ranch. I'm happy to do so, and I'll respond in writing.

**The Speaker:** The hon. Member for Edmonton-Decore, followed by Calgary-Shaw.

## 2:40 Early Childhood Care

**Mrs. Sarich:** Thank you, Mr. Speaker. Early childhood education and care is one of the most important investments we can be making to help young families throughout Alberta. However, many families in my constituency and, I'm confident, around Alberta struggle to get quality, affordable, and accessible care for their children. We have taken some really great steps to expand the numbers of families who are eligible for child care subsidies, but our lack of a comprehensive system means far too many families cannot find or afford quality care for our youngest citizens. To the Minister of Human Services: could the minister please provide the Assembly with the current number of child care spaces for children zero to six years of age, the wait-list, and an assessment . . .

**The Speaker:** The hon. minister.

**Mr. Hancock:** Thank you, Mr. Speaker. There are approximately 92,000 child care spaces in Alberta that are regulated. Sixty per cent are licensed or approved for children of age zero to six, which I think was the question. There are 12,000 additional child care spaces available through approved family day homes and innovative child care programs serving children zero to 12. I can't give her a precise number with respect to zero to six, but it is within those spaces. Seventy-eight per cent of those child care spaces are occupied. Wait-lists exist for the very popular and successful programs or in certain communities or cities, but overall there are quite a number of spaces.

**Mrs. Sarich:** Mr. Speaker, to the same minister. Could the minister please tell the Assembly an estimate of how many low-income families are not able to afford the parent portion of child care and day home costs even if they are eligible for the government subsidy?

**Mr. Hancock:** Well, I don't have an exact number for that, Mr. Speaker, but I can tell you that on April 1 we increased the threshold level for accessing the full subsidy from about \$35,000 to about \$50,000, a 42 per cent increase. That meant that 9,000 more Albertan families were able to get a full subsidy or an increased subsidy for child care spaces, so for low-income families more of them able to afford quality child care in this province so that they can earn a living and support their families and take their children out of poverty.

**The Speaker:** The hon. member.

**Mrs. Sarich:** Thank you, Mr. Speaker. To the same minister my final question: could the minister please tell the Assembly if the government's new social policy framework includes a plan to expand the not-for-profit early childhood education and care system?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Thank you, Mr. Speaker. The social policy framework is not going to be that detailed at this stage. It's going to deal, firstly, with the concepts of what kind of society we want to have and what our roles and responsibilities are in creating that kind of society. I can say that of course as we implement the social policy framework with respect to government programs and the collaboration of government with social agencies and others in the community, we are very seriously interested in early childhood development, early child care, safe places for our children, good opportunities for our children to maximize their potential, opportunities for them to be fed appropriately in order that they're able to go to school and learn. So early childhood development is a very high priority for this Premier and this government.

**The Speaker:** Hon. members, that concludes question period for today. In a few moments we will resume with Members' Statements, beginning with Calgary-South East, followed by Lethbridge-East and then Calgary-Shaw.

## Members' Statements

(continued)

### National Day of Remembrance for Road Crash Victims

**Mr. Fraser:** Thank you, Mr. Speaker. Today is the National Day of Remembrance for Road Crash Victims, a day on which we remember those we've loved and those we've lost in tragic collisions. Let me remember some of the calls that I did as a paramedic, the times I had to tell the mother in the rollover that we couldn't find the child that was in the back seat, and when we did find the child, it was too late. Let me recall the countless times that I've been in the hospital when we've taken somebody in and we've done everything we possibly could, but the parents come through, and we usher them in to spend their last minutes with their child's body.

Every day countless Albertans get behind the wheel, and almost every day one of us is killed.

What can we do to stop these tragedies? How can we get drivers to be more cautious?

In 2007 the Alberta government introduced a traffic safety plan, the first plan of its kind in Canada, and the plan is working. From 2007 to 2010 traffic fatalities dropped by 25 per cent, the lowest number of fatalities in our province since 1965. But let me tell you, Mr. Speaker, that with the memories that I have of those people – and they weren't even my own family members – we're not doing enough. We need to continue to be vigilant and make sure that we're educating drivers and giving our children and our loved ones every possible chance to make it home safe.

Today as we remember – and some of us might be affected by these tragedies – let's take a moment to remember them. Let's all get home safe.

Thank you for that.

**The Speaker:** The hon. Member for Lethbridge-East, followed by Calgary-Shaw.

### Family Violence Prevention Month

**Ms Pastoor:** Thank you, Mr. Speaker. November is Family Violence Prevention Month in Alberta. This issue affects far too many women, children, and men in Alberta. Alberta ranked third among provinces in the rate of police-reported family violence in 2010. We will continue our efforts to protect children and support

Albertans struggling with the trauma of family violence and help them to rebuild their lives.

Young people have the highest risk of dating violence, and this is why it will be a focus during this month. On November 6 at the Salisbury composite high school in Sherwood Park we held a panel discussion webcast about dating violence. This discussion is available on the Human Services website.

Family and dating violence are pervasive issues. They are bigger than what we can solve on our own as a government, but we have many dedicated individuals and groups as our partners. This month we celebrated the exceptional work of these partners at the first Alberta inspiration awards. The awards recognize those who work to end family violence and inspire others to take action and make a difference.

This government is working closely with families and communities to provide support for those affected by family violence. Supports for family violence emergency shelters, victim support programs, safe visitation sites, and public awareness and education efforts are among the many programs and services. If an Albertan knows of any abuse in their family, I encourage them to call the family violence info line for information at 310-1818, without any area code needed, or visit [familyviolence.alberta.ca](http://familyviolence.alberta.ca). This scourge in our province must be eradicated.

**The Speaker:** The hon. Member for Calgary-Shaw.

### Capital Infrastructure Financing

**Mr. Wilson:** Thank you, Mr. Speaker. We've been hearing how the PC government is taking Alberta back into debt, and some ministers are going so far as to call us in the Wildrose hypocrites as we rally against it. I thought I would take this opportunity to share some insight with this House and offer some concrete examples of genuine hypocrisy.

The first is a direct quote from *Hansard*, which I will table. It goes like this:

I'm sad to say most provinces in this country and, in fact, most jurisdictions in North America operate under . . . this sort of deficit finance. They don't take in as much tax revenue as they need in order to pay for the programs they want to provide for their citizens. So they run deficits, Mr. Speaker, which accumulate into debt. That's, quite frankly, undertaxation, and it's just another tax. Only it's not a tax on the people who are working and functioning today in society; it's a tax on the next generation because they'll be the ones who pay for it.

I think most members in this Assembly, regardless of what party they come from, will agree that we're wealthy enough that we should never have to consider whether or not deficit financing and undertaxation is an option in this province, Mr. Speaker, particularly because it can be incredibly detrimental to any country, any province, any jurisdiction. I mean, that's why Alberta has a triple-A credit rating: we have no more debt; we don't run deficits.

Wise words indeed, Mr. Speaker. I believe the Premier and her government should take them under strong consideration, seeing as they were delivered in this House by none other than her current Minister of Municipal Affairs. Hypocrisy indeed.

In the same debate the current Minister of Justice and Solicitor General is quoted as saying, "First of all, we have to understand that the government must never go back into deficit financing."

Two members who used to stand for fiscally conservative principles now openly berate the opposition for taking the same positions on debt and deficit financing that they had held just a few short years ago. What's changed, Mr. Speaker? Outside of

cabinet appointments for the aforementioned members, I and my party would suggest: nothing at all.

2:50

### Tabling Returns and Reports

**The Speaker:** The hon. Member for Calgary-Bow.

**Ms DeLong:** Thank you very much, Mr. Speaker. I'm pleased to table the requisite number of copies of the 2011-2012 Seniors Advisory Council for Alberta annual report on behalf of the Minister of Health. The Seniors Advisory Council for Alberta consults with seniors and seniors' organizations throughout the province and provides advice to the government on legislation and policies affecting seniors and co-ordination of programs and services for seniors. This report illustrates the council's dedication to fulfill the Alberta government's commitment to seniors and their well-being.

Thank you very much, Mr. Speaker.

**The Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre, followed by Grande Prairie-Smoky.

**Mr. Anglin:** Thank you, Mr. Speaker. During the question period I was asked to show some proof and table it. I have the requisite copies here of the Market Surveillance Administrator's report detailing how electricity jumped from \$11.90 a megawatt to \$1,000 a megawatt. I understand the minister asked me to show how consumers are charged that, and with the greatest respect, if the hon. minister would release that report, I will be happy to show him.

**The Speaker:** Thank you, hon. member. Tablings are not an opportunity to prolong debate. You'll catch on.

Grande Prairie-Smoky, followed by the Associate Minister of Wellness.

**Mr. McDonald:** Thank you, Mr. Speaker. As deputy chair of the Standing Committee on Legislative Offices and in accordance with section 4(5) of the Election Act I'd like to table five copies each of the following two reports. The first is a report of the Chief Electoral Officer on the 2011 provincial enumeration and the Monday, April 23, 2012, provincial general election of the 28th Legislative Assembly.

The second report, Mr. Speaker, is the report of the Chief Electoral Officer on the Senate nomination election on Monday, April 23, 2012.

Thank you.

**The Speaker:** Are you done, hon. member?

The hon. Member for Grande Prairie-Smoky is done, so I will recognize the hon. Associate Minister of Wellness, followed by Edmonton-Meadowlark.

**Mr. Rodney:** Well, thank you very much, Mr. Speaker. It is indeed a pleasure for me today to table two reports on behalf of the hon. Minister of Health. Both are reports from the Alberta College and Association of Chiropractors. The first is their 2011-2012 annual report entitled *Building for the Future*. Highlighted in this report is the college's newest mission statement on health and wellness, in which they strengthen their commitment to comprehensive and collaborative health solutions.

Mr. Speaker, I'm also pleased to table the financial statements from June 30, 2012, for the college. The statements include the report of an independent auditor as well as the college's financial details for last year.



Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Meadowlark, followed by Edmonton-Beverly-Clareview. Someone on behalf of the hon. Member for Edmonton-Meadowlark? Calgary-Buffer?

**Mr. Hehr:** Yeah.

**The Speaker:** Proceed, Calgary-Buffer, then.

**Mr. Hehr:** Well, thank you very much, Mr. Speaker. Last week I tabled a report from the Democratic Renewal Project that indicated that Alberta's election finance laws are systematically corrupt. In the same report it noted that Manitoba has done some excellent work on not only limiting financing, no corporate or union donations but also limiting individual donations to a very reasonable amount. It just troubles me. If the hon. minister would like to look at a good act, I am tabling five copies of the Manitoba Elections Finances Act. If people are interested to look at how to do good legislation, they should...

**The Speaker:** Thank you, hon. member.

Edmonton-Centre, did you have a tabling on behalf of?

**Ms Blakeman:** Yes, I do.

**The Speaker:** Please proceed.

**Ms Blakeman:** I'm tabling this on behalf of the leader of the Liberal opposition. He did mention it in his question this afternoon, and it is a news report from CBC News and attached receipts showing senior staff from Covenant Health claiming expenses back for glasses of Renwood Syrah, bottles of wine, and they're clearly, well, drinking on the job. I'll table the appropriate number of copies.

**The Speaker:** Thank you.

Edmonton-Beverly-Clareview, followed by Fort Saskatchewan-Vegreville.

**Mr. Bilous:** Thank you, Mr. Speaker. I would like to table the appropriate number of copies of a petition demanding that the government take immediate action to twin highway 63. Again, this petition contains 37,751 signatures. Today I am tabling 3,013 of those.

Thank you.

**The Speaker:** The hon. Member for Fort Saskatchewan-Vegreville, followed by Lethbridge-East.

**Ms Fenske:** Thank you, Mr. Speaker. I am tabling five copies of an e-mail that I referenced in the dark of night, which was really the morning, in a submission that I made. It's on the North West Redwater Partnership Sturgeon refinery.

**The Speaker:** The hon. Member for Lethbridge-East, followed by the Leader of the Official Opposition.

**Ms Pastoor:** Thank you, Mr. Speaker. Mine are tablings to the Clerk. Is this the proper time or later?

**The Speaker:** We're at tablings. You're welcome to table it if you want. If you filed it with the Clerk, then he'll table it under his part, but you're up, so why don't you go ahead.

**Ms Pastoor:** Thank you, Mr. Speaker. I'm tabling five copies of the program from the dinner that celebrated Lethbridge's Dr.

Robert Hironaka's induction into Alberta's Order of Excellence. It describes the amazing life and accomplishments of Dr. Bob, a founder of our world-recognized Japanese gardens, which, by the way, traditionally do not have flowers. It is an area of serene beauty and calm. Dr. Bob has also been a very great influence in our community and led in many areas.

Thank you.

**The Speaker:** Thank you.

The hon. Leader of the Official Opposition.

**Ms Smith:** Thank you, Mr. Speaker. I've got a number of tablings based on some of my comments today. First, I'm tabling a copy of the August 21 column from the *Calgary Herald* written by the hon. Premier, which I quoted.

I'm also tabling five copies of the news article from October 24 in which the Energy minister is quoted with respect to changes to Bill 50 through Bill 8.

I am also going to table some documents related to the exchange I had with the Health minister yesterday, where he indicated that it was his opinion that he felt my letter to Justice Vertes asking for Lynn Redford to be called as a witness was interfering with an independent, judge-led inquiry. To educate the minister, I'm tabling five copies of the front page of the Health Services Preferential Access Inquiry, which features a section on how to send information to the inquiry.

I'm also tabling five copies of the rules of practice and procedure for the inquiry. In particular, I would direct the Health minister to read rule 4 on investigations, which directs persons with any knowledge of items that might be of interest to the inquiry to provide them at "the earliest possible opportunity."

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Speaker. I would like to table the requisite number of copies of *Hansard* dated April 28, 2008, referenced in my earlier member's statement.

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following documents were deposited with the office of the Clerk. On behalf of the hon. Mr. Denis, Minister of Justice and Solicitor General, the Alberta Human Rights Commission annual report 2011-2012 for the period April 1, 2011, to March 31, 2012.

On behalf of the hon. Mr. Khan, Minister of Enterprise and Advanced Education, the Certified General Accountants Association of Alberta annual report 2012.

**The Speaker:** Hon. members, under points of order I have four listed, beginning with the Government House Leader from 2:10 p.m.

Proceed, please. A citation and so on.

### Point of Order Parliamentary Language

**Mr. Hancock:** Thank you, Mr. Speaker. I rise under *Beauchesne's* 492 at page 149 and Standing Order 23(h). Standing Order 23(h) makes it an offence to make an allegation against another member, and *Beauchesne's* 492 makes it an offence to use the term "cover-up." I'll start with the term "cover-up" because cover-up can be used in a number of different ways, and in fact I

would indicate that elsewhere in *Beauchesne's* it says that cover-up can be used in an appropriate way.

But today we heard on two separate occasions in a question raised by the Member for Edmonton-Strathcona that she made a specific allegation against the Minister of Justice in asking why he was engaged in a cover-up of election offences or whatever it was – I wrote it down here: why was he covering up the details of corrupt practices? – and then followed that by making an allegation against the Premier of a cover-up of a similar nature.

3:00

Now, in both cases those are direct allegations against a member. There can be no question about that. In both cases they use a term that is used in a very derogatory and inappropriate manner and, in fact, accuses them of an action which it's clear they didn't do. They're not covering anything up. That kind of an allegation has almost a criminal connotation to it. It's absolutely inappropriate. It absolutely offends the integrity of the members.

What the hon. member meant to ask was why they didn't put disclosure into the act further back, I'm assuming. They're talking about three years in the act, which, again, could be another point of order because you probably shouldn't be debating what's in an act that's going to come up for debate, but the fact of the matter is that they did. They're suggesting some positive, perhaps illegal, and certainly inappropriate act by the Minister of Justice and by the Premier.

Mr. Speaker, I would ask that you instruct the hon. members to consider their actions and withdraw their very inappropriate comments.

**The Speaker:** The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Speaker. In response to that, I want to indicate that the hon. Member for Edmonton-Strathcona was raising a number of issues that are of great concern to us on this side of the House. In doing so, she drew attention to the fact that there had been a number of violations of the election finance act which predated the period covered by the legislation introduced yesterday. Because of this statute of limitations imposed by the act, a number of violations, including 19 that are known to have been referred by the previous Chief Electoral Officer to the Justice department for prosecution and were never prosecuted, will never see the light of day.

Furthermore, Mr. Speaker, there are a number of more recent revelations that we have seen in terms of freedom of information requests dealing with other individuals, including one very close to the Premier, that will also not be subject to investigation and will not see the light of day because of the statute of limitations that has been imposed by the government. In that sense, the government has taken direct action to prevent the possibility of examining and exploring these particular offences.

Furthermore, the Premier has refused to answer requests about her knowledge of any of these events and refused to take those questions here in question period. Furthermore, election finance legislation currently in place, which was introduced by the former Justice minister who is now the Premier, is being used by the current Chief Electoral Officer to withhold any information with respect to investigations into illegal activity under the elections finance act or to reveal any penalties or findings that he may have undertaken.

Mr. Speaker, it is the firm belief of the hon. member that the government has quite consciously and deliberately prevented any public disclosure or investigation into a number of illegal acts

which are very likely involving the political party to which this government belongs and is doing so consciously and deliberately. In doing that, I don't believe the hon. member was aware that the specific term "cover-up" had been ruled unparliamentary. It would have been more appropriate to use other words that are not ruled unparliamentary like "conceal," "hide," "disguise," "obscure," or "mask." In that sense, those would have been more appropriate words to use. On behalf of the hon. Member for Edmonton-Strathcona, I will certainly gladly withdraw the use of the term "cover-up."

**The Speaker:** Thank you, hon. member. I think that concludes that issue. I was preparing notes heading in that direction as I was listening to the arguments and reviewing the Blues and so on. The withdrawal has been read into the record now, and we're grateful for that.

Let's move on to the next point of order. That is from Edmonton-Highlands-Norwood at 2:15, or was it in relation to the previous one?

**Mr. Mason:** No, thank you, it was not, Mr. Speaker.

**The Speaker:** A new one. All right. Proceed.

#### Point of Order Anticipation

**Mr. Mason:** Yes. During question period today the hon. Member for Fort McMurray-Wood Buffalo – and I'm sorry; I don't have the benefit of the Blues – asked a question to the Minister of Justice with respect to provisions that are contained in Bill 7. As we well know, Mr. Speaker, those of us who have spent more than a couple of days in this place, you're not permitted to ask questions directly dealing with legislation that is currently before the House. Therefore, I stood on a point of order, just wanting to make sure that everything is fair and equitable, that when the opposition is not permitted to violate that rule, also government members should not be allowed to violate that rule.

**The Speaker:** Hon. Government House Leader, do you wish to respond?

This is a simple matter that I can clarify quickly, but let me yield to Lac La Biche-St. Paul-Two Hills for something brief. Thank you.

**Mr. Saskiw:** Very briefly, Mr. Speaker. Just to echo the other member's comments, it appears that there was a direct violation of 23(e), which states that a point of order can be called where there's an anticipation "contrary to good parliamentary practice [of] any matter already on the Order Paper," and of course Bill 7 is on the Order Paper. In the past our members have been rightly cut off – our questions were cut off; our mikes were cut off – when we were talking about something that was already on the Order Paper. We would hope that there's some clarification in that regard.

**The Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. This is an interesting area, and it is relatively straightforward, but it does parse some points. The practice of the House, as I understand it, has always been that one does not raise questions, in accordance with the rule quoted, with respect to a bill that's on the Order Paper for the debate that day. Those are the key phrases. It has not been ruled out of order to raise questions about the subject matter of bills that

were on the Order Paper. But specifically about bills that were going to be debated that day: it has been ruled out of order. It might well be ruled out of order in circumstances where it's a specific question about the specific clauses of the bill. That's the difference.

I don't recall exactly how the question was phrased. It seems to me that the standing orders, the way that they've been interpreted in this House, say that you can't ask a specific question about the specific contents of a bill. You can ask a question about the general purpose of a bill but not on the day that the bill is up for debate.

**The Speaker:** That is correct.

The hon. Minister of Justice, very briefly.

**Mr. Denis:** Very briefly, Mr. Speaker. Just to augment the Government House Leader's comment, I believe that the question asked was as to a general issue about penalties, not as to a specific section.

I'll take my seat, sir.

**The Speaker:** Thank you.

This is a very straightforward matter. Today is a little bit unusual, obviously, because, as you all know, the House sat around the clock for almost 24 rather consecutive hours. By the time the House convened, there was, I think, a bit of a recess of only about 18 or 19 minutes, so we were not alerted specifically by 1:30 as to exactly what was or wasn't coming forward, at least the Speaker wasn't.

Having reviewed this matter, I can tell you that Bill 7 is not up for discussion and debate today; therefore, it does not qualify for the anticipation rule. In a general sense, just as an educational matter, if we were to employ that rule in any different sense, then no questions would have been allowed today that would have pertained to electricity or to utilities or to public interest disclosure or whistle-blowers or anything else because they, too, are listed on the Order Paper. What's important is what is listed on the Order Paper that is up for debate on the day, and today Bill 7 is not scheduled in that regard. I hope that clarifies that matter.

We'll move on to the third point of order, which is Airdrie, from 2:16 this afternoon. Someone on behalf of? The hon. member.

### Point of Order Anticipation

**Mr. Saskiw:** Thank you, Mr. Speaker. I believe that's in regard to a second question along similar lines with respect to a question that anticipated something on Bill 4. I would take a different reading of 23(e), which states a question that anticipates "any matter already on the Order Paper or on notice for consideration on that day." I believe that Bill 7 and Bill 4 are on the Order Paper, and there's no supplemental requirement that it actually has to be up for debate for the day.

3:10

**The Speaker:** Thank you for reading that into *Hansard*. I was trying to save the House some time, but I appreciate you having done it.

Just so that you know, the precedent of this House is the part that deals with it being on for debate today, the day of. That's how it's always been interpreted here, hon. member, but it's a good advisory and, again, a little bit more education for everyone.

Let's move on, then. That concludes the third point of order. Let us move on to the fourth point of order. Airdrie or someone on behalf of raised a point of order at 2:18.

Proceed, hon. member.

**Mr. Saskiw:** Withdrawn.

**The Speaker:** That point of order has been withdrawn, and accordingly we move on now to Orders of the Day.

## Orders of the Day

### Government Bills and Orders Third Reading

#### Bill 2

### Responsible Energy Development Act

**The Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I'm delighted to have the opportunity to move Bill 2, the Responsible Energy Development Act, for third reading.

The bill itself has been the subject of a significant amount of debate in the House. In fact, if I recall correctly, it had a very significant time at second reading, and it had probably close to 30 hours at committee. It has been thoroughly digested and spit out. It's a very important piece of legislation. I'm not sure that this is a record in my time in the House, but I think it might be, to have 21 amendments considered to a bill.

Certainly, it's a considerable amount of work that's been done by all members of the House. It takes a lot of work to first of all read and digest a bill of this size and then, secondly, to come up with amendments to the bill, and then, of course, to be able to receive those amendments on the floor of the House and discern what they relate to and how they impact and what the unintended consequences might be. So I think a good piece of work by this House to take a bill like this, to understand it thoroughly, to debate it copiously, and to have so many amendments that the members of the House have to familiarize themselves with very quickly and then be prepared to understand whether or not they do make an appropriate amendment to the bill.

I think it's important in reflecting in third reading of the bill to understand why so much work goes into it and so little result comes out, you know, when you have that many amendments. And I don't want to in any way be derogatory about the amendments. I really do not. I want to instead talk on the record about the fact that sometimes when amendments come forward, they may look like they're appropriate amendments that will enhance the quality of the bill, and people say: well, why did you not accept that amendment? One of the roles as Government House Leader is to, in fact, very quickly look at amendments and find them in the bill and figure out what they are and talk with the bill sponsor and understand whether or not it might be a friendly amendment or one that's acceptable or one which will improve the bill.

That actually is quite an interesting challenge on a bill like this. You look at the bill, and I would say, you know, just as an example, that one of the amendments that came forward named the ministers who might be responsible in a certain section. It was necessary to say: well, that sounds reasonable to say who would be responsible, the Minister of Energy and the Minister of Environment and Sustainable Resource Development and such other ministers as may be named. But it was important to be able to reflect back to the fact that our practice in the House and in

government in this province for a number of years now has been to do all of that in the Government Organization Act so that as governments reorganize from time to time, you don't have to go back and re-amend the bill.

Now, the general public would not necessarily know that practice, so it's important that that's understood. When you're saying no to an amendment, it might be for that type of fairly innocuous reason, not for the principle of the amendment.

The same thing. There was considerable discussion about whether the bill is in the public interest or whether the regulator must act in the public interest. Well, you know, there are understandings. There are processes. I mean, one would hope that everything that's done in this House would be done in the public interest. That's an underlying thesis. It's an assumption that I think has to be determined as being valid. Whether we agree as to what's in the public interest, now that might be entirely different, but what the House does should always be in the public interest, and what we do in the name of our constituents ought always to be in the public interest.

There are those sorts of issues and debates that go on and amendments that come forward, and there may be differences of viewpoint with respect to an amendment as to its value in enhancing the bill, or it may be an amendment which is simply seen as being a different philosophical viewpoint. Most amendments, I would suggest, are ones that you look at and say: "Well, you're changing a word here and a word there, but what are the consequences in terms of the parallelism or the construct of the bill? How does that impact elsewhere? Do we understand how that might impact and what we do with it?" Obviously, you can't adjourn after every amendment is tabled, so unless you're aware of the amendments ahead of time, you sometimes have to say: well, it looks innocuous, but I can't guarantee that it is innocuous.

We have had careful time and planning going into bills. Putting a bill like this before the House takes a lot of work. I must commend the now Minister of Environment and Sustainable Resource Development because prior to being in that role, she chaired a task force, as an associate minister of Energy at the time, I believe, and that task force laid the foundation for this bill, laid the foundation to show that we needed, yes, to have a much stronger and more streamlined regulatory process, that people, if they wanted to engage in appropriate, sustainable, or renewable or other types of appropriate development, had one place to go but that in going to that place, they still had to adhere to the standards that are required for safety, environment, public interest, all those other things. That's the nature of the bill. It's based on the idea that the policy background, the policy work is in fact done here. The policy work is done by government and, where appropriate, brought to the Legislature for legislation or enacted under regulations with respect to existing acts.

Clearly, the report that the now Minister of Environment and Sustainable Resource Development did was to outline how you could do a streamlined regulatory process which made it easier for business to do business but still ensured the protections of the environment, the safety of the public, the protection of the interest, and the opportunity for people who were affected to intervene and be involved in the process, so a streamlined regulatory process while still ensuring that the process itself did not create the policy. The policy was, in fact, the purview of the government and the Legislature.

Mr. Speaker, a very complex piece of work, a very good piece of work, now thoroughly discussed and digested by the House. I would ask members of the House to now give it its full and final blessing in third reading.

**The Speaker:** Are there others? The hon. member.

**Mr. Hale:** Thank you, Mr. Speaker. It looks like the government is going to get its way with the Responsible Energy Development Act without any amendments put forward by the opposition. This government and the Energy minister have decided to leave the serious flaws in Bill 2 even though they have been thoroughly dismantled in this Assembly by myself and my colleagues. This is a most unfortunate situation that could have been solved. Now, due to this government's ramming through of Bill 2, another ineffective bill will be on the books. The intent of Bill 2 is admirable. Its execution is pitiful.

Bill 2 wants to reduce red tape and streamline the regulatory process, but while attempting to do that, it extracts a high price to pay from landowners. The reality is that nothing in this bill will ensure applications are reviewed by the regulator in a timely manner. While the intent of this bill is to streamline development, it may just result in more bogged-down applications. An amendment to ensure appropriate timelines are followed would have corrected this, but this government didn't think so, so it will pass this ineffective bill instead. The timelines would give our industry some stability. Instead, this government opted for instability.

Bill 2 does away with several traditional rights in the same way the Land Stewardship Act and the Land Assembly Project Area Act did. As the government was forced to amend bills 19, 36, and 50 due to the public outrage that followed these outrageous power grabs, the government can take this as a fair warning to expect further widespread backlash to Bill 2 from landowners. I look forward to debating these amendments in the future in this House.

3:20

The right to an independent appeal must be restored. The government has yet to provide a justification for eliminating the right to an appeal before the Environmental Appeals Board under the Environmental Protection and Enhancement Act and the Public Lands Act. The public is right to be wary of the limiting of their right to an independent appeal. What does the government propose to replace their right to an independent appeal? Bill 2 sends the appeal back to the regulator. People who disagree with a decision of the regulator have to appeal to the same regulator who made the initial decision, as if this regulator will change their mind the second time around. The public will not be able to have faith that their concerns have been addressed by this faulty way of doing business.

An independent appeal would offer a fresh perspective. A landowner could have confidence in a second appeal weighing the merits of a case, but in Bill 2 landowners will just have to suck it up. An amendment would have fixed this fatal flaw, but the government thinks it knows better. Somehow this government went through amending bills 19, 36, and 50 in the last year without learning a single lesson. What will it take for this government to listen? It rams through bills, then denies they have encroached on landowners' rights. Then they make amendments and go on to pass another bad bill. This is the government that never learns from its mistakes. Instead of getting it right the first time, this government will no doubt go on another consultation tour through the rural areas to try to justify their decisions. At the end of the day a few amendments could have fixed these problems, but the government voted down amendments one by one.

Given the dictatorial powers granted to this regulator, the selection process for the board of directors is incredibly important, yet this government plans to install its party friends to such an important position, one could assume from how this law is crafted. The Wildrose put forward an amendment to rectify this problem

which stipulated that the appropriate expertise be present on the board of directors, but this government decided to go its own way and to be able to appoint its friends to the role regardless of whether they are qualified or not. How can Albertans have confidence in this process? They can't. The board should be comprised of industry, environment, and property rights experts. The Wildrose amendment would have solved this issue, but the government decided it knows best. We'll see about that once Bill 2 reaches the implementation phase.

Further, this bill includes a ludicrous provision to allow the minister to meddle in the private affairs of citizens and to contravene the provisions of the Freedom of Information and Protection of Privacy Act to collect information submitted by private citizens to the regulator. What does the minister plan on doing with this information? What guarantee will applicants have that this private information will not be used inappropriately? The regulator is supposed to be an arm's-length, independent body, but apparently the minister wants to have his hands in it at any given moment. The reason for regulatory bodies to be at arm's length is to take politics out of the decisions. Applicants can't have confidence that this will occur under section 68(1).

Another fatal flaw is section 43, where the regulator is granted the right to review its own decisions on a whim. This will make it hard for industry and landowners to have any faith that the regulator will have consistency. This problematic section creates the risk that the regulator will change its mind without due process or notification.

Finally, it's baffling how government MLAs fought so hard against our amendments to include public interest and the respect for landowners in the mandate of this regulator. The public interest was in previous legislation. Now it's gone. I listened carefully to the arguments presented by the government as to why they thought public interest should be taken out and failed to hear a coherent argument for this. Well, at least it's clear. This government does not want to take the public interest into account regarding energy development in Alberta. An amendment would have reinstated the public interest and landowner respect, but the government voted them down, showing the contempt it holds for Albertans. This is most unfortunate for a government that tries to talk about accountability and transparency.

Thank you, Mr. Speaker.

**The Speaker:** Are there other speakers? The hon. Leader of the Official Opposition.

**Ms Smith:** Thank you, Mr. Speaker. Well, I had hoped after this whole process to be able to rise and speak in favour of this bill because at the outset – and we said so when we were debating this in second reading – we said that generally we and I think all of the stakeholders support the idea of having a single regulator, support the idea of having streamlined regulations. But the problem, as we have seen in previous bills, is the same problem that we have with this one, that the intent of the bill is often not reflected in the actual legal wording of the bill.

Now, I know that the Energy minister and others have claimed that they have spent two years consulting on this. That may well be the case, that they spent two years consulting on the idea, on the notion. Fair enough. If you were just asking people what they thought of the idea or the notion, then you could move ahead, but what they have not spent time doing any meaningful consultation on is the actual wording of what is in this legislation. This has happened a lot with this government. I don't know if they're getting bad legal advice, I don't know if they're not taking due diligence behind closed doors when they do their statutory review,

but something is missing between the intent of the bill and what they intend to do with it and then the actual clauses that get written into the wording of it.

This is the reason why we appealed to the government over and over again to slow this legislation down, to allow the time for it to be vetted by stakeholders so we could get the appropriate stakeholder feedback, to allow for it to go into committee so that we would be able to go through it clause by clause, identify the problematic clauses, have the time to discuss it. I appreciate what the House leader has said. He's absolutely right. It takes a lot of effort on both sides to go through, read the legislation, come up with the amendments, read and digest the amendments in the process of doing this through the Committee of the Whole, listen to the debate, and come up with a reasonable response and make a decision on whether to vote it up or vote it down. It's not a good process, and we identified that from the very beginning.

We thought a much better process would have been to have this bill go to one of our policy committees. I think the Premier had intended for those committees to do that sort of work. I sort of gathered that that was the intention that she had when she established those, that they would do meaningful work about the bills that were coming forward in this Legislature, meaningful, all-party work so that we would be able to call witnesses, so that we could hear their feedback directly, so that we were all getting the information from the same groups of people, be able to assess it and analyze it, and then be able to decide on its merits whether or not something should be accepted or something should be rejected. I think that would have been a far better process, and it would have resulted in far better legislation.

We see that they don't make this mistake all the time. As I mentioned before in one of the earlier readings, they didn't make this mistake with Bill 10. Bill 10 is a bill where a lot of the meat and the rules are clearly defined in legislation, and very little is left to regulation. Very little is left to the cabinet to decide afterwards. It almost feels, when you read this bill, like they were in such a rush to get it passed that they figured: well, we can figure all that other stuff out later. It may well be that they have earned back a modicum of credibility with the energy sector over the last number of months, that the energy sector is willing to give them the benefit of the doubt, that the regulations are going to turn out and that they're going to match what the intention of the bill is, and that all will be made clear.

I have to tell you, though, whatever modicum of credibility they have earned back from the energy sector, they have not even begun to earn back from the landowner community, they have not even begun to earn back from the environmental community. That's what we worry about with this legislation, that it does not balance all of the stakeholder interests in developing our most important resource in this province, nor do we think it gives the energy sector the certainty that it was designed and that it claims it was intended to do.

The energy sector, as I've mentioned many times before, has been looking for certainty around the regulatory process. They are concerned about the fact that you have the potential to have multiple intervenors, much like the Gateway hearing process, who are not directly and adversely affected by the legislation entering in at different points of the process and derailing decisions and ultimately delaying them for months or, potentially, even years. The problem is that that part of the legislation or that part of the process problem I don't believe has been rectified by the legislation as it's been put forward. That is one of the reasons why we think the government has erred in trying to force this through.

3:30

The government also does seem to have – I don't know why – a disconnect between what we're hearing and what they're hearing. We are just the bearers of the information that is coming out through a variety of groups, individuals, and legal experts who have taken a look at this legislation and have found that it falls short. I'm going to quote a few of these, and there are others.

This bill is "a colossal gaffe by the Alberta government," and "the government doesn't need to be stoking any fires by stripping away these rights." That was Shaun Fluker, University of Calgary. He was quoted in the *Calgary Herald* on November 15, 2012. It's not the only one.

Bill 2 is sloppy legal drafting and bad policy insofar as it strips the most affected by energy projects of their legal right: Keith Wilson, a property rights lawyer, who, incidentally, started out many years ago in the government's own Farmers' Advocate's office. This is somebody who has a great deal of credibility with landowners and at one point worked for government in providing advice to landowners.

Third. Under Bill 2 the consolidated regulator will be making decisions respecting the landowner's land, but if the landowner has some objection or if there's been something overlooked, they can't appeal: a law professor at the University of Alberta named Russell Brown, November 5, 2012.

Fourth. Changing it to being the regulator's call on if and when hearings are called, I would say that's a step backwards for landowners who may be affected: Cindy Chiasson, executive director of the Environmental Law Centre, once again on November 5.

This is only a sampling of the critics of this bill.

We've been trying to once again prevent the government from making the same kind of mistake that it made in previous bills. The hon. Member for Strathmore-Brooks made mention of those, and others in this Chamber, I'm sure, in third reading are going to also make reference to those.

When you look back at the history of this government having passed, first of all, the Land Assembly Project Area Act, where they purposely went out of their way to create a process to freeze landowners' land into green zones and limit the amount of compensation those landowners would otherwise be eligible to receive through the provisions of the Expropriation Act, which had 19 heads of compensation, it's no wonder that landowners across this province began to wonder whether or not the government had their best interests at heart. It's no wonder that landowners became active and agitated and pressed the government to change it.

Now, to the government's credit, they realized their mistake, and they came back with amending legislation that closed this loophole and restored the ability of landowners to receive full compensation. But why did they have to go through the process? Why didn't they take the time to get it right? Why did they pass flawed legislation in the first place and create all of that ire and anguish and public response only to be forced to come back?

Well, you would have thought that having gone through that, they wouldn't have made the mistake again. Yet they did. They made the same mistake with the Land Stewardship Act, when they brought it through, having such a broad parameter for what the decision-making power of cabinet would be, allowing cabinet at a whim to be able to cancel any kind of statutory consent, extinguish rights – that was the term in the act – without full compensation, without an opportunity to have recourse to the courts. A horribly flawed piece of legislation. All kinds of landowner advocates and activists let them know that they'd made a mistake.

They did come back, and they made certain revisions. They at least made it very clear that they wouldn't be able to cancel your land title or your marriage licence or your driver's licence. That's how broadly and badly the original legislation was written, that it would have potentially given cabinet the power to do that, again without recourse, again without full compensation. So having made that mistake, come back, once again, made the revisions, you would have thought that they would have learned. Two learning experiences of passing bad legislation, rushing it through, and then having to come back and make significant amendments to it.

The third one, though, Bill 50 – we've just now gone through a process where they passed the Electric Statutes Amendment Act, made a mistake in handing the power over to cabinet. Rather than going to the AUC to do an independent needs assessment on whether transmission lines are needed, they've locked us into \$16 billion worth, potentially, of transmission lines, a portion of those identified through this critical infrastructure list that they have in their legislation that we probably don't even need. It would be nice if we could go back. Hopefully, we'll have an opportunity this evening to convince the government once again that they should go back and have a look at those particular projects so that we can do an independent review of them.

Once again, it's the same principle. Landowners responded, consumer groups responded, industry advocates responded, said that they'd made a mistake, and finally – finally – they come back and make a major revision to this bill. Here's a third example of them rushing through legislation, getting it wrong, getting pummeled by different landowner interests, different consumer advocates, and then finally – finally – realizing that they had to change it.

We haven't seen what will happen yet with the carbon capture and storage amendment act. I have no doubt that that's going to go through a very similar process once people start getting forced access to have people come onto their property to take advantage of the government-owned pore space under their property. I suspect that one is coming in the future.

We know what's going to happen here. We know. I can make a prediction right now. What's going to happen is that the government over the course of the next months or years – who knows how long it's going to take them to develop the regulations – are going to bring forward regulations, and they're going to be found wanting. Either the energy sector is going to find that its trust in government was misplaced and there are going to be things that were missing, that should have been in legislation but weren't; or the landowner groups are going to find that what we have been raising as concerns was absolutely legitimate, that their rights have been diminished, and the government will be pressured to come back and make amendments; or the environmental groups are going to put enough public pressure and international pressure on this government that they're going to have to come back and restore concepts like public interest into this legislation, that already does exist but has been stripped out. These are the things that we fear.

We fear that by racing ahead, rushing on badly written legislation, on flawed legislation, not taking the time to do the stakeholder consultation properly and doing this right, we are going to be in exactly the same position with this bill a year or two years from now that we were in with those other bills over the last few years.

This is not an idle concern. When you have a piece of legislation that stands to impact two of our principal industries in this province, energy being one and agriculture being the other, blindly being forced through with only a mere few weeks of debate,

without proper consultation, without any real consideration, in my opinion, given to the amendments, legitimate amendments brought forward by the opposition based on the consultation and the feedback that we've received, then you're now in a position where you are creating way too much uncertainty in our economy.

We already know that there is international, global uncertainty in the economy. The last thing that our industries need is for our government to continue to foment this uncertainty and interfere with their ability to make investment decisions and feel confident that they're not going to be walking on quicksand as they try to make their decisions on investments going forward.

The amendments that we brought forward I believe were very reasonable. I don't think that it would have changed at all the intent or desire of the government to create a streamlined process to do energy regulation; for instance, the various motions that were brought forward to bring back this issue of the public interest. In the current ERCB regulations the public interest is mentioned four times, yet when you look at some of the wording of the new legislation, the new bill, they've struck out the words "public interest." I'm looking at section 9(1)(a), as an example. First of all, it says "honestly and in good faith." That's fine. But why doesn't it say: honestly, in good faith, and in the public interest? Why can't we have provisions in here that talk about the public interest? I think we need to.

3:40

It's quite clear that without some due consideration of public interest, you can end up with massive problems. I'll just use Bill 50 as an example, the Electric Statutes Amendment Act. When government took it upon themselves to decide in cabinet that we needed to have a bunch of critical transmission lines built based on old information, it resulted in a massive overbuild, a proposed overbuild of transmission lines. It's unclear which ones we need, if any of them, and there is no way now for us to go back and have a reasonable debate about whether or not this is in the public interest, whether or not the benefits outweigh the costs. This is the reason why the public interest has to be considered when you're making these kinds of major investment, when you're doing these kinds of major developments. You do have to do a cost-benefit analysis. You do have to make sure that the public interest is served.

In addition, the debate that we had just before question period: I think that absolutely the most important part of this bill that is missing is the issue of having timelines. The government in multiple places throughout the legislation talks about handing it over to the regulator to establish the timelines for when different applications are going to be heard and when they're going to be decided on. Unfortunately, if we had a regulator that we had confidence in, if we had a regulator that was able to deal with these applications in an expeditious and timely way, we wouldn't even be here talking about this legislation. So the very idea that now we're going to be leaving it up to the regulator to set the rules and timelines defeats the entire purpose of the legislation, in my opinion. This is the job of the legislators, to give an indication to the regulators of what our expectations are of how they're going to deal with these applications in a timely way.

Now, that doesn't mean that they approve every one within a 180-day period, which is the period of time that we proposed as being reasonable, but it does mean that if they're going to say no, they have to say no within that period. If they're going to say yes, then say yes within that period. Give our industry a reasonable period of time and a reasonable expectation of when they might get an answer so that they don't end up having to wait excessive months or even years to be able to get these decisions.

We also had a debate over the issue of an external appeal process. I'm not sure why this is such a foreign concept to the government. It seems like when they get something right in another area, for some reason – maybe it's because the departments don't talk to each other, maybe it's because the ministers don't talk to each other. I'm not sure what it is. Why can't we take structures that we know are working and have those same structures replicated when we're creating something new?

In the case of having an external appeal, of course, I'm thinking about some of the development appeals that happen at the municipal level. The municipalities go through a process where they examine development proposals and make decisions on the basis of the information that they have at the time, balancing different landowner interests, balancing stakeholder input, balancing the public interest. They make a decision about whether or not they're going to agree or disagree with a certain development. But then if they reject it or if there is something that needs to be appealed, there is an opportunity to be able to appeal that to another level. We have a process that works, doesn't interfere with the process.

By and large what happens is that most people acknowledge that the decisions that are initially made by those councils are reasonable ones. We're not seeing a situation where every single decision is appealed every single time. In the case of the Environmental Appeals Board our understanding is that in the last year it heard 12 cases. What is the difficulty with creating a process so that if something goes wrong – if there is an approval process, if the development occurs, if mistakes are made and there is something that needs to be addressed, what's wrong with having someone other than the body that approved it listen to the arguments and make a decision about whether or not there needs to be redress?

It's not an appeals process that's being overused. It certainly cannot be argued by the industry that this is something that is creating bottlenecks in their approval process. It's not. It just gives that extra protection to landowners. Now landowners fear that one more right and opportunity for them to appeal these kinds of actions has been taken away from them. That's one of the pieces of feedback that we get. Through this act our landowners are feeling like their opportunities to have their rights respected are being diminished. We think that it would have been something that could have been very easily resolved, that it wouldn't have been anything that would have impacted the timelines for industry. It's just one more thing that unnecessarily antagonizes our environmental community, one more thing that unnecessarily antagonizes our landowners.

The fourth area, this whole notion of restoring notification. Now, I know that the minister attempted to clarify what he meant by notice by putting in this term "public notice." But there is quite a bit of difference between giving a public notification, putting an ad in a newspaper, putting something posted on a website, when you're not going to be the person impacted. If you have an idle interest and you've got a little bit of time, you may want to daily go on and have a look at the different approvals that have been granted that may or may not impact a variety of developments throughout the province, but I'm quite sure most of us don't do that.

I'm quite sure that the people who most need to know when somebody is going to be coming onto their land as a landman and asking for drilling access, the person who most needs to know is the person who has the surface rights to that piece of property, which is why it wouldn't have harmed anyone – it wouldn't have harmed anyone – it wouldn't have interfered with the process, it wouldn't have changed anything beyond the status quo of what we

have today if they had simply agreed to take the section that was in the current ERCB rules, section 26, and carry it forward into this legislation, replacing section 32 with a very clear process that the regulator would have to follow for notification and hearings.

I think this is so important. I'm going to read it into the record again because this, I think, could have gone a long way towards changing the concerns or addressing the concerns that landowners have. It certainly would have gone a long way towards addressing the concerns that the lawyers that I mentioned had brought up. I'm going to read it into the record because I'm, once again, going to predict that a year from now we're going to be back doing an amendment that's going to put this in the act anyway, so I might as well put it into the record.

This section would have said under our amendment:

32(1) If it appears to the Regulator that its decision on an application may directly and adversely affect the rights of a person, the Regulator shall give the person

- (a) notice of the application,
- (b) a reasonable opportunity of learning the facts bearing on the application and presented to the Regulator by the applicant and other parties to the application,
- (c) a reasonable opportunity, after filing a statement of concern in accordance with the rules, to furnish evidence relevant to the application or in contradiction or explanation of the facts or allegations in the application,
- (d) if the person will not have a fair opportunity to contradict or explain the facts or allegations in the application without cross-examination of the person presenting the application, an opportunity of cross-examination in the presence of the Regulator, and
- (e) an adequate opportunity of making representations by way of argument to the Regulator.

(2) When by subsection (1) a person is entitled to make representations to the Regulator, the Regulator is not by subsection (1) required to afford an opportunity to the person

- (a) to make oral representations, or
- (b) to be represented by counsel,

if the Regulator affords the person an opportunity to make representations adequately in writing, unless the statutory provision authorizing the Regulator's decision requires that a hearing be held.

This, again, would have balanced the rights of the energy sector to be able to get the certainty that they wanted; it would have limited the number of intervenors to those who were directly and adversely affected; it would have allowed for the landowner to have some clarity in the process that would be used in the event that there's going to be development on the land that they have rights to, whether in fee simple or through a lease; and it still would have given the regulator the flexibility to be able to receive a submission written or through a hearing process. We see no reason why the government and why the Energy minister would not have taken this very reasonable amendment and just carried forward legislation that is already in place. I mean, we already have these practices. If we already have these practices and these are not the practices that are causing the issues, then why break something that is not broken? Why not just bring this part of the legislation forward.

I have every confidence that we will very likely be returning to that amendment at some future point. I'm just disappointed that the government chose not to listen to the concerns of those who were raising it and make the modification to their legislation today.

On the issue of the reconsideration. This is another area where it just confuses me why the government would not have looked at this and realized how important it is for the sake of providing certainty to the industry. We're all trying here to find provisions

that will give certainty to the industry. Yet right now we have a provision in the act, section 43, that allows for the regulator to reconsider at any time for any reason. We believe that we needed to give some certainty back to those who are subject to the decision about something that may be reconsidered or changed, so providing a minimum of 60 days' notice of reconsideration to any landowners, companies, or other persons directly affected by the decision. What would be wrong with providing a period of time in which people understood that there was going to be a reconsideration rather than having it occur at any given time, willy-nilly, without the appropriate amount of notice? We don't think that this provides certainty to the industry, and this is the reason why we proposed having a change.

3:50

The issue of having a chief hearing commissioner be independent and accountable. I think that we have already seen through a number of the issues that have been brought up in the media, through a number of the issues that have been brought up in this Legislature, through the fact that we have seen certain former members of government get waivers for them to be able to take positions back with their previous government departments that there are real concerns about the level of independence that we have between the people who are appointed to do jobs through these agencies, boards, and commissions and the connection that they have to the current governing party.

We want to make sure that the very best person is in the position of being the chief hearing commissioner, and we think that the best way to have ensured that would have happened, to ensure that they were truly independent is that they should have been appointed, as we do see with other officers of the Legislature, through an all-party committee so that we could all have the opportunity to have input into that decision so that we could go back to the various stakeholders and demonstrate that that person had been vetted and that person was the best person to be able to balance all of those competing interests. I think that by not agreeing to that amendment the government, once again, erred.

Related to this, ensuring that the directors of the board are representatives that are not entirely beholden to the minister goes to the exact same point. Having the minister able to make the decision on every person who is appointed to this commission and for it not to be balanced, specifically with particular types of people who have particular expertise, is something that is going to once again, I think, create problems for this government. One of the issues when they first brought this bill forward was that they were going to populate the board with just three people and those three people were all going to be former ERCB employees. Well, once again, those who have the expertise to be able to ensure that all of the different stakeholders are properly represented are not necessarily just going to be former government employees. We want to be able to ensure that we've got people with a variety of expertise, and we don't have that now.

We wanted to have a provision in there that would have allowed for us to ensure that at least one person on this board had some demonstrable expertise in property rights. I've just quoted a number of people who have demonstrable expertise in property rights, a couple of whom I'm quite sure would have been more than happy to serve on this board. We wanted to see one person with demonstrable expertise in environmental conservation. There are a whole range of individual groups in this province who are doing terrific work on negotiating environmental easements with our landowners, who are doing terrific work on stewarding landscapes and helping us to recover landscapes when we've seen disturbances. Having somebody who has that demonstrable



expertise, I think, would have been a real addition to this board, and then, of course, having two individuals with demonstrable expertise in the energy industry, each from different aspects of the industry. We certainly would need someone with oil sands expertise and someone with conventional oil and gas expertise.

I remember talking with somebody who had been an employee with the ERCB and is now working with one of the large energy companies. He said how his perspective has completely changed now that he's working for industry. When he was on the one side, he told me that he was absolutely adamant about every single rule being followed in exactly the way that he had interpreted the legislation. Now that he's on the other side, he realizes just how unreasonable some of the requirements of the regulator had been that he had previously been in support of. It's this importance of being able to be on the receiving end of the regulatory rules, restrictions, and interpretations that provides the important perspective about what reasonableness is, about how a rule is being enforced or how a regulatory requirement is being enforced, and I think we miss that by not having people who are on this board who have expertise in the energy industry.

Now, of course, I suppose the Energy minister has the ability to take this under advisement and make those kinds of appointments as it is, but we think that's not good enough. We think it needed to be written into the legislation if we were going to be able to win the confidence of all of the different stakeholders, including the landowner groups and the environmental activists. I think they missed an opportunity to do that.

We even were talking in our caucus about proposing a different type of approach for how that board of directors might be chosen. The hon. Member for Drumheller-Stettler – oh, he's not here today – had looked at the Railroad Commission which now in Texas is also responsible for doing regulatory approvals on utilities. The Railroad Commission is actually an elected commission that oversees the regulatory aspects of those important projects. He suggested that we even go that far, suggested that we have a board of directors where they would be subject to regular elections from the various stakeholder groups. We thought that that would be too far for the government. Clearly, we were right because even this modest proposal that we put forward was rejected. But the point still remains that having people with these different types of expertise would have been ideal on this commission, and it would have gone a long way, I think, towards identifying the issues before they erupt.

I mean, this was related to another provision that was voted down by the government. There's this transition board that is going to see us through to this new permanent board, and our understanding is that those transition directors are going to become the permanent board of directors. This was the perfect opportunity, the perfect time to be appointing people from these four different aspects – a property rights expert, an environment expert, and then those who have expertise in both aspects of the energy business – to make sure as the regulations are being developed, as we're transitioning to this new approach, that we've got the right people on board to help us with that. I think the government has missed an opportunity on that, and I think, once again, we'll be addressing that once we see the regulations come out.

It would have been easy for them to have created a bill that would have secured the interests of landowners by just making one simple change right at the beginning so that it set the framework for the entire legislation. Under section 2(1) they talk about what the bill is intended to do, how it's intended to develop the resource in a responsible way, how it's intended to do so in a way that respects the environment. The only thing that was

missing was having a clause that would have amended that section to add "in a manner which respects landowners," and I may also add "leaseholders." If they had put that right in at the top, as a recognition that we're trying to develop a piece of legislation here that balances the various interests, I think that they would have gotten some credit from the groups that are now the biggest critics of this legislation.

It would have been a simple amendment. It would have been in some ways an important symbolic amendment. Sometimes symbols are important when you've completely destroyed your credibility with a group, as this government has. They've completely destroyed their credibility with landowners. And this kind of language would have gone at least a step of the way to recognizing that we needed to have this important consideration as we're developing the regulations around how our energy development is going to take place in this province.

We also believe that we need more transparency with regard to extraprovincial agreements. This is one of the things that has us concerned, especially as we hear our various politicians in other parts of the country or even the U.S. President talking about things like a cap and trade program and things like – and you've heard this before – the federal Liberals campaigning to ban tanker traffic off the west coast or have other types of provisions that would have the federal government intervene in our ability to regulate our own industry. I'm very worried that for the interests of expedience there might be some of these things that are agreed to under the auspices of the Premier's national energy strategy, and we have no ability, it would seem, under the way the legislation is currently written, to be able to have that come back for debate in this Legislature. We think that's a problem.

We think that any extraprovincial agreements that could potentially impact our ability to develop our resources and have our autonomy to do so or affect us in a financial way should come back to this Legislature within nine months of the execution of the agreement. We're not quite sure what this provision in the legislation might open the door to, but we wanted to have some certainty that there weren't going to be a number of interprovincial or international agreements signed that we simply couldn't live with without even knowing about it or being able to weigh in on it or be able to have the stakeholder feedback. Again, I don't think it would have been an interference to the government for us to be able to have that opportunity. I'm not sure what this opens the door to, but I am quite concerned that we've given this amount of power through this legislation to that regulator.

4:00

We also have concerns about the government's expansion, potentially, of the ability to collect private information about individuals. I'm still not quite sure why it is that they had the provision to allow the government to collect private information on those that they're regulating. It seemed like an odd provision. It seems to me that there should be some fairly standard information that gets collected on those who are doing business with government, those who are taking out leases or developing the resources on our behalf. I'm not quite sure why the government thinks that they should be able to also collect private information, and I'm a little bit concerned that it isn't clarified about what kind of private information they would be collecting.

Privacy rights are an increasing concern for all citizens, especially since we have so many mechanisms to have our privacy invaded in a way like we never used to. Before Twitter and Facebook and YouTube and e-mail and all of the electronic communications it may have been easier for us to be able to protect our privacy. It's harder to do that now, and to give government

carte blanche to collect a bunch of private information, unclear about where the parameters around that are, unclear of how it will be protected, how it might be shared, we think is an unnecessary provision. It would have been a very easy thing for them to accept that amendment without it changing the provisions of the legislation and what it's trying to accomplish, but once again it was voted down.

The catch-all clause which has us most concerned is, of course, section 68. That is, to us, the same kind of provision that the government granted itself through those previous bad bills. When you look at Bill 50, the Electric Statutes Amendment Act, 2009, one of the things that the stakeholders had the biggest problem with was the government granting itself so much discretionary power to make decisions in cabinet, behind closed doors, in the absence of any check and balance on their ability to do so.

The problem that people had with the Alberta Land Stewardship Act, once again, is the inordinate amount of power that cabinet has given itself to be able to make decisions to abridge landowner and leaseholder rights without full compensation, without recourse to the courts, being essentially the appeal body as well if there are concerns or if compensation does need to be negotiated, the ability, for instance, to even withhold the ability of municipalities to receive their fair, appropriate transfers or to take away their bylaw-making power if they pass certain local rules that conflict with regional plans.

This kind of power that the cabinet has given itself is something that has our landowners and other bodies very, very concerned, and here we have a replication of the same problem in this act under section 68. It says that regardless of all the other nice things in this legislation at any time the cabinet can override any of the rules of the regulator. If we were trying to get some certainty for our landowners and for our energy sector, for that matter, about what it is we were trying to accomplish through this legislation, I think that section on its own pretty well undermines that ability, and this is the reason why we thought it should be struck.

We do think that this legislation could have been greatly improved with these amendments. We're disappointed with the approach that the government took. I think that at the beginning of this whole process we had kind of thought that we might be able to make some progress with the Energy minister.

**Mr. Hale:** We sure hoped.

**Ms Smith:** We certainly hoped. We did. I remember talking with the Member for Strathmore-Brooks and him saying that he thought that a couple of these amendments might actually be approved by the Energy minister. We were even delighted that the Energy minister took the opportunity to go out and have a debate in the Little Bow riding with the hon. Member for Rimbey-Rocky Mountain House-Sundre. We think it was a respectful debate.

It was very clear and should have been clear to the Energy minister through that process that people are interested, but they're unfamiliar. They don't really know what's going to happen. They don't really know how it's going to impact them. I think the minister has missed an opportunity to actually go out and talk to landowners and educate them about what he feels this legislation will do, but even more importantly I think he missed an opportunity to go out and get the feedback that we get every single day through e-mails, through our direct consultations and direct contact that we have with our constituents about the very legitimate concern that they have that their rights are being interfered with, that their rights are being eroded, that their rights are being undermined. We hear this every day.

It may well be that the minister does not get into the rural areas as much as we do though I know he comes from my neck of the woods. I know that he's got a lot of friends in the Highwood area. I think he must know that the landowner concern about previous bills is being carried over into concern about this bill because they see that there are similar types of clauses, similar types of approaches, similar reductions in the protection for landowners. I think he's created, unfortunately, an unnecessary amount of skepticism and fear and potential backlash by being in such a rush to pass this through, by being in such a rush to pass through the amendments, to avoid taking them seriously, to avoid doing the consultation with the stakeholders. We were still in the process of consulting with even the energy stakeholders that are impacted by this bill.

I remember what happened with the Land Stewardship Act, and this feels very similar to what happened in that process. It was, I believe, April 27 that the bill was introduced into the Legislature. It was passed through first and second readings, Committee of the Whole, third reading, and declared into law by something like June 8. Within five weeks a massive piece of legislation was passed through all of those different phases. I don't think it was until the summer of that same year that the legal experts and the landowner groups started reading through it and saying: what on earth does this bill do? That, I think, is the same thing that we're going to find with this legislation.

There have been a number of different stakeholder groups that we have phoned to get feedback from. Many of them have said: well, we haven't had time to read the bill yet, but we're sure hopeful about what it's going to accomplish. That, I think, is the fundamental problem. It's one thing to consult on a concept. It's another thing to consult after you've actually got the provisions, the exact legal language in front of you, because that's where the mistakes get made. Once we've finished with our work here, then it gets handed into the hands of the lawyers to do their interpretation.

Now, I know there's lots of work that needs to be done on the regulations, but this is just it. Once we've done our work here, if we have not been clear about what our intentions are as a Legislature, then it comes up to different lawyers to be able to battle out their different interpretations. I think we're going to find over the coming months that as legal experts take a closer and closer look at this bill, we're going to end up with multiple issues with multiple clauses, and we will have to come back in a period of time to be able to make some of the amendments.

What I would have liked to have seen with this bill – and I'm hoping that we will be able to see this with other pieces of substantial legislation that this government brings forward in future years. I think that we have to all recognize that the fall session is a pretty difficult time for us to be able to pass through substantial pieces of legislation with enough opportunity to debate, to do the stakeholder consultation, to do the amendments, and to see it through. I have such great sympathy for Parliamentary Counsel, who have had to draft all of these amendments for all of these bills, not just this one, and the incredible amount of pressure that we are putting on such a small team to be able to do this in this compressed period of time.

There could have been another way to do this. There was an opportunity to have this bill go to a committee so that it could have been more thoroughly examined. But I would just offer this to the government, having seen now how these pieces of legislation get pushed through. It would have been far better for them to introduce a piece of legislation like this in the spring and then have the opportunity for us through the course of the spring to do the work on it, to do the proper debate on it, to do the proper

consultation because, of course, in the spring every three weeks you've got an opportunity to go home and talk to your constituents. You have the opportunity to send out a mailer or a survey to ask them if they have any concerns about an issue.

Then you can continue on through the fall session, making any final amendments that you need to do through Committee of the Whole. Split it up. I'm not sure why the government has gotten into this habit of thinking that everything has to be forced through within a matter of weeks. I think that what we would far benefit from is taking the advice of the Premier that she put forward during the leadership race and taking the time between the different readings so that all of us, those on the government side and those in the opposition benches, are able to take the time that we need to be able to do the due diligence so that we can get this right.

As I mentioned when I started, I would have liked to have been able to support this bill. I think that we did an incredible amount of work as an opposition trying to put forward appropriate provisions that would have allowed for this bill to be improved, that would have allowed for us to be able to support it and go back proudly and tell our constituents that we supported it and the reasons why we did.

4:10

Having failed to convince the government and failed to convince the Energy minister that even one of these amendments was worth passing, it seems to me that this has been a process where the foregone conclusion was already reached before we even went through these 30 hours of debate. I know the House leader thinks that a great deal of care and consideration was given to these amendments as we went through. We certainly sure did spend an awful lot of time on them, we certainly did speak an awful lot of words on each of them, but I don't know if there was a whole lot of listening going on.

As a result of that, I have to say that I'm going to have to vote against this bill, much as I would have liked to have supported it. I look forward to debating this bill, or at least an amendment to it, in a year or two's time because I'm quite certain that once the landowners, the environmental groups, and the energy sector see how short this falls from the ideal of what they wanted to accomplish, they'll be calling us asking for us to support amendments and to put forward amendments to be able to repair the damage that's been caused. I hope that I'm wrong. I hope that the government does get it right on the regulations, but having seen how wrong they got it in the drafting of the legislation, I have to tell you, Mr. Speaker, that I'm not hopeful.

Thank you.

**The Speaker:** Hon. members, 29(2)(a) is available.

### Speaker's Ruling

#### Question-and-comment Period

**The Speaker:** Just before we go to it, because I have received some calls and notes over the last few weeks about how 29(2)(a) works, I just want to remind you that when it was brought in, it was brought in exactly for this purpose.

- (a) Subject to clause (b) [below], following each speech on the items in debate referred to in suborder (1), a period not exceeding 5 minutes shall be made available, if required, to allow Members to ask questions and comment briefly on matters relevant to the speech and to allow responses to each Member's questions and comments;
- (b) the 5 minute question and comment period referred to in clause (a) is not available following the speech from the

mover of the resolution or the Bill in opening or closing debate, or

- (i) the Member who speaks immediately after the mover.

In this case the Leader of the Official Opposition is the third speaker, so 29(2)(a) is available. However, what I've noted in reviewing *Hansard* is that frequently a lot of people simply stand up and say: is there anything you wish to add? Now, the hon. Leader of the Opposition spoke for almost 60 minutes or thereabouts or 50 minutes, and it was very riveting, I'm sure. I'm not commenting on her speech; I just want you to know. But 29(2)(a) was put in for a very good purpose, and I would just ask you to consider what the real spirit of 29(2)(a) was for subsequent speakers after this one.

That having been said, I will move now to the associate minister for persons with disabilities, followed by Edmonton-Strathcona and then Little Bow and then Calgary-Buffalo, and I'll add others as they come onto the list. Thank you.

### Debate Continued

**Mr. Oberle:** Thank you very much, Mr. Speaker. I've asked to rise today. I feel I would be remiss if I didn't rise and say something about Bill 2 and about property rights as they relate to my constituents. All of us in this House are duly elected by our constituents, and all of us have equal right to be here and equal right to our opinions. I don't and won't criticize the opinions or the points of view from other corners of this House. But I'm concerned that we've had a big, big debate about property rights and land rights and a supposed assault by our government on personal property rights in this province for quite some time now in the last few years.

It's really been evident in the last few months of debate in this House. I've found that the chair, not that I question any decision of the chair, has allowed great latitude in the discussion of property rights. For example, in the last speech we had a considerable diatribe on the government's approach to property rights.

**The Speaker:** Excuse me. Could I just clarify? Are you rising under 29(2)(a)?

**Mr. Oberle:** No.

**The Speaker:** No? Would you mind if I just interrupted for a moment? I had explained what 29(2)(a) was, and I had assumed that maybe you were speaking there as well. I didn't see anyone under 29(2)(a).

Is there anyone under 29(2)(a)? The hon. member, quickly.

**Mr. Strankman:** Well, I'd just like to speak to our Wildrose leader's comments about property rights. I was wondering if she could add the differentiation between property rights for landowners and property rights for people who may not necessarily be landowners, that may be in more urban situations.

**The Speaker:** Hon. leader, before I recognize you, let's keep the questions brief like that. That was well done, hon. member, and we'll try and keep the answers brief as well.

**Ms Smith:** Thank you, Mr. Speaker. Well, I think that the hon. member raises a very good point. Part of the reason why I think there's a greater sensitivity about issues of property rights in a rural environment is because it's those who are in a rural environment who can see, through various pieces of legislation, how it is

that their land value and investment may be diminished. I mean, let's be perfectly frank. When you're living in an urban environment, an urban centre, the chance that there's going to be a major infrastructure or utility project that is going to take away your property rights is much less than if you live in a rural environment. In an urban environment we do see it happen, though. There have been issues, I believe, in the riding of the hon. Member for Calgary-Foothills about development of wells, a sour gas well, very close to an urban environment. Was that the Member for Calgary-Foothills? Calgary-Northwest?

In any case, I think that we have seen that there are urban residents who have seen how development can impact their ability to develop their property. We've also seen, for instance, that there are small towns and many communities where they actually have well sites that have been abandoned that are located right near suburban residences. I know that there have been some concerns that those well sites have not been restored and may impact future property values of those urban owners.

We've also seen, for instance, in the case of the development of transmission lines people purchasing homes expecting that they have a green space that is located near them and being told, whether appropriately or not, by their real estate agent that a certain project won't get built and then suffering through the fact that there's uncertainty about the construction of those lines and the impact on their property value that takes place in the meantime in addition to the fact that they're not able to sell their homes. I think we've seen those kinds of instances.

We've seen instances where road widening occurs, and it results in expropriations. It results as well in property being taken. We've seen in the case of Lynnvew Ridge in Calgary a whole community that suffered losses as a result of inappropriate cleanup by the previous developer. Some of those landowners never felt like they got the full compensation that they were entitled to when they had their rights diminished.

So there are all kinds of instances where urban property owners face the very same issues that rural property owners face. I suppose the difference is that in a rural environment you do see that the attitude, I believe, among perhaps the government, perhaps some of those who are proposing development, almost seems to be that they are not taking into consideration all of the different future value that that particular landowner in the rural environment factors in when they're making considerations about purchasing land.

We've seen rural landowners see their land value diminished when they're put into a green space. We've seen rural landowners see their land value diminished when they are found to have historical resources on their property. We see that their rights to develop are diminished when any kind of pipeline or transmission line project comes through their property. I do believe that the issues that rural and urban property owners face are the same, but I think that the sensitivity in the rural area is much, much higher because the incidence of being impacted through a whole range of different types of development is much higher than what you might expect in an urban environment.

There are other ways, though, in which urban individuals are impacted by development. We've raised the case, for instance, with the issue of the transmission line construction. It's not just those residents in the Sherwood Park area who are going to be impacted in their land values when those big power lines get built, but it is also all of us as ratepayers and consumers who are going to get impacted if all of this transmission gets constructed, and we end up seeing the portion of our bill related to transmission lines increase by double or triple or even further. These are the kinds of

arguments that I think it's important for us to engage, those who live in an urban environment.

I hope that answers the hon. member's question.

### Speaker's Ruling

#### Question-and-comment Period

**The Speaker:** Hon. leader, I'm sure it does. The point I was trying to make is that Standing Order 29(2)(a) is usually reserved for short snappers back one way and the other. I realize this is a complex issue, and there's nothing the Speaker can do – you have the floor; you can speak the full five minutes if you want – but let's just keep in mind what the spirit of the debate aspect was when 29(2)(a) was first brought in. It's a unique feature of this Assembly.

Our next speaker, then, is the Associate Minister of Services for Persons with Disabilities.

4:20

#### Debate Continued

**Mr. Oberle:** Thank you, Mr. Speaker. I apologize for the mix-up with regard to 29(2)(a). I did not make my intentions clear. I'm glad that happened, though, because it kind of underlines my point. The questioner under that 29(2)(a) exchange asked the speaker, quite rightly – as you pointed out, that's what 29(2)(a) is for – if they could expand on a specific point that probably wasn't covered in the previous speech.

The ask was: could the speaker comment on property rights in municipal situations where the person involved might not actually own property? Property rights of persons that don't own property is an interesting concept, Mr. Speaker. We could be talking about personal property, firearms or other such things, but that exactly underlines my point. We've wrapped everything in property rights, whether or not it's involved in the debate on any particular topic. I'm quite sure that if we'd been debating about – I don't know – naming a new provincial mosquito this year, we'd have found a way to wrap that issue in property rights. You know, there would be the proper hue and cry.

I think we'd all agree, Mr. Speaker, there are a lot of people in our province that have made, well, pretty good careers out of debating property rights out in the public arena in the last few years, many of them opposed to what we've done as a government. You know, there are a lot of pseudo-facts out there and some facts, but the fact that some of the assertions are blatantly untrue has never seemed to slow a lot of people down, and I find that troubling.

I think one true measure of what this government has done about property rights in the last few years, Mr. Speaker, would be to go to the other end of this. Let's examine outcomes. How many people, actually, have had this government infringe upon the use of their property or seize their property without due compensation or without due process? Of course, the answer to that would be zero, but that seems to be an untroubling statistic, and the debate rages on.

Now, in the response to that last speech, when the hon. Leader of the Official Opposition was responding to the question, she started talking about the inappropriate cleanup by a developer. Somebody had left a gas station inappropriately cleaned up. What exactly does that have to do with the bills that the government passed in the last couple of years, that we've been talking about property rights? We wind everything into property rights, Mr. Speaker.

She also talked about municipal infringements upon property rezonings. Well, the fact of the matter is, Mr. Speaker, that that's been going on for years and years. I don't recall us changing the Municipal Government Act in the last couple of years. That's how municipalities plan.

At the other end of this, as a litmus test of how we're doing, let me bring forward an example from my constituency briefly, Mr. Speaker. I'm sure you're shocked, but I will bring it back to the bill. As I said, you allowed that speaker great latitude to talk about property rights, and I need to correct a couple of things.

I have a landowner that built a new house along a paved highway, a transportation road. It's a labour of love. It's a country residence. His wife practises massage. There are corrals, horse barns. It's a beautiful place. It's absolutely phenomenal. He built it on the curve of a highway. There was a slump on that curve. A culvert failed. Plus, we needed to build a new intersection on the highway two kilometres east. We had to cut the road right across his field, so we notified him right away. The inhumanity that our own legislation forced us to notify him right away that we're going to infringe upon his property. He's upset because he built this house by himself. It's a beautiful place, as I said. There we are. We're forced to notify him. That's what Bill 19 did to us. We were actually forced to notify him. Imagine.

We talked to the landowner. The road doesn't impact his house – it's going to cut through the corrals at the back – but the fact that he's losing the corrals impacts the whole property. That's why they built it, so they could have these corrals there. He wants to negotiate with the government. The inhumanity that our policies and legislation would allow us to sit down and negotiate. We presented an offer to this landowner which he was unhappy with. He immediately asked that we access the Expropriation Act. The inhumanity, Mr. Speaker, that he would have access to the Expropriation Act, which he did after Bill 19 passed and which he did before Bill 19 passed, and that was explicitly lied about in the public arena by people travelling around this province telling landowners what the new state of affairs is.

But guess what? The Expropriation Act prevents the government from buying his whole property. They can only expropriate the piece that they need for the highway. Clearly, that wasn't in his best interests. It didn't meet his understanding of what his property rights were, so he went back. He actually negotiated a deal to his satisfaction and sold the property. Unbelievable, Mr. Speaker, the inhumanity of our property rights system.

Just down the road from that, oh, maybe three kilometres away I have another landowner in a similar situation, Mr. Speaker, except in their case the road isn't needed. In fact, for some currently unknown piece of time, again, the government was forced to notify the landowner and show the plans. That landowner, despite the fact that the road does not impact their house, has sold their entire property because, again, their enjoyment of their property is impacted by that future road. The inhumanity that they were allowed to trigger when that sale happens was because of Bill 19.

You know, there's a lot of bunk out there about property rights. The fact of the matter is that I'm on the receiving end of this, as everybody is in our constituencies. I talk to landholders who are impacted, and I see what the legislation actually does with those landowners in co-operation with those landowners, and I'm comfortable with that.

Now, Bill 2, Mr. Speaker. I heard the hon. leader's one small speech. It wasn't clear to me whether she was referring to Bill 2 when she said this, but I heard it a couple of other times: if it ain't broke, don't fix it. I thought that on other levels we had some agreement that it was, in fact, broke. Let me tell you that in my

constituency it's broke. I'm sure you're aware that I have some landowners that are very deeply concerned – opposition members are aware and raised these issues – and deeply, deeply impacted by odour emissions in the Three Creeks area. The hon. Member for Dunvegan-Central Peace-Notley is also impacted by energy developments there. Part of the problem, not by any means all but part of the problem, is inconsistencies, confusion between dueling regulators out there. We're not doing the job that we should be doing in regulating the energy industry out there.

Mr. Speaker, I see this bill going a long way to fixing those problems. I'm eager for the imposition of this bill. This has been many years in the making, and it has been under consultation for many years as well. I'm very keen to see us move forward with this bill. I think the bill is necessary. The system needs fixing, needs improvement. I think that Bill 2 moves us forward while protecting the Crown's interests in development, while protecting the provincial interests in development, and while protecting private land interests in development.

Our province is going to develop. How do we do that in an environmentally sound manner, in a manner that allows us to achieve the most from our natural resources, and in a manner that respects the rights of those people on the landscape that own property? I think that's what is crafted in Bill 2.

I'm very eager to see that we move ahead, Mr. Speaker. I thank you so much for the time to state so.

**The Speaker:** Hon. members, 29(2)(a) is available. The hon. Member for Little Bow under 29(2)(a), followed by the President of Treasury Board.

**Mr. Donovan:** Thank you, Mr. Speaker. I'd like to thank the hon. Member for Peace River for his, I could say, slightly sarcastic tone to that, which is fine. I have a couple of questions about his speech. First off, I know of landowners in my constituency, where the MATL line went through by Coaldale – I will try to get you the names by the end of the week – that were forcibly taken in by a power line which your government so graciously allowed to go through. One had three RCMP cars in his yard serving him with the papers, telling him that that power line was going on his property. If you'd like, people, I'm more than happy to bring that up. If you're looking for a name for the mosquito that might be flying around in this national park that we're looking to do, you could probably call it the Wildrose because we're going to be biting you guys in the rear-end for probably quite a while.

4:30

I guess that goes back to the audacity that people in this province have the common courtesy to sit down and, God forbid, make a thought on their own on whom they want to vote for in this province. It's fine to vote for whomever they want, but the fact is the sarcastic tone to it. I mean, the humanity and these poor people and what they've had to go through because they decided to sell their land. I'm a very sarcastic person, so I do appreciate your tone on that. But if we sat in that little glass dome and thought about that our whole lives, nobody would ever vote but just for one party, and it would be a big *Kumbaya*, and it would be a dictatorship. I don't think that's what people want. I thank you for that. I do appreciate the sarcasm, though.

**Mr. Oberle:** Mr. Speaker, despite the fact that I don't actually detect a question in that comment, I did start out my speech by pointing out that all of us are duly elected by our constituents, are free to stand here and have our own points of view and be

respected in this House. I fully respect that hon. member. I await that information.

The question about property rights is: when property needs to be accessed or impacted, is there due process? Does the landowner have full compensation available, and does he have access to the Expropriation Act, to the courts, some appeal mechanism? I don't know that that particular situation relates to that. I look forward to that information, Mr. Speaker.

My sarcasm, my tone, arises from the fact of this constant criticism of land rights, of property rights, and of our government's supposed infringement on same. Several speakers there but more broadly in our province have talked about, for example, Bill 19, and I pointed out concrete examples of the exact two changes that Bill 19 made to the property rights regime in our province. [interjections] Mr. Speaker, that hon. member is probably not interested in the answer, but fortunately I'm not addressing him.

Bill 19 made exactly two changes. First of all, we are required now to notify landowners at the front of the process, and second of all, the landowner gets to trigger when the sale happens if indeed a sale is going to happen.

You know, I'm glad the member is not offended by sarcasm. I don't use it that heavily too often, but I thank the member for his comments, Mr. Speaker.

**The Speaker:** The hon. President of Treasury Board under 29(2)(a).

**Mr. Horner:** Well, thank you, Mr. Speaker. I did want to rise also to acknowledge that I, too, am a landowner, both of an acreage-sized land as well as a quarter section sized land. I also have surface rights on my property as well, so I am also keenly aware of the property rights issue, and it's very close to my heart.

I'm also very aware of the issue the hon. member talks about in the Three Creeks area in northern Alberta, and I'd be very interested to hear a little bit more about his relationship to that issue and what we're doing here. As I recall, this bill is the culmination of two years or more of consultation with landowners, energy, aboriginal groups, the environmental groups, the NGOs, the major industry players. Again, there was a tremendous amount of consultation that went into the building of this act to create what we believe to be very good legislation. I would be interested to know the hon. member's relationship to that, to the Three Creeks area, and perhaps to the resolution of that situation.

**The Speaker:** Hon. associate minister, you have 20 seconds.

**Mr. Oberle:** I will attempt it, Mr. Speaker. First of all, it removes one of the problems that I have on the Three Creeks landscape, the conflict, almost, between two different regulators and the confusion that that causes. That's removed by this bill.

**The Speaker:** The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Speaker. I'm pleased to finally get the chance to rise to speak to Bill 2. Ever so briefly on that last topic, it's interesting that the Member for Peace River characterizes the matter as being resolved because, indeed, just this week I heard from residents of the Three Creeks area, and resolved is absolutely not the way it was described to me. Indeed, the frustration that they experience in terms of the responsiveness of the ERCB and the inability to have consistent measurements and transparency and accountability – any sense that the actual residents there have a say in the process is simply absent. If anything, the Three Creeks situation is a prime example of how the ERCB has not functioned in a way to effectively balance the interests of not only land-

owners but community members on one hand and industry on the other. It is, in fact, a cautionary tale.

Mr. Speaker, as has already been stated by other members of our caucus, we are emphatically opposed to this bill. We think that it is wrong and bad in an endless number of ways. We think that the government is capitulating to industry, ignoring the environment, and disrespecting landowners by bringing this piece of legislation forward and by allowing it to pass.

The very initial premise that the government comes to this House with in terms of justifying this bill is that what we need to do is that we need to streamline and hasten the industrial development pace in this province. We're apparently not developing fast enough, and we need to do it even faster. It's really quite something, Mr. Speaker. You know, there have been a number of legitimate and independent and – dare I say it? – former Premiers who have actually outlined that as a general rule of thumb the pace of development that we're currently engaging in is probably not a great idea and that what we need to do, while promoting development, is to ensure that we do it in a reasoned, balanced way that ensures that the best interests of all Albertans are taken into account and that the multiplicity of impacts around development are fully considered. Those are the representations of former Premier Lougheed, and I know he's probably been quoted in this regard repeatedly. The fact of the matter is that that is the case.

[The Deputy Speaker in the chair]

Interestingly, the Pembina Institute published a commentary about two or three days ago. The Deputy Premier sort of looks up and says: oh, well, the Pembina Institute are, you know, just a bunch of scientists who aren't funded by industry, so we would never want to give them any due. However, the fact of the matter is that they published a report yesterday after having sat through three-quarters of the Jackpine expansion hearing in both Fort McMurray and Edmonton. All the lawyers there have, you know, clearly laid out the facts in a way that we're rarely given the opportunity to do in this Assembly and have concluded that the approved development in the oil sands, let alone the planned development in the oil sands, stands at this point to breach a number of different land-use standards and environmental standards at the current pace.

Now, it doesn't mean that you don't develop necessarily, but it does mean you acknowledge that as things stand now, that balance is not being achieved, and by the very rules that your very industry-weighted process created, you are going to fail against those rules. You are going to exceed air quality. You are going to exceed water usage. You're going to exceed those things. That is on the record at the Jackpine hearing. Shell itself is acknowledging that that's the case. It's not really clear to me that what we need to then do is ramp it up and put steroids into our development approval process, Mr. Speaker. I don't believe that that is in the best interests of Albertans, and I think that when you poll them, they will agree with that statement. Anyway, the very fundamental point behind this legislation is problematic to me.

Now, the next thing that a lot of people have talked about, public interest. This legislation clearly takes public interest out of consideration in terms of the decisions that are made by the new regulator. The House leader can argue all he wants that, oh, in theory everything we do here is in the public interest, but I think we all know that when it comes to considering the very, very few, narrow settings where any judge is ever going to be allowed within 19 light years of the decisions made by this regulator, if we ever do, the question of whether that regulator is compelled to

consider the public interest in the same way that they were compelled to under the environmental legislation or the SRD legislation or the public lands legislation, they don't have to under this legislation. That is significant and substantial. It is a very clear political decision made by this government to ensure that the public interest doesn't get confused with the primary mandate of this regulator.

4:40

What is that mandate, Mr. Speaker? Well, it is to provide for the efficient, orderly, safe, and – oh, wait for it – environmentally responsible development of our resources. It doesn't ever talk about protecting the environment, doesn't ever talk about improving the standard of the environment, doesn't talk about improving or building on the social or economic benefits to the community, none of that. It is very clear that it is to provide for development. We'll throw in a few adjectives, but at the end of the day it is to provide for development.

Now, that's fine if that's all this regulator was doing, but what this government is doing is that in creating this regulator, they are also eliminating the role of the ministry of environment, who in theory, even in this government, has a mandate to actually not only responsibly develop the environment but, in fact, to protect it and maybe even to improve it. God forbid that we actually try to improve the quality indicators of the health of our environment in this province.

That was the mandate of the ministry of environment. That is gone. It is now completely subsidiary to the mandate of this regulator, which is to provide for development. There is a very clear political decision to say: "We don't care anymore about the environment. It is a footnote to what we do here, and we're going to do whatever we can to eliminate the mechanisms through which those who do care about the environment might possibly – possibly – be able to advocate for those outcomes."

The other thing that we're concerned about, of course, is that this regulator only has to report to the Minister of Energy. There's no obligation to report to the Minister of Environment and SRD, yet this regulator is taking over monitoring and studying and enforcing and developing policy on environmental issues that relate to the energy industry. Well, I hate to break it to you, folks, but about 75 per cent of the environmental challenges that we face in this province are related to the energy industry. This body says: "No. The ministry of environment doesn't need to have anything to do anymore with three-quarters of what their ministry is because this little separate regulator, this non-Crown corporation body over here on the side, is going to deal with all of it without actually having a mandate to protect or improve our environment or our water supply or our air quality or anything like that in this province." This is an incredible affront to not only landowners but to all Albertans who actually have a vested interest and a concern about the future of lands and water and air in this province.

A perfect example: we no longer have the ministry of environment overseeing or being involved in pipeline cleanup. Well, that's all right. We can count on the regulator to handle that. It'll be fine. Interestingly, though, the regulator, the ERCB certainly, is no longer publishing or setting out any standards in terms of what a good pipeline cleanup looks like, but we're just going to put it off to them. As long as it amounts to environmentally responsible development, it's fine.

The review process under this new legislation is also grossly, grossly eliminated or undermined, and in so doing, we, of course, take rights away from individual Albertans and people who are concerned about the air quality and land quality and water quality in the province. The government's amendments to our review

process, Mr. Speaker, were superficial, entirely designed to look like one thing but, in fact, maintaining exactly the process they had in place before, which was to limit the rights of landowners and Albertans concerned with their environment to participate in any kind of oversight mechanism around energy development.

It limits hearing participation. It limits the occasion of hearings. There's no longer an obligation to have hearings. It limits the obligation to provide or consider providing funding to people who might appear before the panel who don't have access to the \$400-an-hour lawyers that the energy industry hires from downtown Calgary. That's gone. As we've said before, they no longer have to actively have an obligation to give notice to affected parties. That's a significant, significant giveaway to industry, that now what you have to do is that you basically have to live at the regulator's office to try to keep track of what things are being slipped by by this government and their new regulator.

They don't want to have an external appeal process. They figure that once the regulator makes its decisions, the regulator is absolutely the best person to review its decisions. Well, you know, we had that at one point. We had that situation at the Workers' Compensation Board, Mr. Speaker. Strangely, that was a disaster, and then people started killing themselves in the parking lots. The appeal process was so incredibly captured by the agency of which it was a part that it became absolutely not credible to anybody participating in it. It was captured by the agency of which it was a part. That's the kind of thing that this government wants to put in place with the regulator.

They also want to ensure that the ability of anybody who has actually managed to find the money and fit through the very narrow criteria around who it is that gets to actually participate in the appeal process and then actually managed to convince the regulator to have a hearing – if all that happens, we're going to limit the degree to which that process is then subject to judicial review. That, too, is a problem. Then even if the person gets that far, the regulator always has the option next time around, to avoid all that confusion, to simply come up with its own system of an alternate dispute resolution with no rules around when or how that happens. They could easily come up with something that completely defies any notion of natural justice and just bring the whole thing behind closed doors, which we know is kind of a favourite forum for these folks when it comes to making sure their friends and insiders get what they need.

Transparency is a huge problem with this, Mr. Speaker. First of all, the finances around this body are clearly a problem. They will not be subject to the same level of scrutiny or broken down in the same level of detail as they would have been with respect to the functions that currently reside under the Ministry of Environment and SRD. The ERCB doesn't have to answer for the line-by-line stuff in the same way that ministries do, and I suspect the regulator will not either. Interestingly as well, the staff and the commissioners at the new regulator will not be governed at all by the Public Service Act. I'm not exactly sure why that is, but I do wonder if that exempts them from the conflict of interest provisions that would ensure that industry is not sitting in any of those positions. That's a question that I would certainly like to have answered.

As well, this new regulator has the option to choose not to publish any of the penalties that it may at some time impose upon somebody for breaching the act. Well, that's interesting. That sounds really familiar, Mr. Speaker. That sounds just like what we've been talking about with the Election Act. "Oh, let's not publish anything. You know, these people really were not trying to throw chemicals and stuff into the river. We were working together with them for 20 years while we were telling everyone in

the Legislature that we weren't contaminating the river, and they really didn't mean to contaminate the river. Now that we've seen that it's happened, we don't think it's important for people to understand or know what the consequences are." That is provided for under this act, that those consequences stay secret. It's up to the regulator whether or not they choose to publish that stuff. So this is a remarkably draconian piece of legislation.

Enforcement. There's nothing in here that appears to be an absolute offence, Mr. Speaker. It appears as though if someone actually is found to be in breach of the vaguest of standards that are set out in this piece of legislation, they have a broad opportunity to defend themselves in that it's simply a question of whether they took reasonable steps on the balance of probability. Therefore, that's not even there.

There are just so many things that it's really hard to cover them all. Suffice to say that we're letting down Albertans with this legislation.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Speaker. I'd like to ask the hon. Member for Edmonton-Strathcona what her thoughts are on the change in this current bill regarding public interest.

[The Speaker in the chair]

**The Speaker:** The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Well, thank you. You know, as I said before, I think that when you have language about the public interest, the kind of language that exists within the current environmental legislation, for instance, it is incumbent upon the regulator to consider matters that go beyond simply: how do we develop this land as quickly as possible and as efficiently as possible and as safely as possible with the primary view being to develop it? That's sort of what the mandate is now.

4:50

Public interest would actually ask this government to engage in a bit of governance, a bit of consultation with the people of Alberta and actually ask them what they think the public interest is and perhaps do some broader studies around that, just as we are doing in the more complex hearings that are going on right now but that will not be replicated under this.

The other difficulty that exists and impacts on the public interest is that we've also written in the ability of the regulator to avoid consulting with aboriginal people. It's not clear to me, Mr. Speaker, why in heaven's name we would do that. Yes, we've decided that this won't be a Crown corporation, I guess, presumably to make it more arm's length and give more plausible deniability to the folks here in the Legislature. Nonetheless, in doing that, we negate one of the fundamental obligations that we have as members of this Assembly to ensure that we develop our resources lawfully because the fact of the matter is that many of the areas of the province which are going to be subject to development are currently areas which impact on the rights of our aboriginal peoples. Trying to legislate out having to consult in a meaningful way with the aboriginal community: it shocks me that they would do it.

Obviously, there'll be other mechanisms for the aboriginal community to do that, but it will make it more difficult, more expensive, and more complex. This regulator will in fact be

engaging in the vast majority of the work around balancing energy development, land-use planning, environmental protection, and aboriginal stewardship that go on in the province. This regulator will have more authority than possibly imagined. To write out of this regulator's obligation the need to work closely with our aboriginal communities is shameful, Mr. Speaker. Absolutely shameful.

**The Speaker:** Are there others under 29(2)(a)?

If not, we'll move on to the next speaker. A couple of alterations have happened since. We have Little Bow, followed by Calgary-Buffalo, and then we'll go to Cardston-Taber-Warner and Calgary-Shaw.

**Mr. Donovan:** Thank you, Mr. Speaker. It gives me great pleasure to stand here today and talk to Bill 2 in third reading, I guess our final kick at the cat. About 12 hours ago I got to sit in here and talk about Bill 8 and a couple of other items. So it's nice to put in a full day.

First off, I'd like to thank the Energy minister for his work on this bill and, obviously, the two years previous to this that led up to this. I mean, the bill obviously had a lot of time and effort put into it, even some of the amendments that came up, the ones that he brought himself and also the 21 that we brought, which maybe weren't quite as successful as the government's.

Last week I was very fortunate to have the Minister of Energy come out to Vulcan and have a good discussion about Bill 2 with about 50 of my constituents, and we had a couple from other constituencies there. It was a very open and candid forum to sit and talk back and forth. We had the Member for Rimbey-Rocky Mountain House-Sundre and the hon. Member for Strathmore-Brooks, who's also our Energy critic. I think there was some good debate, some lively debate. The Member for Lethbridge-East was also there. I think we had a pretty well-balanced group of people on all sides of it.

In saying that, I think the intent of the bill was good. I know that our caucus, when we first started talking about it, were actually quite excited about the concept of less red tape, a single regulator, and that process. But as a lot of members in this House always say, the devil is in the details. Unfortunately, that's where we got hung up a little bit. Thinking that democracy still works fairly well, we tried some amendments. Now, my colleague from Strathmore-Brooks, I know, spent countless hours on this. I mean, the House leader talked about the 30 hours of debate alone that we've had on this bill, which I think shows that it's a pretty big issue in this province and shouldn't be taken lightly.

I guess that when we sit and look at that, the concept of back and forth, where everything got hung up is when we started talking about public interest and property rights. Now, the conversation always goes off – you know, some members in this House always talk about how, I guess, we could compare a new breed of mosquito versus property rights. I know there was some sarcasm to that, but it worries me that that's the kind of disregard we have for property rights in this province. I think that's why you see a fairly large opposition of a conservative nature across the floor. We take property rights very seriously as do our constituents.

**Mr. Dorward:** So do we.

**Mr. Donovan:** It's great to have the Member for Edmonton-Gold Bar again add a couple of comments from the back row. It's always nice to have his two or three cents put in, and it's not an actual introduction of anybody that he's introducing to the House,



so I appreciate that from him. I always enjoy the conversations that we do have.

In this one, for instance, if those members do agree about property rights, I have a struggle with why everybody voted them down almost in disregard of the concept of them. I mean, to sit down and have some discussion on them, that's democracy. That's how you do it. To just have a piece of paper put in front of you and you look at it and then decide as a team that you're not doing it: I guess I always wonder if that's truly how democracy was supposed to work in this province, first off, and in our country.

I mean, probably the biggest thing – now, my riding has lots of oil industry and energy sector in it, and it's a very large tax base. As I said, when this bill first came forward, I was excited about the concept. Also, having been able to work a little bit in the oil patch, I know the regulation process is quite a burden to any of the industries that are trying to work with it. So I was excited about that. I guess I have to represent everybody on it. In saying that, I mean, the energy sector, of course, is great with the idea because it gives it the green light to do whatever it wants.

You know, as soon as you appoint a regulator from possibly a member of the family, that the cabinet ministers appoint, that's where the concern is. I guess as the MLA for my riding I'm concerned about arm's length, whether it's actually going to be a biased person in that position or not. I'd really hope that this government would take that seriously when they do appoint somebody for that, that it's not just somebody that's convenient to them and that's going to only work with one side of the industry on that.

With the current legislation the biggest concern is that it also removes the landowners' rights to appeal to the Environmental Appeals Board and gives the regulator the power to review its own decision. Now, that's much like me deciding to review my own decision after I've decided to buy something. I've got it. Why would I review it? I can look in the mirror and say: was that a good move? In my heart I'd probably say, "Maybe not, if I'm asking the question. But who else is better to review it than yourself?" That's the concern I have on that. You know, it takes away a very important opportunity to appeal from landowners.

Now, I know that side of the floor has always talked – I mean, we talk of landowners in bills 19 and 24 and 36 and 50. I agree that there are some members over there who think, you know, that these aren't concerns to Albertans, but I can guarantee that at least probably 15 people on this side of the floor were elected due to those bills. So, actually, I do thank you for those bills because that let me become the MLA for Little Bow. I truly appreciate that, and I'm sure everyone else in here appreciates also having some nice robust discussion on these things. But to sit here and to shoot landowners down, it just baffles me. We've spent hours talking about public interest and how public interest works. I mean, I brought it up last night and it got, you know, kind of tossed back up in the air. We have a bill, Bill 4. Public interest: that's the name of it, yet we won't put it in this bill. You know, it's too bad that we can't have that process and work through it, but that's democracy, I guess. That's why that side of the floor gets to veto vote what we're doing. That's fine.

I guess the other side of this, you know, is that I'd be a little worried on what could happen down the road with this as it is now. Like most bills the concept is good. You start off with good intentions. Then we leave it to the regulator and the regulations. "We'll figure that out in the regulations." That's a real challenge for me, I guess, because you put it back in, generally, a bureaucrat's hands or somebody that has a direction of where they want the bill to go anyway. You sit back and you wonder: is that really where we want to be going?

5:00

Once the bill is made, that gives you the footprint of where you're going with the bill. The regulator is the person that's going to, you know, sit and decide what's right or what's wrong. The regulations are what he's going off. But if he's going to write his own regulations and the regulations are made that way, it would be nice to have those at least come to the floor of this Assembly so we could see what the regulations are and have a good debate on them. I'd hope the Energy minister would take that into consideration while he does that.

Now, in 30 hours' worth of amendments and conversation and debate over this bill, along with thanking the Energy minister for his time and effort in this, I mean, we've definitely worked the staff over well in this Assembly. The Parliamentary Counsel, I think, deserve quite a bit of credit for all the amendments they've had to put through and deal with in a very short fashion. I want to definitely acknowledge the time they've spent on this because they've put in a ton of time also.

Now, we spoke earlier today as we sat here within a half hour of being a 24-hour session. This was a prime example of what I felt as an MLA when a bill is laid out. How do you have an actual debate in your constituency and try to get a voice from your constituency of what they would like? You don't have the time. It was tabled to us. We started doing amendments in good faith, thinking that there would be something that we could come together on with the governing party, because we want to do what's right for Albertans and, first and foremost, what's right for our constituents. As we try doing that, the bill gets looked at, stuffed at us fairly quickly.

I was very lucky to be able to have the minister come out to my constituency after one of my constituents told me that it would be a good idea to have a Bill 2 meeting and sit and actually talk to people about it. So on a Tuesday it was just a quick Facebook message of: hey, I think we'll have a quick meeting in Vulcan. On the Thursday night the hon. Minister of Energy asked if he could come, which was greatly appreciated. We had 60 people out on three days' notice, which I thought was pretty good because of short time, and we really didn't advertise it. We were just trying to get some points from people. It's very hard to represent a riding and a constituency when you have that short notice to be able to try to talk to people and get some valid points of what does and doesn't work in a bill.

It leads back to: you just talk to your contacts that you have. You end up calling people, I mean, from both sides of these parties. Obviously, my contact list and your contact list might differ a little bit because my contact list would have quite a few land-use owner groups and advocacy groups like that. That is generally where our support was in my riding. Now, your list might not have that. It does make a challenge when you're trying to represent your constituency when you don't have the ability to really, truly get out there and talk with everybody. You have some time to call. I think we all know in here as members how busy this job is. You see by the hours we put in and everything we do that it's definitely a challenge.

But I think the challenge is for us to be able to represent to our constituencies what these bills are when they come out. As I say, the Member for Strathmore-Brooks put in an abundance of hours. I know the Member for Rimbey-Rocky Mountain House-Sundre and also our leader and lots of people also helped him. There was definitely a team effort on this side of going over amendments that we thought would help this bill along to make it so we could support it. In saying that, you don't want to get the dome disease, where you get in here and you truly think that you're smarter than

all your constituents and you don't give the opportunity to talk to them about it. I guess that's what worries me.

This is a general conversation of how we've been pushing bills through here. Just being new at this, we're always up for the challenge. That's what I signed up for. But the fact that we're putting bills through this House as fast as we are, working through the night debating them, which, hey, that's part of the game – I farm; I know what it's like going all night in a combine. That's what we signed up for. But is it really, truly the way we want to lead this province, by doing bills in such a fast manner when there really isn't a lot of conversation back and forth with our constituents?

Now, I get that CAPP had their input to it. I get the Energy minister. Obviously, for two years previously – as I've heard from the Minister of Finance, this just didn't happen overnight. I appreciate that, but in my constituency it somewhat did happen overnight because we didn't have the ability, or I sure didn't have the ability, to be able to get out and get all the feedback from all the players in the game for it. So it's sad. I think if one had that, it'd be a lot easier to stand here and make a right or wrong decision on it. I think we're here trying to do the right thing. I think there are 87 of us in here who are trying to do the right thing and do what's right for our constituents.

Now, when we're doing that, I think there's the process of this. I just caution it towards what we're going to do from here on. I personally would appreciate more time on these things so you can actually have some time. If it took two years to come up with it to where this point is and then the Energy minister pulled out – were there about 10 amendments?

**Mr. Hughes:** Seven words.

**Mr. Donovan:** How many amendments were on it, though?

**Mr. Hughes:** About 15.

**Mr. Donovan:** Fifteen amendments? So 15 amendments with only seven words that were changed. I understand that, but it took two years to get up to. I appreciate that the hon. Energy minister noticed that this was obviously an issue and did 15 amendments with seven words, but in all honesty was it going to kill anybody if we brought this bill forward and actually had time to go out and have dialogue with our constituents on it? Not a rushed dialogue, not put a Facebook message on it on a Tuesday and have a meeting on a Friday night, which, again, I was very happy to have the minister at.

These are the concerns we have. Some people consider it bullying. I don't go that far. I don't bully. I see that the Member for Edmonton-Gold Bar feels sensitive about that word. I'm not a bully, so don't feel bad. I don't think you guys were truly bullying on it. [interjection] I know. Lawyers are here to save all the bullies, and I thank you for that. But I really think the process could have slowed down, and I think we could have had a lot better conversation and probably would have made everybody a lot less stressed around the House as we spoke about it.

I mean, I talked about Parliamentary Counsel. The poor people were working through the nights trying to do all these amendments. We were putting amendments on. We were back and forth trying to get the wording right on that, making sure that the Minister of Energy had seen the amendments, finding out later, I guess, that it wasn't that warm and fuzzy on the amendments we had. But I guess you've got to start somewhere, and you still hope that everybody listens on both sides.

Thank you.

**The Speaker:** Hon. members, Standing Order 29(2)(a) is available. The President of Treasury Board.

**Mr. Horner:** Thank you, Mr. Speaker. I do take a little exception to some of the comments that I may not be representing my landowners appropriately or my property rights because, as I said earlier, I am a landowner, and I represent a number of landowners, and I'm related to a lot of landowners.

But you did tweak one question, hon. member, that I want to ask you about and that related to the membership of the board. It twiggged the question around judges on courts. Is it the party's position that judges should be elected and not appointed?

**Mr. Donovan:** Not to sound like a lawyer, but I don't know if that's really relevant. I'm not going to speak for all my party members on this, but my personal opinion is that I think there are lots of pros and cons to it. Again, I'd like to be able to have the time to look at that and think about it before I come out with an answer on it rather than sit there and bounce back and forth on it.

It was not my choice or plan, and I hope I didn't hurt anybody's feeling on that side by saying that they weren't representing their landowners or property owners because that is not where I was going with that. I was representing what my owners are telling me and my property rights. For me, that's what I want to sit and talk about, what my constituents want. I'm not the person to sit here and throw as much mud as I can at the other side. As an MLA I have to sit and try to represent my riding. In doing that, I have to try to be able to work with the ministers on that side to get something for my constituents because that's what they're here for. I think what they sent me here for, anyways, to represent them.

Now, in saying that – I can see the Speaker would like me to stop on this.

5:10

**The Speaker:** There's another person with a question. That's all.

**Mr. Donovan:** Okay. Well, just one second. I'd like to finish this out. It means a lot in my heart.

**An Hon. Member:** You have a heart?

**Mr. Donovan:** Yes. It must be very weird for a lawyer to hear the word "heart," but they are out there.

In saying that, I think we're all here to represent our constituents. You know, the debate – the hon. Member for Vermilion-Lloydminster had brought it up yesterday when we talked about it, and I know the Member for Peace River brought it up also – was about property rights and about whether a renter actually has property rights or not. I guess if you've ever tried to evict a renter, it does seem like they have a lot of property rights in that conversation. Landowners are landowners. I mean, I think it does vary across the province of what people consider what bothers them and goes from there.

My personal thoughts on it: we're all here to represent our landowners, our constituents, our retailers, our oil patch people, our industry people because that's where they're going in life. What makes this province roll along is energy, and I don't think too many people in this room don't understand that that's definitely one of the economic drivers in this province.

Now, in saying that, you've got to balance it out. I had the opportunity to be able to work for an oil field company in the winters, and then it turned into a bit of a full-time job for a couple of years. I think that was the key to why they did well. They got along well with the landowners. They didn't need the regulations

to tell them how to do it. They figured out it was business. There are regulations sitting there, but they got along. We have a vast knowledge of people in this House that have oil field experience and have run large companies. That's one of those things that to me is what we've got to pull on, the knowledge that people have in this House. Have the respect to listen to them. Maybe not always mumble back and forth, whether you think they have the respect or they don't. That's one of the things to me, I guess, of what we should be doing in this House.

To sit there and to say that one party represents landowners better than the other I don't think is probably right to do. In saying that, I wouldn't want to have offended anybody's feelings over there, especially any of my lawyer friends because I know they have big hearts. [interjection] Close enough, though. To me I think the whole purpose is that we're here to represent the people. You see oil companies do well and gas companies do well. If they don't do well, if they go out of business fairly quickly or they're sitting in front of the board doing appeals all the time . . . [Mr. Donovan's speaking time expired] Sorry. I would have liked to have answered more questions.

**The Speaker:** Thank you.

#### **Speaker's Ruling Question-and-Comment Period**

**The Speaker:** Again, hon. members, this is just a request to review the purpose of 29(2)(a), with no reflection on the answer just given or the previous question. One person stands up and asks a question. It takes 20, 30 seconds maybe, and then the person answering gets up and consumes the rest of the time, and that's okay. You're within your rights so far to do that, but it prevented two other people from getting up and engaging in a little exchange with you.

I want to tell you that we've been down this road before, and I've personally been down it because I was the Deputy Government House Leader for almost 14 years. When we created this rule, it was to allow for a little bit more of an exchange back and forth, which you can't do during second reading and you can't do at all during third reading. That's why 29(2)(a) exists during second and third readings, so you can get a little bit of that interchange going across the bow, as it were.

Just keep that in mind. That's all that I'm asking you to do, and if necessary I am prepared to make a ruling to that effect. Today I'm going to make a recommendation only, and that is that questions during 29(2)(a) shouldn't take more than 30 seconds, and an answer shouldn't take more than one minute. That would allow at least three sets of questions and answers, perhaps more depending on how it goes. Just consider that.

That having been said, let's move on to Calgary-Buffalo, please.

#### **Debate Continued**

**Mr. Hehr:** Well, thank you for recognizing me, Mr. Speaker. I have talked quite extensively on this bill so I don't know if I will go on at great length. Needless to say, I won't be voting in favour of this bill. I think it falls short of what the bill's goals were and, actually, the hopes and aspirations of many people in the community: business interests, environmental interests, some landowner issues. People's right to be heard is the thing that I'm most concerned about, which appears to be absent from the bill.

Now, there's no doubt that this has been a tremendously difficult undertaking to put together. This Bill 2, the Responsible

Energy Development Act, is trying to replace 10 other regulatory bodies that are currently in existence that deal with our oil and gas issues as well as our environmental concerns surrounding that. No doubt that this is an arduous attempt.

What I thought would be tried to be accomplished through this bill would be an overarching framework where energy and the economy are two sides of the same coin. We often throw that out there as to what the new world order should look like, a recognition that without environmental concern for the future we can't really go ahead with developing haphazardly or without thought to future generations, without thought to how what we do today has implications not only for this generation but several generations after.

In that vein I don't believe this bill goes far enough to recognize that principle, that our environmental stewardship is very much tied into what we do not only today but tomorrow. It also ties in very closely to Alberta's social licence to continue to develop our oil and gas industry, to continue to develop our oil sands, hopefully in an environmentally sustainable way, to the message that we are sending to not only our citizens and other provinces but the rest of the world about how we're doing on the environmental front. As we've seen over the course of the last number of years, the world's eyes are on us. I believe this act doesn't necessarily make a strong statement that we are truly taking our environmental responsibilities as close to heart as we can and allowing all views to be heard at the table.

Some of my concerns around the bill consider the vagueness of the direction we are giving the regulator. Much of this bill that we have seen in front of us and much of what it will actually be deemed to be trying to achieve is left to the regulations. If you look at the commentary by other organizations, the University of Calgary Faculty of Law blog, if you look at other commentators from the Environmental Law Society and just conversations with people who are currently working in the current environmental structures of our province, they are not sure what this act is going to mean. They're not sure of the prescribed rules, what the direction is for this new body, and the like.

In other acts, as I said, the 10 other acts that this act tries to replace, there's often clear direction in those acts as to the goals, the mandates, the broader principles, what the act and what the people working under the act are supposed to achieve. That's where we get into my first real concern with the bill, the removal of the public interest test.

#### **5:20**

Everyone knows what's in the public interest, but it's difficult to define. I think that was the beauty of the test. It allowed for people to take a broad view of what was in the public interest. I would say that that was looking at our environmental concerns, our economic concerns, our concerns about land use, water use, and the like, all those things. Removing that public interest test and narrowing it down in the way that we have done and leaving, I guess, this to be defined in regulation concerns me because we have no idea what considerations are going to now make up a public interest test. Or, in fact, is there going to be some component of a public interest test?

I guess I could assume that in regulations there is going to be some reference to cumulative effects, some reference to water, some reference to what the regulator should look for on emissions, but in no sense do I have any sense that that is in fact going to happen. I'm simply left here as a legislator hoping to trust the minister that this will all be encompassed. Frankly, I think that leaves me in a frightened state that some of this may not get into

regulation or that if it does make it into regulation, it will be subject to changes in ministers, changes in government directions, changes in pressures put to bear on ministers from time to time to deal with various complaints.

I guess, you know, I'd be less concerned about not having a public interest thing if there was a preamble to the act that actually stated some broad-ranging goals and principles of what the bill is supposed to achieve because then we could get a sense from at least the preamble. The people who work in this new responsible energy development regulator would have a series of principles or guidelines that would guide their daily decisions. But as this bill is written, we don't have any sense from the government as to what the overarching goals are, how they're going to achieve those goals, how they are going to balance those responsibilities. To me, that leaves, I guess, some who are less trusting than I believing that this is just basically a way to speed up development, to not allow people to be heard, not allow people whose rights have been affected and/or just general groups who have concerns about the scale, size, scope of our development practices in Alberta to be able to be heard.

I'm also concerned that this bill does not seem to appreciate the fact that governments are increasingly expected to or required to – and even if they're not, they should – take into account their duty to consult with our aboriginal peoples. There appears to be no recognition of that in this bill, and that gives me high concern. Who is to decide whether the Crown has met its duty to consult and accommodate? We have no indication of how that is going to be implemented, if it's going to be implemented, or whether, in fact, there is going to be much of an onus on the new regulator to do that work and due diligence in the manner that we should be. That, to me, is highly concerning. Yes, I can be hopeful it's in regulation, but, you know, I'm skeptical. I am skeptical. So that's another concern.

If you look at this bill, it appears that we have a regulator who will grant a decision, and then if that decision is not perceived to be fair to certain members who are directly or adversely affected by this legislation, then the regulator will then get to decide again whether its decision has been fair. Now, just think about that for a second, Mr. Speaker. How many times do you think that a reasonable person thinks that a regulator will think that the first decision they made is unfair if they're asked to review the decision they made?

It doesn't seem like a logical process we've set up to have a new, fair, and objective last resort that people can go to and say: "Look, in my view, this has been wrongly decided. Here are the reasons and concerns I have. Can you look at this objectively and tell me whether or not I am right?" That provision is not here in this bill, and that is highly concerning. I guess the argument you could always say is: well, you can take it to court. But we all know that with the structure of these things the court is only allowed to look so far as the government lets it. The privative clauses that are contained in this bill would be on very narrow circumstances where anything of substance would be allowed to be brought to our courts of law. That is very concerning to me.

It appears that we are eliminating the ability of groups to attend to add their commentary to the goings-on. In fact, there seems to be a limiting of this. Formerly there was a practice of paying the costs for people to attend to give their commentary, to give their views on the bill, and this no longer seems to be present.

Also, like we're talking about here, we can go back to some of the work done, and I guess that in the lead-up, the consultation for this bill there was a piece in there that said that there was going to be a policy management office set up. I don't see that referred to

in the bill. I am concerned that a policy management office is no longer in the works. I am concerned that this policy management office would have taken all sides into consideration, would have set policy for this new, wide-sweeping organization with vast amounts of power, set policy direction on a continual and ongoing basis that would allow us to keep up with the best practices throughout the world and protect our social licence to operate and protect people's interest and ability to be heard. I don't see that component referenced anywhere, and that was highly consulted on. I don't see that recognized here. There's no indication that it's going to be forthcoming, and I thought that one of the good things that came out of the consultation process was that public policy piece and that that was going to be implemented. The policy management office was an excellent idea that is nowhere to be found.

Those are my concerns. I guess I hope and pray that many of these concerns are not to be worried about and that they will be covered in regulation, but I doubt it. Thank you, Mr. Speaker.

**The Speaker:** Hon. members, 29(2)(a) is available, and I'll just stress what I've stressed before. Its purpose is to "allow Members to ask questions and comment briefly," and it goes on. Are there any brief questions or comments with respect to the previous comments just made?

Seeing none, we'll move on from Calgary-Buffalo to Cardston-Taber-Warner, please.

**Mr. Bikman:** Thank you, Mr. Speaker. I appreciate the opportunity to rise and speak today, but it gives me no pleasure. I want to talk about Bill 2, and I also want to talk about a couple of basic human needs that seem, to me at least, to perhaps not have been addressed as fully as I would have liked or as the situation called for.

One of them is that people have a need to have a say in decisions that affect them – at least, that's what I keep telling my wife and this House – and I'm not sure that I have a complete sense that that has happened. They also need to be listened to until they feel understood. One of my professors, Dr. Stephen Covey, developed the seven habits of highly effective people, actually identified them and codified them. Habit number 5 was "seek first to understand, then to be understood," which is another way of suggesting that it's important to diagnose before we prescribe. One thing I know for sure is that everyone acts rationally from their own point of view.

Therefore, I won't judge or presume to know the motives of individual MLAs. Perhaps you'll be as kind in return. It's hard, though, isn't it? At least, it's my nature to be critical and judgmental and to jump to conclusions about why people are behaving the way they are, but people that I care about in my life have tried to help me overcome this tendency.

5:30

I'm troubled by the collective conclusions I see that have led to Bill 2 and the ignoring of some of the things that I think would have made what we all hoped would be a great piece of legislation into something that I fear may be less. I know that everybody has good intentions and wants to do a good job. I know all of you do. I know all of the people that I associate with over here do. We want to do a good job for our constituents. We want to do a good job for industry and for businesses in general and for the environment. I know you believe your Bill 2 will achieve its stated goals. I hope you're right. I want you to be right for my own constituents and

for the industry, my own industry, the oil field service industry, and for our province.

I'm normally an optimistic and pretty cheerful kind of guy, but my study of history and my experience with regulations, et cetera, in my business life here in Alberta does not make me feel warm and fuzzy. I hope I'm wrong.

Thank you.

**The Speaker:** Hon. members, 29(2)(a) is available.

Seeing no one under 29(2)(a), let us move on to Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Speaker. I do appreciate the opportunity to stand in third reading and speak to Bill 2. I didn't take the opportunity to do that during second reading. I think that, you know, we've had a pretty good process here over the past couple of weeks. I mean, we have talked about the amount of time that the bill was debated, roughly 30 hours. A lot has been said today about the unfortunate nature of how a lot of those amendments weren't accepted, and I would tend to agree because the reality is that when the Government House Leader stands and says that we've had 30 hours of debate, that sort of insinuates that there's a two-way conversation going on here.

The unfortunate reality is that that's not what we really saw or felt. So probably what gave rise to a lot of the frustrations from this side is that a debate is just that; it requires a back and forth. The only time we actually got the back and forth was when it was the hon. minister's amendments. As we discussed, that was about changing a whole seven words. Yes, granted, there were a handful of other government members who rose to speak at various points in time, but outside of maybe five or less it was a one-way conversation.

You know, we've also talked about how that debate impacts, I guess, the overall perception of what we do here. I know that this party likes to remind Albertans – I apologize for my lack of coherent thought at this juncture; it's been a long day, Mr. Speaker – and invoke Peter Lougheed and talk about how this is the party of Peter Lougheed. I beg to differ with you, and I say that for one reason. Peter Lougheed had the opportunity when he was first elected to sit in opposition, so he looked at this through a bit of a different lens than the members opposite tend to look at things today. I don't think you will ever have the opportunity to govern the way that he did because you've never experienced the same thing that we experience here. So I would just ask you moving forward to consider that. Part of the reason that he was so good at what he did was that he worked and he respected the opposition, and they created a mutual partnership to move the province forward. That's not what we see here today. So I just wanted to raise that point.

That being said, I understand that the idea of speaking in third reading is: what's going to happen now that this bill is going to be passed? You know, I think the concept of a single regulator, as we've all said, is something industry has been asking for. It's the right direction for this to go. Yes, we've had discussions about various issues with it, whether it be, you know, landowner rights or whatnot. I don't need to rehash all of this. It's not why I'm standing today.

I want to thank the minister for some of the responses he did give during the debates in Committee of the Whole. I want to believe that he's going to follow through on some of the things that he said he was going to in creating the regulations that are actually going to govern this act. It was a fruitful discussion at times, so I look forward to seeing that result actually translate into, you know, what this is actually going to do and what it's actually going to mean for those who it intends to impact. Obviously, you

know, there are issues around public interest. Perhaps there are issues with writing that in. Understandably, we have concerns around that. Again, I put my faith in the minister that these things are going to be considered.

Now, many of my constituents in Calgary-Shaw are heavily involved in the oil and gas industry and have identified to me that they would like me to support this particular bill. The single regulator will speed up the process. It will be of benefit to the industry. It may come as a surprise to those members sitting opposite that although I do proudly stand shoulder to shoulder with my Wildrose colleagues here, who have stood and advocated for their constituents and the concerns of their constituents as I would suggest every member in this House do on a daily basis because that is why we're here, I will be supporting this bill. That, my friends, is the beauty of a free vote.

Thank you, Mr. Speaker.

**The Speaker:** Hon. members, 29(2)(a) is available.

**Mr. Dorward:** I do have a question, Mr. Speaker. We get criticized here for our members perhaps having a lack of debate. I just should probably explain something. Although I'm a newbie, and I'm explaining to newbies, the truth of it is that we have ample opportunity to have debate. We debate within our caucus. We debate within our regional caucus. We have access to the individuals that have written the legislation. We have access to the ministers. We have access to researchers. We've likely been through the issues often. So we're interested to hear the amendments, but likely the amendments are already thought through and gone.

Finally, it's frustrating from our side of things to know that we have sat here – I sat, I think, between 1 a.m. and 3:30 a.m. – while three members of the opposition went around in a 20-minute circle of a continuation of comments. The comments were debated back from this side by saying: relevance. There was no relevance – *Hansard* is there; people can go and check it and read it if they're interested – to the amendment that was proposed by that side. So you ask us to debate an amendment. Perhaps they could debate the amendment as well.

**The Speaker:** The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Speaker. A couple of things. First off, thank you to the Solicitor General for motioning to his member to sit down and stop embarrassing himself.

I would like to simply point out, sir, through the chair, that part of the issue is that when you drop a bill on our desk here, it's the first time we're seeing it.

**Mr. Dorward:** No. Your researchers have seen it.

**Mr. Wilson:** Okay. Maybe they've had a week's notice. I appreciate that.

The reality is that, yes, this has been legislation that's been built for a while. [interjection] I have the floor now, sir, with all due respect. The reality is that we live in different worlds. You guys do have the opportunity to debate it in caucus. We don't necessarily see that. We don't understand your position on things, and none of you stand up to speak to them when we do ask. So, yes, what we see is a one-sided debate, and it's not necessarily that debate.

Anyway, I have nothing more to add, Mr. Speaker. Thank you.

**The Speaker:** Anyone else under 29(2)(a)?

If not, are there any other speakers? The hon. Member for Cypress-Medicine Hat.

5:40

**Mr. Barnes:** Thank you, Mr. Speaker. My constituency of Cypress-Medicine Hat is a great snapshot of many, many areas of our great province that are home to ranchers and farmers as well as being involved in the energy sector. These two areas of the economy do not have to be in conflict. In many ways they work well together, and in fact many Albertans are connected to both systems.

The government introduced Bill 2 because of concerns our oil and gas industry has raised about Alberta's regulatory system, and I agree that changes to the current system are necessary. It is unacceptable for a province like ours that is so rich in resources and has so many Albertans employed in the energy sector to rank as one of the worst jurisdictions for energy development due to all the red tape within the system. Even with such an inefficient regulatory system Alberta is the economic engine of our country. Imagine how much better we could be with a more efficient system.

I fully support the intent of Bill 2, which is to cut red tape and make our regulatory system for oil and gas projects more efficient. This is important, Mr. Speaker, because if our system is made to be more efficient, there will be more economic growth in our province and in my constituency of Cypress-Medicine Hat. Cutting red tape and increasing economic growth for our province truly would benefit Albertans. Unfortunately, I have not been convinced during the course of debate on Bill 2 that this legislation will actually do the job of making our regulatory system more efficient. There is work to go there. There is certainly a place for government regulation, especially in efficiently maintaining a balance between environment, landowners, and industry, but I am not convinced Bill 2 will generate this efficiency, and I am not convinced it strikes the right balance between the environment, landowners, and industry.

In terms of efficiency Bill 2 essentially takes the failed bodies that were in place and stuffs them into a new single regulator, but I have not seen any evidence or heard anything from the government to indicate that the new single-window regulator being proposed will in practice streamline the regulations of the three government bodies being brought under one roof. I am not convinced that in merging these different entities, duplication will be taken out of the system. In short, if this is not done properly, what will happen is even more red tape, even more inefficiencies. Needless bureaucratic duplication does nothing but cost industry millions in lost time and productivity as well as the wages of workers. Inefficiency in the system sacrifices the economic growth of Alberta.

Mr. Speaker, I urge the government to listen to and consider the amendments the Wildrose has put forward. We have been receiving countless e-mails and phone calls from all Albertans who are concerned that in this rush to consolidate the regulatory system for oil and gas projects, the government will skip over the deficiencies in the current system. Our amendments would have ensured that Bill 2 would truly streamline the regulatory approvals for energy development and actually encourage development, protect landowners, and respect the environment.

Albertans do not want another law that tramples on landowners' rights, removes independent appeals, and gives the minister sweeping powers over development, similar to bills 19, 36, and 50. Bill 2 needs to enshrine the right to an independent environmental appeal to protect landowners from the destruction of the land and the water they rely on. Bill 2 also needs to mandate the proactive informing of affected landowners and guarantee the

right to a hearing as part of the licensing process as is currently the case with the ERCB.

I mentioned a week ago during one of the amendments that during constituency week I had approximately 10 to 15 phone calls from landowners very, very concerned about the removal of the appeal and very, very concerned about Bill 2's ineffectiveness and where it was going.

At an interesting meeting last night, Mr. Speaker, with a group of people from south Edmonton we spent a great amount of time talking about what the size of government should be – smaller, current size – and I think at the end of the day we decided that a government should be responsible and accountable. Our discussion immediately swung to Bill 2, which surprised me in an urban setting. I'm sad to report to the government that a number of people in south Edmonton feel that Bill 2 does not meet this responsibility and accountability guideline. They are concerned about what it does to landowners. They are concerned about the duplicate regulation. Again, I think, as some other members have mentioned, that with a full-blown, more consultative process this could have been outlined.

Thank you, Mr. Speaker.

**The Speaker:** Standing Order 29(2)(a) is available.

Seeing none, we'll move on to the hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Speaker. I rise at this time to speak in opposition to Bill 2. I've had the privilege of speaking several times to this bill, so I will keep my opposition comments to this bill very, very terse. First and foremost, the fact that this bill takes out the public interest is quite a frustration for me and the New Democrat caucus. Again, when we look at public interest, we're looking at what's in the best interest of all Albertans, not just individuals directly affected by future projects but acknowledging the fact that our interest lies in weighing collectively our interests, whether we're talking about the environment, whether we're talking about the economy or the long-term future of Alberta.

It's with some frustration – you know, when I was canvassing for years before the last election, many constituents of mine had talked about wanting the government to develop a very reasonable, responsible pace for the development of our resources, taking into consideration our environment, looking at Alberta's long-term future. Many requests came up as far as doing more in the way of developing our resources, keeping quality jobs in this province, and ensuring that Alberta will be prosperous for the long term. It's unfortunate that that was not addressed in this bill whatsoever.

Another issue is the fact that the regulator, first of all, is not publicly selected or at arm's length from the government. It's going to be a regulator that's appointed. The number of individuals sitting on the regulator board is smaller than what was proposed or what has been with the ERCB. As well, concerns are only going to be addressed through the Ministry of Energy, not through the ministry of environment. I think that if we talk about balance, if we talk about wanting to ensure that different perspectives are acknowledged and weighed equally, that piece is really crucial, and it's unfortunate that it's missing.

The other issue I have with Bill 2 is the fact that especially First Nation aboriginal groups are being put off through federal legislation, and they really do need to be considered, first and foremost, as stakeholders in all new projects and have an equal seat at the table as opposed to the regulator making decisions.

The appeals process leaves much to be desired. My colleagues from the Wildrose have pointed out numerous examples of how

this bill will actually infringe upon landowners' rights. I believe many Albertans have spoken out in opposition to this bill for a variety of reasons, whether they focus on the environment, whether they focus on their own rights. What we expect from government is that they have a process that involves a public inquiry, involves steps for remediation, a process to ensure that we are really balancing the needs and interests of all Albertans. Unfortunately, this bill seems to only acquiesce to one group, and that would be industry, to speed up and fast-track more development projects. Again, Albertans are asking for a sustained approach to a reasonable pace, a responsible pace of developing our oil sands.

For those reasons, a lack of appeal process and a lack of environmental monitoring that's truly unbiased, I cannot speak in favour of this bill, and I will be voting against this bill. Thank you, Mr. Speaker.

**The Speaker:** Hon. members, 29(2)(a) is available.

Just before we recognize the next speaker, hon. Minister of Justice and Solicitor General, do you wish to address the House?

**Mr. Denis:** Yes, Mr. Speaker. I understand that we're nearing the end of the bill here, and I would just make a motion that any standing votes for the duration of the proceedings today be held on a one-minute interval rather than a 10-minute interval.

**The Speaker:** Hon. members, the Minister of Justice has requested unanimous consent for the division bells to ring in the following manner: 30 seconds ringing, one minute of interval, followed by one minute of ringing. Does anyone object to the request for unanimous consent to that effect?

[Unanimous consent granted]

**The Speaker:** The next speaker. The hon. Minister of Energy to close debate, then.

5:50

**Mr. Hughes:** Thank you, sir. Well, Mr. Speaker, time is short, much has been said, and it's time for us to move on. I'd like to start by simply thanking the many Albertans, some physically here in this room and many elsewhere, for their feedback, for their advice over the course of the development of this legislation. I believe this is a historic bill. It's a once-in-a-generation opportunity to renew and move to the next generation of regulator of the energy sector in this province. It's important, and it will create a new entity that will become known as the Alberta energy regulator, the AER. That will be something that we will talk about for years.

I want to thank everybody for their engagement in this. I'd like to thank on the other side of the House the Member for Strathmore-Brooks, the Member for Rimbey-Rocky Mountain House-Sundre – and south Boston – and, in particular, the Member for Little Bow, who very generously worked with me and allowed me to improve my understanding and to also learn a lot in terms of the work that needs to be done in the wake of passing this legislation. There is much to be done, and it should reflect.

On this side of the House I'd like to pay particular tribute to our colleague the hon. Minister of Environment and Sustainable Resource Development, who has been a constant source of excellent

advice to me and a colleague-in-arms in working on this and for years of hard work on her part. I'd also like to thank all of our colleagues who stepped up in so many ways. So many offered advice. They offered to stand up and speak. They wanted to weigh in. They wanted to contribute to helping to create a better understanding of what we're doing here today amongst Albertans. So I thank our colleagues in that respect.

You know, we're building on history here. We're building on the original regulatory body, which was the Turner Valley Gas Conservation Board in 1938 – for a kid who grew up at the south end of the Turner Valley, this is important – and, of course, all the other predecessor organizations from the Turner Valley Gas Conservation Board right up to the ERCB and the regulatory processes within the environment department.

We found a balance here, Mr. Speaker, a balance where we create regulatory certainty for applicants. We've respected the importance of environmental interests and landowner interests, and now it's time to move on.

With that, I take the counsel of my colleagues here, and I call the question.

**The Speaker:** Hon. members, the Minister of Energy has requested a vote on Bill 2, the Responsible Energy Development Act, and 29(2)(a) is not available. He has risen and closed debate.

[The voice vote indicated that the motion for third reading carried]

[Several members rose calling for a division. The division bell was rung at 5:55 p.m.]

[One minute having elapsed, the Assembly divided]

[The Speaker in the chair]

For the motion:

Bhardwaj	Horner	Pastoor
Calahasen	Hughes	Quest
Campbell	Jansen	Rodney
Cao	Jeneroux	Sandhu
DeLong	Johnson, L.	Scott
Denis	Kennedy-Glans	VanderBurg
Dorward	Kubinec	Weadick
Drysdale	Lemke	Webber
Fawcett	Oberle	Wilson
Fenske	Olesen	Woo-Paw
Goudreau		

Against the motion:

Barnes	McAllister	Saskiw
Bilous	Pedersen	Stier
Donovan	Rowe	Strankman

Totals:	For – 31	Against – 9
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[Motion carried; Bill 2 read a third time]

**The Speaker:** The hon. Deputy Government House Leader.

**Mr. Denis:** Thank you very much, Mr. Speaker. Given the hour I'd move that we adjourn till 7:30.

[Motion carried; the Assembly adjourned at 5:59 p.m.]









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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Wednesday evening, November 21, 2012

Issue 21e

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta**  
**The 28th Legislature**

First Session

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Xiao, David H., Edmonton-McClung (PC)  
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Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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Cao	Webber
Casey	Xiao
Fenske	Young
Fraser	Vacant
Hale	



## Legislative Assembly of Alberta

7:30 p.m.

Wednesday, November 21, 2012

### Government Bills and Orders Committee of the Whole

[Mr. Rogers in the chair]

**The Chair:** Hon. members, I'd like to call the Committee of the Whole to order.

#### Bill 8

#### Electric Utilities Amendment Act, 2012

**The Chair:** We are back on the main bill. The records tell me amendment A1 was defeated on a division, so we're back to the bill. Speakers on the bill? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**An Hon. Member:** Shocking.

**Mr. Anglin:** Thank you very much, Mr. Chair. Hopefully, it's not just shocking that someone would see the light once the light is turned on.

I rise to speak to this bill. It is important. Beyond the rhetoric, beyond the craziness that has surrounded this subject for years, the fact is that the government now is repealing its jurisdiction, its authority to make decisions on approving transmission lines. I want to talk a little bit about the importance of why the government is doing it and why I support it. I think that got lost this morning when we picked up Bill 8 because I was so tired I don't even remember what I said. But I know I said something.

Throughout history we always undertake projects in a qualitative and quantitative way in dealing with the data. I've heard the hon. Minister of Energy, the Hon. Minister of Infrastructure, the hon. Minister of Municipal Affairs, and so forth and so on talk about the various projects that they will undertake. Now, granted, we have been asking the government for a priority list, but it is presumed that the government is looking at these projects in a pragmatic way. I have some sort of faith that they are doing that, that they look at the data, they look at the return on investment, and they somehow prioritize which projects are going to get built first. That's no different when we look at transmission lines or look at the electrical grid, so I want to talk a little about that before I introduce my next amendment.

The whole purpose of the regulatory process is that government policy gives to a board of experts a mandate to not just operate the grid or operate the system, but to do it also – and we're not going to debate this tonight, ladies and gentlemen – in the public interest. It is always managed in the public interest. That's the whole purpose of the Alberta Utilities Commission. That was the purpose of the Energy and Utilities Board when it had jurisdiction over the grid. It is also a delegated responsibility of the AESO, which is the Alberta Electric System Operator.

I want to look at these various projects that were approved by this government initially. It's important to realize that what this government did when it passed Bill 50 was two things. It eliminated sections 34, 35, and 36 of the Electric Utilities Act. Section 34 required that proof of the project be necessary, be brought forward. Section 35 allowed the AESO the ability to look for an alternative. Section 36 allowed anybody else to propose an alternative to fulfill the need. Those three sections of the act were set aside, and cabinet made the decision instead. Nobody else was

allowed to bring anything forward as a suggestion, whether it was the AESO or anyone else.

The cabinet chose basically five projects, actually six lines: two HVDC lines, one east and one west between Edmonton and Calgary; two 500-kV AC lines going from Edmonton to Fort McMurray; a twin-circuit 500-kV AC line from Ellerslie to a new substation in Gibbons; and a \$300 million substation, that nobody knows what's going to hook up to it, but it was approved.

Now, when you look at the project – and I'm going to just concentrate on the HVDC line between Edmonton and Calgary – the government relied upon the needs identification document that was first published in 2003. I explained that a little bit this morning, where in order to make that document meet the current standard that was set out by the government, that document excluded the Balzac generating station, it excluded any consideration of wind, and it excluded all imports to make the numbers add up and prove that a line was needed between Edmonton and Calgary. The capacity between Edmonton and Calgary right now, as it was then, is 2,200 megawatts. Two thousand two hundred megawatts.

If you look at how they decided this and the plans that the government used, the projections were going to be that there would be no development of generation in southern Alberta. Opponents of that proposal argued that that would not be true. What we now know to be true in 2012 is that the opponents were correct and the assumptions that the AESO made were incorrect. As the hon. minister has said: a different time, a different need. Things have changed, and there has been development of generation in southern Alberta as the opponents thought there would be. There's going to be more generation in southern Alberta.

We have a capacity between the two cities of 2,200 megawatts, and the rated transfer, or the transfer capacity, on average on a daily basis is 800 megawatts. So we have a substantial under-utilization of the existing system as it stands today. When the Shepard generating station goes online, that utilization then drops even more. As a matter of fact, Enmax, and rightfully so, is planning on shipping electricity north to central Alberta, in the Red Deer region, and that would actually make sense given how it's all connected.

What we're proposing is to increase that capacity, that 2,200 megawatts, another 4,000 megawatts with these two HVDC lines. By doing that, we're now going to have a capacity of 6,200 megawatts of transfer capacity between the two cities, and that's the daily average baseload of the entire province. That doesn't make sense, and that was one of the points I brought up this morning.

When I bring this amendment forward, you'll see why we need to relook at these things and why, dealing with this bill, this government should take a look at not just why it should not make these decisions but whether the decisions that were made are now correct because it's a different time and a different need. We're not talking a small amount of money here.

7:40

The proposal by the AESO – and what I'm going to do is to sort of lay out a case, and I'll table all the documents tomorrow after question period. On the current projects that have been approved, that \$1.6 billion line that was approved by cabinet back in 2009, the AESO writes on page 37 in its long-term plan that the line "cannot be fully utilized without the second line being in service as the loss of the first line would create too large of a contingency." Now, I'm going to explain that in plain English. What they mean by contingency is that if that line were to take

any kind of fault, we would risk shutting all the lights off in the province if that line was loaded to any certain level or any reasonable level of its rated capacity.

What we're proposing, Mr. Chair, is to build a transmission line of roughly \$1.4, \$1.6 billion dollars, and we cannot use it. It does not even have stand-alone capabilities. That is an engineering defect, and that would be a policy defect to continue with that project without rethinking how we're spending that money. The eastern HVDC line is absolutely needed to make the one in the west actually work. In engineering terms that's bordering on ridiculous. We've doubled down on cost because the first line we approved cannot work alone. Nobody should ever build a road, a building, or a transmission line that cannot be utilized by itself, and that's what we're proposing with this plan.

That is in the long-term plan, and there is an issue here dealing with the people who actually drafted the long-term plan and actually drafted every document this government has come to rely upon to prove that these are needed. Two of the senior engineers who did the testifying for AESO at all of their hearings on every project are Mr. Millar and Mr. Cline. I will submit this tomorrow. If you overbuild – and one of the great criticisms here is that we're building way too much, more than what we need. Now, there's a logic out there of: "So what? That's a good thing. We'll use it eventually." Well, it doesn't work that way. It's a little bit like booze at a party. If you have a little bit too much, you can ruin the party, maybe, for some people.

Mr. Millar is a senior executive vice-president at AESO, the senior engineer of their agency. On page 498 he was cross-examined under oath and asked about overbuilding the system. The question was: "If the transmission system were overbuilt, would it maintain options for long-term development of the system?" He answered: "I would suggest not necessarily in response to [that]." He said, "An overbuilt transmission system may have already closed off other alternatives." That's really important because one of the things that this government said it did not want to do was to pick winners and losers. Here what we have is the senior engineer that designed this who said that if you overbuild, you create that kind of a problem. That's in the official transcripts going back to the 2004 hearing.

Fast-forwarding to 2012, the coauthor of both documents that this government has relied upon was asked about this western Alberta line. He basically said, "It would be my opinion that it's not in the public interest." That's a change in what's happening here.

At this point, Mr. Chair, I would like to submit and amendment.

**The Chair:** If you would send that to the table, hon. member. This will be A2.

You may speak to the amendment, hon. member.

**Mr. Anglin:** Thank you, Mr. Chair. In this amendment, marked A2, I am moving to strike out section 4 and substitute the following, that section 41.3 be amended by striking out "and an order under section 41.1(1)," by renumbering section 41.3 as section 41.3(1), and then by adding the following after subsection (1):

- (2) An application made under subsection (1) must include the following:
  - (a) a technical and economic cost benefit analysis with a comparison of alternatives that could improve economic and technical efficiencies;
  - (b) a description of the rationale, including the assumptions and supporting data on which the rationale is based, supporting the nature of the preparatory operations and estimates of the total cost to ratepayers;

- (c) an assessment of current transmission system capability;
- (d) the planning criteria used for the assessment of transmission system capability;
- (e) a forecast for at least 20 years of the load on the interconnected electric system;
- (f) a forecast for at least 20 years of generation capacity and appropriate reserves required to meet the forecast load; and
- (g) the studies and analyses performed in identifying the timing affecting or that will affect the economic and technical efficiencies of the proposed transmission line.

Now, it sounds like a lot, but it's not. What it does is that it outlines what is normally done in every jurisdiction before these projects are undertaken. To the hon. members: of all the Bill 50 projects that are in the schedule and that have been legislated, none have been built. You need to understand that. The closest one to even starting to be built is the heartland line. So if we were to require that we look at these technical aspects, particularly the cost-benefit analysis but also how the system is going to work – you just can't overbuild any more than you can underbuild a system. That's what's really critical about this.

I think I have to sort of reinforce that point. Bigger is not better, and that can be a problem. That's what the engineer who drafted the original needs identification document, that's what that engineer who led the group that drafted a 2009 plan was referring to when he basically said: when you overbuild the system, you don't necessarily allow for that competition that you thought you were going to. This is really important, and what this government wants to set out in its policy is to create a competitive framework for the development of generation. What's happened here with Bill 50 and why the amending act first had come along and why now this amendment is that we want to enhance or bring this policy of competition forward, and what we're actually doing, if we continue down this path, is probably picking winners and losers to the detriment of some other generators, and that could be a problem.

On the surface when you look at the data – and anyone can go onto the AESO website and get the data – and you look at the transfer of electricity, transferring electricity from Edmonton to Calgary is going to become something of a moot point when the Shepard plant goes online. It also becomes more problematic as we retire the coal-generating plants. Now, nobody knows how many generators we're going to retire. The AESO can presume and make an assumption. But we do know this. Some generators have already gone offline, and that has reduced the transfer to begin with. Other generators will upgrade and go to combined-cycle gasification, which is mandated by the federal government, but those businesses that don't want to go down that path are not going to do that. The business case for not doing that would be to retire the coal-generating station rather than upgrading it. Am I speaking too loud?

7:50

**Some Hon. Members:** Yes.

**Mr. Anglin:** Well, that's because I can't hear myself over the hum. I will try not to speak too loud, but I will speak. I can't help that.

**The Chair:** Hon. member, you have the floor.

**Mr. Anglin:** I have the floor.

What we're doing on the western side of Rimbey, from Genesee down to Langdon, is adding an additional 2,000 megawatts of capability when we're actually going to be accelerating the

decommissioning of many of those coal-generating stations. That's not logical. That's not building for the future. Under the current system that the AESO would do their normal evaluation on, using their normal algorithms, this line will be turned off by 2022. It doesn't make sense to spend \$1.6 billion to bring forward a line of that size that may never be used.

Where our growth is happening – and nobody disputes this – is northeast of Edmonton all the way up to Fort McMurray. That's our industrial growth. I've not met anyone who's arguing that point. Bringing a line down from Fort McMurray would normally – whether it's AC or DC doesn't matter. I'll probably be saying that a lot tonight, too, AC/DC. [interjection] Well, you can bring your own innuendoes, but I'm talking about electricity.

We know we're going to build a pipeline coming down from Fort McMurray. That is something that is in the long-term plan. Industry would like that pipeline to go into a utility corridor. Industry wants that pipeline to go to the new upgrader in Redwater. It only makes sense.

**The Chair:** Thank you, hon. member.

I'll recognize the hon. Member for Lac La-Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Chair. Just referring to this amendment A2, by my fellow colleague, it's some very, very substantive stuff. Some of it's very technical, and I'd just be interested in hearing some more about this particular amendment.

**The Chair:** Thank you.

Are there other speakers? Then I'll recognize the Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. Looking at the economics of this, the Industrial Power Consumers Association, which represents the major consumers of electricity in this province, is a business group large enough that it claims to directly affect the employment of anywhere from 70,000 to 100,000 Albertans. That is significant-sized employment. They looked at what this government has approved, and they had written the previous PC caucus back in 2009. They said that if the government goes through with this, this could make some businesses uncompetitive. It could cause job losses. They did that on the basis of cost and cost only. What they were saying was that there was no reason for building such a large system when there was no need for it. Their projections at the time were that we would probably develop gas-fired generation, which has seemed now to have come true, in which we would go to more of a distributive generation model versus a centralized generation model. Doing so would require fewer major transmission lines, and this wasteful spending, as they refer to it, is absolutely not in the public interest.

Beyond the Industrial Heartland Association, Dr. Church from the University of Calgary did a study on these lines. He looked at them. He called them uneconomic. He was critical of the AESO, saying that their projections were unrealistic. The government then assigned to the Utilities Consumer Advocate to hire and do its own study. They employed a company called ADC out of Calgary. They did a study for the Utilities Consumer Advocate, and that study said that this is uneconomic, that we should not do it, and that the Utilities Consumer Advocate should advocate against it, that it was too expensive and not necessary. Again, nobody was listening.

So here we are today with this amendment, and what we're asking is not necessarily to hold anything up but to look at what we are doing going forward to require that an application has to be

made with a technical and economic cost-benefit analysis, which used to be required, that this government make it a requirement now as we repeal this act, that we describe in that report a rationale, including the assumptions for the supporting data.

Dealing with the assumptions, bear in mind that our Alberta Electric System Operator belongs to two jurisdictions. One is called the Northwest Power Pool, and the other is called the Western Electricity Coordinating Council. Each one sets a level of standards that we agree to comply with. Now, the Western Electricity Coordinating Council, called the WECC, sets out the parameters, the rules, the protocols for 22 western states, the province of B.C., the province of Alberta, and, I believe, two jurisdictions in northern Mexico. They set the protocols for how that western grid will work. Members of our AESO actually attend training at the WECC to learn how to plan and do it in a manner that's consistent with planners across the entire western electric jurisdiction. They tell planners in their programs that nobody has ever built a 10-year plan because the system is too dynamic. That's not the purpose of a 10-year plan. What we are engaged in, what this cabinet approved back in 2009, is the building of a 10-year plan without a cost-benefit analysis, absent of any rationale, of critical analysis of the assumptions of the data used to come up with the plan.

Here's where we're going wrong if we continue to build these lines. Typically, in the planning stages plans generally change all the time as reality comes to bear, which is that you have a new plant that goes on line or a new facility or a new generating station, which now has to change the long-term plan just because of its location. To bring an example to this, the heartland line runs from Ellerslie to a new substation in Gibbons. The hon. member last night from I think Fort Saskatchewan-Vegreville – I don't have my chart in my front of me – mentioned something about one of the plants in the heartland needing a transmission line for their next phase. They need an upgrade to the 240 system that they're currently connected to in Fort Saskatchewan. That's probably true. Without even looking at it, I think that any time a major plant goes in, they need an upgrade. But you cannot mistake upgrading a 240 system with the construction of a 500-kV HVDC line that it cannot connect to. You cannot mistake that with a twin 500-kV AC line that goes from one substation in Ellerslie to another substation in Gibbons and doesn't do anything to help connect that new facility the hon. member was talking about. That's not what happens here.

**8:00**

It is important when we look at the system, look at the projects, that the people who have an understanding of them have the ability to look at the data and make a determination based on a public mandate, that they do what is best economically. You can look at the social impact, but realistically it is all about economics. What is the best electric system for our future growth? I will continue to stress that overbuilding the system is problematic, and it will cause problems. Overspending alone is going to raise rates. That's significant.

Some of you may remember a situation during question period when we talked about rates. There was an assumption that the public didn't pay. So I brought a document. It's basically an AESO document – I'll table it tomorrow – on who pays for transmission costs. It lists all consumers. We know that to be true. It's the same with everything in the marketplace. Eventually all costs are passed down to consumers. That's where this is going to hurt this province economically. The average person is going to see their bills rise. I understand members are saying that it's only

going to rise so much per line, but that's not the whole story. That's being misrepresented. That's not looking at the all-in cost of what's happening.

Again, you only need, members, to go home and look at your own electricity bills and look at what you're paying for transmission today, never mind what you're paying for distribution. If everybody is correct and the system that we have today is old and we've already paid for it, then when you look at that transmission charge on your bill, ask yourself: why is that so high? It's a valid question. Ask the AESO to describe to you how that charge is calculated. That is not just the physical plant. That's not the \$3.40 charge that they say an HVDC line would put on your bill.

What you find on your bill is a charge based on the entire system, which is currently valued at roughly \$2 billion. We are proposing a \$16.6 billion upgrade. The first two projects out of that have more than doubled in cost. That should wake some people up. Why? If this continues, we're not looking at a \$16.6 billion charge. Before the former CEO of Enmax left, he said that we're going to have a hard time keeping it under \$25 billion. I'm telling you right now that we're on a path where keeping it under \$30 billion will be very difficult.

Somebody needs to look at this before that money is expended. That's why I came up last night and said: we are looking at something here that's probably somewhere around half the provincial budget. That's significant. That's not just change. We have an opportunity here to just backtrack a little bit and take a look at this on an economic level, look at the real data, have the experts do it with a mandate of the public interest, and I'm confident we will make the right decision.

There are two things that happened here. Political interference started this problem, created this problem, and political interference is currently the problem.

**Mr. Weadick:** Joe, stop blaming us.

**Mr. Anglin:** I wish I could. I'd rather you read the data, hon. member, because it is the numbers that matter the most. They don't lie. It's what we need to question.

Mr. Chair, I'll go back to the simple part, that one aspect of what would be corrected by this amendment, and that would be the heartland line. As I made mention this morning, there was a question by the hon. member about the heartland to the Energy minister, I think, sometime a couple of weeks ago.

It has been said numerous times in this Chamber that the heartland needs more power, but when you look at the data, the heartland has 663 megawatts of generation capacity right now. Its baseload is 563 megawatts, which gives it a reserve capacity of around 14 per cent. That's normal. The capacity for transmission feeding the heartland on a baseload measurement is probably just under 2,000 megawatts. That's nearly three times the capacity of the generation up there, and it's almost four times the capacity of the baseload. The existing transmission system actually meets the needs of the heartland. So why are we pushing a twin 500-kV system up there for an additional 2,000 megawatts when the baseload of the region alone is only 563 megawatts? It doesn't make sense.

It's an overbuild beyond reason, and you need someone to take a look at this data and make a decision based on the public interest. What is best for this province? Particularly, what is best for this province in economic terms? If we don't do that, if we don't bring some common sense to this, there's going to be a problem in paying for all this when we can't get a utilization, and that's the reason for the cost-benefit analysis. The purpose of a cost-benefit analysis is to look at how much money we are

investing and what the payback would be to the public. It's the public that's paying this, and I think it's a reasonable request that the public have an answer to some of these questions, not from me but from somebody independent that has a mandate to act in the public interest.

I'm not asking for this amendment to appoint anybody. I'm saying: use the tools that you have; use the existing system. It can work. I know most of the engineers that work for many of these companies now because of my involvement. They're good people. They've had some good people leave, but all in all these people are competent, and they know their job. Many of them are idealistic; they want to do a good job. The political interference is what caused some of these good people to leave. It is what causes some angst in dealing with these projects. I can tell you right now that you'd be hard-pressed, any member in here, to go out there to an independent engineer with any kind of knowledge of our system and ask for a commentary on the benefit of an HVDC line from Edmonton to Calgary, never mind two of them, on such a short distance.

Now, I know I've been criticized and some of the members here have criticized me for being anti transmission line. I'm not, and I'm not against HVDC any more than I would be against AC technology. As I said earlier, I was criticized, I believe by the hon. whip for the other side, that I had protested Ben Franklin when he first hung a string to a kite and found electricity. As I pointed out to that member, that was DC technology, and I won the argument. We adopted AC technology from that time forward. We have an AC grid now, and DC technology could be beneficial if we were to utilize it over a very long distance. But we're not utilizing it over a very long distance; we're doing just the opposite. So we don't get the technical benefits from the line. The average loss for an electrical system world-wide is between 5 and 7 per cent. That's called normal. Alberta's system operates year after year at 3.5 per cent, 3.8 per cent. It is now just over a 4 per cent loss, operating well below the norm.

**8:10**

Something the hon. member did not hear last night is: why are we building two HVDC lines, each with a capacity to have 6 per cent loss, when the advantage of the HVDC is to get loss figures below 3 per cent? It's a reasonable technical question. The type of conductors that have been chosen to be bundled together are rated to lose 6 per cent of the electricity that is transported. That doesn't make sense when you're spending that kind of money. You should be less than 3 per cent, and we're going to be in that 6 per cent range.

The added price for spending an extra billion dollars for a DC line over an AC line is not logical. The argument is that it uses less land. If you average that to the price of farmland between Edmonton and Calgary – and there are some places that are more expensive than others – it comes out to about \$42 million a quarter section. Of course, you'll never have an objection from a farmer at that price, but it doesn't make sense to make the public pay that price for DC technology versus AC technology. We're not talking about transferring any more electricity over either technology. So why the added cost of billions of dollars?

Now, one hon. member said something about the advantages of low EMF. When you use this technology next to AC lines, the only thing you've done is create a larger field of EMF anyways, and I'm not going to get into whether it's harmful or not harmful. I'll let industry do their own studies, and they can be the judge of that. The fact is that when you run parallel lines, the more parallel lines you run, the larger the field you will create. You can run a barbed wire fence next to a power line, and you'll help create a

larger field of EMF. So you don't get that advantage by running an HVDC line parallel to the AC lines that exist.

Here we're using a technology that does have advantages, and we're not getting any of the advantages it has been designed to give the system because we're misusing it. That's why I'm opposed to these lines on a practical level. On the practical level of finance, economics, the numbers just don't add up. We are building lines that we do not need. If somebody – and somebody may; it's logical that it could happen – were to put a gas turbine, 240-megawatt generator in and around the Red Deer area, maybe around Wetaskiwin, anywhere in south-central Alberta... [Mr. Anglin's speaking time expired]

**The Chair:** Thank you, hon. member.

I recognize the Member for Drumheller-Stettler. [interjections] The Member for Drumheller-Stettler has the floor. Thank you.

Proceed, hon. member.

**Mr. Strankman:** Well, thanks, Mr. Speaker. I just want to ask the member – my constituency... [interjections] I thought I had the floor, but apparently the hearing isn't quite...

**The Chair:** Hon. member, please proceed.

**Mr. Strankman:** Thank you. My constituency, too, is going to be affected by this ongoing development. I want to know what the potential lifespan of this development would be. I understand that there's a different technology used, but I want to know because my landowners are also upset.

**The Chair:** The hon. member may have the chance to get up again, and if he does, I'm sure he'll probably take you up on answering that question, hon. member. Thank you.

Others? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** I'll take questions from anyone, Mr. Chair. Hopefully, some of the members might have some questions. It might sound comical, but I will tell you this. When you look at the amount of money, it's not comical. That's the problem. It's not. It's serious, and it affects all Albertans.

The ones it's going to hurt the most are the small businesses, the hard-working Albertans that are living, you know, cheque to cheque, and the seniors who are on a fixed income. I know that when the hon. Minister of Energy releases his report, which he will, hopefully that will be an eye-opener for this Chamber, that we need to address a significant problem dealing with the pricing of electricity. But going forward with what we're planning on doing is going to exacerbate any attempt to correct the electricity pricing model.

I will not throw out those terms like "If the government doesn't do this, this is what's going to happen." I don't want to be accused of threatening. But I want to bring to your attention that when electricity prices spike, all of you generally probably get calls to your constituency offices or even hear about it. What we have created is a system where we're not encouraging reserve generation to be built. We are not encouraging generation to be undertaken. There's a reason for it, and it has to do with our wholesale system, and the hon. Minister of Energy got some questions dealing with that today.

We have a wholesale system that is actually designed so that a plant could run below cost, lose money for two or three months, and in one day when that price caps out at a thousand dollars a megawatt, they can make up all the difference providing they are not the one that went offline. But given the number of agreements

that are out there, it's a complex web to find out who profited and who did not. That, of course, didn't come out in the report that was published about the last power outage.

The point I'm trying to make is that the system right now, the way we've designed the auction system from the wholesale market, is designed so that at some point the goal is to elevate the price to its cap, to its level so the industry can get a thousand dollars a megawatt. In the end, all of that, whether you're on a fixed contract or not, is passed along to the consumers.

I am quite confident that we will see something to that effect when this Retail Market Review Committee releases its report. Fixed contract or not, whether you are on the regulated rate option or a fixed contract, those ancillary costs are not fixed. Those are variable. They shift. Some of you may have noticed this; others of you may not have. But if you ask around, you'll find somebody who experiences it. Where somebody owns a building, a house that they're not using, the actual electricity costs could be as low as \$10 or \$12 a month, but that bill comes in at \$60 or \$70 a month. That's the ancillary cost. That is transferring everything else down onto the consumer that eventually always ends up on the consumer. We build these transmission lines, and all of that ends up onto the consumer.

So asking for a technical and economic analysis: the whole purpose behind that is that it will take that into consideration. The AUC, the Alberta Utilities Commission, would take that into consideration when the approval for these lines is brought forward to the next stage, the process of locating. That is a nice check and balance to hopefully bring this back and do what is right.

As I talked to the hon. Minister of Energy, we've legislated two critical lines from Edmonton to Fort McMurray. They will cost well over a billion dollars each. Nobody knows when they're going to be built, but they've been legislated. They are in law. The only way they can be stopped is by changing the law. They're in the wrong place right now for what industry needs, for what Fort McMurray needs and for what Edmonton needs.

This green corridor that I spoke of this morning is something that industry wants. It is something that consumers want. It is located on the eastern side of the province. It is where we are developing right now our pipeline system. We're going to continue to develop pipelines from Fort McMurray, and the next plan is a pipeline to the Redwater upgrader. It's all logical. It's all part of the business plan. Should we develop a utility corridor? I would say yes. Industry is saying yes. It makes sense.

**8:20**

Oh, by the way, landowners as a general rule like the idea of utility corridors. It just takes the political will to make that happen.

But if we build a utility corridor for what they call a green energy corridor, which is on the eastern side of the province, that means the lines that were legislated under Bill 50, that cannot be denied until we remove that from legislation, are going to be built in the wrong place. They're going in the wrong direction. They're not doing what we need to have done. It's a mispending of the public's money. We cannot afford to double down.

What should happen is that this amendment should be passed. Those lines would not necessarily be removed from legislation, but I can guarantee you that they will probably change in location significantly, and there's a likelihood that they would change in technology, that they would go from AC to HVDC. That would be as a result of whether or not hydroelectric development took place and was pursued up in northeast Alberta. I suspect it will be. That is something that industry wants. I think it is something that consumers should have. I think it is something our economy needs.

It's a matter of crunching the numbers and making the projects work. But in order to develop that, you would want to get that electricity down here. That would be more compatible to HVDC technology, but we've legislated AC technology instead. So passing this amendment will allow the jurisdiction of the regulator to make changes, to look at that and bring that back. This is important. This is important for the economic viability of many industries. It's important for the economic viability of many communities.

Electricity, regardless of what we do with oil and gas, makes our economy run. The interesting thing about electricity, even with the demand of it, is that it's so consistent year after year. If you look at a 75-year history of the growth of electricity demand, in a stable economy it runs on average 2.5 to 3 per cent. In an economy that is just humming along you might get over 3 per cent growth in demand for electricity.

Ironically, residential demand as projected by our AESO is fairly flatlined. Although our residential growth will continue to grow at whatever rate it is, in the last few years the people who paid for the transmission systems, who paid for the lines actually only grew it 1.4, 1.5 per cent, yet we have high growth of residents in Alberta. The reason I bring that forward is that our growth in electricity is not residential; it is industrial. Our industrial consumers consume roughly 80 per cent of all the electricity produced in this province on a regular basis. They have more to gain, they have more to lose if they run out of power, yet they have come out against these lines, and nobody is listening to them.

The Industrial Power Consumers Association has been steadfast and critical of this overbuild, and someone needs to listen. They employ a lot of people, and they want to do business in this province. Having the ability to reassess and re-evaluate the data based on changing economic times – and they have changed. Some projects that were proposed to go forward are not going forward. Other projects that nobody thought about are now going forward. The Shepard plant is a big project that is going forward, 800 megawatts of power.

As a person who is in favour of a lot of renewable – and I applaud this province for pursuing renewables – wind power itself is more problematic than it is an advantage. Because of the unstable effect of wind power on the system, there needs to be what's generally referred to as a stabilizing generator or a stabilizing source to compensate for the unstable nature of wind. That doesn't make sense, in my view. I think wind power makes sense on an individual's farm that can manage it, but as an industrial component to a system that's going to sell electricity commercially, it is not a system that is, in my mind, economical because it requires additional generation just to make it stable.

What we have in this province, though, is that we are extremely wealthy in something called energy. We have natural gas, whether we cogen or build natural gas facilities. If somebody takes a look at what we're building, we are building some of the most efficient natural gas generators of today. Unfortunately, we're building some of them in the wrong place. That has to do with something they call the overbuild of this transmission system.

Regardless, if we were to use natural gas – compared to coal, natural gas can turn on quite quickly whereas coal cannot, and coal cannot shut down quickly unless you trip it offline, which makes it that much more difficult; natural gas is much more flexible in its ability to meet demand – if we were to bring that online with hydro potential, particularly the significant hydro potential that is available in Alberta, with our natural gas facilities Alberta could do something that no other jurisdiction can do or

most other jurisdictions want to do, which is to create a distributive generation system.

What that means is that your generators are distributed all around the province versus one central location. Your grid becomes what they call an Internet grid. You don't need major, huge, expensive transmission lines. You need smaller and multiple transmissions lines, creating what's called a spider web, or an Internet, grid. What gives us the ability to develop it and what gives us an advantage over all other jurisdictions is that we have a natural gas system in place today. To develop natural gas is not that difficult compared to other jurisdictions that don't have the pipelines and the gas plants the way we do.

We have a natural gas facility going in south of Calgary, we have a huge natural gas facility, the Shepard plant, going in east of Calgary, generation that is proposed with the new Clover Bar facility northeast of Edmonton, and so on and so forth. We're building a backbone that has been legislated, that cannot serve that type of system effectively. We need to take a look at the premise of a different time, a different need.

Mr. Chair, passing this amendment brings the information forward. It allows us to reassess and re-evaluate what we're doing before, in my opinion, we do something wrong. I could live with the decision as long as I had faith that more qualified people took a look at the data and that they made a determination based on a public mandate, and that mandate would be for our economic system. This mandate that originated to build this was based on the assumption that the oil sands wanted it to export electricity. I know this government denied that for the longest time, but too many reports, authored even by our own AESO, confirm that that's what this was all about.

As I mentioned, two members went down to the Pacific Northwest Economic Region conference. In that region their second-highest priority was what was called the heartland line. It was electricity from the heartland to Buckley, Oregon. The heartland is an export region of the province. It does not need more electricity. It exports electricity. Does it need an upgrade to the 240 system for a new project? Probably more than likely. All projects require upgrades. They very rarely don't. So we're back to that situation where we've legislated lines, and once we've legislated them, we have to build them, yet we're not building the upgrades where we need to build the upgrades.

**8:30**

If you take a look at it from this perspective, if we upgrade the system to the hon. member's plant, that produces an economic value on the next phase. We try to time it so we meet that on the next phase. But when you're building lines of what I would call the bridge to nowhere, the road to nowhere, you're building lines that do not produce any other economic activity. There's no great payback for the public, and there has to be some sort of payback to the public. This is nothing more than an expense. We need to get a handle on that, and we need to get that under the microscope of those that are more qualified and to make a determination of: should we go forward, should we change it, should we modify it, or should we just deny it? That has to be part of this.

It has been brought to my attention that these lines cannot be stopped now that they have been legislated. I do not believe that for one minute. The TFOs, which are the transmission facility operators – there are only about five of them in the province – are regulated companies. The fact is that we are going to build a transmission line from around the Edmonton region, which I would call now the heartland, the Redwater area, to Fort McMurray. That would be no different than what has been currently legislated. Now, I know AltaLink has their eyes on that,

but it has not been decided whether AltaLink or anyone else is going to build that. The heartland line upgrade: even though I see the towers out there, those towers still can be used for other projects. It is not problematic. Buying the wire is not problematic. The wire can always be used elsewhere, and the engineering is always done on an continuing basis. Will there be a loss? There'll be grumbling, but there'll be a gain when we build the lines in the right places. There will be a significant gain, in my mind, if we do what is right for our economy.

This political interference that I referred to that started way back when – and it was political interference in many ways. I'm not going to reiterate the whole spying scandal nonsense that went on that's been now well documented in this Chamber. The political interference I want to refer to is that at that time, in December of 2006, I had brought a motion forward to the EUB that the EUB did not have jurisdiction over an export line. They did not. The federal government did. Of course, some of you may well know that this government for many years has denied that these had anything to do with export. Within a matter of two weeks there was an order in council giving the EUB jurisdiction over an export line, which the cabinet had the authority and jurisdiction to do. But you can't have it both ways. Either it was for export or it was not for export.

There is a study that I did table. It's called the Canada-Northwest-California Transmission Options Study. It's coauthored by our own AESO, and in this study is every line that's in Bill 50. They're all there in a number of different capacities. That's a planning document, and the whole document was designed on: how do we get the excess electricity from Fort McMurray, in the heartland down to southern California? The problem is that it's just not economic. It's economic to ship natural gas. It's economic to ship bitumen and oil. It's not economic to ship electricity that far. It's just not. Private industry looked at that. TransCanada looked at that project.

**The Chair:** Thank you, hon. member.

I'll recognize next the Member for Edmonton-Calder, followed by Livingstone-Macleod.

**Mr. Eggen:** Thank you, Mr. Chair. I just wanted to make a couple of brief comments on this amendment by the Member for Rimbey-Rocky Mountain House-Sundre. I certainly appreciate what he is intending to do here because it's something that I am deeply concerned about as well. I did make some comments on another amendment of his this morning, and I focused on the individual consumer side of our electricity situation in the province.

You know, I had the occasion to actually go to an event in my constituency here earlier, just before this evening's session. Lo and behold, people at a local crime council were talking about their electricity bills, opening their electricity bills and finding all of these ancillary charges that were bringing up the cost of their electricity bill considerably. You know, one gentleman who went away and was not even using the house at all last summer said that his bill was still quite significant without any use of electricity whatsoever. He just turned everything off. People do talk about this. For people, seniors especially, who have a modest fixed income, their utility bills sometimes are the thing that is driving them out of their homes.

We need to look and remember that we produce power for the development of our industry here in the province and we produce power for the benefit of the people who live here in the province. To look at it strictly in any other way, I think, confuses the notion of what electricity does as a medium to provide that development of industry and to provide those benefits to consumers. As we

look around, in the many industrial countries that are successful, they make sure that they carefully regulate the price of their electricity to ensure that you're not putting unfair burdens on industrial development and individual consumption, right? This is not for the sake of wanton consumption, leaving all the lights on and all that sort of thing but, rather, using and understanding. Again, electricity is not just the thing to profit from unto itself but, rather, the medium by which we can build things that we can make profit from in other circumstances, right?

In order for us to understand this more clearly, we have to make sure to know that regulation is the essential part of a modern electricity grid, so the hon. member's amendments here in regard to taking a long view of developing our transmission capacity and looking at at least a 20-year assessment of the load of our interconnected electricity system is absolutely essential because this is an essential service, right? We're not talking about an optional service that people might opt out of. All of us use electricity as absolutely central to our daily lives and, as I said, to the industrial development of our province.

You know, at this juncture I think we need to look at where electricity goes and plan it very carefully and plan it in conjunction and harmony with how we want to diversify our economic system here in the province. We rely too much on primary resource extraction and not enough on secondary industrial development of especially bitumen into synthetic crude oil. All of these processes need a great deal of power that we can develop in a more intelligent distributive generation system that doesn't rely on single large places where we produce power.

Another interesting and not insignificant place that we can, I think, draw from is the considerable secondary electricity generation capacity of our oil sands in and around Fort McMurray. We know that that electricity is there. We know that those industries have been interested in selling that electricity for quite some time. I mean, a modest proposal is to perhaps bring that electricity down to our population centres where we want to develop our industry – the industrial heartland here in Edmonton, large population centres including Edmonton, Calgary, Red Deer, and so forth – in the most efficient way possible and then selling it in the most reasonable way possible, too. All of these things take a tremendous amount of central planning and long-term planning. This amendment certainly does speak to that, and I commend the hon. member for bringing that forward.

**8:40**

From my certainly not comprehensive but, you know, considerable analysis of the trends in our electricity generation system from five or seven years ago, we could see that the large producers and AESO were orienting our transmission capacity and building our lines with a view to exporting electricity to the United States. While this in itself doesn't seem unreasonable, it does when we are trying to build a distributive, integrated electricity system here that can be more reliable and more affordable for domestic consumption, right? If we have some of the highest consumer and industrial electricity prices in the nation, then that is something that casts a shadow over proper economic diversification in our province and affordable living for all classes of people here in the province, too.

Making some small amendments to Bill 8, as this hon. member has done, is not unreasonable. I don't disagree that we need to have considerable reform of our electricity system and considerable reform of how we make choices about our electricity system. The way to do that, I think, is a reflection of what is the best system that could be put in place for this province, which is to not rely on one or two or three different large producers but,

rather, to diversify considerably and put into the basket of possible electricity generation ideas and add to that basket in an exponential and organic and creative way.

Yes, perhaps wind energy, as the hon. member said, has problems, but it belongs in that basket of a distributive and diversified electricity generation system. So does biogas; so does solar; so does geothermal, right? All of these things are recognized around the world as a way that you strengthen your electricity system through diversity.

That's my metaphor, Mr. Chair, that we strengthen our electrical grid and the debate on Bill 8 through diversity as well. Part of that diversity is to take the best ideas, the best practices that might come out of this Chamber, including this one here from the hon. Member for Rimbey-Rocky Mountain House-Sundre, and thus strengthen Bill 8 as we endeavour to strengthen our electrical grid.

Thank you.

**The Chair:** Thank you, hon. Member.

The hon. Member for Livingstone-Macleod.

**Mr. Stier:** Yes. Well, good evening, Mr. Chairman, and thank you very much. It's a pleasure to speak to everyone tonight. It's my first opportunity to speak to this bill.

**The Chair:** To the amendment.

**Mr. Stier:** Right.

**The Chair:** Thank you.

**Mr. Stier:** Thank you for that correction, actually. Yes. I'm in favour of this amendment, and I think I'm in favour of it mostly because I think it will guarantee a proper review. But before I get started, I'd like to compliment the minister, who has spent an awful lot of time here in the past 24 hours. I appreciate his coming back here tonight. It's good to see you again.

Mr. Chairman, when I started in Livingstone-Macleod, one of my most primary concerns was power costs that I heard about frequently, in fact, and, of course, Bill 50. At that time there was no review by the AUC, and it raised an awful lot of concern with a lot of people out there. There are a lot of people down in the south who have a lot of power lines going across their properties, a lot of power lines being planned, a lot of windmills, a lot of things happening that they were concerned about. I think it's justified because a lot of times when these things are going across land, it renders the land somewhat difficult to work with. It also in terms of, perhaps, a resale point of view interferes with values. I had an awful lot of these folks mentioning this to me, and they still are doing that today.

When we look at how we have been evaluating it in the past and when Bill 50 came along, it was certainly something that concerned me greatly because I thought that there must be a better way to do this than what had been decided several years ago. So in October of '09, when the review was put back in and the Utilities Commission was allowed to get back involved, I was certainly relieved, but despite this recent change to put them back into the process, these lines are still being planned, and they're still going forward. That gives me a lot of concern.

When I read the amendment by the hon. member here, who has spent so much time in this business and gone through an extra step or two to ensure he's worded it correctly with all the good folks involved, it looks to me like a pretty good thing. It gives a proper review to ensure there is or there is not a benefit to the new infrastructure that's being considered. It determines whether

there's really a need for it and whether it's best met with whatever method might be appropriate. It verifies whether or not the new infrastructure really is worth while or outweighs the public interest. He spent a lot of time talking about that. The learned gentleman knows an awful lot, and I think it would be fair to give the gentleman a chance to say more on these topics because it's very important.

Lastly, it provides for a consideration of alternate routes or ways of evaluating efficiencies and reliabilities and so on. All this is very important because we the taxpayer and my constituents will be the ones that will be footing the bill, and these things will appear in their transmission costs on their bill.

I certainly hope that there will be good support for this amendment. It's a serious situation to all landowners and all power consumers, whether they're rural, urban, commercial, or what have you. I think it's extremely important, and I hope everyone in the Chamber will support this amendment.

Thank you, Mr. Chairman.

**The Chair:** Thank you, hon. member.

I'll recognize the Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I want to just cover a couple of topics because I've heard some people mention that they would like to go home, and as soon as I know everyone has listened to me, I want to go home, too. Okay. Now I have their attention. Good. Actually, when I stand up, I should probably still say, "Good morning, Mr. Chair" because it's never ended for me since last night.

I want to talk about a couple of things. There needs to be greater consideration to a number of complex problems that have been created because of what I would call bad policy. We do not allow our AESO, our ISO to consider utilizing nonwire solutions, and to me that is what has led to our current problem that we're dealing with in this amendment. Our AESO can only employ new transmission lines to address any problem. They are not allowed to use nonwire solutions as a permanent solution. That is a problem because technology has advanced so far in recent years that there's a lot our AESO can do that is far more economic than building a transmission line.

I always like to use the Dr. Benjamin Rush example, and some of the members may have heard me use this before. Dr. Benjamin Rush is famous for one thing and one thing only. He was a doctor in the late 1700s, the 1790s, early 1800s. He invented the laxative. It didn't matter what ailed you. You took Rush's Thunderbolt, and that was the cure. If you had tonsillitis, you took the laxative. If you had a swollen knee, you took the laxative. Maybe that made you forget what your real problem was. I don't know.

I will tell you this. Our AESO is the Dr. Benjamin Rush of ISOs. It is only allowed to build new transmission lines. It is not allowed by our current policies to utilize nonwire solutions, and that is extremely important, that we give our AESO the full spectrum to deal with the system in the most efficient and economical manner that it needs to utilize. There's a lot out there they can do.

**8:50**

The second thing. I'm going to debunk some of the information that some people have been hearing. The idea that we haven't done something major in the last 20 years or 40 years to upgrade the system: in 2010 the Alberta Electric System Operator published their annual major upgrade completion report in which they listed nine major projects they had completed. The point I



want to make is that the ISO is always upgrading the system, as they should be, both small and major, when it's required. We do this, and we expect them to do that on a normal basis.

The idea that our electric system is bleeding or losing a lot of electricity is just not supported by the ISO's own data. In 2008 the system lost 3.8 per cent of its electricity. In 2009 it lost 3.5 per cent. In 2007 it lost 4 per cent. In 2010 it was actually below 4 per cent; it was 3.27 per cent. In 2012 it's 2.93 per cent. That's outstanding for a system. A normal system loses between 5 and 7 per cent. Anyone who says that our system is bleeding and losing a lot of electricity: it's not supported by the data that the AESO has publicly available on its website.

We have another policy problem as a result of a policy change, and that is that we used to have a policy that Albertans would not subsidize export. That was written into section 15(4) of the transmission regulations, 15(1) to 15(4), and that was repealed. Hon. members, somebody needs to ask the question why that was repealed. Now Albertans subsidize the export of electricity. We pay for it.

This act is a direct result of the amendments to the Electric Utilities Act. One of the things that did not get repealed that will conflict either with this motion or without this motion is the fact that we changed the mandate of the Alberta Electric System Operator from that it must build a system that is required by industry to that it must build a system that may be required by the industry. That change in that wording is not a change of flexibility. It is something that basically allows any approval to be made, whether it's required or not. That leads to the overbuilding, and as I read earlier from the engineer that pretty much drafted every document this government has relied upon, if you overbuild the system, you build problems into the system. There's no advantage to overbuilding, any more than there is an advantage to underbuilding. Both are problematic.

This amendment would address those problems in the sense that it would give the experts, the board, the opportunity to re-evaluate based on quantitative and qualitative data and do a technical and economic analysis of what should take place versus what somebody wants to take place. That's the difference. We still live in a system where, although people say that we need more electricity, our economic environment produces excess electricity each time we grow because, really, it's the oil sands that drives it.

I see the hon. member shaking his head, and I will direct his attention to the AltaLink website, and he can look it up. Since 1996 the generation capacity in Alberta has risen 38 per cent, and demand has only risen 21 per cent. That's the data right on AltaLink, who is, by the way, the biggest proponent of the lines. The reason for that is that when we develop an in situ mining operation or any other upgrader, it's not a matter of: will they have cogeneration? It's a matter of how large that cogeneration will be.

There are a number of distortions that are just not true, and I just explained that about the number of years. The biggest distortion was that the lights were going to go out in Calgary, and that was just not true. The prediction back in 2006 was that if this was not built before 2009, Calgary would experience rolling blackouts. The system would fail. It even made the front page of the *Calgary Herald* in June 2006. I can assure you, standing here in this Assembly in 2012, that the lights have not gone off as a result of any transmission line over the backbone between Edmonton and Calgary. The lights, however, did go out when six major generating units went offline. I assure all the members of the Assembly that I don't care how many transmission lines you build, if you turn the generators off, the lights will go off, too. This idea of line loss costing millions is just not true.

There is another problem. I did bring this. This amendment will address this problem, hopefully, if members here accept it. The Keystone pipeline did a study of multiple jurisdictions that they need electricity in, and they, of course, need electricity via transmission lines in Alberta. What they found in their study – and I believe they gave it to the hon. minister – was that building transmission lines in Alberta cost twice as much and sometimes three times as much as building a transmission line in Saskatchewan, Manitoba, North Dakota, South Dakota, Nebraska, and Kansas.

Somebody needs to be asking this question. Why does it cost so much to build a transmission line in Alberta when it's the same companies building it, buying the steel from the same companies, buying the cables from the same companies, utilizing the same employees, which are generally first-class linemen that have to construct this, and using the same techniques? These jurisdictions were chosen because they had similar geographical characteristics to Alberta. The data was stunning. There's no rational explanation for why it would cost Alberta twice as much and in some cases three times as much as these other jurisdictions.

Now, there's a theory that I have. It's the only one that I know of, and I'd be willing to take another one. There's no oversight here. That's the one difference between these other jurisdictions. We do have a cost monitoring committee that has been appointed by the former Minister of Energy, but that cost monitoring committee does not have a right to access all the financial information, and that cost monitoring committee does not have the jurisdiction or right to demand it, and that cost monitoring committee does not have the right or jurisdiction to slow or hold up or stall a project. That, I say, is problematic, and I have a funny feeling that that is the reason why it costs so much more than other jurisdictions.

This amendment would do probably a pretty good job of bringing that forward because if you did an economic cost-benefit analysis, I think that would be a glaring figure that would jump off the page to a reasonable, educated person who's qualified to make an informed analysis of that data. It is a question that I would hope these hon. members would even take back to their caucus to debate. There's no rationale to have that added cost to building a transmission line in Alberta. There is none there.

In my opinion, because I just gave a lot of facts, and I will be tabling them tomorrow, I believe that if this amendment is adopted and we make sure that the regulator has the proper mandate – that's important – we would develop hydroelectric generation up in the northeast of Alberta. It makes economic sense from a long-term perspective, not just to provide ourselves with generation but to dovetail with the development of local gas generation. It could make Alberta one of the cleanest greenhouse gas emission provinces in North America – I'm not saying it will; I think it has the potential where it could – and that's without carbon capture. That's significant.

9:00

As many members well know, there is a program right now where the federal government has mandated that these coal generators either have to meet combined cycle gasification emission standards or close, that is equal to a typical gas plant. What that program will do is probably force some of these coal generators – rather than to gasify the coal, on a capital basis it may make more sense to decommission the coal plant and just construct a gas plant in its place or even in another location.

In closing . . . [some applause] I was waiting for that. I just didn't know if anybody was listening, that's all. I fibbed.

Nobody actually builds a long-term plan, and somebody has to ask: why in Alberta are we trying to actually build a long-term plan? I want to just read from something that I had written as a submission. It is something that is with the Western Electricity Coordinating Council. Our AESO has to maintain compliance with the Western Electricity Coordinating Council. It also has to maintain compliance with the national energy regulatory commission down in the U.S. They have mandatory planning standards, and the objective of the long-term planning, as outlined in the standards, is to provide high-level information to support operational decision-makers in determining possible solutions and alternatives to help ensure that interconnected electricity systems are reliable, low-cost, efficient, and environmentally sound.

The planning standards expressly state with regard to the long-term system plans that the plan is informational in nature. It is intended to advise and guide rather than instruct. And that's the whole concept of plans. It is not something that is supposed to be deterministic of what should be built. It is supposed to serve as a guide. Where, in my opinion, we went wrong with government interference, political interfere is when we adopted that long-term plan and just made a commitment and said: we're going to build this. That's wrong. The world turns too quickly for that, and it changes rapidly. To quote the hon. Energy minister: a different time, a different need. That's true, and I'm going to continue to quote that because we are in a different time, and that need has evolved.

These lines are not necessary. The lines that are necessary are not what we are building, and that's why there needs to be an economic trigger, which there always is in every other jurisdiction. We require industry to commit before we spend billions of dollars or hundreds of millions of dollars so that we can get the most value for whatever project we build.

In this case a perfect example was made known right here this morning. In the heartland there is a project going forward where they need an upgrade to the 240 electrical transmission system internally, within what they call the heartland node. I don't know the status of that, but the local company there says that's what they need. Well, that makes sense. They've already invested money. They have built phase 1, and they're looking to build phase 2.

But we're not building that line. What we are building are lines that have no economic trigger to cause them to be approved and built. That's what's missing, and that should be taken under consideration. This amendment brings back to the table the cost-benefit analysis.

With that, Mr. Chair, I will sit down.

**The Chair:** Thank you, hon. member.

Hon. members, before I recognize the next speaker, might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

### Introduction of Guests

**The Chair:** The hon. Minister of Agriculture and Rural Development.

**Mr. Olson:** Thank you, Mr. Chair. We've been joined this evening by five guests, who are in the public gallery. I actually had the pleasure of having dinner with them tonight. Now, some might suggest that they're here because they don't have much of a social life, but they're actually here because they're keenly interested in the political process. They represent the Alberta

Cattle Feeders' Association. This is an organization that this coming year is about to celebrate a 40th anniversary. They're a very influential group that does great work in our agricultural industry, so it's a real pleasure to be able to introduce these gentlemen. I'll just ask them to stand as I call their names and remain standing. They are Ryan Kasko, Glen Thompson, Leighton Kolk, Joe Novecosky, and Greg Van Vaerenbergh. I'd ask that my colleagues all extend the traditional warm welcome

**The Chair:** Thank you.

### Bill 8

#### Electric Utilities Amendment Act, 2012

(continued)

**The Chair:** I'll recognize the hon. Member for Lac La-Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Chair. I know that a lot of people on the other side want to hear more on the debate of Bill 8, but at this point I think that the discussion is coming to an end.

I'd like to make a motion that for any future standing votes you have a one-minute interval for the bells.

**The Chair:** Thank you.

[Unanimous consent granted]

**The Chair:** Are there any further speakers on amendment A2?

Seeing none, I'll call the vote.

[The voice vote indicated that motion on amendment A2 lost]

[Several members rose calling for a division. The division bell was rung at 9:07 p.m.]

[One minute having elapsed, the committee divided]

[Mr. Rogers in the chair]

For the motion:

Anglin	Kang	Stier
Eggen	Saskiw	Strankman

### 9:10

Against the motion:

Amery	Hughes	Olson
Bhullar	Jansen	Pastoor
Campbell	Jeneroux	Quadri
Cao	Johnson, L.	Rodney
Casey	Kennedy-Glans	Sandhu
Cusanelli	Khan	Sarich
DeLong	Lemke	Weadick
Dorward	Luan	Webber
Drysdale	McDonald	Woo-Paw
Fawcett	McIver	Young
Fraser	Olesen	

Totals:	For – 6	Against – 32
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[Motion on amendment A2 lost]

**The Chair:** Now we're back to the bill, Bill 8.

The hon. Deputy Government House Leader.

**Mr. Campbell:** Mr. Chair, I would ask that we close debate and that the committee rise and report.

**The Chair:** On Bill 8, the Electric Utilities Amendment Act, 2012, on the remaining clauses of the bill, are you agreed?

[The remaining clauses of Bill 8 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? That's carried.

We have a motion from the Deputy Government House Leader to rise and report.

[Motion carried]

[The Deputy Speaker in the chair]

**The Deputy Speaker:** The hon. Member for Calgary-Varsity.

**Ms Kennedy-Glans:** Yes. Mr. Speaker, the Committee of the Whole has had under consideration these bills, and the committee reports the following bill: Bill 8. Mr. Speaker, I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

**The Deputy Speaker:** Thank you, hon. member.

Having heard the motion by the hon. member, does the House concur in the report?

**Hon. Members:** Concur.

**The Deputy Speaker:** Opposed? Carried.

### Government Bills and Orders Third Reading

#### Bill 8

#### Electric Utilities Amendment Act, 2012

**Mr. Saskiw:** Well, I'll be quite brief on Bill 8. Of course, the first thing about Bill 8 is that it's purely a recognition that there was a mistake and a failure in the previous process. That was under Bill 50, the Electric Statutes Amendment Act, 2009, which of course gave the power to make decisions on transmission capacity. It took it away from the independent Alberta Utilities Commission and put it into hands of cabinet, a cabinet with no expertise on transmission capacity. As a result of that, we see a decision now where we're questioning it. My hon. colleague is questioning the need for these lines and rightfully so because we didn't have an independent utilities commission look at the data, look at the evidence to determine how many transmission lines were needed and, subsequently, where they were needed.

We have a situation where \$16 billion worth of transmission lines went out through untendered contracts. They're already in a situation of cost overruns. This is a huge amount of money, Mr. Speaker, to allow a select few cabinet ministers sitting behind closed doors to make a decision on. Clearly, this bill on a go-forward basis fixes some of the problems, but why would we not go back and look at the \$16 billion decision and look at some evidence and see whether or not they're actually needed?

There is some continuous fearmongering by some members about the fact that if we don't build these lines, there are going to be brownouts and blackouts and that kind of thing. There's absolutely no evidence of that. If anyone actually looks at the data – you can see online where the power consumption is – it's clearly not the case that there are going to be any blackouts or brownouts.

In fact, I think that argument is almost put to rest. I don't think they even make that argument anymore. But we heard that argument when Bill 50 was initially produced.

I heard it when I was working with a group called VALTOA, a bunch of landowners in the Vegreville area, where these lines were being rammed down their throats. When they questioned the need for these lines, the inevitable response was, "If we don't build these lines, there are going to be brownouts, and no one's going to get their power," and that kind of stuff. It's a completely ridiculous assertion, but we continue to see those types of statements made by then-former prominent cabinet ministers who are no longer with us.

The second part about it, of course, is that it has a real impact on people and our province. We're seeing right now record power bills. We see some of the highest power bills across the country. Why is that, Mr. Speaker? It's because of decisions like this, where you build transmission lines without determining whether or not they're needed. If they're not needed, they shouldn't be built. We now know that they're going to get built, and there are already cost overruns which are going to further increase people's power bills and, of course, make Alberta less competitive. If you're a small business, compare your power bills to other provinces. There are drastic differences.

Because this bill, of course, doesn't go back to the old lines, if these lines go forward, those power bills are going to further escalate and further make Alberta businesses less competitive. You know, we used to have the Alberta advantage in this province: lowest tax rates, low power bills, best health care, low regulations. Of course, we see with health care that we have some of the longest waiting lists. When you look at almost every main performance indicator, it's high. You look at tax rates: we're getting caught up by other provinces, and there's talk about a provincial sales tax by former Finance ministers.

9:20

Now we're seeing the other side of it. It's the input costs for businesses. Power bills. Power bills are going through the roof. We have record power bills, Mr. Speaker. Unfortunately, despite the hon. Energy minister making the amendment, admitting that it was an absolutely dismal failure, that Bill 50 was a complete and utter mistake – despite admitting that on a go-forward basis, he's unwilling, apparently, to go back and look at those previous decisions. I question why. That was a legacy of a former Premier, of a former Energy minister. Why not just go back, look at it? You're admitting with this bill that it was a mistake. Go back and look at those previous decisions to see whether they got it right. I think that's a very reasonable thing to do, especially when you're looking at the magnitude of the expenses that are going forward.

The hon. member mentioned two lines costing a billion dollars each. If we don't need these lines, we shouldn't be building them. Can you imagine? Even right now I think that cabinet ministers would admit they shouldn't be the ones that make the decision on building \$16 billion worth of transmission lines. I don't think any cabinet minister here would even think of doing that. But that's what was done in the past. That was a decision that was made.

It was not made in a vacuum, Mr. Speaker. There was a group from the Industrial Power Consumers Association, a group whose composition is some of the greatest and biggest power consumers in our province. These are the big guys, the main industry, chemical producers, industrial producers. They went to cabinet. A copy of that presentation was leaked out. In that presentation it said that Alberta was going to be less competitive. We don't need these power lines. Under the slide that said Losers, it was the

Alberta public. They're the ones that are going to have to pay for these transmission lines through their power bills.

Unfortunately, it's not one of these cases where, you know, you can reduce your consumption and thus reduce your power bill. This goes directly on the fixed component of people's power bills. That's what we've seen escalate. It's not the variable rate. It's that fixed component that has been escalating and escalating. There are rider fees. There are all sorts of other fixed fees. It's making Alberta less competitive. We pay some of the highest rates in the country. It's going up and up. Take a look at all the evidence. It's in the papers.

What happens is that you have some record power bills. [interjections] The hon. members are mentioning that there's no debt. Of course, the Finance minister has clearly said that he's going into debt. Stay tuned, guys. There's going to be some debt coming forward.

What we're seeing is that we pay exceptionally high power bills. Look at a fixed-income senior whose power bill over the last few years has doubled. Go and actually visit a senior and ask them about their power bills and compare them from three or four years ago to now. It's almost doubled. That's very unfortunate, Mr. Speaker, when you have seniors who are on fixed incomes, who need their services. They need, you know, some money to make ends meet, and their power bill has doubled. Why has their power bill doubled? It's a result of Bill 50, which the former cabinet ministers here decided: \$16 billion transmission lines without going through an independent needs assessment. We have cabinet ministers who have no expertise in electricity, none whatsoever, deciding \$16 billion transmission lines.

It's shocking, quite frankly, Mr. Speaker. That was a big election issue in my area, and I know it was a big election issue in other areas. At the time there were folks saying: well, this is fearmongering. But we're starting to see the evidence come forward. We're starting to see the power bills go through the roof. We're starting to see these cost overruns. The more people become educated on the transmission lines, I think the more they're going to question that decision back then. Why was that decision made? Mr. Speaker, you know, we're going to see power bills continue to escalate. We're going to see people continue to question and say: well, why are our power bills going through the roof? They're going to go back to that flawed decision. Yet in this bill the minister refuses to go back to that flawed decision and see whether or not we actually need these lines.

The secondary component, of course, to Bill 50 was the extinguishment of property rights. Under that bill the cabinet had the ability to ram through transmission lines without full compensation and without recourse to the courts. Those are two very valuable rights in our society. In any western democracy property rights are essential for business.

I recall an hon. member saying that there has been no extinguishment of property rights. Mr. Speaker, that's completely false. We saw earlier this year the extinguishment of 19 oil sands leases. The question I would ask: if the government can extinguish an oil sands lease for a big company, what's going to happen to the farmer or the landowner? What chance do they have if an oil sands company's lease can be unilaterally extinguished without a right to compensation? Now, the government is negotiating with those oil companies to try and provide some type of compensation, but there's no legal right to – that's the problem – and there's no legal recourse to a court.

Under Bill 50 they took out the Expropriation Act, which gave a landowner the rights to various heads of compensation and a right to appeal to a court. Even if these lines were needed, even if there was a public need for these lines, a landowner shouldn't have to

bear a disproportionate burden for that public good. He or she should be compensated if their land and their rights are taken away. This bill didn't do that, and that's why people were upset.

Mr. Speaker, it's great to see that the Energy minister has seen the light here and saw that that process was flawed. On a go-forward basis there's going to be a look at the Alberta Utilities Commission. I think the amendments that were put forward would have assisted in that regard in terms of what the Alberta Utilities Commission could look at, which principles and guidelines. It's unfortunate that he's unwilling to go back and look at those previous decisions because if he were, some of these lines that are being built right now may be deemed unnecessary by the Alberta Utilities Commission, and we wouldn't be potentially wasting a lot of ratepayers' money and, as a result, see power bills continue to go up.

With that, thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. I'm not going to be repetitive, but I do want to summarize. I even get sick of hearing myself being repetitive, just so you know. [interjections] Thank you to the member for pointing that out.

One of the biggest problems affecting our system is the spiking of electricity. Yes, we have competitive pricing and we have high prices, particularly on the ancillary side.

**Mr. McIver:** You said the opposite.

**Mr. Anglin:** No. I'm agreeing with them. You're not listening. We can go back into second reading, and we can debate this.

It's the spiking of electricity that's really problematic. We are the only jurisdiction that suffers from that, and that needs to be looked at. That is part of this problem with political interference of what's happened. We created a market, and we took control of the transmission system politically, and it's not working well. When we spike electricity to \$1,000 a megawatt, that has a tremendous impact on our commercial activity. I know we discussed in question period today about consumers, but it has a tremendous impact on commercial. That can actually be corrected by changing the policy to something called day-ahead firm pricing, and I would ask the members to think about that as we move forward.

This bill is a step in the right direction. I'm going to support the bill. It's unfortunate the amendments or at least one of the amendments didn't get taken, and I realize that. Getting the politics out of this system is paramount if we're going to make the system work. We need to change the onus of risk. We need to remove it from the consumers and put it on the producers that want to participate in a competitive market. Right now there's no risk for those producers. The risk is all on the consumers, and that's unfortunate. It's a market that's imbalanced by that.

**9:30**

There are a number of reports. Enmax produced a white paper back in 2009, I believe. The University of Calgary actually published an addendum to the original study by Dr. Church. The Utilities Consumer Advocate hired the company ADC, who does a lot of work for our own AESO. They all are consistent that these transmission lines are at overbuild and unnecessary in that sense.

Now, nobody is saying that we don't build transmissions. That's not what's happening here. What we're trying to say is that we should be building what is correct and what is needed. The

Alberta's Industrial Heartland Association has come out, and they are part of a lawsuit right now trying to stop this. There's a federal mandate to accelerate the decommission of our coal plants, which significantly changes this whole grid that we are proposing, and that has never been taken into consideration. We never took into consideration – we were in denial – the development of our natural gas facilities in southern Alberta. That was presumed not to take place, and the opposite has actually happened. It has occurred, and it is occurring.

The political interference started the problem. The political interference exacerbated the problem when we passed Bill 50. Thank you very much to the members for introducing this bill to start a path for correcting the problem. Cabinet should not be making this decision.

We should not stop there. We need to continue on this progress. We need to make that the mandate for the ISO. In that public interest and in the interest of industry to the tune of when these lines are needed, they must be, not may be, required by industry. They must be required because that was the mandate before we started political manipulation. We need to remove the political interference altogether. We are trying to create a competitive market. As any businessperson knows, you can't have the political interference in that competitive market because what you end up doing is picking the winners and losers and upsetting the market.

So our electricity market actually has a number of problems. We talked a little bit about that during question period today. There are solutions. There are alternatives. We need to start thinking about this in intelligent and pragmatic ways rather than bickering or throwing humorous jibes at one another. This is serious in the sense that it isn't just about the cost to consumers. It's about the future of our industries, and it's about the future of our associated industries, those industries that use our natural resource.

It is important, and I firmly believe that there's not a person in here that doesn't want this to work. I know that. I believe that anyway. I don't think anyone here would stand up and say: I don't want this to work. But to make it work, we have to admit sometimes that mistakes were made, and we have to have the courage to stand up and minimize, marginalize, or somehow remedy those mistakes. There was a mistake. We had political interference that approved a number of transmission lines. That needs to be looked at. What we can correct, we should correct. For what we can't correct, we have to live with the fact that we made a mistake. But we should not continue with the mistake and exacerbate the problem.

I would hope that people would take that under consideration as we move forward. I will be supporting this bill.

Thank you very much.

**The Deputy Speaker:** Thank you, hon. member.

I recognize the Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Speaker. I will also be supporting this bill but, you know, with some reservation. Bill 8, the Electric Utilities Amendment Act, 2012, is an amending bill that is trying to correct the most contentious provisions of Bill 50, and this is because of strong public pressure as a response to the Critical Transmission Review Committee report of February 2012.

As the four projects formerly designated critical, including the heartland transmission line from Edmonton to the site of a proposed oil bitumen upgrader, the northeast transmission lines from Edmonton to Fort Mac, and most controversial, adding the lines between Edmonton and Calgary, will go ahead as planned. Only new projects will be affected by this legislation. It could

have been good if the minister could have taken the decision to scrap everything and start afresh, but still Bill 8, you know, is a step in the right direction. Had all those amendments put forward by the opposition been accepted, those could have probably strengthened Bill 8.

As transmission is paid a hundred per cent by regular Albertans as electricity consumers on their power bills, some estimates said that many felt the lines were too expensive. We have been talking about 16 and a half billion dollars. Are we talking in today's dollars, or are we talking about when those lines will be built? Who knows how much they will end up costing us when we start building them?

Also, many felt that the lines were too expensive – some are to be built as high-voltage direct, HVDC, which is more expensive but has less of an impact on land and on landowners – and that it's unnecessary. Some are worried that that would eventually be used to export electricity. So there are some concerns that the consumer, Albertans, will be paying for those lines, and they will be used to export electricity. I think the producers should be paying for the lines if they are exporting electricity. Albertans shouldn't be paying for the lines because the private companies would profit by selling electricity to the States, et cetera.

Finally, there was opposition to the fact that while transmission is private, the province is divided into zones, where private companies such as ATCO and the eastern transmission lines have regulated monopolies, and those were not acting in landowners' best interests.

As the need for the new transmission lines has been in the works for 30 years, the process got bogged down before with a lawsuit brought by landowners in 2007 saying that the regulated process was unfairly biased against them in favour of companies building the lines.

There was also the spying scandal. I don't want to go back into the history there.

As Alberta Liberals we opposed Bill 50 basically because having cabinet decide where and which power lines are built is just a bad process. We also came out with an electricity policy of our own, one that dealt with the actual problems in the system and that could stop Albertans from having the highest electricity prices in the country. Our leader called at the time for Bill 50 to be repealed. We understand that the new transmission is a necessity, but he knew that Bill 50 was a very bad process for deciding on where and when to build it.

Good government policy is an objective policy, and objective decisions are best made by an independent body like AUC, both on needs and location. We have supported the good, objective process to make the hard decisions, but we are glad that government is trying to correct its mistakes in passing Bill 50 with this bill. So I commend the minister for that.

Most Alberta electricity is generated by coal, and those coal-powered plants are supposed to be retired in a maximum of 45 years under the government's federal regulations for environmental protection. The most likely replacement will be natural gas and natural gas power plants. They can be located almost anywhere because of Alberta's very robust system of gas pipelines. The plants don't need to be near the source of the gas, just close to the pipeline. This means that building those power lines to move electricity from coal plants that could be retired in 45 years may not be a good idea. It doesn't look like it's a good idea.

Simply put, there are many, many factors involved, and it's a complicated enough decision not to have cabinet ministers with not enough knowledge to make it. Also, it is very important that the process that is in place is fair to everyone. Why should the

Alberta consumer pay for the lines used to export electricity? Shouldn't they have the guarantee that they won't? Landowners should have their rights respected as much as possible and not have their land taken over by power companies just because it might be cheaper than another option. At the same time, we need to respect Albertans' need for low-cost electricity. Residents of Edmonton and Calgary should have some assurance that someone somewhere can make an objective decision about which power lines to build before there are blackouts or brownouts in Edmonton or Calgary.

**9:40**

This bill corrects Bill 50, which was simply a quick fix to the fact that the government could not get this process right. Had the government accepted some of the amendments put forward by the opposition, that could have strengthened their bill. Still, I will be supporting this bill because it is a step in the right direction.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, do we have any other speakers on the bill? The question has been called.

The hon. Minister of Energy to close.

**Mr. Hughes:** Thank you, Mr. Speaker. I'm particularly pleased so late in the day to rise and move third reading of Bill 8, the Electric Utilities Amendment Act, 2012.

Bill 8 would ensure that the need for all future transmission projects will be determined by the Alberta Utilities Commission, not the provincial cabinet. Mr. Speaker, over the course of the debate for this bill my colleagues here in this House have had a lot to say. While I've heard their concerns about the bill, much of the debate, particularly from across the way, has focused on Bill 50, the Electric Statutes Amendment Act of 2009. While I can appreciate their ardour around the issues of Bill 50, I want to keep the focus on the bill which is currently before the House.

This bill is not about deregulation, nor is it about sending previously approved projects back to the drawing board. Bill 8 is about moving forward. We'll move forward with the critical transmission infrastructure that this province needs. The strain on our electrical system increases as more people move to Alberta – a million people in the last 10 years, probably a million or more in the next 10 years – and as the industries that continue to contribute to our prosperity continue to grow.

Demand for power in Alberta has increased more than 20 per cent in the last 10 years. That demand is forecast to increase by two-thirds over the next 20 years. These statistics, Mr. Speaker, are not from the government but from the Alberta Electric System Operator and are publicly available from the operator's website. So as you can see, putting these critical projects on hold is not a solution. We cannot ask Albertans to refrain from using electricity while these projects get sent back to the drawing board. We can't. We should not put brakes on growth. That would be irresponsible.

Mr. Speaker, the four transmission projects in Bill 50 were first identified by the system operator almost 10 years ago. The need was identified again and again in AESO long-term plans. Moreover, the government of the day struck the independent

Critical Transmission Review Committee to look at the method utilized by the Independent System Operator to assess future need. The government asked them to look at the lines that were determined critical, the staging of the lines, and also the technology that had been suggested for the lines. In all cases – in all cases – the CTRC determined that the forecasts by the operator were reasonable.

There's one point that I must touch on. Hon. members keep throwing numbers around. It causes me to note that Halloween was over three weeks ago, yet one of the hon. members opposite keeps trying to frighten small children by throwing around outrageously large numbers like \$16 billion. He should stop frightening small children. It's simply not the case. The AESO's 2011 long-term plan identifies the critical transmission projects required to 2020 at an estimated cost of 13 and a half billion dollars, but only \$5.2 billion is related to the projects that were put in place under Bill 50. The rest is for smaller regional projects and customer connections. Make no mistake. That is still a pretty significant investment, Mr. Speaker, but it's a needed investment, and it's serving the needs of a growing province.

Planning for transmission need is about the future, and Bill 8 helps us move towards the future. The authority to approve transmission will be returned to the Alberta Utilities Commission. This will reinforce the principles of respect, transparency, and integrity in the transmission approval process. We respect the views of Albertans and want their involvement in assessing the need for future transmission infrastructure. Moving that authority for future decisions to the AUC will allow decisions to be made in a transparent manner and will allow them to withstand greater scrutiny. We're confident that the AUC as an agency independent from government has the expertise, practices, and processes necessary to consider the need for future transmission infrastructure.

In conclusion, Mr. Speaker, the Electric Utilities Amendment Act, 2012, responds to both the recommendation in the Critical Transmission Review Committee report and to commitments that we made to Albertans. With that, Mr. Speaker, I encourage my colleagues to support this bill unanimously.

Thank you.

**The Deputy Speaker:** Thank you, hon. minister.

The hon. Minister of Energy has moved third reading of Bill 8, the Electric Utilities Amendment Act, 2012.

[Motion carried; Bill 8 read a third time]

**The Deputy Speaker:** The hon. Deputy Government House Leader.

**Mr. Campbell:** Well, Mr. Speaker, seeing that it's a quarter to 10 and I think we've made some pretty good progress over the last two days, I would move that we adjourn the House until 1:30 tomorrow afternoon.

**The Deputy Speaker:** Thank you, hon. Deputy Government House Leader.

[Motion carried; the Assembly adjourned at 9:46 p.m. to Thursday at 1:30 p.m.]

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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Thursday, November 22, 2012

Issue 21a

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta**  
**The 28th Legislature**

First Session

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Robin Campbell	Minister of Aboriginal Relations
Christine Cusanelli	Minister of Tourism, Parks and Recreation
Cal Dallas	Minister of International and Intergovernmental Relations
Jonathan Denis	Minister of Justice and Solicitor General
Wayne Drysdale	Minister of Infrastructure
Kyle Fawcett	Associate Minister of Finance
Doug Griffiths	Minister of Municipal Affairs
Dave Hancock	Minister of Human Services
Fred Horne	Minister of Health
Doug Horner	President of Treasury Board and Minister of Finance
Ken Hughes	Minister of Energy
Jeff Johnson	Minister of Education
Stephen Khan	Minister of Enterprise and Advanced Education
Heather Klimchuk	Minister of Culture
Ric McIver	Minister of Transportation
Diana McQueen	Minister of Environment and Sustainable Resource Development
Frank Oberle	Associate Minister of Services for Persons with Disabilities
Verlyn Olson	Minister of Agriculture and Rural Development
Dave Rodney	Associate Minister of Wellness
Donald Scott	Associate Minister of Accountability, Transparency and Transformation
George VanderBurg	Associate Minister of Seniors
Greg Weadick	Associate Minister of Municipal Affairs
Teresa Woo-Paw	Associate Minister of International and Intergovernmental Relations

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on Alberta's Economic Future

Chair: Mr. Amery  
Deputy Chair: Mr. Bikman

Bhardwaj	Quadri
Blakeman	Quest
Donovan	Rogers
Dorward	Sandhu
Eggen	Sherman
Fenske	Smith
Goudreau	Starke
Hehr	Strankman
Jansen	Towle
Luan	Young
McDonald	Vacant
Olesen	

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Quest  
Deputy Chair: Mrs. Jablonski

Anderson  
Casey  
Dorward  
Eggen  
Kubinec  
Sandhu  
Sherman

### Select Special Conflicts of Interest Act Review Committee

Chair: Mr. Allen  
Deputy Chair: Mr. Luan

Blakeman  
Dorward  
Fenske  
Johnson, L.  
McDonald  
Notley  
Saskiw  
Wilson  
Young

### Standing Committee on Families and Communities

Chair: Ms Pastoor  
Deputy Chair: Mrs. Forsyth

Allen	Leskiw
DeLong	Luan
Fox	McAllister
Fraser	Notley
Fritz	Pedersen
Jablonski	Sarich
Jansen	Saskiw
Jeneroux	Swann
Johnson, L.	Wilson
Kang	Young
Kubinec	Vacant
Lemke	

### Standing Committee on Legislative Offices

Chair: Mr. Xiao  
Deputy Chair: Mr. McDonald

Bikman  
Blakeman  
Brown  
DeLong  
Eggen  
Leskiw  
Quadri  
Rogers  
Wilson

### Special Standing Committee on Members' Services

Chair: Mr. Zwozdesky  
Deputy Chair: Mr. Young

Calahasen  
Dorward  
Forsyth  
Goudreau  
Jablonski  
Mason  
Quest  
Sherman  
Smith

### Standing Committee on Private Bills

Chair: Mr. Cao  
Deputy Chair: Ms L. Johnson

Barnes	Notley
Bhardwaj	Olesen
Brown	Pastoor
DeLong	Rowe
Fox	Sarich
Fritz	Starke
Goudreau	Strankman
Jeneroux	Swann
Kennedy-Glans	Webber
Luan	

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Dr. Starke  
Deputy Chair: Mr. Lemke

Allen	McAllister
Amery	McDonald
Bhardwaj	Notley
Casey	Pedersen
Hehr	Sandhu
Jansen	Saskiw
Jeneroux	Towle
Johnson, L.	Xiao
Kennedy-Glans	Young
Kubinec	

### Standing Committee on Public Accounts

Chair: Mr. Anderson  
Deputy Chair: Mr. Dorward

Allen	Hale
Amery	Hehr
Anglin	Kang
Bilous	Pastoor
Calahasen	Quadri
DeLong	Sarich
Donovan	Starke
Fenske	Stier
Fraser	Webber
Fritz	

### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans  
Deputy Chair: Mr. Rowe

Anderson	Hehr
Anglin	Johnson, L.
Barnes	Kubinec
Bilous	Lemke
Blakeman	Leskiw
Brown	Sandhu
Calahasen	Stier
Cao	Webber
Casey	Xiao
Fenske	Young
Fraser	Vacant
Hale	

## Legislative Assembly of Alberta

1:30 p.m.

Thursday, November 22, 2012

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon, hon. members.

Let us pray. May the scruples by which we abide be evident in our words and actions, may the disagreements we encounter become tools for amelioration, and may we always be blessed with guidance to make the right choices on behalf of all Albertans. Amen.

Please be seated.

### Introduction of Guests

**The Speaker:** The hon. Minister of Culture.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. It is indeed my pleasure and privilege to rise today and introduce to you and through you to all the hon. members some bright young students visiting from Yellowhead school in my constituency of Edmonton-Glenora. They're here as part of the School at the Leg. program with their supervisors, Mr. Brian Gizzie and Mrs. Nancy Beirnes. I know they're going to enjoy their experience here today. I'd ask them to rise and receive the warm recognition of the Assembly.

**The Speaker:** The hon. Member for Calgary-East.

**Mr. Amery:** Thank you, Mr. Speaker. It is my pleasure and honour to introduce to you and through you to all members of the Assembly 120 students and 10 adults from the Father Lacombe high school located in the great constituency of Calgary-East. Father Lacombe is the only high school in my constituency, and it is the best in Calgary. The last time I visited Father Lacombe, I was told by the teachers and the principals that they have 54 different languages spoken in that school, and that's indeed an extension of the United Nations. I would like to thank the teachers and parent helpers that are here today, and I'd ask them to rise when I call their names: Dr. Adriana Bejko, Ms Linda Dibattista, Ms Carol Rinkist, Mr. Manuel Campos, Ms Margaret Akiyama, Ms Lorie Michelini, Ms Catherine Taylor, and Mr. Augustino Lacano. I'd like to ask the parents, the teachers, and the students to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. It is indeed an honour and a privilege for me today to introduce to you and through you to all members of the Assembly a constituent of mine, Carla Sojonyk, and her very close friends Vicki Webb and Jim Richl. Carla is the wife of the late Frank Sojonyk, who was without question a huge philanthropist in the prostate cancer area and also in animal companionship. The Member for Edmonton-South West will speak to Frank's outstanding accomplishments in a member's statement later today.

It has been said many times that behind every good man there's an even better woman. Truer words could not be spoken for Carla. She stood with Frank, working and sharing his passion in which ever endeavour he was involved, through health and in sickness. With her today is Vicki, a close friend of both Carla and Frank. Vicki was a friend that helped in whatever way she could, whether

it was picking up medicine, running errands, whatever was needed to help with the care of Frank and to assist Carla with the many things that needed doing. Jim Richl is here today. He's known as one of the Bird Dogs, the fundraising team which raised over \$14 million towards research and finding a cure for prostate cancer. Carla, Vicki, and Jim are seated in the members' gallery. I'd ask that they rise and receive the traditional warm welcome and thank you from this Assembly.

**The Speaker:** The hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Mr. Speaker. It is an honour to rise today and introduce to you and through you to all members of this House my lovely wife, Serena Donovan, seated in your gallery. She's been the support I've needed. The House leader just spoke about how behind every man there is a woman, and this is my driving force and a very patient woman. There are a million things that we could add to her list. I'd just like for her to please rise and receive the warm traditional welcome of this House.

**The Speaker:** The hon. Minister of Transportation.

**Mr. McIver:** Thank you, Mr. Speaker. I'm pleased today to introduce you and through you to all members of this House a member of my legislative staff. Many of you will know Candice Kalyn, my scheduling assistant, who has worked in this building for five years. I'm fortunate to have such a diligent and conscientious person in my office. I thank her for her efforts on my behalf and on the behalf of Albertans every day. Her office title is director of preparedness. It's a pleasure to introduce Candice today as she is celebrating her birthday. She is seated in the members' gallery, and I invite her to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Minister of Education.

**Mr. J. Johnson:** Thank you for that, Mr. Speaker. It's a pleasure to rise and introduce to you and through you a few of the people who have been working very hard for me and for our ministry and for all Albertans for a long time to make the new Education Act a reality. While I don't think our galleries have enough seats to hold all the people that have invested a lot of time and effort and blood, sweat, and tears on this important act over the last few years, we've asked a few of them to join us today. They're in the members' gallery. I'd ask you to please welcome them and ask them to rise and remain standing as I say their names. From Alberta Education we have Rakhi Pancholi; Christine DeWitt; Chelsea Evans-Rymes; Michael Walter, our ADM, who's been in charge of this project; Kimberly Emerson; and from my office Erin Morris, my special assistant. I'd ask the entire Assembly to give them a well-deserved thank you and welcome.

**The Speaker:** The hon. Associate Minister of International and Intergovernmental Relations.

**Ms Woo-Paw:** Thank you, Mr. Speaker. It is indeed an honour and my pleasure to introduce to you and through you to all members of this Assembly our special guests from the Hong Kong Canada Business Association here in Edmonton. This association has been building foundations for promoting business relationships with Hong Kong and China by bridging language and cultural differences by providing information and connections in the Chinese business environment. The association has been assisting small- and medium-sized business as well as promoting the study of Asia by providing scholarship opportunities to

students at the University of Alberta, MacEwan University, and the Northern Alberta Institute of Technology.

The Edmonton section will be receiving an award in Hong Kong on December 5 for the best innovative award in North America for their innovative iPic competition with postsecondary students here in Alberta. They are seated in the members' gallery. Please stand as I call your names: Mr. David Tam, Mr. Frankie Lee, Mr. Herbert Chui, and Mr. Michael Lam. I would ask the members of the Assembly to join me in giving them the warm welcome of the House.

**Mr. Jeneroux:** Mr. Speaker, I'm pleased to introduce to you and through you to all members of the Assembly board members of the Christian Immigrant Support Services, also known as CISS. CISS is a valuable resource for new Canadians in Edmonton. A faith-based organization, CISS provides essential programming for youth and adults, focusing on education and employment assistance. Their mandate is to help all immigrants receive available services to make their transition to Alberta easier. Their aim is to collaborate with existing organizations and help immigrants with their settlement and adjustment to life in Canada. I'm proud to introduce Mr. Charles Balenga, executive director; Mr. Daryl Reneau, board president; and Mr. Selmer Hanson, vice-president. I ask that these three guests here please rise, as they have, and receive the traditional warm welcome of this Assembly.

1:40

#### Statement by the Speaker Anniversary of 2004 Election

**The Speaker:** Hon. members, just before we proceed with Members' Statements, let me remind you that there are a number of individuals here who for the past eight years have had opportunities to make their own members' statements, and indeed they have done so because they were either elected or re-elected on or about this day eight years ago. I would ask those members who were first elected or who were re-elected to please rise now and receive the warm congratulations of all other members. The class of 2004.

Thank you, hon. members.

Let us proceed with Members' Statements. Edmonton-Southwest.

#### Members' Statements Frank Sojony

**Mr. Jeneroux:** Thank you again, Mr. Speaker. It's a privilege today to rise and recognize a truly remarkable man, Mr. Frank Sojony. Frank battled prostate cancer for over two decades. He fought this disease with unwavering bravery and optimism. Sadly, Frank Sojony's battle with cancer ended peacefully on October 15.

Frank was born and raised in Regina, Saskatchewan, the oldest of five children. He had a distinguished career in hospitality, recreation, real estate development, and venture capital to name a few. He was not afraid of risk. There wasn't a challenge from which he backed away.

Frank will be remembered for his philanthropic endeavours. He volunteered and contributed in every community he lived in and donated and fund raised with generosity for animal welfare and prostate cancer research. The Carla Cumming Sojony Adoption Centre was made possible by Frank's donation to the Bow Valley SPCA. Together the Sojonkys created the Frank and Carla Sojony animal welfare endowment and the Carla Cumming Sojony spay

and neuter endowment through the Edmonton Community Foundation.

Frank researched prostate cancer voraciously and was devastated to read the statistics and shocked at the lack of support and understanding. He was determined to make a difference. He started with a personal pledge of \$275,000. He then learned from his oncologist, Dr. Peter Venner, that a remarkable 3-D diagnostic tool was available. He did not hesitate. He advised the oncologist to order it. He would find the money, and indeed Frank did find the money when he turned to his friends and colleagues to raise a substantial amount more. Then he asked Dr. Venner what else was needed to make a difference.

Frank was grateful for the fundraising efforts of his fellow volunteers, a group that became known as the Bird Dogs. Frank and his team raised over \$14 million, an astonishing number, for prostate cancer research. The Frank and Carla Sojony chair in prostate cancer research was endowed.

Mr. Speaker, Frank received a number of honours such as pet hero of the year from the Pet Therapy Society of Northern Alberta, local hero from Prostate Cancer Canada, and he and Carla were named Edmonton's volunteer fundraisers of the year by the Association of Fundraising Professionals. *Most recently he was awarded the Queen's diamond jubilee medal for his huge fundraising efforts for prostate cancer and his contribution to community, a recognition most deserved.*

*Frank had boundless energy. He was a proud Albertan and Canadian. He worked hard and passionately to make the world a better place. He leaves a legacy of hope, determination, and financial support that will improve the lives of his fellow cancer patients, citizens, and their companion animals for decades to come. His record of service is an inspiring example for us all.\**

Carla, please know that Frank's legacy will forever continue.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by Edmonton-McClung.

#### Violence against Women

**Ms Blakeman:** Thank you, Mr. Speaker. This is the second member's statement that I wrote on the various campaigns and days to recognize the elimination of violence against women. The first was too raw and angry for public consumption.

I still shake my head at the nice sayings and hopeful jingles that accompany this time, but I am a woman forged by the Montreal massacre. Fourteen women, students and staff, were shot by a misogynist who felt women had denied him a place at engineering school. He went into École Polytechnique, told the young men to leave, which they did, and then he roamed the classrooms and hallways shooting the women. This event changed my life and still drives me forward.

I don't think the collective we deserves congratulations on eliminating violence against women. We've known about the statistics, the money spent, the lives scarred, and the effect on subsequent generations, and still we raise boys who think violence is a useful tool in relating to women. Where are they getting this? Attitudes are not genetic. We are still teaching our children this is okay. We've poured money into shelters and programs and now even recognize bullying as a beginning behaviour for violence. But – oh, yes, the big but – we have school boards refusing just yesterday to pass a resolution specifically prohibiting bullying of gay kids along with statements about not drawing attention to themselves. Are you kidding me? When do we stop saying that wearing certain clothes or having an effeminate demeanour means they deserve abuse.

\*The text in italics exceeded the time limit and was not read in the House.

We even still make spouses meet their abuser in court over child care arrangements even when the women have protection orders from the same courts for the men to stay away. These things connect. So in 2012 do we get to celebrate success? No, we don't, but all the shelters and the programs and funders should be thanked for so many years of trying.

**The Speaker:** The hon. Member for Edmonton-McClung, followed by Calgary-Varsity.

### National Addictions Awareness Week

**Mr. Xiao:** Thank you, Mr. Speaker. I'm pleased to rise in this Assembly today in recognition of National Addictions Awareness Week, November 19 to 25. Addiction can affect every demographic. It can promote unsafe behaviour with detrimental consequences, and it can leave long-lasting emotional and physical scars on our communities. Moreover, the emotional and financial toll that addiction takes on families is immeasurable. Studies have shown that addiction is frequently linked to mental health issues and that often people use their addictions as a coping mechanism to offset stress.

For example, Mr. Speaker, Statistics Canada estimates that 4 million to 5 million Canadians engage in excessive, high-risk drinking, which can lead to fatality, crime, and violence. National Addictions Awareness Week brings to light the complex nature of this sensitive social issue. By promoting empathy and providing information to all Albertans, the stigma surrounding addiction can be eradicated. The government of Alberta has allocated \$100 million for primary health care, addictions, and mental health strategies, recognizing the social cost of addiction and proactively mitigating its consequences.

Mr. Speaker, I encourage all my colleagues in this House to find out more about National Addictions Awareness Week in the coming days so that we can continue to help all of our constituents to live healthy and fulfilling lives.

Thank you.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by Airdrie.

### Property Rights

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. Many members of this House come from rural backgrounds even if we live in and represent urban ridings today. We've been called urban elites, city dwellers. Some even think we lack common sense.

As I've shared with this House before, I grew up on a beef farm, a feedlot in southwestern Ontario. My parents, siblings, and extended family still farm in that area today, just as our grandparents had. As many hon. members know, for families like ours a farm is not just a piece of land, a livelihood, or an economic asset. It's a legacy that passes from one generation to the next, and it's a very real part of our family's history and identity.

When I was in law school, our family farm was expropriated by Ontario Hydro to construct a 500-kV power line from the Bruce Peninsula to southern Ontario. Yes, there was consultation, access to courts, and, ultimately, fair compensation, but the impact of losing the barn with the family name on it lingers still.

I share this with you, Mr. Speaker, so that hon. members will understand that when I speak of property rights, it's not theoretical or legal. I'm speaking as someone who's lived through the experience of expropriation, as someone who understands the emotional value land has, far beyond its value on a balance sheet.

To ensure that all landowners in Alberta have access to effective notice, genuine consultation, and fair compensation, our government passed the Property Rights Advocate Act last spring, creating an independent advocate to assist landowners with independent and impartial information about their rights and process.

Mr. Speaker, whether we represent urban or rural constituents, we need to continue to heed the lessons landowners have sent us. We need to listen to landowners and think about what they're saying and turn what they have learned into action. This expropriation of land is something that should never be done lightly, but when it is absolutely essential, I am grateful that this government is making sure that landowners get the support and fair treatment everyone deserves.

1:50

### Oral Question Period

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition.

### Political Party Financial Contributions

**Ms Smith:** Thank you, Mr. Speaker. There appears to be a double standard in the way government handles health expenses and illegal donations. One health employee who made lavish but legal expense claims was fired. Another health employee who claimed expenses directly related to partisan political activity, which, of course, is against the law, still has her job. Is this because the person they fired wasn't the Premier's sister?

**Mr. Lukaszuk:** Indeed, Mr. Speaker, there are double standards. While this government is trying to focus on governing this province and reflecting what we have committed to do during the last election, there are a number of double standards. The opposition continues to dredge through receipts. But what they won't tell you is a double standard is this. For example, the Leader of the Official Opposition signed off on inappropriate expense claims and threw her staffer under the bus to take the blame. What they won't tell you is that the MLA for Airdrie solicits political donations from the president's office at Olds College. Lastly, what they don't tell you, I'll tell you later.

**The Speaker:** The hon. leader.

**Ms Smith:** Thank you, Mr. Speaker. We'd love to see the employee in question pay those expenses back.

Now that they have been caught, however, the government points to changes that they've made in the hopes that we'll all ignore their past transgressions. But, Mr. Speaker, promising to never do it again isn't good enough. When will the minister clean house and discipline every single employee who has broken the law?

**Mr. Lukaszuk:** I know, Mr. Speaker, you waited eagerly to hear the rest. Lastly, what they won't tell you is that while they're accusing Catholic charities and organizations and pejoratively referring to them as holy people who take individuals out for lunch or a drink, they won't share all their receipts. I'm looking at a receipt that shows that the leader of the Liberal opposition was treated by, quote, unquote, holy people at an establishment, a local watering hole in Edmonton, on a Tuesday, a weekday, at 2 p.m.

**The Speaker:** The hon. leader.

**Ms Smith:** Thank you. The Premier blames the opposition for daring to raise such questions, and I can see that the Deputy

Premier feels the same. He expresses outrage. He implies that this is innuendo, but it's not innuendo. It's a clear statement of fact. Legal expenses, not a relative: the person is fired. Illegal donations, the Premier's sister: not fired. Why?

**Mr. Lukaszuk:** Mr. Speaker, unlike the members of the opposition who choose to focus on dredging, I said very clearly that we won't get into that because that doesn't make Alberta any better of a province. We'll leave that to them.

But I will tell you what we will do. We will make sure that there is a process in place, that when they actually come up with any evidence or any issues, they have a place to turn to, where an independent investigation will take place. We'll also focus on governing this province and reflecting what Albertans truly asked us to do. Mr. Speaker, if there are issues, they know what the process is. The process is diligent. We'll provide them with any answers that they want relevant to our receipts and the ones that they won't show you.

**The Speaker:** Hon. Member for Airdrie, you rose on a point of order at 1:52, and it has been noted.

The hon. leader.

### Health Regions' Expense Reporting

**Ms Smith:** Thank you, Mr. Speaker. Albertans deserve to have the truth, all of it, about this mess of illegal campaign donations, lavish health care expenses, and other failures and mistakes, but no matter what the problem the government has, they have a giant blind spot. Illegal donations to political parties: well, their new legislation won't look back past 2010. Queue-jumping: well, the inquiry's hands are tied; it can only look at whether preferential access is happening now. Health expenses: the minister shrugs and insists that everything is fine today. This is not raising the bar on openness and transparency. When will the Premier raise the bar?

**Mr. Lukaszuk:** Mr. Speaker, the Minister of Health will comment on matters within the health care system, but I can tell you that we have a bill on the floor right now that makes elections and election financing the most accountable in the country the moment we pass it. The Premier has raised the accountability on travel and hosting expenses, which are now the most stringent in all of the country, more stringent than the ones in the federal government. We will be releasing all expenditures of all ministers from the election as they have been appointed to cabinet to the public without having FOIP requests. We are setting the standard. It is time for them to catch up to it.

**The Speaker:** The hon. leader.

**Ms Smith:** Thank you, Mr. Speaker. It's a curious answer. If we look at just this one area, health expenses, we found huge issues with expenses in 2005, 2006, 2007, and 2008. Some of those involve the Premier's sister and contributions to political parties. Is this the reason why the government refuses to release all the expenses of all of the executives of all of the health regions dating back to 2005?

**Mr. Horne:** Mr. Speaker, that was rather an extensive preamble, but I'll do my best to address the issues that were raised within it. As we've said many times and as the hon. member is aware, this Premier has introduced the most aggressive, the strongest, most transparent travel and expense policy to be found anywhere in this country. The question of expenses that were claimed by previous health regions is not only, in fact, not relevant to the question of

what the policies are today. The hon. member does a disservice to the people whose names she continues to raise in the Legislature because she ignores the fact that those expenses may very well have been in accordance with the policies that were in place at that time.

**The Speaker:** The hon. leader.

**Ms Smith:** Thank you, Mr. Speaker. Going back to 2005, it's always been illegal to take public money and contribute to political parties.

Over at the queue-jumping inquiry we've asked that Lynn Redford and other government relations executives from that time be compelled to testify. The Premier is shocked, says that we're interfering, yet the inquiry people say that they are actually asking Albertans to participate. It is a public inquiry, after all. Now, I'm no lawyer, but if they ask you to participate and you do, that's okay, right, Minister?

**Mr. Horne:** You know, Mr. Speaker, that absolutely is okay. But if I recall correctly, the hon. member's question to me yesterday when she discussed her correspondence to the head of the inquiry, was if I would join her and her party in asking the commissioner of this inquiry to call specific witnesses before his panel. That would clearly be political interference, and that is something we will not do.

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition. Third main set of questions.

### Physician Services Agreement

**Ms Smith:** Thank you, Mr. Speaker. The health mess is not just about expenses. It's not just about queue-jumping. It's not just about bullying. This minister now has a big problem with doctors and their latest contract. Last night the AMA president, Dr. Michael Giuffre, made an impassioned appeal for a return to the bargaining table, and he lambasted the minister for his unprecedented abuse of physicians' rights. How does the minister plan to fix this?

**Mr. Horne:** Mr. Speaker, if the hon. member was actually present at that gathering last night, I'm sorry that I missed her presence.

What I can tell you, Mr. Speaker, is that I had the opportunity to speak to several hundred physicians who are members of the Calgary & Area Medical Staff Society. We discussed a variety of issues that were of concern to them, including the current negotiations. I found that after having had the opportunity to listen and to answer a number of questions, our doctors are actually very supportive of the work under way to achieve an agreement.

**The Speaker:** The hon. leader.

**Ms Smith:** Thank you, Mr. Speaker. I've brought Dr. Giuffre's speech so that we can table it in the Legislature so that people can see what he actually said. He warned that the minister would try a divide-and-conquer approach, cynically giving in on a few small items but retaining the major fundamentals that are imposed by the settlement. He even said that the minister might be contravening the Canada Health Act, section 12, which requires that binding arbitration be available. The minister has refused. Why?

**Mr. Horne:** Mr. Speaker, excuse me if I get this wrong, but it would appear that the hon. member thinks that she knows what the president of the AMA thinks better than he does. I, by contrast, have spent many hours in discussion with Dr. Giuffre, with



physicians across the province, and it is true that there are several issues that are unresolved. That should not be a surprise given that it's been more than 20 months since we've had a contract in effect with the AMA. My commitment, the commitment of this government, unlike the hon. member, is not to divide doctors in this province. It is to unite them, and it is to unite them in our common vision for the improvement of the health care system in this province. Our discussion is one to one, which will not occur in this Assembly.

**Ms Smith:** Mr. Speaker, I may not be a lawyer, but I can read, and I would encourage the Health minister to read the speech. Dr. Giuffre asked a question in his speech last night, so I'll ask it, too, so that Albertans can hear the answer. Does the Health minister really think he can run the health system without the confidence of physicians?

**Mr. Horne:** Mr. Speaker, I'd very much like to pose a question to the hon. member as well, and the question is: why on page 13 of the Wildrose Balanced Budget Alternative does the member's party state, "Considering we already have the highest paid public sector in the country, we believe it is important to re-direct the hundreds of millions in savings... from freezing salaries to services in priority areas like health care and education"? Does this member support an increase in funding for doctors in this province, a freeze, or a reduction?

2:00

**The Speaker:** Hon. Member for Airdrie, you rose on a point of order at 2 o'clock, and it has been noted.

The hon. leader of the Alberta Liberal opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. I want to remind the government that it's answer period.

Last night the Minister of Health had a showdown with the Calgary & Area Medical Staff Society. Their president, Lloyd Maybaum, described the minister as, quote, trying to hoodwink and bamboozle the public with nonsense numbers and figures. Unquote. While the minister continues to cloud the issues by talking about fees and money, physicians simply want a little respect, more involvement in health care decisions, and for this government to negotiate in good faith. After last night we need clarity from the minister. Have you imposed a settlement on the doctors, or are you still negotiating? Which is it?

**Mr. Horne:** Well, Mr. Speaker, I'll be delighted to give the hon. member clarity. The fact of the matter is that this government has provided a plan to increase funding for doctors' fees by \$463 million over the next four years. His colleagues in the Official Opposition, however, appear to believe that doctors' salaries should be frozen, perhaps reduced. We don't know. Albertans would like to know.

**Dr. Sherman:** Mr. Speaker, he just proved the fact that doctors aren't talking about fees and money; they're talking about respect.

Given that the Minister of Health and even the Premier have said that they support the Canada Health Act and given that this act recognizes the value of conciliation and binding arbitration to fairly resolve disputes that arise in negotiations with medical organizations, to the same minister: why then would you violate the spirit of the Canada Health Act by refusing binding arbitration?

**Mr. Horne:** Well, Mr. Speaker, on the hon. member's first point this government and this minister continue to show respect, continue

to listen, and continue to work with doctors. There were many doctors there last night that were quite willing to acknowledge that. With respect to the Canada Health Act exactly what it does provide for is that provinces where an agreement with doctors is in effect shall provide "reasonable compensation." I think 29 per cent over the national average is pretty reasonable compensation.

**Dr. Sherman:** Mr. Speaker, it must be a topsy-turvy world because respect according to this Minister of Health is by saying no: no to a public inquiry on physician intimidation, no to physician involvement in family care clinics, and no to the AMA's request for binding arbitration. To the minister. This question is quite simple for the minister to answer. Do you recognize the AMA as the legitimate bargaining association? Yes or no? Are you trying to break the backs of the doctors again?

**Mr. Horne:** Mr. Speaker, we of course recognize the importance of a constructive relationship with our physicians. We have enjoyed one of the most progressive relationships over the years, which the hon. leader of the third party has benefited from in his practice as an emergency room doctor. This hon. member needs to make up his mind. Does he want to politicize organized medicine and relationships with government, or does he want to play a constructive role in the dialogue that will lead to an agreement?

**The Speaker:** The hon. leader of the ND opposition, followed by Lac La Biche-St. Paul-Two Hills.

**Mr. Mason:** Thank you very much, Mr. Speaker. Without warning this Health minister cancelled negotiations with Alberta's doctors and imposed an arbitrary settlement. This high-handed move has enraged doctors. The president of the AMA stated that the minister was trying to hoodwink and bamboozle the public with nonsense numbers and figures. My question is to the Health minister. Will he cancel his arbitrarily imposed deal with Alberta doctors and return to the negotiating table immediately?

**Mr. Horne:** Well, Mr. Speaker, what the government has done is not imposed a settlement. The government has made a clear indication to physicians of the maximum amount of money that is available for addition to physicians' fees in the coming four years, and that amount is \$463 million. There are many areas that are left to be discussed in the negotiations. While we had reached an impasse, and while that was one of the reasons that we made the announcement that we did last week, we certainly remain open to discussions with physicians. We presume that we will eventually be successful in reaching an agreement. I look forward to continuing that process.

**Mr. Mason:** Well, Mr. Speaker, that answer was entirely false. The minister has imposed a deal, and he's written the conditions, and he's put it forward in public. So how can he stand there and mislead the House?

**The Speaker:** Hon. member, did I hear you say "mislead the House"?

**Mr. Mason:** I did.

**The Speaker:** Do you want to rephrase that question in a different way? Frankly, we don't use those kind of terms, and I think you know that, hon. member.

**Mr. Mason:** Thank you very much, Mr. Speaker. Why has the minister given information that he knows to be incorrect to the Assembly?

**Mr. Horne:** Well, Mr. Speaker, I have done no such thing. The government was very open and transparent in its decision to indicate what its best financial offer would be to doctors after almost 20 months of negotiations that have been unsuccessful to this point. That was done for the benefit of physicians themselves in order to provide some clarity around funding increases in the future, to provide some stability after a very long, extended period of not knowing that information. It was done in the spirit of good relations with our physicians. What this hon. member is doing is attempting to taint that and to position this further discussion with the AMA to be unsuccessful, and that is reprehensible.

**The Speaker:** The hon. member.

**Mr. Mason:** Thank you, Mr. Speaker. I'm reprehensible, eh? Well, I can tell you and I can tell this minister that what he has done by trying to characterize what he's done as improving relations with physicians is so laughable as to not even deserve a question.

**Mr. Horne:** Mr. Speaker, what is laughable is the absolute ignorance of the hon. member with respect to the issues that are at hand in the discussions with the AMA.

**Ms Notley:** Point of order, Mr. Speaker.

**Mr. Horne:** If the hon. member's comparison of the AMA is to a union and if the hon. member compares these discussions to that of a union agreement, he has a lot to learn, Mr. Speaker. We'll leave it at that. We're committed to continuing our negotiations with the AMA. We will not do so on the floor of this Assembly, and we will not do so through mediators such as leaders of opposition parties.

**The Speaker:** Thank you, hon. members.

I believe, Edmonton-Strathcona, you rose on a point of order at 2:07, and it's been noted.

#### **Speaker's Ruling Preambles to Supplementary Questions**

**The Speaker:** Could I just make a brief comment here about preambles. The leaders of all three opposition parties have now spoken. I indicated yesterday that the tradition of the House has been to allow leaders of opposition parties quite a bit of leeway in terms of their supplementals. However, it's been brought to the Speaker's attention by a few members and by a few members of the public that perhaps that might be creating a double standard here. I would ask you again as House leaders to please review the whole issue of preambles, preferably as quickly as possible – it would be helpful even before Monday – because the current rule says that supplemental questions should not be preceded by any preambles.

It's during preambles that we get these uproars. More often than anywhere else it's during those preambles. Then that, of course, means that a minister rises and says something partly in answer to the question, partly in answer to the preamble, and that leads to another uproar. That creates a problem of violating the rules. Secondly, it creates a difficulty for the Speaker hearing what is being said and then trying to make a ruling or a judgment call.

Let's respect each other in this House and give the floor to whoever has it. Right now that floor belongs to Lac La Biche-St. Paul-Two Hills.

#### **Political Party Financial Contributions (continued)**

**Mr. Saskiw:** Thank you, Mr. Speaker. Since the former Minister of Justice has become Premier, account after account of misuse of public funds and the culture of corruption in the government family have been exposed. Her own sister expensed the Health budget to cover donations to political parties, but of course despite the law and ethics AHS says that this is just how business is done in the good old government family. This Premier continues to avoid the issue. Will this government finally clear the air and tell Albertans when the Premier first knew about these illegal indirect donations?

**Mr. Lukaszuk:** Mr. Speaker, I think we have been clear. I'm not sure if I have to say it 55 more times or if I should have been saying it slower. There is a process in place. If any person has any evidence or any allegations against any member of this House or, frankly, against any Albertan where they believe that somebody has illegally donated money to any political entity, there is the independent Chief Electoral Officer that will gladly take that information, do an independent investigation, and report to you, Mr. Speaker, accordingly. Now, on top of that, there is additional legislation being debated in this House that will make the laws even clearer.

2:10

**The Speaker:** The hon. member.

**Mr. Saskiw:** Thank you, Mr. Speaker. Given that the Premier's sister was referred to as the go-to fixer for politicians dealing with wait-time inquiries partially because of her good genes, will this government tell us when the Premier or her staff personally became aware of any incidents of political fixing and queue-jumping, or will they continue to hide and protect the government family?

**Mr. Lukaszuk:** A couple of comments on this. Number one, the Premier's sister will not be treated any differently than you would be, Mr. Speaker, or the Member for Lac La Biche-St. Paul-Two Hills or myself. She's an Albertan, and she will go through entirely the same process. The process is transparent. It is rather unfortunate that we have stooped to this level in this Chamber where we actually point out relationships of individuals and insinuate that that in any way is going to be of assistance to that person. I think that Albertans in general find that somewhat offensive.

Speaking of double standards, Mr. Speaker, we have information that they dredged up that actually shows the very same behaviour. This is not the way that we will conduct business in the Chamber.

**Mr. Saskiw:** Mr. Speaker, all people should be responsible for their crimes.

Given that the Premier once argued for a comprehensive health inquiry because . . .

**Mr. Hancock:** Point of order, Mr. Speaker. [interjections]

**Mr. Saskiw:** People should always be guilty of crimes. That's ridiculous, Dave. [interjections]

### Speaker's Ruling Decorum

**The Speaker:** Shall we just adjourn the session and have you argue amongst yourselves for a while? Unbelievable. [interjections] Unbelievable. Better decorum is expected not only from each one of you, but it's expected by the constituents you represent. There's absolutely no honour in going back this weekend to your constituents and having to defend why the Speaker overlooked you in question period for the next week because you broke the rules.

Hon. Member for Edmonton-Centre, I'm well aware of the time. You need not point it out to me. I take no pleasure in rising to do these things, of which sometimes you personally may be the cause. So please. [interjections] Please. I'm not here to engage in debate with you.

Now, I would ask all of you to please, please, remember what the decorum and civility of this House is supposed to be and try and abide by it. Questions below the belt or accusations against members who haven't had their chance to explain themselves in this House or elsewhere or in a court are totally inappropriate. I have cautioned you about that before. I will caution you yet again.

Let us move on now, please. The hon. Member for Fort Saskatchewan-Vegreville, followed by Airdrie.

### Alberta Energy Regulator

**Ms Fenske:** Thank you, Mr. Speaker. My question is to the Minister of Energy, and it's a bit of a review and looking ahead. Yesterday this House passed Bill 2, the Responsible Energy Development Act. It was the subject of much debate, and concerns have been raised about this bill. Now, when I go back to my constituency, a constituency filled with energy companies and landowners, they will ask if they will be negatively impacted because of Bill 2. The question: what would be your answer to them, Mr. Minister?

**The Speaker:** The hon. minister.

**Mr. Hughes:** Thank you, Mr. Speaker. We all get questions like that, and I'm happy to take them. Obviously, there was a great deal of debate, but let me assure the hon. member and all Albertans that Bill 2, creating the Alberta energy regulator, is a well thought out, pragmatic, balanced piece of legislation. It's built on more than two years of public consultation, and indeed it provides regulatory certainty for applicants, for industry. It strengthens landowner participation rights, and it maintains our long-standing commitment to responsible, balanced energy development.

**The Speaker:** The hon. member.

**Ms Fenske:** Thank you, Mr. Speaker. To the same minister: would you please take some time to again explain why, if this bill was so good, we needed to make some amendments?

**Mr. Hughes:** Well, Mr. Speaker, I heard from this MLA, and I thank her and her colleagues for advice throughout the piece once the bill was introduced. There was feedback from Albertans around the province and from my colleagues and from colleagues across the way as well. It was quite clear that there was misunderstanding, and my goal was simply to ensure that we have public notice clearly provided for all applications, that the decisions must take into account the interests of landowners by the regulator, and it also allows landowners who believe that they are

directly and adversely affected to self-identify into the process and . . .

**The Speaker:** The hon. member.

**Ms Fenske:** Thank you. To the same minister: when are we going to see more specifics on how the new regulator will operate, and will Albertans, especially landowners, have any input?

**Mr. Hughes:** Well, Mr. Speaker, I'm pleased to have that question. Very soon there will be more specifics coming out. Obviously, we will be consulting in the new year with Albertans with respect to the details of the regulations and the rules of practice. I have made a public commitment to do that consultation, and I look forward to that. Consultation is an important part of the next step. Also, people can look forward to advertising for the new chair, the new board members, and the CEO, and I invite qualified Albertans.

### Justice System Review

**Mr. Anderson:** Mr. Speaker, Albertans have lost faith in their justice system and in the PCs that oversee it. When quizzed about an Airdrie sex abuse case being thrown out for system delays, the Premier called us a disloyal opposition and said that it had nothing to do with the lack of resources. Well, the problem is that we just got the court transcript. Guess what it says from the judge herself? The reason for the delay was, quote, an endemic problem of resources. Unquote. To the Justice minister: is the judge disloyal, too, or has your government failed to adequately staff our justice system, leaving victims without justice?

**Mr. Denis:** Mr. Speaker, I'd say respectfully: none of the above. As this member knows, I share his concern, and immediately when I found out about it, I launched an inquiry. The investigation is fully independent, and when it comes out, let's see what it has to say. I'm not going to handcuff the investigation. I respectfully suggest that neither should the Member for Airdrie.

**Mr. Anderson:** It is not an independent investigation.

Mr. Speaker, given that the defence lawyer and the Crown prosecutor in this case's transcript agreed with the statement that, and I quote, it is common knowledge that there are limits to resources, and we are seeing trials being set as far as one year or longer down the road, unquote, and given that in the Airdrie case the judge found 444 days of delays were due to the Crown and 523 to the courts, Minister, when are you going to admit that you and the previous Justice minister, the Premier, have failed to do your job, leaving victims of crime open to be revictimized by a lack of access to justice?

**Mr. Denis:** Mr. Speaker, I agree with this member that access to justice is important, but that's, unfortunately, where the agreement ends. I and the previous two Justice ministers have been on this file. This year two more judges. Next year two more Provincial Court judges. We'd been lobbying the federal government for four more Queen's Bench judges before this even came to light. We're on this file.

**Mr. Anderson:** Okay. You're on the file, then.

Mr. Speaker, given that our research has uncovered multiple recent cases stayed due to Crown and court delays, the names of which I will table shortly, including an aggravated assault, an assault of a police officer, a DUI, a child rape case, two domestic assaults in Airdrie, and, get this, robbery and assault with a deadly

weapon – Minister, this is a complete disgrace – will you go on the record now, admit that our Crown and courts are entirely underresourced, and commit to calling a full and independent investigation into how we can repair this problem immediately and start today?

**Mr. Denis:** Mr. Speaker, as I mentioned in the first set of responses, we already have called a full and complete investigation. As I mentioned in the second place, we are appointing more judges, we are looking at more court resources, and we've asked the federal government for more resources as well. Instead of politicizing this issue, I hope this member will join me in lobbying the federal government for these additional resources.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by Calgary-Buffalo.

### Long-term Care for Seniors

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. Seniors' housing involves a lot of stakeholders – operating societies, charities, private providers, Alberta Health Services, and, of course, the residents – and it's vital to have the support of municipal governments because that's where zoning and land-use decisions are made. My question is to the Associate Minister of Seniors. What progress can he tell the House about on work being done with municipal governments to increase affordable, appropriate, and accessible continuing care within our communities?

**Mr. VanderBurg:** Mr. Speaker, this is my 26th consecutive year of being elected, 15 as a municipal councillor and mayor. I know the importance of dealing with our municipal associations like the AUMA and AAMD and C, and I know the importance of dealing with big-city mayors both in Calgary and Edmonton. I'll tell you that the Calgary and Edmonton mayors are very receptive to repurposing lands in their communities and making them available for such things as seniors' facilities.

2:20

**Ms Kennedy-Glans:** To the same minister: how is your department actively involved in breaking down the barriers that exist to securing some of these unused joint-use sites for the development of long-term facilities?

**Mr. VanderBurg:** Well, Mr. Speaker, you know, I know there are issues in municipalities about repurposing some sites and making sites available for seniors' facilities. We've seen that happen here in Edmonton, and I have to really say a big thank you to the mayor of Edmonton and the council for taking charge and repurposing some of these sites. But any time there's an opportunity through our available capital grant process and we have identified sites in municipalities where there's problems rezoning, we're there to help out.

**Ms Kennedy-Glans:** There are people in our hospital system waiting for long-term care. What's your department doing to ensure that adequate space exists to transition these people from hospital care to long-term care when their health circumstances permit?

**Mr. VanderBurg:** Well, thank you very much for that question. Mr. Speaker, we know that there is a shortage right now of assisted living places and proper places to have our seniors be discharged to from our hospitals in assisted living. We have a five-year plan that we're two years into. We've opened more than 2,000 spaces. Each and every year over the next number of years

we're going to open a thousand spaces, spaces for couples to live in, spaces for people to enjoy accommodations with health services.

**The Speaker:** The hon. Member for Calgary-Buffalo, followed by Edmonton-Beverly-Clareview.

### Bullying in Schools

**Mr. Hehr:** Thank you, Mr. Speaker. This government has a long history of trampling on the values in the Canadian Charter of Rights and those in the Alberta Human Rights Act, whether it's Mr. Klein's refusing to recognize sexual orientation or Premier Stelmach's Bill 44 and now this government's Education Act, which by its passing groups of people are under the misguided notion that gay, lesbian, and transgendered students do not need to be specifically stood up for. To the Minister of Education: is the minister aware that children who are gay, lesbian, and transgendered, or even those who are believed to be, are being targeted for bullying in our schools?

**Mr. J. Johnson:** Mr. Speaker, the first thing I want to say is that it's inappropriate that anyone would think that a child brings on bullying by how they dress or who they choose to love. I was disappointed, and as a parent I'm offended, that anyone would insinuate that my kids should hide who they are under any circumstances. As a minister I expect and this government expects that every trustee in the province is going to be devoted to protecting the rights of every one of Alberta's children. Any bullying at any time, at any place, for any reason is unacceptable, and that's reflected in the new Alberta Education Act.

**Mr. Hehr:** Well, given that last night at the ASBA meeting trustees overwhelming voted against a motion that would have recognized the fact that gay, lesbian, and transgendered students are being bullied at rates much higher than others, what will this minister do to ensure that school boards and trustees are taking this issue seriously?

**Mr. J. Johnson:** You know, Mr. Speaker, it is a good question. Our education system is not governed by any ASBA resolution. It's not governed by the comments of one trustee. It's governed by the Education Act. This Education Act that we've just passed is one of the strongest in the country with respect to bullying. It's got a strong definition of bullying. In diversity and respect, section 16, it talks about that all programs and instructional materials must reflect and promote understanding and respect for others. It establishes and codifies a bullying awareness and prevention week. Under board responsibilities it requires a board to develop a code of conduct that contains many elements, including one or more statements to address the prohibited grounds of discrimination set out in the Alberta Human Rights Act.

**Mr. Hehr:** Well, the minister knows full well that the way he passed that Education Act leaves wiggle room, and there are people out there who don't believe they have to follow the Human Rights Act.

Given that many trustees in this province appear to be under the misguided notion that our gay, lesbian, and transgendered students do not face increased amounts of bullying, will this minister commit to ensuring that in any school in this province if the students wish to have a gay-positive club, they will be allowed to start one with the support of his ministry?

**Mr. J. Johnson:** Mr. Speaker, we want to protect and support

every Albertan in this education system. I want to just emphasize that this new act requires school boards to have a code of conduct, and everyone in that school division, including the trustees, will be required to accommodate and to comply with that code of conduct. If not, it gives boards the ability to remove those trustees. I'll even go further and I'll call on all parties in this House to support us in our protection of members of the gay and lesbian community from bullying at any time. This important issue and timely issue will I hope be discussed at the upcoming convention of the Official Opposition.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview, followed by Innisfail-Sylvan Lake.

### Chief Electoral Officer Investigations

**Mr. Bilous:** Thank you, Mr. Speaker. Instead of taking responsibility for a broken election funding system, yesterday the Premier told Albertans: "We have systems in place . . . we have to respect the processes and that's what I'm going to do." But the legislation states that an investigation "may be commenced within 3 years of the commission of the alleged offence but not afterwards." Most of these offences took place before 2009. The Premier knows that, and many illegal activities will remain secret as a result. To the Premier: is that why she's so confident in the process?

**Mr. Lukaszuk:** Mr. Speaker, the greatness of this province and this country actually is in large part because of the fact that we collectively believe in the integrity of the system, the system being this Chamber, the system being the courts, the system being our public service and judicial inquiries. I recall, and you do as well, that for months the opposition was asking for an independent judicial inquiry. Our Premier agreed. That's what they have right now. Let's allow the independent judicial inquiry to do its work.

**The Speaker:** The hon. member.

**Mr. Bilous:** Thank you, Mr. Speaker. Given that the Deputy Premier always leaps to his feet to tell the opposition to "file a complaint to the Chief Electoral Officer . . . have it properly investigated, and then we can talk about facts" and given that the Chief Electoral Officer actually cannot investigate these illegal actions because of the three-year limit, why won't the Premier admit that the legislation this government set up is working as intended because nobody in this province will ever learn the truth?

**The Speaker:** The hon. Deputy Premier.

**Mr. Lukaszuk:** Thank you, Mr. Speaker. [interjections] The Wildrose opposition obviously doesn't want to hear the answer, but I'll try anyhow. The Premier went one step further. Not only did she call an independent judicial inquiry; she also tabled an act in this Chamber, which we will be debating over the next few days, that will bring the election laws and election financing laws to a much more stringent place from where they used to be. The fact is that there are statutes of limitations, and there will be a limit on how far back they can go. We will carry on with governing the province into the future. They can remain in the past if they choose.

**Mr. Bilous:** Mr. Speaker, given that the Premier says that she has confidence in the system and given that the system is designed to conceal, hide, disguise, obscure, mask, and hush up illegal donations to the governing party, will the Premier admit that what

she's really confident in is a system that has been created to conceal the truth?

**Mr. Lukaszuk:** Mr. Speaker, I really find it troublesome, to say the least, that this member would now malign thousands of public servants – shall I remind the members of the Alberta Union of Provincial Employees? – who do their job every day to make sure that this system actually is such that Albertans can't have confidence in it, that he would undermine the authority and the integrity of judges, that he would undermine the authority of doctors. The list goes on and on. At the end of the day they're all Albertans doing their work, and there is no hidden conspiracy among all of them to make sure that this one member somehow has truth concealed. It simply makes no sense.

**Ms Notley:** Point of order.

**The Speaker:** Hon. Member for Edmonton-Strathcona, you rose on a point of order at 2:29. It has been noted.  
Innisfail-Sylvan Lake, followed by Sherwood Park.

### Government Relationship with Physicians

**Mrs. Towle:** Thank you, Mr. Speaker. This government has mismanaged our health care system for years: illegal donations from health executives, outrageous expenses on alcohol and fine dining. Now Alberta doctors are saying that they've had enough of the abuse from this government and enough of living in the most oppressive, intimidating environment that any group of professionals could find themselves in. Will the Minister of Health finally recognize that years of systemic waste, abuse, intimidation, and disrespect on the part of this government have led to this crisis situation and immediately change his course of action and start addressing the obvious concerns of our health professionals?

**Mr. Horne:** Well, Mr. Speaker, my ministry and Alberta Health Services work with health professionals every day on a variety of issues, issues which are of concern to this member's constituents as to all of our constituents, issues with respect to access and quality in our health care system. A very good recent example, Mr. Speaker, is the work of our health professionals that resulted in a significant reduction of occupancy rates in acute-care bed hospitals and a very major reduction in the number of patients waiting for placement in continuing care.

2:30

**Mrs. Towle:** They don't trust you, Minister of Health. Doctors have absolutely no confidence in this minister. Doctors are now moving towards job action. So why should Albertans in general feel any confidence in this government and this minister when it comes to health care?

**Mr. Horne:** Well, Mr. Speaker, if I might, I think what Albertans are going to lose trust in is an Official Opposition and other opposition parties that persist in undermining the credibility, the hard work, and the service of health professionals and that seek to undermine public confidence, I should say, or at least it would appear so, in the health care system as a whole. Our job as government is to work with health professionals. We are doing it. We are having constructive dialogue. We do have issues in labour relations to deal with in a number of professions. With all due respect, we do not need a mediator in the form of members of this opposition to help us with that.

Thank you very much.

**Mrs. Towle:** Well, given the response of the AMA clearly you do need a mediator.

The minister's actions have shattered the trust of your health professionals and damaged the health care system for Albertans. When will this minister provide a plan to Albertans with any certainty on how to regain our trust?

**Mr. Horne:** Mr. Speaker, trust and confidence and job satisfaction on the part of health professionals and others that support the system are first and foremost affected when they hear constructive dialogue among their elected representatives about opportunities and hard work to overcome challenges. The people that work on our health system are the ones that are delivering on this. Quite frankly, I don't think they appreciate the persistent overtures from members of the opposition to suggest that they aren't doing their job. They're doing it very well.

**The Speaker:** The hon. Member for Sherwood Park, followed by Calgary-Shaw.

### Student Loans

**Ms Olesen:** Thank you, Mr. Speaker. With the 2012-13 school year well under way I have real concerns about the levels of debt that many postsecondary students seem to be carrying. My question is for the Minister of Enterprise and Advanced Education. What is your ministry doing to ensure that the student debt is manageable and doesn't discourage potential students from furthering their education?

**Mr. Khan:** Mr. Speaker, I'd like to thank the hon. member for that question. I'd like to start by saying that it's the responsibility of this government to provide opportunities and pathways for any Albertan who wishes to choose postsecondary as an avenue. I'd like to share with this House that I've met with CAUS and a number of student groups around this province. I've also met with the Students Finance Board, and they've shared this as one of their primary concerns, the load of student debt. That's why we have the student aid Alberta program, that helps students fund their education. We've shown that with the dedication of \$268 million in provincial student loans we are one of the richest in all of Canada.

**The Speaker:** The hon. member.

**Ms Olesen:** Thank you, Mr. Speaker. My second question is also for the same minister. Let's say that a student finishes their education and has a \$20,000 loan. What would you do to help this student manage their debt?

**Mr. Khan:** Mr. Speaker, beside the fact that our loan program has very low interest rates, I'd like to advise this member that our Alberta student repayment rate is also one of the highest in Canada, very close to 90 per cent. Our student support continues even after they leave school. This plan is flexible. It allows students to make affordable monthly payments. In the case of students who are having trouble making those payments, we even give them a break from payments. Last year we helped over 7,500 students through this innovative program.

**Ms Olesen:** Mr. Speaker, my next question is to the same minister. Will you listen to the students and put the tuition cap back into the Post-secondary Learning Act so that we can be sure any tuition increases beyond the consumer price index will have to be approved by this Legislature?

**Mr. Khan:** Mr. Speaker, again, thank you for that question. I

want to clarify that any increase to tuition beyond the consumer price index must go through a very stringent formal process. This regulation is part of the Post-secondary Learning Act, and it's there for a very good reason. We do not approve market modifiers on a whim. The year 2010 was the only time market modifiers were allowed and approved in this province. Any requests for market modifiers are made by institutions. We have a very stringent process in place. They go through very stringent regulations led by my ministry.

**The Speaker:** The hon. Member for Calgary-Shaw, followed by Edmonton-McClung.

### PDD Administrative Costs

**Mr. Wilson:** Thank you, Mr. Speaker. KPMG recently conducted a thorough review of the PDD program in Alberta and found many causes for concern. One example was the PC government's inability to manage the extremely high costs of administering the program, which accounts for \$31 of every \$100 spent, a full \$24 higher than other jurisdictions providing similar services outside of Alberta. What is the Associate Minister of Services for Persons with Disabilities doing to ensure this money, accounting for over \$100 million, starts to flow to the front lines?

**Mr. Oberle:** Mr. Speaker, I'm not aware of what happens in other provinces and what the levels of administration are, and I commit to this member that I will follow up on that. I can tell him that we have an excellent system in Alberta. I can tell him we have a number of front-line workers, that we're addressing front-line workers' wage issues. But I'm very confident in the structure and the operation of the system. It provides excellent services to persons with disabilities in our province.

**The Speaker:** The hon. member.

**Mr. Wilson:** Thank you, Mr. Speaker. These same reports suggest the administrative cost of using a family-managed service is about 6 per cent of what it costs for an individual to be cared for by the province. What is the same minister doing to support and enhance this clearly more cost-effective option?

**Mr. Oberle:** Well, Mr. Speaker, family-managed supports are available across our province to families that have the capacity to take those on, and we're certainly supportive in every instance where they, in fact, request that. In many cases family don't have that capacity, but we are most certainly supportive of that. I know of a number of instances in my own constituency where that occurs.

**The Speaker:** The hon. member.

**Mr. Wilson:** Thank you, Mr. Speaker. The apparent complexity of the family-managed services agreement makes the program inaccessible, confusing, and overwhelming for some families, ultimately preventing them from choosing this far more cost-effective option. What has the minister done to simplify this process for families looking to care for their loved ones?

**Mr. Oberle:** Well, that's fair, I suppose, to say that, Mr. Speaker, but I'm not aware of any incidents where the process itself has prevented anybody from entering into family-managed care. But if the member has any specific cases, I invite him, as always, to refer those to me. I want to point out that this whole program is going to be one of the first to go through our results-based budgeting exercise, and I'm looking forward to some improvements to come from that exercise, as well.

**The Speaker:** The hon. Member for Edmonton-McClung, followed by Lacombe-Ponoka.

#### **Anthony Henday Drive Noise Levels**

**Mr. Xiao:** Thank you, Mr. Speaker. Since the completion of the interchanges on the western end of the Anthony Henday freeway my constituents and other commuters have enjoyed the free flow of traffic; however, some communities close to the Henday such as Lymburn, Wedgewood, Jamieson Place, and Cameron Heights are really concerned with the amount of noise generated by this traffic. So my question to the hon. Minister of Transportation: do you have any plan to tackle the excess noise that is coming from this freeway?

**The Speaker:** The hon. minister.

**Mr. McIver:** Well, thank you, Mr. Speaker, and I also thank the member for the question and also thank him for recognizing the positive benefits of the Anthony Henday freeway here in Edmonton. Unfortunately, you can't build a road or a link like that without creating noise, and I want the hon. member to know that we follow the guideline of a noise threshold of 65 decibels over a 24-hour period, which, incidentally, is what's also used by the cities of Calgary and Edmonton and a lot of other places across North America. The noise study for the southwest Anthony Henday conducted in 2007 indicated the noise levels are lower than that threshold now, but we will check in the future should we get more evidence.

**The Speaker:** The hon. member.

**Mr. Xiao:** Thank you, Mr. Speaker. Given that the volume of the traffic and the noise level have increased over the last several years, will there be any plans to administer another sound test along the Anthony Henday?

**Mr. McIver:** Well, Mr. Speaker, again, the traffic there is about 35,000 to 55,000 vehicles a day, and the projected noise level in the study that was already done is based on 80,000 vehicles a day because it wanted to be forward looking and not leave Albertans that are on the edge dealing without the services that they need. So based on these results, we don't plan another study, but in the future if we get evidence that the noise has changed, either through an increase in traffic or other factors, we will indeed consider a study at that time.

2:40

**Mr. Xiao:** My last supplemental to the same minister: you know, where can my constituents find this information regarding this issue?

**The Speaker:** The hon. minister.

**Mr. McIver:** Thanks, Mr. Speaker. To the hon. member, I want to thank him. I know he works tirelessly for his constituents. On this matter he can go to the website at [www.transportation.alberta.ca](http://www.transportation.alberta.ca). I think they can find information there. Of course, either the hon. member or his constituents can call the Transportation ministry directly, and we'll do our best to get them the information they require.

**The Speaker:** Hon. members, that concludes question period for today. In a few seconds from now we will resume with members' statements, and we'll start with the hon. Member for Airdrie.

#### **Members' Statements**

(continued)

#### **Capital Infrastructure Financing**

**Mr. Anderson:** The PC rhetoric justifying their plans to borrow billions for new infrastructure shows a frightening lack of financial literacy. By 2004 Alberta had paid off its debts and had paid cash for all infrastructure projects with very, very few exceptions. From 2004 to 2011 Alberta spent \$45 billion on capital, roughly double the rate of any other province. Despite this the Premier justified her decision to plunge Alberta back into debt by falsely stating that we won't be able to build anything if we don't go back into debt.

The Minister of Finance inappropriately compared government going into debt with young couples taking out a mortgage on a home. What complete nonsense. Government roads, bridges, and hospitals, though very important, are depreciating assets that are never sold. They cost billions annually to staff and maintain, and debt-financing them puts taxpayers at risk. On the other hand, a home mortgage is generally an appreciating asset that is regularly sold, and if things go badly, taxpayers are not on the hook. The same applies to a business loan, where an individual risks personal money to buy assets that are intended to generate revenue. Government assets don't make money; they cost money for as long as they exist.

Alberta is not a young, struggling couple looking to buy a first home. We are arguably the richest province in North America. We are like a couple in our early 50s, making millions, with three lake cottages and multiple streams of income-producing assets. If Alberta can't balance its budget, no one can. The fact is that we have more than enough money to build what we need. We just have to exercise a little self-control. We can't give politicians 8 per cent salary increases. We can't build \$300 million new MLA offices or spend \$2 billion to help companies pump CO<sub>2</sub> into the ground.

This Premier did not campaign on plunging Alberta back into debt. Her party would have lost had they done so. They should either scrap their debt-financing plans or put the question to a provincial referendum. Otherwise, they can add voter fraud to their growing list of scandals.

**The Speaker:** The hon. Member for Dunvegan-Central Peace-Notley.

#### **Valour Place**

**Mr. Goudreau:** Thank you, Mr. Speaker. On October 2 I had the great honour to attend the official opening of Valour Place, located on 111th Street and 111th Avenue in Edmonton. Although the day was cool and light rain was falling, there was tremendous warmth in the air. Among the many dignitaries in attendance we had you, Mr. Speaker; the Lieutenant Governor of Alberta, the Hon. Don Ethell, and Her Honour Linda; General Walter Natynczyk, past Chief of the Defence Staff of the Canadian Forces; and His Worship Mayor Mandel.

The Valour Place committee, led by Honorary Colonel Dennis Erker of the Loyal Edmonton Regiment, came together in January of 2010 to raise funds to build and finish a barrier-free 12-bedroom home to be named Valour Place. The committee, whose membership is drawn from both the civilian and military communities, all share a connection to the Canadian Forces. Their vision is to construct a state-of-the-art facility for injured soldiers, RCMP, veterans, and their families who do not reside in Edmonton and who require a place to stay during the period of their medical treatments and appointments.

With this vision, Mr. Speaker, Valour Place, the first in Canada, has become a model for community action and support for Canada's military. Over \$10 million was raised from over 2,000 donors. It is evident that Valour Place is bringing Edmontonians and Albertans together to show that we understand sacrifice, that we appreciate freedom, and that we support the people that have given us the life we enjoy today.

Congratulations to Colonel Dennis Erker and his committee on the successful completion of Valour Place.

### Notices of Motions

**The Speaker:** The hon. Minister of Aboriginal Relations.

**Mr. Campbell:** Thank you, Mr. Speaker. I rise pursuant to Standing Order 34(3.1) to advise the House that on Monday, November 26, 2012, written questions 2 and 3 will be accepted and Written Question 1 will be dealt with.

### Introduction of Bills

**The Speaker:** The hon. Member for Red Deer-North.

#### Bill 204

#### Irlen Syndrome Testing Act

**Mrs. Jablonski:** Thank you, Mr. Speaker. Today I request leave to introduce Bill 204, the Irlen Syndrome Testing Act.

Mr. Speaker, Irlen syndrome, also known as scotopic sensitivity syndrome, is a neurological perceptual problem related to the brain's ability to accurately process the light spectrum and can be corrected with a pair of filtered, coloured lenses. Irlen syndrome is a condition that adversely affects the reading ability of many children as it causes word distortions to appear on a printed page. The objective of Bill 204 is to ensure that all educators are aware of the symptoms of Irlen syndrome. Bill 204 also seeks to establish a screening process within the educational system whereby children who display symptoms can be tested and ultimately receive corrective lenses to correct the distortions.

Mr. Speaker, no child should be left behind. Each child should be given every opportunity to read to the best of their ability. Bill 204, if passed and proclaimed, will go a very long way to improving the literacy for children suffering from Irlen syndrome and, thereby, help to make their educational experience and, indeed, their lives far more successful.

Thank you.

[Motion carried; Bill 204 read a first time]

### Tabling Returns and Reports

**The Speaker:** The Minister of Enterprise and Advanced Education, followed by Edmonton-Beverly-Clareview.

**Mr. Khan:** Thank you, Mr. Speaker. I'm pleased to rise today and table the requisite number of copies of the 2011-2012 Northern Alberta Development Council annual report. The council has been championing the cause of Alberta's northern economies and communities by exploring opportunities for growth. For close to 50 years the council has developed and implemented regional strategies, programs, and initiatives with the private sector, community-based organizations, industry, other jurisdictions, and ministries to help 150 communities and over a quarter of a million people build vibrant lives and careers in northern Alberta. This year's annual report highlights many of the council's economic development initiatives that support their work. It also demonstrates

the council's dedication to fulfill our government's commitment to grow Alberta's economy.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview, followed by Edmonton-Centre and the Deputy Premier.

**Mr. Bilous:** Thank you, Mr. Speaker. I would like to table the appropriate number of copies of a petition demanding the government take immediate action to twin highway 63. The petition contains a total of 37,751 signatures. Today I am tabling 3,231 of them.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by the Deputy Premier and Calgary-Buffalo.

**Ms Blakeman:** Thank you, Mr. Speaker. I have three tablings today. The first is an article in which some of the comments that I made during my private member's statement appear, particularly around the increasing number of women that are staying in shelters.

The second is also a news article, from CBC news, around the quote from the school board member who suggested that gay students should try to be less open about their sexual identity.

The final is a copy of an Ontario statute, an act to amend the education act with respect to bullying and other matters, which had Royal Assent on June 19 of 2012. The legislation allows gay and lesbian students to start gay-positive clubs at any school in the province.

Thank you.

2:50

**The Speaker:** The hon. Deputy Premier, followed by Calgary-Buffalo.

**Mr. Lukaszuk:** Thank you, Mr. Speaker. I have three tablings. I would like to table a press release issued by the leader of the Liberal opposition urging that more stringent policies by Covenant Health relative to their dining and consumption of alcohol during work hours be adopted. Here are the requisite number.

Then I would like to table a receipt from Covenant Health showing that the leader of the Liberal opposition was engaging in a dining and a wining exercise at 2 p.m. on a Tuesday, paid for by Covenant Health.

I also would like to table a letter dated February 29, 2012, written by the Wildrose member from the riding of Airdrie addressed to the president's office of Olds College soliciting donations to the Wildrose Party, which I believe is prohibited.

**The Speaker:** The hon. Leader of the Official Opposition.

**Ms Smith:** Thank you, Mr. Speaker. I have here five copies of the document I made reference to earlier, the speaking notes of Dr. Michael Giuffre to the Calgary & Area Medical Staff Society, where he goes through in quite some detail the 20 months' worth of negotiations the government and the AMA have been involved in and, in particular, of course, made reference to the fact that the trust has been sorely damaged. I urge the Health minister to have a read of this speech because I think it is quite illuminating about what the doctors truly believe about the state of negotiations.

Thank you, Mr. Speaker.

**The Speaker:** Are there others? The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Speaker. I rise today to table the requisite number of copies of a document that I referred to in the wee hours of our debate on Bill 2 called: Carbon Capture Concerns Raised.



**The Speaker:** Are there others?

Seeing none, the Speaker would take the liberty of tabling the requisite number of copies of a memorandum that the chair received today from the Member for Strathcona-Sherwood Park requesting early consideration of his private member's Bill 201 to allow for his bill to proceed to third reading on Monday on the assumption that his bill may have been reported from Committee of the Whole by that time. The chair will be commenting on this further on Monday.

### Projected Government Business

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Yeah. Under Standing Order 7(6) I ask for the projected government business before the Assembly next week.

**The Speaker:** The hon. Deputy Government House Leader.

**Mr. Campbell:** Thank you, Mr. Speaker. For Monday, November 26, 2012, in the afternoon will be private members' business and as per the Order Paper. In the evening of November 26 will be second reading of Bill 7, Election Accountability Amendment Act, 2012, and Committee of the Whole of Bill 4, Public Interest Disclosure (Whistleblower Protection) Act.

On Tuesday, November 27, 2012, in the afternoon will be second reading of Bill 7, Committee of the Whole of Bill 4, and as per the Order Paper. In the evening will be Committee of the Whole of Bill 4 and Bill 7 and as per the Order Paper.

On Wednesday, November 28, 2012, in the afternoon will be Committee of the Whole of Bill 4 and Bill 7 and as per the Order Paper. In the evening, Mr. Speaker, will be Committee of the Whole of Bill 7, third reading of Bill 4, and as per the Order Paper.

On Thursday, November 29, 2012, Mr. Speaker, in the afternoon will be Committee of the Whole of Bill 7 and third reading of Bill 4 and as per the Order Paper.

**The Speaker:** Hon. members, there were five points of order. I'm not sure if all five will proceed, but let's see how it goes.

We'll begin with the hon. Member for Airdrie, or someone on behalf of, who rose on a point of order at 1:52 this afternoon.

**Mr. Saskiw:** Thank you, Mr. Speaker. I'm standing on behalf of the Member for Airdrie, and it's actually a point of clarification with respect to the question that I had made. I had stated in my question that all people should be responsible for their crimes. At no point did I refer to a member or any specific person. Some may have anticipated that would occur, but it didn't, and I would like to clarify that.

**The Speaker:** Hon. member, the first point of order that I have on behalf of Airdrie was at 1:52. I think it's a different point of order.

**Mr. Saskiw:** That's withdrawn.

**The Speaker:** Is that one withdrawn, then?

**Mr. Saskiw:** Yes.

**The Speaker:** That one is withdrawn.

Let's move to the second point of order. There was another raised by the Member for Airdrie at 2 o'clock. Does someone wish to respond to that?

**Mr. Saskiw:** Withdrawn.

**The Speaker:** Withdrawn as well. Thank you.

Edmonton-Strathcona, you rose on a point of order at 2:07. Please proceed. Citation first.

### Point of Order

#### Insulting Language

**Ms. Notley:** Yes. Thank you, Mr. Speaker. I rise under sections 23(h) and (j) of our standing orders in particular, suggesting that a member will be called to order by the Speaker if in the Speaker's opinion that member makes allegations against another member or uses abusive or insulting language of a nature likely to create disorder.

Mr. Speaker, the comments to which I'm referring are the comments that were made by the Minister of Health directly to the Member for Edmonton-Highlands-Norwood. The language that the Minister of Health used – I don't have the Blues with me, but I did write it down. He said that the member is absolutely ignorant. He did not comment on the ideas of the member, and he, of course, spoke directly to the member, both of which have been noted in the past to raise concern. As well, as I'm sure the Speaker is aware, the use of the term "ignorant" has been ruled unparliamentary in this House on at least four separate occasions by a broad range of Speakers over a period of time.

Should there be some suggestion, Mr. Speaker, that it was simply, notwithstanding the tone of voice, a polite way to say that the Member for Edmonton-Highlands-Norwood was wrong in his suggestion that the Health minister had in fact imposed a deal and was no longer negotiating with the doctors in this province, I would suggest that the Member for Edmonton-Highlands-Norwood has a fairly strong background in terms of negotiations and labour negotiations.

Indeed, most people would suggest that when you're involved in labour negotiations, Mr. Speaker, and you impose a cap on how much you will give to the other side, when you impose conditions on wages and fees and premium payments and things like that, that is not a negotiation. Most people, actually, who are quite aware of negotiations would acknowledge that that is not a negotiation; that is an imposed settlement. Indeed, that is the point that the Member for Edmonton-Highlands-Norwood was attempting to make. When you take pieces of compensation and come to a decision about what they will be and then impose them on somebody and say, "The discussion is over," that is the end of negotiations.

It was quite a legitimate point for the Member for Edmonton-Highlands-Norwood to make, and I would suggest, as I say, that he probably has more professional expertise in the area of labour negotiations, which in effect this is a form of, than the Minister of Health. So I would suggest that the notion that the Minister of Health was calling the Member for Edmonton-Highlands-Norwood just unaware of the facts is probably a little bit of a stretch. Instead, by using the word "ignorant," he was in fact making an accusation and engaging in abusive and insulting language likely to create disorder.

On behalf of the Member for Edmonton-Highlands-Norwood we would very much appreciate it if the Health minister would withdraw that particular comment. Thank you.

**The Speaker:** Thank you.

The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. I rise on this under 23(h) and (j) of the standing orders. The comment in question was in regard to a member of this Assembly, calling them ignorant. I

refer the Speaker to page 146 of *Beauchesne's*, which lists words that have been found to be unparliamentary language in the past. The word "ignoramus" is there, and I would submit that that is similar to ignorant. Of course, we have to look at the totality of the tone. In this instance, I would submit that it was quite dismissive, and we saw that it resulted in disruption in the House. The member that was called ignorant in this instance has been a member of this Assembly for a long, long, long time.

I think it's inappropriate to call someone ignorant in this Legislature, and I hope that it's withdrawn.

3:00

**The Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. As has always been said by you and by previous Speakers, context is extremely important. I was a little bit closer to the hon. member at the time that words were spoken, and I don't have the benefit of the Blues, but I know that there was a lot of shouting going on. So I think that Edmonton-Strathcona probably missed the full statement that was being made by the Minister of Health. In fact, as I heard it, the Minister of Health, who is a person who is above reproach at all times with respect to his level of discourse in this House and elsewhere, essentially was saying that the hon. member was ignorant of the facts in this particular situation. I think he's absolutely right. In fact, it's ironic that the point of order came after some very abusive language that was used by the questioner only a little bit earlier and quite inappropriately.

The Member for Edmonton-Strathcona in her point of order talks about when you take pieces here and there, you don't create the whole context. In fact, again it's very ironic because what they're attempting to do is to take pieces from here and there and indicate that as a result of that, something which she has described as labour bargaining, which I think the doctors involved in AMA discussions would find offensive in and of itself and perhaps even a little bit ignorant – the fact that that would be called labour bargaining is crazy.

In fact, what the Minister of Health has been doing over the last 18 to 20 months in working with the AMA is to talk about a comprehensive suite of issues around how the health care system is managed and how we deal with primary care, how we deal with issues of electronic health records, how we deal with a rebalancing of the fee codes and those sorts of issues. There are many very, very complex issues involved in that. In coming forward to indicate that after that 20 months there are some uncertainties in the system, that it will improve the system if the doctors are aware of what is going to happen going forward with respect to certain parts of that process, that's what the Minister of Health said publicly, that's what he said in the House, that's what he has explained over and over to the member.

So when he goes forward in answering and responding very humbly and quite appropriately to a question while being yelled at by members opposite rather extensively, she misheard, I think – and, again, the Blues will correct this – the hon. member basically saying that he was ignorant of the facts in this particular case. That's not unparliamentary. That's quite appropriate. You might use different words, I suppose, and say that the hon. member is not fully acquainted with all of the facts, that he's taking certain of the facts out of context, but it all comes to the same thing.

While I think it would be quite in order for you as Speaker to find somebody calling another person an ignorant person out of order – I would certainly support that – when you indicate in the context of a question that a member is ignorant of some of the facts, it only means, as I understand it, that it's a state of being

uninformed or having a lack of knowledge. It's an adjective describing a person in the state of being unaware, which is often an appropriate description in these circumstances.

**The Speaker:** Are there others?

**Ms Blakeman:** Well, just briefly, I have concerns for the hon. Government House Leader's health given that the contortions he's just involved himself in may well bring him in urgent need of some sort of additional assistance from the medical community by way of a chiropractor or physiotherapy. That was quite an amazing convulsion of limbs, and I think we're all very impressed with how he could manage to get his foot over top of his head like that. I just want to express my admiration for him.

**The Speaker:** Hon. members, the Speaker has had a chance to review what Blues are available. They're not all yet available, so I'm going to wait on that. However, I do side with the concept that members who make statements sometimes in the heat of battle frequently do regret them later. In this instance I will cite for you *House of Commons Procedure and Practice* on page 614. I believe it's line 9, 10, or 11. "A Member will be requested to withdraw offensive remarks, allegations, or accusations of impropriety directed towards another Member." In that respect, I'm going to give the hon. Minister of Health an opportunity to comment as he wishes, and I will make a ruling accordingly on Monday.

The next point of order I have is the hon. Government House Leader.

**Mr. Hancock:** Just a matter of clarification on the last one before I start if I may. Are you suggesting that once everybody reads the Blues and understands the context, there may be further comment on that point of order?

**The Speaker:** What I've said, hon. Government House Leader, is that I will await the full context of the Blues so that I can review them carefully myself. In the meantime I will also allow the Minister of Health, should he wish to comment on it, to do so on Monday. Thereafter I will make a ruling about this point of order.

Let's proceed with the next point of order.

**Mr. Hancock:** Thank you very much. I think you dealt with my next point of order rather adroitly. It was a question, and I'll just indicate that under *Beauchesne's* one should not be referring to people who are outside the House, and 23(1) includes "any matter in debate that offends the practices and precedents of the [House]." It was around a statement which in and of itself, taken out of context, might not be as bad as it sounds, but when somebody gets up in the House and says something about a person committing crimes, that is making a judgment.

Put into the context of the other statements that were made in and around that same time, it was very clear who they're talking about and what they're talking about. To say that that statement in and of itself is not offensive or should be allowed – it has to be read in the context. However, I will not pursue it further, Mr. Speaker, because you dealt with it at the time.

**The Speaker:** Thank you.

Hon. members, that issue has been dealt with, but I would remind people once again that it is out of order to raise a question and, by extension, also to give an answer that might create disorder or some other form of disobedience in the House or that leads to argumentation. Those are in the rules, and you might want to visit those.

My final comment on this matter, which will conclude it, is that context is indeed important, as I just indicated in the previous ruling about the point of order raised by Edmonton-Strathcona. Context is important. I would particularly like to remind new members, those who have just been elected for the first time to this House, that when you are recognized by the Speaker to rise and ask your questions, you are allowed one main question and then two supplemental questions that are connected to the main question. That is why I've ordered the Blues – I haven't got all of them just yet – so that you could see the context of the questions.

Now, this is just an admonishment at this stage, hon. members, but context is important, and context flows from the very first question right through the connection to the second, to the third. They are generally always on the same topic. They generally always refer to the same issue. Unfortunately, in some cases they refer to the same person that may have been named, which is against the rules, or imputed upon in the earlier question. That concludes that matter.

Edmonton-Strathcona, you had one more point of order at 2:29 p.m. Proceed.

### **Point of Order False Allegations**

**Ms Notley:** Thank you very much, Mr. Speaker. Yes, I rise again to raise a point of unorder against the comments made by the Deputy Premier in response to questions raised by the Member for Edmonton-Beverly-Clareview. In fact, again the citation is Standing Order 23:

- (h) makes allegations against another Member;
- (i) imputes false or unavowed motives to another Member;
- (j) uses abusive or insulting language of a nature likely to create disorder.

The comments about which I'm concerned, Mr. Speaker, are those where the Deputy Premier suggested or, in fact, stated that the Member for Edmonton-Beverly-Clareview was impugning the work of AUPE members. Now, Mr. Speaker, I think it's important to put this in context and talk about the context, particularly in response to and taking into account the very statement that you just made and the citations that you just referred to, where neither a question nor an answer should be designed to bring about or create disorder.

Now, in this particular case the Member for Edmonton-Beverly-Clareview was raising a question that arose from comments made by the Premier yesterday in a media scrum. In that case the Premier stated that a particular concern that people have been discussing in this House around whether or not the information that public agencies, which are accountable to ministers of this government, had engaged in activity that is illegal under our Election Act was something she was prepared to comment on. The Premier repeatedly said: I have confidence in a process; there is a process that will deal with this.

3:10

So the Member for Edmonton-Beverly-Clareview quite appropriately rose to ask the Premier or her designate how that would work given that the legislation governing the process to which she was referring very clearly excludes entrance into that process of the consideration of matters which form such significant concern for many people in this Legislature as well as, appropriately, many Albertans. What he was talking about were decisions and actions by this government as it relates to the terms and the impact of legislation for which they are responsible. It's just the nature of the legislation. Also, he was talking about comments made by the

Premier. At no time in the farthest stretch of the imagination, Mr. Speaker, did the Member for Edmonton-Beverly-Clareview ever call into question the work ethic, the dedication, the focus, and the competence and skill level of any AUPE members anywhere in this province.

Mr. Speaker, I would suggest that this was specifically designed to create chaos and unhappiness in the House, disorder in the House. Of course, you know, if you look over many years, the irony of that statement is so incredibly, incredibly profound. This government has been the last agency, I would suggest, that has treated the majority of AUPE members with any version of respect. I mean, practically every day we have AUPE members coming in who are on month 5 of a strike that's been created by this government's decision to hand out public dollars to for-profit operators, who then shortchange these AUPE members from the wages and working conditions to which they would otherwise be entitled, and this government has done nothing about that injustice. Meanwhile, I would suggest, the NDP caucus has been a consistent advocate for the rights of working people in Alberta, for their working conditions, for legislation that protects them and promotes their interests and promotes equality for these particular members of society.

In particular, then, for this Deputy Premier to suggest that the Member for Edmonton-Beverly-Clareview was somehow undermining or impugning the work of AUPE members was absolutely insulting. It was designed to create disorder, it imputed false motives, and it was an allegation which was profoundly and deeply untrue.

**Ms Blakeman:** It's nefarious.

**Ms Notley:** It's nefarious. The Member for Edmonton-Centre suggests that they could be very fairly characterized that way.

Indeed, when you look at the substance of the issue that we were talking about, there is absolutely no way you can connect a statement by the Premier that a process would deal with a bunch of illegal activity and the inability of the process because of the legislation that governs it to actually deal with that illegal activity to the good work done by the members of AUPE.

I would very much appreciate it, Mr. Speaker, if the Deputy Premier could be called upon to withdraw that entirely untrue and vicious allegation against the Member for Edmonton-Beverly-Clareview. Thank you.

**The Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. Irony abounds, that the hon. member would rise under 23(j) about making comments which are intended to create disorder or have the result of creating disorder right after and actually in respect to a question that was raised – which in the way it was raised was very carefully worded, by the way, and quite skilfully done – clearly to create an innuendo that the Premier was somehow engaging in a practice as though she owned the legislation that was tabled in the House but that by bringing that legislation, she was actually trying to do something that would benefit herself. I would challenge the hon. member who raised the question to deny that that was the innuendo that was clearly underlying his question. Then because there was a response to that question – actually, I think the Deputy Premier misheard the question because I think he responded about the inquiry when he was talking about election expenses, but that's just my view of the world. There's a quote about pots and kettles that I think fits this.

Let's be perfectly clear about one thing. Members on this side of the House, members of this government, and, I think, members

on that side of the House would all agree that members of the public service, represented by the Alberta union of public employees or otherwise, do good work in this province, are to be respected by all of us for the work that they do, and that all of us do have a full respect for the work that is done. Any comment by the Deputy Premier with respect to the Member for Edmonton-Beverly-Clareview's question would not have been intended by him, should not have been taken by anyone to bring into disrepute or show any disrespect to members of AUPE because on this side of the House, as on that side of the House, we fully respect the people who work every day for Albertans.

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you. I'll be very brief, just in support of the point of order under Standing Order 23:

- (h) makes allegations against another Member;
- (i) imputes false . . . motives to another Member.

I think that when you take a look at the Blues, the Government House Leader could be correct that the Deputy Premier misheard the question, but the fact of the matter is that if he misheard the question and answered it in a certain way that violated the standing orders, then that should be retracted.

I also agree with the Government House Leader that every single one of the members in this Assembly respects the good work of provincial employees, AUPE members, but what happened is that the Deputy Premier imputed that the Member for Edmonton-Beverly-Clareview questioned the ethics, integrity, and competence of the AUPE members. If that has occurred, that should certainly be withdrawn. As the Member for Edmonton-Strathcona said, that's a vicious comment to a member that I believe supports the good work of those members and of those employees. Nowhere in his question did he ever, ever in any sense of the question question the integrity of those individuals. He was talking about a health inquiry, and it had nothing to do with that. If the Deputy Premier misheard the question, then he should retract his answer.

**The Speaker:** Are there others? Thank you.

Edmonton-Strathcona raised a point of order here with respect to an answer that had been given by the Deputy Premier in response to a question given by the Member for Edmonton-Beverly-Clareview. Again, I regret that I don't have the Blues for the entire question, so it's difficult to tell. However, based on the arguments that I've heard, I want to say that it is never appropriate to attribute comments to others that they did or did not personally hear being made. In this instance I think there was a little bit of an uproar in the House, and I'm not sure who heard what. Clearly, the Member for Lac La Biche-St. Paul-Two Hills seemed to have a very vivid recollection of what was said, and I would assume so does Edmonton-Strathcona since she is sitting there, and I would assume maybe the Government House Leader did, too, because he's sitting just a couple of chairs down from the hon. Minister of Health.

Now, we all know that in this House, frequently during question period in particular but sometimes during other aspects of the House, insults are hurled, attempts at shaming others are endured, and there are accusations and other motives and so on that occur. Usually, I would hope that those occur inadvertently and in the heat of the moment, and then people would have the courtesy of standing up and withdrawing them and doing the right thing. You know and I know that we would not get very far in this House if we stood up on a point of order every time somebody accused

somebody of something, and we're going down that slippery slope more and more as the session wears on. It's not only in the questions, hon. members. It is frequently also appearing now more and more in the answers.

So I ask again that you please be very vigilant about the words that you choose. In this case, Edmonton-Strathcona, I think you have done a very good job clarifying the position in your case on behalf of the Member for Edmonton-Beverly-Clareview, and that record is now there for others to read. I, too, will remind all of you again of the hon. member's comments, and as such I'm going to remind the Deputy Premier and others about this. I believe this matter has now been clarified, and I will pursue it as necessary and if necessary again next week. That concludes the matter for now.

Do we have any other points of order today? Then let us move on.

3:20

## Orders of the Day

### Government Bills and Orders Second Reading

#### Bill 7

#### Election Accountability Amendment Act, 2012

**The Speaker:** The hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you very much, Mr. Speaker. It's my honour to rise to speak today on Bill 7, the Election Accountability Amendment Act, 2012.

When I was preparing my speaking notes in second reading here, I recalled a time in May of 2006 when I had the privilege of speaking about elections law and a couple of topics at a conference in Ottawa, and I know that the Leader of the Official Opposition was a member of that same organization.

Bill 7 amends four pieces of legislation: the Election Act; the Election Finances and Contributions Disclosure Act, which deals with finances; the Senatorial Selection Act; and the Local Authorities Election Act. The Chief Electoral Officer provided the vast majority of these changes in the provincial election and senatorial selection proposed in the bill. Now, Mr. Speaker, on May 29 I wrote to the Chief Electoral Officer – and the letter has been tabled to this Assembly – and I asked the Chief Electoral Officer for comments on improvement to the existing elections laws, and on May 31 he wrote back to me. That's also been tabled.

So this legislation is largely based upon the comments of the Chief Electoral Officer, who, as you know, is an independent officer of this Legislature. He does not report to me as the Minister of Justice, to another other minister, to any other private member. The Chief Electoral Officer provided 101 recommendations, and there are 90 of those which are accepted in this legislation.

[Mrs. Jablonski in the chair]

I'm going to begin with changes to the proposed Election Act, and of course, Madam Speaker, the Election Act deals primarily with procedure. The proposed changes will allow for more efficiently conducted elections. They would authorize the Chief Electoral Officer to appoint additional persons as election officers and appoint information officers. They would also authorize supervisory deputy returning officers to perform the duties of other election officers. Further, they would authorize returning officers to hire election officers and supervise them in the conduct of the official count.

This bill will allow for future enumeration of voters through the Alberta Income Tax Act, the form that is provided for filing your

annual income tax. Now, Madam Speaker, the federal government has been doing this for many years, and it has been largely successful. The federal Chief Electoral Officer's website boasts an 84 per cent compliance through the income tax based enumeration. There is one other province that is doing income tax based enumeration, and that is the province of British Columbia, which estimates it saves them \$25 million per election.

Essentially, Madam Speaker, with this new enumeration you end up with a better result for less money when it comes to enumeration. You get a better list. With getting a better list, I would submit to this Assembly that you are going to have a more orderly conduct of the election. If you have a more accurate list, more people with their correct addresses, names, and information on this particular list, you're going to have fewer people that are required to show additional ID, sign stat decs. It also protects against elections fraud as well. So, simply, this is the best way to go.

Bill 7 also allows postsecondary students flexibility in where they cast their ballots. They would be able to vote either where they live while attending school or where they live immediately before attending school. For example, if a student is attending school in Edmonton and they normally reside in Calgary with their family, they'd have the choice of where to go. This has been supported significantly, Madam Speaker, by the Council of Alberta University Students, and I thank them for that endorsement.

Other changes to the Election Act include providing the Chief Electoral Officer with authority to develop a code of conduct for scrutineers, which will be posted in each polling location, to meet with representatives of parties that are represented here at the Legislative Assembly, and also to include recommendations for legislative amendments in his reports to the Assembly.

Madam Speaker, Bill 7 proposes giving the Chief Electoral Officer the authority to impose administrative penalties under the Election Act. Of course, administrative penalties are typically but not limited to an economic fine. It also would give him the authority to determine whether to investigate or cease to investigate if a complaint is frivolous or vexatious or if there are simply no grounds for the investigation. If a complaint was deemed to be frivolous, vexatious, or without grounds, then the Chief Electoral Officer would be required to provide notices to the complainant as well as to the person investigating. The Chief Electoral Officer will also have the authority to provide notice to other persons involved in a matter if necessary.

Now, Madam Speaker, these amendments enhance the authority of the Chief Electoral Officer to disclose the information. He will be able to disclose on his website his findings, his decisions, and any additional information he considers appropriate to a particular circumstance when an administrative penalty has been imposed, as I mentioned, which is typically a fine; when a letter of reprimand is issued, which is a letter basically saying, "No, don't do that"; or in more serious infractions when requested to do so by a person who has received notice that the Chief Electoral Officer has ceased to investigate. Of course, in the event that the matter is referred to a prosecutor and a charge is laid, that, of course, will remain fully public.

Another important area where changes are proposed is with respect to elections advertising. It requires disclosure when an advertisement was approved by a political party or candidate. In addition, the Chief Electoral Officer advised he received between 800 and 900 complaints about demon dialers, otherwise referred to as robocalls, automated dialing answer devices, what have you. We all know what those are. Under this legislation blocking the phone numbers of calls would be prohibited, and a caller ID must be capable of being displayed.

Bill 7 also authorizes the Chief Electoral Officer to establish and post guidelines on election advertising. He would be able to remove printed or electronic ads that are not in compliance with these rules. We all require advertisements, and I'd suggest that none of us would be here if it wasn't for advertisements, but we need to set some rules around them. For the most part these changes proposed for election surveys mirror the changes proposed for advertising. The person conducting the survey would be required to provide their name and contact information and the same for the organization on whose behalf the survey is being conducted. This information must be provided at the beginning of the survey, and the surveyor must indicate whether the person or organization approved the survey. As with the election advertising, caller identification must not be blocked and must be capable of being displayed. The Chief Electoral Officer would also be authorized to establish and post guidelines on election surveys.

Now I'm going to move to the next act, Madam Speaker, the Election Finances and Contributions Disclosure Act, which deals primarily with election financing. Bill 7 makes important changes to the Election Finances and Contributions Disclosure Act, one of the most important ones being that the threshold for disclosing contributions is being lowered from \$375 to \$250. Disclosure will include the name and address of the contributor and the amount and the date of the contribution. Reporting of contributions to political parties and constituencies: it will now be made quarterly rather than annually. As well, third-party advertisers will be required to disclose contributions in accordance with the new lowered threshold.

I want to move to leadership campaigns. Currently there are no requirements for financial disclosure for leadership contests. Well, Madam Speaker, that's changing. With this bill the threshold will again be \$250, and disclosure will also include the name and address of the contributor and the amount and date of the said contribution.

Several amendments to the Election Finances and Contributions Disclosure Act will also help increase compliance. Bill 7 adds a provision that would make a contributor responsible for ensuring that they are not prohibited from making a contribution and that they are not making a contribution in excess of the prescribed limits. Proposed amendments will require the chief financial officers of political parties to make every reasonable effort to ensure that prospective contributors are aware of the provisions of the act with respect to contributions. Contributions are now only to be accepted through the candidate's chief financial officer. Receipts must indicate that the contributor acknowledges that the contribution is made in compliance with the act.

Bill 7 will broaden the Chief Electoral Officer's ability to impose administrative penalties. Currently he can only impose administrative penalties on contributors who exceed the contribution limit or are prohibited from contributing at all. With these amendments he'll be able to impose administrative penalties not just on contributors but also upon recipients. He also would have the authority to impose administrative penalties for any offence under the act.

The Chief Electoral Officer will be able to issue a letter of reprimand or an administrative penalty up to three years after the date of an alleged contravention of the act. That is not changing. That currently exists under section 52 of the act. This is consistent with the current limitation, as I mentioned.

But I must also mention a word on the law on this particular point. Retroactive legislation is almost always prohibited, Madam Speaker. Retroactive legislation is when you go back and you want to change the rules for something that happened in the past.

Now, I'd submit to us that none of us has a time machine here, and this is inappropriate to do. Retrospective legislation is exactly what we're doing, shining a light on things that happened in the past.

3:30

In that line, Madam Speaker, Bill 7 also updates, amends, and reorganizes the provisions of the act regarding investigations and disclosure. The Chief Electoral Officer would have the authority to decide whether to investigate or not to investigate if he deems the complaint is frivolous or vexatious or there are no grounds. Again, that is in his sole and unfettered discretion, irrespective of any political interference.

If the Chief Electoral Officer decides not to investigate for one of these reasons, he has to provide notice to the complainant and the person who would have been investigated. As well, he must also provide notice to the other persons involved in the matter. This mirrors the provision under the Election Act, as I mentioned.

The bill would give the Chief Electoral Officer the authority to disclose his findings, decisions, and any other additional information he considers appropriate in the circumstances with respect to his investigations. He would make this information available on his website when an administrative penalty is imposed, a letter of reprimand is issued, or is requested to do so by a person who received a notice of the Chief Electoral Officer to cease to investigate.

He will also be able to make this original information available with respect to offences that occurred within the last three years. It has always been my position that the Chief Electoral Officer has had this authority, but at the end of the day this is an independent officer of the Legislature, Madam Speaker, and he will have the final say. This will fix this issue that has inadvertently come up. This goes back three years. We will be prohibited by the current limitation period from going back further. I would like to go back as long as possible, and that is exactly what we are doing.

Madam Speaker, with Bill 7 we are also increasing fines for general offences from \$1,000 to \$10,000. Bill 7 will adopt the same rules for the Election Finances and Contributions Disclosure Act that I outlined earlier that are proposed for political advertising under the Election Act.

There are also several amendments proposed under the Senatorial Selection Act. These amendments will make the act consistent with the other two acts that I had mentioned. For example, changing the nomination date to the 10th day after the date of the writ. Another proposed amendment would require the Chief Electoral Officer to publish senatorial candidates on the chief's website as well as in newspapers. We felt both of those were important.

We are also proposing that the Chief Electoral Officer use his discretion when it comes to allowing a candidate's nickname on the ballot, interestingly enough.

I also want to mention again that we are accepting a provision under his recommendation that would allow him to consult with political parties of people who are represented in the Legislature here.

There were also some key changes to the legislation governing the provincial election and the senate selection. Bill 7 will help Alberta's provincial election finances and contributions disclosure laws to be stronger and will also increase accessibility and accountability. I note that our contributions remain unchanged, and I note that the Chief Electoral Officer today on the radio indicated that the \$15,000 limit has been prescribed since 1982. I submit to this House, of course, that there's been a significant amount of inflation since that time.

Now, I wanted to move to the Local Authorities Election Act amendments. I wanted to particularly thank the Minister of Municipal Affairs for his work on this particular file. Municipal Affairs held a consultation with stakeholders and the public over the last summer. These recommended changes to the Local Authorities Election Act are items which received strong support from a broad range of respondents. For example, number one: four-year terms. We're proposing changing the term of office to four years effective 2013 and onwards. We have strong stakeholder support for this change, including municipalities, school divisions, municipal associations, AUMA, and AAMD and C.

I wanted to mention as well that the returning officer of a local authorities election accepts all submitted nomination forms, including all those missing the required number of nominator's signatures. Madam Speaker, if a candidate who was elected did not complete the nomination form, their eligibility for nomination and subsequent qualification as a councillor can be contested before the Court of Queen's Bench of Alberta. We're proposing a requirement to ensure that returning officers refuse a nomination form that is not signed by the required number of electors. Five people. Wow. The proposal also received strong support from all key stakeholders.

Currently local authorities use their own discretion in determining whether or not to require voter identification in a local election. We're proposing that for the 2013 election voter ID requirements be similar to those in the provincial Election Act. In municipalities that maintain a voters list, an elector who is on the list need not produce that information. As in the Election Act, an individual who is on a voters list will be able to vouch for an individual who's not on the list. In these cases, a person being vouched for would not need to produce identification. In municipalities that do not maintain a voters list, all electors would need to produce identification.

Currently a potential candidate may accept campaign contributions under the Local Authorities Election Act prior to nomination day, but there's no mechanism in place to track these candidates should they decide not to submit a nomination form. On behalf of the Minister of Municipal Affairs we are proposing that a potential candidate must register with the municipality before they accept campaign contributions. The existing campaign financing and disclosure requirements would continue to apply to candidates who are registered with the municipality but do not submit a form. The requirement, again, would come into force after the 2013 election cycle in order to ensure that the rules are not changing midstream for candidates that already plan to run in that year.

In 2009, Madam Speaker, a private member's bill was passed to add increased accountability around campaign finance and disclosure for local authorities elections. One of these amendments was to require a candidate who is not running in the next general election to donate any surplus campaign funds in excess of \$500 that were collected in the previous election to a registered charity. Pursuant to that, any surplus funds below \$500 may be kept by that individual. Bill 7 will change this. It will require all surplus funds, including funds under \$500, to be donated to a charity if he or she does not submit a nomination form for the subsequent election, and these requirements will be scheduled to come into force in December 2015. All stakeholder groups showed support for this change.

I wanted to mention clearing deficits. The act does not specify that campaign deficits are to be cleared in the event the candidate does not run again. Although campaign deficits are discouraged, they can result if campaign finances are not carefully controlled. In most cases deficit amounts are not significant and may be

cleared through fundraising from a subsequent election campaign. It is proposed that candidates be required to clear their campaign deficit if they're not running again, and the consultation proposal was again supported by all key stakeholder groups.

Currently the act does not restrict a candidate from running in a subsequent election after failing to file a disclosure statement on campaign contributions, and it's proposed that a candidate would become ineligible to run for municipal office for two subsequent election periods if he or she failed to file a disclosure statement as required under the act. Stakeholder feedback showed strong support for this policy change as the stakeholders, Madam Speaker, indicated that this new provision will compel and provide incentives to candidates to comply with the disclosure requirements and provide greater accountability on election financing.

Recommendations also include some nonpolicy related changes to the legislation to clarify its intent and better align its requirements to other provincial legislation.

In conclusion, Madam Speaker, the amendments to the Local Authorities Election Act follow through on the Minister of Municipal Affairs' commitments to municipalities. They're based on changes called for by municipal organizations, and they represent areas of broad consensus at the local level. They are changes that will ensure strong governance at the local level and well-run election processes while also respecting local autonomy and flexibility.

The spirit of the amendments to the Local Authorities Election Act is also shared in three pieces of legislation: the Election Act, the Election Finances and Contributions Disclosure Act, and the Senatorial Selection Act. They will provide greater transparency of provincial elections and campaign financing.

With these amendments we're making good on the Premier's commitment last spring but also my commitment during the one-week Legislature session that we had just after the last election. It's another promise made, it's another promise kept, and it's another promise that is a result of a lot of consultation across this province, including in this Chamber.

With that, Madam Speaker, I would move that we adjourn debate on Bill 7.

[Motion to adjourn debate carried]

### 3:40                    **Government Bills and Orders**                              **Committee of the Whole**

[Mrs. Jablonski in the chair]

**The Deputy Chair:** I will now call the committee to order.

#### **Bill 4** **Public Interest Disclosure** **(Whistleblower Protection) Act**

**The Deputy Chair:** Are there any who wish to speak on this bill? I recognize the Member for Calgary-Varsity.

**Ms Kennedy-Glans:** Thank you, Madam Chair. It's my pleasure to rise and start the Committee of the Whole debate on Bill 4, the Public Interest Disclosure (Whistleblower Protection) Act, 2012. To begin, we'd like to take this opportunity to clarify what this act is intended to do. Bill 4 will facilitate the disclosure of wrongdoing, address wrongdoing through investigation and reporting, and protect those making disclosures from reprisal.

We'd also like to take this opportunity to clarify what this bill is not intended to do. It is not intended to be the only framework

under which illegal acts can be sanctioned. Wherever a wrongdoing contravenes provincial or federal legislation, the wrongdoer faces potential sanction in accordance with that legislation. This act is only meant to facilitate disclosure of those contraventions. Moreover, any disciplinary action against a wrongdoer under the organization's human resource processes, including termination of employment, remains available.

Madam Chair, we have heard concern that this legislation does nothing to compensate whistle-blowers for any damages they suffer, and that is true. The commissioner can only make recommendations. The act is meant to complement, not to replace, existing avenues that whistle-blowers have to seek corrective action for damages they sustain. An employee can seek redress through their union grievance process, file a complaint with the Alberta Labour Relations Board, or make a claim for damages through the courts.

To be clear, however, this legislation does have teeth. I've taken a look at the act, and here's what I'll point out. Where either an internal investigation or an investigation by the commissioner is launched, full and complete co-operation is expected by all involved. Anyone who wilfully attempts to obstruct an investigation under this act or counsels another person to do so faces sanctions. Anyone who makes false or misleading statements to any investigator or to the commissioner or knowingly withholds material information from an investigator or the commissioner will have committed an offence.

Critical information about a wrongdoing or reprisal may be contained in official records. The act makes clear that anyone who destroys, conceals, or falsifies a record or counsels another to do so has committed an offence. As was the case with reprisals, those committing such offences may be subject to prosecution in court or, if convicted, face fines of up to \$25,000 for a first offence and \$100,000 for second and subsequent offences.

With that, Madam Chair, I am pleased to start the debate in Committee of the Whole. We've already had some very lively discussion about Bill 4, and I look forward to the continuation of this debate and will be prepared to answer questions.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Madam Chair. I am just thankful for the opportunity to stand and speak to Bill 4 here today and say that I am in complete agreement with the intention of this bill. Whistle-blower legislation is something that is badly needed in this province. There is a however. I'm sorry. We spoke at great length on public interest the other evening, night, morning, late morning. We could go on. This bill does not meet the intentions that are put forward.

Now, I am going to reiterate some of my comments that I made during the second reading of this bill just because I want to prove that the intention is correct. We need whistle-blower legislation. Whistle-blower used to be a dirty word, Madam Chair. It was used in the same way as rat and tattletale. I can't help but see it completely differently. Whistle-blowers protect the public interest and safety by courageously stepping forward despite odds against them. In a word, they're heroes. Heroes are selfless. They sacrifice for others. They are brave when they stand up against insurmountable odds. They are David to Goliath, and we should do everything we can to make sure that David wins. That is why we want to see whistle-blower legislation.

Allan Cutler was a hero. We saw him come forward. He blew the whistle on the Adscam sponsorship scandal. All Canadians

owe him a debt of gratitude. We owe whistle-blowers a debt of gratitude. Adscam wasn't just about the incompetent use of tax dollars; it was about the deliberate and fraudulent use of tax dollars for political purposes. We've been talking about that lately, too.

For too long civil-spirited public servants have been afraid to come forward or are destroyed if they do. With this piece of legislation I think that fear is still going to be there. Careers can end, jobs can be lost, and, ultimately, the livelihood of a person and their family is put at risk when someone in the public service wants to step forward and bring attention to outrageous and egregious behaviour. So I was pleased when this government after 41 years in power finally saw fit to bring forward whistle-blower legislation. It's about time.

There are also limitations to prevent frivolous claims against the government.

**An Hon. Member:** Question.

**Mr. Fox:** I'm glad you've got a question on the bill. I have many, too. We'll get to those.

Whistle-blowing is too vital to a free and healthy democracy to be bogged down with the bitterness of some. This legislation should be reserved for those who know of serious wrongdoing in public institutions.

I do, however, have many reservations about this piece of legislation. If the government is to be believed, this piece of legislation before us will protect those working in the public sector when they blow the whistle. They won't have to fear reprisal, we're told, from their supervisors or from other management executives in their department. The problem, Madam Chair, is that I don't believe this government. I don't believe this bill was intended to protect employees in government. This bill reads a lot like our FOIP Act. That, as we know, was to protect the government from its employees.

The highest standards should be used to facilitate the whistle-blowing process. If they were, this bill would read much differently. From the beginning of my reading of it, Madam Chair, this bill has seemed a bit suspicious. Why would legislation only apply going forward? I remember the speech from the associate minister when he stood up at the end of second reading and told us that we were incorrect. I'm just going to pull out that section of the bill right here, part 1, Wrongdoings, and read it for you.

(2) This Act applies only in respect of wrongdoings that occur after the coming into force of this Act.

Yuck.

**Ms Blakeman:** Is that a technical term?

**Mr. Fox:** Well, I had other four-letter words, but I don't think you'll allow me to use them.

Wouldn't you want to know about the gross mismanagement of public funds or reprisals against employees who spoke up in the departments prior to this coming into force? One could conclude that there is something to hide, Madam Chair, especially since if this bill is passed, it would not be implemented for some time. There will be a bit of a black hole, especially with this section. What kind of message does this send our civil service right now? The expense scandal in our health system was only brought to light by a FOIP request from the media. The government tried to hide that. I would surely doubt that this government does claim to be perfect, so why gag your civil service? Why not make the promise here and now in the Legislature to protect those employees against reprisal from this day forward, not some distant-future, kind-of, sort-of date that's undefined?

Another issue with this is the definition of wrongdoing. Now, I've had a chance to examine legislation in Saskatchewan, Manitoba, Nova Scotia. I've talked to and read reports from FAIR. That's what they do. They examine this legislation throughout the world. The bill we're debating is quite similar in many ways to the other provinces mentioned, but this government under this Premier has talked endlessly about being a leader in Canada. Well, with this bill we're not a leader. I think we should be the leader on the whistle-blower legislation, though. We should set the higher standard of wrongdoing. As it stands right now, wrongdoing is limited in this bill. It's limited to gross mismanagement of funds, assets, and civil and criminal laws.

3:50

Well, I think we can do better. We should be looking at ethical behaviour. What about the intimidation and bullying of our health care professionals? What about the Merali expense scandal? The CEO of Capital health signed off on those expenses, yet we all know how unethical it was to have five-star dinners and automobile expenses picked up by the taxpayers of Alberta. I'm just frustrated with this thing. Somehow, you know, we keep pushing this thing forward.

At the end of the speech that I gave on Bill 2, I moved a motion to put this forward to a committee, to get the committee to do the job that it was put there for, to go over legislation that we're putting forward here in this Legislature. And what happened? You voted it down. I wanted to work with you. I wanted to help you. I wanted to make this a robust piece of legislation that we all could be proud of. And what happened? You voted it down. Shame. That is shameful.

So where are we here today? Well, we're going to get started. In my hand here, Madam Chair, I have an amendment that I would like to move. I have the original on top and the required number of copies needed to be tabled.

**The Deputy Chair:** We're not tabling it. We'll just pause for a moment while you hand them out to the members of the House, please.

This amendment will be known as A1. Seeing as the majority of our members have a copy of amendment A1, the Member for Lacombe-Ponoka may proceed.

**Mr. Fox:** Thank you, Madam Chair. Let's get going on this amendment. Where are we starting with this? Well, we're going to start with one of the key shortcomings as noted by FAIR. Let me tell you a little bit about who FAIR is. FAIR is the Federal Accountability Initiative for Reform. They promote integrity and accountability within the government by empowering employees to speak out without fear of reprisal when they encounter wrongdoing.

Our aim is to support legislation and management practices that will provide effective protection for whistleblowers and hence occupational free speech in the workplace.

Founded in 1998, FAIR is a registered Canadian charity, run by volunteers and supported by individual contributions. FAIR does not solicit or accept funding from governments or corporations.

I will table what I'm reading from on Monday.

Key shortcomings according to them. "There are some shortcomings in this Act so significant that they render the basic design ineffective. These are listed immediately below." In the latter section there is a list of other shortcomings which are also important and need to be corrected, but fixing these without addressing the key shortcomings will be fruitless. By analogy, if a car has no engine, then fixing a flat tire or topping up the gas tank



isn't going to make much difference. Key shortcoming 2: "The Commissioner has unlimited discretion to do nothing."

Let's read what's currently in the bill.

**Exemption**

31(1) The Commissioner may, in accordance with the regulations, exempt any person, class of persons, public entity, information, record or thing from the application of all or any portion of this Act or the regulations.

(2) The Commissioner may impose any terms and conditions the Commissioner considers appropriate on any exemption provided for under subsection (1).

(3) The Commissioner must provide reasons for giving an exemption under this section and must ensure the exemption, including any terms or conditions imposed, and the reasons for giving the exemption are made publicly available.

Well, let's talk about regulations. Who's setting the regulations? This is part of section B of our amendment here. Under Regulations section 36 in the act is:

The Lieutenant Governor in Council may make regulations . . .

In layman's terms, cabinet. Then we need to get rid of section 36(1):

- (1) respecting the exemption of any person, class of persons, public entity, information, record or thing from the application of all or any portion of this Act.

So what we're seeing here in regulations is that cabinet can make a regulation that excludes anybody cabinet really wants to see excluded. Wow.

**An Hon. Member:** Or a class of persons.

**Mr. Fox:** Or a class of persons. This is just shameful. Why would cabinet want to exclude anybody from this? Where is the transparency in that? That makes this thing about as clear as mud.

Now, let's keep going on this. The commissioner will be given the ability to exempt anyone or any group from this act. I mean, really? Come on. This is beyond belief. Why would anyone want to exempt anybody from this act? I mean, should we be exempting people from whistle-blower protection? Is there really anybody in this province that should be denied the protection of this bill? I don't think so.

**An Hon. Member:** What if you're a friend of the PCs?

**Mr. Fox:** Maybe if you're Evan Berger. [interjections] Well, you know, he was exempted from the conflict-of-interest legislation. There was an exemption. Are we going to keep using these kinds of pieces of legislation to exempt unethical behaviour?

What we're proposing is to delete section 31 from the act. This section, as we have stated before, allows the commissioner to exempt anyone or any group from the whistle-blower protection act. You can't hide behind them. We've seen the government hide behind commissioners. Well, you're creating the rules, the regulations that the commissioner is operating under. You send him an order in council changing the regulation. That commissioner now has to abide by that. That's not transparent. There is no transparency in it. It's shameful. It's just absolutely shameful. I don't get it.

I mean, I want this to be the most robust piece of legislation in the country. This must be the most robust piece of legislation in the country. Albertans demand it. My constituents demand it. Your constituents demand it. We must have it.

Now, again, I'd asked to do this in committee. I wanted to do this in committee so that we could bring before the Legislature a bill that I could stand up and support because, believe me, I want to support this. There's no reason why we should have to have all these amendments going forward. We could have used the tools put there before us. We've been given these opposable thumbs.

Why not grab the tool and use it? Well, we're not. We're absolutely not, and I just don't understand it. I'm baffled by this piece of legislation. I'm baffled that it came in front of us in the manner that it did, looking the way that it did.

**4:00**

I mean, this is just one amendment of many, my friends. One of many. We could have fixed this. We could have fixed this in a committee. We could have fixed it and brought forward something that would have been given support from both sides of the Chamber instead of having me stand up here and try to convince you of these much-needed amendments, ones that have been asked for by people who make it a point – they make it a point – of analyzing these kinds of laws and protecting our citizens. They want to see good, robust, strong whistle-blower legislation not only in Canada but around the world. I have to admire what these people in FAIR are doing because they're trying to get governments to be accountable. They're trying to bring about democratic reform.

We stand in here and talk about public interest and being open and transparent with the citizens of Alberta, with the citizens of our constituencies. Well, here was a perfect example of where we could have done that, and we're not. I mean, I'm making the assumption here, but I'm sure that you're going to vote down all of our amendments, but I hope you don't.

I guess because of my passion for democratic reform I stand up here, and I'm bellowing a bit, but this is important to me. This is important to Albertans. This is important to our constituents to get right the first time. What happens if we pass this the way it is? We're going to have to go back. I don't want to go back. It's a waste of time. It's a waste of resources. Let's get this right the first time.

With that, we've got this amendment in front of us, one that I believe will go forward in strengthening this particular bill, Bill 4, the Public Interest Disclosure (Whistleblower Protection) Act. Let's make sure that those that are willing to stand up and be heroes are offered our protection and that we do it in a way that is transparent and protects everybody, not just some.

If we want to keep going, I can keep going. You're ready to go? All right.

**The Deputy Chair:** You have a minute and 29 seconds left, but you don't have to take it.

Okay. The hon. Member for Calgary-Varsity.

**Ms Kennedy-Glans:** Thank you. I'd like to respond to the comments made by my colleague here, the hon. Member for Lacombe-Ponoka. Madam Chair, the act when it's fully implemented is going to cover a lot of different organizations, and this clause that he's speaking to is necessary to ensure that the act doesn't unfairly impact one public entity.

For example, when a public body is extremely small, maybe only has three employees, it would be inefficient and practically impossible to have functional and effective internal disclosure procedures as required by this act. This section allows the commissioner to exempt such an organization from establishing these internal processes. This section also allows the commissioner to attach conditions to such an exemption. In this circumstance the commissioner could require that all disclosures go directly to the commissioner for review and investigation.

By this amendment the opposition appears to be assuming that the commissioner will use this discretion in bad faith. What the opposition doesn't emphasize is that the commissioner is obligated to publicize every exemption they grant and the

supporting rationale for granting such an exception. In short, the commissioner can be held accountable by all of us in this Assembly for each and every exemption they grant, and I assume that you will do that. Further, the commissioner's decision to grant an exemption may be subject to judicial review just like any other exercise of discretion. Clearly, there are checks in place to ensure that the commissioner's discretion is not abused.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you.

The hon. Member for Lac La Biche-St. Paul-Three Hills.

**Mr. Saskiw:** I'll be very brief. Just in response to that and the question of whether or not the commissioner would act in bad faith, I think that one should never assume that anybody is going to act in bad faith, but we saw an example with other legislation. It was the conflicts-of-interest legislation in which an individual was granted an exception under that act. Along the same lines of this legislation the commissioner in that situation did put conditions, but despite allowing an exemption, despite adding conditions to that situation – of course, I'm referring to the Evan Berger appointment – that still didn't make it ethical.

I think that's a fatal flaw in this legislation, to provide the cabinet the unfettered power to grant an exemption to anybody. It should not be given. If there are circumstances, as the Member for Calgary-Varsity suggests, where, you know, there are two or three people or something like that, spell that out in the legislation. Make it very specific right now or at least give some reasonable parameters. To give complete, unfettered discretion to the cabinet to provide an exemption to any individual for any reason I think is not acceptable and is not going to provide a full and robust piece of whistle-blower legislation.

**Ms Blakeman:** Speaking to the amendment, which is A1, yeah, I support this amendment. They are related sections that are being amended here because in section 31, which the amendment is proposing be struck out entirely, it does allow – sorry. I'm just going to back up a bit. This entire piece of legislation is very loosey-goosey. A technical term, I know. It's a bit like nailing Jell-O to the wall. There are a lot of loopholes, a lot of ways things can slide sideways. Truly, we have learned a few things. The Ethics Commissioner – which I'll remind you all, I did speak in this House about how he was likely to cause us some grief, and indeed he did – has given us all a lesson that I hope we learn.

Let me just step to the other side of this. You do need to have the Assembly working in a way that the government is allowed to do its job. You know, it has to pass legislation; it has to keep stuff moving along. There are rules to make sure that we're not silenced, that we get our time, that we can make a fuss if we want to as appropriate.

The same thing with this legislation. You know, you have to be giving the commissioner the ability to stop work and to not expend resources on vexatious claims. You have to. I expect that a good number of us in this House have dealt with claims like that where, you know, whether there's a mental illness behind it or they just don't get it or they just are going to keep going on this until they get what they want, they're wrong. The legislation is not supporting what they ask for or what they want, and you have to give the commissioner the ability to say, "This is vexatious, and it's not going any further," and to not expend any more resources on it. I don't see that kind of narrowness of focus in section 31. Once again, a shell bill.

Before I die, I would like to see legislation that doesn't come in here with: the commissioner may in accordance with the

regulations. Of course, we have no idea what the regulations are, and we have to pass this bill never knowing what the regulations are. The regulations could say, "Paint yourself blue," for all I know because we never see them until they're actually published in the *Gazette*, which is a major problem in trying to work in this Assembly and trying to do good work in this Assembly.

**4:10**

Historical vignette. We used to have a committee called Law and Regulations. It was an all-party committee. It was one of the special standing committees. All legislation, once passed, went there, and that committee looked at the regulations that were going to apply to the bill. It was struck out, I guess, in 2007, maybe in the Standing Orders that were revised then, and now we have no way of knowing. Even before that the government was no longer referring anything to that committee.

You understand how frustrating that is when everything we look at – just about every second paragraph in here says: according to the regulations.

31(1) The Commissioner may, in accordance with the regulations,

that say to paint yourself blue,

exempt any person, class of persons, public entity, information, record or thing from the application of all or any portion of this Act or the regulations.

Not one word about vexatious in here. Not one word that narrows the focus. This just says that they've got the ability to wipe out anything they want, according to the regulations, and we don't know what they are. Funny-looking commissioner, painted blue, but there you go, which is not a reflection on whoever the commissioner ends up being.

The next part:

(2) The Commissioner may impose any terms and conditions the Commissioner considers appropriate on any exemption provided for under subsection (1).

Well, it's going along with it. It's just too wide. It's too loosey-goosey. It's too Jell-O.

The final piece:

(3) The Commissioner must provide reasons for giving an exemption under this section and must ensure the exemption, including any terms or conditions imposed, and the reasons for giving the exemption are made publicly available.

Well, good. That's a good thing – pat, pat, pat – to make things public. But it's after the fact. The exemption has already happened. And there's nothing in here about vexatiousness. I would be a lot happier if there was. Since it's not there and it doesn't seem to be intending to cover that, I'm in agreement that it should be removed because it is just too big a loophole to drive that truck through.

The second part of this amendment is striking out clause (1) of section 36. Just let me find that. Section 36 appears on page 25, for those of you following along at home or even in the Assembly, which happens occasionally. Oh, look. It's my favourite clause: "The Lieutenant Governor in Council may make regulations." What a surprise. Then it goes on for two pages of where it can make regulations, which is, you know, everything. But specific to this amendment, which is trying to take out subsection (1), subsection (1) is: "respecting the exemption of any person, class of persons, public entity, information, record or thing from the application of all or any portions of this Act." That's removing the regs section that would go along with section 31.

I suspect that given the lack of interest from my colleagues on the other side this amendment is not going to be greeted with great enthusiasm and support, but you need to listen because you have made an omission here, and you need to figure out a way to fix this

mistake. It's a big one, and it almost renders the legislation moot. It doesn't really. I don't want to, you know, make any wild statements here. But, truly, the point where the commissioner can exempt anything and anyone for any reason – we don't have to be told the reason; we just have to be told after the fact that he or she did it – is very problematic. The point of this legislation is to protect whistle-blowers. It's to make them know that if they come forward, we will protect them. That is not clear from this legislation.

The second piece that's not clear but that we'll get to in the future, I'm sure, is the make-whole concept. The hon. Member for Calgary-Varsity had mentioned in her opening comments that there were lots of ways for people to find redress if things went against them in this when they reported something. You know, there's a lot of stuff out there about what happens to people. There are very long court cases. People can be harassed at work. They can go on stress leave. That gets cut back. There are a lot of ways to punish someone for doing this.

To bring forward legislation that does not bring with it a make-whole concept is why I said I wouldn't recommend anybody do anything by way of whistle-blowing for this government. This doesn't protect them. If you're two years out of work and you use up everything that's available to you before the court case comes up, you're stuck, honey. If you lost your house, too bad. There's nothing in here that would make you whole, that would make up for the lost wages, the lost house, the lost car, the divorce proceedings cost, you know, whatever comes as part of that, additional medical. Nothing.

So why would you pursue this? I'm going to rebut what the hon. Member for Calgary-Varsity has said because while you can get it from the unions, well, this government is renowned for being anti-union and making it as difficult as possible in this province to organize a union. Honey, there's no – sorry, that's rude, but you know what I mean. There is no first contract legislation in this province. Where the biggest and nastiest fights have been is where we've got a union formed and they go to negotiate a first contract with the employer and the employer just folds their arms and says: get lost. Dynamic Furniture, Gainers. Isn't the one they're doing right now about a first contract?

**An Hon. Member:** Gainers wasn't a first contract.

**Ms Blakeman:** Okay. I've been corrected. Gainers wasn't a first contract, but most of the big, ugly, long, long, long-running organized labour issues in this province have been around a first contract.

To say, "Oh, that's no problem; the unions can look after you," well, there aren't that many people in Alberta that are covered by unions. There's a reason for that, because this government doesn't make it easy for them to be covered by unions. So we're really looking at somewhere around 3,000 people out of our 3.5 million that are actually union members that would receive some kind of help. The rest of us, the other 3.2 million, not including and then taking off the women or the children that wouldn't be workers: you're on your own, toots. If you want to throw them onto the employment standards, well, good luck. Get in line, you know. That's a heck of a long lineup. I don't hear any talk from the government that they're going to beef up employment standards staff in order to deal with additional people that are coming forward, looking for help.

**Ms Notley:** You get two weeks' pay.

**Ms Blakeman:** Yeah, and the end result of all of that would be – wait for it – two weeks' pay. Wow. That'll sure pay the mortgage for six months.

I understand the good intent behind all of this and behind the member's comments. It just does not reflect the reality of working in Alberta. I think that's what we have to anticipate if we're going to give – how did the member keep calling it? – robust legislation that people believe and that they will feel protected by and that they will step out and tell us what we need to know about what's going wrong and would require a whistle-blower.

Having said that, I am in support of this, and I will take my seat to let others speak.

**The Deputy Chair:** The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Madam Chair. I'm pleased to be able to rise to speak in favour of this amendment. It's one of the amendments that our caucus as well had identified needed to be discussed. Now, it's interesting. We have to sort of start with the overall context because throughout the whole deliberation on Bill 4, deliberation which I hope will go for some time, I am going to be constantly conflicted because, quite honestly, you know, there's part of me that says: "Well, you know what? Let's just give that commissioner the opportunity to exempt folks, and let's just campaign to have as much exempted as possible." Let's exempt everybody from this act because this act does not do what this government suggested it does. It will not protect people. It will not allow for transparency. It will in fact create a bureaucratic labyrinth that will keep information that should otherwise be public tightly closeted in the deepest, darkest halls of government for a really, really long time. That's what this piece of legislation is geared to do. So there is part of me that says: "Well, you know what? By all means, exempt away. Fill your boots. As many people as you can protect from this act, the better."

4:20

However, in the same way that previous speakers have said, you know, you can't make – I don't think you can make good or bad assumptions about the way the commissioner will perform his or her duties, so you simply have to look at the legislation on the face of it. If we assume for a moment that it is actually possible, through probably the 20 amendments that the opposition collectively will be bringing to the floor to try and improve this piece of legislation, that it's possible to improve it to a point where it actually represents a benefit to Albertans and those employed in the public sector, well, then, obviously, you'd want to make sure that its application is considered wisely and judiciously in line with the principles that we all agree should apply.

In one sense a part of being conflicted is this whole issue of the exemption. It might have been helpful if this particular amendment had come forward after we'd had a chance to see what happened to the other 20 amendments the opposition will collectively be proposing because, quite honestly, if all those other amendments fail, I might have wanted to propose a subamendment to this and suggest that the commissioner shall exempt all employees from coverage by this bill. If we don't fix this legislation through the many amendments that the opposition will be bringing forward, as I say, I'm not convinced that it is a benefit to anybody.

Having said that, though, and hoping that with good faith this may actually be improved to a point where it is palatable to people, I think it's really important to look at what it is the government is trying to achieve here. Now, there's no question there have been lots of self-congratulatory public relations events and a message box and talking points and various and sundry little opportunities for the government to claim that they are going to be

more transparent and accountable and open and that the whistleblower legislation is part of that process.

Personally, I find that the minister of what the opposition, I think the Wildrose caucus, has started referring to as AT and T – and I find that kind of amusing. In my mind when I hear the name of that ministry, I think of the minister of funny walks because it's, you know, somewhat self-deprecating and, quite frankly, about as rationally connected to the work of the minister and the outcome of the minister as the actual name that is applied is. Having said that, there's been a lot of self-congratulatory work on the part of the government to suggest that we should think of them as being more transparent and open.

Now, throughout the last three and a half weeks in this session we have learned from a variety of different sources and for a variety of different reasons that if anything this government has become decreasingly open, decreasingly transparent in pretty much any forum that you can name. We just passed a bill, Bill 2, which will significantly reduce public oversight of programming and spending priorities in environmental initiatives that will impact the vast majority of the environmental protection work to the extent that there's any remaining in Alberta by this government. That's an example.

You know, we have a Premier who, you know, maybe doesn't make herself as available as she should to this House or the press or people in general. We have legislation which the Minister of Justice claims: "Oh, wait for my election legislation. I'll make sure everything comes forward." Then, in fact, no, we've got legislation that makes sure everything does not come forward. So, I mean, they're not really interested in transparency.

What this amendment does is try to get at the first element of this legislation, which at this point supports my thesis, which is that it's all about the press release; it's not about the outcome. So if you give to the commissioner carte blanche ability to exempt agencies from the application of this act, then . . .

**The Deputy Chair:** Hon member, I hesitate to interrupt you, but it's time for the committee to rise and report.

[Mrs. Jablonski in the chair]

**The Acting Speaker:** The hon. Member for Fort Saskatchewan-Vegreville to read the report.

**Ms Fenske:** Thank you, Madam Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports progress on the following bill: Bill 4. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

**The Acting Speaker:** Thank you.

Does the Assembly concur in the report?

**Hon. Members:** Concur.

**The Acting Speaker:** Opposed? So ordered.

The hon. Deputy Government House Leader.

**Mr. Campbell:** Well, Madam Speaker, I say that we call it 4:30 p.m. and break until Monday at 1:30 p.m.

[Motion carried; the Assembly adjourned at 4:27 p.m. to Monday at 1:30 p.m.]

## **Bill Status Report for the 28th Legislature - 1st Session (2012)**

**Activity to November 22, 2012**

The Bill sponsor's name is in brackets following the Bill title. If it is a money Bill, (\$) will appear between the title and the sponsor's name. Numbers following each Reading refer to Hansard pages where the text of debates is found; dates for each Reading are in brackets following the page numbers. Bills numbered 1 to 199 are Government Bills. Bills numbered 200 or higher are Private Members' Public Bills. Bills numbered with a "Pr" prefix are Private Bills.

\*An asterisk beside a Bill number indicates an amendment was passed to that Bill; the Committee line shows the precise date of the amendment.

The date a Bill comes into force is indicated in square brackets after the date of Royal Assent. If a Bill comes into force "on proclamation," "with exceptions," or "on various dates," please contact Legislative Counsel, Alberta Justice, for details at (780) 427-2217. The chapter number assigned to the Bill is entered immediately following the date the Bill comes into force. SA indicates Statutes of Alberta; this is followed by the year in which it is included in the statutes, and its chapter number. Please note, Private Bills are not assigned chapter numbers until the conclusion of the Fall Sitzings.

### **1\* Workers' Compensation Amendment Act, 2012 (Redford)**

First Reading -- 8 (May 24 aft., passed)

Second Reading -- 177 (Oct. 23 eve.), 193-96 (Oct. 23 eve.), 233 (Oct. 24 eve., passed)

Committee of the Whole -- 336-39 (Oct. 29 eve.), 354-71 (Oct. 30 aft.), 373-80 (Oct. 30 eve., passed with amendments)

Third Reading -- 476-84 (Nov. 1 aft., passed on division)

### **2\* Responsible Energy Development Act (Hughes)**

First Reading -- 207 (Oct. 24 aft., passed)

Second Reading -- 263 (Oct. 25 aft.), 424-43 (Oct. 31 aft.), 445-57 (Oct. 31 eve.), 526-46 (Nov. 5 eve., passed)

Committee of the Whole -- 563-71 (Nov. 6 aft.), (Nov. 6 eve.), 644-48 (Nov. 7 aft.), 649-69 (Nov. 7 eve.), 731-53 (Nov. 19 eve.), 777-94 (Nov. 20 aft.), 795-853 (Nov. 20 eve.), 902-05 (Nov. 20 eve., passed on division, with amendments)

Third Reading -- 921-41 (Nov. 21 aft., passed on division)

### **3\* Education Act (J. Johnson)**

First Reading -- 155 (Oct. 23 aft., passed)

Second Reading -- 219-31 (Oct. 24 aft.), 238 (Oct. 24 eve., passed)

Committee of the Whole -- 380-407 (Oct. 30 eve., passed with amendments)

Third Reading -- 669 (Nov. 7 eve.), 688-94 (Nov. 8 aft.), 753-63 (Nov. 19 eve., passed on division)

### **4 Public Interest Disclosure (Whistleblower Protection) Act (Scott)**

First Reading -- 352-53 (Oct. 30 aft., passed)

Second Reading -- 423-24 (Oct. 31 aft.), 593-614 (Nov. 6 eve.), 627-44 (Nov. 7 aft., passed on division)

Committee of the Whole -- 975-80 (Nov. 22 aft., adjourned, amendment introduced)

### **5 New Home Buyer Protection Act (Griffiths)**

First Reading -- 261 (Oct. 25 aft., passed)

Second Reading -- 354 (Oct. 30 aft.), 457-59 (Oct. 31 eve., passed)

Committee of the Whole -- 546-49 (Nov. 5 eve.), 571-83 (Nov. 6 aft.), 585-93 (Nov. 6 eve., passed)

Third Reading -- 853-55 (Nov. 20 eve., passed)

### **6 Protection and Compliance Statutes Amendment Act, 2012 (Jeneroux)**

First Reading -- 155 (Oct. 23 aft., passed)

Second Reading -- 209 (Oct. 24 aft.), 264 (Oct. 25 aft., passed)

Committee of the Whole -- 459-62 (Oct. 31 eve., passed)

Third Reading -- 855-56 (Nov. 20 eve., passed)

### **7 Election Accountability Amendment Act, 2012 (Denis)**

First Reading -- 774 (Nov. 20 aft., passed)

Second Reading -- 972-75 (Nov. 22 aft., adjourned)

### **8 Electric Utilities Amendment Act, 2012 (Hughes)**

First Reading -- 156 (Oct. 23 aft., passed)

Second Reading -- 233 (Oct. 24 eve.), 316-36 (Oct. 29 eve., passed)

Committee of the Whole -- 857-902 (Nov. 20 eve.), 943-53 (Nov. 21 eve., passed)

Third Reading -- 953-56 (Nov. 21 eve., passed)

- 9 Alberta Corporate Tax Amendment Act, 2012 (\$) (Horner)**  
First Reading -- 156 (Oct. 23 aft., passed)  
Second Reading -- 209-10 (Oct. 24 aft.), 272 (Oct. 25 aft.), 311-16 (Oct. 29 eve., passed)  
Committee of the Whole -- 462 (Oct. 31 eve., passed)  
Third Reading -- 856-57 (Nov. 20 eve., passed)
- 10 Employment Pension Plans Act (Kennedy-Glans)**  
First Reading -- 261 (Oct. 25 aft., passed)  
Second Reading -- 521-26 (Nov. 5 eve., passed)  
Committee of the Whole -- 668-69 (Nov. 7 eve., passed)  
Third Reading -- 857 (Nov. 20 eve., passed)
- 201\* Scrap Metal Dealers and Recyclers Identification Act (Quest)**  
First Reading -- 92 (May 30 aft., passed)  
Second Reading -- 291-301 (Oct. 29 aft., passed)  
Committee of the Whole -- 716-22 (Nov. 19 aft., adjourned, amendments introduced and agreed to)
- 202 Public Lands (Grasslands Preservation) Amendment Act, 2012 (Brown)**  
First Reading -- 130 (May 31 aft., passed)  
Second Reading -- 501-13 (Nov. 5 aft., adjourned)
- 203 Employment Standards (Compassionate Care Leave) Amendment Act, 2012 (Jeneroux)**  
First Reading -- 473 (Nov. 1 aft., passed)
- 204 Irlen Syndrome Testing Act (Jablonski)**  
First Reading -- (Nov. 22 aft., passed)

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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Monday afternoon, November 26, 2012

Issue 22

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta  
The 28th Legislature**

First Session

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Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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Shannon Dean, Senior Parliamentary Counsel/Director of House Services	Brian G. Hodgson, Sergeant-at-Arms	

## **Executive Council**

Alison Redford	Premier, President of Executive Council
Thomas Lukaszuk	Deputy Premier, Ministerial Liaison to the Canadian Forces
Manmeet Singh Bhullar	Minister of Service Alberta
Robin Campbell	Minister of Aboriginal Relations
Christine Cusanelli	Minister of Tourism, Parks and Recreation
Cal Dallas	Minister of International and Intergovernmental Relations
Jonathan Denis	Minister of Justice and Solicitor General
Wayne Drysdale	Minister of Infrastructure
Kyle Fawcett	Associate Minister of Finance
Doug Griffiths	Minister of Municipal Affairs
Dave Hancock	Minister of Human Services
Fred Horne	Minister of Health
Doug Horner	President of Treasury Board and Minister of Finance
Ken Hughes	Minister of Energy
Jeff Johnson	Minister of Education
Stephen Khan	Minister of Enterprise and Advanced Education
Heather Klimchuk	Minister of Culture
Ric McIver	Minister of Transportation
Diana McQueen	Minister of Environment and Sustainable Resource Development
Frank Oberle	Associate Minister of Services for Persons with Disabilities
Verlyn Olson	Minister of Agriculture and Rural Development
Dave Rodney	Associate Minister of Wellness
Donald Scott	Associate Minister of Accountability, Transparency and Transformation
George VanderBurg	Associate Minister of Seniors
Greg Weadick	Associate Minister of Municipal Affairs
Teresa Woo-Paw	Associate Minister of International and Intergovernmental Relations

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on Alberta's Economic Future

Chair: Mr. Amery  
Deputy Chair: Mr. Bikman

Bhardwaj	Quadri
Blakeman	Quest
Donovan	Rogers
Dorward	Sandhu
Eggen	Sherman
Fenske	Smith
Goudreau	Starke
Hehr	Strankman
Jansen	Towle
Luan	Young
McDonald	Vacant
Olesen	

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Quest  
Deputy Chair: Mrs. Jablonski

Anderson  
Casey  
Dorward  
Eggen  
Kubinec  
Sandhu  
Sherman

### Select Special Conflicts of Interest Act Review Committee

Chair: Mr. Allen  
Deputy Chair: Mr. Luan

Blakeman  
Dorward  
Fenske  
Johnson, L.  
McDonald  
Notley  
Saskiw  
Wilson  
Young

### Standing Committee on Families and Communities

Chair: Ms Pastoor  
Deputy Chair: Mrs. Forsyth

Allen	Leskiw
DeLong	Luan
Fox	McAllister
Fraser	Notley
Fritz	Pedersen
Jablonski	Sarich
Jansen	Saskiw
Jeneroux	Swann
Johnson, L.	Wilson
Kang	Young
Kubinec	Vacant
Lemke	

### Standing Committee on Legislative Offices

Chair: Mr. Xiao  
Deputy Chair: Mr. McDonald

Bikman  
Blakeman  
Brown  
DeLong  
Eggen  
Leskiw  
Quadri  
Rogers  
Wilson

### Special Standing Committee on Members' Services

Chair: Mr. Zwozdesky  
Deputy Chair: Mr. Young

Calahasen  
Dorward  
Forsyth  
Goudreau  
Jablonski  
Mason  
Quest  
Sherman  
Smith

### Standing Committee on Private Bills

Chair: Mr. Cao  
Deputy Chair: Ms L. Johnson

Barnes	Notley
Bhardwaj	Olesen
Brown	Pastoor
DeLong	Rowe
Fox	Sarich
Fritz	Starke
Goudreau	Strankman
Jeneroux	Swann
Kennedy-Glans	Webber
Luan	

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Dr. Starke  
Deputy Chair: Mr. Lemke

Allen	McAllister
Amery	McDonald
Bhardwaj	Notley
Casey	Pedersen
Hehr	Sandhu
Jansen	Saskiw
Jeneroux	Towle
Johnson, L.	Xiao
Kennedy-Glans	Young
Kubinec	

### Standing Committee on Public Accounts

Chair: Mr. Anderson  
Deputy Chair: Mr. Dorward

Allen	Hale
Amery	Hehr
Anglin	Kang
Bilous	Pastoor
Calahasen	Quadri
DeLong	Sarich
Donovan	Starke
Fenske	Stier
Fraser	Webber
Fritz	

### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans  
Deputy Chair: Mr. Rowe

Anderson	Hehr
Anglin	Johnson, L.
Barnes	Kubinec
Bilous	Lemke
Blakeman	Leskiw
Brown	Sandhu
Calahasen	Stier
Cao	Webber
Casey	Xiao
Fenske	Young
Fraser	Vacant
Hale	

## Legislative Assembly of Alberta

1:30 p.m.

Monday, November 26, 2012

[The Speaker in the chair]

### Prayers

**The Speaker:** Let us pray. Dear Lord, help us to better understand and accordingly to prioritize our duties in order that we can properly fulfill the requests of our constituents and of all Albertans who are counting on us for help. Amen.

Hon. members, it being Monday, I invite you to remain standing to join in as Mr. Paul Lorieau leads us in the singing of our national anthem. Join in in the language of your choice.

### Hon. Members:

O Canada, our home and native land!  
True patriot love in all thy sons command.  
With glowing hearts we see thee rise,  
The True North strong and free!  
From far and wide, O Canada,  
We stand on guard for thee.  
God keep our land glorious and free!  
O Canada, we stand on guard for thee.  
O Canada, we stand on guard for thee.

**The Speaker:** Thank you. Please be seated.

### Introduction of Visitors

**The Speaker:** The hon. Member for Red Deer-North.

**Mrs. Jablonski:** Thank you, Mr. Speaker. It's my great honour today to rise on your behalf and introduce to you and through you to the Members of the Legislative Assembly a very special guest. Seated in the Speaker's gallery is Scott Hamilton, son of the late Don Hamilton, our former Ethics Commissioner. Scott joins us today to remember and celebrate the many achievements in Don Hamilton's extensive career in the public sector. Mr. Hamilton's long and dedicated service to Albertans was exemplary and inspirational. It is with great sadness that we have lost such an extraordinary individual. I would like to extend my deepest sympathies and condolences to the family during this difficult time. At this time I would ask Scott to rise, and I ask all members of the Assembly to join me in extending the traditional warm welcome of the Assembly.

### Introduction of Guests

**The Speaker:** The hon. Member for Leduc-Beaumont.

**Mr. Rogers:** Thank you, Mr. Speaker. On your behalf I'd like to introduce through you to all members of the Assembly 53 of Alberta's brightest young students from Julia Kiniski school, located in the constituency of Edmonton-Mill Creek. They are joined today by teachers Mr. Dale Mandryk and Mrs. Susan Skillings along with parent helpers Mrs. Tracy Martin, Mrs. Rhonda Paterson, Mrs. Gail Teasdale, and Mrs. Sherisse Hume. They are seated in the members' gallery. I'd ask that they rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Minister of Health.

**Mr. Horne:** Thank you very much, Mr. Speaker. I have two introductions today. First, it's my pleasure to introduce to you and

through you to all members of the Assembly several guests from the Mental Health Patient Advocate office of Alberta. Joining us today are Fay Orr, the Alberta Mental Patient Advocate, and three members of her office's staff: Carol Robertson Baker, Ryan Bielby, and Bev Slusarchuk. Accompanying them are three individuals who are featured in the office's 2011-12 annual report, which I'll table this afternoon. Hana Marinkovic, the chief of staff for the hon. Minister of Human Services, is here. Hana's mother is living with schizophrenia. Austin Mardon, a friend and long-time leader in Alberta's mental health community, is here as well as Paula Murphy, a worker at Anderson Hall, a transitional home for young adults learning to live with and manage their mental illnesses. Please join me in thanking these Albertans for their commitment to mental health. Please stand.

**The Speaker:** The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Speaker. I would like to take this opportunity to introduce to you and through you to all members of this Assembly some brilliant students from St. Alphonsus school in the constituency of Edmonton-Highlands-Norwood. There are 17 students, teacher Mrs. Shauna Wasik, and parent helper Mrs. Bonnie Moddejonge. I would like them to please rise and receive the warm welcome of this Assembly.

**The Speaker:** Minister of Health, you had a second introduction. I wasn't aware. Go ahead, followed by the Minister of Municipal Affairs.

**Mr. Horne:** Yes. Thank you very much, Mr. Speaker. It's also my pleasure to introduce to you and through you to all members of the Assembly 35 individuals representing the political action committees of medical students at the University of Alberta and the University of Calgary. These students are here today meeting with members of the Assembly to raise issues of concern to their committees. This year they have chosen to focus on the integration of aboriginal health into their education, a very worthwhile endeavour. I had the pleasure of meeting the students at lunch today, and I felt we had a very productive discussion on a variety of topics. I'd ask our guests to rise, and I invite all members to provide them with the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills, followed by the Minister of Municipal Affairs.

**Mr. Saskiw:** Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you to all members of the Assembly Mr. Fred Alexandruk. He lives in Edmonton, but he is the owner and operator of Pinehurst Lake Wilderness Cabins, which has boat access only. He met with me here today to try to resolve some of his outstanding issues. I'd like to invite my colleagues to give him the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Minister of Municipal Affairs.

**Mr. Griffiths:** Well, thank you, Mr. Speaker. I'm really excited today to rise to introduce to you and through you to members of this Assembly 21 employees from the local government services division of the Ministry of Municipal Affairs. They are participating in the first public service employees tour, and they are very excited to be here. The group includes both new and long-term staff who are looking to better understand the context in which they work and just how important their job is to the work that we do in serving Albertans. They're seated in the public

gallery. I'd ask them to rise as I call their names: Sara Ahlstrom, JD Kliewer, Irene Black, Pat Chapman, Lisa Awid-Goltz, Carmen Auld, Clara Bartha, Jeremy Schiff, Haley Wasserman, Catherine Dunn, Daniel Mireault, Irfan Ansari, Christina Kortmeyer, Arlynn Neuman, Ronda Morgan, Karen Clarke, Mary Harron, Christina Ward, Olimpia Pantelimon, Joanne Campbell, and Aleks Nelson. I'd ask that the members here please give them the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Calgary-Foothills, followed by Edmonton-Meadowlark.

**Mr. Webber:** Thank you, Mr. Speaker. I'd like to introduce to you and through you to all members of the Assembly my sister-in-law JoAnne Watson, who is up in the members' gallery. She is the youngest sister of my dear late wife, Heather, and every time I see her, I tear up. She's here today for meetings with the CLPNA, the licensed practical nurses. I think that's what that stands for. I'd ask, Jo, that you stand and that everyone please give her the warm welcome of the Assembly.

1:40

**The Speaker:** The hon. Member for Edmonton-Meadowlark, followed by the Associate Minister of Wellness.

**Dr. Sherman:** Thank you, Mr. Speaker. I'd like to introduce to you and through you to this Assembly Michael Martyna. Michael is here with a group of medical students advocating for aboriginal health. Not only is he a medical student; he was a candidate for the Alberta Liberals in West Yellowhead. Michael was studying to get into medical school, was running as a candidate, and in the dying days of the campaign Michael worked hard to help me get elected in Edmonton-Meadowlark and sacrificed his seat for West Yellowhead. I would like to thank Michael and all medical students for their advocacy and ask the Assembly to give him the traditional warm welcome.

Thank you, Michael.

**The Speaker:** The hon. Associate Minister of Wellness.

**Mr. Rodney:** Thank you so much, Mr. Speaker. The Member for Calgary-Foothills started something great. We're good colleagues and friends, so I'll finish it. On behalf of the hon. Minister of Health it is indeed a pleasure to introduce to you and through you to all members of the Assembly a guest who's joining us from the College of Licensed Practical Nurses of Alberta. You got part of it. JoAnne Macdonald-Watson is the president of the college, and she's a licensed practical nurse from Red Deer working in the emergency department of the Red Deer regional hospital. I just want to mention that later this afternoon our hon. Health minister will be tabling the college's annual report, and we're pleased that JoAnne is able to join us for that today. One more time could we have JoAnne rise? I'd invite all members to give her another warm welcome.

## Members' Statements

### Donald M. Hamilton

**Mrs. Jablonski:** Mr. Speaker, today I rise to pay tribute to Mr. Don Hamilton, who served as an officer of the Legislature from 2003 to 2008. Mr. Hamilton was born and raised in Alberta. He believed in helping to make the province a better place. As an ordained minister Mr. Hamilton lived his life for the good of others. From his work in establishing the Alberta service corps to serving as the first executive assistant to an Alberta Premier under Premier Harry

Strom, Mr. Hamilton strove to make Alberta a caring and inclusive community.

Mr. Hamilton also believed in the value of sport. In addition to being involved with the 1978 Commonwealth Games and the horse-racing tribunal, Mr. Hamilton was also inducted into the Alberta Sports Hall of Fame as the general manager of the 1962 to 1964 Edmonton Huskies junior football team. Winners of three consecutive Canadian championships, the players and staff of this team were a shining example of working together for success.

In his capacity as Ethics Commissioner Mr. Hamilton worked passionately to educate Members of the Legislative Assembly, their constituents, and Alberta's youth. He believed that engaging youth was crucial in developing the next generation of leaders in public service. Mr. Hamilton was a regular participant in School at the Legislature, where he would talk to grade 6 students about his role. He advocated for the creation of a lobbyists registry and witnessed its fruition during his tenure as Ethics Commissioner. He was also involved in the review and subsequent amendment of Alberta's conflict-of-interest legislation. Transparency and accountability were always paramount in his mind.

Mr. Hamilton served the people of Alberta as part of the public sector for over 30 years. His contributions and his legacy will be long remembered with our admiration and with our gratitude.

**The Speaker:** The hon. Member for Calgary-Fish Creek.

## Physician Services Agreement

**Mrs. Forsyth:** Thank you, Mr. Speaker. Last week on a number of occasions I asked the Minister of Health to rescind the contract he imposed on the doctors of this province. I asked him to do the right thing and get back to the negotiating table with the AMA. The minister responded, saying he didn't need opposition telling him what to do, and he certainly wasn't going to talk about negotiations on the floor of the Legislature.

So what did he do? He started talking about it in the media. Over the weekend we saw in local newspapers the government's massive PR blitz spinning the facts around the minister's imposed contract on doctors by brushing aside opposition questions and avoiding the scrutiny provided by this Assembly. This minister is doing an Enron on accountability.

He won't talk about it to me, but he's more than happy to spend thousands and thousands of dollars on radio and newspaper ads to tell half of the story. The other half of the story is that doctors in Alberta have the highest overhead demands in this country. Doctors pay more in Alberta to set up and run their clinics than they would in any other province. Under this contract imposed by this minister programs that used to provide some financial support to doctors' clinics have been eliminated. Sure, the government is throwing cash at doctors up front, but they're clawing it back and more in the end.

Mr. Speaker, in the end it isn't about money. Doctors say that it's not about money, but it's about respect. The minister's repeated attempts to demonize doctors as money-grabbers is not factual. What is factual are doctors' demands for fair negotiations and their demands that the minister be truthful to Albertans. Albertans trust their doctors. What they don't trust is this government.

**The Speaker:** Hon. members, I said that I would have a comment on members' statements, and I will do it later this week.

Let us proceed to Vermilion-Lloydminster.

### Decorum and Civility

**Dr. Starke:** Thank you, Mr. Speaker. Shortly after your election you urged members to develop a personal credo. As a former youth parliamentarian and a passionate adherent of our British parliamentary heritage, I was inspired by that address. I was further encouraged by the Leader of Her Majesty's Official Opposition when she wrote to you, "I look forward to working with you along with other members in the House to improve decorum and respect." Wow, I thought. I was going to be part of a new era of civility, decorum, and respect.

Mr. Speaker, it has become clear that members of the Official Opposition are having a tough time meeting their leader's lofty ideals. Virtually every day you are forced to admonish the Official Opposition for their unparliamentary language and behaviour. Last week you severely admonished the Member for Lac La Biche-St. Paul-Two Hills for making criminal accusations against someone not in the Assembly and unable to defend the accusation.

That behaviour extends outside the Assembly. When the Member for Fort Saskatchewan-Vegreville said on Twitter that she was looking forward to visiting the constituency of Lac La Biche-St. Paul-Two Hills, the local MLA responded, "Nothing gives me more energy than a bunch of PC hacks visiting my constituency." This is a poor reflection on the promise of the opposition leader to foster decorum and respect.

More recently one of the opposition leader's staff members characterized government supporters as "PC bootlickers." Really, hon. member? Is this the decorum and respect you refer to in your letter?

Mr. Speaker, sitting in this Assembly is indeed a privilege. Inside and outside of this august Chamber we must embody the title of honourable members, but sadly some of the members of the Official Opposition and their supporters do not want to improve decorum and respect either within or outside the Assembly. I ran for office hoping to elevate the level of discourse in this province. I had hoped that all members would join me, heralding a new level of enlightened political discussion. Sadly, some prefer to debase and coarsen that debate. Personally, I would prefer to serve Albertans with respect and integrity. Albertans expect and deserve nothing less.

### Speaker's Ruling Members' Statements

**The Speaker:** Hon. members, having heard the first two members' statements, I hope that this is not a path we're going to continue down from either side of the House. I will give you that speech very soon, but in the meantime please visit *House of Commons Procedure and Practice* page 422, where guidelines for members' statements are indicated.

The hon. Member for Sherwood Park.

### Violence against Women and Girls

**Ms Olesen:** Thank you, Mr. Speaker. Today I rise to encourage my colleagues and all Albertans to wear a white ribbon to recognize November 25 as International Day for the Elimination of Violence against Women and the beginning of the White Ribbon Campaign. The White Ribbon Campaign is the largest effort to end violence against women in the world. Started by a group of Canadian men, it has evolved to include men and women standing together to end violence against women and girls.

At least one out of every three women around the world has been beaten, coerced into sex, or otherwise abused in her lifetime,

with the abuser usually someone known to her. Violence against women and girls takes many different forms and is not limited to any culture, country, or specific group of women.

1:50

No one should ever have to be part of a violent relationship where they feel threatened or intimidated. No child should grow up watching a parent being abused. Wearing a white ribbon is a personal pledge to never commit, condone, or remain silent about violence against women and girls and to remember the 14 young women whose lives ended in an act of gender-based violence in 1989 at l'École Polytechnique de Montréal.

Mr. Speaker, violence has significant consequences for our children and families and should not be tolerated. We all have a role to play in helping end violence in this province by supporting and building strong families and communities.

Thank you, Mr. Speaker.

### Oral Question Period

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition.

### Corporate and Union Donations to Political Parties

**Ms Smith:** Thank you, Mr. Speaker. It's clear that the current rules on campaign donations can lead to problems. We all know of the hundreds of thousands of dollars directed to one party by one individual with many different business interests before this government, and we've seen union members balk when their dues are used to support political parties with which they may not agree. In the spirit of raising the bar on openness and transparency, will the government now join the growing chorus of voices and put an end to political donations from both corporations and unions?

**Mr. Lukaszuk:** Mr. Speaker, I think it is clear to Albertans. With the advent of our Premier's assuming the leadership of this government, we have introduced legislation on provincial elections and donations, which is currently before the House and will be one of the most transparent ones in the land. We have also introduced a public disclosure act, which is known as the whistleblower legislation, which further speaks to those points. We have instituted what I would consider, and probably most would, to be the toughest expense and travel policies for not only elected officials in government but also for all public-sector employees and third parties. That shows leadership, and we are taking that leadership.

**The Speaker:** The hon. leader.

**Ms Smith:** Thank you, Mr. Speaker. My question is quite specific because the government's proposed legislation doesn't include any provisions to limit the source of donations. Earlier today we made a policy statement on it. Now, the Premier does like to talk about policy in question period on the odd occasion, so will she now agree with this policy and put an end to union and corporate donations?

**Mr. Lukaszuk:** Mr. Speaker, legislation has been tabled on the table. I don't think we will be discussing it in question period. The member, if she chooses to do so, will have ample opportunity to not only debate the legislation as it stands, but she can also file additional amendments. She knows she's privileged to do so.

Let me point out one difference. While these individuals continue to complain about standards and practices, this side of

the House actually is introducing changes and brings in much more transparency and much more accountability to finances in Alberta.

**The Speaker:** The hon. leader.

**Ms Smith:** Thank you, Mr. Speaker. Our understanding is that we specifically can't amend this section in the legislation, which is why I am asking this question today. We believe that putting election financing entirely in the hands of individuals is the easiest way to protect the process from even the perception of undue influence. Now, the feds have done it. Manitoba, Nova Scotia, and Quebec have done it. Isn't it time for Alberta to clean things up, too, and ban corporate and union donations?

**Mr. Lukaszuk:** Mr. Speaker, I can't be more clear. The piece of legislation that speaks to that was introduced by this government and by this leader. That is why it is on the floor of this Legislature, and that is why we are debating it. If that particular member feels that there are ways of strengthening that legislation, instead of making innuendos during question period, table amendments, debate the legislation as it comes up for debate. All we're hearing is innuendos. I'm looking forward to some meaningful discussion out of the opposition.

**The Speaker:** Hon. members, I would suspect that Bill 7, the Election Accountability Amendment Act, 2012, may be up this afternoon, so let's be careful of the anticipation rule.

The hon. Leader of the Opposition.

### Capital Infrastructure Financing

**Ms Smith:** Thank you, Mr. Speaker. The Finance minister is preparing to release his next quarterly update, and we all live in hope that it isn't another work of fiction. The minister has been insisting for months that there won't be a deficit because he won't have to borrow to cover operating, but that's just juggling the books. The minister is moving the province's capital spending out of the total budget into a new separate, different, alternative special budget so that he can then claim that things are balanced. They're not. It's borrowing. It's debt. Why won't he just admit it?

**Mr. Horner:** Well, Mr. Speaker, I'm not exactly sure where the hon. member is coming from because what we're doing on our budget is that as a budget we're bringing forward the operating plan, the savings plan, and a capital plan. It's all one budget. I'm not exactly sure what kind of fiction the hon. member is trying to put into Albertans' minds. Does she believe that they're gullible or something? I don't know.

**The Speaker:** The hon. leader.

**Ms Smith:** Thank you, Mr. Speaker. We're looking forward to seeing a balanced budget.

I want to ask about this quote from the Premier. "We will spend wisely and save intelligently, managing our finances to protect future [generations of] Albertans." She said that in this Assembly just 13 months ago. Why has she decided it's no longer necessary to protect future generations of Albertans?

**Mr. Horner:** As a matter of fact, Mr. Speaker, the instructions that I have from our Premier and this government are to ensure that we are doing exactly that, that we are protecting the economy of today for tomorrow for future Albertans, that we are ensuring that the infrastructure that Albertans need today and tomorrow is

there for Albertans. We will not deficit finance the operations of this government. We have never said that we will.

**Ms Smith:** That's just the kind of doublespeak I'm talking about, Mr. Speaker. The minister refers to using everything in his financial tool box to get things done. If that tool box even exists, it's clear it doesn't have an axe, a razor blade, a sharp pencil, or even an eraser. Why won't he just admit that alternative financing, going to the capital markets, and public-private partnerships are just another way of saying debt?

**Mr. Horner:** Mr. Speaker, I think I've been fairly clear. I do agree that a P3 is a tool of financial borrowing just as going to the capital markets is, just as borrowing for the school that is in her riding that was built with a P3. Is she now saying that we should have waited until the school was 20 per cent higher in cost and the students were doing their school work in the street? Is that what the Wildrose capital plan is? The Wildrose Alliance policies are from before 2000, even, not today. Albertans need a policy for today, not yesterday.

**The Speaker:** Third and final set of main questions. The hon. leader.

**Ms Smith:** We're just asking for the kind of policy that Ralph Klein would have introduced in this Chamber.

### Openness and Transparency in Government

**Ms Smith:** Mr. Speaker, I am concerned about the growing body of evidence that this government, rather than raising the bar on openness and transparency in Alberta, is doing exactly the opposite. Instead of a quest for truth we get stalling, roadblocks, and hiding. On the simple issue of health care expenses the only formal investigation is looking into one individual at one health region. Why won't the minister order the release of all of the expenses of all of the executives for all of the regions dating back to 2005?

**Mr. Horner:** Well, Mr. Speaker, it's disappointing that apparently we're going to go through a second week of questioning on this same line. This question has been asked and answered. I've lost count of the number of times it's been asked and answered.

The question that is before the government, and the question that should matter to all members of this House is, in fact, the expense policies that are in place today for travel, accommodation, hospitality, and all the other expenses. I think we've proven clearly that we have the most aggressive set of policies in the country. Everything we do in health care is to support better publicly funded health care. These policies support wise use of taxpayers' dollars in this regard.

**The Speaker:** The hon. leader.

**Ms Smith:** Thank you, Mr. Speaker. This isn't the only example. There are also the examples of illegal campaign donations. The new legislation that the government is touting as the toughest in the land shuts the door on most of the past transgressions. This quote applies. "We can easily forgive a child who is afraid of the dark; the real tragedy of life is when men are afraid of the light." Where is the transparency?

**Mr. Lukaszuk:** Mr. Speaker, it's peculiar that the member would say that because these policies for campaign donations – she wants to go back all the way to 2005. I note that the Member for Lac La Biche-St. Paul-Two Hills was the policy vice-president for



the PC party till 2010, the Member for Calgary-Fish Creek till 2010, the prior Member for Fort-McMurray till 2010, the Member for Airdrie. They were all developers of this policy. Now they choose to step aside and demand transparency. While this government is actually introducing transparencies, all they are doing is criticizing the policies that they were part of developing.

2:00

**The Speaker:** The hon. leader.

**Ms Smith:** Thank you, Mr. Speaker. This has been against the law since 2004, and it's not the only example. The queue-jumping inquiry is restricted, too. It can't look backward to where the evidence points. Rather, it seems designed to produce a result that the government can spin as a clean bill of health on ethics. I wonder: if it was someone other than the government family accused of misdeeds like this, wouldn't the investigations be a bit more vigorous and thorough?

**Mr. Lukaszuk:** Mr. Speaker, yet another innuendo. I've said clearly on a number of occasions that no matter who it is, if you have evidence, present it, and that person will be investigated.

However, let me show you the difference between leadership and the lack thereof. When the member of the opposition files illegal expense claims, she throws her secretary under a bus.

**Mr. Anderson:** Point of order.

**Mr. Lukaszuk:** When she ends up with intolerant candidates, she throws their associations under a bus. When she loses an election, she throws gullible, quote, unquote, Albertans under a bus. That is not leadership. What's happening on this side of the House, Mr. Speaker, is leadership.

**The Speaker:** Hon. Member for Airdrie, you rose on a point of order at 2:01, and that point of order has been noted.

The hon. leader of the Alberta Liberal opposition.

### Physician Services Agreement

**Dr. Sherman:** Thank you, Mr. Speaker. A health system that does not have a well-engaged medical profession will not succeed. In his November 22, 2012, letter AMA president, Dr. Michael Giuffre, says: "Does [the minister] really think he can run this health care system without the confidence of physicians . . . If the minister says [yes, he does], then I have news for him. He is losing it . . . This cannot go on." To the Minister of Health: do you or don't you want the respect and trust of Alberta's doctors by treating them as partners in health care?

**Mr. Horne:** Mr. Speaker, this government works collaboratively with physicians on a number of levels. The Alberta Medical Association agreement and the negotiations that are going on toward that end are one part of our work with physicians across the province. We can cite many examples. I talked last week, for example, about the improvements in acute-care occupancy in our seven major hospitals and the significant reduction of the number of patients waiting in acute-care beds for admission to continuing care. All of these things were accomplished because of the collaboration and leadership that physicians continue to show in our health system. We count on that as a government, and we will continue to count on that.

**The Speaker:** The hon. member.

**Dr. Sherman:** Thank you, Mr. Speaker. Given that we have amongst the most demoralized physicians in the province and in the country and given that Dr. Lloyd Maybaum, president of the Calgary & Area Medical Staff Society, said that the minister was trying to hoodwink and bamboozle the public with nonsense numbers and figures and given that the government of Alberta recently placed radio ads advertising how much doctors are paid – Albertans deserve to have a government that bargains in good faith – to the same minister: why are you then wasting taxpayer dollars on radio ads instead of doing your job and getting back to the negotiating table?

**Mr. Horne:** Mr. Speaker, in the last month there has been some tremendous information released by the Canadian Institute for Health Information about our health care system. If the hon. member actually cares about the morale and the confidence of physicians and other health workers in other disciplines in our workforce, I am sure he would agree with telling Albertans that the province of Alberta has increased the number of physicians in this province by 60 per cent in the last 10 years compared to 23 per cent nationally. I'm sure he would agree that Albertans want to know about that. I'm sure he'd also want Albertans to know that our physicians are the best paid in the country, 29 per cent ahead of the national average.

**Dr. Sherman:** Mr. Speaker, I do care about Alberta's physicians. That's why I spoke up about physician intimidation and gladly left that side of the floor for this side.

Given that AHS has been a partner in the trilateral process of negotiating with Alberta's health care staff and doctors and given that the resulting negotiations will ultimately affect AHS operations, to the minister. You've cut the doctors out from their own negotiations with your unilateral imposition. Why have you also cut out AHS? Aren't they a partner?

**Mr. Horne:** Mr. Speaker, if this hon. member's idea of leadership is engaging in negativity, cynicism, and personal attack, if that's how he defines his role as a parliamentarian, we leave that to him. [interjections] We are engaged in discussions with the AMA toward a new agreement. We have a meeting scheduled for later this week. [interjections] We're very confident that we will be able to reach an agreement on all the issues, but it will be the right agreement for Albertans.

**The Speaker:** Hon. members, let's please give the floor to whoever has it. This talking across the aisle is starting up again. We have young people here who are trying to learn something about the democratic process. Let's show them the best example we possibly can.

The leader of the New Democrat opposition.

### Bullying in Schools

**Mr. Mason:** Thank you very much, Mr. Speaker. Last week the Alberta School Boards Association rejected a proposal to provide protection of gay students and staff from discrimination and bullying. Clearly, gay and lesbian students need protection, and they're not going to get it from the ASBA. The Edmonton public school board, on the other hand, has implemented an effective and proactive policy on bullying that should be the standard for the entire province. To the Minister of Education: will you act to ensure that schools provide the highest level of protection to GLBT students from bullying and discrimination?

**Mr. J. Johnson:** Mr. Speaker, we absolutely will, and we did. We passed the Education Act. It has very strong measures with respect to antibullying that protect all Alberta students under a very broad and very inclusive framework. We expect every trustee and every school board in the province to comply with that.

**The Speaker:** The hon. leader.

**Mr. Mason:** Thank you, Mr. Speaker. Well, given that this government caved in to the extreme right and removed any mention of the Human Rights Act from that Education Act, will the Minister of Education admit that this government's totally inadequate Education Act was a clear signal that school boards do not have to make ending the bullying of gay and lesbian students a top priority?

**Mr. J. Johnson:** Mr. Speaker, many things in that statement are simply not true, in particular that the Human Rights Act is not referenced in the Education Act. It's in section 33, and I referenced it in a quote last Thursday when I was asked a very similar question. Maybe the hon. member would like to just review *Hansard*.

**Mr. Mason:** We know that they took that piece out, Mr. Speaker, because we saw the old act.

Given that the government has made it a human rights offence to discuss sexuality and religion in the classroom without previous parental consent and given that this provision hinders attempts by teachers to educate students about the need to be inclusive with all students will the minister admit that the government's policies harm and limit attempts to combat bullying of gay and lesbian students in our schools, and will he commit to repealing the offending section from the old Bill 44, and if not, why not?

**Mr. J. Johnson:** Mr. Speaker, if he wants to talk about the Human Rights Act and Bill 44, I'm sure the Minister of Justice, who is responsible for that bill, would be happy to respond to him.

What I can say is that in his last question he talked about kowtowing to special-interest groups. Well, Mr. Speaker, those special-interest groups are parents. I wouldn't exactly call parents special-interest groups when you're talking about the education of their children.

**The Speaker:** The hon. Member for Calgary-Shaw, followed by Grande Prairie-Smoky.

#### Expense Reporting by Ministers

**Mr. Wilson:** Thank you, Mr. Speaker. The Premier has promised to raise the bar on openness and transparency, but I'm not sure this government even understands what those words mean. Further demonstrating that this government cannot be trusted, we have learned that three ministers are preventing the release of their expenses. The Human Services minister, the Minister of Education, and the Deputy Premier are denying a request to see how they spend public dollars, information Albertans deserve to know. To the minister of accountability, transformation, and whatever else it is you claim to stand for: what is your government hiding?

**Mr. Hancock:** Mr. Speaker, in addition for it to be totally inappropriate for the hon. member to make allegations against another member, he's totally wrong. There are FOIP requests to the three ministers mentioned, and in each case the reply has been that all of those expenses will be made public. There's a section of

the act which clearly provides that if all the requests are to be made public, then it is not provided specifically to the requester but to all of the public. Very open and transparent.

**Mr. Wilson:** To the same minister: what are you going to do about these three rogue members of your cabinet who are actively trying to suppress information that Albertans by law have a right to know now?

**The Speaker:** The hon. Government House Leader rose on a point of order at 2:10. It has been noted. I was going to make some points of clarification. We'll wait for the point of order.

The Deputy Premier.

**Mr. Lukaszuk:** Thank you, Mr. Speaker. Again, unbecoming to be calling a member rogue when the member doesn't even understand the rules. Three requests under FOIP have been made, and three offices have responded to that request advising that all information – more than FOIP is requesting, all information – will be made public not only to the person that requested information, but it will be posted to the general public. Hence, no one is avoiding anything. The information will be made available. I take particular offence to that kind of language in this Chamber.

2:10

**The Speaker:** The hon. member.

**Mr. Wilson:** Thank you, Mr. Speaker. The question was posed to the minister of accountability, not the Minister of Nothing at All, but I will simply ask for one clarification: when?

**The Speaker:** Hon. member, I stand, and you please sit.

Hon. Member for Calgary-Shaw, we don't have any ministers of nothing in this Assembly, and I would ask you to please reconsider how you phrase questions and to whom they go in the future.

We do have an Associate Minister of Accountability, Transparency and Transformation, and I will recognize him now.

**Mr. Scott:** Mr. Speaker, we have the toughest and most transparent expense disclosure policy in Canada. All of the expenses are going to be posted online. That's going to happen in December. In addition to not being able to read the legislation that we've tabled in the House, they obviously can't read press releases either. It's been disclosed in a press release when it's coming out. Read it.

**The Speaker:** The hon. Member for Grande Prairie-Smoky, followed by Innisfail-Sylvan Lake.

#### Council of the Federation Energy Strategy

**Mr. McDonald:** Thank you, Mr. Speaker. It's clear that Alberta's future economic success is tied to getting products to market, yet it seems that every time a private-sector pipeline proposal is made, there is stiff opposition that threatens it. My question is to the Minister of International and Intergovernmental Relations. What is being done to help convince other jurisdictions in Canada that Alberta's resources can be transported securely to key markets?

**The Speaker:** The hon. minister.

**Mr. Dallas:** Well, thank you, Mr. Speaker. The member is certainly correct that helping to diversify Alberta markets really is the government's single most important economic challenge. That's one of the reasons that our Premier has led a push for the Canadian

energy strategy, a strategy that will ensure that we take advantage of all the regional energy strengths that our country has to offer. Unlike the opposition, the Premier believes strongly that being at the table with other provinces will help fully realize the economic opportunities for everyone in resource development.

**The Speaker:** The hon. member.

**Mr. McDonald:** Thank you, Mr. Speaker. That's all fine in theory, but B.C. is still complaining. My second question to the same minister: what success has Alberta had in working with other provinces on these issues?

**The Speaker:** The hon. minister.

**Mr. Dallas:** Thank you, Mr. Speaker. The Premier is just returning from what has been a very successful Council of the Federation meeting in Halifax, where Premiers engaged in a lot of discussion on the topic. The Premier met with the Premier of Quebec, where it was determined that the provinces would strike a working group to share expertise on responsible energy development and examine key issues around pipelines. The Premier also received strong support from other Premiers for a proposal that would see more of Alberta's oil shipped to eastern Canada. That's leadership.

**The Speaker:** The hon. member.

**Mr. McDonald:** Thank you again, Mr. Speaker. My final question is to the Minister of Energy. What are the benefits of such a west-to-east pipeline to Alberta and to all of the rest of Canada?

**The Speaker:** The hon. minister.

**Mr. Hughes:** Thank you very much, Mr. Speaker. Well, the benefits are spread right across the country. The benefits accrue not only to Alberta but to the many provinces across central and eastern Canada that can benefit from having competitive, good-quality, western Canadian crude and petroleum products that can serve the energy needs of central Canada and eastern Canada.

**The Speaker:** The hon. Member for Innisfail-Sylvan Lake, followed by Calgary-Mackay-Nose Hill.

#### Political Party Financial Contributions

**Mrs. Towle:** Thank you, Mr. Speaker. Last week the Member for Fort McMurray-Wood Buffalo asked the Justice minister when he would make election laws tougher and penalties harsher. Ironical since that member was on the board of the Wood Buffalo Housing Development Corporation in 2007 when it gave a \$2,250 donation to a certain political party. This is an illegal donation. The election finances act prohibits housing management bodies from making political donations. To the Associate Minister of Accountability, Transparency and Transformation: when will your ministry raise the bar on openness and transparency and voluntarily disclose all illegal donations regardless of timing?

**Mr. Lukaszuk:** Well, Mr. Speaker, I really have no clue how to answer those questions over and over again in a way that is comprehensible, in a way that those members can understand. What is particularly interesting about this question is that the member to whom she is referring, because she is referring to a PC member, is one Guy Boutilier, who was then a Wildrose Alliance member of this House. So, first of all, I would advise the members of the opposition that, if they have any allegations, table them appropriately and be very cautious who you are pointing fingers at

because, again, here is another member who is no longer a member of this Assembly.

**Mr. Anderson:** Point of order, Mr. Speaker.

#### Speaker's Ruling Referring to Nonmembers

**The Speaker:** Hon. members, let me just remind you all, beginning with the Deputy Premier in this instance, that we should not be referring to people who are not here and not able to defend themselves. I've commented on this before. I would say the same to members of the opposition as well.

The next question, please.

#### Political Party Financial Contributions (continued)

**Mrs. Towle:** Actually, Mr. Speaker, I'm referring to the current Member for Fort McMurray-Wood Buffalo, who was a board member at the time.

Section 1(l) of the Election Finances and Contributions Disclosure Act clearly spells out that management bodies under the Alberta Housing Act such as the Wood Buffalo Housing Development Corporation, of which the current member was a board member at the time, are prohibited from making contributions to political parties. To the Justice minister: given that this diversion of money intended to support the poorest Albertans happened five years ago, does he understand why Albertans might find limiting disclosure to only three years problematic?

**Mr. Denis:** Well, Mr. Speaker, again, we are debating this bill this evening, I understand. The hon. member will have ample opportunity to discuss this then. I would also refer her to section 52 of the legislation, which imposes a three-year limitation period. Also, if the hon. member has any particular information, again, that she'd like to disclose, I welcome her to contact the Chief Electoral Officer.

**Mrs. Towle:** My final question is to the Minister of Municipal Affairs, whose department is responsible for making sure that the poorest Albertans can access subsidized housing. What have you done to make sure that tax dollars intended to help very low-income Albertans are being used properly? Can you confirm that this money will or has been returned?

**Mr. Griffiths:** Mr. Speaker, all I can confirm is that I haven't heard anything about this case. But it is very clear in law that donations like those she's insinuating cannot be made. I'll look into it. Everyone should understand that whether it's a municipality or housing body, they do not make those donations. It's their responsibility to make sure that they don't.

**The Speaker:** The hon. Member for Calgary-Mackay-Nose Hill, followed by Calgary-Buffalo.

#### Liquor Distribution System

**Dr. Brown:** Thank you, Mr. Speaker. The Alberta Gaming and Liquor Commission has one liquor distributor for the whole province of Alberta, with a warehouse located in the city of St. Albert. The distributor operates as a monopoly. All of the liquor in the province is distributed through that warehouse. Many liquor imports are coming into the province through the city of Calgary, trucked up the QE II to St. Albert, from where they're then

distributed, oftentimes back down to the south end of the province. The result is an inefficient system. My questions are for the Minister of Treasury Board and Finance. How do Alberta's liquor distribution costs compare to other . . .

**Mr. Horner:** Well, Mr. Speaker, I guess I would suggest, first of all, that I disagree that it's an inefficient system. As most members will know and as was pointed out, Alberta has Canada's only fully privatized liquor retail system. Having said that, independent reviews have been made on the efficiency of our distribution system. In fact, PricewaterhouseCoopers recently studied the model and came to that conclusion, that it is a very efficient system. That study, I'm told, is available on the AGLC website.

**Dr. Brown:** To the same minister: will the government introduce some competition into the liquor distribution business in Alberta? [interjections]

**Mr. Horner:** Well, it's interesting that the left side of the House would be interested in that type of a question.

Mr. Speaker, the system is working quite well. We're not into fixing systems that aren't broken. The service of the private operator is very closely monitored. There is some contracting out that goes on with that. The costs to liquor businesses have either held the line or gone down in some instances for many years. The system is working quite well.

**Dr. Brown:** Well, will the minister undertake to eliminate some of the inefficient necessity of having to truck the liquor all the way up from Calgary, where it's flown in from international cities, to St. Albert and then going back down there? Is there some way to get rid of that inefficiency?

**Mr. Horner:** Well, Mr. Speaker, I agree that we always want to be very cognizant of whether or not these systems are being efficient. To that end, I do know that the AGLC has hired third-party verification of that system over the years. We've also asked them to look into whatever are the best possible options. As they look to expand, we want to ensure that they are expanding in a very efficient manner. That's why these outside parties, who have expertise in distribution and warehousing, are being asked their opinion. We believe that they will give us the best advice.

### Funding for Private Schools

**Mr. Hehr:** Alberta continues to be one of only five provinces to fund private schools. Further, there is little or no accountability for the public money that is going to these private institutions. For instance, a Calgary private school was found to be inflating grades, teaching children in the basement of a church, the principal and founder of the school was deemed to be unemployable in our separate school system, and to top it off, he had purchased a luxury car and signed a \$1.1 million mortgage, all being paid for by the private school receiving taxpayer money. To the Minister of Education: how is it that the International School of Excellence is still operating with next to zero accountability to either the children learning in the school or the taxpayer dollars?

2:20

**Mr. J. Johnson:** Mr. Speaker, let me just respond to the specific question by saying that that particular school has been under a great deal of oversight and monitoring over the last year. There have been some measures taken, and Albertans can be assured that

the dollars we are investing in private schools are going through to instruction based on the accountability measures that we've put in place.

**Mr. Hehr:** Well, Mr. Speaker, I don't think we can.

Let me ask you a specific question: how does someone get to operate a private school if they're deemed unemployable in our separate school system? How do they get a licence to operate a school, to run it?

**Mr. J. Johnson:** Mr. Speaker, I caution the member because his comment is not accurate, and he is talking about someone who is not here to defend themselves and was not fired from the public system.

I guess it gets to the root of a real question that we wrestled with through Inspiring Ed. Is it the success of a system or a school division or a school that is important to Albertans, or is it the success of every child? Should we be investing in a system, should we be investing in a school, or should we be investing in children and the success of each child? Every child is different, unique, and their parents may choose to send them to different . . .

**Mr. Hehr:** Mr. Speaker, why are we funding private schools that tend to divide communities on the basis of wealth or religion when we should be committed to one publicly funded education system?

**Mr. J. Johnson:** Mr. Speaker, I'm glad he allowed me to expand here. In Alberta it's the parents who get to choose where the kids go to school and not the opposition. We want every child to succeed, and that's why we provide many different opportunities for those children to succeed. We recognize that not every child can be fit into the same box. Every community is different. We want to invest in their success, not just invest in a school and not just invest in a system.

**The Speaker:** The hon. Member for Edmonton-Calder, followed by Calgary-Fish Creek.

### Full-day Kindergarten Programs

**Mr. Eggen:** Thank you, Mr. Speaker. This weekend the Education minister said that full-day kindergarten might be ready by 2014. Before the election the Education minister claimed that it would be ready by the fall of 2013. When the Premier was running for the leadership of the PC Party, she promised to introduce full-day kindergarten within a year of being elected. Well, more than a year has passed, and we're still waiting. You didn't run on maybe a kindergarten in 2014, Mr. Education Minister. How can we look upon this as anything but another broken promise?

**Mr. J. Johnson:** Mr. Speaker, I think it's a good and fair question, but I think the members would probably acknowledge for Albertans that we actually do have full-day kindergarten right now. Full-day kindergarten was operating in 2012, and it will be operating in 2013, and it will be operating in 2014. The question is: are we going to expand that? Are we going to offer it to more Albertans? How are we going to pay for it? Who is going to deliver it? And how does it fit into our early childhood development strategy? We're going to have those things settled very shortly.

**The Speaker:** The hon. member.

**Mr. Eggen:** Thank you, Mr. Speaker. Given that all research suggests that children who have access to full-day kindergarten perform much better throughout their school years, when will this

government take real action on the Premier's promise and introduce full-day kindergarten in Alberta on their dime, not the Edmonton Public School Board dealing with it?

**Mr. J. Johnson:** Well, Mr. Speaker, not to split hairs, but the Edmonton Public School Board's dime is our dime. There is one taxpayer. We fund school boards, and we're happy to do it, and we think it's a fantastic investment. We recognize that every kid deserves the best possible start in life, and that's why we commend the school boards that are offering full-day kindergarten for targeted kids. We know that we want to expand that, but we're not quite sure how much investment that's going to take in infrastructure and how that will tie in with other programs. We want the best possible solution.

**Mr. Eggen:** Well, Mr. Speaker, given that this Education minister is really giving us no idea of when this full-day kindergarten is going to come, what it's going to look like, maybe in 2014, will the minister then admit that the absence of full-day kindergarten for Alberta's children is a particularly egregious broken promise?

**Mr. J. Johnson:** Mr. Speaker, the member talks about an absence of full-day K. I hate to repeat myself, but two minutes ago I just acknowledged that there's full-day kindergarten right across the province today. And he should be reminded that the Alberta School Boards Association even voted last week that they don't support mandatory full-day K. So there's a little bit of work to do to make sure we understand how this is going to fit so that each child that needs this resource to succeed is going to – we're going to put the resources where they give Albertans the most benefit.

**The Speaker:** The hon. Member for Calgary-Fish Creek, followed by Calgary-Foothills.

#### Government Relationship with Physicians

**Mrs. Forsyth:** Thank you, Mr. Speaker. There is nothing more fundamental in our health care system than the concept of respect. It should be the guiding principle for how government interacts with our front-line staff and our health professionals. Instead, this Health minister is busy wasting thousands of dollars on radio ads trying to mislead Albertans about the contract imposed on our physicians while our surgeons are saying that they are in favour of fiscal responsibility but that the proposed changes are arbitrary and imprecise. Will the minister, then, stop muddying the waters, be open and honest about some of the costs facing doctors, start showing them a little respect, and stop your bullying and intimidation?

**The Speaker:** Hon. members, I've noted the point of order from the Government House Leader at 2:27.

I'll just remind Calgary-Fish Creek and others that the minute you use terms like "mislead" in the way it was just used, it's going to surely result in a point of order, and it's going to surely consume time. So let's be very careful, okay?

**Mr. Horne:** Well, Mr. Speaker, I'm not going to use House time to answer personal accusations presented by the hon. member opposite because, of course, as we know, she didn't ask a question of government policy.

What I will use the time for is to take this opportunity to inform the House that I am meeting with the president of the Alberta Medical Association later this week, remind the House that we have been over 20 months in negotiations toward a new contract, and remind the House that we continue to work for a new

agreement because we believe that's in the public interest, provides for the best possible health care for Albertans, and preserves our position as the best province in Canada in which to practise a health discipline.

**The Speaker:** The hon. member.

**Mrs. Forsyth:** Thank you, Mr. Speaker. Given that this government has bullied physicians, broken a promise to call an inquiry, and now has imposed an agreement on our physicians, that has left them very angry, alienated, and disillusioned, when will this Health minister get it into his head that this isn't just about money? This is about respecting the doctors that hold our entire health care system together.

**Mr. Horne:** Well, Mr. Speaker, notwithstanding the premise of the question, the hon. member is right. This is certainly not just about money. This is about standing up and defending a strong, publicly funded health care system to serve this province and lead this country. This is about a discussion about public policy to support a health care system that is second to none in this country. Most of all, this is about a government and a caucus defending against an Official Opposition which seeks to privatize and dismantle and to undermine confidence in that publicly funded health care system.

**The Speaker:** The hon. Member for Airdrie has risen on a point of order at 2:29. It's noted.

**Mrs. Forsyth:** Well, Mr. Speaker, let's just get this on the record. The minister is full of you know what. Given that our surgeons have argued for fiscal responsibility and given the fact that the former AMA president, Linda Slocombe, has stated that the PC government has failed to address the issues around engagement of physicians within decision-making, when will the government put an end to its bullying tactics and get back to the negotiating table with our doctors?

**Mr. Horne:** Well, Mr. Speaker, as I have just said, this government is having further discussions with the Alberta Medical Association this week. As I said last week, I'm not going to engage and I'm not going to support the hon. member, in fact, in undermining confidence in these discussions, in undermining confidence in public health care, and in calling into question anyone's motives, be it the members of the government, physicians, other health care professionals, or anyone involved in this system. We are committed to a strong agreement with physicians in this province. We will continue working with them to do our best to achieve that.

Thank you.

**The Speaker:** The hon. Member for Calgary-Foothills, followed by Chestermere-Rocky View.

#### Student Finance System

**Mr. Webber:** Thank you, Mr. Speaker. I am the father of three beautiful daughters who are currently in postsecondary and graduate studies. Even though they work one, even two jobs to pay for the incurable expense of being a student, they do come to dad every now and then for some financial support. I'm okay with that. But they would rather go about taking out a student loan than come to me. I guess my interest rates are too high for them. My question is to the Minister of Enterprise and Advanced Education. I understand you've recently made changes to the student loan

program, yet there still is a lot of frustration out there with getting that support. Can the minister explain what new improvements were actually made to support students?

2:30

**The Speaker:** The hon. minister.

**Mr. Khan:** Mr. Speaker, thank you for that question, and I thank the hon. member for that question. We've been listening to students, and in consultation we've made a number of changes to make it easier to provide access to our student funding programs. We certainly understand and appreciate that today's students are digital natives, and as such they've told us that they want and need and use online services. As such, we've launched a new website this past spring called [studentaid.alberta](http://studentaid.alberta), which eliminates the stress of students having to wait days and weeks to find out about their funding. They can find out now in real time how and when they qualify for student aid. This is just one of the changes we've made, and we look forward to working . . .

**The Speaker:** The hon. member.

**Mr. Webber:** Well, to the same minister, Mr. Speaker, my second question: a postsecondary education is expensive, and many students can't even afford to attend without a loan, so can the minister explain how the amount that a student qualifies for is determined?

**Mr. Khan:** Mr. Speaker, we certainly appreciate that every student's circumstances are somewhat unique, so we assess each student on a case-by-case basis. There is a formula, and basically the education and living costs a student faces minus the resources they have available equals their financial need. I can tell you we've made some significant improvements this year. We've eliminated the use of RRSPs, savings, part-time earnings, and parental contributions from the eligibility requirements for those student loans. Alberta has the most generous student loan programs in all of Canada, and we'll continue to work and improve those access issues for our students.

**Mr. Webber:** Again to the same minister, Mr. Speaker: if a student disagrees with the amount granted for their student loan, do they have any means for appeal at all?

**Mr. Khan:** Mr. Speaker, I would encourage any student who is denied funding or doesn't feel they've received adequate funding to contact student aid Alberta. The staff in my department are dedicated to finding solutions to help students. I will tell you that if we can work within the framework of the system, if a particular student needs help, we will find them the help they need.

#### New School Construction Priorities

**Mr. McAllister:** Mr. Speaker, my question is for the Education minister. Given what's happened today, he should be good and warmed up by now, I think. The government talks about fulfilling its commitments, but when it comes to building schools, boards, parents, and communities wonder if their needs are going to be met. In the Chamber the Minister of Education talks about building schools based on priority according to capital plans. Outside the Chamber, though, he mentions that the government may have special projects that aren't on anybody's capital plans. To the Minister of Education: why would you do that, and what

would you say to a community that doesn't get its school because you built a special project?

**Mr. J. Johnson:** Mr. Speaker, I'm not sure what the member is referring to. I haven't talked about any special projects that are going to be pulled out of the air. We're talking about trying to incent collaboration and co-operation within the community and build hubs, and we're going to try and be nimble to proposals that may come forward from communities, from school boards, from parents, and from people within that community to build those hubs. I'm sure the member wants us to listen to the community and listen to parents. That's exactly what we want to do.

**Mr. McAllister:** I very much do, Mr. Speaker. For clarity to the Minister of Education, it was comments made during a breakfast with the ASBA last week.

Given that boards spend time and resources developing their capital lists, why won't the government commit to drafting a list of the top 50 priority education building projects so parents, boards, and communities aren't left in the dark and they do know who'll be getting their school?

**Mr. J. Johnson:** You know what, Mr. Speaker? It's a very good question, and if he asks it of our Infrastructure minister, he'd tell you we actually do publish the lists. The lists are online of all the projects that are approved. Each school division has lists that they send to us of their priorities, and we're wrestling with that and measuring those against each other. The list I would really like to have that could help us inform our capital planning with school boards is the secret list of the Official Opposition of the \$1.6 billion in projects that they would defer. I'm sure some of those must be schools, and if they can advise us which ones they think can wait longer, we'd be happy to consider that.

**The Speaker:** The hon. member.

**Mr. McAllister:** Mr. Speaker, thank you. The Wildrose Party would find savings. I'm sure that most Albertans recognize the bloated bureaucracy that needs shaving on the other side.

Albertans want and deserve to have the politics taken out of decision-making when it comes to where schools are built. Parents want to know that their communities are going to get the schools that they need. To the minister: why aren't projects chosen based on needs, instead of the whims of this bloated government?

**Mr. J. Johnson:** Mr. Speaker, I'm not sure how to answer that. We're trying to do a good job of balancing the demands right across the province, which are significant, which is why our Premier has mused about financing. That demand for schools seems to be in direct opposition to their demand that we take on no debt or take on no financing. It's interesting that last week alone the Member for Airdrie was turning sod on a financed school in his division beneath a government sign, a P3 school. I'm not sure how you reconcile those two.

**The Speaker:** The hon. Member for Edmonton-Mill Woods, followed by Lacombe-Ponoka.

#### New-home Buyer Protection

**Mr. Quadri:** Thank you, Mr. Speaker. Over the weekend I heard some concerns from my constituents regarding Bill 5. My question is to the Minister of Municipal Affairs. Now that Bill 5, the New Home Buyer Protection Act, has passed third reading and

almost into legislation, how does this impact Alberta? Will the purchase of a new home tomorrow be protected under this act?

**The Speaker:** The hon. minister.

**Mr. Griffiths:** Thank you very much, Mr. Speaker. I'm very excited that we have passed – unanimously, I'd like to say – Bill 5 through third reading in this House. Unfortunately, Bill 5, the New Home Buyer Protection Act, won't be retroactive. It also doesn't apply to homes that are built today or built tomorrow. Once the legislation is passed, we have some foundational work to do to processes and policies and paperwork to put into place. We're still anticipating it will be in place by the fall of 2013.

**Mr. Quadri:** Mr. Speaker, to the same minister again: given that homeowners are looking for protection as quickly as possible, what steps need to occur for this legislation to be enforced?

**The Speaker:** The hon. minister.

**Mr. Griffiths:** Thank you, Mr. Speaker. The biggest piece of work yet to do is to build the regulations around the legislation. Actually, as soon as the bill was passed, we started online consultations with stakeholders. We'll be meeting with new-home buyers' organizations, we'll be meeting with the builders and the developers, with the warranty companies to construct the regulations. We've already made a lot of good progress. Once those are complete, we anticipate we'll be ready for the fall of 2013.

**The Speaker:** The hon. member.

**Mr. Quadri:** Thank you. To the same minister. For some homeowners who already have warranty coverage, it is very difficult for them to get their claim processed. Will the minister assure us that with this process it will be easier for them to get home repairs if something goes wrong?

**The Speaker:** The hon. minister.

**Mr. Griffiths:** Thank you very much, Mr. Speaker. We have heard from a lot of people who have purchased homes – a warranty comes along with it – about the process in place. It's not an official or legislated process, but now that we have mandated new-home warranties, it will fall under the Insurance Act. There were new rules brought forward just this summer, I believe, for the Insurance Act on the appeals process and making sure that you got satisfaction. All new-home warranties, when this is in place, will fall under that. Customers will know they're getting satisfaction then.

**The Speaker:** The hon. Member for Lacombe-Ponoka, followed by Stony Plain.

#### **New School Construction Priorities** (continued)

**Mr. Fox:** Thank you, Mr. Speaker. The citizens of Blackfalds have been waiting to see a shovel in the ground for a new elementary school that has been waiting on the school board's capital plan for over three years. This government inaction gives a lot of uncertainty for the parents of 180 children of the age of three who will need classroom space in two short years. Can the Minister of Infrastructure tell my constituents where the new school for Blackfalds falls on your government's infrastructure priority list?

**Mr. J. Johnson:** Mr. Speaker, here we have another example. I wonder if the member is willing to take a P3 school, which would be a financed school. Nonetheless, we recognize that there are some significant pressures in this member's constituency. We appreciate that. We're going to do everything we can to try and deliver the school desks where they're needed in Alberta, either for growth-enrolment pressures, like in his case, or in areas where we've got buildings literally falling apart and we have health and safety issues.

**The Speaker:** The hon. member. [interjections]

Hon. Member for Airdrie, please, if you have a point of order, rise on it. Otherwise, yield the floor to your colleague, whom I've now recognized. Thank you.

2:40

**Mr. Fox:** Thank you, Mr. Speaker. I'm not talking about extra money. I'm just talking about a priority list.

Given that my constituents are left up in the air about a new school, I'm sure that many other Albertans across the province are, too. When will the Minister of Infrastructure release a province-wide list of provincial infrastructure projects along with upgrades and the criteria used to create it so Albertans will know where their priorities are ranked in your ministry?

**Mr. J. Johnson:** Mr. Speaker, those lists of what the province intends to build – from the Alberta museum to all the schools across the province, investments in health care and hospitals – are all on the website. Those lists are announced, and they're announced with the budget. It takes a long time to build those lists, and they're changing all the time. When you think about thousands and thousands of projects across the province, what happens when you have a Slave Lake? What happens when you find mould in a school? What happens when a roof caves in? Do you just tell them, "No. You're further down the list. We're not nimble enough to respond to that"? It's not quite as simple as they'd like.

**The Speaker:** The hon. member.

**Mr. Fox:** Thank you, Mr. Speaker. I can tell this isn't really going anywhere. To the Minister of A, T and T: when will you heed the call of Albertans, live up to the name of your ministry, and demand that the government release a public infrastructure list with the criteria used to create it? That would be truly transparent to Albertans. This would be a true transformation for this government.

**The Speaker:** The hon. minister.

**Mr. McIver:** Thank you, Mr. Speaker. I would refer the hon. member to the Alberta government website. Approved projects are on there. What the member is asking for is a preview. I don't blame him for being curious because we have a very good budget process. The fact is that we release on an annual basis the budget process, a lot of those priorities, and when we do that in the spring, the hon. member will see what the next schools are on the list, the next roads on the list, the other infrastructures projects on the list. We set priorities, and we do our best to follow them every single year.

**The Speaker:** Hon. members, that concludes question period for today. In a few seconds from now we will begin with our next person in line for members' statements.

## Members' Statements

(continued)

**The Speaker:** The hon. Member for Calgary-North West, followed by Olds-Didsbury-Three Hills.

### Joint Action on Arthritis Framework

**Ms Jansen:** Thank you, Mr. Speaker. On September 18, 2012, the Arthritis Alliance of Canada, or AAC, released the Joint Action on Arthritis: A Framework to Improve Arthritis Prevention and Care in Canada. I was pleased to speak at the launch in Calgary that day.

As there are more than 4.6 million Canadians who suffer the effects of arthritis, this is a chronic disease that impacts many around us. I myself am a sufferer. There are three pillars of the framework that help address this impact: one is advancing knowledge and awareness, two is improving prevention and care, and finally, supporting ongoing stakeholder collaboration. In the framework everyone has a role in working towards these pillars: the patients, the health care professionals, the government, the industry partners, the AAC members, and, of course, the general public. It's important that these groups come together.

Arthritis can affect people of any age, and it is the most common cause of disability in Canada with the pain and limitations it can cause for those who have it. The AAC's framework executive summary notes that "the total economic burden of [osteo- and rheumatoid arthritis] in Canada, including direct health care costs and productivity losses to the economy, will grow from \$33.2 billion in 2010 . . . to over \$68 billion in 2040." Mr. Speaker, it's through the collaboration suggested by the report that an impact can be made on the daily lives of those with arthritis and lessen the burden it causes both financially and physically.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Olds-Didsbury-Three Hills.

### Family Care Clinics

**Mr. Rowe:** Thank you, Mr. Speaker. Last spring the government made a last-minute and expensive election promise to build 140 new family care clinics in our province. They made this promise without consulting physicians. They made this promise without providing any evidence that these clinics will benefit Alberta families more than our current system of primary care networks. They made this promise without explaining whether they plan to shut down existing primary care networks in order to pay for the new government-run clinics.

The Health minister needs to provide Albertans with a cost-per-patient accounting of a family care clinic compared to existing primary care clinics. To date we have not seen this information. The Wildrose supports family care clinics where a need for them can be shown and where they will not put existing primary care facilities at risk.

Mr. Speaker, Albertans in both rural and urban centres want a government that will put forward meaningful solutions to some of the problems they experience in our health care system like long wait times. Instead, what they have is a government that mismanages our health care dollars and throws money at risky experiments.

There is no evidence that establishing family care clinics in rural communities will decrease wait times or improve access to health care. Family care clinics will do nothing to address the huge issue of physician shortages that so many of our rural

communities are facing. People in rural Alberta are concerned that if they have a family care clinic in their area, they might actually have a more difficult time recruiting physicians. Why would doctors want to invest in establishing their own private clinic in a rural community where they are going to face direct competition from a government-run and -financed family care clinic?

Mr. Speaker, it is unacceptable that this government is putting primary health care for hard-working Albertans at risk across the province just to try and win a few votes.

Thank you.

## Notices of Motions

**The Speaker:** The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Speaker. I rise to give oral notice pursuant to section 15(2) of the standing orders that at the appropriate time I will be rising on a point of privilege concerning the failure of the Chief Electoral Officer to distribute his recommendations for legislative amendments, submitted to the Minister of Justice on August 27, to all members of the Legislative Offices Committee and the Legislative Assembly.

Thank you.

**The Speaker:** Thank you, hon. member. That is noted.

## Tabling Returns and Reports

**The Speaker:** The hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Mr. Speaker. I rise to table five copies of the minutes of the regional municipality of Wood Buffalo's regular council meeting dated January 24, 2006. This is showing that the current PC MLA for Fort McMurray-Wood Buffalo was appointed treasurer of the Wood Buffalo Housing & Development Corporation as of January 24, 2006.

I also rise to provide five copies of the current PC MLA for Fort McMurray-Wood Buffalo's bio, which shows that he was a Wood Buffalo housing corporation director from 2005 to 2010.

I also provide five copies of the 2007 PC annual financial statement and five copies of page 46 of the PC annual financial statement showing that the Wood Buffalo Housing & Development Corporation donated \$2,250 to the PC Party.

**The Speaker:** The hon. Associate Minister of Seniors.

**Mr. VanderBurg:** Well, thank you, Mr. Speaker. I'm pleased to rise today to table the requisite number of copies of the 2011 Alberta College of Medical Laboratory Technologists annual report and the 2011 College of Alberta Denturists annual report on behalf of the Minister of Health. Both organizations are key partners in providing safe, efficient, and professional health services to Albertans.

Thank you.

**The Speaker:** The hon. Minister of Health.

2:50

**Mr. Horne:** Thank you very much, Mr. Speaker. I have two tablings if I may. First, I'm pleased to table the requisite number of copies of the College of Licensed Practical Nurses of Alberta 2011 annual report. Licensed practical nurses are health professionals regulated by the Health Professions Act. The legislation gives the college the ability to govern and regulate the profession of licensed practical nursing in Alberta. This year's



annual report highlights collaboration, quality education, practice excellence, growth of the profession, and their continued commitment to the protection of the public.

Mr. Speaker, my second tabling, with the requisite number of copies, is the Alberta Mental Health Patient Advocate office 2011-2012 annual report entitled *We're in This Together*. The Alberta Mental Health Patient Advocate works to promote and protect the rights of mental health patients and those acting on their behalf by ensuring they are informed about their rights under the Mental Health Act. This year's annual report focuses on the theme of compassion and features interviews with several Albertans speaking about the role compassion has played in their lives.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Speaker. I'd like to table the appropriate number of copies of two letters from the Chief Electoral Officer. The first letter is dated August 27 and is addressed to the Minister of Justice. The second letter, September 24, is a letter to the chair of the Legislative Offices Committee addressing questions raised by MLAs in committee on September 13, 2012.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Eggen:** Thank you, Mr. Speaker. In his stead I have the appropriate number of copies of a collection of photographs and messages put together by Fort McMurray residents who are demanding immediate action to twin highway 63. It's called *Reality: A Collection of Photographs Illustrating the Common Dangers on the Torturous Gateway to the North Known as Highway 63*.

Thank you.

**The Speaker:** The hon. Minister of Justice.

**Mr. Denis:** Mr. Speaker, I wish to withdraw as the hon. Member for Edmonton-Strathcona has tabled the document I was going to table.

**The Speaker:** The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much. On behalf of my colleague the leader of the Liberal opposition and Member for Edmonton-Meadowlark I'd like to table the appropriate number of copies of the Alberta Medical Association President's Letter which he referred to in his questions today.

Thank you very much.

**The Speaker:** The hon. Member for Vermilion-Lloydminster.

**Dr. Starke:** Thank you, Mr. Speaker. At this time I would like to table the requisite number of copies of a number of documents: firstly, the letter that I referred to in my member's statement from the hon. Leader of Her Majesty's Loyal Opposition dated May 23, 2012; a copy of the Twitter comment made by the hon. Member for Lac La Biche-St. Paul-Two Hills, dated September 13; a further Twitter comment made on November 15; and finally, the requisite number of copies of a final tweet that I did not reference in my member's statement because I don't think I could have gotten through the member's statement. It was made by a Mr. John Winslow, who was introduced in the House on May 28 as a good friend of the Wildrose by the hon. Member for Calgary-Fish Creek. On Thursday, August 3 . . .

**Mr. Anderson:** Mr. Speaker, for crying out loud.

**Dr. Starke:** I just want to read this into the record, though, so that it is in the record. I quote . . . [interjections]

**The Speaker:** Please. Hon. Member for Airdrie, hon. Member for Lac La Biche-St. Paul-Two Hills, please.

Hon. member, just table the document, and everyone will be able to read it simultaneously. I'm going to be reminding people again about tablings and what the procedure is for that. I'd again ask House leaders to remind their own caucuses of what the procedures are. Thank you.

The hon. Minister of Transportation.

**Mr. McIver:** Thank you, Mr. Speaker. I rise to table the requisite number of copies of the invoice received by Alberta Transportation for the asphalt heater used earlier to assist in line painting for 36 kilometres of a new section of highway 63. I had promised at one point to this Assembly that I would provide the final amount for this additional work done to help ensure the safety of drivers on the twinned section. Today I can tell you that the final cost was \$43,682.75. The use of the asphalt heater helped to clear the ice off the highway and heat the pavement to help accept the paint and then to keep it there.

**The Speaker:** Thank you.

Are there others? The hon. Member for Airdrie.

**Mr. Anderson:** I just noticed that I'll be tabling very soon all of the comments of a Mr. Craig Chandler, who was introduced by the Solicitor General the other day, and the comments he's made in the past, Mr. Speaker.

**The Speaker:** Hon. member, please. This is for tablings. This is not for notices of tablings. You've been here for a few years. You should know that by now.

Let us move on. Are there any other legitimate tablings?

I believe we have no tablings to the Clerk and no more tablings, so we're going to deal with the points of order. [interjections] I am sorry. I was sensing some interruptions there while I was speaking.

We have a point of order raised at 2:21 by the hon. Member for Airdrie. Please proceed with your citation and your point.

## Point of Order

### Allegations against a Member

**Mr. Anderson:** Three points of order, actually, Mr. Speaker, but I'll do one at a time in the order that you request. The first one was certainly the most egregious. The Deputy Premier, someone that you would think would understand procedure and decorum in the Legislature, as he always claims to do, stood up and said: when the Leader of the Official Opposition makes illegal expense claims. Illegal expense claims.

Mr. Speaker, I would refer you to the standing orders under 23. There are a whole bunch of them here because they all virtually apply.

- (h) makes allegations against another Member;
- (i) imputes false or unavowed motives to another Member;
- (j) uses abusive or insulting language of a nature likely to create disorder . . .

and

- (l) introduces any matter in debate that offends the practices and precedents of the Assembly.

Also, I would turn your attention to *Beauchesne's*, specifically sections 486, 488. Obviously, it talks about the context the

comments were made in and so forth. Section 488 as well as 489 specifically say that it's unparliamentary to refer to a member as doing something illegal, taking illegal actions and so forth.

Here's the problem, Mr. Speaker. We have been going through this for a while. We do talk in this Legislature about illegal donations – no doubt about it – made to the governing party. Absolutely. And we do table proof and evidence of those things. But one thing that I certainly can't recall – and I would ask the members opposite to please correct me if I'm mistaken and to produce the *Hansard* where that was done – is any folks in this room saying that someone over on that side, naming a specific member, has done something illegal. I don't think we've ever said that.

We've obviously said that there have been illegal contributions made to their party that haven't been paid back and so forth. We've gone through that whole exercise. But, of course, we all know that when it comes to talking directly about another member of this Assembly, there is certain language that is completely unparliamentary. Saying that a member of the Official Opposition has done something illegal is, clearly, unparliamentary language of the greatest degree, in fact.

Now, the second part of it, Mr. Speaker, is that it's not even factually accurate. First of all, the Leader of the Opposition did not submit the expense to the Legislative Assembly Office. It was never submitted. The only reason anybody knows about it is because it got incorrectly put on the website because this opposition member wanted to put all of her expense claims on there, and this one, which was withdrawn before it even went to the LAO, did get into that pile and posted. An unfortunate accident. It happens, for sure. But it was never ever submitted. So that's not true.

Secondly, even if it was submitted, Mr. Speaker, it is not illegal in any way, shape, or form at all. In fact, it's not even against LAO policy. The LAO policy is very clear that we make claims, we put them into the LAO, and they decide whether a claim is legitimate or does or does not fall under the reimbursement policy and then say yes or no as to whether to make that reimbursement.

Many of us, I would assume, in this Legislature have made a claim and then had it come back; for example, a claim for a hotel room or some kilometres or something like that, where it's been submitted, and our totals might have been off by a few dollars plus or minus. Who knows? The LAO will come back and say, "No, you've made a mistake here; that's not correct" and so forth. Then you make the adjustment, and you proceed further. That is standard practice. That is the policy. So not only did she not break the law; she did not even break the policy even if she had submitted it.

It is absolute malarkey for this Deputy Premier to stand in this Legislature and accuse this member of doing something illegal. The facts don't match it up. It's completely unparliamentary. Now, I know that member, the Deputy Premier, obviously thinks he knows what's illegal. He has no problem calling the police when a 70-year-old senior citizen on oxygen asks him to get off his porch. He has no problem thinking that that somehow is illegal and calls the police in to protect him against that 70-year-old senior on oxygen.

3:00

I would request that this Deputy Premier, frankly, get his act together and stop pointing to this ridiculous statement. If he wants to hold it up in the media, that's fine. Go for it. But don't come in here and say that this leader, who has got more integrity in her little finger than that member does over there – don't come in here

and start calling into question her integrity – has done something illegal. That's got to stop, and it stops today, Mr. Speaker.

**The Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. Here is the problem, to quote the hon. member. The members opposite engage in this mudslinging and bottom-feeding process of trying to malign everybody in government with all of these accusations and then have problems when the same thing happens to them.

**Mr. Anderson:** We accused you of doing something illegal?

**Mr. Hancock:** Yeah, as a matter of fact. The hon. member back there, which we'll talk about in the next point of order.

Here's the problem. The hon. member is exactly right with respect to the fact that one should not make allegations against another member, and I'll come back to that piece. His seatmate just last week was accusing people of committing crimes, and he hadn't provided any evidence of that. If you go back and read the *Hansard*, you, in fact, interceded, and I raised a point of order on that. Other members have done exactly the same thing. It's not in those members' hands to determine whether something is an illegal act or not an illegal act, but they have been using that term almost on a daily basis since this session started.

I would suggest to the hon. member that if he wants to take umbrage at it – and quite frankly I don't blame him for taking umbrage at it. I take umbrage at it, too, because I think this is an honourable place. I think we should all adhere to a standard where we don't accuse other people of crimes, where we don't sling these innuendoes across. There are appropriate processes for investigating appropriate things or inappropriate things. Even in his own comments he says: withdrawn before it went. Well, which was it? Did it go, or didn't it go? You can't withdraw it before it goes. You can only withdraw it after it goes.

That would be semantics, Mr. Speaker. There's other language. He says that it's not illegal; it's not even against the policy. There is nothing which allows an hon. member to make a donation to another political party out of their constituency funds, whether it's provincial or federal.

We could get into this back and forth on the details of things, but what's very clear is that every time somebody raises these allegations in the House, throws things around loosely, which they do on a daily basis, it casts mud on all of us. It brings the whole process into disrepute. It's all inappropriate, Mr. Speaker, every last bit of it.

I would withdraw the remarks that were made by the hon. Deputy Premier. It's inappropriate to allege that another member has done something illegal, absolutely inappropriate. I would ask that the other side take that into account every day in question period before they bring their malicious and false accusations against the members on this side.

**The Speaker:** Thank you.

Hon. members, I believe that clarifies this issue, and we can move on to the next point of order. Thank you, Government House Leader for withdrawing those remarks on behalf of and also for the reminder to other members of the House from the opposition to consider some of their remarks and perhaps withdraw them on occasion as well. Let us move on.

At 2:10 the Government House Leader rose on a point of order. Please, a citation.

## Point of Order

### Allegations against Members

**Mr. Hancock:** Thank you, Mr. Speaker. Standing Order 23:

- (h) makes allegations against another Member;
- (i) imputes false or unavowed motives to another Member;
- (j) uses abusive or insulting language of a nature . . . to create disorder.

I'd ask you to call the Member for Calgary-Shaw to account for his totally unparliamentary comments during his question earlier today.

The member specifically named three ministers, myself being one of them –and I almost consider this to be a matter of personal privilege, in fact – in a question in which he was making allegations that we were not providing reports on expenses which were requested under FOIP. The hon. member obviously does his research on Twitter because last week there were a few twits about . . .

**An Hon. Member:** Tweets.

**Mr. Hancock:** No. They were twits.

They were twits making tweets about the fact that the Canadian Taxpayers Federation, Alberta branch, had made a FOIP request and had been turned down. But, in fact, if they had gone one step further and looked on the website of that organization, they would have found exactly the copies of the letters that were posted in return to those members. I will quote:

Your request . . . is denied under section 29(1) of the Act which states that the head of a public body may refuse to disclose to an applicant information that is to be published or released to the public within sixty days after the applicant's request is received.

The records will be available in the Legislature Library no later than December 14, 2012.

That is on the website of the Taxpayers Federation, the only people who've been raising this issue, and I presume that's where the hon. member got his research done because they're the people who raised the FOIP request.

It's been clearly asked and answered, the time frame is clearly there, yet this member gets up in the House and calls three ministers of the Crown rogues and alleges that they're not willing to release their information, making the innuendo that there's something to hide.

Mr. Speaker, this may sound like a fairly modest point of order. The fact of the matter is – and it goes back to the previous point of order – that the only thing we have in this House, really, is our integrity. We come here as honourable people to serve our constituents. I, for one, am an honest person. I shouldn't have to get up every day and say that I am an honest person, serving the public honestly.

If you want to disagree with me on my viewpoints with respect to a policy issue, have at it. If you want to disagree with me with respect to a matter of public policy, great; let's have a debate. But don't bring this institution down and don't bring me down by alleging that I am somehow dishonest or misusing the taxpayers' money for personal gain. That is not on. That is not right. That is reprehensible.

**Mr. Anderson:** Mr. Speaker, I appreciate the comments from the hon. House leader. I want to make it very clear, I believe, on behalf of the member that he was not alleging that there had been an abuse of taxpayer money. We'd have to obviously take a look at the expenses, and I'm assuming that there is nothing in those that we should be worried about, especially from this Government House Leader. I've seen nothing in anything he's done in the past

that would warrant any suggestion that any of his expenses are incorrect. He's an honourable member of this Assembly, for sure, absolutely.

That's not what was alleged in the question. Now, I will say that maybe it was because of the long nights that we've been sitting over the last week or something, but there's no doubt that on both sides there's been some language used that certainly could be better. I think that, clearly, inferring that members of this Assembly are rogues is not parliamentary language. On behalf of the member I'll withdraw that statement as well.

**The Speaker:** Thank you. That concludes that matter.

We've had one withdrawal on behalf of a government member, and now we've had one withdrawal on behalf of an Official Opposition member. That sort of squares that off. Hon. Member for Calgary-Shaw, I know you'll be visiting that comment, and I know that the hon. Government House Leader will be visiting his point with his colleague as well.

Let us move on to item 3 then. This is a third point of order, raised at 2:27 by the Government House Leader when the Member for Calgary-Fish Creek was speaking.

## Point of Order

### Parliamentary Language

**Mr. Hancock:** Thank you, Mr. Speaker. This point of order is under Standing Order 23(h) and *Beauchesne's* 489. It refers to when the Member for Calgary-Fish Creek was raising a question with the Minister of Health and indicated that this member is spending thousands of taxpayers' dollars misleading Albertans or to mislead Albertans. I'm not quite sure, exactly, of the syntax there. First of all, under 489 an allegation about misleading is clearly out of order and not parliamentary language. Secondly, under 23(h) this is clearly an allegation against a member.

There are many ways to raise appropriate questions in this House, as you've said over and over again. We are, actually, over the course of this fall session going further and further into the abyss of using unparliamentary language, showing a complete lack of respect for each other.

**3:10**

The only way this process can actually work, Mr. Speaker, is if we actually understand that each of us is elected to do a job, that we do and should respect each other as individuals coming to do that job and use language which does not detract from that respect as we try to bring out the areas of clear interest to Albertans. It's not in the interests of Albertans to throw around accusations of lies and misleading and falsehoods and all those sorts of things. It is very much in the interests of Albertans to have questions and answers which clearly delineate what the issues of the day are and how government is dealing with those issues.

There is no reason why government cannot and should not be held to account in an appropriate way in this House, but using the language that's been used in this specific case, the language of misleading Albertans, is a deliberate accusation, a deliberate slur against the Minister of Health, specifically directed to him and specifically using unparliamentary language.

**The Speaker:** The hon. Member for Airdrie.

**Mr. Anderson:** Thank you, Mr. Speaker. My feeling on this is that this should be more of a point of clarification. I heard the question, too. I do not have the Blues in front of me, but from what I heard the member say, she was clearly referring to the ads being misleading, not the member being misleading, misleading

the Legislature. It was referring to the ads that are running on the television right now, that in the member's opinion are misleading the public with regard to the issue with the doctors' contract negotiations with the government. I hope that clarifies it. If in your opinion or if after examining the Blues she unintentionally said that the member was misleading, then I'm sure she'll retract those comments. But what she was referring to, clearly, were the advertisements themselves.

**The Speaker:** Thank you.

Are there others?

Seeing none, let me just remind you here. I don't have all of the Blues yet either, hon. members, but it was clear that the Speaker did hear the term "misleading the House" or words to that effect. I immediately rose and mentioned it to the Member for Calgary-Fish Creek, so that issue has been clarified.

Let's just be reminded, hon. members, that words like "misleading" or other words we heard today – "bullying" I think I heard today or a day ago – "intimidation," words of that nature, attributed to a member are going to lead to a point of order almost every single time. I've said it before – I hope to one day be able to stop having to say it – and that is that these issues consume enormous amounts of time. That having been clarified and admonished appropriately, let us move on.

Hon. members, I did have another point of order here, but there were so many coming at once, I may have gotten one of them out of order. I believe, Hon. Member for Airdrie, you rose on a point of order as well. I don't have the time noted on that one, unfortunately, but why don't you proceed with it.

#### Point of Order

##### Referring to a Nonmember

**Mr. Anderson:** Right. There were two, and perhaps these can be quick. If you could just remind the members opposite who are constantly reminding us of this, as are you, Mr. Speaker. A member rose and specifically attacked the former Member for Fort McMurray-Wood Buffalo. He is not here to defend himself as a former member. Again, I'm just looking for some consistency on both sides in that regard.

**The Speaker:** Are you under 23(h), (i), (j) or somewhere in that neighbourhood? Just give us a citation so that Parliamentary Counsel can review it as well.

**Mr. Anderson:** Absolutely. Specifically, 23(l): "introduces any matter in debate that offends the practices and precedents of the Assembly." As you've said many times, we try to avoid, if possible, and make sure that we do not name members that are not here to defend themselves, so I would ask him to take care of that.

Also, I would note, too, that the contributions in question did occur in 2007. The member specifically made an allegation that that money somehow was with the Wildrose board, that it was while he was a Wildrose member. That's absolutely incorrect. The money did go to the PC association, not the Wildrose association.

**The Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. This very clearly outlines exactly what we've been talking about. What happened during that exchange was that the Member for Innisfail-Sylvan Lake made allegations about another member. In doing so, she was not very clear in defining who that member was, so when the Deputy Premier rose to respond, he indicated that the member for that particular district at that particular time was actually a different

member than it is now. It was more in the nature of clarifying that at the time the person that was referred to was not the same person. I was sitting here. That's the nature in which the hon. member rose and clarified.

But it brings about again what we've talked about. I think this has been a very useful discussion this afternoon, Mr. Speaker, because if hon. members would stop maligning other members in the House and stop bringing things in to raise specifics of that nature which are more appropriately dealt with in other forums and would stop bringing the whole reputation of this place into disrepute, others would stop engaging in the same manner, and life would be much better.

The Deputy Premier clearly did not make any allegation against the former Member for Fort McMurray-Wood Buffalo but merely indicated in his response to the question that the Member for Fort McMurray-Wood Buffalo at the time the hon. member was talking about was, in fact, someone other than the current member.

**The Speaker:** Hon. members, you know, both the Member for Airdrie and the hon. Government House Leader have made some very valid points. At no time is it appropriate to cast aspersions on other members. At no time is it in the character and in keeping with the traditions of the House to use any opportunity, when you are recognized to speak, in some way to impute false motives either directly or indirectly. I have risen many times on this in the House. The Member for Airdrie is quite correct. I have cited that on many occasions.

I'm not going to go through the complete list again, but take a look at when these items come up. Most often these items such as accusations or attempts at character assassination of one form or another, generally speaking, come up during extended preambles, which are not allowed, prior to supplementary questions. Today, for example, uncharacteristic of the House we actually heard a few members use their private members' statements for purposes of drawing attention to another member of the House, not necessarily in the most polite way. That is not why private members' statements were designed, and I will make a comment on that a little bit further.

So take a look at some of the admonishments of the past and please heed the advice, if you will, of the chair to not engage in that kind of derogatory comment-making. I just get so concerned when I hear members going down that path because I know exactly where it's going to go, and I also know what the previous Speaker frequently admonished all of us about, and that was that more hon. members have talked their way out of this House than ever talked their way into it.

I know that we're dealing with some veterans, and I also know we're dealing with some rookies, so to speak, so I've been fairly lenient up until now. This session will end soon. Government House Leader, you and other House leaders are going to convene a meeting, I hope, and talk about some of these issues. The chair is prepared to enforce whatever you decide. But until that time I have to enforce what's already there.

I appreciate this clarification from both sides of the House. Hopefully, we won't need to rise on it again.

Hon. Member for Airdrie, that concludes that point and for the hon. Government House Leader as well. Did you have a final point of order?

**Mr. Anderson:** No, I don't.

**The Speaker:** It's been dealt with. It's been withdrawn. Okay. Thank you very much.

Let us move on.

## Speaker's Ruling Parliamentary Language

**The Speaker:** Under points of order on Thursday of last week I was asked to rule on a point of order which was raised, I believe, by Edmonton-Strathcona pertaining to certain comments that were attributed to the Minister of Health. I indicated I would give everyone a chance to look at things over the weekend, and then I would rule accordingly. Prior to doing that, I would like recognize, however, the hon. Minister of Health for a comment.

**Mr. Horne:** Thank you very much, Mr. Speaker. The point of order to which you refer was raised with respect to an exchange between myself and the hon. Member for Edmonton-Highlands-Norwood beginning on page 961 of *Hansard* from last Thursday, November 22. In response to a question from the hon. member I expressed the view that I did not believe the hon. member was aware of facts that I thought he ought to have been aware of. In the course of conveying that, I used a term that I should not have used to describe that. I did not understand at the time that that remark would have been considered not appropriate, and I'm very pleased to take this opportunity to withdraw my remarks.

Thank you, Mr. Speaker.

3:20

**The Speaker:** The hon. Minister of Health has withdrawn his remarks. I believe that concludes that matter. I see Edmonton-Strathcona nodding her head. Thank you for that as well, and thank you, hon. Minister of Health. That has been accepted.

I don't believe there are any other points of order or issues outstanding relating to points of order, so we can move on and recognize the hon. Member for Edmonton-Strathcona on a question of privilege.

## Privilege Distribution of Election Act Amendments

**Ms Notley:** Thank you very much, Mr. Speaker. Pursuant to Standing Order 15(2) this morning I provided written notice to your office of my intention to raise a matter of privilege today, and that notice has been distributed to all members in the House. This point of privilege relates to my ability as a member to participate fully and fairly in debate around Bill 7, and I'm pursuing this point of privilege in relation to the Chief Electoral Officer, who as an officer of this Assembly is a creature of the Assembly and accountable to this Assembly.

I'd appreciate it if you would allow me to present very briefly the facts and timelines associated with this as well as a brief review of my arguments about why the matter is timely as well as why I will be asking you to conclude that the matter constitutes a prima facie case that there has been a breach of my privilege as a member of the Assembly.

To the issue of the facts, Mr. Speaker, on August 27, 2012, the Chief Electoral Officer provided his recommendations around changes to the Election Act to the Minister of Justice. At that time he copied the chair of the Legislative Offices Committee, but the recommendations were not distributed to members of that committee at the time. The August 27 letter itself was provided to all committee members on Thursday, November 22.

The Legislative Offices Committee met on September 13, 2012. The Chief Electoral Officer was asked about the whereabouts of his recommendations. It was clear from that meeting that they had not been provided to the committee members, and the Chief Electoral Officer did not advise at that time that the committee chair was provided with a copy.

In a follow-up letter dated September 24 directed to the committee chair, the Chief Electoral Officer stated, "Our recommendations for legislative amendment, which address the issues you raise, were sent to the Minister of Justice... for the consideration of the Legislative Assembly." Once again he did not take the opportunity to advise that the recommendations had been provided to the committee chair.

On October 25 opposition critics of Justice and Solicitor General were offered their first briefing on Bill 7, wherein the ministry distributed a list of the recommendations from the Chief Electoral Officer that were rejected by the government in developing Bill 7. So a partial list, Mr. Speaker.

On November 19 following opposition protest of it not being included in consultations concerning Bill 7, the Ministry of Justice provided a briefing to opposition members, which coincidentally included the provision of the entire list of Chief Electoral Officer recommendations. That was on November 19, Mr. Speaker.

The very next day, on November 20, the Minister of Justice tabled Bill 7 along with the Chief Electoral Officer's recommendations for the amendments. For the first time all members of the Assembly were made aware of their content. There were over 100 recommendations.

At the Legislative Offices Committee meeting of November 23 MLAs had their first opportunity to question the Chief Electoral Officer about the distribution of his recommendations, and he was asked at that time why he had not provided his recommendations to the committee or taken the opportunity to clarify that they had been provided to the chair when advised that members of the committee had not been provided with his recommendations.

His response came in two parts, Mr. Speaker, which is in and of itself a bit concerning. He originally responded by simply advising the committee members of his August 27 letter, which copied the chair of the committee, and he stated that it was his intention at the time that it be distributed to all members. Fair enough. But subsequent to this response he was then asked about the meeting of September 13, when he was clearly made aware that members of the committee were not provided with the recommendations. He was asked why he did not advise the committee at that time that the chair had been provided with the recommendations. He was asked why his subsequent correspondence of September 24 did not advise the committee that the chair had been provided with the recommendations.

Now, to his credit, Mr. Speaker, when pressed on the matter, the Chief Electoral Officer did state that he does and should share some of the responsibility for the failure to distribute his recommendations to the Assembly rather than to the Minister of Justice alone. However, he also stated that he chose not to discuss the failed distribution of the recommendations to all members of the committee with members of the committee because he was unsure of what the process was for that distribution. "I was not aware at this time of what the timeline was for the distribution of the document. When we wrote this letter, we did not know whether or not there was a timeline that was being followed." It is worth noting that this deliberation of whether or not there was a timeline on the part of the Chief Electoral Officer occurred a month after he first sent the recommendations to the Minister of Justice.

Now, on the issue of timeliness, Mr. Speaker, I would argue that this is the first opportunity for me to bring this matter forward for consideration by this Assembly. Although the facts in question span several months, it was not until Thursday, November 22, that the August letter was made available to all members of the Legislature through their disclosure to the Legislative Offices Committee members. It was only with the release of this letter that

the real failure on the part of the Chief Electoral Officer became apparent. It is the combination of the letter dated August 27 and then the Chief Electoral Officer's conduct at the meeting of September 13 and his formal response on September 24 that is the first of a two-part foundation on which we base our concerns. We could not have known about those until at the very earliest Thursday, November 22, when the August letter was delivered to the offices of committee members.

Regardless, Mr. Speaker, the second component of the facts which give rise to our concerns is the response of the Chief Electoral Officer to our questions on this matter, which we only heard at the Legislative Offices meeting of November 23. In particular, it was the Chief Electoral Officer's explanation for why he failed to use the opportunity provided to him on September 13 and again on September 24 to fix the mistake in the distribution of his recommendations which gives rise to the privilege motion here today.

The explanation was made on November 23. Not only was it reasonable for the opposition to bring the matter to the Chief Electoral Officer through the Legislative Offices Committee prior to bringing it before the whole Assembly and yourself, Mr. Speaker; it was really only when we heard the explanation from the Chief Electoral Officer that the extent of the breach became apparent. As such, I would argue that this point of privilege meets the timeliness requirements laid out under the standing orders.

Now, as to why the distribution issue represents a breach of privilege, Mr. Speaker, I have a few brief comments on why it is we would ask you to find that there's a *prima facie* case to be made. Officers of the Legislature report to and through the legislative branch of our government. This is because certain matters are deemed to be sufficiently worthy of independence from the executive branch of government as to require the full authority and oversight of the whole legislative body which contributes to the governance of our province.

For example, the conduct of individual members of this Assembly is deemed to be worthy of the attention of this whole Assembly through the conflicts of interest commissioner. Investigations into fundamental unfairness of certain actions by the executive branch of government are conducted by the Ombudsman and are, once again, accountable through the whole Assembly. Administration and investigation into the transparency of the executive branch of government is managed by the freedom of information and protection of privacy commissioner, and again she reports through this whole Assembly. Likewise, Mr. Speaker, administration and enforcement of the Election Act is another function which all jurisdictions, including ours, have concluded, quite accurately I would suggest, require independence from the executive branch of government and, instead, require the attention of all members of the Assembly.

Now, as a member of that legislative body, specifically this Legislative Assembly, the rights and privileges of which I know you, Mr. Speaker, value greatly, my ability to do my job is compromised when an officer of this Assembly chooses to report instead to and through the executive branch of government rather than through this Assembly. This is what happened here with the development and distribution of the recommendations of the Chief Electoral Officer around the need for changes to the Election Act and the election finance administration act as well as others. It is well understood the Chief Electoral Officer must act at all times with objectivity and fairness in order to ensure that the process of implementing and enforcing elections law is beyond reproach.

Allow me to review the standing orders and the relevant legislation. Standing Order 55.01 states that "reports of the Officers of the Legislature shall stand referred to the Standing Committee on Legislative Offices unless otherwise ordered." I do not believe that there are any outstanding orders that would suggest there has been an order otherwise.

With regard to the legislation section 4(5) of the Election Act states that

the Chief Electoral Officer shall, immediately after each enumeration, general election, election under the Senatorial Selection Act, by-election or plebiscite or a plebiscite or referendum under any other Act, prepare and have printed a report including a summary of the Chief Electoral Officer's conduct respecting the enumeration, general election, election under the Senatorial Selection Act, by-election, plebiscite or referendum, as the case may be, a breakdown of results and a summary of costs and shall transmit the report to the Standing Committee, which shall lay the report before the Legislative Assembly,

et cetera, et cetera. Now, as was, I believe, the spirit and intent of this legislation, it has been the accepted practice of previous Chief Electoral Officers that all recommendations for legislative amendments be sent to the Legislative Offices Committee for their consideration and distribution to the Assembly.

3:30

Mr. Speaker, probably the most relevant legislative authority resides in section 3.1(1) of the Election Act, which states:

Before beginning the duties of office, the Chief Electoral Officer shall take an oath to perform the duties of the office faithfully and impartially and, except as provided in this Act, the Senatorial Selection Act or the Election Finances and Contributions Disclosure Act, not to disclose any information received by the Office of the Chief Electoral Officer under this or any other Act.

The question of impartiality is critical here.

I would like to quote again from the statement made by the Chief Electoral Officer at the Legislative Offices Committee on November 23. "I was not aware at this time of what the timeline was for the distribution of the document. When we wrote this letter, we did not know whether or not there was a timeline that was being followed." Implicit in this statement is a deference to a so-called timeline, one which by necessity would be defined by those who had the document in relation to those who did not. In short, there is deference to either the Minister of Justice, who is a member of the executive branch of government and the governing party, and/or also to the chair of the committee, who is also by definition a member of the governing party.

In addition, the Chief Electoral Officer did not explain why he believed that there might be some schedule that would permit the Minister of Justice to be in the possession of recommendations from his ostensibly independent legislative office while the Legislative Assembly was without that information for almost three months. He also did not indicate any efforts to inquire into or resolve what would seemingly be a breach of the standing orders and current legislation. The level of deference demonstrated by that statement and its inherent conflict with the obligations of the officer as defined by section 3.1(1) gives rise to my concern that my ability as a Member of the Legislative Assembly to fulfill my functions effectively as they relate to the oversight of the work which falls into the realm of responsibility held by the Chief Electoral Officer is therefore impaired.

In short, we cannot do our job, Mr. Speaker, if the Chief Electoral Officer is unclear that he is responsible to all members

of the Assembly equally and if he fails to conduct himself accordingly. Members of the government, who, coincidentally, were also the beneficiaries of the Chief Electoral Officer's conduct, will undoubtedly argue that this was merely an honest mistake. However, this so-called honest mistake resulted in the executive branch of government and, by extension, the government caucus members of this Assembly receiving and having the opportunity to deliberate upon the work of the Chief Electoral Officer for almost three months longer than all other members of the Assembly.

As the act which appoints the Chief Electoral Officer compels all members of this Assembly to take part in the review of and in some cases the deliberation about matters which fall under his purview, the partial distribution of his recommendations interferes with my ability to fully complete my duties as a Member of the Legislative Assembly.

Mr. Speaker, *Maingot* at page 13 states:

If someone improperly interferes with the parliamentary work of a Member of Parliament – i.e. any of the Member's activities that have a connection with a proceeding in Parliament – in such a case that is a matter involving parliamentary privilege.

I would suggest that *Beauchesne's* 92 makes the same point. As such, I respectfully request that you find that I have made a *prima facie* case of a breach of privilege and that you allow me the appropriate time within which to bring forward a motion with respect to the disposition of this case.

Thank you for listening to my comments.

**The Speaker:** The hon. Minister of Justice.

**Mr. Denis:** Thank you very much for recognizing me, Mr. Speaker, and I thank the member for her comments. I just wanted to add a few things. First of all, when you look at the actual Standing Order before 15(2), of course 15(1):

A breach of the rights of the Assembly or of the parliamentary rights of any Member constitutes a question of privilege.

It is my submission that there has been no breach based on that standard, Mr. Speaker.

Now, I appreciate that the point of privilege today is against the Chief Electoral Officer and not myself or the Member for Edmonton-McClung. I do nonetheless want to make a submission to you as to why there is no point of privilege here. Incidentally, I have not spoken with the Chief Electoral Officer about this. These submissions are my own.

The mandate for the Standing Committee on Legislative Offices, Mr. Speaker, states:

The Standing Committee on Legislative Offices is an all-party committee consisting of 11 Members of the Legislative Assembly. The committee approves the budgets of the Officers of the Legislature, including the Auditor General, the Child and Youth Advocate, the Chief Electoral Officer, the Ethics Commissioner, the Information and Privacy Commissioner, and the Ombudsman, and also reviews the salaries of the Officers on an annual basis.

It also states:

The committee can entertain Officers' requests regarding proposed changes to legislation and forward the recommendation to the appropriate ministry. However, it is important to note that the committee does not have the mandate to approve changes to legislation.

Now, Mr. Speaker, as the Member for Edmonton-Strathcona has correctly noted, on May 29 I sent a letter to the Chief Electoral Officer asking him for recommendations to increase the openness and transparency and clarify the rules for disclosing results of

these investigations. The letter was subsequently tabled. The letter does state *inter alia*: "Amendments to the Elections Act would involve your Office being fully consulted to maintain the independence of your Office and avoid arbitrary amendments passed in the Legislature." On May 31 the Chief Electoral Officer also sent me a letter indicating his willingness to send recommendations to me "based on years of cumulative experience" among staff in his office. Again, the letter was tabled.

There was also some commitment made by several ministers of this side of the House that legislation would be tabled in the fall that would address the issue of the disclosure investigations. Promise made; promise kept. I received the recommendations in the fall, and we went to work on accepting as many of these recommendations as possible, actually 90 out of 101.

Mr. Speaker, my ministerial staff, as the Member for Edmonton-Strathcona has noted, met with the opposition on October 25 and again early last week. I also met with the House leader for the third party on October 29. I provided a list of recommendations that we were not accepting and explained that the recommendations were the backbone of the legislation and that I could not supply those as there would be a risk, in my mind, of the bill going out of order.

Mr. Speaker, having met with all three opposition parties, it was never raised once that they wanted a copy of the Chief Electoral Officer's comments.

**Ms Blakeman:** Point of order.

**The Speaker:** Hon. member, we don't recognize points of order on points of privilege, but I would ask the hon. Minister of Justice to please continue in wording that suits the traditions of the House.

**Mr. Denis:** Thank you, Mr. Speaker. I submit that this was not a formal report to the Assembly as we receive from many of the independent officers. I would have to differ with the Member for Edmonton-Strathcona, in fact, that there was no mistake. There's no obligation on behalf of the Chief Electoral Officer to provide that. We are going to have a debate in this Assembly, and we've tabled all the documents. We haven't even started second reading debate. I would indicate, as I indicated in my May 29 correspondence, that it's important to avoid arbitrary amendments. There's a difference between a recommendation from an independent officer of this Chamber, i.e. the Chief Electoral Officer, and a formal report that's tabled here. These were his recommendations.

I would also indicate, Mr. Speaker, based on my comments, with respect to the Member for Edmonton-Strathcona, that there is no point of privilege here. I would also indicate that even if there was a point of privilege, which I do not admit but deny, the transcripts from the November 23 meeting of the standing committee that I mentioned are not yet available, so we're just dealing with hearsay and innuendo, things that would not be made admissible in any court of law.

Those are my comments, Mr. Speaker. I would respectfully submit on behalf of the government that there's no point of privilege in this matter.

**The Speaker:** Are there others? The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much, Mr. Speaker. This is a really interesting situation. My understanding of a point of privilege is that the ability of a member to do their job has been impeded or impaired or in some way stopped from going forward and that that

is particularly wrong if it reflects on the member in such a way that their constituents would believe they weren't doing a good job or working properly for them.

In this situation we have recommendations that came through an officer who reports to a standing committee of this Legislature. They don't report directly to the Minister of Justice. They report to a legislative committee. Whether we want to get into wordplay, that the Minister of Justice is so fond of, I'm not interested in that. What I'm looking at is whether there was fair play here and whether I was impeded in doing my job, whether the Member for Edmonton-Strathcona was impeded in doing her job. I argue that we were.

3:40

There were recommendations that, clearly, a group of people had and another group of people didn't have, and we were supposed to. The Chief Electoral Officer did send them to the chair of the committee with the obvious understanding, which he admitted to during the meeting on Friday, that they would be distributed to the committee. Now, what's interesting is that when it became clear that they had not been distributed to the committee, goodness' sake, everybody seems to forget how process works and what would usually happen and what makes sense. It's just that they all got kind of funny about it. We get these strange things where I point-blank asked the Chief Electoral Officer where the recommendations were. That told him that I didn't have them in my hand and I didn't know where they were. I clearly did not have them.

Now, here's an officer of the Legislature who was to send some information through to this committee. He says he did. He hears very clearly from a member that she doesn't have the information and is actually asking him on the record where it is. Well, he tells us in his written response from the 24th of September that he sent it to the Justice minister. That's all he says. He forgets to tell us that he'd already sent it to the chair of the committee and that it should have been distributed to us. So I'm not sure why those things happened, but that's the crux of this. We needed that information to do a good job.

When I met with the Minister of Justice, I did ask him where the recommendations were. It was the obvious question. He was standing there handing me a package that said: "Okay. These are the recommendations that we are not accepting from all the recommendations that the Chief Electoral Officer gave us." And I said: "I don't have the recommendations. Can I get the recommendations?" He says he told me I couldn't have them. I walked away from there believing that I was going to get them at the end of the meeting. We won't argue about that one. The point is that that committee was supposed to get that information, and it didn't. When the person who was supposed to give us the information knew that we didn't have it, they still did not give it to us. That's what's wrong here.

In the development of the arguments for a very dense bill – Mr. Speaker, this ain't easy stuff. These are four pieces of very technical, detailed information in one act. Yeah, we've had the bill for a couple of weeks here, and we had a briefing in which we had from the Justice minister the recommendations that they weren't going to do. That was helpful. Didn't tell us what they were going to do but, rather, what they weren't going to do. I was supposed to – what? – by osmosis figure out the ones that I didn't get through the committee? Do you see what I'm saying? There is a point here where the timing, the obvious response and process – that is, it went to the committee when it clearly hadn't gone there. He

should have produced it again and not played footsie with us. That continued right up to Friday. So the context, the timing, the obviousness of what should have happened are all important here.

I don't envy you trying to make a decision on this one, Mr. Speaker, because it's complicated. The end result is that you had a number of people here that – I don't know if the government members on the committee got the information or not. I can tell you that the opposition members on the committee did not have the information, and I believe that we were intended to. That's what's wrong with this. We did not get information that we were supposed to get, and we were the committee that was supposed to get it.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. I'll be quite brief because the Member for Edmonton-Strathcona as well as the House leader for the Liberal opposition did a great job outlining the facts. I think this is a clear prima facie case of a point of privilege. It goes to the basic point of: you have an independent officer who is supposed to report to the Assembly, who is supposed to report to this committee, and instead that report was distributed to just two members, the Justice minister and the chair of a standing committee.

In *Beauchesne* it talks about impairing a member's ability to do their job. I had in fact asked a question to the Justice minister, asking him when the report from the Chief Electoral Officer would be made public. I specifically asked that right here in question period. There was a non answer. If he had the report at that time, it should have been made public. He should have known that we obviously didn't have the report. It's especially egregious in this circumstance because we have legislation that's before us. How are we supposed to do our jobs as opposition members if other people and other members have information before we do? In fact, it appears that they've had it well in advance of the opposition members.

Going to the solution – one of the members alluded to that earlier on – what can be done, I refer the Speaker to page 30 of *Beauchesne's*, where it talks about what the Speaker can do if he is inclined to find that a point of privilege has been met. The mildest form, of course, is that a simple declaration that there has been a breach of privilege is provided, but also I refer the Speaker to paragraph 124, which says that occasionally the individual "will be given an opportunity to purge the contempt and promise better conduct in the future." In my submission that's the minimum of what should be done here.

Of course, given the seriousness of this breach, where you have an independent officer of the Assembly only giving it to the Justice minister or a chair of a standing committee, I would suggest that one potential solution is that this piece of legislation be hoisted to a future session so that all opposition members can have the same information to prepare themselves to debate the bill instead of giving two individuals an undue dissymmetry of information at the outset.

Those are my submissions, Mr. Speaker.

**The Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. A very interesting point of privilege being raised – an important point of privilege being raised – and a very interesting set of facts. What it clearly points to, though, is that there's not a point of privilege here, but there



may be an opportunity to clarify some of the ways in which processes happen. What's clearly in question here is the differentiation between the role of the Standing Committee on Leg. Offices with respect to dealing with Leg. officers and reports that are tabled in the House and referred automatically, as was pointed out by the Standing Orders, to Leg. Offices for review and the ongoing process of setting budgets for Leg. offices and those sorts of pieces. The committee clearly has that role and function.

Legislation has clearly assigned, at law, the responsibility for specific pieces of legislation to members of Executive Council, so various members of Executive Council, primarily the Minister of Justice, have responsibility for the legislation that establishes the Leg. offices and provides the legislative framework for them. Amendments to those legislations are brought by the minister responsible in those areas. In the case of the CEO that would be the Minister of Justice. In the case of the Ombudsman I think that's also the Minister of Justice. In the case of the Ethics Commissioner I believe that's also the Minister of Justice. In the case of the Child and Youth Advocate that would be the Minister of Human Services. In each case there's a minister responsible for the legislation, who also has responsibility there for review and renewal of that legislation from time to time and for bringing that legislation forward.

There is nothing in our Standing Orders or process or practice which suggests how that review of legislation ought to be done or that indicates that there's a specific role for the legislative committee in dealing with that legislation although from time to time there have been times when the standing committee has actually dealt with legislation. Mostly that happens when an officer of the Legislature in their report suggests that there should be amendments to the legislation, and therefore the report goes to the Leg. Offices Committee, and the Leg. Offices Committee then deals with that request. On occasion a Leg. officer has made a request through a Leg. Offices Committee for amendments to their statutes, and there's one, in fact, before the committee now with respect to the Child and Youth Advocate. We're dealing with that process, because I then received as Minister of Human Services a letter from the chair of Leg. Offices saying that Leg. Offices had met, had deliberated, and was recommending to us that there be changes made. So there are a number of ways of going about it.

What's happened in this case is that during the spring session, actually, in which many questions were raised about a particular section of the Election Act and the similar section in the Election Finances and Contributions Disclosure Act, which had been interpreted to say that the Chief Electoral Officer was unable to release certain information, it became clear that that was not the interpretation which had been intended when the legislation had been amended to allow administrative penalties and reprimands to be put forward rather than all matters which the Chief Electoral Officer had investigated and found conduct which he believed to be deserving of sanction being referred to a prosecutor for decision.

3:50

So the act was amended. The amendment was interpreted by the Chief Electoral Officer and his office to say that he couldn't release information because that particular piece of the section hadn't been changed. That was part of the discussion in this House last spring. The commitment made by the Minister of Justice was to bring forward an amendment to clarify that it was always the intention that determinations should be released, and that he would approach the Chief Electoral Officer.

I believe he's indicated today that he filed a copy of the letter in the House indicating that he'd asked the Chief Electoral Officer

for the Chief Electoral Officer's views on amendments to the act. That's an entirely appropriate process, Mr. Speaker. It's entirely appropriate not to have a kind of discussion with a Legislature officer with respect to the operations of their office, but asking advice with respect to the constating legislation is entirely appropriate, and it's done.

Then the question is: when the officer of the Legislature, in this case the Chief Electoral Officer, responds to that request, he is perfectly entitled to respond to that request directly to the minister responsible for the legislation. He may share that with the chair of the committee – as I understand it, in this circumstance that was shared with the chair of the committee – but he's not bound to do that because it's a different portion of the role. It's relating to the drafting and the changing of legislation. It's the government's purview to bring before the House any proposed amendments to the legislation. The House may then determine to refer that proposed legislation to a committee for further review if it wishes. We have to be very clear that up until now, at least, there had been these two very distinct functions, and the Legislative Offices Committee deals with the Legislature officers and their independence on behalf of the House.

The government still has the responsibility to deal with the legislation and to review that legislation from time to time and ask for input on that review and may ask for input on that review from the officer of the Legislature and get a response on that. It's not unparliamentary for him to do that. It's not unparliamentary for the Legislature officer to respond in that way. Asking for and receiving advice with respect to bringing forward amendments to the legislation is certainly something that's within the purview of the minister. It's certainly something that the Chief Electoral Officer, even as an officer of this Legislature, may respond to, and it in no way interferes with other members' ability to do their jobs to have that happen. The members have the same opportunity they have with every piece of legislation that comes before this House, to deal with it fully and completely at the various stages at which it's debated in the House.

Now, going forward, it would be useful to clarify because there's nothing really – I've looked at this with respect to this situation on a couple of occasions when it's been a question of how you go about amending the constating act for a Legislature officer and what process ought to be followed. We may wish to follow that up and set up a process to be followed, but in fact there is not one now.

In fact, there are two distinct functions that need to be understood. One is the role and function of the Legislature officer as an independent officer of the House, reporting to the House and responding to the committee with respect to his or her reports to the House and dealing with the committee with respect to the necessities of life, if you will, in terms of budget and operation. Then there's the legislative process, which is clearly a function of the Legislature and operates in the same role and manner as for every other piece of legislation in this House.

There are many boards, the Labour Relations Board being one of them, the Workers Compensation Board being another one of them, where they are independent boards, but their legislation belongs to this House, and the person who is charged with the evergreening of that legislation is a member of Executive Council. That member of Executive Council must have the opportunity to consult with the Chief Electoral Officer or the head of any of those boards or agencies in order to get advice as to whether that legislation is working appropriately, which does not in any way preclude, Mr. Speaker, the Standing Committee on Leg. Offices from time to time requesting the CEO to come before the

committee and talk about changes that could be made and make recommendations from that side.

It's a fine point, Mr. Speaker, but it's a very important one, because the processes are ongoing processes which need to happen. They need to happen with clarity. We don't have actual clarity in our rules and standing orders at the moment with respect to these functions, but it's very important that a member of Executive Council charged with responsibility to improve an act, particularly when the House has demanded that changes be made to the act, be able to bring forward those changes and do so with the advice of the appropriate person in terms of what they believe should be extant in the act both in terms of the specific issue that was raised and the invitation of the Minister of Justice to all other issues.

So no point of privilege. Clearly, it's an issue that needs some clarity around it, and clearly nothing has impeded the hon. members opposite from their ability. Even though it's an act with a lot of details, I would suggest it's not as complex an act as one of the members opposite suggested. It's very clear. You can go section by section and look at it and say, "Okay. That's what that's about," and come to some determination very quickly as to whether or not you believe that that is an important amendment, and you can look and see which other amendments you think might have been important.

No member's ability to carry out their duty has been impeded, but it does beg the question, Mr. Speaker, of whether we should delineate more appropriately a process for things to go before standing committees.

**The Speaker:** The hon. Member for Airdrie, briefly.

**Mr. Anderson:** Very briefly, but it's a very important point. I'm not going to dwell on or repeat what's been said already, but I would note this. If you turn to *House of Commons Procedure and Practice* and look at pages 82 and 83, Mr. Speaker, there's something very serious that needs to be addressed here. Obviously, we're talking about the point of privilege, and sometimes if it doesn't fall exactly within a point of privilege, it can be found in contempt of parliament. I think that in this case it's actually quite clear that there has been a contempt of parliament and therefore a breach of privilege.

If you look in this document and look at page 83 of *House of Commons Procedure and Practice*, second edition, 2009, specifically:

The United Kingdom Joint Committee on Parliamentary Privilege attempted to provide a list of some types of contempt [of parliament],

what it would look like. Two of the points are specific to this case. First off:

Deliberately altering, suppressing, concealing or destroying a paper required to be produced for the House or a committee.

The second point is:

Without reasonable excuse, refusing to answer a question or provide information or produce papers formally required by the House or a committee.

Mr. Speaker, it's very clear. We've got the Blues, and we've got the *Hansard* for that. In a second I will read it into the record because it is very germane to this.

If you look at the first point, "Concealing . . . a paper required to be produced for the House or a committee" – it has to be deliberately concealing. We do understand that, Mr. Speaker. I think it's pretty clear from the discussions that have been had here and the evidence given by the House leaders and the deputy House leader, who is also the Justice critic, who was involved in these discussions, that there is no doubt that the Justice minister knew

that he had the report . . . [interjection] I don't see how that's out of order. He knew that he had the report and deliberately did not give that report to the opposition. He knew he had that report. He had it sent to him previously. I think that's very clear.

To the second point, "Without reasonable excuse, refusing to answer a question or provide information," I take you to the *Hansard* from October 29, 2012. The Member for Lac La Biche-St. Paul-Two Hills specifically asked – I'm going to skip the preamble:

Will the Justice minister . . .

when referring to this report,

. . . then simply reveal to the Legislature the Chief Electoral Officer's report and recommendations today, or will he continue to hide behind this government's pattern of secrecy?

The answer given by the hon. Justice minister was:

Mr. Speaker, if this member has a particular complaint about any particular financing, I suggest he go and talk to the Chief Electoral Officer, who is an independent officer of the Legislature. He does not report to me. He does not report to anybody else.

That is very clearly: "without reasonable excuse, refusing to answer a question or provide information or produce papers formally required by the House or a committee." He knew he had these papers. He was asked a question about these papers.

4:00

Mr. Speaker, if this is not a point of privilege, then it absolutely is a contempt of parliament. I think that it is very serious. This should not be downplayed. You've had 41 years to make this clear, hon. Government House Leader. This could not be any more clear as a point of privilege and a contempt of parliament.

I would think that with regard to solutions to it, frankly, this is so serious that it does need to be contemplated to table this legislation and bring it back once we've all had an opportunity to properly go over these recommendations, Mr. Speaker.

**The Speaker:** Thank you.

Hon. members, this is a unique circumstance. Uncharacteristically, I'm going to allow the hon. Member for Edmonton-Strathcona to clarify a quick point, and then we'll go to the hon. Member for Calgary-Mackay-Nose Hill. Briefly, please.

**Ms. Notley:** Mr. Speaker, I was going to simply rely on my opportunity to very briefly end debate, but I'm certainly prepared to let the Member for Calgary-Mackay-Nose Hill precede me.

**The Speaker:** Thank you. You did have considerable time at the beginning, which we appreciated.

The hon. Member for Calgary-Mackay-Nose Hill.

**Dr. Brown:** Thank you, Mr. Speaker. I would like to speak to this issue. There is no point of privilege in this case. The minister responsible for the administration of the Election Act made a direct request of the Chief Electoral Officer to give his suggestions for what changes he thought might be appropriate, and that's exactly what he did. The document that he sent back with the recommendations is not a formal report to this House. It was not a formal report to the committee. I would submit that there is no requirement for distribution of that letter and the accompanying recommendations to all members of the committee, let alone dictating the timing of that distribution.

Nonetheless, would it have been preferable for that document, given its importance, to be distributed to all of the members of the committee? Yes, it probably would have. However, in my

respectful submission, Mr. Speaker, the CEO did nothing wrong. There was no intention on his part to hide the contents of the recommendations from the members of the committee, as the Member for Edmonton-Strathcona has alleged. In fact, he did copy the chair of the committee. Obviously, it was clearly not his intention to deny that information to the committee. However, for one reason or another that was not distributed to all of the members of the committee. If anything, there was a misunderstanding, and I would submit it was nothing more than that. It was a misunderstanding regarding the distribution of that document.

You know, the Member for Edmonton-Strathcona is inferring ulterior motives and bias and impugning the character of the Chief Electoral Officer. But what I would submit, Mr. Speaker, is that what it boils down to is merely a misunderstanding. There's no point of privilege, and nothing wrong was done.

**The Speaker:** Hon. Member for Edmonton-Strathcona, very briefly, please.

**Ms Notley:** Thank you very much, Mr. Speaker. Ever so briefly, going to two points made by the hon. Government House Leader, he says that the distinction here in the issue is subtle, and he is correct. It's subtle. But notwithstanding its subtlety, it is profoundly important, and it is incumbent upon all members of this House to understand it and comprehend it fully. Adoption of the interpretation advocated by the Government House Leader would result in the mitigation of the role of any officer of the Legislature to being that of simply a senior member of the executive branch of government.

At one point the House leader equated the operations of the Chief Electoral Officer to the operations of the board of the Workers' Compensation Board. Well, with all due respect, Mr. Speaker, that board by legislation reports through the minister. The import of a Chief Electoral Officer or any officer of the Legislature is that they report through this Assembly. The last thing we need is to adopt an interpretation that would allow for a precedent where it is okay for officers of the Legislature to act like senior bureaucrats and have one-off sideline conversations with members of the executive branch of government. That goes against the very point of their establishment.

Now, quite frankly, I don't expect the executive branch of government or the Minister of Justice to disclose to me legislation at any point before they choose to introduce it. That's their prerogative. It's not exactly fair, but it is what it is, and that's the tradition of the House. However, I do expect any officer of the Legislature who does work and comes up with recommendations and relies upon his expertise, absolutely – any minister can ask that Chief Electoral Officer or any other officer of the Legislature for advice, for recommendations, all that stuff. That's completely appropriate.

What is not appropriate is for the response to that request for advice to be done off the side of a desk between only some members of the Assembly. That goes to the very heart of what it means for somebody to be an officer of this Legislature. When they report, when they come up with opinions, when they advise, it should be done for the benefit of this whole Assembly and through this whole Assembly so we can all participate in it. To adopt the proposals suggested by the Government House Leader will be to absolutely undermine the credibility of the concept of an officer of this Legislature.

Thank you, Mr. Speaker.

**The Speaker:** Thank you, hon. members. I've mentioned this before because we've already heard at least one point of privilege in this House. I've raised it before that points of privilege are extremely serious matters. They do require a lot of study and a lot of effort to come to a proper conclusion. In fact, they are so serious that some of the books that were cited today, parliamentary books such as *House of Commons Procedure and Practice*, which I encourage you to visit and visit often, has over 100 pages – well, actually 101, I believe – dedicated to points of privilege of various sorts and issues arising out of it. Similarly, *Beauchesne's* has pages on it; similarly, *Erskine May* has pages and pages on it. The tables of contents are sometimes pages long when trying to describe privilege, and a lot of you would know that.

Nonetheless, I want to make a couple of quick points. First of all, all of the speakers made some very, very good points in defence of the position that they were occupying. In fact, uncharacteristically, I think we've heard from I believe six or seven different members today, or at least that many speeches were heard. In spite of the fact that I've heard and listened to or been part of numerous points of privilege over my years in this Assembly, I don't recall having met this particular issue before. This one seems to go into a different area, and I'm sure some of the veteran members would probably agree with me.

Secondly, it concerns an officer, who is a member as such. Not a member in the way you are a member, but he's an officer of the Legislature, so he has a different sort of classification of job, if you will. The reporting structures have to be looked at here. The committee that was raised and pointed to by a number of speakers: I have to review some of that as well just to make sure that I'm understanding it all.

I'll take a little bit of time to study this one. I'm not sure I'll be able to get it all digested and consult with Parliamentary Counsel and others and read all the references that speakers raised in time to render a decision by tomorrow, but I will take the appropriate amount of time to study this one, I can assure you. I'll go through all the citations, I'll go through all of the speeches that were written and read, and I'll come to a conclusion, I hope, within a couple of days on this one.

Hon. Member for Edmonton-Strathcona, thank you for raising it. Hon. members who have participated in debate, thank you for your points of view as well.

I believe that that concludes orders and points of privilege for today, so we will now move on.

I've just had a reminder from Parliamentary Counsel that there was a request made by the hon. Member for Strathcona-Sherwood Park. Thank you for that, hon. member, and I did go through this as well. I got very involved in the point of privilege, and I was just about ready to overlook this one, and I'm glad I didn't. Thank you to the table as well.

4:10

## Statement by the Speaker

### Private Members' Public Bills

**The Speaker:** Before we go to Orders of the Day, I want to comment briefly on the order of business that is about to occur. Last Thursday the chair received a request from the Member for Strathcona-Sherwood Park requesting early consideration of his private member's bill, Bill 201, for third reading immediately following Committee of the Whole this afternoon. The chair tabled the memorandum last Thursday, November 22, 2012, and it is recorded as Sessional Paper 301/2012. Given that this is the first

time in this Legislature that this issue of early consideration of a private member's bill has arisen, the chair wants to explain to the members how we're going to proceed with this.

First of all, I'm obliged to inform all of you at the very edge here that this request is hypothetical at this point since there are still 74 minutes remaining for consideration of the bill itself in Committee of the Whole. Now, before Committee of the Whole is called, the House must first conclude second reading debate on Bill 202, of which 23 minutes still remain. If there is any available time remaining for private members' bills this afternoon, then further to the hon. member's request the House would then proceed to third reading of Bill 201. If there is no time remaining following the bill being reported from Committee of the Whole, Standing Order 8 requires that third reading of the bill be called first next Monday, December 3.

Now, by way of quick background, this process concerning early consideration of private members' bills has been in place since 1997, and there have been numerous occasions when the Speaker has cautioned the House about these types of requests as they do give rise to potential conflicts with other members. Now, previous Legislatures, in fact even the one immediately before us, have been cautioned about this practice as recently as March 14 of this year, and that can be found at page 514 of *Hansard* for that day. I would reiterate the suggestions of Speaker Kowalski on March 14 and going back to 2001 that this matter should be given further review by either House leaders or a committee of the Assembly so that due consideration is given to options that do not unduly prejudice other members and the progress of their private members' bills.

Just to recap, we'll see how this goes with time allocation and everything else. I did have an opportunity to hear from the member, and I believe that member took some liberties to speak with others so that potential conflict could be avoided. So there's a good spirit of co-operation that was attempted to be built. That will be the process that we will follow for this afternoon.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I don't wish to prolong this any longer than need be, but under 13(2) I'd like to ask you to explain one piece of your ruling. You indicated that Bill 202 would come up, I think, for a further 23, 24 minutes. I note from *Hansard* at page 513 on November 5 that the hon. Member for Calgary-Mackay-Nose Hill was recognized to close debate, and therefore there are only actually five minutes, actually four minutes and 50 seconds, as I recall. He rose to close debate and started by saying, "Given the time . . . I would [ask] that it be called 5 o'clock." So he, in essence, rose to close debate and then moved for the consent of the House to change the clock. While he was doing that, the clock hit 5, and I then rose to ask that we have unanimous consent to extend. But it's very clear from the record that the hon. member was recognized to close debate, and therefore there are not 23 or 24 minutes. There are only five, or actually four minutes and 50 seconds, to be precise.

**The Speaker:** Just a moment. Hon. Government House Leader, I was reviewing this matter, actually, over the lunch hour along with a number of other things, and since there has been some issue raised about this, I want to just take a brief moment here and just recap what actually occurred on that day. I've been receiving numerous pieces of paper here as you can see.

Just seconds before 5 o'clock the Acting Speaker recognized the hon. Member for Calgary-Mackay-Nose Hill, at which point the

Member for Calgary-Mackay-Nose Hill rose and according to *Hansard* said: "Well, Madam Speaker, I'm prepared to give a closing speech, but given the time I think I would move that it be called 5 o'clock." Now, the Government House Leader at exactly 5 o'clock according to *Hansard* rose and said:

Madam Speaker, I beg your leave to ask for unanimous consent of the House to allow the hon. member his five minutes to close debate so this bill can be voted on, and then we would proceed with the motion at 5:05 or when the vote is done.

Unanimous consent at that point was denied, and the House went on to Motions Other than Government Motions.

So Bill 202, to be clear, was last considered by this House on Monday, November 5. The bill was moved for second reading, and it received 97 minutes of debate. As noted on the Order Paper, this bill still has 23 minutes remaining for second reading, which includes five minutes for the sponsor to close debate.

There is some misunderstanding as to whether or not the sponsor was recognized to close debate on November 5. That was not the case, and that is not what the hon. member was apparently recognized for. Although the sponsor was recognized by the chair, he actually rose to move that, "It be called 5 o'clock," as I just read out and as is noted, for those of you who wish to look, on page 513 of *Hansard* for that day. Then I read the request that was made by the hon. Government House Leader for the sponsor to close debate. That was denied.

Now, there is a record of who speaks and in what order and how they get recognized and so on, which you're able to seek clarification on if you wish. The point is that, to be clear, there are still 18 minutes remaining for other members to speak at second reading of Bill 202, following which the sponsor will be entitled to speak for up to five minutes to close that debate. I would refer all of you to Standing Order 8(7)(a) if you want to acquaint yourselves further with the rules governing second reading debate of private members' bills, which most of you, I'm sure, are very familiar with.

Hon. Member for Edmonton-Centre, you had indicated earlier that you wanted to rise on a point of clarification, and then the Member for Airdrie.

**Ms Blakeman:** I did. I'm just aware that if we don't get at it, there won't be much time to do anything with the member's bill 201.

I wanted to put it on the record again how strong my dismay and objection to this particular procedure is. Nothing against this particular member. I've raised this objection with anyone that's ever done it. I think asking to waive Standing Order 8(7)(c) really is unfair because it does mean that someone at the end of the queue has not got a hope in heck of getting their bill up and even being able to say: "Mom, Dad, look. I actually got a bill before the Assembly."

I recognize that the member has gone to some lengths to consult his colleagues to see if it's okay, and I know it's entirely within the ability of the Speaker to grant the early leave. In fact, the precedent is that he does grant the early leave. Goodness knows that we've been admonished often enough as House leaders to deal with the dang thing and haven't managed to do it. We will mark it on our hands in ink to try and get that done before the next sitting, but I still think it's wrong.

Thank you.

**Mr. Anderson:** On a point of clarification as well. I don't know. Are we starting business right now? If not, I just do have a

question of clarification with regard to Written Questions. There is a written question to deal with. Do we deal with that now, before, or after? Yes? Okay. I just wanted to clarify that.

## Orders of the Day

### Written Questions

[The Clerk read the following written questions, which had been accepted]

#### Availability of Mental Health and Addiction Beds

- Q2. Mrs. Forsyth:  
How many mental health beds and addiction beds on average were available to Albertans in 2011?

#### Calgary South Health Campus

- Q3. Dr. Swann:  
What was the original 2007 estimate of construction costs and projected opening day for the south campus hospital in Calgary versus the actual cost on completion and actual opening date?

**The Speaker:** The hon. Member for Calgary-Fish Creek.

#### 4:20 Availability of Long-term Care Nursing Beds

- Q1. Mrs. Forsyth asked that the following question be accepted.  
How many long-term care nursing beds on average were available to Albertans in 2011?

**Mrs. Forsyth:** Thank you, Mr. Speaker. I would move that Written Question 1 be accepted. I look forward to the minister's response, and then I will provide some comments after that.

**The Speaker:** Is there an amendment here?

**Mrs. Forsyth:** I understand, Mr. Speaker – and I'll be corrected by you if you want – that I have to move the question first, and then if there's an amendment, it has to come from the minister. There may be an amendment on the table, but we're not aware of that. It hasn't been tabled, so we need to discuss the question first before we move an amendment.

**The Speaker:** You have an amendment to this?

**Mr. VanderBurg:** Yes, I do.

**The Speaker:** Before this? Okay. Move your amendment, please.

**Mr. VanderBurg:** Thank you, Mr. Speaker. I'd like to propose an amendment to the question posed by the Member for Calgary-Fish Creek. I understand the copies are ready and able to be distributed.

**The Speaker:** We'll just take a second here and clarify where we're at with this, please. There's an amendment being circulated here.

Go ahead. Distribute the amendment, please, quickly.

Hon. Associate Minister, do you wish to read the amendment into the record while the pages continue and conclude distribution of it?

**Mr. VanderBurg:** Mr. Speaker, for the record the amendment reads that Written Question 1 be amended by striking out "on average were available to Albertans in 2011" to be replaced with "were available to Albertans as of March 31, 2012." The amended

written question would read as follows: How many long-term care nursing beds were available to Albertans as of March 31, 2012?

Mr. Speaker, the minister is proposing this change because the Ministry of Health conducts a survey at the end of March of the number of long-term care beds that are staffed and in operation. This amendment allows the minister to provide an answer to the hon. member that is making the request.

All colleagues in the Legislature today, I'd ask that you accept the amendment to this question so we can get proper information to the hon. member across.

**The Speaker:** Speaking to the amendment?

**Mrs. Forsyth:** Yes. Well, Mr. Speaker, I have to admit that I'm challenged by this amendment because we heard from the Clerk just prior to this that they've accepted Written Question 2, which is the exact same question that we're asking about long-term care beds but it was about mental health beds and addiction beds. So for the associate minister to stand up and say that they don't have these figures till the end of March on their long-term care nursing beds perplexes me because if they can find out about the mental health beds and the addiction beds that were available to Albertans, the identical question of Question 2 – they have no answer.

We have been trying for some time to get how many long-term care nursing beds there are. The associate minister knows that I did question him about that when we were debating the budget. At that particular time, I think at the very end of the day, we had three or four different numbers thrown at us. I cannot for the life of me understand why this government cannot tell us at this particular time exactly how many long-term care nursing beds we have in this province because it's economics. It's very simple. It's about demand. I mean, currently I am dealing with my mom that's in the hospital. I can guarantee you that they need to know if there is a long-term care nursing bed available or if there's not.

[The Deputy Speaker in the chair]

It's embarrassing, I would suggest, for the government not to be able to have these numbers in front of them because they have to move these patients back and forth. They're a bottleneck within the system right now. I can tell you that by phoning any one of the doctor contacts that I have, they'll be able to tell you exactly how many seniors they have tied up in an acute-care bed in the hospital and where these seniors have to move to. My colleague the Seniors critic may want to add to this particular amendment.

Associate Minister, quite frankly, this is embarrassing for you and your government. It was embarrassing when I questioned you during the budget. You threw three or four different numbers on how many long-term care nursing beds you have. Surely to goodness after that embarrassment when we were in the budget debate, you would know eight and a half months later how many beds you have. You're the government. You're supposed to be able to know exactly how many beds you have in the system. Both you and the Minister of Health stand up continuously and repeatedly about how you're adding 1,000 more continuing care beds to the system. Please, on behalf of Albertans, tell us how many long-term care nursing beds you currently have in the system.

**The Deputy Speaker:** Are there others? The hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Mr. Speaker. The amendment here also raises huge concerns for me as the Seniors critic. I did read

through the estimates, and I've read through many of the discussions that the hon. Associate Minister of Seniors has had and provided, and there are at least three different numbers that are provided on how many long-term care nursing beds there are. More importantly, this government talks about a continuing care strategy and the funding that goes along with it. Albertans have a right and this government has a duty to tell them exactly: are the dollars going to continuing care beds? Are the dollars going to long-term care nursing beds, which we know are drastically different?

Currently the funding model is based on hours of care, and the dollars from taxpayers are going to facilities based on those hours of care, and they're based on care levels. For example, a continuing care facility that's housing SL3s and SL4s might have allocated long-term care nursing beds which receive a different funding model. If this government doesn't know where those taxpayer dollars are going, how can Albertans be assured that taxpayer dollars are being spent appropriately? It seems that the only people who currently know where the \$16 billion health care budget it being allotted would be this government. Surely, this government would know what those numbers were for any given year and especially for 2011.

It is very, very imperative that we make sure that we are spending taxpayer dollars in an appropriate way, that we're making sure dollars get to the right places and appropriate care. This government tells us every day that that's what they're doing. It's interesting also that repeatedly in the House this question has been asked about how many long-term care nursing beds there are, how many continuing care beds there are, how they'll be funded, and how the continuing care strategy is going to affect Albertans going forward. Repeatedly we're told that this information is available, that we're just supposed to do our homework, that we're supposed to go and find it. Yet, clearly, the government doesn't even have the answer.

If the government doesn't have the answer, how is this opposition supposed to? More importantly, how are Albertans supposed to stand up and understand exactly where their taxpayer dollars are going? How do we hold the government accountable that you truly are creating 1,000 more long-term care nursing beds as you continuously state you're doing?

Thank you.

**The Deputy Speaker:** Are there others? I'll recognize the Member for Little Bow.

**Mr. Donovan:** Thank you, Mr. Speaker. The question, I guess, around an amendment is that usually an amendment is – you change the intent of the question, and I think we have that here because we're changing it by a full year. The intent of the question was to ask, as it says in the question: how many were available to Albertans in 2011? Now we've changed the intent of it to 2012. I've been around county council a long time, and as soon as you add an amendment and you change the intent of it, it's not an amendment anymore. You're changing what the question is. The question was very clearly written by the hon. Member for Calgary-Fish Creek. The question was for long-term care beds. I'm confused on how we can have an amendment that changes the clear date on it.

4:30

**The Deputy Speaker:** Other members? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. I rise to speak in opposition to this amendment for one simple reason. As a person who has an

accounting background and an understanding of how government actually operates . . . [interjection] Oh, I do. I've got lots in my background. I actually went to university for it. I have a lot of education, hon. member.

Government keeps records. One thing government does that everyone complains about is the bureaucracy of the paperwork. Had the request been for 2001 or 1991, it seriously would have required a tremendous amount of work to go back into archives. But we're looking at just going back to what should have been readily available, around March of this year, for all of 2011. It should have allowed all the accounting to come forward.

I'm troubled by the amendment because this information should be readily accessible through departmental research that should actually be able to produce these numbers. We're not talking about something that goes back multiple years. We're just talking, you know, roughly 18 months or a little bit longer than that. That information should be available. That's really, in my opinion, not a difficult task for any person taking care of the budget or any accounting person that is actually responsible for record maintenance.

I'm troubled by it because – and I hate to say this because I do not want to incite certain members – it almost looks like a cover-up. [interjection] I know. We went there. The perception of that alone is fundamentally wrong. I just want to point that out. It's not generally a cover-up that is always the problem or a bias that is a problem. It is the public perception of it that always creates the problem. Here we can avoid it completely by just producing the records and eliminating the perception.

Thank you very much.

**The Deputy Speaker:** The hon. Leader of the Official Opposition.

**Ms Smith:** Thank you, Mr. Speaker. You know, I'm new to the Legislature, and this is the first opportunity that I've had to see how written questions are delivered. Now, I guess I'm just a little bit worried about setting the precedent. The very first written question that comes back is one where the government doesn't actually return what it is the opposition is asking for but answers the question that they want to answer in the way they want to answer it. We have enough of that in question period, the fact that they don't actually answer our questions in question period. We're trying to use the process as it's been outlined in the House rules. We are taking forward questions that require them to do some research. They've had plenty of time to go and dig up this information.

It troubles me that already, on the very first question coming back, we're not getting the information that we want. The hon. member is asking for something very specific, and she's been asking for it in question period in a number of different ways not only in this legislative session but in previous ones before the election. She wants to know on average how many beds were available to Albertans in 2011. It is an average. It's important for us to get that average.

If you take a point in time, I suppose as the government is proposing to do with their amended question, to know how much it was as of March 31, 2012, well, how do we know that they didn't happen to choose the date that was the high-water mark of the number of beds that were available? Or how do we know that they didn't happen to choose the date that was the low-water mark? I think the average is what's very important.

We understand that there's an ebb and flow of long-term care beds. We understand that there are going to be some that are converted. That's what the government is doing. They're talking about continuing care. They're talking about moving away from

long-term care. We know that they've already closed 20 beds for long-term care in Carmangay. So we understand that there have been some changes over the course of the year. Having the amended question does not get at the information that the hon. member is looking for. She's looking to understand the average for 2011. I can tell you where this question is probably going. She's probably going to ask a follow-up question at some future point about what it was in 2010 so that we can have some point of comparison.

If we cannot get the information that we're looking for in this question, how are we to know that there is any integrity in this process? How am I to know that when my questions are due tomorrow, I'm going to get the information that I've asked for? Or any of the other hon. members: how are they to know that they are going to get the information that they had asked for?

I would also note that this amendment came in late. It came in at 11:03. I would expect that the government would actually follow its own rules and make sure that it's submitting – it may only be three minutes, but I can tell you that if we did something three minutes late, the doors would be locked. I think that there is a precedent here, that we have rules we expect everyone to follow. I think that this is not in keeping with what the member has asked.

If the government doesn't have this information, if the government can't get this information, that's even more scary because they're supposed to know this. They're overseeing a health system that is one of the most expensive health systems in the entire country. It is the portion of our budget that is the largest expenditure of taxpayer dollars. If we can't get basic information like this, having waited months and months and months to get it, asking for it in a way which I think is quite clear, it does call into question how we could possibly use this process that's been put to us as members to be able to use the written questions to be able to get detailed information.

We cannot get this information any other way, and I would ask the Speaker to instruct the government to go back and sharpen its pencils and find the answer to this question. If they can't give it to us today – it sounds like they can't – then let us find out when they can get us this information. From what I've heard from my hon. colleague, this is not adequate. This is not what she asked for.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. leader.

I'll recognize the hon. Member for Calgary-Mackay-Nose Hill.

**Dr. Brown:** Thank you, Mr. Speaker. I just want to make a brief comment on this. The question as posited by the hon. Member for Calgary-Fish Creek is imprecise and incapable of calculation, I would respectfully submit. She said: "How many long-term care nursing beds on average were available to Albertans in 2011?" Average of what? Daily average, 365? Weekly average, 52 numbers? The average per month? What the minister has offered to give you is something that has some precision to it. I mean, average of what? Average on a daily basis? Weekly? Monthly? We don't know.

**The Deputy Speaker:** Thank you.

The hon. Member for Calgary-Fish Creek to close debate on the amendment. Your speech at this time will be to close debate on this amendment if I recognize you. Oh, I just need a little help from the table.

Hon. member, you've already spoken on the amendment. I just needed to be clear on that.

I'll recognize the Member for Airdrie, who has not spoken on the amendment.

**Mr. Anderson:** Well, here's the problem with what the Member for Calgary-Mackay-Nose Hill said. Written Question 2 is:

Mrs. Forsyth to ask the Government the following question:

How many mental health beds and addiction beds on average were available to Albertans in 2011?

Guess what? They accepted that, and they provided an answer to it. Now, we're happy to see what that is.

Written Question 1 is: "How many long-term care nursing beds on average were available to Albertans in 2011?" My reading of that is that we're talking about the average over the period of a year. I think that's what 2011 is referring to, a year. I think that's what that means.

Clearly, I'm assuming that's what was meant when Written Question 2 was answered. It uses the exact same language. You have to admit, hon. members, that it's kind of inconceivable that they would have the information needed to answer Written Question 2 regarding mental health beds and addiction beds but do not have the ability to answer Written Question 1. I mean, how can you not have that information?

4:40

This is a continuing problem here. The continuing problem is that, hon. minister, you keep saying continuing care beds, and we know what you're talking about, and we agree with you. There needs to be aging in the right place. We all get that, and we agree with it. But there absolutely is an acute short supply of long-term care beds, long-term nursing beds. We know that . . .

**Mrs. Forsyth:** David, why don't you come to the nursing home with me and visit my mom?

**Mr. J. Johnson:** He'll be there shortly.

**The Deputy Speaker:** Hon. members. The hon. Member for Airdrie.

**Mr. Anderson:** You know what? Mr. Speaker, the Minister of Education just made a comment about this member's age, and that is totally inappropriate. [interjections]

**The Deputy Speaker:** Hon. members, please. The Member for Airdrie has the floor. If we can keep the side conversations down, we might get through this motion. Thank you.

The hon. Member for Airdrie.

**Mr. Anderson:** I apologize. The Minister of Education was making a comment about the Minister of Human Services' age. I just heard that. My apologies to the minister on that.

**The Deputy Speaker:** Back to the amendment, hon. member.

**Mr. Anderson:** A little defensive about mom, okay?

I just think it's really important, you know, that we understand that this debate has gone on for a while with regard to continuing care beds. All we're asking for is that the government give us the numbers so we can have a debate on this. They have the numbers, they know they have the numbers, yet they continue to refuse to answer the question. It's the easiest question in the world. Frankly, it would be beyond belief – if they don't know the answer to this question, then they're not competent to run the government. It's that simple. They should know the answer to this question so we can understand what the needs are going forward, Mr. Speaker.

In the health care system we all know in here that it costs a lot more to run an acute-care bed in a hospital than it does a long-term bed, yet we have many, many, many seniors sitting in hospital beds or laying down in hospital beds right now that

This government, this Education minister and others that come in and say: oh, what would the Wildrose cut? Well, we wouldn't cut stuff. We'd do things with half a brain. We would say: look, you know what? Maybe what we'll do is that instead of putting . . . [interjections] It's so easy, it only takes half a brain. That's right.

If we could take some of those folks out of the acute-care beds in hospitals and put them into long-term care beds, which are cheaper, more affordable, better care for the situation, then we would be able to free up a whole bunch of new hospital beds and wouldn't have to build as many massive, billion-dollar new facilities anyway. Sure, we'll have to build more, but we'd get the same results with spending less. That's what we're offering here.

But until we know the basic answers to this basic question, Mr. Speaker, it's going to be hard to debate this issue and have an intelligent conversation. It's just going to go back to the lowest common denominator. Well, where would you cut if you want to add those beds? No. We want to redistribute resources in a way that will get us more bang for our buck, so to speak, and that's just good, sound, prudent fiscal management. If they don't have an answer to this, it shows just how poorly mismanaged the system is, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

You can only speak once, hon. member, so I'll recognize another member.

Seeing no other speakers, I'll call the question.

[The voice vote indicated that the motion on the amendment carried]

[Several members rose calling for a division. The division bell was rung at 4:45 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Allen	Fritz	McQueen
Amery	Goudreau	Olesen
Bhardwaj	Hancock	Olson
Bhullar	Horner	Quadri
Brown	Hughes	Quest
Calahasen	Jablonski	Rodney
Campbell	Jansen	Sarich
Cao	Johnson, J.	Scott
Casey	Johnson, L.	Starke
Dallas	Khan	VanderBurg
Denis	Kubinec	Webber
Fawcett	Leskiw	Xiao
Fenske	Luan	Young
Fraser	McDonald	

Against the motion:

Anderson	Hale	Saskiw
Anglin	Hehr	Smith
Bikman	Kang	Stier
Blakeman	McAllister	Strankman
Donovan	Notley	Towle
Forsyth	Pedersen	Wilson
Fox	Rowe	
Totals:	For – 41	Against – 20

[Motion on amendment carried]

**The Deputy Speaker:** We'll now go back to debate on the question.

You've already spoken, Mrs. Forsyth.

**Mrs. Forsyth:** I spoke on the amendment.

**The Deputy Speaker:** Do you want to close debate? If you speak now, you will close debate. If you wish to, that's fine.

Other speakers on the question?

Do you wish to close debate?

**Mrs. Forsyth:** Okay. Yes, I'll close debate. Well, Mr. Speaker, again, it's a disappointing day, obviously. We have been asking this question for some time and thought that, well, if we can't get the answer in budget and we can't get the answer in question period, maybe we'll try a written question because that's yet another process. So three times asked, I guess, not third time lucky this time. It's unfortunate because, quite frankly, I think Albertans need to know this.

On behalf of Albertans I'm going to tell the government how disappointed we are in them.

**The Deputy Speaker:** Thank you.

Hon. members, we'll now call the question as amended.

[The voice vote indicated that Written Question 1 as amended carried]

[Several members rose calling for a division. The division bell was rung at 4:58 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Allen	Fritz	McDonald
Amery	Goudreau	McQueen
Bhardwaj	Hughes	Olesen
Bhullar	Jablonski	Olson
Calahasen	Jansen	Quadri
Cao	Johnson, J.	Rodney
Casey	Johnson, L.	Sarich
Dallas	Khan	Scott
Denis	Kubinec	Starke
Fawcett	Leskiw	VanderBurg
Fenske	Luan	Webber
Fraser	Lukaszuk	Xiao

**5:10**

Against the motion:

Anglin	Hancock	Saskiw
Bikman	Hehr	Sherman
Blakeman	Horner	Stier
Brown	Kang	Strankman
Donovan	McAllister	Swann
Forsyth	Notley	Towle
Fox	Pedersen	Wilson
Hale	Rowe	
Totals:	For – 36	Against – 23

[Written Question 1 as amended carried]



## Motions Other than Government Motions

### Public Funding of Private Schools

504. Mr. Hehr moved:

Be it resolved that the Legislative Assembly urge the government to implement a policy to eliminate public funding to private schools.

**The Deputy Speaker:** Hon. members, before I recognize the Member for Calgary-Buffalo, I'd like to recognize the Member for Calgary-Foothills.

**Mr. Webber:** Thank you, Mr. Speaker. Pursuant to Standing Order 33(1) and (2) and section 2(2) and (5) of the Conflicts of Interest Act and with the advice of the Ethics Commissioner I must advise the Assembly that I am withdrawing from debate and from the vote and from the meeting on this particular motion. I wanted to ensure that I got this on the record.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

We'll allow the member to leave the Chamber.

I'll recognize the Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you very much, Mr. Speaker. I thank all members for being here to pay attention to some of the points I make. Hopefully, it'll go along the lines of discussing the direction of education in this province. In my time in this Legislature I've come to understand that above any other government department or what we do here in this Legislature, education is the single most important thing we can do not only for our children but our society as a whole.

As we look at the changing landscape of what we will need in a society, maybe not now but 50 years from now, a hundred years from now, having continued vigilance on this file, having a continuous commitment to the roles, the responsibilities of what we pass on to our younger generation in the form of education is of utmost importance. In my view, Mr. Speaker, that is best served through a publicly funded education system which shares the values of all our citizens, where children of whatever background – whatever religious background, cultural background, whether they're wealthy or poor – can attend a public education system that is rivalled by none other throughout the world.

Albertans along with our fellow Canadians share a civic culture that includes both individual and community values as well as political institutions such as democracy, the rule of law, and the protection of human rights. We transmit these shared civic values from one generation to the next through the education system, and I submit we do this most successfully through public education. In my view, the government of Alberta has lost track of the role that public education plays in the nurturing of our civic culture. Embracing choice and thinking that more choice leads to better results is misguided at best and has serious implications to our broader society. We must remember that by embracing choice, we are sometimes embracing the concept of consumerism, and consumerism by its nature leads to fragmentation, which is very problematic when you're trying to instill a shared civic culture.

I think I was remiss, Mr. Speaker, when I didn't note that the nature of my motion today is to eliminate funding for private schools. It is my view that private schools tend to divide children on the basis of wealth, religion, cultural values, and the like. In my view, they do not lead to building a tolerant and understanding society, a society that says that we're all in this together, a society that recognizes that we are Alberta today, a multiethnic, very

diverse society that embraces all views equally and embraces all values on democracy and our participation in a civil society above all else.

If we think about this, the public school is really a place where these values are taught and learned and enshrined. It's where kids from all backgrounds get to go regardless of wealth, regardless of religion and the like.

**Ms Blakeman:** Sexual orientation.

**Mr. Hehr:** And sexual orientation, yes. The hon. Member for Edmonton-Centre pointed that out.

Regardless of all of these things that are listed, they all get to attend, children with disabilities as well. Our public schools are open to them. I believe this has been a tremendous success of our society, and we should not lose that going forward.

The current Alberta policy in regard to the funding of private schools is, in my view, somewhat against these general principles. Right now in Alberta we fund private schools to 70 per cent of the funding level of what the children would receive if they went to a public school. This Alberta policy is by far the most generous of any other of our provincial counterparts. In fact, most provinces do not engage in funding private schools at all. They deem it unegalitarian and not serving in the best interests of their overall educational goals.

Let's look at private schools. If we're being honest with ourselves, if we really look at private schools as they exist today, they tend to separate on the basis of wealth. We have institutions out there like – let's name them – Strathcona-Tweedsmuir, West Island College, the Webber Academy that charge between \$15,000 and \$20,000 for people to attend that school. Let's face it. Let's be clear: not every Albertan can go to that school. They have been priced out of that school. They are unable because of their economic circumstances to go to that school. This is a cogent example. We have 3,000 families, I believe, in this province who can't even pay their school fees, that are less than \$180 a year, and we expect, under a misguided notion, that they can attend some of these elite private schools or private schools for the wealthy. That is just a misnomer.

Also, let's face it. When it comes to private schools, if they're not for the wealthy or the elite, they tend to be of certain cultural or religious distinctions. That's a fact. It's something we can't deny. People who wish to have a look at the world that resembles that of their own family tend to start these schools, and children of one religion or one cultural community often go to those institutions. Does this lead to a pluralistic society? Does this lead to us understanding each other? Does this lead to us learning how to respect differences and respect others' opinions? In my view, it does not. If you spend your entire life with only one group of people, it's very difficult to understand other groups.

5:20

We must remember that we have set up a policy here in Alberta that actually encourages that type of fragmentation. It encourages people to do this. It actually makes it easier for them to set up this type of schooling, one that doesn't recognize our overarching goals of this Legislature, which should be to have a civilized society that embraces diversity and respect for others and understands that at the end of the day we've got to care, share, and play together.

Furthermore, many private schools aren't accessible to all our children for other reasons. I brought up the instance last year in question period of the Edmonton Islamic school, which on their website said that children with disabilities need not apply. It

openly stated that on their website. Private schools have an ability to pick and choose their students. They are allowed to exclude students, whether on the basis of disability, maybe on sexual orientation, maybe if they don't condone the religious philosophies of that school.

Should we as a Legislature be funding that type of institution, that has exclusions to it? You know, our Human Rights Act says that we shouldn't allow that. Should we as a government really be allowing for this type of institution to exist, that openly discriminates and openly discriminates not only on disability and some visible things but on the wealth component? Our goal in this Legislature should be to try to foster equality of opportunity. The philosophy of whether you're... [Mr. Hehr's speaking time expired] You got the general view.

**The Deputy Speaker:** I'll recognize the Member for Edmonton-Ellerslie, followed by Edmonton-Strathcona.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. I would like to thank the hon. Member for Calgary-Buffalo for putting forward this motion as education is something very close to my heart. As many of the hon. members in this House know, I was a schoolteacher for 18 years. As such, I was able to see the real strengths of our education system. I saw the excellent work done by teachers and staff in all areas of our education system, and I've always been very, very proud of it. We do have one of the best education systems in the world. Alberta schools are world class, and so are our teachers and staff.

The member wishes for the House to endorse the following: "Be it resolved that the Legislative Assembly urge the government to implement a policy to eliminate public funding to private schools." I do not believe that the implementation of such a policy would be in the best interest of our school system. Perhaps the member believes that the resources currently directed to support students in private schools would instead be directed toward current public school students. Most importantly, economic analysis disproves this assumption. This belief ignores the potential impact of an increase in tuition at private schools. It is possible that cutting support for students attending private schools would induce significant shifts in where students attend school. These shifts could raise enrolment in public schools. This would in turn put extra strain on provincial resources, possibly to an extent that exceeds current resources directed to support private schools.

We can equally expect that many registered private schools would easily assume the status of unregistered private schools. If private schools are going to lose funding anyway, why would they still comply with those regulations and standards set out by the province in order to determine whether they should receive funding? Effectively, this would result in less adherence to the standards expected of public schools. As such, it would reduce standardization and provincial compliance among private schools.

Mr. Speaker, I don't believe that the member has considered all of the potential consequences of implementing this proposed policy. In fact, British Columbia estimated that educating the close to 75,000 private school students in the public system would cost an additional \$564 million annually. This amount is \$306 million larger than the current operating grants to support students attending private schools. As such, per-child costs are actually lower for students attending private schools, thus allowing the government to direct finances elsewhere.

For example, resources could be used to increase specialized supports in the public system or to limit the education property tax. This is why many provinces like British Columbia and

Alberta provide support for students attending private schools. British Columbia provides up to 50 per cent of per-student grants to nearly all students attending private schools in the province. Saskatchewan has implemented similar supports to encourage choice in their education system. The government of Saskatchewan contributes funds on behalf of students attending private schools up to 50 per cent of the provincial per-student average. To be eligible for government support in Saskatchewan, schools, hon. member, must participate in the provincial student assessment program.

The government of Quebec has supported private education systems since 1968. Upon meeting certain standards, students attending private schools are eligible for approximately 50 per cent of the per-child amount paid to public schools. Based on a government report from 2006 to 2007, the most recent available, the Quebec government's contribution to private school funding is significantly larger than the parental contribution in the form of tuition. Imagine that: the home of social democracy in Canada supporting private education to such a significant degree. Mr. Speaker, I bet some of my friends of that persuasion in the House are rather surprised by that fact.

Our friends in Manitoba are also supporting students in private schools with support of 50 per cent of the provincial per-pupil amount upon the school meeting certain qualifications. We do know that governments across Canada from all ideological backgrounds have recognized the benefits of providing support to students attending private schools.

I would like to thank everyone who participated in this debate, and I would like to again thank the hon. member for bringing this motion forward. We may not always agree in this House, but the exchange of ideas is at the core of our democracy. I will enjoy hearing other members' points of view on this matter, and I urge all hon. members to consider the unintended consequences of the government following the recommended course of action proposed in this motion.

Thank you very much, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Member for Edmonton-Strathcona, followed by Chestermere-Rocky View, followed by Edmonton-Meadowlark.

**Ms Notley:** Thank you very much, Mr. Speaker. I'd like to begin by providing my genuine appreciation to the Member for Calgary-Buffalo for bringing forward this motion. It's an important motion, and it raises an issue which is long overdue. I can say that the NDP caucus also supports the substance of the motion with respect to what it's calling for. I have one small proviso that I'd like to make with respect to that, but I'll get to that in a minute. I'd like to first begin by talking about why the motion is so important and why the principle is so important.

When you look at the fact that we're providing 70 per cent of the funding, that 70 per cent of what goes to public schools on a per capita basis is also going to fund private schools, I think it's really important to look at whether we actually have that money to play with. Now, the government loves to say: "Oh, yes. Well, if you stop funding the 70 per cent to private schools, in fact we'll have to increase the funding by 30 per cent for all those students that come flooding back into the public education system."

5:30

Well, the fact of the matter is, Mr. Speaker, that a lot of these private schools charge a tuition of around \$20,000 to \$25,000 a year. Now, if you suddenly say to them that they're going to have to spend another \$3,000 a year to stay in their exclusive private

school, the odds are good that a very good chunk of them are not going to come rushing back to the public system. Quite the opposite. They're just going to pay the other \$3,000 a year and continue to rely on the income which gets them through the door to that exclusive private school in the first place. So I don't buy the argument that the government keeps putting forward on this because I don't believe it represents good economics.

Then the question becomes: is our public school system in such great shape that we can afford to kick a further 70 per cent out the door to families who are going to use their economic advantage to provide greater educational opportunities for their children in comparison to the average Alberta child? I would suggest, Mr. Speaker, that we cannot afford that in our public education system.

We have class sizes that have long since exceeded that which has been recommended by relatively objective, neutral groups who have identified the amount of kids that ought to be in each class in order to achieve best practices. We have in excess of that in all grades, even in the so-called younger grades that the government says it's focusing on in order to justify being so far in excess of those guidelines in the older grades.

We have a gargantuan infrastructure deficit when it comes to funding education, and we hear about that regularly in the Legislature. We have a policy of not banning school fees. So as it is, our public schools are often going to parents with hat in hand asking them to write additional cheques. For low- and middle-income families, that can represent a hardship and a challenge.

We are the only province in the country, Mr. Speaker, that does not fund school lunch programs, something which, all the research shows unequivocally, significantly increases the educational outcomes of kids who are otherwise at risk. Yet somehow we don't do it. Here we just accept that out the goodness of their hearts restaurant owners around the city will happily drop off extra food periodically at the schools where kids are going to school hungry. That is shameful.

Of course, ultimately, we do not provide anywhere near the supports that we should be providing to our special-needs students in the schools. It's that particular group that I want to talk about that does give me the slight qualification on my support to this motion, although I will definitely vote in support of it because the long-term objective is one which I absolutely support entirely.

But before we get to that, why do we have a public system of education? Well, the idea behind that was to provide to all children of citizens of this province an equality of opportunity, to provide to them an equality of access, to provide to them an equality of the quality to which they get access with respect to their education, and to ensure that we are able to educate all children in this province in the civic values that are consistent with the pluralistic society in which we live. We do that in the public system through a mechanism that ensures public accountability, transparency in terms of how our schools are run, and also electoral accountability through the opportunity to elect not only our Minister of Education but also our school board trustees. So that's what our public system does.

The other thing, Mr. Speaker, that we can get in a public system is a common understanding of the rights and responsibilities of children and parents and all citizens in this society to respect certain basic fundamental values which we all sign on to when we are part of this society, those which are reflected in our Constitution, in our Charter of Rights and Freedoms, and in our human

rights code. Those are things that should be fully and unapologetically taught in all of our schools.

So what happens when we end up funding private schools instead? Well, in effect, Mr. Speaker, we subsidize not inclusivity but exclusivity. We subsidize a lack of equality of access and a lack of equality of opportunity. In many cases many of these schools do provide an elevated education because they fund and the parents pay 3 to 1, 4 to 1 in terms of their money versus the public dollar that goes in there. So we're not providing equality of access because the majority of students in Alberta cannot afford nor can their families afford to attend those schools.

Now, in addition, as has already been mentioned, many of these schools also deny access on the basis of other issues which, frankly, they have no business denying people on at the same time that they are receiving public dollars. They should not be denying access to these schools on the basis of whether or not you have special needs. They should not be denying access to these schools on the basis of whether or not you think women are equal participants in society. These are things that we should not be funding. Parents may have choice, but we should not be using taxpayers' dollars to fund schools which happen to on occasion teach that women are somewhat secondary players in society, for instance.

What we need to do, Mr. Speaker, is ensure that we fund properly our public schools, which represent our civic values and which enjoy the benefit of all those accountabilities which I talked about.

Now, I would like to say briefly, Mr. Speaker, that the one thing that an NDP government, if I had my way, would do when it came to looking at this kind of motion is that I would ensure that we did not move forward on it until such time as we were able to promise without qualification to those families who scrimp and save and sacrifice to put their children into expensive private schools because the public system has abandoned their children with special needs. I know that there are families out there who have done that, who sacrifice, who pay for things well beyond what their income level could possibly provide because the public system is unable or unwilling to provide the support that their children need in order to succeed in the education system.

We have a recent decision of the Supreme Court of Canada which actually outlined that the public system does need to provide appropriate support for our special-needs children. But what happens right now is that there are a lot of special-needs families that are accessing private schools because that is the only place their children can get the attention and the support that they need to learn what they actually have the ability to learn, Mr. Speaker, with just a little bit of extra help so that those kids will graduate with the same academic background, the same qualifications, all those kinds of things, but they will have needed a little bit more time from a teacher, a little bit more time from a speech pathologist, a little bit more time from an OT, whatever, but they will ultimately get there.

Right now what's happening is that our public system is not doing its job with respect to those students. It is failing those students. Now, I'll be fair. It's not just the Alberta government that's doing it; it is happening across the country. But this is supposed to be the richest province in the country, and if we cannot do right by our special-needs students, then I don't know who else can.

Now, the fact of the matter is that even though some families

are doing that, of course, what we know is that many, many families really can't afford to get into these private schools that give extra help to the special-needs kids. What we're doing is once again putting an additional level of discrimination against those special-needs kids because not only aren't they able to get the support they need, but their families can't afford to pay the extra super-duper premium that is required in this province to make sure that there is fairness of education.

I support the motion. Thank you.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Member for Chestermere-Rocky View, followed by Edmonton-Meadowlark and then Edmonton-McClung.

**Mr. McAllister:** Thank you, Mr. Speaker. As much as I respect and admire the track record of the Member for Calgary-Buffalo and as much as I respect any discussion on education, I'm not going to be able to support this member's motion. I agree with what was said on the other side and, you know, had a minispeech prepared, but I think I'd just like to present a few points as many of them have been covered already and many of them, I believe, are the direct opposite of what was just presented.

I think a distinguishing feature of Alberta schools is the fact that we have the choices that we do. It is all about choice in Alberta education. It's what makes us so strong. Kids have options to go to different schools. Public schools are doing a great job, and I want to say that I'm a big supporter. Every chance I get I tell people that my children go to the public school system. I went to the public school system. You could argue that they might have done a little bit better with me, but here I am, in any event, and I'm quite proud of how things went.

5:40

It's hard for them to be all things to all people in public schools. The inclusion issue that we've talked about here – I know the Minister of Education and I have talked about it. I've heard it from several around the province. It's hard to balance all the needs in today's classrooms. Some of these private schools are wonderful about providing opportunities for kids that they might not otherwise have.

This motion, if passed, would take away those options for a lot of kids. To suggest that the government shouldn't provide any funding I think is disconnected from what I hear when I go around the province. I hear from people that, obviously, choice is good, and we should be supporting parents and kids to go ahead and access education in different ways.

You could also present, I think, if you looked at the debate and just tried to separate any of the emotion that ties you to the pro or con, that choice has made our public system stronger. Public schools have stepped up because of it. They've offered unique programs as well. It is a benefit to the system. If we were to take all these kids out of the private system and put them into the public system – and I know that one member suggested that would happen and another suggested it might not – I'm not sure we'd have funding right now in the public system the way that it's set up. If you had to top up that 30 per cent for all of the kids that could no longer go, if you took away the funding for private schools and essentially eliminated that choice for many kids, I don't know what the dollar figure would be, but that would be worse for public education, not to mention that I'm not sure where we could put them all.

You ask where the government would get the money if we did such a thing. The previous speaker did mention fees. On that point I agree with her wholeheartedly. I promise not to use this as a

soapbox issue to get onto the fees subject, but it will indulge me to make a point. We've gotten to a point now in the public system that mandatory fees have become, you know, a way of survival for a lot of boards to make things work. If we were to suddenly eliminate the funding for private schools, I can't imagine the fees that our kids would be charged in the public system.

Parents want choice for their own reasons. If that niche market exists, and if a school can make a go of it, I think what we're doing is increasing, you know, the level of tolerance in society. We're giving people a chance to grow in their own areas. We're not saying: "It's one size fits all. This is public education. That's it." It's one of the greatest things about Alberta.

In my riding we have a specialized Sikh school. It's a tremendous school. The kids are phenomenal coming out of that school. They have every right to go to that private school. You know, another is the Edge school in Springbank. That's wonderful. We've talked about Quest in the past, I know, in my caucus and the great work that it does. I think, if I'm not mistaken, that Quest did begin as a not-for-profit society to enable students with special challenges to learn and develop to their maximum potential in a caring and safe environment, something that allows them to focus on exactly that and provides that for parents and their students. Why shouldn't they have access to that if there's a market for it? Clearly, it's our duty to make sure that those things happen. They grew into a designated special education school. I believe, again, they combine therapy and education in each of the classrooms. The goal is so that students can achieve their maximum potential. That is the goal, I know, of any school, be it public, private, home-school, charter. Every child is unique.

We are so blessed in Alberta and as parents to have the choices that we have. As I said earlier, I'm a big fan of the public system, but I'm not a fan of taking money away from the private schools and systems because I think they serve us well.

I mentioned choice and innovation. We'd be remiss if we didn't mention charter schools and, you know, the great work that they've been able to do. You can see the pride when you go around and travel and meet with these individuals and find out how the students are responding. I said earlier that public schools have responded to competition in private. I believe that they have. They've increased the programs that they offer kids. We should be discussing ways, I think, to continue the culture of educational choice in Alberta and to provide for our kids in innovation in our province. I clearly won't be supporting this motion.

I just want to make one final point. Sometimes people want to label those that choose another option as intolerant. That's the part that really sticks with me and the great majority of people that I speak to. It is not intolerant to have religious views of your own. It is not intolerant to think that sport is good for your child or art is good for your child or that this special need suits you. That is tolerance. That is what's made Alberta what it is. And a bouquet to that side, who recognized that with Bill 3, and to the current Education minister, who made the changes that he did.

Again to the Member for Calgary-Buffalo: thank you for the motion. I think I've made my points loud and clear. I won't be supporting it. I will conclude by saying that I think we've got the greatest education system in the world although some pressure points. We've got to work on those, but I'm proud of it.

**The Deputy Speaker:** Thank you, hon. member.

I recognize the Member for Edmonton-Meadowlark, followed by Edmonton-McClung.

**Dr. Sherman:** Thank you, Mr. Speaker. I'm rising to support the motion from the Member for Calgary-Buffalo. Liberals believe in

freedom of the individual, equality of opportunity, and fairness to future generations. It doesn't matter who you are or where you're from; your child should have a chance in this province and in this country.

Mr. Speaker, we believe in choice within the public system. Choice is a good thing. In Edmonton we have Meadowlark Christian school in Edmonton-Meadowlark. We have French schools. We have sports schools. If your children want to take film or art, there are many different, diverse aspects of education you can get within the public system. We have Catholic schools here. There is choice, and that's one of the reasons we have one of the best education systems.

That education system also does come with many problems. I'll tell you what the problem with our public education system right now is, Mr. Speaker. We have 650 fewer teachers today than we had two years ago in Alberta, 650 fewer teachers at a time when there's so much more to teach and the needs of the children are greater than ever. Now, we have a 20 to 25 per cent high school noncompletion rate. Do those 650 fewer teachers have something to do with that? Maybe.

Mr. Speaker, we also are in the midst of a baby boom. We're going to have 100,000 more children in the school system 10 years from now. Albertans are making love more than ever, and we have immigration on top of that. That's a good thing. With immigration comes high needs. I know. I was the son of new immigrants. The hon. Member for Edmonton-Ellerslie stood up and spoke. He should know. In his community there are tens of thousands of brand new Canadians who've showed up with their kids with high needs. In his community, where he was a teacher, there are fewer teachers today than there were two years ago and more kids with high needs.

The government's job is to fund public education with public tax dollars. The current Conservative government has been starving the public education system for years, so our school boards have to nickel and dime families for school fees, and they're going to increase even more by 2014. School fees for a child to go to grade 1 are akin to what tuition was for university a couple of decades ago. I know it's pretty tough for hard-working families with three, four kids. That's a couple of thousand dollars a year. We've got children showing up at school hungry. You can't learn on an empty stomach.

5:50

Government's job is to equalize these barriers, especially for our children. Now, it's okay if you're rich and you've got money and you want to send your kid to a school that charges 20, 30 grand. That's all right. You should have that choice, but it shouldn't be funded with public tax dollars when the needs of the public school system are so great. Many of these institutions cherry-pick the students. They have the choice of who they want to attend, and that's wrong. Mr. Speaker, we as a government are not here to subsidize the wealthy, but I'm not surprised because that's what the right-wing Conservative government wants to do. They've been subsidizing the wealthy in every part of society.

To those who say, "Hey, if we bring these kids into the public system, the public system is going to be stressed," excuse me? Going to be stressed? Unless these members haven't noticed, the public system is already stressed and distressed because of the fact that they've starved public schools from funding. Twenty-four thousand students – 24,000 students – when we have a cohort of about 600,000 students in the province are only about 4 or 5 per cent. Well, you know what? The public system delivers education

efficiently. Adding 24,000 students to that education system with 600,000 and bringing back that funding will not stress it as much as it's currently being stressed.

With all due respect to the other members, this is why I said that it is a problem if you have a right-wing Conservative government and a right-wing conservative opposition. We support education. We think we have a good education system, a very good education system. We just believe it has an opportunity to be a great education system that delivers a quality education for every child in this province regardless of race, colour, creed, sex, or socioeconomic background. I'm a product of a public education system, as are my children. I thank the Minister of Education. I acknowledge the challenges that he has. The reason we're speaking up is to actually support the current Minister of Education so that he would have more funds for the public education system, that he has to manage.

Mr. Speaker, I thank you for giving me the opportunity to speak to a very important matter. It's really about the future of our province and the future of our children. Thank you.

**The Deputy Speaker:** Thank you, hon. member.

I recognize the Member for Edmonton-McClung.

**Mr. Xiao:** Yeah. Thank you, Mr. Speaker. I've got a lot to say about this issue. Unfortunately, there are probably only six minutes left, but I'll still try to make my points here.

You know, I'm very happy today to talk about this issue, education. By listening to all the members who spoke before me, I've got to remember, people, one fundamental issue, that the parents of all of the kids are taxpayers as well. My children have absolutely the same rights as any other children to have the funding for their education, to have their education funded by public dollars.

**The Deputy Speaker:** Hon. member, through the chair, please.

**Mr. Xiao:** Yeah. Sure.

That's why I'm going to tell you that as parents we all have the same interest in having the best possible education for our children in the world. However, I must say that we have very different ideas on how this can be achieved. Mr. Speaker, I'd like to start straight off by telling the member that I'm not going to support this motion. There are a number of reasons for this. For me, the biggest reason is that I believe it's all about freedom of choice. I think there's an important role for private schools to play in our education system.

Mr. Speaker, I'd like to talk personally about my children. I have two boys. One is 24 now, and the other one is going to be 18 years old next year. Both of them went through slightly different paths. My eldest son, Allen, graduated from Tempo School. It's a private school in Edmonton. He graduated from junior high and then proceeded to his high school education in a public school called Old Scona academic high school. The reason he went to Tempo was because he liked the programs. Only Tempo School offered a Latin program, and they offered an extensive program about world history and about geography.

I can tell you a story, Mr. Speaker. In 2005 we as a family travelled to Europe. We went to the Vatican. We went to the Sunday prayers by Pope John Paul II. When I heard that my son could translate all the Latin into English, it was amazing. It was amazing. By training I'm a geologist. I know some Latin, but I was so thrilled to see that my son could translate Latin into

English when we were visiting the Vatican. I can tell you that this is something that a public school cannot offer. Also, he knew all about the history of Europe. He actually booked all the hotels in Europe by himself just based on historical stories. But he was very disappointed, I can tell you. When we checked into those hotels, we couldn't find a trace of anything, you know, from the Second World War. It doesn't matter. That shows that he had such an extensive knowledge about world history.

I'm very happy to tell you right now that he is going to graduate with his second bachelor degree, in history. He received, I believe, the only award for Russian studies in the University of Alberta this year. He speaks very good Russian. I have to say that I have to attribute all of this, his achievement, to his education in Tempo School. I can tell you that he's getting two degrees. He just got an LSAT score – we've got some lawyers here – of 166. He is well

on his way to being a lawyer. I can tell you that. My second son is graduating from Old Scona academic high school with distinction this year, and his average is 96. So we have a very sound public school system and also a very good private school system.

I really support both systems. It's all about freedom of choice. I always remind the members that we as parents are taxpayers. I expect my children's education to be funded by tax dollars.

Thank you.

**The Deputy Speaker:** Hon. members, the House will stand adjourned at 6 p.m. We will conclude this matter at the next available opportunity for private members' business, which, time permitting, will be next Monday. We will conclude this motion. The House stands adjourned until 7:30 p.m.

[The Assembly adjourned at 5:59 p.m.]

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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Monday evening, November 26, 2012

Issue 23e

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta**  
**The 28th Legislature**

First Session

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Wildrose: 17

Alberta Liberal: 5

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## Legislative Assembly of Alberta

7:30 p.m.

Monday, November 26, 2012

[The Deputy Speaker in the chair]

**The Deputy Speaker:** Please be seated.

### Government Bills and Orders Second Reading

#### Bill 7

#### Election Accountability Amendment Act, 2012

[Adjourned debate November 22: Mr. Denis]

**The Deputy Speaker:** The hon. Minister of Justice.

**Mr. Denis:** Thank you very much, Mr. Speaker. I had adjourned debate. I had made my comments, 18 minutes of talk, close enough to 20 minutes. I am pleased to let the next speaker take his or her turn.

**The Deputy Speaker:** Thank you, hon. minister.

I'll recognize the Leader of Her Majesty's Loyal Opposition.

**Ms Smith:** Thank you, Mr. Speaker. Well, I'm pleased to rise today to speak in favour generally of Bill 7, the Election Accountability Amendment Act. We're very pleased that the government is bringing forward this legislation, but I think it's worth reminding the Assembly of why we're here.

I mean, when we were in the brief session in the spring Legislature, the hon. minister began by seemingly refuting that we needed to make this change to the legislation. I remember that at the beginning of this legislative session there seemed to be some confusion about whether or not the Chief Electoral Officer was actually permitted to release the results of his investigations when he found wrongdoing. I think, if everybody in the Assembly recalls, through that week we kept going back and forth and back and forth until, sure enough, a member of the chief electoral office went to the media and pointed out that, no, in fact, they believed they could not release the results of investigations and, no, in fact, they had never given the government the recommendation that the results of their investigations should be kept secret.

We were pleased that the government at that point announced the intention to go back and change this bad portion of the law, but I don't think that there should be anything that the Justice minister celebrates today. This is a portion of the law that never should have been implemented in the first place. That being said, we'll give credit where due, and we are pleased that we are now here debating eliminating this section of the law to give that freedom to the Chief Electoral Officer to be able to release the results of his investigations.

Let's also remember why we're here. I guess the minister has said that he's accepted something like 90 of the 101 recommendations that the Chief Electoral Officer has put forward. Many of those recommendations had previously come forward from the Chief Electoral Officer Lorne Gibson, who did not have his contract renewed. I think that's a stain on the government's record, the fact that we are now debating recommendations that probably should have been debated when Mr. Gibson was around to be able to take some pleasure in seeing them implemented.

Also, I think it's worth noting that there were some 19 files that Mr. Gibson had put forward with a recommendation to prosecute

that the previous Justice minister chose not to act on. I think it's a shame that we will never know what the results of those 19 investigations were and why he made the recommendations to prosecute.

Once again, I think that we're looking at this bill as a bit of a mixed blessing. We're glad that we're closing some of the loopholes. However, it doesn't go far enough. We believe that there are still some major reforms to this bill that are needed, and we think that there's an opportunity to do that.

Let me tell you what we have heard loud and clear from Albertans. First of all, they want to know that elections and governments aren't for sale to corporate and union interests. They want to know that contribution limits that are defined in law cannot be skirted around. They want to know that there won't be excuses like, "Well, gee, I didn't know the law applied to me" or "Well, gee, this was sort of standard practice at our organization even though it violated the law."

They want to know that illegal activity will be reported, and not just illegal activity that took place over the last three years; they want to know that all illegal activity going back a reasonable period of time is going to be corrected. They want to know that investigations, the results of them, especially when wrongdoing is found, will be revealed. They want to know that political parties that solicit illegal donations are also going to be punished, not just those who are giving donations to political parties. They also want to know that illegal donations will be paid back and that nobody is going to profit from illegal donations.

This is why we will be putting forward some important amendments to put elections back in the hands of hard-working Albertans and to make meaningful improvements to the elections bill that we have before us.

As written, Bill 7 does, actually, very little to improve accountability and transparency in our democratic institutions and practices. Hopefully, we'll be able to improve it dramatically before it passes. Let me just go through a couple of the things that the hon. members will expect to see from us as we debate this over the coming days.

First of all, for context – let's remember the context in which we're debating this legislation – the Chief Electoral Officer was asked to investigate a number of different potential violations of the bills. Back on July 9, 2012, Elections Alberta confirmed that they had opened 81 different investigations. As of that date they had found 37 illegal contributions that required them to issue some kind of fine or penalty in addition to 14 investigations where they issued a warning or censure to those who were involved. So we're looking at, out of 81 investigations, 30 which saw the individuals cleared and 51 which found that there had been wrongdoing. We'd like to know how many more illegal donations are out there. I think that you will find that as we learn more about this, especially when we see how this legislation plays out and what limits we ultimately end up with, you will probably see that there are far more than the 81 investigations that the Chief Electoral Officer has already gone into.

Let me start with where we began today. My caucus members the hon. Member for Lac La Biche-St. Paul-Two Hills as well as the hon. Member for Olds-Didsbury-Three Hills and I issued a policy statement on what we would like to see in this bill related to the treatment of corporate and union donations. We think there should be a ban on corporate donations. We know that there is, unfortunately, whether it's real or whether it's just perceived, a perception in the public that big money from big corporations can influence government decision-making. I think that we have seen a number of examples of this.

The example that we raised this morning that has caused a lot of concern to our members, particularly those in the south, is the awarding of untendered, sole-source contracts for major transmission line projects done through Bill 50. The value of those projects is several billion dollars. The value of the entire plan when it's finally fully implemented is somewhere in the order of \$16 billion. If you go through and you look at the Progressive Conservative donation book, you see that any number of transmission and power line companies as well as those who are involved in the power business have given significant contributions to the political party.

Now, we have tried and tried and tried. I know the hon. Member for Rimbey-Rocky Mountain House-Sundre has tried to make the argument about how this level of transmission build doesn't make sense. It didn't have any impact on the government side. That's what causes the public to wonder. If they make decisions that don't seem to make sense and you draw this line from all of these heavy contributions coming from corporations, is there a link? The perception is, I think, what is damaging the credibility of this government. The way you resolve that is that you put in place a ban on all corporate donations. Let's take the influence of corporate dollars completely out of the political process.

Now, we know that we would be harmed by that as well. We put forward the numbers today in our press conference. If this rule had been in place, sure enough, during this past election there would have been 160 of our donations that we wouldn't have received. Keep in mind that we have thousands of donations, thousands of donors, so this is a very small portion of our overall donations from an actual number of donations point of view, but it would have been a significant amount of money, \$750,000. So we know that in proposing this, we also would be impacted by it, but that's how strongly we feel that we need to go the extra measure to restore public confidence in the process, and this is why we would propose a ban on corporate donations.

Now, unfortunately, with the way the legislation, the amending act, has been written, at this moment the advice we're getting from Parliamentary Counsel is that we may be unable to put forward an amendment that would be able to ban corporate donations. We're hoping that we can find a way to be able to do this. I would think the government would make it a little bit easier for us. We've seen this before, for instance, with Bill 2, where the minister came in with a suite of additional amendments to be able to add to the list in Committee of the Whole. I would ask the Justice minister to consider doing the same, opening up this section of the bill so that we can have a robust debate about corporate donations and union donations. In the absence of that, we're going to still try to find a way to be able to amend the bill. Our reading of it at this precise moment is that we may not be able to do that.

7:40

That leads to my second point. We also issued in our policy statement today that we need to see a ban on union donations as well. This has been controversial for a number of years. There are many, many union members who hold a variety of different political viewpoints. Many will support the Progressive Conservatives. Many will support our party. Many will support the Liberals and the New Democrats. To have the union able to take dollars that are received through mandatory contributions – we do have a system where you have to pay mandatory union dues – and see a portion of those channelled to a political party which those rank-and-file union members don't support is something that has caused some controversy over the last number of years. Other jurisdictions are taking the lead on dealing with that.

We think that this is the reason as well why we'd like to see a ban on union donations, to be able to have that parity. If you're not going to have corporate donations, you shouldn't have union donations. You'd once again restore to each individual union member the choice of being able to support the political party of their choice rather than being forced to support causes that they don't support.

Again, as mentioned before, because of the way that this amending act has been written, it does not appear at this moment that we're able to put forward an amendment to ban union donations, so once again I would ask the Justice minister to consider, when we get into Committee of the Whole, putting forward this amendment so it can be debated and voted upon.

The third area of policy that we produced today was reducing the contribution limit. That would take us from \$15,000 during a nonelection year to \$5,000 during a nonelection year. The reason why we chose those limits is that we're cognizant that most people, when they're looking at elections law, are very familiar with the federal rules. At the federal level there's an \$1,100 limit on individual donations, a ban on union and corporate donations. But that contribution limit came into effect at the same time as they brought in a per-vote subsidy. We're not arguing for a per-vote subsidy. We don't think that taxpayers should be forced to support political parties. We think that it's our job to convince rank-and-file members of the public to support a political party. With that in mind, it does mean that we think there needs to be a tolerance for a higher level of individual contributions than what they have at the federal level but certainly lower than we have right now.

In addition, we recognized that during a campaign – the concept of this makes sense to us – that you would double the contribution limit because we all know that campaigns are a lot more expensive than running a political party in a noncampaign year. You've got additional brochures and lawn signs, advertising that you need to do. So we would like to see that contribution limit moved from \$30,000 in a campaign period down to \$10,000 for similar reasons.

Now, the unfortunate thing about this amendment as well is that based on the way Bill 7 has been written, this is also a section where Parliamentary Counsel is telling us that we would not be able to put forward an amendment because it is not currently in the act. But we would invite the Justice minister to bring forward an amendment in Committee of the Whole to be able to address this as well.

We have heard loud and clear from Albertans that they believe that these contribution limits are way too high, and they would like to see them lowered. They'd like to see a lower limit that is more in keeping with what they're expecting out of this legislation. What they're expecting out of this legislation is that we're going to try to remove the influence of large corporate donors and the perception that they have an influence on government decision-making.

I think it's been said before. No one is going to believe that somebody who gives \$5,000 to a political party is going to affect a politician's decision. I think everybody sees that. But once you start seeing \$30,000 contributions or 30,000 contributions multiplied out through a circle of friends and family multiple times so you have a \$430,000 contribution, that's where the line gets drawn with members of the public. I think that the way that you address this issue is that you bring the contribution limits down not only during a nonelection year but also in an election year, and I hope that the Justice minister will consider doing that when we get into Committee of the Whole.

The fourth area is closing the Katz loophole as I think it's been called. If it is the case – and I'm glad the Chief Electoral Officer is investigating the *Globe and Mail* report – that a single donor wrote a cheque to a political party for \$430,000 and then after the fact divvied it up between a variety of friends and family, co-workers, and business associates, that is quite clearly offside with what the elections law is supposed to do and is intended to stop. We think that we need to close this loophole so that it's incumbent upon the recipient of a large contribution to make certain that if they receive a large cheque, they have the background documentation to ensure that the legality of the Election Act is being upheld. We will be putting forward amendments to be able to address this loophole, and we are hopeful that the Justice minister will see to it for the integrity of the political fundraising process, the integrity of all of us who run for political office, ensuring that this loophole is closed.

Now, I was saying that having these lower contribution limits also impacts us as well. I gave these results earlier today. We did have 11 individual donors who had given us more than \$10,000 during the election. If these contribution limits had been put in place, that would have cost us \$120,000. In combination these proposals that we're putting forward would have impacted our party to the tune of about \$870,000 in the last election. Again, that's how strongly we feel that the public is demanding this kind of change. We are aware that this would impair our fundraising, but we believe that if everyone is willing to play by the same rules, this will go a long way to restoring the integrity in the process.

The next area I wanted to talk about was the issue of the connection that people perceive between the variety of public institutions that have come under scrutiny as a result of the Chief Electoral Officer's investigations. We've seen school boards, health regions, libraries, municipalities, housing management agencies, universities, and Crown corporations, whether it was Calgary Lab Services or whether it was ATB, all scrutinized and investigated as a result of what appeared to be illegal contributions. We don't know the result of those because we haven't actually seen the result of the Chief Electoral Officer's investigations yet.

But I think this is an area that has us most concerned because there is this perception among these various contributors that they believe they have to support a certain political party in order to be able to secure the grants that are coming to their agencies. We think that that is one of the biggest problems that we have right now, the perception that there is some kind of relationship or some kind of fear factor at play, some kind of intimidation at play, that all of these different agencies feel that somehow they have to give, especially to the governing party, in order to keep the flow of funds going. We think that this is an area which, once again, we hope to be able to address by seeing more transparency in the investigations. We're glad we're going down that route.

I would say that the concern we do have, though, is that part of the reason why this was not corrected when we first encountered this problem back in 2004 was a change in the legislation. It was made very clear that this kind of contribution was illegal, yet it persisted through 2005 and 2006 and 2007 and 2008 and 2009. I think the reason for that is because there have not been the kinds of prosecutions and investigations done by the Chief Electoral Officer. Prosecutions can play a very important role in educating people about what the law is. We haven't done these institutions any favours by creating a shroud of secrecy over the kind of contributions that have gone to different political parties.

This is the reason why we think it is vitally important that we go back a longer period of time to be able to address this issue. We

know, as I've mentioned, that in different years we have found evidence ourselves of contributions that appear to violate the Election Act. Unfortunately, the way this act reads is that the government would only allow the Chief Electoral Officer to go back three years. We think that's insufficient. We think that seven years would be a far better period to go back. There's a reason for that seven years. It's not just arbitrary. The decision in the tax code for the record keeping that you have to do to be able to justify the expenses that you have and the things that you write off is a seven-year requirement.

There seems to be some parity here. If people are required to keep their personal records of their tax contributions and tax receipts going back seven years, we think that that would be a nice parallel in this legislation, that we would also go back seven years, identify the areas where we did see illegal donations, and ensure that they are addressed. We think that three years is insufficient, and we're going to be putting forward an amendment to go back a longer period of time.

We're also disappointed at one of the recommendations that the government refused from the Chief Electoral Officer. There were a number, but there are a few that I'll mention in my comments here tonight. First of all, there was a recommendation by the Chief Electoral Officer that any entity, any corporation or agency that received one-third of its dollars from government funding would be added to the list of prohibited corporations. Now, of course, we've already said that our first option would be to ban union and corporate donations altogether, but in the absence of being able to get the government to agree to that, I think, accepting the Chief Electoral Officer's provision that any entity that received a third of its dollars from government would also be on the prohibited list.

7:50

There's a reason for this. We have to go back to the principle about why it is that public institutions are not permitted to give money to a political party. It's because we don't want to create a scenario where taxpayer dollars are being funneled through a public institution and then going back to fund partisan political activity. I think that what the Chief Electoral Officer was getting at with this provision is trying to create the same kind of parity. If you're getting a third of your dollars from a government entity, a department, a ministry, then it would make sense to treat that entity in a very similar way that you treat other public institutions.

We may even want to go further than that. We know that there are other companies who may not receive a third of their dollars, their total revenues, from government, but they receive a substantial amount of money from government, whether it's those companies who receive dollars through the venture capital fund or whether it's those companies that are invested in through AIMCo or whether it's those companies that receive dollars through the carbon capture and storage fund or whether it's those companies that have the bulk of their work contracted work with government.

The danger that we see and what we're trying to eliminate here is this idea that somehow the contributions to a political party have some impact on an individual entity being able to receive dollars or receive contracts. Again, we think that this could be cleaned up most easily by banning corporate and union donations, but in the absence of that we have to take a look at what kind of bar we want to set for what constitutes a prohibited corporation for the purposes of the Election Act and make that list public.

We believe that the principle should be that zero public dollars, zero taxpayer dollars, should be going to fund political campaigns through this mechanism of granting and then having it circle back. We already have a very generous political tax credit. That is the

way in which a person is able to get a portion of their contribution back for supporting the political party of their choice. That is a reasonable and appropriate way for people to be able to benefit from a contribution to a political party: getting a return of their own tax dollars. It's when you have taxpayers in general being forced to fund a political party which they do not agree with where we see the problem lies and why we need to see more rules around what constitutes a prohibited corporation. Again, we want to go back seven years.

We think that there's another concern with this legislation in that we don't have any guarantee that when fault is found, those dollars will be paid back. What we want to see is some guarantee that there is some follow-up done to ensure that an illegal contribution is returned so that no taxpayer dollars go to fund political parties.

The other area we're concerned about is that there doesn't seem to be any requirement of proof to be demonstrated that the fines have been paid. We know that the Chief Electoral Officer has the latitude to be able to impose administrative penalties, and it's fortunate that we're now going to see what kind of administrative penalties are being imposed, but we want to make sure that there is some mechanism to provide proof that these fines have been paid.

The next area I'd like to discuss is the issue of making the details known, and this is an absolute must. We're pleased that the minister has agreed, albeit in a limited way, that these details will be made known. It's totally reasonable, we believe, that as investigations are taking place, they take place with some confidentiality. We do understand that there is a potential for allegations to be not what they seem and that when you go in and you take a look at the actual details, you find that, clearly, no violations have occurred. That has happened, as I pointed out, in 30 of the cases. We'd love to know even which of the cases that were made public did not have any penalty levied against them. I think that there would be some value in knowing that so that we can clear the air on some of the allegations that were made public through the media and elsewhere. At the very least we need to make sure that the details are known of those entities that do violate the law and are found to be in violation of the law and the kind of fine or administrative penalty or censure that is levied against them.

We also believe that it's important for this information to be revealed as we go, issuing a press release as these investigations are completed so that we have the information, so that for those entities that are found to be in violation, it is made clear publicly right away what the fine was, what the penalty was so that the public can know. Again, it serves a really important educational role. We can't continue on for the foreseeable future with people saying that they don't know the law. The best way to encourage people to learn the law and know the law is for them to see that when violations occur, they are discovered quickly, penalties are levied, and it's made public.

The other area that we're interested in is that we want to see the Chief Electoral Officer able to release his recommendations when he is putting forward proposals for prosecutions. We are very concerned that the previous Chief Electoral Officer had put forward multiple cases where he felt prosecution should proceed, and they never ended up proceeding. If the Chief Electoral Officer, who is an officer of this Legislature, believes that a violation is so serious that it warrants prosecution, we believe that that should be made public, and if it is not pursued by the Crown prosecutor, then we need to understand the reasons why. We think that having this shroud of secrecy around that is not helpful in

trying to educate people about where the lines are in this legislation so that they can stay on the right side of them.

We're also very concerned that the Justice minister did not appear to take the advice of the Chief Electoral Officer when it comes to penalizing the party. We know that most people don't wake up in the morning and say: gee, I'm going to cut a cheque to a political party. That doesn't normally happen. There's a lot of call on our dollars. There's a call for personal and family obligations; there's a call for charitable contributions. The chances are that if somebody has given a donation to a political party, it's because there has been some solicitation. Someone has asked for that contribution.

The very idea that it is the donor who in all cases is going to be the one who suffers the fines and penalties and the public flogging seems to be imbalanced. We need to make sure that there are fines and penalties and censure on the political party who, quite frankly, should have a better grasp of the legislation and where the rules lie. We think, actually, that it's the political parties who are the most at fault when we see a series of illegal donations, and we think that penalizing the political party or the individual candidate is the more appropriate way of being able to have this balance in the legislation.

A related area that we're concerned about I think came out of a recent disclosure of tax receipts from a senior health executive from the Calgary health region, a \$300 purchase of tickets to, I believe, the Calgary-Elbow fundraising dinner. At the bottom of the receipt the political party had asked: who should the receipt be made out to? We think that there is a potential for there to be another parallel investigation from the tax administration because if an individual has received full compensation for a \$300 contribution to a political party and then, in addition to that, is getting a tax receipt made out in their name or the name of a colleague, we think that this is offside with what most reasonable people would think would be appropriate.

We think that there needs to be some language around this to ensure that this is an additional level of scrutiny that the Chief Electoral Officer goes into to make sure that not only are we not seeing illegal contributions from public institutions, but we're also not seeing illegal tax receipts going out to recipients who did not pay out of pocket to give money to a political party. We think that that's another area of concern.

Let me turn briefly to the issue of municipal election campaign financing because we recognize that that's kind of been smooshed into this legislation as well. I think the government had initially started off thinking that the only legislation they would bring forward to change elections law was at the municipal level. I think we were thinking at that time that we would just see a change to a four-year term, but there is actually quite a bit of election law change in here regarding the financing for municipal elections.

As you can imagine, there are some mayoral candidates of some large cities that have already announced their intention to run once again for political office, and they are expressing concern about some of the provisions that are in the legislation. I am sympathetic to that, especially when you are looking at the large cities like Calgary and Edmonton.

**8:00**

The Municipal Affairs minister has already acknowledged that Calgary and Edmonton need to have a discussion about having city charters because the issues that you're dealing with when a city gets to be over 500,000 people, or over a million people for that matter, are quite different than in municipalities where you may have less than 10,000 people. I've spoken to many municipal council members who finance their own campaigns. Many of



them had very, very modest campaigns. But when you look at what happens in Calgary and Edmonton, particularly with the last municipal election in 2010, at least one candidate, and perhaps two, spent over a million dollars on those campaigns.

There is some argument to be made that the size of the city may require a different type of approach to election financing. The argument has been made – and we'll be talking about it as a caucus to see whether or not we can put forward amending language around this. I'm quite sympathetic to the notion that a city of a certain size, perhaps 250,000 people, should be given the latitude to pass laws that are even more stringent on the election side than what is prescribed in the provincial legislation. Since this is the way our municipal level of government operates at the moment, I think it's appropriate for the provincial government to pass legislation that governs municipal financing; however, I do think that large cities should be granted some latitude to be able to put in place their own election financing laws if they are over a certain population size.

I mean, I can imagine how we would feel here in Alberta if Ottawa came in and told us that they were going to set our election financing laws. If we are going to treat our municipalities as another order of government, if that's what the whole process is that the Minister of Municipal Affairs is going through, to establish that Calgary and Edmonton are truly another order of government with a sense of autonomy in their own right, then I think we have to start looking at ways in which we can provide that sort of latitude to those municipalities where because of extremely high campaign contributions and extremely high campaign expenditures they may require additional rules around how that operates.

At the very least, we have to make sure that we are not imposing election financing rules on our municipalities, particularly Calgary and Edmonton, that are more rigid than what we would have on provincial politicians. That, I think, is the big concern that we are hearing from those municipal leaders in the large cities, that they're feeling that some of provisions that have been put forward would never fly at the provincial level. The very idea that you couldn't start raising money until you've registered after the writ period drops makes it almost impossible, I think, for candidates, especially those who are not incumbents, to be able to raise enough money and put forward a campaign that would allow them to be able to be successful.

I think that what we would like to see here is an opportunity for someone who is seeking municipal office to have a similar type of approach as we have at the provincial level. At the provincial level each of us has a constituency association, so we're able to raise money throughout the year. From the moment that the campaign is over, we can start raising money again.

We believe that if we can create the same kind of approach, where a municipal candidate, someone who knows they want to run for municipal office in the next election, is able to register early, establish their official agent and their bank account so that they can raise money in trust throughout, this would create a parity in the way we treat provincial politicians seeking elected office and municipal politicians. I think it would also meet the needs of what we need to see in our two major centres.

As I say, because many smaller municipalities have candidates who self-finance their campaigns, having this restriction as it's written in the legislation of only being able to start raising money when you register may not be a big deal, but when you look at what's happening in Calgary and Edmonton, there is just no way that you can have a similar kind of restriction. Otherwise, you're going to, I think, impair the ability of every candidate to have a fair fight in those local races. It's important that we get this right

now because there are many politicians who are already announcing their intention to run.

I've got just a couple more, but one of the last major points that I want to raise is on the issue of a fixed election date. Now, we know that the Premier, when she was running for the Progressive Conservative leadership, did campaign on a fixed election date. I think that if we went back and we were to pull the quotes, everybody would have expected that we would have actually had a date in the calendar that was a fixed election date. It wouldn't have been unusual. Other provinces have done it. I think six provincial jurisdictions have done this. In addition, we already have it at the municipal level. We have a fixed election date. It's interesting that in making these changes to the different acts, nobody is messing with the notion of having a fixed election date at the municipal level, so there seems to be buy-in for that at the municipal level.

We just wish we saw similar buy-in at the provincial level. I think that when you look at the Chief Electoral Officer recommendations, this is another recommendation that the Justice minister rejected. The Chief Electoral Officer looked at the current legislation and saw that an election could be held between March 1 and May 31 and every fourth year following, but he proposed that we specify an election date. There were reasons for this, and he has some fantastic reasons here, which I'll read into the record.

I think that, actually, when you look at the rationale for the amendments, this is the one that had the longest rationale. First of all, he said that it "would increase openness and transparency by providing all stakeholders with an abundance of advance notice of the coming election." I can tell you that from my own experience in recruiting candidates, the fixed election window is helpful, but actually knowing what the election date is helps people to do better planning. They can figure out the period of time in which they need to take a leave of absence from work or wrap up their business affairs or wrap up some of their personal affairs to be able to run a campaign. To be able to have all of this information publicly available so that everybody knows what the exact date is would allow for all of us, every political party, to be able to have that ability.

It would also provide advance notice to electors, and that may promote participation. We hear every single time we have an election the pundits bemoaning the low voter turnout, the low outcome. I think in this last one we had 60 per cent voter turnout, which was higher than the previous one.

My riding of High River in some parts of town becomes a bit of a ghost town during the winter months, from January through to about May. If you actually knew when the election was going to be, many of those snowbirds would be able to either return home to vote or be able to register and ask for an advance ballot, or they would be able to do an out-of-province ballot. We would be able to get much higher voter turnout. But, again, you'd need to know when the election date is. I remember that there were some of my supporters who left before the writ was dropped and didn't come back until after it was over. As a result, many of them were unable to vote. Providing advance notice to electors, I believe, would go a long way towards increasing voter turnout.

The Chief Electoral Officer also said that "electors who plan to be away could make appropriate plans for participation," as I mentioned. "Political parties and candidates could prepare appropriately." He talks about how "election officers could make appropriate plans for participation, which could increase the number of persons willing to accept the key positions of Returning Officer, election clerk and administrative assistant."

When you think of the number of polling stations that we need to have in 87 constituencies and to have this constant concern

about how they're going to properly staff, how they're going to establish the location, the logistics of that take a lot of effort. To not know when that's going to occur and to have to do it at the drop of a hat is putting undue pressure on that office. If we had a fixed election date, it would make it a lot easier for them to do the recruitment and establish all of those administrative details.

Elections officer training could also "be scheduled well in advance, but near enough to the election to avoid the need for refresher courses." Once again, the Chief Electoral Officer could see a benefit of having a fixed election date so that he was able to do this rather than have a window of three full months in which he would have to try to recruit people.

People's lives change. You may decide that you might want to do this work on an election, and then if it doesn't happen for two or three months, you might change your mind. If you actually knew when the election date was going to be, it would make that training that much easier. It says that "returning officers could serve candidates and the public more effectively, by establishing offices in advance of the election period." Once again, for those who are travelling out of town, being able to know where the advance polling station is going to be in advance because of the actual dates being known is another way that you'd be able to increase participation.

**8:10**

"Cost savings may be achieved, since the delivery and installation of necessary supplies and services could be planned well in advance, thus avoiding express delivery surcharges and holding charges for reserving necessary equipment and services until they're required." We're clearly putting additional pressure on this office because they're trying to make contingency arrangements, not knowing which of the three months is going to be chosen for the election date. We would be able to reduce costs if we had a fixed election date.

"Administrators of schools and other facilities often used as polling places could plan their schedules to facilitate their use on Polling Day." This is clearly creating some problems for our public institutions, which are the hosts of most of our polling stations, and the Chief Electoral Officer believes that this would help resolve some of that if we actually knew what the date would be.

"This would also be consistent with election legislation in other jurisdictions, including BC, New Brunswick, Ontario, Canada, and [he points out] Alberta municipalities." So this is not an unreasonable request, and I think that it is something that – as we're looking at moving to a four-year election window for municipalities maintaining a fixed election date, it's a perfect opportunity for us to consider doing something similar for our provincial office as well.

I'll end on this point. I think the big problem that I think we've seen with the election legislation as it stands and the fact that we have seen so many violations of the Election Act – and we see this in a number of different ways – is that it seems that after 41 years in power the PCs don't know the difference between appropriate work that they're doing as government and appropriate work to do as a political party. We constantly see in the Progressive Conservative Party and the government that there's a blurring of these two lines.

The fact that they don't seem to know the difference is very interesting because the approach of the Legislative Assembly Office with the opposition parties is quite different. We have all on the opposition benches faced the scrutiny of the LAO when they perceive in any way that the materials that we're producing

or the actions that we've taken potentially cross the line into partisan activity.

I remember that our website didn't get funded when I was the unelected leader because they demanded that my face be taken off the website. They demanded that my name be removed from press releases. These are the kinds of things that we've experienced on this side, so we know on the opposition benches how seriously the LAO takes this division between partisan political activity and the work that we do as elected representatives. I think that after 41 years, though, the governing party has not had the same level of scrutiny. I think some bad practices, quite frankly, have slipped into their behaviour.

Fortunately, we have this legislation before us. It allows us to go through, identify the issues, hopefully close some of the loopholes, and be able to give to Albertans a piece of legislation that I think will restore their confidence that the governing party does actually know that there's a line between legitimate elected activity and partisan activity. But this legislation won't do it as it stands. We believe that we need to go through and make a number of amendments, many of which I've spoken about this evening. I'm sure my colleague from Lac La Biche-St. Paul-Two Hills and my other colleague from Olds-Didsbury-Three Hills will go through a number of others.

Let me just summarize the main things that we believe this legislation needs to do. We need to address the issue of corporate and union donations, and we need to ban them. We need to make sure that there are rules in place that have more strict contribution limits and also that they cannot be skirted around. We want to make sure that illegal activity is reported and not just for the last three years, going back to the same period as the requirement for maintaining tax records. We also want to know that the results of all of these investigations will be revealed, including confirmation that the fines have been paid back and that the illegal donations have been paid back because I think Albertans are really looking for some certainty that taxpayer dollars are not going to be used and funnelled back to support partisan political activity.

When we put forward our package of potential amendments for this bill, we hope that the government gives due consideration. Many of them have been endorsed already and proposed already by the Chief Electoral Officer, so there is that extra level of validation, and we think that a number of things have been missed from this current legislation. We hope to be able to make the amendments so that we can improve this bill and restore the confidence of all Albertans.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. leader.

I'll recognize the hon. Minister of Municipal Affairs.

**Mr. Griffiths:** Thank you, Mr. Speaker. I thought I'd take the opportunity since the hon. opposition leader made some comments about amendments to the Local Authorities Election Act to clarify some of the confusion that might have come on. Now, we had a limited time to do consultations for the Local Authorities Election Act. As the member well knows, the election was over in the spring, but it was incumbent upon us to do appropriate consultations with members of the public and locally elected officials because any changes that would take place for the next municipal elections, which are scheduled for the third Monday in October of 2013, need to be made this fall so that municipalities have appropriate time to incorporate those changes and those recommendations.

There is one phrase I heard the hon. opposition leader say. She was concerned that we were imposing regulations locally elected

officials would have to follow that we would not accept ourselves. I want to clarify that in the changes that we made, the most significant changes, every single change we made, I had a couple of guidelines going forward. Given the limited amount of time that we had for consultation, I would only bring forward into this legislation things that were approved and supported strongly by members of the public and by locally elected officials.

The second principle I had, Mr. Speaker, was that we would impose nothing on locally elected officials that we didn't already have imposed or would be willing to take on ourselves at the provincial level.

The first change that we made was to move to four-year terms. As everybody who has worked at a municipal council knows, both the Association of Municipal Districts and Counties, AAMD and C, and AUMA passed resolutions asking the province of Alberta to move to four-year terms. I know that I've heard some people suggest that you're not going to get as good a democracy by having elections every four year rather than every three years, Mr. Speaker, but you yourself were in municipal politics and everyone in this room – and there are many of them – who has been in municipal politics knows that you can be a more effective elected person when you have a four-year term, where you actually get to work for a few years if you're trying to get a good job done.

Now, municipal councillors who were serving for three years typically came in in October – and they still will – to approve a budget that they had very little opportunity to work on. They went forward for a year and a half before they started to get ready for the next election, which didn't necessarily give them the ability to do long-term planning for their municipality. A full four-year term will allow them, actually, to be more effective municipal leaders than ever before. On top of that, it saves millions of dollars just moving the election to a four-year term so that you have three elections every 12 years instead of four, and that's taxpayers' money that we're saving.

Another one of the requirements, Mr. Speaker, was that the signatures on the nomination form – it seems probably a bit strange to consider that the returning officer when they received a nomination form had to accept that form whether it was appropriately filled out with the requisite number of signatures or not. Anyone who knows the legislation knows that that didn't make much sense. If you have a required number of signatures, you have to entitle the returning officer, give them the power to not accept a nomination form that's not appropriately filled out with the requisite number of signatures. A very simple change.

The idea about voter identification. We have many larger municipalities that do utilize voter identification, Mr. Speaker, and we're not changing that. All we're saying going forward, just like under the provincial guidelines, is that if you are not on the voters list, you will have to provide some form of verifiable identification to demonstrate who you are. It's not a very encumbering requirement to make.

As well, Mr. Speaker, we're requiring potential candidates to register with the municipality. Now, I know the Leader of the Official Opposition suggested that this really bound the hands of people who are seeking nomination because they weren't allowed to fund raise until they'd registered, but this registration is intended to be one page that you sign at the bottom that says: hey, I'm going to check into running. I'm sure the Leader of the Official Opposition would support me on this. If she looked at the legislation, she would realize that the previous system, before this legislation was introduced, only required a candidate that was running to file papers and disclose what they did with any money that they raised from the point they filed their actual nomination papers forward, not any time before.

## 8:20

Many candidates in municipal elections just like in provincial elections start to run or start to explore that years in advance. If they don't have to declare how much money they raised, what it went towards, what they did with it and then don't file nomination papers because they decide not to run in the first place, the public will never know what they did with that money. All this is is a one-page form that they will sign at the municipal office that says: I intend to run. Then they will have to disclose the money they raise, what they do with it. Even if they don't file nomination papers in the end to run, the public will still be able to see what they did with that money, Mr. Speaker. That's just openness and transparency and accountability so that the public knows.

I have to say that for 99 per cent of people who are considering running for municipal councillors, this won't be an issue, Mr. Speaker. As the hon. member noted, in many municipal elections we're not talking about small campaigns that are self-funded or that only use a thousand or \$2,000 to run. We are talking about some very substantial campaigns. The public has a right to know how much money is raised and what it's spent on, whether the candidate runs or not, because they are using funds.

Mr. Speaker, another change that we made was surplus funds. The law already says that if a candidate decides not to run again – so come the next election they just don't enter the race – they are required to donate either to the municipality or to a charitable organization any funds over \$500. Well, we heard a lot of members of the public say: "What difference does it make whether it's over \$500 or under? Why would any candidate who doesn't run again be allowed to keep an amount just because it's under \$500? It was money raised and intended for an election, and if they don't run again, it should not go into their pocket." So we simply reduced the threshold to zero. Any money left over in a campaign fund when a candidate does not run again must be donated to the municipality or to a charity of their choice.

Mr. Speaker, you would think it would go without saying that when a candidate decides not to run again, they would be obliged to clear up any campaign deficits, but that has not been a requirement in the past. Just like it is with us, it's going to now be required of municipal candidates that if they don't run again, they cannot carry debts anymore. They must clear them up.

Finally, Mr. Speaker, the issue about campaign reporting. If a candidate runs and does not file final disclosure statements, they will not be eligible to run in another municipal election. It seems like that would be obvious, but again that hasn't been the case in the past. In fact, we do have the requirement at the provincial level. I do believe one of the hon. member's Senate candidates across the way was disallowed from running in the Senate election because he did not properly file his disclosure statements. That's a good system. It prevents people from circumventing the law. And it's going to now apply to municipal councillors.

Mr. Speaker, these are good changes to the Local Authorities Election Act, and I ask all members to support them through the end of second reading. Thank you.

**The Deputy Speaker:** Thank you, hon. minister.

I'll recognize the hon. Member for Olds-Didsbury-Three Hills, followed by Edmonton-Gold Bar.

**Mr. Rowe:** Thank you, Mr. Speaker. I rise today to speak to Bill 7, the Election Accountability Amendment Act, 2012. Albertans have been waiting quite some time for these changes, so it's great to finally be discussing this subject. I want to take this opportunity to thank the hon. Minister of Municipal Affairs . . .

**The Deputy Speaker:** Hon. member, if I may just pause. I'm sorry. I omitted Standing Order 29(2)(a) after the last speaker, and that is available. You wanted to speak on 29(2)(a), hon. member?

**Mr. Dorward:** Yes.

**The Deputy Speaker:** Proceed, then. We'll reset the clock for the hon. Member for Olds-Didsbury-Three Hills.

Go ahead.

**Mr. Dorward:** Thank you, Mr. Speaker. I guess in the mode of saving paper and possibly some amendments, with regard to going back on donations, I actually want to agree with the MLA from Highwood. The tax rules absolutely could be followed in this regard. However, the rules are very clear with CRA. It's three years, not seven years, that in present legislation, you know, would be acceptable.

It's not seven years, Mr. Speaker. It's three years, which is exactly what the legislation is right now and exactly what the legislation should remain in the future. As the good member said, I would totally agree with that as a benchmark. Three years is acceptable.

Thank you very much.

**The Deputy Speaker:** Are there others under 29(2)(a)? The hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Mr. Speaker. Now, the Minister of Municipal Affairs brought up some ideas there about the four years and the timing on that, and I agree with him on that. One of the conversations I had with some constituents and some elected officials was that if they made the election – instead of October they bump it into April, May. Then it conflicts with some agriculture issues and whatnot, but if they got elected in the spring, that would give them about four or five months to know what the budget is like for the fall. I totally agree with them. When I got on council when I was 19, you got on in October. All of a sudden you're trying to pass a budget in December, and it was a lot of numbers tossed at you fairly quickly.

You know, that's a thought, I guess. I just wondered what his thoughts were on if they alternated in the spring a little bit just to make a little bit more time.

**The Deputy Speaker:** The hon. minister.

**Mr. Griffiths:** Thank you very much, Mr. Speaker. Very good questions, actually. I considered much of that the same, and in a lot of discussions with members from AAMD and C and AUMA the same questions were brought up. If an election was held in April, you could hopefully miss the risk of lower turnout because of snowfall or inclement weather, but then you get close to a challenge that many members of AAMD and C in agricultural jurisdictions would face in being busy in the spring.

Mr. Speaker, we did put that on the public survey, and I did solicit some feedback from councillors. We did very deliberately decide that we were going to focus on things that were publicly supported and supported at the municipal level. The majority of people checked off an "I don't care" box. For the rest I would say it was about 2 to 1 that still supported keeping elections in October.

This is something that I think the discussion has only begun on. It came in a short amount of time, and after the next municipal elections, when we do deeper consultations on potential changes to the Local Authorities Election Act, I believe this will be an issue that will be further discussed, and we might get some more

consensus. It might still be in October, but I anticipate we'll have 90 per cent, actually, check off one or the other rather than "I don't know" next time. I'm sure it will continue to come up.

**The Deputy Speaker:** Under 29(2)(a) the hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. The hon. member mentioned, you know, the fact that someone can raise money in that interim period. I'm assuming it'd be through a trust fund, that the money would be held in trust. Do you have some idea of whether it'd be the municipality that would manage those trusts accounts, or would you have the province deal with that?

**The Deputy Speaker:** The hon. minister.

**Mr. Griffiths:** Thank you. That's a good question, too. That would be something that would be up to the individual municipality. When someone fills in their nomination papers and submits that, then they set up a campaign account. I would assume that when they file the form with the municipality, the municipality would have requirements on how that money would be accounted for. The point is that it will be accounted for and publicly disclosed, which I think is very important.

**Mr. Saskiw:** Thank you.

**The Deputy Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. To the hon. minister also. He made the comment about the four years versus three years. I'm in favour of the four years, and I think it can save money, but I would like to know if the minister could comment on the issue that for really small communities the cost of a by-election is really no different than the cost of an election. Some of the criticism or concern was that going to a four-year term might increase the number of by-elections. My comment or my question would centre around this one size fits all. I know our hon. leader here talked about, you know, the cities being able to have flexibility. I was just curious as to the minister's opinion on some cost-saving flexibility for the smaller communities so that they don't have to go through that same type of expense if the number of by-elections goes up. I'm not sure if that's been thoroughly investigated, so if he has a comment, I'd love to hear it.

**The Deputy Speaker:** Hon. minister, you have 15 seconds.

**Mr. Griffiths:** Thank you very much. No, we didn't consider it, Mr. Speaker. One, the concern would be with too much ambiguity when you've got municipal elections going on at all different times. We have heard the issue about more by-elections going to a four-year term, but we've had just as many comments that we'll have more committed councillors, so we could have fewer by-elections anyway.

**The Deputy Speaker:** Thank you, hon. minister.

The Member for Olds-Didsbury-Three Hills. We'll restart the clock from zero. You may start again. My apologies. Thank you. Please proceed.

**Mr. Rowe:** Thank you, Mr. Speaker. Yes. As I mentioned, Albertans have been waiting quite some time for these changes, so it's great to finally be discussing this subject here this evening. I did want to take the opportunity to thank the hon. Minister of Municipal Affairs for the opportunity to sit down with him and

discuss some of these issues prior to coming here. I very much appreciate the opportunity to do that, so thank you very much for that.

As you know, Bill 7 amends three different acts. I will begin my remarks on the changes being made to the Local Authorities Election Act, a piece of legislation that I am familiar with. Some of the hon. members here will know that prior to being elected to represent the riding of Olds-Didsbury-Three Hills in this Chamber, I served as a local councillor for and then as mayor of the village of Beiseker. Over that period I also had the pleasure of sitting on the board of directors for the Alberta Urban Municipalities Association. Now I am honoured to serve as the Municipal Affairs critic for the Wildrose Official Opposition.

8:30

The Local Authorities Election Act sets out the election processes and procedures for municipal elections as well as school board elections. As the level of government closest to the people we need to make sure we have good processes in place around the way municipal elections are held. A significant change Bill 7 will make to the local authorities act is extending the municipal terms from three to four years.

In the Wildrose we believe that the best people to solve problems are those closest to the challenge. In my role as Municipal Affairs critic I often hear from locally elected officials who support increasing municipal terms to four years. In fact, many municipalities have been calling for this change to be made for quite some time. By extending municipal terms to four years, people elected to municipal office will have more time to settle into their role and familiarize themselves with the budget cycle, which often begins soon after an election is held. Generally federal and provincial elections occur every four years, and municipalities would like a similar time frame. Another point to note is that more time in between municipal elections also means fewer municipal elections. Elections are quite expensive, so an extended term limit will also translate into fewer costs to the taxpayers, always a positive thing.

By extending municipal terms to four years, Bill 7 is making a change that Alberta's municipalities have been asking for, and I and my colleagues are very supportive of this measure.

A proposed change in Bill 7 that I am quite concerned with is the addition of section 147.21(1) to the local authorities act. This section reads: "No candidate may accept campaign contributions, including the funds of the candidate, unless the candidate is registered under this Act with the municipality in which the candidate intends to run." This change would actually make the rules governing municipal elections more stringent than provincial elections. One reason why this is so concerning is that if municipal candidates are unable to raise any money until an election is called, it will be a huge advantage to incumbents.

Another reason for concern is that the candidate registration usually occurs one month before election day or, in other words, when the writ is dropped. So how will candidates be able to spend money on campaign items that need to be ready to go as soon as the writ is dropped, like campaign signs, campaign office space, advertising, and so on? Is each municipality going to decide how and when candidates must register? Will that be flexible? If so, this information and how this will be accomplished must be made public.

This is somewhat mitigated by clause (6) in that same section, that states: "This section does not apply to a candidate if the candidate's entire election campaign is funded exclusively out of the candidate's own funds up to a maximum of \$10 000." Now,

that mitigates it for most of the smaller communities, villages, and small towns, but it does place a very large onus on the larger campaigns. As was mentioned earlier, Edmonton, Calgary, the bigger cities can spend \$500,000, a million dollars on a campaign. You can't do that in that 30-day period. So if the minister can explain that, that would be great.

I sincerely hope that the government has thought this addition through, and I will be listening closely to my colleagues opposite who are speaking to Bill 7. If they can't answer these questions, we need to do some work in this Chamber and make sure that before Bill 7 is passed, these concerns are addressed and are made very clear.

Bill 7 is also proposing changes to the Election Act. When I read through the proposed changes, I was quite disappointed to see that no move has been made to set a fixed election date. Mr. Speaker, do you ever hear stories of people complaining about fixed election dates? Never. What you hear about is people calling for fixed election dates, and this certainly includes people in Alberta. Alberta has set an election season for provincial elections, but in the Wildrose we believe that we need to go one step further and set that fixed election date. Having an election season of three months allows for the government to manipulate the timing of an election for their own advantage, just the same as having no fixed election date or season does.

In the last decade we have seen many more jurisdictions in Canada move to implement fixed election dates. British Columbia, Manitoba, New Brunswick, Newfoundland, Labrador, Ontario, Saskatchewan, and the Northwest Territories all have fixed election dates. Earlier this month the government of Quebec proposed legislation that would establish fixed election dates in their province. Even the federal government has legislated a fixed election date for national elections, and I think it is fair to say that Canadians were happy with this change.

The government had the perfect opportunity to propose a fixed election date in Bill 7, a bill that is already opening up several different acts to make changes to municipal and provincial election rules. It is unfortunate but not surprising that the government passed up the opportunity to act on something Albertans are asking for just to keep a political advantage for themselves.

Bill 7 will also make changes to the Election Finances and Contributions Disclosure Act, but unfortunately there are more notable omissions than additions to this act. For example, the government rejected the recommendation of the Chief Electoral Officer to include corporations that receive more than a third of their revenue from government as prohibited corporations. The government doesn't seem to realize that zero public money should go to political campaigns, and the only way to ensure this doesn't happen is to add corporations that receive a substantial amount of public funds to the list of corporations that are prohibited from making political donations.

This government also rejected the recommendation of the Chief Electoral Officer to be able to levy fines against recipients of illegal donations. The Chief Electoral Officer needs the muscle to put a stop to illegal donations, and the only way to do this is to make the political parties responsible for their donations. It is unacceptable that Bill 7 does nothing to address this.

Another glaring absence in Bill 7 is that it does not propose any measures that would assure the public that illegal donations will be repaid, nothing in Bill 7 that would allow the public to be notified when illegal donations are returned, so the public will never know whether or not illegal donations are returned. How

can the government put forward legislation like Bill 7 with such glaring omissions on election accountability issues and still continue to call themselves transparent?

Speaking of transparency, Bill 7 says that the Chief Electoral Officer may release details of investigations in the last three years. Real transparency would make it mandatory to release this information. Albertans deserve nothing less than full disclosure. The results of investigations should automatically be released to the public rather than being at the discretion of the CEO.

Mr. Speaker, we are going to be spending a lot of time on Bill 7 over the course of this week. I have given my thoughts on its contents, and I am looking forward to hearing the comments that my colleagues have. There are some good measures in here, but there are also a lot of things that we need to improve upon. Albertans expect real, concrete steps to be taken on elections accountability, and my colleagues and I will be here in this Chamber, late into the night if need be, to ensure that this government does what Albertans are asking them to do.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. The hon. Minister of Justice.

**Mr. Denis:** Thank you very much, Mr. Speaker. I recognize 29(2)(a) is for both questions and comments. I just have some brief comments. Then I'll give the Member for Olds-Didsbury-Three Hills some time to respond. I want to respond to a couple of his comments but also the Leader of the Opposition's comments.

I heard a comment from the Leader of the Opposition that she agrees that we should not go to a per-vote subsidy, and I agree with that. I don't think that the public should be paying for us. We should actually have to go and raise money ourselves, and I think that there's wide bipartisan support on this one.

I have to correct one comment. The Leader of the Opposition indicated that the previous Justice minister had elected not to prosecute. Mr. Speaker, that actually is false, with no disrespect to the Leader of the Opposition. We don't live in a province or in a country where I or whoever else as the Justice minister could simply walk in, tell the prosecutors: listen, go and charge person X or person Y. Prosecutions and investigations are fully independent. So that was actually incorrect about the previous Justice minister.

I also wanted to address the corporate donations issue that the Member for Olds-Didsbury-Three Hills had talked about. It's very interesting that his party has benefited from over a million dollars of corporate donations, that I would suggest may not even exist today. They were happy to accept all of these corporate donations, and I don't suggest that they shouldn't have, but now all of sudden they want to ban corporate donations at this point. I don't know what the intent is there, and I'm not going to go afoul of the rules. I will leave that to other members to actually go and decide.

Now, Mr. Speaker, in my May 29 letter to the Chief Electoral Officer at no time did I put any restrictions on his comments. He did not recommend any increases or decreases to contribution limits. He did not recommend banning any corporate or union donations. I think that's what we should follow.

8:40

I just wanted to indicate as well that the \$15,000 limit that goes from an individual union or corporation to an actual political party, that actually has been unchanged since 1982. The Chief Electoral Officer indicated that last week on the radio. If you

actually go and just look at the inflation since that time, the factor is 2.313, which means that a \$15,000 donation in 1982, if you whittle that down, is \$6,485.08. That was my 2 cents as well.

In conclusion, I also wanted to just indicate that under this bill we are indicating that there is a 10 times . . . [interjections] Mr. Speaker, again, under 29(2)(a) you don't have to offer a question; it is also comment. The fines also go up by 10 times. [interjections] Again, in case you didn't hear me over the boos and catcalls over there, it is 10 times that the bill increases the fines. We're serious about compliance under the Election Act, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. minister.

The Member for Olds-Didsbury-Three Hills to respond.

**Mr. Rowe:** Well, I won't respond for the comments that our leader had made, but I will respond to one comment, if you will, and that was the corporate donations. I believe our suggestion here is that only corporations that receive public money would be exempt from corporate donations.

**The Deputy Speaker:** Any others under 29(2)(a)?

Then I'll recognize the Member for Calgary-Buffalo, followed by Edmonton-Beverly-Clareview.

**Mr. Hehr:** Well, thank you very much, Mr. Speaker. As always, it's a privilege to rise and get to speak in this House as a member of this honourable Assembly. This is speaking on the Election Accountability Amendment Act, 2012. I must say at the outset that I was hoping for a little more from this government on a number of files. First and foremost, I was looking for some movement on contributions to election campaigns in terms of the amounts and the like. I was also looking for some more specificity around openness and transparency, the ability for the Chief Electoral Officer to have a wider leeway both in what he does and what information he can bring to the general public, and some other minor comments around a fixed election date and things of that nature.

I recognize that this act has tried to pull together numerous references to various statutes that have been organizing our elections and municipal elections in this province for a number of years. To be frank, the method in which it has come in front of opposition parties makes it awfully difficult for us to (a) get to the bottom of the bill in a timely fashion and (b) to actually offer any serious amendments. The reason why I say that is because it appears that the fashion and the way this bill has been amended leaves very little wiggle room for you to actually put suggestions in through amendments and offer broad-based changes to what is being offered.

I say that because, for instance, if we move into some of the substantive measures like contribution limits, it doesn't appear from looking at the act that this section is actually being opened. So to get a discussion about that in an amendment is going to be very challenging. Nevertheless, we're going to attempt to do that.

That gets me to, I guess, looking at this Election Accountability Amendment Act, 2012, in more of a broad sense. We all know that elections in this day and age can attract a wide source of donations and can tend to come from generally wealthier citizens or corporations or unions. If we look across the country, there is no doubt that Alberta has the highest contribution limits of any of the provinces out there. In my view, that is not necessarily something to be proud of. In my view, bringing in changes that would allow for the average Joe and Jane Albertan to get the same recognition, the same ability to contribute to the politicians of

their choice has merit. Let's face it. Whether we like to admit it or not, money influences politics.

**Mr. Donovan:** No.

**Mr. Hehr:** Yes, hon. member, it does.

We see this in play, and I guess it's easy to look down to our American cousins to the south. There is no doubt that the billions of dollars spent on that election came at a cost. It came at a cost where governors or people who accepted that money will now be expecting to receive phone calls from various donors, various corporations, various interest groups that expect those elected legislators to have to take their considerations maybe more validly than others.

[The Speaker in the chair]

If we continue to deny that fact, I think we're burying our heads in the sand. If we don't admit to ourselves that money can and does influence politics, well, I think we're just ignoring the obvious. In my view, given that Alberta has the largest contribution limits, I think that should have been changed. For instance, if the hon. Solicitor General, who is putting forward most of the changes in this act, would have bothered to look, there's excellent legislation across this country on governments who have actually taken openness and transparency as well as electoral finance reform to heart.

One is Manitoba, that in a recent report by an organization was found to have the best provincial legislation of any of our provincial Legislatures. There they have very clear principles for their elections officers to follow, very clear principles on donation limits of only up to \$3,000, only from individuals – no union, no corporation donations – and some very forward-looking stuff of that nature that really allows us to be open, transparent, and accountable. That's what's disappointing. There is oftentimes much good legislation that's already been written, much good legislation from other people who watch and study democracy and the influence of money on various jurisdictions and how to eliminate this practice from happening, where jurisdictions have acted in a proactive, honest, and forthright fashion and actually changed the legislation to something meaningful. Manitoba would have been a good place to start.

Another jurisdiction where, in my view, the hon. Solicitor General could have gone is to our federal government, which I believe in 2004 or 2006 introduced some real changes to the contribution limits to our federal parties, and that's the \$1,100 limit per man and woman in this great country to contribute to political parties. In my view, it eliminates the influence of money, the influence of the powerful, the influence of corporations, the influences of unions in our political decision-making. It frees us up to do work in the public interest as we're not beholden to any individual or group for the financing of our election campaigns.

Frankly, I was very impressed with the fact that the Wildrose has come on the record as saying that they, too, are in favour of no corporate or no union donations. I think that is a bold pronouncement by them and one that I agree with and have agreed with for a long period of time. I will not be one of the people who sits in this Chamber and denies that money influences our decision-making, whether it's on a local campaign or an MLA's campaign or a provincial government campaign.

8:50

Simply put, the necessity to raise money and the like behooves us to answer phone calls from different people in different forms and fashions. I'm not saying that it's right, but we all know it

happens, and that's why we need legislation that actually sets a tone for what the Alberta populace should expect. It should expect that everyone has an ability to contribute to political campaigns but that they don't have an ability to contribute too much.

It was my hope that Alberta would move forward in some fashion on this part of meaningful election accountability, but it looks like we're going to have to wait for another day. That, to me, is disappointing for this government has known that people have made this observation about Alberta. They have called it the wild west of electoral financing, and it appears that, beyond some window dressing, that is going to continue. Really, if you don't deal with the contribution limits, you're not really dealing with a whole heck of a lot.

You know, bringing in comprehensive election finance limits would solve a lot of this problem. If mistakes were made along the way, it would not impact the election very much. If Mr. Katz hadn't misread the donation and given six cheques from his family and friends and the like, as it is alleged to have happened, it would have totalled \$6,000, not \$430,000. You see, just by limiting those contributions, you allow for those things to be open and transparent and not have any one individual or group have too much influence. In my view, that's missing from the act, and it is highly disappointing.

Moving on, I thought we could have done a better job in firming up, actually, an official fixed election date. The last election has come and gone. We know that was under a new circumstance. We had a new Premier, who ran on giving a fixed election date. The Premier sort of got there, and I thought she could have gotten there all the way by just picking a date and leaving it at every second Monday in April or something of that measure.

We would have known, and we wouldn't have had this silliness of having an election season, and I think it would have gone a long way to trying to assist not only political parties but voters in this province to know when they vote. I think it's an excellent system that we have in municipal government, where now every four years they will know that they go to polls on October 3. I think that has allowed for people to understand that, and I think it will pay off in the long run in getting people to vote in that election. By the way, while I'm talking about that, I agree with the change to four years on municipal councillors. I think it's a change that will lead to better government at that level, will allow aldermen and alderwomen to do their jobs without having to worry so much about the next election being right around the corner, and will lead to better results at our municipal levels.

I think another change that is absent is that the list of prohibited corporations does not include corporations that are funded through grants from the government. Actually, in the former Chief Electoral Officer's view, he wanted to expand this definition to include a corporation that received more than one-third of its operational funding in any calendar year through the government of Alberta. I think that would have been a wise move that would have addressed some of the concerns by many members of this House in question period on government-funded agencies simply kicking back into the political party of the day who's running the province, which, really, in my view, is something that shouldn't be countenanced in this day and age, and changes should be made to ensure that that temptation is minimized and the like.

Those are my initial comments, Mr. Speaker, but I will hope that as debate goes on, we all consider the fact that money does influence politics, that money does affect our ability to do things that are necessary in the public interest. It is my greatest hope that even for the government it would free you guys up to do some things maybe that you feel queasy about or feel beholden to

certain interests because they fund your elections. I think it would help.

**The Speaker:** Hon. members, Standing Order 29(2)(a) is available, and let's remember the cautionary note I gave on November 21. Let's not consume all the time with one speaker only if possible. Let's exchange in some fruitful dialogue.

The hon. Member for Livingstone-Macleod.

**Mr. Stier:** Yes. Thank you and good evening, Mr. Speaker. I just noted the hon. member's comments, and I know that he has considerably more experience than myself. As a bit of background to this, today our party called for a ban on corporate and union donations. I was wondering if he had seen any other examples in his experience where perhaps these corporate donations or union donations may have affected previous campaigns.

Thank you.

**Mr. Hehr:** I think common sense would indicate to us that it has. Alberta has had a reputation as being the wild west of election financing. In my view, it continues to this day with \$30,000 contribution limits in any calendar year. We exceed the contribution limits of any jurisdiction across Canada, and if I'm in error there, maybe the Minister of Human Services can tell me where I'm wrong. Nevertheless, there are very proactive government bodies out there. Like I mentioned before, Manitoba has election limits of \$3,000 per individual there, with no corporate, no union donations. Our federal government has no corporate, no union donations, \$1,100 limits per individual. I think those are examples of responsible fiscal contribution limits.

I don't know. I'd like to hear the hon. Minister of Human Services' comments, maybe on whether he can compare our current election financing limits to theirs and explain to me how theirs aren't more responsible to the public perception of democracy. In my view – and maybe I'm going to be proven wrong – in anyone's estimation it is more responsible. It eliminates the perception that money influences politics. I think it's more than a perception, Mr. Speaker. I think it's a fact. If we can eliminate that from happening, that, to me, would be worth while.

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills under 29(2)(a).

**Mr. Saskiw:** Thank you, Mr. Speaker. As the member has been here for quite a while, my question is: has there ever been a circumstance where there's just a seemingly outrageous type of decision that doesn't make any sense that you could potentially attribute to corporate donations or any type of influence that way?

**Mr. Hehr:** To be honest, I guess that if I'm asked, I'd look at the influence that our oil and gas sector may have on our elections, okay? I can't specifically look at that, but I look at the amount that we collect in royalties, the amount that we seemingly leave on the table in that regard. I look at the way that we seemingly do not want to have our own Alberta energy company when we have 14 national oil companies in this province currently, you know, digging up oil, making lots of money, sending money home to their countries, and doing quite well at it.

9:00

You know, with some of these decisions I wonder if it's because of who's footing the bill on paying for the elections. Now, I could be wrong, but I'm a suspicious man, and I think some of the public is suspicious about that as well. That's why we need to

bring in, actually, no corporate, no union donations, actual limits on what it is. I think it would free the government up to do what decisions are in the public interest. They may well be right now, but it's like the Caesar's wife rule. You know what I'm saying? Caesar's wife can not only be pure; she must be seen to be pure. I think that would be a good thing for governments to remember, especially when we talk about election finance limits.

There are many good examples out there. Look at the good examples. Don't just try and come up with something on your own. Oftentimes learning from other jurisdictions is not a sign of weakness but a sign of common sense and a sign of an ability to look where things are working and look where people have studied democracies and given criticisms of them and looked for other ways to do things, how the rules and regulations could be written better.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview, followed by the Minister of Human Services.

**Mr. Bilous:** Thank you, Mr. Speaker. It's my honour and privilege to rise today to speak to Bill 7 in second reading here, regarding our Election Accountability Amendment Act. I'd like to begin by saying that Albertans have been calling for reform to our election financing for some time now. I've been hearing this from voters at thousands of doors that I've knocked on to speaking with colleagues from this House from other parts of the province. I'm happy on the one hand to see that there is some reform coming. Unfortunately, there are a number of flaws with this bill that I will attempt to illustrate.

First and foremost, the fact that this bill has been written without the consultation and input from all of Alberta's political parties is a flaw. You know, it's unfortunate that the minister seems to think that sending some briefing notes is the same thing as a consultation with genuine input from different political parties. However, they're quite different. It's important to note that election laws are really fundamental to our democratic process here in Alberta and in all democratic countries and regions, and our election laws cannot be based solely on the interests of one political party or in this case of the Progressive Conservatives alone.

It's interesting to see that, first and foremost, parties on the opposition side of the House are calling for a ban on all corporate and union donations. This is something that the NDP has been calling for for a long, long time. In fact, for decades we've been calling for the ban of corporate and union donations. Elections should be decided by the voters, by Albertans, not by special interests or by dollars. We all know that dollars influence elections but also can sway elections, so much so that other jurisdictions have recognized this undue influence and have banned them. We have examples from Manitoba, Nova Scotia, Quebec, and even our country as a whole. Canada federally has a ban on corporate and union donations. It's time for Alberta to follow suit.

Contributions need to come solely from individuals. You know, it needs to be clear that we need to take big business and big dollars out of politics. The amount of influence that corporations and unions can exert in our elections is not just shocking, but it's actually taking away from the democratic process. In order to ensure that we as elected officials and as candidates who are running in elections are acting on behalf of individual Albertans and only in their interests, not in the interests of the big companies and unions, both of them need to be banned.

Second of all, we need to lower the contribution limits. Alberta has, actually, the highest contribution limits of any jurisdiction



within Canada. During an election year political parties and candidates can actually receive up to \$40,000 from a single contributor. Now, I don't know about you, Mr. Speaker, but most people in my experience, in my lifetime (a) cannot afford to contribute \$40,000 in any year and, second of all, I mean, it's basically giving some people an elite pass while others and the rest of Albertans who cannot afford it are not on the same playing field. It also gives certain political parties, you know, an advantage, and it makes the average person's, the average Albertan's contributions less significant. It takes away from their voice, their ability to contribute.

Albertans are talking about real electoral reform when we're talking about political contributions. The Alberta NDP are talking about lowering this limit to \$3,000. I mean, we released that on November 15. That's something that we've been talking about. Federally it's even lower than that. It's \$1,200 a year to each party and \$1,200 to associations and candidates. This is something that when it's coupled with the initial amendment of pulling out corporations and unions as far as their ability to contribute to political parties and we put a limit on individual donations, we're now levelling the playing field for all political parties, for all candidates.

You know, it also makes candidates go out and work harder because now your contributions are – you're relying solely on individuals. You're going to visit individuals asking for reasonable donations as opposed to phoning up a few of your bigwig friends to issue \$100,000 cheques or several hundred thousand dollars. So that's something that is absolutely necessary if we want to reform our elections financing.

The third thing that needs to come into this bill is a limit on campaign expenses. Again, Alberta, interestingly, is the only province that does not have campaign expense limits. Political parties at the moment in Alberta are able to spend an unlimited amount of dollars on an election campaign. You know, following the same line of reasoning as my first two points, if we want to ensure that our system remains democratic, that we have a fair playing field, we need to place limits on how much political parties can spend, and this needs to be reasonable. The Alberta NDP is calling for a limit of a million dollars for political parties, and we're talking about adjusting this to the consumer price index as well. This piece should be included in this bill.

In addition, there isn't at the moment financial limitation on leadership campaigns. Leadership campaigns should be governed by the same rules as elections themselves. Donation limits, reporting rules should apply to all candidates for party leadership. Any kind of donation to a leadership candidate should also be regarded as a contribution to the political party, which essentially it is.

**9:10**

Fifth, some of my colleagues on this side of the House have spoken to fixed election dates, which I think is absolutely crucial if we want to ensure that all parties have an equal opportunity to begin their campaigning and to start off on the same foot. You know, it's interesting. I've spoken to colleagues and friends to the south of us in the United States who also find it equally absurd that the governing party can choose when the election is called. I give this example often. It's like a teacher in a classroom who gives all of the students a whole bunch of candy and then says to them, "Now, who is your favourite teacher?" Well, who do you think the students are going to say? I mean, as my friends on the other side of the House will remember, there was an election not too long ago where folks were issued Ralph bucks right before the

election, which seemed to please some voters. In a sense, I think that if there's a fixed date, all parties can plan.

Other points have been raised. We can ensure that the folks working for the elections are, first of all, properly recruited, that there's an open and transparent process, that they're properly trained. I think that would ensure the election would run a lot more smoothly. It seems a little absurd that we have no fixed dates, you know. At best the Premier took a half-step forward and gave us an election season.

Yet for many folks who are considering running and becoming an elected official, this unknown period of time is a barrier, and they're unable to really campaign to the point where they can put in the appropriate amount of time to have a legitimate shot at getting elected. You know, as many people in this House will recognize, campaigns are much longer than the 28 days of the actual election, and serious candidates have to start much sooner than that. Without a fixed election date you're pretty much guessing on when it's going to be called, and again this favours the governing party.

The last point I'd like to bring up is about some of the recommendations that were first of all brought forward by the CEO, Chief Electoral Officer. Many of them have been shot down or rejected. You know, I find it interesting and frustrating that, first of all, in this piece of legislation, this bill, the Chief Electoral Officer can only go back three years. Alberta New Democrats feel that this is not long enough to go back into the past to look at illegal donations and really scrutinize what's transpired. There shouldn't be a time limit on how far back the Chief Electoral Officer can go. This begs the question: what is the party on the other side of the House hiding, and why do they want to limit it to only three years instead of opening it up to a much broader time frame?

I think as well that it's frustrating that there have been 19 charges of illegal donations yet still zero prosecutions. I think folks in Alberta are frustrated with our current system, with the fact that there are illegal donations or accusations of illegal donations and proof of illegal donations, yet there's been little to no action on them. You know, that's unfortunate because many voters in our great province are getting quite frustrated that you have examples of wrongdoing, yet they're going unpunished. Nothing is being done about them.

If we want to restore faith in our democratic system, I think we need real electoral reform in this province in all of the areas that I've mentioned, from banning corporate and union donations to lowering the contribution limits that individuals can make to putting a cap on the total spending of a political party, which, again, will level the playing field between all of the parties, as well as putting these same rules in place for leadership campaigns.

I think that there could be potential for this bill with some serious amendments, that we will be putting forward once we move into committee, but these things need to be flagged. There are serious concerns. This is another example of a bill that the Minister of Justice and Solicitor General can speak very highly about, yet when the rubber hits the road and we look at the details of this bill, it doesn't go nearly far enough to ensure, first of all, that financial contributions are within reason, that we can go back to Albertans in good conscience and say, you know, that we have done our best in this House to level the playing field to give everybody the same starting point and take away these unfair advantages that some in the House currently hold.

So I'll ask the minister and the members from the other side of the House to seriously consider the amendments that parties on this side of the House are putting forward in order to ensure that

our system is fair and that we're restoring and ensuring that democracy, first and foremost, is our number one goal.

Thank you, Mr. Speaker.

**The Speaker:** Hon. members, 29(2)(a) is available. The Minister of Justice.

**Mr. Denis:** Thank you very much, Mr. Speaker. I see that another member rose, so I'll be brief in the interests of democracy. The Member for Edmonton-Beverly-Clareview has raised a lot of good points. I've got to say that he's also a really good speaker. I could probably use some lessons from him when it comes to the rate of speech.

He talked about the interests of one party. Well, I have to agree with his sentiment, but that's where the agreement ends. On May 29, again, I wrote the Chief Electoral Officer and said: "avoid arbitrary amendments passed in the Legislature." So my submission to this member and to all members of the House here tonight is that the bill is largely based on what the Chief Electoral Officer had to say. We're accepting 90 of 101 amendments. It's not about what this member thinks or what I think or what any other member thinks. It's what the Chief Electoral Officer thinks is fair.

Secondly, I just wanted to mention again that we are increasing penalties up to \$10,000 under the administrative level. Again, it is not up to me or anyone else here to direct any prosecution. That is up to the actual individual prosecutor. They don't report to me, Mr. Speaker.

Lastly, I just wanted to allow the member to comment here. If you reverse to page 4 of Bill 7, the second paragraph, section 4 is amended at (2.1), indicating that

the Chief Electoral Officer may from time to time meet with representatives of the registered political parties that are represented in the Legislative Assembly concerning the election process or activities under this Act, the Election Finances and Contributions Disclosure Act or the Senatorial Selection Act.

This is a recommendation, Mr. Speaker, that we believe should be accepted. It allows him to consult with other parties.

I also wanted to mention again that, of course, I've met with that very member, and I've asked him, if he has amendments, to please give them to us beforehand so we can actually consider them.

So I'd like to know what this member thinks about this particular section that we would recommend the Assembly accept.

**The Speaker:** The hon. member.

**Mr. Bilous:** Thank you, Mr. Speaker. I'd like to thank the minister for his question and compliment as well. You know, I think it is positive that the government has accepted several recommendations from the Chief Electoral Officer. As I stated previously, I don't think this bill goes quite far enough in several areas. I can appreciate that the fines have been increased, but I think, you know, part of the problem is contributions and how much individuals can give and the loose parameters that are in place in this province at the moment.

Again, speakers other than myself have indicated that Alberta, first of all, allows for the highest amount of donations. Our limits are very, very large. Again, many Albertans are not going to be able to contribute near the maximum, which means, then, that you're only allowing certain individuals coming with certain wealth to be able to contribute, which therefore gives unfair footing. If every donation, every dollar, had to be raised by individuals alone, we would see a very different-looking map in the province of Alberta.

9:20

As far as the minister's question, you know, I think that a consultation with the Chief Electoral Officer as far as processes and suggestions is a nice gesture, but it's what we're debating right now that's going to become law that will decide how elections and election financing are changed, so I would have liked to have seen this consultation happen long before this bill was ever drafted.

Thank you.

**The Speaker:** The hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Mr. Speaker. I just wanted to ask the member: when you spoke of candy from a teacher, would that have any ties to, say, schools or overpasses or any kind of infrastructure before an election, do you think?

**Mr. Bilous:** I'd like to thank the Member for Little Bow for that question. You know, the purpose of that is, again, that if we want to truly make our system as democratic as possible, there are certain things that we need in place. One of them definitely is fixed election dates and cutting down the possibility of either incurring favour or having to return favour. Again, you know, I find it very interesting that when tens of thousands of dollars, if not hundreds of thousands of dollars, from individuals or groups are handed over, they don't come with some kind of exchange.

**The Speaker:** The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. I just want to comment very briefly on a few comments. I'll start with the last. I find it actually quite appalling that when we get involved in these discussions about election finances, contributions, and disclosure, there's this immediate assumption that somehow people who fund the democratic process expect a quid pro quo. I've been involved in running in elections and running elections and campaigning in elections for almost 40 years. I can honestly say to this Legislature that I have never, ever considered the fact that somebody has contributed financially or as a volunteer to a campaign as in any way buying favour or buying policy. I think it really brings the whole process into disrepute when you start from that assumption. This idea that people are all crooks and that we have to have legislation in place to keep them honest is absolutely absurd.

We all come to this as honest people. There are some dishonest people in society for whom you need rules and regulations and for whom you need to bring down the strong arm of the law, but the fact of the matter is that most people come to the political process with an intent to do good. We can disagree on what doing good means. We can disagree on the right or wrong of what is a positive thing for the province. But I would challenge members to actually have a change of concept in mind if they come to this House, if they come to this process believing that people are bad and need to be constrained by the law in order to do the right thing.

The fact of the matter is that we have an open Election Finances and Contributions Disclosure Act, which says that for every donation over \$325 – and when this act is passed, if this act is passed, it will bring it down to \$250 – the donor must be disclosed. So it's open. Everybody can know who makes the contributions. That is fair. That's reasonable. The public knows who is financing elections and why.

In terms of the amounts, Mr. Speaker, \$15,000 during the year or \$30,000 during an election for a party, a thousand dollars for a constituency, \$1,500 during a campaign are not excessive amounts. I can tell you that on a number of occasions doing

fundraisers in my particular constituency we have had to return contributions. Why have we had to return them? Because you don't know when the contribution is made whether somebody has made contributions in other constituencies. If they add to up to more than five constituencies at over a thousand dollars, they're running afoul of the act, so the contributions have to be returned, which then goes to other aspects, this automatic assumption that people make that they somehow uncover these nefarious things happening all the time, when really what's happening in most of those circumstances, if they would simply look at it, is exactly the same thing as the reference of the Leader of the Official Opposition. You have to actually have a look back sometimes to see what's happened.

For example, somebody buys a table at my lobster boil one year. That will probably be a thousand dollars, and then they might go to some other event and purchase a table at that event. I might say that the tables that they purchase at my lobster boil are no more expensive and, in fact, are considerably less expensive than similar tables that they will buy at many fundraising activities for charitable agencies in our community. There are people who will support charities and who will support candidates and who will support members of the Legislature who they think are doing a good job, and they're not asking for anything, Mr. Speaker. Never once have I been asked for something because somebody made a donation. I can tell you this. If somebody did ask me for something, that would probably be the last time we had a chat because I am not for sale. I don't think anybody in this House is for sale.

This process requires financing. It requires citizens to step forward in a number of different ways. Some of us step forward to be candidates and give our time and our effort and, yes, forgo income that we might otherwise earn so that we can participate in this way. Others support us as friends and people who believe that we're good people. Others support us because they believe the party is going in the right direction. Nobody finances a campaign so that they can get a specific political action, and to suggest otherwise I think is really just drawing this down into disrepute. So I wanted to start there, Mr. Speaker.

I also wanted to indicate that one of the reasons that this bill was brought forward this year arose out of some allegations last spring that there were investigations made and the Chief Electoral Officer could not report on the results of his investigation and that he ought to be able to report. We all agreed that he ought to be able to report. His legal advice, I guess it was, must have indicated that the language of the act as it exists now didn't allow him to do that because when the act was changed – previously the only option that the Chief Electoral Officer had was to investigate a complaint and then refer it for prosecution.

Now, we've been through the ground already, but I'll say it one more time. Prosecutors make decisions to prosecute based on whether they think it's in the public interest and whether the evidence, if proved, would result in a conviction. There are two tests that they use. There is no political test in it whatsoever. It's entirely independent of the political process, and it must be. Prosecutors will determine from time to time whether something is in the public interest, and as a result, many of the things – and I know this from the occupational health and safety side. Sometimes it's difficult to get minor things prosecuted because they have other things to prosecute.

So the act was changed. The Chief Electoral Officer was given other tools: the ability to reprimand, the ability to levy an administrative penalty. Unfortunately, the language wasn't clear enough to say that in those cases he could then disclose just as it would be disclosed if a charge was laid.

We're perfecting that by saying that, yes, absolutely he should be able to disclose, that in fact he must disclose at any time that he has issued a reprimand letter or an administrative penalty. That fixes that particular problem. You won't hear anymore, I don't believe, of things being referred for prosecution and no action taken. My assumption, and I think it's a valid assumption, is that those are relatively minor matters which prosecutors determine not to prosecute. That fix in the act actually makes a very important change which will require the Chief Electoral Officer to publish on his website the names and the incidents with respect to where he's found wrongdoing and where he's issued a reprimand or an administrative penalty. Those two things are, I think, very necessary to mention.

People have mentioned fixed election dates. I challenge them to show any place where a fixed election date has improved democracy. There was mention of south of the border. We've seen what happens with elections south of the border, how the focus is on constant fundraising and constant electoral process and much less on what's good for the people. People mentioned that civic elections are on a fixed election date. Is there any place where we have a lower turnout for election than at civic elections? I think not. Fixed election dates are not the panacea that people bring forward with respect to elections.

9:30

The Leader of the Official Opposition suggested that they were in some concern because they didn't believe it was appropriate for them to be able to bring forward an amendment to remove the ability of corporations or unions to make donations, and she suggested that we do it. Well, if it's not within the purview of the act, it's not within the purview of the act, and therefore an amendment is no more in the hands of government than it is in the hands of the opposition. I wanted to mention those things.

The last thing I'll mention is this question about three years' prosecution. Under section 52(3) of the existing act there is a limitation on prosecution. "A prosecution under this Act may be commenced within 3 years of the commission of the alleged offence but not afterwards." That's the provision in the act. If you change that provision, you're creating offences retroactively, which is something that's really frowned on in the parliamentary world, creating a retroactive offence that you can then go back and charge somebody for. That three-year limitation is in the act already. It makes sense to make those three years the three years for disclosure. It's not a question of covering anything up or hiding anything. It's a question of being parallel to the offence provision which is already in the act. You wouldn't want to change the offence provision in the act. Nobody goes back and creates a new offence retroactively and then goes and charges somebody for it. That's ridiculous. Mr. Speaker, the time frames are set out for a purpose. They're parallel to the time frames that are already there and make it clear that anything that's happened after that the Chief Electoral Officer can disclose.

There are a number of other things that I'd speak to, Mr. Speaker, but I think that I'll leave it there. I want to do one further thing, and that is that under Standing Order 49(2) I would move that this question be now put. There are new members in the House, so allow me, after making that motion, to say this. It does not mean that we're going to vote on this bill right now. It's called calling the previous question, and every member will have the ability to speak to this bill in second reading before the question is put. But what it does is preclude somebody bringing in an amendment which would send it off to committee or hoist it or do something else. It does not forestall debate. It does forestall antics,

and thus, Mr. Speaker, I have moved that the question now be put under section 49(2).

**The Speaker:** Hon. members, I would encourage you to visit Standing Order 49(2), which covers the issue of: "The previous question shall be in the following words." The question has now been put by the Government House Leader. You may also want to visit Standing Order 18, which I think the hon. Government House Leader alluded to. I'll just read it to you quickly so that it's clear where we're at.

**Mr. Saskiw:** They shut down democracy.

**The Speaker:** Lac La Biche-St. Paul-Two Hills, just so we're clear, under debatable motions it states, "Motions that are debatable include every motion," and that includes "for the previous question." Essentially, the rotation can start all over again. We follow the same rules: 15 minutes of speaking time, 29(2)(a), and at the end of all of that, depending upon how many people want to speak, of course, then the question on second reading of Bill 7 will be put.

That having been said, are there any speakers to this?

**Mr. Donovan:** Just a question. So there's no 29(2)(a) from before? Just as clarification.

**The Speaker:** I'm sorry. You're asking for clarification of . . .

**Mr. Donovan:** Standing Order 29(2)(a), where I get to ask a question.

**The Speaker:** Yes, proceed. You have something about the speech he just made?

**Mr. Donovan:** Yeah. I was just wondering if that's still possible.

**The Speaker:** Okay. Proceed.

**Mr. Donovan:** Thank you, Mr. Speaker. It looks like I must have touched a nerve over there. Never at any point did I say that anybody in this House is a crook or anything. I was merely asking the colleague from the party to the left about where he was going on that. I'd just like to clarify that never at any point did I think that anybody is a crook. I've brought up in numerous speeches in here that I think we're all here for the right reasons. I, too, have been in politics for 16 years, and I never did have to raise money for a municipal election I was in because there wasn't that big of a drive for it.

Again, I'm not at any point trying to point fingers about what a government does or doesn't do before an election. I was merely tossing what we call a puffball, I believe, over to a colleague so he could finish explaining one of his thoughts.

**The Speaker:** The hon. House leader.

**Mr. Hancock:** Thank you, Mr. Speaker. Well, I certainly appreciate that clarification, but I think it's fair to say to all members that the things we say in here matter and that when we toss around aspersions lightly, it sticks to all of us. We have a number of different rules that have been put in place over the years, the Conflicts of Interest Act and others. When I was Minister of Justice, one of my colleagues asked me what the Conflicts of Interest Act said about a particular matter, and I said: "I don't know. I haven't read it." And he looked at me amazed. I said: "I don't have to look at the Conflicts of Interest Act to know how to

act. I don't do anything I don't think my mother would appreciate reading on the front page of the paper."

You know, we come to this House as good people with good intentions to do good things. Every time we talk about writing rules to protect the people from us, we diminish the status of the House and we diminish the work that we do. I'm not suggesting that we shouldn't have an Election Finances and Contributions Disclosure Act. I'm just saying that we shouldn't start every debate by suggesting that everybody is a crook.

**The Speaker:** The hon. Member for Calgary-Buffalo, followed by Calgary-Shaw.

**Mr. Hehr:** Well, thank you, Mr. Speaker. It was a very nice speech by the hon. minister. Nevertheless, I think part of the discussion is around our finance limits and, unless I missed it, the fact that there is a general public out there who expects some reasonable limits on financial donations. For instance, if you can believe what happened, with Mr. Katz giving \$430,000 to a political party, in the form of cheques or not, there has to be . . . [interjection] Whether he's going to go ask the Premier for a favour, who knows? Whether he's going to ask you for a favour? You'd clearly not care. You would tell him to go pound sand, and I believe you when you say that.

Nevertheless, there is a perception out there in the general public that politicians are bought. I realize we feed into that, but I think the general rule is that we should be trying to do election finance reform that actually eases the public's discontent with politicians and that perception of money influencing us. My question: does the minister see the need for us to assure the public that money is not influencing us even though we know full well it never does?

**The Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. No, I think most of the angst that comes up – I've never had a regular constituent approach me and say: you're receiving money, and you're going to be biased by it. That's never been a problem for me, and I raised some of the largest amounts of any constituency in the province year after year after year. Nobody has ever said to me: you're biased by the fact that you're receiving this money. It's never been a problem.

Where it becomes a problem is when people assume that the law has been broken and then continue to talk on that assumption. You raised the name of a particular citizen in the House just now and said that he gave \$430,000. Well, the law doesn't allow him to give \$430,000, so I think the assumption should be that he didn't until somebody investigates that and shows that he did.

That's the way I would make the assumption of this rule, and that's the way I think most Albertans – most Albertans get upset when you assume that they're guilty before they're proven guilty on anything. I mean, .05 is a perfect example of that. The only objections I had to .05 – not the campaign against drinking and driving. Everybody agreed to campaign against drinking and driving. What they complained about was the potential that they might be considered guilty before they had a chance to be heard. Yet day after day in this House we have opposition members who are assuming people are guilty before they've taken it to the appropriate process for an investigation and before a result has been determined. It's absolutely inappropriate to say that Mr. Katz or anyone else gave \$430,000. The law does not allow it.

**The Speaker:** The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Speaker, and thank you to the minister for his comments. I just need to mention that perception is reality . . . [The time limit for questions and comments expired]

**The Speaker:** Hon. Member for Little Bow, you were on the list. Was that for 29(2)(a)?

**Mr. Donovan:** Yeah, it was.

**The Speaker:** Okay. In that case we'll go to the hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Just for clarification, Mr. Speaker, are we back to the bill? My request was to speak on second reading of the bill.

**The Speaker:** The motion that's just been put is with respect to the question being now put. However, that entitles you to speak not only to the motion of the question being put but to the bill itself. You're welcome to enjoy the time you have.

9:40

**Mr. Anglin:** Mr. Speaker, I always enjoy the time I have, so I will speak, then. Thank you very much.

One of the things that hasn't been asked yet is the whole purpose of the amended act, this bill that's been brought forward. It is the purpose of the existing laws that we have. I want to speak to what's going on. The whole purpose here is to ensure fairness, to keep order, and, most importantly, to preserve the integrity of the democratic election process. The question that is not being answered in my mind is: how does this facilitate those three points, particularly the integrity of the democratic election process?

The bill, overall, is something that I favour, particularly the principle of the bill. If we make the process fairer, if we ensure that the integrity of the system is not just intact but maybe enhanced and also in keeping order in the election process, there are a number of things that concern me, and some of the hon. members picked it up. It has to do with the perception. It's not necessarily the allegations that are made. It's the perception in the public so that the public has confidence that the process is fair and just.

It's interesting. The hon. Minister of Justice brought up a point. I'm not sure – I'd have to go back in the *Hansard* to hear how our leader responded – but I can basically testify to the fact that there were situations where the Chief Electoral Officer chose not to elect to prosecute in instances of forgery, false filings, and illegal loans. Luckily, it's not against any party here. It was submitted to the Chief Electoral Officer, and the Chief Electoral Officer has the right not to pursue that. Now, under this new law the Chief Electoral Officer must at least give in writing that they're not pursuing any type of prosecution.

Where I think this act falls short is that, in my mind, what should happen here is that the Chief Electoral Officer must prosecute whenever the evidence is there that is prosecutable. Basically, what it does is provide, keep consistency with the integrity of the system. That is really important. Some of the members talked about that when they spoke about: if there were illegal donations, are those donations going to be forced to be given back? This is really important in this whole process.

Speaking on the issue of fixed election dates, like many of the members who have just spoken, I certainly favour that. It does a number of things. We're seeing the value of fixed election dates in other electoral districts or jurisdictions, and I see no difference here. It has that value. We find that, basically, in the system of municipalities, how they can plan, particularly with their election

staff, which is generally their municipal government staff, who handle all the elections. Being able to plan on that exact date is economic in many ways.

But I do want to speak about the whole issue of money and the influence of money. Now, the fortunate part of being here in Alberta and being Canadian is that there is a limited role for money, but anyone who watches elections certainly saw what happened across the border, which is a real perverse system of how money influences elections. We always have to be on guard against that. Those are some of the allegations that have been made here. To make light of it doesn't do the argument justice. It is truly something that we have to worry about in dealing with any electoral process, to make sure that money does not influence it.

That's a tough situation because we all have to raise money for our campaigns to conduct an election process, but certainly corporations and, I know, equally unions – and I am opposed to both being involved in the electoral process because this is truly something that is for the individual. Only individuals are allowed to vote. If you look at the corporate interest – and I've always liked this because there have now been a few authors who have referred to it – if a corporation was diagnosed as a person, they would be diagnosed as a psychopathic, sociopathic, and antisocial personality disorder.

The function of a corporation is to enhance its wealth. In some cases corporations have been found at fault for looking at the law and stepping over the line on the simple premise that it was more profitable to violate the act, whatever act they were violating, as long as the penalty was less than the profit. Human beings don't necessarily act that way. Human beings have morals or some sort of moral compass or standard. As a matter of fact, the corporate entities that generally do are governed by the individuals that are running the corporation, who could easily be replaced, and then, all of a sudden, you lose the moral standard or the moral compass.

The other thing that I think is troublesome – and unions have been alleged to be guilty of this – is using members' money to donate to an election campaign which the members themselves have not agreed to, or they may actually oppose those certain individuals. Well, the same is true of a corporate entity, particularly large corporate entities. Their investors, who purchase stock, may or may not necessarily agree with what the corporate entity is actually doing to try to influence an election.

Now, if you look at our process, there is enough there to warrant concern by the general public. It doesn't mean anyone is guilty. It doesn't necessarily mean that there's been a violation. The perception alone is enough to diminish the public's confidence.

I will use a particular example. In the example of the company AltaLink, who is the recipient of a massive transmission line contract that was not tendered, management were not only donors to the party in power, but they were also lobbyists for the original act that gave them that advantage. I have to tell you that they employed some very qualified people to act on their behalf full-time, all the time for a couple of years. Whether or not that was successful, that's a matter of interpretation. But it doesn't change the fact that they engaged in it. I have to tell you that for many of the landowners who were involved in dealing with that issue, their perception is a reality. They believe it did influence the system. It's their confidence that was reduced, not necessarily enhanced.

When we look at corporate donations, that's just but one example. There are lots of examples that anyone can draw upon, particularly when corporate entities get involved in lobbying, where they spend lots of money to try to influence politicians. The hon. members will clearly state, you know, that they were never

influenced, but that doesn't change the public's perception of the matter.

It is, in my opinion, important that we do a couple of things when we look at increasing our electoral standards and passing this act, and that is that we increase the public's confidence in the integrity of the system. We should listen to all the criticism that has been levelled at Alberta, whether it's justified or not, and evaluate it on its own merits. The fact is that even if something is false and that criticism keeps coming up and keeps coming up, it should be looked at as to: how do we deal with this one particular issue in our electoral process?

Certainly, donations fit into that, whether there's any wrongdoing or not. One of the things that I see in our system is that if anyone accepts a donation, if they were held accountable and responsible, if the donation was not a legal donation or, in other words, they could be subject to a fine, now you would have balance on two sides of the equation, one from the donor, who, if they intended to do wrong – or maybe they didn't intend to do wrong. They just thought they were acting in good faith and did not understand the law. But if it's incumbent upon the candidate not to accept that or suffer penalties, that's significant. That throws another check and balance into the system.

Now, I'm not looking to throw people in jail or make criminals out of them. What we're trying to do is make sure that the process itself is not only just, but it is actually something that all across Canada we could be the model of the democratic process. That, I say, would be something that would be a shining star on Alberta.

We have issues that must be addressed, and it is significant in many ways. One of the things I did touch on with the hon. minister earlier, and it did come up, and it's unfortunate we didn't have an opportunity to – we're counting down, so what I'll do is that I'll sit down, and I will be rising later.

Thank you very much.

9:50

**The Speaker:** Hon. members, Standing Order 29(2)(a) is available. The Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I'm just wondering whether the hon. member would acknowledge that his experience is the same as mine and that is that usually it's the people who have the weakest arguments in any particular presentation who resort to nefarious allegations of bad practice because they can't win the discussion on the strength of their arguments.

**The Speaker:** The hon. member.

**Mr. Anglin:** Thank you. I think that's a valid point. What I will say is that if it's nefarious, the answer would be yes, but if it's factual, then we're on a different playing field. So there are two levels to look at what has been stated or said. Clearly, I firmly believe and I've always conducted myself, particularly in the field of transmission, that if you stick with the facts, that helps you better in the argument, but if you basically get into the allegations and the personal attacks without any premise of the facts, then it is something of an indication of a weak argument. So I would concur on that.

**The Speaker:** The hon. Minister of Justice.

**Mr. Denis:** Thank you very much, Mr. Speaker. You know, this member talked about the facts while, I guess, pounding the facts. I'm sorry, but I'm going to pound the law for a minute here. I just want to correct a particular statement he had made about the process for infractions under the act.

The process is that if the Chief Electoral Officer finds that there is an infraction, he can levy an administrative penalty, which is typically a fine. Under this new act the maximum fine goes from \$1,000 to \$10,000, obviously a 10-fold increase.

Another thing that he could do is give a letter of reprimand, which is basically: don't do that again.

The third thing that he could do is refer it to a prosecutor. Where I must correct this member, with no disrespect to this member, is that the decision whether or not to prosecute is totally independent and is totally based on where the prosecutor would actually like to go. I have no say in that. This member has no say in it. Mr. Speaker, nobody has any say in that here. It's fully independent. So it's not the Chief Electoral Officer that decides not to prosecute. It would actually be the prosecutor, which, again, is fully independent.

**The Speaker:** The hon. member, briefly. I have one more question.

**Mr. Anglin:** I appreciate the comments. My comment was that the Chief Electoral Officer does have to make the recommendation when it's reported to the Chief Electoral Officer. That's what I was trying to point out. The recommendation was never made to a prosecutor to actually refuse in my example. That's what I was saying when I said that this would strengthen the confidence of the law if there were solid evidence, and that was what I brought forward, cogent evidence. To me in any type of civil or criminal – now, I'll use criminal because I had some experience there. If there really is a crime and there's evidence of it, you want that prosecutor. [interjections] Well, I mean, you want that prosecutor, right? That's justice.

It's the same true on civil offences, particularly with elections fraud. I'm not accusing anyone of elections fraud, but I'm saying that if it shows itself and is cogent evidence, in my mind what helps to give stability to the system is that it shall be or should be prosecuted as long as the evidence is there. I see shaking of no. I tell you I'm not saying that you throw people in jail. The statute is still correct. There can be a letter of reprimand. There has to be something versus nothing at all.

This act does address it partially. At least this time if evidence is submitted, there is a letter that's brought out to the person making the submission saying they're not going to pursue it. That's partial in my mind. But when there's cogent evidence of significant wrongdoing, there needs to be justice in the sense that we've got to maintain the integrity of the system.

**The Speaker:** The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Speaker. I'm wondering if the hon. Member for Rimbey-Rocky Mountain House-Sundre can comment on the motion on the previous question that has actually been put forward at this point?

**The Speaker:** Hon. members, there's some clarity here if you wish to . . .

**Mr. Anglin:** Well, I took the liberty to speak just to the act because I wasn't fully up to speed on the motion, so I'd rather speak to what I'm fully up to speed on.

**The Speaker:** Are there others? The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. The Government House Leader had referred to the fact that, you know, the act only goes

back three years, but the fact of the matter is that the Chief Electoral Officer has found illegal donations going past that date. What's your opinion on whether those illegal donations going to a specific party should actually be made public so that everyone can see that?

**The Speaker:** Hon. member, did you wish to comment?  
Are there others, then?

I have Lac La Biche-St. Paul-Two Hills on the list now to speak to the motion, followed by Banff-Cochrane.

Banff-Cochrane, did you wish to go instead?

**Mr. Casey:** Maybe just a couple of brief comments, Mr. Speaker.

**The Speaker:** This is to the main motion now or the bill?

**Mr. Casey:** To the bill.

**The Speaker:** Yeah. Well, you can speak to the main motion and to the bill at the same time.

**Mr. Casey:** Okay. Thank you. I think it's time we sort of think about the accusations flying back and forth across the floor here. There seems to be an understanding and an implication here that only Conservatives take contributions from corporations, and that's simply not true. There also seems to be an implication that every time we take a contribution from a corporation, that somehow compromises us and compromises that corporation by simply making that contribution to us.

There was also a suggestion that contributions made by organizations were somehow inappropriate because their members hadn't had a chance to decide on that. If I look at the opposition's contributions quickly – and I mean very quickly – I see that they've had a contribution from a hotel/motel lodging association. They've also had contributions from contractor associations. They also have had a \$10,000 contribution from a national brewers' association whose headquarters happen to be in Vancouver. They've also had personal donations of \$60,000 that obviously came from a husband and wife team. Yet all of that is just perfect and okay because it was them collecting the money. But if it was us, it would be a crime.

We would be told that we had somehow accepted illegal donations, somehow we had stepped out of line, somehow those people that legitimately donated to our party somehow had done something illegal. Those are exactly the words that are used in this House time and time again with anybody associated with donating to our party. This act covers both sides of this House, and both of these parties and every party in this House accepted corporate donations. The sheer matter of accepting those donations does not compromise any member, nor does it compromise the party because they were done within the law. If they weren't done within the law, then leave it to the people that make those decisions to decide that.

But I do think it's gone beyond what is reasonably – reasonably – an argument in this House, that individuals in the opposition have somehow become judge, jury, and executioner when it comes to making those determinations. I just want to make it clear, Mr. Speaker, that with a very short time of going down the list, there is no difference between who contributed to us and who contributed to the opposition.

If we could get to speaking to bill instead of throwing accusations back and forth, that would be a miracle for all of us.

Thank you.

**The Speaker:** Hon. Member for Banff-Cochrane, I'm so glad you suggested it because I was just about to point to the bill while you were speaking to help you out. But you got there on your own.

Standing Order 29(2)(a) is available. Lac La Biche-St. Paul-Two Hills, please.

**Mr. Saskiw:** Thank you, Mr. Speaker. I just have one question. You know, we talk about allegations of illegality. The Chief Electoral Officer has found 39 illegal donations to a particular political party, where there were donations from a municipality or donations from a school board or donations from a university or a donation from a college. They have found illegal donations. We're not making this up. The opposition is not the judge, jury, and prosecutor; it was the Chief Electoral Officer that was.

10:00

All we're suggesting is that perhaps this should be made public. When someone has been found guilty of making an illegal donation, that should be made public. That is the case in every other jurisdiction in North America. It is made public.

The second part that we were talking about is that it should be made public that any illegal donations are repaid. Currently under the law the Chief Electoral Officer does not have a positive obligation to actually disclose that the illegal donations have been repaid. I ask the hon. member if that is fearmongering or something like that. This is a very simple concept. If someone has made an illegal contribution, it should be publicly disclosed, and all illegal donations should be repaid regardless of which party it is.

**The Speaker:** The hon. member.

**Mr. Casey:** Thank you. Since, Mr. Speaker, you reminded me that we were talking to the bill, I will talk to the bill. The bill does exactly that. It requires that those investigations are made public and that they are done in the public, and the results of those investigations will be made public to everyone. This bill is doing exactly what the member asked it to do.

Thank you.

**The Speaker:** Thank you.

Are there others? I have Little Bow, followed by Rimbey-Rocky Mountain House-Sundre.

**Mr. Donovan:** Thank you, Mr. Speaker. I had run out for a second, but the Member for Banff-Cochrane had started to talk about donations and who had had more and whatever else. I mean, I'm not sitting here trying to swing the biggest one around, but I think we clearly beat that party. We're not blaming the government for that. We're saying that if we pull out the donations like that, I think that helps everybody. We'd actually be the ones that would lose the most out of it. I just wonder where the member had come from on that idea that we're always pointing at the government. We're not doing that. I think this is to make it level for everybody. It gives you a chance to catch up.

**Mr. Casey:** Well, I don't think I dreamt it up. I heard your leader tonight stand up and do everything but accuse us of robbing the bank. I mean, I think it's fair to say that it's very clear that the implication across the floor for the last five weeks has been that somehow someone has decided that a donation of \$430,000 was illegal before anyone had the chance to review that and come to a decision on it. It's been said at least 10 dozen times in this House and responded to exactly the same way by our ministers, that that is simply something for the Chief Electoral Officer to investigate

and determine. When that determination is made, then there will be a result, but until then don't use it as a hammer every time someone stands up.

**The Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre, followed by the Government House Leader.

**Mr. Anglin:** Thank you, Mr. Speaker. I'm currently reading a book entitled *The Best Way To Rob a Bank Is To Own One*, so I won't go down that path with the ATB.

**Mr. Casey:** Excuse me. You're an owner in that as well. I just thought I'd point that out.

**Mr. Anglin:** I know that. The book – it doesn't change.

I'd like it if the member would comment. One of the issues here is – and we acknowledge this – that if we were to get this provision passed, I think all parties would see where they would not get corporate donations or union donations or whatever. But there is a microscope that is always on the party in power more so than any other party for the simple fact of the perception that money would influence, not that it necessarily did, but that it could or would influence.

That's the perception that the public has that the opposition parties don't necessarily suffer from because we are not the party that can actually vote and make those decisions, ultimately, in the end. We are not the governing party. The real concern here on the perception side is that it influences the decision of cabinet or the government itself, and that is where the public derives that perception. Going back – and the member can comment on this – what I used was an example had nothing to do with a party here and referred to continually the integrity of the process.

**The Speaker:** I have the hon. Member for Lac La Biche-St. Paul-Two Hills next, and that's all I have.

**Mr. Saskiw:** There'll be more, Mr. Speaker.

**The Speaker:** Proceed.

**Mr. Saskiw:** As the Wildrose Justice critic I'm pleased to be able to rise here today and speak to the Election Accountability Amendment Act, 2012, Bill 7. However, I'm not so pleased with the content or, rather, the lack of substantive content in this act. To fully understand how this act came about, it is helpful to look at the events leading up to Bill 7, and for my constituents it hits home.

Last year a CBC investigation revealed that a municipality in my constituency of Lac La Biche-St. Paul-Two Hills had made significant and ongoing illegal donations to the PC Party. From this investigation, it became clear to my constituents and, indeed, all Albertans that the PCs have blurred the lines between government and party, with municipalities stuck in the middle, and they broke the law consistently over a number of years. The PC Party solicited heavily for these illegal donations with the implication that if the municipalities and other prohibited corporations didn't pay up, funding would dry up. This put municipalities, colleges, and other prohibited corporations in a tight spot. In fact, in my own constituency an e-mail from the CEO talked about the fact that they needed a cabinet minister in power and the fact that they had to get behind that.

The subsequent issue that arose in my constituency is the fact that despite a political party illegally soliciting donations, the fine was actually levied on the municipality. Not only did the municipality have taxpayer dollars go to a political party, the fine

itself was, again, paid by those ratepayers, and most people in my constituency find that particularly egregious.

Further, news reports revealed that this problem was not confined just to Lac La Biche-St. Paul-Two Hills. It was a seemingly deliberate and methodical means of raising funds, more or less expropriating the taxpayer, by the PC Party. To be clear on this, government MLAs and cabinet ministers demanded that prohibited corporations pay up or they would be made to pay or their institutions and municipalities might suffer. This is wrong, wrong, wrong. Not many people thought the Alberta government, embarrassed by scandal after scandal after scandal, would have made – many Albertans thought they would actually have put forward something that would actually fix the problem going forward and rectify past wrongs.

In my constituency and as Justice critic I've heard time and time again that the laws regarding political donations need to be strengthened so that this never happens again. This government has commended itself in bringing forward Bill 7, but let's please hold the applause. It seems that while pretending to respond to the ongoing scandal of illegal donations to the PC Party, Bill 7 does nothing, absolutely nothing, that could in any way be interpreted as putting an end to the illegal donations solicited and accepted. Bill 7 does nothing to make political parties caught red-handed pay back the money they accepted.

This seems like a bizarre concept in a modern democracy, that if someone makes an illegal donation, there doesn't have to be proof that that illegal donation was in fact repaid. That seems to be a very basic principle that should be outlined. There are no provisions that penalize political parties that do this. The onus requirement is less on the political party and more on the donor rather than the donee, and I think that's something that has to change. Nothing in the act is indicating that it would punish repeat offenders like one particular party which seems to rely on illegal donations for its lifeblood.

Wildrose is calling for full disclosure and evidence that illegal donations have actually been repaid. After several MLAs pocketed the money from the no-meet committee, it is particularly important to enshrine into this law that parties don't keep illegally raised money. There was and still will be no deterrent to the PC Party accepting illegal donations with Bill 7, because this law doesn't include anything to make the party pay back the illegal and, if not illegal, unethical donations it accepts.

Basically, the PC government has made off like a bunch of bandits in the night with the wallets of hard-working Albertans. This is what you see with ratepayers. Their tax dollars are going to individual political parties. This is wrong. The PC government rejected the Chief Electoral Officer's recommendation to levy fines against parties that have received illegal donations, and that raises the question about what it will take for this government to follow the rules. Unfortunately, this is only the beginning with Bill 7.

#### 10:10

Bill 7 fails to act on the recommendations of the Chief Electoral Officer to add corporations which receive a third or more of their revenue from the taxpayer to the prohibited donors list. One has to question why that type of common-sense recommendation was rejected by this government. Zero public money should go to political campaigns. The only way to ensure that this doesn't happen is to add that these partially publicly funded corporations are added to the prohibited corporations list. However, if a party receives significant funds from corporations which take a ton of taxpayer money, then it's no wonder that this government would not follow the CEO's recommendation.



The bill says that the Chief Electoral Officer may, not must, release the results of investigations. It's in the permissive, not the mandatory. I think that's an amendment that this government should strongly consider and that has been talked about very recently. Investigations should be released automatically to the public once there's been found to be a wrongdoing. There's absolutely no justifiable reason to make such a power discretionary on the Chief Electoral Officer.

Furthermore, Bill 7 would only allow the CEO to release going back three years. Many cases that have come up over the past year involved illegal donations going back much further. There are many examples of that. We saw that a current executive of Alberta Health Services had actually expensed donations going to the PC Party. That occurred more than three years ago, yet this government apparently finds it acceptable to allow those donations and the consequence of the investigation, the resulting penalties, to be kept secret. One has to question why they wouldn't just go further back.

If there is evidence, if the Chief Electoral Officer actually knows that there have been illegal donations made, it should be made public no matter how far back it goes. This is not a case of retroactive legislation going backwards. It's just shining the light on previous wrongdoings and indiscretions.

**An Hon. Member:** That's the definition of retroactive.

**Mr. Saskiw:** Apparently, there are certain members that don't understand the difference between retroactive and retrospective, but I'll continue on.

Many cases that we've seen are clear-cut. There's evidence. There are invoices. Of course, those cases have been referred to the Chief Electoral Officer. But if those cases of illegal donations are more than three years back, which there are thousands and thousands of dollars going illegally to the PC Party more than three years back, that will not be made public. Any investigations into those illegal donations will not be made public. Second, of course, there will be no publication of whether those illegal donations have been repaid.

Next, after some media out there reported that there was a \$430,000 cheque that went to one political party, it's at least an appearance that this could potentially influence a party. When one-third of a political party's donations essentially come from one person or entity, I think that the public is right to be forgiven thinking that that could influence public policy. I know that the hon. Deputy Government House Leader has talked about the opposition talking about a presumption of being influenced by donations. I don't make that case whatsoever. But I think that if there's a perception, if a third of your donations come from essentially one entity, there has to be a problem there, especially if that entity is asking for public funding.

The problems with Bill 7 don't stop there. Bill 7 continues to allow corporate and union donations. In today's age the public just doesn't feel comfortable with unions and corporations potentially exercising undue influence on the electoral process. Apparently, this government is quite comfortable continuing to rake in cash from union dues and contributing to the politicization of unions and to letting corporations influence the electoral process. Albertans think differently. Bill 7 virtually ensures that scandals could occur in the future.

Going back to the issue of corporations, of course we've seen federally that they have banned corporate and union donations and they've put a cap of \$1,100 per individual making donations. The sky hasn't fallen. We've seen a process where I think there could

be no argument that there's any type of influence coming from a person making an \$1,100 donation to a federal campaign.

Of course, that donation limit is quite low because there was previously a per-vote subsidy that was instituted federally. That's why the Wildrose is still suggesting a reasonable limit for individuals going forward but certainly not something to the extent of \$30,000 in a campaign period or \$15,000 during a normal calendar period. We're suggesting \$5,000 during a nonelection year and \$10,000 during a campaign period.

You know, I guess in the numbers you can see why there is such resistance on the other side to go this route. In the last election it just seems unbelievable, to show how rotten the core of a certain party is, that for donations under \$375 there was only \$68,000 that was raised for the PC Party. It's just incredible how far the party has dropped away from its grassroots members, when you see that type of stagnant growth on a low donation level. Of course, that just emphasizes why such a large donation of \$430,000 may have just saved the party in the last election.

If this government had listened or consulted with the municipalities, it would have heard that they want more control over their electoral process. Large urban centres have unique needs. We must have faith in our municipalities to govern themselves on some things, but this government doesn't think so.

Finally, Bill 7 could have fixed another problem, a broken promise by this government to create a fixed election date. Now, the Government House Leader talks about how the opposition is talking about a fixed election date and how that won't help the electoral process. But, in fact, it was his own leader, the Premier, who in her leadership campaign specifically promised a fixed election date. There are reasons for that, and those reasons I think are very well expressed in the Chief Electoral Officer's recommendations. Some of those reasons are more openness and transparency. Here's an opportunity for this government to actually take a recommendation from the Chief Electoral Officer to create a more open and transparent government, and what do they do? The first thing they do is reject it.

The second reason is that I think it helps with participation in the political process. If you have families or businesspeople, you know, they have to govern their lives, and to have no certainty on when an election is going to take place, it is very difficult for them to organize their affairs and get engaged in the political process. I had the opportunity to recruit candidates. It's very difficult in some cases to get both men or women with young families if they don't know when exactly the election is going to be. So I would hope that the government would strongly consider a fixed election date, strongly consider taking the recommendation of the Chief Electoral Officer.

Part of those recommendations, the rationale for a fixed election date, also included the reduced costs of having a fixed election date. As this government at least talks about being fiscally prudent, one would hope that they would take such a common-sense recommendation going forward.

It's not surprising, I think, that most of the substantive amendments of the Chief Electoral Officer have not been accepted, but it's disappointing. We saw that a former Chief Electoral Officer had previously put forward substantive amendments, and the Premier, who was then the Justice minister, rejected each and every one of them. Over a hundred recommendations, and the Premier simply ignored them. As a result, it's not surprising, I guess, that that individual's contract was not subsequently renewed. Perhaps he was overstepping his boundaries by putting forward positive recommendations that would potentially shed light on the PC Party and this government.

Mr. Speaker, there are a bunch of minor changes that I think the hon. Justice minister . . . [Mr. Saskiw's speaking time expired]

Thank you, Mr. Speaker.

10:20

**The Speaker:** Standing Order 29(2)(a) is available. Calgary-Shaw, followed by the Minister of Justice.

**Mr. Wilson:** Thank you, Mr. Speaker. I'd like to ask the hon. member if he can comment on the feedback we consistently seem to be receiving regarding the three-year limitation. As a lawyer I'm wondering if he would have an idea as to how we could make this legislation either retrospective or retroactive in order to look beyond the three-year limit imposed in the current legislation?

**The Speaker:** The hon. member.

**Mr. Saskiw:** Thank you, Mr. Speaker. I guess what I see when I talk to constituents about this legislation – I get many calls on it. When I talk to them and they hear that the legislation only goes back three years, so any illegal donations that were actually found – this isn't an allegation; there have been illegal donations found, proven by the Chief Electoral Officer – when they find out that those are not going to be made public, when they find out that either the fine, the reprimand, or the putting forward of a prosecution of those illegal donations isn't going to be made public, when they find out that the question of whether or not those illegal donations have been repaid is not going to be made public, they are understandably quite frustrated with this government.

The Government House Leader had mentioned that there are cases – the Chief Electoral Officer can shine light on the previous three years. Well, why not go back seven years? If there have already been cases that have been found where illegal donations have been made, why would you put a time limitation on that? You know, most businesses – obviously, with the Income Tax Act, which is the area that I practiced law in, you have a certain time period. You have generally seven years to retain documents. One would expect that that's the type of general limitation period that we should have. Have it go back to at least 2005. I'd even go one step further. If there are donations before 2005 in which the Chief Electoral Officer has found, has evidence, that an illegal donation has been made, that should be made public.

In no modern democracy, in no democracy in North America is there a case where illegal donations to a political party are kept secret. There's just no case of that, and there are reasons for that. The public has a right to know when someone has made an illegal donation. The public has a right to know when someone has accepted an illegal donation, when someone has illegally solicited an illegal donation. I think that one has to question – you know, we're not saying that this is perhaps deliberate, but the way that this has been set up, where there's the avenue to easily go back beyond three years, yet the government is refusing to do that, it strikes me that there's just something to hide. If there's nothing to hide, let it go back seven years. What's the big deal? The evidence is there. If the Chief Electoral Officer has the documents, let it go back seven years.

Now, I don't know. You know, this bill was delayed for a significant period of time. Potentially, the new revelations that were put forward in question period as well as just recently with respect to a senior executive of Alberta Health Services and the fact that these reimbursements of political donations were beyond the three-year period, maybe this is why this is the type of legislation that has come forward. When the Chief Electoral Officer was questioned in a committee earlier by the Member for

Edmonton-Strathcona, I think he made it quite clear that it was not his recommendation to just go back three years. It was not his recommendation. I don't see why it would be. If the evidence is already at the office of the Chief Electoral Officer, one would expect that he would be more than willing to put forward these instances of illegal donations.

The question of limitation. Clearly, retroactive legislation generally isn't allowed under the Charter, I guess, unless other extraordinary measures are taken, but the idea of retrospective legislation is commonplace in every other jurisdiction. I'd expect the government to look at going beyond the three-year limitation period and going back much further, whether it's seven years or even further than that if necessary.

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

The hon. Minister of Justice.

**Mr. Denis:** Thank you very much, Mr. Speaker. I know that the hon. Member for Lac La Biche-St. Paul-Two Hills used to practise in the area of income tax law, and like me he shares the comments about the necessity to save money. No one has talked tonight about the issue of income tax enumeration, which B.C. has employed and estimates to save them \$25 million per election. The federal government says . . . [Mr. Denis' speaking time expired] Oh, I guess I'm cut off.

**The Speaker:** The hon. Member for Calgary-Shaw, followed by the hon. Member for Edmonton-Beverly-Clareview.

**Mr. Wilson:** Thank you, Mr. Speaker. It is a pleasure to rise to speak to Bill 7. You know, unfortunately, as we see all too often, this government seems to do one thing right and then a couple of things wrong. As one of those examples I'm just going to briefly speak to this motion on the previous question. It can be found in the *House of Commons Procedure and Practice* in the chapter called The Curtailment of Debate. You know, the hon. Minister of Justice has said in good faith that he wants to invite amendments from all three opposition parties so that we can have a robust and fruitful debate. Yet a motion like the one on the previous question just simply sets up the government to be able to invoke closure on this bill later on this week.

[The Deputy Speaker in the chair]

**Mr. Hancock:** It does nothing of the sort.

**Mr. Wilson:** That's not the intent?

**Mr. Hancock:** It doesn't do anything of the sort.

**Mr. Wilson:** Okay. Well, it just seems as though it's unfortunate that on a matter of democratic reform the Government House Leader would play a procedure like the motion on the previous question to move debate along in that manner.

Regarding the bill specifically, we see once again that government has selective hearing. They once again are failing to see and take the necessary action to follow through on their commitments. Mr. Speaker, when all of the opposition parties are raising similar concerns, it should be a clear signal to this government that they've made a mistake. However, once again we see this trademark PC arrogance showing with a refusal to listen to the Chief Electoral Officer and his recommendations.

My colleagues and I on this side of the House have issued a call for a ban on corporate and union donations. This is a major step in ensuring fairness in our electoral system. Democracy belongs to

the people of Alberta, not the corporate and union pals of the government or any other party.

We also issued a call for the lowering of donation limits. As it stands, an individual or company can donate a maximum of up to \$30,000 during an election year. Now, I know that that is roughly half the cost of one of the government fleet vehicles out there, but it's far more than what the average, everyday Albertan can afford. What this ends up creating is a perception, not necessarily the reality but the perception, that campaigns can go to the highest bidder.

In the case of this election the reality is that there was an alleged donation of \$430,000. I do not believe, hon. Government House Leader, that any one of your members would personally invite that or find that personally okay. I do believe that every one of you that sits in this House and every one of us that sits in this House has the personal integrity to understand that that is wrong. The problem is that it's unethical, and if it did happen, Albertans have a right to know.

I do think that, as the hon. Government House Leader likes to say often in this House, when somebody does something wrong, it reflects poorly on all of us, as does this case. If 20 per cent or 25 per cent or 28 per cent of a party's political donations, a party that ends up forming the government, come from one source, the perception is that that can be essentially influence peddling. It may not be, but the perception is there, and it's real. I just think that it's something the government should take into consideration when we raise it. It's not that we're coming out here and saying that every one of your members solicited this money and that every one of you is now bound to do something for it. I don't think that any one of you probably knew that it happened until it broke in the *Globe and Mail*. The unfortunate reality is that we're here now.

Now, the independence of the Chief Electoral Officer needs to be strengthened, especially given how the last electoral officer was sort of bullied out of his office and, you know, the Standing Committee on Legislative Offices did not renew his contract. Now, yes, he is an officer of the Legislature, but that is a government-majority committee. I do believe they decided that they were not going to renew his contract.

Even though the Minister of Justice and Solicitor General likes to talk about how the Chief Electoral Officer can make recommendations, what he fails to mention is that his government doesn't like to actually follow all of the recommendations. In some circumstances 90 out of 101 would be pretty much a resounding success, as some members opposite have relayed. But it does fall short of the hype provided as we were waiting for this legislation to be tabled. There have been a number of cases of illegal donations that have been made public recently, and I think we all know which party the lion's share of these donations have gone to. This bill still fails to make those automatically public, and nothing in this bill ensures that Albertans know whether or not the illegal donations have actually been repaid.

10:30

Mr. Speaker, while we're on the topic of disclosure, which is something that this government trumpets as part of its open and transparent mandate, the bill says that the Chief Electoral Officer may release the details of investigations that have taken place over the last three years. Nowhere does it say that he must make these investigations public. Now, in the committee that we had on Friday, the Chief Electoral Officer confirmed that he has evidence of illegal donations back to 2005. Nowhere does he recommend to this government a three-year time frame. That three-year time frame was something that was either put in by the minister that sponsored the bill . . . [interjections] I look forward to engaging

with you on Standing Order 29(2)(a), hon. Government House Leader, when that comes up, as to where that came from.

The reality is – the Chief Electoral Officer confirmed this at the committee – that he did not recommend that. That means that that number was arbitrarily put in there either by current legislation or it was put there by the minister or cabinet or the Premier.

Now, as well, Bill 7 still fails to follow through on the Premier's promise to have a real, fixed election date. Promise made; promise broken. Instead, we're left with a flexible election window that leaves the decision up to the government of the day, leaving the advantage to the government of the day and denying Albertans the certainty of an election. Fixed election dates do work. They were recommended by the Chief Electoral Officer as far back as 2006. Our municipalities have had elections on the same day every three years, likely soon to be every four years, and the world has not come to an end.

The Chief Electoral Officer suggested the cost to taxpayers was around \$350,000 a month leading up to the April election as they had to secure office space and staff for this election when they thought that there was a potential that it could happen in the fall. That's \$350,000 a month taxpayers of Alberta were on the hook for just because this government decided that it was going to play politics with an election date, despite the fact that the Premier had actively campaigned on not doing so, clearly, because of the advantage it offered.

Mr. Speaker, there are many loopholes that need to be closed. There are some glaring omissions that need to be addressed. I'm sad to say that I doubt the PC government is going to be able to admit that they've made an error and that they will refuse to make the changes that are needed to make this a better piece of legislation. Again, the Justice minister has suggested he will in good faith look at the amendments. I certainly hope he does.

One of the pieces that was inserted into Bill 7 that was not a recommendation – it must have come from the Justice minister – was the quarterly reporting by local constituency associations. I really would encourage the government to reconsider this, not only because of the increased volume that it's going to have on our Chief Electoral Officer, who is already busy enough as it is, but because that's 348 filings annually. It makes sense from a party perspective, but from a local CA perspective, that are generally run by volunteers, this is going to have an impact on every single one of our ridings. It's just an unfortunate reality that you decided to stick it in there. There's no added benefit or value to Albertans to having this every quarter.

Now, Mr. Speaker, my colleagues and I in the Wildrose and in all opposition caucuses are working hard to listen to our constituents, to stand up for Albertans and represent their views here in Legislature. As a result, I know there are other aspects of this bill that are good, that are a step in the right direction, positive steps regarding postsecondary students, where previous homes or campus residence can be where they vote. Better access to voting for youth living away from home is definitely something we can all agree on.

Mr. Speaker, I think we know that there is a difference between talking the talk and walking the walk. I came here to do what I said I was going to do and to say what I was going to do. I wasn't going to oppose bills needlessly for the sake of opposing them, and you've seen that. We've passed many pieces of legislation that were solid, good pieces of legislation. We've had a couple that we found contentious. That is democracy. I, unfortunately, cannot say the same about some members from the other side as we propose our amendments.

Mr. Speaker, we need to respect democracy, we need to represent our constituents, and we need to make decisions in the best

interests of all Albertans. With amendments and corrections and by listening to our constituents, I know that we'll be able to do that with Bill 7. However, without ensuring that we make the best possible piece of legislation, we will be doing a disservice to our constituents and to Albertans. I know the PCs have some issues with numbers, and maybe that's why we can't balance the budget, but we all know that they have a majority in this House. What that means is that they really don't have to listen to Albertans and make some changes, and there is only so much that the opposition can do. We will do everything that we can to try and add teeth to this legislation and implore the PCs to listen to their constituents as well as the opposition and the Chief Electoral Officer to make sure that this is a piece of legislation that is strong and accomplishes exactly what Albertans want and the Minister of Justice has promised it will do.

I will close with this, Mr. Speaker. We all need to remember that we came here as part of a democratic process. We came here because our constituents put their trust in us, and they put their trust in us not only to represent their views but also to uphold and strengthen the democratic process that we're all a part of.

With that, I'm looking forward to the ensuing debate and the hopeful passage of amendments that will truly strengthen this bill.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. I recognize the Minister of Justice.

**Mr. Denis:** Thank you very much, Mr. Speaker. Just a quick question to the Member for Calgary-Shaw. I appreciate his comments on the record. As part of the new elections act, if it is passed, we will be doing income tax based enumeration. The people will check off a box if they want to be on the provincial list of electors. The federal government has had an 84 per cent compliance here. On the same token, B.C. has instituted a similar process which indicates a \$25 million savings per election. I'm just wondering if that's something that he supports.

**Mr. Wilson:** I'm not sure I fully understood the question. If you could please clarify.

**The Deputy Speaker:** The hon. minister.

**Mr. Denis:** Thank you very much, Mr. Speaker. Just to clarify, there is a section in the Election Accountability Amendment Act, Bill 7, that allows for enumeration by way of income tax. So when you file your provincial income tax, you tick off a box: do you want to be on the provincial list of electors? It's very similar to what the federal government has done since approximately 2006. Basically, my assertion is that you get a better election list for less money and less people knocking on people's doors and annoying them. Lord only knows, there's enough of us that do that. I'm wondering if this is something that this member supports.

**The Deputy Speaker:** The hon. member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Speaker. I do believe that amendment makes sense. I think that it does require a little bit more looking at, but I would generally be in support of that. Yes.

**The Deputy Speaker:** Are there others? I recognize the Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Speaker. I'm very appreciative of the opportunity to speak to Bill 7. For the most part I want to clarify certain comments I made earlier about which it seems that the

hon. House leader had gone a little bit on the defensive, insinuating that the amendments that the New Democrat caucus will be putting forward are a tax on either individuals or others. The truth of the matter is that what we're trying to do is to strengthen this bill in a number of areas that I think and that Albertans have told us will help to strengthen democracy. So we're definitely not on the witch hunt for individuals. I think there should be an improved process if illegal donations are made. However, I'm not going to go down that path for the moment.

I'm just talking about how Albertans and individual voters are the ones who decide elections. If we truly want to democratize our process further, we should be bringing forward or strengthening or lowering the limitations on how much individuals can donate, political contributions. All of us in the House here, obviously, have to do a certain amount of fundraising in order to afford everything from office space to signs to printed material and advertising.

However, by lowering the limit that individuals can make, it forces all candidates to go out and cast their net even wider as far as relying on the grassroots for funding because they're forced to go to more people. As opposed to making 10 phone calls for \$30,000 or \$20,000, candidates are forced to speak with hundreds if not thousands of individuals, soliciting a much lower and more reasonable amount that the majority of Albertans would be able to contribute.

**10:40**

You know, I can think of many people who have donated to my campaign, and there is no way that they could afford more than a few hundred dollars, never mind thousands of dollars. Lowering the limit to even \$3,000, it's still a significant amount of money to get from any individual. Again, looking at reasonable solutions here, if the government of Canada – let's just say all of Canada – has a limit of \$1,200 per person, I'm not sure how it is so offensive to the governing Tories here that going down to even a few thousand dollars is just outrageous in their opinion.

We look at many other jurisdictions across the country, and it's smaller contributions which then force candidates to go out and talk to more people as opposed to relying on the big donors. I think another way to strengthen democracy is implementing election campaign expense limits so that on the whole parties can't spend an innumerable amount of money on an election, keeping the amount reasonable so that we're relying on more people. A figure that the Alberta NDP is putting forward is a million-dollar limit for spending by a political party, which, when we look at other jurisdictions across the country, is more than reasonable.

Adding to all of it is banning corporate and union donations. There definitely is a sentiment amongst many Albertans that business has no place in financing political campaigns. Again, I'm not pointing the finger at anyone. Alberta New Democrats, as is widely known, do receive donations from unions. In order to level the playing field for all parties, we're not calling for a ban on just corporate donations. We're calling for a ban on all union and corporate donations, which would ensure that every political party has to go to individuals as opposed to going to certain businesses or organizations or unions and asking for the big cheques.

I think it's safe to say that all parties in this House would stand to lose a significant amount of donations if that was enacted. Again, as opposed to just a self-preservation mentality, you know, members on this side of the House are looking at what is best for Alberta, what is best for democracy, and how we ensure that all parties are playing on a level playing field. I find it quite interesting that you have three different parties on this side of the

House, covering the full range of the political spectrum, yet unanimously calling for a ban on corporate and union donations.

The only party that seems to be opposed to this is the party in power and, in my opinion, the party that stands to lose the most because when you look at where the bulk of PC donations have come from, it is not from grassroots members; it is from the larger donations coming from corporations. I mean, personally, I just interpret that as the Tories being scared of getting the legs knocked out from under them. Meanwhile, most Albertans see this as a step in the right direction. Like I say, level the playing field, and accept an amendment that three out of the four parties in this House are calling for.

I don't think it's that absurd. We're trying to strengthen democracy. We're trying to increase voter turnout. We're trying to reestablish in the public a trust and confidence in the work that we're doing. I think that, as other members have pointed out, there is a perception amongst many Albertans that politicians or parties are influenced by donations. I'm not making any accusations, but I'm saying that in order to quell that sentiment and to send a message to all Albertans that – you know what? – if it's the voters that elect the politicians, then it should also be only the voters who can put dollars toward politics and politicians and political parties. I think that would send a strong message to all Albertans that we are truly trying to strengthen the fabric of democracy in this province.

Again I will call on the government members to seriously consider amendments that are going to be put forward this week calling for a ban on corporate and union donations, looking at limiting donation amounts that individuals can contribute along with putting some limitations on leadership campaigns. It seems a little odd that we're putting some limitations on actual campaigns during general elections, yet there are very few limitations on leadership campaigns. It's quite surprising to many Albertans when we learn how many dollars are spent on leadership campaigns. I don't have the numbers in front of me to look at the Tory leadership race from last fall; however, I know that there was a significant amount of dollars spent.

We've touched on fixed election dates. I think that, again, making our elections as predictable as possible for Albertans will help to increase our voter turnout. I think it'll also help to restore faith in our democratic system. I mean, it does seem a little odd that the governing party gets to decide on a whim or whenever is convenient for them when the election is going to be called as opposed to giving all parties the same footing, a level playing field where everyone knows within the province exactly when the election will be called and can prepare in response to that.

I look forward to the debate that's going to be following on this bill. I think that there are amendments that need to take place if we want this bill to truly reflect the interests of Albertans and what we've all been hearing at the doorstep, for those of us that go regularly door to door, about how we can improve our democratic system and elections in the great province of Alberta.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Standing Order 29(29)(a) is available.

Seeing none, I'll recognize the next speaker, the Member for Little Bow.

**Mr. Donovan:** Thank you, Mr. Speaker. It's interesting. Say we sit here tonight and we debate lots of things on Bill 7. I guess we always try to find the positive in things. I'm not here just to be a naysayer to all the ideas that are part of this bill.

In saying that, I guess there are a couple of things that I think I agree on with the Premier of this province. As she stated back before she became the Premier, one of her things was to commit to

calling elections every four years on a set date. I quote. She said that Albertans are supportive of this idea, and several other provinces have already used this; they understand the issues that are coming, and they don't believe that any political party should have an upper hand in managing the political agenda by picking the date accordingly. She was also touting the idea, some other ideas in here, of electronic voting and stuff like that.

I guess the thing to me is that what one says and what one does afterwards are quite a bit different. This was on September 23, 2011, before she was Premier, telling people what they basically wanted to hear in this province. It was great of her to do that because she had travelled around the province in her leadership campaign to become the Premier of this province, to become the leader of the governing party at the time. It's funny what people will say to get elected. It was quite good, actually, to hear that she was listening to what people said because it's renowned in this article that I'm reading here, that I'll table tomorrow, which I'm sure I'll have to do because I quoted from it now.

She had the mindset and the foresight when she went around the province and she was actually listening to Albertans on what they wanted when she wanted to become the leader of this party that runs the government now. I think it's key. I mean, we're talking just over a year ago. I don't think there's been a 180-degree change in what Albertans wanted. I think it was very clear: fixed election dates. I mean, obviously, that's what she heard as she toured around. I actually got to hear her in High River one day, and it was interesting. I mean, it's interesting when somebody starts with what I think is probably a good idea, hearing what Albertans wanted, and we bring up a bill to do that, and then the question always arises: is that what people want? You know, they come back to that. It saddens me.

**10:50**

We've had that process where at one point we actually listened to what Albertans wanted. We campaigned on what Albertans wanted. The Premier of the province did that. She went around, and she listened to the people at the time. Now when things start to get whether you want to call it dug out or looked at, however you want to go about saying it, then the question comes back: do people really want four years? I kind of kicked it around, and, yeah, all the Albertans I talked to wanted a fixed election date, and they want it so that they know that the government – and these are her own words. What happens is that the government has the upper hand by not saying the exact date. That's kind of a card up the sleeve if you're a card player. I just find it quite interesting, you know, at different times of the year what people will say or different years depending what their position is for power. I always worry about that, I guess.

We talk about credibility in this House, and we talk about that, you know, obviously, people aren't crooks and they can't be bought. I never try to assert that. I put a spin on it once in a while, get some blood pressure climbing here and there, but that's not my intent. I guess I just sit there and wonder sometimes, you know, year to year what people say and what they come back with. I get that you have to go out and listen to what constituents want and ratepayers want in this province because things do change. We can't go back five years or four years to what people wanted to what it is now because, I mean, times and places are different.

Some of the pros of this act – and I'll give that to them, you know. If this goes through, are we going to let some people that are younger work at some polling stations? In my riding it becomes a challenge a lot of the time to find people to work at these.

My colleague from Calgary here talked about the money that was spent by not having a set election date, by Elections Alberta having to set up in different places, rent spots and have them ready for when the writ was dropped. To me, that's just wasted money. If we went to a fixed election date, these are things that can be identified so that we let people go out, and they know. Elections Alberta – I mean, that's the key one there, your tax dollars and mine in there – can actually set up shop, and they don't have to spend upwards of half a million dollars renting locations that just sit empty until the writ is dropped.

Very frustrating when you talk to people that were working. Again, I'm not sure about the urban centres, but in the rural ridings it's a challenge to find people to be in that because it's a very thankless job. It's not what everybody lines up to come and do. So when they do that, you know, they're putting their lives on hold because they don't know when they're going to be called, when the election is going to happen. To me, it's a financial thing as much as anything.

Public illegal donations to be repaid: I think that horse has been beaten more than adequately in this Assembly right now. You know, how much money people can donate to an election, whether it be a corporation or personal, I think is kind of key. In 2010 I believe the city of Edmonton had quite a few people running to become mayor. Then everybody discloses all their stuff, which is great. You could really see the difference in a couple of different campaigns of big corporate donors – donors. [interjection] You can't go wrong with a big sandwich.

When you have the big corporate donors, you can see that they backed one person because the finances showed that that particular candidate had lots of \$5,000, \$2,000, \$5,000, \$1,000 donations and very, very few under the hundred-dollar donation mark, I mean, almost limited. Then another candidate that was successful, I'd say, pulled back from the grassroots side, had way more donations that weren't at the \$5,000 mark. It's interesting. If you're ever bored, go scan the spreadsheet of one person. Literally, it's just \$5,000 written down the right-hand side of donors. The other, of one of the candidates, anyway, was \$250, a thousand dollars tops, and it bounced all the way along there.

To me, that's interesting. If we go back to that, I don't think it would hurt anybody where your maximums are. I'm not going to sit here and drag people through what they did or didn't donate and make sure that the loopholes are closed. It's always nice to hear that the member who is the Solicitor General, who's bringing up this bill, is looking to hear inputs and have some backing on that.

One of the other ones, that my colleague from Calgary here also talked about, was the CAs having to do their quarterly donations and to make sure that that's done. I think that's going to be an onerous task on Elections Alberta themselves and on the CAs. The 87 people in here know that for most CAs it's all volunteers. You know, to get a strong CA can be a challenge sometimes, and sometimes it's not a challenge. I guess I'm new at that end of it.

I mean, I sat on the previous MLA's constituency board for a number of years, and I enjoyed it, met lots of people on it. But, in all honesty, there weren't a lot of meetings for it just because it's hard to get people out and to donate. If you start putting the task on them that they're going to have to do quarterly financials, I'm not sure what we'd gain out of that, in all honesty, if, say, it was 348 extra filings in a year with 87 candidates. Again, I guess you take that to the ones that didn't win also. To me, I'm just not sure if we really gain a lot out of that other than that it gives everybody a warm and fuzzy feeling.

A couple of my notes on that. The one that I guess drives back to me would be the straight election dates, making them fixed. It's not often you can quote me, but I agree with the Premier on this

one. She said a year ago that these are things that Albertans told her they wanted done, and I think those are things that we should follow along with. It's nice that we're following along with the election officer's ideas. They came up with 90 out of 101, I believe. Correct? I mean, it's a start. That's 90 per cent. That's pretty good where I come from.

Would I like to see some changes? Yeah. You know, the big one is the corporate donation limits and the fixed election dates.

With that, I'll wrap up my conversation. Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

**Mr. Young:** I heard lots of protest about the three-year limit on looking at investigations, and then at the same time they're protesting the quarterly reporting. I get that quarterly reporting is onerous on our volunteer organizations, but isn't it more prudent to be more frequent and be up to date on the donations rather than wait for it on an annual basis and then continually try to do a historical review and catch the historical stuff as opposed to keeping up on the donations in a more timely fashion?

**The Deputy Speaker:** Thank you, hon. member.

The hon. Member for Little Bow to respond.

**Mr. Donovan:** Thank you. I couldn't agree with you more. The historical is a great way to find out what happened. In all honesty, if any CA from here on in was to take illegal money and not understand where it should have come from, I guess I'd have a real hard problem believing people didn't know if it was legal or not legal. I guess it's been beaten around in the media. It's been beaten around this House a ton. I think people pretty well know, you know, that the towns, the MDs, the counties, the odd school board here and there probably shouldn't donate to any legal entity of an elected official. It doesn't look good at any time.

11:00

Again, the quarterlies: I get that that could be, I guess, a question of whether it would work or not. To me, I think the yearly works on that end of it. In my constituency, for instance, we're not pumping in a lot of money every quarter, so it would be a lot of zeros and send it in. The question is: when you're asking your volunteers to do that, are you actually gaining value out of that? As far as the constituency level, I mean, that can be done. In my constituency, for instance, my CA board: we could head down the road, go have a pizza, and get that figured out one day. But the onus comes back to Elections Alberta. They're going to have all these extra filings – 348 is one number that's come out – that come to them every quarter.

I'm not on that committee membership, but my understanding is that Elections Alberta would like more money to be able to fund what they're doing because they're already in a challenge on that. I'm not sure that we'd be gaining anything by doing that for them. If there was something to be gained out of it, I'm always open to ideas, but in my vision right now I think it's more of a play on words to make everybody feel good about it. It's going to hinder Elections Alberta more than help them. Those are just my thoughts.

**The Deputy Speaker:** Thank you, hon. member.

Are there others under 29(2)(a)?

**Mr. Young:** Well, I've just been sitting in this House for a long time, hearing about all this stuff going back to 2005. I know many of us got elected in more recent years, and I'd rather bring the conversation on election issues to be more of a current one.

Quarterly reporting is getting the opportunity to – if those errors or omissions or misplaced donations happen, I'd rather have it exposed or reported sooner rather than later, rather than trying to look back seven years ago. Wouldn't you agree that a quarterly reporting to find out any kind of errors is better sooner rather than later?

**The Deputy Speaker:** The hon. member.

**Mr. Donovan:** Thank you, Mr. Speaker. I'll say no just to argue with you. In all honesty, I don't think it's going to help. I think we identify the ones that are coming in. I think that people have figured out in this day and age what they should or shouldn't have. I might not have heard your comment correctly. I assume you mean going back to 2005, not that you've been in this House since 2005. I missed that part. It's late in the night. I'm not here to quiz you on it.

I think the yearly is working. I don't think that's the discussion. I think it's whether people have identified what's a legal donation and what's an illegal donation, and in all honesty I think most everybody has figured out what an illegal donation is. I guess I could have the illegal donation in the 11th month of the year before you file. You're going to identify it just as quickly.

Again, I just think it's going to be onerous towards Elections Alberta to have to deal with all these filings every quarter, but

that's just my thought. I guess what scares me, too, is that you're going to have people that don't file their papers right. I know that there are members in this House that didn't get their Elections Alberta stuff filed right.

**The Deputy Speaker:** Thank you, hon. member.

Are there other speakers on the motion or the bill?

Seeing none, I'll call the question on the motion that's before us.

[Motion on previous question on Bill 7 carried]

**The Deputy Speaker:** The rules, hon. members, are that having dealt with the motion on the question, we will now call the motion on second reading of the bill.

[Motion carried; Bill 7 read a second time]

**The Deputy Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I would move that the House adjourn until 1:30 p.m. tomorrow.

[Motion carried; the Assembly adjourned at 11:04 p.m. to Tuesday at 1:30 p.m.]









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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Tuesday afternoon, November 27, 2012

Issue 23a

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta  
The 28th Legislature**

First Session

Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC), Speaker  
Rogers, George, Leduc-Beaumont (PC), Deputy Speaker and Chair of Committees  
Jablonski, Mary Anne, Red Deer-North (PC), Deputy Chair of Committees

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Barnes, Drew, Cypress-Medicine Hat (W)  
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Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
    Government Whip

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Wildrose: 17

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Hehr	Strankman
Jansen	Towle
Luan	Young
McDonald	Vacant
Olesen	

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Casey  
Dorward  
Eggen  
Kubinec  
Sandhu  
Sherman

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Johnson, L.  
McDonald  
Notley  
Saskiw  
Wilson  
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### Standing Committee on Families and Communities

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Fenske	Young
Fraser	Vacant
Hale	



## Legislative Assembly of Alberta

1:30 p.m.

Tuesday, November 27, 2012

[The Speaker in the chair]

### Prayers

**The Speaker:** Let us pray. O gracious God, remind us daily of the efforts put forward by those who came before us and of the impacts of our decisions today on those who will come after us. Amen.

Please be seated.

### Introduction of Visitors

**The Speaker:** The hon. Deputy Premier.

**Mr. Lukaszuk:** Thank you, Mr. Speaker. It is my pleasure to rise today and introduce to you and through you to all members of our Assembly someone who is no stranger to most of us here. Seated in your gallery is city of Edmonton ward 4 councillor Mr. Ed Gibbons. As many of my hon. colleagues are aware, Mr. Gibbons is a dedicated champion of the city of Edmonton and his ward and the entire capital region. They may not be aware that he was just recognized by Chief of the Defence Staff General Lawson with a Canadian Forces medallion for distinguished service. Along with his commitment to his city Councillor Gibbons has fostered an outstanding relationship between the city of Edmonton and the Canadian Forces since 1994. Indeed, this relationship has not only benefited the city but has also cemented our province's respect for and relationship with the Canadian Forces. I ask Councillor Gibbons to rise and accept the traditional welcome of our Assembly.

**The Speaker:** The hon. Minister of Service Alberta.

**Mr. Bhullar:** Thank you, Mr. Speaker. It's my privilege to rise on your behalf and introduce to you and through you to members of the Legislative Assembly some special guests. Seated in your gallery are Peggy and Hilary Lynkowski, the spouse and daughter of the late Doug Lynkowski, our beloved Deputy Minister of Service Alberta. Joining them is Maureen Towle, Doug's long-time assistant. During Ministerial Statements we will remember the remarkable life and career of the man affectionately known across the government as Deputy Doug. I would ask Peggy and Hilary and Maureen to all stand and receive the warm welcome of the Legislative Assembly. [Standing ovation]

### Introduction of Guests

**The Speaker:** The hon. Member for Edmonton-Decore.

**Mrs. Sarich:** Thank you, Mr. Speaker. It's an honour and privilege for me to rise today to introduce to you and through you to all members of the Legislative Assembly 65 guests from Evansdale school, which is located in my constituency of Edmonton-Decore. Evansdale school opened in 1972 as a community school and is named after Judge Harry Marshall Evans, an Alberta coal baron of the early 20th century who in 1917 served as Edmonton's 14th mayor. In keeping with their motto, Evansdale school strives to develop partnerships that involve the students, their parents, and the teaching staff all working together to be the best that they can be. The grade 6 students are in both the public and members' galleries, and they're

joined this afternoon by teachers Mrs. Amy Hines; Mrs. Rebecca Grams; Ms Katie Lee, student teacher; and Mr. Brian Ha, also a student teacher. Parent helpers include Mr. Sleiman Darwich, Mrs. Nabeela Dahrouj, and Mrs. Yusra Chamseddin. I would ask the students, the teachers, and the parent helpers to now rise and please accept the traditional warm welcome of the Assembly.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Mill Woods.

**Mr. Quadri:** Thank you, Mr. Speaker. It is an honour for me to rise today and introduce to you and through you the very bright students of Grace Martin school from the Mill Woods constituency. They are joined today by their teachers: Mrs. Nicole Morley, Mr. Joel Stephens, and Mr. Farooq Maseehuddin. Now I would request that they please rise and receive our traditional warm welcome.

**The Speaker:** The hon. Minister of Health.

**Mr. Horne:** Thank you, Mr. Speaker. I have two introductions to make this afternoon. First, it is a pleasure to introduce to you and through you to all members of the Assembly two guests from the Alberta College of Optometrists. Dr. Lori Jaffray is the president of the college. Dr. Jaffray is an optometrist from Calgary and has practised there since 2003. Joining Dr. Jaffray this afternoon is Dr. Gordon Hensel, registrar of the Alberta College of Optometrists. Later this afternoon I'll be tabling the college's 2011 annual report. I'm very pleased that both Dr. Jaffray and Dr. Hensel are able to join us for this tabling. I would ask them both to rise and receive the warm welcome of the Assembly.

**The Speaker:** Hon. Minister of Health, you have a second introduction. Please proceed.

**Mr. Horne:** Yes. Thank you very much, Mr. Speaker. Also joining us today are guests from the Alberta College of Social Workers. Mrs. Lynn Labrecque King is the executive director and registrar of the Alberta College of Social Workers. Joining her is Ms Lori Sigurdson, manager of professional affairs at the college. The annual report of this college will also be tabled this afternoon. I'm very pleased to have college representatives with us, and I'd ask them to rise and also receive our traditional warm welcome.

**The Speaker:** The hon. Minister of Municipal Affairs.

**Mr. Griffiths:** Thank you, Mr. Speaker. It's an honour today to rise to introduce to you and through you to members of this Assembly two different groups. The first is a group of public servants who keep Albertans safe during natural disasters and emergencies. Earlier this month the government of Alberta received two awards from the International Association of Emergency Managers for our public warning system. That system utilizes social media, so it's no surprise that we have 25,000 followers on Facebook and another 19,000 followers on Twitter. It's very important because that's one of the fastest ways to get emergency alert messages out to the public. It's through the tremendous efforts of the Alberta Emergency Management Agency and all its public safety partners and media partners who work together that Alberta emergency alert's success works. I would now like to introduce the members of the Alberta emergency alert team. I'd ask them to rise and receive the traditional warm welcome of the Assembly as I call their names. April Diver, Andrea Kennedy, Kevin McClement, and Shie Boychuk, please rise in the members' gallery.

**The Speaker:** The hon. Member for Edmonton-Meadowlark.

**Dr. Sherman:** Thank you, Mr. Speaker. I'd like to introduce to you and through you to all members of the Assembly five individuals from the Calder seniors' drop-in centre. Calder seniors are kicking off a \$4.5 million fundraising initiative to do a much-needed expansion and renovation to their centre. The fundraising efforts are starting right here today. I ask all MLAs and Albertans to rally around these seniors and go to [helpcalder.ca](http://helpcalder.ca) and make a \$5 donation so they can continue to engage in healthy and socially inclusive activities. Spearheading these initiatives are Bill Sim and his wife Gladys, Joyce Ruptash, Debbie Creaser, and Allison Boychuk. There is an MLA who used to say: it's all in Calder. I ask these folks to rise and receive the traditional warm welcome of the Assembly.

Thank you.

**The Speaker:** Hon. Minister of Municipal Affairs, you had a second introduction. Please proceed.

**Mr. Griffiths:** Yes. Thank you for your indulgence, Mr. Speaker. My second introduction: I'd like to introduce Vicki Martin. She's with the Ministry of Environment and Sustainable Resource Development, where she provides oversight for a portfolio of key initiatives for the ministry. Prior to joining ESRD, Vicki was at the Ministry of Justice, where she led the development of integrated Justice services programs sponsored by the ministries of Justice, Solicitor General, Human Services, and Health Services. Now, you might ask why I'm introducing her since I'm the Minister of Municipal Affairs, but Vicki was the winner of the Municipal Affairs United Way fundraiser, which is a fantastic cause. Vicki is here with her father, who is visiting from B.C. I know they're both incredibly proud of each other, but I'm pretty sure Vicki knows that her dad is very proud of the work she does with this government. I'd ask them to both rise – they're in the members' gallery – and receive the traditional warm welcome of this Assembly.

1:40

**The Speaker:** The hon. Member for Fort Saskatchewan-Vegreville.

**Ms Fenske:** Thank you, Mr. Speaker. It is a pleasure to rise today and to introduce to you and through you to all the members of the Assembly some wonderful people from the constituency of Fort Saskatchewan-Vegreville. These are members of the Elk Island Art Club, who meet regularly in the hamlet of Josephburg, and it's always better in the 'Burg. I'd like to ask them to rise as I call their names: Diane Smith, Luree LeBlanc, Evelyn Yost, Evelyn Melnyk, Jamie Panych, and Ralph Smith. I would ask you to give them the warm greeting of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Calder, followed by Calgary-Hawkwood.

**Mr. Eggen:** Thank you, Mr. Speaker. I would like to introduce to you and through you to all members of the Assembly a group of 26 people from the Calder seniors' drop-in centre that we brought in this morning on the ETS bus. The Calder seniors' drop-in centre has some of the most vibrant and engaged individuals that I've ever had the pleasure of representing. We are in Edmonton-Calder, the seniors' drop-in centre, building an extension with a kitchen and an elevator. Although it's in Calder, it services people throughout north Edmonton. So anyone who is a senior or has plans to become a senior should be contributing to our extension

and the very best seniors' centre, I think, in all of Alberta. Can they rise, please, and receive the warm welcome of our Assembly?

**The Speaker:** The hon. Member for Calgary-Hawkwood.

**Mr. Luan:** Thank you, Mr. Speaker. Actually, my two guests have already been introduced by the hon. Health minister, but I just want to add more beyond that introduction. Dr. Lori Jaffray and Dr. Gordon Hensel not only are outstanding optometrists in their profession but passionate community leaders. Dr. Jaffray covered campaign miles with me in the last election and currently volunteers for the Calgary-Hawkwood PC association. I want to acknowledge her work in the community, so thank you very much.

### Ministerial Statements

**The Speaker:** The hon. Minister of Service Alberta.

#### Douglas Lynkowski

**Mr. Bhullar:** Thank you, Mr. Speaker. It is with a heavy heart and profound sorrow that I rise to pay tribute to an esteemed public servant and a gracious and loving family man. The government of Alberta is mourning the loss of one of our own: our friend, our colleague, and the man lovingly known as Deputy Doug. Doug Lynkowski, our beloved Deputy Minister of Service Alberta, passed away at the age of 56.

I admired him as an honest, hard-working man whose focus and attention was on improving the lives of Albertans, and I admired him as a gracious and generous man who loved his family with every ounce of his being. He is survived by his wife, Peggy, and his daughter, Hilary. This devoted public servant, a kind and gentle man, lives on in the hearts of all who had the honour and good fortune to work with him.

Peggy and Hilary, all of those missed dinners and all of that time that he spent away from you and with us was to make this province a better place. Thank you. [applause]

The Alberta public service, Mr. Speaker, has a rich history, featuring many devoted individuals whose legacy has shaped the Alberta we know today. Doug Lynkowski was among the finest of these proud and devoted public servants. Having earned his designation as a chartered accountant in 1985, Doug joined Alberta Treasury, where he was the chief internal auditor. Always being a community-minded man, in 1991 he joined the city of St. Albert and served as its chief financial officer. He led the city's strategic planning process, literally building the community in which he lived, the community in which he raised his daughter, Hilary, and the community in which he and Peggy were pillars through their involvement in their community associations.

Doug rejoined Alberta Finance in 2003 as executive director in the office of budget and management. In this position Doug was instrumental in implementing business planning standards for government. Doug was appointed Provincial Controller in 2006 and worked closely with the Public Sector Accounting Board to establish accounting standards for government entities across Canada. In 2011, Mr. Speaker, our Premier appointed Doug as the Deputy Minister of Service Alberta, where he earned the affection and esteem of his staff and colleagues for his warm and effective leadership and genuine open-door policy. In fact, employees in Service Alberta will always remember him as Deputy Doug, an example of his welcome leadership style. He was a tremendous contributor to our entire deputy minister team and a key leader in their efforts to continue to renew the Alberta public service.

There is no doubt that we worked hard together. We went through a few battles together, and we were in the midst of making significant change together. I wish that we had also spent more time laughing together. I will miss the live play-by-play stream of text messages we sent each other. It reminded me of the feelings I had many years ago while chatting with my friends on MSN Messenger.

I knew he was a compassionate man when during our very first meeting I got a message that a family friend had unexpectedly passed away. At that moment I first witnessed his thoughtfulness and consideration. It was clear that he did not see me as a minister but saw beyond that and saw me as human being with a very personal story. Doug did that, Mr. Speaker. He didn't just see others by the position they held but, rather, by the feelings in their hearts, desires of their dreams, and all the little things that, when added up, form a complete picture of a human's life. I knew he was a considerate man when he would buy me Starbucks because I took a break from Tim Hortons.

In the end, Mr. Speaker, although Doug's professional achievements and skills were immense, it's not his briefing notes that I will miss. It's the way he used to say, "Yeah, hi, Manmeet," when he picked up the phone. I know that he is in the comfort of the Creator now because he was a gentle soul, a man that genuinely appreciated everyone that crossed his path. He was a man that showed his appreciation of people by taking the time to get to know them, by reaching out to them, by being gentle with them when they slipped and being generous in his appreciation of them.

Simply put, he passed the test of being a truly caring human being because he brought people up when they were down, he encouraged and helped them progress, and he never let them sit in defeat alone. He was always with them. I know, Mr. Speaker, that soon enough Service Alberta will have another deputy minister, but we will never have a leader so gentle with the hearts of his fellow team members as Doug Lynkowski.

Peggy and Hilary, no words can fill the void that the loss of Doug has left in your hearts, but know that from our hearts to yours we've all been made better for knowing Doug Lynkowski. We will never forget him. God bless you. [applause]

1:50

**The Speaker:** The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Mr. Speaker. Thank you, Minister. That was a very moving – very moving – statement. It's very difficult to follow that, so I'm going to keep this a little bit brief. I'd just like to pass along my sympathies. On behalf of the Wildrose caucus please accept our deepest condolences in your most difficult time. To the friends, family, and colleagues of the Deputy Minister of Service Alberta, Mr. Douglas Lynkowski, thank you so much for sharing Doug and his many talents with the province of Alberta during his life of public service. He did Alberta proud, he did your family proud, and we are better for having had him serve us.

Thank you.

**The Speaker:** Hon. members, a request for permission to participate has been received from the third and fourth parties. It requires unanimous consent. I'll ask one question. Does anyone object to the members of the Liberal caucus and the NDP caucus offering their statements at this time?

[Unanimous consent granted]

**The Speaker:** The hon. leader of the Liberal opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. I'd like to thank the Minister of Service Alberta for his compassion and respect for a good man. It's always difficult when we lose a close member of our family, and I'd like to offer my sincere condolences to Doug's wife, Peggy; his daughter, Hilary; and their entire extended family, including the extended family in the civil service as well as the Legislature. I want you to know we hold you in our thoughts and in our hearts. I understand what it's like to lose a father and a loved one.

I'd like to recognize the exemplary man Doug Lynkowski was and to acknowledge the work that he did for this province. Public service and politics can sometimes be a rough business, but Deputy Minister Lynkowski was a kind and thoughtful man who worked diligently to ensure that Albertans receive the best service possible. Mr. Speaker, members of the civil service are the unsung heroes who make our democracy function. They work hard day in and day out, sometimes 24 hours a day, and their family members also work alongside them. Doug Lynkowski was the epitome of a public servant. He gave his life and heart and soul to this province.

On behalf of the Alberta Liberal opposition I offer my sincere condolences to Doug's family and to his many, many friends. We were lucky to have had him serve Alberta. May God bless Doug. God bless his family.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Speaker. On behalf of the New Democrat caucus we would like to offer our condolences to the family and friends and thank Doug Lynkowski for all of his years of service to this Assembly and to Albertans.

Thank you.

### Oral Question Period

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition.

**Ms Smith:** Thank you, Mr. Speaker. I, too, would like to express my condolences to the family of Doug Lynkowski. Thank you so much for being here today and for sharing your father and your husband with the province.

### Premier's Participation in Oral Question Period

**Ms Smith:** Mr. Speaker, question period is a time-honoured tradition across parliamentary democracies. The government answers questions posed by the opposition, and usually the Leader of the Opposition questions the leader of government, the Premier, about matters of policy and other accountability issues, but here the Premier rarely answers the questions that are put to her. More often it's left to the Deputy Premier to run interference, blather on, or resort to name-calling. When will the Premier raise the bar on transparency and accountability and directly answer the questions?

**Mr. Lukaszuk:** Mr. Speaker, I'm heartbroken that the Leader of the Opposition is not enamoured with me, but I'll have to live with that.

While the Premier has been meeting with political leaders of this country, with Premiers of other provinces, while the Premier was developing good relations with the newly elected Premier of Quebec and looking to sending our commodities to and via Quebec and strengthening our industry, while she's meeting with world-wide investors in infrastructure, the Leader of the Opposi-

tion has been dredging up receipts and has been printing posters. I suggest to you that our Premier is serving the province very well.

**Ms Smith:** Mr. Speaker, since the election the Premier has answered less than a third of the questions that have been posed to her. One of her peers, Premier Darrell Dexter of Nova Scotia, was in question period for 100 per cent of the sitting days in the fall session. Robert Ghiz in PEI is there 90 per cent of the time. Will the government agree to set aside a certain number of sitting days where the Premier will answer all of the questions put to her?

**Mr. Lukaszuk:** Mr. Speaker, I don't know whether our Premier has answered fewer questions than other Premiers may have answered in other Legislatures, but I can tell you that our Premier has spent the entire summer serving Albertans, meeting with communities, meeting with political leaders. She was not examining political systems in the United States; rather, she was developing a plan for this province that reflects our commitments during the election. She is focusing on education, on health care, on building seniors' homes – I'm sure the seniors in the gallery will be interested – and developing markets for our products and pipelines throughout the country, which is not something that we can say about the Leader of the Opposition.

**Ms Smith:** Mr. Speaker, in the United Kingdom the British Prime Minister respectfully answers at least 30 solid minutes of questions each week in Prime Minister's Questions. Here it feels like the Premier hasn't answered 30 minutes of questions for the entire session. Will she make a commitment to answer the questions posed to her by Alberta MLAs rather than making speeches in vote-rich Ontario?

**Mr. Lukaszuk:** Mr. Speaker, I know that the Leader of the Opposition has spent extensive time studying American systems. Now she's studying British systems. Our Premier is committed to Alberta, and she has full confidence in all of the cabinet members that you see on the front bench to be able to very capably answer any question that the leader may have on any particular portfolio, which is unlike the Leader of the Opposition, who doesn't allow her members to speak during and after campaigns.

#### **Speaker's Ruling Referring to the Absence of Members**

**The Speaker:** Hon. members, I just remind you that the *House of Commons Procedure and Practice*, page 126 and page 614, line 7, clearly makes reference to the fact that it is inappropriate to refer to the absence or presence of any members of the Assembly. Please bear this in mind going forward so that we don't have to rule any good questions out of order.

**Mr. Anderson:** A point of clarification.

**The Speaker:** A point of clarification. We'll deal with it later.

In the meantime let me recognize the leader of the Wildrose opposition.

**Ms Smith:** Thank you, Mr. Speaker. If you have a look at my questions, you'll see that they were very carefully crafted not to make any reference to the absence of any member.

#### **Health Regions' Expense Reporting**

**Ms Smith:** Mr. Speaker, more health expenses, more lavish spending. This time it's the chief information officer of the former Capital health region. It's a pattern that we're seeing over and

over. Now, the minister will say that – and I already know this – health region doesn't exist, and he'll also say that now the expense rules are really tough, but Albertans deserve to know how things were managed in the past to trust that they're being run properly now. Many of the same executives still work for AHS. Why won't the minister just release all of the expenses for all of the executives for all of the health regions going back to 2000?

**Mr. Horne:** Well, Mr. Speaker, leaving aside the questions that the hon. leader asked and answered for herself, what I can tell you is that the answer is very simple. The fact is that the policies and procedures that govern the expenses in question, which go back seven years, in fact, are not the policies and procedures that are in place in Alberta today. As you'll know, Alberta Health Services has adopted the government of Alberta's new travel and expense guidelines. They are among the most stringent you'll find in North America. They are endorsed by the Canadian Taxpayers Federation, which should be a source of immense pride and gratification to the members of the Official Opposition, and we stand by those.

**2:00**

**Ms Smith:** Mr. Speaker, the lavish lifestyle of the Capital health chief information officer included \$700 at one restaurant, \$1,000 at another, and even included 75 cents for a newspaper and mileage claims as low as 1 kilometre at a time. Honestly, minister. The minister will say that these expenses were in keeping with the norms of the time, and that is precisely why the minister should clear the air by releasing all of the expenses for all of the executives for all of the regions going back to 2005.

**Mr. Horne:** Mr. Speaker, if the hon. Leader of the Official Opposition is going to continue to ask me a question and then answer it on my behalf, I don't know why I would waste House time by standing up and answering. But I will say to you once again – and for the record I have never said – that these expenses represent a, quote, norm of a period of time. These expenses are of as much concern to members of this side of the House as they are any other. The fact of the matter is that people in government, people who ran for government in 2012, not 2005, have a responsibility to deliver policies and procedures that Albertans would expect today. We have done that. Those are in place. The information is there for all to see.

**The Speaker:** The hon. leader.

**Ms Smith:** Thank you, Mr. Speaker. Fair enough. It was AHS who said that the rules were in keeping with the norms of the time.

But, Mr. Speaker, not all the news is bad. The latest release proves that the government relations officer in the former Capital health region, Brian Hlus, was very modest in his expenses. Why won't the minister protect the reputations of other good employees like Mr. Hlus by releasing all of the expenses of all the executives of all of the health regions going back to 2005?

**Mr. Horne:** Mr. Speaker, what should be the most transparent of all to everyone in this Assembly is that the Official Opposition persists in regurgitating public information, including the names of particular individuals who served under former health regions, in question period every day. Their motives are beyond our ability to comprehend. What I can tell you is that if the Official Opposition wants to persist in looking up policies and procedures of health regions that no longer exist, we allow that to be their prerogative. They also told us that they want to take us back to the

days of local hospital boards, when a province-wide policy on travel and expense claims like we have in place today would not be possible. We leave it to Albertans to decide which they would prefer.

**The Speaker:** The hon. Leader of the Opposition for third main set of questions.

**Ms Smith:** Our motive is simple, Mr. Speaker. We're just trying to raise the bar on openness and transparency.

### Provincial Budget

**Ms Smith:** Mr. Speaker, the next quarterly fiscal update is coming tomorrow, and we hope the Minister of Finance is going to be a lot more open and transparent than he was three months ago. Oil is holding steady at around \$15 a barrel below the government forecast, energy revenues are dropping, and looking out a couple of years, oil will be nowhere near the \$108 the government is predicting. Will the minister provide the details of the adjustments to spending in the current fiscal year to offset the drop in revenue?

**Mr. Horner:** Well, Mr. Speaker, the quarterly update is tomorrow as the hon. member said. I wouldn't presume to preclude the announcement tomorrow. In fact, we'll have a technical briefing in the morning.

**Ms Smith:** What I fear that means, Mr. Speaker, is that it's going to be spend, spend, spend as if nothing is wrong. The Premier talked recently about the new fiscal reality as the reason she has to borrow for the basics like roads and schools, yet the Finance minister says that everything is fine and that he'll deliver a balanced budget. What's the truth?

**Mr. Horner:** You know, Mr. Speaker, it's interesting that the financial illiteracy from across the way continues. I would like to just quote something out of a report that I have here: the P3 approach is an essential part of our government's future plans; at the federal level we intend to do more P3s. Mr. Flaherty, our federal Finance minister, urged governments to avoid an ideological approach to P3s. Is the hon. member now criticizing the federal government? Or perhaps we should look at the Saskatchewan budget update. I'll come back to that.

**The Speaker:** The hon. leader.

**Ms Smith:** Thank you, Mr. Speaker. On this side we don't believe in debt, and on that side they didn't used to either.

Frankly, this needs a lot more explaining. Just yesterday in the House the Finance minister claimed that we will not deficit finance the operations of this government, and then he talked about operating, capital, and savings budgets. It's an all-in-one budget, he insists. Let's be clear. Within that all-in-one budget – operating and capital and savings – will it be balanced?

**Mr. Horner:** Well, Mr. Speaker, again I guess I'm going to have to correct the hon. member across the way. I never said that we were going to have a savings budget or a capital budget or an operating budget. I said that we were going to bring forward a budget that will include an operating plan, a savings plan, and a capital plan, the way that Albertans understand how they do their finances, the way businesses in Alberta do their finances, the way the Alberta Chambers of Commerce has encouraged us to do their plans and our plans, the way the Saskatchewan government is going to balance their budget next year, the way the federal

government is going to deal with their finances. I guess they're the only ones in North America that understand financial accounting.

**The Speaker:** The hon. Member for Calgary-Buffalo.

### AHS Care Centre Showering Policy

**Mr. Hehr:** Thank you, Mr. Speaker. I recently had the opportunity to meet with many individuals living in the long-term care centre at the Dr. Vernon Fanning Centre in Calgary. These are seniors and people with disabilities, some as young as 20, some as old as 90, who need assistance with daily living. I was shocked to learn that the policy of AHS in regard to these Albertans is that they're only given one shower a week. To the Associate Minister of Seniors: is it your view that it is reasonable that seniors living in the Dr. Vernon Fanning Centre are only allowed one shower a week?

**Mr. VanderBurg:** Mr. Speaker, it's clear that the member doesn't understand the process. [interjections] What's available for residents is appropriate bathing and appropriate care in all our facilities. [interjections]

**Mr. Hehr:** Well, I'll enlighten you.

**The Speaker:** Hon. member, proceed, but let's please cut down the interjections. We happen to have an esteemed group of seniors here who are very interested in this question and the answer, I'm sure.

**Mr. Hehr:** Clearly the minister doesn't understand the policy of the wholly owned subsidiary of AHS who is delivering the care there. It is one shower a week for seniors there. Is this a reasonable policy for people in this province to live under, to only get one shower a week?

**Mr. VanderBurg:** Mr. Speaker, maybe this time I'll say it slower. The number of showers, the amount of bathing, the amount of safety provided in our seniors' facilities is what's appropriate and what's needed. I'd never get down to saying one per week. In some cases maybe the residents may need more, and that's what the local decision-making, the local administrator will always do. They'll make the decision of what's best for the senior in the appropriate place where they live.

**Mr. Hehr:** The hon. minister clearly doesn't have a clue what is going on. The people living in the Dr. Vernon Fanning Centre are only allowed one shower a week. Is this reasonable for our seniors and people living with disabilities in this province?

**Mr. VanderBurg:** I will say it even slower, Mr. Speaker. [interjections] The appropriate care is always provided for our seniors and the residents in our seniors facilities across the province. If this member or any member would like to travel with me when we travel around the province and talk to seniors that live in facilities, not that want to raise a little bit of an issue in here, those people that live in those facilities are very well taken care of. [interjections] The caregivers treat those people with care and compassion. Thank you.

### Speaker's Ruling Decorum

**The Speaker:** Hon. members, some decorum would really be appreciated. I've asked for it once, I'm going to ask for it a second time, and after this I just won't tolerate any more interjections like

that. It's rude, it's impolite, it's offensive, and it really hampers everyone else from hearing an answer to a question. I've said before that you may not like the questions, hon. government members. Opposition members, you may not like the answers. But people have a right to say what's on their mind in response to a question or to ask a question such as it may be. Failure to abide will just mean I'll have to overlook you, and I'm serious about that. Let's move on.

The leader of the New Democrat opposition.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, I'm not sure the hon. member here would want to travel with the minister if he only had one shower a week.

## 2:10 Premier's Attendance in the Legislative Assembly

**Mr. Mason:** The Premier and her government were elected on a promise to be accessible, open, and transparent, yet since the election the opposite has been the case. The Premier won't answer questions in the House, ignores reporters, and travels extensively while the Assembly is in session. My question is to the Premier. What are you hiding if not to avoid accountability?

**Mr. Lukaszuk:** Mr. Speaker, while the opposition is lamenting that the price of oil is dropping and that we have limited access to markets and at the same time asking us to increase our operating costs by providing better services, which we would like to – and we are committed to do so – our Premier actually is travelling the country right now trying to open up markets for our commodities so that we can sell our precious commodities at a better price and to more markets.

**Mr. Mason:** Mr. Speaker, the Premier is talking to students at Queen's University.

Albertans just can't trust this Premier or her government to be accountable. Given that the Premier has only answered two questions out of 17 put to her in the last five sitting days, will the Premier admit that she is refusing to be accountable to Albertans? Why won't you answer questions in question period, Madam Premier?

**Mr. Lukaszuk:** Mr. Speaker, accountability to Albertans is multilevel. The Premier is accountable to Albertans through making sure that she puts together a cabinet that is capable to answer any single question that these members can come up with. As such, I don't believe that there are any questions that are unanswered. She has full confidence not only in her cabinet but in the fact that all questions will be answered for the opposition by these capable cabinet members.

**The Speaker:** The hon. member.

**Mr. Mason:** Thank you very much, Mr. Speaker. It's a bit hard to take, this Deputy Premier claiming that all questions get answered here.

Given that the Premier has spent much of this session travelling outside of Alberta and given that Albertans expect the Premier to be inside the Assembly doing her job, will the Premier tell this Assembly why she is in Ontario today?

## Speaker's Ruling

### Referring to the Absence of Members

**The Speaker:** Did you not hear what I just said, hon. member? Referring to the absences or presence of a member is not on. It

applies to questions, and I meant to say that it also applies to answers. That was the point of clarification I was going to make for Airdrie.

I'll allow you to rephrase your question. But, please, future references like that that are a blatant abrogation of the rules will cause a violation and will cause me to stand and overlook you. Please rephrase.

**Mr. Mason:** Thank you, Mr. Speaker. I apologize, and I'll rephrase that.

## Premier's Attendance in the Legislative Assembly

*(continued)*

**Mr. Mason:** Given that the Premier spent much of this session travelling outside of Alberta and given that Albertans expect the Premier to be inside this Assembly doing her job, how can the Premier do that if she is travelling in Ontario?

**Mr. Lukaszuk:** Yes, Mr. Speaker. I would gladly answer that question. The member's disregard for the rules of the House: I don't take them personally. I think it's a disregard for Albertans.

Our Premier has met with the Canadian Council for Public-Private Partnerships at a conference in Toronto, Mr. Speaker. She has also been speaking with political leaders relative to the importance of building infrastructure not only for the benefit of this province but for the benefit of Canada so that we can move our agricultural products, our petroleum products, and other products not only to the United States but to other markets through other provinces and spread our wealth from coast to coast to coast.

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills, followed by Fort McMurray-Wood Buffalo.

## Political Party Financial Contributions

**Mr. Saskiw:** Thank you, Mr. Speaker. This government has shown an utter disregard for being open and honest about the misuse of public funds for political parties. While the mayor of Toronto was removed from office for a conflict of interest, this government gets away with repeatedly hiring insiders with no job competitions and blowing taxpayer money on partisan purposes. The Chief Electoral Officer has noted that several ridings are under investigation for accepting public dollars. Can the Justice minister tell the Assembly which ridings are under investigation?

**Mr. Denis:** Well, Mr. Speaker, we've been through this already, and I'll give the same answer to roughly the same question he's asked before. The Chief Electoral Officer operates independently. Prosecutions are independent. Investigations are independent. I would not know about any direct investigation.

**The Speaker:** The hon. member.

**Mr. Saskiw:** Thank you, Mr. Speaker. Given that in January it was confirmed that 10 ridings were under investigation for accepting public funds, can the Justice minister tell this House if any member's riding is under investigation and, if so, whether he really thinks it's a good idea for them to be voting on legislation that puts them in a direct conflict of interest?

**Mr. Lukaszuk:** Glad to help this member because you know well that the Justice minister nor any member of cabinet can know and does know what is being investigated, but I do know of one investigation. One certain candidate for the Wildrose in

Edmonton-Castle Downs was giving away large-screen TVs and scholarships if you voted for him. He is investigating that for sure.

**The Speaker:** The hon. member.

**Mr. Saskiw:** Thank you, Mr. Speaker.

**Mr. Anderson:** Point of order.

**The Speaker:** Hon. Member for Airdrie, I recognize your point of order at 2:15. Deputy Premier, I recognized you for an answer. You may get another chance.

Right now the floor belongs to Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** It would be interesting to see how he knows that, unlike the Justice minister.

Given that the Premier talks about transparency but also accountability, will the Justice minister turn the page on this government's ethical failures and ensure that no member whose riding is under investigation will be involved in debate on laws about disclosure and penalties for exactly these investigations?

**Mr. Denis:** I appreciate the member's comment, but again we don't know who is under investigation, and frankly, Mr. Speaker, nor should we know because we don't live in a banana republic where the Justice minister can just walk in and say, "investigate" or "don't." [interjections]

**The Speaker:** Edmonton-Strathcona, you have made the list. Airdrie, you have also made the list. One more peep and you'll lose your spot. I see you're listed later, so let's be careful.

Fort McMurray-Wood Buffalo, please, followed by Calgary-Fish Creek.

### Infrastructure Alternative Financing

**Mr. Allen:** Thank you, Mr. Speaker. This government has used P3s and has talked about borrowing for important capital projects like highway 63. Many critics and opposition members say that this type of financing is just putting the province back into debt. To the Minister of Finance: does alternative financing save money in the long run, or does it just unduly burden future generations with debt?

**Mr. Horner:** Well, Mr. Speaker, Alberta right now has a triple-A credit rating. It's the result of some very good financial management over the years. What it means is that today we have access to 30-year bonds at somewhere around 3 per cent. To give you an indication, the heritage savings trust fund earned 8.2 per cent this year. Does it make a lot of sense to take money out of something that's making you 8.2 per cent and put it into the highways or the schools or the roads when you can borrow at 3 per cent? You're losing money.

The other point is that you could defer it. Well, we know, Mr. Speaker, that the deferral will cost you 5, 10, 15, 20 per cent more than if you build it today.

**The Speaker:** The hon. member.

**Mr. Allen:** Thank you. Well, talking about roads and their costs – and we know that they're very costly, having just gone through this with highway 63 – to the Minister of Transportation: how does using P3s and other alternative financing fit into the roads construction plans for our future success?

**The Speaker:** The hon. minister.

**Mr. McIver:** Thank you, Mr. Speaker. On the Calgary and Edmonton ring roads, started in 2005 under Premier Klein, this fiscally prudent government is saving Albertans up to \$2 billion on a construction investment of \$5.1 billion. We're meeting the safety and infrastructure needs of our people. We're doing it so that people can enjoy it now instead of waiting for generations to come, and we're doing it so that the people that use the infrastructure pay for it instead of, as the opposition would have, having everybody pay for it now and everybody who's using it for 20 more years not pay for it. This government is using good fiscal practices that give Albertans the infrastructure they need when they need it in order to drive this province forward.

**The Speaker:** The hon. member.

**Mr. Allen:** Thank you. Roads are one thing, Mr. Speaker, but can the Education minister tell us how he's used alternative financing to deliver schools in Alberta and where the government is at in getting classrooms to kids where they live?

**Mr. J. Johnson:** Mr. Speaker, we need to exhaust every option at our disposal to build schools for the kids that need those spaces. Since 2007, when this government announced it was going to take on some debt through P3s to build some schools, we've built 28. We have 12 more on the way. That will be 40 schools, and that will be a total of over 30,000 desks for kids across this province, kids that are learning their ABCs and 1-2-3s in alternatively financed schools in communities like Airdrie, Okotoks, Chestermere, Brooks, Beaumont. As icing on the cake, by investing about a billion dollars in P3s, we saved about \$245 million off of traditional methods and got these schools done years quicker.

**The Speaker:** The hon. Member for Calgary-Fish Creek, followed by Fort Saskatchewan-Vegreville.

### Family Care Clinics

**Mrs. Forsyth:** Well, thank you, Mr. Speaker. This PC government continues to mismanage our health care system, preventing essential health dollars from reaching patients in the front lines. There is perhaps no better example than with the expensive promise to build 140 family care clinics with no plans, no outreach, no research, no evaluation, no consultation, and, more importantly, ignoring the advice of physicians and health experts across Alberta. To the Minister of Health: was there a comprehensive evaluation done on the three pilot projects before promising to build a hundred family care clinics?

2:20

**Mr. Horne:** Mr. Speaker, as the hon. member knows, family care clinics are part of a broader initiative in our health system to raise the bar when it comes to primary health care, the first point of contact for Albertans with their health system. The three very successful pilot projects that the hon. member referred to were offered as demonstration projects in different parts of the province. They were designed to meet very different needs. The family care clinic in northeast Edmonton, for example, is designed to serve new Canadians and designed to serve a community with very high addictions and mental health needs that were previously unmet. Family care clinics, like the evolution of primary care networks, continue to evolve in our province. We'll continue to work with local communities and do what meets their needs.

**Mrs. Forsyth:** Given that Alberta Health documents that we have obtained, which I will table, show that there is no evaluation mechanism in place for the three pilot FCCs and that evaluations themselves aren't going to be complete until late next year, can the minister understand the concern Albertans may have as you barrel ahead on potential billion-dollar health care gambits?

**Mr. Horne:** Well, Mr. Speaker, when Albertans get concerned is when they don't have timely access to primary health care in or near their own community. This government has committed an investment of \$75 million in the budget for this year and the next two years to support further development of primary care networks and family care clinics. We are working broadly with stakeholders, including a Minister's Advisory Committee on Primary Health Care, to develop the criteria. Most importantly, the business that we are engaged with is the understanding and action on community health needs as expressed to this government. We make no apologies for that. We will continue to do that. The hon. member can table whatever documents she chooses.

**Mrs. Forsyth:** It's your request for proposal, not mine.

Given that on a major undertaking like this an open and accountable government should be consulting, just like you said, with experts in the field and in primary health, why won't the minister bring physicians to the table, consult with experts, and, most importantly, be transparent and tell Albertans exactly – now listen, Minister – how much money the FCC initiative will cost and where you are getting the money from?

**Mr. Horne:** Mr. Speaker, I guess there is one point on which the hon. member and I might agree, and that's that an open and transparent government does talk to people, and that's what we spent the summer doing when members of our caucus conducted over 190 community consultations on primary health care in every constituency, whether represented by our party or another party in this House. We've reached out broadly to health stakeholders. Physicians, nurse practitioners, and others have been working with us since last year on the development of the family care clinic model. We're actively working with primary care networks now to discuss how to enhance the services they offer, and we'll continue to do that.

**The Speaker:** The hon. Member for Fort Saskatchewan-Vegreville, followed by Edmonton-Centre.

#### **St. Joseph's General Hospital**

**Ms Fenske:** Thank you, Mr. Speaker. Moving along on the access to health care, my constituents in Vegreville are concerned that the St. Joseph's general hospital will no longer be able to handle the medical needs of the town and the surrounding areas that access this facility. It's been difficult attracting doctors when the infrastructure of the hospital is rapidly aging. We know that you should have received a report earlier this year, Minister of Health, that would support our cause. We would like to know: will the government commit to reviewing or, if you don't have a business case, to preparing a business case to support an upgraded or replacement facility?

**The Speaker:** The hon. minister.

**Mr. Horne:** Thank you very much, Mr. Speaker, and thank you to the hon. member for the question. Well, of course, we're committed to investing in infrastructure that meets the health needs of our growing province and as we come to understand

those needs through Members of the Legislative Assembly who talk to us about those needs. Currently Covenant Health and Alberta Health Services are developing a service plan for St. Joseph's hospital and will ensure that it aligns with the broader service plans for that region of the province. A needs assessment is also in development, and once it's finalized and submitted by Alberta Health Services, we'll certainly take a close look at those needs and decide the next steps.

**The Speaker:** The hon. member.

**Ms Fenske:** Thank you. To the same minister: could you perhaps give us some projected timelines to ensuring that we will have an improved facility?

**Mr. Horne:** Mr. Speaker, we expect the needs assessment to be completed and submitted by the end of this year. As soon as we have an opportunity to review it within the context of the zone plan for that part of Alberta, we'll make a decision on what needs to happen next to ensure that we're going to meet the continuing and growing health needs of that part of Alberta.

**The Speaker:** The hon. member.

**Ms Fenske:** Thank you. To the same minister. The hospital is now in need of some upgraded medical equipment to be able to handle the needs. What are we doing to ensure that all of the facility upgrades and the replacement are being done in a timely manner?

**Mr. Horne:** Mr. Speaker, I understand the hon. member's question. The first question, of course, is going to be what the needs assessment determines or suggests as far as the specific services that should be offered at St. Joseph's hospital and how those relate to the broader zone. Once we have a chance to review the needs assessment, that will lead to some conclusions with respect to equipment and fitting out of the hospital in the future.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by Edmonton-Strathcona.

#### **Groundwater and Hydraulic Fracturing**

**Ms Blakeman:** Thanks very much, Mr. Speaker. Is fracking affecting our groundwater? Well, nobody really knows. Why in 2012 do we still not know the answer? It's because this government waited too long to get a baseline, and it still has not made progress on the recommendations from the 2006 Coalbed Methane/Natural Gas in Coal final report. So to the minister of environment: why has the government failed to fingerprint the gas in the water so that it could be proved or disproved that it came from fracking or deep drilling?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker, and thank you for the question. In fact, this government and this province are testing groundwater. We've been doing groundwater mapping in different parts of the province, making sure that we have that baseline data. We also look at baseline water testing as well. We are moving in this direction.

**Ms Blakeman:** Madam Minister, the groundwater testing is not the same thing as what I'm talking about here.

Why didn't the minister and the government take every possible scientifically rigorous action to determine the cause of water



contamination following drilling in Rosebud or the Wildmere field or the Campbell or Jack wells?

**Mrs. McQueen:** Well, Mr. Speaker, we do do baseline testing in this province, and we continue to do that. We know that we have a strong regulatory system in this province. We know that we've been drilling in this province for a number of years, over 60 years, hundreds of wells. We take this very seriously. That is why we also ground water map to know what we have in the science. That's why we do base water testing as well.

**Ms Blakeman:** Well, back to the same minister: why would the government be any more diligent in using scientific advice in 2012 than it was in following the advice in 2006? Is it because you really, really, really mean it this time?

**Mrs. McQueen:** Well, Mr. Speaker, we've made a commitment in this province to make sure that we are doing the baseline testing. We are also in the new year going out and having a water conversation in this province. One of the four topics that we will be talking about, because it's important to Albertans, is hydraulic fracturing. We'll hear from Albertans, and we'll be able to tell them the story and the facts about what we do in this province to make sure that they have the facts out there with regard to mapping and with regard to baseline testing and not some myths that some people like to tell.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by Innisfail-Sylvan Lake.

#### Labour Protection for Paid Farm Workers

**Ms Notley:** Thank you, Mr. Speaker. During her run for the PC leadership the Premier said, and I quote: we have to have farm workers protected; hired employees on farms are entitled to that protection. End quote. Now, over a year later, not only has the Premier broken her word to farm workers, but her government has also stopped reporting farm fatalities. This government breaks its promises and then hides information from the public to stop them from finding out the consequences. My question is to the Minister of Human Services. Will he admit that this government's inaction on farm safety is yet another broken promise?

**Mr. Hancock:** No, Mr. Speaker.

2:30

**Ms Notley:** Well, Mr. Speaker, given that 10 years ago this government's own labour code review said that farm workers should receive protection as soon as possible and given that the farm advisory council's recommendations from February were as predictable as its industry-dominated membership, will the minister admit that his government's ongoing delay is just another broken promise from a government too weak-kneed to stand up and do what is right?

**Mr. Hancock:** Absolutely not, Mr. Speaker. In fact, we are doing a very, very thorough review of this particular area. I've been working very closely with the Minister of Agriculture and Rural Development. We've been talking with the people engaged across the province. There are three particular areas that are of importance in this area. One is with respect to workplace standards, another is with respect to occupational health and safety standards, and a third is with respect to workers' compensation. All three are very complex areas that bear us doing a very considerate look at it both from the perspective of the individual

protection of the individual farm worker and the support for their families as well as for the farm industry itself.

**Ms Notley:** Well, Mr. Speaker, given that this has been going on for well over a decade and given that Alberta is the only province that hasn't already extended basic protection to farm workers and that that protection ensures that they become more safe, will the minister admit that the only deliberation still required is that about the strength of this government's principles on keeping its promises and protecting vulnerable Albertans?

**Mr. Hancock:** Well, again, Mr. Speaker, that's absolutely the last thing that I would admit. This government is keeping its promises.

One of the things I'd ask the hon. member to do is to review across the country the change in workplace safety regulations and laws – workers' compensation laws, occupational health and safety laws, and workplace standards laws – and tell me where she can show that the agricultural industry has been improved in its safety record by a marked amount. So legislation is not the only answer to this. Legislation and protection of workers is very, very important. I'm certainly advocating that we move in that direction, but we want at the end of the day to achieve results. That's safe places for farm workers and support for farm families.

**The Speaker:** The hon. Member for Innisfail-Sylvan Lake, followed by Edmonton-Mill Woods.

#### Care Centre Showering Policy

**Mrs. Towle:** Thank you, Mr. Speaker. Alberta's seniors deserve dignity and respect. We're hearing from seniors across Alberta about how they struggle to receive more than one bath per week even after soiling themselves. In Alberta one would be hard-pressed to believe that as seniors age in place, that would mean a total loss of basic personal hygiene. My brother Ron lived at the Dr. Vernon Fanning Centre, and I can tell you that he received one shower per week just like many others in facilities, and that's cruel. To the Associate Minister of Seniors: do you honestly believe that it is fair to tell seniors that they get one shower per week based on a care plan and not based on just common compassion?

**Mr. VanderBurg:** Mr. Speaker, you know, the issues around the province when I visit facilities – I visit people that are the caregivers of our most precious commodity, and that's seniors. These caregivers care about the people that they take care of. They take good care of them with compassion and care each and every day. I really don't care for these comments made about our caregivers. These are top-notch people, and they have the ability to do what's right and what's appropriate for our seniors in those facilities.

**Mrs. Towle:** It's interesting to know that the associate minister doesn't care for these comments because I was my brother's caregiver.

Given that many seniors and their families find it degrading to only be showered once a week, if they're lucky, will this government make a firm commitment to stand up for our seniors and ensure that they have a basic right to more than one shower per week?

**Mr. VanderBurg:** Mr. Speaker, you know, the whole ministry, the supports from the ministry, and the caregiver supports are absolutely outstanding in this province. Everything we do is about

the seniors' care and safety and health outcomes. I will stand by the work that our caregivers do each and every day. [interjection] I guess you don't want to hear the rest.

**The Chair:** Hon. members. Let's return to some decorum here. I'm trying to put a finger on who it is that's interjecting here, and I'm going to focus on you during this next question and answer to make sure that I identify who it is. That person will lose their place either today or tomorrow or the next day, and that's that.

Hon. member, you have the right to ask a question and be heard. Hon. minister, you have a right to give an answer and be heard, and both should be done with respect.

**Mrs. Towle:** Thank you, Mr. Speaker. I would suggest that I and the associate minister go with one bath per week and see how we like it.

Given that this province already allows customers of our provincial judicial system access to a shower a day, can the Associate Minister of Seniors please explain why our fragile seniors are not allowed the same affordability?

**Mr. VanderBurg:** Mr. Speaker, what our seniors afford is the best care in this province that can possibly be given. I've said over and over that the caregivers in our seniors' facilities are caring, dedicated, loving people and would never allow anything less than the best care possible for our seniors in this province, and I'll stand by that care. Thank you. [interjection]

**The Speaker:** Hon. Member for Innisfail-Sylvan Lake, decorum, please.

The hon. Member for Edmonton-Mill Woods, followed by Airdrie.

### Foreign Qualifications and Credentials

**Mr. Quadri:** Thank you, Mr. Speaker. My question is to the Minister of Enterprise and Advanced Education. There are many foreign workers, professionally trained, who are coming to work in Alberta. As you know, Alberta employers are very desperate to hire them. They come here as very highly qualified professionals, but our system is so complex, and it takes so long to get their foreign credentials recognized. My question to the minister: do you think it is fair for your ministry to charge them a hundred dollar fee for their qualification against Alberta's standard? Should we waive this service fee at least for immigrants who are already living in Alberta so we can get them into the workforce faster?

**The Speaker:** The hon. minister.

**Mr. Khan:** Thank you, Mr. Speaker, and thank you to the hon. member for the question. The service that the hon. member is referring to is the international qualifications assessment service, which we provide for a fee to landed immigrants or those thinking of immigrating to Alberta. This fee is one of the lowest of its kind in Alberta, and we want to use that as an incentive to encourage folks who want to come to Alberta to ensure that their skill set matches up with job qualifications.

However, we also acknowledge that those folks who are living here in Alberta who want to have that service can go to one of the 60 offices we have in the province and have that fee waived if they meet the criteria.

**The Speaker:** The hon. member.

**Mr. Quadri:** Thank you, Mr. Speaker. To the same minister again. Getting foreign credentials recognized can take a long time. What are you doing to ensure that foreign-trained professionals can quickly and easily start working in their occupation once they arrive here? How are you ensuring that a doctor is not driving a cab or an engineer becoming a security guard?

**The Speaker:** The hon. minister.

**Mr. Khan:** Thank you, Mr. Speaker. Assessing and recognizing foreign qualifications is complex. Just as no two individuals are the same, neither are their credentials. That's why we work with professional regulatory organizations, employers, and educational institutions to ensure that we have the adequate tools and resources to make sure we're matching skill sets with those job requirements.

A week and a half ago I had the honour of co-chairing a federal-provincial meeting of immigration ministers. One of the things that we discussed in terms of future movement is the expression of interest model, which will ensure that we are now placing emphasis on demand rather than supply of workers in Alberta.

**The Speaker:** The hon. member.

**Mr. Quadri:** Thank you, Mr. Speaker. To the same minister again. In the Alberta immigration nominee programs we used to have a very, very precious class called the family class. Now the class has been removed. Can the minister explain to me why?

**The Speaker:** The hon. minister.

**Mr. Khan:** Thank you, Mr. Speaker. The family stream under the Alberta immigration nomination program mirrors changes that the federal government has made to their programs. Our program now focuses on nominating temporary foreign workers to meet our labour demands. As the hon. member mentioned, we have, mirroring the federal system, eliminated the family stream application. However, we know that families coming to Alberta add so much to our communities and add so much to the fabric of our society, so Canadian citizens or permanent residents may be able to sponsor eligible relatives under Citizenship and Immigration Canada's family class program.

Thank you.

### New School Construction Priorities

**Mr. Anderson:** Speaking of financial illiteracy, Mr. Speaker, the government seems to have great difficulty understanding the concept of an infrastructure priority list, so let me explain it. For schools you list all the requests made by school boards onto an Excel spreadsheet. Then using an objective formula, you sort the list, putting the most urgent priority on top, followed by numbers 2, 3, 4, and down to number 1,000. Then you put an estimated cost by each project. Then you post it online for all to see, subject to changes if circumstances dictate. Minister of Education, why have you not provided such a list?

2:40

**Mr. J. Johnson:** Mr. Speaker, we had a good discussion about this yesterday at great length. I guess I'd reiterate that we have literally thousands of schools in this province, and we have hundreds, if not thousands, of requests coming at us from school boards. To list all of those schools onto one list that won't change from one month to the next, when you come up with situations

that are thrown at you from the perspective of growth pressures that you didn't forecast or the perspective of finding mould in a school you didn't expect or having a storm rip a roof off a school, is just not practical. We're doing everything we can to build a proper list, and Albertans are going to see the announcements of new schools in short order.

**Mr. Anderson:** You can change the list. It's okay. The point is that it's public, Minister.

Mr. Speaker, given that according to the former Minister of Education's most senior staff member, who in 2009 told me that roughly 30 schools announced prior to the 2008 election were placed in locations based on where votes were needed most instead of where student needs were highest, and given how tight money is right now, wouldn't it make sense to publish a full prioritized list of all requested school projects so that we can ensure that every dollar allocated for new schools is spent on the most urgently needed ones first?

**Mr. J. Johnson:** Mr. Speaker, I think we can agree that we want to spend dollars on the schools that are most urgently needed. The rest of that was just comical. I mean, if you look at the schools that were awarded, are you saying that the urgent need didn't exist in Airdrie, didn't exist in Fort McMurray, didn't exist in Okotoks? Those are the constituencies that got the most schools in the last round of schools, and those are all opposition ridings. If this member is saying that his constituency wasn't as big a priority as someone else's or that it shouldn't have been on the priority list or wasn't of urgent need and that the decision was made purely on politics, I challenge him to stand up in his community and say that it wasn't a big need.

**Mr. Anderson:** Mr. Speaker, that's not what I was saying at all. I was saying that we need to build schools in the most prioritized areas. That's all it is. Over on this side we don't care – we don't care – where the schools get built as long as they get built where they're needed the most.

How many times do we have to get through to this minister, Mr. Speaker, before he'll release a public list so that every single community member across this great province of ours will know where they are in the priority queue and when they can expect to get the school? Quit playing politics with education.

**Mr. J. Johnson:** Mr. Speaker, I can tell you that the lists are very important, and they are a work-in-progress. I think the open disclosure of the list is very important as well. As I said yesterday, the Official Opposition has an alternative infrastructure plan that's very specific. It's not \$2 billion, \$1.5 billion. They want to defer \$1.623 billion worth of capital – \$1.623 billion – so someone put a lot of work into that number. They obviously have a very specific list, and I'd like to know which schools, in a collaborative effort here to come up with a best possible plan for Albertans, they think we should defer because, obviously, it's not the ones we were requested to build.

**The Speaker:** The hon. Member for Calgary-Hawkwood, followed by Strathmore-Brooks.

### Organ Donations

**Mr. Luan:** Thank you, Mr. Speaker. Organ donations save lives. Unfortunately, Canada and its provinces lag behind many countries such as Spain, U.S., France, and others in organ donation and transplantation. This is of concern to me and my constituents. To the Minister of Health: what specific strategies

will the government of Alberta undertake to address this shortfall in our health care system?

**The Speaker:** The hon. minister.

**Mr. Horne:** Thank you very much, Mr. Speaker. Well, I want to thank the hon. member for the question because organ donation in Alberta is lagging behind other parts of the country. I've committed to this House and as part of government to Albertans to developing an intent-to-donate registry that will allow Albertans to formally and in electronic form declare their wish to donate organs and tissues. We're also creating a provincial advisory working group for organ and tissue donation and transplantation. The group will be tasked with developing initiatives to improve donation rates in this province.

**The Speaker:** The hon. member.

**Mr. Luan:** Thank you, Mr. Speaker. Research has shown that an effective registry program helps save money and lives for people waiting for organ transplants, yet Alberta does not have such a system. To the same minister: when will Alberta establish a robust donor registry system?

**Mr. Horne:** Well, Mr. Speaker, this topic has been the subject of work by several members of this Assembly over a number of years, and it has been well studied. The time for action is now. We will create the intent-to-donate registry as quickly as we can. Obviously, we want it to be effective. We want it to provide an opportunity for people to make informed consent. And for those Albertans who do wish to express their informed consent, we want that information to be accessible in the times and the places when it is needed most.

**Mr. Luan:** Thank you. That's encouraging.

To the same minister: would the government of Alberta consider modifying the existing legislation so that other family members cannot override the original donor's wish when they wish for organ donation?

**The Speaker:** The hon. minister.

**Mr. Horne:** Thank you, Mr. Speaker. That is a very good question, and that is something that the provincial advisory group is going to have to study in detail. As you can appreciate. There are legal considerations. There are ethical considerations, there are health system considerations involved in establishing an intent-to-donate registry. We want to make sure that while we move as quickly as possible, we do take the time to study all of these implications very, very carefully to ensure that when our registry is launched, it will stand up to any challenge and scrutiny that it could possibly face.

**The Speaker:** Hon. members, in a few seconds from now we will commence with the first of six members' statements, beginning with Edmonton-Riverview.

### Members' Statements

**The Speaker:** The hon. Member for Edmonton-Riverview, followed by Chestermere-Rocky View.

### 100 Years of Women in Policing

**Mr. Young:** Thank you, Mr. Speaker. Nineteen twelve was a noteworthy year. The unsinkable *Titanic* sank, the first Calgary

Stampede was held, Edmonton and Strathcona amalgamated, and Annie May Jackson became the first woman police officer with the Edmonton Police Service. Annie was the first woman police officer not just in Alberta but in Canada as well. This was such big news that her hiring was mentioned in newspapers as far away as London, England. Like the Famous Five Annie blazed a trail that many other women have followed.

Mr. Speaker, long gone are the days of female jobs versus male jobs, pink versus blue. Policing is a modern career choice for modern women. Policing has embraced a more community-based, problem-solving approach, and our police services effectively reflect the interests of our community.

Women bring a perspective to policing that is required and highly valued. As a police officer I have certainly benefited from such influences of female members. When I was with the Edmonton Police Service, I certainly benefited from my training officer, numerous members of my squads over the years, and several partners.

I applaud and am proud of the work that all Alberta police officers, both men and women, accomplish each day, the efforts and services that these officers provide while engaging the community, solving problems, preventing and detecting crime and disorder as they advance public safety for all Albertans. And they do this with the highest level of professionalism.

One hundred years of women in policing started with Annie Jackson and continues to this day with women of the police services across Alberta at every level of rank and file. I am confident that the next 100 years will see women in policing continue to play a strong role in ensuring public safety in this province and shaping how we deliver policing today and in the future.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Chestermere-Rocky View, followed by Calgary-South East.

## 2:50 New School Construction Priorities

**Mr. McAllister:** Mr. Speaker, thank you. I rise today as we always do in this Chamber on behalf of Albertans, the countless Albertans that have asked me about this issue. We have continually asked the Minister of Education to release a priority list of education projects so that we all know when and where schools are going to be built and renovated. The government continues to refuse. Yesterday and today the government seemed confused about what we are asking for and even offended that a member would ask about a school in his riding to know where it was in priority. So let's clarify what exactly we are asking for to alleviate the confusion.

First, open Excel on a laptop computer. Second, list every single request made by a board for a new school or a major school upgrade. Third, prioritize that list using objective and publicly disclosed criteria. That should result in putting the most urgently needed school first as number 1, and number 2 is second, et cetera, et cetera, until you get to the bottom of the list. Fourth, provide an estimated cost for those schools. And, fifth, post it online so everybody in the province can see it.

Once this list gets posted, then the real fun begins, Mr. Speaker. The government should announce how much money it plans to spend on new school projects for that year, apply that money to the project, and when completed, strike it off the list, and move the other ones up. It's not that difficult.

We might disagree about how much money to spend, Mr. Speaker. Obviously, the government will say that we need to spend more as they are planning to borrow and go into debt to do so. The Wildrose will present a debt-free capital plan that's more modest but still takes care of the needs of Albertans.

It's long past time that we did the right thing, provided boards, parents, students, communities with the list so they know where they stand and when they are going to get the schools that they so desperately need. It's the right thing to do.

**The Speaker:** The hon. Member for Calgary-South East, followed by Calgary-Foothills.

## South Health Campus

**Mr. Fraser:** Thank you, Mr. Speaker. I have to thank the voters of Calgary-South East for giving me the opportunity today to rise and talk about the new South Health Campus, located in Calgary. This campus will redefine the way in which health care is delivered within the community. The facility, when completed, will be state of the art in its use of innovation and technology, education, and research. The South Health Campus will focus on wellness, inclusive care, community connections, and, most importantly, serving Albertans in a timely and high-quality manner. It will service a catchment population of over 2 million people – and this number includes residents of Calgary, the immediate surrounding region and rural area, and the population of southern Alberta – as a referral centre.

Every facet of the South Health Campus operations will be guided by four key pillars: patient- and family-centred care, collaborative practice, innovation, and wellness. Innovation and cutting-edge technology, while a major part of the health services delivery within the facility itself, have also played a large role in the design and construction of this campus, in particular making its operations environmentally sustainable.

The South Health Campus is undergoing a process of phased openings. At this point in time the family medicine teaching centre, diagnostic imaging facilities, and neurosciences labs are completed and open for operations.

Mr. Speaker, I believe that it's especially noteworthy that citizen participation played a key role in the design and planning process of this new facility. Nothing could be more important for health services delivery than input from those who receive and use those services. This involvement reflects that campus's orientation towards patients and families.

Over the course of 2013 the final phases of the campus will continue to become operational. I look forward to witnessing the community that has invested so much in the innovation and technologies and practices of this new facility begin to reap the numerous benefits of this new facility. I'm very excited that the South Health Campus is located in Calgary-South East, the constituency which I am proud to serve in this House.

Thank you, Mr. Speaker.

## Tribute to the Moustache

**Mr. Webber:** Mr. Speaker, the popularity of the moustache in society has been a long journey full of ups and downs. Over the course of history men with facial hair have been ascribed various attributes such as wisdom, sexual virility, masculinity, and even high status. Equally, the moustache has fallen on less illustrious times, and its popularity has dwindled as a result of being sported by some notorious dictators of the world.

That said, the moustache has proved itself to be resilient. Just when it's thought that the moustache has been resigned to the halls of history, a cultural revolution has swung the pendulum back and has ushered in a new day for moustaches.

During November each year, Mr. Speaker, Movember is responsible for the sprouting of moustaches on thousands of men's faces – and some women's faces, but mostly men's faces – in Alberta, across Canada, and around the world. With their mo's these men and women raise vital funds and awareness for men's health, specifically prostate cancer and mental health initiatives. During the month of November the people participating in Movember effectively become walking, talking billboards for their cause. I applaud all my mo bros in the House here today and across the country for sporting their moustachery.

Mr. Speaker, some interesting facts. Did you know that on average a man with a moustache touches it 760 times in a 24-hour period? And did you know that a one-month-old moustache is capable of holding approximately 30 millilitres of beer before leaking down the face of the owner? Most importantly, women – yes, women – are more attracted to men with moustaches.

With that in mind, Mr. Speaker, I encourage you and all members of the Legislature to visit [www.movember.com](http://www.movember.com) and give generously to this great cause. Thank you.

**The Speaker:** The hon. Member for Edmonton-Mill Woods, followed by Strathmore-Brooks.

#### Support for English Language Learners

**Mr. Quadri :** Thank you, Mr. Speaker. I will be making this statement in the language called Urdu in support of English language learners. Before I speak in Urdu, I would like to give a little background about Urdu. I know you must understand Urdu very well.

Urdu is spoken and understood by over 1 billion people in the world. Its root lies in Hindi and throughout the years has been nourished by Persian and Arabic. Urdu has all the sounds needed for an individual to pronounce words in English, French, and German. Urdu literature has been translated in Russian, German, and English.

Urdu is the national language of the country called Pakistan. Urdu and Hindi share the same Indo-Aryan base and are so similar in basic structure and grammar. One important thing: usually English is from left to right. Urdu is right to left. They write in the Persian way. Today the combined population of Urdu and the Standard Hindi speakers is the fourth largest in the world.

Now I will begin in Urdu. Please bear with me. I think you all have the statement in front of you, so you can see what I'm saying. [Remarks in Urdu] [Mr. Quadri's speaking time expired]

**The Speaker:** Thank you, hon. member. We'll read the rest of it in translation.

**Mr. Quadri:** [Translation] Thank you, Mr. Speaker. All of us in this Legislature agree that Alberta is a great place to live and learn. For many new Albertans the challenge they face when they come to Alberta is learning English, especially young people who come to Alberta with their families.

The increasing number of students who don't speak English is also a challenge for our teachers. That is why the government of Alberta has developed a new online resource to help teachers address the unique needs of students who are learning English as a

new language. The supporting English language learners website, which can be found at [learnalberta.ca](http://learnalberta.ca) by entering the keyword "ESL," includes tools to help teachers gauge each student's language proficiency and plan lessons accordingly. The site also includes a series of videos showing real-life English language learners in the classroom. These videos provide teachers with a model for how to assess the speaking proficiency of their English language learners.

This is a perfect example of our education system striving to make sure every student is successful even if English is not their first language. All Alberta students should have the opportunity to learn and be inspired, and that means having resources readily available to assist with learning. I encourage teachers, school administrators, and members of the public with an interest in the education of newcomers to check out the supporting English language learners website.

Thank you. [As submitted]

**The Speaker:** The hon. Member for Strathmore-Brooks.

#### Out-of-province Health Services

**Mr. Hale:** Thank you, Mr. Speaker. Russell Coyne, a constituent of mine, suffered with 30 per cent compression in his spinal cord with loss of function and sensation in his left arm. Mr. Coyne was advised that despite being placed as urgent, it would still be a two-year wait time. The Alberta orthopaedic specialist advised him that if it was not taken care of soon, he would be teetering on full paralysis, and this needed to be addressed urgently.

Mr. Speaker, my constituent took the advice of the specialist and had the surgery completed in Vancouver, False Creek, and I'm proud to say that he's making good progress on the road to recovery. My constituent paid \$27,000 for this surgery and through the out-of-province health and wellness issues management was only reimbursed a mere \$1,500. This is the second constituent of mine that has faced this issue.

Health care is something that concerns all Albertans, and all citizens deserve treatment within an appropriate time frame. If the government is not able to provide these services, then we must have means through out-of-province and out-of-country services to ensure Albertans are not being paralyzed while waiting for their surgery.

Mr. Speaker, this is about the universality of health care, this is about Albertans being able to receive care when they need it, and moreover this is about having a government who actually wants to do something about it.

3:00

The Minister of Health has had this file on his desk since June 27, well over four months. Mr. Speaker, I argue that this response time is no more appropriate than the time frame for surgery in Alberta. I would like to know when this hard-working Albertan can expect an answer on the fair remuneration he deserves. I will be tabling the untimely correspondence between myself and the hon. minister. Hopefully, this will serve as a reminder to follow up on his commitment as the Minister of Health.

Thank you.

**The Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. Seeing that it's 3 o'clock, I'd ask for unanimous consent of the House to complete the Routine.

**The Speaker:** Hon. members, the Government House Leader has risen pursuant to our own standing orders requesting unanimous consent to proceed until we complete the Routine since it is now 3 o'clock. I'll ask one question: does anyone object to giving unanimous consent for that purpose?

[Unanimous consent granted]

### Tabling Returns and Reports

**The Speaker:** Minister of Health, you have two tablings?

**Mr. Horne:** Yes, Mr. Speaker, I do. Thank you. My first tabling is the requisite number of copies of the Alberta College of Social Workers 2011 annual report. The College of Social Workers is both a designated regulatory body for the practice of social work in Alberta and the professional association representing the interests of social workers within our province. Currently over 6,000 people are members of the college. Members are usually individuals with a diploma or a degree in social work. This year the Alberta College of Social Workers is celebrating its 50th anniversary.

Mr. Speaker, my second tabling today is the 2011 annual report of the Alberta College of Optometrists. The College of Optometrists is the regulatory and licensing body for the profession of optometry in our province. The college is also responsible for the establishment, maintenance, and enforcement of standards of practice, competency skills, and a code of ethics to ensure the optometrists practise their profession in the best interests of the public.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Hawkwood.

**Mr. Luan:** Thank you, Mr. Speaker. It's my pleasure to rise to table an article published by the founding member of the Alberta Grandparents Association, who resides in my constituency. The report's name is A Special Relationship: Grandparents and Grandchildren.

**The Speaker:** Are there others? The hon. member.

**Mr. Barnes:** Thank you, Mr. Speaker. I rise today to table a letter, and I have the requisite number of copies. It's a letter from Bill Smith, the past president of the Progressive Conservative Association of Alberta. He's writing a letter to the presidents, the CFOs, and the MLAs indicating that Elections Alberta has decided to formally investigate 10 constituency associations as it relates to prohibited donations.

**The Speaker:** Are there others? The hon. Leader of the Opposition.

**Ms Smith:** Thank you, Mr. Speaker. I'm tabling five copies of a letter that I received from the Health Services Preferential Access Inquiry. Last week the Premier, the Health minister, and the Deputy Premier all made statements of concern about me writing a letter to the inquiry. I'm happy to inform them and you, Mr. Speaker, that the inquiry thanked me for my letter, informed me that it was consistent with their rules, and assured me that they would follow up on the information provided to them.

**The Speaker:** Thank you.

The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thank you, Mr. Speaker. I am pleased to table the request for proposals that I mentioned to the Minister of

Health earlier in regard to the evaluation framework for primary health care. I'd like the minister to note that this is an Alberta government document, and he should be paying attention to it.

Thank you.

**The Speaker:** Thank you.

Are there others? The hon. Member for Strathmore-Brooks.

**Mr. Hale:** Mr. Speaker, I have the required number of copies of the letters that I made reference to in my member's statement.

**The Speaker:** Thank you.

Hon. members, the last item here we're going to deal with is the points of order. I have Airdrie with a point of order at 2:15 this afternoon. Did you wish to proceed with it? It's been clarified? Thank you very much.

### Statements by the Speaker

#### Preambles to Supplementary Questions Members' Statements

**The Speaker:** While I have the floor, very briefly, hon. members, tomorrow I'm going to more strictly enforce the no preambles rule that we have. I have indicated to you before that the current rule or guideline that we're following says that supplementaries should not be preceded by any preambles. Tomorrow I want to see if we can get through with no preambles.

The primary reason for it is twofold. One, it cuts down on the amount of noise and flak that arises when people get a little carried away with some of the preambles. It applies to both sides of the House, I should say. Secondly, it precludes members who are further down the list from getting up to ask their question at all because inevitably it creates some disorder, and the Speaker has to intervene, and that consumes valuable time. I do not like that practice, so I'm going to try and enforce more strictly tomorrow no preambles to your supplementary questions. Please pass that on to any other colleagues who are interested to know.

Secondly, members' statements. I'm reflecting on what happened on Monday, when members may have used that occasion for members' statements to deride, defame – in other words, try to destroy – the character of a member of this House or perhaps someone outside the House. Let's be reminded that tomorrow for any members' statements that dip into this area of personal attacks on another member or for a member of the general public who is not here and able to defend himself or herself, I will intervene. It's been done before, and I am going to do it again if necessary. It will be my first time having done that if I do it at all.

The last little note is just a request. Please, if you're speaking at any point, delivering an answer or giving a question or participating in the debate, frequently you will have notes. Please do not hold them between yourself and the microphone because it does not pick up well on audio. While that might be at times desirable for some, generally speaking it is not. Thank you for that.

### Orders of the Day

#### Government Bills and Orders Committee of the Whole

[Mrs. Jablonski in the chair]

**The Deputy Chair:** Colleagues, I will call the Committee of the Whole to order.

**Bill 4**  
**Public Interest Disclosure**  
**(Whistleblower Protection) Act**

**The Deputy Chair:** Under consideration is amendment A1. The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Well, Madam Chair, thank you very much for allowing me to start off the speaking today on Bill 4 as you refer to amendment A1. I think this is going to be a fairly long boxing match. I'm not sure how long boxing matches go, but I can tell you that this is our first amendment of many. We have been very, very fortunate on this side of the House to get some unbelievable help in regard to what is good about this bill and what's not so good. I can tell you that the not-so-good outweighs the good by far. It has been an interesting conversation that we have had back and forth with the experts in whistle-blower legislation.

Amendment A1, which is our first amendment of many as I explained today, talks about section 31. What it talks about is:

- (1) The Commissioner may, in accordance with the regulations, exempt any person, class of persons, public entity, information, record or thing from the application of all or any portion of this Act or the regulations.

It goes on to:

- (2) The Commissioner may impose any terms and conditions the Commissioner considers appropriate on any exemptions provided for under subsection (1).

Then the third one is:

- (3) The Commissioner must provide reasons for giving an exemption under this section and must ensure the exemption, including any terms or conditions imposed, and the reasons for giving the exemption are made publicly available.

3:10

What we are proposing in our amendment is to delete section 31 from this act totally for various reasons, obviously. What we have proposed on page 21 of the act, for all of those who are watching or have access to this, is the deletion of section 31. I guess that for us it's that the commissioner will be given the ability to give anyone or any group exemption status from this act. My only comment for that is that it's beyond our belief that anyone or anybody should be exempting anybody from whistle-blowing protection. It's just one of those shake-your-head minutes.

I spoke on Bill 2 about this bill. I found it very interesting that the bill is called the Public Interest Disclosure (Whistleblower Protection) Act when, in fact, the only one that is protected in this bill is the government. You know, I wonder how you have the Associate Minister of Accountability, Transparency and Transformation and the Service Alberta minister speak in a press conference about the groundbreaking legislation that they're introducing in this Assembly.

My question to the Associate Minister of Accountability, Transparency and Transformation: who did they talk to about this particular section? I can tell you that the sources and the people who are helping us are from all over North America. They're all quite stunned about the fact that a government would even consider putting this particular section in a whistle-blower act. I think what would be important for the Associate Minister of Accountability, Transparency and Transformation – I know he's here – would be his willingness to stand up and explain to Albertans whom they spoke to in regard to this particular section, because if he can do that, I'm quite frankly willing to listen. I'm

going to be asking, on probably what I consider a very long day and a very long night, where they got some of this information.

I can tell you, Madam Chair, that every whistle-blower legislation across this country, including the federal legislation, including legislation in the United States of America, including legislation in Australia, does not have that section. Somewhere or somehow this particular minister has gotten his advice, which I think government should do. They, you know, talk to the stakeholders, and they say: we're bringing this innovative, groundbreaking piece of legislation to the Assembly because we want to protect whistle-blowers in this province. He needs to explain where section 31 came in and what brought him to bring this particular section into the legislation.

The commissioner under Bill 4, the Public Interest Disclosure (Whistleblower Protection) Act, has a lot of power. It's interesting to me that this particular commissioner has also got the power to say, "Hmm, maybe; hmm, maybe not" or "Yes, maybe; yes, maybe not." This exemption goes to the heart of what's happened when we have a conflict of interest piece of legislation and the commissioner or the person at the head decides to make an exemption under that particular piece of legislation when it clearly says: one-year cooling off for a minister. We saw what happened under that with a former member who was given an exemption and has now set up his office in southern Alberta. He didn't even know what job he was doing. It's the power that this particular commissioner has.

Madam Chair, let's go to you, a former minister of seniors if I recall. You have an employee in the seniors ministry, and they have all of these checks and balances that they have to go through for the legislation. They have to go to the manager. You and I both know that for any public servant that's working very hard on behalf of the minister, the last place they're going to go is to the manager, especially if they know there are some wrongdoings going on in the office. This same commissioner can all of a sudden say: hmm. In accordance with the regulations that we have not seen, he can exempt any person, class of person, public entity, information, record, or thing from the applications of all or any portion of the act or the regulations.

For us as the Wildrose, as I explained to the members that are currently sitting in the Legislature, it's like a boxing match, and we're going to go round after round after round. I know members of the opposition also have several amendments that they're going to bring forward. So I put the question on the table, and I think it's important for the Associate Minister of Accountability, Transparency and Transformation, who I know is sitting there and listening. What brought them to bring this into the act? I was at that particular press conference where they talked about the groundbreaking piece of legislation. I haven't got all of the words because we were at that particular time trying to go through the legislation quite quickly as to what's important to be contained in legislation.

I will tell you, though, Madam Chair, that people need to understand the definition of what a whistle-blower is to understand why our proposing to have section 31 struck right out of act is important. Now, I don't know if you know that Ralph Nader – everybody knows who Ralph Nader is – in 1972 defined whistle-blower legislation, which is very important. You need to understand this isn't new. Whistle-blower legislation isn't new. It's been around. He defined it as

an act of a man or a woman who, believing that the public interest overrides the interest . . .

And this is important.

... of the organization he serves, [publicly] blows the whistle that the organization is involved in corrupt, illegal, fraudulent or harmful activity.

That is the definition of a whistle-blower, which, interestingly enough, I'm having trouble finding. Maybe the minister can point out to me where they've defined what a whistle-blower is other than alluding to certain sections in the act. There is never any definition.

I have to say that this is first year of legislation that we're seeing from the government where I haven't seen the whereases. We haven't had the ability to go through the whereases in any of the new legislation, quite frankly, that the government has put forward in the spring or in this particular session.

3:20

So, as I explained, our amendment is deleting section 31 from this act. This section, obviously, allows the commissioner, as I explained, to exempt any one or any group – I lost my train of thought; sorry – from the whistle-blower protection act. By deleting this section, cabinet couldn't exempt certain people or groups at a later date by regulations.

Madam Chair, I am really quite interested to sit down because the last thing we want to be accused of is filibustering. I expect it's going to be a long night, but you know what, Madam Chair? I won't use up my time. That time can be used up by the government members to stand up, talk about why they feel it was important to put this particular section 31 in.

There are several cabinet ministers here, including the minister responsible. The minister of advanced ed is sitting there nodding away, so I know he's excited to get up and speak about this. I, again, am looking forward to hearing not only from the Minister of Enterprise and Advanced Education but the Associate Minister of Accountability, Transparency and Transformation. In regard to this particular section maybe the Member for Fort McMurray-Conklin would like to answer why this section is in the act, who suggested that you put it in the act, and who you consulted that said that this was a good section to put in the act.

With that, Madam Chair, I'll sit down, and I look forward to hearing from the minister, to be honest with you.

**The Deputy Chair:** Thank you, hon. member.

I would remind hon. members that it is not appropriate to refer to the attendance of members in the House while we are in the House. Just a reminder.

The hon. Member for Airdrie.

**Mr. Anderson:** Thank you, Madam Chair. I've been really looking forward to debating this bill in the House. Of course, this is kind of the first full session of the Legislature that we've had since 17 of us in our caucus were elected, so this is kind of one of the major pieces of legislation that the government has brought forward that we want to take a look at and go through carefully along with Bill 2 and Bill 7. So we're really excited to be here and to talk about these amendments. Our caucus has put together roughly 20 amendments. I believe it's 21. Or is it 20?

**Mrs. Forsyth:** Twenty-one.

**Mr. Anderson:** Twenty-one amendments. We're looking forward to moving through these at a relatively steady pace after they're debated fully.

I think it's important to perhaps let members on the other side understand that what we do in this Legislature is, frankly, very rare in Canada. In fact, it's almost unheard of, Madam Chair. We

sit for a very short period of time, and to pass a bill as important and as substantive as this in a one- or two-day period is, frankly, unheard of. Usually it takes much longer. Usually there are weeks of debate or certainly a week of debate on things like this if you went to the House of Commons or other provincial Legislatures in the major provinces. We as opposition MLAs in Alberta, where democracy is conducted a little bit differently than in other areas of the country, really have to be on our toes because the government, obviously, doesn't fool around when it comes to getting its legislation through as quickly as humanly possible.

That said, we're like the Eveready bunnies over here. We're ready to go all the time. We're going to go through this and are going to attempt to get it through in a very, very more-than-reasonable time period. I hope that by the end of tomorrow we can have fully vetted this bill. But, of course, that's not just our call. It's the government's call. The other two opposition parties, of course, might have something to do with it.

For our part we're willing to do that over the next two afternoons and two evenings, go through all 21 of our amendments and over a dozen amendments that the other two opposition parties have and hopefully put together a good piece of legislation going forward. I hope that the government will be open to some of these amendments, hopefully all of the amendments but certainly some of them. Some of them are so reasonable, it's painful. To not pass them would hurt us, physically hurt us in our hearts not to pass some of these, so we hope that the government will do that.

It is not our intent at all – and we have no intention whatsoever – to filibuster this bill, but we would ask the government's co-operation to make sure that we're not here till 4 or 5 in the morning every day and that we get out at a reasonable time, debating these amendments so we can have things in this bill complete, hopefully, by the end of tomorrow evening. That, I think, would be a benefit to all Albertans, but that does mean a ton of debate, 10 to 15 hours, possibly more, and lots of time to go over this. That's a subjective assessment. Lots of time would probably be closer to double or triple that, but we're in Alberta, so we'll go fast.

The first amendment we're dealing with here – and such good work has been done on this by the hon. Member for Calgary-Fish Creek, and of course the amendment is from the hon. Member for Lacombe-Ponoka – talks about section 31 being struck out. Of course, section 31 is talking about:

- (1) The Commissioner may, in accordance with the regulations, exempt any person, class of persons, public entity, information, record or thing from the application of all or any portion of this Act or the regulations.
- (2) The Commissioner may impose any terms and conditions the Commissioner considers appropriate on any exemption provided for under subsection (1).
- (3) The Commissioner must provide reasons for giving an exemption under this section and must ensure the exemption, including any terms or conditions imposed, and the reasons for giving the exemption are made publicly available.

Then, also, it would amend section 36 of the bill by striking out clause (1) which is simply:

The Lieutenant Governor in Council may make regulations . . .

- (1) respecting the exemption of any person, class of persons, public entity, information, record or thing from the application of all or any portion of this Act.

This right here is one of those wonderful things that the governing party has become very adept at putting into almost every bill that they pass, which is an exemption in certain completely unprescribed – for just a completely random reason,



they may exempt a party from an act. We saw this very clearly earlier on this year, before the session started, when the former minister of agriculture and Member for Livingstone-Macleod was given a job without any kind of public tender at all by the government's own admission. It was just that they felt he was the right guy for the job, and they gave him the job. The only problem was that in the conflicts of interest legislation it specifically states that former ministers may not be hired back into their ministry within a six-month period after they leave office.

It's called the cooling-off period. They do that for obvious reasons. There's a conflict of interest because, obviously, a minister, when they leave office, has a lot of friends, has a lot of associates that are good friends in office and in the ministry they were just overseeing, which is fine. Nothing wrong with that. It's good. Of course, the people doing the hiring may not be very objective when it comes to that person.

Now, a six-month cooling-off period, frankly, is a bit of a joke. Six months is not even close to enough time for a cooling-off period. It should be at least a year, probably a term, certainly a couple of years. But even though we have a very poor time period for the cooling-off period in that conflicts legislation, the government still hired this individual before the cooling-off period had ended.

3:30

How did that happen, one would say? How did they get around that? Well, even though it says strictly in the conflicts legislation specifically about that exact purpose – there are clauses in there, verbatim, to keep that exact thing from happening – the reason the government got around it is because of a clause just like the one we read here, virtually exactly like the one we read here. In that case the Ethics Commissioner, if he feels that it's appropriate, that there's no conflict, et cetera, can exempt the rule and allow for the hiring to occur within the cooling-off period.

Of course, this is very offensive to Albertans. Everybody knows it's wrong. It is wrong. It's not even a matter . . .

**The Deputy Chair:** Hon. member, are you speaking on amendment A1? We are on amendment A1. This is connected?

**Mr. Anderson:** Yeah. This is part of the debate, Madam Chair. This is a great thing.

**The Deputy Chair:** Through the chair. I like looking at you. Through the chair. [interjections]

**Mr. Anderson:** Sorry? I don't even have a mustache? I don't even know what that means.

I'm very excited that this chair is keeping me focused. I like having focus. My parents always said that if we could just focus his energies – focus his energies – he'd be unstoppable. You know, that's why it's important that you focus my energy. If I'm all over the place, it's a mess.

**Mr. Hancock:** Still a work-in-progress.

**Mr. Anderson:** That's right, still a work-in-progress. The Government House Leader always helps me with that as well. It's like I have, you know, extra parents in this Chamber, Madam Chair. It's heartwarming. It's just like home. It's just like home.

That's why it's so important, Madam Chair, with regard to this clause. An exactly similar clause, virtually the same clause, exists in that conflicts-of-interest legislation and has allowed for the

Ethics Commissioner in that case to exempt individuals from that particular clause, which is why it's so critical that we do not make the same mistake here.

That is why with regard to section 31 we need to make sure that we do not give the commissioner the power to exempt people or exempt portions of this act, to "exempt any person, class of persons, public entity, information, record or thing from the application." That's very important. What if – Madam Chair, let's just use our imaginations. Let's use our imaginations and think that possibly maybe one day somebody in the position of commissioner might – I know this is hard for people. Brace yourselves. I know that this is a huge stretch to something that might happen, but there could be someone with ties to the governing party that becomes a commissioner under this act. I know that's hard to believe, but it could happen. If that happens . . . [interjection] There are lots of good folks with ties to the governing party. No doubt about that. I'm not saying that there aren't.

Let's say that an individual with ties to the governing party becomes the commissioner in charge of this act and that with one of his friends – you know, one of the ministers who is his friend – all of a sudden something happens, and there's a whistle-blower that comes forward and wants to blow the whistle on one of his friends on something that might have happened in that friend's ministry. Well, then all of a sudden this commissioner is in a tough bind. He's in a tough bind because he's got to make a choice. Is he going to choose between his friend in government . . .

**Ms Kennedy-Glans:** Or she.

**Mr. Anderson:** He or she. Absolutely. Once again, focusing me. That's good. That's right. Absolutely.

Is he or she going to pick between protecting the minister or protecting the whistle-blower? I don't think it's fair, frankly, for the commissioner to be put in that position. He or she should not have to be put in that position. It's truly not something we should do. Whereas if we take this out, then the legislation is clear, and then that individual, even if he or she has ties to the governing party and members of the governing party or members in the government or deputy ministers in the government or – who knows? Maybe it's no relation to the governing party at all. Maybe it's just friends within government. We all have friends within government that work for different public bodies and so forth. It could be anything, but because there's this exemption there, there's that temptation. Essentially, it opens this act up to be meaningless. Many people would say that the current conflicts-of-interest legislation is in a lot of ways, specifically with regard to the issue we talked about earlier with regard to the cooling-off period, essentially useless legislation. It has no force and effect, essentially, because it can be circumvented by a clause just like this.

I think that this is a very good amendment. I think that in order to make this the strongest possible piece of legislation, we absolutely must get rid of this kind of get-out-of-jail-free card – not a get-out-of-jail-free card but this throw-the-act-to-the-wind-and-not-enforce-it-if-it-makes-us-too-uncomfortable clause. That would make it a much stronger bill.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

Hon. members, just to clarify the record, there is a typo on your notice of amendment, and it has been corrected in the official

document. If you would like to correct it so as not to refer to it again, we have changed the “Mrs.” to “Mr.”

With that, we’ll continue debate on amendment A1. The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Madam Chair. It’s a pleasure to be here today and participate in this act of democracy where we’re talking about the important things that we’ve been elected to do to represent all people of Alberta, not just our own constituencies but them first, of course, by design. Nevertheless, this bill affects us all, and it’s a good bill. I was excited to see the bill and pleased that it was being introduced, and I retain in spite of its shortcomings high hopes that because we are people of integrity and have been elected because of this to do a good job for the people of Alberta, we will give serious consideration to this very essential amendment.

I suggest, subject to debate, that this amendment speaks to the very heart of why whistle-blower legislation needs to exist and that this amendment allows the bill to be viewed with credibility and will allow the bill to do, in fact, what its stated purpose is, which is to encourage people who are aware of misdeeds, inappropriate acts, misappropriations, unfairness in the commission of their duties to be brought to the attention of a commissioner, who, hopefully, has been selected in an objective, arm’s-length way and can be not only just perceived as neutral and objective but, in fact, actually is and that the laws are in place to ensure that he behaves in that way.

Now, I suggest and I admit that the governing party has been in power for 41 years because it’s been perceived to have been doing a very good job, and I think that most of us on this side agree with that up to a point. It’s when that point of deviation occurred, which I think that we can see in the minds of some Albertans – perhaps 35 per cent of voters think that that has happened. You’ve been able, hon. members of the government, to pretty much do what you’ve wanted to do. Now, we know that democracy is only a fit form of government for a moral society, and as we drift from our moral anchors, it becomes more and more necessary that our laws become more and more specific.

3:40

That’s what we have here now. For 41 years you’ve pretty much been able to do what you wanted to do. You’ve had the majority. You’ve had on very rare occasions a vocal, articulate opposition, but you do now. I think it’s a good thing that we’re here. We’re glad to be here. We’re glad to play the role that we play, which is to help you stay on point, to help you, as the chairwoman was doing with the hon. Member for Airdrie, to keep focused and on point.

Where am I headed with this? You’ve been able to do what you want to do, but it isn’t about perpetuating that ability to do what you want to do. It’s about seeing that you do what you ought to do. That’s what this amendment is all about, Madam Chair. It’s about seeing that the government does what it ought to do. If I was to ask every member of the House what kinds of calls they mostly get from their constituents, it has something to do with some aspect of the government or some government agency perhaps not executing its mandate properly. Well, if your situation is that different from mine – my most common call has to do with workers’ compensation, which is some aspect of being an arm of the government, I believe.

Laws are required because not everybody is honourable. Now, if I were to assume that everyone in this room always dealt honourably and that everyone out in society and in all of the agencies of the government always dealt honourably and honestly, fairly and equitably, then we wouldn’t need laws, would we? What would we need laws for if everybody was honest and honourable?

**Mr. Denis:** Lawyers.

**Mr. Bikman:** Well, I know why lawyers need laws. I know that one lawyer in a small town starves to death, but the minute a second one moves in, they both make money. I know I’m stating the obvious. Nevertheless, the occasion seemed appropriate.

**Mr. Hancock:** When you haven’t got anything else to say, pander to the crowds by mocking lawyers.

**Mr. Bikman:** I couldn’t hear you. I’m sorry. Being partly hard of hearing is the secret to a happy marriage and managing 13 kids.

Back to the point, we need laws and rules, and they need to be clear and transparent. The person who is charged with this incredible responsibility of being the commissioner needs to be somebody who is allowed to do his job. He or she can’t be subject to influence by outside bodies, nor can he or she be allowed to exercise discretion about which people should be exempt from the rules of law. That simply is not just. That’s not honourable. I don’t know how this portion got into the act. I can’t conceive of anyone thinking that whistle-blower legislation could be perceived as effective, could be perceived as fair and transparent when you allow one person the power to decide whether or not the act applies to this specific situation.

Now, I can understand that there need to be exemptions for vexatious or other types of complaints. Of course that needs to exist. The discretion for those kinds of situations can be narrowly focused and written instead of giving this blanket, as the Member for Airdrie said, get-out-of-jail-free card or get-out-of-avoidance-for-the-consequences-of-your-actions-and-statements charge. We can’t allow that. This can’t go on. This can’t be included. If all of us really are intent on seeing that this whistle-blower legislation is, in fact, the best legislation in Canada – why not in the world? – then it can’t have a clause like this.

It will never ever be perceived or taken seriously if somebody has the ability to be exempted merely because of the party they belong to or the way they cut their hair or the fact that they don’t have any hair or because of the jokes they tell or the jokes they don’t tell or whatever else the situation might be. Whatever the circumstances might be, we cannot have it be at the whim of somebody who just simply decides: “Well, you know, they’re pretty good guys. I don’t think they meant it. I don’t want to embarrass them. I’ve known them for years. I know their family. It would really be hard on them if they got brought up on these charges, so I’m just going to make them exempt.” If it isn’t transparent and if this kind of a law exists, how are you going to know that that’s not happening? How are we going to hold somebody accountable if they’ve got this kind of opportunity . . . [interjection] Really? Pardon?

**The Deputy Chair:** Through the chair, please.

**Mrs. Forsyth:** Gary, get the minister to get up and speak to it.

**Mr. Bikman:** Well, I’d be pleased to hear from him, and I’m sure we all would. He is a very intelligent fellow and, certainly, somebody we all admire, and he always has something to contribute. If he wishes to address or answer my points, I’d be pleased to hear them.

In the meantime, while I still have the floor, I think we can’t overemphasize enough that clause 31, the exemption clause, undermines the whole purpose of the legislation. That’s why we’re introducing it first. Quite frankly, if this passes, if this is allowed to remain in the bill, you’ve already neutered it. You’ve

already rendered it impotent to do the job it's intended to do. You're really asking for an incredible leap of faith and an incredible amount of trust, which, I submit, is not the point of the bill. If that trust existed, we wouldn't need the bill in the first place.

All people aren't honourable. We all often act in our own self-interest, and we can always justify it. If there's one thing I've learned from raising 13 kids and running a business for 30 years, it's that everybody acts rationally from their own point of view. I'm sure that the government has a point of view in allowing this clause to be here, but I can't understand it. Now, I'm not the smartest guy in the world, but I don't think I'm the dumbest either. I'm certainly literate. I can read, I can study, and I can seek outside information to try and see what other whistle-blower legislation has a clause like this. I haven't found one. Maybe you all have, but I haven't. If you have, how is it working? I suspect it ain't.

That's the reason why I think it's important that you really are open. I'm not accusing anybody of intentionally trying to subvert the purpose of the bill. I'm prepared to accept that you're trying to do the right thing. You brought it forward, and I don't think you brought it forward as some sort of sleight of hand, trying to fool people into thinking that now they're really protected. I know you take pride, as I would, too, in being able to say that something is the best or this is the most robust or this raises the bar to the highest possible level. I want it to be so. That's why I rise to speak to it. I want this to be the best whistle-blower legislation. But saying that it is is not the same as making sure that it is. I submit to you that this clause cannot stay if we want this legislation to be taken seriously.

I appreciate the opportunity to speak to it, and I'll yield the floor to someone else who might be prepared. Otherwise, I'll keep talking.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Madam Chair. I'm pleased to be able to rise to speak again to this amendment, which I believe I have spoken to once, to have an opportunity to give a bit more consideration to it and to outline again why it is a good amendment and, indeed, is one of the amendments that we had initially considered putting forward. A lot of people have talked about the problems that exist with credibility if you allow the commissioner unfettered access or unfettered authority to exclude entities from coverage of the act as well as to exclude types of information from protection under the act should that be something that is disclosed through the process.

But I haven't heard as much discussion about section 36, which is also something that this amendment is geared towards amending in that it asks the government to consider amending that section which would allow the Lieutenant Governor in Council to make regulations "respecting the exemption of any person, class of persons, public entity, information, record or thing from the application of all or any portion of this Act." Basically, not only are we giving the commissioner carte blanche to pick and choose pieces of the act that apply and don't apply and all that kind of stuff, but we're actually also giving cabinet carte blanche to turn around and pick and choose pieces of the act that apply today, may not apply tomorrow, who it applies to, not only who it applies to, Madam Chair, but also the types of information that it applies to.

3:50

Imagine this kind of scenario. Imagine you're in a situation where we get back to a point where people are really concerned

about the issue of climate change in Alberta. Let's say for discussion's sake that we actually manage to convince the Official Opposition that it's a real issue and the public starts pushing us on this issue and we get back to the level of conversation that was going on in about 2006 or 2007 around that issue. Perhaps it was the early 2000s that I'm bringing to mind right now. But imagine that's the case, and imagine that you have a public health official who works for, let's say, AHS, and they decide to exercise their rights under this legislation to go forward and publicly disclose their concerns around issues that relate to climate change and this government's actions with respect to climate change.

Well, as you may recall, that was actually sort of the scenario that impacted the Member for Calgary-Mountain View. Indeed, there being no whistle-blower legislation, he was fired from his job by a public entity as a result of his decision to speak out on a matter that was of grave public interest in his view.

Now, the interesting thing is that what this bill allows the government to do is to simply with the wave of a pen go behind closed doors, as cabinet does, and exempt public officials engaged in the provision of public health from the application of section 3(1)(b)(ii), "a substantial and specific danger to the environment." That particular type of information can be exempted from the list of wrongdoings that a person is otherwise protected from should they report it. We can decide: "Well, you know what? There's a lot of public interest in this whole issue of protecting the environment right now. People are more and more interested in holding us accountable, and society has evolved to a point where they actually make their voting decisions on the basis of whether or not our government is actually conducting itself in a way to protect the environment, such that we would not ever want to see the government engage in anything that would result in a substantial and specific danger to the environment."

As a result of that, you know, there are a lot of people that are suddenly thinking: "Well, you know what? We need to avail ourselves of the so-called protections under this legislation, and we need to go public with it." As a result of section 36, all that has to happen is that the government can go behind closed doors and pass a regulation that says: "Yeah, you know, 3(1)(b)(ii) is a little politically awkward right now. I'd rather not have people disclosing about substantial and specific dangers to the environment. So you know what? We're just going to temporarily suspend the operation of that section of the act."

Interestingly, unlike under section 31, where at least the commissioner is compelled to report that he has exempted that section of the act and provide some rationale for the exemption from that piece of legislation, section 36(1) has no corresponding obligation on cabinet. Cabinet can pick and choose and apply and unapply and use and not use at will, Madam Chair, with no obligation to ever explain to people. I find it very interesting that section 36(1) does not require the cabinet to provide any explanation, but section 31 does require the commissioner to provide an explanation for why we would exempt either a body from the coverage of the act or the nature of their wrongdoing or the nature of the information that would be disclosed or whatever the case may be.

So we don't require cabinet to explain itself, but we do in the act require the commissioner to explain themselves. Now, I'm all for having the commissioner explain themselves, although the better solution, as outlined in this amendment, is to simply not have the commissioner in the position where they're explaining themselves. Rather, they simply apply the act, and they're not constantly compelled to consider whether they should be exempting people from the act or exempting bodies from the act

or all that kind of stuff. That, of course, creates a huge, huge source of controversy for the commissioner.

At least in that case the commissioner is compelled to explain to Albertans why that piece is exempted. Madam Chair, why would we not expect the cabinet to do the same? Why is the cabinet giving itself the authority? Why? Why? Please, tell me why cabinet is giving itself the authority to exempt any and all elements of government from coverage of this act at a whim. Well, I suppose, I mean, you know, the previous speaker talked about anticipating and relying on and looking forward to the goodwill of the cabinet at all times, knowing that they would only ever do anything in the public interest. Let's just hope that everyone operates that way.

Madam Chair, we've had, unfortunately, a number of examples under this 41-year-old government. I know they like to say: "Well, you know, the election was just eight months ago. It's a brand new group of people. Our record is clean. It's all fresh. Anything before April 23, 2012, we are no longer responsible for, nor should we be held accountable for it." You know, that's an interesting argument in Disneyland, I suppose, but I think that most Albertans do know that when you've got a 41-year-old government, you know, the chickens do come home to roost, and that's an appropriate place for them to end up. Regardless, the point is that we have a history of the government periodically resisting full disclosure of pieces of information which might serve to embarrass them.

I mean, you know, one of the biggest examples of that, Madam Chair, in my first term in office here was when we discovered that emergency room physicians had provided this government with exceptionally sensitive and damning and important information about the state of our emergency rooms. Government went to great lengths to keep that information secret for at least two and a half years and failed to disclose it and, in fact, ran an election with that letter in the hand of the Premier who was running, yet that certainly was not disclosed in the 2008 election, nor was it disclosed afterwards until the cracks started to show within the caucus itself. The point is that that is exactly the kind of information that Albertans should hear about. That's exactly the kind of information that people in the public health system should feel they are able to disclose without fear of repercussion.

Now, the degree to which this act ever actually allows that information to see the light of day is a whole other set of problems with this act and is a whole other set of reasons for why it probably needs to be rejected in the whole. Nonetheless, if you assume for the moment that it's possible to actually allow this act to do the job that the government claims it will do, which is allow for transparency as opposed to a 25-year-long labyrinth of a process that keeps everything tightly controlled behind closed doors, if you assume that it's actually going to allow for transparency, then the fact of the matter is that that information should come forward, and the people who have that information should be protected.

What section 36(l) would allow is for cabinet to go behind closed doors and go: "Man, you know, that letter from the ER physicians is a little dicey, a little sensitive. We could take a bit of a hit in the media on this one, just a teeny bit. So you know what? Let's exempt that kind of information from the application of the act. Let's just exempt it. We can do that under section 36(l), and we don't have to give any reasons for why we've done it," although I'm sure they'll talk about the privacy of the patients involved because that's the standard rationale for not disclosing stuff, even though it's usually the patients that are out there that are the first ones to talk about the problems.

4:00

Anyway, Madam Chair, 36(l) is an absolutely outrageous provision in this legislation. It begins the process of ensuring that

Albertans question what it is this government is actually trying to achieve. If it gives itself a backdoor escape clause through which they have no legislative obligation to explain to Albertans and if they write that in before the process even starts, one can be forgiven for considering the very distant possibility that perhaps this legislation is more about public relations than it is about actually ensuring transparency because there's always that escape clause which the government is so keen on keeping in the legislation.

Were the government really interested in just focusing on that transparency, then I would suggest that they would agree with this amendment, and they would eliminate 36(l), and they would also eliminate I believe it's 31 so that we know they can't change the rules of the game three-quarters of the way through that particular match. That would start the very long, slow, arduous process of restoring some semblance of trust in this government when it comes to the issue of accountability and transparency.

I would urge all members of this Assembly to support this amendment for these reasons. If we carry on without fixing this fundamental flaw for them to run away from the act the minute it gets inconvenient, then I think that, quite frankly, all subsequent conversations about the so-called value of the act become suspect.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Medicine Hat.

**Mr. Pedersen:** Thank you, Madam Chair. I just want to say to everybody here that it's such an honour for a first-timer like me to stand and speak to you in this situation. It's democracy at its root. It's exciting for somebody like myself, and I appreciate the fact that you're giving me the opportunity to speak to you. I hope that you'll take into consideration what I say, and then I hope there's some conversation back and forth because I'm learning from you, and I hope that you can learn from me.

I want to thank the Associate Minister of A, T and T, just to keep it short, for putting this bill forward. A lot of the heavy work has been done, and we realize that. But also we understand that as opposition our role is to look through these bills with our own eyes and with the judgment of experts that we can bring onside and to offer amendments which we think strengthen the bill, make the bill better, build upon what you guys have presented to us. At the end of the day that's all we're trying to do, to make something that has been presented the best that it can be.

I don't think that we want to be happy with one of the best bills or one of the best set of rules and regulations. I think we have the opportunity to actually lead the way, make other places look to us as the point of reference for best in class. I think there's an opportunity for that, and I hope that the fine minister doesn't take offence to the number of amendments that are coming across. It's not the intent to offend; it's the intent to improve, and I hope that's the way it's perceived on that side. That's how I want to present this.

Our party was very excited to see this bill. I think that, again, being new to the Legislature, this is something that I would have thought would have been in place, and I'm fairly surprised that it isn't already actually in law. Alberta and Albertans need this. We need this protection so that when there is wrongdoing, individuals can feel that they have the safety and they have the support behind them to actually go to somebody to report an indiscretion, to feel that their lives and their livelihoods and their reputations are not going to be smirched or are not going to be ruined or that they're going to lose their jobs. I think that's very important. Of course,

people coming forward have to have a grounded reason for coming forward, and I think, hopefully, the bill balances that out.

On this side of the House, you know, we're trying to represent about 56 per cent of the voting population. Again, I think that our amendments do have some validity. There's no way that we think that we're going to get all of our amendments through, but I do think that a lot of the amendments do deserve to be read and to be considered. Hopefully, the government members will have a look at them and consider implementing a few of these amendments. It would greatly increase the participation of all voting members in Alberta.

As we've stated before, between the opposition parties there seem to be about 30-plus amendments, so it does present a little bit of observation that there is some tweaking to be done. There are some opportunities for improvements and to close some loopholes. I think that's probably the biggest thing that we want to do is to close loopholes, to make legislation that works and take it out of the hands of the regulators. Once it leaves here, regulations can be made by bureaucrats, and it's out of our hands at that point.

I am standing to support this amendment to the Public Interest Disclosure (Whistleblower Protection) Act. The amendment is A1. We're talking about section 31. Again, the word "exemption," I think, just gives me a whole lot of bad feelings when we're talking about whistle-blower protection. It's just a simple clause. This whole part of the bill gives me reason for concern. I say that with all due respect. Exempting, you know, in this bill just creates a really, really bad impression, in my opinion.

31(1) The Commissioner may, in accordance with the regulations, . . .

which, again, without knowing what the regulations are going to be at the end – you know, what are they? How is that going to affect individuals through the exemption process? I think that's something that we have to consider.

. . . exempt any person, class of persons, public entity, information, record or thing . . .

Again, there's that word "thing" here, which is very ambiguous.

. . . from the application of all or any portion of this Act or the regulations.

We have to ask ourselves: what is the purpose of the exemption? You know, why would we want to exempt any one of those individuals in this bill? I mean, this is what's creating the opportunity for some great things in Alberta, for indiscretions to be reported, for individuals to come forward. Once you talk about exemptions, you're already scaring individuals from coming forward. I think there's a problem there.

(2) The Commissioner may impose any terms and conditions the Commissioner considers appropriate on any exemption provided for under subsection (1).

Again, why? We're referring to subsection (1). I think it's not really encouraging anybody to come forward because, oh, guess what? Somebody could be given an exemption. If that's the case, why would you risk it? That is a real serious question.

(3) The Commissioner must provide reasons for giving an exemption under this section and must ensure the exemption, including any terms or conditions imposed, and the reasons for giving the exemption are made publicly available.

When I read this, to me this creates subjectivity instead of objectivity. You're talking about, you know, creating a whole set of rules based upon somebody's subjectivity. I think that's a concern. What grounds or precedence is used to create the reasons? Again, what grounds or rules are used to create the exemption? What grounds or rules are used to create the terms and conditions imposed? I mean, there are a whole lot of issues at

stake. Having this clause in here just creates a myriad of questions.

I think it's just best that this whole section be taken out. It would support the belief and the reasoning for creating this bill. I don't know. I think it would be so much better. It would strengthen it, and it would make it so that people really believe that this bill is supportive of them.

In saying that, I'd like to sit down. Hopefully, we can get some responses back. I'd really appreciate that.

Thank you.

4:10

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Madam Chair. It's a pleasure to stand in support of this amendment proposed for Bill 4, the Public Interest Disclosure (Whistleblower Protection) Act. Reflecting on this from my own experience as a would-be whistleblower in 2002, 10 years ago, I wonder what might have transpired if this legislation was in place at the time I was summarily dismissed from Palliser health region at the recommendation, privately I gather, of the then minister of environment, Taylor, to my board chairman, who didn't like my comments about the need for real action on climate change and my support for the Kyoto protocol at that time to reduce our carbon emissions in this province and to show some leadership in the country.

That not only offended the minister, apparently Premier Klein didn't like it, and the former Member for Cypress-Medicine Hat, who was the board chairman at the time, took their advice to heart and fired me within 24 hours of making a statement in support of this important global commitment to serious action on climate change.

We're still, 10 years later, struggling to find leadership in the western world on climate change, in my view, probably the most serious threat to our generation and the next generation according to many, many authorities, including the CIA in America, for example, who have said that climate change is actually the biggest threat to their security and stability. I would take that to mean that Canada, too, is going to be seriously threatened by all kinds of unrest as a result of food production problems and new infectious diseases and, of course, pine beetle and West Nile virus, floods, droughts in different parts of the world.

If this bill were in place, this whistle-blower legislation were in place, and this particular exemption were in place, I wonder: if the information got up to this level and the commissioner reviewed my data and was asked to rule on whether my raising issues of public health significance was appropriate and if it was done through the proper channels and if it was helpful to the public interest, if he or she might also have said that, well, this kind of action isn't appropriate to the public interest, and we'll have to exempt this as relevant to whistle-blowing and a legitimate public concern.

I don't know. What I do know is that after 41 years in government, it's very easy to rationalize all kinds of things in the name of maintaining power, maintaining position, continuity, stability, maintaining some kind of consistency, I guess. There is a famous quote about consistency that has to do with lack of innovation and a lack of using evidence, but I can't quote it particularly.

My argument, I guess, Madam Chair, is that if this was being presented by Premier Lougheed back in the '70s and '80s, I doubt that we'd have as much debate about this. I don't know that we would have the concerns that we have today, after 41 years. Some

of the examples that we've heard around election irregularities and cover-ups, donations, abuse of power, and the lack of accountability and the hiding of information: I doubt that we'd have this kind of debate in Lougheed's time. In fact, I think we might even skip over this particular issue and say that we trust that this man has integrity. He's trying to do the right thing. He's bringing in some legislation to allow people in the public service, not in the private sector but at least in the public service – trying to move us into the 21st century with whistle-blower legislation.

That isn't the case today. There is a tremendous cynicism, I think well earned by this government, especially in the last decade or so, that we're not sure about the integrity of decisions, about the interference in officers' actions. We're not sure how much influence 41 years of power and one government has meant for some of those who would like to be independent and want to say they're independent in reporting to the Legislature but may not feel truly independent because of the experiences we've had.

Madam Chair, I happened to hear from a contractor who was involved in an injury on the work site that when the occupational health and safety inspectors came, who are supposed to be independent officers of the government, they were told not to call in the RCMP and get the records from the contracted company, in this case CNRL. It related to the deaths of some workers. They were told not to pursue it in the records of the CNRL. That was a disturbing revelation to me. These are independent officers of the government, and it was worth their job if they pursued evidence within a company when the minister herself was saying: don't go any further. That gives us all pause when we think about legislation that's designed to expose more abuse of power and expose attempts to hide information, in this case hide it from the courts. I think Albertans and, certainly, the opposition party would have very grave concerns about giving this government more power to decide what is and what isn't appropriate to the whistle-blower cause.

While it looks good to have, finally in 2012, a whistle-blower act – and I applaud the government for at least bringing it forward – I think that if they are really serious about wanting to set the standard in the country, we have to learn from some of the rest of the country and actually go the next step and make it impossible for people to feel vulnerable by coming forward. Take it outside of the bureaucracy. Make sure there are avenues in which the government has no capacity to interfere. Make it truly independent and set a new standard for whistle-blower legislation.

My caucus and I will be supporting this amendment and hoping that over the course of the next couple of days we'll see some of the amendments that will actually make this the best whistle-blower legislation in North America.

Thanks, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Madam Chairman. Lest there be great excitement over there, I only rise to ask for unanimous consent to shorten the bells.

**The Deputy Chair:** The hon. Government House Leader has asked for unanimous consent to shorten the bells. Are there any opposed?

[Unanimous consent granted]

**The Deputy Chair:** We will shorten the bells if and when the time comes.

The hon. Associate Minister of A,T and T. That's easier.

**Mr. Scott:** Thank you, Madam Chair. One of the reasons that I'm proud of this legislation is the wide scope of the act. It will have the broadest application in Canada, governing the Alberta public service; provincial agencies, boards, and commissions; postsecondary academic institutions; school boards; and health entities. Additionally, municipalities and Métis settlements that wish to adopt the legislation will have the ability to do so.

The opposition has decided to focus on the perceived misuse of the exemptions in the act as opposed to what the section is really about. That, Madam Chair, is the flexibility given to the commissioner so that organizations with diverse mandates and sizes can be governed effectively by this act. For example, where public bodies are extremely small – for example, three employees – it would be inefficient and practically impossible to have functional and effective internal disclosure procedures as required by the act.

4:20

As explained previously in the House, section 31 allows the commissioner to exempt such an organization from establishing these internal processes. This section allows the commissioner to attach conditions to such an exemption. In these circumstances the commissioner could require that all disclosures go directly to the commissioner for review and investigation. Again, what many opposition members are neglecting to recognize is that the commissioner is obligated to publicize every exemption they grant and the supporting rationale for granting such an exception. That's contained in section 31(3).

Madam Chair, we have said time and again that this government is committed to accountability and transparency. To suggest that we would want to thwart the process of our own act is ludicrous. In short, the commissioner will be held accountable by all of us in this Assembly for each and every exemption they grant.

For these reasons, Madam Chair, I do not support this amendment. Thank you.

**The Deputy Chair:** Thank you.

The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Well, thank you, Madam Chair. If I may, I'd like to thank the Associate Minister of Accountability, Transparency and Transformation for getting up and reading into the record his response to our first amendment. Unfortunately, he's not answering the questions that our members have been trying to get on the record. It's interesting. He talks about internal disclosure. Minister, one of the things that we're opposed to is this disclosure process that you seem to have in place, where you have an employee that wants to go to the manager, and then the manager has to go there. We believe it's important.

I can tell you that the Member for Calgary-Mountain View is a prime example of what he was alluding to in talking about losing his job in the Palliser health region. You can't even imagine his position as an employee of the health region at that particular time going to his supervisor to explain all of those things. You know, he alluded to the fact that he wondered what would have happened if the whistle-blower legislation would have been here 10 years ago. Well, I can tell the member . . . [interjection] Madam Chair, I wonder if the Minister of Human Services, because of the conversation that he's throwing across the floor, would like to get up and speak to the legislation.

I'm not a lawyer – I can tell you that – and he is. I can only tell you that I have talked to a lot of lawyers. I have talked to a lot of world-renowned people on whistle-blower legislation, and what they're telling us is simple: this law is a backwards step because it

does the opposite of what it claims, effectively shielding the government from embarrassing publicity while doing nothing to protect the whistle-blower or the public.

You know, the associate minister stood up in regard to section 31. Well, let's talk about that just for a minute. The commissioner has unlimited powers to exempt any person or organization, placing them above the law, an extraordinary provision to put into any legislation. As I explained when I first stood up and spoke in regard to our amendment on striking section 31, there is no other legislation in the world with whistle-blower legislation that contains section 31, which we have been trying to amend by striking out not only section 31 but section 36 by striking out one of the particular clauses in that legislation under our first amendment.

With that, I'm going to sit down, and I'm hoping that the associate minister – we have two ministers here, actually. You know, I really hate to call him A, T and T. I hope he's not offended by that, but it seems, Madam Chair, that you got away with calling him the Associate Minister of A, T and T, so I'm sure the opposition can.

Also, the Service Alberta minister was at the press conference, and I look forward to having him stand up and speak about the legislation. I know he was very enthusiastic at the press conference about this groundbreaking piece of legislation.

With that, I'll sit down and hope that someone else will speak.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Madam Chair. Yes. In the hopes that the Associate Minister of Accountability, Transparency and Transformation will get up to engage in debate again, I listened intently to his comments around the fact that we ought not be concerned about the exemptions provided for in this bill under section 31 of the act. He talked about, as we'd already discussed, the obligation of the commissioner to outline his reasons for giving an exemption under this section and how although we weren't pleased with the opportunity, at least we saw it as some safeguard.

I'm wondering if the minister can then speak to the application of section 36(l), which appears to allow for the same type of exemption from coverage of this legislation with the same degree of the kinds of things that can be exempted by cabinet without a corresponding obligation to provide an explanation or be accountable to this whole Legislature, say, for instance, through an officer of the Legislature. He made a compelling statement, but then, of course, it truly begs the question: well, if that's the safeguard from the commissioner making inappropriate exemptions, what is the safeguard from cabinet making inappropriate exemptions? If there is no safeguard from cabinet making inappropriate exemptions, would it not then be appropriate to at least consider eliminating section 36(l)? Otherwise, it appears as though some of our very significant concerns, for all intents and purposes, remain unaddressed by the comments made by the associate minister.

I look forward to hearing from him about the concerns under section 36. Thank you.

**The Deputy Chair:** Thank you.

The hon. Associate Minister of Accountability, Transparency and Transformation.

**Mr. Scott:** Thanks very much, Madam Chair. Just to speak to a few of the points that were just raised, there was a point raised a

moment ago about the internal procedures and how they work. I just want to bring to that member's attention section 10(1)(h). If there's fear of reprisal, you can go directly to the commissioner. I'm not sure if the member saw that in the materials, but it's section 10(1)(h). If there's fear of reprisal, you go straight to the commissioner.

**Mrs. Forsyth:** Oh, I've seen it.

**Mr. Scott:** Oh, I see that you have it all tabbed up. Sometimes when I hear comments, I'm not sure if people have actually read the act. I'm impressed that you at least have tabs on it.

Again, the intent of this section is to make sure that we have the ability to deal with flexibility in situations. We want the commissioner to be able to deal with situations where there's a small number of employees, for example, in an organization. We believe that this section does provide that.

**The Deputy Chair:** Thank you, hon. minister.

The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Madam Chair. Listening to what the associate minister had to say on the exemption, I'm curious what he was thinking "class of persons" and "exemption of any person" would be. We did hear about the public entity. What people are you looking to exempt specifically? Not just organizations.

**The Deputy Chair:** Thank you, hon. member.

**Mrs. Forsyth:** I'm going to be brief. I actually admire the courage of this particular member, the associate minister, in standing up and trying to defend his legislation. You know, it's like my colleague from Medicine Hat indicated earlier when he was speaking. It's his first time in the Legislature. He talked about how important the debate is. I know that this member is a first-timer in the Legislature, and I appreciate him getting up to defend his bill.

I want to put on the record – he talked about how interesting it was that I tabbed everything – that I can tell you, Member, that I have spent an incredible amount of time on this particular bill, more time than I really hoped I'd have to. I actually was quite excited about the whistle-blower legislation, and I had that on record.

4:30

I know the member pays close attention, and I know he knows that I have a motion on the floor in regard to the government bringing whistle-blower legislation forward. I'm not sure if he knows, but my private member's bill for the spring Legislature is number 2, and it's whistle-blower legislation. I have probably been working on this particular legislation for a year, have spent a lot of time talking to people not only across this country but in the United States and, quite frankly, in other areas of our fine world.

Having said that, I am going to sit down, and I'm going to hopefully have the government think about our first amendment in regard to striking section 31 down. I look forward to the votes.

**The Deputy Chair:** Thank you, hon. member.

Are there any other comments on amendment A1?

Seeing none, I'll call the question.

[The voice vote indicated that the motion on amendment A1 lost]

[Several members rose calling for a division. The division bell was rung at 4:31 p.m.]

[One minute having elapsed, the committee divided]

[Mrs. Jablonski in the chair]

For the motion:

Anderson	Hale	Stier
Bikman	Notley	Strankman
Forsyth	Pedersen	Swann
Fox	Rowe	Towle

Against the motion:

Allen	Fritz	Lukaszuk
Bhardwaj	Goudreau	McDonald
Bhullar	Hancock	Olesen
Brown	Horne	Quadri
Calahasen	Hughes	Quest
Cusanelli	Johnson, L.	Scott
Dallas	Kennedy-Glans	Starke
Denis	Khan	VanderBurg
Fawcett	Kubinec	Weadick
Fraser	Luan	Webber

Totals:	For – 12	Against – 30
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[Motion on amendment A1 lost]

**The Deputy Chair:** We will return to the bill. Is there anyone that would like to speak on Bill 4? The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Yes. Thank you, Madam Chair. I am going to move that Bill 4, the Public Interest Disclosure (Whistleblower Protection) Act, be amended after section 11. I have the number of copies that are required.

**The Deputy Chair:** We'll pause for a moment while we distribute those copies.

**Mrs. Forsyth:** You betcha. Do you want me to sit down while it's being distributed?

**The Deputy Chair:** Yes, for a minute or so, please.

We will call this amendment A2.

Hon. Member for Calgary-Fish Creek, if you would like to proceed on amendment A2.

**Mrs. Forsyth:** Thank you, Madam Chair. I'm going to mark that down. As I've explained, we have numerous amendments, and I know the opposition has numerous amendments, so I'm going to start marking our amendments.

Madam Chair, thank you for the opportunity to rise and speak. I guess we've lost the first round, so we go on to round 2. Under section 11, which if anyone is interested is on page 12 of Bill 4, the Public Interest Disclosure I'm Going to Protect Whistleblowers Protection Act, what we're doing here – I need to get some introductions in this particular bill if I may. Under section 11 – and the associate minister alluded to this actually – it talks about disclosure to a designated officer. Section 11 reads:

11 As soon as reasonably practicable after a disclosure is made under section 10(1)(f), the employee must also make a disclosure about the matter to the employee's designated officer.

I can tell you how we feel about an employee having to go to a designated officer, and we will be bringing one of those amendments forward on that also.

Our amendment talks about adding under section 11, on page 12 of the act:

Reporting a wrongdoing to a Member of the Legislative Assembly

11.1 Notwithstanding any provision in this or any other enactment, an employee may report a wrongdoing to a Member of the Legislative Assembly.

4:40

I am sure that the members opposite are going to support this because their role as MLAs obviously is to represent the people that they're honoured to serve, who have voted them in and asked them and given them the ability to be their MLAs. We have got a situation where we've added this amendment in here, and I just know that the associate minister is going to accept this amendment because it's so reasonable. Again, I look forward to him standing up and speaking to why he will not accept this amendment.

It gives the ability if you have a whistle-blower that is not comfortable with his designated officer or, for that matter, not comfortable with going to the commissioner – I can tell you what I've learned over the last two and a half years, soon to be three years, as a member of the Official Opposition and having people coming to me all the time, especially as the Health critic. I can't even explain how many people I've had come to me in regard to health issues, some of our fine physicians in this province, Dr. Tony Magliocco being one that went through all of the processes, every single process that was available to him.

The incredible thing about Dr. Magliocco at the time was that he kept a record, as most doctors do because it's important to keep records, of all of the processes he went through. He went through what this act would probably be suggesting, his designated officer. He went to the Alberta Health Services chief operating officer at that particular time. Virtually ignored. He finally out of desperation – and I had never met Dr. Magliocco, to be quite frank with you – came to us and spent an awful lot of time going through his file and the history of his file because he was turned down at the process. He came to me as an opposition MLA and the Health critic, quite frankly, and decided that he was so concerned about what was happening to the patients at the Tom Baker cancer centre that he thought it was important to go public. So he went to a Member of the Legislative Assembly.

I think this is a reasonable amendment. If we have a whistle-blower that is not comfortable with going through the process of his designated officer or, for that matter, through the commissioner, he has an opportunity to go to his MLA. It's going to be interesting as we go through round 2, as I'm going to call it, listening to members of the government to see the rationale for them to vote against this particular amendment on whistle-blowers having the ability to go to their MLA and provide them some protection and provide them the opportunity to be able to talk to their MLA, especially if they're concerned about something that's happening.

Now, the nice thing about being able to go to the MLA – and I know that we have all had the opportunity where we have had people come to us, and you've listened very, very intently, and you think about the fact that: "Hmm. I'm not too sure about this. Maybe I should do some checking." I can tell you that I did that when I was a government MLA and I did that as a member of the opposition. I've had the opportunity over the last just about three years as the Health critic to be able to get what I consider is both sides of the story.

It is included in this legislation about frivolous complaints, so that can be weeded out very fairly and very quickly so that we're not having someone as a whistle-blower that, for example, would



complain about 101 different things. That's important when we talk about who is a whistle-blower. In the broadest possible terms any person who exposes or reports wrongdoing is a whistle-blower. For example, an employee of a company who reports fraud, whether to a supervisor or to the police or anyone, for that matter, is a whistle-blower. It also refers to the bureaucrats that we have working in this government who report mismanagement.

We're going to be dealing with another amendment shortly, and I would like the minister to consider amendment A2 and explain the rationale of why, one, this was excluded when both he and the Service Alberta minister talked about the fact that they had consulted extensively. I'm still waiting for the Associate Minister of Accountability, Transparency and Transformation to explain to members of the Assembly. While we think no one is engaged at this particular time in regard to what's happening in this Legislature, I can tell you, Madam Chair, that there are lots of people watching what's happening with Bill 4, and they have been waiting patiently for us, the Official Opposition, and, I know, other opposition members, actually. We've fielded a lot of calls, myself and the Member for Lacombe-Ponoka, in regard to what particular amendments we are bringing forward.

I know that amendment A2 allows for – and I've explained this, and I want to repeat it – the ability for a potential whistle-blower to go to their MLA and discuss their concerns if they're not comfortable, as I've explained on this particular bill, with the designated officer or, for that matter, the commissioner. What's important to emphasize over and over and over again – and I'm going to read it into the record – is that this amendment would allow anyone dissatisfied with or distrusting of their designated officer or the commissioner to go directly to an MLA with their complaint or disclosure.

I want to emphasize once again that this current bill is extremely restrictive, and it's stifling. I talked about all of the work that I have put in on whistle-blowing and the knowledge that I have received from some incredible, talented people in North America, to be very honest with you, who have spent an incredible amount of not only time but energy in regard to whistle-blower legislation in North America. This amendment, which came from the United States of America, allows any military personnel to go to a member of Congress.

While we're referring to the United States, I think that if Alberta truly wants to be on the map – and the minister truly talks about his groundbreaking legislation – this amendment has to be brought into the Legislature. I know that the minister's staff is listening because I've been on that side when I've brought legislation forward. While he's receiving text messages or e-mails from his staff or, for that matter, briefing notes, maybe your staff would like to also tell you how many other provinces across this country have this particular amendment in the legislation.

I'll take it one step further because it was you, associate minister, not me, that talked about the groundbreaking legislation that you're bringing forward and how you're following the Premier on her open accountability and how she's going to raise the bar and, quite frankly, how she criticized one of the members that she was running against about his legislation not being strong enough.

Having said that, I know that there are several people that want to speak to this particular legislation, and I am looking forward to them standing up and speaking on this particular legislation.

Thank you.

4:50

**The Deputy Chair:** Thank you, hon. member.

I recognize the hon. Member for Barrhead-Morinville-Westlock.

**Ms Kubinec:** Thank you, Madam Chair. I'm really pleased to get up and speak against this amendment. As MLAs it is our job to represent our constituents and our regions. We are a governance body, not an operating board. The appropriate administrative structures are in place for the public service to operate. Delving into operational matters could be seen as political interference. Adopting this amendment would not do anything meaningful or have any legal effect.

As has been made clear many times before, nothing in this legislation prevents an employee from reporting a wrongdoing to a Member of the Legislative Assembly already. This amendment offers nothing further. An MLA has no powers or obligations to investigate, make recommendations, compel the production of records, or offer the whistle-blower any protection other than what an MLA can currently offer. So I fail to see, Madam Chair, how this amendment would add any value to this act.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Airdrie.

**Mr. Anderson:** Thank you, Madam Chair. Interesting, let us say. Thanks for sharing your opinion, hon. member, but I guess I would say that I think you're sadly mistaken. Obviously, what we're talking about here is that you cannot have a whistle-blower protection act – we all know that we get the little brown envelope sometimes. I think we all understand that, and we have to go out and verify whether they're accurate and so forth. Sometimes you get a whole bunch of off-the-record conversations from people. We get them every day, telling us about some of the things that this government has done or is doing, and they would make your hair curl. It's pretty bad. It's pretty bad stuff in a lot of cases. You'd be surprised, especially you new members, about how bad it is.

I'll give you an example. Just the other day I had a justice of the peace give me a call, and he was absolutely insistent. He said: you could say that I'm a justice of the peace in a question in question period, but you can't, obviously, name me because I feel I would lose my job if it came out who I was. So we talked for a bit and had some very interesting conversation about some of the unbelievable waste and mismanagement going on in our judicial system, actually, with regard to how we manage resources and how those resources could be better managed so that we could put more time and resources and effort into cases that are more serious and not have them stayed or dropped, as was the case with a sex abuse case in Airdrie, for example. It was a very good conversation with a very well-known and experienced justice of the peace, just a very good conversation.

Anyway, that's the kind of fear that they live in, and that's just one example, the most recent one off the top of my head from this week. But if you go back, I mean, there have literally been dozens and dozens and dozens of conversations similar to that, hon. member, where folks have been coming forward to us with instances of bullying, intimidation, corruption, and I don't use that loosely. It is what it is. I'm not saying that it necessarily always involves members in this Assembly. Often it does not. Often it involves people in different institutions of government. Of course, the government is quite large, so there are always going to be a few bad apples amongst all the good. There always are. But they're very serious issues.

The problem is that a lot of these folks feel, and probably rightfully so, that if they come forward and tell folks about this information, their jobs will be lost. That's why they have to come forward anonymously. How many times have we heard the

government in there, “If you have any proof, if you have any witnesses, take it to this person or tell the police officers,” to tell this, that, the other thing? We say, “Well, you know, we’d love to do that, but we’ve already made a promise to certain individuals who are afraid for their job that we won’t do that.” I think we have to respect that. I don’t think it’s right for us to break that trust when people come forward to us in that regard.

However, it does create a problem when you can’t bring forward a witness to some of these things because they’re not willing to come forward because they’re scared out of their minds for their job, in some cases for even more than their job. By putting this section in there and saying that one has to go to a specifically designated officer within their – what’s the exact language used?

11 As soon as reasonably practicable after a disclosure is made under section 10(1)(f), the employee must also make a disclosure about the matter to the employee’s designated officer.

That, to me, is completely wrong. They should not have to go to their designated officer. I don’t blame them for coming forward and feeling that they would be intimidated by that section. The designated officer: who knows? Maybe that person is the problem. To put this “must” language in there, that they have to come forward and report it to the designated officer, I just think is unreasonable.

If you look at section 10(1), which is what this refers to, it says:

Subject to section 12, an employee may make a disclosure directly to the Commissioner only . . .

Very narrow language. Have you noticed that?

(f) if the employee reasonably believes that a matter constitutes an imminent risk of a substantial and specific danger to the life, health or safety of individuals, or to the environment, such that there is insufficient time to make a disclosure under section 9.

Okay. Let’s use a graphic example here. Let’s pretend that somebody in a hospital discovers that tools, scalpels, equipment were not being properly cleaned. We had that issue – was it at the Vegreville hospital? – a while back. It was Vegreville. The Health Quality Council released a report and so forth, so there was all this stuff.

What if you had the whistle-blower in this situation, that seems to constitute this here, finding out that the manager of his hospital, because of poor management and so forth, wasn’t doing his or her job properly, so this risk to public safety occurred, “an imminent risk of substantial and specific danger to the life, health or safety of individuals”? So he or she wants to blow the whistle and wants to do so faster than what section 9 permits, which is the regular disclosure by an employee to the designated officer, which we also disagree with. We think it should not be a designated officer, period. The whistle-blower would be forced under this to then, “as soon as reasonably practicable after [the] disclosure is made” to the commissioner, also make a disclosure about the matter to the employee’s designated officer.

Okay. What if the employee’s designated officer is an individual that might be responsible for the situation or might know folks that are responsible for the situation? What if there’s just a lack of trust there? I mean, that person would be sweating bullets. What happens is that if they’re legally required to do so and they’ve told the commissioner that but they don’t want to tell the designated officer that, then the commissioner knows that, essentially, they’re breaking the law if they don’t tell the designated officer. They know for a fact that this person didn’t tell the designated officer right away because he or she was afraid for

his job or for being advanced in the future and so forth. Therefore, that person is contravening the act, and the commissioner would know that. The commissioner would fully understand that.

5:00

So it would seem a very reasonable amendment in this case. “Notwithstanding any provision in this or any other enactment, an employee may report a wrongdoing to a Member of the Legislative Assembly.” What that is saying is that they do not have to go to the commissioner; they can go to a Member of the Legislative Assembly. And the protections afforded by this act would extend to that person if they did not go to their designated officer, did not go to the commissioner but, instead, went to a Member of the Legislative Assembly.

Now, perhaps an MLA isn’t the best person that we should put in here. Perhaps it is somebody else, hon. member. The point here is that we need to make sure that the protections afforded under this act, Bill 4 – and there some protections there if you go through the right hoops – are made for folks regardless of whether they go to their designated officer or whether they go to the commissioner or whether they go to neither and just report it to the media or whether they report it to their MLA or whether they report it to anybody they deem will make something happen to correct the wrong, to stop the imminent danger from occurring or whatever.

Right now this act as written does not do that. This act is not going to protect folks enough that they’re going to come forward. People out there are really scared, a lot of them, for their jobs and so forth with regard to coming out and telling people about some of the problems in our system. They shouldn’t have to be scared, not in a province like Alberta. We can do better here. You know, we have an act that is meant to be a whistle-blower protection act, but it’s not. It doesn’t protect whistle-blowers because it creates so many hoops. It produces danger so that folks have to report to people that may be the problem. They have to report to people they may not be comfortable reporting to for whatever reason. I think that that has to be alleviated.

I don’t know if this amendment in and of itself is going to cure that wrong, but I’ll tell you that as Members of the Legislative Assembly one of our duties is to not only represent our constituents in here, but it is to protect them. I feel it is my duty to help protect my constituents. I feel it is my duty. For example, the case that we’re dealing with in the Justice portfolio right now on that. I just feel that those folks went through every single process. They went to the Crown. They wrote letters to the government. They did everything they possibly could to take care of a situation where Arizona, which is her alias, was harmed and didn’t get her day in court because of problems in our justice system. They felt that they had absolutely no recourse but to go their MLA.

I think that everyone in here has probably had a similar experience to that. For those that are new, I’m sure you’ll have it soon if you haven’t had it already.

I think it makes sense for that to be the case. We’re their elected representatives. In some cases we’re the only folks, the only voice that they have left. The bureaucracy of government can be an absolute labyrinth, and it can be very confusing for people. I think that in putting in this legislation, the powers of protection that this bill does afford will extend to those that decide only to go to their MLA and report these issues, report a wrongdoing. I think that’s legitimate. I think that the act should cover those folks.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Calgary-Varsity.

**Ms Kennedy-Glans:** Thank you, Madam Chair. I would like to respond to the comments from the hon. Member for Airdrie. I understand entirely your comments about an MLA having an accountability to constituents and a need to be available to respond to queries and to offer guidance. However, I'm very, very concerned that if we add MLAs to this list in the act as suggested, we're going to very much cloud the constituents' understanding of what our role is and the role that the legislation is there for.

There is nothing in this legislation that precludes someone from talking to an MLA and asking these questions. I'm sure that will happen and that that guidance will be provided, and I'm sure that MLAs will point out this legislation and clarify people's understandings of it. But to suggest that an MLA can step into the shoes of an independent commissioner I think is terribly confusing.

I am not the ombudsman for my constituency members. I am not a commissioner. I think it's very, very confusing for people in the community to believe that an MLA has the same independent powers. We've talked so much about having independence in this House and the need for MLAs and for the political process and governing to be independent of bodies that we create that I'm a little bit confounded by your request, actually, to include it in this legislation.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Airdrie.

**Mr. Anderson:** Yeah. You know, it's a good question. I'll always remember, though – it's kind of funny. You'll have to tell Premier Stelmach that because when I was first elected as a member of the PC caucus, he specifically said: you have three roles as an MLA. The very first one that he said was ombudsman. "You're an ombudsman for your constituents." You know what? He was absolutely right. He was an ombudsman. MLAs are ombudsmen for their constituents. I think one of the most critical roles that we have, actually, is that of ombudsman. It's when government institutions fail our constituents. It's at that point, when they have nowhere else to go, that we are there as almost, you know, a last voice for them should all the other ones fail. I think that advice was extremely sound and is absolutely correct.

I mean, obviously, we can discuss back and forth whether this provision is the exact way to go about doing this or not, but I think the fear is that if we want to extend the protections of this act to individuals who perhaps don't feel comfortable going to the commissioner but do feel comfortable going to their MLA, I think that that's a mistake. I think we should be able to extend those protections to folks that decide to report wrongdoing through their Member of the Legislative Assembly and that all the protections afforded under the act should be given to those folks as well, not just those who go through the commissioner.

**The Deputy Chair:** Thank you, hon. member.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Madam Chair. I should defer to my hon. friend, but I just want to say that I think the Member for Airdrie has misconstrued the context. Of course, we play a role as ombudsmen for our constituents. Our constituents come to us with their problems. Often their problems are problems related to dealing with government in one way or another, and we work with them to help achieve the type of result that they want to achieve. We do not act as ombudsmen insofar as we do not investigate independently their claim. We do not act as an Ombudsman does

in terms of reviewing in detail whether they've been treated fairly and then making some comment back to the department or the individuals involved and trying to get a response and trying to get it back on track. So there are two different contexts there, and the Member for Airdrie has chosen the language and suggests that there's something wrong in that.

I think the former Premier's characterization of the role of an MLA is absolutely correct. That is the major job of an MLA in many ways: helping our constituents find the right connection with government in terms of some of the problems that they deal with. But we do not do the job of the Ombudsman in terms of the deep investigative role, the review of a complete file, requiring a department or requesting a department to review and do again. I think that's the distinction that he's missing in the process.

5:10

By analogy, with respect to a commissioner, a public disclosure commissioner, an MLA can already do without the benefit of this amendment exactly that job. We do it all the time – at least I have – where people who work for government come to you and they're concerned about something that's happening. They'd like something to be done about it, but they don't want to be necessarily associated with it, so they come to the MLA because that's who they feel comfortable with. We do on their behalf, sometimes without disclosing who they are because they've requested nondisclosure, find a way to have a discussion around what's happening and get to the bottom of it. We will continue to do that role, I am sure. However, we do not perform the role of the public disclosure commissioner of the investigation and the thorough analysis and the protection of that person's job. We can't. That is the role of the public disclosure commissioner. So very appropriate comments by Calgary-Varsity in terms of the role we play and what we don't do as MLAs.

The fact is that the amendment that's being brought forward actually very significantly confuses the issue by suggesting that someone can come to us to do an investigation when we don't have the resources to do that kind of an investigation. We don't have the resources to do what a public disclosure commissioner does.

We already have both the authority and the ability to maintain confidentiality to do the role that the hon. Member for Airdrie is talking about.

**The Deputy Chair:** Thank you, hon. member.

**Mrs. Forsyth:** Well, Madam Chair, we've got some debate in the Legislature, which is nice. It means we've obviously woken some people up – and I don't mean that literally as in woken them up like they're sleeping – to the fact, maybe, of the importance of this particular piece of legislation.

What's astounding to me is how people see the role of an MLA and the advocacy of the role of the MLA. I'm going to take you back a bit of time in regard to something that happened in this Legislature about two years ago. The fellow's name was Dr. Paul Parks, an emergency physician, a well-thought-of physician who went through the processes to alert this government in regard to the crisis in emergency. He did all of that. He did exactly what he should have done, including going to the Premier of the province. Guess what? Zero. Zip. Nothing happened.

Meanwhile the crisis in emergency continued, continued, and continued. Finally, out of frustration he goes to the members of the opposition. The hon. Member for Edmonton-Meadowlark, who's an emergency physician, brought it to my attention as the

Health critic. He tabled his lengthy letters continuously that were written to government members who chose to do nothing. Guess what hit the fan?

Then we realized the crisis that we're in in health care. Two years ago, probably just about to the date, we're in an emergency debate in the Legislature that the particular Speaker at the time approved because he knew in the Legislature the situation of what was happening in our emergency rooms. To this day Dr. Parks and several other doctors in regard to their concerns have sat patiently, tried to go with what the government says, and again we're hitting that iceberg. We're in constant conversation with them in regard to what's happening in emergency. Now, in this government this Health minister can talk about occupancy spaces and how he's improving the health care system.

The idea for anybody to be able to even try to go through the process that's written in here – and I know that the member is an honourable person and obviously very caring and intent on listening to the debate. On page 12 of the bill it talks about disclosure to a designated officer. Section 11 talks about: “As soon as reasonably practicable after a disclosure is made under section 10(1)(f).” I want you to go to 10(1)(f), and that talks about the disclosure to the commissioner. You know, this bill is very complicated. You have keep going, well, back and forth. Trust me. I've read it 101 different times.

“The employee must”: you've got to love this. I used to sit on the Legislative Review Committee, and I got some pretty good lessons from the Member for Edmonton-Whitemud, who is the Government House Leader, when I was the Solicitor General, actually, and when I was trying to learn this legislation. There is a huge difference between “must” and “may” in legislation because “must” means that you must – must – do that. It says, “The employee must also make a disclosure about the matter to the employee's designated officer.”

Here we have Dr. Parks, a well-known physician, and you know what, Member? I bet you he would be pleased as punch to talk to you because he tried talking to his MLA. That didn't work, so he chose to come to you. That's the idea. You have someone that's in a crisis situation. They've gone to their designated officer, and the designated officer at that particular time said: “Hmm, not listening to you. It's not an issue.” “I'm reporting it directly to the Minister of Health.” “No, I don't want to.” It's like that mushroom all of a sudden comes out. It's like putting that umbrella over your head so you don't get wet. You know, I just can't emphasize it to you.

This allows that person, Dr. Parks – and we talked about Dr. Magliocco earlier. I could name the Member for Calgary-Mountain View. All of these people went through the right processes. If we don't have this amendment about allowing them to come to their MLA, the unbelievably dedicated health people like Dr. Parks, Dr. Magliocco, Dr. Maybaum – I mean, honestly, I have 65 physicians in this BlackBerry that have tried to go through the process, who don't have that opportunity. They're not making things up. They're not trying to usurp the process. All they're trying to do is bring it to the attention of someone that will listen to them. Our role, as much as we may or may not like it, as an MLA is to advocate on behalf of the people that come before us.

You know, I've been around as an MLA on both sides, as the government and as a member of the opposition, and I know there are times we get those constituents whom we have some doubt on. I'm getting calls from constituents that haven't liked what you as a government MLA have said to them. I'm smart enough to say: have you contacted your MLA? Then we start digging a little further, and we think: hmm, I bet they've done as much as they

can in their role as a government MLA, and this person just isn't going to take an answer, or they don't like the answer either the government or the opposition MLA has. I can give you hundreds of examples of that over the last three years as an opposition MLA and 15 years as a government MLA. You know, that's okay. It's learning how to weed out.

I think we need to understand the importance of this amendment, where it's coming from, and that any constituent or employee with this government or, for that matter, anywhere else wanting to make a disclosure should be able to go to their MLA if they feel that the disclosure that they've brought forward isn't being handled properly. We're not trying to be the law. We're just trying to help people through a system that they feel they haven't been treated right. If people in this Assembly have read this legislation as much as I have – and I know the minister has probably read this legislation – in this legislation it talks about frivolous. That is particularly covered under that.

5:20

I just want to emphasize once again that we don't willy-nilly bring these amendments forward. We want you as the government to have strong whistle-blower legislation that people in this province, all of the employees out there that have a concern – and it can go to what happened in Vegreville-Vermilion. It was very interesting to have the member speak up because there's a prime example of what happened to your hospitals in your constituency at that time, with your Premier, which was ignored. It needs to be brought to attention.

**Mr. Hale:** Barrhead-Morinville-Westlock.

**Mrs. Forsyth:** If I've got your constituency wrong, I apologize.

But, Members, it's important for everyone to think about what we're saying. We don't willy-nilly come up with 21 amendments because we think that's important as the Official Opposition and should be contained in the legislation. I can tell you that the amendments we're bringing forward are coming from hundreds and hundreds of hours of talking to what you consider your stakeholders. I have yet to hear from the minister whom you consulted with, and I look forward to that because every single person that I have consulted with on whistle-blower legislation – and there are numerous ones that are known across this country – has not heard from the government.

If the minister can explain that to me. Maybe I've missed something. I could very well have missed someone that I should have consulted with and that I didn't consult with who is an expert on whistle-blower legislation, and for that I apologize. I'd be more than willing to get the name, get the number of whom you've consulted with, talk to those people, sit down with you, Minister, and sit down with the people you've consulted with. I can bring the people that we've talked to, and I know that they're prepared in a heartbeat to have a conference call with your people and hash it out so that we're not spending hundreds of hours on this particular legislation and debating the 21 amendments. I'd be pleased to do that. If you want, Minister, I will make my time available so that I can understand who you've consulted with.

I know the Member for Lacombe-Ponoka has spent an incredible amount of time on this particular bill. We will drop everything. We will meet with your consultants. We'll hook you up with the people that we've talked to, let the consultants duke it out, for all that matters, and say: “Well, we'll give you this. You give me that. We'll understand why you're doing this, and we'll understand why you're doing that.” You know what? You

probably will end up with the best piece of legislation not only in this country but in North America.

With that, Minister, I'm going to sit down. I'm going to challenge you with that. Maybe you can text your staff, your deputy. I've been there, done that as a previous minister of the Crown. I'm more than willing to talk to the people that you've consulted with, and maybe they can explain. I look forward to hearing from you on that.

**The Deputy Chair:** The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Madam Chair. I would like to move that amendment A2 to Bill 4, Public Interest Disclosure (Whistleblower Protection) Act, be amended in the proposed section 11.1 by adding . . .

**The Deputy Chair:** Hon. member, we'll just pause till we get that distributed to the other members in the House, please.

It looks like we have distribution. If you would like to proceed, hon. member. Just to keep things in order, this subamendment is known as SA1.

Please continue.

**Mr. Fox:** All right. This amendment amends Bill 4, the Public Interest Disclosure (Whistleblower Protection) Act, in the proposed section 11.1 by adding "or the media" after "Member of the Legislative Assembly" wherever it occurs. Now, there are a couple of reasons why I decided to bring this forward. One was because, actually, the Premier campaigned during her campaign for the leadership of the party on not using the Ombudsman approach to whistle-blower protection.

What is this bill designed to do? Is this designed to protect the individual coming forward. Or is this just meant to put in place a process so that we can kind of shuffle it off to the side and just have a report year after year after year, where we don't even really know what's going to be in that report? There's nothing in this piece of legislation that states exactly what this commissioner is going to report back to the Legislature other than just a line saying that they've got these wrongdoings that came forward, that this was the date, and here's your report. We don't know if that's going to happen. I would hope that that doesn't happen.

I think that if we're going to have real whistle-blower protection, we're going to protect the whistle-blower no matter what venue they choose to come forward through, be it the Ombudsman – how do we put it in here? – the designated officer. Or why don't we go to the MLA, maybe even the media? Where would we have been with the federal sponsorship scandal had that whistle-blower not come through the media? Had Allan Cutler just stayed in a corner, we would not have known what was going on. We would not have seen a fundamental shift in the way the government of Canada operates. He was a hero. These are heroes coming forward.

I was listening to the Member for Calgary-Varsity, to what she was saying about MLAs being persons that a whistle-blower could come to, stating that they wouldn't be independent, that they don't have . . .

**An Hon. Member:** Investigative.

**Mr. Fox:** Investigative abilities. That's it. That is the word I'm looking for.

I'm asking: what makes the designated officer any more able to investigate than the Ombudsman? I mean, it states here in section

7(1) that "a chief officer may designate a senior official to be the designated officer for the purposes of managing and investigating disclosures." I'm not clear on how that person is going to be independent. How is somebody who works for the department going to be independent of that department? I don't see how that can happen. I think they're going to be worried about their department.

Now, hopefully – hopefully – instead of looking at protecting the department or protecting the government, we're going to think about protecting the whistle-blower, the person coming forward with vital information, somebody who can help change the direction of how a matter is being handled within that department, that ministry, that public entity. I would hope – I would absolutely hope – that you'd want to see that person protected and you'd want to see that information come out and come forward so that it can be fixed right away, not maybe a year down the road or a year and a half down the road or two years down the road when the investigation is finally completed and it's kind of swept under the rug.

5:30

It is of paramount importance that we look at protecting the whistle-blowers themselves when they come forward, not the public entity that they're coming from. I would hope that everybody here would be in support of this amendment and in support of what the fair recommendations are. The independent body that is looking at this – I mean, right now under this act no matter how egregious any wrongdoing uncovered by the commissioner, the public may never learn about it.

The Premier, who released her democratic renewal strategy in May, said she would pass a law that protects whistle-blowers no matter what the manner they choose to expose the wrongdoing. Right now in this bill there is no place – no place – that states this. We are prescribing the manner in which they can come forward and blow the whistle with this bill. We're not protecting them when they choose to come forward in a manner of their choosing.

I'm going to read this again because it's very important. The Premier, who released her democratic renewal strategy in May, said she would pass a law that protects whistle-blowers no matter what the manner they choose to expose the wrongdoing. When you start saying that a whistle-blower must report to the Ombudsman, you're being prescriptive again about the structure that is in place in an effort to manage the information. I think that defeats the purpose, the Premier said. I think they need to be protected if they go to the public with it, the Premier said. The Premier proposes to protect whistle-blowers who go to opposition politicians, media – I think that's this subamendment and this amendment – as well as the courts, as well as the Ombudsman and internal managers. She said that the political leaders need to send a message that allegations of wrongdoing will be examined in full no matter how they come to light. I'm going to repeat that little bit again: no matter how they come to light. You either have an open government or you don't, the Premier said.

Because we've brought these amendments forward, that specifically address what the Premier said, to put these provisions in this act to protect the whistle-blower, I would hope that all of you would stand in support of the subamendment and then this amendment because it supports what your Premier has put forward and has said.

With that, I'll sit down. Thank you for the opportunity to put those arguments forward.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Allen:** Thank you, Madam Chair. Of course, this is the first time I've seen this, so I really don't have an awful lot to say, but I am pleased to rise to speak to this subamendment. I guess it brings some reasonable question to the practicality of what we're doing here. We've been discussing and debating the amendment regarding reporting wrongdoings to Members of the Legislative Assembly, but to add in media, this does two things. I think what we end up doing – section 11 is specifically designed to say that the employee has a duty within a certain reasonable amount of time to disclose the matter to a designated officer.

I think that if you are going to put in any amendments to add other individuals, whether it's a Member of the Legislative Assembly or the media, you in fact cloud the matter to a point where it could be felt that the media are now designated officers as well. We end up getting to a point where we're debating things in the media and we're negotiating things and trying to fix problems in the media.

I believe that the intent of this act as it's been designed by the hon. Associate Minister of Accountability, Transparency and Transformation is that we're putting a process in place that is going to work for any employee that feels that there's been wrongdoing, that they can come forward through a designated process, through a designated officer, and be treated in a manner which treats them with respect and will come out with results.

Madam Chair, for that reason alone, to add anything as 11.1 under section 11, "Disclosure to designated officer," I can't support this amendment. I certainly don't believe that it would be appropriate to name either Members of the Legislative Assembly or the media as designated officers.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

On subamendment SA1, the hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Madam Chairman. This is a very interesting amendment. In fact, it speaks to issues that we, too, had prepared for amendment, which I actually think will probably still be in order, and we'll have an opportunity to discuss them even if this is defeated because our proposal for how to address this issue is more limited in its application than this one would be. I think it will be a different outcome.

I'd like to take this opportunity to talk about the principle that the members of the Official Opposition are trying to get at through both the amendment and the subamendment, which is part of the amendment. Like all members of this Assembly, I've taken the opportunity to read through the act and look at the particular expectations and prohibitions and directions within this act. As you know, Madam Chair, my preliminary concerns about this act are that, really, rather than serving at its very essence to be an act which protects whistle-blowers, in fact, what it does is that it sets out a very limited set of circumstances in which the whistle-blower can disclose.

Then it sets out about – I don't know – 30 rules around that disclosure, and it sets out the authority for probably another 30 rules to be set out around that disclosure. Then it basically suggests that nobody can penalize that whistle-blower if they follow the collective list of roughly 60 rules, although if they don't follow the rules, they may themselves be subject to discipline under the act. It's really not clear that what we're really doing is getting at the so-called intent of the Premier, just quoted a couple of speakers ago, in terms of ensuring that a whistle-blower

will be protected no matter how they choose to disclose information which is important to the public interest.

[Mr. Goudreau in the chair]

What this principle is getting at is ensuring that the efforts of the whistle-blower are not lost in the incredibly detailed and rule-oriented process which exists here. Because here's what it looks like, Mr. Chair. First of all, under section 5(2) each body needs to come up with procedures relating to 11 different issues, which will circumscribe the process for the whistle-blower to follow. Now, we don't know what those procedures will be. They may not be consistent. The obligation for those procedures to be fair is not really laid out in the act, but they need to come up with at least 11 sets of rules in each public body.

[Mrs. Jablonski in the chair]

Then, once they've done that, assuming that the rules are remotely functional and in themselves don't create a process which can go at least 12 months or 24 months or 36 months – we really have no idea how long that procedure would last, and there are no limitations on that procedure and the sets of rules that are being laid out.

5:40

Then after that what happens is that the whistle-blower is compelled to disclose their issue to the designated officer, who will then follow the rules set out by the public body, and we don't know what they are yet. Then in certain limited circumstances the whistle-blower could disclose the issue to the commissioner. But it's not an absolute ability to disclose to the commissioner. They can only disclose to the commissioner under certain circumstances. If the 12 or 13 or 14 procedures that were described under section 5 have not yet been established, then you can go to the commissioner. If they have disclosed unto the designated officer but the investigation is not following the procedures, which we don't know what they are, then you can go to the commissioner, although you can write procedures in such a way that it's very easy to say: yeah, we're following them.

Anyway, if they haven't followed the time period under those procedures that we don't know what they are; if they have actually completed the investigation and the employee is dissatisfied – but bear in mind that because we don't know about these procedures, they may not complete the investigation until, you know, three years after they've first disclosed – then if the subject matter actually is related to the designated officer; if there's a possibility of imminent risk, and we've talked about that already; and if there has been a reprisal taken against the employee. Of course, if there's been a reprisal against the employee, I'm thinking that their first priority is to actually get a job and put food on their family's table rather than go to the commissioner, but that's an opportunity to go to the commissioner. If the employee reasonably, to an objective standard, believes that a reprisal might be forthcoming, they can go to the commissioner. So there are a lot of hoops that have to be jumped through before an employee can actually go to the commissioner.

Now, should they go to the commissioner, though, Madam Chair, it's not all tickety-boo at that point because in fact there are – oh, my goodness – at least one, two, three, four, five, six, seven, eight, nine circumstances under which the commissioner can choose not to investigate or to kick it back to the designated officer or kick it back to the public body. In fact, if that person actually manages to climb that hill of getting the attention of the commissioner, the commissioner can under a whole slew of circumstances kick it back. There are so many opportunities that

the commissioner has to not act on it. One of them is simply that – you know what? – if it happened more than two years ago, the commissioner can stop the investigation.

So even if this person has dutifully gone through the process that the public body has set up – and let's say that that public process took a year. They get through that process, the decision is made, the person is not satisfied with it, and then they get to the commissioner and the commissioner has a six-month waiting list, which, quite frankly, for most investigations by administrative tribunals – I think everybody on that side knows that any response within six months is dreaming in Technicolor. Within about a year – no administrative tribunal manages to dispose of a matter within six months – let's say that they get there, then the investigation starts. Say it's a complex matter. Boom. We hit two years. The commissioner can just stop. "Well, yeah, you know, I realize that it took awhile to get here, but the act says that if two years have passed, even if I've already started my investigation, I can stop in the middle of it."

So there's a whole slew of ways in which this act allows for the whistle-blower to basically fall through the cracks. Why do we care if the whistle-blower is able to manage to avoid falling through the cracks? Well, basically it's because all of this act hinges on section 24, this notion that section 24 will protect this person from being disciplined or harassed or fired because they've chosen to try to disclose.

Now, quite frankly, you can drive a truck through section 24, the loopholes written into that. But notwithstanding that, the point of all of this is to keep the person able to still hold onto section 24 and not have their livelihood stolen from them by somebody who decides to engage in reprisal because this person has questioned their activity or questioned the activity of the public body.

The point of going through this process, Madam Chair, in so much detail and pointing out all the ways in which the person can go through the cracks is to then explain why it is so important to have a fail-safe that ensures that if the whistle-blower falls through the 25 or so cracks that have been written into this act, then there is a fail-safe, and they can go to an MLA or go to the media and have some semblance of hope that they can rely on section 24 of the act.

You know, we've had previous speakers say that there's nothing stopping people from going to MLAs right now. No. No, there's not. Except that they could be fired for it. And be very clear: they could be fired for it. So section 24 is designed – it's the lynchpin of this act. Not a very well-constructed lynchpin, a bit rusty, likely to fall out, doesn't actually fit the tool with which it's gauged, shall we say, but it is nonetheless the lynchpin of the act.

Section 24 currently does not apply if the person goes to their MLA or an MLA, nor does it apply if the person goes to the media. When we're talking about transparency, folks, we're talking about a public debate. We're talking about ensuring that the media has the ability to share these facts with those in the community who presumably, through that little process we call an election, hold this government accountable. When we talk about regular accountability, accountability outside of that four-year period, well, we're talking about debate and conversation within this Legislature, which doesn't happen if this whole process is hidden inside a whole bunch of bureaucratic silos designed to keep it from the light of day. This amendment is geared towards putting a fail-safe in place.

Now, we will be proposing an additional amendment. Should this amendment not pass, we shall be proposing an additional amendment which, I would suggest, amounts to a compromise because it limits the scope or the opportunities at which the whistle-blower can go to the MLA or go the media. However, the

general principle here is correct. Should this pass, then obviously, yeah, our amendment would be unnecessary. [A cellphone rang] I think I do feel the need to question the member on his musical taste. Nonetheless, I hope you're enjoying it, and I hope I didn't interrupt your enjoyment of that music by speaking about this.

**Mr. Khan:** No, not at all.

**Ms. Notley:** In any event, that's what these amendments together are geared to do. It's really important that the discussion with the media is clearly delineated because it, frankly, doesn't help to simply allow an MLA to become aware of it and then have the MLA constrained by the very same confidentiality which constrains the commissioner and would constrain the Assembly from engaging in a proper debate around whatever issue it is that is raised through the information provided by the whistle-blower.

It's really a natural link to include the media because you need for there to be an open, transparent – you know, it's amazing that I'm saying this. I mean, it seemed to me during the election that all the Premier could ever say was: open, transparent; open, transparent. Here we're actually trying to make it happen, yet this bill is all about: "No, we shall not be open and transparent. We shall not let the media know about it. We shall not let the Assembly know about it. We shall keep it in this small office, and it will never ever come out of that little office." Well, this is about trying to change that. This is about really trying to create open and transparent debate and conversation about whatever issues the whistle-blowers bring forward. So we absolutely support the principle behind these motions.

**5:50**

I will say, Madam Chair, that throughout this process we will be constantly examining what are best practices in other jurisdictions. And be very clear that this piece of legislation that we have here before us in total, as I've said before, mirrors legislation brought forth by that government known nation-wide for its commitment to openness and transparency, the Tories in Ottawa and the Prime Minister. Just to be clear for those listening, I am being very sarcastic when I say that.

This legislation is modelled on legislation that exists in Ottawa, legislation which experts on the issue of openness, transparency, government accountability have long since concluded is not transparent, is not accountable, and is not effective at protecting the rights of public servants when it comes time for them to exercise their conscience and disclose potential wrongdoing on the part of any branch of government, including the most senior people in the executive branch of government.

As a result of that, we're not going to get true transparency in this legislation as it currently exists. We will get an enhanced level of opaqueness. We will actually be injecting darkness into the window and ensuring that fewer people can see what's going on if we pass this act.

This amendment is clearly geared towards introducing a fail-safe, as I've said before, to a process which, as I've described, includes roughly 30 or 40 cracks through which the whistle-blower can fall to not only their demise but to the demise of open and transparent public debate in this province. So we're certainly happy to support the principle behind these amendments.

We do think that it's important to include the media in this amendment as much as the MLAs. If I had to choose one, I would say that it should just be the media because if the media is aware of it, then the MLAs become able to have the conversation in an accountable fashion within the Legislature and in other places. Quite frankly, it's really only when the weight of public opinion

through the work of the media starts to pressure this government that we ever see any kind of response. As a result, if I had to chose, this subamendment is easily the most important component of this combined amendment by the Official Opposition, but we're certainly happy to support both.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Calgary-South East on subamendment SA1.

**Mr. Fraser:** Thank you, Madam Chair. Let me speak to this amendment. You know what? I think that on the face of things this sounds great: let's go to the media; let's go to our Member of the Legislative Assembly. Those are all good things.

**Mrs. Forsyth:** It's your Premier that wanted it.

**Mr. Fraser:** Absolutely. But I think the question is: does this bill preclude you from doing that? Does it allow you not to do that? I don't think it does. I think you can do it. In fact, Madam Chair, a wise man once told me that not all media is good media.

When we talk in the best interest of people, the people that we're here to serve and protect, let's look at a couple of things. Let's look, for instance, at Alberta Health Services with a hundred thousand employees. You can't tell me – and in fact, I've worked there – that everybody gets along. I would imagine that there are whistle-blowers there right now, whether it's against a physician, a paramedic, or a nurse, or the governing colleges, the labour groups. Those problems are being solved based on the process that we have today, but this bill goes one step further. It creates more transparency. It gives more ability to the whistle-blower to feel protected.

Now, at the end of the day when we think about media and we think about the way that we need to move, wouldn't we as politicians always love to control what comes out in the media on both sides? But that doesn't always happen. The media doesn't always report things in the best interest of the person or the entity. They're there for a particular reason. I think that when we include this, that's what we are saying, that they're a definitive protection, and they're not.

Further to that, I'd even say this. If you go to your MLA, which you should be able to, the MLA should do everything to fight for you in your best interest. I can tell that when I was president of the Calgary paramedics, I had to protect people. I had to give them advice, whether it was dealing with the media or with their supervisor.

Well, you shake your head, but I've been in Alberta Health Services and I can tell you that when you talk about bullying and you talk about that process, you should be injected into the front lines to see how that works. It is really important to understand how that works. It's really important to understand what the long-term effects of that are. Once again, as I've said before, the way this legislation is written, and over time whether it's all legislation, we will see the proven effectiveness of these bills as they move forward.

Now, you say that we need to have this large collaboration as if this government didn't have it, as if we're not meeting the mandate that the Premier gave us. You're talking about 61 different diverse points of view, people that went to school like myself and

our chief government whip that protect people every day. You can't tell me that the dialogue that we have in our caucus isn't to put people in the front. There has to be some rationality here. The good people that have been serving these people and constituents in this province, not just today but for many years: we continue to build on those strengths.

So to say that because the media is not in it – ask yourself that question. The media is not always the right way to go. Your MLA is not always the right way to go. There is a process, just like we have processes in our families and in our other businesses that we hold dear to our hearts. There is a process that we follow. I encourage, in fact I dare, the members across the aisle and other parties to follow this process, to get out there. [interjection] You know what? My Premier empowers you and every other person in this province to go to their MLA. I'm on the record.

**Mrs. Towle:** And the media.

**Mr. Fraser:** Go to the media if you feel that's your best avenue. The Premier is not saying not to do that. The Premier, in fact, said to go ahead and do that.

Our job should be to see if that is the correct action, to follow a process, to make sure that we are not breaking any laws or precluding anybody from getting the kind of justice that they need. It doesn't always need to be politicized. It doesn't always need to be on camera. Sometimes the best work happens behind closed doors.

You know what? I know that the members across the way know that. You're laughing, but you know this. In fact, I'm a testament to why I stand here, because you know what? I didn't hijack meetings with union members. I went on my own and I talked to people and built credibility. I built a relationship. And that's what this is about.

I'm happy, and I'm proud to stay here. I will stand here until the end of this campaign in the next four years, and you know what? I'll stand behind the work I did. I'll stand with the members on this side and all sides that did hard work, that were honest with Albertans, that work for Albertans.

I believe this bill speaks to that, and I won't be supporting these amendments. Thank you.

**The Deputy Chair:** Thank you, hon. member.

**Mrs. Forsyth:** Well, time is short. Actually, it's interesting that the member talks about the mandate that the Premier gave them. What he is discussing is exactly the mandate that the Premier was trying to sell Albertans on when she was running for the leadership.

We've already had the Member for Lacombe-Ponoka speak, and I think it's important for the member – and I admire what he is trying to do. I'm sure when he talks about the processes in place and he talks about his paramedics, which I know he has . . .

**The Deputy Chair:** Hon. member, I hesitate to interrupt you, but it is now 6 o'clock, and the committee stands recessed until 7:30 p.m.

Thank you.

[The committee adjourned at 6 p.m.]







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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Tuesday evening, November 27, 2012

Issue 24e

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta**  
**The 28th Legislature**

First Session

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Allen	McAllister
Amery	McDonald
Bhardwaj	Notley
Casey	Pedersen
Hehr	Sandhu
Jansen	Saskiw
Jeneroux	Towle
Johnson, L.	Xiao
Kennedy-Glans	Young
Kubinec	

### Standing Committee on Public Accounts

Chair: Mr. Anderson  
Deputy Chair: Mr. Dorward

Allen	Hale
Amery	Hehr
Anglin	Kang
Bilous	Pastoor
Calahasen	Quadri
DeLong	Sarich
Donovan	Starke
Fenske	Stier
Fraser	Webber
Fritz	

### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans  
Deputy Chair: Mr. Rowe

Anderson	Hehr
Anglin	Johnson, L.
Barnes	Kubinec
Bilous	Lemke
Blakeman	Leskiw
Brown	Sandhu
Calahasen	Stier
Cao	Webber
Casey	Xiao
Fenske	Young
Fraser	Vacant
Hale	



## Legislative Assembly of Alberta

7:30 p.m.

Tuesday, November 27, 2012

[Mrs. Jablonski in the chair]

### Government Bills and Orders Committee of the Whole

**The Deputy Chair:** Hon. members, we will call the committee to order.

Just as a reminder, I will remind you that the times between bells has been reduced to one minute. We had unanimous consent prior. Because we just recessed, we still have that approval to keep the bells at one minute between rings.

#### Bill 4 Public Interest Disclosure (Whistleblower Protection) Act

**The Deputy Chair:** So we can continue. Are there any members who would like to comment? The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thank you, Madam Chair. I think that just before we adjourned – it was probably about one or two minutes before 6 – I was responding to the Member for Calgary-South East. We had a brief conversation as we were leaving, and I wanted to just get it on the record. In speaking, he talked about the mandate that the Premier gave them. I'm not sure what mandate the Premier has given the government members, but I can tell you – and it's been read into the record by the Member for Lacombe-Ponoka – the mandate that the Premier told Albertans that she was going to have as she was running. I need to read this once again into the record because it goes to amendment SA2, that we're talking about.

**The Deputy Chair:** Hon. members, the noise level is a little high. Can we lower that noise level, please?

**Mrs. Forsyth:** If I may, Madam Chair, it's important to read this into the record because it goes right to what the amendments were talking about. I'm reading an article into the record.

Redford, who released her democratic renewal strategy in May, said she would pass a law that protects whistleblowers, no matter what manner they choose to expose wrongdoing.

"When you start saying (a whistleblower) must report to the ombudsman, you're being prescriptive again about the structure that is in place, in an effort to manage the information. I think that defeats the purpose," she said. "I think they need to be protected if they go public with it," she said.

Redford proposes to protect whistleblowers who go to opposition politicians, media or the courts, as well as the ombudsman and internal managers. She said political leaders need to send a message that allegations of wrongdoing will be examined in full, no matter how they come to light.

"You either have open government, or you don't," Redford said.

Those were words spoken by the Premier when she was running for the leadership of this party and the commitment that she was giving to Albertans at that particular time.

Again, my comments are brief. The process is in place that the Member for Calgary-South East talked about. I've again encouraged him to read the legislation because the processes are in place.

In his comments he talked about the paramedics, that he is a paramedic, and that he has represented the paramedics as a former paramedic and now as a government member. I guess my question

to him in regard to the paramedics, because I've just met with him, is on the processes that he has in place or what he's done to bring the issues forward that the paramedics have right now in regard to the ambulances, all of their pensions, if he has represented that to the Minister of Health, and to get on the record what the Minister of Health is doing to address those issues that are current. Those are just a couple of the issues that the paramedics have brought up. The new ambulances that don't fit them and having problems with the stretchers getting into the ambulances: I'm sure he's well aware of all that.

I'm sure that in his role as the MLA for Calgary-South East he has brought those issues – and he's said in this Legislature that he has brought those issues – to the Minister of Health. It alludes to the fact that it is important that if you have a concern, Madam Chair, in regard to what's happening in health care issues that is wrong, that needs to be addressed, when you have paramedics in ill-fitted ambulances, that those issues be brought to the forefront, to the Minister of Health, and that if they're not dealt with through the processes that this hon. member talks about, the processes in place, they have an option to be able to go to their MLA or this MLA, or they can go to the media.

Having said that, I look forward to hearing more debate.

**The Deputy Chair:** Are there any other members who would like to speak on subamendment SA1?

**Mr. Fraser:** On the amendment let me tell you first and foremost that when it references an MLA or it references the media, what I have been known for and what I'll continue to be known for: I will stand up for anybody that needs standing up for. I will stand up for the paramedics always, without question, and the members on this side, including the Minister of Health and all other ministers, can tell you in full force that I've addressed every issue that a paramedic has brought to me in terms of me being able to represent them and their best interests. However, I also recognize that in that role not all media is good media, that there are fantastic people – let me reiterate that: fantastic, qualified people – in Alberta Health Services who are working every day to make better outcomes for the patients that they serve, and that includes this minister.

I will say this. We will continue to work, and we'll find the best collaborative solution. But it is not below me or above me if I felt that I needed to advocate through media for a particular person. I will do that, and I will do it to the best of my ability. Whether it's for a constituent, a paramedic, or for the minister himself, I will do that. I hope that answers some questions. Again, I will tell you that there are excellent people here.

The processes that I've used in the past to represent the paramedics during the transition – I believe the Member for Airdrie cosponsored the bill of that transition. We tried to meet with him, which we never did, and I don't think it was about a refusal. Let me get that clear. We just never got that opportunity. But we did meet with most of the government members.

To reference the members from the NDP caucus, they laughed about the closed-door meetings. What I meant by that is that I don't believe it's pertinent or prudent to hijack a meeting by saying, "I will show up in the meeting" and then bring all my friends. I feel sometimes that if we can take the politics out of the process, sometimes we can gain way. If we can take the media out of the process, we can gain way.

Further to that, when we reference the media, unwittingly when we put things in the media, sometimes we'll scare people away for fear that that's always the solution. That is not always the solution. That's not always the process that we take. If we put it in the media,

people sometimes will be afraid to report. That's not what we want in this legislation. We want people to feel comfortable, but we also want people to know: you're absolutely free. Let me make it very clear. This legislation does not say that you can't go to the media. This legislation doesn't say that you can't go to external people or your MLA. You absolutely can, but we want people to follow the process. We want to protect them through this process.

Again, we want to protect them through this process if they feel that there's wrongdoing, and there are many avenues for that. Coming from a paramilitary organization like EMS, like police, two services that are very highly regarded in the community, I can tell you that the process works more often than it doesn't.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who would like to speak on subamendment SA1? The hon. Associate Minister of AT and T.

**Mr. Scott:** Thank you very much, Madam Chair. This act is structured to enable disclosure through either the internal process or directly to the commissioner. One of the points that my hon. colleagues didn't mention as they were going through some of the various examples that they were bringing up is that there is an anonymous disclosure process, and that's in section 21 of the act. With some of the examples that were being given by my colleagues, I do believe that they will fit within those anonymous disclosure procedures. I would just ask that they consider that as they think about this act.

I know that the decision to make a disclosure can be very difficult and stressful, and I also know that whistle-blowers are not necessarily after headlines. Many want their complaints to be heard, investigated, and resolved without being in the spotlight. This legislation requires that each public body has an internal process in place. This internal process is critical for every employee who wants to do the right thing but address the matter internally. Of course, this legislation also makes it clear that wherever an employee does not feel comfortable with the internal process, has suffered a reprisal, needs to make a disclosure urgently, or has a disclosure concerning the chief officer or designated officer in their public entity, they can go directly to the commissioner.

This amendment would also present a risk of personal information being disclosed. A key advantage of this approach is that it limits the number of people with access to personally identifying information. The approach in this legislation will prevent malicious or vexatious allegations from being prematurely aired in public. Let's be clear. This amendment would not protect employees, as the opposition is claiming it would. An MLA or a member of the media has no powers or obligation to investigate, make recommendations, compel the production of records, or offer the whistle-blower any protection other than what an MLA or the media can currently already offer.

7:40

Madam Chair, Australia completed a major project entitled *Whistle While You Work*, which is the largest survey of whistle-blower policies, legislation, and perceptions of both management and employees. Let me share a quote from one of its reports.

It is clear that journalists and parliamentarians see only the tip of the whistleblowing iceberg, and are also more likely to encounter cases of whistleblowing that are already complicated, if not rancorous. While this more public whistleblowing may well be justified, on occasion, by the failure of organisations to address alleged wrongdoing in the first instance, the greater extent of internal whistleblowing does not automatically mean that wrongdoing is simply swept under the carpet.

We want to ensure that employees are protected when they make disclosures. We also want to ensure that disclosures are made to an office that has the power to investigate.

One of the key benefits of the legislation as it currently stands and the reporting processes that are currently in place is that they permit something to be done about the disclosures. If we have a system set up where disclosures are made to parties other than what we've designated, that doesn't necessarily lead to a resolution of whatever the concern is. I believe that the legislation that we've created provides an avenue that not only protects somebody who is going to make a disclosure; it also lets us solve the problem. That's really one of the aims that I want to see this legislation achieve.

For this reason, Madam Chair, I do not support the amendment or the subamendment.

**The Deputy Chair:** Thank you very much, hon. member.

The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Well, thank you, Madam Chair. I appreciate what this member is saying, and I'm going to again put this to him. He has come up again in regard to some answers or maybe possible answers to some of the things we're bringing forward. I want to put this challenge to him. The Member for Lacombe-Ponoka and I would be pleased to meet with your staff, your deputy, and your people that you have consulted with in regard to this legislation. We'd be pleased to do that. We would be even more pleased as a caucus to pick up the cost of conferencing in our consultants so that they can discuss the legislation. We may save probably tons of time in regard to the 21 amendments we're bringing forward, and I can't speak on behalf of the opposition.

He talked about the Australian model, and I forget his comments in regard to *Whistle While You Work*. I can tell you that your legislation, Minister, has been criticized as being too weak to even blow a whistle, let alone whistle while you work. I mean, this isn't something members of the opposition have made up in our heads. We're going by countless stakeholders across this country that have chosen to go to the media and speak about your whistle-blower legislation, have chosen to call us and discuss it personally.

Again, Minister, I know you talk about the anonymous allegations under section 21, but please read section 21. It talks about "may," "must manage and investigate the disclosure in accordance with the procedures established under section 5." Report back to whom?

It's okay for you to be able to read what your department has asked you to or what you want to put on the record, but it's also important to anticipate the questions that you're going to get when you make these statements in the Legislature. Trust me, Minister. I can tell you that I have spent hundreds of hours on this legislation, and I've talked to numerous people. We want this legislation to be what's good for Albertans, and what's important for Albertans is to be able to blow the whistle and be treated fairly and taken care of when they do blow the whistle.

Once again, what we're asking on amendment A2 is, one, to include MLAs in the legislation. My colleague has brought in a subamendment in regard to the media. Allow the whistle-blower to have the ability, if he's not comfortable under the section where he has to go to his immediate designated officer under section 11, to have these avenues.

With that, I'll sit down once again.

**The Deputy Chair:** Thank you, hon. member.

Is there anyone else who would like to make any comments?

Seeing none, we'll go to the question on subamendment SA1.

[The voice vote indicated that the motion on amendment A2-SA1 lost]

[Several members rose calling for a division. The division bell was rung at 7:46 p.m.]

[One minute having elapsed, the committee divided]

[Mrs. Jablonski in the chair]

For the motion:

Anderson	Forsyth	McAllister
Anglin	Fox	Pedersen
Bikman	Hale	Stier
Eggen		

7:50

Against the motion:

Allen	Griffiths	Olson
Bhardwaj	Hancock	Quadri
Calahasen	Horne	Quest
Casey	Jeneroux	Rodney
Dallas	Johnson, J.	Sandhu
Denis	Klimchuk	Sarich
Dorward	Lemke	Scott
Fawcett	Leskiw	Starke
Fenske	Lukaszuk	Weadick
Fraser	Oberle	Xiao
Goudreau	Olesen	Young

Totals:	For – 10	Against – 33
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[Motion on amendment A2-SA1 lost]

**The Deputy Chair:** We'll move directly to amendment A2. Are there any other members wishing to speak or comment on amendment A2? We'll call the question.

[The voice vote indicated that the motion on amendment A2 lost]

[Several members rose calling for a division. The division bell was rung at 7:52 p.m.]

[One minute having elapsed, the committee divided]

[Mrs. Jablonski in the chair]

For the motion:

Anderson	Forsyth	McAllister
Anglin	Fox	Pedersen
Bikman	Hale	Stier
Eggen		

Against the motion:

Allen	Hancock	Olson
Bhardwaj	Horne	Quadri
Calahasen	Jeneroux	Quest
Casey	Johnson, J.	Rodney
Dallas	Khan	Sandhu
Denis	Klimchuk	Sarich
Dorward	Lemke	Scott
Fawcett	Leskiw	Starke
Fenske	Lukaszuk	Weadick
Fraser	Oberle	Xiao
Goudreau	Olesen	Young
Griffiths		

Totals:	For – 10	Against – 34
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[Motion on amendment A2 lost]

**The Deputy Chair:** We are back on Bill 4, the Public Interest Disclosure (Whistleblower Protection) Act. Are there any members who would like to comment or speak? The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thank you, Madam Chair, and Calder thanks you as well for remembering where I come from. I rise with interest to speak on this whistle-blower protection act. In fact, I think this is my first opportunity to do so. I came with a number of amendments that I would like to distribute now, please, with the appropriate amount of copies and the originals.

**The Deputy Chair:** We'll pause at this moment and have your amendment distributed.

Hon. members, we will call this amendment A3.

Would the hon. Member for Edmonton-Calder like to proceed?

8:00

**Mr. Eggen:** Yes, I would. Thank you, Madam Chair. As you can see, this amendment makes a change to section 3(1) by adding a clause after subsection (d), the clause reading: "(e) a statement made to the public by public officials that conflicts with information known to an employee." The rationale behind this is that the current bill outlines wrongdoings to which the act will apply; however, it does not currently touch on misleading statements potentially made by public officials. The amendment will ensure that discrepancies between what is known and what is communicated by public officials will be considered a wrongdoing.

In order to restore trust in the public service, Albertans need to know that the information that they receive from department officials, AHS officials, or representatives from other public entities is consistent with the information that is internal to those offices. Employees of these offices and public entities would often be privy to information that might not be available to the public. Then employees can identify cases wherein true information does not match up with what is made to the public by public officials. This amendment also ensures that public offices responsible for carrying out investigations in the public interest are subject to this clause, which I think might help to ensure that information is accurate, complete, and not misleading.

I think this is a reasonable amendment, and I hope that each member of this House might consider it. Thank you.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who would like to comment or speak? The hon. Member for Airdrie.

**Mr. Anderson:** Thank you, Madam Chair. I would support this amendment. It seems like a very reasoned amendment. It says here: "This Act applies in respect of the following wrongdoings in or relating to departments, public entities or offices of the Legislature or relating to employees." Among them would be a statement made to the public by a public official that conflicts with information known to an employee.

You know, perhaps this could have helped us recently where a question was posed to the Solicitor General. The question was very clearly: could he provide the recommendations of the Chief Electoral Officer? He said he could not, that he didn't have those recommendations, that the Chief Electoral Officer does not report to him. In fact, he had received those recommendations. It would have been interesting to know. Perhaps we would have had a public official that could have gotten up in that instance and said: actually, no, that's not correct. That's just one example. There are probably hundreds of examples that we could go through, but I

won't belabour it. It just makes sense that if there's a statement made to the public by a public official that is incorrect or untrue or is a blatant falsehood, an employee should be able to communicate that so that that individual in the government can be held accountable.

I know we were going to introduce an amendment that was similar to this. We would have to bring it by subamendment now, but we won't belabour the point in the interest of time. That means we'd have to talk this one out forever while we got the subamendment ready. I know Parliamentary Counsel would just love doing that, having to scramble right now. They would be more than willing to do it. I know that. But we won't put them through that.

Just for the record we were going to amend and, instead of what's stated here, say that it would be a gross violation: this act applies in respect of the following wrongdoings in or relating to departments, public entities, or offices of the Legislature or relating to employees' gross violation of established policies or procedures of the department, public entity, or office of the Legislature. That, you know, is another thing that probably should be reported. I think that it might fall under subsection (c), which is "gross mismanagement of public funds or a public asset." One could argue that that could be included in that. I actually think that this amendment would work as well, the NDP amendment. I know that I will be supporting it and hoping that my Wildrose colleagues and friends in the government will as well.

**The Deputy Chair:** Thank you, hon. member.

The Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thank you, Madam Chair. I think it's important, like my colleague from Airdrie-Chestermere . . .

**Mr. McAllister:** Hey, I'm Chestermere.

**Mrs. Forsyth:** Sorry. From Airdrie.

. . . to get on the record in regard to supporting this particular amendment, which talks about section 3, adding a section under 3(1). He's added section (e), which is "a statement made to the public by public officials that conflicts with information known to an employee."

My colleague from Airdrie has also talked about the fact that we had a proposed amendment that we were going to be tabling. Time is important, obviously, but we don't seem to be getting too far with the government on the amendments that we have proposed on behalf of Albertans. I think my colleague has also put into the record what we were proposing.

Anything, in my mind, that's important or is going to strengthen this bill is something that needs to be debated in this Legislature. I look across from me and I look at all of the government colleagues that are sitting very quietly over there and haven't spoken other than the Associate Minister of Accountability, Transparency and Transformation, or as we've got to know him, the Associate Minister of AT and T. He has done his best to try and stick up for this bill and has actually spoken eloquently in regard to some advice that he's obviously taken upon himself or maybe even from his stakeholders that have advised him in regard to what should and shouldn't be in this bill.

We've got on the record that my colleague from Lacombe-Ponoka and I would be pleased to meet with his stakeholders and hook them up with our stakeholders and have a good discussion about what amendments need to be brought forward on this bill. If he can convince us otherwise, great. I've got better things to do at 10 after 8 on a Tuesday night than debate legislation. I could be

home on the couch reading a good book, watching TV, or even maybe, for that matter, talking to my husband.

So, again, I look forward to hearing what the minister has to say. I will put on the record for my colleagues that we support this amendment. It's another round in the boxing match that we're probably going to be playing over the next several hours. I honestly look forward to hearing from some of the colleagues on the other side.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Madam Chair. I would like to stand and speak in support of this amendment from my fellow colleague from Edmonton-Calder. The reason I want to support his amendment is that the wrongdoings definition in this bill is very narrow. What they speak about are acts violating a statute or a regulation, gross mismanagement, or endangering someone's life, health, or safety. These are all things that needed to be in the bill. What's missing is violations of policies, codes of conduct, and the like.

**8:10**

These can have very serious consequences as well. For example, most of the misconduct exposed within the financial industry, which might have been part of the meltdown we had back in 2008, would have been found in violation of policies, codes of conduct, and other ethical and moral areas. I mean, I think we need to have this. We must have this. This addition of wrongdoing and expanding it allows more members of the public service to come forward and talk about some of the issues that they're seeing rather than just being pigeonholed into having to define it under violation of statute, gross mismanagement, or endangering somebody's life, health, or safety.

There are many, many, many other reasons to step forward to blow the whistle in protecting Albertans to make sure that the services that the government is offering are being offered to everybody in a way that would be becoming of the government. I've had my own experiences with the front lines of the health industry, and I have to say that those people on the front lines are committed, and they are looking out for what is best for themselves and for Albertans. It's touching the way that they are committed to that. Personally, I've got a story of my own, where a nurse who had been present when my mother passed away, unbeknownst to me, had been given a message to give to me on my grad day. I would like to think that somebody who is so committed to their job and to Albertans like myself would be able to seek the protection when they're seeing a violation of a policy or procedure so that they can step forward and speak out in the interests of Albertans.

I think that the Member for Airdrie was speaking earlier about a problem in a hospital where tools weren't being cleansed properly. That would be a violation of policy. Maybe it didn't put anybody's life, health, or safety at risk in that instance, or it may have, but the fact that the policy itself wasn't being followed should have been enough to have a whistle-blower come forward and be protected under this. You know, I feel for these people on the front lines. They're doing the very best that they can with the tools that they have, and they really do care about Albertans. That's why they're doing the jobs they're doing. Let's make sure that when they see something that needs to be brought forward, it's going to be investigated and not just swept under the rug.

We did have an amendment on this, and I just want to make sure that it's in the public record that we were going to amend section 3(1) in this bill by adding a subsection (e), which would

have been: gross violation of an established policy or procedure of the department, public entity, or office of the Legislature.

Again, thank you for allowing me to stand up and speak for the constituents of Lacombe-Ponoka and for all Albertans.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Madam Chair. Of course, if everyone were honest, we wouldn't need bills like this, but they aren't. Most are, I'm confident, but there are temptations. Desperate situations occur, perhaps external pressures from whatever source. Conflicts of interest can tempt one and lead one astray. I think it's incumbent upon every employee that has such knowledge to come forward. They need to know that they're encouraged to do that and that they can do it without fear: fear of retribution, fear of discrimination or, perhaps, of any other actions by their peers or their employer. I think that failure to do so makes one complicit in the transgression. So I think that they should know that they can do this and would be protected.

I appreciate the amendment, and I'll certainly be supporting it. Thank you.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who would like to comment?

Seeing none, we'll call the question.

[Motion on amendment A3 lost]

**The Deputy Chair:** We are now back to Bill 4. Are there any members who wish to speak?

**Mrs. Forsyth:** Well, Madam Chair, as I said, it's a boxing match, and now I think that we're on round 4.

**Mr. Anderson:** We lost the first five rounds, though.

**Mrs. Forsyth:** I know, but that's how you box versus how I box. You see, I don't give up. Somebody is ringing a bell over there, and as hard of hearing as I am, I can hear that.

I have the amendment, if I may, and I'm sure that our wonderful pages will be – as it's being passed out, I'll sit down for a minute.

**The Deputy Chair:** Yes, we'll pause for a few moments while we have the amendment passed to the other members.

Hon. Member for Calgary-Fish Creek, you may proceed. This will be amendment A4.

**Mrs. Forsyth:** Amendment A4. Fourth round, right? You were right.

Thank you, Madam Chair. Well, here we go, round 4. This is going to get the lawyers going. I'm looking forward to the Minister of Justice getting up and speaking on this particular amendment.

Let's start off, for all of those that are interested, on page 6, section 3. I'm prepared to move that Bill 4, the Public Interest Disclosure (Whistleblower Protection) Act, be amended as follows. Section 3 is amended by striking out subsection (2), which currently reads: "This act applies only in respect of wrongdoings that occur after the coming into force of this Act." Very interesting – very interesting – to see that when we first saw the legislation. To be honest with you, it was probably one of the things that struck us the most when we were looking at the legislation very carefully.

Our amendment is as follows. Section 3 is amended by striking out subsection (2) and substituting the following:

(2) This Act applies in respect of wrongdoings that occur, or have occurred, on or after January 1, 2003.

Item B is section 19. For those that are interested, that is on page 14. Section 19 is amended by striking out subsection (2). Section 36 is on page 26, and section 36 is amended by striking out clause (j).

**8:20**

The issue is the time limitation within this bill. No wrongdoings will be investigated if more than two years have passed. This amendment will make any wrongdoing in the last 10 years reportable. Violations of laws performed by government and its employees that occurred before whistle-blower protections were introduced should still be reportable.

Now I have read the amendments in. I know this is going to be a good one for the Justice minister and Solicitor General because I've heard him on *Rutherford* when he was talking about the Election Act and was questioned about this.

This amendment is deleting the statute of limitations on this bill, which I have said before. I know we're going to hear about the retrospect for three years. Currently Bill 7 is retrospective for three years. This question is to the Justice minister. Why can't Bill 4 apply to wrongdoings in the recent past, especially when it's the future reprisals that come from blowing the whistle that matter?

I am going to sit back and listen. I'm falling over. Sorry. It's late at night. I've got heels on, Madam Chair. I should be taking them off, actually.

Wrongdoings, including criminal and civil wrongdoings by government departments, should always be made . . . [interjection] Excuse me? What did he say?

**Mr. Anderson:** He said how he thought this amendment was a real nice piece of work.

**The Deputy Chair:** Through the chair, please.

**Mrs. Forsyth:** I know that we're going to hear about the retroactive, so I want to get it on the record that laws can't be retroactive, but any wrongdoing committed in the last 10 years can be reported under the proposed amendments, and the whistle-blower will be protected from reprisal.

I am very interested to hear what the Justice minister has to say about this. Interestingly enough, this is information that we're getting from some of his federal-provincial Justice people that he's talked about in the past when he goes to his FPTs, I guess. We have talked to other lawyers, actually, that support this amendment. It's how you read it.

I'm looking forward to hearing what the Associate Minister of – I'm sorry if I'm offending him – AT and T, what they have to say. If he has a problem with that, he can let me know. The chair has always referred to that. The last thing I want to do is do anything other than use his full title.

I know my colleague from Lacombe-Ponoka wants to get up and speak on this. This is one of those amendments where we've actually reached out for legal advice, and we've reached out to some of our federal-provincial-territorial counterparts to get their advice. We've actually reached out to FAIR and those people that are renowned for their experience on whistle-blower legislation. It's important for us to hear what the government has to say about this particular amendment.

I'll be back up again. Thank you.

**The Deputy Chair:** Thank you, hon. member.

The hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you very much, Madam Chair. I appreciate you recognizing me. It is late, but unlike the Member for Calgary-Fish Creek, I'm not wearing heels.

I'm going to chat just about the issue of retroactive or retrospective legislation. [interjections] You know, it's really interesting. I've been very, very attentive here. I hear catcalls across the way. I'm just going to keep on talking.

When you deal with the issue of retrospective or retroactive legislation, there's a key distinction. I'll give this House just a brief overview on it. Retrospective legislation is shining the light on something that happened in the past whereas retroactive legislation is changing the rules in the past. I've always felt that retroactive legislation is improper unless you have a time machine, and I don't believe anyone here has a time machine, Madam Chair.

Where the prohibition comes from, dealing with retroactive legislation, Madam Chair, deals with section 11(g) of the Charter of Rights and Freedoms. I'm just going to pull it up on my computer here. This is just on the criminal statute. It says:

11. Any person charged with an offence has the right . . .

(g) not to be found guilty on account of any act or omission unless, at the time of the act or omission, it constituted an offence under Canadian or international law or was criminal according to the general principles of law recognized by the community of nations.

Of course, that only deals with criminal statutes, which typically deal with fines, penalties, incarceration, Madam Chair. What's interesting here is that this statute, of course, is civil. This House has no authority whatsoever to bring in a criminal statute. That is a matter under section 91 of the Constitution which solely rests with the federal government. That being said, there are a number of enforcement mechanisms that make this statute very close to the criminal area. In fact, it does impose significant fines. It is not criminal, but it does involve offences.

For example, penalties as a result of prosecution for an offence under this act include a \$25,000 fine for a first conviction and a \$100,000 fine for subsequent convictions. Fairly significant. It does, in fact, have teeth. So we would ask ourselves: should we be making legislation that is retroactive, when someone in the past didn't know about this legislation? How could they? It wasn't even introduced. Madam Chair, this legislation wasn't introduced for a period in the past, yet at the time the opposition under this amendment suggests that we should make the rules and rewrite that for the past.

I would respectfully submit to all members of this Assembly that that would make this portion of the law *de facto* unenforceable. I would even go so far as to suggest that it would leave this law open to a constitutional challenge because this is a grey area. It is not a criminal statute, but at the same time it does impose significant penalties. As I've said, none of us have a time machine *per se*. So where does this leave us if we go and put this in? I would suggest that this is largely a political amendment from one of the members opposite that thinks that we should just have no statute of limitations whatsoever.

Well, interestingly enough, Madam Chair, almost every piece of legislation has a statute of limitations. The general one is found in section 3 of the Limitations Act, which is two years from when a person knew or ought to have known to an absolute limitation of 10 years. It is a fact of legislation, and it's been found to be necessary. It's been upheld in courts throughout this country.

I would suggest that the act in its entirety doesn't apply to wrongdoings before the enforced date that the commissioner would be required to investigate, but it would have the discretion if they consider it to be appropriate. So I would suggest, again,

that the amendment would effectively force the commissioner to investigate old wrongdoings even if it was eminently clear that any and all evidence that might have assisted him was dispensed many years ago with the passage of time. So you're going to have issues of trying to call witnesses back from many different years. Of course, there's going to be a defence raised in whatever action there may be. As I mentioned, there may be a constitutional challenge.

The commissioner is an independent officer, and this would be a very difficult one for him to actually go and enforce. If you wanted to try to go back five or 10 years, you're going to have old evidence. You're going to have witnesses that understandably forget things. That's why Canadian jurisprudence is so reluctant to allow for this type of retroactive legislation.

I would suggest that the provisions that the Minister of Accountability, Transparency and Transformation has suggested are adequate here and that this amendment should be rejected for the reasons that I have indicated.

Thank you.

**The Deputy Chair:** Thank you, hon. minister.

The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thank you, Madam Chair, and hon. Member for Calgary-Fish Creek. I will save you a spot soon. I'm just so anxious to speak on your amendment.

It's interesting, you know, that although we didn't confer on this particular amendment, we in fact had something almost identical to this: section 3 amended to strike out subsection (2), section 19 striking out subsection (2), section 36. It's almost exactly a mirror image. I think both of our research teams came to a very similar conclusion on the problem that's associated with sections 3, 19, and 36. This current bill only applies to wrongdoings that occur after the coming into force of this act. The bill also allows the commissioner not to investigate a disclosure if two or more years have passed since the wrongdoing was discovered. It feels like a problem there. Absolutely. The amendment will ensure that time period applications do not hinder the commissioner from investigating and resolving issues that pertain to wrongdoings and public interest disclosures.

**8:30**

We may well have seen wrongdoings in the province that have gone unreported due to a lack of strong whistle-blower protection in the past. In other words, whistle-blowers would have likely felt intimidated into silence in the past because there have not been safe procedures in place for employees to, so called, blow the whistle.

So I say, Madam Chair, that if this government is serious about uncovering wrongdoing in the name of the public interest, then it would allow for this act to be applied to cases that have gone unreported in the past. Wrongdoing in public entities and in the workplace in general is often systemic and long standing. Typically gross mismanagement and illegality begin with a single instance repeated over time and spreading to other areas and other individuals. There has to be retroactive application of protection for whistle-blowers under this new bill that we're reading here today to ensure that offices wherein there is systemic wrongdoing may be found.

The commissioner should not be able to drop investigations arbitrarily after a two-year period as well because this will allow the commissioner to allow investigations to, so called, time out, to run out the clock. Although investigations should be completed in a reasonable amount of time, which would ideally be much shorter than two years, there are conceivable cases of much more signifi-

cant wrongdoing involving entire offices or entities which might require long-term investigation by the commissioner.

Deleting this section would ensure that a loophole for ending investigations according to an arbitrary time limit is then closed. Quite simply, investigations should be conducted in a reasonable time frame, and closing investigations according to any sort of meaningless, arbitrary time limit will limit the commissioner's ability to remedy wrongdoings in carrying out his duties.

Also, an arbitrary time limit will likely increase the likelihood that whistle-blowers may publicly release information relating to a wrongdoing. If a whistle-blower feels frustrated because a commissioner ends an investigation, then he or she may feel inclined to pursue other avenues for disclosure. This is in the best interest, I believe, of all parties involved to ensure that the commissioner commits to the beginning and the completion of investigations.

Again, in closing, it's interesting that both our researchers and the Wildrose came to a very similar conclusion here. I think it's a question of common sense rising to the top – right? – as does cream. The idea that we would have these limitations in place I think goes against the spirit of giving a potential investigator, a commissioner the full powers to be able to carry out their job in the office that we are going to create here.

I certainly would invite other comment on this. I would like to learn more about how your research came together on this and how both of our research teams came to a very similar enlightened and reasonable conclusion.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Madam Chair. We came up with this amendment based on what's going on right now. When we're looking at what's happening and where these complaints are coming from, we want to make sure that the commissioner can investigate what has been going on in government, in our public bodies if there is issue to do so. Now, I think this is more retrospective than retroactive. We want to make sure that the commissioner can't refuse to investigate or to discontinue an investigation when it has been under way as well. If more than two years have passed, according to this piece of legislation, they can stop investigating it. If their staff drags their feet long enough, we might not ever get to the bottom of that particular individual's concern. We want to make sure that anything that's going on right now is seen.

What happens if we've got somebody today – today – who has an issue, who has seen wrongdoing? Where are they going to go? Well, they can come and talk to me, but what's going to happen? They're not protected. They could go and talk to the media, but again they're not protected. They're left open to reprisal. They're left open to dismissal. They're left without any protection. Where are the Albertans in this? Where are the taxpayers? If somebody has something that they need to come forward with, it should be investigated. We might not be able to put forward a penalty on it, but at least we can see that the procedures are going to be changed to fix whatever issue is happening in that public entity.

The way this reads now, the commissioner need not ever investigate that. We won't ever see it corrected, and we'll just see this issue roll on and on and on until maybe somebody else has the gumption to step forward if it happens. But if it stops, well, we still don't know that there's been a misuse or a misappropriation or whatever the issue might be. We just won't see it happen. We won't be able to make sure that that issue has been rectified. We've got to make sure that our public entities are running the

way that we envision them to. We're here in the public interest. They're there in the public interest.

We've got to make absolutely sure that when there is an issue, if it's today, not when this is signed into law and given royal assent, that person and their issues will be investigated when this becomes law, not just pushed off to the side and told: oh, well, sorry; your issue, your problem, what you're blowing the whistle on, well, it didn't really exist because this law hadn't come into force yet. We absolutely need to make sure that they have the ability and that we have the ability to go back and make sure that our public entities are following the best practices at all times, not just from this point moving forward.

I hope that some of my other fellow members will have some more comments on this. Thank you very much.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Chair. I rise to speak to this amendment, but I'm going to disagree with the hon. Minister of Justice in the sense that wrongdoing can actually be investigated under criminal law under the statute of limitations, whatever rules and regulations apply accordingly. This is about so-called protection of the whistle-blower. It has nothing to do with, certainly, any type of criminal activity that would fall under the auspices of the Department of Justice and all the rules and all those regulations.

You know, the prime example on a political level is something akin to the sponsorship scandal, that took a long time gelling before investigations were complete. This isn't about a defined wrongdoing in the sense that something has been proved. This is about an alleged wrongdoing that could possibly be investigated. That's all it is, giving protection to the whistle-blower. That could still be investigated anyway without protection to the whistle-blower. If the intent of the act is to protect the whistle-blower, this doesn't affect whether or not the minister and the officer or the commissioner has the right to investigate wrongdoing or make whatever type of administrative changes they want to make.

8:40

The idea that this would not have some sort of effect coming into force on January 1, 2003, is interesting because this government has routinely passed laws that came into force on past dates. That goes back to not just the last government but the government before that and the government before that.

When I look at this, this is just a very basic step in making sure that this act is inclusive in the protection of the actual whistle-blower, not necessarily in whether or not somebody has found a wrongdoing or an offence to civil law or an offence to criminal law. That is something that would be completely different.

I'm not sure I understand the whole idea of retrospective and retroactive because that would technically, in my mind, be dealing with something else altogether in the prosecution. This is just dealing with the protection of the whistle-blower to come forward and report something that they alleged as a wrongdoing. The commissioner or the officer then has the ability to take a look at it under this act and give protection to that whistle-blower. Whether or not they find a wrongdoing is another matter. Whether or not they even investigate is another matter. That falls under different provisions, and they have to make the evaluation. But the alleged wrongdoing, to say that they can't or nothing applies until this comes into force, I suggest, makes the public extremely suspicious of what the intent of this law is.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thank you Madam Chair. I'm going to be brief. I really need some clarification. I've said in this House on several occasions recently that I'm not a lawyer. When you're not a lawyer, you listen to lawyers and look for legal advice from other lawyers. The joke is always that you can never get a bunch of lawyers in a room to agree on anything. You look to their wisdom and you look to their guidance and you try and understand from a common sense or a common practicality. I guess it's like a judge sitting. They listen to the lawyers, and they listen to what's brought before them, and then they make the decision even though you've got two lawyers fighting on the same case, one proving something innocent, one proving something guilty.

One of the things that this minister brought to my attention – I, again, was listening very attentively, but he talks very fast – is the fact that he referred to the Charter of Rights and Freedoms under section 11(g). I don't have that in front of me. The Charter of Rights and Freedoms has been around for quite some time. Under that Charter of Rights and Freedoms he talked about the criminal statutes. It only applies to criminal legislation. Then he went on to say that this isn't a bill that's criminal, but it could be very close to criminal statutes because this is a civil statute. My colleague from Airdrie, I'm sure, will be able to fill us in better than anybody, as a lawyer, about criminal statutes versus civil statutes. I don't quite understand that.

What was interesting was that as I listened very intensely, he went on to say that this could very well become a constitutional challenge. He doesn't want that to happen. Yet in the same breath, when we're talking about .05 to .08 legislation being a constitutional challenge, he doesn't have a problem with it. Here we have two bills in this Legislature, that have hit this Legislature floor. One on .05 and taking people's licences away and, for that matter, their cars. This minister is just standing in this Legislature passionately talking about the fact that they were expecting a constitutional challenge and that they would challenge it to the fullest degree. So we take that one step further. Now we're talking about people's lives, their careers, their livelihood, their integrity, their reputation, bringing forward a solid piece of legislation under Bill 4 because they have had the guts – and that's the only word I can think of – to blow the whistle on somebody doing something wrongful, and he's afraid to step that one step further and talk about a constitutional challenge.

To me, it's absolutely frustrating that in one breath this government can stand in this House and has no problem, when somebody blows over .05, taking away their car without due process, and we have another bill that's talking about protecting the rights of people who are blowing the whistle on some very, very serious charges. It could be serious if you look across this country at whistle-blower legislation that has been blown in the past. Serious, serious things have happened. He doesn't want to take that challenge.

I always sort of think of when I was a minister, and I can think of several pieces of legislation, as you can, Madam Chair, that challenged constitutionality. I want you to remember a piece of legislation that you brought forward in this House, that you were so passionate about: PCHAD, the Protection of Children Abusing Drugs Act.

Hence, I can talk to you about a piece of legislation that I was very passionate about, which was PCHIP, which was the Protection of Children Involved in Prostitution Act. Both of us through that process – I was with you through that process when you were bringing the PCHAD legislation; you weren't with me

through the PCHIP, but I know you would have been if you were there – talked about: "You can't do this. You're going to get a constitutional challenge." Well, guess what? They challenged me constitutionally about the PCHIP legislation, and guess what? We won, which now protects probably, the last count I had, 950 children apprehended under PCHIP. I would challenge you, Madam Chair, to go to your government and ask them how many kids have gone through your PCHAD legislation and how many of those children have been saved.

It boggles my mind that we're backing down. This is a government and a province that brags about its entrepreneurship, and it brags about the people in this province that are in the forefront of everything. And we cannot – cannot – stand up on behalf of the people in this province who have the guts and want to bring forward this government or anyone else, for that matter, in regard to the wrongdoings that they're doing, and this Minister of Justice says: I don't want to have that constitutional challenge. Yet he'll do that with .05 or .08.

I'm looking forward to my other colleagues talking. I'm looking forward to the Minister of Accountability, Transparency and Transformation – and, Minister, I'm still, still, still struggling with the name of your ministry when I still haven't seen any of that through all of this legislation so far that your government has defeated. People across this country are watching this bill, and those same people are saying that this is the worst legislation in the country. So let's get on. Let's move forward. Let's talk about some of the amendments that are going to make this bill maybe even half-assed good so that we can move forward and help the people in this province.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Airdrie.

**Mr. Anderson:** Thank you, Madam Chair. I'd like to speak to this amendment. I actually think this is a critical amendment that we added, and I really wish the government would look at this. There's no reason for them not to. It's amending section 3 to make sure that

- (2) This Act applies in respect of [all] wrongdoings that occur, or have occurred, on or after January 1, 2003.

**8:50**

Now, I think that the extension of it back a few years is something worth looking at. Remember, what we're looking at here is that we're not necessarily – and I could be wrong. Please correct me if I'm wrong, but I do not remember coming across parts of the bill where there are actual penalties against the wrongdoers for the specific things. That would be so broad. How can you put a jail sentence or fines or whatever on someone who may have done something dangerous in the health care system or whatever? There are other ways of dealing with those issues. I understand that.

If we were sending folks to jail in this legislation for things that occurred from the whistle-blowing acts that had been given, then I could see that maybe there'd be a problem with extending the term from three years to seven years. But this is really just looking at how long we're going to allow this bill to look back with regard to whistle-blowers and how much protection we're going to extend to them. Really, this is almost like a shield bill. It's not really a sword bill. Because it's a shield bill for whistle-blowers, I don't think that that's a problem constitutionally, but I could be wrong. I look forward to the Minister of Justice explaining to me why perhaps that is a problem, but because it's a shield, I'm not sure why that would be a constitutional issue. If it was a sword, then it



might be. I'm not sure, so I would like some clarification around that.

The other thing: these are the really offensive parts of this that absolutely need to be fixed. I mean, you have section 19 amended by striking out subsection (2), which is:

- (2) The Commissioner is not required to investigate a disclosure or, if an investigation has been initiated, may discontinue the investigation
  - (a) if more than 2 years has passed since the date that the wrongdoing was discovered;
  - (b) in any . . . circumstances prescribed in the regulations.

Again, I don't understand that, that two years passes from the date that wrongdoing was discovered. Well, if it was discovered three years ago, but this legislation doesn't come into effect until now, then why would we have this provision in here? It doesn't make sense. What do we mean by "discovered"? Who discovered it? Was it known to the whistle-blower or known to the commissioner? I'd like some clarification on that, minister of transparency.

**Mrs. Forsyth:** And accountability.

**Mr. Anderson:** Well, I'll call him minister of transparency just to shorten it up.

Why are we doing that? Who does this apply to? Is it the commissioner? Two years has to pass since the date of discovery of the wrongdoing by the commissioner or by the whistle-blower? Again, this is important. As you know, judges, I think, would need to know this in order to interpret this law. They're going to look to the *Hansard* and see what was said in that regard. Are we talking about discovery by the whistle-blower or the commissioner or some other person? Even if it is either of those, why the two-year limit?

Now, the second piece, the one that's a real problem, is section 36. Again, this makes this bill just very, very unpalatable. It specifically says in here that the Lieutenant Governor in Council may make regulations

- (j) prescribing circumstances in which the Commissioner is not required to investigate a disclosure.

Well, that's great. What that section says is that the cabinet can decide unilaterally to make regulations when they feel that they don't want something to be investigated, so prescribing circumstances in which the Commissioner is not required to investigate a disclosure.

Guys, gals, members, that's really weak. I mean, how can we honestly put that in there? You're basically allowing the cabinet to have the ability to make regulations unilaterally without coming back to this House that specifically could change the intent of the entire bill. They could come and say: "You know what? In circumstances where we know the minister is involved, we're not going to allow the whistle-blower act to apply to this individual."

Please, minister of transparency, let me know if I'm missing something here. It seems to say that the cabinet has unilateral authority to essentially wipe out the entire use of this act, basically say: "You know what? We're going to make . . ." If something is embarrassing to them, they can make a regulation that specifically exempts whatever is embarrassing to them without coming back to the House.

So there are three major problems. There's section 36(j), which our amendment would strike out, which seems to be more than reasonable. Then there's section 19, which needs to be clarified at the very least. Are we talking about the commissioner or are we talking about the whistle-blower with regard to that two-years-from-discovery statute of limitations, so to speak? It's not really a

statute of limitations, frankly. It's just saying when you can investigate something. In my view, that's different from a statute of limitations, so I don't think that's the right way to describe what this is. Then section 3 allows the investigations to look back. Section 3(2): "This Act applies . . . in respect of wrongdoings that occur after the coming into force of this Act."

I would like to know from the Minister of Justice. He practised law for a lot longer than me. No doubt about that. I was a baby lawyer. I got out before it ruined me. I haven't been corrupted like some in this House. My decade of practising law. There's a spark of idealism still burning.

Even though I haven't practised for a while, I understand that you can't have an act that's retroactive with regard to giving out penalties and so forth. I get that. I understand that. But with regard to this, I don't think that's what this act does. With regard to what we're talking about here, if we're talking about investigations into wrongdoings, if a whistle-blower wants to blow something on something that occurred three years ago, shouldn't the whistle-blower protection act protect that individual for something that they're now letting us know may have happened three years ago? I'm not sure how that would make the bill retroactive. It would make it retrospective.

**Mr. Denis:** No, that's retroactive.

**Mr. Anderson:** Well, how would it make it retroactive? It's being used as a shield, not a sword.

**The Deputy Chair:** Through the chair, please.

**Mr. Anderson:** I don't claim to be an expert on it, but I don't understand, you know, how it could possibly be unconstitutional to say that whistle-blower protection law can't protect somebody for bringing up something that happened before it goes into effect. That doesn't make sense. In other words, an individual comes forward after this law is proclaimed and says: last Monday I saw the Premier doing X, Y, and Z. Or the minister or an MLA from this side or anybody. If he says that, apparently the investigator, the commissioner, can't investigate that. Not only that, but the protections in the act don't apply to that individual whistle-blower. I mean, it just doesn't make sense. I'm not seeing it here. I certainly think it's a debatable question.

Please, hon. Justice minister, tell me how it would be so awful to allow the commissioner to investigate things that happened before this act came into effect.

9:00

I could see if there are penalties in the act, specific penalties. [interjections] No, no, no. Hear me out here. If there are penalties that specifically say that if you've done something wrong in government and the whistle-blower blows his whistle on you and there's a fine of \$50,000 when that happens, which isn't in here, but say that it was, then I could see that being a problem. You can't make something illegal that wasn't legal before. But that's not what this says. This says that you can't even look back and blow the whistle on it. How is that retroactive? I'm not seeing how that's retroactive. You should be able to look back and blow the whistle on it and still have protection under this act. I don't think the law with regard to retroactivity applies here in this instance, but I could be wrong.

The section 36 issue is unconscionable. That needs to be passed. There's no way that cabinet should have the power to unilaterally make regulations specifically, as in the words here, "prescribing circumstances in which the Commissioner is not required to investigate a disclosure." What is the point of passing the act in

the Legislature if you allow the cabinet unilateral authority to essentially wipe out the entire intent of the act? It makes no sense, Madam Chair. It makes no sense. I mean, you could literally pass this legislation and think it's the greatest in the world, and then the cabinet could individually, according to whatever circumstances arise, say specifically: you know, we're going to pass a quick regulation on this so that the commissioner can't investigate us.

Is that wrong? Is that not what it says? If it's not what it says, please clarify it for me. If it is what it says and you know that – and we've pointed it out to you now – then one must ask why it's in here and why you know it's in here yet are leaving it in here despite having an amendment brought forward in this regard. That to me is a recipe for a cover-up. That's what it is. Tell me I'm wrong. Minister of transparency, please. I beg of you. Tell me I'm wrong on that.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Strathmore-Brooks.

**Mr. Hale:** Thank you, Madam Chair. I just want to talk on this amendment and say how important I, too, feel this amendment is. I want to agree with the hon. Member for Airdrie here. I think that when I read this, "prescribing circumstances in which the Commissioner is not required to investigate a disclosure," that's exactly the same thing we saw in Bill 2 with the Lieutenant Governor in Council being able to make any changes to the regulations at any time. Basically, I think the easiest way to explain it is that it's their get-out-of-jail-free card, that at any time they can make changes to suit what they think is necessary.

Now, that could be what is in the best interests of the public. You know, maybe it'll work out for the best. Chances are, probably not. Going to where the act applies only in wrongdoings that occur after the coming into force, well, if it was wrong a week ago, it's still wrong today. There's no reason – and the constitutional challenges. Like the hon. Member for Calgary-Fish Creek said, well, maybe we need to make a stand and say: okay; let's have a constitutional challenge and get by that. I mean, if we know it's right, we have to take this opportunity to put it in legislation, to make those changes to ensure that the public is represented and protected. You know, if there are other circumstances that come up that happened a year ago that somebody finds out about, well, there should be no reason that that person can't have the whistle blown on them.

I mean, the ministry that brought this act up is "accountability." That's the first word of the ministry. Accountability. This is being accountable to the people of Alberta. We have to be accountable to them and not go and say: "Well, you know what? We're sorry that in your workplace this happened a year ago, but we can't be accountable for what happened a year ago to you. We're only going to be accountable from this day forward. Sorry. Take your lumps and carry on. We're just looking from this day forward."

We were elected back in April. We've been accountable since April. This Legislature has been here for 100 years. It's been accountable for 100 years to the people of Alberta. What makes us think that we can bring in an act that only makes us accountable from one day forward? We have to look after the people that elected us. I mean, I sure would hate to have someone come into my office and say: "We sure wanted to blow the whistle here on this seniors' home or this hospital or this public building or with some public employee. You know, what's going on is really bad, and it went on six months ago, and I'd sure like to talk to you about it." I'd hate to have to be the one to tell him: "Sorry. There's nothing I can do for you. This act only counts from Thursday forward."

I really think that we need to have a strong look at this and really think about who this act is affecting and how we can make it all better.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

**Mrs. Forsyth:** Well, Madam Chair, the saying is: are you prepared to die on this mountain? It's one of those mountains that, you know, you're prepared to die on. We have the House leader and Member for Airdrie over in the corner obviously talking to the minister of accountability and transparency to try and get some clarification from him in regard to some questions that we had that needed to get answered.

The struggle that we're having in this particular legislation is the fact that we just don't have the answers. We have the Justice minister that stands up and goes into his computer under section 11(g) of the Charter of Rights and Freedoms and talks about a criminal statute. This isn't criminal legislation. I know for a fact that anybody can serve in a provincial jail and do two years less a day, or you can serve in a federal jail for two years plus a day. Criminal statutes come under criminal legislation. For example, the Criminal Code is what I assume he's talking about. Under criminal statutes it depends on what you're charged with, obviously, under the Criminal Code.

Then he talks about civil statutes. As I explained earlier, I'm not a lawyer. Maybe he'd like to get up in this Legislature and tell us the difference between civil statute and criminal statute. Yet he said that this is more like a civil statute. But it's bordering on criminal statutes. I guess in my eyes it's either criminal or it's not criminal. It's either civil or it's not civil. Quite frankly, I would really like some clarification from him on what the difference is.

Then we get into the retrospective and the retroactive. You know, laws can't be retroactive, but any wrongdoing committed since any period of time can be reported under this proposed legislation. Our proposal under our legislation is 10 years.

The other thing – and I'm sorry to be repetitive on this kind of thing – is the comments that were made in regard to the constitutional challenge, and I've talked about that. I was very, very thankful that when I brought forward the Protection of Children Involved in Prostitution Act – and we were challenged constitutionally – the government at the time, the PC government, decided to go to the wall. They decided that they were going to challenge this, and it didn't matter what. Alberta was different from other provinces and unique. We didn't want to be like every other province in this country, so we were going to be different. That particular PCHIP legislation still stands today as one of the most innovative pieces of legislation in North America along with your legislation.

**9:10**

When we talk about constitutional challenges and the minister stands up not six months ago and talks about the constitutional challenges he's prepared to endure and to have the government go through a constitutional challenge on the .05 legislation and then says in this House when we're talking about protecting people who want to blow the whistle that he can't support a constitutional challenge, one must scratch their head.

**Mr. Denis:** Keep scratching.

**Mrs. Forsyth:** He's told me to keep scratching it. And he talks about the chirping in the background. This is the Justice minister and Solicitor General of the province, that's supposed to be setting

an example for everyone in this province as the Justice minister and Solicitor General. It's absolutely an embarrassment as far as I'm concerned.

#### **Point of Order Parliamentary Language**

**Mr. Denis:** Point of order under 23(h), (i), and (j). That's rather abusive and insulting language. I'd ask the member to please withdraw that.

**The Deputy Chair:** Hon. member.

**Mrs. Forsyth:** Yes. Is he asking me to withdraw something when he is yelling across the floor telling me to scratch my head when we're talking about a constitutional challenge and what's important to the people of this province? I say that in his role as the Solicitor General, someone I was for four years, and in setting an example for the people of this province, that is an embarrassment. Madam Chair, no.

**The Deputy Chair:** Hon. member, we need to stick to speaking on the amendments and not enter into personal attacks.

**Mrs. Forsyth:** Madam Chair, the personal attacks came from that side first. Let's be clear. I was talking about what the amendment speaks to.

**The Deputy Chair:** From this point on we will refrain from making personal attacks from either side of the floor.

**Mrs. Forsyth:** I was not making personal attacks. What I was saying was that this was an embarrassment for someone in that capacity to be yelling across the floor in his capacity as the Solicitor General.

**The Deputy Chair:** Hon. member, I have ruled that we will refrain from making personal attacks on either side of the floor.

Please continue with amendment A4.

#### **Debate Continued**

**Mrs. Forsyth:** Thank you. Let's continue on the amendment without comments from across the floor, Madam Chair. I'm fine with that.

As I was saying, I listened to the Minister of Justice and Solicitor General when he was talking . . .

**The Deputy Chair:** Through the chair, hon. member.

**Mrs. Forsyth:** I was looking at you other than looking at the paper to refer to my notes.

Under section 11(g) of the Charter of Rights and Freedoms he was going on about the Charter of Rights and Freedoms applying to criminal statutes. He also made the point that this bill is not criminal statutes; it's civil statutes. It's close to criminal statutes, but not really, and about the constitutional challenge.

What we're trying to find out from this government, which is in the amendment that we're speaking to, is some clarification from the minister of transformation on some very critical questions that have been asked his way both from the Member for Airdrie and myself. So we would appreciate – I think the Member for Airdrie has had a conversation with the Associate Minister of Accountability, Transparency and Transformation, and maybe he would like to stand up and clarify the questions we've asked him.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who would like to speak to amendment A4?

**Mr. Anderson:** Well, I will clarify as much as I think I've had it explained. My understanding is that with regard to 3(2), because it's in the wrongdoings to which this act applies section, they're saying that "this Act applies only in respect of wrongdoings that occur after the coming into force of this Act." The wrongdoing provisions apparently are being assumed here to be the sword provisions – right? – the ones where there are penalties attached to them.

Now, I really think this is fuzzy, guys. I think it could be interpreted that wrongdoings could mean wrongdoings that the whistle-blower whistles down and that need to be investigated. In that case, then, it would apply. In other words, it would shut down any wrongdoings – there's an argument to be made that this act essentially says that anything that happens before we pass this thing this week and it gets a stamp by the Lieutenant Governor is not subject to this act. I mean, I really think you can read it that way. I hope not. I hope that the minister will get onboard and stand up and clarify that because judges will look at *Hansard* to determine what was meant by it. If the government can stand up and say that it is absolutely their intent that the shield provisions in this act – the protections, the investigative powers, all those things – are intended to be in place and be available for acts that occurred before this comes into effect, then I think that would be very helpful. So perhaps they could do that.

With regard to section 19 it's specifically in the investigations section, so we know that it does apply to investigations. It specifically says:

(2) The Commissioner is not required to . . .

I guess he may but is not required to.

. . . investigate a disclosure or, if an investigation has been initiated, may discontinue the investigation

(a) if more than 2 years has passed since the date that the wrongdoing was discovered.

We don't know if that's the wrongdoing discovered by the whistle-blower or by the commissioner. Again, poorly drafted.

Then section 36. I'm not going to put words in the mouth of the minister, but I do not understand how – and I think he had questions about it in the past, too – we can say that the cabinet should be allowed to prescribe circumstances in which the commissioner is not required to investigate. Doesn't that seem just a little bit asinine, that we pass a whistle-blower legislation act and then in the act we give the cabinet the ability to make regulations that would allow them to tell the commissioner not to investigate themselves? I don't know. It just doesn't make sense. I mean, apparently, it's so they can pass rules regarding vexatious. That's covered in another portion of the act, so it doesn't make sense.

I just don't understand. I don't understand why we can't refer this thing to a committee, get it properly dealt with, or – we're in committee right now – why we can't fix this thing. It would make all the sense in the world to do so. Government, please, you know, bring a subamendment or tell us that you're going to bring a subamendment to this section, and we can move on and talk about Bill 7 for a while while you get it ready if you don't like all of it.

Surely – surely – section 36(j) is out of line, and surely 19(2) should be clarified so we know what the heck it means, whether it means commissioner or whistle-blower, with regard to the date of discovery. Then just some clarification. If the minister of transparency is saying that the investigative powers and the protective powers of this act apply to acts that occurred before this

act comes into force and effect, if he's saying that, that's good. We agree with him. That's what the act should apply to, but the act seems to either contradict it or certainly cloud it. If we could just clarify that, I think that we'd have a much better piece of legislation. I know what the lawyers, quote, unquote, are saying there who helped draft this, but it's not the lawyers from Alberta Justice that are going to be responsible for interpreting this act. It's judges and regular Albertans. So if we're not clear on the rules, it doesn't really matter what Alberta Justice thinks it means. It's what the judge thinks it means and it's what Albertans think it means that matters. Hopefully, we can get some clarification, at least get it on *Hansard*, anyway, so we can move on and proceed.

9:20

**The Deputy Chair:** Thank you, hon. member.

Are there any other members that wish to comment?

**Mrs. Forsyth:** If I may, Madam Chair, I don't know how much more we can beg and plead for this hon. member, the hon. associate minister, to do some clarification. You can understand why across this country this bill has been slammed by the renowned organizations in regard to whistle-blower legislation. Now, I can see you sitting there, and I can see you mulling this over in your head. We're prepared, actually, I guess, to adjourn debate on this particular amendment so you can get some clarification. We've tried as best we can to give some information on what we think are faults in this bill, and I just am struggling to no end with the fact that we have had no answers yet in regard to some of the questions that the Member for Airdrie has asked.

I guess I will sit down again. We will wait for the minister to get up and try and clarify the wrongdoings under section 3. It clearly says: part 1, Wrongdoings. We've asked some good questions. Section 19 is the same. None of this makes any sense. You talk about subsection (2):

The Commissioner is not required to investigate a disclosure or, if an investigation has been initiated, may discontinue the investigation

- (a) if more than 2 years has passed since the date that the wrongdoing was discovered.

Minister, I can tell you that there is legislation in this House that has passed over two years ago that we spent hours and hours and hours debating, and I'd be more than prepared to table it. It was urgent for the government to do it. The Health Act comes to mind. It still hasn't been proclaimed the last time I checked, which was about a month ago. I can't remember how many pieces of legislation that have passed in this Legislature in the time that I've been here where, when we checked to see if it had been proclaimed, it hadn't been proclaimed, but there certainly was some urgency to it. We're in the same boat today.

Again, I'm going to ask you on behalf of Albertans, on behalf of the judges that are going to have some questions and probably again look at this legislation and say: where is the clarification here? I know we have a ton of lawyers in Justice. I know you have a leg. review policy that I'm sure this legislation has gone through, and surely to goodness somebody has some questions somewhere.

With that, once again, I'll sit down, and hopefully the minister will get up and speak.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to comment on or question amendment A4 to Bill 4, the Public Interest Disclosure (Whistleblower Protection) Act?

**Mr. Scott:** Madam Chair, I said this during second reading, but let me emphasize it again. The act already allows the commissioner

to investigate wrongdoings before the in force date. The act in its entirety does not apply to wrongdoings before the in force date. However, the commissioner would not be required to investigate but would have discretion to do so if they considered it appropriate. The opposition's amendment would effectively force the commissioner to investigate old wrongdoings even if it was eminently clear that any and all evidence that might have assisted them had disappeared many years ago or all the relevant possible witnesses are long gone.

The commissioner is an independent officer who reports to the Legislature as a whole and should have the discretion not to investigate where such investigations would not serve the public interest or constitute a good use of resources. For that reason, Madam Chair, I do not support the amendment.

**The Deputy Chair:** Thank you very much, hon. minister.

Are there any other comments or questions on amendment A4 to Bill 4?

Seeing none, I'll call the question.

[The voice vote indicated that the motion on amendment A4 lost]

[Several members rose calling for a division. The division bell was rung at 9:26 p.m.]

[One minute having elapsed, the committee divided]

[Mrs. Jablonski in the chair]

For the motion:

Anderson	Eggen	Hale
Bikman	Forsyth	McAllister
Blakeman	Fox	Pedersen

9:30

Against the motion:

Allen	Griffiths	Olson
Bhardwaj	Hancock	Quadri
Calahasen	Horne	Quest
Casey	Jeneroux	Sandhu
Dallas	Johnson, J.	Sarich
Denis	Khan	Scott
Dorward	Klimchuk	Starke
Fawcett	Lemke	VanderBurg
Fenske	Leskiw	Weadick
Fraser	Oberle	Xiao
Goudreau	Olesen	

Totals:	For – 9	Against – 32
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[Motion on amendment A4 lost]

**The Deputy Chair:** We will return to the bill. Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much, Madam Chair. You have an amendment at the table for me, which I would ask be distributed, in the yellow envelope right there.

**The Deputy Chair:** We'll pause until we have that amendment distributed to the other members. We will call this amendment A5.

Hon. Member for Edmonton-Centre, if you would like to proceed.

**Ms Blakeman:** Perfect. Thank you very much. This is going to look familiar because we're starting to see in this discussion the same sections coming up over and over and over again. They

seem to be the ones that are causing either the most questions or, as it's believed by a number of people, are most in need of changing. In other words, we disagree with what the government chose to do here.

My amendment, which I'm moving on behalf of my colleague the Member for Calgary-McCall, is to amend section 3 by completely striking out subsection (2). Whereas the previous amendment wanted to change it so that it said anything that happened on or after January of 2003, I don't think there should be a limitation on it. Now, I understand the argument that the minister is making: "Oh, come on. You know, what if we have to go back and look at something and the witnesses are dead and all paperwork is dust? That's impossible." Fair enough. But the minister has given himself the ability in section 19, for example, to dismiss anything or to not investigate something that is frivolous or vexatious or doesn't have adequate particulars about the wrongdoing.

You know, legislation is kind of a magical thing in that when you really start to get to know how this stuff is put together or you work a lot with a piece of legislation, you start to see how the whole thing is put together. If you look at the index, that starts to sort of walk you through how it works. For example, part 1 is on wrongdoings and what's covered and what's not covered by the act. Then a little later on it talks about investigations. So you can have a wrongdoing that may not be investigated. I wonder if you could do it the other way around. I'm not so sure.

So what my colleague was trying to do and I'm now talking about was to make the statement that on anything that you can possibly investigate that might have been a wrongdoing, the whistle-blower would be protected. I mean, I take the point that the minister made previously about, well, you know, we can't go back forever. That's true, but you're also not likely to have a whistle-blower in need of protection. If they're having to go back that far, they're probably dead, so it's not an issue.

When you look at how long it takes to dig information out of this government or to put all the pieces together on some of the big issues of wrongdoing like Enron, that was a long time in putting that together. Even with this government we're dealing today with information that has been dug out from freedom of information requests that took place in 2005. That's seven years ago, and we're just beginning to start to understand the implication of what some of those FOIP requests are revealing to us. So to say that we don't call it a wrongdoing – let me get the exact language here because, boy, is language ever important here. Section 3 says "Wrongdoings to which this act applies," and section 3(2) is essentially saying that a wrongdoing that occurs before this act comes into place is not a wrongdoing.

The minister himself was trying to tell us earlier, I think, that a commissioner could still investigate something even if it wasn't classified as a wrongdoing because it didn't meet the test of having occurred after the act came into force. The point that I'm trying to make here is that especially in this day and age and particularly with this government, not that I'm accusing you of any wrongdoing, but honestly it is so hard to get information out of you folks that it can take us years. When we do start to find out that there has been something that at the minimum requires explanation, there's just so much blocking, again, of additional information or of the ability to get an explanation. It seems to take a very long time.

I think we have to recognize that if we're going to offer protection to people, we may have to go back to before this act occurred. We're trying to do this to have a better government, and we're trying to do it to make sure that we're all consciously doing the best we can. You do fall into bad habits at times. You do get

used to doing something a certain way and may forget that it used to be done a different way. I don't know, but I can't agree that it's only appropriate to consider an act being a wrongdoing after this act has come into commission. It's just not realistic.

That's the point of this. We don't have to spend a lot of time on it because the same concept but a slightly different application was applied in the previous motion. To be honest with you, I can't see that my amendment is going to be any more palatable to the government members than the previous one, especially because they only said after 2003 and I'm saying forever, as far back as you can go and manage to produce information.

For anybody who just wants to write this stuff off really quickly, go through some of the other sections in the act that give protection and give context to what is going on here. So you want to look at section 3 along with section 19, which is the section that says when an investigation is not required, and also, further along, look at things like 52: proceedings of the commissioner are not subject to review. That sort of starts to stack up if you take a longer view at it.

But I won't talk about a different section. I'll try and amend it. That's coming. I know you're excited, and you look forward to that. In the meantime for most of the arguments I've heard about why this section should stay, actually, the answers to them are found elsewhere in the bill.

I would ask for support for amendment A5, which is to amend section 3 by striking out subsection (2).

Thanks very much.

9:40

**The Deputy Chair:** Thank you very much, hon. member.

Are there any other members who wish to comment?

Seeing none, we will proceed to the question.

[Motion on amendment A5 lost]

**The Deputy Chair:** We'll move on to Bill 4. Are there any members who wish to comment? The hon. Member for Edmonton-Calder on Bill 4.

**Mr. Eggen:** Thank you very much, Madam Chair. I have an amendment, with the original on top and the appropriate amount of copies to distribute to the House.

**The Deputy Chair:** Thank you. We'll pause while we have that distributed, hon. member.

**Mr. Eggen:** Thank you.

**The Deputy Chair:** Hon. members, this will be known as amendment A6 to Bill 4.

Hon. Member for Edmonton-Calder, you may proceed.

**Mr. Eggen:** Thank you, Madam Chair. You can see that this is a fairly comprehensive amendment, looking at section 5, striking out subsection (1) and then substituting the following:

(1) The Commissioner must establish and maintain, in accordance with this Act, a uniform set of written procedures, including time periods, for managing and investigating disclosures by employees for whom chief officers are responsible.

As well, striking out in section 5 subsections (3), (4), (5), (6), (7), (8), and (9) and, finally, in section 13 amending clause (d) by striking out "department, public entity or office of the Legislature" and substituting "Commissioner."

Madam Chair, the current bill as brought forward allows each department to have different sets of procedures as developed by the chief officer within each department. This amendment will

ensure that the commissioner will establish a uniform set of procedures for disclosure and ensure a high standard of whistle-blower protection across departments, offices, and public entities as well.

Allowing each department, office, and entity to establish their own internal procedures I think will create vast and difficult differences in the process for so-called blowing the whistle here in the province of Alberta, which will create confusion from the perspective of the administrators of the commissioner's office and employees in the province. We think that the commissioner should be responsible for ensuring that all of the province's entities have uniformity of procedure for blowing the whistle to ensure fairness in the disclosure process of an individual choosing to blow the whistle. Employees who may transfer from one department to another as well must be confident that the process that they have learned in their original environment will be transferable and that they will continue to be protected in their new workplace.

From an administrative perspective a uniform set of procedures will allow the commissioner and the commissioner's office to ensure that regulating the chief officer's internal process is manageable. Each chief officer internal to each department will have a different understanding, otherwise, of what whistle-blower protection looks like.

Although minimum requirements for internal processes are an important first step, these requirements can and should be regulated by the commissioner across all public departments, entities, and offices to ensure fair and consistent protection for whistle-blowers. This will ease the burden on the commissioner's office because it will not have to review different sets of procedures, which will be presented in different formats. Instead, hard work at the front end by the commissioner's office should pay long-term dividends because then the commissioner will not have to continuously review the compliance of varying internal disclosure procedures.

This is a bit of a bureaucratic amendment, Madam Chair, but it also, I think, mirrors the approach that other jurisdictions have used. I think it's eminently sensible to put into the hands of the commissioner that would be created by this bill the opportunity to provide uniformity throughout the public service in regard to a person who desires to come forward with information that they think is a problem somehow in their department. By allowing that oversight by the commissioner's office, we start from the front end creating something that people can recognize as the standard procedure, so to speak, in public service when they are choosing to disclose public information in the public interest.

This is not something that we just made up, right? It's a bureaucratic process that we've seen employed elsewhere, and we think that it's an eminently reasonable idea that I would encourage all of our fellow MLAs here this evening to support. With that, I leave it.

Thank you very much, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

Is there anyone else who wishes to comment?

**Ms Blakeman:** I am not sure what the hon. member is up to. If we strike out subsections (3), (4), (5), (6), (7), (8), and (9), it appears – essentially, this is setting out how the investigations are supposed to be managed and that there are to be a number of processes regarding this and that and the next thing, which is all laid out here, to be established in each department. I just wonder why you've done this. For example, if you cut out (3), then there would be no jurisdiction, no empowerment for the commissioner to ask the chief officer of any given department to provide a copy

of their procedures. There would be no ability under section (4) for the commissioner to review those procedures.

I know that in the first section you're trying to get a uniform set that sort of carries through, but I don't understand what you're hoping to achieve by deleting the rest of the sections in here. For example, if you have a department that has a set of procedures but they're not great, under section (5) the commissioner could determine that those procedures that were established are not great, that they don't meet the criteria, and be able to notify the chief officer and the employees that those procedures are not very good and need to be corrected.

9:50

It seems to me that this is an intermediate stage which is allowing the commissioner to work with the processes that have been put in place by various ministries. By cutting it out – he's going to speak to it, I can tell – it looks to me like you're taking away the efforts of the commissioner to work in a nonadversarial and a co-operative manner with the various departments to put whistle-blower protections in place.

I'm going to sit down and let the mover speak to this to help me understand what he's trying to do.

**The Deputy Chair:** The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thanks, Madam Chair. Thank you very much, hon. Member for Edmonton-Centre, for pointing this out. To the best of my understanding, the rationale behind this amendment. First, the insertion in section 5(1):

The Commissioner must establish and maintain, in accordance with this Act, a uniform set of written procedures, including time periods, for managing and investigating disclosures by employees for whom chief officers are responsible.

That is to, I guess, set the precedents and the standard from the commissioner's office so that this doesn't preclude the possibility of, you know, the interaction between the commissioner and each of the heads of departments in acting, carrying out the set of rules that would determine whistle-blowing protocol in each department and/or ministry and so forth in the public service. It sort of sets the bar and standard from the commissioner's office emanating outward to each ministry and/or to all four corners of the public service, quite frankly.

When you're setting up a bureaucratic procedure, really, you're setting up a chain of command and who is ultimately responsible for the enactment and the execution of this law. I think that's the way this amendment has been set up. The commissioner is setting the standard from which the regulations in each ministry and all aspects of the public service will take their direction in setting up their procedure so that we have more similar language and protocol and, ultimately, the responsibility for execution of this bill coming from the commissioner's office.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Yeah. That's why language is so important. Now it's much clearer to me. There are words that are added into the amendment that are different from what you see in the bill. The words "The Commissioner" and "a uniform set" have been added. That makes more sense to me now. Essentially, it wouldn't be each department that would be establishing its own set of rules. It would be the commissioner that provides the template, the uniform set that applies to everybody. So each department couldn't do their own version. You don't need all the rest of this stuff where the commissioner could go in and look at what a

department has done and go, “No, it’s not good enough” because everybody would be using the template that he supplied.

The issue there is that I’m not sure that it’s flexible enough to deal with the various kinds of agencies and entities that are covered by the act. If you go back and look, for example, we have got departments, the legislative office, all of the different officers of the Legislature. You’re covering a lot of different kinds of agencies and the way they operate, and I don’t know how easy it would be to overlay a uniform set of rules on them. If you could do the same thing to a department that you can do to the office of the Auditor General – or even in some cases I’m seeing some referencing to health. Public entity: “Any agency, board, commission, Crown corporation or other entity designated as a public entity.” I think that might be the issue on that one: how do you get a uniform enough set of rules that they apply to a department and to the tire recyclers and the ERCB? You know, since I’ve been elected, this government started to do delegated administrative organizations, and now there are more of those than there are government departments because each department has four or five of these things. That’s how they actually get stuff done now.

I’m not convinced. I’ll leave it at that.

**The Deputy Chair:** Thank you, hon. member.

Is there anyone else who would like to comment?

Seeing none, we’ll proceed with the question.

[Motion on amendment A6 lost]

**The Deputy Chair:** We will move back to the bill. Any members wishing to speak or provide amendments? The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thank you, Madam Chair. I have the correct number of copies that are to be passed on to colleagues in regard to the next amendment that I will be proposing. I’ll hand them over and then sit down.

**The Deputy Chair:** Thank you. We’ll pause while we distribute the amendment.

This will be known as amendment A7.

Hon. Member for Calgary-Fish Creek, you may proceed.

**Mrs. Forsyth:** Round 7. As I said to my cowboy friend next to me, if he thinks he’s a good bull rider, I’m on my seventh try.

Madam Chair, I move that Bill 4, the Public Interest Disclosure (Whistleblower Protection) Act, be amended in section 1(k) by adding the following after “Crown corporation,” that we are going to include “, a facility that is recognized or accredited to provide insured services under the Alberta Health Care Insurance Plan, a facility that is licensed under the Supportive Living Accommodation Licensing Act.”

What that means, Madam Chair, is that we would like to include in the Public Interest Disclosure (Whistleblower Protection) Act any insured or any licensed facility that is recognized or accredited to provide insured services under the Alberta Health Care Insurance Plan. What that in general means is that we’re now looking at incorporating that this amendment would make the act applicable to all licensed facilities in this province. As it stands right now, the act is fairly limited on who comes under it. This amendment would allow staff at a private seniors’ facility to blow the whistle under the whistle-blower legislation.

10:00

Now, why I think this is important is that it’s important for our beloved seniors to be able to be protected even if it’s a facility that doesn’t receive any public dollars. I think what we need to under-

stand here is “licensed” by the government. It’s important that the Minister of Health and the Associate Minister of Seniors listen to this particular amendment because of the fact that they are responsible for the licensing of all facilities in this province. It doesn’t necessarily have to be a seniors’ lodge, but they are the ones that hold the licences and control the licences of all facilities in this province, and it could be for seniors.

What we are asking is for this amendment to be included under this act so that if a senior – and we can use my mom if you want, who is in a private assisted living facility that is licensed. We’ve checked the supportive living under the licence act, and we’ve pulled all of the facilities that this government licensed, and we just wanted to make sure and get some clarification. The home that my mom is in currently is a licensed facility, licensed under the government of Alberta. I would suspect that if something was happening in that facility that I’m not aware of and that is not drawn to my attention as having a mom there, the employee could blow the whistle on the facility.

Now, that could be as simple as – and we talked about it today. My mom is under a care plan, and the minister talked about his care plan today in regard to how many showers or baths a senior should be having in this province, whether they’re in a public facility or a private facility. Subject to the act and the regulations that this minister is responsible for, each facility must have a care plan for their seniors. He knows that. If under that care plan it says that Heather’s mother should be having two showers a week and I happen to be up in Edmonton all week, and I’m not aware whether she is getting showers or not, and her caregiver that the minister talks about with great respect – and I can honestly tell you that I can say the same thing for the facility that my mom is in, with great respect. They do a very difficult job under some pretty difficult situations.

If she is not getting her required two showers a week, which are regulated under her care plan; for example, if there are some health conditions within the facilities – let’s say that you have a senior that has chronic kidney failure. Well, when someone is in chronic kidney failure, they’re usually under a dietitian. So it could easily be that they can’t have, you know, potassium. Potatoes are full of potassium. Certain things where their diet requirements aren’t followed could be abuse.

The government brags about the importance of reporting of seniors’ abuse. I think it’s important to include not only public facilities but any licensed facility under this government. That could go to our group homes or anything.

I am interested in hearing again what the minister thinks, again what the Associate Minister of Accountability, Transparency and Transformation may want to add, why he hasn’t incorporated this in the act and the rationale behind that. We have gone through the act to find out where that could be included and haven’t been able to figure it out. We think that the proposed act should cover all facilities licensed by the province, including public facilities and private facilities. The private sector deserves the respect, the same as the public sector, for our seniors, not because they’re getting any public dollars but because, like I said, they’re licensed. I think that’s what we need to do. If the government is going to license these facilities, then they should be responsible for these facilities.

Now, I know that some of my colleagues would like to speak on this particular amendment because it’s an important amendment to be considered. I’m sure the Associate Minister of Accountability, Transparency and Transformation may want to add some words, or the Seniors associate minister or Health minister may want to add some words to it also, especially the Associate Minister of Seniors because ultimately, at the end of the day, he’s responsible for the seniors in this province.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Madam Chair. I particularly appreciate this amendment because my 91-year-old father and 92-year-old mother are living in St. Therese Villa in Lethbridge and receiving excellent care, I'm happy to say. I really appreciate the staff there and the management, the way they involve us as family, to consult with us about our concerns, and they try and address them whenever they're raised. I doubt that this would ever be needed, but I would hope that if it were, someone would have the courage to and feel the obligation to and draw strength and reassurance from this amendment and this act itself and then be able to step forward to alert whoever needed to be alerted about the circumstances that may have put my parents or other seniors needing that assisted living in jeopardy in any way.

I certainly hope that you will help me look after my aged mother and father, who were born and raised in our province and have contributed all of their lives to the quality of life in this province through providing employment opportunities for others as well as, I hope, raising pretty good children. They've got great grandchildren; I can tell you that. But I really think that they need the kind of support and help that this simple little amendment will provide.

I appeal to your better natures, if they're still awake at this hour, and hope that you will support this simple little amendment.

Thank you.

**The Deputy Chair:** Thank you very much, hon. member.

The hon. Associate Minister of Seniors.

**Mr. VanderBurg:** Well, thank you. It's interesting, the comments that you provided. Of course, we all care for the protection of people in our care in Alberta, in fact, so much so that back in July of 2010 the Protection for Persons in Care Act came into effect. There is a duty to report. Upon all of us there's a duty, and all those that work in facilities must take reasonable steps to protect people from abuse while providing care or support services, and they must maintain a reasonable level of safety for people in care.

If you don't know it, you might want to write this number down. For external reporting there's 1.888.357.9339. It's a toll-free number. If people expect some action, well, you call that number, and you're going to get some action if you're worried about abuse or any type of issue that may occur in one of our facilities.

Staff in all our facilities are very, very well aware of this act. Unfortunately, it's been used. It's an act that I'm proud of. I'm not proud that we had to have it, but there is an opportunity for people to report wrongdoing. In fact, reporting abuse is mandatory under the persons in care act, and failure to report abuse is an offence under this act, and individuals can be fined for withholding evidence from the persons in care branch.

**10:10**

We talked a lot about care and bathing, and any of us that have had parents in our facilities know that there is a care plan. The government, the minister doesn't develop the care plan. The caregivers and the administrators of our facilities do. The care plans are developed with loving dedication and care from all the individuals and with family input. If anybody wants to grandstand about a bath or two baths, that's not what I'm interested in. I'm interested in providing the adequate amount of bathing, the adequate number of safety standards that are put into place, the adequate amount of food. That's what we should all be concerned about.

Those of us that have had parents in these facilities know – they know very well – that there's an opportunity for family members to have input into these care plans. As I travel around the province and I talk to families and I talk to individuals in our facilities, they're very proud of the care that they get. I'll stand by that, as I said earlier.

If any of you want some information on the persons in care and the reporting of the act that we developed on July 1, 2010, it's already there.

**The Deputy Chair:** Thank you, hon. minister.

The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Well, thanks. I'm sure that this minister means well, but, man, does he ever offend people quickly, and I'm one of the people that he's offended. Of course, anyone that has family members knows that you can be involved in the care plan. Not one person in here has said in any of these discussions that we feel that the care providers are in any way deficient. Not one of us has said that, and for you to try and turn it around in a discussion does not speak well of you, sir.

What we're trying to say is that there are not enough resources and capacity in that system to do it. Even when I want my relative to have more than one bath a week, shower a week, they can't do it because there aren't enough staff. So care plan, no care plan, there isn't enough capacity in that system to give them what they want. You can get up and say: oh, no, no, no; you can have whatever you want. That's just not realistic, and none of us have put this on the providers. We all know that they're working the best they can. Okay?

There are as many people in this House in this situation as there are outside of this House. We are no different than the rest of the population, and we represent the aged population as well. Please be careful of the way you speak about that.

I can also speak about the Protection for Persons in Care Act, which, frankly, failed me unbelievably. There was an incident with my relative, and the Protection for Persons in Care Act never contacted me, never gave me a final report, and did not comment at all despite the fact that they were phoned. Now, the facility did. They investigated. They got back to me. They gave me a final report. The Protection for Persons in Care Act did zip. I was very disappointed when I was actually in that situation and found out what they didn't do. You can get up and tell me that they should've and it's terrible they didn't. Yeah, it is, but they failed me, and I'm in here. You'd think they wouldn't fail me, but no. They failed me and my family terribly. The facility didn't. Care providers came through for me.

The Protection for Persons in Care Act is an educational tool that has no teeth in it to actually enforce anything. All it does is an investigation and gives you a report, if they actually give you a report. I'm the relative on record. I never got a thing. Okay? So don't tell me that act is going to solve all the problems and leap out with a cape flying out behind it and save people from abuse. It doesn't. Be realistic. It is an educational tool that comes after the fact and may have an investigative portion to it, and that's it. If you've been in the same situation as I, then I'm willing to hear a bit more, but I've been there, and it failed me completely more than once.

Thanks very much, Madam Chair.

Let me talk about A7. I'm just going to clarify here that the sponsoring member intended to just capture the supportive living facilities because I'm looking at the act that has been referenced here, and it really is the supportive living facilities. It's not long-



term care. It's not a hospital. It's not anything under the Social Care Facilities Licensing Act.

You are trying to capture the facilities where they often have an independent unit, or maybe they're in sort of a room or a suite or something. They get meals provided if they want or not. The hallways are well lit, and there are banisters and stuff like that. There might be programming. There'll be day trips and that kind of thing. But this is not one where they are, you know, lifting people out of bed and into a wheelchair every day.

I mean, the dividing line for me is always: if there's a fire in the middle of the night, can people get out of there by themselves? In what you're talking about, they could get out of there by themselves. I'm looking at the Supportive Living Accommodation Licensing Act, and it says that it doesn't apply to a nursing home or an approved hospital or an auxiliary hospital or a Social Care Facilities Licensing Act. It is for a supportive living accommodation for four or more people not related to the operator and arranges for services related to safety and security according to standards, one meal a day, and housekeeping services.

**Mrs. Forsyth:** I can answer that.

**Ms Blakeman:** Okay. Good.

My experience with this is that once you start a list – I've had this argument with somebody over there before – you need to start making sure that everybody is on the list because now the list itself becomes important, and you're going to have to make sure that everybody is in there. The way the courts interpret it is that they go: "Okay. There's a list. Check, check, check. Oh. Not on that list. Okay. Then they're not covered by this."

We have a general definition here that's saying that a public entity is "any agency, board, commission, Crown corporation or other entity designated as a public entity in the regulations," but now we're adding one piece, a sublist, so it would be agency, board, commission, Crown corporation, "a facility that is recognized or accredited to provide insured services under the Alberta Health Care Insurance Plan, a facility that is licensed under the Supportive Living Accommodation Licensing Act," and then it would continue, "or other entity designated as a public entity." So I'm a little worried about starting a minilist and leaving the rest of them without lists because it tends to get us into problems a little bit further down the road.

So thanks for sharing the information.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thanks. I think it's important, first of all, to just get some clarification on the table, if I may, and maybe some words similar to what the Member for Edmonton-Centre said which we're enjoying at 20 after 10 at night. It's too bad we're inside and Edmonton-Centre is outside.

Every time this Associate Minister of Seniors tries to explain, he somehow manages to take his foot and stick it in his mouth further and further and further. He talks about the fact . . .

**The Deputy Chair:** On the amendment.

**Mrs. Forsyth:** He talks about the fact . . . [interjections]

**The Deputy Chair:** Hon. members, excuse me. If you read the amendment, it talks about including licensed facilities under the Supportive Living Accommodation Licensing Act, and I believe the member is speaking of that. Thank you.

Hon. member, please continue.

10:20

**Mrs. Forsyth:** Well, Madam Chair, if they have a problem, they can stand up and call a point of order, speak to the point of order on which they feel that I am not speaking to the amendment. I'd be more than pleased to deal with that.

**The Deputy Chair:** Through the chair.

**Mrs. Forsyth:** You know, the night is late. Honest to goodness, let's call a spade a spade. We're talking about the supportive living. The Associate Minister of Seniors talks about how proud he is of the protection of persons in licensed care and about how reporting of abuse is mandatory. Well, I can hearken back to when we were in estimates and I was questioning him about all of the horrific reports that had been under this act. He didn't have the numbers then, didn't have the long-term care numbers there.

I guess that when a minister talks about grandstanding and when a minister talks about the care plans, I can tell you, Madam Chair, that I live with a senior. Day in and day out I'm dealing with a senior in an assisted living facility, and I'm dealing with probably 20 other seniors that are in the same facility and other seniors that are in different facilities in my own riding. My mum doesn't live in my riding. She happens to live in Calgary-South East. When they say two showers a week, we're lucky if we get one. That isn't criticism about the people that are taking care. Those poor people are run off their feet, and they're trying to do what they can and trying to take care of seniors however they can with limited resources, limited facilities.

It's like the Member for Edmonton-Centre talks about. To be accused of grandstanding on an amendment when we're just bringing the facts to the Legislature, it's not grandstanding, in my mind. If he wants – he's more than welcome – I'll take him to my mum's facility. I'll take him to the two facilities in my riding so that he can talk to the seniors there. They don't even get a bath let alone a shower. If they want to have a bath, that costs them an extra \$20, I think. It depends on the facility.

To the member's question talking about supportive living, the government has been very interesting on their continuing care plans and what they consider continuing care. I'll use my mum as an example. She's in an assisted living facility. They can be charted at an SL 4 or an SL 3, which means how much care they have, how mobile they are, et cetera. Right now in the assisted living facility my mum is in, the government's model is to move this continuing care model where you're seeing more long-term care patients being put in an assisted living place. All of a sudden they lose their mobility, as do the seniors that are in the particular facility.

Two weeks ago my mum was quite mobile, ended up in the middle of the night in the hospital. I just got her home late last night, now in a walker, now on oxygen, and she isn't going to be moving real fast at this particular time. I can guarantee you that if the fire bells go in the middle of the night, she isn't one of the seniors that is going to be in their walker, that is going to be wheeling out of that home real quick. She will have to be assisted.

So you have seniors that are currently in a lot of the assisted living facilities – and my mum is in a private facility – because of how the government is changing the continuing care model, and they're moving the SL 3s and the SL 4s and taking the seniors that should be in a long-term care nursing bed or, for that matter, a lodge, and they're putting them into the continuing care model. They're all of a sudden designating them as an SL 4, which means they're not mobile.

**The Deputy Chair:** Hon. member, I'm sure you are going to relate this to the amendment.

**Mrs. Forsyth:** I am talking on it, the Supportive Living Accommodation Licensing Act. Madam Chair, you should know that. You're the former seniors minister. So, yes, I am talking about the amendment. I'm trying to explain to the Assembly something that you were instrumental in as the minister of seniors in moving the continuing care model under the Supportive Living Accommodation Licensing Act. You know that as the former seniors minister.

What we're trying to do is incorporate – I don't even want to call Bill 4 a whistle-blower act because it's not a whistle-blower act; I have to come up with a name for it. These seniors' facilities that are licensed by your government under your Supportive Living Accommodation Licensing Act: the people that are working there do not fall under the Protection for Persons in Care Act. So let's be careful there. They're the people that are in care, not the people that are blowing the whistle. The minister should know that. Incorporate them in Bill 4 so that they're protected if they see a serious incident, so they have the ability to blow the whistle if something is happening at my mom's facility or any of the hundred other facilities in this province.

Having said that, I wanted to get some clarification from the Member for Edmonton-Centre. Certainly the Associate Minister of Seniors needed to get, obviously, some clarification who he knows exactly what the Protection for Persons in Care Act does – yes, reporting abuse is mandatory – and, again, can discuss what his care plans aren't doing under that.

**The Deputy Chair:** Thank you, hon. member.

Hon. members, before we proceed, I would just remind all of you that it is getting late and to please keep your remarks on the amendment – it's A7 right now – and also to refrain from making personal attacks. I would appreciate that very much.

We will move on with amendment A7. The hon. Member for Lacombe-Ponoka.

**An Hon. Member:** You should tell your minister that.

**The Deputy Chair:** That was for everyone, hon. member.

The hon. Member for Lacombe-Ponoka has the floor.

**Mr. Fox:** Thank you, Madam Chair. I want to stand in support of this amendment. The reason is because it's to protect the employees of those facilities. Specifically, we want to protect them from reprisals. You'll notice something here tonight. We have taken no issue; there are no amendments to part 4, reprisals, sections 24 through 27, because we feel that the government built this legislation properly in this area.

I don't understand why we would not bring those employees under that. If there was an issue in one of these assisted living facilities within the system, something that's licensed by us, by the government, why wouldn't we want to protect those employees if they saw an issue coming and had to report it? We would want to protect them from reprisals. That's exactly what this amendment is going to do. It's going to protect them from those reprisals if they do come forward and blow the whistle. It gives them the ability to do so without fear.

I'm going to keep my comments relatively short on that. This is a good amendment. This is something that is just going to backstop the persons in care act, which the Associate Minister of Seniors stood up and informed us on. I appreciate those comments from him, so I would ask that you would please consider this amendment and consider it just for the ability under part 4 to protect those employees from reprisals when they come forward with issues that deal with some of our most vulnerable in society.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

Is there anyone else wishing to speak? The hon. Member for Airdrie.

**Mr. Anderson:** Yes. Madam Chair, I'll be very brief as well on this. Hopefully, we can vote on it. I hope that we can vote to pass it. I do want to be on the record. I brought this up in the House the other day with regard to our seniors. Having our seniors bathed once a week, if that – and that often is not even mandated in a lot of cases; that's just voluntarily done by the long-term care facility – is absolutely not enough.

**The Deputy Chair:** On amendment A7.

10:30

**Mr. Anderson:** Absolutely.

Honestly, Member for Edmonton-Gold Bar, the way you act sometimes, of all the people over there, makes me shake my head the most.

Absolutely we need to have this amendment passed. It deals with the Supportive Living Accommodation Licensing Act facilities. The reason is because sometimes in these facilities, obviously, there have been issues of folks being burned, there have been issues of – I know that in my constituency the wife of an individual who is in one of those long-term care facilities came to me with pictures. They were pictures of the sores and things and diseases that were all over their body and some of the awful things that occurred there. It was just awful to look at. You know, I understand that 99 per cent of our caregivers are doing a fantastic job. I think we all understand that. But we also have to understand that that isn't the case all of the time.

The folks that brought me these pictures and so forth were scared because they're older folks as well, and they feel kind of helpless. They feel that if they complain, their loved one might lose their spot in the facility. They have these fears. Some of them are rational, and some of them are irrational, but the point is that they have them. Again, I just want to be clear on the record that these facilities do need to be in this act.

For the Associate Minister of Seniors to say that because this is already dealt with in other pieces of legislation and that if there's abuse, we need to report it and so forth, that's fantastic. Great. But to say that that means we don't need to include these types of facilities under this act doesn't make sense. Why wouldn't we want to beef up the tools? I mean, we're always talking about tool boxes in here. Why wouldn't we want another tool in the tool box to add protection to these folks that are in supportive care? This would do that.

Then, of course, absolutely, without question I want to go on the record, because the Seniors minister sure did and didn't get interrupted and heckled down, as saying that one shower a week is not enough. I think it's reasonable and not in any way grandstanding, as this minister has suggested, to say that basic personal hygiene should be required. Under this act, Madam Chair, if basic personal hygiene requirements are not being met, they should be able to report it, and there should be whistle-blower protection if something like this happens because, frankly, it's inhumane. Jeepers. I mean, some of the conditions are just inhumane. It's not at every facility. It's not with every person. But our seniors deserve better than this.

I just had a grandfather pass away this year and my other grandfather the year before. These are great men and women, and they deserve to be able to age with dignity and with our respect after all that they've given us. That doesn't always happen in these facilities, so we need to put pieces of legislation in place that give us tools to be able to be alerted to wrongdoing.

You know, it's just like the other day, when the Associate Minister of Services for Persons with Disabilities, I believe, handled a terrible tragedy, an issue that came up, with absolute class and professionalism. He said: this is what happened. He was very clear. He was alerted to it. He made a game plan for it. He released it in advance, told everybody what he was doing in advance, and there was no hiding it. There was no sweeping it under the rug. There was nothing. He was just completely up front and forward. That is how whistle-blowing is supposed to work. In that case he was alerted to the situation, and he dealt with it professionally.

A lot of times when these things happen in our facilities and a whistle-blower comes out and alerts us to it, whether it's in a facility like this or if it's another case, if some of our ministers would deal with it in the same way as that minister did, you know, there wouldn't be a lot for us to gripe about over on this side. Of course, in so many cases, whether we're talking about the whistle-blower act, which could apply to a whole bunch of different things, illegal things that happen or what have you, exorbitant expenses and so forth, instead of dealing with these issues, you try to hide them or cover them up or make excuses for them. You say, "Nothing has been proven yet," even though, you know, the receipts are all laid out, and it's all there. Nothing has been proven yet in a court of law or something. Well, good grief. That's not what this is about. It's about doing the right thing.

If we can make sure that we do what we can to make it easier for whistle-blowers to come forward – and that would include these supportive living facilities – then I think this bill will be a lot stronger. I hope we can pass this amendment.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Chestermere-Rocky View.

**Mr. McAllister:** Thank you, Madam Chair. It is always a pleasure to get up and speak to a piece of legislation, even when we're in an amendment on a piece of legislation. Even when we're trying to get them through relatively quickly, I think it's important that we take the time to go through them and analyze them and see how we might improve them.

I would ask that Statler or Waldorf or whatever he calls himself keep it down there in the back row while we try and get through this.

It is a good amendment because I think what it does is protect employees so they can protect the very people that we need to protect. That's what whistle-blower legislation should do. It's put in place so that we can protect people so that they can blow the whistle and protect in this case our loved ones in these facilities, which is what this amendment is for, which I think does relate to the amendment because some of the practices happening at these facilities are worth reporting. It's imperative that we report some of the things going on in these facilities so that we can fix them.

I know from your background that you would agree with that wholeheartedly. I speak through you, and thank you for listening. I always feel like you do, so you fake it well.

When somebody is in one of these centres and is potentially receiving inadequate care and somebody is aware of a system that isn't working, that someone should be held accountable for, we have to pave the way for that person to come forward. I don't believe that this bill does although initially I was quite excited about it. I thought: wow; this is pretty good. Whistle-blower legislation. Public interest disclosure act. These are all words that the public likes to hear. I mean, I can imagine a husband and wife

sitting around the table and discussing that. "We've got this whistle-blower act. Did you know that, honey?" "Wow. Whistle-blower act. That sounds great." And then you think of 10 government members riding giant white steeds across the prairies, up over the hill, trumpets sounding. Dun da da da. And then you realize when you read it that – wah wah – it's just flat. So we don't actually protect the people that we're trying to protect, and Albertans see that.

This amendment challenges us, challenges the government and us on this side to get together and work it out and fix it. This process would work if we'd actually discussed what was proposed to be amended with the concept that maybe it makes sense even though it comes from the other side. Maybe we have loved ones in one of those facilities.

When the Associate Minister of Seniors gets up and says that opposing one bath a week for a senior is grandstanding, he ought to be ashamed of himself. We're all going to have people in these facilities at some point. We need the people in those facilities to feel comfortable about coming forward. I would suggest that that grandstanding comment was probably sent to him by somebody in an office over yonder. I hope he wouldn't throw that out there and actually believe it. It's not grandstanding to stand up for somebody in one of these facilities; it's the right thing to do.

**10:40**

It's why we're proposing this amendment. The amendment reads: "a facility that is recognized or accredited to provide insured services under the Alberta Health Care Insurance Plan, a facility that is licensed under the Supportive Living Accommodation Licensing Act." The hon. Member for Calgary-Fish Creek proposed a couple of extra words in here so that, I think, more Albertans would feel protected.

I've appreciated listening to the Member for Calgary-Fish Creek tonight because I think she understands the issue better than most of us. We should probably respect somebody that not only has a personal connection to how these facilities operate but is somebody that's been in the portfolio that she has, with the contacts that she has. This woman does more research on bills than any of us could ever imagine. I have great respect for her because she doesn't come in here thinking: I need to protest the government no matter what it does. She sits around our caucus table discussing these amendments and begging us to carry on and to point out how important they are and the reason that we need to try and get government to agree to change some of these things. I couldn't be prouder to stand alongside her. You know, I just want to get that on record, too, because I think the Member for Calgary-Fish Creek is so honourable in her representation of seniors, and this amendment would help seniors. It would help so many more people if we would just realize that it's the right thing to do.

The only way to honour transparency and accountability is to take doubt out of the equation. Well, it's not taken out of the equation here. We've allowed it to be present. People know that. People write about it. They're still writing about it. I was prepared tonight to let those that are driving this specific bill in their portfolios and those opposite to have a discussion, to listen, to learn, but I would say that when one is accused of grandstanding to stand up for a senior getting a bath once a week, it tends to raise the ire of people. We saw that. The Associate Minister of Seniors should be wiser in how he describes our opposition to that.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to comment?

Seeing none, we'll call the question.

[The voice vote indicated that the motion on amendment A7 lost]

[Several members rose calling for a division. The division bell was rung at 10:43 p.m.]

[One minute having elapsed, the committee divided]

[Mrs. Jablonski in the chair]

For the motion:

Anderson	Eggen	Hale
Bikman	Forsyth	McAllister
Blakeman	Fox	Pedersen

Against the motion:

Allen	Goudreau	Olesen
Bhardwaj	Hancock	Olson
Calahasen	Horne	Quadri
Casey	Jeneroux	Quest
Dallas	Johnson, J.	Sandhu
Denis	Khan	Scott
Dorward	Klimchuk	Starke
Fawcett	Lemke	VanderBurg
Fenske	Leskiw	Weadick
Fraser	Oberle	Xiao

Totals:	For – 9	Against – 30
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[Motion on amendment A7 lost]

**The Deputy Chair:** We will return to Bill 4. Are there any members who would like to comment? The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much, Madam Chair. I have another amendment, which I sent to the table for ease of distribution. It is amending section 51. If I could get that distributed, that would be great.

**The Deputy Chair:** We'll pause for a moment while we distribute that amendment, hon. member.

Hon. member, I think we have most of it distributed, if you would like to proceed. This will be known as amendment A8.

10:50

**Ms Blakeman:** Thank you very much, Madam Chair. There are a couple of issues that, in my mind, are moving forward sort of lockstep. The first part of it is this section 51. You often see this clause in legislation where it indemnifies the particular officer and their staff from being sued in carrying out their job. But my concern around this one is that I don't think that any employee or officer should be exempt from having any investigation done on them if a whistle-blower needs to come forward, including the commissioner.

There are two things going on here at the same time. On the one hand, you want to say: "Okay. Fair enough. You're doing your job. You shouldn't be sued for doing your job." You really see that at the end of section 51(1), where it says: "in respect of anything done or omitted to be done in the exercise or intended exercise of any power under this Act or in the performance or intended performance of any duty or function under this Act." You know, no wonder people think we're weird when we start talking like that. Essentially, it's a fairly common clause that's saying you shouldn't get in trouble for doing what you're supposed to be doing.

My problem is that it's actually exempting the commissioner and the commissioner's staff from having any whistle-blower

concerns about them brought forward. I haven't been able to find anywhere else in the section where that might happen. Of course, there's never any intention of that. I don't believe that anybody that's going to be hired into that position or assigned to that position would normally undertake anything that could possibly get them in trouble. Nonetheless, I think that the way it's written, we have left a loophole there that shouldn't be left.

It goes in lockstep with a couple of other things that are going on. The commissioner does not – in some of the investigations that he does, he can wait out a two-year period, and then he doesn't have to give a report to the whistle-blower about why he didn't proceed with an investigation. You can also add into that or stack into it or it's the next step, clause 52, which basically ends up saying that any decision of the commissioner can't be challenged in an upper court.

When you knit those three together, I think there is a problem. I couldn't figure out a way to do it in one fell swoop, so I've sort of gone at it separately. And that's why this is in here. If the drafters over there that are good at this kind of thing, the Government House Leader, the Justice minister, maybe the ag minister, if they can do something off the top of their heads, that's great. Otherwise, that's what my concern is. You know, it's not enough to stop the train in its tracks, but it is a small flaw in the writing of the bill.

I think when you consider that this does remove the commissioner and their staff, his staff or her staff, from scrutiny from an accusation of wrongdoing and from an investigation, and you put that together with the fact that if the commissioner sits on a whistle-blower investigation for two years and does nothing and at the end of the two years doesn't even have to tell the person why they didn't proceed, and you look at section 52, which says that nothing that they do can be appealed to a higher court, I think you've got a problem.

So that's why I brought this forward. I agree it's nitpicky for 5 to 11 at night. But it is the kind of thing where, if you're trying to get a good piece of legislation moving forward, you want it to be the best it can be because my experience is that once you launch this kind of new legislation, it's really difficult to get the Legislature to come back to it or the ministers to review it for about 10 years. Whatever we do here, that we, you know, crack the bottle of champagne on in a week or so and send it out there, that's going to be it for a long, long time, and everybody is going to have to live with it. Glass half full, glass half empty. I'd rather we do the best job that we can possibly do to the act now because once it's out there, I don't think that we're going to get it back for a while. This is the kind of thing that becomes problematic as you work your way through it.

That's why I've done this. I hope I can get support on it. Unless I can answer any questions, that's about all I need to do.

Thanks.

**The Deputy Chair:** Thank you, hon. member.

**Mr. Scott:** I'd just direct my colleague to section 12 of the act. I believe that that section addresses the concern that you raised, if I understood the concern properly. It sets out the procedure if somebody in the public interest commissioner's office wants to make a report and what occurs in those circumstances.

**The Deputy Chair:** Thank you, hon. minister.

Are there any other comments?

Seeing none, I'll call the question.

[Motion on amendment A8 lost]

**The Deputy Chair:** We will move back to Bill 4. Are there any members who wish to speak or comment or provide an amendment?

**Mr. Anderson:** Yes, Madam Chair. I do have an amendment.

**The Deputy Chair:** We'll pause while we have that distributed. Thank you.

We will identify this amendment as amendment A9. I would like to point out there is an error, a typo, at the very beginning of the amendment. The number 21 should not be there, if you just want to cross that out.

You may proceed, hon. Member for Airdrie.

**Mr. Anderson:** Thank you, Madam Chair. The amendment is one that I asked to be prepared and something that I feel quite a bit of passion about getting changed, so I sure hope that the government would think about doing so. It refers to section 18(4) of the act, which currently says:

(4) The Commissioner shall not investigate any decision, recommendation, act or omission made or done by any individual in the course of acting as a solicitor or Crown prosecutor in a department, public entity or office of the Legislature.

Our amendment is to move that that section be struck from the bill.

You know, this one I feel strongly about because there's just been such a vivid example recently of a situation where there was this constituent of mine in Airdrie whose daughter was sexually abused for nine years. We brought it up in the Legislature many times. The case was stayed due to over 500 days of court delays and over 400 days of delays by the Crown prosecutors' office, which conflicted with the accused's Charter rights with regard to having a speedy trial. The charges were dropped, thereby denying this victim her day in court and, essentially, revictimizing her. This person, the accused anyway, right now drives around our city of Airdrie, you know, to this time and has access or easy proximity to other children as well.

**11:00**

So it is absolutely an awful, awful thing and an awful blemish on our justice system and something that we have to live with in our city every day until he decides, hopefully, one day to move out of our city. But then he'll be someone else's problem, so it doesn't fix it because that's not good either.

The problem with this section here is that it specifically does not apply to whistle-blowers who blow the whistle, so to speak, with regard to an omission or some kind of act of a solicitor in their capacity as a Crown prosecutor. That's just not acceptable.

Our Crown prosecutors across Alberta by and large are fantastic people. The vast majority, 99 per cent of them, more than 99 per cent of them, are fantastic people. You know, frankly, they're the best that lawyers have to offer, I would say, and no offence to the other lawyers in here. But it is true because they actually take less money in a lot of ways, in a lot of cases than some other folks that practise law.

They take less money and fewer benefits to be a Crown prosecutor, and one of the reasons they do that is because they feel very passionately about justice and about getting justice for those who have been victimized in our country and in our province. They still make reasonable money, but it's not anywhere near what they could make if they were going to go into corporate law or in some cases even criminal law as a defence attorney. They do their job, they do it very effectively. It's a great public service, what they do, and we should commend them.

However, as is the case in every single sector of our society, in every profession, no matter what it is, there are those who fall short. Sometimes it's very egregious and there are egregious abuses and awful things that happen, and sometimes it's unintentional. Sometimes it's individuals who mean well but are incompetent, and that does happen.

Sometimes when that happens, whether intentionally or through incompetence, bad things happen. Things happen like what happened in Airdrie, where now we have a case that has kind of opened people's eyes not just to that case but to other cases around the province where similar things have happened, where serious criminal charges have been dropped or stayed because of a lack of Crown resources or a poorly managed case. For whatever reason a case is managed poorly, or the court system is managed poorly and something doesn't get scheduled on time. Whatever the case is, these incredible injustices have occurred in more than one instance.

Now, some of that we're debating in this House on a day-to-day basis with regard to the amount of resources the justice system has at its disposal to do these things given the caseloads that it has and whether they're being overburdened. I think that certainly is part of it.

Whether this case is such an example or whether it is not, there are cases when something bad will happen in the justice system, something that brings doubts into people's minds as to whether we have a true justice system or whether it's just some kind of judicial system as opposed to a justice system. Those things happen, and when they happen, it is absolutely imperative that we deal with them. Like everything else, we cannot sweep these things under the rug when they occur. We have to allow people the ability to stand up and blow the whistle on situations that need to have the whistle blown on them, whether they be intentional or negligence or whatever.

There is no reason for this clause to be in there. I'm sorry, but there's no reason whatsoever for that clause to be in there. The justice system is, frankly, in a lot of ways the most important system that we have in all of government because without that basis of safety, that basis of law and order, everything else we do, whether it be health care, education, seniors, all that other stuff, would not be possible without a functioning justice system. It just wouldn't be possible. It would be the Wild West. That's all it would be. You couldn't have hospitals because you couldn't protect the hospitals. You couldn't have very much commerce because you wouldn't be able to enforce contracts, et cetera.

The justice system is absolutely critical. So to say that we're going to exempt Crown prosecutors and their actions is just not right. I don't know how this clause got in here. I don't know what the reasoning behind it is. Obviously, it should come out because in the department if there's something that's happening that is systemic, that is going to lead to someone like Arizona – this is not her name; it's the alias that she uses, the victim in this Airdrie sex abuse case. If a situation were to occur that will likely lead to more Arizonas, that has to be blown. Somebody in the Crown prosecutors' office or in the justice system or someone in there needs to be able to blow the whistle on that and not be worried about retaliation. I'm not saying that it was the Crown prosecutor's fault in this particular case. That's still being investigated.

This is a pretty obvious one. Now, we've been in here, and we've talked. This is the ninth – this is A9 – and we've also had a subamendment. Every amendment has been voted against. At some point I would hope that the governing party can admit that perhaps the opposition has a good idea or two on this.

Now, I would ask the minister of transparency – I'm not even going to try to do the full name; I've given up. Transparency is good enough. Could that minister or the Justice minister or the Government House Leader please explain why this clause is in there and if it is justified being in there? Just the reason why it's there. I know one of the thoughts might be that somebody might not be happy with the fact that a Crown prosecutor wanted to pursue a case or not pursue a case or didn't do a good enough job in a case and so forth.

Again, the commissioner already has that discretion. He doesn't have to look into every single thing, every single complaint that's brought. If it's a frivolous or vexatious complaint, he already has powers under this act not to pursue that.

That already exists. That's not an excuse. You can't say: oh, well, if we did that, everybody would be . . . You could use that same excuse for any person that does come under this act.

Please consider this. Let's make our justice system safer by shining a little bit of light on it. I think this is a reasonable amendment, and I would ask the government to support it.

11:10

**The Deputy Chair:** Thank you, hon. member.

The hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you very much, Madam Chair. I thank the member for his submissions tonight. I cannot support the amendment for a number of reasons, which I will outline.

First of all, I've often talked in question period about the importance of the independence of the judiciary but also the independence of prosecutions and the independence of investigations, and it is very, very important that we maintain this. There are many things that I think any of us wouldn't agree with if we looked into every type of prosecution. Again, we don't live in a banana republic, Madam Chair; we live in a place where these decisions are made independent of any political influence. Any one of us cannot just say: listen, here, go and get the bad guys. It doesn't work like that. Frankly, I wouldn't want to live in a province or in a country where things operated like that.

I wanted to mention to this member, who is legally trained, as am I – I think we used to work a few blocks from each other, actually – that the quasi-role of Crown prosecutors has to be protected. Crown prosecutors are governed by other rules, including those in the Law Society of Alberta's code of conduct, which, again, is a self-governing profession and, as such, is entirely accountable. Further governance, I would suggest, is unnecessary.

I have a particular issue with removing 18(4) because it also deals with solicitor-client privilege. I'm not talking about solicitor as in the Solicitor General, of course. I'm talking about the solicitor as a barrister and solicitor. That is something that can never be infringed. This is a common-law tradition that goes back hundreds of years, goes back across the pond in another country where our legal system originated, and it is also recognized even in civil law systems throughout the entire world. My submission to you, Madam Chair, is that allowing third parties to reveal legal advice sought or received could and would negatively impact on the information provided to lawyers, including Crown prosecutors, by their clients and threatens the effectiveness of the legal advice sought and could seriously jeopardize the Crown's interest.

The last part: we talked about the Crown's interest. There's lots of talk about the public interest in this Chamber the last couple of weeks, Madam Chair. The Crown's interest is the public interest because they are the defenders of the public interest in our legal

system. I would say that they are equally as important as the police, and we have to respect their individual judgment.

I would also just mention to this member that I do not know of any other whistle-blower legislation in the country – and perhaps the Minister of Accountability, Transparency and Transformation could correct me – that is without a similar provision such as this.

The last thing I will mention, Madam Chair, is that there are other mechanisms such as the investigation that we're doing for dealing with unfortunate situations like the member mentioned in his own constituency. Again, the investigation we're doing is independent. Without this particular section you would see a floodgate of arguments coming in, and it would really threaten the fabric of the whole independent aspect of both our prosecutions and our investigations. We must maintain their independence.

I respect where this member is coming from with this amendment, but unfortunately I cannot support it for the reasons that I've indicated. Thank you.

**The Deputy Chair:** Thank you.

The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much. I know how strongly the Member for Airdrie feels about this particular situation. I just have a caution that building legislation around a particular incident may not be the best way to go. That's not to diminish the seriousness of that particular case.

Part of what occurred to me: under the purposes clause it talks about facilitating

the disclosure and investigation of significant and serious matters in or relating to departments, public entities or offices of the Legislature, that an employee believes may be unlawful, dangerous to the public or injurious to the public interest.

Now, I'm not sure that the intent of this is to cover the kind of incident that the member is raising. I mean, obviously, he's followed this particular case a long way and is more aware than I am of other possibilities and other remedies that are available in this case which don't seem to have been very successful.

I do wonder about this. I don't see in the purposes where it is moving into that arm of the courts, and I don't think it's intended to according to the purposes section, which is section 2, for anyone that's following along. I go back and look at the section that he wants to remove, which is 18(4), which is appearing on page 14: individuals that are acting as solicitors or Crown prosecutors in departments, public entities, or offices of the Legislature. You know, I've got a number of friends that provide those services in different departments. To me, this clause is that same protection clause that I was talking about previously, where you have to have something in there that says that you've got to be protected. If you're doing your job, you've got to be protected for doing your job. You can't have somebody going after you for having actually done the work you were supposed to do.

I think that's what's being covered in subsection (4). I understand how important this is. I'm just struggling to support this particular amendment because it would leave a number of the people that I know that provide legal advice or act as a solicitor in various departments wide open to any number of accusations from people that are ultimately unhappy with the way an act comes out or the way it's been implemented or anything else that's involved in that. I really believe in that separation between what we're doing and what happens in the court system.

You know, I look to the States – and I'm a little, tiny bit off here but not on too bad of a tangent – and I see where they elect their judges, and I just think, "Oh, save us from that" because that truly does politicize the system. I think we're right in keeping

those two branches as far apart as possible. As soon as we start interfering in that process – you know, constituent A comes to me and goes: you’ve got to get involved; I’ve got a particular problem with WCB, maintenance enforcement, any number of other things. Pick one. If I interfere, well, I could be causing the person on the other side of that particular dispute – it’s not for me to interfere in that dispute, and I have a real caution about doing that.

The second thing I often talk about in this House is if we write – what’s the word I’m looking for? – vague law. If we write legislation that isn’t clear or is unclear – and I’m not putting this onto this particular case, Member – when it gets to the courts, the judges do the best they can with stuff that isn’t very directive to them. Often they’ll end up sending it back to us, saying: you guys have got to write a law to clarify this. To then turn around and accuse them of judge-made law makes my hair catch on fire because it is such an unfair accusation when we, the legislators, didn’t give them a very good piece of legislation to make decisions on.

It really comes back to this House to be doing a good job, and again I’m not referring specifically to the case the member is talking about. I’m really uneasy about it for a number of reasons, but I’m going to listen to the rest of the discussion and see if I can settle my unease.

Thank you.

11:20

**The Deputy Chair:** Thank you hon. member.

**Mr. Anderson:** Madam Chair, some interesting questions there for sure. First of all, this has nothing to do, in my view, with the independence between the Legislature and the judicial branch. We have that separation. There is no doubt. I mean, there still are, obviously, correlations between the government and the judiciary. For example, the government funds the judiciary. The government funds the Crown prosecutor’s office. There are these attachments, okay? A case-management system, for example: you can’t put a case management system together if you don’t have funding to put a case management system together. Therefore, there is that attachment and that relationship between the government and the judiciary, the Crown prosecutor’s office, and so forth. That’s just the way it is.

Now, what the government can’t do, as it always says and rightfully so, is go in and instruct a Crown prosecutor to pursue a certain case. There’s no doubt about that. We all agree with that. The problem, though, Madam Chair, is that that’s not what we’re talking about here at all. We’re not talking about the government going in like a banana republic. I guess that makes the United States a banana republic because they can do that in the United States.

Anyway, in other systems of justice the politicians can in fact go to the Crown prosecutor and say: hey, you should be prosecuting that; that’s something that you need to do. And then the voters or the dictator holds them responsible. It’s certainly not a system that I think is appropriate either. I much prefer the way we have it here, with independence.

What we’re talking about here is not related to that. That is not what we’re talking about here. What we’re talking about here is – and I’ll go over the application and purposes of the act real quick.

The purposes of this Act are

- (a) to facilitate the disclosure and investigation of significant and serious matters in or relating to departments, public entities or offices of the Legislature, that an employee believes may be unlawful, dangerous to the public or injurious to the public interest.

Well, look. Here’s an example. What if a Crown prosecutor is having a bad year? We’ve already established how good 99.9 per cent of them are. Let’s say that one is just tired of the baloney, is having a bad time, and says: “You know what? I need a break. I’ve got too many cases on my plate, so I am going to start plea bargaining down as much as I can to get as many of these cases off my desk as is humanly possible.” Okay? So that’s what they do. They get into this rhythm, and pretty soon they find out that it’s easy to do that, so they keep plea bargaining down, plea bargaining down, plea bargaining down. So people are getting out on the street without going through the system properly and being properly held accountable for their crimes. They’re on the street, and they’re out there being unlawful, being dangerous and possibly injurious to the public interest.

Somebody within the Crown prosecutor’s office who sees that, if it is a pattern, needs to be able to come forward and share that information with the commissioner in this case and with – what do we call it again? – his designate. That needs to be pointed out. That is very important. That person who points it out says: look, this guy is purposefully offering bottom-basement plea deals or is, you know, mucking up things or perhaps falsifying documentation or whatever the heck it is. Whatever it is, there needs to be protection for the person who decides to bring that wrongful act forward, to bring that wrongful thing that’s happening forward.

Now, I do not think in any way that that would make Alberta a banana republic, nor would it threaten the independence between the judiciary and the legislative branch. I don’t think that’s the case at all. I mean, we could talk about the same thing for solicitor-client privilege as we could for physician-patient privilege. Yet this does apply to the health care system, as far as I know. The College of Physicians and Surgeons has rules, Justice minister, lots of rules for their doctors. So why are we saying, “Okay, the College of Physicians and Surgeons has rules; the Law Society of Alberta has rules for their lawyers; we’re going to allow whistle-blowing in our public health system, but we’re not going to allow whistle-blowing in our public legal system”? I’m not understanding the difference. There is no difference, frankly. I’m just not seeing it. What this legislation does not do, I think, is allow for the political branch of government to in any way interfere with the judicial branch. I really do not see how that amendment would allow for that.

Again we’ve got to quit – and I’m saying this as a lawyer. Maybe it’s because lawyers write all the legislation. Honestly, lawyers have got to be the most protected people on the face of the planet. We write all the laws. Lawyers write all the laws. It’s just amazing the protections that they find to put into every piece of legislation humanly possible to protect themselves.

Well, look. At some point there has to be accountability. People are tired in this province and all across the country, frankly, of a justice system that allows people like the one in my city to be running around free without having to face his accuser in a proper trial. They’re sick of that. It’s not just happening in Airdrie. It’s happening in other places. If somebody has information on that, as to why that’s happening, why can’t they bring it forward to the commissioner? Perhaps it’s a breakdown in the case management system. Perhaps it’s a Crown prosecutor gone rogue. Perhaps it’s a ridiculous policy that has been put forward where they’re directing Crown prosecutors to plea out very low sentences in order to move cases along because of a lack of resources. Maybe it is a lack of resources.

I just had a justice of the peace, I mentioned earlier, call me this week. He said that a lack of resources is an absolutely true problem – no doubt about it – in our justice system, and it is causing a lot of chaos and a lot of disadvantages for the Crown in

many different cases. But that person can't come forward to the commissioner to blow the whistle on it because of this piece in here, because of this section.

Guys, if we're going to get serious about whistle-blowing – I mean, that's what section 2(d) is intended for: "to promote public confidence in the administration of departments, public entities and offices of the Legislature." Good grief. Public confidence in the justice system? Go poll that. We have polled it. Honestly. Don't give me this garbage about how polling doesn't mean anything. Just go poll it properly, scientifically. You will find that the vast majority of Albertans today do not have confidence in our justice system. They don't. You ask them that question. They don't. Now, you can deny it and say: oh, well, blah, blah, blah. No. That's a fact. They don't. Just go talk to some of your constituents. There are some that do; most don't.

The reason they don't is because when these problems happen, I just think it's easier for us politicians to say: "Oh, you know what? We'll just ignore it because we don't want to be a banana republic. We don't want to threaten the separation of the judiciary and the legislative branch. So we're just going to forget about that. Let the lawyers deal with it. Let the Crown prosecutor deal with it. They'll get their act together. They'll do it." Well, then why are things like Airdrie happening? Why do things go wrong in that regard? I don't think it's just about this one case. I think it's about many different cases, as passionate as I am about that case.

I don't think it threatens the common law aspect of solicitor-client privilege. I think that's a complete red herring. I don't really care if it's used in other Legislatures across the country. I mean, if the government is going to start going there, do you really want to start comparing this legislation to other whistle-blower legislation across the country? Really? Do you want to go there? If you do, we'd better just start up from scratch because this is the weakest whistle-blower legislation in the country by far. Every independent analysis that I've seen on that, that has looked at this legislation and has commented on it, has said the same thing.

**11:30**

Is it an improvement over what we had before? Possibly, I guess. Optically it is. There might be a few improvements. But it is very weak legislation, overall, for many of the reasons we've said. So let's not go into this thing: oh, this isn't done in other legislation. I don't know if that's true. I'd have to look into that.

Those are my comments on that. I think we should support this. I think that if we started supporting measures like this, we may actually have a public that is confident in our justice system instead of feeling that they don't have a justice system that is functioning. That is the case right now.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Madam Chair. Now, I'm not a lawyer, but I stayed in the Holiday Inn Express last night, so I think my comments may have some relevance here.

We aren't here for ourselves, I'd like to remind you all. We're not here to pass legislation that protects us or other special interests. As recurring comments from our constituents, sort of verifying and following up on the hon. Member for Airdrie's comments, the things that I hear from my constituents in Cardston-Taber-Warner: "How come the government can get away with that?" or "How come the government doesn't have to follow its own rules?" or "I thought the golden rule was do unto others as you would have others do unto you, not that he who has

the gold, or the power in this case, makes the rules but doesn't have to follow them."

I have to tell you, quite frankly, that I still haven't recovered from your defeat of the exemption clause that we wanted out at the start of discussions today. I really think that's a huge mistake. Exemption clauses like this hurt us all, and I'll tell you how. They bring scorn and skepticism to this process. They bring disrespect and disregard for the things that we're trying to accomplish. They bring mistrust and misunderstanding. Now, I'm not going to continue with the alliterations, but I hope you get the picture. We're not helping ourselves. We're not helping the people that we've been elected to protect. We shouldn't be protecting wrongdoers, as this section potentially does.

We're supposedly allegedly trying to protect whistle-blowers, who see this stuff happening and think it ought not continue, that it ought to be stopped, but they're afraid to. We need to be protecting them, and everywhere that wrongdoing occurs, including in the Crown prosecutors' department, it needs to be reported and needs to be followed up on and acted on. I agree that it does not violate the separation that needs to exist. If we can't trust our justice system to be fair and transparent, if the people that elected us can't trust our justice system to be fair and transparent and treat all people equally and subject to the same clauses and laws as the rest of us, then we've sunk to a sorry state and, in fact, are consigning ourselves to become the banana republic that the Justice minister keeps referring to.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to comment? The hon. Associate Minister of Accountability, Transparency and Transformation.

**Mr. Scott:** Thank you, Madam Chair. Prosecutors in this province are independent. We trust them with the discretion to choose when to prosecute offences. There are a range of reasons for choosing whether or not to prosecute. A great many of these reasons may be technical in nature. The commissioner is not expected to be an expert in the exercise of legal discretion, and to be blunt, this is not the appropriate forum for second-guessing a prosecutor's decision to prosecute or not. Like our legislation, New Brunswick's states that information relating to the deliberations of Crown prosecutors cannot be disclosed. Like our legislation, all other Canadian legislation protects information in a client-solicitor relationship. For that reason I cannot support the amendment.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak on amendment A9?

I'll call the question on amendment A9 to Bill 4, Public Interest Disclosure (Whistleblower Protection) Act.

[The voice vote indicated that the motion on amendment A9 lost]

[Several members rose calling for a division. The division bell was rung at 11:35 p.m.]

[One minute having elapsed, the committee divided]

[Mrs. Jablonski in the chair]

For the motion:

Anderson	Fox	McAllister
Bikman	Hale	Pedersen
Engen		



Against the motion:

Allen	Goudreau	Olesen
Bhardwaj	Griffiths	Olson
Blakeman	Hancock	Quadri
Calahasen	Horne	Quest
Casey	Jeneroux	Sandhu
Dallas	Johnson, J.	Scott
Denis	Khan	Starke
Dorward	Klimchuk	VanderBurg
Fawcett	Lemke	Weadick
Fenske	Leskiw	Xiao
Fraser	Oberle	

Totals: For – 7 Against – 32

[Motion on amendment A9 lost]

**The Deputy Chair:** We're back to Bill 4. Are there any members who wish to speak or comment on Bill 4? The hon. Member for Lacombe-Ponoka.

11:40

**Mr. Fox:** Thank you, Madam Chair. I would like to move an amendment on behalf of the Member for Calgary-Fish Creek.

**The Deputy Chair:** We'll pause for a moment while we distribute that amendment.

Hon. members, this amendment will be known as A10, and I would remind everyone it is getting late and that we are speaking on amendment A10.

The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Madam Chair. Now, this amendment is a very small amendment. It's replacing one word. We're striking out "committed" in section 50 and substituting "discovered." So let's read it the way that I'd like to see it amended. "A prosecution under this Act may not be commenced later than 2 years after the day the alleged offence was discovered."

Now, the reasoning behind this is fairly simple. We want to make sure that wrongdoings, when they are discovered, are investigated and prosecuted. Just in this one very minor amendment we would be able to make that change so that crimes would be punished. I think that's something we can all stand for in this House. We want to make sure that we hold those that are responsible responsible and that their actions do not go without consequences. We want to see them go through the system and have just punishment for the acts that have been committed.

Now, if I were a whistle-blower and I were to come forward and bring to light a scandal, for instance, I would want to see that it's taken from the investigation stage all the way through the due process to the point where if they are prosecuted, there is punishment for it. I believe that in this amendment we're doing exactly that, and we're not allowing something to be swept under the rug with a very small statute of limitation.

Thank you very much for the opportunity to speak on this, and I will defer to some of the other members now.

**The Deputy Chair:** On amendment A10, are there any other members who wish to comment?

Seeing none, I will call the question.

[Motion on amendment A10 lost]

**The Deputy Chair:** We shall move on to Bill 4. Any members wish to speak or make amendments to Bill 4? The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you. I have an amendment at the table. If I could get it distributed at this point, please.

**The Deputy Chair:** We'll just pause for a moment for that.

Okay, hon. member, we're almost there. This will be known as amendment A11. Bill 4, amendment A11. You may proceed.

**Ms Blakeman:** Thank you very much, Madam Chair. For those that are following along in hard copy, this amendment A11 is amending section 52, which appears on page 33 of the hard copy act. I've seen this kind of clause a couple of times recently in what the government is trying to do. Paramountcy clause isn't quite the right word, but it essentially says . . .

**The Deputy Chair:** Excuse me, hon. member. The noise level is quite loud again. Can we bring it down? If you have a really important conversation, you can always take it out into the Confederation Room. Thank you very much.

Hon. member, you can continue.

**Ms Blakeman:** The Chair is very kind, but it doesn't bother me in the least.

It doesn't essentially say this; it does say it. "No proceeding of the Commissioner is invalid." It can't be challenged or reviewed or quashed or called into question in any court. So it says that, you know, this is it. What the commissioner decides is the end of it. It can't go any further. I always have a problem with that. No one is perfect. No one can foresee every circumstance that could possibly apply. You have to allow that there could have been a mistake made and allow someone to be able to appeal. So that's the number one argument for why this particular clause should be struck.

The second argument is a bit more complex – I touched on it when I was speaking before to a different amendment – and that is that when you look at this idea that the rulings, the decision of the commissioner can't be challenged in any court, and then you go on and look at 49, which says, "any person who contravenes," and then there are a number of clauses that are set out there. Essentially, it's the section on reprisals, on false statements, on obstruction, or on falsification. If they contravene that, then they're guilty of an offence and they're liable.

The commissioner can decide. That's what this clause is there for. If somebody has operated in bad faith or, you know, that they shouldn't have brought this forward, the commissioner can then decide that that's it. If it's bad faith or it's vexatious or whatever, the accused can't get a more thorough investigation or be able to bring it to any kind of an appeal. Once the commissioner says that that's it, then they can't go any further. Essentially, there can be a situation or situations where there is no protection for the whistle-blower, so they have no ability to protect themselves from being fined or punished if something is coming forward.

Now, you go: "Okay, how many people are we really talking about here? Are we changing the whole law just for one or two people out of an entire population?" Possibly, but if that's the case, then I would revert to the first reason for doing this, which is that you have to allow that appeal. To say that nothing is appealable is, I think, particularly problematic.

11:50

Usually what the government says is: well, okay, you can go ahead and appeal it, but you're going into a civil court system and you're on your own, honey. Okay, fair enough. Lots of people come to my office and say: well, that's not fair because I don't have enough money to take it into that court system. But the truth is that, you know, if it's really important to them, if they really

want to do it, if it's truly egregious, it's there. The appeal process is there for them. In this case it's not there. It makes that commissioner God, and I do not think it's appropriate for this Legislature to bestow that kind of power on one individual or one office. It just is not right to me.

I have on behalf of my colleague from Calgary-McCall brought forward this amendment A11, which does ask that we strike out section 52, which says:

Proceedings of the Commissioner not subject to review

52 No proceeding of the Commissioner is invalid for want of form and, except on the ground of lack of jurisdiction, no proceeding or decision of the Commissioner shall be challenged, reviewed, quashed or called into question in any court.

It's too much. It's just too much power and discretion to be applied to one individual when we're taking away a protection that is supposed to be offered to people for bringing forward a wrongdoing that's happening inside of the government. It just doesn't sit right with me, so I would ask for the support of the Assembly in deleting that section 52.

Thank you very much.

**The Deputy Chair:** Thank you. Any other members to speak or comment on amendment A11?

Seeing none, I'll call the question.

[Motion on amendment A11 lost]

**The Deputy Chair:** We will return to the bill. The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Madam Chair. I have another amendment here that I would like to move on behalf of the Member for Calgary-Fish Creek.

**The Deputy Chair:** Thank you. We'll pause for a moment.

Hon. member, we can proceed on this amendment. It will be known as amendment A12.

**Mr. Fox:** Thank you, Madam Chair. This amendment here is one that would strike out section 18 and substitute the following:

(2) An investigation is to be conducted as informally as possible and to be concluded within 12 months from the date the investigation was commenced.

What we're looking at here is putting in a firm timeline for investigation. As it stands right now, there is no timeline for the commissioner to conclude an investigation. This can put the employee at risk. As well, it means after two years the commissioner could refuse to continue on with the investigation and drop it. We see that under section 19(2), where it says:

The Commissioner is not required to investigate a disclosure or, if an investigation has been initiated, may discontinue the investigation.

We want to make sure that when the commissioner does start an investigation, it is completed, and we also want to make sure that it is reported back in a timely manner. If we find out that the commissioner has been investigating for two years – two years – we may not see that report until the next annual report. It could be three years after the initial disclosure that the whistle-blower made. For three years this Assembly isn't going to know what's going on. We're not going to be able to hold that public entity to account. That employee may not even see satisfaction in blowing the whistle because their issue has been dropped by the commissioner because we're beyond the two-year timeline. So we just want to make sure with this amendment that investigations are concluded in a timely manner.

You know, it actually brings it kind of in line with what's in the FOIP Act. The FOIP Act right now does contain firm timelines at various stages of the process, and I think it's reasonable within that act to hold the office to deadlines. I can't see any reason why it would not be reasonable to hold this office to account with deadlines. I would hope that you would support this amendment and make sure that these investigations are concluded in a timely manner.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak on amendment A12?

Seeing none, I'll call the question.

[Motion on amendment A12 lost]

**The Deputy Chair:** We will move back to Bill 4. Are there any comments, questions, or amendments? The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Madam Chair. I have another amendment that I would like to move on behalf of the Member for Calgary-Fish Creek.

**The Deputy Chair:** Thank you. We will pause for a moment while that gets distributed.

This amendment will be known as amendment A13.

Hon. Member for Lacombe-Ponoka, you may proceed.

**Mr. Fox:** Thank you, Madam Chair. This amendment that you have in front of you is one that speaks to the very idea of transparency. The idea of this amendment is to make all of the written rules and procedures established under this section of the act viewable, seen by all members of the public so that they can understand how this process works from beginning to end throughout all of the public entities, throughout all of your ministries. Now, transparency is something that is very important, and I believe that this is something that would raise the bar, so to speak. I think that's a phrase that the hon. Premier likes to use fairly often. Well, let's raise the bar on transparency.

12:00

Now, what this is going to do and what this can do is help nonemployees, because there is a provision in this act for nonemployees to blow the whistle, to understand the procedures that they're going to have to go through and what those procedures will look like for the commissioner when he investigates this. Also, it gives them some anonymity when they're looking for information on how to do this. It's impossible to be anonymous to blow the whistle in a process when you actually have to go to your designated officer or go to the commissioner just to get the very information required to blow the whistle.

This amendment is a very friendly amendment. This is one where, I think, all Albertans would benefit just by understanding the process by which this government works, by which your ministries work. I don't see any reason why we can't all support this amendment. I feel that this is one that should get unanimous support here in the Legislature because it is such a wonderful amendment, that just goes to the core of what government transparency should be. I would hope that you would stand with Albertans when they want to stay anonymous or they want to understand how these procedures are going to work.

With that, I would hope that there might be one or two comments on this before we vote on this amendment.

Thank you so much for your time.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who would like to speak or comment on amendment A13?

Seeing none, we'll call the question.

[Motion on amendment A13 lost]

**The Deputy Chair:** We'll move along, back to Bill 4. The hon. Government House Leader.

**Mr. Hancock:** Thank you, Madam Chair. In light of the hour and in light of the wonderful progress that we've been making on this most remarkable bill, I would move that we adjourn debate.

[Motion to adjourn debate carried]

**Mr. Hancock:** I would also move that we rise and report progress on Bill 4.

[Motion carried]

[Mrs. Jablonski in the chair]

**The Acting Speaker:** Will the hon. Member for Dunvegan-Central Peace-Notley please report.

**Mr. Goudreau:** Thank you, Madam Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports progress on the following bill: Bill 4. I wish to table copies of all amendments considered by Committee of the Whole on this date for the official records of the Assembly.

**The Acting Speaker:** Thank you, hon. member.  
Does the Assembly concur in the report?

**Hon. Members:** Agreed.

**The Acting Speaker:** Opposed? So ordered.

### Government Motions

**The Acting Speaker:** The hon. Minister of Agriculture and Rural Development.

### Continuation of Enactments

15. Mr. Olson moved:  
Be it resolved that the Legislative Assembly approve the continuation of the following enactments:
- (a) section 33 of the Agricultural Societies Act,
  - (b) sections 3 and 36 of the Rural Electrification Loan Act,
  - (c) section 2 of the Rural Electrification Long-term Financing Act, and
  - (d) sections 32 and 33 of the Rural Utilities Act.

**Mr. Olson:** Thank you, Madam Speaker. At the risk of incurring the wrath of colleagues on all sides of the House, I'd like to get through this motion. I'll do it as quickly as I can. Briefly, all of these pieces of legislation have a provision which requires that every five years the loan and guarantee provisions be examined and debated for the purpose of determining whether they should be repealed or continued. That's the question here. I'll go through each act very briefly.

The Agricultural Societies Act does provide for guarantees of a maximum aggregate of \$50 million. There haven't been any new guarantees for 20 years. When the last review was done in 2007, there was only one outstanding guarantee at that time. There are now no outstanding guarantees of agricultural societies. The

logical question would be: well, then, why don't we just repeal it? Madam Speaker, we are going to be undertaking a review of this act, and we are looking at agricultural societies generally, so we think it's prudent to just leave the legislation sitting where it is. We have no plan right now to be using the guarantees, but there aren't any outstanding.

In terms of the three utilities pieces of legislation, there's one for gas and two for electrical services. The two electrical ones. In 1953 the Rural Electrification Revolving Fund Act was created. That was to help finance electrical services to farmers, either to individuals or to rural electrification associations. It evolved into the Rural Electrification Loan Act. There are two different types of loans: one for individuals, one for capital upgrades. Now, in this case there's been a history of these. They have evolved as well. Interest rates used to be very low. They then became market rates. Associations used them for major upgrades, changing their infrastructure.

The other electricity piece of legislation came a couple years later, in 1955, the Rural Electrification Long Term Financing Act: same types of purposes, same types of loans. These loans were generally made to farmers. They were charge-secured by liens on land, or they were secured by assets of the rural electrification association in the case of loans to the REA.

Now, there are outstanding loans here. In the mid-1970s there was over \$75 million in outstanding loans. By 1997 there was only about \$31 million left. That amount is declining. We probably still have about 10 years to go. It should be paid out in about 2022. What happened here is that in 1997 the government decided to get out of the business of financing these. They turned these outstanding loans over to the private sector. Part of the deal was that they would maintain this security. So even though the loans are administered by banks, the security is still there, and the government has a responsibility to maintain that security.

The last one is the Rural Utilities Act. That's the one that deals with the gas utilities for, obviously, provision of gas services. That was done for rural gas co-operatives to construct individual services secured by lien note. The last guarantee issued was in 1998. They've all expired, but there are about 36 outstanding loans. These would be delinquent loans worth about \$130,000. So there's still a reason to have that security in place and to keep these provisions in place.

In summary, over the years, over these decades some 90,000 farm electric services have been installed with the help of this financing and some 200,000 rural natural gas services, which is the largest natural gas system in the world. So there is a reason for each of these to stay there, but they're eventually probably going to die a natural death. I'll be happy to answer any questions if there any, or I'd be pleased to hear the comments from my colleagues.

**12:10**

**The Acting Speaker:** Thank you, hon. minister.

The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much, Madam Speaker. I'd like to commend the minister of agriculture for actually bringing this before the House and spending the time to walk everybody through it. It didn't take that much time, and it was very much worth it.

My concern is that this minister did this, but a number of other ministers haven't. Over the summer and fall I've been watching the OCs go through, and there have been 24 OCs extending 29 acts, and all of those are extending the review date further on, pushing it further out. So while this minister actually brought this

before us, explained why he was pushing the reviews out and made a good case for it, there have been 24 OCs extending 29 acts for things like the health and wellness grants amendment regulation, that they pushed the date for review out to July 31 of 2022. The employment standards amendment regulation, extended the date for review to June 30 of 2018. On and on and on it goes: the business corporations amendment, extended to 2017; the Garage Keepers' Lien Act, extended to 2015; the personal property security amendment regulation, extended to 2015; the personal property security forms amendment regulation, 2015; the government emergency management amendment regulation, 2017.

I don't know what's in this stuff. Of course, you can do it, but it's not easy, and I don't have the capacity to do it anymore. You see the OC come out, you read what it is, then you've got to go back and actually go into the system to find out what it actually says and what it's amending. Otherwise, it just says: OC this number on this subject. To find out what it actually says, you've got to go into the system, print it out, and go: okay; it's this section. Then you've got to go to the bill, look up the bill, and go: now I understand what they're doing. It's not easy, and it's fairly time consuming to try and figure out what's going on.

Lots of these may well be completely innocuous. I have no idea because I don't have the capacity to find it out anymore. You've got the wildlife expiry date amendment regulation pushed out to 2014. The Alberta chicken producers' plan amendment regulation, 2017; the environment grant amendment regulation pushed to November of 2022. Why? If these things need review or don't need review, why can't we hear about it in the same way that this minister managed to bring it forward? The Alberta heritage scholarship amendment regulation, 2019; the Calgary election amendment regulation, 2015 – well, that would be fairly current, I would think, given we've got an Election Act in front of us – the Edmonton election amendment regulation, 2015.

All of these regulations have the deadline for review pushed out. We don't know why: you don't have time; you're not interested; you don't care. I don't know. But it all went through in OCs over the summer.

I don't mean to pick on the minister of agriculture, but I do want to commend him for actually bringing this before the House and spending the 10 minutes to tell us why. I don't know why the rest of you couldn't do that and explain what's going on here because this is part of what makes people go: why are you so secretive? You may not be secretive. I don't know. I can't tell because all we've got is an OC that when you dig deep enough, you find out that they've pushed a review out, you know, whatever it is: two, four, 10. The furthest one out was pushed to 2022. I have no idea.

My compliments go out to the minister that actually did the work. My question is as to why the government and the rest of the ministers can't be bothered bringing that information forward to us.

Thank you very much.

**The Acting Speaker:** Thank you, hon. member.

Are there any others who wish to speak? The hon. Member for Airdrie.

**Mr. Anderson:** Thank you, Madam Speaker. I'll be very brief so we can all go home. I just want to commend the minister as well for his explanation. I will say that the Wildrose wants to make very clear that our REAs have played an integral role in the

development of Alberta and that we support them fully. We think they'll be key to rural Alberta's development in the future.

With regard to these specific acts, obviously, we think that it would be good to continue to review, particularly as it pertains to the liability aspects of some of these things and the liabilities that the province still has on its books, that it's been paying off for a long time now. I think that we just need to be careful in that regard. I think that the minister has given a good explanation for that, and we seem to be moving in the right direction with regard to paying back those debts.

That is all.

**The Acting Speaker:** Are there any other members who wish to speak?

**Mr. Hale:** I just have a quick question for the hon. ag minister. I might have missed it in his presentation. Under the Rural Utilities Act you said that you had a hundred and some thousand dollars left to pay. Has that been turned over to private institutions? Are you seeing further loans going out? Just to clarify that.

**The Acting Speaker:** Hon. member, there is no Standing Order 29(2)(a) at this point, so we'll consider that to be your speech. Perhaps the minister can answer through a note or something, but there is no 29(2)(a) at this point.

Any other members?

Seeing none, I'd ask the hon. Minister of Agriculture and Rural Development to close debate.

**Mr. Olson:** Thank you, Madam Speaker. I'll try to answer a few of the questions that were asked and comments that were made. First of all, I'd like to take credit, hon. Member for Edmonton-Centre, for doing this, but I'm mandated by the legislation to do it. I think that's the difference between some of the orders in council that you referred to.

**Ms Blakeman:** I take it all back, then.

**Mr. Olson:** I think you mentioned chicken producers in there, too. I'm also responsible for one of those OCs. I'm always happy to answer if you have questions about, you know, whether there was an extension of time.

Now, I just need to clarify that this has been a wonderful initiative – all of these have been – for Albertans and particularly rural Albertans, but this is not about debt owing by the government of Alberta. We don't owe any money here. We do have some contingent liability when we are guaranteeing other people's obligations. As I mentioned, the ag society legislation is there, but there is no contingent liability. It's zero right now. We don't have any liability whatsoever unless we were to guarantee some further loans, not to us but to ag societies. So we're the third party guaranteeing the debt.

That would be the case with some of these other ones as well. There are two pieces of electricity legislation. That's for REAs and for providing services in rural Alberta. The one of them does have significant money left, but that's not a debt owing by us; it's a debt owing by the people who have the services. Now, if they didn't pay, we could be at risk there, but that is a declining number. I think there's lots of protection there. There are also liens on the property, which provides security. So they're not unsecured debts. The one of them did have some outstanding delinquent debt. That's not delinquent debt owing by us; it's delinquent debt owing by the debtor, which we could be

responsible for, and it's \$130,000 in 36 loans. It's not a significant amount.

You know, I think we are nearing the end, perhaps, of the usefulness of some of these provisions. Whoever drafted the legislation back when they drafted it in their wisdom decided that it was important to come back every five years and just ask the question, "Do we still need this?" and put it in front of the House and debate it. That's why I'm here, and I really appreciate the comments from my colleagues.

Thank you.

**The Acting Speaker:** Thank you.

[Government Motion 15 carried]

**The Acting Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Madam Speaker. I would move that we adjourn until 1:30 p.m.

[Motion carried; the Assembly adjourned at 12:19 a.m. on Wednesday to 1:30 p.m.]



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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Wednesday afternoon, November 28, 2012

Issue 24a

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta  
The 28th Legislature**

First Session

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## Legislative Assembly of Alberta

1:30 p.m.

Wednesday, November 28, 2012

[The Speaker in the chair]

### Prayers

**The Speaker:** Hon. members, let us pray. Holy and Great Creator, guide us in our discussions, in our deliberations, and in our actions that they might exemplify what a democratic system looks like in its finest hour. Amen.

Please be seated.

### Introduction of Guests

**The Speaker:** The President of Treasury Board and Minister of Finance.

**Mr. Horner:** Thank you very much, Mr. Speaker. It's an honour to introduce to you and through you to the members of the Assembly a rather large group of grade 6 students from Muriel Martin school in St. Albert. You know, St. Albert has a long history, which includes our francophone heritage. Included in this group are a large number of students in French immersion. They are accompanied by teacher/group leaders Mrs. Rhonda Surmon, Mrs. Jody Bialowas, Mrs. Linda Saunders, Mme Danielle Jean, Mme Paylig Oltadjian, Mme Skye Cloutier, Mme Linda Foley, Mme Julie Mann. I believe that they are seated in both the public and the members' galleries this afternoon. I would ask that they rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-South West for your first of two introductions.

**Mr. Jeneroux:** Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to all members of the Assembly a group of students and teachers from George P. Nicholson school, located in the new constituency of Edmonton-South West, that I'm so honoured to serve. Accompanying these 20 bright and energetic students are teacher Mrs. Marcie Syme and parent Mrs. Michele Saul. They're seated in the members' gallery. I'd ask the students and guests from George P. Nicholson school to please rise and receive the traditional warm welcome of the Assembly.

Mr. Speaker, it's my pleasure to introduce to you and through you to all members of the Assembly two of my constituents, who are observing the proceedings of the Assembly for the first time. Both reside in Twin Brooks in the constituency of Edmonton-South West. I'd like to ask two fabulous ladies, Sheila Balash and Carol Costa, to please rise and receive the warm welcome of the Assembly.

**The Speaker:** The hon. Minister of Infrastructure.

**Mr. Drysdale:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of this Assembly a great group of people from my constituency, Grande Prairie-Wapiti. Seated in the members' gallery are the mayor and council from the city of Grande Prairie. They were here yesterday and hosted a reception. I know that they had a chance to meet lots of people in the House. I'll ask them to stand as I call their names: Mayor Bill Given, Councillor Lorne Radbourne, Councillor John Croken, Councillor Kevin O'Toole, Councillor Kevin Mclean, Councillor Justin Munroe, Councillor Dan Wong, and

administrator Mrs. Janette Ferguson. I'd ask the House to give them the warm welcome of this Assembly.

**The Speaker:** The hon. Minister of International and Intergovernmental Relations.

**Mr. Dallas:** Thank you, Mr. Speaker. I rise to introduce to you and through you to all members of the Assembly Martha Castañeda, the director of international programs at the Council of State Governments – West. Miss Castañeda was of great assistance this past summer when Alberta hosted the 65th annual meeting of the Council of State Governments – West and helped contribute to the overall success of the event. We again welcome her to Alberta. We know that our friendship with the CSG – West will continue to thrive under her leadership. I invite Miss Castañeda to please rise and accept the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Associate Minister of Municipal Affairs.

**Mr. Weadick:** Well, thank you, Mr. Speaker. It's a pleasure to rise today and introduce to you and through you to all members of this Assembly a good friend and a constituent of mine, Mrs. Shelby MacLeod. Shelby is no stranger in this House. I know many of you will have worked with her during her tenure here with Clint Dunford. He did a fabulous job of representing Lethbridge-West as well. Shelby is a strong community member. She supports many organizations, including the Lethbridge Food Bank, and she's here today supporting our beef industry and working with the Alberta Beef Producers. I'd ask Shelby to rise and accept the warm welcome.

**The Speaker:** The hon. Member for Drumheller-Stettler.

**Mr. Strankman:** Thank you, Mr. Speaker. I'd like to proudly introduce to you and through you to all members of the Legislative Assembly my daughter Pamela, who is with us today in the Assembly, and a good friend of our family, Dr. Glenn Baron, who resides in Sherwood Park and has hunted in our area for a great number of years. I'd like them both to receive our Assembly's warm welcome.

**The Speaker:** The hon. Member for Edmonton-Ellerslie.

**Mr. Bhardwaj:** Well, thank you very much, Mr. Speaker. It's a pleasure to rise today and introduce to you and through you to the entire Assembly two individuals who are seated in the public gallery, Miri Peterson and Bryan LaFleche from Crystal Kids. Crystal Kids impacts young people in ways that strengthen their resiliency and empower them to choose education and a productive future over street life, misery, and reliance on social support. Miri Peterson has been executive director for Crystal Kids for nearly nine years, and Bryan is the president of the Crystal Kids board and uses his experience from the business to spearhead the strategic plan for the organization. At this time I'd ask my guests to please rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Meadowlark.

**Dr. Sherman:** Thank you, Mr. Speaker. Today I have two introductions. First, I'd like to introduce to you and through you to all members of this Assembly Derek Fildebrandt. As many of you know, Derek is the Alberta director of the Canadian Taxpayers Federation. You've likely seen him around the Legislature, pushing us to be more fiscally accountable. It's important for the government to heed Derek's advice as he's also an Aussie rules

football player in his off time. He might just tackle the government if they don't listen. I'd like Derek to rise and receive the traditional warm welcome of the Assembly.

For my second introduction I'd like to introduce to you and through you to all members of this Assembly Kevin Mclean. Kevin is not only a councillor for the city of Grande Prairie, but he's also a former Liberal candidate for Grande Prairie-Smoky. Now, Kevin is still working hard and is committed to working for the good citizens of Grande Prairie and all Albertans. The needs of Grande Prairie are great. They need not just roads and highway expansions but also schools and hospitals and general infrastructure. Kevin literally helped build Grande Prairie with his involvement in the home building industry. Kevin has a lovely wife, Tina, and two daughters, Kendra and Keira, who keep him busy when he's not working on city issues. Mr. Speaker, I'd like Kevin to rise again and receive the traditional warm welcome of the Assembly.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Mill Woods, followed by Calgary-Varsity.

**Mr. Quadri:** Thank you, Mr. Speaker. It is an honour for me to rise today and introduce to you and through you Nelumni Fernando and Indra Chaudhury. Nelumni Fernando is a 2012 MBA graduate from the prestigious University of Brighton in the United Kingdom. She has previously worked with the city of Brighton in the accounting division, and she's a proud member of the Institute of Financial Accountants in the United Kingdom. Indra Chaudhury, who is my campaign manager and also my office manager, has an MBA from the University of Brighton and is very talented. When I'm talking about him, I'm getting very emotional because we have what seems like a marriage together for such a long time. He's a very kind gentleman. At this time I will ask Nelumni and Indra Chaudhury to stand up and receive our traditional warm welcome.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by Edmonton-Beverly-Clareview.

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. It gives me great pleasure to introduce to you and through you to all members of our Assembly Dr. Alike Lafontaine. Alike practises anesthesiology in Grande Prairie – it's Grande Prairie day here, I think, today – and he's the only aboriginal anesthesiologist in Alberta's northern zone. He is the youngest ever recipient of the highest honour aboriginal people give their own, the national aboriginal achievement award. Alike lives with his wife and three children in Grande Prairie. He is seated today in the members' gallery, and I would ask him to rise so that he can receive the traditional welcome.

1:40

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview for your first of two introductions, followed by Calgary-Bow.

**Mr. Bilous:** Thank you, Mr. Speaker. I have just one introduction at the moment. I'd like to introduce to you and through you to this Assembly a group of guests who are members of the Alberta Union of Provincial Employees. These workers are from Monterey Place assisted living and are yet another group who have made their trip up from Calgary despite the horrible weather and driving conditions. Nearly 90 staff members have been locked out by their employer, Triple A Living, for five months and two

days. Once again, they're here to remind the PC government that private operators like Triple A Living are receiving government subsidies yet paying salaries up to 27 per cent lower than industry standard. I'd now like to ask my guests to rise as I call their names to receive the traditional warm welcome of the Assembly: Kavita Ben, Shayne de Leos, Jaswinder Dhillon, Pramila Ghimire, Balvinder Gill, Kidist Hailemariam, Kurt Rubiano, Jagjit Sran, Kevin Barry, and Nancy Burton. Please join me in welcoming these guests.

**The Speaker:** The hon. Member for Calgary-Bow, followed by Calgary-Mountain View.

**Ms DeLong:** Thank you, Mr. Speaker. It is my great honour today to rise and introduce to you and through you to the Legislative Assembly a very special visitor and friend of mine. Seated in the members' gallery is Lorraine Kuffner, a former constituent of Calgary-Bow who now resides in Edmonton. Lorraine has been an active citizen in Alberta for many years now. Her energetic spirit has proven highly effective over the years as she has acted as an advocate on behalf of many seniors throughout this province. She also served as an advocate for her late husband, Louis Kuffner.

In addition to her time spent advocating on behalf of seniors, Lorraine always had time to be active in her own constituency. She was politically involved in my 2008 campaign, and I can't thank her enough for her generosity and support throughout the years. Our province is blessed with citizens like Lorraine Kuffner, and we don't say this enough, but we are lucky and grateful to have you. At this time I ask that Lorraine Kuffner please stand and for all the members to join me in extending the traditional welcome of the Assembly.

**The Speaker:** The hon. Member for Calgary-Mountain View, followed by the Minister of Human Services.

**Dr. Swann:** Thank you very much, Mr. Speaker. I'm very pleased to stand and invite my current but soon-to-be former constituency manager Mike Brown, his wife, Lauren, and Mike's dad to stand in the visitor's gallery and be recognized by the Legislature. He has been working tirelessly for me for the last two and a half years. Now moving on to the nonprofit sector, he's been a tremendous asset to Calgary-Mountain View. Please rise and receive the warm welcome.

**The Speaker:** The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. It gives me great pleasure today to rise and introduce to you and through you to Members of the Legislative Assembly two friends of mine who've been friends for many, many years. Karen Lynch I met on the eve of election in 1975 at Lou Hyndman's campaign headquarters. She was barely born then. We have campaigned together on many occasions since that time, and she is a dear friend. In fact, I was invited to be the best man at her wedding many years ago. I'm very pleased that she is now in the building and helping us out on the details of the Premier's schedule and other things. Susan Elliott was one of my first campaign managers way back when I ran for a nomination. I think it was in 1982. I think that was also the first campaign the Premier worked on. Neither of them was actually born at the time. Two very wonderful women who've actually contributed a lot to the political process in this province over the years, I'd ask them to rise and receive the traditional warm welcome.

### Members' Statements

**The Speaker:** Hon. members, pursuant to my verbal advisory yesterday and my written memo that went out to each one of you shortly thereafter, I will remind you that the rule that we must abide by is this. Members' statements must not be used to denounce, defame, or attack any member of the Assembly nor any members of the general public who are not members of the Assembly and therefore are unable to defend themselves in this Assembly. As I indicated, I will intervene to enforce this rule as necessary. Therefore, I would ask for your co-operation in not violating this rule nor, for that matter, any of the rules that guide our proceedings.

That having been said, let us proceed with the first member's statement. The Leader of the Official Opposition.

### Tobacco Recovery Lawsuit

**Ms Smith:** Thank you, Mr. Speaker. Albertans are alarmed to hear about the Premier's potential conflict of interest, which we will explore today in question period, but for everyone's benefit I would like to give a chronology of events so we can understand just how troubling this case is.

First, in May 2009 we have first reading of the Crown's Right of Recovery Act, which paves the way for the Crown to sue to recover health care costs for treating smokers. In late October 2009 that act passes third reading, and nothing much happens for a year. Fast forward about a year, and this thing really begins to take shape. On October 25, 2010, the then Justice minister and now Premier announces the government's plan to recover health care costs through the act. A week later the Justice department invites several law firms to complete an RFP to be a Crown litigator. A deadline of November 15 is set, and three bids are received.

On November 17, after the bids have been received, officials in the Justice department inquire to see if any of the applicants are involved in litigation against the government of Alberta. In essence, they changed the rules of the game after the puck was dropped. On December 7 the Justice minister receives a brief that rates all three bidders as being capable and roughly equal. One week later, on December 14, the Justice minister writes a memo awarding the contract for this made-in-Alberta litigation plan to the International Tobacco Recovery Lawyers. How about that, Mr. Speaker? A \$10 billion litigation suit tendered, evaluated, and awarded inside of seven weeks. When has the government ever acted this fast?

The questions arising from this warp-speed process are almost endless, but it boils down to this. It doesn't pass the smell test. The Premier awarding a multibillion dollar litigation suit to a firm connected to her ex-husband, close friend, political confidant, regular donor, and the man who oversaw her transition into the Premier's chair, in a seven-week span is a matter of serious ethical concern.

**The Speaker:** The hon. Member for Edmonton-Ellerslie.

### Crystal Kids Youth Center

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. I rise today to recognize the Crystal Kids Youth Center from Edmonton's inner city. The nonprofit community organization began in 1992 as a safe recreational facility for at-risk youth with an emphasis on physical fitness and health. Recreational activities were accompanied by a strong educational component to promote healthy eating habits and personal hygiene.

Over the course of two decades the centre has evolved into something far beyond this initial vision. Crystal Kids is now an integrated community support centre which focuses on building resilience, providing opportunities, and encouraging lifelong learning for all its visitors and members. One program, offering literacy and educational support, delivered over 4,680 hours of supervised literacy and homework activities in 2011. Another program called Heroes offered strength-based mentorship. It has been accredited with helping thousands of young Edmontonians develop healthy behaviours, leading to healthy life choices.

The Crystal Kids Youth Center has proven that mentorship can positively impact those who are at risk, in turn reducing crime and addiction. The centre has been an overwhelming success, but this has not come without its challenges.

Thanks to the strong leadership and dedicated volunteers, it has lived up to its vision. The Crystal Kids Youth Center continues on as strong as ever leader this year. It has celebrated two decades of nurturing and supporting at-risk urban youth. To all youth centres and mentors everywhere: thank you. To Crystal Kids Youth Center: a job well done, and you should be very, very proud of yourselves.

Thank you very much, Mr. Speaker.

1:50

### Oral Question Period

**The Speaker:** Hon. members, just before we start the clock, two quick notices. One, the order of members' statements was altered at the request of one of the members who wished to be placed later down, so that explains that. Thank you for the notes, those who sent me some.

Secondly, in my advisory yesterday and my subsequent memo I also indicated that another rule that guides question period in particular is that supplementary questions should not be preceded with any preamble. I also indicated that I would be enforcing that rule more strictly today, and I intend to do that. Hopefully, this will result in more members being able to be recognized for their important questions today than has previously been the case, and it will also help us preserve additional order in the House today. That having been said, let us proceed. The clock can start now with the hon. Leader of Her Majesty's Loyal Opposition.

### Tobacco Recovery Lawsuit

**Ms Smith:** Mr. Speaker, we should be talking about the fiscal deficit today, but I'm disappointed to have to be raising questions about the ethical deficit here. The awarding of a multibillion dollar Alberta government legal case to a Calgary law firm with close ties to the Premier raises disturbing questions of conflict of interest, perceived conflict of interest, manipulation of the process, and at the very least horrible judgment on the part of the then Justice minister, now Premier. How could the Premier let herself and the province's reputation be so badly damaged?

**Ms Redford:** Mr. Speaker, our Minister of Justice has spoken very clearly to the process that was followed. The suggestion that the Leader of the Opposition is making is absolutely inaccurate and false. In fact, when the decision was made by the government of Alberta as to who to retain on this file, I was not the Justice minister. I was not a member of cabinet. I was an MLA running to be the leader of this party. I will tell you that we are confident that the decisions that have been made to recover billions of dollars from the tobacco industry are in the hands of a firm that was of good service to taxpayers, cost effective, and selected by other jurisdictions.

**Ms Smith:** Mr. Speaker, since documents that I will table make it clear that it was the Justice minister's sole decision and since the conflict of interest legislation states in section 3 and section 4 that a member is in breach if he or she uses their office to improperly further another person's private interest, isn't it plain to the Premier that this is exactly what occurred?

**The Speaker:** The hon. Minister of Justice.

**Mr. Denis:** Thank you very much, Mr. Speaker. I hope that the hon. Leader of the Opposition will also table the document from the previous Justice minister, the now agriculture minister, in June of 2011, when he was the one that signed the final item deciding to go with TRL.

**Ms Smith:** As I say, Mr. Speaker, I will table the December 14, 2010, document with the former Justice minister's signature on it which shows that she was the sole decision-maker in this case.

When one of the principals in this firm in question is the Premier's ex-husband, a 20-year political associate, a campaign regular who even led the Premier's transition team when she became Premier, you have to ask: why didn't she recuse herself as Justice minister in making this decision?

**Mr. Denis:** Mr. Speaker, there's been lots of talk and innuendo here, but there is nothing new. This has been public for months, literally for months, yet when it suits a certain political advantage to bring it up, they bring this up against the Premier today. I think this House deserves better.

**The Speaker:** The hon. Leader of the Opposition. Your second main set of questions. [interjections] You have the floor, hon. member.

**Ms Smith:** Well, Mr. Speaker, let me refresh the Premier's memory because the Justice minister's memo, the December 14, 2010, decision granting the contract to the consortium that includes her ex-husband and long-time political confidant's firm cites "perceived conflicts of interest, actual conflicts of interest, the structure of the contingency arrangement and the importance of a 'made in Alberta' litigation plan," which is why, she writes "the best choice for Alberta will be the International Tobacco Recovery Lawyers." How could the Premier miss the perceived conflicts of interest that were evident when she was making the individual decision to select this firm of her former husband?

**Mr. Hancock:** Point of order.

**The Speaker:** Government House Leader, you rose for a point of order at 1:56. That's been noted, as has the other one that was raised at 1:48.

The hon. Minister of Justice in response.

**Mr. Denis:** Thank you very much, Mr. Speaker. What the hon. Leader of the Opposition does not disclose is that there was a committee that had appeared before this. It was an independent review committee. There was also a tendering process where there were four firms that expressed matters of interest. As I mentioned in the earlier exchange, the final decision was made by the previous Attorney General, who is now the minister of agriculture, who is in no way anywhere near connected to this alleged conspiracy.

**Ms Smith:** I'm afraid, Mr. Speaker, that's simply not true.

**Mr. Hancock:** Point of order.

**Ms Smith:** I will also table the January 13, 2011, status update, which states . . .

**Mr. Anderson:** Sit down, Dave.

#### **Speaker's Ruling Decorum**

**The Speaker:** Hon. member, telling your own leader to sit down is not an appropriate statement to be making. It's an interjection that ought not be tolerated here. Let's cut down on the interjections. As much as people appreciate a little bit of applause, we've been pretty lenient over the years to allow applause at times on both sides of the House. However, there is a time when we can maybe shorten it a bit to move on with question period.

The hon. leader.

#### **Tobacco Recovery Lawsuit (continued)**

**Ms Smith:** . . . "no one consortium stood out above the others" in the process the Justice minister just spoke about, but "shortly before Christmas, [the then minister, the Premier] selected the International Tobacco Recovery Lawyers" above Alberta-based Bennett Jones, above Alberta-based McLennan Ross. Why is it that it came down to choosing a Florida firm with Alberta connections to a smaller firm tied to the Premier?

**Mr. Denis:** Again, Mr. Speaker, the Leader of the Opposition is quoting a newspaper article, and I thank her for that. As I've dealt with the particular issues, if you look at all the other firms that expressed interest, every one of them talks about being part of a national office. Well, we want a consortium that acts solely for Alberta taxpayers in the event that there's another opportunity to deal with our particular issue and it is not the same interest as another province's like B.C. or Saskatchewan. We need a made-in-Alberta solution, and that is what we got in this process.

**Ms Smith:** It's obvious that the four other provinces involved in tobacco litigation saw no problem having Bennett Jones as their lawyers, no problem at all. Won't the government admit that this decision had nothing to do with the litigation and everything to do with political reasons?

**Mr. Denis:** Mr. Speaker, I say once again that I'm fully confident that Albertans are receiving the best possible legal representation pursuant to this open and public tender. We picked the one of the four that best represents our interests. Again, it's on a contingency basis, so if this firm receives no money, guess what? The Alberta taxpayer pays no money.

**Mr. Anderson:** The Law Society code of conduct states: "A lawyer must not act personally in a matter when the lawyer's objectivity is impaired to the extent that the lawyer would be unable to properly and competently carry out the representation." The explanation provided underneath this rule says that this refers to "situations in which a lawyer's professional objectivity in a matter may be threatened or destroyed by circumstances personal to the lawyer, such as a family or other close relationship . . . [or] a financial interest." To the Premier: as the province's lawyer, why didn't you remove yourself from awarding the tobacco lawsuit when such a clear conflict existed?



**Ms Redford:** Mr. Speaker, the government of Alberta made a decision as to who to retain. I was not the Justice minister at the time that the government made that decision. The opposition can stand up every single day and say that I was, but I wasn't. It is simply not the case. It is not true. I truly believe that Alberta and the government of Alberta made an appropriate decision, a cost-effective decision, and hired a firm that is highly capable of undertaking this litigation in the best interests of Albertans. I congratulate the government for making that decision.

2:00

**Mr. Anderson:** Mr. Speaker, I quote from the memo written by the Premier at the time.

Considering the perceived conflicts of interest, actual conflicts of interest, the structure of the contingency arrangement and the importance of a "made in Alberta" litigation plan, the best choice for Alberta will be the International Tobacco Recovery Lawyers.

It's signed by you. It's black and white, Madam Premier. Why did you do this? Why did you not recuse yourself?

**The Speaker:** Hon. member, I will allow this question, but the preamble that just took place ought not occur again. Let's please abide by that because I have to strictly enforce it.

**Ms Redford:** Mr. Speaker, there are four factors cited in that memo. In that memo we look to the fact that we do talk about perceived conflicts of interest, actual conflicts of interest. These are entirely appropriate to be raised by the Department of Justice. On top of that, we had the opportunity at that time to talk about a made-in-Alberta solution and cost-effective service for taxpayers. At the time that memo truly reflected what needed to be considered. The government of Alberta four months later, when I was not the Minister of Justice, I presume considered the same factors, and that's why the decision was made. It would be incorrect to highlight one factor over others. It's time for this to stop.

**Mr. Anderson:** To the Premier. I have another problem, so I need to ask, Mr. Speaker. If I need to make a complaint on behalf of Albertans to the Law Society of Alberta for what seems like an egregious violation of professional code of conduct, how can I feel comfortable doing so when the president-elect of the Law Society of Alberta itself happens to be Carsten Jensen, senior partner in – you guessed it – the exact law firm that you awarded the tobacco contract to? The tangled web never ends, does it? [interjections]

**Ms Redford:** This is getting absolutely absurd. There is a legal profession in this province made up of a group of people called benchers who absolutely protect their independence. The members of the benchers, the Law Society of Alberta, elect a president. If this person, who theoretically should understand what the Law Society is, is now prepared to malign the legal profession in this province, then I have no idea where this discussion is supposed to go. But I'll tell you, Mr. Speaker, if this hon. member decides to make a complaint, go ahead.

**The Speaker:** Order, please.

**Mr. Hancock:** And there would be a point of order for maligning people who are not in the House.

**The Speaker:** A point of order by the Government House Leader at 2:05.

## Provincial Fiscal Reporting

**Dr. Sherman:** Mr. Speaker, let's change gears a little bit here. The Premier promised in her fudge-it budget to balance the books by 2013-14. Now with the release of the second-quarter fiscal update it's clear that government is hiding the true fiscal reality from Albertans. First they changed the definition of balanced budgets, and now it's breaking its own Government Accountability Act by refusing to release details on fiscal assets and liabilities as required by law. To the Premier – welcome back, by the way – when will your government come clean and tell Albertans how much income your government is taking in and how much money it actually owes?

**Ms Redford:** Well, Mr. Speaker, I'm very pleased today that the Minister of Finance and President of Treasury Board had the opportunity to again update Albertans on our current fiscal circumstances. In the last week as I've been travelling, I've met with the Prime Minister, with the governor of the Bank of Canada, with Premiers across this country, and there is no doubt that we are all facing challenges that were unexpected nine months ago. We simply have to look at what's going on in the world to know that we are in uncertain times. I'm very pleased that today Albertans can see very clearly what our way forward is. We are going to be able to continue to provide services to Albertans, we are going to make sure that our operating budget balances, and we're going to continue to invest in the infrastructure that's going to allow Alberta to continue to grow.

**The Speaker:** The hon. member.

**Dr. Sherman:** Thank you, Mr. Speaker. Given that sections 5(1)(f) and 9(1) of the government's own accountability act require the government to disclose the assets and liabilities and given that it has now failed to provide this information in both fiscal updates and in the FOIP request by the Canadian Taxpayers Federation, to the Premier: why is Alberta's balance sheet of fiscal assets and liabilities a cabinet secret? Why won't you tell the public?

**Mr. Horner:** Well, Mr. Speaker, I'll be tabling in the House a little bit later on the second-quarter fiscal update and economic statement. I am not tabling the third budget of this year in this House. I am tabling an economic update as per the requirements of the legislation. If the hon. member would care to peruse this document, which, I might add, is more information than most jurisdictions across Canada provide at a mid-year point in time, he would be able to ascertain exactly the answers he is looking for if he bothered to do the research that he needs to do. We clearly have outlined the revenue that we are generating in the province, we have clearly outlined the debt that we have on the books today, and we have clearly outlined where we are six months into our budget year.

**The Speaker:** The hon. member.

**Dr. Sherman:** Thank you, Mr. Speaker. Given that it requires courage to balance budgets and courage to balance the fudge-it budget and given that Premier Lougheed had a progressive tax and even Prime Minister Harper has a progressive tax, will the Premier have the courage to bring in a fair progressive tax so that we can increase our revenue stream so we can balance the books today with oil at 90 bucks a barrel?

**The Speaker:** The hon. President of Treasury Board.

**Mr. Horner:** Thank you, Mr. Speaker. The simple truth of the matter is that when we bring forward the budget next year, it will have an operating plan, it will have a savings plan, it will have a capital plan because Albertans have told us that they want to have a home in the health care system, they want to have their kids have access to postsecondary education for their future, they want to be able to get to work on time, not congested, and they want to get products to market. All of that will be in a balanced budget presentation for the '13-14 year. We have made that commitment. The Premier has told me that it will be done because it meets the vision that she has for this province when we have 5 million people in the province. That's what this government will do.

**The Speaker:** The hon. leader of the New Democrat opposition.

#### **Tobacco Recovery Lawsuit** (continued)

**Mr. Mason:** Thank you very much, Mr. Speaker. On top of government scandals involving the Katz donation and illegal political fundraising involving the Premier's sister, we have a new revelation involving the Premier herself. According to documents obtained under the freedom of information act, the then Justice minister directed that an extremely lucrative legal contract be awarded to a law firm in which her ex-husband and former transition team leader is a partner. My question is to the Premier. Did you not realize that it was inappropriate at the very least for you to be involved in a decision that would likely involve a substantial financial benefit to your ex-husband?

**Mr. Denis:** Mr. Speaker, I thank the hon. Member for Edmonton-Highlands-Norwood for his question, but unfortunately that's where my thanks must end because the premise of his question is incorrect. The decision was made by the former minister, now of agriculture, who sits in this House, to hire the particular firm by way of a contingency fee agreement in June of 2011 when this Premier was not even a member of the cabinet. So we can just go on to the next.

**Mr. Mason:** Unfortunately not, Mr. Speaker. Given that the definition of conflict of interest is not just related to the final decision in this case but also to attempts to influence that decision by someone in a position to do so, will the Premier stop trying to avoid the tough questions and admit that this is a question of common-sense ethics and that she has fallen far short of the standard that Albertans expect from their leaders?

**Mr. Hancock:** Point of order.

**Mr. Denis:** Well, Mr. Speaker, it's pretty much the same question, and it's the same answer. The people here are trying to malign the Premier for a decision that she didn't even make the final one of. I don't know where this issue is. The lawyers that were hired were in the best interest of recovery of Crown funds that we've expended over the last number of years dealing with tobacco-related illness. That's what this is about.

2:10

**The Speaker:** Hon. Government House Leader, you rose on a point of order at 2:10. It's been noted.

The hon. member.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, given that the current Justice minister is attempting to define this question in a way that completely misleads Albertans and given that the director of the Centre for Professional and Applied Ethics has

stated that the then Justice minister, now the Premier, behaved, quote, unethically and possibly illegally by not recusing herself from this decision, unquote, will the Premier admit that her conduct in this case . . . [interjections]

**Mr. Denis:** Point of order.

#### **Speaker's Ruling** **Decorum**

**The Speaker:** Hon. member, please have a seat for a moment. I hate to interrupt here. I'm going to give a little speech about the word "given" at the end, but technically it is allowed, and he does technically have 35 seconds to phrase his question. I have indicated before that it's very difficult, in my view, to even imagine a question going 35 seconds in length. The House leaders will be reviewing this, I'm sure, before too long.

But at the moment, Member for Edmonton-Highlands-Norwood, you do have the floor.

#### **Tobacco Recovery Lawsuit** (continued)

**Mr. Mason:** Thank you very much, Mr. Speaker. We have seen the incredible shrinking time available to opposition members to ask their questions over the years.

Given that the director of the Centre for Professional and Applied Ethics has stated that the then Justice minister, now the Premier, quote, behaved unethically and possibly illegally by not recusing herself from this decision, unquote, will the Premier admit that her conduct in this case was at best a mistake and apologize to Albertans for her breach of ethical standards?

**Mr. Hancock:** Point of order.

**Mr. Denis:** Mr. Speaker, this question has been asked and answered today, but I just want to provide a quote from a lawyer whose firm lost the competition, for the edification of the Member for Edmonton-Highlands-Norwood. Quote: no concerns about the transparency of the process. That should speak for itself.

**The Speaker:** Hon. Minister of Justice, you rose on a point of order at 2:11. Government House Leader, you rose on a point of order at 2:12. That makes it about seven or eight points of order so far.

The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. We know this Premier inherited a culture of corruption and entitlement, but now we see that her own fingerprints are all over this latest scandal. She personally chose her ex-husband and transition leader's law firm to handle a \$10 billion lawsuit.

#### **Speaker's Ruling** **Decorum**

**The Speaker:** Hon. member, please have a seat. Please. There are a number of rules that say that the Speaker should intervene whenever statements are made that may cause disorder or disruption in the House. Clearly, you have done that. Now, I have indicated a great amount of leniency and leeway over the past couple of weeks. You all know that. You have all seen my comments in *Hansard*. I wish I could stop making them. I wish I could stop having to be forced to make them. However, if you persist in that kind of language and disorder results, I have no choice but to rise. Now, it happens from both sides of the House

on occasion, so I'm not chastising only one member here. I'm reminding all of you. Would you please rephrase your questions in such a way that it doesn't result in this kind of potential disorder being created.

The hon. member.

### **Tobacco Recovery Lawsuit** (continued)

**Mr. Saskiw:** Thank you, Mr. Speaker. I'll try, but it's quite difficult.

The Premier personally chose her ex-husband and transition leader's law firm to handle a \$10-billion government lawsuit. It's crazy that the Premier can't see this conflict of interest. Can the Justice minister see it?

**Mr. Hancock:** Point of order, Mr. Speaker.

**The Speaker:** Hon. Government House Leader, you rose on a point of order at 2:14. It's been noted as well as the 2:12 one.

**Mr. Denis:** Mr. Speaker, I spelled this out before; I'll spell it out again. Prior to that memo that they're referring to, there was an expression of interest from four different law firms. They made their presentations to a review committee. That included an ADM from Health, an ADM from Justice, and also included a senior lawyer from Justice. Then what happened was that there was the memo, but the actual contract wasn't signed until June of 2011 by the current minister of agriculture when he was Minister of Justice. I'm sure that with the vast years of legal experience that this member has, he could understand that that memo is not a contract.

**The Speaker:** The hon. member.

**Mr. Saskiw:** Thank you, Mr. Speaker. Given that this Premier has given away the biggest litigation contract in Alberta's history to a law firm tied to her, how can this government possibly argue that the Premier was not in a clear conflict of interest?

**Mr. Denis:** You know how far back that we have to go. Again, I refer that member to Section 1(5) of the Conflicts of Interest Act and the definition of a spouse. Nowhere there does it say former spouse, let alone does it say spouse of 20 years, Mr. Speaker. Which way is up?

**The Speaker:** The hon. member.

**Mr. Saskiw:** Thank you, Mr. Speaker. Will the Premier do the right thing and self-report to the Ethics Commissioner, or is she going to have to wait for us in the opposition to drag her kicking and screaming into yet another ethics investigation?

**Mr. Lukaszuk:** Mr. Speaker, the opposition has clearly indicated that they will be filing a complaint to both the Ethics Commissioner and to the Law Society, and the Premier has invited them to do so. I certainly hope that they do that. What I find also very interesting, and that is another thing that the Leader of the Opposition won't mention, is that the ex-husband in question also was a partner at Bennett Jones, to which, she says, contracts should have been awarded. Would she be then complaining of that being collusion as well? We're dealing here with allegations which are so farfetched. Perhaps some rulings on that should be made. Thank you.

**The Speaker:** I'm sure some rulings will become necessary, and I would just remind you of 23(h), (i), and (j). Please review those with subsequent questions before they're asked.

Calgary-North West, followed by Highwood.

### **Personal Care Standards in Seniors' Facilities**

**Ms Jansen:** Thank you, Mr. Speaker. We've heard in the House that seniors in our long-term care facilities are receiving only one bath a week. It doesn't seem right. To the Associate Minister of Seniors: what are you doing about this issue?

**The Speaker:** The hon. minister.

**Mr. VanderBurg:** Well, thank you, Mr. Speaker, and thank you for that question. You know, my mom lived in a seniors' facility, and like all family members here that have loved ones in care in our seniors' facilities, I too care about the well-being and the care and the safety of the residents. I've discussed this matter with the Health minister, and together we're going to have a look at this issue, sir.

**Ms Jansen:** Also to the Associate Minister of Seniors. It's fine to say that there are standards, but when we hear that some of these seniors are getting only one bath a week, how can we be confident that their needs are being met?

**Mr. VanderBurg:** Mr. Speaker, the standard for personal care is developed with the personal attendants at each of our seniors' facilities. They're trained professionals. With input from family members a care plan is developed. I'll stand by that care plan. Like I said in the previous answer, I will have an opportunity to review this matter.

**Ms Jansen:** Also to the same minister. It still doesn't tell me why some people may be getting only one bath a week. Does the Associate Minister of Seniors believe that's appropriate?

**Mr. VanderBurg:** Mr. Speaker, what's appropriate is that we follow the care plan and that the care plan is updated on a regular basis with family and that family has the opportunity for input. The safety, the care, and the love that's given to our residents are always paramount for me.

**The Speaker:** The hon. Member for Highwood, followed by Calgary-Varsity.

### **Tobacco Recovery Lawsuit** (continued)

**Ms Smith:** Thank you, Mr. Speaker. Arthur Schafer, director of the Centre for Professional and Applied Ethics at the University of Manitoba, has reacted to this situation involving the perceived conflict of interest and is scathing in his assessment. I will table his biography later today in the event that the hon. members on the other side wish to see it. He has said: the Minister of Justice, in my view, behaved blank and possibly blank by not recusing herself in making this decision in this matter. What is the Premier's defence?

**Mr. Mason:** Don't be glib, Thomas.

**Mr. Lukaszuk:** That's right. One has to be very cautious when using blanks because I'm certainly tempted to do so.

Mr. Speaker, I have to tell you this. The Premier has been very clear that at the time when the final decision was made, it was made by a different Minister of Justice. Frankly, the Premier was not in cabinet at that time, and I can attest to that myself personally. The fact is that there is no conflict of interest. The best firm was chosen through an open process, was at the lowest cost to Albertans, and had the best expertise to recover money for Albertans from tobacco companies. Now not only are they alleging that there is a problem with that, but the Law Society is somehow implicated in that.

**Ms Smith:** Mr. Speaker, just because her successor affirmed the decision that she made does not negate the fact that she made the decision. All three consortiums were considered capable. No one consortium stood out before the others, and shortly before Christmas she was the one who selected the International Tobacco Recovery Lawyers. Professor Schafer says this on that: her failing to recognize or failing to act after recognizing she was in a conflict of interest is worse than shabby; it is shameful.

**The Speaker:** Hon. member, question, please.

**Ms Smith:** How can the Premier defend herself?

2:20

**Mr. Denis:** Again, Mr. Speaker, the defence is relatively easy. The Premier was not a cabinet minister. She stepped down to run for the leadership of the party in February of 2011. She came back as Premier in October of 2011. The decision was made during the time she was not a cabinet minister, not the Premier. I fail to see what the issue is here. I think the member should look at her notes.

**Ms Smith:** With all of the evidence suggesting at a minimum the perception of conflict, why did the then Justice minister not stay out of the decision completely?

**Mr. Denis:** Again, Mr. Speaker, she didn't make the decision. The decision was made by another member of cabinet. She was not even a member of cabinet. There is no conflict of interest whatsoever.

**The Speaker:** Hon. Government House Leader, you rose on a point of order at 2:19 p.m. It has been noted.

The hon. Member for Calgary-Varsity, followed by Calgary-Mountain View.

### Provincial Fiscal Policy

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. We're all aware that the global economic uncertainty persists. It's clear from today's second-quarter fiscal update that Alberta is not impervious to its effects. My question is to the Minister of Finance and President of Treasury Board. With the significant decreases in resource revenue we have seen so far this year, is it realistic to suggest that we are still on track to balance the budget in 2013-14?

**Mr. Horner:** Well, Mr. Speaker, as you well know, I have been asked this before although not as politely and not in as well-phrased a manner. Looking ahead to Budget 2013, we will have, as I said, a fully funded operating plan, savings plan, and a fully funded capital plan. Those plans will speak to the vision that our Premier has, the optimism that Albertans have for the future of this province. I know that some don't share that optimism. We do. We also will recognize the challenges that we face as they relate to our largest customers, relate to the global economy. We

certainly understand that Albertans expect us to be looking at those things. We will do all of them.

**Ms Kennedy-Glans:** Also to the Minister of Finance. I share your optimism, but given these decreases in resource revenue and the invariable impact they'll have on our current budget, what are we doing about spending?

**Mr. Horner:** Well, Mr. Speaker, our fiscal reality has changed since the budget was tabled in this House. We understand that, and in response to that we are holding the line on spending. In fact, we have asked all departments to share half a billion dollars' worth of savings in this year. We're moving forward with the results-based budgeting initiative, where every dollar that we spend will be scrutinized to ensure that taxpayers are getting full value, that we're getting the objective that we were striving for. The bottom line is that we're going to control our spending while still continuing to meet the priorities that Albertans have told us they want us to meet: health, education, and infrastructure.

**Ms Kennedy-Glans:** To the same minister: given that many jurisdictions around this world are facing economic downturn, what is this government doing to manage the risk that the vast majority of our oil is exported to a single market?

**Mr. Horner:** Well, Mr. Speaker, that is a very good question. Today when I was presenting the documents, which I'll table later, on our second quarter, I put up a graph that showed the differential spread between what we get for our oil and what the international prices are. It's widening. That speaks to the market access question. I'm very proud that our Premier was at the confederation of regions talking to other Premiers about allowing access for our pipelines to cross their territories and get to markets like Quebec. That is what's providing benefit to Albertans. That's how we'll deal with market access. I'm proud to have a leader who is willing to do that.

**The Speaker:** The hon. Member for Calgary-Mountain View, followed by Edmonton-Beverly-Clareview.

### Personal Care Standards in Seniors' Facilities (continued)

**Dr. Swann:** Thank you, Mr. Speaker. My questions are for the Seniors minister. Staff shortages and inadequate training continue to weaken community care at a time when increased nursing is needed to keep services and patients out of hospital. The government has just not gotten it. Alberta Health has standards, but each centre has its own policies, Mr. Minister. Imagine, Minister, having incontinence two, three, or more times a day and having a single bath a week. This is both a risk to the individual and to spreading infectious disease in an institution and the community. I know that in some centres there's not even a licensed practical nurse supervising during some shifts, no oversight, with short staff in some cases. To the minister: lack of in-house nursing ability and caregiving means . . .

**The Speaker:** The hon. minister.

**Mr. VanderBurg:** Well, thank you for the question. Each and every one of our facilities goes through a rigorous inspection and accommodation standard. We have very well-trained staff that go to each and every one of our facilities. It's publicly noted on the website any infractions or any issues that each facility has. It's there for public knowledge. I have to tell you, Mr. Speaker, that

I've been to lots of these facilities around the province, and I'd hold them up to any facility across this country.

**Dr. Swann:** No consistency, Mr. Speaker, according to the Auditor General.

Given inconsistent nursing services and care – I mean, many of these seniors are sent back to the institutions from the emergency room, to the same conditions that caused their evacuation of the long-term care. No wonder EMS is struggling with unacceptable response times; they're being held up in emergency departments. What are you doing to make this a more consistent care centre for people?

**Mr. VanderBurg:** Well, thank you for that question. One of the things we know is that the demand-supply curve is out of whack right now in the housing options for seniors. One of the issues that we're going to move forward on and very aggressively is a five-year action plan on housing. Over the last two years we've developed over 2,100 spaces. We'll continue to develop 1,000 new spaces a year, with care provided in those centres, sir.

**Dr. Swann:** I'm aware, Mr. Speaker, of declining staff morale. As well, families who don't trust their loved one's care are increasingly obligated to feed and assist their loved ones to make up for deficits. When will this minister assure and ensure consistent training and staffing numbers for our seniors?

**Mr. VanderBurg:** Well, Mr. Speaker, what I ensure is that the support for our seniors' programs, their independence, their quality of life, and positive health outcomes are paramount to me and to the Health minister and to everybody on this side of the government and, I'm sure, to all of you. We'll continue to have the best services across this country, and I'll stand beside those workers any day, anytime, anywhere and promote that.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview, followed by Calgary-Shaw.

### **Provincial Fiscal Policy** (continued)

**Mr. Bilous:** Thank you, Mr. Speaker. This PC government won re-election on a platform full of expensive promises. The Premier pledged to do everything from building 140 new family care clinics to putting billions of dollars back into the sustainability fund. The promises this Premier made during her campaign have been costed out at between \$3 billion and \$6 billion, but now the deficit makes it look like there's no way that this government will be able to pay for their promises. To the Premier: was it her intention to win re-election on empty promises and then govern on cuts?

**Mr. Horner:** Well, Mr. Speaker, for the hon. member to make that accusation, I guess he can see into the future, because at this point in time we are planning to meet all of our commitments.

**Mr. Bilous:** Mr. Speaker, given that this Conservative government intentionally misled Albertans by using a budget based on overly optimistic projections – in other words, rainbows and unicorns – and given that the price of oil is still lower than this government's projected price, to the President of the Treasury Board: will he admit that the way to rectify this situation and ensure that Albertans get the public services they need is to increase royalties to an amount competitive with every other jurisdiction in the world?

**Mr. Horner:** Mr. Speaker, here is what I'll admit to. I'll admit that I think the hon. member is not reading any of the material that was provided to him. The federal government budget that was announced this spring used \$100 for their oil number. The Saskatchewan government, which just recently released their mid-year statement, used \$100 for their oil projection. The opposition, the wild alliance, in their fudge-it budget used our royalty and our revenue numbers. I'm not sure what the NDP fudge-it budget might have been, but I'm sure they would have used our numbers as well.

What we are doing is presenting projections that are based not on what government has said, what private forecasters have said, what public forecasters have said. We take the best information available just like those other jurisdictions have, and we'll continue to do that.

**Mr. Bilous:** To the same minister: given that in order to pay for the Conservatives' corporate welfare program – in other words, corporate tax cuts – the government has cheated Albertans out of nearly \$14 billion in corporate income taxes since 2001 and given that there are no plans to increase corporate taxes to a competitive rate in order to offset this government's current \$3 billion projected fiscal deficit, will the minister please explain to Albertans what programs are going to be cut in order to pay for their corporate giveaways?

2:30

**Mr. Horner:** Mr. Speaker, here are some news flashes for the hon. member. When I table this document this afternoon, I certainly hope that he'll read through it because what it tells you is that the Alberta economy is extremely strong. We created more jobs in this province than any other jurisdiction in Canada. That's what the corporations are doing. Personal income in this province is rising faster than even what we projected at the beginning of the year because there are new Albertans coming into our province. Why are they coming here? It's because this is where it's happening. This is a province of opportunity, and we will continue to make it so.

**The Speaker:** The hon. Member for Calgary-Shaw, followed by Vermilion-Lloydminster.

### **Tobacco Recovery Lawsuit** (continued)

**Mr. Wilson:** Thank you, Mr. Speaker. We were led to believe that this Premier was serious about finding a made-in-Alberta approach to tobacco litigation back in 2010. She was so serious, in fact, that the Premier hand-picked a group largely based out of Florida to receive the contract. We are told the Florida firm is the muscle in this group. They are the ones with all the tobacco litigation experience, making the Alberta firms merely hood ornaments. Can the Justice minister explain how shipping the work associated with the lawsuit to sunny Florida qualifies as a made-in-Alberta solution?

**Mr. Denis:** Mr. Speaker, TRL has many lawyers throughout Alberta, and I need to correct another item that the Member for Calgary-Shaw mentioned. The Premier did not hand-pick this particular item. She was not a member of cabinet. She resigned on February 16, 2011, and wasn't back until after the leadership. [interjections] What happened – if I could even hear myself think – was that in June of 2011 the contract was done by a different minister, not the Premier. Let's stick to the truth here.

**The Speaker:** The hon. member.

**Mr. Wilson:** Thank you, Mr. Speaker. To the Justice minister: how is the International Tobacco Recovery Lawyers firm a more made-in-Alberta approach than Bennett Jones, which employs hundreds of Alberta-based lawyers at their headquarters in Calgary and once counted amongst their staff the hon. former Premier Lougheed?

**Mr. Denis:** Mr. Speaker, there are many firms throughout this entire province who applied. There were four actually which were chosen as part of the consortium. TRL was chosen because it was in the best interests of the taxpayers. I've outlined all of the issues here. I'm sorry that the member does not accept the truth.

**The Speaker:** The hon. member.

**Mr. Wilson:** Well, thank you, Mr. Speaker. Does the Justice minister seriously expect Albertans to believe that Bennett Jones, an Alberta law firm with years of tobacco litigation experience, was passed over in favour of an American-backed consortium simply because it was of better value to Albertans, or was it just better value to Albertans who have ties to the Premier's office?

**Mr. Denis:** Mr. Speaker, I think that if you go through almost every law firm, you'd find ties to every party in here. I have many lawyers who donate to me. I know there are lawyers over there. There are binders full of lawyers everywhere around this entire province. I'll tell you that we got the best deal for the Alberta taxpayer, and we're going to keep acting in the interest of the Alberta taxpayer.

**The Speaker:** Hon. Government House Leader, you rose on a point of order at 2:29 during Edmonton-Beverly-Clareview's question, and that has been noted.

### Support for the Pork Industry

**Dr. Starke:** Mr. Speaker, in my veterinary practice I had the privilege of serving Alberta's hard-working pork producers. Many of them are coming to me now, asking me to save their bacon in a different way. Our pork industry is in crisis. While high prices benefit other commodity producers, pork producers have been crippled by falling prices, soaring feed costs, and unfavourable foreign exchange rates. Producers are suffering huge losses, causing some to downsize or terminate production entirely. To the minister of agriculture: are any new or additional measures being contemplated to provide much-needed financial support to our beleaguered pork producers?

**The Speaker:** The hon. minister.

**Mr. Olson:** Thank you, Mr. Speaker. Notwithstanding the comments of my colleague down the way, I think I still have this job, so I'll answer the question. We are certainly aware of the ongoing challenges that exist in the pork industry. They have been having some tough times in recent months and even years, but there are a number of programs that are in place that are partnerships between the federal government and our government and other governments across the country to support the pork industry and other industries such as AgriStability and AgriInvest.

Now, we're working with the industry and with the federal government to maximize the effect of these programs. We are trying to make sure that they are fully utilized and that applications under these programs are given priority. We also have a hog price

insurance program in Alberta, which is the envy of many other jurisdictions. Unfortunately, it's fairly new and undersubscribed.

**The Speaker:** The hon. member.

**Dr. Starke:** Thank you, Mr. Speaker. A supplemental to the same minister: given that high feed prices are a significant contributor to the current crisis, will the minister indicate whether he is contemplating any changes to the current government programs and policies that favour ethanol production, which essentially funnels feed grains into the production of fuel rather than food?

**Mr. Olson:** Mr. Speaker, this is an issue that was brought to me by the Alberta pork people last week, when I was at their AGM. It is something we hear about from time to time. The fact is that the federal government does mandate that a percentage of fuel come from renewable sources. In Alberta 5 per cent of our fuel has to come from renewable sources. However, less than 1 per cent of grains in Alberta are used for the production of ethanol. There is only one ethanol plant in Alberta; that's in Red Deer. They're using wheat. They're producing food, and it's only the by-product that is used for ethanol.

**Dr. Starke:** A final supplemental, Mr. Speaker: if the Minister of Agriculture and Rural Development can't offer much in financial help, could he offer producers some assistance with another challenge facing their industry; namely, the recruitment and retention of workers for their operations?

**Mr. Olson:** Workforce is an issue not only in the pork industry but in many parts of the agri-food industry. We do have a workforce development strategy. We have specialists who counsel producers and processors in terms of efficiency and also recruitment and retention. We have some grant programs up to a maximum of \$25,000 for the purpose of becoming more efficient and for using the programs of recruitment and retention. So we have assets in place to help.

### Tobacco Recovery Lawsuit (continued)

**Mr. McAllister:** Mr. Speaker, this is all very disturbing. It looks like the Premier used her position as Justice minister to send a great big chunk of business to her long-time political confidant's law firm. What we can't dispute: we know that partner at JSS headed her transition team, donated thousands to her leadership bid, co-ordinated and organized five leader's dinners. Now, the government claims it's all okay. This is all above board. Well, it sure doesn't look very good. Did the Premier think to consult the Ethics Commissioner to get an okay before this contract was awarded?

**The Speaker:** The hon. Minister of Justice.

**Mr. Denis:** Thank you, Mr. Speaker. What I will mention to this particular individual is that the individual he did not name – and I thank him for that – was not part of the bidding process, was not part of the lawsuit. It still has nothing to do with this particular item. I don't know where they're going with this.

**Mr. McAllister:** Mr. Speaker, even the appearance of conflict is damaging. I think we'd all agree on that.

To the Premier or anybody else over there that would like to answer: don't you see that you are shattering – yes, shattering – Albertans' confidence in all of you?

**Mr. Lukaszuk:** For the last seven months, while this side of the House was focusing on governing Alberta and creating a bright future for all Albertans, they have shattered the confidence of Albertans in the health care system, in the educational system, in the justice system, now in the Law Society, and now undermining the process of law firms being retained in this province of Alberta. This is all that we can expect from that side of the House, and they can carry on. But, Mr. Speaker, just a word of warning. Pretty soon they will run out of family members of individual members of this House and of institutions that have been credible for over 100 years in this province.

**Mr. McAllister:** Translation: I know you are, but what am I?

Mr. Speaker, we've seen health expenses, illegal contributions, all kinds of scandals in the last seven months. Can the Premier look Albertans in the eye, convince them that she is raising the bar on accountability and transparency or anything else for that matter?

**Mr. Lukaszuk:** Mr. Speaker, let me introduce to you Her Majesty's Loyal Opposition.

**The Speaker:** I recognize the Member for Lethbridge-East. Please proceed.

#### 2:40 Postsecondary Institution Infrastructure Planning

**Ms Pastoor:** Thank you, Mr. Speaker. The University of Lethbridge, named as Canada's undergraduate research university of the year, also has the top third ranking in the highly touted *Maclean's* rankings. These designations are despite having outdated – and that's a very generous word – teaching labs in the sciences. To train scientists to a standard that allows them a seamless transition to Alberta's workforce, modern labs at postsecondary institutions are crucial. To the Minister of Enterprise and Advanced Education: can the minister advise the Assembly how his department is identifying the critical infrastructure needs at Alberta's postsecondary institutions.

**The Speaker:** The hon. minister.

**Mr. Khan:** Thank you, Mr. Speaker, and thank you to the hon. member for that question. My ministry works closely with all 26 of our Campus Alberta partners to identify their infrastructure needs and priorities, and through this process we identified the need for expanded science facilities at the University of Lethbridge. In fact, last year we provided the U of L with \$2.3 million to plan a new facility that will ensure that they can deliver up-to-date science in their global initiative and in all that they do at the U of L.

**Ms Pastoor:** Thank you to the minister. Given that modern science facilities at the U of L are key to continuing to attract top students and faculty from across Canada and the world, can the minister tell the Assembly how his department is prioritizing the critical infrastructure that's needed at Alberta's postsecondary institutions?

**Mr. Khan:** Mr. Speaker, my team and I visit all the postsecondaries around the province. We visit them first-hand, and we inspect their facilities. We meet with the stakeholders, and we learn what their needs are. As well, my department collects comprehensive data from all of the publicly funded institutions, and this allows us to make evidence-based decisions on capital priorities. Our focus will always be to respond to the needs of our students, our schools, and the economy in all regions of the province.

**The Speaker:** The hon. member.

**Ms Pastoor:** Thank you, Mr. Speaker. I will continue to talk about the U of L, but my next question is to the Minister of Infrastructure. Recognizing the many different infrastructure needs in the province, how can we ensure that the critical infrastructure needed today will be done in a timely manner?

**Mr. Drysdale:** Mr. Speaker, Albertans expect their government to invest in key infrastructure projects and use their tax dollars wisely, and that's what we'll do. I've been working with my colleagues to build this year's capital plan. For example, we have been successful in using the P3 model to build new schools two years sooner than traditional builds. As the minister of Treasury Board and Finance has said, we will look at all the tools in our financial toolbox, and we will continue to invest in the public's infrastructure to ensure that Albertans have the quality of life they deserve now and into the future.

**The Speaker:** Hon. members, that concludes question period for today. In a few seconds from now we will resume with Members' Statements, beginning with Lesser Slave Lake.

#### Members' Statements

(continued)

**The Speaker:** The hon. Member for Lesser Slave Lake.

#### Aboriginal Content in Education Curriculum

**Ms Calahasen:** Thank you, Mr. Speaker. For years aboriginal people like myself have requested that aboriginal content be included in Alberta's curriculum. Today I stand to salute an innovative professional resource for teachers produced in collaboration with First Nations, Métis, and Inuit members and elders across Alberta, *Walking Together: First Nations, Métis and Inuit Perspectives in Curriculum*.

There are approximately 50,000 First Nations, Métis, and Inuit students in Alberta, many of whom we know are not achieving to their full potential. One of the reasons has been a lack of understanding of First Nations, Métis, and Inuit people's culture, history, and language amongst teachers. I believe *Walking Together* now provides that understanding.

The activities within this online resource are designed to encourage greater insight and deeper understanding of issues impacting aboriginal students, their families, and communities. The resource aims to initiate classroom conversations addressing topics like culture, language, oral traditions, aboriginal and treaty rights, and indigenous connections to the land.

Postsecondary institutions, particularly those involved in teacher training, anticipate the resource will increase educators' confidence to bring First Nations, Métis, and Inuit content and perspectives to life in their classrooms, and *Walking Together* can help teachers initiate conversations that address aboriginal issues in a caring and collaborative manner. That will assist Alberta's teachers to ensure that their classrooms are welcoming, caring, and respectful learning environments for both their aboriginal and nonaboriginal students. After all, Mr. Speaker, Albertans have told us they want an education system that values diversity and respect.

To the Education department: nih nah sku mun, hai hai!

**The Speaker:** The hon. Member for Strathcona-Sherwood Park, followed by Calgary-Shaw.

### eCampus Alberta 10th Anniversary

**Mr. Quest:** Well, thank you, Mr. Speaker. I rise today to recognize eCampus Alberta and its member postsecondary institutions. This month they celebrate 10 years of leadership and dedication to improving access to lifelong learning opportunities for Albertans. eCampus Alberta uses online learning technologies to extend the reach of Alberta's postsecondary system across the province. This consortium of 16 postsecondary institutions currently provides access to more than 800 online courses and 70 provincially accredited online certificate, diploma, and applied degree programs.

Through online learning Alberta's students can pursue postsecondary studies while continuing to work, raise a family, and remain at home in their community, and more and more Albertans are taking advantage of this great opportunity. In fact, eCampus Alberta has seen growth rates of nearly 25 per cent per year in recent years.

The success of eCampus Alberta is a direct result of its leadership, a visionary group of senior executives from our postsecondary institutions. Thanks to their co-operation eCampus Alberta has facilitated more collaboration between institutions than any similar consortia in the country. In fact, this group of outstanding leaders often receives queries about eCampus Alberta's success from their colleagues right across Canada. eCampus Alberta is a great example of the successful collaborative and co-operative relationships being built between Campus Alberta's 26 publicly funded postsecondary institutions.

On behalf of this government and the citizens of Alberta I'd like to congratulate eCampus Alberta on reaching this important milestone. The convenience and flexibility provided by eCampus Alberta to access a postsecondary education remotely allows Alberta students to better realize their full potential and contribute to their families, their communities, and, of course, to the success of our province. We look forward to eCampus Alberta leading the way over the next 10 years.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Shaw, followed by Edmonton-Highlands-Norwood.

### Ethics in Government

**Mr. Wilson:** Thank you, Mr. Speaker. Much hay has been made in the past five weeks about illegal donations and the perceived unethical behaviour of individuals with close ties to the government. The reality is that the public perception of what happens here in this House every day, both positive and negative, reflects on all of us. In a province like Alberta, that was founded on principles like my word is my bond, the cowboy code, and where a handshake seals a deal, it makes you wonder just how far we've come when we require laws to be written to define what is right and what is wrong. But here we are by force of circumstance reviewing and drafting laws on what should be just good common sense.

Yesterday a mandatory review of the Conflicts of Interest Act was launched, and I am pleased to be on the committee to do just that. I look forward to working with the committee to strengthen our democracy, and I welcome the opportunity to work with MLAs of all parties to navigate the process of redefining conflicts of interest for the 21st century. Clearly, this is long overdue in Alberta.

I am a very trusting person, always looking to find the best in people and more often than not will give someone the benefit of the doubt even though I probably at times should not. It appears that a major breach of this act has occurred, Mr. Speaker, and it is with truly mixed feelings that I react to this revelation. Today the reputation of our entire democratic system has been called into question, and I'm not sure what is more disturbing, the allegation itself or this government's blind defence of it.

It is said that the true judge of character is what one would do if they thought they would not get caught. Unfortunately for all Albertans, I believe we have just witnessed a major blow to the character of this very institution, and that, Mr. Speaker, reflects very poorly on every one of us.

**The Speaker:** The hon. Member for Edmonton-Highlands-Norwood.

2:50

### Provincial Fiscal Policy

**Mr. Mason:** Thank you very much, Mr. Speaker. Today the PCs provided Alberta with their second-quarter fiscal update. It should have been a positive and hopeful update, providing Albertans with the economic security they need and deserve. However, the update they provided is a sobering reality of the kind of future Albertans can expect under this government.

During the election the Conservatives misled the people of this province about the dire fiscal situation we're in. The reality is that we're running huge infrastructure deficits, fiscal deficits, and social deficits. Prior to the election the Conservatives released a budget that projected an \$868 million deficit. Today they again admitted that the deficit is likely to be between \$2 billion and \$3 billion. There are also hidden deficits within crumbling roads, bridges, and schools and an overreliance on nonrenewal resource revenue, which financed nearly 30 per cent of program spending in the last budget year.

Mr. Speaker, the fiscal fiction that the Conservatives are spinning is based on overinflated revenue projections, yet they campaigned on promising new infrastructure and programs that Albertans know they can't pay for and enjoy under this fiscal framework. When will the Conservatives understand that you can't have your cake and eat it, too. You can't have balanced budgets, low revenue, and continue to deliver on the services that Albertans depend on and deserve.

Since the Conservatives started cutting corporate taxes for their corporate welfare program in 2001, the government budgeted for Albertans to miss out on nearly \$14 billion of lost corporate income tax, and their ideological adherence to a flat tax is costing taxpayers billions of dollars a year. When it was introduced in 2001, the same year that the government began cutting corporate taxes, it cost Albertans an estimated \$1.5 billion a year. This flat tax sacrifices public services and punishes the poor for the benefit of the very wealthy.

Mr. Speaker, Alberta's New Democrats are calling for the government to increase revenue and balance the budget by making corporations and wealthy Albertans pay their fair share.

Thank you.

### Notices of Motions

**Mr. Anderson:** Mr. Speaker, pursuant to Standing Order 30 of the standing orders I'd like to move a motion.

Be it resolved that the ordinary business of the Legislative Assembly be adjourned to discuss a matter of urgent public importance; namely, the need for the government of Alberta to suspend all activities and proceedings related to any contracts it



has with International Tobacco Recovery consortium, including Jensen Shawa Solomon Duguid Hawkes LLP, that are related to the tobacco recovery litigation until a full investigation has been completed by the Ethics Commissioner of Alberta and all results therefrom made public.

### Introduction of Bills

**The Speaker:** The hon. Member for Lesser Slave Lake.

#### Bill 205

#### Fisheries (Alberta) Amendment Act, 2012

**Ms Calahasen:** Thank you, Mr. Speaker. I request leave to introduce Bill 205, the Fisheries (Alberta) Amendment Act, 2012.

This act would amend the Fisheries (Alberta) Act to formalize a consultation process by which fishing quotas would be set each year, and it would help to make regulations concerning the consultation process more consistent and transparent by entrenching the process in legislation. It will also advance the government's commitment to clarity and transparency and would assist in the inclusion of key stakeholders in the decision-making process that directly affects them.

[Motion carried; Bill 205 read a first time]

### Tabling Returns and Reports

**The Speaker:** The hon. Member for Strathcona-Sherwood Park. Three tablings.

**Mr. Quest:** Yes, Mr. Speaker. Thank you. Pursuant to section 16(2) of the Alberta Heritage Savings Trust Fund Act as chair of the Standing Committee on the Alberta Heritage Savings Trust Fund it is my pleasure to table the 2011-2012 annual report on the fund.

Pursuant to section 15(2) of the Alberta Heritage Savings Trust Fund Act I'm also tabling the 2012-2013 first-quarter update on the fund. Copies of these two reports have previously been distributed to all members.

Finally, pursuant to section 15(2) of the Alberta Heritage Savings Trust Fund Act, I am pleased to table the 2012-2013 second-quarter update on the fund. The copies were distributed to members' offices this morning.

Thank you.

**The Speaker:** The hon. Associate Minister of Wellness, followed by the President of Treasury Board and the Justice Minister.

**Mr. Rodney:** Thank you very much, Mr. Speaker. It's a pleasure for me to rise today to table the 2011 annual report of the College of Dental Technologists of Alberta. Members of the college provide a strong supporting role to other health care professionals by creating, repairing, and maintaining prosthetic and orthodontic devices. They pride themselves on providing Albertans with the safe delivery of quality care. This report outlines the great work that they are doing as well as their financial statements for 2011.

Thank you, Mr. Speaker.

**The Speaker:** The hon. President of Treasury Board.

**Mr. Horner:** Thank you, Mr. Speaker. I wish to table the second-quarter fiscal update and economic statement, which reports on the results of the first six months of the 2012-13 consolidated fiscal plan. The 2012-13 second-quarter fiscal update and economic statement has already been provided to all members and

released publicly as required by sections 3 and 9 of the Government Accountability Act.

**The Speaker:** The hon. Minister of Justice.

**Mr. Denis:** Thank you very much, Mr. Speaker. I'll be brief in interests of time. I have three tablings, five copies of each for you. The first is a statement from JSS Barristers.

The second is a backgrounder regarding Tobacco Recovery Lawyers.

The third is just some information on the Nunavut tobacco file for the records here.

**The Speaker:** Are there others? The hon. Leader for Her Majesty's Loyal Opposition.

**Ms Smith:** Thank you, Mr. Speaker. I have five copies of a memorandum dated December 14, 2010, from the Justice minister at the time to the Deputy Minister of Justice and Deputy Attorney General that makes it clear that this minister at that time had indicated that the best choice for Alberta in this litigation will be the International Tobacco Recovery Lawyers.

I also have a subsequent follow-up from a backgrounder requested from the deputy minister as a status update, dated January 13, 2011, in which case it is affirmed that shortly before Christmas the then Justice minister at the time selected the International Tobacco Recovery Lawyers, the Jensen consortium.

I also have a biography of Arthur Schafer, who is the director of the Centre for Professional and Applied Ethics at the University of Manitoba.

Thank you, Mr. Speaker.

**The Speaker:** Are there others?

Seeing none, then we can deal with the points of order. Hon. members, most uncharacteristically, we have 10 points of order to deal with today. I'm going to start with the Government House Leader's first point of order. We'll hear how that goes.

### Point of Order

#### Allegations against a Member

**Mr. Hancock:** Thank you, Mr. Speaker. In the interests of time perhaps I can narrow down my points of order to two, one with respect to the various offensive actions of the Official Opposition questioners today and the other with respect to the offensive actions of the Member for Edmonton-Beverly-Clareview.

With respect to the first point of order – and I'll deal with all of the others in it, subject to your telling me not to – it's under 23(h), (i), (j), and (l). Often members get up and just ream those off as points of order just to have something to speak to, but they actually fit perfectly in this circumstance today. Standing Order 23(h), "makes allegations against another Member;" 23(i), "imputes false or unavowed motives to another Member;" (j), "uses abusive or insulting language of a nature likely to create disorder;" and also (l), "introduces any matter in debate that offends the practices and precedents of the Assembly."

Mr. Speaker, the Leader of the Official Opposition offended all four of those rules and, in fact, many, many other rules in the book. The performance today could only be characterized as cheap theatrics by a failed actress. The fact of the matter is that there are many appropriate ways to raise issues that a member of the House believes are of public importance. Certainly, an issue with respect to an awarding of a contract in the Ministry of Justice

may be that type of public interest, particularly when it deals with an area of public interest like tobacco policy.

3:00

If the hon. members wanted to raise questions about a process to award a contract, whether there was an open and transparent process, whether there was anything around the process, they could actually do that and with a small, rather modest application of talent bring up questions which actually were relevant. But today, instead, full-frontal and intentional – full-frontal and intentional, Mr. Speaker – on numerous occasions they directly made allegations against the Premier. Now, I'm not going to repeat all the allegations. People can read the Blues themselves. It was very evident what was happening today, allegations against the Premier with respect to conflict of interest.

Mr. Speaker, we have a rule against allegations against a member for a reason, and the reason is that this House has to be held to a standard of operation. We have a rule about respecting each other, a rule about decorum, a rule about how we engage in respectful public discourse, and we have processes for investigations of allegations if and when they come up. We have an Ethics Commissioner. If there are any allegations about a conflict of interest or the ethics of a member, there is an appropriate place where that can be determined.

Why, Mr. Speaker, do we have that? Why do we have such a rule? Well, we have such a rule because from time there may be allegations made. These are very serious allegations when they're made because what we have in this House as individual members of this House is our integrity. What we bring to this place is honesty, integrity, and ability to serve Albertans to the best of our ability.

Now, allegations will come up from time to time, and they should be handled extremely carefully. They should be handled appropriately. An allegation is just that. It's not proof. It doesn't necessarily have all of the facts surrounding it. In fact, when we see them come up in a role like question period, the facts are usually selective, and indeed the statements are rarely fact. So it's absolutely inappropriate to make a full, direct allegation against the Premier or any other member, and it's against the rules for a reason. There is a process to deal with ethics allegations. If somebody wants to deal with ethics allegations, they can deal with that in the process.

Now, we can't control what the press says, and nobody would want to. People will judge the press for themselves. We have some reporters who engage in this sort of stuff. That's fine. But in this House, in government, and in Legislatures and parliaments there is an important process that we engage in, and it is important that the public sees us as being above that kind of smear technique, above that kind of tactic.

We have appropriate processes in place if hon. members have any allegations against another member that they think violate any of the rules or ethics or any laws of that nature. If it violates a law, they should report it to the police for investigation. If it violates the ethical standards or even if they perceive that it violates ethical standards, if they have an allegation in that regard, they can go to the Ethics Commissioner. When it comes to the House, they can ask questions. Every member can ask questions in the House to members of Executive Council with respect to matters of policy, with respect to matters of how that policy is carried out. There are very appropriate ways to ask those questions, none of which were used by the hon. Leader of the Official Opposition or the Member for Airdrie or the Member for Lac La Biche-St. Paul-Two Hills today.

I would ask you, Mr. Speaker, to admonish the members not to approach questions in that nature. In fact, I would not only ask; I would very seriously insist that those members be called to task and asked to recant their allegations. We cannot go through question periods in this House where we raise points of order and wait until the end, where those members are on prime-time television talking to Albertans, making allegations in a wildly accusatory manner without the benefit of proof, without the benefit of investigation, without the benefit of anyone, in particular the Ethics Commissioner, having an opportunity to review the matter. That's precisely why we have the rules, and flagrant violation of the rules cannot be allowed.

**The Speaker:** The hon. Member for Airdrie.

**Mr. Anderson:** Thank you, Mr. Speaker. You know, I think we need to put some of this in a little bit of context. I think that a lot of folks over here on this side of the House, today especially, feel very strongly that freedom of speech itself in this Legislature right now is at stake. I've never seen 61 folks cower so completely to 17. It is unbelievable, the yelling across the aisle that took place today. [interjections]

**Mr. Saskiw:** Just like right now.

**Mr. Anderson:** Just like right now.

When we came in here, Mr. Speaker, we had read your memo. We had read your memo. We went through our caucus together, and we read it out loud and said: we are not going to engage in heckling and screaming across the aisle. For the most part, I would say, other than me asking the Government House Leader to sit down after his 10th point of order, we did our job on this side. Meanwhile the folks on that side have been literally screaming this entire time, and I don't think they have been called to account. I think we need some context here. We are trying to use a civil tone, and no one is more civil in this House than the Leader of the Official Opposition. She wasn't the one screaming, like your leader over there.

Anyway, Mr. Speaker, it is very clear from the questions. Now, I don't have the Blues in front of me, but I do have the Leader of the Opposition's questions that she used. It is very clear from these questions. I don't know how she could be more delicate in how she worded these things. Can I give an example, or will that be called to account?

**The Speaker:** Just stay to the point. Let's move on.

**Mr. Anderson:** Well, this is the point exactly.

Mr. Speaker, since documents, which I will table, make it clear it was the Justice minister's sole decision and since the conflict of interest legislation states that a member is in breach if he or she uses their office to improperly further another person's private interest, isn't it plain to the Premier that this is exactly what occurred?

How on earth is that out of order?

Now, Mr. Speaker, I don't know which specific question this hon. member is referring to. I have all nine that the Official Opposition leader read into the record, and I have mine as well. I think, first of all, that for a point of order to be called in this case, it would be incumbent on this Government House Leader to actually say which. I mean, I know he called 10 points of order today or nine or whatever it was. Which one is he referring to? Which specific question is he referring to? I cannot see a question that's out of order.

Mr. Speaker, I would also point out that the Legislatures in this country and the Parliament of Canada have, actually, a long history, as you well know, of looking into scandals that have occurred and ethics violations that have occurred and having questions and free and open debate in the Chamber regarding several scandals. If you look back at your history – and I know you have, of course – the big one that kind of started it all was the Pacific Railway scandal. Go read the debates from those. Read them. They make what happened today look like absolute child's play. That's what happens. Yet it wasn't called out of order.

It's important because this is the people's Chamber. They need to understand that if there's an alleged ethical violation in government, the people need to be confident that their representatives can with open and free speech debate that issue in the people's Chamber. That's important. Not just the Pacific scandal had this, but the robocall issue, that we just went through, if you want to take it to a more modern context. That went back and forth. The Conservative Speaker of the House was not admonishing the NDP, the opposition, for carrying on with those questions even though it involved some very strong ethical charges of voter manipulation and all kinds of stuff like that.

We have, of course, the sponsorship scandal. How many questions did we watch there, Mr. Speaker, question after question asking the Liberal government of the time to account for their perceived ethical violations? Literally probably hundreds of questions. They were allowed to do so because this is the people's House, and they deserve it. You go through every Legislature in the land, and you will find illegal donations and such related scandals and members of the opposition asking the government, as is their right, to account for situations like that of perceived illegality.

3:10

Now, we all agree in this House that we have to keep the tone reasonable, Mr. Speaker, but if we're not allowed as the Official Opposition to question something that directly – we tabled the documents, and we'll talk about it more in the section 30 motion today. These documents have the signature of the Premier or her deputy minister on them and say exactly what is being alleged by the Leader of the Official Opposition, two specific letters before the Premier resigned to run for the leadership. It couldn't be clearer, and all this member of the opposition is doing is pointing these things out and saying, "Premier, will you please account for it?" and using the language.

I mean, no one takes it more seriously than the Official Opposition leader. How many times does she come and say: "Is the language too harsh? Is it too much? Is it over the line? Do I have to dial it back?" She's always concerned because she doesn't want to be cut off, and she wants to be seen as diplomatic because she feels that's her job as the Official Opposition leader, and she takes that very seriously. She asks us regularly: can you please make sure to reword something because that might cross the line, and the Speaker has ruled on that? So we've been trying to do that, Mr. Speaker.

But every time we allege something that makes the government uncomfortable, they scream, holler, yell, and essentially interject until we're just basically shouted down: that's a point of order. Ten points of order today. Well, it sure puts you in a difficult position, I agree, Mr. Speaker. The Government House Leader alleges 10 points of order. Good God Almighty, we'd better start giving a few of them to them. That's a tough job that you've got there, for sure.

I would say, Mr. Speaker, that there is no doubt that if the Official Opposition leader is called to account and told that she

cannot raise such questions in this House after she had so carefully prepared, after our caucus did everything we could – with one exception, one comment compared to, like, the 15 comments each of you have done in the last five minutes – to try to increase the tone as per your memo, then, honestly, at some point we may as well just pack it up and everyone go home because there's no point in being here. There is no point if we can't raise these questions in the House, in the people's House. There is no point.

**The Speaker:** Are there others? The hon. Leader of the New Democratic opposition.

**Mr. Mason:** Thank you very much, Mr. Speaker. I'd like to respond to the Government House Leader's consolidated points of order. First and foremost, points of order require specificity. They need to be about a specific statement, and they need to quote exactly what was said and be within the context of what was said. You can't make a generic, omnibus point of order in an attempt to shut down legitimate questions in the Assembly.

It is the role of the opposition, not just the Official Opposition, to hold the government to account. Now, the government has repeatedly attempted to define the role of the opposition, outside the long-established parameters in the British parliamentary system, as merely to ask questions about policy. In fact, Mr. Speaker, it is well established in this place and in other parliaments that it is the role of the opposition to hold the government to account not just for its policies but also for its administration of the government. It is an important role of the opposition to ensure that the government conducts itself in an above board fashion with competence and honesty. Unfortunately, this government has sometimes fallen short in some of those respects.

When you get into questions on officers of the government who may be involved in an alleged conflict of interest or a potential or the appearance of a conflict of interest, it's not often pleasant. It makes the government and all of us somewhat uncomfortable. When it, in fact, is the Premier's actions that are called into question, it is unpleasant. But the very fact that it is now the Premier rather than a minister or somebody who is on the board of directors of some college or something that did something wrong in a campaign donation, the fact that it's now the Premier, the highest office in the province, does not make it out of bounds, and the government seems to think that it does. You can raise a question about anyone else, but if you raise a question about the Premier, suddenly it's not allowed.

Mr. Speaker, I think that it is important for this House and for the freedom of speech we should enjoy in this House and for the opposition to do its job properly to be able to hold the government to account and ask hard questions about the conduct of government, ministers, and Premiers in their conduct of public business. That is, I think, something that's essential to our parliamentary system and something, quite frankly, that over many years in many countries has rooted out corruption, malfeasance, malpractice on the part of many governments. That role, I think, is very, very precious and needs to be very carefully preserved.

Mr. Speaker, I hope that you will find in this case and rule on and recognize what the Government House Leader's actual wish or hope is, and that is to shut down debate on this very sensitive subject. That's what the points of order amount to, in my view, an attempt to stifle debate and to stifle the Official Opposition from getting to the core of an issue that may in fact hurt the government

very seriously and, quite frankly, for which the government has no one to blame but itself.

Thank you, Mr. Speaker.

**The Speaker:** That concludes speakers on the point of order raised. I suspect that this particular point of order might apply to a number of other subsequent points of order that were raised, so I'm going to take a few moments here to address what has occurred.

I believe I have mentioned at least eight or 10 times that the principles that govern the procedures and practices of this House – the rules, the guidelines, and whatever else you might want to call them – are of great importance to all of us, and all we need to do is to refresh our memories from time to time as to what they are. I'm going to do that, hon. members.

For example, if we look at some of the principles that are included in *Erskine May*, we will note on page 445 that the text cites expressions which are unparliamentary and call for prompt interference by the chair. Basically, these pertain to the following:

- (1) the imputation of false or unavowed motives;
- (2) the misrepresentation of the language of another and the accusation of misrepresentation;
- (3) charges of uttering a deliberate falsehood;
- (4) abusive and insulting language of a nature likely to create disorder. The Speaker has said in this connection that whether a word should be regarded as unparliamentary depends on the context in which it is used.

I myself have referenced that on a number of occasions.

Now, in *Beauchesne* you'll find a lovely section on page 121, depending on which edition you're looking at, and it says:

- (7) A question must adhere to the proprieties of the House, in terms of inferences, imputing motives or casting aspersions upon persons within the House or out of it.

I would remind you of that one.

It goes on to state:

- (12) Questions should not be hypothetical.

Hypotheses are frequently what allegations may be based on, as we all know, and that is unfortunate.

As I go on through my notes, I note that with respect to page 444 of *Erskine May* it also states:

Good temper and moderation are the characteristics of parliamentary language. Parliamentary language is never more desirable than when a Member is canvassing the opinions and conduct of his opponents in debate.

It goes on to page 445 to talk about abusive and insulting language, which I'll bring to your attention for the second time.

3:20

Then we go on to the issue of personal attacks. Be they by direct name or by innuendo or by inference, the nature of them is always the same. In *House of Commons Procedure and Practice* on page 422 it says:

In presiding over the conduct of this daily activity, Speakers have been guided by a number of well-defined prohibitions. In 1983, when the procedure for Statements by Members was first put in place, Speaker Sauvé stated that . . .

- personal attacks are not permitted.

And the quote goes on. I'll save some time and not read it all.

Finally, you will know that our own standing orders, which I highly recommend all of you to please visit and visit often if you're ever in doubt, on page 14, for example, you're all familiar with because 23(h), (i), (j), (k), and (l) have been raised on a few occasions already, and you should be there. But let me just go through them quickly. Section 23 states:

A Member will be called to order by the Speaker if, in the Speaker's opinion, that Member . . .

- (h) makes allegations against another Member;
- (i) imputes false or unavowed motives to another Member;
- (j) uses abusive or insulting language of a nature likely to create disorder . . .
- (l) introduces any matter in debate that offends the practices and precedents of the Assembly.

Now, I have read those to you before in one version or form or another, so I ask you to please remember them not only during question period but otherwise as well.

Now, specifically to the matter at hand, I think we all know that there is a mechanism already in place that deals with or can deal with allegations that a member feels put another member into a conflict-of-interest position. For example, members can always refer such matters to the Ethics Commissioner. There is a process outlined, in fact, in the Conflicts of Interest Act, which I know you are all very familiar with. The reference to the Ethics Commissioner should of course be something that you are familiar with as a process and as a practice that has been used before, and you're certainly welcome to use it again as you feel should fit the occasion, if it does.

Now, I'm somewhat curious about a decision that was announced back on May 31, 2012, by the government and whether or not that matter has now been referred to the Ethics Commissioner. I think it would bode well if someone were to clear that up either today or perhaps tomorrow because this matter, that was frequently raised today, is something that you may want to visit and review in the context of that date.

Today's proceedings actually demonstrate a lot about the wisdom of leaving any such review to the proper channels and to the Conflicts of Interest Act, that I've just indicated should be visited. It should be left to an independent officer of the Legislature and not to the cut and thrust and the heat that often accompanies our question period.

That having been said, I would ask again that all of you please check your language very carefully and very closely, both before the questions are raised, on the one hand and on the one side of the House, and with the answers and the tone of the answers and the content of the answers given by government members who are replying. There has been a lot said here in the last several minutes that clarifies this issue quite succinctly.

As such, we're going to move on to the next point of order, assuming there is another point of order, and I'll ask the Government House Leader to please state his citation and what it is.

## Point of Order Reflections on a Nonmember

**Mr. Hancock:** Thank you, Mr. Speaker. In fact, two succinct points of order, and I will be very brief. The Member for Airdrie rose during question period today and specifically made an allegation against the president-elect of the Law Society and named him, and that offends the rules of the House and, specifically, *Beauchesne's* 409(7). It's a very inappropriate thing to do, and it was a very inappropriate question. Everybody clearly understood what he was alleging in that question. Everybody understood who he was alleging it against. I would just ask the hon. member to do the right thing and withdraw that allegation and the insinuation that somehow a person who's not in the House, who was described as being a senior member of the Law

Society of Alberta would somehow be compromised in carrying out his duties, somehow would be implicated in the process, somehow would be connected to any sort of ethical filing that was sent to the Law Society.

It's quite an inappropriate thing to raise in the House when the person who's named specifically, and clearly not only by name but by position, is unable to defend themselves, unable to clear the air. Again, if there's any question about that person, there are appropriate processes, and this member as a member of the Law Society knows what those processes are.

**The Speaker:** Before I go to the Member for Airdrie, I too am going to extend that courtesy to the hon. Member for Airdrie. I have the Blues here, and I'm prepared to get into them if you feel it's necessary.

Hon. Member for Airdrie, let's hear from you.

**Mr. Anderson:** Well, Mr. Speaker, I appreciate it. I also have the question. The question was very simple.

To the Premier. I have another problem [to ask you about]. If I need to make a complaint on behalf of Albertans to the Law Society of Alberta for what seems like an egregious violation of professional code of conduct, how can I feel comfortable doing so when the president-elect of the Law Society of Alberta . . .

That's the individual I'd have to complain to about this exact complaint, the complaint dealing with the stuff that we've been discussing.

. . . itself happens to be Carsten Jensen, senior partner in – you guessed it – the exact law firm that you awarded the tobacco contract to?

I'm going to clarify right now that I assumed that Mr. Jensen would be fair and impartial. Absolutely. I would assume that, but here's the problem, Mr. Speaker. I don't feel comfortable and I don't think anybody would feel comfortable to launch a complaint and draw it to the attention of this individual, whose law firm is directly the question of what I'm going to be launching the complaint about.

Now, I don't see how that is alleging any kind of allegation against Mr. Jensen. I'm sure he's a good person. I've never met him before. I'm sure he's a fine, upstanding individual. But it goes to what we're talking about here, Mr. Speaker. What avenue do I possibly have to launch this complaint against the Premier, who keeps saying – you heard her today – that if you've got a complaint, you go and complain to the Law Society? How can I do so?

To find that I've cast aspersions on this individual is simply not true. I'm just simply stating the point that he's in a conflict here. He's done nothing wrong, but he's in a conflict. If I don't give facts to the situation, the questions won't make sense. I don't even understand how this could even be a point of order on just simply asking a very legitimate question. I didn't say that Mr. Jensen did anything wrong. I didn't say that he was going to do anything wrong. I did imply there was a conflict of interest. Clearly, there's a conflict of interest, but that's no fault of Mr. Jensen. It's no fault of Mr. Jensen. I think that's clear.

**The Speaker:** Are there others?

Well, the hon. Government House Leader has risen on this point of order, citing that it is inappropriate, I'm sure, to raise names of individuals in a light that might be cast upon them somehow as an implication or as some other form of slurring or slandering or whatever it might be that it could be connected to. In this instance I quickly looked up *House of Commons Procedure and Practice* on pages 616, 617.

3:30

Let me just read you what it says, and then we'll get on to the point here.

Reference by Name to Members of the Public

Members are discouraged from referring by name to persons who are not Members of Parliament and who do not enjoy parliamentary immunity, except in extraordinary circumstances when the national interest calls for this. The Speaker has ruled that Members have a responsibility to protect the innocent, not only from outright slander, but from any slur directly or indirectly implied, and suggested that Members avoid as much as possible mentioning by name people from outside the House who are unable to reply in their own defence.

Now, I want to focus in on “directly or indirectly implied” because as I review this particular quote from *Hansard*, I am not only looking at the words, but I'm also remembering the tone, the context, the temper with which, the passion with which it may have been delivered. What I recall and what I am going to remind the Member for Airdrie of is that there was a certain tone of innuendo, in the Speaker's opinion, that I believe I picked up, but what I want to focus in on besides that is the fact that we have mentioned a person's name here in that context. I'm going to ask the hon. Member for Airdrie if you would like to please retract that statement wherein you mentioned the person's name.

**Mr. Anderson:** I will retract that statement.

**The Speaker:** Thank you very much. I appreciate it. That concludes that matter.

Are there other points of order, or have we covered them?

### Point of Order Parliamentary Language

**Mr. Hancock:** I will leave aside all the other points of order but one, and that is when the Member for Edmonton-Beverly-Clareview rose to ask a question this afternoon, I believe, to the hon. Provincial Treasurer and used the words “intentionally mislead.” I don't have the Blues, so I don't know whether it was Albertans. I think it was Albertans. He said it directly, he said it purposefully, and he intended to say it. He knew in doing so – you could tell from the tone of the voice – that he was doing so intentionally.

We've got to get past this. The budget is the budget. In the budget the Provincial Treasurer brought forward estimates with respect to the revenue, and those estimates were based on calculations as the Provincial Treasurer has said over and over again in this House. Members opposite are entitled to have their opinions as to whether they could do a better job of forecasting and whether or not there's something else.

I'm rising under 490 and 492 of *Beauchesne's*. In both circumstances the words “intentionally misled” or words very, very similar to those have been ruled unparliamentary in the past, and I would suggest, Mr. Speaker, that they should be ruled unparliamentary again today. The member should be asked to apologize and withdraw the statement.

That is an allegation also against a member under Standing Order 23(h) because it was specifically about the Provincial Treasurer. He's basically, through other words, calling the Provincial Treasurer a liar.

We have got to raise the level of discourse in this place. If we want the public to engage in important discussions of public

policy, if we want them to take those discussions seriously, we can't be calling each other names, and we can't be using that kind of invective. I appreciate it goes both ways sometimes, but today was particularly egregious. In fact, it was bilious, and it's got to stop.

**The Speaker:** The hon. leader of the New Democratic opposition.

**Mr. Mason:** Thank you very much, Mr. Speaker. I will ignore the last adjective that the Government House Leader used and will avoid making an opinion as to whether it was a deliberate slight or not to my hon. colleague and get on with the point of order.

The allegation by the Government House Leader that unparliamentary language was used, in my view, is not valid. Mr. Speaker, it is clear from the practice and the rulings that I have heard and from the standing orders as well as *Beauchesne's* that "deliberately misled" is, in fact, unparliamentary language when it is directed against another member. This is found on page 143 of *Beauchesne's*. Section 488 says this clearly: "It has been ruled unparliamentary to refer to a Member as . . ." and it goes on to give a long list.

The Government House Leader doesn't have the exact words that were used, but I do because I have the text that was used, and it was delivered verbatim. It said, "Mr. Speaker, given that this Conservative government intentionally misled Albertans by using a budget based on overly optimistic projections – in other words, rainbows and unicorns . . ." He is dealing with the actions of the government, not an individual member.

That will bring me to the second point made by the hon. Government House Leader, where he quoted Standing Order 23(h): "allegations against another Member." That, according to the Government House Leader, is directed against the Provincial Treasurer. This is absolutely false, Mr. Speaker. The member's statement in his preamble – and it was his first question, so it was actually a legitimate preamble – said that the government had misled Albertans, not another member but the government.

That is, in my view, a very accurate statement, and it is certainly the view of our caucus and our party that in the last election and in the last budget the government used projections for tax revenues, for royalty revenues, and so on that were artificially inflated so that they could in fact campaign on a platform of increasing services. They made a wide range of promises, Mr. Speaker, and the list went up very substantially as they found themselves in some difficulty in the campaign. Suddenly there was somewhere between \$3 billion and \$6 billion of campaign promises – they were going to eliminate child poverty, they were going to put 140 new public health clinics in place, they were going to put billions of dollars against the deficit, and they were going to clean up the deficit by next year, among many others – all based on the misleading projections that were used in the last budget by this government and repeated over and over by the leader of the Progressive Conservative Party in her campaign.

Now we're finding – and we learned today in the second-quarter update – that, in fact, those projections were way off and that we're still headed towards a \$2 billion to \$3 billion deficit in the next election. Mr. Speaker, I would suggest to you that an allegation that the government misled Albertans in the last election or that the Progressive Conservative Party misled Albertans in the last election is not only substantially true but is within the rules of order because it is not an allegation directed against a particular member of this Assembly. As such, I don't think it is protected by the rules.

Thank you.

**The Speaker:** Hon. members, we won't consume more time on this. We've dealt with a number of citations over the last half hour or so and in earlier discussions.

Hon. members, I want to raise to your attention again what was exactly said and what caused the Government House Leader to rise on a point of order. The Member for Edmonton-Beverly-Clareview, as the New Democratic leader just said, rose, and he said, "Mr. Speaker, given that this Conservative government intentionally misled Albertans," and it goes on. Now, we know that there's a long list of words that are parliamentary and unparliamentary. In this instance let me cite for you *Beauchesne's* section 492 again, where it says, "The following expressions are a partial listing of expressions which have caused intervention on the part of the Chair, as listed in the Index of the *Debates* between 1976 and 1987." They still stand today. To go on with the quote, it says, "deliberately misled," and it goes on further to say "deliberately misled," and "misleading" is in here somewhere as well. We've dealt with that issue before and those exact words before.

At issue now is whether this was directed at an individual member or not. Now, I think we all know what the word "government" means and that government essentially does mean people. You can interpret it either way. Having been an English teacher, I can stand by that. By extension you could say that it was directed not only against one member but against 20 or however many members might be in government because government is a living, human body of people.

3:40

I looked at this very carefully. I know that under Standing Order 23(j) it says that a member will be called to order by the Speaker if in the Speaker's opinion that member "uses abusive or insulting language of a nature likely to create disorder." In this particular case I think some disorder was created. So while it is technically parliamentary or unparliamentary, depending on how you interpret what I've just said, I would ask that you please, again, not use words or phrases that do cause that kind of disruption and disorder and result in points of order and, in turn, rulings by the chair, particularly if you're using them specifically during our well-known and well-televised question period to gain attention or to focus attention in, perhaps, a wrongful way, and that, in turn, causes disorder, as I just mentioned.

Hon. leader of the New Democratic opposition, I would ask you to review that with your hon. member so that we can avoid these circumstances going forward. I'm sure that there will be occasions again when something close to this will arise, but I would ask you to please mention this to your hon. colleague and ask him to please refrain from using phrases like that in the future, and I would remind all members here to do the same. Thank you for speaking on his behalf.

That concludes it for this afternoon unless there are other points of order.

**Mr. Denis:** Mr. Speaker, I did rise on a second point.

**The Speaker:** The hon. Minister of Justice.

#### Point of Order Parliamentary Language

**Mr. Denis:** Thank you very much. I'll be very brief, Mr. Speaker. The point of order I rose on was pursuant to Standing Order 23(h),

(i), (j), and (l), when the Member for Edmonton-Highlands-Norwood referred to the Minister of Justice, obviously being me, and then something about misleading. Now, he talked earlier about referring to a group of people, but this was directly against me. I'm not going to make big deal out of it. I just ask that he withdraw the remark. I refer you also to *Beauchesne's* section 489, which indicates that "mislead" or "misleading" are inappropriate terms, the same as 490.

Thank you.

**The Speaker:** Is there anyone else who wishes to speak to this matter? The hon. leader of the New Democratic opposition.

**Mr. Mason:** I'm at a disadvantage since the hon. Justice minister can't seem to recall what the words were or the context. It's very hard for me to respond. I'd be happy to do so if he could . . .

**An Hon. Member:** Just withdraw, then.

**Mr. Mason:** But I can't withdraw something that I don't even remember.

**The Speaker:** The hon. minister.

**Mr. Oberle:** Mr. Speaker, I would really, really, deeply appreciate the opportunity to make a point here, and that is that we stand in a Chamber modelled on a system where once members stood with swords, and that's the instrument that kept order in this Chamber. Now it's governed by rules of order, which might well be called rules of disorder because that's really what they're for, to manage disorder. This is an adversarial system. We're different parties. We come here to conflict with differing opinions. What allows the free discourse in this House is precisely those rules of order.

The hon. Member for Edmonton-Highlands-Norwood talked about the government trying to stifle the debate here. Quite the opposite, Mr. Speaker. We wish to allow the debate but within the rules. It's the rules of order that actually allow for the exchange of ideas in here without the acrimony and the waste of time. We've just wasted another hour and a half of legislative time here.

I sincerely hope, Mr. Speaker, that in the event that I were to use a term to slander or accuse somebody on that side of the House, I would be able to revisit the fact that all of those people there are duly elected by their constituents and deserving of my respect, and I would be able to withdraw the comment, and we could move on.

**The Speaker:** Hon. members, I believe what's being referred to here occurred at approximately 2:10 p.m., when the leader of the New Democratic opposition rose right after the Minister of Justice had risen and said the following: "Thank you very much, Mr. Speaker. Well, given that the current Justice minister is attempting to define this question in a way that completely misleads Albertans," and you went on.

We just dealt with this point earlier, and that is what you said according to the Blues. I can get into a long, lengthy ruling here if you wish, or I can ask you to just do the honourable thing and withdraw that comment. Clearly, Albertans are people, and they should not be maligned in any way. I'm sure you perhaps didn't mean to, but the cut and thrust of debate sometimes yields that result.

Hon. member, I'll recognize you for that purpose.

**Mr. Mason:** Thank you very much, Mr. Speaker. The hon. Justice minister is indeed a human being, and I did not mean to imply – in framing the question as he did, I meant to imply that he might lead people to the wrong conclusion. I'm sure that it would not be a deliberate attempt on his part to frame an issue in a way to protect the Premier if that wasn't warranted. So in that sense I am prepared to withdraw the use of "misleads."

**The Speaker:** Thank you, hon. members. That concludes that point of order.

Are there any others now that we haven't dealt with directly or indirectly as a result of previous points of order? Seeing none, we can move on.

Hon. Member for Airdrie, you have a Standing Order 30 you wish to bring forward. Please proceed.

## Request for Emergency Debate

### Tobacco Recovery Lawsuit

**Mr. Anderson:** Thank you, Mr. Speaker. I don't know. Perhaps if we can just in the future forward our questions somewhere to get them sanitized in advance, that would probably be a way to save some time since it seems unclear sometimes what we can and can't ask in here.

I rise today pursuant to Standing Order 30. It is:

Be it resolved that the ordinary business of the Legislative Assembly be adjourned to discuss a matter of urgent public importance; namely, the need for the government of Alberta to suspend all activities and proceedings related to any contracts it has with International Tobacco Recovery consortium, including Jensen Shawa Solomon Duguid Hawkes LLP, that are related to the tobacco recovery litigation until a full investigation has been completed by the Ethics Commissioner of Alberta and all results therefrom made public.

I first would like to address how I am terming this. Had we termed it in that we debate making sure that we compel the Ethics Commissioner to do an investigation into this, which, of course, we can't do, then we would have a problem. I realize that. We can't control what the Ethics Commissioner will or will not do, but we can control what we do, Mr. Speaker, and that is why what is within the government's control and what is a matter of urgent importance is with regard to the litigation. That cannot wait.

I could have brought something up that we need to help restore some of the reputation of the government on this issue and a whole bunch of other things, but instead the only thing that I think is relevant to a Standing Order 30 in this case is actually ceasing all activities being undertaken with regard to this consortium on behalf of this government.

The reason why it is urgent, first of all. I'll refer to Standing Order 30(7), which is:

A motion under this Standing Order is subject to the following conditions:

- (a) the matter proposed for discussion must relate to a genuine emergency, calling for immediate and urgent consideration;
- (b) not more than one such motion may be [made] on the same day . . .

And so forth. Now, the reason that this is so urgent, first off, is because what is happening right now is that the litigation is in its infancy. It is just starting. There are lawyers in law firms scrambling around, spending a lot of money, spending a lot of time on the government's behalf pursuing this matter. There's no doubt about that.

The amount of money involved here is astronomical. We are talking about a \$10 billion lawsuit. Now, we do not have access. We do not know what the contingency fee is or if there is a contingency fee. We don't know. But if it is a contingency fee, a lot of times that could be 5 per cent, 10 per cent, 20 per cent, 35 per cent. We don't know.

3:50

What we're talking about here could cost taxpayers, if there is a recovery, not just millions of dollars but billions of dollars, depending on the size of the settlement. That is how massive this litigation is. We're not talking about a few hundred dollars or a few thousand dollars in donations and so forth. We're talking about possibly billions of dollars, certainly hundreds of millions of dollars, that the taxpayers of Alberta will not have going into general revenues if this is continually pursued.

Now, the reason I say that is this. We don't know, Mr. Speaker, from the allegations and the proof that we have tabled – and we'll go over it very quickly – whether the taxpayers of Alberta are getting the best deal possible. We don't know whether we could get a 5 per cent contingency rather than, say, a 10 per cent contingency, if that's what it is, which is a difference of hundreds of millions of dollars. We don't know that. I don't think we can have confidence – and we need a debate on this – that the proper tendering process was gone through without undue influence. That's what the documents that we have submitted suggest. This will be a very expensive problem for us if we continue on with this litigation without sorting this out to make sure that, indeed, we did follow the proper practices.

The Finance minister today released their budget report, the second-quarter update. We have another massive deficit on our hands. If we do not take care of this issue now, this will probably be the last chance we have to put a stop to this before moving forward any further. The further it goes forward, the more work is done, the bigger the problem.

Now, I will try to keep this next point as succinct as possible.

**The Speaker:** Hon. member, let's talk about the urgency as required under 30(2). That's what we're arguing here, not the motion itself. We're arguing the urgency of the debate.

**Mr. Anderson:** No. I understand that.

**The Speaker:** Why must it be done now? That's what we're arguing, so please get on with that part, or we'll move to the next speaker.

**Mr. Anderson:** It's incredible, isn't it?

**The Speaker:** Hon. member, please have a seat.

**Mr. Anderson:** What?

**The Speaker:** Please have a seat. The chair is not immune to what you uttered before you started this Standing Order 30. Do you recall what you said?

**Mr. Anderson:** I said . . . Do you want me to recall?

**The Speaker:** Do you recall what you said?

**Mr. Anderson:** No? Okay.

**The Speaker:** Thank you. I'm not here to debate with you. I'm asking you if you recall.

**Mr. Anderson:** No, no. I'm just asking if you want me to answer your question.

**The Speaker:** Okay. Good. So you recall it. I'm going to review it in *Hansard* as well just to see exactly what the tone and intent of that comment was because it had absolutely nothing to do with the Standing Order 30, but I allowed you to proceed nonetheless just in the interest of being fair.

Now, I'm not prepared to sit here and debate or argue what the rules are with you, hon. member. I'm simply asking you to please get on with what Standing Order 30(2) calls for. You know this, so here it is. Under urgent public importance 30(2) says, "The Member may briefly state the arguments in favour of the request for leave and the Speaker may allow such debate as he or she considers relevant to the question of urgency of debate." Then we can define urgency of debate. All I'm asking you to do now is to please get on with the argument about urgency for debate, not the debate itself. Please.

**Mr. Anderson:** Okay, Mr. Speaker. To clarify, I was not directing those comments at you, but we can talk about that after if you'd like. It was not intended to be disrespectful.

It's difficult to present an argument for urgency without giving any kind of context, but I will try. I'm trying to say that the cost of it would be so large – and if we don't stop it now, this will be the last time we have to contain the cost – to the taxpayer in this regard if something untoward has occurred.

Now, I'm going to be referring to three documents and only three documents for the purposes of this just to create the context on the urgency argument or else it won't make any sense.

The first was tabled. It's regarding a memo coming from the then Minister of Justice, the current Premier, dated December 14, 2010, which says:

Considering the perceived conflicts of interest, actual conflicts of interest, the structure of the contingency arrangement and the importance of a "made in Alberta" litigation plan, the best choice for Alberta will be the International Tobacco Recovery Lawyers.

That's the first document, just one paragraph from it. Again, that was while she was Justice minister.

The second piece is from the Deputy Minister of Justice, who specifically says that on October 25, 2010, the now Premier, then Justice minister

announced that Alberta [will] initiate legal action to recover health care costs from the tobacco industry pursuant to the Crown's Right of Recovery Act," et cetera, et cetera, et cetera.

So – we'll shorten it up – they took in bids, et cetera.

The Review Committee's assessment of the three proposals was provided to the Minister of Justice . . . meaning the current Premier,

. . . in . . . December. All three consortiums were considered capable of adequately conducting the litigation, and no one consortium stood out above the others. Each had unique strengths and weaknesses.

Shortly before Christmas . . .

This is the Deputy Minister.

. . . [the Justice minister, the now Premier] selected the International Tobacco Recovery lawyers (the Jensen consortium).

**The Speaker:** Hon. member, with due respect please have a chair.

Let me just read for all members what this is all about just so that you would all know. *Beauchesne's* 390 states:

"Urgency" within this rule does not apply to the matter itself, but means "urgency of debate", when the ordinary opportunities provided by the rules of the House do not permit the subject to



be brought on early enough and the public interest demands that discussion take place immediately.

So why is this of paramount importance and urgency at this time when no other opportunities might be available to you and words to that effect? That's what is being discussed now or should be discussed now.

I'm going to allow you one final time to wrap this up. Remember our own Standing Order 30(2), that says, "The Member may briefly state the arguments." So I invite you to please be brief and be conclusive. Proceed.

**Mr. Anderson:** Mr. Speaker, the reason it is urgent given the background – I won't give more, obviously – is very simple. This is the first opportunity we've had to debate it. If we do not debate it now, we will not have the opportunity in the future to stop the possible loss of money to the taxpayers that could be based on something that was untoward, which is the context I was trying to refer to.

As you've pointed out during question period and with your recent explanations in rulings, I'm more unsure than I've ever been about when else we're going to have an opportunity in this House to debate this issue. I don't know if we are even allowed to do it in question period anymore. I don't know when we're allowed to debate this anymore. It's completely up in the air. So if we don't debate it now, Mr. Speaker, while we have the opportunity, when else are we going to debate this issue?

**The Speaker:** Are there others? The hon. Minister of Justice, briefly.

**Mr. Denis:** Thank you very much, Mr. Speaker. I'll endeavour to be very brief further to your earlier ruling. Again, as you mentioned, pursuant to *Beauchesne's* 390 we're not reviewing the direct matter here; we're reviewing what constitutes and what's called urgent public importance.

Now, I would respectfully submit to you, sir, that there's nothing new on this story other than just some additional innuendo. Standing Order 30 is typically used for some very serious matters. It needs to be a matter of urgent public importance. I would submit to you, Mr. Speaker, that this matter first came to light with respect to a press release from my department at that time on May 30 of this year, and this is the first time this, in fact, has been raised.

There have been questions and answers on this throughout the entire day. I won't belabour the point on the issue, but I do want to mention that pursuant to section 1(5) of the Conflicts of Interest Act we know that a former spouse is not considered to be a direct associate under the act. We don't need additional debate or investigation under that in and of itself.

Now, I do want to turn your attention, Mr. Speaker, to the last two times this House has adjourned for Standing Order 30. It was February 23, 2012, Mr. Speaker, and March 14, 2011. Both of those matters dealt with matters to do with health care. I would agree that the matters of the health of Albertans could constitute a Standing Order 30. Obviously, it did in those particular cases. [interjections] I'll just ignore the boos and catcalls from across the way.

4:00

This litigation in Alberta, Mr. Speaker, is challenging and has to do with the conduct of tobacco companies years ago. Hiring outside counsel is entirely appropriate for a past Justice minister or, frankly, for the current one. We've indicated that if anyone wants to make a complaint, they can do so to the Ethics Commissioner, but again that does not involve a Standing Order

30 item. The ruling proposed today would also have the unintended consequence of perhaps even prejudicing the action. I also refer you to Standing Order 23(g), which prohibits any reference to matters of a civil nature that have been set down. The statement of claim already has been filed.

I also just wanted to mention as well that in the practice manual, page 674, it also talks about what constitutes an urgent nature, Mr. Speaker, and the first one that it mentions involves a matter dealing with Prime Minister Lester Pearson with respect to a Canadian peacekeeping force to Cyprus. That was a matter of urgent nature. This is not. It's been in the public since May 30, and this is the first time that this has been brought. I'm sure that the member that has brought Standing Order 30 does not do so solely for political gain – I'm sure he doesn't do that – but at the same time it does not meet the urgency test in Standing Order 30. I would ask that you respectfully decline the request.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Speaker. I appreciate the opportunity to speak to this. First of all, I believe that this is the first opportunity to raise the issue. That's the first test. It's the first day that the House has been in session since the Premier's direct involvement in the awarding of this contract has been known. It has not, as the hon. Justice minister said, been in the public since May 30. The question relates to the former Justice minister's, now the Premier's, involvement in this question and her role, which was not known by the news release that he's referring to because – guess what? – the government didn't include those facts in its news release when it announced which firm had received the appointment.

Mr. Speaker, there is no other place in the agenda for this to be discussed, which is the second test. In the past we have accepted items for an emergency debate under Standing Order 30 notwithstanding the fact that question period was available to discuss the issue. Question period is not debate in the sense of attempting to come to some conclusion. There is no other place in the agenda, and it's clear that the government has no wish to discuss this matter. In fact, the Government House Leader was at pains today to try and cut off questions about it in question period, something that I and other opposition members will steadfastly oppose. So it is appropriate from that point of view.

Now, the question of urgent public importance. It's been suggested that this could be referred to the Ethics Commissioner, and perhaps it should be, but, Mr. Speaker, the inadequacy of our legislation around conflicts of interest is certainly well known, at least in some quarters, and the legislation may or may not cover this matter. It has really raised a question as to whether or not the common-sense ethics of the Premier recusing herself in this matter have been violated. It brings into question the integrity of the entire government. It is an urgent public matter that I think needs to be clearly addressed.

Secondly, it brings into question the conduct of the justice system in our province. The public needs to have full faith in the conduct of justice in this province, and they need to be assured that it is not affected by illegitimate considerations, which may or may not be the case here. It is clear to me that the public needs to know that the government has acted with integrity and that the justice system and the administration of justice in our province have not been compromised. Those are matters of urgent public importance. Given that our session may soon end, within a few days, and given the government's attempts to not have this matter

discussed and to dismiss the question, this may well be the only opportunity to have a thorough discussion around the issue.

You know, the government argument that the Premier, then the Justice minister, was not the Justice minister when the final decision was made is of no bearing as to whether or not a conflict of interest exists. If someone uses their influence to try and move a decision to a certain place when they're in a position of authority to do so, it matters not that they were the person who made the final decision as far as any test for conflict of interest may be concerned. In that matter, the government's attempt to deflect adds to the urgency of this particular case.

Mr. Speaker, just in conclusion, this is indeed the first opportunity to raise the issue. Secondly, there is no other place on our agenda for this to be addressed. Thirdly, it calls into question the administration of justice and the integrity of the government, and it is therefore of urgent public importance. So I would ask you to rule that, in fact, this is a legitimate question.

Thank you.

**The Speaker:** Hon. members, we've heard from spokespeople from each of three different parties. I'm wondering if there's someone from the third party that might wish to participate as well. That would allow one person each from each group to have spoken. The hon. Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Speaker. I heard the leader of the NDP and the member from Her Majesty's Loyal Opposition, and I've been thinking about this, too. There's too much at stake. There are a billion dollars and integrity. Maybe it's not the reality, but the perception is that, you know, some favour has been done in awarding this contract.

I don't think we will be able to address this issue in any other way, shape, or form, and I think it should come in the House here. We should be able to debate it and scrutinize it in a way that we clear the air that there were no favours done here. The matter is of ethics. That brings into question the honesty, the integrity. It may be the perception, but it brings into question the integrity and ethics of the government. I think this is an urgent matter that should be debated on the floor of the House so we can clear the air once and for all.

Thank you.

**The Speaker:** Hon. members, we've heard from one spokesperson each from each of the four caucuses. Now, I've got two other members who wish to still chime in. I'm inclined to allow them to chime in if they can be very brief. Perhaps then we can move on with the ruling. I have the Government House Leader, and I have the hon. Member for Rimbey-Rocky Mountain House-Sundre.

On that basis, hon. Government House Leader, briefly, please proceed.

**Mr. Hancock:** Thank you, Mr. Speaker. Yes. The allegation has been made that the Government House Leader was trying to curtail questions. Nothing could be further from the truth. Questions can be appropriately framed in the House on this topic. That is an opportunity.

To the point of urgency: there is no action allowed under our rules with respect to this. In fact, Standing Order 30(6) says, "An emergency debate does not entail any decision of the Assembly." So what, then, is the purpose of adjourning to debate this? Is it in the public interest to have a debate at this point in time?

You asked the question earlier. Has anybody asked the Ethics Commissioner to do an investigation? I haven't heard an answer.

I'm not sure if you've heard an answer. What I heard which came close to an answer was: no, we don't know whether the Ethics Commissioner is going to investigate this. I think the hon. Member for Airdrie indicated that. There's been no indication of a reference to the Ethics Commissioner, and therefore the concept of having a debate this afternoon is really about people who have, perhaps, small pieces of information, which may or may not be valid or reliable relative to the issue at hand, having a debate in the House about an issue that the person who can do the investigation has not investigated.

Clearly, if there ever is a time to have a debate about this matter in the House, it's not now. If there was a time, it would be when the facts were known and when the investigation had been concluded. Now, I would have an argument at that time as to whether or not it was in the public interest.

4:10

This essentially is a contract which has been awarded by the law firm of government, the Department of Justice, to deal with a matter. It's a matter that's under way. Suggesting that we should curtail that action now is sort of an application in the nature of an injunction. Injunctions are rarely granted unless somebody is to be harmed and the question of harm is something which can be compensated for monetarily.

There is no issue here of urgency. It may be the first time that they have the opportunity to raise it in the House, but as the hon. Minister of Justice said, the fact that the contract was awarded has been around for a long time. The fact that the Premier was the Minister of Justice during a period of time that this was being considered in has been around for a long time. There's nothing new here, and there's no result of an investigation which gives us something to actually talk about in a meaningful way.

It's not urgent, it's not at this point in time, at least, of public importance, and it's not appropriate to adjourn the normal business of the House, which is substantive matters and substantive progress for the House, whistle-blowing legislation scheduled for this afternoon, to deal with some things which are nebulous allegations at best.

**The Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre, briefly.

**Mr. Anglin:** Thank you, Mr. Speaker. This matter, in my opinion, is of the utmost urgency for one factor and one factor alone. A lawyer or a law firm needs confidence in the client in the case; a client needs confidence in the lawyer. Right now with this debate open, these people now know that this is now undermining, basically, that confidence. It has the potential to do that. If we don't settle this now, this debate remains open. As long as this debate remains open, they can constantly plague the process and, as the hon. member said earlier, cost us dearly.

**The Speaker:** I believe that concludes the speakers' list for the moment.

We've heard from about six different speakers on this matter. Clearly, some were adhering to the term "briefly" more than others. Nonetheless, the Speaker had to intervene a few times just to keep you on track with respect to what the rule is regarding SO 30s. I'm just going to remind you again because some people may have not heard it the first time.

Urgency deals with whether or not there are other opportunities available to raise the matter. Now, I want to clarify for you that there are several vehicles available to you to do a variety of things.

One of them is question period, where a well-crafted question that meets the rules and proprieties of this House and of Houses across the world that are part of the Commonwealth parliamentary system – that exists there as one of those vehicles.

Secondly, a carefully crafted motion for return might accomplish something very similar, or a carefully worded written question might accomplish something similar. There is room for some debate within some of these vehicles.

This particular case, obviously, is newsworthy, and we understand that, so the debate isn't about how important the subject matter of Standing Order 30 is. It's not about how much money might have been saved or spent. Those are important issues. Of course they are. It's not about what the ramifications might be if this or that doesn't happen. It's not about the seriousness of the matter at all. All matters that hon. members raise are serious. All of them have possible consequences, one way and the other. That is not what a Standing Order 30 is about when we talk about urgency of debate.

I do note again that there was an announcement in connection with this subject matter dating back to May 30, 2012, six months ago almost to the day. Six months ago. We are now in our second or third week of the fall session. So I don't see how this matter immediately suits the definition and meets the criteria and normal qualifications of urgency for debate. Perhaps even more importantly, as evidenced today in question period, there are ways that questions can be cleverly phrased, and perhaps we'll have some of them tomorrow. So I would invite you to visit that.

While I'm on the subject of question period and because it was raised at the very beginning of the Standing Order 30 debate, the hon. Member for Airdrie said the following when I recognized him for his Standing Order 30. According to the Blues it says:

Thank you, Mr. Speaker. I don't know. Perhaps if we can just in the future forward our questions somewhere to get them sanitized in advance, that would probably be a way to save some time since it seems unclear sometimes what we can and can't ask in here.

Now, had I received the latter part about clarity from a new member who was just elected, I might have granted some leeway for that last part of the sentence only because for some it can take a longer time than others to learn what the rules and proprieties are of the House and to experience some of them and to hear Speaker's rulings and so on, all of which are based on precedent by and large. But in this case, hon. Member for Airdrie, you are not a rookie member, you're not new to this House. This was delivered, I think, in an unprofessional way. When you say, "Thank you, Mr. Speaker," and then you go on talking to the Speaker, "I don't know," because you're supposed to be talking to and through the Speaker, and then you say that you want your questions to be "sanitized" because you are unclear, I think that is a pretty low standard for a veteran member of this Assembly.

I'm sure you didn't mean it. It might have been in the heat of the moment. So I'm going to let you off the hook subject to you withdrawing that question about sanitizing questions in advance. Being "unclear sometimes" I will let go for the moment, but the sanitization comment I am not prepared to let go. I'm prepared to have you stand and withdraw that comment, please. That would be an honourable way to proceed.

**Mr. Anderson:** I was not referring to you in that, Mr. Speaker, but I withdraw whatever you'd like me to withdraw in that regard. Sanitization. Sure. Fine. Whatever you'd like.

**The Speaker:** Well, I'm glad to hear you withdraw it, and I would ask you to visit *Hansard*, wherein you addressed the Speaker

directly, right in advance. Then, as you well know, subsequent matters are always delivered to and through the chair. Thank you for withdrawing it.

That concludes our matters under Standing Order 30. We will move on to Orders of the Day.

4:20

## Orders of the Day

### Government Bills and Orders Committee of the Whole

[Mrs. Jablonski in the chair]

**The Deputy Chair:** Good afternoon, hon. colleagues. I'd like to call the committee to order.

#### Bill 4

### Public Interest Disclosure (Whistleblower Protection) Act

**The Deputy Chair:** Are there any comments, questions, or amendments to be offered with respect to this bill?

**Mrs. Forsyth:** Well, Madam Chair, how nice to see you in the chair again. I think we're on round 14. The boxing match continues, and I look forward to all of the amendments that we're going to bring forward. Having said that, I will be tabling another amendment, and I'll sit down until it's passed around.

**The Deputy Chair:** Thank you very much. We'll pause until we distribute the amendment to all the members.

I think we can continue now, hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thank you, Madam Chair. It's a great honour, again, to rise on Bill 4, the Public Interest Disclosure (Whistleblower Protection) Act. As I indicated in my remarks earlier, we're on round 14. We have now brought our amendment . . .

**The Deputy Chair:** This will be known as amendment A14. Thank you.

**Mrs. Forsyth:** Thank you, Madam Chair. I have that. Can I say round A14 or amendment round A14?

Madam Chair, what that indicates to us is that we are now on our 14th amendment that we've brought forward in trying to bring some rationale and some conciseness and some rights to a very flawed bill. Thirteen times we have not done a very good job of convincing the government about accepting any of the amendments, which is unfortunate because these amendments that we're bringing forward are not the Official Opposition's amendments. They're actually amendments that we've worked hard on with probably some of the top experts in this country and, for that matter, North America on whistle-blower legislation.

In fact, when I got home late last night, I sent an e-mail to one of the people that have been watching us, what's happening in this government and what's happening with amendment after amendment that we're bringing forward being defeated. His comment was very interesting last night. He talked about that they've conclude that this is the most – and this is his quote. I'm going to be careful. If you think that I'm out of order, I'll withdraw that immediately. This is a quote from FAIR that they have. I will quote that because it was in the paper on November 5, so I am directly quoting from a news release that they put out. They've concluded that

this is a misleadingly-named piece of legislation which shields the government from damaging disclosures, may be used to protect government wrongdoers, and does not protect whistleblowers at all.

He goes on to say:

This bill is a backward step because it does the opposite of what it claims, effectively shielding the government from embarrassing publicity while doing nothing to protect whistleblowers or the public.

**The Deputy Chair:** Can you table that document? You said that it was a news release?

**Mrs. Forsyth:** I'm sorry. I can't hear you.

**The Deputy Chair:** Will you be able to table it tomorrow?

**Mrs. Forsyth:** Sure. It's all scratched up, but I'd be more than pleased. We'll bring you a clean copy. That's not a problem. It was a press release that went out Monday, November 5, called Whistleblower Charity's Analysis of Alberta Law. I'm sure we can get you another copy.

**The Deputy Chair:** Can you inform us who issued the press release as well, please?

**Mrs. Forsyth:** Sorry, Madam Chair. While I wanted to mention that, that brings me into amendment A14. They wanted me to bring that to your attention.

This amendment that we're bringing forward, which if anyone wants to know is on page 21 of Bill 4, is going to avoid the cabinet secrecy in the event of wrongdoing. As it stands in the bill, information or documents that would disclose cabinet deliberations or proceedings are private. If the government is found to have committed a wrongdoing and the whistle is blown, that information should be made public. Interesting, interesting amendment, Madam Chair, considering the chain of events that was happening in this Assembly today in regard to some serious allegations that have been made through the day in regard to some connections with the Premier.

What this amendment does, what it's suggesting it does, is add under section 29(2) another section. It talks about:

- (3) Subsection (1)(a) applies only if the Commissioner, upon completing an investigation, makes no findings of wrongdoing against Executive Council or a committee of the Executive Council, or the proceeding of any of them.

Our amendment is to add that under section (2). Cabinet will keep its rights of privacy, even if it's responsible for wrongdoing. But the cabinet should lose its privacy if – now this is important because you and I have both been at the cabinet table, and you and I have both had before us our briefing binders, and we have discussed around the cabinet table some things that should be considered private. No question. What this is saying is that if there has been a wrongdoing, you lose that privacy.

When I'm looking at these amendments and standing up here talking, I always kind of look through the eyes of Albertans, what they would see, what they think is right, what they think is wrong. A lot of things that we do in this Legislature, quite frankly, is gobbledygook to most Albertans. Some of them don't even know what we're doing in this Assembly. They don't even know we're here. They're just wondering why, when they're calling their MLA on Tuesday, the office is saying: no, I'm sorry, we can't schedule you in until Friday.

There are lots of things that it's important that our cabinet – your cabinet, the front-bench cabinet – has to keep private, and I understand that. But if this same cabinet is accused and found

guilty of wrongdoing, they lose that privacy. I think that's something standard that happens anywhere in this country.

I'm going to be sitting down very quickly because we have probably another, I think, 15 amendments ourselves to go through in regard to this. I would like to hear . . . [interjection] It's going to be a long day and a long night.

You know, it's funny you should say 15. We wouldn't be bringing this many amendments forward if the bill wasn't so flawed. We've even taken some out. We thought there was just, you know, you're getting so into the small dotting of i's and the crossing of the t's where we've added the word "or" or we've added the word "may." We have taken out what we consider our top priorities, that are sitting behind my desk, and prioritized them in order of how we're going to deal with them.

4:30

As I said last night when we were sitting late in this Legislature – and the same thing goes out again. I put the same thing back to the minister, the fact that, you know, the people that he's consulted with on his bill and the people that we have consulted with to bring these amendments forward have put on the table that they would be me and talk about any of the amendments that we are prepared to bring forward. Because after you've already lost on the other 13 amendments, it's very difficult. So I am going to sit down.

I would like to hear from the Associate Minister of Accountability, Transparency and Transformation on why he thinks this is an amendment that he can't support and why he thinks that cabinet, if found guilty of wrongdoing by the commissioner, of all people, should think that they can keep it private any different than any other person in this province that's found guilty of wrongdoing.

With that, I'll sit down and wait for the minister.

**The Deputy Chair:** The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Madam Chair. I am very interested in reading this amendment. I support this amendment. Looking at it, the section of the bill that it pertains to is limits on disclosure.

- 29(1) Nothing in this Act authorizes the disclosure of
  - (a) information or documents that would disclose the deliberations of the Executive Council or a committee of the Executive Council, or the proceedings of any of them."

Now, in this bill we also see an area that talks about wrongdoings. Well, if a wrongdoing has occurred – I don't know if we would look back in other portions of the law – the investigator does have the ability to go in and find the information. By excluding certain classes of people in this case, we may never get to the bottom of a wrongdoing. The whistleblower commissioner may never get to the bottom of a wrongdoing. I mean, how is it that cabinet can keep its right to privacy but no other individual can? If there is a wrongdoing, just like the individual they should be losing their right to privacy. The Alberta public deserves to know what went wrong, where it went wrong, and how it was corrected.

The way that this exemption reads, this won't exist within this whistle-blower legislation. This exemption will apply. Nobody ever need know that there was a wrongdoing. Nobody ever need know if it was corrected, the way that this was written. I think that is a travesty, an absolute travesty. I'm flabbergasted. I know that Albertans deserve better. I challenge you to accept that Albertans deserve better, and I challenge you to pass this amendment so that Albertans will receive better.

I'm a little taken aback by the events today and just wonder – I really wonder – that if this bill, this act, was in force with this amendment, would we be able to get to the bottom of the allegations that were brought forward in the Legislature today? Well, I can tell you that had a whistle-blower come forward with it, it would have been dealt with promptly. It would have been dealt with quickly, and Albertans would know and would have confidence in this system.

That's really what whistle-blower legislation is about. It's about protecting those who come forward to protect the confidence in our institutions. Here we are at amendment A14, I believe. We're 14 amendments in, trying to help create a piece of legislation that will promote confidence in our government institutions.

I would ask the associate minister to stand up and give us some answers on this. We're asking why. We're asking: why was this excluded, or why was this immunity given? So let's hear it. I think we all deserve to know, and when I say "we," I mean all Albertans. We all deserve to know why there are certain classes that are afforded special protections that other classes are not. Please, I ask you to rise and answer that one simple question.

Thank you.

**The Deputy Chair:** Thank you, hon. member. Are there any others who wish to speak on amendment A14?

Seeing none, I'll call the question.

[The voice vote indicated that the motion on amendment A14 lost]

**Mr. Campbell:** Madam Chair, I'd ask that we have one-minute bells.

**The Deputy Chair:** The hon. Deputy Government House Leader has requested that we have one-minute bells. We need unanimous consent for that. Are there any opposed to going to a one-minute bell?

[Unanimous consent granted]

[Several members rose calling for a division. The division bell was rung at 4:36 p.m.]

[One minute having elapsed, the committee divided]

[Mrs. Jablonski in the chair]

For the motion:

Anglin	Kang	Saskiw
Forsyth	Pedersen	Wilson
Fox	Rowe	

**4:40**

Against the motion:

Allen	Fraser	Lukaszuk
Amery	Griffiths	McIver
Bhardwaj	Hancock	Oberle
Brown	Horner	Olesen
Calahasen	Jansen	Pastoor
Campbell	Johnson, J.	Quest
Cao	Johnson, L.	Rodney
Cusanelli	Kennedy-Glans	Scott
DeLong	Klimchuk	Weadick
Fawcett	Kubinec	Webber
Fenske	Lemke	Woo-Paw

Totals:	For – 8	Against – 33
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[Motion on amendment A14 lost]

**The Deputy Chair:** We're back to Bill 4. Are there any other members who wish to comment? The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Madam Chair, thank you very much. I believe that we are going on to my next amendment, which I am assuming you are going to say is A15.

**The Deputy Chair:** That's correct. We'll pause for a moment while we distribute that amendment.

**Mrs. Forsyth:** Perfect.

**The Deputy Chair:** Hon. members, we are ready to proceed. This is amendment A15 to Bill 4, Public Interest Disclosure (Whistleblower Protection) Act.

Hon. Member for Calgary-Fish Creek, you may proceed.

**Mrs. Forsyth:** Thank you, Madam Chair. Again, I'm pleased to rise on Bill 4, the Public Interest Disclosure (Whistleblower Protection) Act, at yet another attempt to try and straighten out a very flawed piece of legislation. I want to put it on the record at this particular time, just so I can go back next spring when we come here, to see how long it is before we start getting amendments that come forward on this particular piece of legislation. We've seen it with bills 19, 36, and 50.

In the short time I've been a member of the opposition, I can't tell you how many pieces of legislation that were passed have come back amended or, for that matter, not even amended; they haven't even gotten proclaimed. I mentioned that last night in regard to all of the bills that are sitting somewhere in proclamation land, waiting to get proclaimed. I'm not sure when they're going to be proclaimed. We actually went down to the library just to see how many bills hadn't been proclaimed that had been passed in this Legislature. I was actually floored. After being here for as long as I have, it's not very often that I get floored.

Speaking to amendment A15, if anyone is interested – actually, it was quite interesting. The Associate Minister of Accountability, Transparency and Transformation made a comment I think yesterday. He was wondering if I knew about the bill or had maybe even read the bill. I informed the minister that I had read the bill probably more often than he had and had talked to more people about this particular bill than he had and had been working on this particular bill probably before he even was elected, to be very honest with you. The experience that he brings to the table in regard to why he decided to put this 41-page bill together is fascinating to me.

I went through some of the clippings in regard to their press conference. It was quite fascinating to see some of the words that they used in regard to the whistle-blower bill: groundbreaking, earth-shattering, many other words. All of a sudden all of the comments came back from the experts.

What this amendment does is that it would not allow former MLAs to be the public interest commissioner. If you go to that section, it says very clearly in 38(4) that the commissioner may – now, that's "may," so that means maybe. I've learned from sitting on the Leg. Review Committee when I was with the government, that in law when you want to make something definite, it's "must." I've also learned that from my lawyer friends. I'm not a lawyer, so I always like to listen to my lawyer friends in regard to the fascination that they have with words when they're drafting legislation.

It was an interesting experience, sitting on the Leg. Review Committee, when I was with the Conservatives, for I think three years. I don't know, Madam Chair, if you've had the opportunity

to sit on that committee. It's not one of the most exciting committees, but I'll tell you that it's probably one of the most important committees of this government when they're reviewing their legislation.

In its current state it says: "The Commissioner may not be a member of the Legislative Assembly." This amendment that we're providing would not allow even former MLAs to be a public interest commissioner.

Now, the government steps up, and they think: oh, gee; you're stepping on the government, and you're not allowing us, whether we have credibility or not. We've seen many members – and I can remember at least four that I've had the opportunity to sit with – end up with the judiciary in this province. We had one just recently, probably a couple of years ago, that set off a by-election. Having said that, that includes any MLA.

Obviously, like any Official Opposition – and I don't want the government to crack up on this – our goal as the Official Opposition is to form government in 2016. So this particular amendment wipes us out. As the Member for Calgary-Fish Creek heads off into the sunset in 2016 and her colleagues do an incredible job and end up in government, that precludes me and it precludes every other single person in this Assembly, whether they're a currently sitting MLA. We've had MLAs leave in by-elections to seek the judiciary. I can think of a couple of other times that MLAs have left this Assembly, some for personal reasons, some for other jobs. This excludes everybody.

4:50

It will be interesting, yet again, for the minister to explain to the Assembly why he doesn't like this amendment. We've tried to bring several amendments forward. I keep wanting to tell people – and I know we've got some new people in this Legislature that weren't sitting till late last night – that these amendments did not come from the Wildrose.

It goes to what the member from the southeast has spoken about in the past. He's reaching out, talking to the stakeholders, talking to the people that are important, and he's emphasized that over and over and over again in this Legislature. Well, we reached out. We talked to the experts in the field of whistle-blower legislation. Some of the stuff that he had to say we didn't like. We as a party might not agree with some of the things that he's bringing forward, but we have been awfully lucky to be able to work with other opposition parties. We said, you know: "You bring this forward. I'll bring this forward. You agree with this. We disagree on this." They might not like some of the things that we're bringing forward in this legislation.

Madam Chair, this is a very, very simple amendment. It's very easy for the members to vote for. All we're saying is that the public interest commissioner cannot be an MLA sitting now or before. With that, I'll sit down, and if anyone else wants to speak, I'd be more than happy to hear from them.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Chair.

**The Deputy Chair:** On the amendment.

**Mr. Anglin:** On the amendment. I wouldn't think of anything else. No.

It's almost good that it's going to be voted down because I may be looking for a job as a commissioner some day, and I don't want to be excluded by the law.

I do want to talk about the integrity of the whole process because this is really nothing about whistle-blower protection whatsoever, in my mind. I won't argue with the intent, but as each amendment and this one in particular comes along, at least the public deserves some sort of explanation why it's unacceptable to be adopted. We're not even getting that.

If there's supposed to be integrity to the process, clearly having a member of the Legislature, particularly a former member of the Legislature, who would presumably have been a member of the governing party – I don't see the party across the floor actually hiring me as a commissioner, but crazier things have happened sometimes. I won't exclude that. It's possible; I just won't hold my breath. But it should not happen, and putting that into the act, putting it into the legislation ensures that it won't happen. To me, that's not a large price to pay.

There are certainly lots of people who would be qualified as commissioners and lots of people who can act in a fair and objective manner. We talked about this in a number of venues even today, about the objectivity, about the integrity of the system. Here what we want to do is increase or enhance the integrity of this act so that it has some sort of perception of – I don't want to overuse the word "integrity" – unbiased application. If a former member were to be appointed as a commissioner, it's hard for the public – I mean, we can argue this here in this Chamber, but it's the public perception that matters the most and only the public's perception, in my mind. They're the ones that are going to look at this, and it's the employees who are expected to come forward under this process and have some sort of idea that they're going to be protected. To me, it's a simple motion that sort of secures the independence in the sense of keeping it separate from political.

With the greatest respect, it's hard for a former MLA to not be political or not have some sort of political allegiance. I'm not saying that it's impossible, but in the public's perception I would say that it's just not going to sell. It's not going to pass the smell test. It doesn't mean that the hon. members can't do it. They can do it. I mean, there are lots of things that have been done in the past that have been objectionable to the public.

In this case here I'm just curious. It's a simple motion in many aspects, in many regards, and the whole purpose of the amendment is to enhance the integrity of the process. I think the public deserves some sort of comment on how it doesn't and why it would possibly take away from the integrity of this act if we were to accept this motion.

Thank you very much.

**The Deputy Chair:** Thank you, hon. member.

Are there any others who wish to comment? The hon. Member for Calgary-McCall.

**Mr. Kang:** Thank you. I'm also standing up in support of this amendment. When we were briefed on Bill 4, Public Interest Disclosure (Whistleblower Protection) Act, we were all supportive of this bill. We didn't think there would be that many holes in it that we would have to plug with amendments.

You know, all from the opposition are bringing these amendments. We are trying to strengthen this bill. We are trying to take away the perception of conflict because the government always talks about openness and transparency. By leaving these little loopholes in here, I don't think it's going to do the job it is intended to do. We were supporting the bill because the intent was there to clean things up. I think that by adding this, in the public's eye at least, it will take away the perception that: oh, you know, these guys just scratch each other's backs. I think this is a good

amendment. I think we should add that in there to strengthen this bill.

We can talk about drinking and driving, and we can talk about all the other bills. That bill is challenged, and in the quotes we were saying that. I think on the government side they seem to think that they know everything and they are right, but I don't think so. Any good idea coming from anywhere should be accepted, and this is a good amendment. I think we should accept this amendment in order to close this loophole.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Allen:** Thank you, Madam Chair. It's my pleasure to rise today and speak to this amendment. I find myself fascinated by this process. It's only the second time I've stood to speak in debate to any of the bills that we've had coming forward. I'm learning, and I really do understand the intent that the hon. Member for Calgary-Fish Creek is trying to bring forward here, particularly considering all of the question and debate we've had since this House has been sitting.

One of the things that fascinates me is that a lot of the motions for amendments that we have coming forward are things that really are not necessarily necessary or appropriate to be embedded in legislation, from my perspective, because they either already exist in other legislation or they belong more in the regulations that we're going to create after the act is passed.

5:00

In this particular case – and it's actually timely that this is coming up because we have just recently struck the Conflicts of Interest Act Review Committee, as the Member for Calgary-Shaw so aptly spoke to this afternoon – it's understood that former Members of the Legislative Assembly really should not be restricted in their pursuit of further employment in the public service, and that's provided they have met all applicable requirements under the Conflicts of Interest Act. To change this amendment the way you're wording it would actually restrict in this particular case, just for the commissioner. Really, it is already governed and guided by the Conflicts of Interest Act.

Madam Chair, this bill, as all others, also continues in the same tradition as other independent officers of this Legislature. It is the Legislative Assembly which has the mandate to appoint who that commissioner is going to be. The public interest commissioner, the Ethics Commissioner: they are officers of this Assembly, not of the government. So, you know, when the Member for Rimbey-Rocky Mountain House-Sundre spoke to integrity and independence, I believe that the Members of this Legislative Assembly will in fact be able to protect that integrity and independence of this office.

From my perspective, I believe it's more appropriate that we don't embed it in yet another act but leave it where it already is. Currently the Conflicts of Interest Act also has a mandate to be reviewed every five years. If this Assembly decides that it is appropriate to make changes, that is the place to make them. For that reason I just cannot support this particular amendment.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

**Mrs. Forsyth:** Well, Madam Chair, you know what? I'm actually pleased to stand up. The Member for Fort McMurray-Wood Buffalo: I can't tell you how much I appreciate him standing up and rationalizing in this House why he can't support it. Actually,

you know, I can appreciate the fact that his knowledge is what we've been asking for for the last I don't know how many hours that we have been debating why the government can't support a particular amendment. So it would be extremely beneficial. I appreciate your comments in regard to the Conflicts of Interest Act. I certainly may not agree with you, but, boy, I'll tell you that certainly my respect for you to stand up and speak on why you can't support this has gone up 10-fold.

My colleagues – we have free votes on this side – may stand up and support you because it makes you think. I guess that for me it's always: if it isn't in the legislation, then there's always a way around it. For that, I want to thank you very much. I know that you've got some of my colleagues thinking at this particular time. It's too bad that your minister, the minister responsible, can't get up and so eloquently speak about why he can't support the bill.

I just want to have on the record, Madam Chair, how much we appreciate the new Member for Fort McMurray-Wood Buffalo standing up and saying from his heart, quite frankly, why he can't support this legislation. It's greatly appreciated.

**The Deputy Chair:** The hon. Associate Minister of Services for Persons with Disabilities.

**Mr. Oberle:** Thank you, Madam Chair. I just want to join my voice with that of my colleague across the way in opposition to this amendment. The hon. Member for Calgary-Fish Creek, a long-serving member in this House, was once a cabinet minister and in that role and in a number of cabinet positions was responsible for appointing people to committees. Now, I don't know – I don't have the information in front of me – but it occurs to me that it's entirely possible that that member would have at some point in her career in cabinet appointed a former MLA to a committee. I don't know that to be the case. I only say that it's entirely possible. If she had done that, it would have followed a long-standing tradition in that there are a number of former members of this House that have gone on to serve the political process, to serve this Legislature, and serve other public roles with deep, deep honour.

Our own Ethics Commissioner is a former MLA. I believe the past Ethics Commissioner was. Others that have served in this Chamber have gone on to serve the process with honour. I don't think we should start by ruling people out as to what their future role may be. Certainly, at the time that we fill a role, whether a particular person, including a particular former member, is appropriate or not is certainly up for discussion, as when they are in any other role. But I certainly don't think we should be excluding current or past members of this House from future employment.

There's also the legal aspect, Madam Chair. We come here to serve, and we all do so, presumably, honourably. We give up things to be here. We can't give up our lives after we leave this Chamber. We should be equally employable – hopefully, we haven't lost too many skill sets while we've been here – beyond our time here because we don't leave here with a pension, and usually we don't leave here upon retirement age. The average MLA serves about four to six years. I believe that is the number. I don't think we should preclude in legislation that a former member can have a position.

The other thing – and I will revert to what the hon. Government House Leader was talking about yesterday and that sort of came out a bit in points of order today – is that we have to assume that all members here come here to serve honourably and are honourable people. It matters not what party they were elected by or what constituency they represent or what their points of view

are. They are honourable, and they have the right to be respected. As such, they have the right to be considered for future employment.

I won't be supporting the amendment. I understand the sentiment, understand what the member is getting at, but I can't support this amendment. Thanks.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Madam Chair. I guess I can take the hon. member's points in general. In general MLAs should have the ability to seek further employment. The material difference in this case is that this is an appointment of an independent person. It's supposed to be completely independent. Of course, we have to assume that members are going to be honourable in fulfilling their duties and obligations, but there also cannot be a perception of bias. In this case you have whistle-blower legislation, where someone speaking out could be potentially very fearful for their occupation or something else. I think there is a potential perception that if they whistle-blow to a former MLA or a former cabinet minister or whatnot, that information may somehow jeopardize them.

I take the hon. member's points that in the vast majority of circumstances MLAs should have the ability for further employment with the government, but there are only a select few independent folks. It's the Ethics Commissioner and a few other members. I think that this is an exception to that rule that he outlined.

**Mr. Oberle:** I get the hon. member's point entirely, but I will point out that the need to manage one's impartiality is evident through our chair. Our Speaker of this House, though a member of a party, is required to be impartial. A judge, despite their past life and their past legal experience, is required and respected and understood to be impartial. It comes down to the individual, not the office. All I'm saying is that I can't support enshrining it in legislation. I certainly would be understanding of the discussion, should it come up, with respect to any individual being considered for appointment.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

Are there any others who wish to speak? The hon. Associate Minister of Accountability, Transparency and Transformation.

5:10

**Mr. Scott:** Thank you, Madam Chair. I just want to assure my colleagues that this was an issue that we looked at. The reason that I can't support this amendment is that I do believe it's properly housed and properly dealt with as part of a review of the conflict-of-interest legislation, which my friend has already spoken to. That's the proper venue. Where these kinds of issues are dealt with is in that act, which is going to be reviewed.

The other thing I wanted to point out to my colleagues is section 38(1) of the act. The bill continues the tradition of all the other independent officers of the Legislature in that it is the Legislative Assembly that has the mandate to appoint the public interest disclosure commissioner, and that's in section 38(1).

For those reasons I cannot support this amendment, Madam Chair.

**The Deputy Chair:** Thank you, hon. minister.

Are there any others?

Seeing no others, we will ask the question.

[The voice vote indicated that the motion on amendment A15 lost]

[Several members rose calling for a division. The division bell was rung at 5:11 p.m.]

[One minute having elapsed, the committee divided]

[Mrs. Jablonski in the chair]

For the motion:

Anglin	Kang	Stier
Bikman	Pedersen	Strankman
Forsyth	Rowe	Wilson
Fox	Saskiw	

Against the motion:

Allen	Fraser	Lemke
Amery	Griffiths	McIver
Bhardwaj	Horner	Oberle
Brown	Hughes	Olesen
Calahasen	Jansen	Pastoor
Campbell	Johnson, J.	Quest
Cao	Johnson, L.	Scott
Cusanelli	Kennedy-Glans	Weadick
DeLong	Klimchuk	Webber
Fawcett	Kubinec	Woo-Paw
Fenske		

Totals: For – 11 Against – 31

[Motion on amendment A15 lost]

**The Deputy Chair:** We'll move back to Bill 4. Are there any members who would like to speak?

**Mrs. Forsyth:** Well, Madam Chair, is this A16?

**The Deputy Chair:** That's correct. Can we just take a moment to distribute it, please? We'll pause.

**Mrs. Forsyth:** I'd be pleased to pass this around.

**The Deputy Chair:** Thank you.

Hon. member, we can now proceed. This will be known as amendment A16.

**Mrs. Forsyth:** Madam Chair, thank you. I guess we're now on our 16th amendment. We only have another 15 to go, and that doesn't include what the opposition is bringing forward tonight. So I expect that our members are going to have a long night tonight.

I'm going to talk about our next amendment, which everybody has in front of them. I'm going to refer people to page 12 on their bill, and that's disclosure to the designated officer under section 11. This amendment would delete section 11. I want people to understand that we had brought in an amendment yesterday. What's important about this section – and I want to again read into the record.

I'm going to bring forward a quote about what the Premier had talked about when she released her democratic renewal strategy in May, when she was running. I guess this is what we would consider yet another broken promise to Albertans and why it's important for us to get it on the record and also to get all of the votes on the record, because this is going completely against everything that she has talked about on her democratic reform. You'll see where this flows into amendment A16. I don't want you to say, "Well, to the amendment, Member," but you'll understand. I can't tell you how much we've worked on this bill.



She said that she would pass a law that protects whistle-blowers no matter what manner they choose to expose wrongdoing. She goes on to say that when you start saying that a whistle-blower must report to the Ombudsman, you're being prescriptive again about the structure that is in place in an effort to manage the information. I think that defeats the purpose, she said. I think they need to be protected if they go public with it, she said.

5:20

The Premier proposed to protect whistle-blowers, who can go to opposition politicians, media, or the courts as well as the Ombudsman and internal managers. Now, you will look under section 11, where we're talking about disclosure to designated officers. She called them internal managers; the bill calls them designated officers. She said that political leaders need to send a message that allegations of wrongdoing will be examined in full no matter how they come to light. You either have open government or you don't, the Premier said.

This open government's accountability, transparency, and transformation: we even have a separate minister. I have yet to see that accountability, transformation, or transparency, to be quite frank with you, and I haven't yet seen that bar that was supposed to be raised on how we're going to treat people and how we're going to do things differently in the Legislature, other than the fact that we were working till – what? – 12:30 last night. I can't even guess to what time the night will go tonight.

In this amendment we have decided that we're going to delete section 11. It says right now:

As soon as reasonably practicable after a disclosure is made under section 10(1)(f) . . .

So then you have to go to 10(1)(f), which lays out disclosure to a commissioner.

. . . the employee must also make a disclosure about the matter . . .

“Must.” There we go with that “may” and “must” again.

. . . to the employee's designated officer.

Well, what happens if that designated officer happens to be the person that you want to blow the whistle on? What happens if that designated officer is the same person that you've been pleading with and begging and have gone to on numerous occasions? I cited in this House yesterday that Dr. Magliocco is a prime example from Calgary. Dr. Parks went through all the processes when he was bringing the issue of emergency to the Assembly. Those would have been your designated officers.

Madam Chair, in case of an emergency I think it's important that they can blow the whistle directly to the commissioner. The government has decided, when we brought forward two amendments last night in regard to the ability to blow the whistle to their MLA or, for that matter, blow the whistle to the media, that they didn't like that.

This amendment would delete section 11. Section 11 makes it mandatory for an employee who has blown the whistle to the commissioner about an imminent danger to report their disclosure to their supervisor in their department. If there is imminent danger that has been brought to the commissioner, an employee shouldn't have to go back to the supervisor to disclose their disclosure.

Once again, we want to get it on the record. Once again, the people to whom we have spoken, who, I have told you, were probably North American experts, have broken down a detailed analysis of all the things in the bill that they absolutely find – as they said before, the government claims that it's leading the way, and they want to know where they're leading the government to. The only way they see this government leading the way on whistle-blower legislation is to a black hole. They talked about,

again on the record, how this bill is arguably the worst in Canada, which is bad. They talk about how it's so deeply flawed that they were trying to find something that they could say. They didn't even like the title, for goodness' sake, because it protects the government.

With that, I think this is another one of those major amendments that I look forward to the Associate Minister of Accountability, Transparency and Transformation getting up and speaking on, or maybe we'll just let his colleague from Fort McMurray-Wood Buffalo get up and speak on his behalf. I look forward to any of my other colleagues standing up and speaking to it.

**The Deputy Chair:** Thank you, hon. member.

Are there any others who would speak on amendment A16? The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Madam Chair. I rise in support of this amendment. Now, let's read what's in the bill here.

Disclosure to designated officer

11 As soon as reasonably practicable after a disclosure is made under section 10(1)(f), the employee must also make a disclosure about the matter to the employee's designated officer.

We're told that if the employee doesn't like the process or is not comfortable going to their designated officer, they can go to the commissioner. That's what we've been hearing here in the Chamber. Well, this clearly states that no matter what, when you come up to the commissioner looking to disclose a wrongdoing, you have to come back to your designated officer. What if you're not comfortable with that? What if you have concerns about that? There's no protection for you in that.

I thought that the idea of having the commissioner was to bypass the need to go through the designated officer if you weren't comfortable coming forward to or going through the designated officer. The key – the absolute key – to whistle-blower legislation is to protect the whistle-blower. It's for them to feel comfortable coming forward with their issues and their concerns in a manner which they choose. We're taking choice away. They're being told: no matter what, when you come forward, even if you have an issue with the department, with the designated officer, you still have to disclose to them.

I thought the spirit of this legislation was to protect the employee who needed to come forward, to protect our front-line services. I can tell you we need to protect our front-line services. They're the ones that deal with what we do in here every day. They implement the will of this Legislature. They look after the services that the government oversees. They disperse those to Albertans. These people are the backbone of government service. They deserve – they absolutely deserve – to be protected. With this, they're not being protected. These people do wonderful work, and a lot of times they come home stressed. They come home upset and not happy with processes or procedures. They live with it. They do their jobs because they love their jobs. They love what they do. They love that they get to help Albertans.

When there is something that is egregious that they need to come forward with and blow the whistle, they may not be comfortable coming through their supervisor, through their designated officer, yet the legislation that we're debating is going to force them to do that. I think this is egregious. I think this is absolutely egregious. These people, these employees, these public-sector employees work hard, and they care. We know they care. I think it behooves us to make sure that when they do have an issue, they have choice in how they move forward with that issue, that they're not just shoehorned and pigeonholed into one

route, into one kind of black hole where they're not comfortable. They're not going to come forward.

I certainly wouldn't come forward myself if I was not comfortable with the process. I'd probably leave the service and go and work somewhere else. When that happens, not only do we lose an employee, but we might be losing somebody who is integral because they did not have the ability to step forward in a way to bring reconciliation to an issue that they had. Let's make sure – let's absolutely make sure – that our employees, who work very hard for all Albertans, are protected by this piece of legislation.

5:30

Let's pass this amendment. This is a very good amendment. I don't understand any reason for us not to pass this amendment. I mean, if the employee wants to go to the commissioner and have the commissioner investigate it, they should be allowed to do that. We were told they were allowed to do that, but then we ran across this in the bill. I'm going to read it again because it just flabbergasts me. "As soon as reasonably practicable after a disclosure is made under section 10(1)(f), the employee must also make a disclosure about the matter to the employee's designated officer." I don't believe that this fosters an environment that would make the employee comfortable coming forward. They need – they absolutely need – to have choice in how they do this and when they do this and in choosing whom they disclose to and not be forced to come back and disclose to somebody they may not be comfortable disclosing to.

With that, I would invite the other members of the Legislature to speak on this amendment.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Calgary-South East.

**Mr. Fraser:** Thank you, Madam Chair. You look fantastic, but that's par for the course for you.

You know, I'd like to speak to this amendment. When I represented the Calgary paramedics, one of the best things that could ever happen was when we were dealing with employee issues and with the employer. The employer quite often would skip steps in the process. When they did that, it always worked in favour of the employee. That's not always best in cases where the employee absolutely needed to be reprimanded in terms of maybe their attitude or their work performance, but because that process was never followed, the work never got done. Therefore, it was not always of benefit to Albertans.

This issue is exactly the same thing. There is a process that needs to be in place, and I understand where the members are coming from. I know that they shake their head, but we have a labour code in this province. We have contracts with public-sector employees. When those processes are broken down based on one thing – and I understand where the members are coming from. There are avenues where that person doesn't feel comfortable going to the supervisor or where the issue is related directly to that supervisor. I've been involved in that, too. Quite honestly, when the process is followed and there is a good dialogue, more often than not it works. I've been there. I've been on that front line that they talk about. I've represented those people on the front line.

I'll continue to do my best in this Legislature to work across all party lines to make sure that we bolster our processes in the sense of making sure that this province always works for the benefit of Albertans.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Madam Chair, this member is charming. I just sometimes wonder. We briefly talked yesterday, and I truly wonder if he's read the legislation. He told me he did when we were leaving the Legislature yesterday, and I said: all of the things that you're talking about are included in the bill under frivolous complaints. He looked at me as if he wasn't sure if it was in there or wasn't in there.

He spoke again yesterday, late yesterday afternoon about the same time, about how he's got the backs of the paramedics, and I appreciate that. I know he had the backs of the paramedics before he decided to run. I asked him yesterday in the House if he has the backs of the paramedics, if he is going through the process that he talks about, which would be the concerns that the paramedics have brought forward to the Minister of Health. I look forward to him sharing that with me. I'm sure that if he's listened to the paramedics, he knows what the concerns are.

I sent a message to the paramedics last night that the minister has assured me that he's going to get back to them on their issues. They're going to keep me posted because I said that he's got this process, and he's talked about how it's important for employees to go through the process. We're going to give him that. I'm in close touch with him as the Health critic, so I will look forward to what he has to tell them. I know they're looking forward to telling me what he has to tell them in regard to their complaints.

What I would like to suggest to this minister: this isn't jumping the queue. It's not jumping a process. It's just simply talking about: the amendment would delete section 11. Now, Member, I want to bring to your attention – and it's in *Hansard* – that the amendment that you voted down yesterday on the record was about the ability for a whistle-blower to come to you as an MLA or to go to the media. You said: "Oh, no, no. I've been dealing with these paramedics for a long time, and the last thing you want to do is go to the media because, well, the damned media are not all very good." It's in *Hansard*. That's why we're getting recorded votes on everything that we're bringing forward, because we believe it's important that your constituents, my constituents, and, quite frankly, every MLA's constituents know the record of how you voted on the whistle-blower legislation. That's why we're spending an incredible amount of time getting the standing votes on all of this.

This amendment would delete section 11. That's on page 12. Like the Member for Edmonton-Centre said last night, it's like a book. It has a beginning, it has a middle, and it has an end. So when you walk through the legislation, it puts it in order. It's like footsteps. The table of contents, and then it goes to the wrongdoings. Then it goes to the procedures for the disclosure, the investigation. It's not just willy-nilly, jumping and going to section 11 of the act. It's reading the process that's involved in getting to that.

What this says is that this amendment would delete section 11. Section 11 makes it mandatory – mandatory – for an employee who has already blown the whistle to the commissioner about an imminent danger to report their disclosure to their supervisor and their department. So he's already gone to the commissioner. If there is an imminent danger that has been brought to the commissioner, an employee shouldn't have to go back to the supervisor to disclose the disclosure. There's a reason why he's jumping that process.

I have explained on several occasions in this House some really good examples that have been brought forward in this Legislature. I mean, I can give you five of them. I can even just give you one.

It was serious. I know you're a paramedic, so I know you must know some of the doctors. I know you know Dr. Maybaum in emergency. I know you know Dr. Parks. Madam Chair, they're all on the record. Dr. Parks along with Dr. Felix Soibelman were so concerned – and you were here – about what was happening in our emergency wards. They started in 2009. They started through the process that was outlined to them without whistle-blower legislation. Alberta Health Services has a code of conduct that they claim they have, but they really don't have, but they do have because all the employees know about the code of conduct. Both of those fine gentlemen went through the process, what was designated to them. Nothing. They went to their MLA. Nothing. They went to the Premier. Nothing.

It was in 2012, with their frustration, that they went to the member of the opposition. We brought it to the Legislature. It was brought up in the House today in regard to when we were talking about emergency debate. The Justice minister talks about this. This is about missing the designated officer – so the member totally understands – when there are situations where your designated officer isn't exactly the right cat or dog to go to, whatever you want to call it.

5:40

I appreciate what this member is trying to do, and I appreciate right now what he's saying that his paramedics are trying to do. They're going to go through the process, and they are going through the process. They're putting a lot of weight on you, Member, to go to your minister and get some changes, but they're not going to wait forever. But they're going through the process that you talk about.

Having said that, I know the Member for Edmonton-Gold Bar is anxious to get up and speak, and it will be interesting to hear what he has to say on this particular amendment. I appreciate the debate more than anything from members of the opposition because it adds a little excitement to the Assembly, and at least it certainly lets people that are watching it – we know they're watching it. The member is an avid tweeter, so he knows people are watching this. I look forward to him standing up and debating.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Edmonton-Gold Bar.

**Mr. Dorward:** Thank you very much, Madam Chair. I did have a question, but that enlightened conversation actually hit the issue I wanted to say. Thank you very much.

**The Deputy Chair:** You're welcome. Thank you.

The hon. Member for Rimbey-Rocky Mountain House-Sundre on the amendment.

**Mr. Anglin:** Thank you, Madam Chair. I'm going to be short. I'm not even sure what the relevance of section 11 is other than that it imposes upon the employee that's reporting. There's nothing in the act that prevents the designated officer from finding out information from the commissioner or the release of the information within the chain of command from the top down. This doesn't bypass anything.

The employee has the ability to go directly to the commissioner under section 10(1)(f), so that reporting is done. What concerns me is this. Knowing how some employees act, some are very intimidated about coming forward, and what we want to do is to make sure people do come forward, particularly in matters of safety or imminent threat. That's what this section actually refers to. We want that information to come forward.

There are certain people that have no problem coming forward, but there are people who are intimidated, and it's very difficult. If the issue is with the designated officer, you know, which would be probably highly unlikely in terms of percentage, this would prevent that. As I stated earlier, there's nothing in the act that prevents the designated officer from getting that information from another source within the chain of command. It's available. All we're doing is making an imposition on the employee reporting it and nothing more.

That's all I have to say.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Drumheller-Stettler.

**Mr. Strankman:** Yes. I'd also like to speak to this amendment because I have a personal experience relating to our constituency and to myself. In the case of the hon. member speaking across, he has paramedic experience. In our constituency the guy on-site was of an arrogant nature. At one location that I attended, it was a foggy evening, and they blocked the road by use of the ambulance to supposedly extricate people from the vehicle involved in the accident. Well, there was no one front or rear of that site to block traffic. In this case out there we have oil field traffic that maintains – you may or may not be familiar with the term “super-B.” It's 125,000 pounds going down the road at 50 to 60 miles an hour.

Well, there was no blocking of the road, so the volunteers on-site wanted this gentleman to move the ambulance to the side. It would have been as easy and as safe to extricate the people, but the gentleman in charge of the process was of an arrogant nature and said that he was in charge of the situation, which they abided by. So that situation occurred, and nothing came of it because there was no traffic. It's in a sparsely populated area. We live in a sparsely populated region.

Those volunteers were afraid to come forward to this gentleman's superiors or his controlling officers simply out of fear of reprisal from this, could I say, person or, I might even say, character because of the fact that he may have to also deal with another situation on the same site and create problems. There needs to be freedom for people to go to different people to bring their concerns forward. In this case they didn't have that freedom, and there could have been a situation of danger or concern. I just wanted to bring to the hon. member's attention that there are situations that happen.

**The Deputy Chair:** Thank you, hon. member.

**Mr. Fraser:** Again let me speak to the amendment and to what the gentleman was saying. There is no doubt – there is no doubt – that people in authority and people who wear a uniform can sometimes bring some uncomfortable feelings to a situation, particularly in the volunteer situation. However, that being said, at the end of the day, when we go through a process and we have a complaint of a critical nature, that absolutely should bypass the person that you're talking about if it's a supervisor, and I think that's what this commissioner provides. You bypass that. At the end of the day, at some point, when you think about the legal proceedings, the person that's being accused will always have to be informed. Now, nobody and nowhere in this legislation suggests that that person is going to do a one-off face to face in a room where they're being bullied or whatever the situation might be. Clearly, there would be somebody that's mediating that, the commissioner, but that person would need to be informed so that they can defend themselves. When I talked about that process before, when that process is bypassed, 9 times out of 10 the justice that should be served never does get served.

Further to that, what this member is saying is that this Legislature, the people that are in this House that are elected members, always needs to remain vigilant to go out and be the face, be the protectors of their constituents. I'm prepared to do that. I'm prepared to stand behind this legislation. If this legislation falls down, I'll be prepared to stand in this Legislature, admit that failure, and correct that behaviour because it's not about Rick Fraser being re-elected. It is about us doing our job for the betterment of Alberta, and the minute we carry that forward, the better off we will be. I don't stand here out of my own vanity. I stand here because the constituents of Calgary-South East put their faith in me to do the right thing. I will continue to pursue that with all my effort not just for those constituents but to make my children proud because they will have to stand and live by the laws that we create in this Legislature.

I will do that, Madam Chair.

**The Deputy Chair:** The hon. Member for Calgary-McCall.

**Mr. Kang:** Thanks, Madam Chair. I beg to differ with the Member for Calgary-South East. The whole purpose of all these amendments coming forward is to do what's right in the first place, not to come back next year or two years down the road.

On the amendment itself I think that by putting this mandatory requirement on the whistle-blower that he or she has to go to their designated officer is just like putting a gag order on somebody. I think that by putting this section 11 in here, we are making lots of whistle-blowers quiet. They won't come forward. Maybe the whistle-blower is working with their designated officer, and maybe they don't see eye to eye and don't get along. They don't want to be bullied after they come forward. Maybe they don't feel comfortable going to their designated officer in the first place; otherwise, they would go to him or her. So by going to the commissioner, I don't think there should be any requirement on the part of the whistle-blower to go to their designated officer.

By taking section 11 out, I think this will further strengthen this bill so that we won't have to go back to the legislation again to correct it. For that reason, I'm going to support this amendment, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

The hon. Associate Minister of Accountability, Transparency and Transformation.

**Mr. Scott:** Thanks very much, Madam Chair. The one point I want to make to my colleagues – I've listened very carefully to everything that's been said – one of the points that's being missed, is that we want to make sure that the imminent risk is dealt with right away, and that's what this section is designed to deal with. We want to make sure that the organization that is facing the imminent risk has the information so that they can deal with it right away. That's the purpose of this section.

For that reason, Madam Chair, I cannot support the amendment. We want to make sure organizations have the power to deal with things effectively and quickly.

**The Deputy Chair:** Thank you, hon. minister.

We will now call the question.

[The voice vote indicated that the motion on amendment A16 lost]

[Several members rose calling for a division. The division bell was rung at 5:50 p.m.]

[One minute having elapsed, the committee divided]

[Mrs. Jablonski in the chair]

For the motion:

Anglin	Kang	Saskiw
Forsyth	Pedersen	Strankman
Fox	Rowe	Wilson

Against the motion:

Allen	Fenske	Lemke
Amery	Fraser	McIver
Bhardwaj	Griffiths	Oberle
Brown	Hancock	Olesen
Calahasen	Horner	Pastoor
Campbell	Jansen	Quest
Cao	Johnson, J.	Scott
Cusanelli	Kennedy-Glans	Weadick
DeLong	Khan	Webber
Dorward	Klimchuk	Woo-Paw
Fawcett	Kubinec	

Totals:	For – 9	Against – 32
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[Motion on amendment A16 lost]

**The Deputy Chair:** We will go back to the bill. The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thank you, Madam Chair. I am again going to – I believe this will be A17. We will pass this around.

**The Deputy Chair:** That amendment needs to be distributed.

**Mrs. Forsyth:** Our time is limited, obviously.

**The Deputy Chair:** We have all night.

**Mrs. Forsyth:** You betcha.

**The Deputy Chair:** The hon. Deputy Government House Leader.

**Mr. Campbell:** Madam Chair, being as they're handing out the amendments now, I would suggest that we adjourn and come back at 7:30 p.m.

**The Deputy Chair:** Hon. Deputy Government House Leader, according to committee rules we have to stay until 6.

**Mr. Campbell:** Okay. We'll stay till 6, then. That's fine.

**The Deputy Chair:** Thank you.

Okay. This will be known as amendment A17.

The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thank you. It's like trying to bust out of school early, I guess, and getting caught by the teacher. That's something I honestly didn't know, that if you're in committee, you have to go right till 6. I guess I really haven't paid that much attention. Madam Chair, I have learned something new today. I honestly didn't know that. That's something new for everybody here.

We're on our 17th amendment, going strong. We're down to, I think, 14 more, which will keep everybody on their toes tonight, obviously. It's been interesting watching the Twitter world as we're tweeting people about having amendment after amendment defeated.

What this amendment does is make sure that this act applies to any organization that receives government funding. The current act says that cabinet may – now, there's that may and must – make regulations related to organizations that receive “all or a

substantial part of its operating funding from the government.” I guess for us this amendment would make sure that any organization that receives public dollars would be covered under this act. That, I think, is a fair amendment and maybe one that the minister will consider, you know, pick and choose, as I would consider, winners or losers.

The other thing is: what is considered substantial? I mean, our agencies today, the agencies that I work very hard for, I think, would probably think that their consideration of substantial versus one of the major organizations like the Cancer Society would be two different things.

What we want to do in this particular amendment is include all organizations, so that if someone in their organization – and we had a good example of that just happen. I think it was in Toronto – I can’t remember which organization – where \$10,000 worth of toys disappeared from a charity fundraiser. If those people have an opportunity as they see somebody marching out the door . . .

**The Deputy Chair:** Hon. member, I hesitate to interrupt, but it is now 6 p.m. According to Standing Order 4(4) the committee is now recessed until 7:30.

[The committee adjourned at 6 p.m.]



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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Wednesday evening, November 28, 2012

Issue 25e

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta**  
**The 28th Legislature**

First Session

Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC), Speaker  
Rogers, George, Leduc-Beaumont (PC), Deputy Speaker and Chair of Committees  
Jablonski, Mary Anne, Red Deer-North (PC), Deputy Chair of Committees

Allen, Mike, Fort McMurray-Wood Buffalo (PC)  
Amery, Moe, Calgary-East (PC)  
Anderson, Rob, Airdrie (W),  
    Official Opposition House Leader  
Anglin, Joe, Rimbey-Rocky Mountain House-Sundre (W)  
Barnes, Drew, Cypress-Medicine Hat (W)  
Bhardwaj, Naresh, Edmonton-Ellerslie (PC)  
Bhullar, Hon. Manmeet Singh, Calgary-Greenway (PC)  
Bikman, Gary, Cardston-Taber-Warner (W)  
Bilous, Deron, Edmonton-Beverly-Clareview (ND)  
Blakeman, Laurie, Edmonton-Centre (AL),  
    Liberal Opposition House Leader  
Brown, Dr. Neil, QC, Calgary-Mackay-Nose Hill (PC)  
Calahasen, Pearl, Lesser Slave Lake (PC)  
Campbell, Hon. Robin, West Yellowhead (PC),  
    Deputy Government House Leader  
Cao, Wayne C.N., Calgary-Fort (PC)  
Casey, Ron, Banff-Cochrane (PC)  
Cusanelli, Hon. Christine, Calgary-Currie (PC)  
Dallas, Hon. Cal, Red Deer-South (PC)  
DeLong, Alana, Calgary-Bow (PC)  
Denis, Hon. Jonathan, QC, Calgary-Acadia (PC),  
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Donovan, Ian, Little Bow (W)  
Dorward, David C., Edmonton-Gold Bar (PC)  
Drysdale, Hon. Wayne, Grande Prairie-Wapiti (PC)  
Eggen, David, Edmonton-Calder (ND),  
    New Democrat Opposition Whip  
Fawcett, Hon. Kyle, Calgary-Klein (PC)  
Fenske, Jacquie, Fort Saskatchewan-Vegreville (PC)  
Forsyth, Heather, Calgary-Fish Creek (W)  
Fox, Rodney M., Lacombe-Ponoka (W)  
Fraser, Rick, Calgary-South East (PC)  
Fritz, Yvonne, Calgary-Cross (PC)  
Goudreau, Hector G., Dunvegan-Central Peace-Notley (PC)  
Griffiths, Hon. Doug, Battle River-Wainwright (PC)  
Hale, Jason W., Strathmore-Brooks (W)  
Hancock, Hon. Dave, QC, Edmonton-Whitemud (PC),  
    Government House Leader  
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Horne, Hon. Fred, Edmonton-Rutherford (PC)  
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Hughes, Hon. Ken, Calgary-West (PC)  
Jansen, Sandra, Calgary-North West (PC)  
Jeneroux, Matt, Edmonton-South West (PC)  
Johnson, Hon. Jeff, Athabasca-Sturgeon-Redwater (PC)  
Johnson, Linda, Calgary-Glenmore (PC)  
Kang, Darshan S., Calgary-McCall (AL),  
    Liberal Opposition Whip  
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Khan, Hon. Stephen, St. Albert (PC)  
Klimchuk, Hon. Heather, Edmonton-Glenora (PC)  
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Olesen, Cathy, Sherwood Park (PC)  
Olson, Hon. Verlyn, QC, Wetaskiwin-Camrose (PC)  
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Pedersen, Blake, Medicine Hat (W)  
Quadri, Sohail, Edmonton-Mill Woods (PC)  
Quest, Dave, Strathcona-Sherwood Park (PC)  
Redford, Hon. Alison M., QC, Calgary-Elbow (PC),  
    Premier  
Rodney, Hon. Dave, Calgary-Lougheed (PC)  
Rowe, Bruce, Olds-Didsbury-Three Hills (W)  
Sandhu, Peter, Edmonton-Manning (PC)  
Sarich, Janice, Edmonton-Decore (PC)  
Saskiw, Shayne, Lac La Biche-St. Paul-Two Hills (W),  
    Official Opposition Deputy House Leader  
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Sherman, Dr. Raj, Edmonton-Meadowlark (AL),  
    Leader of the Liberal Opposition  
Smith, Danielle, Highwood (W),  
    Leader of the Official Opposition  
Starke, Dr. Richard, Vermilion-Lloydminster (PC)  
Stier, Pat, Livingstone-Macleod (W)  
Strankman, Rick, Drumheller-Stettler (W)  
Swann, Dr. David, Calgary-Mountain View (AL)  
Towle, Kerry, Innisfail-Sylvan Lake (W),  
    Official Opposition Whip  
VanderBurg, Hon. George, Whitecourt-St. Anne (PC)  
Weadick, Hon. Greg, Lethbridge-West (PC)  
Webber, Len, Calgary-Foothills (PC)  
Wilson, Jeff, Calgary-Shaw (W)  
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
    Government Whip

**Party standings:**

Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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Robert H. Reynolds, QC, Law Clerk/ Director of Interparliamentary Relations	and Legal Research Officer Philip Massolin, Manager of Research Services	Gordon H. Munk, Assistant Sergeant-at-Arms Liz Sim, Managing Editor of <i>Alberta Hansard</i>
Shannon Dean, Senior Parliamentary Counsel/Director of House Services	Brian G. Hodgson, Sergeant-at-Arms	

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Cal Dallas	Minister of International and Intergovernmental Relations
Jonathan Denis	Minister of Justice and Solicitor General
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Kyle Fawcett	Associate Minister of Finance
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Fred Horne	Minister of Health
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Heather Klimchuk	Minister of Culture
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Verlyn Olson	Minister of Agriculture and Rural Development
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Greg Weadick	Associate Minister of Municipal Affairs
Teresa Woo-Paw	Associate Minister of International and Intergovernmental Relations

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on Alberta's Economic Future

Chair: Mr. Amery  
Deputy Chair: Mr. Bikman

Bhardwaj	Quadri
Blakeman	Quest
Donovan	Rogers
Dorward	Sandhu
Eggen	Sherman
Fenske	Smith
Goudreau	Starke
Hehr	Strankman
Jansen	Towle
Luan	Young
McDonald	Vacant
Olesen	

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Quest  
Deputy Chair: Mrs. Jablonski

Anderson  
Casey  
Dorward  
Eggen  
Kubinec  
Sandhu  
Sherman

### Select Special Conflicts of Interest Act Review Committee

Chair: Mr. Allen  
Deputy Chair: Mr. Luan

Blakeman  
Dorward  
Fenske  
Johnson, L.  
McDonald  
Notley  
Saskiw  
Wilson  
Young

### Standing Committee on Families and Communities

Chair: Ms Pastoor  
Deputy Chair: Mrs. Forsyth

Allen	Leskiw
DeLong	Luan
Fox	McAllister
Fraser	Notley
Fritz	Pedersen
Jablonski	Sarich
Jansen	Saskiw
Jeneroux	Swann
Johnson, L.	Wilson
Kang	Young
Kubinec	Vacant
Lemke	

### Standing Committee on Legislative Offices

Chair: Mr. Xiao  
Deputy Chair: Mr. McDonald

Bikman  
Blakeman  
Brown  
DeLong  
Eggen  
Leskiw  
Quadri  
Rogers  
Wilson

### Special Standing Committee on Members' Services

Chair: Mr. Zwozdesky  
Deputy Chair: Mr. Young

Calahasen  
Dorward  
Forsyth  
Goudreau  
Jablonski  
Mason  
Quest  
Sherman  
Smith

### Standing Committee on Private Bills

Chair: Mr. Cao  
Deputy Chair: Ms L. Johnson

Barnes	Notley
Bhardwaj	Olesen
Brown	Pastoor
DeLong	Rowe
Fox	Sarich
Fritz	Starke
Goudreau	Strankman
Jeneroux	Swann
Kennedy-Glans	Webber
Luan	

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Dr. Starke  
Deputy Chair: Mr. Lemke

Allen	McAllister
Amery	McDonald
Bhardwaj	Notley
Casey	Pedersen
Hehr	Sandhu
Jansen	Saskiw
Jeneroux	Towle
Johnson, L.	Xiao
Kennedy-Glans	Young
Kubinec	

### Standing Committee on Public Accounts

Chair: Mr. Anderson  
Deputy Chair: Mr. Dorward

Allen	Hale
Amery	Hehr
Anglin	Kang
Bilous	Pastoor
Calahasen	Quadri
DeLong	Sarich
Donovan	Starke
Fenske	Stier
Fraser	Webber
Fritz	

### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans  
Deputy Chair: Mr. Rowe

Anderson	Hehr
Anglin	Johnson, L.
Barnes	Kubinec
Bilous	Lemke
Blakeman	Leskiw
Brown	Sandhu
Calahasen	Stier
Cao	Webber
Casey	Xiao
Fenske	Young
Fraser	Vacant
Hale	

## Legislative Assembly of Alberta

7:30 p.m.

Wednesday, November 28, 2012

[Mrs. Jablonski in the chair]

### Government Bills and Orders Committee of the Whole

**The Deputy Chair:** I'd like to call the committee to order.

#### Bill 4 Public Interest Disclosure (Whistleblower Protection) Act

**The Deputy Chair:** We are in debate on amendment A17. Just a reminder, we have the one-minute bells, so we'll ring the bells for 30 seconds, and there will be a minute pause, and then we'll ring for another minute. Okay?

Any hon. members wishing to speak on this bill? The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Madam Chair. I must say it is a pleasure to stand once again to continue on in the vein of the Member for Calgary-Fish Creek, my friend and colleague. What amendment A17 is proposing is that we open up the whistle-blower legislation and give it the same powers that the Auditor General follows, to follow an account for tax dollars wherever they are so that the whistle-blowers, when they come forward, also have protection to come forward and can come forward.

Why would we audit something if a whistle-blower couldn't come forward and speak? It's only common sense to allow any person who is working for an entity that receives government funds to be able to stand up and blow the whistle if need be, maybe if there is gross mismanagement of public funds within that organization. Right now the way it stands in Bill 4 is that they're not covered. It's only the public entities, so the direct ministries. We want to open this up. We want this so that public entity means any organization receiving government funds. I think this is a very common-sense amendment and one that offers up a little bit of transparency and accountability.

Again, I think this is a wonderful amendment. I can't see any reason why we wouldn't want to extend the protections under Bill 4 to anybody who's working for a public entity, one that is receiving government funds, so any organization receiving government funds to operate. I think this is prudent, and I believe that we need to have this. All it's going to do is mirror the powers that the Auditor General has. We've got one entity where these powers are granted. Why not grant protection for those people as well? If they're already receiving government oversight, let's expand it to protect the employees when they come forward if they do see gross mismanagement.

With that, I'd like to thank you for your time and the ability to speak to this amendment.

**The Deputy Chair:** Thank you, hon. member.

Are there any other speakers who wish to speak on amendment A17? The hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Madam Chair. It is an honour and a privilege to speak to Bill 4, the Public Interest Disclosure (Whistleblower Protection) Act, and this amendment that has been put forward by the hon. Member for Lacombe-Ponoka. I am

speaking in favour of this amendment because I think it's interesting that we trust and we receive guidance from the Auditor General on a regular basis. We trust his or her judgment. This amendment would essentially allow this act to have very similar powers and very similar actions.

Also, by changing it to public entity meaning any organization receiving government funds, I think there's an additional obligation on us. We need to ensure that if the organization is receiving government funds, then it needs to be protected by the whistle-blower legislation. The reason for that is because the minute we're using taxpayer dollars in any organization, we need to ensure that those working for that organization have the same protections that we're affording those people who are not working in the public sector. Allowing for it to have similar powers to the Auditor General's and to follow an account for tax dollars is extremely important, especially as we head into an era when the public itself has a limited amount of trust at the moment about where we're spending our tax dollars and how we're spending those tax dollars. It would ensure that this public entity that's receiving the government funds is accountable to the taxpayer and accountable to the Legislature.

The current act says that cabinet "may make regulations" relating to an organization "that receives all or a substantial part of its operating funding from the government," but this amendment would make sure any organization that receives public dollars would be covered by the act. The section of the act is not yet determined, but if we're saying that it may receive all or a substantial part of its operating funding from the government, then it's not that big a stretch to say that make sure any organization that receives public dollars would be covered by this act.

It would seem to be a reasonable amendment that not only protects the government, but it also protects those people who are working in those organizations that are receiving government funds. If we're saying that it's fair to have reasonable protection for those people who are working in government-funded facilities and organizations, then it would seem only fair that those organizations receiving taxpayer funds are afforded the same protection.

We have many facilities that receive taxpayer money and aren't necessarily government agencies, but they do receive taxpayer dollars. For example, let's just say that it's a seniors' facility. In that seniors' facility there's a worker that is not a government employee or not fully funded by government funds or taxpayer funds, and in that facility an employee sees areas of wrongdoing. That could mean a multitude of things. It could mean abuse of patients. It could be financial abuse. It could be concerns with regard to regulations.

I believe we heard the hon. Member for Airdrie talk about an unfortunate situation where paint thinner was kept in a closet and hadn't been removed for a time. Let's say that that was an ongoing practice hypothetically. I don't think it is, but let's just say it was. If it was an ongoing practice and that employee had a concern about that but because they really felt that they couldn't go to the designated officer that the act allows or in this case because they're only receiving government funds but not full funding, they really have no protection. So if they see any abuse going on or if they see any areas of concern, whether it be ethical, financial, or abusive, they have no ability to report without fear of reprisal or fear of losing their jobs.

This is really, really important when we're dealing with the more vulnerable in our society. We're dealing with people who can't speak up for themselves. We're dealing with people who literally are relying on others to ensure that their interests are met

and to ensure their protection. When we don't apply this act to a public entity that means any organization receiving government funds, then we're limiting the protection that we're providing to the more vulnerable people in our society. We're also limiting the ability for those workers to be able to do their job in an effective manner. It's easy to say all the time that anyone can step forward and anyone can put their job on the line and they'll be protected, but the reality of it is that if it's not legislated protection, then very few people are willing and able to do that.

I mean, we even see that right now. In areas that should have full protection, we see that employees are right now scared to come forward. Whether it be anonymously or not anonymously, they're terrified. They literally come forward only under duress and usually only under significant impact, and/or they leave their job and then come forward and say: oh, this was what I saw happening, but I couldn't speak to it at the time.

One of the clear areas where we saw that, really, was when Stephen Duckett left in 2009. I mean, he clearly came out against the government's position. He went against Alberta Health Services. Like him or not – I don't know the man, so I'm not saying that I do like him or don't like him – what I am saying is that, unfortunately, for unclear reasons, you know, he was dismissed. We know it was clearly after taking a position that wasn't in favour at that time. We had a payout of \$735,000 to him. Perhaps if there had been whistle-blower legislation, he might have taken that avenue rather than coming out publicly and then being publicly reprimanded and forced to lose his job. It would have also perhaps saved the face of everyone in here if his issue could have been dealt with in a more ethical and controlled manner.

It literally has the ability to protect the people that are taking care of our most vulnerable. I think that that's really important going forward. I think that if the act already says that people may be covered or organizations that are receiving government funding right now may be covered, then to say that they will be covered if they're receiving government funds is not that far a stretch.

Thank you.

7:40

**The Deputy Chair:** Thank you, hon. member.

Is there anyone else? The hon. Associate Minister of Municipal Affairs.

**Mr. Weadick:** Thank you, Madam Chair. It's a pleasure to rise today and just speak for a moment or two about this bill. If you look at the act the way it's been written, public entity is quite broadly defined already. "Public entity" means any agency, board, commission, Crown corporation or other entity designated as a public entity in the regulations." This leaves it within the regulatory ability to sit down with almost any organization that works with government and work through a process with them to see them become part of this.

Don't forget that this legislation is about our employees, about working with our government employees. This isn't about taking it to the entire province. The problem with this amendment as you see it means that almost every agency, every not-for-profit in the province of Alberta would fall under this legislation. Now, one part of that sounds good. It'll allow people to blow the whistle. The other piece of this is imposing the requirements of this act on every softball organization and judo club. Every organization that receives some funding from the provincial government would have to try to meet the requirements of this bill without ever having a chance to sit down and work with us or talk to us or determine if they even want to be part of it.

Whistle-blowing is important, but this bill is really geared not to open it up to every Albertan or to every organization that may receive money. It's about providing an opportunity for our staff, for people who work closely with government to find new and better ways to do things, to find an opportunity to speak to us. If they see things that may be done better or expenses that are being done wrong, they can come to us, they can sit down, and they can work with us. That's the intent of this bill. I believe that this amendment, first off, takes it out of regulation and broadens it so wide that it will almost become impossible to manage.

I'm thinking about organizations in my community that would fall under the requirements of managing this legislation. These are things like your local Scouts and Girl Guides. These are things like your local judo club. These are organizations that receive some funding support, that have some part-time people working with them who run organizations in our communities. You would be forcing them to meet the requirements of this act. You know what? We're here to listen to those folks if they see funding that is being misspent or misappropriated. We're always going to listen to them.

But this legislation isn't about that. It's about working with our staff, public servants, and creating a way for them to come to us freely and openly and talk about new and better ways to do things, to clean up things that maybe could be done better. Whistle-blowing isn't all about trying to sneak around and find how somebody did something wrong. It's also about finding new and better ways to do things. Often I've had people in my office – I've had nurses; I've had many, many people over the last five years – sitting across the desk and saying: you know, if we could do this this way, it would be so much better. You know what we do? I don't take her name. I take the idea. I pass it on to the Health minister or to the Associate Minister of Seniors. You know what? We've been able to fix many things because those people came and sat down across the desk from us. That's how it's done.

Imposing legislation like this without even talking to those organizations, many thousands and thousands of small community organizations, would be just wrong. I can't support that, and I believe that we should stick with what this is. It allows us within regulations to work with any organization that comes forward, that wants to work with us in this.

We already know that cities and any municipality, hundreds of them across the province, will have the opportunity simply by having a resolution at council to join this plan. We have huge opportunities to bring people into this. But if you water it down too much, we lose all of the impact.

I will be voting against this amendment. I believe that the way the bill is structured gives us the flexibility we need to do it right.

Thank you.

**The Deputy Chair:** Thank you, hon. minister.

Is there anyone else who would speak on amendment A17? The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Madam Chair. I rise to speak in favour of this amendment on a number of fronts. I do find it interesting that for legislation that is supposed to protect the whistle-blower, my colleague from the opposite side just argued how it doesn't do that. It actually just creates more bureaucracy rather than protecting whistle-blowers.

First of all, if the government did not consult with all these organizations, that in itself points to another flaw in this legislation. Those different groups should have been consulted. The purpose, again, of whistle-blower legislation is to protect the whistle-blower regardless of which department or entity they work for.

The fact that my colleagues from the Wildrose came up with this amendment to cover all groups that receive public dollars I think will help ensure that those dollars are accountable and that organizations that receive funding are held to account but, also, give the tools to the individuals working within these organizations. If they feel that they need to exercise their right by blowing the whistle because of something that does need to be improved or something that is wrong, it gives them the ability to do so. Ideal whistle-blower protection would ensure that the whistle-blower is made whole, which is something else I'll speak to later on regarding some of our amendments on this bill and the fact that it falls short as far as doing everything which it should be doing to protect the whistle-blower and the individuals themselves.

I do think that we do need to broaden the definition within public entity and, again, cover all organizations that receive public dollars. If this is meant as a tool to help individuals, to give them a way to ensure that there's a channel for them to make suggestions or improvements to an organization or especially if they see that there's either neglect or an abuse going on, they need the certainty to be able to speak out and there is a proper channel and recourse. Again, if that's what this act is intending to do, then let's expand it to include all agencies and organizations that receive public dollars.

Therefore, I will urge this Assembly to vote in favour of this amendment. Thank you, Madam Chair.

**The Deputy Chair:** Thank you very much, hon. member.

Is there anyone else who would like to speak on the amendment?

We'll call the question.

[The voice vote indicated that the motion on amendment A17 lost]

[Several members rose calling for a division. The division bell was rung at 7:47 p.m.]

[One minute having elapsed, the committee divided]

[Mrs. Jablonski in the chair]

For the motion:

Barnes	Saskiw	Swann
Bilous	Stier	Towle
Fox	Strankman	

7:50

Against the motion:

Allen	Hughes	McIver
Amery	Jansen	Olson
Brown	Jeneroux	Pastoor
Calahasen	Johnson, L.	Quadri
Campbell	Kennedy-Glans	Rodney
Cao	Khan	Sarich
Dallas	Lemke	Scott
DeLong	Leskiw	Weadick
Drysdale	Luan	Webber
Fenske	McDonald	Woo-Paw
Fraser		

Totals:	For – 8	Against – 31
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[Motion on amendment A17 lost]

**The Deputy Chair:** We will move back to Bill 4. Any members who wish to speak on this bill? The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Madam Chair. I would like to move an amendment on behalf of the Member for Calgary-Fish Creek.

**The Deputy Chair:** We have another amendment. We'll pause for a minute while the pages deliver that amendment to each member.

Hon. colleagues, the amendment that you just received is out of order, so we're not going to discuss this amendment because it was discussed previously. We're going to go back to Bill 4.

The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Madam Chair. I would like to move another amendment on behalf of the Member for Calgary-Fish Creek.

**The Deputy Chair:** Thank you. We'll pause while those papers get distributed.

This document is now considered A18. If you would like to proceed on amendment A18, the hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Madam Chair. Again, it's an honour to rise and speak on behalf of this amendment, which I support. What the intent of this amendment is is to further protect those who come forward to blow the whistle, those who may wish to stay anonymous when they blow the whistle. What we're looking to do in this is amend section 10(1), to strike out "only" at the end of section (1), strike out "or" at the end of clause (h), add "or" at the end of clause (i), and add the following after clause (i):

(j) in a manner that protects the identity of the employee making the disclosure.

Now, I think it's pretty self-evident why we would want to protect the identity of the whistle-blower. Sometimes they come forward on very contentious issues, ones where they may be worried about their safety or may have other reason to be concerned about maybe some other type of reprisal that is not listed specifically within this act. I believe it behooves us to allow them the option to come forward with an anonymous disclosure that would – who knows, actually, what the anonymous disclosure would be? It's just the fact that they may not want their identity out there. I do believe that the protection of a person's identity is very important, and I believe the government thinks that as well. I mean, we've seen in the past other legislation put forward to protect the identity of Albertans. We saw it with the FOIP Act. We've seen it in other locations as well.

An employee really should be able to blow the whistle any time, and they really should be able to do it anonymously if they so choose. They should not be forced to have their identity released if they are concerned about that. Currently, the way this is written, employees have to identify themselves to their designated officer when making a disclosure. If they don't and they want to go through the commissioner – we just were talking about that in another section here, section 11, where it said that even if they go through the commissioner, they've got to come back to the company's designated officer. Again I ask: how is that keeping that person anonymous? We want to make sure that when they come forward, if they only want to speak with the commissioner and they want to stay anonymous, that request be met.

Now, employees shouldn't be intimidated when they are flagging down wrongdoing. Who would want to complain about their boss to their boss? I mean, they're looking for a little bit of anonymity when they're coming forward. Let's make sure that we're protecting those in our public service so that when they do want to come forward and they do have something sensitive and they are worried about their own person, they have the ability to stand up, come forward, and do it anonymously.

With that, I'd like to thank you for your time and thank you for the honour of standing and speaking to my colleague's amendment.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who would wish to speak on this item? The hon. Member for Cypress-Medicine Hat.

**Mr. Barnes:** Thank you, Chairwoman. I'm in favour of this amendment. It seems to me that in running a \$44 billion enterprise annually and being a believer in opportunity and fairness for all and a believer in making this legislation the most effective way we can, as the hon. Member for Lacombe-Ponoka just pointed out, if an employee or a whistle-blower cannot blow the whistle anonymously with a degree of security and a degree of certainty that they will be protected – I guess it comes back to them being able to blow the whistle in the way that makes them the most comfortable.

8:00

I can think of some situations in Cypress-Medicine Hat in the short time I've been an MLA where people involved in the education system and people involved in the health care system have come to me and said: "Oh, I'm going to tell you something," or "Maybe I'll tell you something, but I don't ever want them to know it's me; please don't say my name." Fortunately, it's been nothing that hasn't been workable, but how do we know when it goes past that?

Again, to make this legislation, part of a \$44 billion annual enterprise, as strong as possible, it would seem to me that the thing to do is to make it so the whistle-blower, a fellow Albertan, is the most comfortable at blowing the whistle in the way they see fit. For some that will be going back to their employer – they'll be going back to the chain of command and sitting down and having a coffee or a beverage and working it out – but for others it won't. So why would we do anything to slow that down?

Employees should not be intimidated when they're blowing the whistle and they're helping us eliminate government wrongdoing. Of course, the whole purpose behind eliminating government wrongdoing is to make our government spending so it's more efficient, make it so it's more fair for all our citizens. The current situation where they have to identify themselves: I can see some real problems developing with that.

You know, as critic for Infrastructure and Transportation, I mean, there are billions of dollars spent on those two annually. I think there have been many, many times in there where if somebody has some idea of cost savings, if somebody has some ideas of things where our government money and government employees are not being treated properly, they should have the opportunity as well to come forward in the best way that suits them.

Thank you to the hon. Member for Lacombe-Ponoka for bringing this forward. I will certainly be supporting it.

**The Deputy Chair:** Thank you, hon. Member for Cypress-Medicine Hat.

Are there any other members who wish to speak? The hon. Member for Drumheller-Stettler.

**Mr. Strankman:** Yes, Madam Chairman. I'd like to speak in favour of this motion. I think it's important to part of the whistle-blower legislation. The similarity that I see in this legislation is to that of a newspaper source, where the reporter has a chance to use an anonymous source to report a wrongdoing or to bring forward a story. In that case, those options or those situations have been challenged and fought in legal jurisdictions both in this country

and others around the world, that there is a guarantee of anonymity to those people who bring those stories forward. And with that the responsibility then falls back on those who this person gives that story to to understand the credibility of that.

I take great umbrage that our government and the members opposite seem to have a level of fear or a certain form of vision – in the rural community we call it blinders – to a wider perspective of this legislation. This is only one of, as you know, many amendments that we're bringing forward here, but I think it's important to try and give this as much latitude as we can. In some cases more freedom creates less regulation, and it allows greater purpose to the legislation coming forward. Why should we have to come back multiple times to bring some of this forward? I think we have a chance now to be proactive about bringing this legislation forward, and our party is doing the best we can to bring forward amendments, albeit small. I think members opposite deserve to hear and understand our arguments.

With that, I yield the floor, Madam Chairman, and speak in favour of this amendment.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members that wish to speak on amendment A18? The hon. Member for Lethbridge-East on that amendment.

**Ms Pastoor:** Thank you, Madam Chair. I would speak against this amendment for a number of reasons. Research into best practices has demonstrated that an internal process supports developing an organizational culture that encourages people to speak out without fear of reprisal when they witness a wrongdoing. In turn, this will lead to an environment where wrongdoing is less likely to occur in the first place.

That said, the act sets out circumstances where the employee can disclose directly to the commissioner. These circumstances have been carefully considered and weighed in light of the advantage of an internal disclosure process. They include, for example, where the employee has suffered a reprisal or fears reprisal, where the employee is reporting about an individual charged with administering the internal processes, where the internal processes have produced an outcome that is not satisfactory to the employee. When making a disclosure internally, employees also have the option of notifying the commissioner to ensure appropriate oversight.

The second part of this amendment has no effect. As I've said before, anonymous disclosure from anyone, employee or not, is permitted specifically under section 21. The opposition's proposed clause (j) would do nothing but restate what the act already has said in other sections.

I would just make one, I think, personal comment in terms of actually standing up for something that you think is wrong and confronting your employer with it. When I was a nurse, there were a number of things that I was seeing that I didn't like, and I would speak out. But was I brave? Probably not. Why did I do it? I did it because I knew that I was protected by the union. The fact that I knew I had some kind of protection allowed me to pretend to be brave and speak out.

I believe that if people know that they will be protected by that commissioner, if they know that there's somebody else that is aware of what they've done and what they've said – and, of course, all of this should be in writing – then I believe that people will speak up. But if they're on their own, and they're only talking to their boss, which has been alluded to many times, and the boss is the one that can enforce reprisals, then yeah, they're not going to do it. But if they know there's someone behind it, they will.

For those reasons, I will not be supporting this amendment.



**The Deputy Chair:** Thank you, hon. member.  
The hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Madam Chair. Thank you to the hon. Member for Lethbridge-East. I appreciate your comments there on section 21. However, if you read section 21, it says:

If the Commissioner receives an allegation of wrongdoing that has been made anonymously or by an individual who is not an employee, the Commissioner may choose to investigate the disclosure or may, in the Commissioner's discretion, forward the allegation to the chief officer of the department, public entity or office of the Legislature in respect of which the allegation of wrongdoing is made while maintaining the anonymity of the individual . . .

At that point, yes.

. . . and the chief officer must manage and investigate the disclosure in accordance with the procedures established under section 5.

If you go back to section 5, they must do it in writing, so there is no anonymity. He may choose to investigate, he may choose to further it down the line, or he may choose to do nothing.

In reality there is no protection of anonymity. There is the option of it at the commissioner's discretion. So you're totally trusting that the commissioner will always do the right thing. There may be a time when the commissioner does not do the right thing, or there may be a perfect time when the commissioner does do the right thing, which I think is the intent of the bill, but then he puts it down to the chief officer, who then follows section 5, which then forces the person doing the whistle-blowing to now follow section 5, which then requires them to disclose.

Also, under disclosure of the commissioner in section 10(1), it says that the

employee may make a disclosure directly to the Commissioner only

- (a) if no procedures have been established.

And I'm sure that the departments will establish the procedures.

- (b) if the employee has made a disclosure in accordance with the procedures established under section 5,

which requires them to self-identify.

- (c) if the employee has made a disclosure in accordance with the procedures established under section 5 and the matter has not been resolved . . .

- (d) if the employee has made a disclosure in accordance with the procedures established under section 5, the investigation under those procedures has been completed,

and the final decision was not satisfactory.

- (e) if the . . . disclosure involves the employee's chief officer or the employee's designated officer.

And then it goes on to list, you know, a few more options there.

It says that you can only disclose to the commissioner if those five conditions are not met. If we're truly talking about protection of whistle-blowers, why does it matter who the whistle-blower discloses to? Why are we putting conditions on their anonymity and who they disclose to? If we truly want to protect whistle-blowers, there is no reason why that person could not anonymously or at any point in time disclose to the commissioner.

**8:10**

We're not saying: change all of these parts. You certainly can leave those conditions in there and certainly try and redirect them up the chain. That's fine. But why are we saying to a whistle-blower that you can only come to the commissioner under anonymity and only if you meet these section 10 conditions? It seems to me that we need to take a look at what is best for the whistle-blower and puts them in the most protected position.

Given that section 21 does not actually protect their anonymity and forces them back to section 5, which forces them to go to their chief officer and forces them to meet all of the subsections under section 5, which are substantial, and then only after going through that roundabout process can they make a disclosure to the commissioner anonymously, what we're really doing is – let's just say that the whistle-blower decides that they feel they can't meet section 5. They believe that they can't meet all of the subsections of section 10, and they fall under section 21. Let's say that they honestly believe that they have anonymity, and they go to the commissioner, and then the commissioner uses his discretion and says: "No; sorry; we're going to punt you back to your chief officer," back in section 5. What does that do to the morale and to the integrity of the system of the whistle-blower legislation? What it really does is effectively kill it.

We're saying to people: you can come forward, but in my discretion I'm going to tell you under which area you can come forward. It would seem to me that we shouldn't make it so hard for them to come forward. We need to make it easy for them to come forward. I think you just might find that if we make it easier for them to come forward, they may actually do exactly what the hon. Member for Lethbridge-East said. They may feel that they truly have the protection there, that they do feel that they can go to their supervisor, and if that solution doesn't work, they can go to the manager above that person, and if that person doesn't work, perhaps they could go to their deputy minister, their minister, or their MLA. Rather than creating a huge scene, they may be able to actually solve the problem from within rather than having to go public and actually putting themselves on the line.

If we're not going to protect their anonymity, if we're going to make them circle back and come back to section 5 anyway, why not just eliminate the process and truly allow for them to have anonymity, to have true whistle-blower protection, and keep integrity in the process?

Thank you.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Lethbridge-East.

**Ms Pastoor:** Thank you very much, Madam Chair, and thank you to the Member for Innisfail-Sylvan Lake. Thank you very much for that. I understand where you're coming from, but a couple of things. Enron and Nortel were brought down by women, women that had the backbone to stand up. Another thing that they did have was that they had a lot of data, they had a lot of stuff that proved what they were talking about. If you go to the commissioner, I don't think you need to – I think everybody should know who you are and what you're doing because surely you're not going to come forward unless you've got something concrete to present to the table. That's probably why I would disagree with that.

As far as huge scenes go, I think that huge scenes often can get results a lot quicker than worming around inside of internal stuff. But if a commissioner knows that somebody has that data, they have that information that proves whatever they're trying to talk about, he's going to do something. He might send them back, but he's sending them back with that protection behind their back, knowing that in section 5 that boss or whoever that is will know that the commissioner is behind this person. So their back is covered.

I think that was the end of my notes.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Chair. First off, Enron was brought down by derivatives and false bookkeeping. The female that actually knew about it was unable to actually report it, and her legitimacy became legitimate after the collapse.

**Ms Pastoor:** But she started it.

**Mr. Anglin:** She knew about it.

It speaks directly to this amendment, Madam Chair. This is why this is a good amendment. As the hon. member pointed out, under section 21 it doesn't apply when you get down to section 10(1)(f) because if you look at section 11, that employee must disclose.

Now, using the Enron example, had this person had the ability to disclose anonymously – certainly, she knew what was going wrong. She had the knowledge, but nobody was listening. I don't know how to get beyond that even in this legislation, never mind the anonymity, dealing with the issue of this amendment. But it's an attempt. Anonymity is important in many regards.

I want to back up just to the particular section that reflects to the anonymity of section 11, which relates back to 10(1)(f): if it is a matter that "constitutes an imminent risk of a substantial and specific danger." I couldn't care less if I knew who made the warning as long as I got the warning on that imminent danger. The last thing I would want to really concern myself with is the identity of who is going to ring the alarm. What I want is the alarm to be rung in a valid manner. In other words, it meets that standard of imminent danger.

I agree. It is rare that anonymity needs to be actually part of the process, but it has to be an avenue that is available when it is required, in my view. As I look at this legislation, we want people to come forward and disclose information. I don't agree with all the amendments that have been rejected. I think some were valid amendments that would have actually strengthened this bill. But for this amendment here to give one avenue to the protection of anonymity does not override any other aspect. It just throws that protection in there when that protection is required.

Section 21 is not paramount to section 10(1)(f) or section 11. There is no paramountcy there. As a matter of fact, section 11 actually mandates that "the employee must . . . make a disclosure about the matter to the employee's designated officer." So the anonymity is lost.

Again, to summarize exactly what I've just been saying, if it has something to do with imminent threat or imminent danger, to respect anonymity is a valuable tool versus not getting the information. I don't see where it hurts either way.

Thank you very much.

**The Deputy Chair:** Thank you, hon. member.

Is there anyone else who would like to speak to the amendment? The hon. Associate Minister of Accountability, Transparency and Transformation.

**Mr. Scott:** Thank you, Madam Chair. I just wanted to briefly point out to my colleagues that section 21 does deal with the issue of anonymity. I realize that people are describing other sections of the act and that it's possible to refer the issue back pursuant to the circumstances set out in section 5, but the one thing that is going to need to be done – and it's right in section 21 – is that if it's referred back, it's done "while maintaining the anonymity of the individual." That's in section 21, about the third line up from the bottom. So there is protection of anonymity in the act. It's in section 21.

For that reason, I can't support the amendment.

**The Deputy Chair:** Thank you, hon. member.

Is there anyone else who wishes to speak? The hon. Member for Lethbridge-East.

**Ms Pastoor:** Thank you, Madam Chair. Just a couple more comments, if I might. Clearly, I think that we're going to agree to disagree on this. If I was the commissioner and somebody came to me and I didn't know who they were, I'm not sure how much attention I would pay to it. Now, if it was something that was an imminent danger, then I probably would react.

I'll use an example. Way back when I was a nurse in long-term care, they set up a phone line that people could phone and complain about whatever it is that they wanted to complain about. It was very quickly changed so that people actually had to give their names because there was all kinds of nonsense being put out because they knew nobody could know who they were. So, clearly, they had to say their names.

I don't know what kind of funny stuff that you have to smoke, but I really don't think that there's a whole pile of privacy left in the world. Even if you do something anonymously, gossip usually takes over, and it doesn't take long for this kind of thing to come forward.

My comments.

8:20

**The Deputy Chair:** Thank you.

The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you very much, Madam Chair. The hon. minister brought up a comment about section 21. I would disagree. Managing or maintaining anonymity is not the same as protecting anonymity. There's a difference in language, and that is important to know here. If you go back to my example of 10(1)(f), of an imminent threat or danger to life, maintaining anonymity does not supersede section 11, which requires that that employee basically report this to their designated officer. I just want to point that out. There's no clarity here, which actually substantiates why this amendment is a good amendment to make sure it is clear and concise in law that anonymity can be protected when it is necessary.

**The Deputy Chair:** Thank you, hon. member.

Is there anyone else who would like to speak on amendment A18?

Seeing none, we'll go right to the question.

[The voice vote indicated that the motion on amendment A18 lost]

[Several members rose calling for a division. The division bell was rung at 8:22 p.m.]

[One minute having elapsed, the committee divided]

[Mrs. Jablonski in the chair]

For the motion:

Anglin	Fox	Strankman
Barnes	Saskiw	Swann
Bilous	Stier	Towle

Against the motion:

Allen	Fraser	McIver
Amery	Hughes	Olson
Brown	Jeneroux	Pastoor
Calahasen	Johnson, L.	Quadri
Campbell	Kennedy-Glans	Rodney
Cao	Khan	Sarich

Dallas	Lemke	Scott
DeLong	Leskiw	Weadick
Drysdale	Luan	Webber
Fenske	McDonald	Woo-Paw
Totals:	For – 9	Against – 30

[Motion on amendment A18 lost]

**The Deputy Chair:** We will move back to Bill 4. The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Madam Chair. I'll move an amendment, that I'll pass out.

**The Deputy Chair:** We have an amendment. We'll pause until that amendment gets handed out. Hon. members, this will be known as amendment A19.

If you would like to proceed, hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Madam Chair. If you'll indulge me, I'd like to read the amendment itself. I'm moving that Bill 4, the Public Interest disclosure (Whistleblower Protection) Act, be amended as follows.

In part A section 5 is amended in subsection (8) by striking out "and that all future disclosures, other than in the circumstances described in section 10(1)(b) to (i), must be made to the designated officer in accordance with the approved procedures."

In part B section 10 is amended (a) in subsection (1) by striking out all the words that follow "directly to the Commissioner" and (b) in subsection (2) by striking out "or under subsection (1)(f)."

In part C section 11 is struck out.

In part D section 29 is amended in subsection (1) by striking out clause (c).

In part E section 36 is amended in clause (g) by striking out "when an employee may make a disclosure directly to the Commissioner, and."

At the moment this bill makes it very difficult for a whistle-blower to go directly to the commissioner. Only under exceptional circumstances, in other words, can an individual go directly to the commissioner. This amendment will ensure that a whistle-blower can go directly to the commissioner and bypass the internal processes. Once this internal whistle-blower policy is in place, again, they must use the internal process except under exceptional circumstances referred to in the bill. Essentially, a whistle-blower can only go directly to the commissioner if he or she feels there's an imminent threat to health or safety or if he or she has serious reasons to doubt the integrity, to mistrust the capability of the internal processes to deal with the issue. The challenge with this is that these limitations set out in clauses (a) to (i) are far too limiting, and they should be struck out in order to encourage whistle-blowers who feel anxious about internally reporting to a chief officer.

8:30

It's another example where the bill seems designed to discourage whistle-blowers and to protect public entities from them. We should be encouraging all avenues of disclosure. This, for example, is a specific case with a simple amendment to the bill which can allow whistle-blowers to feel safe in going outside of their workplace right from the outset should they so choose.

The process for blowing the whistle should be as clear and as transparent as possible. Oftentimes serious cases of wrongdoing which threaten the well-being or safety of employees require quick action. Again, this amendment will ensure that the employee

and not the regulations decides when he or she can go to the commissioner and when he or she can go to the internal chief officer.

Again, Madam Chair, it comes down to: what is the purpose of this legislation? If it's to provide the whistle-blower with the tools to be able to act and in certain situations act immediately and promptly, then this just opens up an avenue where they're not going to be limited to going through the internal process first, where they can go to the commissioner. I feel that this is an amendment that, hopefully, will be accepted by this Legislature and Assembly.

Again, if we look at the intention of this bill, to protect whistle-blowers, to give them options and avenues to do what's going to be serving all of us in our best interest the most effectively and efficiently, then I recommend that the Assembly accept this amendment.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Madam Chair. I'm pleased to rise in support of this amendment. I think it's a very thoughtful and appropriate shift to put the onus on government to make it as safe and easy for a whistle-blower to achieve the end, which is to expose wrongdoing. By limiting that and by forcing internal processes first, you're simply going to discourage a large majority of whistle-blowing. It just doesn't indicate to me a government that really wants to get at the root of problems: mismanagement, malfeasance, waste, corruption.

Why not make it the very first priority to allow a whistle-blower – and I again have to go back to my own experience. If I was able to go outside of the organization safely and raise some of the issues around carbon and climate and felt safe to do so, I would have done so. This bill suggests to me that we're still not ready for that. We're still not ready to allow people inside the bureaucracy to actually avoid any perception of vulnerability and any perception of the possibility of indirect harm coming back to them.

One of the big challenges, of course, in this whole legislation is that there may not be any immediate retaliation, there may not be any financial impact, there may not be any job impact for months, but the next opportunity for retaliation may come.

I guess I would argue very strongly that we should make every effort to really facilitate the easiest, safest, and most timely response directly to the commissioner. It's a key issue for me in terms of adding credibility and effectiveness to this bill.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak on this amendment A19? The hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Madam Chair, and I'll keep my comments brief. Clearly, even in this room there's some confusion on whether there's anonymity or whether there isn't. The hon. Associate Minister of Accountability, Transparency and Transformation mentioned that section 21 does offer anonymity, but then the last sentence of that also says that "the chief officer must manage and investigate the disclosure in accordance with the procedures established under section 5."

I believe that you have the greatest of intents here – I honestly do – and I think that what you're trying to achieve is anonymity, but it concerns me greatly when the hon. Member for Lethbridge-East says that anybody who has information should have to

disclose, not just that they may or have the option not to disclose but should have to. Clearly, within this room of legislators there's a discrepancy. She also went on to say that in the event that they had the evidence and didn't disclose, she would not take it seriously, that if she was the commissioner, she would believe that if a person didn't disclose, they would have less value in what they were whistle-blowing about than somebody who did. I don't believe that's what she actually meant. I'm hoping what she actually meant was that we want to make sure that the people coming forward have the best information and that they're not sending everybody on a wild goose chase. I hope that's what she meant.

The fact that there's even a discrepancy in this room makes me wonder: how could there not be room for discrepancy for the people coming forward, especially when we're hearing comments from MLAs and from legislators that say, "On the one hand you have anonymity, but on the other hand you may not have anonymity, and if you have anonymity, I may not pay any attention to your complaint anyway"? That causes great concern, and I think that would cause great concern to somebody who's thinking about coming forward.

I think the intent of the act is good. I think the intent of the act is to provide the ability for whistle-blowers to come forward, and I think this amendment allows you to do that. But, clearly, if there's a discrepancy in this room, then I think there's going to be some confusion once we get out to the average public.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

**Mr. Scott:** Just to speak to the point that was just made, I want to point out that section 21, the anonymity section, is surrounded by the rest of the language. Anonymity is protected by section 21.

As to the specific amendment itself, I just want to point out to my colleagues that section 10(1)(h) provides that if an employee has a reasonable fear that they're going to have or experience a reprisal, they can go straight to the commissioner. The procedures permit that. It's already in the legislation. I think that that's a reason why I cannot support this amendment.

**The Deputy Chair:** Thank you, hon. minister.

Seeing no other members wishing to speak on amendment A19, I'll call the question.

[The voice vote indicated that the motion on amendment A19 lost]

[Several members rose calling for a division. The division bell was rung at 8:37 p.m.]

[One minute having elapsed, the committee divided]

[Mrs. Jablonski in the chair]

For the motion:

Anglin	Fox	Strankman
Barnes	Saskiw	Swann
Bilous	Stier	Towle

8:40

Against the motion:

Allen	Hughes	McIver
Amery	Jansen	Olson
Brown	Jeneroux	Pastoor
Calahasen	Johnson, L.	Quadri
Campbell	Kennedy-Glans	Rodney
Cao	Khan	Sarich

Dallas	Lemke	Scott
DeLong	Leskiw	Weadick
Drysdale	Luan	Webber
Fenske	McDonald	Woo-Paw
Fraser		

Totals:	For – 9	Against – 31
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[Motion on amendment A19 lost]

**The Deputy Chair:** We will move back to Bill 4. Are there any members who wish to speak on Bill 4? The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Madam Chair. I must say what an honour it is to stand once again and move another amendment on behalf of my colleague the wonderful Member for Calgary-Fish Creek.

**The Deputy Chair:** All right. We'll take a few minutes as we pass out the amendment. This amendment will be known as A20.

Hon. member, we may proceed on amendment A20.

**Mr. Fox:** Thank you very much, Madam Chair. Again, I must say what an honour and a privilege it is to stand here and support this amendment and support those that would wish to use whistle-blower legislation. Now, what is this amendment? This amendment is another one that is looking to protect the anonymity of somebody who may wish to come forward and blow the whistle. What it does is amend section 8 of the bill, the whistle-blower act.

How does it read here in section 8? It's a request for advice.

8(1) An employee who is considering making a disclosure may request information or advice from the employee's designated officer or chief officer or from the Commissioner.

(2) The designated officer, the chief officer or the Commissioner may require a request under subsection (1) to be in writing.

Now, why? Why do we always have to disclose somebody who's coming forward looking for information? The current bill can require a potential whistle-blower to make a written request for that information. They may not be willing to come forward yet. They might actually just need information on the process itself and not wish to identify themselves yet or at all.

Really, the government or the ministry or the commissioner or the chief officer or the designated officer: I mean, do they really need to be tracking who's asking for information? Do they really need to know to begin with? I think not. I think that when somebody wants to come forward or may need information to come forward, they should not be painting a target on their back just by requesting the information on how to do so. Employees should be able to learn the policies while remaining anonymous. In fact, I dare say that the employees of these public entities, your ministries, have a right to privacy in requesting that information. I just can't understand why we put in here "may request." May request that they put this in writing, that you have to go directly to them.

Why can't this information be open and available to everybody? Why are we hiding the process? I don't get it. I can't fathom it. Why hide the process on how somebody can come forward and blow the whistle? And blow the whistle on what? Well, anything that could harm or be a danger to the life, health, or safety of individuals or to the environment. I mean, why? Why would you hide the process? I don't get it. Why make somebody come forward and request that information? Why isn't it open and out there and in the public domain? I mean, this is a procedure of government. This is a procedure that you should be laying out there rather than hiding it behind closed doors.

When somebody is coming forward, they're doing so in good faith. They're needing information. With information comes power. You're empowering them to be able to come forward. When you hide it or make them request that information from somebody that they're not sure they're ready to trust yet, you're not empowering them. You're taking that power away. You're taking that knowledge away. Again, we keep going on and on and on about the same issues: anonymity, protecting the whistle-blower, protecting the person, not the process. We want to make sure that the person is protected. The person is paramount above all else.

We don't see that with the way this legislation is written now. This is why we're bringing forward all of these amendments. This is something that not just the opposition parties seem to think is required, but this is something that independent organizations like the FAIR organization are asking for. Whistle-blowers are asking for this. The public is asking for this. We want to make sure that those who come forward, who are heroes, are protected. When we're hiding that information or having them request that information and having to out themselves before they even know that they want to make a claim under this act or seek this act for their protection, I mean, they just can't do it. Honestly, by hiding that information, you're damaging the integrity of this bill. I honestly don't get it. That's why we keep bringing these types of amendments forward, amendments that are designed to protect the whistle-blower, to protect the person, because we want to see integrity in this legislation.

You know, I guess I have to say thank you for the opportunity to stand up for whistle-blowers, to stand up for those who want to come forward as heroes. Again I thank you. I thank this Assembly for allowing me the ability to stand here and ask that we amend this bill so that whistle-blowers are protected not only when they blow the whistle but when they seek the information to decide whether or not they wish to come forward.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

Do any other members wish to speak on this amendment? The hon. Member for Livingstone-MacLeod.

**Mr. Stier:** Thank you, Madam Chairman. It's very nice to speak to all of you folks here tonight. I don't often get up until something really strikes me as very important. This one, I think, is very key. I would like to just take a few minutes to talk about it if I may. I have to agree with my associate here from Lacombe-Ponoka. This basic clause has to do only with requesting advice. It is not to make a complaint. It is only for requesting advice.

8:50

I know that perhaps the hon. member across the way may get up and want to recite to us once again section 21 about anonymous complaints in whistle-blowing. I don't think in this case that applies because this, again, is simply just information.

You know, a lot of this bill is great. It's bringing to us a piece of legislation that we've needed for some time to protect whistle-blowers, and I think it's really important. A lot of times it doesn't go far enough, but in this case I think it's gone too far. Whistle-blowers have a lot of nerve and bravery, I think, to come forward, and these people deserve some kind of protection in this stage of their situation.

As the bill stands, it says that the designated officer in the ministry can request a written request. Why? As he has just said, why would that be necessary just for information? It seems absolutely way over the top, and it looks to me like it may be a

way for the government to track who's blowing the whistle. It seems to me to be a way to interfere with the whole sense of this bill.

I would ask those of you on the other side of the House to have a really good look at this one. I think it makes an awful lot of sense to perhaps rejig this one. We think we've got a solution to it, and I would ask for your support on this amendment.

Thank you very much.

**The Deputy Chair:** Thank you, hon. member.

Is there any other member who would like to speak on amendment A20? The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Madam Chair. I rise to speak in support of this amendment for a couple of reasons. I think, first and foremost, that if we want whistle-blower legislation to encourage whistle-blowers to come forward to report wrongdoings so that we can improve our system, then we need to ensure that whistle-blowers are encouraged to step forward and, especially, to learn the process of how to go about blowing the whistle. As my colleagues from the Wildrose caucus have eloquently illustrated, this is something that's helping to educate our public sector, our workers, to give them the tools to be able to come forward and learn how to navigate through the process should an instance arise where they feel compelled to use this legislation once it's in place. I think it's important that they can learn about the process while retaining anonymity, while retaining their identity, without fear of reprisal on even inquiring into processes of blowing the whistle.

It's for this reason, I believe, that my colleagues from the Wildrose caucus have put forward this amendment. You know, we don't want our workers to fear reprisal. We don't want them to fear for their safety or to jeopardize or potentially jeopardize their relationship within their professional environments by merely inquiring into how it goes or how it works. My concern is that without this amendment, anyone who steps forward to ask about it will suddenly be grilled on why they want to know the process and who are they planning to blow the whistle on. Suddenly it becomes a witch hunt when a person may be honestly asking about the process just to educate themselves.

For these reasons, I think, again, if we want to protect the whistle-blowers – I mean, I'm frequently hearing from the government that they're doing this for the whistle-blower, to help improve transparency and accountability. Well, it's time to step up to the plate and put in some of these amendments that actually do that and will help facilitate this process. So I encourage members on the opposite side of the House to look at this amendment, which I think is a very friendly amendment to the current legislation.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak on amendment A20? The hon. Associate Minister of Accountability, Transparency and Transformation.

**Mr. Scott:** Thank you, Madam Chair. I just want to point out to my colleagues that the act does not prevent an employee from making anonymous requests for advice or restrict a designated officer, chief officer, or commissioner from replying to anonymous requests for advice. For this reason, I cannot support this amendment.

**The Deputy Chair:** Thank you, hon. minister.

The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Madam Chair. What this bill is missing, though, is the ability to find the procedures in the public domain. There is nothing that an employee can go to to find the procedures. They have to go through the designated officer, the deputy minister, or the commissioner. I think it behooves us to make sure that those policies are out there and in the public realm. I mean, if you're going to go and even think about blowing the whistle, you want to know what the rules are before you even start. You might not be comfortable going directly to these individuals right at the beginning. You may just want to read up on it. There is nothing that allows the person to do that. There is nothing that empowers the person to educate themselves before they come forward and present themselves to these individuals. I think it behooves us – it behooves us – to allow those people that freedom, the freedom to gather that information anonymously.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Livingstone-Macleod.

**Mr. Stier:** Thank you, Madam Chair. Once again I would just like to refer to the last comments from the associate minister if I could. He says that the act does not prevent or preclude someone from seeking advice. I beg to differ because the very section that we're seeking to amend says:

8(1) An employee who is considering making a disclosure may request information or advice from the employee's designated officer or chief officer or from the Commissioner.

That's fine. However:

(2) The designated officer, the chief officer or the Commissioner may require a request under subsection (1) to be in writing.

May require, meaning that he would have to disclose his identity. That's not my definition of anonymity. If I could suggest, it is actually quite the opposite.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

Is there anyone else who wishes to speak on amendment A20, Bill 4?

Seeing none, we'll call the question.

[The voice vote indicated that the motion on amendment A20 lost]

[Several members rose calling for a division. The division bell was rung at 8:57 p.m.]

[One minute having elapsed, the committee divided]

[Mrs. Jablonski in the chair]

For the motion:

Barnes	Saskiw	Swann
Bilous	Stier	Towle
Fox	Strankman	

9:00

Against the motion:

Allen	Jansen	Olson
Amery	Jeneroux	Pastoor
Brown	Johnson, L.	Quadri
Calahasen	Kennedy-Glans	Rodney
Campbell	Khan	Sarich
Cao	Lemke	Scott
Dallas	Leskiw	Weadick

DeLong	Luan	Webber
Drysdale	McDonald	Woo-Paw
Fenske	McIver	Young
Fraser		
Totals:	For – 8	Against – 31

[Motion on amendment A20 lost]

**The Deputy Chair:** We will move back to Bill 4. Is anyone wishing to speak on Bill 4? The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Madam Chair. I'm putting forward another amendment with the requisite number of copies.

**The Deputy Chair:** Thank you, hon. member. We will pause.

You may proceed, hon. member. This will be known as amendment A21.

**Mr. Bilous:** Thank you, Madam Chair. This is dealing with section 11 of Bill 4. I'm moving that Bill 4, Public Interest Disclosure (Whistleblower Protection) Act, be amended by adding the following after section 11:

When wrongdoings may be reported to a Member of the Legislative Assembly or journalist

11.1 This section applies if an employee has made a disclosure to a designated officer and the Commissioner and

- (a) the Commissioner has refused or failed to investigate the disclosure,
  - (b) the employee has not been advised with a period of 3 months after the day the disclosure is made whether or not the disclosure will be investigated or dealt with,
  - (c) the employee has not been advised of the progress of an investigation for a period of greater than 3 months, or
  - (d) the employee is advised at the conclusion of the investigation by the Commissioner that no action will be taken in relation to the wrongdoing.
- (2) This section also applies if an employee honestly believes on reasonable grounds that
- (a) the employee has information that tends to show a wrongdoing,
  - (b) there is a significant risk of detrimental action to the employee or another person if a disclosure is made, or
  - (c) it would be unreasonable in the circumstances for the employee to make a disclosure to a designated officer or the Commissioner.
- (3) An employee may report a wrongdoing to
- (a) a member of the Legislative Assembly, or
  - (b) a journalist.
- (4) In reporting a wrongdoing under this section, an employee
- (a) must disclose sufficient information to show that the conduct is a wrongdoing, but not more than is reasonably necessary to show that the conduct is a wrongdoing, and
  - (b) if a wrongdoing was reported to a designated officer or the Commissioner, the employee may inform the member of the Legislative Assembly or journalist about the progress and outcome of any investigation.

At the moment the current bill does not provide any provisions for when it's permissible for an employee to report a wrongdoing publicly to an MLA or to the media. This amendment sets up a process for a disclosure to an MLA and to the media.

I'd like to point out a couple of things. Number one, even our federal legislation has a provision which allows for public disclosure of blowing a whistle. Section 16 of our federal law states:

16. (1) A disclosure that a public servant may make under sections 12 to 14 may be made to the public if there is not sufficient time to make the disclosure under those sections and the public servant believes on reasonable grounds that the subject-matter of the disclosure is an act or omission that
- (a) constitutes a serious offence under an Act of Parliament or of the legislature of a province; or
  - (b) constitutes an imminent risk of a substantial and specific danger to the life, health and safety of persons, or to the environment.

As we can see, our federal legislation at least provides that opportunity for whistle-blowers.

Where this amendment is coming from, hon. members, is that if Alberta is serious about setting the standard for whistle-blower protection in Canada, which I have heard the hon. Associate Minister for Accountability, Transparency and Transformation mention on numerous occasions, that our whistle-blower legislation here in Alberta will be the toughest, even tougher than our federal cousins', well, then this section needs to be amended. Much more needs to happen as well if that's to be the case here in the province, but we can start with this. Again, if the claim is that we're going to be open and transparent, then there is nothing for public entities or for public employees to hide. Full public disclosure should be encouraged. This is giving the avenue and the processes for how an individual can go to their Member of the Legislative Assembly or to the media in order to disclose.

This amendment, hon. members, is taken directly from Australian legislation. Again, we've often heard that our government has consulted legislation from around the globe. In case this was missed in the first perusal, this is taken from Australian legislation, and it's considered by experts to provide the strongest protection for whistle-blowers who wish to go public.

When a breach of an act is in question or there is significant risk to the health and safety of Albertans, there shouldn't be any hesitation on the part of the whistle-blower to go public. I would add not only hesitation, but there shouldn't be anything stopping or slowing or delaying or deterring a public servant from blowing the whistle and going public. As I have said, this gives them an avenue and the steps in order to be able to do that.

I will ask this Assembly to consider this amendment. Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who would like to speak on amendment A21?

**Mrs. Towle:** I'll just keep this brief. I do rise in support of this amendment. It's very similar to one that we proposed as well, but I think that it's actually more in depth. I appreciate the effort that was put into it. I think that it goes back to exactly what we've been saying all night. In reality, the person who is wanting to come forward and identify a situation that causes them to be a whistle-blower should be able to do that in any manner that is acceptable and comfortable and makes them feel safe to do so. Regardless of whether it's the media, whether it's a commissioner, whether it's a chief officer or it's your MLA, they should be able to do that.

There have been situations where none of those avenues are safe, so they decide to disclose to the media. I appreciate the hon. member from Calgary for his comments the other day about how sometimes that can go haywire. You're absolutely right. Some-

times it can. I can understand the concern there. But if that person is taking that avenue, then sometimes there's a reason for them to do that.

**9:10**

I also can appreciate other members' concerns here that MLAs are not ombudspersons and MLAs shouldn't be involved in this situation, but the reality of it is that this is our job. People come into our offices every single day and disclose personal detrimental situations to us all the time.

I have a situation right now in my office where a person has come forward to me as the Seniors critic and is talking about what they believe to be abuse in a seniors' centre. They believe that they've already taken their complaint as far as they can go through the system. They claim to have written a letter to the minister. They claim to have written a letter to the associate minister. They've provided a letter to me where they've made a complaint to the Protections for Persons in Care Act. They've provided a letter where they've complained to the elder abuse strategy person. They feel that there is no other avenue to go to. They also feel that if they come forward, their loved one will be punished or abused further. Where do they go? They're even scared to come to me. They don't even want me to bring this situation up yet because they're terrified that if I do, their senior will be abused, their loved one will be hurt even further.

That is a scary situation for us to be in these days. There should not be a single Albertan who believes that if they report something that has a negative impact on someone else – that they're scared to come forward. There shouldn't be a single person out there that if they've used the process in place – and many of the members here have talked about the processes, the processes, the processes. That's fine. But sometimes the process fails, and when the process fails and when the person who's coming forward doesn't trust the process, where do they go?

So far they have no ability to have anonymity. They have to go to their chief officer. They have to disclose in writing. We're just making it pretty much impossible for them to come forward, so they're reaching out to other people, and they are reaching out to their MLA. Now, I could take forward an anonymous complaint or an anonymous situation, but am I going to go to the chief officer of that person who's an employee or that person whose loved one is in that facility? They're too scared to have that happen. There's a reason they're scared. I don't believe that the average person who's gone to that many lengths is going forward to that point just to create a problem. I believe that that person truly, honestly believes that their loved one is being hurt in some way.

I can tell you that as a caregiver, as someone who cared for my brother in a long-term care facility, I was very fortunate. My brother was never in that situation. But I can tell you as somebody who's been there that if I truly believed that that person that I loved was being abused in any way and that if I took that information through the process, he would be punished further, I wouldn't do it.

That's the fundamental problem here. We're putting up a roadblock to say, "You have to do it this way, and if you don't like doing it this way, then don't come forward," which means that that behaviour continues until either that employee leaves, the person dies, or they're taken out of that situation. I don't think we want to put any Albertan in a situation where they're forced to make a decision for caring for their loved one – this is just one example – or coming forward. We don't want to do that. This legislation isn't supposed to do that, but it's exactly what it does.

If we just take a step back and realize that they could disclose and they should be able to disclose in whatever manner they're comfortable with and then let that matter go forward and they can go through the process, that's fine. But what does it matter how the information gets to where it needs to be? What matters is that the information gets there and we resolve the problem. I think it's imperative on us to realize this isn't just about protecting us; it's protecting those people who can't stick up for themselves and those people who are scared to come forward. Right now in Alberta there are people who are scared to come forward.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Calgary-Varsity.

**Ms Kennedy-Glans:** Thank you, Madam Chair. I just want to make sure that the record stands corrected. Last evening we talked about MLAs' roles as ombudspeople for their constituents. MLAs aren't the Ombudsman. The Ombudsman is a separate, independent office, and I think we all need to respect that office. MLAs certainly act as ombudspeople for their constituents. I think every single elected official here in this Legislature would agree that that is our role. I don't think there is any dispute about that, and I just want to make sure that the record stands corrected on that.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

**Mr. Scott:** Madam Chair, these two issues were dealt with last night. I just want to briefly restate some of the points that were made. Nothing in this act prevents somebody from going to their MLA. Nothing in this act prevents somebody from going to the media. We have anonymity protected in this act, and I think we have effective procedures not only for reporting but for actually addressing the wrongdoings and for addressing things that need to be fixed. We have an effective procedure set out in this act, and that's why I cannot support this amendment.

**The Deputy Chair:** Thank you, hon. minister.

Is there any other member that wishes to speak on amendment A21? On the amendment, the hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thanks, Madam Chair. I guess that, to summarize a little of the way we are seeing this bill, it's an attempt by government to balance the rights of the employer with the rights of the employee. We think the bias should be much higher in favour of the employee who is trying to expose wrongdoing because in your attempts to try and protect the interests of the employer, you're sending a very mixed message to those that would see problems and want to raise problems but have too much at risk to expose it.

Efforts by this bill, if anything, bias it more in favour of the employee and demonstrate to would-be whistle-blowers that the bias is not so much in finding a balance between the rights of employer and employee, but the bias is in favour of exposing wrongdoing. What we haven't seen in this bill so far is the bias in favour of whistle-blowing, which would send a very strong message to any of us who support whistle-blowing that you're really serious about wanting to know and to stamp out wrongdoing. One might call it erring on the side of the whistle-blower. That's, essentially, what I think we're asking for.

In all of these different amendments we're saying that the balance of power is too much in balance. You're not biasing this

in favour of people taking the risk of sticking their neck out and potentially compromising their future, their family's future, anyone associated with them because of the lack of checks and the lack of real, definitive protection.

**The Deputy Chair:** Thank you, hon. member.

Is there anyone else who wishes to speak on amendment A21?

Seeing none, we'll call the question.

[The voice vote indicated that the motion on amendment A21 lost]

[Several members rose calling for a division. The division bell was rung at 9:18 p.m.]

[One minute having elapsed, the committee divided]

[Mrs. Jablonski in the chair]

For the motion:

Barnes	Saskiw	Swann
Bilous	Stier	Towle
Fox	Strankman	

Against the motion:

Allen	Hughes	Olson
Amery	Jansen	Pastoor
Brown	Jeneroux	Quadri
Calahasen	Johnson, L.	Rodney
Campbell	Kennedy-Glans	Sarich
Cao	Khan	Scott
Dallas	Lemke	Weadick
DeLong	Leskiw	Webber
Drysdale	Luan	Woo-Paw
Fenske	McDonald	Young
Fraser	McIver	

Totals:	For – 8	Against – 32
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[Motion on amendment A21 lost]

**The Deputy Chair:** We return to Bill 4. Are there any members who wish to speak, question, or provide an amendment? The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Madam Chair. Again, what a wonderful opportunity this is to rise in this Legislature and put forward another amendment on behalf of the hon. Member for Calgary-Fish Creek.

**The Deputy Chair:** Thank you, hon. member. We'll pause for a moment while we pass out the amendment.

Hon. member, this will be known as amendment A22. Please proceed.

**Mr. Fox:** Thank you, Madam Chair. How wonderful it is to be speaking to amendment A22. Now, this amendment is on section 32 of Bill 4, the Public Interest Disclosure (Whistleblower Protection) Act. What section 32 is is the section with the reporting function back to the Legislature, so the chief officer's annual report.

32(1) Every chief officer must prepare a report annually on all disclosures that have been made to the designated officer of the department, public entity or office of the Legislature for which the chief officer is responsible.

(2) The report under subsection (1) must include the following information:

(a) the number of disclosures received by the designated officer, the number of disclosures acted on and the



- number of disclosures not acted on by the designated officer;
- (b) the number of investigations commenced by the designated officer as a result of disclosures;
- (c) in the case of an investigation that results in a finding of wrongdoing, a description of the wrongdoing and any recommendations made or corrective measures taken in relation to the wrongdoing or the reasons why no corrective measure was taken.

What we're asking for, what the government is perceived to be asking for here is a report very similar to the one that the Auditor General provides. I think this is wonderful. We should have that report here in the Legislature. The only question that I have is: why is the reporting a little bit different? With the Auditor General and the other independent commissioners that we have that report to the Legislature, they do this on a semiannual basis, yet with the commissioner for whistle-blowers, not so. I don't understand this. Clearly, the Auditor General's report is a fantastic report. We get that twice a year. The Auditor General is doing a wonderful job. We get a nice, well-put-together report that has not only the findings but also recommendations and outstanding recommendations.

Unfortunately, with the chief officer's annual report we're missing the recommendations side. I would like to see that. I would like to see that the recommendations come forward. I would also like to see that we see that report twice a year, that we see a semiannual reporting process. The reason behind that is that, you know, after something comes forward, it might be two years before the investigation is done. Depending on when the last report was, we may still have to wait another year before we find out if that report was investigated, completed, acted on, and resolved. I don't understand why we would need to wait that extra year. I think that we should put this forward in the same way that the Auditor General puts their report forward. It's a system that is working very well.

The other independent commissioners of the Legislature operate in the same manner. They put forward this semiannual report. We all get to look through it as members, read the report, and come back and make sure that the report has been acted on and that everything is okay within the government. If there are some outstanding recommendations, we can see when those recommendations may be acted upon in the future or prompt for a little bit of action on those. Again, that is the job of the opposition, to prompt the government to work on some of the recommendations that the Auditor General puts forward.

Now, I see that this is working so very well with the other independent commissioners, so let's continue on in that tradition. Let's amend this and have a semiannual reporting, much like the Auditor General has, and have this information come forward on a semiannual basis so that all the members of the Legislature can know in a timely manner what's been going on within the ministries and that cases of wrongdoing have been looked at and have been resolved.

I can't understand why a whistle-blower would want to come forward if they didn't have any oversight on the commissioner. This is just the one place where we have a little bit of oversight, and that's we as all of the members of the Legislature, not just we as the opposition. It's good to have these reports, and it's good to have them often. We've seen it with the other independent commissioners, so let's do it with the whistle-blower commissioner. Let's follow the traditions that have already been set forth and have a semiannual report.

Again, thank you for the opportunity to stand and support my fellow Member for Calgary-Fish Creek and to support this wonderful, wonderful amendment.

**9:30**

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak on amendment A22? The hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Madam Chair. I rise to speak in favour of this amendment as well. It is my understanding there has been a long-standing practice in this Legislature and in many others that officers or these types of organizations report back to the Legislature on a semiannual basis. There's a reason for doing that. It allows for accountability and transparency. It also allows for a status update on what's going on. Is that department effective? Is this effective? Is the whistle-blower act in itself effective enough and doing its job and allowing for complaints to come forward, or is it not effective and something that should be reviewed further at a later date?

Clearly, we set out the standards for the Auditor General and several other of these types of groups that report back to the Legislature, and for some reason we've omitted the same standard we put to everyone else from this act alone. I'm certainly open to the Associate Minister of Accountability, Transparency and Transformation explaining why he would change the standard practice of what this Legislature was already doing, to report on a semiannual basis, and explaining why this report would be so much different and be pushed to a yearly basis.

It would seem to me that given this is a brand new act and given this is a brand new opportunity for people to come forward that not only would the government want to make sure that we're accountable and transparent, but they'd also want to make sure that there's progress being made in how effective the act actually is. In order to do that, it would certainly seem that to have it come back to the Legislature I believe it's every April with a fall update every October would allow for the Legislature to hear what has happened between spring and fall, so over the summer months. Maybe we don't get any complaints leading into the fall. Maybe the bulk of our complaints come at Christmas. Who knows? At least then we might even be able to establish some sort of pattern. But we're not going to know if it comes in yearly. It could also be quite a substantial amount of time, that 12 months in between. It would seem that if there's a reason that we make the Auditor General report semiannually, why wouldn't we follow the same practice and the same standards with this act that we apply to all other acts?

It would also seem that by reporting back to the Legislature every six months, or semiannually, if there were budget implications – perhaps you're overloaded with whistle-blower people who want to come forward; there might be a budget implication – then you could propose that with lots of advance, which would allow for reporting and all of that to justify or not justify your position on funding.

I just don't know why we would make it any different than what we currently expect of our other reporting agencies. I would open the floor to the Associate Minister of Accountability, Transparency and Transformation to maybe explain why there's such a difference between the annual and semiannual.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak on amendment A22? On the amendment, the hon. Member for Edmonton-Riverview.

**Mr. Young:** Thank you, Madam Chair. It's interesting that on the amendment all the speakers from the members opposite keep talking about semiannually, but actually in the amendment here it's prescribed as April and October. Given the justification for the amendment, the April seems foolish because the legislation allows for the commissioner to report on any matter when the commissioner feels it is in the public interest to do so. That is a more open, transparent, and customized approach to reporting and is better use of the commissioner's resources than mandating a semiannual report.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thanks, Madam Chair. The hon. member in his statement even quoted from the provision and said that the Ethics Commissioner may report. This is a mandatory requirement that we think is very important. To actually leave the discretion with a commissioner once he has found there to be a wrongdoing, I think is completely unacceptable. If there's a finding of wrongdoing, it should clearly be made public. Anything other than that is just a very secretive process.

**The Deputy Chair:** Thank you, hon. member.

Is there any other member who wishes to comment on amendment A22? Seeing none, we'll call the question.

[The voice vote indicated that the motion on amendment A22 lost]

[Several members rose calling for a division. The division bell was rung at 9:36 p.m.]

[One minute having elapsed, the committee divided]

[Mrs. Jablonski in the chair]

For the motion:

Barnes	Saskiw	Swann
Bilous	Stier	Towle
Fox	Strankman	

9:40

Against the motion:

Allen	Hughes	Olson
Amery	Jansen	Pastoor
Brown	Jeneroux	Quadri
Calahasen	Johnson, L.	Rodney
Campbell	Kennedy-Glans	Sarich
Cao	Khan	Scott
Dallas	Lemke	Weadick
DeLong	Leskiw	Webber
Drysdale	Luan	Woo-Paw
Fenske	McDonald	Young
Fraser	McIver	

Totals:	For – 8	Against – 32
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[Motion on amendment A22 lost]

**The Deputy Chair:** Back on Bill 4, the hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Madam Chair. I rise with an amendment to Bill 4.

**The Deputy Chair:** We'll pause while that amendment is being distributed.

This amendment will be known as A23. Hon. member, you may proceed.

**Mr. Bilous:** Thank you, Madam Chair. I'm moving that Bill 4, Public Interest Disclosure (Whistleblower Protection) Act be amended by striking out section 21 and substituting the following:

Allegations by others of wrongdoing

21 If the Commissioner receives a disclosure that has been made anonymously or by an individual who is not an employee and the Commissioner believes that the disclosure may relate to a wrongdoing set out in section 3, the Commissioner must investigate the disclosure while maintaining the anonymity of the individual in accordance with the procedures outlined in section 5.

At the moment this bill does not ensure the commissioner will investigate disclosures made to the commissioner by individuals who are not an employee. The amendment that I'm putting forward today will ensure the commissioner will investigate disclosures to ensure that the public interest is protected even in cases where the disclosure is not made by an employee.

Madam Chair, if I can indulge the House and explain some of the rationale behind this. Sometimes third parties are made aware of internal corruptions or gross misconducts or illegality or other wrongdoings, okay? In these cases nonemployees must have an open avenue to the commissioner as legislated under our whistleblower protection act. This avenue will ensure the protection and anonymity of nonemployees, which is important in cases where a whistle-blower may not be affiliated professionally with the organization he or she finds a wrongdoing within.

This amendment will obligate the commissioner to investigate these disclosures, to seek out wrongdoing only if the commissioner is convinced there has been a wrongdoing. I want to emphasize that to the hon. members across the way, that this isn't about creating an endless witch hunt. This isn't about, you know, trying to dig for wrongdoings that don't exist. This is only if the commissioner is convinced that there is a wrongdoing that it provides the commissioner an avenue. Again, it provides for nonemployees to be able to approach the commissioner if they learn of a wrongdoing. So once the commissioner deems that there has been a wrongdoing, they can ensure that all Albertans, even nonemployees, receive the full services of the commissioner and that their legitimate disclosures will result in an investigation.

I honestly believe, hon. members, that this will strengthen the whistle-blower protection act and, again, provide avenues where we're not limiting this only to public-sector employees because, again, there are many examples of instances where nonemployees learn of a wrongdoing that is legitimate. It's up to the commissioner to do his due diligence before pursuing, but this opens up another avenue or another channel to ensure that there is that accountability happening and that we aren't missing any potential wrongdoings. Again I would ask the members of this House to consider this amendment.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

Is there any other member who wishes to speak on amendment A23? The hon. Member for Lacombe-Ponoka on the amendment.

**Mr. Fox:** Thank you very much, Madam Chair. I want to stand in support of this amendment. Why I'm standing in support of this amendment is because it is looking to protect the anonymous discloser, the anonymous whistle-blower, and make sure that when they do send something in, it is looked into. It is investigated. It isn't just dismissed because it was anonymous.

With that, I thank the chair for recognizing me, and I'd just like to state once again that I am in support of this amendment.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak on this amendment, A23?

Seeing none, I will call the question.

[The voice vote indicated that the motion on amendment A23 lost]

[Several members rose calling for a division. The division bell was rung at 9:47 p.m.]

[One minute having elapsed, the committee divided]

[Mrs. Jablonski in the chair]

For the motion:

Barnes	Saskiw	Swann
Bilous	Stier	Towle
Fox	Strankman	

9:50

Against the motion:

Allen	Hughes	Olson
Amery	Jansen	Pastoor
Brown	Jeneroux	Quadri
Calahasen	Johnson, L.	Rodney
Campbell	Kennedy-Glans	Sarich
Cao	Khan	Scott
Dallas	Lemke	Weadick
DeLong	Leskiw	Webber
Drysdale	Luan	Woo-Paw
Fenske	McDonald	Young
Fraser	McIver	
Totals:	For – 8	Against – 32

[Motion on amendment A23 lost]

**The Deputy Chair:** We are back on Bill 4. The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Madam Chair. I am happy once again to stand and move the last amendment.

**The Deputy Chair:** The last amendment.

**Mr. Fox:** The last amendment from the Wildrose on behalf of the Member for Calgary-Fish Creek.

**The Deputy Chair:** Thank you. We will take a moment to distribute the amendment, and this amendment will be known as amendment A24.

Hon. member, we can proceed with amendment A24.

**Mr. Fox:** Thank you, Madam Chair. Now, I'm going to read the section of the act that we're looking to amend here, which is section 1(g).

"Employee" means an individual employed by, or an individual who has suffered a reprisal and has been terminated by, a department, a public entity or an office of the Legislature or an individual prescribed in the regulations as an employee.

Now, I understand that you are looking to protect the employees, but there are other classes of people as well that work within ministries. What we're looking to add here is "or who performs a service as an appointee, volunteer or student for or under a contract or agency relationship with" after "employed by".

The reason why we need to add this in is because there are other people that work within the public entities. I don't understand why we wouldn't want to protect them if they saw something that they felt it necessary to come forward with.

Now, employee is limited, very limited, in scope. When we open this up, we're not really opening it that far. We're just making sure that, you know, if you do have a student that is working in a department, maybe volunteering time or working under contract or doing a practicum, they have the protection to come forward if they see something that just doesn't pass the smell test. We want to make sure that that person is protected and that their entire future career isn't damaged by coming forward. I couldn't fathom – I could not fathom – having somebody's career destroyed before it even started because they saw something that they thought maybe, just maybe, should go to the whistle-blower commissioner or to the designated officer. I don't understand why we wouldn't want to protect them from reprisals as well as the employees.

This is not really changing the scope of the bill at all. We just want to make sure that those who are working within these departments, whether they're there as an appointee, a volunteer, somebody under contract or in an agency relationship, are protected. That is the name that's on the front of this bill. This is whistle-blower protection, not protection for the government from the whistle-blower. I can't understand why this wouldn't have been included in the first place along with a lot of the other amendments we've spoken about here tonight.

You know, I'd really hoped that we would go to committee and discuss these things within a legislative committee and have a real back and forth about what's in this piece of legislation so that we could possibly fix some of the areas that we've found issue with, that independent groups have found issue with just like this one here, this amendment to section 1(g). I can't understand why we're not utilizing the legislative committees, which are there for that.

We really should have a discussion about this. We should have a further discussion about this because, clearly, there are issues with this piece of legislation. I mean, the NDs had multiple, multiple amendments. The Liberals had multiple amendments. We had over 20 amendments. They were all amendments in good faith. I know because I worked on most of them. This wasn't about what was going on on the other side of the aisle or trying to make anybody look bad. This was simply about trying to protect all those who come forward as whistle-blowers.

I guess this is the very last amendment that we have on this. I would sincerely hope that you would want to protect those who come forward who perform a service as an appointee, as a volunteer or student, or have come under contract or are in an agency relationship with the public entity.

With that, I thank you again for the opportunity and the ability to stand here today to bring this forward. In fact, I would like to thank the members of the Lacombe-Ponoka constituency for electing me to come forward, to stand up for whistle-blowers on this piece of legislation.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak on amendment A24, Bill 4? The hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Madam Chair. I just to thank the hon. Member for Lacombe-Ponoka and the hon. Member for Calgary-Fish Creek and, as well, the hon. Member for Lac La Biche-St. Paul-Two Hills for all the effort they've put into all of these

amendments. It does take a lot of work. I've watched them over the last week or so putting forward these amendments and consulting with Albertans. I appreciate all the effort that you have put into it. Thank you very much, because they are important.

This last amendment is something that is really important because more and more often we rely on volunteers or appointees to come into certain facilities and actually work there and help with protecting the people who are there. For example, my brother was at the Innisfail health care centre, which is an Alberta Health Services facility. He was in Rosefield Centre. My brother could not feed himself. He required 11,000 calories a day to live. You could imagine: if you can't feed yourself, how do you get 11,000 calories a day?

Well, clearly, the staff there did not have enough time to continuously feed him. He could not feed himself because his disease had progressed so much that he was unable to hold a fork or a spoon or anything and provide that food to his mouth. So we engaged with certain people in the community who registered as volunteers. They came in in the day, when my mom was not able to come in. My mom was there every single evening to feed my brother. On the weekends we spelled off, and mostly mom fed him because it was something that she wanted to do.

When you're having to feed someone who needs 11,000 calories a day, you're literally having to feed them all the time. It's not just: let's go and feed them dinner, and let's go feed them breakfast, and let's go feed them lunch. You are having to literally sit down with them on a constant basis and feed them pudding and feed them Ensure and all of those things, and that takes time.

**10:00**

We acknowledged that that was almost impossible for front-line staff workers to do. There's not the ability in the system to have them be able to spend that much time with my brother. So by engaging the volunteers – we were able to find some fantastic volunteers that for two years, while he was in the Rosefield Centre, came in faithfully every single day that my mom could not be there and fed him all day long. Well, this is a huge burden that they've taken off of the health care system.

I think it's important to understand what our volunteers do in these facilities. These same people took time out of their day to spend eight hours a day feeding my brother, who couldn't feed himself. Now, without them that duty would have fallen to a health care worker, and clearly we don't have the staff nor do we have the dollars to provide that kind of service. In addition to that, that volunteer would take him outside because he could not wheel himself outside. They would light a cigarette for him. They would take him out to smell the flowers during the times when my mom had to work. My mom and I both had full-time jobs because we were the only ones paying the bills.

When we're relying that heavily on a volunteer sector, we need to protect them because they really are doing the job of our employees. If we're expecting them to do the job of our employees, then they should be granted the same protection as that employee gets. When we're taking a look at a sector of our health care system – and it's not just our health care system. We have volunteers who deal with people with developmental disabilities, our AISH clients – they're all over – yet we're asking them to work as employees.

Some of them are putting in significant hours. I know that the two volunteers that helped my brother for two years put in easily 40 hours a week and then were kind enough to come in even on the weekends just to see if my mom needed a hand. If you're doing that – we're not asking you for family members. When my mom came in, that was just her nurturing nature to go in there and sit with him

for that long until his passing. But when you're asking people to give up 40 hours of their week to go in and really do what employees should be doing but can't, don't have the time to do, then let's protect them just the same as if they're employees.

Not only are we talking about that, but we're also talking about these people that are in the system, that are there voluntarily. They also see things. They're made aware of situations. Some of those people that are there that are feeling vulnerable might confide in them. So then we're basically saying to them: you have no protection; so if you come forward, you may not be able to come back here.

I can tell you as a caregiver I relied on those volunteers to help my brother because we couldn't be there, but I can tell you, more importantly, that those two volunteers became my brother's best friends. You know, these were two older women who took the time out of their day to spend eight hours a day with some boy they didn't even know. When my brother came into that facility, he was just a patient, just like any one of us. But by the time of his death and to this day these people spend their holidays with our family, these people spend their time with our family. These people have dedicated their lives to the last two and a quarter years of my brother's life, all just because they're kind. And now we're saying to them: we don't want to protect you because you're just a volunteer.

Now, I'm giving you one side of the story – and I appreciate that you're hearing this; I feel like you are, and I think that's great – and if you take a look at it from that perspective, it's not just a frivolous amendment. These people add value to our system. They relieve the health care system. They relieve taxpayer dollars. But, more importantly, they make the lives of the people they're helping that much better. My brother loved these people. I love these people, and I didn't know them three years ago. I ask if you could just take a minute, before you automatically decide that this is something you absolutely cannot support, to take a look at it from that perspective.

We're asking a lot of people here. More and more people are going into care. More and more people need baths. More and more people need to be fed. My brother did get bathed once a week. Once a week. Now, if that volunteer had been allowed to bathe him, she would've done that, too. I'm not faulting the front-line workers for that. That's not their fault.

We're asking volunteers to be employees. So just take a step back, please think about it for two minutes, and consider this amendment.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak on amendment A24?

**Mr. Scott:** Madam Chair, the act already allows anyone to make a disclosure to the commissioner even if they are an employee of a contractor hired by a public entity, an employee of a company that provides services on behalf of a public entity, a nonemployee, a volunteer, or a private citizen. That's covered in section 21.

This government recognizes the importance of accountability outside the public sector. We also recognize the importance of reducing red tape for both large and small businesses. We encourage Alberta businesses to take a leadership role and to develop similar protections for their employees. Prior to extending this legislation, it would be critical that we have consultation with the right organizations to make sure that the right people and the right organizations are covered.

For that reason, I cannot support this amendment.

**The Deputy Chair:** Thank you, hon. minister.

The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you very much, Madam Chair. I'm going to read section 21 here again:

If the Commissioner receives an allegation of wrongdoing that has been made anonymously or by an individual who is not an employee, the Commissioner may . . .

May, not must.

. . . choose to investigate the disclosure or may, in the Commissioner's discretion, forward the allegation to the chief officer of the department, public entity or office of the Legislature.

May.

Now, this only talks about disclosure. This does not afford protection. This is about investigation. This is about going forward and investigating a complaint, but it doesn't say anywhere in here that it applies to reprisal, and it doesn't offer protection. It just says that they may investigate.

Well, we want to make sure that not only can the commissioner investigate, but that person who had the audacity to come forward – the audacity to come forward – is protected from reprisal under this piece of legislation. Just by adding this to section 1(g), you are protecting them from reprisal. That's what we're looking for. We're looking to protect the whistle-blower. It's important that we protect these people.

I just can't understand why we don't want to extend the provisions that protect the employees to the volunteers, to the students who might come forward, to these people that are coming forward. I mean, I can't understand why you wouldn't want to apply that there rather than just investigate. This piece of legislation is so much more than an investigation tool. This piece of legislation is meant to protect the whistle-blower, not just to investigate allegations of wrongdoing.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

**Mrs. Towle:** I will keep my comments brief. I can appreciate your position, and I understand that you believe section 21 covers them, but very clearly section 21 says may. It says may. If you've had someone in care and you're relying on that volunteer to be with them eight hours a day to provide a service that the system does not provide, I would defy any one of you to say: you are not entitled to the same protection that the LPN or the RN or the health care aide is given. Yet they're doing the same level of care because the system doesn't provide it currently. This isn't just about seniors. It's not just about care facilities. It's people with developmental disabilities. It's people on AISH.

I respect your position. I understand your position. But, very clearly, section 21 says may. Surely, at some point in time tonight we can take a step back, really take one amendment, and literally say that we're going to protect volunteers. They're integral to our system. They're integral to Albertans. They're integral to saving taxpayer dollars.

I understand your position, but section 21 just says may. It doesn't protect them. It doesn't say that you will investigate. It doesn't say that their volunteer position at that facility will be protected.

These people love the people they're helping. I would defy anyone in this room to believe that if you have a person in care right now and you have that volunteer looking after them, you would honestly say that that person doesn't deserve the same kind of care and compassion and protection that we're affording to employees. Do you honestly believe that that employee who is

helping people go from group homes to the mall doesn't deserve the same kind of protection if they see a wrongdoing? This is only if they see wrongdoing. That's it. Section 21 does not protect them.

Thank you.

**10:10**

**The Deputy Chair:** Thank you hon. member.

Are there any other members who wish to speak on amendment A24? The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Madam Chair. Just going back to the member opposite's comments on section 21 in relation to this amendment, it's clear that it's permissive. It says may. Not only that, it even goes further in terms of the legislation. It's not only may; it's in his discretion. It is abundantly clear that it's permissive.

I'm not sure why the minister is sticking to his talking points, probably written by someone in his department, when he can clearly read the legislation and see that it's permissive, that it doesn't guarantee the protection of those who whistle-blow, and it doesn't guarantee that those instances that are put forward to the commissioner are eventually investigated. It's just mind boggling that someone who has written the legislation apparently still is trying to portray that it's mandatory when the language is clearly permissive.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak? The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Madam Chair. I just wanted to weigh in on this conversation and to reiterate what some of the other hon. members have said as far as the impact that volunteers and caregivers have and the role that they play in our society, you know, the contributions that they make to ensuring that Alberta is the greatest province in the country.

It's disconcerting to hear that, again, the hon. associate minister is referring to a section which allows the commissioner to use their discretion as far as whether an investigation happens or not. I think, you know, if the intention of this bill is to protect whistle-blowers, which we've heard time and time again from this government, then this bill needs to reflect that language. Unfortunately, when you have a section that can be interpreted, which gives an out, which means that the commissioner may investigate or may not, that takes any teeth out of this bill, and I would argue that there are very few left in this bill or even to begin with.

I think this amendment put forward by my colleagues on this side of the House is trying to strengthen this bill. It's acknowledging the role that volunteers and caregivers play in that. Again, they may learn of either wrongdoings or ways to improve an agency or an organization, so give them the tools to be able to blow the whistle and ensure that action is taken and that it's not either dismissed or looked over.

Again, this is another amendment that I think is a reasonable amendment that this side of the House is putting forward. I'm a little dismayed as to how little interest the government has in looking at improving a bill, which is what we're supposed to be doing in this House during these debates and during this Committee of the Whole.

I would ask them to seriously consider this amendment and to look at the value that will come out of adding this to the bill. Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

Are there other members who wish to speak on amendment A24?

Seeing none, I'll call the question.

[The voice vote indicated that the motion on amendment A24 lost]

[Several members rose calling for a division. The division bell was rung at 10:14 p.m.]

[One minute having elapsed, the committee divided]

[Mrs. Jablonski in the chair]

For the motion:

Barnes	Saskiw	Strankman
Bilous	Smith	Swann
Fox	Stier	Towle

Against the motion:

Amery	Jeneroux	Pastoor
Calahasen	Johnson, L.	Quadri
Campbell	Kennedy-Glans	Rodney
Cao	Khan	Sandhu
Dallas	Lemke	Sarich
DeLong	Leskiw	Scott
Drysdale	Luan	Weadick
Fenske	McDonald	Webber
Fraser	McIver	Woo-Paw
Hughes	Olson	Young
Jansen		

Totals:	For – 9	Against – 31
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[Motion on amendment A24 lost]

**The Deputy Chair:** We now return to Bill 4. The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Madam Chair.

**The Deputy Chair:** Once again, we'll take a few moments to distribute the amendment. This amendment will be known as A25.

Hon. member, I think that it's okay for us to proceed with amendment A25.

10:20

**Mr. Bilous:** Wonderful. We were just verifying.

**The Deputy Chair:** It looks like everybody has a copy, so you may proceed.

**Mr. Bilous:** Wonderful. Thank you, Madam Chair. In this amendment I am moving that the Public Interest Disclosure (Whistleblower Protection) Act be amended in section 32 by striking out subsection (3) and substituting the following:

The report under subsection (1) must be included in the annual report of the department, public entity or office of the Legislature, and the report must be made publicly available.

This amendment is fairly straightforward. We're requiring that the chief officer's annual report be made public each year. At the moment the bill reads that the annual report of the chief officer on all disclosures made to her or him must be included in the annual report of the office of the Legislature if it's made public, and if the report is not made public, it must be made public or available on request. This amendment, what we're proposing, removes any reference to public request and, instead, stipulates that the annual report must always be publicly available.

Albertans should not have to put in a request in order to see an annual report issued by an officer of the Legislature, particularly concerning the number of whistle-blower disclosures received each year, the number of investigations commenced in each year, and a description of findings of wrongdoing and any recommendations or corrective measures taken in relation to the wrongdoing as well as, in cases where corrective measures are not taken, reasons for that decision.

You know, if we want to strengthen not only our democracy but the faith that Albertans have in this legislation and make this as open and transparent a process as possible, then this report should be made public, shouldn't have to be requested. Again, this government has made claims repeatedly about how it wants to be transparent and open. If they are serious about these objectives, then they'll support this amendment and ensure that these annual reports are automatically made public, that we're informing the public of the concerns that are coming into the chief officer's office along with the aforementioned things from the description of the wrongdoings, actions taken, et cetera. If we really do want to improve our agencies and public services that we offer in this province, then this is a great way to do that. Albertans should not have to request this report. It should be automatically made public.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to comment on amendment A25 to Bill 4? The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thanks, Madam Chair. I guess, just referring to this amendment, it just seems to be the most reasonable amendment that I've seen today. It states that the annual report must be made public. If the commissioner is going to go through all the work and effort of creating a report, why would it not be made public? If this amendment isn't accepted by the government, it just seems that instead of Public Interest (Whistleblower Protection) Disclosure Act, it should be read as Nondisclosure Act. Why wouldn't the commissioner's annual report be made public? I think this is a very reasonable amendment. I genuinely hope that the minister will strongly consider this amendment.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak on amendment A25 to Bill 4?

**Mrs. Towle:** I'll keep it brief, but it would seem to me that it would just make sense that if we're protecting the public, then we should allow the information to go back to the public. It would seem to me that this act is called the Public Interest (Whistleblower Protection) Disclosure Act, and by not allowing the report to be made public automatically and requesting that the public request that it be reported or that it may be disclosed publicly and not actually implementing that it be mandatorily sent to the public, it defies the actual title of the act, which is the Public Interest Disclosure Act. It would seem to me that it would only make sense. This one is a no-brainer. We need to do the right thing and make sure that it's accepted publicly, that the public has access to it, because it's in the public interest. This is what the whole act defines.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak?

**Mr. Strankman:** Well, I too, Madam Chair, would like to challenge the associate minister and the members opposite as to why this is coming forward in this manner. As a member previously stated, it's a public interest disclosure, and it seems to me that this just may be some sort of a typo or a miscommunication or something. When the government presented Bill 2, they also presented 11 of their own amendments, which were primarily legalese to properly bring the bill forward. I would speak completely in favour of this amendment.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak on amendment A25?

Seeing none, I'll call the question.

[The voice vote indicated that the motion on amendment A25 lost]

[Several members rose calling for a division. The division bell was rung at 10:27 p.m.]

[One minute having elapsed, the committee divided]

[Mrs. Jablonski in the chair]

For the motion:

Barnes	Saskiw	Strankman
Bilous	Smith	Swann
Fox	Stier	Towle

10:30

Against the motion:

Allen	Jansen	Pastoor
Amery	Jeneroux	Quadri
Calahasen	Johnson, L.	Rodney
Campbell	Kennedy-Glans	Sandhu
Cao	Khan	Sarich
Dallas	Lemke	Scott
DeLong	Leskiw	Weadick
Drysdale	Luan	Webber
Fenske	McDonald	Woo-Paw
Fraser	McIver	Young
Hughes	Olson	

Totals:	For – 9	Against – 32
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[Motion on amendment A25 lost]

**The Deputy Chair:** We will go back to Bill 4. The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Madam Chair. I have another amendment to Bill 4 that I would like distributed.

**The Deputy Chair:** We will pause once again to have the amendment distributed. Hon. members, this is amendment A26.

Hon. member, you may proceed.

**Mr. Bilous:** I'd move that Bill 4, Public Interest Disclosure (Whistleblower Protection) Act, be amended in section 33 by striking out subsection (3) and substituting the following:

- (3) Where it is in the public interest to do so, the Commissioner must also publish special reports relating to any matter within the scope of the Commissioner's responsibilities under this Act, including reports referring to and commenting on any particular matter investigated by the Commissioner within 90 days of the matter being investigated.

The reasoning behind this, Madam Chair, is that section 33 refers to the commissioner's annual reports and special reports to the Legislative Assembly on the exercise and performance of her functions and duties as well as with regard to investigations that she conducts.

Currently section 33(3) indicates that

the Commissioner may publish a special report relating to any matter within the scope of the Commissioner's responsibilities under this Act, including a report referring to and commenting on any particular matter investigated by the Commissioner.

This amendment that I'm proposing today will require the commission to publish a special report within 90 days of any particular matter being investigated by their office. Again, this amendment maintains the commissioner's authority to publish additional special reports in addition to those that they shall be required to publish regarding investigations. It's imperative, in my view, that this Legislative Assembly be made aware of the matters that have been investigated and the conclusions and rationale reached by those investigations by the commissioner, putting a time frame on that, within the preceding three months.

This amendment ensures that such reporting is a requirement of the commissioner as opposed to a subjective judgment open to interpretation, which, again, is a real cause of angst for me and amongst my caucus. Within this bill at the moment there is so much that is left to the interpretation, the subjective opinion of the commissioner, so in order to serve all Albertans and serve the interests of all Albertans, we need to firm up certain sections of this bill and ensure that there are established timelines and parameters. As for us, as Members of the Legislative Assembly we want to ensure that we always have the most detailed information available in a timely manner to assist us as legislators. Again, that speaks to the three-month time frame in which we're requiring the commissioner to report.

In short, this amendment helps us to do our job as legislators, and I would ask that all members consider this amendment. Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members that wish to speak on amendment A26? The hon. Minister of Transportation.

**Mr. McIver:** Yeah. I'll be brief, Madam Chair. It occurs to me that there's just a distinction without a difference. The hon. member is representing that this takes away the choice of the commissioner, yet the first few words in this are, "Where it is in the public interest to do so," clearly a judgment call on the part of the commissioner.

So with all due respect to the hon. member, this doesn't change anything. Consequently, I don't see a point in supporting it.

**The Deputy Chair:** Thank you, hon. minister.

The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Madam Chair. I am standing to support this amendment. Why am I standing to support this amendment? Because there is a time frame in which that report must be released if the commissioner so decides to write one. Currently, there is nothing in here that says that. It says:

Where it is in the public interest to do so, the Commissioner may publish a special report relating to any matter within the scope of the Commissioner's responsibilities under this Act, including a report referring to and commenting on any particular matter investigated by the Commissioner.

Where is that report going? It doesn't say. It just says he's going to write one. Well, that's nice. We're going to have a report that's

going to go somewhere. It's not going to come out into the public, yet the name of the bill is Public Interest Disclosure (Whistleblower Protection) Act. So where is that report going to be disclosed? Well, in this amendment it specifically states that that report will be disclosed to the public and that it will be done in a timely manner, within 90 days.

It's not just going to be swept under a rug somewhere so that opposition members or some member at large can put in a FOIP request and maybe get the full report. Who knows? It might be redacted. I can't understand this. This bill is supposed to be about public interest disclosure, yet where there is something egregious enough that the commissioner will want to create a special report, that report is not going to go anywhere. It's laughable. It's absolutely laughable. I can't understand why that bill reads the way that it does.

Let's put that information out there for the public interest within 90 days, within a prescribed time frame, where the public can see what the whistle-blower commissioner is doing in the public interest. I mean, who is this bill for? Is this bill meant to protect whistle-blowers and bring things to light, or is it just a black hole in which investigations happen and get sucked into nothing?

Sorry; I can't support the way that this bill is written, and this amendment goes a long way in at least bringing forward a little bit of integrity behind the name of this bill, Public Interest Disclosure (Whistleblower Protection) Act.

10:40

**The Deputy Chair:** Thank you, hon. member.

**Mr. Bilous:** I would like to thank the hon. Minister of Transportation for speaking to this amendment. However, I need to clarify a few points that he's clearly overlooked. One, the way that the bill is currently written, it uses that word that this government seems to favour, and that's the word "may." At the moment, "the Commissioner may publish a special report." Again we're leaving that decision to the commissioner, as opposed to the amendment that we're putting forward, which instructs and legislates the commissioner, where he or she must publish the special reports as opposed to "may publish."

The second part of this amendment puts a time frame or a parameter around when the commissioner publishes the report. As this Assembly has seen, the government often commissions reports and then holds on to them like a nighttime blanket for months or years afterwards, clearly afraid to either share them or disclose them. This amendment stipulates that the commissioner must report, first and foremost, and second of all, that it is within a timely and reasonable manner. Instead of using those words, which, again, can be interpreted in too many ways, we've put 90 days as the parameter.

This amendment does strengthen this piece and ensures that the public is getting this information, number one, and getting it in a timely manner. Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Madam Chair. I'll be very brief. Just in response to the hon. Transportation minister's comments, if something is in the public interest to disclose, why would you then make it discretionary upon the commissioner to disclose it? It just makes absolutely no sense. I think that this is just another example of an absolutely disastrously written bill that hasn't been properly vetted. We, of course, provided the opportunity to put this to a committee so that poorly worded provisions like this are not put

into law. Eventually this and many other provisions are probably going to have to be amended. This is why you have all these different independent bodies coming out and saying that this bill is an absolute disaster. An absolute disaster. It's just shocking that you have a Premier who in a throne speech says that this government is going to be open and transparent and then comes out with this disastrous bill that does the complete opposite, protects the government from whistle-blowers instead of the other way around. To make it permissive for a commissioner to release a report when it's in the public interest to do so is just completely wrong.

It's unfortunate that the minister who drafted this doesn't just take some of these really reasonable amendments and accept them. This is supposed to be part of the process. Even though there are valid, substantive amendments being put forward, we're seeing again and again this government rejecting them, it looks like, without even reading them.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak on this bill?

**Mr. Scott:** Just to speak to some of the comments that have been made by my colleagues, section 33(3) does not exist in isolation. It follows the annual report section, which is 33(1). Annually the commissioner is going to report on a number of things:

- (a) the number of general inquiries made to the Commissioner relating to this Act,
- (b) the number of disclosures received by the Commissioner under this Act . . .
- (c) the number of investigations commenced by the Commissioner under this Act,
- (d) the number of recommendations the Commissioner has made and whether the departments, public entities or offices of the Legislature . . . have complied with the recommendations,
- (e) the number of complaints of reprisals received by the Commissioner under this Act . . .
- (f) whether, in the opinion of the Commissioner, there are any systemic problems that may give rise to or have given rise to wrongdoings, and
- (g) any recommendations for improvement that the Commissioner considers appropriate.

There are strong reporting provisions in this act, Madam Chair. Section 33(3) supplements that. It says that whenever the commissioner thinks it's in the public interest, they can issue another report. This is very strong reporting, and that's the reason I cannot support this amendment.

**The Deputy Chair:** Thank you, hon. minister.

The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Madam Chair. One last question. Who is that special report going to? We know where the annual report is going, but the special report that's listed here – it's not clear. It's not clear in the legislation who that special report is going to come to. I think we need to have an amendment that specifies who this special report is going to be given to. Clearly, section (1) and section (2) deal with the annual report. Does that mean we're not going to get to see a special report that is in the public interest? It states here:

- (3) Where it is in the public interest to do so, the Commissioner may publish a special report relating to any matter within the scope of the Commissioner's responsibilities under this Act, including a report referring to and commenting on any particular matter investigated by the Commissioner.



If it's egregious enough that we need a special report, why are we now waiting for an annual report to get it? What's the purpose of having a special report? I don't understand.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak on amendment A26, Bill 4?

Seeing none, we'll call the question.

[The voice vote indicated that the motion on amendment A26 lost]

[Several members rose calling for a division. The division bell was rung at 10:47 p.m.]

[One minute having elapsed, the committee divided]

[Mrs. Jablonski in the chair]

For the motion:

Barnes	Saskiw	Strankman
Bilous	Smith	Swann
Fox	Stier	Towle

**10:50**

Against the motion:

Allen	Jansen	Pastoor
Amery	Jeneroux	Quadri
Calahasen	Johnson, L.	Rodney
Campbell	Kennedy-Glans	Sandhu
Cao	Khan	Sarich
Dallas	Lemke	Scott
DeLong	Leskiw	Weadick
Drysdale	Luan	Webber
Fenske	McDonald	Woo-Paw
Fraser	McIver	Young
Hughes	Olson	

Totals:	For – 9	Against – 32
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[Motion on amendment A26 lost]

**The Deputy Chair:** We will move on to the main bill, Bill 4. The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Madam Chair. I'd like to put forward another amendment.

**The Deputy Chair:** Once again we'll take a few moments to distribute the amendment.

Hon. member, you may proceed on amendment A27.

**Mr. Bilous:** Thank you, Madam Chair. I move that Bill 4, the Public Interest Disclosure (Whistleblower Protection) Act, be amended by adding the following after section 53:

The Commissioner has the duty to protect the job of any employee who in good faith makes a public interest disclosure.

It's interesting and at the same time almost frustrating that it's currently not in the bill that is supposed to be whistle-blower protection. It's not spelled out anywhere that the commissioner has the duty to protect the employee and his or her job.

This amendment simply clarifies what I'm sure members on the opposite side will say is inherently in this bill, yet we don't want to leave anything to interpretation or to reading between the lines. We want to spell out one of the fundamental duties of the commissioner, which is to ensure that whistle-blowers who make disclosures in good faith will not suffer by losing their job through the process. Again, nowhere in this bill is there a section that speaks directly to the relationship between the public interest

commissioner and the employee in terms of protecting their employment.

One of the fundamental indicators, when one looks at whistle-blower legislation throughout the world as far as an indicator of success, is in the protection of employees and whether or not whistle-blowers have managed to maintain their jobs throughout the process. Therefore, it's crucial to explicitly and fundamentally state that the duty of the commissioner is to protect the whistle-blower from losing his or her job. Otherwise, the lack of that statement undermines the whole purpose and intent of the bill.

This section will help to shift the perception that this act creates more hurdles for whistle-blowers than protection. Again, you know, if the purpose is to protect the whistle-blower, then it needs to be stated explicitly in this bill. The proposed section will enshrine the spirit of the bill, which is the protection of whistle-blowers as part of the commission.

I can pretty much anticipate that members on the opposite side will speak to the fact that it's already in the spirit of the bill, and I will challenge that comment by stating that it needs to be explicitly written into the bill that this is one of the duties and priorities of the commission in order to give potential whistle-blowers the confidence to step forward and blow the whistle. I mean, again, if there is fear of reprisal and the potential for that, then potential whistle-blowers will be unlikely to step forward, and this whole bill will essentially be meaningless as far as protecting whistleblowers or giving them the tools or the ability to come forward and the protection that will follow.

So I will ask members of this House to consider this amendment.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

Are there any members who wish to speak on amendment A27? The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you very much, Madam Chair. Again, it is a pleasure to rise and support the amendment of my good friend from Edmonton-Beverly-Clareview. Now, what is this amendment? This amendment goes right to the very intent of this bill, whistle-blower protection. It's right there in the name, the shield provision, as the Member for Airdrie described it last night, of the act. This is meant to protect the whistle-blower. This act, I believe, was supposed to have been brought forward not to create just an internal reporting body but to protect those who come forward, those who put their jobs on the line, their ability to produce income on the line, which ultimately can affect their family and their home life. I mean, this is everything. This is why this bill was supposed to have come forward, to protect the employee who in good faith comes forward with a disclosure.

Now, nowhere in the bill does it state that the commissioner has a duty to protect that person. All that's in the bill is provisions that the employee should be protected from reprisal, but it doesn't put any onus back on the person that ultimately has the investigation purpose, the person that ultimately enacts the provisions under this bill to protect the employee. It just simply states that the employee is protected. But, you know, we should be making somebody responsible for it. The commissioner should be responsible.

**11:00**

They need to know. The employee needs to know that when they've come forward in good faith, there is somebody there who is willing to stand as the shield, to stand in front of them to protect them, not just from the piece of legislation but a physical human being to protect the whistle-blower who has come forward. I mean,

it's nice to have a piece of paper, but paper is flimsy; people aren't. When you have a commissioner that understands that their duty is to protect the person coming forward in good faith, they will do so. It's the same oath that many other public servants take.

So let's have the commissioner understand that it is his duty and put it in the legislation so that the commissioner knows that it's his or her duty to protect the employee who comes forward in good faith.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak on amendment A27? Seeing none, I'll call the question.

[The voice vote indicated that the motion on amendment A27 lost]

[Several members rose calling for a division. The division bell was rung at 11:02 p.m.]

[One minute having elapsed, the committee divided]

[Mrs. Jablonski in the chair]

For the motion:

Barnes	Saskiw	Strankman
Bilous	Smith	Swann
Fox	Stier	Towle

Against the motion:

Allen	Hughes	Olson
Amery	Jansen	Pastoor
Calahasen	Jeneroux	Quadri
Campbell	Johnson, L.	Rodney
Cao	Kennedy-Glans	Sandhu
Dallas	Khan	Sarich
DeLong	Leskiw	Scott
Drysdale	Luan	Weadick
Fenske	McDonald	Webber
Fraser	McIver	Young
Totals:	For – 9	Against – 30

[Motion on amendment A27 lost]

**The Deputy Chair:** We return to Bill 4. The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Madam Chair. I rise with an amendment to Bill 4.

**The Deputy Chair:** Thank you. We will take a few minutes to distribute that amendment.

Hon. members, we have some guests in the members' gallery. I'm asking for unanimous consent to revert to introductions. If anyone is opposed, please say no.

[Unanimous consent granted]

**The Deputy Chair:** Thank you, hon. members.

### Introduction of Guests

**The Deputy Chair:** I recognize the Member for Edmonton-Manning.

**Mr. Sandhu:** Thank you, Madam Chair. I want to thank all members of this Assembly for allowing me to introduce to you and through you my good friends, who have stood with me since my first nomination in 2007. Today is a celebration for the Sikh community of the first Guru Nanak Dev Ji's 544th birthday. The

Edmonton Sikh community donated \$14,000 to the food bank and \$40,000 to the University of Alberta chair of Punjabi language.

My friends helped me with my first nomination, and they're here to enjoy today's debate on Bill 4. They all came here with a very small amount of money 30 years ago and are all good businessmen here in the city of Edmonton. I'm proud of them. They are all my good friends. Stand with me just like brothers as I mention your names, please: Mr. Jasvir Singh Randhawa, Mr. Buta Singh Gill, Mr. Sunny Briach, Karnail Dhami, Sukhi Sandhu, Verinder Lyall, and Punjabi media icon Mr. Jarnail Singh Bosta. He looked after what I was doing in the Assembly and shared it throughout Alberta with the Punjabi radio station. I want to give all of my friends the warm welcome of this Assembly.

Thank you.

11:10

### Bill 4 Public Interest Disclosure (Whistleblower Protection) Act (continued)

**The Deputy Chair:** Hon. Member for Edmonton-Beverly-Clareview, we can now proceed with amendment A28.

**Mr. Bilous:** Thank you, Madam Chair. I move that Bill 4, Public Interest Disclosure (Whistleblower Protection) Act be amended by striking out section 38 and substituting the following: "Notwithstanding section 3(1) of the Ombudsman Act, the Ombudsman shall serve as Public Interest Commissioner to carry on the duties and functions set out in this Act." Currently the bill as written allows for the Ombudsman to serve as the public interest commissioner but does not necessitate that. This amendment will ensure that the Ombudsman will serve as the public interest commissioner.

The logic behind this amendment is that we're trying to remove the ambiguity surrounding the appointment of the public interest commissioner. In order to maintain transparency in the process, this amendment will provide some clarity and avoid any questions surrounding the process of the appointment of the public interest commissioner, which is currently quite ambiguous if members look at that section.

Concerns have been raised that recommendations by the Legislative Assembly as per the appointment of the commissioner may not result in the best appointee for the job. This amendment will avoid the potential for the Lieutenant Governor in Council and the Assembly to appoint a person without the necessary credentials to serve in the role of commissioner. You know, it takes away or eliminates that possibility of not appointing the most qualified, effective, and nonpartisan person for the position. It is our position that in order to remove that ambiguity, we clarify that it will in fact be the Ombudsman, which, as I've stated, is one of the possible commissioners for this bill as written by the government.

I would ask, then, that all members of the Assembly consider this amendment. Thank you.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who would like to speak on amendment A28?

Seeing none, we will call the question.

[The voice vote indicated that the motion on Amendment A28 lost]

[Several members rose calling for a division. The division bell was rung at 11:13 p.m.]

[One minute having elapsed, the committee divided]

[Mrs. Jablonski in the chair]

For the motion:

Barnes	Saskiw	Strankman
Bilous	Smith	Towle
Fox	Stier	

**The Deputy Chair:** Hon. member, I've just been informed that you are unable to abstain while you are in the House. We just have to clarify. Hon. member, you are voting against amendment A28. Is that correct?

**Dr. Swann:** I'm voting against the amendment, Madam Chair.

**The Deputy Chair:** Okay. Stay standing for a moment. It's getting late, I know.

Against the motion:

Allen	Jansen	Pastoor
Amery	Jeneroux	Quadri
Calahasen	Johnson, L.	Rodney
Campbell	Kennedy-Glans	Sandhu
Cao	Lemke	Sarich
Dallas	Leskiw	Scott
DeLong	Luan	Swann
Drysdale	McDonald	Weadick
Fenske	McIver	Webber
Fraser	Olson	Young
Hughes		

Totals:	For – 8	Against – 31
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[Motion on amendment A28 lost]

**The Deputy Chair:** Once again we move back to Bill 4.

**Mr. Bilous:** Madam Chair, I rise to table my final amendment to this poorly written bill.

11:20

**The Deputy Chair:** Thank you. We will pause while we distribute that amendment.

Hon. members, the amendment that we were going to name A29 is out of order. The reason for that is because it is the same amendment that we have already defeated. That was amendment A11, and that was defeated on November 27.

We will move back to the bill in Committee of the Whole. Are there any members who have any comments or further amendments to be offered with respect to Bill 4?

Seeing none, I will call the question.

[The clauses of Bill 4 agreed to]

[Title and preamble agreed to]

**The Deputy Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? Carried.

**Mr. Campbell:** Madam Chair, I'd ask that the committee rise and report on Bill 4.

[Motion carried]

[Mrs. Jablonski in the chair]

**The Acting Speaker:** Hon. Member for Calgary-East, would you read the report, please?

**Mr. Amery:** Thank you, Madam Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bill: Bill 4. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

**The Acting Speaker:** Does the Assembly concur in the report?

**Hon. Members:** Concur.

**The Acting Speaker:** Opposed? So ordered.

## Government Bills and Orders Third Reading

### Bill 4 Public Interest Disclosure (Whistleblower Protection) Act

**The Acting Speaker:** The hon. Associate Minister of Accountability, Transparency and Transformation to move third reading.

**Mr. Scott:** I move the bill for third reading.

**The Acting Speaker:** The hon. Leader of Her Majesty's Loyal Opposition.

**Ms Smith:** Thank you, Madam Speaker. Well, here we are, finally, on third reading, and I'm pleased to speak to Bill 4. Remember that when I first spoke on this, I said that we had hoped to be able to support it, that we were going to seek significant amendments to it, and in the absence of those significant amendments we would not be able to support it. So I will be voting against this bill. I am looking forward to seeing my colleague the hon. Member for Calgary-Fish Creek bring forward a piece of private member's legislation that will look like the kind of whistle-blower legislation that this government had the opportunity to draft and failed at doing.

When we started looking at this legislation, we said that we were going to judge it by three criteria. We wanted to see legislation that would allow for whistle-blowers to blow the whistle anywhere, anytime, for any reason.

One of the groups that the hon. Member for Calgary-Fish Creek has been working with in developing her draft legislation for her private member's bill was FAIR, the Federal Accountability Initiative for Reform. They took the time to go through and do an assessment of Alberta's bill even though they have been in the past a research agency that looks at federal legislation. They don't have much nice to say about the federal legislation. They have said that the federal legislation has cost taxpayers more than \$30 million with, as they quote, "virtually nothing to show for it." They say, "No other developed country has suffered such a spectacular and humiliating meltdown of its national whistle-blower system" as this system. Unfortunately, they do say that Alberta's bill, this legislation, which models after many of the errors in the federal bill, is not much better.

I want to read a couple of things from the report because I think it's instructive about the approach that they think that this government should have taken, which would have allowed them to endorse it. What they say about this bill is that the shortcomings and loopholes of this bill are so serious that any of the rest doesn't matter because the law as it's presently configured simply cannot be effective. I think that's important.

The other thing that is important is that in looking through the very serious concerns that they have with this legislation, they point out 15 major flaws. They say that it

does not look like a serious attempt at creating an effective anti-corruption system: it looks more like an attempt at window-dressing – or the result of a failure to understand the most basic requirements of whistleblower legislation.

There are three other areas from this report that I want to quote at length before I go into some of the more summary arguments that they make. Don't worry; I won't go through all of the 15 major flaws that they have with the bill. I will table this report, if it hasn't been done already, so that members can read it for themselves. The problem that we see, one of the big, serious issues, is that the most common types of wrongdoing are excluded. In the definition of wrongdoing the act doesn't reference the most common types of misconduct – namely, the violation of policies, violation of codes of conduct, and the like – even though they can have very serious consequences.

Here's an instructive example, I think. They give this example that most of the misconduct exposed within the financial industry during the major financial meltdown and economic devastation that it caused around the globe was in fact perfectly legal even though it was clearly immoral and unethical and violated numerous policies. That I think is instructive. Just because something doesn't violate the letter of the law doesn't mean that it's ethical. It doesn't mean that it doesn't breach some kind of code of conduct or policy. These are the kinds of things that we want to give our public servants the latitude to be able to report on without fear of retaliation.

Because what happens – and I'm sure the hon. Member for Calgary-Mountain View and the hon. Member for Edmonton-Meadowlark would be able to go on at length about this, about how false accusations and smears are routinely used to ruin truth tellers' reputations and to prevent them from ever finding employment again in their chosen field. Sometimes it results in the loss of income. Crushing legal bills often lead to the loss of home, and families can be torn apart because of extreme stresses. It's not surprising that some whistle-blowers, having lost everything yet still failing to stop the wrongdoing, commit suicide. That's what we're talking about here, Madam Speaker. That's why this is such a serious issue and why we had hoped that this bill would address it and why we're so disappointed that it doesn't.

This is the last piece that I'll quote from here.

The primary purpose of whistleblower legislation is to deter wrongdoing that harms the public interest, so it's essential to take appropriate, visible action when misconduct is proven. However, there is often great resistance to this, especially when senior people are implicated in some way, or simply trying to save face. It's not at all uncommon for proven wrongdoers [to] get a 'soft landing' or even to be promoted.

11:30

That, once again, is the problem with a system where you're forcing everyone to go through internal departmental processes when it could well be that the very people who are breaking the codes of conduct, who are creating a toxic work environment are the ones that have been continually promoted up the food chain and are now the bosses overseeing this process. This is the reason why this legislation is so fundamentally flawed. It hands over the power to one individual through this internal departmental structure to be able to have unlimited discretion to do anything or to do nothing at all.

That's the bigger fear, that they will do nothing at all. There's no avenue for appeal. There's no public disclosure despite the best efforts of the hon. Member for Edmonton-Beverly-Clareview to

add some requirements for public disclosure. I agree with the hon. Member for Lac La Biche-St. Paul-Two Hills. We probably should have changed the name of the bill to the Public Interest Nondisclosure Act after what I saw this evening with the voting down of those two amendments. There is no remedy, so there is no described forum in the legislation for how an individual could seek a remedy or redress or compensation.

One of the things that FAIR points out and that I think, again, the hon. Member for Edmonton-Beverly-Clareview tried to address is that the very best whistle-blower legislation focuses – and this is in the U.K., for instance – not on specifying the processes for investigation of disclosures and so on but focuses almost entirely upon the mechanism for providing a possible remedy for the whistle-blower. That's what whistle-blower legislation is supposed to do. The modest proposal from the Member for Edmonton-Beverly-Clareview, making it a mandate of the commissioner to ensure that a public servant would be able to keep their job, seems to me to be very baseline stuff if you're going to try to create whistle-blower protection that actually works. I'm very disappointed that the members opposite refused to support that amendment.

The other issues, of course, are not being able to go to the media, not being able to go to an MLA and be assured that your disclosure through those mechanisms is going to yield any positive results, and I'll talk more about that in just a minute. The FAIR organization, the Federal Accountability Initiative for Reform, says that there's been no evidence of extensive research done on this bill despite what the members opposite may say. If there had been extensive research done on this bill, it would not be as poorly written as it has been.

I thought that the Member for Lacombe-Ponoka asked the most relevant question. To me, it really resonated. He said: who is this bill for? This bill is not for the hard-working public servants, who are working in an environment where they observe wrongdoing, they observe breaches, and they're terrified to come forward and talk about it because they fear retaliation. That's who the bill is supposed to be for, but the way this bill is structured, it is structured to keep all of that information internal, to bog it down in processes, to keep the information internal, to never really get any true light shone on incidents that are occurring, and to give no real remedy. I think that for those serious reasons this is a bill that should not be supported.

We had some 20 amendments that were put forward. I think that in total there were 27 amendments that were put forward. I guess what I want to do in just finishing off my remarks on this this evening is just remind members of what it is we were trying to do with this piece of legislation. We were trying to create a safe environment for public servants to come forward to report wrongdoing, and I have to say that there is an incongruity that I can't help but notice between what the intention of this legislation was supposed to be and the experience that we have had on the opposition benches virtually every single day since we came into this Legislature.

We've been raising very serious issues of ethical violations. We've been raising very serious issues of breaches of code of conduct, very serious issues of breaches of expense policy, very serious apparent breaches of the conflict-of-interest code, very serious shortages of dollars leading to the prosecutors' offices having difficulty keeping up with their workload. These things, I think, that we are raising are the kinds of things that we want our public servants to be raising so that they can be addressed. Yet we raise these issues. For instance, let me go through a few of them.

The London expense trip began as an \$84,000 trip in the official public press release. Then we found out that there were a bunch of

expenses that weren't included, so it ballooned to \$500,000. By the time we ended up with the disclosure, it turned out it was closer to a million dollars, and we still can't get a full list of all of all of the receipts for all of the people who were on that trip. We're going to keep on asking.

The issue of health care expenses. I ask the Health minister virtually every day about why he won't release all of the expenses for all of the executives for all of the health regions going back to 2005. His response is: well, keep on doing your FOIPs, one FOIP at a time. That's the kind of response we're getting as an opposition when we're trying to raise legitimate issues of health care expenses that, once revealed, have demonstrated that there have been some serious flaws in the way the expense policy has been interpreted in the past.

We raised the issue today of a contract that was given to the firm of the Premier's ex-husband, serious issues, we think, warranting questions. We believe it's our job. We believe that there might be a public servant out there who is a little bit concerned about the closeness of the decision-maker when that decision was made. We would have thought that this is the kind of thing you'd want a public servant to bring forward. Yet every time we stand to ask a question, we're shouted down. We're ridiculed. We're told that this is not appropriate business to bring forward in the Legislature.

We brought forward the issue of the prosecutor in Airdrie dropping the case of a young woman who had been abused for nine years. Why was it dropped? Well, because there weren't enough resources to be able to get the case to court in a timely way. We raised this, and once again the Justice minister shouts us down, tells us we're wrong, says: oh, we'll do an internal investigation. He doesn't want to have a full review. These are the kinds of things you would expect that maybe a public servant would want to bring forward.

The health inquiry, the allegations of queue-jumping: when a public servant, Dr. Stephen Duckett, came on the scene, he stopped any preferential access that MLAs had to get minor tweaks to the waiting times for their constituents and other friends. We want to have a health inquiry that goes back and investigates all of that. Well, too bad. The terms of reference are: looking forward. When we try to put forward a notification to the inquiry to say, "Hey, maybe here are a few people of interest that you might want to have a look at," we're ridiculed. We're told that we're interfering. We're told that we shouldn't.

The fiscal update. We hear from the minister that he's given a full and complete fiscal update. Well, that's not what the Alberta Auditor General said. He's investigating for breaking the law. Maybe this is the kind of thing that a public servant would have wanted to bring forward before this shoddy piece of work was brought forward and presented to this Legislature.

The issue of a high donor giving what is alleged to be a \$430,000 cheque to a single political party: I don't know; it seems to me that the media was the one who blew the whistle on that, talking to someone internal to find out about it. It could have been cleared up very easily by just releasing copies of the cheques and the deposit slips, again the kind of thing you'd think that you would want some hard-working employee to bring forward if they think that there's a breach of the elections law. We bring it up, and we're told that it's an inappropriate avenue of discussion and line of questioning in this Legislature.

The Election Act: we have now seen over 80 investigations launched. Most of them have been launched because members of the opposition, members of the media got tips, got phone calls, got people saying, "Hey, maybe this isn't right" because in the law you're not supposed to have public institutions funnelling

taxpayer dollars back to a political party. You'd think that this is the kind of thing that maybe public servants would want to bring forward, but once again we bring it up in the Legislature, and we're told that it's not appropriate business to bring up, to bring forward.

The issue of the power lines. We finally saw some revision to the power line legislation, that's going to restore, as it should, an independent needs assessment for those power lines, but no one wants to go back and look at all of the reasons why those initial power line contracts were approved without proper scrutiny, without an independent needs assessment. I would note that the parent company of one of the companies who is going to be a huge beneficiary just announced another criminal prosecution, one of its executives. I don't know. Maybe there's someone in the public service that might want to bring this forward, might want to talk about something that is known about: what were the reasons behind why this decision was made against the public interest? These are the kinds of things that we are bringing forward as an opposition. These are the kinds of things that MLAs are hearing about. These are the kinds of things that the media are hearing about.

11:40

You have to understand why I find it a little incongruous that we're standing here debating a piece of legislation to be able to give the public sector the power and the latitude to come forward and to talk about these things without being punished, yet when we bring them up in the Legislature, we are called bottom-feeders. People make jokes about us being failed actresses. Yeah, I did hear that one even though I was walking out. We get shouted down by the folks across the way. When we're trying to put forward amendments late into the night, we've got the Deputy Premier, who rips them up and couldn't show more derision. Then they have the nerve to actually lecture us on decorum in the Legislature. This is the behaviour of a government that then puts forward legislation to create a safe environment for public workers, for public servants to come forward and to report wrongdoing.

Do you see, Madam Speaker, why we just can't support this legislation? There is such a huge divide between the talk of this government and the walk of this government. I don't believe it. The public doesn't believe it. Our hard-working public servants don't believe it. We're not going to pretend that this sham of a legislation is anything other than that. It is the Public Interest Nondisclosure Act. It will not protect whistle-blowers. It will not protect public servants. It is designed to protect the government. For that reason, I will be voting against it.

Thank you, Madam Speaker.

**The Acting Speaker:** The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Madam Speaker. I rise this evening to speak against this awfully written piece of legislation. I mean, we've been talking about renaming it. I think that it should be renamed the Public Disinterest Nondisclosure Act.

It's rife with problems, beginning with the fact that organizations that specialize in whistle-blower protection legislation were not consulted along with pieces of legislation from around the world that actually do serve to protect whistle-blowers. First and foremost, this is an act that was supposedly written to encourage and to provide protection for those public servants who see either acts of illegality or issues that they have, to give them a mechanism to report on that so that we can improve and strengthen our systems and agencies and government departments. It's frustrating with what we're left with because this bill doesn't

do that at all, not in the least. It doesn't provide an avenue. It does not protect the whistle-blower. It's rife with loopholes from the fact that you've got a commissioner who has sweeping, godlike powers to decide what's investigated and what's not. There is little to no protection for a public servant to step forward, let alone even inquire about how the whistle-blowing process works.

It doesn't include all workers. This government is doing more and more to contract out work to private contractors, who will not be covered by this legislation, which is something else that many different members from the opposition have put forward.

It's with great frustration that the work that the opposition parties have put into bringing forward amendments – as the Leader of the Official Opposition eloquently illustrated, we move amendments forward because we're trying to strengthen bills to provide the best possible legislation for all Albertans. The fact that this Legislative Assembly is divided up amongst four different parties, different ideologies, different points of view being represented: I was under the impression that this government and other members wanted to actually work with each other. What I have seen over the past few weeks regarding pieces of legislation like this whistle-blower protection act is that the government is not interested in working with opposition parties, listening to all different points of view, really putting forward legislation that is in the best interests of Albertans.

You know, it's quite sad that an amendment that's put forward is not based on the merit of the amendment but is looked at as who put it forward, and if it's not put forward by the government themselves, then they want nothing to do with it. I think this sends a very loud message to Albertans that you've got a government who is actually the opposite of transparent. They're actually quite opaque, disinterested in working with and listening to Albertans and working with other members of the Assembly, who represent a great number of Albertans across this province.

It's with great frustration that there were many amendments put forward that were quite reasonable, speaking with members from all different sides of the House, yet because of political positioning, amendments couldn't be accepted. It's at the peril of Albertans, and we're actually doing them a great disservice by not passing a bill that could have worked the way that the government says that it should or will. Unfortunately, as the opposition has pointed out in tabling over – I believe collectively we've tabled over 40 different amendments to this bill alone, which screams that it is full of holes and rife with problems. We're trying to amend them to strengthen this bill, to ensure that it's going to do what the government says that it's going to do.

You know, as the hon. Leader of the Opposition has put it, this bill seems to be more lip service than anything else and isn't in fact going to protect whistle-blowers or potential whistle-blowers from stepping forward in order to improve a system, to provide them with protection, to ensure that they're made whole, to give them the opportunity to blow the whistle any time to anyone anywhere, which is the fundamental principle of what whistle-blower protection should be doing.

Clearly, when we go through this bill, as we've done, we see time and time again that there are not only loopholes, but the way it's written is extremely subjective. It's up to the commissioner to decide whether an investigation is even warranted. What will happen with that? It's limiting on the information that the commissioner comes up with, the rulings that are made. I mean, this piece of legislation is anything but transparent, and I don't think the irony is going to be lost on Albertans when they look at this and say: this bill is terrible and is anything but transparent and is anything but going to protect whistle-blowers.

Again, as all members of the opposition have stated, this is a bill that really protects the government from the whistle-blower, not protecting the whistle-blower, nor will it encourage those who see wrongdoings to have the confidence to step forward to report it. I mean, the whole reporting process is a joke as far as reporting internally to your supervisor. I'm not sure how many people are going to step forward, but I would imagine very few.

It is for these reasons and many others that I have to vote against this bill, and it is with great frustration that another example of a bill that is not serving the best interests of Albertans – and, I mean, I'll take this moment to extend to the government the opportunity that we have in this House of working with different parties coming forward, coming up with the best bills that are going to serve the interests of all Albertans. I think the government has really failed to do that on this piece of legislation. It is for that reason and many others that I have to vote against Bill 4.

Thank you, Madam Speaker.

11:50

**The Acting Speaker:** Thank you, hon. member.

Hon. members, we do have Standing Order 29(2)(a) at this moment, so we have five minutes for questions or comments for the hon. member.

Seeing none, I'll move to the hon. Member for Calgary-Mountain View on Bill 4 in third reading.

**Dr. Swann:** Thank you, Madam Speaker. Well, let me say in this final phase of this bill how eagerly I anticipated this bill. It's been over a decade that on behalf of Albertans, on behalf of many professionals in this province and civil servants we've been pressing for a whistle-blower bill, and I do appreciate the fact that the government has taken a stab at a bill called the whistle-blower bill colloquially, Bill 4. I regret, as others have indicated, that there are so many problems with the bill that it is impossible for me and for this Liberal caucus to support it.

This is a bill that we said from the outset was in principle a great achievement, but after reading the completed bill and trying to amend it and failing, we've realized that this is such a flawed bill that it should be hoisted. I have a number of reasons. Clause 3(2) reads that the act would only apply to wrongdoings that have occurred after the coming into force of the act, completely limiting the investigations that may be required regarding incidents that may have occurred prior to and continuing into this current time. Not only will this not allow an exploration of past events; it will ensure that those individuals that have been accused in the past couple of years can fall back to this clause and be protected for their wrongdoings. Albertans need to know that those that have committed offences can be prosecuted for all they have done and not just what may happen tomorrow.

Clause 19(2) states: "the Commissioner is not required to investigate a disclosure." It also states that if the officer has begun an investigation and this process has taken over two years, the investigation may be discontinued. This allows the commissioner to discontinue without proving an outcome. All he must do is state that the investigation has been discontinued due to the lapse of two years.

The insult to injury can go even further, as in 22(4). There's a provision that allows the commissioner to choose to discontinue his or her investigations without reporting the findings or lack thereof to the initial whistle-blower. In fact, it states that he or she may decide what if anything is "appropriate in the circumstances." This is important as it means the whistle-blower could potentially receive a letter two years after reporting, stating that the commissioner has discontinued the investigation with no reason given.

Clause 51 allows the commissioner to be above reproach in this or any decision that they cannot be questioned on. There should be no individual that's free from the terms of this act. Taking into account the chance that officers are typically protected from action, there still has to be protection for the whistle-blower in the event the commissioner doesn't sit on an issue until two years has lapsed, then report nothing. A whistle-blower needs recourse that an investigation will occur prior to the two years lapsing, and should this not occur, they deserve to know why. To avoid protectionism and promote transparency, the commissioner should absolutely be responsible for ensuring that very timely and thorough investigations occur and that the whistle-blower is protected.

Clause 52 sets out that no proceeding of the commissioner is invalid for want of form. It also goes on to state that their decisions, again, cannot be challenged or reviewed. This becomes a large issue if you look at 49, which states, "Any person who contravenes section 24, 46, 47 or 48 is guilty of an offence and liable." If the commissioner, chief officer, a designated officer, or person acting on behalf or under the direction of any of these parties decides that an accusation is in bad faith, the act states that this is not subject to review. If the accused is terminated or fined and truly believes they were innocent and wrongly accused, they have no ability to defend themselves in court. Further, if the whistle-blower makes a claim and the commissioner decides that the claim is frivolous, he can then, in turn, be fined. There is, essentially, insufficient protection for the whistle-blower. What's more, they have no ability to protect themselves from being fined or punished for coming forward.

This is a bad bill. It has failed to provide assurance or protection for those in the public sector to come forward with concerns. It has failed to provide for appropriate and responsible measures for timely investigation. It will protect those that have been committing offences in the past. I mentioned that we tried to amend this by requesting that certain clauses be struck. All were voted down, as were other opposition amendments. The issue of this totally inadequate protection for whistle-blowers still remains.

Madam Speaker, we're back here, and we begin where we started in second reading. This is, we believe, a fatally flawed bill as it fails to make the process safe, anonymous, and accountable to the whistle-blower while at the same time opening those brave enough to try to come forward to fines or punishments themselves. We have no choice but to move that the motion for third reading of Bill 4, Public Interest Disclosure Act, 2012, be amended by deleting all the words after "that" and substituting the following: "Bill 4, Public Interest Disclosure (Whistleblower Protection) Act be not now read a third time but that it be read a third time this day six months hence."

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member. The hon. member has moved a hoist amendment. It does have to be distributed, so we'll take a few minutes to have that amendment distributed. Do you have that amendment with you?

**Dr. Swann:** I do not, Madam Speaker. I do not have it copied. My error.

**The Acting Speaker:** We'll pause for a moment. Like every other amendment, we expected to have a copy for each member of the House.

**Dr. Swann:** My oversight, Madam.

**The Acting Speaker:** Hon. member, would you read that one more time, and we'll listen carefully as none of us will have a copy of that amendment. Please read that again, and then after he's finished reading the hoist amendment, I'll ask if there are any other speakers to that amendment.

Proceed, hon. member.

**Dr. Swann:** I'm moving that the motion for third reading of Bill 4, Public Interest Disclosure Act, 2012, be amended by deleting all the words after "that" and substituting the following: "Bill 4, the Public Interest Disclosure (Whistleblower Protection) Act be not now read a third time but that it be read a third time this day six months hence."

**The Acting Speaker:** Thank you, hon. member.

We heard the hoist amendment from the hon. Member for Calgary-Mountain View. Are there any members who would like to speak to the hoist amendment? The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Madam Speaker. I'll be very brief. You know, we saw with this piece of legislation that there was absolutely no consultation with independent experts, experts in the field who've had experience examining other jurisdictions, as the Official Opposition leader mentioned, or FAIR, which looked at many other countries and jurisdictions and got best practices. Instead of doing that and having one of the strongest pieces of whistle-blower legislation, this government has apparently refused to look at that.

The result is pretty alarming. We have a bill that has been a complete failure according to independent groups that have come forward. Instead of actually protecting whistle-blowers, it protects the government from whistle-blowers. I think that in the circumstance where there are so many loopholes, you know, like section 31, where the government can exclude anybody from the powers within the act, so many different loopholes that make this legislation unworkable, there's no need to pass a piece of legislation that has so many problems with it. Even if it elevated the bar slightly, I think that it would be worth while to pass a piece of legislation like this, but in its current form I don't think it's worth while. Unfortunately, the minister refused to look at any of the amendments put forward by the opposition parties. We did a lot of work. Again, we talked to Albertans. We looked at best practices in other jurisdictions. The minister, for whatever reason, decided not to. In that case . . .

12:00

**The Acting Speaker:** Thank you very much, hon. member.

We do have a procedure. I have just been informed by Parliamentary Counsel that without the original copy of the amendment we cannot proceed. In the future, for any member interested in making a hoist amendment, it is an amendment, and we need copies just as we need copies for every other amendment.

We will not allow that amendment, and we'll proceed in third reading. Are there any members who wish to speak to Bill 4 in third reading?

Seeing that there are no other members who wish to speak, I would ask the hon. Minister of Accountability, Transparency and Transformation to close debate.

**Mr. Scott:** Thank you, Madam Speaker. As sponsor of Bill 4, the Public Interest Disclosure (Whistleblower Protection) Act, 2012, I have appreciated the interest and lively debate by the members of this House. The intent of this act is to enable disclosure of wrong-

doing in public entities and further deliver on this government's promise to do business with openness and transparency.

We saw repeated comments during Committee of the Whole and even in second reading that focused on disclosure of wrongdoings that predate the act. I want to take this chance to again remind this House that while this act is not retroactive, it is most definitely retrospective. We very purposefully established an independent commissioner with the ability to exercise discretion in terms of investigating any wrongdoings that may have occurred in the past.

The disclosure process set out in the act reflects extensive research and consultation with our stakeholders. It is based on best practices that are already in place in many public entities, some of which are internationally recognized. Our research also indicates that an internal process helps build a culture where wrongdoings are less likely to occur in the first place. Madam Speaker, I feel strongly that what is before this House will be the most effective approach for enabling disclosures of wrongdoing.

Madam Speaker, there has also been much discussion around the establishment of an independent commissioner. I stand by the way in which we are establishing this office. An independent commissioner will be the best option to ensure accountability in the operation of this act. The commissioner acts as the ultimate overseer of internal disclosure procedures and investigates disclosures of wrongdoing when an internal procedure is inappropriate. As an independent officer the commissioner reports directly to the Legislative Assembly. While we heard much about accountability and checks and balances, I find it hard to believe that the members across the way could disagree that accountability to this Legislature is an effective way to ensure that the commissioner performs his or her duties in accordance with this legislation. With this legislation we are establishing a practical and effective mechanism to bring any wrongdoings to light and to make sure that employees who have courage to speak up about a wrongdoing are protected.

Madam Speaker, I am looking forward to getting on with this debate, so I would close by saying that this act is a cornerstone for this government's commitment to transform the way we interact and foster confidence in the public sector with Albertans. It is just the beginning. We are going to continue to be a leader in open and accountable government.

With that, Madam Speaker, I move that third reading of Bill 4, the Public Interest Disclosure (Whistleblower Protection) Act, 2012, be closed.

[The voice vote indicated that the motion for third reading carried]

[Several members rose calling for a division. The division bell was rung at 12:05 a.m.]

[Ten minutes having elapsed, the Assembly divided]

[Mrs. Jablonski in the chair]

For the motion:

Allen	Hughes	Pastoor
Amery	Jansen	Quadri
Calahasen	Jeneroux	Rodney
Campbell	Johnson, L.	Sandhu
Cao	Kennedy-Glans	Sarich
Dallas	Leskiw	Scott
DeLong	Luan	Weadick
Drysdale	McDonald	Webber
Fenske	McIver	Young
Fraser	Olson	

Against the motion:

Barnes	Saskiw	Swann
Bilous	Smith	Towle
Fox	Strankman	

Totals:	For – 29	Against – 8
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[Motion carried; Bill 4 read a third time]

## 12:20 Government Bills and Orders Committee of the Whole (continued)

[Mrs. Jablonski in the chair]

**The Deputy Chair:** Hon. members, I'd like to call the committee to order.

### Bill 7 Election Accountability Amendment Act, 2012

**The Deputy Chair:** The hon. Associate Minister of Municipal Affairs.

**Mr. Weadick:** Thank you very much, Madam Chair. I would like to propose an amendment to our bill, and I would ask that that be circulated. It's at the desk.

**The Deputy Chair:** We'll take a few minutes to circulate the amendment.

Hon. members, this amendment will be called A1. Will the hon. Associate Minister of Municipal Affairs please continue?

**Mr. Weadick:** Well, thank you, Madam Chair. In the interest of time I will just give a quick description. We have circulated this House amendment tonight to ensure that the Local Authorities Election Act will provide municipalities and school boards with the flexibility to adapt voter identification processes to their local circumstances.

In discussions with municipalities we found that some would like to use a variety of identifications that are specific to their municipalities, so this amendment simply allows that a city upon decision could allow something like a transit pass or something else that's issued by that municipality to be an acceptable form of identification. We're not removing any of the requirements for minimum standards with photographs and such, but it is allowing municipalities to select the kinds of identification that could be used in a municipal election.

With that, I would ask for the agreement of the House to add this amendment to the bill.

Thank you very much.

**The Deputy Chair:** Are there any other members that would like to speak to the bill?

Seeing none, we'll move to the question.

[Motion on amendment A1 carried]

**The Deputy Chair:** Back to Bill 7.

**Mr. Campbell:** I move that we adjourn debate.

[Motion to adjourn debate carried]

**Mr. Campbell:** Now I ask that the House rise and report progress on Bill 7.

[Motion carried]

[Mrs. Jablonski in the chair]



**The Acting Speaker:** Hon. Member for Calgary-East, would you read the report, please.

**Mr. Amery:** Thank you, Madam Speaker. The Committee of the Whole has had under consideration a certain bill. The committee reports progress on the following bill: Bill 7. I wish to table copies of all amendments considered by Committee of the Whole on this date for the official records of the Assembly.

**The Acting Speaker:** Thank you, hon. member. Does the Assembly concur in the report?

**Hon. Members:** Concur.

**The Acting Speaker:** Opposed? So ordered.

**Mr. Campbell:** Madam Speaker, seeing the time, I would suggest that we adjourn until 1:30 this afternoon.

[Motion carried; the Assembly adjourned at 12:26 a.m. on Thursday to 1:30 p.m.]



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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Thursday, November 29, 2012

Issue 25a

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta**  
**The 28th Legislature**

First Session

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Jablonski, Mary Anne, Red Deer-North (PC), Deputy Chair of Committees

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Xiao, David H., Edmonton-McClung (PC)  
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Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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Smith

### Standing Committee on Private Bills

Chair: Mr. Cao  
Deputy Chair: Ms L. Johnson

Barnes	Notley
Bhardwaj	Olesen
Brown	Pastoor
DeLong	Rowe
Fox	Sarich
Fritz	Starke
Goudreau	Strankman
Jeneroux	Swann
Kennedy-Glans	Webber
Luan	

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Dr. Starke  
Deputy Chair: Mr. Lemke

Allen	McAllister
Amery	McDonald
Bhardwaj	Notley
Casey	Pedersen
Hehr	Sandhu
Jansen	Saskiw
Jeneroux	Towle
Johnson, L.	Xiao
Kennedy-Glans	Young
Kubinec	

### Standing Committee on Public Accounts

Chair: Mr. Anderson  
Deputy Chair: Mr. Dorward

Allen	Hale
Amery	Hehr
Anglin	Kang
Bilous	Pastoor
Calahasen	Quadri
DeLong	Sarich
Donovan	Starke
Fenske	Stier
Fraser	Webber
Fritz	

### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans  
Deputy Chair: Mr. Rowe

Anderson	Hehr
Anglin	Johnson, L.
Barnes	Kubinec
Bilous	Lemke
Blakeman	Leskiw
Brown	Sandhu
Calahasen	Stier
Cao	Webber
Casey	Xiao
Fenske	Young
Fraser	Vacant
Hale	



## Legislative Assembly of Alberta

1:30 p.m.

Thursday, November 29, 2012

[The Speaker in the chair]

### Prayers

**The Speaker:** Hon. members, let us pray. Our Divine and Holy Father, as we conclude for this week our work in this Assembly and head back to work in our own constituencies, we renew our thanks and ask for your continued guidance regardless of where we are working for Albertans. Amen.

Please be seated.

### Introduction of Visitors

**The Speaker:** The hon. Member for Leduc-Beaumont.

**Mr. Rogers:** Thank you, Mr. Speaker. I have two introductions today. It is my pleasure to introduce to you and through you to all members of the Assembly someone who needs no introduction in this House. He's a former principal of Victoria composite high school and someone who has dedicated much of his life to the arts and is a valued friend of the aboriginal community. He's also a member and a strong advocate for the Northern Alberta Pioneers and Descendants Association. Bob Maskell served as the MLA for Edmonton-Meadowlark from 2001 to 2004. Bob is seated in your gallery. I would ask that he rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** Go ahead, Member for Leduc-Beaumont, for your second introduction.

**Mr. Rogers:** Thank you, Mr. Speaker. I'd like to introduce to you and through you to all members of the Assembly a special visitor from the Northwest Territories. Daryl Dolynny is originally from northern Alberta. However, he is a member of the Legislative Assembly of the Northwest Territories, representing the riding of Range Lake. Mr. Dolynny is the deputy speaker of Committee of the Whole and deputy chair of the Standing Committee on Social Programs and a member of the Standing Committee on Government Operations. Outside of his political activities Mr. Dolynny is a pharmacist and a former owner of the Shoppers Drug Mart in Yellowknife. Mr. Dolynny is seated in your gallery, and I would ask that he rise and receive the traditional warm welcome of this Assembly.

### Introduction of Guests

**The Speaker:** The hon. Member for Strathmore-Brooks.

**Mr. Hale:** Thank you, Mr. Speaker. It's my pleasure today to rise and introduce to you and through you to all members of this Legislature the grade 6 class of Bassano school. This is indeed a monumental day. It's the first time that I'm able to rise and introduce my hometown school that I had the honour of graduating from. Accompanying them today are five parents and two teachers, all of whom are good friends of mine. They are seated in the public gallery. As I call their names, I would ask them to rise: Lana Hale, who is also my constituency assistant for Strathmore-Brooks; Edward Chapman; Jason Huckerby; a teacher, Shawna Singular; Lora-Lee Bell; Carilyn Wallace; and their homeroom teacher, Mrs. Della Armstrong, one of the best teachers in the province, who, may

I also add, is my cousin. I would ask the class to rise and receive the traditional warm greeting of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Decore.

**Mrs. Sarich:** Thank you, Mr. Speaker. It's truly an honour and privilege for me to rise today to introduce to you and through you to all members of the Assembly five very special guests from St. Michael's Health Group, here to be recognized for a special project very dear to their hearts, their Taiwan volunteer exchange project. St. Michael's Health Group is a not-for-profit organization providing long-term care, supportive housing programs, and services to seniors and families in our communities. My guests today are seated in the public gallery, and I would ask that they please rise as I mention their names: Mrs. Christine Teterenko, director, fund development and communications, St. Michael's Health Group; Mrs. Vicky Beauchamp, president, Friends of St. Michael's, a group of caring volunteers who provide support to St. Michael's Health Group; Mr. Gerry Beauchamp, member, Friends of St. Michael's; Ms Pat Wilkes, volunteer co-ordinator, St. Michael's Health Group; Ms Kate Haidukevich, who is not here today, but she is the exchange co-ordinator, St. Michael's Health Group; and Mrs. Sherry Liimatainen, fund development co-ordinator, St. Michael's Health Group. I would now ask that all of my colleagues in the Assembly please join in welcoming the group from St. Michael's.

**The Speaker:** The hon. leader of the New Democratic opposition, followed by the leader of the Liberal opposition.

**Mr. Mason:** Thanks very much, Mr. Speaker. Today I'm very pleased to introduce to you and through you to this Assembly our guests Lisa Caskenette and her father-in-law, Mr. K. David Caskenette. Lisa has a three-month-old son named Isaac who has a very rare allergy to protein, which means he can only stay healthy by consuming a formula called Neocate. Unfortunately, Neocate costs up to \$1,200 per month, and Isaac may need it for up to three years. Lisa is still waiting to hear from the government if the cost of Neocate will eventually be covered. She and her husband have been putting off bills to pay for Isaac's formula and are facing the prospect of having to sell their home. She's here today to raise awareness about the serious protein allergy and the high cost associated with the only effective formula. I would now ask Lisa and David to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. leader of the Liberal opposition, followed by Little Bow.

**Dr. Sherman:** Thank you, Mr. Speaker. Today I have two introductions. It's my pleasure to introduce to you and through you to all members of this Assembly Dr. Brian McPeak. Dr. McPeak was born and raised in Edmonton. He completed his medical training at the University of Alberta and went on to do his postgraduate work at Grey Nuns hospital. He's the founder of Dominion Medical Centres, with three primary care clinics in south Edmonton. Dr. McPeak is a constituent of Edmonton-Rutherford, and he is here representing 27 family doctors who wrote a letter to 60,000 patients addressing significant concerns regarding the future delivery of their health care. I ask all hon. members to welcome Dr. McPeak to the Legislative Assembly.

I'd also like to introduce to you and through you to all members of this Assembly Ms Sydney Carriere and Miss Elaine Ardis. These wonderful ladies work with the Gateway Association, a family resource centre specializing in intellectual disabilities.

Driven by their desire to see individuals living as contributing members of our communities, the association has launched a new initiative called We Belong, an initiative that makes visible organizations and businesses that provide meaningful employment based on the individual's ability to make a valued contribution in the workplace and to this province. To learn more, I encourage all members to visit [webelong.ca](http://webelong.ca). Now, Mr. Speaker, I'd like to ask Sydney and Elaine to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Little Bow, followed by the Minister of Human Services.

**Mr. Donovan:** Thank you, Mr. Speaker. Today I have two introductions to do. First, I'd like to introduce to you and through you my wonderful constituency assistant, Lois McLeod. Lois came to me with over 20 years of constituency experience working for the former MLA, Barry McFarland. Lois is a great asset to me and the constituents of Little Bow. I'd like to ask her to please rise and receive the traditional warm welcome of this Assembly.

Thank you, Mr. Speaker. For my second introduction I'd like to introduce to you and through you a fabulous constituent of Calgary-Elbow, Mrs. Joanie. Today she is watching the legislative process and is here to hear her MLA answer the tough questions all Albertans are asking. I'd like to ask her to please rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Minister of Human Services, followed by the Member for Edmonton-Beverly-Clareview.

**Mr. Hancock:** Thank you. Today I have the honour and privilege of introducing to you and through you to members of this Assembly a truly wonderful lady who has done a lot of good work for this province. In particular, the work that she is doing for this province right now, among many other contributions, is to keep the home fires and the business burning for the Minister of Energy. The Minister of Energy's spouse, Denise Savage-Hughes, is in your gallery, Mr. Speaker. I met the Minister of Energy way back in 1974, when we were working on a campaign together, but his bride did not come along until much, much later, I have to say. Between the two of them they have three wonderful children: Aidan, who's 17; Carlan, who's 15; and Eamon, who's 13. They're truly wonderful family people, they're good business-people, and with Denise's help the Minister of Energy can continue to provide the wonderful service that he does to the people of Alberta as Minister of Energy. I'd like Denise Savage-Hughes to rise and receive the traditional warm welcome of this Assembly.

1:40

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview with two introductions, followed by the Member for Innisfail-Sylvan Lake.

**Mr. Bilous:** Thank you, Mr. Speaker. I was going to say that, hopefully, you'll indulge me for my two introductions. Today I'm very pleased to introduce to you and through you to this Assembly our guest Chris Nielsen. Chris works at Edmonton's Lucerne Foods ice cream plant, where he's a shop steward for his union, United Food & Commercial Workers local 401. He's interested in activism and was a dedicated worker on my election campaign. Chris is here today to learn more about the legislative process. He's worried about the state of our labour laws in Alberta. He's committed to protecting the rights of workers and is concerned

with antiunion, antiworker Conservative policies. I'd like to say thank you to Chris for his hard work and dedication during the election and ask him to rise and receive the traditional warm welcome of the Assembly.

As well, Mr. Speaker, I'm very pleased to introduce to you and through you to this Assembly our guests Tristan Turner and Evan MacDonald. At the age of 15 Tristan and Evan are two of the youngest activists in the New Democratic Youth of Alberta but also two of that organization's most motivated. They have been on the NDYA executive, designed the website, and started the Morinville community high school NDP club. Tristan and Evan also organized a demonstration against this spring's federal omnibus budget bill at their local MP's office in St. Albert. I would now like to ask Tristan and Evan to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Mr. Speaker. It's an honour and a privilege to rise today to introduce to you and through you three fantastic members of our Wildrose team at the Legislature Annex. Each one of them has put in some dedicated, hard, long hours while we've been here in the House working, and I'd like to acknowledge them today. We have Mr. Evan Menzies, Mr. Brad Tennant, and my own personal favourite along with the hon. Member for Calgary-Fish Creek, our legislative assistant, Mr. Matt Solberg. Please rise to receive the traditional welcome.

**The Speaker:** Are there others?

**Mr. Young:** It is my pleasure to rise and introduce to you and through you to all members of the Assembly our government caucus research and communications branch, seated in the members' gallery. These intelligent, perceptive, and clear-headed individuals deserve a heightened recognition. They have served countless hours supporting our caucus in preparation for the duration of the session and the moments leading up to it. I'll ask them to stand as I mention their names. Our research and communications team consists of Eldon McIlwain, Mark Golanco, Ashleigh Niziol, Kara Sherwin, Kyle Olsen, Brian Senio, Chris Berger, Joseph Dow, Chelsea Keenan, Rosa Ellithorpe, Mandi Rondeau, Jennifer Renner, and Max Yuan.

**The Speaker:** The hon. Member for Calgary-Hawkwood.

**Mr. Luan:** Thank you, Mr. Speaker. It's my pleasure to rise today to introduce to you and through you to all members of our Assembly some very special guests who travelled from all over the province to come here for a special meeting. I have a group of 17 guests representing language schools across the whole province. They are seated in the members' gallery, and I'll ask that when I mention their names, they please rise one by one: Mr. Michael Embaie, president of Southern Alberta Heritage Language Association, or SAHLA; Aurora Dacanay, Ingrid Smith, and Susan Eng, directors of SAHLA; Michael Gretton, co-ordinator of SAHLA; Mehari Wolde-Giorgis, project co-ordinator of SAHLA; Mr. Lim, the Alberta Chinese Academy; Georgia Paschalis, Greek community school; Aida Labanauskiene, principal of the Lithuanian school in Calgary; Vinay Dattani, funding director of the School of (East) Indian Language and Performing Arts; Katavzyna Denys, teacher at John Paul II Polish school; Paul Galuak, the president of the Nuer Study Centre; Len Chan, journalist with Canadian *Latino Times*; Amina Ofleh, international school of excellence for the Somali language; Sanaa

Hatoum, Arabic teacher at Horizon Academy; Malik Muradov, volunteer co-ordinator at Anatolia Cultural Centre; and Mr. Brian Senio, the fabulous legislative researcher, who worked tirelessly with me on this project and many others on a daily basis with high-quality work. Thank you, Brian. I would like to ask all of my colleagues of this House to extend the traditional warm welcome to my guests.

### Members' Statements

**The Speaker:** Hon. members, before we get into Members' Statements, I just want to remind you again that members' statements are not to be used for personal attacks, nor are they to include language that might cause disruption or disorder. If anyone violates that, I will stand up immediately and intervene, and that will be the end of your statement.

Secondly, you have about four or five minutes before we begin Oral Question Period. Please be reminded that supplementary questions must contain no preambles and no personal attacks nor language or statements that may cause disorder or disruption. If any do or if you violate any of those rules in particular or any other rules, I will stand up immediately, and we'll move on to the next question.

Please bear that in mind. Thank you for your support.

### St. Michael's Health Group Taiwan Volunteer Exchange Project

**Mrs. Sarich:** Mr. Speaker, since 1985 the United Nations has invited governments to observe annually on December 5 an International Volunteer Day for Economic and Social Development and urges them to take measures to heighten awareness of the important contributions, commitment, and the powerful impact of volunteer services. This specific day celebrates the involvement, dedication, and the offering of assistance by volunteers and volunteer organizations to improve the lives of people and to our civil society.

Each day and year over year thousands of individuals, groups, and communities across our great province uphold the values of volunteerism. In advance of December 5 and in the true Alberta spirit I'd like to commend the executive, administration, all the staff and volunteers of St. Michael's Health Group for their leadership and involvement to welcome and host in July and August 2012 a Taiwan volunteer exchange project through the International Association for Volunteer Effort.

Also, the delegates were hosted by yours truly at the Alberta Legislature, and today with pride I am wearing the commemorative pins which recognize the relationship between the International Association for Volunteer Effort and Taiwan.

Mr. Speaker, St. Michael's Health Group provided a full range of positive opportunities for nine delegates from Taiwan to build and enhance their professional body of knowledge of the volunteer sector in our province with a focus on seniors. The experiences include direct interactions with St. Michael's Health Group and other stakeholders from the capital region.

Heartfelt thanks to St. Michael's Health Group and the delegates from Taiwan for their energetic, entrepreneurial spirit and determination to strengthen volunteer sector development. I believe that volunteerism helps bring us together as individuals and societies, Mr. Speaker. It is a powerful means of mobilizing all segments of society as active partners in building a better world.

Thank you.

### Oral Question Period

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition.

### Tobacco Recovery Lawsuit

**Ms Smith:** Mr. Speaker, I want to be clear that I'm not making an allegation against another member with my questions today because that's not allowed under our rules. I merely want to get at the truth about the process the government went through in awarding a massive litigation contract to a consortium of lawyers that includes a firm where the Premier's ex-husband is a partner. After reflecting on her answers yesterday, does the Premier still insist that she did not make the decision that awarded the tobacco litigation deal to International Tobacco Recovery Lawyers?

1:50

**Mr. Denis:** Mr. Speaker, both the Premier and I were very clear yesterday, and I'll be very clear today. It was the same question yesterday and the same answer today. The Premier was not Justice minister when the contract was awarded. The date was June 21, 2011. It was the gentleman who is currently the agriculture minister, who has absolutely no connection to this whatsoever. That is the end of the story.

**Ms Smith:** Given that the current Premier, then Justice minister, selected the winner on December 14, 2010, and given that the winning and losing firms were advised on December 22, when she was Justice minister, and given that discussions on the terms of the retainer began January 6, when she was Justice minister, and given that she resigned from cabinet on February 16, how can she insist that she was "not the Justice minister" at the time that the government made the decision?

**Mr. Denis:** Mr. Speaker, I appreciate that the member opposite is not a lawyer, but I would refer her to the Law Society's code of professional conduct, which indicates that for a contingency-based matter it must be in writing, and this was not in writing until June 21, 2011, when the Premier was not even a member of the cabinet. Basically, again, there is no retainer, there is no contract whatsoever until it has been signed, and the Premier was not even a member of the cabinet at that time.

**Ms Smith:** Sounds like a bit of a technicality to me, but I'm not a lawyer.

The documents I'll be tabling today make it clear she made the decision. Why does she keep denying it?

**Mr. Lukaszuk:** I appreciate the fact that the Leader of the Opposition is very passionate about the topic, and that's good. Maybe some of her passion – I would ask her – stems from the fact that during the last campaign, when approached by the Campaign for a Smoke-Free Alberta, she indicated that the Wildrose, if they were to be a government, would not stop the sale of candy-flavoured tobacco to our youth and also would not litigate against tobacco companies to recover health care dollars for Alberta. Mr. Speaker, those allegations have been clarified, but I'm wondering whether this is not a mere elaboration of their platform.

**The Speaker:** The hon. leader. Your second main set of questions.

**Ms Smith:** I'm not disagreeing with the decision to proceed with litigation, Mr. Speaker. I am only questioning how the decision was made.

Political conflict of interest is a serious matter. In Toronto a judge ruled that Mayor Rob Ford should be removed from office over a conflict involving \$3,100 to a charity to buy football equipment for underprivileged kids. That's how seriously other jurisdictions look at the issue of conflict of interest. Here we have a multibillion-dollar contract for close friends and political supporters of the Premier. How is it the Premier does not see that this creates the perception of a conflict?

**Mr. Lukaszuk:** Mr. Speaker, how can this member rise in the House right now and say that she doesn't disagree with this government taking action against tobacco companies to recover health care dollars for Albertans when six months ago on the record during the campaign she indicated that her party would not take any legal action against tobacco companies? Yet another flip-flop. Obviously, this is a reversal on policy and, obviously, looking for something that doesn't exist.

**Ms Smith:** This is not about the decision to proceed. It is about the litigation and how it was awarded.

The government insists this is a good deal . . .

**The Speaker:** Hon. member, I've indicated very clearly we're not going to get into preambles today. Now, please rephrase your question.

**Ms Smith:** When we raise the issue of conflict, the Premier points to her successor in Justice and insists that he did it. So what is it, Mr. Speaker? Did she as Justice minister make a deal that she is proud of, or is she running away from the deal and blaming her successor?

**Mr. Denis:** Mr. Speaker, when she was Justice minister, the Premier didn't make any deal at all. But as we've already asked and answered these particular questions, I'm really wondering: is the Leader of the Opposition really concerned about this case, or does she disagree with the case entirely? I point, actually, to some articles that she's written entitled: right to smoke is an issue of property rights; high taxes push tobacco underground; government must butt out of tobacco picture; antismoking lobby does more harm than good. She can't have it both ways.

**Ms Smith:** Mr. Speaker, I know I'm new at this, but I'm pretty sure I get to ask the questions, and they're supposed to answer them.

If this deal is of benefit to Albertans and the terms are favourable, then she did it. If it's a conflict, then her successor did it. Is that what they're saying?

**Mr. Lukaszuk:** Mr. Speaker, the only flip-flopping you see is on the other side: we will not sue tobacco companies. Now they're saying: sue them except with a different firm. But it's quite ironic. We know that our ethics rules in this House have not been breached. We know that the Law Society's rules have not been breached. They're relying on an ethicist from outside of the province. It's ironic that she would bring up football equipment because that very same ethicist just wrote an article saying that it's okay for football fans to cheer as long as they don't cheer too loud. This is the quality of evidence that they are relying on.

**Mr. Anderson:** Maybe I'm in the pocket of big tobacco, too.

Mr. Speaker, yesterday the Premier stood in this House and, referencing the tobacco litigation contract given to her ex-husband's law firm, stated, "I was not the Justice minister at the time that the government made that decision." Yet a memo from Assistant Deputy Minister of Justice dated January 13, 2011 – you were still Justice minister then – said, "Shortly before Christmas,

[the now Premier] selected the International Tobacco Recovery Lawyers." Premier, can you explain which one of these statements is not the truth?

**Mr. Denis:** Mr. Speaker, I think that there were a few rule violations, but I'll let that slide. Again, I appreciate that in the six months that this gentleman practised law maybe he didn't see a contingency-fee agreement. It was not actually signed until June 21, 2011, when this Premier was actually out campaigning for the leadership and was not in the cabinet.

**The Speaker:** The hon. Member for Airdrie. Supplementary question with no preamble, please.

**Mr. Anderson:** Right. Given that this Premier says that a decision – that's what we're talking about here, a decision – on awarding the \$10 billion tobacco file did not occur until after she resigned as Justice minister on February 16, 2011, can the Premier please explain why an e-mail was sent from the Deputy Minister of Justice on December 22, 2010, confirming he had called the successful law firm to let them know they had been awarded the contract? Was the deputy minister not telling the truth either, Premier?

**Mr. Denis:** Mr. Speaker, I say again: there was no legal contract until June 21. The terms of the contract were negotiated by the previous Minister of Justice, the Member for Wetaskiwin-Camrose. I'm not sure which fact this member chooses to ignore.

**Mr. Anderson:** Mr. Speaker, given that this Premier says that a decision on awarding the \$10 billion tobacco file did not occur until after she resigned as Justice minister on February 16, 2011, can she help us understand why the senior partner at her ex-husband's law firm sent an e-mail to Alberta Justice's director of litigation on January 6, 2011 – again, you were still Justice minister – stating how happy he was to learn they had been chosen to pursue the tobacco litigation file? Why would he write that if you hadn't already made the decision, Premier? It doesn't make sense.

**Mr. Lukaszuk:** Mr. Speaker, the opposition was clearly advised, and they know that they have many recourses. They can send this matter to the Ethics Commissioner. They can complain to the Law Society. Unfortunately, they undermine the authority of those institutions as well. Let me tell you something. An institution that I actually pay a lot of attention to is Albertans. Today I and all of our caucus met with rural gas providers, and they are telling us – rural Albertans are telling us – that we should be focusing on building infrastructure, on seniors' benefits, on health care, on education.

**The Speaker:** The leader of the Alberta Liberal opposition.

### Physician Services Agreement

**Dr. Sherman:** Thank you, Mr. Speaker. The Canada Health Act states that a province must enter into either conciliation or binding arbitration by an equally representative panel with an independent chairman if requested by an organization like the AMA when an agreement by both sides can't be reached. Clearly, after 20 months an agreement by both sides has not been reached. To the Premier: why does your government refuse to follow the Canada Health Act by denying the AMA's request for binding arbitration?

**Ms Redford:** I see that the leader of the Liberal Party has suggested that the Canada Health Act refers to the AMA specifically. Of course, Mr. Speaker, it doesn't. Our Health minister right now, in fact at this very moment, is having discussions with the AMA with respect to ongoing discussions around how to ensure that Albertans are getting the best possible access to health care. That is our commitment to Albertans, and that's what we're seeking to achieve.

2:00

**Dr. Sherman:** Given that, Premier, during the debate half a million Albertans looked on, and you looked me in the eye, and after three pilot projects you said that the Alberta College of Family Physicians and the College of Physicians & Surgeons supported these 140 family care clinics and given that the next day the same Alberta College of Family Physicians said that these comments were misleading and possibly false, what were they? Were they misleading? Did you misspeak? What were you doing to Albertans on the day of the debate? Were you misleading Albertans on that day, Premier?

**Ms Redford:** Mr. Speaker, we had some very successful announcements with respect to pilot projects, particularly in east Edmonton, east Calgary, and in Slave Lake, just before the election. That was the beginning of very successful work that's been done with the Minister of Health in consultation with the College of Physicians & Surgeons and with family physicians around how to keep moving forward with respect to the family care clinics. I think that if the hon. member wanted to consult with those organizations, he would find that there have actually been ongoing working groups involving all of those members and officials representing those organizations throughout August and September, ensuring that this will be successful.

#### **Speaker's Ruling Parliamentary Language**

**The Speaker:** Hon. leader of the Liberal opposition, I think I heard the word "misleading" in your question just now, so I ask you to revisit that, please, because we had 11 points of order yesterday, and some of them dealt with the word "misleading" and how it was used.

Proceed with your final supplemental.

#### **Physician Services Agreement (continued)**

**Dr. Sherman:** Thank you, Mr. Speaker. Given that the Premier made a commitment and that her idea of a consultation is to unilaterally implement a decision and given that she made a commitment to build 140 family care clinics and now she's taking us back into debt, to the Premier: where are you going to get the money to build, staff, and operate these 140 family care clinics? Are you just planning on taking it from the pockets and the hides of Alberta's doctors?

**Ms Redford:** Mr. Speaker, I don't know who the hon. member thinks that he represents in this House, but it's not our job to represent doctors. It's our job to represent Albertans. Our budget clearly sets out that we have the resources to implement 140 family care clinics, which was our commitment during the election, and we're going to stick to that because that's a commitment that we made to Albertans.

**The Speaker:** The hon. leader of the New Democratic opposition.

#### **Tobacco Recovery Lawsuit (continued)**

**Mr. Mason:** Thank you very much, Mr. Speaker. Yesterday the Premier told the House that she was not in a conflict of interest regarding the selection of her ex-husband's law firm for a \$10 billion lawsuit because she didn't make that decision. The Premier's claim that she did not make that decision to hire her ex-husband's firm is just not true. To the Premier: why didn't she tell the truth?

#### **Speaker's Ruling Parliamentary Language**

**The Speaker:** Hon. Deputy Premier, one moment. Let's review our language again, okay? We're not here to cast aspersions or toss out any kind of, perhaps, false motives or anything else, so I'm asking you to just raise the level of the questions a bit.

The hon. Deputy Premier.

**Ms Redford:** My question.

**The Speaker:** The hon. Premier.

#### **Tobacco Recovery Lawsuit (continued)**

**Ms Redford:** Mr. Speaker, unlike many people in this House I actually respect the rules of this House, and I did tell the truth.

**The Speaker:** The hon. New Democratic leader, without preamble.

**Mr. Mason:** Thank you very much, Mr. Speaker. Given that the Premier may well be in a conflict of interest and she falsely denied it yesterday – the evidence from her own department officials proves it – will the Premier tell Albertans why she denied what she knew to be true?

**Ms Redford:** Mr. Speaker, I stand by what I said yesterday in this House. I told the truth.

**Mr. Mason:** She's at it again, Mr. Speaker.

Given that the evidence is overwhelming that the Premier did in fact make the decision to hire her ex-husband's law firm and yet denied it here today and yesterday in the House, Premier, how can Albertans ever again trust a Premier who won't tell the truth?

#### **Speaker's Ruling Parliamentary Language**

**The Speaker:** Hon. member, we dealt with 11 points of order yesterday. Some of them were about unparliamentary language and about potential character assassinations and other language that's likely to cause disruption. I just asked you not one minute ago to please raise the bar on the level of language being used here.

Now, if somebody wishes to answer on behalf of the government, please do so.

#### **Tobacco Recovery Lawsuit (continued)**

**Mr. Olson:** Mr. Speaker, I wish I had longer than 35 seconds because there's lots I want to say, but I'll just be brief. The Premier does speak the truth. I did make the decision. I was

satisfied. I knew that I could go any direction I wanted, including a conversation I had with my department about using internal resources. They may not wish to believe it, but I'm speaking the truth. It was my responsibility. I inherited that responsibility when I took over. I made the decision.

**The Speaker:** A point of order has been recognized from the hon. leader of the New Democratic opposition at 2:07 p.m.

The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. The Premier, after writing that none of the three law firms interviewed for the tobacco lawsuit stood above the others, clearly personally picked the firm of her close political confidante and transition team leader, who would directly benefit through legal fees for the largest lawsuit in Alberta's history. This is a \$10 billion lawsuit. At even a 20 per cent contingency fee, that would be \$2 billion to a 20-something-person law firm in possible legal fees. A very simple question: will the Premier be open and transparent and show Albertans the agreement she made?

**Mr. Lukaszuk:** How can she do that? She never made an agreement. She was never a signatory to an agreement.

Mr. Speaker, maybe you may want to elaborate to all members of this House what the process is relative to allegations. I said this on a number of occasions because allegations are flying every day, and I told them that pretty soon they will be running out of Albertans to somehow make allegations against. There is the Ethics Commissioner, there is the Law Society, there are professional bodies. If you have any smidgen of evidence, file it, allow due process to take its course, and stop accusing Albertans of things that you cannot substantiate.

**The Speaker:** The hon. member.

**Mr. Saskiw:** Thank you, Mr. Speaker. Given that the Premier wrote that all three firms had unique strengths and weaknesses, how can the Justice minister say that her awarding the agreement to her transition leader and ex-husband is in Alberta's best interests without this government showing any evidence of how much this consortium would benefit from this agreement? Just show us the agreement.

**Mr. Denis:** Mr. Speaker, we heard from the Premier. We heard from the Deputy Premier. And earlier we heard from the hon. minister of agriculture. He was the one that made the decision on June 21, 2011, not the Premier. Let's move on, Mr. Speaker.

**The Speaker:** The hon. member.

**Mr. Saskiw:** Thank you, Mr. Speaker. Given that other provinces such as Newfoundland have disclosed the key terms of their litigation agreement – in that case, 30 per cent – will the Justice minister simply table the agreement so Albertans can see whether they got a good deal or whether they are being hosed?

**Mr. Denis:** Mr. Speaker, I refer this member to 23(g) of the standing orders about talking about cases that are before the courts. This is already before the courts. I really question if this hon. opposition really supports this type of action to recover taxpayers' dollars or if they have an ideological and extremist opposition to it.

**Mr. Anderson:** Point of order.

**The Speaker:** A point of order has been noted from Airdrie at 2:09.

The hon. Member for Edmonton-South West, followed by Highwood.

### Provincial Fiscal Policy

**Mr. Jeneroux:** Thank you, Mr. Speaker. To the Minister of Finance. Yesterday when you released the second-quarter results, most of the dialogue, like today, was focused elsewhere. However, what did stand out was the Official Opposition's claim that this government has borrowed over \$3 billion so far this year and that that could be money that could be used to hire teachers, nurses, and doctors, of which there are a lot in my constituency of Edmonton-South West. I'm hoping that with productive questions I can get some productive answers. Hon. minister, if this is true, how am I supposed to explain this to my very knowledgeable constituents in Edmonton-South West?

**Mr. Horner:** Well, Mr. Speaker, finally a question that is on policy, and it's a good question. The wild Alliance opposition could take some lessons.

Mr. Speaker, it is indeed true that . . .

**The Speaker:** Hon. President of the Treasury Board, you may want to rephrase your answer knowing full well the name of our Official Opposition.

I encourage you to continue.

2:10

**Mr. Horner:** I do, Mr. Speaker. That's what I think of them.

Mr. Speaker, the government borrowed about \$3 billion and then on-lended that amount of money to the Alberta Treasury Branches, to the Agriculture Financial Services Corporation, to the Alberta Capital Finance Authority. This type of on-lending actually saves taxpayers money. I'm sure the hon. opposition wouldn't prefer that our municipalities would pay a higher interest rate or that farmers would not get loans or that the ATB didn't make money.

**The Speaker:** The hon. Member for Edmonton-South West, with no preamble.

**Mr. Jeneroux:** To the same minister: given there is a forecast deficit and all we hear in this Assembly is extreme doom and gloom, could government balance its books by simply trimming managers in the public service as the opposition suggests?

**Mr. Horner:** Well, Mr. Speaker, this is another one of the fallacies that is put forward by the opposition. You know, the entire public service compensation adds up to less than \$3 billion. Cutting managers or the executive staff of government is not the silver bullet that some opposition parties would suggest. Basic math would tell you that the entire public service would only free up enough funds to match up 20 per cent of our health care budget. I should also note that that would mean the eradication of all government services and programs. One of the things that we are doing is we're reviewing every one of the programs and services the government delivers under results-based budgeting.

**The Speaker:** The hon. Member for Edmonton-South West, again with no preamble.

**Mr. Jeneroux:** Thank you, Mr. Speaker. Given we've heard that the economic circumstances have changed since the budget was introduced but we've also heard the economy is strong and

growing, what can I tell my constituents of Edmonton-South West as to why we are still forecasting a deficit? [interjections]

**Mr. Horner:** Well, it's unfortunate, Mr. Speaker, that the opposition doesn't like a good question when they hear it.

The economy is indeed strong, and our Alberta economy is growing. Even so, global uncertainty is still very volatile. We have seen what's happening in the United States with the fiscal cliff. We've seen what's happening in Europe. Everyone is reducing the energy forecast, Mr. Speaker, including the federal government, Saskatchewan, and Newfoundland. Of all of these jurisdictions, I might add, Alberta was the most conservative in our projections over those projections. As well, you'll see that Saskatchewan is forecasting a balanced budget this year, but that's primarily due to a higher tax rate, a sales tax. Alberta continues to have . . .

**The Speaker:** The hon. Member for Highwood, followed by Edmonton-McClung.

**Ms Smith:** The deficit is going to be at least \$3 billion this year. That's what the government will admit to. We calculate that it's actually closer to \$5 billion when you include the hidden deficit of \$2 billion for capital. Now, that's just this year. Next year, who knows? But there will be a deficit despite the efforts of the Finance minister to mask it as alternative financing. How much will they borrow this year to cover this year's deficit, or will the minister just scoop it out of the sustainability fund and call it one of the other tools in his tool box?

**Mr. Horner:** Mr. Speaker, it's unfortunate the hon. Leader of the Opposition wasn't listening to the last question. We are borrowing this year. We borrowed last year. We borrowed the year before that. We borrow for on-lending. As I reported in our six-month update yesterday, the quarterly report, we've borrowed close to \$3.4 billion so far this year. Almost all of that is for on-lending to those other institutions. It's very clear, hon. member. It's unfortunate you don't understand it.

**Ms Smith:** Sounds pretty proud to have gone into debt. Too bad they didn't campaign on that.

Perhaps the minister could explain how it is that raiding the sustainability fund to cover overspending and unfunded promises during the election is different than running a deficit.

**Mr. Horner:** Well, Mr. Speaker, I'm sure the hon. member would understand what happened at Public Accounts. Her Finance critic is on Public Accounts. I'm sure he's been through the books very thoroughly and would understand that in past years, before the election, even before that, we had P3 debt on our books because it is a debt. You know what? That goes all the way back to previous Premier Klein, who was the first one to introduce P3s in this province. We're very proud of that because they saved Alberta taxpayers money. So to suggest that we have not been borrowing before the election is simply not telling Albertans the truth.

**Ms Smith:** In the last year Premier Klein was in office, borrowing charges were only \$200 million. Borrowing charges this year have already risen to more than half a billion dollars. More debt means more money wasted on interest payments and not available to hire nurses and doctors and teachers and social workers. Why is the minister insisting that more debt and more interest charges is good for Albertans?

**Mr. Horner:** Mr. Speaker, it is truly disappointing that the hon. member does not understand the financial picture of this province.

If you'd like to learn, the borrowing charges which are recorded in our statements that she saw yesterday are actually the expense side of the borrowing. Because we do it for the Alberta Capital Finance Authority and the Treasury Branches and Ag Financial Services, on the revenue side is the money coming in. In fact, we make a little on it. So, indeed, we are spending money on paying off that debt, but we're also collecting money, more than what we borrowed.

**The Speaker:** The hon. Member for Edmonton-McClung, followed by Edmonton-Centre.

### GreenTRIP Incentives Program

**Mr. Xiao:** Thank you, Mr. Speaker. As the need for accessible urban transportation grows, the demand to develop environmentally friendly, responsible modes of transportation also increases. The green transit incentives program, also known as GreenTRIP, was announced in July 2008 to reduce Alberta's greenhouse gas footprint. My question is to the Minister of Transportation. What is the status of the GreenTRIP program?

**The Speaker:** The hon. minister.

**Mr. McIver:** Thank you, Mr. Speaker. As I think the member knows, the GreenTRIP program is part of the government's commitment to supporting communities as they plan for the future. It was announced in 2008 with a budget of \$2 billion. The deadline for the first call for applications was January 2011, and project approvals to date are just over \$1 billion. Subject to the first round of approvals there's about \$948 million in additional project funding for the second application process.

**The Speaker:** Hon. Member for Airdrie, your point of order at 2:15 was noted at the conclusion of comments by the President of Treasury Board in response to a second question.

First supplemental, hon. member, with no preamble.

**Mr. Xiao:** Yes. To the minister again: given that both Edmonton and Calgary have extensive plans to develop their transit systems to better address the need for sustainable and environmentally beneficial transportation alternatives, are there any plans that the proposed \$2 billion allotment be changed?

**The Speaker:** The hon. minister.

**Mr. McIver:** Mr. Speaker, thank you. As mentioned earlier, in the GreenTRIP plan there is about \$948 million in funding still to be expended. We haven't scheduled the second call for applications yet. When we do, we'll certainly make sure that all Alberta municipalities know about it. To be more direct to the question specifically asked, we are not at this time planning to expand the program, but we'll stay in touch with it.

**The Speaker:** The hon. member.

**Mr. Xiao:** Thank you, Mr. Speaker. My last supplementary question to the same minister: over the course of this program's funding does the minister have any indication or estimates as to how much greenhouse gas emission can be potentially reduced?

**Mr. McIver:** Well, this is an example of actually doing something that's good for the environment, Mr. Speaker, and also good for Albertans because with mass transit a lot of Albertans that couldn't otherwise afford to get around do. On the greenhouse gas

side the estimate currently is about 46,500 tonnes annually of carbon dioxide. That's as close as I can get.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by Edmonton-Beverly-Clareview.

### Groundwater and Hydraulic Fracturing

**Ms Blakeman:** Thanks very much, Mr. Speaker. The government has failed to follow the science and do the work to be able to prove or disprove whether fracking has affected water and particularly failed to do a baseline study of water until after coal-bed methane production and fracking had been done for some time, so we have no information from before when this activity started. To the minister of the environment: how does the minister plan to overcome this lack of scientific fact?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker. As I said the other day in the House here with regard to similar kinds of questions, what we have been doing and what we will continue to do as a department and as a government is to make sure that, first and foremost, the groundwater mapping is done in this province. We've done a significant amount of that. We've put \$16 million towards groundwater mapping, and we will continue on top of that to make sure that baseline testing is done.

**The Speaker:** The hon. Member for Edmonton-Centre, without preamble.

**Ms Blakeman:** Thank you, Mr. Speaker. To the same minister: does the minister recognize that this lack of science is affecting the industry? They would like to be able to prove that fracking that's done with proper standards and well-casings is safe, but without proof they can't do it.

2:20

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker. Indeed, we are working not only with the industry but also with the ERCB and the Ministry of Energy to make sure that we are doing baseline testing, that we are looking at hydraulic fracturing. We are looking, in fact, at how much water will be used, and we are doing consultation in the new year on this particular subject because water is the most important resource for Albertans. We know that. This government knows that, and that is why we are doing the work that we are committed to doing.

**The Speaker:** The hon. member.

**Ms Blakeman:** Thank you very much, Mr. Speaker. Does this minister understand that baseline testing has to be done before you start the activity?

**Mrs. McQueen:** Well, absolutely, Mr. Speaker. That's a silly question. We know that, and that's why we're doing all of the groundwater mapping first and foremost, and then we are doing – I'll slow down so people can hear and understand – the base water testing, and we are doing studies, and we're working with Albertans to go and have a discussion in the new year about hydraulic fracturing as it pertains to water use. Yes, we know that. There have been very few wells drilled in this province with hydraulic fracturing, and that's why we're taking the time with

industry, with the regulator, ERCB, with the Department of Energy, and with Albertans to make sure that we get this right as we develop this resource.

**The Speaker:** Hon. member, let's be careful with terms like "that's a silly question," please. I'm sure that that was in the heat of the moment. No question, in a member's opinion who is giving the question, is silly. I'll just remind you of that.

Let's move on to Edmonton-Beverly-Clareview, followed by Rimbey-Rocky Mountain House-Sundre.

### Whistle-blower Legislation

**Mr. Bilous:** Thank you, Mr. Speaker. The Premier said that she wanted to work with all parties in the Legislature. "I know that with a little goodwill, we can see past . . . our differences." However, the past weeks have proven that the PCs never had any intention of working with opposition parties. Late last night the government passed its flawed whistle-blower legislation. The opposition proposed 29 amendments in an attempt to strengthen this bill, and the government voted them all down. Will the Premier admit that this government has no intention of working with this side of the House?

**Mr. Scott:** Mr. Speaker, I'm very proud of the whistle-blower legislation that was passed last night. It's very effective. If the members on the other side spent more time reading the legislation rather than engaging in personal attacks, I think they'd be a lot more effective in this House.

**The Speaker:** The hon. member.

**Mr. Bilous:** Thank you, Mr. Speaker. Given that all opposition parties have been working hard this session to improve this government's legislation and given that the Premier said, "this is not a partisan project" and that we all "want what's best for this province and its people," to the Premier: is pulling the microphone out from under opposition MLAs your idea of what's best for the province and its people?

**Mr. Lukaszuk:** Mr. Speaker, there are very few Legislatures in this country where the opposition has the amount of input as it has over here, starting with all-party committees. When the government of Alberta makes an announcement, they make arrangements for where to make that announcement, but there are facilities within this building, including the press gallery, that are available to the opposition 24/7, 365 days a year where they can make announcements of any choice, where media is available, technology is provided.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Speaker. Given that one of the many amendments to the whistle-blower legislation proposed by the NDP last night would require that reports be made publicly available and given that all parties in the opposition benches agreed it was an extremely reasonable amendment and given that this government voted down 93 of 95 opposition amendments, clearly, to this government, the word "co-operation" means as much as "accountability" and "transparency," absolutely nothing.

**Mr. Scott:** Mr. Speaker, one of the problems that we've had throughout this debate with the whistle-blower legislation is that I'm not convinced that everybody has been reading it. Section 33 talks about public reporting. Read the legislation. Look at it



yourself. Section 33(3) provides for further reporting. There is public accountability in this legislation. Read the legislation.

**The Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre, followed by Calgary-Foothills.

#### **SNC-Lavalin Transmission Infrastructure Project**

**Mr. Anglin:** Thank you, Mr. Speaker. The company SNC-Lavalin, owner of AltaLink, appears to be emerging as a disreputable company that makes money by engaging in illegal activities. Executives have been arrested, and the company is under multiple investigations overseas for corruption, bribery, and in one case executives had been convicted of scamming and fraud. Can the minister of accountability guarantee Albertans that SNC-AltaLink secured their multibillion dollar contract in Alberta through a legitimate vetting and proper bidding process?

**The Speaker:** Hon. Member for Rimbey-Rocky Mountain House-Sundre, I know you're going to have two supplementals here momentarily. Just watch the language, please, okay?

Let's go on to an answer from the Deputy Premier.

**Mr. Lukaszuk:** Thank you, Mr. Speaker. It's difficult to answer a question full of allegations, some of them very troublesome. If that particular member has any knowledge of any agreement that he finds could be unbecoming, if he has any allegations against any companies or any individuals, provide them in writing to the appropriate minister. If he thinks that there is something illegal going on, there are police and other law enforcement authorities that he should be reporting it to.

**The Speaker:** The hon. member. Supplemental, no preamble.

**Mr. Anglin:** Thank you, Mr. Speaker. I'm not making an allegation at all.

Quebec's anticorruption squad has arrested the former SNC-Lavalin CEO and charged him with fraud in connection . . . [interjections]

#### **Speaker's Ruling**

##### **Preambles to Supplementary Questions**

**The Speaker:** Hon. member, no preamble to your supplemental. Please, have a seat. You see what occurs here when we break the rules? [interjections] Excuse me, hon. members.

I'll let you rephrase. I realize this is your first term here and maybe you didn't hear all of my admonishments, which I've done 30 or 40 of, but I'll remind you again: no preamble to your supplementals today. Please proceed with a rephrased question.

#### **SNC-Lavalin Transmission Infrastructure Project**

*(continued)*

**Mr. Anglin:** Given Quebec's anticorruption squad has arrested the former SNC-Lavalin CEO and charged him with fraud in connection with construction contracts in Montreal, how can Albertans have confidence this fraud activity doesn't extend to the multibillion-dollar no-bid contract SNC-AltaLink received from this government?

**Mr. Lukaszuk:** Mr. Speaker, no information has been filed to this government or, as far as I know, any law enforcement agency that would in any way indicate that there are any illegal activities going on. This government, unlike the other side of this House, is

not practising assuming that everybody is doing something illegal unless proven innocent. If that member feels that there are any issues relevant to any contractual agreements that this government may have, please indicate so, and it will be looked into.

**The Speaker:** Hon. member, without the preamble, please.

**Mr. Anglin:** Thank you, Mr. Speaker. Given the process of awarding a no-bid contract to SNC-AltaLink, a progressive party donor, has already been tainted with the illegal activities of spying and listening in on private phone conversations of Albertans, why should Albertans trust this company with a multibillion-dollar contract?

**Mr. Lukaszuk:** Because Albertans trust anybody until they have a reason not to. If this member has a reason that he can produce that Albertans should not trust this company, there is a process through which this company will be put, and then we will find out. Simply accusing individuals, family members, companies, entities, societies, and associations just for the sake of doing so doesn't cut it in Alberta, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Foothills, followed by Calgary-Fish Creek.

#### **First Nations Consultation**

**Mr. Webber:** Well, thank you, Mr. Speaker. The other day I was reminiscing about my time serving as the Aboriginal Relations minister just over a year ago, and I thought about how much I enjoyed the people and the community and the culture of the First Nations and Métis people of this great province. There were many issues back then that were of deep concern, and many of those issues continue today. To the current Minister of Aboriginal Relations: First Nations continue to express that government and industry are not adequately consulted when development occurs within their territory, so what is this government doing to address First Nation consultation?

**The Speaker:** The hon. Minister of Aboriginal Relations.

**Mr. Campbell:** Thank you, Mr. Speaker. It's a good question, and it's a very important question. I can tell you that when I became Minister of Aboriginal Relations on May 8, the first thing I did is that I went out to the communities of the First Nations and the Métis settlements to talk about some of the issues, and one of the issues that did come up was consultation. What we've done is that we've engaged in a very robust dialogue on consultation with First Nations, industry, municipalities, counties so that we can get this right. We've released a discussion paper, which I have now set down with the First Nations and industry. I'm waiting for responses back. I hope to bring both industry and First Nations to the table together to see if we have some common ground to work on, and from those discussions we will be releasing a policy paper in the spring for further discussion.

**Mr. Webber:** Well, then, to the same minister: given the vast amount of development occurring in many areas of this province, do aboriginal communities have adequate capacity to deal with the rising number of applications that may impact their people, their lands, and their traditional territories?

2:30

**The Speaker:** The hon. minister.

**Mr. Campbell:** Thank you, Mr. Speaker. That's the exact reason we're having the discussion we are today. I've heard from both First Nations and the ministry that the First Nations do lack the capacity and the funding to do a proper consultation. As the Supreme Court has said, the government has an obligation to do a proper consultation process. We are going to take a more active role in that process, and we are going to make sure that First Nations have the proper funding and the proper capacity to do a proper job to look after their treaty rights.

**Mr. Webber:** Again to the same minister, then: how long will this long-drawn-out, ongoing, seemingly never-ending review of the consultation policy go on for?

**Mr. Campbell:** Well, again, a good question, Mr. Speaker. I had set a timeline of having all discussions in by the end of this month. When I met with First Nations last week, I met with 25 chiefs. They'd asked if they could have an extension at that time, and I said: yes; if we could go to Christmas, that would be great.

Again, Mr. Speaker, there is an urgency to get this done and get it done right. This is one small piece in the larger scheme of looking after things like education, looking after things like housing, looking after health care on-reserve, and economic opportunities. We want to get the consultation piece done as quickly as possible, but we also want to make sure we get it done right.

**The Speaker:** The hon. Member for Calgary-Fish Creek, followed by Bonnyville-Cold Lake.

#### Whistle-blower Protection for Physicians

**Mrs. Forsyth:** Thank you, Mr. Speaker. The cry of front-line workers will continue to go ignored with this government's so-called whistle-blower legislation. This government failed to provide protection to the vast majority of doctors in our province as they are not direct employees of Alberta Health Services but, instead, contracted employees, which isn't surprising given this government's record of bullying and intimidation of our health care workers. Does the Associate Minister of Accountability, Transparency and Transformation – and I have read the bill – have an explanation as to why this government continues to ignore our doctors and leave them out in the cold as well as their patients?

**Mr. Scott:** Mr. Speaker, this legislation augments other existing avenues that doctors can pursue. Any doctor that's an employee is going to have the right to use this legislation. I think this is legislation we can be proud of. This is legislation we're going to build on. This is legislation that you should support.

**The Speaker:** The hon. member, without preamble.

**Mrs. Forsyth:** Given that this government has bullied our doctors, has forced a contract settlement on them, and continues to shut them out of consultations on just about every health initiative, will the associate minister of accountability, transportation, and transformation, AT and T, pick up the phone and explain to Alberta doctors why they can't get coverage under his protection for government from whistle-blowers act?

**Mr. Scott:** Mr. Speaker, I'll repeat it again. I think this is legislation that we can all be proud of. Doctors that are employees of the public service are going to have access to this legislation. This is legislation that augments all the other avenues that are available. This is good legislation. It should be supported by my friends on

the other side. This is going to be effective. But it needs your support. It doesn't need you always slamming it. Support the legislation.

**Mrs. Forsyth:** Given that Bill 4, the protection for government from whistle-blowers act, has been a step backwards and has been, arguably, the worst bill of its kind in this country and given that it shields the government from embarrassing publicity while doing nothing to protect the whistle-blowers, how can the minister of accountability, transportation, and transformation justify rejecting 29 straight opposition amendments that would have actually put teeth in this bill?

**The Speaker:** Let's hear from the Associate Minister of Accountability, Transparency and Transformation.

**Mr. Scott:** Mr. Speaker, she doesn't even know the name of the bill let alone having read it. [interjections]

**The Speaker:** Hon. members, let's move on.

The hon. Member for Calgary-Fish Creek has asked her third question. Let's go on to Bonnyville-Cold Lake.

#### Drilling Operations near Lakes

**Mrs. Leskiw:** Thank you, Mr. Speaker. I live in an area with many beautiful lakes and lovely natural areas. The same areas are also home to numerous oil and gas projects. Residents have voiced their concerns over and over again that these operations are encroaching on their beautiful lakes and spoiling the areas that they've loved for so long. All of my questions are to the hon. Minister of Energy. What are the setbacks required for drilling operations near these lakes that people call home?

**The Speaker:** The hon. minister.

**Mr. Hughes:** Thank you, Mr. Speaker. The requirement for all drilling operations near lakes is a 100-metre setback from any sensitive drilling area. In fact, indeed, in the Cold Lake area certain lakes even have a 300-metre setback. Before any energy development, including drilling, can proceed, it's obviously subject to the usual necessary regulatory and environmental approvals as well. So the minimum setback is a hundred metres, and industry is required to have measures in place to protect that water body throughout the development. Also, there's a minimum setback from any home as well.

**The Speaker:** The hon. member.

**Mrs. Leskiw:** Thank you, Mr. Speaker. It's the 100-metre setback that bothers us.

To the same minister: my constituents want to know what other regulations are in place to regulate oil and gas development occurring near the beautiful lakes that they call home. These lakes are in my constituency.

**Mr. Hughes:** Well, Mr. Speaker, since I was asked to take on this role in this government, the hon. member has been a passionate advocate on behalf of her constituents, and she's also a passionate advocate on behalf of the quality of life in that part of the province.

Exploration through seismic testing on fish-bearing lakes is not allowed, and further approvals through the Water Act may be necessary for exploration activities that alter any water body. Mr. Speaker there are four directives – 008, 009, 010, and 026 – of the ERCB . . .

**The Speaker:** The hon. Member for Bonnyville-Cold Lake, without preamble.

**Mrs. Leskiw:** Thank you, Mr. Speaker, and I'll continue to advocate for my constituents.

What other measurements are in place to protect the lakes, that are enjoyed, from the potentially hazardous effects of drilling operations in the area?

**The Speaker:** The hon. minister.

**Mr. Hughes:** Thank you, Mr. Speaker. You know, I certainly am sensitive to and echo the concerns of the hon. member, and I can assure her that we have very stringent safety measures in place to protect our lakes. This is, obviously, a priority for this government and for all Albertans. Under ERCB directive 056 it outlines the requirements around energy development near water bodies. The creation of the new Alberta energy regulator seeks to find that good balance between our environmental responsibilities and the economic development in this province.

**The Speaker:** The hon. Member for Cardston-Taber-Warner, followed by Calgary-North West.

#### Postsecondary Education Accessibility

**Mr. Bikman:** Thank you, Mr. Speaker. Postsecondary education is critical for Albertans. Campus Alberta is responsible for flexible transfer arrangements between institutions. There has been progress in this area, but things are not as they should be. Several constituents have raised issues about their challenges with transferring between schools. To the Minister of Enterprise and Advanced Education: if you're aware of this problem, what are you doing to ensure that students in Alberta have the best flexible transfer arrangements between institutions?

**Mr. Khan:** Mr. Speaker, I'd like to thank the hon. member from across the aisle for a very good question. As most folks in the Chamber are aware, we have 26 Campus Alberta partners, ranging from all the way north to Northern Lakes College to the south to the University of Lethbridge and Lethbridge College. As the hon. member talks about, there are transfer arrangements between our Campus Alberta partners. I've travelled around the province meeting with our stakeholders, and as he suggests, there are some issues that we'd like to work on and resolve and continue to do so. We will be meeting with ACAT, the Alberta Council on Admissions and Transfer, early in the new year to discuss how we can resolve some of these issues.

**The Speaker:** The hon. member.

**Mr. Bikman:** Thank you, Mr. Speaker. Twenty-first century technology is making traditional classroom learning obsolete and cost prohibitive. Athabasca University is perhaps Alberta's best example of addressing this issue, but there are others in the world that are doing even more. Can the minister of advanced education tell us what his department is looking at and learning from other universities and when our students can expect new approaches that will make postsecondary learning even easier and more affordable to access?

**Mr. Khan:** This is a remarkably timely question given that just yesterday eCampus Alberta celebrated their 10th anniversary of operation. Mr. Speaker, eCampus Alberta is a consortium of 16 of our postsecondary institutions that have gotten together and are offering online content to students in Alberta, distance education

around the province. As the hon. member across the aisle alludes to, Athabasca University is an innovator in online education, and we'll continue to work with Athabasca University to be a leader in the field of offering online degree education.

2:40

**The Speaker:** The hon. member. A final supplemental without preamble.

**Mr. Bikman:** Thank you, Mr. Speaker. Given that Alberta has a labour shortage and that Paul Blomfield of Ward Tires and many other companies find it necessary to bring in foreign workers, often at great expense, and given that some of them then leave to go to work for less pay in jurisdictions where it's easier to apply for permanent status in Canada, will the minister please tell us what he's doing to level the playing field to protect the large investments Alberta businesses are losing each year because of this?

**Mr. Khan:** Mr. Speaker, I'd like to take a moment to thank the Member for Cardston-Taber-Warner for asking a very constructive question regarding governmental policy and regulations. Thank you, sir.

To his point, we've been working with our federal colleagues quite closely. We're working on examining some of the best practices in the world in terms of immigration policy. We'll be working on an expression-of-interest model which turns the table from a supply-driven system to a demand-driven system, where we'll be able to select from a talented pool of labour . . .

**The Speaker:** Thank you, hon. minister. Please have a seat. Your time is done. Thank you.

I, too, want to extend some thank yous here very briefly to those members who made such a good and sincere effort to cut down and not use any preambles. Many, many members stuck to it. We got to one or two more people as a result of that. Had I not had to intervene, we would have gotten to a third one. So those of you who made the sincere effort, my sincere thanks to you on behalf of all members of the House. Thank you.

Let us move on in a few seconds with the readings of private members' statements.

#### Members' Statements

(continued)

**The Speaker:** The hon. Member for Calgary-Hawkwood.

#### International Languages Program

**Mr. Luan:** Thank you, Mr. Speaker. It's an honour to rise again today to bring attention to the need for international languages education in our communities. The international languages program assists children in learning languages further to English and French. They help promote cultural competency and enhance global citizenship. Due to the increasingly globalized economy it is crucial for our children to learn additional languages to give them a competitive advantage in the global market.

Mr. Speaker, this advantage should not be underestimated. Many jurisdictions around the world are developing their strategy to prepare their children. In the case of Australia they have explicitly supported an international languages program targeting emerging markets such as China and India. Unfortunately, Alberta is falling behind. Our programs in this area are offered inconsistently across the province, with fragmentation, poor financial

support, and lack of standards. I hope that by bringing this matter to the House, we can collectively raise the awareness of this important issue and find ways to improve our current standing.

On a more positive note, Mr. Speaker, I'm very delighted to be a member of a working group initiated by the hon. Minister of Education, working with a number of other MLAs and ministers to further explore ways to address this need.

To conclude, I look forward to the time when we can proudly declare that Alberta has developed a comprehensive international languages strategy and that we as Albertans once again lead the nation in educating our children today for our continued prosperity tomorrow.

Thank you, Mr. Speaker.

**The Speaker:** The hon. leader of the Liberal opposition.

### Home Care for Seniors

**Dr. Sherman:** Thank you, Mr. Speaker. Society and governments are judged by how they treat their most vulnerable, especially their seniors. The Christmas season is upon us, and thoughts turn to our families, especially those most vulnerable and families with seniors in care. At a time when the needs of seniors are growing in Alberta, this government is either unprepared or unwilling to provide the resources to care for them. Many of my constituents, Mr. Speaker, are seniors, and they tell me that they're stretching themselves to the breaking point to attend to members of their family in care settings or at home.

I learned this week that home-care services are being cut back in Black Diamond, Turner Valley, and homes all across the province. A nurse working at a seniors' facility wrote yesterday that the harsh joke amongst the nursing staff is that prisoners in Alberta get better care than seniors do. They at least get to shower when they want to shower or when they need a shower, and they don't have to pay extra to get one. The minister's comment in this House when questioned about inadequate bathing or personal care says it all. Either he doesn't know what's going on or he really doesn't care.

Mr. Speaker, he knows how to fix the problem. The problem is really to improve and increase the amount of home care for our vulnerable and our seniors, nonprofit home care. Our vulnerable should not be used as commodities to be sold to privateers. The way we fix this is by bringing in nonprofit long-term care, community care, nonprofit aging in place in our communities.

Mr. Speaker, this is that time of year when seniors are lonely. They're disabled and lonely. They're in their homes alone. Their health care providers: many of them take holidays. Their care providers also have health issues. I ask the government to reconsider its policy and invest in seniors' home care and long-term care.

Thank you.

**The Speaker:** The hon. Member for Vermilion-Lloydminster, followed by Airdrie.

### Historical Resources Foundation Heritage Awards

**Dr. Starke:** Thank you, Mr. Speaker. Albertans take tremendous pride in the rich heritage and history of our great province. That pride is seen in the efforts of individuals, municipalities, corporations, and nonprofit organizations that are preserving and protecting the monuments of the past and breathing new life into cherished landmarks of history. It is seen in the commitment of individual Albertans who are documenting the unique history and

heritage of their communities so that we might all take pride in our shared past, and it's seen in the visionary leadership of municipal officials who have ensured that the history of Alberta remains vibrant and alive for all Albertans now and for generations to come.

Today thanks to their efforts the Alberta Historical Resources Act recognizes over 870 sites on Alberta's register of historic places. Mr. Speaker, as government we join with them in this effort and as partners in heritage conservation are proud to honour their achievements. On November 30 my colleague the hon. Minister of Culture will recognize the work of deserving Albertans with the presentation of the 2012 Alberta Historical Resources Foundation heritage awards.

Honoured for creating awareness of our heritage and for their outstanding achievements in the preservation and presentation of Alberta history are Kermith Anderson of Scandia, Judith Ann Miller-Carleton of Blackfalds, Jack Manson of Thorsby, and Catherine Cole of Edmonton. Excellence in heritage conservation awards will be presented to the town of High River, the Lacombe & District Historical Society, and the Arts and Heritage Foundation of St. Albert. The city of Lacombe, famed for its magnificent historic main street, is being honoured for successful heritage management with the 2012 municipal heritage preservation award.

Mr. Speaker, the government of Alberta is proud to support heritage conservation efforts with programs like the heritage preservation partnership program, the municipal heritage partnership program, the Alberta main street program, and the biennial heritage awards.

I ask all members and all Albertans, indeed, to take a moment to thank all those who are helping to connect us with our past.

**The Speaker:** The hon. Member for Airdrie, followed by Calgary-Foothills.

### Tobacco Recovery Lawsuit

**Mr. Anderson:** Mr. Speaker, yesterday the Premier stood in this House and, referencing the tobacco litigation contract given to her ex-husband's law firm, stated, "I was not the Justice minister at the time that the government made that decision." Well, let us examine the facts to see if what the Premier said was indeed the case. First, the key date. The current Premier resigned from her duties as Justice minister on February 16, 2011, so I will only be outlining the written evidence produced before that date.

2:50

The first letter is a memo with the current Premier's own signature dated December 14, 2010, in which the Premier in response to a request asking for a decision on who should represent Alberta in the tobacco litigation states, "The best choice for Alberta will be," – will be – "the International Tobacco Recovery Lawyers." That's her ex-husband's law firm.

Next, we have a memo from the Assistant Deputy Minister of Justice dated January 13, 2011, updating the Deputy Minister of Justice on where the tobacco litigation file is at. It says that shortly before Christmas the Minister of Justice – and it actually names the now Premier – "selected the International Tobacco Recovery Lawyers."

Next, we have an e-mail with three letters of rejection attached that were sent to law firms that had applied for the litigation contract but were not successful. The e-mail was dated December 22, 2010, and was sent to the Deputy Minister of Justice. Then we have yet another letter from the Assistant Deputy Minister of

Justice to the executive director of Alberta Justice stating, "Call made to Karsten Jensen at the successful consortium."

Lastly, we have an e-mail to a litigation director at Alberta Justice from Carsten Jensen, senior partner at the Premier's ex-husband's law firm, dated January 6, 2011, which states, "We were very happy to learn that we will be working with you on the health care recovery claim."

Mr. Speaker, the evidence in this matter is overwhelming, and it is clear. When the Premier stood up in this House and stated that she was not the Justice minister when this decision was made, she was not telling the truth.

**The Speaker:** We admonished someone earlier for using statements like that, and I'd ask you to revisit, hon. member, the final couple of words.

The hon. Member for Calgary-Foothills.

### Cross-border Economic Opportunities

**Mr. Webber:** Thank you, Mr. Speaker. On April 23 Albertans gave our government and our Premier a strong mandate to govern on a platform that had at its heart the belief that a stronger Canada means a stronger Alberta. Albertans rejected isolationist firewall policies that pit one region against the next.

While all of us here spent the week in this House debating amendment after amendment after amendment into the wee hours of the morning, our Premier was building fundamental relationships across North America. In Halifax she led discussions among Premiers on a Canadian energy strategy. The crux of this strategy is simple. Working together, provinces can leverage each other's unique energy strengths to catapult Canada into a global leader in responsible energy development. She received strong support from Premiers for a west-east pipeline carrying Alberta crude to eastern Canadian refineries, creating jobs, prosperity, and increased market access along the way. She met with the Premier of Quebec, where both agreed to share energy expertise and address pipeline-related environmental questions. In Arizona this weekend she has been asked to share her expertise and vision with U.S. governors to build a stronger regional energy partnership and stronger economies on both sides of the border.

Building these relationships requires travelling across Canada. It requires travelling across North America and the world. The result will be improved opportunities for a wide range of Albertans, including those in agriculture, in forestry, in education, research, tourism, culture, energy, and innovation.

Albertans are right, Mr. Speaker. As evidenced on April 23, the Premier is wanted. She is wanted by Albertans to get this important job done.

### Notices of Motions

**The Speaker:** The hon. Minister of Aboriginal Relations, followed by Airdrie.

**Mr. Campbell:** Thank you, Mr. Speaker. I rise pursuant to Standing Order 34(3) to advise the House that on Monday, December 3, 2012, written questions 5, 6, 11, 12, and 13 will be accepted and written questions 4, 7, 8, 9, 10, 14, 15, 16, 17, and 18 will be dealt with. Also on Monday, December 3, 2012, Motion for a Return 1 will be accepted, and Motion for a Return 2 will be dealt with.

**The Speaker:** The hon. Member for Airdrie.

**Mr. Anderson:** Thank you, Mr. Speaker. In accordance with Standing Order 15(2) of the Legislative Assembly of Alberta standing orders I am hereby providing you with notice of my intention to raise a question of privilege today in that the Premier's responses during Oral Question Period regarding her role as Justice minister in selecting the firm to represent the government in the tobacco lawsuit deliberately misled the Assembly in such a way as to impede the ability of members of this House to fulfill their duties, thereby committing a contempt of parliament.

### Tabling Returns and Reports

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition.

**Ms Smith:** Thank you, Mr. Speaker. I rise to submit five copies of several documents that I made reference to today in my questions. First, the *Hansard* from November 28, in which the hon. Premier indicated that she was not the Justice minister at the time the decision was made in the tobacco litigation case; an article from the CBC news dated February 16, indicating when the former Justice minister entered the PC leadership race; also, a document dated December 14, 2010, outlining the decision by the then Justice minister to say that the best choice for Alberta will be the International Tobacco Recovery Lawyers; the briefing note dated January 13, 2011, that was submitted by Grant Sprague, the assistant deputy minister of legal services, indicating a status update on the matter in which it was indicated that the then Justice minister selected the International Tobacco Recovery Lawyers; an e-mail dated December 22, in which, again, Grant Sprague, assistant deputy minister, indicates that he had made a call to Carsten Jensen at the successful consortium; an e-mail also dated December 22, 2010, in which the scanned documents with signed memos to the unsuccessful candidates are indicated, and this is also from the office of the assistant deputy minister of legal services in Alberta Justice; a copy of the letter written by Grant Sprague regretting to advise the unsuccessful parties about their proposal not being successful; in addition, on January 6, an e-mail from Carsten Jensen to Lorne Merryweather indicating before Christmas that he was happy to learn that they would be working on the health care recovery claim with the government.

Thank you, Mr. Speaker.

**The Speaker:** Hon. Member for Edmonton-Meadowlark, did you have a tabling?

**Dr. Sherman:** Thank you, Mr. Speaker. I have three tablings today. One is a letter from the Grey Nuns Medical Staff Association dated November 27, 2012, to the citizens of Alberta, explaining why their doctors are upset with the government. I have five copies.

My second tabling is a letter dated November 28, 2012. It's a letter to the patients in the constituency of the Minister of Health, expressing their concerns regarding the future of health care delivery. I have five copies.

I have a letter dated April 11, 2012, from the Alberta College of Family Physicians. It's from Dr. Cathy Scrimshaw. This letter is in reference to the question that I had asked where Dr. Scrimshaw is quoted as saying that the Alberta College of Family Physicians "has responded to concerns regarding Alison Redford's misrepresentation of the ACFP in a recent newspaper article discussing the Family Care Clinics." It's a quote, Mr. Speaker, that goes on to say that the ACFP is disappointed with the . . .

**The Speaker:** Hon. member, just table the document, please.

**Dr. Sherman:** Thank you, Mr. Speaker. I have five copies. This is related to a question that I asked earlier today.

**The Speaker:** Is that it, then? Thank you.

The hon. Member for Lacombe-Ponoka, followed by the Deputy Premier.

**Mr. Fox:** Thank you, Mr. Speaker. On behalf of my esteemed colleague from Calgary-Fish Creek I'd like to table the following documents. The required five documents for the record that I am tabling are from the Federal Accountability Initiative for Reform, FAIR. They promote integrity, accountability within government by empowering employees to speak out without fear of reprisal when they encounter wrongdoing. This tabling is in regard to the debate from last night on Bill 4, the whistle-blower protection act. I'd like to state that we read this and comprehended it many, many times.

**The Speaker:** Hon. Government House Leader, I saw you looking at the clock. Did you wish to address the Assembly?

**Mr. Hancock:** Thank you, Mr. Speaker. If it pleases the House, could we have unanimous consent to continue with the filing of papers with the House?

[Unanimous consent granted]

**The Speaker:** Let's proceed and finish off, then.

Hon. Deputy Premier, you had a tabling.

3:00

**Mr. Lukaszuk:** Mr. Speaker, while arguing that the Premier may have acted unethically, the Official Opposition, in particular the leader, was relying on the expertise of a leading ethicist in Canada on matters of ethics. I would like to table a recent article written by the said academic that chastises fans of Saskatchewan Roughriders and tells them that it is okay for football fans to cheer but not loudly. This is the expert paper written by that very same expert.

**The Speaker:** Well, let's table it, and we'll move on. Thank you.

### Projected Government Business

**Mr. Saskiw:** According to Standing Order 7(6) I'd like to ask the Government House Leader for the projected business in this Assembly next week.

**Mr. Campbell:** Well, on Monday, December 3, 2012, in the afternoon we hope to do some private members' business and as per the Order Paper; in the evening Committee of the Whole on Bill 7, Election Accountability Amendment Act, 2012.

On Tuesday, December 4, 2012, in the afternoon it will be Committee of the Whole on Bill 7 and as per the Order Paper; in the evening Committee of the Whole, third reading of Bill 7 and as per the Order Paper.

On Wednesday, December 5, 2012, in the afternoon and evening we'll be doing third reading of Bill 7, Election Accountability Amendment Act, 2012, and as per the Order Paper.

On Thursday, December 6, 2012, in the afternoon Bill 7, Election Accountability Amendment Act, 2012, and as per the Order Paper.

**The Speaker:** Hon. members, we have some points of order to deal with here. I believe we have three, possibly four. In order of

occurrence I have a point of order by someone on behalf of the hon. Leader of the New Democratic opposition. Please proceed.

### Point of Order Request for Documentation

**Mr. Eggen:** Thank you, Mr. Speaker. Yes, I am proceeding. This is a point of order that was drawn to your attention in regard to the minister of agriculture claiming that he was solely responsible for the decision to award the contract to the consortium of the International Tobacco Recovery Lawyers while he was the Justice minister under the then current Premier after the current Premier left office to pursue the leadership of the PC Party.

I am citing here *Beauchesne's Parliamentary Rules & Forms* section 495 on page 151, that talks about documentation. The minister of agriculture claimed in question period today that he was capable of choosing other law firms and consortiums than the one that was recommended by Minister Redford in her memorandum to the Deputy Minister of Justice on December 14, 2010. This said that it was important to have a made-in-Alberta litigation plan and that as a result the best choice for Alberta would be the International Tobacco Recovery Lawyers.

As it stands today, Mr. Speaker, the Premier's recommendation to the Deputy Minister of Justice is the only evidence that we have pertaining to the awarding of this litigation contract to the International Tobacco Recovery Lawyers. The minister of agriculture stood today to enforce this claim that the Premier did not make this decision herself. In order to evidence the minister's verification of the Premier's claim that she did not make this decision, I think it's incumbent upon the minister that he should table for this House any documents to which he was referring that attest to his response to the opposition's questions here today regarding this contract.

**The Speaker:** Hon. member, I hesitate to interrupt, but I'm trying to follow the point of order. Did you say 495 of *Beauchesne*?

**Mr. Eggen:** Yeah. That's right.

**The Speaker:** And which subsection?

**Mr. Eggen:** I'm sorry. Subsection (5).

**The Speaker:** Subsection (5)? Are you in essence asking that a certain document be tabled to back up something that an hon. member said? Is that what you're asking for?

**Mr. Eggen:** That's correct, yeah. That's right. Thank you.

**The Speaker:** Okay. Understood, then. Are you concluded, hon. member?

**Mr. Eggen:** No, I'm not.

**The Speaker:** Okay. Very briefly tidy it up, and we'll move on.

**Mr. Eggen:** Thank you for the clarification. I'm learning this as I go along. I'm learning a lot.

In order to evidence this minister's verification of the Premier's claim that she did not make this decision, we should have the tabling for the House of any documents to support this. With the documenting evidence to the contrary of the minister of agriculture's answers in question period today, that we've all seen here – the letter to the Deputy Minister of Justice on December 14 and other documents – the House can only find confidence in the minister of . . .

**The Speaker:** Hon. member, I'm sorry to interrupt, but I see a conversation going on here from chairs that ought not be occupied. I wonder if we could just be reminded that the only time you're allowed to move around the Chamber freely and sit in other spots is during Committee of the Whole. Thank you for observing that rule.

Sorry to interrupt you again, hon. member. Please continue and conclude.

**Mr. Eggen:** That's okay. Thank you. I'm almost done. Absolutely.

The confidence that we require, Mr. Speaker, in the minister of agriculture's statements needs to be buttressed with the documentation of that which is implicit in the statements that he made here this afternoon regarding the awarding of the International Tobacco Recovery Lawyers litigation contracts.

Thank you.

**The Speaker:** Thank you, hon. member.

The hon. Government House Leader.

**Mr. Hancock:** Thank you. It's apparent on the face of it there's no point of order. The hon. Minister of Agriculture and Rural Development didn't refer to any documents. He didn't cite any documents. There are no documents involved in his answer. He made a statement that when he was Minister of Justice and Attorney General, he made the decision. He carried through and implemented the decision. The hon. member ought to be directed to 494. In bold title right above that one: Acceptance of the Word of a Member. "It has been formally ruled by Speakers that statements by Members respecting themselves and particularly within their own knowledge must be accepted."

The fact of the matter is that the hon. member stood up. He wasn't required to because one can't ask questions of people's former portfolios, but any member of the government is entitled to answer any question. He had information which he thought was relevant to the House, he stood up, and he answered. He's not required to provide any documentation. If they want documentation, Written Questions and Motions for Returns are the appropriate places. FOIP is another appropriate place. I think all the documents relative to this have probably been FOIPed already. There are lots of documents out there. The chronology in this event is very clear. There is no conflict of interest, there's no decision that was inappropriate, and these hon. members continue to muckrake when they should be trying to deal with the real interests of Albertans.

**The Speaker:** Thank you.

Hon. members, this is a point of clarification. I think everyone knows that if you quote from a document, the expectation is that you will in fact table it. I'll have to review and I'm sure the hon. member also will review whether or not he did allude to a document that he might wish to table at some point. I didn't hear it personally, but we'll review just to be sure. Otherwise, this point stands clarified and closed.

Let's move on to the second point of order, at 2:09 p.m. The hon. Member for Airdrie.

**Mr. Anderson:** Just for clarification, Mr. Speaker, would you like me to address all three of my points of order at once or just one at a time? What would you prefer?

**The Speaker:** Well, I have you down for one at 2:09 and another one at 2:15, and I'm suspecting they may be about different issues. If you wish to roll them both together, let's hear the argument for the first one, and then we'll see.

**Mr. Anderson:** I'll do the two separately, then, as you suggest.

#### **Point of Order Insulting Language**

**Mr. Anderson:** The first, of course, is regarding 23(j), "uses abusive or insulting language of a nature likely to create disorder," and (l), "introduces any matter in debate that offends the practices and precedents of the Assembly." I think you've been very clear on a couple of these. Maybe we can roll these all into one because they are very much related.

The first was with regard to the Justice minister and Solicitor General. He called members of the opposition on this side extremist. I think that's a very offensive statement. I think we all know what that means. I would note, Mr. Speaker, that it's a little rich coming from the side where I heard a slur about my own faith yesterday, a slur by a member from that side, which was very offensive. I find it a little bit interesting that they would have a member slur my faith and then the next day call us extremists. I think they should be ashamed of themselves in that regard, not to mention some mouthed expletive language used by the Premier yesterday that was caught on video. I would ask him to retract that statement. [interjections]

3:10

**The Speaker:** Hon. members, the Member for Airdrie has the floor.

Please continue and conclude.

**Mr. Anderson:** Thank you. The other is regarding the Treasury Board president. You did try to correct him, Mr. Speaker, when he called the Official Opposition the wild Alliance. You've been in this House many times when a member on our side, for example, called the PCs pathetically cowardly. You immediately had them withdraw the comment, and I would assume you'll do the same with regard to the minister who refused to withdraw when he was asked to by you.

The third was the transparency and accountability minister, who said that the Member for Calgary-Fish Creek had not read the bill. Of course, this member is a long-serving member, and that was very offensive to her, especially since, as you can see by the colourful rainbow of notes and highlights and all the work that she did, including preparing 20 amendments to the legislation, she not only read the bill, but she understands it. Perhaps it is that hon. minister that needs a refresher on the bill and not this member on this side.

I would just ask that those comments be retracted so that we can move on, Mr. Speaker.

**The Speaker:** Thank you.

The Government House Leader. The hon. Minister of Justice also wishes to chime in on this, so let's go with the House leader first.

**Mr. Hancock:** Thank you, Mr. Speaker. Just with respect to the last matter it was clear on the record and will be clear when *Hansard* is printed that the Member for Calgary-Fish Creek used a title of a bill which is not a bill that was in the House. It was not a bill that was passed. By using a title of a bill that is not in the House and that wasn't passed by this House, she obviously was either not reading correctly, not reading the bill, or making something up. The title that she used was something to do with the protection of the government from whistle-blowers. She obviously was trying to be ironic, but I think it's quite appropriate for the minister in question to respond that she obviously doesn't know

what the heck she's talking about. I mean, if they want to make fun of the titles of bills, it's quite appropriate to toss it back and say: obviously, you haven't read it.

Everybody knows that we spent a lot of time talking about the bill. Points of order could be raised about whether it's appropriate for people to jump up the next day and raise questions about why their amendments weren't passed. Nobody does that because it just carries on too much.

The references with respect to the wild Alliance and extremist, both of which are appropriate in some circumstances and perhaps inappropriate in other circumstances – the Member for Cardston-Taber-Warner called us progressives. None of us, I think, would be upset about that. Sometimes you use a name that is not quite the name of the party to perhaps describe better what you think. I don't think there's a point of order on that. Everybody knows what's going on. It's hard to take offence on that one, surely.

With respect to extremist, I think my friend wants to deal with that.

**The Speaker:** Hon. Minister of Justice, since one of these is about you, I'll allow you a brief comment. Please do what you think is appropriate, and I will respond accordingly, and then we'll move on. I think these are issues of clarification, by and large, and some I've already intervened on. But let's hear your submission.

**Mr. Denis:** Mr. Speaker, I'll endeavour to be very brief. First of all, I wanted to indicate that I've never said anything about the Member for Airdrie's religion. In fact, I employ two members of his faith. I don't think people should be persecuted. I just wanted to put that on the record because he had mentioned that.

Mr. Speaker, my comment was related to the caucus as a whole. It did not go directly towards any one of the particular members. I know that the word "extreme" – and I said extreme, not extremist – is found nowhere in *Beauchesne's* 489 or 490 as a prohibited item.

**The Speaker:** Thank you.

Hon. members, let's deal with these in, I hope, the order they were given. The hon. Member for Airdrie rose first and foremost on a comment made by the Minister of Justice where, in response to a certain question from another member, the hon. Minister of Justice said, "I really question if this hon. opposition really supports this type of action to recover taxpayers' dollars or if they have an ideological and extremist opposition to it." Now, in the heat and cut and thrust of debate, as we all know, things get said, but in my view that was attributed to the opposition, and you might want to just withdraw that comment very briefly, and we'll move on to the second.

**Mr. Denis:** As I indicated, Mr. Speaker, it wasn't against one particular member, and I'll withdraw it.

**The Speaker:** Thank you for withdrawing it. I realize that it wasn't against a particular member, but when you do what you just did, it's an honourable thing to have done. Thank you.

#### Point of Order Parliamentary Language

**The Speaker:** Let's move on to item 2. Item 2 deals with a comment made by the President of Treasury Board, who rose and said something about the wild Alliance opposition. I rose immediately and asked him to correct himself, and he did. I think I heard you withdraw it. I hope it was a sincere withdrawal, or words to that effect, but if you didn't withdraw it – I thought you

did, but if you want a second chance to make it really clear that you really meant the withdrawal, I'll recognize you very briefly.

**Mr. Horner:** Well, Mr. Speaker, thank you. Notwithstanding expressing my opinion of the group, I would withdraw that. Really, the only wild rose I need worry about in Alberta is my wife, who's at home probably watching, because her name is Rose.

**The Speaker:** Thank you.

#### Point of Order Parliamentary Language

**The Speaker:** The last item deals with a comment first made by the Member for Calgary-Fish Creek that prompted a response from the Associate Minister of Accountability, Transparency and Transformation. I believe that was the issue, wasn't it? You will recall that the minute I heard the associate minister say something along the lines of, "She doesn't even know the name of the bill," or words to that effect – I don't have *Hansard* in front of me – then I rose immediately and stopped the associate minister from proceeding onward. That was my way of admonishing him for something that I felt may not have been very appropriate in the circumstance.

Hon. associate minister, I'll allow you an opportunity to retract that statement very briefly if you like, and then we'll deal with the other comment that prompted it.

**Mr. Scott:** Yes, Mr. Speaker. I clearly heard some words, and I thought the other member might have been confused by the name of the bill. I certainly withdraw the comment.

**The Speaker:** Thank you. That's the honourable thing to do.

In the circumstance, I'm sure that the Member for Calgary-Fish Creek would like to revisit the issue as well. So someone on behalf of the hon. member.

**Mr. Anderson:** We'll make sure in future, Mr. Speaker, that we use the correct names of the bills.

**The Speaker:** Well said. Well done. Thank you.

That concludes the points of order that I have unless there was one that I missed. Are there others?

Seeing none, I think we can move on. Hon. members, our next point of business here concerns Standing Order 15. What I'd like to do at this point is to hear some brief arguments in this respect, first from the presenter and sponsor of the motion, the hon. Member for Airdrie.

#### Privilege Misleading the House

**Mr. Anderson:** Thank you, Mr. Speaker. I'm rising in accordance with Standing Order 15(2) to raise a point of privilege; namely, that yesterday, November 28, 2012, the Premier interfered with the ability of members of this House to fulfill their duties when she insisted repeatedly that she had not made the decision as Justice minister to award the tobacco lawsuit to the firm in which her ex-husband and political confidant is a partner.

The *Hansard* quote that we're referring to here from yesterday is when the Premier, in answering a question from myself, said: "Mr. Speaker, the government of Alberta made a decision as to who to retain. I was not the Justice minister at the time that the government made that decision." Notice, first, that we are talking



about the decision. Not the contract, not the retainer agreement, but the decision to actually retain the law firm in question. The Premier was well aware of the same documents we have tabled and will table that show she did clearly make the decision in selecting the firm she had close ties to.

Not only did she sign documents to that effect, which we've put forward, but they were publicly reported on that morning and her government knew days in advance that the story would be getting published as the reporter was persistently seeking comments from her and the Justice minister. It's our view that by stating she had not made the decision, she intentionally misled the House and in so doing interfered with the ability of several members to fulfill their duty as Members of the Legislative Assembly, which, in my view, is a contempt of parliament.

I'd like to start first with preliminary matters. Points of privilege must be raised at the earliest opportunity. The statements in question were uttered yesterday, and our notice went to the Speaker's office this morning. As such, it is our view that the point of privilege was raised in a timely manner and is in order according to Standing Order 15(2).

3:20

I can refer to several authorities on this point of privilege relating to deliberately misleading the House. The first, *House of Commons Procedure and Practice*, second edition, says on page 83 that "deliberately attempting to mislead the House" is considered a contempt of the House. *Erskine May*, at page 132, states that "the Commons may treat the making of a deliberately misleading statement as a contempt."

I would also like to note, Mr. Speaker, the ruling of your predecessor on a point of privilege on November 7, 2007, at page 1860 in the *Hansard*, where he said:

These purported questions of privilege allow members to allege that someone is deliberately misleading the Assembly, which is something they could not say in the ordinary course of debate under our rules of debate.

As you and the previous Speaker have reminded us in this Chamber, points of privilege are the most serious charges the can be levelled in this House and should not be taken lightly. On May 30 of this year you yourself, Mr. Speaker, referred to a decision of your predecessor in which he counselled members "to carefully consider bringing forward matters that call into question the integrity of other members when the evidence is less than convincing."

I assure this House that this matter has been carefully considered and that we are not being frivolous and vexatious and that the evidence is quite convincing. There is no other way to refer to it except as misleading the House, and that is why it must be brought forward as a point of privilege. I trust that, despite the prominence of the member in question, after hearing the evidence, Mr. Speaker, you will grant that this matter does constitute a prima facie question of privilege and refer it to the appropriate committee.

I'd now like to address the substantive elements of whether the misleading was intentional and grave. To establish that a member is in contempt, there has been a test that you and your predecessor have referred to, which can be found on page 86 in *House of Commons Procedure and Practice*, second edition. The test was articulated by David McGee, a former Clerk of the New Zealand House of Representatives, and is found in the third edition of his book, *Parliamentary Practice in New Zealand*, 2005, at pages 653 and 654, where he states:

There are three elements to be established when it is alleged that a member is in contempt by reason of a statement that the

member has made: the statement must, in fact, have been misleading; it must be established that the member making the statement knew at the time the statement was made that it was incorrect; and, in making it, the member must have intended to mislead the House.

This was in fact the test used not only by you, Mr. Speaker, on May 30, but also by Speaker Kowalski in the past; November 7, 2007, for example.

First, according to the test we must establish that this statement is misleading. First, a key date. The current Premier resigned from her duties as Justice minister on February 16, 2011, so I will outline the written evidence produced before that date, nothing after that date. Yesterday the Premier stood in the House, as stated, referencing the tobacco litigation contract given to her ex-husband's law firm, and stated, "I was not the Justice minister at the time that the government made that decision."

There are three documents that show very clearly that as then Justice minister the current Premier was the decision-maker on this file. The first is the memo of December 14, as tabled. As it indicates, the bureaucratic team sent her a brief suggesting that any of three firms were qualified and gave no preference, leaving the decision up to her. She acknowledged the suggestion and declared that the best choice – in fact, she says that the choice will be the tobacco recovery litigation consortium that was in question here. To be clear, that December 14, 2010, memo to the deputy minister includes the current Premier's own signature as Justice minister in response to a request asking for her decision on who should represent Alberta in the litigation. It states, "the best choice for Alberta will be the International Tobacco Recovery Lawyers." That is, of course, her ex-husband's law firm.

Next, we have a memo from the Assistant Deputy Minister of Justice, dated January 13, 2011, updating the Deputy Minister of Justice on where the tobacco litigation file was at that time. It says:

Shortly before Christmas [the Minister of Justice] . . . And it actually uses the name of the now Premier, the Justice minister at the time.

. . . selected the International Tobacco Recovery Lawyers.

Next, we have an e-mail with three letters of rejection attached that was sent to law firms that had applied for the litigation contract but were not successful. The e-mail is dated December 22, 2010, and was sent to the Deputy Minister of Justice.

Then we have another letter from the Assistant Deputy Minister of Justice to the executive director of Alberta Justice stating: "Call made to Karsten Jensen at the successful consortium." Of course, Carsten Jensen is the senior partner at the law firm in question.

Lastly, we have an e-mail to senior counsel at Alberta Justice from Carsten Jensen, the senior partner at the Premier's ex-husband's law firm, dated January 6, 2011, which states, "We were very happy to learn that we will be working with you on the health care recovery claim."

Mr. Speaker, the evidence in this matter is clear. There is no doubt to the facts. When the Premier stood up in this House and stated on the record that she was not the Justice minister at the time the government made the decision – the decision – to award the tobacco litigation contract in question, that simply was not the case.

These are the facts. But they are not all of what the Premier said in the House yesterday. Instead, she went to great lengths to lead the members of this House and the public into believing that the decision was made well after she left her position as Justice minister. I'll quote the statements made by the Premier other than the first one. She also said:

The suggestion that the Leader of the Opposition is making is absolutely inaccurate and false. In fact, when the decision . . .

Not the contract or the retainer agreement, the decision.

. . . was made by the government of Alberta as to who to retain on this file, I was not the Justice minister.

Also:

Mr. Speaker, the government of Alberta made a decision as to who to retain. I was not the Justice minister at the time that the government made that decision.

Again, not the retention agreement or any of the other superfluous things in these agreements, the decision. This is the quote continuing.

The opposition can stand up every single day and say that I was, but I wasn't. It is simply not the case. It is not true.

Now, the second part of the test, we need to establish that the member knew that this statement was incorrect; in other words, the mens rea component. Of course, she signed the memo that we have already referred to. She also clearly had access to all of the documents in question and as Justice minister at the time we assume would have seen them, but she did sign the one memo in particular. The Premier proved also that she was well aware of these memos in question when she told the civil servants which firm should be chosen because in one of her answers in question period she spoke very clearly about it. She said:

Mr. Speaker, there are four factors cited in that memo. In that memo we look to the fact that we do talk about perceived conflicts of interest, actual conflicts of interest. These are entirely appropriate to be raised by the Department of Justice. On top of that, we had the opportunity at that time to talk about a made-in-Alberta solution and cost-effective service for taxpayers. At the time that memo truly reflected what needed to be considered.

She understood what she was saying.

The government of Alberta four months later, when I was not the Minister of Justice, I presume considered the same factors, and that's why the decision was made.

Decision, again, was the language used. She continues:

It would be incorrect to highlight one factor over others. It's time for this to stop.

Finally, the third part of the test, that the member intended to mislead the House. I would submit, Mr. Speaker, that this essentially has been made, so I'm not going to repeat everything that I just talked about in this regard. Clearly, the government did have time to plan their response to this. They were not caught off guard. They were fully aware of what they were saying. They repeated it again and again in this House since then, today in fact. So, clearly, the mens rea component is satisfied. She knew what she was saying at the time, and it was misleading.

Before I close, briefly I want to address the main reason Speakers have ruled against finding a prima facie case of contempt in the past. On March 20, 2002, in a ruling on an allegation like this on page 465 of the *Alberta Hansard* for that date, the Speaker said the following:

It would be difficult for the chair to conclude that a contempt of the House arises every time a minister misspeaks or misstates department policy. Exactness in all answers to questions in question period would also require exactness in all questions. This would seem to amount to an impossible standard of perfection that would certainly go beyond the standard expected in any Westminster-style parliament.

And I would completely agree with that, Mr. Speaker.

It is absolutely fair that the government ministers are bound to make mistakes, and misspeaking or having something incorrect in your head, of course, is not grounds for contempt, even if it is very misleading. Accordingly, Speakers like to refer to *Marleau and Montpetit's* statement at page 433, which says:

In most instances, when a point of order or a question of privilege has been raised in regard to a response to an oral question, the Speaker has ruled that the matter is a disagreement among Members over the facts surrounding the issue. As such, these matters are more a question of debate and do not constitute a breach of the rules or of privilege.

I would submit, Mr. Speaker, that I've established above that this is not a case of different perspectives. There are clear facts here. It seems quite clear that the Premier and Justice minister repeatedly and in a co-ordinated fashion tried to portray the situation as one where the decision – and, again, I cannot highlight the word “decision” enough here – not the contract regarding the retention, putting the decision into place in a contractual fashion, but the actual decision to award the contract was entirely made after she left the post of Justice minister. That's what they're saying, but the well-documented facts we and the media have presented show otherwise.

3:30

Absolutely, this decision was not communicated to the public until after she left her position as Justice minister. That announcement was made after she left office in that regard. Clearly, the minister of agriculture, who was the Justice minister at the time when the Premier was running for leadership, did in fact co-ordinate the details with regard to the retainer, with regard to the different terms of the agreement and so forth, but the actual decision to award the contract, clearly, without question in this case, Mr. Speaker, was the now Premier's, the then Justice minister's.

It appears to me that instead we have a case here that meets the criteria, the three-part test referred to above. Speaker Kowalski on March 20, 2002, stated the following: “When statements made by a member are so inconsistent as to lead to the natural conclusion that the member has deliberately misled the House, then the chair must find a prima facie case of privilege.” It seems to me, Mr. Speaker, that the natural conclusion to yesterday's statements is that the member did indeed deliberately mislead the House, and I hope you will find that a prima facie case of privilege exists and that the grave step of referring it to the Standing Committee on Privileges and Elections, Standing Orders and Printing is called for. I recognize that given the status of the member in question this is a difficult action for you to take, but I know and I hope and submit that you find that this is indeed the right thing to do.

**The Speaker:** The hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you very much. I just want to rise to talk about this particular point. The Member for Airdrie has kept the temperature down, and I'll endeavour to do the same. That is unfortunately where this ends.

Now, Mr. Speaker, the member seemed to have impugned me in some of his arguments, and I think that he should clarify if he intends to amend this or if it's against just the Premier or if it's against me, but I'll leave that aside as well.

We received at 10:54 his notice under the rules in which he says, “regarding her [being the Premier's] role as Justice Minister in selecting the firm to represent the government in the tobacco lawsuit deliberately misled the Assembly.”

Let's take a look at exactly what she said yesterday. I'm referring to *Hansard*, page 1109, Mr. Speaker. The first quote from the Premier:

Mr. Speaker, the government of Alberta made a decision as to who to retain. I was not the Justice minister at the time that the government made that decision.

And I go further down on page 1109, November 28:

Mr. Speaker, there are four factors cited in that memo. In that memo we look to the fact that we do talk about perceived conflicts of interest, actual conflicts of interest. These are entirely appropriate to be raised by the Department of Justice. On top of that, we had the opportunity at that time to talk about a made-in-Alberta solution and cost-effective service for taxpayers. At the time that memo truly reflected what needed to be considered. The government of Alberta four months later, when I was not the Minister of Justice, I presume considered the same factors, and that's why the decision was made. It would be incorrect to highlight one factor over others. It's time for this to stop.

In the legal test that the Member for Airdrie has noted, which I note is the correct test under this section, he would have to show that the Premier herself said something that was wrong, which in legalese is the *actus reus* argument, or also the mental element, the *mens rea* argument, that that particular member knew or ought to have known that she was going to deliberately mislead the House.

I appreciate that there are not a lot of lawyers in this House. [interjections] The Member for Little Bow is quite happy about that. I'll try to dumb it down. [interjection] I'm sorry, Mr. Speaker. When I said "dumb it down," I meant just to get rid of the legalese, and I meant no offence, Member for Edmonton-Centre. I apologize.

**Ms Blakeman:** Don't be snarky. There's no need.

**Mr. Denis:** I was not meaning to be snarky. Again, I said that I apologize. I'm just going to ignore this and keep going on.

Mr. Speaker, there are two ways you can retain a lawyer. One is through an hourly rate, and the second is through a contingency. This retainer was through a contingency fee agreement. What happens with a contingency fee agreement is that the lawyer agrees to take your case and what happens is that typically they get a percentage of the recovery. Typically what happens if there's no recovery is that you end up paying nothing. Let's say you got \$100 out of the case; the lawyer might get \$20 out of that. It depends on the particular item.

What happened, Mr. Speaker, is that I actually did a bit of research this morning. I went through the code of conduct from the Law Society of Alberta, and I'm quoting – and I'll table this on Monday – 2.06(2). "A lawyer may enter into a written agreement in accordance with governing legislation that provides that the lawyer's fee is contingent." Now, the key there is "written agreement." There are no verbal contingency fee agreements.

I want to thank as well the Minister for AT and T, who had given me today the rules under rule 10.7(1)(a), which again indicates that by law contingency fee agreements must be in writing. So unless you have a written contingency fee agreement, there is no retention.

On top of that, Mr. Speaker, I talked about a binder full of lawyers. Well, I went in my binder, and I called a couple of senior lawyers throughout this province, and they confirmed to me today that that was the case.

Now, why is that important, Mr. Speaker? It's because there was no contingency fee agreement until June 21, 2011. The Premier stepped down as Justice minister on February 16, 2011, as the Member for Airdrie correctly notes. If there is no legal contingency fee agreement, there was no legal relationship. The agriculture minister indicated again correctly today, Mr. Speaker, that he was the one that under his carriage authorized the contingency fee agreement, again, June 21, 2011, long after the Premier had in fact stepped down.

I would say with no disrespect to the Member for Airdrie personally that he has failed to meet this test because the

statement, in fact, was true, and under the law of defamation, Mr. Speaker, we all know the adage: truth is an absolute defence. The Premier has been consistent, I have been consistent, and today we heard from the former Justice minister, the minister of agriculture, all singing from the same song sheet, Mr. Speaker.

With respect, there is no point of privilege here, and I will respectfully submit that you throw this out. Thank you.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview, briefly on this point.

**Mr. Eggen:** Thank you, Mr. Speaker. I will be brief. I am speaking to support the hon. Member for Airdrie in his submission on this question of privilege. As the member had pointed out, there are those three elements to be established for contempt, and I think that, in fact, upon reflection and looking at this evidence that keeps coming, really, there is sufficient grounds on all three.

Perhaps the timeline of this information, the different documents, would provide some illumination, right? First, the Premier was the Justice minister until February 16, 2011, I believe. The FOIP documents: there's the one piece that's from December 14 talking about the international recovery lawyers being the best choice to go ahead with this tobacco case; another one, a briefing note from January 13, again much before February 16, saying that the International Tobacco Recovery Lawyers were selected; an e-mail from the assistant deputy minister stating he has informed Carsten Jensen that the consortium was successful in its bid; an e-mail to the successful bidder on the tobacco litigation file; the copy of letters to the unsuccessful parties; and so forth. There is a growing body of information here, Mr. Speaker, that would point to this being decided.

I think what's really important here – we're not going to lose this point in deliberations over these next weeks and months – is that it's not just the very point by which something is signed on the dotted line, but I think that we have legislation to protect from conflict of interest from the time that you start the intention to do something, right? It's a continuum. Clearly, the minister launched a process which ended in this decision being made.

If we are splitting hairs on the point of where this began and ended – and you know, the minister of agriculture is very honourable in his making that statement today – I mean, really where did all of this come from, right? That's what we make decisions on based on conflict of interest: where was the impetus to make this choice, I think an unreasonable choice, for this particular tobacco lawsuit lawyers' firm to get this contract?

We've heard from the Ethics Commissioner and ethics experts from across the country that have said that this is inappropriate in all ways possible.

3:40

I thank the Member for Airdrie for his hard work on this. Certainly, we do not make these questions of privilege frivolously. I think there is just something here that is very substantial that needs moving forward on.

Thank you very much.

**The Speaker:** Are there others? The hon. Minister of Agriculture and Rural Development, briefly.

**Mr. Olson:** Mr. Speaker, thank you for the opportunity to speak to this matter. It's difficult to sit and listen to a conversation that swirls around events that I was in the middle of without having the opportunity to speak to them. But I, first of all, want to comment just to give a little bit of a backdrop as to what I'm about to say. That is that I take my role as a member of this Assembly very

seriously, just as I do as a lawyer, as an officer of the court. One thing that we have is our reputations. It's really all we have. I'm not about to stretch the truth or bend the truth for any purpose for anybody. What I tell you is to the best of my ability what I know.

When I was appointed as Minister of Justice – I believe I was sworn in on February 18, 2011 – the next day I had a meeting with my new deputy minister. As some would know here, what happens is that they give you binders full of material to read, and they start briefing you on everything that you're inheriting.

One of the things that I inherited was the tobacco litigation file. You don't start with a blank slate. You start with work that's already being done. Nobody ever said to me, to the best of my recollection: the cards have already been dealt; you're stuck with a certain law firm, and you have no choice to go a different direction. On the other hand, certainly, it was indicated to me that a firm had been identified that was the preferred candidate at the time. I was assured that a very thorough process had been gone through in order to get to that point. It wouldn't be a surprise to hear that there aren't that many law firms in Alberta that would have the capacity to do this kind of work. This is a very big litigation file. There was a short list. What was explained to me was that all of the firms on that short list were very well qualified, very capable, and had the capacity to do the work.

When I talk about capacity, there are at least two things that one has to consider. One is, of course, the resources, the people with the expertise to do that work. The other thing is that because this was a contingency arrangement, which means they don't get paid anything until you get to the end of the file if they're successful, they've got to have the capacity to carry on possibly years of work, paying as they go out of their own pocket for their staffing and so on in order to get to a successful conclusion. It was explained to me that this firm met all of those tests.

There was some negotiation that had started when I got there in terms of a contingency agreement. Contingency agreements aren't very common in that environment. They are in terms of big tobacco litigation files, but in terms of what government does, I don't think that there have been very many contingency arrangements. The Minister of Justice is right when he says that there are rules that the Law Society has about entering into contingency agreements. Nothing of the sort had been finalized. As a matter of fact, out of an abundance of caution the department had hired outside counsel for us to negotiate with that particular firm the terms of a contingency agreement.

Now, another thing that was very important to us – I should back up a step. I also remember conversations I had with my departmental staff about the process of selecting a firm to represent us, and I was curious to know what other provinces were doing. You know, there were various announcements coming out from other provinces that they were going to be embarking on litigation as well. My understanding was that there were some provinces that were going to use their own internal departmental people to carry that litigation. I remember asking the question about: well, maybe we should be considering that?

Again, there aren't that many firms that have this capacity, so some of the firms that were on our list, I'm told, were also talking to other provinces about getting involved in the litigation. One of the things that was important to me and to my department was that we wanted a firm representing us that would have Alberta's interests exclusively top of mind and that we weren't going to end up being a junior partner in some litigation with other provinces that may have had bigger claims than us. It was important for us to have somebody who would focus just on Alberta. Also, we were careful about getting involved with a firm that might have other

files where they were suing our government, so there could be a potential conflict of interest there.

These were all the discussions that I was having with the department, and nobody ever explained to me: it's a done deal; you're stuck with the deal. So we carried on through that process. I would have regular meetings with my executive team, and I would get reports on how the discussions and negotiations were going on with the particular firm that had been selected or, at least, that was being focused on, to be clear.

Now, I don't know the people in this firm. I don't know the people in the other firms. I wouldn't know them if I ran into them on the street. I at no time had any conversation with my predecessor, the now Premier, about any of this. As far as I knew, as far as I understood in my conversations with my department, it was my call as to whether or not we finally went ahead with this firm, and that didn't happen until sometime into the summer. There was a lot of preparatory work that had to be done because, again, it's a big file. The legislation had been passed, but there was lots of preparatory work that had to get us into position before we could actually proceed with the litigation, one of the pieces being the retention of this firm.

Those are the facts as I know them, and I think that that supports the position of the Premier that there was no final decision. She may have identified a firm that she thought was appropriate, and this firm, again, I'm told, was also selected by Nunavut. Again, I stand to be corrected by the current minister because I'm perhaps a little bit out of date on this, but one of the things that was important to us was that whomever we selected was going to be working exclusively for us and would not work for another jurisdiction unless we said that it was okay because we did not want conflicts of interest. To my knowledge, I believe Nunavut may have asked, but I don't believe that that's actually been formalized in any way. I think that also supports that this was far from any kind of a decision having been finally made because we needed to negotiate all of that with any firm we might be talking to.

Just as a final analogy, I guess, to simplify things, if a person is looking to buy a house and you look at three houses and there's one you're kind of interested in, you may tell the other two that you're probably not going to be interested in them, and the other one you focus on, but you don't have a deal, not until you actually make the deal. That was my understanding as to where we were at and what my role was in all of this.

Thank you.

3:50

**The Speaker:** Are there others? The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I want to just address this briefly because I think it is important when people raise questions of privilege. I would note that this is probably the fourth or fifth question of privilege that's been raised. I think we need to get back to an understanding that questions of privilege are very important pieces.

There's been no misleading. It's very clear on the face of it what the Premier did when she was Minister of Justice. There are documents that have been tabled. There are clear explanations about what the process was. There are clear explanations about the result, how the decision was made. There's no misleading. There's no intent to mislead, so there's no mens rea. There's no actual misleading. Everybody is quite aware of what the process was. The fact of the matter is that there's also no conflict of interest, but that's not what's being focused on here.

The reality is that people are complaining about an action which is not a conflict of interest. You know, in any one of the firms that was on the list, I would suggest, you'd find that there were people that the government knew and people that the opposition knew. The reality is that there was no misleading. The documents are there. The Premier has not said that she didn't sign the memo. What she said was: "The government of Alberta made a decision as to who to retain. I was not the Justice minister at the time that the government made that decision." That's accurate, and that accuracy has been portrayed by the hon. Minister of Agriculture and Rural Development. There's no question of misleading the House. There's no intent to mislead the House. It's very clear what happened.

There's no conflict of interest in the first place, but there's no contempt of the House. There's nothing that stops the members opposite from doing their jobs. The fact is that everybody is clear where everybody stands on this. We have a clear disagreement as to what the import of what they think they know is, but it's very clear what the facts are, and the facts do not support any misleading of the House, any attempt to mislead the House, any intentional misleading of the House, anything at all which would support a contempt.

**The Speaker:** Let's go with Airdrie first, then, very briefly – you've already spoken once – and then we'll go to another member briefly and then perhaps be able to move on.

**Mr. Anderson:** Very briefly, just because we had three members of the House on that side. I want to agree with the Government House Leader. This is not about the issue of conflict of interest. That's not what is at play here. I think we agree with that. Now, we, of course, think that there was a conflict of interest, a very serious one, but that's not what is at issue here. The issue is: when was the decision made? When was the decision to retain this firm made? In the agriculture minister's comments – I thank him for his very clear statements on the matter, and I'm glad that he stood up – what he said was that he obviously inherited the file, that there was a preferred candidate already there, that she identified the firm that she, referring to the Premier, thought was best, and that outside counsel had already been secured to negotiate the contingency agreement.

If you look at those statements, Mr. Speaker, it is clear that the decision for this firm had been made subject to a few details. I think that just because the Government House Leader stands up and says over and over again that this is not a point of privilege, that does not in fact make it so. My kids try that on me all the time. It's not the case.

**An Hon. Member:** Does it work?

**Mr. Anderson:** No, it doesn't work, and it doesn't work here because the fact is that she had made the decision. The documentation is overwhelming. I've seen no documents tabled by the government that say opposite to that. I would ask that you find a point of privilege.

**The Speaker:** Very briefly, the hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Mr. Speaker. I guess this troubles me a little bit. I have a lot of respect for the Member for Wetaskiwin-Camrose and his thoughts. I don't know if I'm allowed to ask or not, but did you ever interview the other firms when you talked about what went on . . . [interjection] I can't do that? No? Then that's fine.

**The Speaker:** It's not how this process works. If you wish to make a point, then please do.

**Mr. Donovan:** I'll ask him afterwards.

**The Speaker:** Are there any others?

Seeing none, let me make a couple of brief comments so we can move on and get some business done today of another nature. The hon. Member for Airdrie rose and spoke at some length, almost 15 minutes, to outline his case for what, as you all know by now for sure, is a very serious point of privilege because that's where it was raised. We subsequently heard references to many previous decisions, some of them involving other Speakers, some of them involving citations, some of them involving documents, which I will obviously have to review and go into *Hansard* to find other information.

Then I listened very carefully to the comments as well that accompanied those citations, documents, and other decisions. We then heard from the Minister of Justice, who spoke for about five or six minutes. The hon. Member for Edmonton-Beverly-Clareview spoke for about four or five minutes. The former Minister of Justice who's currently the Minister of Agriculture and Rural Development then spoke for almost nine or 10 minutes. The Government House Leader spoke for a couple of minutes. The hon. Member for Airdrie spoke again for a few minutes. Finally, Little Bow spoke very briefly. So there's a lot to digest here.

I'm going to take this one under advisement and give a thorough, thorough look at all that has been said and all that has been cited. I'll come back in a day or two with a ruling in that respect. Thank you, all members, for contributing as you did.

## Privilege

### Distribution of Election Act Amendments

**The Speaker:** Now I'm going to move on with another matter, and that involves a question that was put forward by the hon. Member for Edmonton-Strathcona, which, coincidentally, was also a purported point of privilege. Hon. members, we'll all be reminded that the Member for Edmonton-Strathcona raised such a purported question of privilege on Monday, November 26, 2012. Essentially, in her purported question of privilege she contended that her ability to perform her functions had been interfered with by not having received a copy of the Chief Electoral Officer's proposed amendments to election statutes. In fact, the Minister of Justice and Solicitor General wrote to the Chief Electoral Officer and requested his involvement regarding amendments for a particular bill that was under his purview.

Under Standing Order 15(6) the Speaker's role when a question of privilege is raised is to determine whether the matter was raised at the earliest opportunity and whether it constitutes a *prima facie* question of privilege. Now, just to be clear, hon. members, only the Assembly can in fact determine whether something is a question of privilege. But, to be even more clear, the Speaker's role is to determine whether the purported question meets the requirements to proceed. That is the role of the Speaker. Therefore, as for the preliminaries, the member raising this matter did provide notice to the Speaker's office at 10:52 a.m. on Monday, November 26, and thus satisfied the requirements of Standing Order 15(2).

Now, before outlining the facts of this particular case and discussing the applicable authorities in making a determination on this application, the Speaker wants to say that there are some very serious allegations contained in this purported point of privilege that have been made against an officer of this Alberta Legislature.

Not without reservation the Speaker has allowed many statements and many comments to be made in the Assembly about the Chief Electoral Officer, known to many as Mr. Fjeldheim, because those statements and comments related directly to the question of privilege. As all members here would know, some of those comments most likely would have been ruled out of order by the Speaker had they been raised in question period or during Members' Statements or in some other form of debate, discussion in this Assembly. As we know, members cannot call into question the impartiality or integrity of an officer of the Legislature per se. The Speaker will have more to say on this issue very shortly.

Meanwhile let me briefly outline some of the facts giving rise to the member's purported question of privilege. The Minister of Justice and Solicitor General wrote to the Chief Electoral Officer on May 29, 2012, Sessional Paper 12/2012 for reference, concerning possible amendments to election statutes, and that letter was in fact tabled in this Assembly on that day, May 29, 2012. The minister stated in his letter, "Amendments to Elections Act would involve your Office being fully consulted to maintain the independence of your Office and avoid arbitrary amendments passed in the Legislature."

Mr. Fjeldheim, the Chief Electoral Officer, responded to the Minister of Justice with a letter on May 31, 2012, Sessional Paper 25/2012 for reference, indicating that he would be pleased to review both the Election Act and the Election Finances and Contributions Disclosure Act. This document was also tabled in the Assembly on that particular day, May 31, 2012.

4:00

Then on August 27, 2012, the Chief Electoral Officer provided the Minister of Justice with recommendations concerning election legislation. The covering letter of that date was tabled by the hon. Member for Edmonton-Strathcona on November 26, 2012, in this Assembly as Sessional Paper 311/2012. That letter and the attached recommendations were copied to the chair of the Standing Committee on Legislative Offices, that being the Member for Edmonton-McClung. From the submissions that were made on Monday, November 26, 2012, on this purported question of privilege, it appears that the committee chair did not circulate the Chief Electoral Officer's August 27, 2012, letter, and consequently the committee members were not aware of the contents of the recommendations until the legislation was introduced.

Now, before continuing, your Speaker has two points to make. First, the member raising this point of privilege, that being the Member for Edmonton-Strathcona, is actually not a member of the Standing Committee on Legislative Offices. Nonetheless, the Speaker is not going to rule for or against the question on that basis alone. There are other matters that were raised with respect to what transpired in that committee referred to in this matter.

The member who raised this matter along with the Member for Edmonton-Centre referred to what transpired during committee meetings in September 2012 and to correspondence from the Chief Electoral Officer as evidenced in *Hansard* on pages 997 and 1000. The Speaker is reluctant to get involved in what transpires in committees. You've heard me comment about this matter before. In this instance, however, the Assembly is not waiting for a report by or from that particular committee on this subject. Therefore, the Speaker will in fact rule on this question. Support for this process is found in Joseph Maingot's book, *Parliamentary Privilege in Canada*, second edition, where on page 222 he states:

The practice (of the Speaker not interfering in committee matters unless a report of the matter has been made) was "not an absolute one and that in very serious or special circumstances

the Speaker may have to pronounce on a committee matter without the committee having reported to the House."

In reviewing this matter, your Speaker notes that there is no statutory or codified procedure for how an officer of the Legislature is to proceed in having his or her governing statute amended.

On page 1001 of *Hansard* for Monday, November 26, the Government House Leader referred to the practices of some officers going to the Legislative Offices Committee with requests for legislative change to reflect the fact that they do not report to the government but to this Assembly. In the case before us the Chief Electoral Officer was responding to a request from the Minister of Justice and Solicitor General.

Furthermore, the Chief Electoral Officer had copied the chair of the standing committee in his August 27, 2012, letter under cover of which were the recommendations. One may have thought that would result in committee members being provided with a copy of the recommendations, but that was apparently not the case. The Chief Electoral Officer, however, cannot be faulted for what was or wasn't circulated at a particular meeting.

Now, the Member for Airdrie referred to several examples in his argument from other instances where contempt of the Assembly such as deliberately publishing a false or misleading report and refusing to answer a question or refusing to produce a report and so on – but here, in this particular case, there was no demand by the committee. Therefore, the Chief Electoral Officer is not in violation of any committee order. He was responding to a request made by the Minister of Justice and Solicitor General.

The Member for Edmonton-Strathcona indicates in her arguments that her parliamentary work was interfered with by not having received a copy of the recommendations that were made by the Chief Electoral Officer. Now, while the Speaker sympathizes with the hon. member in that regard, this nonreceipt of information by members of the committee does not in the chair's view reach the standard of a member having been obstructed or interfered with in the performance of his or her duties.

I would refer members to chapter 3 of *House of Commons Procedure and Practice*, second edition, and in particular pages 111 through 116, wherein obstruction and interference are discussed. To recast the question: has this member been prevented from carrying out her parliamentary duties? In the chair's opinion the answer is no. The document is now publicly available on the Department of Justice's website. The chair understands that it was actually distributed to all members of the Standing Committee on Legislative Offices on Thursday, November 22, 2012, one week ago.

No member speaking to this question of privilege was able to provide an example or precedent from any jurisdiction where a prima facie question of privilege has been found with identical or highly similar facts. For the benefit of members unaccustomed to the nuances of parliamentary privilege, the Speaker would point out the subtle distinction between questions of privilege and contempt. To use the definitions from *House of Commons Procedure and Practice*, at page 82 it states:

Any disregard of or attack on the rights, powers and immunities of the House and its Members, either by an outside person or body, or by a Member of the House, is referred to as a "breach of privilege."

On the same page this particular authority offers an explanation of contempt as follows:

any action which, though not a breach of a specific privilege, tends to obstruct or impede the House in the performance of its functions; obstructs or impedes any Member . . . in the discharge of their duties; or is an offence against the authority

or dignity of the House, such as disobedience of its legitimate commands or libels upon itself, its Members, or its officers.

That is the explanation of contempt.

Contempts are treated in the same manner as questions of privilege under our Standing Order 15. While undoubtedly it would have been in everyone's best interest if the documents had been provided to the members of the Standing Committee on Legislative Offices when they went to the Minister of Justice and Attorney General and the chair, the fact that they weren't does not elevate this matter to a *prima facie* question of privilege.

The Speaker is also struck by the fact that there is an absolute absence of any intention to withhold information from members deliberately. The Speaker is of the view that some remedial action could certainly be undertaken. In fact, former Speaker Kowalski directed some action following his ruling that there was no *prima facie* question of privilege against the Ethics Commissioner in his ruling of June 3, 2009. You can reference pages 1512 and 1513 of *Hansard* for that day for more information in that regard. In the case before us today, however, the standing committee could establish guidelines or a protocol for officers of the Legislature that want to pursue changes to their governing statutes or are asked to do so by a member of the Executive Council.

To be clear and in summary, the Speaker finds that there is no *prima facie* question of privilege, which now concludes this matter.

However, the Speaker would like to add that Mr. Fjeldheim is a respected public servant who has provided great service to the province of Alberta in his terms as Chief Electoral Officer. While this question of privilege may be concerning, in my view as your chair and Speaker it deals with one particular incident and should not be seen as damaging or tarnishing the fine reputation that Mr. Fjeldheim has and continues to have in providing services to all members and to all Albertans.

The hon. Member for Edmonton-Centre.

4:10

**Ms Blakeman:** Thank you very much, Mr. Speaker. Under 13(2) I'm wondering – the Speaker did not address the issue of the time lag. A number of us did mention it when we spoke of when we were supposed to or that the officer thought we were going to receive the documents in the spring at the same time and we, in fact, as you mentioned, did not receive the information until November, a time lag of some five or six months. He omitted any discussion of that in his remarks. Could I ask him why?

**The Speaker:** Hon. member, once the Speaker has made the ruling, it stands, and it concludes the matter, as I indicated. I appreciate your comments, but this discussion and this matter are now over, and we will move on.

## Orders of the Day

### Government Bills and Orders Committee of the Whole

[Mr. Rogers in the chair]

**The Chair:** Hon. members, I'll call the Committee of the Whole to order.

## Bill 7

### Election Accountability Amendment Act, 2012

**The Chair:** I'll recognize the hon. Member for Edmonton-Centre.

**Ms Blakeman:** There was a government amendment. Has it passed?

**The Chair:** The previous amendment was carried, and that was amendment A1. That was carried, hon. member. You may proceed.

**Ms Blakeman:** Thank you very much, Mr. Chair. There were a few omissions in that amendment that have now become part of our record, and I'm wondering if anybody can give me an explanation as to why. I am curious why the city is now required to keep the database of candidates and why that administrative burden was placed on the city.

Secondly, I'm really curious about why there's an exemption, a consistent exemption, under the Local Authorities Election Act for candidates that are self-financing. Anyone that self-finances up to \$10,000 in a local election is exempted from a number of requirements that appear for everyone else. I'd like to know what the thinking is behind that. I can't find any explanation for it. If I win the jackpot lottery on Friday and I decide to run for city council and I self-finance up to \$10,000, which given civic elections in metropolitan areas like Edmonton and Calgary \$10,000 wouldn't get you very far, but let's say I decide to self-finance for \$10,000 or \$9,999, I'd be exempted from everything: disclosure, filing, everything. I wonder why that is because I would think that you should be disclosing, especially if you're self-financing. I'm looking forward to a response on that.

There's a really quirky one in here in section 110, which is amending – oh, boy, I'm sorry that I didn't do page numbers here. This is really strange. Section 110, which is amending section 54: "A candidate, official agent or scrutineer may only make an objection under subsection (1) at the time the person makes the statement under . . ." and then it names the various other sections. This is requiring everybody to be standing together in a little telephone booth in order to observe what's going on and to be able to jump up at that exact moment and make the objection. Can the minister explain why that was put in there, because it is requiring everybody to be standing in fairly close proximity in order to observe the – what's the word I'm looking for? – break in protocol that the objection is then made on. You know, it doesn't sound like you can be across the room. It sounds like you're all standing right together. So that's section 110.

Then there are a couple of sections where power is being given to a civic registrar. That strikes me as really interesting because, generally speaking, the correction that the government recognized and made in their government amendment was to say: "You know what? As long as you hit the minimum required by this for everybody, if you want to have more stringent regulations in place, go ahead." But there are two sections. Section 107, which is amending section 22, is going to appear in your act on page 70 of the bill. That section empowers a registrar to not accept. One, it gives a new ineligibility for a candidate, but it also makes the civic registrar a decision-maker in that they will now take or not take the nomination papers if the person has not met the criteria set out there. I wonder why that would have been done.

Later, in section 108, we see almost the reverse of that. Here we go. Section 108 is amending 28. "If a nomination is not signed by at least the minimum number of electors required to sign the nomination, the returning officer shall not accept it for filing." So once again the province has now given a power to decline something to a municipal officer. Now, those municipalities may not want their registrar or their returning officer to have that power, but the province just gave it to them, and I'd like to know why because they may not want to be in that position.

You know, we have different levels of eligibility to vote between the province's criteria and the municipal criteria in a number of municipalities. Of course, I'm most familiar with Edmonton, so that's the one I'm going to talk about. But that is interfering. That's now given their returning officer the power to say: "No, I won't accept your application to be a candidate because the provincial bylaw says" – God, I've got too many books open here – "that you have to meet this criteria, or I'll decline it." They shall not accept it for filing, which wasn't a power that they had before, so I'm wondering why you gave them that power, that they must decline it. That's the way it's written. I'll let you explain that.

**Mr. Griffiths:** I'll answer it.

4:20

**Ms Blakeman:** You'll answer it. Excellent. Okay. I'll finish asking you the questions.

We have 107, which again makes the registrar decision-maker when I think they should be neutral and follow the rules of the municipality, and 108, which gives the power to decline. In 110 I mentioned the very close quarters. I mentioned a number of cases where the self-contributor up to that \$10,000 mark is exempt from every disclosure requirement.

Why has the province made the municipality the banker? When told by the Lieutenant Governor in Council what the interest is that's to be paid, the municipality now has to pay it. It strikes me that that's an additional administrative burden that the municipalities didn't have before that they have now. That may not be a big deal in the bigger cities; it might be a huge deal in the smaller places. And my understanding, but you could clarify for me, is that the municipality is required to hold that money from election to election.

Finally, you can tell I'm going back and forth between the main act, the amending act, and the government amendments to try and put this all together, so I might have missed something, but it does appear as though the disclosure rules required of candidates are actually less than they were before, or the ability of a municipality to put a higher test has disappeared. I'm wondering if the minister could comment on that.

Those, I think, are the issues that I have to raise on the local authorities section. You know what? There were a couple more, but I've got sticky notes, and they've disappeared. They're just too far in. So let me get the minister to answer those ones.

I do thank the minister for recognizing the issue of the voter ID and the printing of the special ballots, which was a real issue. I look forward to hearing from the minister.

**The Chair:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Chair. I'm glad to rise and speak to the Election Accountability Amendment Act, Bill 7. You know, when this first became public earlier this year when we were first elected, we were calling for very serious changes to the election finances act. That's the background to why, I think, this act came forward.

In a modern democracy when someone has actually been found guilty of illegally soliciting and accepting political donations, not an allegation, when the Chief Electoral Officer has actually made a finding of guilt, has publicly come out and said that he's found, I believe, 38 cases of illegal donations, we found it exceptionally odd that under the current act there was interpretation that that could not be made public. The reason we found that odd is that in no other western democracy would there ever be a case where illegal donations, the finding of that, would not be made public to all Albertans. So that was an obvious loophole that we wanted to see changed.

What we saw in this legislation is that there is a permissive ability for the Chief Electoral Officer.

**The Chair:** Hon. member, I hesitate to interrupt, but under Standing Order 4(3) the committee shall now rise and report.

[The Deputy Speaker in the chair]

**The Deputy Speaker:** I recognize the hon. Member for Calgary-East.

**Mr. Amery:** Thank you, Mr. Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports progress on the following bill: Bill 7.

**The Deputy Speaker:** Thank you, hon. member.  
Does the House concur in the report?

**Hon. Members:** Concur.

**The Deputy Speaker:** Opposed? That's carried.  
The hon. Deputy Government House Leader.

**Mr. Campbell:** Thank you, Mr. Speaker. Seeing that it's almost 4:30, I move that we adjourn the House until 1:30 p.m. on December 3, 2012.

**The Deputy Speaker:** Thank you, hon. Deputy Government House Leader.

[Motion carried; the Assembly adjourned at 4:25 p.m. to Monday at 1:30 p.m.]



## **Bill Status Report for the 28th Legislature - 1st Session (2012)**

**Activity to November 29, 2012**

The Bill sponsor's name is in brackets following the Bill title. If it is a money Bill, (\$) will appear between the title and the sponsor's name. Numbers following each Reading refer to Hansard pages where the text of debates is found; dates for each Reading are in brackets following the page numbers. Bills numbered 1 to 199 are Government Bills. Bills numbered 200 or higher are Private Members' Public Bills. Bills numbered with a "Pr" prefix are Private Bills.

\*An asterisk beside a Bill number indicates an amendment was passed to that Bill; the Committee line shows the precise date of the amendment.

The date a Bill comes into force is indicated in square brackets after the date of Royal Assent. If a Bill comes into force "on proclamation," "with exceptions," or "on various dates," please contact Legislative Counsel, Alberta Justice, for details at (780) 427-2217. The chapter number assigned to the Bill is entered immediately following the date the Bill comes into force. SA indicates Statutes of Alberta; this is followed by the year in which it is included in the statutes, and its chapter number. Please note, Private Bills are not assigned chapter numbers until the conclusion of the Fall Sitings.

### **1\* Workers' Compensation Amendment Act, 2012 (Redford)**

First Reading -- 8 (May 24 aft., passed)

Second Reading -- 177 (Oct. 23 eve.), 193-96 (Oct. 23 eve.), 233 (Oct. 24 eve., passed)

Committee of the Whole -- 336-39 (Oct. 29 eve.), 354-71 (Oct. 30 aft.), 373-80 (Oct. 30 eve., passed with amendments)

Third Reading -- 476-84 (Nov. 1 aft., passed on division)

### **2\* Responsible Energy Development Act (Hughes)**

First Reading -- 207 (Oct. 24 aft., passed)

Second Reading -- 263 (Oct. 25 aft.), 424-43 (Oct. 31 aft.), 445-57 (Oct. 31 eve.), 526-46 (Nov. 5 eve., passed)

Committee of the Whole -- 563-71 (Nov. 6 aft.), 593 (Nov. 6 eve.), 644-48 (Nov. 7 aft.), 649-69 (Nov. 7 eve.), 731-53 (Nov. 19 eve.), 777-94 (Nov. 20 aft.), 795-853 (Nov. 20 eve.), 902-05 (Nov. 20 eve., passed on division, with amendments)

Third Reading -- 921-41 (Nov. 21 aft., passed on division)

### **3\* Education Act (J. Johnson)**

First Reading -- 155 (Oct. 23 aft., passed)

Second Reading -- 219-31 (Oct. 24 aft.), 238 (Oct. 24 eve., passed)

Committee of the Whole -- 380-407 (Oct. 30 eve., passed with amendments)

Third Reading -- 669 (Nov. 7 eve.), 688-94 (Nov. 8 aft.), 753-63 (Nov. 19 eve., passed on division)

### **4 Public Interest Disclosure (Whistleblower Protection) Act (Scott)**

First Reading -- 352-53 (Oct. 30 aft., passed)

Second Reading -- 423-24 (Oct. 31 aft.), 593-614 (Nov. 6 eve.), 627-44 (Nov. 7 aft., passed on division)

Committee of the Whole -- 975-80 (Nov. 22 aft.), 1057-74 (Nov. 27 aft.), 1075-101 (Nov. 27 eve.), 1127-137 (Nov. 28 aft.), 1139-161 (Nov. 28 eve., passed)

Third Reading -- 1161-166 (Nov. 28 eve., passed on division)

### **5 New Home Buyer Protection Act (Griffiths)**

First Reading -- 261 (Oct. 25 aft., passed)

Second Reading -- 354 (Oct. 30 aft.), 457-59 (Oct. 31 eve., passed)

Committee of the Whole -- 546-49 (Nov. 5 eve.), 571-83 (Nov. 6 aft.), 585-93 (Nov. 6 eve., passed)

Third Reading -- 853-55 (Nov. 20 eve., passed)

### **6 Protection and Compliance Statutes Amendment Act, 2012 (Jeneroux)**

First Reading -- 155 (Oct. 23 aft., passed)

Second Reading -- 209 (Oct. 24 aft.), 264 (Oct. 25 aft., passed)

Committee of the Whole -- 459-62 (Oct. 31 eve., passed)

Third Reading -- 855-56 (Nov. 20 eve., passed)

### **7\* Election Accountability Amendment Act, 2012 (Denis)**

First Reading -- 774 (Nov. 20 aft., passed)

Second Reading -- 972-75 (Nov. 22 aft.), 1015-41 (Nov. 26 eve., passed)

Committee of the Whole -- 1166-167 (Nov. 28 eve., amendment agreed to), 1191-92 (Nov. 29 aft., adjourned)

- 8        Electric Utilities Amendment Act, 2012 (Hughes)**  
First Reading -- 156 (Oct. 23 aft., passed)  
Second Reading -- 233 (Oct. 24 eve.), 316-36 (Oct. 29 eve, passed)  
Committee of the Whole -- 857-902 (Nov. 20 eve.), 943-53 (Nov. 21 eve., passed)  
Third Reading -- 953-56 (Nov. 21 eve., passed)
- 9        Alberta Corporate Tax Amendment Act, 2012 (\$) (Horner)**  
First Reading -- 156 (Oct. 23 aft., passed)  
Second Reading -- 209-10 (Oct. 24 aft.), 272 (Oct. 25 aft.), 311-16 (Oct. 29 eve., passed)  
Committee of the Whole -- 462 (Oct. 31 eve., passed)  
Third Reading -- 856-57 (Nov. 20 eve., passed)
- 10       Employment Pension Plans Act (Kennedy-Glans)**  
First Reading -- 261 (Oct. 25 aft., passed)  
Second Reading -- 521-26 (Nov. 5 eve., passed)  
Committee of the Whole -- 668-69 (Nov. 7 eve., passed)  
Third Reading -- 857 (Nov. 20 eve., passed)
- 201\*    Scrap Metal Dealers and Recyclers Identification Act (Quest)**  
First Reading -- 92 (May 30 aft., passed)  
Second Reading -- 291-301 (Oct. 29 aft., passed)  
Committee of the Whole -- 716-22 (Nov. 19 aft., adjourned, amendments introduced and agreed to)
- 202       Public Lands (Grasslands Preservation) Amendment Act, 2012 (Brown)**  
First Reading -- 130 (May 31 aft., passed)  
Second Reading -- 501-13 (Nov. 5 aft., adjourned)
- 203       Employment Standards (Compassionate Care Leave) Amendment Act, 2012 (Jeneroux)**  
First Reading -- 473 (Nov. 1 aft., passed)
- 204       Irlen Syndrome Testing Act (Jablonski)**  
First Reading -- 968 (Nov. 22 aft., passed)
- 205       Fisheries (Alberta) Amendment Act, 2012 (Calahasen)**  
First Reading -- (Nov. 28 aft., passed)





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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Monday afternoon, December 3, 2012

Issue 26

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta**  
**The 28th Legislature**

First Session

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Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

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Deputy Chair: Mr. Bikman

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Jansen	Towle
Luan	Young
McDonald	Vacant
Olesen	

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Quest  
Deputy Chair: Mrs. Jablonski

Anderson  
Casey  
Dorward  
Eggen  
Kubinec  
Sandhu  
Sherman

### Select Special Conflicts of Interest Act Review Committee

Chair: Mr. Allen  
Deputy Chair: Mr. Luan

Blakeman  
Dorward  
Fenske  
Johnson, L.  
McDonald  
Notley  
Saskiw  
Wilson  
Young

### Standing Committee on Families and Communities

Chair: Ms Pastoor  
Deputy Chair: Mrs. Forsyth

Allen	Leskiw
DeLong	Luan
Fox	McAllister
Fraser	Notley
Fritz	Pedersen
Jablonski	Sarich
Jansen	Saskiw
Jeneroux	Swann
Johnson, L.	Wilson
Kang	Young
Kubinec	Vacant
Lemke	

### Standing Committee on Legislative Offices

Chair: Mr. Xiao  
Deputy Chair: Mr. McDonald

Bikman  
Blakeman  
Brown  
DeLong  
Eggen  
Leskiw  
Quadri  
Rogers  
Wilson

### Special Standing Committee on Members' Services

Chair: Mr. Zwozdesky  
Deputy Chair: Mr. Young

Calahasen  
Dorward  
Forsyth  
Goudreau  
Jablonski  
Mason  
Quest  
Sherman  
Smith

### Standing Committee on Private Bills

Chair: Mr. Cao  
Deputy Chair: Ms L. Johnson

Barnes	Notley
Bhardwaj	Olesen
Brown	Pastoor
DeLong	Rowe
Fox	Sarich
Fritz	Starke
Goudreau	Strankman
Jeneroux	Swann
Kennedy-Glans	Webber
Luan	

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Dr. Starke  
Deputy Chair: Mr. Lemke

Allen	McAllister
Amery	McDonald
Bhardwaj	Notley
Casey	Pedersen
Hehr	Sandhu
Jansen	Saskiw
Jeneroux	Towle
Johnson, L.	Xiao
Kennedy-Glans	Young
Kubinec	

### Standing Committee on Public Accounts

Chair: Mr. Anderson  
Deputy Chair: Mr. Dorward

Allen	Hale
Amery	Hehr
Anglin	Kang
Bilous	Pastoor
Calahasen	Quadri
DeLong	Sarich
Donovan	Starke
Fenske	Stier
Fraser	Webber
Fritz	

### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans  
Deputy Chair: Mr. Rowe

Anderson	Hehr
Anglin	Johnson, L.
Barnes	Kubinec
Bilous	Lemke
Blakeman	Leskiw
Brown	Sandhu
Calahasen	Stier
Cao	Webber
Casey	Xiao
Fenske	Young
Fraser	Vacant
Hale	

## Legislative Assembly of Alberta

1:30 p.m.

Monday, December 3, 2012

[The Speaker in the chair]

### Prayers

**The Speaker:** Hon. members, let us pray. Dear Lord, may we as elected members always do the right thing for and unto others for we are but servants chosen by others to bear the burdens, the challenges, and the duties of public life as entrusted to us. Amen.

Hon. members, please remain standing now as we begin this week with the wonderful singing of our national anthem led by Mr. Paul Lorieau. I invite you to participate in the language of your choice.

#### Hon. Members:

O Canada, our home and native land!  
True patriot love in all thy sons command.  
With glowing hearts we see thee rise,  
The True North strong and free!  
From far and wide, O Canada,  
We stand on guard for thee.  
God keep our land glorious and free!  
O Canada, we stand on guard for thee.  
O Canada, we stand on guard for thee.

**The Speaker:** Thank you, hon. members. Please be seated.

### Introduction of Guests

**The Speaker:** The hon. Minister of Agriculture and Rural Development.

**Mr. Olson:** Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to all members of the Assembly today a group of 51 very bright students from Griffiths-Scott middle school in Millet. That's in my constituency of Wetaskiwin-Camrose. They're here to have a look at the building and hear about the history of the place and also witness the legislative process. I had a chance to chat briefly with them just before question period, and they indicated that they're all very much enjoying the experience. I'm going to have a chance to engage with them again soon because Griffiths-Scott middle school is having a grand opening of their new school next week on December 13. I know they're all very excited about their new school. With them are teachers and leaders Glen Donlevy, Hayley Snowden, Gary Hill, and Susan Schmidt. I'd ask them to all rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. Dorward:** Thank you, Mr. Speaker. It's my pleasure to rise and introduce to you and through you a grade 6 class, a German bilingual program from Forest Heights elementary school in Gold Bar, who are here with their teacher – I'm going to make sure I get this right – Frau Marion Fritz and a parent, Mrs. Kathy Colwell. These bright minds have been here all week. They're in the School at the Legislature program. I just visited with them. It's my hope that these students will take an avid interest in government during their time here and – who knows? – maybe replace me in this seat someday. I would now ask that they rise and please receive the warm welcome of the Assembly.

**The Speaker:** The hon. Member for Calgary-South East.

**Mr. Fraser:** Thank you, Mr. Speaker. It's with great pride and all the love in my heart that I introduce to you and through you to the members of this Assembly the greatest gifts that a man can get from God, and that's my wife, Mishelle, and my two sons, Carson and Thaine. I have to tell you that anything good that I've ever done in my life is because of the good woman who stands behind me, and everything good that I'll do is for those two kids up there. I honour them, and I'll work hard for them and for the rest of Albertans. My kids want to send a message to the Premier, and that is: we stand with you, and we certainly stand behind you.

**The Speaker:** The hon. Minister of Human Services, followed by Edmonton-Beverly-Clareview.

**Mr. Hancock:** Thank you, Mr. Speaker. It's my pleasure today to introduce to you and through you to Members of the Legislative Assembly two young ladies who are currently working in the Department of Human Services. Nicole Nunes is completing her practicum for a master's in social work with the Ministry of Human Services. She's been with the ministry since May of this year and is currently working with the social policy framework team to analyze the feedback gathered during our public engagement process. She spent seven years working in direct service delivery with the social services field, mainly in the not-for-profit sector, including work with the offender, immigrant, and refugee populations and also with the housing first initiative. Nicole has an interest in policy development, particularly in how policy and front-line delivery connect. She's come to the right place.

Stefanie Rosskopf is a policy intern currently in her first eight-month placement with the Ministry of Human Services. She has been assisting in the creating of communication tools for the literacy and essential skills program offered by the ministry. After Christmas Stefanie will be moving on to her second eight-month placement, with Municipal Affairs. Stefanie is interested in working in International and Intergovernmental Relations upon completion of her internship in August of 2013. Stefanie is a graduate of the University of Alberta and currently resides in Edmonton.

Nicole, to my good fortune, is not only working for me, but she's also my boss. She's a constituent in Edmonton-Whitemud.

I'd ask Stefanie and Nicole to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview, followed by the Minister of Culture.

**Mr. Bilous:** Thank you, Mr. Speaker. It's my pleasure to rise and introduce to you and through you to this Assembly a group of guests who are members of the Alberta Union of Provincial Employees. These workers are from Monterey Place assisted living and represent nearly 90 staff members that continue to be locked out by their employer, Triple A Living. We're now well over the five-month mark. Once again they're here to remind this PC government that private operators like Triple A Living are receiving government subsidies yet paying salaries up to 27 per cent lower than industry standard. I'd now like my guests to rise as I call their names and receive the traditional warm welcome of this Assembly: Ester Castillo, Sharifa Mohamed, Nicole Stromquist, and Maricel Tabile.

Thank you.

**The Speaker:** The hon. Minister of Culture, followed by Bonnyville-Cold Lake.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. It's my pleasure to rise today and introduce to you and through you Mr. Brendan Newman. Brendan is a policy analyst for the Department of Energy and a recent graduate of the University of Alberta with a degree in classics and history. My deputy, Barry Day, and I had the honour of hosting Brendan on a tour of the Provincial Archives this morning. The tour and lunch was an auction item that Brendan bid on, raising \$170 for the United Way. I'd like to ask Brendan to stand now and receive the warm welcome of the Assembly.

**The Speaker:** The hon. Member for Bonnyville-Cold Lake, followed by Edmonton-Meadowlark.

**Mrs. Leskiw:** Thank you, Mr. Speaker. It is a pleasure to rise and introduce to you and through you to all members of this Assembly a constituent of mine, Melissa Barr. I had the pleasure of meeting Melissa two years ago, when she first got her job as a reporter for the *Bonnyville Nouvelle*, our weekly area newspaper. She stood out right away, right from day one, and was noted for her professionalism, honesty, and integrity when reporting both sides of any story. I am happy that she's joining us here at the Legislature and wish her all the best in her new career. I would now ask Melissa to stand and receive the traditional warm welcome of this Assembly. Welcome, Melissa.

1:40

**The Speaker:** The hon. Member for Edmonton-Ellerslie after Edmonton-Meadowlark.

**Dr. Sherman:** Thank you, Mr. Speaker. I'd like to introduce to you and through you to all members of this Assembly Mr. John Mandlis. John is a hard-working Albertan and a concerned citizen. He's been watching question period this session and is quite concerned about what he sees and hears. Most troubling, he tells me, are the Tobaccogate allegations that bring into question the integrity of the office of the Premier. He encourages all Albertans . . .

**The Speaker:** Hon. member, you probably know that it's inappropriate to raise or refer to a matter that the Speaker has not yet ruled on when it comes to a question of privilege. So I'll ask you to redo your introduction if you would, please.

**Dr. Sherman:** Thank you, Mr. Speaker. He encourages all Albertans to make their voice heard and to sign the petition to ask the Premier to order an independent investigation into the matter and step aside until it's complete. I'll ask John to rise and . . .

**The Speaker:** Hon. member, let's just ask your guest to rise and receive the applause.

The hon. Member for Edmonton-Ellerslie, followed by the Minister of Health.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. It is a pleasure to rise today and introduce to you and through you to the whole Assembly Darlene Lennie and Sheena Phillips of the Métis Urban Housing Corporation. The Métis Urban Housing Corporation does an excellent job of providing affordable rental housing for aboriginal families, working with the president of the Métis Nation of Alberta, Audrey Poiras, and the president of Métis Capital Housing, Wendy Goulet. They are working very, very hard to ensure that the corporation will be able to continue functioning at the highest level of efficiency. I'd ask my guests to please rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Minister of Health, followed by the Minister of Justice and the Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Horne:** Thank you very much, Mr. Speaker. It's a pleasure to rise today and introduce to you and through you to all members Dr. Shyamala Nagendran and her husband, Mr. Jay Nagendran, who are Edmonton-Rutherford constituents. Accompanying Dr. Nagendran are her parents, Mr. Ratna Ratnasingham and Mrs. Gowri Ratnasingham. Dr. Nagendran, as you may know, was nominated for a minister's seniors' service award for her volunteer efforts, which included starting a fitness and wellness club where seniors can exercise and learn about health and wellness as well as socialize. Dr. Nagendran recognized a need to improve the quality of life for seniors 10 years ago and sought very valiantly to address this need. She has also organized weekend workshops focusing on seniors' health, including information sessions given by health professionals. Her work is very inspiring. I'm honoured to introduce her to the members of the House, and I'd ask my guests to rise and receive our traditional warm welcome.

**The Speaker:** The hon. Minister of Justice, followed by Lac La Biche-St. Paul-Two Hills.

**Mr. Denis:** Thank you very much, Mr. Speaker. It's my pleasure today to rise and introduce to you and through you to all members of the Assembly two individuals from picturesque Calgary-Acadia. They are Glynn Hendry and Karin Finley, both of whom work with Qualico Developments in Calgary. Qualico, of course, is one of the largest fully integrated, privately owned real estate companies in western Canada. I welcome them to the Assembly and ask that all members please give them the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills, followed by Edmonton-South West.

**Mr. Saskiw:** Thank you, Mr. Speaker. I have two introductions today. First, it is my pleasure to introduce to you and through you to all members of the Assembly two outstanding Albertans from my constituency, the mayor of the village of Myrnam, Ed Sosnowski, and his CEO, Gary Dupuis. Both are outstanding municipal leaders and community members. I'd ask both to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** Your second introduction, please.

**Mr. Saskiw:** Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you to all members of the Assembly Cathy Gladwin. Cathy is a representative of Indoor Tanning Is Out, an organization dedicated to promoting and educating Alberta's youth about the dangers of tanning beds. Cathy is a member of the board of the Alberta Public Health Association. I would ask Cathy to rise and receive the traditional warm welcome of this Assembly.

**Mr. Jeneroux:** Mr. Speaker, I'm pleased to introduce to you and through you to members of the Assembly two wonderful ladies who have quickly become friends to me during the long consultation I've undertaken while working through the development of my private member's bill: Miss Angeline Webb, a senior public policy adviser with the Canadian Cancer Society, Alberta/NWT division, and Miss Anna Mann, an executive director with the Alberta Caregivers Association. I look forward to continuing our friendship during and after our work together on my compas-

sionate care leave legislation. I ask that my two guests seated in the public gallery please rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Lacombe-Ponoka, followed by the Deputy Premier.

**Mr. Fox:** Thank you, Mr. Speaker. I have two quick introductions today. I would like to introduce to you and through you to all members of the Assembly 24 visitors, incredibly bright young students from the Ponoka composite high school, and their teachers Mrs. Maryann LaFrance and Mr. Brady Teeling. Please give them the warm and traditional welcome of the Assembly.

**The Speaker:** The hon. Deputy Premier, followed by Edmonton-Riverview.

**Mr. Lukaszuk:** Thank you, Mr. Speaker. It's a pleasure to introduce to you a very special individual, a young individual, David Roezinger. Some of you may have seen him in the hallways of the Legislature over the summer as he served as the ministerial intern. What makes him very interesting in addition to that is that he just completed three months of volunteering in Peru, where he was engaging in humanitarian projects such as reforestation in Peru, and in doing so, he overcame a morbid fear of spiders, I understand. I would ask him to rise and receive our welcome.

**The Speaker:** Lacombe-Ponoka, you had a second introduction? Please proceed.

**Mr. Fox:** Yes, I did. Thank you, Mr. Speaker. My second introduction is a very special young lady from the Ponoka composite high school. I would like to introduce to you and through you to all members of the Assembly Miss Lisa van der Westhuizen. Please join me in wishing her a very happy birthday today.

**The Speaker:** The hon. Member for Edmonton-Riverview.

**Mr. Young:** Thank you, Mr. Speaker. It is my pleasure to rise and introduce to you and through you to all members of the Assembly our caucus team at the Legislature. These assistants are seated in the members' gallery. These hard-working, responsible, and dynamic individuals deserve recognition for all the work they do for their members. I'll ask them to stand as I mention their names: Emly Anderson, Caroline Breakey, Rhonda Checknita, Lindsay Cooke, Tanja Crnogorac, Lisa-Marie Gaucher, Ashley Geis, Shannon Hamelin, Jennifer Kirkelund, Ryan Loney, Benjamyn McKay, Candyce Neill, Marilyn Nixon, Ryan Osterberg, Carlie Pochynok, Robert Stephenson, Marshall Thiessen, Bryan Tower, Zack Ziolkowski, and in my own office, Darcy Diachinsky. Please rise and receive the traditional warm welcome of the Assembly.

## Statement by the Speaker

### Oral Question Period Rules

**The Speaker:** Hon. members, before we proceed with the next couple of phases of our Routine today, a brief reminder. First of all, no preambles again today, please. Let's get the maximum number of people up that we can. That worked well on Thursday. Secondly, no personal attacks. Those are two very critical rules that we must abide by. Thirdly, let me bring to your attention pages 502 and 503 of *House of Commons Procedure and Practice*, wherein it states that "a question should not... deal with the subject matter of a question of privilege previously raised, on which the Speaker reserved his decision." As you know, we have

that exact case before us right now. So that clarifies that, and with that note we will proceed to the next stage of Routine.

**Mr. Anderson:** Mr. Speaker, a point of clarification under Standing Order 13 with regard to that last finding. Just a question of clarification.

**The Speaker:** Hon. member, I've just given the clarification.

**Mr. Anderson:** I just want to know: is it regarding – obviously, we cannot speak regarding the assertion that the Premier has intentionally misled the House, but can we talk about Tobaccogate, the conflict of interest?

**The Speaker:** Hon. member, thank you for your question. I've just clarified what is and what is not within the rules, and I just asked you to abide by it. We'll judge you accordingly as things proceed.

1:50

### Oral Question Period

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition.

### Tobacco Recovery Lawsuit

**Ms Smith:** Thank you, Mr. Speaker. This government deserves a prize for fiction. Their stories on issue after issue read more like fairy tales than fact. On the budget they insist more borrowing and more debt is actually a balanced budget. On the issue of MLA pay they tried to convince us that the new pay of \$156,000 is less than the old pay of \$145,000. Now on the tobacco lawsuit the fantasy is just as absurd, with the Premier insisting a decision isn't a decision. Does the Premier still insist her decision selecting...

### Speaker's Ruling

#### Questions about the Subject of a Privilege Motion

**The Speaker:** Hon. member, this issue is just exactly what I referred to. If you wish to rephrase your question, I'll allow you this one opportunity to do so. It is against the rules to raise issues about a question of privilege which is before the Speaker for consideration and he has not yet ruled on. That was part of why I just stood up to say what I just said. Recast your question. It'll be allowed.

### Tobacco Recovery Lawsuit

(continued)

**Ms Smith:** I'm seeking clarification on whether the Premier still insists her decision in regard to the International Tobacco Recovery Lawyers is not a decision.

### Speaker's Ruling

#### Questions about the Subject of a Privilege Motion

**The Speaker:** Hon. member, let me just read this again in case some people missed it for whatever reason. On page 502 of *House of Commons Procedure and Practice* it states very clearly, "Furthermore, a question should not... deal with the subject matter of a question of privilege previously raised, on which the Speaker reserved his decision." Now, those are the rules, and that is quoted verbatim from the text that I cited. This particular point of privilege was raised by one of your own members, hon. leader. Let us proceed with your question rephrased if you would, please. Thank you.

We have a point of order noted. The leader of the New Democratic opposition.

**Mr. Mason:** Mr. Speaker, under Standing Order 13(2), which says, "The Speaker shall explain the reasons for any decision on the request of a Member," my question is this: given that the point of privilege is exactly on the point of misleading the House and nothing else . . .

**The Speaker:** Hon. member, please have a seat. I've just explained this twice now. I'm not going to explain it a third time. The rationale is in the ruling that's in the *House of Commons*, and I've just enunciated it and read it out twice.

Let's please abide by the rules as they exist. We're not here to invent them or remake them at this stage. If the House leaders wish to do that and apply a local rule here, then I invite them to get together and have that discussion. In the meantime let us proceed with the balance of the question from the hon. Leader of Her Majesty's Loyal Opposition.

#### **Tobacco Recovery Lawsuit** (continued)

**Ms Smith:** Thank you, Mr. Speaker. I'll move on to my first supplemental. Given that the Premier still insists she played no role in choosing the firm and instead points to her successor in Justice as the one who made the decision, then why is it that in the nearly 100 pages of documents received on this matter, the name of . . .

#### **Speaker's Ruling** **Questions about the Subject of a Privilege Motion**

**The Speaker:** Hon. member, please have a seat. Shall I read this a third time, then? Let's not get down to that level, please. You're all somewhat experienced now in parliamentary practice and procedures. I've allowed a lot of leeway, particularly for new members, including you, Leader of the Official Opposition. I've allowed a lot of leeway for first-time members from the government side, from all the other parties.

When a law exists, it exists for a reason. Let us contemplate for just a moment what society would be like without any laws at all or if people chose to break them even after they have been admonished, reminded, perhaps chastised once, twice, three times. What kind of a society would we have? What kind of Assembly would we have? I ask you to ponder those questions.

I'm not up here to hear myself speak. I'm up here to help you understand your roles if that's the case and to enforce the laws as they exist. These are not my personal laws. These are not your personal laws. These are the laws that you agreed to abide by when you took your oath. I would remind you to please start sticking to them more fervently, or I'll have to remind you again to do so.

Let's move on with your second main set of questions and see how they go.

#### **Tobacco Recovery Lawsuit** (continued)

**Ms Smith:** Given that the Justice department wrote an e-mail to CBC on July 5 stating that on December 14, 2010, the then Justice minister determined that TRL consortium provided the best made-in-Alberta litigation – the decision was communicated to the consortiums and law firms shortly after – would the Premier still insist that this was her successor's decision?

**The Speaker:** Hon. member, I do not understand why you continue to go against the law which I've cited three or four times now. Please, if you're not prepared to rephrase, I'll just move to the next person on the list. You have one last shot.

#### **Oil Price Forecasting**

**Ms Smith:** Mr. Speaker, there's a new report out that casts even more doubt on this government's projections for energy revenues. They've used \$108 a barrel to calculate the next couple of fiscal years, but now Bank of America Merrill Lynch in their 2013 energy outlook raises the alarm about the potential impact that shale oil production may have on benchmark oil prices. They see a possibility of \$50 west Texas intermediate over the next 24 months. What is the Finance minister's plan to adjust should this become the new reality?

**The Speaker:** The hon. President of Treasury Board.

**Mr. Horner:** Well, thank you, Mr. Speaker. I do appreciate the hon. member's question. It's a good question because we have had one financial estimator come up with a fairly low outlook. We are monitoring, as I'm sure the federal government is, as I'm sure all governments across Canada are, all of the private and public forecasters. There's a lot of variance out there right now in terms of those forecasts. In fact, at our second quarter we adjusted downward our forecast for the rest of the year to \$92 and change. That puts us at the low end of all of the other provinces and the federal government.

**Ms Smith:** Given that the Wildrose caucus pointed out over a year ago that the shortage of pipelines was costing the Alberta treasury \$2 billion in additional royalty revenue, how is it that the Finance minister missed factoring that into his most recent projection?

**The Speaker:** The hon. minister.

**Mr. Horner:** Well, it's curious, Mr. Speaker, because if I missed it, then the federal government missed it, then the Saskatchewan government missed it, and I guess the Official Opposition missed it, too, because they accepted and endorsed this year's revenue projections that the Wildrose pledged. The party counted on a 30 per cent revenue increase by 2016 to pay for the Dani dollars that were supposed to be out there.

**Ms Smith:** We actually made an adjustment on the Finance minister's rosy projection, so that's not quite true.

Mr. Speaker, given that the \$108 is yet another piece of government fiction, the projections that they have for the next couple of years, and that in-year savings don't even begin to address the \$3 billion plus deficit, where is the Finance minister's real plan to address the current and future drop in current revenue?

**Mr. Horner:** Well, Mr. Speaker, it's interesting when you look at the Wildrose budget program that they put out. To get their \$18 billion surplus now, they'd need to see \$223 per barrel as their price for oil, a little optimistic on their end. The budget coming forward will have an operating plan, a savings plan, and a capital plan, and it will be balanced. Is it going to be an easy budget? Absolutely not. There is no new money in next year's budget. I've said that a number of times. We'll be prudent and responsible with Albertans' finances.

**Ms Smith:** Mr. Speaker . . .

**The Speaker:** Hon. member, did you not ask a main and two supplementals already? I believe I have you completed for now.

The hon. Member for Lac La Biche-St. Paul-Two Hills, followed by the leader of the Liberal opposition.

### **Tobacco Recovery Lawsuit** (continued)

**Mr. Saskiw:** Thank you, Mr. Speaker. There are billions of dollars up for grabs in the largest litigation case in Alberta's history, yet this Premier can't tell Albertans how much they are on the hook to pay for this government's latest scandal. We know the government in Newfoundland disclosed . . .

**The Speaker:** Hon. member, I'll just let you rephrase, okay? This is your first warning. I've already given others. This is yours. You must not refer to an issue that is here as a question of privilege, so I'll allow you to rephrase.

**Mr. Saskiw:** This is about the contingency agreement, Mr. Speaker. We know the government in Newfoundland disclosed the key terms of their agreement, in that case a 30 per cent contingency. At that rate there are \$3 billion of potential legal fees at stake. If the Premier has nothing to hide, can she simply show us the terms of this agreement and the other proposals laid out by the competing firms?

**The Speaker:** Hon. member, you rephrased the question and didn't refer to anything specific in it, so I'll allow the answer.

The hon. Minister of Justice.

**Mr. Denis:** Mr. Speaker, thank you for recognizing me. I'm referring directly just to the contingency-fee agreement here pursuant to your ruling. I have spoken to Alberta's counsel, and it's important to note that the plaintiffs here are everyday Albertans. The defendant is big tobacco. Our counsel has advised that making the contract public . . .

**The Speaker:** Thank you. You've touched on the tobacco issue, which is the subject before the Speaker right now for a ruling.

Let's move on with your next supplemental, please. No preamble.

2:00

**Mr. Saskiw:** Given that the managing partner of the firm that was awarded the contract publicly stated today that he has no objections to the terms of the agreement being released, how can this Premier expect Albertans to ever trust another word she says until she comes clean with the facts and shows us the contract?

**The Speaker:** Hon. member, let's try your final supplemental, please, and see if it's within the rules.

**Mr. Saskiw:** Mr. Speaker, this has nothing to do with the point of privilege.

Given that the government's own department states that the review committee considered all three firms to be capable of conducting the litigation, will the Premier stop blowing smoke, do the right thing, and lay out the documents showing us the agreement as well as all the offers?

**The Speaker:** Hon. member, it's very difficult to tell exactly what is being referred to here the way the question is being phrased. However, I'd invite the hon. Minister of Justice to make a comment if he wishes.

**Mr. Denis:** Mr. Speaker, thank you very much again for recognizing me. I will indicate that I went back to my constituency office on Friday, and on Friday I returned many people's calls.

**The Speaker:** Thank you, hon. member.

### **Speaker's Ruling** **Questions about the Subject of a Privilege Motion**

**The Speaker:** Let me remind you of the rules I just read once again. There is no choice but to follow the rules that guide this Assembly. If certain members wish to take umbrage with that, that is up to you and your House leaders to discuss and determine. In the meantime I have made it very clear what the reference is with respect to how question period is to be conducted.

I don't wish to remind either members of the opposition who are phrasing the questions or members of government who are attempting to answer the questions, but the minute you raise the issue in the context of the point of privilege that is before the Speaker, I am obliged to rise and remind you that that is outside the rules that govern question period. So that is how we shall proceed.

**Ms Notley:** Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you for recognizing me, Mr. Speaker. Pursuant to 13(2) I know you have explained it, but I now really have a very genuine question.

**The Speaker:** Hon. member, I've already ruled on this matter.

**Ms Notley:** Mr. Speaker, could I please ask for clarification?

**The Speaker:** I've already given you comment with respect to how the rule applies. Now, if you want to take a moment and find *House of Commons Procedure and Practice*, pages 502 and 503, I would invite you to do that. [interjection] I've already given clarification and justification, and that is the end of that.

Let's go on to the hon. member of the Liberal opposition. [interjection] You have the floor, hon. member of the Liberal opposition.

### **Ethics Commissioner Referral**

**Dr. Sherman:** Thank you, Mr. Speaker. I don't want to talk about the Tobaccogate scandal, that has Albertans questioning the Premier's decision to award a lucrative tobacco contract to very close political allies although she claims to have nothing to do with it. That's not what I want to talk about today. What I want to talk about is that when similar allegations of abuse of office were raised against Alberta's envoy to Asia, the Premier forced him to step down pending an investigation. To the Premier: now that similar allegations are dogging you, why the double standard?

**The Speaker:** I didn't hear what your preamble's first few words were, but I'm going to allow the answer if someone on the government side wishes to answer.

All right. Hon. leader of the Liberal opposition, with your next supplemental.

**Dr. Sherman:** Mr. Speaker, the double standard is that this same Premier ordered Alberta's envoy to Asia to step aside and stay home.

**The Speaker:** Hon. leader, you know there are no preambles. I've just indicated that, so please recast your question without preamble and proceed.

**Dr. Sherman:** Thank you. Mr. Speaker, given that the double standard is that this same Premier ordered Alberta's envoy to Asia to step aside and stay home until she could have the matter investigated, this should be easy for the Premier. Madam Premier, will you order an independent investigation and step aside?

**The Speaker:** The hon. Premier.

**Ms Redford:** Thank you, Mr. Speaker. You know, it's very important that we ask these questions, and I appreciate the hon. member's question. The reason is that I believe that it's important, when these issues come up, for the appropriate people to make determinations independently. I understand that this matter has been referred to the Ethics Commissioner. I welcome that. I've said that for all of last week, and I stand by my comments with respect to this and look forward to the outcome of that and will certainly abide by any decisions of this House or the Ethics Commissioner.

**The Speaker:** The hon. leader of the Liberal opposition, without preamble.

**Dr. Sherman:** Thank you, Mr. Speaker. Given that the Premier insists that she did nothing wrong, that she didn't make the decision, that she allegedly has nothing to hide but given the growing piles of documents to the contrary, the integrity of the Premier's office has been brought into question. To the Premier: will you order an independent investigation . . .

**The Speaker:** Hon. member, let us move along here.

We're going to the hon. leader of the New Democratic opposition.

**Mr. Mason:** Thank you, Mr. Speaker. When Gary Mar faced allegations of misusing his position for inappropriate purposes, the Premier forced him to step aside until her investigation was complete. Now that the Premier is facing allegations of possible conflict of interest and bias, it's a different story. To the Premier: why won't she follow her own direction to Mr. Mar and step aside until these serious allegations are thoroughly investigated?

**Ms Redford:** Mr. Speaker, what happened in that circumstance, as I understand it – and it wasn't something that I was involved in; it was our clerk of the Executive Council because Mr. Mar is a public servant – was that the matter was investigated by the Ethics Commissioner. As I understand it, Mr. Mar continued to be a public servant during that process. I have no more detail than that with respect to that, but what I will say is what I've said before. I understand that there are people who are asking these questions. I certainly appreciate that they're asking those questions. It doesn't change the fact that I stand by my comments, and I welcome the investigation.

**The Speaker:** The hon. leader.

**Mr. Mason:** Thank you very much, Mr. Speaker. Given that the Premier just told the Assembly that she wasn't involved in that and given that there were a number of public statements that she made at the time, including "We've asked the Ethics Commissioner to [take a] look at this," if there's a breach, then there have to be some consequences as a result of that. Her officials said that Mr. Mar would be on leave without pay during the investigation

only with the Premier's permission. Why did she just tell the House she wasn't involved in that?

**Ms Redford:** Mr. Speaker, this was clearly a matter that the clerk of Executive Council dealt with with respect to a public servant. That's the end of the matter.

**The Speaker:** The hon. leader.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, what's sauce for goose is sauce for the gander.

Given that Albertans need to have confidence that their Premier knows how to avoid situations that might create a conflict of interest or the appearance of bias and given that they have a right to demand complete honesty as well, why won't the Premier do the right thing and step aside until this matter is fully investigated?

**The Speaker:** Hon. members, I'm not sure what the hon. member was referring to. He didn't seem to mention any case in particular if someone from the government side wishes to answer.

The hon. Minister of Justice to provide something briefly.

**Mr. Denis:** Thank you very much, Mr. Speaker. When I went home to my constituency office on Friday, there were a lot of matters discussed, but, you know, the biggest thing I keep hearing from our constituents: they'd rather talk about schools, hospitals, roads, police, things that we can do to improve their lives.

Thank you.

**The Speaker:** Let us move on to Calgary-Fish Creek.

### Family Care Clinics

**Mrs. Forsyth:** Thank you, Mr. Speaker. With the health inquiry under way and a long list of evidence of our doctors being bullied and intimidated, it's clear that this government continues to mismanage our health care system. What better example today than this government's plan to build 140 of these family care clinics with no idea how much they'll cost or how we'll pay for them, and as is typical with this government, it's become more apparent that they have no idea how to staff these clinics. My question is simple. How does the Health minister plan to staff family care clinics without pulling nurses and front-line staff away from hospitals and primary care networks?

**Mr. Horne:** Well, Mr. Speaker, this government is doing a lot of things in health care. What we did this morning was that with the assistance of the hon. Premier we opened the Kaye Edmonton Clinic, a \$484 million dollar facility that will provide a variety of front-line services to Albertans, including consultations with specialists, including access to diagnostic imaging under one roof. This facility and the operations that go on within it will work very closely with both primary care networks and family care clinics that are serving the capital region, staffed by competent, enthusiastic health professionals who believe in the benefits of primary care for the communities they serve.

**The Speaker:** Hon. member, your supplemental with no preamble.

**Mrs. Forsyth:** Thank you. Given that this minister has repeatedly in this House refused to tell Albertans the cost of family care clinics per patient and given that the number we have documented is \$300 per patient for family care clinics versus \$62 per patient for primary care networks, will he finally tell Albertans how much these clinics will cost?



2:10

**Mr. Horne:** Well, Mr. Speaker, I don't know what kind of health care policy the Official Opposition is developing. The work that this government is engaged in is improving all aspects of primary health care across the province. If the hon. member wants to focus on the merits of one particular model over another, that's certainly up to her to do. We're interested in providing better access to family physicians, nurse practitioners, dietitians, and other professionals, supported by a common set of standards and tools that truly equip them to do the job.

**Mrs. Forsyth:** Given that this government is facing a deficit and given that this minister can't tell us the cost of family care clinics versus primary care clinics, I'd like to ask him one more time. What is the cost per patient for family care clinics versus primary care clinics?

**Mr. Horne:** Mr. Speaker, if the hon. member wants to play with the dynamics of health economics, I leave that up to her. What we're interested in is building and improving upon the work of primary care networks – there are 40 of them – serving Alberta. We are looking at similar opportunities with family care clinics. As the hon. member knows, we're spending over \$181 million in support for PCNs today. We've allocated a further \$75 million in this budget and for the budget for the next two years to support family care clinics and other primary health care initiatives. That adds up for us.

**The Speaker:** The hon. Member for Calgary-East.

#### Physician Supply

**Mr. Amery:** Thank you, Mr. Speaker. It's really concerning and discouraging to my constituents when they can't find a family doctor, yet we hear that we don't have a shortage of doctors in the province but do not have doctors in the right places. My question is to the hon. Minister of Health. What can be done to make sure that we have doctors in the right places and that we can find a doctor when we really need one?

**The Speaker:** The hon. minister.

**Mr. Horne:** Well, thank you, Mr. Speaker. I appreciate the hon. member's question. Currently there are approximately 80 per cent of Albertans reporting that they have access to a family physician, but as the hon. member notes, many Albertans report that they don't have that access. There are a number of things that we're doing. We are currently hosting 330 places in our medical schools in Alberta. That compares to Ontario at about 500 spots. We have some very specific programs that support family physicians, particularly in rural areas, and provide incentives for them to come and practise in specific communities. Also, local communities play a very important role in designing and implementing programs to attract physicians.

**The Speaker:** The hon. member.

**Mr. Amery:** Thank you, Mr. Speaker. Given that a large proportion of the population of east Calgary does not have a family doctor, what can be done to increase access to quality and consistent health care?

**Mr. Horne:** Well, Mr. Speaker, one thing that we have done is that we have opened a family care pilot project in the hon. member's area, in east Calgary. We are working to support doctors by

providing them with access to other health professionals, other equipment in order to enable physicians to spend the majority of their time on patients with the most complex needs. This allows, of course, other professionals to supplement that work by addressing the more everyday needs through the resources provided by other professionals. This teamwork is working for Albertans.

**Mr. Amery:** Mr. Speaker, since we do have a shortage in the province of doctors in the proper locations, what is being done to expedite the accreditation of foreign-trained medical professionals and their entrance into the health care system to alleviate this burden?

**Mr. Horne:** Well, Mr. Speaker, thank you to the member for asking because this is a question that many of us as MLAs face from constituents. We're working very closely with the College of Physicians and Surgeons of Alberta, and as the hon. member knows, licensure of physicians is done provincially across the country. I personally talked about this issue with other ministers of health across the country. I don't think there's an easy answer because every province has a different approach to licensing, but I can tell you that here in Alberta we have provided other opportunities for physicians awaiting their licensure through the clinical and surgical assistance program and other initiatives.

**The Speaker:** Thank you.

Now the hon. Member for Innisfail-Sylvan Lake, followed by Edmonton-Manning.

#### Personal Care Standards in Seniors' Facilities

**Mrs. Towle:** Thank you, Mr. Speaker. Last week the Associate Minister of Seniors made outrageous claims about our most vulnerable seniors in care, and I quote from *Hansard*: "The number of showers, the amount of bathing, the amount of safety provided in our seniors' facilities is what's appropriate and what's needed." However, caregivers are saying emphatically that they're not being consulted and would not agree with only one shower per week. Additionally, health care professionals are indicating that they are not able to provide more than one shower per week, not because of the care plan but because of the lack of priority from this government. To the Associate Minister of Seniors: will you now finally admit that one shower a week for seniors in care is not appropriate, as you said last week, but rather it's completely unacceptable, disrespectful . . .

**Mr. VanderBurg:** Well, thank you for the question. Mr. Speaker, I think that one thing for sure is that between the families and the residents the family care plan and the care plan that's developed within the facilities is a plan that meets the personal hygiene needs, meets the safety needs, and makes sure that the wellness of that resident is there. Because of the questions last week I said that I would have a further look at this just to ensure that things are being done properly.

**The Speaker:** Hon. Member for Innisfail-Sylvan Lake, your first supplemental without preamble.

**Mrs. Towle:** Given that a number of seniors in long-term-care nursing beds and continuing care facilities may be incontinent, in diapers, and unable to wash themselves, how many showers per week does the Associate Minister of Seniors believe that those seniors deserve?

**Mr. VanderBurg:** Mr. Speaker, all seniors deserve the appropriate level of care, not just what's laid out in their plan but

what's appropriate. In some cases it may be a shower, in some cases it may be a bath, and in some cases it may be a sponge bath. That's not for politicians to decide. That's for caregivers to decide. And I'll stand by that.

**The Speaker:** Hon. member, your final supplemental.

**Mrs. Towle:** The direction comes from you. Take responsibility.

Mr. Speaker, how long do seniors in our province have to suffer before this minister takes action and issues a directive to all licensed care facilities in this province that guarantees all Albertans in care access to the basic necessity of a shower or bath more than once a week? A simple directive.

**Mr. VanderBurg:** Mr. Speaker, I stand by my word last week when I said that I would have a further look into this to clarify any misconceptions that may be out there.

**The Speaker:** The hon. Member for Edmonton-Manning, followed by Calgary-Buffalo.

### Regulation of Tradespeople

**Mr. Sandhu:** Thank you, Mr. Speaker. I commend the hon. Minister of Municipal Affairs for his work on Bill 5, passed last week in this Assembly. This was a great first step, but there is much more work to be done. My question to the Minister of Enterprise and Advanced Education: what's being done to regulate home builders as well as roofers, exterior finishers, and framers?

**The Speaker:** The hon. Minister of Justice.

**Mr. Denis:** Thank you very much, Mr. Speaker. I'm pleased to answer this question on behalf of the Minister of Enterprise and Advanced Education. I spoke with him early last week about this issue. The government works closely with Alberta Apprenticeship and Industry Training Board to ensure the appropriate training standards for all trades, including those related to home building, including carpenters and roofers. Any person learning a trade is required to participate in an apprenticeship program that includes both on-the-job and technical training that can last up to four years. That includes optional certification trades.

**The Speaker:** Hon. members, let's keep the noise down to a bare, bare minimum if we could, please. It's very difficult for the chair to hear some of the questions and answers, and I'm sure it's difficult for members in the galleries to hear as well.

Hon. member, your first supplemental without preamble.

**Mr. Sandhu:** Thank you, Mr. Speaker. To the Minister of Enterprise and Advanced Education: are there any regulations to protect home builders from below standard work done by nonticketed people working in the trades?

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you very much, Mr. Speaker. The Minister of Enterprise and Advanced Education encourages homeowners and other consumers who are considering hiring such an individual to check whether they are registered as an apprentice or certified as a journeyperson before committing to work. Staff from the minister's department regularly visit employers to inform them about the benefits of training and trade certification.

**The Speaker:** The hon. member.

**Mr. Sandhu:** Thank you, Mr. Speaker. My last question to the same minister: does your ministry see any value in regulating optional certification trades when it comes to home building and structural integrity?

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you very much, Mr. Speaker. I can also advise this House that all trades in Alberta are reviewed on a regular and continual basis both by industry and by government. Residential site managers continue to co-ordinate the work of many skilled tradespeople and suppliers. In addition, Alberta was the first jurisdiction in Canada to designate residential construction site manager as a designated occupation.

Thank you.

### 2:20 Personal Care Standards in Seniors' Facilities (continued)

**Mr. Hehr:** Since bringing it to this Legislature's attention that seniors and people with disabilities living in the Dr. Vernon Fanning centre were only receiving one bath a week, my office has been inundated with phone calls and e-mails that lead me to the conclusion that this is not an isolated occurrence. In fact, many of our seniors in long-term care are only receiving one shower a week. For example, former Judge Tom McMeekin, a senior with multiple sclerosis living in the Colonel Belcher care facility, last week stated on CBC unequivocally that he only received one shower a week; otherwise, he had to pay for it. To the Associate Minister of Seniors: are you now willing to admit that this is a widespread problem throughout our long-term care centres in this province?

**The Speaker:** The hon. minister.

**Mr. VanderBurg:** Thank you, Mr. Speaker. As I said previously, I understand the issue for the families and the residents and the caregivers. I understand that there's a care plan given for each and every member. But I do commit to this member that I will have a further look into this matter.

**Mr. Hehr:** Well, he shouldn't need to look at it any further given that in 2011 the Alberta Disabilities Forum report identified that one bath a week is a serious problem and recommended at least two baths a week. Will this minister tell the House when this policy will be changed at our long-term care centres?

**Mr. VanderBurg:** Mr. Speaker, the one issue that I remain firm on is that the safety, the well-being, and the personal hygiene needs are met in the care plan. I want to ensure that the residents and their families are assured that the proper care is given to their loved ones. I will ensure it, and I will promise to this member that I will have a further look into it. I'll go and visit this centre as soon as I can as well.

**Mr. Hehr:** Well, given that the policy in long-term care centres like the 10 operated by Carewest and others is that seniors will receive, and I quote, at least one shower a week, when will this government adequately support long-term care centres so they can change this policy to at least two showers a week?

**Mr. VanderBurg:** Mr. Speaker, I want to make sure that the policy is what the senior or the resident of the facility needs. Not one bath, not two baths, not three baths, but what's appropriate and what their personal hygiene needs are. I can assure you that

the caregivers in these facilities with their families are the ones that are best to determine what those appropriate levels are.

**Ms Notley:** There aren't enough of them to do that.

**The Speaker:** Hon. Member for Edmonton-Strathcona, we know this is a serious issue, but it doesn't require any interjections, so please let's refrain from them.

Edmonton-Calder, followed by Calgary-Fish Creek.

### Collective Bargaining with Teachers

**Mr. Eggen:** Thank you, Mr. Speaker. In her leadership campaign the Premier promised to restart discussions with the ATA to reach an agreement that would include more prep time for teachers and a review of class sizes. The ATA took her at her word, crafting a framework agreement that focuses on the quality use of time and effort in the classroom. To the Education minister, who has just rejected this more than reasonable proposal from the ATA: have you ignored the will of the Premier, or was the Premier just saying anything to get elected at the expense of both students and teachers?

**Mr. J. Johnson:** Mr. Speaker, the way he ended that question – you know, this is about the students. That's who it needs to be about. The last proposal was one of many that have come back and forth over the last six months. I can tell you that we have been working very hard to try and get to a deal, which is never an easy thing to deliver when you're talking about potentially around 35,000 different employees right across the province working in a number of different schools and communities. There are a couple of sticking points, but we have invited the ATA back to the table and were surprised when they pushed back from the table on Friday, which was unfortunate. But I hope they'll be back this week, and we can continue working on this.

**Mr. Eggen:** Well, Mr. Speaker, given that teachers face significant workloads as they deal with everything from the inclusion of high-needs students to the unique demands of rural schools and given that the minister has broken the Premier's own promise by dismissing a reasonable proposal that respects the government's fiscal constraints while still addressing teachers' concerns, can the minister please explain why he is rejecting the teachers' appeal for quality classroom time and reasonable time?

**Mr. J. Johnson:** Mr. Speaker, 30 seconds is hardly enough time to get into it. The member mentions the unique demands of rural schools. That's exactly one of the reasons we can't accept the most recent proposal because, in my mind, it would put small rural schools in jeopardy and the ability for those schools to be flexible in their planning. We're not going to do that because we want to put the students first.

The other piece of the agreement we just couldn't agree with was essentially giving the ATA veto power over any policy, regulations, or legislation we want to bring forward that has anything to do with the profession. Mr. Speaker, right now we're looking at the teaching quality standard, we're going out to do a regulatory review on the Education Act, and we wouldn't be able to do those things.

**The Speaker:** The hon. member.

**Mr. Eggen:** Thank you, Mr. Speaker. Well, given that teachers said explicitly that they want progress, not hard caps in view of rural areas and so forth – and they did tell you that, Mr. Minister –

and given that the minister's comments have confused the matter and misrepresented the teachers' framework agreement, when will the minister hit the books, learn how to negotiate properly, and stop dealing out broken promises by actually building an agreement that's best for everyone in this province?

**Mr. J. Johnson:** Mr. Speaker, we're all working hard to try to do exactly that. What we're trying to do is put the students first. With respect to hard caps, soft caps: you can couch it any way want, but if you want to tie time to the amount of minutes or the amount of hours in a week that a teacher can work, whether it's 31 hours or whether it's 907 hours of instruction during the year, you're going to limit the flexibility of small rural schools; you're going to put them in jeopardy. Again, the second piece is that we're not prepared to give a veto to the ATA with respect to anything that might happen policywise or regulationwise to do with the profession.

**The Speaker:** The hon. Member for Strathmore-Brooks, followed by Grande Prairie-Smoky.

### Pipeline Network Review

**Mr. Hale:** Thank you, Mr. Speaker. The Northern Gateway pipeline, the Keystone pipeline, and the possible pipelines to eastern Canada are essential to the prosperity of Alberta. We have seen opposition to these projects based on concerns of pipeline integrity. Unlike the Premier's national energy plan, the Alberta pipeline review has the potential to alleviate many of these concerns. It's expected that Group 10 Engineering will be done its final report and submit it at the end of this year. Will the Minister of Energy release these preliminary findings from Group 10 Engineering to the members of this Legislature before they are altered by the ERCB or the ministry?

**The Speaker:** The hon. minister.

**Mr. Hughes:** Mr. Speaker, thank you very much for the opportunity to speak on this important matter. I appreciate the question, a thoughtful question from the hon. member opposite. The pipeline inquiry that I commissioned earlier in the year will address three important aspects: operations, water, and response capability. We expect to see that report from the independent third-party group that's working with the ERCB. I commit to this hon. member that I will provide that report, have it released publicly without anybody else doing anything to it, and it'll be available as part of the discourse and the review that we're doing of pipelines in this province. We want the highest quality performance.

**The Speaker:** The hon. member.

**Mr. Hale:** Thank you, Mr. Speaker. Given that that's the answer I was expecting and the importance of this review and given that the retail market review is still sitting on the Energy minister's desk and the provincial flood-mitigation report stayed behind closed doors for almost six years, will the minister commit to releasing the findings of the Alberta pipeline review as soon as he gets it to the Standing Committee on Resource Stewardship?

**Mr. Hughes:** Mr. Speaker, that's what I indicated earlier in the year when I commissioned and asked the ERCB to do this work. Obviously, there will be other folks who will be looking at this as well. I'll release it to the entire world – not just the committee, the entire world – to take a good look at this when it becomes available.  
Thank you.

**The Speaker:** The hon. member.

**Mr. Hale:** Thank you, Mr. Speaker. Given the ramming through of the ill-fated Bill 2 without any substantial amendments and the difficult task that the ERCB now has in becoming part of the new energy regulator, will the minister admit that the ERCB will not be able to adequately complete its recommendations by the March 31 deadline?

**Mr. Hughes:** Well, Mr. Speaker, I think what we want here is the right answer, not always the quick answer, so what we will be doing is ensuring that there is a thorough review by the ERCB. Even though it is in a time of transition, it's perfectly capable of doing the work that it's been assigned to do. It goes through tens of thousands of applications every year in governing and regulating the energy industry today, and I expect that work to continue until we get the new Alberta energy regulator up and operating by June of next year.

**The Speaker:** The hon. Member for Grande Prairie-Smoky, followed by Little Bow.

### Highway 43

**Mr. McDonald:** Thank you, Mr. Speaker. Alberta's provincial highway 43 is one of the province's busiest highways. It connects northern and central Alberta and is the northernmost link of the Canada-Mexico corridor, which continues down all the way to Mexico. However, it also has the reputation of being one of Alberta's most dangerous highways. That is partly due to certain sections of the highway that have not yet been twinned. My question is to the Minister of Transportation. What is this government doing to help ensure the safety of the drivers on highway 43, and when will we see its completion as promised in 2007?

2:30

**The Speaker:** The hon. Minister of Transportation.

**Mr. McIver:** Thank you, Mr. Speaker. The hon. member should know that we have invested more than \$370 million to support highway 43 projects since 1990, providing critical infrastructure for the region. Further to that, we've invested \$26 million to twin the final stretch of highway 43 between Valleyview and Grande Prairie. Twinning preparation work through the Sturgeon Lake First Nation has started, with an expected twinning completion date of the fall of 2014. I say to the hon. member that our focus is on the safe and efficient movement of people and commodities through the region, and we'll continue to support those things.

**The Speaker:** The hon. member.

**Mr. McDonald:** Thank you. Given that highway 43 is a high-traffic conduit for many of the Peace region's manufacturers, especially the stretch between Valleyview and Fox Creek, does the government have a plan to repair the heaves and ruts that plague this section of the highway?

**Mr. McIver:** Well, Mr. Speaker, the engineering design for the road rehabilitation is currently under way. Once the design is done, we'll of course prioritize it against projects across the province, considering traffic volume, safety, infrastructure conditions, and the economic activity in the area when we create our public three-year construction plan. I understand why the hon. member is concerned. Roads break down at different rates. But I want to

assure the hon. member that we take precautions. We evaluate it every spring and try to take action as appropriate.

**The Speaker:** The hon. member.

**Mr. McDonald:** Thank you, Mr. Speaker. Well, we continue to see maintenance problems on these roads, and people's lives are at risk. When will the minister provide a maintenance schedule that is applicable to these conditions?

**The Speaker:** The hon. minister.

**Mr. McIver:** Well, thank you, Mr. Speaker. The hon. member is right in saying that rehabilitation projects are important. We do prioritize them on the strength and smoothness of the roads, input from our field personnel and stakeholders, and, yes, traffic volumes and safety concerns. Highway maintenance is conducted as needed, with frequency and response time based on our best judgment of the needs and available budget. I encourage the member to inform my office if there's a particular condition that is less than what Albertans should expect, and we will do our best to react accordingly.

### Water Rights

**Mr. Donovan:** Mr. Speaker, in the Little Bow riding and other ridings in southern Alberta people raised the concern that the government has been unclear if it's going to protect the principle of first in time, first in right in the elimination of irrigation permits that cover the leftover water rights that become available through efficiencies through the efforts of irrigation districts. To the Minister of Environment and Sustainable Resource Development: will the minister state with certainty that she is not going to take away the traditional irrigation rights of Alberta's farmers in irrigation districts?

**The Speaker:** The hon. minister.

**Mr. Hughes:** Thank you, Mr. Speaker. I'm very pleased to take that question on behalf of the hon. minister, who is doing good work on behalf of Albertans at an international conference with respect to climate change, which would have been interesting had somebody else won the election. I would be pleased to take that question under advisement and ask the hon. minister to get back to the member.

**The Speaker:** The hon. member.

**Mr. Donovan:** Thank you, Mr. Speaker. Just wait till 2016.

Does this government plan to rescind the prior appropriation of water rights for farmers by using the strong arm of the land-use framework?

**Mr. Hughes:** Well, Mr. Speaker, the land-use framework is a model designed to ensure that we have a thoughtful conversation before we do things in this province. It ensures that when our kids and our grandkids in 50 or 75 years look at the landscape that is Alberta at that time, it looks something like the landscape we have today, that it is appropriately developed and appropriately planned to respect the landscape that we're so proud of today.

I'll pass that question along to the hon. minister as well.

**The Speaker:** The hon. member.

**Mr. Donovan:** Thank you, Mr. Speaker. To the same minister: can you please assure me and my constituents that this gov-

ernment does not intend to override the water rights that Alberta farmers have been entitled to for 118 years?

**Mr. Hughes:** Mr. Speaker, that is one of those questions that actually is easy to answer. Of course nobody is overriding water rights. We're addressing long-term planning issues in this province. We're ensuring that we're protecting property rights, that we're protecting water rights. We're ensuring that future Albertans have access to the resources they need to develop this province and to live a high quality of life here, the kind of life we experience today.

Thank you.

**The Speaker:** The hon. Member for Lesser Slave Lake, followed by Calgary-Mountain View.

### High Prairie Health Care Centre

**Ms Calahasen:** Thank you, Mr. Speaker. For 12 years, 12 long years, the people of High Prairie and region have been waiting for a hospital which will serve their needs. Well, we finally got one, and I want to thank the Minister of Health. However, from a recent public meeting our facility appears to be missing some areas of importance. My question is to the Minister of Health. Could you please tell my constituents why our new hospital does not include important areas like dialysis or a second operating room?

**The Speaker:** The hon. minister.

**Mr. Horne:** Thank you very much, Mr. Speaker. I, too, must congratulate my colleague the hon. member for her advocacy on behalf of her constituents for the new hospital. We have allocated an additional \$70 million over and above the original cost projection for this facility, in fact, to expand services. One of the services, as an example, that is included in the High Prairie hospital is a CT scanning unit, which will make it possible for residents to receive those consultation services at home in High Prairie. Additional services in the future will depend upon the growth of the community. Services like dialysis and chemotherapy are certainly possibilities in the future, but the population projections, in fact, do not support the need to integrate those services at this time.

**The Speaker:** The hon. member.

**Ms Calahasen:** Thank you, Mr. Speaker. That's very important information.

Should the community, however, be willing to partner with us, would you consider such partnerships to help with this need, Mr. Minister?

**Mr. Horne:** Mr. Speaker, I appreciate the hon. member's question. That would be a hypothetical question, however, and I wouldn't be prepared to give a detailed answer at this stage. What I can say is that we have designed this facility specifically so that it can be expanded in the future. Its physical characteristics are such that it can be expanded. It will leave room to consider the addition of other services, and we're, of course, always happy to work with the community in that regard.

**Ms Calahasen:** Thank you very much, Mr. Minister. I'm very thankful for the work that you have done.

My final question is to the Minister of Infrastructure. The proof is in the pudding. When can we see action begin on this site?

**The Speaker:** The hon. minister.

**Mr. Drysdale:** Thank you, Mr. Speaker. There'll be a lot of activity happening over the next couple of months that isn't visible in the community, but rest assured that a lot of work will be going on behind the scenes. By year's end we'll start a tendering process for project scoping and construction. By next spring major construction activity will begin with the installation of pilings, the foundation, and off-site work. These activities will continue throughout the summer. At the same time site development and construction of the superstructure, which is construction above the ground, will be taking place.

**The Speaker:** The hon. Member for Calgary-Buffalo.

### Ownership of Resource Revenues

**Mr. Hehr:** Well, Mr. Speaker, I wasn't quite prepared for this question. Nevertheless, it's an honour to ask a question to the Minister of Energy. It's regarding the fact that we have 14 national oil companies here who are all drilling oil, paying royalties, and sending large sums of money back to their home countries. I know at one time we had the Alberta Energy Company, which did some of this and had tremendous returns for the Alberta people. Why is it that we don't have an Alberta energy company today so that we can earn more profits from our oil?

**Mr. Hughes:** Mr. Speaker, the hon. member will well recall that there once was the Alberta Energy Company, and it became an opportunity for all Albertans to participate in the wealth creation of the province. Albertans had those shares that became publicly available on the marketplace, and it served its purpose at that time in life. Today in Alberta we have a very robust – very robust – private sector that is fully capable of finding the capital and investing in energy assets in this province and developing them on behalf of the owners.

**The Speaker:** Hon. member, do you have a supplemental, or should I move on to Bonnyville-Cold Lake?

**Mr. Hehr:** I have a supplemental.

**The Speaker:** You do? Okay. Proceed.

**Mr. Hehr:** Given that these national oil companies are here and they're drilling oil and I assume they're doing pretty well, will the minister admit that there seems to be a lot of money to be made in this business and that maybe we should get into it? If they can make money at it, why the heck can't we?

2:40

**Mr. Hughes:** Well, Mr. Speaker, we actually are making money at it because we, being the people of Alberta, own the assets. We get royalties as a result of it. The province of Alberta secures taxation as a result, income tax, from the people who are working here. The government of Canada gets income taxes. There's tremendous wealth created for all Albertans in the current system we have today.

**Mr. Hehr:** Well, I understand, sir, that these national oil companies, who represent other countries, pay their royalties and still make a whack-load of money, that they send back home. Doesn't it seem odd that these national governments can make money in this business, yet we can't?

**Mr. Hughes:** Well, Mr. Speaker, as I indicated earlier, we Albertans as the owners of the resource actually do very well out of this arrangement. Roughly 50 per cent of the development in this province and the production that's sold is actually controlled by Canadian-owned companies or Canadian-controlled companies. As a result, there's great wealth created in this province. The system works really well for Albertans. That's how we have hospitals, that's how we have roads, and that's how we have schools in this province. It's because of the success of the energy industry in this province.

**The Speaker:** Hon. members, in 30 seconds from now we will begin the first of six members' statements, starting with Red Deer-North.

## Members' Statements

### Inclusive Education

**Mrs. Jablonski:** Mr. Speaker, did you know that we have over 600,000 kids in our schools in Alberta? Some of these children struggle every day to overcome a learning disability or to learn English. Others need a little more work to keep them busy, and some just need some help to catch up on certain subjects. While some of these challenges would fall into what we have often called special needs, the truth is that all these kids are special, and their learning needs are important.

That is why we as a government have changed our approach from just funding specials needs to ensuring that all kids have the supports they need to learn. In the last provincial budget, Mr. Speaker, we provided school boards with an additional \$68 million in funding, a 22 per cent increase. We asked them to develop programs and supports that will serve all kids no matter what their learning needs are, and the school boards are delivering.

For example, in my constituency Red Deer Catholic regional schools kicked off their school year with a full day of professional development completely focused on inclusive education. Topics included ways to create inclusive classrooms, ways to improve classroom support, and how to effectively support students socially, behaviourally, and academically. Red Deer public school also continues to do a lot of great work to support inclusive learning. In fact, they've made inclusion of all students one of their three main goals. I am proud that they recognize that all students are diverse learners and are implementing supports to make sure they all succeed, and all the while they are maintaining the significant supports they have always provided for our children that struggle with disabilities.

Mr. Speaker, I'm proud of the efforts under way to support all our special kids, and I encourage all members to check out Alberta Education's website to learn more about inclusive education and to check their local school authority's website to see the great work happening on the ground.

**The Speaker:** I had the Member for Airdrie. Someone on behalf of?

**Mr. Saskiw:** Mr. Speaker, given your ruling that we cannot talk about the Premier's involvement in the tobacco scandal . . .

**The Speaker:** Thank you.

Let's move on, then, to Fort Saskatchewan-Vegreville, followed by Calgary-Fort.

## International Day of Persons with Disabilities

**Ms Fenske:** Thank you, Mr. Speaker. Today is International Day of Persons with Disabilities, a day that was proclaimed in 1992 by the United Nations to promote understanding of disability issues and the rights of persons with disabilities. Albertans with disabilities have a great deal to contribute to our communities, but sometimes they face barriers to inclusion. This could include physical barriers like lack of wheelchair access or social barriers like negative attitudes about employing people with disabilities.

Increasing the awareness of the challenges that persons with disabilities sometimes face as well as the contributions these individuals make to our province is an important step towards creating more inclusive communities. That's why we are celebrating the International Day of Persons with Disabilities across our province with special events and presentations of awards from the Premier's Council on the Status of Persons with Disabilities.

This year's award recipients are Mezaun Lakha-Evin of Calgary, winner of the Gary McPherson leadership award; Mark Iantkow, recipient of this year's newly created award, the Marlin Styner achievement award; Dory Rossiter of Lethbridge, winner of the award of excellence in public awareness; the Camrose Association for Community Living training mentorship program, winner of the award of excellence in employment; the Early Access to Supportive Education school, or EASE, in Red Deer, winner of the award of excellence in education; the city of Red Deer, winner of the award of excellence in community; and a personal favourite of mine, the Reducing the Social Isolation of Rural Deaf Albertans Project Team of Sherwood Park, winner of the award of excellence in community.

Mr. Speaker, as part of our efforts to promote this day, I invite all members of this Assembly to support initiatives to make their communities more inclusive.

Thank you.

**The Speaker:** The hon. Member for Calgary-Fort, followed by Edmonton-Ellerslie.

## Universal Declaration of Human Rights

**Mr. Cao:** Thank you, Mr. Speaker. I would like to recognize the anniversary of the universal declaration of human rights, which falls on December 10, this coming Monday. The declaration, adopted by the United Nations General Assembly in 1948, sets out a broad range of fundamental human rights and freedoms which all people from all nations are entitled to without distinction. This declaration seeks the rights of individuals over the rights of society.

Today in many parts of the world individuals are still living under oppression by their governing authorities. Their dictatorship governing bodies retain their power by perpetuating the myths that their action is in the name of the people or for the good of the community or society. We should always question and be wary when politicians use the pretext: in the name of the people.

As Canadians we live in a province and a country where our government respects human rights as its core value and with a justice system where an individual is not guilty until proven. We live in a land where individual rights to private property ownership are intrinsic and common sense, and our justice system allows individuals to protect their rights.

Mr. Speaker, while others may talk about violation of property rights in theoretical terms, I would like to tell the Assembly what violation of property rights really is. Not too long ago my family was persecuted by the Communist regime in the old country for

property ownership. The land and property that our family owned for many generations was confiscated without any compensation, without any right or process to dispute. Here, with our existing good laws and our open justice system, this situation has never happened and will never happen in Alberta, in Canada.

I'm pleased to be part of a government that protects individual rights, freedoms, and private property ownership. Indeed, we are fortunate to be living in Alberta.

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

The hon. Member for Edmonton-Ellerslie, followed by Calgary-Buffalo.

### **Métis Urban Housing Corporation**

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. I would like to recognize the Métis Urban Housing Corporation, owned by the Métis Nation of Alberta. The Métis Urban Housing Corporation was incorporated in 1982 to provide affordable, adequate, and appropriate rental housing for low- and middle-income Métis and other aboriginal families within Alberta's urban centres. At its heart is the goal of improving housing conditions for Métis and aboriginal communities by offering an alternative to mainstream housing. Such alternatives include the urban aboriginal housing program, which provides rent at 25 per cent of total household monthly income, an affordable market housing program which provides accommodation based on a fixed rental rate that is determined at 20 per cent less than market rates. The corporation also partners with area associations such as Habitat for Humanity and the urban native housing program to maximize their capacity to serve in Alberta's communities.

2:50

Alone the Métis Urban Housing Corporation currently houses over 3,000 tenants in 881 units across the province and is the largest section 95 aboriginal housing program in Canada. Acting as a property manager, the corporation is responsible for renting and maintaining these units, which includes everything from paying property taxes to inspecting and repairing damaged units. With a staff of only 50 full-time and part-time workers, this amounts to quite a workload, Mr. Speaker. The Métis Urban Housing Corporation is accountable to the Métis people through the Métis Nation of Alberta and to the Canada Mortgage and Housing Corporation under section 95 of the National Housing Act.

It is this balance between accountability, responsibility, opportunity, and sensitivity that, I believe, lends to the Métis Urban Housing Corporation's success. I rise today in honour of this success and the continued dedication that the corporation's team demonstrates in serving their people.

Thank you very much, Mr. Speaker.

### **Services for the Disabled**

**Mr. Hehr:** Mr. Speaker, today is the International Day of Persons with Disabilities. The theme this year is Removing Barriers To Create an Inclusive and Accessible Society for All. Over 1 billion people around the world live with some form of disability. In Alberta half a million people, or 1 in 6 Albertans, live with a disability.

The barriers faced by people with disabilities take many forms, including the physical environment, societal attitudes, and even discrimination through legislation and policy. Creating and fostering an inclusive environment where these barriers are removed should be the goal of this government. Evidence shows the entire

community benefits when people with disabilities are empowered to participate fully in society.

To be honest, Mr. Speaker, I don't know if we are doing enough in Alberta. There has been very little movement in employment for people with disabilities in the last 25 years. Young people and seniors alike are often warehoused in our hospitals because there's not enough room in long-term care or community care. The government should commit to finding spaces in the community for our disabled population.

As we heard last week, the general guidelines within some AHS facilities are to provide a minimum of one bath a week. While people in care have the option to pay extra if family members do it, I received many calls and e-mails from people who feel the government is off-loading its responsibility when it comes to this issue. We should increase bathing frequency and accommodate a needs-based bathing schedule above the minimum to ensure hygiene, health, and safety as well as dignity for those in care.

While it is difficult to hear, it needs to be said that we are all disabled people in waiting. The healthy bodies we inhabit will age and become infirm, or, like me, some of us may have an accident or illness which leads to disability. But the fact remains that all of us will be disabled one day. With self-preservation in mind, Mr. Speaker, we should ensure opportunities are in place for people with disabilities to live in dignity and to their maximum potential.

**The Speaker:** Thank you.

### **Notices of Motions**

**The Speaker:** The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. I have five oral notices of motion. The first:

Be it resolved that pursuant to Standing Order 3(9) the fall 2012 sitting of the Assembly shall stand adjourned upon the Government House Leader advising the Assembly that the business for the sitting is concluded.

The second notice of a motion:

Be it resolved that when further consideration of Bill 7, Election Accountability Amendment Act, 2012, is resumed, not more than two hours shall be allotted to further consideration of the bill in Committee of the Whole, at which time every question necessary for disposal of the bill at this stage shall be put forthwith.

The third notice is:

Be it resolved that when further consideration of Bill 7, Election Accountability Amendment Act, 2012, is resumed, not more than two hours shall be allotted to any further consideration of the bill at third reading, at which time every question necessary for the disposal of the bill at this stage shall be put forthwith.

The fourth is:

Be it resolved that the Standing Committee on Privilege and Elections, Standing Orders and Printing may meet at the call of the committee chair to review the standing orders and report any proposed or recommended changes to the Assembly.

The fifth is:

Be it resolved that the Legislative Assembly concur with the continuation of the Alberta Treasury Branches Act.

### **Tabling Returns and Reports**

**The Speaker:** The hon. Member for Edmonton-South West, followed by the Minister of Justice.

**Mr. Jeneroux:** Thank you, Mr. Speaker. On behalf of the Canadian Cancer Society, Alberta-Northwest Territories division,

I'd like to table the following report titled Support for a Wellness Foundation. The Alberta Policy Coalition for Chronic Disease Prevention commissioned an Ipsos-Reid public opinion survey of Albertans. Specifically, the APCCP-developed survey assessed the level of public support for increasing investments in prevention and health promotion in the form of an independent wellness foundation and various revenue sources for funding a foundation. The survey was completed between March 5 and March 12, 2012, by 869 Albertans between the ages of 18 and 55 years. I'm providing the requisite five copies of the report.

Thank you.

**Mr. Denis:** Mr. Speaker, I'm rising to table five copies of five different articles that I'm required to table because I referenced them on Thursday. I'll just quote briefly. They're all written by the Leader of the Opposition. The first is entitled Right To Smoke Also an Issue of Property Rights; the second, High Taxes Push Tobacco Underground; third, Government Must Butt Out of Tobacco Picture; fourth, Anti-smoking Lobby Does More Harm than Good; and, finally, Quebec Recruits Taxman for War on Tobacco. I'll provide all copies to the Clerk.

**The Speaker:** The hon. Member for Calgary-Buffalo, followed by Calgary-Mountain View.

**Mr. Hehr:** Thank you, Mr. Speaker. I have some tablings. I referenced the Alberta Disabilities Forum report from 2011, which clearly indicates that many people with disabilities are only receiving one shower a week throughout this province.

I also have a couple of e-mails I wish to table. One is from Mrs. Diane Powell, who indicates that her husband was only receiving one shower a week.

I have another e-mail here, from Mr. Jake Kuiken, who lives in Silver Springs in Calgary, indicating that his mother received only one shower a week for a number of years.

Another e-mail, from Nancy Cameron, who indicates that she was having various challenges with showering for her husband in his stay in long-term care.

One more tabling – actually, I'll figure that out for tomorrow, Mr. Speaker, and I'll come back to that tabling.

**The Speaker:** Thank you, hon. member.

Are there others? The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. I have two tablings. The first is a press release entitled Keystone Delay Costs Alberta Treasury Billions, and I have the requisite copies to illustrate the cost of the differentials in oil and gas.

The second is an article dated December 1 entitled Analyst Makes Bombshell Prediction of \$50 Oil, and More Production than We Could Possibly Know What To Do With. I have the requisite copies as well, Mr. Speaker.

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following document was deposited with the office of the Clerk: on behalf of the hon. Mr. Denis, Minister of Justice and Solicitor General, page 53 of the Law Society of Alberta code of conduct.

**The Speaker:** Hon. members, our next point here would be to discuss and determine points of order. It's been a long time since we haven't had any, but today we have no points of order. Thank you for that to everyone, I'm sure.

That having been said, I will proceed now with the ruling on the point of privilege.

### Privilege

#### Misleading the House

**The Speaker:** Hon. members, as I indicated just a moment or two ago, as chair I'm now prepared to rule on the purported question of privilege raised by the Official Opposition House Leader last Thursday, November 29, 2012. The debate on this issue can be found in *Hansard* for that day at pages 1184 through 1189.

In a proverbial nutshell, the allegation by the Member for Airdrie is that the Premier deliberately misled the Assembly when she denied that the decision was made to retain a particular law firm for conducting litigation related to tobacco use while she was Minister of Justice.

In terms of formalities notice of the purported question of privilege was received in the Speaker's office at 10:54 a.m. on Thursday, November 29, 2012, so the requirements of Standing Order 15(2) regarding notice have been met as the statements were alleged to have been made in the Assembly the day before.

3:00

The chair notes that Standing Order 15(5) permits members to raise a question of privilege "immediately after the words are uttered or the events occur that give rise to the question, in which case the written notice required under suborder (2) is not required," but no one raised any objection on this point, and the chair imagines that had it been raised, the Opposition House Leader would have said that he needed time to review *Hansard*. In any case, the Official Opposition House Leader carefully and succinctly cited the relevant authorities on the issue of deliberately misleading the Assembly, including this Speaker's ruling of May 30, 2012, which can be found at page 96 of *Hansard* for that day.

In making his presentation on the point of privilege before us today, the Official Opposition House Leader indicated that deliberately misleading the Assembly was a form of contempt, which, as the chair pointed out in another ruling, last Thursday, at page 1190 of *Hansard* for that day, is treated as a question of privilege. The point is made in *Erskine May's Treatise on The Law, Privileges, Proceedings and Usage of Parliament*, 24th edition, at page 254. It reads:

The Commons may treat the making of a deliberately misleading statement as a contempt. In 1963 the House resolved that in making a personal statement which contained words which he later admitted not to be true, a former Member had been guilty of a grave contempt.

Now, before ruling on the purported question of privilege before us today, the chair wants to remind members that this application places a Speaker of the House in a difficult situation because the Speaker's usual role is not to determine the merits or veracity of questions or answers in the Assembly. In fact, the Speaker's role in question period is stated at page 510 of *House of Commons Procedure and Practice*, second edition, which states: "The Speaker ensures that replies adhere to the dictates of order, decorum and parliamentary language. The Speaker, however, is not responsible for the quality or content of replies to questions."

The Speaker's role in the Assembly is to ensure that members are allowed to exercise their historic, if not ancient, and constitutionally recognized right to freedom of speech to the greatest extent possible consistent with the rules, the conventions, and the practices of the Assembly. On that point, any member alleging that another member is deliberately misleading the Assembly will be swiftly called to order by the chair and asked to withdraw the comments. In the chair's view, there have been numerous and far



too many instances of this type of exchange occurring in this House during this fall session. The only time that this type of allegation may be permitted is when a member raises a purported question of privilege that a member deliberately misled the Assembly, which is one reason why Speakers have continually cautioned members that these allegations should only rarely be brought, as was indicated in my ruling, in fact, of May 30, 2012.

Now, to return to the matter raised by the Official Opposition House Leader, his allegation is that the decision was made to retain a law firm for tobacco litigation by the Premier when she was Minister of Justice and that statements to the contrary by the Premier constitute, in his opinion, deliberately misleading the House. The test for such situations both in this Assembly and in the Canadian House of Commons is that articulated by David McGee, a former Clerk of the New Zealand House of Representatives, and stated in his book, *Parliamentary Practice in New Zealand*, third edition, 2005, at pages 653 and 654. This test was recited by the Official Opposition House Leader last Thursday and also by this Speaker on May 30, 2012, but it bears repeating one more time. It reads as follows:

There are three elements to be established when it is alleged that a member is in contempt by reason of a statement that the member has made: the statement must, in fact, have been misleading; it must be established that the member making the statement knew at the time the statement was made that it was incorrect; and, in making it, the member must have intended to mislead the House.

The Official Opposition House Leader was clear that, in his view, the decision had been made on awarding a contract to a law firm before the Premier resigned from cabinet in February 2011 to run for the leadership of the Progressive Conservative Party of Alberta.

The Member for Edmonton-Calder was more equivocal on this point and was perhaps more careful in his choice of words as he referred to “a process which ended in [a] decision being made” at page 1187 of *Hansard* for last Thursday, which was not, with respect, what was alleged by the Official Opposition House Leader. He alleged that the decision had been made.

This is an important distinction, hon. members. If the Premier or the government had denied that a process was under way to select a firm to handle the tobacco litigation prior to February 2011, then different considerations come into play in a forthcoming ruling. However, the allegation that the decision was made by the now Premier on hiring a law firm to conduct the tobacco litigation was firmly rejected by the Minister of Justice and Solicitor General, by the Government House Leader, and by the now Minister of Agriculture and Rural Development.

On the three elements of the test the Government House Leader was quite clear and succinct at page 1188 of *Hansard*, where he stated:

There are clear explanations about what the process was. There are clear explanations about the result, how the decision was made. There's no misleading. There's no intent to mislead, so there's no mens rea. There's no actual misleading.

By definition mens rea means guilty mind.

The distinction between the process and the final decision on selecting a law firm was in fact addressed by the minister of agriculture when he said at page 1188 of *Hansard* for last Thursday the following:

Those are the facts as I know them, and I think that that supports the position of the Premier that there was no final decision. She may have identified a firm that she thought was appropriate, and this firm, again, I'm told, was also selected by Nunavut.

In his comments last Thursday at page 1187 of *Hansard* the Minister of Justice and Solicitor General indicated that the then Minister of Justice, now Minister of Agriculture and Rural Development, authorized the contingency agreement with the law firm on June 21, 2011.

A government of Alberta news release which the chair has discovered, dated May 30, 2012, and entitled “Alberta to launch lawsuit against tobacco manufacturers,” indicates that “Alberta has retained Tobacco Recovery Lawyers LLP since June 2011, a consortium of law firms, to file the lawsuit on its behalf.”

Now, in this case much hinges on the interpretation of the decision to hire a firm. Certainly, the chair admits that this is getting into a case of semantics, but it is evident that there was no final decision made as to the selection of a law firm for the tobacco litigation when the Premier was Minister of Justice. Clearly, a process was in place, but that was not the basis of the purported question of privilege.

3:10

Accordingly, the chair cannot find that the three parts of the test have been made out. The determination of whether the Premier's statements were misleading is entirely subjective and depends greatly on the exact nature of the words used. The chair cannot find that the second and third parts of the test have been made out; namely, that the member making the statement knew at the time that the statement was made that it was incorrect and that, in making it, the member must have intended to mislead the House.

All three ministers who spoke to the issue vehemently denied that any decision had made at the time the Official Opposition House Leader alleges. Certainly, the Premier was unequivocal that she did not make the decision on the matter of retaining the law firm when she responded to questions on November 28, 2012, at pages 1107 through 1109 of *Hansard* for that day and which statements are at the core of this purported question of privilege.

Members may think that this a very difficult test to meet, and the chair would agree. That is precisely why such allegations are hardly ever found to be prima facie questions of privilege. Versions of events and interpretation of those events by members may and frequently do differ. This difference is a characteristic of parliamentary debate and is one reason why the chair has referred frequently to paragraph 494 of *Beauchesne's*, sixth edition, at page 151, which states:

It has been formally ruled by Speakers that statements by Members respecting themselves and particularly within their . . . knowledge must be accepted. It is not unparliamentary temperately to criticize statements made by Members as being contrary to the facts; but no imputation of intentional falsehood is permissible. On rare occasions this may result in the House having to accept two contradictory accounts of the same incident.

The same point is made in *House of Commons Procedure and Practice*, second edition, at page 510, which states, commencing at line 6, the following:

In most instances, when a point of a order or a question of privilege has been raised in regard to a response to an oral question, the Speaker has ruled that the matter is a disagreement among Members over the facts surrounding the issue. As such, these matters are more a question of debate and do not constitute a breach of the rules or of privilege.

For the reasons that the chair has just spent some considerable time articulating this afternoon, there is no prima facie question of privilege. Accordingly, under Standing Order 15(7) there are no further proceedings on this matter. This matter is now concluded.

## Orders of the Day

### Written Questions

[The Clerk read the following written questions, which had been accepted]

#### Health Transfer Payments for Aboriginal Peoples

- Q5. Ms Smith:  
Of the transfers received from the federal government, what is the total amount earmarked for health care for aboriginal peoples in Alberta, and where and how were these funds spent during the past three fiscal years?

#### Housing Transfer Payments for Aboriginal Peoples

- Q6. Ms Smith:  
Of the transfers received from the federal government, what, if any, is the total amount earmarked for housing for aboriginal peoples in Alberta, and where and how were these funds spent during the past three fiscal years?

#### Addiction and Mental Health Strategy Consultation

- Q11. Mrs. Forsyth:  
Which physicians, psychiatrists, or pharmacists were consulted on Creating Connections: Alberta's Addiction and Mental Health Strategy, dated September 2011?

#### New Registry Offices

- Q12. Mr. Fox:  
What are the criteria for determining the location of new registry offices in Alberta, and do the communities of Blackfalds, Chestermere, and Redcliff meet these criteria?

#### Medicine Hat Infrastructure Projects

- Q13. Mr. Pedersen:  
What government of Alberta infrastructure projects are currently scheduled for Medicine Hat, and what are the projected costs and completion dates for each infrastructure project?

[The Deputy Speaker in the chair]

**The Deputy Speaker:** I recognize the hon. Member for Cypress-Medicine Hat.

#### Disaster Recovery Programs for 2011

- Q4. Mr. Barnes asked that the following question be accepted.  
Have all the claims submitted to the 2011 southern Alberta disaster recovery program and the 2011 spring southeastern Alberta disaster program in regard to the June 2010 South Saskatchewan River basin flooding been finalized, and what is the longest claimants had to wait to receive payment?

**The Deputy Speaker:** I recognize the hon. Minister of Justice.

**Mr. Denis:** Thank you very much, Mr. Speaker. I'm pleased to rise today on behalf of the hon. Minister of Municipal Affairs. I propose that this question be accepted as amended to:

Have all of the applications to the 2010 southern Alberta disaster recovery program and the 2010 spring southeastern Alberta disaster recovery program been finalized, and how long did it take applicants to receive a first

assistance payment once they provided all required information?

The first part of the question as written cannot be answered as the June 2010 South Saskatchewan River basin flooding resulted in two programs: firstly, the 2010 southern Alberta disaster recovery program; and secondly, the 2010 spring southeastern disaster recovery program. That's a bit of a mouthful. Those affected by the June 2010 flooding were eligible to apply under these two 2010 programs, not under the two 2011 programs as indicated pursuant to the written question.

In addition, Mr. Speaker, an accurate response cannot be given to the second part of the written question as it is currently written. For an accurate response the question should indicate a reference to the necessary information which is required for the processing of applicants and the payments to all claimants.

The Alberta Emergency Management Agency stays committed to delivering disaster and financial assistance as quickly as possible to communities who are impacted by unfortunate disasters and emergencies.

**The Deputy Speaker:** Thank you.

On the amendment, hon. Member for Cypress-Medicine Hat.

**Mr. Barnes:** Thank you, Mr. Speaker. I rise to speak against the amendment. What has actually happened in practice is not what's happened in writing. I make note of one young couple who had thousands and thousands of dollars of damage done to their property, who shortly, sometime around three or four months after the flood, received a cheque with no explanation for somewhere around \$1,400 or \$1,500. When they queried as to what the cheque was for, it took some time to get an answer that it was for a filing cabinet. This was the story I was told.

During the campaign I had a town hall at a small hamlet called Walsh that has approximately 50 or 60 people living in it, I believe. I had approximately 60 or 70 people at my town hall, many of whom spoke about how the rules were not clear. It was absolutely impossible for them to figure out in many instances what needed to be supplied, what needed to be submitted so they could in turn get what was coming to them from uninsurable losses.

There were also many instances where some claimants had had up to 10 government-hired adjusters, government-hired contractors show up at their property, take a look, submit reports, write reports, but the one level of truth was that no one could make a decision. No one could answer as to what they were entitled to and what they had to do to get it. So the problem with the phrase "once they provided all required information" is that there were many, many people out there who had no idea what the required information was. I believe that this government's failure to make it clear caused some indecision and some injustice in the community.

The problem with the other part of the would-be amendment, the "first assistance payment" is that people in Cypress-Medicine Hat that were affected by the flood: our hope is that these people would be helped fairly and quickly. The flood, of course, ravaged Saskatchewan at the same time, and Saskatchewan had a program of giving every person that was affected I think it was \$3,000 – it might have been \$3,500 – and then handling their complaint from there. Obviously, the money was to initially . . .

**Mr. Lukaszuk:** Point of order.

**The Deputy Speaker:** Point of order, hon. member. The Deputy Premier has risen on a point of order at 3:20. That has been noted.

Proceed, hon. member.

3:20

**Mr. Barnes:** Okay. Thank you. Then from there they were supposed to file the rest of their paperwork to satisfy their claim. In many cases that I've heard of in Cypress-Medicine Hat, people that were affected greatly by the flood received several cheques in several instalments.

I think that for the citizen of Cypress-Medicine Hat, the taxpayer, the goal and the hope is that these people will be treated fairly and quickly. Many of them have come to my constituency office in the short time I've been an MLA and mentioned that they're still waiting for a cheque. They're still waiting for an answer. They're still waiting for paperwork. I believe that if we accept when the first assistance payment was made and once they've provided all the required information, when they are not sure what that required information is, that this could drag on much, much longer and cause stress and the unfairness that that causes.

**Mr. Lukaszuk:** A point of order. Mr. Chairman, I suggest that you should be dealing with the point of order at this point in time. This is not question period, and I would like to speak to it now.

#### Point of Order Exhibits

**The Deputy Speaker:** Hon. members, it has been brought to my attention that certain members are holding up props during this process, as in something that indicates whatever. I'd just remind hon. members that it is inappropriate to hold up . . . [interjection] Hon. member. It is inappropriate to hold up any items that represent a prop at any time during debate in this Chamber. If anyone is guilty of that offence, it's inappropriate, hon. member.

I'll recognize the hon. Deputy Premier to speak to the point of order, and then I'll cut to the next member.

**Mr. Lukaszuk:** Thank you, Mr. Speaker. I have to tell you that you are being very generous in your comments. I imagine you have been advised by now by your table clerks, but I have also advised you. I have to tell you I'm rising on this point of order with a little bit of trepidation because I have a great deal of respect for this House, and I want to make this clear to you and particularly to people who are watching this on TV right now that I hope that we hold this House in a higher esteem and that those actions are not reflecting on all members of this House and particularly the reputation of this House.

It has been brought to your attention, Mr. Speaker, that while the member has been speaking, his own member of the Wildrose, the Member for Cardston-Taber-Warner, quite deliberately is holding a sign behind him so it does become visible on monitors and television cameras, a sign that is definitely inflammatory and slandering the government. That is behaviour that we wouldn't condone in this House, and I think that the member not only owes an apology to his own caucus member who is speaking – and he's posturing behind him – but I think he owes an apology to this entire House.

**The Deputy Speaker:** Thank you, hon. Deputy Premier.

**Mr. Lukaszuk:** I'm citing section 23(h), (i), (j), and (l) of our standing orders.

**The Deputy Speaker:** Those are the citations, and so noted.

I'll recognize the hon. House leader of the opposition.

**Mr. Anderson:** I think you've dealt with this subject already despite the somewhat ironical, self-righteous protestations by this Deputy Premier. I would respectfully say that you've dealt with this. I don't know if the member, being new to this Chamber, was familiar with the rule around props. I will make sure to express that rule to my caucus as we move forward so that won't be a problem again.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. House leader of the opposition.

Hon. members, the clarification is given, the admonishments. I would declare this point of order closed, and I would recognize the Member for Cypress-Medicine Hat to continue on the amendment.

#### Debate Continued

**Mr. Barnes:** Thank you again, Mr. Speaker. I'll just finish with a couple of stories and ask the government to address these seriously. A young family with four children had a lot of trouble navigating the process. Temporary housing was provided. They were unable to navigate the process in a way that made things happen on a timely basis, and right now they're still in the middle of trying to fix their house so they can return to it.

A very good business in Cypress-Medicine Hat and a business-person provided me documents like this that show paperwork back and forth from Alberta Environment, from the disaster relief people. He appears to have the go-ahead to do some work. He went out and did the work and then received more conditions on receiving payment and now is faced with a written demand for money and a potential lawsuit from the service provider, who appears to be absolutely entitled to their payment. But, again, this change in the way that all information was supposed to be required, in the way the rules were never provided has caused great hardship, great stress for families who were affected by an event that was totally out of their control and uninsurable.

I would ask the government to take these issues seriously, to help these people as they fairly deserve, and I would ask all to not support this amendment because I believe it is not a step forward in helping the people that deserve help.

**The Deputy Speaker:** Thank you, hon. member.

Others on the amendment? The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. We've continuously seen with what I would suggest are quite straightforward written questions that the government is somehow forced to tweak the language and amend them to not embarrass itself. We see that right here as well. The phrase "once they provided all required information" is very broad. If an individual has met the prerequisites and provided substantially all of the information, those monies that they're entitled to under the legislation should be provided.

I find it quite hypocritical that when the government wants money, when the MLAs want money – you know, in 2008, the first day they were there, they gave themselves a 34 per cent pay raise. Here they gave themselves an 8 per cent pay raise. But when it comes to someone who's had their property damaged in a horrible incident, it takes years and years and years to provide them the money.

Mr. Speaker, I would speak strongly against this proposed amendment.

**The Deputy Speaker:** Are there others on the amendment? The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Mr. Speaker. I, too, agree that this is a shameful way to treat people who have suffered losses through acts of nature. The very reason that we have insurance is so that these kinds of things can be taken care of. Like the very worst of the insurance companies, they're denying claims, and they're slow in settling claims, and they're causing hardships for people who have already suffered unquestionable hardships. They're looking to their own government for the relief that's promised them.

I think it's shameful, and I, too, would not support the amendment. I don't know why they can't just answer the question.

**The Deputy Speaker:** Thank you, hon. member.

Are there others? The hon. Member for Calgary-Fish Creek on the amendment.

**Mrs. Forsyth:** Yes. Thank you, Mr. Speaker. I always find it interesting as a member of the opposition, some of the wordsmithing that goes around. I remember this flood distinctly because I was one of those people years ago that was hit by the flood when it hit Fish Creek. I believe it was – oh, gosh. At that time it had to be – I'm not sure if I can say his name – the hon. member who ran for the leadership. If I'm out of order, please tell me because I know you can't use people's names in the Assembly here. Gary Mar happened to be the minister at the time and was dealing with this horrific flooding in Fish Creek park and all the things that were happening to the people. I happen to back onto Fish Creek park and the Bow River. It was quite a sight to see.

But I think one of the things that frightens me on this written question – if you go to the original written question, the Member for Cypress-Medicine Hat has asked the question:

Have all the claims submitted to the 2011 southern Alberta disaster recovery program and the 2011 spring southeastern Alberta disaster program in regard to the June 2010 South Saskatchewan River basin flooding been finalized, and what is the longest claimants had to wait to receive payment?

It's a pretty straightforward question, and I don't see why that can't be answered. Of course, we faced that last week when we were dealing with written questions, when I asked the Health minister the exact, identical, same questions, and he accepted one and couldn't accept the other and tried to amend the other one. It's funny how when they don't want to answer a question, they change it around.

3:30

What I find striking is that the amended written question will read as follows. They've taken out "have all the claims," which means we've gone now from "claims" to "applications" in the fifth word, and I struggle with that. Then it goes on to:

... to the 2010 southern Alberta disaster recovery program and the 2010 spring southeastern Alberta disaster recovery program been finalized, and how long did it take applicants to receive a first assistance payment once they provided all required information?

I think the Member for Cypress-Medicine Hat has spoken very passionately and eloquently in regard to his constituents, and I think he's even shared some personal information on how some of his constituents are suffering. I mean, the year 2010? It's 2012, and we still have things that are not answered, so I am going to, along with my colleague from Cypress-Medicine Hat, not support the amended question but support the original question as written on the Order Paper under Written Question 4.

**The Deputy Speaker:** Thank you, hon. member.

Are there others? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I rise to speak against the motion. I remember particularly when this tragedy first took place. To withhold the information from the public is a disservice on multiple levels, and I want to just focus on one of those. If the system is not working well – and I pose that question: if the system – what we need to know is this information to make a proper evaluation. If it's not working well, if we get this information that validates that, then we can make adjustments accordingly to make sure that the system works well. What's being asked here is nothing more than what is, I think, the duty of this government, to disclose information. This government has said that it is going to be more transparent.

These people who were directly and adversely affected down in the Medicine Hat area deserve a prompt response to a number of issues. These particular questions are really about whether or not we dealt with the matter in a judicious and swift manner. If there are people that are still unsettled in the sense of dealing with these claims, then not only do we need to know as a legislative body, but we need to then act on that if that's the case. Now, if there are no claims, then say it to be so. But, to me, this is something about the operations of how we're going to function not on a policy level but on a practical level in dealing with these types of disasters. If we're going to make corrections moving forward or if we need to make corrections moving forward, this is the critical information that helps us as an elected body to make those decisions. Without that, we cannot make that decision.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Are there others? The hon. Member for Medicine Hat.

**Mr. Pedersen:** Thank you, Mr. Speaker. I also want to speak against this amendment. There wasn't a whole lot affected within the constituency of Medicine Hat, but there were a couple of instances. I think the key thing here is: "receive a first assistance payment once they provided all required information." The issue was, pretty much, confusion right from the start.

We in Medicine Hat lost one of the founding industries of Medicine Hat. It was the I-XL brick-making plant, and it was severely flooded. Some of the rules and requirements around those people and that kind of a business were very extensive, and they just simply decided to walk away. It wasn't worth proceeding. They didn't feel that they would be treated properly. They actually ended up shutting that factory down, and we lost about 70 employment positions out of that shuttering. I don't know if the government could have stepped up and maybe done something differently to prevent that from happening, but that's what happened. When I look at this, talking about providing all required information, I kind of wonder how that was addressed with those individuals.

The second one was the Ross Creek par 3 golf course. That was off the highway. Because it was tied to another business, the rules and regulations set out didn't allow these people to actually even make any claims at all. It was very disturbing to these business owners, the fact that, again, they were victims of an unforeseen natural disaster. They were exempted right from the start.

I think that, again, when you're talking about providing all the required information, I think we have to look at: is this information actually meeting the needs of individuals facing a natural disaster claim? If not, we should look back because if it's not working for these folks, it certainly didn't work for a number of

the individuals, as my fine member indicated, in Walsh and Irvine. I think there's an indication that it wasn't helping the homeowners, and it wasn't helping business, so obviously there needs to be some clarification on what this information is, what it was, what's going to happen to make it better.

I'll just end by saying that I won't support this.

**The Deputy Speaker:** Thank you.

Are there others? The hon. Member for Chestermere-Rocky View.

**Mr. McAllister:** Thank you, Mr. Speaker. We should go back to the amendment and, I guess, why everybody is opposing it. It was a written question from the member to ask on behalf of his constituents, so his constituents put him here to ask a question. He asked that question, and the government member has said, "We don't like your question, so we're going to amend it to suit us," not the constituents that he's asking the question for but the government, so they can answer exactly what it is that they want to answer.

A couple of more points to make. By striking out "in regard to the June 2012 South Saskatchewan River basin flooding," by striking out "and what is the longest claimants had to wait to receive payment" and substituting "and how long did it take applicants to receive a first assistance payment once they provided all required information," what the amendment is essentially saying is that we don't want to answer what you asked us because, clearly, it's not going to look very good on us. The answers aren't going to be flattering to the government. That's okay. Sometimes they're not, but you have to be able to ask the question without an amendment from the government on a written question. I don't believe there's anything illegal going on. I think my cohort here is just trying to stand up for the people of the Medicine Hat area, and well he should. It's what he's here for. It's why they put 17 of us over here and, I would suggest, a lot more after the goings-on today.

Ross Creek golf course: wonderful owners. I know them well. I've played there. I actually had the pleasure of playing at that golf course that was flooded out with my son and his class when he went to Notre Dame academy in a tournament, which we lost in a playoff, Mr. Speaker. I know you'll be troubled to know that. Of the foursome – I think they were grade 8 students – I was the worst on the team.

In any event, they almost went under, literally. They did go under and then almost went under, so when they asked their elected member to come to this Legislature and ask a question on their behalf, he should be able to ask that. That's what this forum is for, not to amend a question so it suits you, which is what's done in this amendment.

Again, to repeat so that we all get this, it's a written question. It's part of the legislative process. The opposition puts forth written questions; the government answers those questions. The government doesn't say: "We don't like your question. If you ask it like this, we'll answer it." In other words, we'll answer part of it, the part that suits us. That is why we're in the pickle that we're in here today, and that is why we're in the pickle that we're in here in Alberta, and that is why Albertans have just about had it, Mr. Speaker. I will not be supporting this amendment.

Thank you.

**The Deputy Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. Well, notwithstanding the most recent theatrics, there's a reality to this. A written question or a motion for a return, once accepted by the House,

becomes an order of the House. It must be responded to. In order to respond to a question, to make sure that you do it in a way that answers the question, the question has to be specific and certain. In other words, it has to be answerable. Most often when questions are amended, they're amended so that you can actually provide the information in a way that is a legitimate response to the question.

3:40

As we see and hear today, we've had a number of speeches about the people who were harmed by the flood. Everybody cares about the people who were harmed by the flood. Everybody wants to make sure that they get the support that they need and have their claims processed.

But in answer to the question and in response to the hon. member who just spoke, first of all, there is a rule that says that he can't actually ask a question given to him by a constituent, so we have to turn it around. But I understand what the hon. member means. He means we're brought here to represent our constituents. We are brought here to represent our constituents, and we do represent our constituents, but we also have to adhere to the proprieties of the House. The proprieties of the House require that you have to have a question that's answerable. If you pass the question in a specific form and you don't have clear definition as to what it is you're answering, then you can have a dispute break out as to whether or not the minister responsible has appropriately answered the question. In order to ensure that that doesn't happen, you refine the question to something that is clear in terms of the parameters so that you can answer it in an appropriate format. That, with due respect, is all that's being done here, putting in clear, finite time frames or pieces to it so that you know what you're answering.

In this case the amendment would be a first assistance payment rather than the question of: what's the longest they had to wait to receive payment? Receive what payment? Okay. Well, receive the first assistance payment. Now we know what we're talking about. "Receive all payments" I suppose could be another question. The question of: when does it start? You could say from the date of the flood to the time they receive their assistance statements. But the question about when a claim might first arise: when did it first arise? When the first document was filed? There needs to be some certainty to provide a written answer or a motion for a return. That's all that's being intended here. Nobody has intended to deny information that's appropriate but to ensure that any member down in the area that's affected has some clarity around the program.

Programs like this should be looked into. They can be looked into in a number of different ways, and if there's been a problem with the delivery of a program, clearly it's in everybody's interest to determine what those problems are. But this is not a question of debating about whether or not people are concerned about the residents of Medicine Hat and area who were affected by the flood. It's simply a question of how you define a legitimately answerable question.

**The Deputy Speaker:** Thank you, hon. Government House Leader.

Hon. Member for Calgary-Fish Creek, you've spoken on this already. Hon. member, you can speak once on this, so I'm recognizing the hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Mr. Speaker. With all due respect, hon. Government House Leader, this goes back to the similar question that we asked the Associate Minister of Seniors. We asked it one

way for mental health. He answered it. We asked it a different way for seniors. He wouldn't.

This question that the hon. Member for Cypress-Medicine Hat is asking is very clear. Now, what the government wants us to believe is that it's got to be a certain timeline or it's got to be a certain way that the question gets answered and that there's no intention to withhold information. Unfortunately, Mr. Speaker, that's exactly what this does. There's a process in place that allows people to ask written questions that require a certain amount of research, and the reason we're asking them in a written format and not in the House during question period is because we understand there's a certain amount of research that needs to be done in order to get an appropriate and satisfying answer on behalf of Albertans who are asking that question. When we asked the hon. Associate Minister of Seniors the question on long-term care beds and allocations and that sort of thing, he didn't like the date we picked, so he amended the question to pick a date that was suitable. That's not acceptable. Once again, this question is being amended to once again suit the government's answer that they want to give.

I would almost propose that we should change Written Questions. How about we submit all of our questions to the government, you amend them all, send them back to us, and then we'll resubmit them in written, proper format so that we know exactly the answers we're never going to receive. If we're going to truly talk about democracy – I mean, it's bad enough what happened today in question period, but it's even worse that given when we have the opportunity to ask a fair question under the written question guidelines, that we're allowed to do, this government repeatedly sends it back to us and says: "We don't like the format that you're asking on behalf of Albertans. We'll amend that format. We'll tell you what we think you need to hear, and then we will literally send it back to you, and we'll decide what information Albertans get to hear."

This is a fair question, just like the seniors question was a fair question. Once again this government is deciding what Albertans want to hear and deciding what Albertans need to hear. It's not fair, and it's not right. If they want to change the process, let's go back to Members' Services and do what you need to do to change the Written Questions process. Why don't you just provide us with all the questions? We'll go back to Albertans in our ridings and say: guys, these are the questions that they're willing to let you know. Everybody can take a tally, and we'll bring them back. That seems to be the way that this democracy works.

**The Deputy Speaker:** Are there others?

Seeing none, I'll call the question on the amendment as proposed by the hon. Government House Leader.

[The voice vote indicated that the motion on the amendment carried]

[Several members rose calling for a division. The division bell was rung at 3:46 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Allen	Goudreau	Luan
Amery	Hancock	McDonald
Bhardwaj	Hehr	Olesen
Bhullar	Horne	Olson
Brown	Horner	Pastoor
Calahasen	Hughes	Quadri

Cao	Jablonski	Quest
Casey	Jansen	Sarich
Denis	Jeneroux	Scott
Dorward	Johnson, J.	Swann
Drysdale	Johnson, L.	Webber
Fawcett	Kubinec	Woo-Paw
Fraser	Leskiw	Young
Fritz		

Against the motion:

Anglin	Hale	Smith
Barnes	McAllister	Stier
Bikman	Pedersen	Strankman
Donovan	Rowe	Towle
Forsyth	Saskiw	Wilson
Fox		

Totals:	For – 40	Against – 16
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[Motion on amendment carried]

**The Deputy Speaker:** We will now go back to the debate on Written Question 4 as amended.

I'll call the question.

[Written Question 4 as amended carried]

**The Deputy Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you. Mr. Speaker, I would ask for unanimous consent of the House to shorten the bells for the remainder of the afternoon.

**The Deputy Speaker:** A motion has been moved by the Government House Leader that the bells be shortened for the balance of the afternoon. I don't believe that's debatable.

[Unanimous consent denied]

**The Deputy Speaker:** On Written Question 7 I'll recognize the Member for Calgary-Fish Creek.

#### 4:00      **Staffing Costs for Family Care Clinics**

Q7. Mrs. Forsyth asked that the following question be accepted.  
What is the projected annual cost to employ health care professionals and other staff who will operate individual family care clinics?

**Mrs. Forsyth:** Yes. Thank you, Mr. Speaker. Now, if I may, Mr. Speaker, we have continually asked this question of the minister. As of today he has yet to answer the question that we were trying to find out from him in regard to the per-patient cost on family care clinics. I can tell you that we have been able to FOIP some of the requests for proposals that the minister has put out, and there are some, quite frankly, alarming numbers in these requests for proposals.

It's interesting. We can do the numbers quite easily on what the cost per patient is for the family care clinics. The minister will probably stand up and say: "Well, it doesn't matter. It's important that we provide good health care for people in this province." I don't think for a minute that anybody is arguing about that. What is important is for us to understand the cost per patient.

I have spent probably the last two weeks, including this weekend, meeting with some very, very entrepreneurial people. That's been doctors, nurses, and all of those people working in primary care networks. Now, I know that the minister is in receipt of a letter that went to him – and I was CCed – on one of the

primary care networks in his riding that has several physicians working under it and about 60,000 patients. They, too, are asking the same question. I had a good meeting with one of the docs from there I think on Friday or Thursday. They think that it's important to get the questions. I guess the question that he posed to me is that he's not quite sure, he's not convinced that the minister really understands how primary care networks work.

I don't think it was any clearer than what was brought out in the Auditor General's report in regard to the direction that this government hasn't taken in regard to finding out what primary care networks do and how well they do them. So we have put this question on the Order Paper so that the minister can talk about the projected annual cost to employ health care professionals and other staff who will operate individual family care clinics. I can tell you that I know the costs because we FOIPed the documentation. I also can tell you how they've laid out the costs not only for their nurse practitioners and their RNs and their dietitians and all of that but exactly how many are going to be needed.

What has been fascinating to me – and the minister may want to explain. I understand that they had a proposal looking for nurse practitioners, put a call out for their family care clinics. Mr. Speaker, have you got any idea how many nurse practitioners applied for that particular position? A hundred? Twenty-five? Any idea? Maybe the minister will answer. I can tell you: two. That's all. Two.

Again, the minister has not yet answered one question in regard to the cost of the family care clinics, so it will be interesting to hear what he has to say about what the cost is. I can tell him right down to the penny what the costs are in regard to setting up the family care clinics. They're from his requests for proposals that have gone out in regard to people bidding on the family care clinics, how they see the family care clinics running. It's something that I think Albertans truly need to know and understand.

I know, again, that the minister will stand up and say: "It's not about whether it's a primary care network. It's not about whether it's a family care clinic. It's about bringing the best service to Albertans." Well, I can tell you this. The money that this government is proposing for family care clinics, the dollars that we have been told, is \$300 per patient versus \$62 per patient. There's a ton of money that could be taken from the cost saving between \$300 and \$62 and put into primary care networks and not only put into those, like the minister has talked about – I think he mentioned a dollar figure today – but the expansion of those same primary care networks.

I will wait. I know my colleagues are waiting to find out what the answer is from the Health minister. It will be interesting to even know if he knows not only the costs for these health care professionals but if he has any idea of the total cost to run these family care clinics.

Again, Mr. Speaker, I can tell him that we know. We got the FOIP documents. We got their requests for proposals. All of the numbers are laid out very clearly, what the costs of these family care clinics are. You start doing the math and the dividing on the per-patient ratio. It will be interesting to see what he has to answer.

**The Deputy Speaker:** Thank you, hon. member.

I recognize the hon. Minister of Health.

**Mr. Horne:** Well, thank you very much, Mr. Speaker. Notwithstanding the fact that we're here to debate a written question, Written Question 7, I won't take the time to point out a number of factual inaccuracies in the hon. member's speech.

**Mrs. Forsyth:** Please do.

**Mr. Horne:** No, I won't, Mr. Speaker.

What I will do is I will respond to the question as proposed. While I appreciate the hon. member asking the question, the projected annual cost of staff at individual family care clinics is, in fact, unknown at this time. There's a very simple reason for that. It speaks to the hon. member's lack of understanding of the basic premise of what we're doing in primary health care in Alberta.

The cost of each individual family care clinic will vary from location to location. The FCCs, as are the PCNs for that matter, are intended to respond to identified community health needs as determined by a community health needs assessment. Now, if the hon. member believes that she is in possession of a thoroughly completed health needs assessment for every community in Alberta, then I'd be very interested in seeing that information. But the fact of the matter, Mr. Speaker, is that it is impossible to provide standardized costs for family care clinics on a global basis. What we can do and what we will do is that as more FCCs are established, we will provide updates on the clinic costs for each individual family care clinic.

For these reasons, I'd ask my colleagues in the House to reject this question.

**The Deputy Speaker:** Thank you, hon. minister.

I recognize the Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Mr. Speaker. Once again we're here to ask a question that's important to Albertans. I can appreciate the hon. Health minister's comments that maybe they're not all fully known yet. However, today in question period you stood up and you talked about \$180 million in the budget right now – I could be off slightly in the numbers – and an additional \$75 million going to family care clinics. I can only assume that you must have some projections or some idea of what these family care clinics are going to cost because otherwise you wouldn't be asking Albertans to just roll it out with no idea of what the cost to taxpayers is. First of all, I would find that a little hard to believe, but that's okay if that's the way you want to go.

You have three pilot projects on right now, I believe, one in Edmonton and two in Calgary, where PCNs were replaced by a family care clinic. Surely by now there must be an averaging of costs of those three clinics that the government has already been working with. Those averages of costs – I mean, we talk every day about how the government has projections, can go forward, is going to put this into their budget, infrastructure costs, all of those things, so surely the Minister of Health has those projections and those averagings and has done some background research on what this would cost taxpayers across this province.

I don't believe that the member is asking for an exact cost. I believe the question as it's written is: "What is the projected annual cost to employ health care professionals and other staff who will operate individual family care clinics?" To say that it is unknown at this time – I don't believe that she is asking you for an exact number. She is asking what all Albertans want to know: how do we honestly know if family care clinics are an effective and fiscally responsible way to go if we truly have no idea of what the projected cost going forward is? How do you sell this idea to taxpayers?

What if the projected cost for family care clinics is 10 times more than the current PCN? Is the hon. Minister of Health honestly asking Albertans to believe that he has simply no idea of what the projected costs are and that they'll find out in due time? I would assume that given the budget is not that far away and

you've clearly stated in question period today that you've allotted some monies to family care clinics, you do have an idea of what these projected annual costs will be and that it would only be fair to share that with all Albertans. I would also expect that, quite honestly, the hon. Health minister could alleviate some of this constant questioning if he simply answered the question.

4:10

Again, it doesn't say: specifically what are the costs? Given that we already know that these are not fully implemented yet – and maybe there aren't going to be exactly 140. Maybe there's 137, maybe there's 144, or maybe there's 90. But Albertans don't know this right now. All Albertans know is that you're going to roll out a whole new set of family care clinics. The Health minister is asking everybody in this House and every Albertan to believe that he has no idea what the projections of the costs of family care clinics are. As we head into budget and estimates, it would seem to me that if you've already allotted \$180 million and an additional \$75 million, you clearly do know.

Once again, we're right back to where we were with the seniors' question. We're right back to where we were with the hon. Member for Cypress-Medicine Hat on Question 4. They don't want to answer the question, so they stand up and they insult and say that they won't go forward and won't talk about the semantics of the issue. But we need to be fiscally responsible, and how we're spending taxpayer dollars is not semantics. Albertans have a right to know what the projected costs are. If you want buy-in from Albertans and you want buy-in from opposition and even if you don't want buy-in from opposition, surely Albertans have a right to know where this government is spending their taxpayer dollars and have a right to know if spending those taxpayer dollars is done in a fiscally responsible way but, more importantly, if what they're getting in return for spending that money is actually effective. Asking for the projected annual costs to employ these health care professionals and other staff is truly important.

One of the concerns that I'm hearing is – for example, Sylvan Lake is a PCN. If you change it to a family care clinic, that's going to change the business model that they currently have. More importantly, what I'm hearing from the regional hospital that's near to my riding is that we may have a health care shortage in our hospitals because those same nurses may decide that they like the work hours or the environment of a family care clinic, which is valid – they're allowed to work wherever they'd like – but then what do we do with employing the people at the hospital? What wages are we offering at the family care clinic? If you're looking for more nurses, you're going to have to be competitive.

If we don't even know what the projected costs are that this government is talking about, how do we know how we're going to hire, how we're going to staff these facilities, where those people are going to come from, and how much it's going to cost taxpayers. Fundamentally, taxpayers have a right to know what these family care clinics are going to cost them and whether they're getting the best bang for their buck.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Are there others? The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. With respect to this question one has to take even a broader perspective of why the Health minister can't answer this question. It appears that he is just completely abdicating his responsibility as Health minister and saying:

oh, this is up to Alberta Health Services; I have no say in this at all. If you can't even have projected numbers on a key, key, key issue like this, it's a demonstration that there's just cluelessness on the other side.

We have a chartered accountant with the government. Do you not have budgeted numbers? Do you not have a budget? If you look at the question, it refers specifically to projected annual costs. We're not asking for the exact cost that will occur. It's a projected amount. It's a budgeted amount.

It seems to me that this is a broader basis of why the health care system under this Health minister has been deteriorating. Why we're spending more per capita yet getting the worst results is because the Health minister can't even budget on one of his core, core promises that he made during the election. It's outstanding.

**The Deputy Speaker:** The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Speaker. I just wanted to stand and rise and, I guess, question what the point of submitting a written question is because what we've seen from this government to this time is that we present a question during Oral Question Period, the minister indignantly stands up and suggests: that is not a question I can answer in Oral Question Period; please submit it in written question form, and we'll get an answer for you. In the book *House of Commons Procedure and Practice* it suggests that "the purpose of a written question is to seek and receive a precise, detailed answer." There are also some guidelines as to what these questions should and should not be. Similar to how an earlier ruling today by the Speaker suggested questions that would be ruled out of order, there are also rules and regulations suggesting what a written question should do.

Not one of these written questions that we've seen either amended or rejected by this government has violated one of these guidelines in this book, yet we have the minister standing up and not wanting to give the precise, detailed information that the written question is inherently designed to get. In our job as the Official Opposition it would be nice if there was a recognition from the government side that that information needs to be forthcoming for us to have a dialogue about these issues, to actually have a debate. I'm sorry that you don't feel that that's a necessary part of your role as the government, but this book and precedent suggests that it is. So I would simply question the government's stance on these written questions, and I would hope that, moving forward, we see a little bit of a different response from the opposite side of this floor.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

I recognize the Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Mr. Speaker. I believe that this question is a fair question and one that needs to be answered, and I want to resort to Scripture to support this contention. In Luke chapter 14 of the New Testament, verse 28, we begin:

28 For which of you, intending to build a tower, sitteth not down first, and counteth the cost, whether he have sufficient to finish it?

29 Lest haply, after he hath laid the foundation, and is not able to finish it, all that behold it begin to mock him,

30 Saying, This man began to build, and was not able to finish.

31 Or what king, going to make war against another king, sitteth not down first, and consulteth whether he be able with ten thousand to meet him that cometh against him with twenty thousand?



32 Or else, while the other is yet a great way off, he sendeth an ambassage, and desireth conditions of peace.

I submit to you that that's an apt Scripture to apply to this, and we can learn great things from the wisdom literature of the ages such as the Bible, that advises us on the dangers of starting something when we don't really know what it's going to cost. Asking what it's going to cost is a fair question, and I think it's a question that Albertans want an answer to. So I submit that this question ought to be answered.

**The Deputy Speaker:** Thank you, hon. member.

Are there others?

Seeing none, I'll call the question.

[The voice vote indicated that Written Question 7 lost]

[Several members rose calling for a division. The division bell was rung at 4:17 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Anglin	Fox	Smith
Barnes	Hale	Stier
Bikman	McAllister	Strankman
Bilous	Pedersen	Swann
Donovan	Rowe	Towle
Forsyth	Saskiw	Wilson

Against the motion:

Allen	Fawcett	Leskiw
Amery	Fraser	Luan
Bhardwaj	Fritz	McDonald
Bhullar	Hancock	Olesen
Brown	Horne	Olson
Calahasen	Hughes	Quadri
Cao	Jablonski	Quest
Casey	Jansen	Sarich
Dallas	Jeneroux	Scott
Denis	Johnson, J.	VanderBurg
Dorward	Johnson, L.	Woo-Paw
Drysdale	Kubinec	Young

Totals:	For – 18	Against – 36
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[Written Question 7 lost]

#### 4:30 Building/Leasing Costs for Family Care Clinics

Q8. Mrs. Forsyth asked that the following question be accepted.

What is the forecast for annual expenditures for the next four fiscal years for building or leasing family care clinics?

**Mrs. Forsyth:** Well, thank you, Mr. Speaker. I'm sure this is going to be another lengthy debate. Now, to me, that's a pretty simple question. I'm sure the Minister of Infrastructure is going to get up and speak to this because his responsibility is for infrastructure and the planning of infrastructure and, obviously, the infrastructure dollars. I am quite looking forward to him either getting up and speaking in regard to this motion or, again, the Minister of Health.

Mr. Speaker, this is quite a simple question. What we need to find out is how many family care clinics they're building or, for that matter, how many family care clinics that they're leasing. Now, we know that they've got three on the go, pilot projects, so I'm sure that the minister can answer that question quite easily on

what the cost of the infrastructure for the family care clinics in his three pilot projects are or if they're leased.

What is more interesting to me is the proposal of about 137 more family care clinics. Again, he's spoken into the record about the money that they're going to have for the primary care networks and the money that they have for the family care clinics. I can tell you as a businessperson that if I'm looking at expanding my business and wondering if I'm going to be making a profit, there is no question that I will know what my infrastructure costs are going to be, whether I'm buying that building or, quite frankly, leasing that building. The other thing that I think is important is the operating costs that are going to be contained in either buying that building or leasing that building and maintaining that building.

This government talks about being fiscally conservative. They talk about their plan, how they have an infrastructure plan and how they have this plan in place on the needs of Albertans. I am looking forward to hearing from the Minister of Infrastructure and, quite frankly, the Minister of Health to find out, first of all, what the current costs are for the three family care clinics that are out there that are pilot projects. Then, as you can tell, I put in here "for the next four fiscal years." If they're looking at building in the next four years 137 more family care clinics, then they have to have some numbers in their head. If they don't, Albertans need to know that. They truly need to know that this government – the best laid plans of mice and men. Well, the mice have gone, and we're not sure where the men are, and they have no plans. Period. That's not good government. Good government is basing the needs on Albertans.

We can see, quite frankly, where we are right now with the government, where we are with the deficit. I think on that side we're only getting half the picture. We don't seem to get the full picture on the other side of our infrastructure debt. The Minister of Health and the Minister of Infrastructure owe Albertans, they owe the medical community the costs to have these family care clinics up and running.

Now, in the last question I talked about the documents that the minister doesn't seem to know that we have. He said: well, I don't know where they got their documents. Well, it's his darn documents that we FOIPed, so it shows that this minister surely isn't really too sure about what's happening in his department, which, to me, isn't a good sign of a good minister.

We can see what's happening with the AMA, the negotiations with the AMA. They're all over Twitter in regard to what's happening with the negotiations. I'm getting e-mails constantly, and my phone is ringing constantly in regard to trying to get an update on exactly – the dollars that they seem to want to take from the AMA negotiations are exactly the dollars that are going to be used for the family care clinics. Now, this minister will deny that. He can't deny that quite rightfully because what he doesn't understand is that people have caught on to him. The medical community especially has caught on to him.

I said in this Legislature before that I can't keep up with the calls that I'm getting from people in the medical community. Quite frankly, I always say that if I'm ever in an accident, somebody is going to think I'm a hypochondriac because I've got about 65 doctors in my BlackBerry that I constantly talk to back and forth, and I don't know them, Mr. Speaker. Quite frankly, I don't know how they vote, and I haven't asked them.

The fine doctor I talked to on Thursday night that happened to send an e-mail to the minister asking him some pointed questions on the cost of family care clinics and explaining what he does as a primary care physician and explaining to the minister that he's got 60,000 patients within his constituency, I've never met. I didn't

ask him how he voted, and I don't care how he voted. I mean, he lives in Edmonton; I live in Calgary. But I'll tell you that he was a breath of fresh air. He had indicated, as I said earlier, that he's not exactly sure if the minister really understands how well primary care networks work, what they do. He walked me through several different examples of people that they're serving in the minister's riding.

We talked about how one of the biggest expenses to the health dollars is dealing with chronic illness, whether it's diabetes or any of those chronic illnesses. He explained to me and he shared with me how they deal with chronic illnesses in the minister's riding, especially if the fellow is a diabetic. You know, he gets treated under the family physician, and then after that he enters the primary care network, and he deals with a nurse. He doesn't get paid for that. The nurse takes care of him. The only time the nurse calls him is if there's something going on with the patient's diabetes and he thinks that he needs to be brought in, maybe change his meds or find out if it's a dietary problem or whatever it is.

You know what? The Health minister continually talks about how Albertans don't care whether they access a primary care network or whether they access a family care clinic. I'm not disputing that. I think that the family care clinic that's up in Slave Lake is probably working and serving the needs of the people up in Slave Lake. I'm sure the family care clinic that's in northeast Edmonton right now is doing a fine job of meeting the needs of those people. But when government money is involved and government money is being used to run these clinics, then the people of Alberta, the Official Opposition, and the other opposition members have a right to know what the cost is because it's important when you're talking about budgets.

Now, the minister knows and he can stand up easily and tell you exactly the dollars primary care networks are getting in this province and that they got a raise – he's talked about that in the Legislature – of \$12 per patient. He will tell you: it is \$62 per patient under the primary care networks, and we've done this, and we've done that, and we've done this, and we've done that. You ask him the same question on the family care clinics, his lips close and he doesn't have an answer. That is something that is disturbing not only to me as the Health critic with the Official Opposition of the Wildrose, but it's disturbing to the medical clinic and it's disturbing to the people in Alberta that are particularly paying close attention to the budget.

I'm going to sit down because it's 20 to 5 and we've got several more written questions. I would like the minister to talk on the record about the forecast for annual expenditures for the next four years for building or leasing family care clinics. Both these ministers of Infrastructure and Health and, in fact, the government . . . [Mrs. Forsyth's speaking time expired]

4:40

**The Deputy Speaker:** Thank you, hon. member.

Minister of Health, do you care to respond?

**Mr. Horne:** Certainly, Mr. Speaker. Thank you very much. Well, it's interesting but perhaps not surprising that, in my view, much of what the hon. member had to say had really little, if anything, to do with the written question that she has posed. You know, what's very interesting is that the hon. member has raised some questions about the projected cost for family care clinics – and those are certainly fair questions to be asking – but what we have not heard is any detailed questions about financial accountability for primary care networks or for other models.

In the last round the hon. member referenced the Auditor General's report. As you may know, Mr. Speaker, one of the very specific issues that was raised in that report was around the question of monitoring and measurement, including costs of primary care networks. As the hon. member knows, while we can speak to the funding that's provided to family care clinics, which is on a per capita basis – and the hon. member is correct; we raised that amount last year from \$50 to \$62 – while we can talk about what that amounts to globally in the health system, which is about \$181 million per year, we are unable to provide the standardized costs that the hon. member is seeking.

The reason for that, Mr. Speaker, is the very same reason. It is impossible to answer this hon. member's question in the way that she has posed it. That is because every primary care network is different. They all employ different types of staff working together on a team. Some work in small physician clinics. Others work in larger group practices in the catchment areas that they serve. They offer many different programs, and many of them are extremely innovative and have been noted nationally. But they are different. They are not consistent across the province, and that is one of the issues as well that was raised in the Auditor General's report.

The same is true, Mr. Speaker, when it comes to projecting costs for family care clinics. As I said in the response to the last written question debate that we had, family care clinics are going to be developed in response to community proposals that are based on community health needs assessments. In some cases this is going to make use of existing facilities, physician offices, or other facilities, infrastructure that currently exists in the community. That would certainly be our first preference as a government, as a government that is concerned with being cost-efficient, that is concerned with getting the most value from our physical infrastructure resources.

Of course, Mr. Speaker, we would turn first to what opportunities might be available in local communities to host family care clinics. In response to some proposals there may in fact be situations where facilities do not exist in communities or where there is not sufficient space within those facilities to house the family care clinic operation. In those cases we could end up looking at responses to proposals that ask for physical infrastructure.

The hon. member's question – if she's interested in taking responsibility for the question that she did pose as a written question to this House – was for the projected future costs over the next four years in their totality. Mr. Speaker, we don't have that information. We don't have that information for a very good reason. We're not imposing a cookie-cutter, standardized approach across Alberta. We are transforming primary health care to something that is community driven, that responds to local community needs, be it in the areas of addictions and mental health services or easier access to home care or specialist linkages. We fully expect the needs of the community to be different as we look at different proposals.

The other thing of course, Mr. Speaker, is that whatever information the hon. member has or thinks she has – and if it's publicly available information, I congratulate her on accessing that information – what I can tell you is that we are working actively with physicians and with other health professionals in planning all of this, whether we're talking about primary care networks or family care clinics. I've talked on many occasions about our primary health care advisory committee, our primary health care strategy working group that includes representatives from the Alberta Medical Association, from the College and Association of Registered Nurses of Alberta, from psychologists, from a whole

range of health disciplines. It is these people whose expertise I will choose to rely upon as Minister of Health in making decisions about projected costs for the future.

You know, Mr. Speaker, in listening to the last portion of the debate from the hon. member, it would appear that the only thing that's really concrete and clear and perhaps easy to project for me is that she has listened, in my view, to nothing that has been said about family care clinics in the last year, that she has listened to nothing in terms of developments in health care policy to improve access to primary health care, yet she persists in these questions. I'd be very pleased, as I said earlier, as family care clinic proposals are finalized and family care clinics are implemented one by one, to certainly share fully with this House the cost associated with each.

But, Mr. Speaker, our first concern – and we would hope it would be the concern of members opposite – would be that we are able to meet the primary health care needs of all of our citizens regardless of where they live. We will continue to provide the flexibility and the opportunities for input on the part of our health professionals and other stakeholders in this work. We make no apologies for that.

**The Deputy Speaker:** Thank you, hon. minister.

Are there others? I'll recognize the Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Mr. Speaker. I can appreciate the Minister of Health's answers. One of the points that you brought up in answering this question was that the hon. Member for Calgary-Fish Creek didn't have a costing, what our primary care networks were costing us. I would think that it's imperative for the Health minister to provide that to Albertans, not for the opposition to provide that to Albertans. I mean, clearly, I think, Albertans would very much like to see what the PCNs are costing Albertans versus the family care clinics, which I think is exactly what these questions are attempting to do.

The Health minister has come up and said that we should be asking that question, which is clearly what we're asking, and then he chastises the hon. Member for Calgary-Fish Creek for doing just that. If he wants to actually show what the comparisons are, family care clinics to PCNs, he's in the position to do so. We're not in that position, hence the question that's coming forward.

If the Health minister really wants to talk about who's not listening, clearly, it's the Health minister. That has been identified by the Alberta Medical Association. The Alberta Medical Association has come out clearly and said that they've been left out of the negotiations on family care clinics. They even have said that they're not sure exactly what the plan is or what this means for primary care networks. They've stated emphatically that primary care networks work and, if given time, can actually save the province money going forward.

The Health minister just wants to chastise the hon. Member for Calgary-Fish Creek for doing her job. She submitted a written question. So far he's told us that he doesn't know what the projected annual cost to employ health professionals will be. Now he's seriously telling Albertans that he has no idea what the annual expenditures for the next fiscal year are. I can appreciate that he's saying that they just increased from \$50 to \$62 per year, which, he's saying, is about \$181 million a year under the PCN model.

Does the Health minister honestly want Albertans to believe that they're not looking at leases right now, that they're seriously not even remotely scavenging the province and looking at what they would be willing to pay for real estate or at what the going rate is for leases in the major centres where they plan to put these

family care clinics? All along the Health minister has had us believe that there's a plan for family care clinics. All along the Premier has said that she's got a number of 140. Surely the Premier and the Health minister have a plan for where these 140 family care clinics are going to go, and surely they have an idea of what the average rents are going to be. Or is it better to rent versus purchase? Surely the Health minister and the Minister of Infrastructure have done their homework and are prepared to come forward with that plan. I can't imagine that going forward they're saying to Albertans: we will make that decision the minute we roll out all 140 family care clinics.

What limits the cost of family care clinics? Nobody is disputing that family care clinics will be individual to the communities they serve. No one is disputing that. That also could mean that a family care clinic in Calgary-Shaw might cost \$10 million and a family care clinic in Elnora might cost \$750,000. How does the Health minister expect Albertans to believe that he has no plan on a per cost basis of how the infrastructure of this is going to go? Nobody in business, nobody in government sets out their budget allocations that way. That would literally be unfathomable.

The Minister of Finance and President of Treasury Board has said all along that he has a plan, that we'll see it at budget time. He has said that they know exactly that they will be on budget. How can they know they're going to be on budget if they don't even know what the cost of the family care clinic infrastructure or of employing the people in these family care clinics is going to be? How can you hit your budget? You can't honestly expect that you can hit the budget number, whatever that might be. I don't know what that number is, but you can't tell Albertans that we will hit the budget number when we don't even know what the costs are going to be.

4:50

The Minister of Finance has emphatically stated that this government will be on budget, that they will only borrow for schools, hospitals, those sorts of things. He's never once mentioned that he's going to borrow for family care clinics. Do the Minister of Health and the Minister of Infrastructure actually expect Albertans to believe that they have no projections of what infrastructure is going to cost, that they've done no relative study of what leasing versus purchasing does? That's basic business. I own a small business. You can't tell me that I forecast for the year.

Now, I understand, things happen. Maybe we need 137 clinics. Maybe we need 145. Maybe the employment contracts for nurses in Calgary are slightly higher than employment contracts for those in Innisfail if that's where the family care clinic is going to go. Surely they have an idea in their head of what those forecasts are.

The other part of that is: are the Minister of Health and the Minister of Infrastructure also asking Albertans to believe that they have no maximum? You've set no maximum in your forecast, absolutely none? You have no annual projected cost that you will not go above? If you can't give the actual forecasting on a per patient basis or on a per clinic basis, surely you have sat down and said that the cost of these family care clinics will not exceed X. There's no way you couldn't have done that.

Now, the Minister of Health and the Minister of Infrastructure easily could have amended this question to say: "Excuse me, hon. Member for Calgary-Fish Creek, because this is such an individualized situation, I don't have the exact numbers you're looking for on a four-year go-forward. I will amend the question to tell you that this is the maximum budget that we will not exceed. This is what we've built into the forecasting for this year based on my talks with the Minister of Finance. This is the max

we will not exceed, and as it rolls out, we will tell you exactly how that money is going to be allocated.”

The Minister of Health would have us believe, standing here today, that he’s done absolutely none of that. He has no max; he has no minimum. He’s not researched a single lease; he’s not researched a single purchase. But we have three pilot projects in two major centres that have lease costs, that have real estate costs maybe. We don’t know what those are. He could easily have amended the question to say: well, we could release these numbers for you and show you exactly what those are. But he’s not willing to do that either.

Now, going to the Minister of Infrastructure, it’s interesting because the Minister of Infrastructure stands up in this House every day and says: we have a list of infrastructure priorities on a website. Has anybody gone to that website? Family care clinics are just listed: no cost, no priority, not where they’re located. How can the Minister of Infrastructure sit there and honestly believe and ask Albertans to believe that they have no idea what these things are going cost, where the priority is, and then stand here in this House every day when he’s asked a question and say: “Just go to our website. Everything is prioritized on our website.” It’s impossible. There’s no number assigned to it and no dollar value. How do you prioritize anything if there’s not a dollar value associated with it and a list of where they go in priority? So, yeah. I mean, it’s sitting on the website. Family care clinics. Fantastic. That tells Albertans tons.

These two members, honestly, could have easily provided the costs and the values associated with (a) the pilot project or even provided a maximum and a minimum budget that they’re willing to work with to go forward into 2013. They’re telling Albertans: “We’ve done no homework. We’re so neglectful in our duties. We’re not going to provide you with any information, and you just have to accept that.” Easily, you could have provided information. You’re just choosing not to do so.

**The Deputy Speaker:** Hon. members, might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

### Introduction of Guests (reversion)

**The Deputy Speaker:** The hon. Member for Calgary-East.

**Mr. Amery:** Thank you, Mr. Speaker. It’s my pleasure to introduce to you and through you to all members of the Assembly good friends of mine. Mike Shaikh, Alberta Senator-elect, is a long-time provincial Progressive Conservative and a Calgarian for nearly 40 years. Mike Shaikh is a successful businessman and a tireless volunteer and philanthropist. Mike has sat on dozens of nonprofit and business boards and currently chairs the Calgary Police Commission. A champion of higher education and community, he has received the Premier Klein leader service award, the University of Calgary distinguished alumni MAX award, and many more. Mike is joined today by a gentleman who is well known to all of us, Mr. Ken Faulkner. They are seated in the public gallery. I’d ask them to rise and receive the traditional warm welcome of the Assembly.

**The Deputy Speaker:** Thank you, hon. member.

## Written Questions

### Building/Leasing Costs for Family Care Clinics (continued)

**The Deputy Speaker:** I’ll recognize the next speaker. Are there other speakers on this question? The Member for Chestermere-Rocky View.

**Mr. McAllister:** Thank you, Mr. Speaker. It looks like I’m running out of time, which is probably going to please some in here. [interjections] I asked for that, and once in a while it’s good to receive it, so thank you.

**Mr. Dorward:** You should have gone to a minute, and we would have had time.

**Mr. McAllister:** Oh, is Statler at it again?

**The Deputy Speaker:** You have the floor, hon. member.

**Mr. McAllister:** The point I want to raise on this, Mr. Speaker, comes down to something the Minister of Health said in his defence talking to the Member for Calgary-Fish Creek. I believe he was suggesting that she hadn’t listened to anything that he had said as she gave her thoughts on how this is working and what Albertans are expecting in terms of finances, and I recognize that she would probably say the same to him: I don’t think you were listening to anything that we say when it comes to these clinics and what Albertans are expecting in terms of information. There is a lot of detail here, and I understand that from both sides. But it does seem logical to suggest that some of these details be made public so that we have an idea of where we are going forward as we plan for the province.

In making one more point, the president of the AMA just issued a new letter to doctors stating: “Batten down the hatches and prepare [for] a storm.” To the Minister of Health: who is it that isn’t listening?

Thank you.

**The Deputy Speaker:** Are there others?

Seeing none, I’ll call the question.

[The voice vote indicated that Written Question 8 lost]

[Several members rose calling for a division. The division bell was rung at 4:58 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Barnes	Hehr	Stier
Bikman	McAllister	Strankman
Bilous	Pedersen	Swann
Forsyth	Rowe	Towle
Hale	Saskiw	Wilson

Against the motion:

Allen	Fritz	McDonald
Amery	Goudreau	Olesen
Bhardwaj	Hancock	Olson
Bhullar	Horne	Pastoor
Brown	Hughes	Quadri
Calahasen	Jablonski	Quest
Cao	Jansen	Sarich
Casey	Jeneroux	Scott

Dallas	Johnson, J.	Starke
Denis	Johnson, L.	VanderBurg
Dorward	Kubinec	Woo-Paw
Drysdale	Leskiw	Young
Fawcett	Luan	
Totals:	For – 15	Against – 38

[Written Question 8 lost]

### 5:10 Motions Other than Government Motions

**The Deputy Speaker:** There are 13 minutes remaining. I'll recognize the Member for Edmonton-Beverly-Clareview.

#### Public Funding of Private Schools

504. Mr. Hehr moved:

Be it resolved that the Legislative Assembly urge the government to implement a policy to eliminate public funding to private schools.

[Debate adjourned November 26]

**Mr. Bilous:** Thank you very much, Mr. Speaker. I'm standing today to speak to Motion 504. I'd like to start off by saying that the intent of this motion I support completely, and that is to ensure that our public education system remains just that, publicly funded and publicly delivered. What I do want to mention is that there are some private schools within this province that fulfill very specific and special needs. There are schools that serve populations that require additional support or students that require many different supports in order to function.

I'll note that the school that I taught at for six years, Inner City high school, is actually a private school with a very interesting history. That school in particular tried to come under the public education model for a number of years in the '90s, and it didn't work. The reason it didn't work was because the current funding model that is in place did not allocate or give the school enough dollars to be able to provide all of the services that those students require. You've got at the moment a school system that is trying to do a one size fits all within our public.

Now, in my opinion, what the school would like and what I would like to see is that schools like Inner City high school fit under the umbrella of our public school system so that we don't have the need for a private grouping of schools, some that absolutely require public dollars. Those schools like Inner City high school, because of the needs they serve, should come under the public school envelope. There are other private schools, I will say, that receive public dollars that, in my opinion, shouldn't be getting those public dollars, and if they intend to operate, they should do so completely on private dollars.

An example with Inner City high school is that in a classroom of a size, let's say, of 20 to 25 students, you'll have 15 to 18 students, probably around 90 per cent, that have severe special needs, whether we're talking about behavioural disorders to other types of needs. For that reason, the dollars that fit under the public model would not apply to this school because there simply would not be the supports that these students require.

So I'm speaking in favour of this motion that the government implement a policy to end public funding to private schools, and with that, I would urge the government to come up with a way to include schools like Inner City high school. There are other schools, I've been informed, like Muslim schools that get their start as a private school, but their intention would be to join with our public system as well. Let's move to a publicly funded model

of education but one that truly does reflect the diversity and needs of all students in this province. That's where I will leave my support.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

I'd look to the mover to close if there are no other speakers. Hon. Member for Cardston-Taber-Warner, you have a few minutes. Please proceed.

**Mr. Bikman:** Thank you, Mr. Speaker. I certainly support the public school system. As I've said numerous times on the floor of this House, all 13 of our children were educated through that system. But I believe in choice. I believe that, properly done, there's room for both under the umbrella of education. I certainly think that parents and students ought to have some choices, and I don't think that that means that one is going to suffer at the expense of the other unless we're mismanaging, and I can certainly understand a case being made for that. I believe that there ought to be room in this tent for both.

Thank you.

**The Deputy Speaker:** The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Mr. Speaker. I'm pleased to stand in support of this motion. I think it's something that many Albertans have written to us about: a public system that's under siege from the point of view of classroom sizes, from the point of view of supports for special-needs kids, infrastructure deficits. We have a lot to do to strengthen and create a level playing field for our young people, especially those who are in difficult circumstances. We're not going to get there if we don't start investing our public dollars in public education.

I haven't heard very many people at all across the province say that the private system needs support. Clearly, our first priority is government. I think it's an important issue. If the government feels that they can stand up to the public in terms of their position on these millions and millions of dollars going to private institutions, then they should put it to a referendum.

I think the evidence is clear. Albertans want a strong, sustainable, publicly funded education system, and I think it's time that we moved in that direction to support the majority of Albertans, who are saying so.

**The Deputy Speaker:** Are there others? We've got a couple of minutes left.

Seeing none, I'll recognize the hon. Member for Calgary-Buffalo to close debate.

**Mr. Hehr:** Well, thank you very much, Mr. Speaker, and thank you to everyone in this honourable House who took part in the debate. In my view, I believe this motion put forward is a good one and one that I would urge all members to support.

I look at the goals of the Education Act, which says that our students are to come together to learn in a modern society, tolerant of all views and opinions, and to foster a strong democracy. That's, essentially, the beauty of the public education system. Regardless of whether you're wealthy or whether you're poor, whether you're of one religion or another religion, whether you've just come from a different country or have been here a hundred years, you are entitled to go to the public education system. To me, having our children go to learn to care, share, play, and learn together is what we should be trying to foster, and that is done through funding a public education system.

What I said earlier and I'll say again is that, in my view, private schools tend to divide children on the basis of wealth and religion. We can look at that. That's very clear. Eighty per cent of private schools in this province are currently of one religious denomination or another. There is another cohort to that, elite private schools, that charge upwards of \$20,000 to \$25,000 for their children to attend. Why would we be propping up a system that divides communities, doesn't bring them together? In my view, it doesn't make sense. If people believe that they want to have a private school, by all means, they should get a private school, but the public dollars to foster that do not have to follow them.

I believe there is one caveat to this, and that would be until such time as the public system is able to accommodate all children with disabilities. I understand that there is a need out there. Currently the public system is not functioning well in that regard. That being said, with a forward-looking government, one that understands that all kids need an opportunity to learn, I believe, too, that this can be rectified in time.

5:20

It's my view that the public system can be that system where everyone comes together and learns in a caring, sharing environment, and I stand by that proposition, sir. I believe that it's in our society's best interest to continue to encourage our families through our support of the public education system to have their kids attend. There's no need for us to fracture society by our public dollars going to support someone's private choice.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

[The voice vote indicated that Motion Other than Government Motion 504 lost]

[Several members rose calling for a division. The division bell was rung at 5:21 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Bilous	Hehr	Swann
--------	------	-------

Against the motion:

Allen	Fritz	Pedersen
Amery	Goudreau	Quadri
Barnes	Hale	Quest
Bhardwaj	Hancock	Rodney
Bhullar	Hughes	Rowe
Bikman	Jansen	Sarich
Brown	Jeneroux	Saskiw
Calahasen	Johnson, J.	Scott
Cao	Johnson, L.	Starke
Casey	Kubinec	Stier
Dallas	Leskiw	Strankman
Denis	Luan	Towle
Dorward	McDonald	VanderBurg
Drysdale	Olesen	Wilson
Fawcett	Olson	Woo-Paw
Fraser	Pastoor	Young

Totals:	For – 3	Against – 48
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[Motion Other than Government Motion 504 lost]

**The Deputy Speaker:** I'll recognize the hon. Member for Strathcona-Sherwood Park.

**Mr. Quest:** Thank you, Mr. Speaker. I'd request the unanimous consent of the House to revert to private members' business, Bill 201.

**The Deputy Speaker:** The hon. Member for Strathcona-Sherwood Park has moved for unanimous consent that the House consider going to private members' business to deal with Bill 201.

[Unanimous consent denied]

**The Deputy Speaker:** The standing orders provide that we can only consider one motion at this time. If there's no other business, then the House would stand adjourned until 7:30 tonight.

[The Assembly adjourned at 5:34 p.m.]







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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Monday evening, December 3, 2012

Issue 27e

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta**  
**The 28th Legislature**

First Session

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Jablonski, Mary Anne, Red Deer-North (PC), Deputy Chair of Committees

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Barnes, Drew, Cypress-Medicine Hat (W)  
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Bhullar, Hon. Manmeet Singh, Calgary-Greenway (PC)  
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Wilson, Jeff, Calgary-Shaw (W)  
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
    Government Whip

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Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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Fenske	Smith
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Hehr	Strankman
Jansen	Towle
Luan	Young
McDonald	Vacant
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Fenske	Young
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Hale	

## Legislative Assembly of Alberta

7:30 p.m.

Monday, December 3, 2012

[Mr. Rogers in the chair]

### Government Bills and Orders Committee of the Whole

#### Bill 7

#### Election Accountability Amendment Act, 2012

**The Chair:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Chair. With respect to Bill 7 I have an amendment that I'd like to put forward, and I have the requisite copies.

**The Chair:** Okay. Please have that circulated.  
Hon. members, this will be amendment A2.  
To the amendment.

**Mr. Saskiw:** Thank you, Mr. Chair. On amendment A2 this is a very, I would suggest, straightforward amendment to the act as it currently states that there will be a bunch of penalties if the registered party, registered constituency association, or the registered candidate knows or ought to have known that the prospective contributor is – and then you look through the act, and it states a bunch of things – a person ordinarily resident, a prohibited corporation, et cetera. Essentially, what the current version has is a mens rea component, both from a subjective perspective, where a candidate personally knows, and also from an objective perspective, where the person ought to have known that a particular donation was illegal.

Our proposed amendment, Mr. Chair, is to eliminate that language and just simply replace the wording with the inclusion of the word “from.” If a political party, a constituency association, et cetera, accepts an illegal donation, at that point there ought to be some type of administrative penalty or sanction. The rationale for this is that the way it's written right now is that the party or the candidate can say that they didn't know that the donor lived outside the province. We saw this with some other donations where it's clear that an individual lives outside of the province, yet a political party accepted that amount of money. I think in that circumstance there should certainly be some type of level of due diligence required by a party, a constituency association, or a candidate.

Right now the way the language currently reads, it allows parties or candidates to claim that they accepted illegal donations from prohibited corporations unknowingly, and thus they are not at fault. I think, Mr. Chair, we saw that with the numerous illegal donations that were made and that the Chief Electoral Officer found to have made those illegal donations. In those instances it was actually the prohibited corporation that was fined. Often that was a municipality, so taxpayers got hosed twice. Once, of course, taxpayer dollars went towards an illegal donation, and secondly, they actually had to pay a fine. In those circumstances clearly the party that accepted those illegal donations should also be on the hook.

We shouldn't put this high standard on political parties to find some wrongdoing. Right now it's almost impossible for a political party accepting a legal donation to be provided with an administrative sanction. This amendment, I think, is very straightforward. I think it puts the appropriate onus on the political party to ensure that they are not accepting illegal donations.

On this amendment I think it's very clear. If we want to be serious, actually serious, about stopping illegal donations going to a political party or to a candidate or a constituency association, this amendment ought to be passed. Other than that, this is obviously just allowing another loophole in the legislation to say: “Close your eyes. We've taken this donation, but we didn't know for sure that it was illegal.” This amendment just makes it a lower threshold to provide an administrative sanction when an illegal donation has been made.

**The Chair:** The hon. Minister of Justice.

**Mr. Denis:** Thank you very much, Mr. Chair. I thank the Member for Lac La Biche-St. Paul-Two Hills for his amendment here, but I will not be supporting it. I do not recommend that others support it as well. I believe that the primary onus should always rest upon the donor. It is the donor that knows his, her, or its individual circumstance. It is the donor that knows if he or she is over the limit. It is the donor that knows if they're part of prohibited corporation as the member talked about. It is the donor that has that direct knowledge.

We have to remember that with political parties we're also dealing with volunteers of all four parties as well as other parties who are not represented in this Assembly. I agree that in the event that there appears to be some co-ordinated, nefarious effort to accept illegal donations on the part of any party, the party should be held responsible. But the reason we have that test – and the member quite correctly intimates the constructive knowledge portion, knew or ought to have known – is because in the course of any given year when you go in to donate money to a certain party, they may not know right away if something is a corporation. I imagine that there are many corporations that may be seen as legitimate entities that may actually be subsidiaries of another.

On top of that, I would further indicate that in the event that if someone from, say, a municipality or university would buy a ticket to a dinner of party X or party Y and then seek to have that ticket reimbursed, again, the recipient of the donation does not know and, frankly, has no knowledge whatsoever that that ticket is being reimbursed. Again, the primary onus, not the full onus but the primary onus, must be on the donor's side, and that's why I cannot support this amendment.

**The Chair:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you very much, Mr. Chair. I rise in support of this motion, and I would disagree with the hon. minister in the sense that the onus, in my opinion, is actually on the party and the party itself. It is the party that is the direct beneficiary of any donation, and I don't believe that anyone in this Assembly is going to make an argument that the person making the donation is going to be a direct beneficiary from making the donation.

As far as onus of proof – and here's where I think the amendment has a tremendous amount of strength to improve the act. There is a presumption that everybody is fully knowledgeable of the rules and regulations, but in reality that's not true. There are people who in good faith and with the best intentions may want to donate without any knowledge that they might be in violation of the act or the regulations, but if you sort of correlate that to campaigns, it is the candidate that is ultimately responsible. You take that back to the party. Regardless of all the volunteers, it is the one and only CFO, the chief financial officer, that makes these decisions.

Now, I can tell you that in my riding what we do is that we make sure. We have to double-check that the people making the

contributions are not over the limit. We make sure that the monies that are coming – and, by the way, in my riding we don't have to worry about anyone being over the limit, but we still check. We really feel the onus is on us to try to make an electoral system that is not just representative of due process and fairness but responsible for any shenanigans that could possibly happen. It's twofold in the sense that, yes, nobody should be allowed to do anything illegal, but nobody should be allowed to look the other way because somebody is acting in ignorance. Without this amendment this is what this allows.

7:40

I'm not saying that any party or any constituency association would do this deliberately, but it does allow this to happen if they can play the card of: "We didn't know. That person who made the donation should have known." I think that's a nonexcuse.

A violation is a violation is a violation. The whole purpose here is: should we exonerate the party because someone else violated the act or violated the regulations? There's no recourse or responsibility on the party that is accepting the donations. I say that is fundamentally wrong. This is clearly a shared responsibility, and what this does is put the onus on the party to share in that responsibility.

By the way, the arguments that have been going on in this Legislative Assembly, particularly during question period, would be a moot point if responsibility was shared by the parties, particularly when it came to those smaller donations that came from government agencies or government-funded organizations, which are prohibited.

The typical course of action when any CFO writes a receipt is to know to whom they're writing the receipt and to know where that money came from. The sense that the party should be exempted from the responsibility, in my view, is not consistent with why we're bringing this amending act forward.

What we want to do is strengthen our laws. We're not changing the penalties per se as far as illegal donations. We're not changing the fundamental criteria: what is a legal versus illegal donation? All this amendment does is say that the party receiving it is going to share in this responsibility, that they also are responsible for accepting money. I'll draw a correlation with the transfer of – well, we can use Bill 201, the copper. If you know an item is stolen and you're a business that accepts this and you do that knowingly, you're responsible for that.

In this sense here what we want to make sure of is that there are checks and balances, and the checks and balances are just quite simple. We want the public to be educated, we want the public to be informed, but we also want checks and balances so that the party itself does its own homework. By doing so, what we do is that we create a system that's stronger, and there'll be fewer violations. If we do not accept this amendment, then what we still have is what's existing today, where the onus is on the donor, and if a donor even in good faith makes a mistake, it leads to the allegations against the party for illegal donations, as it's often referred to, but it doesn't serve anyone's purpose.

Clearly, where I support this amendment is that the people who know or who ought to know are the party people who actually write the receipts. This is their responsibility. In my example of my own campaign or my own constituency association volunteers do come forward, but we have rejected contributions because they were outside the bounds, and we knew that. If we got audited, we didn't want that to haunt us or to basically plague our audit. This is nothing more or less than a nice little check and balance. It doesn't, I think, add to any more paperwork in the sense that all it's saying is that everybody on both sides of the equation has to

be informed, and they share in the responsibility. The party will share in the responsibility along with the donor. We do not want any donations that would violate the act, that would violate the regulations made under the act. By accepting this amendment, we strengthen the system. We just basically say that all those involved in the whole process are responsible to know the rules, to know the regulations, and they share responsibility if those rules or regulations are violated. No one should receive any donations that are not in compliance with the act or the regulations, and certainly they should be expected to know whether those donations are in compliance. The same is true of those people who are making the donations.

But, again, the people who generally know the rules the best are the party and are the candidates who actually participate in the process. The people who generally don't know the rules but participate in good faith are the general public. They all have their reasons. They may be as varied as the number of people involved in the process. They may want to contribute to a friend who is part of the party. They may want to contribute because of a cause. But they may not have the real knowledge of the intricacies of the election laws or the limits or any of the other criteria. They're just doing it in the sense that this is the way they want to participate in the process.

By requiring the party to share in this obligation to make sure that everything stays legitimate, it's part of the process that would make this system stronger, not weaker. I don't see where it puts any great imposition on the people keeping the records. Volunteers are volunteers, and they would not be hurt by this. The contribution is not made until the CFO actually accepts that contribution and writes that receipt for that contribution. There alone is a great place for a stopgap for checks and balances to make sure that we maintain the integrity of the act, which is that we're not going to allow any illegal contributions or any contributions that violate the act or violate the regulations.

With that, I support this amendment, and I'd be interested if some of the members have a response to that.

**The Chair:** The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Mr. Chair. I appreciate the opportunity to rise and speak this evening in support of this amendment. I think this amendment is very consistent with basic laws of economics that suggest that unless the recipient or the user, if you will, or the beneficiary of a donation, shares in some of the responsibility of the potential for accepting an illegal or an inappropriate donation, then it'll be easier for people to come forward with those donations. I think that creating an act or a law that includes an amendment like this makes it more consistent with human nature and the laws of economics.

As my hon. neighbour here mentioned, people donate for a number of reasons. Very often with candidates like me or this hon. member and perhaps many of us, too, they do it out of friendship because they know us and like us. Hopefully, they'll like the cause that we represent, the party that we're running for, the position, the platform that we stand for, that we put forward. They may do it out of a sense of patriotism to encourage the democratic process. They may think that we need a loyal opposition, and we can see that that's certainly true. They may think that the government is doing a terrific job, so they're going to support the candidates running for the party in power.

Whatever their reason, it could also include, perhaps, the possibility of greater access. Some of the people that we've seen that have made illegal contributions did it because that was the system. That's the way you grease the wheels. That's the way you



got access: a door was opened, a phone call would be returned, an e-mail returned, or whatever it would be. There was some benefit that they were getting. The party or the recipient was getting the benefit of that money, which would help them with their campaign.

If you dry up the market for that money, then the supply of that money is going to dry up, too. I think you've got to balance the responsibility for this policing or this regulating action between the two. I actually think that the user or the direct beneficiary of those funds ought to bear the greater burden. I think my friend did an admirable job of eloquently explaining the way that could happen and the responsibility that should naturally fall upon the shoulders of the candidate and his organization or the party in general as they educate their candidates in terms of how to properly accept donations and which ones to shy away from and the reasons why.

I believe this is a very good amendment, and I find it to be consistent with my study and understanding of the laws of economics and of human nature. I would encourage you to support it.

Thank you.

7:50

**The Chair:** Other speakers? The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thank you, Mr. Chair. I just have a couple of very brief comments on this amendment and, really, questions. The first is that I'm just curious to know – if a constituency association, let's say, is accepting a donation, the onus is upon them to discern whether this is a legal one or an illegal one. I mean, how could they go through a reasonable process to account for that? I know this doesn't happen very often, but if you have someone who's mischievous and/or has other motives behind their donation, the money is coming from one thing, but it's really another.

You know, it's difficult for us to organize through our volunteer organizations, as it is everything that a constituency association or even a party needs to do. For us to be vetting people or take that responsibility – this amendment would work better if we had corporate and union donations eliminated from the process, I think. Then you would have a much clearer idea about where these things are coming from. I mean, this amendment in concert with the elimination of union and corporate donations I think would work better than good, right? Otherwise, it just seems slightly problematic to me.

Thank you, Mr. Chair.

**The Chair:** The hon. Member for Banff-Cochrane.

**Mr. Casey:** Thank you, Mr. Chair. The test here is “knows or ought to know.” That's the catch in this. There are cases, truly cases where you simply cannot know. If I come to a dinner and ask for a receipt in my name, the constituency association writes me a receipt, and they give it to me in my name. If I go back and I submit that as an expense into my expense account, how in the world can the constituency association or the candidate or the party know that I've done that? Yet we've seen cases here in the last six months where we're all branded, everyone in the PC Party, at least, as being this illegal group, this group that accepts this stuff on a daily basis.

Most of that reason is that these were not obvious contributions. The truth is that to put the onus on the party to verify each and every one of these is quite foolish, quite honestly. The onus is on the person that's asking for the receipt. The onus is on the person

contributing the money. If they don't tell the truth, if they don't say, “By the way, I'm going to expense this back to my school board” or “By the way, I'm going to expense this back to AHS” or whatever, then there is no possible way of knowing that person is doing that.

This amendment puts the onus on people who have no ability to control that outcome. This is saying that if you are contributing – and, by the way, candidate and party, you should have known. If I'm saying, “By the way, I want a receipt written out to AHS” or any other illegal contributor, whatever, well, then you ought to have known. This isn't always about that being so apparent.

The onus, then, is on the person who is contributing. It's that simple. They are the only ones to truly make that determination when, in fact, it is not apparent and you ought not to have known how that person was going to record that contribution.

I won't support this amendment for those reasons.

**The Chair:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you very much and thank you to the member who just articulated that. The issue of “knows or ought to know”: when you read this section, it says that the

registered constituency association or registered candidate shall, directly or indirectly,

(a) solicit or accept . . .

Now, what this amendment does is put the onus on the people accepting the contribution. This idea that we're penalizing the person, I would disagree because it puts the responsibility – if you're defrauded, you're defrauded.

This has to do with soliciting also. If you're soliciting or even accepting indirect donations, if you set out the rules for the people who are actually making the donation that you basically tell them before you accept the donation that this has to fit within these guidelines, which is within the act, within the legislation, then what you do is you basically lay this out. If you're defrauded, you're defrauded. That's a different element altogether. What we're saying here is that this is checks and balances. We're not shifting the onus, not at all. The onus is still on the person making the donation. What we're doing is that we are sharing the responsibility to make sure that somebody doesn't knowingly take donations when they ought to know better, and they can't hide behind that shield because they're no longer responsible.

This amendment, in my opinion, does not take full responsibility for that individual making an illegal contribution or an illegal donation. What we're saying is – and this is nothing more than what I myself have practised – to make sure that everyone stays within the guidelines of the act. When we did this voluntarily before we accepted money, we made sure people knew what the rules were and how much they could possibly donate in what time frame, so we made sure we stayed within the Election Act.

All we're saying is that we're going to put this now in legislation so that practice is shared and that responsibility is shared. I don't see where someone is going to be unduly penalized. What we're saying is that you have to lay this out so when you are soliciting, the rules that you convey at your fundraiser, the rules that you convey if you go door to door or however you accept donations, the people who make the donations accept the rules that you have laid out there so they stay within the act. If they don't do that, they are responsible. But in no way does this take all the responsibility and put it on the party.

What we're saying is that the party has to share some responsibility on a checks and balances system because if we don't have that, then what you can get is that some parties would hide behind this idea of: “It's not my responsibility. I don't really know where

the money came from. I just issued the receipt.” I don’t think that strengthens the act if we allow that to continue. Sharing the responsibility, putting some onus, not all the onus, on the party does strengthen the act. It gives some checks and balances, and I don’t think it unfairly puts a party in a bad position. I see the party doing nothing more than what a lot of organizations do, which is that they put right there in front of the people making the donations: “This is what you can donate. These are the rules of the donation.” Basically, you’re just informing people before you accept the donations.

That type of onus to me is not a burden, in my mind, on the party. It’s just that we want the system, the electoral system, to have stronger integrity. As it was pointed out, the allegations that have been made, the accusations that have been made – had this been in place, I would suggest that many of those allegations would be moot. Particularly, many of those smaller donations would not have been accepted, or in many cases the ones that were accepted would have been clearly in error and would be automatically returned.

Thank you very much.

**Mr. Saskiw:** I’ll be very brief. I think this has been debated enough. You know, I just think it’s important that we have on the record that the government appears not to want to put any onus on political parties for accepting an illegal donation, and I think that’s a shame. If you don’t have that type of deterrent, we’re going to see more and more illegal donations like this occur in the future.

Thank you, Mr. Chair.

**The Chair:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chair. I wouldn’t normally rise to the bait on that, but it’s an absolutely inappropriate comment, the last comment, that the government doesn’t want any responsibility or onus. In fact, the changes in this act make it very clear that everybody supports the idea that there’s an appropriate way to make donations to the political process and to political parties and candidates. There are inappropriate things.

The question we’re talking about in this particular section is how you ensure that inappropriate donations are not made. Really, it’s only a question between whether you should know or ought to have known or whether it’s an absolute. In any law it’s very difficult to hold people accountable for what they didn’t know or couldn’t know. It’s inappropriate to say that the government doesn’t want responsibility or accountability on political parties. There will be responsibility and accountability on political parties, and there is a duty for people to inform themselves, but there are some things that you can’t find out. You’re not obliged to take responsibility for something that somebody has done when there’s no possible way that you could have known that that was a prohibited corporation or an inappropriate donor.

8:00

**The Chair:** Are there others? The Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** I’d move that we have a one-minute bell for only this amendment.

**The Chair:** The Member for Lac La Biche-St. Paul-Two Hills has moved for unanimous consent that we would have a one-minute bell for this amendment.

[Unanimous consent granted]

**The Chair:** I’ll recognize the Member for Little Bow. Did you want to speak on the amendment?

**Mr. Donovan:** Yeah, I guess. It’s been an interesting conversation here on this. I guess my thing in my constituency, for instance, is that I go over every cheque before we deposit it. When I was running, I actually returned cheques. Hey, I didn’t raise that much money, so I’m not here to swing a big stick of what I did in life. I sent back cheques because I didn’t want one particular industry to make it look like I was just here, if I did get elected, to promote their backing.

I heard the hon. House leader from the other side, Edmonton-Whitemud, talk about last week that there’s nobody in here that wants to be painted with a black brush or get a black eye out of anything. You want to portray that you’re open and honest and transparent. In my constituency the way I did that is that my financial officer does not cash any cheques until I get to go over them all. If they sit for a month or two, they do, but that way you have some control over it. Then there’s no question of whether you’re representing one industry or a different industry for the wrong reasons. I guess that’s, you know, the cross you decide to die on or not.

That’s all I’d add to that. Thank you.

**Hon. Members:** Question.

**The Chair:** The question has been called.

[The voice vote indicated that the motion on amendment A2 lost]

[Several members rose calling for a division. The division bell was rung at 8:03 p.m.]

[One minute having elapsed, the committee divided]

[Mr. Rogers in the chair]

For the motion:

Anglin	Hale	Rowe
Barnes	McAllister	Saskiw
Bikman	Pedersen	Stier
Donovan		

Against the motion:

Bhullar	Griffiths	McDonald
Cao	Hancock	Oberle
Casey	Hehr	Olson
Cusanelli	Hughes	Pastoor
Denis	Jansen	Rodney
Dorward	Johnson, L.	Sandhu
Drysdale	Klimchuk	Scott
Eggen	Lemke	Starke
Fenske	Leskiw	Webber
Fraser	Luan	Woo-Paw

Totals:	For – 10	Against – 30
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[Motion on amendment A2 lost]

**The Chair:** We’ll now go back to debate on the bill. The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Thank you, Mr. Chair. It’s a pleasure to rise. Actually, I’m going to propose an amendment right off the start to the Election Accountability Amendment Act, 2012.

**The Chair:** Thank you, hon. member. If you'd circulate that through the pages, I'll give us a minute, and then I'll let you speak to it. Did you send the original?

**Mr. Hehr:** I'm assuming I did. Is there one there, or else I can quickly sign one. I've got the original right here. Sorry, guys.

**The Chair:** We'll give you back a copy, hon. member.

**Mr. Hehr:** Sorry about that. I'll send that back.

**The Chair:** You may speak to the amendment, hon. member. This will be noted as amendment A3. We're sending you one back. It's on its way.

**Mr. Hehr:** Thank you very much, Mr. Chair. I'm assuming that most everyone now has a copy of it. I'm putting forward an amendment by Ms Blakeman, the hon. Member for Edmonton-Centre, that Bill 7, the Election Accountability Amendment Act, 2012, be amended in section 80, in the proposed section 32, subsection (3), by striking out clause (a) and substituting the following:

- (a) within 15 days after the end of each year a return setting out
  - (i) the total amount of all contributions received during the year that did not exceed \$250 in the aggregate from any single contributor, and
  - (ii) the total amount contributed, together with the contributor's name and address, when the contribution of that contributor during the year exceeded an aggregate of \$250.

And by striking out subsection (6).

**8:10**

Really, this amendment serves, in my view, the overall democratic process in a more fair and balanced manner towards all political parties that are actually represented in this House now and future parties that may join the ranks of the political landscape. In my view, without this amendment it makes it exceedingly difficult for many parties and, in fact, any new organizations starting out to be in compliance with the Election Accountability Amendment Act, 2012.

The current legislation that the hon. minister has before the House states that every quarter political parties are by law now required to publish the names of all contributions and the like over \$250 and actually report on ongoing fundraising efforts. In my view, it is an extremely onerous task for many political parties to venture down that path, not even mentioning those political parties that may be nascent political parties that are starting out. This requirement would be onerous because it would require almost a full-time bookkeeping effort, which is most likely going on but not to the extent that the new act will require it to be. If this amendment is not accepted, I can see political parties having to hire more people, hopefully trying to find some more volunteers, and a nascent political party may be simply giving up because they can't find the volunteers needed or the required accounting to keep up on a quarterly basis.

It appears to me that the act as it reads currently is overkill on reporting. It's a requirement that I believe is not in the best interests of the democratic process, in allowing new political parties to be formed and even political parties that are in existence to keep on going. Let's face it; these are onerous requirements that are now going to be prescribed in law and, in my view, will take away from our ability to organize as citizens and take part in the election process.

Now, I full well note that having a requirement to report is necessary, and I believe it was adequately handled in the last act, which said that political parties are to report their contributions once a year. I found that reasonable. I found that a good use of a party's time, and it allowed that openness and transparency that the electorate is looking for. They want to know who and how much is donated to political parties. That's fair. That's part of the democratic process. That being said, I don't believe it needs to be on a quarterly basis, which takes away from the democratic process in ways that I have just stated.

In that vein, I would urge all members of this House to support this amendment in the spirit of democracy and encouraging new parties to be formed and going forward on that basis.

Thank you, Mr. Chair.

**The Chair:** The hon. Minister of Justice.

**Mr. Denis:** Thank you very much, Mr. Chair, and I thank the hon. Member for Calgary-Buffalo for bringing this amendment forward. However, I cannot support it. I will just indicate a couple of reasons why. First off, the principle behind the Election Accountability Amendment Act is that we want to encourage more disclosure, and that's why, for example, the disclosure limit, the point at which you have to disclose who is donating to what entity and what amount, has been lowered from \$375 to \$250. That principle is established. I trust that the member opposite does not disagree with that principle. But as we move forward here, moving to quarterly disclosure will increase transparency even further. I do want to indicate that people have complained, like in the past. They don't know exactly who has donated to what party in what amount, and you don't find out until the year after that. This quarterly disclosure will allow for greater transparency of the actual amounts, who has donated to what party, to what constituency association.

The other thing I wanted to mention is that a good friend of mine used to work for a political party in the province. I'm not going to say which political party, Mr. Chair. One of the things that he had indicated to me was that it was very frustrating because a lot of the constituency associations would on the last day or a week before put all of the receipts into a bag, send it to the constituency office, and just have all sorts of problems and mayhem. By going to a quarterly disclosure, you're actually dealing with this issue on a much more proactive basis. The parties will be able to regulate themselves better because you'll have fewer donations coming in at one time. They'll be able to space them out, much like if you made, say, quarterly payments to the Canada Revenue Agency or if you made quarterly payments on a vehicle or your property taxes. If you don't make them once per year, you're able to plan further.

I do think this amendment is in the best interest of transparency in the province. I am advised also that Ontario has a continuous disclosure policy although I have not had a chance to view that myself. But I will indicate that we're not the first province to move away from just the annual disclosure, and I don't think that there's anything wrong with that.

In that vein, I'll take my seat and note that I will not be supporting this amendment.

**The Chair:** Thank you, hon. minister.

The Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you very much, Mr. Chair. I rise in support of this amendment. I appreciate the comments by the hon. minister. Although I can't speak for those ridings or constituencies that actually raise a lot of money, I will say this. In the constituencies I

have dealt with, you see that the fundraising is generally when the election is called, and 90 per cent of the funds come in.

**An Hon. Member:** Not mine.

**Mr. Anglin:** I understand that. You have just so much money coming in. I can't help that.

What I'm looking at here is this. The reporting is done. We do the reporting right now on an annual basis. What's really important, I think, to most of the electorate is the election results on the election contributions, which is something totally different. Although people do consider and want to see what the party is raising, I'm not sure there's a great desire on the part of the public to get that information every three months versus seeing it on an annual basis. I haven't seen any data to support that.

There is another problem that's created here, and that is a bureaucratic problem. If we just take the four parties that are represented in this House – and those four parties have 87 constituencies; I just make the presumption – we're looking at just under 1,400 filings annually. That's a lot of filings. Elections Alberta is going to have to deal with that, process that, and they will have to be funded to deal with that. That's a lot of filings. That's not even counting the smaller parties who are not represented in this Legislature right now, but they do have constituency associations. If you are a constituency that has difficulty with quarterly reporting, the smaller ones will just deregister and register when it comes closer to election time, and you won't see any reporting whatsoever on an annual basis or a quarterly basis. There are ways around every law.

It is important. I do agree with the \$250 limit – I like that – so that we get to see that and see who is contributing to the party. I just question the reasonableness of the added paperwork for sort of a more sped-up disclosure process when realistically the annual disclosure process now, in my view, is sufficient. It doesn't burden bureaucratically with the amount of extra paperwork.

Now, one of the things that one of the members said earlier was that most of the parties, particularly at the CA level, unless these very wealthy CAs actually have paid employees – ours are always volunteers. We always search for an accountant for the CFO, put the burden on the accountant. We search the community. It works well because you have somebody who is trained, who understands the process, and having a professional that's a volunteer works to the advantage, I think, of the whole system. Requiring quarterly reports or quarterly disclosure will put an extra burden on those volunteers.

8:20

In my riding you're going to see the same thing for quite a while, and then you'll see a blip every now and then when we do a fundraiser. We don't require a lot of money to do an election. You can check my elections return, and you'll see that.

In that vein, to me, it's a lot of unnecessary paperwork for disclosure that's going to be readily apparent on an annual basis. I'm not sure of the necessity of having the quarterly reports or even a biannual reporting when even on the typical accounting basis, looking at balance sheets and income statements – you know, there are updated quarterly reports by major corporations, but we really look forward to the annual report to give us much more detail.

The amount of necessity for contributing to a party – because that's really what this is about. We just want to know who the contributors are. They're not hiding in the sense that they can hide. At year-end we will know. At the election's end we will know. That will be reported. That doesn't change anything. So I'm

not sure of the value on the quarterly basis of knowing that Katz wrote a cheque. As much as I want to know that Katz wrote a cheque, that's it, and that's all I want to know. Seeing when it exactly happens in April because it was a March reporting: I'm not sure that's of any great value as long as that information is disclosed and we get to question and harangue the party opposite and try to hold them accountable. That's really the key.

Do we need to make an extra bureaucratic step that I would say for Elections Alberta is significant, roughly 350, 348 filings every quarter that they will have to process and post, 1,400 every year? You know, if we get more parties, then there'll be more constituencies, and they will have to do it. I'm not sure of the value. The information will be available, and it is available today on that annual report, on that annual filing.

If there was some sort of reason, some sort of impending necessity why that information has to be available in April and then in July and, you know, going out each quarter, I could see the validity of requiring quarterly reporting. But all across the party system? I might even agree to it if it was just the main parties alone, but I'm not sure there's a value there either. From where I sit, from the information that I gather from the public, what most of the public wants to know is: "Who's contributing to whom? Can I make an allegation that somebody is trying to influence with money?" We get that information right now on an annual basis. I just don't see the value in making all this extra paperwork for what we're going to find out anyway.

With that, thank you very much.

**The Chair:** Thank you.

I recognize the Member for Little Bow.

**Mr. Donovan:** Thank you. Just to reiterate the Member for Rimby-Rocky Mountain House-Sundre's comments, just, say, taking four primary parties, 87 ridings times quarterly, there are 1,392 filings. That's not including some of the parties that aren't doing it, that are not in this House. I mean, the red tape alone on that I think would be a challenge.

As the minister talked about before, about doing things quarterly, I guess I do things a little differently. I pay my property taxes once a year. I make my air seeder payment once a year. I make my tractor payment once a year. That's how I operate. [interjection] My combine, too, Member for Chestermere-Rocky View. As everything is financed at my house, it's nice as a poor farmer, obviously.

My point is that we've got enough red tape. People can figure out how to do this annually. I think that's more than adequate. I'm not sure filing it every quarter is really helping anybody other than making red tape. I mean, as this amendment touches on it, the red tape for volunteer CAs is onerous enough already and getting buy-in from people and stuff.

I'd really ask everybody to seriously think about the striking of subsection (6) on it. To me, it's just too onerous. There isn't a whole lot we'll actually gain out of this. You know, I get the transparency theory of what they're trying to sell on the concept of this, but I really don't think the true intent of that is doing anybody any good.

I think the Justice minister could probably attend to – you know, the paperwork that's done in this province already is onerous enough to most people. I mean, I just watch you taking a file of stuff that gets delivered to you all the time. Heaven forbid that you'd have to sign off on 1,392 filings all the time. Not that that would be your job but somebody else's.

We know that Elections Alberta has enough stuff on their paper trail to do already. When we talk of, you know, some consti-

encies, it sounded like you had very close contact with one where maybe you weren't getting all your bills and the receipts in on time, and you're taking it to your constituency once just before the filing was due at the end of the year, which, I assume, must have been a situation you were used to or something. For most people it's a challenge to get people to buy in and to do this.

**Mr. Hancock:** Just at tax time.

**Mr. Donovan:** Well, it's just at tax time, I guess, possibly.

To get people to buy into the process and to volunteer to begin with in politics, we all know, is a challenge. There are some ridings that are, obviously, strong, and there are some where, you know, it's hard. It goes back to the size of the ridings. Just for my constituency alone, to have a meeting, there are people driving 180 K one way to come to a constituency meeting. Well, I move the meetings around in my riding so it doesn't have to be the same person that drives that far all the time. But to get buy-in and to do that quarterly, if you had the chief financial officer and your president have to sign off on it every time, I just think it's onerous, and I'm really not sure what we gain out of it.

I don't know if the minister would like to touch on if he truly feels this is the red tape that we need in this. I think we're all here to try to make government more transparent and roll through. Really, is quarterly the answer that we really need on this? I guess I'd sure love to hear a lawyer's opinion on what he thinks of it.

Thank you.

**The Chair:** The hon. Member for Cypress-Medicine Hat, followed by Edmonton-Calder.

**Mr. Barnes:** Thank you, Mr. Chairperson. I rise to speak in favour of the amendment, very much in favour of the \$250 disclosure on the aggregate contribution from a single contributor. I think anything that increases transparency is going to help solve one of the big, big problems that we have in our system right now, and that's low voter turnout and the lack of people that are engaged and the lack of people that are involved.

I also think, though, of the fact of going to quarterly. Volunteers: bless them; it's hard to find enough. It's hard to find ones, especially, that have interest in paperwork and interest in doing this little bit of extra financial disclosure. I am fearful that for no apparent gain from knowing information possibly nine months earlier, we'll be taxing our volunteers. We need to get people more involved in a way that won't allow that to happen.

I would ask to consider supporting this amendment. Thank you.

**The Chair:** The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Yes. Thanks, Mr. Chair. I certainly do concur. I like this amendment from Calgary-Buffalo. On subsection (6), I guess, my arguments have been made already quite eloquently, but just one further thing to add. I think that although we have had lots of donation problems and squabbles and things here over these last few years, we're still in a much better situation than in the United States, where perhaps, you know, even one senatorial race would spend more than our whole election in some places. That high sort of financing of democracy in the United States: part of it, I think, we can push back on by making sure that we have low donation rates or rules about how much can be donated but also, I think, by keeping the system as it is in terms of not quarterly reports but annual reports. The reason I'm saying that: it's kind of just something I thought of here now. Part of the way that they track American politics now is by how much money is coming in weekly, right? They'll say that Obama is a hit or this guy is a hit

because he's raised so many more millions of dollars in the last few weeks.

**8:30**

Well, by decreasing the time in which we are submitting reports, I think we might be running the risk of having more analysis being done on who's ahead, who's behind, and so forth and the push to have more donations coming through on a continuous basis, based on people making an analysis of who might be ahead or behind based on the money. We are blessed by not having such a dominant factor of money as in the United States. I mean, it's certainly a problem, and I just don't want for us to go down that road.

The other issue that I wanted to bring up, of course, is the issue of just putting so much pressure on small constituencies and volunteers to do this work. I think that it's just not fair to do that, to have volunteers being charged with such busy work every three months.

Thank you.

**The Chair:** Other speakers?

Seeing none, we'll call the question on amendment A3.

[Motion on amendment A3 lost]

**The Chair:** Back to the bill. The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Yes, Mr. Chairman. I have an amendment that I would like to distribute. The top copy is the original.

Thank you very much.

**The Chair:** This will be amendment A4, hon. members.

Proceed, hon. member.

**Mr. Eggen:** Yes. Thank you, Mr. Chair. You can see that this is striking out section 17(1) and substituting the following:

- (1) Contributions by any person, corporation, trade union or employee organization to a registered party, registered constituency association or registered candidate shall not exceed \$3,000 in a calendar year.

This bill currently amends subsection (5) of section 17 by making minor changes in what counts as a candidate's contribution to his or her own campaign. This amendment changes a different subsection of section 17 in order to place reasonable limits on political contributions. You know, it has been very troublesome. Because Bill 7 is an amendment act we had found it difficult to get at what we believe is the core problem with election accountability in this province, which is to limit corporate and union donations from the political process. We've studied the legislation carefully, and we seem to have a problem.

We've been calling as New Democrats for a ban on union and corporate donations for a very long time. It's part of our party's commitment to making the political process more democratic and fair. Since we can't make that amendment to ban union and corporation donations outright with Bill 7 here this evening, we are making this amendment, as I've just passed out to you, to change the contribution limits in order to begin the process of making our political process more fair and accessible.

The current contribution limit of \$30,000 in an election year makes full participation in the funding of the political process virtually impossible for the majority of Albertans. According to Stats Canada the 2010 median income in Alberta was \$35,770, so approximately 50 per cent of Albertans were making \$35,000 or more. With these numbers on personal income, the majority of

Albertans clearly can't even come close to giving those kinds of contribution limits set in the province.

It's been argued by the other side of this House and others around the province that funding the political process is a right and a necessity given the expensive nature of campaigns and politics in general, but if all organizations, Mr. Chair, are subject to the same contribution limits, then all parties will be playing by the same rules and funding campaigns will be a challenge that will be felt equally by all parties.

We've seen other jurisdictions, including the federal government and other provinces as well, pass through significant limits and changes to the political donations, Mr. Chair, and it has resulted, I think, in probably democratizing the process considerably. We make no bones about being willing to forego the union donations, but we do not take corporate donations already. It's like a balance of power or an arms race when we have the détente – right? – that brings the whole process down to a more reasonable level. I mean, not to preclude spending money in a modern campaign with literature and some advertising and so forth, but again not heading down that road which I believe nobody really wants, which is American-style, big-money campaigning.

We've already seen glimpses of that here in the province. We've seen with the \$30,000 limit in donations, you know, that some parties can just run away with that – right? – with very wealthy donors or with corporate donations and so forth. By bringing that down, turning the temperature down, so to speak, Mr. Chair, I believe that we would be serving democracy better and seeing maybe even more participation, less cynicism amongst the voters who think that politics is already fixed somehow through big money and so forth, bringing it down to a level that I think regular Albertans can understand and appreciate.

Thank you.

**The Chair:** Are there others on amendment A4? The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you, Mr. Chair. I would like to speak in favour of this amendment. I guess, as a little bit of a background, I believe that corporate and union donations should be banned as a matter of course in this province simply to recognize that it's people who vote, it's people who contribute, and that corporations and unions should not have undue influence over political parties and/or candidates. With that being said, I appreciate the amendment brought by the hon. member in that within the framework of the act itself it's trying to limit the amount that individuals, corporations, and trade unions are allowed to give in this province to a more reasonable limit of \$3,000 in a calendar year.

He brought up some very good instances of bodies in Canada, other Legislatures and our federal government, that have been proactive on this file. One, the federal government in around 2004, 2005 brought in limits that I think were eminently reasonable and fostered better democracy, the \$1,100 limit per man and woman in this great country, and it forewent the corporations and the unions. I think that was an excellent example of legislation that was written to bring democracy back to the people, the people who get to vote and the people who should be influencing the politicians, not necessarily the corporations and the unions. Another excellent piece of legislation was done by the Manitoba government I believe some 10 years ago, which also forewent contributions by corporations and union members and brought in a more reasonable limit of \$3,000 for every individual in the province. That was their

limit to give in any calendar year. In my view, that was very progressive legislation.

8:40

What kind of bothers me about this government is that oftentimes there is progressive legislation out there that has been written. It's been done, examples of it. Other organizations have commented on the fact that it's more progressive legislation, that it's more realistic, that it eliminates big money from politics and the problems that arise from such. Oftentimes if there's good legislation out there, it would be a reasonable approach for this government to look into it. In my view, I don't see that happening. That begs the question: why? I think the simple answer is: because they realize that it may actually be less advantageous to them.

Being the government in power, they can run leadership dinners and the like that they expect corporations to come to, that they expect unions to go to. Maybe attendance is kept as to whether their corporate contributors are there. Although some hon. members would say that this would never happen in politics, that any influence by corporations or unions on the government does not happen, I live in the real world, Mr. Chair. I understand that these entities can bring much power to bear on governments and have a big say in the day-to-day goings-on. I believe that. If we don't admit that at least to ourselves in this House, I think we'd be denying the obvious, that it does influence decisions and does influence access and the like.

In my view, it would be wise for this province to go forward on limiting those types of contributions, limiting them to a more reasonable form, and this amendment does that. So I will be speaking in favour of it just from the simple common-sense approach that we should try to eliminate money from corporate interests and union interests to the greatest extent possible. This measure goes a long way.

There's another reason. Even if I am wrong in that corporations in this province have easier access to politicians or the powers that be, then I believe it would send a message to Joe and Jane Albertan. It would send a message to them that democracy is not for sale. It would ease their concerns over what they've seen and heard in the papers about illegal donations or the size of donations from various individuals or other entities that lead the average voter to question the process. Oftentimes if the average voter questions the process, they lose faith in the democratic process, they lose faith in us as elected officials. Sometimes we need to bring in legislation to assure them that this is in fact not happening.

On that note, I would encourage everyone to support this amendment. I can see no reason why not. If you look at various published papers out there by various think tanks and the like, many if not all of them agree that money should be limited in some reasonable fashion. This amendment goes a long way to do that, so I'd urge all members to support it and improve the democratic process and ease concerns of the electorate that are out there.

Thank you, Mr. Chair.

**The Chair:** Thank you, hon. member.

Are there other speakers to this amendment?

I'll call the question on amendment A4.

[Motion on amendment A4 lost]

**The Chair:** Now back to the main bill. Hon. Member for Lac La Biche-St. Paul-Two Hills, it looks like you have another amendment.

**Mr. Saskiw:** Yes, I do. Thank you, Mr. Chair.

**The Chair:** If you'd care to circulate that, hon. member, and we'll let you speak to that in a minute.

That will be for the record, hon. members, A5.

You may proceed, hon. member.

**Mr. Saskiw:** Mr. Chair, speaking to amendment A5, this is a relatively simple amendment but a very important one. What it does – under the proposed legislation section 51.01(2), essentially, the way the act currently reads is that

(2) If the Chief Electoral Officer is of the opinion that

And it lists three different groups.

(a) a person, corporation, trade union . . .

Et cetera.

(b) a prohibited corporation . . . or

(c) a person, political party, constituency association . . .  
has contravened a provision of this Act . . .

the Chief Electoral Officer may serve on the person or entity . . .

[an] administrative penalty . . . or a letter of reprimand.

Our position is that there should be no discretion here. If someone's been found guilty of violating an elections financing act, the Chief Electoral Officer "must serve" those persons.

Then, subsequently, our second amendment is that a copy of that notice or letter must be made public within 30 days. I think it's important at a minimum that when someone's been found guilty, it's publicized and that, secondly, the person is appropriately served. The whole point of having a transparent and open electoral system is that the public knows when a person doesn't comply with the legislation. I think that this amendment is actually consistent with what the government is doing in a subsequent amendment, where they're shining the light on past illegal donations. This is just on a go-forward basis that the Chief Electoral Officer must shed light on it and must make those illegal violations public.

The second part, of course, is adding the requirement that a copy of the notice or letter of reprimand be made public within 30 days, and that's just an easy way for the office to be accountable to the public. It's simply not transparent if the CEO is choosing whether or not to reveal all or any illegal donations. I think, you know, we've heard the mantra from the Premier saying that we want an open and transparent and accountable government. The way to do that is to make sure that if anyone's been found guilty of violating a statute, that person must be served, and it must be made public.

8:50

I think this is a very reasonable amendment. I don't know what the counterarguments possibly could be to making something like this more open and transparent and also making it mandatory for the Chief Electoral Officer to do this. I know that I listened to the hon. Justice minister, when he announced this legislation, talking about how it's now going to be mandatory that the Chief Electoral Officer disclose when there's been an illegal donation. This amendment is certainly within the spirit of the Justice minister's words, and I hope that he would strongly consider this amendment.

Thank you, Mr. Chair.

**The Chair:** The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Thank you, Mr. Chair. I, too, will speak in favour of this amendment. It seems to allow for the Election Accountability Amendment Act to be more open and transparent when the Chief Electoral Officer finds a violation that has happened under this

legislation. It should read: must serve. That would serve a dual purpose. The person who violated the act would know in what form or manner they had done it and would know that it was a serious enough ramification that they would change their processes in place or attempt to do things better if they knew they were going to get a summons.

Let's face it: common sense dictates with the second revision of this that if it was going to go public, people don't like that. They would strive to do their jobs better and would strive to ensure that they followed the act as well as possible. In my view, it serves a purpose, and it would serve to have people better perform the jobs that they are occupying.

I think it's a good amendment and would urge all members to support it in kind. Thank you, Mr. Chair.

**The Chair:** The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Yes. Thanks, Mr. Chair. I just wanted to briefly speak in favour of this amendment as well. I think it's really important for the Chief Electoral Officer to be compelled to follow up on circumstances where individuals or parties disobey the election laws. We need to be sending letters. You know "may" instead of "must" allows some deliberation by the CEO, which I don't think is necessarily within his purview. We have clear laws surrounding our elections. The whole idea here is to have an open electoral system, right? The public needs to know that when people don't comply, then something will happen. It's not particularly transparent, I don't think, for the CEO to be choosing whether or not we are the ones who set the parameters by which these things should be – I think that this particular, very simple change from "may" to "must" is a must here right now.

Thank you very much.

**The Chair:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I rise to speak in favour of this amendment. What good is a law if it's not enforced? What's the purpose of a law if we don't enforce it? We're passing a bill here that is intended to strengthen our election process, and we're not changing any of the penalties in this amendment. We're not overburdening the system with any kind of offensive language. What we're simply stating is that when there's a wrongdoing, a violation of the act or the regulation, the Chief Electoral Officer must serve, whether it be a penalty within the jurisdiction of the Chief Electoral Officer or a letter of reprimand acknowledging that, say, someone actually in good faith made an honest mistake and filed or donated incorrectly or violated the act and is in contravention.

It should be enforced. This is what we have been talking about, I think, as we've spoken to the bill. What this does is that it puts the duty on our regulator to enforce the law. We will make public those people who violate it, and that information will become public within a reasonable amount of time.

I'd be really interested in how this does not fit with the intent of this legislation and how it doesn't strengthen it. I don't see where it weakens it. I don't see where it puts any type of burden on the regulator, which is the Chief Electoral Officer. What we're asking the Chief Electoral Officer or the office itself to do is to do its job.

If people are identified accordingly by either a letter of reprimand or a penalty – because the whole purpose of a penalty is to make sure that this doesn't happen again. That is the so-called consequence of any type of violation. So if we leave it to the Chief Electoral Officer that they may or may not enforce the law, I think that puts an unfair burden on the Chief Electoral Officer and an

unfair burden to be accused of improprieties of favouring one party over another if that were the case. But if the law was specific in the sense that it said, "You must serve these violators either with the penalty as you found or you must serve them with a letter of reprimand showing that they committed a wrongdoing," then that settles the issue. It's applied equally. It's applied fairly.

It doesn't change the fact of whether someone has been found in violation of the act. That's not the issue here. The issue here is: what is the duty of the actual regulator? What is the duty of the Chief Electoral Officer, when it goes to review these situations, to the public? It's the public that is of significant concern here because it's the public confidence that we want to increase not decrease. We do not want to hide people who violate the act or violate the regulations. We don't want to unfairly burden them with punishment, but that's not part of this amendment.

The amendment is specific in the sense that it just says that the Chief Electoral Officer must serve and must do it in a reasonable amount of time. The jurisdiction to determine whether it's a letter of reprimand or whether it's an administrative fine hasn't changed one iota. That is still within the purview of the Chief Electoral Officer to decide whether it's warranted to actually have an administrative penalty or to issue a letter of reprimand.

It doesn't change the fact that we're talking about a defined wrongdoing regardless and that we're dealing with an issue with the intent to strengthen the public's confidence that we are going to enforce our election laws. It eliminates any kind of accusation of bias whatsoever on the part of — well, I shouldn't say whatsoever because if there's always a letter of reprimand, somebody will argue that somebody should be fined. You can't get away from that, but at least we are enforcing our laws. At least we are enforcing our rules and our regulations, and no one is exempt from that. I think that's important. That shows the public that we're serious about our election laws and that if you violate that, you will be held accountable. That accountability may just be the letter of reprimand, or it may be an administrative fine, but you don't get off because of: "I'd rather not do that. I'd rather not fine you."

I'll tell you what this does eliminate: any kind of inconsistency over a period of time, particularly in a change of the Chief Electoral Officer's position, where people who make the same type of violation find themselves maybe subject to administrative penalty, and then all of a sudden people are no longer subject to that, yet they've committed the same offence. It will not change the law or the regulation. It is still an offence. All we're saying here is that the Chief Electoral Officer must serve, must enforce the law however that law is defined. The law is defined accordingly. The Chief Electoral Officer has that ability. They must disclose that in a reasonable amount of time to the public.

Now, that would be consistent with this quarterly reporting of finances. Here we're overburdening these constituencies of the parties with quarterly reporting, but do we want to make it public information if somebody violates the act to whatever degree? This would make it mandatory that within 30 days of the violation that information becomes publicly available. In my view, that is more important, I think, in the public's eye in establishing confidence in the system, that violators are held accountable, and it would deter violations if it was viewable that people were held accountable. I think that's significant in strengthening our elections act and our election processes.

Thank you very much.

9:00

**The Chair:** The hon. Member for Medicine Hat.

**Mr. Pedersen:** Thank you, Mr. Chair. I'd also like to speak in favour of this amendment. Just to reiterate a little bit of what the Member for Rimbey-Rocky Mountain House-Sundre had talked about, "may serve" is just a little too loose. It doesn't create action on behalf of the CEO. It still leaves the CEO able to act or not act, and I think we need to remove that. I think the fact that that person is in that position of power is that he is there to act upon situations like this. We rely on him to act when there is an indiscretion.

The wording also allows for too many options. You know, he "may serve" or "must serve." If he may serve, sometimes he might serve the purpose of issuing it and have some kind of conclusion. The next time he might not. There is no consistency at all.

I'm always in favour of any amendment that's going to close loopholes, and I think this would help strengthen this bill. "Must serve" also clarifies the rules that no matter who the CEO is, because this individual would normally change over a period of time, this individual has the same set of rules. I think that's important because if you put a different person in place, who is to say that they're going to operate under the same guidelines and principles that his predecessor did? If we create rules that are clear and concise, I think that creates an easier working environment for that individual to perform to the utmost of their abilities.

The 30 days' notice also creates the accountability factor. The public will know that action is being taken, and the action is followed up on on behalf of the Alberta voters. I think that's the important part here: it's answering to the Alberta voters. That's who we want to try and keep informed through this whole process. By reporting this within 30 days, we are showing that there is consistency on the actions and that violations will also be very consistent in how they're publicly displayed. If an individual is offside for doing A, B, C, somebody else will be held accountable for the same reasons if they do A, B, C again. And they should. There should be consistency across the board on behalf of those who violate. I think that's very important.

The fact that we're saying that the individual must and that they also must make this accountable, I think the public will have a lot more confidence in this bill to know that there is consistency in it, it's transparent, and no matter who is sitting in the position of CEO, they have a very straightforward and realistic set of rules and guidelines to follow, which they can look back to if they replace someone else that was in there before.

Thank you very much.

**The Chair:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chair. I just want to rise very briefly to point out that this amendment is actually quite unnecessary and redundant. In the provision under section 62 of the proposed act, 5.2(3):

Findings and decisions and any additional information that the Chief Electoral Officer considers to be appropriate shall be published on the Chief Electoral Officer's website in the following circumstances.

Then it goes on to outline what those circumstances are. There's no question that the findings of the Chief Electoral Officer on an investigation are to be made public on the website, so all this adds is within 30 days. That may or may not be an appropriate addition, but there's no question that findings will be public.

With respect to the "may serve" or "must serve" what that does is that by replacing "may serve" with "must serve," it takes the discretion out of the Chief Electoral Officer's hands in circumstances where they may have done an investigation, they may have found a technical breach, a mistake, there's a finding that the law has been breached, but it's not something that is deserving of



sanction. There are those circumstances that may happen from time to time. They happen in the criminal law. They happen in other circumstances. To leave out any discretion means that people will be served a letter of reprimand or an administrative penalty must be served. One of those two leaves out the other option for the Chief Electoral Officer to make a finding that there has been a problem, to report that finding, because he's required to report it, but not actually to levy a sanction where he doesn't feel a sanction is warranted.

**Mr. Saskiw:** Mr. Chair, I'm not following what the Government House Leader is saying. If the language is that the Chief Electoral Officer produce something on his website when he considers it to be appropriate, that is clearly discretionary, again.

**Mr. Hancock:** No. He has to publish decisions and findings and such further information he deems appropriate.

**Mr. Saskiw:** That he considers appropriate.

Mr. Chair, this is just another example. If there's been a violation of the act, there should never be any wiggle room language like something that the Chief Electoral Officer considers to be appropriate or in this case something the Chief Electoral Officer may do. This is particularly important. We have already found that the Chief Electoral Officer has found, I think, over 40 instances of illegal donations made in this province. Yet under the proposed legislation it's still discretionary on whether he has to make it public.

I'd like to refer the member to even, for example, 51.02. That's page 68 of Bill 7. I'll start with 51.02(2): a disclosure under 5.2(3)(a) may be made with respect to an alleged contribution. Again, that's consistent with what was under 51.01. Under the new law the Chief Electoral Officer does not have to make public illegal donations made in the province. That is the case under the current legislation. In both instances they may.

I'm not sure what the hon. member is referring to on the other page. If the hon. member would please refer to that section, I'd appreciate it.

**Mr. Hancock:** On page 42, under section 62 amending section 5.2(3):

Findings and decisions and any additional information that the Chief Electoral Officer considers to be appropriate shall be published on the Chief Electoral Officer's website in the following circumstances:

- (a) subject to section 51.02(2), if a penalty is imposed or a letter of reprimand is issued under section 51 or 51.01.

"Shall be published."

**The Chair:** Thank you.

The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Chair. The hon. member is referring to section 62, amending 5.2(3). Again, I think that the language there, "considers to be appropriate," still provides wiggle room. The other thing is that it's contradictory to the subsequent section.

If it is redundant, as the hon. member argues, I don't think there's any reason to reject this amendment. If there's ambiguity in this section, I think – it's clearly ambiguous. One section says "may" when it references the same section. One other section says, "considers to be appropriate shall." I'm not sure why there would be any reason not to.

I would also refer you – I think this is maybe getting to the thrust of the matter – to 51.02, the retrospective disclosure of illegal donations, that clearly says "may." If you look at 5.2(3), it

says, "considers to be appropriate." It's confusing. If the intent of this government is actually to definitively publish any illegal donation, I would suggest that we simply amend this legislation and make it "must."

9:10

**Mr. Anglin:** To the hon. member of the opposition, I don't agree with the interpretation of that section 62, but if it is as you say it is, then what this amendment would do is provide consistency because if it was mandatory that it be published and there was no discretion to publish it, then what this amendment will do is make this section consistent with the previous section, which would make it mandatory that the penalty be served on the individual or the entity and that that notice would also be brought forward in a sufficient time frame. That would actually bring consistency.

Although, going back to my original statement, there is discretion in what was just read where it says, where the Chief Electoral Officer "considers to be appropriate." That "considers to be appropriate" is, in my mind, discretionary, and I think that legally that would be discretionary. What this amendment would do to the actual violations is that it would create a consistency right across the spectrum which says: if there is a violation, then that violator will be served, and there will either be a penalty or a letter, and that will then be available to the public within 30 days. That would be consistent with at least posting on the Internet or on the website or however they post it. What it would eliminate is any confusion about the matter. The mandate that they shall be served is prescriptive, and it will make sure that there is consistency and less ambiguity rather than more confusion.

In my mind, the argument that it is redundant, I don't see the redundancy. What I see is that this amendment is bringing forth prescriptive language that makes it absolutely clear that once a violation has been established, it is mandatory that that violator be served, whether it's an individual or an entity, and that however it is determined, whether it is a penalty or whether it is just a letter, at least then there is consistency with the enforcement of the law, which is the whole purpose of investigating, and when there is wrongdoing found, the idea of penalties is to serve as some sort of – I'm lost for words for a second.

**An Hon. Member:** Deterrent.

**Mr. Anglin:** Deterrent – I was looking for it; I found it – so we don't have these offences: that's the whole purpose behind it. A deterrent is also the letter. Nobody wants their name out there that they violated either the act or the rules and the regulations under the act, so we have consistency. That, to me, is what this amendment brings forward, consistency.

Just backtracking to the hon. member's statement, if it is as he says, then this amendment would be then consistent with that previous section he referred to.

Thank you very much.

**The Chair:** The hon. Member for Medicine Hat.

**Mr. Pedersen:** Yeah. Just quickly. Thank you, Mr. Chair. Just the way it's worded, it just gives me concern that it still allows for some subjective decision-making rather than objective, and that's just, you know, what I'm picking up on. I don't claim to be an expert, but, you know, when you create these areas for wiggle room, again, there are going to be people who are going to be unhappy if somebody actually makes a decision that they feel wasn't right. So, again, if you can remove that subjectivity and create more of the objectivity that I think this bill is trying to create, for normal, you know, regular street people like me, I think

it would go a long ways. But I do thank you very much for the clarification.

**The Chair:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chair. I don't wish to prolong this debate unnecessarily, but it's clear that the Chief Electoral Officer receives a complaint or otherwise comes into information which would suggest that there is an investigation, makes an investigation, and then as a result of that investigation determines whether or not an offence has been committed. Now, it's clear under the section that we're talking about, on page 66 and if you go over to 67, that the Chief Electoral Officer has some decisions to make. I mean, he's in the nature of a judge in that case and can make certain decisions. At the bottom of page 66, subsection (4), "in determining the amount of an administrative penalty . . . to be paid or whether a letter of reprimand is to be issued" – in other words, does this offence warrant anything? – then he takes into account subsections (a) to (g).

It's clear that he has that ability to make that determination. First of all, has an offence been committed? Secondly, what's the context of that, and what is the appropriate response to it? The response could be: an offence has been committed, and we'll report that. But it wasn't wilful; it wasn't any of these things. Therefore, no further sanction is necessary other than publishing that it has happened. Or a letter of reprimand may be appropriate, or an administrative penalty, a sanction of more severity, might be appropriate. Those are the tools that are in the CEO's hands, and that's clear in this section. It's also clear if you go back to page 42. There's no ambiguity. "Findings and decisions and any additional information that the Chief Electoral Officer considers to be appropriate shall be published . . . subject to section 51.02(2)," which is the time limitation of three years.

It doesn't have anything to do with the decision piece in 51.01. Section 51.02 is the time limitation period, which is consistent with the other time limitations. I presume that we'll get into that discussion at another point. Section 51.02 is simply the time limitation. Subject to the time limitations when he makes a finding or decision, he needs to publish it. He can also publish any additional information that he thinks is appropriate. The two sections are clear, and what we're trying to accomplish is clear. It's an entirely appropriate way to go.

**Mr. Saskiw:** I'd like to thank the Government House Leader for that. The issue, I guess, is that if we look at some of the comments that were made, we're going back – there's been an inclination that we will go back three years on any illegal donations, and 51.02(2) is permissive. The section he referred to on page 42 says: "subject to." So right now under law the Chief Electoral Officer need not disclose any violations in the past three years. I don't think that was the intent. I know that the Justice minister during the introduction of the bill made it very clear that those illegal donations going back three years would be made public. Right now 51.02 is permissive, and the provision that he referred to under section 62(3) is also permissive.

**The Chair:** Are there other speakers?

**Mr. Hancock:** I hesitate to continue this back and forth, but 51.02 simply puts in some time frame, "may not be served more than 3 years after the date on which the alleged contravention occurs," and 51.02(2) "a disclosure . . . may be made with respect to an alleged contravention that occurred before the coming into force." So, it may be made, with respect to disclosure, before the coming into force of this section. Normally if you didn't say that, you

might not know that you had that authority, but then when you read that with the other one that says that when he makes a decision of wrongdoing he must publish, it's very clear.

**The Chair:** Other speakers?

**Mr. Saskiw:** I'd like to make a motion on this amendment that there be a one-minute bell.

**The Chair:** Okay.

[Unanimous consent granted]

**The Chair:** We'll call the question, then, on amendment A5.

[The voice vote indicated that the motion on amendment A5 lost]

[Several members rose calling for a division. The division bell was rung at 9:20 p.m.]

[One minute having elapsed, the committee divided]

[Mr. Rogers in the chair]

For the motion:

Anglin	Hehr	Saskiw
Barnes	Pedersen	Stier
Bikman	Rowe	Strankman
Eggen		

Against the motion:

Bhardwaj	Griffiths	Oberle
Bhullar	Hancock	Olson
Cao	Hughes	Pastoor
Casey	Jansen	Rodney
Cusanelli	Johnson, L.	Sandhu
Denis	Klimchuk	Scott
Dorward	Lemke	Starke
Drysdale	Leskiw	Webber
Fenske	Luan	Woo-Paw
Fraser	McDonald	

Totals:	For – 10	Against – 29
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[Motion on amendment A5 lost]

**The Chair:** We'll go back to the main bill. Are there other speakers? The Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you very much, Mr. Chair. I, too, will move another amendment here on behalf of the Member for Edmonton-Centre.

**The Chair:** Wonderful. Thank you. You'll send us the original along with enough copies to be distributed, and make sure you keep one. This amendment will be A6, hon. members.

Hon. member, you may proceed to speak to the amendment.

**Mr. Hehr:** Well, thank you, Mr. Chair. This amendment by the Member for Edmonton-Centre moves that the Election Accountability Amendment Act be amended in section 3(b) in the proposed section 4(2.1) by striking out "the registered political parties that are represented in the Legislative Assembly" and substituting "any registered political party."

It goes without saying here that I think this is a pretty self-explanatory amendment. It represents the fact that here in Alberta there are a great many political parties not necessarily referenced by their electing a member to this Assembly. There are some parties – at the top of my head: the Alberta Social Credit Party, the

Alberta Party, the Communist Party and a few other organizations – out there that are active political parties moving slowly but surely in having their voice heard in the democratic process.

If we're going to have a bill that's going to be an Election Accountability Amendment Act, it should reference the fact that political parties are out there waiting for their opportunity to elect members and go to government. I think there is a prime example in the current government. It didn't always have a member in this honourable House, nor did the Official Opposition. I'm sure at times the Alberta Liberals have not had a member in this House.

**Mr. Eggen:** We've always been here, yeah.

**Mr. Hehr:** Actually, the New Democrats have always been here, at least in spirit, if not maybe in person.

Nevertheless, I think this is an amendment that really reflects the diverse nature of the Alberta political system. One never knows what will happen in the future as to who or what political organizations start up and try to add to the political debate in this province.

That's the nature of my amendment, Mr. Chair, and I'd urge all members to support it.

**The Chair:** Other speakers to the amendment? The Member for Edmonton-Calder.

**Mr. Eggen:** Yes. Thank you, Mr. Chair. Briefly, I certainly concur with my colleague's comments on this. I think it's both fair and taking the long view that we should be including any registered political party in this. I mean, these things come and go, and certainly we would like to keep the fluidity that we have in our Alberta system with new parties emerging and rising over time and not be stuck in the channel of parties that just carry on and on. I think this is a very simple, straightforward amendment, that I will be supporting on behalf of the Alberta New Democrats.

Thank you.

**The Chair:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I rise in support of this amendment. Far be it from me or anyone else, I think, to inhibit the Chief Electoral Officer from doing their job. We're talking about just substituting a very benign language, from the political parties that are represented in this Assembly to all registered political parties which fall under the jurisdiction of the Chief Electoral Officer. I mean, we can go on and on with examples of why the Chief Electoral Officer should or may out of necessity have to meet with a political party for whatever reason.

9:30

I'd be really interested in the objection of the sponsor of this bill as to why this isn't something that is acceptable as giving flexibility to the Chief Electoral Officer and allowing the Chief Electoral Officer to do their job. I don't see that we're impacting this bill in any way other than giving just a little bit more flexibility to it and, even then, not a whole lot of flexibility. This is just straightening up some language to make sure that the Chief Electoral Officer has that ability by legislation to meet with any registered party in the duties of their job.

With that, thank you very much.

**Mr. Hancock:** Question.

**The Chair:** Question on the amendment.

[Motion on amendment A6 lost]

**The Chair:** Back to the main bill. The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thanks, Mr. Chair. I have a modest proposal here that I will pass to you. I think the original is on the top.

Thank you.

**The Chair:** This will be amendment A7.

Proceed, hon. member.

**Mr. Eggen:** Thanks, Mr. Chair. As you can see, my amendment is taking a look at section 44.94(7) and putting in a section that would say:

(8) Contributions to a registered leadership contestant shall not exceed \$3000 in the aggregate in any campaign period.

This bill currently makes no changes to the leadership contest on the issue of contribution limits, and there's a whole section on how contribution rules are applied to leadership contests, nothing specifically about limits, though. We thought that this amendment might pick up where Bill 7 left off when it comes to leadership contests and, in fact, places a cap on leadership contributions of \$3,000. This is not in sum total but a single contribution.

Currently Alberta's election laws place no limits on donations to leadership contestants, and we find it troubling that leadership contests are quite apart and autonomous from Alberta's election legislation now under the Election Act and the Election Finances and Contributions Disclosure Act. Bill 7 tries to bring leadership contests under some semblance of the basic rules that govern general elections.

In the spirit of that, this amendment makes sure that contribution limits are also set at a reasonable limit to encourage participation and democracy in the process of electing parties' political leaders, the same rationale that we brought forward when talking about the elimination of union and corporate donations and lowering the individual donation limits from the \$30,000 that we currently have. The Chief Electoral Officer, I believe, as well made recommendations to the Ministry of Justice and Solicitor General to ensure that leadership contests were governed by election financing rules. This amendment simply extends that recommendation to contribution limits. It's very logical and eminently reasonable, I think, Mr. Chair.

The \$3,000 contribution limit is in line with some other provinces such as Manitoba, which has set contribution limits. Manitoba's election financing laws, as it happens, have been considered as reasonably democratic and fair when compared to other jurisdictions such as Alberta, which places no limits on contributions to these campaigns. I think that, similar to a lack of a reasonable limit in general political contributions to parties and candidates, the fact that leadership contests don't have contribution limits means that certain individual party members who do not have the financial ability to contribute competitively in the leadership process are thus diminished, right? This limit on leadership contest contributions will, I think, level the field to a great degree and will encourage maybe more leadership contestants to reach out to more supporters and thus create a more democratic field in which these leadership contests should be played.

Mr. Chair, I think that my proposal is clear.

**The Chair:** Thank you, hon. member.

I'll recognize first the Minister of Justice and then the hon. Member for Calgary-Buffer.

**Mr. Denis:** Thank you very much. I'll keep my comments brief as we're getting a lot of progress here. I just wish to correct the record. The Member for Edmonton-Calder was talking about the

Chief Electoral Officer's recommendations. The Chief Electoral Officer made no recommendations as to contribution limits with respect to leadership contests. He did recommend that there be a disclosure over \$250. We've accepted that recommendation. We've also accepted 90 of his 101 recommendations, Mr. Chair. As we move forward, we want to keep this away from becoming a partisan document, and that's why we followed his recommendations so closely.

I do note that in last year's PC race five of six candidates decided to disclose everything. There was a \$5,000 limit imposed by the party. I also believe that in the Wildrose leadership just before the last election the Wildrose leader disclosed her donations. I would therefore suggest that the Chief Electoral Officer is correct, that we can impose these new regulations, but at the same time this is also an internal party matter, and we need to respect that, the internal structures of all the major parties, in fact all of the parties' leadership selection processes throughout this province.

**The Chair:** The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you, Mr. Chair. I actually got a little bit of a chuckle out of the hon. Solicitor General's comments there stating that he seemingly seems to have to wait for the head of our elections to make a recommendation before he can act. To me, that was a telling statement and one that I hope he doesn't continue to follow. If he sees an opportunity to increase openness, transparency, or to bring better democracy to this great province, I hope he's not waiting for the Chief Electoral Officer to make those recommendations. If he knows of some, he should be making them and not merely relying on a member who is appointed by our Legislature and the like. He is the minister and should not abrogate his responsibility in this regard, and he should be moving forward boldly where he sees fit regardless of whether the Chief Electoral Officer says so or not.

In any event, back to the amendment. I see this amendment as being a very good one. If we go back to the concept that I believe happens, that money influences politics, that by human nature it allows not our better angels to guide the process, I believe limiting leadership contestants to \$3,000 in aggregate from any one person is a very good move. To me, I don't buy the argument that some tried to put forth that money has no influence in this game. If they take that view, I believe they're being unbelievably naive.

In my view, we should look to limit the amount of influence any one individual, any one corporation, or any one union can have on any member of the House and, in particular, leadership contestants to run this province and/or be a member of one of the opposition parties. It really doesn't matter to me. There should be strict limits enforced and the recognition that no one should have a pipeline to the Premier or an opposition leader of any party. It should be based on the more essential, egalitarian concepts of fairness and what is seen as right.

**9:40**

I get back to the principle of Joe and Jane Electorate. You know, there's a sense out there that politicians can be bought, can be influenced by money. In my view, it's not necessarily right of Joe and Jane Albertan to state that, but it is the truth, okay? We should in all contests try and eliminate money from politics where we can. I think this amendment to limit leadership campaign contributions to \$3,000 is a good one in that regard. I think it is one that would make leadership contestants seek out money from a variety of sources and individuals and allow for more competitive campaigns. As well, no one candidate could simply lock up a certain amount of donations from a certain sector or

industry or the like and have made a whole bunch of promises to that industry, corporation, or the like and get an unfair advantage in the leadership race and then also be beholden to that industry or corporation for future promises.

I believe that has happened before, Mr. Chair. I believe it in my heart, and I believe that anyone who has sat on the government side of the House has seen that influence happen before their eyes. If they would admit that and sort of see that this is a good amendment to try and limit that undue influence that may be present with large donations to leadership campaigns.

In any event, I commend the Member for Edmonton-Calder for making this amendment, and I urge all members to support it.

**The Chair:** Thank you, hon. member.

I recognize the Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Mr. Chair. I'll be brief. Four points, I think, in support of this. I think that it's a good amendment. Limiting the donations to \$3,000 is a good idea. It levels the playing field and removes the potential for the appearance, at least, of buying undue influence and easy access to the successful leadership candidate. Third, it can provide increased confidence in the process to the people at large, particularly the party members that would be participating in the vote for their leadership candidate, and it may encourage broader participation financially as well as being involved in the process itself.

I think, all in all, it's a worthwhile amendment, and I hope that the people over there might see the light and hear the voice. Thanks.

**The Chair:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I rise in support of this amendment. I'm not sure the \$3,000 figure is the correct figure, but I'm going to support this amendment because there needs to be some sort of limit on what the contributions can be. If history has taught us anything, this has been an issue, going back a number of leadership races, that has been a point of contention. The argument that individuals might seek to unduly influence a leadership race is a valid argument. It's been leveled at numerous leadership campaigns in the past, and without any kind of limits it will continue to be leveled at leadership races. This is a good way to address that issue.

Whether or not the \$3,000 figure is a correct figure, that I don't know. But I do know that if we take steps to actually not just strengthen the process but to make sure that the democratic process is respected in the sense that we have a rule here or a piece of legislation that prevents something – in the case of the allegation we've just seen recently with the Katz Group, the allegations that certain individuals wanted to influence a system. Whether that allegation is correct or not, it is the presumption in the public, and it's the black eye that we suffer from that presumption, whether it's accurate or not. By limiting the amount of contributions, it does set a cap, and it does help to strengthen the system and, I think, make for a stronger democratic process.

With that, I urge members to support this motion.

**The Chair:** Other speakers on amendment A7?

Seeing none, I'll call the question.

[Motion on amendment A7 lost]

**The Chair:** Back to the main bill. The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Chair. I have another amendment to put forward with the requisite copies.

**The Chair:** That'll be A8.

Hon. member, you may proceed with amendment A8.

**Mr. Saskiw:** Thank you, Mr. Chair. This is a very, very simple amendment but a very, very important one. This is where the rubber hits the road. What this amendment does is that it amends section 51.02, which makes a retrospective amendment to the legislation which allows the Chief Electoral Officer to go back three years and make public any illegal donation. Unfortunately, even under this act it's only three years from the date of coming into force of this legislation, so by the time this comes into force, a bunch of illegal donations that have been found by the Chief Electoral Officer will have expired.

This amendment makes it go back seven years, and the reason for that is that we've found and the Chief Electoral Officer has decided on numerous cases of illegal donations going to a certain political party. These are not allegations. There have been findings by the Chief Electoral Officer of illegal donations going to a certain political party, yet right now this is kept secret. We don't know what the findings were, whether they've been repaid, what the penalties were. It's shocking, quite frankly, shocking and appalling that in a modern democracy a party can illegally solicit and accept illegal donations – illegal donations – that actually have been found to be illegal, but the political party doesn't have to make that public. That is wrong, Mr. Chair. No other democracy does that.

You know, there's a opportunity here for the government to accept this amendment. We've seen very, very recently, in fact, an example of where this amendment would come into play. We found that a former executive of the Calgary health region had expenses, put money into partisan political purposes and had it reimbursed by Calgary health services. Clearly illegal, Mr. Chair. Clearly, clearly illegal. Under the current legislation, if you can believe it, despite it being completely illegal, the Chief Electoral Officer has no obligation to make that finding public, to make the determination of the penalty public, to make the determination of whether the monies have been repaid public. It's absolutely shocking.

**9:50**

If the government decides not to accept this very straightforward amendment to go back seven years for whenever the Chief Electoral Officer has made a finding of wrongdoing – this is not a case of making new offences; this is an actual case where the Chief Electoral Officer has found illegal donations in this province. If this amendment is not accepted, one can only surmise that this is a deliberate attempt to cover up previous illegal donations. There's no other explanation here. If you believe in transparency and if someone has made an illegal donation, why should that not be made public? Why should that not be made public?

You know, it's not a case of record keeping. This is an instance where we've already actually had a press release from the Chief Electoral Officer saying that he has found 48 cases of illegal donations. How could that not be made public? What kind of democratic deficits are there in this province? This is the only province that does this in any western democracy not just Canada. No other western democracy would keep secret a case of illegal donations that have been found. It is absolutely shocking.

The inevitable question here is: what are you hiding? I know that the Justice minister spoke, and he said there's no smoking

gun. Well, if there's no smoking gun, disclose it. Is this a deliberate attempt by this government to cover up illegal donations, some of which have clearly been made by the Premier's sister in her capacity as an executive for the Calgary health region?

Mr. Chair, I just find that this is an obvious amendment. If this isn't accepted, it's just shocking, quite frankly, that we will know going forward that we have an instance of the Chief Electoral Officer finding illegal donations, but they will forever be kept secret. They will forever be kept secret because of this government's position. How can anyone actually defend a position where illegal donations have been made, public dollars, taxpayer dollars have gone toward political purposes, but that is not made public? The penalty for that is not made public, and whether those funds have been repaid has not been made public. How can anyone with any integrity actually defend that position?

I hope and I urge that we have a democracy here in Alberta, where this very, very basic accountability provision is accepted.

Thank you, Mr. Chair.

**The Chair:** Thank you, hon. member.

The Member for Edmonton-Calder.

**Mr. Eggen:** Thank you, Mr. Chair. Certainly, I concur with the hon. Member for Lac La Biche-St. Paul-Two Hills. I think that extending Bill 7 retroactively to seven years, not three years, would capture a lot more of the illegal donations made since the end of 2005. It's a reasonable time frame as records, I think, generally get destroyed in different places after seven years. You know, just because the CAs don't have to keep records past three years doesn't mean that this evidence is not relevant. We know of many cases where cheques might be illegally cashed, whether or not they know about that. Any problems because of a lack of party or CA records can be taken into consideration, but it's still not an excuse to just pave it over with law, right?

It's clear that we know that we've seen illegality, alleged and proven, past this date. I think it's reasonable to extend it back seven years. The whole idea that, well, if you don't have limitations, then it calls into question the whole viability of the law: you know, we always put limitations on different aspects of our data, but I think this seven years is eminently reasonable, Mr. Chair.

Thank you.

**The Chair:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I rise in support of this amendment. I understand that the hon. members get insulted when the issue of some of these illegal donations from one of the Chief Electoral Officers is brought forward. They get insulted when allegations are made in respect to relations to the Premier. But what this appears to be is a way to avoid this and to get around this.

All I want to say to the hon. members on the other side of the House is that if it is as you say it is and there's no wrongdoing, then this is a moot point. Seven years should never be an issue. It is one statute of limitations. But if you have something to hide, then you cannot go back seven years. That is, bluntly, just the way it's going to be perceived in the public. So here we have an amendment that says that we will go back to the previous findings, and that would be subject to this law, this act that we are passing. If we only say that we put this limitation to three years, when this goes into force, then what we're doing is subjecting this House to the criticism of the public that there's something to hide. If the hon. members do not like that, that is exactly what's going to happen as a direct result.

I support the amendment to include the seven-year statute of limitations here for the notice of administrative penalty but to limit that so that it prevents those numerous allegations that have been made and those numerous findings, which are not allegations but findings of the Chief Electoral Officer. To me that's disrespectful of the public, and that's disrespectful of the process. People need to be held accountable, and so be it.

Thank you very much.

**The Chair:** The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Mr. Chair. I speak in favour of this amendment. I think it's a critical amendment. I think it's one that ought to be embraced by almost all, if not all, of the members across the floor. It's a chance to have the slate wiped clean. It should appeal to the hon. members across the floor who have nothing to hide but are being found guilty by association and tarred by the same brush of guilt.

The public at large will feel that the only reason for this amendment to be rejected by the governing party is that they must have many embarrassing donations that they need to hide. If they don't have anything to hide, then why not support the amendment? But if we and the public at large are wrong, then here is your opportunity to prove it and restore trust or show publicly why the government can't be trusted and is as corrupt as we've been telling people.

Just because you can defeat this amendment doesn't mean that it's ethical to do so.

**The Chair:** The hon. Member for Cypress-Medicine Hat.

**Mr. Barnes:** Thank you, Mr. Chairman. I, too, rise to speak in favour of the motion. It seems logical that in retrospect if we can look back three years, we should be able to look back seven. We're not putting any extra onus on constituency associations for record keeping. It's just that if the Chief Electoral Officer happens to come across something, he will have the power to investigate back seven years.

As the hon. member mentioned earlier, we have heard of up to 48 instances of wrongdoing that could get overlooked or basically missed with this law. At the very least, the fact that the monies raised – and the allegations were made – should have the chance to be repaid and should have the chance to be returned at least to a level playing field.

You know, as I mentioned the last time I rose, there's a lot of concern to have an open, transparent process where our public is engaged, want to be involved as voters, as volunteers, and as candidates. The more that we have the opportunity to make these instances in the past – and I think in the past it's to retrospectively shine the light on them so that they are dealt with – that will put some accountability in the system that is much required. Again, I am in favour of making this a seven-year amendment as opposed to only the three years that it is now.

10:00

**The Chair:** Are there others? The hon. Member for Chestermere-Rocky View.

**Mr. McAllister:** Thank you, Mr. Chair. It's a pleasure to rise and speak to this bill, to any amendment. I'll try and strike a little bit different tone but try to make some similar points. The Election Accountability Amendment Act, 2012: I would love to believe that the government proceeded with the best interests in mind and truly wanted to reform the way things are done and make them better.

Proceeding with that thought, I think the reason that this amendment was put forward was so that we can get to the bottom of what we believe to be out there right now. Regardless of what side we sit on, if there are up to 50 cases of illegal donations out there, it's our duty to make sure that all of those cases are investigated. Maybe somebody could rise and assure me that that's going to be the case, in which case, you know, I think I would rest a little easier. I think everybody would.

Our fear is that if these cases go back beyond three years and are currently in the queue, they won't be investigated and it won't be made public. Those people that are guilty will just get away scot-free, and the public won't be aware of what's happened. You run the risk of, you know, people not being accountable for their mistakes, and you run the risk of people saying that government didn't take the time to investigate known cases. That's the problem.

Going seven years – I mean, I guess you could've picked five. You could've picked six. I suppose if you would have picked five, you'd suggest that maybe we would have said: well, we can't support five; we've got to go with 10. That's sort of what I'm seeing here over the last six weeks, the way things seem to work.

In general, my biggest concern in looking at this is that cases that are in the queue, those that we know have donated illegally, won't be investigated and won't be made public. I think that's the motivation to make sure that we go back a little bit further on the subject, looking at the amendment and making all of the cases public.

I think it's fair to say that sometimes, Mr. Chair, some of the cases of illegal donations are indeed innocent. I believe that. People make mistakes. Unfortunately, when those cases are made public, you know, those people have to answer questions that maybe they shouldn't have to answer. The problem is that if we make an exception and don't make all of that public – we would be wiser to risk letting the public judge those that are mistakes and, hopefully, understand those that are honest mistakes. We would be wiser to do that than err on the other end and let those that have made serious mistakes get away with it and not be investigated and not make the public aware.

That is our biggest concern. You know, it is and always should be about full disclosure. In the last couple of months or even during the last election campaign – we all fought very hard to be here regardless of what party we're representing – you wouldn't have to go very far to see that the public has an appetite to see that government is doing things above board and government is going through the proper rules and regulations to make sure that there are no unfair advantages given.

What the Member for Lac La Biche-St. Paul-Two Hills here is proposing is reasonable. You can have a problem with the number of three to seven. I would say that if we would just ensure that we would investigate all cases of illegal donations that we're aware of or that come forward, you know, I'd be incredibly happy. I think we owe that to the public in terms of full disclosure.

Did we say that the Chief Electoral Officer, Mr. Chair, had 48 cases before him? It's not like we get a case, you know, every three, four, five, six months, and it's easy to defend or make an excuse or an exception for. We're talking about 48 cases before the Chief Electoral Officer, nearly 50 cases of alleged illegal activity to be investigated. Now, that's a serious number, whether I'm sitting here as a member of this Legislature on the opposite side of the government or not. If I sat on that side, I'd want that investigated, and I bet many members do. What it comes down to for us and should for all of us is so that we can look the people in the eye that put us here and say that we're doing all we can to make sure that we're transparent, we're accountable, and more

importantly we're holding those accountable who make mistakes and try and abuse the process.

I would also say that I don't believe, as some members on the government side have spoken to on this amendment, not necessarily on this amendment but on the issue in general, the government is always aware of things as they are occurring, and the onus might not always need to be on them to provide every piece of documentation and receipt, et cetera, et cetera. But in these cases when we have them right in front of us, it's our duty to investigate them. Should this bill get put into legislation, the Election Accountability Amendment Act, 2012, and us not have the ability to go and investigate these known cases, these illegal donations, then that's a problem. There's nobody here or nobody outside of here that would suggest we should do that.

That's why I rise with great pride hopefully striking a better tone and suggesting that I will support this amendment wholeheartedly. Mr. Chair, as always, it's a pleasure to be able to voice my opinion.

Thank you.

**The Chair:** Thank you.

Are there others? The hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Mr. Chairman. We're all here for the right reasons, I've said numerous times, and I think this one just goes back to that I don't think we're adding any more extra onus on anybody to do this. It clears everybody of any alleged could-be wrongdoings. They're all alleged, so if you open up the books, you clean them off, there isn't a problem.

You know, the office of the Chief Electoral Officer opened in 1977, so it's been around a while. You know, I was one when it opened up, but we're not here to point out ages on things. The administrator is to be open, fair, and impartial on elections.

**Mr. McAllister:** You look way older.

**Mr. Donovan:** Pardon me? I look way older. Yes, thank you.

You know, to embrace the partnership on doing it, to make sure political participants or necessary information accesses comply with the election rules, I think they have all the information there that's available. If the CAs have it destroyed in three years, I guess that doesn't mean that the evidence is moot. We need to look at the case and see if the cheques have been cashed. There is a process. It goes back to just clearing the air in this House all the time, to make sure that there is no Joe Q. Citizen out there that wonders, "Are we doing this wrong or are we doing this right?" and that it's open for everybody.

I think as long as we're showing that we're being open and transparent, which this government has taken a very hard stand on – that's what they want to be, open and transparent. They even named a ministry of it. It's excellent to see that they've taken that step. Now follow through with it. I mean, it's great to say and stuff, but we need to follow through with the process. We're dealing with, you know, an office that has 16 full-time staff members. They've identified things already, so let them follow through with them. If it means going back the seven years, I think it would be something that constituents would be able to say that we're being open and transparent. It proves the government's side that they are being open and transparent. I think there isn't a ratepayer or constituent in this province that wouldn't agree that we are open and transparent.

But how do we get to there? Well, make sure the rules are available so that it can be. You can dig into the situations and line them out so that if there were any thoughts out there that there was anything wrong going on, this clears everybody's name. I think, to

me, it's one of the key reasons why I'd be supporting this amendment.

Thank you, Mr. Chair.

**The Chair:** Are there others? The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Chair. I will just be very brief. I think this has been debated enough. This is a critical amendment. Of course, if you look at the current provision, it goes back three years from the coming into force of this legislation. Oftentimes it takes years for a piece of legislation to come into force. Under the current amendment it's essentially covering up past indiscretions, sweeping wrongdoing under the rug. It's completely the opposite of open and transparent.

**10:10**

For the new MLAs who are here, this culture of corruption in the past happened when you were not here. I would suggest that we shed a light on it, make it public, and then it's done. Right now, what the case is – and I respect the hon. member's comments earlier, but the Chief Electoral Officer actually issued a press release indicating that he has found tens and tens of cases of illegal donations. It's not alleged; he has found cases of illegal donations. If this amendment is voted down, it's clear that there is some type of intention to cover up past illegal activities.

**Mr. Denis:** A point of order, Mr. Chair, under Standing Order 23(h), (i), and (j). This member is making a lot of allegations.

#### **Point of Order Relevance**

**The Chair:** Hon. Deputy Government House Leader, you rose on a point of order?

**Mr. Denis:** Under 23(h), (i), (j), and (l), Mr. Chair. This member is just making a lot of allegations with respect to the intention of this bill that I believe are inappropriate.

**The Chair:** Care to respond, hon. member? Well, then, I guess, hon. member, I would just ask if you would maybe stick to the bill and maybe avoid the allegations.

**Mr. Saskiw:** Sure. Thank you, Mr. Chair.

**The Chair:** Thank you.

The hon. Deputy Government House Leader?

**Mr. Denis:** Thank you.

**The Chair:** We'll proceed.

#### **Debate Continued**

**Mr. Saskiw:** With respect to amendment A8 this would shine light going back seven years if there are cases of illegal donations being made. The Chief Electoral Officer has publicly stated – this is not an allegation; it is public – that he has found numerous cases of illegal donations. If this amendment is not passed, it is essentially voting in favour of keeping those illegal donations secret. Consider that when you're voting here. You are voting to cover up past illegal donations.

Go ahead and vote if you want.

**The Chair:** Are there others? The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Yeah. I'd just like to add a few comments on this amendment. I will be supporting it for many of the reasons that were given. I was just enlightened to a point brought up by the previous speaker. What I'm concerned about is the coming into force date of this. I would hope that the government takes it to heart that this should be proclaimed and proclaimed very quickly if you're really sincere. I have every confidence that the government and, in fact, even the political party that it runs its banner under is aware of contentious stuff that may or may not be out there, and they may be full well aware of some of the dates and the times and locations of some of this possible wrongdoing. I would hope that the government, regardless of what happens on this amendment, moves to proclaim this bill in force very quickly, hopefully in a matter of a month or two. I think that would be the right thing to do.

Nevertheless, sunlight is the best disinfectant, so I will be supporting this amendment.

**The Chair:** Thank you, hon. member.

Are there others? The Member for Medicine Hat.

**Mr. Pedersen:** Thank you, Mr. Chair. I also rise to speak in favour of this. Coming from the private business sector, you know, to have government only held to standards of three years, where small business or any business has to keep records back to seven years, I'm just wondering why we would want to come up and say that business has to be more accountable than government. I just don't understand that. That's one point I wanted to make. I think government needs to be and should be as accountable as any businessperson has to be in that regard. Seven years is the standard, and I think we should just be consistent with that. I don't think we deserve to be treated any differently or even less. Hopefully, you will consider that.

Some concerns that I've heard, you know, in the media and even in the House here, the Minister of Health and even the current health superboard. One of their comments is: "We don't want to waste time looking to the past. We want to look forward to the future. We're wasting money. We're wasting time looking into the past." I think that has been proven to be false. I think that there have been cases shown in the past that needed attention. I think they were investigated, and they actually found issues that were of concern. What I'm concerned with is the mantra that is coming from the government. "Don't worry about the past. We've changed. Let's concentrate on the future." Even though that mantra is, you know, nice in words and principle, there have been some indiscretions in the past that do need to be looked at and rectified, brought to light and dealt with so that things like that do not happen again so that as you move forward, you're not making the same mistakes or people within bureaucracy or government are not making the same mistakes.

The last point I'd like to make, being new to the Legislature and understanding just how slow government can move, is: when you're talking about three years before the coming into force of this section, that in itself will naturally kill a lot of indiscretions that have been brought forward. They're just going to die a natural death, and I don't think that's right for the voters and the public of Alberta. I think that going back that seven years will help to keep the trust going forward as you're intending to with this bill.

That three years on that part of the amendment also worries me. Who's to say when this bill is going to come into force? That's a real concern. Going back seven years on that as well also gives the ability to dig deeper, keep some of these investigations open, find out what the results might be, and move forward and, again, learn

from any mistakes that are found and, you know, try and prevent those same mistakes being recommitted.

In closing, that's all I want to say. Thank you.

**The Chair:** Thank you, hon. member.

The Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. It's hard for me to imagine that almost every piece of legislation this government drafts is not done with a specific intention in that it's not carefully crafted to accomplish a certain task or whatever the policy or objective that the legislation intends. Three years would fit within that realm of that type of conscious drafting. It is unfortunate that the members can be insulted, they can stand on points of privilege, they can heckle, but what they can't do is support an amendment that would open that window up to seven years. That's what the public is going to know. That's what the public will see. It's unfortunate that they would find that offensive, but that's the reality. It doesn't take a whole lot to see right through what's happening here.

The allegations, the findings of the Chief Electoral Officer: all that is now going to be tossed in the back, and these three years will protect against any of those findings ever being actually – I don't want to use the word "prosecuted" – brought forward and people being held accountable. That's the most important part, that people need to be held accountable when there is wrongdoing, and people need to be exonerated when there's none.

What we're doing is that we're avoiding issue completely. Rather than actually dealing with it, people are getting insulted, and people are standing up and saying: "Point of order. I don't like what the allegations are or the language being used." This is a great way to put an end to all that. Let's get down to business.

Thank you very much.

**The Chair:** Are there others? The hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Mr. Chair. I just want to clarify: is the government trying to invoke closure on this, or are we trying to work through this? No? We're not? Okay. Then would the Solicitor General please give me a quick explanation of where the huge holdup is between seven years and three years?

**Mr. Denis:** First off, just to clarify for the Member for Little Bow, there was a motion brought forth by the Government House Leader earlier today for time allocation. Just the notice came in today, so we're just going through the amendments, you know, as much as we can here.

As I've indicated publicly, not in this Chamber, if you refer to section 52 of the existing act, there is a three-year limitation imposed upon any – I'm sorry; I don't want to say "prosecutions" either – findings, any information whatsoever, and we are simply following that three-year limitation.

10:20

I've discussed earlier this government's view about retroactive legislation. Mr. Chair, it's our intention to release all the findings. We don't know, in fact, what party may have had illegal donations. If I were a betting man, I would suggest that it would be a multitude of parties. Regardless, we want to go back three years, which will cover the last election and the vast majority of these particular items. At the same time we want to go back only three years because of the three-year limitation in the act and no other reason as alleged here.

**Mr. Saskiw:** Just to clarify, the vast majority of circumstances that have been made public are far beyond three years. It's not just



the past election. Almost everything that's been public has been beyond three years. The word "cover-up" just comes to mind here.

**The Chair:** We'll call the question, then, on amendment A8.

[The voice vote indicated that the motion on amendment A8 lost]

[Several members rose calling for a division. The division bell was rung at 10:21 p.m.]

[Ten minutes having elapsed, the committee divided]

[Mr. Rogers in the chair]

For the motion:

Anglin	Donovan	McAllister
Barnes	Eggen	Pedersen
Bikman	Hehr	Saskiw

Against the motion:

Bhardwaj	Fritz	McDonald
Bhullar	Griffiths	Oberle
Cao	Hancock	Pastoor
Casey	Hughes	Rodney
Cusanelli	Jansen	Sandhu
Denis	Johnson, L.	Scott
Dorward	Klimchuk	Starke
Drysdale	Lemke	Webber
Fenske	Leskiw	Woo-Paw
Fraser	Luan	

Totals:	For – 9	Against – 29
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[Motion on amendment A8 lost]

**The Chair:** We'll go back to the bill.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chairman. I would ask for unanimous consent to reduce the bells to one minute for the rest of the evening.

[Unanimous consent granted]

**The Chair:** The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Thank you, Mr. Chair. Back speaking on the bill, I have an amendment to make.

**The Chair:** All right, hon. member. That will be A9. If you would send the original to the table and circulate the rest.

Proceed, hon. member.

**Mr. Hehr:** Well, thank you, Mr. Chair. I'm moving this amendment to the Election Accountability Amendment Act, 2012, for the Member for Edmonton-Centre. It's amending section 95 in the proposed section 44.94 by adding the following after subsection (7). Essentially, we're suggesting that maybe the limit proposed by the New Democratic Party to donations to leadership contests was too high, and maybe the hon. government would consider it too high and, hence, want to consider a lower limit to leadership campaigns. That's why the hon. Member for Edmonton-Centre is suggesting:

(8) Contributions by any person, corporation, trade union or employee organization to registered leadership contestants shall not exceed \$2000 to each registered leadership contestant in each registered leadership contest.

There's a second component to that.

(9) Any money paid during a campaign period by a registered leadership contestant out of the registered leadership con-

testant's own funds for the purposes of the registered leadership contestant's campaign

- (a) is a contribution for the purposes of this Part, and
- (b) shall be paid into a depository of the contestant on record with the Chief Electoral Officer.

Clearly, I made my points on the hon. Member for Edmonton-Centre's motion that a \$3,000 limit to leadership campaigns was a step in the right direction as it would limit the amount of influence a corporation, union, or an individual could have or be perceived to have on an elected official. In my view, we have seen money have an influence on politics, and I believe there have been instances in the governing party's own proceedings where undue influence may have occurred or where at least the perception of it had occurred as the result of donations.

I must remind everyone in this House that part of our job here is not only to ensure that leadership contests are fair and open and transparent but to send a message to Joe and Jane Albertan that politicians can't be bought. Although I've heard many protestations here that no one can be bought or that it has never occurred in this province, I think it's better to err on the side of caution and better to err by keeping the donation limit low to ensure that this does not happen. That's why the hon. Member for Edmonton-Centre is proposing a \$2,000 limit.

Further, it would make leadership races more competitive. It would ensure that leadership contestants need to raise money from a large number of sources, not rely on any one pool or one industry to get their contributions, and in my view it would go a long way to creating an equal playing field for all leadership contestants in all parties.

Further, I guess the second part of the amendment is an easier one, just to clarify the rules around contestants spending their own funds for the purposes of a leadership contest. Clearly, this should already be known, but it's wise to put it in the legislation just in order that this is followed in a full and forthright manner.

That's my amendment on behalf of the Member for Edmonton-Centre, and I'd encourage all members of this honourable House to support it accordingly. Thank you, Mr. Chair.

**The Chair:** Thank you, hon. member.

Are there others on this amendment? The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Chair. I find part of the amendment quite interesting, actually, and it's subsection (9), where it requires that the leadership contestant's own money is counted as a contribution for the purpose of the act and that it has to be disclosed on record. I'm not sure if the existing legislation provides for that to be classified as a contribution. If it does, it's redundant, but I think that would certainly be a very good provision to ensure that someone with means – you know, we saw recently where there was an allegation that someone has made a \$430,000 donation in a campaign. That, obviously, has significant influence on the integrity of our electoral system, and we'd hope that that type of influence is inhibited. This amendment would just do that.

10:40

On the \$2,000 limit that's set out in subsection (8), I think our amendment would be somewhere along the lines of \$5,000. We think that's reasonable, but I think reasonable people can reasonably disagree on a certain figure like that.

In general, I'm still looking forward to see if there's any other debate, but I think I generally support this unless I hear something otherwise.

**The Chair:** Are there others? I'll call the question.

[Motion on amendment A9 lost]

**The Chair:** On the bill the hon. Member for Edmonton-Calder.

**Mr. Eggen:** Yes, Mr. Chair. I have an amendment. The top copy is the original. If we could get that distributed, I would be grateful. Thank you very much.

**The Chair:** This amendment will be known as A10, hon. members. Proceed, hon. member.

**Mr. Eggen:** Thank you. I think everybody has got it now. You can see that this amendment is amending section 51.01(5)(a) by striking out "exceed \$10,000 for each contravention" and substituting "be less than the amount by which the contribution or contributions exceed the prescribed limit."

Mr. Chair, currently Bill 7 says under the penalties section that administrative penalties cannot be more than \$10,000. This amendment ensures that the Chief Electoral Officer will place administrative penalties that are in line with an excessive contribution. It makes it more flexible. Perhaps it could be more.

This amendment gives the law some teeth, I believe, Mr. Chair, that it doesn't currently have. It will ensure that when the CEO places administrative penalties on a person or organization for contributing over the prescribed amount, the person will be fined at least as much as what was contributed. In other words, if someone contributed \$400,000 over the contribution limit, then that person could pay an administrative penalty of that same amount. This would ensure that the potential administrative penalties would actually have some deterrent effect.

Currently administrative penalties are too low, I believe, Mr. Chair, to be effective. Bill 7 gives the CEO, I think, as it stands, too much discretion when administering penalties. The CEO can administer penalties below the \$10,000, of course. This amendment will ensure the lower limit for penalties, that will obligate the CEO to use administrative penalties that are in line with the contribution found to be in contravention of the act.

This amendment also allows the CEO to send a clear message to overcontributors who are in contravention of section 17 or 18 of the elections financing act to encourage future compliance with Alberta's election laws. Certainly, we don't want large donations that are clearly in contravention, and then the person is just calculating the fine potentially as the price of making that contribution. We've seen problems with very large contributions coming in without people having a clear idea what the law is. I think that Bill 7 is starting to clarify the landscape here, but this amendment clarifies it even more.

You have compliance with any law, Mr. Chair, based on the agreement between the public and the law somehow. You have compliance with the law as well through deterrence. The deterrent has to be sufficient to make someone think twice about breaking any law here in the province of Alberta. When we're dealing with money and with elections, I think the best way to hit back on any potential breach of this law is to hit back in the same way, with financial fines that are commensurate with the law that the person is breaking.

Thank you.

**The Chair:** The hon. Minister of Justice.

**Mr. Denis:** Thank you very much, Mr. Chair. Just a few comments. I thank the Member for Edmonton-Calder for his interest in this act with his amendment. I appreciate where he's

coming from when he talks about the need for a deterrent, the need for teeth. But this actual amendment would give far less teeth than keeping the original verbiage. The amendment would substitute "be less than the amount by which the contribution or contributions exceed the prescribed limit." The vast majority of contributions are, I would say, less than \$10,000. The vast majority. If you have an illegal contribution of \$500, guess what? If this amendment was accepted, the maximum then that the Chief Electoral Officer could actually impose would be in that case \$500.

I would also suggest that the Chief Electoral Officer needs a broad array of discretion when dealing with these particular issues. For example, if you have prohibited organization X or Y that is just contributing the same amount of money and, as this member suggests, they just calculate the fine as part of doing business, well, you know, what should happen then is that the Chief Electoral Officer should have the discretion to increase the penalties on an escalating basis in order to deter these types of infractions from happening again.

I should also mention to this member and to the rest of the members here this evening that the \$10,000 ceiling is an increase from \$1,000. It does really keep up with the whole time.

I would also mention to this member that the previous amendments that we've discussed deal with the primary onus being on the donor. In keeping with that, the Chief Electoral Officer should and must have the discretion to deal with administrative penalties, as I suggest, perhaps in a very increasing manner, in an escalating manner in the event that you have a repeat offender. I would suggest that to continue with the principle of giving more teeth to enforcement under the new act, we should keep the \$10,000 ceiling and leave the discretion with the Chief Electoral Officer.

I'll take my seat.

**The Chair:** Are there others? The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Chair. I rise to support this amendment. You know, the Justice minister indicated that often in cases there aren't excess donations that are exceptional. He mentioned a \$500 donation. But if you actually take one example, there's a potential that someone could make a \$430,000 donation. If that's over the prescribed limit, say, of \$30,000, then one would expect that the fine should be no less than \$400,000; otherwise, you're going to have a circumstance where this is simply the cost of doing business. "Let's make a big donation. If we get caught, it's going to be a small fine of \$10,000." For a donation \$400,000 in excess of the maximum prescribed limit to have a \$10,000 penalty seems ridiculous, too small. Why would someone who made a \$400,000 excess donation care about a \$10,000 fine? It baffles the mind. I'm not sure why the hon. member wouldn't accept this.

Thank you, Mr. Chair.

**The Chair:** Are there others?

Seeing none, I'll call the question on amendment A10.

[The voice vote indicated that the motion on amendment A10 lost]

[Several members rose calling for a division. The division bell was rung at 10:50 p.m.]

[One minute having elapsed, the committee divided]

[Mr. Rogers in the chair]

For the motion:

Barnes	Eggen	Pedersen
Bikman	McAllister	Saskiw
Donovan		

Against the motion:

Bhardwaj	Fritz	McDonald
Bhullar	Hancock	Oberle
Cao	Hughes	Pastoor
Casey	Jansen	Rodney
Cusanelli	Johnson, L.	Sandhu
Denis	Klimchuk	Scott
Dorward	Lemke	Starke
Drysdale	Leskiw	Webber
Fenske	Luan	Woo-Paw
Fraser		

Totals:	For – 7	Against – 28
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[Motion on amendment A10 lost]

**The Chair:** Now back to the bill. The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Chair. I have an amendment with the requisite copies.

**The Chair:** Hon. members, we'll refer to this amendment as A11. I'd invite the hon. member to speak to the amendment.

**Mr. Saskiw:** Thank you, Mr. Chair. Speaking to amendment A11, I think the intent of this amendment is evident just on the face of the provision. I'll just read it briefly.

When a person or entity fails to pay the administrative penalty within the period of time specified in subsection (7), the Chief Electoral Officer shall make public this failure within 30 days of the expiration of that period.

This is just an instance where if the Chief Electoral Officer makes a finding that someone has made an illegal donation and issues a penalty as a result of that, if that person doesn't pay that penalty, that that be made public. The reason for this amendment is just to provide a little bit of public shaming. If someone doesn't pay the penalty, Albertans have a right to know that. It also, I think, acts as a deterrent. If you've been found guilty and don't pay your penalty, you're going to be shamed in public, and you may not do that again. I don't think this is a very controversial amendment. I think the rationale for it is self-evident.

Thank you, Mr. Chair.

**The Chair:** The hon. Member for Cypress-Medicine Hat.

**Mr. Barnes:** Thank you, Mr. Chairperson. I'll speak in favour of the amendment, too, for the two reasons that the hon. member mentioned. I'll also add that it may help the Chief Electoral Officer collect these penalties, especially important when so many of these seem to circle around the illegal public donations of all taxpayers' money, another reason, you know, in addition to, as mentioned, the fact that it's a further penalty and a further penalty that will have some public disclosure, which will incite someone to pay the fine and not reoffend.

Thank you.

**The Chair:** Are there others? The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Chair. I would just add, of course, that the Chief Electoral Officer doesn't currently have many

powers to collect penalties. I think the hon. Justice minister would acknowledge that this is a way not only to force the collection of penalties but to publicly shame someone into paying that penalty.

**The Chair:** The hon. Minister of Justice.

**Mr. Denis:** Thank you very much, Mr. Chair. I just wanted to add that under this legislation moving forward, the Chief Electoral Officer will have all the powers to make administrative penalties, letters of reprimand, or items referred to a prosecutor public. We've said this before, that we believe that he has always had this, but he disagrees. This gets rid of the discrepancy, so there already is the public element. Let's say that if there's a fine of whatever number of dollars against whichever entity, there already are mechanisms under civil enforcement that are afforded to the Chief Electoral Officer. It essentially becomes a judgment. What can happen is you can take out a writ, you could do examination in aid of enforcement, you could seize assets, what have you. Those are the powers that are available, and it already is fully public.

**Mr. Saskiw:** Very briefly, Mr. Chair, what this amendment does, though, is – sometimes it's not necessary to go out and get a civil judgment if you can actually shame someone publicly when they haven't paid their fine. It's just another tool in the toolbox for the Chief Electoral Officer to collect penalties. I think this is a very reasonable amendment. It's often used in other situations just to do that public shaming. Instead of forcing the Chief Electoral Officer to go through the expense of enforcing a writ of judgment, I think this is a good way of collecting those penalties.

**11:00**

**The Chair:** Other speakers to the amendment? The hon. Member for Edmonton-Gold Bar.

**Mr. Dorward:** Thank you. I just wanted to ask the member what he felt "make public" would be, for example.

**Mr. Saskiw:** It's a good question, Mr. Chair. I suggest that under that other provision that the Government House Leader mentioned, section 62, making public in that circumstance is publishing it on his or her website.

**The Chair:** Are there others? The hon. Government House Leader.

**Mr. Hancock:** Mr. Chair, I think it's clear that this is surplusage. Obviously, if he has under subsection (8) the right to file the administrative penalty with the Court of Queen's Bench, it becomes a judgment of the court. That becomes very public, and there's no restriction on then putting it on his website or doing whatever. I mean, it mandates him to do something which is already likely to be done and is clearly public record. Subsection (8) says that he just files it with the clerk of the court "and on being filed, the notice has the same force and effect and may be enforced as if it were a judgment." It doesn't require him to enforce it, but it puts it in public in a very strong way.

Also, by filing it with the court, even if he takes no further enforcement action, it's an interference with the individual's other matters. The purpose that the hon. member is trying to achieve is already achieved by subsection (8), and there's nothing precluding at that stage the Chief Electoral Officer from going further and putting out a list on his website if he wants to.

**Mr. Saskiw:** I won't belabour the point, Mr. Chair. Of course, if the Chief Electoral Officer decides to go and get a judgment, that

is certainly as public as one can make it. Of course, at that point I think you could put it on the website. The problem is that there's always a cost to getting into litigation, particularly on collection procedures. If you have a deadbeat debtor, for \$500 I don't think the Chief Electoral Officer would want to expend any time and resources to get a judgment on that, but it may be a good opportunity to shame that person into actually paying that fine. It's costly.

**The Chair:** Are there others? The hon. Member for Chestermere-Rocky View.

**Mr. McAllister:** Thank you, Mr. Chair. I can't believe I'm getting up to join this discussion in the middle of one, two, three lawyers. [interjections] The Member for Edmonton-Gold Bar made a brief point. That was good to see, so maybe I will, too.

It may have been answered by the House leader from the other side, but to the point made by the Member for Lac La Biche-St. Paul-Two Hills, I just think of so many different areas in society where we use this public shaming. I'm not sure that I agree with it in principle. I wish that we didn't have to do it, but we do use it to make people fess up and do what they should do. We post things in the paper, charges, and nobody wants to see that. You think about it in child support. Unfortunately, it's a terrible thing to have to go through those issues, period.

Often they're used as leverage, you know, to make people come clean. I think what the Member for Lac La Biche-St. Paul-Two Hills was putting forth with this amendment was that to give the Chief Electoral Officer that power might actually help the process and might make the people who have broken the law – I think I can say that – pay the fine and come clean and do what they're supposed to do.

Again, I'm in the middle of a three-way lawyer debate here, and I don't mean to be. But just from the optics, from the way that, you know, the ordinary person would look at it, that's how we would look at it. I'd just suggest that if you get through the legalese, it would make sense to give the Chief Electoral Officer that ability. It would just be a little more transparent, and it might help them. It's a shame that sometimes when you speak, you miss a good discussion going both ways.

Anyway, Mr. Chair, that's my point. Thank you.

**The Chair:** Are there others? Seeing none, we'll call the question on amendment A11.

[Motion on amendment A11 lost]

**The Chair:** The hon. Member for Edmonton-Calder on the bill.

**Mr. Eggen:** Thanks, Mr. Chair. I have an amendment with the appropriate copies to distribute.

**The Chair:** This amendment will be A12, hon. members.

Hon. member, you may proceed to speak to the amendment.

**Mr. Eggen:** I think we're looking good. Thanks, Mr. Chair. This is an amendment that looks at section 54 and at the proposed section 153 by striking out clauses (b), (c), (d), (e), and (g). Currently Bill 7 gives discretionary authority to the CEO on the following grounds when considering administrative penalties or letters of reprimand under the Election Act. It's to do with severity, wilfulness, other mitigating factors, preventative steps that might be taken, history of noncompliance, whether a person is reported as noncompliant, and any other relevant factors. This amendment will remove most of the clauses that give the CEO discretionary power in order to leave only the relevant and

specific factors of severity and whether or not the person reported noncompliance.

The reason behind this, Mr. Chair, is that currently the bill gives, I think, too much discretionary power to the CEO when considering contraventions. The CEO should maintain the authority to investigate and decide on the severity of the contravention and whether the person in question has made a disclosure to the CEO that a rule may have been broken.

Beyond these considerations, Mr. Chair, the CEO would have too much discretionary power, I think, to avoid laying administrative penalties. The issuing of administrative penalties and letters of reprimand is important in the cases of some contravention of the law, and the caveats that would allow individuals to avoid adequate penalties should be reduced, especially clause (g) in Bill 7, which would allow the CEO to cite any other factors when considering letters of reprimand or penalties and I think is completely vague in scope and in application and would allow any reason to affect the administration of penalties under this section.

This amendment will help to increase the number of cases where the CEO administers some formal penalty by limiting the vague list of clauses that fall into the CEO's powers for consideration. This is, I think, an important amendment because administrative penalties should be laid and made public in all cases where an individual has been clearly in contravention of the election rules.

Mr. Chair, I hope that everyone might consider it and help to make Bill 7 a better piece of legislation. Thank you.

**The Chair:** Are there others? The Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Chair. I understand where the Member for Edmonton-Calder is coming from with respect to ensuring that there are harsh enough penalties under this act to act as a proper deterrent for future wrongdoers. What this amendment does is that it takes out five different factors that the Chief Electoral Officer must take into account.

**11:10**

I respect the intention of this amendment, but I think that the better way of doing it would be to increase the minimum penalties that are allowable under this act and increase the maximum penalties as well so that despite the Chief Electoral Officer's discretion under these different factors a significant and harsh enough penalty would be applied on the minimum threshold or the minimum amount of penalties that ought to be put into this act. Although I respect the intent of this proposed amendment, unless I hear otherwise, I likely won't be voting in support of this one.

**The Chair:** Are there others? The Member for Little Bow.

**Mr. Donovan:** Thank you. On this amendment is there any reason we didn't strike out (f) also?

**Mr. Eggen:** I'm not sure.

**The Chair:** We'll call the question.

[Motion on amendment A12 lost]

**The Chair:** We'll go back to the bill. The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chairman. I'd like to propose that we've done a lot of work tonight and that we adjourn debate.

[Motion to adjourn debate carried]

**The Chair:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chairman. I move that the committee rise and report progress on Bill 7.

[Motion carried]

[The Deputy Speaker in the chair]

**The Deputy Speaker:** Hon. members, please take your seats.

I'll recognize the Member for Lethbridge-East.

**Ms Pastoor:** Thank you, Mr. Speaker. The Committee of the Whole has had under consideration a certain bill. The committee reports progress on the following bill: Bill 7. I would wish to table

copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

**The Deputy Speaker:** Does the Assembly concur in the report?

**Hon. Members:** Concur.

**The Deputy Speaker:** Opposed? That's carried.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; the Assembly adjourned at 11:14 p.m. to Tuesday at 1:30 p.m.]









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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Tuesday afternoon, December 4, 2012

Issue 27a

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta**  
**The 28th Legislature**

First Session

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Rogers, George, Leduc-Beaumont (PC), Deputy Speaker and Chair of Committees  
Jablonski, Mary Anne, Red Deer-North (PC), Deputy Chair of Committees

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Amery, Moe, Calgary-East (PC)  
Anderson, Rob, Airdrie (W),  
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Anglin, Joe, Rimbey-Rocky Mountain House-Sundre (W)  
Barnes, Drew, Cypress-Medicine Hat (W)  
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Drysdale, Hon. Wayne, Grande Prairie-Wapiti (PC)  
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Khan, Hon. Stephen, St. Albert (PC)  
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    Official Opposition Deputy Whip  
McDonald, Everett, Grande Prairie-Smoky (PC)  
McIver, Hon. Ric, Calgary-Hays (PC),  
    Deputy Government House Leader  
McQueen, Hon. Diana, Drayton Valley-Devon (PC)  
Notley, Rachel, Edmonton-Strathcona (ND),  
    New Democrat Opposition House Leader  
Oberle, Hon. Frank, Peace River (PC)  
Olesen, Cathy, Sherwood Park (PC)  
Olson, Hon. Verlyn, QC, Wetaskiwin-Camrose (PC)  
Pastoor, Bridget Brennan, Lethbridge-East (PC)  
Pedersen, Blake, Medicine Hat (W)  
Quadri, Sohail, Edmonton-Mill Woods (PC)  
Quest, Dave, Strathcona-Sherwood Park (PC)  
Redford, Hon. Alison M., QC, Calgary-Elbow (PC),  
    Premier  
Rodney, Hon. Dave, Calgary-Lougheed (PC)  
Rowe, Bruce, Olds-Didsbury-Three Hills (W)  
Sandhu, Peter, Edmonton-Manning (PC)  
Sarich, Janice, Edmonton-Decore (PC)  
Saskiw, Shayne, Lac La Biche-St. Paul-Two Hills (W),  
    Official Opposition Deputy House Leader  
Scott, Hon. Donald, QC, Fort McMurray-Conklin (PC)  
Sherman, Dr. Raj, Edmonton-Meadowlark (AL),  
    Leader of the Liberal Opposition  
Smith, Danielle, Highwood (W),  
    Leader of the Official Opposition  
Starke, Dr. Richard, Vermilion-Lloydminster (PC)  
Stier, Pat, Livingstone-Macleod (W)  
Strankman, Rick, Drumheller-Stettler (W)  
Swann, Dr. David, Calgary-Mountain View (AL)  
Towle, Kerry, Innisfail-Sylvan Lake (W),  
    Official Opposition Whip  
VanderBurg, Hon. George, Whitecourt-St. Anne (PC)  
Weadick, Hon. Greg, Lethbridge-West (PC)  
Webber, Len, Calgary-Foothills (PC)  
Wilson, Jeff, Calgary-Shaw (W)  
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
    Government Whip

**Party standings:**

Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

**Officers and Officials of the Legislative Assembly**

W.J. David McNeil, Clerk	Stephanie LeBlanc, Parliamentary Counsel	Chris Caughell, Assistant Sergeant-at-Arms
Robert H. Reynolds, QC, Law Clerk/ Director of Interparliamentary Relations	and Legal Research Officer Philip Massolin, Manager of Research Services	Gordon H. Munk, Assistant Sergeant-at-Arms Liz Sim, Managing Editor of <i>Alberta Hansard</i>
Shannon Dean, Senior Parliamentary Counsel/Director of House Services	Brian G. Hodgson, Sergeant-at-Arms	

## **Executive Council**

Alison Redford	Premier, President of Executive Council
Thomas Lukaszuk	Deputy Premier, Ministerial Liaison to the Canadian Forces
Manmeet Singh Bhullar	Minister of Service Alberta
Robin Campbell	Minister of Aboriginal Relations
Christine Cusanelli	Minister of Tourism, Parks and Recreation
Cal Dallas	Minister of International and Intergovernmental Relations
Jonathan Denis	Minister of Justice and Solicitor General
Wayne Drysdale	Minister of Infrastructure
Kyle Fawcett	Associate Minister of Finance
Doug Griffiths	Minister of Municipal Affairs
Dave Hancock	Minister of Human Services
Fred Horne	Minister of Health
Doug Horner	President of Treasury Board and Minister of Finance
Ken Hughes	Minister of Energy
Jeff Johnson	Minister of Education
Stephen Khan	Minister of Enterprise and Advanced Education
Heather Klimchuk	Minister of Culture
Ric McIver	Minister of Transportation
Diana McQueen	Minister of Environment and Sustainable Resource Development
Frank Oberle	Associate Minister of Services for Persons with Disabilities
Verlyn Olson	Minister of Agriculture and Rural Development
Dave Rodney	Associate Minister of Wellness
Donald Scott	Associate Minister of Accountability, Transparency and Transformation
George VanderBurg	Associate Minister of Seniors
Greg Weadick	Associate Minister of Municipal Affairs
Teresa Woo-Paw	Associate Minister of International and Intergovernmental Relations

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on Alberta's Economic Future

Chair: Mr. Amery  
Deputy Chair: Mr. Bikman

Bhardwaj	Quadri
Blakeman	Quest
Donovan	Rogers
Dorward	Sandhu
Eggen	Sherman
Fenske	Smith
Goudreau	Starke
Hehr	Strankman
Jansen	Towle
Luan	Young
McDonald	Vacant
Olesen	

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Quest  
Deputy Chair: Mrs. Jablonski

Anderson  
Casey  
Dorward  
Eggen  
Kubinec  
Sandhu  
Sherman

### Select Special Conflicts of Interest Act Review Committee

Chair: Mr. Allen  
Deputy Chair: Mr. Luan

Blakeman  
Dorward  
Fenske  
Johnson, L.  
McDonald  
Notley  
Saskiw  
Wilson  
Young

### Standing Committee on Families and Communities

Chair: Ms Pastoor  
Deputy Chair: Mrs. Forsyth

Allen	Leskiw
DeLong	Luan
Fox	McAllister
Fraser	Notley
Fritz	Pedersen
Jablonski	Sarich
Jansen	Saskiw
Jeneroux	Swann
Johnson, L.	Wilson
Kang	Young
Kubinec	Vacant
Lemke	

### Standing Committee on Legislative Offices

Chair: Mr. Xiao  
Deputy Chair: Mr. McDonald

Bikman  
Blakeman  
Brown  
DeLong  
Eggen  
Leskiw  
Quadri  
Rogers  
Wilson

### Special Standing Committee on Members' Services

Chair: Mr. Zwozdesky  
Deputy Chair: Mr. Young

Calahasen  
Dorward  
Forsyth  
Goudreau  
Jablonski  
Mason  
Quest  
Sherman  
Smith

### Standing Committee on Private Bills

Chair: Mr. Cao  
Deputy Chair: Ms L. Johnson

Barnes	Notley
Bhardwaj	Olesen
Brown	Pastoor
DeLong	Rowe
Fox	Sarich
Fritz	Starke
Goudreau	Strankman
Jeneroux	Swann
Kennedy-Glans	Webber
Luan	

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Dr. Starke  
Deputy Chair: Mr. Lemke

Allen	McAllister
Amery	McDonald
Bhardwaj	Notley
Casey	Pedersen
Hehr	Sandhu
Jansen	Saskiw
Jeneroux	Towle
Johnson, L.	Xiao
Kennedy-Glans	Young
Kubinec	

### Standing Committee on Public Accounts

Chair: Mr. Anderson  
Deputy Chair: Mr. Dorward

Allen	Hale
Amery	Hehr
Anglin	Kang
Bilous	Pastoor
Calahasen	Quadri
DeLong	Sarich
Donovan	Starke
Fenske	Stier
Fraser	Webber
Fritz	

### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans  
Deputy Chair: Mr. Rowe

Anderson	Hehr
Anglin	Johnson, L.
Barnes	Kubinec
Bilous	Lemke
Blakeman	Leskiw
Brown	Sandhu
Calahasen	Stier
Cao	Webber
Casey	Xiao
Fenske	Young
Fraser	Vacant
Hale	

## Legislative Assembly of Alberta

1:30 p.m.

Tuesday, December 4, 2012

[The Speaker in the chair]

### Prayers

**The Speaker:** Hon. members, let us pray. O Holy Creator, may our conscience always guide us and help us do what best serves our constituents, and may our prayers of today be echoed by our actions of tomorrow. Amen.

Please be seated.

### Introduction of Guests

**The Speaker:** The hon. Minister of Culture.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. I would like to introduce to you and through you to all Members of the Legislative Assembly a very special guest who's seated in your gallery. He represents the Singing Christmas Tree, a nonprofit organization that supports such charities as 630 CHED, Santas Anonymous, and Edmonton's Food Bank. The Singing Christmas Tree is, once again, an annual production, and it begins this weekend, December 7 through the 9th, at the Jubilee Auditorium in Edmonton, which I hope to attend. The man responsible for this amazing production is executive producer John Cameron, an Edmonton musical wizard who has appeared in shows along with Dave Foster, Josh Groban, Bon Jovi, and others. John, please rise and receive our thanks and best wishes for a most successful weekend with the Singing Christmas Tree.

**The Speaker:** The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. Along that same line, it's my pleasure to introduce to you and through you to all members another special guest in your gallery who's a member of my staff, in fact my chief of staff, Ms Hana Marinkovic. Now, while John Cameron is busy conducting the Singing Christmas Tree, Hana is busy singing as a member of the Singing Christmas Tree choir. She has a great voice, and she's been using it effectively in the Singing Christmas Tree and, I might say, in my office as well, although not the singing voice. I wish Hana and all the Singing Christmas Tree members a successful run of performances this weekend. I'd ask her to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Riverview.

**Mr. Young:** Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to all members of the Assembly a grade 6 class and teacher, Trina Ludwig, from Crestwood elementary junior high school, located in my constituency of Edmonton-Riverview. They are seated in the members' gallery. I'd ask the students and their teacher along with parents Mary Wong and Tara Hatch to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. Dorward:** Thank you, Mr. Speaker. It's my pleasure to rise and introduce to you and through you to all members of this Assembly a grade 6 class from St. Brendan school who are here today with their teacher, Ray Bradshaw, accompanied by Sharon Toal and Ken Airhart. It's wonderful that these students are able

to participate and learn about our government right here at the Legislature, and I hope that they all take away a positive experience of their visit. I'd like to now ask that they rise and receive the warm welcome of the Assembly.

**The Speaker:** Hon. Member for Edmonton-Gold Bar, your second introduction, please.

**Mr. Dorward:** Thank you, Mr. Speaker. As well, two individuals who are literally changing the lives of those living with type 1 diabetes, Barb Armstrong, regional manager for north-central Alberta and the Northwest Territories; and Myles Rusak, regional manager for southern Alberta, are here from the Juvenile Diabetes Research Foundation to help bring awareness and change to the lives of thousands of people in Alberta who are affected by this thus far incurable disease. I would now ask that they please rise and receive the warm welcome.

**Mr. Casey:** Mr. Speaker, on behalf of the MLA for Edmonton-McClung, who was unable to be here today, I'm pleased to introduce to you and through you to all members of the Assembly a grade 6 class from St. Martha elementary school and their chaperones. I'd ask that the group from St. Martha school rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Leduc-Beaumont.

**Mr. Rogers:** Thank you, Mr. Speaker. It gives me great pleasure to introduce to you and through you to all members of the Assembly three guests from my constituency of Leduc-Beaumont. I've known Dave and Linda Cox for over 35 years. As a matter of fact, I attended Leduc high school with Linda. They are joined by Linda's uncle, Art Balkan, a lifelong resident of Leduc county who has for many years farmed and continues to farm just south of the city of Edmonton limits on the piece of land his father bought in 1905. Both Art and Dave are visiting the Assembly for the very first time. My guests are seated in the members' gallery. I would ask that they rise and receive the warm traditional welcome of the Assembly.

**The Speaker:** The hon. Minister of Tourism, Parks and Recreation, followed by Innisfail-Sylvan Lake.

**Ms Cusanelli:** Thank you, Mr. Speaker. I'm pleased to introduce to you and through you a member of my constituency here in the Assembly today, Marianne Kroetsch. Marianne is a parent with a developmental disability who has committed herself to living her everyday life to the highest standard. For this reason, she has been nominated for the Norm McLeod self-advocacy award. Her work with the Connections Counselling and Consulting Foundation of Calgary has allowed Marianne to share her insight regarding the rights of people with disabilities and, most importantly, her experience and success as a mother with a disability raising her daughter. I would now ask that my colleagues please join me in giving her the traditional warm welcome of the Legislative Assembly.

**The Speaker:** The hon. Member for Innisfail-Sylvan Lake, followed by Fort McMurray-Wood Buffalo.

**Mrs. Towle:** Thank you, Mr. Speaker. It's an honour and a privilege to introduce to you and through you newer members of our Wildrose caucus staff: Naomi Christensen, Joanne Autio, Keith Pridgen, Tim Banman, and Shad Thevenaz. These are essential members of our staff. I would ask them to rise and receive the warm welcome of our Assembly.

**The Speaker:** While we wait for some guests to arrive, let me go to the Associate Minister of Finance.

**Mr. Fawcett:** Thank you very much, Mr. Speaker. It's an honour to introduce to you and through you to all members of the Assembly a guest and a constituent of mine here today, Jennifer Martin, who is the CEO of TELUS Spark in Calgary. TELUS is at the forefront of innovate learning for the 21st century. It's more than just a building. Working with schools and postsecondary institutions across Alberta, TELUS Spark is promoting an attitude towards learning that is more collaborative between the areas of science and technology, engineering and math, and as they apply to the real world. Please join me in welcoming Jennifer and thanking her for her leadership in this wonderful new initiative for education in Alberta. I believe she's in the members' gallery, so I'd ask her to please rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Strathcona-Sherwood Park, followed by Strathmore-Brooks.

**Mr. Quest:** Thank you, Mr. Speaker. It gives me great pleasure to introduce to you and through you to all members of this Assembly two guests who are constituents of mine; namely, Elisa Benterud, who is a student council president at the Strathcona Christian Academy, and Pam Cholak, a constituent and friend who is no stranger to this building, having spent several years here in different capacities. Elisa and Pam are seated in the members' gallery, and I'd ask that they now rise and receive the traditional warm welcome of this House.

**The Speaker:** The hon. Member for Strathmore-Brooks, followed by Edmonton-Meadowlark.

**Mr. Hale:** Thank you, Mr. Speaker. It's my pleasure today to rise and introduce to you and through you to all members of this Assembly six students from Strathmore high school. These students are in an honours social studies program and are here to learn about the legislative process. As I call their names, I would like to ask them to rise: Cassy Keeler, Genista Kippin, Travis Luehr, Jenna Mohamed, Kelly Rice, Kayla McGougan. Accompanying them today is Richard Boisvert and their teacher, Jill MacDonald. Please join me in giving them the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Meadowlark, followed by Edmonton-Highlands-Norwood.

**Dr. Sherman:** Thank you, Mr. Speaker. Today I have two introductions. First, I'd like to introduce to you and through you to all members of this Assembly Zachary Weeks and his companion Rodel. Yesterday was the International Day of Persons with Disabilities, and Zachary has been a very vocal advocate for those with disabilities for many years. He's worked hard to ensure buildings are accessible and the needs and requirements of those with disabilities are addressed, including the need for good food, good care, and good hygiene. While Zachary is a busy guy, he's taken the time to join us today. I'd ask all members of the Assembly to welcome Zachary Weeks and Rodel to the Assembly. Thank you, hon. members.

1:40

Mr. Speaker, I'd like to introduce to you and through you to all members of the Assembly Ms Shirley Bidnick and her daughter Rochelle. Shirley is a nurse trying to get care for her parents, like many of us. As we age, our parents also age. Shirley's parents

really need more care, more home care, affordable home care, and she's here to try to ask all members of the Assembly to support our seniors and the most vulnerable to allow them to live with dignity in their places of residence as much as possible. I'd like to ask Shirley and Rochelle to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Highlands-Norwood, followed by Edmonton-Beverly-Clareview.

**Mr. Mason:** Thank you very much, Mr. Speaker. I'm very pleased to rise today and introduce to you and through you to this Assembly all members of our caucus staff. Throughout this fall session they've all worked extremely hard to help us keep the government's feet to the fire. I'm very proud to have such an enthusiastic and intelligent group of individuals on the NDP caucus team.

I would like them now to rise as I call their names and receive the warm traditional welcome of the Assembly: Rupinder Kaur, our principal secretary; John Ashton, our director of caucus services; Adrienne King, my executive assistant and now the communications officer; Olenka Toroshenko, our communications assistant; Maria Vicente, our research officer; Philippe Johnson, a sessional research officer; Brad Lafortune, sessional research assistant. Dakin McDonald is also a sessional research assistant, Pascal Ryffel is our outreach officer, Chris Gallaway is an outreach officer, and Yared Mehzenta is our sessional outreach officer. I would ask them all to please rise on both sides and receive the traditional warm welcome of our Assembly.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview, followed by Bonnyville-Cold Lake.

**Mr. Bilous:** Thank you, Mr. Speaker. I'm very proud to rise to introduce to you and through you to this Assembly a group of bright young people from Inner City high school in the constituency of Edmonton-Calder. These students overcome incredible odds every day in order to work toward completing their high school diploma and have found success at Inner City high school because of all of the supports available. I'm proud to say that before I was elected as an MLA, I taught at Inner City high school for over five years.

Teacher Dan Scratch and his grade 12 social studies class are here to learn about the democratic system and politics in Alberta. They are particularly interested in social justice and how this relates to their local community. I'd now like to ask them to rise as I call their names: Jubilee Cardinal, Kim Cardinal, Cheyenne Moses, Sasha Gladu, Skye Gladu, River Newborn, and their teacher, Dan Scratch. I'd ask you to join me in giving them the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Bonnyville-Cold Lake.

**Mrs. Leskiw:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of this Assembly a very, very special individual from my constituency, Curtis Hargrove. Curtis has spent the last seven months running across Canada for the Stollery children's hospital with a goal of raising \$1 million. I'll expand on Curtis's journey across Canada during my member's statement later this afternoon. Curtis is here today with his very, very proud parents, Bev and Larry Hargrove, and his support team, Morgan Seward and Noelle Fitzpatrick. I would ask them to please rise and receive the traditional warm welcome of this Assembly.



## Members' Statements

**The Speaker:** The hon. Member for Bonnyville-Cold Lake.

### Curtis Hargrove

**Mrs. Leskiw:** That was good timing, sir. Thank you, Mr. Speaker. It's been said that a journey of a thousand miles begins with a single step. For a young man from my constituency his journey consists of approximately 7,800 kilometres. Curtis Hargrove's journey began at St. John's, Newfoundland, and will end in just a few short weeks on Vancouver Island in Victoria, B.C. I stand here today to recognize this very fantastic young man and the cause that has fuelled his unwavering determination to run thousands of kilometres to raise \$1 million for cancer research at the Stollery children's hospital.

Luckily for Mr. Hargrove, known as the Cold Lake Runner, he is no stranger to the sport of running. In 2004 he ran the Edmonton Centennial Marathon and placed first. His journey marries his love for running, his passion for helping others, as he did previously in 2007, running across B.C. and Alberta for the Terry Fox Foundation.

Curtis chose to run for the Stollery children's hospital located here in Edmonton given its reputation across the country and the number of children and families it has helped. Mr. Speaker, Curtis has just two short weeks left to reach his goals and so far has raised \$250,000 for cancer research. Since the beginning of the trek he has faced arrest in Quebec and was hospitalized for a short time here in Alberta, but Curtis is a strong believer that you can do anything if you put your mind to it, and I strongly believe that this local hero can reach his goal. If you wish to support his cause, please go to [www.stollerykids.com](http://www.stollerykids.com) to donate.

Mr. Speaker, I hope this statement reflects the admiration I have for this incredible young man as well as for the utmost pride shared by all my constituency in Bonnyville-Cold Lake.

Curtis, all the best to you. We're proud of you. Keep on running.

### Tobacco Recovery Lawsuit

**Mr. Anderson:** Mr. Speaker, it is clear the vast majority of Albertans do not believe the Premier when she said that she did not make the decision to award the tobacco litigation contract to close political friends. The evidence against her is airtight, regardless of how many government ministers continue to say that black is white and the sky is green. However, there is also the issue of the actual conflict of interest in this case. Some are focused on the fact that ex-husbands are not included in our province's conflicts legislation, but this is not what is being argued.

We are concerned that there have likely been violations of section 3 of the act, which prohibits a member from using her office to make a decision that improperly furthers another person's private interest. The fact is that there was indeed a close and ongoing personal and political relationship between the now Premier and several members of the law firm in question. Her ex-husband, a senior partner at the firm, led her transition team into the Premier's office. The Premier's chief of staff's wife was hired by the firm just before the election. Firm partners have donated tens of thousands to the PC Party, the Premier's CA, and her leadership bid. The firm has received almost \$1.3 million in legal work since the Premier became Justice minister in 2008 but none prior to that, and a full 30 per cent of the firm's partners have received their QC designation under the Premier's watch.

The combination of these circumstances creates at the very least the appearance or the apprehension that the Premier may have used her office to influence a decision made on behalf of the Crown to improperly further the private interests of her friends in this law firm, thus contravening section 3 of the legislation if true. But make no mistake. Whether a technical conflict is found under our ethics legislation is somewhat irrelevant in the end, especially given just how weak our ethics laws are on these matters compared with virtually every other jurisdiction in the country. Just ask Rob Ford. What matters is whether Albertans feel they can trust the words and actions of this Premier. To that question, Mr. Speaker, the answer is painfully self-evident.

### Speaker's Ruling Members' Statements

**The Speaker:** Hon. members, private members' statements are a very special privilege, as you would know. I don't know how many times I have to remind people to be very careful of the words they choose, the approach they take in their members' statements, and to not cast aspersions on another member here in the Assembly nor on any people who are not in this Assembly and do not have the immunity and the ability to be here in person to speak up for themselves. Let us hope this does not set any kind of a tone for the rest of the day.

1:50

### Oral Question Period

**The Speaker:** The hon. Member for Calgary-Highwood and Leader of Her Majesty's Loyal Opposition.

### Tobacco Recovery Lawsuit

**Ms Smith:** Mr. Speaker, your ruling yesterday did nothing to remove the cloud of doubt that lingers over the Premier's handling of the tobacco lawsuit awarded to a law firm that includes a number of her close associates, including the chair of her transition team. How can the Premier explain this document, action request 39754, dated November 17, 2010, where the ADM of legal services references the timeline that includes the minister, now the Premier, making a decision in early December?

**The Speaker:** The hon. Deputy Premier.

**Mr. Lukaszuk:** Thank you, Mr. Speaker. Perhaps it would serve all of us well if I reminded the House that while Her Majesty's irresponsible opposition tried to divert this House's attention on matters that are perhaps distracting and capture their imagination, this House actually has been very successful in passing some great legislation for Albertans. We stayed focused. [interjections] We passed the Education Act for our children, for all children of Alberta not only for today but probably for the next 20 years. I'll give you a list of others later.

**The Speaker:** The hon. leader.

**Ms Smith:** Thank you, Mr. Speaker. I would note that the government has refused about a hundred amendments that have been proposed by the opposition.

Given that another action request, 40333, dated January 13, 2011, has the ADM of legal services noting that, quote, shortly before Christmas the minister, now the Premier, selected the Jensen consortium, what does the Premier have to say about this document?

**Ms Redford:** Mr. Speaker, I am very proud that I was the Minister of Justice, and at the time that I was Minister of Justice, we decided to sue big tobacco. We did that on behalf of Albertans because we know that it's important to recover those health care costs. [interjections] Being the minister, we certainly know that in the department there was a process in place, which I was involved in, in terms of progressing the selection, and a decision was made to retain a firm in July of which I had no part. [interjections] But I am very proud of the fact that as Justice minister we decided to sue big tobacco when that Leader of the Opposition has said that she wouldn't.

**The Speaker:** Thank you.

The hon. Member for Airdrie has risen on a point of order at 1:52. It has been noted. I'd just ask that we curtail the interjections. We have the right to ask questions as we see fit within the rules. We have the right to answer them as certain members see fit. Let's abide by that.

The hon. leader.

**Ms Smith:** Thank you, Mr. Speaker. We are not disputing the decision. We are disputing how the decision was made.

Given that there's a memo stating that there will be a decision on a particular firm, another memo indicating that there is a decision on a particular firm, and a third saying that there was a decision on a particular firm, all before she left the Justice portfolio, how can the Premier still claim she didn't make the decision on a particular firm?

**Ms Redford:** I think we're reliving last week, Mr. Speaker. Last week I made it very clear that on this particular day I was not involved in making the decision with respect to which counsel was retained. Since that, we have had a number of events in this institution that, as I understand it, confirm that I can stand by what I said last week, and I will. I'm very disappointed in the irresponsible and the extreme behaviour of the opposition, who will not respect the institution of the Speaker or the Ethics Commissioner, both decisions that we will welcome.

**The Speaker:** The hon. Leader of the Official Opposition for your second main set of questions.

**Ms Smith:** Mr. Speaker, Albertans are disappointed they can't get a straight answer.

The Premier chose International Tobacco Recovery Lawyers to handle the big tobacco lawsuit, and we believe that there is a breach of the Conflict of Interest Act under section 3, where a breach occurs if a member uses her office to improperly influence a decision to further the private interests of another, in this instance the law firm of her close personal and political friends. The government's position seems to be that the Premier had no conflict, but if she did, some other Justice minister made the decision. How can they still insist that no one did anything wrong?

**The Speaker:** The hon. Minister of Justice.

**Mr. Denis:** Thank you very much, Mr. Speaker. This is the same question we've had the last few days, and it'll be the same answer today. June 21, 2011, very important day, the longest day of the year in that particular year: that is when the contract was formed to hire TRL. There was no binding obligation prior to that. I would suggest that this hon. member should get back to talking about highways, roads, schools, police, things that matter to Albertans.

**Ms Smith:** Well, Mr. Speaker, they don't answer those questions either.

Putting myself in the shoes of the Premier, I appreciate that this is difficult for her, but I am asking the Premier to put herself in the shoes of Albertans trying to understand what went on here, and given that she believes that there is no conflict of interest under section 3 of the act, why does she refuse to accept responsibility for making the decision in the first place?

**Ms Redford:** Mr. Speaker, I have to say that, in fact, while I appreciate the fact that Albertans may want to talk about this – and we have been very open and forthright – this is not difficult for me because I know what I was involved in. I know when the decision was made. I stand by my personal integrity and principles. The opposition can stand up every single day and can continue to allege that there was something inappropriate. I am proud of who I am, I am proud of the role that I had as Justice minister, I am proud of what we have done as a government in the past six months, and that is what Albertans voted for.

**Ms Smith:** Given that a number of responses from the Deputy Premier, the current agriculture minister, the current Justice minister suggest that the contract is good for Alberta, one must ask: why is the Premier running from acknowledging her role in choosing this particular firm? Does she feel guilty?

**Ms Redford:** I was listening to the answer to the last two questions, Mr. Speaker. I guess the opposition wasn't. I've said that I am very proud of the fact that I was Justice minister when we as government decided to do this. I am very proud of the fact that we are continuing to pursue this litigation, and as I've said in this House, I believe that the decision that the Justice minister made in the summer of last year was a good decision to represent Alberta's interests. That doesn't change the fact that I did not personally make that decision.

**The Speaker:** The hon. Member for Calgary-Shaw.

#### Ethics Commissioner Referral

**Mr. Wilson:** Thank you, Mr. Speaker. Gary Mar felt this Premier's wrath when she determined that he violated a "code of values and ethics" when he faced allegations of misusing the powers of his office. She ordered that he step aside until the investigation was complete. Now she's denying that she ever did this. Yesterday the Premier said, "it wasn't something that I was involved in," but in March she said, "I asked the Ethics Commissioner to look at that." To the Premier. Albertans are getting tired of your loose interpretation of the truth. Why did you say that you had no involvement in the Gary Mar investigation when you clearly ordered it yourself? [interjections]

**Ms Redford:** Mr. Speaker, I must say that as Premier I was incredibly enthusiastic to ensure that the right thing was done. I did ask the Ethics Commissioner to look into this. You will recall that the turn of events was that the Ethics Commissioner said that because Mr. Mar was a public servant, he wasn't able to look into it. At that point the clerk of the Executive Council took over the entire process. At that point I was not involved in it. There is nothing that is not absolutely certain with respect to the facts of this, and I think that's something that is lost daily on the opposition.

### Speaker's Ruling Decorum

**The Speaker:** Hon. members, I appreciate the enthusiasm with which you are greeting both the questioner and the answer person. However, those kinds of interjections ought not be tolerated, and I'm not going to tolerate any more today. We've had enough. Please, no more interjections. I don't think that that's how you coach or train your children, to interrupt each other, either at home or on the playground or in school or elsewhere. It's not going to be something that we leave here as an example of how we conduct ourselves once we have grown up.

Let us proceed now with your first supplemental, without preamble, please.

### Ethics Commissioner Referral (continued)

**Mr. Wilson:** Great. Thank you, Mr. Speaker. Again to the Premier: given your swift and well-documented action in ordering Mr. Mar to step aside and your apparent refusal to admit you had anything to do with it, what is preventing you from being honest with Albertans and standing by decisions that you have made?

2:00

**Mr. Lukaszuk:** Mr. Speaker, this question, to begin with, doesn't deserve an answer considering the language, but let me be perfectly straight, and maybe there's a lesson which they can draw. When the issue of Mr. Gary Mar came into being, the Premier did the right thing, the thing that they should have done. If you believe that something may have happened that is wrong, you turn to the appropriate body to investigate it, either the Ethics Commissioner or the office of the clerk. If they believe that something nefarious happened, they should have done the same as opposed to dragging everybody through the mud over the last three months instead of talking about health care, education, children, and things that people actually elected us to do. [interjections]

**The Speaker:** You've forced me to take up my list pad, so I have it out. Any more interjections, and you're going to make it on to the list, and then I'll have to not recognize you when your turn comes. There have to be some penalties for breaking rules, and that will be what it is.

Hon. Member for Calgary-Shaw, you have the floor for your final supplementary without preamble.

**Mr. Wilson:** Thank you, Mr. Speaker. Again to the Premier: given that there is clear hypocrisy in ordering someone else to leave their job because of an alleged ethics breach while refusing to do so yourself, did you order Mr. Mar to step down just because most of your caucus chose to support him for leader and you wanted everyone to know who is boss? [interjections]

**Ms Redford:** Mr. Speaker, here's a response. I will not dignify that question with a response.

### Speaker's Ruling Decorum

**The Speaker:** We're going to go to the leader of the Alberta Liberal opposition in a few seconds, but I'm hearing some comments from the back row of the government bench here. I would ask whoever it is – I didn't get it in time – to please cease and desist, or you, too, will make my list.

The hon. leader of the Alberta Liberal opposition.

### Tobacco Recovery Lawsuit (continued)

**Dr. Sherman:** Thank you, Mr. Speaker. Alberta Liberals support the decision to sue big tobacco but question how the decision was made. The Tobaccogate scandal has Albertans questioning the Premier's uncanny ability to apparently say one thing and then deny any involvement whatsoever. Now she is distancing herself from the decision to select International Tobacco Recovery Lawyers as a firm to represent Albertans in a \$10 billion lawsuit. I've sent the Premier her memo dated December 14, 2010. To the Premier: will you acknowledge that by signing this memo, you as the Justice minister at least may have influenced the decision?

**Mr. Lukaszuk:** Well, Mr. Speaker, this is rather rich coming from a member who about six months ago was screaming and shouting for an independent commission into queue-jumping and now comes out and says that we shouldn't be spending money on investigating queue-jumping.

The facts have been laid out. They have been asked. They have been answered. I have to assure you, Mr. Speaker, that if they ask a hundred more times, they will receive the same answer a hundred more times because there's only one truth.

**Dr. Sherman:** Mr. Speaker, given that I asked a question and the Deputy Premier went off on some other rant about something else, allow me to go back to the real Premier – the real Premier – not the guy who wants to be Premier. Premier, there's ample documentation with this memo with your signature on it. Can you please rise? I just want to ask you: if you're really trying to distance yourself from the decision, why didn't you distance yourself from the decision when it counted, before you signed the memo?

**Ms Redford:** Mr. Speaker, as the Deputy Premier has said, this question was asked and answered. It was asked and answered continually last week but not by the Liberal Party, by the Leader of the Opposition. I'm sure glad to see the leader of the Liberal Party has finally caught up.

**Dr. Sherman:** Mr. Speaker, I appreciate the comments from the Premier and wannabe Premier. Given that as Justice minister the Premier had the opportunity to recuse herself from a decision involving hundreds of millions of dollars, maybe some billions of dollars in contingency fees benefiting a partner in the firm that clearly has strong connections to the Premier, so strong that he helped her transition her front bench, didn't you consider that there would be at least the appearance of a conflict of interest?

**Ms Redford:** Mr. Speaker, there was nothing for me to recuse myself from because I didn't make the decision.

**The Speaker:** The hon. leader of the New Democratic opposition.

### Physician Services Agreement

**Mr. Mason:** Thank you very much, Mr. Speaker. The government signed a deal with the doctors before the election, and after the election they broke it. This agreement was ignored by the Health minister, who imposed a settlement on the doctors. To the Health minister: why won't he admit that he is unable to negotiate an agreement with the AMA before patient care is affected, and do something?

**Ms Redford:** Well, Mr. Speaker, it is certainly true that our excellent Minister of Health has been working very hard over the

past 10 months to try to get a deal with doctors, and we have done some very good work. The agreement that the hon. member speaks of was an agreement that was signed some eight or nine months ago that had a number of conditions in it. In fact, going back to the detail of that, it was not any action taken by the government that ended that agreement but an action taken by the AMA. Even after that our minister stood by the terms of that agreement, has until this day, and wants to get a deal with doctors.

**The Speaker:** The hon. member.

**Mr. Mason:** Thanks very much. The Premier answers the minister's questions and vice versa. It's interesting.

I want to ask about the Canada Health Act. The Canada Health Act requires a negotiated settlement with doctors if extra billing is prohibited. It says that at the option of the appropriate provincial organizations, it needs to have . . .

**The Speaker:** Hon. member, let's get to the question. No preamble, please.

**Mr. Mason:** It is the question, Mr. Speaker. The question is to the minister. Is he going to continue this playing footsie with the doctors, not get a deal, and then have some kind of impact on patient care, or will he do what the Health Act says and go to binding arbitration?

**Mr. Horne:** Well, Mr. Speaker, perhaps I can enlighten the hon. member on the provisions of the Canada Health Act. What the Canada Health Act says is that where an agreement exists between a government and an association representing physicians in the province, compensation shall be reasonable. The compensation for physicians in Alberta is the best in the country. It is on average \$80,000 more than the national average for compensation paid to physicians. We make no apologies for that. We pay the best in Canada, we have the best doctors in Canada, and we intend to keep paying them the best.

**The Speaker:** Hon. Member for Edmonton-Highlands-Norwood, you had one more supplemental?

**Mr. Mason:** I do.

**The Speaker:** All right.

**Mr. Mason:** Thank you, Mr. Speaker. Given – given – that the Canada Health Act does not talk about one party determining whether or not compensation is fair but provides a mechanism to settle the dispute when two parties disagree, why doesn't the Health minister do the right thing and go to binding arbitration with Alberta's doctors to prevent any work shortage?

**Mr. Horne:** Mr. Speaker, as the hon. Premier said, we have been without an agreement with the Alberta Medical Association for some 20 months now. This government has tried everything reasonable that we can possibly try to achieve that agreement. We stand by our commitment that we believe an agreement is in the best interest of patients and Albertans and physicians. Unfortunately, at the moment the Alberta Medical Association has made a decision not to negotiate. We have presented our best offer. We have asked only that the AMA recognize that there is an upper limit to the additional funding the government is able to provide for this purpose. Beyond that, we're prepared to talk about any issue, and we await their response.

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills, followed by Red Deer-North.

### **Tobacco Recovery Lawsuit** (continued)

**Mr. Saskiw:** Thank you, Mr. Speaker. There are billions of dollars up for grabs in the largest litigation case in Alberta's history, yet this Premier seems to have no idea that she made the decision, can't see why Albertans are thinking that there's a perceived conflict of interest, and can't tell Albertans how much they are on the hook for to pay for this government's latest scandal. We know that the government in Newfoundland disclosed the key terms of their agreement, in that case a 30 per cent contingency, which could be a potential \$3 billion in legal fees. If the Premier has nothing to hide, can she show us the terms of this agreement and the other requests for proposals laid out by the competing firms?

2:10

**Mr. Denis:** Well, Mr. Speaker, I'm rather surprised to get this information because I know this member is a lawyer of many years. If he doesn't believe me, that's fine. But I'm going to quote the former president of the Law Society who sent me an e-mail today. His name is Perry Mack. He indicated:

The disclosure of such information can be expected to be of benefit to the opposing litigants, in this case tobacco companies . . . Disclosure of the contingency [fee] agreement would almost certainly assist the defendants in fighting the case. Releasing that type of information while the lawsuit is ongoing would be unusual and ill advised.

**The Speaker:** The hon. member.

**Mr. Saskiw:** Thank you, Mr. Speaker. Given that even the managing partner of the firm that was awarded the contract publicly stated yesterday that he had no objections to releasing the terms of the agreement and given that this government continues to deny that the Premier had a direct hand in awarding this contract, how can this Premier possibly expect Albertans to ever trust another word she says until she releases all the terms?

**Mr. Denis:** Mr. Speaker, I spoke to that very counsel member, our counsel last week as well as last night, and he indicated to me again that he would advise for the same reasons as the independent counsel here why to not release the particular agreement. I'm on the side of everyday Albertans, not big tobacco.

**The Speaker:** The hon. member.

**Mr. Saskiw:** Thank you, Mr. Speaker. Given that the Premier's own words clearly state that her department's review committee considered all three firms to be capable of conducting the litigation, will the Premier stop blowing smoke, do the right thing, and lay out the documents showing us the agreement as well as the offers put forward so Albertans can see for themselves whether they got a good deal or whether the Premier awarded a super-lucrative contract to a friend? Just show us the agreement.

**Mr. Lukaszuk:** I can assure Albertans and this member of the House that, number one, this agreement was not directly negotiated between the department of Justice and the law firm, but there was a third party sort of grinding them down to the lowest. I can also assure Albertans that we as Albertans are paying the lowest contingency fee of any province that is involved in this lawsuit.

**The Speaker:** Hon. Member for Airdrie, you rose on a point of order at 2:12, and it's been noted.

The hon. Member for Red Deer-North, followed by Airdrie.

### Openness and Transparency in Government

**Mrs. Jablonski:** Mr. Speaker, when I was elected, I made a commitment to my constituents that I would bring their issues to government and be their advocate. There's been a lot of daily drama in the Assembly during this session. As a result, many of my constituents are wondering what the government has accomplished and if it will make a difference in their lives or the communities. My first question is to the Deputy Premier. Can he tell us what this session's activities have done for the average Albertan, and why should they care? [interjections]

**The Speaker:** Hon. Deputy Premier, I'll allow you to briefly comment in response to the hon. member's question.

**Mr. Lukaszuk:** Mr. Speaker, it's unfortunate that the opposition is laughing as this question is being asked because, obviously, they have no interest in the true work that happened in this House. I think members of this House – not all members, the other side excluded – should be proud of the fact that we passed an Education Act, that we passed a regulatory process that is a one-window approach, that we opened up hospitals, and that we opened up schools while the gimmicks have been going on on the other side of the House. [interjections]

**Mrs. Jablonski:** Mr. Speaker, given that the Premier has a vision of a more open and transparent government, can the Deputy Premier review what has been done to achieve this vision?

**Mr. Lukaszuk:** Mr. Speaker, I think one legislation that we all should be proud of, including you, is the fact that we passed the election accountability act. Again, another promise that was made during the election campaign that has been delivered on. [interjections]

**The Speaker:** Hon. Member for Airdrie, you rose on a point of order at 2:14. It's been noted.

Final supplemental without preamble, please, hon. member.

**Mrs. Jablonski:** Thank you, Mr. Speaker. To the Deputy Premier: what have Albertans been telling you about government policies and directions especially as it pertains to what's been accomplished so far in this legislative session?

### Speaker's Ruling Decorum

**The Speaker:** Hon. members, you know, it's difficult for me to put you onto my list when five or six or seven of you all speak at the same time with your interjections. I'm going to sharpen my focus on all of you here in this next couple of minutes because you just can't hear. You can't hear the questions. You can't hear the answers. People have the floor. Let's give them the courtesy of continuing their questions and answers to their best abilities.

The hon. Deputy Premier.

### Openness and Transparency in Government (continued)

**Mr. Lukaszuk:** Thank you. First of all, Mr. Speaker, I must correct myself. The act was introduced, not passed, but I have good confidence in the House that it will be passed.

Another thing that has happened while the distractions were carrying on is that we have as the government instituted a policy of transparency relevant to the expenditures not only of elected members but of all employees, executives, and board members in Alberta.

But to your point, Mr. Speaker, I'd suggest to you, if I may, not to chastise him for being loud because it is a good thing that Albertans can't hear what is being said on the other side.

### Justice System Review

**Mr. Anderson:** Mr. Speaker, the individual tasked with investigating the Airdrie sex abuse case which was dropped due to court and Crown delays said last week that his 300 overburdened Crown prosecutors may need to start abandoning minor charges so that violent offences are prosecuted within a reasonable time frame rather than risking the charges being dropped entirely. To the Minister of Justice: why did you and the Premier repeatedly deny that a shortage of court and Crown resources was to blame for the Airdrie sex abuse case being dropped and then accuse the opposition of being disloyal for making that claim, which was, in fact, the truth?

**The Speaker:** The hon. Minister of Justice.

**Mr. Denis:** Thank you very much, Mr. Speaker. One thing that I would agree with this member on is that one case like that is one too many. That is why I launched the investigation. We're looking forward to the results of the investigation. But I will remind this member that we have 302 very capable Crown prosecutors in this province, 69 of which have been added since 2006.

**Mr. Anderson:** It surely doesn't keep up with population growth.

Given that the problem of cases being dropped for lack of resources was exacerbated during your and the Premier's time as Justice minister, what immediate steps are you taking to adequately fund our Justice system, and will your government consider redirecting funds from the \$2 billion that you're handing out to private companies to pump CO<sub>2</sub> into the ground in order to do so without going deeper into deficit?

**Mr. Denis:** Mr. Speaker, I indicate again that we have the fourth-highest number of Crown prosecutors in Canada, and we are the fourth most populated province. I would suggest that this member needs to have a much stronger view of our Justice system, which is working. Where we have issues – guess what? – we call an independent investigation. That's what's happening.

**Mr. Anderson:** You did not call an independent investigation. I don't know how he can say that, Mr. Speaker.

Two final questions, Minister. On what date are we to expect the results of the internal – internal – investigation into the Airdrie sex abuse case to be completed and made public, and will you contact the victim in the near future to apologize on behalf of your ministry for how her case was handled and discuss the possibility of assisting her to recoup some of the legal and other costs incurred by her and her family in the course of this absolute debacle?

**Mr. Denis:** Mr. Speaker, as I've indicated before to this member, one case is too many. I have full confidence in the assistant deputy minister who is handling this independent investigation. We indicated at the time that we called it that it would take approximately two months or within that period. It's independent, and there is no political interference. [interjection]

**The Speaker:** I almost caught you but not quite. I'll try harder.

The hon. Member for Edmonton-South West, followed by Calgary-Buffalo.

#### Anthony Henday Drive

**Mr. Jeneroux:** Thank you, Mr. Speaker. As many of us know, this past summer saw a substantial amount of construction take place on the southwest leg of Anthony Henday Drive in my constituency of Edmonton-South West. Based upon the materials and design used in construction, we were given to understand that the road would require no maintenance for at least 25 years. My question is directed to the hon. Minister of Transportation. Why is it that after a period of only six years Anthony Henday Drive is being repaved and causing delays in certain sections?

**The Speaker:** The hon. minister.

**Mr. McIver:** Thank you, Mr. Speaker. I appreciate the question because I asked it myself. What I found out is that the work that was done on the southwest Anthony Henday this summer was actually maintenance work on some of the concrete portions of the road. This was done to prevent major maintenance being needed in the future. This particular portion of the road was built using a concrete design option, which is a little unusual. Preventative maintenance now will result in a road that is designed to last nearly twice as long as an asphalt option with a reduced long-term maintenance situation. So this option is expected to create a long-term value for Albertans, and it's one of the many things that we're doing for their benefit.

**The Speaker:** The hon. member.

**Mr. Jeneroux:** Thank you, Mr. Speaker. Again to the same minister: when Anthony Henday is to be complete, will it be a true ring road for the city of Edmonton and actually bring the results it promised?

**Mr. McIver:** Well, Mr. Speaker, when we announced the P3, an investment of \$1.8 billion, in July for the construction and operation of the northeast Anthony Henday, including bridges across the North Saskatchewan – at this point we've invested \$4 billion on the Henday to date, and it's 90 per cent complete. The last leg will be open for traffic in 2016. I'm pleased to say that at completion there will be 78 kilometres of free-flow traffic. It will be a ring road. Whether it provides the benefits that we hoped for, I guess the future will tell, but I can tell you that we put the best possible program in place, and that gives us the best chance of getting those benefits.

2:20

**The Speaker:** The hon. member.

**Mr. Jeneroux:** Thank you, Mr. Speaker. Again to the same minister: given that I have two young daughters whom I drive to school on the Anthony Henday every single day, with 78 kilometres planned with an absence of traffic lights, how do we intend to ensure that we have traffic driving at safe speeds?

**Mr. McIver:** Well, Mr. Speaker, I can tell you that we won't do it alone. We'll do it with the co-operation of Albertans, as we do with all traffic safety. We'll work with the city police and the RCMP. We'll work out our traffic safety plan, we'll do education, we'll do enforcement, and we'll combine that with the good engineering that actually is the Anthony Henday.

**The Speaker:** The hon. Member for Calgary-Buffalo, followed by Edmonton-Calder.

#### Collective Bargaining with Teachers

**Mr. Hehr:** Well, thank you very much, Mr. Speaker. In my view, the current proposal put forward by the Alberta Teachers' Association achieves the fiscal goals of the government: ensures cost containment for school boards, secures meaningful improvements in the conditions of teachers' professional practice, and provides stability for Alberta students and their families. My question is to the Minister of Education. Given that this appears, to me at least, to be an eminently reasonable proposal, what are the minister's hang-ups of the current proposal put forward by the ATA?

**Mr. J. Johnson:** Mr. Speaker, like I said yesterday, there's probably not enough time to get into a few of the details that we'd like to talk about with respect to this. The member is right. You know, we are fairly close on many issues, but there are a couple of glaring concerns. I would tell you that one of the main objectives, one of the main responsibilities of the Minister of Education is to ensure that there's excellence in teaching. We take that very seriously, and that's why we're taking our time to try and get this deal right for Alberta's kids.

**Mr. Hehr:** Well, I applaud the goal of excellence in teaching, but does the minister understand that any deal would place reasonable limits on teachers' instructional time and include a process to identify and reduce the low-value administrative and bureaucratic tasks routinely assigned to teachers? Will the minister understand this in the new agreement?

**Mr. J. Johnson:** Absolutely, Mr. Speaker, and that's exactly why I proposed that piece. But there are other pieces that do cause concern, and those are pieces that we typically talk about as being hard caps, hard caps on the minutes or hours a teacher can work in a week. Some jurisdictions have hard caps of 31 hours of assignable time for a teacher in a week. Another hard cap that is proposed is 907 minutes of instruction per year for a teacher. Mr. Speaker, I can tell you that there are many teachers around the province, excellent teachers, that are working more than those hours, that are working more than those minutes because it's required in small, rural schools. If we go to hard caps, they're inflexible; we'll close rural schools. We're not going to be a party to that.

**Mr. Hehr:** Well, Mr. Speaker, I challenge the minister on that statement given that small school divisions like the Northland school division, which has many small schools, have been dealing with hard caps for a long time. So is not the minister's answer simply a red herring?

**Mr. J. Johnson:** I don't believe so, Mr. Speaker. One of the things we talk about is the strength in our system, the diversity. The strength is that every kid is unique. We need that flexibility. We want to move to a system that has even more flexibility. You can't have flexibility when you have a cookie-cutter one size fits all right across the province.

One of the main issues with the hard caps that we have in place today is that with the school divisions that have them in place, the teachers that are working under them are just as profound in their concerns on workload as the teachers that don't have them. I'm submitting that it is not the silver bullet and that we want to look

for other solutions to the workload issues that the teachers are bringing forward.

**The Speaker:** The hon. Member for Edmonton-Calder, followed by Innisfail-Sylvan Lake.

#### Castle-Crown Wilderness Area

**Mr. Eggen:** Thank you, Mr. Speaker. The Castle wilderness is cherished by the residents of Lethbridge and the rest of southern Alberta. The government's policies towards the Castle, however, have been very inconsistent. They have not stopped logging, destructive random camping, and rapid environmental degradation in the area. My questions are to the minister of tourism. When will you commit to doing what residents are clearly asking for and even what your government's own reports have recommended and designate a wildland provincial park for the Castle wilderness area?

**The Speaker:** The hon. minister.

**Ms Cusanelli:** Thank you, Mr. Speaker. I thank this member for his question. Some of the response would actually come from my hon. colleague, to whom I will convey your question, specifically with regard to . . .

**An Hon. Member:** Castle-Crown.

**Ms Cusanelli:** . . . Castle logging. Thank you very much.

With respect to wildlife parks at this point what we are looking at are regional plans. Perhaps within the framework of our discussions we will be able to have a wholesome discussion around that. Thank you.

**The Speaker:** The hon. member.

**Mr. Eggen:** Thank you. Given that the South Saskatchewan regional plan is just the latest in a litany of consultations, reports, and frameworks, all of which up till now have pointed to the same conclusion, and given that clear-cut logging has devastating environmental consequences that jeopardize the most important watershed in southern Alberta, what's stopping the minister – it's under your purview – from declaring the Castle to be a wildland provincial park for everyone to enjoy?

**The Speaker:** The hon. Minister of Energy.

**Mr. Hughes:** Thank you, Mr. Speaker. I'm pleased to answer on behalf of our colleague as the Acting Minister of ESRD. We all know that those of us who grew up in southern Alberta have a deep attachment to the land: the landscape, the foothills, the mountains, the Castle area. Clearly, that is why we are looking at this very closely under the South Saskatchewan regional planning process to ensure that we respect the environmental aspects of that corner of the province, which is so special to all of us.

**The Speaker:** The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thank you, Mr. Speaker. Given that we've had consultations and reports for the last 40 years and given that 87 per cent of the residents of Lethbridge and Coaldale and everyone from the Lethbridge Chamber of Commerce to the Alberta Wilderness Association support the creation of a provincial wildland park in the Castle, doesn't one of the ministers over there think that it's time to do the right thing and designate a wildland provincial park in the Castle wilderness area?

**Mr. Hughes:** Mr. Speaker, you know that this input, the advice from this member and the input from residents of all of southern Alberta, will be taken into account in terms of the plan. This is, actually, the first time that right across the watershed basin across southern Alberta work is being done to ensure that we respect the environmental values, that we respect the property rights, that we respect the activities that are going on in that part of the province, and that we value and cherish and make the most of this tremendous landscape.

**The Speaker:** The hon. Member for Innisfail-Sylvan Lake, followed by Bonnyville-Cold Lake.

#### Personal Care Standards in Seniors' Facilities

**Mrs. Towle:** Thank you, Mr. Speaker. This House and Albertans have heard a lot of discussion regarding the outrageous once-per-week bath policy in place in many care centres across Alberta. Last week the Associate Minister of Seniors said, "I've discussed this matter with the Health minister, and together we're going to have a look at this issue." I hope that the Health minister and the associate minister had a good, long discussion about it because seniors and their caregivers are demanding answers and action. To the Associate Minister of Seniors. Albertans want to know if this meeting has taken place and what was discussed. Did you decide on any course of action to reverse the degrading, unhealthy, and disrespectful once-per-week bath policy?

**The Speaker:** The hon. minister.

**Mr. VanderBurg:** Thank you, Mr. Speaker. We all know that there are more than 25,000 Albertans that live in our seniors' facilities, whether they're seniors or folks with disabilities, and we have 753 licensed facilities in this province that I'm very, very proud of. I made the commitment to this member and to all members here that the minister and I will have a good look at this issue, and I look forward to your other questions.

**The Speaker:** Hon. member, first supplemental, without preamble.

**Mrs. Towle:** It's truly disappointing that this issue wasn't important enough to have a discussion with the Health minister.

**The Speaker:** Without preamble.

**Mrs. Towle:** Again to the Associate Minister of Seniors: have you consulted with other care facilities who are managing to actually give the residents more than one bath per week to figure out how to provide proper bathing for seniors in care?

**Mr. VanderBurg:** Mr. Speaker, there's nothing like going home on the weekend to check on reality. I did have the opportunity to make sure that when seniors or our loved ones move into seniors' facilities, there is a proper care plan developed and that the caregivers follow that proper care plan. It's not up to the minister to develop those care plans, but it's important that our family members and all Albertans know that these care plans are followed, that they're followed with respect and followed with care and followed with love by our caregivers.

**Mrs. Towle:** You're the advocate for seniors across this province and you license these facilities.

## Speaker's Ruling Preambles to Supplementary Questions

**The Speaker:** Hon. member, please. I think we just need to be reminded yet again about no preambles. I've been very tolerant and very patient, recognizing that some of us in this building are new, but the rule is the rule. The reason that the rule is there is so that it doesn't yield any inflammation on anybody's part, any inflammatory responses back and forth. So let's rise above this again.

Hon. member, you have the floor. You have a supplemental without preamble. I'm sure it's ready. Please proceed with it.

### 2:30 Personal Care Standards in Seniors' Facilities (continued)

**Mrs. Towle:** Thank you, Mr. Speaker. Given that seniors and their caregivers deserve better from this government and that this government licenses all care facilities across Alberta, when can Albertans expect your office to actually do something about this problem and fix what most everyone except you thinks is a horrendous and degrading bath policy?

**The Speaker:** The hon. associate minister.

**Mr. VanderBurg:** Thank you, Mr. Speaker. Yes, we do license and inspect over 753 facilities across this province. Like the member, I do care deeply about the residents that live in our facilities, and I will ensure to have a good, solid look at this issue going forward, sir.

**The Speaker:** The hon. Member for Bonnyville-Cold Lake, followed by Calgary-Fish Creek.

### CRISP Report on Cold Lake Oil Sands Area

**Mrs. Leskiw:** Thank you, Mr. Speaker. My constituents often come to me with questions about ongoing oil and gas development in the Bonnyville-Cold Lake area. A CRISP plan is under way for the Cold Lake oil sands area, and I'm interested to see how it will impact the residents in my area. My first question is to the hon. Minister of Energy. What concerns were expressed at the public hearings and stakeholder consultations that were held in my area of Bonnyville-Cold Lake?

**The Speaker:** The hon. minister.

**Mr. Hughes:** Thank you very much, Mr. Speaker. I'd like to thank this very effective and persistent member in this House.

You know, there were participants, folks from across the area who participated in the open houses, that had a very strong interest in a high level of water quality, which is an important issue for the Cold Lake area. There's also general agreement that there needs to be over time more transportation in and out of the Cold Lake oil sands area, including roads, bus, perhaps air. As oil production grows in this part of the province, we are going to need to have a greater infrastructure over the next several decades.

**The Speaker:** The hon. member.

**Mrs. Leskiw:** Thank you. To the same minister, without any preambles: what have you learned from the CRISP report and implementation process that you feel would be applicable to my area?

**The Speaker:** The hon. minister.

**Mr. Hughes:** Well, thank you very much, Mr. Speaker. The CRISP reports, which are the comprehensive regional infrastructure sustainability plans, actually allow for creating a process of engagement amongst municipal-level governments and First Nations and aboriginal communities in the area. It ensures that the needs are well defined and that the government of Alberta is in a position to respond to those needs when those needs become imminent.

**Mrs. Leskiw:** My final question to the same minister, without any givens: when is this CRISP report scheduled to be released, and is there a timeline for the implementation?

**The Speaker:** The hon. minister.

**Mr. Hughes:** Thank you very much, Mr. Speaker. We will be releasing this report in the very near future. At that point we will be in a position to speak with all Albertans in the Cold Lake oil sands area about the long-term implementation of this plan. This is not about next year. It's not about two years. It's not just about three years. There is a three-year window. There are another 10 years after that and another 10 or 15 years after that as we look at what is needed to respond to the immense growth that is going to go on in that community over the next 40 years.

**The Speaker:** The hon. Member for Calgary-Fish Creek, followed by Edmonton-Riverview.

### Family Care Clinics

**Mrs. Forsyth:** Thank you, Mr. Speaker. Yesterday afternoon this government confirmed what most Albertans already suspected, that this government has absolutely no idea how it will pay for its costly campaign promises. I asked for the nitty-gritty on how much their 140 family care clinics promise would cost. The Health minister responded that the costs are unknown. Well, they weren't unknown when they said that the campaign platform was fully costed. They weren't unknown when they said that it would come from in-year savings. They weren't unknown when they said that it would come from the existing budget. To the Minister of Health: are you really now saying that you have no idea how much it will cost Albertans to keep this promise, and why weren't you up front about it when you made the commitment?

**Mr. Horne:** Mr. Speaker, the ability of the hon. member to rephrase previous questions in a way that would seem to suit her purpose never ceases to amaze me. In Written Questions the hon. member asked for standardized costs relating to various aspects of family care clinics. As I explained to the hon. member and as I hoped she would understand as a result of the election campaign, this government is leading a number of improvements in primary health care delivery across the province. These improvements are focused on analysis of community health needs. They are focused on allowing communities to participate in developing plans to meet those needs. They will be unique plans that respond to their particular situation.

**Mrs. Forsyth:** Given the \$3 billion hole that our province is falling into, your unwillingness to discuss health economics – those are your words – and the fact that you haven't looked at the cost-effectiveness of what were supposed to be our three pilot projects, how can the Minister of Health have us believe that the hundreds of millions, perhaps billions, of dollars that will be spent on family care clinics will be money well spent?



**Mr. Horne:** Well, Mr. Speaker, the first flaw in the hon. member's logic is her assumption that we are going to simply spend new money in order to achieve our objectives to improve access to primary health care across Alberta. What, in fact, we are doing, as I explained in an answer to one of her questions yesterday, is that we are looking at existing resources across the province in the form of physical infrastructure, in the form of teams of health professionals that deliver care, in the form of clinical protocols and processes and programs that they have developed to support Albertans, for example, living with chronic disease, to see how we reorganize those resources in order to deliver a better product. I would expect that as a member of the party opposite she should be very interested in that.

**Mrs. Forsyth:** Given the lack of trust that this government has sown with the doctors of our province, as evidenced by their new full-page advertisement, and given the lack of trust Albertans are feeling with this government over your broken promises, will the Minister of Health please tell the Assembly the cost of the family care clinics?

**Mr. Horne:** Mr. Speaker, this government, as was committed to in the answer to the hon. member's written questions and as we've committed to before, will provide the costs of individual family care clinics as they are rolled out. We will also disclose to the House the cost of enhancements that we will be offering to primary care networks in order to further the very important work that they do. If the hon. member opposite wants a cookie-cutter approach to primary health care in Alberta and she wants to impose a model of care on particular communities that stay tied to a standard cost, she's welcome to go out and market that to Albertans.

**The Speaker:** The hon. Member for Edmonton-Riverview, followed by Chestermere-Rocky View.

#### **Firefighting Services in Crowsnest Pass**

**Mr. Young:** Thank you, Mr. Speaker. I was recently contacted by an Albertan from the constituency of Livingstone-Macleod who brought to my attention issues surrounding the effectiveness of fire services in Crowsnest Pass and was concerned that this issue was not being brought forward. I am honoured to bring the concerns of this community to this Assembly. My question to the Minister of Municipal Affairs: following the resignation of volunteer firefighters after municipal administration relieved the Blairmore station chief of his duties, what have you done to help resolve or mediate this situation?

**The Speaker:** The hon. minister.

**Mr. Griffiths:** Well, thank you very much, Mr. Speaker. We understand that every municipality can have some challenges and difficulties, so we sort of operate on three levels of engagement. First, we ultimately respect municipalities to manage their own affairs and their right to do that. Secondly, we're there to offer any assistance in any critical issues that they may need. Finally, we're there to step in if there is some critical issue that would affect the health or well-being of people within that municipality. Our department and the fire commissioner's office within our department has worked very closely with the municipality to provide them with any resources they need that are available. My understanding is that they have been handling the situation exceptionally well.

**The Speaker:** The hon. member.

**Mr. Young:** Thank you, Mr. Speaker. My first supplemental. An internal dispute is one thing, but Albertans in the region need reliable fire services. Can you assure the residents in the constituency of Livingstone-Macleod that the emergency services are still available and will continue to be available in the future?

**The Speaker:** The hon. minister.

**Mr. Griffiths:** Thank you, Mr. Speaker. Well, our department has been working, as I said, very closely with the fire department and with the municipality to ensure that. Our fire commissioner's office has been down there several times communicating with the department. My understanding is that though they've had a few volunteer firefighters resign their positions, they've had more than that come back, and they're well on their way to ensuring that they have consistent firefighting services for the municipality.

**The Speaker:** The hon. member.

**Mr. Young:** Thank you, Mr. Speaker. My second supplemental to the Minister of Municipal Affairs. I've been told that a petition has been delivered to your office to review the municipality's operations.

**Some Hon. Members:** Preamble.

**The Speaker:** Hon. member, tighten up here, please.

**Mr. Young:** Okay. I'll start again.

**The Speaker:** Just start again with no preamble. Just ask the question.

**Mr. Young:** Given that a petition has been delivered to your office to review the municipality's operations, will you do that? Will you review the municipality's operations?

2:40

**The Speaker:** The hon. minister.

**Mr. Griffiths:** Thank you, Mr. Speaker. It's always unfortunate when we get such a petition, but we take every single petition and every single complaint that comes to our office very seriously, and we work very closely with municipalities to make sure that they're functioning appropriately. The petition was approved, so we will be doing an inspection. We will make sure that we work with the municipality so that they are operating in the most effective manner and that the citizens in that municipality can be confident they're getting the best service possible.

**The Speaker:** Hon. members, before we go to Members' Statements, might we have unanimous consent to revert to Introduction of Guests?

[Unanimous consent granted]

**The Speaker:** Thank you very much.

#### **Introduction of Guests** (continued)

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo, followed by the Associate Minister of Accountability, Transparency and Transformation, followed by Edmonton-Ellerslie.

**Mr. Allen:** Thank you, Mr. Speaker. I am pleased to rise today to introduce to you and through you to all members of this Assembly two people that work exceptionally hard at a very difficult task; that is, trying to make me look good. First of all, we've got my legislative assistant, Ryan Osterberg, who also works with the hon. Member for Stony Plain. He's been in the service of the LAO for just over a year and is a resident of Sherwood Park. He's here to accompany my brand new constituency assistant, Shirley Lin, who is here for her first trip to the Alberta Legislature and also for the winter constituency seminar. Shirley was previously one of the editors with *Fort McMurray Today*. My recollection of my first meeting with her was that she was covering a story of a fundraiser in Fort McMurray, and I took a pie in the face, and she was there with her cameras. We're very fortunate that she has a degree in journalism and a minor in politics, and I'm very glad to have her as part of my team and working for the residents of Fort McMurray-Wood Buffalo.

Mr. Speaker, they're seated in the visitors' gallery, and I'd ask that they rise to receive the warm welcome of this Assembly.

**The Speaker:** The hon. associate minister.

**Mr. Scott:** Thank you very much, Mr. Speaker. I'm very proud to introduce to you and through you Nicole Blake, who is my constituency assistant for Fort McMurray-Conklin. She's been with me for about two months in that role, and she's somebody that I've known for a long time and that I consider a very close friend. Like so many other people in my region, she came for the opportunities that exist in the Fort McMurray-Conklin area, and she is succeeding. She has made a life for both herself and her husband. I'm very proud that she is able to work for me. If Nicole Blake could please rise and receive the traditional warm welcome of this House.

**The Speaker:** The hon. Member for Edmonton-Ellerslie.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. It's my pleasure to rise today and introduce to you and through you to the entire House an extremely intelligent group of young students and their parent helpers from Mrs. Kerry Faber's grade 6 class at Ekota elementary school. The school's belief states: "with the shared commitment of students, parents, and staff we create a safe and caring learning community in which every student achieves academic success." Joining Mrs. Faber today are parent helpers Joe Friend, Linda Campbell,\* Ron Friend, and Don Kwas. At this time I'd ask my guests to please rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** Hon. members, in 20 seconds from now we'll go back to Members' Statements, and we'll begin with Edmonton-Highlands-Norwood.

### Members' Statements (continued)

**The Speaker:** The hon. Member for Edmonton-Highlands-Norwood, followed by Edmonton-Gold Bar.

### Government Accountability

**Mr. Mason:** Thank you very much, Mr. Speaker. Today is likely the last day of this fall session of the Legislature, and it's been one of the most acrimonious in recent history. The government is ending the session early by invoking closure. It is doing so

because it can no longer face opposition scrutiny of its actions. Indeed, the Legislature has become dysfunctional.

This is not because of opposition antics, as some would suggest, but because the government has thwarted legitimate debate and questioning. It has raised avoiding accountability to a fine art.

Questions about illegal election donations are not answered, and when complaints are made to the Chief Electoral Officer, investigations are kept secret along with any findings or penalties that might be imposed. The government's so-called reforms will shroud any offences more than three years old in permanent secrecy, including several high-profile cases.

Questions about potential conflicts of interest have been ignored or prevented outright. The answers that are given are contradicted by documentary evidence with no repercussions. Vital election finance legislation has been drafted with no input from the political parties directly affected except, of course, the Progressive Conservatives. The Chief Electoral Officer provided advice directly to the government but not to opposition MLAs despite his mandate as an officer of this Legislature.

All 29 opposition amendments to Bill 4, the whistle-blower protection act, were defeated, many with no one from the government even getting up to speak. Opposition parties have so far presented 106 amendments to government legislation, and the government has voted down all but two.

From the outset of the fall session the government has pushed legislation through the Assembly, regularly sitting past midnight. Finally, the government has imposed closure on Bill 7, a critically important piece of legislation affecting the financing of provincial and municipal elections. By limiting debate to two hours in committee and two hours at third reading of the bill, they ensure that many opposition amendments cannot even be made and that debate is severely limited.

The government's arrogance and disdain for the democratic traditions of the Legislative Assembly have predictably generated much frustration on the part of opposition MLAs.

**The Speaker:** Hon. member, thank you. Your time has elapsed.

The Government House Leader rose on a point of order at 2:47, right at the conclusion, I believe. You rose on a point of order right after he had concluded? Is that right? We don't normally do points of order on private members' statements, as you know, hon. Government House Leader.

**Mr. Hancock:** I appreciate that, Mr. Speaker, but we don't ordinarily make that type of accusation and falsity in a member's statement.

**The Speaker:** We'll deal with this matter at the conclusion here right away.

Let us go on with Edmonton-Gold Bar.

### World Diabetes Day

**Mr. Dorward:** Thank you, Mr. Speaker. On November 14, 2012, millions of people around the world marked United Nations World Diabetes Day, WDD. In part it coincides with the birthday of Dr. Frederick Banting, the Canadian codiscoverer of insulin, and it is an international campaign to raise public awareness about this chronic disease for which there is no cure yet.

This November marked the fourth year of the five-year focus on diabetes education and prevention. The event followed the United Nations summit on noncommunicable diseases in 2011 as there continues to be an urgent need to strengthen the momentum generated by the event and to widen the awareness of the factors responsible for the disease and the solutions required to counter it.

\*This spelling could not be verified at the time of publication.

It is important to appeal to the hearts of concerned individuals and the general public to achieve these goals, Mr. Speaker. Internationally the campaign aims to educate, engage, and empower the general public on diabetes.

Many WDD events revolve around the concept of a blue circle, the international symbol of diabetes. In Canada, Mr. Speaker, JDRF was a key player in leading World Diabetes Day events across the country and in the world. JDRF Canada is the leading global organization focused on type 1 diabetes, T1D, research and the largest charitable funder and advocate for T1D research. Founded in 1974 by parents of children with T1D, JDRF is passionate about improving the lives of all people affected by this disease. Canada is definitely a leader in this area. JDRF has made a bold impact on the research landscape by setting the agenda world-wide. Through over a hundred locations in the world JDRF offers a diverse support network. We all appreciate the work that they have done here in Canada and in the world through the UN, very proud of that, because so many of us in one way or another have been affected by diabetes.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Fish Creek.

#### Letter from a Senior

**Mrs. Forsyth:** Thank you, Mr. Speaker. Firstly, I want to thank Dorothy, the dear senior in Edmonton who made this beautiful scarf for me. I'm going to speak on behalf of her and many other seniors across this province from a letter.

My Dear MLAs,

Please be patient and understand what I'm going through. One of us raised you and wants you to remember us.

If I repeat, don't say, "You said that already." Please remember that when you were little, I read you the same story every night. When I'm walking slow, take my hand as I did when you were little and offer guidance, not harsh words.

Remember, I bathed you every night, so please don't tell me it's okay if I only get bathed once a week.

When I mess in my diaper, it is no different than when I cleaned you up. Remember, I washed you up, cleaned you up, and we started all over again.

Remember, I fed you home-cooked meals and made sure your food was hot and nutritious. Please don't tell me it is okay for me to eat food when I'm really not sure what I'm eating.

2:50

I like and admire the caregivers that are taking care of me. They do a great job. There just aren't enough of them.

Remember, I've taught you to be honest to yourself, to be kind to others, and, more importantly, to take care of yourself. I took care of you, and now it is time for you to take care of me.

With warmth, love, and compassion,  
Your parent.

#### Tabling Returns and Reports

**The Speaker:** Hon. Member for Lethbridge-East, did you have a tabling?

**Ms Pastoor:** Thank you very much, Mr. Speaker. I'm tabling five copies of the report Bringing Lethbridge Home, the five-year plan to end homelessness. Lethbridge is very proud of their success: 199 households from homelessness to permanent housing; 205 people had intensive follow-up support; shelter occupancy was reduced from 25 per cent to 70 per cent fewer people living rough; 500 volunteers were involved; affordable housing increased by 10

units, for a total of 635 units since 2008. Social Housing in Action continues to work toward ending homelessness.

Thank you.

**The Speaker:** Okay. I was just about to remind you to just table the document, and we can all read it. Thank you. Is that it? It is concluded?

**Ms Pastoor:** That's it. Thank you.

**The Speaker:** The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thanks, Mr. Speaker. I rise to table 764 e-mails that I have received after the government members on the Members' Services Committee voted to give MLAs an 8.1 per cent raise. These are not form letters. In fact, the vast, vast majority were individually written by Albertans upset with the government. I know many of the members on the Members' Services Committee have seen this because they were all CCed. I would like to table them.

**The Speaker:** The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Mr. Speaker. I have six tablings if you'll permit me, three from myself and three from the hon. Member for Edmonton-Meadowlark. The first is a letter by a registered nurse who has worked 50 years in long-term care. I'll just give you one quote: the sad joke among nursing staff is that it's much better to be a prisoner than a senior in Alberta; prisoners get a shower a day.

The second, Mr. Speaker, is from an eight-year-old, whose name is Richard Mather, appealing for protection for habitat and wildlife, especially the sage grouse, whom he's concerned about being threatened in Alberta.

The third is the President's Letter from the Alberta Medical Association commenting on the strategies by the AMA to try and counter the misrepresentation of the negotiation breakdown.

From Edmonton-Meadowlark another tabling, quoting the dissatisfaction with Canadian democracy, published in the *Ottawa Citizen*.

Another from various media calling for the consistent application of the rules to the Premier that were applied to Mr. Mar.

Finally, a series of articles from the *Globe and Mail* having to do with Mr. Mar's dismissal.

Thank you.

**The Speaker:** Are there others? The hon. Member for Highwood.

**Ms Smith:** Thank you, Mr. Speaker. I've got two tablings, which I referenced today. Action request 39754 indicated the timeline for the decision in choosing the International Tobacco Recovery consortium, which included a decision by the then minister, now the Premier, in early December. Five copies of that.

In addition, action request 40333, another memo from the ADM of legal services noting that shortly before Christmas the then minister, now the Premier, selected the Jensen consortium. Five copies of that as well.

**The Speaker:** Are there others?

**Mr. Anderson:** Just one tabling, Mr. Speaker, from Ross Casswell, whose wife suffers from MS. Apparently, the pharmacists of Alberta are thinking of not allowing air miles when you go buy pharmaceutical drugs, which will really hurt him as he and wife rely on that to travel for treatment and other things. I would urge the Minister of Health to look into this at all speed. I've got five copies.

**The Speaker:** The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Speaker. I'd like to table the appropriate number of copies of 235 e-mails that we received after inviting Albertans to express their opinions over the government's handling of the tobacco lawsuit. The invitation was issued yesterday, and we received 235 e-mails in roughly three or four hours.

**The Speaker:** The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you. One more tabling, Mr. Speaker, from the Alberta Association of Seniors Helping Seniors, calling on the government to restore seniors' programs and services to the same levels as before the Klein government cut these seniors' programs and services.

**The Speaker:** Hon. members, in the flurry of notes that arrived in the last little while, I inadvertently overlooked one of our members for a private member's statement. I'd like to ask for your unanimous consent to return so that this member can deliver his two-minute statement. Are we all agreed?

[Unanimous consent granted]

### Members' Statements

(continued)

**The Speaker:** Hon. Member for Calgary-Hawkwood, with apologies, proceed.

### Alternative Health Practices

**Mr. Luan:** Thank you. It's a true honour to rise again to give a statement to support my constituency. I'd like to bring the House's attention to alternative wellness practices and their health benefits as I believe their effectiveness has been underestimated. Mr. Speaker, in today's high-pace, high-stress society it is important to pay attention to personal wellness as our day-to-day activities can take a toll on our physical and mental condition. The consequences of ignoring such can be very costly.

Alternative health practices refer to such activities as yoga, tai chi, and qigong. They provide excellent alternatives to alleviate stress and improve one's well-being. Recent studies have shown that yoga could assist in lowering blood pressure and heart rate. This, in turn, helps reduce the risk of heart disease, a condition which affects thousands of Albertans. Tai chi and qigong are other alternatives which involve a system of relaxation and breathing techniques and have been practised in Asia for centuries. Studies have repeatedly shown that these activities can help reduce anxiety and depression and boost one's immune system function.

I believe that we should do more to help increase the awareness of those alternative wellness practices and their health benefits. One of the great initiatives undertaken by the government of Alberta is Healthy U, which promotes healthy choices for food and active lifestyles, including practising nontraditional exercises. A healthy you leads to a healthy Alberta, which, in turn, leads to a lower cost for Alberta health care. I believe Albertans are well served in this way, and we should send a positive message to our government to continue doing the right thing.

Thank you.

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following document was deposited with the office of the Clerk: on behalf of the

hon. Mr. Horner, President of Treasury Board and Minister of Finance, pursuant to the Conflicts of Interest Act Report of Selected Payments to the Members and Former Members of the Legislative Assembly and Persons Directly Associated with Members of the Legislative Assembly, year ended March 31, 2012.

### Statement by the Speaker

#### Questions about the Subject of a Privilege Motion

**The Speaker:** Hon. members, there were a few points of order that were raised. Just prior to that, I want to address some notes that were sent up, some questions that were asked in the last little while with respect to how the proceedings worked today and why it is that the Speaker allowed questions and comments and other things pertaining to the issue of tobacco litigation and things related to that.

First, however, I must explain why they were ruled out of order yesterday as one final reminder. Yesterday in accordance with pages 502 and 503 of *House of Commons Procedure and Practice* I indicated to you: "Furthermore, a question should not . . . deal with the subject matter of a question of privilege previously raised, on which the Speaker reserved his decision." That was the circumstance yesterday. That was not the circumstance today. So when you're responding to your constituents, hon. members, and you're looking for clarification, there you have it now in *Hansard*. That issue was resolved yesterday, and the Speaker ruled on it, as you know.

3:00

Today is a new day, different circumstances, and that particular rule did not apply. However, all other rules still do apply: no personal attacks; do not cast aspersions on one another or on others, and do not make statements or create actions that might result in some disobedience or some disorder or disruptions in the House. Those rules still apply along with all the others.

That having been said, we're going to move to our points of order here. Just before we do that, just one other quick reminder, which is on page 634 of *House of Commons Procedure and Practice*. Let me just read you this quick note because sometimes it is applicable, obviously, and it is potentially applicable here. "A Member may not direct remarks to the House or engage in debate by raising a matter under the guise of a point of order." So let's just keep that in mind for whoever raises points of order today or in subsequent sessions. This is not an opportunity to prolong debate as such.

Let's hear the points of order that we have here. I have, I think, three or four, maybe five. Let's start with Airdrie, please.

### Point of Order

#### Explanation of Speaker's Ruling

**Mr. Anderson:** Thank you, Mr. Speaker. I have one of the points of order. The deputy House leader for the Wildrose will deal with the first one that I had to deal with. It's actually a point of clarification on your comments under section 13(2) of the standing orders. I would just ask the Speaker to clarify: in future when there is a specific subject that is not to be broached in question period, as was the case yesterday, because of a rule that you pointed out, could your office please inform us, the opposition members, of that ruling so that we can prepare for question period accordingly?

**The Speaker:** I'm sorry. Which citation are you rising under on your point of order?

**Mr. Anderson:** Under 13(2) of the standing orders.

**The Speaker:** So you're asking for a clarification on something in a general sense?

**Mr. Anderson:** On what you just said. In future if there's going to be subject matter that we're not permitted on that day to deal with, could you please inform our offices before so we can prepare accordingly?

**The Speaker:** Hon. member, thank you for the question. While I'm not going to get into a debate with you on it, let me just mention the following: I did exactly that. Unfortunately, I was not able to do it until just before Members' Statements started. If you'll remember, our introductions of guests and so on ran very long yesterday, so we didn't actually get to the first member's statement – in fact, we didn't get to one, as I recall, but I did clarify it as quickly as I could. That would be the traditional place.

However, as a cautionary note I will take that comment under advisement and see what we can do in the future to provide more notice, recognizing that there a lot of new people in the Assembly, and not everybody could clearly understand yesterday what the point of privilege really was about and how the *House of Commons Procedure and Practice* pages 502-503, the quote I just read out a few minutes ago, would apply in that case but did not apply today. So let's bear that in mind.

Now let's move on. The next point of order.

#### **Point of Order Allegations against Members**

**Mr. Anderson:** The only point of order that I will bring up is under Standing Order 23(h), (i), and (j) and is this issue with the members of government – it happened twice today, once with the Premier and once with the Solicitor General – when they said specifically that the Wildrose is in the pockets of big tobacco. Clearly, that was meant, as you often say, to incite disorder in the House. They know that that is not the case, that that's not what we're questioning, and that, in fact, we approve of the case moving forward. We're not questioning the need for it but just the decision, how it was made and so forth. So that's just a point of clarification.

**The Speaker:** I would agree. It's a point of clarification. In fact, there are two. We can probably address them both at the same time, hon. Member for Airdrie. In the first comment the hon. Premier said, "But I am very proud of the fact that as Justice minister we decided to sue big tobacco when that Leader of the Opposition has said that she wouldn't."

Your second point of order is with respect to a comment made by the Minister of Justice shortly thereafter, I believe, in which the hon. Minister of Justice said, among other things, "I'm on the side of everyday Albertans, not big tobacco." The context within which that was said was, in the Speaker's view, important, so I'm going to ask the hon. Minister of Justice to please clarify what he had intended there, and we will move on. Briefly.

**Mr. Denis:** Well, Mr. Speaker, my comment was that I was on the side of everyday Albertans, not big tobacco. There was not an intimation towards any other member here, and I apologize if anyone would have perceived that.

**The Speaker:** Thank you, hon. members.

Was there another point of order that was over here? The hon. Member for Lac La Biche-St. Paul-Two Hills.

#### **Point of Order Anticipation**

**Mr. Saskiw:** Thank you, Mr. Speaker. I'm rising on this point of order on behalf of the Member for Airdrie under Standing Order 23(e). In a response to a question from the Member for Red Deer-North the Deputy Premier referred to the Election Accountability Amendment Act, 2012, indicating that it was passed. Of course, subsection (e) of the standing orders states that it is improper to anticipate, "contrary to good parliamentary practice, any matter already on the Order Paper or on notice for consideration on that day." I do have the Order Paper in front of me, which notes that the Election Accountability Amendment Act is on the Order Paper for Committee of the Whole today. I'd ask him to withdraw that comment.

**The Speaker:** Thank you, hon. member. In fact, the Deputy Premier made a statement similar to what you're commenting on, and I believe he immediately corrected himself as well. It's a good reminder for everyone. I don't think this bears anything further. It was in fact corrected right at that time. But you're quite correct, hon. Member for Lac La Biche-St. Paul-Two Hills. We should not anticipate in that manner, and we'll try and ensure that it doesn't happen again.

I believe that concludes our points of order. I did want to make one clarification, however, with respect to a comment that was raised by the Government House Leader.

The hon. Government House Leader.

#### **Point of Order Factual Accuracy**

**Mr. Hancock:** Thank you, Mr. Speaker. I rose under 23(l), "introduces any matter in debate that offends the practices and precedents of the Assembly." The practice of members' statements has been a very important practice in this House, and the general rule has been that members' statements are not interrupted. The hon. Member for Edmonton-Highlands-Norwood during his members' statement, however, made a number of false statements that can't be characterized any other way when he made the allegation – and I think it is an allegation against me, which would be another rule, 23(h) – that somehow we had invoked closure or time allocation.

In fact, what's happened is that a notice of motion was put on the Order Paper, hasn't been invoked, hasn't been utilized but put on the Order Paper in the event that it's necessary to deal with the time remaining in this session with respect to the remaining bill before the House. I would ask that the hon. member be asked to withdraw the statement that we've invoked that. It may in fact be appropriate tomorrow. I don't know. But it wasn't appropriate today because it hasn't been done. I understand the hon. member wants to make these hyperbolic statements about how bad the government is – you know, hair on him; that's what he does all the time – but they should be at least based on some meritable point. To suggest that closure had been invoked at this stage is absolutely wrong.

**The Speaker:** Thank you, hon. Government House Leader, for the point. I'm going to just comment on this very quickly and then recognize the Member for Edmonton-Highlands-Norwood. I would agree that this is a point of clarification; it's not so much a point of order. But it is an opportunity for us to please be careful, again, with our choice of words. In your statement, hon. Member for Edmonton-Highlands-Norwood, you indicated a few things

that caused some people to stir. One of them was, “Today is likely the last day of this fall session.” That one is speculative, perhaps.

Nonetheless, I believe it’s the comment when you said, “Finally, the government has imposed closure on Bill 7.” Factually – and I think all hon. members would know this – that is not true. There is a notice of motion which if the government chooses to put into effect, it may do. But that motion would have to be put forward to you at a time of the government’s choosing if it so wishes. Until that time, it has no merit in fact because it has not yet been exercised.

3:10

The other point was with respect to a comment made during your statement in which you said, “The Chief Electoral Officer provided advice directly to the government but not to opposition MLAs despite his mandate as an officer of this Legislature.” There are a couple of clarifications that need to be referenced for all of you. I think you need to be cautioned, hon. Member for Edmonton-Highlands-Norwood, not to make statements about persons outside the House in that manner. It’s not of a huge or grave concern for the way that you may have felt you did it. Nonetheless, I have admonished other members in this respect, so I am reminding you at this time as well. We invite you to clarify your point of view, and then we’ll move on.

**Mr. Mason:** I don’t really have anything to say, Mr. Speaker.

**The Speaker:** All right. Well, then, that ends that matter. It’s been sufficiently clarified. We will move on.

### Orders of the Day

**The Speaker:** Hon. members, just take your seats for a moment if you would, please. There’s a tradition in this House that I was just reminded of here, and that is that we take time out from time to time to thank the people who help us in this Assembly in order that we might be able to better help Albertans outside this Assembly. On this occasion I’m going to ask and recognize for a brief comment in this regard the Deputy Speaker with your indulgence, please.

### Page Recognition

**Mr. Rogers:** Thank you, Mr. Speaker, and thank you to the members of the House for their indulgence. Hon. members, it is with pleasure that we present gifts to our hard-working pages at this wonderful time of the year. These young people work exceptionally hard to make sure that the work of the members in this Assembly flows like a well-oiled machine. We are truly blessed by their dedication to the task at hand.

The following four pages joined us in 2010: Ellen McClure, the head page; Helen Cashman, the Speaker’s page; James Bonnell; Mackenzie Martin. In 2011 the following six pages joined us: Donald Ademaj, Alyssa Edgerton, Claire Edwards, Perrin Michalyszyn, Gabriella Peter, and Tierra Stokes. Finally, in 2012 we were joined by the following pages: Chantelle Bryce, Ann Dang, Stephanie Nedoshytko, Danielle Seymour, Melina Sinclair, Ben Thronson, Elizabeth Winton, and Matthew Owens.

I ask you to join me in recognizing the efforts of our diligent pages, who daily show patience and understanding of our many demands, and they are many, Mr. Speaker. They carry out their tasks with attention to duty, including some very late nights, as you recall, in the past few weeks. These gifts are from the personal contribution of every member of our Assembly, and

along with these gifts we offer our best wishes. We’re honoured to have our pages work with us in the Legislature to serve Albertans.

I will now ask our Deputy Chair of Committees to hand a gift to Ellen McClure. Ellen is the head page, who is representing all of the pages today. Ellen in turn will present each of the rest of the pages with their individual gifts later.

Thank you. [Standing ovation]

**The Speaker:** Thank you, hon. members. Let the record show that our pages received a standing ovation, and that they have truly earned it this session. Thank you all.

### Government Bills and Orders Committee of the Whole

[Mrs. Jablonski in the chair]

**The Deputy Chair:** I’d like to call the committee to order.

### Bill 7 Election Accountability Amendment Act, 2012

**The Deputy Chair:** Are there any comments, questions, or amendments to be offered with respect to the bill? The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Madam Chair. Yesterday we saw on the bill that several amendments were put forward to this government, what we would see as reasonable amendments, and they were unanimously rejected I think by pretty much every single member on the other side. One that was particularly egregious was the going back seven years to shine light on any individual that made an illegal donation to a political party. This is not just an allegation of illegality. It’s a situation where the Chief Electoral Officer has already found that an illegal donation has been made and in some cases applied penalties.

The other provision that was voted down was the requirement that if someone does not repay an administrative penalty, it be made public within 30 days and published on the Chief Electoral Officer’s website, which, again, seems very reasonable, but apparently that openness and transparency is not wanted here.

The other provision that was voted down was the requirement that the Chief Electoral Officer actually publicly disclose any findings of wrongdoing. It’s shocking, when you have a government that publicly comes forward saying that openness and transparency is a cornerstone of the government, that they would not want something like this to be made public. It was very disappointing.

The other amendment, of course, that was put forward by the hon. member of the New Democratic Party essentially increased the fines so that if someone had made, for example, a \$430,000 donation, which was \$400,000 over the contribution limit, there would be a \$400,000 fine rather than just a \$10,000 slap on the wrist.

We do have numerous other amendments, Madam Chair, and I’d like to present one right now. I have the requisite copies.

**The Deputy Chair:** Thank you, hon. member.

We’ll pause for a moment while we distribute copies of that amendment, and this amendment will be known as A13, your lucky amendment.

We can proceed with amendment A13, hon. member.

3:20

**Mr. Saskiw:** Thank you, Madam Chair. What this amendment does is that it repeals, essentially, section (a) of section 32(3).

What the government has done here is, you know, on the surface of it, made it look like there's openness and transparency by requiring quarterly reporting of financial statements for constituency associations and political parties, but in reality what it does is that it just adds more work without giving more information.

The same information, a list of donors over the \$250 limit, can be filed each and every year. Making constituency associations file every quarter is a penalty on smaller parties with fewer volunteers, making it harder for them to comply with the regulations. The Wildrose wants more information to be revealed, not onerous requirements placed on volunteers to repeat information without adding anything. It's, of course, important that we limit donations with respect to corporate and union influence rather than force political parties to file quarterly. This simply makes it harder for organizations to operate.

I know that there are many constituency associations, particularly in nonelection years, that remain somewhat dormant at times, and it's very difficult to in some instances find volunteers with the requisite experience to do all these filings. It just adds red tape. If the government wants to add red tape, they can do it in many other areas, and they have done so, but the last place that they should add red tape is on volunteers in this circumstance. I don't think it provides any extra transparency to have a constituency association file something quarterly, particularly when their max donation is \$1,000 per donor. I don't think any reasonable person would think that a \$1,000 donation not filed until year-end somehow would have some type of perverse influence on any decision-making capacity of any Member of this Legislative Assembly.

I think this is a very reasonable amendment. I hope that the government decides not to add extra burden, extra red tape not only on the constituency associations but also on the Chief Electoral Officer. His office is now going to have to deal with, you know, a quadrupling of paper rather than simply reviewing audited financial statements from a political party perspective and the filings from a constituency association that are required to be filed annually.

I don't understand the reason for this change. I don't think it was in the Chief Electoral Officer's list of recommendations. The hon. Justice minister has always said: "We were waiting for the Chief Electoral Officer's recommendations. That's what we act on." In this amendment that he put forward it was nowhere to be found, and I think the Chief Electoral Officer didn't put it in there because he, obviously, likely didn't see any benefit to it and would just see an unnecessary increase in his workload and his staff's. Instead of investigating potential wrongdoings, they're going to be looking at paper and paper, mounds and mounds of paper, often, I'm assuming, in circumstances where they're simply going to be blank filings. Even to get signatures during summertime, when people are on holidays, is just an exceptional burden to place on volunteers, and I think it'll reduce the amount of engagement of volunteers and people that want to get involved in the political process, which is contrary to what I think the intention of these amendments are.

I think it's quite telling that the Chief Electoral Officer didn't put this in his report, and I think a lot of constituency associations, a lot of volunteers from all parties are going to be very frustrated by this ill-advised amendment by the government.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you.

The hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you very much, Madam Chair. First off, I believe that an identical if not almost identical amendment was already dealt with last night, and please correct me if I'm wrong.

My one comment is this. I find it really rich for the Member for Lac La Biche-St. Paul-Two Hills to talk about openness and accountability, which he has points on, but at the same time to oppose something that would do just that. I would indicate what I said last night, Madam Chair, that this encourages better accountability in local associations because every three months they push things through, not just pushing the receipts in at the end of the calendar year.

Madam Chair, I will be opposing this amendment. I encourage all other members to follow suit.

**The Deputy Chair:** Thank you, hon. minister.

Parliamentary Counsel has advised me that there are different elements to this amendment.

**Mr. Denis:** I apologize.

**The Deputy Chair:** Thank you very much.

The hon. Member for Airdrie.

**Mr. Anderson:** Thank you, Madam Chair. What the government is proposing doing here has similarities to, actually, the .05 legislation, that they brought forward, in this regard, that what this is doing is not going to in any way, shape, or form increase transparency, just like the .05 law is not going to improve public safety. Instead of directing enforcement resources towards things that are the problem – there are so many issues in our electoral system right now, and we all know some of those because we've had first-hand experience with it. There are things that do need to be investigated. There are things that do need to be disclosed better.

For example, we have all these different amendments that are going to actually do something to improve disclosure and so forth, and this amendment just does not do that. I mean, it's already being disclosed. Why do you need to disclose it every quarter and just tie up the Chief Electoral Officer's office even further? It doesn't make any sense. Not only that, but it ties up our volunteers. We all have volunteers in here. Some of our boards are bigger than others. Some are actually quite small. They're not very big. They have maybe a few folks on them. Why are we tying them up with paperwork once a quarter?

I mean, I could see the party maybe having to do this. Maybe they do already do this. I don't think so, but I could see the parties needing to do this, and they have the resources, generally, to do so. But regular constituency associations? I do see a lot of heads on the other side nodding to this.

Let's just be reasonable about this. There's no point in burdening our volunteers, who work very hard already, who have limited time, especially when boards do tend to shrink a little bit in off-election years, so starting next year, just because people, you know, get really going during the election and the run-up to the election. Boards increase, and there's lots of help.

It doesn't do anything. Again, if this was increasing transparency, we'd be for it, but it's not. It's increasing workload, and there's going to be an unforeseen, unintended consequence to this in that the Chief Electoral Officer is going to be tied up with useless paperwork instead of investigating some matters that do need to be investigated. His office has limited resources. He's come to a committee of this Legislature just recently asking and pleading for more cash, funding for his office, in order that he can conduct the investigations already under the act. There are, obviously, some more transparency requirements in this bill. We've got to make sure that what we're introducing here are

things that are actually going to increase transparency, not things that are going to randomly, you know, just create more paperwork.

I would think, you know, there are folks on the other side who've been very clear that they're not in favour of unneeded red tape. That's what this is, totally unneeded red tape. This does not increase transparency. It doesn't increase accountability. It increases nothing except workload on local volunteers and workload on the Chief Electoral Officer.

Like the case with the .05 legislation, where we have court time and police time and enforcement resources used to go after folks who are not dangerous at all on our highways instead of using that to go after the folks that are over .08 that are killing people on our highways and roads, instead of doing that, we're using our enforcement resources on something that isn't a problem. We should be using our enforcement resources on things that are a problem, Madam Chair. As that goes just with the drinking and driving legislation, the .05 law, so it applies to this, too.

Again, I would say that this is a reason, another example, Madam Chair, why issues like this and bills this thick need more than a couple of days of debate and need to be referred to legislative committees. These are the exact types of ridiculous rules that get plugged into these bills that create just completely unnecessary hardship on not only volunteer citizens, whom we all respect and all have on our local CA boards, but also on the Chief Electoral Officer and cause costs to go up. There are things that won't be enforced under this act because workers at the Chief Electoral Officer's office will be filing paperwork needlessly.

I would ask hon. members opposite – you've only accepted two out of 107 amendments thus far, certainly nothing substantial. I will agree that this is not the most substantial piece of this legislation, but surely this is something that the majority of folks in here can agree is not necessary. The Chief Electoral Officer has not made the recommendation on it. Let's support this. Let's get one amendment and show that, actually, the democratic process works. I just know from the number of heads bobbing over there that they agree on this one, so let's pass this amendment and make it reasonable for our volunteers and for the Chief Electoral Officer.

3:30

**The Deputy Chair:** Thank you, hon. member.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Madam Chair. I hesitate to get involved in this particular portion of the debate, but I do want to just make a couple of points. First of all, the hon. member suggests that there is no value to this. In fact, I would suggest to him that there is a great deal of value. A lot of the issues and concerns that have been raised that are so-called serious infractions of the act are really just errors of process. The errors of process come because one can't know until all the reports are in exactly how much somebody has contributed to a particular area. I'll use as an example that at the end of the year I'm often in a position in my constituency association that I'm required to return funds. Why? Because there's a maximum of \$1,000 per year to five constituencies, and when somebody breaks that by making a gift, we have no way of knowing that until the end of the year, when the consolidation is done and somebody can come back.

Now, that could be an infraction of the act that I could be hauled up for or that my constituency association could be hauled up for. The reality is that if these were reported on a quarterly basis, it would be caught earlier in time, and those sorts of infractions wouldn't happen. There are other types of infractions of that nature, which are mistakes that are made, quite honest

mistakes that are made, because there are volunteers that do this work. They are in each of our constituency associations. There are 87 constituency associations across the province. Until all of this material goes through the receiving process through the party, you don't pick up these sorts of issues.

Again, there are other particular things that are mistakes. People sell tickets to, for example, a lobster boil. They might sell a ticket to a lobster boil and then the cheque might come from an inappropriate place. If you review that on a constant basis, those errors can be picked up. I think all of us should be alert to that. All of us should be trying to ensure that on an ongoing basis the act is being followed and that all requirements of the act are being followed. But we do work in 87 different constituency associations with respect to each of the parties, and there are volunteers involved, and there will be mistakes made.

By adding a quarterly reporting function, it just adds to the ability for all of this to be consolidated and for those mistakes to be caught on a timely basis and corrected before the year-end, because it's a year-end contribution limit, not an in-year contribution limit. So those things can be corrected while they're still mistakes and before they're actually breaches. There is actually a valid reason to have this type of reporting in.

Now, with respect to the volume of paper this does not have to be a significantly onerous piece. It can actually be streamlined quite well with respect to automated reporting mechanisms, things that we have these days, so that part of the process can certainly take place. There's no need for any of the allegations that the Chief Electoral Officer will be distracted from doing more important investigatory work.

**The Deputy Chair:** Thank you.

The hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Madam Chair. I rise to speak on this amendment, and I speak in support of the amendment. The reason that I'm speaking to it is because I just have to wonder: did the Justice minister ever have the discussion with the Chief Electoral Officer as to whether or not this would be onerous? We're all assuming that it may or may not be onerous, but if that discussion has never happened, how do you even know? Maybe this is okay in the cities, but I know that in many rural constituencies we rely on an elderly population to do some of these duties for us. Maybe, you know, they're not quite up on the automated systems that everybody talks about. More importantly, if you're asking them to disclose quarterly, literally what happens is that by the time they get the first quarter done, they're immediately starting into the second quarter, and it could take them three months to pull all this information together.

I know for a fact that in my own constituency we don't have the automatic pay for memberships. My memberships come into my constituency association, they're written by cheque, and the person who looks after my memberships collects them and submits them once a month, all at one time. And because he doesn't want to send cash in the mail, he actually drives them down to Calgary. He tries to find a day when he's got something else to do, and he drives them down to the party office in Calgary.

Not every constituency has this abundance of up-to-snuff volunteers that can just do this all voluntarily. We're relying on volunteers – these are not paid people – to do this, and we're asking them to increase their workload when, really, right now they're doing it out of the goodness of their heart.

I think everybody in this room is talking about disclosure, and there's no question that we want a more open and transparent process. But one also has to ask: is the reason they're asking for



quarterly reporting so that they can see who's supporting what party, so that then whatever actions can be taken will be taken? It is a question. Why do you need to know quarterly who's donating to what party on either side of this House? It is a question that's out there. When you start asking people to disclose quarterly, there is a reason you're doing that. Their names become public. They don't mind doing that at the end of the year, but there could be some people out there who believe that there might be alternate motivations for why they would like to disclose quarterly.

The other question is that it's my understanding that the Chief Electoral Officer has come back – I'm not exactly sure in which committee it was – already saying that his office is overloaded and that he needs more dollars. If his office is already overloaded and he needs more money to do the work that he's currently doing, then Bill 7 is going to add on some more workload to him, and if we've never had the discussion with him with regard to how this will add to his workload, there might be a question as to what kind of fiscal impact that has.

The other part of this is that it's interesting, you know, that this government spent a lot of time reducing the amount of disclosure from under \$375 to \$250. That's fine. I don't personally have a problem with that. But if you're going to disclose quarterly, that adds a lot of workload. There is quite a difference between the person who's going to donate \$250 and the person who may donate \$375.01. So it would seem to me that that's going to add to the workload, too, of a volunteer who's here helping us out.

The government would have you believe that this is about transparency, but in reality it's adding a workload. It's putting more demands onto our volunteers, who already in some constituencies, especially in nonelection years, might be taxed. And it shows that, literally, going forward, the amount of reporting is still going to be equal to what we would have had in the yearly reporting. Yes, you're right; maybe we could have caught the person who donated \$200 over the limits. That's possible. But we're not catching them now either. Are you honestly saying that in the last quarter that would be so much more relevant and prevalent that you could immediately stop that donation? Not likely because in the last quarter they're still working on the third quarter. Then they're submitting it, and then the fourth quarter starts.

So the person who's doing those donations or memberships or however the money is coming in is usually keeping a tally or trying their best, and if that's already an issue, then that shows that that person is probably overworked, because they're doing this on their own private time.

I understand that probably the Justice minister will decide not to support this amendment just for the sake of not supporting this amendment and that he'll say that it's to be open and transparent and accountable. Yet it's interesting that he won't support the amendment that ends the corporate donations either, and he won't support the amendment that goes back seven years, and he won't support the amendment that offers full disclosure.

If we want to talk about true openness and true accountability, then maybe we should have started there by the time we got here. But to put this onerous workload onto volunteers – and all across Alberta every single one of us has volunteers in our riding associations who do this work. Some of us have better volunteers than others, and that's great. For those ridings that can do this, that's fabulous. But that doesn't apply to all 87 ridings. What it does is that it really targets smaller parties. For that reason, I support this amendment.

3:40

**The Deputy Chair:** Thank you, hon. member.  
The President of Treasury Board.

**Mr. Horner:** Well, thank you, Madam Chair. You know, I've been listening intently to the different views on whether or not our association should be reporting on a regular basis. I actually did talk to my association in one of our monthly meetings and asked them whether they felt that us reporting and being transparent on a quarterly basis would be onerous. I have a 'rurban' riding, so I have volunteers from the country and I have volunteers from the city. I have volunteers from two different cities, so they actually have to go from one city to another city to get to my meetings, which also sometimes causes some grief. Frankly, they made it quite clear to me that they have absolutely no problem with this. Therefore, I won't be supporting the amendment.

The other thing I would suggest to you is that the number of amendments doesn't mean that all of the amendments were of high quality and needed to be passed. If the number of amendments is very large, perhaps the quality of them isn't that good.

**The Deputy Chair:** Thank you, hon. minister.

The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Madam Chair. I'm pleased to be able to rise and speak for the first time, actually, on this bill, which is careening through at a breakneck pace. There are so many things wrong with this bill. I must beg to differ with the previous speaker because, indeed, the reason there are so many amendments to this bill is because it was not fully consulted on.

Certainly, anybody would admit and acknowledge that parties are stakeholders, and parties ought then to have been consulted. I can't say one way or the other whether people in the government party at some point or another got to be consulted as a result of their caucus members having the Chief Electoral Officer's recommendations for three months longer than the rest of us, but I can say that officials in our party certainly were not consulted. We are frantically now trying to deal with the issues that we have been presented with, with almost no notice, by a party that seems very interested in bullying its way through this particular piece of legislation.

It's ironic, Madam Chair, because this is a piece of legislation that governs elections, and there is no process within our democratic system which is more fundamental to notions of accountability and transparency and democracy than elections. The laws around elections should be openly discussed and consulted on equally by all parties and all members of all parties. Instead, we have this dog-and-pony show, where we're going to get about a day and a half of debate on an extremely complex piece of legislation. So I take issue, therefore, with the comments made by the last speaker because it really is quite offensive to our democratic system, this process that is under way right now.

On the motion that is on the floor, I speak on behalf of a party which, of course, here we are, the fourth party over here at this end of the Legislature, you know, one row of seats away from sitting out in the front hall. We are a small party, so it would've actually been quite nice had somebody consulted with the administrators in our party about what was a reasonable way to proceed.

I think back to the debate that went on around changes in legislation around the Freedom of Information and Protection of Privacy Act. At that time, strangely, the officer of the Legislature who was responsible for that actually consulted with the agencies and the groups that would have been impacted by the legislation. One of the groups that they consulted with were small nonprofits. The fact of the matter is that small nonprofits are exempted from elements of that legislation because it would've been too onerous for them.

Had there been any consultation, Madam Chair, with our particular organization, which is a stakeholder to this piece of legislation, this government would have heard that smaller parties are oppressed by extensive administrative requirements. The fact of the matter is that we don't get \$450,000 cheques written to us by Daryl Katz. We, in fact, have a principle and a rule in our party that we don't accept corporate donations. Notwithstanding that the law allows it, we don't accept them. We run on less money because we think that ideas are what matters, not just dollars.

The fact of the matter is that we don't have a gargantuan staff. We don't have electronic accounting systems as was referred to by one of the previous speakers. We have one or two full-time staff and a whole bunch of volunteers, and none of those people were consulted on this piece of legislation. None of them were consulted about what this particular requirement would mean.

Now, I find it particularly ironic because over here we have a defence saying, "Oh, this will increase transparency; this will increase accountability," but this is coming from a group of people that just last night rejected a motion that would have made their very well-funded, well-staffed party accountable for receiving donations that were otherwise illegal. They rejected that amendment. For them to then say that we're going to pile a whole schvack of administrative obligations onto parties regardless of their size or their resources and without ever consulting with them "because we believe in accountability," Madam Chair, is utterly ridiculous. It's laughable, it's hypocritical, and it is yet another one of the many statements that have come from that side of this House, which is very, very much testing the population's willingness to believe in their credibility anymore because the hypocrisy is becoming quite overwhelming.

This particular amendment is just one of many worthwhile amendments, most of which we probably will not get an opportunity to speak to. Had there been consultation either by the Chief Electoral Officer or by members of this government with one of the key stakeholders in this electoral system, which is our party, which has existed since 1963 and, before that, existed in the early 30s, which has been around as long as their party, smaller yes, but here all along, a clear stakeholder in our democratic system – not one word of consultation, Madam Chair, not one. Then we get this little proposal, that was clearly put together by a bunch of people who have a lot of office staff sitting around with lots of time on their hands and who have no trouble putting together and meeting these standards.

But democracy isn't just about folks that are in big, well-funded offices with lots and lots and lots of electronics to help them and lots and lots of money to keep all their staff working all the time. It's also about small parties where groups of volunteers come together and work very hard to make sure that they meet all the rules that are necessary in order to ensure that they run a full slate of candidates every election and that they file all their documents in accordance with the laws and the rules that they are compelled to follow. That's what we've done for – well, I don't know; we're in 2012 – 80 years in this province.

But, Madam Chair, it really is quite offensive to be in a position now where after all that time we're getting a piece of legislation like this one, which clearly – clearly – was developed in the backrooms by a small group of people, without any effort to actually consult with some of the key stakeholders in the process. This is one of the many, many, many oversights that comes from that failure on this government's part in that there is just absolutely no understanding about what this kind of obligation will do to smaller parties that work very, very hard to meet the rules that currently exist in order to ensure that even after 41 years in this province Albertans have a broad range of electoral choices.

We work very hard to make that happen. This particular clause in the legislation is going to make it even harder.

This government would know that if they had talked to us. They didn't bother. So now what they should do is accept the amendment. They probably won't. Things will carry on exactly the same as they have before, and when folks over there get their backs up and get all indignant because people on this side get a little irritated by the process and by the constant assertion of the majority to the exclusion of well-thought-out minority voices, then they're simply going to have to deal with the consequences because that's what happens when you conduct yourself in the manner that this government has. In particular, it is brought together very nicely in the way this piece of legislation has moved through the process. From the very beginning to this point now, Madam Chair, the course and the history of this legislation encapsulates the arrogance and the failure to actually take action to be accountable, to be transparent, to be consultative, to be respectful of Albertans, all Albertans. All of that is reflected in the way this bill has been handled to this point.

We certainly are in favour of this amendment, and we urge all members of this Assembly to support it. Thank you.

3:50

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Edmonton-Gold Bar.

**Mr. Dorward:** Thank you, Madam Chair. I'll be brief. A good practice, actually, would be to reconcile monthly, certainly not annually. I think this just helps organizations to get closer to a true reconciliation, which will help them at the end of the day in the annual reconciliation and will allow them to be able to find problems as they go along, as has already been stated. In fact, when we discussed this in our caucus – and we do get a chance to discuss things in our caucus quite a lot. We talked a lot about it, five meetings, in fact, on this particular bill. We had ample chance to discuss these issues, and I did. I phoned right after one of these meetings my finance chair, who is a very, very busy person. To my surprise, quite frankly, he was a hundred per cent supportive of this. He said that in his experience – and he's been doing this for about 22 years – there'll be great support for this across the province.

Finally, I've got to say that you cannot assume that this is an extra cost to the elections people at central offices. Unless I missed something, I don't see anything in there where they're required to do anything necessarily with the information that's going to cause them a lot of work. They can simply take this information and use it how they will. The sum of the parts is the same. The four quarterly reports go in, and they are the annual.

I don't agree with this amendment, and I won't be supporting it.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Chair. I actually had a chance to consult with my riding and even the Sylvan Lake constituency. Of course, you can imagine that they're more than satisfied with an annual return.

I want to comment on a couple of items. The idea that this would somehow catch somebody donating over the limit to multiple constituencies, as if that was not going to be caught on an annual basis, or the idea that this would prevent it, is just not substantiated with any facts or with any merit in the sense that someone can still make the mistake, and you still have to find the mistake, and you still have to return the money one way or the other. Of course, why should the party care? The party is not

responsible. We didn't accept that amendment last night. There's really not a lot of concern on the party's side in dealing with this.

We did actually get a chance to talk about this a little bit under a different motion because we still were dealing with the quarterly filing. Goodness gracious, there were false aspersions cast at me on the issue of accountability dealing with looking up election donations. It was kind of interesting because I got accused of FOIPing somebody, an hon. member in this Assembly, or my party got accused of that. I did a little checking because it's directly related to this amendment on looking for contributions that may or may not violate the rules or regulations. What I discovered is that my own town got FOIPed – and I didn't know that – by the same people that FOIPed this other member's community. I found that the Member for Innisfail-Sylvan Lake had her community FOIPed. Basically, what we found is that no individual was FOIPed.

There is research ongoing, and I don't think there's any merit in any personal attacks or anything such as that. It's just research. Asking that this be filed on a quarterly basis would never change that. That kind of research would still take place because there's no accountability on the party's side. We want to look at information on where party donations are coming from. We will still do our research accordingly. This won't change that. This isn't going to change people being found to be in violation any more than they would be found in violation at the end of the year on an annual return.

The idea that it won't cause any more paperwork or costs to Elections Alberta I would disagree with. We're talking about, if we just count the parties in this Assembly and not the parties even outside, roughly estimated, 1,400 filings annually. Those 1,400 filings have to be processed by Elections Alberta. They will be processed on a quarterly basis, but they still have to be processed. The amount of work that will take: well, that's just the extra number of filings less, I guess, 348. Is that really worth it?

Really, what's happening here: the increased paperwork does not increase transparency. The transparency still occurs on the annual basis; the knowledge that we're going to gain is still going to be there on the annual return. So if you look at particularly the September date, when that quarter ends, that filing would most likely be – and I'm going to assume or presume that Elections Alberta would still use their current methodology, which would allow 30 days or 60 days for a filing, whatever the dates they set. We then will be still dealing with: how important is it to get that information, say, in November or October versus January? Is that really a huge advantage? The disclosure is the same. Again, I don't see where this actually increases any transparency. Transparency remains the same, but the paperwork increases for no other reason.

To the hon. member who disparaged every amendment that has been brought forward on this bill – and I make the presumption that that includes this amendment – as being substandard or poor in quality, I would suggest that there have been numerous arguments against the amendments that have been of lesser quality and significantly so in some cases.

In particular, there was an amendment brought forward on the issue: can the Chief Electoral Officer go out and meet other parties that are registered parties but are not necessarily represented in the Legislature? I never heard one argument why, but it was rejected.

On this amendment here I'm listening to the arguments. In my view, in quality they're less than the actual amendment, if you want to go down that road. Where is the increased transparency? Is time that important in the sense that I need to know in June versus in January? I don't see the value of it. What I see the value of is holding people accountable, but we've been down that road.

Those amendments were rejected, so if we're not about holding the party accountable and just putting all the onus on the people making the donations, then the arguments against this amendment don't carry a lot of weight. We need to look at what this amendment does. What is the value of continuing with that quarterly reporting? It doesn't change this so-called error in process. If there's an error in process, we'll find it on the quarterly basis, yes, but we will find the error in process on an annual basis. It's as simple as that.

Now, on the issue of dealing with party reporting, the importance of that is significant in many regards, but nothing is, in my mind, more important than the actual election campaign return. That is the one that generally takes in the most money, and that's the one where we see the campaign expenditures.

The typical fundraising of constituencies: some constituencies are far more active, and they will draw a lot more money. But for the most part when constituencies hold their fundraising events, they generally don't spend a whole lot of money. The expenses really come in when elections are called, those funds are transferred, and an election campaign is fully under way. That's a whole different ball game, a whole different set of books.

It is important, in my mind, that maybe the party at the provincial level be held to a different standard than some of the CAs in the sense that maybe we can do a quarterly return on a party, but to pick on the CAs, I don't see the value to it, none at all.

I'll tell you something. Living in Alberta, I wouldn't go to a lobster boil. Never. I'd go to a lobster boil out on the east coast. In Alberta I'd go to a beef fundraiser because we support Alberta beef over here. I had to throw that one out. I suppose if I go back east, we'll fly Alberta beef back east and hold a fundraiser.

I just want to finish and close with the idea that this is a contradiction. Everything that this government has said up to this point, particularly where it dealt with energy, was on the whole streamlining process: let's eliminate bureaucracy, particularly the bureaucracy that doesn't really help. That's what that bill was about.

4:00

That's what this amendment is about, to eliminate overly bureaucratic processes that really don't bring any greater value to the process, which is the whole idea of all this excess paperwork for one thing and one thing only, excess paperwork. The transparency will still be there. The disclosure will still be there. This does not offer to or increase any of the transparency or disclosure. What is the importance of the quarterly statements? Why is that time frame so important? I don't see where the value is in that. Maybe the hon. member can elaborate on that, but it's not here in any of the arguments that have been given so far.

Thank you very much.

**The Deputy Chair:** Are there any other comments on amendment A13?

Seeing none, I'll ask the question.

[Motion on amendment A13 lost]

**The Deputy Chair:** We are now back on Bill 7.

**Mr. Saskiw:** I'm very pleased to produce an amendment that took a lot of work to get prepared, and I'd like to thank Parliamentary Counsel for that. I have the requisite copies.

**The Deputy Chair:** Thank you, hon. member.

We will distribute copies of that amendment now. We'll pause until members have a copy.

Hon. member, you can proceed with amendment A14 to Bill 7, Election Accountability Amendment Act, 2012.

**Mr. Saskiw:** Thank you, Madam Chair. What this amendment does – and I'll explain it later – is that it essentially bans corporate donations in Alberta. We're here today because Alberta's electoral system needs changes, big changes. A series of high-profile scandals involving huge corporate political donations and tax dollars being funneled to political parties has shaken the public's confidence in our democratic process. Albertans want to know that elections are fair and that political parties can't be bought by special interests and that the sole stakeholder in our elections is and always will be the individual voter.

For years Alberta's electoral process has been open to abuse by donors with deep pockets. The result has been mounting skepticism from the voting public and governments that, at the very least, appear to be bound to their big-time corporate and union contributors. Even this appearance is damaging to our democracy. However, in some cases it goes beyond that. Albertans need look no further than the power line companies, their frequent appearance on PC financial disclosures, and the lucrative contracts awarded to them by the PC cabinet under Bill 50. It all amounts to this. Alberta's election laws are medieval, and the proposed changes to them under Bill 7, the Election Accountability Amendment Act, 2012, don't go nearly far enough. Bill 7 is a tune-up. What we need is an overhaul.

I'm proud to announce a Wildrose amendment to ban all corporate donations to political parties. This is a no-brainer. Albertans want this. They've told us they want this. Other jurisdictions have long since taken corporate and union donations out of the equation. It's time for Alberta to get with it and do the same. Ending these types of megadonations from agenda-driven corporations and unions will eliminate the perceived cloud of corruption that hangs over our system and make individual voters the sole financers of our election campaigns.

The Wildrose would also limit the maximum individual contribution from \$15,000 in a nonelection year to \$5,000 and from \$30,000 in an election year to \$10,000. This is an essential component of our package of reforms. It reduces limits that were too high to begin with and closes a loophole that would have allowed wealthy donors to sidestep the corporate and union ban. By cutting the maximum contribution by two-thirds, we'd further limit the perceived influence of big donors while at the same time allow individuals to make substantive donations to candidates and parties they believe in.

The most important change that can be made in this legislative session is if the government agrees to show leadership on this. We are calling on the government to make substantial elections reform a key part of this bill today; namely, eliminating corporate and union donations and reducing contribution limits. It's not too late for them to do the right thing and accept this change to Bill 7. It's time to get big money out of politics and give elections back to whom they belong, the voters.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

The hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you very much, Madam Chair. I appreciate the Member for Lac La Biche-St. Paul-Two Hills's comment. At the same time I do find it rather interesting that his party has accepted over a million dollars to date in corporate donations and now suddenly wants to ban them. I don't know what the motivation is here. I don't know.

I would suggest, Madam Chair, that this new-found epiphany that many members opposite have had . . . [interjections] I'll ignore the boos and catcalls over there. This has more to do with political expediency than it does a matter of principle.

Thank you.

**The Deputy Chair:** Thank you, hon. minister.

The hon. Member for Airdrie.

**Mr. Anderson:** Thank you, Madam Chair. I'm rising in support of this amendment to ban corporate donations. As the Minister of Justice just pointed out, every member in this House probably – perhaps not this House. I don't want to speak for everyone, but I would say that most members in this House have indeed accepted corporate donations or union donations in the past. I myself have not gotten a union donation – I'm shocked about that – but I certainly have had many corporations donate to my campaign, and certainly many, many corporations donate to the Wildrose Party. That is not in dispute. Of course, literally millions upon millions of dollars have been donated to PC Party and the Wildrose Party, particularly to the PCs over the last 40 years and so forth.

What we're talking about here: obviously, I don't think our party – and I will not speak for the other parties – is interested in, as the saying goes, bringing a knife to a gunfight in our elections. We're not going to come in and all of a sudden give the governing party any more advantages than they already have. They get to write the election rules. They get to appoint most of the folks involved. They certainly shouldn't be able, clearly, to fundraise more money than the opposition parties because the opposition parties are not accepting corporate donations while they are.

What we are saying to Albertans at this time is that if elected in 2016, a Wildrose government would immediately pass legislation to ban corporate donations and union donations, and we think that there are many reasons for that and many good reasons for that.

The first reason is, frankly – and I'm going to admit very much so that for some of us who obviously consider ourselves conservatives, sometimes there's a feeling and thought, there's kind of this ideological argument that's made that all people should be able to donate as much money as they want to the political process and that there should be no restrictions. I do understand that – freedom of association, freedom of speech – and money and donating is a form of speech and so forth. I understand people want to protect that, but if you look across the world, whether it be the United States, whether it be Alberta, whether it be other places in Canada prior to election laws banning donations being put in place federally, for example, I think the evidence is just simply such that big money, big corporate money, influences not only the results of elections but influences the decisions of government. It does.

I watched a special on I believe it was CNN recently on the impact . . .

4:10

**Ms. Notley:** I hope it's not Fox.

**Mr. Anderson:** No, it wasn't. It was CNN.

I watched a special on CNN recently – it might have been on NBC; I forget – and it talked about the influence that big money has on the political process in the United States, and it was shocking. There you have members in the House of Representatives, that have to run every two years, and they would literally have to raise \$3 million to \$4 million, sometimes \$5 million or \$6 million per election every two years.

Now, of those of us running in provincial elections every four years, most of us probably haven't spent north of \$100,000 in a

given CA. I know that there are one or two of us in here that have. Not me, but there are, I know, others here that have spent that much money. I would say that the vast majority have not spent that much money on an election. But could you imagine \$2 million to \$3 million every two years that you have to raise just to stay in office? So many times, if you look at the voting records of the people that are receiving these massive amounts of donations from their large donors and umbrella organizations that are set up in order to essentially get around certain election laws so they can funnel a whole bunch of money into these accounts, it's just hard to make any conclusion other than that money is affecting their votes. The evidence doesn't lie.

Although our election laws are not as completely freewheeling as the ones in the United States are, they are certainly the most lax in the country. I feel very strongly that this is something where, when I was first elected in 2008, there is no doubt I would have said: "You know what? We shouldn't be limiting the amount that people can spend or their corporations can spend on the political process." But seeing what has happened over the last five years now, since I was elected in 2008, has completely changed my view on it. It's opened my eyes to it.

The biggest thing is the power lines. I have been absolutely shocked that this government continues this incredible debacle of building these \$16 billion in new transmission lines. If you look not just at the donations from these companies that are involved but also their sponsorships, there's a loophole that allows these companies to sponsor events and call it advertising, thereby getting around the loopholes entirely. In other words, even though they might not be on the disclosure as donating, they could have donated \$20,000, \$30,000, \$50,000 to the governing party. That is actually a regular practice, and it is used a lot. It makes one wonder when you see these things happening: how can it not affect the decision of government?

There was a former member of this House, and he is now a judge. I actually enjoyed him. I liked his sense of humour. I think a lot of members on that side of the House remember this. One of the things he would always say: I cannot be bought, but you may try. He would always say that when they would talk about, you know, the issue of people giving gifts to government and so forth. He would say: I cannot be bought, but you may try. I thought that was very funny, but the problem is that it's not a good enough standard.

Although that individual, I believe, did have that integrity and I believe many people have that integrity, that they cannot be bought – you can try to buy them off, but they cannot be bought in the end – that their vote cannot be bought, I think that the temptation for some folks in power, not just elected members but folks that are involved in parties and so forth, is just too strong sometimes when they are desperate for cash, when they need the money to be re-elected or to have a chance of being re-elected, to go down that road and change their points of view because of the money that they need in their bank account.

I think that if it's not real, it certainly is perceived, and that is just as damaging, the perception, because people believe that politicians, particularly in this province right now – honestly, there's a huge belief out there – are susceptible to being bought off by the highest bidder. Let me put it this way. I don't think it's a correct assessment, but I think it is a fair assessment. It's an understandable assessment given the amount of money that's thrown around, given . . . [interjection] The hon. Deputy Premier.

It's an understandable assessment given the amount of money that's coming around and being thrown around. I think that it's very clear and very needed that we do ban corporate and union donations for that purpose.

If Bill 50 and those power lines that are going to cause so much distress on people's electricity bills are not enough, one need only look at the issue of the owner of a local professional hockey team and the last-minute, \$430,000 donation. We're not sure if it was in one cheque yet. We don't know. That is another example where people look at that and they say: "Good grief. How can we allow that to happen in a place like Alberta?" It just looks terrible. It looks terrible because of the amount. It looks terrible because that individual is involved in a project or, actually, multiple projects that involve government at different levels. It looks terrible.

So whether there's truth to it or not, whether it's true or not that the government is going to change policy or alter policy or approve anything, whether that's true or not, the thought of it and the perception are out there. I think it's an understandable perception, Madam Chair.

I think you see this in all sorts of areas. You see it for specific tax credits that are given. You see it in the way that specific regulations are changed, whether they be employment regulations that are more pro-worker or less pro-worker. I mean, there are all kinds of things that we do on a day-to-day level that involve corporate interests, and I think that we need to admit that as politicians. We need to admit that these influences are strong, and we need to admit that it is not in the best interests of Albertans and that, frankly, Albertans do not want us to be accepting political donations from corporations going forward. I think that it is clear. I think that people are tired of it. They're tired of the money. They're tired of the scandal. They're tired of questioning whether a government is doing this because of special interests or because they genuinely feel that it's right for democracy.

Now, I will note in this speech that I have not cast one aspersions, or however we're going to say it, on the other side saying that they are guilty of X, Y, and Z. I want to stick to mostly the perception of it because the perception is very real, very, very real. We need to address it, and it is the right thing to do.

Now, I don't for a moment believe that we will not be able to properly fund our campaigns in bringing in these rules. If you look at the federal rules the Conservative government is overseeing at this time, I believe it was actually brought in by the – was it brought in by the Liberals? I can't remember.

**Ms Notley:** Yeah, it was.

**Mr. Anderson:** Was it? It was brought in by the Liberals – and it hasn't been changed by the Conservatives – to ban corporate and union donations and to take the limit down to \$1,000 per individual.

Now, we're not saying that that needs to come down to \$1,000. The reason we keep it at \$5,000 is because the thought goes that at the time they brought that low amount in, there was a per-vote subsidy that went to the political parties of a certain amount to keep, you know, the political parties active and able to do their business and so forth. We're not in favour of a political subsidy, so we would rather have a higher limit than \$1,000 for individual contributors. Five thousand is not a magic number. Maybe \$2,500 is the right number. Maybe \$7,500 is the right number. Maybe \$4,000 is the right number. We're putting \$5,000 on the table, thinking that that's more realistic and more reasonable than \$15,000.

4:20

We think it's a good start, and I think the federal parties are able to function, they're able to do the work that they need to do with that \$1,000 limit on individual donations and the banning of corporate and union donations. I think that we would go a long

way in this province to improving our democracy, to improving all of the reputations of the folks in here and all of the parties in here, who all get a lot of their donations from corporations. In fact, I was somewhat surprised to note that the Wildrose actually receives the least, as a percentage, from corporations and the most from individual donors. The PCs receive the most from corporations and the least from individual grassroots donors. I think the Liberals and NDs are in the middle there on a per-person basis.

That is something to consider. I think that, again, it's not so much about leveling the playing field. It's about making sure that people don't have the perception, real or imagined, that the government is making decisions because they are being influenced through the donations of corporations or unions or high donors, and that's why we brought the amount down. I think we should pass this amendment, we should see past the ideology, and we should do the right thing and ban these types of donations.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Madam Chair. I'm pleased to be able to rise to speak with much enthusiasm in favour of this amendment. I want to begin by congratulating the staff, potentially the House leader – I'm not sure – for the Official Opposition for their stick-to-itiveness in terms of getting this particular amendment onto the floor. In case people aren't aware, what's going on here is that they are proposing to ban corporate donations, but they are not proposing to ban union donations. To be fair to them, the reason they are not proposing to ban union donations is because the bill itself was structured in such a way that Parliamentary Counsel indicated it would not be in order were we or anybody to try to bring in a motion that would result in both union and corporate donations being banned.

But as it was, the bill was structured in such a way that it was possible to at least bring something in banning corporate donations, and I must say that I congratulate the members of the Official Opposition for managing to navigate through the carefully constructed bill that would otherwise have prevented us having this good conversation. It is an important conversation.

It was an important conversation before we had the debacle which we all were subjected to, you know, a month ago, when it became clear that one particular community member had been able to write a somewhere from \$375,000 to \$450,000 cheque to the governing party two or three days immediately prior to the election. That's shocking, Madam Chair. That is the kind of thing that results in influence, and it certainly results in the appearance of influence. It certainly significantly undermines the credibility of this whole Assembly because the average Albertan is going to look at a situation where somebody writes a cheque for \$450,000 and at the same time is lobbying the government to write back to him a cheque for \$100 million. It's hardly surprising that people would be deeply disturbed by that arrangement and that relationship.

Obviously, the answer is to avoid having those kinds of relationships arise in the future. I'm quite surprised in some ways, Madam Chair, at the sort of political acuity or political intuition of the folks over on the other side because it seemed to me that the best way to deal with this issue would have been simply to go: yeah, this does not look good, and it's about time we entered the 18th century with the rest of the country and put a ban on corporate and union donations. That would have been the politically astute road to take.

Indeed, you know, there were more than a few conversations offline, as they say, between our caucus and members of the

governing caucus in the hopes that they might actually see the wisdom of doing that, not only to benefit through fairness and equality within our election system but also to increase the level of credibility that we all enjoy in this Assembly vis-à-vis the rest of the population. Unfortunately, they chose not to. Interestingly, the Official Opposition chose instead to go that route.

I want to certainly congratulate the Member for Airdrie. We've had conversations about this in the past. I have to say, "You've come a long way," and I'm pleased. I'd like to think that we had something to do with that. You know, there are a few other issues that I think you're aware of that I plan to succeed on before we finish this term. We'll see where we end up. But this is a biggie; there's no question. Bringing about a 20th-century or even, as I said, a 19th-century set of election financing laws in this province would be a dramatic and fabulous and incredible step forward.

How can these situations impact government? Have we seen any indication or any record of it in the past? Well, here's an example, Madam Chair. I remember, leading into the 2008 election, there were a bunch of unions, interestingly not a bunch of unions that typically fund our party even though everyone seems to think that, you know, there are buckets of them. A bunch of unions got together and decided that they were going to engage in the political process using their dollars. According to the folks on the other side a dollar is like a vote, and a limit on a dollar is a limit on free speech and freedom of expression and yada, yada, yada. They embraced that thought, and they decided they would engage in a campaign which, I believe, was over a million dollars. It happened, unfortunately, to be a campaign that was not supportive of the governing party.

That's what happened. Then after the election – who would have thunk it? – almost immediately there were at least two pieces of legislation that were passed in this Assembly. I would suggest, Madam Chair, that both of those pieces of legislation were in direct and complete reaction to the lawful exercise of the freedom of expression by a group of unions. One was that they were sort of publicly spanked, and there was legislation brought in to significantly limit and restrain their ability to organize.

I was surprised, actually, because I really didn't know it was possible to further limit and restrict union organizing in Alberta. I thought that we had really written the book on that and that pretty much there was nothing left to do to limit union rights in Alberta. But, no, these guys found a new way to do it. They passed a piece of legislation that limited the organizing ability of certain types of unions, which happened to be the certain types of unions which had funded this campaign that was not in support of the government. Then, of course, the other thing they did was that they immediately passed legislation to make sure that third parties could not engage in the political process by running political campaigns.

You know, Madam Chair, it's just another one of these hypocritical picking-and-choosing-the-rules-that-help-us sorts of processes. If a dollar equals a vote, equals your right to freedom of speech and your freedom of expression, then presumably it means that if you give it to the Tory party or if you put it into a fund to run a campaign against the Tory party or if you give it to another political party, none of that should matter. But these guys decided, "Hmm, it wasn't given to us, so we're going to write a law to ban that and limit it," and they did.

To suggest, then, that our laws are not related to campaign financing in this province is to deny history. In fact, we see very overt examples of political financing impacting and influencing government decisions. Now, it may well be that there are many other examples, too. I don't know. We've said many times – and I

will use this opportunity to say again – that this is one of the most secretive governments in the country. So how could I know?

But what I do know is what Albertans perceive. Albertans know that we have the most Wild West election financing laws in the country. We know that we have the no-spending limits, we have very limited donation limits, and we let anybody and their dog and their uncle and their bird and their cat and their nanny and whoever else donate. That's what we do. It's not keeping the process honest, and it's not keeping the process one that could ever be characterized as having a tremendous amount of integrity. So this is a way to fix it.

4:30

An interesting thing. Even though this particular motion does not ban union donations because, as I've said, it's not possible to do it because of the way the government has constructed the bill, it is interesting to note that if this motion is defeated, which I'm pretty much prepared to bet it will be, we'll be back in the position that we were in before. I remember having a conversation with one of the members on the other side and pointing out that the way they have the legislation right now treats unions differently than it treats corporations.

For instance, if you have a union that has a separate collective agreement, who is recognized under the Labour Relations Board as a separate bargaining agent, whose members never talk to anybody else in another union, who share the same name, but other than that there is no financial relationship between the two, nor is there any kind of democratic relationship between the two, those unions nonetheless are treated as the same and are subject to the relatively generous limit that we have right now: \$15,000 in a year and \$30,000 in an election year.

So you can have four or five unions who never talk to each other, who have nothing to do with each other – they don't bargain together, they have no financial relationship, they have no democratic relationship – and the Labour Relations Board has deemed them to be separate entities, yet their money is all put together. But with a corporation you can have a director, you can have a subsidiary, and you can have all these cute and fun ways to arrange your corporate dealings so that a corporation can – wait for it – donate \$450,000. So as it sits right now, we don't actually have unrestricted corporate and union financing. What we have is unrestricted corporate financing and restricted union financing. Just to be clear, that's what exists right now in the province of Alberta. It's not fair, and one way to make it fair is to accept this particular motion.

Madam Chair, at the end of the day, as many of us have heard it and many of us have said it, votes should decide elections, not dollars, and ideas should impact votes, not advertising budgets. That's what should happen, but that is not what happens in this province.

Many of you will recall that a year and a half ago on the federal level our party, the NDP, made history by becoming for the first time ever the Official Opposition of the country. Of course, many people congratulated us at the time. It was all wonderful; look at where we might be going forward. Obviously, much of the responsibility for that success goes to the late Jack Layton, who was one of the greatest political leaders of our time, I believe. But one of the things that I always used to say to people when they would raise that issue with me was that there was something else that happened in that election, too.

The other thing that happened in that election was that for the first time in the history of our country all three major parties spent the same amount of money on the campaign. Because of the legislation that was in place, it was an equal playing field in terms

of how much money could be spent on the campaign in terms of the advertising, in terms of the ground campaigns, in terms of all that stuff. The legislation was designed to ensure that Canadians voted on the basis of the ideas that appealed to them rather than the money that was thrown at them. It was an interesting thing because the first time that happened, the NDP made history and became the Official Opposition.

It's important that in Alberta we try to provide that same kind of framework and lay that same kind of groundwork. I'm not suggesting that should that happen suddenly, the NDP is going to get 60 per cent of the vote. What I am saying is that Albertans will get to weigh our ideas on the basis of their value, on the basis of the quality of what we're saying and the ideas that we're putting forward, not on how much ad time we buy before and after the Stanley Cup finals and/or before and after, you know, *Survivor*, or whatever the biggest TV shows are on whatever the most popular TV stations are. That shouldn't be how elections are decided.

Elections should be decided on the basis of what it is we're asking Albertans to embrace as far as our policies and our vision for the future go. That's not what happens in Alberta. The failure for that to happen happens more in Alberta than anywhere else, and that should change. If that wasn't blatantly obvious to this government before the discussion around the Katz donation, it is mind-numbingly surprising to me that it is not obvious to them now.

I suspect that their political – I don't know. It's that they're numb from power. You know all the various things that people say about power and what it does absolutely and yada, yada, yada. Really, I think that at a certain point you just get numb. You're in power for so long, you're so overwhelmed with your own sense of entitlement that you just stop thinking about what people are thinking about you. To not realize that your credibility has been significantly hurt by this spectre of a \$450,000 cheque, which amounted to one-third of your campaign financing, being written two days before an election, to not see that people are nervous about that and that they are uncomfortable with the representational qualities that may be brought to the table is, in my mind, politically naive at its very best.

I would suggest, then, that this is an excellent amendment. It goes to the very heart of our electoral system. It is an amendment that would fundamentally lay the groundwork for a proper, fair system in this province. In choosing to reject this amendment, you are choosing to fundamentally reject the opportunity to lay the groundwork for a fair and open electoral process in this province. I'm sure it doesn't matter to you because you've just assumed that you'll just keep winning anyway, but I do think that it matters to Albertans, and I do think it will matter to Albertans in the future. I think that you reject this amendment at your political peril.

So I urge all members to consider adopting it and all that great stuff called democracy and fairness and all those other things. You like to have your ad agencies right at the bottom of your press releases. Maybe in the name of all that you might consider accepting this amendment and moving forward for the benefit of all Albertans rather than the corporate sector, which I believe has amounted to about 75 per cent of your election funding at this point in the game.

Thank you very much.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Madam Chair, and thank you, hon. Member for Edmonton-Strathcona, for all your comments. It's hard to believe that I'm actually standing here and we're siding

with the NDs, but I'm proud to have seen the light along with the hon. Member for Airdrie.

I agree that, you know, it's interesting that the Justice minister said that he couldn't figure out why we would ever put an amendment like this forward because we got a million dollars in donations from corporations. We strongly believe as a party and as a caucus and as grassroots members that it's time to put Albertans first, and Albertans should be the ones who make the decisions about who comes into office, not corporate entities.

I can honestly say that I want to say thank you to the Member for Lac La Biche-St. Paul-Two Hills because to actually make this amendment be able to come forward took a great amount of work with Parliamentary Counsel because the way the act was written certainly prevents any amendments to this portion that would have dealt with corporate donations. We would have liked to have gone further and even dealt with the union side of donations. Unfortunately, the way the act is written, the definition of a trade union is written in a way that we weren't able to do that, which is really unfortunate for Albertans because I do think that there is a great amount of room there for some review and a way to ensure that Albertans' needs are put forward and that no stakeholder has more say than any one other person. We've had recent examples of excessive corporate donations that have really shaken the public's confidence in this electoral process, and we need to make the changes to limit the influence of big business and big labour. Now, clearly, we can't make the changes to the union donations, but we certainly can start with the corporate donations.

4:40

While my hon. friend from Airdrie didn't want to cast any aspersions, I guess we're going to play good cop/bad cop now. Quite honestly, if this amendment was in place, the current government would not have the Katz donation question out there at all. It would literally be an absolute nonissue. There would have been no ability for that to happen. There would be no question of whether or not it was one cheque or 10 cheques, whether the cheques were written by one person or receipted for one person. There would be no question about: "Who should I make the receipt out to? Who should that go to?" None of that would have happened. You literally wouldn't have to worry about any misconceptions. You also wouldn't have to answer any questions in question period, not that you do anyway, but you wouldn't have those questions come in question period because the legislation would have protected Albertans from even the remotest possibility of receiving a \$430,000 donation from any corporation or from huge donors, not to mention the fact that it would have been more transparent.

If we're wanting to ensure a fair and transparent process, then this amendment clearly makes sense. Albertans have said loud and clear that they want our government to be free of influence. They want our elected officials to be free of that influence from distinct groups, including corporations, and they want to know that elections and governments aren't for sale to corporate interests. In our party as well we have taken around a million dollars in corporate donations, and we're saying that that's not the right thing to be doing. If you can't sustain it with the people, then we should really be reviewing this.

The other part of this is that other jurisdictions have already adopted this ban. Corporate and union donations are illegal in federal elections, in provincial elections in Manitoba, and in provincial and municipal elections in Quebec. Literally, Alberta could be a leader along with other jurisdictions across Canada and show that leadership and take this one step further and ensure to all Albertans what some other Canadians already receive on the

federal level and what some other residents already receive on the provincial level. That shouldn't be scary. Clearly, in those provinces I don't believe that anybody is crying foul that they're not getting the influence they need. I don't see that the residents of Manitoba are up in arms that corporations can't make their donations anymore.

It seems that it's healthy. Not only that, but healthy democratic elections should be citizen centred and citizen driven. Corporations and unions are not citizens. They do not have the right to vote or hold office and should not be financing candidates' campaigns. It is important that we ensure that the people that are being put here in this elected office and the people that are going forward and representing Albertans are actually representing Albertans and not the view of one corporation that might be in direct conflict.

The hon. Member for Airdrie and, I know, the hon. Member for Rimbey-Rocky Mountain House-Sundre have brought this up many, many times. We have seen what the direct link of corporate donations may sometimes do to bills that are proposed. There is an insinuation out there that bills 19, 24, 36, and 50 were and have been influenced by certain corporations to certain parties. That is what we need to eliminate across Alberta. If we literally want to assure the citizens of Alberta that they have elected officials that represent Albertans' interests, then by eliminating corporate donations, going forward they don't have to worry about an insinuation or an accusation or a perception.

There is a perception that sometimes often turns to reality, and that perception is that politicians can be bought. The hon. Member for Airdrie stood up and talked about a member in this House that used to say: I can't be bought, but you can try. Well, it should be: I can't be bought. Period. Those people who want to make donations to electoral campaigns are certainly free to do so, but there shouldn't be a given that any one candidate is more in favour than the other just because they're backed by a huge donation.

Elections belong to voters, not corporations with deep pockets. This is why we're putting forward these amendments. This puts elections back in the hands of hard-working Albertans, and this is fundamentally why we're here. Candidates should be financed by the constituents that they represent. If you're doing a good job, if the citizens of your riding or the citizens of Alberta believe that you as a candidate or you as a party are the one that they're supporting, they don't mind stepping up to the plate.

We're seeing it federally. They don't mind putting their money where their mouth is and supporting whom they need to support. If you've done a poor job, they'll pull back their money. This is basically saying to Albertans that you have a right to support whom you want with your dollars and that that won't be influenced by a corporation or a union that has more dollars than you.

By lowering – that, unfortunately, did get voted down – the high donor amounts from \$30,000 in an election year to \$10,000 and from \$15,000 down to \$5,000 in a nonelection year, you allow for average Albertans to have the same playing field all across this province. That's important because in this process we talk about a fair and transparent system that wants to make sure that this bill has the best interests of Albertans at heart. The best interests of Albertans are literally to ensure that we have integrity, balance, and fairness in the system, but we also want to make sure that every candidate across this province in all 87 ridings has an equal opportunity to run.

Now, in this province, as the hon. Member for Edmonton-Strathcona mentioned, we don't have spending limits. We don't have donation limits. That may be something we have to discuss further at some point in time, have a bigger discussion on lowering the limits that we currently have and on having spending limits



in place. Right now we don't even have a fair playing field. In some areas the incumbent may be the favourite, and that incumbent might be backed by large corporations who, in turn, donate large dollars, and the best candidate might not have been picked. Now, they might have been picked, absolutely, and that candidate might have just had the benefit of having large corporations in their riding, and that's fine. But a level playing field ensures that all 87 candidates regardless of party lines have the same access to running for office.

The other part of that is that we need to ensure that average Albertans can run for elected office. We don't want to create a system similar to what we have in the U.S., where only the rich can run, where we have President Obama, who is literally, you know, raising \$3 million, \$5 million, \$10 million a day and having to spend that because that's what it takes to be a good President. It doesn't stop there. Senators are spending millions. Even when you get down to governors, the average American cannot run for governor because the stakes are so high, and if you're not locked in with that – we don't want to head there in Alberta. We want to make sure that everybody who feels that they would like to run for political office has the opportunity to do so.

I can tell you that when I was 10 years old, I never thought I'd be sitting in this Legislature. It never crossed my mind to run for political office. It never crossed my mind when I was 20. It didn't cross my mind when I was 28. It didn't cross my mind when I was 32 and owned my own business. I can tell you that in 2008, when my brother was put into a long-term care facility, it didn't even cross my mind then because I was fighting for him. But in 2010, when he died – I was 36 years old – yes, it crossed my mind.

At that point in time I was able to enter into the political scene, and I ran a campaign on \$16,000. That's not a lot of money. My opponent spent \$76,000. He got corporate donations. I really didn't. I got some minor farms that run as corporations, but they were not huge corporations. I was given the opportunity to go out and put my best foot forward, and the best person wins. That's the way it goes. I know members on the other side maybe don't like that the Wildrose has 17 seats, and maybe they don't like that I'm here, and that's fine, but that's democracy. It's not always about money, and it's not always about the amount of donations that you receive.

But I have to be able to tell my 10-year-old child and I have to be able to tell my grandchildren that they won't be limited in running for public office because they don't have the backing of corporations and unions. That has to be a fundamental right of all Albertans because not every Albertan has access to huge dollars. Many, many Albertans have come forward – and I know that even on the government side there are many of you that ran a campaign that was actually quite reasonable in dollars. Not everybody ran a \$130,000 or \$200,000 or even \$90,000 campaign. There were many, I believe, on the government side that ran very cost-effective campaigns. That's what I'm saying. The same goes on the other side. I'm sure that, you know, you would have felt a little bit differently if the person you were running against won solely because they were backed by a major corporation who had influence and money. So it goes both ways. It's not limited to us or to them. It goes both ways.

4:50

Large donations from businesses and other organizations with significant financial resources can have undue influence on those who decide to run and those who get elected. There can be the opportunity for a corporation to put on undue influence to discourage someone from running or to encourage someone to run, but that's not always in the best interests of Albertans. That's why

we need to have major reforms of this electoral system. These amendments go a long way to restoring Alberta's confidence in the integrity of the democratic process.

When we allow corporations and unions to make campaign donations, the individuals who control these organizations are granted more rights than other citizens because they can make donations as individuals and in the names of the corporations and/or the unions. We saw this. We see it all the time. You know, the donor makes the max donation under the corporation. Then they make the max donation under them personally and the max donation under their wife and multiple opportunities through that. Personally, that's fine, but they're also doubling down with corporate donations. It's the same person still making the donation. It just literally is coming from the corporation. Federally they've seen the error of their ways, and they've decided to make that change and make sure that it's fair for all Canadians. I think that there is room for Alberta to take a lead role and put Albertans first and show leadership on this issue.

Elections have to be transparent, they have to be fair, and they have to support the electorate. As long as corporate donations are allowed, it gives the impression that candidates can be bought by wealthy interests. Elections must not only be fair, but they must be fair in the eyes of the public. This goes back to the perception. Every time we take a look at who has donated to whom – clearly, everyone has done this. We've done it. I know that the hon. Deputy Premier has looked at our donations, and he's attacked us about whom we took our donations from. We've attacked the other side for whom they took their donations from, especially in corporate views.

Well, this would eliminate that. It would very clearly state that only people with personal interest could have a say or an influence on those that are elected. Then you get into: why would there be any reason to attack any individual Albertan on what their choice is for donation? Very simple. It makes it fair, makes it open, makes it transparent, and it ensures that there's equal access for all Albertans.

One of the bigger problems that we're seeing in Alberta is voter turnout. Repeatedly, year after election year after by-election year, voter turnout is dropping, and public cynicism about politics is growing. A big part of why that is growing is the way that the process is. Bills like Bill 7 don't go far enough to reassure Albertans that there's a reason to get out and vote, that the ideas that come to this table will be heard, that we're going to work together, that we're going to ensure that what's in the best interests of all Albertans is what we're putting forward. We see voter turnout dropping at such significant rates, and we wonder why. We need to reverse this damaging trend. We need to see that our elected officials are leading rather than impeding democratic reform, and Bill 7 could go a long way to do this, but it doesn't right now.

We've already seen, you know, that many amendments have been denied, many amendments that offered full disclosure, many amendments going back seven years instead of three years. All of those things have been denied by this government, yet each one of those strengthens the democratic process and allows for Albertans to regain trust in the system that they're losing trust in. It also allows Albertans to start thinking about politicians in a manner that is different than they do right now. They don't need to be cynical. They can literally believe: hey, what we're doing is important.

If this ban was adopted by Alberta, we would show that we are leaders, putting it in line with federal election regulations. It would help create momentum for similar changes in all other jurisdictions of this country and all other provinces.

We consistently hear in this House how we are a leader, how Bill 7 is one of the toughest and most democratic and most open and transparent and best disclosures all across this country, but it isn't. The province of Manitoba already bans corporate donation. The province of Quebec already bans corporate donations, and they've taken it one step further to ban it municipally. To say that we're a leader in this legislation, clearly we're not because other provinces are ahead of us. Other provinces put in more disclosure rules. Other provinces ban corporate donations, and we need to show that we're in line with that.

We need to make this a national standard, and substantive reform of this nature will create the momentum that provides for broader electoral reform. We don't need to be scared of broad electoral reform. If it's done properly, if it's done in consultation, and it's done in conversations with Albertans, with opposition, with MLAs, with stakeholders, it can be done right.

It was interesting before, when a member of the House on the other side said that they had had five or so meetings about Bill 7. I have no doubt that you had five or so meetings. Unfortunately for the opposition, we didn't receive the Chief Electoral Officer's recommendations until three months later. Now, had we received them when you received them, we might have been able to go to stakeholders. We might have been able to have discussions with Albertans. We might have been able to have conversations amongst our caucus. But, no, as the hon. Member for Edmonton-Strathcona stated, everybody is left scrambling to fit through a significant bill that is very important to Alberta, and we're not able to do that. Why? Because we weren't given the Chief Electoral Officer's recommendations. We didn't have time to do that research. We didn't have time to take that forward.

The other part of this that I would suggest is that if you are banning corporate donations – and the Justice minister should be able to support the amendment on this issue alone – it would sure as heck make disclosing all of our donations quarterly much, much easier for both sides of the House. [interjections] I'm speaking to the choir here. You know, you get a significant amount of corporate donations. We get some corporate donations. If we all ban corporate donations, then perhaps that would make the job for our CAs much easier when they have to declare and disclose quarterly, which is ultimately the goal if we're going to go with this.

Now, we said at the beginning that we are directly affected by this amendment because we've received around a million dollars in corporate donations, and the government side has received significant donations as well. But we don't need to be scared of banning those donations. Those same people will donate if given the opportunity.

**The Deputy Chair:** Thank you, hon. member.

The hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you very much, Madam Chair, and I thank the Member for Innisfail-Sylvan Lake for her comments on this issue. There is one thing that she mentioned, though, that is factually incorrect on the act. She made a suggestion about corporations contributing through their employees. I'm not sure if she meant funds not belonging to that individual. I do want to mention that there is an existing section in the act. I refer to section 34 of the Election Finances and Contributions Disclosure Act, which states that

no person, corporation, trade union, or employee organization shall contribute to any registered party, registered constituency association or registered candidate . . .

And this is the key.

. . . funds not actually belonging to that person, corporation, trade union or employee organization, or any funds that have been given or furnished to the person, corporation, trade union or employee organization by any persons or groups of persons or by a corporation, trade union or employee organization for the purpose of making a contribution of those funds to that registered party, registered constituency association or registered candidate.

I realize that that's a lot of legalese, but essentially that says that if a corporation has money, you can't give money to your employees for the purposes just of circumventing the act. That already is in the act, and of course it indicates as well in subsection (2) that no registered party, registered constituency association or registered candidate and no person on its or the candidate's behalf shall [even] solicit or knowingly accept any contribution contrary to that further subsection. In subsection (3) it also indicates that that is an offence. So that's already covered off by the existing act.

**The Deputy Chair:** Thank you, hon. member.

5:00

**Dr. Swann:** Madam Chair, I'll be very brief. Alberta is known as the best democracy money can buy. It's high time we moved in this direction. It's clear that this government didn't get it when they first drafted the bill. It's contributed to disengagement, cynicism, and widespread concern about influence peddling in this province. Why was it not initially part of the bill? Why wasn't money the primary issue for raising this bill? Why were not the rest of the parties involved when we could have had this discussion and made sure that it was a complete bill?

This is clearly one of the areas of conflict of interest that this government deals with every day in this province when it's getting so much money from big corporations, and it's still not willing to commit itself to limiting corporate donations and union donations. They've ignored the public and the opposition for decades on this issue, and their reputation has been damaged as a result of more recent revelations about the lack of control on these kinds of donations and the revelations that have occurred with illegal donations because it's become so commonplace in this province, Madam Chair.

This can only serve all of us in this Legislature to improve reputation of parties about financing and improve reputation of politicians that we're not on the take, that we're not solely concerned with our own power and our own advancement and future relationships with these corporations, whatever they may be.

I'm surprised that we are in 2012 still debating this. We've been proposing this for many years. Both corporate and union donations need to be dropped completely, and hopefully this House will support this amendment. It's a progressive, thoughtful, and important initiative to regain some sense of integrity and some sense that democracy matters, that individual voters matter far more than corporate and union influence, and that we can have some real sense that the people are welcome, that they're going to be involved meaningfully in discussions and decisions. They're not going to be marginalized because they don't have the kind of money that the corporations or unions have.

This is a tremendous part of what I think would set a new tone for Alberta and follow in the federal footsteps initiated by the Liberal Party of Canada and universally respected in this country since they were enacted.

Hopefully, this would also, as the minister has indicated, prohibit and clearly limit any attempts by corporations or unions to funnel money through members of their organizations such that the whole purpose and intent of the bill would not be lost.

So I adjure everyone in the House: let's stand up together on this and give Alberta a reputation all Canadians can be proud of.

**The Deputy Chair:** Thank you, hon. member.

**Mr. Fraser:** Madam Chair, for the record I'm an average Albertan. I spent very little money on the campaign. I had corporate donations. I had union donations. I like to think that I can't be bought, but we always need to remain vigilant in this House, in our constituencies to make sure we're doing the right things that Albertans ask us to do.

I'd like any member in this House, if they choose, to put their hand up if they believe that this isn't the best place in the world to live, if this isn't the best place in the world to raise a family. If this isn't the best place in the world to talk about policy and how we move this province forward, put your hand up. No hands. We got here based on the fundamentals and the policies that we've had in the past, and that doesn't mean we don't work hard to make them better, but it's up to us to make sure that we're doing the right things.

I'm here. I'm going to do the right things. I'm an average Albertan. The election laws that we had in this last election – I think most of us are pretty average, come from a very diverse background. We have a very diverse caucus on this side and the other and all caucuses. I think that's important. I think that speaks volumes more than any Election Act could ever speak. We're here to serve Albertans. We'll go through this. If there is ever a time that somebody feels that this government or any government has been bought, prove it.

Second of all, I'll make sure that I always stand for my constituents and for the right thing.

Thank you, Madam Chair.

**The Deputy Chair:** Just because I haven't said it for a while, I will remind everyone that we are speaking on amendment A14, Bill 7.

The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Chair. I like to think I can't be bought, but I like the fact that people will try sometimes.

**Mr. Denis:** I've got 32 bucks.

**Mr. Anglin:** Keep trying. Up that more.

It's interesting. I once met with AltaLink and sat down with them, and they said: you cost us \$50 million. I said: that's ridiculous; you could have bought me for \$25 million. That was before I was a politician, so I'm not saying that I can be bought as a politician.

I want to talk about this amendment because it is important. I don't believe this is about – I mean, we're not naive. Money runs an election. Money has a lot of influence in our society. It was Lincoln – and I want to go see the movie real soon if I can get out of this House – who said in 1865 that there was a greater threat than the civil war that was just ending. He said: I fear the rise of the corporate power; I fear the rise of the corporate wealth. That's not a direct quote; that's paraphrasing. It's one of my favourite paraphrases. It was something that he foresaw in 1865. It was Eisenhower who warned about the rise of the military-industrial complex, which were corporations.

What we do know about corporations today is simply this: they are absolutely incapable of empathy or compassion, and they are absolutely incapable of voting in the public interest. They are by law restricted to only working in the interest of its owners, the stockholders. If a psychiatrist or a psychologist were to actually

diagnose a corporate entity as they would diagnose an individual, they'd refer to a corporation as a sociopath with dysfunctional psychopathic tendencies, which is actually kind of fascinating when you think about that.

Why do we want this psychopath involved in our democratic process? It's the money. It's the corruption of money that can be put into this process. I would like to think that other jurisdictions have seen this and have dealt with this. Our federal government has seen this and dealt with this issue.

I see the value in corporations as business entities. I see what they can do to help the economy to grow. I do not see the value of a corporate entity in the democratic process. That, I say, is reserved for people and human beings and citizens, not for a corporate entity. Then the race is on. In whose interest are they actually donating? Those interests may vary, but they could be totally against the public interest. I would argue that a lot of times our environmental corporate donations are in direct conflict with the public interest.

In dealing with this issue, should we allow corporations to be in this process? I want to cite an example. One of the members brought it up earlier. It was a valid argument. He spoke about AltaLink or the power line companies and how they were involved in the donation to the party in power. But that's not it. I mean, you can make that argument, and you can show that on paper, and you can disclose at end of the year, and people can argue that, oh, they donated so much and they influenced the decision-makers. You will always get that allegation.

Our Election Act is so full of holes that a company like AltaLink can sponsor a political event, and they can actually expense that money and earn 9.2, 9.4 per cent interest on that. That's really interesting. How can that be? We as individuals donate to a party. We would get the deduction that is allowed by law. But there's a lot more funding that goes on with political parties and the political process to influence that political process that corporations have worked a nice way around.

I'm going to give you an example. The Pacific NorthWest Economic Region just held their meeting down in Idaho, I think, over our constituency break. The major sponsor of that event was AltaLink. Ironically, AltaLink testified in Calgary, I believe, and when they testified, they said: we had nothing to do with anything outside the jurisdiction of Alberta. So the fact that they would be down there is absolutely fascinating.

5:10

That's not the issue. The issue is that they get to take the money that they expense to run these types of events, like the donation that they gave to a political party for their AGM, like the donations they give for these conferences that political parties can attend, and then they can turn right around and take that expense, capitalize it, and earn a rate of return because the law says that they get a rate of return. That is a matter of record in the testimony given by AltaLink executives right up here in Edmonton on that heartland line. That's available for anyone to look up.

That is an accounting problem, in my view, but it's also a hole in our electoral process in dealing with corporations and how they can manipulate the system and get around the system. That's why I support this amendment to eliminate corporate entities and just deal with the people who have the most interest in the preservation and defence of the democratic process.

The idea that corporations or their money are absolutely necessary to the process has been refuted by the jurisdictions that don't allow it. They've already proven that it's not necessary. We can conduct an electoral process without them. The idea that it is somehow their right as a corporate entity, I would disagree with

that. It's the right of the individual. Our democracy is for us as human beings and as citizens. The corporate entity is nothing more than a business entity, a contract, something that you cannot touch or see. A corporation is a creation of legislation and legislation only. Without the legislation corporations don't exist. The idea that we would let that entity or those entities influence the process or to think that they wouldn't try is I think being naive.

We can see it south of the border in the outrageous ways it has affected that process. If we think that we're immune to that, I would disagree. It's very difficult to deal with this issue when corporations want to influence the process.

Again, I will draw upon an example of how one corporate entity actually does influence the process. In December 2006 I brought a motion against AltaLink and the Energy and Utilities Board that they did not have jurisdiction over an export line. It only directly affected one company, AltaLink. Within three weeks that company had an order in council from the government of that time to give the board jurisdiction over an export line. Fascinating considering that everyone said that this wasn't an export line in the first place. But the idea that they could get an order in council that fast – and I challenge any member that's sitting in the back benches of the party in power to try to get an order in council that fast. I doubt you could do that. Maybe I'm wrong. I'd like to see that happen.

That shows the power and influence of a corporate entity. That's what we're talking about, Madam Chair, corporate entities in the political process and why we should pass this amendment and get them out of the political process. Given examples of how corporate entities can abuse it and can influence it, in my mind, speaks directly to this amendment. This is a serious issue.

I like to think that as candidates when we run, we actually run on the grassroots level. We deal with people. We shake hands. Some people are lucky enough to kiss a lot of babies. I have to travel too far a distance between babies.

The public at large is what we're here to represent. It is about the people that we represent. These corporate entities that have the ability to come in and influence the process, to me, are a virus in this democratic system. The small corporate entities like those family farms, those small businesses, that's just a business aspect to corporate legislation. To me, if they were going to give money through their local businesses, they would readily give money also personally, stepping outside that.

It is the very large corporate entities that are the biggest threat to democracy when it comes down to adversely affecting the democratic process, and that is a serious issue that we should never marginalize or minimize. That is a serious enough issue that we should always be on the defence against it.

The democratic process works. I don't just believe that; I've participated in it. I've watched in the defence of it, and I've seen it work time and time and time again. It does not need a corporate entity or the donations of corporate participation to make it work. As a matter of fact, in my view, it works better without it. It is better left up to the people who are involved in the process with the right frame of mind, what I would call the idealistic view of all politicians, which is that we can't be bought, we are here with integrity, and we are here in good faith. I believe that when hon. members stand up and say this, they believe with all their heart or they come here with the best of intentions.

I say this, and I say this sincerely: corporations do not. Corporations come with one intention and one intention only, and they can only have one intention because that is by law. They must advance the capital wealth of their owners, which are their stockholders. That is first and foremost at all costs in many ways, and we've seen that. We've seen where corporate entities – and

there are lots of examples out there; Ford is a prime example – look at the penalty of violating a rule or regulation versus the profit, and if the penalty is nothing but a cost of business, decisions will be made accordingly on: "Well, the penalty is so small. Let's commit the infraction." Ford was an extreme example, but this example happens all the time.

We deal with this issue of: how do we control the influence of corporations? This right here, in my view, is the mechanism for that control. The only way corporations influence society in any kind of adverse way is really that when it gets into the political process, it upsets the political process. If we're all here in good faith, acting in the best interests of the public that we represent, for the most honourable purposes, then we do not have that corporate influence that can even be alleged if we accept this amendment. I think that doesn't just enhance this election process or the political process; passing this amendment is in many ways a defence of the democratic process. It keeps the corporate entities doing what they're supposed to be doing, which is what they're designed to do, which is to go out there in the business world and conduct business. The political process is not where these entities should be.

That may sound idealistic, but it's that issue that has bridged the gap between a left-wing party and a right-wing party because it's not a left-wing issue or a right-wing issue. It's an issue of fundamental values, of principle. I know that some of the members on the other side may agree, or maybe they all disagree. I don't know, and I'm happy to hear from them. But the negativity of many of the processes that we deal with in our election processes is not necessarily about the individuals as it is about the money that has come in that has upset the process.

One of the correlations that has been visible down in the U.S. is the negative ads. You hear a lot of people up here talk about that. They talk about the personal attacks that have taken place down in the U.S. We like to think we're above that fray up here, and in many ways we are, but if you look at what finances those personal attacks, that's corporate money. That's lots and lots of money. In my campaign and in many other campaigns I don't have time to go after it and go out and do negativity. I've got to get out the message about what we want to do, what that message is on how we would take on these various issues. To have excess money is where a lot of that stuff goes on down south.

5:20

So I would say that these election laws that would prohibit a corporate entity from participating would add significant value, not just to this process, but it would add significant value to the confidence and the trust the public needs in the process.

One of the cynicisms that represents itself out there in the public is that it doesn't matter anyways; whoever has the most money makes the decisions. I always like to disagree with people like that. I always say that the people who can get the most votes out are the ones that are going to influence the decisions. The cynicism is out there no less. Passing this amendment helps to reduce that cynicism. We want a public that is engaged in the democratic process. We want a public that's informed. It takes a lot of work to keep that going.

If you look at how corporate entities actually influence a lot of the political processes, they're able to not just outspend the public, but they're actually able to keep the public away from the process in many regards just by overinfluencing rules and regulations on how the process actually takes place. This, I say, is fundamentally wrong, and it's counter to what we want as a good operating society.

So to the hon. member that stood up and basically praised how great Alberta is and no one raised a hand: this is not what this is about. This amendment is about making sure that we don't degrade what we have. This is about an amendment that will improve what we have because we'll make sure that only Albertans are involved in this process, and the corporate entities can go do the things that they do best, which is the business that they've been designed and created to do. Let them take care of their stockholders, but let the individual participate in the democratic process. Let the individuals elect their elected officials.

With that, I encourage the members to support this amendment. I think this is an important amendment that we take forward.

Thank you very much.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Edmonton-Gold Bar.

**Mr. Dorward:** Thank you, Madam Chair. I wrote the following words on this sheet of paper: bogeyman, big, bad business. I guess I wrote that down because there's a lot of chit-chat here about great big business influencing great big decisions that are made, and somebody needs to stand here and talk about the small businessperson, so I'd like to do that just for a couple of seconds.

I'd like to thank the MLA for Innisfail-Sylvan Lake for confirming a \$16,000 – I apologize if I have these numbers wrong – campaign versus an \$80,000 campaign, and she won. I think that confirms that, you know, a lot of money – and I imagine that a lot of the \$80,000 was corporate donations – doesn't influence the results that happened as a result of the election coming out.

The person that donates oftentimes is a person who wants to show thankfulness for the democratic process and to help to cover the office costs and the costs of advertising and the costs of signage and all the things that all of us incurred. I don't think that they in any stretch of the imagination think that they're going to influence any decision that anybody makes. I think we have amazing checks and balances in our democratic system such that I don't think it's possible for anybody, quite frankly, to be able to gain a lot from simply making a political donation.

More so than that, the small businessperson is the engine of our economy. Those are the people who are making things happen. Whether it's a feedlot down in Lethbridge or whether it's a person that's running a fishing operation in northern Alberta or a logger or an accountant or anybody, they're simply running their business, and they want to contribute to that process and make a donation.

I'll even make one more statement, Madam Chair, and that is that the difference between a corporation and an individual is not very thick. What I mean by that is that this motion, were it to be accepted, would chop the legs off anybody who wanted to simply make a donation through their corporation. They could very simply make the same donation individually, which is being accepted. All they have to do is write themselves a cheque for \$500 and put it in their own bank account and then write the darn cheque, and when they hand out the business card, if there was something nefarious going on, it would probably say the name of the business. So I guess that we should say that any individual that has a corporation shouldn't donate because you could make the same inference that they're going to gain the same benefit.

So I don't understand this motion. I don't understand the logic of it. I don't think it works. I don't think it supports the small businessperson who simply wants to make a donation in Alberta.

I will now sit down. Thank you very much.

**The Deputy Chair:** Thank you, hon. member.

The Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Madam Chair. Why do we have corporate donations? Individuals vote, not companies. Companies lobby. Companies supply. Companies have the opportunity to benefit financially by receiving untendered cost-plus contracts with guaranteed rates of return not just on their own investment but on taxpayers' money. The value of these contracts can be so large, the amount of money involved is not just thousands or hundreds of thousands or millions or hundreds of millions but billions of dollars. They can get contracts awarded by cabinet without proper objective needs assessments.

Now, is this theoretical? Or are we talking about Bill 50 and the gigantic overbuild on the order of about eight times the power lines that we're seeing at great, great expense to Alberta and to Albertan taxpayers? I've even heard of a corporate donor who wrote a cheque for around \$430,000 when a political party was running short of money in the last election because they'd been abandoned by small individual donors who were diverting their personal donations to parties more in touch with their values.

This amendment will affect all parties but especially the governing party, so it's no surprise that all of you over there are all against it. Large corporate donors can tempt even the most ethical among us and appear to have succeeded on several occasions to the detriment of hundreds of thousands of everyday Albertans and the industries and companies that employ them.

Perception is a reality, folks. People think governments are being persuaded to do things not in the best interests of average Albertans. Are they right? I don't know, but nature abhors a vacuum. In the absence of information they fill in the blanks, and when they see an eight-times overbuild of power lines, you understand their concerns. I've heard Alberta voters say: you know, Gary, somebody is getting paid off.

You know what? You can ignore our amendments. You can keep ignoring average Albertans, the common men and women who vote. In 2016 we're going to be sitting over there. We will fix these bills because that's what Albertans want. You know, we can talk all night if we thought that would make a difference. The fact remains that these bills need these amendments. These are well-thought-out bills. These are bills that are responsive to the needs of Albertans as expressed to us, and they're based on sound philosophy. They're based on sound politics. They're based on sound principles that address issues of greed and issues of contempt and issues of temptations that would persuade almost anyone to cross over to the dark side, Luke, because there's just so much money there. We've seen it, and we're seeing it.

Anyway, thanks for giving me this opportunity to speak up on behalf of the people that you've abandoned because you're going to help us move over there.

Thank you.

**The Deputy Chair:** The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Madam Chair. I appreciate the opportunity to speak to this amendment. This is one of those amendments that we've seen come through here that when I look at it, it just simply makes sense. The Minister of Justice has stood up and questioned our intent as to: why – why – would the Wildrose Party want to do something so silly as to eliminate corporate donations? They received close to a million dollars in corporate donations in the last campaign, and he's right. You know, the Member for Edmonton-Gold Bar suggests that small businesses are the economic engine of our province, and to a certain extent he's right.

Eliminating corporate donations from the political process just makes sense. There are so many other jurisdictions that have caught on to this that I cannot understand for the life of me why this party opposite suggests otherwise. It doesn't add up to me.

5:30

You know, maybe I'll explore it a little bit later, but I think it's interesting to mention as well that – and I'm happy to see that he's back – the Member for Edmonton-Gold Bar when running for mayor in this fine city raised over half a million dollars. I would venture to suggest that a large portion of that probably came from corporate donations as well. I think we can understand where motivation comes in for people to want to maintain that source of revenue.

But the reality is that if we want to return politics to the grassroots in this province and we want to do what's right for Albertans, which is what I hear so many people on the floor opposite say all the time – we're here to do what's best for Albertans; we're here to put the government back in Albertans' hands – well, passing amendments would allow you to actually follow through on what you're saying as opposed to just standing up and saying it. I think that it has an element of being a fair and transparent process if we eliminate the ability for someone to walk in with a large cheque.

Again, I stated this earlier in second reading, Madam Chair, that I don't believe there is anyone on the other side that would intentionally be bought in the sense of being bought. I don't agree with the Member for Calgary-Mountain View who stands up and suggests that it is happening and that it has happened. I think that that is a bit of a strong statement. That said, perception is reality. Perception will always be reality. Politics in this province is taking a hit, and the perception of politics in this province is taking a hit. [interjections] I'm sure that those members right now are interrupting me because they feel that the reason politics is taking a hit is because there's an effective opposition on this side of the floor that is raising issues that make the governing party uncomfortable; therefore, it's all our fault. I'm sure that's exactly what's being said.

The reality is that if we're actually going to be putting Albertans first and we're making legislation that makes sense in this province, we need to consider amendments like this. I would argue that, you know, part of the problem is that there is a lack of clarity in our legislation regarding corporate donations. That's what allows a loophole like what we saw with the alleged Katz cheque of \$430,000 being dropped off. Again, when the hon. Government House Leader spoke about this issue in second reading, he emphatically and passionately stated: you can't buy this party; you can't buy me. Again, I think everyone here wants to believe that. I believe that most Albertans want to believe that.

But at the end of the day if the perception remains true that it can happen and that it can happen at any given time and some people believe that that's true and some people become disengaged from the process because of that perception, that's where we have a problem. That's where disengagement happens. It doesn't matter what anybody says on the other side, whether or not you can or cannot be bought, if the perception is there and if people believe it, it has a negative impact on the entire process. Taking corporate donations out of election financing and party financing is a great start, and it is something that other jurisdictions have already done.

The federal government did it many years ago. Now, they replaced some of that with a per vote subsidy, and I would never advocate for that. I don't think that's the right thing to do either. I don't think taxpayers should be funding political parties in that

sense either. But they have limited it to \$1,200, I believe, per person. Maybe it's even \$1,100.

I think that there's some validity to the numbers that we've put forward in the limits. There's validity to eliminating corporate donations. If small businesses want to be involved in this process, they can as the Member for Edmonton-Gold Bar suggested simply write a personal cheque. What difference does it make? It just is a different way of them writing off the tax. [interjection] I'm sure the Deputy Premier is often that confused.

**The Deputy Chair:** Through the chair, please.

**Mr. Wilson:** Sorry, Madam Chair. I apologize. Through the chair, I'm sure the Deputy Premier is often that confused.

It's time to fix this, and the opportunity is now. The legislation is in front of us. This government has had questions asked of it today about all the great things it did for Albertans in this session and all the great pieces of legislation that it passed. Madam Chair, I believe that question came from you. You know, if the opportunity arose for the government to actually accept an amendment outside of the two that it did, this is one of those where I believe you could proudly stand up to your constituents, to Albertans, and say: "Listen. We have done positive things here in this session. We have listened to the opposition. We have moved legislation forward together." Unfortunately, at this point that doesn't really seem to be the way things are going.

We're at well over a hundred amendments now from the opposition, two of which have been accepted, none on this bill, none on Bill 4, none on Bill 2. The list goes on.

**An Hon. Member:** We've been listening to our constituents.

**The Deputy Chair:** Through the chair.

**An Hon. Member:** We've already made lots of changes.

**Mr. Wilson:** I really wish I could hear what is being said on the other side, and I look forward to having discussions outside of this House, Madam Chair, with those members opposite who feel so passionately that they need to interrupt at this point.

The reality is that I started this asking why we want to get rid of corporate donations and perhaps why the side opposite does not and will not. They will defeat this amendment; there's no question in my mind. The reality is that our party got 28 per cent of its funding from corporate donations in the last election. The party opposite got 78 per cent. So you want the hard, cold numbers. The reason why the government will not vote for this amendment is because it would cut them off at the knees. They don't want to accept it. Perhaps they don't want to stand up and say that that's the case, but it is the case pure and simple. You know, a cheque like what Daryl Katz allegedly dropped off would fit into this, and it wouldn't have been accepted either. If 78 per cent of the funding to a political entity disappears overnight based on one amendment, that's going to be pretty damaging. It's understandable why you want to stand up and defend the rights of corporations to donate money. So be it.

If Wildrose forms government in 2016, I'm confident that we will go back and change that legislation to suggest the same.

**Mr. Donovan:** When we do, not if.

**Mr. Wilson:** Yeah, absolutely.

We have succeeded in having grassroots participate in this process, and a strong majority of the money that was raised on this

side of the House came directly from grassroots. It was not represented on the other side.

I would suggest that you can stand up and say that you wouldn't be bought all you want, but at the end of the day without corporate donations that side would not be able to run a campaign, many of you would not be able to be elected, and that is why you will vote down this amendment.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Banff-Cochrane.

**Mr. Casey:** Thank you, Madam Chair. You know, I didn't speak up in the House when we trashed the Ethics Commissioner in here, I didn't speak up in the House when we trashed prosecutors in here, and I didn't speak up in the House when we trashed the Chief Electoral Officer in here. Maybe I should have, and that was likely a mistake on my part. But to hear that the opposition feels, as their member so clearly stated, that all businesses in Alberta are psychopathic by nature, completely . . .

**Mr. Anderson:** A point of order.

**Mr. Casey:** His words.

**The Deputy Chair:** Hon. member, we have a point of order. We'll deal with the point of order now.

Hon. Member for Airdrie, your point of order.

#### Point of Order

#### Allegations against a Member

**Mr. Anderson:** Could the member please cite the place where the member on this side called businesses in this province psychopathic by nature?

**The Deputy Chair:** Hon. member, I don't have the Blues with me at this point in time.

The hon. minister.

**Mr. Denis:** Thank you, Madam Chair. I would refer the member to the commentary from the Member for Rimbey-Rocky Mountain House-Sundre where he clearly indicated that verbiage.

**The Deputy Chair:** So you're saying that will be in the Blues, then?

**Mr. Denis:** That was my recollection, Madam Chair.

**The Deputy Chair:** Thank you very much.

We will reserve judgment until we can see the Blues, but I did hear the statement as well.

We'll carry on. The hon. Member for Banff-Cochrane.

#### Debate Continued

**Mr. Casey:** Thank you. So the point is that I happen to believe that Alberta is built on businesses, reputable businesses. I don't think that they are corrupt by nature. I don't think that they have one purpose and one purpose only in mind. For anyone that has lived in a municipal governance role or even worked for a large charity in Alberta: tell me that you do not depend on business to step forward and help you with your programming. There wouldn't be a charity in Alberta operating today if it was not for corporate entities.

5:40

There was also some question of whether they were all important in Alberta. Well, anybody that walks and talks understands that business is the foundation of this province and that small business is also the foundation of this province. I've been in business since 1978 and – I'm sorry – I don't consider myself corrupt. I don't know anyone else that does. So to paint all businesses in Alberta somehow with this brush offends me. It totally offends me. This is a partnership in Alberta between residents, business, government, resources to make this the greatest place in the world to live, but business is an absolutely integral part of that.

**The Deputy Chair:** Hon. member, I'd just remind you to make sure that you refer to amendment A14.

**Mr. Casey:** Okay. Thank you. So business participating in the electoral process is not out of the question, and there is nothing inherently wrong with that. Nothing. It is up to each one of us individually in this House if we have the moral and the ethical background to stand up for what is right. Then there is nothing wrong ever in accepting those donations, and there is nothing wrong with those donations being offered because they have an interest over all the province.

So, Madam Chair, I will not support this under any form. Thank you.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Airdrie.

**Mr. Anderson:** Thank you, Madam Chair. Well, I am going to stand and speak in support of this amendment again, and I want to be very clear that – I mean, I didn't ever think I'd have to defend the Wildrose caucus against allegations that we were antibusiness, but apparently I do. Apparently the Kool-Aid is so thick and powerful that some of these members who've only been members of that party for less than a year now have drank so thoroughly from it that they actually think the Wildrose is an antibusiness party. That's understandable. I know how thick the Kool-Aid can be on that side of the House after you've been drinking it for a while.

Madam Chair, what I would say is that obviously our party, which has been advocating for small business, including the leader of our party, who was the director of the Canadian Federation of Independent Business for the province, understands full well the importance of small business in our system, in our province. We know that small business is, in fact, the lifeblood of our province and that they create more jobs than the public sector, obviously, and also large businesses. They are the job creators of our province, and clearly they are being suffocated in a lot of ways. If you read the surveys that they fill out, these small businesses, on regulatory burden and so forth, they're being greatly hurt by those things. We, of course, over here want to try to decrease the burden that they have on them. It's very difficult for these small businesses to compete with larger businesses who have armies of lawyers and so forth . . .

**Mr. Denis:** Lawyers.

**Mr. Anderson:** Yeah, lawyers. That's right.

. . . to deal with regulatory burden that they simply do not have. Certainly, we're very cognizant of that.

However, the problem is not small-business donations. I think that's pretty clear. The problem is big-business donations. The problem is donations of \$30,000, \$15,000, advertising at PC events around the province, advertising fees sometimes in the area

of \$50,000 or more, promises of plum positions in government relations and so forth. There are all kinds of issues. You know, most of us can see just from the pattern of patronage that occurs from the governing party with regard to who they appoint, when they appoint them, how they're appointed, I think, that it's very clear that the relationship is too cozy.

There needs to be a healthy respect both back and forth. We need to respect as members the role and the good that corporations, their actions and the profits that they make, bring to this province, which is astronomical and large. But at the same time we need to balance that with the realization that corporations much like politicians are not infallible, that they make errors, that oftentimes they do act in their own self-interest, which is part of being a business, and that's okay. Nothing wrong with that. Oftentimes they do things to help charities and do things that are very good. I know there are a lot of businesses that do good in my constituency on various levels.

However, there is no doubt that a corporation is there to make profit, and sometimes that means that they will lobby the government nonstop with donations and government relations people and gifts and parties and all kinds of fun stuff, tickets to hockey games, you name it. They will do that in order to get the ear of government, to ask that they make decisions that are in the best interest of their companies. Now, that's just a fact. We all know that, so let's not pretend that we don't know that. It happens, and it happens a lot.

I don't think Albertans want that type of influence out there when decisions are being made. I think Albertans want to know that decisions are being made in their best interest, not necessarily one particular company's best interest. Obviously, that means that if we're going to be serving all Albertans, we need to make sure that our business regulations and taxation and so forth are low, are competitive and so forth because that creates jobs, which helps all Albertans. We all agree with that. But that doesn't mean that we need to favour one business over another – that's not in the interests of Albertans – and that's what we have seen.

We saw this with North West Upgrading. I don't think I've ever been lobbied more by a company in my time over on that side than I was from North West Upgrading, for about a period of two years, with regard to getting this bitumen upgrader project going. Now, whether that project is a good project or not – I haven't seen the contract or the details in full yet because the government won't release it. It could be a good idea, using the bitumen royalty in kind, but I don't know. I don't know if North West Upgrading was the best company to do it. I know that they certainly lobbied more than anyone else. They certainly lobbied more than anybody else to get that contract. They were relentless, and they did a heck of a lobbying job. Are they the best company? I don't know. That's the point.

This government picks winners and losers. They give grants to certain small businesses for research and innovation and so forth, and then they don't give it to others who apply. They give \$800 million to Shell Canada for carbon capture and storage, but they don't give it to other people. They give millions and millions of dollars, billions of dollars through people's electricity bills to AltaLink, ATCO, and so forth, and they don't give it to others. They don't even tender that to an open, competitive bidding process. They pick winners and losers.

That's the problem with corporate donations that I found. I didn't feel this way when I was first elected because, frankly, I was naive to it. But there's absolutely no doubt after five years in this building that the efforts, the lobbying, the money spent on politicians does bear fruit in this province for specific companies over other companies. Saying that that should be banned and

saying that there should be an even playing field and saying that we shouldn't be in a position where they are trying to buy their way into the winner's circle of government grants and so forth, granting applications and so forth, is not antibusiness. It is pro Albertan. It is pro taxpayer. It makes sure that we take big money out of the equation.

Then when an RFP comes out and a construction company bids on it, we know that there's nothing going on, that the decision is not being made based on favouritism. The decision is not being made based on who showed up at a Tory fundraiser and who did not show up at a Tory fundraiser. The decision is being made based solely on what is in the best interest of Albertans, which means probably the lowest price for the best product. That's how all RFPs should be done.

**5:50**

That's why we're making such a fuss in this House right now with regard to the litigation RFP that went out because we're not sure. Tens of thousands in donations from this law firm going to this Premier's leadership campaign and so forth: do we know if that had an effect? You know, the circumstantial evidence is certainly through the roof, but I guess we'll never know whether in the Premier's mind that ever came into the equation. No one can prove that, I guess. But it sure looks bad, and that's the point.

Take this potential influence off the table. Take the bad look that this gives off, the apprehension of bias that corporate donations make in our society. Take it off the table so that everybody in this Legislature and outside the Legislature can be completely confident that the taxpayer is not being hosed, that when the government is making choices, when they are forced to make a decision about who gets a contract and who doesn't get a contract, they are doing so only on the criteria of what is best for Albertans. That's all they should care about. That's all anybody should care about when deciding an RFP or doing anything for the people of Alberta.

We shouldn't be giving out corporate grants to Alberta companies. We should not be doing that. That is not our business. The fact is that it has tainted the politicians of this Assembly and it has tainted this House, and we need to stop it. We need to move into this century on this issue. There are some things where Alberta goes it alone, which are good. We should be proud of going it alone on some things, even when it's unpopular, possibly federally or otherwise. But in some cases we should not go it alone. In some cases the rest of society has passed us, and on corporate donations this is one of those things. There's no reason for it.

I mean, I know for a fact there are members over there that feel the same way because I remember having discussions with them on it in previous times. We know that's the case. We know that corporate donations – many of you know that they should be banned, yet I wonder how many people will vote to ban them when the chips are down. I would ask that they think about that, think about it in their own experience. Have they ever seen the effects of corporate money on decisions of government? Be honest with yourselves. I think we can honestly say that they have.

That is not an antibusiness argument, and to try to make it into an antibusiness argument is, well, silly because (a) no one will buy that the Wildrose is an antibusiness party, and (b) it's just intellectually dishonest. It's silly. It's an intellectually dishonest argument – intellectually dishonest argument – because it says that if you are against allowing corporations to donate that somehow you are against corporations. It's a silly argument. But, you know, some of the hypocrisy of certain members over there, of course, knows no bounds. That's right on the amendment.



### Point of Order Parliamentary Language

**Mr. Denis:** Point of order, Madam Chair, under *Beauchesne's* 489. The member has used the words "hypocrisy" as well as "dishonesty," which are prohibited terms.

**Mr. Anderson:** I'll speak to that. They're only prohibited terms if you refer to another member of the Assembly individually. You can use the word "dishonesty" in this House. There's nothing in *Beauchesne's* or anywhere else that says you cannot use it, except when you're talking about another member. That is what the rule says. I would not refer to another member as dishonest, clearly. I said that there's a perception of it.

**The Deputy Chair:** Thank you, hon. member.  
On the point of order?

**Mr. Anderson:** That was the point.

### Debate Continued

**The Deputy Chair:** Yes. All right. Are you completed now in your presentation?

**Mr. Anderson:** No. I've got a few more things to say.

**The Deputy Chair:** All right. You may continue.

**Mr. Anderson:** All right. Now that we've got that off. It's good to know that my talk is having such a maddening effect on the Justice minister.

**Mr. Donovan:** You're supposed to roll over.

**Mr. Anderson:** That's right. Just roll over. That's right. That's what we do.

I think that it's really key, too, Madam Chair, that this government and this Justice minister continue to refuse to pass any of the amendments like this one, refuse to do it, saying that the amendments aren't any good or they don't make sense or whatever. A hundred and seven amendments. They continue to bring that up and arrogantly say that somehow the folks on this side, who represent 56 per cent of the people who voted in the last election, don't have any idea of what the people of Alberta want to see enacted. It's just beyond belief. It's that type of arrogance that is going to cost them dearly going forward. I thought that they would have learned their lesson by now.

**The Deputy Chair:** On the amendment, please, hon. member.

**Mr. Anderson:** But they haven't, which is why we need to ban corporate donations, Madam Chair, because corporate donations can lead to such arrogance, and we need to make sure that we do everything in our power to avoid that as an Assembly and as political parties. When we don't think that we're accountable to the people, when we're accountable to corporations, when that's who we're accountable to through the donations that they make to us, that means that Albertans lose, and it's not something that we should be a part of.

I certainly look forward to hearing other wonderful comments on why we should ban corporate donations and why this govern-

ment continues to kick the can down the road and be the only major jurisdiction in Canada to not ban corporate donations when it is so silly.

I will continue a little bit because there are a few minutes and I have a few more things to say. One of the things that I have noticed about this amendment in particular and the hon. members' opposite response to it is that they've talked about: oh, why don't you give the money back that you've received during the election period from corporations? Well, clearly, that's silly. As I said earlier, you don't bring a knife to a gunfight. You don't go into a battle with one arm tied around your back saying: "You know what? We're going to let them raise \$4 million, but we're only going to raise \$200,000, and we'll see how that goes." Clearly, that's not the case.

We've just had our first competitive election in a very long time in this province, and part of that was because the money spending was relatively equal. The governing party did spend more. They used their savings account to supplement their internal deficit budget, which is . . .

**Mr. Donovan:** Is that deficit financing?

**Mr. Anderson:** Yeah.

. . . deficit financing their campaign, which is somewhat applicable to the way they run government. It's the same way they run their party in that regard.

We did not. We spent \$3 million, and that's what we raised. But they did still spend more because they raided their savings account.

**Mr. Saskiw:** That sounds so familiar.

**An Hon. Member:** It's like a P3.

**Mr. Anderson:** That's right.

But it was competitive: 4 and a half million dollars they spent, \$3 million we spent. It was a competitive playing field, and we were able to hold our own. I think the final result was 44 per cent for them, 34 per cent for us, and 10 per cent for each of the other parties.

I think it's very important that we realize that it's very unreasonable to ask the parties on principle – our folks over here aren't going to accept corporate donations while they do because, of course, that would lead to the absurd issue where they would be able to spend 4 and a half million dollars and we would only have, say, a million dollars, and they could outspend us 2 to 1 or 3 to 1. That, of course, doesn't do any good in a democracy, to have that kind of a disproportionate advantage for the governing party.

You know, I hope that some of these comments have impressed upon the government the need and the desire to accept this amendment and to ban corporate donations. I think it would be very much in their interests and in the interests of Albertans.

Thank you, Madam Chair.

**The Deputy Chair:** Hon. members, pursuant to Standing Order 4(4), we are recessed until 7:30 p.m.

Thank you.

[The committee adjourned at 6 p.m.]







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Issue 28e

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta**  
**The 28th Legislature**

First Session

Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC), Speaker  
Rogers, George, Leduc-Beaumont (PC), Deputy Speaker and Chair of Committees  
Jablonski, Mary Anne, Red Deer-North (PC), Deputy Chair of Committees

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Amery, Moe, Calgary-East (PC)  
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Barnes, Drew, Cypress-Medicine Hat (W)  
Bhardwaj, Naresh, Edmonton-Ellerslie (PC)  
Bhullar, Hon. Manmeet Singh, Calgary-Greenway (PC)  
Bikman, Gary, Cardston-Taber-Warner (W)  
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Cusanelli, Hon. Christine, Calgary-Currie (PC)  
Dallas, Hon. Cal, Red Deer-South (PC)  
DeLong, Alana, Calgary-Bow (PC)  
Denis, Hon. Jonathan, QC, Calgary-Acadia (PC),  
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Forsyth, Heather, Calgary-Fish Creek (W)  
Fox, Rodney M., Lacombe-Ponoka (W)  
Fraser, Rick, Calgary-South East (PC)  
Fritz, Yvonne, Calgary-Cross (PC)  
Goudreau, Hector G., Dunvegan-Central Peace-Notley (PC)  
Griffiths, Hon. Doug, Battle River-Wainwright (PC)  
Hale, Jason W., Strathmore-Brooks (W)  
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Pedersen, Blake, Medicine Hat (W)  
Quadri, Sohail, Edmonton-Mill Woods (PC)  
Quest, Dave, Strathcona-Sherwood Park (PC)  
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Rodney, Hon. Dave, Calgary-Lougheed (PC)  
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Sandhu, Peter, Edmonton-Manning (PC)  
Sarich, Janice, Edmonton-Decore (PC)  
Saskiw, Shayne, Lac La Biche-St. Paul-Two Hills (W),  
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    Leader of the Liberal Opposition  
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    Leader of the Official Opposition  
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Stier, Pat, Livingstone-Macleod (W)  
Strankman, Rick, Drumheller-Stettler (W)  
Swann, Dr. David, Calgary-Mountain View (AL)  
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Weadick, Hon. Greg, Lethbridge-West (PC)  
Webber, Len, Calgary-Foothills (PC)  
Wilson, Jeff, Calgary-Shaw (W)  
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
    Government Whip

**Party standings:**

Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on Alberta's Economic Future

Chair: Mr. Amery  
Deputy Chair: Mr. Bikman

Bhardwaj	Quadri
Blakeman	Quest
Donovan	Rogers
Dorward	Sandhu
Eggen	Sherman
Fenske	Smith
Goudreau	Starke
Hehr	Strankman
Jansen	Towle
Luan	Young
McDonald	Vacant
Olesen	

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Quest  
Deputy Chair: Mrs. Jablonski

Anderson  
Casey  
Dorward  
Eggen  
Kubinec  
Sandhu  
Sherman

### Select Special Conflicts of Interest Act Review Committee

Chair: Mr. Allen  
Deputy Chair: Mr. Luan

Blakeman  
Dorward  
Fenske  
Johnson, L.  
McDonald  
Notley  
Saskiw  
Wilson  
Young

### Standing Committee on Families and Communities

Chair: Ms Pastoor  
Deputy Chair: Mrs. Forsyth

Allen	Leskiw
DeLong	Luan
Fox	McAllister
Fraser	Notley
Fritz	Pedersen
Jablonski	Sarich
Jansen	Saskiw
Jeneroux	Swann
Johnson, L.	Wilson
Kang	Young
Kubinec	Vacant
Lemke	

### Standing Committee on Legislative Offices

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Deputy Chair: Mr. McDonald

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Blakeman  
Brown  
DeLong  
Eggen  
Leskiw  
Quadri  
Rogers  
Wilson

### Special Standing Committee on Members' Services

Chair: Mr. Zwozdesky  
Deputy Chair: Mr. Young

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Dorward  
Forsyth  
Goudreau  
Jablonski  
Mason  
Quest  
Sherman  
Smith

### Standing Committee on Private Bills

Chair: Mr. Cao  
Deputy Chair: Ms L. Johnson

Barnes	Notley
Bhardwaj	Olesen
Brown	Pastoor
DeLong	Rowe
Fox	Sarich
Fritz	Starke
Goudreau	Strankman
Jeneroux	Swann
Kennedy-Glans	Webber
Luan	

### Standing Committee on Privileges and Elections, Standing Orders and Printing

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Deputy Chair: Mr. Lemke

Allen	McAllister
Amery	McDonald
Bhardwaj	Notley
Casey	Pedersen
Hehr	Sandhu
Jansen	Saskiw
Jeneroux	Towle
Johnson, L.	Xiao
Kennedy-Glans	Young
Kubinec	

### Standing Committee on Public Accounts

Chair: Mr. Anderson  
Deputy Chair: Mr. Dorward

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Amery	Hehr
Anglin	Kang
Bilous	Pastoor
Calahasen	Quadri
DeLong	Sarich
Donovan	Starke
Fenske	Stier
Fraser	Webber
Fritz	

### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans  
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Anderson	Hehr
Anglin	Johnson, L.
Barnes	Kubinec
Bilous	Lemke
Blakeman	Leskiw
Brown	Sandhu
Calahasen	Stier
Cao	Webber
Casey	Xiao
Fenske	Young
Fraser	Vacant
Hale	

## Legislative Assembly of Alberta

7:30 p.m.

Tuesday, December 4, 2012

### Government Bills and Orders Committee of the Whole

[Mrs. Jablonski in the chair]

**The Deputy Chair:** I'd like to call the committee to order.

Before we begin commenting on Bill 7, I'd like to talk about the point of order that was raised earlier today. Just to let you know, the point of order that was raised by the Member for Airdrie has been withdrawn.

#### Bill 7

#### Election Accountability Amendment Act, 2012

**The Deputy Chair:** We can continue with amendment A14. The hon. Government House Leader.

**Mr. Hancock:** Thank you, Madam Chair. I'm wondering if it would please the House if we were to ask for unanimous consent to shorten the bells for any votes that might happen this evening.

[Unanimous consent granted]

**The Deputy Chair:** The hon. Deputy Government House Leader.

**Mr. Denis:** Thank you very much. I'm just rising to speak on the amendment, Madam Chair.

**The Deputy Chair:** Yes. Amendment A14.

**Mr. Denis:** There are just a couple of things that I wanted to mention. The Member for Rimbey-Rocky Mountain House-Sundre made some rather interesting comments about corporations. He did run a very lean campaign. I just pulled up the particular item, and there are some donations here, places like W. Pidhirney Welding, European Delicatessen, Van Giessen Growers. This is all public information. These appear to be corporate donations. Perhaps the member can correct me if I'm wrong, but it just seems somewhat inconsistent with his comments about what he believes the corporation to be.

What I will indicate, Madam Chair, is that at the same time as all the comments we're hearing opposite about corporate donations, inquiring minds want to know. I issue a challenge to any one of these members tonight to go and declare, stand on the courage of their own convictions, indicate that regardless of whether this is passed or not, they will not accept corporate donations. Then the people of Alberta will know that they will stand on their own principles about this particular amendment and that it is not simply for short-term political gain.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Chair. What I will say about that challenge is this. We will abide by the rules. I will abide by the rules, but I am willing to forgo corporate donations, and that's what we are proposing here. Right now the rules are that corporations can donate, and I will not put myself at a disadvantage.

What I did bring forward I want to clarify because I think that there was a lot of misunderstanding of what I said, so I want to

kind of just clarify that. I am not speaking out against business. That is just absolutely false if anyone makes that allegation. That's not true. Business is the cornerstone, particularly small business, in my view – and some people would disagree – of not just this province but our free-market society. I firmly believe that. Sometimes I think small businesses are underrepresented. Having run a small business and more than one, I am not speaking out against any small business. I've run proprietorships. I've run partnerships. And like most small businesses, I've incorporated. That's not the issue.

When I spoke about dysfunctional psychopathic tendencies, you need to understand where that comes from. It comes from Joel Bakan. What I was saying is this. A corporate entity is not a person. I think some of the members here confuse that. A corporate entity is nothing more than a legislative creation. It is something you cannot touch. It is something you cannot see. It is something that you cannot hear. A corporate entity is created only by legislation, and it can be removed by legislation.

People are people. I think that got missed in this, and that's what that was all about. People have compassion. Human beings have empathy. Human beings have the capacity to vote in the interests of others: the public interest, the interests of their family, the interests of their community.

Corporate entities are created by legislation. They have one primary focus, and that is to enhance the wealth of the owners. That's the whole thing behind corporate entities. They're created to do nothing but collect capital in a co-operative effort, basically, which is the issuance of stock, and it's through that that they're able to conduct business. I'm not anticorporation. What I'm saying is: put corporations where they belong. When I talk about corporations, let them do the business that the whole purpose of the corporate entity is designed to do, which is to conduct business for a society, for this free-market society we've created.

Democracy, on the other hand, and what this amendment is about is to eliminate corporate influence in the democratic process. Corporations cannot vote. They don't vote. People vote. I think some of the members here misunderstood that. The whole purpose of democracy is one person, one vote. Where the corporate entity abuses the democratic system, particularly the large corporations – I'm not talking about the mom and pop: "I incorporated my farm," or "I incorporated my small business." The large corporate entities who hire lawyers, accountants, and whatever else they hire to influence the political process for one gain and one gain only, those corporations do not donate for charitable causes unless there is something in that charitable cause that enhances their corporate image. That's what they are actually focused on.

I know the members would disagree, but they can go out and educate themselves about the psychology of it later. A corporate entity has a guiding principle, and it's in the charter. All corporate entities have that same focus in their charter. They take the investment that comes in through all sorts of investments, and their job is to enhance that investment, and if they don't do that, the CEO or the board will find themselves fired. That's the way it works.

Getting back to the very simple premise, the description I gave had nothing to do with business. If a corporation were actually a person and it went through psychoanalysis, this is how the psychoanalysis would be conducted and founded by prominent psychiatrists and prominent psychologists. It's well documented; it's not something I'm making up here. If people don't want to educate themselves on it, that's fine, but don't misrepresent what I've been saying here. What I'm saying is that only people should

participate in the democratic process. Only people have the ability to have empathy or compassion.

Corporations are not people. If people think that that's what they are, they're wrong. People work for corporations. People manage corporations. But the corporate entity is nothing but this fictitious entity that's created by legislation. That's where we can get twisted, particularly when these companies get extremely large. When you get into these multinational, international corporate entities that are billion-dollar companies – and we have them here in Alberta – they can have a tremendous effect on our political system. They have the ability to do that. That's why this amendment is all about saying that we're going to lay ground rules here.

7:40

The beauty of the amendment is that this is nothing new. The federal government did it. Other jurisdictions did it. It's working well to preserve the democratic way for our communities, for our individuals because that's where the democracy exists.

I saw members sort of get confused about what I said, and I can understand that. This is not a place to debate beyond what we're debating on the amendment. I want to make it absolutely, fundamentally clear that I am pro business. I am pro small business. Anyone who would indicate otherwise is misunderstanding why I made those comments the way I made them. Those were comments that came from very renowned and respected sources who study the field.

Thank you very much.

**The Deputy Chair:** Thank you, hon. member.

Are there any more members who would like to speak on amendment A14?

Seeing none, I'll call the question.

[The voice vote indicated that the motion on amendment A14 lost]

[Several members rose calling for a division. The division bell was rung at 7:41 p.m.]

[One minute having elapsed, the committee divided]

[Mrs. Jablonski in the chair]

For the motion:

Anderson	Fox	Swann
Anglin	Rowe	Wilson
Bilous	Saskiw	

Against the motion:

Bhardwaj	Fraser	Kubinec
Bhullar	Fritz	Lemke
Calahasen	Goudreau	Leskiw
Campbell	Griffiths	Quest
Casey	Hancock	Sarich
Denis	Horne	Scott
Dorward	Horner	Starke
Drysdale	Jeneroux	VanderBurg
Fawcett	Johnson, J.	Weadick
Fenske	Klimchuk	

Totals:	For – 8	Against – 29
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[Motion on amendment A14 lost]

**The Deputy Chair:** We are back on Bill 7. The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Madam Chair. I have an amendment with the requisite copies.

**The Deputy Chair:** We'll pause for a moment while we distribute the amendment. This amendment will be known as amendment A15.

Thank you very much.

Will the hon. Member for Lac La Biche-St. Paul-Two Hills proceed?

**Mr. Saskiw:** Thank you, Madam Chair. This amendment states, "A contributor is prohibited from making a contribution on behalf of another contributor." What this gets to: of course, the current donation limits are \$30,000 per person during an election year, and this amendment adds the rule that donors cannot submit a large cheque along with the names of friends and family members to get around the donation limits. You know, we've seen an allegation where it's alleged that somebody has given a \$430,000 cheque and provided a list of names to provide the tax credits to. That, of course, is a way to make an end run around the \$30,000 contribution limit.

Now, it's also an issue with tax credits. I'd have to research it further, but to make a contribution, then allocate the tax credits to someone else when they actually haven't genuinely provided the contribution, I believe, would probably violate the Income Tax Act as well. That's another reason to make it very explicit.

I think this amendment is very clear. Somebody cannot make a contribution on behalf of somebody else. The reason for this is that if you do not close this loophole, it allows the very rich to have potentially a large influence on a political party and maybe even affect the outcome of an election. I think this is a very straightforward amendment. I don't think anyone on the government side would disagree that no person or entity should have the ability to contribute on behalf of another person, and I strongly hope that they take this amendment.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you very much.

The hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you very much, Madam Chair. I thank the Member for Lac La Biche-St. Paul-Two Hills for bringing this forward. You know, I don't disagree with the principle of this at all. I fully agree that no one should be making a contribution on behalf of another: no individual, no corporation, no union, what have you. But I will refer this member to section 34(1) of the Election Finances and Contributions Disclosure Act, which states that

no person, corporation, trade union or employee organization shall contribute to any registered party, registered constituency association or registered candidate funds not actually belonging to that person, corporation, trade union or employee organization, or any funds that have been given or furnished to the person, corporation, trade union or employee organization by any persons or groups of persons or by a corporation, trade union or employee organization for the purpose of making a contribution of those funds to that registered party, registered constituency association or registered candidate.

Subsection (2) goes on to prohibit soliciting these types of activities, and subsection (3) of this existing legislation indicates that this is an offence.

Now, Madam Chair, I would disagree with this member when he indicates that there are loopholes. This is quite a comprehensive piece of legislation. This section 34 is very legalese, and I think it spells out just exactly what the intent is in the fact that you are not allowed to make a contribution if the money isn't yours. So a corporation – and this is existing legislation – cannot take money and give it to whatever employees and say: hey, give this to candidate X or party Y or constituency association Z.

Madam Chair, this is already in legislation, and I do support continuing this. But I would just respectfully submit that this amendment, however well intentioned, does belong in the Department of Redundancy Department.

Thank you.

7:50

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Airdrie.

**Mr. Anderson:** Well, thank you for that explanation. I think we have something to work from here because the hon. Solicitor General seemed to be suggesting that he agrees with the intent of the amendment and that it's just redundant, and that's the reason he doesn't want to support it. Okay. Well, that's good. So we agree to the principle. I'm not going to put words in your mouth, hon. member, but I'm assuming that you're saying that an individual should not be able to write a cheque for whatever amount – let's say a million dollars – and then say, "Okay; put \$15,000 for this person, this person, this person, this person and send them a tax receipt, and it's on behalf of those individuals." I'm assuming that's what you're saying.

If you agree with that, if that's the agreement, I think we've got something to work from because we have an issue right now, of course, where this may have been the case. We don't know for sure. The PC Party hasn't disclosed if the cheque was one cheque or if it was many different cheques, but we have a situation where it is alleged by a media outlet that they have confirmed that a cheque for \$430,000 was given to the PC Party, and then tax receipts for it were distributed, or it was basically apportioned out to other individuals and companies and entities in order to comply with the donation limits. That's what's alleged.

Now, if that's the case, I guess I have to understand from the Solicitor General if he is saying that he doesn't agree that that should happen, not that it did happen in this case, but that that sort of thing shouldn't be allowed to happen, in which case I think that this amendment is truly needed. Hon. member, if you look at section 34, that you just read into the record, "No person, corporation, trade union or employee organization shall contribute to any registered party, [CA] or registered candidate funds not actually belonging to that person."

In other words, it seems from comments of the electoral officer or at least his spokesperson that he's not interpreting that section to say what you just said it means. Drew Westwater, I believe, is his name. His interpretation of the act seems to be that you are allowed to come in, donate one cheque of \$500,000, then just apportion it out and say, "That \$15,000 is for person A, that \$15,000 for persons B, C, D," and down the line. That's how he's interpreting it. So your interpretation of this is not the same interpretation as the Chief Electoral Officer's or at least not his spokesperson's.

If that's the case, then the difference between what is being said here with the amendment is that it's a clarifying amendment. It says, "A contributor is prohibited from making a contribution on behalf of another contributor." That is an important distinction for clarity's sake. It's saying that you cannot – you clearly cannot – go in and say: I'm going to donate this million dollars, and I'm going to divide \$10,000 among a hundred people that I know and a hundred entities that I know and say that that \$10,000 was from that person, that person, that person, that person. It specifically says here, "A contributor is prohibited from making a contribution on behalf of another contributor."

Section 34 of the act does not say that, Solicitor General. It says that you cannot contribute to a registered party "funds not actually

belonging to that person." But I guess, at least the way the Chief Electoral Officer is looking at that, it's saying: well, as long as you're paid back for that money or as long as in the end that money was paid into, say, a separate fund and then you went and just contributed it with one cheque – so all 100 people put \$10,000 in a pot, and then somebody comes and contributes it – then that's allowable. Or in the case here somebody can plop a \$430,000 cheque and say: "Well, really, I was just bundling, essentially. All these individuals made the contribution, and it's all good." It's a loophole.

Can you just do it for the sake of clarity? Perhaps you're right and that's what the act does say already. Perhaps you're right. But that's not how it's being interpreted. You just put an interpretation on the record that's not the same. You're shaking your head. Okay. That's fine. Then explain, please, why Drew Westwater at the chief electoral office is saying that their interpretation, at least in the first day or two of that issue, said one thing, and you're saying something else. Are you saying, hon. member, that someone should be able to walk into a party and say: here's a \$500,000 donation, and it's coming from persons A, B, C, D, E, F, G, and down the line. Is that what you're saying?

**Mr. Denis:** I trust that the hon. member was not trying to put words in my mouth. I'll give him that because half of what he has said is not what I said at all. If you look towards the particular section 34, the title is Contributions Not Belonging to Contributor. I quoted the entire section. I'm not going to belabour that point by quoting it needlessly again. It's on the record twice today already. It deals basically with an entity, if you had a corporation and you would say, "Listen, here are the funds; donate that," if they actually didn't belong. Now, it's different if the individual, let's say, was paid money by the corporation for legitimate services rendered and then decides in their own sole and unfettered discretion to go and donate those funds. That is not prohibited as well.

I in no way contradicted the Chief Electoral Officer, and in any event this is an independent officer of this Legislature. They can have their own opinion. I'm simply quoting what the legislation says under contributions not belonging to the contributor.

Where this would not apply is, for example, where there's a law firm of three individuals. ABC LLP, we'll call it. Of course, an LLP cannot donate money to anybody. You have to apportion to that particular LLP if it was one-third, one-third, one-third, or what have you. There's nothing wrong with actually having one cheque in that particular instance as long as it is attributed and as long as the funds belong to that particular individual, corporation, union, or employee organization. That's what the law already says.

I again assert that this amendment is along the same lines as the existing legislation, and I don't see a reason as to why we would support that further.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Madam Chair. Just with respect to the Justice minister and Solicitor General's comments, what the current legislation would allow is for 60 members here, for example, to each write a \$1,000 cheque, give it to me, and then me to make a \$60,000 contribution. The problem with that is that the Chief Electoral Officer would then have to do an investigation, would have to go and see all the documentary evidence of who wrote what cheque to me when.

I think what this amendment does is that it makes it very clear. As a political party you simply cannot accept a cheque above the donation limit. If a political party sees a cheque for \$31,000, they

should send it back. If we don't have this amendment, what's going to happen is that there'll be these large cheques, for example \$100,000, and then after the fact the Chief Electoral Officer is going to have to do an investigation and find out that there's been a direct flow of funds from those individuals.

I think that this is an obvious loophole in the legislation, and I would hope that the government would accept it, especially if they agree with it in principle.

**The Deputy Chair:** Thank you.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Madam Chair. I have to chime in on this one because this amendment is actually not acceptable. The concept of people donating their own money is absolutely right, but the fact of the matter is – and again I'll use my own constituency as an example. My wife and I share a bank account. I write a cheque on it. It might be for both of us. There's absolutely nothing wrong with that. I might be making a contribution on behalf of both of us and attributing it to both of us. It's both of our money. We don't write separate cheques.

8:00

By the same token, we have a lobster boil, and we sell tickets. Somebody might buy a table at the lobster boil and then resell the tickets to other people – they wrote the cheque to the constituency association – and then come back and say, "Well, these are the people who are buying the tickets," and attribute the receipts to those individuals rather than to the person who wrote the thing. A law firm will write a cheque. Now, law firms in and of themselves, unless they're incorporated, can't make contributions. They will write a cheque and they will ascribe it to the various partners who have agreed to make the contribution. They might buy a table at a dinner, for example, or at my lobster boil.

There are a number of ways in which people can make contributions. It's not all by writing a cheque. Sometimes it's by buying tickets to an event and, for the sake of convenience – and there's nothing inappropriate at all about that – buying a number of tickets and then allocating them to the actual contributors, even in the case of a corporation, quite frankly. I had a shareholder loan account with my professional corporation. I could write a professional corporation cheque and then, with the permission, of course, of the people who agreed to contribute, basically assign it to the shareholder loan account. There's absolutely nothing wrong with that. It's quite an appropriate way.

People organize their lives in various different ways. It's not up to us to try and make their lives difficult. It's up to us to try and make the political process easy to participate in, whether you're contributing your time, energy, or money, and what we're after is clarity and accountability and openness. At the end of the day there needs to be: who is accountable for those contributions?

Now, if you go back to the other section, it's very clear that you cannot contribute other people's money. I can't write a cheque from my company and say: it's my company's money, but I want you to give the receipts to these five people. That's off. That's already against the law. If it's those five people's money and it happens to be in my account, there's absolutely nothing wrong with it as long as they're agreeing to make the contribution. That's what we're talking about here. What you're after is openness and accountability and transparency. We all want that. We all want it to be very clear who's making contributions to political parties. I understand that, but let's not make life difficult for people.

I have ticket sales people going out and selling tickets to my lobster boil, and I want them to be able to sell those tickets. I want

people to come to the lobster boil. It's not all about the contribution. It's not just fundraising. It's also friend raising, and I want the widest possible opportunity for people to come. Sometimes that is done through various ticket sellers. Somebody will say, "I'll take a table," and they send a cheque for the table, and then they get other people who will buy those tickets. At the end of the day it's the other people who made the contribution, and that should be disclosed. This amendment would not allow that type of thing to happen, which is perfectly valid and reliable. At the end of the day it's about openness, who made the contribution, not who wrote the cheque.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Airdrie.

**Mr. Anderson:** Well, thank you for that explanation, and you bring up some valid points, Government House Leader. The fact is, though, that we have an issue here. I mean, I think we can all understand what the public was getting upset about with regard to the donation in question that is kind of spurring the idea behind this amendment.

**Mr. Hancock:** The investigation will determine just that.

**Mr. Anderson:** Yeah. Sure. The investigation will be done, and we'll figure that out, but it's quite difficult for the administrator, in this case the Chief Electoral Officer, to go back and ask every single person for the paper trail that shows that they contributed the money to the individual's bank account and so forth. It's a bit of a disaster, in fact, to try to figure that out. I mean, you're talking about not using resources. Why not just make it simple?

First of all, it's a little bit weird because the Solicitor General is saying that this is redundant, but you're saying that it's not redundant, that it does change the law but that it doesn't do so in a good way. [interjection] Well, I agree with your interpretation. I think this amendment does change the law.

How about a friendly amendment? I wonder if the government would be open to amending this section – and we'll have to put together a subamendment in order to do this – so that a contributor is prohibited from making a contribution on behalf of another contributor in excess of, say, \$1,000 or \$2,000. Let's say that it's the max for a CA, \$2,000, or even \$15,000. If we put the dollar figure on the end of this amendment, then it would take care of the lobster boil issue, and it would take care of a leader's dinner issue because you're dealing with larger funds there. It would take those off the table. It would just be for those massive donations that are over \$15,000, where we would ask for separate cheques.

I think that's reasonable. First of all, there aren't that many people that donate that kind of money. Asking them to do it in a separate cheque from bank accounts I think is reasonable. You know, if a husband and wife are going to donate \$15,000 each, then they can cut two cheques. I don't think that's too much to ask of them. If they can afford \$15,000, they can afford two separate cheques to do that, just to make it clear what's going on.

I wonder if the government would be open to the idea of putting a limit on this so that it doesn't become so unwieldy, with lobster boils and bundled contributions for leaders' dinners, buying tables for leaders' dinners, and so forth. If you said that a contributor is prohibited from making a contribution on behalf of another contributor in an amount over \$15,000, would that not take care of the issue, Solicitor General, that you're worried about or that the Government House Leader is worried about? Would that be a possibility, that we could possibly bring a subamendment to it this time?

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Chair. I'm standing up in support of this amendment. I would agree with the hon. Government House Leader that it does change the law and makes it more restrictive in that sense. I would agree with his description. What it would do is that it would close this loophole, particularly where people are donating on behalf of other people and trying to get around the system and abuse the system. I would suggest that it happens, and it is difficult to catch in some situations. By accepting this amendment, it would be more restrictive in that regard.

As our House leader has just indicated, I think it would be more palatable if there was a subamendment that was proposed and there was a number given as an exemption so we don't infringe upon those lobster boil fundraisers and the husband and wife and that issue. What we're trying to accomplish here and what the hon. Solicitor General was talking about is that we don't want people donating money for other people, and we don't want to see the system abused with the writing of extremely large cheques when that is being done to circumvent our election process, our political process. That's what we want to basically clamp down on and close that loophole. We call it the Katz loophole because it's the most glaring example we can come up with right now. It's a valid example, and it's one that the public has not a whole lot of confidence in.

Again, I stand in support of the amendment. I would welcome a subamendment to this to make some sort of established level. I think that would be something that we could come to an agreement on.

With that, I encourage my fellow members to support this.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Rowe:** Thank you, Madam Chair. If I could, I'd like to take a little bit different approach to this. We've heard many good comments from my colleagues and some, actually, from the other side as well. I'd like to remind this government that during their leadership race your now Premier made several references to running a more accountable, a more transparent government. In fact, you've gone so far as to create a whole new ministry around accountability, transparency, and transformation, AT and T for short.

8:10

I don't know what could be wrong with this amendment in that it is just exactly that. It's accountability. It's transparent. That can only lead to good things for everyone that sits in this House. I would ask the hon. House leader: is writing two cheques such an onerous task that you would forgo the honest and open and transparent process? I would suggest not. Buying tickets for a lobster boil or a barbecue or whatever doesn't give someone a tax credit that they didn't actually earn.

Obviously, I speak in favour of this amendment, and I would encourage the rest of the members to as well.

**The Deputy Chair:** Thank you, hon. member.

The hon. Government House Leader.

**Mr. Hancock:** Just a very brief response. Buying a ticket for a lobster boil does give you a tax credit unless you're just charging the cost of the dinner. Anything over the cost of the dinner is a

contribution, so it's eligible for a tax credit. In fact, it's against the law not to give a tax receipt. [interjection] Well, no, it's not necessarily small. It depends on how much you charge for your lobster boils or for tables at your lobster boils.

That is, in fact, an issue, but the difference, I think, of opinion here really comes from a difference in perspective, and we'll probably have to agree to disagree. I come from the perspective that people are essentially honest, that people want to participate in the political process. They want to support people because they like the individual as a friend or family, they like what the individual stands for, or they like the party that the individual is running for. That's why people make contributions. I do not come from the perspective that people make contributions for personal interest reasons because they want to have access to lobbying.

I can tell you that anybody that does – and there may be a few people that do – is sorely disappointed if that's their goal because they don't get that. Now, that's my perspective on life. Some might call me naive, but I've been around 15 years actively in this House, and I can tell you that's how I've lived. That's how I anticipate everybody else will live their life.

Albertans are essentially honest, and they want to participate in a political process because it matters, because public policy is important, and because where we go as a province is important, and that ought to matter to people. We ought not come from the perspective that this is a cynical approach to life, that everybody who participates is doing so for their own personal reasons or their own personal gain. They are not.

I want to make it absolutely easy for people to participate in the process, whether it's by contributing money or contributing time. I can tell you that I used to serve on my church board. I couldn't always attend the work parties, so sometimes I wrote a cheque instead of showing up. It was my way of saying: "I'm with you. I want to participate in this, but I don't have the time to participate in the process. I'll contribute in a different way."

I think Albertans want to do that. I think the public does want to know who is contributing just in case there's an issue. The fact of the matter is that the act already precludes people from making contributions on behalf of other people. You have to give your own money. If you're writing a single cheque and it's on behalf of a number of people, you have to have their permission, and it has to be their money. One way or the other, that's in the act.

If there's a suggestion that somebody has run afoul of that, there's a process to investigate that, and the person who wrote the cheque better be able to show that they didn't give the money and attribute it to somebody else, that they wrote a cheque that involved other people's money. That's an easy thing to do, quite frankly.

Let's not make it difficult for honest Albertans to participate in this process. Let's not suggest in any way, shape, or form that people are coming to the political process in a cynical way because that's not my experience of the Albertans I know.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Madam Chair. I appreciate the opportunity to respond. I reject the notion that every time we stand up and talk about what's happening in election finances or in amendments to this bill, we're somehow being overly cynical about Albertans and their engagement. That is absolutely not what we're saying.

There are many documented cases of illegal contributions and other violations of this act that have happened. We have to accept it, and we have to find a way – I agree with you all – to move

forward from here but not by looking through a rearview mirror and insisting that every time we stand up, we're being cynical and putting the brakes on the political process in this province. That is, quite frankly, a little bit disturbing. We are not doing that, and I think that it's sad that that seems to be the perspective because it polarizes the debate to a point where it becomes illegitimate. It's unfortunate.

For something as serious as this, that has captured the public's mind around the alleged donation of \$430,000 to your campaign, I think that we can all accept that this is one loophole we're trying to close for one circumstance, not for all Albertans who are trying to get involved in the political process and come to the hon. Government House Leader's lobster boil, which, I'm sure, is a fantastic time and that the food is lovely and the company even better.

The reality is that we have an issue here. There is the notion that the Chief Electoral Officer can suggest that there might be a loophole here. I believe that it is incumbent upon us as legislators to close that loophole. This government has never shied away from redundancy before, so I don't know why that becomes an issue either.

With that, Madam Chair, I would encourage the hon. Justice minister and House leader to find a way to make that friendly amendment that the hon. Member for Airdrie suggested. We can still allow for the lobster boil, the sacred lobster boil, to continue while still making sure that we (a) close the loophole on the back end and (b) maintain the public's confidence in the system so that we don't have to have stories breaking, front-page news about massive donations coming in and being split up in what could allegedly be contravening the act. I would again encourage the government to try and find a way to make something like this work. If you're being honest in suggesting that you agree with the intent and the principle of this, there has got to be a way to get it in there.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

**Mr. Anderson:** You know, I would like to live in the world that the Government House Leader lives in. It's a good world. It's a happy world. It's a world of clouds and angels and harps and lollipops. It's a world where no one does anything wrong, where everyone sits and holds hands and sings *Kumbaya*, where oil is at \$150 a barrel for the rest of our natural lifetime. It's a beautiful world. It's a world I want to be a part of. I do. Unfortunately, it's not reality, Madam Chair.

The reality is that although the majority of people are law-abiding citizens and wouldn't dream about making an illegal donation, some are not, and we've seen that over and over again. We're not talking about hardened criminals. We're not saying that people who make illegal contributions should necessarily go to jail or anything like that, but they're still illegal contributions. We've seen over and over again that those things happen in this province. It happens. To say that it doesn't happen and to point out that if we close these loopholes, somewhere we're saying that Albertans are rotten people, I mean, it's just — argh. You know, I'm in here talking about the child sexual abuse case in Airdrie. It's a terrible situation. Am I saying that all Albertans want to abuse children when bringing that up? Of course not. But we need to make sure that when problems do occur in our world, which is not perfect, and in our province, which is wonderful but not perfect, we have legislation in place that closes these loopholes or holds folks accountable.

The minister is saying that it's redundant. The Government House Leader is saying that it will interfere with his lobster boil. We're trying to bring these two gaps together and say: look, if we're going to pass a piece of legislation, let's just say that if the donation is in excess of \$15,000, it has to be done in separate cheques so that there's a clear, defined paper trail, so there's no doubt that the money is coming from different accounts, that it's not just being paid for and "send the tax receipts to this person, this person, and this person." It's easy. It's a simple amendment, and I don't understand why we have to sit here and talk about an issue like this where we essentially, it seems, have agreement on the principle, but when we actually propose an amendment to allow that to happen, it gets shot down just because — I don't even know the reasons anymore.

**8:20**

We've dealt with the lobster boil problem. We've dealt with the redundancy problem. We've dealt with all the problems. We're proposing an amendment here, yet it's still not good enough. Anyway, I don't understand why we can't come together and make at least one decision so that we can at least justify having spent God knows how many hours in this House talking about legislation regarding transparency and accountability, yet we still cannot for some reason find one amendment that impresses the government enough to pass it and on a principle that, essentially, they say they agree with. The only reason that they would not pass this, obviously, is that they're okay with it. Clearly, they're okay with a person being able to put down a \$500,000 cheque and say, "Yeah, that amount goes to that person, and that amount goes to that person on a tax receipt, and that much goes to this person," and so on, all the way down the line.

I mean, honestly, if a hundred people donate \$10,000 legitimately, let's say, you're saying that any cheque of that size would have to be investigated by the Chief Electoral Officer, and they would have to track down whether every single one of those \$10,000 was actually done in advance and wasn't after the fact and yada, yada, yada. I mean, come on, that's not reasonable. Our laws are already the most lax in Canada. We have the highest contribution limits in all of Canada. I mean, it's just through the roof. Surely we can find at least a way to enforce those laws. We're not even asking to lower the limit here, guys. We're talking about just enforcing the laws. Come on, Dr. No. Dr. No, come on; say no. I mean, say yes to saying no.

**Mr. McIver:** We'll say no to it.

**Mr. Anderson:** Okay. I miss Dr. No. Makes me sad.

Anyway, I'm not understanding why we can't do this. We're trying to put together a subamendment here. That's what the delay is. We'd like to vote on this, but we're going to bring a subamendment because it is so blinking reasonable that it's just beyond belief. We're saying that anybody who donates over \$15,000 — over \$15,000 — has to do so on a separate cheque. That's all it does. In other words it will read that you cannot donate on behalf of another person if the amount donated is over \$15,000. That's all it says. That means that if a husband and wife want to donate \$30,000 between the two of them from the same joint bank account, the only trip up, the only thing that they'll have to do is write two cheques, two separate cheques of \$15,000, signed and done. The limit still applies.

You can still do everything that you've ever dreamed of with regard to raising money. You just have to make sure that there's a paper trail involved. You can't just donate a million-dollar cheque and figure it out after the fact. This would close the loophole that



apparently the Chief Electoral Officer says exists, from the comments from his spokesperson. It would be done. It's reasonable. It's a beautiful thing.

I'll sit down and see what my caucus mates and others think about that.

**The Deputy Chair:** The hon. Associate Minister of Finance.

**Mr. Fawcett:** Thank you, Madam Chair. I'm just going to make a quick comment, and it's very general in nature. I think that one of the challenges that we always have in this Assembly when creating laws and why sometimes we overburden ourselves with laws is that if there's a circumstance out there that we don't necessarily agree with, we try to create a law around it. I don't think that's a good way to make legislation.

Clearly, this government agrees with the principle that the hon. member is trying to make, and clearly what you guys are trying to prevent already is not allowed. If you think that there is some sort of offence that contravenes that, the Chief Electoral Officer can investigate it in those one-off situations and determine through his investigation whether those rules or laws were breached. I think that's the appropriate way instead of legislating ourselves to death with every single rule for every single situation. I know that in general probably the hon. Member for Airdrie, who brought this forward, would actually even admit that that's a good sort of principle in making legislation or else we just burden ourselves with too many laws, too many regulations that end up inhibiting Albertans from doing what they want to do, which the hon. Minister of Human Services had indicated. We don't want to create a law to deal with one situation or something that might come up once in a while, that then burdens the rest of the good things that happen as a result or consequence of that law.

I think that's a principle we should all try to live by. I will admit that it doesn't always happen consistently on both sides of the House, but I do think that that is one of the reasons why I certainly would not support this amendment. I think it's quite clear from the members opposite that this is an amendment that they're wanting to bring in just because they're upset about a certain circumstance. Again, if the Chief Electoral Officer believes that this was a circumstance that contravened what was currently in the legislation, then he will come out with that ruling. But let's leave it up to that process instead of trying to create a law or a piece of legislation around it that's going to burden a bunch of Albertans.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Madam Chair. You know, I'm going to take a little different tack on this than the rest of my fellow colleagues. Let's look at it from the taxpayer perspective. When one of these allegations comes forward, it needs to be investigated. When it is investigated, we are using a considerable sum of taxpayer funds as resources to investigate this. What we're proposing here is something that might cost an extra 30 seconds of time to the people that are making the donation, yet what is that going to, in turn, save the taxpayer?

Really, when we think about making these rules and these regulations, not only do we need to think about what we're asking Albertans to do to come into compliance with this. We also need to look at what it is that is going to be on the back end. What's it going to cost us to enforce this? What is it going to cost us to investigate this?

I, myself, would much rather see the funds that are being used to investigate the current situation that we're talking about go towards front-line staffing. I would like to see maybe another

nurse, maybe another teacher, maybe some support staff in a school rather than having to spend money on investigating something that went on in an election because there's an allegation that it wasn't quite right. Just by making one simple amendment within the piece of legislation that's before us, we can eliminate a lot of this. We can reduce the amount of investigation required so that we do have more funds to put forward on the front lines and to make sure that staff is there and that Albertans are getting the support that they need in the areas that they want it.

I don't disagree with a lot of what the hon. Government House Leader said about how the majority of Albertans are good people. They are good people. I don't know of any that would willingly mislead, but it does happen. We saw it with federal legislation. We saw it back in 2004, 2005, and 2006 when we saw some major changes to campaign contributions and electoral finance law on the federal scale. Now, this hasn't really changed the ability of Canadians to participate in the democratic process, to participate in the party process, to participate in fundraisers. In fact, it's actually empowered Canadians. It's made it much more simple for you or me or any of our constituents to get involved and make a donation and feel that that was a meaningful donation. They even went a step further. They changed the contribution limits and eliminated corporate donations and union donations. Not in any instance have I seen where this has impeded the ability of parties to fund raise. This has not impeded democracy.

**8:30**

In fact, not only has it not impeded democracy; it's actually promoted it. I would love to be able to stand up here and say that it's actually promoted democracy within this country, that it's restored the faith in our democratically elected officials because the public knows that there is no possibility of anybody being able to peddle influence. Federally we're not wasting funds on investigating things that we didn't need to investigate, because the system, the regulations that were put in place, were adhered to. And they were simple regulations just like separating cheques out. Honestly, myself, if I was buying a table to a lobster dinner . . .

**An Hon. Member:** A lobster boil.

**Mr. Fox:** A lobster boil. I'm sorry.

. . . to a lobster boil, I would have no problem, no problem at all, taking around that book to individual people and just asking them for a cheque. It really is not that onerous. In fact, I've actually done it before. This is not my first time going out and getting involved in the community and soliciting funds for organizations. It's actually a very simple thing to do, and I don't think it's really beyond us to ask that this be made the procedure within Alberta electoral law. It's a very sound recommendation to do this.

I have to agree with the Member for Airdrie when he's asking on the \$15,000. I mean, I can't imagine a table at a lobster boil costing \$15,000, but then again I haven't really paid much attention to U.S. electoral laws. Maybe down there \$15,000 for a table of eight is par for the course, but in Alberta here . . .

**Mr. Wilson:** Have you seen the lobsters in Edmonton-Whitemud?

**Mr. Fox:** No, I haven't seen the lobsters in Edmonton-Whitemud. Those must be big lobsters. I'll have to go and check the traps there next time I'm in Edmonton-Whitemud.

I really don't think that this is too much to ask. This is really just a very simple request and one that would do a lot to restore confidence in our system and in our public individuals. I mean, I want all Albertans to be able to look on both sides of the aisle at

all of my colleagues in here and have the utmost faith in their moral fibre because I know I do. When I look across the aisle here, I don't see anybody who would willingly mislead the Alberta public or willingly mislead the Chamber. I see a bunch of peers. I see people that I look up to, that I work with, that I think are doing absolutely everything they can to promote Alberta, to promote Albertans' interests, and to do the best job that they possibly can.

I mean, we were all sent here for the same reason. We were all sent here to speak for our constituents. It takes a special person to stand up and say: "You know what? I want this public scrutiny. I want to be able to stand and speak for my constituents." Every person in this Chamber is somebody who has had the moral fibre to stand up and do that. That's something that needs to be applauded.

By moving forward with an amendment like this, all you're doing is confirming to Albertans that, yes, we want you to have absolute faith – absolute faith – in our system of democracy. This is just one very simple amendment, and it does not change anything in this Chamber. It's something that we ask for. It's bipartisan. We just want to make sure that all Albertans have the utmost faith in our electoral system and that they have the utmost faith in both you and me. In passing this, I am absolutely sure that you will be reconfirming that faith that the Alberta public has in us.

I hope that a few of my other colleagues have some more words of encouragement on this. This is something that is absolutely wonderful.

Thank you so much for the time this evening.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Airdrie.

**Mr. Anderson:** Thank you, Madam Chair. Well, we're almost ready here. I'm telling you, our Parliamentary Counsel are awesome. They get this stuff done so lickety-split that it's just incredible. It really is awesome. I know that they love doing this – subamendments are their favourite thing – on the fly. They always say to us: "Why don't you bring more subamendments to us? We can't get enough of those subamendments."

So we are putting together a subamendment here, and it's almost ready. The reason is because I think what we need to understand here is that Albertans have clearly stated – I mean, we always talk about engaging Albertans. It's always, you know, the Minister of Municipal Affairs talking about engaging Albertans. He's very good at that, always engaging Albertans. The Member for Calgary-Klein: all about engaging Albertans.

Well, Albertans have been engaged on a couple of issues in this session, and one of them was the Katz donation. I don't think there's any doubt about that. It wasn't just this opposition party that was saying it. I mean, people were engaged. It's an interesting story, and people overwhelmingly – if you look at the comment boards, talk radio, letters, all of the social media, Twitter, Facebook, all of the different ways we engage Albertans, in the multitude of different ways it was very clear that they were not comfortable with the idea that a single donor can come in and essentially give a cheque for \$430,000, and then it's up to the Chief Electoral Officer to figure out which amounts pertain to whom and so forth and actually investigate and figure that out. Well, first of all, a complaint has to be given and then investigated several months after the fact or a year after the fact to see if it was a legitimate expense.

The Member for Calgary-Klein said that we can't just react to one situation, and that's true. We can't just react to one situation

all of the time. I agree with that. But look at how thick this bill is. I mean, we're passing hundreds of pages of new amendments that are going to impact people's lives, and we're talking about a measly, like, seven words here. I mean, we're not talking about massive changes here. We're just talking about making a few small changes to make sure that those who are the big donors – and that's not too many people. If you look at our lists and the returns of our filings, the people that donate \$15,000 or more – I mean, that's a very small number of people and companies. It's not a lot of folks. All we're saying is that these folks, these 20, 30, 40 individuals in an election year, maybe 20 in a nonelection year, if that, should have to show an individual cheque. Think about how easy that is. It's the easiest thing in the world, as easy as making a subamendment of four words to this. It's the easiest thing in the world, and we should be able to do it, and it makes sense.

It accounts for the lobster boil issue. This was a good debate. I mean, we had the Government House Leader come in, and in a lawyerly way he found a loophole in our own amendment, a problem. I mean, I can't imagine. I don't know if he charges \$10,000 a seat to his lobster boils. I wonder. I mean, his election results are pretty darn good, so he's obviously a popular guy there. There's no doubt about that. I don't think any of us charge that much money for any event, frankly, \$10,000. We don't. I mean, let's be honest. A thousand dollars maybe, you know, to a Premier's dinner. I think the most I've heard of is \$400 or \$500 a seat, so for a table of ten you're talking about \$4,000 or \$5,000. That's way below what we're talking about.

We're just saying that if it's over \$15,000, have a separate cheque. It's totally reasonable. It makes all the sense in the world. If in the future that is too low an amount, we can raise the limits. If the Premier's dinners one day are costing \$10,000 per plate or \$15,000 per plate, we can change the rules then. They don't now, thank goodness, so we need to change this.

**8:40**

It's funny, too, because what this does is – if we don't change it, there is such an appearance out there right now of a lack of transparency and even that people are able to get around the rules. The fact is that even if, let's say, this arena is built – and I sure hope it is because, as I say, the worst kept secret in my constituency, which, of course, is near Calgary, is that I am an unabashed Edmonton Oilers fan. Unabashed. I was ruined as a child when I grew up in Sherwood Park during the Gretzky years, and since that time I just politically, unfortunately, have to cheer for the Oilers. It's in my blood.

**Mr. Denis:** Nobody is perfect.

**Mr. Anderson:** That's right. The Flames are my second-favourite team. Really, they are.

**Mr. Denis:** That I question.

**Mr. Anderson:** Yeah, you may question that. Are you telling me I'm intentionally misleading the House?

**Mr. Denis:** No.

**Mr. Anderson:** Okay. Now, on that note, I have a subamendment, Madam Chair.

**The Deputy Chair:** Hon. member, we'll pause while you distribute the subamendment, please. This will be known as subamendment SA1, Bill 7, Election Accountability Amendment Act, 2012.

Thank you, hon. member. You may proceed.

**Mr. Anderson:** All right. There's no reason to debate this too much further. I think I gave enough indication of where I was going with this prior to the subamendment being introduced, so I don't think we'll belabour it. All it's going to do is change it to: "A contributor is prohibited from making a contribution on behalf of another contributor where the contribution exceeds \$15,000." That's all it does. So it takes care of the lobster boil issue. It takes care of the redundancy issue. It takes care of every possible issue that we could possibly talk about in here.

**Mr. Denis:** Go Flames.

**Mr. Anderson:** It does not take care of the problem that you are a Flames fan, hon. member, and that, clearly, you don't understand that Alberta's team is and always will be the Edmonton Oilers. I expect an attack ad in my constituency to that effect, I'm sure, in 2016.

I will say that this is a very reasonable subamendment. Let's do this. Maybe the 106th time is the charm or the 107th time is the charm. This is, I think, our 107th amendment as an opposition. I think it would close the Katz loophole. We could all go home saying: "Look at what we did. We made sure that democracy is safe for another four years. All in a day's work." That's what we could accomplish.

Please support this subamendment. Thank you.

**The Deputy Chair:** Thank you, hon. member.

Are there any others who wish to speak on subamendment SA1, Bill 7? The hon. Minister of Transportation.

**Mr. McIver:** Thank you, Madam Chair. I'll be brief here. I was actually pleased to learn during the debate that I heard earlier that the concerns expressed about not having adequate time to debate the legislation have obviously gone away since the hon. House leader of the opposition complained about spending hours and hours on this. Apparently, that concern has been allayed, and I'm pleased about that.

The subamendment before us, Madam Chair, tends to actually be somewhat inconsistent with the amendment made on that side of the House before. We just heard part of those hours and hours talking about how this was completely reasonable, you know, is absolutely necessary, and should obviously go ahead. This is what we heard, and then right thereafter the hon. mover of the amendment, the House leader, stands up and lessens the actual amendment by limiting it. So when you look at it just from that alone, there seems to be a lack of understanding even by the mover of the subamendment. There's an inconsistency with his debate before he moved the subamendment and the subamendment itself. Now, this is complicated just a little bit by the fact that the section in the act already is adequate and, actually, covers more than the amendment did in the first place.

When you add all that up, Madam Chair, what that means is that I will probably accommodate the members from the other side by voting no.

**The Deputy Chair:** Thank you, hon. member.

**Mr. Anderson:** With that type of mathematical skill it's an absolute amazement that we are in a \$3 billion deficit right now, isn't it? It's stunning. It's stunning, absolutely stunning.

Just to bring that member up to speed – up to speed – we had the lobster boil issue. You weren't listening about the lobster boil issue.

**Mr. Saskiw:** We didn't know until today.

**Mr. Anderson:** Exactly.

The lobster boil issue clearly stated that we would have issues where the Government House Leader could not have a lobster boil, effectively, if we weren't allowed to have somebody buy tables all at once on behalf of individuals, so to speak. This is really the Katz lobster boil amendment is what this is, the Katz lobster boil amendment. I think that it's clearly a reasonable amendment. The reason we changed it – we would prefer the other one. We think that's still reasonable. But we're just saying: "Look. If you can't close the Katz loophole because of your lobster boils, then we are going to be such willing and active participants in the democratic process, we are so reasonable that we will create the Katz lobster boil amendment."

That's what this is about, and that's why I hope we will support this.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** I'm sorry. I have to stand up and speak on this because I've been hearing so much about the lobster boil amendment. "This is the lobster boil amendment." I just want to clarify one thing. If you truly want to raise funds properly, it would be steamed lobster, not boiled.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

We are debating subamendment SA1.

If there are no more speakers to the amendment, I'll call the question.

[The voice vote indicated that the motion on subamendment A15-SA1 lost]

[Several members rose calling for a division. The division bell was rung at 8:49 p.m.]

[One minute having elapsed, the committee divided]

[Mrs. Jablonski in the chair]

For the motion:

Anderson	Fox	Swann
Anglin	Rowe	Wilson
Bilous	Saskiw	

Against the motion:

Bhardwaj	Goudreau	McDonald
Bhullar	Griffiths	McIver
Calahasen	Hancock	Quest
Casey	Horne	Sandhu
Denis	Horner	Sarich
Dorward	Johnson, J.	Scott
Drysdale	Klimchuk	Starke
Fawcett	Kubinec	VanderBurg
Fenske	Lemke	Weadick
Fraser	Leskiw	

Totals:	For – 8	Against – 29
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[Motion on subamendment A15-SA1 lost]

**The Deputy Chair:** We are moving back to amendment A15 on Bill 7. Are there any others who wish to speak on A15?

Seeing none, we'll call the question.

[Motion on amendment A15 lost]

**The Deputy Chair:** We will now move on to the bill. The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Madam Chair. I have the appropriate number of copies of an amendment.

**The Deputy Chair:** Thank you. We'll pause while we distribute those copies, A16.

Hon. member, we can proceed.

**Mr. Bilous:** Thank you, Madam Chair. I'm speaking on behalf of the Member for Edmonton-Strathcona, who is moving that Bill 7, the Election Accountability Amendment Act, 2012, be amended in section 100, in the proposed section 51.02 as follows: (a) by striking out subsection (1). Currently Bill 7 limits the possible disclosure of investigation results to three years, meaning that offences that occurred more than three years before the coming into force of this act will not be released on the CEO's website to the public. This amendment will delete subsection (1) so that alleged contraventions will not have any time limit with regard to when a letter of reprimand or an administrative penalty can be applied.

The logic behind this, Madam Chair, is that this amendment will make sure that the CEO can issue administrative penalties and letters of reprimand on cases that are more than three years old, and it will ensure that these potential contraventions are investigated by the CEO. Often cases of contravention that are currently under investigation may be connected to systemic issues of excessive contributions. These potential systemic problems do not adhere to any time limit of three years, so the CEO should be able to investigate the cases that extend beyond the three-year time limit currently imposed by Bill 7.

This amendment will allow more retrospective disclosure to election finance contraventions. At the moment it's unclear how many investigations currently in progress by the CEO will fall within the three-year time limit currently proposed in Bill 7 because the CEO cannot currently disclose details surrounding investigations. This amendment is going to mean that the results of more investigations will be released to the general public, which definitely fits with what this government has been talking about, which is being more open and transparent. I think it's an important step as well to increase the confidence the public has and confidence in the office of the CEO in dealing with cases of misconduct in a more adequate way.

The other thing to note about this is there have been matters that have come up in this sitting, including questions surrounding spending by individuals associated with the former Calgary health region, that would not result in public disclosure under the current draft of Bill 7. We've discussed this specifically dealing with the Premier's sister. Under the current legislation no investigation can take place. This amendment would ensure that an investigation takes place, that the public is well aware if any illegal donations were made or transgressions and would ensure that there is accountability and transparency.

I will encourage all members of the House to vote in favour of this amendment. Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

Is there anyone else to speak on the amendment?

Seeing none, I will call the question.

[Motion on amendment A16 lost]

9:00

**The Deputy Chair:** We will now move back to Bill 7. The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you, Madam Chair. On behalf of the Member for Edmonton-Centre I'd like to propose an amendment that I think is at the table, and I'll await its circulation.

**The Deputy Chair:** Thank you very much, hon. member. We'll just pause. While you're waiting, that will be known as amendment A17.

Hon. member, you may proceed.

**Dr. Swann:** Thank you. This is an amendment to Bill 7, Election Accountability Amendment Act, 2012, in section 4 in the proposed section 4.3 by adding the following after subsection (2):

(2.1) The Chief Electoral Officer shall not refuse to conduct or cease an investigation under subsection (2) until the Minister of Justice and Solicitor General is notified of that decision.

This, Madam Chair, is with the intention of making certain that any interdiction of investigation is accountable to someone – we're suggesting the Solicitor General as an important figure under the Election Act – and, failing that, to make the decision to cease an investigation or refuse to conduct an investigation available to the Legislature so that there is some accountability for decisions that, frankly, could be motivated by other than the best interests of the public in Alberta. There's a sense that I think all Albertans and I think all government members, too, would want to see more accountability for decisions made that have serious ramifications for elections and for governments. The purpose of this is to make decisions that interdict investigation more public.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

Is there anyone else who would like to speak on amendment A17?

Seeing none, we'll call the question.

[Motion on amendment A17 lost]

**The Deputy Chair:** We'll move back to Bill 7. Is there any member who would like to speak on Bill 7, the Election Accountability Amendment Act, 2012? The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Madam Chair. I have the appropriate number of copies.

**The Deputy Chair:** You have an amendment. All right.

Hon. Member for Edmonton-Beverly-Clareview, you may proceed. This will be known as amendment A18.

**Mr. Bilous:** Thank you, Madam Chair. I will move on behalf of the Member for Edmonton-Strathcona that Bill 7, the Election Accountability Amendment Act, 2012, be amended in section 3(b) in the proposed section 4(2.1) by striking out "may from time to time meet" and substituting "must meet annually."

This, in my opinion, is a very reasonable amendment. At the moment Bill 7 allows for the CEO to meet with representatives from registered political parties to discuss any issues concerning the process or activities under the Election Act, Election Finances and Contributions Disclosure Act, and the Senatorial Selection Act. This amendment is ensuring that these consultations take place and that they take place annually.

Electoral reform is fundamental to the democratic process regardless of party affiliation. Consultation should take place with the political parties in a structured and regular way to ensure that the CEO receives information on the challenges and opportunities surrounding the political process straight from those who understand the processes most intimately, which is, of course, the political parties. It's not enough under the current drafting of Bill 7 to allow the CEO to consult with political parties. A CEO for any reason may choose not to consult with political parties, so this amendment is going to ensure that these consultations take place by legislating annual meetings with representatives from all political parties represented in the Legislature.

There have been issues surrounding the drafting of Bill 7 itself, and the recommendations from the Chief Electoral Officer are not the result of consultations with political parties from all sides. At the moment Bill 7 will not ensure that this bad process for legislation is avoided in the future; it'll only provide the possibility of avoiding this process. This amendment is going to ensure that the problems with drafting and consideration of this bill are avoided in the future. Annual meetings with registered political parties will make sure that the CEO proposes changes to the elections legislation that works for all parties. Representatives from political parties have a direct connection to the electoral process that the CEO does not necessarily have as an officer of the Legislature. So we're providing further avenues and processes and methods for the CEO to consult with all political parties.

Political parties understand how legislation works, how it works and doesn't work, when it's actually applied to the electoral process. This amendment is going to ensure that consultations take place and they take place with all registered political parties. It seems quite logical and straightforward to me that if we want to ensure that we're bringing forward legislation that affects all the political parties, they are involved in this consultation process. You know, it's not good enough for the CEO to have the option of consulting with political parties. I don't think it's too much to ask that this consultation happens and it happens on an annual basis. I think that would strengthen our elections accountability and also strengthen democracy in this province.

So I will urge the members of this Assembly to seriously consider this amendment. Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak on amendment A18?

Seeing none, we'll call the question.

[Motion on amendment A18 lost]

**The Deputy Chair:** We'll move back to the main bill, Bill 7. The hon. Member for Lac La Biche-St. Paul-Two Hills.

9:10

**Mr. Saskiw:** Thank you, Madam Chair. I have an amendment with the requisite copies.

**The Deputy Chair:** We'll pause for a moment, please.

Hon. member, we can proceed. This will be known as amendment A19.

**Mr. Saskiw:** Thank you, Madam Chair. This is a very straightforward amendment. The government has increased the maximum administrative penalty available from \$1,000 to \$10,000. This simply ups the ante and increases it from \$10,000 to \$25,000. Of course, in determining the penalty, the Chief Electoral Officer has

a variety of factors to look at, I believe seven different factors. If there are extenuating circumstances or if there are circumstances that warrant a large penalty, this provision would allow it.

You know, the Government House Leader talked about how most people wanting to engage in the political process are good people and honest. Of course, they are. But in those exceptions where they violate the legislation and there are egregious circumstances, this does give the Chief Electoral Officer the discretion to provide a slightly larger penalty.

In coming up with the \$25,000 limit for the penalty, we looked at other pieces of legislation. We looked at things like the Lobbyists Act and a few other ones. Those acts typically, I think, have limits up to \$50,000. We looked at other legislation that was put forward this year where the limits were at \$100,000. We thought this was a reasonable amendment. We left it at \$25,000 to be consistent with the government's intention here, and we'd hope that the government would accept it.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

The hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you very much, Madam Chair. I just wanted to add that I share this member's view about the need for proper enforcement. That's why the administrative penalties have gone from \$1,000 to \$10,000 under this act. I just wanted to touch on one thing that I don't believe he addressed in his introduction to this amendment, and that's that one of the three options for the Chief Electoral Officer when he or she finds a wrongdoing is to refer it to a prosecutor. That is typically done in the most serious of offences. What happens in that case is that the prosecutor would decide independent of any of my influence whatsoever whether or not they wanted to actually proceed with the actual charge. In that case, the prosecutor could seek in Provincial Court a higher amount than the \$10,000.

Thank you.

**The Deputy Chair:** Thank you, hon. minister.

Are there any others?

Seeing that there are no other members wishing to speak on amendment A19, I'll call the question.

[Motion on amendment A19 lost]

**The Deputy Chair:** We'll move on to the regular Bill 7. The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Madam Chair. I've got an amendment to table.

**The Deputy Chair:** All right. We'll wait a minute until we get a copy to all of the members. It will be known as A20.

Hon. member, you can proceed now with amendment A20.

**Mr. Bilous:** Thank you, Madam Chair. I'm moving this amendment on behalf of the Member for Edmonton-Strathcona: that Bill 7, Election Accountability Amendment Act, 2012, be amended in section 100, in the proposed section 51.01(4), by striking out clauses (b), (c), (d), (e), and (g).

Currently Bill 7 gives discretionary authority to the CEO on the following grounds when considering administrative penalties or letters of reprimand under the Election Finances and Contributions Disclosure Act: severity, wilfulness, mitigating factors, preventative steps taken, history of noncompliance, whether a person

reported noncompliance, or any other relevant factors. This amendment will remove most of the clauses that give the CEO discretionary power in order to leave only the relevant and specific factors, namely severity and whether the person reported noncompliance.

Reasons behind this. Currently the bill gives too much discretionary power to the CEO when considering contraventions. The CEO should maintain the authority to investigate and decide on the severity of the contravention and whether the person in question made a disclosure to the CEO that a rule may have been broken. Beyond these considerations, though, the CEO would have too much discretionary power to avoid laying administrative penalties, and that is our primary concern.

The issuing of administrative penalties and letters of reprimand is important in cases of contravention. The caveats that would allow individuals to avoid adequate penalties should be reduced, especially in clause (g), which would allow the CEO to cite any other factors when considering letters of reprimand or penalties. It's completely vague in its scope and its application, and it allows any reason to affect the administration of penalties under this section.

Therefore, this amendment will help increase the number of cases where the CEO administers some formal penalty by limiting the vague list of clauses that fall to the CEO's powers of consideration. This is an important amendment because administrative penalties should be laid and also made public in all cases where an individual has clearly contravened the election rules.

Again, what we're trying to do is tighten up this section of Bill 7 to ensure that we're not leaving too much to the discretionary power of the CEO. This needs to be narrowed in scope and put into legislation, so I'm calling on members of the Assembly to vote in favour of this amendment.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you very much, hon. member.

Are there any other members who would like to speak on amendment A20?

Seeing none, I'll call the question.

[Motion on amendment A20 lost]

**The Deputy Chair:** We'll move back to Bill 7, the main bill.

The hon. Member for Calgary-Mountain View.

9:20

**Dr. Swann:** Thank you very much, Madam Chair. Just one further amendment on behalf of the Member for Edmonton-Centre.

**The Deputy Chair:** We'll wait for a few minutes while we distribute the copies of the amendment to the members.

Hon. member, you can proceed with amendment A21.

**Dr. Swann:** This is amending Bill 7, Election Accountability Amendment Act, 2012, in section 52(b) in the proposed section 152(3.2) by adding "and the Information and Privacy Commissioner" after "Chief Electoral Officer." The purpose of this amendment is so that in the event of a loss or misuse or public exposure of the electoral list, the Information and Privacy Commissioner has some familiarity with the electoral list and can respond to public concerns about if and how an electoral list finds its way into the wrong hands, Madam Chair. It's a basic protective measure to assist the confidentiality and the privacy protection of electoral lists.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who would like to speak to amendment A21 to Bill 7, Election Accountability Amendment Act, 2012?

Seeing none, I'll call the question.

[Motion on amendment A21 lost]

**The Deputy Chair:** We will move back to Bill 7. Hon. Member for Lac La Biche-St. Paul-Two Hills, seeing that you have an amendment in your hand, we'll pause for a moment while you have that distributed to all other members.

**Mr. Saskiw:** Thank you, Madam Chair.

**The Deputy Chair:** Hon. member, you can proceed with the amendment. It will be known as A22.

**Mr. Saskiw:** Thank you, Madam Chair. This amendment goes to the Local Authorities Election Act. Our office was contacted by the office of one of the major cities in this province, and they questioned a potential conflict of language between two sections. This section that this amendment goes to is section 147.4(1.1)(a). The rationale for this is that if a municipal candidate is unsuccessful in an election and has a surplus amount in their account, that money should be donated to a charity or else provided to the municipality. The way subsection (1.1) currently reads is that if there is a surplus, that money can go to a registered charity or to a municipality where the candidate was declared elected in a previous election, and that excludes someone who is defeated in that previous election.

I've spoken with the hon. Minister of Municipal Affairs, and he referred me to section 147.5(1), which seems to have different language than that section. It says that on or before March 1 immediately following a general election, if there's a surplus, that candidate shall pay the excess amount to a municipality. Then there's a provision underneath which provides the option to provide it to a registered charity.

The concern that was expressed to me is that there is a conflict here. One section provides that it only applies to a declared elected candidate, and the other one I think is more general in nature and applies to any candidate. On the issue of interpretation it's confusing. If this went before a court, I'm not sure how they would interpret two sections that conflict. There's a potential that 147.5(1) would prevail in the sense that it's broader, although on the canons of construction you could look at 147.4 and come to the opposite conclusion.

This was expressed as a concern by one of the major cities, the city of Calgary, the mayor's office. We took that advice. We agreed that there is a conflict in the legislation, and where there's a conflict, one should just make it clear. If there's a candidate who was defeated in a general election in a municipal election, that person should not be keeping a surplus amount from their campaign. That amount should go to a charity or to the municipality itself. In these circumstances I would urge the government to accept this amendment, that has the support of the mayor of Calgary's office.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

The hon. Minister of Municipal Affairs.

**Mr. Griffiths:** Thank you very much, Chair. I appreciate the member bringing forward the proposed amendment. I have been in contact with the municipality of Calgary to discuss with them

some of their concerns over this exact amendment. I'll clarify for the record, the same as I clarified for the individuals from Calgary who contacted our office and who we spoke to. Section 147.4(1.1), if you read all of (1.1) together, Madam Chair, as it's presented in the original act, if I may, says:

If a candidate does not file nomination papers before the next general election, the candidate shall, within 6 months after the date of the next general election, donate the amount of money disclosed under subsection (1)(d) to a registered charitable organization as defined in the Income Tax Act . . . or to the municipality where the candidate was declared elected in a previous general election.

That is the previous reading of the act.

We never changed anything from the act. The only thing we changed in 147.4(1.1) is that we added sections (a) and (b). One section talks about the surplus and reads:

donate the amount of money disclosed under subsection (1)(d) to a registered charity within the meaning of subsection 248(1) of the Income Tax Act . . . or to the municipality where the candidate was declared elected in a previous general election.

It's exactly the same as the act previously read, Madam Chair, except that we added section (b), "If there is a deficit, eliminate the deficit." That's the only thing that we changed.

9:30

Then the reference to section 147.5, Madam Chair, clarifies that if the candidate in respect of whom money is held in trust under subsection (2) does not file nomination papers before the next general election, the candidate shall, within 6 months of the date of the election, direct the municipality to donate the money and interest on that money calculated at the rate prescribed by the Lieutenant Governor in Council to a registered charitable organization as defined in the Income Tax Act (Canada).

Subsection (4) under section 147.5, Madam Chair, talks about: if no direction is given to give to a charitable organization, it is automatically paid to the municipality. The only thing we changed out of that section is striking out the words "registered charitable organization as defined in" and substituting "registered charity within the meaning of subsection 248(1) of" the Income Tax Act. It's simply a matter of clarification. I don't believe this would appear before the courts in any way, shape, or form because it has never appeared to date, and this is the existing provision. The only thing, again, that we have changed is that we add "if there is a deficit, eliminate the deficit," which is the responsible thing for a municipal councillor to do.

I suggest that there's no need for this amendment and that this should stand as read. Thank you.

**The Deputy Chair:** Thank you, hon. minister.

**Mr. Anderson:** Just quickly, I appreciate the explanation, but again I would say that we have the mayor of the city of Calgary, and his office has contacted this minister and our opposition party and has, I think, come forward with a very reasonable suggestion. You know, again, this is the problem with rushing legislation through so quickly. If we put these things to legislative committees, especially bills of this nature, we would be able to get these types of kinks out. The mayor of Calgary, who is a very sharp individual, and his office think that this is not clear. As I read it, I think there's a contradiction as well.

I don't think it's the end of the world or anything, but just to be clear, I think this amendment as proposed by the member, essentially proposing what the mayor of the city of Calgary wanted to do in this regard, is reasonable. I think they've thought it through. I think it would clarify things. We may as well pass it. This is what it means to consult on bills. This government thinks

that if you do a consultation prior to putting a bill on the table, that's enough consultation. That's not the case. You do your pre-bill consultation – that's important – but then when you put a bill on the floor, you do have to consult with affected stakeholders.

Again, the Wildrose Party and the Liberal Party and the New Democratic Party were not consulted about legislation that directly affects us – directly affects us – and what we must do, yet the PC Party was consulted. Again, the city of Calgary and the city of Edmonton may have been preconsulted in preconsultations before this bill came to the floor on certain things like how long terms should be for candidates and so forth once elected and all that, but they have not been consulted since the bill has come to the floor. We have not had time to go through this adequately.

When a reasonable suggestion comes forward from a city – obviously, it's our largest city, and it's represented by a mayor who is sharp on things like this – why don't we just do this to show that we want to clarify, that we're listening? What harm could possibly come out of it? Let's support the amendment.

**The Deputy Chair:** Thank you, hon. member.

The hon. Minister of Municipal Affairs.

**Mr. Griffiths:** Thank you, Madam Chair. There's some misinformation that needs to be explained. I sat down with the opposition critic from each of the parties and went through what's essentially a three-column document over the proposed changes that were being brought forward. I did the same thing with the colleagues on this side of the House, but they were not privy to the exact legislation because that would contravene the privilege of this House. So everyone in this House, including the members of this side, saw this when it was tabled in the Legislature.

Now, I've explained before, in my opening speech, Madam Chair, that I've been a minister for a short amount of time, and we had a short amount of window to do consultations. We did it over a period of just over a month, public consultations and consultations with municipalities, and only picked out very simple changes that they could all agree to because we had to pass legislation this fall so that municipalities had proper time to prepare for next fall. There was not time to do an all-party committee review or to run through all of the municipalities to see if they approved of everything. In our consultations municipalities and the public did approve of them.

I'll point out one more time, Madam Chair, that none of the amendment that they're proposing is any change that we made. All we added was a line that said, "If there is a deficit, eliminate [it]," and everyone from the public and municipalities supported that.

When we have more time, after the next municipal election, when we've got four years, hopefully, until the next municipal election, we will do a thorough and extensive consultation with municipalities and members of the public on what needs to be done, Madam Chair. I was not going to let some very key issues that municipalities and members of the public wanted fixed in seven simple amendments to this piece of legislation sit over and not take effect for the next municipal election. To the hon. member: that's why we did it.

I would ask everyone to not support this amendment and to support the original piece of legislation. Thank you.

**The Deputy Chair:** Thank you, hon. minister.

The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Madam Chair. I just wanted to clarify something that the hon. minister of municipalities just spoke to, where he not even insinuated but stated that all of the parties were



consulted. That needs to be clarified. The parties on this side of the House were not consulted. They were given briefing notes, which is very different from being a part of the consultation process. Part of the issue that this side of the House has been putting forward via amendments to try to improve this as currently written awful piece of legislation is that it, first and foremost, was only authored with the consultation of one political party, yet it affects all political parties in this province, including political parties that aren't currently represented in this House.

So in the name of democracy I cannot accept the statement that all political parties were consulted. If the purpose of this act is truly to amend and improve our Election Act and two other acts, then all parties need to be consulted to have an opportunity to give input into authoring the bill.

I'm sure that the Justice minister will jump up in a short moment and tell me that all opposition parties had an opportunity to amend this bill. However, if we look at the track record of how many amendments have been passed by this government, we'll see clearly that these amendments put forward by this side of the House aren't taken seriously into consideration even if they are intended to improve a bill and to improve, you know, the state of elections and democracy in this province.

You know, what also needs to be stated is that parties on this side of the House only get to see the bill once it's drafted and then respond and work feverishly to come up with amendments to try to improve a bill that was already written. Had the PCs been interested in truly getting the opinion and feedback and collaborating on this bill, they would have done so long before this physical document was written.

It is for those reasons that I have an issue with what the hon. minister for municipalities just said. Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

**Mr. Griffiths:** Well, Madam Chair, it's unfortunate the hon. member doesn't understand the legislative process and doesn't realize that it's against parliamentary privilege to show the bill to anybody until it's tabled in this House for all members to see. The consultations that were done for the amendments to this legislation were not done with just the members here. In fact, they weren't done with the members here at all. It was a public, online consultation and a consultation with municipalities because it is their legislation. When they came forward with agreed-on amendments, changes that they wanted to see, we worked on drafting it. We tabled it in this House.

The municipalities and the members of the public can't come into this House and make amendments. It is a privilege to be in this House and make drafts after. If the hon. member doesn't understand the parliamentary process and that it is against parliamentary privilege to show anyone the documents before, then I guess he needs some education.

9:40

**Mr. Anderson:** Well, it would appear that the only individual that doesn't understand the parliamentary process is this hon. minister because the hon. minister just stood up and said that this preconsultation had been done. It's almost like he's speaking about this bill as if the only thing in it is involving municipalities and involving changes to the municipalities. Well, then say that.

What we're talking about is the entire Bill 7, and we were not in any way consulted on it. The party was not consulted on it. The New Democrats, Liberals, and Wildrose were not consulted on this at all, not on your section, which I agree is less applicable to us, and certainly not on any section regarding political parties,

which we've been discussing for most of the night. That's what the hon. Member for Edmonton-Beverly-Clareview was stating, and he understands the process perfectly well, especially for someone who is new to this House. I think he explained it very well.

The fact of the matter is that this is the problem with legislative sausage-making that has become the norm of this House. We stick everything into the blinking blender, and we pump it out here in, like, two seconds, and then instead of referring it to a legislative committee to actually do the work and actually make sure that we're not missing anything, what do we do? We sit here, and in two days we try to churn out 20 amendments to this legislation without the opportunity to bring in experts or even to give Legislative Counsel for that matter a ton of time to go over the amendments. We're just kind of on the fly.

It's very clear that this is not the way to make legislation. Because of that, you have a member of the public, particularly the mayor of Calgary, who has come back and said: "You know what? Whatever was in the preconsultation is just fine, but the fact is that what was discussed in the preconsultation, there's something in here that we don't understand in this bill." That's what the mayor of Calgary is saying: something in here doesn't make sense to us. It's not clear enough.

Instead of just doing what this whole purpose of Committee of the Whole is, bringing a simple amendment forward that would clear this all up, we're sitting here arguing about it, and the hon. member is making like we're trying to make this massive change, like this was the biggest thing on earth that was being consulted during his consultation process. This is simply the mayor of Calgary saying that we have a simple amendment that will clarify this legislation for all municipalities but clearly for the city of Calgary. It won't interfere in anything that the minister has done in his portion of the act. It won't change anything substantially that he was trying to do, at all. It just clarifies.

That's the whole point of the exercise of Committee of the Whole in a lot of instances: to do things that maybe were missed or maybe should be clarified. Again, we're sitting here. This is now the 108th – is this the 108th? Are we at 110?

**An Hon. Member:** No. Way past.

**Mr. Anderson:** We're into the 100-and-teens amendment.

We've had two of them accepted, over 110 rejected, and for what? I don't understand it. It is a simple change to the legislation. The municipal minister: I understand he's defensive about the legislation. It's an important piece of legislation to him. Good on him for doing the preconsultation. Wish he would have consulted with the opposition parties as well, but granted his section isn't as applicable to provincial political parties as the Solicitor General's sections were. That said, this is a simple amendment, so let's just pass the amendment, move on, listen to some of our elected officials at the municipal levels, specifically Mayor Nenshi, and we can all be happy and say that we did something constructive tonight.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak on amendment A22, Bill 7, Election Accountability Amendment Act, 2012?

Seeing none, we'll call the question.

[The voice vote indicated that the motion on amendment A22 lost]

[Several members rose calling for a division. The division bell was rung at 9:44 p.m.]



[One minute having elapsed, the committee divided]

[Mrs. Jablonski in the chair]

For the motion:

Anderson	Donovan	Saskiw
Anglin	Fox	Swann
Bilous	Rowe	Wilson

Against the motion:

Bhardwaj	Griffiths	McIver
Bhullar	Hancock	Oberle
Calahasen	Horne	Quest
Casey	Horner	Redford
Denis	Johnson, J.	Sandhu
Dorward	Klimchuk	Sarich
Drysdale	Kubinec	Scott
Fawcett	Lemke	Starke
Fenske	Leskiw	VanderBurg
Fraser	McDonald	Weadick
Goudreau		

Totals:	For – 9	Against – 31
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[Motion on amendment A22 lost]

**The Deputy Chair:** We will move to Bill 7. Are there any members who wish to speak? The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Madam Chair. I have a last amendment to be tabled.

**The Deputy Chair:** Thank you. We'll pause for a few moments while we distribute those amendments to our members.

Hon. member, you may proceed.

9:50

**Mr. Bilous:** Thank you, Madam Chair. I'm moving on behalf of the Member for Edmonton-Strathcona that Bill 7, the Election Accountability Amendment Act, 2012, be amended in section 3, in the proposed section 4(3), by striking out clause (f). Under section 4 Bill 7 will give new authority to the Chief Electoral Officer to adapt the provisions of the Election Act. This amendment will strike out this clause, thereby taking the authority away from the CEO to adapt the provisions of the Election Act.

The reasons behind this: I mean, there are no issues other than the one specifically described in the proposed section 4, which generally pertains to election officers, enumeration, and polling stations, that should necessitate the sweeping powers cited under clause (f). Bill 7 under section 4(5) will ensure that any recommended changes will be in the future included in reports to the Standing Committee on Legislative Offices. This is the proper channel for changes or adaptations to provisions of the Election Act.

It's the duty of the CEO to carry out the provisions as legislated in the current Election Act. If changes need to be made to the law itself, then there's a process for doing this: making recommendations to the standing committee, enumeration reports, general election reports, or annual reports. The standing committee will review the CEO's recommended changes to the Election Act, and then the Legislative Assembly can consider, debate, and vote on any changes that are put forward.

This clause gives too much discretionary power to the CEO without any clear guidelines for the communication of the adaptations that may be made by the Chief Electoral Officer. In other words, this clause as currently written may result in adaptations that are not clearly communicated to the Legislative

Assembly. The CEO should only adapt the provisions of this act to the circumstances as they are identified by the CEO, the standing committee, and the Legislative Assembly. So this gives more direction to the CEO and, again, provides a more narrow scope as opposed to allowing decisions to be made based purely on his subjective decision.

I would ask that all members in this Chamber support this amendment. Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak on amendment A23?

Seeing none, I'll call the question.

[Motion on amendment A23 lost]

**The Deputy Chair:** We'll move on to Bill 7. The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** This is the last amendment from the Wildrose. This is tough, giving this one away.

**The Deputy Chair:** Once again we'll wait a few minutes until all members have a copy of the amendment. This amendment will be known as A24.

The hon. Member for Lac La Biche-St. Paul-Two Hills to proceed.

**Mr. Saskiw:** Thank you, Madam Chair. In this Legislature we've seen a government that's voted down amendments to close the so-called Katz loophole, voted down an amendment to ban corporate donations. They most recently voted down an amendment that was put forward by the mayor of Calgary, a reasonable amendment. They voted it down.

We've decided that for the very last amendment we would put the most reasonable amendment forward and see what would happen. This amendment is in respect of 51.02(2), which is in regard to the going back three years, the retrospective reporting of contraventions of the Election Act. Why this is reasonable, Madam Chair, is that the Justice minister in the press conference said that the Chief Electoral Officer must report any contravention that was made in the past three years. Must report. In fact, a reporter, after hearing that, specifically asked him the question: must they report them? He said: yes, they must.

Of course, we subsequently showed the reporter that the wording says "may," that it's permissive. So I think that hon. Justice minister misspoke that day. Again, this is the public disclosure of someone who has been convicted by the Chief Electoral Officer of making an illegal donation. Someone has been found guilty – this is not an allegation – of making an illegal donation, yet under the current act as it reads, it's discretionary that the Chief Electoral Officer disclose that. I don't think in any western democracy would that ever happen, where an illegal donation has been made – it's been found to be illegal; a penalty has been made – yet that's kept secret. That's what this legislation does.

One has to question whether this is an honest mistake, or is this something where there's some type of intention to not disclose these illegal donations? This seems to be a very, very easy amendment to make. This amendment has already been watered down. It's saying that it's going to go back three years, but of course that's three years from the coming into force of this legislation, which could be two or three years in the future and hide a whole bunch of illegal donations, which we all know were made to the PC Party.

**Mr. Denis:** Point of order.

#### Point of Order

##### Allegations against Members

**The Deputy Chair:** Hon. members, we have a point of order.

**Mr. Denis:** Madam Chair, under Standing Order 23(h), (i), and (j) that is an allegation that is not founded in fact. We don't know where the illegal donations went to, what parties they went to. I just would ask the member to withdraw that, please.

**The Deputy Chair:** The hon. Member for Airdrie.

**Mr. Anderson:** Well, I'm not quite understanding how he can say an allegation when documented evidence has been tabled in this House showing very clearly that that donation was made and was reimbursed. It's the documents from Alberta Health. I mean, it's been tabled. It's on the record. So black is white? The sky is green? Black is white, still?

10:00

**The Deputy Chair:** Thank you, hon. member.

**Mr. Denis:** I think he was referring to illegal donations, and there are the 37 illegal donations. We do not know which party they went to, and it is erroneous to indicate that it is particular to the governing party.

**The Deputy Chair:** Thank you.  
The hon. member.

**Mr. Saskiw:** Thank you, Madam Chair. Of course, we subsequently tabled a press release, a document that showed the president of the PC Party indicating that there were a bunch of constituency associations under investigation. We've also provided a tabling which demonstrates that monies went to the PC Party. This is not up for debate. It's a fact.

**Mr. Anderson:** Just to clarify, the press release in question, that he's talking about, is not a Wildrose press release. It's a press release from your party president saying that the monies had been returned. I mean, it's right on the record, Justice minister.

**Mr. Denis:** No. It didn't indicate that all of the outcomes were in. That's what's erroneous, Madam Chair.

**Mr. Saskiw:** To clarify, if you will, I'll say that substantially all of the cases of illegal donations went to the PC Party, not every single one of them, if that helps.

**The Deputy Chair:** Thank you, hon. member, for making that change to your comments. Would you please proceed.

#### Debate Continued

**Mr. Saskiw:** Speaking to this amendment, we should probably go through the number of illegal donations that went to the PC Party. We've seen municipalities where, in some cases, you know, there's a push to attend PC fundraisers. We saw motions that were in municipal towns and counties where they attended PC fundraising events and were subsequently reimbursed. We saw a donation from Calgary Lab Services, which is a wholly owned subsidiary of Alberta Health Services, an illegal donation to the PC Party. There's evidence that that illegal donation was subsequently returned after it was found by the Official Opposition and forwarded to the Chief Electoral Officer. We found

instances where a former executive of the Calgary health region attended PC fundraising events and was subsequently reimbursed by the Calgary health region, which, of course, is a direct violation of the elections financing act.

There are numerous, numerous occasions where illegal donations have flowed to the PC Party. I'm glad the Justice minister is allowing us to bring up this topic. What this amendment would do is to make it public so that when someone has been found to have made an illegal donation, this would require the Chief Electoral Officer to publicly disclose it. I mean, if the government votes against this, then it's clearly wanting to hide this. Why would you possibly vote against this? Why? If you don't want to hide the actual finding of an illegal donation, why would you not require the Chief Electoral Officer to make it public? Why would it be discretionary?

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak to amendment A24? The hon. Government House Leader.

**Mr. Hancock:** Thank you, Madam Chair. This is almost a repeat of the debate that we had on Monday night, in which I pointed out to the hon. member that the section that he is trying to amend is the time limit section that says that the disclosure may be made. That is a section which is intended to give effect to the fact that normally an act only applies going forward, but it gives retrospective effect to it.

The section that he's really interested in is on page 42 of the bill, and that's subsection (3) of 5.2, which is part of section 62 of this bill, which says:

- (3) Findings and decisions and any additional information that the Chief Electoral Officer considers to be appropriate shall be published on the . . . website . . .
  - (a) subject to 51.02(2), if a penalty is imposed or a letter of reprimand is issued under section 51 or 51.01.

It's very clear that if there is a penalty put in place, the Chief Electoral Officer shall publish the information.

**The Deputy Chair:** Thank you, hon. Government House Leader.  
The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Madam Chair. The hon. Government House Leader is referring to page 42 of Bill 7, and he's specifically referring to section 5.2(3), and it states that the Chief Electoral Officer . . .

**The Deputy Chair:** Hon. member, I'm reading amendment A24, and I don't see (3) on there. I see 51.02(2).

**Mr. Saskiw:** That's correct. If you look at 5.2(3), it refers to 51.02(2).

**The Deputy Chair:** Okay. Thank you.

**Mr. Saskiw:** The Government House Leader is seemingly indicating that if the Chief Electoral Officer considers it to be appropriate, it shall be published on his website subject to section 51.02(2), which says that it's discretionary for the Chief Electoral Officer to disclose contraventions that go three years back. I don't understand what kind of possible interpretation you're taking.

**The Deputy Chair:** Thank you, hon. member.

**Mr. Hancock:** It's relatively simple to explain, Madam Chair. Section 51.02(2) makes it very clear that a disclosure "may be made with respect to an alleged contravention . . . but may not be

made with respect to an alleged contravention that occurred more than 3 years before.” So the “subject to section 51.02(2)” in 3(a) on page 42 is clearly a reference to the three years before, not to the “may be made.”

It would not read in any logical way if you were to say that he must publish findings and decisions subject to: he may do it. That doesn’t make sense. But what does make sense is for you to read it and say that he must publish findings and decisions subject to 51.02 and that he can’t do it more than three years prior.

**The Deputy Chair:** Thank you, hon. Government House Leader.  
The hon. Member for Airdrie.

**Mr. Anderson:** Government House Leader, that’s not what it says.

**Mr. Hancock:** That’s exactly what it says.

**Mr. Anderson:** It’s not what it says. It clearly says that if it’s over three years, if you’re looking back over three years, then it’s “may.” For sure. But if it’s from zero to three years back, it’s a “may.” That’s what it says in the document. How can anyone have any – okay. Are you putting on the record, just so that we know and we can put this to bed, that in this bill the meaning of the section cited is that if there is wrongdoing that is found by the Chief Electoral Officer for something that was done between the date that this act was passed and three years prior, that must be disclosed by the Chief Electoral Officer? Is that what you’re saying? Is that correct? Please put that on the record, and then we’ll sit down, shut up, and vote on this.

**Mr. Hancock:** I know exactly what it says.

**The Deputy Chair:** Thank you, hon. Government House Leader.

**Mr. Anderson:** Okay. Even though, you know, I don’t see how you could interpret it that way, that’s what the Government House Leader says it means, so it’s in the *Hansard*. May all judges and Chief Electoral Officers in the future listen to what the Government House Leader said despite whatever’s in here: must publish on the website and must publish any wrongdoings. Thank you for that clarification. Hopefully, we can vote.

**The Deputy Chair:** Thank you, hon. member.

**Mr. Saskiw:** Just to close the amendment. Of course, as the hon. Government House Leader knows, one can only look to *Hansard* for the intention of the government if there’s any ambiguity. Unfortunately, there’s a very simple principle of statutory interpretation that “may” means permissive and “must” means mandatory. According to the Government House Leader, in this instance may means must. Hopefully, if there is some type of ambiguity, the people in the future can look back at this *Hansard* and say: here was the intention of the government through the Government House Leader that may means must in this instance and that the Chief Electoral Officer will actually publicly disclose all illegal donations that were found three years back from the coming into force of this act.

**The Deputy Chair:** Thank you, hon. Member for Lac La Biche-St. Paul-Two Hills.

The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Madam Chair. I would just like to request that the hon. Government House Leader and the government then vote in favour of this amendment. I mean, if they are saying that it

already says “must,” then let’s just put this amendment through, and this party will have the confidence of the whole House and many Albertans that they’re accepting an amendment where we’re ensuring that disclosure is made and that the government can finally live up to their claim of being transparent and open and accountable.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak on amendment A24?

Seeing none, I’ll call the vote.

[The voice vote indicated that the motion on amendment A24 lost]

[Several members rose calling for a division. The division bell was rung at 10:10 p.m.]

[One minute having elapsed, the committee divided]

[Mrs. Jablonski in the chair]

For the motion:

Anderson	Donovan	Saskiw
Anglin	Fox	Swann
Bilous	Rowe	Wilson

Against the motion:

Bhardwaj	Griffiths	McIver
Bhullar	Hancock	Oberle
Calahasen	Horne	Quest
Casey	Horner	Redford
Denis	Johnson, J.	Sandhu
Dorward	Klimchuk	Sarich
Drysdale	Kubinec	Scott
Fawcett	Lemke	Starke
Fenske	Leskiw	VanderBurg
Fraser	McDonald	Weadick
Goudreau		

Totals:	For – 9	Against – 31
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[Motion on amendment A24 lost]

**The Deputy Chair:** We’ll move back to the main body of Bill 7. Are there any members who wish to speak on Bill 7?

**Mr. Anderson:** Real quickly because I know we’re trying to get out of here soon. I just want to say that we do appreciate the robust discussion, but we want to make it very clear on our side of the House that what the government has done on several of these amendments in our view is totally unacceptable. These amendments were very well considered. They were good, solid amendments that would have contributed to this bill. This now makes almost 120 amendments that this government has voted down in this session on various pieces of legislation, including 24 here tonight. I don’t know how this is making things more transparent or accountable. For a lot of these amendments the government agreed with the principles on them, yet here we sit, and not one of them was passed.

I just think it’s so disappointing. We had high hopes that we would have a more open and transparent democracy, where opposition parties would be respected in the process. We do represent 56 per cent of the voting public. We all represent Albertans, but 56 per cent voted for our parties on this side of the House, and that’s just completely disregarded by this government. There was no attitude, intention whatsoever to work with us. We gave all our amendments in advance. Nothing. I think that it’s a

real sad reflection on how they view democracy and how they view opposition in this province, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak? The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Madam Chair. I would just like it noted as well that there is one side of this House that is interested in working with all parties and trying to bring forward the best possible legislation for all Albertans. Clearly, as has been stated by the hon. Member for Airdrie, over 120 amendments have been proposed by the three different opposition parties – we're talking overall – and it's a very sad fact how many of those amendments have actually been accepted.

The fact of the matter is, you know, we've made a commitment – actually, I believe all parties of this House have made commitments of working together in order to bring forward the best possible legislation for Albertans. It's clear that the opposition parties are committed to bringing forward amendments, many of them quite reasonable, in order to strengthen a bill, again doing what's best for our constituents and for Albertans. It's quite frustrating. I think Albertans will see that one side of this House is dedicated to providing lip service to working with all Members of the Legislative Assembly, yet when the rubber hits the road, that's a different story.

It's unfortunate. Legislation could have been improved, many of the bills over the course of this sitting. Unfortunately, there is only one view that is writing these bills.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

The hon. minister.

**Mr. Oberle:** Thank you, Madam Chair. I wish to thank the opposition parties for putting forth and reading into the record their views as we close the debate on this bill. I would just like to point out that the opposition parties criticized us throughout this session for hastily crafting this bill and not widely enough consulting on it, yet we're to take that over the last few days as they've tabled 120 amendments, that somehow they were all brilliantly crafted and widely consulted on, which is obviously not the case.

While you could, in fact, as the opposition parties chose to interpret these last few days, have a government not listening to the opposition parties, you could equally interpret that you have an opposition party come to the Chamber intent on not agreeing to anything that the government did despite how widely consulted the bill was.

The knife cuts both ways, Madam Chair.

**The Deputy Chair:** Thank you, hon. Associate Minister of Services for Persons with Disabilities.

The hon. Member for Airdrie.

**Mr. Anderson:** Thank you. I have to have a drink of water after that last speech. Hold on.

The fact is that this opposition over on this side of the House has voted for six bills that the government has put forth, 6 out of 10 bills. In fact, we heaped praise on the government for many of those bills. Bill 1, the Premier's bill, for example: we completely agreed with it, thought it was a great bill. And you could go on down the list.

There are four bills we took issue with. On all of those bills we agreed with the intention of the bill, the spirit of the bill.

Everything about the bill we liked the spirit of. The problem was that what was in the bill did not do what it said it was going to do. In fact, it looked like, in some cases, a very cynical attempt to say that they were doing something about an issue – lack of democracy, lack of whistle-blower legislation, lack of property rights, a single regulator, and so forth – yet we think that it didn't accomplish what the intention was.

10:20

Again, over 120 amendments, two accepted. A lot of these amendments were very reasoned, hon. member. Again, we've agreed with so much that the government has done in this House with regard to the bills they've brought forward, and there were just a few things that we thought could be improved. There was no reaching out. We did the unprecedented, frankly, step of giving all of our amendments in advance – in some cases, weeks in advance or a week in advance – to the other side so that they could study them, discuss them. There was no attempt. There was no attempt to discuss it or negotiate different wording. Nothing.

If we're ever going to improve the decorum in this House, I think it has to start with respect. [interjections] My point exactly, Madam Chair. It has to start with respect for the views of other opposition parties. You know, they can talk about decorum all they want. There are 61 over there; there are 17 over here. Why on earth are they so afraid of 17 members? It shouldn't be this hard to work with us. We're completely open to it. Our door is always open. We're always asking to be included, so just include it. You might find that if you conducted yourselves that way, guess what? Like Peter Lougheed, you would probably see your majority grow instead of shrinking, which it's doing slowly but surely – not so slowly, actually – until you don't have one anymore. That's the road that you're on because you're legislating, frankly, in my view, in a way that's completely dismissive of other parties and other viewpoints.

I just hope that next session, when we come back – the Premier has talked about moving things to policy committees. I think that's a great idea, Premier. She should do it. [interjection] That's right. We wouldn't have so many amendments that we have to do in Committee of the Whole, Madam Chair, if we would take these bills after spring session, stick them into committee, do the work of the committees in there – as the Premier has said, that's what the point of these committees is, instead of what they're doing now – and move it forward into the fall so that we come back with a bill out of committee that is something that all Albertans can support.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you, Madam Chair. I'm very pleased to speak at this end of discussion and debate on this important bill. I guess the most shocking thing for me is that the two big issues that Albertans raised with me are the amount of donations still allowed to political parties, which is out of the realm of reasonable in the rest of Canada, and the unwillingness to even consider the possibility that corporate and union donations have undue influence on public policy. These are the two big issues that Albertans have said that they do not accept, that they find very distasteful and create a lot of cynicism among our people. Young people and older people are saying that it's time for change. Those are the big issues that I thought we were going to have some chance to see change on.

Instead, it's other issues that also needed to be cleaned up in the elections accountability, but these two big ones were entirely ignored in spite of very good recommendations that would make all of us look better and restore some sense of balance and accountability and reasonableness in this Legislature. It was a real missed opportunity. I'm afraid it was pride more than anything that stopped this government from being willing to accept any kind of substantive changes to this bill.

Very disappointing, Madam Chair, and I guess we'll all wear it.

**The Deputy Chair:** Thank you, hon. member.

**Mr. Fraser:** Madam Chair, for the record I'm not afraid of anybody. When we speak to these amendments, the members on this side of the House have gone to the ministers and asked the questions about the amendments that the other members have brought forward. In fact, I dare the other side to say that I haven't contacted them on various issues in co-operation, how we could work together to work for Albertans instead of serving political ends.

I've done that, and I'll continue to do that. So there you go.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak on the bill? The Member for Rimbe- Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Chair. I rise to close out this debate also. I want to say a couple of things. One, any allegation that we here in the opposition have not come forward in good faith to try to work with this government I would say is not substantiated by the evidence of this Assembly in this sitting. I will point out to the hon. Minister of Municipal Affairs that I actually rose to defend against one of the motions from one of the opposition parties and articulate the very argument that he was trying to make in support of that. We did vote on various bills in support of these government bills. We thought some were brought forward in good faith, and we just thought we wanted to try to strengthen those.

I want to say something that I think is really important. There has been some animosity expressed at different times, but I will say this: when we submit an amendment and a member opposite, before that amendment is even passed out, raises it up and tears it up, I would argue that that is bad faith, that's representative of bad faith. That's unparliamentary in my view, and it's unacceptable.

Coming back in the spring, I would take the dare to the hon. members that we raise the bar on both sides of the House. I think we can do that.

Thank you very much.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak? The hon. Member for Bonnyville-Cold Lake.

**Mrs. Leskiw:** Well, I'm finally going to get up and have my say. I don't get up and speak that often here, but I have been absolutely upset listening to the innuendoes from the people across the floor, especially when I take them as a personal attack. I consider myself a very honest politician. I worked hard to get where I am. I won in 2008 by 78 per cent, and somebody suggested that I was supported by 2 per cent. I won the second election in 2012 by running an honest campaign, not a negative campaign but an honest campaign. It bothers me when the other side says: Albertans, Albertans . . .

**The Deputy Chair:** Excuse me, hon. member. I hate to interrupt, but we are speaking on the body of Bill 7.

**Mrs. Leskiw:** Okay. On the bill.

What I'm trying to say is that Albertans have spoken to a lot of us, not just to the opposition. I haven't had one Albertan from my area come talk to me about half the stuff you said that Albertans spoke to you about. I mean, are Albertans only living in the opposition ridings? I have lots of Albertans in my riding that speak to me all the time. My office is open to everybody, regardless of which . . . [interjections] I even speak to people in your constituency, hon. member.

**The Deputy Chair:** Hon. member, please conclude on the bill.

**Mrs. Leskiw:** I will. I figured everybody else has spoken out of turn, and it's my time to speak out of turn.

I will finally sit down, but I want to say: don't brand everybody by the same brush. Just because we don't agree with you, it doesn't mean we're right and you're wrong or the other way around. Please keep that in mind. I think I do a real good job representing my people, and I believe that everybody in here does represent their people.

**The Deputy Chair:** Are there any other members who wish to speak on the bill? The hon. Member for Little Bow. We are speaking on Bill 7, the Election Accountability Amendment Act, 2012.

**Mr. Denis:** Where's your binder?

**Mr. Donovan:** Right here. Thank you to the Solicitor General. I like the prompting.

I agree. I mean, maybe Bill 7 wasn't exactly what this side wanted. We tried putting some amendments forward on it that obviously didn't do well. I get that. I think the process is that we've tried, whether people like it or not. I think everybody on both sides has tried. I'd say with a little sarcasm that there could be a touch of animosity in the room every once in a while. I sense it from both sides. I think we're all here for the right reasons. I think this bill, which I'm just about to go to in the conversation on the amendments that we've been talking about, Madam Chair – and I thank you for that.

**10:30**

You know, we've all been here a long time. I think we had some good amendments to it, in all honesty. We put in a lot of time. It's not that the Member for Lac La Biche-St. Paul-Two Hills had nothing better to do than to come up with however many amendments for this. I think they're all here for the right reasons. We're not here just to pick – or I'm certainly not – through them for what we don't like, whether it be "may" or "maybe not" or all the rest. I'd hope at some point we could try to resolve some of these issues on how it goes. I know it's not going to be a perfect little program, but I think the amendments that we tried to propose here in Bill 7 did touch the people that we do represent in our constituencies.

I get that everybody is on both sides and that there are opposite sides and different ridings, and people call you, and people call me, and we could sit and do the whole thing on it. The point is that we're all here to pass bills, to make better legislation for this province so that we can move forward. It's a give-and-take. Obviously, we might have lost the take part on this side because we tried to give some; it wasn't received. That's fine. We'll move

forward. We're big kids. We can pick up our stuff and figure it out for next time.

In the process going forward, I'd hope that we could do something a little better in the spring on the communication side of these and, like the Premier talked about, put it to committee. That way, we don't have to sit here all night and count the lights inside the dome like some of us like to do and stuff like that, which I've seen on both sides of the floor. You know, we do have things to do. We all have families to go home to. We have business to attend to. I get that everybody gets a little riled up at these things. But I think to put these things to a committee so we don't have 25 or 30 amendments to every bill that comes through isn't a bad idea.

I'll just leave it at that. I'm hoping that in the spring, after a nice Christmas break, everybody will be a little more festive then.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak on the bill?

Seeing none, I will call the question. Are you ready for the question on Bill 7, Election Accountability Amendment Act, 2012?

**Hon. Members:** Agreed.

[The remaining clauses of Bill 7 agreed to]

[Title and preamble agreed to]

**The Deputy Chair:** Shall the bill be reported? Are you agreed?

[The voice vote indicated that the request to report Bill 7 carried]

[Several members rose calling for a division. The division bell was rung at 10:33 p.m.]

[One minute having elapsed, the committee divided]

[Mrs. Jablonski in the chair]

For:

Bhardwaj	Griffiths	McIver
Bhullar	Hancock	Oberle
Calahasen	Horne	Quest
Casey	Horner	Redford
Denis	Johnson, J.	Sandhu
Dorward	Klimchuk	Sarich
Drysdale	Kubinec	Scott
Fawcett	Lemke	Starke
Fenske	Leskiw	VanderBurg
Fraser	McDonald	Weadick
Goudreau		

Against:

Anderson	Donovan	Saskiw
Anglin	Fox	Swann
Bilous	Rowe	Wilson

Totals:	For – 31	Against – 9
---------	----------	-------------

[Request to report Bill 7 carried]

**The Deputy Chair:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Madam Chair. I'd move that the committee rise and report Bill 7.

[Motion carried]

[Mrs. Jablonski in the chair]

**The Acting Speaker:** Will the hon. Member for Dunvegan-Central Peace-Notley please read the report.

**Mr. Goudreau:** Thank you, Madam Speaker. The Committee of the Whole has had under consideration a certain bill. The committee reports the following bill with some amendments: Bill 7. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

**The Acting Speaker:** Do the members concur in the report?

**Hon. Members:** Agreed.

**The Acting Speaker:** Opposed? It's carried.

## Government Motions

### Review of Standing Orders

19. Mr. Hancock moved:

Be it resolved that the Standing Committee on Privileges and Elections, Standing Orders and Printing may meet at the call of the committee chair to review the standing orders and report any proposed or recommended changes to the Assembly.

**Mr. Hancock:** A very straightforward motion, Madam Speaker. I'm advised by the table officers that because the standing orders do not provide for a mandate for the committee, up to this point it could only meet if a matter was referred to it by the House. Now, that makes sense when we're talking about privileges and elections, of course, but from time to time we do want to have the committee be able to meet to review the standing orders of the House.

10:40

The Speaker has indicated several times through the fall session that there are a number of things that he would ask House leaders to converse upon, and that's certainly what we've done over the last 15 years, have House leaders talk about Standing Orders. But it's quite appropriate if House leaders can't agree, or even if they can agree, to take it outside the hands of House leaders and have the committee meet and do it. Rather than requiring a formal motion every time we want the committee to meet, I think it's appropriate to allow the committee to meet at the call of the chair.

**The Acting Speaker:** Thank you, hon. Government House Leader.

**Mr. Anderson:** Well, I am just absolutely trembling with excitement knowing that the no-meet committee, the famous no-meet committee, is going to have its day. It is going to have its day in the sun, and this should be an exciting time for us all. [interjections] Sorry? It has to be unanimous? It should be unanimous; that's right.

**The Acting Speaker:** Hon. members, the Member for Airdrie has the floor.

**Mr. Anderson:** Anyway, I think that we're all excited about that. I think that, obviously, we've got to make up for all that pay in the past, so this will be a good start for that.

I would just hope that the members of that committee take this very seriously because the Standing Orders in our House, which is, of course, the green book, that book that we all have right here, which is what you'll be dealing with – there's actually a lot in here that addresses how we debate things in the House, how we deal with legislation in the House, when we sit, how often we sit.

I think that our province right now does not have a good reputation at all when it comes to the processes that we follow in this House with regard to passing legislation, debating legislation, reviewing legislation in committees, and even some of the issues in question period are very unclear. I think that it's really important that whoever is on that committee – I'm not on that committee, unfortunately, but I probably will attend some of the meetings because it's just such riveting stuff and I want to make sure it's a fair process.

I think that for the government members in particular, because they hold the majority, Madam Speaker, it is absolutely imperative that they use their discretion wisely and their power wisely, that they don't turn this into an activity to further curb debate in what is already, frankly, one of the least democratic Chambers in Canada. I think we see that by the number of days that we sit being among the fewest, certainly the fewest among the major provinces. We see that with the fact that in our question periods the opposition is not given as many questions as in other Chambers and so forth around this country. We see it with the fact that we have two days, for example – and our orders allow for this – to debate Bill 4 and Bill 7 in this Chamber, two very substantive pieces of legislation, huge pieces of legislation. Two days? I mean, that is brutal. That's what I'm saying.

When the orders are debated in that committee, Madam Speaker, it's just important that you please do not abuse the power that you have. Please make sure that it's democratic. Let's try to improve opposition party involvement, not curb it further. I just hope that the Premier, the Government House Leader, and all members of the government and on this side of the House will take that into consideration. Let's not use this as a gimmick to pound the opposition parties into submission further than we are already pounded.

With that, I'll take my seat.

**The Acting Speaker:** Thank you, hon. member.

Are there any other members who wish to speak on Government Motion 19?

Seeing none, we'll call the question.

[Government Motion 19 carried]

**The Acting Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Madam Speaker. I would move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; the Assembly adjourned at 10:45 p.m. to Wednesday at 1:30 p.m.]





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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Wednesday afternoon, December 5, 2012

Issue 28a

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta**  
**The 28th Legislature**

First Session

Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC), Speaker  
Rogers, George, Leduc-Beaumont (PC), Deputy Speaker and Chair of Committees  
Jablonski, Mary Anne, Red Deer-North (PC), Deputy Chair of Committees

Allen, Mike, Fort McMurray-Wood Buffalo (PC)  
Amery, Moe, Calgary-East (PC)  
Anderson, Rob, Airdrie (W),  
    Official Opposition House Leader  
Anglin, Joe, Rimbey-Rocky Mountain House-Sundre (W)  
Barnes, Drew, Cypress-Medicine Hat (W)  
Bhardwaj, Naresh, Edmonton-Ellerslie (PC)  
Bhullar, Hon. Manmeet Singh, Calgary-Greenway (PC)  
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Bilous, Deron, Edmonton-Beverly-Clareview (ND)  
Blakeman, Laurie, Edmonton-Centre (AL),  
    Liberal Opposition House Leader  
Brown, Dr. Neil, QC, Calgary-Mackay-Nose Hill (PC)  
Calahasen, Pearl, Lesser Slave Lake (PC)  
Campbell, Hon. Robin, West Yellowhead (PC),  
    Deputy Government House Leader  
Cao, Wayne C.N., Calgary-Fort (PC)  
Casey, Ron, Banff-Cochrane (PC)  
Cusanelli, Hon. Christine, Calgary-Currie (PC)  
Dallas, Hon. Cal, Red Deer-South (PC)  
DeLong, Alana, Calgary-Bow (PC)  
Denis, Hon. Jonathan, QC, Calgary-Acadia (PC),  
    Deputy Government House Leader  
Donovan, Ian, Little Bow (W)  
Dorward, David C., Edmonton-Gold Bar (PC)  
Drysdale, Hon. Wayne, Grande Prairie-Wapiti (PC)  
Eggen, David, Edmonton-Calder (ND),  
    New Democrat Opposition Whip  
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Fenske, Jacquie, Fort Saskatchewan-Vegreville (PC)  
Forsyth, Heather, Calgary-Fish Creek (W)  
Fox, Rodney M., Lacombe-Ponoka (W)  
Fraser, Rick, Calgary-South East (PC)  
Fritz, Yvonne, Calgary-Cross (PC)  
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Griffiths, Hon. Doug, Battle River-Wainwright (PC)  
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Hancock, Hon. Dave, QC, Edmonton-Whitemud (PC),  
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Horne, Hon. Fred, Edmonton-Rutherford (PC)  
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Hughes, Hon. Ken, Calgary-West (PC)  
Jansen, Sandra, Calgary-North West (PC)  
Jeneroux, Matt, Edmonton-South West (PC)  
Johnson, Hon. Jeff, Athabasca-Sturgeon-Redwater (PC)  
Johnson, Linda, Calgary-Glenmore (PC)  
Kang, Darshan S., Calgary-McCall (AL),  
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Kennedy-Glans, Donna, Calgary-Varsity (PC)

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Olson, Hon. Verlyn, QC, Wetaskiwin-Camrose (PC)  
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Pedersen, Blake, Medicine Hat (W)  
Quadri, Sohail, Edmonton-Mill Woods (PC)  
Quest, Dave, Strathcona-Sherwood Park (PC)  
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Rodney, Hon. Dave, Calgary-Lougheed (PC)  
Rowe, Bruce, Olds-Didsbury-Three Hills (W)  
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Sarich, Janice, Edmonton-Decore (PC)  
Saskiw, Shayne, Lac La Biche-St. Paul-Two Hills (W),  
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Sherman, Dr. Raj, Edmonton-Meadowlark (AL),  
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    Leader of the Official Opposition  
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Stier, Pat, Livingstone-Macleod (W)  
Strankman, Rick, Drumheller-Stettler (W)  
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Towle, Kerry, Innisfail-Sylvan Lake (W),  
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Weadick, Hon. Greg, Lethbridge-West (PC)  
Webber, Len, Calgary-Foothills (PC)  
Wilson, Jeff, Calgary-Shaw (W)  
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
    Government Whip

**Party standings:**

Progressive Conservative: 61

Wildrose: 17

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New Democrat: 4

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Blakeman	Quest
Donovan	Rogers
Dorward	Sandhu
Eggen	Sherman
Fenske	Smith
Goudreau	Starke
Hehr	Strankman
Jansen	Towle
Luan	Young
McDonald	Vacant
Olesen	

### Standing Committee on the Alberta Heritage Savings Trust Fund

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Deputy Chair: Mrs. Jablonski

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Casey  
Dorward  
Eggen  
Kubinec  
Sandhu  
Sherman

### Select Special Conflicts of Interest Act Review Committee

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Deputy Chair: Mr. Luan

Blakeman  
Dorward  
Fenske  
Johnson, L.  
McDonald  
Notley  
Saskiw  
Wilson  
Young

### Standing Committee on Families and Communities

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Deputy Chair: Mrs. Forsyth

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DeLong	Luan
Fox	McAllister
Fraser	Notley
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Jablonski	Sarich
Jansen	Saskiw
Jeneroux	Swann
Johnson, L.	Wilson
Kang	Young
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### Standing Committee on Legislative Offices

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Deputy Chair: Mr. McDonald

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Blakeman  
Brown  
DeLong  
Eggen  
Leskiw  
Quadri  
Rogers  
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### Special Standing Committee on Members' Services

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Goudreau  
Jablonski  
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Brown	Pastoor
DeLong	Rowe
Fox	Sarich
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Kennedy-Glans	Webber
Luan	

### Standing Committee on Privileges and Elections, Standing Orders and Printing

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Amery	McDonald
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Cao	Webber
Casey	Xiao
Fenske	Young
Fraser	Vacant
Hale	

## Legislative Assembly of Alberta

1:30 p.m.

Wednesday, December 5, 2012

[The Speaker in the chair]

### Prayers

**The Speaker:** Hon. members, let us pray. May the spirit of Christmas and the festive season permeate our hearts, comfort our minds, and make us ever mindful of the expectations entrusted to us by the citizens we are so privileged to serve. Amen.

Please be seated.

### Introduction of Visitors

**The Speaker:** The hon. Associate Minister of International and Intergovernmental Relations.

**Ms Woo-Paw:** Thank you, Mr. Speaker. I rise to introduce to you and through you to all members of this Assembly His Excellency Werner Wnendt, ambassador of the Federal Republic of Germany. The ambassador is accompanied by Mr. Reuscher, honorary consul of the Federal Republic of Germany at Edmonton. I had the pleasure of hosting the ambassador at a luncheon earlier today, and I'm confident that this visit represents a growing relationship between Alberta and Germany as we identify new opportunities for moving forward. The ambassador and honorary consul are seated in your gallery. I would ask that our guests now rise, and I would like to invite all of the members in the House to send our best wishes along with the traditional warm welcome of the Assembly.

### Introduction of Guests

**The Speaker:** The hon. Member for Edmonton-Meadowlark.

**Dr. Sherman:** Thank you, Mr. Speaker. I'd like to introduce to you and through you to all members of this Assembly Canada's heroes, members from the Jasper Place Legion in Edmonton-Meadowlark, good honest men and women who put themselves into harm's way without a second thought so that we may enjoy our freedoms today. In your gallery are Doreen Morgan, president; Basil McKay, past president; Ron Evans, chairman; Marian Youngs; Bill Cormier; Shirley Lauman; Pat Cerir; Sharon Gullberg, past first vice-president; Dennis Gullberg; and Ken Young, a veteran of the Second World War.

I met these great folks on Remembrance Day, and every Remembrance Day is so that we may remember their fallen comrades. I would like all Albertans to remember that we live in the best province in the best country in the world because of the sacrifices of them and their comrades. [applause] It's so important for us to remember to keep our end of the sacred covenant to care for them and their families each and every day, for all members of the armed forces, past, present, and future. May God bless our superheroes, Mr. Speaker. I'd like all members of the Assembly to rise and give them a warm welcome to the Assembly. [Standing ovation]

**The Speaker:** The hon. President of Treasury Board and Minister of Finance.

**Mr. Horner:** Well, thank you, Mr. Speaker. For several years the Legislative Assembly has supported the regional Historica Fair held every spring, providing an opportunity for students from schools in the surrounding area to present projects celebrating

Canada's heritage. In 2007 the Legislative Assembly Office initiated an award to recognize Historica Fair participants who demonstrate outstanding achievement in celebrating an aspect of Canadian parliamentary democracy, governance, or political history with a specific focus on Alberta.

It's now my pleasure to introduce to you and through you to all members of the Assembly this year's award winner. Nicholas Pacholok was a grade 6 student at Vital Grandin Catholic elementary school in St. Albert last spring when he created an excellent presentation on democracy from Athens to Canada, a very interesting topic indeed. Mr. Speaker, Nicholas is joined today by his parents, Barbara and Ken, all of whom are seated in your gallery. I would now ask that all members join me in celebrating as they stand and receive the warm welcome of our Assembly.

**The Speaker:** The hon. Member for Stony Plain.

**Mr. Lemke:** Thank you. It's my pleasure to introduce to you and through you to all members of the Assembly 63 grade 6 students from l'école Meridian Heights school in my outstanding riding of Stony Plain. These bright and energetic young people are here for a tour of the Legislature and to see how our democracy works. They are escorted today by teachers Mr. Art Muz, Mr. Marcel Turcotte, Mrs. Natacha Schubert; parent helper Donna Crowe; student teacher Chelsea Strachan; and their bus driver, Mrs. Sally Tuininga. Also included in this group is our Sergeant-at-Arms' niece, Dominique Hodgson. I know they were thrilled to have a picture taken with you earlier today, Mr. Speaker, and I was able to have a picture taken with them myself this afternoon. The motto of l'école Meridian Heights school is Be the Best You Can Be. These young people certainly exemplify that idea. I would ask that they please rise and receive the traditional warm welcome of this House.

**The Speaker:** The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Speaker. I'm very pleased to rise to introduce to you and through you two classes who are here from the stunningly beautiful historic Academy at King Edward, which resides in the centre of my constituency. I have here 23 visitors from grade 9, who are accompanied by their teachers and assistants: Ms Ashley Mourgelas, Mr. Chris Giasson, and Mrs. Debbie Sugiyama. Then there are also 34 visitors from the grade 6 class at Academy at King Edward, who are accompanied by their teachers: Peter Beirsto, Mona Luth, Maureen Munsterman, and Colleen Cooper. I can say that I had the wonderful privilege to visit with the grade 6 class at the Academy at King Edward through reading week, and we had some wonderful conversations about public health care in Alberta. I would like to ask them to rise and receive the warm welcome of this Assembly.

**The Speaker:** The hon. Member for Fort Saskatchewan-Vegreville.

**Ms Fenske:** Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you today to all members of this Assembly a group of several constituents who are here for a variety of reasons. I'd like to introduce them to you, then ask them to stand at the end. First is Dee Ann Benard. She is the executive director of the Alberta Rural Development Network, an industry-leading network of 21 public postsecondary institutions working with rural communities to enhance rural research and learning. I had the opportunity to do a member's statement on one of their projects earlier this week.

Also, Milt Miller and Margo Mohr are here from Providence Grain Solutions, an industry leader in agricultural development.

Milt, who is the president and CEO, brings with him new-found knowledge of international agricultural practices from a recent trade mission to China with the government of Alberta. With him is his executive assistant, Margo. As many of us know, our EAs are essential to our success.

Finally, we have a great family here from Fort Saskatchewan, who attended a recent open house of mine to show their support and appreciation of the government's newly passed Education Act and asked if they could attend the session.

I would ask them to rise as I call their names and receive the traditional warm greeting of this Assembly: Ms Dee Ann Benard, Milt Miller, Margo Mohr, Paul Nawrocki, Dominika Nawrocki, and Ian Novakowski.

**The Speaker:** The hon. Member for Calgary-Mackay-Nose Hill.

**Dr. Brown:** Thank you, Mr. Speaker. It's a great pleasure to introduce to you and through you to all members of the House Adele Andriashek. She's here today representing the Tomorrow Project, which is a Canada-wide longitudinal study that's helping scientists discover the causes of cancer and other debilitating diseases. The project is seeking the participation of 50,000 Albertans, and they still need to sign up 20,000 people to accomplish this goal by March. To that end, they've distributed blue and green wristbands to all of the members. I would encourage all of the members and their staff to join the project and to encourage their constituents to sign up for the project, too, through various advertisements. Adele is seated in the members' gallery this afternoon. I'd ask her to rise and please accept the warm traditional welcome of the Assembly.

1:40

**The Speaker:** The hon. Member for Drumheller-Stettler.

**Mr. Strankman:** Thank you, Mr. Speaker. I'd like to introduce to you and through you two visionary Albertans from my diverse constituency of Drumheller-Stettler. They are Charlene Preston and Patrick Turnbull. Charlene is my constituency assistant in Hanna, and Patrick is my constituency assistant in Drumheller. I'd like them both to receive the warm welcome of our Assembly.

**The Speaker:** The hon. Member for Strathcona-Sherwood Park, followed by Calgary-Mountain View.

**Mr. Quest:** Thank you, Mr. Speaker. It gives me great pleasure to introduce to you and through you to all members of this Assembly a constituent, community volunteer, and a friend, namely Mr. Dave McNeill. Dave is the incoming president of the Association of Alberta Registry Agents as well as the president of the Hastings Lake community league, a very active community group in my constituency. Dave is seated in the members' gallery. I'd ask that he now rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Calgary-Mountain View, followed by Calgary-Hawthood.

**Dr. Swann:** Thank you very much, Mr. Speaker. It's an honour to introduce to you and through you to the Assembly two courageous seniors who head up the Alberta association of Seniors Helping Seniors. They're here to remind this government of the unfulfilled promise of Premier Klein to restore seniors' benefits cut in the '90s. Could Mr. Mike Marlowe and John Munnikhuis please stand and receive the warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Riverview.

**Mr. Young:** Thank you, Mr. Speaker. It is my pleasure to rise and introduce to you and through you to all members of the Assembly Helen Nolan. I first met Helen in 1998, when I was a beat constable along 124th Street. She was the executive director for the 124th Street and area business revitalization zone, a position she held for 13 years. Passionate for small business, community, and safety, she's also an accomplished singer of notable demand. After retiring, she accepted a contract with the city of Edmonton to form a BRZ in the area of 91st Street and 82nd Avenue, called the French Quarter, which extends from Mill Creek to Bonnie Doon. [some applause] The Member for Edmonton-Gold Bar is certainly very appreciative of this contract.

This BRZ was passed by city council on November 17. I'll ask Helen to rise and receive the traditional welcome of this Assembly.

**The Speaker:** Please proceed with your second introduction, Edmonton-Riverview.

**Mr. Young:** Thank you, Mr. Speaker, my second introduction is another special guest, Alex Zeidler, a student from L.Y. Cairns high school. Alex is currently on a work placement in my office and those of my caucus colleagues, and he resides in the constituency of Edmonton-Riverview. If I could ask Alex to rise and receive the traditional welcome of the Assembly.

**The Speaker:** The hon. Member for Strathmore-Brooks.

**Mr. Hale:** Thank you, Mr. Speaker. It's my pleasure today to rise and introduce to you and through you to all members of this Legislature His Worship Martin Shields, the mayor of Brooks. Mr. Shields is definitely no stranger to this Legislature. As an active public servant he sits on many boards and associations throughout this province. Just to name a few he currently sits on: the Alberta libraries board, the Bow River Basin Council, he is vice-chair for the Shortgrass regional libraries board, the board of directors for our federal Conservative constituency association, director for cities under 500,000 on the AUMA. There are many more, but I don't think we have enough time to list them all. I also want to add that he did recently beat Lanny McDonald in a mustache contest. This hard-working Albertan also just recently received the Diamond Jubilee medal. I would ask His Worship to rise, as he has done, and receive the warm traditional greeting.

## Members' Statements

**The Speaker:** The hon. Member for Olds-Didsbury-Three Hills.

## Government Relationship with Physicians

**Mr. Rowe:** Thank you, Mr. Speaker. Last week all members of this Assembly received a very powerful letter from a local doctor working here in Edmonton. As time does not permit me to read it in its entirety, I would like to take this opportunity to read part of that letter.

I am a recent graduate of the University of Alberta, where I completed my medical degree and then followed it with specialist training. . . This entitles me the privilege of a career that most people cannot fathom, or even begin to understand. As an anesthesiologist, I am able to provide care to the sickest of patients at life-threatening moments, and I consider it a privilege to carry this title with my Alberta colleagues . . .

We are here in the middle of the night when the woman in labor starts bleeding uncontrollably. . .

We are here when your elderly father needs emergency brain surgery for a ruptured aneurysm . . .



We are here when your precious son needs to have pins put in his broken arm . . .

We are here to care for our patients. We are here to save lives.

The recent actions of the Alberta government against their province's [doctors] is unfathomable . . . I have the obligation to express my indignation that the Minister of Health and . . . government is refusing to negotiate an agreement with the AMA.

She concludes her letter by saying that Alberta should boast the fact that most medical residents stay within Alberta following their training to provide service in our province, but this will likely change if the Alberta government does not listen to its doctors.

A very powerful message, Mr. Speaker. Alberta's doctors deserve to be taken seriously and treated with respect by this government. I hope the Minister of Health has taken the time to read this letter and has taken the message to heart. Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Strathcona.

### Long-term and Continuing Care for Seniors

**Ms Notley:** Thank you, Mr. Speaker. The Associate Minister of Seniors recently referred to seniors as "our most precious commodity." Now, the government would say that his words were simply a slip of the tongue, but the reality is that under this government seniors in Alberta are often treated like commodities. That reality endangers not only seniors but our entire health care system. Alberta has 1,366 seniors waiting for care; 459 of those seniors are waiting in acute or subacute care spaces.

It shouldn't be news to this government that they'll never address hospital occupancy rates or wait times without addressing our long-term care shortage. The government knows that by 2020 Alberta will need almost 50,000 long-term care spaces. That's a frightening number considering that Alberta currently has 1,450 long-term spaces, the exact same number that the province had in 1992, Mr. Speaker.

Seniors who are waiting for care would be right to doubt the government's commitment to provide that for them, but even when Alberta seniors get into long-term care, they face problems with understaffing and with quality of care. Over the years the NDP has tabled thousands of forms from Steelworkers, AUPE, and CUPE locals that illustrate just how much pressure is put on staff to do more than they possibly can. These forms show the real problem behind seniors not being bathed and cared for regularly. They tell the story behind dementia patients wandering away without supervision, patients getting scalded by bath water, meals delayed and missed, and the fact that seniors are actually sometimes lucky to get one bath a week. That story, Mr. Speaker, is chronic short-staffing and a failure by this government to put staffing and care standards in place.

Mr. Speaker, Alberta's seniors deserve more than misleading promises to add beds, and they deserve more than empty promises to look into it when gross failures in care are brought to our attention. What they deserve is the quality of care they need when they need it and to be able to receive that care with the dignity and the respect that they have earned. This government simply must do better for Alberta's seniors.

### Oral Question Period

**The Speaker:** Hon. members, just before we start the clock, I've received some notes from opposition members and also from certain government members with respect to the 35-second rule, so let us be ever mindful that the chair will do his best, obviously,

to ensure that questions do not exceed the 35-second time frame, nor any answers. As you will note from reviewing *Hansard*, I have on occasion had to stand and ask people to sit and curtail their questions or their answers because they have violated the clock.

I would ask you to also be mindful that on occasion the Speaker can receive three, four, six, 10 notes all at once. Yesterday, in particular, I think we set a record from all sides of the House, all members. I received over 30 notes yesterday on various issues. So I'll try and do a better job of policing the clock, and I'll ask you to do a better job of policing yourselves.

With that, let us start the clock and begin question period with Her Majesty's Loyal Opposition leader.

1:50

### Physician Services Agreement

**Ms Smith:** Mr. Speaker, the Premier bemoans the opposition's questions about accountability and prefers questions about policy, so today I'm going to ask about her policy of reneging on deals and breaking promises like the deal she had with the AMA before the election. During the election the Premier announced 140 family care clinics would be built at a cost of at least \$3 million to \$5 million each, and after the election the Premier scrapped the agreement in principle with the doctors to do it. Is it any wonder that the AMA doesn't trust this Premier, this minister, or this government?

**The Speaker:** The hon. Premier.

**Ms Redford:** Thank you, Mr. Speaker. It is absolutely true that prior to the election there was an agreement between the government of Alberta and the AMA with respect to ongoing negotiations. After that election, one of the parties, not the government of Alberta, decided to renege on that agreement. In those circumstances, the government of Alberta continued to bargain in good faith, keeping the money on the table to make sure that health care was going to be delivered to Albertans.

The other thing is that the work we are doing with respect to family care clinics is continuing. We're working with the College of Family Physicians. It is going well, and we will deliver.

**Ms Smith:** I will table the doctors' ad, where it talks about the government rescinding their support for the agreement, Mr. Speaker.

Given that the Minister of Health doesn't know what the cost will be and given that the doctors estimate \$700 million will come directly from the budget for physician services to pay for it, will the Premier confirm just how much physician services will be cut to pay for her family care clinics?

**Ms Redford:** Well, Mr. Speaker, the wonderful thing about the resources that we have right now in our Department of Health is that we have the ability, with commitments that have been made by this government, to support practitioners, to support licensed practical nurses, and to make sure that we are delivering those services. It is very clear to the people that are working in this system through primary care networks and family care clinics that it's going to be entirely possible for us to fund these. We are committed to funding these. Again, we see numbers thrown around with no support, and I don't think that the hon. member has any reason to believe them either.

**Ms Smith:** Mr. Speaker, given that there is no explanation about how these new clinics will work, that there's no evidence that they are any better than primary care networks, just a heck of a lot

more costly, \$62 per patient versus \$300 per patient, and given that the current troubles with the AMA negotiations are a direct result of this poorly conceived scheme, can the Premier explain why she thinks that cutting doctors out of delivering primary care is such a good idea?

**Ms Redford:** Doctors across this province are delivering excellent primary care. Mr. Speaker, over the last seven months what we've heard from Albertans and from doctors is that primary care networks and family care clinics are going to deliver and are delivering through pilot projects even better health care. We made a commitment in the last election to ensure that there is better access for Albertans to health care, and that is our job, to represent the interests of Albertans. It's the AMA's job to represent the interests of doctors and, apparently, the Leader of the Opposition's.

**The Speaker:** Hon. leader, your second main set of questions.

**Ms Smith:** I make no apologies for standing up for doctors, Premier.

### Omnibus Question

**Ms Smith:** Mr. Speaker, in keeping with the questions about the government's policy of renegeing on deals and breaking promises, on October 30 I asked about meetings that the Finance minister had with the Katz Group when they were told no on the request for arena financing and casino licences. I asked for details on when and where those meetings took place, who attended, who arranged the meetings, and how the no decisions were made and communicated. Now, the minister said: "I'd be pleased to get you the dates of the meetings. It's not a secret." It's been more than a month since he made that promise. When is he going to keep it?

**Mr. Horner:** Mr. Speaker, I think if you were to review other areas of *Hansard*, I actually did say where and when I met at the two meetings that we had. I also indicated that the lobbyist that was on file at the time was a gentleman named Peter Elzinga, who is known to many people in this House. So I'm not exactly sure what other details the hon. member might be looking for.

**Ms Smith:** I'll put it in writing, Mr. Speaker.

I have another question. Given the previous answer perhaps we could also ask the Premier if she would now be willing to keep her promise of a full public inquiry and extend the queue-jumping inquiry to include past queue-jumping, also include the excessive emergency room wait times, and to include the bullying and intimidation of our front-line health care providers?

**Ms Redford:** Mr. Speaker, from what I've been reading in the newspaper, there is a public inquiry going on with respect to exactly what we committed to do. I'm very pleased that it's taking place. I don't know what the results of it will be, but I'll tell you what we did do. We kept our promise.

**Ms Smith:** Well, I'll try on a third one, Mr. Speaker. Given the government's promise of more openness and transparency, we might also ask if the government would now be willing to release all of the expenses for all of the executives for all of the health regions going back to 2005?

**Mr. Horne:** Well, Mr. Speaker, I guess this is déjà vu week, and we're going to review questions that have been asked and answered incessantly over the course of this session. The opposition has made it very well known to this House that they are very adept at using the processes that are available to them through the

Freedom of Information and Protection of Privacy Act to access this information. Today there are a number of expenses, additional expenses, that have been posted on websites that are also available for their review.

Mr. Speaker, we are interested in being the government in 2012. If the opposition wants to talk about 2005 and other years, that's entirely up to them.

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

### Tobacco Recovery Lawsuit

**Mr. Saskiw:** Thank you, Mr. Speaker. The Premier insists that hand-picking a firm led by her transition team leader and long-time confidant for a \$10 billion government lawsuit was the best choice for Alberta, but her own words state, "No . . . consortium stood out above the others." Why does this government refuse to release the terms of the contract when the firm already gave its blessings to make the contract public? Just release it.

**Mr. Denis:** Mr. Speaker, same question yesterday, same answer today. We have received advice from that very firm that the member mentions about how this could endanger our case and our chances to recover money that is owed to Albertans from big tobacco. This member is a lawyer himself. He should appreciate that contingency fee agreements are very rarely released. At this time it is not appropriate. I am going to take my seat.

**Mr. Saskiw:** We put Albertans first, not lawyers.

Premier, will you, in order to ensure that Alberta taxpayers aren't being ripped off for potentially hundreds of millions of dollars, confirm to this House that the contingency percentage offered by JSS in their proposal was, in fact, the lowest of all the proposals looked at by the Ministry of Justice?

**Ms Redford:** Mr. Speaker, I am absolutely pleased to stand up in this House and say that I can't answer that question because I didn't make the decision. [interjections]

**Mr. Saskiw:** Wow. Sorry. I'm just trying to catch my breath here.

**The Speaker:** Hon. members, please. We have a long-standing tradition of allowing whoever has the floor to in fact enjoy it. The Member for Lac La Biche-St. Paul-Two Hills is clearly enjoying his moment. Let's not take away from that.

Please proceed.

**Mr. Saskiw:** I am, Mr. Speaker. Thank you.

Given the obvious conflict why didn't the Premier direct her deputy minister to decide which proposal was in the best interests of and the best deal for Albertans, or is it this government's normal practice to politically direct the public service to make government deals based on political cronyism instead of the public interest? How many other deals are like this?

**Ms Redford:** Well, Mr. Speaker, we've seen this opposition in this House yesterday, today, and all of last week continue to come up with baseless allegations that aren't about governing Alberta. [interjections] I'll tell you what we've done and what we've delivered for Albertans. We've delivered elections financing legislation. We've delivered whistle-blower legislation. We've delivered an Education Act. We have completely transformed the regulatory process to ensure that we have environmental sustainability and competitiveness. That is what Albertans voted for in April, and we delivered. [interjections]

**The Speaker:** Thank you.

Let's observe our decorum, please.

The leader of the Alberta Liberal opposition.

2:00

### Expense Reporting

**Dr. Sherman:** Thank you, Mr. Speaker. Before the election the Premier tabled a fudge-it budget, and the day after we were at a \$3 billion deficit. Albertans want to know where their money is going. According to the report of selected payments last year MLA pay and perks cost taxpayers \$14 million. The Premier ordered an independent review, but the PC-dominated Members' Services Committee has failed to establish a new independent process in reviewing the pay. Instead, it cherry-picked what it liked and didn't like from Mr. Justice Major's report. To the Premier: how do you justify your government's failure to establish a truly independent process?

### Speaker's Ruling Parliamentary Language

**The Speaker:** Hon. member, be careful with words like "fudge-it budget." I heard a government member a week or so ago use the same thing, and I'm going to admonish the government side as well. It's the context within which you use it that sometimes leads to some disorder in the House, and I would really like to avoid that disorder. Let's just be careful of some of these little slips that sometimes happen inadvertently, sometimes deliberately.

### Expense Reporting (continued)

**Mr. Lukaszuk:** Mr. Speaker, maybe I can answer that question by quoting something. "We do recognize that the fully taxable amount of \$134,000 does constitute a significant pay cut for most MLAs. If you look at the report from last year, there were some government MLAs making . . . \$150,000 to \$160,000," and I recognize that it caused a hardship, that it was a pay cut. I'm quoting the leader of the Wildrose Official Opposition.

**Dr. Sherman:** Mr. Speaker, I had asked for the Premier to rise.

Given that in his recent report the Auditor General expressed repeated concerns about questionable expense claims and use of corporate credit cards, specifically regarding postsecondary institutions like ACAD, SAIT, and the University of Alberta, can the real Premier, you, Madam Premier, please tell us if anyone in your government knows exactly how widespread the abuse of taxpayer money really is in these institutions?

**Ms Redford:** Mr. Speaker, I am so glad that we're actually repeating so many questions from question period earlier this session because it makes the answers so much clearer, and it gives us an opportunity to reiterate real information for Albertans.

Mr. Speaker, we have an independent Chief Electoral Officer, whose job, rightly, is to ensure that if there are challenges or difficulties or concerns that people have, they assess the information and deal with them. I understand that the Chief Electoral Officer has done that in every case that has been brought to their attention. I'm pleased that our election finance legislation will confirm and enhance that, and I look forward to any of those results. If the hon. member has any questions, he should refer them to the Chief Electoral Officer.

**The Speaker:** The hon. member.

**Dr. Sherman:** Thank you, Mr. Speaker. Given that the Premier has done a good thing by posting her expenses and they clearly show that she has good taste in first-class flights and fine wining and dining – these are the same tastes that many senior executives at AHS had as well, the few that were looked into. My question to the Premier: given that only 1 of 380 agencies, boards, and commissions has disclosed the information and 50 per cent of taxpayer dollars is spent by these agencies, boards, and commissions, how much more money is wasted that could go to . . .

**The Speaker:** The hon. Minister of Health.

**Mr. Horne:** Thank you very much, Mr. Speaker. Well, as the Premier said, the more these same questions are asked, the better opportunity we have to make the answers even clearer.

Mr. Speaker, the only question that is of relevance here is whether expenses that were paid at any point in time were paid in accordance with the policies and procedures that were in effect at that time. At this time this government has the most aggressive and the most open and transparent expense policies of any jurisdiction in the country. All agencies, boards, and commissions under the jurisdiction of my ministry have been asked and have indicated that they will act in accordance with those policies.

**The Speaker:** Just to clarify, hon. leader of the Liberal opposition, any member of Executive Council is empowered by our rules to answer a question or not.

The hon. leader of the New Democratic opposition.

**Mr. Mason:** Thanks. Mostly not, Mr. Speaker.

### Tobacco Recovery Lawsuit

**Mr. Mason:** I'm quoting from the Conflicts of Interest Act, section 3. "A Member breaches this Act if the Member uses the Member's office or powers to influence or to seek to influence a decision to be made by or on behalf of the Crown to further a private interest." To the Premier. The words there are "influence or to seek to influence," not "sign the final contract." Did you or did you not influence or seek to influence the decision to hire the International Tobacco Recovery Lawyers?

**Ms Redford:** Mr. Speaker, I am so glad that the Official Opposition is sharing their questions with the NDP. I think that's fantastic. I think yesterday it was with the Liberal Party. But again it's an opportunity to clarify that that is simply not the case. Just because an hon. member makes the allegation, as I always tell my 10-year-old, doesn't make it true.

**Mr. Mason:** Mr. Speaker, given that the Premier is happy to share her nonresponsiveness with Albertans, can the Premier explain why she stands by her decision to sue big tobacco, but she won't stand by her signature on documents from the Justice ministry that prove that she sought to influence the decision to hire the International Tobacco Recovery Lawyers?

**Mr. Lukaszuk:** Mr. Speaker, if the member won't accept the answer from the Premier, maybe he'll accept it from me, but the answer will be very much the same. The fact is that the Premier will stand by her promise to sue big tobacco because that is the right thing for Albertans and our health care system, unlike some other parties across the way. Our Premier will always stand by her word, and Albertans can trust that what she says is dependable.

**The Speaker:** The hon. leader.

**Mr. Mason:** Thank you very much. I'll thank the Premier for sharing her Deputy Premier with the House.

Given that the Premier's signature is on the documents and given that evidence from her own department officials proves her involvement, my question to the Premier is: how can Albertans trust her when she continues to deny the facts?

**Ms Redford:** Mr. Speaker, every day since I got elected in this House in 2008, I've stood by my word.

**The Speaker:** The hon. Member for Innisfail-Sylvan Lake, followed by Calgary-North West.

### Long-term and Continuing Care for Seniors

**Mrs. Towle:** Thank you, Mr. Speaker. The fall session is quickly coming to an end, and this province has some very serious issues facing it. Seniors, their loved ones, their caregivers are concerned about the direction this government is going regarding closure of long-term care nursing beds in this province. Albertans are expressing concern that this government is not listening, that this government is pushing forward a continuing care model that is not meeting the needs of our most vulnerable seniors. As I always tell my 10-year-old, seniors come first. This is causing turmoil not only for those in care facilities but also for the hundreds of seniors waiting in long-term care. To the Minister of Health: can you assure Albertans in this province that you will no longer close any more long-term care nursing beds?

**Mr. Horne:** Mr. Speaker, what I can assure Albertans is that this government is keeping its word. We are adding 1,000 continuing care spaces per year to this province, by far the most aggressive infrastructure campaign for continuing care that I'm aware of in Canada. We're on track to meet our goal of 5,300 spaces. I can tell you that all of the new beds that we are adding are built to a long-term care standard for the specific purpose of allowing our seniors to age in place, remain with their spouses, and as much as possible stay in their home communities.

**The Speaker:** The hon. member.

**Mrs. Towle:** Thank you, Mr. Speaker. Given that the Minister of Health would not even answer the written question put forward to him by the hon. Member for Calgary-Fish Creek as to how many long-term care beds we have in this province, how can this minister stand up and assure Albertans that he is not closing long-term care beds in nursing or continuing care centres for even the next six months?

**Mr. Horne:** Mr. Speaker, the answer to that question would be very simple. This government is in the business of funding the care needs of individuals regardless of where they live, and that includes everything from home care right through to supportive living and long-term care. As we have said time and time again, the philosophy of this government differs distinctly from the opposition in that we believe in supporting Albertans to age in place, to stay in couples whenever possible, and to live as close as possible to their home community. The business that we're engaged in is the quality of life for the seniors of this province, not the bricks and mortar discussion that the opposition continually wants to engage in.

**The Speaker:** The hon. member.

**Mrs. Towle:** Thank you, Mr. Speaker. Given that the Minister of Health talks a lot about this care for seniors and the need for long-

term care nursing beds but just closed the Little Bow continuing care centre – there are many more on the list; we've asked for that list – will the Minister of Infrastructure protect Albertans and provide a list of any closures, necessary upgrades, or new long-term care nursing and continuing care facilities assessed by your department today?

2:10

**Mr. Drysdale:** Thank you, Mr. Speaker. I've consulted with my colleagues and Albertans across the province, and I can tell this hon. member that Infrastructure has no plans to close any long-term care beds in this province.

### Expense Reporting by Cabinet Ministers

**Ms Jansen:** Mr. Speaker, some folks in my constituency want to see the government's expense claims, and they can't find them, and if they can't find them, I'm guessing a lot of Albertans can't find them. To the Minister of Accountability, Transparency and Transformation: what do I tell them?

**Mr. Scott:** Mr. Speaker, I'm very proud to be here today. The government of Alberta has proactively disclosed expense claims for all members of cabinet, continuing to deliver on the Premier's commitment to an open and transparent government. Our proactive disclosure of our ministerial expenses goes back to the election. Following the release of the Premier's expenses earlier this fall, that proves that our commitment to accountability starts at the top.

**Ms Jansen:** To the same minister, Mr. Speaker: how can my constituents in Calgary-North West expect to see these documents easily given that you've deposited them in a library in Edmonton? Are we being transparent or merely opaque?

**Mr. Scott:** Mr. Speaker, we are being transparent. The expense claims that we deposited in the Legislature Library can be found on the library's online catalogue for all Albertans to see. Going forward, we have the most aggressive expense disclosure policy in Canada. Every Albertan is going to be able to see the expenses of every minister and senior government official. It's all going to be online starting in mid-December. That's transparency. We're delivering it.

**The Speaker:** Hon. members, let us allow people to have the floor. I've asked earlier, and I'm going to have to get out my list pad again, I see, and perhaps penalize some of you for not maintaining the proper decorum in the House, to be polite.

Hon. member, you have the final supplemental.

**Ms Jansen:** Finally, to the Minister of Service Alberta, Mr. Speaker, who likes to talk about Alberta leadership on this issue: how can your ministry make this claim?

**The Speaker:** The hon. minister.

**Mr. Bhullar:** Thank you very much, Mr. Speaker. I think that in the interest of transparency it'd be very nice if you had a very transparent version of that list pad as well so we could all see and all members across this province could see which members in this House cause ruckus unnecessarily. Let us respect this institution, this fine institution of democracy, this fine institution, and this fine government that has made expense disclosure policies that lead this country. [interjections]

**The Speaker:** Hon. members, you can see why I'm doing my best to enforce these rules that we're all asked to live by because if I don't, you will have more disruptions, and then we won't get through the list at all.

The hon. Member for Chestermere-Rocky View, followed by Calgary-Fort.

**Mr. McAllister:** I really enjoyed the last performance, Mr. Speaker, I must say.

### Collective Bargaining with Teachers

**Mr. McAllister:** Contract talks, unfortunately, Mr. Speaker, we know are not going that well with Albertan teachers, and the issue isn't about money, it's about workload. Teachers are being snowed under right now in a blizzard of paperwork. Does the Minister of Education recognize that this is a serious problem for today's teachers, and is he willing to help reduce the mountain of paperwork and let teachers spend time doing what they do best, and that is teaching our children?

**Mr. J. Johnson:** Mr. Speaker, I appreciate the question. Yes, we need to make sure that we have the world's best in front of our children. We need to make sure that they're doing the high-value tasks, and they're focusing those skills on the things that are going to help our kids succeed. We absolutely want to have some discussions and dialogue, and we've got some strategies to move forward on addressing some of the workload issues with teacher, but one area where we do differ is that we don't think those workload discussions should be wrapped up in putting hard caps on the amount of minutes a teacher, who's a professional, a noble professional, should be able to work in the classroom per day.

**The Speaker:** The hon. member.

**Mr. McAllister:** Mr. Speaker, thank you. I appreciate the honest answer from the minister.

Given that this PC government had no problem, though, working out a five-year contract with teachers during an election, given that the Premier had no problem finding \$100 million for the teaching industry during a leadership campaign, does the minister recognize that Albertans are starting to wonder if the only time the government does what's right in education is when there are votes to be had?

**Mr. J. Johnson:** Mr. Speaker, I think we can all take exception to that. Obviously, we're doing what's right in education today. The Premier made some great promises over the last year and has delivered on them. She promised to reinstate \$107 million in the education system; she did that right away. She promised to give school boards predictable and stable funding so they could manage their business and make good, solid decisions; she did that. She promised to bring the Education Act forward and get that delivered; she's done that. Now what we're trying to do is get another long-term deal province-wide with teachers to put the students at the centre of this thing and make sure that it's about the students. We're not going to rush into a deal unless it's got the students at the centre of the deal.

**Mr. McAllister:** We acknowledge and applaud the Education Act, Mr. Speaker.

Again to the minister: even though this is not about money, is it hard to negotiate with teachers and work out a deal when they

look at you and your government and recognize that you've just voted yourselves an 8 per cent raise?

**Mr. J. Johnson:** Well, I think maybe the hon. member should read his leader's e-mail that was just written here a few minutes ago. It seems that they're not quite on the same page.

Mr. Speaker, with respect to negotiating with the teachers, no, it's not easy. There are a lot of complicated issues here. It's very simplistic to think that one quick solution is going to get us a deal for four or five years across the province, dealing with 35,000 people in over 2,000 different schools, different communities, dealing with different classrooms and different kids. We're trying to recognize some of those nuances. We want to move to a system that has more and more differentiated learning, that recognizes diversity in the classroom, and that can give teachers the supports they need for those unique kids in those classrooms.

**The Speaker:** The hon. Member for Calgary-Fort, followed by Calgary-Mountain View.

### Electricity Prices

**Mr. Cao:** Well, thank you, Mr. Speaker. A business owner in my constituency told me that the volatility of electricity in Alberta makes it extremely difficult for their business operation. In a letter to me he said that the maximum capacity of installed generation in Alberta is posted at 14,400 megawatts. The real availability of maximum capacity is closer to 13,000 megawatts, and the provincial system is hovering at about 9,000 to 10,000 megawatts. However, the pool price is a 40 per cent increase. My question is to the minister. What is the reason for these massive price spikes?

**The Speaker:** The hon. minister.

**Mr. Hughes:** Well, thank you very much, Mr. Speaker. I appreciate the question from the member. You know, you don't have to take the facts from me. We could actually go to the Manitoba Hydro survey earlier this year of Canadian electricity bills. If you look across the country, Halifax was an average of 118 bucks, Toronto was \$108, Saskatoon was \$98, and here at home, in Edmonton, it was \$91. This province has a system that works and delivers cost-effective electricity to all Albertans.

**The Speaker:** The hon. member.

**Mr. Cao:** Thank you, Mr. Speaker. To the same minister: given the fact that deregulated power generation has increased greatly the amount of electricity in Alberta without taxpayer dollars being involved, what options do businesses have so they are not held hostage by the volatility of electricity prices?

**Mr. Hughes:** Well, Mr. Speaker, obviously, those of us who have been in business understand that having a nonvolatile input like electricity to a business is an important aspect. There are several ways to do that. One of them is to actually contract with a provider for electricity. In Alberta there are more than 40 different choices on the market that Albertans can access, that small businesspeople can access, and that individual Albertans can access as well. Many also have gone to self-generating projects. That's all about customer choice. We think that's a really important aspect for Albertans.

**The Speaker:** The hon. member.

**Mr. Cao:** Thank you, Mr. Speaker. Before continuing with my question, I just want to say that I'll table the letter of my constituent later for the hon. minister to reply to.

To the same minister: how can this government ensure that we are meeting the power requirements in Alberta with the rapid growth of our province?

**Mr. Hughes:** Well, Mr. Speaker, that's actually a very important and relevant question for all of us. It turns out that since 1998 almost 7,000 megawatts of new electricity generation has been created in this province. I say that that has come about completely with private-sector investment and not one dollar – not one dollar – of debt on the public books, the way you find it in virtually every other province in this country. The private sector does it here in Alberta, and they will continue to do so. It's between \$10 billion and \$15 billion of investment by the private sector.

**The Speaker:** The hon. Member for Calgary-Mountain View, followed by Edmonton-Beverly-Clareview.

#### 2:20                      Emergency Medical Services

**Dr. Swann:** Thank you, Mr. Speaker. Since Alberta Health Services took over the emergency medical services, there has been a steady loss of Edmonton EMS staff to other centres and services due to unacceptable high levels of stress, red alerts, and poor response times. Rural ambulances – rural ambulances – are still frequently called in to assist Edmonton and Calgary EMS. To the minister: what has the minister done over the last six months to fix the broken EMS system and the demoralized EMS workforce?

**Mr. Horne:** Well, Mr. Speaker, the first thing I did was take the opportunity to go on a ride-along with some EMS staff in Edmonton to observe first-hand some of the challenges that they are facing in their work on a day-to-day basis. I would certainly agree with the hon. member that emergency departments are busy. They are still experiencing high volumes, including ambulances that arrive. But the good news is, of course, that many improvements have been put in place to try to alleviate this problem. One of the most important is the ability now for EMS staff to be able to hand off care of a patient while they wait for an emergency room to another EMS crew in order to allow the EMS crew to get back out on the road. As the hon. member knows, there is a larger review under way on this.

**The Speaker:** The hon. member.

**Dr. Swann:** Thank you, Mr. Speaker. The challenges continue. Will you today tell Alberta Health Services to stop hiding EMS response times and post them online, which they haven't been doing for a month?

**Mr. Horne:** Well, Mr. Speaker, that's quite a serious allegation, and I'm not sure exactly what the hon. member is referring to, but I will take the opportunity to look into it. I can certainly tell the House that both Edmonton and Calgary wait times for EMS departments by hospital are now available online on the Alberta Health Services website.

As the hon. member knows, we commissioned a large-scale review of EMS in the province by the Health Quality Council of Alberta. That report is expected to be delivered to me shortly, and I'll be sharing the results and the recommendations with all members of the House.

**Dr. Swann:** I wasn't talking about ER wait times. I was talking about EMS response times.

What do you say to the Ardrossan individual who last week was choking and waited 30 minutes for an Edmonton ambulance because the Ardrossan ambulance was here in Edmonton helping them cope?

**Mr. Horne:** Well, Mr. Speaker, I'm not sure how the hon. member would expect me to answer that specific question about a specific case. If he has information that he would like to share with me and ask me to look into that and get back to him, I'd be very happy to do so.

What I can tell you is that one of the issues I've asked the Health Quality Council to look at is the impact of the borderless ambulance system, which is a system that provides in many cases for faster response times in some areas of the provinces but also on occasion draws ambulances away from their home area to assist in areas with higher call volumes. We have had reports of that having in some cases negative impact on local communities. We're looking into that.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview, followed by Cypress-Medicine Hat.

#### Bridge Repair and Construction

**Mr. Bilous:** Thank you, Mr. Speaker. The Alberta Association of Municipal Districts and Counties says that funding for bridge replacement needs to be increased to at least \$70 million per year. The Department of Transportation's own capital plan says that it needs \$90 million per year, but this PC government is only budgeting \$25 million per year, less than one-third of what's required. Will the Minister of Transportation tell us which bridges the PC government plans on closing?

**The Speaker:** The hon. Minister of Transportation.

**Mr. McIver:** Thank you, Mr. Speaker. I would say that there are no bridges that we're planning on closing. I would also say that the recent Auditor's report does point to an upcoming bubble in the requirement for money to fix bridges. We're aware of that. I've taken that up with my staff, and in the upcoming years as that need progresses and increases, we will have to include that in our budgeting. Right now we are quite confident that the budgeting we have in place is adequate to do the job, and we will continue to do that job.

**Mr. Bilous:** Mr. Speaker, given that the Department of Transportation's own capital plan for 2012-17 says that its strategy to manage the shortfall includes closing bridges across Alberta, can the minister explain how it's possible to accept bridge closures that will literally put roadblocks in the way of Albertans?

**Mr. McIver:** Well, Mr. Speaker, I suppose that depends on how you look at it. I know that there are several bridges under repair right now. As they get old, sometimes you close one and replace it with another. The network, I can assure you and I can assure Albertans, is in good shape. The audit itself actually said on page 5 that there's no evidence of unsafe bridges. This government continues to monitor the situation and look after the bridges as required. I think the Auditor's report made it quite clear, actually, as well that we're doing a good job of that very thing.

**Mr. Bilous:** That could be debated.

Given that numerous systemic problems were identified by the Auditor General, including a no-meet bridge and maintenance committee, lapsed inspector certifications, and failure to collect information on the quality of inspections, and given that this government has no information on 68 per cent of bridges in Alberta, does this minister honestly think that blind faith is strong enough to hold up bridges in Alberta?

**Mr. McIver:** Mr. Speaker, the Auditor also was aware and said in his report that we have very good systems. He pointed out some administrative shortfalls, all of which have been solved. So Albertans can have complete confidence in the bridges that we have, whether they're on top of them or underneath them, any place that they are because they're in good shape, and Albertans know this.

**The Speaker:** The hon. Member for Cypress-Medicine Hat, followed by Edmonton-Manning.

### South Saskatchewan Regional Plan

**Mr. Barnes:** Thank you, Mr. Speaker. My constituency of Cypress-Medicine Hat will be completely affected by the South Saskatchewan regional plan. My constituents are concerned about how the implementation of this plan will affect them, especially given that this government has a long track record of ignoring legitimate concerns of landowners. Government officials are in Cypress-Medicine Hat this week and claim to be asking Albertans for input. To the minister of sustainable resource development: why should Albertans think that this is anything more than just another PR exercise?

**Mr. Hughes:** Well, Mr. Speaker, on behalf of my colleague, who is at the United Nations climate change conference in Doha . . .

**An Hon. Member:** There is one?

**Mr. Hughes:** There is one. Actually, they believe that the science is settled, and so does the rest of the world.

Mr. Speaker, the South Saskatchewan regional plan is a legitimate initiative of this government to ensure that we protect property rights, that we protect water rights, that we protect the environment in southern Alberta, and that we're all proud of what we leave to our kids and our grandkids.

**Mr. Barnes:** Mr. Speaker, given that the lower Athabasca regional plan proposed a number of conservation areas and given that this resulted in the cancellation of 19 oil sands leases, can the minister assure my constituents that no property rights, leases, or private lands will be affected or expropriated for the creation of conservation areas in the South Saskatchewan regional plan?

**Mr. Hughes:** Mr. Speaker, that's an easy question. As we would all know, in the lower Athabasca regional plan area there were needs to establish in an essentially largely uninhabited area long-term plans for the long-term needs of the community. Southern Alberta, as you will know, has been settled for, you know, a good century and more. There are well-established practices. There are some wonderful parks throughout southern Alberta. The answer to your question is that there will be none of that kind of stuff going on.

**Mr. Barnes:** Given that the government was there nine months ago and didn't listen to the people, given that ranchers in southern Alberta have held some of the Crown leases for over a century, given that ranchers are, without question, the best stewards of the

land, and given that grazing is very beneficial for the land and for species at risk, will the minister personally guarantee that these long-term Crown leaseholders will not have their property rights violated?

**Mr. Hughes:** You know, Mr. Speaker, I'm the perfect person to answer that question. I'm the grandson of ranchers, and I'm the son of ranchers. I can tell you that I actually understand this issue. You know, people have been out there raising concerns, unfairly disturbing people from their livelihoods, telling them all kinds of things. None of that stuff is going to go on.

**The Speaker:** The hon. Member for Edmonton-Manning, followed by Little Bow.

### 2:30 Heartland Electricity Transmission Project

**Mr. Sandhu:** Thank you, Mr. Speaker. The heartland transmission line connects with the Ellerslie substation and will run next to many homes and businesses in my riding of Edmonton-Manning. My constituents have a number of questions about the project and feel like they have been left out of the process. My first question to the Minister of Energy is this: why are the transmission poles being put up in my riding when the heartland project is before the courts?

**The Speaker:** The hon. minister.

**Mr. Hughes:** Thank you very much, Mr. Speaker. Well, the heartland project, as we all know, was something that was approved by the Alberta Utilities Commission. That was the trigger to commence construction on the project. The province, of course, deemed this critical infrastructure in 2009. The Alberta Electric System Operator identified it as an important project in 2005. We all know that the Industrial Heartland in this province is actually driving growth in the province, and it needs reliable energy.

**Mr. Sandhu:** My second question is to the same minister. Do my constituents have any recourse to stop this project?

**Mr. Hughes:** Mr. Speaker, the Alberta Utilities Commission held extensive hearings and consultations on the routing of the project. In fact, that included reaching out with more than 47,000 information packages and approximately 1,200 personal consultations with stakeholders. They conducted a public hearing for all affected landowners. I know that the hon. member has worked hard on behalf of his constituents to ensure that they also had a chance to have their input into the process. There were 27 registered individuals who participated and 163 registered witnesses.

**Mr. Sandhu:** My second supplemental question is to the same minister. Why were monopoles approved to be used near Sherwood Park and not in my riding in north Edmonton?

**Mr. Hughes:** Well, Mr. Speaker, whether there are monopoles or other styles of poles installed along the route is entirely a technical decision that is made by the Alberta Utilities Commission. They've taken into account all of the concerns raised by people through those many months and years of consultations with residents who might be affected or who are adjacent to the line. As a result, the Alberta Utilities Commission has the authority and the responsibility, and the last thing any of us would want is to have political interference in that.

**The Speaker:** The hon. Member for Little Bow, followed by Calgary-Glenmore.

### Postpartum Depression Counselling Services

**Mr. Donovan:** Thank you, Mr. Speaker. This government is botching health care as evidenced by the doctors' negotiations mess, the family care clinic mess. But I want to raise a different issue today, one that is critical for the people that are touched by it. Moms who received postpartum depressing counselling in the MD of Foothills and surrounding areas have been told this service will end before the end of the year. To the Minister of Health: why would they try to save money by targeting the vulnerable mothers and babies?

**Mr. Horne:** Mr. Speaker, I want to thank the hon. member for contacting my office late this morning and advising me that he would be asking this question. Thank you. My staff did look into this with the Calgary zone of Alberta Health Services, where we were unable to obtain any confirmation that any program cut is planned. If the hon. member has more detailed information about the situation that he'd care to share with me, I'd be very happy to look into it further.

**The Speaker:** The hon. member.

**Mr. Donovan:** Thank you, Mr. Speaker. I'd like to thank the minister for that because that's what we're here to do, to get some answers. This is a critical service that affects mothers, spouses, and children. Why would you try to target these things?

**Mr. Horne:** Well, Mr. Speaker, we're certainly not trying to target this. As the hon. member said, postpartum depression is a serious issue. It is, in fact, far more prevalent than I ever realized until I had the opportunity to have some discussions about the prevalence of different types of depression in our province. So I support the hon. member in raising the issue, both with respect to a specific community and more broadly. As I said, if he'd be prepared to furnish me with some details, I'll certainly look into it.

**The Speaker:** The hon. member.

**Mr. Donovan:** Thank you, Mr. Speaker. This government targeted Down syndrome services in Edmonton recently, and they had to reinstate it. Will you please commit to reinstating this much-needed service as well?

**Mr. Horne:** Well, in this, Mr. Speaker, you know, I must object to the hon. member's language, first of all, to suggest that the government is targeting a particular group in society, let alone a very vulnerable group. This is not reasonable and not accurate and not an appropriate way to frame a question. In that particular instance I believe I was asked in the House a couple of times about the situation, and that service has not been affected. The nurse that provides those case management services to those families is still in place, and the service continues. If this hon. member wants me to look into the situation in his community, he needs to provide me with some details.

**The Speaker:** The hon. Member for Calgary-Glenmore, followed by Calgary-Shaw.

### Persons with Developmental Disabilities

**Ms L. Johnson:** Thank you, Mr. Speaker. Twenty years ago the United Nations declared December 3 annually as International Day of Persons with Disabilities to focus on issues that affect people with disabilities world-wide. My questions, therefore, are for the associate minister of Human Services, who is responsible

for the disability file. Cases of persons with developmental disabilities are increasing in Alberta. How is the minister preparing for this dramatic challenge?

**The Speaker:** The hon. associate minister.

**Mr. Oberle:** Thank you, Mr. Speaker. I thank the member for raising the issue and marking the international day and also the Member for Fort Saskatchewan-Vegreville, who gave a statement on that earlier this week. We are not only managing an increasing population but an increase in complexity of cases, and it's a great concern to us. The first step is integrating all of Human Services under one ministry, which has really allowed us to work on integration and breaking down silos. Under the great direction of the Minister of Human Services in our social policy framework we're building a new framework for disability services that will provide better integration, focus on outcomes measured by results-based budgeting.

**Ms L. Johnson:** Thank you, Minister, for these initiatives. Unfortunately, for parents and families of disabled children there is a very heavy and demanding administrative burden as their child turns 18. For instance, one department may request . . .

**The Speaker:** Hon. member, let's just get on to the question, please.

**Ms L. Johnson:** Okay. With the situation of formal trusteeship and guardianship can the minister simplify the requirements for parents?

**Mr. Oberle:** Well, the simple answer is yes, Mr. Speaker. We can do a lot to streamline, and that's another advantage of integrating all of Human Services under one ministry. We can do a lot to streamline services there, and I'll mention specifically the issue of guardianship and trusteeship and streamlining. We can work towards that, but we will always work to protect the rights of the individual.

**The Speaker:** The hon. member.

**Ms L. Johnson:** Thank you, Mr. Speaker. My constituents are also considering a family-managed care plan. Does that have a huge administrative burden as well, Mr. Minister?

**Mr. Oberle:** Mr. Speaker, the option of family-managed care under persons with developmental disabilities is always available, where a family member, a close friend, or an individual themselves can specify that they want to enter into a family-managed care contract. It's not for everyone. It provides a management or an administrative burden, but it does allow for flexibility and control over the situation. Anybody interested in family-managed care can start by working with their local persons with developmental disabilities board or, just for information, visit our departmental website.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Shaw, followed by Leduc-Beaumont.

### Budget Review Challenge Panels

**Mr. Wilson:** Thank you, Mr. Speaker. Since this government does not like to answer questions on accountability, let's try one on policy and see where we go. The Finance minister has bragged about his results-based budgeting program and has told us that



wonderful benefits will flow from it. Part of the process is the challenge panels, which are supposed to challenge the government's spending plans. Can the minister explain to us how he came up with the public members of these challenge panels and what steps were taken to prevent conflicts of interest?

**The Speaker:** The hon. minister.

**Mr. Horner:** Thank you, Mr. Speaker. It actually is a good question. What we did was that we used the agencies, boards, and commissions governance outlines that we have for all of our boards and commissions. We looked for people that had skill sets that would be attributed to asking the right questions of the civil servants. This is not about trying to find cuts in budgets. This is about trying to make sure that we're doing the right thing for the right objectives, and these challenge panels are there to simply do that. They're not there to change policy. They're not there to cut budgets. They're there to help our civil servants do the best job they possibly can.

**The Speaker:** The hon. member.

**Mr. Wilson:** Thank you, Mr. Speaker. Given that a quick glance at the list suggests that at least seven individuals on the six challenge panels are mentioned in the lobbyists registry, does the Finance minister really think he will get impartial advice from folks who have registered to lobby the government on a variety of interests, including one individual who has lobbied on behalf of his own interests?

2:40

**Mr. Horner:** Well, again, Mr. Speaker, the role of the challenge panel is not to lobby their interests. The role of the challenge panel is to ask piercing questions of the civil servants. The role of the challenge panel is to ensure that the plans that we're putting forward are going to achieve the objectives that we're setting out. The role of the challenge panel is then to review the progress of those plans as they progress through the period of next spring and through the rest of the year. The role of the challenge panel is then to ensure that the results that we're getting out of that are actually achieving the objectives that taxpayers want, not the challenge panels and not the ministers.

**The Speaker:** The hon. member.

**Mr. Wilson:** Thank you, Mr. Speaker. I see that Martin Kennedy, the VP of government relations for Capital Power, is on the municipalities challenge panel. Now, given that the city of Edmonton is the largest shareholder in Capital Power, isn't there a conflict having their VP getting insider details on the preparation of Municipal Affairs' and regional planning budgets?

**Mr. Horner:** Again, Mr. Speaker, the role of the challenge panels is not to provide advice. The role of the challenge panels is not to take policy decisions or even to lobby on policy decisions. The role of the challenge panels is to challenge the questions. There is no conflict of interest on any of the members.

**The Speaker:** Just before we move on to Members' Statements, the continuation of which will start with Calgary-South East, I wonder if we could just take a moment to salute for the first time in this Assembly a birthday of a significant member of the Assembly who's never had the honour of having her birthday during a sitting day in her 23 or 24 years of being here. Today, Lesser Slave Lake, it is your lucky day for your milestone.

Congratulations. Hon. members, we seldom if ever reveal ages, but suffice it to say that she is the rock of ages.

Hon. members, 20 seconds from now we will continue with private members' statements. [Members sang *Happy Birthday*]

Hon. members, that was 20 seconds well used. If any member of your caucus has a milestone and you wish to alert the Speaker to that milestone, I would be happy to pay a tribute to you as well.

Let us move on with Calgary-South East.

## Members' Statements

(continued)

### Government Achievements

**Mr. Fraser:** Mr. Speaker, the last time I checked, we lived in the best place in the world. The last time I checked, Alberta's real GDP was forecasted to expand by 3.7 per cent this year, nearly double the growth forecast for Canada and the United States.

The last time I checked, an election was held and Albertans voted for a government that represented their values and their vision for the future. The members elected to this House are honest, hard-working, and credible people in their communities. The last time I checked, we were elected to pave a way for the future of this province based on respect for all Albertans and a love of this province.

Mr. Speaker, the last time I checked, Albertans expected us to debate policy in this House and pass legislation that is meaningful. The last time I checked, politics in Alberta was about policies and had never been about personalities. The last time I checked, Albertans expected us to debate policy in this House, not tabloid or Twitter rumours.

The last time I checked, Albertans were expecting us to keep this province prosperous and competitive in world markets, to support the communities who need our help, to build an economy that supports businesses large and small, to partner with municipalities and communities where people don't just make a living but make a life, to build a province that people are proud to call home.

Mr. Speaker, the last time I checked, Albertans elected members of this House to represent them and respect them. The last time I checked, Albertans wanted us to listen to them and have their MLA deal with issues that affect them and their families. The last time I checked, Albertans wanted us to hear those issues and have them addressed in this House, not fabricated scandals over and over again.

The last time I checked, this government was passing legislation to address the issues that concern Albertans. The last time I checked, Mr. Speaker, the Premier was striving to keep focus on those issues. The last time I checked, that's what this House was intended to do. The last time I checked, a person was presumed innocent until proven guilty in a court of law, not in a headline or a hash tag.

The last time I checked, Mr. Speaker, this government had a job to do. We will govern with respect, integrity, and purpose, and I'm here with my colleagues to get that job done.

**The Speaker:** The hon. Member for Fort Saskatchewan-Vegreville.

### Providence Grain Solutions

**Ms Fenske:** Thank you, Mr. Speaker. Fort Saskatchewan-Vegreville is proud of our petrochemical industries, but in addition we are just as proud of our agricultural sector. Providence Grain Solutions is one example of just how vibrant and dynamic

this industry is not only in my constituency but across Alberta and Saskatchewan. Providence Grain Solutions is celebrating their 10th anniversary this year, and I am so excited that they can be here today as we highlight the true community partnership that they provide.

The value added to our community by Providence reaches far beyond my constituency and into many of my colleagues'. There are elevators in Strathcona county, Waskatenau, Viking, a joint venture in Mundare, and holdings in Clyde and Crossfield. I am personally impressed that Providence Grain Solutions is primarily farmer owned and operated as this is so often representative of our hard-working agricultural sector.

Mr. Speaker, Albertans are well known for our ability to nurture small businesses and to support local initiatives. In the last decade Providence has grown from the little grain company that could in Fort Saskatchewan to a national company with the capacity to fill 125 CP or CN railcars at any one time at their terminal in Alberta's Industrial Heartland.

Recently Providence became part of a Canada-wide group of firms who will handle product for farmers who choose to continue to sell their grain to the Canadian Wheat Board. As we move forward exploring alternative energy measures, Providence Grain continues to evolve as they handle the procurement of soft white spring or ethanol wheat to Growing Power Hairy Hill, Canada's first integrated biorefinery.

Mr. Speaker, I am so proud that Providence Grain is a member of my constituency and that they demonstrate the truly Albertan value that no matter how big they become, they will always remember their roots.

**The Speaker:** The hon. Member for Barrhead-Morinville-Westlock, followed by Rimbey-Rocky Mountain House-Sundre.

### International Volunteer Day

**Ms Kubinec:** Thank you, Mr. Speaker. December 5 is recognized around the world as International Volunteer Day. This is a global celebration that should have meaning for every Albertan. There is not a citizen in this province who has not in some way been a beneficiary of the amazing contributions of everyday heroes in our communities. If there's a community hall in your town, if you've ever stood and cheered the local kids to victory, if you've ever enjoyed the fun of a local festival, then you have seen first-hand a local volunteer.

Mr. Speaker, the quality of life that we enjoy in our great province would not be possible were it not for the dedication and generosity of our volunteers. These individuals and the organizations they support deliver programs and services valued at over \$9 billion annually to our youth, families, and the most vulnerable citizens in our communities.

Many leave the comfort and security of their homes to travel to areas around the world, lending their time and skill to help those in need. With humility and devotion to duty, they bring honour to our province and to our nation. The government of Alberta is proud to return that honour. Earlier today my colleague the hon. Minister of Culture, Heather Klimchuk, presented the stars of Alberta volunteer awards to six incredible Albertans. Stars of Alberta is one of the ways that the Alberta government is recognizing and paying tribute to not just those who have been selected for awards but to those who day to day in their lives make a difference to all Albertans.

Mr. Speaker, I ask all the members of this House and all Albertans to take the time today and every day to remember and to

thank our incredible Alberta volunteers, each one an everyday hero.

**The Speaker:** Just a polite reminder, which I think the hon. member reminded herself of, that it's inappropriate and not allowed to raise the actual names of members of this Assembly.

The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. I actually rise proudly wearing my In 4 Tomorrow wristband in support of that good cause.

### 2:50 EQUUS Rural Electrification Association Ltd.

**Mr. Anglin:** Mr. Speaker, rural electrification associations are an integral part of keeping the lights on in rural Alberta. Last week Albertans from as far north as Barrhead all the way down to the U.S. border welcomed the newest REA with the merger of the Central Alberta Rural Electrification Association and that of the South Alta REA. Members of both associations voted in favour of the merger at meetings held in Innisfail and Lethbridge.

The result is that as of January 1, 2013, the EQUUS Rural Electrification Association will be the largest member-owned utility in Canada. Reports indicate that meetings were well attended by members, and the decision to merge the two REAs received an enthusiastic majority of 91 per cent voting in favour of the merger. As a result of the merger, EQUUS REA will have an Alberta service area of 28 counties, accounting for a broad swath of the province. The merger will help maintain the association's focus on providing quality service to rural areas.

I welcome the news of the formation of the new EQUUS REA and congratulate the members on their economic vision in planning for the future of enhancing electricity delivery for rural Albertans. The merger will make EQUUS REA stronger and more competitive as well as provide rural Albertans with customer choice.

Thank you very much.

**The Speaker:** Hon. members, before we proceed with the Routine, might we have unanimous consent to revert briefly to Introduction of Guests?

[Unanimous consent granted]

### Introduction of Guests

(continued)

**The Speaker:** The hon. Minister of Culture.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. It's my pleasure to rise today to introduce to you and through you a group of very special Albertans seated in the members' gallery who have been enjoying question period. They are the stars of Alberta. Today I had the great honour of accompanying our hon. Premier in a ceremony presenting them with awards to recognize their dedicated service as volunteers. I'd ask each of them to rise as I say their names: first, our youth winners, Jocelyn Davis from Calgary and Rimbey's own Samantha Sperber; next are George Heidt from Edmonton and Bev Toews from Olds, our adult category winners; lastly, Wendy Birdsey and Norm Brownell of Calgary, the winners of our seniors category. Please give these outstanding volunteers the traditional warm welcome of this Assembly.

## Introduction of Bills

**The Speaker:** The hon. Member for Innisfail-Sylvan Lake.

### Bill 208 Seniors' Advocate Act

**Mrs. Towle:** Thank you, Mr. Speaker. I request leave to introduce Bill 208, the Seniors' Advocate Act.

This act would create an arm's-length seniors' advocate, reporting directly to the Legislature, not to government. It would be modelled after the Child and Youth Advocate. It would protect seniors, advocate for seniors, and give an independent voice to some of the most vulnerable people in our province. Unfortunately, I realize this act will not make it into debate. I'm disappointed in that, but I hope at some future time to bring it forward again.

Thank you.

[Motion carried; Bill 208 read a first time]

## Tabling Returns and Reports

**The Speaker:** The hon. Member for Calgary-Fort.

**Mr. Cao:** Thank you, Mr. Speaker. I have copies of a letter from my constituents to table.

Thank you.

**The Speaker:** The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Rowe:** Thank you, Mr. Speaker. I rise to table the appropriate number of copies of a letter I received from a local doctor, which I referenced in my member's statement.

**The Speaker:** The hon. Member for Edmonton-Meadowlark.

**Dr. Sherman:** Thank you, Mr. Speaker. I have four tablings. The first one is a news release from the Alberta government dated December 5, 2012. It's Redford Government Leading Canada on Expense Disclosure. I think it's a good thing.

Number two is from the Canadian Taxpayers Federation, talking about posting expenses of Alberta ministers online, dated December 5, 2012. Five copies.

I have five copies of page 167 of the report of the Auditor General from October 2012 pertaining to "systems over costs for internal working sessions and hosting guests" for the University of Alberta.

I have five copies of a newspaper article by Kelly Cryderman, dated December 5, 2012: Alberta MLAs' Pay, Perks Cost \$14 Million Last Year.

Thank you, Mr. Speaker.

## Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following documents were deposited with the office of the Clerk. On behalf of the hon. Mr. Bhullar, Minister of Service Alberta, the Alberta vital statistics annual review 2010.

On behalf of the hon. Mr. Hancock, Minister of Human Services, pursuant to the Government Organization Act the Alberta College and Association of Chiropractors radiation health administrative organization annual report for the year ended June 30, 2012, with attached financial statements dated June 30, 2012; the Alberta Dental Association and College 2011 radiation health and safety program annual report from January 1, 2011, to December 31, 2011, with attached financial statements dated

December 31, 2011; the Alberta Veterinary Medical Association radiation protection program 2011 annual report with attached independent auditor's report dated December 7, 2011; the College of Physicians & Surgeons of Alberta radiation health administrative organization annual report for the period January 1, 2011, to December 31, 2011; the University of Alberta authorized radiation health administrative organization annual report 2011-2012; the University of Calgary radiation health administrative organization annual report for the period April 1, 2011, to March 31, 2012, with attached financial statements for the year ended March 31, 2012.

On behalf of the hon. Mr. Olson, Minister of Agriculture and Rural Development, a chart listing Canada and U.S. food recalls from October 2012 to December 2012, sourced from the Canadian Food Inspection Agency and the United States Department of Agriculture.

## Orders of the Day

### Government Bills and Orders Third Reading

#### Bill 7 Election Accountability Amendment Act, 2012

**The Speaker:** The hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you very much, Mr. Speaker. It's a pleasure to rise today to move third reading of Bill 7, the Election Accountability Amendment Act, 2012.

Now, Mr. Speaker, we've had a rather robust debate the last week or so, spent about 12 hours on this. I'll try not to rehash it all, but there are a few points that I just wanted to make. I believe that the proposed amendments will ensure strong governance, greater transparency of provincial elections and campaign financing, and overall improve Alberta's electoral process. As I've indicated before, we've relied very heavily on the Chief Electoral Officer's recommendations here, an independent, nonpartisan body that reports directly to this Legislature. He provided 101 recommendations; we have accepted 90 of them.

The first one I just wanted to mention is that there has not been a lot of debate, Mr. Speaker, about the new enumeration policy around income tax based enumeration. No longer will you have people knocking on your door, at a cost to the taxpayer, collecting information, which can be inaccurate. We are going to be moving to a system whereby people can simply check off on their income tax. What I would envision happening is that on the provincial income tax we'd have three questions. Number 1, are you a Canadian citizen? Obviously, you have to be a Canadian citizen to vote. Number 2, have you resided in Alberta for at least six months? That is the qualification under this act as it remains. The third is: do you wish to be on the provincial list of electors? I have spoken with the Privacy Commissioner about this very issue, and no particular issues were raised.

Mr. Speaker, essentially, this process of income tax based enumeration is going to result in a better voters list for less money. B.C. is the only other province that has embarked on such a policy, and from their website they expect a \$25 million saving. The federal government has been doing it for a number of years, and the federal government estimates an 84 per cent compliance rate of people who want to be on the list. Of course, this is going to be voluntary.

I wanted to thank the members opposite. There appears to be some bipartisan support for this change, which I think will be very positive towards our democracy in Alberta.

I wanted to touch on some other amendments. Amendments to the Election Act will ensure continuous improvement to the electoral office by allowing political parties to have input through the development of the electoral process through discussion with the Chief Electoral Officer. The Chief Electoral Officer will also provide his recommendations to the Legislative Assembly in reports laid before our Assembly.

We will increase transparency by requiring the disclosure of name and contact information of the sponsor of election advertising. Mr. Speaker, in one of his documents the Chief Electoral Officer indicated that he had received 800 to 900 complaints about autodiallers, which are referred to as demon dialers or robocalls, throughout the last election. We are not in any way restricting the usage of these items, but at the same time, we're just putting some parameters around it so that people will have to put their name on it, who the sponsor is, where the phone number is. Hopefully, that will encourage some political parties, candidates, constituency associations, third-party groups to use this important tool in a more responsible fashion.

3:00

I wanted to mention as well that the amendments to the Election Finances and Contributions Disclosure Act will increase accountability by applying to leadership contests. All donations over \$250 will have to be reported. It will also lower the threshold of these contributions, which used to be \$375 – again, it's now down to \$250 – and, of course, Mr. Speaker, require quarterly disclosure, which will encourage openness and transparency but will also advise the public not only just on an annual basis but every three months as to any donations over \$250.

Mr. Speaker, amendments to the Election Finances and Contributions Disclosure Act will also help increase compliance. The chief financial officers of political parties will be required to make reasonable efforts to ensure prospective contributors are aware of the provisions of this act. Contributors will be responsible for ensuring that they are not making illegal contributions, and I will always believe the primary onus has to be on the donor because they know their individual circumstances best. Parties, constituency associations, and candidates will be subject to sanction if they solicit or accept a contribution that they know or ought to know is illegal. It is a dual-pronged approach but with the primary emphasis on the donor.

Regarding enforcement under both the Election Act and the Election Finances and Contributions Disclosure Act, Mr. Speaker, the Chief Electoral Officer may impose an administrative penalty, issue a letter of reprimand, or refer the matter to prosecution, the latter of which typically happens in the most severe case. With respect to illegal contributions the Chief Electoral Officer will have the authority to impose sanctions upon the donor and the recipient. I do want to also highlight that the ceiling for administrative penalties is being increased from \$1,000 to \$10,000. There can also be more severe penalties imposed, but again that must be referred to a prosecutor.

We also had some disagreements with the Chief Electoral Officer. We maintained that the current legislation allows him to disclose any issues where there's been an administrative penalty, where there's been a referral to a prosecutor, or when there has been a letter of reprimand. Regardless, Mr. Speaker, it's time to get past that. We are fixing the issue. We're moving back three years, which is the limitation period under section 52 of the act. The Chief Electoral Officer will have the authority to go and disclose any and all information where there has been a letter of reprimand, an administrative penalty, or a referral to a prosecutor over the last three years. Of course, that does apply during the last

election. The Chief Electoral Officer will be authorized to disclose this information with respect to offences that occurred within three years prior to these amendments coming into force.

These amendments, again, will come into force upon royal assent, not proclamation. The proposed amendments of Bill 7 will promote fairness and transparency in our electoral process.

Mr. Speaker, I'd be remiss if I didn't thank a few people throughout this entire process. This has been a long process, and I hope that we are coming to the end of a long road here. I wanted to thank, first of all, our legislative drafter, Peter Pagano, and his staff, who've worked tirelessly on this entire matter. I'd like to thank the hon. Minister of Human Services and Government House Leader, who's been very helpful, and, of course, the Minister of Municipal Affairs, who will be speaking later in third reading as much of this bill deals with the Local Authorities Election Act.

Thank you very much for the time to address you in third reading, Mr. Speaker.

**The Speaker:** Hon. members, I've just been asked to clarify the process. Very briefly I'll do that. There is no 29(2)(a) after this particular speech that has just been given, and there's no 29(2)(a) after the next speech.

The next speech is from the Leader of the Official Opposition, and she has up to 90 minutes. The hon. leader.

**Ms Smith:** Thank you, Mr. Speaker. I'm sure you now have everyone terrified that I'm actually going to use the full 90 minutes.

**The Speaker:** It's all yours.

**Ms Smith:** I will aim to be brief because I have already spoken at length on this.

I do just want to start by providing some context because this will be the last opportunity I have to speak in the Legislature this session before we return again in the spring. I know that there have been some sanctimonious members' statements directed our way, I'm quite sure, about the way in which this House has conducted its business. What I will say is that for the most part I believe that the business of the Chamber has moved on in quite a collegial way. If you look through the 10 bills that have passed in the Legislature, I would say that the members of the Official Opposition, the majority anyway because we do have free votes in our caucus, have been supportive of the bulk of the government's agenda in this fall session.

For instance, there was majority support for Bill 1. I think there was unanimous support, in fact. We also were supportive of the Education Act, though we did attempt to make a number of amendments to it. Both of those, Bill 1 and Bill 3, were the only bills where the government accepted any opposition amendments.

Bill 5, the New Home Buyer Protection Act, enjoyed widespread support, including in the opposition ranks. Bill 6, the changes to the OHS and safety codes also enjoyed support. The changes to Bill 50, which was renumbered Bill 8: although we had significant change we wanted to see to that, generally we were supportive of the direction of returning an independent needs assessment back to the Alberta Utilities Commission. Bill 9, the Alberta Corporate Tax Amendment Act, 2012, to make some housekeeping changes: supportive of that. Bill 10, the changes that were made to the Employment Pension Plans Act: supportive of that.

I think there has been a great deal of work that has been done, and in many cases it has been with the support of the opposition. We certainly have been open to being supportive of those things

that we could agree on. Where we've seen difficulties and where we've seen differences of opinion, of course, have been on three major bills: Bill 2, which is the Responsible Energy Development Act; Bill 4, which is the Public Interest Disclosure (Whistleblower Protection) Act; and, now Bill 7, which is the Election Accountability Amendment Act, 2012.

I have to say that if we're talking about respect, integrity, and purpose, I can tell you that it certainly didn't show much respect, integrity, or purpose for the members opposite to vote down virtually every single amendment that was proposed not only by this opposition party but by the third-party opposition and the fourth-party opposition as well. I think that the Member for Edmonton-Beverly-Clareview – unfortunately, he isn't here – was keeping a better tally of this than I was, but I believe there were 119 amendments that were proposed to these various bills. As I've already mentioned, the government only chose to support two.

Now, I know from the conversations that we have in our caucus – and you've seen that we have had free votes on a number of issues. We've had our members voting differently, and I suspect you will see that there will be members voting differently on this bill as well. I find it very, very hard to believe that 61 Progressive Conservative MLAs looked at 117 amendments and couldn't find a single one that was worth supporting. I find it very hard to believe that this is rising to the level of respect, integrity, and purpose that the hon. member opposite was just lecturing us all about. In fact, I've heard very many sidebar conversations have taken place over the last couple of weeks about how some of these amendments were quite good, but they couldn't be supported because they were being proposed by the opposition.

There is a term in psychology called "projection," and projection is where you actually accuse your opponents of exhibiting behaviour which you yourself are actually demonstrating. I think that what we're seeing, for all of the whining and complaining to the media that the members opposite do, is a little bit of projection because I have to say that I have never seen such blatantly partisan behaviour as I've seen of the members opposite for this entire process.

I do want to congratulate the members from the other opposition parties. I think that we've enjoyed having a number of late nights debating a variety of amendments. We've appreciated the support that you've lent to our amendments. I hope that you've appreciated some of the support that we've given to your amendments. I only wish that I could congratulate the members opposite for being equally open minded.

With that in mind, moving to the issue at hand, Bill 7, I had initially risen to speak generally in favour of Bill 7. As I've already mentioned, we do have a split in our caucus. There are some members who do support the legislation because of the fact that there are many amendments – many amendments – that I think are worth supporting. When you have 90 out of 101 recommendations that have been put forward by the Chief Electoral Officer accepted by the government, that's a very positive thing, so this is a bill where it isn't all bad. I think that much is very clear.

Some of our members are inclined to support some of the positive aspects of it like student voting, like the fact that there's disclosure of the leadership campaign donations and the fact that there's greater disclosure around the issues of surveys and polls. I think everybody was driven crazy, quite frankly, by all of the dialing and robocalling that took place during the last election. So I think that there are some good reasons why you would see some members support this bill.

3:10

I personally, though, am not going to support this bill. I think it's quite clear to me that this bill fails to reach the standard of accountability and transparency that the Premier keeps promising that she's going to deliver on. This bill does not raise the bar in the way that I think the Premier had given the expectation that she would when she became leader of her party and then subsequently Premier of the province. Let me go through the significant problems that we have with this bill that could have been corrected and that the government, unfortunately, chose not to, which is the reason I'll be opposing it.

First of all, let's remember how we got to this point in the first place. We had a series of high-profile scandals involving huge corporate political donations and tax dollars being funnelled to political parties, which has shaken the public confidence in our democratic process. Albertans want to know that our democratic elections are fair, that political parties can't be bought by special interests, and that the sole stakeholder in our elections is and always will be the individual voter.

In the spring the Justice minister began this whole process in the four days of question period that we had by seemingly refuting that we needed to have a change in legislation at all. There seemed to be some confusion on that side about the restrictions that they had placed on the Chief Electoral Officer to speak openly and candidly about the results of his investigation. There was confusion about whether he was permitted to release the results of his investigations when he found wrongdoing, and he has found wrongdoing.

In a July press release his office indicated that he had commenced 81 separate investigations – we know that there are many others that could be initiated – of which in 37 he found wrongdoing, in another 14 he found wrongdoing and only indicated a warning or an administrative penalty, and in the remaining 30 he found no wrongdoing. The fact that he was not permitted to release these results was the very reason why the Justice minister was ultimately pressed to bring forward the legislation that he did.

Now, in combination with that, we knew that there was going to be a change to the four-year election cycle for municipalities. I think it's unfortunate that he smooshed these two bills together because I think that there are many hon. members who actually are more in favour of some of the changes made to the municipal elections law than they are of the paltry attempts to fix the electoral financing law, and you may have found that there would have been more support if this had been split into two different bills.

Let me go back to some of the reasons why we are also here. I do find it interesting as well that the Justice minister finally did end up accepting the majority of the recommendations proposed by the Chief Electoral Officer when it was the previous Chief Electoral Officer who did not have his contract renewed after having put forward recommendations. It was quite clear that his recommendations ran afoul of what the government wanted at the time. I suppose better late than never. But it is unfortunate that there were some significant proposals that were put forward by the Chief Electoral Officer that were left on the table.

It is also unfortunate that we will never know the 19 files that the former Chief Electoral Officer had put forward to prosecute, which the then Justice minister, now Premier, chose not to act on. It's unfortunate that we will never know what those cases involved because we think that it would have gone a long way towards actually putting teeth into this legislation if you actually

had a Justice minister and a government that were committed to prosecuting when they found wrongdoing.

We're glad, in any case, that it's closing some of the loopholes. However, it certainly doesn't go far enough in closing all of the loopholes, and as it is written, Bill 7 does actually very, very little to improve accountability and transparency in our democratic processes.

I do want to go through the amendments that the members opposite rejected of ours, because I do know that in sidebar conversations at least some of the members were supportive of them, and just remind them that it's their own party's inability to allow free votes – again, another broken election promise from the current Premier and leader of their party – and the fact that they have whip votes on that side that has prevented them from being able to support some of these, I think, quite reasonable amendments. I'll just run through them again because, hopefully, at some future point, when these amendments come back, there might be another opportunity to address them.

In the first case, we wanted to see an amendment that would have rejected the demand for quarterly financial reporting from the constituency associations. This was not a recommendation that came from the Chief Electoral Officer. It's a bit strange that it's in there, especially since we know that this is going to create a huge amount of additional paperwork burden on all of our constituency associations.

We know that they're volunteers. We know that during election periods a lot of the activity of our constituency associations does end up curtailing – this is going to create an additional enormous burden of paperwork without really getting at the issue of some of the transparency. We already have limitations at the local constituency level. It's not the local constituencies that we're worried about receiving a \$430,000 cheque from a single donor. That's actually happening at the political party level. The fact that the government has chosen to put this in and would not listen to some of the arguments about the excessive paperwork burden I thought was unfortunate.

We also know that the government and the Justice minister made it quite clear that they think it's the donor's responsibility and that the burden should be on the donor to share the responsibility or most of the blame for illegal donations. We tend to take the other view. It's the political party that should know what the election rules are. Most donors don't wake up in the morning and say: gee, I'm going to cut a cheque for \$430,000, and I need to find a way to get around the rules. That is something that is solicited from a political party, and it's the political party who should bear the burden of the blame and the burden of the penalty when that occurs. The government quite clearly wants to continue to keep the burden on the donors. We think that the burden should have been placed on the political party, and of course they rejected that.

We also believe that we needed to close the Katz loophole or the Katz lobster boil loophole, as I think the hon. House leader saw the debate go. We knew that it was some of the smaller pooled contributions that the hon. House leader on the opposite side was concerned about, so we were willing to propose a sub-amendment to try to address some of the concerns that he had. It's still unfortunate that the government did not see fit to make the changes, that we know Albertans are asking for, to close this loophole that allows huge donors to be able to cut a single cheque and then write multiple tax receipts to friends, associates, and family members, skirting around what the law clearly is designed to do.

There would have been a very simple way for them to close that loophole. The Member for Lac La Biche-St. Paul-Two Hills

proposed it, and of course it was voted down by the members opposite. So it didn't do anything, I think, to restore public confidence that we have a system now that can be trusted going into the next election.

We also wanted to make taking action on violations mandatory for the CEO, not optional. This is something that even the Justice minister talked about when he introduced his legislation. I was over at the press conference, and he was quite clear that the Chief Electoral Officer must release the results of the investigations. But, heck, when you went and looked into the actual legislation, it didn't say "must"; it said "may." I don't know why it is that the Justice minister would tell the media one thing out in the public, and then when he was challenged in here to actually make the legal change in the wording to give weight to what he had said, he rejected the amendment out of hand. I think that this was an error.

What people need to know is that when wrongdoing is found, when an investigation takes place, when there are fines or administrative penalties, the Chief Electoral Officer must release that to the public so that we will know who has done wrong, so that there is that element of public shaming. Part of the reason why all of these illegal donations have been able to go on and on and on, year after year after year, where some say, "well, it was just our common practice," is because no one has ever suffered a penalty for anything. There has been no public disclosure when wrongdoing has been found. There's been no disclosure of fines. Having this mandatory is an essential component of making sure that people follow the rules. Again, I think that this is another missed opportunity on the part of the government, and it will go not one step further towards restoring public confidence in the system.

We also wanted to see publicizing the failure to pay the penalties on time. We all recall what happened to Toronto Mayor Rob Ford in the last couple of weeks. One of the things that the integrity commissioner requires is that you have to pay the fine and you have to show proof that you've paid the fine. One of the ways in which this issue kept returning and became a matter of public concern was that there wasn't evidence that the penalties had been paid and that they had paid on time. Publicizing that failure to do so is just one other aspect of the public scrutiny that should be put on these kinds of illegal donations in order to make sure that they stop. It would have been a very simple administrative issue, very simply setting up a website. It wouldn't have required a whole bunch of additional forms or paperwork or enforcement officers, yet once again it was rejected, unfortunately, by the members opposite.

### 3:20

Another amendment: extending the statute of limitations for punishing and publicizing illegal donations. We wanted to make this retroactive seven years. We know that wrongdoing has gone back further than that. We know that the government had attempted to clarify what the rules were back in 2004. No one seemed to listen. And why would they? There was no serious effort being made on the part of the governing party or the Chief Electoral Officer to root out the wrongdoing, stop it, and publicize those who had done wrong.

We know that there is a lot that needs to be cleaned up. We would have argued that since most people are required to keep their tax returns going back seven years – and this really is a tax filing issue, so people should be able to keep their tax forms related to donations to political parties – it would not have been a hardship for anyone to make this a bill that would be retroactive seven years, not the three years that has been proposed.

We think that seven years was rejected for, quite frankly, political reasons. We know that there's a family member close to

the Premier who would get caught up in the issue of illegal donations. We think that this is a period of time that was set deliberately to prevent the prosecution and investigation and disclosure of wrongdoing in that circumstance. I think that's unfortunate. These laws that we make should be made for the benefit of the public, not for the benefit of any particular private interest, not to benefit or shield any particular person from prosecution. I fear that's what's taken place in this case.

Another amendment that we proposed. We worked with the mayor of Calgary, Mayor Nenshi, to try to correct an apparent error. This should have been a very straightforward amendment. It looked as though only candidates who are elected would forfeit their surpluses to charity. What Mayor Nenshi had proposed is: let's just make the wording change so that it's quite clear that if you're a losing candidate, you also have to donate your surplus to charity. Once again, what seemed to be a very straightforward, simple, logical amendment was rejected by the members opposite probably for no other reason than that it was proposed by the opposition party rather than proposed by a government member.

Making a CEO report of wrongdoing mandatory, not optional, is absolutely essential if we're going to prevent actions of wrongdoing in the future. You have to be able to have all of the files reported in a mandatory way.

We also wanted to see a lowering of contribution limits. We were pleased, actually, that the NDP put forward a contribution limit. We had proposed that we would see an amendment that would lower donation limits from \$30,000 during an election to \$10,000 and from \$15,000 in a nonelection year down to \$5,000. But the NDP did propose a \$3,000 max that would take place during an election year or nonelection year. We also liked the approach that they took of suggesting that you would have a \$3,000 max as well for the constituency associations because we know that a lot of the election expenses these days take place at the local level as well. We thought that that was a reasonable amendment, so we were prepared to support that, but once again the governing party voted that down. We think that what we need to see is some limitation on the upper limit for what the contributions are during an election campaign so you can once again restore in the public the confidence that there isn't any relationship between the dollars contributed to a political party and any influence that might take place on political decisions after the fact.

I think, unfortunately, the reason why we're even having this discussion is because we have seen instances where huge, huge corporate donations or individual donations have been made, with the appearance that they intended to influence government decisions because there have been significant decisions before the government at the time that those decisions have been made. There would have been a very simple way for them to address that, and that would have been by limiting the contribution limit.

One other way that they could have limited it was by banning corporate donations. Now, we have already mentioned, of course, that we as an opposition party raised a lot of money in the last election. We also would have been impacted by a ban on corporate donations, but we felt so strongly and received feedback from our members at a recent AGM that this is something that they want to see. They want to see election financing returned to individual voters. They want to remove the influence of corporate and union donations from the apparent effect that it has on political decision-making. Unfortunately, the government once again voted that down.

We would have liked to have seen them propose an amendment that would have allowed for the same ban to apply to trade unions. We did the best we could putting forward an amendment that

would have ended corporate donations. Unfortunately, once again, that amendment failed.

We also would have liked to have seen, finally, the raising of the maximum penalties for those who have done wrong, for parties and for individuals. The government has proposed \$1,000 to \$10,000. We would have liked to have seen that go a little bit higher, to \$25,000. We know that the government is increasing fines for administrative penalties across a whole range of different types of violations. We think that these kinds of violations are very, very serious because it draws into doubt the integrity of our democratic process when we have seen repeatedly, year after year after year, our Election Act violated. We think that having a serious penalty levied not only against those who are the donors but also those who are the recipients of these donations would have gone a long way towards ensuring that we could restore some integrity to the elections financing legislation and also the way our elections are conducted.

There are a few things that we wish we had seen in this legislation. We know that the Premier, when she was running for leader of the Progressive Conservatives, promised a fixed-election date. Of course, she didn't deliver on that. She doesn't deliver on many of her promises, Mr. Speaker. She delivered a fixed-election window. But I noticed, once again, the Chief Electoral Officer said all of the benefits that would be derived from having a fixed election date – I'm not quite sure how the government members can be so double-minded about this. They kind of accept the idea of a fixed-election date for municipalities, but they reject the idea of a fixed-election date for provincial political parties. I think the idea is that they want to be able to continue to manipulate the choice of the election date to be able to choose the election date when it's an advantage to the governing party as opposed to having one where it's fair to all.

We also would have liked to have seen an amendment if we were going to go through and change the elections law – I may as well say it. We would have put forward an amendment for recall because I can tell you that with some of the things that we've seen in the last few months, I can imagine that there are a few MLAs who would be facing a recall petition today. So we'll have to save that one until after the next election.

In closing, Mr. Speaker, I certainly would have liked to have been able to support this legislation. I know that my caucus was looking forward to being able to have a reasonable debate, putting forward a reasonable argument for reasonable amendments, and they thought that the members opposite would give some reasonable consideration to them. They did not, and as a result, instead of passing a bill that I think this whole Chamber could be proud of, we're passing a piece of flawed legislation that falls well short of what it is that the Premier promised in her election campaign and well short of what the Justice minister, I think, could have accomplished had he been able to see his way through to supporting some of our amendments.

Let me just summarize the main things that we believe this legislation has not done. We thought we needed to address the issue of corporate and union donations and ban them. Not done. We needed to make sure that there were rules in place to have more strict contribution limits and also that they could not be skirted around. That was not done. We wanted to make sure that illegal activity was reported not just for the last three years but going back, the same period that we're required to maintain our tax records, seven years. That was not done. We also wanted to know that the results of all of these investigations would be revealed. Not done. We wanted confirmation that any fines that were levied would be paid back. That was not done. We wanted

confirmation that any illegal donations would also be paid back. That was not done.

We put forward a package of potential amendments for this bill, and quite frankly the government just simply ignored them. Many of these proposed recommendations had been endorsed and proposed by the Chief Electoral Officer, so there was an extra level of validation to what we were proposing, but once again the government ignored them. I think the government ignores its own democratic deficit at its own peril.

With that, Mr. Speaker, I will be opposing this bill.

**The Speaker:** Hon. members, I've received notes from several individuals from virtually all parties regarding the speaking list, so let me just clarify what I have based on the order in which it was received and bearing in mind the standard practice of alternating between government members and the other opposition party or parties as the case may be.

We've heard from the Minister of Justice, who moved third reading. We've heard the response from the Official Opposition. I have now a spot for a member from the governing party, which will be Edmonton-Gold Bar, followed by Airdrie, followed by another member from the governing party. At that point, which will be the fifth spot, in other words, the rotation that I have in mind is a member from the government side, so to speak, followed by NDP, followed by Liberal, followed by Wildrose, and it'll start over. Now, that doesn't mean that everybody will use that rotation, but that's what I have.

Edmonton-Gold Bar, followed by Airdrie, and Standing Order 29(2)(a) will be available starting with this next speaker.

3:30

**Mr. Dorward:** Thank you, Mr. Speaker. I heard words like "blatant partisanship" and, I suppose you could say, "playing politics." What I'd like to talk about is a couple of grand flip-flops as they pertain to this bill, particularly regarding corporate donations, an area that I spent a lot of time thinking about and pondering because it is a philosophical area. It's an area where we've got to make sure that we get it right. I came to the conclusion, as I stated in the debate last night, that I don't see a problem with corporate donations, particularly as that pertains to the small businessperson.

Regarding those corporate donations I've done a little bit of research and found that while working at an esteemed Calgary newspaper, the MLA for Highwood, the Leader of the Official Opposition, commented on the imminent removal of corporate donations from the federal scene. At that time, Mr. Speaker, Bill C-24 was the imminent removal of the corporate donations; therefore, corporate donations on the federal scene would not be there anymore. I quote from that article of May 2003: Bill C-24 is unconstitutional, and he, Mr. Prentice, wants the Tory party to challenge it in court to prevent it from becoming . . . [interjections]

### Speaker's Ruling Decorum

**The Speaker:** Hon. member, just please have a seat.

Hon. members of the Wildrose who are shouting out some interjections, please be reminded that the purpose of third reading is not to go through the bill stage by stage, step by step, clause by clause. However, in deference to your leader I did allow her to go through some of the amendments because I thought that they were important for her to enunciate, and I allowed her that full freedom. I did not have to, but I allowed it. Now I would ask you to please allow some consideration for the member who's speaking now.

Hon. member, I will remind you, however, that relevance under 459 of *Beauchesne's* is important and that we don't need any more points of order.

Let's keep this at the same level that we kept it when the hon. Leader of the Official Opposition was speaking. I would ask for all of your concurrence in that regard, please. This is an important bill. We recognize that. It's at a very critical stage in this House. Let's just preserve the decorum and hear what members have to say and give them the floor to say it.

Hon. Member for Edmonton-Gold Bar, please proceed relevant to Bill 7 at third reading.

### Debate Continued

**Mr. Dorward:** Thank you, Mr. Speaker. The context is that I want to stand on the record as being in favour of particularly small business being able to make corporate donations. Of course, we understand that on the federal scene that was removed.

If I can continue: the Tory party to challenge it in court to prevent it from becoming law; if the Tories don't, the Alliance should. Mr. Speaker, I think that speaks to, you know, the feelings that were in existence at that time relative to the need to keep corporate donations in our system and to allow corporate citizens to be able to donate.

There's another issue, Mr. Speaker. While I listened carefully to the Leader of the Opposition discuss the points that they had in deference to the bill and speaking to their rejection of it, I listened carefully to hear the donation limits. I just wanted to confirm a couple of things going back, because I did do some checking back into any discussions relative to this issue in the past: I'm in favour of the donation limits as they exist now and as they will exist in this bill because they did not get changed although I do believe that we had some amendments in that regard.

I want to go back to *Hansard* of May 4, 2009, and the conversation regarding Bill 205 at that time. I'm referring to page 941. This was a conversation that the MLA from Airdrie had at the time. "Contributions by donors to this account would be set at a fair limit of \$30,000 during an election year and \$15,000 in a nonelection year." Indeed, the same kind of comment was in the November 16, 2009, *Hansard*, page 1787, wherein those same fair limits were commented on.

I do think, Mr. Speaker, that we have got the right decision made relative to corporate donations. We've got the right limits in this bill, and I'm supportive of it.

Thank you.

**The Speaker:** I show the Member for Airdrie next. You're relinquishing your spot to the Member for Little Bow?

**Mr. Donovan:** No, on 29(2)(a).

**The Speaker:** Oh, I'm sorry. Standing Order 29(2)(a). My apologies. I was sidetracked here with another flurry of notes.

Standing Order 29(2)(a) is available, hon. member.

**Mr. Donovan:** Thank you, Mr. Speaker. I hear the Member for Edmonton-Gold Bar talk about back and forth and articles from back in 2003. I think we're really trying to move forward on this bill. I think all people in this House are trying to move forward on it. If we could all try to move forward and not go back to eight, nine, 10 years ago on stuff that's being dug out just to prove a point politically, I think everybody would appreciate that. I'd hope the member over there would also appreciate that.



**The Speaker:** Any others under 29(2)(a)? I have the Member for Calgary-Mountain View.

**Dr. Swann:** Well, I just wanted to ask the member – and we chatted a bit about this last night – if he has no problem with a corporation spending \$30,000 on a particular candidate in a particular election. That's part of what happens when you open it up to corporations. They have undue influence, and the average voter doesn't have that.

**Mr. Dorward:** Mr. Speaker, as I said, I have never in my lifetime experienced any donations that have affected a decision that's ever been made in this House.

**An Hon. Member:** And you're old.

**Mr. Dorward:** And I'm old, according to the good member in front of me here. So I just don't buy that logic. It doesn't make any sense to me.

Thank you.

**The Speaker:** I have Edmonton-Strathcona, followed by Rimbey-Rocky Mountain House-Sundre.

The hon. Member for Edmonton-Strathcona under 29(2)(a). We have three and a half minutes left.

**Ms Notley:** Thank you. I mean, now, I actually am a fan of holding people to account for their record. I think that on occasion when someone has something on their record and then they make a considered decision to change their mind and they outline in some detail why it is that they've changed their mind and they take responsibility and are very accountable for the fact they've changed their mind, that's totally appropriate. But I'm just wondering why it is that this member thinks it's appropriate to go back to 2003 when we're about to pass a piece of legislation that doesn't allow us to go back past 2009.

[The Deputy Speaker in the chair]

**Mr. Dorward:** Well, Mr. Speaker, I think that the whole concept here is the flip-flop. We have had flip-flop discussions in the press. We've had flip-flop discussions in this House here. We've heard those words yelled back and forth. I guess I do agree. There are times when we should be able to change our opinions based on what Albertans want to hear. But if that's the case for one side of the House, let's have it be the case for the other side of the House.

**The Deputy Speaker:** Are there others under 29(2)(a)? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. I was wondering if the hon. member would actually answer the question because the question was actually one of the amendments. How do you reconcile going back to 2003 yet voting against the amendments to hold the government party in power accountable for at least seven years? That was voted down unanimously by the party in power. I'd like to know your reconciliation of that conflict or contradiction.

**The Deputy Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. Dorward:** Thank you, Mr. Speaker. You know, I'm honoured. I've sat here for six weeks and desired to be involved in question period, and now I kind of feel like I am, and I'm really honoured.

I know what an apple is, and I know what an orange is. I know what it is to go back and look at a potential flip-flop. I know what

it is to go back on election bills, and one goes back three years, and one goes back more than that.

**The Deputy Speaker:** Thank you.

The hon. Member for Edmonton-Meadowlark on 29(2)(a).

**Dr. Sherman:** Thank you, Mr. Speaker. To the hon. Member for Edmonton-Gold Bar: do you honestly agree that for one individual or a group of individuals that based on a certain issue, it's a good thing for them to donate \$430,000? It's something that may have very likely influenced the outcome of the election. Do you think that is a good decision to allow those types of donations to improve our democracy? Are you serious?

**The Deputy Speaker:** Do you care to respond, Member for Edmonton-Gold Bar?

**Mr. Dorward:** Mr. Speaker, I think there's an investigation on that going on.

**The Deputy Speaker:** The hon. Member for Airdrie.

**Mr. Anderson:** Still on 29(2)(a)?

**The Deputy Speaker:** Standing Order 29(2)(a). You've got 50 seconds.

3:40

**Mr. Anderson:** You know, this member and I have a history. I always thought the idea of repentance was that when you realize that you've done something wrong, you go back and admit that you made a mistake. You own up to that mistake, and you make penance for that mistake. Hon. member, you're killing me here. I mean, that's what I thought good people of the world were supposed to do from time to time. This member obviously feels the same as I do. With the ideology that we once had on this issue, once we saw the corruption that happens in politics because of money around the world, in fact – you know what? – we were wrong. We're willing to make that statement in the House. I know it's hard, but listen to me again. We were wrong, and we are going to do everything possible to undo the wrong.

**The Deputy Speaker:** Thank you, hon. member.

I recognize the Member for Airdrie on third reading.

**Mr. Anderson:** All right. Enough with the theology, I guess.

All right. There is a great quote in *Alice in Wonderland*, a novel that, hopefully, most of us have read. It's about: how can you say that these words mean what you say they mean? The answer to that – I believe it was from the Cheshire cat – was: the words mean whatever you want them to. The words mean whatever you want them to. Now, this Premier is a big fan of *Alice in Wonderland*. We know that from her budget to the way that she interprets her own words.

The fact is that the last time I checked, truth matters. The last time I checked, people are responsible for the words that they say, and they're responsible for the acts that they do. The last time I checked, we believed in this House in accountability and transparency. The last time I checked, political parties shouldn't be able to be bought off by the highest bidder. The last time I checked, Bill 7 was supposed to be about accountability.

**The Deputy Speaker:** Hon. member, third reading.

**Mr. Anderson:** All right. And the last time I checked, we need to talk about the bill on the floor in third reading.

**The Deputy Speaker:** Third reading, hon. member. Thank you.

**Mr. Anderson:** That's right. So we will do that.

Bill 7, Mr. Speaker, is a huge disappointment. It is a massive missed opportunity. We had an opportunity here to really set a new standard in this country, and instead, to quote the illustrious Deputy Premier, we have decided to remain the bottom-feeders of democracy in this country. This bill does nothing to change our status as the least democratic province in this country. It's a sham. It's a shame. It does very little of what we were hoping that it would accomplish. Very, very little.

The Government House Leader in this House yesterday talked a lot about how we need to just trust that all people are good people and that we shouldn't put any kind of constraints on the ability of people to participate in the democratic process because people are good people. All people are good people. As I said then – I'll say it now – I love the world that that House leader lives in. It's a beautiful world. It's a world of unicorns and rainbows and lollipops. It's a world where everyone holds hands around the campfire. It's a beautiful world. It's a world that I want to be a part of. I want to be a part of that man's world.

The fact is, Mr. Speaker, that that world is a fairy tale. The fact is that although most people are honest, there are dishonest people. Although most people don't want to wrongly interfere in election results and wrongly interfere in the outcome of elections and aren't only in it for big dollars and so forth, there are some that are. I know that's miraculous for some folks and that this is a huge epiphany for some folks, that there are people that if given the opportunity in a democracy will use every means at their disposal to manipulate with their money, with their time, with their resources and do anything that they can to change the way government functions. There are some of us – there are some elected individuals, I will say – that are perhaps somewhat susceptible to that influence. It has happened time and time again in every democracy across the world.

That goes to the heart of some of the key amendments that we brought forward. There is no doubt that from an ideological point of view, a must protect free speech at all costs, no constraints, no restraints whatsoever view, that an individual should be able to come in and spend \$5 million, \$10 million, split it up among all his friends with 5,000 different tax receipts and say: "You know what? That's fair game. There's nothing wrong with that."

That's a possibility of what happened. It surely looks like a possibility of what happened in the Katz affair. It wasn't \$5 million; it was \$430,000. Granted, there is an investigation going on, I think. We don't really know, but we think. We think that it looks like \$430,000, one cheque, which the government has never denied and which was reported in two newspapers. Now, they could be wrong. Granted, they could be wrong, so we'll wait for the investigation to conclude, but the government hasn't denied it. That amount, \$430,000, was split between several different donors, and the tax receipts were sent out.

Now, apparently the PC Party says that's all above board. Okay? All right. Well, that's great. The problem is that the public is extremely offended by what happened. They are offended by it. They think that it is ridiculous that somebody should be able to come in when the donation limit is already an astronomical \$30,000 per individual or corporate entity or union – it's already through the roof, the highest in the nation, anyway – and be able to circumvent that rule, that already kind of out-of-the-park rule, by signing one cheque and giving it and saying, "Now send the tax receipt to this person for \$15,000, this person for \$15,000, this person for \$15,000," and down the line.

How is that in line with the spirit of the elections law that's on the books? It isn't. It looks awful. It feels awful. It feels icky, Mr. Speaker. Doesn't it feel icky? I think it feels icky. It does feel icky and not just because that was used last week in the most amazingly well co-ordinated fear-and-smear campaign that this province has ever seen by that side of the House. Not only is it icky because it funded that, those personal attacks. We know that that side doesn't like personal attacks except during the last week of the election, when they call us all bigots and racists: oh, don't question us on our accountability, you bigots and racists. Like, come on. The double standard is just a little much to take.

**Mr. Horner:** I'll say.

**Mr. Anderson:** Yeah, exactly. It's brutal. It's amazing the double standard that does occur in this Legislature.

People are absolutely disgusted that an individual – it doesn't matter who the individual was – is able to come in and influence an election in that way. Then you put on top of that the fact that \$100 million right now is being sought by that individual or the corporation that that individual is a part of to get a new arena in Edmonton.

The Finance minister says: I was never influenced on that. That may be true, Finance minister. I'm glad you say that. I'm hoping to believe you on it. In fact, I may even take a chance here and say that I do believe you on it, but the optics are awful. They're brutal. It makes it look like this government is open to being bought by the highest bidder on this issue. That's what it looks like, and we can't have that. We can't have those optics.

**The Deputy Speaker:** On the bill.

**Mr. Anderson:** That's right. This is on the bill.

We have to close that Katz donation loophole. That's why we brought that amendment. It doesn't pass the smell test. We brought two amendments, an amendment and a subamendment, on this issue. One was to say that you cannot make a donation on behalf of individuals. Then the Government House Leader eloquently stood up and said that that would affect his ability to hold a lobster boil. So we said: okay, we're going to make sure that that Government House Leader is able to have all the lobster boils his heart can imagine, and we are going to bring in an amendment that says that you can't make a donation on behalf of someone in excess of \$15,000. Still that was unreasonable because, apparently, the Government House Leader charges \$15,000 a plate at his lobster boils. That's the only reason I can think of that he would reject that. It is absolutely ridiculous for this government not to accept that. So that was the first major one.

**Dr. Sherman:** Lobster?

3:50

**Mr. Anderson:** That's right. It was the Katz lobster boil amendment. It was a beauty, and it was rejected.

Now, the second. I love how this government across claims to be progressive, so progressive: look how progressive we are. Then it's the Wildrose with the support of the Liberals and NDs that comes forward and says: "You know what? We have seen the stench and the stink that big money has on the democratic process, that it has on government decisions, and we are not going to take part in that any more as a province." That's what we should be doing. This government's comeback is: "Well, you guys took corporate donations before, too. So you've got to be principled here and not do it anymore." Well, obviously, as a party we are not suicidal. We are not going to bring a knife to a gunfight.

Obviously, until the rules are changed for everybody, we are still going to accept corporate donations. [interjections] Oh, horror. I know. Horror. That's right.

The fact is that on day one – well, I don't know about day one, but in the first year: can we say that, hon. leader?

**Ms Smith:** I think so.

**Mr. Anderson:** In the first year of a Wildrose government we will ban corporate and union donations. That is what Albertans want to see. Get big money out. Get it out, especially as it appertains to corporate and union donations. I know that's not the most ideologically pure thing for a conservative to say, but the fact is that when you see the effect it has had on the transmission line debacle, on this whole Katz issue, and on many other issues, I just think it's the right thing to do, and I think most Albertans feel it's the right thing to do.

There are many other issues. We saw 24 amendments brought forward by the opposition. Our hon. leader did a remarkable job of listing all the different amendments that were rejected by this government out of hand. I do want to say that I find it absolutely offensive, in my view, that this governing party undertook to change election laws involving political parties. They went to the PC Party, and they asked them for their thoughts on amending the election laws. Guess what, Mr. Speaker? They did not consult at all prior to tabling the bill or having the three-column document in front of them. They did not go to the NDP Party, did not go to the Liberal Party, did not go to the Wildrose Party to ask for any input.

This whole idea that this government believes in consultation is garbage. They believe in consultation with their friends. That's what they believe in. They consult their friends on every bill and say: what can we do for you? They put it in the bill. They don't talk to anybody that might disagree with them, that might have a different perspective. No matter whether it's land-use legislation, whether it's election legislation, whether it's legislation about lollipops and unicorns, they only talk to their friends on the legislation, and it's ridiculous. They're invited guests.

Then this Treasury Board president keeps saying: "Well, why didn't you show up to some of these consultations on the budget, for example? Why didn't you show up to some of these?" Because we tried to show up for the health ones, and we were told we couldn't come in. We just assumed we couldn't go to the financial ones.

It's absolutely ridiculous. Absolutely ridiculous.

**Mr. McIver:** Burn your bra, Rob.

**Mr. Anderson:** Well, the Minister of Transportation just told me to burn my bra, or in my case it would be a 'mansierre.' I'm not going to burn my mansierre. I quite like my mansierre. I think that this shows again the decorum on that side of the House. Once again, just amazing decorum. Amazing decorum.

I will say, Mr. Speaker, that this is not a bill that I can support because it is a bill that is in my view completely hypocritical in every way, shape, and form. Now, because we have this foreign concept of free votes that just seems to defy all logic for some folks over there, there may be one or two folks over here – or three or four or 10; who knows? – that are going to vote for this bill because they believe that it is a start.

We just finished potty training my children, for example, and we give them Smarties when they go in the toilet. Even when they miss it nine times, if they get it once, we give them a Smartie. I think that's kind of the idea here. Some of them want to give a Smartie because they hit the toilet on a couple of things. Unfortun-

nately, they keep missing the toilet on everything else. That is the problem, and that's why I cannot give them candy and support their bill.

Thank you very much, Mr. Speaker.

**The Deputy Speaker:** Thank you.

Hon. Member for Sherwood Park, would you take your seat, please.

Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the next speaker. The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you very much, Mr. Speaker. It's not entirely a pleasure to get up and speak to Bill 7 on third reading, a bill that we will in our caucus be voting against. [interjections] I know it's a big shocker over there. I gave some thought to how I would approach this issue and how I would talk about it.

You know, today in question period I thought about the workings of the Election Act and how important it is to Albertans. Today in question period I heard the Premier say again, over and over, that she did not make a certain decision. She said that even though there is not one, Mr. Speaker, not two, not three, not four, but five documents from four separate people, including the Premier herself, which say that she made that decision.

Now, I understand that the Speaker of this House has made a ruling about that. Apparently, we all need to determine inside this House that it's possible to have two sets of facts, two sets of the truth, and that's why it's okay for the Premier to have said what she said, notwithstanding the documentary record, which is clearly there for everybody to see.

The relevance of that issue to this bill, Mr. Speaker, is that at some point, somewhere, somehow the Premier needs to be held accountable for having a version of events which clearly only exists in a different dimension, in a different galaxy somewhere. This bill is extremely important because this bill includes the rules around the process through which Albertans will eventually be able to hold this Premier accountable for advocating a set of facts which are contradicted by not one, not two, not three, not four, but five separate documents. Sooner or later she has to be held accountable, but she will only be held accountable if we have an Election Act which ensures genuine fairness of the process.

So let's talk about that Election Act and the process that led up to that Election Act. Well, like everything else in this Legislature, Mr. Speaker, that process was flawed, and that process was geared to ensure that people on one side of the House got unfair access and unfair influence as to how those rules were devised. Now, it's fine when you are in government. Of course, we all understand how legislation works. We understand the role of the executive branch of government in coming up with legislation and discussing it with the governing caucus and putting that to the Assembly. We all understand that. But there are certain areas, certain issues which rest appropriately not in the executive branch of government, not over in the government caucus, but squarely in the centre of this Assembly because those are rules which impact this Assembly as a whole.

One of those areas is elections law. It is fundamental to democracy that elections law is developed fairly. That's why we have a Chief Electoral Officer, and that's why usually in the normal course of things in healthy democracies, which this is not, but nonetheless, the rules are developed through the recommendations of the Chief Electoral Officer with fair and open consultation with all elected members of the Assembly.

But, Mr. Speaker, that didn't happen in this case. In this case one side of the House got the recommendations three months

before the rest of us did. The government got the recommendations. The government got the rules, and they got to play with them, and by the very admission of one of the speakers on that side they got to talk to their party volunteers. They got to consult with them on it. We had it dumped on us a little over a week ago. Then we had the government bring in a notice of motion to give themselves the authority at any time to sever debate to four hours. They use that as a means of bullying their way into having this bill discussed at this point in the day with very, very little debate.

4:00

As has already been outlined in a great deal of detail by the Official Opposition leader, there have been copious amendments proposed to this legislation by opposition members in an effort to restore the balance that exists within this legislation. In amendment after amendment after amendment after amendment the folks on that side voted it down, and they voted it down in a very fast way, without really having a fulsome discussion because, again, they wanted to get out of here at a certain point. They used the threat of closure to negotiate a severed debate, a shortened debate, on this issue when they've already had three months to deliberate on it and we've had one week. Mr. Speaker, I mean, it's just part and parcel of how things run here.

You know, I said it yesterday, but I'm going to say it again. When people over there complain about decorum in this Assembly, I say: look in the mirror. Because when you play it that way, you get what comes to you, and you need to own the consequences that you create. Again, it sounds like I'm talking to kids. Everyone keeps having this analogy where you're talking to kids, simple basic rules that you apply to kids, and once again I'm in the position of having to do that just as previous speakers on the opposition side were. I wish that wasn't the case. I wish we didn't need to speak that way to members of the government.

Anyway, we have a flawed, flawed piece of legislation, and we're being asked to vote on it. For that reason, we will vote against it because it is so incredibly flawed.

Now, there were a lot of amendments that were put forward, and it's hard in the brief amount of time that I have, Mr. Speaker, to speak to this. I think I have – I don't know – about nine minutes left to really go over in great, great detail all the problems that exist in this legislation. Let me start by saying that what you need to be able to do is ensure that every different type of stakeholder in this system is represented. I outlined before that we have at least two elements of this legislation which quite intentionally discriminate against small parties. You know, it's to be expected. You get a big party that goes behind closed doors, comes up with their own set of rules, rams it through. Hardly surprising that we come up with a set of rules that discourage the success and ability of small parties. Not only in terms of the filing requirements but also in terms of the shortening of the nomination day, there's a clear intention to make it more challenging for small parties. Hardly surprising.

When you look at the funding limits – and this has already been outlined – these guys think that it's totally reasonable for somebody to walk in and write a cheque for \$30,000 to their favourite candidate. Well, you know, Mr. Speaker, the median individual income in Alberta is \$36,000 a year. How many folks are going to walk in and write a cheque for \$30,000? I'll tell you how many. I'll tell you who they are. I hate to use an oft-referred to phrase, but they're the 1 per cent. Those are the folks that are going to say: "Oh, 30 grand? Whatever. I'll write that. Go. Then I'll call you after you're elected, and we'll have lunch. We'll have a conversation about some of my issues. No pressure, but here's your cheque for 30 grand." That's how it works. But the median

income in Alberta after taxes is less than what these guys want to be able to accept from their friends and insiders.

Again, it ensures that the big parties who are in control get to stay in control. It's the winning team. Apparently, part of winning is that you get to hire the ref and you get to remake the rules so that next year everyone is really surprised when you win again. That's what this government is doing in terms of accountability, transparency, fairness, all that kind of stuff.

What else are they doing? Well, according to the Justice minister they're planning on not just supplementing their enumeration process; they plan on eliminating in-person enumeration and going to a system of solely relying on tax records. I have some extreme concerns about that. I've had concerns about the effort of the Chief Electoral Officer and the resources that he's been provided, through a majority decision of the committee that oversees him, in terms of being able to get everyone on the electoral list who's often left off of it. People who move often, who are marginally housed, students: those people are less likely to be on the voters list. Certainly, with the new plans they are less likely to be on the voters list. Hardly surprising that this is the kind of thing that provides an advantage to the governing party.

Expense limits. Again, our party proposed that there should be a cap on how much people spend on elections. There are election spending caps throughout this country, Mr. Speaker. Federal election spending caps for ridings which are three times the size of our provincial ridings are lower than what a significant number of members on that side of the House spent on their election last time. There is no need to have to spend as much as you want to get elected. You know, if an MP can get themselves elected with \$85,000 or whatever the limit is – it's something around that – there is no reason why an Alberta MLA cannot get themselves elected for half that. But, no, we're not going to put a cap on expenses. We're going to keep open the opportunity to buy our path to victory. That's really important for them.

Probably one of the single biggest things when it comes to funding, of course, is the very unfortunate debacle that we've had to observe with respect to the Katz donation, the loopholes that exist in our legislation, and the resolute refusal on the part of this government to close that loophole because it's a loophole they want to be able to reach through at any time and take full advantage of. Again, this legislation does not deal with the fact that somebody can walk in, write a cheque for \$450,000, and provide up to a third of the money raised by a particular political party three days before the election.

I don't know how you can look at that situation and not get worried about the integrity of our electoral system. I think the average person, when presented with those facts, is perplexed at the unwillingness of this government to fix the problem, and they are left to draw their own conclusions. Mr. Speaker, those conclusions are not positive ones.

The other thing this legislation fails to do is that it fails to ban corporate and union donations. I had an opportunity to talk about it yesterday. Again, it's the kind of thing that makes sense to make sure that our electoral system belongs to citizens and not to bank accounts. That's what we tried to do on the opposition side. The government, clearly aware that the majority of their funds come from corporations, the very folks who then call them up and ask them to go out for lunch a few weeks later, was unwilling to close that loophole. Again, this does not reflect well on the integrity of the folks on the other side.

The final thing that I want to talk about is the way in which this government has structured the regulation of this act to cover up their past misdeeds. They had the gall, I would say, to argue that this legislation opens up disclosure. That, Mr. Speaker, is quite

ridiculous. Yes, a bit of information going back three years will come forward; i.e., information, files that have already been opened. Not all of them, just to be clear. According to the Chief Electoral Officer roughly 40 per cent of them will be lost to that three-year limitation period, so a lot of that information, a lot of that illegal activity will never be made known to Albertans. This government fully knew that when they identified the three-year limitation period.

They then added a new limitation period, Mr. Speaker. It used to be that the Chief Electoral Officer could impose an administrative penalty as far back as was necessary. Now they can only go back three years. Just to be absolutely clear so everyone understands this, this new elections act will ensure that the Premier's sister will never be subjected to any penalty, nor will we ever know about anything that would happen to her – well, actually, it wouldn't matter because she'll just never be subjected to any penalty.

The fact of the matter is that this was an extremely self-interested crafting of the legislation. It was crafted by one team in the tournament. They kept it to themselves. They were very intentional in how they put it forward. They ensured that the rules were constructed to bring about their advantage and no one else's advantage. It is a travesty to suggest that this is anything bordering on fair, transparent, or accountable.

4:10

Unfortunately, Mr. Speaker, to go back to my original point, the fact that the Premier got up today and said that she did not make a decision, a statement which was contradicted by not one, not two, not three, not four, but five pieces of documented evidence – I am not entirely sure that she'll ever be held accountable by Albertans because the rules have been crafted in such a way as to give as much advantage to the Conservative Party as possible.

It will really be a challenge for Albertans who are truly interested in having a Premier who will give them the straight goods, who will tell the truth in a way that . . .

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. I recognize the Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Mr. Speaker. I'd like to hear your comments, hon. member, about what impact you think this process and this outcome will have on the average Albertan. Do they care about the Election Accountability Amendment Act?

**Ms Notley:** Well, I think the Member for Calgary-Mountain View raises a really important question because I think that what's happening is that Albertans are becoming very alienated by our democratic process. They're alienated by the rule-fixing that goes on over and over, and they feel disconnected from their democratic system. There is absolutely no question that this set of rules will only serve to enhance that particular feeling. So, ironically, the very interest that ought to be there for this particular piece of legislation is probably being thwarted by this piece of legislation and has been thwarted by the conduct of this government over many, many, many years.

It's certainly my hope that at a certain point Albertans will see what this legislation is designed to do, what it's designed to hide, what it's designed to keep from them. I guess we'll only see three and a half years from now, not at a particular date, of course, because notwithstanding the fact that the Premier promised to give us an exact date when we'd know when we'd next have an election, she didn't do that either. So at some point in the future during an election window, season, time, phase of the moon we

may find out what Albertans think about the credibility of this government on issues of honesty and integrity and fairness.

**The Deputy Speaker:** Thank you, hon. member.

Are there others on 29(2)(a)? The Member for Cypress-Medicine Hat.

**Mr. Barnes:** Thank you, Mr. Speaker. I would like to ask the hon. member if she would still think it was important or beneficial to have the ban on corporate donations if the \$3,000 maximum would have applied as the most that any corporation or any individual could donate and especially coupled with real teeth in the legislation, where the allegation of the \$430,000 couldn't apply, where people have to actually donate their own money from their own funds?

**Ms Notley:** Well, that's an interesting question. There's no doubt that had there been a cap on the donations, bringing it down from \$30,000 to the \$3,000 that our caucus proposed, the issue of who's making those donations would become somewhat less important. But I do think at the end of the day that corporations don't vote; unions don't vote. People vote. People are the ones who should donate. So there's another objective that is met there by banning union and corporate donations. But the member raises a good point, that had the government been prepared to drop the limit from \$30,000 to \$3,000, part of those issues around corruption, around influencing, all those kinds of things could have been addressed.

**The Deputy Speaker:** Thank you.

Are there others under 29(2)(a)?

Seeing none, I'll recognize the Member for Edmonton-Meadowlark, followed by Lac La Biche-St. Paul-Two Hills.

**Dr. Sherman:** Thank you, Mr. Speaker. I'm pleased to have the opportunity to rise and speak to Bill 7. I've always taken the vantage point that when the government does something that makes sense, that's in the public good, we should support it regardless of which party we're in. If it's something that's actually of good intent, which is, you know, half or 60 per cent good, we should have an opportunity to suggest improvements so that we could make it 95 per cent good, maybe 100 per cent. But when it's complete nonsense, then opposition should absolutely oppose.

Now, there are some good things in this bill, Mr. Speaker. There are some good things in this bill. I'm glad that university students can vote. That's a good thing. I'm glad that they followed many of the recommendations of the Chief Electoral Officer.

Now, the problem with this bill is that it's analogous to an omnibus bill, where you lump in a whole bunch of good ideas with a whole bunch of rotten ideas. All the elected members are in a quandary, where you actually want to support these good ideas, but you can't support the rotten ones. If you vote for the bill to support the five, six good ideas, then you're actually voting to support the rotten ideas as well. That's a problem with these omnibus bills when you stick four major bills into one thing.

You know, it's teamwork, Mr. Speaker – it's teamwork as good as it gets – to unanimously vote down every amendment, every idea offered by everyone else in every political party, who says: "You know what? Hey, a good try." In fact, let us all work together as elected members to try to make this 95 per cent. We all agree: hey, this thing is at about 60 per cent, maybe 65 per cent. But I'll tell you that in the world I come from, that ain't good enough; 65 per cent is not good enough. In the world in which we live, in this province, as great as it is, the citizens demand 95 to 100 per cent.

I can't believe 100 per cent of the recommendations got unanimously voted down. Now, Mr. Speaker, I can understand teamwork. I came from that team, and I can understand the tire tracks that will be on your back if you disagree. I'm still trying to wear some of those tire tracks off my back. I know the tire tracks on the whip's back over there. He's constantly under the bus, regularly, and he honourably does it.

Mr. Speaker, this is really about democracy. It's about trust. It's about rebuilding trust with the public. We are here to serve the public. Government's job is to equalize, to create equality of opportunity for all Albertans, to give everybody a fair chance. In Darwinism, survival of the fittest – well, jeez, even Darwin wouldn't support this bill because this has given a bigger opportunity to the guys that already have an unfair chance, who are already doing extraordinarily well. But I will give them a C plus for a college try.

You know, the opposition parties have raised many issues. What I'm a little surprised about – this is a conservative party, a conservative party, the federal Conservative Party. Now, guys in the Wildrose, please stop calling them liberals because there ain't nothing liberal about these guys. Nothing liberal about these guys.

**Mrs. Forsyth:** What are they?

**Dr. Sherman:** Well, they're neither progressive nor conservative, just corrupt and incompetent.

**The Deputy Speaker:** Hon. Member for Edmonton-Meadowlark, you have the floor.

**Dr. Sherman:** Even the federal Conservative Party and the federal Liberal Party and the federal ND Party and the federal Green Party abide by setting donation limits of \$1,100 maximum and limiting corporate and union donations, limiting influence from a small group of people, an influence that will affect a decision on a majority of people.

Well, you know, I can sort of understand because it's a really old, tired, 41-year-old party. They're still living in the past. Our decisions are to improve our democracy for the future. Now, there are many intelligent members on that side. There are many intelligent members – I know them – very smart people. But in the words of the hon. member from the fabulous constituency of Edmonton-Centre, this legislation is feeble, it's weak, it's pale, it's insufficient, and it's poor. It's poor, and it does not address the deficiencies in our democracy.

4:20

Mr. Speaker, I want to talk about the deficiencies in our democracy. Last time I checked, we've got Illegal-donationgate going on here. We tabled all this Warlord-politics Donationgate. Many members of Alberta said: hey, this is just how business is done here, forcing universities and colleges and municipal leaders, everyone . . . [interjection] We brought 40 of these forward, and we still haven't got answers. The last time I checked, we got Tobaccogate. The last time I checked, we got Intimidationgate. The last time I checked, we got Fudge-it Budgetgate. The last time I checked, we got Showergate. Showergate: "If you're a disabled or vulnerable Albertan, we'll give you one shower – that's it – because the buddy that gave me that donation won't make any money if he gives you a second shower." Holy cow. We've got a family plan.

**The Deputy Speaker:** Are you still on third reading of the bill, hon. member?

**Dr. Sherman:** Oh, absolutely, Mr. Speaker.

**The Deputy Speaker:** Please continue, then.

**Dr. Sherman:** This is the worst decision money could buy, the worst government money could buy, corrupt and incompetent government.

The last time I checked, we got Environmentgate. Mr. Speaker, these guys have been given a lottery ticket. A lottery ticket. Any province, any state, any country in the world would love to have a 4 per cent unemployment rate, \$90-a-barrel oil, the hardest working labour workforce on the planet, hard-working men, women, and children from across the planet in search of a dream and opportunity. But what did the money buy? What did the money buy? The last time I checked, it bought Princess Flip-flop as a Premier. [interjections]

**The Deputy Speaker:** Hon. members, please.

**Dr. Sherman:** The last time I checked, Mr. Speaker, it brought us one of the biggest spending governments, with the worst outcomes and results in the country: one of the lowest high school completion rates in the country, one of the lowest postsecondary participation rates in the country, one of the highest spending, lowest performing health care systems in the country. We're nickel and diming the wonderful people – the veterans, the seniors – who built this great province and this great country. We're nickel and diming them.

Now, we've got to get back to the election campaign finances and contributions rules. We've got to fix these rules. Interested parties that donate tens of thousands of dollars, hundreds of thousands of dollars from some, for leadership campaigns and for election campaigns are able to get decisions that are not necessarily in the best interests of the people.

I challenge every political party in this Legislature to run an election campaign on a \$150,000 central budget. I tell you that even the NDP outspent us 4 to 1, and they're good guys.

But I can understand why they need \$4 million, \$5 million for an election campaign. If she had to work hard, door to door, and earn it, with no money in the bank, they wouldn't win. I question if they would be able to win. As a Liberal in Alberta you get 9 per cent of the vote, and you pick up five seats. We spent next to nothing.

It's no surprise that they don't want a level playing field. I'm glad they've decided to put everything public. That's a good thing. But they're really rubbing it in people's faces, saying: "You know what? We're going to keep making these decisions, and we're going to keep getting the donations, and there's nothing you can do about it. We're going to keep winning."

Mr. Speaker, I would really urge the government – you know what? I would actually urge the backbenchers in that government. Government is really the Premier and cabinet. The backbenchers in that government are new. Well, many of you are new. I would urge you to vote against your government's bill because what you're actually going to do is endorse a lot of this stuff. You're going to pass a bill that's only 65 per cent, and you're going to be held accountable in the next election. You are. I caution you because on the off-chance that the Liberals get one \$15,000 donation, if we have half a million dollars in a campaign – I'm keeping my Liberal vote next election and stealing the real progressive vote back from you.

Now, Mr. Speaker, let's try to improve democracy, the trust in decision-making. You know, I'm disappointed that good people across the way have an opportunity to do something fantastic.

Mr. Speaker, the last thing I want to say: to lower the limit to \$250 almost seems as though they're going after the little guy, the little guy that has given, you know, 300 bucks. Three hundred bucks ain't a heck of a lot. It almost seems like they just want to find out who their donors are by lowering the limit. Because these guys raised a million bucks under \$375, you'd almost sort of question whether part of this bill was actually intended to get their donors to give less. They're going after the little guy. This is the big-guy bill going after the little guy.

Now, it would be a fair and balanced bill if they did that but combined that with decreasing maximum contributions. Guys, would you consider five grand? Would you consider three grand? One grand?

**Mr. Mason:** Let's make a deal.

[The Speaker in the chair]

**Dr. Sherman:** Let's make a deal. Let's consider eliminating corporate and union donations. Even the NDP wants to get rid of union donations. I think that's a good thing. [interjection] Oh, they don't? I'll take that one back, Mr. Speaker.

You know, I would fully support what we've done in the federal government, limiting leadership campaign finance donations. I think \$30,000 is too much. I think 20 grand is too much. I think 15 grand is too much. I think 10 grand is too much. I think five grand is too much.

Mr. Speaker, I would ask every member on that side to reconsider, especially the backbenchers. I recognize that you're not in government, but at the end of the day the true people who have power are the backbenchers. Private members on that side, you have more power than cabinet right here. You do. Consider not supporting this bill unanimously.

Mr. Speaker, thank you very much for this opportunity. I appreciate the opportunity to speak to this bill. I cannot support this bill although there are many very good elements in this bill. They are some very good elements in this bill. To some of those organizations: I'm so sorry. I would love to support those elements if it just wasn't an omnibus bill.

Thank you.

**The Speaker:** Hon. members, 29(2)(a) is available.

**Mr. Fawcett:** I love the rhetoric coming from this hon. member. I just pulled up the election finance disclosure from the Liberal candidate that ran against me in the last election, went on to his disclosure. Remember that I believe the donation limit to a candidate in an election year is \$2,000, right? This candidate received a donation from Blake Rand, an in-kind donation of \$8,782; from the Belfry, \$5,440; and from Quality Hotel, \$10,000. I'm not sure that this leader and his party have the moral authority to really speak on this particular legislation in the way that he is.

### Speaker's Ruling Third Reading Debate

**The Speaker:** Hon. members, your Speaker has been listening to the debate even from elsewhere. However, I'm going to remind you again that the purpose of third reading is not much different than the purpose of second reading. What is always at purpose is relevance. Relevance has many different ways, shapes, and forms of being described, but one of them is to stick to things that are in the bill. That applies to all of you equally. So let's please try and keep the debate on third reading of Bill 7, which is correctly titled Election Accountability Amendment Act, 2012.

### Debate Continued

**Dr. Sherman:** Mr. Speaker, I'm not aware of the allegations that the member brought up, the donations. I ask him to table them in the House, and I ask him to refer them to the Chief Electoral Officer.

4:30

**The Speaker:** Rimbey-Rocky Mountain House-Sundre, you were not rising under 29(2)(a), were you?

**Mr. Anglin:** A question under 29(2)(a), that's correct.

**The Speaker:** Under 29(2)(a)?

**Mr. Anglin:** That's correct.

**The Speaker:** Then proceed, followed by Edmonton-Highlands-Norwood.

**Mr. Anglin:** I just would like to ask the hon. member: if the allegations are correct – I won't dispute whether they are or not – how would that affect your reporting your party as far as compliance if it was greater than three years?

**The Speaker:** Well, again, hon. members, you'd better tie your response to the bill, please. Okay. Thank you.

**Dr. Sherman:** Thank you, hon. member. I don't know what he's talking about. I personally in my own constituency have a policy of not looking at who donated and how much they donated because I don't want any decision I make to be biased. The Liberal Party makes decisions that are in the best interests of the public and the best interests of the people, and we advocate. We've never been in the position to make the ultimate decision. If the hon. member has any allegation of any impropriety, I ask him to table it in the House. I ask him to refer it to the Chief Electoral Officer. In fact, I ask them to pass legislation where the Chief Electoral Officer brings this up. [interjections]

Thank you.

**The Speaker:** Hon. members, please.

The hon. Member for Edmonton-Highlands-Norwood, followed by the President of Treasury Board. Standing Order 29(2)(a).

**Mr. Mason:** We're still on 29(2)(a)? I would like to ask the hon. Member for Edmonton-Meadowlark to talk a little bit about spending limits as opposed to donation limits. I was wondering what position he took on that.

**Dr. Sherman:** I thank the hon. Member for Edmonton-Highlands-Norwood for asking a very important question. You know, I believe we need to take a holistic, comprehensive approach to election and leadership campaign financing rules. I think we should have a debate on what is the maximum amount you should spend. I believe that's a very important debate to have. In fact, perhaps we should look at what the federal government has done. Or – you know what? – you get X number of votes; you get X amount. Every political party gets an opportunity to run a fair election in each constituency, and every party has the resources. I think that's a very fair question by the hon. member.

Mr. Speaker, it's hard to have a debate here when the party that makes the ultimate decisions shoots down every amendment that any opposition party makes and limits the time on how long you can debate these ideas, and then they run out of the Legislature as fast as they can because Santa is on his way.

To the hon. member: a very good question. I'm very open to having that debate. Like I said, hey, it would be great if you set campaign expenditure limits for political parties at \$150,000. I'd love to see how these guys can compete, although \$150,000 is probably unreasonably low.

Thank you, hon. member.

**The Speaker:** The President of Treasury Board. Seven seconds.

**Mr. Horner:** Thank you. Mr. Speaker, the hon. member said he doesn't know who or how much they contributed to his campaign, yet it's going to change his decision.

**The Speaker:** Time has elapsed. We'll move on to the next speaker, the hon. member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. I won't take too long. I know that this bill has been thoroughly addressed by the Leader of the Official Opposition as well as the Government House Leader, but I am pleased as the Wildrose Justice critic to rise today and speak to the Election Accountability Amendment Act. However, I'm not so pleased with the content or, rather, the lack of substantive content in this act. To fully understand how this act came about, it is helpful to look at the events leading up to Bill 7, and for my constituents it hits close to home.

Last year there was a CBC investigation that revealed that a municipality in my constituency of Lac La Biche-St. Paul-Two Hills had made significant and ongoing illegal donations to the PC Party. From this investigation it became clear to my constituents, indeed to all Albertans, that the PCs had blurred the lines between government and party, with municipalities stuck in the middle. They broke the law consistently over a number of years. The PC Party solicited heavily for these illegal donations, with the implication that if municipalities didn't pay up, they wouldn't get funding. This put municipalities, colleges, and other prohibited corporations in a tight spot.

Further news reports revealed that this problem was not confined just to my constituency of Lac La Biche-St. Paul-Two Hills. It appeared to be a deliberate and methodical means of raising funds, more or less exploiting the taxpayer, by the PC Party in government. This is just wrong, Mr. Speaker, and nothing in this act has changed that.

Now, many people throughout Alberta thought that the government, embarrassed by scandal after scandal after scandal of illegal donations, would do something to fix the problem. In my constituency as Justice critic I've heard time and time again that laws regarding political donations need to be strengthened so this can never happen again. The government has commended itself for bringing forward Bill 7, but let's please hold the applause because it seems that while pretending to respond to the ongoing scandal of illegal donations to the PC Party, Bill 7 does absolutely nothing that could in any way be interpreted as putting an end to the illegal donations, illegally solicited and accepted by the PC Party. Bill 7 does nothing to make political parties caught red-handed pay back the money they've accepted. There are no provisions to penalize political parties that do this and nothing to punish repeat offenders like the PC Party, which seems to rely heavily on illegal donations for its lifeblood.

What the Wildrose has done is called for the full disclosure and evidence that illegal donations have actually been repaid. Of course, we've called for this to be retroactive seven years and for a mandatory requirement that the Chief Electoral Officer publicly report any transgressions or any wrongdoings. Unfortunately, the act as it stands now only goes back three years, and it only goes back three years from the date of proclamation. That could be a

year from now, and a bunch of illegal donations that have been found by the Chief Electoral Officer will never be brought to light. I think that's a shame, that where someone in this province has been caught with illegally soliciting or accepting a donation, it will never be made public, Mr. Speaker. No other modern democracy currently would allow such an outdated method of elections financing.

Next, after a single donor was allegedly caught making a \$430,000 donation to a particular party, one that appeared to be a bailout of that party in a time of need and a time of despair, one may have assumed that the government would be seeking to clarify rules so that such an instance would never happen again. The Wildrose put forward an amendment to ensure that one person or entity cannot donate on behalf of another entity. That seemed to be a very reasonable amendment to stop that type of situation from happening. One can only assume that by rejecting that amendment, it was a deliberate attempt to allow that loophole to continue, and I think that's wrong, Mr. Speaker.

The problems with Bill 7 don't just stop there. Bill 7 continues to allow corporate and union donations. In today's age the public just doesn't feel comfortable with unions and corporations and big money exercising undue influence in the electoral process.

I think that Albertans think a lot differently than the government on this, and I've heard a lot from my constituents on it. Bill 7 in the end virtually allows and ensures that election scandals will occur and will continue to occur. We could have had a first-class piece of legislation that led our country, led western democracies. Instead, this bill falls flat. Albertans deserve better.

I will not be supporting this bill. Thank you, Mr. Speaker.

4:40

**The Speaker:** Hon. members, Standing Order 29(2)(a) is available.

### Speaker's Ruling Third Reading Debate

**The Speaker:** Let me just take 20 seconds to briefly remind all members in an educational sense about *House of Commons Procedure and Practice*, page 788, with respect to third reading. It says in a nutshell: "Debate at this stage of the legislative process focuses on the final form of the bill. The amendments that are admissible at this stage are similar to those that were admissible at second reading stage." Let's just keep that in mind as we move forward.

### Debate Continued

**The Speaker:** Seeing that there's no one under 29(2)(a), we'll move on to the hon. leader of the New Democratic opposition.

**Mr. Mason:** Thank you very much, Mr. Speaker. I'm pleased to rise to speak to third reading of Bill 7, the Election Accountability Amendment Act, 2012. I want to begin by talking about how election finance and election legislation ought to be developed and contrast that to the way that this bill was developed.

The major stakeholders in election financing legislation are, first and foremost, the citizens, the people who make up the democracy and whose participation in the process is essential to make sure that we have a free, fair, and completely above board electoral system. There are other stakeholders, Mr. Speaker, and primary among those are the political parties themselves. They are significant stakeholders because their actions, their functions, and their activities are governed by this legislation. They are major



components of our electoral democracy, and they deserve to be consulted in the development of legislation.

Unfortunately, that did not happen in the development of this bill. We don't know what consultation took place with the Progressive Conservative Party. I think we may never know that, but I certainly assume that it was significant and extensive. I do know that there was no consultation with any other political party in the development of this legislation.

When I challenged the Minister of Justice on this very point, he attempted to argue that the bill briefings that were offered to the caucuses that are in the Legislature comprise consultation. Of course, Mr. Speaker, that is absolute nonsense. Once the bill was drafted, then the opposition parties were given the courtesy of a briefing as to what's in the bill. It's not to the party; it's to the legislative caucus of the party. They are two different things, at least in our party and, in my experience, in the opposition parties as well. They're not the same thing. The LAO, for example, is quite vigilant to make sure that there's no crossover or confusion between the legislative caucus of a party and a political party. In fact, I think they go to extremes from time to time in their diligence in enforcing that principle.

There are many political parties in this province that are not currently represented in this Legislature, and they, of course, would not be given the courtesy of a bill briefing because they're not part of the Legislature, all of which puts the lie to the argument that somehow political parties other than the Progressive Conservative Party were in fact consulted on this legislation. They were not. We were not. We know that the Liberals were not. We know that the Wildrose was not. We know that other smaller political parties that aren't here were not consulted either. Now, if you contrast that with the consultation that did take place, for example, with postsecondary students, with municipalities, and so on, you'll see that the government is capable of actually consulting with stakeholders if they want to. Clearly, they did not want to in this case.

So the bill, Mr. Speaker, is tainted from the beginning because of its one-sided development by a government who intends to hold onto power at any cost. The bill is not going to do anything, does not contain any provisions which might be contrary to the interests of the Progressive Conservative Party and to holding onto power. You can see that when you get into the meat of the bill, when you see the provisions that are there.

This bill will provide a limit of three years on how far you can look back at illegal donations. Many significant cases involving illegal donations to the Progressive Conservative Party, by Progressive Conservative operatives in many cases, took place before the statute of limitations imposed by this bill, and there are almost a hundred documented cases, Mr. Speaker, of illegal donations that have been made. We know that some of them have been investigated because we've asked and other political parties and some citizens have asked in some cases for these to be investigated. Of course, the Chief Electoral Officer has refused to disclose the details of the investigations or penalties or the persons who were involved.

This will change for offences that occurred within the last three years but not before, so the government has closed the door on investigating these things. In fact, the government seems to be very keen on making sure that all of the transgressions in the past are forgotten and that we look to the future. They ask us to accept their assurances that when it comes to expenses from health authorities or when it comes to illegal campaign donations or when it comes to many other things, they've changed their stripes, that they're not the same old cat that they used to be, and that the

41 years that they've had in power are no longer affecting how they operate.

Well, Mr. Speaker, I don't accept that. I don't think that many members on this side of the House or many Albertans accept that this PC government is going to operate in a more honest and straightforward way. They are, in fact, the serial offender when it comes to illegal campaign donations in this province, and I have scant hope that the provisions in this legislation will change that.

Another thing I think is very important, and it's been raised by other political parties here. I know that the Wildrose made an amendment to eliminate corporate donations, which was of course shot down by the PC majority. I would like to personally welcome the Wildrose to that position. I know it's a new one for them, but I think that it does provide for a government and an electoral process that is less controlled by big money and by special interests, and I think that that's very important.

Mr. Speaker, we did a little bit of research. The Progressive Conservative Party in the last election got 65 per cent of its campaign donations from corporate interests. Sixty-five per cent. You know, you can't be surprised about that if you look at their legislation, if you look at the kinds of things that they stand for and the interests that they serve. The oil and gas industry is a major one. Law firms do very well by this government, as does business generally.

You can look in all sorts of areas: how they approach issues, why they are always flirting with private health care. The government spends I think close to \$12 billion on health care. Most of it goes for public goods and services. Now, the private interests that see this – yes, the private interests that see this – money being spent are pretty excited by the possibility that some of that could come to them, so they make contributions to the PC Party.

4:50

We see the result of that in the approach that the PCs take in this area and in all sorts of areas. The lack of environmental oversight in terms of oil sands activity, in terms of fracking, in terms of conventional oil and gas: all of those things place corporate interests ahead of the environment. They place corporate interests ahead of the interests of ordinary people. You don't have to look much past their appalling labour legislation, the worst in the country. It makes it very difficult to form unions, provides no protection to farm workers. All of this is a reflection of who's financing the PC Party and, therefore, making sure that the influence that they have with the government remains dominant.

So those are things that we would like to see. We would like to see limits on spending overall. A more level playing field in terms of election finance is, in fact, in the best interests of the public, but it's not in the interests of the PC Party, obviously, and that's really why they wouldn't support it. There are a range of changes that we would like to see, Mr. Speaker, to make things more open, more fair, more balanced, to take big money out of politics, to make sure that the ordinary citizen is the driving force and the subject of the political activity of this province.

Before I conclude, I want to say that there are some positive things here with respect to making it easier for students to vote, for providing more clarity and openness with respect to municipal election financing, and so on.

I'll just mention that there are some components here amending the Senatorial Selection Act, Mr. Speaker. We would just as soon get rid of that altogether. We were the first party to talk in this country about Senate reform, and we believe in the triple-A Senate: abolish, abolish, abolish. They're redundant. We don't need more government, more elected politicians, or more appointed politicians to govern this country. That's my hope for

the Wildrose's next step in their political development, that they will come to see that true Senate reform involves the abolition of that house of patronage.

**Ms Notley:** Climate change.

**Mr. Mason:** My honourable colleague says climate change, but I can't hope for the moon. But I do think that getting rid of the Senate and these silly Senate elections would be a very positive step as well, Mr. Speaker.

In conclusion, I want to say that the bill was flawed from the beginning because it was developed by a government that only talks to itself. It doesn't talk to other political parties. It doesn't think they have a legitimate role, and we've seen that from the conduct of business in the House during this session. The government's arrogance, disdain for the democratic principles of this Assembly, and contempt for the opposition have been more than evident. They won't answer questions. They won't hold people accountable. They won't take responsibility. It's pretty clear that the flaws in this bill have their root in the same flaws of how the government is dealing with the entire legislative agenda that we've seen in this fall session of the Legislature.

Mr. Speaker, as I've indicated, there are a number of positive aspects of this bill that we'd like to support if they were separated, but it's joined as an omnibus bill, which really includes a poison pill. You can't vote for the stuff that you would like to see without also voting for stuff that you just find completely unacceptable. So it's with regret that I have to indicate to the House that I'll be unable to support this bill, and I urge members of the Assembly to do the same.

Thank you, Mr. Speaker.

**The Speaker:** Hon. members, section 29(2)(a) is available.

**Dr. Swann:** Mr. Speaker, I appreciated the comments from the Member for Edmonton-Highlands-Norwood. I noticed he didn't choose to make any comments about unions and their current inclusion in donations to parties. Would he like to make any comments about how he would like to see the role of unions in elections?

**The Speaker:** The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, we have been even-handed in our approach all along.

**An Hon. Member:** All along? When?

**Mr. Mason:** Well, when we originally took this position a number of years ago – I think it was after the 2001 election – we adopted the position of eliminating both union and corporate donations, treating them together, and I think that that's an even-handed and fair approach. I don't support the suggestions that have been made by some members in the House that unions themselves have no business getting involved in political activity, but I do think their role in giving campaign contributions needs to be eliminated along with corporations'.

I think unions have very clear interests, their members as a whole, and they have a right to be politically active, to take positions that are democratically arrived at by their membership. Those that would try to limit that I think are on pretty dangerous ground. What's sauce for the goose is sauce for the gander. You would have to see, in my view, similar restrictions placed on corporate political involvement. They're not the same thing. The

financing of elections is a part but only a part of a broader involvement in politics, which I think we curtail at great risk to the rights of working people and to the rights of freedom of speech.

**The Speaker:** Anyone else under 29(2)(a)?

If not, let me recognize the next speaker, the hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Mr. Speaker. It's my privilege to rise and speak in third reading to this important bill, that I think all Albertans were anticipating with some eagerness, especially those who have any involvement in political activity. I think this was going to be – and I think it will be – the cornerstone of how people evaluate the credibility of this government. They had an opportunity. They recognized over the last few years that as a government of some 40 years some rot had crept into the political system, and they wanted to address it. Under this new Premier they made a commitment to look at issues around financing and limits and accountability with, well, I think the only word is "scandals" that have been plaguing this government for a number of years around how money is influencing political decisions and buying access.

There was, I think, a genuine attempt in bringing this bill forward to address some of these concerns. Like others in the opposition, I think we're profoundly disappointed that the two elephants in the room, the amount of donations and the fact that unions and corporations can still dominate the whole electoral process with their deep pockets, still rankle and, I think, are not going to be lost on Albertans, who will look at the terms of this and see no essential change in the big, big influences, the big, as I call them, elephants in the room that have not been addressed with any change. We still, Mr. Speaker, in 2012 have to acknowledge that we are the best democracy money can buy.

**An Hon. Member:** Hear, hear.

**Dr. Swann:** I heard affirmation from the other side.

I want to talk just a bit about the concept of wilful blindness, Mr. Speaker. Wilful blindness is a medical condition wherein an individual organization seeks to avoid liability for a crime or a civil irregularity by making themselves deliberately unaware of facts which could make them liable either in the public civil courts or in the criminal courts. That's based on a definition that is online.

Wilful blindness, of course, protects people in situations where people make deliberate attempts to excuse themselves from liability.

5:00

What we've seen in this session and in this government is a profound case of wilful blindness, I would say. They do not want to see what is clearly evident to all Albertans and certainly to those in the opposition parties, who see a government that continues to do the same things over and over again and is surprised when not only the opposition parties but the media, under the Freedom of Information and Protection of Privacy Act, begin to show the rot that has infested this government and its decision-making, a government that is consistently and more obviously every day showing how money does influence decisions, how it favours certain interests over others, and how it fails to provide for the long-term interests of Albertans, whether it's in social supports, early intervention for children, mental health care, or whether it relates to labour issues and farm workers, as has been mentioned, ignoring some of the gross inequities and lack of accountability that has crept into this government.

They refuse to see it. Quite consistently we've seen in this session and on this bill, the Election Accountability Amendment

Act, a refusal to acknowledge any good in any of the amendments, over 100 amendments, brought forward within a week of our having seen this bill for the first time. As has been said, there was no genuine effort on the part of this government to make us aware of what was going to be in the bill and what kinds of changes they were looking at.

It speaks for itself. I think Albertans, unfortunately many, will be so discouraged by the lack of progress in the whole electoral financing issue and the accountability issue that they will simply pull away further from the democratic process. We had the lowest turnout in history in 2008, and we had only a slight improvement in our voter turnout this past election, I think in part because people are so cynical about the way corporations and money continue to influence and provide advantage to incumbents and particularly this government of 42 years.

The decisions made in this bill have reinforced widespread cynicism about not only the electoral process but us as politicians, that we're looking out for our own interests, for party interests over better public policy and longer term decisions on behalf of the public. Why should people believe in democracy when it continues to be subverted by this 42-year party with the agenda, primarily, of getting re-elected? It has demonstrated a lack of accountability on revelations of illegal donations, conflicts of interest, flip-flops on openness and accountability, and decisions made before and after the elections. With a government that's still committed to having its own MLAs set our salaries and benefits, what does that say to a populace that is in many cases struggling with a very high cost of living and a median salary that is well below anything that we see in the House?

The two elephants in the room, as I indicated, Mr. Speaker, are the practice of allowing alarmingly high donation limits, \$30,000 in an election year and \$15,000 in a nonelection year. Huge influence. I spent little more than \$30,000 in my election; I can't imagine getting one cheque of \$30,000 from a corporation. The second elephant in the room, of course, is allowing corporations, who do not have a vote, to have inordinate influence. Up to two-thirds of the donations across the way in this government are corporate, and it, again, speaks to the power of the corporations that they're unwilling to make the changes that Albertans are asking them to make. I mean, it's so blatant. Well, wilful blindness, I guess, is the only term.

As a physician I know it's difficult for people with a condition to do anything about it, but one would expect educated individuals who have a commitment to the office to look seriously at those two elephants in the room and acknowledge that their whole ethos is undermined. Their whole ability to govern, their ability to have credibility not only as leaders in public policy but in their own constituencies are being undermined by the complete failure to address these two major issues.

That being said, Mr. Speaker, I among all of the opposition parties, I now gather, will be voting against this and making it very public that this government has once again abandoned its responsibility not only to better public policy, which this electoral act had an opportunity to do, but to democracy and the opportunity to really bring us to the level of most other countries and most other provinces in this country, which have set serious limits and acknowledged that, actually, money does talk. Albertans know that.

We missed a real opportunity here as a Legislature to bring more people into the democratic process, including our children and those who have for many different reasons become disengaged from the political process, to all of our loss. When people are not engaged, we don't have the best of ideas. We don't have communities working together on issues. We just have a sense that

the powerless or the haves and the have-nots continue to separate themselves because they feel, especially at the bottom, the 99 per cent, that there's no point, that the power has been concentrated so heavily for so long that there's no point in being engaged at all. It is very dangerous both socially and politically to have that kind of ethos that we're now living with.

With that, I'll take my seat. Thank you, Mr. Speaker.

**The Speaker:** Hon. members, 29(2)(a) is available.

Seeing no one, I'll recognize, then, the next main speaker, which will be the Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. I rise with somewhat mixed feelings. I'm not going to support this bill, and I'm going to explain why. There are good parts to the bill that I would be supportive of – and I'm happy that they are in the bill – particularly the four-year civic election, the fixed election date for municipal elections. That's not to say that that's not problematic in some cases. There are people who have some concerns about a four-year term, and I'm going to make the presumption that they were weighed. I'm still supportive of four-year terms for the municipalities.

I'm not supportive of the bill as a whole because I do not agree with the hon. minister that it does what they said that it was supposed to do. The hon. minister will stand up in the end and say how this increases transparency, and I just don't see that. I cannot measure that in this bill. The transparency that we have will remain for the most part. Quarterly reporting won't increase transparency. It will just show it in a different time frame. It's not going to prevent what I would call the loopholes that currently exist.

I will give one example of that, and I think it's a significant example. There were some situations that were troublesome to me. I know things can get contentious across the aisle, and lots of people are guilty at different points, which requires the Speaker or the chair to stand up and bring us back into order. I will tell you this. To claim that every amendment that we brought forward was somehow less than standard – I won't use some of the words that were used – that in itself I just fundamentally disagree with. To believe that 67 members on a statistical basis would agree unanimously on all those amendments – and there were 100-plus amendments brought forward – well, I would like to have those odds when I play the lottery, to tell you the truth. It's not believable.

So there had to be some amendments. I know there are valid arguments against some of the amendments we brought, that they did not want to support those, and I can understand that, but there were other amendments where there was no real good argument why the amendment should not have been accepted, because it would have strengthened the bill. That was the whole purpose of bringing those amendments, for no other reason than to try to strengthen the bill and make it work.

I'll tell you where the hon. members lost me and lost me significantly in this debate. It was when a member tried to convince me that permissive language was somehow prescriptive language. I could not believe that a judge looking at this legislation would make that same determination. We would have to go back to the debate and debate whether or not "may" was permissive or prescriptive, and I just would disagree with that.

**5:10**

I think what happened with this bill is that it came forward with the best of intentions. I believe that. When I speak to the individ-

uals involved, I think they had the best of intentions in submitting this bill. I just think it never got to the level that they had hoped it would get to. The bar was not raised. What we did – and I think it is really problematic – is that we are not going to basically look at some of these offences that were made public that caused the public itself to lose confidence in the system or to be cynical about our system.

We did FOIP a number of towns. I found that out when I investigated. They even FOIPed my own town, which actually was before the hon. Member for Lac La Biche-St. Paul-Two Hills. The town of Rimbey had contributed to the PC Party – and this we found out a couple of years ago – and not all that money has been paid back. I know this because I spoke with the town after I found out they got FOIPed recently. But that's not the issue here. The issue here is that they need to be held responsible. All these communities need to be held responsible.

I think that when it's pointed out to them, they are responsible in many ways. I just want to point that out because this is where this bill does not go the distance and prevent this. When I asked one of the former councillors about this contribution that was expensed to the town – it was a political contribution – his first response was: but we've always done it that way. He was sort of confused that we would even raise the question.

They didn't see a problem with using taxpayers' dollars to fund a political party. They didn't do it out of malice. They didn't do it because they knew they were breaking the rules or regulations. They just thought that that's the way it was done. That's incomprehensible today, but that was the way they thought when they were first asked about this. I would say there are still some councillors out there that have not gotten the message, but we don't know where that's at, and of course the party never will have responsibility in the sense that this act does not hold the party responsible.

In my view, it's just sort of a benign bill. It tried, but it didn't succeed, and for that reason I will not vote for it.

I want to talk about the decorum here in the Assembly in dealing with some of these issues. We took a lot of criticism a little bit earlier – and we'll take it again in the closing – about some of the amendments we brought forward. I will tell you, Mr. Speaker, that the process is simple. A motion is made, the amendment is then brought forward, and we have to wait until the amendment is passed out to the Assembly. When I see a member from across the way take the amendment, before even reading it, rip it up or crumple it up, and throw it away, I will tell you that that sends a clear message on what the level of decorum is. That, to me, is fundamentally wrong.

I think that regardless of whether you support the amendment or even want to oppose the amendment, out of respect for the people you represent, you should at least read the amendment and make an argument one way or the other rather than send that type of message. I really believe that. Again, they are the party in power. They are the government. They set the level. They set the standard.

I'm going to finish with one of the issues that is really paramount in my objection to the bill. It is corporate influence. I was very supportive of that measure when it came forward. Now, I brought forward a number of arguments in a different venue. It was interesting because they got misinterpreted as if I were antibusiness. But I will tell you this. As president and CEO of a company I donated on a corporate level because I was allowed to by law. We did donate for the whole purpose of making sure that we supported the candidates or the party that best represented the business that we were in. We wanted to do that, and that's what we did. I have run and operated small businesses, and I've worked

for large corporations, so to accuse me of being antibusiness would be a false and misguided application.

I will tell you this. On the corporate influence side we seem to be stuck or focused on just the donations, but there are so many loopholes that have gone unplugged here. They should have been addressed, and I would have liked to have seen them addressed.

I'm going to use a corporation that is a prime example of that, and that's the corporation AltaLink. AltaLink is incorporated in this province. It is a partnership. I've formed many partnerships, and I know why individuals do it. I know why corporate entities form partnerships. AltaLink is owned by a company called SNC-Lavalin, who has been investigated for money laundering. They have been investigated for bribery. They are currently under investigation on these charges. They have had one CEO convicted of fraud. The former CEO here in Canada has just been arrested most recently and charged with fraud. Here is a company that has a no-bid contract that is worth approximately \$5 billion.

How does that relate to this bill? I'm going to explain that. The executive vice-president of this corporate entity was lobbying on behalf of this company because he was a registered lobbyist under the act legally. They were lobbying for a transmission line for which there is actually no evidence that it is needed, not on a technical level. How did they get this? How did they get a multibillion-dollar contract when there's no bidding process, no proper vetting process? The instruments, the documents this government relies upon, have been refuted by the people who drafted them. That is significant in many ways, and nobody is asking these questions.

Now, this company has all sorts of avenues at its disposal to influence the process. They get to spend money on advertising, which most companies have to expense. But when AltaLink spends money and you hear them on the radio, they earn over 9 per cent return on the amount of money they spend. So if they spend their political donations correctly and capitalize on that, not only are they spending money, but they're earning a rate of return on that. The fact is that that comes back to this influence on the election process.

The hon. member said earlier, even during question period, that all of this has taken place without public money, that this is private investment dealing with electricity, but that's not true with AltaLink or with any other transmission line companies. When they spend money, they charge it back to the ratepaying public and everyone here in this Assembly, and then they also get to earn a rate of interest on that money, a rate of return. They get paid, they earn money by trying to influence the political process. That hasn't been covered in this bill. That's just not there.

I want to close with just one item here because it is significant. We're not questioning now the facts of the matter. What we are doing is that we're accepting comments that are unsubstantiated. We're doing this in every avenue that I can see now, whether you go to the Tobaccogate issue or whether you deal with the transmission lines or whether you deal with corporate influence on the political process.

I will tell you this. The hon. Minister of Energy stood up when one of the members asked about the cost of a transmission line, what it would cost on your bill. He basically said – and it's in the *Hansard* on, I believe, October 31 – that it will cost about 60 cents on every individual's bill. But the AESO now has come out publicly and said that those costs are going to rise 400 per cent. I challenge any member in here to check the facts. Go home and pull out your electric bills. Look at the cost of transmission and ask yourself: is 400 per cent equal to 60 cents? I'll guarantee you that it probably will not be. We need to deal with facts. We need to deal with substance. On this bill, when we brought forward

these amendments, we brought forward examples of how this could be improved, and we were denied at every turn. That just does not cut the mustard as far as I'm concerned.

5:20

Again, we are dealing with a company that has a significantly bad reputation now, who has a no-bid, multibillion-contract with this province. Its executive vice-president was the vice-president of the PC Party, who, by the way, is a nice man, in general. I like him. But he was an executive vice-president of the PC Party for no other reason, in my view, than to enhance exactly what he was supposed to be doing. He was getting paid to be there to do one thing. That is something that we need to look at as far as the conflict of interest.

We need to look at how these companies can usurp the current laws to influence the process. Even though I will play by whatever rules this party in power sets, I am of the view that business is a good thing, that corporations are a good thing when you're dealing in business for getting capital for investment purposes, but I will tell you that in the political process they have a tremendous record of doing a lot of detrimental damage to the confidence and to the integrity of the democratic process.

Thank you very much.

**The Speaker:** Hon. members, 29(2)(a) is available.

Seeing no one under 29(2)(a), let us move on to the next main speaker. Our rotation would show, I guess, that the next member will be Strathmore-Brooks.

**Mr. Hale:** Thank you, Mr. Speaker. I haven't made up my mind, I should say, I guess, on whether I'm supporting or not supporting this bill. There are, as the hon. leader of the Liberals said, some good points and there are some bad points, and we saw that with Bill 2 also. You know, there were some very good parts of that bill, and there were some very bad parts of that bill.

I think that as with the other bills that we've seen go through this House in the past, we come back in the future to amend them, so I'm guessing that's what's going to happen with Bill 2 and this bill and Bill 4. You know, we're going to try them out for a while, and after the outrage of the Alberta people we'll be back in here fixing them.

[The Deputy Speaker in the chair]

In this bill some of the negative points that I see are on the banning of the corporate donations. As the other members have stated, you know, it's the perception. We don't know what goes on on the other side of the House in their party meetings about what they do with the money and how much influence that money has on the party. The perception is not good. It leads to being persuaded by those companies that donate such large amounts of money. You know, there are lots of examples all over the world, in the U.S. with the Congressmen. I mean, there are hundreds and hundreds and hundreds of thousands of dollars donated, and I'm sure that there are many phone calls made after hours that say: "Hey, remember that donation? If you want more money, well, you'd better vote this way or that way."

Also, another point is the illegal donations that are to be repaid. Now, we all know that people make mistakes. I've had this conversation with some of the members on the other side of the House, you know, talking about this. If we have fundraisers, different events going on, the volunteers that are taking these donations in for us may not realize that they're illegal. Fine. We can't be everywhere. I think that it is our job and the party's job to ensure that we minimize that to the maximum so that this doesn't

happen, but if that mistake happens, then it should be paid back. If those donations are not paid back and we know that they're illegal, well, then that should be public knowledge.

That goes to the whole perception, again, of our parties and of us as representatives. If it's, you know, not made public and you don't repay that money, then it's hidden. We talk about transparency and accountability. This is a way to show that we're transparent and accountable to the people that make these donations and who support us to get where we are. We all know that it takes a lot of help and a lot of work and a lot of money to get us to where we're at today. If we can minimize the negative feelings that are out there towards politicians and actually practise what we preach about being more accountable and transparent, I think it'll go a long way to help our image.

You know, it says that the Chief Electoral Officer may release details of investigations in the last three years. Well, that should be a must. I mean, what have we got to hide? If we've got nothing to hide, put it out there. If we're being open and transparent, then he should be able to produce those records, make it public.

Going a little bit deeper into the bill, where we talk about the CAs and reporting quarterly, there are many CAs that don't have a whole host of volunteers to choose from, and this just puts a lot more work on them. I can see, you know, that during the election campaign people worked very, very hard to get us here. Again, if we are doing the proper reporting yearly, if we're not taking illegal donations – if mistakes were made, if we're making those payments back, if there was something that happened and we made an illegal donation or received one through volunteers or whatever process, that should be paid back. Those statements can be found in your annual reports.

Another one is with the municipal elections. There should be no reason why the members that lose the election don't have to give that money to a charity. Why should they be able to pocket that money? Who knows what they'd do with it? Those monies were made from the public. They should be put back into the public, not into the pocket of the person who was not so successful. There's no reason why they should be able to keep that money.

You know, I do believe that the penalties should be raised. For many of these corporations, if they continue to be allowed to donate, a \$10,000 fine – it costs some of them that much to wake up in the morning. There are many private citizens that are millionaires and billionaires that can donate. You know, \$10,000 to them is nothing. We need to make those fines substantial so that maybe they will think before these donations are made.

In going through this process the last few weeks – and one of the other members mentioned about taking baby steps – I think a lot of this process that we go through is steps, as we saw with the other bills that we had to come back and amend. I think this is going to be another step that we take to improve the positive aspects of this bill. Those points will be well received in the public, the negative ones not so much. This, I think, will be a first step in making some progress. We'll have to continue on and make some more adjustments as we go, which I think we'll be doing in many of the steps.

As the hon. Member for Airdrie said, I wish I had – I was asking around for a box of Smarties to hand out some Smarties because, you know, I think there are some good points in this bill. There are many good people over there, and they have good intentions.

There are some good things with this bill, on the students. I had students from my area that were going to school, to university, and it was a real hassle for them because that's where they were living, where they were getting their mail, but it wasn't their hometown. They went to vote, and they were turned down. They couldn't

vote. I think it's good because many of those students are there for, you know, two, three, four, five years. They make those cities their home, and they should be able to vote where they're at.

This bill does address most of the concerns of the Chief Electoral Officer. He's the one in charge of this elections process, so hopefully he's happy with the input that he's had into this bill. From what I've heard and what I've read, they've taken into account most of them.

**Mr. McAllister:** I think I'm leaning toward not supporting this.

5:30

**Mr. Hale:** I'm not done yet.

You know, I do have some friends and some supporters that were not physically able to go into the polling stations. I don't see anything wrong if the elections officers that are at those ballot stations, if a person cannot make it in – my father was in a wheelchair for 40 years. There were many times that he couldn't get down the street or get out of the van because there was too much snow. We always joked that we had to make a set of chains for the wheelchair so he could get through some of those adverse positions. We never did get around to that. It was only two-wheel drive, so he was buggered anyway.

**Mrs. Forsyth:** You can't say that.

**Mr. Hale:** Well, he was.

You know, there are some instances where I think there should be some leeway. They could take the ballot box out to the vehicle – we have scrutineers that can go with them – and allow them to vote. They've paid taxes, they've lived here all their lives, they've helped make this province the great place it is, and they should be able to vote. [interjections] That's exactly right.

I think with a lot of these bills, you know, we're so adamant that they have to be perfect. We all know that it's not perfect. We all know the amendments that we put forward would have gone a long way to make them a little more perfect. A good friend of mine years ago said that when you run into problems – it was his advice to me – walk slow and drink lots of water.

I think we're going to continue to work with the government, and hopefully the government can continue to see our worth over here and maybe realize that some of these amendments that we're putting forward are substantial. It'll save us a lot of time and energy coming back year after year and making amendments.

On that, I think I'll let my colleagues get up and speak, and I'll continue to listen and make my decision as we carry on. Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the Member for Olds-Didsbury-Three Hills.

**Mr. Rowe:** Thank you, Mr. Speaker, and thank you to my colleagues for allowing me to jump the queue. Not the queue that's in the newspapers right now, but our own personal one.

I am disappointed that the Local Authorities Election Act is included in Bill 7. As the Municipal Affairs critic I would have preferred to have had two separate bills to deal with. So that's left me in a bit of a quandary. I will be supporting Bill 7, and I will support it because it addresses the issues that have been brought forward by municipalities. But I want to make it very, very clear that I'm certainly not pleased with the accountability sections of the bill or, rather, I should say, the nonaccountability sections of the bill.

I'm left in a quandary here. I feel that I have to support it simply because it does do for municipalities what they've been after for a long time. I will probably differ with my colleagues, and I'm proud to be able to say that I can do that.

I will close with that, Mr. Speaker. Thank you very much for the opportunity.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the next speaker, the hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Speaker. I appreciate the opportunity to stand and speak on third reading of Bill 7. This legislation was presented as, you know, groundbreaking. It was going to change the world.

**An Hon. Member:** So was Bill 4.

**Mr. Hale:** That was Bill 2.

**Mr. Wilson:** That, too. As was Bill 4, as was Bill 2, Bill 7 was another unfortunate disappointment in the long list of government bills that we saw in this session.

From the start we saw deficiencies in it. Although 90 of 101 recommendations from the Chief Electoral Officer were included in this bill, there were a number of recommendations that were not. It's very unfortunate that the Justice minister decided to leave out the recommendation for fixed election dates. I think that that could have really levelled the playing field for all parties when we move into election season in this province and could have taken away the unfair advantage that the governing party has by knowing exactly when that date is and being able to have their campaign in readiness, fully prepared and ready to go, and then opposition parties are just waiting for the drop of the writ. It is an advantage. It's unfortunate that you decided to keep it, but I guess it shouldn't really come as that much of a surprise.

You know, we're also severely disappointed that they decided to keep a three-year time limit on the release of the information. The Chief Electoral Officer made no recommendations around time, yet the government imposed this, again, probably as a self-preservation tool.

There were areas of concern that we were in contact with His Worship Mayor Nenshi in Calgary on, where he brought a number of recommendations in areas where he thought there could be progress. But again this government decided that they knew better than those who were actually running these types of municipal elections on the ground and doing what could be best. They again shut down another amendment.

This one miraculously – it boggles the mind as to how something like this is even written in the law, where all candidates who are in a municipal election who do not win cannot keep a campaign surplus, or if they choose not to run, even though they've been fundraising as a registered candidate, are not mandated by law to do something with that money. I think that the government missed a giant opportunity to add and change about four words in one part of this act. You've left that hole open, so pat yourselves on the back.

Concepts that the Minister of Justice added with absolutely no input from the Chief Electoral Officer again can only be interpreted as perhaps malicious.

The idea of having CAs report quarterly to the Chief Electoral Officer is going to damage every single one of us. The reality is that there are two reasons. One is that our CAs are run by volunteers. We're now asking them every three months to file a

disclosure statement with the Chief Electoral Officer. On the back end of that, we've now got a Chief Electoral Officer who – and I sit on the Legislative Offices Committee – is going to come back to us, and he's going to require more staff, more money, more pension, more benefits. All for what? For nothing. To have CAs come back and report quarterly. It doesn't make any sense. There's no logical justification. The government can stand up and say that it's all about disclosure and that we're the party that's been asking for disclosure, but at the end of the day it's burdensome, it's onerous red tape for volunteers, and it adds needless expense for the Chief Electoral Officer.

That being said, there were some positives in this bill, and I do want to give credit where credit is due. Increased access for postsecondary students to vote during an election campaign: definitely a positive step in the right direction. Adding enumeration in tax assessments provincially, hopefully, will start to clear up some of those voters lists and get rid of, you know, 17 families living at one address.

I think that there's room for appreciating some of the things that the government chose to put in this bill as well. Four-year terms for municipal elections: again, a positive step in the right direction. Allowing for the disclosure of illegal contributions: it was something the Chief Electoral Officer asked for; it's something that was put in the bill. Yes, we were upset with the time frame that was imposed, but again a step in the right direction.

Now, this party here and the parties next to us put forward many, many responsible amendments to this legislation. Unfortunately, as has been said much today, 24 in total; not one accepted. Banning corporate donations: still allowed. Closing the Katz loophole: no, don't want it. Reducing the maximum donation limits: why would we need to do that? Making action on violations mandatory for the Chief Electoral Officer: not an option; who needs it? Extending the time limit for punishing and publicizing illegal donations: three years is good; it'll cover us. Correcting what must be an oversight in ensuring candidates in municipal elections donate surpluses to charity, not just successful candidates: kind of covered that one. You know, again, it doesn't make a lot of sense.

A lot has been said today and in the last couple of days about the issue of respect on what's happening in this House and with the hundred or more amendments that the opposition put forward. I just thought I'd offer my two cents here. The reality is that I've been told by members opposite that, you know, maybe if we were talking about policy issues and not issues of accountability and if we weren't focusing on issues that Albertans are asking us to focus on and maybe focused on issues that the government wanted us to focus on, they'd look at our amendments with a bit of a different lens and perhaps some of them would actually pass. Yet we also have members standing up and saying: "I'm here to do what's best for all Albertans, Mr. Speaker. I'm here to represent the interests of everybody. But I'm going to be vindictive when it comes to amendments regardless of if it makes policy better, regardless of if it makes the legislation better. I'm not going to do it because the opposition is mean."

5:40

It boggles my mind. You know, what are we supposed to do? Do we stand up and ask the same puffball questions as some of your backbenchers, with the exception of Calgary-North West, who seems to be able to knock them out of the park? Is that what the government wants us to do? That is now going to allow us to strengthen the legislation? I highly doubt it.

Actions are louder than words. If you truly want to run an accountable, open, transparent government, that option is all yours. You are the majority. You have 61 seats. It's on you.

Despite the many shortcomings, the many holes left unplugged in this legislation, the fact that no input was taken for the opposition or the mayor of Calgary and that the government has again demonstrated that its version of democracy is better than anybody else's, my litmus test for support of this bill is: are we better off before this legislation or after? I'm going to hold my nose on this one, and I'm going to support it because I do believe that Albertans in general are better after this bill than we were before.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. The hon. Member for Cypress-Medicine Hat.

**Mr. Barnes:** Thank you, Mr. Speaker. I would like to ask the hon. member if he ever considered a different litmus test. When I was considering supporting this bill – and I am not supporting this bill – I read time and time again how Alberta has Canada's weakest election laws. We've also heard time and time again how although the opposition offered many, many good amendments to make it stronger, they were totally disregarded, without consideration it appears.

I'm wondering if you considered that the government did have a higher duty of care, could have done better, should have done better, especially with something as important as elections, where it's the government's job to make things fair, equitable, and run as well as possible. Never mind the illegal donations. Never mind not closing the Katz loopholes. The quarterly reporting I know is going to be a huge problem in Cypress-Medicine Hat.

I'm just wondering if you think that your support of this bill may lead the government to not doing their best job in the future.

**Mr. Wilson:** That is a good question. I would like to thank the Member for Cypress-Medicine Hat for it. I do not believe that supporting this bill will impact it. Whether I support this bill or not, they're going to do what they do. I think we've seen that in this session, that it really doesn't matter what we say over here or what we do.

At the end of the day I'm going to support this bill because, as I said, I do believe that we or Albertans or the constituents that put me here are going to be better off, that they're going to have a better run system after this legislation than they did before. That's my test, and that will be why I support it.

**The Deputy Speaker:** Are there others on 29(2)(a)?

Are there other speakers? I'll recognize the Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Well, thank you, Mr. Speaker. I'm pleased to stand up – I think I'm pleased, but I'm not really sure if I'm pleased – on Bill 7, the Election Accountability Amendment Act, 2012, in third reading. I, like some of my other colleagues, am struggling on whether or not to support this bill. I guess the one thing that I like about being a member of the opposition and that I particularly like about being with the Wildrose even more is the leader from Highwood, who truly, truly believes in free votes.

We've discussed this, why you'd be supporting and why you wouldn't be supporting. I, like my colleague from Calgary-Shaw, look at the bill and say: well, when we started here we had nothing. Now we've got probably an 84-page bill. That's something, but it's not great. You know, it's one of those situations

where you're damned if you do and you're damned if you don't, situations that make it very difficult for some politicians. And I say that with all honesty.

I guess what's troublesome for me is the 24 amendments that were brought forward in this Legislature to strengthen this bill. You know, I keep going back and back and back to when the Premier was running and she talked about her democratic renewal strategy in May. She was talking about whistle-blower legislation and how she was going to make it the best in Canada and all of that. We all know – and the member from Fort McMurray who carried the bill still to this day stands up and says what a wonderful piece of legislation it is, knowing that every other person across this country has said that it's the worst bill in Canada. So we have this Bill 7, this Election Accountability Amendment Act.

Government has been right on with some of the things that they brought forward, you know. They've talked about making it easier and more accessible for young kids. Well, nobody is going to argue that. I mean, we all think it's important that our youth start getting involved and become more accountable, and we want them to get out and vote because, quite frankly, they're our future. It's something that's been a challenge for myself, how we start engaging youth. I think we've kind of figured that out. We've got a good strategy that we're going to move forward on and start getting more youth involved.

But, gee whillikers, Mr. Speaker, you look at what happened with Katz. You look at banning the corporations. I was with the leader when she got scrummed today and was asked: were we not going to take corporate sponsors? Her answer was perfect.

I always live by this slogan, and I've lived by it all my life. People will see me driving around in my little RAV that's got a little pig on it. That pig is there as a reminder because it's a saying that I love: you don't get off the horse to fight the pigs. It's very tough in this Legislature to stay on that horse. The leader has reminded me, hence, why I have a horse in my office and the pig on the car. It continually reminds me of the horse-and-pig story.

I guess for me it's going to really come down to the vote. I was listening through all this debate, and I was hoping that the Member for Calgary-Hays would get up, someone who was formerly a counsellor and, obviously, ran for mayor. I was expecting him, quite frankly, to get up and speak in regard to the money left over from his mayoral campaign. What he did with that, we still haven't heard. It's a good amendment. There's nothing wrong with an amendment like that. Donate the darn money to charity. Do whatever you can, but at least on behalf of your constituents stand up. I'll still ask the Member for Calgary-Hays, once we start getting out, in regard to: what did you do with your money? I know the money that I had left over from Calgary-Fish Creek from the last election – and I haven't run in a municipal election – I returned back to the constituency. If I get on my horse four years down the road, it will stay there. It will stay there either for the next candidate to get some money to go on, you know, or I will donate it to charity.

There are so many questions with even fewer answers. I have to tell you that I'm struggling. I'm hoping that a couple more of my colleagues will get up and speak so I can come to a conclusion on this bill and, when the bells ring, I'll be able to have a decision on behalf of my constituents.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a).

Seeing none, the Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Mr. Speaker. I rise to speak on Bill 7, the Election Accountability Amendment Act, 2012. I believe this

bill was a good first step. It was reassuring to see the government put importance on changing the perception of the electoral system and to show that this is a priority. As a new MLA to the House I was moved by this. I looked forward to being part of the process, to having input, and to ensuring that those Albertans whom I represent had a voice at the table. Sadly, that wasn't so. This government brought forward a bill in a manner and at a pace that prevented collaboration, consultation with Albertans, and restricted input.

This government consistently released legislation claiming to be world leaders, but in practice they brought in an act that is embarrassing compared to other jurisdictions. I wish this didn't apply to Bill 7, but it clearly does. There are really only two main reasons – my colleagues have already gone over most of them – why I cannot support this bill, and they're pretty clear.

5:50

To disagree with an amendment that bans corporate donations, to me, is clearly disturbing. The hon. Member for Airdrie gave a clear indication about how, yes, we accept corporate donations, and we've seen the light, as the other two parties have as well, as to why and how they can influence the electoral system. By allowing corporations to make campaign donations, we run the risk of allowing individuals who control these organizations to be granted more rights than Albertans. Elections must be transparent and fair if they are to have the support of the electorate. When corporate donations are allowed, it gives the impression that candidates can be bought by wealthy interests. It's not enough to say that elections should be fair. They must also appear to be fair to all Albertans.

Alberta should be a leader in electoral reform. We could have raised the bar and created momentum for similar changes in all other jurisdictions in Canada. We could have made this a national standard. Mr. Speaker, we're seeing all across this world citizens rising up. They're fighting in the streets, and they're dying for the democratic right to vote. People are literally asking, begging, and dying for open, fair, and transparent elections. We had that opportunity here in this House. Elections should be focused on citizens and be in the best interests of citizens. Corporations are not citizens. They do not have the right to vote or hold office and should not be financing candidates' campaigns.

Alberta is seeing decreased voter turnout. Public cynicism about politics is growing. This government had an opportunity to go a long way to reverse this trend and assure Albertans that government has not been bought and paid for. Candidates should be financed by the constituents they represent. If citizens believe that they've done a good job, those candidates will be able to raise adequate funds. If they've done a poor job, then they should have and will have more difficulty raising funds for possible re-election. Large donations from businesses and other organizations with significant financial resources can have an undue influence on who decides to run and who gets elected.

The second and more important reason is the inability of this government to see the light and make all illegal donations public. Period. This defect in Bill 7 is the lack of public accountability that this government has so clearly said they want. The refusal to amend the act to ensure that all illegal donations are made public is disturbing. The fact that this government has made a conscious choice to ensure that those who have made public donations will never be held to account is reprehensible. For this government to tell Albertans that the Premier's sister will never have to account for or pay back taxpayer money for making political donations while being an AHS employee is terrible – this does refer to the act, sir – or that the Wood Buffalo housing corporation will not



have to pay back a \$2,500 donation to the PC Party, using funds that were meant to help the most needy looking for affordable housing.

The real tragedy in this is that there is still a belief that not disclosing illegal donations of any party somehow benefits Albertans and is open and transparent. That's tragic. The lack of concern that taxpayer dollars from municipalities, government agencies, housing corporations, and public institutions are making donations to the PC Party and that this is acceptable is disturbing. The role of legislators is to provide openness and transparency and ensure that Albertans can have faith in a system that is meant to protect democracy. Rather than ensure a fair and transparent and accountable elections amendment act, this government is telling Albertans: "Don't worry about the past. Only look into the future." However, illegal is illegal, and as legislators we are bound by Albertans to do the right thing even when it has a negative effect on a personal or party position.

The amendments from the hon. Member for Lac La Biche-St. Anne provided clarity and transparency to Albertans, which should be our main goal, Mr. Speaker.

**Mr. McAllister:** St. Paul-Two Hills.

**Mrs. Towle:** Sorry. Lac La Biche-St. Paul-Two Hills. I apologize.

In closing, I just have a few quick comments. The last time I checked, the role of the opposition was to be a check and balance. The last time I checked, the role of the government was to ensure co-operation with all parties. The last time I checked, the government voted against over 105 amendments put forward by all opposition parties. The last time I checked, legislative bills should be in the best interests of all Albertans. The last time I checked, Bill 7 was supposed to ensure openness and transparency. The last time I checked, Bill 7 was supposed to be the best, most comprehensive bill in Canada. The last time I checked, corporate donations resulted in Bill 50, which was devastating to landowners. The last time I checked, illegal was illegal. The last time I checked, those who do illegal acts should be held accountable. The last time I checked, this government was clearly covering their behinds.

For those reasons, I will not support Bill 7.

**The Deputy Speaker:** Thank you, hon. member.

**Mr. Hancock:** Mr. Speaker, I wonder if it would be appropriate at this time to ask for unanimous consent to shorten the bells in the event of a division?

**The Deputy Speaker:** Having heard the motion by the Government House Leader, that requires unanimous consent.

[Unanimous consent granted]

**The Deputy Speaker:** Are there other speakers to the bill?

Seeing none, the hon. Government House Leader to close the debate.

**Mr. Hancock:** Question.

**The Deputy Speaker:** I'll call the question.

[The voice vote indicated that the motion for third reading carried]

[Several members rose calling for a division. The division bell was rung at 5:55 p.m.]

[One minute having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Allen	Forsyth	Lemke
Bhardwaj	Fraser	McIver
Brown	Griffiths	Oberle
Calahasen	Hale	Olesen
Campbell	Hancock	Pastoor
Cao	Horne	Quest
Casey	Horner	Rodney
Cusanelli	Jansen	Rowe
Donovan	Jeneroux	Sandhu
Dorward	Johnson, J.	Scott
Fawcett	Klimchuk	Wilson
Fenske	Kubinec	Woo-Paw

**6:00**

Against the motion:

Anderson	McAllister	Smith
Anglin	Notley	Stier
Barnes	Pedersen	Strankman
Bikman	Saskiw	Swann
Fox	Sherman	Towle

Totals: For – 36 Against – 15

[Motion carried; Bill 7 read a third time]

**The Deputy Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I move that the House adjourn until 1:30 p.m. tomorrow.

[Motion carried; the Assembly adjourned at 6:01 p.m. to Thursday at 1:30 p.m.]







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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Thursday, December 6, 2012

Issue 29

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta**  
**The 28th Legislature**

First Session

Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC), Speaker  
Rogers, George, Leduc-Beaumont (PC), Deputy Speaker and Chair of Committees  
Jablonski, Mary Anne, Red Deer-North (PC), Deputy Chair of Committees

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Bhardwaj, Naresh, Edmonton-Ellerslie (PC)  
Bhullar, Hon. Manmeet Singh, Calgary-Greenway (PC)  
Bikman, Gary, Cardston-Taber-Warner (W)  
Bilous, Deron, Edmonton-Beverly-Clareview (ND)  
Blakeman, Laurie, Edmonton-Centre (AL),  
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Calahasen, Pearl, Lesser Slave Lake (PC)  
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Casey, Ron, Banff-Cochrane (PC)  
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Fox, Rodney M., Lacombe-Ponoka (W)  
Fraser, Rick, Calgary-South East (PC)  
Fritz, Yvonne, Calgary-Cross (PC)  
Goudreau, Hector G., Dunvegan-Central Peace-Notley (PC)  
Griffiths, Hon. Doug, Battle River-Wainwright (PC)  
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Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
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Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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Cao	Webber
Casey	Xiao
Fenske	Young
Fraser	Vacant
Hale	

## Legislative Assembly of Alberta

1:30 p.m.

Thursday, December 6, 2012

[The Speaker in the chair]

### Prayers

**The Speaker:** Hon. members, today's prayer is dedicated to innocent victims of violence.

Let us pray. Life is precious, and when it is lost, all of us are impacted. Today we join with Legislatures right across Canada and honour the National Day of Remembrance and Action on Violence against Women. This day of remembrance marks the anniversary of the 1989 massacre of 14 women students at l'école Polytechnique in Montreal. Hon. members, please join me in observing one minute of silence. Amen. Thank you.

Just before I invite you to be seated, please know that the flags on the Alberta Legislature Building here have been lowered since sunrise this day and will remain lowered until sunset this evening in honour of these innocent victims who were massacred because they were women. Please be seated.

### Introduction of Guests

**The Speaker:** The hon. Member for Leduc-Beaumont.

**Mr. Rogers:** Thank you, Mr. Speaker. It's a great privilege to introduce to you and through you to all members of this Assembly a group of individuals in the galleries today who play a key role in the democratic process in the province of Alberta. The employees who work in our constituency offices often provide the first point of contact for our constituents and represent our offices and this Assembly. These special individuals are here today participating in the winter constituency employee seminar, which provides an opportunity for them to network with other LAO staff and obtain an overview of numerous programs and services available through the LAO.

Each year the services and contributions of these individuals are celebrated with an employee recognition dinner, which you, Mr. Speaker, will be hosting later this evening. Today over 75 constituency office employees are with us from all corners of the province. I would ask that they please rise and receive the warm traditional welcome of this Assembly.

**The Speaker:** Thank you, indeed.

The hon. Member for Fort Saskatchewan-Vegreville.

**Ms Fenske:** Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you today to all members of this Assembly on behalf of the hon. Member for Bonnyville-Cold Lake a group of 46 students from Holy Cross elementary school in Cold Lake. They are seated in the members' gallery today, and accompanying them are teachers and group leaders Ms Jo-Ann Ward, Mrs. Bev Armbruster, Mrs. Nadia Corriveau, Miss Kristin Bertrand; and their parents, Mrs. Denise Reid and Mrs. Charlene McKay. I would ask that they all rise and receive the traditional warm greeting of this Assembly.

**The Speaker:** The hon. Minister of Infrastructure.

**Mr. Drysdale:** Thank you, Mr. Speaker. It is indeed my honour to introduce to you and through you today a constituent of mine, Mr. Andre Harpe. Mr. Harpe has worked for many years volunteering on lots of different boards in my constituency to make our com-

munity better for all of our community members. I believe Mr. Harpe is in the city today serving on the Northern Alberta Development Council board as well. I'd ask Mr. Harpe to stand and receive the warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-South West.

**Mr. Jeneroux:** Thank you, Mr. Speaker. I am pleased to introduce to you and through you to all members of the Assembly Ms Dawn Harsch, owner and operator of ExquisiCare, a facility offering residential and supportive living accommodations and care for the elderly, located in my constituency of Edmonton-South West. I've had the opportunity to tour the facility with the hon. Minister of Health and appreciate the service that ExquisiCare provides to the residents. The personal care philosophy of love, home, purposeful living, and meaningful work is practised on a daily basis at ExquisiCare. With Ms Harsch today is Ms Lori Seemann, with Canadian Natural Resources. I ask that the two guests seated in the members' gallery today please rise and receive the traditional welcome of the Assembly.

**The Speaker:** The hon. Minister of Culture.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. It's my pleasure to rise today to introduce to you and through you a very special guest seated in the members' gallery. April Lamb, who was born and raised in Medicine Hat, is a student at Mount Royal University studying to achieve her bachelor of communications with a specialization in journalism. April served in my ministry as a summer ministerial intern this summer and now works as an assistant in the hon. Premier's southern Alberta office. I would ask April to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** Thank you.

The hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Mr. Speaker. It's an honour to introduce to you and through you 17 Wildrose constituency office staff members here today. These fantastic people work hard for Albertans and our Wildrose MLAs every day, and without them our jobs would be incredibly difficult. Please rise and receive the warm welcome of this Assembly, and thank you.

**The Speaker:** The hon. Member for Edmonton-Centre.

**Ms Blakeman:** I do have guests coming, but I believe they're not in the gallery currently, so I'll ask to revert at the end of question period.

**The Speaker:** We'll come back.

Hon. Member for Edmonton-Meadowlark, if your guests are here, proceed.

**Dr. Sherman:** Thank you, Mr. Speaker. I'd like to introduce to you and through you to all members of this Assembly some of the bravest Albertans, the staff of the Alberta Liberal opposition. They're also rumoured to be pretty darned good dancers in a recently released popular video named *Sherman Style*. I'd like them to rise as I call their names. Jonathan Huckabay, our chief of staff, and the team: Justin Benko, Denis Lapointe, Jon Mastel, Amy McBain, Tyler Mudrey, Carmen Remenda, Kevin Tam, and Nicky Walker. There may only be nine of them, but they do the work of 300, and without them we could not do what we do each and every day to hold the government to account for our real bosses, the people. Please join me in giving them the traditional warm welcome of the Assembly.

1:40

**The Speaker:** The hon. Member for Barrhead-Morinville-Westlock.

**Ms Kubinec:** Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you to the members of the Legislature a long-time friend and a mentor of mine, Ms Honey Forbes. She's up in the visitors' gallery. After spending the majority of her life in my fantastic constituency of Barrhead-Morinville-Westlock, Honey and Daryl and their family moved to Duncan, B.C., on Vancouver Island, where she is now a coroner at the medical examiner's. The last time Honey was here was when she was here with her daughters in grade 6. One of those daughters grew up to be one of my youth campaign workers. I am very proud to be able to introduce Honey to this Assembly today and to ask that she rise and that we give her the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Dunvegan-Central Peace-Notley.

**Mr. Goudreau:** Thank you, Mr. Speaker. It's also my pleasure to introduce to you and through you to the members of this Assembly Mayor Brian Allen. Brian has been mayor of the town of Grimshaw for multiple terms. He's a tremendous supporter and is also here to do NADC business. I would like Mayor Brian Allen to stand and receive the traditional warm welcome of the Assembly.

**The Speaker:** Hon. Member for Edmonton-Decore, you have a guest?

**Mrs. Sarich:** Yes. Thank you, Mr. Speaker. It's an honour and privilege for me to rise today to introduce to you and through you to all Members of the Legislative Assembly a very special guest and long-time resident of Edmonton-Decore, Mr. Jimmy Ragsdale. Mr. Ragsdale on many occasions drops by the constituency office to simply say hello, and it's a welcome breath of fresh air when he does that and is welcomed by the staff that works in the constituency office. The Alberta Legislature has such a rich history of traditions and democracy, and Mr. Ragsdale is here to observe the Assembly in action this afternoon. I would ask that Mr. Ragsdale now please rise – he is seated in the public gallery – and ask that we give him the traditional warm welcome of the Assembly.

Thank you.

### Members' Statements

**The Speaker:** Hon. Member for Edmonton-Gold Bar, I believe you're up.

### Personal Code of Conduct

**Mr. Dorward:** Thank you, Mr. Speaker. In May you asked us to come up with our own personal code of conduct in this Assembly. I have some thoughts for you. Firstly, I will never disrespect the hallowed walls of this Assembly. We teach children daily on tours that this House represents the very democracy that we enjoy. That includes respect for you and your position in this Assembly. I will never hold up a sign calling you a name. I will never swear behind your back. I will never walk out on this Assembly in the name of political protest. I will not bend your rules or your rulings. I understand the difference between governing party, loyal opposition, and politics.

Mr. Speaker, I will never disrespect the Premier of our province. She is duly elected as the Premier of the people. When she is attacked and disrespected, every member in this Assembly is disrespected, the government is disrespected, and every citizen of this province should feel disrespected.

I will choose not to use every opportunity I can for political opportunism in this Assembly. I will not use valuable and costly Assembly time on endless political speeches largely unrelated to the business before the Assembly.

Mr. Speaker, I will not lie in this Assembly. I will not bend the truth in this Assembly. I will not leave out truths that show the complete story, indeed. I will speak frankly and on topic in the Assembly. I will not bring potty language to this Assembly.

Thank you, Mr. Speaker, for challenging us in this way. What a contrast between the behaviours in the Assembly this fall. There are those who have held a high standard and those who have wallowed in misunderstanding of what we're about.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Mountain View.

### Physician Services Agreement

**Dr. Swann:** Thank you, Mr. Speaker. Our health care system is fragile after several years of reorganizations without a clear plan. Recent breakdown in the relationship of physicians and this government in a season of likely increased demands makes this even more dangerous for citizens of Alberta who absolutely rely on timely access and effective care, even those among us. The mutual blame game must stop in the interest of all Albertans. What has become clear is that a heavy-handed approach by the Minister of Health and his unwillingness to respect the rights of the AMA, as the bargaining agent, to return to good-faith negotiations based on principles rather than a fixed position is blocking progress. Inflammatory public ads on both sides do not help the search for resolution. Earnest negotiation and, ultimately, binding arbitration as supported by the Canada Health Act must be the focus.

Adding to the barriers to good-faith bargaining has been the failure to honestly consult with physicians about the plan to build 140 new family care centres without evidence, consultation with primary care networks, or a budget plan. This needs to be acknowledged and addressed. We know the minister and the AMA share the goals of improved access, excellent quality, and cost-effectiveness, and these must form the basis of renewed discussions, with an intermediary as previously agreed to.

The need for more prevention programs and additional resources for community care to keep people out of this health care system is essential to strengthening it and ensuring future sustainability. Preventable delays, complications, even deaths are a real and present concern today in Alberta. Nothing can justify adding these challenges, nor do we want fear or lasting bitterness to add to morale problems festering amongst health professionals today.

In all our interests we treat both sides: return to discussions with a third party, resolve outstanding issues. Albertans deserve no less.

Thank you.

**The Speaker:** The hon. Member for Banff-Cochrane.

### FireSmart Funding

**Mr. Casey:** Thank you, Mr. Speaker. The Alberta government recently announced \$500,000 in FireSmart community grant funding for 16 forested communities. [interjections] I agree. Funding supports projects that reduce wildfire risks such as planning

and development controls, tree thinning, public education, training, and emergency management.

In my constituency of Banff-Cochrane the investment will go a long way to FireSmart three communities sharing \$105,000 in grants. The summer village of Waiparous and the Kananaskis improvement district will each receive a grant of \$50,000 for FireSmart planning and vegetation management while Canmore will put \$5,000 towards FireSmart education. Two other communities in the area that will receive funding are Crowsnest Pass, who will receive \$50,000 towards vegetation management, education, and training; and Mountain View county, who will put \$15,000 towards a FireSmart training exercise. All five of these communities have embraced FireSmart practices and share a responsibility for good stewardship of Alberta forests.

I would also like to take this opportunity to recognize the work of members of the Kananaskis improvement district's FireSmart Committee, who were invited to a workshop in September led by the researchers from Oregon State University, the University of Alberta, and Charles Sturt University in Australia. The Kananaskis improvement district's FireSmart Committee was chosen to participate in the project to share their best practices and to provide researchers with feedback for a fire management guide they are developing.

Please join me in commending the Kananaskis FireSmart Committee for their important work and to congratulate the summer village of Waiparous, Canmore, Crowsnest Pass, and Mountain View county as recipients in this latest round of FireSmart funding.

Thank you.

**The Speaker:** Hon. members, just before we start the clock for question period, I'll remind you that all the rules are in force as always. I may come back and make a comment in general about private members' statements at the end of the day.

### Oral Question Period

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition.

#### Tobacco Recovery Lawsuit

**Ms Smith:** Mr. Speaker, we're having a difficult time getting to the bottom of the tobacco contingency arrangement. We've asked four times, and we're going to ask again. In the Premier's December 14, 2010, memorandum she wrote that the International Tobacco Recovery Lawyers would be the best choice "considering the perceived conflicts of interest, actual conflicts of interest, the structure of the contingency arrangement and the importance of a 'made in Alberta' litigation plan." Can the Premier assure Albertans that in her examination of the bids, the winning proposal was the one that offered the lowest contingency fee?

1:50

**Ms Redford:** Mr. Speaker, this was the question that was asked yesterday by the opposition, and I answered the question.

I'd like to take a moment to pause and think about what the opposition has actually done this session. I'd like to ask the Leader of the Official Opposition a question. While we have had repetitive questions that have been answered by this side of the House on a regular basis, Mr. Speaker, this hon. member, who claims to be the critic for International Relations, Aboriginal Relations, and cities, in 22 days has asked one question with respect to those issues that she cares about.

I would refer the hon. member to my answers that I have answered continually in this House with respect to the other

matter, and I look forward to a question on something she tells Albertans she cares about.

**Ms Smith:** No wonder Albertans are losing confidence. She can't answer a simple question.

Even if we were willing to pretend for a moment that up is down and the sky really is green and that the Premier did not make the decision on this issue – fair enough – but when the Premier looked at the bids, did she see that the Jensen consortium's contingency proposal was indeed the lowest contingency fee?

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you very much, Mr. Speaker. This question has been asked and answered many times. The final decision was made by the succeeding Justice minister, who is currently the agriculture minister. As we keep moving on, we are on the side of the average Alberta taxpayer, not big tobacco. How about this member?

#### Speaker's Ruling Decorum

**The Speaker:** Hon. members, you were very kind in acknowledging the staff who support you today. Let us think about what you're showing them today as well. Please, no more interjections. No more heckling is needed here. We're all grown adults. We'd like to hear each other ask questions. We'd like to hear the answers as well.

Hon. leader, please proceed with your next question.

#### Tobacco Recovery Lawsuit (continued)

**Ms Smith:** Okay. With tens, perhaps hundreds, of millions of dollars at stake we just want to make sure that the winning bid had the lowest contingency fee. That's what I'm asking again. Yes or no?

**Mr. Denis:** Mr. Speaker, as I indicated yesterday, our own counsel has advised us that in the event we would disclose the contingency agreement, it would be in the interest not of Alberta taxpayers but of big tobacco. And if you don't believe him, go to the former president of the Law Society, Perry Mack, who said the same thing.

**The Speaker:** Let's try one more time, shall we?

Hon. leader, you have the floor.

#### Details of Meetings with Katz Group Inc.

**Ms Smith:** We'll try to get an answer to another question, Mr. Speaker. Yesterday I asked the Minister of Finance to make good on his October 30 commitment to give details about his meetings with the Katz Group when the government said no to arena funding and casino licences. Now, the minister brushed off the questions, saying that he'd already answered them. But he didn't. On October 31, responding to a different question about lobbyists for the Katz Group, the minister provided the name of Peter Elzinga, who was indeed registered as the lobbyist for this group in 2010. We are trying to figure out who the government met with from the Katz Group in 2011 and 2012. When will he keep his promise and provide the details that I originally asked for?

**Mr. Horner:** Well, Mr. Speaker, as I think is fairly common knowledge in this House, during 2011 I was otherwise occupied and was

meeting with a lot of people during that period of time. In the 2010 time period was the original meeting which I spoke about.

As I recall, in response to my answer yesterday the hon. member said that she'll put it in writing, so I'm waiting for her to put it in writing.

**Ms Smith:** Mr. Speaker, you've told us often that when a minister answers, he's answering on the part of government, so that's what I'm asking. Given the minister told the Assembly back in October that it's not a secret, why won't he keep his promise and provide the details of all of the meetings the government had with the Katz Group in 2011 and 2012?

**Mr. Horner:** Well, Mr. Speaker, I wouldn't know whether the Katz Group has met with other members of the cabinet in either 2011, in a previous government, or in 2010. I did make the comment that I would provide the date of the meeting that I had with them either in 2012 or 2010, and I will do that.

**Ms Smith:** Well, Mr. Speaker, I asked for it on October 30, and we still haven't received it. It now looks like the minister is just giving us another brush-off. Is this just another example of the government's policy of reneging on its commitments and breaking promises?

**Mr. Horner:** Absolutely not, Mr. Speaker. I've made the commitment that I'll find the date. I don't actually have the calendar in my memory right now as to the exact date when we met with representatives of the group. I will say this. The answer was no in 2010. The answer, as I understand it, was no in 2011. The answer was no 2012. The answer will be no in 2013. I think the hon. member is chasing a dead horse here.\*

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition. Third main set of questions, and no preambles on the sups this time, please.

### Opposition Amendments to Bills

**Ms Smith:** Yes. Thank you. You'll be happy with these questions, Mr. Speaker.

I want to acknowledge all of my opposition colleagues for the great work we did by proposing more than a hundred amendments to government bills, but despite the Premier's stated goal of more free votes, more time between proposing and voting, more collaboration, the government rejected pretty much everything we put forward. It's another case of the Premier saying one thing and doing another or, as with the tobacco deal, doing one thing and saying another. To the Premier: how does unanimously rejecting more than a hundred amendments square with the desire for more free votes and more collaboration?

**Ms Redford:** Mr. Speaker, this has been a fantastic session, where we have passed 10 pieces of legislation that matter to Albertans. We've delivered on an election act, elections financing legislation, whistle-blower legislation, homebuyers' protection legislation. We've acknowledged posttraumatic stress disorder, and we have ensured that the regulatory process will protect the property rights of landowners. [interjections]

Mr. Speaker, what we do as a government is that before we bring legislation to this House, we consult with stakeholders. We ensure that our legislation is strong, and we're proud of our legislative record this . . .

**The Speaker:** Thank you.

**Ms Smith:** What about the amendment that would close the Katz loophole that allowed huge donations from a single source? Why did your government reject this?

**Ms Redford:** Mr. Speaker, the legislation that was passed reflects what Albertans want to see with respect to integrity and honesty and independence in this House. I can't speak to the fact that the opposition may have introduced amendments that were erroneous, irrelevant, and not important, but what I will say is that Albertans voted for a government that was committed to transparency and to honesty. The issues we've debated in this House have been a result of changes that we on this front bench have made with respect to transparency, and that is the record that we will stand by.

**Ms Smith:** What about the Lynn Redford amendment that would have opened up details of illegal contributions dating all the way back to 2005? Now, we can guess why that was rejected, but why doesn't the Premier tell us?

**Ms Redford:** Mr. Speaker, to me this question period is nothing but an exclamation point on the decorum that has been inappropriately shown in this House. I will tell you that there are a lot of processes in place, that we put in place, with respect to disclosure, with respect to inquiries, and with respect to expenses, which is the reason that the opposition can ask these questions. [interjections] I will tell you that from what we have heard in our caucus over the last weekend, these sorts of comments are entirely inappropriate. They do not dignify this institution, and I'm not surprised to hear them from the Leader of the Opposition.

**The Speaker:** Hon. members, you can see what happens if one or two interjections get thrown in and cause some distraction. They lead to some disruption.

We're going to proceed with the leader of the Alberta Liberal opposition, followed, maybe, by the leader of the New Democratic opposition.

The hon. leader of the Liberal opposition.

### Personal Care Standards in Seniors' Facilities

**Dr. Sherman:** Thank you, Mr. Speaker. 'Twas the last day of session, and all through the House a Premier was sitting as quiet as a mouse. Christmas is coming, and we're all filled with cheer, except for the seniors, that we hold so dear. Today we heard about the gift that Randa Wheaton gave her elderly friend in long-term care, money for an extra bath every other week for a year. In a province blessed with so much wealth, it would be easy for the government to honour the sacrifices of our pioneers, entrepreneurs, and veterans by giving them the gift of basic dignity. To the Premier: why won't you open up your heart this Christmas, as Randa Wheaton did, by giving every vulnerable Albertan in care the gift of more than one bath a week?

2:00

**Mr. Horne:** Mr. Speaker, the hon. Premier gave the hon. Leader of the Official Opposition some good advice a few minutes ago, I think, when she suggested that the hon. member take a pause. I suggest that this hon. member do the same. If members of this House want to have a debate about protocols with respect to bathing, that's one thing. If they are actually suggesting that the health care workers of this province are inappropriately caring for personal hygiene of the residents of our long-term care facilities, that's quite another, and frankly I think they should have the guts to stand up and allege that.

\*See page 1349, left column, paragraph 12

**Dr. Sherman:** Mr. Speaker, given that what's missing in the words "health care" from the government's point of view is the key word "care," that's what my question is on. Again to the Premier. You promised to put families and communities first. Will you do so today by ordering a change in government policy in funding more than one bath a week? Please, Premier, will you?

**Mr. Horne:** Mr. Speaker, what is, in fact, disingenuous is poetry added to innuendo to suggest that in some way the health care workers of this province are not providing appropriately for the personal hygiene needs of residents in our province. As that hon. member should know, care plans for residents are determined by the residents and their families in consultation with the workers that provide care to them. If this hon. member wants to have a debate about standards or protocols at an operational level, I suggest he find a way to do it besides a cheap poem.

**The Speaker:** The hon. member, with no preamble this time, please.

**Dr. Sherman:** Mr. Speaker, given that every prisoner locked up in our province's jail system is allowed to have a shower a day and given that even the Grinch had a change of heart, my final question to the Premier. Please afford me the dignity of standing up and answering this question. It's Christmastime. Will you order your government to treat vulnerable Albertans, many of whom are veterans, better than the common thief by ordering that they get more than one bath a week?

**Mr. Horne:** Mr. Speaker, a question like that doesn't deserve the dignity of an answer from the Premier of this province. As this hon. member knows, we have a process in place to determine care plans for residents in our seniors' facilities. We have said earlier in response to other questions this week that the hon. Associate Minister of Seniors, in whose judgment I trust, is looking into the matter with respect to the specific protocols. We have requested some information from Alberta Health Services in this regard to support the review, and we will respond accordingly and with dignity.

#### **Speaker's Ruling Insisting on Answers**

**The Speaker:** Hon. members, given that last exchange and some comments and actions that followed, let me refer you to *House of Commons Procedure and Practice*, page 510, chapter 11, with respect to questions, and here's what it says. "Members may not insist on an answer nor may a Member insist that a specific Minister respond to his or her question." You are reminded to read onward after that for more comments.

**Ms Blakeman:** Point of order, Mr. Speaker.

**The Speaker:** A point of order has been raised at 2:05 by Edmonton-Centre. It's been noted.

Let's move on now with the hon. leader of the New Democratic opposition.

#### **Donations to Political Parties**

**Mr. Mason:** Thanks very much, Mr. Speaker. Albertans have been demanding answers on a number of matters, including the massive donation from Daryl Katz and his associates, what the Premier knew about her sister's illegal donations, and if she was in a conflict of interest relative to the award of a lawsuit contract

to the tobacco firm. To the Premier: why won't she come clean about the \$430,000 donation from Daryl Katz and his associates, release the cheque, and stop hiding behind the Chief Electoral Officer and his secret investigation?

**Ms Redford:** These questions have been answered more than once in this House, Mr. Speaker. There is a system in place that ensures not only that when these questions are raised, the government answers these questions but that there are independent processes in place to ensure that Albertans can have confidence that the answers that the government is giving are correct and true. Those processes are terribly important for all of us to ensure that we as politicians, as people involved in this House, and as citizens of Alberta can have confidence in these institutions and will respect them.

**The Speaker:** The hon. leader.

**Mr. Mason:** Thanks, Mr. Speaker. Given that these questions have been asked over and over and given that they've been answered never and given that there have been dozens and dozens of illegal donations to the PC Party and that one of them apparently included a donation by the Premier's sister, why has the Premier refused to tell Albertans what she knew about this and when she knew it?

**Mr. Lukaszuk:** Mr. Speaker, correct me if I'm wrong, but I think you have made rulings on matters relative to political parties. Notwithstanding that, we also note that in this country, unless something has changed overnight, nothing is illegal unless somebody had a fair process and was found to have done something illegal. No one is in conflict of interest unless he or she has gone through a process and was found to be in conflict of interest. These questions, these allusions are simply inappropriate and can be very hurtful to individuals who are not here to defend themselves.

**The Speaker:** The hon. leader, with no preamble, please.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, given that the government has turned up the arrogance dial to overload, given that the Premier walks out on people in the middle of questions, what has the government got to say about the supreme arrogance that it has shown in this session, the absolute contempt for the democratic traditions of this Assembly, the absolute contempt for the opposition, the attempts to sideline the media, and complete disregard for the interests of the public, that are represented by people in this Assembly?

**The Speaker:** Hon. members, please, let's not hit any notes lower than have already been hit in this session.  
Someone to respond?

**Mr. Lukaszuk:** Mr. Speaker, I think that not only the Premier but every member of the front bench and of cabinet has answered many of these questions on many occasions. There seems to be some delusional belief on the other side of this House that if they spend the entire session asking a set of five questions 55 times each, somehow they think they will get a different answer. There is only one answer for every question because there is only one truthful answer for every question. They have been receiving it. They simply don't like the truth. It's unfortunate that they won't let the truth get in the way of their work.

**The Speaker:** The hon. Member for Medicine Hat, followed by Barrhead-Morinville-Westlock.

### Travel and Expense Reporting

**Mr. Pedersen:** Thank you, Mr. Speaker. The Summer Olympics continue to provide entertainment for all Albertans. In addition to huge bills for the Premier's plane tickets and all those empty hotel rooms, now we see the Minister of Tourism, Parks and Recreation actually using her government credit card to pay thousands of dollars for flights for her family. How on earth can this minister think that it was really okay and an acceptable action by a minister of government?

**The Speaker:** The hon. minister.

**Ms Cusanelli:** Thank you, Mr. Speaker. I am the minister, I am the MLA, and I'm responsible for my expenses. I needed to have paid closer attention to the manner in which they were being processed, and for that I've apologized to Albertans. Again, I want to convey to Albertans today that for me this job is about doing the best work that I possibly can. Going forward with the travel and expense policy that we have initiated as a government, I feel very confident that Albertans are going to be able to see that this government truly understands and truly wishes to ensure that we use taxpayer dollars effectively.

**The Speaker:** The hon. member.

**Mr. Pedersen:** Thank you, Mr. Speaker. Sure, the minister paid it back, but Albertans are left to wonder if she would have done so if she hadn't been caught as a result of opposition pressure for more openness, accountability, and transparency on government expenses.

**The Speaker:** The hon. minister.

**Ms Cusanelli:** Thank you, Mr. Speaker. Once again I will say what my commitment is to this province. This province can see from me that I am going to be committed to Albertans: to developing trails, to ensuring that we have after-school programs for children to be active, to ensuring that I meet with my stakeholders in order to find the best ways possible to encourage and improve our industries. That is what I intend to be here to do regardless of what the opposition will try to convey to Albertans.

2:10

**The Speaker:** The hon. member.

**Mr. Pedersen:** Thank you, Mr. Speaker. Given that athletes lose their medals when they get caught using performance-enhancing drugs, what will this minister lose now that she's been caught using entitlement-enhancing items like her golden government credit card?

**Ms Cusanelli:** Mr. Speaker, there is one thing that I have always been committed to in any of the careers that I've endeavoured, and that is integrity. Where these expenses were incurred, I ensured that they were reimbursed or allocated appropriately. Albertans can expect that from me going forward, and Albertans can expect that this entire government, this cabinet, this caucus are committed to ensuring that we are transparent and that we are accountable for our actions. I have shown that here today.

**The Speaker:** The hon. Member for Barrhead-Morinville-Westlock, followed by Airdrie.

### Fall Session Accomplishments

**Ms Kubinec:** Thank you, Mr. Speaker. It has been a raucous and emotional fall session of the Alberta Legislature, but through it all this Assembly did pass 10 pieces of legislation. My first question is to the Government House Leader. Can you please tell us what you consider to be the most significant accomplishments of this fall session?

**Mr. Hancock:** Well, thank you, Mr. Speaker. I think it is appropriate for us to focus at the end of the fall session on the good work that's been done by this Legislature on all sides of the House. We have dealt with 10 substantive pieces of legislation in a relatively short period of time, because the fall session doesn't afford a long period of time, and good work in terms of PTSD support for our front-line workers, the Education Act, regulatory reform, protection for new-home buyers, a lot of very significant legislation notwithstanding the other antics of the House in trying to insinuate that somehow integrity is the issue.

**Ms Blakeman:** Mr. Speaker, a point of order.

**The Speaker:** Hon. members, as you all know, the purpose of question period is to seek information and to hold the government to account, so let's see how you do with your supplemental.

**Ms Kubinec:** My first supplemental is to the same minister. Can you please tell us: what are the disappointments or regrets from this session in terms of implementing government policy?

**The Speaker:** Hon. member, really? Frankly, I've never heard that sort of question before, but given that it's been asked by a new member, I will allow it this one time. If somebody from government wishes to provide an answer, I'd be most anxious to hear what it is.

**Mr. Hancock:** Well, thank you, Mr. Speaker. In my view and the 15 years of experience I've had as a member of government as well as a Member of the Legislative Assembly, what I really find exciting about this House and why I really love the opportunity we have in this House is because it's at the apex of the process. The work that we do here ensures that all the other work – consulting Albertans, putting together solid pieces of legislation, being able to bring forward that legislation to the House so that we can examine it in detail here but making sure that in most cases it's ready to go by the time it gets here – has been done by the time we achieve this.

**Ms Kubinec:** Mr. Speaker, to the same minister: could you please tell us why all 106 amendments were not passed?

**The Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. As House Leader I often have said to members opposite that when they have the opportunity to be briefed on legislation, which they usually are before the legislation hits the House, and when they see the legislation, if they have amendments that they want to bring forward that make appropriate changes to the legislation, make the legislation stronger, and if they share them with us so that I can share them with caucus and we can look at any unintended consequences, we're more than happy to deal with those amendments. If, on the other hand, they have amendments which are simply political platforms, they'll be dealt with as political platforms on the floor of the House.



**Mr. Anderson:** Point of order, Mr. Speaker.

**The Speaker:** A point of order by Airdrie has been raised at 2:15 and has been noted, and on that note let me recognize the hon. Member for Airdrie for his set of questions.

### Justice System

**Mr. Anderson:** Mr. Speaker, we now have more proof of just how dysfunctional our justice system has become due to a lack of Crown and court resources. Jetandar Dhillon recently pleaded guilty in Ontario for driving his semi truck into a fire truck while under the influence. Incredibly, Mr. Dhillon had been awaiting trial in Alberta for an alleged DUI for almost two years at the time that he got into the accident. And guess what? His charges were eventually stayed in Alberta because of court and Crown delays. Minister, how many people need to suffer before you and the Premier take responsibility for and address the critical lack of resources in our justice system?

**Mr. Denis:** Mr. Speaker, that is a bit of a mendacity. I would agree with the member that it's unfortunate when cases don't make it to trial, but let's stick to the facts. Let's stick to the truth here. In this case it was not because of unreasonable delay. Rather, it was a prosecutorial error. Now, I'm in no way throwing the prosecutor under the bus. He has a very strong history with our department. This case is also under review for appeal, and I hesitate to comment in detail because I want the Crown to have its own independent look at this and see if we should appeal.

**Mr. Anderson:** There was a 10-month delay, Mr. Speaker – a 10-month delay – between the mistake you talked about and the next time the court got to look at the case.

Given that victims are entitled to their day in court and given that we must not trample on the Charter of Rights of an accused to be presumed innocent until proven guilty, instead of giving lengthy suspensions of licences prior to a person actually being convicted of a DUI, which is probably not constitutional, as we may soon find out, why not invest the resources necessary to unclog our courts, empower our Crown prosecutors, and get these menaces to society off Alberta's streets?

**Mr. Denis:** Again, Mr. Speaker, for the exact same reason that this member identifies, that is why we're putting more judges on the bench, we're looking at more Crown prosecutors, and we're even looking at where we can expand our judicial system throughout this entire province.

**Mr. Anderson:** Given that you have not done so, Minister, and given that the Keeping Communities Safe report from 2007, chaired by the Member for Calgary-Fish Creek, specifically recommended that your government publicly post all of the cases stayed due to court and Crown delays, will you agree to accept and implement that recommendation, and will you use that information to craft a strategy to unclog the justice system and ensure that criminals are convicted and that the innocent are acquitted as quickly as possible? Will you not do those things?

**Mr. Denis:** Mr. Speaker, as I've indicated, this government has taken many kinds of steps, but I'll point one thing out to this particular member. If our Bill 26 law on drinking and driving, which this member opposes, had been in place, if this had happened before September 1, this particular individual would have been taken off the road and lost his licence. It's time for this member to admit that this law saves lives.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by Calgary-Mountain View.

### Results-based Budgeting Review

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. My constituents in Calgary-Varsity are asking me some pretty tough, informed, and I think appropriate questions about fiscal discipline, including questions about our ability to keep operating costs in check. My first question is to the President of Treasury Board and Minister of Finance. How can I assure my constituents that the results-based budgeting process will be a catalyst for more disciplined approaches to operating cost management by this government?

**Mr. Horner:** Mr. Speaker, the results-based budgeting is a comprehensive process, and it will examine each and every program and service government delivers. Each review will determine if the program or service is relevant to Albertans, whether it's being delivered efficiently and effectively, and if it's achieving the outcomes that Albertans expect. Essentially, results-based budgeting is about outcomes. Results-based budgeting will help the government move away from the incremental budgeting that we've been prone to in the past. Instead, we'll be funding allocation of resources to the results.

**The Speaker:** The hon. member.

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. Again to the same minister: how in depth will these reviews be? For example, will they examine whether the purpose of the programs is in line with the goals of government, not just looking at the operating costs within a program but the need for the program itself?

**Mr. Horner:** Mr. Speaker, no one size will fit all. As described in the first-year progress report, which was tabled in the House, we are going to put some flexibility into the process. In one form or another the reviews are to include questions around the relevance, the efficiency, and the effectiveness of our programs. These programs and services would have been put in place for Albertans to achieve some objective. We want to make sure that that objective is still relevant. In addition, we have 31 Albertans that have agreed to participate in the review process by sitting on the challenge panels to make sure that they are in-depth challenges.

**Ms Kennedy-Glans:** Again to the same minister: what about the consequences? Can you tell us what the consequences will be if the challenge panel identifies programs that are no longer achieving their intended outcomes or if the desired objectives can be achieved better through other means?

2:20

**Mr. Horner:** Well, Mr. Speaker, the objective of the whole exercise is to do exactly that, ensure that we have relevant programs and services that are providing value for Alberta taxpayers. If the findings of the review of a given program or service are that it's no longer achieving its intended outcomes, then we will change so that we can achieve those outcomes if they're still relevant.

**The Speaker:** The hon. Member for Calgary-Mountain View, followed by Edmonton-Strathcona.

### Child Labour Standards

**Dr. Swann:** Thank you very much, Mr. Speaker. Paid child labour, interfering with schooling in some cases, is being publicly acknowledged by the Wild Rose Agricultural Producers president,

Lynn Jacobson, quoted in the *Taber Times* this week saying: "Child labour is getting to be an issue in a lot of areas, and maybe in southern Alberta more so." Also this week a letter from the vice-president of McDonald's foods acknowledges child labour concerns, and I'll be tabling that today. To the Minister of Human Services: how many major corporations like Pepsi, Frito-Lay, and McDonald's as well as agricultural producers are needed to get this government to bring in child labour standards in Alberta?

**Mr. Hancock:** Well, Mr. Speaker, we do have child labour standards in Alberta under the occupational health and safety standards and the workplace standards. You can't employ a child under 12 except in certain specific categories without a specific permit, which you can apply for, so that there can be an investigation with respect to whether that's an appropriate job. You can only employ children between 13 and 15 years of age in certain circumstances and not interfere with their education. For those over 16 there are other regulations. There are many standards with respect to the employment of children in this province.

**Dr. Swann:** Well, the minister effectively avoided the question of agricultural operations.

With Alberta's injury centre identifying recently increased rates of child injury as well as deaths every year, as the minister is well aware, some as paid farm workers, and the Judge Barley report of four years ago calling for health and safety standards on industrial farming operations, how long must children wait for action from this minister?

**Mr. Hancock:** Mr. Speaker, the Judge Barley report had nothing to do with child labour on farms, and I didn't hear him refer to farms in his first question with respect to child labour standards.

I think that it's important that we do have appropriate safety processes in place in every industry across the province, that we encourage the agriculture industry, like every other industry, to take safety seriously and to ensure that there are appropriate safety standards for all their workers, not just children. The one thing that we do need to be clear on is that we use statistics appropriately in this House and in this discussion because it's a very serious discussion. Every death on a family farm involving children has not been related to the workplace. In fact, most of them, as you read the statistics, have to do with . . .

**The Speaker:** Hon. member, you have one final supplementary.

**Dr. Swann:** A final supplemental. Thank you, Mr. Speaker. I'll try the Minister of Finance, former agriculture minister. Will the Finance minister act to press this government to protect our agriculture industry's reputation and enact workplace health and safety with child labour standards in industrial farming operations? When will this government take action?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Thank you, Mr. Speaker. That would actually fall into the Human Services portfolio. I can assure the hon. member, as I have before, that I am working very closely with the minister of agriculture in terms of how we work with the agriculture industry sector, not the family farms so much because we do have to make the distinction about how people live in their own homes. The agriculture industry is important, and we do need to work with respect to safety standards. We do need to be certain that we not only have educational programs in place and industrial programs in place putting safety first but that we also look at what

legislation might be effective to ensure safety for our agriculture industry workers.

**The Speaker:** Thank you.

Now the hon. Member for Edmonton-Strathcona, followed by Innisfail-Sylvan Lake.

### Judicial Inquiry into Health Services

**Ms Notley:** Thank you, Mr. Speaker. When allegations of queue-jumping first emerged, the NDP asked the RCMP to investigate, but they could find no evidence of wrongdoing. Now with every witness so far unable to recall names, it looks like the government is spending \$10 million on an inquiry so that Albertans can be told the same thing once again. To the Minister of Health: will he admit that this inquiry is merely a costly bait-and-switch tactic to avoid a judicial inquiry into political interference and doctor intimidation in our health care system?

**Mr. Lukaszuk:** Mr. Speaker, first of all, before going any further, let's deal with facts. The inquiry, as I understand, didn't remember the names because the Leader of the Official Opposition came up as the only name that is in any way related to this matter.

**Mr. Anderson:** Point of order.

**Mr. Lukaszuk:** Let me remind this House that about a year ago every member of the opposition was rising and asking the Premier for an independent judicial inquiry on queue-jumping. This inquiry is taking place. It is independent. We will not interfere with it, and I believe that they should be left to their own devices so they can proceed independently.

**The Speaker:** The point of order by Airdrie at 2:26 has been noted. Let's proceed with the supplemental, please.

**Ms Notley:** Well, Mr. Speaker. Given that the president of the AMA lambasted the terms of reference of the queue-jumping inquiry as too narrow to properly get at the issue of physician intimidation, will the minister admit that this inquiry is merely an expensive and cynical issue management strategy designed to ask the wrong questions and elicit irrelevant answers so that the Premier can once again wriggle out of a promise, in this case the one to call a public inquiry into physician intimidation?

**Mr. Lukaszuk:** Mr. Speaker, I'd just like to clarify my first answer. I must apologize to the Leader of the Official Opposition. The name that I understand has been remembered and the only name remembered is the leader of the Liberal opposition.

**The Speaker:** Final supplementary, no preamble. You have the floor, Edmonton-Strathcona.

**Ms Notley:** Given that the queue-jumping inquiry is more evidence of yet another broken promise by the Premier and given the apparent inability of the inquiry to get any of its witnesses to name names, government member names, let alone talk about the widespread physician intimidation found by the Health Quality Council, will the minister finally do the right thing, stop plastering over the truth, and call an inquiry into the real issue of physician intimidation?

**Mr. Horne:** Mr. Speaker, the Premier of this province promised an inquiry into allegations of queue-jumping in our health care system, and that's exactly what she's delivered. The hon. member can stand and editorialize on the inquiry that is currently under

way. As the hon. Deputy Premier has indicated, this is an independent process. As we have pointed out on this side of the House during the fall session, we intend to let that process proceed independently. If the hon. member has concerns about the way the commissioner is conducting the inquiry, I suggest she take them up with him.

Thank you.

**The Speaker:** The hon. Member for Innisfail-Sylvan Lake, followed by Edmonton-Ellerslie.

### Physician Services Agreement

**Mrs. Towle:** Thank you, Mr. Speaker. When the health inquiry was announced last spring, many made note of its narrow terms of reference. The Wildrose has been calling on the government to include the issue of physician intimidation, to no avail. Now a new issue seems to be cropping up. Last night the Minister of Health gave an interview where he seemed to blame the doctors for the problems we're currently seeing and righteously denounced their personal attacks against him. I guess we had it wrong. Apparently, it's the Minister of Health who has been victimized by a culture of fear. Recognizing this, I'd like to ask the minister: when will you expand the scope of the inquiry to include the emerging issue of government intimidation by doctors?

**Mr. Horne:** Mr. Speaker, sometimes you just don't know where to begin. What I will say to the hon. member is in reference to the interview last night and also with reference to the very articulate member's statement by the hon. Member for Calgary-Mountain View. The opinion I expressed last night was that I believe that the Alberta Medical Association and this government have much in common in terms of our agreement on the issues that need to be addressed. We have further agreed that a facilitator, a third-party facilitator, would benefit us greatly in restarting these discussions. I think the question that everyone should be asking is: why are we not at the table?

**The Speaker:** The hon. member.

**Mrs. Towle:** A mediator. Hmm.

Thank you, Mr. Speaker. Given the cloud of fear the minister lives under with ongoing bullying of the government, I can understand his fear. To the Associate Minister of AT and T: when will he start holding doctors accountable for their continued efforts to hold this government accountable?

**Mr. Horne:** Mr. Speaker, I can attest that neither of us is afraid to stand up and answer the hon. member's question.

The fact of the matter is that we have a situation in Alberta where our physicians have been without an agreement for over 20 months. I want to assure the House that this government is as concerned about that on the part of physicians as we are with respect to patients in Alberta and our health system generally. We have much in common with the Alberta Medical Association in terms of the issues that they want to address, and we're willing and available at any time to resume those negotiations, perhaps with the benefit of a third-party facilitator.

2:30

**Mrs. Towle:** Given that, in all seriousness, the deteriorating relationship between this government and the physicians of our province has many Albertans concerned and given that the Minister of Health is clearly on the mend after the barrage of attacks and criticisms, will the government's master of diplomacy, the

Premier's right-hand man, the Deputy Premier, be able to find time in his busy ministerial schedule to step in and settle this dispute?

**Mr. Horne:** Mr. Speaker, I can assure the hon. member that all members of this government and the government caucus take the issue that we do not have an agreement with the Alberta Medical Association most seriously. All efforts have been made in an attempt to get an agreement. As hon. members opposite have referred to, we have had not only one but two agreements in principle with the Alberta Medical Association over the last 20 months.

Mr. Speaker, the issues in health care are complex. The Alberta Medical Association has an important role in representing physicians in negotiation matters. The government of Alberta has a responsibility to represent the interests of all Albertans, including physicians, and we will do so in resolving this.

**The Speaker:** The hon. Member for Edmonton-Ellerslie, followed by Calgary-Shaw.

### Affordable Supportive Living Program

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. A surplus school site in my constituency is in the initial review stages for consideration to be transformed into a long-term care facility. A nonprofit group has been working with the city of Edmonton to help develop this facility. This is indeed welcome news as we have more and more seniors every day in our province that require government support. All of my questions are to the Associate Minister of Seniors. Given the fiscal realities in our province what funding is available for Edmonton area development of long-term care facilities?

**Mr. VanderBurg:** Well, Mr. Speaker, I want to thank the member for his continued effort to represent his constituency and the needs of seniors in the Edmonton area. I'll tell you that each day I work with Alberta Health to determine the hot spots, we'll call it, in Alberta where we need to identify projects. Whether they be in opposition ridings or in Edmonton ridings or in Whitecourt ridings, we need to identify our efforts where the need is based. I can tell you that last year we had 13 projects based all across the province. I'll get on to that later.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. To the same minister: given our already strained support system for seniors how will the minister continue to ensure that Alberta seniors in need of long-term care are taken care of?

**Mr. VanderBurg:** Again, Mr. Speaker, we have identified in our five-year plan that we're going to build over 5,000 units in this province. Already, two years into the program, 2,100 have been built. I make a commitment that we'll meet our commitment of 1,000 this upcoming year. We have \$25 million in the budget. On an ongoing basis we have three years committed, \$25 million each year.

I can tell the member that just in the last round Edmonton All Seniors Care, 60 units were funded; the Beit Horim—Our Parents' Home, 55 units; in Medicine Hat, in the opposition ridings, Park Place Seniors, 80 units; Medicine Hat again, CORE Association, 10 units.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. My final question to the same minister is a bit more specific. Mr. Minister, how many ASLI units were funded in the Edmonton and capital region area?

**Mr. VanderBurg:** Well, Mr. Speaker, I can tell you that our 5,000 goal is on target. Whether it be in Edmonton, whether it be in Calgary, whether it be in Medicine Hat or St. Paul or Smoky Lake, wherever the need is, where Alberta Health Services identifies a need, that's where we'll put our resources.

**The Speaker:** The hon. Member for Calgary-Shaw, followed by Calgary-Hawkwood.

### Awesome Questions

**Mr. Wilson:** Thank you, Mr. Speaker. I think we can all agree that it's been a long session, and I can honestly say that those of us on this side of the House have learned a lot. Particularly helpful have been the deep, probing questions posed to this government by its own members. Indeed, we on this side of the House have been inspired by the tone and tenor of these PC backbenchers over the last six weeks, so much so that I'm going to take a page out of their book. To the Minister of Energy . . .

**Some Hon. Members:** Why are you so awesome? [laughter]

**The Speaker:** Like all of you, I'm just dying to hear the answer. However, let's be reminded of the rules. Questions ought not seek opinion. But we did allow one new member some leeway; we'll allow this one as well.

Let's hear your answer, hon. minister.

**Mr. Hughes:** Mr. Speaker, the 13th Prime Minister of Canada, the Rt. Hon. John George Diefenbaker, was fond of pointing out that when you're hunting big game, don't get distracted by rabbit tracks. This government has been hunting big game for Albertans. We've been building the province, we're building the future, we're building relationships, and they would have us all chase rabbit tracks.

**The Speaker:** While the Speaker can't possibly imagine the supplemental, I'd be most anxious to know if you have one, Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Speaker. To the minister formerly known as Doctor No or, for those not familiar with the hon. member's past, the Transportation minister: given that you have showered money and gifts all over our great province in the form of roads, bridges, and interchanges and every Albertan should be grateful for those gifts . . .

**Some Hon. Members:** Why are you so awesome? [laughter]

**The Speaker:** You know, if I allow it once, I have to allow it again.

**Mr. McIver:** Well, Mr. Speaker, I couldn't possibly live up to what just happened, but I do remember an advertisement for a game when I was young, and the answer to the question was: it's in the wrist action. Mr. Speaker, I think that would be a good place to stop.

**The Speaker:** Hon. member, did you have a final supplemental?

**Mr. Wilson:** I do, Mr. Speaker. Thank you. Finally, to the Deputy Premier. Don't worry; we haven't forgotten about you. As someone who has been dealt a somewhat unfortunate follicle hand and

has to sit across from you daily and be taunted by your proverbial royal flush . . .

**Some Hon. Members:** Why is your hair so awesome? [laughter]

**Mr. Lukaszuk:** Mr. Speaker, it is so awesome because it rises every time I hear questions coming from the other side. It rises every time I realize that taxpayers actually are paying their salary for this. It rises knowing that all these members on this side are working for Albertans. They're trying to build hospitals, schools, seniors' homes, and are working for aboriginal communities, and this is what they're getting from Her Majesty's Misguided Opposition.

Thank you.

**The Speaker:** A bit of levity is always welcome, hon. members, and we've had our fair share. Let's hope that the public shares in that fair share equally. I was prompted to almost rule that as a personal attack, but fortunately I did not.

The hon. Member for Calgary-Hawkwood.

**Mr. Luan:** Thank you, Mr. Speaker. It is very hard following that, but I can appreciate that a little bit of humour in our House can bring us together.

### Long-term and Continuing Care for Seniors

**Mr. Luan:** I do have a very pertinent question that my constituency has been asking for a while, and I'm very happy to have a chance to bring it up today. This is in regard to continuing care for seniors. As we all know, baby boomers reached their retirement age last year, and we can reasonably predict that in the coming years the demand for seniors' services, in particular nursing care, will be very, very high. To the Associate Minister of Seniors: what is the government of Alberta's strategic response to this surging social need?

**The Speaker:** The hon. minister.

**Mr. VanderBurg:** Well, thank you, Mr. Speaker. I want to thank the Member for Calgary-Hawkwood for standing up for the seniors in his constituency and working so hard for the people of Calgary. Yes, he's right. You know, there are a lot of us that are going to turn 65 in the next number of years. Every 15 minutes an Albertan turns 65, and it's kind of interesting that every day someone turns a hundred in this province. We're finally starting to age. We will be guided by our continuing care strategy, and part of this strategy is investing in our communities.

2:40

**The Speaker:** The hon. member.

**Mr. Luan:** Thank you, Mr. Speaker. My first supplemental question is specifically related to one of my communities, Silver Springs. It's a well-established community of over 30 years. People living in this kind of community are familiar to the community. They've lived there for over 30 years. However, their needs change, and when they need nursing care, as we stand now, they have to move a far distance – most of the time it's in suburban areas – to get into nursing care. To the same associate minister: what is the government of Alberta doing to help established communities like this one so seniors do not have to move?

**The Speaker:** The hon. minister.

**Mr. VanderBurg:** Well, thank you, Mr. Speaker. One of the programs that we're going to be announcing shortly is the ASLI program. We will target, as I talked about earlier, parts of this province that are most in need as identified by Alberta Health Services. I can tell you that the Calgary area is in need. You know, just in this last go-round of the ASLI grants in Calgary the AgeCare health services in Walden Heights received funding for 77 units; the Chinese Christian home association, 25 units; the Calgary Golden Life association, 100 units; the Calgary Intercare Corporate Group, 24. And we need to do more, sir.

**The Speaker:** The hon. member.

**Mr. Luan:** Thank you, Mr. Speaker. My last supplemental question is to the hon. Minister of Finance. I understand that building such community infrastructure costs money and takes time, but seniors in my community don't have the luxury to wait another 15, 20 years before this happens. To the minister: can you help me to help my constituency and answer how you're going to finance such community development facilities?

**Mr. Horner:** Well, Mr. Speaker, this is part and parcel of what we've been talking about in the House pretty much this session. We do intend to bring forward a capital plan that will be fully funded, and we look forward to building the infrastructure that Albertans need today, as the hon. member has suggested, not defer it out into the future, where it'll probably cost more.

**Mr. Anderson:** Point of order, Mr. Speaker.

**The Speaker:** Thank you.

Hon. members, Airdrie has risen on a point of order at 2:43. It has been noted.

Time has run out on question period. However, the rules do provide for clarity to be expressed, and the Minister of Finance and President of Treasury Board has requested an opportunity to make that clarification, which will enable the Leader of Her Majesty's Loyal Opposition to pose another question and then for that minister to give an answer to that new question.

Hon. President of Treasury Board, please proceed.

#### **Details of Meetings with Katz Group Inc.** (continued)

**Mr. Horner:** Well, thank you, Mr. Speaker. Earlier today the question of the hon. Leader of the Official Opposition was: on what date did I meet with the Katz Group this year, in 2012? My office, listening attentively to question period, has advised me that the meeting date was July 17 at 9 a.m.\*

I would also add, Mr. Speaker, that I have met with Edmonton city officials on numerous occasions about a possible large recreational-cultural infrastructure within the city as well as, frankly, with proponents of similar type structures in Calgary.

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition.

**Ms Smith:** Thank you, Mr. Speaker. Again to the Finance minister: who was it, and were they registered as a lobbyist in the lobbyists registry?

**Mr. Horner:** I'm not a lawyer, Mr. Speaker, but as I understand the requirements for registering in the lobbyists registry, you would have to be registered as a lobbyist and doing a hundred hours or something like this. This was actually Mr. Katz himself, who happens to be the owner of the company in question. He

doesn't do lobbying as a profession, so he doesn't necessarily need to be registered as a lobbyist as I understand it.

We had one meeting. The answer was no before the meeting. The answer was no when we left the meeting, Mr. Speaker.

**The Speaker:** Hon. members, before we proceed with Members' Statements, might we please have unanimous consent to revert to the introduction of guests. We have two.

[Unanimous consent granted]

#### **Introduction of Guests** (continued)

**The Speaker:** The hon. Member for Vermilion-Lloydminster, followed by Edmonton-Centre.

**Dr. Starke:** Mr. Speaker, thank you. It's my pleasure today to introduce to you and through you to all members of the Assembly four individuals who are particularly interested in the introduction of Bill 206, who I hope are here today. I'd like to introduce Janis Seville and Barb Borkent of the Lung Association of Alberta, Vikki Pym for the Campaign for a Smoke-Free Alberta, and also Les Hagen, Action on Smoking & Health. These individuals have worked tirelessly for the promotion of health in Alberta, and I am pleased that they are able to join us. I would ask them to rise and receive the warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much, Mr. Speaker, and to all of my colleagues in the House. It doesn't happen very often that we lose some information, and given the amount of paperwork we all deal with here, that is truly a miracle. But somewhere in the transition we lost the information about the group that I had in earlier. I promised I would read their introduction into the record if you would be so kind as to allow me to. We had with us today 13 people from the Careers in Transition program. They were all GED students. They came with their teacher, Tanis Harder. They did watch most of question period with great interest and had all kinds of questions when I ran out and caught them. So would you please warmly welcome my group in absentia.

**The Speaker:** Thank you.

The next order of business is Members' Statements, and in 20 seconds we will start with Calgary-Fort.

#### **Members' Statements** (continued)

**The Speaker:** The hon. Member for Calgary-Fort.

#### **Christmas Greetings**

**Mr. Cao:** Well, thank you, Mr. Speaker. On the occasion of the coming Christmas and new year, I would like to bring best wishes from my constituents to all members of our Assembly and also to bring warm greetings from our Assembly to my constituents. I wish all of you and your families an abundance of blessings, good health, and happiness.

Mr. Speaker, my thanks go to each member of my election campaign team, volunteers, friends, and voters who have helped to renew my constituency contract for the fifth time. Most of all, I am very pleased that the collective wisdom of Albertans has prevailed in choosing the stability and continuity of a strong government with its reliable long record of great achievements

\*See page 1342, left column, paragraph 6

that will continue with the new administration and leadership. During the current global economic turmoil our government provides Albertans with stability, security, sound leadership, and progressive plans for growth.

On a personal note, along with my wife, Kim, I was promoted to the rank of grandparent of the first order by little Dylan and then grandparent of the second order by little Maxwell. I'm elated and extremely proud that I have been given this great promotion. As a grandparent I certainly can speak for seniors, and I am also a strong advocate for Alberta's youth as they are my grandchildren's future.

Looking ahead, I'm confident that the global economy will soon pick up more strongly. Our government has continuously placed Alberta in a much better position than any other jurisdiction. Only by working together and by focusing on things that really matter can we bring Alberta to the world and take on any challenges from our global competitors.

Mr. Speaker, as an additional note, the coming year is also the lunar Year of the Snake, and the snake is a good omen for full harvest.

I wish every Albertan Merry Christmas, Happy New Year, and a smooth slide to success in the Year of the Snake.

**The Speaker:** The Leader of Her Majesty's Loyal Opposition.

#### Fall Session Comparative Statistics

**Ms Smith:** Thank you, Mr. Speaker. Yesterday in this House the Member for Calgary-South East gave an inspired address to MLAs about the last time he checked. He said, "The last time I checked, Albertans expected us to debate policy in this House." And he's right. But we have some doubts about the last time he checked on that particular point because the last time I checked, I found a few interesting facts.

During the fall session a total of 843,503 words were spoken in this Assembly during bill debate. And the last time I checked, about 132,000 of those words were spoken by PC members of this Assembly, and over 513,000 words were spoken by the Official Opposition. Mr. Speaker, the last time I checked, that means Wildrose MLAs carried 61 per cent of the debate in this Legislature while the PC MLAs carried a paltry 16 per cent.

2:50

Now, if we assume that people were speaking at a rate of 150 words per minute, that means Wildrose MLAs debated legislation for 57 hours, Mr. Speaker. The PCs: 14 hours. So while the Member for Calgary-South East is right that we are expected to debate policy in this House, the last time I checked, it's painfully clear which side of the House is meeting that expectation.

But let's keep on going, Mr. Speaker, because the last time I checked, I rose 249 times to speak in debate in this Legislature during this fall session. My colleague from Airdrie rose 192 times. My colleague from Rimbey-Rocky Mountain House-Sundre rose 189 times. In contrast, the associate ministers of Health and Finance, presumably members that should have a lot to say, rose 6 and 7 times respectively, and the Member for Calgary-Cross, well, didn't say a single word all session. I think we know what Lynden Dorval would say about that.

The last time I checked, the Wildrose Official Opposition is leading the way on debating policy.

**The Speaker:** The hon. Member for Calgary-Glenmore.

#### Calgary Cultural Achievements

**Ms L. Johnson:** Thank you, Mr. Speaker. I rise with my member's statement on behalf of Calgary, the cultural capital of Canada for the year 2012. It was particularly fitting as several of the city's cultural cornerstones are marking their centennials this year, including the Calgary Stampede, the Calgary public library, and the Pumphouse and Grand theatres. From the city's earliest days Calgary has been recognized for its unique combination of geography, people, and traditions.

Converting this honour into action happened as a result of partnerships between the federal government, the city of Calgary, and the government of Alberta. The collaborative nature of the celebration extends to the operational side. Calgary 2012 is co-chaired by the Calgary Arts Development Authority and the Calgary Stampede, with partnership from the city of Calgary recreation, Calgary public library, Tourism Calgary, and Calgary Economic Development.

Calgary 2012 has showcased Calgary's culture and will create legacy projects to encourage future achievements. These activities include an artist-in-residence program, a national and international cultural exchange program, the creation of a municipal cultural plan, and a mass participation in lip dub that occurred during the fifth annual Alberta Culture Days in September.

I am proud the government of Alberta helps support Calgary's cultural scene, and I thank the minister for her support as well.

Author Chris Turner, a Calgarian not by birth but by choice, wrote in the June issue of *The Walrus* magazine that: "Calgary is a city whose best stories haven't been told too many times . . . it's a city whose best stories maybe haven't even been written yet." Those stories will be told, Mr. Speaker, through the formal completion of Calgary's cultural capital celebrations in March 2013. The positive effects will be felt for years to come within Calgary and throughout Alberta.

Thank you.

#### Presenting Reports by Standing and Special Committees

**The Speaker:** Hon. members, it's my pleasure to table with the Assembly today five copies of the report of the Special Standing Committee on Members' Services entitled Review of Compensation of Members of the Legislative Assembly of Alberta dated December 2012 in my capacity as chair of that committee. I want to thank all members of this all-party committee and inform you that copies of this final report are going to be delivered to you immediately as I sit down after tabling it.

Thank you, all.

#### Introduction of Bills

##### Bill 206

#### Tobacco Reduction (Flavoured Tobacco Products) Amendment Act, 2012

**Dr. Starke:** Mr. Speaker, I request leave to introduce a bill being the Tobacco Reduction (Flavoured Tobacco Products) Amendment Act, 2012.

Mr. Speaker, just by way of a very brief introduction, it's my pleasure to introduce this as a private member's bill on behalf of a group of high school students in Lloydminster who conducted a province-wide campaign to engage their colleagues and their peers in trying to improve the health of all Albertans.

I look forward to the debate on this bill, which is entirely in keeping with our government's tobacco reduction strategy which was recently announced by the Minister of Health.

Thank you, Mr. Speaker.

[Motion carried; Bill 206 read a first time]

### Tabling Returns and Reports

**The Speaker:** The hon. Member for Edmonton-Centre, followed by the Associate Minister of Finance.

**Ms Blakeman:** Thank you very much, Mr. Speaker. I have three tablings to do, two on behalf of colleagues. The first is a transcript that gives the facts on Randa Wheaton and her decision to, as a Christmas present for her friend, buy him an extra shower, just to confirm that that's what was quoted correctly. That tabling was from the leader of the Liberal opposition.

The next tabling is on behalf of my colleague for Calgary-Mountain View. These are the tablings from which he quoted during his question in QP on McDonald's Restaurants of Canada I think not wishing to pay children. But don't quote me on that.

The final tabling that I have, Mr. Speaker, is the appropriate number of copies of a really good examination of how taxes, fees, and licensing is breaking down in Alberta between urban municipalities and counties and districts. It's well worth a very careful read. I shall certainly be doing that over the break and be coming back with lots of suggestions based on this.

Thank you.

**The Speaker:** The hon. Associate Minister of Finance, followed by the President of Treasury Board.

**Mr. Fawcett:** Thank you, Mr. Speaker. I'm tabling the required number of copies of a document that I referred to in an exchange with the leader of the Liberal opposition. It's a candidate financial statement for the Liberal candidate in the Calgary-Klein riding, where he accepted over \$25,000 of in-kind contributions, three of which were well over the \$2,000 limit: one for \$8,782.65; one for \$5,440; and one for \$10,000.

Thank you, Mr. Speaker.

**The Speaker:** Are there others? I'm sorry. The President of Treasury Board. I got four notes at once here. Carry on.

**Mr. Horner:** Mr. Speaker, I don't table very often, but today I felt the need. I want to table a couple of documents given that this is probably our last day in the session. The first one, with the required number of copies, is a letter from Lethbridge College, signed by the chair. I won't read the letter, but it's about:

The Board discussed the option of long-term financing of long-lived capital assets and unanimously supported such a move by the government . . . A planned approach ensures that critical assets such as [theirs and others] move forward when needed while reducing the financial risk and ultimately improving the investment return made by the Province.

The second one, Mr. Speaker, is a release today by the Consulting Engineers of Alberta, where they are very pleased to hear that "the Alberta Government is undertaking a strategy of sustainable infrastructure investment. It is the healthiest approach for Alberta and will ensure our province's long-term [stability]." They state: "We believe disciplined borrowing makes sense if it means pay a little now or a whole lot later."

**The Speaker:** Hon. Government House Leader, you did catch my attention when you glanced up at the clock. Did you wish to address the hour and the Routine?

**Mr. Hancock:** Yes, Mr. Speaker. In the event there are more tablings, I would certainly ask for the consent of the House to extend the Routine.

**The Speaker:** Hon. members, does anyone object to unanimous consent being given to conclude the Routine for today?

[Unanimous consent granted]

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following document was deposited with the office of the Clerk: on behalf of the hon. Mr. Hughes, Minister of Energy, a report entitled Responsible Actions: A Plan for Alberta's Oil Sands progress report 2011 prepared by the Alberta government.

### Projected Government Business

**Mr. Anderson:** Pursuant to the standing orders we're very excited to learn what business we'll have to work on next week. Let us know, please.

**The Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I can advise the hon. member that I likely will be making a motion pursuant to the standing orders in about a minute. Therefore, there will not be a next week, at least this fall.

3:00

**The Speaker:** Hon. members, let us then proceed with the points of order. I have one at 2:04 p.m. from the hon. Member for Edmonton-Centre, who will undoubtedly begin with her citation. Proceed, hon. member.

### Point of Order

#### Explanation of Speaker's Ruling

**Ms Blakeman:** Indeed. Under our House Standing Order 13(2), that "the Speaker shall explain the reasons for any decision on the request of a Member," I have two requests. The first is on his reference to page 510. Now, the remarks that the leader of the Liberal opposition had said in his third question were: please, Premier, afford me the dignity of answering my question. My question to the Speaker and my request is if he could explain his ruling, which called upon: "Members may not insist on an answer." Now, given the tone and the actual words that were chosen for that, I'm curious as to what the member said that would make the Speaker believe that it was an insistence.

**The Speaker:** Hon. member, thank you.

Is there anyone from the government side that is interested? No.

This is to me. I am pleased to provide some clarification, hon. member. I don't have the Blues at hand yet. However, I did quote *House of Commons Procedure and Practice* page 510, chapter 11. I believe what I said was the following quote, which I'll read in a moment, and then I said: hon. members are encouraged to read onward or words to that effect. It's actually the second line that I probably should have read because it would have probably avoided the point of clarification.

Nonetheless, on page 510, chapter 11 in the *House of Commons Procedure and Practice* it states:

Members may not insist on an answer nor may a Member insist that a specific Minister respond to his or her question. A Minister's refusal to answer a question may not be questioned or treated as the subject of a point of order or question of privilege.

However, anticipating where that was going, there seemed to be just a little bit of disorder that followed right after that because the person to whom the question had been directed chose to have someone else from the front row answer it. So I thought I would try and prevent any further disruption by reminding people of that rule.

That is the clarity under which I offered that particular comment, and I believe it was helpful at the time. I would ask hon. members to please read further on. I won't take up any more time right now.

Let's move on to the next point, please. At 2:10 I have again Edmonton-Centre. You raised another point of order?

**Ms Blakeman:** So you cautioned my member in advance of something happening later. Okay. I've got that one, I think.

#### Point of Order

##### Questions to Members Other than Ministers

**Ms Blakeman:** I'll refer the Speaker to page 492, please. There was a question from this side directly to the Government House Leader, and I note on page 491 under chapter 11, Questions, that the very first sentence says, "The right to seek information from the Ministry of the day and the right to hold that Ministry accountable are recognized as two of the fundamental principles of parliamentary government." It goes on to talk about how important this is, but what I'm picking up is the word "ministry."

The Government House Leader, as precious as he is to each of us, is not – there is no ministry of Government House Leader, so I'm wondering why the Speaker allowed the question to proceed. He did caution and break in at one point but then allowed all of the questions to proceed. So I'm curious as to – it's clearly laid out here – why he cautioned the member and then allowed all three questions to proceed. Could he explain that decision under 13(2), please?

**The Speaker:** So it's not a point of order? Just a point of clarification is what you're actually seeking? Just so I'm clear.

**Ms Blakeman:** The point of order is the use of the citation 13(2), which says, "The Speaker shall explain the reasons for any decision on the request of a Member." This member is requesting that you explain why, when it doesn't allow for questions to be asked of government other than to a ministry or to a member representing a ministry or to the Premier, the Speaker allowed a question directed to the Government House Leader to proceed through all three questions.

**The Speaker:** I'm sorry. So you're asking me to clarify a point here. I'd be happy to do that. I think you're referring to the question that was asked by Barrhead-Morinville-Westlock? Is that the exchange, to be clear?

**Ms Blakeman:** Yes. Correct.

**The Speaker:** We don't have all the Blues at all, hon. member. It's Thursday, and as you know, we're not able to . . . [interjection] Thank you. That's correct. You're nodding. I appreciate that.

I think I said – and if I didn't, let me say it again – that over this fall session there have been a number of occasions where I have risen and either clarified things or reminded members of rules or admonished some in some cases. In other instances I also commented at some length that there are a lot of new members who are using this particular session as a learning session. I shouldn't say that they're using it; it's just turning out that way.

There are thousands of pages of rules and decorum and so on that we are asked to abide by and adhere to, and the Speaker has been quite lenient, I think, in my opinion at least, in allowing new members some of that leeway. Now, I've allowed that leeway for three of the four parties, who actually have new members. In the case of the Liberal opposition you do not have any new members, so I wasn't able to extend the same courtesy, perhaps, if you had expected it somewhere. But I did extend it to all other members, and I've received a lot of, shall I say, complimentary phone calls and some nice notes saying: thank you for letting us do that.

In this particular case I could have and should have at the time reminded Barrhead-Morinville-Westlock that questions in question period not only ought to seek information and hold the government to account, but they must also not be hypothetical, and they must not seek opinion. On that point, I would uphold where you were coming from, hon. member.

I'm going to read that into the record now, and it has been read into the record. I won't get into the citations involved, but there are citations to that effect, as you would know. That will conclude that matter.

Now we have: at 2:15 the Member for Airdrie rose on a point of order. Please proceed with your point.

#### Point of Order

##### Tabling Cited Documents

**Mr. Anderson:** Thank you, Mr. Speaker. This will be very brief. The Deputy Premier – and he did clarify it in a subsequent answer. Of course, this would be 23(h), (i), and (j). He specifically stated that somehow the Official Opposition leader was involved in asking the government for a person to interfere with the queue-jumping or to allow for queue-jumping in the system. The Deputy Premier did clarify that subsequently, but I want it on the record that, of course, the Official Opposition leader was not elected at that time and had nothing to do with that. That's been withdrawn, I believe, and I think it's been dealt with on the record.

The other one is section 37 of the standing orders. Obviously, when we read things in this House and when we quote things in this House, we table them. The Associate Minister of Seniors in an answer to a question specifically was reading off of a document a list of different facts, figures, projects, and so forth. If he could table that list, that would be good. I would ask you to ask him to table those.

**The Speaker:** Hon. member, you are quite correct. Members are encouraged actually to not quote extensively from documents, but when they do comment and quote briefly from a document, the expectation, of course, is that it will be tabled. I'll allow the hon. associate minister to comment or the Government House Leader to comment, one of you.

**Mr. Hancock:** Thank you, Mr. Speaker. I would just note that the question was raised under Standing Order 37, and Standing Order 37 does not in fact say that at all. Standing Order 37 says that "five copies must be tabled of a return, report or other paper required to be laid before the Assembly in accordance with an Act or with any resolution or Standing Order of the Assembly." It's a



facilitating standing order, which requires tablings to be in proper form, et cetera. It says nothing about a minister answering a question and referring to notes while doing so.

**The Speaker:** That is a very correct reference. I've just looked it up myself because I didn't recall it there. But the point that I'm making is that when members do quote from documents, there is an expectation in other citations, which I just don't have at hand, that they will be tabled.

Hon. associate minister, I'll recognize you now.

**Mr. VanderBurg:** The first opportunity I have, I'll make five copies and table it for the House. In the meantime I'll give it to the member, too. It's public information.

**The Speaker:** Thank you very much.

3:10

**Mr. Hancock:** Mr. Speaker, just a point of clarification on that. The reason why I made the comment, the interjection – because I had no idea whether the hon. member wanted to table it or not. But as members might know, there would be briefing binders that people have, and it would not be, even if one happened to refer to a briefing binder, in my submission, in order to require the tabling of the binder or a briefing note that was being consulted as part of answering a question.

**The Speaker:** Thank you very much.

I've just received a note here. For reference purposes I'm looking at the sixth edition of *Beauchesne's Parliamentary Rules*

& *Forms*. I know members are interested in the educational process that occurs here. I can recall being a first-time member myself and being overwhelmed at the time by how many rules there are. I would refer you to read *Beauchesne* 495 under the headline Documents Cited. It explains the process there. It's rather lengthy, so I won't go through it all, but suffice it to say that it's clearly spelled out here. We'll leave it to the hon. associate minister to figure out how he wants to handle it from there, and that will conclude this matter for today.

### Orders of the Day

**The Speaker:** Hon. members, the Government House Leader rose earlier and indicated that there was no further business as such to be brought forward at this time, so I'll recognize the hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. Pursuant to Standing Order 3(4)(b) it is my privilege to advise the House that there is no further government business to be dealt with in the fall session, so I would now move that the Assembly adjourn.

**The Speaker:** Hon. members, yes, it's been an interesting session.

The hon. Government House Leader has advised that there is no further government business and has moved that the Assembly do now adjourn.

[Motion carried; the Assembly adjourned at 3:12 p.m. pursuant to Standing Order 3(4)(b)]



## **Bill Status Report for the 28th Legislature - 1st Session (2012)**

**Activity to December 06, 2012**

The Bill sponsor's name is in brackets following the Bill title. If it is a money Bill, (\$) will appear between the title and the sponsor's name. Numbers following each Reading refer to Hansard pages where the text of debates is found; dates for each Reading are in brackets following the page numbers. Bills numbered 1 to 199 are Government Bills. Bills numbered 200 or higher are Private Members' Public Bills. Bills numbered with a "Pr" prefix are Private Bills.

\*An asterisk beside a Bill number indicates an amendment was passed to that Bill; the Committee line shows the precise date of the amendment.

The date a Bill comes into force is indicated in square brackets after the date of Royal Assent. If a Bill comes into force "on proclamation," "with exceptions," or "on various dates," please contact Legislative Counsel, Alberta Justice, for details at (780) 427-2217. The chapter number assigned to the Bill is entered immediately following the date the Bill comes into force. SA indicates Statutes of Alberta; this is followed by the year in which it is included in the statutes, and its chapter number. Please note, Private Bills are not assigned chapter numbers until the conclusion of the Fall Sitings.

### **1\* Workers' Compensation Amendment Act, 2012 (Redford)**

First Reading -- 8 (May 24 aft., passed)

Second Reading -- 177 (Oct. 23 eve.), 193-96 (Oct. 23 eve.), 233 (Oct. 24 eve., passed)

Committee of the Whole -- 336-39 (Oct. 29 eve.), 354-71 (Oct. 30 aft.), 373-80 (Oct. 30 eve., passed with amendments)

Third Reading -- 476-84 (Nov. 1 aft., passed on division)

### **2\* Responsible Energy Development Act (Hughes)**

First Reading -- 207 (Oct. 24 aft., passed)

Second Reading -- 263 (Oct. 25 aft.), 424-43 (Oct. 31 aft.), 445-57 (Oct. 31 eve.), 526-46 (Nov. 5 eve., passed)

Committee of the Whole -- 563-71 (Nov. 6 aft.), 593 (Nov. 6 eve.), 644-48 (Nov. 7 aft.), 649-69 (Nov. 7 eve.), 731-53 (Nov. 19 eve.), 777-94 (Nov. 20 aft.), 795-853 (Nov. 20 eve.), 902-05 (Nov. 20 eve., passed on division, with amendments)

Third Reading -- 921-41 (Nov. 21 aft., passed on division)

### **3\* Education Act (J. Johnson)**

First Reading -- 155 (Oct. 23 aft., passed)

Second Reading -- 219-31 (Oct. 24 aft.), 238 (Oct. 24 eve., passed)

Committee of the Whole -- 380-407 (Oct. 30 eve., passed with amendments)

Third Reading -- 669 (Nov. 7 eve.), 688-94 (Nov. 8 aft.), 753-63 (Nov. 19 eve., passed on division)

### **4 Public Interest Disclosure (Whistleblower Protection) Act (Scott)**

First Reading -- 352-53 (Oct. 30 aft., passed)

Second Reading -- 423-24 (Oct. 31 aft.), 593-614 (Nov. 6 eve.), 627-44 (Nov. 7 aft., passed on division)

Committee of the Whole -- 975-80 (Nov. 22 aft.), 1057-74 (Nov. 27 aft.), 1075-101 (Nov. 27 eve.), 1127-137 (Nov. 28 aft.), 1139-161 (Nov. 28 eve., passed)

Third Reading -- 1161-166 (Nov. 28 eve., passed on division)

### **5 New Home Buyer Protection Act (Griffiths)**

First Reading -- 261 (Oct. 25 aft., passed)

Second Reading -- 354 (Oct. 30 aft.), 457-59 (Oct. 31 eve., passed)

Committee of the Whole -- 546-49 (Nov. 5 eve.), 571-83 (Nov. 6 aft.), 585-93 (Nov. 6 eve., passed)

Third Reading -- 853-55 (Nov. 20 eve., passed)

### **6 Protection and Compliance Statutes Amendment Act, 2012 (Jeneroux)**

First Reading -- 155 (Oct. 23 aft., passed)

Second Reading -- 209 (Oct. 24 aft.), 264 (Oct. 25 aft., passed)

Committee of the Whole -- 459-62 (Oct. 31 eve., passed)

Third Reading -- 855-56 (Nov. 20 eve., passed)

### **7\* Election Accountability Amendment Act, 2012 (Denis)**

First Reading -- 774 (Nov. 20 aft., passed)

Second Reading -- 972-75 (Nov. 22 aft.), 1015-41 (Nov. 26 eve., passed)

Committee of the Whole -- 1166-167 (Nov. 28 eve.), 1191-92 (Nov. 29 aft.), 1221-43 (Dec. 3 eve.), 1261-79 (Dec. 4 aft.), 1281-1300 (Dec. 4 eve., passed, with amendments)

Third Reading -- 1315-37 (Dec. 5 aft., passed on division)

- 8        Electric Utilities Amendment Act, 2012 (Hughes)**  
First Reading -- 156 (Oct. 23 aft., passed)  
Second Reading -- 233 (Oct. 24 eve.), 316-36 (Oct. 29 eve, passed)  
Committee of the Whole -- 857-902 (Nov. 20 eve.), 943-53 (Nov. 21 eve., passed)  
Third Reading -- 953-56 (Nov. 21 eve., passed)
- 9        Alberta Corporate Tax Amendment Act, 2012 (\$) (Horner)**  
First Reading -- 156 (Oct. 23 aft., passed)  
Second Reading -- 209-10 (Oct. 24 aft.), 272 (Oct. 25 aft.), 311-16 (Oct. 29 eve., passed)  
Committee of the Whole -- 462 (Oct. 31 eve., passed)  
Third Reading -- 856-57 (Nov. 20 eve., passed)
- 10       Employment Pension Plans Act (Kennedy-Glans)**  
First Reading -- 261 (Oct. 25 aft., passed)  
Second Reading -- 521-26 (Nov. 5 eve., passed)  
Committee of the Whole -- 668-69 (Nov. 7 eve., passed)  
Third Reading -- 857 (Nov. 20 eve., passed)
- 201\*    Scrap Metal Dealers and Recyclers Identification Act (Quest)**  
First Reading -- 92 (May 30 aft., passed)  
Second Reading -- 291-301 (Oct. 29 aft., passed)  
Committee of the Whole -- 716-22 (Nov. 19 aft., adjourned, amendments introduced and agreed to)
- 202       Public Lands (Grasslands Preservation) Amendment Act, 2012 (Brown)**  
First Reading -- 130 (May 31 aft., passed)  
Second Reading -- 501-13 (Nov. 5 aft., adjourned)
- 203       Employment Standards (Compassionate Care Leave) Amendment Act, 2012 (Jeneroux)**  
First Reading -- 473 (Nov. 1 aft., passed)
- 204       Irlen Syndrome Testing Act (Jablonski)**  
First Reading -- 968 (Nov. 22 aft., passed)
- 205       Fisheries (Alberta) Amendment Act, 2012 (Calahasen)**  
First Reading -- 1117 (Nov. 28 aft., passed)
- 206       Tobacco Reduction (Flavoured Tobacco Products) Amendment Act, 2012 (Starke)**  
First Reading -- 1350-51 (Dec. 6 aft., passed)
- 208       Seniors' Advocate Act (Towle)**  
First Reading -- 1315 (Dec. 5 aft., passed)

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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Tuesday, March 5, 2013

Issue 30

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta**  
**The 28th Legislature**

First Session

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Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
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**Party standings:**

Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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Frank Oberle	Associate Minister of Services for Persons with Disabilities
Verlyn Olson	Minister of Agriculture and Rural Development
Dave Rodney	Associate Minister of Wellness
Donald Scott	Associate Minister of Accountability, Transparency and Transformation
Richard Starke	Minister of Tourism, Parks and Recreation
George VanderBurg	Associate Minister of Seniors
Greg Weadick	Associate Minister of Municipal Affairs
Teresa Woo-Paw	Associate Minister of International and Intergovernmental Relations

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on Alberta's Economic Future

Chair: Mr. Amery

Deputy Chair: Mr. Fox

Bhardwaj	Olesen
Cao	Pastoor
Donovan	Quadri
Dorward	Rogers
Eggen	Rowe
Hehr	Sarich
Luan	Strankman
McDonald	Xiao

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Khan

Deputy Chair: Mrs. Jablonski

Anderson  
Casey  
Dorward  
Eggen  
Kubinec  
Sandhu  
Sherman

### Select Special Conflicts of Interest Act Review Committee

Chair: Mr. Allen

Deputy Chair: Mr. Luan

Blakeman	Notley
Dorward	Saskiw
Fenske	Wilson
Johnson, L.	Young
McDonald	

### Standing Committee on Families and Communities

Chair: Mr. Quest

Deputy Chair: Mrs. Forsyth

Brown	Jeneroux
Cusanelli	Leskiw
DeLong	Notley
Fraser	Pedersen
Fritz	Swann
Goudreau	Towle
Jablonski	Wilson
Jansen	Young

### Standing Committee on Legislative Offices

Chair: Mr. Cao

Deputy Chair: Mr. McDonald

Bikman	Leskiw
Blakeman	Quadri
Brown	Rogers
DeLong	Wilson
Eggen	

### Special Standing Committee on Members' Services

Chair: Mr. Zwozdesky

Deputy Chair: Mr. Rogers

Casey	Mason
Forsyth	McDonald
Fraser	Quest
Kennedy-Glans	Sherman
	Smith

### Standing Committee on Private Bills

Chair: Mr. Xiao

Deputy Chair: Ms L. Johnson

Barnes	Jablonski
Bhardwaj	Leskiw
Brown	Notley
Cusanelli	Olesen
DeLong	Rowe
Fox	Strankman
Fritz	Swann
Goudreau	Webber

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Ms Olesen

Deputy Chair: Mr. Lemke

Calahasen	McAllister
Cao	Notley
Casey	Pedersen
Hehr	Rogers
Jansen	Sandhu
Kennedy-Glans	Saskiw
Kubinec	Towle
Luan	Young

### Standing Committee on Public Accounts

Chair: Mr. Anderson

Deputy Chair: Mr. Dorward

Allen	Hehr
Amery	Jeneroux
Anglin	Khan
Bilous	Pastoor
Donovan	Quadri
Fenske	Quest
Goudreau	Sarich
Hale	Stier

### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans

Deputy Chair: Mr. Anglin

Allen	Hale
Barnes	Johnson, L.
Bikman	Khan
Bilous	Kubinec
Blakeman	Lemke
Calahasen	Sandhu
Casey	Stier
Fenske	Webber

## Legislative Assembly of Alberta

1:30 p.m.

Tuesday, March 5, 2013

[The Speaker in the chair]

### Prayers

**The Speaker:** Hon. members, welcome back.

Let us pray. Dear Lord and Great Creator, as we begin the third sitting of the First Session of the 28th Legislature, we ask for guidance in fulfilling our duties for the enduring benefit of all Albertans. As Members of this Legislative Assembly let us also be reminded that we have all pledged to faithfully serve the citizens we humbly represent. Amen.

Hon. members, please remain standing for the singing of our national anthem led by M. Paul Lorieau.

### Hon. Members:

O Canada, our home and native land!  
True patriot love in all thy sons command.  
With glowing hearts we see thee rise,  
The True North strong and free!  
From far and wide, O Canada,  
We stand on guard for thee.  
God keep our land glorious and free!  
O Canada, we stand on guard for thee.  
O Canada, we stand on guard for thee.

**The Speaker:** Thank you, hon. members, and thank you, M. Lorieau. Welcome back. It's nice to have you with us. [applause]  
Please be seated.

### Introduction of Guests

**The Speaker:** The hon. Member for Edmonton-South West

**Mr. Jeneroux:** Thank you, Mr. Speaker. It's good to be back.

I'm pleased to introduce to you and through you to all Members of the Legislative Assembly a group of young students and teachers from the George P. Nicholson school, located in the constituency of Edmonton-South West, that I'm so honoured to serve. Accompanying these 20 bright and energetic students is their teacher, Mrs. Marcie Syme, and parent Ms Michele Saul. They are seated in the members' gallery, and I'd ask that the students and guests from George P. Nicholson please rise and receive the traditional welcome of the Assembly.

**The Speaker:** The hon. Member for Sherwood Park.

**Ms Olesen:** Thank you, Mr. Speaker. It's my pleasure today to rise before you and introduce to you and through you to all members of this Assembly teacher Ms Amy Antony and 22 of her best and brightest students from Madonna Catholic school in Sherwood Park. I am pleased that they are able to be here today to take part in activities that will help them learn more about the workings of our government. I would ask that they now rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Mill Woods.

**Mr. Quadri:** Thank you, Mr. Speaker. It's nice to be back.

It is my pleasure and honour to introduce to you and through you to all members of this Assembly 51 fine and very energetic students from Meyonohk elementary school. Meyonohk is a Cree word meaning a nice place to be. I think it's the right spot in

Alberta right now to appreciate our democracy. They're visiting our Assembly today accompanied by teacher Deb Sitter. Now I would request them to please rise and receive our warm traditional welcome.

**The Speaker:** The hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Mr. Speaker. I'm excited to be back.

I would like to introduce to you and through you to all hon. members a group of elementary school students visiting from my constituency. The 17 grade 6 students from Spruce View school are sitting in the gallery along with their teacher, Carmen Abraham; vice-principal, Glen Brooke; and parent volunteers Bobby-Jo Stannard and Kim McKain. I hope they enjoy their time at the Legislature. I'll ask them to please stand as my hon. colleagues provide the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Premier.

**Ms Redford:** Thank you, Mr. Speaker. I'm pleased to rise today to introduce to you and through you to all members of this Assembly some very special people and exceptionally talented artists that you had the opportunity to host earlier this morning. I'd ask each of them to stand up as I introduce them. First of all, Jeff de Boer is an artist and sculptor from Calgary. He is also a board member at the In-Definite Arts Society, which supports arts and people that are working with artists with developmental disabilities.

Megan Gilmore is from Calgary as well and is a contributing artist representing the In-Definite Arts Society. Brad McCaull is also from Calgary and is a contributing artist from the In-Definite Arts Society. Tony Goodison is from Calgary and is a contributing artist as well; of course, as we heard earlier, he took his first plane ride today to come up here. Monique Morley is also a contributing artist. Johnny Davenport is also from Calgary and a contributing artist. As well, Alyssa Hatton is here with her parents. Alyssa is from Chestermere and is a contributing artist. Of course, there are also many people in the gallery from the Edmonton and Calgary PDD community.

Mr. Speaker, you'll know that under Mr. de Boer's guidance we had the opportunity today to take a look at the collective work of *A Meaningful Life*, which is a collection of work by 24 artists that are living with developmental disabilities. It's a showcase of everything that is truly wonderful about Alberta and about making a commitment to our lives and to our community. I'd like everyone to give this wonderful group of people in both galleries, yours and the members', a warm welcome to this House.

**The Speaker:** The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. As you well know, this is National Social Work Week, and I rise to introduce to you and through you to all members of the Assembly seven registered social workers from the Ministry of Human Services and from the Alberta College of Social Workers. Every day social workers contribute to the health and well-being of Albertans, often in challenging circumstances. Their efforts deserve recognition because we all benefit from the many positive outcomes of their work when we see people in our communities doing well and overcoming difficulties in their lives. In addition to four employees from Human Services, we have here today three representatives from the Alberta College of Social Workers. The college is a valuable partner in developing and supporting a skilled workforce and strong leadership within the social work field.

Mr. Speaker, I'd ask the following people to rise and accept the traditional warm welcome of the House: Sabrina McConnell, a child intervention specialist from Grande Prairie; Shirley Cunningham, a caseworker from Jossard, with the Lesser Slave Lake regional council; John Dunn, strategic initiatives and child care specialist from Edmonton, serving the Métis settlements; Pauline Hunter, a caseworker from AKO Child and Family Services in the Montana First Nation, Hobbema. Representing the Alberta College of Social Workers: Valerie Kinjerski from St. Albert, Charity Lui from Edmonton, and Lori Sigurdson from Edmonton. I'd ask you all to give these wonderful workers for humans in Alberta a warm traditional welcome.

**The Speaker:** The hon. Member for Cypress-Medicine Hat.

1:40

**Mr. Barnes:** Thank you, Mr. Speaker. I'm pleased to rise today to introduce to you and through you to all members of the Assembly a dedicated group of nursing students from Medicine Hat College. This group of bright young students has been working hard to promote and build support for a much-needed online organ donation registry in Alberta. The gaping hole of not having an online registry is costing Albertans dearly, some with their lives. The students are in the gallery today with some of the community partners of their focus group as well as two of their instructors. We have students Ashley Anctil, Caitlin Beck, Jarvis Butac, Desiree Ehresman, Gabrielle McDonald, and Bryson Daudlin. With them today are community partners Lynda King, Helen Markussen-Brown, and Ken Martin. Also with them are two Medicine Hat College instructors, Susan Sexsmith and Denise Hellman. Please rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** Hon. Premier, your second introduction. My apologies for not catching your eye earlier.

**Ms Redford:** Thank you, Mr. Speaker. I was very glad to come back to Edmonton yesterday and to be in the House. Of course, in politics we meet an awful lot of people through different walks of life. Something I've never done before in this Legislature is introduce someone who is not only married to one of my colleagues but has become a very good friend, and that is Sherry Drysdale, who is married to our Minister of Infrastructure. The reason I wanted to introduce her today, I think on behalf of most MLAs that are sitting in this House today, is to thank the spouses that support us every day in the work that we do here as we enter into a long session.

Of course, Mr. Speaker, there is much excitement this week. One of those pieces of excitement this week is that it is Sherry's birthday tomorrow. It is my birthday on Thursday, and it is budget day. So it is a festive week in the Legislature. Sherry, I'd like you to rise and receive a warm welcome.

**The Speaker:** The Associate Minister of Municipal Affairs has an introduction.

**Mr. Weadick:** Thank you, Mr. Speaker. It's an extreme pleasure today to introduce to you and to all members of this Assembly my biggest supporter, my best friend, my partner in business and in life for the last 35 years, my wife, Joanne Weadick.

Thank you.

**The Speaker:** Are there other introductions? The hon. Member for Lesser Slave Lake.

**Ms Calahasen:** Thank you. It is indeed an honour to introduce an individual who is the backbone of the lady that was introduced earlier. Wayne Cunningham hails from my constituency. He's

seated in your gallery, Mr. Speaker, and I'd ask that he stand and receive the warm welcome because he is truly the backbone of his wife.

## Members' Statements

**The Speaker:** The hon. Member for Calgary-Cross.

### *A Meaningful Life Collaborative Sculpture*

**Mrs. Fritz:** Thank you, Mr. Speaker. Your recognition of persons with developmental disabilities in the Legislature rotunda this morning was a perfect way to open today's session. We were all honoured to meet the many outstanding individuals responsible for creating the beautiful sculpture titled *A Meaningful Life*, that was showcased today.

Three years ago people let Alex Hillyard, CEO for PDD Calgary, know that they didn't want to have a traditional business plan, that they wanted to have something that was unique. Artists with developmental disabilities and their families talked about what a meaningful life meant to them, and five themes emerged: Connecting to Community, Contributing to Society, Independence, Relationships, and Dignity. Over the next two years they worked with acclaimed artist Jeff de Boer, and their vision soon became a reality. Twenty-four very talented artists with developmental disabilities created beautiful individual art pieces to represent each of the five themes. Their art was created with heart and soul. It was unveiled in Calgary on April 1, 2012, and *A Meaningful Life* sculpture was then created to capture this interwoven journey. It is clearly inspirational, and it is also memorable, Mr. Speaker. It is building a legacy for the PDD community because it speaks to the five themes, including dignity and respect, that are important for everyone in the community. We all want this for our families, our friends, our neighbours.

Congratulations and thank you to the 24 artists, Jeff de Boer, PDD Calgary, Prospect Human Services Society, and the Indefinite Arts Society for your passion and your inspiration. I know that this morning you heard our Premier invite you to consider having the Alberta Legislature be a permanent home for your impressive sculpture, and we're really hoping that you'll agree.

Congratulations.

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition.

**Ms Smith:** Thank you, Mr. Speaker. It's a delight to be back. I'm looking forward to debating issues with my colleagues not only on the opposition benches but also my colleagues opposite.

### **Integrity in Government**

**Ms Smith:** Public trust is sacred. It is the foundation on which everything we do as elected officials rests. We all must work hard not only to earn it but also to preserve it and protect it. If we lose it, watch out; we won't last long in these seats.

Mr. Speaker, this government has a problem with trust. The fall session ended three months ago with the government under a cloud of scandal and broken promises. There are no less than four full-scale investigations currently under way into this government's questionable conduct. Illegal campaign contributions, health care queue-jumping, privacy breaches, and, of course, the infamous tobacco litigation contract are all under scrutiny, with reports expected in this session. Now the Premier's promise to run a balanced budget and stay out of debt lies in tatters next to the rest of the pledges that she campaigned on and she will not be able

to deliver. It's no wonder that more and more Albertans are losing trust in their government every single day.

This government has a monumental task ahead of itself to rebuild that trust. Trust is difficult to earn and almost impossible to get back once it's been broken. We need to look no further than the baffling messages this Premier continues to send on the upcoming budget. She says that she won't raise taxes or cut spending and will balance the budget, all while putting money back into savings and building everything that she's promised to build. Mr. Speaker, if you can find a grain of logic or consistency somewhere in there, please feel free to point it out.

It all comes back to trust, Mr. Speaker, trust and credibility. You can only say one thing and do another for so long until you start to lose both. Now, my advice to the Premier is this: don't promise what you can't deliver, and if you do promise, make sure you do it. If you won't listen to me, listen to Albertans because they are sending you the exact same message.

**The Speaker:** The hon. Member for Grande Prairie-Smoky.

### Fallen Four in Memoriam

**Mr. McDonald:** Thank you, Mr. Speaker. Candles again dotted the landscape at the Fallen Four Memorial Park in Mayerthorpe, Alberta, on March 3 as a community gathered once more to remember. They were there to bring light to the darkness that descended eight years ago when four young police officers were shot and killed in the Whitecourt-Ste. Anne constituency.

I ask you to join me in remembering the vibrant lives of constables Peter Schiemann, Leo Johnston, Brock Myrol, and Anthony Gordon, that ended tragically on March 3, 2005. We remember them, and our thoughts go out to their families, their friends, their troop mates, their co-workers, and the communities of Whitecourt, Mayerthorpe, and the surrounding areas that embraced them.

Thanks to the Mayerthorpe Fallen Four Memorial Society there is a beautiful six-acre memorial park that was built to honour Peter, Leo, Brock, and Anthony plus other police and military forces. It also reminds us that wounds heal and that new beauty is possible in time through nature and community spirit. In this park four bronze statues stand on guard with a 24-foot centre obelisk that salutes all peace officers, policemen, soldiers, and all who have given their lives for their uniform. The volunteers who built this park, maintain it, and bring everyone together for the candlelighting service are true Albertans, proud of those who protect us and ensuring that those who are gone are never forgotten.

Today I wear my Fallen Four pin with pride as a reminder that the brave are forever remembered, and I ask everyone in this House to do the same.

Thank you, Mr. Speaker.

1:50

### Oral Question Period

**The Speaker:** The Leader of Her Majesty's Loyal Opposition.

### Provincial Fiscal Position

**Ms Smith:** Thank you, Mr. Speaker. I'm delighted to be back for this third phase of the First Session. In my first-ever question in the Assembly last May I pointed out that there was already a \$2 billion hole in the budget, and I warned that it could climb to as high as \$5 billion, and here we are. The Liberals want to raise income taxes to bridge the gap, the NDs want to raise royalties,

we in the Wildrose think the government has enough revenue, but we don't really know what the Premier thinks. She promised a balanced budget, more spending, no debt, increased saving, and no tax increases. How can all of this be possible?

**Ms Redford:** Well, Mr. Speaker, on April 23 last year Albertans said that they wanted a government that they could trust to govern through good times and bad times. On April 23 last year times were good. In fact, we knew even then, in a responsible way, that we were going to anticipate challenges with respect to our fiscal plan. I believe the Leader of the Opposition was at the same Economic Summit that I was at three weeks ago, February 9, when industry leaders stood up and said that what we're seeing right now is unexpected. Regardless, we know that we can guide this province forward. That's exactly what we're going to do when we table the budget on Thursday to support families and communities and infrastructure.

**Ms Smith:** Mr. Speaker, the Dow Jones just hit an all-time high today, not exactly a sign of hard times.

Given that Alberta gets \$40 billion in revenue but the Premier likes to spend \$44 billion, isn't the simplest solution simply to control government spending?

**Ms Redford:** Mr. Speaker, it's really interesting news with respect to the Dow Jones, but anyone who actually understands how an economy works understands that it's a heck of a lot more complicated than that. Albertans understand that, and Albertans understand a differential. [interjections]

I would suggest that if the Leader of the Opposition wants to see how a governing party builds a budget, pay attention on Thursday.

**The Speaker:** Hon. members, I know you've forgotten a few rules from before. One of them is to be polite and respectful and honour the dignity of other members. Whether they're asking a question or answering one, they deserve the same respect.

Please proceed with your final supplemental.

**Ms Smith:** Thank you, Mr. Speaker. Albertans are looking for leadership, and they have yet to see it from this Premier. Can we have a clear commitment today that in the budget on Thursday the government will not try to fudge or hide or bury or obscure the true size of the cash deficit?

**Ms Redford:** Mr. Speaker, our Minister of Finance has clearly set out every quarter since the last election and before that what the fiscal plan is and what the fiscal situation is for this government, and there is no reason to presume or to even suggest for any reason that that would be any different on Thursday.

**The Speaker:** Hon. leader, your second main set of questions.

**Ms Smith:** I look forward to seeing whether the Finance minister keeps that commitment.

### Fiscal Responsibility

**Ms Smith:** Mr. Speaker, the fall session ended three months ago with the government under a siege of scandals, ethical lapses, and spending blunders, and here we are again. The only thing that has changed is that we can't ask questions about the tobacco litigation that's being investigated, the illegal donations being exposed, the queue-jumping being probed, and the privacy breaches that are under review. But we can ask about their disregard for fiscal prudence, which has us looking at a \$4 billion, \$5 billion, \$6

billion deficit. It's no wonder Albertans have lost trust in this government. What big promise will they break next?

**Ms Redford:** Mr. Speaker, you know what else hasn't changed since last session? The tone from the opposition; not the questions but the tone.

I'll tell you that as we move forward and we present the budget on Thursday, it has been built in consultation with Albertans based on what we talked about in the election that ended April 23 when Albertans elected a Progressive Conservative government that has built a successful economy that is leading Canada and continues to make that commitment. That is what Albertans voted for, and we will keep our promise to Albertans.

**The Speaker:** The hon. Leader of the Opposition.

**Ms Smith:** Thank you, Mr. Speaker. I'm awfully sorry if my tone is hurting the Premier's feelings.

Given that the Premier first characterized the fiscal mess as a revenue problem until she acknowledged, once at least anyway, that it may be a spending problem, how can Albertans have any confidence that the Premier can provide a solution if she doesn't even understand the problem?

**Ms Redford:** Mr. Speaker, as usual what we see from the opposition is extremism and ideology that does not actually understand how to build a government that provides services to Albertans, continues to invest in families and communities, is prudent with taxpayers' dollars, and also makes sure that we're continuing to build our economy and open markets outside of our borders. That's what Albertans voted for. That is what we will deliver. That is what people will see on Thursday.

**Ms Smith:** Mr. Speaker, running balanced budgets isn't an issue of being right wing or left wing; it's an issue of being competent or incompetent.

Now, if the Premier is ruling out a tax increase and she's committed to meeting all of her spending promises and she's going to balance the budget and she won't admit to taking us back into debt, how can we expect that this budget is going to be an honest reflection of Alberta's true fiscal situation?

**Ms Redford:** Well, Mr. Speaker, as I said, I've got an awful lot of confidence in our Minister of Finance. The other thing I will say is that Albertans have confidence in that minister. When we start talking about decisions that we need to make in government, we will build community and we will build infrastructure. You know some of the places where we'll build that infrastructure? Even though that opposition party says that we need to cut back on infrastructure, we are investing in schools in opposition ridings and in government ridings to ensure that kids have places to go to school, to ensure that there are hospitals being built so that people have access to health care services everywhere in this community. That is good government. It is not ideological. It's balancing the interests of Albertans in a way that allows everyone to thrive in the future.

**The Speaker:** Hon. leader, your third and final set of questions.

**Ms Smith:** Clearly, the Premier hasn't read our 10-year, \$50 billion, debt-free capital plan. I'll make sure to send her a copy.

#### Medevac Services

**Ms Smith:** Mr. Speaker, the Health minister just keeps making a mess of things. You remember how he bungled the closing of the

Carmangay seniors' centre and then blamed AHS for a communication mess? Then, of course, he claims that the health expense scandal is all in the past, but it's clear that the lavish spending continues. He's botched the negotiations with the doctors, created issues with rural ambulance service, and now there are medevac concerns in Alberta's north. Now, I know the Premier issued a statement today trying to reassure people, but we're not convinced. What's the plan?

**Ms Redford:** Mr. Speaker, let's remember that medevac is used for two purposes. It's used to provide emergency support for patients, and it's also used to allow patients to commute with their doctors, when they're already in the health care system, to Edmonton for treatment. The Health Quality Council gave us a very specific plan with 18 points, 18 recommendations, that we have followed completely to ensure that medevac in northern Alberta continues to be available and safe and will support families. The worst thing that we can do – and, unfortunately, we continue to see it – is to fearmonger and scare people. It is not necessary. The Health Quality Council has said that medevac will work, and we have confidence that it will.

**Ms Smith:** I'm still going to try to seek some clarity, Mr. Speaker. Given the release from the Premier that says that "Government of Alberta aircraft will begin flying out of the Edmonton International Airport on March 15" and given it also says that "government employees will no longer be boarding flights at the City Centre airport", it makes me wonder: will government planes full of cabinet ministers still be landing at the Edmonton municipal airport? [interjections]

**The Speaker:** Hon. members, the Premier has the floor.

2:00

**Ms Redford:** No.

**Ms Smith:** Mr. Speaker, you have to understand that we often have these lawyerly nuances from our Premier, so I just want to get a firm commitment, because the Premier's statement wasn't really all that clear, that all government aircraft will end service in and out of the City Centre Airport on March 15.

**Ms Redford:** Mr. Speaker, this question has been asked; this question has been answered. This statement has been made for the past month. This is simply another example of wasting time in this Legislature on issues that are not directly related when the information is clearly available. However, what I would suggest is that if the opposition is concerned, maybe they'd like to send one of their researchers out with a camera to start taking pictures from the 15th on to see whether or not what I'm saying is actually the truth.

**The Speaker:** The hon. leader of the Alberta Liberal opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. It's good to be back.

#### Provincial Tax Policy

**Dr. Sherman:** It's well known that the Premier was once a great admirer of progressive leaders such as Joe Clark and Peter Lougheed, who believed in tax fairness. Even Ralph Klein used it to balance the budget. But now the government of the richest province in Canada is broke because it abandoned progressive income tax in favour of a 10 per cent flat tax. To the Premier: why

is it okay for the government to give away billions to the wealthy few while asking everyday Albertans to foot the bill?

**Ms Redford:** Mr. Speaker, it's ridiculous for the hon. leader to stand up and say that this province is broke. We have a heritage fund. We have savings. Every single citizen of Alberta has the right to be entitled to say that we have net assets in this province. We are the only province in Canada with net assets on a per capita basis. One of the reasons that we are in that position is because we've ensured that we have a competitive tax position to the rest of the country. We don't need to change it, and we're not going to.

**Dr. Sherman:** Mr. Speaker, what's ridiculous is that in a boom they can't balance the budget.

The Premier doesn't have the courage to ask the wealthy to a pay a little more. That would help the Premier to keep her promise of sustainable, predictable funding for health care, education, municipalities. Instead, the Premier is ignoring common sense, reason, and the 70 per cent of Albertans who are calling for a progressive income tax instead of cuts. Why, Premier? Why are you ignoring 70 per cent of Albertans, who want tax fairness?

**Ms Redford:** Mr. Speaker, we have made a commitment to be prudent, to be responsible, and to be accountable. We are tabling a budget on Thursday that is going to ensure that we make that commitment to Albertans so that we can keep building for families and communities, we can do it in a responsible way, and we can continue to grow the economy. We can do all of that because we have the understanding, which years of experience has brought to us, that if you integrate the work that you're doing, you can make this effective, and you can ensure that generations will continue to succeed in this province.

**The Speaker:** The hon. leader. Final supplemental.

**Dr. Sherman:** Thank you, Mr. Speaker. The Finance minister said that it was important for this government to show how lean and mean it can be. Again to the Premier. Who exactly is your government planning on being mean to: nurses, teachers, students, the mayor of Calgary, or seniors trying to get more than one bath a week? Clearly, the government is pretty nice to their wealthy donors.

**The Speaker:** Hon. Premier, if you wish.

**Ms Redford:** Thank you, Mr. Speaker. [interjections] That's absolutely right. There was a question in that.

On Thursday we are tabling a budget that is going to ensure that we are prudent and that we are responsible, that we are continuing to provide sustainable funding to vulnerable Albertans, and to make sure that we're making the right decisions this year to ensure success for future generations. That's what Albertans asked us to do last year, and that's what we'll do.

**The Speaker:** The hon. leader of the New Democrat opposition.

### Health Care Funding

**Mr. Mason:** Thank you very much, Mr. Speaker. You just can't trust this PC government to keep its promises. During the election the PCs made many promises to improve health care, including 140 new family care clinics and 5,000 new long-term care spaces, but while they promised there wouldn't be service cuts to health care, we've already seen layoffs and cutbacks across Alberta. To the Premier: considering that her government will not deliver a

throne speech to outline their priorities, can the Premier explain why she's already broken her health care promises to Albertans?

**Ms Redford:** Mr. Speaker, this may very well be the perception of the leader of this party, but it is not the reality. The fact is that we as a government are continuing to invest in the services that matter to Albertans, including health care and including education. Those are the choices that we've made because we understand that those are Alberta's priorities. The budget on Thursday will clearly set out those priorities. Those priorities reflect what Albertans asked us to do on April 23 last year, what they talked to our Minister of Finance and Associate Minister of Finance about all through the summer. Also, consultations with respect to health care were fundamental to the decisions that we made. All of that will be reflected on Thursday. [interjections]

**The Speaker:** The hon. leader.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, I think they're just thumping past the graveyard.

Albertans simply cannot trust this government to keep its promises on health care. Given that the WestView hospital in Stony Plain is facing a \$450,000 cut to its services and the transition unit at the Royal Alexandra hospital has been closed, will the Premier admit that this government has failed Albertans with a string of broken health care promises?

**Ms Redford:** You know, Mr. Speaker, what we have in this province is a system of health care that allows people to get some of the best health care in the world, and that's because of the doctors and the nurses and the researchers that we have here. One of the reasons that we're going to be able to continue to maintain that level of service is because we have people that are providing us with advice, and we have a Minister of Health that understands that we need to make decisions along with Alberta Health Services that allow us to streamline services and deliver services in an effective way because we're concerned about health outcomes. It's why we're investing in primary health care, it's why we're investing in aligning services, and it's why we have facilities such as the Stollery and the Alberta Children's hospital, that provide services in a very different way to families. It's effective.

**The Speaker:** The hon. leader. Final supplemental.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, Albertans just can't trust this government to keep its promises on health care. Given that this PC government promised that they would meet the needs of thousands of seniors waiting for long-term care and given that the government is closing public long-term care facilities across the province, including in Carmangay, Bashaw, and Red Deer, when will the Premier admit that her government has failed Albertans with yet another broken promise?

**The Speaker:** The hon. Minister of Health.

**Mr. Horne:** Thank you, Mr. Speaker. This government is certainly not failing Albertans when it comes to continuing care or any other part of the health care system. This government has repeatedly kept its promise to add a thousand new continuing care spaces per year. We are on track to reach our commitment of 5,000 spaces over five years. We can look across the health care system in many other areas for reminders of how the government continues to invest and how our dedicated health care professionals continue to deliver.

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

### **Medevac Services** (continued)

**Mr. Saskiw:** Thank you, Mr. Speaker. Yesterday the Health Quality Council reported that this government's decision on EMS was sloppy and mismanaged. Today the government is poised to make an even bigger mistake by moving medevac to the Edmonton International Airport. In 10 days this fundamental change will affect all northern Albertans, adding at least 40 to 50 minutes in emergency wait times. STARS air ambulance says that it's too early to know if they can fulfill the new role envisioned by AHS. Will the Premier do the right thing, delay the relocation of medevac, and consult with doctors to ensure that any changes to medevac services will not cost lives?

**Ms Redford:** Mr. Speaker, this fearmongering is not constructive. Doctors have been involved. Technical advisers who actually understand emergency services have been involved. Clearly, a decision has been made by the people of Edmonton and the city of Edmonton that we are no longer able to use the municipal airport. Because of that, we have made the responsible decisions, the right decisions, and the decisions that will continue to protect families in northern Alberta. Medevac will work.

**The Speaker:** The hon. member.

**Mr. Saskiw:** Thank you, Mr. Speaker. Given that a total of 58 doctors have signed a letter saying that the relocation of medevac will cost lives, do you think it is okay for this government to shortchange northern Albertans and put their lives at risk when you can just delay the decision to explore every possibility in order to save lives?

2:10

**The Speaker:** Please be reminded that questions that are speculative ought not be asked in that way. We understand the intent of it – we don't normally call for opinions – but if somebody from the front bench wants to answer it, go ahead.

**Mr. Horne:** Well, Mr. Speaker, this government can do a lot better than the speculative questions that are being proffered by the other side. The opinions of people that live in the communities across the province are going to be informed directly by the quality and the accuracy of information that is presented to them by all of us as Members of the Legislative Assembly.

Mr. Speaker, planning for this move began well over a year ago, when Edmonton city council announced its decision to close the City Centre Airport. I can assure this House as the Minister of Health that there is absolutely no compromise to patient safety or quality of care as a result of this transition, and anything short of that in a message to the public is fearmongering.

**Mr. Saskiw:** Fifty-eight doctors say differently.

Given that this Premier has previously said – and I quote – that we need to ensure that we are providing as a provincial government the services that northern Alberta needs, how can Albertans trust this Premier if she won't even keep just this one promise and provide northern Albertans with timely access to emergency medical care? Listen to the doctors and delay the closure. Listen to the doctors.

**Ms Redford:** Mr. Speaker, let's remember that north of Edmonton there are thriving communities with hospitals and

doctors and health infrastructure currently. It is not as if everyone who lives in northern Alberta, the minute something happens, is shipped on a plane to Edmonton in order to have their health care needs met. We as a Progressive Conservative government have made a commitment to health care in northern Alberta. We are continuing to make that investment in things such as the new Grande Prairie regional hospital, enhancements in Fort McMurray. We know from experience that strong health care professionals across northern Alberta are providing effective health care services. Medevac is part of that, it will continue to be, and Albertans can trust that.

**The Speaker:** The hon. Member for Calgary-East.

**Mr. Amery:** Thank you, Mr. Speaker. Now we get to the real questions.

### **Keystone Pipeline Project**

**Mr. Amery:** Mr. Speaker, last week the U.S. State Department issued a draft environmental impact study on Keystone XL which concluded that the project would not significantly contribute to the warming of the planet. Despite this, some critics still suggest that Alberta has not done enough to help push this project through and bolster much-needed market access. My question is for the hon. Premier. Considering that this fight isn't over, what is the Premier doing to help get Keystone XL on track?

**Ms Redford:** Well, Mr. Speaker, I'd actually think that the opposition would be interested in this since they spend all their time talking about how not enough has been done. One of the things that was really important in the environmental impact assessment that the State Department issued on Friday was that there was Alberta data in that, data that was provided by the government of Alberta as an intervenor with respect to the hearings in Nebraska and the hearings in the regulatory process in the United States. So not only has there been political involvement – working with Ambassador Jacobson and Ambassador Doer, my four trips to Washington, which we're going to continue to pursue on the advice of Ambassador Doer – but to know that the data that's in that report is having compelling reasons with respect to environmental impact is very important for Keystone, and we're still very optimistic.

### **Speaker's Ruling** **Use of Electronic Devices in the Chamber**

**The Speaker:** Clearly, someone has an alarm clock or something else that has rung three different times now. Whoever it is, please don't put it on silent; just put it off. Otherwise, you and that piece of equipment will be asked to be put off for a while. Whoever has that going, please stop it now. Thank you.

The hon. member.

### **Keystone Pipeline Project** (continued)

**Mr. Amery:** Thank you, Mr. Speaker. Also to the hon. Premier: with all this attention being paid to Keystone and the U.S., has the government lost sight of market diversification and seeking out new markets?

**Ms Redford:** Mr. Speaker, the work that's going on right now with respect to Alberta's export economy is fundamental, and that takes a number of forms. The first, of course, is continuing to



pursue other pipeline options. We're having tremendous success right now and good progress with Premier Alward in New Brunswick and Premier Marois in Quebec. We think it's going to be very important to ensure that we get Alberta's product to tidewater as soon as possible so that Albertans, who own the resource, get a fair price for that resource. That's fundamental.

The other work that we're doing is with respect to refining and upgrading so that not only do we have other markets to go to with bitumen but with other products that would also be able to access different markets. It's fundamental to diversification, and we're going to continue to do that.

**The Speaker:** The hon. member. Final supplemental.

**Mr. Amery:** Thank you, Mr. Speaker. Also to the Premier: given that there are some who believe that the Canadian energy strategy is nothing more than highbrow motherhood and apple pie, can the Premier tell me how a Canadian energy strategy will help establish increased market access? [interjection]

**Ms Redford:** Mr. Speaker, I am not at all surprised to see the opposition jeer at this, but the reason we're having success with respect to the eastern pipeline, the reason we're able to work with people like Premier Wall, who is in Washington today talking about Alberta's environmental record, is that Canadians understand that working together, developing an integrated energy economy, is our greatest opportunity for economic success so that we can continue to be a leader in energy. I do know that, very particularly, the opposition a year ago were quite surprised by this, didn't understand what it was, clearly still don't. But we do, Canadians do, the Prime Minister does, the Premiers do, and this is what's going to lead to success for Alberta and Canada.

**The Speaker:** The hon. Member for Calgary-Fish Creek.

### Emergency Medical Services

**Mrs. Forsyth:** Thank you, Mr. Speaker. My questions are to the Premier. This government continues to make a mess of our health care system, and it continues to lose the trust of Albertans. Yesterday's Health Quality Council report shows that this government has its fingerprints all over deteriorating patient care when it comes to the EMS system. Despite recommendations there still remain outstanding wait times throughout Alberta. Here in Edmonton the response time has continued to increase since 2009. That is precious time that can mean the difference between life and death. Does this government have any actual plans to improve response times?

**The Speaker:** The hon. Minister of Health.

**Mr. Horne:** Well, thank you very much, Mr. Speaker. Obviously, the hon. member missed the substance of the news conference that was held yesterday, where the Health Quality Council presented a very clear road map to address many of the issues with ground ambulances. As this House will know, in 2009 a previous government made a policy decision, which we support, to recognize the fact that EMS is part of health care and should be part of our provincial health care system. It is true that there were some delays in consolidation of dispatch services in the province and some of the other very large-scale initiatives that are involved in creating a provincial EMS system, but this review provides a clear road map, and I've provided clear direction to Alberta Health Services to implement these recommendations.

**The Speaker:** The hon. member.

**Mrs. Forsyth:** Thank you, Mr. Speaker. Given that FOIP documents reveal that the amount of time ambulances in Edmonton are on red alert has ballooned from a total of three hours in 2009 to 76 hours four years later, when is the government specifically going to make sure that patients don't suffer?

**Mr. Horne:** Well, Mr. Speaker, the very dedicated doctors and nurses and other professionals that work in our system make sure, in fact, that patients' needs are addressed and are addressed well each and every day. The hon. member should know that wait times in emergency departments are primarily a function of flow within the emergency department and in the hospital generally, not a function of the EMS system. Alberta Health Services made some very great strides in the last year in reducing occupancy rates in our hospitals, in eliminating much of the need for alternate levels of care placements for people who are waiting for continuing care, and in many other initiatives that have greatly improved the flow within our system at the same time as we see a huge growth in population and the number of visits, consequently, to ER departments.

**Mrs. Forsyth:** Mr. Speaker, given that this government seems to be having trouble understanding the impact of minutes in emergency care and the danger of leaving our first response teams on red alert, when will this government stop running out the clock and put the interests of patients first?

**Mr. Horne:** Well, Mr. Speaker, we most certainly do put the interests of patients first, and part of that involves looking at objective evidence, taking expert advice, and forming opinions and making decisions based on that as opposed to hearsay and other measures that are intended, I can only see, to scare the public.

Mr. Speaker, we have a very, very busy health care system in Alberta. It's a function of our economic prosperity. It's a function of the facts such as the number of Albertans – I believe 100,000 came to this province last year – and it's also a function of our commitment to continue to invest in health care. The issues that are discussed in the Health Quality Council report are issues that you would find in any major, growing centre across the country. What's important is the action that we're taking to deal with those. That is what Albertans can take away from it.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo, followed by Calgary-Mountain View.

2:20

### Medevac Services (continued)

**Mr. Allen:** Thank you, Mr. Speaker. As we've heard, the City Centre Airport is closing, and medevac services are being relocated to the Edmonton International Airport. The Health Quality Council of Alberta review stated that "the main patient safety concern is that an increase in journey time for critically-ill . . . patients could have a negative effect on their well-being." The U of A hospital is a 30-minute drive from the EIA, and the Royal Alex is a 37-minute drive from the EIA. To the Minister of Health: how can you assure northern Albertans that your department is addressing transportation times that will be increased as a result of the medevac relocation?

**Mr. Horne:** Well, Mr. Speaker, I thank the hon. member for the question. When Edmonton city council announced their decision to close the City Centre Airport, we asked the Health Quality Council to conduct a study of the most appropriate site for the medevac facility immediately. That report was completed over a year ago. As was mentioned earlier, it contains 18 recommendations. One of the things that it emphasizes and that we continue to emphasize is that the vast majority of these flights are for scheduled services that are provided in our major tertiary care hospitals.

The other thing, of course, Mr. Speaker, that's important is to recognize, as members opposite do not, that before patients are medevacked, they are actually in the health care system. They have been treated, they have been stabilized, and with the aid of the Health Quality Council recommendations, we know they will be cared for properly in transit and upon their arrival.

**The Speaker:** The hon. member.

**Mr. Allen:** Thank you, Mr. Speaker. Also to the Minister of Health. The Health Quality Council of Alberta reviewed the relocation of medevac services and made 18 recommendations to ensure patient safety is upheld after the services are moved. How can you assure my constituents that these recommendations are being acted on and not swept beneath the carpet?

**Mr. Horne:** Mr. Speaker, we have tracked and reported on the progress in implementing those 18 recommendations. As the hon. member would know, all of them were accepted. My understanding is that almost all of them have now been implemented. There are a few that are in the process of final implementation. With the aid of that and with the knowledge of the fact that our patients' care begins before they leave for their medevac flight and with the knowledge that physicians and other health care professionals are supervising that transit and that care, Albertans can have great confidence in the quality and safety of this system.

**The Speaker:** The hon. member.

**Mr. Allen:** Thank you. To the same minister. Paramedics in my constituency have told me that the patients with severe trauma are already being treated in our Fort McMurray hospital without having to be transferred to Edmonton. How can our hospital continue to play a key role to prevent transfers?

**Mr. Horne:** Mr. Speaker, as the hon. the Premier mentioned in answer to an earlier question, we have some fine, fine health care facilities across northern Alberta. Northern Alberta residents have access to CT scanners. They have access to other specialized care in or near their home communities. That care assists us in providing as many resources as possible to prevent the need for patients to be transferred for scheduled services here in Edmonton. But when patients do require that transfer, we know that the medevac system is safe, it's of high quality, and it operates efficiently in order to bring them here for the care we need.

We will continue to invest, Mr. Speaker, in hospital expansions in Grande Prairie and in other communities.

**The Speaker:** The hon. Member for Calgary-Mountain View, followed by Edmonton-Calder.

## Emergency Medical Services (continued)

**Dr. Swann:** Thank you, Mr. Speaker. At a time when Alberta has increases in population, including seniors, and increased complaints about the lack of community care, this government has frozen home-care services, which means an increase in EMS service demands and emergency room visits. Does the minister not see how cutting home-care services is going to worsen the EMS situation?

**Mr. Horne:** Mr. Speaker, home-care services have not been cut in Alberta. Last year in the budget this government committed 45 million additional dollars to providing enhanced home-care services to allow patients who can be appropriately treated in the community to come home sooner. Alberta Health Services has made some very important operational changes in the last few months that will see greater numbers of residents in various communities across the province having access to home care who otherwise would not have, as a result of more efficient home care delivery. We know and the hon. member knows that much of the future of continuing care in this province remains contingent on continued investment in home care. We're committed to keep doing that.

**Dr. Swann:** Of course, the minister doesn't mention that most of that money went to private providers.

Seven Albertan communities have EMS staff that are shared between fire and ambulance, integrated. It's working both efficiently and well. Tell us how your EMS plan will strengthen, not destroy, the relationship between EMS and fire.

**Mr. Griffiths:** Mr. Speaker, at the press conference yesterday we discussed this matter, and I made it very clear that volunteer fire departments and our fire services are very closely tied with our municipalities, who also contract and decide who operates 911. It's very important that they still have control at the local level to manage that. I've appointed our associate minister to work with our fire services to make sure we have the integration necessary so that every single person in every single community knows that when they pick up 911, whether it's fire, police, or ambulance, they're going to get the care they need.

**Dr. Swann:** To the Health minister: how will the problem of poaching ambulance services from rural areas to urban, leaving rural areas vulnerable, change under this plan?

**An Hon. Member:** Good question.

**Mr. Horne:** Well, Mr. Speaker, it is a good question, and this is an issue that the Health Quality Council talked about at length yesterday, when the report was released. The answer is to complete dispatch consolidation across the province. We began with over 35 dispatch services across Alberta. That number has been gradually reduced. The end result will be consolidation of dispatch in two main centres, Edmonton and Calgary, with a satellite service in Peace River. The dispatch consolidation allows EMS staff to see all of the ambulance fleet across the province. It allows them to strategically and appropriately deploy ambulance services as close as possible to the scene where ambulance services are required and to enable that backup to be provided.

**The Speaker:** The hon. Member for Edmonton-Calder, followed by Innisfail-Sylvan Lake.

### Education Funding

**Mr. Eggen:** Well, thank you, Mr. Speaker. You cannot trust this government to stand up for Alberta schools. Public education in Alberta has been a train wreck, and the trail of broken promises leads straight to the top. This PC government won an election promising stable funding for schools, full-day kindergarten, and new schools in places like Fort McMurray, which hasn't seen a new public school in 26 years. My question is to the Minister of Education. Why is this government breaking its promises to improve Alberta schools at a time when they need it most?

**The Speaker:** The hon. minister.

**Mr. Bhullar:** Thank you, Mr. Speaker. Train wreck? Really? You have the Prime Minister of the United Kingdom who says that Alberta's public education system is amongst the best in the world. Others say that Alberta's public education system is the best in the English-speaking world. We invest very heavily per child in Alberta, we have the best paid teachers in the country, and we are proud that we've got the best standard across this country.

**Mr. Eggen:** Well, you know, given that the Education minister used teachers' private e-mails to contact them with his PC ad campaign and continues to interfere with local negotiations by telling school boards what they can and cannot offer teachers and given that this minister, as well, blew off a golden opportunity to settle with teachers in the fall, when will this government take responsibility for the failure of provincial contract talks and stop interfering with local negotiations?

**The Speaker:** The hon. minister.

**Mr. Bhullar:** Thank you, Mr. Speaker. Given that that member calls the hard work of Alberta teachers and school administrators and our parents and our students a train wreck, I think that member over there really needs to check the facts and really understand that we have one of the best education systems in not only Canada but the English-speaking world. We're proud of that. We put forward a fair and reasonable offer to our teachers. We're disappointed that it was not accepted, but we have a strong system. We're proud of that, and we're going to continue to maintain it.

**The Speaker:** Hon. Member for Edmonton-Strathcona, you rose on a point of order at 2:29. It's been registered.

The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thank you, Mr. Speaker. Well, you know, given that there are less than 50 modules available for the more than 500 that are needed across this province and given that this minister had limited modules and portables so that hundreds of families, for example in south Edmonton, had their lives turned upside down by having to move their school kids from school in the middle of the next year because of the shortage, why does this government not take action to prevent overcrowding and start improving Alberta schools instead of empty, empty, windbag promises like you're giving here today?

2:30

**The Speaker:** The hon. minister.

**Mr. Bhullar:** Thank you, Mr. Speaker. Those that make promises are those that the public doesn't trust to run a strong education system like we have. The fact is that we have actions to demonstrate the success of Alberta's public education system. It's a great system.

We've committed to continued infrastructure investment, 50 new schools. I would ask the member to pay attention to the budget on Thursday, where we continue to show that we're investing in families, that we're investing in our communities. We're going to make sure that Alberta is one of the best places to live, to work, and to go to school.

**The Speaker:** The hon. Member for Innisfail-Sylvan Lake, followed by Edmonton-Ellerslie.

### Supports for Couples Aging in Place

**Mrs. Towle:** Thank you, Mr. Speaker. Recently I travelled to 23 towns across Alberta to hear directly from seniors. I spoke with a 91-year-old woman whose husband of 68 years had Alzheimer's. He was in acute care awaiting placement, and she was able to visit and care for him. Sadly, the acute-care bed was needed, sending her husband to a bed more than a hundred kilometres away. That's 68 years of marriage dissolved by a single stroke of the government pen. A month later the man died all alone. To the Associate Minister of Seniors: will you please revisit the policy that forces families to be split apart so that no other couple has to leave a spouse dying more than an hour away?

**The Speaker:** The hon. minister.

**Mr. VanderBurg:** Thank you for the question, Mr. Speaker. Everybody knows how well we've done over the last number of years adding continuing care spaces to our communities. Whether it's in Hanna, whether it's in Lacombe, whether it's in Calgary, whether it's in Red Deer, whether it's in Boyle, whether it's in Sundre, we're going to continue to add spaces around this province like you've never seen before.

**The Speaker:** The hon. member.

**Mrs. Towle:** Thank you, Mr. Speaker. Sadly, that's not the truth. People are being removed from their communities.

Given that this government is ignoring the trend of separating couples and is all talk and no action on allowing Albertans to age in place together, when will the decision-makers on that side of the House realize that seniors built this province and make it a priority to ensure that all couples are able to age together?

**Mr. VanderBurg:** Mr. Speaker, the dignity and respect for our seniors aging in place is very, very important to me and very important to our government. Every one of the spaces that I just talked about, every one of those communities where we opened up new living spaces had opportunities and have opportunities for couples. Every one of our spaces going forward – we just closed the ASLI grant on February 22. All of those communities will have an opportunity for couples to age in place.

**The Speaker:** The hon. member.

**Mrs. Towle:** Thank you, Mr. Speaker. Given that we heard of another senior who was told that his wife would be sent 100 kilometres east of Hanna and the husband would be sent 100 kilometres west to Sundre, leaving them more than two hours apart after 60 years of marriage, will the Associate Minister of Seniors trust Albertans and end the policy that forces seniors into divorce by nursing home?

**Mr. VanderBurg:** Like I stated earlier, Mr. Speaker, we always strive to keep people as close to their homes as possible. The health care providers will always determine the best place, the

safest place for an individual to go to. I have to say that it's not always in our own communities in remote places in the province that we have that safe place for them to be discharged to from an acute-care facility, but we always strive to get them home, as close as possible to their families and their loved ones.

**The Speaker:** The hon. Member for Edmonton-Ellerslie, followed by Calgary-Shaw.

#### Medevac Services

*(continued)*

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. People in northern Alberta are calling for the province to expropriate the City Centre Airport in order to keep it open for medevac services from northern Alberta. My questions are to the Minister of Municipal Affairs. Would this even be legal for the province to do?

**The Speaker:** The hon. minister.

**Mr. Griffiths:** Thank you, Mr. Speaker. The province does have the legal ability to expropriate the land utilizing the Expropriation Act, but anytime the province considers utilizing the Expropriation Act, we do it with a lot of consideration for the landowners, in this case the city of Edmonton. I find it incredibly ironic that Keith Wilson, who's the advocate that's associated with the party opposite, is travelling around telling everybody that we should just expropriate, do the largest expropriation in the history of the province, with no consideration for the city of Edmonton. We protect property rights, and we respect individuals' ability to utilize those property rights.

**The Speaker:** Let's be careful about referencing people who aren't here and able to reply.

The hon. member.

**Mr. Bhardwaj:** Thank you, Mr. Speaker. Given the fact that it's legal to do so, Mr. Minister, if the province were to expropriate this land, what would you expect it to cost?

**Mr. Griffiths:** Mr. Speaker, we've heard an incredible variation in the numbers. I know that our department has reviewed it. This would have to be a process, if we followed through with it, that would go to a board for a hearing. It's very difficult to assess. We have some people who would support expropriating the land, saying that it's only a hundred million dollars, and we have the city of Edmonton, that says that it's close to \$2 billion, and we have other people that say that if you have to pay the municipality for the lost tax revenue that would come from such a large, valuable piece of property on the outskirts of the downtown of a large metropolitan centre, it could be \$6 billion. We don't exactly know, but it's a lot of money when it does not impact one iota the delivery of medevac services to the north.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. Given the concerns of people in northern Alberta about continued and timely access to medical facilities in Edmonton, will you consider undertaking a detailed study into the potential for expropriating this land and keeping the medevac services running?

**Mr. Griffiths:** Well, Mr. Speaker, the short answer to that question is no, and the long answer is no. It would cost money to do a detailed study, and quite frankly none of it impacts medevac

services, so we're going to allow the city of Edmonton to develop the land as they see fit and continue to pour our attention into supplying medevac services to people in the north.

**The Speaker:** Thank you.

The hon. Member for Calgary-Shaw, followed by Calgary-South East.

#### Subsidized Social Housing Program Abuse

**Mr. Wilson:** Thank you, Mr. Speaker. Last week we learned about six-figure income earners living in taxpayer-subsidized social housing – some of the residents in question are earning as much \$112,000 per year – this gross abuse of a program in place to assist Alberta's hard-working low-income earners. It appears this program is being gamed by individuals with more than enough means to support themselves while less fortunate Albertans are left to compete for affordable housing. To the Minister of Municipal Affairs: how did these egregious cases of abuse just sail through your department undetected for over a decade?

**Mr. Griffiths:** You know, Mr. Speaker, it's incredibly sad that the opposition would attack the Heart River Housing foundation, who manages those housing complexes for those who need affordable housing. Now, I know that they'd rented it out at market value – they give the implication that they gave it to them for free – in a very small community, and the Heart River Housing foundation felt that they weren't sure if they wanted to sell it because they were always worried that a week later somebody who needed affordable housing in the community might need it and that it was better to rent it out at market rate than to close it and leave no options for those who need affordable housing in that community.

**The Speaker:** The hon. member.

**Mr. Wilson:** Thank you, Mr. Speaker. Given that the ministry's own website suggests that the housing programs are responsible for "ensuring Albertans of modest means have access to affordable housing that meets their basic needs," can the minister explain how on earth a six-figure salary met the criteria for modest means and why Albertans should trust in your ability to manage the program?

**Mr. Griffiths:** Mr. Speaker, let's try this again. We have a very small community, where they just have a couple of units for affordable housing, and nobody needed the housing for 11 years, so it was rented out at market rate rather than sitting there vacant and deteriorating. They thought that they could get some value, and that money was poured into other affordable housing units to support those in need. I'd like to know what this member would like to do. Would he like to sell it off and leave that community in the lurch with no affordable housing or maybe just leave it vacant and let it deteriorate? This is sound management. They're going to evaluate their properties to see if they need to sell it or keep it for that community.

**The Speaker:** The hon. member.

**Mr. Wilson:** Thank you, Mr. Speaker. To the Finance minister: given that an individual earning \$112,000 a year was somehow deemed by this government as having a revenue problem, is this how you can look Albertans in the eye with a straight face and

suggest that a government earning \$40 billion a year also has a revenue problem? [interjections]

2:40

**Mr. Horner:** Hon. members, the question was to the Finance minister. We thought he was going to talk about the application process, so cool your jets.

Mr. Speaker, I will be honestly telling Albertans on Thursday about the financial situation of this province and the drop in revenue that we have had and experienced in this province, as had just about every jurisdiction in the country, including Canada's GDP.

**The Speaker:** Hon. Member for Airdrie, you rose on a point of order at 2:39 during the Minister of Municipal Affairs' first answer, and that has been noted.

### Members' Statements

(continued)

**The Speaker:** The hon. Member for Calgary-Hawkwood.

### National Social Work Week

**Mr. Luan:** Thank you, Mr. Speaker. I'm rising today to recognize that March 3 to March 9 is National Social Work Week, like hon. Minister Dave Hancock has already mentioned. This is a time when we can acknowledge registered social workers for their contribution to our province. As you know, I was a social worker myself before being elected. This is a helping profession, and I am passionate about it. Social workers help families stay healthy and resilient, help children to be safe, and assist others to make positive changes in their lives. This often results in creating caring and strong communities in our province.

Mr. Speaker, as Albertans we're always proud of our richness in natural resources. We are rich in energy production, but I like to think that we're also rich in caring people and communities. Alberta is being recognized increasingly in the world as one of the best places to live, to work, and to raise a family. I think the work that social workers have done over the years has definitely contributed to that.

The theme of this year's Social Work Week is Advocating for a Just and Equitable Alberta. Our government is very privileged to work in partnership with the Alberta College of Social Workers to promote this cause further. Strategies are under way to help develop and maintain a skilled workplace and leadership within the social work field.

On this occasion, Mr. Speaker, I want to encourage all Albertans to join our government in saying thank you to social workers in their community for the differences they are making.

Thank you.

### Volunteer Support for Stranded Motorists

**Mrs. Jablonski:** Mr. Speaker, Albertans believe in the good-neighbour policy, and on Sunday, March 3, when a powerful winter storm hit southern Alberta and forced the RCMP to divert travellers off the highway into the nearest town, the people of Claresholm, Fort Macleod, Nanton, and Oyen proved that they are indeed good neighbours. I asked for a list of the volunteers from these communities so that I could honour them on behalf of the government for their extraordinary acts of kindness as they sheltered, comforted, and fed people from a disastrous blizzard. I received three pages of names of businesses and individuals who worked alongside the first responders and their community council

members to help those who were stranded. Claresholm Fire Chief Kelly Starling told me that there were over 350 registrations at the reception centre, and people were still lined up to register when the highway finally opened after 6 p.m. He told me that the town CEO, Kris Holebeck, did not hesitate to open the arena for shelter and to call on council members and town employees to help the stranded travellers.

It didn't take long for many other volunteers to step up in these communities. They assisted with registrations, organizing billets, serving meals, and pushing cars out of ditches. Kieth Carlson's Roy's Place restaurant donated 200 hot servings of hearty stew, almost worth being stranded for. Individual families opened their homes for those who were too weary to travel and billeted them overnight.

Mr. Speaker, although I told you the story of Claresholm, I know that this story repeated itself in the communities of Fort Macleod, Nanton, and Oyen. We want to thank the RCMP, the fire departments, the municipal councils, the volunteers, the churches, the Royal Canadian Legions, the service organizations, and all the businesses who stepped up and donated everything from shelter and a shoulder to lean on to warm blankets and hot food. Although there's not enough time to name everyone, you know who you are, and in your communities they know who you are.

Thank you from the bottom of our hearts.

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

### Medevac Services to Northern Alberta

**Mr. Saskiw:** Thank you, Mr. Speaker. Medevac services to northern Alberta in a very literal sense are the lifeblood of their communities. So often we speak about northern Alberta and the tremendous economic potential that lies beneath the soil, but I think this government has forgotten about the people who actually live on top of it. I don't know how else to explain this reckless, irresponsible, and utterly absurd decision to reroute medevac services away from the downtown airport to the Edmonton International Airport effective March 15.

The bottom line here is this. The rerouting of medevac services is going to add between 40 and 50 minutes to every emergency. That's between 40 and 50 minutes added to a dying patient's trip to the hospital before he or she even sees an OR. That's between 40 and 50 minutes that he or she won't spend in life-saving care but in the back of an ambulance on a highway. Mr. Speaker, this isn't about rural versus urban or province versus city. It's about right versus wrong. To allow this decision to proceed and deny residents of my constituency and all northern Albertans the life-saving health care they need is just wrong.

In her party's leadership race the Premier said, and I quote: we need to ensure that we are providing as a provincial government the services northern Alberta needs. Premier, I'm going to hold you to those words. Northern Alberta needs those services. They have a right to those services. The decision to reroute to the Edmonton International Airport isn't going to cut it. Don't take my word for it. Take it from the 58 doctors who put their names to a letter urging you to reconsider.

Delay this decision, Premier. On behalf of the residents of northern Alberta I am pleading with you. Keep your promise for once. Do what is right for once. Don't cut northern Alberta off from life-saving health care.

Thank you.

## Presenting Reports by Standing and Special Committees

**The Speaker:** The hon. Member for Edmonton-McClung.

**Mr. Xiao:** Thank you, Mr. Speaker. As the chair of the Standing Committee on Legislative Offices I'm pleased to table five copies of the committee report, dated March 2013, containing its recommendation for the appointment of the Public Interest Commissioner. The copies of this report are being distributed to the members today.

Thank you.

## Notices of Motions

**The Speaker:** The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. I rise today to give oral notice of the introduction of Bill 11, the Appropriation (Supplementary Supply) Act, 2013.

## Tabling Returns and Reports

**The Speaker:** The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you, Mr. Speaker. I am very pleased to be tabling on behalf of the hon. leader of the third party a tabling which reflects the comments that he made during his question, comparing the current government's slashing of spending and previous Premiers'.

Thank you very much. May I continue with my own tablings?

2:50

**The Speaker:** You have a second tabling?

**Ms Blakeman:** I have a tabling for myself aside from the tabling I just did on behalf of Edmonton-Meadowlark.

**The Speaker:** Please continue.

**Ms Blakeman:** Thank you very much.

I am now tabling the appropriate number of copies of a fascinating presentation called *Municipal Revenue: An Examination for Discussion*. I want to point out that all of the data used in this does come from the Alberta Ministry of Municipal Affairs except where it is noted. This is really starting to break down the way the combined low – I'm missing the right word – assessment works, which is really creating a difference.

Thank you.

**The Speaker:** Thank you.

The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you, Mr. Speaker. I have four tablings. I will try to do them relatively quickly. The first is from a constituent of mine, Ms Susan Younggren. She is a pharmacist with a number of years of experience. She is concerned about some of the changes the government is contemplating on reimbursement charges. It's a very good letter. I have forwarded it to the minister.

The next is a letter from another constituent, Ms Lori Rosmus. She's highly concerned about the state of Alberta schools. Many of them, as you are aware, are in need of repairs, and the backlog in maintenance is becoming apparent and the size of school classes as well.

The next is an article by Dr. Roger Gibbins. It's entitled *Alberta Must "Double Down" on Heavy Oil*. Included in that, on the second page is a specific reference to the need for Alberta to change its fiscal structure, and if that's too cryptic for everybody here, to raise tax revenues to allow us to do both predictable, sustainable funding as well as to save for the inevitable day when we run out of this stuff.

The last tabling is comments made by a former MLA, a colleague of mine, Mr. Harry Chase, at the health care inquiry. As we know, Mr. Chase was very passionate about fighting for the issues that many people care about in this province.

Thank you very much.

**The Speaker:** Thank you.

The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thank you, Mr. Speaker. I would like to table the appropriate number of copies of postcard submissions that Albertans made to our prebudget tour, that we conducted in the last few weeks. I have some comments and interesting input from Robert, Bill, Helen, Sharon, Don, Lynne, and others. For example, Robert would like to see the government change the flat tax back to a progressive income tax. Submissions like this clearly show the priorities of Albertans and how out of touch this PC government actually is.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Centre has already tabled. Hon. members, I have a tabling as well, then, unless there are some others. Are there any other tablings? No? Thank you.

I am going to table something pursuant to section 39(3) of the Legislative Assembly Act, and that is five copies of the following orders that were passed at the December 19, 2012, meeting and at the February 7, 2013, meeting of the Special Standing Committee on Members' Services: specifically, item 1, Members' Services Committee Order 10/12, Constituency Services Amendment Order No. 26, effective April 1, 2013; item 2, Members' Services Committee Order 01/13, Members' Committee Allowances Amendment Order No. 10, effective February 7, 2013; item 3, Members' Services Committee Order 02/13, Executive Council Salaries Amendment Order No. 09, effective February 7, 2013; and finally, item 4, Members' Services Committee Order 03/13, Members' Allowances Amendment Order No. 25, effective February 7, 2013.

Hon. members, I believe we have a couple of points of order. I think, Edmonton-Strathcona, you were first off the mark. Would you like to proceed with a citation and your point of order, please.

## Point of Order Inflammatory Language

**Ms Notley:** Thank you, Mr. Speaker. I rise to raise a point of order under – I'm sorry; I should know this – 23 (h), (i), and (j). I should have this memorized. Clearly, it's my first day back. I should have been chanting it last night as I was falling asleep.

Anyway, the reason I rise is in relation to the comments made by the Minister of Service Alberta in response to the comments made in a preamble of a question put to the government, to the Minister of Education in particular, by the Member for Edmonton-Calder. In his question the Member for Edmonton-Calder outlined in his preamble his concern that the public education system is a train wreck. In supporting that suggestion, he pointed to specific issues. He talked about broken promises, Mr. Speaker. He talked

about promising long-term, sustainable funding. He talked about promises of full-day kindergarten. He talked about promises of new schools. He talked about the difficulty or the spectre we've had with the Minister of Education being under investigation for having inappropriately communicated potentially, just potentially obviously, with teachers around bargaining.

He also talked about the issue which we saw on the front page of the *Edmonton Journal* today, where 500 or so children are being asked to move to a school in another part of the city because of difficulties with respect to capital construction in the education system. So those were the things that he was talking about, and he was talking, in essence, about the public system.

The Minister of Service Alberta responded by suggesting that the Member for Edmonton-Calder was actually saying that the work of Alberta teachers was a train wreck, and that, of course, was not what the member had ever suggested. To suggest that the member was accusing Alberta's hard-working public teachers of having work that equates to a train wreck is, of course, everything that breaches 23(h), (i), and (j) in that he made allegations against the member and he imputed false or unavowed motives to another member.

It's particularly, Mr. Speaker, with respect to subsection (i) because essentially here was the Member for Edmonton-Calder using his first question in this session this year to raise concerns about the quality of our education system, concerns that he had heard about as our Education critic in his work meeting with probably now thousands of teachers and ATA locals and school board people across the province over the course of not only our budget tour but also in terms of his day-to-day work as our Education critic. He was taking their concerns into the Legislature to raise the concern that they have about what's happening to our system as a whole.

Then to have the Minister of Service Alberta turn around and impute a motive to him that somehow he didn't think those teachers were doing a good quality of work is really, I think, designed to create disorder in the Legislature and clearly implies an unavowed motive to the Member for Edmonton-Calder.

**Ms Blakeman:** As well as maligning.

**Ms Notley:** Indeed. He was maligning the Member for Edmonton-Calder by suggesting that he would make such statements.

The member was speaking about specific elements of the public education system, which, I would argue, can fairly be characterized as a bit of a train wreck when you look at everything that we've seen happen in our public education system; i.e., those things that are under the control of this government, which, of course, are the appropriate things for the member to ask the question about, those things which are under the control of this government. Those things he can talk about, and he can characterize it as he characterizes it because that's his right.

The issue is: are those things the things which are within the control of this minister or this cabinet? At no time was he ever suggesting that teachers in this province don't work desperately hard. In fact, they work increasingly hard every day, Mr. Speaker, as a result of the bad decisions and the broken promises that have been made by the people across the way in cabinet, which is the appropriate issue for us to be discussing here in this Legislature during question period.

I would ask that the Minister of Service Alberta withdraw the suggestion that the Member for Edmonton-Calder would ever suggest that teachers are not hard-working people whose quality of

work is very good and whose work, in fact, deserves our support and commendation every day.

Thank you, Mr. Speaker.

3:00

**The Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. It is with some delight that I rise to deal with this particular point of order. I would start by indicating that it's no surprise that the hon. member would forget 23(h), (i), and (j), making allegations against another member and imputing false or unavowed motives, because she so seldom has the opportunity to raise those against the members of the government. It so rarely happens. I'm not surprised that she wasn't up last night chanting them, but I am surprised that she fell asleep because I would have thought she would have been trembling with excitement at the context of a new session starting.

**Mr. Horner:** Weren't we all?

**Mr. Hancock:** I was.

With respect to her point of order there is, with respect, Mr. Speaker, no point of order. This is a classic definition of the term "hoist with his own petard". The hon. member threw a bomb in talking about the train wreck of the education system when he could have raised some questions, if he had legitimate questions, about some of the things that could be fixed. There are always things that could be fixed. There are always things that could be improved. But no. He tried to explode the whole education system as being a train wreck. In doing so, the shrapnel caught the whole education system, including the most important part of the education system, the thing that holds the education system together and makes it among the best in the world, and that's, of course, excellence in education, excellence in teaching. That's what we have in this province: excellence in teaching.

When the hon. member gets up to raise a question and starts with hyperbole, talking about the train wreck that's the education system – the most important part of the education system is excellence in teaching, which is excellent teachers – he cannot possibly hoist that petard without blowing himself up. It's clearly not the hon. member saying something bad about or casting a false and unavowed motive against the member who raised the question. He did it to himself.

**The Speaker:** I really don't think we need to prolong this any further unless somebody feels compelled to add something that we haven't heard so far. I've risen so many times on points of order where all we're really doing is trying to seek clarification for something.

Let me give you all a reminder here on day 1 that I'm not going to suffer unparliamentary language in this session, and I'm telling you that right now. If you're going to abuse rules that otherwise call for decorum and dignity in the House and civility, you should observe the rule that talks about not using inflammatory language that is likely to lead to disorder.

That's probably what happened here. One person hears it this way, another person hears it that way, and we have two varying opinions on it. How did he use it, or how did she use it? That leads to a point of order, and that takes up the House's time. That takes up my time, which takes up your time, and that doesn't roll the ball forward. Both sides have aired their differences on this matter, and we're going to move on.

Second point of order. Airdrie, please.

## Point of Order Imputing Motives

**Mr. Anderson:** I appreciate that, Mr. Speaker. We will endeavour on this side to do so and hope that the government will as well.

Quoting from the book of Standing Orders, chapter 23, verses (h), (i), and (j), is the citation here. The hon. Member for Calgary-Shaw specifically questioned the Municipal Affairs minister on a matter regarding public housing and folks who are making six-figure incomes being able to get subsidized housing in some cases. The member specifically asked how something like this could get through the Municipal Affairs ministry over a 10-year period without it being detected. It was a very clear question.

The Municipal Affairs minister then retorted, for some reason alleging baselessly that the member for Calgary-Shaw had impugned the folks that were working on the front lines, who are working on the social housing file in different agencies and so forth, saying that they weren't doing their job. Well, you know, I would say that anybody with a good understanding of the English language – and I know this minister does have a very good understanding of the English language. He's written books that would show that. He's a smart individual. He understands English. Clearly, that was not what the Member for Calgary-Shaw said. Clearly, he was asking this minister how his department had failed. He was not in any way blaming or casting aspersions on the agencies that do that hard front-line work.

I don't want to belabour this, but I would ask that in future the minister just answer the question instead of saying that when we ask a question about health care, we are casting aspersions on the doctors; if we're asking a question on education, it's the teachers; and so forth. I mean, we're not going to get anywhere in here if that's the case moving forward, Mr. Speaker.

**The Speaker:** The hon. minister.

**Mr. Griffiths:** Thank you very much, Mr. Speaker. I did hear that the hon. member had cast aspersions on the Heart River Housing foundation, that manages it locally. The Alberta Social Housing Corporation, which runs under Municipal Affairs, gets audited by our Auditor General, and we review those. We take submissions after the local Heart River Housing foundation, the one in this case, does an audit by an independent outside contractor, and they submit the report from the auditor to us. But we don't have all of the details.

The insinuation was that we did something wrong, but obviously the control lies within the Heart River Housing foundation's control. To insinuate that somebody had done something wrong was a direct attack on the Heart River Housing foundation. At least, that's the way I took it. I assumed that the member didn't honestly understand that they manage those affairs. They get very defensive, Mr. Speaker, because they are hard-working people who did their best to manage things at a local level and to serve the needs of local clients. So I did get defensive and accuse them of attacking them because they're the ones who manage it.

**The Speaker:** Thank you.

Well, both sides have had a chance to clear the air. Is there anyone else who feels compelled to add anything to this point of order?

If not, let me just remind people again about not only the language used but the tone, the intent, the timbre with which it is delivered. Quite often we do get a little bit carried away, frankly, on both sides of the House, so we just need to pay a little closer attention to that.

At the same time I might just remind you of *Beauchesne's* 494, where it says, "On rare occasions [certain things] may result in the House having to accept two contradictory accounts of the same incident." I think that's at play a little bit here. Accordingly, I don't find there to be a point of order, but I do find it a point of clarification. It has been had.

Thank you.

## Statement by the Speaker

### Oral Question Period Time Limits

**The Speaker:** Now, while I'm on my feet, let me just address a couple of other points that were quickly delivered to me over the last little while. It concerns the 35-second rule. Some of you will recall that in a procedural letter that I sent to you, I indicated words to this effect. I read them to you back in May of last year, and I'm going to read them briefly once again.

Members asking a question will be entitled to a main question and two supplementary questions. There should not be preambles to the supplementary questions. However, in keeping with the practice of the last Legislature, questions and answers should be no longer than 35 seconds each. The chair will enforce this time to enable the maximum number of members possible to participate in question period.

So far I've received two notes asking me about the 35-second rule. In fact, in both cases both hon. members indicated that they felt that in some cases we had gone up to 40 seconds and in some cases today we went up to 45 seconds. I want to clarify something for you, and that is that the clock for the 35-second rule does not technically start until the person starts to speak. Okay? So that will probably neutralize a couple of the questions. With respect to the other ones I'm going to check the tape tonight as I do every night after question period, and I'll do some of my own timings. So thank you very much.

In the meantime, please also understand that there are times when I have to cut off a government minister, there are times when I have to cut off an hon. member from the opposition or a private member from the government side who's asking a question, but there are also times when I let them complete a sentence when I see that they're almost ready to wrap up. Please leave that discretion with the chair; otherwise, we're going to have to have a sharp guillotine that none of you are going to enjoy.

Thank you. Let us move on now.

3:10

## Orders of the Day

### Government Motions

#### Evening Sittings

21. Mr. Hancock moved:

Be it resolved that pursuant to Standing Order 4(1) the Assembly shall meet on Monday, Tuesday, and Wednesday evenings for consideration of government business for the duration of the 2013 spring sitting unless on motion by the Government House Leader made before 6 p.m., which may be made orally and without notice, the Assembly is adjourned to the following sitting day.

**The Speaker:** Hon. members, pursuant to SO 4(1) this is not a debatable motion.

[Government Motion 21 carried]



### Transmittal of Estimates

**The Speaker:** The hon. President of Treasury Board and Minister of Finance.

**Mr. Horner:** Thank you, Mr. Speaker. I have received a certain message from His Honour the Honourable the Lieutenant Governor, which I now transmit to you.

**The Sergeant-at-Arms:** Order! All rise, please.

**The Speaker:** The Lieutenant Governor transmits supplementary supply estimates of certain sums required for the service of the province for the fiscal year ending March 31, 2013, and recommends the same to the Legislative Assembly.

Please be seated.

The hon. President of Treasury Board and Minister of Finance.

**Mr. Horner:** Thank you, Mr. Speaker. I now wish to table the 2013 supplementary supply estimates. When supplementary estimates are tabled, section 8 of the Government Accountability Act requires that a new or amended fiscal plan be tabled. Accordingly, the 2012-13 supplementary estimates include an amended 2012-13 fiscal plan. The 2012-13 supplementary estimates will provide additional spending for five government departments. When passed, the estimates will authorize approximate increases of \$401 million in expenses, \$55 million in capital investment, and \$77.5 million in nonbudgetary disbursements of the government.

### Government Motions

*(continued)*

22. Mr. Horner moved:  
Be it resolved that the message from His Honour the Honourable the Lieutenant Governor, the 2012-13 supplementary supply estimates for the general revenue fund, and all matters connected therewith be referred to Committee of Supply.

[Government Motion 22 carried]

23. Mr. Horner moved on behalf of Mr. Hancock:  
Be it resolved that pursuant to Standing Order 61(2) the Committee of Supply shall be called to consider the 2012-13 supplementary supply estimates for the general revenue fund for three hours on Wednesday, March 6, 2013.

[Government Motion 23 carried]

**The Speaker:** The hon. Government House Leader.

### Amendments to Standing Orders

24. Mr. Hancock moved:  
A Be it resolved that the standing orders of the Legislative Assembly of Alberta effective May 28, 2012, be amended as follows:
1. Standing Order 7 is amended
    - (a) in suborder (1) by striking out "Projected Government Business (Thursday)",
    - (b) by striking out suborder (6).
  2. Standing Order 8 is amended by adding the following after suborder (2):
    - (2.1) On Thursday afternoon no later than the time of adjournment, the Government House Leader shall provide notice to the Clerk of projected Government

business to be brought before the Assembly in the next week, which shall be published in the Order Paper for the next sitting day.

3. Standing Order 52(1) is amended
  - (a) in clause (a) by striking out "21" and substituting "18";
  - (b) in clause (b) by striking out "21" and substituting "18";
  - (c) in clause (c) by striking out "21" and substituting "18".
4. Standing Order 52.01(1) is amended
  - (a) by striking out "25" and substituting "18";
  - (b) in clause (b) by striking out "Aboriginal Relations,";
  - (c) in clause (c) by striking out "and Energy" and substituting "Energy and Aboriginal Relations".
5. Standing Order 57 is amended
  - (a) in suborder (1) by striking out all the words that follow "except" and substituting the following:
    - (a) as provided for under Standing Order 59.01, or
    - (b) with leave of the Assembly.
  - (b) in suborder (2) by striking out "suborder (1)" and substituting "suborder (1)(b)".
6. Standing Order 59.01 is amended
  - (a) by striking out suborders (1) to (4) and substituting the following:
 

59.01(1) Following the Budget Address, the main estimates of the ministries shall stand referred to the Legislative Policy Committees according to their respective mandates.

(2) The estimates of the Executive Council shall stand referred to the Standing Committee on Alberta's Economic Future.

(3) At any time following the announcement of the date of the Budget Address and no later than 3 sitting days following the Budget Address, the Legislative Policy Committees shall meet to determine a proposed schedule for consideration of the ministries' estimates that stand referred to them.

(4) Following the meetings held pursuant to suborder (3), the chairs of the Legislative Policy Committees shall provide the proposed schedules to the Government House Leader, who shall then finalize the schedule for consideration of main estimates, and such schedule shall be tabled by the Government House Leader in the Assembly no later than the Thursday preceding the first meeting scheduled for estimates consideration and shall be published in the Order Paper for the next sitting day.

(5) The schedule for consideration of the main estimates shall be subject to the following requirements:

    - (a) Legislative Policy Committees may only meet at the following times:
      - (i) on Monday evenings from 7 p.m. to 10 p.m.
      - (ii) on Tuesdays from 8 a.m. to noon

- 3:30 p.m. to 6:30 p.m.  
7 p.m. to 10 p.m.
- (iii) on Wednesdays from  
8 a.m. to noon  
3:30 p.m. to 6:30 p.m.  
7 p.m. to 10 p.m.
- (iv) on Thursdays from  
8 a.m. to noon
- (b) on Tuesdays and Wednesdays, the Assembly shall stand adjourned upon the completion of the daily routine and all matters arising in connection with the routine, to allow for Legislative Policy Committees to meet for estimates consideration unless the Government House Leader, upon one sitting day's notice, advises the Assembly that the Assembly must meet beyond the daily routine to deal with Government business and the remaining meetings to consider estimates and the date for the vote shall be rescheduled as necessary;
- (c) on Tuesday and Wednesday afternoons, Legislative Policy Committees may commence estimates consideration notwithstanding that the Assembly has not completed the daily routine and if a vote is called in the Assembly, a Committee shall recess to allow Members to attend to vote;
- (d) the estimates for a ministry shall be considered for a minimum of 2 hours to a maximum of 6 hours;
- (e) the estimates of the Executive Council shall be considered for a maximum of 2 hours;
- (f) no more than 2 Legislative Policy Committees shall be scheduled to consider estimates at the same time.
- (6) Subject to suborder (7), a Legislative Policy Committee shall consider estimates in the following manner:
- (a) the Minister, or the member of the Executive Council acting on the Minister's behalf, may make opening comments not to exceed 10 minutes;
- (b) for the hour that follows, members of the Official Opposition and the Minister, or the member of the Executive Council acting on the Minister's behalf, may speak;
- (c) for the next 20 minutes, the members of the third party, if any, and the Minister or the member of the Executive Council acting on the Minister's behalf, may speak;
- (d) for the next 20 minutes, the member of the fourth party, if any, and the Minister or the member of the Executive Council acting on the Minister's behalf, may speak;
- (e) for the next 20 minutes, private Members of the Government caucus and the Minister or the member of the Executive Council acting on the Minister's behalf, may speak, and
- (f) any Member may speak thereafter.
- (7) If a ministry's estimates are scheduled to be considered for fewer than 3 hours, the speaking times in suborder (6) shall be adjusted proportionately subject to any other decision of the committee.
- (b) by renumbering suborders (5), (6) and (7) as suborders (8), (9) and (10), respectively;
- (c) by adding the following after suborder (10):  
(11) During the period that main estimates stand referred to the Legislative Policy Committees, such period commencing the first day that estimates are scheduled for consideration and ending when the final vote in Committee of Supply occurs, these Committees shall not meet to consider any other matter nor shall any other committee of the Assembly meet during this period, unless otherwise ordered by the Assembly.
7. Standing Order 59.02 is amended
- (a) by striking out suborder (1) and substituting the following:  
59.02(1) The Standing Orders of the Assembly shall be observed in the consideration of estimates except as follows:
- (a) during consideration of interim or supplementary estimates, the rotation outlined in Standing Order 59.01(6) shall apply;
- (b) all speaking times are limited to 10 minutes at one time during the rotation outlined in Standing Order 59.01(6)(a) to (e);
- (c) all subsequent speaking times are limited to 5 minutes at one time;
- (d) a Member may speak more than once.
- (b) in suborder (2)
- (i) by adding "or (c)" after "suborder (1)(b)", and
- (ii) by striking out "for a total of 20 minutes";
- (c) in suborder (3)(a) by adding "or to respond to questions from the Committee at the request of the Minister during main estimates consideration" before "and".
8. Standing Order 59.03 is amended
- (a) in suborder (1)
- (i) in clause (a) by striking out "Standing Order 59.01(6)" and substituting "Standing Order 59.01(9)",
- (ii) in clause (b) by
- (A) striking out "department" and substituting "ministry",
- (B) striking out "department's" and substituting "ministry's", and
- (C) striking out "departments" and substituting "ministries",
- (b) in suborder (2) by striking out "Standing Order 59.01(6)" and substituting "Standing Order 59.01(9)",
- (c) by striking out suborder (4) and substituting the following:

- (4) On the date scheduled for the vote on the main estimates, if the vote has not been taken earlier, the Chair shall interrupt the proceedings at
    - (a) one hour before the normal adjournment hour as defined in Standing Order 64(1)(b) if the vote is scheduled for an afternoon sitting, or
    - (b) 9 p.m. if the vote is scheduled for an evening sitting,
 and, if required, Committee of Supply shall be called and the Legislative Policy Committee Chairs shall report without question put and then voting on the main estimates shall proceed.
  - (d) by adding the following after suborder (6):
    - (7) Following the Committee of Supply's report to the Assembly on the main estimates, the Assembly shall immediately revert to Introduction of Bills for the introduction of the appropriation Bill.
9. Standing Order 61 is struck out and the following is substituted:
  - 61(1) Interim and supplementary estimates shall be considered for not less than 3 hours.
  - (2) A member of the Executive Council may, with at least one day's notice, make a motion to determine
    - (a) when Committee of Supply may be called to consider interim or supplementary estimates, and
    - (b) the amount of time for consideration,
 and such questions shall be decided without debate or amendment.
  - (3) Following the Committee of Supply's report on interim or supplementary estimates, the Assembly shall immediately revert to Introduction of Bills for the introduction of the appropriation Bill.
10. Standing Order 64 is amended by adding the following after suborder (5):
  - (6) If more than one appropriation Bill is moved for second or third reading in the Assembly or considered by the Committee of the Whole on any day, and the Bills are at different stages, the questions on the appropriation Bills shall be put in the following order:
    - (a) Committee of the Whole;
    - (b) second reading;
    - (c) third reading.
11. Standing Order 89 is struck out and the following is substituted:
 

Publication of time limits

89 When the sessional calendar is published under Standing Order 3, the Clerk of the Assembly shall publish a notice stating the day that the time limit for receiving private Bills will expire

  - (a) on the Legislative Assembly website, and
  - (b) once a week for 2 consecutive weeks in every daily newspaper published in Alberta.
12. Standing Order 91(1) is amended
  - (a) by striking out clause (a),
  - (b) in clause (b) by striking out "the session" and substituting "the sitting in which the petition will be presented".
13. Standing Order 92 is amended by striking out "\$200" and substituting "\$500".

14. Standing Order 94(2) is amended by striking out "following the opening day of the session" and substituting "following the first day of the first sitting in any year".

Transitional - Petitions for Private Bills

15. In 2013, notwithstanding Standing Order 94(2), the Clerk shall publish a notice as outlined in Standing Order 89 that sets the time limit to 30 days following the date this motion takes effect.
- B Be it further resolved that the amendments in this motion come into force on passage.

**Mr. Hancock:** Thank you, Mr. Speaker. This standing order is necessary to help us proceed with, essentially, the process following the budget. There are a few minor pieces in there which I would point out. Subsections A(1) and A(2) deal with simply removing the Routine called Projected Government Business (Thursday) and then provide that that projected government business will be supplied to the Clerk's office and printed in the Order Paper. That's basically an unnecessary process that we go through every week.

We also in subsection A(3) reduce the number of members on standing committees from 21 to 18. There are three standing committees that had 21 members, and we're asking that they be reduced to 18.

Subsection (4) does the same thing by changing the size of the legislative policy committees from 25 members to 18 members and by moving the responsibility for the Department of Aboriginal Relations from Alberta's Economic Future Committee to the Resource Stewardship Committee.

Those are our processes, and I think everybody would agree with those. We've had some conversation around those in the past. We started with 25 members on the committees and 21 members on the committees in the interest of ensuring that every member of the opposition had an opportunity to be on one of the committees, but I think everybody agrees that the sizes of those committees are too large to be appropriately functional. With the substitution rules that we have, any member who wants to participate – first of all, any member can attend. They now by protocol get notice of all the meetings. Any member that wants to attend a committee meeting can, and they can participate in those meetings but for moving motions and voting. If they want to participate by moving motions and voting, the substitution rules allow that rather well. Those are fairly routine pieces.

The meat of this motion is really about the procedure for estimates. Members will recall that in the standing orders as they're printed now, every department goes to either a legislative policy committee or the Committee of Supply essentially for three hours. It doesn't matter whether there's \$12 billion in the budget or \$1 million although I guess there are none with \$1 million but maybe \$30 million or \$60 million; they go for the same time to committee. Opposition House leaders and I have talked over the years about how we could do it better, how we could allocate more time for larger departments, how we could ensure that there's enough time.

Also, Mr. Speaker, one of the things that we're cognizant of is that now there's a fewer number of ministries. We've gone down now to essentially what would be 18 ministries, including Executive Council. Under the old rules that would only allow for 54 hours of consideration of estimates. I know that the Member for Edmonton-Centre for one has always argued that there ought to be more time, not less, for the consideration of estimates. In acquiescence to her desire to continue with a lot of time for the appropriate consideration of estimates, we're proposing here that,

in fact, all estimates go to the legislative policy committees, including the Executive Council estimates.

The legislative policy committees can determine the length of time for each ministry, a minimum of two hours and a maximum of six hours. We've tried to create the greatest possible latitude in the standing orders for the scheduling of meetings: not Monday mornings because members are arriving from across the province to attend, and there are other things that need to be done on Monday mornings; not Thursday afternoons because, as we determined a number of years ago, we want to get back to the constituencies to have an opportunity to be there to consult with our constituents on Fridays and over the weekends, and for some travelling, clearly, they can't make their travel arrangements if we have a late or even a normal adjournment hour of 6 o'clock on Thursdays. So not providing for scheduling on Monday mornings or Thursday afternoons, but otherwise during the week every available time could be made available, including adjourning the House right after the Routine to allow the LPC to sit and meet and consider estimates provides the greatest amount of flexibility for scheduling.

We will still have a horrendous job – and it is a horrendous job – of sitting down, first of all, with the House leaders in the opposition to look at what is the art of the possible and then to consult with the legislative policy committees, which is a new step and one that I embark upon with some trepidation as I'm reminded eloquently from time to time by, again, the Member for Edmonton-Centre that that creates some difficulties in the process. But I think it's important. We've said that the legislative policy committees, the all-party committees of the House, have an important role. One of their important roles should be to own their agenda. That means they should have a say in the setting of the agenda. That is the purport of (6) in the proposal. It's really to set up the maximum possible times. I can tell you that I've heard from the House leaders opposite that they're not particularly interested – in fact, I would think they stated it a little bit more strongly – in morning meetings. I understand that.

We've always been reluctant to schedule two committees at a time, but we also have to determine an appropriate length of time to deal with the budget estimates and get appropriation acts passed on a timely basis. Our hope would be to do that this year by the end of April. So within that time frame we have the latitude to schedule the estimates. We'll work with the opposition to schedule them. We won't be pleasing everybody all the time, but we will do our very best to make it a palatable approach and one which gives primacy to the idea that we should spend the time necessary to appropriately examine our estimates, to hear the ideas that might come forward – and I'm sure there are some good ideas – as to how we could do better with them, and then follow through on that.

3:20

Because estimates are so important and because it is hard work – and I wouldn't want anybody in the public that may be listening right now to think that this is not hard work. The estimates are a heavy read, and getting in behind them is heavy work. So we're saying in these amendments that other committees shouldn't meet while estimates are being considered. We should be able to have members focus their attention on the estimates and not have to be running off to other legislative committees at that time. I think there's a proviso there that allows something to happen in an emergency.

By the same token, while we're talking about the House adjourning after the Routine each day to allow LPCs to meet in the afternoons, to provide more time for that, we do reserve the

right, on appropriate notice, to call for government business in an afternoon and evening and, if we do, to then make appropriate adjustments to the schedule.

We've asked that Standing Order 59.03 be amended to allow for greater participation by officials in the estimates process. Normally, in fact, in Committee of Supply ministers are there and respond to the questions. Then we changed the rules to allow officials to come in so that answers could be more complete, and then we changed the rules to allow the opposition to bring someone in to assist them with it. We want to take this one step further and say that where appropriate, officials can answer the questions. It's an appropriate addition because the concept here is to get the best information out and to appropriately respond to questions.

That's the meat and substance of this. It does provide that there are issues with respect to the Appropriation Act. The Appropriation Act has usually been interpreted in an appropriate way, but if there are two competing appropriation acts on any given day, the question has always been: "If one gets voted, what happens? Do you pass the time to vote the other one?" This provides clarity that they're voted in succession.

The vote would remain exactly the way it is in the standing orders now, where amendments could be moved in legislative policy committees but not voted. The legislative policy committee reports are reported with any amendments to the Committee of Supply. We then vote on the estimates by voting on any proposed amendments first, any so-called pullouts that any member has decided they want to be voted on separately, and then a rollout vote of the rest. What is in the standing orders here is sort of a clarification of the time, whether it's in the afternoon or the evening, when that vote will be held if it hasn't been previously called on the day it's been scheduled.

Then a little piece here, and I have to admit to it being somewhat personal. After the Committee of Supply reports to the Legislative Assembly that the estimates have been considered, we amend the standing orders to allow for an automatic reversion to Introduction of Bills. Now, I'll have to admit that we used to do this as a matter of practice. We used to ask for unanimous consent of the House every time for reversion to Introduction of Bills so you could introduce the Appropriation Act following the report of the Committee of Supply.

I forget what the incident was where I earned the umbrage of the hon. Member for Edmonton-Centre, but I will take full responsibility for the fact that I did something which caused her to be mad at me and promise that she would never again give unanimous consent, and she hasn't. She has kept her word. She has not given unanimous consent ever since that point to reversion to Introduction of Bills. However, it's time that we moved past the individual personalities of the Member for Edmonton-Centre and the Member for Edmonton-Whitemud for the better good of the province and put in here that we can revert to Introduction of Bills so that the Appropriation Act can come in and be passed on a timely basis. So that's a little story for the record but one that I think is important to point out, that's it not just me with a heavy stick. It's really for the good of Alberta that we do these things.

Then there is a provision for the interim supply estimates, just clearing up that the time in which they are to be determined is not less than three hours but an amount of time that's actually set in the motion. That's because we have some practice of having it shorter if they're smaller and more than one day, as it used to be called, for larger ones.

Then a piece in the proposal, in the amendment, Mr. Speaker, allows for moving ahead with private bills. Members will know

that under our current standing orders at the beginning of every new session there's a time set by the Clerk for receiving petitions for private bills. This year we're not starting a new session, so there's no opportunity for members of the public who wish to have a private bill to petition for one. So we wish to make a change there because that's an unintended consequence of not having a new session, to allow in each year that time period to be started whether a new session starts or not so that private bills can come forward. We don't have that many every year, and some years we don't have any at all, but as long as we have that privilege in our precincts to allow that, we should give people the opportunity to do that. There are, I think, two or three waiting in the wings to come forward this year. So that would be the end part of the session.

Of course – and I have to blame this on the Clerk's office, Mr. Speaker – for the last three years, at least, maybe four, they've been wanting to raise the fees. The last part in that does allow for the raising of the fees. They haven't been raised for I don't know how many years, maybe 20. I'm not sure that's the right number. But for a long, long time fees for private bills have not been raised. There's considerable work that goes into them in the Clerk's office. It was seen appropriate. This was the appropriate time for the Clerk's office to win that particular argument and have included in the standing orders the increase of fees.

It goes on further to provide that the amendments, Mr. Speaker, would come into force on passage, and that's, of course, so that we can immediately utilize them following the delivery of what I know will be a fantastic budget for Alberta on Thursday.

**The Speaker:** Thank you.

The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much, Mr. Speaker. I really appreciate the courtesy extended to me by the Official Opposition in allowing me to come in front of them in order to present some support and a few suggestions to make this Government Motion 24 better. The standing orders, as everybody knows and loves, are the rules that we all agree to work by. It is the smallest book that we have in our arsenal. These are our rules. We develop them. We agree to work by them. So changing them is important. I have in my time seen two major rewrites and about a dozen minor rewrites of these.

I do want to say that the Government House Leader is very kind in crediting me with a number of things. Perhaps I should just be credited with being annoying enough that he feels he has to change things. I prefer to see it as that I am upholding democracy and making sure that we continue to allow the government to have enough days in session to be as transparent as they would like to be. Isn't that generous of me? There we go.

[Mrs. Jablonski in the chair]

There are a number of very good suggestions here in Government Motion 24. The idea that we would get rid of the necessity of the somewhat archaic point of having the Official Opposition House Leader stand and formally ask for what the projected business would be: you know, we can do that now electronically and in a number of other ways of sharing information.

I am particularly pleased to see the opportunity to improve our budget system. I had reached the point, quite frankly, after last year that I wasn't going to participate in budget debates anymore because they were so useless. I know that's crushing news to the

Government House Leader, but honestly they just weren't. The format of them wasn't working.

3:30

The fact that we would debate the Department of Health, that had a budget of \$9 billion and a number of complex departments under it, for the same amount of time as we would debate any number of other ministries that had much smaller budgets or much simpler components underneath them just didn't make sense to me. We have been able to agree amongst the House leaders that we would in fact look for ways in which we could spend more time on the more complex and higher budget ministries than on some others, and I'm pleased that we have been able to get that far.

I do have some concerns with some of the things that have been raised, and ever looking forward to improving our experience in this House, I do have an amendment to Motion 24 – it's at the table now – if we could pause for a moment and have it distributed to the members.

**The Acting Speaker:** Thank you, hon. member. We will pause for a moment while those papers are handed out.

You may now proceed.

**Ms Blakeman:** Thanks very much, Madam Speaker. I have noticed some tendencies from the government over the last number of years while I've been working with the standing orders, and I am trying to dampen the government's enthusiasm for those tendencies because I think that ultimately they do not serve this Assembly well. I know that it's an inconceivable thought by hon. members opposite in the government, but honestly, if they had to consider some of the standing orders and some of the proposed changes as having to work under them as opposition members, they wouldn't be quite so keen to have them passed. I'm just looking out for the best possible for you. In case you ever do end up in opposition, I will have made it a little less difficult if you will support me by passing my amendments.

One of the tendencies that I have seen is an increase in the sitting times per day but a steady decline in the number of days that we are actually here in the Assembly. For those of you that are keeping track, fewer days in this Assembly is fewer question periods in this Assembly. So, again, in trying to help the hon. members in the government be as transparent as they say that they'd like to be, the more question periods that are provided to them, the better off they will be, and the better off we will all be. I'm trying to stop that tendency to shrink the number of sitting days in a session.

The other tendency I've noticed is an increasing number of motions which the government puts forward that cannot be debated. We've already had a couple here this afternoon; for example, the evening sittings. Well, that's now worded in such a way that when the Government House Leader introduces a motion that we will have evening sittings, it goes to a vote without debate. So we're no longer able to talk about this, how it affects our families, how it affects our ability to do our work, or anything else because it's another motion that under the standing orders goes to a vote without debate, and I don't think that's the best thing for democracy.

One of the final points I wanted to make is that although I appreciate and I think it's helped all of us to have staff on the floor with us during the estimates debates, I have one hesitation. I will call it – I can say the name of someone who used to be here, right? – the memorial Gary Mar concern. When Mr. Mar was a minister of the Crown and I used to appear opposite him in Public

Accounts, he was not keen on being there, I'll admit. We were kind of stuck because if he wasn't there to answer the question, nothing could happen because we weren't allowed to question his staff. That's moved a long way now. We can now have staff on the floor to assist ministers. But what I don't want to see is the point where the minister disappears entirely, which our former colleague was wont to do, wander off to the back and get on his cellphone and indulge in whatever goodies were backstage there. Just my little request that we not end up with that kind of a situation happening, in honour of that particular minister's behaviour in the past.

Now, let me go to the amendment to Motion 24 which has been brought before us. I'll go through the sections that I've got here and tell you why I've asked for this.

Ms Blakeman moved that the motion be amended in Part A as follows:

A. Section 2 is amended in the proposed Standing Order 8(2.1) by striking out "provide notice to the Clerk" and substituting "provide written notice to the Clerk and all House Leaders".

B. Section 5 is struck out.

C. Section 6(a) is amended in the proposed Standing Order 59.01

(a) by striking out suborder (3) and substituting the following:

(3) Following the announcement of the date of the Budget Address, but no later than the date of the Budget Address, the House Leaders shall prepare a proposed schedule for consideration of the estimates by the Legislative Policy Committees and shall transmit that schedule to the chairs of those committees.

(3.1) Following the receipt of the proposed schedule under suborder (3), but no later than 3 sitting days following the Budget Address, the Legislative Policy Committees shall meet to consider and, if required, make changes to the proposed schedule for consideration of the ministries' estimates that stand referred to them.

(3.2) If the House Leaders are unable to reach an agreement on the proposed schedule under suborder (3), the Legislative Policy Committees shall prepare the proposed schedule for consideration of the ministries' estimates that stand referred to them.

(b) in suborder (4) by striking out "suborder (3)" and substituting "suborder (3.1)".

(c) in suborder (5)

(i) in clause (a) in subclauses (ii), (iii) and (iv) by striking out "8 a.m. to noon" wherever it occurs, and

(ii) by striking out clause (c).

D. Section 8 is amended by striking out clause (d).

E. Section 9 is amended in the proposed Standing Order 61

(a) by striking out suborder (1) and substituting the following:

(1) Subject to suborder (1.1), interim and supplementary estimates shall be considered for not less than 3 hours.

(1.1) When supplementary estimates

(a) total more than \$1 billion, or

(b) affect 8 or more ministries,

the estimates shall be considered for not less than 6 hours.

(b) by striking out suborder (3).

The first section, A – forgive me for this because you've got to kind of follow along like one of those complicated agendas. My sections A, B, C, D, and E are the sections in order to note what I've done here, but if you read on, section 2 is actually what you will find on the outside of the Standing Orders as they appear in your Order Paper, okay?

Section 2 is amended in the proposed Standing Order 8(2.1) by striking out "provide notice to the Clerk" and substituting "provide written notice to the Clerk and all House Leaders." The reason I've done this is just to clarify. We stated earlier that we really didn't need to have the Official Opposition House Leader standing up and asking the government to reel off into *Hansard*, just to stand there and do it, frankly, the projected government business. Fair enough. But the way Motion 24 was written to refer to this is that information would be provided to the Clerk.

I just wanted to clarify that that information would be provided to the House leaders so that we can then work with our staff and our MLAs to make sure that we've got it soon enough. I didn't want to see a situation happen where information went to the Clerk, it turns up in the Order Paper, but we don't get an early Order Paper; we see one Monday morning. Tough to schedule your colleagues when the first time you hear about the projected government business is Monday morning. This was just an amendment to make sure that the House leaders would also get the written information and would get it on the Thursday that we're in here, a small change but an important one for opposition members.

Section B is striking out section 5 completely, and that is section 57 in our standing orders. Now, Standing Order 57 is a long-held tradition of this Assembly, and it says that when the Assembly is in and sitting, no other committee may meet. You think: well, what's the big deal? Well, it is a big deal. We're all in here, in the Assembly, to do the work of our constituents, and it's difficult at times to do the work of our constituents if there's business going on in the Assembly and you are required to be sitting in a committee that is meeting somewhere else. So we've always had a rule: no other committees when the Assembly is sitting.

We've had occasions where we've done all-nighters, and it comes around to Wednesday morning. It gets close to the 8:30 time, when Public Accounts is going to start, and Public Accounts can't happen because the Assembly is still sitting, and neither should it happen because we want the full attention of members to be on the Assembly. The Assembly trumps the committees, in other words.

What I don't want to see is a situation where the Assembly is meeting and we're sending people out of here and off to do work in committees. That is not a good idea, as far as I'm concerned. It splits the focus of people, and frankly we can't all do the good job that we came here to do on behalf of our constituents and on behalf of Albertans.

I have asked for that section to be struck out. It's a section that is being amended to say that the LPCs, the legislative policy committees, which are doing our budget estimates, could meet at the same time as the Assembly is in.

3:40

There's a second point later on, where it talks about if the business of the Assembly is still continuing – for example, if we went past the usual time because we had a point of privilege or a Standing Order 30 emergency debate – again, this would allow the LPCs to go off and start. I just don't think that should be allowed. I don't think that's in all of our best interests.

Interestingly enough, it also allows the government to continue to shorten the time that we sit. So aside from the conflict that is created and a lack of attention on the business of the House, it also manages to get two things done at the same time and shorten our total sitting time.

Section C, which is amending 6(a) in Government Motion 24, which in turn amends Standing Order 59.01, is really about how we negotiate the schedule of the budget debates. I wanted to make sure here that we didn't do something unfair to the committees, and that is just kind of dump on them: "Okay, you guys. Go off and figure out the time schedule." I've sat in enough of these committees where we all struggle with our electronic devices to even organize the next meeting of the committee, and most times it ends up being deferred to the clerk, who has to do some sort of straw poll, a call-out to all the members to find out when the members of the committee can get together for the next committee meeting. Oh, my Lord, can you imagine having to try and organize a budget debate of all of the departments of the government, doing that at a committee? It's just not fair to do that to the people that are on that committee.

What I proposed was that the House leaders together would present a schedule in a certain timing to the LPCs. The LPCs would be able to pretty much review it and just make sure that we hadn't, you know, gone astray for some reason. That's not usually going to happen because you've got three opposition parties and the government, and if they can all agree, that's about as good as you're going to get. We also as House leaders make sure that each of our caucuses adheres to the agreement that we've made, so we guarantee that everybody will pull along behind it.

That's what I've done here, just adjusted it a little bit to present it to the LPC. The LPC can review it, change it if they need to, and then if we can't agree, it goes to the LPC to do the best they can. In the end, it all goes back to the Government House Leader because it's about that time that some of our beloved ministers remember that, oh, indeed, they had been scheduled to be in Berlin, so no, they couldn't do it that day, and could we please rearrange the whole schedule for them? That then gets punted into the lap of the Government House Leader, and good luck to him. That's what we're trying to do.

Thank you, by the way, for reducing the size of those committees. Twenty-five people was just unworkable, and we're down to 18, I think, in most cases.

**The Acting Speaker:** Hon. member, I hate to interrupt you, but I neglected to give your amendment a name. Just for the record we will call your amendment A1.

**Ms Blakeman:** Thank you very much, and I would like to move acceptance by everyone in the Assembly of amendment A1, which is an amendment to Government Motion 24 as appearing on the Order Paper. Thank you so much.

Just continuing on with the amendments that I have in front of you here, section (b) is amending suborder (4) by striking out "suborder (3)." That's really just a renumbering to make sure that the reference that appears in the next section is actually referring to the right thing now.

Section (c), suborder (5). Oh, boy, this is complicated. You can see why I would really feel bad about putting all of this in front of a committee.

Standing Order 59.01. Okay. How could I have missed this? I believe that we all work hard. I do. No matter whether you're urban or rural, you're in the government or not, I think we work hard. What's interesting is that we have a better sense on the

opposition sides of what the government's kind of schedule is and where your heavy load is. For some reason the government just never quite clicks into the fact that for opposition members morning is a heavy workload. That's when we get a lot of the stuff done that you see now. So to propose that we would meet in these legislative policy committees to debate budgets from 8 a.m. to noon and then from 3:30 to 6:30 and then from 7 to 10, aside from the fact that I'm sure there are child labour laws that don't allow that somewhere, not that we're children: we can't do that. We just can't.

I didn't want it to sit in there. I mean, your Government House Leader is a good man and would not abuse this, but I didn't want it to sit there in case it might be used by an evil twin in some years in the future. I think we should just strike it out and not leave it lying about to be tumbled over by somebody in the future.

[The Speaker in the chair]

Finally, the second part that I was talking about, where the legislative policy committees may commence consideration notwithstanding that we're still sitting in the House, and the final bit turns up in section 8, and that is about departments and ministries – oh, it's the last piece. Okay. If the minister calls this the Laurie Blakeman memorial amendment because I wouldn't give him unanimous consent, this is not right, and the member knows it's not right. We have a long-standing tradition in this Assembly that money bills get four days: first reading, second reading, Committee of the Whole, third reading. They get four days, and you cannot introduce an appropriation bill until you have voted on the estimates. This ends up putting them together. No, no, no. Tsk, tsk, tsk. It is queue-jumping, and once more, folks, if you're paying attention, it cuts one more day off the number that we're here. I know that those members present on the other side desperately need that additional day to be transparent in question period, and I'm helping them with that.

Finally, the last section, section 9, is what I call the Laurie Blakeman memorial amendment. I have always said that if we are looking at a supplementary supply in which more than a billion dollars is being considered or more than eight ministries are under examination, we should have more than three hours to do it. So my final section in the amending motion is to make sure that if that is the case, we would have a minimum of six hours to debate in Committee of Supply. Some of you happily have not been here when we've had to do that, but honestly I have had supplementary supply budgets of well over a billion dollars with up to 14 ministries being debated, and you've got three hours. I mean, nobody, even the chipmunk singing family, can talk fast enough and get questions out of government fast enough, so it does no one a service.

Those are the amendments that I am proposing. I believe that they're all reasonable. I've kidded you a bit about some of things I've proposed. I do really support the Government House Leader for the work that he's done here, but I am making those suggestions because I think it will result in the best rules for us all to agree to work by, to make it the most fair to members of the opposition, and because a good opposition makes a good government. There's nothing in these amendments that should scare anybody over there. I'm not pulling any fast ones. It's all pretty easy to look at. I would ask that you support me in this amendment to the Government House Leader's Motion 24.

Thank you very much for your attention, and I look forward to your support.

**The Speaker:** Thank you.

The hon. Member for Airdrie, followed by Rimbey-Rocky Mountain House-Sundre.

**Mr. Anderson:** Hi, Mr. Speaker. I wanted to refer to *Beauchesne's* 688, on page 205. We've done this traditionally. Where we have something like this, where we have a motion with multiple parts in it, we sever the vote so that we're voting on each individual one because there are ones in here – and I'll get to my comments in a moment, but could we have that courtesy extended to us so that when we vote on this, we could vote on each of the different sections in amendment A1? Would that be appropriate for us to do?

3:50

**The Speaker:** It's certainly okay by the chair. Let me seek the consent of the House on it because this is a very complicated motion with many parts to it, and the amendment approaches it from a similar standpoint. Is anyone objecting to that? If not, let's just do it that way. We'll debate the amendment and then the motion as amended, or not, in its entirety, but we'll come to the vote, and we'll do it section by section if that's the wish of the House. Let's do the amendment first. You're asking about the amendment first, right? Are we agreed with that, then?

**Ms Blakeman:** To vote the amendment separately.

**The Speaker:** Yes. We'll deal with the amendment in that fashion, then.

**Mr. Anderson:** Right. Sorry. The amendment, not the motion.

**The Speaker:** Okay. Thank you.

**Mr. Anderson:** I'd like to speak to this amendment and the motion generally but certainly the amendment. I have mixed feelings about this motion for several reasons. I am very happy with the idea that we as opposition House leaders and the Government House Leader sit down and go through the standing orders and talk about the standing orders on a semiregular basis, anyway, not always all of them but certain parts of them virtually every time we meet, or most times that we meet, and talk about ways that we can improve the business of this House and how we conduct our affairs here in the Legislature to be more parliamentary and to allow for better debate and hopefully better serve the people of Alberta's interests. I'd like to thank the Government House Leader for that opportunity. I think that there are some very good things in this particular motion that is addressed by this amendment.

The problem is that although a lot of these things have been discussed and agreed to by the opposition, several of them have not been agreed to. It's a little disconcerting because they're actually pretty important pieces. It's a little bit frustrating because we do have these meetings, and they're enjoyable meetings, but I sometimes feel we come out of these meetings and I think we're on the same page until I see the Order Paper, and then I realize that maybe we weren't on the same page after all. So I do have some concerns.

One of the concerns I have – and this amendment does address it – is the issue of morning sessions. I've had the opportunity to be both in government for a couple of years and in opposition for three years now, and I can tell you that the morning period of time is a very different time. Mr. Speaker, you've had this opportunity, as well. You know that it's different for an opposition party in the morning. We have to prepare many, many questions every single

day. We have to caucus about our strategy on a day-to-day basis as an entire caucus because, unlike the government, who can plan things in advance and ramp things up when it's time, as an opposition we have to react on a day-to-day basis to what's going on and what the government is putting forward and so forth.

The morning time. You know, I know the staff start our day at about 6 a.m., a couple of them even earlier than that, but it's about 6 a.m., 7 a.m. Most of the MLAs are in there by 7 or 7:30 a.m., and we immediately go to into a strategy session, a caucus session on what questions we're going to ask, what members' statements we're going to make, what press releases we're going to put out: all these different things. Then we put that plan into place, and then basically from 10 to 1 we are just madly getting ready writing and editing and practising and doing all the things that opposition members need to do to do their job effectively.

The problem with putting estimates from that 8 a.m. to noon period is that it really does cut into that preparation time. It's very unfair. It's an unfair advantage for the government. The government hitherto has been very good at giving us that time in the morning.

We do meet for Public Accounts in the morning. That's the one committee that does sit in the morning regularly. That's for several reasons. Ideally, that would be changed, too, but nonetheless it is what it is. As chair of that committee I'm going to respect the tradition. Ideally, it would be changed, but because we want to have access to departmental staff on a week-to-week basis every single week during session – and, of course, most staff go home at 5 o'clock or 4:30 – it's not really practical to have entire staffs coming into Public Accounts after hours, which is what would be needed in a lot of cases.

So we do have some exceptions to that, but generally speaking we don't get into the habit of taking up the time of opposition parties in the morning and interfering with their work. This motion doesn't do that, but it allows for it to happen. It gives the option of it to happen.

I think that this amendment, specifically clause C(c)(i), is very appropriate and absolutely should be voted in favour of by this Assembly. Let's just take that off the table. We don't like these all-night sittings. I don't think anybody likes it when we go all the way to 10 p.m. It rushes the work. I agree with my colleagues in the opposition that it's unnecessary. We get paid a handsome amount of money to sit in this Assembly, and we should be able to work, you know, certainly from the first week of February to, you would think, mid- to the end of June and just work sane hours during that period of time before we break for summer instead of piling everything up like we do. We haven't done that for a while. We've had night sittings for a long time, so I don't argue at this point with the fact of doing estimates in the evening like this.

I would argue completely with any move that a legislative committee made or the House leaders made in this regard to put concurrent sittings together. That's when you have two estimates going on at the same time. The Official Opposition probably can handle that. It's not easy, but we can handle it. It is grossly unfair to the third and fourth parties. Grossly unfair. I have complete empathy for them on that because I went through that as a member of a four-member caucus previous to the last election. It's not a fun thing, and it's not a fair thing to do.

We obviously have our views on the budget and come at things a certain way as the Wildrose caucus. The Liberal and ND caucuses obviously come at it from a different viewpoint, and they shouldn't be forced into a situation where with a very small, small research staff and four or five members they're having to deal with two concurrent committees. That's just not fair, and it's not appropriate. Forcing the opposition to do that should be below the



members on the other side if they truly do believe in transparency, accountability, and fairness. I hope that they will make sure that they do not use the discretion that these orders give them to do concurrent sittings for estimates and having two committees meet at the same time or mornings.

Now, one thing I didn't see in here, Mr. Speaker – and that was also disappointing – is that we as opposition asked the members opposite to consider extending the time that we sit on Thursdays, even for just half an hour, so that we could do some of the estimates on Thursday afternoons. For some reason that did not make it into this motion. I thought it would at least be an option. It hasn't been. I don't understand that.

I come from around the Calgary area, obviously Airdrie. It's a long drive home. It's longer for many others. I do think that because it's estimates, not everyone has to be at estimates, just the people on the committees. Surely we could delay it a half an hour before we go home on Thursday and work till 5 or – who knows? – maybe even 6 one or two days. That wouldn't be the end of the world, and it would allow the government to achieve their goals of getting through the estimates at an even quicker pace without interfering with morning estimates or with the morning routine of the opposition parties or caucuses. I think that's a very reasonable request, so I urge the government – hopefully, we can convince them in future days here – to add another motion that would allow for that. It's half an hour we're talking about, but it would shorten the session because we could put a lot of two-hour estimates into those Thursday slots. Therefore, we wouldn't have to put them somewhere else. It would make a lot of sense to do that. That is certainly one of the issues.

4:00

I do note that the motion says:

- (5) The schedule for consideration of the main estimates shall be subject to the following requirements:
  - (a) Legislative Policy Committees may only meet at the following times.

It says "may." It doesn't say "must" meet at the following times or "can only" meet at the following times. I'm assuming that the legislative committees, once we get in there, will have some discretion. So I'd ask those chairs, certainly, and we've asked our Wildrose members who are deputy chairs of those committees to not schedule meetings on mornings or to schedule them concurrently one with another. I hope that we as House leaders can help them with that by coming up with some reasonable guidelines or schedules for them to look at as options in making that determination.

Other than that, there was another issue with regard to a troubling piece in here, which is section 6(6), where they talk about how time will be allocated in the estimates. Now, what we've done here – and, again, I think that this is a good thing – is that we've extended the amount of time that we have for estimates, so we can examine some of these larger departments for six hours instead of three. It's still not enough. I mean, we still should be able to examine Health for, certainly, nine to 12 hours. It's 40 per cent of the budget. Certainly, it should get, you know, 15 per cent of the time. Nonetheless, it's an improvement. It's an improvement.

One thing that is disappointing here, though, is that in the first three-hour block the Official Opposition gets one hour to question them. In the second three-hour block for a large ministry the Official Opposition is not given that hour. It's not even given half an hour under this. That's ridiculous. That means that the Official Opposition – and we all, I think, understand the role of the Official Opposition here – will get less than one-third of the time

allocated for the estimates of these departments. That's ridiculous. Really, we should be approaching half of the time, but certainly a third is reasonable. I again hope that the House leaders can come to an agreement on that and allow the Official Opposition at least a compromise so that we have an hour and a half, an hour in the first three hours, half an hour in the second three hours, for those larger ministries. That would be a lot more fair, and that is not addressed.

Those are the main issues, that are addressed in this particular amendment, that I am concerned with as I read this over. I don't like the idea of the legislative committees having to deal with all of the different scheduling and so forth for the various caucuses and putting together the schedules for this. I think it's a lot to ask the chairs and deputy chairs. I would hope that at the very least the House leaders would get together, give some proposal or direction because they're going to be able to know what their caucuses need for time and so forth – I think it would go a lot smoother – rather than just putting it into the legislative committees and saying: go at it. I mean, it would waste a lot of their time, too, just dealing with time allocation and things like that, I would think.

Mr. Speaker, those are my comments on this amendment and this motion. I just hope that the Government House Leader will respect these reasonable amendments and support the amendments of the Member for Edmonton-Centre and our ideas as well as we go forward so that we can make this process as smooth as possible without any unnecessary friction between the caucuses on issues where I think we have general agreement.

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

Hon. members, the hon. Member for Rimbey-Rocky Mountain House-Sundre has ceded his spot temporarily to allow Edmonton-Strathcona to go next.

Edmonton-Strathcona, the floor is yours.

**Ms Notley:** Thank you very much, Mr. Speaker, and thank you also to the member.

**The Speaker:** Pardon me. I'm sorry.

Was there anybody under 29(2)(a)? I didn't see anybody anxious to pursue. None? Okay. Thank you.

**Ms Notley:** Thank you also to the member from Rimbey for giving me an opportunity to get up and speak on this very important set of amendments to the motion that has been put forward by the Government House Leader.

I want to start, Mr. Speaker, by saying that unlike my other two Opposition House Leader colleagues, who are taking a very reasonable and restrained approach to the motion that's been put before us by the Government House Leader, I am not – I'm sure it will shock people – feeling terribly reasonable or restrained. In fact, the motion that's been put forward by the Government House Leader is indicative to me of a very significant change in – dare I say it? – tone on the part of this government. It is indicative of a decision on the part of this government to use its majority to change the rules to make things work for them as quickly and easily as possible so that they can get out under the cover of darkness as quickly as possible to deal with the many challenges facing their rather old and tired government.

I say this from the perspective of one who has been here for a long time, since 2008. It's like I've been here forever. But I will say that in the previous four years – certainly, the Government House Leader can correct me if I'm wrong – my recollection is that there has only been one time where the government used its

majority to come in with a series of changes to the standing orders where we had not had agreement with the House leaders collectively. Of course, there was always sort of the impending threat that they would do that, but we still managed to find some means of negotiating. Instead, what we've got here is this extremely lengthy and complicated and impactful set of amendments that are coming forward from the Government House Leader in the absence of consensus and, indeed, over the very strenuous objections of all three opposition House leaders. This, Mr. Speaker, is indicative of an overall change of tone. So when the Premier next gets up and begins to complain about tone in the House, she needs to begin by remembering that on this very first afternoon of this very first day of session this year her Government House Leader came in with a whole series of changes to the rules which allow them the discretion to do a whole bunch of stuff faster and to exercise their majority in a way that undermines qualitatively the degree to which members of the opposition can hold this government to account for critical decisions that are made on behalf of the citizens of this province.

The fact of the matter is, Mr. Speaker, that this government has said repeatedly over the last two weeks that this next session is going to be almost entirely about budgeting details. So what do they do? They come in here with a series of changes which give them the potential to actually run six committees a day. Six ministries a day. I mean, they could get us through budgetary debate in three days with the rules that they have just given themselves in this amendment.

**An Hon. Member:** Shame.

**Ms Notley:** It is quite shameful.

Of course, you know, the Government House Leader will say: "Oh, well, we're still going to sit down with the House leaders although we've now changed the rules so that we don't actually have to do that either. We're still going to sit down and try to make it work, but in fact we've used our majority to give ourselves the discretion to potentially have six ministries a day dealt with in estimates."

The proposals that were put forward by the Member for Edmonton-Centre are an attempt to change ever so modestly and cautiously and in such a deferential way some of these proposed changes by the Government House Leader so as to limit this damage somewhat. So what is she talking about? Well, first of all, she's suggesting that we should not give the government the authority to have committees sit when we are here in this Assembly otherwise engaged in Assembly business. As Members of this Legislative Assembly we have a right and a responsibility to sit on these committees and to participate in them. To then suggest that we should be doing that at the same time that we're in this House debating other matters is inconsistent. It's irrational. It in effect says to everybody in this House as well as to all Albertans: "We don't care that you elected opposition representatives. We think we've got a plurality, not a majority but a plurality, of the vote. Therefore, we're entitled to make all the decisions we want when and how we want to make them." That's what these rules are doing.

The proposals made by the Member for Edmonton-Centre would simply ensure that we revert to the process that's been in place, I think pretty much forever, that we do not schedule committee meetings at the same time that the House is sitting. Hardly revolutionary what she's proposing. Instead, what she's trying to do is stop the damage.

#### 4:10

Now, the next thing that she outlines is the whole question of the role of the House leaders. I've already talked about how historically House leaders worked together collaboratively, including the Government House Leader, to come up with proposed changes to the standing orders that work for everybody. One of the changes that the Government House Leader wants to make is that the schedule will now be done not by the chair and the vice-chairs, by the way, hon. Official Opposition House Leader. The vice-chairs under these rules are given no authority, no opportunity for input into the scheduling of estimates. Be very clear that this set of rules sets out that it will be the government chairs of the committees who will make the decisions about people's schedules, not the vice-chairs. So no role at all for the opposition in the process through which we schedule the budget. And, just to review, if this goes forward, they are going to give themselves the opportunity to have six ministries a day considered.

My experience in committees as well has changed. I would like to say evolved, but it's definitely not the case. It has devolved over the course of the last five years as a sitting member of this House. When I first got elected, it was the case that committee chairs were quite respectful of the opposition members on committees and attempted to schedule meetings in a way that understood and reflected the relatively small nature of the opposition and the need for opposition members to be able to attend committee meetings.

Since the election of the new Premier that ethos has changed. My personal experience is that I have come up against committee chairs repeatedly saying: "No. This is when we've set it. Sorry." There's no opportunity to talk to opposition members or for opposition members to say if they're available or not. That's been my experience in the last year under the new Premier, so there's no reason for me to believe that this process that the Government House Leader is setting out through these rules will be any more respectful of our situation.

Now, the hon. Official Opposition House Leader made the obvious point. Depending on the size of your caucus, this becomes more or less onerous, more or less difficult to meet your obligations as a Member of the Legislative Assembly. I was a member of a two-person caucus from 2008 to 2012, and at that time it was possible. We negotiated with good faith, we scheduled things with good faith, and it was possible for a member of our caucus to attend every set of government estimates and to ensure that we were able to participate fully because – you know what? – that's what we were elected to do. The rules that are proposed under the Government House Leader's amendments, if not changed as per the motion put forward by the Member for Edmonton-Centre, will potentially negate what has historically been an ability on the part of our caucus.

To me that's a very clear decision. That's a very clear choice that this government is making. Ultimately, it's a choice that this Premier is making. It is a choice about the quality of debate in this Legislature, the breadth of debate in this Legislature, the opportunity for debate in this Legislature, and the transparency of debate in this Legislature. That is a choice. This particular set of rules, put forward by the Government House Leader, if unamended by the amendment that the Member for Edmonton-Centre put forward, will significantly undermine many of these key principles that I'm talking about.

Now, another thing that the Official Opposition House Leader mentioned as well as the Member for Edmonton-Centre is this notion of a.m. meetings, morning committee meetings.

Now, again, for the years that I've been here, with the exception of Public Accounts it has always been the case that the government has recognized that the daily routine of members, depending on which side of the House that they sit, is different and that opposition members are incredibly busy and incredibly committed in the mornings, before Orders of the Day or the question period rotation begins. That's just the way it is. That is the rotation of the day. They fully understand what that looks like for us. They fully understand our availability in the mornings, and all three opposition House leaders made it very clear to the Government House Leader that under no circumstances did we see this as anything but, quite frankly, a bit of a hostile action, the notion of having budget debate in the morning when we are otherwise and historically always have been very much occupied. Again, it can't be interpreted as anything but a very intentional decision to try and constrain the ability of the opposition to do its job, Mr. Speaker. That's all it can be seen as.

Now, the Government House Leader will say: "Well, we're not necessarily going to do this. We just want to give ourselves the potential in case we can't reach agreement." Well, if you're not going to do it, don't put it in the rules. If you think you might do it, then that's why you put it in the rules. Be very clear. This little set of rules, once we've had a chance, if it passes unamended by the Member for Edmonton-Centre, is going to be a fabulous example for us to trot out of how this government has absolutely no respect for the work being done in this Legislature.

The other matter that is addressed by this motion is the issue of – I'm losing my train of thought again. Gosh. Already. It's like it's, you know, 2 in the morning and we've been here for three months. But no; it's the first day. There is another critical point here, but I just cannot remember offhand what it is.

All of this is to say, though, that this really is a walk back from negotiating with the House leaders. It's a walk back from ensuring that the opposition members are able to participate in a way that gets the best commentary, the best review from them. It's a walk back from working collaboratively going forward with the House leaders. It's a use of their majority to essentially shorten this whole process. That's really what it comes down to, Mr. Speaker. This whole set of rules is designed to limit the amount of time that this government has to spend in the Legislature because it doesn't work well for them. Every time we get into the Legislature, for the increasingly short periods of time that we actually manage to get here, this government does very poorly. Their record, quite frankly, is one which no one could reasonably defend. What this is about is shortening all of that debate.

We as opposition House leaders proposed a schedule that would have extended the time to debate the budget by all of three days. All of three days. It wasn't our first choice. Our first choice was, of course, to actually maybe do one set of budget estimates a day. Heaven forbid, you know, that we actually do it so that the media and the public can keep up with everything that we're doing. We came up with what I thought was a pretty reasonable process. We agreed, heaven forbid, to stay till 6 o'clock on Thursdays. I mean, I know Albertans will be shocked at the horrific conditions that we were prepared to adopt on their behalf. There we were, ready to do that, but apparently the government is just not prepared to accept the idea that people, for the four months of the year that we're actually here, might work in this House until 6 o'clock on Thursdays.

Had we done that, we could get through budget debate in a perfectly reasonable amount of time and leave the government lots of opportunity to have further discussions about legislation should they ever come up with any ideas on that end.

4:20

I urge all members to accept the motion put forward by the Member for Edmonton-Centre. Frankly, it's an eminently reasonable compromise to an otherwise almost bullying set of proposals put forward by the government. It is at the very least that. Frankly, if you want to maintain any credibility on issues of democracy, you can't vote it down.

**The Speaker:** Thank you.

The hon. Member for Rimbey-Rocky Mountain House-Sundre, followed by Calgary-Buffalo.

**Mr. Anglin:** Thank you, Mr. Speaker. I rise for the first time in this sitting, and it's a pleasure to be here again as an Official Opposition member. Now, as my colleague first spoke to this amendment, I rise in support of this amendment, and in particular I rise in support of the other opposition parties. The Member for Airdrie has already articulated the position that I share with him and with many in my caucus.

There's another layer here that is being overlooked, and it's not necessarily just the technicalities because much of what's happening here in amending the rules is how we're going to police and administer ourselves. There is another aspect to this that, in my view, is being missed, and that is the dignity of this House and the respect for the democratic process.

What the amendments here are trying to do is to allow particularly the second and third opposition parties a reasonable opportunity to schedule their time to participate in this process as part of the opposition. Now, we have enough members here. We looked at the original proposal, and we understood that we could deal with this issue. It would be a burden. We would have to have members out of the Assembly when the Assembly was sitting, and those members would go to committee. But for the parties that are smaller, that's problematic, and that does put an added burden on them.

Now, this idea of dignity and respect for the democratic process is simply this. They do represent not just constituencies. They also represent a segment of the population that voted that are also Albertans. They deserve the same respect as any other party, any other representing member. That is why I'm rising now to speak to the amendment to the motion, to make sure that we allow that respect not just from what I would say is the government's view but to look at it from the opposition's view, particularly the second and third parties in opposition, that they put themselves in their shoes on how they're going to participate.

I understand this party has been in power a long time. Maybe that won't happen next time. That's my job. But the reality is this. The opposition does have a certain function, and as tedious as that sounds sometimes to the government, it is a mandatory value to our democratic process that this opposition works effectively, not just having an opposition but having an effective opposition. The second and third parties play a very important role in that effective opposition.

I'm speaking specifically to the 8 a.m. to noon, section (ii), which is to have the estimates in the morning for three hours. The opposition has a tremendous amount of work to prepare for the day. I'm not going to presume that the government does not; I know they're very busy. But our preparation is based on the government actions of either the day before or what they're planning on doing that day. There's a lot of work to be done. When we're going to convene these committees for the estimates at these hours, that puts a burden that, in my view, is too great, particularly on these other parties. It still puts a burden on the

opposition as a whole, but I would argue to you that their participation as an effective opposition, as an effective representative of not just the people who value their ideological views but their own constituents, who expect them to do their job – the fact is that what we're saying here is that we want to participate. There's nothing preventing us from, rather than squeezing more work into the day, sitting a few days longer. We could sit earlier. I mean, that is totally the prerogative of the government to make that decision.

I don't think it's unreasonable to ask, when we look at this amendment, that we look at it as a reasonable person would and say: this makes sense. You may not particularly like it as the government, but the fact is that it is not just respectful of the opposition; it's respectful of the public. It's respectful of Albertans to accept this. This is about the respect and dignity of the democratic process. It is incumbent upon this government and, I would say, incumbent upon the party in power to make sure that the public as a whole enjoys the same respect right across the public and the same dignity, make sure that this process works. This amendment is designed to do nothing more than to make sure that the process works.

Thank you very much.

**The Speaker:** Thank you.

Hon. members, 29(2)(a)? I didn't see anyone last time. and I don't see anyone this time. Okay, then? Thank you.

We'll move on to Calgary-Buffalo.

**Mr. Hehr:** Well, thank you, Mr. Speaker. I've listened with great interest to all of the House leaders and the hon. Member for Rimby-Rocky Mountain House-Sundre, and I'm going to echo many of their comments that have been laid out as arguments as to why the eminently reasonable amendments put forward by the Member for Edmonton-Centre should be established.

I'll talk about those, but before I get to that, we have to get to an understanding in this House that the object is not to get in as quickly as possible and get out as quickly as possible. That is not the role of the Legislature. It's not the role of the democratic process. In my view, for far too long in this province we have treated this honourable House as a place where the people's concerns aren't addressed as much as they should be.

I think it's fair comment, if not actual fact, that this legislative body has had a history of not sitting as long as other provinces have. You can go through the records of other Legislatures, and there is no doubt that they are sitting longer, having more question period days, having more debate time on budget estimates, and the like. The work of the people is being done in an open and transparent nature by the nature of us being present in this Legislature.

When we're not in this Legislature, of course, the work of government continues, but it doesn't continue in as open and transparent a fashion as it is done when we are all here. When we are all here, the opposition has an opportunity to ask legitimate questions, probe legitimate issues, and get answers from the government on the record as to what is happening in and around this province.

Actually, it is shocking to me that despite the fact that we left this Legislature last in December and we arrived here today for the first day, this government motion to revise the standing orders first came to our attention in a written format yesterday afternoon. It seems to me that this has been sprung upon opposition parties with little notice to allow for the government to carte blanche change

these, with no real opportunity for us to respond, with no real opportunity for us to try and call this to public attention, with no real opportunity to try and ensure that the democratic process for allowing it to be done as best it can is accomplished.

4:30

So here we are, with a little more than 24 hours' notice that substantial changes are going to be made to the standing orders as a result of the government wishing to push through things on their timeline, things on their agenda, things that correspond with what they want to see happen. I'm sorry, but that doesn't appear to be fair. Well, I guess fair isn't really the right word. It doesn't appear to be in the best interests of the democratic process, which is what we should be seeking to achieve at all times.

In listening to all three House leaders, it appears that they are in agreement that these are substantial changes to what has happened here in the past. What it can do is that it can allow for us to have morning sittings, multiple evening sittings, and other things like us not being able to be present in this Legislature to debate issues that are occurring in this Chamber when we may be forced to go attend budget debates elsewhere. In my view, that is not in the best interests of how I can best serve my constituents, nor is it in the best interests of any member in this honourable House, whether they are part of government or opposition.

With that, I believe that that proposal should be revisited and revised to ensure that we are allowed that, I think, fundamental right we get as elected representatives in this province, to be present in the Legislative Assembly when issues of concern are brought up. That, I believe, is our fundamental right in being elected in this province. We should not have conflicting obligations going on at the same time.

Another issue that is of primary concern to opposition members is the use of morning times. It is the time when we get to prepare our issues of the day, the strategy we are going to pursue, to read any government releases or issues that they have put forward the previous day or even that morning, and to prepare to respond to those issues. Oftentimes the government has been working on these plans for months if not years, and opposition parties have sometimes a morning to try and assess whether those plans are in the best interests of the people of Alberta. Without having that time to deliberate, to debate, to assess whether government issues or agendas are the correct direction for this province, if we don't have that time in the mornings to prepare and come to an assessment of the situation, in my view we are neutering the opposition further by forcing us to be sidetracked into a whole host of different directions and avenues that may not serve the people of this province the best that we can.

After listening again to the opposition leaders, we have an eminently reasonable proposal made to, I guess, reflect more the opposition's role in this Legislature, to reflect that we do play a part in the process of good government, to reflect the fact that different caucuses have different challenges as a result of not only numbers but research staff and time allocation. Simply put, in a party with five members here it is more difficult to schedule, to get everyone organized, to get people where they need to be to best serve the Albertan people. It is like that as well for the fourth party. As we heard from the hon. House leader for the Official Opposition, he understands that conundrum, having worked in a caucus of four in the last elected body of this honourable House. In my view, this is eminently reasonable. It allows us to do our work in a more reasonable fashion.

I'll finish the way I started. What is the hurry to get out of here? What is the hurry to not allow for us to have full and sober debate and full and detailed analysis of what the government is putting

forward to the people of Alberta? In my view – I've held this view for a long time – we should be sitting longer, not shorter. The motion put forward by the government: if we allow the government motion to go through, if they avail themselves of the options they wish to avail themselves of, in my view it will serve to undermine the democratic process further, and it's something we should not be striving for.

On that note, I urge all members to support these amendments put forth by the hon. Member for Edmonton-Centre and allow us to do our work as both government and opposition members in this great province. Thank you, Mr. Speaker.

**The Speaker:** Thank you.

Anyone wish to question or comment?

**Mr. Hancock:** Well, Mr. Speaker, I was going to wait until all speakers opposite had spoken to the amendment, but I'm happy to respond to some of the concerns raised.

It's interesting to me that people immediately go to the worst possible interpretation of anything to describe what's going to happen. If you look at the standing orders that we have today, estimates would be scheduled with Committee of Supply in the afternoon and possibly two at a time every evening three days a week, and we would have them done, in essence, in two weeks. This is hardly an amendment that's going to shorten the amount of time in the House.

In fact, what I've said to opposition House leaders and what the plan is is to take four weeks to do estimates. Instead of doing 54 hours, which the current standing orders provide for, we're talking about 75 to 79 hours of time. Instead of three hours for major ministries, that have \$12 billion in funds, it's up to six hours to do them. I sit here and hear people say that democracy as we know it is going to be dead because – we're doing what? – we're changing the standing orders so we can do a more robust planning process to say: how can we handle the estimates properly?

I acknowledged right up front that members of the opposition don't want to sit in the mornings. I understand that. I don't want to sit in the mornings either, quite frankly. I don't think any members on this side want to sit in the mornings. We all have work to do in the mornings. We all get up early in the morning. I think we all do. I certainly leave home by 6 or 6:30 in the morning most days. Often I'm surprised that the Official Opposition lets their staff get in ahead of them. I don't think that happens very often on this side of the House. We usually show leadership by getting in there first, but I digress.

The fact of the matter is that this isn't about changing democracy as we know it. It's about trying to find a flexibility in the standing orders which will allow us together to plan an estimates process, which will allow for a robust investigation and discussion about the estimates of each department. That's what we plan to do. Yes, the motion that I put forward does provide the potential for morning meetings. I would anticipate that we likely won't have morning meetings, but possibly we will need one or two in order to get it done on the schedule that I've set out of having the Appropriation Act passed by the end of April, which is in two months. It's a pretty good amount of time. It allows people to do their constituency weeks and their research, to have the time. It allows for people to focus on the estimates if we don't have other committees meeting at the same time. It's a fairly robust process.

We will work. We will talk with the opposition, as I always have and always will, to find out what their needs are, to find out how we balance to make sure that the critic is showing up at the same time as the ministry and those sorts of things. That's always

been how it works. It's not in the standing orders, but that's always been the way we've done it, and that's the way we'll continue to do it because that makes for a good operation of this House. We tend to do that. Sometimes we disagree. Sometimes we do end up disagreeing on a matter, but lots of times we work out that schedule in an amicable way, in a way that allows us all to get on and do our jobs.

To speak specifically to some of the comments raised, I don't have any problem with section A1A, actually, because that's our practice. You give the projected government business, and you send a copy of it to everybody at the same time. It would be our intention to continue that, whether it's written in the standing orders or not. If you want to write it in the standing orders, that doesn't cause me any problems.

**4:40**

Section A1B, on striking out section 5, is a little problematic because if you want what used to be Committee of Supply to meet for three hours in the afternoon, you've got to sort of start on time. If you don't start on time or if you've moved off the clock, as we did today with a few points of order and things like that, you end up losing that time. Section 5 would not abrogate the opportunity for members to attend and participate in the House for business of the House, but it would say that you don't actually have to sit around and watch us – although it's scintillating, I'm sure, because I'm usually participating in them – debate the standing orders and whether there's been a point of order or not.

The only other time that that would come into play is if there was a Standing Order 30 and we adjourned the ordinary business of the House to discuss a matter of urgent and pressing necessity. As members know, there's no motion that's voted on in that. It's a debate. People can participate in that debate, but not everybody typically sticks around for those debates either. That's the only circumstance under which you would have the committee meeting while the House was still meeting. I'm not even sure about the Standing Order 30 one. I'm not sure if a Standing Order 30 would be able to come up in that circumstance, but I stand to be corrected on that. In the ordinary business of the House we'd adjourn right after the Routine, and there wouldn't be time for the motion to come forward. But, in my mind, I don't know. I'd have to go and have a look at that. In any event, that would be the only circumstance where a committee would meet.

Now, with respect to subsection C the practice has always been, in my experience – and I have about 15 years of it as House leader – that we discuss the schedule with the opposition. We prepare a schedule because you have to start someplace, so a straw-dog schedule. We send it to the opposition. They typically come back and point out where we've erred in terms of their critic's availability relative to the minister's availability. Quite frankly, in the past that's been a very difficult schedule to prepare because we have had small caucuses on the opposition side and an inability to match critics to ministries, with small caucuses trying to be in two places at once.

We've had in earlier times A, B, C, D committees, four subcommittees of supply that met and did it. We've had designated committees of supply that met on a Friday morning. We have done estimates in a number of different ways. One of the things that's been consistent, in my experience, through all of those ways is that the opposition has wanted more time and more flexibility with respect to the committees, which we've built into this motion, and they've always complained about two committees sitting at the same time, which I understand thoroughly and completely.

But if you want to do it in an appropriate time frame and you want to allow for as long as possible to do it in terms of the number of hours and the flexibility of scheduling, then you have to sort of look at it and say: "Okay. What are the building blocks that make this happen? What are the mornings, afternoons, and evenings that are available to schedule? How do we do it and minimize the number of things that disrupt the business that we all do every day in terms of mornings or in terms of two committees sitting together in the evening?" I think we can do that. I think we can work that out. But I don't believe it's something you're going to be able to quantify in the rules. I think you have to have the ability to do that.

Now, I don't agree with section C(a)(3) because while we actually will probably do that and always have, we haven't sat down and made it sort of an agreement piece, and there's a reason for that. The Government House Leader has to have the flexibility to work with opposition critics' schedules, ministers' schedules, and a number of other things that come up to try and get it all together, and we do that. But we don't sit down and do that; we send it back and forth. We don't sit down in a meeting and try and hammer it out, but we achieve the same result. I would suggest that that's a good way to do it.

What I suggest is that we send it to the committees because the committees ought to at least nominally be in charge of their schedule. Nobody would suggest that we send it to the committees without giving them a straw-dog schedule to look at. The committee chairs don't meet with their committees without, as I understand it – and it certainly would be an appropriate practice – sitting down with the vice-chairs to work out what's happening and then put it on the table for the committee to discuss. Then, of course, if there's something that's missed or somebody has a point to make, the committee can do it. That's what we've provided for, and I don't see that A1C(a)(3) adds any value to that or that (3.1) or (3.2) add any value to that. It's a process, and it can't be fully codified.

Now, suborder (5), the deletion of the morning meetings. Well, as I've said, we probably won't have any morning meetings other than perhaps on Wednesdays. There's already a meeting anyway on Wednesday, so it's not going to disrupt anybody's schedule any more than it's already disrupted by that meeting.

Section D: that's the one reversion. The hon. Member for Edmonton-Centre said: well, you have four distinct days. But she would know as well as anyone that when you introduce a bill for first reading, there's actually no debate. There are supposed to be very short introductory comments. Sometimes they do go on a little longer than they probably are supposed to, but there's no debate on it. Whether it comes in on the night of Committee of Supply, as it has in my experience for the first 10 years of my life in here up until about five years ago – I could be wrong by a year either way – reverting to Introduction of Bills was the norm, and it was only disrupted by my inadvertent stumbling about and causing umbrage to the hon. member. It doesn't shorten anything, really. I will say that you could save a day on that, no question. That's probably what made you upset in the first place now that I think about it.

With respect to section 9, again, we have had sort of an informal practice of saying: how many days do we need to sit in Committee of Supply for supplementary estimates? The hon. Member for Edmonton-Centre is absolutely right. She's one of the authors of this sort of understanding that we've had that if it's over a billion dollars, it ought to have two days, as we used to call it. But there was uncertainty in there, and we're proposing in the standing orders amendment that we have to provide that certainty, that it can be referred for not fewer than three hours. I think the

clear implication is that it can be referred for more than three hours. There's no reason to believe that the protocol won't continue.

The amendments, I think, other than A1A, don't significantly add value. They do create problems with respect to the process. With respect, there is no intention here to subvert democracy or to bludgeon the opposition. It's really about how we do this process in an appropriate way.

I do hear the Official Opposition and the other opposition parties talking about the need for the mornings, and I can understand that it takes them a full morning to get ready for the questions that they have in a 50-minute question period. I can understand that it might take that amount of time to prepare for that. They are reactive – there's no question about that – rather than proactive in that process. I don't mean in any sense to diminish the work that they do. One of the speakers earlier said that a good opposition makes a great government. I think the corollary for that is that we must have a good opposition because we have a great government. We want opposition to work well. There's no question that we should want opposition to work well. It's good for democracy if opposition works well.

There's no question that we work long hours and difficult hours – particularly around budget it's difficult – so I would like us to develop a schedule that works for us. I would like us to develop a schedule which allows us to have a thorough examination of every department, including the time for larger departments. I think we need to understand that it is a portion of our work, not all of our work but a very important portion of our work. The two months, including, I understand, constituency weeks, ought to be enough time for us to actually deal with the estimates and pass an appropriation bill.

There is no way that anybody is going to talk about six committees a day, that Edmonton-Strathcona raised. That's just not on. It's a worst-case-scenario type of thing. You know, the rules should allow us to have the flexibility we need to sit down and work together as parliamentarians to devise a calendar that works for all of us. Yes, in certain circumstances one group or the other will feel aggrieved about something, but they won't feel aggrieved about the whole thing. It'll work for this House and for Albertans. That means that, yes, we need the flexibility to say that in some circumstances there might be a requirement for two committees to meet at a time. It shouldn't happen routinely. It shouldn't happen very often. But we do it now, and it has worked, and it can work when necessary.

4:50

Okay. I've got one minute left. The Order Paper with these motions on it: Calgary-Buffalo, I think, indicated that he hadn't seen it in writing. It was available at 8 o'clock yesterday morning, not late in the afternoon, and it's certainly consistent with what I put on the table in our discussion earlier. There are no surprises in it. Is it a work-in-progress? Yes, I think we should consider it a work-in-progress. We have agreed to meet and talk about the rules again. Whether we revisit these specific ones or not I'm open for discussion on, but we need to have something on the table.

The budget is coming down on Thursday. I, for one, like to plan my life and like to plan the lives of my colleagues to the extent that it's my responsibility to do so. I'd like to get on with planning that schedule for estimates, and if we make some twists and changes in it, so be it. But let's pass this motion unamended. Let's defeat the amendments except for amendment A1A, pass the motion, get on with getting the schedule together, and work in good faith, as we always have. It's my continuing commitment that as House leader I try to do that to the extent possible, and I

think we can have a very good session and a very good examination of the estimates.

**The Speaker:** I believe, Edmonton-Centre, that you're rising under 29(2)(a).

**Ms Blakeman:** I am indeed.

**The Speaker:** Proceed.

**Ms Blakeman:** Thank you very much. The surprise, to me, in looking at what actually came out in the Order Paper yesterday, was that the government had not moved on anything. I thought that after the discussions we'd had, there would have been some movement from government on something. That was the surprise for me.

Now, let me just go back again. I appreciate the support on section A, but I'm going to ask the Government House Leader and the rest of the members on the government side to consider section C again. I can see I'm not going to win the argument that the committees should not meet while the Assembly is in. I continue to think that that shouldn't happen, but okay; I'm not going to win that one. I do honestly believe that I improved what the government had in section C, and therefore the government should not fear codifying what is already done. You should not fear the opposition, and neither should you fear yourself. I believe that you can change this now if it turns out to be a tremendous problem. Let's face it. The government has got the majority. They can come back the next time and change it if it has turned out to be a tremendous difficulty for them.

All I've done here: I've actually codified what we tend to do, and I think that gives us some certainty to go forward with. It's fair. It contains the flexibility necessary. It does say that if the committee doesn't like what we did, they can change it. If the House leaders don't manage to agree, which does happen, surprisingly, then we have a fail-safe in there about who would start to put this together. In the end, I left the section that sends it back to the Government House Leader to be able to work with the last-minute declarations of travel plans for ministers, God bless them, each and every one, and their tiny white socks. But I believe this is a very reasonable amendment to be made, and I would ask the Government House Leader to look at it again because I think this does make it better. It does offer some certainty. It does show that there's no evil intent from government.

You know, the morning thing: if for some reason government wants to use it to pick up the time, we will work with you to find another time to do this. We were more than willing to add on to Thursday afternoons to do it, and that's the same reasoning that the Government House Leader uses to say: well, you know, if there's business in the Assembly and you have to go off and do committee, that can be worked out. Same thing. If we've got people that have to get on the bus or the plane or the car or their bicycle and go home on Thursday afternoon to get back into their constituency, fair enough. Let them go, and the rest of us will stay and work on whatever we have to work on on Thursday afternoon and extend the period from 4:30 to 6.

I think I've been very reasonable. This one is important to me. I think it sends a number of signals about responsibility and flexibility. I would ask the Government House Leader to reconsider that, and I'm going to give him enough time to say anything he wants in the last two minutes.

**The Speaker:** Is there anyone else who wishes to speak?

**Mr. Hancock:** I know that's questions and comments, but I didn't hear any questions. I heard a lot of comments. But I think I answered all the questions that were raised. I understand her desire. It is normally the opposition's desire to codify everything, and it is usually the government's desire to provide frameworks within which to work. That's a distinction that always happens between government and opposition. I actually prefer the frameworks because it gives us the flexibility to sit down and make it work out the way it should work for all of us, and I am committed to doing that. I know that at the end of the day there will be things that they will be upset about, and I know that at the end of the day there will be things that my caucus will want to kick me in the butt for. That's the way the system works, and that's the burden we bear as House leaders.

**The Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. I do actually have a question for the hon. member. I would ask him to clarify a comment you just made concerning having committees meet simultaneously and how it works for the members. Most recently a member of the third party had to run between meetings, back and forth, to get a vote in one meeting, then run to another meeting to get a vote in another meeting. If you could elaborate, how does that actually work? From where I sit, that's ineffective, where he can't participate completely in a full committee meeting and has to leave a committee and ask someone to call him back when the vote happens on his own amendment.

**The Speaker:** Thank you.

Just before I go to the final speaker on my list, which is the hon. Member for Edmonton-Calder, I'll just remind you that in the case of a division the bells will ring for 30 seconds, and then there will be an eight-and-a-half-minute silence, and then there will be a one-minute ringing of the bells to bring people back in. Just to refresh your memories, because we haven't been here for a while, that's how a division would work if any divisions are called.

The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Well, thank you, Mr. Speaker. I appreciate the opportunity to speak on this amendment A1, brought forward by the Member for Edmonton-Centre, on Government Motion 24. As I sort of moved through Government Motion 24, I was changing from ambivalence to several distinct issues that I could see, problems that were being brought forward here. They've been articulated mostly by several other speakers here previously, but I guess I just wanted to put this in perspective. Of course, I had participated in budget debates previously, before we changed to this new, slightly byzantine and confusing system that you're using here now, where we're breaking out of the Legislature somehow, breaking out into different rooms.

You know, I question that fundamentally. It seems as though this is one of the most basic things that we do here and are elected to do here in the Legislature, and I wonder why, first and foremost, this has somehow changed, that we've moved out of this Chamber and the rules and the things that are associated with this Chamber into these different committee rooms, doing debates on ministry budgets at the same time.

Now, all of the obvious things have been described here already, with people perhaps having to run from one ministry to another and so forth, but, you know, I would just like to say that having the debate in this room, with all of the things that are surrounding us, the amenities and the things that are afforded us here in the Legislature, I really think is fundamental to our

responsibility as legislators to demonstrate the budget to the public in the most transparent way possible so that people can understand it in the simplest way possible as well. It's not just an overload on smaller parties and legislation by exhaustion, Mr. Speaker, by doing this system. I think it's an overload on the public, too, and the media and the interest groups that need to study and adjust their businesses and so forth to meet the new budget demands.

There's an incredible level of sophistication that goes into a budget and often a great deal of money in each area. So I find it really challenging, and it goes against my instincts and best principles to consider that we even break out from this Legislature to debate these budget estimates as seems to have been the practice in these last four years. That being said, that seems to be the new normal here.

5:00

You know, it's interesting that I have an opportunity to speak last on this because there are certain sections of the hon. member's amendment here that just seem so eminently reasonable that I implore each member in the House to have some sober second consideration. It seems as though amendment A1A is meeting the needs of the government, so I'm hoping that we will in fact see this amendment actually pass. Let's do it. I mean, if it's eminently reasonable and it meets the needs of all different parties in the House, let's go ahead.

The same with the morning committee idea. You know, I noted a tone of sarcasm with the House leader talking about the mornings, but it's so much more than just preparing for question period. It's a way by which we help to reach out to the public and to the media and to prepare a myriad of different things that go on during the legislative session. If we somehow diminish that, if we diminish the time surrounding that, we so, too, diminish the relevance and the importance of this legislative body to the public that elected it to do the job of governance here in the province of Alberta.

You know, be careful what you wish for. People take steps, small steps, away from democracy whenever democracy is diminished in the eyes of the public amongst the legislators that are elected to conduct that and the media that reports on it as well. I simply don't want to be participating in that sort of diminishment, Mr. Speaker.

Committees taking place at the same time: yes, we do have to codify these things. Yes, we do need the provisions that the hon. Member for Edmonton-Centre put into subsection (3) of this amendment, because while intentions always may be good – right? – we can't always guarantee that such a fine House leader as the one we have now will be in that same chair. Maybe someone with less honourable intentions might take that same place. You know, that's what we do. We make laws expecting the best from people but legislating to ensure that we protect from the worst, right? I made that up, but I'll bet you I'm paraphrasing it from somebody else and somewhere else.

Anyway, those are some of my concerns, you know, the same: section C, the codification. If it's appropriate practice, if it's best practice, if it's conventional wisdom, there's nothing wrong with putting it into law.

Perhaps the most interesting thing that the House leader said – and it's fun to be speaking last instead of you speaking last because I can get the last word – is that this is always a work-in-progress anyway. Well, that's fine. Then there should be nothing wrong with putting some of these things into codification. We can always change it later as the standing orders are wont to do from time to time. We change them. So instead of perhaps looking at

this as, you know, that we're putting something in stone here, we are looking for best practices and refining those best practices over time.

Mr. Speaker and all members of this House, I would strongly suggest that we do in fact vote in favour of amendment A1. It's eminently reasonable, and ultimately I think it is a reflection of the responsibility we have as legislators here in this House.

Thank you.

**The Speaker:** Thank you.

Are there any questioners or commentators? None.

Are there any other speakers to the amendment?

If not, then we'll proceed with the vote on the amendment section by section since that is the wish of the House. What I'll do is read out A1A, and then we'll vote. Then we'll do A1B, and then we'll vote, then A1C, D, and E. If that's agreeable to members, we'll proceed like that.

[Motion on amendment A1A lost]

[Motion on amendment A1B lost]

[The voice vote indicated that the motion on amendment A1C lost]

[Several members rose calling for a division. The division bell was rung at 5:06 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Speaker in the chair]

For the motion:

Anderson	Donovan	Rowe
Anglin	Eggen	Strankman
Bikman	Hehr	Wilson
Blakeman	Pedersen	

Against the motion:

Allen	Fritz	Olesen
Amery	Goudreau	Olson
Bhullar	Griffiths	Pastoor
Brown	Hancock	Quest
Calahasen	Hughes	Redford
Cao	Jablonski	Rodney
Casey	Jansen	Scott
Cusanelli	Jeneroux	Starke
Dallas	Johnson, L.	VanderBurg
DeLong	Leskiw	Weadick
Denis	Luan	Woo-Paw
Drysdale	McDonald	Xiao
Fawcett	McQueen	Young
Fraser	Oberle	

Totals:	For – 11	Against – 41
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[Motion on amendment A1C lost]

**The Speaker:** We can now vote on amendment A1D.

[Motion on amendment A1D lost]

**The Speaker:** Now A1E.

[Motion on amendment A1E lost]

**The Speaker:** We are now back to the main motion. Are there any other speakers to the main motion? The hon. Member for Edmonton-Calder.



**Mr. Eggen:** Well, thank you, Mr. Speaker. You know, it's unfortunate that some of those amendments are not going to see the light of day, but I sort of planned for that. I thought that we would run up against this brick wall, so I just hived off one part of the amendment here, that I think is just so eminently reasonable, and I made it an amendment myself that I would just like to pass out to everyone. The original is the top copy there. I will make my comments after it is passed out, right?

5:20

**The Speaker:** Hon. members, would it be acceptable to the House for the hon. member to continue with his speech while the amendment is being distributed to you in writing?

**Hon. Members:** Agreed.

**The Speaker:** Is that agreeable to you, hon. member, with the amendment?

**Mr. Eggen:** Yeah, absolutely.

**The Speaker:** If so, please proceed, then, while the pages continue to distribute it. Thank you.

**Mr. Eggen:** Thank you. I appreciate that. I just have some small comments. The amendment that I have here says that Government Motion 24 be amended in part A in section 6(a) in the proposed Standing Order 59.01(5) by striking out clause (f) and substituting the following: "no more than one Legislative Policy Committee shall be scheduled to consider estimates at any one time."

Now, I think we've heard the arguments around this fairly clearly, Mr. Speaker. Just reading out that amendment again speaks to the eminent wisdom and common sense of not having more than one estimate scheduled at the same time. As I've said, it's not just for the sake of smaller parties, right? Please be cognizant that nothing ever stays the same. Smaller parties get larger, and larger parties smaller, too, right? So think about the future, you know. Think about yourselves in the same situation, sooner rather than later, I'm sure.

You know, it's also to speak of this issue of the public and the media and special interests being able to absorb and analyze those estimates as they unfold and not having more than one at the same time, right? Again, going back to my original assertion, why shouldn't these budget estimates take place in the place that was built to debate this expenditure of public money in the first place, which is this House that we are all sitting in today? It's not as though we don't have enough time to do that, Mr. Speaker. We certainly do. We have the spring and the months ahead of us to debate one committee at a time.

Certainly, my amendment does not preclude the possibility of having them scheduled in different places either. I shouldn't be confusing it with my personal opinion that the budget should be moved back here to the actual legislative Chamber. This motion, that is in front of each person now, is specifically designed to prohibit estimates from happening concurrently like they did last year, where for the first time they had two committees meet in the afternoon and then one in the evening, apparently.

This, of course, hugely prejudices certain parties that have more than one critic area to their responsibility, of which I am one. You know, combining this, if it does fail, with the idea of morning estimates, I think, leads to potential catastrophic failure of our ability to debate these estimates in a reasonable and timely sort of way. Like I said before, this idea of legislating by exhaustion –

and it does not just apply to the members here. I think it applies to the public as well, to which we are responsible. Further, if committee chairs are allowed, as proposed above, to schedule estimates, then it's possible that opposition critics will be compromised in this way.

My amendment is a very modest proposal, Mr. Speaker. It just allows that space to operate in a functional way but, I think, also in a philosophical way.

You know, I find it a bit strange that all of these changes are coming so quickly on this first day of our spring session here. I don't think it speaks well to the tone that the government is trying to set here to work together with all members of the Legislature and the media and the public but, rather, perpetuates this idea of things happening behind closed doors and with a degree of secrecy and not full disclosure, that I find disturbing and that I think many people in the public do, too.

Thank you.

**The Speaker:** Any questions or comments to be made under 29(2)(a)?

Seeing none, let us proceed with the hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. I had actually raised this issue with the hon. member earlier under section 29(2)(a), so I'll bring this up right now on this amendment, which is exactly what I was talking about, with the opposition members, particularly the third party, going from one committee to another committee. Having the House leader refer to two committees meeting simultaneously having been done in the past: from my experience even in the last sitting, that did not work very well for the smaller opposition parties. Again, I would state that position, and I will support this amendment for that very reason. Particularly for these members who have to race from committee to committee, not being able to sit in for an entire committee meeting and listen to other people debate: in my opinion, I think that is ineffective. Unless somebody can argue something to the contrary to convince me that it's somehow effective, I will certainly stay and support this motion.

The hon. member has a chance to clarify those comments that were made earlier on the effectiveness of having simultaneous committee meetings. I'm interested in hearing that.

Thank you very much.

**The Speaker:** Are there any other speakers to the amendment? The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Yes. Thank you, Mr. Speaker. I appreciate the opportunity to rise and speak on this amendment. It is an amendment that I will support, although I know it'll probably be a fruitless effort. You know, I appreciate the robust discussion that the hon. Government House Leader has allowed for the estimates debates. I think that there's a lot of positive movement on the government side in allowing for more time in certain ministries and allowing for more debate. I think that's definitely a positive step.

But the reality is that earlier today we had the Premier lament the tone of the opposition. I'm going to stand here today, and I'm going to lament the tone of the government because the tone of the government hasn't changed from the fall session, where every amendment that was put forward, the strong majority of them, was immediately dismissed. Many were laughed off, and we're seeing it here already right now. The amendment is being laughed off.

The idea that opposition parties require time to prepare in the morning for question period is being sloughed off.

I'm sure that the majority of the government caucus isn't burdened with having to read bills and, you know, prepare speeches on them because we haven't seen many of them actually do that, Mr. Speaker. The reality is that most members of the opposition do do that, and they speak to every piece of legislation. We did on all 10 of the bills that came through the House in the fall session, and we saw very, very few of the government members actually speak to legislation unless they were specifically challenged or upset by something that an opposition member said.

This is about the democratic process. For a caucus of four, as much as this amendment may not pass – and the Government House Leader has suggested that in good faith he will negotiate. I would strongly hope that he negotiates with the understanding that when there are critics in the third and fourth parties that have multiple committees, not in any way, shape, or form on any day shall one of those critics be faced with having to choose between two committees that they are the critic of. I think that that is a reasonable request, and I hope that, you know, with his ability and knowledge of the way this process works, wisdom some would say, that should be very easy to achieve.

Again, thank you, Mr. Speaker. I will be speaking in support of this amendment, which I'm now assuming is A2. Is that correct? Did we name it?

**The Speaker:** Yes, hon. member, Parliamentary Counsel has noted this as A2.

Standing Order 29(2)(a) is available if there is anyone who wishes. No?

Okay. Let us move on, then. Are there any other speakers?

5:30

**Ms Blakeman:** Mr. Speaker, ever-optimistic gal that I am . . . [interjections] I'll tell you that some days are worse than others.

We have the Member for Edmonton-Calder moving his amendment A2 to section 6(a) to essentially make sure that no more than one policy committee is scheduled at the same time. We've touched a bit on this in the previous amendment that we made. I hear a lot of supportive statements from the members on the other side that they understand but that they really need flexibility and that they don't want to codify any of this because they might need it sometime. You know, Mr. Speaker, with all due respect, I've got to say: hooley. It is said with great love, great kindness. But, honestly, I think there's a difference between wanting flexibility to deal with circumstances that occur to us occasionally or perhaps rarely, that kind of flexibility, and a fairly rigid adherence to an end date.

You know, at one point I called some of the stuff that the Government House Leader was trying to bring in through a change in the standing orders überclosure because that's what it would have been. It would have been a gigantic way of closing off any debate because at that time we were talking about coming to an end date that was finite and that everything would be done by then, and if it wasn't, it would all get voted on that day. It was like a huge garage door or a – what's the thing that comes down and chops people's heads off?

**Some Hon. Members:** Guillotine.

**Ms Blakeman:** Or a huge guillotine that just came down and chopped the end off all the bills that were still up. I think I rightly called it überclosure.

What I'm seeing here is an adherence to a timeline that has that same kind of zeal included in it. The Government House Leader is saying: oh, come on now; we've got two months on that. Well, actually not true. Yeah, I'm going to let that statement stand because we, in fact, don't start debating this budget according to the flexible plans that are before us until the middle of the month. So there's a week, and then we all get to go back and try and make up for lost time in our constituencies and work like the devil there for two weeks, and then we come back here, and we've got three weeks left in April before that guillotine deadline that the hon. Government House Leader has referred to. So, no, it's not eight weeks. That's a very strange kind of math if you want to do it that way. It's four weeks: one week here and three weeks once we're back in April.

We are actually trying to rip through – what's the total budget we're looking at now? – \$39 billion, \$40 billion in four weeks, so \$10 billion a week. The government, you know, agrees that it wouldn't want to call more than two committees at one time and that it wouldn't likely do that but says: well, we probably will be sitting on Wednesday mornings so that we can get it in. So we're talking two on Monday night, one Tuesday afternoon, two on Tuesday night. That's five so far. Wednesday morning is six, Wednesday afternoon seven, Wednesday night eight, nine. That's it. We could still get through nine slots a week. That's pretty fast because in some of them the slots could be two different departments at the same time.

What we've done here is an improvement in that we can spend more time on some of the more complex or larger budgets, but we didn't go as far as we should have done. Actually, it's kind of funny because what we've got is the Government House Leader saying: "Trust me. It's okay. Really, trust me." I know that I have a dewy freshness to my visage, but I am not that young. I did not just fall off the turnip truck. There will be no trust here because they haven't earned it, quite frankly.

You know, I say all of this in fun, with a happy look on my face, and underneath is this writhing pool of rage. You'd never know it by looking at me. But that is what we're . . . [interjections] I'm sorry. Now I'm amusing my colleagues.

But what's at the essence of all of this is important to me because it does make a difference. If you've got somebody that is in the Assembly because they're arguing a point of order, what does that mean now? We shouldn't call points of order for fear that our budget debate is going to be called? So we better not do a point of order, even though it's outrageous what's just been said, because your particular critic area is going to be coming up in a committee, and if you stay to do the point of order, then you're going to be late for your own budget committee.

You know, none of that is too much of a sky is falling, Chicken Little sort of scenario because I've been there. I've done all of these different variations of budget debate. Frankly, I've had to run – actually, we used to have one set of budgets in 512 and one set here, and the elevators were really slow in this building, so you just pounded your way up and down those stairs. Very good for the fitness level, not so good for being able to keep all your documents together, and you know how much I love my paper. So I was heaving up and down these stairs back here between two committees when I was critic for both of them. It definitely happens, and I think it will happen here.

It just seems that this government, with such a big majority, that is supposed to be so open and transparent and generous and kind – I don't get it. Why can't you be open and transparent and generous and kind? I don't see you being that. I see you being narrow and focused and sometimes a little bit mean about how this stuff goes on.

I'll admit that I probably have not swayed anyone to my side with the speech that I just gave. I'm just guessing, but I'm pretty sure I didn't convince anyone to support this. I apologize to my colleague because I have let my disappointment at losing the previous motion kind of spill over into this. Nonetheless, that is the point of it, to try and do a good job.

I've said before that my previous boss, the previous Member for Edmonton-Riverview, had said to me at one point that if we became government – at that point it looked like a possibility – he would allow me to be the Minister of Revenge because I harbour so many daylight revenge dreams in my head. But, honestly, there are days here when my biggest revenge dream is that all of you over there will be sitting over here because you will have to work under these rules that you have now done to yourself.

In most provinces that would have happened, and you would understand what it's like to have been in the opposition. You talk to anybody that's served, like, three terms in Ontario or Manitoba or B.C., and they've been in the opposition. They know what it's like, and they wouldn't be passing rules like this.

It's a sad thing that we can't share our experiences in the way other people might be able to, and I think, actually, that's to your detriment. But, you know, I'll just keep on with that very well detailed revenge scenario in my head.

**Mr. Eggen:** Karma. It will be karma.

**Ms Blakeman:** It'll be karma. You guys would just not believe it if you were over here.

I'll end with that – thank you very much – and I do urge everyone to support amendment A2, which tries to make it so that we don't have two legislative policy committees meeting on budget debates at the same time.

Thank you so much.

**The Speaker:** Are there any questions or comments to the previous speech?

Seeing none, let us move on, then, to the hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I'm cut to the quick. After all these years of negotiating and deliberating and sitting down with the hon. Member for Edmonton-Centre to make sure we have an eminently reasonable calendar of estimates, she bears a grudge and has now openly indicated that grudge. I'm astonished.

5:40

I do need to say that the hon. member should reflect that the standing orders that we've had over the past number of years have been changed from time to time. We've always tried to find a better way to accomplish the concerns of the opposition and to maintain the schedules that are needed to keep government business going and to keep the system working. We have had A, B, C, D committees, where we worked out schedules. I think that you were part of helping to work out those schedules, where A and C met and D and B met, and they were upstairs and downstairs and in the ladies' chamber and all over the place.

The fact of the matter is that we've become a lot more refined now. We have two committee rooms that have been purpose built, which are much more satisfactory for committee meetings, so that officials can come in and people can be heard. They operate much better, and that works well. Thanks to the Legislative Assembly Office for creating those spaces. So if there happen to be two meetings, there are now about 30 or 40 steps between the two, not up and down the stairs. We've improved your life already

dramatically, and I can't even take credit for it. It was Leg. Assembly.

Mr. Speaker, we used to have members come back on Friday mornings for designated Committee of Supply, and that was an all-morning committee. Good heavens. It took all morning, but we sat all morning to have Committee of Supply that way.

In the 15 years that I've been here I don't believe we've had more than one year when there hasn't been two committees sitting at a time. But having said that, it was our goal – and it was our goal with the original proposal that we put out – to arrange it so that members had one committee at a time to sit at, whether that was a morning or an afternoon or an evening committee, that they would only probably have one a day that they had to attend, or if they were attending two a day, they wouldn't have to attend one the next day, so there was plenty of time for them to be prepared for their particular critic responsibilities or, if they're on the government side, their particular interest areas.

You know, we actually put on the table a very open schedule which would lengthen the time in some departments. It would give more time than the standing orders currently provide, which, as I said, would be 54 hours, not the 75 to 79 hours that we're talking about. In order to accomplish that and still accomplish the goal of passing the budget within a reasonable period of time, i.e. the end of April – in most parliamentary jurisdictions the real challenge is to try and get a budget passed by the end of the fiscal year. We have tried to do that in a good number of years, but we've also understood that sometimes you wait for a federal budget, sometimes you wait for some of the fiscal situations to clarify, and sometimes there's just an awful lot of work that goes in and it's not fair to make officials work over the Christmas holidays so that we can get a budget in on February 1 or whatever. That's happened in the past, too.

What we've tried to do is what we've always tried to do and what I've done with the hon. member opposite for longer than I care to tell you and with new House leaders now for a shorter period of time, to develop a good estimates schedule so that all members can do their jobs well. I think that with the proposal on the table, yes, there will be a little back and forth as to whether we can have a morning meeting here or two committees meeting there, but nobody's talking about all the committees meeting at the same time every day so that we can rush out of here. Nobody ever suggested that.

In fact, what was put on the table is a longer time for estimates, an eminently reasonable period of time for passing the Appropriation Act, you know, within a month after the fiscal year ends. Not a bad plan to have, to try and get the budget passed early in the year. It is eminently reasonable, and I would challenge the hon. member to say when I have ever been unreasonable with her when we've been talking about the estimates. We've jostled back and forth. We've had to move things around so that we haven't had, you know, a critic having to be in two places at once.

Actually, it's the fourth party who's had a tougher problem in past years when they only had two members. Now they've got four members. It's going to be so much easier for them this year because they've got twice as many people to go to all those meetings.

Yes, when you're a smaller caucus in this House, it is tougher. But, you know, that's just life. That's life. With a small caucus you have to work harder because you are the critic. If there are 16 departments – there are more than that – you do have four departments that you have to be the critic of. Sorry. I can't change that for you. I wouldn't want to change that for you. It's something you should have, something you should hold on to, something you should treasure.

Mr. Speaker, what we've put on the table is something that provides a framework of flexibility. We'll sit down and negotiate and work on – negotiate is the wrong word. We'll sit down and collaborate on a schedule which works for most people most of the time. It will be rough. It will have some rough edges. There's no question. There's always a time when you have to sort of say: well, we've gone about as far as we can go, and we can't move the blocks on this Rubik's cube any further, and that's about done now.

Mr. Speaker, I would ask that members defeat this amendment, pass Government Motion 24, and let us get on with planning our work and working our plan.

**The Speaker:** Any questions or comments from anyone?

Seeing none, are there any other speakers to amendment A2?

Are you ready for the question?

**Hon. Members:** Question.

**The Speaker:** The question has been called.

[Motion on amendment A2 lost]

**The Speaker:** Are there any other speakers to the main motion?

Seeing none, are you ready for the question?

**Hon. Members:** Question.

**The Speaker:** Hon. members, the question has been called.

Are you seeking a point of clarification, hon. member?

**Mr. Anderson:** No. I would like to speak to the main motion.

**The Speaker:** Well, the question has been called here.

**Mr. Anderson:** I know. I'm trying to get back into the swing of things.

**The Speaker:** I'm sorry, hon. member. Perhaps you can get your comments done some other how.

Let us carry on, then.

[Government Motion 24 carried]

#### Committee Membership Changes

25. Mr. Hancock moved:  
Be it resolved that the membership for the Assembly's five standing committees and the Special Standing Committee on Members' Services be replaced with the following:
- (1) Standing Committee on the Alberta Heritage Savings Trust Fund: Mr. Khan, chair; Mrs. Jablonski, deputy chair; Mr. Anderson; Mr. Casey; Mr. Dorward; Mr. Eggen; Ms Kubinec; Mr. Sandhu; and Dr. Sherman.
  - (2) Standing Committee on Legislative Offices: Mr. Cao, chair; Mr. McDonald, deputy chair; Mr. Bikman; Ms Blakeman; Dr. Brown; Ms DeLong; Mr. Eggen; Mrs. Leskiw; Mr. Quadri; Mr. Rogers; and Mr. Wilson.
  - (3) Standing Committee on Private Bills: Mr. Xiao, chair; Ms L. Johnson, deputy chair; Mr. Barnes; Mr.

Bhardwaj; Dr. Brown; Ms Cusanelli; Ms DeLong; Mr. Fox; Mrs. Fritz; Mr. Goudreau; Mrs. Jablonski; Mrs. Leskiw; Ms Notley; Ms Olesen; Mr. Rowe; Mr. Strankman; Dr. Swann; and Mr. Webber.

- (4) Standing Committee on Privileges and Elections, Standing Orders and Printing: Ms Olesen, chair; Mr. Lemke, deputy chair; Ms Calahasen; Mr. Cao; Mr. Casey; Mr. Hehr; Ms Jansen; Ms Kennedy-Glans; Ms Kubinec; Mr. Luan; Mr. McAllister; Ms Notley; Mr. Pedersen; Mr. Rogers; Mr. Sandhu; Mr. Saskiw; Mrs. Towle; and Mr. Young.
- (5) Standing Committee on Public Accounts: Mr. Anderson, chair; Mr. Dorward, deputy chair; Mr. Allen; Mr. Amery; Mr. Anglin; Mr. Bilous; Mr. Donovan; Ms Fenske; Mr. Goudreau; Mr. Hale; Mr. Hehr; Mr. Jeneroux; Mr. Khan; Ms Pastoor; Mr. Quadri; Mr. Quest; Mrs. Sarich; and Mr. Stier.
- (6) Special Standing Committee on Members' Services: Mr. Zwozdesky, chair; Mr. Rogers, deputy chair; Mr. Casey; Mrs. Forsyth; Mr. Fraser; Ms Kennedy-Glans; Mr. Mason; Mr. McDonald; Mr. Quest; Dr. Sherman; and Ms Smith.

[Government Motion 25 carried]

#### 5:50 Committee Membership Changes

26. Mr. Hancock moved:  
Be it resolved that the membership for the Assembly's three legislative policy committees be replaced with the following:
- (1) Standing Committee on Families and Communities: Mr. Quest, chair; Mrs. Forsyth, deputy chair; Dr. Brown; Ms Cusanelli; Ms DeLong; Mr. Fraser; Mrs. Fritz; Mr. Goudreau; Mrs. Jablonski; Ms Jansen; Mr. Jeneroux; Mrs. Leskiw; Ms Notley; Mr. Pedersen; Dr. Swann; Mrs. Towle; Mr. Wilson; and Mr. Young.
  - (2) Standing Committee on Alberta's Economic Future: Mr. Amery, chair; Mr. Fox, deputy chair; Mr. Bhardwaj; Mr. Cao; Mr. Donovan; Mr. Dorward; Mr. Eggen; Mr. Hehr; Mr. Luan; Mr. McDonald; Ms Olesen; Ms Pastoor; Mr. Quadri; Mr. Rogers; Mr. Rowe; Mrs. Sarich; Mr. Strankman; and Mr. Xiao.
  - (3) Standing Committee on Resource Stewardship: Ms Kennedy-Glans, chair; Mr. Anglin, deputy chair; Mr. Allen; Mr. Barnes; Mr. Bikman; Mr. Bilous; Ms Blakeman; Ms Calahasen; Mr. Casey; Ms Fenske; Mr. Hale; Ms L. Johnson; Mr. Khan; Ms Kubinec; Mr. Lemke; Mr. Sandhu; Mr. Stier; and Mr. Webber.

[Government Motion 26 carried]

**The Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. In light of the hour I move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; the Assembly adjourned at 5:52 p.m. to Wednesday at 1:30 p.m.]

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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Wednesday, March 6, 2013

Issue 31

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta**  
**The 28th Legislature**

First Session

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Jablonski, Mary Anne, Red Deer-North (PC), Deputy Chair of Committees

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Barnes, Drew, Cypress-Medicine Hat (W)  
Bhardwaj, Naresh, Edmonton-Ellerslie (PC)  
Bhullar, Hon. Manmeet Singh, Calgary-Greenway (PC)  
Bikman, Gary, Cardston-Taber-Warner (W)  
Bilous, Deron, Edmonton-Beverly-Clareview (ND)  
Blakeman, Laurie, Edmonton-Centre (AL),  
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Calahasen, Pearl, Lesser Slave Lake (PC)  
Campbell, Hon. Robin, West Yellowhead (PC),  
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Cao, Wayne C.N., Calgary-Fort (PC)  
Casey, Ron, Banff-Cochrane (PC)  
Cusanelli, Christine, Calgary-Currie (PC)  
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DeLong, Alana, Calgary-Bow (PC)  
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Forsyth, Heather, Calgary-Fish Creek (W)  
Fox, Rodney M., Lacombe-Ponoka (W)  
Fraser, Rick, Calgary-South East (PC)  
Fritz, Yvonne, Calgary-Cross (PC)  
Goudreau, Hector G., Dunvegan-Central Peace-Notley (PC)  
Griffiths, Hon. Doug, Battle River-Wainwright (PC)  
Hale, Jason W., Strathmore-Brooks (W)  
Hancock, Hon. Dave, QC, Edmonton-Whitemud (PC),  
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Jansen, Sandra, Calgary-North West (PC)  
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Kubinec, Maureen, Barrhead-Morinville-Westlock (PC)  
Lemke, Ken, Stony Plain (PC)  
Leskiw, Genia, Bonnyville-Cold Lake (PC)  
Luan, Jason, Calgary-Hawkwood (PC)  
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Weadick, Hon. Greg, Lethbridge-West (PC)  
Webber, Len, Calgary-Foothills (PC)  
Wilson, Jeff, Calgary-Shaw (W)  
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
    Government Whip

**Party standings:**

Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on Alberta's Economic Future

Chair: Mr. Amery

Deputy Chair: Mr. Fox

Bhardwaj	Olesen
Cao	Pastoor
Donovan	Quadri
Dorward	Rogers
Eggen	Rowe
Hehr	Sarich
Luan	Strankman
McDonald	Xiao

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Khan

Deputy Chair: Mrs. Jablonski

Anderson  
Casey  
Dorward  
Eggen  
Kubinec  
Sandhu  
Sherman

### Select Special Conflicts of Interest Act Review Committee

Chair: Mr. Allen

Deputy Chair: Mr. Luan

Blakeman	Notley
Dorward	Saskiw
Fenske	Wilson
Johnson, L.	Young
McDonald	

### Standing Committee on Families and Communities

Chair: Mr. Quest

Deputy Chair: Mrs. Forsyth

Brown	Jeneroux
Cusanelli	Leskiw
DeLong	Notley
Fraser	Pedersen
Fritz	Swann
Goudreau	Towle
Jablonski	Wilson
Jansen	Young

### Standing Committee on Legislative Offices

Chair: Mr. Cao

Deputy Chair: Mr. McDonald

Bikman	Leskiw
Blakeman	Quadri
Brown	Rogers
DeLong	Wilson
Eggen	

### Special Standing Committee on Members' Services

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Deputy Chair: Mr. Rogers

Casey	Mason
Forsyth	McDonald
Fraser	Quest
Kennedy-Glans	Sherman
	Smith

### Standing Committee on Private Bills

Chair: Mr. Xiao

Deputy Chair: Ms L. Johnson

Barnes	Jablonski
Bhardwaj	Leskiw
Brown	Notley
Cusanelli	Olesen
DeLong	Rowe
Fox	Strankman
Fritz	Swann
Goudreau	Webber

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Ms Olesen

Deputy Chair: Mr. Lemke

Calahasen	McAllister
Cao	Notley
Casey	Pedersen
Hehr	Rogers
Jansen	Sandhu
Kennedy-Glans	Saskiw
Kubinec	Towle
Luan	Young

### Standing Committee on Public Accounts

Chair: Mr. Anderson

Deputy Chair: Mr. Dorward

Allen	Hehr
Amery	Jeneroux
Anglin	Khan
Bilous	Pastoor
Donovan	Quadri
Fenske	Quest
Goudreau	Sarich
Hale	Stier

### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans

Deputy Chair: Mr. Anglin

Allen	Hale
Barnes	Johnson, L.
Bikman	Khan
Bilous	Kubinec
Blakeman	Lemke
Calahasen	Sandhu
Casey	Stier
Fenske	Webber

## Legislative Assembly of Alberta

1:30 p.m.

Wednesday, March 6, 2013

[The Speaker in the chair]

### Prayers

**The Speaker:** Hon. members and guests, let us pray. Dear Lord, let us all be mindful of the high principles that unite us in this Assembly and in the communities we serve. May we always strive to fulfill our duties and to be role models for others who look upon us for leadership, good stewardship, and effective representation. Amen.

Please be seated.

### Introduction of Guests

**The Speaker:** Hon. members, it's indeed a rare privilege to introduce a group of individuals who are connected to an event that has made world history and put Edmonton into the Guinness world book of records. Today is one such privilege. Therefore, I'd like to introduce a number of people who have contributed significantly to Quikcard Edmonton Minor Hockey Week's success of 50 years. I'll ask each of them to rise and wave as I read their names and to remain standing, please, until all have been introduced, and then we can thank them all together. I will go through these quickly, so the quickness that you show on the ice: show it here.

Chair Terry Brown; Vice-chair Rod McMahon and his wife, Dina; Mr. Central, Bill Ross, and his wife, Bev; Hockey Edmonton rep Dean Hengel; Minor Hockey Week rinks manager, Shaun Mitchell, his wife, Dawn, and their hockey son from the KC Sabres, Liam; executive director from Hockey Alberta, Rob Litwinski; president of Hockey Edmonton, Betty Chmilar; referee-in-chief for the Edmonton region, Curtis Nichols; zone referees Duncan MacDougall, Allan Bracuk, Sam Crocker, Joshua Read, and Trais Preston and an AA Edmonton official, Jon Kikuchi; one of the original helpers and builders of Minor Hockey Week, Orest Zaozirny, and his wife, Joanne; and finally, three young folks who represent to us what this is truly all about, from the Whitemud West Warriors Nikhil Reynolds and Reece Antler and from the Laurier Lightning Miss Taylor Young.

Please, let's welcome all of these guests. Thank you.

Minister of Human Services, you have a school group?

**Mr. Hancock:** Thank you, Mr. Speaker. You've introduced two young Whitemud Warriors, but I want to introduce to you and through you to members of this Assembly 90 enthusiastic, bright, and inquisitive students from St. Mary elementary school in my constituency of Edmonton-Whitemud. Accompanying the students today are teachers Therese Coates, Tracee Laba, Bev Terletski, Sandie Melnychuk, Greg Chin and parent helpers Laura Dust, Nikki Crook, Maureen Douglas, Cindy Law, Connie McAndrews, John Young, Lisa Dobson, and Dave Rumbold. I didn't have an opportunity to have a chat with the students today because it was so busy down on the steps this afternoon, but I hope to get out to the schools and answer their questions because I can tell you, Mr. Speaker, that their questions are among the best we get in this Legislature. I'd ask them to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** Thank you very much.

The hon. Member for Edmonton-Mill Woods to introduce his school group, please.

**Mr. Quadri:** Thank you, Mr. Speaker. It is indeed my honour and privilege to rise today to introduce to you and through you to all members of this Assembly the very fine students of Edmonton-Mill Woods' Minchau school. They are accompanied by their teacher, Jayne Schroffel, and teacher helpers Mila Gordon and Tim Southernwood. Now I would request them to rise, please, and receive our traditional warm welcome.

**The Speaker:** The hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you very much, Mr. Speaker. I'm pleased to rise today to introduce to you and through you to all members of the Assembly Mr. Lee Cutforth, Alberta's Property Rights Advocate. Mr. Cutforth is a graduate of the University of Saskatchewan law school, a good law school, is a respected lawyer from southern Alberta, and is proud of his farming background. He enjoys the confidence of members of both sides of the House. I'd ask that he please rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The Associate Minister of International and Intergovernmental Relations.

**Ms Woo-Paw:** Thank you, Mr. Speaker. It's indeed my pleasure to introduce to you and through you to all members of the House Miss Carlene Siu, presently a student taking international relations in her third year at the University of Calgary. She's doing her co-op semester in my office from January to April this year. Carlene is seated in the public gallery, and I would like to ask her to rise and receive the warm traditional welcome of the House.

**The Speaker:** The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Speaker. It is a pleasure to rise and introduce to you and through you to all members of the Assembly a group of Albertans known simply as the Sociables. These friends have been a staple at the Brier over the past five years, travelling the country and bringing their unique flair to the game of curling. Every day they dress in a different theme, and I think a few others have joined them. Perhaps in honour of your role here in the Assembly today they are CFL referees. They add excitement to the crowd and dedicate their time to engaging with the fans, hanging out in the Brier Patch, and have stopped in at the Legislature today to spend what I'm sure will be about the only time this week they will not be seen with a beverage in their hands. Another tradition of the Brier is the trading of pins, and I am proud to wear their pin on my lapel today. I would ask Nathan Woynarski, Tyson Woynarski, Richard Yacyshen, Charles Pullan, Mike Verdonck, Michael Chez, Kim Mazyn, and Jamie Yakimishyn to please rise, and I would also ask all members to embrace their fun-loving spirit, raise their glasses in a ceremonial sociable, and provide them with the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Minister of Culture.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. I'm so honoured to introduce to you and through you some extra special visitors from my constituency of Edmonton-Glenora who are seated in the members' gallery. They, too, are part of the Quikcard Edmonton Minor Hockey Week celebration. Please remaining standing as I call your names so that we can thank you all at the end. First of

all, from the Marshmallows team Sydney Kendall; from the Hurricanes team Avery Kendall, Melissa Flemming, Kalei Nguyen, Miri Licis, Kyle Licis, Madeline McCarthy; and from their fan club we have proud parents and grandparents Grant Kendall, Andrew Flemming, Justine Dien, Lisa Licis, Glen McCarthy, and coach Jason Kendall. Welcome, and thank you all for coming. Join me in welcoming them.

**The Speaker:** The hon. Member for Edmonton-Mill Woods.

**Mr. Quadri:** Thank you, Mr. Speaker. It is my delight to introduce to you some of the guests from my area of Edmonton-Mill Woods who are seated in the public gallery and are also part of the Quikcard Edmonton Minor Hockey Week. I would request that when I call your names, please rise and keep standing until I finish the entire list. I have from the Raiders team Brayden Ruzyski, from the Griffins team Hunter Boychuk, from the Bruins team Matthew Brown and Gavin Borg, and parent helpers Lisa Ruzyski, Tatiana Niemeier, and Patti Brown. Thank you all for coming and celebrating this week.

**The Speaker:** The hon. leader of the New Democrat opposition.

**Mr. Mason:** Thank you very much, Mr. Speaker. I have two introductions today. First of all, I know that he was referred to by you earlier but I'd like to introduce him officially since he's one of my constituents and someone I've known for over 20 years, Mr. Orest Zaozirny. He's been involved with Minor Hockey Week going back to the beginning. I've known him in that association and in association with the Northeast Zone Sports Council, which has been a very active organization for many years in northeast Edmonton. He's a pillar of minor hockey, a community leader, and someone I'm very proud to call my constituent. Would you please help me recognize Mr. Orest Zaozirny and his wife.

1:40

My second introduction, Mr. Speaker, is Ian Young. I'm very pleased to introduce to you and through you to this Assembly Mr. Young. He's a local advocate for the disabled population and a recent recipient of the Glenrose award of courage. Over the years he has served on numerous boards, including the city of Edmonton Advisory Board on Services for Persons with Disabilities and the Alberta Brain Injury Association. Ian is also a motivational speaker who has shared his story across Canada and the United States and has addressed the House of Commons in Ottawa in support of an injury prevention strategy. I'm quite proud to say that he's a constituent of mine as well. I would now ask Ian to receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. leader of the Liberal opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. It's my pleasure and honour to introduce to you and through you to all members of the Assembly six wonderful Albertans and, amongst them, two heroes. I will ask them to rise as I mention their names: Vera and Julius Lazarenko and their daughter, Sharen Van Fossen; Amber Torvalson and her husband, Shawn Sagert; and Donna Parker. This is a wonderful Alberta story. It all started with them taking their Nissan to the shop for a regular checkup. Julius' heart suddenly stopped, and he collapsed. Immediately Donna and Amber jumped to action by giving Julius CPR and saving his life. Not only did Donna save Julius' life; she herself had a heart attack a year earlier and was advised to avoid strenuous activity. Amber gave resuscitation. They are here today, living examples of good Albertans knowing CPR. They're asking every high school, every

high school student, and all of us to give the importance of CPR to all Albertans. I'd ask them to receive the warm welcome of the Assembly.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Speaker. Today I am pleased to introduce to you and through you to this Assembly my guests, who are representatives of Alberta's postsecondary students: Amanda Nielsen, from the Alberta Graduate Council; Miranda Holman, from the Alberta Students' Executive Council; and Duncan Wojtaszek, from the Council of Alberta University Students. Amanda, Miranda, and Duncan are concerned about the possibility of cuts to postsecondary education in the upcoming budget, cuts that would have a negative impact on the quality, access, and accessibility of education in Alberta's postsecondary institutions. I would now ask that Duncan, Amanda, and Miranda stand and receive the traditional warm welcome of the Assembly.

### Members' Statements

**The Speaker:** The hon. Leader of the Official Opposition.

### Provincial Fiscal Position

**Ms Smith:** Thank you, Mr. Speaker. Yesterday, in advance of tomorrow's budget, that will plunge Alberta back into debt for the first time in a decade, the Premier repeatedly said that we live in challenging times. No doubt she is attempting to somehow justify her government's complete mismanagement of Alberta's books, but let's do a little bit of mythbusting.

In Alberta are we really facing challenging times as she alleges? Well, here are the facts. Alberta currently leads the nation in economic growth, unemployment rates, employment growth, resource revenues, housing starts, and private investment. [interjections] Challenging times, guys. Challenging times. Per capita investment in Alberta is more than double the national average and is far higher than anywhere else in the country. Our provincial GDP is growing at twice the national rate. Last session the Member for Edmonton-Gold Bar gave a very detailed breakdown about how Alberta leads the pack in virtually every single economic indicator out there.

Funny that the Premier is now saying that Alberta is in challenging times. I think that what she secretly means, Mr. Speaker, is that her government is in challenging times because with everything going our way, with growth steady and prosperity abounding, this government has gone from riches to rags. Year after year of unrestrained spending growth, mostly on pet projects, pay hikes, lavish expenses, too many managers, and wasteful nonpriorities, have put Alberta's fiscal books on the brink. Deficits have gone from temporary to structural, our savings have evaporated, and we will soon return to debt. Soon enough we will be spending hundreds of millions in finance charges just to keep the creditors off our backs. None of this is because of challenging times, as the Premier would have us believe. It is simply because the PCs have failed to manage our finances responsibly.

**The Speaker:** The hon. leader of the Alberta New Democrat opposition.

### New Democrat Budget Consultation

**Mr. Mason:** Thank you very much, Mr. Speaker. The Alberta New Democrat opposition spent the weeks before session

travelling the province to speak with Albertans about tomorrow's budget. With the Premier and the Finance minister giving bleak warnings to Albertans about a difficult budget tomorrow, we wanted to talk to Albertans about their perspective on the services that are important to them, promises like building 50 new schools and refurbishing 70 older ones with stable and predictable funding. They promised to end child poverty in five years. They promised 140 new family care clinics at a cost of \$3.4 billion. They promised to build a thousand new long-term care beds every year until 2017. They promised a new oil sands technology and research centre. They promised \$650 million of increased funding to our colleges and universities. This is about \$6 billion worth of election promises that the PCs never costed because they never intended delivering on them.

We warned Albertans that the growth revenue outlook was deliberately optimistic and that their promises could not be paid for. Sure enough, the Premier is now blaming a fictitious bitumen bubble for her broken promises and her betrayal of Alberta families. The services that ordinary Albertans rely on, including health care and education, are threatened by cuts. This PC government cannot be trusted to stand up against the Wildrose Party's race to the bottom, to protect schools, teachers, nurses, long-term care facilities, or the most vulnerable Albertans.

Only the New Democrats will stand up in the Legislature to fight on behalf of ordinary Alberta families to ensure that they can get the public services that they need and that they are delivered effectively. The New Democrats believe in putting families first in this budget. It's time to ensure that the wealthiest corporations and Albertans in this province pay their fair share instead of cutting services that kids, seniors, and vulnerable Albertans depend on. We listened to Albertans on our prebudget tour of the province, and Albertans can depend on the New Democrats to work for them every day in the Legislature, defending the services they need and standing up for improvements to health care and education.

Thank you, Mr. Speaker.

#### **Quikcard Edmonton Minor Hockey Week**

**Mr. Young:** Mr. Speaker, I rise to pay tribute to an amazing event that has stood the test of time for 50 years. This event is the Quikcard Edmonton Minor Hockey Week, which was recently recognized by the Guinness book of world records as the largest hockey tournament in the world. It still happens every year right here in our capital, the city of Edmonton.

Credit for this incredible tournament goes to thousands of volunteers: the parents, coaches, officials, organizers, sponsors, and, most importantly, the young players themselves. My daughter Taylor, who plays for the Laurier Lightning team, is one of those players, and she is seated in your gallery here today. I'm so happy she is here today to be part of this tribute. I'm also delighted that so many other volunteers are here today that can personally receive our thanks and admiration for their efforts.

Mr. Speaker, 2013 marked the 50th anniversary of this amazing tournament, which involved more than 500 teams, 3,000 volunteer organizers, well over 3,000 coaches and managers, almost 9,000 players, and about 200 referees who donated about \$35,000 worth of their time to referee over 700 games in 14 ice arenas throughout Edmonton.

Thank you to all for helping our youth be active, learn about team play and fairness, and become good citizens of tomorrow. Congratulations to everybody involved with Quikcard Edmonton Minor Hockey Week. Thank you as well, Mr. Speaker, for

organizing the tribute today, and also thank you for the 50th anniversary souvenir pucks, which everybody should have gotten.

Thank you.

**The Speaker:** The hon. Member for Calgary-South East.

#### **Toupee for a Day**

**Mr. Fraser:** Thank you, Mr. Speaker. I proudly wear this toupee today in support of Wellspring Calgary. Toupee for a Day was conceptualized as a means of providing visible support for those who are living with cancer and those who love them. Each multicoloured toupee represents a different type of cancer, and today's participants will wear this toupee to raise money and awareness for Wellspring Calgary.

This is a cause that is close to my heart as my own mother passed away from cancer, and I wish she had the opportunity to experience the support that Wellspring Calgary provides.

**1:50**

Wellspring was founded in 2007 and provides support, resources, and programs for anyone living with cancer as well as added support for their loved ones. It's the only charitable organization of its kind in western Canada, and the programs offered are free of charge and do not require referral.

It's the volunteers that work tirelessly to support the needs of those suffering from cancer that make Wellspring the successful organization that it is today, led by executive director Patti Morris, Kevin Kaminski from Wellspring Calgary, and doctors Glenn and Marilyn Hundleby from Wellspring Edmonton, who are with us in the public gallery today. A special thank you goes out to cancer survivor and Calgary-South East constituent Heather Dougall, who planned and organized this event.

Our government caucus put on the toupees and took a group photo in support of this important cause, and this photo is being released today to gain awareness for Toupee for a Day.

Organizations such as Wellspring are crucial to building a stronger and healthier Alberta. Wellspring is a prime example of the charitable spirit that many Albertans share and demonstrate with their willingness to give of their time and of their talents.

Mr. Speaker, I encourage all of my colleagues to raise awareness today for Toupee for a Day. Thank you very much.

#### **Oral Question Period**

##### **Health Services Preferential Access Inquiry**

**Ms Smith:** Mr. Speaker, it's no wonder Albertans don't trust this Premier. Her government is being investigated for all kinds of issues, from illegal contributions to dodgy contracts to privacy breaches and, the big one, the judicial inquiry into health care queue-jumping. Of course, the Premier broke her promise to hold a full and complete probe, yet despite that, Justice Vertes exposed evidence that deserves further examination. Will the Premier agree to raise the bar on accountability and transparency and grant Justice Vertes all the time he needs not only to prepare his report but also to call new witnesses?

**The Speaker:** The hon. Premier.

**Ms Redford:** Thank you, Mr. Speaker. You know, I am proud of the fact that this government and our party decided to hold this inquiry because what we heard from the opposition for a long time is that there were all of these allegations with respect to challenges in the system, that political interference was involved, that

politicians were involved. From what I see on the outside, there's a lot of evidence that's been called, and we're looking forward to the result of that. We're quite happy, as the chair of the inquiry has asked for, for an extension to continue writing his report. In fact, the chair understood and said to us publicly that he had finished calling evidence, wanted time to write, and we're happy to give him that.

**Ms Smith:** I understand he asked for an extension until the end of August, and I don't believe that that's what the Premier has offered.

Mr. Speaker, given that Justice Vertes heard testimony from medical personnel under oath that individuals referred by the Helios clinic had wait times shortened from years to weeks, will the Premier agree with me that if this indeed did occur, it is not private medicine; it is simply corruption?

**Ms Redford:** Mr. Speaker, the reason that we have a judicial inquiry is exactly so that we do not have this debate in this House on these very important issues that we have asked a judge to oversee and make inquiries into. I would ask the Leader of the Opposition, first of all, to respect the independence of the inquiry, which she has not demonstrated she has been able to do so far, and on top of that to check her facts and to see that, in fact, the extension that we have agreed to is until the end of August.

**The Speaker:** Thank you.

Hon. member, this is a very serious inquiry, so let's be careful when we use words like corruption in the context in which they're raised.

Proceed with your next question.

**Ms Smith:** Thank you, Mr. Speaker. I'm glad to hear that. Unfortunately, the justice has also said that he doesn't have the power to act on any of the allegations that come forward before this inquiry. Given that the Official Opposition has written a letter to the College of Physicians & Surgeons, which I'll table today, to investigate the Helios clinic and given that charging patients to get preferential access to public services is a violation of the Health Act, will the Premier join us in asking the college to suspend Helios's licence while they investigate whether or not any laws have been broken?

**Ms Redford:** Mr. Speaker, I think this is awfully rich coming from a party that ran on private health care in the last election.

Nonetheless, the reason that we have an independent inquiry, Mr. Speaker, is because we want to make sure that an independently appointed judge can assess the evidence and provide a final report. Having the opposition stand up in the House three-quarters of the way through that process and make allegations interferes with that process. It is not respectful, and we will wait for the final report.

**Some Hon. Members:** Time.

#### **Speaker's Ruling Oral Question Period Time Limits**

**The Speaker:** Hon. members, I am well aware of the time. I do not appreciate or need your reminders, and I don't want to hear any more of them. Okay? I think it's fairly even on both sides. I'll decide what the time is based on the signals I get from the Clerk's table, if you don't mind. Thank you very much.

Hon. leader, please proceed.

#### **Access to Budget Lock-up**

**Ms Smith:** Thank you, Mr. Speaker. It's no wonder that Albertans don't trust this government. They expect and deserve a complete analysis of tomorrow's budget so that they can understand the implications of the government's plans to send us back into debt. Yet the Minister of Finance refuses to allow legitimate advocacy, stakeholder, and policy groups to participate in the briefing process known as the lock-up. The Canadian Taxpayers Federation, the Alberta Union of Provincial Employees, the Fraser Institute, and Public Interest Alberta as well as others have been barred. Now, the Premier backtracked this morning and is going to allow the Taxpayers Federation in, but why does she always have to wait to be arm-twisted to do the right thing?

**Ms Redford:** Well, Mr. Speaker, I had a very good conversation today with Scott Hennig from the Canadian Taxpayers Federation. We reviewed the fact, as I said yesterday, that the Canadian Taxpayers Federation has had the opportunity to meet independently with the minister, participated in the Alberta economic summit. But I will say one thing. We received some very constructive and helpful advice from the Member for Little Bow yesterday. He sent me a note and said: you might want to reconsider this. I thought that was good advice, and we're prepared to take good advice from the opposition.

**Ms Smith:** Too bad your Finance minister didn't get the memo because he was still sending out letters last night explaining why they weren't going to be allowed in.

Given that what actually happened is that we needed to resort to complex workarounds to be able to get different voices into the budget lock-up process and given that the Finance minister says that he wants only those groups impacted – and that's his word – by the budget to participate and given that the AUPE and Public Interest Alberta are still excluded from the lock-up, does this mean that provincial employees won't be impacted by this budget?

**Mr. Horner:** Well, Mr. Speaker, the purpose of the lock-up started out with us providing the media with a little bit of a heads-up to the documents that are in there, which are quite lengthy, as you'll see tomorrow. Then we added the members of the opposition for an opportunity to be ready for the debate and then stakeholders to understand the impact on them. This year we added members of our results-based budgeting challenge panels. So special-interest groups like the CTF, like Friends of Medicare have never really had any right to be in the lock-up.

I note that the wild alliance has signed up Derek Fildebrandt as an employee.

**Mr. Anderson:** Point of order.

**Mr. Horner:** I knew he was working for them, but I thought he wanted the job that was vacated by their campaign manager.

**The Speaker:** The hon. leader.

**Ms Smith:** I can see the Finance minister still didn't get the memo because it sounds like the CTF is going to be allowed in.

The Premier said in a year-end interview in 2011, and I'm quoting here: "Alberta does not have debt, and we will not incur debt. That's fundamental to what Albertans are proud of, and we're committed to make sure that continues." Given that the actual debt will probably approach \$5 billion to \$6 billion, is that why

she is trying to block stakeholders from being able to do a full analysis on budget day?

**The Speaker:** Thank you, hon. leader.

Hon. minister, before you proceed, a point of order by the Member for Airdrie has been noted at 1:58. If you wish to address that in the last five seconds, I'll give you an additional five seconds.

**Mr. Horner:** Thank you, Mr. Speaker.

Let's keep this in perspective. We are providing a secure lock-up area for special-interest groups, to which the CTF will be invited. They will be in lock-up from 1:30 to 3:15. All Albertans have a right to see what's in this budget, and we allow a privileged few to get a head start on all of the others because it's been something that we've always done. I will undertake a review of this process this summer, of the whole budget process, and I commit to Albertans that we will ensure that it's reasonable and it's fair and it's not to be used by any party or their employees to politically grandstand over it.

And I apologize. I think I said wild alliance. That's an opinion. The name is Wildrose Alliance.

**The Speaker:** Thank you.

I assume you're satisfied with that, Member for Airdrie.

**Mr. Anderson:** Whatever.

**The Speaker:** Let me recognize you, then, for your set of questions.

2:00

#### Provincial Tax Policy

**Mr. Anderson:** Mr. Speaker, being Premier must be a very tough job. Trying to share your plans, with all the noise of the media and the opposition is getting in the way: it's no easy task. I want to give the Premier the opportunity to clearly reiterate her long-standing commitment that she will not introduce or increase taxes of any kind prior to the next election. Madam Premier, here's your chance, your moment to show everyone how paranoid this opposition is. Premier, will you recommit to not introduce nor raise any taxes prior to the 2016 election?

**Ms Redford:** Mr. Speaker, I don't think this side of the House has to spend very much time proving how paranoid the opposition is. They do a good enough job themselves.

However, I want to reflect on some comments that were made a little bit earlier with respect to Alberta, and then we'll actually have a real conversation about this. The Leader of the Opposition stood up and said that Alberta is the economic engine of the country, and she's absolutely right. You know why? Because Progressive Conservative governments built that economy. Today this is the best place to live because we built it, Mr. Speaker. Tomorrow's budget will set that direction, and we'll keep building further.

**Mr. Anderson:** So close to an answer, Mr. Speaker, yet so far away.

Given, Premier, that we all know there will be no tax increases in Budget 2013, as you've said many times, and we take your word on that, and given that we in the Wildrose profoundly thank you for the courage to stand up to all those Albertans that want higher taxes – yes, they are out there – will you please answer my question this time? Will you keep your commitment to not

introduce new taxes or increase existing ones, not just in Budget 2013 but prior to the 2016 election? Yes or no?

**The Speaker:** The hon. Premier.

**Ms Redford:** Well, thank you, Mr. Speaker. I'll tell you that one of the reasons we've made that commitment is because we know that Alberta's tax advantage is one of the reasons that we have the strongest economy in the country and perhaps in the world.

I'll tell you something else, Mr. Speaker. I was reflecting on the Leader of the Official Opposition's comments with respect to challenging times and where we are right now. The reason that we are bold and brave and strong is because we are able to understand that in order to make the decisions that need to be made for continued economic success, that allow us to continue to invest in families and to be prudent and to open markets, you can't be short sighted. You have to be long term. That's why we won on April 23.

**Mr. Anderson:** Given my understanding that this is question period and given that I was always under the impression that after a question is asked, a Premier would be capable of answering the question, and given that sometimes there are questions that can be confusing and disorienting, I will repeat the question one last time for clarity. Will your government be raising taxes or introducing any new taxes prior to the next election, at any time prior to the year on our Canadian calendar known as 2016? Yes or no?

**Ms Redford:** Mr. Speaker, tomorrow we're tabling a budget that's going to set the direction for the future of this province. As a government we will not do what the opposition does, which is to take extreme and ideological positions with respect to the long-term planning of this province. The opposition is very happy to stand up and say that times changed and everyone should have understood. What the opposition needs to understand is that in a complicated world we build our budget one year at a time. What you're going to see tomorrow is a long-term plan that puts in place Albertans as our first priority, not the ideological approach of the opposition.

#### Labour Negotiations with Teachers

**Mr. Hehr:** In November the minister and Alberta teachers had essentially agreed to financial terms, wage freezes for the first two years and a modest 1 and 3 per cent increase in the final two years. Two weeks ago the minister made a lower offer. Now the minister directed school boards that any terms reached cannot include money previously offered. That means less money for teachers. If I was trying to get my neighbour's kid to mow my lawn and he rejected my offer of \$20, I don't know why I'd go back two weeks later and offer \$15. To the minister: maybe the minister can enlighten me on this unique technique to try to reach a negotiated settlement.

**Mr. J. Johnson:** Mr. Speaker, the negotiations with the ATA and the ASBA have been going on a lot longer than since November. These negotiations have been going on for two and a half years, and there have been a multitude of proposals shared back and forth. Obviously, the economic climate and other things have changed over the last two and a half years. There are many things that we had on the table in the last proposal, two weeks ago, that we did not have on the table in November. We pushed ourselves, and we pushed the Alberta school boards as far as we possibly could go. We were very uncomfortable, as a matter of fact, with

that proposal, and I was very shocked and disappointed that the ATA turned it down.

**Mr. Hehr:** Well, given that you have threatened legislative settlements, sent e-mails directly to teachers, an affront to the collective bargaining practice that actually may be offside of Alberta's privacy laws, and that you've brought up the divisive concept of merit pay, do you think these tactics have been helpful in reaching an agreement?

**Ms Redford:** Mr. Speaker, I think it's been really important for us as the government to be able to communicate with teachers, who are professionals in our province and entitled to be communicated with by the government, in a way that allows us not only to communicate through the union. I think it's really important that we recognize the fact that if we want to have a real discussion about how important teachers are to our families and our kids, we have the ability to include teachers in the dialogue. From my perspective as we're able to talk through what long-term planning looks like for education for schools and curriculum, to implement Inspiring Education, this is the way forward for negotiations, and I'm very optimistic that we're going to reach a settlement.

**Mr. Hehr:** My final question is to the minister or the Premier if she wants. Given your government has walked away from the promise of three years' predictable and sustainable funding, has walked away from the promise of full-day kindergarten, has walked away from the promise of reducing class sizes, is it any wonder that teachers cannot trust your government to sign any agreement where teacher workload is not included in the finalized agreement?

**Mr. J. Johnson:** Mr. Speaker, this government is delivering on a number of the promises from the Premier. As a matter of fact, the Premier promised to reinstate the \$107 million in funding. She did that. She promised to pass the Education Act. She did that. She promised 50 new schools and 70 modernizations. We will do that. She's promised to put kids first. We are doing that.

**The Speaker:** The hon. leader of the New Democrat opposition, followed by Lac La Biche-St. Paul-Two Hills.

### Long-term Care for Seniors

**Mr. Mason:** Thank you, Mr. Speaker. This PC government cannot be trusted to protect our Alberta seniors. Yesterday the government finally reversed their one-bath-a-week policy for seniors, ignoring the fact that seniors' homes are already seriously understaffed. At the same time, the new patient-care-based funding model will result in the loss of 180 new jobs from Capital Care and the Good Samaritan Society alone. My question is to the Premier. What's the point of announcing a policy of two baths a week for seniors when there's not enough staff to guarantee them even one?

**Ms Redford:** Well, Mr. Speaker, it's fundamentally important that we respect the dignity not only of seniors but of individuals that are living in long-term care. Some of them aren't seniors; they're younger people. These are very important issues to their personal dignity. Personal care plans are exactly that. They allow us to put in place an approach that is client centred and that ensures everyone who's in long-term care is getting the support that they need.

I want to congratulate our minister responsible for seniors and also for the programs with respect to long-term care for taking the

time, which was important, Mr. Speaker, to ensure that when this policy was introduced, it could be implemented so that they weren't hollow words. This is a minister who cares about the people, the programs he's supporting, and that's fundamental to our commitment.

**The Speaker:** The hon. leader.

**Mr. Mason:** Thank you very much, Mr. Speaker. This regressive preservative government can't be trusted to protect our seniors. Given that in the last Legislature the NDP tabled thousands of working-short forms showing the inability of the underresourced staff in these facilities to meet even the most minimum of standards, can the Premier tell us how laying off 180 front-line staff will cause anything but a deterioration in the already inadequate care of our seniors?

**The Speaker:** The hon. minister.

**Mr. VanderBurg:** Thank you, Mr. Speaker. As you'll see tomorrow, the budget is a thoughtful budget that cares about the needs of our seniors, that cares about the needs of vulnerable Albertans. We will see. The proof will be tomorrow, sir.

2:10

**Mr. Mason:** Mr. Speaker, Albertans can't trust this government to keep their promises. Will this government reverse its inhumane policies towards seniors and ensure that the people who built this province get the care they need in their later years? When will this government stop simply warehousing seniors?

**Mr. VanderBurg:** Mr. Speaker, I really take offence to the word "warehousing." You know, we have licensed facilities all over the province. We have people that serve with care and compassion. These are Albertans that live in a home. They don't live in a facility. This is their home, and I really take exception to those words that were used.

**The Speaker:** Thank you.

I would like to remind the hon. member, too. The point is a serious one. I thought you were doing so well in trying to make it. But terms like that tend to lead to disorder at some point, so let's reconsider them.

The hon. Member for Lac La Biche-St. Paul-Two Hills, followed by St. Albert.

### Medevac Services

**Mr. Saskiw:** Thank you, Mr. Speaker. Yesterday the Premier accused the opposition of fearmongering for identifying the reckless and dangerous decision of relocating medevac services, but in a letter signed now by over 65 doctors in the north with over 20 alone just in Grande Prairie, they state that the government's "relocation plan is flawed" and conclude that "moving the medevacs on March 15th is unnecessary, costly, and will have fatal consequences." To the Minister of Infrastructure: with no expected building of a tertiary hospital in the north any time soon, are you going to negligently ignore the warnings of the 20 doctors in your area?

**The Speaker:** The hon. minister.

**Mr. Drysdale:** Thank you, Mr. Speaker. I've consulted with my constituents and these doctors I've met with. It's not Infrastructure's job to build hospitals. We build them but in consultation with my colleagues. We are building hospitals in the



north. We're building three hospitals at this present time, I will add, including one in Grande Prairie that's going to help replace the services that we're doing in Edmonton.

**The Speaker:** The hon. member.

**Mr. Saskiw:** Thank you, Mr. Speaker. Given that these 65 northern doctors have stated that "for the critically ill and injured people of the north, the extra transport time will result in needless deaths and disability," Minister, are you honestly asking northern Albertans to trust this government over the doctors? Really?

**Mr. Horne:** Well, Mr. Speaker, as I observed yesterday when similar questions were asked by the opposition, people's perception of the move of the medevac facility is going to be a direct function of the quality and accuracy of the information that they're given. We know – we know – that there have been several meetings in northern Alberta where inaccurate, misleading information has been presented about this change.

The fact of the matter is that the government is not going to wait for the city of Edmonton to functionally close the airport. To do anything less would be irresponsible. We started our planning over a year and a half ago. We are delivering a state-of-the-art medevac facility for the residents of northern Alberta, and 67 patients . . .

**Mr. Saskiw:** Given that four Fort McMurray doctors have now signed the same letter and concluded that moving medevac on March 15 is unnecessary, costly, and will have fatal consequences, will the Associate Minister of Accountability, Transparency and Transformation confirm that no northern doctor will be bullied, intimidated, or called a fearmongerer just for standing up for their patients and standing up for northern Albertans?

**Mr. Griffiths:** Mr. Speaker, it's arrogant and ignorant, quite frankly, of the opposition to ignore the request of the city of Edmonton and their plan to go forward with the closing of the municipal airport.

**Mr. Anderson:** Point of order, Mr. Speaker.

**Mr. Griffiths:** Health care has worked very hard, Alberta Health Services, to make sure that medevac services are not compromised and are in fact enhanced in many cases. The building of three hospitals in northern Alberta means that we're moving services to Albertans, not simply expecting them to always medevac in. We're building the north and building Alberta for the future of this province, not just for today.

**The Speaker:** Hon. Member for Airdrie, you rose on a point of order at 2:15. Your point of order has been noted.

Let's move on now to the hon. Member for St. Albert, followed by Chestermere-Rocky View.

### Pipeline Development

**Mr. Khan:** Thank you, Mr. Speaker. [interjections] We'll try this again.

**The Speaker:** You have the floor, St. Albert.

**Mr. Khan:** Thank you, Mr. Speaker. In recent months the government has spoken often about western Canadian select crude discounts as a result of the bitumen bubble. The government has invested an awful lot of time explaining this problem to Albertans. My question is to the Premier. Now that most of my constituents

in St. Albert understand the issues around the bitumen bubble, what are we doing as a government to offer them solutions? [interjections]

**Ms Redford:** Well, Mr. Speaker, regardless of what the opposition might think, I think this is a pretty relevant question to how we move forward as Albertans, so I might just answer that question.

I had an opportunity this morning to have a very productive conversation with our Minister of Foreign Affairs, John Baird, who was just in Washington on Sunday and Monday building on the work that the Minister of Environment and Sustainable Resource Development and I were able to do last week. Mr. Speaker, the work that we're doing right now in Washington with respect to Keystone is fundamental in terms of Canada-U.S. relations and ensuring that decision-makers understand our commitment to environmental sustainability. The work that we're doing with the federal Minister of the Environment is fundamental to that because opening our markets is what's going to allow us to ensure that Albertans are getting the fair price that they deserve for the resources that they own.

**The Speaker:** The hon. member.

**Mr. Khan:** Thank you, Mr. Speaker. Market access for Alberta's energy has been acknowledged by government as a crucial issue. Given that we can't get a pipeline through one province, how does the Premier realistically expect that we can get our energy to the east coast of Canada?

**Ms Redford:** Mr. Speaker, it's very interesting, when we talk to Premiers across this country, how different Premiers understand the priorities of the economy differently. Of course, you'll know that Premier Marois and Premier Alward, from Quebec and New Brunswick, fully understand what the economic benefit to their provinces will be if we're able to put an eastern pipeline through. I think there are interesting conversations going on in British Columbia right now as well. Fundamentally the Canadian energy strategy is what's allowing us to pull this together. We're making very productive progress through eastern Canada to work with New Brunswick and with Quebec. Being able to get to tidewater, whether it's on the east coast or the west coast, will make a difference to Albertans.

**The Speaker:** The hon. member.

**Mr. Khan:** Thank you, Mr. Speaker. My final question is again to the Premier. Given that the main roadblocks to pipeline access appear to be environmentally motivated and given the acknowledged challenges in meeting our province's climate change targets, can the Premier tell this Assembly whether the government will or will not meet our climate change targets?

**Ms Redford:** Well, Mr. Speaker, as opposed to the other side of the House, we actually believe that it's important to talk about global warming, and we're prepared to acknowledge that the science is settled. I'll tell you the reason that we need to do that. Go to the CBC debate during the election and take a look at what that debate was about. I'll tell you that being able to talk about the reduction of emissions, which the federal government is doing, which we're doing, which the government of Saskatchewan is doing, is exactly the conversation that we need to have with customers in the United States and in other parts of the world. This is actually the way of the future, not the past.

**The Speaker:** Thank you.

Hon. Member for Airdrie, you rose on a point of order at 2:18 during the final answer just given.

We'll move on now to Chestermere-Rocky View, followed by Edmonton-South West.

### **Labour Negotiations with Teachers** (continued)

**Mr. McAllister:** Thank you, Mr. Speaker. Might we first congratulate the Member for St. Albert on asking his first question in this House.

My questions are for the Minister of Education. He's not very popular, nor is his government right now, with teachers in Alberta. The reason is pretty simple. Alberta teachers feel like they have been deceived. They were promised one thing before the election only to have another delivered after the government got their vote. Everybody in this province, regardless of their political stripes, ought to keep our kids top of mind in these negotiations. If teachers are not respected, it does not bode well for the classrooms. To the Minister of Education: why aren't you listening to teachers?

**Mr. J. Johnson:** Mr. Speaker, it's a great question, and I've got to say that I am listening to teachers. As a matter of fact, we're reaching out to teachers every possible chance we get. I've been attending teachers' conventions, visiting schools, even sending e-mails. I've got a binder full of e-mails from teachers telling me how happy they were that we reached out to them. It's very interesting that that comment would come from a party whose leader said to CBC not so long ago, "So our very best and most skilled teachers no longer are in the classroom."

**Mr. McAllister:** Mr. Speaker, I'm pretty sure my hon. leader would have been referencing the fact that this government loves to put a lot of teachers in boardrooms instead of classrooms.

Given that teachers have been pretty clear that this is not about money, Mr. Speaker – this is about working conditions – and given that all we really want to do and all everybody should want to do is what's best for teachers so they can do what's best for our kids in return, why won't the minister commit to working with teachers in trying to resolve this?

2:20

**Mr. J. Johnson:** Mr. Speaker, I'd encourage the member to read the proposals that were made to the ATA. That's exactly what we're trying to do. I completely agree with him. If he's suggesting that we actually want to impose hard caps across rural Alberta for assignable time, I'd welcome that input, maybe even in this House. I don't believe that's the right way to go, and it's been proven not to work in Edmonton and Calgary. Taking that kind of flexibility out of the system has been the big key rub in these negotiations, one thing that we couldn't bend on. There are many other ways that we want to look at workload, invest in workload studies, decrease instructional time for teachers. We're still willing to do those things.

**Mr. McAllister:** Mr. Speaker, it's one thing to say that you're going to listen to teachers about workload and another to actually do it. That's the problem that we're having. Given that the minister sent a letter to boards outlining what they can do and what they can't do, what they'd like to see them do in terms of negotiations, given that the minister reached out and sent a personalized letter, which he probably shouldn't have, to every teacher in this province, it seems like he has a predetermined

outcome in mind when it comes to negotiations. Does the minister recognize that boards and teachers are finding it tough to negotiate when you appear to have already dictated a settlement to them?

**Mr. J. Johnson:** Mr. Speaker, I don't think it's inappropriate for the Education minister to take an interest in the education system. The sustainability and the quality of this education system is a great responsibility that I take very seriously and why we've been working closely with the Alberta School Boards Association and the ATA on a whole number of issues. I think it's entirely appropriate that the chair responsible for regulating the teaching profession would reach out to those professionals to talk about that profession.

**The Speaker:** The hon. Member for Edmonton-South West, followed by Edmonton-Centre.

### **Little Warriors Program Funding**

**Mr. Jeneroux:** Thank you, Mr. Speaker. I'd like to bring to light a situation I've personally been made aware of in the last few weeks. For almost 10 years Edmonton's Little Warriors society has been working to create awareness of the tragedy that is child sexual abuse. I've spoken to many of my friends and constituents who are concerned that the government has reneged on a commitment to provide funding to the society for the construction of the Be Brave Ranch, a one-of-a-kind treatment centre in Canada offering treatment to victims of child sexual abuse. My question is to the Minister of Culture. Can the minister please explain why her department and the Department of Human Services have rescinded support and financial commitment to Little Warriors?

**The Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. I first want to say that Little Warriors has done a great job of promoting the awareness of child sexual abuse. This department through the community initiatives program has provided support of over \$130,000 over the last couple of years. What's really important to note with respect to the application is that there is information that's missing. We've not received it yet. It's about the viability of the program, and it's about the treatment plan as well. So I look forward to receiving that information.

**Mr. Jeneroux:** This time to the Minister of Human Services and asking as a father. Supporting victims of child sexual assault is extremely important. Like me, Albertans want to know that their government sees this as a priority. Why aren't we providing these services?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Thank you, Mr. Speaker. This government and this minister think that this is the ultimate priority. The prevention of child abuse and helping abused victims recover is absolutely one of the most important things we can do. We spend over \$18 million a year on prevention and treatment in this area. We support the Zebra Child Protection Centre in Edmonton, the new Child Advocacy Centre in Calgary. Nine sexual assault centres receive \$1.8 million annually. The child sexual exploitation program receives \$6.7 million. Ten million dollars is spent regionally on counselling services and placement for victims of child sexual abuse and their families.

I personally have been a very strong supporter of the work that Little Warriors has done in terms of raising awareness. They do great work raising awareness. What we need to find out is if they do great work in the ranch.

**Mr. Jeneroux:** That's all fine and good, Mr. Speaker. Lots of that is just numbers.

To the Minister of Human Services again. This request is only for \$650,000. Why can't this government find just this small amount to fund work by the Little Warriors society to protect and heal our children?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Thank you, Mr. Speaker. This is really a crucial question. It isn't just \$650,000. The capital request for \$650,000 to buy the ranch is just the start. Then you have to look at the business case for how the ranch will operate and the medical case with respect to how the treatment plan will work. That's the information that we've requested before we approve it. That's what we would ask of anybody who comes to government for public money: what is the efficacy of the program? What results will be obtained? Is it the best investment to achieve the result in this area? All of us support children who have been sexually exploited. It's the worst thing one can do to a child. All of us want the child to recover. We want to make the best investment possible to ensure that that happens.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by Edmonton-Strathcona.

#### Combined Low-expenditure Tax Assessment

**Ms Blakeman:** Thanks very much, Mr. Speaker. It's pretty obvious that Alberta is an urban province; 83 per cent of us live in cities or towns. Well, it's obvious to everyone but this government, which allows for one kind of tax to come out to \$28 for every person in a city or town but almost \$2,000 per person for folks in rural districts and counties. To the Minister of Municipal Affairs: why does this government discriminate against urban areas by restricting their access to the nonresidential linear property tax component under CLEA?

**Mr. Griffiths:** Mr. Speaker, this is a great question. I've had many discussions with the AUMA, the AAMD and C, and municipalities both rural and urban about this. Most municipalities work very hard to attract businesses, to attract industries, and to build new subdivisions so they can grow their tax base. I know that there is some tension between municipalities on this particular type of revenue, but I encourage municipalities to make sure that they work it out amongst themselves because there isn't a single solitary individual, whether they live in a county or they live in a town, who isn't a member of a community. Every single bit of those resources, whether they come from rural or urban communities, needs to go into supporting that community. The solutions are best reached at the local level.

**Ms Blakeman:** To the same minister. I heard that minister at the AUMA conference tell councillors that there was no point to making changes to CLEA because then Calgary and Edmonton would get two-thirds of the money. Well, since those cities have two-thirds of the population, what would be wrong with that?

**Mr. Griffiths:** Mr. Speaker, rural Alberta has very tough challenges when investing in building and infrastructure. My point

was that most of the communities in this province, in fact 328 of them, are not Edmonton and Calgary. They're the rest of the province and are just as desperate for resources as anybody. When those small municipalities were asking for money from the linear assessment from rural municipalities, they had to be aware that if it was a provincial solution that came up, it would wind up in Edmonton and Calgary and we would pull resources from rural Alberta which were generated in rural Alberta. That's why I encouraged them to find a local solution.

**Ms Blakeman:** Okay. Back to the same minister: how is it fair to have MDs, counties, and specialized municipalities receive \$1.4 billion for 17 per cent of the people in this province while the other 83 per cent of Albertans get to share \$81.5 million?

**Mr. Griffiths:** Mr. Speaker, this is the problem where sometimes the opposition puts this us-versus-them mentality into this discussion. I've always said that there is no us versus them. There's only us. It could be asked by rural Albertans why 17 per cent of the population that lives in rural Alberta, that has all the oil and gas revenue, does all the work, all the farms, all the agriculture and everything associated with it, supports urban Albertans, who sit in high-rise condos and don't necessarily contribute to the grassroots of this economy. [interjections]

I will not do us versus them. I will support every single municipality to work together to build strong communities for the future of this province.\*

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by Rimbey-Rocky Mountain House-Sundre.

**Ms Notley:** Well, Mr. Speaker, I sense an emergency press conference over that one.

#### Postsecondary Education Funding

**Ms Notley:** Albertans are learning that they cannot trust this government to keep promises. When it comes to postsecondary education, Albertans were promised a stable and predictable 2 per cent increase in funding, a minimal requirement to address among other things the growing thousands of qualified students being turned away from our overcrowded institutions every year. To the minister of advanced education: will you acknowledge that breaking the promise on funding to universities will hurt Alberta's students, their families, and our economic future?

**The Speaker:** The hon. minister.

**Mr. Campbell:** Thank you, Mr. Speaker, for that question. I can say that our minister is taking very seriously advanced education and the funding for all our postsecondary education institutions in this province and that we will put a system in place to make sure all of our students have a first-class education.

2:30

**Ms Notley:** Well, Mr. Speaker, given that this government also promised to help aboriginal and rural students access postsecondary education with a new bursary program and given that the failure to keep that promise will mean more struggles for aboriginal and rural students, will the minister of advanced education and the Deputy Premier tell Albertans if the new bursary program is on or if these students should start looking for a second, third, or fourth summer job to pay for another broken Tory promise?

\* See page 1400, left column, paragraph 5

**Mr. Campbell:** Well, Mr. Speaker, the budget will come forward tomorrow, and I'd ask the opposition to sit tight and hear what the minister has to say when the budget is released.

**Ms Notley:** Well, Mr. Speaker, given that the president of the U of A recently raised the spectre of tuition increases in her state of the university address and given that this government's broken promise on funding will see students and their parents digging deeper and deeper into their own pockets, will the minister of advanced education admit that Alberta's students and their families will be the ones paying for your broken promises on postsecondary funding?

**Mr. Campbell:** Again, Mr. Speaker, the budget comes out tomorrow, and I ask the opposition to listen closely to that, and they'll get the answers they've asked for.

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

The hon. Member for Rimbey-Rocky Mountain House-Sundre, followed by Calgary-Currie.

### Environmental Protection

**Mr. Anglin:** Thank you, Mr. Speaker. On February 26 the ERCB imposed a high-risk enforcement action against Plains Midstream for an illegal oil spill. The investigation found Plains guilty of spilling 28,000 barrels of oil due to inadequate backfill operations, inadequate maintenance, inadequate leak detection measures, inadequate response procedures, and inadequate emergency plans. To the minister: how do the ERCB enforcement actions prevent or reduce the likelihood of another catastrophic oil spill?

**Mr. Hughes:** Mr. Speaker, I'm very pleased to have a question. This enforcement action by the ERCB is an important enforcement action, and in fact, as we move to the new regulator, fines that the regulatory authority could impose for infractions like this will be even higher. You know, in this province we have over 400,000 kilometres of pipelines. That's enough to go around the world 10 times. We have a lot of important materials moving through pipelines throughout the province, and we're all dedicated to ensuring that it is done safely and in an appropriate manner.

**The Speaker:** The hon. member.

**Mr. Anglin:** Thank you, Mr. Speaker. Given that the only consequence of this high-risk enforcement action imposed upon Plains Midstream was to hire a public relations firm, how does forcing a company to hire a public relations firm qualify as a consequence or an incentive to reduce or prevent the likelihood of another catastrophic oil spill?

**Mr. Hughes:** Well, if that was true, that would be unfortunate, wouldn't it, Mr. Speaker? But it's not the only consequence to the operator. The operator also was prevented from actually shipping, which had the consequence of a very substantial financial implication for the company, and in addition to that, they have been required to step up the game as well. So this is part of what we're doing in this province. We are working hard with the pipeline industry. The ERCB has been working closely with them as well. I expect to receive soon the report that I requested last summer, that helps ensure that we perform at the highest possible level.

**The Speaker:** The hon. member.

**Mr. Anglin:** Thank you, Mr. Speaker. Given that this government is marketing its environmental protection record to support building international pipelines like the Keystone, given that Syncrude's penalty for killing ducks is \$3 million and Plains' penalty for spilling 28,000 barrels of oil is the cost of hiring a public relations firm, how can anyone trust this government to protect the environment when the penalties are inconsistent and just don't make sense?

**Mr. Hughes:** Well, Mr. Speaker, under the new Alberta energy regulator the fines could be half a million dollars, but more importantly the financial implications for the company are millions of dollars in impact because they cannot use those pipelines if they have had an issue like this, and the industry knows that well.

### Services for Adults with Developmental Disabilities

**Ms Cusanelli:** Mr. Speaker, it's with great honour that I rise to ask my first question in this House on behalf of my constituency, Calgary-Currie. Our constituency has many notable facilities offering supports and services to Alberta's most vulnerable. My constituents are worried for the future of their adult children with developmental disabilities. Families don't know how to go for assistance with planning when they're no longer able to continue in the role as a caregiver for aging developmentally disabled children. All my questions are to the associate minister of persons with developmental disabilities. My constituents want to know: how are we being responsive to families who are looking for this type of assistance?

**The Speaker:** The hon. associate minister.

**Mr. Oberle:** Thank you, Mr. Speaker. As we age, it's incumbent on all of us to arrange our financial and legal affairs, to ensure that they're in order, to plan for own future and that of our family, and that's particularly important when we have a disabled person in our family. I would certainly advise Albertans to seek the advice of accountants and legal advice, but with respect to planning I can advise that the offices of the Public Trustee and the public guardian are always available for assisting in planning, and with respect to actual service delivery I can assure you that the government stands ready to assist.

**Ms Cusanelli:** Given that by 2015 the number of seniors with developmental disabilities is expected to grow by 74 per cent and by 2020 will have increased by 169 per cent, how does this government ensure that the offices of the Public Trustee and the public guardian are prepared to meet the demands of a growing and vulnerable population here in Alberta?

**Mr. Oberle:** Well, Mr. Speaker, there have been a number of studies. This is no surprise, this coming change in demographic. In fact, there's a good one by PDD Calgary, done in 2010, that's posted on our website. That was one of the reasons for the amalgamation of the Human Services department and breaking down the lines between traditional service arms and involving all of those service arms in more of a continuum of care delivery. The office of the Public Trustee and the public guardian are involved in that continuum and in the planning for the future of our clients, and they will be there when they're needed.

**Ms Cusanelli:** Well, given that older adults with developmental disabilities are living longer and, more significantly, are showing signs of aging far sooner than the general population, how are you

going to help them with accessing provincial help when eligibility is based on the chronological age of 65 years?

**Mr. Oberle:** Actually, it's not, Mr. Speaker, and I want to assure Albertans that the services are there and are delivered independent of age or legal status. We are there to serve when people are in need. We will provide services in accordance with need so that people may lead rich, rewarding lives in our province and contribute as they're able to do.

**The Speaker:** The hon. Member for Lacombe-Ponoka, followed by Calgary-Bow.

### Emergency Medical Services

**Mr. Fox:** Thank you, Mr. Speaker. To the Minister of Health. After nearly five years of transitioning ambulances from municipalities to AHS, the Health Quality Council report acknowledges a loss of local community knowledge, a culture of mistrust, and a perceived lack of adequate EMS resources to meet the needs of Albertans. Municipalities are left filling service gaps that this government created. They are expecting local fire departments to backstop these gaps in service. Why is this government going back on its word and downloading the costs onto the backs of our municipalities?

**Mr. Horne:** Well, Mr. Speaker, the hon. member's question does a very good job of acknowledging the great number of stakeholders that the Health Quality Council of Alberta conferred with in developing this report, among them mayors and elected officials across this province, EMS workers, and others.

With respect to questions around fire and municipal services I'll ask the hon. Minister of Municipal Affairs to supplement.

**The Speaker:** The hon. minister?  
The hon. member.

**Mr. Fox:** Thank you, Mr. Speaker. Given that local ambulances are being sent to cities to pick up patients and may not be available to our rural communities when needed, how does this minister plan to remedy this government's mismanagement, that is causing ambulances to be taken away from our rural communities?

**Mr. Horne:** Well, Mr. Speaker, the report provides a very clear road map to answer that question, and that is that the report recommends the completion as quickly as possible of the consolidation of dispatch services around the province. I observed this issue first-hand when I visited the Edmonton dispatch centre last week. We saw that municipalities that are not yet part of the provincial consolidated system are not visible to central dispatchers in Edmonton. The same would be true in the other two provincial centres. The answer lies, as the report recommends, in completing dispatch consolidation as quickly as possible.

2:40

**The Speaker:** The hon. member.

**Mr. Fox:** Thank you, Mr. Speaker. You know, Albertans just don't trust this government. Given that in the news article that I will table later, dispatch times in Lacombe since the government established AHS are reported as woefully not meeting the previous standard under the municipality of two minutes, what will this government do to make sure that residents in my

constituency and all Albertans are receiving timely emergency ambulance service when they need it?

**Mr. Horne:** Mr. Speaker, I wouldn't want the hon. member's question to leave Albertans with the impression that we have fewer resources in our ambulance service today. We, in fact, have the same or more resources across the province. The issue is the consolidation of dispatch services. One of the things that the report points out as a consequence of this in the past, prior to the creation of Alberta Health Services, is the lack of available data to make accurate, valid comparisons about then and now with respect to response times.

**The Speaker:** The hon. Member for Calgary-Bow, followed by Cardston-Taber-Warner.

### Home Education

**Ms DeLong:** Thank you very much, Mr. Speaker. While opposition members are busy looking for government bogeymen under every rock, their constituents have some real-life questions. Cardston-Taber-Warner constituents are concerned that when new Albertans choose home education, they are unfortunately choosing no education at all. I am familiar with some excellent home-schooling. To the Minister of Education: what is being done to ensure that all Alberta's children who are home-schooled receive the education that they deserve?

**Mr. J. Johnson:** Mr. Speaker, one of the great things about the Alberta education system is its diversity and the choice for parents. I can tell you that home-educated children are visited at least twice a year by a certificated teacher to make sure that we know how they're doing, and there are a variety of tools available to help the parents as well. I can tell you that I have been to Taber. I have met with that community, that school division, the municipal leaders. I do have some concerns there, but my department is working with those local folks to make sure we understand what the requirements are, and we can help make sure these kids reach their full potential.

**The Speaker:** The hon. member.

**Ms DeLong:** Thank you, Mr. Speaker. To the same minister: what options do you have if a child is not making progress in a home education situation?

**Mr. J. Johnson:** Mr. Speaker, we do have the ability to go in and do extra monitoring, but it's important to know that people choose home education for all sorts of different reasons. We do monitor those children to make sure that their progress is as expected. For the kids, in particular, down in that Taber area in the Low German-speaking Mennonite community, we are doing some extra monitoring in that area, and we are working with the community. I just want to assure Albertans that we continue to monitor all the approximately 8,000 kids that are home-schooled, and many of them are receiving an excellent education.

**The Speaker:** The hon. member.

**Ms DeLong:** Thank you very much, Mr. Speaker. My final question is to the minister of human resources. I'm told that some parents are choosing home-schooling so that their children can work on the family farm instead of spending time in the classroom. Is that of concern to you?

**Mr. Hancock:** Well, Mr. Speaker, the employment standards regulation does have a provision that says that one cannot take a child out of school to work, that schooling has to come first. That's not precisely the way it's written, but that's the import of it. I think it would be quite inappropriate for one to use home-schooling unless they could actually meet both the spirit and the wording of that particular regulation. That being said, I could tell this House that the federal government is very interested in at some point in time over the next two years adhering to the ILO standards with respect to child labour regulations, and we are looking at our child labour regulations very closely to make sure that we adhere to those standards.

**The Speaker:** Thank you.

Hon. members, that concludes the formal part of question period. However, the Minister of Municipal Affairs has indicated that he may wish to offer a clarification, which would allow the original questioner to ask another question. Pay attention to how this works, please.

#### **Combined Low-expenditure Tax Assessment** (continued)

**Mr. Griffiths:** Thank you, Mr. Speaker. In my 11 years as an MLA I've been to 328 communities around Alberta, and I get very frustrated when I hear people talk about how we need more because they have too much. In rural Alberta – and I argued the point – they're just as vehement that they feel like they contribute to the province's economy but don't get as much in return. All that serves, whenever somebody says, "They have more, and we want to take it," is to pit the city versus rural or urban versus rural or town versus country, and that does not serve to do anything for the focus that we're supposed to have on making sure that every single one of the 422 communities in this province is well served.\*

**The Speaker:** Hon. Member for Edmonton-Centre, I believe you were the original questioner.

**Ms Blakeman:** Thank you very much, Mr. Speaker. Well, clearly not a fan of urban Albertans is our minister. I'm wondering if that's the reason behind why the government's election promise of a big city charter for Edmonton and Calgary has now been whittled down to a civic something or other vague thing. Would that be why?

**Mr. Griffiths:** Mr. Speaker, I'm a big fan. I have a property here in the city of Edmonton, like most rural MLAs do. I'm a big fan of the cities. I'm just not a big fan – of course, those members don't have a single rural member and don't have to give a hoot about rural Alberta, which is evidenced by their question.

We're working on a civic charter, and I call it a civic charter because there are five other cities that would also like to have some service. A civic charter is designed to make sure that we can adequately provide for our citizens no matter what municipality we live in. We're months ahead of schedule for signing it, Mr. Speaker.

**The Speaker:** A point of order from Edmonton-Centre was noted at almost 2:47.

In 30 seconds we'll move on with members' statements from Lesser Slave Lake and Innisfail-Sylvan Lake.

#### **Members' Statements** (continued)

**The Speaker:** The hon. Member for Lesser Lake with her member's statement, followed by the hon. Member for Innisfail-Sylvan Lake.

#### **Rural Education Symposium**

**Ms Calahasen:** Thank you, Mr. Speaker. This past Monday I attended the second annual Rural Education Symposium in Canmore, where more than 200 education stakeholders from across Alberta came together to address the fact that rural educators face unique challenges such as declining enrolments, school closures, and issues around transportation. This symposium provided a venue to discuss these important challenges and solutions and to share best practices, dialogue, and create partnerships with each other so that rural education remains viable and supported in this province.

The theme of this year's three-day conference was innovation and collaboration, and examples of that in rural education are many. Some of the best examples of engaged thinkers, ethical citizens, and the entrepreneurial spirit live in rural Alberta. I applaud all rural educators for ensuring rural students are being provided equity of opportunity.

I believe that all Albertan kids from Gift Lake to Grimshaw to Canmore deserve a quality educational experience, and that was exemplified by the Minister of Education's keynote address on how his continued vision for Inspiring Education is being brought to life in rural Alberta, not only by this government's support of funding rural education but through SuperNet, our Wi-Fi on buses pilot project, the eMerge one-to-one laptop project, and literacy projects, to name a few supportive examples. Some of the impressive projects I heard about are examples of the collaboration happening in rural education through partnerships and the unique ways to provide educational opportunities, and this forum was key.

Anyone who's rural knows that rural communities and school boards do an amazing job at leveraging local resources to overcome the challenges that occur in rural Alberta. It certainly speaks to the passion, commitment, and dedication for putting students first. Mr. Speaker, all Albertans should be proud of the work that's being done in rural Alberta to support students and inspire education. As a rural MLA, I know I am.

**The Speaker:** The hon. Member for Innisfail-Sylvan Lake.

#### **Personal Care Standards in Seniors' Facilities**

**Mrs. Towle:** Thank you, Mr. Speaker. Yesterday for the first time in a long time Alberta's seniors and people in care heard great news. After months of relentless questioning and pressure from opposition members as well as a single brave member from the other side of the House, the government finally recognized that offering only one bath per week to seniors is not only insufficient and unhealthy, but it's frankly degrading to those in care. I commend and I thank the ministry for doing the right thing.

2:50

What's troubling to me, Mr. Speaker, is the initial reaction that we in opposition received from this government. Every time we speak up for Albertans regarding policy failures affecting people in care, we are dismissed. We saw it last spring with the food quality issue in seniors' care facilities. It was pretty obvious from the pictures, the reviews, the stories from seniors that that food

\* See page 1397, right column, paragraph 4

was disgusting and changes had to be made, but instead of trying to protect Albertans in all levels of care, the government instead moved to protect themselves, saying that the food was good enough. So my colleagues in opposition and the AUPE went to battle for Alberta seniors, and a couple of months later the Minister of Health changed his tune. He even went so far as to acknowledge that he wouldn't feed this food to his mother.

Again, I'm thankful changes will be made. But why is it so difficult to get the government to do the right thing? Alberta seniors built this province. They spent their lives sacrificing for future generations so that we can have the best opportunity to live in the best province in the best country in the world. When these people enter care, it's not just our job to care for them; as legislators it is our duty to put them first. I sincerely hope that going forward, when opposition brings forward concerns from Albertans, the government's response won't be to simply brush it off, to shuffle their feet, or claim we're fearmongering. In this case we should all be reminded that we're not just offering seniors another weekly bath; we're offering them their dignity.

Thank you.

### Tabling Returns and Reports

**The Speaker:** The hon. Minister of Energy.

**Mr. Hughes:** Thank you very much, Mr. Speaker. I rise today in my capacity as a member of the House, and I'm pleased to table some reports. This came to my attention just yesterday, when the hon. Member for Edmonton-Calder, who is generally a fair-minded person, made the statement that public education has been a train wreck in this province. I daresay I find that offensive to many people, probably. I'm pleased to report today, because I recalled this as a result of those comments, the results of the most recent program for international student assessments from the OECD. In these reports – the requisite numbers are there – Alberta students placed second in the world in reading and first in Canada, second in the world in scientific literacy and first in Canada, and eighth in mathematical literacy. As parents, with my spouse, Denise, of three teenage children in public schools in this province, we know this is a very good system.

**The Speaker:** Hon. minister and others who have tablings coming forward, please remember to just state what the tabling is about as briefly as possible. I know that some have more experience than others in that regard, but let's all be reminded to be mindful of the clock.

The Leader of the Official Opposition.

**Ms Smith:** Thank you, Mr. Speaker. I've got the requisite five copies of a letter that was sent by our Health critic and MLA for Calgary-Fish Creek to the College of Physicians & Surgeons of Alberta asking for an investigation into whether or not Helios has broken the Health Act or any other legislation.

I also have five copies of an e-mail that was sent out from the office of the Finance minister and Member for Spruce Grove-St. Albert regarding the exclusion of the Canadian Taxpayers Federation from the stakeholder consultations.

Thank you.

**The Speaker:** Thank you.

The hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Mr. Speaker. I rise today to table five copies of the FOIPed Alberta Health Services document referred to yesterday in question period by the hon. Member for Calgary-

Fish Creek. These documents show that in 2009 Edmonton had critically few dispatch units for an average of three hours a month, a number that's increased 10 times to 30 hours as of last month.

**The Speaker:** The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Thank you, Mr. Speaker. I have two tablings today. The first is one by Ms Jennifer Marcotte, making its rounds on the Internet, with 2,000 shares and 1,000 likes, describing the good work that Alberta teachers do in our classrooms.

The second one is a tabling of a report done by the Parkland Institute called Stabilizing Alberta's Revenues. You'll remember that yesterday I tabled an article from the Canada West Foundation. Dr. Roger Gibbins said that we have to have different revenue streams, i.e. taxes. This report by the Parkland Institute summarizes the same thing if we're ever going to have predictable, sustainable funding or ever save any of this one-time resource that we have.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview, followed by Rimbey-Rocky Mountain House-Sundre.

**Mr. Eggen:** Thanks, Mr. Speaker. On behalf of the Member for Edmonton-Beverly-Clareview I'd like to table the appropriate number of copies of postcard submissions that Albertans made to our prebudget tour, visiting seven cities in the last few weeks. I have some comments here from Paul, Carolee, Cecily, and S.M. Demers talking about the need for more long-term care facilities.

Thank you very much.

**The Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. On behalf of my colleague for Lacombe-Ponoka I have the five requisite copies here for the Assembly of, I believe, a quote that he made in a newspaper.

**The Speaker:** Hon. members, we have three points of order. I think we can probably deal with them quite quickly. Nonetheless, let's hear what they are.

Hon. Member for Airdrie, I believe you're first. You have the first two. I assume you'll be doing them separately.

### Point of Order Insulting Language

**Mr. Anderson:** I can do them all together just in the interests of time. It's from the book of standing orders, as I reference it, chapter 23, verses (h), (i), and (j), Mr. Speaker. It was funny. Yesterday, I think, we were very happy to see that the government had taken a new approach to how they were going to change the tone in the building here. I thought it was impressive, and we were excited about it over here, so we came ready to engage in a good conversation, scale back the tone of our questions as per your suggestions, and so forth. Well, we weren't reprimanded once. That's an improvement. We certainly were trying our best.

Then what did we hear? Well, we heard the Deputy Premier, the Finance minister and Treasury Board president, refer to us as the wild alliance, which, of course, Mr. Speaker, you have on multiple occasions told us and him, that member as well as all of us, not to do. Then when you asked him to correct it, he took the time to take the shot again before misquoting our name again as Wildrose alliance, which it is not. We are the Wildrose Party or the Wildrose caucus for the purposes of this Legislature. I know it's a hard couple of words for the minister to memorize, Wildrose

caucus, but if he could perhaps do that, that would be very much appreciated.

He also attempted to tie, I think in a very disturbing way, our party to the comments of a former campaign manager on a recent issue that has, I would say, disgusted a lot of people in this House if not all. I would hope all. I think that that should be below the Finance Minister and Deputy Premier of this province.

The Premier called us extreme. The Minister of Municipal Affairs, before he got himself into some hot water later on – that was a good one – called us arrogant and ignorant, and there were many other such examples of that.

Now, I'll tell you what, Mr. Speaker. I would hope and challenge the government to do what I would like to do and, I think, what they would like to do – certainly, I know what that House leader over there would like to do – and that is try to have a good debate in here, a good, sharp, strong debate but without hurling insults and creating disorder by saying things that are patently untrue about other parties and, certainly, the name-calling, at the very least the name-calling.

I would say, Mr. Speaker, that that Deputy Premier should absolutely memorize the name of our party because we are the party that went from zero to 17 seats in less than four years, and we're the party that went from 5 per cent to 34 per cent in just four years. We are the government in waiting that is waiting patiently for our opportunity in four years to replace that government and show you all what good government looks like.

**The Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. That was a wonderful speech but not a point of order. It did clarify some things for us. Of course, while admonishing the Minister of Finance for using incorrect names, he called him the Deputy Premier, which, of course, as we all know, is the Minister of Municipal Affairs at the moment, not the Minister of Finance.

**An Hon. Member:** What?

3:00

**The Speaker:** Excuse me. I don't know who just yelled out, "What?" but that is extremely inappropriate, and if I catch you doing it again, you will pay a penalty, whoever it was. Be reminded, please, that there's decorum to be followed here.

You have the floor, hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. In any event, the Minister of Municipal Affairs is currently the Acting Deputy Premier. When we get into this issue of whether you're using the right names, you know, it's very clear that sometimes you can get the name wrong, particularly if you're referring to people who are still searching for their identity and have changed names over and over again, unlike others who have had the same name for some 40 or 50 years.

There is a difference of viewpoint sometimes, and it's not wrong to have a difference of viewpoint. I do actually agree entirely with the hon. member when he says that we should stay away from things that are patently untrue. I would appreciate it if in the future we can stay away from allegations of corruption because that is not the Alberta that we know and love and live in. The Alberta that we know and love and live in has parliamentarians who respect this province and who do their best for this province even when we disagree with each other as to what the best is. So if we want to stay away from things that are patently untrue, I would think that would be a good thing to do.

I do actually appreciate the idea that we should have decorum in the House, but sometimes it's not inappropriate to refer to an individual's position as extreme or to a party's position as extreme when it is extreme. There are nuances that must be adhered to, obviously. Obviously, we should not be using language which diminishes or denigrates members or parties, for that matter. We should stick to things that are true. We should stay away from the hyperbole. I can assure that hon. member that if he will work with his caucus to make that happen in the House, my caucus will respond with alacrity.

**The Speaker:** Thank you. I don't assume there's anyone else who wishes to chime in on this. Clearly, this is a point of clarification to a degree. However, let me remind both sides of the House. In this case, I'll start with the government side. You know, you've got to be extremely careful when you toss around words like arrogant and ignorant. Take a look at the context within which you're using them. They're not helpful. They're not particularly polite.

We've heard other comments here in the last two days, comments such as corruption, which I commented on, comments like warehousing of people, comments that so-and-so or such-and-such organization or whatever it was is deceitful or is purposely deceiving or whatever, terms like that, and train wreck from yesterday and so on. You know, surely we are all above those kinds of comments in the context in which they were delivered. Surely we're there. Quite appropriately, citation 23(j) says that members should not use "abusive or insulting language of a nature likely to create disorder." I would agree. So let the reprimand stand equally to government members and ministers as it does to opposition on that point. That clarifies that.

I assume we can move on now to the point of order. Edmonton-Centre, I believe you had one.

#### **Point of Order Allegations against Members**

**Ms Blakeman:** Thank you very much, Mr. Speaker. I raised the point of order toward the end of the exchange between the Minister of Municipal Affairs and myself. In fact, it was, I believe, during the additional offering he made. I was a bit surprised because I was expecting a bit of a retraction or an explanation of why he would say such things against people who live in rural Alberta, putting out that they somehow didn't carry their share of the workload and didn't deserve to have any share of the money. But, no, in fact he got up and kept swinging or kept digging; I'm not sure which.

Under 23(h), making allegations against another member, he did go on at a certain point – again, you have the benefit of the Blues; I don't – to say that I and members of my caucus didn't give a hoot about rural Alberta and didn't understand them, et cetera, et cetera. Well, this is clearly a comment that is meant to inflame. It is meant to create debate in this House. It was meant to demean. I think it was quite pointed. I mean, I've made no secret of the fact of how proud I am of my constituents living in the fabulous constituency of Edmonton-Centre, most of whom do live in high-rise buildings and condominiums and apartments. It wasn't hard to understand that this was a direct insult to me and to the people that I represent. Not acceptable to me, Mr. Speaker. You know, sticks and stones will break my bones, and I've taken a heck of a lot of that from the other side, but don't you go dissing my constituents, and that's what went on here.

A point of order is raised against an individual member in this House, and I understand that. I would not be quite so exercised



about this if it was just another shot at me because, as I said, I've had a lot of them, and I'm still standing. It must annoy the heck out of you guys. But the minister did utter words that were meant to create a disturbance. They were meant to inflame a discussion. They were meant to demean. They were meant as an allegation that we didn't care about people who reside in rural Alberta, and that's simply not true.

Now, if the Speaker would like and would give me a bit of time, I can go back and start pulling the debates, because I talk a lot in this Assembly, where I have brought forward issues of concern to people in rural Alberta, where I've received letters from them, where I've raised issues that they wanted me to raise in this House. I believe that what the minister has said is both untrue and was intended to be insulting.

I know that the Speaker is very fond of quoting *Beauchesne* 494 and saying: well, you know, both of you can say something true at the same time. With respect, Mr. Speaker, I don't think that that fits the bill in this case. It was meant to be insulting to me and my constituents, it was meant to demean, and it was meant to put me in a position where I and my caucus members were being put out to Albertans as that somehow we didn't care about those that reside in rural Alberta, and that's simply not true. There's no compelling argument coming from him that would make me believe that it was or make anyone else believe that it was, so I would like that member to retract that statement, please.

**The Speaker:** The hon. Minister of Municipal Affairs.

**Mr. Griffiths:** Thank you, Mr. Speaker. Before that – and I specifically wrote it down because it stuck in my head when the question came, before I responded and made those comments – the quote was: not a fan of the cities. I was accused of not being a fan of the cities. I've lived part-time in the city since I've been an MLA. As a rural MLA you yourself live – not yourself, but the previous Speaker did – half the time in the country and half the time in the city because we work here. I'm more acutely aware of, I think, as many of my rural colleagues . . . [interjection] I did not interrupt you.

I more acutely know the challenges that go on in rural Alberta and in urban Alberta because we spend half of our time in both places. I have worked very hard with every single municipality from Fort Macleod to Fort McMurray, from Edmonton to Edgerton, and from Calgary to Cold Lake, Mr. Speaker. I've been to 328 different municipalities in this province and met with the councils and talked to them over the 11 years as MLA.

All I meant to point out – and I know that the hon. member said: don't go dissing my constituents. Well, rural Albertans are my constituents, too, and I get very frustrated when anyone suggests: "Oh, rural Alberta has money. We need to pull it out and put it into the cities." As I explained, a rural Albertan will stand up and say: "We're the ones that drive the economy. You guys get all the breaks, and you get fantastic schools, and you get all sorts of facilities while we sit out in rural Alberta and drive the economy." They're just as frustrated sometimes, Mr. Speaker, by the discrepancy that goes on, and they feel they overcontribute and get less back.

Just as the member pointed out, right now she feels that urban Albertans get less back than what they contribute. Mr. Speaker, every single jurisdiction – if I go to Fort McMurray, they say that they drive the economy. If I go to an agricultural district like Brooks, they say: well, we employ a lot of people and drive the economy. Every single place in this province contributes to the economy and probably feels like they don't get as much back. We have limited resources. Any time we start off with a question that

says, "They have more; let's take it," it creates an us-versus-them atmosphere, and I have no patience for us versus them.

Edmonton and Edgerton and Calgary and Cold Lake are just as entitled to resources as anybody else. It's not about who has more because, as many colleagues will attest, you don't make yourself richer by stealing from somebody else. We're all in this together. We're all Albertans. Every single community deserves the resources available to try and build itself up, to make itself stronger so that we have a stronger Alberta, Mr. Speaker.

I know the member got emotional and said: don't you go dissing my constituency. She also said that I'm not a fan of the cities, which I take exception to. I also took exception to the fact that it sounded like she was trying to steal resources from rural Alberta. I'm not a fan of that either, so I got defensive, but I didn't say anything different than this member did on any plane.

3:10

**The Speaker:** Okay. I've heard enough. Thank you.

You know, it just illustrates the point here that clarifications are sometimes absolutely necessary. We've heard from Edmonton-Centre where she stands on this issue. We've heard from the Minister of Municipal Affairs where he stands. I'm grateful for the clarification.

Just for the record I lived in four different locations in rural Alberta over almost 15 years, so I get a pretty good feel for what urban and rural life is like, and I, like every single member here, appreciate both because that's what's made this province so strong. Let's keep it at that high level. Thank you.

Let's move on.

## Orders of the Day

### Committee of Supply

[Mr. Rogers in the chair]

**The Chair:** Hon. members, I'd like to call the Committee of Supply to order.

### Supplementary Supply Estimates 2012-13 General Revenue Fund

**The Chair:** Before we commence this afternoon's consideration of supplementary supply, I'd like to review briefly the standing orders governing the speaking rotation. As you know, the Assembly approved amendments to the standing orders that impact supplementary supply consideration. As provided for in Standing Order 59.02, the rotation in Standing Order 59.01(6) is deemed to apply, which is as follows:

- (a) the Minister, or the member of the Executive Council acting on the Minister's behalf, may make opening comments not to exceed 10 minutes,
- (b) for the hour that follows, members of the Official Opposition and the Minister, or the member of the Executive Council acting on the Minister's behalf, may speak,
- (c) for the next 20 minutes, the members of the third party, if any, and the Minister or the member of the Executive Council acting on the Minister's behalf, may speak,
- (d) for the next 20 minutes, the member of the fourth party, if any, and the Minister or the member of the Executive Council acting on the Minister's behalf, may speak,
- (e) for the next 20 minutes, private Members of the Government caucus and the Minister or the member of the Executive Council acting on the Minister's behalf, may speak, and

(f) any Member may speak thereafter.

During the above rotation speaking times are limited to 10 minutes. Once the above rotation is complete, speaking times are reduced to five minutes. Finally, as provided for in Government Motion 23, approved by the Assembly yesterday, the time allotted for consideration is three hours.

The Committee of Supply has under consideration the estimates of five ministries. They are Education, Enterprise and Advanced Education, Environment and Sustainable Resource Development, Municipal Affairs, and the Ministry of Transportation.

We will start with the Minister of Aboriginal Relations.

**Mr. Campbell:** Thank you, Mr. Chairman. I'm rising on behalf of the hon. President of Treasury Board and Minister of Finance. I would like to move the 2012-13 supplementary supply estimates for the general revenue fund. These estimates are consistent with the amended 2012-13 fiscal plan presented in these estimates and will provide additional spending authority to five government departments. When passed, the estimates will authorize increases of about \$401 million in voted expense, \$55 million in voted capital investment, and \$77.5 million in voted nonbudgetary disbursements of the government.

The estimates will authorize increases for the Department of Education, the Department of Enterprise and Advanced Education, the Department of Environment and Sustainable Resource Development, the Department of Municipal Affairs, and the Department of Transportation. The ministers responsible for these departments will be happy to answer any questions from the members of the House.

Thank you, Mr. Chair.

**The Chair:** Thank you.

I'll recognize the hon. Leader of the Official Opposition.

**Ms Smith:** All right.

**Mr. Anderson:** Just a second. I just wanted to clarify something, Mr. Chair, if I could. Do we now get an hour, with ten minutes back and forth? Is that how this works?

**The Chair:** That's correct.

**Mr. Anderson:** So the government is done with their comments, and now we get the full hour?

**The Chair:** That's correct. Back and forth in ten-minute blocks.

**Mr. Anderson:** Okay. I just wanted to clarify that. Thank you.

**The Chair:** I recognize the Leader of the Official Opposition.

**Ms Smith:** Thank you, Mr. Chair. Well, this is the first time that I've participated in the supplementary estimates process, so you do have to forgive me if I am shuffling through papers and getting myself organized here as I go through. I have noticed as we're going through and looking at the specific ministries that I'm not quite certain how these questions are going to be answered. Is it the minister who introduced that I should be directing my questions to on all of this?

**The Chair:** Through the chair, please.

**Ms Smith:** Through the chair? All right. That sounds good.

I guess let me just start out by saying that when I got the supplementary estimates document yesterday, I thought it told a pretty disturbing story. We had a government that began the year saying that we were going to end up with a deficit of somewhere

around \$900 million. Now, of course, we look at these estimates and we see that the government hopes that that number is going to come in at \$3.9 billion, but that isn't the total cash deficit as we know. We know that the government is also adding more in debt financing, and we suspect that total cash deficit is going to add at least another \$2 billion and that it will be closer to \$6 billion. So we recognize that this document still doesn't tell the whole story.

There are a couple of things that I do want to go through as I'm talking about the areas where we are seeing the requests for additional dollars, but I do want to provide a little bit of context first. It was interesting to be quizzed in the press scrum coming in. Apparently the government is quite proud of the fact that it has net assets that are exceeding other provinces. Of course, I think it's important to remember the context for where these dollars are coming from to be able to cover the cost. There are only two places. One of them is our sustainability fund, and the other is our debt. We'll get a better idea, hopefully, of what the debt is when we see the budget tomorrow, but I do want to point out for the record that the sustainability fund once hit a high-water mark of \$17 billion. These estimates say that it will end the fiscal year at \$2.7 billion, assuming that the news for the rest of this month doesn't get even worse. So the government has vaporized over \$14 billion in savings. That is pretty much the size and the equivalent of the heritage savings trust fund.

When you look at the level of spending that was approved in budget last year, I'm also reminded of the argument that was made and the commitment that was made by the previous Premier, who had talked about how there was going to be more discipline in managing in-year spending. I had anticipated that what that would mean is that we would never have one of these kinds of debates again, where getting to the end of the year, we're running out of money, and we have to make sure that we vote so that the government can continue to pay its bills, especially when we look at how much spending was already approved in the last budget.

The Premier often likes to say that we don't have a spending problem, that we have a revenue problem, but I think we need to point out some of the issues around revenue as we're talking about the government's need to have additional dollars for spending. This year revenues are still estimated to be \$37.9 billion. That is the fourth-best revenue year ever in the history of the government of Alberta.

Now, just to give some other interesting statistics, just so that we can see how badly out of whack the government spending is this year as they're seeking our approval to give them even more dollars to spend, this number falls just short of the boom years. In 2006-07 we had revenues that were only \$128 million higher than are being proposed today. In that year we weren't running a deficit. It was an \$8.3 billion surplus that was able to go into the sustainability fund and other savings accounts.

3:20

There's another year as a benchmark, 2007-08. Revenues were \$288 million more than this year, again, just marginally more than this year. In that year \$4 billion was set aside in the sustainability fund and other savings accounts. In previous years the predecessor of our current Premier was not only able to have an equivalent amount of revenues and not run deficits in those two years, to actually run significant surpluses, but a total, if you want me to do the math there, of almost \$13 billion was able to go into the sustainability fund, that has been wiped out in the subsequent years.

Here we are in the year that we had record revenues, 2011-12. There was \$1.368 billion more than is being brought in this year, and that year is when we started seeing this turning point. In a

year when we had record revenues, the government consumed \$3 billion out of the sustainability fund. Where are we today? We are only \$1.368 billion off an all-time record revenue in this province, and we're headed to a \$4 billion to \$6 billion deficit. If you look at it this way, even if we had the very best revenue ever, if we had managed to match the year that we had the all-time best revenue ever, we would still have at least a \$2.6 billion deficit year. This is not a revenue problem that this government faces.

The question is: why is it that here we are at the end of the year seeing the kind of spending that we approved in the last budget, having a commitment from the government to say that they are going to find in-year savings, saying that they're going to have more discipline in managing the spending in year, and we're now here debating adding an additional \$659 million above what was approved? The amount being requested for the vote today: \$535 million.

It is quite obvious to me and, I think, quite obvious to Albertans that this government has absolutely lost complete control over its spending. I think they're asking whether there is a single fiscal conservative over on the other side. We talk about this issue of results-based budgeting. The Premier trumpeted it, saying that this was going to make all the difference in the world, that we would be finding all kinds of – and I seem to recall the Finance minister again and again and again saying how throughout the year he was finding all this evidence of in-year savings that could be reallocated. Yet here we are at the end of the year having to vote over half a billion dollars in additional spending for a government whose spending is already completely out of control.

How will this end up? We were supposed to spend a staggering \$41.15 billion. Now we find out it is actually going to be \$41.8 billion. How does this break down? Well, I want to go through each of these because I do find it quite interesting the ways in which the budgeting has been badly managed. You look at the issue of Education, for instance. This is a \$4.4 billion spending envelope. They are asking for us to find an additional \$24 million, which is going to a good cause. They underestimated what the number of students would be and they have to flow that through to the school boards is what it looks like. I guess the question is: with the Premier's and the Finance minister's results-based, zero-based budgeting process, which they claim to have started months and months and months ago, why couldn't they find .5 per cent of the total budget of in-year spending to be able to reallocate to this higher priority item?

That's what this exercise is all supposed to be about, moving money from lower priority areas to higher priority areas. In fact, this whole exercise reminds me a little bit of an episode of *Yes Minister* that I once saw. In that episode of *Yes Minister* Jim Hacker goes and talks to his senior civil servant, Sir Humphrey, and is trying to get a 5 per cent reduction overall on government spending. The entire episode goes through all of the ways in which it is impossible for them to be able to find a 5 per cent reduction. We hear this often from the civil service. Not only are they cutting to the bone; they're cutting to the marrow. There's no possible way that they could find in-year savings. What happens at the end of this episode? Well, of course, the senior civil servant, Sir Humphrey, discovers there's something he wants, so he manages to get all of his people to find that 5 per cent in every single department that it was asked for in the first place.

I think this is what we're seeing here. This is the thing that I find very frustrating about the government saying one thing publicly, and then we see the numbers that appear when it comes down to these supplementary estimates. I find it impossible to believe that the Education department, that spends \$4.4 billion, 10

per cent of government's overall spending, cannot manage to find in-year savings of \$24 million to direct to this high-priority item.

On the issue of advanced education we have a situation which is kind of the opposite, which is a bit strange, and I look forward to hearing some response as to why this would be the case. In advanced education if you look at the amount of the student loans, support for adult learning was initially supposed to be \$272 million. Now it looks like they need another \$77 million to be able to make that support work. Well, that means that they're off on that budget line item by 28 per cent.

**The Chair:** Hon. leader, I'll just interrupt you for a minute. The first 10 minutes have expired. I would offer a member of Executive Council a chance to respond if they so choose. If not, then you or another member could continue.

**Mr. Campbell:** I listened quite interestedly to the Leader of the Official Opposition's comment about savings. I am looking forward tomorrow to our budget deliberations, when Albertans will see the work that we have done as a government to bring our spending in line and make sure that we're investing in the Premier's key priorities. Education is one of them.

I think that when you look at what the minister is asking for, the fact of the matter is that while we are seeing, you know, increases in revenue, we'll actually see a decrease because we'll have about \$6 billion less revenue than we forecasted. But we're also seeing dramatic increases in population in this province. This year alone 97,000 people into the province of Alberta, which is the size of Red Deer. If you look at Red Deer and you look at the infrastructure that Red Deer has as far as housing, as far as schools, as far as roads, hospitals, we are having to play catch-up to get that built for all Albertans.

When we look at all of our priorities, Mr. Chair, I can tell you that through results-based budgeting our departments have done a very good job of sitting down and looking at what's important to the priorities of this province, to all Albertans. Our Premier has made it very clear to all Albertans that we are going to look after our most vulnerable. We've taken that into consideration.

I think that when we look at the different departments and the estimates that they're asking for, some of them are things that you can't budget for such as disasters. While we have an emergency fund, the fact of the matter is that you can't budget for the number of disasters we're going to have in this province. I look at what the minister of SRD is asking for in the area of wildfires. Again, we've already this year decided that we're getting into the wildfire season a month early. We already had a fire down in Lethbridge a couple of weeks ago. I can tell you, Mr. Chair, that out in my area, you know, the snowfall is not what it was last year. The forest industry plays a very key part in this province to a number of rural communities, and we have to make sure that we have top-notch firefighters and programs in place to deal with those disasters when they happen.

I look at the mountain pine beetle, Mr. Chair. Again, living on the eastern slopes of the Rockies in West Yellowhead and looking at forest-based communities, it's important that we get control of the mountain pine beetle. I can tell you that with the work we do with industry and with the federal government, again, we are just maintaining our status in the sense that the pine beetle is not progressing as rapidly as it could. I'll say to you that when I look at the warm winter we've had this year, I wouldn't be surprised if we're going to see another infestation of the mountain pine beetle, so that's going to have an effect on our forest industries right up and down the eastern slopes, from down in Rocky Mountain House and up to my area and up to Grande Prairie and Peace

River. Those are rural communities that depend on forestry for a living, so we have to do a very good job of maintaining the mountain pine beetle program. I think it's money well spent.

Again, going back to firefighting, you'll see in SRD's estimates they're looking to fix a bomber. We have a very good program for water bombing. I think it's also important, Mr. Chair, to say that we share our firefighting programs with other provinces and with the northern states and even Mexico. They come up into my riding and actually do their training at the Hinton Training Centre. They reciprocate when we have incredible fires and we need manpower. So it's important that we keep that fleet up because not only are we helping Albertans; we're actually helping people in B.C., Saskatchewan, Ontario, the northern states, and, as I say, even as far south as Mexico.

So it's easy to sit here and say that it's easy to find 5 per cent here and it's easy to find 5 per cent there, but, Mr. Chair, I sat through the budget deliberations with my cabinet colleagues, and when I look at the priorities of our Premier and at the number of programs that are under fire by Albertans and the number of people that are coming into this province and who are using these programs, I think that what we're asking for here is very reasonable under the circumstances. I think that all Albertans will be happy to see that we have taken a very reasonable and a very measured approach when we bring our budget forward tomorrow, Mr. Chair.

Thank you.

3:30

**The Chair:** Thank you, hon. minister.

The hon. leader.

**Ms Smith:** Thank you, Mr. Chair. I think that what the supplementary estimates show is that the results-based budgeting process, that they continue to talk about, actually has been a failure this year because you should be able to have covered the amount that is being requested here by moving from low-priority items to high-priority items if you're doing that process right. If you're not doing it right, then I suppose the government needs to take a closer look at how they might modify that process so that we can find some of these savings as we go forward, when it's going to become even more important.

I do have a number of questions that I want to ask. I'm not sure; can we go back and forth? That's fantastic. But I do want to just point out a couple of other things before I go back to the question and answer. When I look at, for instance, ESRD – and I'll return to that one – the government had budgeted in one area \$484 million for disaster relief. They blew the budget by \$286 million, a 59 per cent increase over what they had budgeted. Again, I will return to that in greater detail.

In Municipal Affairs, again, it's a \$39 million increase, which is 4.5 per cent. It goes back to the point I was raising. If you're truly serious about results-based budgeting, why couldn't they have found \$39 million within the budget envelope to be able to move from lower priority items to higher priority items? Transportation: same thing. The \$39 million represents 3 per cent more than what was budgeted. It's mystifying to me, if this results-based budgeting process is working, why \$39 million could not be found within the budget.

I want to go back to the issue of disaster relief because this is the area where the government consistently year after year after year continues to budget in the same way when we know that what we're doing is not working. Let me go through and read you some history of SRD requests for disasters and fires. The 2003 supplementary estimate was for \$113 million; 2004, a

supplementary estimate for \$125 million; 2005, a supplementary estimate for \$80 million; in the 2006-07 budget year a supplementary estimate for another \$251 million. What was happening in 2006-07? Well, there was a large fire in the Edmonton neighbourhood of MacEwan. That was one of the major issues that happened, with \$25 million in damage.

In 2007-08 another supplementary estimate, \$152 million. What happened that year? Well, there was flooding in Calgary. In 2008-09 another supplementary estimate, \$134 million. What was happening that year? Well, there was a wildfire in Grimshaw. In 2009-10, a supplementary estimate for \$150 million. What happened there? Drought in northern Alberta. In 2010-11, a supplementary estimate of \$156 million. What happened that year? Well, we had flooding in Irvine, down near Medicine Hat. In 2011-12, a supplementary estimate of \$280 million. What happened that year? Wildfires in central and northern Alberta, in Slave Lake. Now, of course, we're looking at 2012-13, disasters in Mackenzie county in northwest Alberta and, additionally, wildfires.

Here's the point I'm making, Mr. Chair. We do not know where a disaster will be in the province, but this record demonstrates year after year after year that we will have a disaster somewhere, and it will be significant, in the order of \$100 million to \$200 million more each and every single year than the government budgets. So if you have this record of getting it wrong every single year you try to do it, why wouldn't you actually change the way you do your budgeting? That's what most people would do. They'd look and say: "Gee, you know what? We consistently are off budget. Why don't we budget more so that if by some miracle things don't go wrong, we'll have leftover, we'll have a surplus at the end of the year? Then we can talk about what to do with that surplus rather than talking about how we're going to have to go back to the Legislature to ask for a supplementary estimate."

I would ask the minister to comment on why it is that we now see this pattern year after year after year of them continuing to budget in the same way, which has demonstrated that it doesn't work.

**The Chair:** Hon. minister, do you care to respond?

**Mr. Campbell:** Well, Mr. Chair, I think all I will say to that is that basically what the member is asking us to do is maybe overbudget, and she's saying that we'll have a surplus at the end of the year. The fact of the matter is that we know we're going to have disasters. What we don't know is the extent of those disasters. Again, we can't predict the weather.

I don't think anybody would have predicted the fire in Slave Lake and the devastation that occurred up there, but we were able to have the money through the Alberta emergency fund to look after that. Nobody could predict the flooding that we had down in the Medicine Hat area, and again we had the money available to look after that. The fact of the matter is that we do have the funds available through our disaster funds and our emergency fund to look after those disasters. I think that the fact that we're asking for this money at the end of the year is saying, you know, that we do know that we have disasters happening, we do fund for some of it, but we know that we can't fund for all of it all of the time, and we just continue to do what we do, Mr. Chair.

**The Chair:** Thank you, Mr. Minister.

The hon. leader.

**Ms Smith:** Thank you, Mr. Chair. I am going to make a prediction. I made a prediction with my very first question in the Legislature that we would end up the year with \$5 billion. I'm

going to make a prediction that if the government continues to budget for disasters this way, we will be talking a year from now about how they're going to need an extra \$150 million or \$200 million for some disaster that no one could foresee because year after year after year after year after year after year we have demonstrated that they are not budgeting for it properly. But I'll leave that point right now. Just do note that that is my prediction of what we're going to be facing next year.

What I do want to know, though, is why it is that with an all-time record in tax take and with income and other taxes exceeding the budget by almost \$800 million – we don't talk about that a lot. The Premier likes to talk about the bitumen bubble and bitumen spread, but what we don't end up talking about is how many additional dollars we're getting because of the booming economy from income tax revenue, corporate income tax revenue, and other revenue. Why is it that with getting an additional \$800 million that they did not expect from all of those other areas, they are also on top of that now asking for an additional \$600 million in spending? Why is it that they talk about having a revenue problem when it's quite clear that we don't?

**Mr. Campbell:** Well, Mr. Chair, that's out of my pay grade. I'll take the question under advisement and have the Minister of Finance respond to the Leader of the Opposition.

**The Chair:** Okay. Thank you, hon. minister.  
The hon. leader.

**Ms Smith:** Thank you, Mr. Chair. Also, out of curiosity, I was wondering why it is that our transfers from the government of Canada came in under budget. I would have anticipated that we would have a pretty good fix on what those revenues would be. Why is it that they came in under budget?

**Mr. Campbell:** Again, I will take the question under advisement for the Minister of Finance and get an answer back to the Leader of the Official Opposition.

**The Chair:** Thank you for that.

**Ms Smith:** Well, I gather that none of my questions are going to be answered, but I'm just going to ask them all the same. There are going to be a couple of questions that I'd like to ask on Transportation, and hopefully we'll be able to get some answers for that, or maybe the minister can talk to his colleague and we'll be able to get an answer then, or we can bring it up in question period.

The supplementary estimates presented for capital investment, totalling \$1.282 billion, are \$35 million higher than the estimates presented with Budget 2012. That pegged capital investment at \$1.247 billion. Now they are asking for an additional \$39 million on top of that \$1.282 billion. I'm just curious. The difference between the initial Budget 2012 estimate and the \$1.282 billion is \$35 million. Where did that \$35 million come from to bridge that gap? Was that through previous supplementary estimates – again, I don't recall us going through this process before – was it a carry-forward from Budget 2011, or was it through a special warrant?

**Mr. Campbell:** Well, the supplementary estimate approval is comprised of the following, Mr. Chair: \$100 million for the construction of the northeast Anthony Henday ring road in Edmonton, and this was added to fully fund the project after final approval was received for this P3; \$28.6 million for twinning passing lane projects along highway 63 as part of the funding approved to twin the highway from House River north to Fort

McMurray. This is partly offset by \$89.6 million being lapsed due to the lower than budgeted spending on other capital investment projects, which included the interchange at Queen Elizabeth II highway and 41st Avenue S.W., the twinning of highway 43 west of the Sturgeon Lake Indian reserve, the paving of highway 88, the twinning of highway 2A, and the work on the Little Bow reservoir.

What we've been able to do, Mr. Chair, is basically offset a large amount of that money on the fact that we've had other budgeted spending come in lower than expected, so we're asking for the approval of the \$39 million.

**Ms Smith:** Well, I don't think I was all that clear, so maybe I can help the minister by walking through a couple of pages here. If you go to page 5, it says on the Transportation line item that the original estimate was \$1.246 billion, and now it says that our current estimate is \$1.282 billion. That's where the \$35 million difference is that I'm curious about. How did that gap get bridged? I know that he's now asking for an additional \$39 million on top of that, but these numbers don't seem to match.

3:40

What I'm concerned about is that there was an original estimate that was approved in Budget 2012 of \$1.246 billion, and now we're being told that the current estimate is \$1.282 billion. I'm just wondering how we actually got \$35 million of additional spending to get us to that before you're asking for this additional \$39 million. Is this borrowing? Is this a special warrant? Were there some supplementary estimates that I missed? There does seem to be a mismatch in the numbers in this document that I'm just having a hard time figuring out.

**Mr. Campbell:** I'll make sure that the Minister of Transportation gets the answer back to the Leader of the Official Opposition.

**The Chair:** Thank you.

**Ms Smith:** How much more time do I have, Mr. Chair? I must be getting close to the end of my time.

**The Chair:** You have another 34 minutes. Other members of your caucus can speak as well, hon. leader, if you so desire, no more than 10 minutes at a time.

**Ms Smith:** Am I at the end of my second 10 minutes?

**The Chair:** You can continue, or you can have someone else start.

**Mr. Anderson:** You have 26 minutes left.

**Ms Smith:** Twenty-six minutes left. Got it.

Well, let me just ask one more question – again, it goes back to the issue of the disaster relief – and then I will hand it off to my colleagues to ask a few questions as well, the critics in different areas. I know my Finance critic has some questions that he wanted to ask as well.

The question I had on the issue of the nine disasters declared in 2012: which one in particular resulted in the need for \$59.4 million more for disaster recovery?

**Mr. Campbell:** I can get more information for the hon. member, but there were 15 disaster recovery programs announced this fiscal year, with the majority of the disasters being overland flooding. To support the recoveries from those 15 disasters is where the \$59.3 million is required. I'll get the detailed breakdown for the Leader of the Opposition.

**The Chair:** Thank you, hon. minister.

**Ms Smith:** Just so I'm clear and he knows which area I'm looking at, this is, again, under the Municipal Affairs estimate. It's gone from, again, a \$1.3 billion current estimate with a supplementary estimate of \$59 million. It looks like that amount is under the Alberta Emergency Management Agency disaster recovery. That is different than the disaster recovery amount that we've been talking about under Environment and Sustainable Resource Development.

I guess I'm not all that sure about why certain disaster recovery dollars get allocated to one department and why disaster recovery dollars get allocated to a different department. Once again, going back to the point that I had raised earlier – and I haven't looked at this to see if this one is consistently year after year after year after year over budget as well – it is pretty remarkable to budget \$44.7 million for disaster recovery and then turn around and have to ask for that essentially to be doubled, over \$59 million, so you end up with a total of \$104 million. There seems to be something going on there that we either need to see corrected in an upcoming budget or to have some better understanding about how those costs got allocated to that department to make the numbers so out of whack with what was initially approved.

**The Chair:** Hon. minister, will you get some other information for us?

**Mr. Campbell:** I'll make sure that both the Minister of Municipal Affairs and the Minister of ESRD get back and show the differentiation between the two of them.

**The Chair:** Thank you.

**Ms Smith:** Well, let me just finish by saying that because I'm new to this process, as are my colleagues, I guess I just kind of figured that the whole reason we're going through this is so that we could actually get answers to some of the questions that we've prepared for. I don't know if perhaps we needed to see additional help for the minister so that he would be able to answer some of these questions, but it does seem to me that this is a bit disappointing for me as well as my colleagues. We're doing our work to prepare for the estimates, to be able to ask questions, to go through the numbers. I guess I would just comment that it is unfortunate that we haven't seen the same amount of preparation and work on the other side.

Thank you, Mr. Chair.

**The Chair:** Thank you, hon. leader.

Are there other members of your caucus? The Member for Airdrie.

**Mr. Anderson:** Thank you very much, Mr. Chair. First bill of the third phase of this first session, I guess you could say. These are frustrating bills for many reasons because why on earth would we – the first idea that comes to my mind with regard to this is: why are we here? Once again, I've been here five years now. This is the fifth time that one of these has been plopped on my desk, and this document is just as useless in year 5 as it was in year 1. It has huge amounts of money being approved: Education, \$24 million; Enterprise and Advanced Education, over a hundred million dollars; over \$300 million in Environment and SRD; \$60 million in Municipal Affairs; and almost \$40 million for Transportation. So over \$500 million in total if you take the entire amount.

It's frustrating because, again, like I think the Leader of the Official Opposition made very clear, we know that every year we're going to have emergencies. We know it's going to happen. So if we're going to have emergencies every year – and we know we're going to have them – why don't we budget a reasonable amount of money? We're not going to be dead on every time because, obviously, you can't predict where the fire will be or how bad it will be and so forth.

You know, it's kind of like a family budgeting in their household. What you do – I mean, what I do anyway; maybe others don't do this – is you put a little bit aside for maintenance of the vehicle, home repair, things that you're not planning on spending, that you don't want to spend, but if you look back on your previous budgets, you know there's a real good chance you're going to have to spend around a certain amount of money. You put that money aside – maybe it's \$1,000 or \$2,000; maybe it's a little bit more; maybe it's a little bit less – so that when the car needs a new fuel pump or whatever, you've got that money. You don't have to borrow the money. You don't have to take it out of your grocery money. You don't have to do that sort of thing. It's just basic, prudent planning that all households do, I would think, or most households do.

We know from what the Leader of the Official Opposition pointed out very clearly that it averages over the last 10 years or so about \$100 million to \$200 million in emergency funding that we need. Some years it's a little higher than that; some years it's a little lower. But, mostly, it's in that \$100 million to \$200 million range. So why does the government not budget for that?

The great thing is that it's just like with the household budget. If the money is still there at the end, that's great. You can put it into savings. You can take that money and you can go on a nice vacation, you know. You can buy a dog. You can do all kinds of really cool things with that extra money that you have that you were hoping not to spend and it turned out you didn't have to spend.

This is the point here. Budget for the disaster. Put about \$150 million to \$200 million there. Make it a budget item, approve it, and then if you don't use it, fantastic. Then in really bad years, only when you have years where you've got an extremely bad emergency, kind of a 1 in 10 years emergency, where it costs \$300 million to \$400 million to deal with it or whatever it is, you can come in with one of these bills and pass a supplementary supply bill. That's fantastic. That's a good thing to have the ability to do, and we could do it once every 10 years or once every five or six years or whatever. But to do it every single year: it just doesn't make any sense to budget in this way.

So I think that's a critical reform that we need to make in order to make sure that when we present a budget, it's a budget that is reflective of what we will actually be spending. Anybody that has to come in the last month and ask for more money every single budget year clearly doesn't have their act together, Mr. Chair. I would hope that as we go forward, this government would change that practice. Anyway, we'll see what happens.

3:50

Now, I am a little puzzled because we did have, as the Official Opposition leader noted, the former Deputy Premier, the now Finance minister, say many times during the year that they had found hundreds of millions of dollars in in-year savings, \$500 million here, \$400 million here, \$300 million, \$700 million, I mean, just numbers everywhere, you know, from this – what is it called? – zero-based, value-based budgeting.

**Ms Smith:** Results-based.

**Mr. Anderson:** Results-based budgeting. That's right.

If that's the case, if there are all these in-year savings in there, then why on earth are we back here asking for \$500 million? Is it because, perhaps, the government is addicted to in-year spending and they just have to go over the budget or that they just can't stick to a budget? Could it have something to do with that? It probably does. Despite them saving all this money in year, we're still back here asking for half a billion dollars.

Again, very poor budgeting. And it does make one wonder if we're getting the straight goods from the Finance minister with regard to this in-year savings program that they're talking about because we're not seeing the in-year savings or else we wouldn't be here asking for half a billion dollars more. The money that was passed already would have been sufficient because they would have been spending \$500 million less in other areas that they could have applied towards what they need here for emergency relief and so forth. I don't buy it, and I think that we need some truthfulness from this minister when it comes to the results-based budgeting process.

I would like some clarifying comments from the minister on that, and then I'll have a few other questions after.

**The Chair:** Thank you, hon. member.

**Mr. Campbell:** Well, I want to thank the member for his comments. I'm sure that the President of Treasury Board and Minister of Finance will be more than happy to answer the questions that the hon. member has brought forward.

Again, I think that when you look at the budget that comes out tomorrow, you'll see that results-based budgeting is working. Our minister is a very honourable individual, and he has set forward a program that is going to make sure that we are well looked after into the future in this province.

Thank you, Mr. Chair.

**The Chair:** Thank you, hon. minister.

**Mr. Anderson:** Well, Member for Edmonton-Centre, I am just so happy that we are here to spend these three hours as a group so that we can get answers from the government on this supplementary supply.

**Ms Blakeman:** In the fabulous constituency of Edmonton-Centre.

**Mr. Anderson:** In the fabulous urban, condo-rich constituency of Edmonton-Centre. It is a fantastic place.

I would note that it is a little frustrating. Actually, I don't want to be too hard on the current minister doing his best to fill in. The fill-in is doing his best. There's no way anybody could possibly know what's going on in all these different ministries, especially the ones at issue here: Education, Enterprise and Advanced Education, Environment and SRD, Municipal Affairs, and Transportation. It is too much to ask somebody who holds none of those portfolios to be here answering questions about the spending in those portfolios.

Again, one would ask: what is the point of this exercise? But here we are, and we will make the best of it in the short time that we have. This is how we do business in Alberta. This is how we approve \$500 million. Is it any wonder that we are going to be introducing our sixth straight deficit in this richest-in-the-nation province that we have?

My next round of questioning goes to that point. I have a hard time understanding how a province who has literally one of the greatest deposits of natural riches on Earth in a First World country, with the ability of First World technology, with a world-

class educated workforce not just from Alberta but from all over the world – they come to work here in order to take advantage of this treasure trove that we have. How on earth are we sitting here on the eve of an election talking about a supplementary supply bill? Eve of an election; sorry. Eve of a budget. No, no. No more elections, please. Three more years. Actually, it wouldn't be a bad idea to have one right now, but we can wait three more years.

It's difficult for me to understand how we can be talking about adding onto – essentially, what this does is add onto the current deficit that we have. We have a \$5.25 billion cash shortfall. People often wonder: why do the Wildrose and the Canadian Federation of Independent Business and the Taxpayers Federation use a different number than what the government uses? The government says the budget deficit is going to be about \$4 billion; we say \$5.25 billion. The reason is because the government doesn't count capital spending on provincially owned assets as an expense when they calculate the deficit numbers offset as an asset on the balance sheet.

We add that into the total amount that we're spending. The best way to look at it, really, is that you take the amount the sustainability fund decreases in a year, and then you add in any debt taken out that year, and that will be essentially what the government's shortfall is because, obviously, if they didn't have a shortfall, they wouldn't be draining savings or going into debt. That's kind of an easy way, a quick one-minute way to look up what the real cash deficit is, for those folks who are riveted at home right now listening to this. That's the reason for the difference.

What I don't understand is how we could be here talking about a \$5.25 billion deficit for last year – and this, of course, will only add to that deficit – when we had in the last year some of the largest revenues in our province's history, not the largest but top three. Was it the second?

**Ms Smith:** It's the fourth.

**Mr. Anderson:** Sorry. It was the fourth-largest ever. The second-highest tax revenue haul, right? Anyway, the point is that that's lots of money coming in, tons of money coming in.

How can we have all this money, Minister, have the fourth-largest amount of money we've ever had on record, yet we're running – we'll take your number – a \$4 billion or \$5 billion deficit, a cash shortfall? How does that work? What got us here? Does your government recognize what got us here? Are you admitting that, in fact, there has been mismanagement in the past and now we're going to start things new and do things differently? Or is it just kind of: we've always done things right, and there is no blame to go here; we're just onward and upward, the same thing we've always done?

**Mr. Campbell:** Well, Mr. Chair, I think that as a government we've met the needs of Albertans over the years understanding that, yes, we're very lucky as a province and that we are a leader in this country. But, you know, I can remember when I came into office in 2008 the Finance minister saying that, you know, we're looking at about an \$8 billion surplus. I can remember in September or October of that same year that all of a sudden we were going to run a deficit because of natural resources, just because of the price differentiation.

I mean, I follow the paper quite closely. I follow the stock market. I follow, you know, the predictions on what the price of oil is going to be. I can say that in the five years that I've been here watching it, nobody has ever correctly identified it yet. I think that as a government we've been very responsible in taking a

very conservative approach of what we saw as our revenue resources, what that figure was going to be.

Again, Mr. Chair, I look at 2008 when the recession hit. This province didn't miss a beat. It didn't miss a beat because of the fiscal responsibility of this government. It didn't miss a beat because of the money that we spent on infrastructure from the sustainability fund. It didn't miss a beat because this government had the foresight to put that money aside so that we had it to be able to spend it on infrastructure.

I remember talking to the construction contractors, especially the small construction contractors, that were so pleased that we were able to take that money and invest it into infrastructure so that those people could keep working. The number that comes to mind with me, Mr. Chair, is that about 70,000 people worked in the construction industry during the recession in this province because of the foresight of this government.

Mr. Chair, again, the world has not turned around. We see what's going on in Greece. We see what's going on in Europe. We see what's going on with our biggest trading partner to the south, the United States. Again, I think that the foresight of this Premier and the foresight of our Finance minister and the vision that they have of what we're going to do going forward is going to serve Albertans very well. I think that people are going to realize that in this budget we as a government made some very tough decisions. We wanted to continue to invest in health care because Albertans said to us that that's important. We wanted to continue to invest in education because Albertans said to us that that's important. Albertans want us to continue to invest in infrastructure, so building new schools, new hospitals. I've already said that we have to look after our most vulnerable.

4:00

Mr. Chair, I can tell you that we're going to do all those things, but that comes with a cost. I can tell you that when I look at the budget and I look at what's going to come forward from our Finance minister tomorrow, I'm proud to have him as our Finance minister. I'm proud of the vision that he's going to bring forward as Finance minister because it meets the priorities of our Premier, and that's looking after families and communities, making sure that we have economic outcomes in this province, and making sure that we're real stewards of our resources.

It's easy to sit on the other side and say: well, I would have done this; I would have done that. The fact of the matter is that on this side of the House we did things. We've done things to make sure that this province is going to be successful not only today but in the years to come. We've done things to make sure that we have a first-class education system, we have a first-class health care system, and we are going to look after our most vulnerable.

I'm looking forward to the budget tomorrow. I understand that this is an exercise that frustrates people – unfortunately, it's an exercise that has to happen – but I suggest to you that when the Finance minister tables his budget tomorrow, we'll have a lot different discussion in this House.

Thank you, Mr. Chair.

**The Chair:** Thank you, hon. minister.

Just for the information of the opposition, you have 13 minutes and 51 seconds left for this portion.

**Mr. Anderson:** Absolutely. Okay. Well, let's talk for a second about how the minister brought up the allegedly great job that this government has done managing this economy. I guess I would beg to differ. You know, first off, there are the confusing mixed messages. I thought that this was not our fathers' PC Party, first of

all, so I didn't know that they were still claiming the good that had been done by Premier Klein and others before him, mainly Premier Lougheed, as some of the things that they have done. I thought this was an entirely new party, that the good old boys weren't involved in it anymore, but I guess you're still celebrating their accomplishments as your own. I don't really understand that. You can't have it both ways. Nonetheless, it is what it is.

Now, let's talk about the fiscal management that has got us to this \$500 million ask and \$5 billion deficit. I just confirmed it with our researcher – actually, I thought this was the case – that this year, 2012, had the most tax revenue we've ever taken in as a province. It is a huge year. We had a pretty good year resourcewise; about \$8 billion, it's going to be. It's going to be a pretty good year, not the best ever but good. We move forward.

People need to understand how grossly mismanaged the public's finances have been over the last long while. Between the Don Getty, Ed Stelmach, and this current Premier's administrations we have taken a \$17 billion fund, a sustainability, rainy-day fund, that was meant to deal with what the minister just talked about – it was meant to deal with one year, two years of dips in revenues where we just weren't ready, and we had a little extra money to tide things over so we didn't have to go into debt and didn't have to interrupt our capital building and so forth. One or two years. We had a recession three quarters long in this province, let's say a year-long recession, okay? Since that year-long recession we have spent almost \$17 billion in five years. It will be \$17 billion by the end of year 6. It's \$14 billion by now. We have spent \$14 billion in five years to fund the operations and the capital spending of government despite record-high tax revenues and overall revenues, historically high. We've maybe had one or two years where it's been higher than the last four years. It has been a bonanza.

I mean, the other side loves to claim all the great things that they've done policywise. Sorry, guys. There were some good decisions made to lower taxes and to open up the oil sands with low tax regimes – and those were made a long time ago – and we are blessed with incredible resources. It is not you that have done this. It is the people of Alberta and the entrepreneurs of Alberta that have done this. They are the reason why we are doing well. They are the reason why we have 4 and a half per cent unemployment and the reason why we're bringing in such record revenues. It's not the Alberta government that has been responsible for that.

Now, could you have been more of a hindrance? Yeah, and you have been, with things like the royalty review, which was a complete disaster, and other regulatory issues that you brought forward. Don't talk about good fiscal prudence when you somehow drain a fund from \$17 billion to \$3 billion in five years despite record revenues. It's insane.

But you know what? As bad as that is, with the sustainability fund being essentially gone because of this mismanagement, there's one thing that is so inexcusable, so outrageous that I honestly think it is intergenerational theft of unprecedented proportions, and that is what this government has done, or not done, I would say, with Alberta's heritage fund.

Alberta's heritage fund was started in 1976 by a very visionary Premier and a very good Premier, Premier Lougheed. He put money into the heritage fund, and they put a certain percentage of resource revenues into the heritage fund until about 1986. They had grown the fund to a pretty good level. Since 1986 \$150 billion have been collected by this government in resource royalties.

**An Hon. Member:** Three hundred and fifty.



**Mr. Anderson:** Since 1986. Since 1986 it's been \$150 billion, unadjusted, in royalty revenues.

Less than 2 per cent of that \$150 billion – that's \$3 billion – was deposited into the fund during that time. So since 1986 you've put in a whole \$3 billion, but remarkably, unbelievably, during this time \$30 billion in interest generated by the heritage fund has been removed from the fund, placed in general revenues, and spent. The result: Alberta's heritage fund is worth less now when adjusted for inflation than it was when Premier Lougheed made the first deposit back in 1976. That is despicable. There is no other word to describe it.

I'm telling you that 20 years from now our kids and grandkids will look back at this and say: "You did what? You took that much money and you squandered it? You threw it away? You spent it on yourselves? You couldn't control yourselves? You left nothing? And now the oil and gas isn't worth near what it was. We can't get it out of the ground, so it's not worth anything to us now because of all the new technologies, and oil is plentiful, and there's no reason for it." What are they going to say at that time to us? We spent every dime. It's pure plundering. Everyone over there should agree with it and do something about it going forward, especially the new folks. You're not to blame for any of this. Do something about it. Turn the ship around. Turn the ship around.

Think about this, guys and gals. If we had just left the interest in the heritage fund, that \$30 billion that we skimmed... [interjection] Sorry?

**The Chair:** Through the chair, hon. member.

**Mr. Anderson:** If we had just saved the interest, that \$30 billion of interest, left it alone, not added another cent from 1986 on, not even the \$3 billion that were added by the government during that time, Mr. Chair, today our heritage fund would be worth well over a hundred billion dollars, likely closer to \$200 billion because of the power of compound interest. But we didn't do that. We leeches onto it. We spent it. The government of Alberta spent it like its own personal piggy bank, and we are here in 2013 with nothing to show for it. We've wasted our savings. We haven't grown the trust fund. Nothing. It is the most incompetent fiscal mismanagement that not only this province has ever seen but this nation has ever seen. Don't come and talk to Albertans about fiscal discipline and about all the wonderful things that you've done with a record like that.

**4:10**

Now, you can campaign and talk about what you're going to do different to make that not happen over the next 10, 15, 20 years, but don't say that you've got a sterling record of managing this province's finances. It is the most damning indictment possible. What has occurred under previous administrations is awful, and it needs to stop on a go-forward basis.

You know, I do look forward to the budget debate, and we'll be bringing a lot more forward. We'll be bringing some solutions forward for how to deal with this, and we hope that the government will be open to those solutions. We hope that they will have already adopted some of those solutions as their own, which is great, fantastic. If we can come up with solutions that we all agree with for cutting spending in places where we don't need it, that's something to celebrate. I don't care who gets the credit.

Let's just get on the road to financial recovery and not do what we just did over the past 25 years. It's 25 years of total embarrassment other than a brief time where Premier Klein cut the debt that had been put in place primarily by Premier Getty. It wasn't for his whole tenure, unfortunately – the spending got out

of control in the last five years – but in those first few years that was a bright spot, and that was something to show.

**The Chair:** Hon. member, your 10 minutes have expired.

**Mr. Anderson:** Thank you very much.

**The Chair:** An opportunity for the minister to respond if he chooses.

**Mr. Campbell:** Well, Mr. Chair, I shouldn't get up, but I'm going to. A lot of rhetoric there. I think that first of all we have to understand that this is now a province of 3.8 million people. It's not 1.2 million people. Some of the people in the opposition like to think that we're still back in the good old days. The fact of the matter is that we're not. When I came here in 1978, I think there were 1.2 million people in this province.

**An Hon. Member:** I wasn't even born then.

**Mr. Campbell:** Well, there you go. There you go.

You know, Mr. Chair, we've heard comments about different jurisdictions. People are saying: well, look at Alaska, for example. Let's look at Alaska. The roads are in disarray. Employment is not very good. They're asking us for bitumen because their pipeline is not going to be operating here very quickly if they don't get product going through it.

**Mr. Hehr:** They're getting out of oil.

**Mr. Campbell:** Well, they're not getting out of oil. They've got no oil. They'd like to stay in oil.

**The Chair:** Through the chair, hon. Member for Calgary-Buffalo.

**Mr. Campbell:** Also, Mr. Chair, as I say, you know, we've seen unprecedented growth in this province. When I look at the opposition and I look at the demands that they've made, they have the same concerns in their ridings, but they don't want to talk about that. They want new schools. They want new hospitals. They want new roads. They want recreation centres. You know, to sit there and say, "We're going to be fiscally responsible" and then to come and say to the government, "Well, we want these same demands from you" is a little hypocritical.

Our Premier, Mr. Chair, has made it very clear that we're going to spend within our means, that we're going to continue to build infrastructure, and that we're going to have a savings plan. We're going to keep money in the heritage trust fund, and we're going to have a savings plan. Even in tough times we're going to save money. So we are moving in the right direction.

I think that, again, to sit here and say that 25 years ago the government did bad things – the fact of the matter is that you look at what happened over the years. To bring Premier Getty's name forward, I can remember that in rural Alberta people were very happy with the decisions that Premier Getty made at the time when he made them because rural Alberta was in real tough shape. There were people about to lose their farmlands, and Premier Getty and this government made sure that they didn't.

As each Premier has come through this Chamber – and, fortunately, they've been Progressive Conservative Premiers – they've all done good things for this province. I'm proud of what Premier Klein did, I was proud to serve with Premier Stelmach and proud of the work that he did, and I'm proud to serve with this Premier. They all came with different ideas and different visions, but at the end of the day they all came forward to look after what was best for Albertans and best for this province. I have complete

confidence in our Premier. When she goes forward, when she talks about the Canadian energy strategy, when she talks about world-class education, when she talks about ending child poverty, when she talks about looking after the most vulnerable, Mr. Chair, you can take those words to the bank. She will do that. This caucus is proud to stand behind her, and I'm proud to be part of this government. Again, as I said before, I'm looking forward to our budget, and I'm looking forward to our Finance minister going out and having that dialogue with Albertans. Albertans can be excited about where this province is going to take us in the next 20, 25 years.

Thank you, Mr. Chair.

**The Chair:** Thank you, hon. minister.

The next 20 minutes are for the fourth party.

**Ms Blakeman:** Third.

**The Chair:** The third party. My apologies, hon. Member for Edmonton-Centre.

Hon. Member for Calgary-Buffalo, you have the floor.

**Mr. Hehr:** Well, thank you, Mr. Chair. It has been an interesting afternoon so far. I don't know how successful we will be at getting answers for some of the more minute questions I had proposed for each ministry given the fact that we only have one representative from cabinet here to deal with all that. Frankly, I will say that I am disappointed in that. [interjection] Sir, we're all here for three hours. We take supplementary supply relatively seriously. It is \$500 million in spending that is occurring that's going to affect Albertans, affect our budget in a manner, and in my view the government didn't treat this exercise seriously. I'll leave that as it may be. I understand the hon. member here is doing the best he can.

Nevertheless, I will pick up and use this as an opportunity to talk about some things that I saw happening out there over the course of the last 40 years and where we are now and to say that actually I agree with many of the comments made by the hon. Member for Airdrie, and I don't often do that, you might know. We don't see things the same way. We don't see the role of government the same way. We usually don't see spending or fiscal matters the same way. But I will say that he is absolutely correct in using the term "intergenerational theft." He used that term, which is a bold term and one that I think he discussed very well. That is what has happened over the course of the last 40 years, intergenerational theft. That is the only way you can describe where we are at this juncture in Alberta.

I'll elaborate on that. Since 1971 we have brought in \$350 billion in nonrenewable resource revenue. As you are aware, Mr. Chair, once you sell a barrel of oil, you never have that barrel of oil to sell again. Wise fiscal planning would say that you have to convert that into another asset. You have to convert that cash you get from a barrel of oil or a hectolitre or whatever of natural gas or something of that nature into an asset. We have a vehicle to do that. It's called the heritage trust fund, that was devised to recognize that this is a one-time opportunity that we're going to get to sell these treasured resources. To be honest, sir, we have not done a very good job as a government in planning for the eventual day when, one, we'll either run out of oil and gas or, two, the world will move on. Those are two things that are without a shadow of a doubt going to happen to Alberta, and if people in this room believe that agriculture and tourism are going to carry the day after that's gone, well, I believe they are fundamentally misguided.

Turning towards the time I've been in the Legislature over the last five years, let's talk about the spending. I had in the main agreed with Premier Stelmach's decision to continue to build Alberta at that time. I continue to agree with this Premier, depending on what's happening in tomorrow's budget – we'll wait and see – to build infrastructure and the like. I understand why it behooves us to build schools, roads, and hospitals. I do not have a problem with that. In fact, I think those are wise government expenditures. But, believe me, that intergenerational theft continued under the last year of this administration, and depending on what happens tomorrow and, I guess, in future years, that intergenerational theft could continue.

4:20

There are a couple of moral propositions out there that you can do. You can cut the budget by \$6 billion – okay? – and take that to the electorate and say: "You get your low taxes, you get to drive on substandard roads, your kids can stay in schools that are overcrowded, and that is the price you pay for low taxes, or you can continue to spend and build Alberta." Here's a novel approach. You can ask Albertans to pay for the services that they're using today, for the services that they have used over the last 40 years that we have just decided to pay for through intergenerational theft, or the use of our nonrenewable resource revenue.

That, to me, if we do not raise revenue, is just saying that that's all right, that it's simply all right to treat this nonrenewable resource revenue as something we paper over deficits with, use in our daily lives. Let the future generations take care of themselves because – guess what? – they don't vote anyway. It's probably, actually, the wisest strategy for your party to go with. There are projections out there that maybe see oil and gas revenues going up, and by the sheer volume of bitumen we may – and I use the term "may" – be selling into the marketplace, we'll be all right. The Tories save the day. By the way, it's common knowledge out there for many people that you guys put the oil and gas in the ground anyway. So let's just carry on this way and leave it to the next crisis for a government to have the temerity to deal with our fiscal structure.

I am a recovering lawyer; I am not an economist. If you look at virtually every economist over the last 20 years, in the main they say that our fiscal structure is broken. You guys can get up in your press conferences and deny that, but I'd encourage anyone with an ounce of care for the future of this province and who wants to save something for when this province may not be in a better position to look at those reports. Ask yourself: what is right? If you ran as a progressive – and I think many of you over there did – ask yourself: was being a progressive just simply to spend the oil wealth faster? Well, if it was, you know, to me, that's not right, and you obviously didn't have a concept of finance or what that entails. I mean that. If you want to continue doing this, ask the citizens to pay for it, okay? I believe it would be the right move.

Between us and Saskatchewan, the second-lowest tax jurisdiction, there is a \$12 billion gap. From a perfectly moral principle you'd say: well, why wouldn't we just adopt something to that effect and save this oil and gas revenue for the future? I realize that may not be politically easy. It would be a tremendous moral argument to make. But, to me, even taking back half of that, looking Albertans in the eye and saying, "We're still the lowest tax jurisdiction by a country mile; we're going to pay a little more as we go and save some of this one-time resource for future generations," if your government wants to continue building Alberta, which it sounds like your Premier does – I understand the

caucus is all over the place on what they want to do. I guess you guys have got to decide that in the next year.

Really ask yourselves. If you are a progressive, you've got to ask citizens to pay for it. If you want to be, I guess, a fiscal hawk and do what the Wildrose is doing, well, whack the budget by \$6 billion. Okay? Having it both ways is really just lazy. It's lazy politics. It's unfair. It is intergenerational theft. That's why I agree with the Member for Airdrie when he said that. I believe it was a valid and fair comment.

How much time do I have, sir?

**The Chair:** Thirty seconds, hon. member.

**Ms Blakeman:** Out of his first 10?

**The Chair:** Out of the first 10.

**Mr. Hehr:** Thirty seconds. Well, I won't be able to get into any detailed questions. Nevertheless, I might see if the minister can provide for me the number of students that came into this province that you had to top up on a per-student grant.

**The Chair:** Thank you, hon. member.

Minister, would you like to respond to the Member for Calgary-Buffalo?

**Mr. Campbell:** Thanks, Mr. Chair. I always enjoy hearing the Member for Calgary-Buffalo talk about his ideas. I always find them quite interesting. I can say that I don't always disagree with everything he says, but with some of the things he did say today I do have to disagree.

You know, the sense I got from across the floor is that on this side of the floor we're getting rich doing something here, that we're walking away with piles of money, that we just take great delight in spending money, that we make lazy decisions.

I sat as an MLA and found it challenging. I found the work challenging. One thing I can say is that nothing prepares you for coming into this House as an MLA. There's no job out there that prepares you to come here. Then the Premier had the faith to make me a minister, and I can tell you that it's no place for lazy people. [interjections] No. Let me finish. I mean, we don't make lazy decisions on this side of the House. We make very informed decisions. We make decisions based on what we think is the best for Albertans.

Going forward, when we're looking at our budget, as I said, our Premier has a vision. We're going to save money. We're going to continue to build infrastructure. We're going to spend within our means on our operating side of things. You know, I think it's important to understand that saving money in good times and bad times is a step out of the ordinary. Even when times are bad, we're going to put money in the bank, which means that we're not going to be able to finance some programs as we have in the past. That's going to bring some hardship to some Albertans.

I look at, you know, the roads we build and the infrastructure. I look at our schools, our hospitals. I look at the wages that we pay our public sector. We're the highest paid anywhere in Canada. Again, we're taking that money and investing in our future. When you talk about oil and gas, the fact of the matter is that as we diversify our economy – and we will do that because the Premier has a vision of that – the oil and gas is going into research and technology. Money from oil and gas and from forestry and from coal mining and from agriculture is going into building some world-class institutions in this province, our postsecondary institutions. We have some of the best research people anywhere in Canada or the world working in this province right now.

From that, we will diversify our economy. We're moving so that our budget is not dependent just on oil and gas. We know that's not going to be there forever. We know that, coming out of the ground, once it's out, it's gone. We've got to get the best bang for our dollar when we bring it out. We're going to continue to work on that. We're going to continue to invest in research and technology, and we're going to continue to make sure this province stays competitive in agriculture, for example.

There are lots of good things going on in agriculture. One thing is important. There are going to be six countries in this world in the next decade that are going to be able to export food. Canada is going to be one of them. When you go down to Medicine Hat and look at the commercial greenhouses they have in Medicine Hat that they've been able to build through the irrigation work that we've done, that I think they're heating with natural gas from the area, we're taking land that probably in any other part of the world wouldn't be farmable. The minister was just down there last week. I flew back with him, and I saw the red peppers and the cucumbers and the tomatoes that he took out of those greenhouses in the middle of winter. That's what we're investing in. That's how we're going to diversify our economy and make this province what it is today.

The fact of the matter is that oil and gas is going to get us there and that forestry is going to get us there. We'll continue to invest in forestry. Why? Because next to agriculture, forestry is the most sustainable industry in this province. It's a green industry. We cut the trees; we plant the trees. We cut the trees; we plant the trees. Forestry gets it. I mean, they've had to change their ways of doing business to be able to sell their product world-wide because the customer dictated to them to do that. As we move forward as a province, we're going to continue to look at that innovation that you're talking about, we're going to continue to look at research and technology, we're going to continue to diversify this economy, and we are going to have something here for future generations. You know, it's not all about us. It's got to be about our kids.

4:30

When I go around the province in my portfolio, Aboriginal Relations, when I visit the chiefs and councils on 48 different reserves in this province, of which I think I've hit 27 now, we talk about doing things for the children. People like me: they're going to stick tubes in me and keep me alive because we have a good health care system, right? But the fact of the matter is that we have to make sure that we have a system in place for education and health care and economic opportunities for our young people. When you see our budget tomorrow, it's going to be about that. It's going to be about the future. It's going to be about making sure that we live within our means.

I look at, you know, the supplementary estimate for education. We're asking for \$24 million, and \$12 million of that is related to unexpected increases in student enrolment. As the committee knows, much of our funding is tied to students. As the number of students rises, so does our investment. That's what we spend it on. Then, of course, we have to have more teachers, so we're going to spend money on teachers. The actual increase in cost due to enrolment is \$29 million. We've been able to offset a significant amount by year-end savings in the department.

The remaining \$12 million that we're asking for, \$12,289,000 to be exact, is for the Alberta contribution to the new College Park school in Lloydminster, which is cost shared with our neighbours in Saskatchewan. Under the Lloydminster charter Alberta funds the new construction in accordance with the government of Saskatchewan's capital planning processes, approvals, and

guidelines. The total amount of Alberta's share is based on the residency of students who will eventually be attending that school. Again, we're able to reprofile \$1.4 million from other school construction projects to put towards the total cost of \$13,714,000. I look at what the Minister of Education is asking for for student increases. I mean, we're increasing. That's just the way it is. We can't build schools quick enough. We'd like to build more, okay?

When we go to advanced education and we talk about why we're looking for money in advanced education, two key areas. First of all, it's due to the enhancement within the student aid program. We have a 29 per cent increase in students going to postsecondary, and to me that's a good thing, that we're going to increase our student loans and allow more people to go to postsecondary. Without those student loans some people would not be able to go to postsecondary, and I think everybody should have that chance or that choice to go. The cool thing about this is that we recover over 98 per cent of our student loans, so this is a very good program. We're helping people get an education, they're graduating, and they're paying the money back to Albertans. Again, I think that when we look at advanced education, the lion's share, you know, is for the student aid program.

The other part of the program that we're looking for is in the minister's capital budget, and that's \$13 million. Of course, that goes to the fact that the University of Alberta is looking at basic infrastructure upgrades for the Devonian Botanic Garden, and that's to accommodate the new Islamic garden, to be funded by a gift from the Aga Khan. Again, this money was initially approved in 2011-12, contingent on the gift from the Aga Khan. Unfortunately, that didn't happen. There were changes in the project plan, but it's expected that agreement will be signed this year. I look at that, and I think we're in pretty good shape.

I look at, you know, SRD. We're asking for \$17.4 million for the joint Alberta-Canada implementation plan for oil sands monitoring. We're asking for \$258 million for wildfire management and \$39.8 million for mountain pine beetle mitigation. Now, I've already talked about the wildfire management and the importance of that, and I've talked about the mountain pine beetle mitigation and the importance of that.

The joint oil sands monitoring plan calls for unprecedented steps to enhance monitoring for air, land, water, and biodiversity. This plan improves our ability to detect changes in the environment and manages the cumulative effects on development. The enhanced monitoring program will be one of the most progressive of any industrially developed region in the world. Industry has committed to fund up to \$50 million per year until fiscal year 2014-2015. In order to collect those funds in support of the joint plan, SRD is asking to increase its budget by \$17.4 million, so we're spending \$17.4 million to get \$50 million from industry. I think that's a pretty good trade-off.

The other reason the joint monitoring is so important is that it gives us social licence. When you hear in the news about the Keystone pipeline, they're talking about social licence. When we talk about the oil sands or any natural resource extraction on the land site, people are talking about social licence. What does industry have to do to get that social licence? Again, I can tell you that in talking to First Nations and Métis around the province, areas like air quality, water quality, and biodiversity are all very important.

Some of you sat on the all-party committee on natural resources, and you listened to the presentations on the hydro proposal for the Slave River run of the river. You heard the concerns. There's social licence that we have to have for some-

thing like that go through. I think it's a great project. Then when you go and you talk about the Peace River and what B.C. wants to do in putting a dam on the Peace, you know . . .

**The Chair:** Thank you, hon. minister.

The next 20 minutes are reserved for members of the fourth party, and you can go back and forth. I'll recognize the Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you very much, Mr. Chair. I'll make a few initial comments, and then I have several questions relating to the different portfolios. You know, I find it interesting that today we're debating roughly \$500 million and the government's approval to spend that, yet we have only one minister of the Crown sitting here to debate on five different ministries, and when I say interesting, I mean that I find that frustrating. Acknowledging that, though, I realize that the minister across the way might not be able to answer some of my questions.

To start off the debate on this budget, I think it needs to be recognized that cuts to essential services won't be acceptable to many Albertans. I've had the privilege of touring Alberta for the last several weeks, visiting multiple cities along the way, listening to Albertans on the proposed deficit budget and how it's going to affect the services that they provide and deliver on the ground. I can tell you that the bulk of Albertans that I've spoken to and listened to have said that the last thing they want to see are cuts, especially in the areas of education, health care, and social services.

I find the most fascinating thing is the fact that many Albertans are left scratching their heads and wondering why they are facing a recessionary-style budget when they look around and see that our economy is quite strong at the moment. We've got healthy growth, as the Leader of the Official Opposition pointed out. Statistically Alberta has a very low unemployment rate right now – I believe it's around 4.3 per cent – and in cities all around the province workers are talking about having lots of opportunities for work. Our GDP is strong. So the question comes: well, then, why are we facing this style of budget?

It can only mean a couple of things. I know my colleagues from the Wildrose would say that there's a spending problem on the other side of the floor. I think there's more of a management issue going on here, you know, with things like hundreds of thousands of dollars going to be paid to high-level executives having extensive expense accounts instead of investing those dollars into front-line workers, that provide the bulk of services that we experience day to day.

I think the government should be looking at the revenue side of our situation. Again, Alberta is the wealthiest jurisdiction in North America, many argue, yet when we look at what's left in our heritage trust account, when we look what we're anticipating to be a skimpy amount left in the sustainability fund, there are no excuses. There are no reasons for this. As has been pointed out by colleagues on all sides of the House, the bitumen bubble argument is almost laughable considering that last year, at the start of the PC leadership race, the differential was somewhere around \$36 a barrel. So nothing new.

Albertans, the ones that I've spoken with, I should clarify, have made it clear that they're not opposed to moving back to a progressive income tax system. They're in favour of charging a competitive rate for our royalties, competitive in other jurisdictions, maybe even collecting the royalties that are due to us. I find it almost laughable that we have companies with

outstanding royalties due to Albertans, to the Crown, that they aren't even paying and that this government is failing to collect.

**4:40**

As well, looking at having a competitive corporate tax rate. I mean, there are many ways to address the revenue shortfall that this government is experiencing, but the fact of the matter is that if we continue to kick the can forward, to pass ailing and aging infrastructure and maintenance to future generations, we are merely robbing future generations. I think that's unacceptable, and many Albertans have communicated quite clearly that they're opposed to that.

Again, we need to look at investing in things like education. I've said this many times, that it's clear that on this side of the House education is viewed as an investment while I strongly believe that on that side of the House you view education as a cost as opposed to investing in our future generations and ensuring that Albertans will be competitive in the future.

The other thing that I find fascinating is diversification. The term "diversification" for this government, as was made clear in the Economic Summit, just means building more pipelines and shipping more of an unrefined product to an area where they already have a glut. I find that ironic coming from the party that should have a better handle on supply-and-demand economics. You know, when you're already getting a low price for something, pumping even more supply into the market isn't going to somehow magically increase what you're going to get paid for your product as opposed to looking at a long-term solution of investing in Alberta and investing in Albertans, whether we're looking at upgrading more of our product here.

Again, fascinating to learn that Alberta is the only jurisdiction that pumps out the least-refined product as opposed to other provinces in our own country or looking down south, where at least they understand that if we add value, we keep quality jobs in our own province. We can sell a much higher quality product.

I think what I'll do is that I'll allow the hon. minister to respond to that, and then I have numerous questions regarding the various ministries being debated this afternoon.

**The Chair:** Thank you.  
The hon. minister.

**Mr. Campbell:** Thank you, Mr. Chair. You know, for a young guy I think he needs some hearing aids. I think that within our MLA plan we can help him out because he hasn't been listening.

Education is an investment for this government. The Premier has made that clear on numerous occasions. The Education minister has made that clear on numerous occasions. If he's attended aboriginal communities, he's heard me say that on numerous occasions, that education is the key to close the socioeconomic gap between aboriginal communities and Albertans. We're going to continue to work on that. As a matter of fact, we came to agreement with the national chief last week in Edmonton and with the Premier on the work that we're going to do in education. To say that education is not an investment is totally wrong.

The other thing that the hon. member hasn't listened to is the Premier's talk about the Canadian energy strategy. She's talking about pipelines to the south, to the east, to the west, to the north, about opening up markets. We know that we have to get our product to tidewater to get the best market, but we understand that when you're a landlocked province like we are, you have to work with your neighbours. You have to form partnerships and alliances to get that product to market. We're doing that right now, and the Premier is leading that charge. She's been to Washington on a

number of occasions just on the Keystone, but she's also talked to the different Premiers across the country and the Prime Minister about a Canadian energy strategy. People are now starting to wake up to that. They understand the importance of it.

What we do in Alberta helps everybody. It helps people in Ontario. It helps people on the east coast. You know, when you leave Alberta and you go to some of our other provinces, especially when you go to the Maritimes, businesses are boarded up. My family comes from Glace Bay. I can remember that Glace Bay was a booming coal-mining community for years. All of my family worked in coal mines. If you go to Glace Bay now, everything is boarded up. There is no more coal-mining industry. People are coming out here to work in Alberta because that's where they have a chance for a future. When you go into Ontario, look at all the manufacturing plants that were shut down that now have a future because of the oil and gas industry in this province and our Premier's vision of a Canadian energy strategy. So we are looking at what's good for Alberta, but we also understand that what's good for Alberta is good for Canada.

You know, again, I think that we are making decisions today for the future. I can tell you that we're making some tough decisions. As I said before and the Premier has made very clear in her prebudget talks, we're going to save money, we're going to build infrastructure, and we're going to live within our means, within our operating budget.

Thank you, Mr. Chair.

**The Chair:** Thank you, hon. minister.  
The hon. member.

**Mr. Bilous:** Thank you, Mr. Chair. I'll start off just talking a little bit about Education. One of the areas is that \$12 million has been requested to address unexpected increased student enrolment. My question to the minister: what was the enrolment projected to be, and how has it been exceeded?

**Mr. Campbell:** I'll get those numbers for the member, Mr. Chair.

**The Chair:** Thank you.  
Back to the hon. member.

**Mr. Bilous:** Okay. I imagine this is going to be a lot of back and forth. The Fort McMurray public school board talked about its budget problems based on a decreased enrolment even though the city is growing quite rapidly. Specifically, I'd like to know: where in the province has the unexpected increased enrolment occurred, whether it's a school board or even within a region?

**Mr. Campbell:** Well, again, those are numbers that I don't have at my fingertips and I would suggest that the minister wouldn't have at his fingertips either, but we'll get the numbers for the hon. member.

**The Chair:** Thank you.  
The hon. member.

**Mr. Bilous:** Yes. Thank you for that.

Still on Education, looking at school facilities infrastructure, there's a request for just over \$12 million for infrastructure. And a comment: priority initiative 2.4 of the 2012-15 business plan is to develop a strategic long-term plan to provide and maintain Alberta's school infrastructure. Considering that supplementary funds are being requested to support school facilities infrastructure, can the

minister update this body on the progress that's been made on the strategic long-term plan?

**Mr. Campbell:** Again, I'd have to talk to the Minister of Infrastructure to get those numbers.

**The Chair:** Thank you.  
The hon. member.

**Mr. Bilous:** Thank you, Mr. Chair. Moving over to Transportation. There's a certain irony that at this time last year the House was being asked to approve supplementary estimates for the GreenTRIP initiatives and the light rail transit. Now we're in the process of debating cost overruns for P3 ring roads, which seem to be somewhat problematic. Ring road costs were estimated at \$305 million and now have a supplementary estimate of another \$100 million. This is an enormous difference and a very poor original projection. What explains the massive cost overrun this past year? What are the unpredictable aspects of these projects, in fact, \$100 million worth of unpredictability? If we could get some clarity on that, please.

**Mr. Campbell:** I'll make sure that the Minister of Transportation gets the information to the hon. member.

**The Chair:** Thank you.  
Back to the hon. member.

**Mr. Bilous:** Mr. Chair, how much time do I have left, please?

**The Chair:** You have seven minutes and 33 seconds, sir.

**Mr. Bilous:** Thank you. Moving on to Environment and Sustainable Resource Development – this was touched on previously, but I think it's something that is important enough to come back to – we're looking at \$258 million of emergency spending for firefighting costs as a result of high wildfire hazard levels and high fire activity in some parts of Alberta's forest protection area. I find it interesting that for numerous years the practice has been to budget zero for fighting forest fires, yet every year Alberta finds itself in a position where, amazingly, we have forest fires. It must catch everyone off guard. Last year we budgeted zero and spent \$250 million, that was approved during supplementary supply. That's a significant amount of money, so the question is: why doesn't this government plan a budget when it knows that there are going to be fires every year?

4:50

**Mr. Campbell:** I'll make sure that the minister of SRD gets back to the hon. member.

Just on the money, it's for firefighting, but it's important to note that \$16 million is also to supplement the \$990,000 that was made available from lower than budgeted capital in other programs. It's to convert a department-owned air tanker from piston to turbine engines. There are only two turbine conversion kits available world-wide. The department owns four amphibious aircrafts, which have been used in wildfire suppression since the mid-1980s. The department would like to proceed with converting the fourth aircraft, which is currently grounded because its engines are not serviceable, parts are in short supply, and it faces corrosion issues. This conversion will give ESRD greater suppression capability along the eastern slopes during wildfire management operations. Being that I live in the eastern slopes, I find that a pretty important thing to get accomplished.

**The Chair:** Thank you, hon. minister.  
The hon. member.

**Mr. Bilous:** Thank you. I'd like to thank the hon. minister for that clarification.

Looking again at Environment and SRD, there is \$40 million of emergency spending for ground survey and control operations to fight the mountain pine beetle infestation. We know this problem exists. It happens on a yearly basis, yet again the government has budgeted zero for this. Question to the minister: knowing that this is a challenge that we're going to be facing and we're going to be spending money on it, instead of returning to this discussion year after year, why won't the government budget for the mountain pine beetle infestation?

**Mr. Campbell:** Well, again, it's not as easy as just budgeting the money. But I'll make sure that the minister gets back to the hon. member.

**The Chair:** Thank you.  
The hon. member.

**Mr. Bilous:** Thank you. I'm going to move on to Enterprise and Advanced Education. We have \$18 million, roughly, requested for new completion grants, expanded part-time grants, and increases in program delivery support for student assistance programs. Question of clarification: how have the new completion grants been prioritized? According to the institution or demographics or region or type of program?

**Mr. Campbell:** I'll get the minister to get the answer back, but I am being told that every student that graduates gets a completion grant. I can also say that with the introduction of a flat-rate contribution of \$1,500 reduced to zero for single parents; the elimination of savings, RRSP, part-time earnings, or parental contributions in determining loan eligibility; and replacing the previous loan remission program with completion incentive grants, what will happen when they graduate is that they'll get the grant.

**The Chair:** Thank you, hon. minister.  
Hon. member, you still have three minutes.

**Mr. Bilous:** Thank you, Mr. Chair, and thank you, hon. minister.

Next, still sticking with advanced education, \$13 million has been requested for postsecondary infrastructure, specifically at the U of A. I'm going to throw out some numbers here, so please bear with me. The postsecondary infrastructure budget line was around \$600 million in 2010-2011 and forecasted at \$268 million for '11-12. Estimates for '12-13 and beyond are at \$76 million or below. With such a sharp decrease in postsecondary infrastructure funding expected going forward, how can we ensure that high supplemental amounts relative to this budget line will not be repeated in the future?

**Mr. Campbell:** Again, Mr. Chair, I'll get the information back to the hon. member from the department.

**The Chair:** Thank you.  
The hon. member.

**Mr. Bilous:** Thank you, Mr. Chair. Continuing with this, nonbudgetary disbursements for support for the adult learning program – and nonbudgetary disbursements come from the general revenue fund – a sum of \$124 million could be used to defray the costs. The \$77.5 million is a large sum to allocate to

support for the adult learning program. That's in addition to the almost \$18 million being requested as a supplemental amount under 2.1 and 2.14 of the department's program spending. The question is: what steps are being taken to more accurately assess the higher than expected student loan disbursements?

**Mr. Campbell:** Again, we'll get the department to get the figures back to the hon. member.

**The Chair:** Thank you.

Hon. member, you still have a minute and a half.

**Mr. Bilous:** A minute and a half. Okay. I'll try to get this in.

Now moving on to Municipal Affairs, approximately \$60 million is being requested to address the disaster recovery and municipal wildfire assistance programs. The requested amount is for both disaster recovery and municipal wildfire assistance programs. While disaster recovery is a specific line under the program spending for the Alberta Emergency Management Agency, municipal wildfire assistance programs are not a separate item. Does the municipal wildfire assistance program fall under disaster recovery?

**Mr. Campbell:** Again, that's an answer I'll have to get back to the hon. member on.

**The Chair:** Thank you.

**Mr. Bilous:** The last question which I'll get into *Hansard*: what portion of the disaster recovery budget was originally dedicated toward the municipal wildfire assistance programs?

**The Chair:** The same: you'll endeavour to get that, Mr. Minister?

**Mr. Campbell:** Yeah, we'll get those numbers.

**The Chair:** Thank you.

Are you concluded, hon. member?

**Mr. Bilous:** Yes.

**The Chair:** Thank you.

Hon. members, the next 20 minutes is afforded to members of the government caucus should anyone wish to ask a question of the ministers. The hon. Member for Edmonton-Gold Bar.

**Mr. Dorward:** Yes. Mr. Chair, I was actually quite shocked to hear the Leader of the Official Opposition speak so casually and unknowingly about results-based budgeting, quite frankly. It's all on the website.

Results-based budgeting was a bill that came in in the early part of 2012. Then the various departments and ministries have been working on information to be able to go through their costs in a results-based budgeting way. We call those people proponents. There are six categories of broad costs that are being looked at by the results-based budgeting process. There were six committees. The six committees met just before Christmas and sat with the proponents. The proponents actually laid out their plans to go through the results-based budgeting process right now and, indeed, up to the end of April, in that kind of time frame. Then the committees will come together again and look at the results of that.

I guess my question is: has anybody on the other side done any reading of the website, or do they have any idea at all what results-based budgeting is all about?

**The Chair:** Is this a question of the minister, hon. member?

**Mr. Dorward:** Well, sure, I will frame it that way. Minister, have you had any interaction with the results-based budgeting process, and what are your thoughts on it?

**Mr. Campbell:** Well, you know, my department hasn't been up yet to be involved in the process. But I can say from talking to the different MLAs that have been chairs of the committees that they found it a very worthwhile exercise and the public that we brought in to sit in on those committees have found the exercise very useful.

I think that, you know, going forward with what our Premier wants to do in results-based budgeting and what our Finance minister wants to do, we are headed on the right track. Again, we've just started the process. You know, I'm quite confident from what I've seen of it sitting on Treasury Board and what I've heard in the feedback from both MLAs that have chaired the committees and MLAs that have sat on the committee that we are headed in the right direction with results-based budgeting.

**The Chair:** Thank you, hon. minister.

For the rest of your 10 minutes, hon. member, do you have an actual question about the estimates?

**Mr. Dorward:** No.

**The Chair:** Thank you.

Are there other members of the government caucus that might have a question?

Seeing none, I'll recognize the Member for Edmonton-Centre for the next round of questions. You have five minutes, hon. member.

**Ms Blakeman:** It's five and five?

**The Chair:** Yes.

**Ms Blakeman:** Okay. Thanks very much, Mr. Chair. For those few that are following along at home and on the computers, thank you for expressing your interest in what we're doing here.

What's essentially happening is that the government has spent additional money, extra money above and beyond the budget that they presented last year, and they are required to come before the Assembly and explain to us why or give us the opportunity to ask questions about why they needed to spend extra money. In this case we've got about \$450 million that they've actually gone over the budget with, and that money has been spent in the departments of Education, Enterprise and Advanced Education, Environment and Sustainable Resource Development, Municipal Affairs, and Transportation.

For three of them it's disaster recovery money. This government has an ongoing choice, and as you can tell, it makes everybody in the opposition a little crazy. They always underbudget it, and then every year they're back in front of us with a sup supply request when they know exactly how much money they've actually spent. It's sort of budgeting after the fact. I haven't been able to knock them off that particular way of doing things in my 17 years, so good luck to the rest of you that are trying.

**5:00**

On page 19 of the supplementary supply request from the general revenue fund for ESRD a total is being requested of \$286,497,000. So, you know, it's a chunk of change. Now, \$17 million of it is for the joint Canada-Alberta implementation plan for oil sands monitoring, fully offset by revenue from the oil sands industry. Well, did we spend it or not? It sounds like we spent it.

Are we expecting to get money back from the oil sands industry? What exactly was it spent on? Was this hosting, travel, consultants, communications, brochures, media press releases? What was that \$17 million spent on? Was it research scientists? What? We've got no information in front of us here.

There is \$258.6 million of emergency spending for firefighting. The government always underestimates, and then they come and fess up with the real amount that they spent.

Another \$39.7 million of emergency spending is for continued ground survey and control operations for the mountain pine beetle infestation. Oh, my Lord, that little bugger has cost us a lot of money in this province and other ones. But I have to say that it looks like we did not a bad job, not terrific – not honours, not 90 per cent – but a pretty good job of managing the pine beetle infestation, so I'm not questioning that money.

But I do want to know what this joint Canada-Alberta plan for the oil sands monitoring is all about. To be honest with you, I'm pretty good about details, but I have lost track of the number of studies, strategies, reports, committees, and implementation plans that this particular minister of environment has managed to get rolling, and now we can't get any information because everything is tied up in one of these committees.

I think I'm nearing the end of my five minutes, so I'm going to ask the minister who is with us today. And thank you very much for showing up. We appreciate your effort. There is silence while I stare at the other empty chairs here. I really appreciate your being here. Are you able to answer my questions?

**Mr. Campbell:** A pleasure to be here, hon. member. I think I can answer your questions, but to be safe, I'm going to have the minister give you the breakdown on the monitoring. I'm confident I could, but I want to make sure we have the right numbers and you do get the right answers, so I'll have her get a hold of you and give you the proper amounts.

**The Chair:** Hon. member, your time is up, unfortunately. I'll put you back on the list.

**Ms Blakeman:** Please do so. Thank you.

**The Chair:** The Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I have a couple of questions. I suppose this is the difference between the private sector and the public sector. But this is a bit of an embarrassment – no disrespect to the hon. minister who is here trying to answer the questions; I have a great regard for that – the fact that the other ministers are not here. We are dealing with something that is not new, zero-based budgeting. You can call it results-based budgeting, or you can call it deceptive budgeting. I want to talk about that for a second. When you mislead, it's deceptive. This isn't rocket science. It's a budget. A budget is nothing more than a tool.

I will tell you, having been a person who has done a lot of budgets and done it professionally in a corporate setting, that it is not hard to budget for emergencies. It is a fact of life. Boy, we would love to make sure at year end that the emergency budget was zero on our expenses, and we'd all be happier for it. The fact is that there are trends. In the utilities, where I came from, we always had ice storms, tornados, windstorms, all these natural disasters that followed weather patterns, and we had to deal with that.

Forest fires are no different. We know we have forest fires during the annual fire season, and we have to deal with that. There's nothing wrong with budgeting that along the trend line.

Everyone is better off if it comes in at zero. We would love to not have forest fires, but they are a fact of life. It's not that hard to predict the trend when we have a trend line. So it's unreasonable to not take a look at that and say: we've been under by a hundred million dollars a year, year over year over year. At what point do you realize that you're not budgeting properly? That is a question that someone needs to address.

What I'd like the hon. minister to talk about – and I'm not sure you can answer it. I have the same concerns you do over this pine beetle. I represent a large number of constituents who are in the forestry industry. It's an extremely serious matter, and it does need to be dealt with. It is going to take funds – we all realize that – but that's not the issue. The issue is that we're just about doubling this. When I look at the action plan and I look at the management strategy, which is, by the way, on your Internet websites – and I follow that because I have constituents that are very much involved with this – what I don't understand is how that money is being expended within the management strategy and within the action plan. That's the key. The whole part of accountability is to make sure we are following the plan. You know, when we look at the budget and those numbers start rising, what are we doing that we missed when we created the budget? What happened there? So we can go back and ask those questions.

If the minister could, I would like an answer to how this extra \$17 million goes into the action plan or goes into the management plan. How is it broken down? How did we miss it? See, that's the key. On dealing with the pine beetle, we're not talking about sudden forest fires. This is something we've been watching for years. We know how far it's gotten. We've actually had one point where we got ahead of it. Now the forestry industry is telling us that we have to relook at this because it is real. As the member said, with this warm weather that we've had this winter, we can fully expect that there's going to be more to deal with in the coming season. This is logical, and this is how we should budget. So if the minister could please address that particular issue on where that money has been spent. What effect does it have on these plans, the management strategy and the action plan? That is really important.

But the real thing I want to talk about is the accountability. Any time anyone does a budget, the person responsible for these extra expenses should be here to answer that. You have to do that in all private sectors no matter what business you're in. You just don't get to throw this out and say, "I need so many millions more, so many billions more," and nobody is there, when we go to approve this, to answer those tough questions. I will tell you this. It is disrespectful to Albertans that not all the ministers are here that are directly affected by this request, that they have their staff so they can answer these tough questions and put it on the record. [interjection] I didn't mention them by name.

Thank you very much.

**The Chair:** Thank you, hon. member.

The hon. minister to respond.

**Mr. Campbell:** Well, thank you, Mr. Chair. I mean, I can't give you a breakdown of exactly what the \$40 million is going to be used for. The minister can probably do that. I think it's important to understand that you're talking about mitigation, you're talking about control, and you're talking about rehabilitation. To me here's the real challenge of fighting the mountain pine beetle. No matter what good work we do in Alberta, if we're not doing the same work in B.C. and the federal government is not doing the same work in the national parks, all we're doing is maintaining.



5:10

I can say to you that living on the eastern slopes, I go into the Willmore wilderness area. If you fly over the Willmore wilderness, the Kakwa, the sea of red is there. I mean, you go over the Coquihalla; they've cut everything down. There's nothing there anymore. It was red for a while and dead, and then they cut it all down. We're going to continue to invest this money into Alberta because we have to make sure that our forest industry stays sustainable. For the \$40 million we're spending, industry is doing the same thing. To fix this problem, we have to get the feds involved. The federal government has to be involved. We have to have a better strategy for our national parks.

I was down in Banff a couple of years ago meeting with the Banff town council and the Jasper town council, and we were talking about tourism. I think we were at a lodge on the side of the road before you get into Banff.

**An Hon. Member:** The Rimrock.

**Mr. Campbell:** No, it's not Rimrock. It's outside of Banff.

Anyway, we were looking at this vista of green. I said to the folks in Banff: if you don't get on board and get after the federal government, you're not going to have a vista here anymore; it's going to be red because the beetle is coming. Again, we can't predict climate, but the last two winters have been fairly warm. We all know that. Last year was a great ski season. I don't know about the rest of you, but I had a good time on the slopes. We had a record snowfall. Again the beetle continued to infest. We're working with the province of Saskatchewan on the pine beetle because it's getting into Saskatchewan now.

We're going to continue to invest these monies because we have to. It keeps the workforce of a number of our rural communities engaged. We understand that we have to have a broader strategy. It has to involve the federal government, and it has to involve the province of B.C. In some ways we're spending good money after bad, when you think about, in the sense that all we're doing is maintaining.

I'll make sure that the minister gives the hon. member a good breakdown, but I know that this \$40 million that we're spending on the beetle, to me, is money well spent because it's helping a lot of rural forest communities to survive. As I said earlier, all we're doing is maintaining right now, and we have to get ahead of the problem. That's going to take a three-pronged approach of the provincial government, the federal government, and other provinces working together to deal with this infestation.

Thank you, Mr. Chair.

**The Chair:** Thank you, hon. minister.

Hon. members, I have a partial list of speakers, but I'm going to try to rotate it through the parties, just to be fair. Is there a government member that wishes to ask a question?

Seeing none, I'll recognize the Member for Edmonton-Centre.

**Ms Blakeman:** Oh, goody. Thank you. I have four questions this time around. I'm going back to page 22 for the department of environment. Looking at the breakdown, it looks like under vote 8 for lands there is \$12,600,000 being spent there.

**Mr. Campbell:** What page are you on?

**Ms Blakeman:** Page 22, vote 8, lands. Land, Scarlett, land.

It says \$12,600,000. What's that for?

Oh, I see there are more ministers that have joined us. Welcome. You're most welcome. Thank you for coming.

**Mr. Campbell:** I'll have to get the minister to get you an answer.

**Ms Blakeman:** I'll give you a few more questions that you can ask the minister.

**The Chair:** Okay. Hon. minister, did you care to respond, or are you going to get an answer for her?

**Mr. Campbell:** I'll get an answer for her.

**The Chair:** Okay. Thank you.

**Ms Blakeman:** Okay. Well, while you're getting that answer, in the Department of Municipal Affairs, there is \$530,000 for the Whispering Pines lodge in Grande Cache. You should know this one.

**Mr. Campbell:** I can speak to that one.

**Ms Blakeman:** Okay. That'll be great. I'm looking forward to the answer. Let me just get all my questions on the record, and then you can let 'er rip. I'm looking for the details. Is this a new seniors' lodge? It turns up under vote 10.8, assistance to Alberta Social Housing Corporation, seniors' lodges. Is it new? Was this a grant to a private corporation building this? Is it specifically long-term care, which has a medical component to it, or is it assisted living or supportive living? Is it a private one, an NGO, or completely government. Finally, is there any kind of special housing? I know you know a lot about that one, so you'll tell me.

Back to Environment. Does the minister accept that severe weather is on the rise? We are all experiencing the results of that, I would argue. What changes have been instituted in the budgeting in Environment for severe weather? This is sort of a policy decision, but what are you doing about it? When you look at organizations like CEMA, for example, they are actually looking at what kind of trees we should be planting now because the old lodgepole pine, much as we love it – emblem of Alberta, tree of Alberta – is not going to do so well in a more arid environment so not the right thing to be planting today as we deal with climate change. I'm wondering what changes have actually been instituted in the policies around budgeting to deal with severe climate, severe weather.

I asked the same question for Municipal Affairs because under the disaster recovery programs in Municipal Affairs it's the same thing. Severe weather is a huge issue to us. It's Grande Prairie flooding. It's Medicine Hat flooding. It's Slave Lake fires. I mean, it's affecting Alberta, so what are the policy changes, and how have you instituted different budgeting to deal with that?

I'm talking faster and faster. A Transportation question because you know how much I love that. The west side of the Henday was paved a few years ago. Now it's being repaved. I'm wondering: was this a P3 contract? Oh, I'm getting nodding. Excellent. Well, the Transportation minister could answer me. Was it a P3 contract? Does the contract between the provider and the government designate who is responsible for the repaving or for the repairs? What exactly are the costs?

That's three of three. I think somehow I snuck five questions into there, so I look forward to the answers. If I can go back on the list, please.

Thank you.

**The Chair:** The hon. minister.

**Mr. Campbell:** Well, thank you, Mr. Chair. I'll start with the easy one, the seniors' lodge in Grande Cache. This is an assisted living facility, and this is owned by the Evergreen Foundation, which is

all of the municipalities in West Yellowhead that put monies in. They have homes in Grande Cache, Jasper, Edson, and Hinton. This is for renovations to add six more beds to the facility. The facility is actually adjoined to the hospital. You can go from the hospital to the facility through a door. This \$530,000: the Evergreen Foundation asked for that money to build some more rooms, and we're giving the grant from Municipal Affairs.

Do I believe that severe weather is happening? Weather patterns are definitely changing. I mean, we see it every day, right? You can't deny that. I know that we've had discussions within our ministerial working groups about greenhouse gasses, about changing weather. I would say that we're not at that level yet where we could actually bring forward a policy, but we are starting to have those initial discussions. Again, you said the lodgepole pine. I mean, I live in an area where the predominant tree is the lodgepole pine, and in some areas it's hard to tell if it's actually drought killing the trees or if it's mountain pine beetle. It is definitely something that we have to address in the near future.

I'll turn it over to my colleague the Minister of Transportation to talk about the Anthony Henday.

**The Chair:** Thank you, hon. minister.

You have three minutes.

**Mr. McIver:** Okay. Well, thanks, Mr. Chair. The questions you asked on the Henday really, respectfully, don't have much to do with the sup estimates, but as a courtesy I'll do my best to answer them anyway. The hundred million dollars for construction of the Henday ring road was more in the way that the P3 contract was financed. There was a piece that wasn't included in the initial estimate that had to be added in as a supplementary. That's simply a matter of a contractual obligation that wasn't in there.

5:20

You were asking about some additional paving on the Henday, the P3. My understanding of that – well, first of all, it's typical that when we pave a road, we go back a couple of years later, and we put an additional lift on. What that allows is some of the fine settling, when the road gets built, to be in place and then have another coat with a nice smooth surface for Albertans that, hopefully, will last longer.

In this section of the Henday I think what you're referring to is a piece where there's a different base under that section of the Henday than there was under other parts of it. Consequently, the decision was made in the interest of innovation to try something different to see if it'll last longer, which it's supposed to do. An interim step that had to be added was another lift of asphalt to be put on after the fact, which was done. There were some additional costs, but it's still felt – and I'm pretty sure I was asked and answered this in the House in question period at some point earlier – that it'll still be less expensive going through this extra process than it would have been through the normal process.

Now, for the member that asked the question, Chair, since it's not part of the sup estimates, I don't have the dollar amount of what that cost, but I will make it my business to go find that answer and get it to the member. Despite the fact that it's outside of the supplementary estimates, it will be my pleasure to do that for the member.

**The Chair:** Thank you, hon. minister.

Your time is up, hon. member, unfortunately. I'll have to put you back in the rotation.

**Ms Blakeman:** Thank you.

**The Chair:** The Member for Chestermere-Rocky View.

**Mr. Campbell:** We answered four questions. I think the hon. member had five.

**The Chair:** It's a timing problem, hon. minister.

**Mr. Campbell:** Okay.

**The Chair:** The Member for Chestermere-Rocky View.

**Mr. McAllister:** Thank you very much. It's a pleasure to join in the debate and the discussion. I think it's getting better as we go along. We're getting some questions answered. I'd like to start with a tip of the cap to the minister of aboriginal affairs for being here, and it's good to see a couple of colleagues, some reinforcements, join him for the last half an hour or so. I wonder if he pulled a short straw or was on the naughty list or how this worked out today.

The member to my left who spoke a few times formerly – and I forget her riding. Edmonton . . .

**An Hon. Member:** Centre.

**Mr. McAllister:** How could I forget it?

**Ms Blakeman:** Fabulous.

**Mr. McAllister:** The fabulous riding of Edmonton-Centre. I think she did a nice job, for those who are tuning in, of explaining why we're here and what we're trying to accomplish. I believe in the same type of set-up, Mr. Chair. This is the point that I'd like to make. We're discussing \$500 million here. That's half a billion dollars, Mr. Chair. It's public money. It's taxpayer money. Those responsible for it ought to be here to answer the questions for their specific portfolios.

As far as education and advanced education go, it's tough to look at where the money is going and say: hey, you shouldn't be spending it there. The amounts specified are in areas where we all want to see money spent. You know, I bet there's not a person in here that couldn't find a school project that we'd like to support in our own riding or even neighbouring ridings where we know people.

I've had the pleasure of travelling around and talking to schools, to boards and school councils, about projects and capital plans, and obviously this is money that's needed. I guess what I'd ask – and I don't want to do a back-and-forth, but I'd like the minister to consider, perhaps, how to answer the question. Maybe he can. It might be to the Minister of Transportation's point on the P3 model. I'm just wondering how that money came about late into the game on the Lloydminster school because there are so many others on all sides of this House that would like to be in that same situation where they would have money available for a school project.

To talk about our student population growing is wonderful if we have higher than expected enrolment because I know currently in postsecondary enrolment, Mr. Chair, we have the lowest enrolment rates in the country, so I'm happy to hear that.

Again, I'll just sort of pile some questions in here in my three or four minutes. You can try to address them, and I think that probably the Minister of Education would be the one with the answer on this specific question. I'd like to know, as the Member for Edmonton-Beverly-Clareview asked: where is the enrolment increasing? He mentioned Fort McMurray. I think, specifically, we'd like to know that also. But then the money that's distributed: where is it being distributed and allocated? How is it being broken

down to individual boards? I think those would all be very good questions that I know the people that I meet with would like to know.

**An Hon. Member:** Good question.

**Mr. McAllister:** They are good questions.

We have so much evidence, I think, that funds are going to other areas. The problem that I'm having with this \$500 million – I don't begrudge the fact that budgets change and emergencies happen and things happen through the year and you need, you know, potentially to increase that budget. I won't die on that hill. I can understand how that happens with this amount of money. But what we are trying to say on this side is: could we not prioritize where some of that funding is going a little bit differently before we just go back to the banker and spend half a billion dollars?

We learned this year – just recently a story broke, I believe today, about Athabasca University feeling that they had to spend money for lobbyists to secure funding from the government. I think this is the point that I'm trying to make. This is where we could save money. Public money goes to a university to then hire a lobbyist, presumably somebody with connections to the governing party, so that they can then lobby the government for more public money. It just doesn't seem to make a lot of sense, and if that's how the system works, then, you know, we ought to address it. Those would be areas, I think, where the money would be better off in the classroom. It'd be better off in research if we were spending more money. Universities shouldn't have to use money to go to a lobbyist to meet with a minister. The minister of advanced education should be able to pick up the phone and talk to them.

**The Chair:** Is there a question that you're hoping the minister would answer, hon. member?

**Mr. Campbell:** Well, let me address the last question, Mr. Chair. We expect all of our institutions to have the ability to pick up the phone and talk to the minister of advanced education. As a matter of fact, we encourage it. You know, I've done business in a number of different provinces. I've done business in a number of different states. One of the things that's great about Alberta is that anybody can pick up the phone and go see a minister or see an MLA. That's one of the great things about this province. The government is open. It's not a problem to go see a minister, MLA for Edmonton-Centre.

**Ms Blakeman:** Fabulous.

**Mr. Campbell:** Fabulous Edmonton-Centre.

But having said that, it's also important to understand that all these postsecondary institutions are autonomous, and they have boards of directors. They determine how they're going to spend their money and how they're going to do their staffing, but they should follow the rules.

**Mr. McAllister:** You appoint them.

**Mr. Campbell:** Well, no, that's not true. The boards hire their people. I mean, again, to say that you have to hire a government consultant to come and see us: you don't have to. If a president wants to pick up the phone and talk to the minister of advanced education, he or she should feel quite comfortable doing that, and I would suggest that about all the ministers in this Premier's cabinet, that we are accessible. We spend our days meeting with Albertans. That's what we do. From the time we get up in the

morning to the time we go to bed, we're on the phone talking to constituents or meeting with stakeholders.

Again, looking at prioritizing our schools, we do the best job we can on growth issues. As I said, the phenomenal growth in this province: all indications are that next year is going to be just as bad. We're going to continue to see growth. I think we will do a good job of prioritizing where we need our schools. We depend on our MLAs and our school boards, that are duly elected, to come to us with those challenges and with those pressures and do the best we can with the money we have allotted to make sure that we are providing a first-class education to all of our students.

**The Chair:** Thank you, hon. minister.

I'll recognize the Member for Edmonton-Centre.

5:30

**Ms Blakeman:** Edmonton-Centre the fabulous? Thank you.

Back to the Minister of Transportation. You have me a bit puzzled when I look on page 28, reason supplementary supply estimates requested. This is for the Department of Transportation. It says:

This supplementary amount of \$38,986,000 is requested, together with \$89,600,000 made available from lower than budgeted capital investment on other projects, to provide:

- \$99,986,000 for continued construction of the Anthony Henday ring road in Edmonton and the Stoney Trail ring road in Calgary.

This is where I'm puzzled because I think the Transportation minister got up and said that this money has got nothing to do with that, so I'm a little puzzled about what it does have to do with. I'll just remind the minister that I did ask whether this was a P3 contract, and he omitted that information. I'm sure he would like to give it to me, so I'll give him another chance. But I do take it, then, that that Anthony Henday \$99 million is a contract. We're going to find out if it was a P3.

It sounds like the government is having to pay for that repaving. It sounds to me – please correct me – like the government, in fact, didn't sign a very good contract if they have to go back and pay for the renovation the following year. It sounds to me like you might have paid twice for the same kind of thing. I can tell that he really wants to jump to his feet and answer that for me. I would be delighted to hear what his answer is.

**The Chair:** Thank you.

The hon. Minister of Transportation.

**Mr. McIver:** Well, thank you, Chair. The hon. member asked what I thought was a whole bunch of questions. I was trying to answer different parts of the different questions, and perhaps I wasn't as clear as I ought to have been about when I was stopping with one of the answers and continuing with one of the other answers, which might be leading us to where we are right now. So let me try this again if you please.

I think I was clear – and if I wasn't, I'll try to be clearer now – that the hundred million dollars was most definitely part of the P3 contract in the supplementary estimates, and that was added to fully fund the project after final approval was received for the P3.

Then the hon. member asked a question, which I thought was a separate question, about paving on the Anthony Henday after the initial batch of paving, and that was what my other answer was about. It wasn't entirely clear to me then – and I think I said that in my remarks – whether she was referring to a different piece. At least to me it wasn't very explicit about what piece of the Anthony Henday exactly she was referring to. So I was trying to be helpful, saying that if it wasn't part of this, it might be part of that other

piece where there was a little bit different base under the road and, consequently, that required a later lift of asphalt.

Okay? Hopefully, that's more clear now as my intention is to be more clear. There it is.

**Ms Blakeman:** I think I still have a little bit left in our combined time.

**The Chair:** Very little. Thirty seconds.

**Ms Blakeman:** Great.

Minister, I'm still trying to figure out why we had to pay an additional hundred million dollars on this P3 contract – it was originally budgeted; it looks like it was paid – because supplementary supply is extra money, more money, supplemental money. So why are we paying a hundred million dollars more to a P3 for the Anthony Henday?

Thank you.

**The Chair:** Thank you.

The hon. minister.

**Mr. McIver:** Thank you. I'll try it again. We're not actually paying twice or paying more. A hundred million dollars for construction of the northeast Anthony Henday ring road in Edmonton was added to fully fund the project after the final approval was received for the P3. It was only after the final approval was received that the total cost of it was clear, and at that point we still needed to add a hundred million dollars to fully fund it.

**Ms Blakeman:** It was underbudgeted, then, and this gets it right.

**Mr. McIver:** I don't know whether you would say it was underbudgeted, but the fact is that there was a hundred million dollars less approved than was required to complete the P3 project; consequently, the need for the supplementary estimates. So I guess you could say underbudgeted, yes, but the reason for that, in my view, is that the full cost of it wasn't clear until the negotiations were finalized.

**The Chair:** Thank you, hon. minister.

I'll recognize the Member for Cypress-Medicine Hat, followed by Edmonton-Beverly-Clareview.

**Mr. Barnes:** Thank you, Mr. Chairperson. I just have a couple of opening remarks, and I have four questions for the Minister of Transportation as well, please. First of all, people in Cypress-Medicine Hat are telling me that they're very, very concerned about record spending; \$41.8 billion and here we are asking for another half billion dollars, 2012-2013 record spending.

A couple of hard-working Cypress-Medicine Hatters told me they were very, very concerned that we're back to the end of the Getty years, where we had to make some 5 per cent cuts across the board and as Albertans we all had to work hard to balance the budget and get back in surplus. I asked one of our researchers what that meant, and the long and the short of it is that in the Getty years Alberta spent \$10,100 per person. Adjusted for inflation, we are now spending more, \$10,500 per person per year, headed down possibly the same road of year after year of deficits, of a big accumulated deficit that we will have to deal with someday. Better us than future generations.

A lot of people new to Cypress-Medicine Hat have told me that they're concerned when they hear some of the rhetoric about the cost to the Alberta government to pay for all the new people. They want it acknowledged that new Albertans are taxpayers, too, that

start paying taxes and creating wealth immediately, adding considerable amounts to the quality of life.

To the Minister of Transportation, if I could start with one of my questions. I see there's \$28.6 million being proposed to spend on highway 63. I'm wondering exactly what this \$28.6 million is going to get us. I'm wondering if it's part of the \$1.1 billion that was just borrowed to complete this twinning out there. I'm concerned about cost escalations. Are we headed towards a south Calgary campus situation, where the cost of this may snowball?

**The Chair:** The hon. minister.

**Mr. McIver:** Well, thank you. The hon. member asked a question and actually made the remarks first that his people are concerned about the cost of infrastructure. I would draw the hon. member's attention to the hon. member's own remarks in the last session, where I think he asked for something in the order of \$747 million, or at least in that neighbourhood, for his own riding. So perhaps he could temper his requests for his own riding just slightly if he's truly concerned about what he says he's concerned about. If he said it, I believe that he's truly concerned. Nonetheless, those requests were made by the hon. member in the last session.

However, to answer the question that was asked on the sup estimates, the \$28.6 million is for twinning and passing lane projects along highway 63 as part of the funding approved to twin the highway from House River north to Fort McMurray.

**The Chair:** Thank you, hon. minister.

Hon. member, I'm sorry. You should have asked at the beginning to combine your times.

**Mr. Barnes:** Okay.

**The Chair:** I have to recognize another speaker now. If there's a chance, I'll come back to you.

Hon. Member for Olds-Didsbury-Three Hills, would you like to combine your five minutes with the minister?

**Mr. Rowe:** I'll try.

**The Chair:** Okay.

**Mr. Rowe:** Thank you, Mr. Chairman. My question would be to the Municipal Affairs minister; however, with him not being here, I'll ask the question to whoever can answer it. Why are the wildfire supplementary estimates in two different ministries? To further muddy the waters, wildfire estimates are combined with the disaster recovery estimates, being \$59 million, and SRD is 270-some million dollars. Why are they in two different ministries?

**The Chair:** The hon. minister to respond.

**Mr. McIver:** Sorry. Which one?

**The Chair:** Hon. member, would you like to rephrase your question?

**Mr. Rowe:** I will rephrase it. Why are wildfire supplementary estimates in two different ministries? They're in both Municipal Affairs and sustainable resource development. I wouldn't suggest that one of them is trying to be hidden. The waters are further muddied – no pun intended – where they're combined with disaster recovery in Municipal Affairs. How much is being spent

on disaster recovery in Municipal Affairs, and how much is being spent on wildfire assistance?

5:40

**Mr. Campbell:** Well, I can tell you that \$258.6 million will be spent within ESRD on fighting wildfires, and within the disaster recovery program within Municipal Affairs we will spend \$59.3 million. Looking at the disaster recovery programs, again, the majority of that being flooding down south, we can get an answer for the hon. member for which is which. I mean, I think I have a good idea, but we'll get the correct answer for him.

**The Chair:** Thank you.

I'll recognize the Member for Cypress-Medicine Hat.

**Mr. Barnes:** Thank you, Mr. Chairperson. Now I'd like to combine my time for three more questions. Is that okay?

**The Chair:** Yes. That's allowable. Thank you.

**Mr. Barnes:** Thank you. First of all, the good people of Cypress-Medicine Hat know that infrastructure doesn't get built overnight. We've waited six or eight years for a hospital. We've waited three or four years for an overpass. We're still waiting for a detox centre. We're happy to have a prioritized public infrastructure list and wait our turn in fairness to all Albertans.

I'm concerned about where the \$89 million was saved, made available from lower than budgeted capital investments on other projects. I've heard from a number of stakeholders in the road-building industry that highway rehab and paving has been stalled. There are not projects out there even though we're already behind on what needs to be done for keeping our roads safe and in good condition, apparently not spending enough a year. I hope the money has not been pulled from that or from the government's three-year construction program.

There appears to be a constraint-induced fracture on a North Saskatchewan River bridge on highway 831. The limited information I have about constraint-induced fractures is that they're unpredictable and they're hard to assess with inspections. It may be an area of concern that I would hope for the safety of all Albertans would not be overlooked.

Again, my concern, Mr. Minister, is where this \$89 million is coming from. Hopefully, it is not coming from those two areas.

**Mr. McIver:** Well, Mr. Chair, the short answer is that the money comes from where all money comes from. It's from the taxpayers. That's why it's a supplementary estimate, and because it's a supplementary estimate, then perhaps the hon. member should understand by the nature of the fact that it's a supplementary estimate that it didn't come from another project, that it's additional taxpayers' money just by definition. Again, the \$89 million is requested together with the other amounts that are in the supplementary estimates.

**The Chair:** Thank you.

Hon. member, you still have a couple of minutes.

**Mr. Barnes:** Okay. I'm sorry. Maybe you misunderstood. I understand from the first sentence that it says that \$89.6 million was made available from lower than budgeted capital investment on other projects. Did those other projects happen? Was there a significant savings? Were there some things that were promised but not completed or not done?

Then my last question is back to the ring roads. I appreciate your earlier answers on what happened with the Henday and the earlier questions to get us to where we were, but I'm concerned.

Did we end up with a cost-plus contract for this final almost a hundred million dollars, one-third of what was estimated? Did we go back to a full and fair bidding process? What percentage of the total road was this, and how was it missed in the first place?

**The Chair:** The hon. minister.

**Mr. McIver:** Thanks, Mr. Chair. The money from the other projects: all those projects were either completed or are under construction, so there is nothing that didn't get done as a result. That's what was required to complete that project.

One of the other questions that was asked in earlier remarks was about a bridge with fractures on highway 831.

**Mr. Barnes:** Yes. I understand, Mr. Minister, from your three-year report that 831 north of Lamont: constraint-induced fractures. We're concerned because it's an overdimension load corridor critical to getting things to Fort McMurray. Is any money going to fix this bridge?

**Mr. McIver:** I will get the hon. member that answer.

A little more detail on the \$89.6 million. The money lapsed due to other spending: the interchange at the Queen Elizabeth II highway and 41st Avenue S.W.; other projects like the twinning of highway 43 west of Sturgeon Lake Indian reserve, which is under way; as well as the paving on highway 88; the twinning on highway 2A; and the work on the Little Bow reservoir. That is where the money came from that lapsed from those other projects.

I apologize to the hon. member for not giving you that information just a little bit quicker.

**The Chair:** Thank you, hon. minister.

Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Chair. I just have a quick question for the Transportation minister seeing as he's right now getting into the groove here. How much of the hundred million dollars that is in this supplementary package here was for the ring road, specifically in Calgary? Which specific projects in Calgary? If you could again explain if that was cost-plus contracts or cost overruns or underbudgeting in the first place.

Thank you.

**Mr. McIver:** No. The hundred million dollars is for the northeast Anthony Henday. It's part of a P3 project. It's not part of a cost overrun or underrun or anything else. It's part of fully funding the final contractual price of the project. That is what I have here.

**Mr. Wilson:** In the document it does suggest Stoney Trail in Calgary as well as the Henday.

**Mr. McIver:** Indeed, it does. I have two different documents that say two different things, so I will get clarification for you.

**Mr. Wilson:** Thank you.

**The Chair:** Thank you.

### Vote on Supplementary Supply Estimates 2012-13 General Revenue Fund

**The Chair:** Seeing no other speakers, are you ready for the question?

**Hon. Members:** Question.

**The Chair:** The question has been called.

Agreed to:  
Education  
Expense \$24,289,000

**The Chair:** Shall the vote be reported?

**Hon. Members:** Agreed.

**The Chair:** Opposed? That is carried.

Agreed to:  
Enterprise and Advanced Education  
Expense \$30,900,000  
Nonbudgetary Disbursements \$77,451,000

**The Chair:** Shall the vote be reported?

**Hon. Members:** Agreed.

**The Chair:** Opposed? That is carried.

Agreed to:  
Environment and Sustainable Resource Development  
Expense \$286,497,000  
Capital Investment \$16,010,000

**The Chair:** Shall the vote be reported?

**Hon. Members:** Agreed.

**The Chair:** Opposed? That is carried.

Agreed to:  
Municipal Affairs  
Expense \$59,318,000

**The Chair:** Shall the vote be reported?

**Hon. Members:** Agreed.

**The Chair:** Opposed? That's carried.

Agreed to:  
Transportation  
Capital Investment \$38,986,000

**The Chair:** Shall the vote be reported?

**Hon. Members:** Agreed.

**The Chair:** Opposed? That is carried.  
The committee shall now rise and report.

[The Deputy Speaker in the chair]

**The Deputy Speaker:** The hon. Member for Calgary-East.

5:50

**Mr. Amery:** Thank you, Mr. Speaker. The Committee of Supply has had under consideration certain resolutions, reports as follows, and requests leave to sit again. The following resolutions relating to the 2012-13 supplementary supply estimates for the general revenue fund for the fiscal year ending March 31, 2013, have been approved.

Education: expense, \$24,289,000.

Enterprise and Advanced Education: expense, \$30,900,000; nonbudgetary disbursements, \$77,451,000.

Environment and Sustainable Resource Development: expense, \$286,497,000; capital investment, \$16,010,000.

Municipal Affairs: expense, \$59,318,000.

Transportation: capital investment, \$38,986,000.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.  
Does the Assembly concur in the report?

**Hon. Members:** Concur.

**The Deputy Speaker:** So ordered.

### Introduction of Bills

**The Deputy Speaker:** The hon. Deputy Government House Leader.

#### Bill 11

#### Appropriation (Supplementary Supply) Act, 2013

**Mr. Campbell:** Thank you, Mr. Speaker. I request leave to introduce Bill 11, the Appropriation (Supplementary Supply) Act, 2013. This being a money bill, His Honour the Honourable the Lieutenant Governor, having been informed of the contents of this bill, recommends the same to the Assembly.

[Motion carried; Bill 11 read a first time]

**The Deputy Speaker:** The hon. Deputy Government House Leader.

**Mr. Campbell:** Thank you, Mr. Speaker. Seeing that it's almost 6 o'clock, I would ask that we adjourn the House until 1:30 tomorrow afternoon.

[Motion carried; the Assembly adjourned at 5:51 p.m. to Thursday at 1:30 p.m.]







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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Thursday, March 7, 2013

Issue 32

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta**  
**The 28th Legislature**

First Session

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Starke, Hon. Dr. Richard, Vermilion-Lloydminster (PC)  
Stier, Pat, Livingstone-Macleod (W)  
Strankman, Rick, Drumheller-Stettler (W)  
Swann, Dr. David, Calgary-Mountain View (AL)  
Towle, Kerry, Innisfail-Sylvan Lake (W),  
    Official Opposition Whip  
VanderBurg, Hon. George, Whitecourt-St. Anne (PC)  
Weadick, Hon. Greg, Lethbridge-West (PC)  
Webber, Len, Calgary-Foothills (PC)  
Wilson, Jeff, Calgary-Shaw (W)  
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
    Government Whip

**Party standings:**

Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

**Officers and Officials of the Legislative Assembly**

W.J. David McNeil, Clerk	Stephanie LeBlanc, Parliamentary Counsel	Chris Caughell, Assistant Sergeant-at-Arms
Robert H. Reynolds, QC, Law Clerk/ Director of Interparliamentary Relations	and Legal Research Officer Philip Massolin, Manager of Research Services	Gordon H. Munk, Assistant Sergeant-at-Arms Liz Sim, Managing Editor of <i>Alberta Hansard</i>
Shannon Dean, Senior Parliamentary Counsel/Director of House Services	Brian G. Hodgson, Sergeant-at-Arms	

## **Executive Council**

Alison Redford	Premier, President of Executive Council
Thomas Lukaszuk	Deputy Premier, Minister of Enterprise and Advanced Education, Ministerial Liaison to the Canadian Forces
Manmeet Singh Bhullar	Minister of Service Alberta
Robin Campbell	Minister of Aboriginal Relations
Cal Dallas	Minister of International and Intergovernmental Relations
Jonathan Denis	Minister of Justice and Solicitor General
Wayne Drysdale	Minister of Infrastructure
Kyle Fawcett	Associate Minister of Finance
Doug Griffiths	Minister of Municipal Affairs
Dave Hancock	Minister of Human Services
Fred Horne	Minister of Health
Doug Horner	President of Treasury Board and Minister of Finance
Ken Hughes	Minister of Energy
Jeff Johnson	Minister of Education
Heather Klimchuk	Minister of Culture
Ric McIver	Minister of Transportation
Diana McQueen	Minister of Environment and Sustainable Resource Development
Frank Oberle	Associate Minister of Services for Persons with Disabilities
Verlyn Olson	Minister of Agriculture and Rural Development
Dave Rodney	Associate Minister of Wellness
Donald Scott	Associate Minister of Accountability, Transparency and Transformation
Richard Starke	Minister of Tourism, Parks and Recreation
George VanderBurg	Associate Minister of Seniors
Greg Weadick	Associate Minister of Municipal Affairs
Teresa Woo-Paw	Associate Minister of International and Intergovernmental Relations

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on Alberta's Economic Future

Chair: Mr. Amery

Deputy Chair: Mr. Fox

Bhardwaj	Olesen
Cao	Pastoor
Donovan	Quadri
Dorward	Rogers
Eggen	Rowe
Hehr	Sarich
Luan	Strankman
McDonald	Xiao

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Khan

Deputy Chair: Mrs. Jablonski

Anderson  
Casey  
Dorward  
Eggen  
Kubinec  
Sandhu  
Sherman

### Select Special Conflicts of Interest Act Review Committee

Chair: Mr. Allen

Deputy Chair: Mr. Luan

Blakeman	Notley
Dorward	Saskiw
Fenske	Wilson
Johnson, L.	Young
McDonald	

### Standing Committee on Families and Communities

Chair: Mr. Quest

Deputy Chair: Mrs. Forsyth

Brown	Jeneroux
Cusanelli	Leskiw
DeLong	Notley
Fraser	Pedersen
Fritz	Swann
Goudreau	Towle
Jablonski	Wilson
Jansen	Young

### Standing Committee on Legislative Offices

Chair: Mr. Cao

Deputy Chair: Mr. McDonald

Bikman	Leskiw
Blakeman	Quadri
Brown	Rogers
DeLong	Wilson
Eggen	

### Special Standing Committee on Members' Services

Chair: Mr. Zwozdesky

Deputy Chair: Mr. Rogers

Casey	Mason
Forsyth	McDonald
Fraser	Quest
Kennedy-Glans	Sherman
	Smith

### Standing Committee on Private Bills

Chair: Mr. Xiao

Deputy Chair: Ms L. Johnson

Barnes	Jablonski
Bhardwaj	Leskiw
Brown	Notley
Cusanelli	Olesen
DeLong	Rowe
Fox	Strankman
Fritz	Swann
Goudreau	Webber

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Ms Olesen

Deputy Chair: Mr. Lemke

Calahasen	McAllister
Cao	Notley
Casey	Pedersen
Hehr	Rogers
Jansen	Sandhu
Kennedy-Glans	Saskiw
Kubinec	Towle
Luan	Young

### Standing Committee on Public Accounts

Chair: Mr. Anderson

Deputy Chair: Mr. Dorward

Allen	Hehr
Amery	Jeneroux
Anglin	Khan
Bilous	Pastoor
Donovan	Quadri
Fenske	Quest
Goudreau	Sarich
Hale	Stier

### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans

Deputy Chair: Mr. Anglin

Allen	Hale
Barnes	Johnson, L.
Bikman	Khan
Bilous	Kubinec
Blakeman	Lemke
Calahasen	Sandhu
Casey	Stier
Fenske	Webber

## Legislative Assembly of Alberta

1:30 p.m.

Thursday, March 7, 2013

[The Speaker in the chair]

### Prayers

**The Speaker:** Hon. members, let us pray. Let us be grateful for that which unites us, let us be respectful of that which sets us apart, but let us always be mindful that we are here to address and serve the needs of others first. Amen.

Please be seated.

### Introduction of Guests

**The Speaker:** Hon. members, just a brief reminder. Further to the memo I sent you all at 1 o'clock today, we have almost 30 introductions to be done today, so please be ever so brief so we can get through them all. Thank you to those members who have already withdrawn or postponed their particular introductions.

The Minister of Municipal Affairs.

**Mr. Griffiths:** Thank you, Mr. Speaker. It gives me great pleasure today to rise to introduce to you and through you to members of this Assembly 20 interns who began their local government careers in the municipal internship program in May of last year. The program has provided them with the opportunity to gain real-life experience within the municipal government setting, supporting our province's towns, villages, counties, and cities. They'll join more than 170 interns who have been part of this program since 2002 who have demonstrated incredible leadership and administration and a dedication to ensure our communities from one end of the province to another are strong. They're seated in the members' gallery. I'd ask them to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Sherwood Park.

**Ms Olesen:** Thank you, Mr. Speaker. It is my pleasure today to rise and introduce to you and through you to members of this Assembly students from Our Lady of Perpetual Help school, some of the brightest and best from our community. They are seated in both the public and members' galleries and are accompanied by their teacher, Sinead Taylor, and a large contingent of volunteers. I would now ask that they rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. President of Treasury Board and the Minister of Finance.

**Mr. Horner:** Well, thank you, Mr. Speaker. I've been truly blessed in my life. I've been raised in a great family and been blessed by a great partner and family of my own. Two things that make me capable of fulfilling the duties of this job are the foundation of my faith and the rock of my family, and I'm very proud of them. Each is a gem on the ring of life that makes up our home. As I introduce them, I'd ask each of them to rise as I call their name. First, someone who is the half that makes me whole, my wife, Rose; my daughter Aukje Meghan; my daughter Jacqueline; and my son, Sean. I'm so very proud of all of them. Thank you.

Mr. Speaker, I mentioned earlier about how blessed I was to be raised in a great family. I have four brothers, each successful in his own right, and I'm very proud of them as well. With us today

are two with whom I was fortunate enough to start and operate several companies, including Westglen Milling. They are Bruce Horner, currently the CEO of Great Northern Grain; and Dave Horner, president of Horner International. I see they've risen in the gallery. I'd ask you to give them the warm welcome of this Assembly.

Thank you for your indulgence, Mr. Speaker. Finally, my next introduction is someone who has been with me since I was first elected. She has been the foundation of the tremendously important constituency work we do, and on each of my campaigns she has been a tireless worker. She is a member of our extended family. I would ask Carol Stewart from Spruce Grove to please rise.

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. I am pleased to introduce to you and through you to all members of the Assembly several guests of mine. These guests are watching these proceedings in another room and are looking forward to the budget: first, Gary Duffett, a retired RCMP veteran of 32 years and the current Two Hills regional economic development officer; Paul Belter, the vice president of Colliers International; Gordon and Eileen Taylor, the president of the Battle River-Wainwright Wildrose Constituency Association; Kelly Dales, a partner at Rosetown Consulting; Joseph Snape, with wealth management at CIBC World Markets; Carmen Glossop, the president of the St. Paul local ATA; John Corie, a senior manager at a consulting firm here in Edmonton. Please receive the warm welcome of this Assembly.

**The Speaker:** The hon. leader of the Alberta Liberal opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of this Assembly the president of the Alberta Teachers' Association local 37, Ed Butler. Ed is a teacher with over 35 years of experience and leadership to the district. Ed, like many teachers across the province, is working with our most treasured resource, our children. Children are the future of our province, and great teachers just like Ed make it their life's work to ensure that their future is a bright one. He and his colleagues are asking for more teachers, more support for those teachers, and better schools so that Alberta can have a better future. I'd like everyone to welcome Ed Butler to the Assembly.

**The Speaker:** The hon. Minister of Transportation.

**Mr. McIver:** Thank you, Mr. Speaker. I rise to introduce to you and through you to all members of the Assembly a community leader from Calgary-Hays, Doug Hayden, and his son Dexter. Doug and his son travelled to Edmonton today to watch the President of Treasury Board and Minister of Finance deliver the budget. They're great public volunteers, and I'd invite the House to give them the traditional warm greeting.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Speaker. Today I'm very pleased to introduce to you and through you to this Assembly my guest, Professor Carolyn Sale. Carolyn Sale is an associate professor in the department of English and film studies at the University of Alberta. She's also chair of the Academic Faculty Committee of the University of Alberta's Association of Academic Staff. The Academic Faculty Committee represents the interests of the

University of Alberta's over 2,000 faculty members. Professor Sale hopes to hear today that the government of Alberta's budget reflects a commitment to postsecondary education as one of the province's most vital public goods. I would now ask Professor Sale to stand and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Associate Minister of Finance.

**Mr. Fawcett:** Thank you very much, Mr. Speaker. It's an honour to introduce to you and through you the most important person in my life and possibly the most beautiful woman here today in the Assembly, and that's my wife, Ashley. She's been a huge supporter of mine through the ups and downs that normally come with public life. As many members know, they can be many, and quite often it does take a toll on our significant others as they go through them with us. She has been by my side, an unwavering supporter and someone that's been my best friend through the last five years in going through this process. She's a marketing manager for global operations for Paradigm geophysical, a large geophysical software company. She's got a great career. I'm very proud of her. Ashley, please rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Medicine Hat.

**Mr. Pedersen:** Thank you, Mr. Speaker. I would like to introduce to you and through you to all members of the Assembly two talented and hardworking representatives from the Medicine Hat & District Chamber of Commerce. Mrs. Paula Stodalka is the events and communications co-ordinator and has been on staff for 12 years. Next is Ms Lisa Kowalchuk, the executive director. Last year Lisa was awarded the Alberta Chambers of Commerce executive of the year award. Congratulations, Lisa, on this fantastic achievement. We are proud of these two hardworking individuals, and Medicine Hat is blessed to have their talents among our midst. I would ask these two great Hatters to receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Allen:** Thank you, Mr. Speaker. It's my pleasure to rise today to introduce to you and through you to all members of this Assembly two of my closest friends and mentors, who have travelled here from Fort McMurray to witness question period and the budget announcement this afternoon: first of all, Mr. Mike Evans, who previously was the adviser to the mayor of the regional municipality of Wood Buffalo, now serving in government relations; and a long-term resident who is the vice-president of government and public relations with Syncrude Canada and the newly appointed chair of the Keyano College board of governors, Kara Flynn. I ask them to rise and please receive the warm welcome of this House.

1:40

**The Speaker:** The hon. Member for Stony Plain.

**Mr. Lemke:** Thank you, Mr. Speaker. Today it is my privilege to introduce to you and through you to all members of the Legislature two of my friends: the mayor of Parkland County, Rod Shaigec; and the mayor of the town of Stony Plain, William Choy. Gentlemen, if you would please rise and receive the traditional warm welcome of this Legislature.

**The Speaker:** The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Mr. Speaker. It's a great pleasure for me today to introduce a friend and colleague from the city of Calgary, Joe Ceci, a city councillor for 15 long or short years, depending on how he interpreted that. He currently works for an organization in Calgary called Momentum, an organization committed to community economic development, and is the manager of public policy. He led the poverty reduction initiative called Action To End Poverty in Alberta, that put out the Poverty Costs report last year. Joe has been a tireless advocate for social justice and enhancement of preventive social services. Please welcome him to the Legislature.

**The Speaker:** The hon. Member for Grande Prairie-Smoky.

**Mr. McDonald:** Thank you, Mr. Speaker. I am pleased to introduce to you and through you Mr. Tom Burton, director of district 4, northern region, of the Alberta Association of Municipal Districts and Counties. Elected to the MD of Greenview council in 2001, Tom has served on a variety of boards and committees. He has also held the position of chief of the DeBolt fire and rescue for the past 13 years and has also been involved in the Grande Prairie Rural Crime Watch. Mr. Burton is a registered EMR and is very active in his community. I'd ask that Tom rise and receive the traditional warm welcome of our Assembly.

**The Speaker:** The hon. Associate Minister of International and Intergovernmental Relations.

**Ms Woo-Paw:** Thank you, Mr. Speaker. It is indeed my pleasure to introduce to you and all members of the House two gentlemen seated in the members' gallery today. Mr. Richard Gotfried is the vice-president, corporate and community engagement, at Calgary Economic Development. In previous roles in the private sector he was instrumental in the establishment of the PEAK home ownership attainable housing program in co-operation with the government of Alberta and Habitat for Humanity. He's been active in the Calgary Asian communities for over 30 years.

I would also like to introduce Mr. Ram Chengkalath, also from Calgary. Ram has 33 years of experience as a chartered accountant in public practice, including as auditor for the town of Banff, town of Canmore, municipal district of Bighorn, and town of Sundre. Ram is a founding partner of Chengkalath Gangi LLP chartered accountants. I would like to ask them to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Lacombe-Ponoka.

**Mrs. Towle:** I'll be stepping in on his behalf, Mr. Speaker.

**The Speaker:** Please.

**Mrs. Towle:** Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you to all members of the Assembly two constituents from Lacombe-Ponoka, Christine and Melissa Warkema. These ladies work very hard on the constituency association and worked very hard during the last election to elect the Member for Lacombe-Ponoka. I ask them to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Well, thank you, Mr. Speaker. I'd like to introduce to you and through you Maryann Chichak and Darlene Chartrand. Maryann and Darlene are councillors for the town of Whitecourt and are very interested to be here and watch the budget. I'll ask them to stand and receive the warm welcome of the Assembly.



**The Speaker:** The hon. Member for Bonnyville-Cold Lake.

**Mrs. Leskiw:** Thank you, Mr. Speaker. I rise today to introduce to you and through you six wonderful constituents of mine who are not only leaders in the community but are considered personal friends of mine. I would ask them to rise as I call their names: first of all, Mr. John Irwin, councillor for the town of Bonnyville; His Worship Craig Copeland, mayor of the city of Cold Lake; Bob Buckle, councillor for the city of Cold Lake; Roger Nippard, superintendent of Northern Lights; Arlene Hrynyk, board chair for Northern Lights; and Don Nuttall, president of the Bonnyville-Cold Lake PC association. Please give them the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Calgary-Currie.

**Ms Cusanelli:** Thank you, Mr. Speaker. I rise today to introduce to you and through you the director of the Calgary Society for Persons with Disabilities, Mickey Greiner, and her colleague Sheri Wyllie. Based in Calgary-Currie, this unique not-for-profit organization has provided residential support to 45 individuals with physical and developmental disabilities and their families for over 35 years. It goes without saying that CSPD's day-to-day service allows clients to flourish and participate in community life. I'd ask Mickey and Sheri to stand now and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Chestermere-Rocky View.

**Mr. McAllister:** Mr. Speaker, thank you. I have two introductions. If you'll indulge me, I will endeavour to be brief. First and foremost, I would like to introduce to you and through you to all members of the Assembly a couple of people who are no strangers to the Assembly and no strangers to public education either. In the gallery today from the Public School Boards' Association are Patty Dittrick, the president, and also Mary Lynne Campbell, the executive director, strong advocates for education in this province. With them today is Patty's daughter Ally, who is missing a grade 12 class today for some better education potentially, I guess you could argue. In any event, I'd like my colleagues to join me in wishing them well today.

**The Speaker:** The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thank you, Mr. Speaker. I'm very pleased to introduce to you and through you to the Assembly my guests Natasha Prihoda and Keathann LaFlamme. Natasha is a field placement student at the Alberta College of Social Workers, and Keathann is a client care assistant at Alberta Health Services' youth residential addiction services. I'd ask them to please stand and receive the warm traditional welcome of the Assembly.

**The Speaker:** Chestermere-Rocky View, for your second introduction. My apologies.

**Mr. McAllister:** Mr. Speaker, thank you. It was a surprise to you, so thank you very much.

I am proud to also have a couple of postsecondary students here today that I hold in very high regard, and I think most of us should. Matthew Armstrong is the vice-president external of the SAIT Students' Association as well as chair of the Alberta Students' Executive Council. Joining Matt is Franco Rizzuti, who is the president of the University of Calgary students' association and chair of the Alberta Graduate Council. I would ask Matt and Franco to rise, and as they do, I would like to point out that we often refer to postsecondary students as the leaders of tomorrow,

but I think that given what people like Matt and Franco do, we should also recognize that they are very much leaders of today, too, in representing other students.

**The Speaker:** The hon. Member for Calgary-Hawkwood.

**Mr. Luan:** Thank you, Mr. Speaker. I'm honoured to rise to introduce to you and through you to the members of this Assembly two very special guests of mine. As I mention their names, I'd ask them to stand: Mr. Doug Stevens and Ms Kelli Taylor. Both are active volunteers in my community and long-time PC members and are sitting on the executive team of the PC Calgary-Hawkwood association. They bring their strong values to the table such as living within your means and being socially conscious when you do spend what you have so that every Albertan has the opportunity to succeed in our soaring economy. I can't help thinking that those fundamental, balanced, and responsible principles are the ones that connect us to my constituency and Alberta. I would like to ask my guests to rise and receive the warm welcome of this House.

**The Speaker:** The hon. Member for Calgary-Glenmore.

**Ms L. Johnson:** Thank you, Mr. Speaker. I am proud to introduce to you and through you my guests today, who are seated in the public gallery. Brad Trumble, a resident of Calgary-Glenmore, works in the venture capital field, serves on the marketing committee of Hockey Calgary, and assists me as the CFO of my constituency association and campaign team.

My other guest is Stephen Lougheed, a friend for over 30 years and a trusted political adviser. Stephen is also the CEO of Alberta Innovates: Technology Futures, an organization that is working hard to further research and development initiatives in support of diversification for Alberta.

Mr. Speaker, I ask that these guests receive the traditional warm welcome of the Assembly.

**The Speaker:** Are there others?

Seeing none, let me just quickly, in 10 seconds or less, before we start question period, introduce someone very special to you. It was on this day just a few years ago that she came into this world, and today we're celebrating her birthday. To the hon. Member for Calgary-Elbow, otherwise known as our Premier: happy birthday.

Now let's see what gifts this day brings.

1:50

## Oral Question Period

**Ms Smith:** I'd like to wish the Premier a very happy birthday.

## Provincial Fiscal Deficit

**Ms Smith:** Back in 2004, when Premier Klein announced that we had paid off the debt racked up during the '80s and '90s – remember paid in full? – Albertans were justifiably proud of the fact that we were debt free, but that was then. Today we are back in debt thanks to the overpromising, overspending, and overborrowing. The Premier's mixed messages on this are the main reasons Albertans do not trust her. Whatever you call it and whatever they do to try to hide it, it is still debt. Why can't the Premier just admit that?

**The Speaker:** The hon. Premier.

**Ms Redford:** Well, thank you, Mr. Speaker. The one thing that I find often with the opposition is that they're very fond of saying: that was then. The part they've forgotten is that this is now.

Alberta in 2013 is a province that is the strongest economic engine in this country. It is because of that that we are presenting a budget today, presented by our Minister of Finance, that will build Alberta, will continue to ensure that Albertans live within their means, will put in place a savings plan, will ensure that we're investing in infrastructure, and will allow us to continue to open new markets to continue to grow our economy.

**The Speaker:** The hon. leader.

**Ms Smith:** Thank you, Mr. Speaker. I think that's what has Albertans so upset, that the strongest economy in the country can't pay its bills.

Given that they use euphemisms galore like "once in a generation" and "going to the capital markets" and given that they will attempt to bury or disguise the real number by splitting things into multiple different budgets, why have they destroyed our paid-in-full legacy?

**Ms Redford:** Well, Mr. Speaker, I'm not sure why it's so difficult for the opposition to understand a financial statement, but Albertans understand it. We have made a commitment, as we have since the time that I became the Premier and our Minister of Finance took on his responsibilities, to set a clear picture with respect to our fiscal situation to ensure that Albertans understand that we do have to make tough choices. The budget today will represent not only a clear picture, a transparent picture, and an honest picture, but it will reflect the values of Albertans, that want us to keep building this province for the future.

**Ms Smith:** Mr. Speaker, I'm delighted the Premier has pledged to give us a clear picture.

Maybe we'll get a clear answer to this question. Given that Albertans have worked hard to pay off that old multibillion-dollar debt and given that the Premier has plunged us right back into new multibillion-dollar debt, does this Premier have a plan to ever return us to paid in full?

**Ms Redford:** Mr. Speaker, one of the things that we are very proud of that is a Progressive Conservative legacy is that Premier Klein was one of the first Premiers in this country to introduce the approach of building infrastructure through P3s. P3s are important because they allow us to build infrastructure, to transfer the risk, to retain ownership of the asset, and those are good decisions.

**The Speaker:** The hon. leader. Second main set of questions.

**Ms Smith:** It's another euphemism. It is still all debt.

### Provincial Tax Policy

**Ms Smith:** Mr. Speaker, it was instructive to listen to the Premier yesterday as my colleague from Airdrie was seeking a very clear picture about her future plans to raise taxes. Even to a simple, plain, unambiguous, clear question the Premier still couldn't say yes or no as to whether or not she would be increasing taxes before the next election. Perhaps we can try again today. After this once-in-a-generation budget, according to the Premier, let's talk about future generations. Will future generations have to pay for the debt, or will the current generation pay for it when she introduces a provincial sales tax?

**Ms Redford:** You know, Mr. Speaker, the exciting thing about a budget is that it doesn't just set the plan for the year. It sets a long-term vision. It puts in place the fiscal plan for the next three years, that allows us to paint the picture of the future. I think that the

Leader of the Opposition and the opposition parties will be very interested today to see our Minister of Finance's comments with respect to how we will continue to build Alberta, a very clear fiscal picture and a commitment to Albertans that will ensure success for generations to come.

**Ms Smith:** Well, Mr. Speaker, that's about as clear as mud.

I'm going to try for the fifth time in a row asking this question. Since there is every likelihood that the government's affection for overspending is going to continue for the balance of the Premier's mandate and since the Premier's non-denials are, quite frankly, unconvincing, perhaps she is going to raise personal and corporate income taxes. Is that it?

**Ms Redford:** Mr. Speaker, I don't know why it seems to be acceptable to stand up over a period of 18 months and make wild allegations that are never proven to be true, yet the opposition still continues to do it. I have stood up every day since the Alberta economic summit and said that we will not have a provincial sales tax in Alberta, and this is my opportunity to say it again. The budget that gets tabled today is going to clearly set out how Alberta will succeed. It will succeed because we are making the tough, long-term decisions that create a fiscal framework based on pragmatism and not on extreme ideology.

**Ms Smith:** It certainly wasn't this party that was locking the public-sector unions out of the budget lock-up if you're talking about ideology.

Being that we still have not received a clear answer to the previous question, let me try for a sixth time, Mr. Speaker. Given that we know that the Premier wants to keep overspending for the rest of her mandate because she keeps on insisting that all of this debt that she is racking up is the result of a revenue problem, what is it going to be: personal and corporate income taxes, health care premiums, liquor taxes, fuel taxes, or some other taxes? What is it the Premier is going to raise?

**Ms Redford:** Mr. Speaker, in that very question we see three absolutely incorrect statements. I understand there was a lock-up today that included absolutely everybody that wanted to be there. Not only that, but we continue to see ridiculous allegations that never become reality because we are making thoughtful choices. The budget that is tabled today will clearly set out a plan for the next three years that again will prove that the opposition is not prepared to have an intelligent conversation about this debate but to keep throwing out political allegations that are incorrect.

**The Speaker:** The hon. Member for Calgary-Fish Creek.

### Alberta Health Services Parking Fees

**Mrs. Forsyth:** Thank you, Mr. Speaker. This government continues to make a mess of our health care system. Now it's the people versus parking. This government has announced another parking fee increase for Alberta patients despite the fact that year after year Alberta Health Services fails to meet its own pathetically low targets while executives continue to drive up the cost of the health care system with outrageous expenses like video games or butlers. With this in mind, how can the Premier possibly justify nickel and diming vulnerable Alberta families with another parking fee increase?

**The Speaker:** The hon. minister.

**Mr. Horne:** Thank you very much, Mr. Speaker. Well, the hon. member conveniently ignores the fact that Alberta Health Services has the lowest administration costs of any health delivery organization in Canada, at 3.3 per cent. I'm personally very proud of that. The hon. member should also know that Alberta Health Services charges parking fees for its facilities on a cost-recovery basis only. These are reasonable changes made in a reasonable way with full notice to Albertans. They reflect a commitment to value for taxpayers that we see throughout our health care system.

**The Speaker:** The hon. member.

**Mrs. Forsyth:** Thank you, Mr. Speaker. What the minister should know is what they use the parking fees for, and that's Calgary Lab Services also.

The fact is that AHS collected \$61 million in parking fees that came straight out of the pockets of patients and front-line workers. Now, given the fact that over 26,000 managers at AHS spent over a hundred million dollars in 17 months alone on questionable expenses . . .

**An Hon. Member:** Shameful.

**Mrs. Forsyth:** . . . does the Premier really believe that parking fees are the problem with health care?

**Mr. Horne:** Mr. Speaker, what's shameful is the premise of the question. The suggestion that the organization has spent a hundred million dollars on executive expenses, on frills is actually not correct, and it's been very well documented by AHS and in the media. The vast majority of these expenses are spent in services that directly benefit patients: travel of health care professionals across the province; procurement of supplies that are used in services such as home care; many, many other services that Albertans depend on. [interjections] This member needs to check her facts. [interjections]

2:00

**The Speaker:** Hon. members, let's be a little bit respectful of both the people asking the questions and the people answering them. Some people may not like to listen to the questions, others may not like to listen to the answers, but we have a large number of guests up there who might be interested in both. Let's be respectful of them as well.

The hon. member.

**Mrs. Forsyth:** Thank you, Mr. Speaker. Given the fact that AHS executives feel they are entitled to half a million dollars in performance failure bonuses, how do you think Albertans should feel being nickelled and dined with more fees when those in charge of the health care system continue to use it as their own personal piggy bank?

**Mr. Horne:** Well, Mr. Speaker, we are very, very proud to have a board at Alberta Health Services and a chair who has in the last several weeks spoken extensively about the board's plans to reduce administrative expenses, furthering their position as the lowest in the country. The board has talked about plans to revamp management positions in the organization, to look at issues such as compensation compared to other jurisdictions across the country. This is a board that is clearly focused on improving value for taxpayers' dollars, and to suggest anything less is a disservice to this health system as a whole.

**The Speaker:** The hon. leader of the Alberta Liberal opposition.

## Minister of Municipal Affairs

**Dr. Sherman:** Thank you, Mr. Speaker. Premier, happy birthday.

Yesterday I couldn't believe my ears as the Minister of Municipal Affairs expressed his Romney-esque disdain for the 83 per cent of Albertans who live and work in cities and towns. I asked the Premier who her government planned to be mean to, and I guess we just got the answer. To the Premier: do you condone your minister saying that 83 per cent of Albertans "sit in high-rise condos and don't . . . contribute to the grassroots of this economy"?

**Ms Redford:** Well, Mr. Speaker, I had the privilege of reviewing the back and forth in the House over that discussion, and I think the unfortunate part is that what prompted that sort of comment really was an overgeneralization with respect to the importance of rural economies in this province. There is no doubt that we are all productive and contributing members of society, whether we live in rural Alberta or in urban Alberta. In fact, we have people who live in urban Alberta who work in rural Alberta and vice versa. What I was really disappointed by, frankly, was the reaction, which was then to see other people pit different communities against each other. That's not the Alberta way.

**Dr. Sherman:** Mr. Speaker, what prompted that was a question about fairness that the hon. Member for Edmonton-Centre asked. This is at least the third eruption of Mount Griffiths in the past year. The minister is clearly at war with municipal leaders. He bullied the AUMA president, Linda Sloan, calling her a liar; he insulted the mayor of Calgary, calling him a puffed-up peacock; and now he's offended 83 per cent of Albertans. To the Premier: why do you have a Minister of Municipal Affairs who doesn't like cities?

**Ms Redford:** Mr. Speaker, you know, one of the things that I think is really appropriate in this House is for us to respect the fact that there are lots of people that have lots of different leadership roles. In fact, since the hon. member brought up Ms Sloan, I would say that I did receive a note from a number of councillors in the city of Edmonton, including Ms Sloan, talking about what a wonderful job our Minister of Municipal Affairs did at the last AUMA breakfast, so I would actually pay him tribute for that.

**Dr. Sherman:** Mr. Speaker, what's appropriate is that the Premier and the minister show respect to elected representatives. I'm sorry; I'm not convinced. We're talking about a minister who discriminates against cities and towns, refuses to deliver on the promise of the big city charter, and blows up at anybody who questions him. To the Premier: will you apologize on behalf of your government for the minister's behaviour and give him a time out?

**Mr. Griffiths:** Mr. Speaker, I'm kind of stunned that this is the most serious issue that has to be brought up in the House today. Look, I have worked very well with every single municipality, like I said, from Fort Macleod to Fort McMurray, from Edmonton to Edgerton, from Calgary to Cold Lake, and I respect every single municipality regardless of the size. We work very well together.

All I ever pointed out was that there was no us versus them, that Edmonton feels that they contribute and feels sometimes that they don't get enough, but rural Alberta feels the same way. Dwelling on that will not serve building a better province or building stronger communities, which is our focus here in this government.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Speaker. Before the election the Minister of Municipal Affairs attempted to organize a PC boycott of an Alberta Urban Municipalities Association event because the president said something the minister didn't want to hear. Yesterday we heard outrageous statements by the minister dismissing urban dwellers in the latest in a series of hotheaded and insulting comments. To the Premier: will she ask her minister to apologize to urban Albertans, and if he refuses, will she do the right thing and sack him?

**Mr. Griffiths:** Mr. Speaker, I have complete respect for people who live in the city and live in condos. I own one. I lived in one while I went to the University of Alberta and got two University of Alberta degrees. I've spent half my life in the city. I have full respect for people from both sides, but I will not tolerate or indulge people who try and say that rural Alberta has too much money. They make the impression that people in rural Alberta are driving down streets paved with gold. Lots of those streets in rural Alberta aren't paved at all. Everyone is struggling with infrastructure, and everyone deserves respect and the resources available to them.

**The Speaker:** The hon. member.

**Mr. Bilous:** Thank you, Mr. Speaker. Given that recently the Minister of Municipal Affairs compared the mayor of Calgary, the largest city in Alberta, to a peacock because he dared to suggest that this government has broken yet another promise to municipalities, will the Premier force the minister to apologize to the mayor and all Calgarians for his gratuitous insult, and if not, why not?

**Ms Redford:** Mr. Speaker, I represent a Calgary constituency. I'm a Calgarian. I actually received today from the mayor of Calgary a beautiful birthday bouquet, which I was very appreciative of. I think the relations we have right now with respect to amendments to the Municipal Government Act and the city charter are exactly what we're able to work with with municipal leaders across this province, including the mayor of Calgary. I think we're all looking forward to seeing that concluded quite soon.

**The Speaker:** The hon. member.

**Mr. Bilous:** Thank you, Mr. Speaker. To the Premier: given that the Minister of Municipal Affairs seems to be more interested in positioning himself for a run at the Tory leadership than he is in building partnerships with urban municipalities, shouldn't he be doing his job instead of jockeying for your job?

**Mr. Griffiths:** Mr. Speaker, I want to make it very clear right now. I have no intention of ever seeking the leadership again because we have the most exceptional leader that this province has seen in a long time. I am honoured and proud to work with our entire team, and we will continue to work with municipalities on the Municipal Government Act, on the civic charter, and on the Calgary Regional Partnership. We're months ahead of schedule on the civic charter alone, and I'm looking forward to continuing that work.

**The Speaker:** The hon. Member for Calgary-Shaw, followed by Calgary-South East.

**Mr. Wilson:** Thank you, Mr. Speaker. Yesterday the Minister of Municipal Affairs decided that insulting the mayor of Calgary just

wasn't enough for him. He had to take it right up to the next level. After calling Mayor Nenshi a strutting peacock, the minister one-upped himself by saying that urban Albertans "sit in high-rise condos and don't necessarily contribute to the grassroots of this economy." I am a proud Calgarian, proud to live in one of Canada's best and most economically vibrant communities. To the hon. minister: given your position, sir, when are you going to swallow your ego, retract your insulting remarks, and apologize to all urban Albertans?

#### **Speaker's Ruling Repetition**

**The Speaker:** Hon. member, you can see what happens when you dance on the fine line of breaking the rules and things. There is a section in *Beauchesne's* and elsewhere that talks about that questions ought not be repetitious or refer to matters that have already been addressed. However, on this occasion we will allow one answer, and then we'll listen to one sup and see if we're in order or not.

The hon. minister.

#### **Minister of Municipal Affairs (continued)**

**Mr. Griffiths:** Thank you, Mr. Speaker. I've been asked this already, and I've answered it very clearly. We're going to work with every single one of the 349 municipalities in this province to make sure that every single one of them has the opportunity to be successful because I want every single Albertan, every single one who lives in a community to know that for the next 20 years they're going to enjoy long-term prosperity in strong communities.

Now I look forward to any policy questions the opposition might like to ask.

2:10

**Mr. Wilson:** Well, Mr. Speaker, I don't think that quite qualifies as a retraction.

Given that the Premier continues day in and day out to lament the tone in the Legislature and given that the same minister in a different exchange yesterday labelled the opposition as arrogant and ignorant, will the minister accept responsibility for his role in contributing to the tone that his leader finds so troubling?

**Mr. Griffiths:** Mr. Speaker, my comments were directed at the fact that the opposition had insinuated that there was no reason whatsoever to locate medevac services at the International Airport, which is patently untrue. It disrespects the city of Edmonton and their desire to alternately use the municipal airport lands. That's what was ignorant, deliberately ignorant of the facts.

**Mr. Wilson:** My final question is to the same minister. Given his numerous gaffes over the past couple of weeks I'm sure he's learned a lesson or two about how to conduct himself as the minister responsible for cities. I just want to know if he plans on adding another chapter to his bestselling book, *The 14th Way To Kill Your Community*. It could even be called *How To Insult Mayors and Tell Urbanites They're Lazy*.

**Mr. Griffiths:** Mr. Speaker, I appreciate him pointing out that it's a bestselling book and that many people have read it. It's great advertising.

My dedication to communities has been exemplary for 11 years as an MLA. I've dedicated most of my life to working to build

stronger communities in this province, Mr. Speaker, and I will continue to do that going forward every single day.

**The Speaker:** The hon. Member for Calgary-South East, followed by Cardston-Taber-Warner.

#### Ground Ambulance Services

**Mr. Fraser:** Thank you, Mr. Speaker. As a registered advance care paramedic and the MLA for Calgary-South East I hear from Albertans that there is inadequate access to ground ambulance. I hear they're waiting longer for ambulances to arrive at their home and that when transported to the hospital, patients are waiting needlessly in the hallways before they receive care from nurses and physicians. To the Minister of Health: how will your announcement this week on ground ambulances lead to tangible changes in how Albertans access ground ambulances and receive further care in the system?

**Mr. Horne:** Well, Mr. Speaker, that is an excellent question. As the House knows, the Health Quality Council of Alberta recently completed a year-long review of ground ambulance service across the province. What they told us very clearly is that we are correct in believing that EMS is health care and that we need to complete the very elaborate plan that we have put in place to get us to the point where all ground ambulance services function as an integral, central first point of contact in our health care system.

**The Speaker:** The hon. member.

**Mr. Fraser:** Thank you, Mr. Speaker. I was born and raised in the city, but I started my career in rural EMS. The decision to resume consolidation of EMS dispatch operations from 15 into 3: how is this going to impact the rural dispatch centres? Can the minister assure rural Albertans that there will continue to be reliable dispatch service for ambulances in rural Alberta?

**Mr. Horne:** Mr. Speaker, we certainly can assure Albertans that through the consolidation of dispatch across the province we can provide better ambulance service. The reason for that is that it gives us the opportunity to manage all ground ambulance services as one fleet. When an ambulance is called out of a given community to assist in another community, we can arrange for appropriate backup. The system also allows us to ensure that the rural ambulance, if that happens to be the case, is able to return home as quickly as possible. This is a job that was started a while back and needs to be completed. The report provides a road map for that, and we're committed to finishing.

**The Speaker:** The hon. member.

**Mr. Fraser:** Thank you, Mr. Speaker. As a private member I have a responsibility to ask questions for my members of Calgary-South East and my fellow paramedics. I hear a number of times that ambulances are tied up transferring patients with nonurgent medical concerns, and in fact I've experienced that. Will the minister be exploring all options that will appropriately use interfacility transport units for nonemergent transports and allow emergent ground ambulances to respond to the critically ill?

**Mr. Horne:** Yes, Mr. Speaker. That is, in fact, an issue that was not specifically referred to the Health Quality Council but one which I have directed Alberta Health Services to explore. In our growing population across the province we see communities that are seeing increasing demands in both hospital services and for ground ambulance. We need to make sure that our best equipment

and our most highly trained personnel are available at all times to serve those who are most in need, most critically ill. There are options available that AHS will be bringing forward to make sure we do not use those resources for nonurgent situations.

**The Speaker:** The hon. Member for Cardston-Taber-Warner, followed by Banff-Cochrane.

#### Volunteer Ambulance Services

**Mr. Bikman:** Thank you, Mr. Speaker. I've lived in the village of Stirling since 1972. Volunteers using the ambulances supplied by the county of Warner were saving lives before I came and continued doing so until stopped by Alberta Health Services. My neighbours and I neither asked for nor needed our service upgraded through credential creep. The system wasn't broken. It didn't need fixing. To the Minister of Health: when will AHS stop meddling, start listening, and allow our villages and towns to keep their volunteer ambulance services?

**Mr. Griffiths:** Mr. Speaker, in many small communities the volunteer first responders are also the fire departments, which is why, when the Health Quality Council's report was released, we pulled out 911, the volunteer fire departments, and first emergency responders, to make sure that they're interconnected into the system to make sure that we get the best possible service for every community, including Warner.

**The Speaker:** The hon. member.

**Mr. Bikman:** Thank you, Mr. Speaker. To the Minister of Health. Given that AHS has notified the village of Warner that its volunteer ambulance service will be taken away soon, I've been inundated with phone calls and letters, some claiming you're jeopardizing the viability of their world-class girls' hockey school by creating unnecessary safety issues. I suspect they've told you this, too. Will the minister do the right thing and immediately allow their ambulances to continue serving the needs of the village of Warner?

**Mr. Horne:** Mr. Speaker, one thing needs to be made very clear. This government made a commitment a long time ago to recognizing a very basic fact. EMS is health care. In order to make full use of all the resources that EMS has to offer, we need to operate EMS as part of our provincial health care system. AHS contracts with many municipalities and other agencies to provide specific services, but one thing must be made clear. We have made a commitment to improve ground ambulance service in the province. That commitment depends on capitalizing on all of the opportunities that a single provincial health system has to offer. We'll continue to work with the municipalities, but it will not divert us from that commitment.

**The Speaker:** The hon. member.

**Mr. Bikman:** Thank you, Mr. Speaker. Again to the Minister of Health: given that many other communities in my riding and throughout the province have historically received good service from dedicated volunteers, will you also undo the harm AHS is causing them and restore their right to continue operating their ambulances as they've successfully done for decades?

**Mr. Horne:** Well, Mr. Speaker, as the hon. Minister of Municipal Affairs has already noted, we have in place a strategy to work with municipalities, to work with volunteer fire departments in order to

make sure that we're making the best use of everything they have to offer in delivering a first-class EMS system for Albertans.

With respect to the specific community that the hon. member refers to, again, Alberta Health Services works with municipalities in terms of contracting for services. But, Mr. Speaker, make no mistake. The EMS system in this province is grounded on standards, it's grounded on equity of access to all, and we will continue to deliver that level of service.

**The Speaker:** The hon. Member for Banff-Cochrane, followed by Edmonton-Centre.

### Municipal Government Act Review

**Mr. Casey:** Thank you, Mr. Speaker. In 2010 AUMA and AAMD and C completed a joint task force report on assessment and taxation, and in 2012 AUMA completed a second report on issues identified by urban municipalities. Both reports identified issues of transparency, accountability, equity, and functionality in our current assessment and taxation process. My question is to the Minister of Municipal Affairs. What are the minister's plans to deal with the obvious disparities and transparency issues identified by the task force report?

**The Speaker:** The hon. minister.

**Mr. Griffiths:** Well, thank you, Mr. Speaker. Over a year ago we undertook to review the MGA. It's the document that really guides what municipalities do and how they operate. I indicated then that we were going to undertake a very vigorous review over a couple of years so that we could rewrite the legislation because our modern communities need a modern piece of legislation that can help them be flexible. One-third section of that document is on taxation assessment, and I know the AUMA, as a very important stakeholder in municipal relations, will be inputting that information into the process.

**The Speaker:** The hon. member.

**Mr. Casey:** Thank you, Mr. Speaker. To the same minister: given that many of these issues have existed for decades, what is the minister willing to do to address these issues on a more timely and comprehensive basis than the MGA review will allow?

**Mr. Griffiths:** Well, Mr. Speaker, the MGA itself is the single largest piece of legislation the province of Alberta has. It's a very complex document, and it has a lot of stakeholders that are going to be very interested in what it says. We already have a very vigorous timeline for the MGA review, and I would prefer that it was done within the context of the MGA review so all stakeholders, whether it's private business, the public sector, municipalities, AUMA, AAMD and C, all have the opportunity for input so we can come up with the best, most comprehensive document to guide municipalities for another generation.

2:20

**The Speaker:** The hon. member.

**Mr. Casey:** Thank you, Mr. Speaker. To the same minister: what is the minister willing to do to address the long-standing disparity and detrimental effects on municipalities, both urban and rural, that tax and assessment breaks create by transferring the tax load from one sector to another, especially in the case of the education property tax?

**Mr. Griffiths:** Well, Mr. Speaker, that's why the MGA review is going to be a very detailed and thorough review, and it's going to have a lot of discussion from a lot of different stakeholders. I can tell you that in the Department of Municipal Affairs and in the context of the MGA review we have four principles. We understand there is only one taxpayer from which we all collect our resources. We know that we have to make sure that we're competitive as a province and as municipalities. We say every day that there is no us versus them; there's only us. We're all Albertans, and we need to work together. Finally, it's about the cost-effective, efficient delivery of services for the clients that we all serve collectively.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by Edmonton-Calder.

### Municipal Charters

**Ms Blakeman:** Thanks very much, Mr. Speaker. As any woman can tell you, one size does not fit all. So it is no surprise that Edmonton and Calgary, with two-thirds of Alberta's population between them, have different issues and need different powers and tools than smaller cities or towns, but the MGA is forcing the large and the small into the same one size. Why does the Minister of Municipal Affairs insist that two large cities and three smaller cities must work within the MGA one-size pantyhose?

**Mr. Griffiths:** Well, I assure you, Mr. Speaker, I know nothing about pantyhose, and I won't comment on that.

Mr. Speaker, we have worked very vigorously on a civic charter so that cities who want to take on new roles and assume new responsibilities will be able to have an enhanced relationship with the province and the co-ordination on how we're going to deliver those services, knowing there's only one taxpayer and knowing we all serve the same client. We had proposed to have it done before the next municipal election. We are months ahead of schedule and look to be signing it this spring. So we don't have one size fits all, we know every municipality is unique, and we're trying to work with them to make sure they can deliver services as best they can.

**The Speaker:** The hon. member.

**Ms Blakeman:** Thanks very much, Mr. Speaker. Now, given that big cities, small cities, and towns in Alberta have all been supportive of each other's need for different tools under or outside the MGA, why is it that the minister is the one who doesn't support the Calgary and Edmonton charters?

**Mr. Griffiths:** Well, Mr. Speaker, I think I was just very clear that we are months ahead of schedule in signing the civic charter. I am incredibly supportive of that. I don't know how else to say it to make it more clear. That's what we're working on.

**Ms Blakeman:** Well, I think, to be very clear, in fact, he's signing civic charters. He is not signing big-city charters, an Edmonton city charter and a Calgary city charter. That's why it strikes me as so odd that Edmonton and Calgary, again large urban centres with most of the province's population, are treated like unreasonable teenagers by this parental province. What is it about this minister or this government that they don't seem to respect what these cities and their citizens want, their own charter?

**Mr. Griffiths:** Mr. Speaker, there are 349 municipalities in this province. If I tried to write a charter for every single one of them,

we would have a mishmash that wouldn't be very competitive and very good for the citizens that live in those communities. I am working very hard with the municipalities to sign a civic charter that enhances the relationship with the province for those that can take on more roles and responsibilities, but it's important to note that the MGA the province currently has, the one we're going to write is going to be less prescriptive and more open for municipalities to manage their own affairs than any other piece of legislation in North America, and that's where they're going to get their power.

**The Speaker:** The hon. Member for Edmonton-Calder, followed by Little Bow.

#### **Alberta Health Services Parking Fees** (continued)

**Mr. Eggen:** Thanks, Mr. Speaker. Well, yesterday Albertans learned once again that they'll have to pay significantly more to park at hospitals so that Alberta Health Services can pay for crucial maintenance on their infrastructure. This is nothing more than a tax on the sick and on their families. My question is to the Health minister. Why has the government put Alberta Health Services in this kind of financial position, which means they have to gouge sick Albertans and their families to pay for parking?

**Mr. Horne:** Well, Mr. Speaker, the hon. member had the first part of his question exactly right. Parking fees are charged to assist with site maintenance and reconstruction and all of the other things that make parking facilities possible at our health care facilities.

The second part of his question, however, could not be more off base. Any major centre in this province that delivers health care has to charge parking fees on a recovery basis in order to make parking viable at these facilities. Equally, any large organization that employs staff also charges staff for parking at the place of employment. These practices are not out of line with anywhere in Canada. To suggest that somehow they're aimed at disadvantaging people who are ill is simply not the case.

**Mr. Eggen:** Well, let me get this straight, Mr. Speaker. Given that the staff in our hospitals are already facing financial hits and layoffs before the budget starts and people need to go to visit their loved ones regardless of if they get gouged or not, why is this Health minister asking the workers and families visiting sick people to pay more to park at the hospitals where they need to go to do their jobs?

**The Speaker:** The hon. minister.

**Mr. Horne:** Well, thank you very much, Mr. Speaker. The hon. member couldn't be further off the mark. First of all, health workers in Alberta are among the best compensated anywhere in Canada, and we're very proud of that. Secondly, my belief is that they understand that, as with other employees in other large organizations, they do have to contribute to parking costs for their own vehicles at their places of employment. Finally, I guess, and most importantly, the hon. member is attempting to suggest in some way that the government is gouging or disadvantaging people who are ill and who require health care. That's simply not the case.

**Mr. Eggen:** Well, that's not what people feel when they have to reach into their pockets and pay outrageous sums to see their loved ones in the hospital.

Perhaps the minister can explain to me why health care workers and sick Albertans will wind up paying more once again for this PC government's broken promise when we know that people find it unaffordable to pay?

**Mr. Horne:** Well, Mr. Speaker, I don't know what promise the hon. member is referring to. We've certainly made no promise to freeze parking rates at our facilities. That said, I'm assured that our rates are comparable to other major centres across Canada. I know, based on my own questions of Alberta Health Services, that they attempt to keep them as low as possible. But I also know that they're a very real cost. I trust that Albertans understand, that they would want us to charge people in order to park at our facilities if it meant that that money could not be spent on health care services, which they value much more highly, I assure you.

**The Speaker:** The hon. Member for Little Bow, followed by Calgary-Fort.

#### **Fusarium Management**

**Mr. Donovan:** Thank you, Mr. Speaker. To the Minister of Agriculture and Rural Development. Agriculture is a large part of this province's history and economy, and through thick and thin it has remained Alberta's largest renewable resource; however, in the early 2000s the government implemented a Fusarium management plan with a zero-tolerance policy in order to reduce the Fusarium, a serious fungal disease affecting cereal crops. This plan has not been properly enforced. Considering the lack of enforcement and that it is costing this industry millions of dollars every year, will this minister please explain the current situation and why seed cleaning plants in Alberta are not adhering to these regulations?

**Mr. Olson:** Mr. Speaker, I'd like to thank the hon. member for the question. I know that in his area of the province this is something of significant concern. Actually, if you go back in history to the early 2000s, that was at a time when there was early detection in southern Alberta, largely in irrigated crops. But it seems as though this problem is moving north. We take this very seriously because, as he points out, agriculture is a very important industry for Alberta, and in order for it to maintain its profitability, we have to make sure that we manage these diseases.

**The Speaker:** The hon. member.

**Mr. Donovan:** Thank you, Mr. Speaker. To the same minister: given that there's a lack of enforcement regarding the Fusarium management plan and the fact that it's virtually impossible for pedigree seed growers to grow a zero per cent standard to meet, will this government work to change the policy to the ministry accepted standard of 0.5 per cent, which would be acceptable and through best management practices could be followed?

**The Speaker:** The hon. minister.

**Mr. Olson:** Thank you, Mr. Speaker. I think the hon. member does make a good point because these criteria were developed early on. There has been an evolution of this disease in the province, and as I say, it is moving northward. There has been a significant amount of debate. We do have a committee working on this and reviewing our current policy. We are working with producers as well as industry, ag fieldmen, ag service boards, and we are going to review whether or not the current policy is still the one that we should have.

**The Speaker:** The hon. member.

2:30

**Mr. Donovan:** Thank you, Mr. Speaker. To the same minister: given that large companies are turning away from investing in our hybrid seed-growing industry due to this unattainable standard and given that even the Premier has been taking my good advice lately, will this minister be willing to work with me and with seed growers in Alberta to address this industry-wide problem? Or I'll write a note.

**Mr. Olson:** Mr. Speaker, we already are doing that. Just for example, in 2010 we tested some 900 wheat crops, the following year another 400 wheat crops. We've also randomly tested corn crops, barley crops. We are working on this. I take his concerns very seriously. We will continue our conversations, and I'm happy to discuss them with him.

**The Speaker:** The hon. Member for Calgary-Fort, followed by Olds-Didsbury-Three Hills.

### Electricity System

**Mr. Cao:** Well, thank you, Mr. Speaker. To build Alberta, we need electricity. Electricity is the lifeblood of our economy and quality of life. Given that Alberta has adopted a deregulated regime of electricity generation, that brings uncertainty and fluctuation. My question today is to the hon. Minister of Energy. What can the minister tell Albertans about the situation of electricity supply and demand? Are we an importer or an exporter of electricity?

**The Speaker:** The hon. minister.

**Mr. Hughes:** Thank you very much, Mr. Speaker. Well, I'm pleased to take that question. You know that we're building in this province in many ways, and one of the ways is that we're building that critical enabler of economic development in this province, which is the electricity system. Now, some suggest that we're building infrastructure in order to export, but if you look at the history over the last 10 years, we actually continue year after year after year to import electricity on a net basis, over 4 and a half per cent last year. I would say that that's because the opportunities are right here in Alberta, a great province.

**The Speaker:** The hon. member.

**Mr. Cao:** Thank you, Mr. Speaker. Like natural gas needs pipelines to transport it, electricity generation needs transmission lines to transport electrons to end users. My question is to the same hon. minister. What is the situation of transmission line networks in Alberta to meet the demand?

**The Speaker:** The hon. minister.

**Mr. Hughes:** Thank you, Mr. Speaker. Well, you know, like any house that has a roof, it needs to be upgraded. It needs to be replaced after 50 or 60 years. What we're doing in this province is upgrading the transmission infrastructure. What I can tell you and can reassure all Albertans is the fact that we are very concerned about the cost to consumers of this. If you reflect upon our decision back in January, we ensured that there was indeed going to be greater oversight, six different initiatives to ensure there's greater oversight over the cost structure of the electrical transmission system in this province.

**The Speaker:** The hon. member.

**Mr. Cao:** Thank you, Mr. Speaker. My question is to the same hon. minister. Given that electricity can be generated with natural gas and that the natural gas price is low, my constituents would like to know why the electricity price is still high and gas is low?

**Mr. Hughes:** Mr. Speaker, all Albertans are paying a fair price for electricity. If you look at the facts in a StatsCan report most recently published, last month Alberta was the only province to post a year-over-year price decrease for electricity. This happens in Alberta. It doesn't happen in most of the rest of the country. We have a very competitive electricity system, and on top of that, there isn't one cent of public debt on the electricity system in Alberta.

**The Speaker:** The hon. Member for Olds-Didsbury-Three Hills, followed by Edmonton-Gold Bar.

### Health Care Workforce

**Mr. Rowe:** Thank you, Mr. Speaker. This government continues to mismanage our health care system. Instead of taking aim at the layers of upper management and bureaucracy at AHS, this government continues to make foolish cuts that impact the most vulnerable. At the long-term care facility in Three Hills we have heard there has been a 30 per cent reduction in staff presence even though patients in these beds are still in need of care. Will the Health minister, then, please explain why front-line health workers and services continue to be targeted?

**Mr. Horne:** Mr. Speaker, front-line health services workers across Alberta in our health system are being supported as they never have been before. When we hear the budget later this afternoon, we'll be talking about other things that we are doing to support them in their work and to make it easier for them. Our long-term care system and all of the continuing care services that we provide in Alberta are based on patient need. Funding and staffing levels are based on regular assessments of patient need, assessments that are conducted by health care professionals.

**The Speaker:** The hon. member.

**Mr. Rowe:** Thank you, Mr. Speaker. Given that the nursing aides at these facilities provide Albertans with some of the most cost-effective care for our most vulnerable and that the reduction of staff will just add further cost to our health care system, how can the minister justify another cut that impacts Albertans in need?

**Mr. Horne:** Mr. Speaker, I couldn't agree more with the hon. member about the role that personal care aides and health care aides and others that work in continuing care play. They put the care in continuing care for the residents in our facilities. As I said in response to the last question, decisions about staffing levels in individual facilities are based on the actual needs of the residents who live there. This is what allows us to ensure quality and safety in the system. It's what allows us to do the best job we can of supporting residents, and it's a system that's working well for Albertans.

**The Speaker:** The hon. member.

**Mr. Rowe:** Thank you, Mr. Speaker. I don't think cutting staff accomplishes that.



Given that this government has tried to cut nurse practitioners in Airdrie and has shut down a cost-efficient transition centre right here in Edmonton, can the minister explain to Albertans why cuts are being made to long-term care centres instead of taking aim at executive and management perks in our health care system?

**Mr. Horne:** Mr. Speaker, I'm happy to answer that question. First of all, the closure of the transition unit at the Royal Alexandra hospital is not a cut in service. It's a reflection of the fact that we have managed to significantly reduce the number of patients waiting in hospitals for access to continuing care. That's a very good thing, and Alberta Health Services deserves credit for it. The allegations around staff cuts – again, I'm not sure where the hon. member is getting his information, but decisions around staffing levels in individual facilities are made based on resident need. Resident needs in facilities go up and they go down, and staff levels are adjusted accordingly.

**The Speaker:** The hon. Member for Edmonton-Gold Bar, followed by Livingstone-Macleod.

### Aboriginal Relations

**Mr. Dorward:** Thank you, Mr. Speaker. I have First Nations peoples in the constituency of Gold Bar as well as Inuit and Métis residents. My question is directed to the Minister of Aboriginal Relations. Alberta's aboriginal people are the fastest growing and youngest segment of our population but have some of the highest unemployment rates and socioeconomic challenges in the province. What is your ministry doing to address these concerns?

**Mr. Campbell:** Well, thank you for that question. It is a very important question, and this is a very important priority that is closing the social gap for all First Nations and Métis people in this province. When our Premier talks about families and communities, she talks about social outcomes. When she talks about world stewardship of our natural resources, she's made it very clear that First Nations must be at the table and partner with this province as we move forward. We are working with First Nations. I've now toured over half of the Nations in the province. We've had very good discussions with the chiefs and councils. I'm confident that we're moving in the right direction and that we will be able to close that socioeconomic gap as we move forward in the coming years.

**Mr. Dorward:** Also to the same minister: let's talk education, then. Has any work been done to address the low school graduation rates amongst First Nations peoples referenced in a memorandum of understanding, that I've reviewed, on First Nations education, signed in 2010?

**The Speaker:** The hon. minister.

**Mr. Campbell:** Thank you, Mr. Speaker. Of course, it's important to realize that the purpose of the MOU is to address gaps in funding, services, legislation, and to increase collaboration and co-ordination in the education system. There are over 40 commitments at eight subtables that we have, with a tripartite agreement that our Education minister has worked on very closely with the federal government and with all of First Nations. We're moving forward on this MOU very quickly. In fact, the Premier and I and the Education minister met with Shawn Atleo, the national chief, and representatives from all treaty organizations

last week, and we agreed that this is a priority issue. We're going to work very closely on it.

**The Speaker:** Thank you.

**Mr. Dorward:** Mr. Speaker, I've been following closely on social media, and I recognize the things that are being done in this area, but I'm also concerned about the treaty rights of First Nations and how all of this work may infringe on that and if it's been done in harmony with the treaties that are in place.

**The Speaker:** The hon. minister.

**Mr. Campbell:** Thank you again, Mr. Speaker. The Premier made it very clear to the First Nations that none of the work that we will do will infringe on treaty rights, and that was recognized by the national chief last week.

Mr. Speaker, I want to leave you with three words: language, history, and culture, language because you should be proud of who you are, history because you should know where you came from and where you're going, and culture because you should be able to celebrate that heritage. We're going to make sure that all First Nations and all Métis people in this province have the ability to do that and to be proud of who they are.

**The Speaker:** The hon. Member for Livingstone-Macleod, followed by Edmonton-Mill Woods.

2:40

### Grizzly Bear Management

**Mr. Stier:** Thank you, Mr. Speaker. Recently in southwest Alberta many constituents on ranches, farms, small acreages have seen their livestock be targeted by grizzly bears, and many other constituents have felt scared of close contact with these bears on their property. This leads me to believe that the BearSmart program has been poorly designed by the government by applying too broad a stroke for the entire province without regional needs being strongly considered. Will the ESRD minister please update the House on what the current status of the grizzly bear population is in southern Alberta?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. I'm very happy for the question. I would say that our grizzly bear recovery program is working. This is a very important species for Alberta, and certainly we're starting to see the recovery happening throughout the province but particularly, as the member raises, in southern Alberta. The importance, though, is that we are working with ranchers and farmers in southern Alberta and across the province to make sure that we're helping them to manage the populations. This is a very important species for us, an endangered species, and we continue to make sure that we recover the numbers that are needed in this province for the important grizzly bear population.

**The Speaker:** The hon. member.

**Mr. Stier:** Yes. Well, thank you for that, but I actually asked something specific: if the population was increasing or not. Perhaps if it is, does it need to be the case where we have to refocus on the BearSmart program, then, or are we just going to carry on with the same old, as we've seen in the past?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker. Indeed, as I said, the grizzly bear population is increasing. We know that's happening, and that's a good sign of the good work that the department is doing with regard to the grizzly bear recovery program. The BearSmart program is working as well, but we know that in southern Alberta there are more of the grizzly bears surviving there, so we are working with the ranchers to ensure that we're working with them on the protection of their livestock. We have programs with them to do that as well. We're happy that the numbers of the grizzly bear population are increasing because that's the whole point of the recovery program.

**The Speaker:** The hon. member.

**Mr. Stier:** Yes. Thanks for that. Given that they are increasing and given that there's a lot of stuff in the media today and in the past few weeks with regard to possibly culling or moving animals, does the minister have anything to say in that regard?

**Mrs. McQueen:** Well, Mr. Speaker, certainly, if we have problem grizzly bears in different parts of the province, the department looks at how we can work to move those populations. We're making sure that, first and foremost, the recovery plan is in place, that we have BearSmart in place, working with the ranchers to make sure that we can mitigate the issues for them. We certainly look at: how do we move some of the problem bears? That's important for us. But, first and foremost – I'll say it again – what's most important is for us to get the recovery program working and to make sure we can get this species, that's very important to Alberta, off the endangered list.

**The Speaker:** Hon. members, in 15 seconds I will call on the first private member, Fort Saskatchewan-Vegreville, for her statement.

### Members' Statements

**The Speaker:** The hon. Member for Fort Saskatchewan-Vegreville, followed by Calgary-Shaw.

### International Women's Day

**Ms Fenske:** Thank you, Mr. Speaker. Alberta, as we all know, is home to thousands of extraordinary men and women, but tomorrow we will be recognizing the women of our province as we join with people from around the globe in acknowledgement of International Women's Day.

Alberta is home to some of Canada's first suffragettes. It's in their honour that we created the Persons Case scholarship to commemorate the efforts of our Famous Five Alberta women, who fought and won the right for the women of Canada to be officially deemed persons under the law.

Our government has made a pledge to the women of Alberta not only to celebrate with them on International Women's Day but throughout the year such as our Minister of Human Services did when he joined others in the One Billion Rising movement. You know, we can make a difference in the lives of women around the world and here at home. I'd like to commend the International Women's Day committee of Strathcona county on their four-day celebration as well as the city of Fort Saskatchewan on their first International Women's Day event for raising the profile of the wonderful women in their communities.

On a personal note, as a female parliamentarian I would like to recognize all the brilliant and innovative women in the House,

including Alberta's first female Premier. Ladies, you are models of resilient dynamism, as are many of the women in our communities, and I am proud to work alongside the women on both sides of this House.

I am looking forward to the day, though, when the granddaughters of Albertans question the need to have a day to recognize one gender over another. You know, we've come a long way since the Famous Five, but we still have some ground to make up. I ask that the men and women of this Assembly join with me in recognizing the accomplishments of women from all across this glorious province.

**The Speaker:** The hon. Member for Calgary-Fish Creek in place of Calgary-Shaw.

### Economic Value of Cities

**Mrs. Forsyth:** Thank you, Mr. Speaker. Like all members of this Assembly representing urban constituencies, I am a proud city dweller. Alberta's major cities are the envy of Canada, if not the entire world. Rich culturally, blessed with stunning natural beauty, and as the Minister of Municipal Affairs apparently needs reminding, they are the economic powerhouses. Edmonton and Calgary are expected to grow well beyond the Canadian average in 2013. Edmonton's 2011 real GDP growth of 3.9 per cent doubled the Canadian figure and even outpaced Alberta's growth by almost a full percentage point. Calgary, the city I live in and love and am proud to represent, currently has Canada's best paid and most productive workforce, highest personal income, and the second-lowest unemployment of Canada's six major cities.

If there is one person in the Assembly who should understand and appreciate the economic value of the cities, it's the Minister of Municipal Affairs, but yesterday the minister shocked us when he said that Alberta urban residents sit in their high-price condos and don't necessarily contribute to the grassroots of the economy. Mr. Speaker, the facts speak for themselves. The minister is wrong, and he owes my constituents and every single resident of Edmonton and Calgary an honest apology. This isn't the first time this minister has gaffed when it comes to Alberta cities. You'll recall he called Mayor Nenshi of Calgary a strutting peacock when he had the utter nerve to actually question the government's treatment of cities. I humbly suggest that his comments towards urban Alberta residents yesterday offer a glimpse of where the insult came from.

Mr. Speaker, ultimately, in the end I think Albertans were simply disappointed with the minister's comment yesterday. They expect and they deserve better from the minister, whose job is to represent, stand up for, and understand all Alberta municipalities, rural and urban.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Currie, followed by Sherwood Park.

### Calgary Society for Persons with Disabilities

**Ms Cusanelli:** Thank you, Mr. Speaker. I rise today to speak about a group of individuals in my constituency who demonstrate forward thinking and capacity building for those in our community with developmental disabilities. The Calgary Society for Persons with Disabilities is a nonprofit organization that provides housing services to persons with disabilities in Calgary. I had the pleasure of collaborating with their team towards the goal of providing housing for their aging clients.

They have raised considerable funds towards their long-term goal, construction of a side-by-side duplex. CSPD has even engaged their own clients in launching their own fundraising ideas. A penny drive and the sale of handcrafted greeting cards are just two examples of their community spirit. I even have today a card for our Premier for her birthday, which I will pass on to her after.

Our government's Ministry of Infrastructure's support in extending their land lease to 30 years has ensured that this group will meet their goal to build housing in Calgary-Currie for an aging developmentally disabled population. I look forward to our continued work together in the coming years, and I thank them very sincerely for their advocacy for some of Alberta's most vulnerable.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Sherwood Park, followed by Barrhead-Morinville-Westlock.

2:50

### Blood Donation

**Ms Olesen:** Thank you, Mr. Speaker. Recently a prominent and beloved member of my community had a very serious operation. He is alive today because of the investment Albertans have made in medical facilities and training, certainly, but also because 15 Albertans took the time to donate blood.

When surgical procedures are undertaken, there is an inevitable loss of blood that must be replaced for the patient to live. He required 15 units. Some accident victims can go through 50 units before they are stabilized. Standard hip replacements require two units, and some leukemia sufferers require eight units a week. Thanks to the voluntary contributions of thousands of Albertans, Canadian Blood Services is able to ensure that blood is available to meet the needs of the injured and sick as required, and it is a cornerstone of our universal health care system.

Our voluntary system also endeavours to ensure that the blood provided comes from healthy members of our society, which is not the case in some countries that may rely on the purchase of blood. Blood is not purchased here, and users are not charged. While blood donor clinics are used to solicit donations, our system depends on regular donors. Prospective donors can register online and schedule regular appointments into their busy lives. Check out [www.blood.ca](http://www.blood.ca) for more information on where to donate or to set up an appointment.

The gift of life is precious. We all rely on blood being available to meet our needs and those of our loved ones, friends, and neighbours. Let's find room on our calendars for an appointment to donate. Thank you to the hundreds of thousands of Albertans who have given blood and special thanks to those who do so on a regular basis.

**The Speaker:** The hon. Member for Barrhead-Morinville-Westlock, followed by Calgary-Fort.

### United Nations Commission on the Status of Women

**Ms Kubinec:** Thank you, Mr. Speaker. This past week I was granted the opportunity to attend the United Nations 57th Commission on the Status of Women in New York City. Along with my colleague Donna Kennedy-Glans and a Canadian delegation led by Minister Rona Ambrose, we were privileged to experience first-hand the great work our international community is doing to end violence against women and girls.

During our visit the Canadian delegation presented an event featuring an international panel of experts committed to developing a strategy to engage men and boys to prevent violence

against women. This is an initiative that I know our government is working on as well through the taking a stand project developed by the Ministry of Justice and Solicitor General. Change begins at home, and I am proud that we are working with our communities not only to prevent but to eliminate violence against women and girls. I encourage each and every one of you to take note of efforts being made in your constituencies to understand and address gender-based violence.

The Hope Resource Centre in Westlock provides support to individuals affected by family violence and abuse. These are the types of initiatives that help create hope and stability in our communities. The creating change treatment program is a great example of support developed by the Hope Resource Centre in partnership with communities in Barrhead and Athabasca. This collaborative program operates in rural Alberta with a success rate that is pretty extraordinary.

As we mark International Women's Day tomorrow, I am privileged to have spent part of this past week with some of the world's most prominent and progressive women. These are the moments that make me proud to be a Canadian, an Albertan, and a woman, and I am thankful to have the opportunity to serve as a Member of the Legislative Assembly of Alberta, the best province in Canada.

**The Speaker:** The hon. Member for Calgary-Fort.

### Immigrants of Distinction Awards

**Mr. Cao:** Well, thank you, Mr. Speaker. I am pleased to rise today to recognize the work of the organization Immigrant Services Calgary. On March 1 I attended the ISC annual immigrants of distinction awards gala. Attending with me were the Minister of Transportation, the Minister of Justice, and hon. members for Calgary-Bow, Calgary-Glenmore, and Calgary-Hawkwood.

The immigrants of distinction awards were given to deserving individuals who have successfully integrated into our local Canadian society, are extremely accomplished themselves, and work very hard to build Alberta. The awards also were given to businesses and organizations that help newcomers and promote diversity. Their efforts showcase what Alberta is. It's a good model for integration within a new social environment, a leader in building new relationships not only in Alberta but in the world. I wish to congratulate all recipients and all nominees.

Immigrant Services Calgary is an organization that has provided newcomers a variety of services for over 35 years. They help new immigrants find language training opportunities and other community resources. They help them adjust to life in Canada by supporting them in their settlement process.

At this time I would like to acknowledge ISC Board Chair Alicia Backman-Beharry and CEO Din Ladak, board members, and all staff for their great work.

On this note, I would like also to commend all other immigrant service organizations for their contributions to help newcomers integrate quickly into our local societies and communities, to realize their full potential, and to build Alberta together.

Thank you, Mr. Speaker.

### Presenting Petitions

**The Speaker:** The hon. Member for Edmonton-McClung.

**Mr. Xiao:** Thank you, Mr. Speaker. I'm pleased to rise and table this petition signed by 1,162 Albertans supporting the implementation of

newborn hearing screening or early hearing detection and intervention. These concerned Albertans encourage the government to mandate and fund a program to screen newborn children for hearing disabilities.

Thank you, Mr. Speaker.

**The Speaker:** Thank you. Hon. member, just remember that all petitions must be vetted past and approved by Parliamentary Counsel, and I assume yours has been.

Thank you.

### Notices of Motions

**The Speaker:** The hon. Minister of Aboriginal Relations and Deputy Government House Leader.

**Mr. Campbell:** Thank you, Mr. Speaker. I rise pursuant to Standing Order 34(3) to advise the House that on Monday, March 11, 2013, written questions 20, 21, 22, and 23 will be accepted, and written questions 19, 24, 25, 26, and 27 will be dealt with.

Also on Monday, March 11, 2013, Motion for a Return 4 will be accepted, and motions for returns 3, 5, and 6 will be dealt with.

### Introduction of Bills

**The Speaker:** The hon. President of Treasury Board and Minister of Finance.

#### Bill 12

#### Fiscal Management Act

**Mr. Horner:** Thank you, Mr. Speaker. I request leave to introduce Bill 12, the Fiscal Management Act. This being a money bill, His Honour the Honourable the Lieutenant Governor, having been informed of the contents of this bill, recommends the same to the Assembly.

This bill has been developed as a result of the extensive consultations that occurred across the province last fall. It fulfills the Premier's commitment to rebalance the fiscal framework and reduce our dependency on nonrenewable resource revenues. Bill 12 will ensure that we are able to meet the needs of a growing province while living within our means. More details will be available later today when I present Budget 2013.

Thank you, Mr. Speaker.

[Motion carried; Bill 12 read a first time]

### Tabling Returns and Reports

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Speaker. I'd like to table the appropriate number of copies of an ad campaign this PC government ran in the 2012 election. In this ad Premier Redford clearly promises the people of Alberta that there'll be no new taxes and no service cuts. This ad is proof that promises from this PC government are not worth the paper they're printed on.

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. I have two tablings with the requisite copies. The first is an e-mail dated March 6 from a resident of Slave Lake, with respect to her son who was in a tragedy, and

she's imploring the government to keep the runway at the municipal airport open as it will save lives. That's signed by Elizabeth Lund, Patrick Lund, Tyler Lund, Kaitlin Lund, Jillian Lund, and Kristen Lund.

My next tabling is an e-mail dated March 6. It's by Bob Hetherington. He's from Cold Lake. He is urging the government to keep the runway open past March 15, to "be human and consider the lives of all Rural Albertans," and he has signed it, "Concerned Rural Albertan and supporter of the PC party for years."

Thank you, Mr. Speaker.

**The Speaker:** Are there others? Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Mr. Speaker. I would like to table the requisite number of copies of some of the letters, e-mails, and phone calls that I received from the concerned citizens of Warner.

Thank you.

**The Speaker:** Edmonton-Centre.

3:00

**Ms Blakeman:** Thank you very much, Mr. Speaker. On behalf of the hon. leader of the Liberal opposition, the Member for Edmonton-Meadowlark, I have several tablings that support the comments he made during his questions today. There is support for the reference to the Minister of Municipal Affairs' comments about rural Albertans doing all the work and people in high-rise condos not contributing to the grassroots of the economy, two of those; additional support for the comments that were made by the Minister of Municipal Affairs to the mayor of Calgary calling him a politicking peacock; and a second support for the name-calling of the Calgary mayor. Unbelievable.

Thank you.

**The Speaker:** Hon. members, in order to allow time to prepare for the Budget Address by the hon. President of Treasury Board and Minister of Finance, I will declare the House recessed until 3:15 p.m. today.

[The Assembly adjourned from 3:01 p.m. to 3:17 p.m.]

### Orders of the Day

#### Transmittal of Estimates

**Mr. Horner:** Mr. Speaker, I've received certain messages from His Honour the Honourable the Lieutenant Governor, which I now transmit to you.

**The Sergeant-at-Arms:** Order! All rise, please.

**The Speaker:** The Lieutenant Governor transmits estimates of certain sums required by the offices of the Legislative Assembly for the service of the province for the fiscal year ending March 31, 2014, and recommends the same to the Assembly.

The Lieutenant Governor transmits estimates of certain sums required by the government for the service of the province for the fiscal year ending March 31, 2014, and recommends the same to the Legislative Assembly of Alberta.

Please be seated.

**Mr. Horner:** Mr. Speaker, I wish to table the 2013-14 offices of the Legislative Assembly estimates as well as the 2013-14 government estimates. Further, I now wish to table the government's

business plan, titled Strategic Plan, and the ministry business plans.

Mr. Speaker, the government has introduced Bill 12, the Fiscal Management Act, which will define the fiscal and financial reporting requirements of the province beginning April 1, 2013. The content of these plans anticipates this new legislation.

3:20

### Government Motions

**The Speaker:** The hon. President of Treasury Board and Minister of Finance.

**Mr. Horner:** Thank you, Mr. Speaker. I now wish to table the government's Budget 2013 fiscal plan, which contains the operational plan, savings plan, capital plan, and major economic assumptions used in developing these plans. Once again, these plans anticipate requirements proposed under Bill 12.

### Budget Address

28. Mr. Horner moved:

Be it resolved that the Assembly approve in general the business plans and fiscal policies of the government.

**Mr. Horner:** Premier, happy birthday.

It is my privilege today to present the government of Alberta's proposed budget for the fiscal year 2013-14. This has been a highly anticipated budget, probably one of the most anticipated ones in some time. We are facing a number of sizable challenges. Our current fiscal situation means we are tasked with making some necessary decisions and some tough but thoughtful choices.

The essence of Budget 2013 is responsible change. Indeed, there is no question that today we have reached a turning point for Alberta. I like to think of it as a lookout point. It's the perfect place to look out into the distance and clearly see the opportunity on the horizon while recognizing the dangers of being too close to the edge.

Budget 2013 is a watershed moment. It finds us embarking on an new era in Alberta, one that finds the balance between delivering for Albertans today and looking down the road to ensure success for Albertans 20 years from now.

Mr. Speaker, Alberta has grown to be the great economy it is today, the economic engine of Canada, in part because of the hard work undertaken 20 years ago. Nearly two decades ago, in 1994, the government under Premier Klein delivered an aggressive budget that changed the direction of this province. Like the government of today, that government was tasked with taking action in the face of growing concerns about deficits and debt. It wasn't easy, and not every decision was popular with everyone, but those decisions helped to eliminate the province's operating debt, transform the public service, and set a new direction for Alberta, one that continues to breed success for our province today, 20 years later.

We can go back 20 years prior to that, to 1973, to see how events of the day would shape Alberta for the next two, three, four decades. It was 1973 when the world oil crisis sent energy prices skyrocketing from \$3 a barrel to \$15 a barrel to \$40 by the end of the decade. This was the boom that put Alberta's oil sands on the map and created untold wealth and unprecedented growth in our province.

Peter Lougheed and his team, of which I'm proud to say my father, Doc Horner, was a member – I thought I'd skate over that one, Mr. Speaker – knew that this would create tremendous

opportunity amongst the challenges of growth. The fortunes and the foresight of that generation's government are among the reasons Alberta continues to be home to all of the tremendous infrastructure, financial assets, and opportunity that we must preserve today and into the future.

Here we are, 40 years later, in an Alberta that was built on the measured and thoughtful decisions and the inspired vision of Progressive Conservative governments that came before us.

With Budget 2013 it's our turn. This government is carving out a new path that will lead us to where we need to be 20 years from now. Mr. Speaker, Budget 2013 is rooted in the realities of today while focusing on the road ahead. This budget builds on Alberta's strengths, our strong economy and our ability to stand tall in the wake of turbulence. It creates an action plan to address volatile nonrenewable resource revenue and the tremendous impact these revenues have on our budget. This budget is the building block for future budgets and for the future of this province.

As you will hear today, Budget 2013 is sharply focused on three priorities: building Alberta by investing in families and communities, including the new roads, schools, and health facilities we need; living within our means by challenging every dollar this government spends; and ensuring, Mr. Speaker, that our resources get to market – that's food, technology, and especially today oil and gas – so our resources, which belong to the people of Alberta, get the highest price possible. We will accomplish these goals by continuing to deliver the responsible change Albertans expect, addressing today's challenges while bringing security and prosperity for a new generation of Albertans in the decades ahead.

But, first, let's begin with today. On March 7, 2013, what does Alberta look like? We certainly have our strengths, a fact we should all celebrate. In terms of economic indicators Alberta continues to be a key driver of the Canadian economy. In 2012 our province led the country in both economic growth, more than double that of the rest of the country, and employment growth, consistently leading all other provinces in the number of jobs created over the year. In 2013 our economy is expected to continue to expand but at a more moderate and sustainable pace over the medium term.

Alberta continues to have one of the most competitive business tax environments in North America, and that's enticing a growing number of businesses to come to our province to open up shop. Our tax regime is inviting. Alberta offers low income tax rates. We have no provincial capital taxes or taxes on financial institutions. We have no payroll taxes, no sales tax, and a publicly funded health care system that is the envy of everyone. Our Premier has been clear, concise, and consistent. There will be no new taxes, no tax increases, no sales tax, period.

Because there's no question that Alberta has an economic environment that continues to attract investors and continues to draw more people, we are expected to grow to more than 5 million people in less than 20 years. Our province is a place where we can continue building our economy and continue building Alberta by making it sustainable.

While our strengths make us attractive, it's our challenges that make us even stronger. It's no secret that we do have challenges, immediate, serious challenges that Budget 2013 speaks to. For example, for the past 10 years on average we have increased spending by 7.3 per cent per year and this year zero. Zero, Mr. Speaker, because it was the responsible thing to do in light of our fiscal situation. We are faced with declining resource revenues, thanks primarily to lower energy prices; the discounted price Alberta producers get for oil in our only market, the United States;

and our current inability to get our products across the ocean to new markets.

After last year's budget some of our critics said that we should have seen the drop in oil prices coming. Some said that the Alberta government's forecast was too high. If that was the case, then everyone's forecast was too high, including the opposition party's. Last year's budget contains a full page of forecasts from private-sector economists, industry experts, and banks, who were forecasting at the time that west Texas intermediate oil would average \$100 a barrel in 2012. The federal Conservative government, our neighbours in Saskatchewan, and our government used that benchmark as the basis for our budget forecasts. So, too, did the opposition parties. Alberta's forecast was actually slightly lower, just to be safe. The WTI average turned out to be \$94, closer to what we expected, but even with our lower forecast that difference in price alone cost our province.

Going forward, we intend to change the way we forecast. As John F. Kennedy once said: "Change is the law of life. And those who look only to the past or present are certain to miss the future." This summer the government will hold an energy forecasting summit. We will bring together experts from around the world to explore and share best practices and fresh ideas on forecasting.

Despite the surprise of the lower prices, we did see the market access problem on the horizon, and we did know it would impact our revenues. It was a dramatic hit. The bitumen bubble means more than a \$6 billion drop in resource revenue from the Budget 2012 forecast, and we expect even larger declines in the coming years.

Bitumen belongs to the people of Alberta. Right now this resource is selling for 30 per cent less than the comparable world price. That's costing us \$4 billion in lost revenues this year, and it's impacting our health care, education, and services we hold so dear. This is precisely why opening new markets across Canada and around the world has become job one for this government.

Mr. Speaker, the Premier has led the charge, pushing for a Canadian energy strategy that would allow all Canadians to make the most of the many energy resources with which our country has been blessed. Just two weeks ago the Premier met with the National Governors Association in Washington, DC, her fourth trip to the U.S. capital, to build support for the Keystone XL pipeline and to share Alberta's track record as a leader in responsible energy development. And the Premier took Alberta's case directly to the American people because it's a track record every Albertan should be proud of. It's a track record of success in environmental leadership that this government has led, a record that, dare I say, others in this House should pay close attention to.

3:30

The Premier and our colleagues in government have also been continuing to develop relationships with leaders in Asia and other growing economies to pave the way for entry into these new and lucrative markets. That's the kind of hands-on leadership that's required to build new markets and get the fairest price for our resources, and I'm proud of the Premier for leading the charge, Mr. Speaker.

Opening up new international markets for our products is not a new concept for Alberta governments. Four decades ago Premier Lougheed's team had a vision of expanding their access to new international opportunities. In fact, I can quote my dad, who in this very room on February 27, 1973, said: "There are tremendous markets around this world for all things that we can produce, if we are able to market them effectively. That means that we have to know how things are marketed in these various countries." Just

like the government under Peter Lougheed, our government under this Premier is committed to success in expanding market access.

Mr. Speaker, the budget I am presenting to you today represents the steps this government is taking to address our immediate fiscal challenges. Budget 2013 will deliver the responsible change that Albertans expect. It will show how we are not only reining in spending but that we are also spending smarter. That means focusing tax dollars on core programs and directing our spending to where there is the greatest need.

The decisions in Budget 2013 are also rooted in the long term. Just as choices made 20 and 40 years ago helped create economic success and quality of life for Albertans today, our decisions today are made with foresight and optimism and a determination to become the province we want and need to be 20 years from now. In 2033 we need to be the place that can meet the needs of a much larger number of Albertans. Certainly, our province will reap the benefits that come with new people, including higher housing starts, more consumer spending, and more tax revenue. But what these new Albertans won't be bringing with them are schools, roads, or hospitals. The Alberta that we need to be is one that will keep building our province by investing in families and communities, including those new roads, schools, and the health facilities we need.

The Alberta we need to be will be home to leaders in industry, industries that include among the most qualified workforces in the world. The Alberta we need to be will have a more diversified economy, one that relies less on nonrenewable resource revenues and more on Alberta innovation. Alberta innovation has of course been our strong point for more than a century. Alberta continues to focus on its most important resource, its people. That's why it's been so important for us to connect with that resource.

We've had many conversations with Albertans over the last year: during budget consultations, at the Dollars and Sense fiscal framework town halls, and at last month's economic summit. The principles and values of the people of Alberta are the foundation for this document. Albertans have told us they value health, education, and infrastructure. They've told us they expect a budget that is responsible, balanced, and facilitates economic growth. Albertans are driving the responsible change that we are undergoing today and tomorrow as we become the province we need to be in the future.

Budget 2013 marks a new direction for Alberta. The budget itself has a new structure, representing an important transition for this government. I think the team of 1971, including my dad, would be proud of where Alberta is today and of our Premier's vision for the future, and that's a future that includes tomorrow as well as 20 years from now.

Budget 2013 is guided by the Fiscal Management Act. This new act sets out clear fiscal rules and creates the requirement for an operational plan, a savings plan, and a capital plan. It will focus our finances on areas Albertans told us are important like savings and priority services like health care and education and will ultimately reduce our reliance on nonrenewable resource revenues. It will ensure we live within our means and continue to be one of the most fiscally responsible jurisdictions in the world.

Budget 2013 represents a once-in-a-generation restructuring. It brings a renewed fiscal framework that will help us ensure success for Alberta now and meet the evolving needs of a growing Alberta in the long term. Our plan includes an operational plan that protects core services but ensures we are living within our means, a savings plan that ensures we save in good and in challenging times, and a fully funded capital plan that will enable us to meet the needs of a province of 5 million people.

Mr. Speaker, our approach to Budget 2013 is not unlike how a responsible Albertan would approach their own household budget. As a banker I learned that valuable lesson: before you spend on anything, put some away to save first. In Budget 2013 before we spend any of our revenue, we will first take money off the top to put into savings. In fact, the new Fiscal Management Act legislates that we put aside in good times and in bad. Our forecast total revenue in 2013-14 is \$38.6 billion. That's a reduction from our original forecast of \$44 billion. Before we do anything else with it, we are putting \$297 million into the heritage savings trust fund, our long-term savings account. We are also keeping back \$238 million to pay the cost on our capital borrowing, part of our debt repayment plan.

Alberta's new savings policy will replenish the savings in the contingency account, which replaces the sustainability fund, and will also grow the province's longer term savings vehicles, including the heritage savings trust fund. Under our plan, Mr. Speaker, Alberta's savings will grow to over \$24 billion over the next three years. As we grow our savings, we will continue to build the programs and services in the areas that Albertans have identified as priorities, including health, education, and supporting those Albertans who are most vulnerable.

Budget 2013's operating expense is forecast to be \$36.4 billion. As I said, this is a zero per cent increase over the operating expense forecast for 2012-13. In a time when population growth plus inflation is 4.3 per cent, we are significantly holding the line on spending and living within our means. There will be changes, but they will be not be across-the-board reductions, where everyone gets a haircut. Instead, we are embarking on important and necessary structural change in this government with an eye to ensuring that Albertans continue to receive the outcomes that they expect. We will protect core services and provide for Albertans' priorities. This is at the heart of results-based budgeting, which I will speak more about in a moment.

First, I want to talk about what we're doing in specific program areas, beginning with Health. Our government is increasing the Ministry of Health's operational budget to \$17.1 billion, an increase of nearly \$500 million, or 3 per cent. The increase reflects the priority that Albertans and our government place on building a strong and accessible health care system.

Alberta Health Services is receiving a 3 per cent increase in base operating funding for the delivery of health services across the province. This is lower than the 4 and a half per cent increase the health sector was expecting, but we believe AHS can provide better outcomes for better value by using its resources more effectively. AHS is also receiving \$393 million for operating costs of new health facilities in the province.

Starting in 2014 all Albertans will have access to comprehensive drug and supplementary health benefit coverage. Currently 20 per cent of Albertans have no such coverage, Mr. Speaker.

With the new seniors' property tax deferral program we are focusing our funding on the greatest need. This program will ensure that seniors will be able to keep more money in their pockets by deferring taxes until they sell their home.

This budget will also provide increased access to primary health care through family care clinics and primary care networks. It will see Albertans paying less for generic drugs, and it includes early childhood development initiatives that will improve maternal and infant health.

The Premier has been clear that despite the difficult budget, we will continue to support our most vulnerable Albertans. While the operating expense for Human Services does see a \$9 million reduction from the 2012-13 forecast, at nearly \$4.3 billion we

continue to focus on positive outcomes for vulnerable Albertans and maintain funding in priority areas. Through responsible spending funding will increase slightly for supports for persons with disabilities, child care, child intervention, family support for children with disabilities, homelessness, and the assured income for the severely handicapped program.

3:40

Funding for the 10-year plan to end homelessness will also increase slightly, enabling it to provide outreach support services and help house about 1,800 homeless Albertans this year as well as fund over 3,200 spaces in emergency/transitional shelters. As part of government's focus on early childhood development we will provide \$89 million in 2013-14 for early intervention and fetal alcohol spectrum disorder initiatives.

We are changing how we do business. Employment training and income supports will see a reduction, and caseloads for Alberta Works are expected to decline as Alberta's economy and job prospects continue to improve. We are suspending indefinitely the summer temporary employment program, and we will work with our nonprofits to address their unique needs. We will be sharpening our focus on long-term career development and connecting Albertans with sustainable employment.

Budget 2013 will focus our education spending where it matters most, on the classroom, putting students first. Education's budget, including capital, increases by \$204 million from the 2012-13 forecast. Despite the current economic challenges we are maintaining base instruction funding for school boards at 2012 levels. To do so, we had to make some tough but responsible decisions. To this end, we are suspending funding to the Alberta initiative for school improvement. To ensure we lessen the impact on those with the greatest need, we are increasing inclusion funding. This gives school boards the flexibility to support the unique needs of every learner. We are also increasing our support for the small class size initiative. We are looking to spend smarter. We want to ensure that we are focusing on core areas that support the vision of Inspiring Education.

Postsecondary education remains a key priority area for our province, and we will continue to support postsecondary students. Alberta will continue to provide more money in scholarships to deserving students than all other provinces combined, with 38,000 students sharing in over \$71 million. As well, Alberta's publicly funded postsecondary institutions will receive over \$2 billion in base operating grants in 2013-14. We maintain our position as one of the highest rates of per capita funding in Canada to postsecondary institutions.

To truly lead in education and innovation, we need to more closely align university research funding with the government's economic diversification agenda. To help achieve this dynamic new direction, institutions will be given mandate letters defining their roles and government's expectation for a more unified postsecondary system. Alberta Innovates corporations will also receive mandate letters.

Alberta has an international reputation for producing world-class research in important fields like health, food safety, environment, and energy. The Alberta government is committed to finding ways to deliver that research to market. That's why we are continuing our work to more closely align publicly funded postsecondary education, research, and innovation in our province. We will strengthen the connection of Alberta's postsecondary institutions, called Campus Alberta, with our research and innovation body, Alberta Innovates. We want postsecondary institutions, businesses, and government to share

resources, experts, and ideas to solve complex problems while at the same time diversifying and strengthening Alberta's economy.

We are developing a new umbrella organization dedicated to unleashing more robust collaboration throughout Alberta's postsecondary education, research, innovation, and technology commercialization system as we diversify and evolve Alberta's economy. Through this new institute the Alberta government can strategically focus its research agenda and financial resources in areas where they will have the greatest impact and benefit for Albertans. The areas include energy and the environment, health, agriculture and food, and water. The creation of this institute will work toward achieving the Premier's vision of where we want to be 20 years from now.

The Premier has continued to make it clear. We will not be balancing the budget on the backs of municipalities. With the Ministry of Municipal Affairs budget at \$1.4 billion, we remain clearly committed to municipalities. Our municipal investments are strategic and drive positive transformation. They are not based on the price of oil today but with the next 20 years in mind. By maintaining municipal sustainability initiative funding at nearly \$900 million in 2013-14, we are demonstrating our commitment to municipalities and the continued importance of investing in local infrastructure for the long-term future of our province. Today's fiscal situation is an opportunity for government to spend smarter as it supports Alberta's municipalities, and we'll be doing that in several ways. Among them, we will be shifting money into grants that encourage municipal collaboration, and we will be making smart use of existing resources and consider P3 opportunities to invest in affordable housing.

Through Budget 2013 we will continue to work for safe and secure communities and an innovative and accessible justice system. Funding for police, prosecutors, and judges is being maintained. We've increased funding for the provincial policing contract, which will mean more RCMP officers are on the job in Alberta. In 2013-14 we will also be adding two new judges to the system. We will continue to support important programs for Albertans, including the victims of crime fund and legal aid. We're also working to ensure Albertans can continue to access justice services by making them more sustainable, effective, and efficient. This work will include streamlining how fines are paid, increasing the claim limit in small claims court – lawyers like that one, Mr. Speaker – and integrating programs and services that help Albertans with court-related processes.

Energy continues to be a driver of Alberta's economy, and with Budget 2013 we will continue to ensure Alberta is a leader in responsible energy development. For example, approvals for all oil, gas, oil sands, and coal projects will be processed through a single energy regulator. This one-stop shop will enforce legislation related to our energy resources such as land and water acts. If you break the rules, the Alberta energy regulator will have more tools to hold you accountable, including larger fines. The province will also continue to honour its commitments to current bioenergy and carbon capture and storage projects. We are committed to projects that have the right combination of technology, financing, and overall benefit to Albertans. These projects effectively reduce greenhouse gas emissions, and they encourage private-sector investment.

Agriculture is Alberta's largest renewable industry. It is a proud part of our heritage, and it will play an even greater role in our province's future. Budget 2013 is changing the way we invest in agriculture. We are focusing dollars on programs and initiatives that will grow our industry and ensure that it's sustainable and internationally competitive. With the federal government scaling back income support programs for producers and with the

elimination of the farm fuel distribution allowance portion of the Alberta farm fuel benefit program, we can focus on research and innovation, on food safety, and on building the value-added side of our industry and opening up new markets and new opportunities for our producers. We will continue to invest in rural communities, and our farmers will continue to be fully exempt from provincial fuel taxes to ensure they remain competitive with producers in other prairie provinces.

The ability to do more with less is essential. While the operating budget for Environment and Sustainable Resource Development is \$516 million, it is a decrease of \$22 million. We are spending smarter with the funds we have. For example, we're allocating \$2.2 million to Asian market access for our forest products. Expanding market access for Alberta's natural resources and products is one of the government's top priorities. We're saving \$2 million by creating the integrated resource management planning division, which allocates staff from within the ministry to develop the land-use framework plan. This move reduces the need for contractors and will result in increased efficiencies, and it won't impact the timing of the current projected land-use plan development.

As we address fiscal challenges, Budget 2013 provides us an opportunity to make government more effective by reshaping our organization. Public-sector compensation makes up roughly half of our spending every year. The fact is that Alberta has the highest paid physicians, postsecondary faculty, and teachers in Canada. Only Saskatchewan pays more to the top-earning registered nurses. In light of this and our fiscal reality, Budget 2013 makes no provision for increased public-sector compensation costs. Our government has shown leadership on this issue. Last month we introduced a three-year wage freeze for all government managers. We're also planning to reduce the size of management by 10 per cent over the same three years. That's almost 500 positions. We want the right people, in the right positions, doing the right work.

3:50

We're also embarking on a review of Alberta's public-sector pension plans to ensure the sustainability of these plans. The pension boards are reviewing four major public-sector plans: the local authorities pension plan, the public service pension plan, the management employees pension plan, and the special forces pension plan. This review will ensure these plans remain part of a competitive compensation package for the public service while protecting taxpayers' interests. Reports will be provided to me by the end of this month.

Responsible change means making thoughtful decisions to ensure our organizational structures are effective, efficient, and delivering the right outcomes. This is at the heart, as I said, of the results-based budgeting process. This process is already under way, and the review will look at some 800 government programs and services, including those provided by government agencies. We are looking to ensure we are effective at delivering the outcomes that Albertans expect, and this work is accelerating. All reviews are now expected to be complete in May 2014, one year earlier than the original plan.

We're also looking at the outcomes that a much larger number of Albertans will be expecting over the next two decades. Right now our province is growing by almost 100,000 people each year. In about 17 years Alberta's population is forecast to reach more than 5 million people. That's the equivalent of adding a city the size of Calgary to the province. This tremendous growth will have a significant impact on our province, on our public infrastructure, and on the way we work as government to meet the needs of this much larger population.



This is one of the main reasons Budget 2013 is changing Alberta's path forward. Given today's fiscal challenges and given the challenges ahead as the province grows and changes, we can no longer proceed with business as usual. Of course, with every challenge comes an opportunity to do things better, but we need to be prepared.

Albertans have told us they want infrastructure in place to meet their needs today and the needs of their growing communities tomorrow. We know that investing in roads, schools, and hospitals both in good times and in challenging ones is critical to our quality of life. We also know that there is both a financial and a social cost to deferring capital projects until we have the cash in hand. That's why Budget 2013 includes a fully funded capital plan, one that allows this government to continue building Alberta for future generations.

Over the last 15 years Alberta has invested over \$72 billion in infrastructure. Our capital plan spending will average \$5 billion per year over the next three years, including \$5.2 billion in 2013-14. Financial experts, business leaders, academics, and Albertans have told us we should borrow for capital when it makes good financial sense, and right now it does make good financial sense.

They also told us the importance of having a plan to pay back the debt. Interest rates are at historic lows, and on top of that, Alberta's triple-A credit rating means we have access to the lowest possible borrowing costs. Budget 2013's fully funded capital plan will be supported by a responsible borrowing strategy to finance infrastructure projects. It includes a plan for borrowing that sets limits on the debt and a plan for paying down the debt. Our priority is to protect Alberta's triple-A credit rating and grow our net asset position, a testament to our fiscal responsibility.

Mr. Speaker, we must continue to make prudent choices, as we have done with a comprehensive review of approved capital projects. Some projects were cancelled, and others were deferred beyond 2016. Last August we announced that the Alberta public safety law enforcement training centre in Fort Macleod was cancelled. It has also been determined that the TransAlta Project Pioneer and Swan Hills Synfuels carbon capture and storage projects are not economical at this time, and the provincial funding for these projects is no longer included in the capital plan.

However, even though the 2013-16 capital plan is lower than in recent years, we're continuing to build Alberta, and the plan includes some significant additions. For example, the capital plan includes \$503 million over the next three years and more than \$2

billion over five years for 50 new schools and 70 school modernizations, as our Premier committed to. The capital plan has allocated \$282 million over the next three years and over \$650 million over five years for new postsecondary facilities at the Northern Alberta Institute of Technology, NorQuest College, the University of Calgary, Lethbridge College, and Mount Royal University. Promises kept, Mr. Speaker. As well, \$60 million is being provided over the next three years as part of the Premier's commitment to complete multidisciplinary family care clinics across the province.

Just like governments before us, this government is adjusting to current realities. We also recognize that some of the issues we are dealing with today are not the same as past governments had to deal with 10, 20, and 40 years ago. Mr. Speaker, Budget 2013 includes some tough decisions that won't be popular with all Albertans today, but they ensure we are focused on delivering the right outcomes for the people who need them most. This budget also ensures that Alberta continues to have the best financial situation in Canada. We will be in a net asset position of \$44 billion by 2016.

Budget 2013 is a blueprint for responsible change, enabling us to achieve this government's plan of building Alberta, living within our means, and ensuring that our resources get to the markets they should. This budget resets our compass, and it opens up new possibilities for charting exciting new paths, empowering us to become the province that we need to be.

Mr. Speaker, it is both an honour and a privilege to present Budget 2013 to the Assembly today, and I look forward to supporting this budget.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills on behalf of Her Majesty's Official Opposition.

**Mr. Saskiw:** Thank you, Mr. Speaker. I move to adjourn.

[Motion to adjourn debate carried]

**The Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I would move that the Assembly adjourn until 1:30 p.m. on March 11, 2013.

[Motion carried; the Assembly adjourned at 3:58 p.m. to Monday at 1:30 p.m.]



## **Bill Status Report for the 28th Legislature - 1st Session (2012-2013)**

**Activity to March 07, 2013**

The Bill sponsor's name is in brackets following the Bill title. If it is a money Bill, (\$) will appear between the title and the sponsor's name. Numbers following each Reading refer to Hansard pages where the text of debates is found; dates for each Reading are in brackets following the page numbers. Bills numbered 1 to 199 are Government Bills. Bills numbered 200 or higher are Private Members' Public Bills. Bills numbered with a "Pr" prefix are Private Bills.

\*An asterisk beside a Bill number indicates an amendment was passed to that Bill; the Committee line shows the precise date of the amendment.

The date a Bill comes into force is indicated in square brackets after the date of Royal Assent. If a Bill comes into force "on proclamation," "with exceptions," or "on various dates," please contact Legislative Counsel, Alberta Justice, for details at (780) 427-2217. The chapter number assigned to the Bill is entered immediately following the date the Bill comes into force. SA indicates Statutes of Alberta; this is followed by the year in which it is included in the statutes, and its chapter number. Please note, Private Bills are not assigned chapter numbers until the conclusion of the Fall Sitzings.

### **1\* Workers' Compensation Amendment Act, 2012 (Redford)**

First Reading -- 8 (May 24 aft., passed)

Second Reading -- 177 (Oct. 23 eve.), 193-96 (Oct. 23 eve.), 233 (Oct. 24 eve., passed)

Committee of the Whole -- 336-39 (Oct. 29 eve.), 354-71 (Oct. 30 aft.), 373-80 (Oct. 30 eve., passed with amendments)

Third Reading -- 476-84 (Nov. 1 aft., passed on division)

Royal Assent -- (Dec. 10 outside of House sitting) [Comes into force December 10, 2012; SA 2012 c8]

### **2\* Responsible Energy Development Act (Hughes)**

First Reading -- 207 (Oct. 24 aft., passed)

Second Reading -- 263 (Oct. 25 aft.), 424-43 (Oct. 31 aft.), 445-57 (Oct. 31 eve.), 526-46 (Nov. 5 eve., passed)

Committee of the Whole -- 563-71 (Nov. 6 aft.), 593 (Nov. 6 eve.), 644-48 (Nov. 7 aft.), 649-69 (Nov. 7 eve.), 731-53 (Nov. 19 eve.), 777-94 (Nov. 20 aft.), 795-853 (Nov. 20 eve.), 902-05 (Nov. 20 eve., passed on division, with amendments)

Third Reading -- 921-41 (Nov. 21 aft., passed on division)

Royal Assent -- (Dec. 10 outside of House sitting) [Comes into force on proclamation, with exceptions; SA 2012 cR-17.3]

### **3\* Education Act (J. Johnson)**

First Reading -- 155 (Oct. 23 aft., passed)

Second Reading -- 219-31 (Oct. 24 aft.), 238 (Oct. 24 eve., passed)

Committee of the Whole -- 380-407 (Oct. 30 eve., passed with amendments)

Third Reading -- 669 (Nov. 7 eve.), 688-94 (Nov. 8 aft.), 753-63 (Nov. 19 eve., passed on division)

Royal Assent -- (Dec. 10 outside of House sitting) [Comes into force on proclamation; SA 2012 cE-0.3]

### **4 Public Interest Disclosure (Whistleblower Protection) Act (Scott)**

First Reading -- 352-53 (Oct. 30 aft., passed)

Second Reading -- 423-24 (Oct. 31 aft.), 593-614 (Nov. 6 eve.), 627-44 (Nov. 7 aft., passed on division)

Committee of the Whole -- 975-80 (Nov. 22 aft.), 1057-74 (Nov. 27 aft.), 1075-101 (Nov. 27 eve.), 1127-137 (Nov. 28 aft.), 1139-161 (Nov. 28 eve., passed)

Third Reading -- 1161-166 (Nov. 28 eve., passed on division)

Royal Assent -- (Dec. 10 outside of House sitting) [Comes into force on proclamation; SA 2012 cP-39.5]

### **5 New Home Buyer Protection Act (Griffiths)**

First Reading -- 261 (Oct. 25 aft., passed)

Second Reading -- 354 (Oct. 30 aft.), 457-59 (Oct. 31 eve., passed)

Committee of the Whole -- 546-49 (Nov. 5 eve.), 571-83 (Nov. 6 aft.), 585-93 (Nov. 6 eve., passed)

Third Reading -- 853-55 (Nov. 20 eve., passed)

Royal Assent -- (Dec. 10 outside of House sitting) [Comes into force on proclamation; SA 2012 cN-3.2]

### **6 Protection and Compliance Statutes Amendment Act, 2012 (Jeneroux)**

First Reading -- 155 (Oct. 23 aft., passed)

Second Reading -- 209 (Oct. 24 aft.), 264 (Oct. 25 aft., passed)

Committee of the Whole -- 459-62 (Oct. 31 eve., passed)

Third Reading -- 855-56 (Nov. 20 eve., passed)

Royal Assent -- (Dec. 10 outside of House sitting) [Comes into force on various dates; SA 2012 c7]

- 7\* Election Accountability Amendment Act, 2012 (Denis)**  
First Reading -- 774 (Nov. 20 aft., passed)  
Second Reading -- 972-75 (Nov. 22 aft.), 1015-41 (Nov. 26 eve., passed)  
Committee of the Whole -- 1166-167 (Nov. 28 eve.), 1191-92 (Nov. 29 aft.), 1221-43 (Dec. 3 eve.), 1261-79 (Dec. 4 aft.), 1281-1300 (Dec. 4 eve., passed, with amendments)  
Third Reading -- 1315-37 (Dec. 5 aft., passed on division)  
Royal Assent -- (Dec. 10 outside of House sitting) [Comes into force on various dates; SA 2012 c5]
- 8 Electric Utilities Amendment Act, 2012 (Hughes)**  
First Reading -- 156 (Oct. 23 aft., passed)  
Second Reading -- 233 (Oct. 24 eve.), 316-36 (Oct. 29 eve, passed)  
Committee of the Whole -- 857-902 (Nov. 20 eve.), 943-53 (Nov. 21 eve., passed)  
Third Reading -- 953-56 (Nov. 21 eve., passed)  
Royal Assent -- (Dec. 10 outside of House sitting) [Comes into force December 10, 2012; SA 2012 c6]
- 9 Alberta Corporate Tax Amendment Act, 2012 (\$) (Horner)**  
First Reading -- 156 (Oct. 23 aft., passed)  
Second Reading -- 209-10 (Oct. 24 aft.), 272 (Oct. 25 aft.), 311-16 (Oct. 29 eve., passed)  
Committee of the Whole -- 462 (Oct. 31 eve., passed)  
Third Reading -- 856-57 (Nov. 20 eve., passed)  
Royal Assent -- (Dec. 10 outside of House sitting) [Comes into force on various dates, SA 2012 c4]
- 10 Employment Pension Plans Act (Kennedy-Glans)**  
First Reading -- 261 (Oct. 25 aft., passed)  
Second Reading -- 521-26 (Nov. 5 eve., passed)  
Committee of the Whole -- 668-69 (Nov. 7 eve., passed)  
Third Reading -- 857 (Nov. 20 eve., passed)  
Royal Assent -- (Dec. 10 outside of House sitting) [Comes into force on proclamation; SA 2012 cE-8.1]
- 11 Appropriation (Supplementary Supply) Act, 2013 (\$) (Horner)**  
First Reading -- 1424 (Mar. 6 aft., passed)

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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Monday afternoon, March 11, 2013

Issue 33

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta  
The 28th Legislature**

First Session

Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC), Speaker  
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Barnes, Drew, Cypress-Medicine Hat (W)  
Bhardwaj, Naresh, Edmonton-Ellerslie (PC)  
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Luan, Jason, Calgary-Hawkwood (PC)  
Lukaszuk, Hon. Thomas A., Edmonton-Castle Downs (PC)  
Mason, Brian, Edmonton-Highlands-Norwood (ND),  
    Leader of the New Democrat Opposition  
McAllister, Bruce, Chestermere-Rocky View (W),  
    Official Opposition Deputy Whip  
McDonald, Everett, Grande Prairie-Smoky (PC)  
McIver, Hon. Ric, Calgary-Hays (PC),  
    Deputy Government House Leader  
McQueen, Hon. Diana, Drayton Valley-Devon (PC)  
Notley, Rachel, Edmonton-Strathcona (ND),  
    New Democrat Opposition House Leader  
Oberle, Hon. Frank, Peace River (PC)  
Olesen, Cathy, Sherwood Park (PC)  
Olson, Hon. Verlyn, QC, Wetaskiwin-Camrose (PC)  
Pastoor, Bridget Brennan, Lethbridge-East (PC)  
Pedersen, Blake, Medicine Hat (W)  
Quadri, Sohail, Edmonton-Mill Woods (PC)  
Quest, Dave, Strathcona-Sherwood Park (PC)  
Redford, Hon. Alison M., QC, Calgary-Elbow (PC),  
    Premier  
Rodney, Hon. Dave, Calgary-Lougheed (PC)  
Rowe, Bruce, Olds-Didsbury-Three Hills (W)  
Sandhu, Peter, Edmonton-Manning (PC)  
Sarich, Janice, Edmonton-Decore (PC)  
Saskiw, Shayne, Lac La Biche-St. Paul-Two Hills (W),  
    Official Opposition Deputy House Leader  
Scott, Hon. Donald, QC, Fort McMurray-Conklin (PC)  
Sherman, Dr. Raj, Edmonton-Meadowlark (AL),  
    Leader of the Liberal Opposition  
Smith, Danielle, Highwood (W),  
    Leader of the Official Opposition  
Starke, Hon. Dr. Richard, Vermilion-Lloydminster (PC)  
Stier, Pat, Livingstone-Macleod (W)  
Strankman, Rick, Drumheller-Stettler (W)  
Swann, Dr. David, Calgary-Mountain View (AL)  
Towle, Kerry, Innisfail-Sylvan Lake (W),  
    Official Opposition Whip  
VanderBurg, Hon. George, Whitecourt-St. Anne (PC)  
Weadick, Hon. Greg, Lethbridge-West (PC)  
Webber, Len, Calgary-Foothills (PC)  
Wilson, Jeff, Calgary-Shaw (W)  
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
    Government Whip

**Party standings:**

Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

**Officers and Officials of the Legislative Assembly**

W.J. David McNeil, Clerk	Stephanie LeBlanc, Parliamentary Counsel	Chris Caughell, Assistant Sergeant-at-Arms
Robert H. Reynolds, QC, Law Clerk/ Director of Interparliamentary Relations	and Legal Research Officer Philip Massolin, Manager of Research Services	Gordon H. Munk, Assistant Sergeant-at-Arms Liz Sim, Managing Editor of <i>Alberta Hansard</i>
Shannon Dean, Senior Parliamentary Counsel/Director of House Services	Brian G. Hodgson, Sergeant-at-Arms	



## **Executive Council**

Alison Redford	Premier, President of Executive Council
Thomas Lukaszuk	Deputy Premier, Minister of Enterprise and Advanced Education, Ministerial Liaison to the Canadian Forces
Manmeet Singh Bhullar	Minister of Service Alberta
Robin Campbell	Minister of Aboriginal Relations
Cal Dallas	Minister of International and Intergovernmental Relations
Jonathan Denis	Minister of Justice and Solicitor General
Wayne Drysdale	Minister of Infrastructure
Kyle Fawcett	Associate Minister of Finance
Doug Griffiths	Minister of Municipal Affairs
Dave Hancock	Minister of Human Services
Fred Horne	Minister of Health
Doug Horner	President of Treasury Board and Minister of Finance
Ken Hughes	Minister of Energy
Jeff Johnson	Minister of Education
Heather Klimchuk	Minister of Culture
Ric McIver	Minister of Transportation
Diana McQueen	Minister of Environment and Sustainable Resource Development
Frank Oberle	Associate Minister of Services for Persons with Disabilities
Verlyn Olson	Minister of Agriculture and Rural Development
Dave Rodney	Associate Minister of Wellness
Donald Scott	Associate Minister of Accountability, Transparency and Transformation
Richard Starke	Minister of Tourism, Parks and Recreation
George VanderBurg	Associate Minister of Seniors
Greg Weadick	Associate Minister of Municipal Affairs
Teresa Woo-Paw	Associate Minister of International and Intergovernmental Relations

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on Alberta's Economic Future

Chair: Mr. Amery

Deputy Chair: Mr. Fox

Bhardwaj	Olesen
Cao	Pastoor
Donovan	Quadri
Dorward	Rogers
Eggen	Rowe
Hehr	Sarich
Luan	Strankman
McDonald	Xiao

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Khan

Deputy Chair: Mrs. Jablonski

Anderson  
Casey  
Dorward  
Eggen  
Kubinec  
Sandhu  
Sherman

### Select Special Conflicts of Interest Act Review Committee

Chair: Mr. Allen

Deputy Chair: Mr. Luan

Blakeman	Notley
Dorward	Saskiw
Fenske	Wilson
Johnson, L.	Young
McDonald	

### Standing Committee on Families and Communities

Chair: Mr. Quest

Deputy Chair: Mrs. Forsyth

Brown	Jeneroux
Cusanelli	Leskiw
DeLong	Notley
Fraser	Pedersen
Fritz	Swann
Goudreau	Towle
Jablonski	Wilson
Jansen	Young

### Standing Committee on Legislative Offices

Chair: Mr. Cao

Deputy Chair: Mr. McDonald

Bikman	Leskiw
Blakeman	Quadri
Brown	Rogers
DeLong	Wilson
Eggen	

### Special Standing Committee on Members' Services

Chair: Mr. Zwozdesky

Deputy Chair: Mr. Rogers

Casey	Mason
Forsyth	McDonald
Fraser	Quest
Kennedy-Glans	Sherman
	Smith

### Standing Committee on Private Bills

Chair: Mr. Xiao

Deputy Chair: Ms L. Johnson

Barnes	Jablonski
Bhardwaj	Leskiw
Brown	Notley
Cusanelli	Olesen
DeLong	Rowe
Fox	Strankman
Fritz	Swann
Goudreau	Webber

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Ms Olesen

Deputy Chair: Mr. Lemke

Calahasen	McAllister
Cao	Notley
Casey	Pedersen
Hehr	Rogers
Jansen	Sandhu
Kennedy-Glans	Saskiw
Kubinec	Towle
Luan	Young

### Standing Committee on Public Accounts

Chair: Mr. Anderson

Deputy Chair: Mr. Dorward

Allen	Hehr
Amery	Jeneroux
Anglin	Khan
Bilous	Pastoor
Donovan	Quadri
Fenske	Quest
Goudreau	Sarich
Hale	Stier

### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans

Deputy Chair: Mr. Anglin

Allen	Hale
Barnes	Johnson, L.
Bikman	Khan
Bilous	Kubinec
Blakeman	Lemke
Calahasen	Sandhu
Casey	Stier
Fenske	Webber

## Legislative Assembly of Alberta

1:30 p.m.

Monday, March 11, 2013

[The Speaker in the chair]

### Prayers

**The Speaker:** Hon. members, let us pray for the wisdom we require to represent those who sent us here and for the strength we require to address the many demands our duties necessitate and for the patience we require to engage in civilized debate with those who may not share our views in this Chamber and beyond. Amen.

Please remain standing now to listen to the wonderful tones of Mr. Paul Lorieau as he guides us in the singing of our national anthem, *O Canada*.

### Hon. Members:

O Canada, our home and native land!  
True patriot love in all thy sons command.  
With glowing hearts we see thee rise,  
The True North strong and free!  
From far and wide, O Canada,  
We stand on guard for thee.  
God keep our land glorious and free!  
O Canada, we stand on guard for thee.  
O Canada, we stand on guard for thee.

**The Speaker:** Thank you very much. Please be seated.

Hon. members, today, as all of you would know, is indeed a very special day in our Assembly. As such, we're going to welcome everyone and give them an opportunity to be seated while I introduce the next topic. Please proceed.

### Statement by the Speaker

#### Commonwealth Day Message from the Queen

**The Speaker:** Today is Commonwealth Day, and throughout the world our Commonwealth nations are celebrating with a special message given by Her Majesty the Queen. We have some guests who are here in relation to this event.

Please note that this message from Her Majesty has been placed in writing on each of your desks for your private review and sharing with your constituents. In the meantime allow me to read Opportunity through Enterprise, the message from Her Majesty the Queen, Head of the Commonwealth, on Commonwealth Day 2013.

This year's Commonwealth theme, 'Opportunity through Enterprise', is a celebration of our achievements, particularly those that may have seemed challenging, daunting or even impossible, which have helped to build strength, resilience and pride in our young people, in our communities and in our nations.

Great achievements in human history have a number of common characteristics. From climbing the highest mountain, to winning a sporting competition, making a scientific breakthrough, building a successful business or discovering unique artistic talent – these outcomes all begin as a simple goal or idea in one person's mind.

We are all born with the desire to learn, to explore, to try new things. And each of us can think of occasions when we have been inspired to do something more efficiently, or to assist others in achieving their full potential. Yet it still takes courage to launch into the unknown. Ambition and curiosity open new avenues of opportunity.

That is what lies at the heart of our Commonwealth approach: individuals and communities finding ways to strive together to create a better future that is beneficial for all.

Our shared values of peace, democracy, development, justice and human rights – which are found in our new 'Commonwealth Charter' – mean that we place special emphasis on including everyone in this goal, especially those who are vulnerable.

I am reminded of the adage, 'nothing ventured, nothing gained'. As we reflect on how the Commonwealth theme applies to us individually, let us think about what can be gained with a bold heart, dedication, and teamwork. And let us bear in mind the great opportunity that is offered by the Commonwealth – of joining with others, stronger together, for the common good.

Thank you.

### Introduction of Guests

**The Speaker:** The hon. Acting Deputy Premier and Minister of Municipal Affairs.

**Mr. Griffiths:** Thank you, Mr. Speaker. On this Commonwealth Day 2013 I'm pleased to introduce to you and through you to all members of this House members of the Royal Commonwealth Society, an organization that has had a considerable and positive evolution since its founding in 1868. Founded in 2005, the Edmonton branch is active in promoting a wider appreciation of a modern, progressive, and dynamic Commonwealth and the basic principles for which it stands – tolerance, diversity, freedom, justice, democracy, human rights, and sustainable development – to a generation living in an increasingly interconnected world.

I understand, Mr. Speaker, that you spoke at a well-attended and successful RCS Edmonton Commonwealth dinner on Saturday evening. I'd like to introduce the guests that were in attendance. Seated in your gallery are the chair, Joe Zasada; the vice-chair, Dr. John Dugan; vice-chair, Mr. Alex Tsang; treasurer, Dr. John Slade, and his wife, Barbara, also with him; the secretary, Jenni Reiz; and members Earl Chadwick and the Reverend Joshua Phillpotts. I see they've risen. I ask them to receive the traditional warm welcome of this Assembly.

**The Speaker:** Welcome to you all, and thank you yet again for the incredibly wonderful and important work you do. Please be seated.

The hon. Associate Minister of Seniors.

**Mr. VanderBurg:** Thank you, Mr. Speaker. It's a great day for Whitecourt-St. Anne. We have 30 students here from the Niton school. They are joined by their teachers, Mrs. Varty and Mrs. Verbeek, and a number of parents and helpers. They are seated in both galleries. I'd ask them to stand and be recognized by this Assembly.

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. Dorward:** Thank you, Mr. Speaker. It's my pleasure today to rise before you and introduce to you and through you to all members of this Assembly teacher Michael Hamilton, parent helpers Corinne Weeks and Carmen Macdonald, and 37 of Hardisty junior high's best and brightest in my constituency and almost across the street from my home in Edmonton-Gold Bar. I am pleased that they're able to be with us today and take part in conversations regarding the Commonwealth to help them learn more about democracy and the workings of our government. I

would ask now that they please rise and receive the traditional welcome of this Assembly.

As well, Mr. Speaker, I'd like to introduce to the Assembly Mr. Paul Sir, who is the executive director of Basketball Alberta, and Ms Candice Stasynec of the office of the city manager here in Edmonton, both tireless workers on behalf of everybody in the province and particularly in the capital region. Please, the warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Manning.

**Mr. Sandhu:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all the members of the Assembly 25 students from York academic elementary school. They are visiting our Legislature and are learning a lot about our building and our government. They are future bright leaders of this beautiful province of Alberta, Canada. These grade 6 students along with their teacher, Ms Dora Strasdin, are seated in the public gallery. I would now ask them to rise and receive the traditional warm welcome of this Assembly.

Thank you.

1:40

**The Speaker:** The hon. Member for Sherwood Park.

**Ms Olesen:** Thank you, Mr. Speaker. It is my pleasure to rise before you today and introduce to you and through you to all members of this Assembly a large group of students from Woodbridge Farms elementary school. They are some of Sherwood Park's brightest and best and our leaders for tomorrow. Accompanying them are many teachers and volunteers: Anita Sisson, Christina Ganert, Antonia Triska, Mona Sawatzky, Antonia Tiede, Judy Andrekson, Linda Holan, Richard Bylsma, and Tyson Parker, who is a grandson of one of Strathcona county's very famous reeves. I would like them all to rise today and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Red Deer-North.

**Mrs. Jablonski:** Thank you, Mr. Speaker. I would like to introduce to you and through you to the members of this Assembly a very special person, Dr. John Dugan. Dr. Dugan is sitting up in your gallery. He has been a friend of mine and a supporter for the past 13 years. He is a very passionate Albertan who questions everything and has some very sage advice for me always. He has been honoured for his role in St. John's Ambulance. He is a member of the Monarchist League and of the Commonwealth association. You can see the row of medals that he proudly wears on his chest, proclaiming his honour, his duty, and his loyalty to our country and our province. Dr. Dugan is also a veterinarian with whom my dogs, Abby and Tikka, are very familiar. Dr. Dugan has risen. Would you please join me in giving him the traditional warm welcome of the House.

**The Speaker:** The hon. Member for Edmonton-Riverview.

**Mr. Young:** Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to all members of the Assembly Nizam Saab and Zeki El-Hakim. Nizam is the president of the Yanta Cultural Society here in Edmonton, and Mr. Hakim is a history teacher and principal of the Yanta elementary school in Lebanon who has many connections here in Canada and many former students who now reside in Canada. Speaking with Mr. Hakim, he tells me that Canada is his second home. They are both seated in the members' gallery. If I could ask everybody to give them the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Calgary-Mackay-Nose Hill.

**Dr. Brown:** Thank you, Mr. Speaker. I have two introductions today. I'm pleased to introduce to you and through you to the members of the Assembly a wonderful friend and a community leader who is seated in the public gallery. Her name is Marilyn Gunn. Marilyn is the president and CEO of the Community Kitchen Program in Calgary. I'll be recognizing her contributions shortly in a member's statement. I ask that Marilyn please rise and receive the traditional warm welcome of the Assembly.

Mr. Speaker, I have another introduction. I'd like to introduce to you and through you to members of the Assembly a friend of mine and a friend of Alberta's natural lands and environment, Greg Wagner. Greg is a professional biologist and a well-respected authority on Alberta's grassland ecosystems. Greg is here today accompanied by his mother, Eleanor Wagner, and by Taylor Wagner. They will be touring the Legislature for the first time. They've come today to show their support for grasslands preservation in Bill 202. I ask that Greg, Eleanor, and Taylor rise and receive the traditional warm welcome of the Assembly.

## Members' Statements

**The Speaker:** The hon. Member for Calgary-Mackay-Nose Hill.

### Marilyn Gunn

**Dr. Brown:** Mr. Speaker, I want to salute today an outstanding volunteer and community leader who is a friend of mine and a constituent of mine in the electoral district of Calgary-Mackay-Nose Hill. Her name is Marilyn Gunn. I've known Marilyn for over eight years and have grown to admire her courage and her tenacity in tackling the tough social issues in our community. Marilyn is a faithful and valued member of her church community, and her faith guides everything she does as she dedicates herself to help those who are less fortunate.

Marilyn together with her husband, Bill Gunn, founded the highly successful Community Kitchen Program in Calgary, which helps families to help themselves through collective grocery shopping and group preparation of meals, at the same time providing knowledge about good nutrition and cooking. Over the past 21 years this program has helped supply tens of thousands of nourishing and economical meals for low-income Calgary families.

Marilyn recognizes the fact that government alone cannot respond to all of the social needs of the less fortunate in our city and that progress is best made by partnerships between the government, private corporations, and community-based charities and their dedicated volunteers. Marilyn routinely volunteers for many community projects and has fostered co-operation among like-minded Calgary charities, leading to efficiencies in delivering social programs such as the Storehouse-39-3-10 project in northeast Calgary.

Several years ago Marilyn faced a struggle with serious illness and overcame the odds to make a full recovery. While this event may have caused most of us to reassess our life priorities and to perhaps take more personal time, Marilyn immediately returned to her usual busy schedule of volunteering and helping others.

Marilyn has been recognized for her outstanding contributions to her province and her country by being awarded the Alberta centennial medal and the Queen Elizabeth II Diamond Jubilee medal.

Thank you, Mr. Speaker.

### Provincial Fiscal Deficit

**Mr. Anderson:** Mr. Speaker, last week this government introduced a shocking back-in-debt budget. To understand how

shocking, we need to review our province's recent history. Unlike the Premier, who didn't spend very much time in Alberta during the 1990s and early 2000s and, therefore, has no credibility when she complains about how awful it was to live here during that time – let me fill her in a bit. Growing up in Alberta at that time was great. The schools I attended were excellent. In fact, I received almost a year of free credits at a U.S. college just because I was an Alberta grad. The economy was strong and creating jobs. Businesses were flourishing, and home values were appreciating.

As a province we had a collective purpose. The majority of us were united in our goal to pay off our provincial debt and build a job-creating machine through low taxes and job-friendly policies that we proudly called the Alberta advantage. In fact, it is not an exaggeration to say that the entire direction of our nation was profoundly altered for the better by our relatively small but principled and feisty province during that time. But as the Premier often says: that was then, and this is now.

In 2008 our province had almost no debt and a \$17 billion rainy-day fund. By election 2016 we will have a \$17 billion debt and no rainy-day fund. The Premier contends that anyone who doesn't feel we should go back into debt is an extremist, yet right before the 2012 election she stated, and I quote: Alberta does not have a debt, and we will not incur debt; that is fundamental to what Albertans are proud of, and we are committed to making sure that that continues. Unquote. How very extreme of you, Premier.

The ugly truth is that this Premier's views on structural debt have been discredited by the lessons of the ongoing world debt crisis. It is she and her party that are taking us back a generation. It is she and her party that have proved to be fiscally extreme. The good news is that Albertans now know that.

Thank you.

**The Speaker:** The hon. Member for Calgary-Glenmore.

#### Budget 2013 Benefits

**Ms L. Johnson:** Thank you, Mr. Speaker. I am proud to represent the residents of Calgary-Glenmore and to speak up on their behalf. I rise today to share with this Assembly constituent issues that were addressed in the budget tabled last week.

Families are welcoming the \$5 million commitment for an insulin pump therapy program for eligible Albertans with type 1 diabetes. Parents of newborn babies, 5,000 of which were born in Calgary-Glenmore, are thrilled with the \$8 million investment in early childhood development, especially the inclusion of a universal newborn hearing screening program. Patients and health care workers are supportive of the \$65 million investment for an Alberta electronic health record project. One of those health care workers told me that he'd rather have that project completed than a new piece of fancy equipment.

Those stuck in traffic are encouraged by the \$51 million for GreenTRIP allocated to Calgary.

For the senior population whom I'm honoured to represent the property tax deferral program will provide assistance. For students in the classroom there is \$248 million in class size initiatives and \$50 million for student health services. For those concerned about water supply and the environment, there is a \$25 million commitment to the water for life strategy.

To the many constituents who called my office, who e-mailed my office, who snail-mailed my office, and who came into the office and were absolutely adamant that this government control spending and not increase taxes, I say: we did it. To the residents of Calgary-Glenmore: this party and this government heard your priorities to continue to build Alberta by investing in family and

communities, to live within our means, and to continue working to ensure that our resources get to market.

Thank you, Mr. Speaker.

1:50

#### Oral Question Period

**The Speaker:** The Leader of Her Majesty's Loyal Opposition.

#### Provincial Fiscal Reporting

**Ms Smith:** Mr. Speaker, in its first postelection budget this government has saddled future generations with billions of dollars in new debt. Now, I'll get to the issue of exactly how much debt in just a minute, but there is no question that we are back in debt. The problem is that the government's new way of calculating and presenting the numbers has resulted in a wide range of estimates for this year's annual deficit. Will the Premier give us one number today for the total cash shortfall for this year? By that, I mean the difference between what they'll take in and what they'll spend.

**Ms Redford:** Mr. Speaker, I thank the hon. member for that question because one of the things that I've been most pleased about is the fact that we've been able, as I promised in this House last week, to be completely clear and transparent with respect to our fiscal situation. We have an operating account, we have a capital account, and for the first time in 25 years we have a savings account. It is very clear. We have said to Albertans that we have a \$451 million shortfall, which will be covered by the sustainability fund. That is the answer to the question.

**The Speaker:** The hon. leader.

**Ms Smith:** Thank you, Mr. Speaker. No, that's not the answer to the question. I'm going to make this super easy for the Premier. I just need three numbers. What's the total revenue the government will take in this year, what is the total amount of money the government will spend this year, and what is the difference between the two?

**Mr. Horner:** Well, Mr. Speaker, what they're asking about is: what is the cash requirement included in the budget documents totally around the savings, the capital plan, and the operating plan? We don't consider that putting money back into Treasury Branches is part of a deficit. We don't consider that student loan financing is part of a deficit. We don't consider that the savings that we're putting aside is part of a deficit. It is irresponsible; it is ignorant of accounting to even come up with the question.

**Ms Smith:** Well, speaking of ignorant of accounting, given that the Premier and her Finance minister claim their new budget presents the fiscal picture accurately and given that accounting standards say that when you report the numbers, when you change the way you report the numbers in a budget, you're supposed to actually restate the previous year's in the new format, why wasn't the historical fiscal summary table in the budget, and when can we expect to see an apples-to-apples comparison?

**Mr. Horner:** You know what, Mr. Speaker? We are not hiding the fact that we are changing how we present the budget. In fact, in this province we force municipalities to separate operating from capital and provide us with the savings. Do you know why we do that? Because we lend to them. We lend to them a lot. We want to make sure that what they're spending on operating is operating and what they're spending on capital is capital. Shouldn't Albertans have the same right?

**The Speaker:** The hon. leader. Second main set of questions.

**Ms Smith:** Well, hopefully, the Auditor General will be able to give us an answer to my last question because the Finance minister couldn't.

### Provincial Debt Repayment

**Ms Smith:** Mr. Speaker, all of that deficit money and all of that borrowing is why we in the Official Opposition call this the back-in-debt budget. Now, by the end of the next fiscal year there will be an additional 3 and a half billion dollars or so in new debt, and the government is draining our savings by an additional \$2 billion. By the time of the next election their total debt just for capital will be \$17 billion. What is the plan to have that \$17 billion paid in full?

**Ms Redford:** Mr. Speaker, first of all, I want to say that we said to Albertans that this was going to be a tough budget, and despite that, we held the line at a zero per cent increase in spending. Within that, the answer to the hon. member's question is that a year from now we're going to have more schools, we're going to have family care clinics, we're going to have hospitals, we're going to have roads, and we're going to have irrigation systems because that's what builds Alberta. That's why Albertans decided that they would trust us with building this province. It is a long-term view, it is for generations to come, and that is what a Progressive Conservative government is getting straight.

**Ms Smith:** Mr. Speaker, I can see why the Premier doesn't want to answer the question. She doesn't actually have a debt repayment plan. The debt repayment plan that this Premier is proposing does almost nothing to pay down the \$17 billion debt. In 2016, for instance, this budget will allocate only a paltry \$200 million to principal, kind of like making the minimum payment on a credit card. Does the Premier know that if she only pays the bare minimum, it will take 85 years for her to pay off her \$17 billion debt?

**Mr. Horner:** Well, Mr. Speaker, I heard about this 85 years today, and I was kind of curious about where they came up with that number. Now I understand where they came up with the number, a very simple extrapolation of one number out of the budget, kind of the way they built their budget, an extrapolation of a whole bunch of numbers that I have no idea what they're doing.

Mr. Speaker, within the fiscal plan itself we talk about matching debt repayment amounts to their maturity profile. We said we would borrow for highway 63. We said we'd do it over 20 years. We will pay it back over 20 years. We have a debt repayment plan. We're going to set dollars aside. The hon. member should do her homework and read the budget.

**Ms Smith:** I did read the budget, Mr. Speaker, and they're not putting away nearly enough to be able to pay off this debt in a lesser period of time. I look forward to seeing the full plan.

Mr. Speaker, that \$17 billion does need to be paid off somehow, sometime. For instance, in 2016 they expect to pay \$600 million in interest on that debt, which is three times the amount that is going to go to the principal payments. Even if they never incur another dollar of debt, it still might take three or even four generations to pay it off. Is this what the Premier meant when she said that this was a budget for the generations?

**Mr. Horner:** You know what, Mr. Speaker? What Albertans understand is that when they go in to talk to their banker, the

banker wants to know among other things: can you pay your monthly bills every month? What do you have at the end of every month? Second, what is your net worth? Is it going up or down? I would refer the hon. member, because she said she's read the budget, which I doubt, to page 135. At the bottom is the net assets for fiscal policy purposes. It's going up. The net worth of this province will be more than \$44 billion when this plan is done. We'll have a debt repayment plan, and we're building the schools, hospitals, and roads that Albertans need.

**The Speaker:** The hon. Member for Chestermere-Rocky View.

### Postsecondary Education System Autonomy

**Mr. McAllister:** Mr. Speaker, thank you. My questions are for the Premier. Our postsecondary institutions received quite a blow in this last budget. Not only did the government break another promise on increasing postsecondary funding; it also slashed funding considerably in the process. It's yet another example of saying one thing before the election and doing another after the election. We have put the leaders of tomorrow and those that instruct them in a precarious situation. To the Premier: are you not concerned that this is going to have a negative impact on our classrooms and the quality of education that Alberta students receive?

**Ms Redford:** Mr. Speaker, from my perspective the government of Alberta is the custodian of taxpayers' money. Our view is that we want to get the best services possible for that money, and the view of this government on our postsecondary policy is that that means we want to ensure that universities are investing in research and innovation that leads to development of our economy and to training people who can be skilled to compete in the economy. We have been very clear with our postsecondary institutions with respect to that. We've set out a policy that allows them to make those decisions to ensure that that happens. That's what allows for economic growth, and that is what will put us on the path to success.

**Mr. McAllister:** Mr. Speaker, adding to the frustration is the fact that the Minister of Education has promised a mandate letter in which he is going to explain to our great leaders and academics how they should conduct themselves. Given that the government loves to centralize – we know they've done it in land planning, they have done it in health care, and they are trying to do it in ambulance service – again I ask the Premier: do you really believe that you and your government know how to run postsecondary institutions better than those that are currently running them?

**Ms Redford:** First of all, the hon. member should not be presupposing anything with respect to a mandate letter. We are in constant dialogue with leaders of 26 postsecondary institutions across this province to make sure that we are seeing excellence in education. What we've been very clear about, Mr. Speaker, is that we want to ensure that we're going to be able to train people and to focus on research and innovation that is directly relevant to economic growth, partnering with industry, partnering with businesses, to ensure that we can grow and diversify the economy. That is what we ask our postsecondary leaders to do.

2:00

**Mr. McAllister:** Mr. Speaker, postsecondary independence and autonomy are at the heart of true democracy, and from your Commonwealth letter that you read today, "Ambition and curiosity open new avenues of opportunity." So I would again ask

the Premier: can you assure us all today that these mandate letters will pose no threat to academic freedom and that our post-secondary institutions will continue to pursue research free of any of your government's intervention?

**The Speaker:** Hon. member, that would be Her Majesty the Queen's honourable message, but proceed.

**Ms Redford:** A very honourable message, Mr. Speaker, which, of course, we agree with.

I guess that on March 11, 2013, this will be the bogeyman of the day. There is no doubt that postsecondary institutions matter. The relationship that we have with postsecondary institutions has allowed our economy to thrive. We're going to continue to ensure that happens, Mr. Speaker. We are going to make sure that the research that is done, that Alberta taxpayers invest in, is relevant to economic growth in this province.

**The Speaker:** The hon. leader of the Alberta Liberal opposition.

### Postsecondary Education Funding

**Dr. Sherman:** Thank you, Mr. Speaker. Speaking of the bogeyman, Alberta's combined postsecondary tuition and mandatory noninstructional fees are amongst the highest in the country, which helps to explain why Alberta has the lowest postsecondary participation rate in the country. In the budget speech we heard a lot of rhetoric about preparing Alberta for the future. To the Premier. Your budget featured the biggest cuts to postsecondary education in decades. While most Albertans consider education an investment, it's clear that you consider it a cost. Can you please explain how gutting postsecondary funding prepares Alberta for the future?

**Ms Redford:** Well, Mr. Speaker, one of the exciting parts about the budget speech last week was when the Minister of Finance talked about the fact that it's important to take an approach to working with our campuses across this province to ensure that we're investing in economic growth, research, and innovation. There is no doubt that we want to give every student in this province the opportunity to succeed, and that is one of the reasons that we have more combined bursary and student loan money available to students in this province than the rest of the country combined. This is what will lead to economic growth and success. This is what students have asked for, and we're going to ensure that it happens.

**Dr. Sherman:** Mr. Speaker, apparently, the Premier is alleging that they weren't getting the institutions to work together in the first place.

Premier, your ideologically extreme devotion to trickle-down economics means burdens are trickling down to students and their families. Student leaders tell me that your deep cuts will negatively impact class sizes, already so full that students have to sit on the floor, and that when they graduate, they have an average debt of \$27,000. To the Premier: how is that helping Alberta prepare for the future?

**Ms Redford:** Mr. Speaker, one of the great things about our opportunities in this province is that we're always prepared to have conversations about how to improve processes, and when that happens, we're able to see further opportunities for success. There is no doubt that doing things differently is sometimes challenging for people to understand. We've certainly seen that in the past couple of weeks in terms of this debate. I'll tell you that

we are committed to ensuring that we are investing taxpayers' dollars in research, in innovation, and in excellence internationally so that we can compete, grow this economy, and provide jobs for students.

**Dr. Sherman:** Mr. Speaker, gutting Education Alberta is not doing things differently.

Alberta's postsecondary students have a desire to work in the summer to help pay their way through school and get that all-important first job. For decades the summer temporary employment program, or STEP, has helped students, the nonprofit sector, and small business. Premier, cancelling STEP is the ultimate in penny-wise and pound-foolish. Will you at least correct one mistake and restore STEP funding?

**Ms Redford:** Mr. Speaker, a little bit of a historic lesson although I was only seven years old. The STEP program was started in 1972 when we had high student unemployment. The unemployment rate in Alberta varies day to day but is essentially 4 and a half per cent. We have students and people that are participating in the economy and the not-for-profit sector who are quite able to find employment opportunities without the STEP program. Now, there is also no doubt that STEP has been fundamental to the not-for-profit sector. The Minister for Human Services has already met with stakeholders about how to design a program that is appropriate, not a crutch from over 40 years ago.

**The Speaker:** The hon. leader of the New Democrat opposition.

**Mr. Mason:** Wow. A crutch. A crutch: the STEP program.

### Trust in Government

**Mr. Mason:** Mr. Speaker, I have here a campaign advertisement for the Progressive Conservative Party in the last election. Headline: No New Taxes, No Service Cuts. It contains a pledge by the Premier, signed by the Premier, that there will be no service cuts. My question is to the Premier. Now that she's broken her promise not to cut the services that Alberta families depend on, will she admit that the whole PC re-election campaign was a desperate and cynical attempt to mislead Albertans in order to cling to power?

**The Speaker:** Hon. member, please be careful where we go. You know it's against the rules to raise questions about political parties and political fundraising, so we'll listen carefully.

Meanwhile, hon. Premier, I invite you to answer.

**Ms Redford:** Well, Mr. Speaker, not as desperate and cynical as that question was.

Nonetheless, Mr. Speaker, there is no doubt that we had to make tough choices in this budget. With a hundred thousand new people coming to this province, we were able to keep spending to zero per cent. We were able to ensure that we did not make across-the-board cuts, that we did not raise taxes, that we invested in a savings plan, that we protected vulnerable people, and that we continue to build this province. Now, that is a record that we are proud of. It's a commitment we made to Albertans, and we're glad to be able to keep it.

**Mr. Mason:** I suppose closing the Michener Centre was taking away a crutch as well.

Mr. Speaker, I have in my hand the NDP list of top 10 broken promises contained in this budget. Given that this Premier insisted on Friday that she did not break her promises to the Albertans that

voted for her and given that we the New Democrats could easily come up with 10 significant broken promises from this Premier, can she explain to Albertans how this PC government did not betray their trust?

**Ms Redford:** Mr. Speaker, it's been pretty wonderful this weekend to be able to speak to people throughout southern Alberta, throughout Calgary and Edmonton about the budget on Thursday. What was really interesting to me was the fact that a lot of people said: "Look. We know that times change, but you kept your word. You made tough choices. We knew you were going to make tough choices." But as we promised, we did it in a thoughtful way and a responsible manner.

I'd like to ask the Associate Minister of Services for Persons with Disabilities to supplement with respect to the Michener Centre.

**Mr. Oberle:** Mr. Speaker, if the hon. member had taken the time to read the budget, he would have noticed that we have an increase in the . . .

**The Speaker:** Hon. member, perhaps in the next supplemental you'll have that chance.

Meanwhile, the time has run out, and we go on to the third question from the leader.

**Mr. Mason:** Mr. Speaker, it's amazing to me how the Premier can break almost every promise she made and stand in this House and say that she kept her trust with Albertans. Albertans just can't trust this PC government to stand up to protect the services they need. Given that the Premier's government is gutting our postsecondary institutions and denying schools the stable, predictable funding they were promised, will the Premier do the right thing and keep one promise, which was to make sure that we have adequate revenues to pay for the programs we need? Why do you refuse to do that?

**Ms Redford:** Mr. Speaker, if we take a look at the state of the world this month compared to the state of the world six months ago, what we see is that Albertans said to us: "Continue to move forward on a path for success. Continue to build this province. Ensure that you are providing services to vulnerable people, ensure that you are building schools, ensure that you're supporting the public sector, and make sure that you're being responsible with taxpayer dollars." Now, that's a tall order, but in the past six months we have been able to keep those commitments, which is a fine distinction from anyone on the opposition side who comes up with theoretical documents that are meaningless.

2:10

**Ms Smith:** Well, Mr. Speaker, the numbers for this back-in-debt budget are bad enough: new deficits, new borrowing, new debts, squandered savings, plundered heritage fund. It is a grim fiscal picture. And the trust picture for this government is equally bad. The list of broken promises is long and growing. Of course, the Premier promised a balanced budget: nope. Of course, we were promised no debt: nope. Stable, predictable school board funding: nope. Hospitals in Sherwood Park and Whitecourt: uh-uh. Why won't this Premier acknowledge that she has not kept her word?

#### **Speaker's Ruling Preambles to Supplementary Questions**

**The Speaker:** Hon. members, I'm going to invite you on Wednesday to not use any preambles as an experiment. [interjections] It's been my observation over many years that preambles lead to a number of complicated things when they are accompanied –

excuse me; excuse me – by supplementals. Okay. Supplementary questions ought not. I was listening to the previous exchange, not this one that we're engaged in right now, and I wanted to bring it to your attention now to give you lots of warning. On Wednesday let's try and get away with no preambles ahead of supplementals.

Meanwhile could we have someone, the minister or the Premier, to answer this first question?

#### **Trust in Government (continued)**

**Ms Redford:** Well, Mr. Speaker, last April, on the 23rd, we promised Albertans that we would build this province, that we would build schools, that we would build postsecondary institutions, that we would ensure that we have public services available for vulnerable Albertans. We have kept that promise, we are proud of that promise, and that is why a Progressive Conservative government can be trusted to support building the future of this province.

**Ms Smith:** Mr. Speaker, given the length of the list of broken promises we can understand why it is that Albertans have lost trust in this government. Capital projects like the twinning of highway 881, social programs like full-day kindergarten, and a recreational tax credit for seniors: promises broken. Why won't the Premier just admit she can't keep her promises?

**Mr. Griffiths:** Mr. Speaker, both of the last questions have a premise demanding balanced budgets but also demanding new projects be spent. It's hypocritical to demand both. But I have a long list here of promises made and kept. Building family care clinics in 2013: \$235 million for 40 of them. Promise made, promise kept. Funding insulin pumps: \$5 million for new insulin pump therapy. Promise made, promise kept. Improved pharmacare: a new pharmacare program that will provide access to drugs and supplemental health benefit coverage to all Albertans. A promise made, a promise kept.

**Ms Smith:** Well, Mr. Speaker, when a government promises to balance the budget and doesn't, promises to stay out of debt and doesn't, promises to raise the bar on accountability and transparency and does none of it, why should anyone continue to believe anything this Premier and this government say?

**Mr. Griffiths:** Mr. Speaker, in this government, which I think Albertans are fortunate for, we don't adhere to an extreme ideology that means we can't be responsive and reflective in times of need. Albertans in the last election, in April 2013 decided that they wanted a government that was going to hold the line on spending, which we did at zero per cent; continue to invest in families and communities, which we're continuing to do from one end of the province to the other. We're continuing to find access to new markets for our goods so that we can continue to grow this province and provide good jobs to Albertans.

**The Speaker:** Hon. members, it's Commonwealth Day. Let's show some class in this Chamber, please.

Let's go on with Edmonton-Gold Bar, followed by Cypress-Medicine Hat.

#### **Prescription Drug Coverage**

**Mr. Dorward:** Thank you, Mr. Speaker. I've been hearing about cuts to drug costs and drug programs, and I've met with



pharmacists and had conversations with pharmacists on the phone. To the Minister of Health: can you explain why you are reducing the prices of generic drugs even though the move affects the income of the pharmacists, especially the small-town pharmacists?

**Mr. Horne:** Well, Mr. Speaker, we are reducing generic drug prices in Alberta because we made a commitment to responsible change in health care. Alberta has lagged behind most of the rest of the country in terms of setting prices for generic drugs. The changes that were announced earlier in the budget will benefit not only government in terms of the sponsored drug programs that we offer; they also benefit private plans, employer-sponsored plans, and people who pay out of pocket.

**Mr. Dorward:** To the same minister: given the high cost of those drugs he mentioned, can you explain how you plan to extend pharmacare to all Albertans?

**Mr. Horne:** Well, Mr. Speaker, I'll thank the hon. member for the question because it's important, of course, not to consider only the price of generic drugs in the question of how we expand drug coverage to all Albertans. Pharmacare will bring all of government's drug programs and health benefit programs together under one roof. It will offer for the first time drug coverage to the 20 per cent of Albertans who have no coverage today. It will deliver more for less money, and it will deliver a more equitable degree of drug coverage to all of our citizens.

**Mr. Dorward:** If you're introducing income testing into that, doesn't that mean that the seniors that live in Gold Bar may end up paying more for their drugs than they do now?

**Mr. Horne:** Mr. Speaker, the laudable goal of extending drug coverage to the 20 per cent of Albertans who have none today does of course mean that those who can afford to pay a little more may be asked to pay a little more. But I would think that most hon. members in this House would agree that one of the tenets of publicly funded health care, which this government supports and leads in Canada, is that we provide an equitable level of access to all Albertans for the things they depend on most, and that includes drugs.

**The Speaker:** The hon. Member for Cypress-Medicine Hat, followed by Red Deer-North.

### Infrastructure Capital Planning

**Mr. Barnes:** Thank you, Mr. Speaker. On November 26 the Minister of Education, in response to a question about releasing an infrastructure priority list, said in this House: "We actually do publish the lists. The lists are online of all the projects that are approved." We've never been able to find it, so we FOIPed it. The FOIP came, confirming that indeed such a list does exist but that, quote, it must be withheld. To the Minister of Infrastructure: why are you hiding this secret list from hard-working Albertans, who need to know when their schools, hospitals, and roads are being built?

**Mr. Drysdale:** Mr. Speaker, our priority list is our capital plan, and it is posted on the website for Infrastructure. Any project that's under way and has been approved is posted on the website. It would be irresponsible to post projects that have not yet been approved.

**The Speaker:** The hon. member.

**Mr. Barnes:** Thank you, Mr. Speaker. Given that a priority list

does indeed exist and the government is just hiding it and given that hard-working Albertans have a right to know what the government's infrastructure plans are and where their tax money is being spent, when will this government have the courage to tell the truth and stop playing politics by tabling this list?

**Mr. Drysdale:** Well, Mr. Speaker, as I just said, the list is posted on our website, so I don't know how that can be hiding it or keeping it a secret. I've gone there and checked. It's there.

We continue to invest in public infrastructure to ensure Albertans have the quality of life they deserve now and into the future. Our government works hard to deliver the right infrastructure projects at the right places at the right time in a cost-effective manner.

**The Speaker:** The hon. member.

**Mr. Barnes:** Thank you, Mr. Speaker. No wonder Albertans just don't trust this government. They won't come clean on how they are spending taxpayers' dollars. Given that the Minister of Accountability, Transparency and Transformation's mandate is to assist with the responsibilities related to access to information, will that minister do his job and order the release of this list?

**Mr. Scott:** Mr. Speaker, this government is delivering an open and transparent government. We are delivering it. We have the toughest expense disclosure policy in Canada. That's a promise delivered. We are delivering on the Premier's mandate to have to the most open and transparent government. We have whistleblower legislation. We are conducting a review of FOIP. This is delivering to Albertans the open and transparent government that they have asked us to deliver.

### Transition of Michener Centre Residents

**Mrs. Jablonski:** Mr. Speaker, for over 50 years Michener Centre in Red Deer-North has been home for people with developmental disabilities. Some of the residents of Michener have lived there for 50 years and along with their parents and guardians have chosen to stay there. Michener is their home. Today our government announced that Michener's north and south facilities are being closed. Parents and guardians are very concerned. My questions are to the Associate Minister of Services for Persons with Disabilities. How are you going to ensure that the very vulnerable residents of Michener Centre, some of whom need very specialized care, will receive the high level of care that they require once they are moved?

2:20

**Mr. Oberle:** Mr. Speaker, the changes that we announced today at the Michener Centre are indeed, I'll acknowledge, gut wrenching for the families and loved ones of people there, but we intend to make changes there that will improve the quality of life and the outcomes for the residents. We already have a fleet of group home community living facilities that can handle a full spectrum of high health needs and high behavioural needs, and we will assess each of those patients individually and put them in proper settings.

**Mrs. Jablonski:** Mr. Speaker, we have known for many years that Michener would eventually be closed, but why is the government taking this action now, when there are still 230 residents?

**Mr. Oberle:** Mr. Speaker, the facility once housed 2,400 people. It now houses 230 or so, about 100 of whom are in the group home setting, and those ones will remain, so we're talking about 125 residents here. It's just at the point where the buildings are

old, it's just not an up-to-date model of care, and it's time to move those patients into a proper setting and achieve better outcomes for them.

**Mrs. Jablonski:** Mr. Speaker, given that the highly trained staff of Michener have cared for these residents for many years and 50 have reached the golden years and are now seniors, what will happen to the staff who have worked at Michener for many years?

**Mr. Oberle:** Well, I thank the hon. member for the question because it's obviously a very important part of our planning here. We're expecting that about 75 of the staff will be redeployed in the service agency sector. [interjection] We think somewhere around 50 will be redeployed within our ministry. Mr. Speaker, we care deeply about the staff there and the care that they've given over the years, and they're to be congratulated for their service.

**The Speaker:** Hon. Member for Edmonton-Strathcona, I do have you on the list.

### Provincial Tax Policy

**Mr. Hehr:** Future Albertans, future children and grandchildren of this province, call the cops; you've been robbed. Actually, robbed is too generous a term. This hasn't been a rank-and-file break and enter or minor shoplifting offence. You have been the victim of grand larceny of the highest order. It's on par with the scam pulled by Bernie Madoff, and it makes the Great Train Robbery look like child's play. With the release of the budget we have learned that over the last 25 years this province has taken in and spent virtually \$150 billion in resource revenue. Does the President of Treasury Board think this has been wise stewardship of our resource revenue?

**Mr. Horner:** You know, Mr. Speaker, I am very proud of this Premier's direction in creating legislation that will save nonrenewable resource revenue moving forward. I'm also very proud that over the past 15 years this government has spent over \$72 billion on the infrastructure that those very Albertans will be using in future generations and are using today because they want their schools, they want their hospitals, they want their roads, and they want them there when they need them, not sometime in the future to defer some number.

**The Speaker:** Hon. members, please be reminded that questions ought not be hypothetical, and they ought not seek opinion. If we could rephrase accordingly.

**Mr. Hehr:** Given that virtually every economist over the last 25 years has stated unequivocally that we need to raise revenues to ensure that this intergenerational theft that has occurred is not repeated, why, despite the overwhelming body of research that says that the right thing to do is to raise revenue, has this government refused to rework our tax code?

**Mr. Horner:** You know, Mr. Speaker, I would take issue with his comment about every economist having said to raise taxes; they haven't. I would also say that the benefit that Albertans have reaped from the nonrenewable resource revenue is the fact that we have no net financial debt for this province. It's the fact that we have the lowest taxes in the land. It's the fact that we have no sales tax. It's the fact that we have \$41 billion of net financial assets for every Albertan. That's better than anywhere else, I would suggest, per capita in North America. That's been a huge

benefit, and it will benefit future generations because of the financial stability it creates.

**Mr. Hehr:** Well, given that the President of Treasury Board obviously considers these economists to be off their rockers, does this government believe that two former Finance ministers, Mr. Morton and Mr. Liepert, former minister Mel Knight, and chief of staff Lee Richardson have all stated that additional taxes need to be raised in this province, or does he consider these people to merely be fearmongering?

**Mr. Horner:** No. Absolutely not, Mr. Speaker. In fact, I value their opinions greatly, just as I valued all of the opinions of the Albertans who told us: check and live within your means before you dig into my pocket again. And that's exactly what we did.

I'll give you an economist's opinion. This is a quote from Ben Brunnen, chief economist with the Calgary chamber: the approach of using debt to finance capital is actually a prudent one in the sense that these infrastructure assets last decades, and it makes – get this, Mr. Speaker – good sense to finance them over their useful life. There's an economist. I wholeheartedly agree with his opinion on that one.

### Prescription Drug Coverage (continued)

**Ms Notley:** Mr. Speaker, this Premier pretty much breaks every promise she makes. For instance, the Premier promised to support seniors but instead chose to hit vulnerable Albertans by forcing most seniors to pay more for prescription drugs. The sicker you are, the more you pay. To the Minister of the Health: will the minister admit that his new pharmacare program is simply manipulative marketing of clawbacks that will hurt Alberta seniors?

**Mr. Horne:** Well, Mr. Speaker, it's interesting that the hon. member fails to acknowledge in her question that the concept of fair pharmacare was in fact pioneered by the New Democratic government in British Columbia 10 years ago. She further fails to acknowledge that 20 per cent of Albertans today have absolutely no drug coverage at all. What pharmacare will deliver is not a drug program that's based on your age, where you live in Alberta, or what government ministry delivers your program. It will deliver coverage based on your need and, to the extent that you can contribute, your ability to contribute.

**Ms Notley:** You're asking sick seniors to pay for this change rather than wealthy Albertans.

Given that this budget cuts hundreds of millions of dollars by reducing drug benefits, cutting property tax assessment, and limiting eligibility for the seniors' benefit, does the minister truly believe that a chronically ill senior who lives on \$30,000 a year is really the fair person to ask to pay for this government's fiscal mismanagement.

**Mr. Horne:** Mr. Speaker, the former New Democratic government of the province of British Columbia certainly proved successfully that the pharmacare approach can deliver an equitable access to drug coverage for an entire population, including those who have the ability to pay and those who do not. We haven't released any details yet about the income thresholds that would be involved or any of the other details that might allow someone to make an informed judgment or proffer an opinion as to whether or not they believe this is fair to all concerned. We will do that

toward the end of the year, and the hon. member would be welcome to ask her questions at that time.

**Ms Notley:** Well, Mr. Speaker, he's already said that he's going to cut almost \$200 million from the program, so we can draw some conclusions.

Now, given that this minister isn't just breaking the promises the Premier made last year but even the one he made this morning on the radio and given that honest answers are just one of the many victims of this budget, will the minister tell us why this government finds it so easy to break promises to seniors but so hard to ask corporations and the wealthy to pay their fair share?

**Mr. Horne:** Well, Mr. Speaker, what I would say to the hon. member in addition to my response to her previous questions: if she and her party truly believe in universal publicly funded health care for Albertans and for Canadians, that treats people based on their health care need and not on their ability to pay, then she should be embracing this program, she should be celebrating the success that they've seen in British Columbia over a decade, and she should be defending this initiative to all Albertans as a way to improve our public health care system.

**The Speaker:** The hon. Member for Calgary-Fish Creek, followed by Edmonton-Mill Woods.

### New Hospital Construction

**Mrs. Forsyth:** Thank you, Mr. Speaker. The government's back-in-debt budget is full of broken promises and shows we can no longer believe what they say. Just two weeks ago this Premier told constituents in Sherwood Park that her government was committed to the new hospital, but on Thursday the Premier scrapped the project. In Whitecourt a new hospital that had been promised for 20 years and promised by the Premier in the last election has also been delayed. Can the Infrastructure minister explain to these communities why their priorities are no longer this government's priorities now that we're no longer in an election?

**Mr. Horne:** What this government is committed to is delivering a comprehensive range of health care services based on the needs of the communities we serve. In the case of Sherwood Park, Mr. Speaker, residents are going to enjoy a first-class health care facility delivering a broad range of primary health care services 24/7, urgent care services, and all in a location that is less than 30 minutes for most residents from major downtown hospitals.

The Premier did deliver on her promise as well to the residents of Whitecourt; \$10 million has been allocated in this budget for planning and design for a replacement hospital in that facility, which is needed, Mr. Speaker.

2:30

**The Speaker:** The hon. member.

**Mrs. Forsyth:** Thank you, Mr. Speaker. What this minister needs to do is quit reading his briefing book and start talking to Albertans.

Given that this government promised a new hospital to the people of Sherwood Park, to be completed in 2009, and given that the Health minister now claims that an AHS needs assessment says that the hospital is not needed, will the Minister of Infrastructure please explain how a hospital that was supposedly not needed was ever approved and partially constructed?

**Mr. Horne:** Well, Mr. Speaker, I think this Premier and this government clearly delivered to Albertans when we allocated a

3 per cent increase in this budget, or just under half a billion dollars, to expand health care services in this province. That's speaking directly to Albertans about their priorities and showing them how those are reflected in this budget.

With respect to the facility in Sherwood Park, as I've stated before, we are meeting the needs of those residents, Mr. Speaker. If the hon. member wants to hang on to the notion of in-patient care as the only way to deliver services Albertans rely on, then I suggest to her that she has a seriously outdated notion of what primary health care entails.

**Mrs. Forsyth:** What the government originally promised was a 4.5 per cent increase on a five-year commitment.

Given that the Premier promised the people of Whitecourt a new hospital but there is only \$10 million given to the project over the next three years, will the Associate Minister of Seniors explain to the citizens of Whitecourt why they are not getting the new hospital they have been promised since the election in 1993?

**Mr. VanderBurg:** Mr. Speaker, I'm very proud that we have the recognition in the budget for the new project. Before you do any project, any of us knows – it's well known – that you need to do engineering, you need to do planning, you need to do functional planning, and you need to do site work. I'm sure that the \$5 million in this year's budget and the \$5 million in next year's budget will address that so that the following year we can put the money in the budget to build it.

### CRTC Wireless Code of Conduct

**Mr. Quadri:** Mr. Speaker, cellphones and other wireless mobile devices are so prevalent in Alberta that many households do not even have a land line. The problem is that it's very hard for Albertans to compare contracts and decide what is best for them. Data and roaming charges are not very clear. To the Minister of Service Alberta: what are you doing to protect wireless consumers from billing confusion?

**The Speaker:** The hon. minister.

**Mr. Bhullar:** Thank you very much, Mr. Speaker, and I'd like to thank the member for that question. I pressed the CRTC and Industry Canada to move forth with a national code to protect wireless consumers from coast to coast in this country. I'm very pleased that they responded to my request. They initiated hearings on this issue, and just about two weeks ago I put forth a number of recommendations to the CRTC. It's my hope that they'll move forth with a new national code by the end of this year.

**Mr. Quadri:** I'm glad to hear that the CRTC finally decided it's worth considering.

Again to the Minister of Service Alberta: what are you doing to make sure that Alberta consumers are heard during this consultation?

**Mr. Bhullar:** Mr. Speaker, once again, I was the only provincial minister from across the country to actually put forth recommendations on this. Some of the things that I'm pushing for are to notify consumers free of charge when they're about to incur additional charges, have plain-language contracts, use consistent units of data consumption, limit cancellation fees, and ensure cellphones are unlocked when you get them.

**Mr. Quadri:** If the CRTC draws up a national code and does not address Alberta's problems, what are you going to do to make

sure they heard our concerns and protect Albertans with this national code?

**Mr. Bhullar:** Mr. Speaker, given the fact that I was the first provincial minister in Canada to push for this and that they responded to my request and initiated hearings, I've got their commitment that they're going to move forward with a national code by the end of this year. Now, in the rare event that they don't continue to follow my request, you better believe we'll be ready to take action, bring in legislative or regulatory changes here in Alberta to make sure that Albertans are protected. But through this route I'm hoping all Canadians will be protected as a result of Alberta's initiative.

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills, followed by Dunvegan-Central Peace-Notley.

#### Medevac Services

**Mr. Saskiw:** Thank you, Mr. Speaker. Moving life-saving medevac services will result in deaths, suffering, and reduced health outcomes for thousands of northern Albertans. You don't have to take my word for it. There are now over 80 doctors who have signed a letter stating that the Premier's relocation plan is flawed and will result in "needless deaths and disability" for northern Albertans. Now, I know the Premier is no fan of doctors, but to continue to ignore their advice is spiteful. Will the Minister of Infrastructure do the right thing, listen to the 80 doctors, and just delay the relocation of medevac services past March 15?

**Mr. Horne:** Mr. Speaker, the Premier of this province does listen to physicians and has listened to all points of view and all of the evidence that's been put together to plan the move of the medevac service to the Edmonton International. The opposition can say what they want. The fact of the matter is that this move has been in the plans for over a year now. It's based on evidence by the independent Health Quality Council of Alberta. There have been well over 65 flights already directly to the new centre at the international, and we stand by this decision as one that will continue to deliver on quality and patient safety as job one in medevac.

**The Speaker:** The hon. member.

**Mr. Saskiw:** Thank you, Mr. Speaker. Given that the Premier's video and robocalls to over 200,000 Albertans stated incorrectly that the City Centre Airport is functionally closed on March 15, incorrectly stated that only five critical patients are transferred a month, and incorrectly stated that emergency health services for northern Albertans will not be compromised, does the Premier just not know the facts, or is she not prepared to do the right thing, to truly lead for once and protect health services for all northern Albertans?

**Mr. Griffiths:** Mr. Speaker, our Premier and our Minister of Health have been showing stellar leadership through this event. The airport may stay open for a bit longer, but the city has already declared that it will be closing and could close it at any time, which is why it's very important, as our Minister of Health indicated, to move the medevac now so that we can be preemptive and make sure we have all the services in place, before it becomes a critical situation, to deliver the same or better medevac care services to northern Albertans, just like they deserve.

**The Speaker:** The hon. member.

**Mr. Saskiw:** Thank you, Mr. Speaker. Given that this government has refused to implement several of the Health Quality Council recommendations, including the construction of a dedicated overpass and the installation of an ambulance lane on the QE II, is it not clear that the government's premature closure of life-saving medevac services on Friday is unnecessary, costly, and will have fatal consequences for northern Albertans?

**Mr. Horne:** Well, Mr. Speaker, what the hon. member says is not true. This government has accepted all 18 recommendations and is moving forward on implementing all 18 recommendations. The opinions that the hon. member proposes represent a lack of understanding of the evidence and, I would suggest, almost a deliberate attempt to scare Albertans, who should have no reason to be concerned about quality and patient safety. Unlike the Official Opposition, this government will not wait until the day after the municipal airport closes to take responsible action on medevac.

**The Speaker:** The hon. Member for Dunvegan-Central Peace-Notley, followed by Strathmore-Brooks.

#### Smoky River Bridge Demolition

**Mr. Goudreau:** Thank you, Mr. Speaker. An abandoned railway bridge in my constituency that crossed the Smoky River near Watino gave way during demolition, leaving a large part of the bridge in the river. This bridge now lies just under the water's surface and, with varying water flow throughout the year, poses various threats to navigation. My question is to the Minister of Environment and Sustainable Resource Development. Would you please inform the House as to the progress that is being made in removing this bridge from the Smoky River?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Mr. Speaker, and I certainly thank the member for this question. I want to recognize the concerns that the county has but also that this member has about the safe and enjoyable use of the Smoky River. Work is ongoing, and we've made several attempts to remove the truss. However, there have been a number of weather-related incidents and challenges, including high water levels and ice conditions, which have slowed the progress, but our department continues to work with CN so that we can ensure that this will get done as soon as possible.

**The Speaker:** The hon. member.

**Mr. Goudreau:** Thank you, Mr. Speaker. Again to the same minister: given that this bridge in question was a private railway bridge, who in the end will pay for the removal of the bridge from the Smoky River?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker. Another great question from the member. Canadian National Railway is the owner of the bridge, and they are the ones that are responsible for the removal and the associated costs as well. It's not the taxpayers of Alberta that will pay for this. It is the Canadian National Railway that is responsible for these costs.

**The Speaker:** The hon. member.

2:40

**Mr. Goudreau:** Thank you, Mr. Speaker. Again to the Minister of

Environment and Sustainable Resource Development: given that this bridge segment has been in the river for a number of years now, will you consider taking a compliance action under the Water Act and/or the Environmental Protection and Enhancement Act to ensure that this work is done as soon as possible?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you again, Mr. Speaker. Our staff have been working with CN and its contractors, and I am pleased to say that progress is being made. We fully expect that the truss section will be removed before the end of summer, but I do want to make sure that this member knows as well that if it becomes necessary, my department will consider taking compliance action.

**The Speaker:** Hon. members, we're going to proceed with Members' Statements in just a moment, and I'll give you 30 seconds. However, in the meantime could we have unanimous consent to revert to a brief introduction?

[Unanimous consent granted]

### Introduction of Guests

*(continued)*

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you to all Members of the Legislative Assembly 26 guests from my constituency, including members from the Lac La Biche-St. Paul-Two Hills Wildrose Constituency Association Board of Directors. We have quite the mix on our board. Half are under 35, and half are women. There are also a few other visitors and some family members. These passionate individuals put their time, energy, and resources into getting this Wildrose MLA elected. Without their continued support and dedication I could not do what I do. I'm truly grateful. I hope that each day that I serve Albertans in this Legislature, I make them proud.

My parents, Ronnie and Dianne, are here today as well, so, Mr. Speaker, when I misbehave in the Legislature – and I want to make this clear on the record; it's for my dad and not my mother – you can feel free to call them.

I would ask each individual to rise as I say their name: Debra Lozinski; Marlon Biollo; Greg Paranych; Jon and Kathleen Skjersven and their children Jewel, Jeremiah, Naomi, and Gabriela; Jodi Weening and her children Aliya and Tanis; Amy and Ben Dyck; Ronnie and Dianne Saskiw; Marshall Taranko; Daryl Toma; Tristen Pesaruk; Neil Gorda; Donna Hanson; Lillian Sparks; Sandy Kummetz; David Inscho; Ken and Carl Christensen. Please join me in giving them the traditional warm welcome of this Assembly.

**The Speaker:** Thank you.

Hon. members, please be reminded that on Wednesday I will be enforcing the rule of no preambles to your supplementals. Let's see if we can get through Wednesday with no preambles on supplementals.

In 30 seconds we will resume with private members' statements, and I believe, Edmonton-Gold Bar, you'll be up first.

### Members' Statements

*(continued)*

#### Canada Basketball Initiative

**Mr. Dorward:** Mr. Speaker, in Calgary this past weekend 1,200 young people ages nine to 17 along with their families were involved in the annual Basketball Alberta youth provincial

championships. Basketball is the second-most popular sport in the world. Canada is a major player on the global stage, and Alberta is a significant contributor. Canada has eight players in the NBA, and next year we will surpass France for having the most players in the world's best league, next to the Americans. Over 200 Canadians play basketball professionally around the globe, including 15 Albertans, both men and women.

There are many Canadians on the top U.S. college teams, including two starters on the number-one ranked team in men's NCAA basketball, Gonzaga, with one who is in the running for national player of the year honours. The top-ranked high school recruit in the U.S.A. is a Canadian.

University and college basketball in Canada are thriving. In Edmonton we boast the largest stand-alone basketball facility in North America, the Saville community sports centre, located at the University of Alberta. This building, Mr. Speaker, was built with the support of the community, all three levels of the government working together, including the great contribution from the city of Edmonton and, of course, with Mr. Bruce Saville being a major contributor.

Mr. Speaker, Basketball Alberta has been in negotiations with Canada Basketball to bring the national sports organization's national team programs to our capital city. This would not be possible without this centre. The benefits to all Albertans would be immeasurable and many. The outreach programs of the 10 national team players and coaches in our community would inspire youth to be active in their lives and strive to reach their personal goals and reach their potential. I hope that our community, private and public, gets involved in this outstanding opportunity. We again would be welcoming the world to the capital region in Alberta.

I want to thank Basketball Alberta, Canada Basketball, the city of Edmonton, and sponsors for the work done on this initiative to date, and I want to encourage all the parents of Alberta to get their children and youth involved in the great game of basketball.

**The Speaker:** The hon. Member for Stony Plain, followed by Calgary-Mountain View.

#### 2012 Alberta Winter Games

**Mr. Lemke:** Thank you, Mr. Speaker. I rise today to recognize the outstanding work that three local municipalities have done to co-ordinate the success of the 2012 Alberta Winter Games. In fact, this is a perfect example of the Queen's Commonwealth message. The town of Stony Plain along with Parkland county and Spruce Grove collaborated to host what was recently deemed the most successful winter games ever. Their achievement can be measured by the impact that the games and its organizers had on the three surrounding communities. The organizing committee was able to return more than \$28,000 to KidSport Parkland, \$1,500 to the Parkland Potters Guild, \$100,000 to the TransAlta Tri Leisure Centre, and finally, \$20,000 to the legacy rock to symbolize the games' accomplishments.

This impact would not have been as far reaching if it wasn't for the work of Mr. Brad Schneider and the board of directors, who kick-started the organization for this event and set its success in motion. Mr. Schneider and his board also implemented a revolutionary sustainability and recycling project as a part of the games, and this initiative continues today.

Mr. Speaker, the triumph of the 2012 Alberta games truly makes me proud to represent the constituency of Stony Plain. More than 3,000 volunteers sacrificed their time to make the Winter Games an enjoyable event for all athletes and people in attendance. Every

single one of these volunteers is helping to build Alberta through their selflessness and community involvement, and this is the true legacy of an event such as the games.

To quote from the Queen's Commonwealth message, "individuals and communities finding ways to strive together to create a better future that is beneficial for all." Mr. Speaker, it is clear to me the municipalities that set aside their differences and embrace collaboration can achieve greatness and show opportunity through enterprise.

Thank you.

**The Speaker:** The hon. Member for Calgary-Mountain View.

### Labour Protection for Paid Farm Workers

**Dr. Swann:** Thank you, Mr. Speaker. This is Agricultural Safety Week, and we'll no doubt see some celebrations by the government, but this Premier's promise to address the unjust and unsafe working conditions for paid farm workers, including children, remains another promise unfulfilled. Ironically, Alberta's farm animals will be celebrating their 30th anniversary of legislated health and safety standards, Mr. Speaker: animals with legislated health and safety standards, the strictest farm animal care legislation in North America. For example, it's illegal to carry farm animals in an open pickup truck in Alberta, but farm workers? Not a problem.

Politically motivated exemptions for industrial farming operations for occupational health and safety, workers' compensation, and child labour legislation are appalling to conscientious Albertans, as they should be. This discrimination leaves workers and their families at peril and transfers, according to the most recent Alberta statistics, \$374 million for farm injuries over the past 20 years onto the health care budget instead of costs being borne by the agriculture industry through WCB, as is mandatory for all other industrial operations.

Now there is the much-touted social policy framework from a minister who formerly, as child and family services minister and Health minister, took no action on unregulated child farm workers and safety standards for agricultural operations. His glossy brochure calls for all Albertans to be "Safe, Healthy, Secure and Resilient"; that is, unless you're a paid farm worker. Small wonder that this government and this framework are viewed by most Albertans as all about political spin. Agriculture workers, including children, deserve the same rights as every other worker.

Agricultural Safety Week: only the farm animals have anything to celebrate.

### 2:50 Presenting Reports by Standing and Special Committees

**The Speaker:** The hon. Member for Calgary-Varsity.

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. As chair of the all-party Standing Committee on Resource Stewardship I am delighted to table five copies of the committee's report, dated March 2013, titled Review of the Potential for Expanded Hydroelectric Energy Production in Northern Alberta. Copies of this report are being distributed to members today. This report was an independent undertaking of our committee, and I believe it's the first of its kind under our relatively new legislative policy committee system.

I would like to thank my vice-chair, the hon. Member for Olds-Didsbury-Three Hills, and all members of the committee from all sides of the House for their co-operation, professionalism, and

even civilized debate during this entire six-month process. As well, I'd like to thank the members of the LAO for their support in helping the committee with this work. Finally, I'd like to thank the stakeholders and presenters who met with us and shared their opinions.

This is a report that we can all be proud of, and the committee looks forward to receiving a response to our recommendations from the government within the 150-day period as laid out in Standing Order 52.09(1). Thank you.

### Introduction of Bills

**The Speaker:** The hon. President of Treasury Board and Minister of Finance.

#### Bill 13

#### Appropriation (Interim Supply) Act, 2013

**Mr. Horner:** Thank you, Mr. Speaker. I request leave to introduce Bill 13, the Appropriation (Interim Supply) Act, 2013. This being a money bill, His Honour the Honourable the Lieutenant Governor, having been informed of the contents of this bill, recommends the same to the Assembly.

[Motion carried; Bill 13 read a first time]

### Tabling Returns and Reports

**The Speaker:** Hon. members, as you know, today is private members' day. Let's be reminded to be brief in our presentations, tablings, and reports.

The hon. Member for Calgary-Buffer.

**Mr. Hehr:** Thank you, Mr. Speaker. I have two tablings today. The first is a proposed bill put together by the group Poverty Talks! It's An Act To End Poverty in the Province of Alberta. One of the items they are pushing is the guaranteed living income, which many people like Senator Hugh Segal have brought up and have made the rounds on. It's an excellent bill that I hope everyone will take a look at.

The second one is a tabling from Mr. Ayuz Mukadam. He's living in northeast Calgary. He's concerned about his inability to get a job after graduation and concerned that there are no opportunities for him in his chosen field for various reasons.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview, followed by Edmonton-Meadowlark.

**Mr. Bilous:** Thank you, Mr. Speaker. I'd like to table the appropriate number of copies of e-mail submissions that Albertans have made to our prebudget tour, which visited seven cities in the last few weeks. Katrina, Angus, Cori, and Clarissa are some of the Albertans who have provided interesting input. For example, Cori is a mother of two young children and is concerned with the quality of education they receive. Cori feels that children in Alberta should have access to top-quality education and should not be the target of budget cuts. Submissions like this clearly show the priorities of Albertans and how out of touch this PC government actually is with its broken-promises budget.

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills, followed by Edmonton-Meadowlark.

**Mr. Saskiw:** Thank you, Mr. Speaker. I have two tablings today. The first one is from Tracy Kjenner, dated March 6, and she is

pleading with the Premier to listen and keep the air medevac open. I have the requisite copies.

The second tabling is an e-mail dated Friday, March 8, from a fellow named Jacques Plante, who is indicating that he is pleading with the government to keep the medevac services open.

**The Speaker:** The hon. leader of the Liberal opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. I have four tablings today. The first is from a Mr. Gordon Steele. It's an e-mail dated Wednesday, March 6, 2013. Mr. Steele has in his e-mail very complex and comprehensive arguments as to why the flat tax is flawed. I table five copies.

I have five copies of a brochure from CAUS, the Council of Alberta University Students, the 70,000 students at the U of A, U of C, and University of Lethbridge. It's long-term thinking on postsecondary education. The students want the promise of low tuition, investments in postsecondary education, and the closing of the noninstructional fee loophole.

I also have five copies of an e-mail from Dillon Hargreaves dated February 28, 2013. Dillon is from the Lethbridge College Students' Association. They're very concerned about the likely loss of the summer temporary employment program.

I also have five copies of an e-mail from Marianne Cole dated March 5, 2013. Marianne is concerned. She's a board member of the Hastings Lake Lutheran Bible Camp and is quite concerned about the loss of the STEP funding as well.

Thank you, Mr. Speaker.

**The Speaker:** Are there others?

If not, hon. members, I am tabling five copies of a March 7, 2013, letter from the Ethics Commissioner to Chandra Flett.

### Orders of the Day

**Dr. Starke:** Mr. Speaker, at this time I'd like to request unanimous consent of the Assembly to transfer the sponsorship of Bill 206, the Tobacco Reduction (Flavoured Tobacco Products) Amendment Act, 2012, to my colleague the hon. Member for Calgary-South East.

[Unanimous consent granted]

### Statement by the Speaker

#### Amendments to Bill Titles

**The Speaker:** Hon. members, merely as an advisory and as you are likely already aware, this spring session commenced as a continuation of the First Session of the 28th Legislature. As a result, all matters present on the Order Paper at the conclusion of the last sitting remain on the Order Paper for the Assembly's continued consideration.

Members will note that in tomorrow's Order Paper there's a small amendment, and it will have been made to the title of Bill 207, which appears in the Notices section of the Order Paper, to reflect the current year, 2013.

Bills introduced in 2012 that contain the year in their title will continue to bear that title because they have already been introduced as such. However, should these bills reach the Committee of the Whole stage, members may wish to bring forward amendments to the bills to reflect the current year in the title so that members of the public will know how to locate these acts in the 2013 volume of the *Statutes of Alberta*.

Thank you.

### Written Questions

[The Clerk read the following written questions, which had been accepted]

#### Incremental Ethane Extraction Program Credits

Q20. Mr. Hehr:

Which companies have been granted royalty credits by the Department of Energy through the incremental ethane extraction program since its inception to December 31, 2011, and what is the value of the credits?

#### Disputed Oil and Gas Royalties

Q21. Mr. Hehr:

As of June 1, 2012, what was the value of unpaid oil and gas royalties that were in dispute?

#### AGLC Data Communications Expense

Q22. Dr. Sherman:

What is the breakdown of operating expenses listed under the heading Data Communications for 2009-2010 as reported in note 12 to the financial statements of the Alberta Gaming and Liquor Commission, Solicitor General and Public Security annual report, 2009-2010, page 113?

3:00

#### Nursing Graduates Employed by AHS

Q23. Dr. Swann:

What is the percentage of new graduates from registered nursing programs in Alberta postsecondary institutions who gained employment with Alberta Health Services in each of the fiscal years 2008-2009 to 2011-2012?

**The Speaker:** Innisfail-Sylvan Lake on behalf of the hon. Member for Calgary-Fish Creek.

#### Seniors' Care Facility Staffing

Q9. Mrs. Towle asked on behalf of Mrs. Forsyth that the following question be accepted.

What is the ratio of front-line staff to patients or residents at long-term care facilities, seniors' lodges, and continuing care facilities, with ratios differentiated between public and private facilities?

**Mrs. Towle:** Thank you, Mr. Speaker. Basically what we're looking for here is obvious. We all know how important it is to have great care and how important that care is to the people who are in facilities. It's important to understand how the staff role exists in that facility. We all know that these numbers are budgeted, that the government books their budgeting based on the numbers and how they come up with those numbers. We also know that the budgets are passed on to the facilities with an idea in mind of what the ratios would be as to how the time is allotted to the patient. The question becomes: how is that time allotted to the patient, and how is that care reflective of the budget? What we're looking for is how many health care aides to patients are in long-term care, continuing care, and lodges and how many LPNs and RNs to patients are in, again, long-term care, continuing care, and lodges.

[The Deputy Speaker in the chair]

We also know that there's a difference between public versus private beds, but what we really want to know is: is it 1 to 1, is it 1 to 40, is it 1 to 20? Is there a different ratio? Is it based on activity-based funding? Is it based on patient-based funding? How are they

allotting the resources in the budget to be reflective of the care that is important to all people in the facility?

The other question is that the ratios do matter on the person receiving care. We know that you can have, you know, 40 relatively high-needs seniors in one facility that might need less staff than 25 high-needs seniors in a different facility that might need more staff.

We also know that there may be high-needs seniors in a long-term care setting that require 24-hour nursing care. Is that being provided by health care aides? Is that being provided by LPNs? How is that funded? Given that the current budget actually reflects an allocation of funds to salaries, to patient care, then it would be important to know how that is going forward to each facility.

The hon. Member for Calgary-Fish Creek on May 28, 2012, asked the Minister of Health regarding staffing ratios for LPNs, health care aides, and RNs in long-term care and continuing care facilities and lodges and, unfortunately, didn't get any answer at all. This isn't the first time this question has come up. It comes up all the time. It was in last year's budget estimates. It was the year before that in the budget estimates. The hon. Minister of Health responded: "Residents receive the appropriate level of care in the appropriate place at the right time." The question to that is: well, what is that ratio? What is the appropriate ratio for the appropriate amount of care, and what is the budget that constitutes that?

In the same question on May 28 the hon. Member for Calgary-Fish Creek asked about staffing ratios directly relating to long-term care facilities, seniors' lodges, and continuing care facilities. She said that the Health minister in the past had talked about health care standards, setting the ratio, and had said that those standards are set by the government. At the same time she asked for the Health minister to provide those ratios, and again his response was, "We will continue to . . . [provide] the appropriate level of care to the residents" as per their circumstances. Once again, not a straight answer. It would seem to me that the Minister of Health, who sets out the budget accordingly, should be able to provide very easily what he sees as the staffing ratios for long-term care, continuing care, and lodges and public versus private so that Albertans all across the province can understand how the money is being spent in health care.

Additionally, on May 29 the hon. Member for Calgary-Fish Creek also asked the Health minister once again to clarify where these staff ratios are in legislation and regulations, as he'd so said. The answer to that was that the patient-staff ratios are in "various places in legislation and regulation where one can look."

So she did that. She and I both did that; we spent months doing that. Actually, staff ratios are not in the regulations. They're not in the legislation. They're not anywhere to be found. Clearly, the only way to find them out is to bring them to the House, to actually ask a written question on them, and once again we're learning that the Health minister does not want to answer this question. It seems unfathomable to me that we need to keep asking for this information.

The budget is set and the budget is funded according to patient care. We know that residents receiving care in facilities is done on care needs. We also know that care hours are allotted to them, half-hours or quarter-hours, but those hours are allotted to them either through their home care plan or through assessment within the facility. Then the budget is also done in accordance with that.

So it shouldn't be that hard to figure out. If you're in a continuing care facility that has SL 1 or 2 or 3 or 4 or supportive living with dementia, 4D, at any point in time the hon. Minister of Health or the Associate Minister of Seniors should be able to pull up relatively easily the staff ratios there are per patient or per client and also pull up relatively easily the budget allotted to that.

It seems that the only reason there would be to not provide that information is that we're either worried about the ratio to client or that there's some sort of alternative reason for not providing the information. If the information is so clear-cut that it's in the regulations and the legislation, it seems that these written questions shouldn't have to keep coming to the House. They could just answer them. Why would you not want to let Albertans know how the dollars are spent and how the care is allotted?

There really is a mistrust of the government in allotting the resources. We hear every single day about how there's not enough staff on at any one type of facility. We hear every day that at night there's not an RN or there might not be an LPN. We know that medication administration can be done by a multitude of levels of care. I saw at a lodge where medication administration was done by a health care aide. Additionally, I've seen it being done by an LPN. And then, of course, in long-term care facilities the majority of the time it's done by an LPN or an RN. Yet there seems to be no ability to figure out exactly how those hours are allotted back towards the budget and how many true patients or clients the staff members are looking after.

The hon. Member for Calgary-Fish Creek asked the question and the Minister of Health replied to her that these ratios are in various places in legislation or regulations, where one can look. She asked the Minister of Health to table – to table – the regulations and the legislation showing where the ratios are that are so clearly defined, as he said. To this day that has not happened; hence, the reason that she's come forward with a written question. She also asked the Minister of Health to table the licensing act, the accommodation standards, the regulations, anything that would give any indication of what the ratio of care provider to client is.

It just seems to be an inability to answer the question. So either they don't know what they're paying for staffing as they take care of clients and what the care needs of the client are and how that relates back to patient need or they don't want everyone else to know how they're funding patient care and how that funding is being applied in a public facility and in a private facility. It would seem that they could clear up a lot of confusion about what staffing requirements there are.

It would also seem that if we knew what the staff ratios were, we could actually start engaging with our universities, our educational facilities, or even some of our on-site facilities that offer health care aide programming, LPN programming to make sure that we are meeting the needs of a growing population who is going to need continuing care, who is going to need lodges, and who is going to need long-term care. Without that information it makes it very difficult to plan for the future. As we all know, we have a rising boomer population that's going to be coming forward, is going to need care, and if we don't know today what we're looking at for patient need versus staffing, then we're really not going to be able to plan going forward.

3:10

It also will have a huge impact on the budgets going forward if all of a sudden we have an increased need for long-term care, which the demographics recently said we do. We know that long-term care is the most expensive type of care going forward, and we know that dementia and Alzheimer's is happening much, much earlier than we originally expected. If we're not entirely certain where those needs are, then it makes it very, very difficult to associate that.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

I'd recognize the hon. Deputy Government House Leader.



**Mr. Denis:** Thank you very much, Mr. Speaker. I'm pleased to rise on behalf of the hon. Minister of Health to respond to this question. I recognize there is a bit of a parade on today with a lot of these, so I will make my comments brief, but I do want to provide some context around staffing levels in long-term care, seniors' lodges as well as continuing care facilities, one of which my grandmother lives in.

The government does not legislate ratios of front-line staff to residents in continuing care facilities. The nursing homes operation regulations specifies that long-term care operators shall provide a minimum of 1.9 paid hours of combined nursing and personal services per resident per day in a nursing home. While 1.9 hours is a minimum requirement, an average of 3.6 paid hours has been achieved by long-term care facilities in the province. The nursing homes operation regulations apply to all long-term care facilities, whether public or contracted providers. In order to determine the right staffing and services to meet the health needs of residents at continuing care facilities, Alberta Health Services has a tool in place to provide consistent and ongoing assessment. These assessments provide information to health professionals and/or facility operators to ensure that the appropriate health staff and supports are in place for individuals.

Mr. Speaker, all operators are required to comply with continuing care health care standards. These standards ensure that the care provided to individuals can take into account their health needs. Publicly funded care and services provided to home-care clients, whether they're residing in their own homes, in seniors' lodges, or in supportive living, are based on their assessed needs.

Since the hon. Minister of Health is unable to respond to the written question and in light of the rationale he has provided, I'd ask that all hon. members respectfully reject this question.

Thank you.

**The Deputy Speaker:** Thank you, hon. Deputy Government House Leader.

The Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. It's too bad that the party on the other side is not going to support this question because it's a serious question and it has serious implications. I'm going to use an example that I have right in my own riding, which is the Rimbey lodge. When we ask what the ratio is, what we're trying to do is hold the government accountable, and this accountability has to do with the quality of life and the safety of our seniors.

Now, for the Rimbey lodge alone when you say 1.9 paid hours and that we may have achieved 3.6, what we don't know is: are we running up those hours in some part of that location versus where we need people, staff members or physical staff people, to work?

I want to bring up a problem that has a direct effect on the lives and the quality of care of these seniors. In the Rimbey lodge, as compared to Carmangay, the hallways are too narrow in one section, so when a situation occurs with a senior, which is very commonplace in these lodges, where somebody needs to go to the hospital, needs 911 emergency-type services, they're not able to have gurneys go down the hallway and turn into the room. So now we have to dispatch the fire department to come out and actually physically carry a patient outside to where a waiting gurney can be. It's a safety issue that requires labour and requires people.

The problem we have is simply this. What we're trying to figure out is: is the care up to standard, and what is that standard? Saying a number of hours per resident does not give us the ability to look at a bar so that we can, say, measure maybe one facility against another facility.

I would say that the minister's excuse is not acceptable in terms of hours. What we need to understand is the ratio of employees. I don't think that's hard. I think it's imperative. When we look at that ratio, then we can kind of go back and start making some significant evaluations on the quality of care. That's the goal here. That's why the question has come forward.

This government has bragged in some respects, but it certainly has promoted its commitment to transparency.

When you look at this, there are not a whole lot of reasons why this number needs to be hidden. This is about transparency and accountability. What we really want to know is this ratio of front-line staffpeople, not the number of hours. Now, this is important because when we talk about front-line staffpeople, I want to talk about the people on the floor who are taking care of these seniors, not about the maintenance guy who's racking up overtime working on a boiler change-out, not about the cooks who are maybe working in the kitchen on some other matter, not even including working on the meals.

I mean, there are some issues here in dealing with what we call front-line workers. This is important because in the Rimbey lodge, which is a significant lodge, it's quite sparse. We have three separate buildings, so one person from the midnight to 7 shift, in my view, is not acceptable. If somebody were to fall – and this does happen at the lodges. Somebody gets up and starts wandering.

One of the issues we have is this measurement on the quality of care of our seniors. We try to establish what level of care they require. Anyone who has a parent, a friend, or any connection to someone in some of these seniors' facilities knows that some people have very good days and that some people do not have some very good days. People with dementia sometimes slide in and slide out. There are those days when they're quite independent and need very little care. Then there are those days or those moments when all of a sudden they require supervision and a higher level of care. If you're understaffed on that front line, you cannot necessarily pick that up or not pick that up that easily.

We've had situations where people have fallen down and not had a chance to get up, and luckily one of the other tenants of the facility was able to track them down and then had to go find help. In my view, that's unacceptable. We've had that happen more than once, and the cause of that is directly related to the ratio of front-line workers to the number of people in the facility providing that care.

I'm not looking for the solution to some of the problems that I just gave you as the example. What I'm saying here is that getting the answer to the very question that we asked will help us dig deeper into this problem and find out: are we doing the right thing? Do we just need to move resources from one location to another? The whole premise of trying to find the solution is based on getting information, and I see no reason why information should be withheld. That's really the key here.

Again, I want to go back, and I want to be critical of this government in the sense that this government has said from the beginning that you want to be transparent. From the beginning you said that you want accountability, and here we're looking at a simple question and asking ourselves: why are you trying to withhold the information? For what purpose? That doesn't make sense. It just doesn't make sense from where I stand here as an MLA. It doesn't make sense, if I were the chairman of the Rimoka Housing Foundation, trying to figure out what my staffing needs should be when the board meets.

Again, this is not about managing Energy or ESRD or Infrastructure. This is about the quality of life of our seniors, the people who deserve better from us, the people who actually built

Alberta. This is about not just their quality of life. It's about safety, and it's about emergency services. It has that direct effect. I would have hoped – I would have hoped – that this government would have put a little bit more emphasis on the effect that it has on our seniors versus just: we don't want to do some accounting to give this information to the opposition party. Our seniors deserve not just our respect, but they deserve some dignity also. What they also deserve is accountability and transparency from this government. That's not a lot to ask for from a government that says that they want to do it. Again, now we have a disconnect between what our government has been portraying as its values and what's not happening.

Again, just in support of why I think this member deserves to get this answer, I want to finish by saying that our seniors deserve it and that they deserve better from this government. Thank you very much.

3:20

**The Deputy Speaker:** Thank you, hon. member.

The hon. Member for Innisfail-Sylvan Lake to close debate?

**Mrs. Towle:** No.

**The Deputy Speaker:** The hon. Member for Calgary-Fish Creek?

Okay. Either way either member will close debate because one was acting on behalf of the other hon. member. So either one of you will close debate.

The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Speaker. I appreciate the opportunity to respond to this. As the Member for Rimbey-Rocky Mountain House-Sundre just explained, this is yet another example of this government's failure to actually be honest with Albertans. They wonder why people can't trust them.

We have a very simple question in front of us here, Mr. Speaker. It's asking for a ratio. I mean, this is fundamental to our ability to be able to challenge what you're doing and to be able to challenge and find efficiencies in the delivery of health care, to be able to understand what's happening. What we hear on the front lines is critically important, and what we're hearing is that quite often those ratios are not very good, quite frankly. I heard today that we have one LPN who is looking over 81 beds overnight in one facility with one helper. Imagine that. It's insanity. Why can't we just simply get some numbers? Long-term care facilities: we understand how those are defined. Is it that hard to really take a look at what the number of patients is versus the number of staff at any given time, average it out, find all of the long-term care facilities in the province, get that number, deliver that number?

The whole purpose of Written Questions is to have the government provide a more detailed response to a question than what they could be expected to during question period, yet here we go again, another rejection. The government doesn't like the question. It's not going to make them look very good, so they just flat out reject it. Seniors' lodges, continuing care facilities – and it's also very fundamental for us to be able to understand how to challenge you to understand what the different ratios are in public versus private care. We accept that there are two models of care out there that you are funding, and rightfully so, but what if the public is providing better care than the private facilities or vice versa?

That is information that we as the opposition and Albertans in general should have a right to know. If you want to be accountable to Albertans, if you want to have an open and transparent government, this is just simply information that will help everyone understand where the money is being spent. Is it being spent wisely? Are there efficiencies in different systems? Can we do a

better job? Apparently, the answer is that you guys are perfect, that you've got it under control, and we should just trust you. You know what? Quite frankly, we don't.

So here we are. You're giving us further reason to turn around and tell Albertans that you can't be trusted. You don't even have the opportunity, when given, to put out a forthright answer and provide it to us when asked. Here we go again; déjà vu all over. I'm sure that this won't be the last time that we stand and that I speak along these very same lines, but, you know, again, I just want to congratulate the government for being more open, honest, and transparent; promises made, promises broken.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Are there others? The Member for Strathmore-Brooks.

**Mr. Hale:** Yeah. Thank you, Mr. Speaker. I've had the pleasure of talking to my friend the Associate Minister of Seniors about this issue as there have been some concerns brought to my attention with facilities in my area. On some facilities I hear zero complaints; they're wonderful. There have been other facilities that have received many complaints, and many of those complaints are due to the staffing. The staff that are there do an excellent job, but there aren't enough of them.

When it's lunchtime, they have to go and help serve lunch to the residents that come to the cafeteria, the eating area. They spend a lot of time helping them. There are residents that cannot get to the eating area, that have to stay in their room. By the time they're finished giving the meals out and cleaning up after the residents in the cafeteria, by the time they get the meals delivered to the residents in their rooms, it's 2 o'clock in the afternoon. The food is cold; the food is old. You know, they're not very happy.

Many times I've heard that residents are left in their beds after they've had an accident because the staff is too busy with the other patients, and by the time they get to come and check on that patient, you know, he's been lying in his bed for quite some time.

I really think there need to be ratios, how many staff members per patient, so that the seniors in our facilities get the excellent care they deserve. You know, as many of our members have stated, the seniors are the ones that built this province. They're the ones that we need to look after. They have to be cared for in the manner that they deserve, and quite frankly I think there are some facilities that are lacking in the number of staff per patient that allows the staff to do the best job that they can to ensure that these patients and these seniors are looked after.

I think it would be very well received if the government could come and say: "Okay. Well, you know, we have this many patients. We have to have this many staff." We really feel that the staff in that ratio must be actual nurses, nurses' aides, and those health professionals that are looking after the patients. As the Member for Rimbey-Rocky Mountain House-Sundre stated, we hope it isn't the janitors and the cooks that are then included in these staff hours per patient.

You know, the Associate Minister of Seniors – we've discussed this – assured me that he is going to be looking into some of my concerns. Hopefully, the government will take them into account as we continue these discussions for the next three years, that they will actually act and ensure that the seniors are getting the proper care that they deserve.

Thank you.

**The Deputy Speaker:** The hon. Member for Airdrie.

**Mr. Anderson:** Thank you, Mr. Speaker. How much time do we have for each of these?

**The Deputy Speaker:** Ten minutes.

**Mr. Anderson:** Ten minutes.

I'd like to stand and, obviously, support this written question. I'm very puzzled as to why the government wouldn't be jumping at the opportunity to answer it. It seems like a very basic question of accountability in our health care system.

Just to again remind people what it is, the Member for Calgary-Fish Creek has asked the question as follows: "What is the ratio of front-line staff to patients or residents at long-term care facilities, seniors' lodges, and continuing care facilities, with ratios differentiated between public and private facilities?" Now, I don't understand why such a basic question of accountability can't be answered by this government. You know, if they don't have this information, if the Associate Minister of Seniors is lacking this information, I guess the question would be: how are they able to do their jobs effectively?

I'm always amazed when we get into these written questions and we start talking about things. I'm always dazed and confused at the fact that the government does not have this information. Maybe that would explain some of the erratic and poor decisions that are being made by that side of the House, because they don't have these pieces of important, critical information at their fingertips. We give them a lot of time in advance. We give these questions months in advance to be looked at. You would think that with the armies of staff and researchers that they have in their departments and in the government, they could find this information and make it public. It's hard enough, Mr. Speaker, to do our jobs effectively without having proper, relevant information in our hands to make good decisions.

With regard to this issue in particular, it's very puzzling that the government wouldn't know everything about this area because this is one of the most critical areas of crisis, I would say, in our health care system today. We all know in this House that we do not have enough long-term care. We do not have enough long-term care. We specifically don't have enough public long-term care. Because of that backup in the system, those seniors, when they should be in long-term care, are instead in much more expensive and much less comfortable accommodations in acute care. Because of that, not only are they not getting the care that they need to be comfortable in their golden years, when they need assistance, but it's also costing the health care system more. It's costing us more money.

3:30

So we build these Taj Mahal acute-care facilities like the one that just opened up in the south, a beautiful facility. No expense was spared. That's why it came in three times over budget. We put this huge facility out there. Do we need all the beds in there? Well, we do if we don't have proper long-term care. If we can't free up some of the acute-care beds we have at other hospitals with proper long-term care, yeah, I guess we'll keep needing to build these expensive, massive hospitals that cost a fortune to staff and maintain.

That's called poor planning. That's why we are sitting here, Mr. Speaker, with a massive, close to \$6 billion cash deficit. That's why we're borrowing \$4 billion this year. That's why we're draining our sustainability fund by \$2 billion this year. We keep making dumb decisions on things like this. We keep on putting seniors in acute-care locations when really they should be in proper long-term care, which is cheaper. They want to be in those kinds of situations. They don't want to be in hospitals if it can be helped. They want to go there temporarily, and they want to leave, like any other human being, yet they live there for years in some

cases. One need only talk to residents in Fort McMurray, where there are seniors that have lived in that facility for years and years and years, waiting for a bed, because they want to stay close to their families in Fort McMurray. That's just one example. There are many others.

It's a very serious problem, so I guess the question is: if we want to fix the health care system so that it's more cost effective and it cares for people more and in a better way, then why on earth are we not able to answer simple questions like staffing ratios at long-term care facilities, both public and private? We could make better decisions. We could understand the problem better as a society, as a province. Certainly, as opposition members I'm always amazed. The government says, "Oh, if the opposition had done their homework" and this, that, and the other thing. Then we ask questions so we can do our homework, and they won't give us the answers to the questions.

You know, it's just like the infrastructure priorities. Show us the list. We asked for the list. They say, "Which projects would you cut?" We say, "Show us your list, and we'll talk about it." We FOIP it, and they won't give it to us because they say that it's confidential, as was mentioned earlier today. I mean, it's nonsensical, the hypocrisy of sitting there and saying that we shouldn't be asking these questions, that we should do our homework, and then not giving us the simple information that would allow us to have the information at our fingertips so we don't have to ask them these questions, so we could do our homework. It's very hypocritical. It's truly wrong, is not how to run a government, and certainly is not transparent.

Mr. Speaker, we're just talking about this one, but as I look down the list, these are all very reasonable requests for information. There's nothing here that's a risk to the confidentiality of the Treasury Board. There's nothing here that's a security risk or something like that. There's nothing improper being asked for here. It's just some basic information. If the government doesn't have that information, then one would have to believe that the government is entirely incompetent as it relates to that, as it relates to the issue of long-term care. Any competent government would have that information and would be able to provide that information at a moment's notice, let alone after months and months and months of asking for it.

Mr. Speaker, I would submit to you that this government should go back after we all vote in the affirmative that this question be answered. I know that the government members are going to support it because it's the right thing to do. After this is passed unanimously by this House, the associate minister should go back and find this information and provide it to the House so that they can make proper and rational decisions with it.

With that, Mr. Speaker, I look forward to the vote, and I hope that we can move forward on the issue of long-term care because it's a serious issue in our communities, and it's an issue that affects Albertans day to day in very personal ways. I think we've all had loved ones in long-term care, or I would assume we've all had loved ones in long-term care at some point in our lives. If not, I'm sure we will soon.

**Mr. Dorward:** Don't look at me when you say that.

**Mr. Anderson:** Sorry?

**Mr. Dorward:** I'll be in there soon enough.

**Mr. Anderson:** That's right. The hon. member points out something very good.

**The Deputy Speaker:** Through the chair, please, hon. member.

**Mr. Anderson:** The hon. Member for Edmonton-Gold Bar points out a very key issue here. I'm actually asking this for him. I'm asking that we improve the long-term care system for that hon. member because, as he stated, he'll be in there soon enough, you know? And he doesn't want to be sleeping in a hospital. I mean, that's lame.

**Mr. Dorward:** I don't want any accidents.

**Mr. Anderson:** Yeah. Exactly. Exactly.

**Mrs. Forsyth:** You've been so quiet, and then all of a sudden you just woke up again.

**Mr. Anderson:** No, but he had a very relevant point. He had a very relevant point, hon. member.

**The Deputy Speaker:** Hon. members, through the chair. Through the chair, please.

**Mr. Anderson:** Mr. Speaker, he had a very, very, very rational point, and I think that that needs to be recognized for its rationality and its uniqueness, its unique rationality. [interjection]

You see, I'm very distracted, Mr. Speaker, by all of the heckling from my side of the House. Anyway, I hope we can take care of this moving forward and get an answer to this question.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Speaker. It's my pleasure to rise and speak in favour of this written question. You know, from the onset and in rereading this, as other members have, first of all, it seems like a very simple, straightforward request. But for myself, upon listening to some of the responses on the other side, yet another example of something that I don't understand and can't explain is how this ratio that's being requested is not at the fingertips of my colleagues on the other side of the House. I'm going to extrapolate on the implications that that brings.

First and foremost, in order to get a sense of how well our system is working or, perhaps, how well our system isn't working or is underperforming, it needs to come from measures and performances. Just like students in school need different measures to see how they're doing, how well they're learning the material, et cetera, in order for the government to make decisions based on spending and on funding and on the quality of care, for example, that we're providing to seniors, as in this question, that's a very difficult question to answer if we don't even know what is the ratio of staff to patients.

You know, I think it's frustrating that this information is so difficult to get a hold of. In this written question, I mean, it's a breakdown that was written very well, talking about the ratio of front-line staff to patients who are residents and then going through the different types of seniors' lodges from long-term care facilities to continuing care. Especially important for me and my caucus is looking at that differential between public and private facilities. Again, let's get to the bottom of this as far as: are facilities providing different qualities of care, different levels of care? That can be seen most easily, first and foremost, through ratios of staff to patients.

You know, a colleague of mine from the Wildrose stood up and gave an example of how there was one staff overnight at a hospital with somewhere around 80 residents that they had to supervise. I don't know about you, Mr. Speaker, but I wouldn't want my parents to be in that type of facility, where there's such little care

because of the number of staff. Again, I'll make it very clear that it's not because the residents and the folks and the LPNs and RNs that work in these facilities don't care. They care more than ever, which is why they're still there when they have wages that are sometimes unacceptable, why they work very long hours.

The bottom line comes to the point that if we value our seniors, the people who built this province, if we want to treat them with dignity and respect, which I've heard from the lips of many of the members on the other side of the House time and again, well, then what are they doing to ensure that there are measurements in place so that we know what quality of care our seniors are getting?

3:40

It all comes down to accountability. In order to be accountable, we need to have these numbers, so it seems absolutely ridiculous that there's a reluctance to either produce these numbers or to share these numbers with not just all members of this House but all Albertans. You know, ever since the ministry of transparency was created – I think that is the sweetest piece of irony in this government's portfolio of ministries because, if anything, that ministry is more the Ministry of Building Walls and Hiding Things. If we're asking for this information, well, then it should be forthcoming. If this government claims to be the most transparent, accountable government that has been in power in years, then show it. Prove it. Quit speaking with lip service, and let's see the numbers. Let's show Albertans that we are offering a high quality of care for our seniors, that we are hiring enough staff.

I mean, earlier we talked a little bit about the budget and its implications. Again, I find it quite fascinating that the current government loves to build new, shiny things and put up buildings, yet when it comes time to staff them or to operate them, well, that's when the dollars fall short, and it's somehow less important, as seen by the number of facilities that have been half constructed or are incomplete around the province or completed yet underused or understaffed.

So I'm speaking in favour of this, and I'm sure I agree with all my colleagues on this side of the House, but I truly hope that on the government side they look at these requests as being reasonable requests. Again I'll remind my colleagues that during the election they campaigned very strongly on working with members from all sides of the House, on being open minded and willing to entertain amendments that truly speak to improving a bill or improving the lives of Albertans, for them to let party lines drop aside and put Albertans and the people of this province as our first priority. So when we have pieces of either legislation or recommendations or written questions that are being asked, if it speaks to the betterment of our society and works toward that, then accept it and vote for it.

Honestly, Mr. Speaker, I find it shameful when members cannot vote regarding a bill or legislation or a written question if they honestly agree with it but feel: I can't because my party is inhibiting me from doing so. So I ask members across the way to look at these reasonable requests and show Alberta that lip service isn't the only thing you have to offer them.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I'll be very brief. Firstly, I was going to raise a point of order earlier on, but maybe I'll just mention it for future reference. The hon. Member for Innisfail-Sylvan Lake failed to actually move acceptance of the question, so

I'm not sure we actually have a valid question on the floor. Maybe we can just deem it moved and then make sure we do that as we go forward.

The hon. members opposite failed, I think, to listen to the hon. Solicitor General when he responded to this question. It's not a question of not providing information; it's a question of doing your homework and understanding exactly what information is useful. Flat ratios are not a useful measure. As hon. members will know, the ones that have delved into this will know, the level of care changes with respect to the individual and their care needs, and the number of hours of nursing service or attendant service that is to be provided is legislated based on the care needs of the patient, not a standard ratio for a facility.

It's care of the patient that matters, care of the individual that matters, not the institutional model, so a ratio for an institution is quite irrelevant. What's relevant is the mix of patients in the particular facility and the care needs of each of those individuals. The question does not ask for relevant information insofar as one wouldn't look at a particular building and say that there's a ratio that's required for the building. One would look at the patients that are in the building, the care levels of each of those patients, and then the number of hours of care that's provided for each of those patients. It's a more complex thing, I know, but a much more relevant way to look at it.

**The Deputy Speaker:** Thank you, hon. Government House Leader. I'll recognize the Member for Calgary-Mountain View.

**Dr. Swann:** Thanks very much, Mr. Speaker. Well, notwithstanding the minister's comments, without adequate measures for long-term care it's extremely difficult to know what standard one should be holding staffing accountable to, what standard this government is going to accept in terms of both quantity of hours per person and quality of care. [interjections]

**The Deputy Speaker:** Hon. members, the Member for Calgary-Mountain View has the floor. Thank you.

**Dr. Swann:** The lack of ability now to monitor what's happening in these nursing homes and to clearly articulate a standard for various levels of acuity or severity or need is the big problem here. This is a beginning step. This written question is a beginning step to at least allow us some information about why we get all these complaints in our offices from family members and seniors themselves about not only inconsistent care but inferior care in so many seniors' care residences. The move towards private operations is only aggravating the perception that we don't have sufficient standards and that we don't have sufficient monitoring of those standards, and then we don't have enforcement of those standards.

This is a government that likes to waffle around terminology and not set in place clear standards, a consistent pattern of monitoring them, a public report on how those standards were or were not met, and then on enforcement of these standards. I'm afraid that it flies in the face of this minister's comments that, well, it depends on the severity. Well, of course it depends on the severity. Why don't we have standards that show what level of staffing ratio is for the most serious level and what level of care goes down from there? Are we meeting the standards, Mr. Minister? No, we're not according to many people across this province.

I heard from one yesterday in a coffee shop who made a special attempt to meet with me before this session, knowing that we were going to be discussing this issue. Her mother was in a ward of 54 long-term care patients where there were only four staff that night.

I asked: why were there only four to deal with 54 people? Because two people were sick, and nobody else would come in. Well, this is the kind of story that she says happens on a frequent basis, where either there is sickness or there is cost-cutting or there is an unwillingness to hold themselves accountable for both the quantity of staffing and the quality of care that results. The quantity is integrally related to quality of care.

What I see is a government that's been unwilling to actually put in place standards, a consistent monitoring of those standards, a public reporting on those standards so that people can actually have confidence that we are doing what we say we're doing in government, and finally, enforcement of standards. What's the penalty if people are not meeting the standard, if they're sloughing off one or two staff a night to save money or because they can't find anybody to go in that night? I think that's what we're concerned about. I know all of you across the floor are concerned about the quality of care of seniors, so why will you not take more seriously your responsibility to monitor and enforce basic standards?

You're moving to activity-based funding now. How are we going to be measuring, and are staffpeople going to be registering seniors as lower than they actually are just in order to get away with lower staffing ratios? How are we going to monitor this activity-based funding so that it's legitimate and we can have confidence that people in these institutions are not being shortchanged? The whole fight about the one or two baths a week is symptomatic, to me, of a system that simply is not working and does not have the confidence of people to say: "You know what you're doing. You have standards in place. We know you're monitoring, and you're monitoring without informing them that you're monitoring."

I hear many stories that at seniors' centres they know when the inspectors are coming, so they put on the dog. They make everything look great. They have the staffing beefed up, and everything looks good. That's not acceptable for a government that says that it wants serious objective indicators of quality of care.

3:50

All we're asking for is a set of standards, a real serious commitment to irregular monitoring – let's make it irregular so that there's no consistency in the monitoring that can be predicted and can be acted out in the workplace – and then some consequences when companies or public facilities fail to meet those standards. I want that for my mother. You want that for your mother. Why will you not put in place a serious commitment that can gain the trust and respect of everyone in Alberta?

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member. I'll recognize the Member for Little Bow.

**Mr. Donovan:** Thank you, Mr. Speaker. It just goes back to the question-and-answer part. It's a legitimate question. I get that some members feel that there's an unobtainable answer for it, but you've got to sit there and ask: why are we comparing things? I mean, the key part of the question here is: what would work better, the public versus the private? What's the differential on it? What's working? I think we're all looking for the answers in this province, something that will work. [interjection] Well, it says that right in it. I'm just reading the question.

The question is: why can we not come up with the answers? It's straightforward. It's not a catty question that we're asking, which can happen sometimes in this Chamber. [interjection] Yeah. The

odd time we can maybe be a little out of bounds on the questions. But I think this is pretty straightforward. It's hard for some people to grasp, I guess, when you're just asking a straightforward question, why we can't have the answers.

What can we do better? Health care is obviously a huge issue in this province. We've got a question here that could lay it out. Now, I know someplace in the back somebody has the answer for this because there had to be a standard set somewhere for it. It wasn't just: we've decided what the numbers are for long-term care and everything else so what the ratio is for the front-line workers. There has to be a base somewhere in there. I can't understand why we wouldn't want to share that. At some point we could probably try to work together to get the proper answers to: what will work in this province?

I'll leave my debate short on that. I don't understand why it's so hard to answer a fairly simple question instead of just saying: we need to remove the question; we don't want to be part of it.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

I recognize the hon. Member for Chestermere-Rocky View.

**Mr. McAllister:** Thank you, Mr. Speaker. My apologies to the Member for Little-Bow for jumping up in front of him. I would never get in front of him on any point. He's a guy I have great respect for, and I'm glad he got to speak first. [interjection] Where is that member from that continually blurts out?

**An Hon. Member:** Calgary-Lougheed.

**Mr. McAllister:** The Member for Calgary-Lougheed may be the best heckler, but he always describes it like this. I just wish you'd stand up and talk when it's your turn, Calgary-Lougheed.

I want to speak to the issue, Mr. Speaker . . .

**The Deputy Speaker:** Please do, hon. member.

**Mr. McAllister:** . . . and to the question from the Member for Calgary-Fish Creek, but I think we should go back for those at home that are watching so they know exactly what it is we're speaking about.

Again, the Member for Calgary-Fish Creek asked the following question: "What is the ratio of front-line staff to patients or residents at long-term care facilities, seniors' lodges, and continuing care facilities, with ratios differentiated between public and private facilities?" Just to revisit it so we know where we're going, it does seem like a pretty relevant question to find out how things are going in seniors' care in this province, but for those that aren't familiar, government has chosen to not accept the question. They reject the question, which means they don't have to answer, effectively, to us, who are trying to ask it on behalf of you at home to better represent seniors in this province.

The Member for Airdrie made a point. He thought the reason, Mr. Speaker, that the government wouldn't answer this question is because they were incompetent. I tend to disagree with the Member for Airdrie on that point, for what it's worth. I don't believe that to be the case. I think that the reason governments choose which questions they want to answer or not is because they recognize how the answer will make them look to the public. That is why, for instance, the budget was broken into three sets of numbers also. It's a way of disguising to the public what's really happening, clearly to try and take their focus from the bottom line.

The answer to this question: somebody has it. I don't believe for one second that the government is incompetent on everything. I think they've been there 40-plus years for a reason, but I think that

somewhere in that 40 years they forgot that the reason they are in those chairs is to answer the question when asked. The reason that we sit here is because seniors and our loved ones voted us in. When we ask for a ratio, it's so we can find out what the quality of care is, so we can find out that they're being taken care of. That's a legitimate question, but again, Mr. Speaker, it was rejected.

Now, the hon. House leader across, the Minister of Human of Services, I believe, spoke to – how did he put it? – the ratios being inconsequential because of different levels amongst the seniors and the care provided them. Don't we ask for the same thing in education? Don't we ask for class sizes and teacher ratios? What is the difference? I don't think the Minister of Education would rise and suggest that's inconsequential for one second. I would suggest we recognize there are varying levels of students in classrooms. Don't we? The same with seniors. There are varying levels of care needed, depending on the senior.

We have students in class that are learning English as a second language. We have students needing supports. We have students that are above the bar and below the bar, whatever that bar is, and we ask teachers to provide the best care that they can, the same as with health care providers. So when we ask what the ratio is of those looking after our seniors to the number of seniors, we're asking a pretty darn relevant question so that we can find out what the care is that is provided for our loved ones, Mr. Speaker.

I don't think for one second that the government is incompetent. I think they have gotten to a point where they don't recognize anymore that they were put here by Albertans to answer these very questions, and nearly 500,000 Albertans put us in the Wildrose Party here as the Official Opposition to ask the questions that they forget to answer. This is a good one and a good example.

There's nobody in here, of 87 members, that doesn't have a parent, a grandparent, somebody aging that probably will be in a facility at some time, you know. I should say, although we all have said it, that we believe the quality of care provided in Alberta to be as good or better than anywhere in the country, probably the world, that the compassion of Albertans is amazing, so we tip our cap to the caregivers. We'd just suggest that, you know, government ought to come clean about the numbers so that we can know that our seniors, those close to us, are being cared for.

In asking this question, I also try and ask myself why it is that they wouldn't answer it. Why is it that they don't want us to know it? I think I touched on it, but maybe it needs some fleshing out a little bit. If there's something there, Mr. Speaker, that the government would be embarrassed by, it often will avoid providing the facts that we need to see. I just think they ought to be more transparent, and they ought to be more forthcoming with Albertans and those that have put us here to ask these questions. There are members opposite, you know, that have seniors' facilities in their ridings, as I said, that have loved ones that would like this question answered. They have to look their constituents in the eye. I think it's become the era of government, where government assumes it will only do what it feels is right, not what the public feels is right, that it will only answer what it wants to, not what Albertans really want to hear about.

Mr. Speaker, I stand here proudly on behalf of the 10,000-plus that put me here, just like my colleagues and the half a million people in this province, because we deserve answers to questions like these. Albertans deserve answers to questions like these. You can continue to reject them, and we will continue to ask them.

Thank you.

4:00

**The Deputy Speaker:** Thank you, hon. member.

I recognize the Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Mr. Speaker. It's kind of baffling, I think, to all of us on this side of House at least why these kinds of simple questions can't be given simple, straight-forward, plain-English answers. It's a little bit troubling. Those of us that come from a management or a business background recognize that if you don't measure something, you can't manage it as well. You can't manage it very well at all. What we're really asking for is some clarity on a ratio that's relevant and will speak to the issue of consistency between facilities, whether they're private or publicly funded. I think it's important that the people of Alberta have that feedback. We're simply asking for some numbers that ought to be readily available. If they aren't, I think that's a serious concern. If they aren't and that's why we aren't getting them, then that would be an embarrassment to me if I were charged with the responsibility for providing a consistent level of care across the province to those that are among our most vulnerable, as we've said.

My own parents, 92 and 93 years old, are in a long-term care facility. I appreciate the care that they receive, but I, too, would like to know how that's determined and how it's measured because even though they are getting good care, sometimes there are some inconsistencies that I wonder about. I'm sure to someone like our Health minister and those that are responsible for this that's a small piece of a great big picture, but nevertheless it's a piece that I'm personally interested in. I think that, as has been mentioned numerous times today, it's not just the Member for Edmonton-Gold Bar that's going to be there soon. All of us one day or another may be in that position if we eat lots of bran and look both ways when we cross the street.

Anyway, why is it such a secret? What's so special about this little bit of knowledge that it has to be kept close to your chest like a full house in a card game? I don't get it. I think that if it's fear, if you're going to be embarrassed by the answer, well, you're adults. Take your lumps. Give us the information. What's the point of forcing something like this to happen, where we have to point out how paranoid-appearing this kind of reluctance is to the people of our province?

Again, to repeat: if you don't measure it, your ability to manage is reduced. Are you guessing? Are you going by gut feel? If there aren't any standards, then that speaks to a breakdown in the system. Systems are perfectly aligned to produce the results they get, and right now we're seeing some inconsistencies that are a cause for concern. We're hearing about this from our constituents, the members of our ridings, and probably from your ridings, too, if you were allowed to speak up and speak out on behalf of them.

Anyway, I think that it's shameful and disgraceful that this simple request continues to be rebuffed. Thank you.

**The Deputy Speaker:** Thank you, hon. member.

**Ms Blakeman:** Ah, my gentle ones, this is a learning day. This is a learning opportunity for you. Yeah, I know. This is what the government does. They keep information in such a way that you can't get the answers that you're looking for. This is a very familiar scenario to me.

I am really heartened to see how many people are concerned about the seniors that are in their constituency. I'm sure that's true for some of the people over there, and I urge them to join the conversation.

I would argue here that there is a difference. What the government has done and how they would answer you, if they answered you, is to say that they do keep track. They keep track of the number of hours that any given patient gets attention, gets one-on-one care, but they don't necessarily keep track of or won't

admit to keeping track of and won't give you the information about what the ratio is. They say: "Well, it doesn't matter. It's how many hours of attention the person gets. That's what we need to know."

This was actually changed and improved, let me say, four years ago, five years ago. I'm sorry; I can't remember her name. It's got a lake in it or a river.

**An Hon. Member:** Calgary-Fish Creek.

**Ms Blakeman:** There we go. Calgary-Fish Creek.

She'd remember. The number of hours of care that anyone was getting in long-term care went up from like one point something to 3.2, I think, and this was a big leap forward.

Let me talk a little bit about the ratio and why it matters. I think the ratio matters when you're looking for basic health and safety if you have one RN on for a facility that has three floors and 60 rooms on each floor and, as happens every single year without fail at this time of year, you start getting norovirus or some sort of flu going through there and you start getting a couple of people upchucking in the middle of the night and they're not people who can particularly get themselves into a position to do that, shall I say, appropriately – I'm sorry I'm so graphic here – where you can lean over the bed and actually puke into the wastebasket or whatever. You don't get that very often in long-term care. Literally, people can't turn themselves over. This is where that ratio becomes important.

The next thing the government is going to say is: oh, it's Chicken Little, and the sky is falling; you're always talking about worst-case scenarios. Well, no, not particularly. The flu happens every year. People start throwing up in the middle of the night every year, and you've got one person that is an RN on duty for an entire facility, and then on each floor of that facility you're going to have probably an LPN that's on. They are now going to try and start to deal with all of this.

God forbid that you have someone in that facility that needs an ambulance because almost none of these facilities will have the permission of the patient or the resources to be able to deal with anything more difficult than providing oxygen. The machine that – help me with this: the shocker machine that they all have on the little stand on the wall now.

**An Hon. Member:** A defibrillator.

**Ms Blakeman:** A defibrillator. Thank you very much.

If you do have someone that needs an ambulance and is going to have to leave the facility, then you have your staff tied up with getting the ambulance people in, getting them into the right room, and making sure the patient gets taken out. This is when it becomes critical.

The government is sort of playing a game of risk and time here. They say: well, you know, that doesn't happen very often, so we can risk not having a higher staff ratio on because we don't think it's going to happen. The thing is that when it does happen, everybody turns to the government and goes: "Why didn't you protect those seniors? You alone had the ability to make sure these people were looked after and you didn't." A fire, a flood, snow causing a roof cave-in: it's not hard to think of those occasions where you would need to have skilled staff on hand. That's not to say that the personal assistants and the nursing aides aren't wonderful people – I see them twice a week; I know they are – but they don't have the skills, and they don't want to be put in that position either.

I know it's frustrating to the Official Opposition to be flogging what we wish was a dead horse, but there we go. The government

is not going to give us this information because it's not going to make them look very good. Those ratios are bad. Let's face it, folks. If this was a good-news story, they'd be fighting each other to get to their feet and tell us what the ratio is, but they're not. They are not meeting my eyes. They are looking anywhere but at my eyes right now. Yup, there we go. [interjections] I'm sorry. We've got two of them over there that are being particularly difficult, so we will give credit to Edmonton-Gold Bar and Calgary-Glenmore. Thank you for the eyeball.

That's how these kinds of questions get answered, and that's why it's so frustrating to people in this House when we get the government kind of playing jiggery-pokery with the numbers and/or a shell game.

**Mr. Anderson:** They wouldn't do that.

**Ms Blakeman:** Yeah, they would. I'm so sorry, Member for Airdrie-Chestermere. I know that you are . . .

**Mr. Anderson:** Just Airdrie.

4:10

**Ms Blakeman:** Oh, I'm sorry. Okay. Don't change your names anymore.

That's why it's frustrating, and that's why it's so frustrating to all of us to hear the government put itself out as being transparent. As we try and dig out things that we think are not going well, we've got to have proof, and as we try and dig that proof out, the government won't answer the questions that we're actually asking because it's going to make them look bad. I'm sorry to stand up today and give you a little bit of historical perspective and the bad news that they are never going to answer this question. But it doesn't mean that you should stop trying.

I have spent a lot of time in long-term care facilities over the last going on 12 years, and I've got to say that even the hours of care are just kind of pitiful. I mean, the idea that someone would go into a long-term care facility in Alberta and not be in diapers within six months – it does happen here because the staff don't have time to deal with taking someone to the bathroom and then waiting for them and supervising them and then getting them back into their bed or into their chair. They don't have time. That could be 20 minutes or 45 minutes. We all know the biggest discussion when you're in the hospital is bowel movements. Well, that's why. I'm sorry; it's very graphic today. I apologize for that.

That's what happens. They don't have time to do that. People wait. They press that call bell. I've never been in the facility my mom is in without the call bells going off, at least one call bell, the entire time I'm there. People are waiting for someone to come and help them. They're not going to get that help. There's a euphemism they use. It's not: there's been an accident. It's: incontinence, several episodes. That's what it is. Then they say: "Well, you know, we can't do it anymore. They're going to have to be put in diapers."

There they are, you know, perfect people who were the top of our society. The leaders in our society – respected and important and even powerful – are wearing diapers. They didn't want to. They want to be able to go to the bathroom, but they can't because there are not enough staff. Pretty undignified, huh? Probably not a bank manager – they're probably in private care, and they actually do have someone that will wait long enough for them to go to the bathroom – but certainly a nurse or radiologist or teacher. All those people are sitting in long-term care in diapers. And it matters. It makes a difference to them that they're in diapers. It affects their ability to keep going and take themselves seriously

and strive to eat their meals and all those good kinds of things because they're sitting there in diapers.

Gee, this got really depressing, didn't it?

**Mrs. Towle:** No. It's true.

**Ms Blakeman:** Yeah. It's all true, but it's still depressing.

Anyway, my friends, that's why you're not going to get an answer. And I'm sorry to give that information to you and to those backbenchers that are just discovering for the first time that that's why people end up in diapers, your parents, yes indeed, my mother in diapers. Uh-huh. Yeah. So keep up the work. We'll keep pressing to get answers to things. But in the meantime I kind of think we got the answer because they won't answer.

Thanks.

**The Deputy Speaker:** Thank you, hon. member.

I recognize the Member for Lac La Biche-St. Paul-Two Hills, followed by Edmonton-Meadowlark.

**Mr. Saskiw:** Thank you, Mr. Speaker. I'm honoured to rise here today to speak to this question. Of course, the question, as stated by the hon. Member for Calgary-Fish Creek, is to ask the government the following question: "What is the ratio of front-line staff to patients or residents at long-term care facilities, seniors' lodges, and continuing care facilities, with ratios differentiated between public and private facilities?"

I guess, you know, we see again and again in the news that Albertans can't trust this government. Obviously, a lot of that has to do with an ongoing series of broken promises, but I think that equally as well it's the fact that they just won't be open and transparent and answer some very, very simple questions like this. To me this is just basic, empirical evidence that one would want to obtain to be able to make proper decisions. One has to ask the question: what do you have to hide in such a straightforward question?

We have a Minister of Accountability, Transparency and Transformation. I'm not sure what exactly he does if he doesn't deal with things just like this: to be more open and transparent, to provide information so that Albertans can see what's going on, so that decision-makers can use that data to come up with proper decision-making capacity. If there was ever a role for the Associate Minister of AT and T to step into, it's right here. He's got the opportunity to step in here, to show some true leadership on this issue, to show that the PC government is doing things differently, that they're actually being open and transparent, not just talking about it, yet apparently he's unwilling or unable to step forward for whatever reason and come out here.

We, of course, know that this is a very big issue, where seniors are stuck in acute-care beds when they should actually be in long-term care facilities or other types of facilities. We know that in his own riding the Associate Minister of AT and T has a situation where seniors are stuck in acute-care beds for years and years and years. This information should be very important to him, and the fact that he's unwilling to stand up for his constituents, to find out what this information is – we'd like to see some action on this. Of course, there are numerous, numerous seniors that are stuck in hospital beds and in some cases very deplorable conditions.

I've had the opportunity to meet some seniors in my local area that have been waiting and waiting for another type of care. Of course, for the longest time they were fed this prepackaged food that tasted disgusting, and they're stuck in these hospital beds with disgusting food when they should be getting another type of care. This prepackaged food that reeks, sent from some other province: our seniors are stuck eating this kind of garbage while they're



stuck in acute-care beds, still not getting the proper care that they should get. On top of that, it's even more expensive for these seniors to be stuck in acute-care beds than in long-term care or being provided the type of home care that they could utilize if they have the capacity to stay in their own home.

You know, the Government House Leader mentioned that this type of information is inconsequential, and I couldn't disagree more with him. How many staff are there compared to the patients that are at a particular facility? Well, I can tell you that if you actually go and meet the seniors in those acute-care beds or continuing-care facilities or long-term care beds, those are very, very important ratios, the number of staff that are taking care of those individuals. To just merely dismiss it as inconsequential I think is a disservice to those people in the industry. Maybe it's his opinion that they're inconsequential, but to . . .

**Mr. Hancock:** Point of order.

**The Deputy Speaker:** Hon. member, noted that the Government House Leader rose on a point of order at 4:17.

**Mr. Saskiw:** Thank you, Mr. Speaker.

**The Deputy Speaker:** And the citation, Government House Leader?

#### Point of Order Factual Accuracy

**Mr. Hancock:** Standing Order 23(h), (i), and (j). The member totally misrepresented the representations that I made earlier in debate, and I think it's necessary to clarify that. I didn't say that the number of staff was inconsequential or that it was unimportant. What I said was that measuring a ratio based on an institutional model as opposed to measuring the hours that are available to care for a patient based on a care model are two entirely separate things. The public and the care sector and everybody else has moved away from an institutional model of care and moved towards caring for patients on patient need and a patient care plan basis.

That's what I said, and if the hon. member wants to make his own representations about what's important, wants to go back to the past on institutional models, that's for him to do, but don't put that in my mouth. What I said was not anything to do with not respecting the care for patients but, rather, with how much respect we have for patients by allocating care on the basis of the need of the care plan of the patient, not on the institution that they're in.

**The Deputy Speaker:** Thank you.

4:20

**Mr. Anderson:** Well, I'm very, very thankful for that clarification. Clarification is always good. There's obviously no point of order here, Mr. Speaker. We've been in question period and have seen these disputes resolved by the Speaker many, many, many, many times. I think it's very clear that you can have two interpretations of what was said. In this case, I think, from what I was hearing, he was saying that what was being asked for, the ratios – it was completely inconsequential to have that information. That's certainly what I gleaned from it, so I'm glad for his interpretation. I think that, you know, we can interpret from his comments what they seemed to say. That's part of the debate.

**The Deputy Speaker:** Okay. Hon. Member for Airdrie, a clarification.

Hon. Government House Leader, can we agree that this is a clarification and move on?

**Mr. Hancock:** Mr. Speaker, you can do whatever you want.

**The Deputy Speaker:** Thank you. We will do that. The matter is clarified.

Please proceed, Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. I'm just thrilled that that whole issue is clarified, just really helpful here when we debate this question.

#### Debate Continued

**Mr. Saskiw:** Just going back to the question here, very simple information that we're trying to seek from the government, it's a ratio, a ratio between the staff and the patients. Very simple, but it seems that the government is unwilling to even provide this type of simple, simple information. It's a little alarming when you think of the fact that there are so many complex decisions that are made in a government, yet they cannot provide you with a basic, basic piece of data.

Of course, no one would suggest that you would make a decision based purely on a ratio, that that would be the sole material determining factor when you make a decision, but of course that should be relevant. That should be relevant when one is looking at the overall system. You cannot take statistics in isolation, you cannot take them alone, but clearly they would be one factor that a person or a decision-maker would look at.

Of course, why this is even more important is that we saw in the throne speech – this is a continuation of the last session – that the Premier talked about being open and transparent, but unfortunately to date those are just words. She's unwilling to talk the talk, and the rejection of this question just illustrates that. Why not be open and transparent? Give the ratio. You know, it's a little shocking that we can't have this basic information.

Mr. Speaker, with respect to this question, why it's utterly important is that we get questions from our constituents. When we go back during constituency break or during the year, they often talk about how there is a shortage of front-line staff. We know this government can give all this money to the executives, we know they can give the chief financial officer for Alberta Health Services a \$1 million severance package and then an additional \$10,000 a month for 10 years, but when it comes to front-line staff, that's where they begin cutting. That's why this is important.

We get these questions from our constituents. They say, you know: what is the government's ratio with respect to front-line staff and patients? We'd like to be able to go to our constituents and say: "Here. This is the ratio that the government has thought is appropriate in these circumstances." But when they don't even give us the information, what are we supposed to tell our constituents when they ask us this specific question? I guess the answer is that the government is unwilling or unable to provide this basic information or they just don't know or they're deliberately hiding. We just don't know why they wouldn't provide this ratio.

I'm very pleased that the Member for Calgary-Fish Creek brought this question forward so that we can now go to our constituents and say that we asked this very simple, basic question of the government to ensure that patients have the appropriate level of care with front-line staff, yet the Government House Leader came forward and said: "No. We can't provide that information. We're not going to provide that information." When you talk to the public, I think they're going to be astonished that the government cannot even provide this basic, basic information. You know, I guess that at this stage we'll simply go to our

constituents and explain that they're unwilling and unable to do this. Quite frankly, if you're unable and unwilling to do this, it's astonishing.

I think that it's important that we stand up for seniors, that we stand up for other patients that are receiving this care, and part of that is the appropriate level of front-line staff. Instead, of course, of having all these multiple levels of bureaucracy within Alberta Health Services, we need to ensure that there is the appropriate level of front-line staff. This ratio, if we were provided this information, would show where we are at with respect to front-line staff services for long-term care facilities, seniors' lodges, and continuing care facilities.

I can appreciate the secondary information that we wanted to receive differentiated between the public and the private facilities so that you can use that evidence when making decisions on different topical matters. I appreciate the question from the Member for Calgary-Fish Creek.

Thank you very much, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the hon. Member for Edmonton-Meadowlark.

**Dr. Sherman:** Thank you, Mr. Speaker. I appreciate the opportunity to speak to a very important question asked by the hon. Member for Calgary-Fish Creek.

Now, for a government that claims to be open and accountable, I don't understand why they're trying to be so closed and opaque. It's a very simple question. In fact, there are many other questions that need to be asked. The reason it's important to ask what the staffing ratios are in the private and public and nonprofit facilities is so we can assess the amount of care, the level of care that our seniors are getting. Equally important to me is: what kind of value for money are we getting?

Now, here are certain facts. Let's stick to facts. I had a major problem with this government when I was inside it. This was, in fact, the issue that got me expelled from government. I wrote an e-mail saying: "We're failing our seniors. We're neglecting them and failing them." The reality is that many of our seniors today lived very healthy lives. They had good nutrition, they moved a lot, they were very responsible, so they're living longer. The other issues are the fact that the medical system can do amazing things, so people are living longer with multiple problems, multiple complex problems. You know what? That's a good thing. The bad thing is that when people actually end up in care, they need a lot more care because of the complexity of their issues.

Now, in Ontario in wards they actually are so open and accountable that they put on the walls how many falls and how many bed ulcers patients in a medical ward have because simple measures like falls and bed ulcers are measurable signs of neglect. If you have lots of falls and bed ulcers, they lead to injuries, which actually lead to higher costs. This is not only a humanitarian issue; it's actually a money issue as well.

If you look at the data, the government has built thousands and thousands of beds, thousands of them, but the paramedics will anecdotally tell you – you know what? – that they're bringing a lot of people back from these facilities. Anecdotally, the paramedics get them out of there to the hospital. You know, there's an hon. member who's a paramedic. If he talks to his buddies, they'll tell him that, that they're actually just bringing them back to hospital because there's not enough staff to care for the complexity of that patient's care. Or if they fall – they break a hip; they break a wrist – if they get a bed ulcer or get an infection, they're coming back to the ER. They're getting stuck in the hospital again at \$2,000 a night or \$1,200 a night, whatever the cost may be.

In fact, we know that despite the thousands of beds they've built to fix the acute-care system, in two years they essentially haven't moved on their eight-hour performance measure to get admitted people upstairs because people are just coming back. This is just a very basic question that should be answered.

4:30

The other question that we actually need to ask is: if we build so many of these beds – God knows how many tens of millions, hundreds of millions have been spent to build these buildings – then why today do we have a hundred more seniors back in acute-care hospitals according to AHS's performance report of the last quarter? Why? We have a population that's actually getting younger. Alberta has one of the youngest populations in the country. So if we build so much seniors' capacity, why are there more people awaiting placement in the last quarter alone? I'll tell you why. You know, I suspect that they're probably just coming back.

The other question we have to ask, that should be answered: what is the occupancy rate of all these beds that have been built? Are they all filled up? Another thing we have to ask is: what is the return rate of people who get into these private facilities? How many of them end up back in hospital again?

The other question that we have is on the contract with the private providers. If they've contracted to give a hundred beds and if they're not all filled up, are you paying for the care component of all 100 beds? Are we paying for the care component of empty beds?

The other questions that need to be asked are: how much is being billed? What are the providers getting paid for the cost of an RN, an LPN, and a nursing aide? What are the providers getting paid, and what are the staff getting paid? How much is the profit component for each of the staff? Cost of staff plus the profit equals price.

I'll tell you that in the for-profit private model all evidence, international and local, in the many reports that have been done – these are facts, Mr. Speaker – is that the fact is that if seniors spend more time in bed, they fall more, they eat less, and they bathe less. These are facts. The neglect shows itself in numbers of falls and numbers of bed ulcers.

Pre-election we had many cases of seniors neglect. You know, it's not just having two baths a week. In fact, I'd challenge any of the government members to sit in a soiled incontinence pad and only get two baths a week. Jeez. You need two baths a day when that happens, Mr. Speaker. Right? Two baths a week is nice and all – it's a hundred per cent better than one – but it's still only about 20 per cent of the time a human being should bathe. So I give kudos to them for a big improvement.

Now, the question is: if they're not increasing the funding and the staffing levels, if we don't know what the staffing levels are, if we don't know that they've actually increased the number of staff, the qualifications of the staff, what is being neglected?

Mr. Speaker, the other question, actually, is not just the staffing ratios here, but it's: who is being placed in these beds that we currently have? Are we placing people that should not be placed? I do know as a front-line health professional – and there are a few on that side as well. There's a paramedic and a nurse, and they'll recognize these issues. The fact is that because you cut home care – you know, first they privatize the delivery of all of home care so that because of the profit, people actually get less care. If they cut that privatized home care even by 15 per cent, we know that every paramedic and emergency nurse and doctor, even the cleaning staff in the ER, will tell you that people are coming back to emergency because of cuts in home care. So are we actually

placing people in these facilities that can actually go home if we just had more home care?

Mr. Speaker, I do know that when I was in government as a parliamentary assistant, the deputy minister and I said: well, look, 50 per cent of people die within two years when they go into care. So we said: what's happening to those new beds – well, these old beds – that come up because somebody, unfortunately, died? Eighty per cent of the people coming to those beds were coming straight from home because of such inadequate home care. So we said: hey, maybe we just need to double up home care. You know what? Why don't we triple up home care? Why don't we give 10 times as much home care, so much home care so that you don't actually need to go into long-term care? You can stay in your own home, with your own partner, in your own community. You know, you'll pay your own lights, and you'll pay your own bills. In fact, I met with the Auditor General and asked him to do a forensic audit of value for money for home care and these beds. I said: "You've got to look at these things. You have to look at these things."

If we cannot get even basic information on what the staffing ratios are – these aren't even complex questions I've asked. These are not complex questions.

Now, I will say that there are a lot of very learned, very bright people on that side of the House. You know, I would ask the backbenchers to please ask these questions at caucus. Please. This is a money issue, and it's a human issue. I would contend that, hey, we can get Albertans better care and better value.

**The Deputy Speaker:** Thank you, hon. member.

Are there others? The Member for Calgary-Fish Creek to close debate. Five minutes.

**Mrs. Forsyth:** Thank you, Mr. Speaker. I'm pleased to stand up and, I guess, add a few words on my question, that talks about the ratio of front-line staff to patients or residents in long-term facilities, seniors' lodges, and continuing care facilities, with ratios differentiated between public and private facilities. What I'm not pleased about is the fact that the government has obviously stood up and rejected this particular written question. I guess I shouldn't be surprised, yet I am a bit. It's been brought up before that you should never be surprised at a difficult question, especially when you have a government that doesn't want to give the answer.

What is surprising to me is the fact that while the government flatly rejects the particular question, they don't seem to be bothered by some of the comments that have been made as people have gotten up and spoken over and over again about the importance of dealing with this particular question. But, Mr. Speaker, we're in 2013 under a new Premier and a new government, so I guess we know exactly where we're going.

With that, I say, you know, that there are surprising things that are coming out in the budget that we're dealing with right now as we start digging through things within the budget. We all of a sudden find that the Health Facilities Review Committee is gone, a very intricate part of government who had the ability to go and check the facilities and question how people are being treated and the condition of the facility. The health advocate: gone. The seniors' advocate: gone. You know exactly the direction that the government is going.

I can tell you that over the last three years – and I've had some comments with my colleague from Innisfail-Sylvan Lake, that spent two weeks travelling this wonderful province that we live in and spent a lot of time talking to people who deal with seniors, talking to seniors alone. She and I have had a talk over a beer, and

she shared some horrific stories of what she's hearing. I can tell you as the Seniors critic and someone who has a mom in a seniors' home, who's gotten to know the seniors in my mom's home very well, that we're heading down a very, very rocky path.

I understand where the government is going with their continuing care and how they're changing the continuing care model. I sometimes wonder if they know exactly what they're doing or how they see this continuing care model and if they really realize that putting seniors in continuing care – do they understand that over time the seniors' health needs change dramatically? The level of care – or I shouldn't say care. The care has always been exceptional, but the staffing is where there's a problem. You cannot blame the unbelievable RNs or LPNs or NAs that are working in seniors' facilities for that. They're there because they love seniors.

When you ask about the ratios, one must ask the question: well, do they understand the ratios? Do they think 121 to 1 is a good ratio? Is 89 to 1 a good ratio? I think people have to understand that it's about the level of care that you're providing at that particular time.

4:40

My friend from Edmonton-Centre, who I have a great deal of respect for for her debating ability, talks about the flu and about seniors not having the ability to get out of bed if they're suffering from throwing up or, for that matter, diarrhea and the LPN or the NA at that particular time having to take on the responsibility of not only trying to take care of seniors who are all suffering from the flu – I mean, I've been in the seniors' facilities enough times. When you walk in the door, you see the big sign that says that because of the flu they don't want anybody to visit, et cetera. They're just trying to cope at that particular time. Does the staff ratio change? No.

What bothers me more than anything is why the government is so reluctant to provide the numbers. To me, that sends a signal to all Albertans that this is not good news. You know, I look back over the last year . . .

**The Deputy Speaker:** Thank you, hon. member.

[The voice vote indicated that Written Question 9 lost]

[Several members rose calling for a division. The division bell was rung at 4:41 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Anderson	Donovan	Sherman
Anglin	Forsyth	Stier
Barnes	Hale	Strankman
Bikman	McAllister	Swann
Bilous	Rowe	Towle
Blakeman	Saskiw	Wilson

Against the motion:

Allen	Hancock	Oberle
Bhardwaj	Horner	Olesen
Brown	Hughes	Olson
Calahasen	Jeneroux	Pastoor
Casey	Johnson, J.	Quadri
Cusanelli	Johnson, L.	Quest
Dallas	Khan	Rodney
Denis	Klimchuk	Sandhu
Dorward	Kubinec	Sarich

Drysdale	Lemke	Scott
Fenske	Leskiw	Starke
Fraser	McDonald	VanderBurg
Goudreau	McQueen	Weadick
Griffiths		

Totals:	For – 18	Against – 40
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[Written Question 9 lost]

**The Deputy Speaker:** The hon. Member for Strathmore-Brooks.

#### Nonrenewable Resource Royalty Revenues

Q10. Mr. Hale asked that the following question be accepted.

For the fiscal year 2012-2013, how many oil and gas operations paying reduced royalties will reach their payout stage, and what effect will that have on nonrenewable resource revenue?

**Mr. Hale:** Thank you, Mr. Speaker. The reason I ask this question – and I have strong suspicion there is going to be an amendment to it shortly. The hon. Energy minister and I discussed this question before. I do think that the gas and oil revenues are important. I do believe that, you know, there are many projects that will be coming to the end of their reduced rate. I guess I'll ask this question a little later.

**The Deputy Speaker:** Thank you, hon. member.  
I recognize the Minister of Energy.

**Mr. Hughes:** Thank you very much, Mr. Speaker. Obviously, I'd like to thank the Member for Strathmore-Brooks for his written question. He has asked how many "oil and gas operations" will reach payout in the 2012-13 fiscal year. Upon reviewing the question, I would ask that it be amended to the following: "For the fiscal year 2012-2013, how many oil sands producers paying reduced royalties will reach their payout stage, and what effect will that have on nonrenewable resource revenue?"

The original question could appear to confuse the conventional oil and gas royalty regime with the oil sands royalty regime, which are two quite different structures. The conventional oil and gas royalty regime is based on a sliding scale formula that adjusts according to price and, of course, well productivity. There's no concept of project payout in that particular regime, so the question wouldn't actually apply to conventional oil and gas regimes. However, the oil sands royalty regime does include a project payout concept in structure. The royalty kicks into a higher level after payout is completed, so that actually applies more directly, more correctly in this respect.

If there are other questions around that, of course, I'm always happy to talk to the hon. member about it. If he has other questions, I'm happy to discuss them with him.

I thereby move the amendment to Written Question 10. I move that Written Question 10 be amended by striking out "oil and gas operations" and substituting "oil sands producers."

**The Deputy Speaker:** Thank you, hon. minister.

The hon. minister has moved an amendment to the written question.

Speakers to the amendment? The hon. Member for Strathmore-Brooks.

**Mr. Hale:** Thank you, Mr. Speaker. I would like to accept this question as amended. As the hon. Energy minister said, I will be

asking him other questions with regard to conventional oil and gas.

Thank you.

**The Deputy Speaker:** Are there other speakers to the amendment?

Seeing none, I'll call the question on the amendment.

[Motion on amendment carried]

[Written Question 10 as amended carried]

#### Motions Other than Government Motions

**The Deputy Speaker:** The hon. Member for Drumheller-Stettler.

#### Property Rights

505. Mr. Strankman moved:

Be it resolved that the Legislative Assembly urge the government to introduce legislation to amend the Alberta Bill of Rights to ensure that all Albertans have an inalienable right to full, fair, and timely compensation with recourse to the courts when a new government initiative negatively impacts the value of their property.

**Mr. Strankman:** Thank you, Mr. Speaker. I know it's a long ways out there, but thank you for remembering.

It's an honour to stand before this Assembly and speak on the issue that has always been close to my activist's heart. It's property rights. Property rights have been built into our laws for the past 800 years, since the Magna Carta. They guarantee every citizen the right to liberty and the pursuit of happiness without the interference of government. There is nothing that is more important when we talk about good government than preserving this right. It is a cornerstone of a prosperous society and a fully functioning democracy.

5:00

The Alberta Bill of Rights was created by the legendary Premier Lougheed to restrain the government's power and to defend individual freedoms. As we have seen with bills 19, 24, 36, and 50 and most recently with Bill 2, the rights enshrined in the Alberta Bill of Rights are not the ones the government feels that they must respect. This is a disappointment to me and a failure to Albertans on the part of this PC government.

The original Alberta Bill of Rights listed six fundamental human rights. The first was the protection of property rights. Let us not forget that Premier Peter Lougheed put the protection of property rights ahead of religion, speech, assembly and association, and press. The government has chosen to ignore the original intent of this bill, and thus it is necessary, I believe, to strengthen it. That is what my motion proposes to do.

Currently the bill recognizes "enjoyment of property." While I have heard from Albertans that they respect the original intent of the bill, it is evident to them that due to the government's blatant disregard of property rights, the word "enjoyment" is not strong enough. Mr. Speaker, according to Wikipedia

property is any physical or intangible entity that is owned by a person or jointly by a group of people or a legal entity like a corporation. Depending on the nature of the property, an owner of property has the right to consume, sell, rent, mortgage, transfer, exchange or destroy it, or to exclude others from doing these [same] things.

Replacing "enjoyment" with the "inalienable right to full, fair, and timely compensation with recourse to the courts when a new

government initiative negatively impacts the value of their property” will affirm that the right to property is respected by this Legislature. It will also protect future generations from governments that believe they have the right to disregard hard-working Albertans’ property rights, whether they are urban or rural. I have a personal affection for property rights since I was one of the 13 farmers who were arrested for what I would call un-joyment, not being allowed to sell my property, my wheat, at a fair and marketable price.

Finally, property rights played a major role in encouraging me to run for the Wildrose Party in 2012. As a landowner, farmer, and rancher I knew the ultimate destructiveness that could come from a government who longer respected property rights and believed that they had an inalienable right to push through legislation like bills 19, 24, 36, and 50. I also know that the government’s blatant disrespect for property rights led to the election of 17 Wildrose members on this side of the Assembly.

I ask everyone in the Legislature to support this motion. To those in government: if they never meant to threaten the property rights of Albertans, then they should prove it by supporting this motion. If they don’t, they are showing their true colours. They are showing that they put the grand plans of the PC government ahead of rights and fairness to all individuals and Albertans.

**The Deputy Speaker:** Thank you, hon. member.

I recognize the Deputy Government House Leader.

**Mr. Denis:** Thank you very much, Mr. Speaker. I want to thank the Member for Drumheller-Stettler for bringing this forward. Indeed, with his background dealing with the Canadian Wheat Board and how the Liberal government used to treat our farmers here and his specific issues, I really think that this is not a man who is just any Joe Albertan. This is a man who actually has dealt with property rights on his own, and I want to say thank you to him for bringing this forward.

Now, Mr. Speaker, although I may appreciate where he’s coming from, I think the endgame, what I personally would like to see, may be a little bit different. I wanted to talk a bit about how our government continues to respect property rights and how it continues to expand the role of places like the Property Rights Advocate.

Before I do that, I want to mention first off the Expropriation Act, which has been here since – I don’t know the exact year but much longer than I’ve been a member. I was elected in ’08. The Expropriation Act governs expropriation of land in Alberta. It guarantees compensation for expropriated land. And guess what? It should. It also provides for due process, including notice to an affected landowner, the ability to object to the “necessity” or “reasonableness” – and I use the last two words in quotation marks – of the expropriation and to obtain a hearing before an inquiry officer, and the determination of compensation by the Surface Rights Board or the Land Compensation Board when the owner and the expropriating authority cannot agree. As with any body, Mr. Speaker, again, these are reviewable in the Court of Queen’s Bench in Alberta on the grounds of a denial of natural justice if that, in fact, is the case.

I would suggest, Mr. Speaker, that Albertans expect their government to show leadership in planning for the future, keeping in mind long-term outcomes and not just political expediency for the day. That is what our government is doing. We have thoroughly debated in this Legislature over the past year numerous bills that allow for effective land-use planning where at the same time we’re strengthening property rights. In fact, members from

the opposition have praised some of our legislation. I’ll say a quote again:

At first glance much of this legislation may be interpreted as a regression on property rights, but it would be a very large mistake to think so as this bill, in my view, does the exact opposite. It strengthens landowner rights.

I would agree with that suggestion even though I believe the member who indicated that has indicated that he changed his mind. Now, as a lawyer of over 12 years, I’m sure that the member at the time read and analyzed the legislation and came to the conclusion that, in fact, the legislation strengthened landowner rights.

I would also like to talk about one initiative within the Ministry of Justice that I believe illustrates this government’s commitment to property rights, and that is, of course, Alberta’s new Property Rights Advocate, located not in Edmonton, not in Calgary but in Lethbridge, who has received bipartisan support from this Legislature.

As I have discussed, Alberta has numerous legislation, be it the Appropriation Act, the Alberta Land Stewardship Act . . .

**Mr. Anderson:** Point of order.

**The Deputy Speaker:** Point of order noted. Go ahead, Member for Airdrie.

#### **Point of Order Factual Accuracy**

**Mr. Anderson:** Under Standing Order 23(h), (i), and (j) obviously we don’t want to say something in here that is going to incite any disorder. So far this side of the House in no way, shape, or form has ever endorsed the straw-man Property Rights Advocate or whatever you call it, the property rights grief counsellor. We certainly as an opposition do not support that waste of taxpayers’ money. Frankly, the person that was appointed there is a PC partisan, and we do not support that as a caucus. There may be one or two members that have expressed some friendliness towards that individual, but certainly as a caucus we do not support it, so it does not have bipartisan support. We want to make that clear on the record.

**The Deputy Speaker:** Thank you, hon. member.

Maybe, hon. Deputy Government House Leader, a clarification might be in order?

**Mr. Denis:** Yes.

**The Deputy Speaker:** Please proceed.

**Mr. Denis:** My exact verbiage, Mr. Speaker, was that I said: “bipartisan support.” At no time did I suggest this particular member or any member of his caucus. I also would refer you, respectfully, to when the Property Rights Advocate Act was passed. My recollection is that it was not totally drawn across partisan lines; rather, there were members of the opposition. Again, I did not mention this member or any other member in my comments.

**The Deputy Speaker:** Thank you, hon. Deputy Government House Leader.

For clarification, this party was not singled out. Hon. Member for Airdrie, are you satisfied with that?

**Mr. Anderson:** Absolutely satisfied.

**The Deputy Speaker:** Thank you very much.

We would continue with your speech, hon. Deputy Government House Leader.

**Mr. Denis:** Thank you very much, Mr. Speaker. I welcome the ruling that there was no point of order.

#### Debate Continued

**Mr. Denis:** I wanted to mention that this is why one of the key functions of the Property Rights Advocate is to provide this information about the Property Rights Advocate to the public. Mr. Speaker, this includes, without limitation, providing information to landowners about their right to compensation during expropriations and other property rights impairments for which compensation is payable.

Although I have mentioned that the Property Rights Advocate is in fact located in Lethbridge, it's not designed just to appeal to rural Albertans. I have heard from many urban Albertans who have issues with their particular local city or municipality trying to expropriate their own property. This Property Rights Advocate shall be there for them as well.

5:10

It also will provide information on new legislation. It also will identify dispute resolution mechanisms for landowners, and it will help landowners navigate the expropriation process. Again, Mr. Speaker, nothing wrong with lawyers. Far be it from me if people want to pay legal fees, but at the same point in time I don't believe that people should have to go and hire a lawyer to get information about a complex and important issue. That is why under the leadership of this Premier our government is moving in this direction.

A second key function of the advocate is to hear complaints from affected landowners and prepare a report on any findings and recommendations that result from that complaint. This report will then be provided to the landowner, the appropriate board, and any other third party the advocate deems necessary.

Third, the advocate is required to provide an annual report to you, Mr. Speaker, not to me, as the Speaker of the Legislative Assembly. This report will outline the activities of the Property Rights Advocate office during the year as well as make recommendations on property rights issues. [interjections] I will continue with my speech and ignore the jeers and catcalls opposite.

Mr. Speaker, as I have outlined, first, how this government protects Alberta's property rights through legislation and, second, outlined how we have an advocate to advocate for Albertans' property rights on their own behalf, this is why I oppose this member's motion, made by the hon. Member for Drumheller-Stettler, to amend the Alberta Bill of Rights given what our government is already doing in this area. We already have strong property rights protections in this province, and Albertans can rest assured that under this government we always will have strong property rights protections.

Finally, I just would like to mention one other thing. The Member for Drumheller-Stettler had talked about life, liberty, and the pursuit of happiness. These are obviously noble goals, but they are nowhere in our Constitution. Rather, our Constitution in this country talks about peace, order, and good government.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Are there others to speak to the motion? I'll recognize the Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Here we go. That is correct, Mr. Speaker. I will guarantee you we will go to the carpet on this one.

Property rights are something that I'm quite familiar with, and I'm also quite familiar with the issue that this government does not respect property rights, has never respected property rights.

**Mrs. Leskiw:** Oh, get off it.

**Mr. Anglin:** I'm on it. I'm on it, good member. This member here from Cold Lake . . .

**Mrs. Leskiw:** Bonnyville-Cold Lake.

**Mr. Anglin:** . . . from Bonnyville-Cold Lake had a chance to come out and debate me on property rights and failed to show up if I remember correctly.

Now, this issue dealing with property rights is a significant issue, and it goes beyond land. It deals also with business property rights. It deals with intellectual property rights. Those are also property rights.

I'm going to bring up an example. There was a business right here in Edmonton that was developing a piece of land, and the hon. Minister of ESRD might remember this gentleman. She met with him. His business was developing a piece of land on the south side of Edmonton, one whole quarter section, a \$30 million investment, and this is significant. It was an oilfield service company, and all they needed to do as part of this development was take an old dugout probably created in 1960. It was dry. I'll stand corrected if any member wants to correct me, but I believe it was called the Stewart and Kantrud, however you pronounce it, methodology on the reclamation of wetlands, where it's nothing more than an environmental study that actually declares what level of wetlands are being reclaimed and then there is a donation or a fee that goes to somebody like Ducks Unlimited to reclaim that section of wetland. In this case, it was a dry dugout.

Now, this business was fully aware of this. They had lawyers working on their development, and then they had their environmental engineering firm work up the study, everything according to the practices that this province has had in place for quite a long time. Unbeknown to them, unbeknown to his environmental engineering firm, unbeknown to his law firm that worked on his behalf, ESRD showed up and said: oh, by the way, the \$3,000 that you were going to donate to Ducks Unlimited is actually \$3 million, and that old system does not apply.

Now, where is that business's rights in dealing with this issue? This was significant, and they were up in arms. I believe the minister may have had to settle this, but I will tell you something. There was nothing in law to protect this developer, nothing at all. ESRD, this government, owns that wetland. Private businesses, private owners pay taxes on that. We had a system in place, and without telling anyone, now all of a sudden the first business along was notified that the system has changed. Yet the businesses behind them were never notified, and they were still going by the old system.

Now, without some sort of recourse it makes it very difficult to conduct business, and it makes it very difficult to actually go about doing your business. I believe that's the whole reason behind our single regulator, that we would streamline regulation, make it more efficient so that there would not be excess delays. This was one prime example where a business was affected by this. I don't know exactly how they resolved it, but I do know this. If they were not going to be able to resolve it, they were willing to break the law and let the government sue them and deal with the issue then in court on how this was to be resolved. All that business was looking for was to be treated fairly, fairly and justly,

something that this government, this party refuses to put into law and has rejected in the past. Here we are dealing with some very basic issues.

To the hon. Minister of Justice and Solicitor General: to say that the Expropriation Act applies is an interesting observation because if you look under the Land Assembly Project Area Act when it was first drafted, the Expropriation Act in particular was excluded. The law said initially that the Expropriation Act would not apply, and we had to fight, not here inside this Chamber but outside in rural communities before that party, that government would amend it. But when you amended it, you didn't say that the Expropriation Act will apply or shall apply. What it did was that it went silent on the matter. It went silent. If you read the act the way it is currently amended today, this government still has the ability to circumvent the act. That was one of the biggest problems and still exists to be one of the biggest problems with that act.

We've had in place for quite a long period of time an Expropriation Act that was similar to or even better than in other jurisdictions. All jurisdictions have this methodology, have statutes in place so they can expropriate property in the public interest. I'm going to talk about the public interest here in a second and for a long time if I could. The Expropriation Act works. It did work. It has worked, yet this government actually tried to prohibit the Expropriation Act under the Land Assembly Project Area Act. So now what it has done is that under that act, if you look at section 3(1), it says that the minister may make regulation concerning any type of use over any kind of matter, and if you leave anything else out, it just basically makes sure it circumvents the whole process on any other issue dealing with that property.

Now, I for one am in favour of utility corridors. I think they're a good idea. It's how you do it that makes it a bad thing. You have to do it right. People need a mechanism so that their property interests are protected. There aren't very many property owners out there that do not understand that we have to sell land or give up land for things like roads, for pipelines, for transmission lines. That's never been the issue. The issue has always been: are they going to be treated fairly and justly? That's always been the argument. That's always been the fight. It's not just about compensation. It's about respect, it's about dignity, and it's about justice. That's been the problem, yet this party in power has not figured that part out, and it has caused more problems than it's been worth. You're looking at one of them. We caused one of those problems. How did the government react? Well, they tapped my phones.

I will tell you this. The whole issue of embedding these property rights into something like the Bill of Rights does now give us some sort of protection when these other pieces of legislation come along.

Now, I want to talk about section 19, actually, of what we referred to as the land stewardship act. When that act was written, the former agricultural minister actually said that that section enhanced people's rights to compensation, which is a very odd statement because that section at that time basically stated that no person has a right to compensation by reason of this act or any regulation made thereunder. End of story. So why did the government write that in there? Well, I presume – and maybe I shouldn't presume. I never took it that they weren't going to compensate property owners, but I took it that they wanted to make sure the property owner didn't have any rights to compensation or any recourse.

5:20

I always felt that the MLAs and cabinet ministers who were

selling the bill fully believed that they would compensate property owners, but the act itself said that nobody had any rights to compensation. That section was changed, and now what it says is, quite simply, that you as a property owner have a right to compensation by reason of this act and any regulation made thereunder. That's a good thing except for one problem. There are no rights to compensation under that act. Giving them a right to compensation within the act, but then the act is hollow or silent, doesn't really achieve a thing.

So what we've done is actually take something that was quite blatant and draconian, in my view, and just went silent on the matter. The way the law currently reads is that there is really no right to compensation. If you check under section 19.1 of the act, what it states there is, when you get down all the way to subsection (9), that nobody has a right to compensation by this section. It's quite interesting to go full circle around that bill.

**The Deputy Speaker:** I'll recognize the Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Speaker. It's my pleasure to rise and speak in opposition to this motion. I'll outline my position. I do not doubt for a second that property rights need to be protected, and I believe everyone in the House would agree with that. I believe that the current government went about it all wrong when they introduced Bill 36, Bill 50, Bill 19, Bill 24. The issues that I have are several. Property rights are already enshrined within the Alberta Bill of Rights. Alberta does have a patchwork of legislation that deals with compensation, and it's fair to say that we need to ensure that legislation is full, fair, and timely and that there is recourse to the courts when the process is not followed to a T, to the letter of the law.

The Alberta NDP opposition were generally supportive of the idea that there needs to be fair compensation when land is expropriated, but the idea of value in this motion is too radical for us. Even when you compare property legislation to the United States, this piece of legislation, or this motion, is far more radical than what exists in the United States. There are possible unintended consequences, and that's what draws my concern and the concern of my colleagues.

When we look at the terms "value" and "property," we don't have sufficient definitions in our court system, according to our legal advice, on those two different terms. So there might be unintended consequences, where individuals or corporations benefit from compensation for value that would otherwise have been created either in the future or in lost opportunity.

The definition of property: I mean, that is one problem. What would apply to this definition? I'll give you some examples. We can all imagine a field of wheat. What about the lost revenues in the future for wheat that was never grown? What about intangible properties such as proprietary information in the seed used to grow the wheat or the brand recognition that might be used by the farmer in the farmers' market or in sales of wheat now allowed with the abolishment of the Wheat Board?

In some legal circles the idea of new property has been popular. This can include government pensions, disability benefits, marriage and separation benefits, labour laws, et cetera. What would be the ramifications of these if they were ever recognized in Alberta's jurisprudence as property under this motion? Interestingly, would people on AISH be able to sue the government if benefits were ever decreased, even indirectly?

Property might someday be defined as income or rents. Labour legislation such as minimum wage standards might sometimes affect the bottom line of corporations. These regulations can hurt

the bottom line of corporations. Would companies then be able to sue governments for lost income if they start to change our labour codes?

Moving to the definition of value, one of the biggest grey areas pertains to value itself. Nowhere in North American law is value protected as a right. The only thing that's protected is the right to use land or property. Even in America, where private property and the right to fair compensation have been enshrined in their constitution, there is no reference to value. In the U.S. one must show, essentially, a total loss of any economic value in order to give rise to compensation. Without going into details, some public thinkers have pointed to the chilling effect on decision-making that these laws have had. Think about trying to implement environmental legislation, for example. We should certainly study what effect it has had in the U.S. and how that would inform the Alberta debate.

Let's consider how it would be inherently very difficult to determine value in a couple of different scenarios. One example is the power line debate. While we sympathize with those indirectly affected such as farmers where the power lines run near but not on their property, it would require a significant amount of effort to determine what the negative value of those lines would be to the indirectly affected farmer. What would be the trigger for compensation? Would there be a minimum amount? Conceivably, people would have a right even if the amount was one penny.

The idea of value might also be applied to opportunity cost. Imagine that a landowner is about to receive a windfall of profit when the government decides to allow a nuclear power plant on his land. Then at the eleventh hour the government decides that it was following the wrong course and cancels the project. Should the government then be on the hook to pay the landowner for his lost revenues that would have been there if a nuclear plant was built?

The idea of changes to value also implies causation. Proving causation has proved to be very difficult in the past, for one thing, and it would involve serious legal costs if it always had to be determined in court. Some people might not be able to afford this, then limiting the access to justice. If causation was left to the courts, it would cost the province a lot of money in judges. As well, the amount of litigation that would come from this would be overwhelming. So there should be more clarity on the issue of what value is as well as other issues such as the definition of property before allowing the courts to be flooded.

Looking at this principle and how it applies to corporations because they're essentially treated as individuals under our laws, we must also consider their angle. There are a multitude of ways the government might impact the value of land or property owned by corporations with regulatory decisions. For example, under this motion it's conceivable that heavy industries might be able to sue the government when they implement higher air emission standards since a government initiative negatively impacted the value of their property. New mine reclamation rules might also decrease the amount of money a corporation can make off the land, thereby reducing its value.

What about the impact of Crown corporations who may at some point find themselves in direct competition with a private firm providing the same service? Would this also fall under government initiative? Is this the intent of the motion, really, to support corporations?

What impact would it have on other forms of government, namely municipalities? Back in the '80s the Alberta government was opposed to adding property rights to the Canadian Charter of Rights and Freedoms because they were afraid it would create a standard set of rules around land use for the whole country. They did not want to lose their ability to develop their own land-use

laws. This motion would likely be vehemently opposed by municipalities for the same reason.

Municipalities often make zoning changes that impact the value of property in any given area. Sometimes it increases the value; sometimes it decreases it. Would municipalities, then, be on the hook to compensate landowners or businesses affected? What if a municipality decided they want to tackle urban sprawl and rezoned land that had already been purchased by a developer? Should municipalities be on the hook to pay for the costs associated with real estate speculation? What about if someone feels that a new bus station has negatively impacted their property value? What if they have a home business that was affected in a positive or negative way?

5:30

This motion would have a chilling effect on the ability of any government to undertake initiatives in the public interest that might affect the value of a private interest. While we should not burden individuals unfairly with the costs of implementing the public interest, governments must be allowed flexibility to deal with public policy issues. In order to pass the test of fairness under the law, there would need to be a uniform system developed to deal with any and all kinds of scenarios that municipalities might face. This uniformity might take away from creative initiatives to deal with the issues of compensation when the public good is involved. In my short time I haven't even begun to touch on how this might impact aboriginal communities and aboriginal titles.

It is, therefore, my position and the position of the Alberta NDP opposition that although it may be a laudable goal to ensure fair and timely compensation, there are many problems with this motion, and it could have a number of unintended consequences. It would be prudent to have a significant amount of legal, social, and economic study of this type of motion before it should ever be considered by this House.

Therefore, I stand in opposition to this motion and ask for more research to be done on protecting landowners' rights without resorting to such radical proposals as this one.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the next two speakers, the Minister of Environment and Sustainable Resource Development, followed by the Member for Cypress-Medicine Hat.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. It's really a pleasure to rise today and talk about Motion 505. Certainly, myself as minister and our ministry do not support this motion. We don't support it for the following reasons. This government is well aware that property rights are an important issue for many Albertans, and we have taken every step to protect those rights.

As you know and many in this House know, we spent a lot of time, myself personally and other members of cabinet and other government MLAs, travelling across the province and talking to property owners about their rights. The things that we heard in all of the communities across the province when we chatted were things that were important to them. Property owners knew that we needed to plan this province not just for today but for future generations. They know that it's important that our kids and our grandkids will have land that's set aside for economic development, for recreation, for important heritage, and for important wildlife species. They want all of that. But with that, they also wanted to make sure that if their land was taken for the greater good, they would be fairly compensated, that they would have consultation about that, and that they would have access to the courts.



Indeed, the other part that they brought up to me many times and, I know, to our colleagues that travelled along with me: they wanted someone there to help them. Many of these landowners had only dealt with an industry company or the government once or twice in their lifetime, and they didn't feel they had the information that they needed to make the decisions. So they asked for some help. To respond to that, not only did we do that, but we made sure in our legislation that compensation, consultation, and access to the courts are there. Indeed, we put in a Property Rights Advocate, someone that will be there for the landowners to make sure, first of all in the education portion, that they can educate them on what their rights are, and second, when they have individual questions, they can go to the Property Rights Advocate.

I can tell you from travelling the province, over 20 different communities over a couple of months, that in every community people wanted to make sure fundamentally that those were in place for them. They understand the greater good. They also understand long-term land-use planning. That's why the Land Stewardship Act provides Albertans with fair, full, and timely compensation to the courts. The intent of the act has always been to protect individual property rights, and we made that purpose even more explicit when we introduced amendments to the act in 2011.

The purpose of these amendments was to clearly establish that the government will always – always – respect the individual property rights of citizens, that government will never limit any existing right to compensation for land, and that government will respect all existing provisions for land-use decisions. These amendments also give property owners more options if their land is required for public use, and they ensure that landowners will receive applicable compensation when their land is designated as part of a project. Let me be clear, Mr. Speaker. The safeguards are already in place. They already exist. The legislation is in place.

The desire to listen and to respond to public concerns on this matter is something that this government does and is concerned to do. That's why the Premier established the Property Rights Task Force in November 2011 and the minister recently announced that person in the position, with the office being opened.

We heard from more than 1,400 Albertans across the province. We acted quickly on the recommendations of that task force when we received them. Albertans told us they wanted government to establish an independent Property Rights Advocate, and that's exactly what we have done. Alberta's first Property Rights Advocate was named in December 2012, and his office in Lethbridge is now operational. On the advice of the task force we have also committed to reviewing relevant provisions of the Expropriation Act and the Surface Rights Act as well as the compensation guidelines applied by the Surface Rights Board and the Land Compensation Board.

In short, this government's existing legislation already provides property rights guarantees, and we are committed to responding quickly and decisively to remaining public concerns that arise on this topic. This motion, therefore, is unnecessary, and we do not support it.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. minister.

I recognize the Member for Cypress-Medicine Hat.

**Mr. Barnes:** Thank you, Mr. Speaker. I would first like to commend the hon. Member for Drumheller-Stettler for bringing forth this motion. I wholeheartedly support it, and I feel it should be

resolved that the Legislative Assembly urge the government to

introduce legislation to amend the Alberta Bill of Rights to ensure that all Albertans have an inalienable right to full, fair, and timely compensation with recourse to the courts when a new government initiative negatively impacts the value of their property.

A number of reasons for this. First of all, in my opinion, a strong economy, strong individual rights, and the foundation of our wealth start with three things: property rights, where a government knows its limits, where the line is drawn between an individual's rights and responsibilities and the government's, and individuals have the opportunity to grow wealth for their families, themselves, and their communities; secondly, stable electric costs – and we know where Bill 50 is taking us in this province with that – and competitive taxation and regulation. We have seen Manitoba and other western provinces reduce their corporate tax lower than ours, and we know that the CFIB continually gives Alberta a failing grade on removing regulation.

Property rights is an area that Alberta can excel in and Alberta can take the leadership in for the benefit of our wealth and the benefit of our individuals. Canada lacks a legal framework that compels government to provide restitution when it infringes on individual property rights in the pursuit of the public good. Again, Alberta can become a national leader in this area. Alberta's Bill of Rights was a good idea, but it didn't go far enough. The clause that protects property rights is followed by this phrase: "and the right not to be deprived thereof except by due process of law." We know what due process of law is: Bill 36, Bill 19, Bill 24, Bill 50, and Bill 2.

I represent Cypress-Medicine Hat. As I've indicated before and as most of you are maybe aware, it's about the south 25 per cent of Medicine Hat and the town of Redcliff, where about 65 or 70 per cent of the voters and constituents live. The other 35 per cent of the residents are in two counties, Cypress county and Forty Mile county, making my constituency approximately 60 miles by 80 miles.

**Ms Calahasen:** That's nothing.

**Mr. Barnes:** That's nothing. I've heard that.

Well, speaking of that's nothing, Bill 36, the regional advisory committee plan, has come out in our area with some preamble, and in Cypress county my guess is that some 30 or 35 per cent of it – 30 or 35 per cent – is designated as potential conservation areas. Some 10 or 15 per cent of Forty Mile county has been designated in brown as potential conservation areas.

**5:40**

When we read the preamble that was provided in the stuff that is apparently quite far from regulations, it says something like potential conservation areas will be voluntary on deeded land and may be enforced on leased land. It seems like not too big a deal except when you realize that the vast, vast majority of ranchers and farmers in these two counties own a combination of leased land and deeded land. Sometimes these ranches have been in their family for six generations. Amazingly, some of those parcels of land, that these people have had good stewardship of, paid a tremendous amount of taxes on, and raised wonderful Albertans on, I'm told have never ever been patented, never ever been deeded for whatever reason. So now we're looking at a situation: property rights reduced, impacted by what these bills are doing.

What's the difference, you say? I know a rancher in the special areas who wants to move on, wants to sell his land. He's had it on the market for about a year. He has told me that his deeded land has attracted strong offers, but he's having tremendous trouble getting what used to be fair value on his leased land. He's farmed

it for years and years. He paid money for it. It's been a mixed bag how the government on the other side of this floor has treated all these lease owners.

It's also interesting to me that three time – three times – in my campaign and once after, when town hall meetings were called to discuss these things, you get some 200 pickups in the parking lot, people wanting to protect their property rights, strong Albertans, people who love Albertans, people that have built Alberta, people that want their property rights protected.

How does all of this matter? I have a copy of the *Financial Post* here, and I'd like to read a headline from about three months ago. Walmart Canada is taking 39 of the leases on which Target Canada bought on option to take over from Zellers – so we're talking leases – in a \$1.8 billion deal. So Walmart is buying from Target, which bought from Zellers, a transaction of \$1.8 billion. My goodness, what tremendous wealth for Albertans. What tremendous wealth for Canadians. What an opportunity for society to tax some of this wealth to build education, health care, the programs that we need, not the type of thing that I would want to see destroyed.

I will close with, again, my support for this motion, my support of individual property rights. I would ask others to do the same.

**The Deputy Speaker:** Thank you, hon. member.

I recognize the Member for Stony Plain.

**Mr. Lemke:** Thank you very much, Mr. Speaker. I'm pleased to rise today to speak to Motion 505 brought forward by the hon. Member for Drumheller-Stettler. On a subject that the opposition purports to be passionate about, it saddens me to see so many empty seats across the aisle.

Motion 505 urges the Alberta government to further entrench property rights in the Alberta Bill of Rights. As we well know, this bill is a fundamental piece of legislation that serves to protect the basic rights of Albertans. The bill is formed on the principle that everyone has the right to life, liberty, and security of the person and enjoyment of property and that no private property shall be taken for public without going through legal proceedings.

Section 1 of the bill states:

It is hereby recognized and declared that in Alberta there exist without discrimination by reason of race, national origin, colour, religion or sex, the following human rights and fundamental freedoms, namely:

- (a) the right of the individual to liberty, security of the person and enjoyment of property, and the right not to be deprived thereof except by due process of law;
- (b) the right of the individual to equality before the law and the protection of the law;
- (c) freedom of religion.

Mr. Speaker, the hon. member who brought forward this motion is proposing we add the following under section 1 of the Alberta human rights bill for greater certainty: the right to enjoyment of property and the right not to be deprived thereof except by due process of law under this act shall be construed such that where a law of Alberta authorizes the Crown to acquire property owned by a person other than the Crown, that person is entitled to "full, fair, and timely compensation [and right of] recourse to the courts" to determine the compensation payable. The addition of this clause to the Alberta human rights bill would be redundant. It is stated in the aforementioned quote from the Bill of Rights that an individual has the right to property and the enjoyment of that property. It is only through the due process of law that a person may be deprived of that property.

Mr. Speaker, the bill already ensures property rights are legally protected. With that, any seizures of property need to have legal

cause and are subject to legal recourse. There would be no benefit because the bill already protects property rights. There is no point in adding that clause simply to reiterate something which is already there.

Today I'm standing against Motion 505 because it doesn't improve the Alberta Bill of Rights. If anything, it detracts from it. I encourage my fellow members to do the same. I am proud to point out that Alberta leads Canada in the protection of property rights and that no other jurisdiction safeguards those rights like this province does. For the reasons I have articulated, I will not be supporting this motion, and I encourage my fellow members to do likewise.

With that, Mr. Speaker, I conclude my remarks on Motion 505. Thank you.

**The Deputy Speaker:** Thank you, hon. member.

I recognize the Member for Livingstone-Macleod.

**Mr. Stier:** Well, thank you, Mr. Speaker. Good afternoon, everyone. I would be remiss if I didn't speak a little bit on this particular topic, I would suggest. I'd just like to thank the minister for getting up and speaking the words that she did, making us aware that she was well aware of the issue. I have no doubt of that. Over the past couple of years, since I've been involved with this situation, I've attended many of the meetings that she made mention of, and I've seen with my own eyes how powerful this has been, how many hours were spent by a lot of people travelling all over Alberta to ensure that they were not only informed on what was happening but that they had their voices heard. I assure you that at most of the meetings, including the most famous one at Eckville, a lot of voices were definitely heard.

You know, we have to look back, I think, and look at the situation over those past few years and realize that an awful lot of work and time was put in both by the people of this wonderful province and also by the people involved in legislation. I often think that there's got to be a reason why this occurred. It seems to me the basic reason is that we don't have property rights enshrined in any of our basic laws. Unlike the United States and most European countries where they are constitutionally protected, that's not the case here. I've had volumes of information sent to me from as far away as Australia, where they're debating these very same issues. One has to wonder why we can't do something to remedy this situation.

I speak in support of this legislation that is being proposed by the hon. Member for Drumheller-Stettler, to my right. I think that we have to keep in mind that these things underpin economic rights, and they're kind of critical to the foundation of our democracies. We have an awful lot of things that we could entrench, I suspect, in the Alberta Bill of Rights, but this has got to be a very, very crucial one. Just look back and think: would we have had to spend all these weeks and months and perhaps two years of debating and arguing over this very fundamental thing if we'd had that in the Bill of Rights?

I leave you with that final point. That's my key point for my submission. I thank you for the time this evening.

5:50

**The Deputy Speaker:** Thank you, hon. member.

I recognize the Member for Strathcona-Sherwood Park.

**Mr. Quest:** Well, thank you, Mr. Speaker. A pleasure to speak today on Motion 505, brought forward by the hon. Member for Drumheller-Stettler. The stated purpose of Motion 505 is to entrench property rights in the Alberta Bill of Rights. This motion stems from a principle that everyone has the right to life, liberty,

security of the person, enjoyment of property and that no private property should be taken for public use without full and fair and timely compensation.

Mr. Speaker, this is by no means the first time a motion of this kind has been brought forward by the opposition. In fact, the proposal was previously introduced as a private member's bill by a former member and current adviser of the opposition. This attempt at legislation was previously defeated because the government already has in place protections necessary in the form of consultation, compensation, and court access. In addition, we have initiated ongoing consultations with landowners on the issue of property rights, and Albertans recognize that.

Mr. Speaker, during her bid for the leadership our Premier pledged to add consultation, an explicit compensation model, and access to the courts moving forward with land-use legislation, and on November 24 of last year the consultation process was initiated by the Property Rights Task Force. The hon. Minister of ESRD led this initiative, as she mentioned, which had the objective to talk with Albertans about the approach they would like to see taken to property rights in our province. The task force met directly with some 1,100 Albertans in 10 communities and heard from more than 300 others online, via e-mail, or over the phone. Additionally, they met with a number of stakeholder representatives in an effort to strengthen the individual property rights of landowners and ensure that all voices were heard.

In response to this consultation our government further enshrined our commitment to protecting property rights in law. Mr. Speaker, Bill 6, the Property Rights Advocate Act, was passed last year, establishing the Property Rights Advocate, which has been mentioned several times. Bill 6 supports the government's position that landowners must have recourse to an independent tribunal, the courts, or both for the purpose of determining full and fair compensation for access to their land. Reporting to the Minister of Justice, who has also been up, the Property Rights Advocate's office shares independent and impartial information about property rights and helps individuals determine the appropriate resolution mechanism should a problem arise, including the courts.

Mr. Speaker, the advice of Albertans is invaluable to the future of this province, and that's why the information received by the task force has directly influenced policy development by this government. In May 2011 we passed the amendments to the Alberta Land Stewardship Act with Bill 10, and this bill was a response to Albertans' concerns about property rights and the pressures of growth. The amendments made a clear statement that government respects property and other rights of individuals. Throughout these consultations Albertans asked for an additional awareness of property rights. They asked for and received an active and ongoing consultation process. Further, Albertans also asked that they be consulted on plans to accommodate growth.

Out of concern expressed by Albertans specific to aged industrial infrastructure impacts on land, the government has committed to undertaking a comprehensive review of the requirements for industry to reclaim and remediate land and remove unused infrastructure. This process will also include examination of standards and guidelines which regulatory bodies use to apply those requirements. Most importantly, Mr. Speaker, this review and examination are a result of a successful consultation process with Albertans. This government has already committed to taking steps to engage even further with Albertans on property rights.

This motion simply reiterates past proposals and existing regulation and legislation. If you ask me, Mr. Speaker, this motion lacks the common sense that this member's party claims to

advocate for. It's out of touch with the reality that people's property rights are well protected in this province and rightly so. The government has not only passed and amended legislation . . . [A timer sounded] Et cetera, et cetera.

I will not be supporting, obviously, Motion 505.

**The Deputy Speaker:** Thank you, hon. member.

I hesitate to interrupt, but under Standing Order 8(3), which provides for up to five minutes for the sponsor of a motion other than a government motion to close debate, I would now invite the hon. Member for Drumheller-Stettler to close debate on Motion 505.

**Mr. Strankman:** Thanks, Mr. Speaker. It's been an interesting last few minutes here in listening to the responses. I've got a list, and hopefully it'll be coherent as I proceed through it.

I enjoyed the quick and early response of the Member for Calgary-Acadia. You know, I've lived near the province of Saskatchewan, and I've seen these products of the social gospel throughout my lifetime. I've taken great interest in that, but sometimes their arguments aren't relevant. Now we've seen the response to the social gospel of Saskatchewan with a new government. It's quite enlightening, and I'm pleased and proud to actually be close to Saskatchewan for the first time in about 45 years.

I'd like to also speak to my friend from Edmonton-Beverly-Clareview, where he commented about the abolishment of the CWB. At a further occasion I'll have to advise him on the incorrectness of that statement because the CWB has not been abolished.

I'd also like to speak to Bill 2, that's been brought forward by the present government, wherein they talk about the public interest. Nowhere in that bill is public interest mentioned. This party tried to add that as an amendment, and we were succinctly and roundly voted down in our attempts to put that in there.

I'd like to continue on with the Member for Stony Plain, wherein he talked about the human rights bill. This isn't the subject of our discussion. The subject of our discussion is the Bill of Rights, so I think there is a miscommunication there going forward.

With that, Mr. Speaker, I'd just like to say that I put the motion forward in a democratic fashion, and I'll stand to the vote of the House. Thank you.

**The Deputy Speaker:** Thank you, hon. member.

[The voice vote indicated that Motion Other than Government Motion 505 lost]

[Several members rose calling for a division. The division bell was rung at 5:57 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Anderson	Hale	Stier
Barnes	Pedersen	Strankman
Bikman	Rowe	Towle
Donovan		

Against the motion:

Allen	Hancock	Olson
Bhardwaj	Hughes	Pastoor
Bilous	Jeneroux	Quadri
Calahasen	Johnson, L.	Quest

---

Casey	Khan	Rodney	Goudreau	Oberle	Weadick
Dallas	Klimchuk	Sandhu	Griffiths	Olesen	Young
Denis	Kubinec	Sarich			
Dorward	Lemke	Scott	Totals:	For – 10	Against – 36
Drysdale	McDonald	Starke	[Motion Other than Government Motion 505 lost]		
Fenske	McQueen	VanderBurg	[The Assembly adjourned at 6:10 p.m.]		

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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Monday evening, March 11, 2013

Issue 34e

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta**  
**The 28th Legislature**

First Session

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Jablonski, Mary Anne, Red Deer-North (PC), Deputy Chair of Committees

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Bhullar, Hon. Manmeet Singh, Calgary-Greenway (PC)  
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Calahasen, Pearl, Lesser Slave Lake (PC)  
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Fox, Rodney M., Lacombe-Ponoka (W)  
Fraser, Rick, Calgary-South East (PC)  
Fritz, Yvonne, Calgary-Cross (PC)  
Goudreau, Hector G., Dunvegan-Central Peace-Notley (PC)  
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Webber, Len, Calgary-Foothills (PC)  
Wilson, Jeff, Calgary-Shaw (W)  
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
    Government Whip

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Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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Casey	Stier
Fenske	Webber

## Legislative Assembly of Alberta

7:30 p.m.

Monday, March 11, 2013

[The Deputy Speaker in the chair]

**The Deputy Speaker:** Please be seated.

### Government Bills and Orders Second Reading

#### Bill 12 Fiscal Management Act

**The Deputy Speaker:** The hon. President of Treasury Board and Minister of Finance.

**Mr. Horner:** Thank you very much, Mr. Speaker. I am extremely pleased today to rise and speak to the Fiscal Management Act. As part of the budget tabled on Thursday in this House, the Fiscal Management Act really is about putting the rules, the fences, and the milestones around what this government and governments in the future are going to be doing. It will replace the Fiscal Responsibility Act and the Government Accountability Act, but when I say “replace,” I don’t mean that we’re going to take out a lot of the rules that used to be in those. We’re combining the two and bringing out a Fiscal Management Act.

It does reflect extensive consultations that myself and the Associate Minister of Finance and the Premier and many of our colleagues did around the province last year. We had town halls. We had online surveys. We had a number of one-on-one meetings with financial experts in the province and outside of the province. We had a long discussion as it related to the budget preparation but also, Mr. Speaker, to the future of the province. How do you establish that? How do you ensure that we reach Albertans’ priorities?

There were a number of things that we heard loud and clear. One was: live within your means. There had to be some fences around how we operate into the future, and there had to be some clarity and transparency about what it was we spend on operating, separating it out, as I mentioned today in this House, the same way that we tell municipalities to separate it out, for some very good reasons. The very good reasons are that Albertans want to know what we’re spending on operating, and they want to know what we’re spending on capital, and they want to know how much money we’ve saved and where that’s going. The reflection of the extensive consultation indicated that savings is an important priority for Albertans.

There’s a fundamental difference between financing for operations and financing for capital. This Fiscal Management Act is going to provide a clear set of fiscal planning rules and the requirement – the requirement, Mr. Speaker – for an operating plan, a savings plan, and a fully funded capital plan in future budgets and in this one. It provides guidance for accountability requirements for the new fiscal planning approach and will outline the transparency of government reporting requirements.

Key aspects in the new act. We’re going to have savings through the nonrenewable resource revenues. We’re going to ensure that the heritage fund income is retained. We’re going to ensure that the contingency account or sustainability fund is replenished and the clarification and enhancements of quarterly reporting. Obviously, my intention here in moving second reading of the Fiscal Management Act is to ensure that all of these aspects come to the fore for this budget and for future budgets.

We’re going to maintain the 1 per cent spending rule that also was included in one of the other acts. We’re going to bring that forward into this. We’re also going to introduce a debt obligation limit, something that we have not had in the past and that we’re going to indicate and put into this budget. The province will reduce its reliance on nonrenewable resources for funding current expenditures because, Mr. Speaker, we’re going to ensure that we take the dollars off the top, and we’re going to take the debt servicing costs off the top.

There will be a renewed savings strategy which addresses both the inherent volatility of resource revenue and the eventual depletion of the nonrenewable resource revenues. Through this act the government is going to commit to saving in both good times and in challenging times. Every year a predetermined minimum percentage of nonrenewable resource revenue will be set aside for the purpose of saving before we even calculate what our operating revenue will be. In any given year as the nonrenewable resource revenue rises above those predetermined threshold levels, the percentage of the nonrenewable resource revenue that is saved will increase. Savings levels will be driven by the province’s revenue intake, not by the operating balance. In other words, savings will be taken off the top of revenue and will not be driven indirectly by expenditure.

Mr. Speaker, the sustainability fund, which currently under the changes in the act will become the contingency fund, is now going to serve as a pure fiscal stabilization fund solely for the purposes of addressing short-term revenue volatility, not for paying for capital and other things that it has been doing in the past. The government will commit to a plan which ensures the growth of Alberta’s long-term savings over time through retaining the Alberta heritage savings trust fund’s income within the fund, something Albertans have been asking for for some time. We’re going to make it law.

Where economic and financial circumstances warrant, the government will undertake borrowing for capital infrastructure within prescribed limits and with a clear plan of debt repayment. In fact, Mr. Speaker, we’ve presented that plan in the House already. The proposal has been through a number of consultative processes. It has been through a lot of discussion within the legislative review that we have here. There are no federal government implications.

We are in the process, obviously, of debating the budget, but this financial management act is really the keystone of how we’re going to move this province forward with a fiscal framework that is a once-in-a-generation opportunity for us to guide and set the posts for future Albertans. I’m very proud of this new act: the new debt limit, the savings as being an intentional act, the separating of the capital and operating plans to recognize the differences between operational and capital expenses.

I’m also very appreciative, Mr. Speaker, of the stakeholder consultation we did and now the stakeholder feedback that we’re getting on the act. I was going to cite the Alberta Chambers of Commerce as a big one. There are a lot of their recommendations in here around the fence posts around debt, around changing the name of the contingency account, around legislative savings, around making sure that we’re spending every dollar wisely, and around separating out the operating and the capital accounts so that we can have a very transparent look.

In fact, there’s more information provided under this format than what was previously provided. As future budgets start to stack up comparative to this one, all Albertans and all businesses and all financial management analysts will start to see why this is such an important aspect for the transparency and for the accountability of future governments.

Mr. Speaker, as in previous acts, balanced budgets are required by law. The definition of the balanced budget is very similar to what was in the previous acts. We've brought that forward, changed the name of the sustainability fund to the contingency account, and we've done a number of other things that meld these things together.

Included in the act as well are a number of consequential and related amendments that will be coming into force as well. There are a number of bills that are in the back piece of Bill 12 that are the consequential changes, the majority of those being simply because we've changed some of the names.

Mr. Speaker, there are a lot of very, very good things in this bill. I'm very, very proud to present it to this House. With that, having moved second reading, I would adjourn debate.

**The Deputy Speaker:** Thank you, hon. minister.

[Motion to adjourn debate carried]

### Bill 11

#### Appropriation (Supplementary Supply) Act, 2013

**Mrs. McQueen:** I'd like to move the act for second reading, please.

We had some questions the other evening with regard to this. I was not here the other afternoon, so I'd like to speak to those right now if I can. I'm going to go through the questions that were asked by the opposition parties, just go through those and answer as best I can.

The first question we had was: how does transfer from the government of Canada on disaster funding work in our funding model from ESRD? Municipal Affairs actually deals with disaster funding with the federal government. ESRD does not receive the federal funding, so that will be answered by Municipal Affairs.

Why is disaster relief funding a supplementary estimate and not a budgeted item? Wildfire and mountain pine beetle are managed as an emergency request. There is no way to determine the funding required for wildfires prior to a season. The funding model provides the department with a base budget to be prepared and standby but no funding to fight the wildfires. The mountain pine beetle overwinter survey is completed in the spring, and that is how we determine the beetle infestation. The department-based funding is available to determine what action is required before an emergency is declared and the required funding needed.

7:40

The \$59.4 million: what caused this specific line item? Nineteen overland floods. Again, Municipal Affairs and the municipalities are responsible for this line item.

Why do ESRD and Municipal Affairs both have line items for wildfire? ESRD responds to wildfires in the green zones, the forested areas of the province. Municipal Affairs has the responsibility to deal with fires in municipalities.

Why don't we budget for mountain pine beetle? There is a department-based budget to analyze survey results and determine if an emergency should be declared. Subsequent work is completed utilizing emergency funding based on the extent of the infestation.

The breakdown of mountain pine beetles was another question: control, survey, and municipal grants and a forest rehabilitation plan. The budget is broken down by survey and control, \$30 million, and \$10 million for forest rehabilitation.

The survey and control \$30 million is used to hire wage staff and aircraft contracting services and to provide grants to deliver the provincial mountain pine beetle action plan and management strategies, including population risk assessments to determine the

overwintering success of the beetle and the risk of its spread this summer. We conduct detailed, helicopter-based surveys of the leading-edge zone to detect the location of red trees, some fixed-wing photography surveys to assess the impact of beetles outside the leading-edge zone, and some fixed-wing sketch mapping of other areas of the province.

We complete ground surveys and control of high-risk infested trees; acquire data for tree inventory and planning initiatives; complete placement of early warning baits in noninfested areas of the province to detect major in-flights from British Columbia or spread in Alberta; deploy repulsion baits to protect provincially listed, endangered whitebark and limber pine trees and genetically important sites and research plots; collect pine seed in key areas for forest renewal; implement initial forest renewal strategies in areas where there is significant mortality; communicate with Albertans about the mountain pine beetle program and government actions; provide grant funding for municipalities to conduct survey and control activities and replanting of trees that were killed by the mountain pine beetle; and invest in research to guide control activities and rehabilitation efforts.

The \$10 million is for rehabilitation of stands that have been killed by the beetles in previous years north of Grande Prairie, near Peace River, and some areas around Slave Lake. It would include developing plans and options for forest renewal and reforestation activities for stands destroyed by mountain pine beetle, mechanically preparing stands identified for reforestation, purchasing seedlings for planting in the spring of 2013, and follow-up monitoring to ensure reforestation timelines and outcomes are being met.

For the question on the breakdown for \$17 million of oil sands monitoring, there is approximately \$16 million for monitoring work done by the federal government and approximately \$1 million for biodiversity monitoring done beyond the base monitoring of ESRD. The \$16 million will be paid to the federal government for the work that they have completed in 2012-13, and the \$1 million will cover the costs incurred by ESRD. As we know, this program is cost neutral as the funding will be collected from industry to pay for monitoring in the oil sands area that has been part of the process to date.

The oil sands industry through the Canadian Association of Petroleum Producers, CAPP, has agreed to pay \$50 million per year for three years to support the enhanced monitoring outlined in the joint plan. Industry expects this funding to replace the current system, where each year companies fund independent monitoring organizations such as WBEA and others directly to perform ambient environmental monitoring on their behalf in order to satisfy the conditions of their approvals. The intention is that company support for monitoring activities outlined in the joint plan will meet the requirements for ambient environmental effects monitoring outlined in the environmental approval conditions. Companies will still be required as a condition of their approval to continue monitoring their individual facilities.

Finally, a question about page 22, vote 8, lands, \$12.6 million. What are the details around this? The net amount of \$12.6 million is for a \$13.5 million legal settlement, and a \$900,000 department programs surplus offset the expenditure of this program line. The total \$13.5 million surplus amount was found internally by not paying some contracts and grants in 2013 which we normally prepay.

Those were the questions that were there. Thank you for the opportunity to speak to them.

**The Deputy Speaker:** Thank you, hon. minister.

I'll recognize the Member for Airdrie.

**Mr. Anderson:** Thank you very much, Mr. Speaker. Glad to stand in second reading of Bill 11. I think the comments of myself and my caucus will be brief as we talked about this a lot in estimates. I'm grateful for the Minister of Environment and SRD and other ministers – I'm assuming the Education minister and others – who are here to answer the questions put to them that were not answered in the last go-around. It probably won't be the case for Enterprise and Advanced Education. But, certainly, for Education and Transportation and Municipal Affairs, hopefully, we can get those answers.

Again, I'd like to reiterate my comments on the supplementary supply act, that it is a mystery – and I wish the Finance minister would answer this question – as to why, when they were doing their results-based budgeting activity and they had said that they had found hundreds of millions of dollars in year-end savings, if that's the case, that they found these savings, they are back here asking for more money.

I mean, we know the revenue side has changed from their predictions over the first few months – we understand that – but why the expenses? That's a question that I think needs to be answered. If we have hundreds of millions of dollars in in-year savings . . .

**Mr. Horner:** Because legislation requires it.

**Mr. Anderson:** Even with hundreds of millions of dollars in savings you would still require it. Well, thank you for the answer to the question. I love answers to the questions. That's fantastic. Okay. So there is an answer to the question. I'm not quite clear where that is in the legislation that he's talking about, but I will talk with him after about it. He can point it out to me. I'm always open to learn, hon. member.

Again, what that doesn't change, though, is that – we did talk about this as well. I want to commend the hon. Finance minister. I did notice in his budget, if I'm not mistaken, that you did budget this year for emergencies about \$200 million. This is a very, very good improvement in this process because we're always back here, every year, asking for more money for natural disasters. We know they're going to happen. You know, we don't hope they're going to happen, but we're 90 per cent sure they're going to happen every year. So it's good to have a little bit of money there set aside so that if they happen, when they happen, we have money that we can allocate. And if there's a surplus at the end of the year because a disaster didn't happen, that's fantastic. We can put that money towards . . .

**Mr. Horner:** Savings.

**Mr. Anderson:** . . . savings. Absolutely.

Debt repayment would be fantastic. That would like double the amount of the debt repayment they're planning for the next four years. It's fantastic. So there are all kinds of great things that they could do with that money.

I think that that is one very positive thing, that this may be the last time – maybe not the last time because there always could be that big once-in-a-hundred-year disaster that requires much more than \$200 million to deal with. But we hopefully will not be back here on a year-to-year basis asking for more money for disasters . . .

**Mr. Dorward:** It depends on the disaster.

**Mr. Anderson:** . . . because we have started the process of budgeting, which is good. Right, hon. Member for Edmonton-

Gold Bar? Disasters aren't good. We don't want that. We don't want disasters.

With that, I think we can move forward and hopefully approve this bill.

**The Deputy Speaker:** Thank you, hon. member.

The hon. Member for Rimbey-Rocky Mountain House-Sundre.

7:50

**Mr. Anglin:** Thank you, Mr. Speaker. I want to thank the member for explaining particularly with regard to the plan and strategy dealing with the pine beetle. I'm going to get right to that, without a doubt.

The question, though, really centred around the budgeting. Looking at the plan, looking at the strategy, talking to industry, no one's going to doubt that this is a serious problem. We have to stay on top of it. It requires consistent and stable funding. We know that. The question was: why is this not reflected? Rather than coming back for supplements, given certain parameters we should expect to spend so much. If there's an emergency, there's an emergency on top of that. The programs for actually dealing with the pine beetle, the plans and the strategy, are well laid out. It appeared that it was not budgeted properly, and it should be. That was really where the questioning was going. We can deal with that when it comes to estimates.

On the other side, dealing with issues like forest fires in particular, I understand there are other mechanisms for funding. The sad reality is that we've been underestimating it in our budget about a hundred million dollars a year consistently, year over year. Sadly, it's come in at that. We would love for it not to be true. I believe every member of this House would probably agree that if we spent zero on that because we didn't have any forest fires or natural disasters, that would be just great. The truth is that historically we know that this is what we spend, so we should plan on that in the budget accordingly. We know what the numbers should be, and if it comes under that, great. If it comes more than that, then we know we need to supplement the budget. Those are the two points that were basically raised.

To finish off, that's the question. We'll be talking about that come estimates, why we should be planning for that consistently and, basically, logically so we have a good handle on what we think we may or may not spend. Of course, as everyone knows, if the pine beetle infestation actually becomes more problematic, the risk for forest fires actually then becomes more problematic. The risk rises. These are things that we need to plan for and to budget for properly.

Thank you very much.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available if anyone has a question or comment for the Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Hancock:** I'll ask the hon. member a question or put it in the form of a comment. I wonder if the hon. member realizes that supplementary estimates are not simply about voting additional spending. The way the estimates are approved and the line-by-line votes that are done in the estimates: you actually have to get approval to spend money in a different place. We can go through a results-based budgeting process, we can go through a year of saving money in various spots, not spending all the money that was voted in one area, but that does not give licence to spend it in another area. You have to actually get approval of Treasury Board and come back in supplementary estimates in most circumstances to vote the money in a different area. So a savings process and a

results-based budgeting process can go through and save monies, but it doesn't give you the authority just to move it to a higher priority area or a different area. I wonder if the hon. member was cognizant of that?

**The Deputy Speaker:** Thank you, hon. Government House Leader. I recognize the hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. Yes, I am. That wasn't the question I was raising. The one I was raising was not so much the zero-based budgeting or results-based budgeting, as you call it. What I was raising the question about was the actual budgeting and the planning perspective. Historically you know what you're going to be spending money on, so to properly plan for it with the expectation – I'll give the member an example. If you come in every year and say, "We're going to start off at zero for fighting forest fires," well, that's admirable. But is that realistic knowing that we have a history and a trend of spending, you know, where we're going to be under a hundred million dollars, and that's been the trend for a five-year average? That was the point and the question I was raising.

Then it also went back to the pine beetle. The issue of the pine beetle being that there was government, there was private industry, and there were nonprofit agencies, lots of different stakeholders involved. The strategy, the plan is well laid out to some degree – we can talk about that at a different time – but to plan and budget for the defence of that is not something that, in my view, is unanticipated. So, yes, you can make the mistake, and an honourable mistake, which is that you didn't expect to have an infestation spread quickly because of weather – that is a possibility – but have some sort of a benchmark in a budgeting process to measure yourself against. So if you have a plan and a strategy in place for the pine beetle, and then you have that benchmark that this is how we're spending money to execute the plan, to execute the strategy, you can measure yourself accordingly.

By the way, if you have surpluses, then maybe you have to adjust the plan. Of course, if you have an infestation that grows, you have to come back and adjust your plan. You're going to need to provide more resources. I understand that. I was just looking at the history, the trend year over year, and wondering why at this point the budget didn't reflect the trend that was in place, that was happening historically over the five years. That was actually more accurate if you looked at the trend.

Thank you very much.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the hon. associate minister for PDD under 29(2)(a).

**Mr. Oberle:** Thank you. Just a quick question for the member. What you're actually measuring here is not your activity or the success of your activity but Mother Nature's activity through the summer, not just in forest fires but in pine beetle as well, what was their winter survival and those sorts of things. So I would point out that if you forecast zero, you have about the same chance of hitting that as you do if you forecast the average. I wonder if we could have the hon. member's solemn commitment that if we do forecast the average going forward, he'll never again question our estimates.

**The Deputy Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. One can hope.

**The Deputy Speaker:** I'll recognize the Member for Calgary-Buffalo to speak to second reading.

**Mr. Hehr:** Well, thank you, Mr. Speaker. It's a privilege to rise in second reading of Bill 11. I actually appreciate the commentary that's going back and forth here. I've been here now for five years, and I think I'm starting to figure out what supplementary supply is. I know every year we go around the bend as to why we're not planning more for disasters and for pine beetle and the like. Although seemingly we've come to agreement that this question won't be asked again next year, I can pretty much guarantee that this question is going to be asked. So we'll go through it again and again. I'll hopefully remember for the next year, and maybe it'll stick that time. You know, who knows? One never knows.

We had an interesting chance here to go through our supplementary supply on I believe it was Wednesday afternoon. We had some discussion regarding some of the ministries. I know the Minister of Aboriginal Relations was here and conducted business on behalf of the government and the like.

Needless to say, I appreciate the minister of SRD giving me a little bit of background on what the money is being used for, in particular some of the agreements we've now entered into with the federal government in terms of, hopefully, developing a more realistic and a more relevant oil sands monitoring of emissions and the like. It sounds to me that we're actually making some, albeit maybe smaller than we'd like, progress on this file.

In my view, it has been one of the things that we may have let fall through the cracks. We were in such a hurry to develop the oil sands and to get that economic engine running that we may have forgotten to put the environmental protections in place, ensure that our monitoring systems were of world-class standards, and assure the world community that we were, in fact, doing our level best to not only do things environmentally friendly but to actually use scientific evidence and base our decisions on fact rather than just dogmas.

As everyone is aware, it's becoming increasingly challenging to be in the oil and gas business, not only for this province but for many other jurisdictions and, in fact, companies who play in this space. We have to establish a social licence to continue on in this business. And I don't think it gets easier from this point, Mr. Speaker. I think it will become increasingly more difficult to continue to do this. It will be in our best interest that we act on some of the concerns expressed not only by the environmental community but, in fact, by citizens of the world and citizens of this province, that we are doing things to the best of our ability. I appreciate that.

8:00

It sounds like we're moving away from the day when we thought – and I'll be blunt – naively so, that self-reporting, or companies monitoring themselves, was a good idea. Frankly, I always thought that seemed to be a little bit of a misguided notion. It appears now that the government has recognized this and is moving on the folly of that decision and moving towards something that can be monitored and effectively dealt with, so I appreciate hearing that from the minister.

I do also note that many of the expenditures in Bill 11, Appropriation (Supplementary Supply) Act, 2013, are sometimes just necessary adjustments that need to happen on the government side of things to allow for some flexibility in the process. I note the Minister of Education is here. Many of these dollars are

simply a flow through to reflect the fact that we've had increases in the number of students who are attending our various different schools throughout this province, and we have an obligation to fund these education systems with the per capita grant dollars that were agreed to in the previous budget. It's my understanding that the vast majority of expenses in the Education department were related to those numbers and an increased and growing youth in our education system, that some or much of that expense was made of.

We do have some Transportation capital expenses, some Municipal Affairs expenses, and the like that appear to be not necessarily new but needed to be topped up given our necessary agreements and the like.

Like I said at the beginning, I've now seemingly got a reasonable handle on the Appropriation (Supplementary Supply) Act, and I appreciate the Minister of ESRD giving her comments here tonight.

Thank you very much, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

I recognize the hon. Acting Deputy Premier.

**Mr. Griffiths:** Thank you, Mr. Speaker. Just call me Minister of Municipal Affairs.

I was not available previously to provide detailed information on our supplementary estimates as requested, so I wanted to provide just a couple of details now. Our total request is for \$59,318,000. We have two offsetting amounts, almost identical amounts. We are also requesting \$530,000 for some upgrades necessary at the Whispering Pines lodge in Grande Cache, which was an emergency situation, and we are returning \$583,000, which was made available because the home warranty program that we had anticipated is coming into effect a little bit later. So they almost cancel each other out, for that final request of \$59,318,000.

The remaining \$59,371,000 we're seeking is from a series of disasters that took place across the province from flooding to forest fires. We had a press release, actually, about those. I'm happy to provide details at another time if anyone has particular questions about those disasters.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you.

Standing Order 29(2)(a) is available. The Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. Just a clarification. I had requested 29(2)(a) on the member previous, Calgary-Buffalo.

**The Deputy Speaker:** Proceed. Seeing that I missed it, go ahead.

**Mr. Anglin:** Okay. Good enough. I just wanted to make that clear.

To the hon. member. You mentioned world-class environmental monitoring. Something that we often hear in the rhetoric of government is world-class this, world-class this. We're dealing with budgetary issues. I wonder if you would elaborate on how you would quantify and qualify a world-class monitoring system.

**Mr. Hehr:** Well, that's an interesting question given that I am neither a scientist, nor do I understand much of the engineering that goes on in producing our SAGD or our emissions program and the like. I guess what I would like to see is something where I hope that people who evaluated your systems in place, who looked at what you were doing and evaluated it, people with credibility and people with the background that I don't have, gave it a thumbs-up.

Up until this time, over the course of the last 10 years, what the Alberta government has done has not passed scrutiny of those people with the relative expertise in what would pass as world-class monitoring. In fact, this government has been royally panned on their performance to date when it comes to evaluating or at least getting a baseline of not only what is happening in our rivers and streams and lakes and such but as to what actual amounts of CO<sub>2</sub> emissions we're putting into the environment.

You were at the meeting of Public Accounts a couple of days ago, where the Auditor General specifically noted that the government has no idea how much CO<sub>2</sub> we're pumping into the atmosphere. When your Auditor General says that he has no confidence in your emissions program or that it has any air of reality, to me that's a concern. It seems to me that if your Auditor General is saying that, it backs up the fact of what many of the environmental community and others are saying. We often dismiss them as being, you know, just against development and against people having access to our products, but when your own Auditor General comes out in a report in Public Accounts and says that what we're doing is not credible and does not actively monitor emissions, I think that should give us cause for concern.

**The Deputy Speaker:** Thank you.

Are there others? The hon. Member for Edmonton-Strathcona under 29(2)(a) or to speak on second reading?

**Ms Notley:** On 29(2)(a) to the speaker after Calgary-Buffalo.

**The Deputy Speaker:** Okay. Proceed.

**Ms Notley:** Can I do that? Do you want me to blend it?

**The Deputy Speaker:** Proceed.

**Ms Notley:** I just was wondering if the Acting Deputy Premier would like to provide me with just a little bit more information about the in-year savings with respect to the \$583,000 from the home warranty program. Where did that money come from? How was it delayed? What was it expected to go towards? When was it expected to go? Maybe just a little bit more detail about what the explanation was for that savings.

Thank you.

**The Deputy Speaker:** The hon. minister.

**Mr. Griffiths:** Thank you very much, Mr. Speaker. I'm pleased to. Our first anticipation of the Alberta home warranty introduction, which we then changed the name of, was for this spring. It was actually anticipated and hoped that it would come in in February, but we were delayed with some consultation and a few other things that went on. We don't anticipate the regulations that go along to complement the legislation. We're in consultations on those right now. We still anticipate that this fall will be when we actually get the program up and running, which means we haven't had to hire the staff that would be doing the registry of the warranties and the monitoring, which is where the savings have come from.

**The Deputy Speaker:** Are there others?

Other speakers to second reading? The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Speaker. I'm pleased to be able to rise to participate in second reading of Bill 11, the Appropriation (Supplementary Supply) Act, 2013. I wasn't here during the estimates discussion, the supplementary supply. I do know that at

the time there was not a small amount of frustration on the part of those who were participating in that some of the ministers were not available to answer some of the questions that were put to them at the time. That really, you know, calls into question the sort of degree of respect that the government has for the Legislature when they come to us asking for what is in essence, I believe, an extra half a billion dollars, which in the overall context of things, I guess, doesn't seem like much. But I think that to the regular Albertans out there who pay their taxes, the idea of an extra half a billion dollars is somewhat significant, so I appreciate that the Minister of Environment and SRD was here today to be able to answer some of the questions that were sort of put on the record in her absence and, as well, the Acting Deputy Premier.

**8:10**

Notwithstanding that, the difficulty is that with the estimates debate there's more of a back and forth, so you're able to sort of follow up on some of those questions. As much as some of the information provided by the two ministers who are with us today is helpful, it's not the same as being able to have access to that information from a knowledgeable, informed person and to follow up on questions if the answers are not entirely clear. That undermines the integrity of the debate and, indeed, of the debate that we're having right now, Mr. Speaker, because we don't really come to it as informed as the legislative process would suggest that we should be because of the inability to really have full access to the ministers through the estimates debate process.

That being said, there are some key elements in this bill which do warrant further discussion and some consideration. You know, we've already talked about the whole issue of the sort of unpredictable expenses, the wildfire, the beetle, and we've had the discussion, as the Member for Calgary-Buffalo rightly points out. I've also participated in this discussion a few times where we debate back and forth: how much of it could you have predicted, and should you put more into the budget in the first place? All that kind of stuff.

But there are other overruns that I think we could have predicted and, indeed, in one or two cases did predict, so I'm a little concerned that we're here now. One of them that occurs to me is the issue of enrolment going up in the Ministry of Education. I am pretty sure that last year when we were going through the budget, certain school boards did in fact suggest that the predicted enrolment increases were not properly reflected in the government's budget and plans. There were concerns raised at the time that we were underestimating the demands that were going to be put on the system as a result of failing to properly predict the rate of growth of students in our K to 12 system. Now we have the Minister of Education coming back to us asking for I believe it's \$29 million, and the question is simply: ought we to have known that last spring, and should that have been included in the budget, and should the implications of that extra cost have been something that perhaps Albertans could have turned their minds to in the election? So that's a question.

The other one that I would have liked the opportunity to have more back and forth on, Mr. Speaker, as I just did with the Acting Deputy Premier, is the issue of in-year savings because that's really important. As a couple of members have already pointed out, we just went through a process in Public Accounts two weeks ago, I guess it was, where the Auditor General and officials from the Ministry of Environment and SRD had a discussion and ultimately disclosed that we were not going to get anywhere close to our targets when it comes to reducing CO<sub>2</sub> emissions.

If that's the case, the question then becomes: well, where are we finding these in-year savings? To what extent are those in part or

in whole connected to the failure of this government to meet our targets with respect to CO<sub>2</sub> emissions? What other areas are being compromised by these in-year savings? I mean, we're looking at essentially \$30 million worth of in-year savings in the Ministry of Environment and SRD. Mr. Speaker, I'm very worried about that. This year, in this budget coming up, we're somewhere around a \$22-million cut to Environment. I'm not exactly sure; we haven't quite managed to figure out the money coming in and the money going out and all that kind of stuff. In any event, we're looking at that, yet apparently we were able to find \$30 million last year.

Now, the Member for Calgary-Buffalo talked in response to the questions from the Member for Rimbey-Rocky Mountain House-Sundre. They were chatting, these two, in response to questions about this whole notion of how at least some people have managed to reach the conclusion that this idea of industry monitoring itself is an absolute recipe for disaster when it comes to establishing any sort of credible reputation both in Alberta or outside of Alberta, on the international stage, with respect to the integrity of our environmental protection system. Yet there are so many different programs within the ministry of environment right now that to this day – not just the oil sands monitoring, Mr. Speaker, but almost every activity of the energy and gas sector relies on industry to report to the ministry of environment.

Some of us with good intentions, always assuming the best of others, sort of have this idea that we've got these very well-resourced and informed environmental officers, who are out there checking on what industry does pretty regularly to make sure they're playing by the rules. It's quite shocking, Mr. Speaker, when you discover that in fact what's going on is that in something like 85 per cent of the cases all that's happening is that industry is filling out a bunch of forms, sending them in to the ministry of environment, and an administrative assistant is stamping them as received and checking to see if certain questions on the form have been filled out and then filing them. There's no auditing of industry's self-reporting. And we're not just talking about oil sands. We're talking about pipeline cleanup. We're talking about well reclamation. We're talking about any one of a number of things.

When the minister is able to find \$30 million in in-year savings, what it probably means is that we went from 80 per cent of the environmental protection being premised on the industry representative filling out a form and then having that form stamped by an administrative assistant and then it's all fine to 95 per cent situations where industry has filled out its form, and the administrative assistant has stamped it as received, and we're all done. Then we turn around and say: ah, we have world-class monitoring.

So \$30 million is a big problem, and I am very worried about a \$30 million in-year savings. We in our caucus have been very up front that with the level of development and the complexity of the development and the volume of development as well as the incredible impact that the nature of our particular industrial development has on the environment in Alberta, we could easily double the budget of the ministry of environment, and we could maybe make a good start on starting to monitor and enforce and protect our environment, not only for the sake of generations to come and for our clean air and drinkable water and nontoxic soil but also for the purpose of convincing anybody outside of this little bathwater-drinking community in which we live that we actually are credible on this issue, Mr. Speaker, because at this point we truly aren't. Nobody is buying the notion that we are except the folks drinking the bathwater here in Alberta. The reason for that is that we have such a starved environmental protection and monitoring system in this province.



I am very concerned that we have a \$30 million in-year savings but we don't have the kind of opportunity that we would have had in estimates to really go back and forth and talk about each program, each line item where that money was saved, and why it was saved in a time of industrial growth and activity in this province over the last year, how it was that we were able to save that kind of money.

8:20

Now, another question I had. In response to a question that was asked last week, the minister who was responding on behalf of all ministers, the Minister of Aboriginal Relations, indicated that the money that was coming from industry to fund the oil sands monitoring program – industry had agreed to pay up to \$50 million. Mr. Speaker, that is, of course, what I have heard consistently since the joint oil sands monitoring program was announced by this government and the federal government and the various and sundry industry reps who were invited to the press conference, but then I just heard this minister say that industry has committed to the full \$50 million.

I really am very interested about that because I had not heard that they had absolutely committed that they would provide \$50 million to this program. If they have, I think that's good news. That's a step forward because we have not gotten that black-and-white commitment. I certainly would be very interested if perhaps in the form of 29(2)(a) the minister were prepared to get up and ask me a question about how happy I am that, in fact, it has been definitively committed that they will pay no less than \$50 million as opposed to up to \$50 million. Since they were funding already about \$18 million or \$19 million and since the program itself calls on industry to give \$50 million, that's about a \$30 million differential, so I'd sure like to know if we've actually got them to agree that they will give that full \$30-million-a-year increase every year. That is one thing that I certainly would have liked to have heard more about.

Student loans, Mr. Speaker. We are being asked to approve an additional \$76 million for higher student loan disbursements. I won't spend a lot of time talking about the priorities of the Minister of Enterprise and Advanced Education and nonacting Deputy Premier in terms of where he chooses to spend his time in what period or point in the budget cycle except to say that I find it utterly appalling and, frankly, an intense breach of ministerial responsibility under the most basic of parliamentary tradition. That aside, if I could just talk a bit about the \$76 million for higher student loan disbursements, I would be curious about how that came about and the number of students that generated that increase.

With the draconian cuts that we've since seen in the budget that was tabled on Thursday, I expect that there are going to be two competing factors. On one hand, the costs for students are probably going to go up, and the quality of education is going to go down, so I suspect we're probably going to see an increased pressure on that student loan amount. Has that been budgeted for? Conversely, I believe it was the president of the U of A who suggested: well, no; actually, we might see the opposite effect. Really, Alberta's most mobile and probably most successful students will be fleeing the province as quickly as possible. Between an 8 per cent cut that's going to seriously affect the quality of their education plus a series of mandate letters, which is going to fundamentally compromise the notion of academic integrity and independence in this province, the two combined, you're probably going to see some of your best students leave the province.

Then the question becomes: are they still eligible for student loans? Well, certainly the ones who are in postgraduate work are as are the ones in law and, I suspect, medicine. Are we going to actually be giving them more money to pay the cost of them leaving home to go to a different university that will actually still provide a high quality of education with some semblance of academic independence and integrity? Will that cost our student loan program more or less? I'm not sure. These are questions I would have loved to have discussed with the nonacting Deputy Premier.

**The Deputy Speaker:** Hon. Member for Edmonton Strathcona, might I remind you that it is not proper to refer to the presence or absence of any member. I believe you transgressed twice during your remarks. I'm sure you'll take that under advisement.

The Member for Rimbey-Rocky Mountain House-Sundre, under 29(2)(a).

**Mr. Anglin:** Thank you, Mr. Speaker. I was wondering if the member would comment on the matter of auditing that she raised, particularly with regard to environment's auditing of the inspections and how that would relate to how we should see this in the budget.

**Ms Notley:** Well, I mean, there are a lot of ways in which this shows up in the budget, Mr. Speaker. There are so many things that industry reports to the ministry of environment and then we just take it on faith. For instance, the contribution to the mining reclamation funds needs to actually be audited, and the whole issue of how many of those audits are done or are no longer done or have been cancelled is something that matters not only to Albertans today but to Albertans long in the future because, of course, that mine reclamation fund is the only thing standing between us and our grandchildren having to kick hundreds of millions and billions of dollars out the door to clean up the tailings ponds, which nobody has had any success in making any kind of serious progress with, for instance.

Also, when there's a spill, a leak in a pipeline, the ministry of environment assesses the cleanup. You had this idea – or I certainly had this idea – that we had ministry of environment officials going out to where the oil had spilled and the water had been contaminated and the soil had become toxified and they spent a lot of time on-site watching over what was done to make sure it was done right. Oh, no, no, no, Mr. Speaker. That's not what happens. What happens is that the industry does it themselves. They clean it up. They clean it up on their own. Nobody watches over it. They fill out the forms. They describe: "Scout's honour. We did it. It's clean. It's good." And then it's sent in to the ministry of environment.

Now, if it's a really huge, gargantuan spill like the one that was, you know, the second biggest in the history of the country two or three years ago or the one that almost took out the city of Red Deer's water supply, well, then, sometimes the ministry of environment might actually send some folks down to take a closer look at it. But for the regular ones, the ones that happen almost weekly in this province, the small ones that rarely get reported publicly, for those ones we're just relying on industry to tell us that they've got it all right.

It's sort of like how we heard that the pipelines had been reinforced as per the recommendations of – I think it was the National Energy Board. We heard all that work had been done. Now, I guess that's more the ERCB. I'm now moving into the ERCB stuff. The cleanup is Environment; the preventative stuff is mostly ERCB. But, still, what happens is that we're still 9 times

out of 10 or maybe 8 times out of 10 relying on industry to report on how well it's cleaned up after itself.

Well, you know, Mr. Speaker, I ask my kids to clean up their rooms. They come down, and they proudly tell me that it's all done. I go upstairs, and you would be amazed at what I still find in that room and the shape that it is in and the garbage that's spilled all over the place, and somehow no one noticed that three banana peels from four days ago actually are still garbage and need to go. It was really important for someone to go and check on that. If you don't check on it, it just stays there. That's what happens when you cut monitoring and you cut auditing and when you make \$30 million of in-year savings cuts.

**The Deputy Speaker:** Thank you, hon. member.

The Member for Calgary-Buffalo, 29(2)(a). You have a minute left.

**Mr. Hehr:** Thank you, Mr. Speaker, and I thank the hon. member for her comments. It was interesting when you posed some of those numbers on our student enrolments. It goes back to the budgeting around last February, when there were some concerns around the entire budgeting process, and it even seems that may have been done on the postsecondary side of things, too. There might have been an underestimate of how many student loans were coming out. Had you heard in previous years that this mistake was made? Was there something about last year that the reporting mechanisms weren't getting through? Is your spider sense tingling in some other way as to why maybe the numbers were underrepresented?

**Ms Notley:** Well, you know, my spider sense was tingling because it was part of one of the most misleading budgets ever introduced in the history of the province. For that reason, my spider sense was tingling about the accuracy of the student loan numbers.

**The Deputy Speaker:** Thank you, hon. member.

Are there other speakers on second reading.

**Some Hon. Members:** Question.

**The Deputy Speaker:** The question has been called.

[Motion carried; Bill 11 read a second time]

8:30

## Government Motions

### Alberta Treasury Branches Act

20. Mr. Horner moved:

Be it resolved that the Legislative Assembly concur with the continuation of the Alberta Treasury Branches Act.

**Mr. Horner:** Mr. Speaker, section 35 of the Alberta Treasury Branches Act requires that a motion be introduced at least once every five years which will facilitate a debate on whether the Alberta Treasury Branches Act should be repealed. The purpose of this clause is to assure Albertans that the government will review their investment in Alberta Treasury Branches to ensure that it continues to serve a valuable purpose. The timing of this motion is not a result of any budget pressures. It is simply good governance to do a periodic review. As it happens, the five-year period required by law takes us to this session.

Prior to putting forward this motion for debate, I would like to take this opportunity to discuss what ATB has provided and continues to provide Albertans and the impact it has had on our financial services marketplace. In 1938 the members of this Assembly made the decision to invest \$200,000 and create Alberta

Treasury Branches. While the Alberta Treasury Branches started as Alberta's piggy bank, its purpose was expanded to promote a voucher program designed to encourage Albertans to support a variety of Alberta-made products and services. Alberta Treasury Branches has been supported by Albertans and has grown such that today's Alberta Treasury Branches, often referred to and branded as ATB, is focused on facilitating access to financial services for all Albertans as well as fostering competition between financial institutions throughout Alberta.

While the Alberta government has been a strong advocate of promoting connectivity, including enhancing access to the Internet throughout the province, we also recognize that access to financial services means more than picking up a phone or clicking a mouse. It means being able to walk into a branch and meet face to face with decision-makers, people who know you, know where you operate, and know the economy you operate in. It also means that the products and services you must have are accessible.

By restricting the activity of ATB to Alberta, ATB remains focused on the needs of Albertans, and it promotes reinvestment in Albertans and in Alberta companies. This focus also fosters a competitive environment throughout the province. To further encourage this competition, the government will continue to strive to neutralize competitive advantages and disadvantages unique to ATB as a result of government ownership. This mandate will be applicable in both good times and challenging ones and for the benefit of all Albertans, both rural and urban.

With respect to the impact ATB has had in Alberta's marketplace during times of economic stress, two recent events exemplify its presence, the recent market events that caused a general tightening of liquidity throughout Canada and most of the world and the more localized impact that BSE, or mad cow disease, had on Alberta farmers. In both circumstances ATB was not subject to a national or international decree to claw back on credit granting, and it continued to make credit available in Alberta. This was possible as Alberta is ATB's home market, and it is already enabled by its knowledge of Albertans and the local economy.

ATB has also been there to support Albertans during the good times, and I'm proud to say that Albertans have embraced ATB to that extent currently. It provides some or all of the financial services, including deposit taking, lending, and wealth management services, to over 635,000 Alberta customers. It operates in 242 communities throughout Alberta through 170 branches and 130 agencies and finances roughly \$29 billion in loans to Albertans and their businesses.

ATB has been a valuable part of the province's past, and I remain confident in ATB's ability to continue to contribute to Alberta's future by providing excellent service to Albertans, ensuring stable access to core financial services throughout the province, attracting and retaining highly skilled labour within Alberta, and operating in a financially responsible manner.

As you are all aware, the government has committed to a results-based budgeting review of all areas of government to ensure that programs and services align with the outcomes that Albertans have identified as priorities. The timing and the purpose of this motion result from the requirements under the Alberta Treasury Branches Act and will not serve to exempt the review of ATB Financial's role in government's overall goal to build relationships and markets in Alberta. The results-based budgeting review of ATB Financial is being done as part of the review of the enterprise and ministry support line of businesses.

In view of the above and as a means to notify Albertans, we believe that Alberta Treasury Branches should continue to operate in Alberta. Pursuant to section 35 of the Alberta Treasury

Branches Act I move that the Legislative Assembly concur in the continuance of the Alberta Treasury Branches Act.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. minister.

Are there other speakers? The hon. Member for Airdrie.

**Mr. Anderson:** Thank you, Mr. Speaker. I would like to stand on behalf of the Wildrose caucus and support this motion. Alberta Treasury Branches: you can't say it enough. They're just a part of our province. They're a part of our province and our history. They've done a lot of good things for this province and for the people not just of rural Alberta but of urban Alberta, too.

You know, I would say that there are two main reasons that I personally support them. The first is the security that they bring to our province. The Finance minister ably pointed some of those things out. When credit dries up on the world market or nationally for various reasons, it's just good to have that security of a bank, a financial institution, that can be there for Albertans no matter what. There are some basic services that we have to have, and banking is one of those. We've got to be able to have credit and banking to perform business in this province.

Although for the most part there are many different national banks and international banks that Albertans have access to in a competitive free market – and that's good – if something were to happen, whether through a financial crisis or some kind of tightening of credit and so forth, and we couldn't get access to funds, that would shut down the entire economy. That's not something that we can have here in Alberta. So having that stable backstop, that financial institution always there is very, very, very important. We cannot rely for essential services on the outside world. It's good to have them. We welcome that competition. There are some great banks out there. But we've got to have that backstop for the people of Alberta. It's very important.

The second great thing it's done – really, you can see it in rural Alberta. There are some rural communities that are simply too small to justify some of the bigger banks setting up shop there. Sometimes they're so small that you can't even justify a credit union there. So it's very good to have the option of having ATB in those small rural communities to provide that service to farmers, ranchers, and other entrepreneurs and families to use in those small rural communities.

The other thing it's been very effective at is helping new families get into their first home. That's something that I used ATB for. I had to get out of that mortgage down the road once I joined the Legislative Assembly or was elected. I had to switch my mortgage from ATB to another institution because you're not allowed to have a mortgage with ATB and be a member of the Assembly, so I had to switch that, but I remember that it was a very good thing to have. My wife and I were coming out of university at the time with, you know, no real credit to our names, and ATB was certainly an institution that was available to us for our first home right after I got my first legal job after law school. These are just some examples of the good that ATB has brought our province.

I would note that some people might say: well, why would a party or a caucus that espouses the benefits of capitalism and free markets and competition and so forth be supportive of a Crown corporation? I certainly can't speak for all my colleagues by any stretch, but I would say that this is again an indication that unlike what is sometimes claimed by other parts of this House, this party is not an ideological one. We look for solutions, and sometimes the free market doesn't solve everything.

**8:40**

**Ms Notley:** Oh, I need to keep that.

**An Hon. Member:** You know this is in *Hansard*, right?

**Mr. Anderson:** It's in *Hansard*.

There are instances where because of whatever it be – for security purposes, as I just talked about, for lack of competition, for other reasons – there are reasons that do exist for Crown corporations to occur. They are rare, very rare, but they do exist. Having a banking institution in this province that will always be there for our needs is one of those things.

I hope that it continues a long history, that we make sure we do everything we can to level the playing field between ATB and other banking institutions. I think that that's exceptionally important. I think that we're doing that. I think over time the government has levelled the playing field and made it so that ATB doesn't have an unfair advantage over other banking institutions. There's probably a little work still to be done on that, but overall I think that this is a very worthwhile institution.

I hope all members will support the Finance minister's motion to keep ATB running and functioning and a part of our Alberta family. Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Are there others? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. I'm going to just be brief on this. [interjections] I can please the other side every now and then.

For a small community that doesn't even have a stoplight, the ATB has provided not just some essential services, but it also helped provide some access to capital for the farmers, for the community so we could grow, so we could prosper. That has to be recognized as a real success story.

I urge all fellow members of my caucus to support this motion.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order (29)(2)(a) is available.

Seeing none, are there other speakers? The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you, Mr. Speaker. Sometimes in this House up is down, east is west, north is south. What I just heard come out of the hon. Member for Airdrie was truly one of those moments where I didn't see it coming. If I didn't have the side rails on my wheelchair, I would be lying on the floor right now, and people would be helping me back in. Nevertheless, I will compose myself and try to formulate some thoughts because I'm still flabbergasted a little bit here, sir.

We went through a little bit of the history here with the hon. Minister of Finance. The ATB was founded in 1938 under our Social Credit government. That would have been under the hon. Premier Ernest Manning. I must digress for a brief story. My father would the odd time channel Ernest Manning when he would catch me doing something wrong or when I was in trouble or something like that or do something stupid. He would say to me: well, son, if you haven't suffered enough, it's your God-given right to suffer some more. That was a quote from Ernest Manning. There you go.

**An Hon. Member:** That was Aberhart.

**Mr. Hehr:** Maybe it was Aberhart. Yeah. I'm getting them mixed up. It was Aberhart – sorry; I'm mixing my metaphors – and 20 years earlier. There you go. Nevertheless, you're perfectly correct.

In my view, the Alberta Treasury Branches has been a wise institution on behalf of the Alberta people. It has supported not only individuals, families, and small business, but as the hon. Member for Airdrie rightly pointed out, it has allowed us to have some skin in the game, have some control over our own destiny, and have a backstop if, when, and in case the need arises that we need to have a bank for Albertans and the like should things go to heck in a handbasket.

You know, luckily we resisted in Canada much of the move in the '90s and the early parts of this century to allow too much competition in the banks. We saw movement in the United States to have a lot of that open up. There was a lot of pressure put on the Canadian government at the time, the federal Liberals, and in fact from the current Prime Minister to, I guess, liberalize the banking system. Okay? That urge was resisted, and it was a move in the zeitgeist of the time, and in my view it was probably a wise decision. In fact, a lot of the things that we're doing today in celebrating the Canadian banking industry are the result of the wisdom of Paul Martin and Mr. Chrétien in this regard. We're seeing the country do much better as a result of having some of that thing.

I note, when I talk about some of the good things that possibly the federal Liberals did, you know, that the hon. Solicitor General should be longing for the days of the per capita spending rates of the Paul Martin-Jean Chrétien government. At this point in time, after watching Mr. Harper out per capita spend even that government, he must be longing for those days. But I digress.

Let's get back to the ATB and its benefits. It allows us to have some skin in the game. I always look back into the history of Alberta and the success of some other Crown corporations that we've had in Alberta and primarily the Alberta Energy Company. Its success from, I believe, 1971 through to 1993, when it was sold, was really, truly something to be celebrated. It established us with a foothold in the industry, it allowed us to have a base of knowledge and understanding, it allowed us to control our own destiny, and it allowed us to have a backstop against some of the private oil companies should they up and want to do something else. We always had an Alberta Energy Company, that was there on behalf of the people and would provide us with that knowledge base.

I look back, and the decision in 1993 to sell the Alberta Energy Company is, I believe, probably one of the true tragedies that has occurred in this province. I'm glad to see that we are not considering doing that with the ATB at this time. I think it allows us to have, really, some strength. It allows the Alberta people to have a position. The simple fact of the matter is that many Crown corporations work, and this is an example of that. It's my greatest hope – and it was, I guess, allegedly so when the election occurred – that we are going to turn the page on some of these ideology-based decisions that the free market knows everything. You know, to be honest, if I have to take two days off work to get the Shaw cable guy in to fix my Shaw cable, well, you know, let's face it. The free market really isn't as efficient sometimes as it's cracked up to be.

That's not exactly a direct parallel, but it just shows that governments have a role to play. Governments have a role to play in shaping our societies, and sometimes that's through Crown corporations. I know we had much discussion in our last committee, where we discussed the hydroelectric dams that could possibly be going into northern Alberta. One of the discussions around the table was on whether we should be doing that through a Crown corporation given that these are capital intensive and have a hundred-year life cycle. It's something that I urge this government to really consider. I know it's loaded with conten-

tiousness, and people have opinions one way or another, but when we look at those projects, really look at it as: what's best for the Alberta people over the length of the hundred-year life cycle of that institution?

**8:50**

You know, in 1938, when William Aberhart started the ATB, if he was looking at it from a one-year projection, he would have said: "Oh, my goodness, this is going to cost some capital outlay. My goodness, it'll be a one-year bad cycle on our debt. Oh, my God, what's going to happen?" But, no, he had a vision for this playing out over the long haul, a vision of this supporting Albertans from not only 1938 through to 1939 but hopefully throughout the life cycle or for as long as Alberta is around. That's what governments need to do, look at things for the long haul. Let's try and get out of planning on the four-year election cycle, which I know is awfully difficult. Nevertheless, we should try to do it in most cases and consider opportunities that exist in terms of Crown corporations like the Alberta Treasury Branch.

Thank you very much. I know that was all over the map, Mr. Speaker, but thanks for bearing with me.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. The hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you, Mr. Speaker. I just have a quick question for the Member for Calgary-Buffalo. I always enjoy his comments even though I don't always agree with them. He's talked a lot about Crown corporations tonight. As he knows, Saskatchewan is king of Crown corporations: a publicly owned telephone company, a publicly owned power company, a publicly owned energy company. Would he like to see these services nationalized in this province?

**The Deputy Speaker:** Hon. member, do you care to respond?

**Mr. Hehr:** You're bringing up a hypothetical that I don't think has any type of relevance. I thought Lougheed had an amazing vision on the Alberta Energy Company having a role to play. I'll use the Alberta Energy Company as an example here. Peter Lougheed understood that in order to keep the private corporations honest, the other oil and gas companies, he had to have some skin in the game. He had to have government shored up in the expertise of drilling, shored up in the expertise of accounting, shored up in the expertise of how much money you actually made in this business to go from there and actually spur investment into upgrading, refineries, and pipelines.

You know, Premier Lougheed controlled much of the pipeline industry, so the government could through an arm's-length, independent corporation – that's what the AEC was; we forget that. Many people who went on to other private businesses in this province were the best and the brightest that Lougheed selected to run the AEC. It had a tremendous role to play, and I think that at its height the Alberta Energy Company controlled about 40 per cent of the Alberta energy market at that time because they had a knowledge of the industry and because they always had the backstop. They weren't worried the private companies were going to say: "Well, we won't drill. We'll just go drill elsewhere." "Well, fine. That's more for us to drill. All right. If you don't want to drill it, we'll drill it."

You know, it allowed us the opportunity where we weren't held at gunpoint or knife-point by the threat of mass exodus, and Premier Lougheed understood that. Really, we haven't had that ability since that time. Oftentimes when we try to do things in our energy markets, well, we're beholden to what they say because we

don't have that option, that expertise, seemingly that will that Premier Lougheed had to establish the Alberta Energy Company even though it wasn't very popular. You've got to remember that his brother Don ran Shell Oil. Do you think he was that happy about the Alberta government starting up its own oil company? No, he wasn't, but he understood it.

In any event, everything is in a balance, so we don't have to get all hyperbolic and say that I'm the second coming of Hugo Chávez because I think we might have a role to play in our energy industry – okay? – which is what I think the hon. member was attempting to suggest.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Are there others?

Other speakers? I recognize the Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Speaker. You know, I'm somewhat conflicted in standing up to speak to this motion. We support the motion, just to be very clear. I was going back through the notes, frankly, provided by our staff and some of the review they've done, and in the past, in 2002 and in 2007, our caucus's typical and quite regular position was, you know, that of course we support this motion, and we're irritated that this has to keep coming back to us because it potentially jeopardizes the ATB every time we have to do this. I think the MLA for Edmonton-Highlands-Norwood said in 2002 that we're playing "sort of a game of Russian roulette" and that "sooner or later the chamber's going to come up with the bullet" every time we insist on doing this review.

To some extent he's not incorrect because in 1998 former Premier Klein did muse quite openly about privatizing ATB. Indeed, just a month and a half ago at the Premier's so-called Economic Summit in Calgary several of the panelists raised the prospect of privatizing ATB and talked about how it would be worth a good \$4 billion to Alberta. Of course, at this point in time there's a bit of a gap in the budget, and you know the two match up a little bit. So it's a little worrisome. However, we're very glad that this motion is here now.

On the flip side, as much as those were the points made by the Member for Edmonton-Highlands-Norwood and the previous Member for Edmonton-Beverly-Clareview, I personally quite enjoy listening to both the Finance minister and the Official Opposition House Leader get up and extol the virtues of this Crown corporation. It makes me very, very pleased that people can every now and then look past their otherwise very conservative but not at all extreme positions on some of these issues because, as has been rightly pointed out, the ATB has played a critical role in the development of Alberta.

It was first established to deal with the fact that small farmers needed protection against the banks who, notwithstanding the

purity and the wonderful morality of the unfettered capitalist free-market system, took advantage of small farmers and made it very difficult for them to build their businesses and grow our province the way it needed to grow. So it played an important role then, and indeed, as the Member for Airdrie pointed out, it plays an important role today.

I would simply ask that members of the House turn their minds to the possibility, as outlined by the Member for Calgary-Buffalo, that Crown corporations can actually do good things and that sometimes they can do other good things, too. The Member for Calgary-Buffalo talks about an Alberta energy company. We have examples in other provinces where we have, you know, Crown corporations that develop hydro, which, of course, is now a profound foundation of economic stability and strength as a result of that work having been done by a Crown corporation. We have examples of other provinces where right-wing governments have come into power on the plan to privatize public auto insurance only to discover that it is a win-win-win situation for the voters and the taxpayers of that province and that it would be utterly ridiculous to privatize auto insurance.

The fact of the matter is that Crown corporations can and do help citizens of the jurisdiction to which they are accountable just like the ATB helps and grows our jurisdiction. So we are pleased to support this motion. We hope that at some point we just give the ATB and its investors and its members, or its clients, the security that they need without having to worry about it being up for a constant review every five years and being a potential source of quick cash for a cash-strapped government because that would be short sighted in the extreme, Mr. Speaker.

Thank you very much.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, are there any other speakers?

Then the Minister of Finance to close debate.

**Mr. Horner:** Question, Mr. Speaker.

**The Deputy Speaker:** The question has been called.

[Government Motion 20 carried]

**The Deputy Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. In light of the hour and in light of the fact that members of the House have requested a little bit more time to look at the Fiscal Management Act before we debate it further, I would have to conclude that we should move to adjourn until 1:30 p.m. tomorrow.

[Motion carried; the Assembly adjourned at 9 p.m. to Tuesday at 1:30 p.m.]









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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Tuesday afternoon, March 12, 2013

Issue 34a

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta**  
**The 28th Legislature**

First Session

Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC), Speaker  
Rogers, George, Leduc-Beaumont (PC), Deputy Speaker and Chair of Committees  
Jablonski, Mary Anne, Red Deer-North (PC), Deputy Chair of Committees

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Amery, Moe, Calgary-East (PC)  
Anderson, Rob, Airdrie (W),  
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Anglin, Joe, Rimbey-Rocky Mountain House-Sundre (W)  
Barnes, Drew, Cypress-Medicine Hat (W)  
Bhardwaj, Naresh, Edmonton-Ellerslie (PC)  
Bhullar, Hon. Manmeet Singh, Calgary-Greenway (PC)  
Bikman, Gary, Cardston-Taber-Warner (W)  
Bilous, Deron, Edmonton-Beverly-Clareview (ND)  
Blakeman, Laurie, Edmonton-Centre (AL),  
    Liberal Opposition House Leader  
Brown, Dr. Neil, QC, Calgary-Mackay-Nose Hill (PC)  
Calahasen, Pearl, Lesser Slave Lake (PC)  
Campbell, Hon. Robin, West Yellowhead (PC),  
    Deputy Government House Leader  
Cao, Wayne C.N., Calgary-Fort (PC)  
Casey, Ron, Banff-Cochrane (PC)  
Cusanelli, Christine, Calgary-Currie (PC)  
Dallas, Hon. Cal, Red Deer-South (PC)  
DeLong, Alana, Calgary-Bow (PC)  
Denis, Hon. Jonathan, QC, Calgary-Acadia (PC),  
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Fenske, Jacquie, Fort Saskatchewan-Vegreville (PC)  
Forsyth, Heather, Calgary-Fish Creek (W)  
Fox, Rodney M., Lacombe-Ponoka (W)  
Fraser, Rick, Calgary-South East (PC)  
Fritz, Yvonne, Calgary-Cross (PC)  
Goudreau, Hector G., Dunvegan-Central Peace-Notley (PC)  
Griffiths, Hon. Doug, Battle River-Wainwright (PC)  
Hale, Jason W., Strathmore-Brooks (W)  
Hancock, Hon. Dave, QC, Edmonton-Whitemud (PC),  
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Sarich, Janice, Edmonton-Decore (PC)  
Saskiw, Shayne, Lac La Biche-St. Paul-Two Hills (W),  
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Webber, Len, Calgary-Foothills (PC)  
Wilson, Jeff, Calgary-Shaw (W)  
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
    Government Whip

**Party standings:**

Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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Dorward	Saskiw
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## Legislative Assembly of Alberta

1:30 p.m.

Tuesday, March 12, 2013

[The Speaker in the chair]

### Prayers

**The Speaker:** Let us pray. Dear Lord, may each day we serve shed light on our true purpose here, may each hour we toil be for the common good, and may each minute remind us that what we seek may well be found in others. Carpe diem. Seize the day, and enjoy the moment. Amen.

Please be seated.

### Statement by the Speaker

#### Election Anniversaries

**The Speaker:** Hon. members, just before we go on to Introduction of Guests, might I take a moment to congratulate several members who were elected either today or yesterday several years ago, depending on how the leap years went.

I want to recognize and congratulate the crowd of 1997: Edmonton-Centre, Calgary-Fort, Edmonton-Whitemud, and yours truly. I also want to congratulate and salute Calgary-Bow, Dunvegan-Central Peace-Notley, Spruce Grove-St. Albert, Edmonton-Castle Downs, Whitecourt-St. Anne, and yours truly, who are the crowd of March 12, 2001. Congratulations, members.

#### Introduction of Guests

**The Speaker:** The hon. Member for Strathmore-Brooks.

**Mr. Hale:** Thank you, Mr. Speaker. It's my pleasure today to rise and introduce to you and through you to all members the finest musicians Brooks high school has to offer. The students, who are currently on a tour of the Assembly, are here today to learn about the legislative process and develop their skills as artists. Accompanying them today is their musical director, Brian Stone. Brian teaches music to elementary, middle, and high school students and is described simply as the best. Accompanying them also are chaperones Celina Everett, Karen Peters, Liana Nielsen, Harold Nielsen. I would ask that this Assembly join me in providing the traditional warm welcome.

**The Speaker:** The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thank you, Mr. Speaker. I would like to introduce to you and through you to all members of the Assembly 11 visitors from l'école À la Découverte. It's a French-immersion school in Kensington. It's really a reflection of the wide world around us, including students from Algeria, Morocco, Senegal, Lebanon, Afghanistan, Somalia; a teacher, Mme Uwantege, from Rwanda; and a parent supervisor, Mme Zouyene, from Lebanon. If they could please stand and receive the warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Ellerslie.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. It's my pleasure to rise today and introduce to you and through you to all members of the Assembly 59 students from Ellerslie Campus school in my constituency of Edmonton-Ellerslie. The students have had the opportunity to tour this building and learn a bit about the history and are now getting to know the question period. These

students are joined today by their teacher, Mr. Blair Faulkner, and by Mrs. Marci Augustin. At this time I ask all of my guests to please rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you to all members of the Assembly a very important person in my life in the Two Hills area, Michelle Henderson. Michelle is my older sister, and I won't say how much older. Mick has worked at the immigration centre in Vegreville since it was created. She and her husband, Stu, live on the farm with their two children, my nephew and niece, Andrew and Ava. We have a very close family, and Mick has always been there throughout my life. I'm sure all members can agree that the unconditional support we receive from our family makes our job here possible. I'd like to ask Michelle to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Minister of Culture.

**Mrs. Klimchuk:** Merci, M. le Président. Il me fait plaisir de vous présenter aujourd'hui, à vous et à tous les membres de l'Assemblée, des leaders de la communauté francophone de l'Alberta qui ont participé au lever de drapeau ce matin dans la rotonde de la Législature dans le cadre des Rendez-vous de la Francophonie, une célébration pan-canadienne de la culture et de l'histoire francophone.

Le gouvernement de l'Alberta est très fier d'entretenir de bonnes relations avec la communauté francophone en s'assurant que les Albertains qui parlent français ont accès aux services et aux ressources dont ils ont besoin. Nous apprécions aussi tout le bon travail que fait la communauté en s'assurant qu'il y ait des collaborations solides et significatives entre le foyer, l'école, et la communauté.

Je demanderais à nos invités de bien vouloir se lever lorsque je les présente: de l'Association canadienne-française de l'Alberta, Mme Dolorèse Nolette et M. Denis Perreux, et de la Fédération des parents francophones de l'Alberta, Mme Claudine Lajoie et Mme Mireille Péloquin. Se joignant aussi à eux aujourd'hui pour cette occasion spéciale sont les membres de mon équipe au Secrétariat francophone: M. Denis Tardif, directeur général; Mme Cindie LeBlanc, directrice adjointe; Mme Kate Peters, agente de liaison communautaire à Calgary. Ces personnes sont tous assis dans la galerie du Président.

Merci à mes visiteurs francophones. Je leur demanderais de bien vouloir se lever pour recevoir l'accueil chaleureux de notre Assemblée.

Merci, M. le Président.

[Translation] Thank you, Mr. Speaker. It gives me great pleasure to rise today to introduce to you and through you to all members of the Assembly leaders from Alberta's francophone community who participated this morning in a flag-raising ceremony in the Legislature rotunda as part of Les Rendez-vous de la Francophonie, a national celebration of French culture and history.

The Alberta government is proud of its strong relations with the francophone community in making sure French-speaking Albertans have access to services and resources they need. We also appreciate the good work that they do in ensuring strong and meaningful collaborations between the home, the school, and the community.

I would ask our guests to stand as I introduce them: from the Association canadienne-française de l'Alberta, Dolorèse Nolette and Denis Perreux, and from the Federation of Francophone

Parents of Alberta, Claudine Lajoie and Mireille Péloquin. Also joining them on this special day are members of my staff at the Francophone Secretariat: Mr. Denis Tardif, executive director; Ms Cindie LeBlanc, assistant director; and Kate Peters, community liaison officer in Calgary.

These individuals are all seated in the Speaker's gallery today. I'd ask them to please rise and receive the warm welcome of this assembly.

Thank you, Mr. Speaker. [As submitted]

**The Speaker:** The Minister of Aboriginal Relations.

**Mr. Campbell:** Thank you, Mr. Speaker. I rise to introduce to you and through you to all members of the Assembly special guests here today from Alberta's Métis settlements who are seated in your gallery and the members' gallery. As many people know, Alberta is the only province with a designated land base for Métis people. There are eight Métis settlements in the province, and I'm proud to say that I've visited them all. Today our Premier signed a long-term arrangement with the Métis Settlements General Council that will set a new direction for the settlements to become self-sustaining communities over the next 10 years. This is a commitment we made in 2011 and is yet another commitment kept by the Premier and her government.

Mr. Speaker, I would like to welcome – they are seated in the Speaker's gallery – Randy Hardy, the president of the Métis Settlements General Council; Stan Delorme, chair of the Buffalo Lake Métis settlement; Gerald Cunningham, chair of the East Prairie Métis settlement; Archie Collins, chair of Elizabeth Métis settlement; Dave Lamouche, chair of Gift Lake Métis settlement; Floyd Thompson, chair of the Kikino Métis settlement; Alden Armstrong, chair of Paddle Prairie Métis settlement; and Ken Noskey, chair of the Peavine Métis settlement. Also with us in the members' gallery: Loretta Calliou, Métis Settlements General Council secretary; Robert L'Hirondelle, Métis Settlements General Council vice-president; Denise White, Métis Settlements General Council treasurer; Sherry Cunningham, vice-chair of Peavine settlement; and Derek Andrew, communications director for the Métis Settlements General Council. I would ask that you to give a warm welcome to all these people.

**The Speaker:** Thank you. While they're standing, why don't we greet Archie Collins with an extraspecial thumping; it's his birthday today. [applause]

The hon. Minister of Education.

**Mr. J. Johnson:** Yes, Mr. Speaker. I'd like to introduce to you and through you to the members of this Assembly two outstanding individuals from my constituency, the community of Boyle, and, I'm proud to say, good friends: Terry Mudryk-Harbarenko and her son Bryan Mudryk, a TSN sports anchor whom many of you would know from the show. Bryan is one of our constituency's favourite sons, and I have to be careful how I say that because one of the other TSN sports anchors, Jay Onrait, is also from Boyle and Athabasca.

**1:40**

Bryan was diagnosed with Hodgkin's lymphoma when he was only 18 years old. Fortunately, he was able to overcome this obstacle with the support of his family, friends, and staff at the Cross Cancer Institute. As a cancer survivor he has been showing tremendous strength by turning this hardship into a way of giving back to the community. While he now lives in Toronto, where he's a sports anchor for TSN, he returns to Boyle each summer, lending his personality and his fame and bringing all of his

celebrity buddies to the Bryan Mudryk Golf Classic, which both he and his mother organize. This year will be the 11th year and their million-dollar year in terms of raising money for the Cross. While he lends his fame, the real work is done by his mother, an incredible community volunteer. It's an honour to have them here, and I'd ask them to please rise and receive the traditional thanks of our Assembly.

**The Speaker:** Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Speaker. Today I'm very pleased to introduce to you and through you to this Assembly my guests, who are representatives of Alberta's international development sector: Heather McPherson and Chris Chang-Yen Phillips from the Alberta Council for Global Cooperation. The Alberta Council for Global Cooperation engages in important international development abroad. Recently ACGC members got their funding cut by \$500,000, a 50 per cent reduction. This is a significant reduction from when Lougheed recognized the value of their work. They are here to ask for their money back. I would like to now ask Heather and Chris to stand and receive the traditional warm welcome of the Assembly.

**The Speaker:** The Minister of International and Intergovernmental Relations.

**Mr. Dallas:** Thank you, Mr. Speaker. It's my great pleasure to introduce to you and through you the policy co-ordinator at the Red Deer Chamber of Commerce, Jonathan Seib. Jonathan recently joined the chamber team and has taken the lead on working with businesses in the Red Deer region to identify leading industry issues and policy concerns. He looks forward to working with government to create a better economic future for Alberta. This past couple of days Jonathan attended the Northwest Chamber Leaders Conference here in Edmonton, and he'll also be attending the Alberta Chambers of Commerce Political Action Day tomorrow. Jonathan is here today to observe the Legislature and members of the Assembly. I'd like to thank Jonathan for joining us today and ask him to please rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** Chestermere-Rocky View.

**Mr. McAllister:** Mr. Speaker, thank you. So many distinguished guests here today. It's my pleasure to rise and add to it. I would like to introduce to you and through you to all members of the Assembly a group of students who are leaders in their student unions and also hold leadership positions with the Council of Alberta University Students, which, as you know, is also referred to as CAUS. They're having a busy week educating some of the members in here about some of the most important issues in postsecondary education, and we certainly appreciate their time.

I'd like them to rise as I call their names, beginning with Petros Kusmu, the CAUS vice-chair and University of Alberta Students' Union VP external; Raphael Jacob – he had to leave to do media – the CAUS chair and University of Calgary Students' Union VP external and, I should note, also a resident of the fabulous constituency of Chestermere-Rocky View; Colten Yamagishi, the University of Alberta Students' Union president; Hardave Birk, the University of Calgary Students' Union president; Andrew McIntyre, the University of Calgary Students' Union marketing manager; Armin Escher, the University of Lethbridge Students' Union president; Julia Adolf, the University of Lethbridge Students' Union VP academic; Adam Woods, the University of Alberta Students' Union VP external elect; Conner Brown, the



University of Calgary Students' Union VP external elect; and Duncan Wojtaszek, the CAUS executive director. Mr. Speaker, we all know these are not only leaders of tomorrow but leaders of today, and I'd love to ask all of my colleagues to join me in giving them the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Riverview.

**Mr. Young:** Thank you, Mr. Speaker. This is Fraud Prevention Month, for which I will be doing a member's statement shortly. I am pleased to introduce to you and through you to all members of the Assembly friends and colleagues from the economic crime section, the auto theft unit along with fraud prevention partners here in Alberta. I'll ask them to stand as I announce their names. Seated in the Speaker's gallery we have superintendent Bob Hassel, Acting Inspector Keith Johnson, and Inspector Kevin Brezinski along with Staff Sergeant Dan Service. Seated in the members' gallery we have Detective Dave Hawthorne; Detective Patti Nichol; Detective James MacDonald; Detective Jon Coughlan; Constable Linda Davidson; Constable Nadine Swist; Constable Elvin Toy; Detective Bob Gauthier; Detective Bill Allen; Corporal Rob Harkin from the RCMP; Detective Peter Bagan; Constable Glenn Thursby; Deborah Zukiwski from admin support; Janine Czernick, who's an analyst; Wendy Mah from AMA; Scott Hood from Service Alberta; Val Taylor from Service Alberta; Ron Mycholak from the Better Business Bureau; Marc Trudel from the Bank of Canada; and Anne Gray from corporate communications.

**The Speaker:** The hon. Associate Minister of Wellness.

**Mr. Rodney:** Thank you very much, Mr. Speaker. It is a pleasure to rise today to introduce three representatives of the Alberta Students' Executive Council. They met with our hon. Minister of Health earlier today, and they discussed issues facing students in the postsecondary system and, importantly, the role that the Alberta Students' Executive Council will play in the delivery of \$1.5 million in grants to students' associations across Alberta to support mental health programs for students here in Alberta. Joining us today are Al Dickison, Matthew Armstrong, and Justin McDonald. Our guests are seated in the members' gallery, and I would ask them to rise now to receive the warm welcome of this Assembly.

**The Speaker:** The hon. Minister of Infrastructure.

**Mr. Drysdale:** Thank you, Mr. Speaker. It's indeed a pleasure to introduce to you and through you to all members of this Assembly two constituents of mine who are here in the city this week for chamber business: Mr. Tab Pollock, chair of the Alberta chamber, and Mr. Dan Percy, CEO of the Grande Prairie chamber. These gentlemen are truly leaders of my community, and it was very nice chatting with Mr. Pollock and how supportive he was of the government's budget moving the province forward. I'd now ask them to please rise and receive the warm welcome of this Assembly.

### Members' Statements

**The Speaker:** The hon. Member for Dunvegan-Central Peace-Notley.

#### Les Rendez-vous de la Francophonie

**Mr. Goudreau:** Merci, M. le Président. Aujourd'hui je me lève à l'Assemblée pour souligner Les Rendez-vous de la Francophonie, une célébration annuelle pan-canadienne de la culture, de la langue, et du

patrimoine français, qui se déroule tout au long du mois de mars.

Le 1er mars les Albertains ont lancé les festivités avec des levers de drapeaux communautaires partout à travers la province. Et comme vous le savez, M. le Président, les Albertains ont également eu la chance de se joindre à vous, à notre hon. Première ministre et l'hon. ministre de la Culture pour une célébration toute spéciale ici à la Législature ce matin. Les festivités se poursuivront tout au long du mois de mars avec des rassemblements communautaires, des cabanes à sucre, des festivals, et l'ouverture d'une nouvelle exposition qui honore les archives et les histoires francophones spécifiques à l'Alberta. Le 20 mars les Canadiens se joindront à plus de 50 autres pays à travers le monde pour souligner la Journée internationale de la Francophonie.

La diversité culturelle de l'Alberta et son riche patrimoine continuent à enrichir notre province, la rendant plus forte et vibrante, et notre population francophone grandissante ne fait pas exception. Avec plus de 238,000 Albertains qui parlent français et plus de 390,000 Albertains d'origines françaises, Les Rendez-vous de la Francophonie nous offre une excellente occasion pour tous les Albertains de profiter et de célébrer nos communautés francophones.

M. le Président, je tiens à remercier les membres de cette Assemblée pour leur appui continu à cette merveilleuse célébration.

[Translation] Thank you, Mr. Speaker. I rise in the Assembly today to highlight the Rendez-vous de la Francophonie, an annual national celebration of French culture, language, and heritage held during the month of March.

On the first of this month Albertans started celebrating Les Rendez-vous de la Francophonie with community flag-raising ceremonies across the province. As you know, Mr. Speaker, Albertans had the great pleasure of joining you, the hon. Premier, and the hon. Minister of Culture in a celebration today right here at the Legislature. The festivities continue throughout the month with community gatherings, traditional sugar shacks, music, festivals, and the public opening of a new Provincial Archives of Alberta exhibit tomorrow which showcases all our uniquely Albertan francophone records and memories. On March 20 Canadians will join more than 50 other countries across the world in marking la Journée internationale de la Francophonie, International Francophonie Day.

This is the 15th anniversary of the Rendez-vous, and this year's theme celebrates the joie de vivre, or light-hearted enjoyment of life, that often characterizes our francophone communities. Joie de vivre is expressed through conversation, good times with family and friends, or a general appreciation for all of life's pleasures.

Alberta's cultural diversity and rich heritage continue to enrich our province, making it both strong and vibrant, and our province's growing francophone population is no exception. With more than 238,000 Albertans who speak French and over 390,000 Albertans of French descent, Les Rendez-vous de la Francophonie is a great opportunity for all Albertans to get out and experience and celebrate the irresistible energy and joie de vivre our francophone communities bring to the cultural fabric of our province.

Mr. Speaker, I thank members of this House for their continued support of this wonderful celebration. [As submitted]

### Oral Question Period

#### Provincial Fiscal Deficit

**Ms Smith:** Mr. Speaker, yesterday the Finance minister quoted an economist to try to justify the government's decision to send the province 20 years back with their back-in-debt budget. Let me

quote another economist, Jack Mintz. Now, while I don't agree with Professor Mintz on his advice to the government to bring in a sales tax, I do agree with him on this. He says that the government's \$17 billion borrowing plan is contrary to sound public policy because, and I quote: a jurisdiction with nonrenewable resource revenue should be saving rather than borrowing funds. Unquote. How does the Premier justify going so deeply into debt, contrary to this advice?

1:50

**Ms Redford:** Well, Mr. Speaker, we are saving. We have a fiscal management plan, that we introduced last week in the Legislature, that for the first time in 25 years is saving Alberta resource revenue. I will tell you that we are proud of that, and the reason we're doing it is because we listened to Albertans, who told us that saving was a priority in good times and in challenging times.

**The Speaker:** The hon. leader.

**Ms Smith:** Thank you, Mr. Speaker. I think the Premier missed the emphasis on the borrowing part. The \$17 billion in borrowing is what Dr. Mintz says we shouldn't be doing because he says that borrowing is a double-dip against future generations. This is because provinces with natural resources are already borrowing significant amounts from the future since they are selling off physical assets that would provide support to future generations. How can the Premier justify this double-barrelled borrowing from future generations?

**Mr. Horner:** Well, Mr. Speaker, it's interesting that the hon. member opposite wants to pick one piece of Dr. Mintz's suggestions and ignore the other pieces because in order for you to do the one piece that he's suggesting, you have to do the other piece, which is a sales tax, which this side of the House is saying no to. I would also point out that we're going to take some good advice from those in this province who are creating the economy and creating jobs, like the Alberta Chambers of Commerce: "It supports the provincial plan to leverage its solid credit rating to borrow at today's low interest rates in order to proactively build infrastructure to accommodate Alberta's growth." We're building Alberta while we're living within our means, and we're saving, which they aren't doing.

**Ms Smith:** There is another way, Mr. Speaker. They could balance the budget without raising taxes and without going into debt.

The Premier justifies huge borrowing, ignores the need to pay back the debt at all, and also ignores the effect of selling off nonrenewable natural resources to pay for day-to-day operations. When will the government begin to act responsibly and stop double-dipping into the future of our kids and grandkids?

**Mr. Horner:** You know, Mr. Speaker, this is coming from an opposition that presented – I guess they call it a budget. It's interesting, and I guess we should understand why they're having difficulty reading financial statements. In their budget there are no financial statements. There are no statements at all.

It does not serve the Alberta public to not build the schools, not build the hospitals, not build the roads that they're going to need for tomorrow's growth. Living within your means means that you make prudent, responsible choices, which is exactly what this Premier and this government have done.

**The Speaker:** Second main set of questions. The hon. Member for Airdrie.

**Mr. Anderson:** This Premier continues to claim that balancing

the budget without going into \$17 billion in debt will result in extreme and damaging cuts. This is puzzling because just prior to the 2012 election the Premier published a video stating, quote: we are not the party of deficit; it's entirely possible for us to continue to provide the quality of life that we as Albertans have without going into debt, and I am committed to that. Unquote. Premier, you summed up the Wildrose position perfectly there. Why do you now label as extremist those Albertans who do not support your new pro-debt position?

**Ms Redford:** Mr. Speaker, I find this incredibly ironic coming from a member who says that we shouldn't invest in infrastructure when this government is investing in four schools in his constituency. You know why we're doing that? Because infrastructure matters. We want to make sure that Albertans and families and kids understand that we're a government that is committed to building the future of this province in good times and in challenging times. The reason that we can talk about that with great clarity is because we have presented a very clear fiscal picture to Albertans, clearly setting out the choices that we have made in order to ensure that we continue to invest in future generations.

**Mr. Anderson:** We have a \$50 billion infrastructure plan. You should read it, Premier.

Premier, immediately prior to the last election you said on the campaign trail, "Alberta does not have debt, and we will not incur debt. That's fundamental to what Albertans are proud of, and we're committed to make sure that continues." Why would you promise Albertans during a campaign that you would not go back into debt, then break that promise, and then tell Albertans, including those whom you fooled into voting for you based on that promise, that they are backwards-looking extremists? Do you not see what that does to your credibility?

**Ms Redford:** I have not called any of those people who made the right decision on April 23 to vote for the future of this province backwards-looking individuals. I've called them, the opposition, backwards-looking individuals, Mr. Speaker.

**Mr. Anderson:** Given that you recently told a columnist that "for the people who decided to get involved in politics because they believed in a better future for Alberta . . . this is a budget that still keeps that dream alive . . . in a really big way," is the dream you are referring to that sweet one where Albertans wake up a day before the election knowing what they know now about your promises, or is it that nightmare where we realize we have to wait three more years before putting an end to this absolute disaster, or is it, Premier, that you are just sleepwalking and sharing the trip with the rest of us?

**Mr. Griffiths:** Mr. Speaker, this government has done exactly what Albertans are looking for in striking the right balance. We've balanced the budget with zero increase, but we haven't done it on the vulnerable. We've made very strategic priorities that ensure we can still invest in families and communities. The only people that are saying one thing and doing another are the opposition, who continually stand up and say, "Balance the budget," but in their very first maiden speeches they demanded \$1.5 billion in new spending for their constituencies alone.

#### Transition of Michener Centre Residents

**Mrs. Towle:** I'm fraught with worry going forward; we're caring for some extremely vulnerable people: powerful words made by

the Associate Minister of Services for Persons with Disabilities after announcing the closure of the Michener Centre, forcing 125 vulnerable and fragile Albertans to move out of their homes. With no guarantee of enough space and resources to appropriately house Michener PDD patients, the minister's comments leave Albertans with little confidence that this government can be trusted to keep them safe. The minister is clearly worried, so how can the Premier tell clients, families, and caregivers that they should not be worried, too?

**Mr. Oberle:** Mr. Speaker, the changes that we announced yesterday are part of an evolution in how we deliver care to disabled persons in our province, indeed in Canada and across North America. It's not something that started yesterday but something that's been going on for a long time and has been talked about in this House before.

We will ensure that there are places. Obviously, we're not going to turn people out on the street, as the hon. member would if she had the position, Mr. Speaker. We currently have the positions available. We will do individual planning that will involve the families and guardians of each of those people, and they will be placed in appropriate settings.

**Mrs. Towle:** Shame on you, Minister.

Given that there are 400 highly trained and specialized staff who have loved and cared for these clients of Michener and given that the minister has suggested this closure is about dollars, when will the Premier truly stand up for vulnerable Albertans and ensure that they continue to receive the much-needed and specialized support that is provided by these staff?

**Ms Redford:** Well, I think that the hon. member should probably decide if she's concerned about the clients in the centre, Mr. Speaker, or the staff in the centre. We're actually concerned about both. From our perspective, we know that community living is the most important way for people that are living with challenges and disabilities to live with dignity. It's important for us to continue to talk about this plan. That is fundamentally exactly what our minister did yesterday by taking the time, very importantly, to meet with families, to meet with community partners to ensure that there is a dignified transition that's going to allow for further expansion of community living, which is appropriate in Alberta.

**Mrs. Towle:** Communication is the key. Given that this is not the first time this government has left vulnerable Albertans at risk, displacing seniors in Carmangay on a whim, and given that this government put this closure under embargo through the budget, when will the Premier raise the bar on accountability and transparency by letting Albertans know when facilities in their communities are going to close and release the list of obvious closures happening?

**Mr. Oberle:** Mr. Speaker, the hon. member obviously doesn't know how such decisions are taken or announced. Obviously, I couldn't announce it before the budget because I have funding in the budget that requires that.

Mr. Speaker, this is part of a transformation of care that will allow us to offer a broader array of services to a broader array of persons with disabilities in this province, and that's the right thing to do, which is why we're doing it. I don't know who the hon. member is standing up for, but it's not persons with disabilities in our province.

**The Speaker:** The hon. Member for Edmonton-Meadowlark, leader of the Liberal opposition.

## 2:00 Seniors' Drug Coverage and Housing Programs

**Dr. Sherman:** Thank you. I'd like to talk about a moral debt and a regressive taxation. A former member from Calgary-West twice tried to ram through a seniors' drug policy, which essentially was a tax on the sick. The sicker you are, the more medications you need, the more you pay. It was good for low-income seniors but brutal for the rest, as you know, Mr. Speaker, because you put a stop to it. But this Premier wants to resurrect pharma-fail 3. Premier, how can you justify taxing the sick seniors? Why not just bring in fair progressive taxation to cover medication for all seniors?

**The Speaker:** The hon. Minister of Health.

**Mr. Horne:** Thank you very much, Mr. Speaker. Well, what is fair? Our view and the view, we believe, of most Albertans is to offer for the first time drug coverage to 20 per cent of this population who currently have no access. That involves a little more careful thought than simply proposing that we raise taxes to do it. It involves an appreciation of the fact that there are people in this province that are choosing between paying for drugs that they need and paying rent and paying for other expenses that support their ability to live independently in the community. That's what Albertans expect.

**Dr. Sherman:** Mr. Speaker, this minister wants to do it on the backs of 80 per cent of other grandmas and grandpas.

Mr. Speaker, given this PC government is cutting enhanced home care and rehab funding, forcing those who built our province into expensive private care clinics instead of helping them live their lives with dignity in their own homes, in their community, with their own partners, to the Premier: do you consider home care for our seniors just to be another crutch? Is that why you're taking it away, Premier?

**Ms Redford:** Mr. Speaker, it's been really interesting to travel across this province in the last two years and talk to a lot of Alberta seniors who are very happily living in their homes and want to keep living independent lives. That's one of the reasons that in this budget we brought in a seniors' property tax deferral program to ensure that people would be able to stay in their homes and not have to deal with some of these undue financial burdens.

But, Mr. Speaker, there are an awful lot of seniors out there – and I would imagine some of them might even support other parties – that actually believe that if there are people that can afford to make payments with respect to some of their care and support and in return also get choice with respect to the care that they might choose to have and where they want to live, that's also a reasonable policy position, and that's why we have both.

**The Speaker:** The hon. member.

**Dr. Sherman:** Thank you, Mr. Speaker. Given that all evidence points out that seniors in private care clinics spend more time in bed, eat less, bathe less, have more falls, and get more bed ulcers and that, despite this, this PC government continues throwing our seniors and money into private care clinics, crossing their fingers, hoping standards are met, wages are fair, and there's enough staff on duty to care for them, again to the Premier: you promised to be open and accountable; why do you still refuse to tell Albertans the truth about staff ratios and pay in these private facilities?

**The Speaker:** The hon. Premier.

**Ms Redford:** Thanks, Mr. Speaker. I'm really pleased to have the

opportunity to have this discussion with the hon. member because this is the second day in the House that he's stood up and cited reports and put forward figures and statistics as if they were actually real. I don't actually know why he keeps doing it if he doesn't actually have the evidence to support the allegations. There is absolutely no reason to believe that there are differences with respect to level of care. We do believe that people should have the choice. Many of the people in my constituency, many of the people that I've talked to across the province do want to have that choice, and it's part of our responsibility to ensure that they have it, which also lets us take care of other vulnerable Albertans.

**The Speaker:** The hon. leader of the New Democrat opposition, followed by Highwood.

### Provincial Budget

**Mr. Mason:** Thanks very much, Mr. Speaker. This PC government and its estranged siblings in the Wildrose Party have a couple of things in common. First, they are both proposing multibillion-dollar deficit budgets. They're the Deficit Twins. Second, they both refuse to reverse Ralph Klein's unjustified tax cuts for corporations and Alberta's wealthiest citizens. Will the Premier admit that by refusing to reverse the Klein tax cuts for wealthy Albertans and very profitable corporations, she has plunged Alberta back into debt and cut services to the most vulnerable Albertans?

**Ms Redford:** Well, Mr. Speaker, first of all, I think that the hon. member might actually want to take look at what the definition of a deficit is. If we actually look at the operational plan that we have in place in the operational budget, we see that there is a sustainability fund, which we will soon be renaming the contingency fund, which is made up of savings which will be used to ensure that we can support all of the services in this year's budget that are going to continue to allow us to build for the future.

**Mr. Mason:** Mr. Speaker, this Premier believes she can make reality change by changing the definitions of words. I recall reading a novel by George Orwell that pioneered that concept.

Given that this PC government will not stand up to the Wildrose and scrap Ralph Klein's tax cuts for the rich and powerful, does the Premier plan to reduce Alberta's dependence on volatile resource revenues to pay for badly needed programs, or is she planning to continue with deficits and cuts year after year?

**Mr. Horner:** You know what, Mr. Speaker? It's interesting that he put us in the same league as them. The difference is that we understand financial management and we understand the financial statements. We do understand the financial definitions, not one of which is in their alternative plan. Not one. The alternative to paying cash for everything is putting money aside in savings. We are legislating it. We are bringing in legislative savings, which they did not put in their platform. We're going to make sure that we build the pot for tomorrow so that we can remove ourselves from nonrenewable resource dependency.

**The Speaker:** The hon. member.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, they both want debt and deficit, and they both want to cut programs. It's just a matter of emphasis.

Given that this PC government won't stand up – oh, that's my last question. [interjections] This one's good, too, Mr. Speaker.

Given that yesterday the Premier called the student temporary employment program a crutch, can she tell us how many more crutches she intends to kick out from under Alberta families to protect the tax cuts for the wealthy and the corporations?

**Ms Redford:** When this government was elected on April 23, the first piece of legislation that we brought in was results-based budgeting, and the reason we did that was to ensure that we were supporting programs that were actually achieving the outcomes that Albertans wanted to see, Mr. Speaker. As I said in this House yesterday, the STEP program, while very valuable at the time, was a program that was 39 years old. It was time for us to look to better ways to achieve the outcomes that we want to have in place to ensure that students can get gainful employment in their chosen profession and to ensure that we were supporting the not-for-profit sector. That is what the minister intends to do, and I'm looking forward to the discussions.

### Speaker's Ruling Referring to a Nonmember

**The Speaker:** Hon. leader of the New Democratic opposition, you referenced the name of a person three times. I let it go all three times, but as you know, it's not always appropriate to reference people who are not here to defend themselves. One day a Speaker may have to stand up and defend you, so let's be careful and mindful of that rule.

The hon. Member for Highwood. [interjections] The hon. Member for Highwood has the floor.

### Compensation for Pharmacy Services

**Ms Smith:** Mr. Speaker, there's a big health care problem brewing in Alberta, and this government is to blame for it. They are changing the way that pharmacies are paid for dispensing generic drugs, and what it has meant is that smaller, independent pharmacies will suffer dramatic revenue loss. Many, we are hearing, are going to be forced to close. It's more regulation and more intervention in the marketplace that is going to create a big hole in health care delivery right across the province. Doesn't the Premier see the danger of this?

**Mr. Horne:** Well, Mr. Speaker, what we announced in Budget 2013 was a reduction in the price that government will pay for generic drugs. This is consistent with similar changes that have been made across the country. The savings that accrue from this benefit not only government-sponsored drug programs; they benefit people who are part of private and employer-sponsored programs and people who pay out of pocket. It is a reasonable measure. It is well supported by transition funding that's been provided to pharmacists over the last four years, and it is in the best interest of long-term drug coverage for our population.

2:10

**Ms Smith:** Mr. Speaker, this is not a government spending issue. This government has changed the regulations three different times since last summer. Pharmacies need to be viable in order to continue serving their communities. Changing fees, eliminating price flexibility, and restricting revenue opportunities all contribute to a direct, real, and immediate threat to the survival of independent pharmacies. Doesn't the Health minister see that this is a problem?

**Mr. Horne:** Well, Mr. Speaker, the hon. member doesn't present a very reasoned argument in favour of her position. The fact is that

drug costs are one of the fastest growing components of health care across the country. The fact of the matter is that this province made a decision and led the country four years ago when we recognized pharmacists as full partners, as professionals in delivering health care. We offered last year, with their support, a full professional services framework complete with payments for services, including renewing of prescriptions, modifying prescriptions, and developing care plans. This government is prepared to deal with pharmacists as professionals. I'm sure they're wondering why the opposition is not.

**The Speaker:** The hon. member.

**Ms Smith:** Thank you, Mr. Speaker. What we are asking for is a solution that recognizes that if the government eliminates a source of income, there is going to be more of an impact for the entire community, not just for the pharmacy. While the large corporate pharmacies that have multiple streams of income can survive, the small independents cannot. What is the minister going to do about this?

**Mr. Horne:** Mr. Speaker, over the last four years government has provided \$95 million in transition funding to support pharmacists in moving from their traditional role as dispensers of medication to full professionals working as part of primary health care delivery in this province. This is a responsible approach to 21st century health care. It is not, as the opposition would have us believe, a stuck-in-the-past attitude toward the important role that pharmacists play. It also, I think, is quite revealing that the hon. member ignores the important additional value for taxpayer dollars that results from this initiative. Why isn't she interested in that?

**The Speaker:** The hon. Member for Grande Prairie-Smoky, followed by Rimbey-Rocky Mountain House-Sundre.

**Mr. McDonald:** Thank you, Mr. Speaker. In last week's budget the government announced that it would be implementing a pharmacare program in 2014, that it was reducing generic drug prices from 35 to 18 per cent for brand name prices and is investing \$5 million in new insulin pump therapy. To the Minister of Health. People with type 1 diabetes are anxious for more details on the Premier's promise to fund insulin pumps. When can they enrol in the program, and when can they pick up their pumps?

**The Speaker:** The hon. minister.

**Mr. Horne:** Thank you, Mr. Speaker. Consistent with the Premier's pledge we will be offering an insulin pump program beginning later this spring. All insulin-dependent diabetics in Alberta will be eligible for the program based on clinical criteria that are being developed now. The program, for those participants who are eligible, will cover a hundred per cent of the supplies. This is an investment in quality of life for the increasing numbers of Albertans that suffer from type 1 diabetes.

**Mr. McDonald:** Also to the minister: can you explain how the pharmacare program will benefit constituents in northern Alberta?

**Mr. Horne:** Mr. Speaker, the pharmacare program will benefit all Albertans, as has been said in response to previous questions. About 20 per cent of Albertans currently have access to no drug coverage. We are concerned as a caucus and a government about seniors and other vulnerable people in the population who not only have no access to ongoing coverage but often have to choose between paying for drugs and other necessities of life in order to

support their independence. That's not right, that's not the way Alberta works, and that's not a situation this government is willing to tolerate.

**The Speaker:** The hon. member.

**Mr. McDonald:** Thank you. Also to the minister: how can you say that reducing the generic drug prices will not affect anyone in the rural pharmacies in northern Alberta?

**Mr. Horne:** Well, Mr. Speaker, we've never said that the reduction in generic drug prices, as it has across the country, would not affect particular business models for pharmacists. In fact, as part of the \$95 million in transition funding we currently have a \$15 million fund to support rural and remote pharmacists across this province in transitioning to the new model. The coming fiscal year will see year 2 of the program. It will continue after that. We're working with the Pharmacists Association of Alberta to make sure the eligibility criteria for this program are actually meeting the needs of those pharmacists most affected.

**Mr. Anglin:** Access to rural pharmacists is a good way to provide and manage care. Due to poorly drafted regulatory changes, the pharmacy funding model is destroying a rural pharmacy's ability to recover costs. Some pharmacy fees have been frozen for six years, and the rural pharmacy access grant program fails to offset financial losses. The new funding model put in place by this government is backfiring. Why does this government seem so anxious to drive rural pharmacies out of business?

**Mr. Horne:** Mr. Speaker, I thank the hon. member for the question. No government in Canada that I'm aware of has done more to support pharmacists, including rural pharmacists, to transition to a place where they are full partners in the delivery of health care in Alberta and recognized as the professionals that they are. I can tell you that as recently as last night I had a teleconference with many stakeholders in pharmacy across the province. Many rural pharmacists were part of that call. We're continuing to work with them to allocate the \$10 million in funding that has been dedicated to support them in transitioning to the new model. We'll continue to work with their association to make best use of those dollars.

**Mr. Anglin:** Pharmacists say that they have not been consulted in good faith. This government says that it's consulting. Why should Albertans trust this government given this government's trail of broken promises and its questionable history of not telling the truth?

**Mr. Horne:** Well, Mr. Speaker, hardly a question of government policy, but I'll reiterate for the hon. member that this government has provided over \$95 million in transitional funding to support the move to the new pharmacy services framework. This framework was not designed by the government; it was designed by the pharmacy profession across this province. It represents the dedication on their part to playing a greater role in the delivery of health care. It also represents a commitment to transition business models from the traditional dispensing-fee approach to one where we compensate people for the professional services they can provide. This is the direction of the future. It's well supported by the profession, and we stick by it.

**Mr. Anglin:** Bleak future.

Given that the freeze on utility costs has just been lifted – defrosted, so to speak – and utility bills are now expected to rise, how can a local rural pharmacist be expected to pay these inflated

utility bills and stay open for business to serve their communities when the failed regulations of this government prevent pharmacists from recovering their costs?

**Mr. Hughes:** Well, Mr. Speaker, it takes quite a stretch to connect drugs with electricity, but only this member could do that. It is crystal clear and it was crystal clear back in January when, we made the announcement, that the impact upon all consumers, including pharmacists, is actually exceedingly marginal.

Thank you.

**The Speaker:** The hon. Member for Lesser Slave Lake, followed by Calgary-Mountain View.

### Métis Settlements Agreement

**Ms Calahasen:** Thank you, Mr. Speaker. In 1990 I was proud as an MLA to have been involved in a historical settlement between Métis settlements and the Alberta government called the accord. This provided Métis with land, a governance structure, and limited years of funding. Today I was in another historic moment, and that was the signing of another agreement for a long-term governance and funding arrangement and partnership with the Métis settlements, called the LTA. It took a long time in negotiations. Would the Minister of Aboriginal Relations please provide clarity on this new agreement for all Albertans?

**Mr. Campbell:** Well, Mr. Speaker, I am very proud to say that the Premier and I did sign a long-term agreement with the Métis settlements. I think the important part to remember is that while these are strong Métis people and strong with their heritage, they're also strong Albertans. When we sat down to look at the long-term governance agreement, we understood that we had to work together to actually bring together the socioeconomic gap between Albertans and Métis settlements, and this governance agreement is about that. It's about governance, bringing accountability and openness to the governance structure. It's about essential services. It's about building infrastructure. It's about providing economic opportunities both on settlement and off settlement. We're very proud to work with the Métis settlements.

**Ms Calahasen:** To the same minister: given that we have many skeptics, how do we ensure that we are going to get value for the dollars invested with these Métis settlements?

**Mr. Campbell:** Well, again, thank you for the question. Mr. Speaker, what's great and important about this document is that the Métis Settlements General Council and the negotiating committees came to us and said: "Listen. We want to be part of the solution." So when we put this document together and negotiated the terms of it, there are benchmarks in place that the Métis settlements will reach as we move forward and provide the funding. You know, it's important for people to realize that the leaders of the Métis settlements have thought outside the box and taken a very big step moving forward in making sure that their communities are part of the solution.

2:20

**Ms Calahasen:** Again to the same minister: does the long-term arrangement impact governance and accountability on settlements? Some of my Métis members are worried that it may not.

**The Speaker:** The hon. minister.

**Mr. Campbell:** Thank you, Mr. Speaker. Again, as I said earlier, the biggest part of this agreement is the strength in governance

and accountability on the settlements. This is an important aspect of the agreement. We will work together to clearly define the roles and responsibilities of councils, improve financial management and transparency, and build government capacity. This will be done in partnership with the Métis general council, and that's the most important part of this agreement. It is a partnership, and it is a working agreement. We will continue to work with the Métis settlements over the next 10 years to bring them to where they want to be as true partners in Alberta.

**The Speaker:** The hon. Member for Calgary-Mountain View, followed by Edmonton-Calder.

### Surgical Wait Times

**Dr. Swann:** Thanks, Mr. Speaker. The latest surgical performance measures continue to shed light on Alberta Health Services' failure to improve basic surgical wait times. For example, semi-urgent hernias, shoulder surgeries, knee repairs still wait months for repair. As our population grows, so do our wait-lists. There's no relief in sight coming out of this latest budget. These unnecessary delays not only cost the health system more; they lead to lost productivity, increased suffering, and have dire long-term consequences. To the minister: given that hips, knees, and cataracts are not the only surgical needs, are you simply creating the conditions for more private options such as the failed Health Resource Centre in Calgary?

**Mr. Horne:** Well, Mr. Speaker, part of the answer to the hon. member's question was found within his question, and that is the fact that this province continues to grow, by over 100,000 people this year, and the demands on our health care system increase accordingly.

Mr. Speaker, the other thing the hon. member ignores is the great improvements that have been made in waiting times for many high-demand elective procedures across the province. This hasn't been a function of the budget; it has been a function of the dedicated professionals in Alberta Health Services organizing care differently, using evidence to identify clinical pathways that deliver better outcomes. That's the type of improvement that this government is pursuing.

**Dr. Swann:** Mr. Speaker, this minister seems to be surprised that Alberta is growing still. How many years have we been growing and not planning for increased needs in our population? Apart from a few notable exceptions, wait times for surgical procedures have not improved. What is plan B?

**Mr. Horne:** Mr. Speaker, the hon. member seems confused as to whether he wants to talk about money or whether he wants to talk about improvements in the health care system by being open to doing things differently. Fortunately, Alberta has had both. Budget 2013 provided for a 3 per cent increase in health spending. This is on top of an average 9 per cent increase in health spending over the last 10 years. At the same time we're seeing advances in areas like depression and access to lung cancer surgery. These things are the result of supporting the people that deliver care and allowing them to make the improvements in the way they best see fit.

**Dr. Swann:** Mr. Speaker, we're still not seeing the changes in community care services, seniors getting into the appropriate placement, home-care services, and recent examples once again show that the PC government is forcing Albertans into private care clinics. Why won't you stand up for citizens as opposed to the privateers?

**Mr. Horne:** Well, Mr. Speaker, it's this hon. member that insists on making ideology around providers an issue in health care. The fact of the matter is that we're focused on actual improvements in our system, as I've said, by supporting our system with above-average financial growth compared to the rest of the country and also by focusing on improvements for which the hon. member should frankly give Alberta Health Services credit. We've seen many reductions in overall wait times. We're seeing a continued move of more services to the community through primary care networks, through family care clinics, and through increased home care for seniors.

**The Speaker:** The hon. Member for Edmonton-Calder, followed by Strathmore-Brooks.

### Funding for Private Schools

**Mr. Eggen:** Thank you, Mr. Speaker. Albertans would be surprised to learn that while this year's Education budget is effectively frozen, the budget that directs public money to private schools has increased by more than 5 per cent. Factoring in growth, the public education budget is, in fact, a cut that will result in larger class sizes, staff layoffs, and possible school closures on the public side, but then there is a healthy increase of public money to finance private schools. How can the Education minister possibly justify this?

**Mr. J. Johnson:** Mr. Speaker, private schools are providing kids in Alberta with great choices and great options, and they should be celebrated and not condemned. Yes, funding for private schools went up because enrolment is going up, simply because of that, just like in the public system. In fact, we've seen a huge spike in enrolment, and 70 per cent of the funding increases to the private schools are going to the early childhood services operators, so the pre-K.

You know what? I encourage the member to actually visit some of the private schools before writing them off as posh boarding schools, like Inner City high right here in Edmonton, that serves students who are at risk of not completing high school; or Elves Special Needs Society, that provides programs for children with severe disabilities. That's the face of private schools in Alberta, and we'll continue to support them.

**The Speaker:** The hon. member.

**Mr. Eggen:** Thank you, Mr. Speaker. Well, given that this budget increases public money to private early childhood education by a very substantial 11.6 per cent, how can the minister justify this generous increase to private kindergarten and early childhood education while breaking his promise to provide the option of full-day kindergarten in the public education system?

**Mr. J. Johnson:** Mr. Speaker, just let me get this straight. The member wants us to stop funding projects like the Janus Academy in Calgary, that supports autistic students who need specialized supports, or the Calgary Quest school, that supports kids who are too medically fragile for large public schools. [interjections] What about the schools that are focused on religion? No funding for them either? [interjections] Just to be clear, the hon. member supports diversity; he just doesn't want us to fund it.

### Speaker's Ruling Decorum

**The Speaker:** Hon. members for Edmonton-Highlands-Norwood

and Edmonton-Strathcona, we were doing reasonably well. These interjections: really, let's cut them out because each time I stand up, I take five or 10 seconds off someone else's time. You know that I'm trying to get more members up for questions, not fewer.

Hon. member, next question.

### Funding for Private Schools (continued)

**Mr. Eggen:** Thank you, Mr. Speaker. To suggest that is entirely dishonest and spurious. You should include those programs in the public system.

Given this minister's decision to continue to use public financing for private schools while cutting public education, can the minister tell us why this sorry and deeply ironic Education budget is anything but a slap in the face to students, parents, and staff who rely on the public, not private, education system?

**Mr. J. Johnson:** Mr. Speaker, there's no question that this is a challenging budget for everyone. Let's be clear that there are funding cuts on envelopes and decreases on envelopes to the public system and the private system. The increases that are going into the public system and the increases in the private system are driven by the same thing, and it's simply enrolment increases.

You know, Mr. Speaker, I think where we disagree is that we both respect diversity; it's just that they don't believe we should fund it. They respect diversity as long as everyone is getting the same education. Well, that's not diversity. Every child is different, and we need to provide different options and choices for different children.

**The Speaker:** The hon. Member for Strathmore-Brooks, followed by Bonnyville-Cold Lake.

### Ground Ambulance Services

**Mr. Hale:** Thank you, Mr. Speaker. I'd like to just take a moment to mention that the school I introduced is here now.

The Wheatland and Adjacent Districts Emergency Medical Services Association was created by a number of municipalities and has received an average of over 3,000 emergency calls per year for the last 25 years. Despite the AHS superboard's lavish bonuses, waste, and abuse, they recently chose to cut WADMSA's essential front-line service contract by half a million dollars. To the Minister of Health: given that this cut will make carrying on operations next to impossible, why is he targeting front-line services rather than executive waste as a place to find savings in the health budget?

**Mr. Horne:** Well, Mr. Speaker, with respect to Wheatland county and emergency medical services there, as the hon. member knows, the government just received and responded to a report of the Health Quality Council on improvement of ground ambulance services across the province. That report mentioned specifically and delved specifically into issues that municipalities are facing in looking at ways that we can build the strong provincial ground ambulance system that we all want while still making best use of all of the resources that are available across the province in rural and urban Alberta.

Mr. Speaker, with respect to the balance of the hon. member's question we are cutting waste in the system and will continue to.

**The Speaker:** And we'll hear more soon, I'm sure.

**Mr. Hale:** Given that this government always strong-arms stake-

holders, will the minister explain how this very efficient agency can provide the same quality of service with a much smaller budget, or is this local service being degraded to help cover Calgary's EMS budget shortfalls, putting my residents in Strathmore-Brooks at risk?

2:30

**Mr. Horne:** Well, Mr. Speaker, let's be very clear about the policy direction in Alberta with respect to ground ambulance services. We made a decision – a number of members in this House participated in a debate – about moving to a provincial emergency medical services system a number of years ago. The benefits have been well discussed in this House, including the ability to provide backup services for small communities in the event that their ambulances are involved in interfacility transfer or supporting larger cities. The commitment to a centralized approach to ground ambulance service delivery continues. We're not interested in going back to the 1960s and 1970s era, when every municipality was left to fend for themselves.

**Mr. Hale:** Mr. Speaker, given this government's obsession with centralizing services and given the ridiculous claim that maps are enough to address the serious concerns of dispatchers with little or no local knowledge, why is the minister willing to endanger lives by cutting out local EMS dispatchers, who live in and know our communities?

**Mr. Horne:** Mr. Speaker, the hon. member by this time, I would hope, would understand the importance of central dispatch to the success of our provincial system for ground ambulance services. The very fact that municipalities that run dispatch services and other dispatch providers are out of the system does not allow for a province-wide approach to management of our ground ambulance fleet. That very well can mean that communities in the hon. member's own constituency could be left without coverage. The answer is clear. The report makes it clear. We need to move to central dispatch for this province to provide Albertans with the quality of ground ambulance service they deserve.

**The Speaker:** The hon. Member for Bonnyville-Cold Lake, followed by Little Bow.

### Teacher Administrative Workload

**Mrs. Leskiw:** Thank you, Mr. Speaker. As a former teacher I understand all too well the workload challenges facing teachers. In particular, I often hear from teachers in my community about the increasing amount of paperwork that they're expected to do on behalf of their students. I know the Minister of Education has recently worked with a group of teachers to try to reduce this paperwork burden, but I am concerned changes will take way too long. To the Minister of Education: I know you were talking about improving workload, but what have you actually changed to reduce the unnecessary paperwork process for our great teachers in this province?

**Mr. J. Johnson:** Mr. Speaker, our teachers in this province do work hard, and we want to make sure that they stay focused on the task that matters, and that's our kids and their learning. Our desire to reduce the adminis-trivia in the business is genuine.

We've been reaching out to teachers recently and got some great information from the e-mails back and from a visit to teachers in Lac La Biche. Several have mentioned that they've got a lot of unneeded paperwork with respect to diploma exams and accommodations. So we worked with teachers. We brought a

whole bunch into this building, spent a day with a facilitator in my department, and we fixed it. They've designed the new process, re-engineered that for us, and we're going to roll that out, some of it in June and the rest next year.

**Mrs. Leskiw:** To the same minister: why aren't all these changes coming into effect immediately? Why the two-part staging?

**Mr. J. Johnson:** Mr. Speaker, this is coming from the people that have to work with it on a day-to-day basis, who specifically requested a phased-in approach. We've respected that. Some of it is going to happen this June, the rest is going to be brought in halfway, and we'll have it fully commissioned for the next school year.

**Mrs. Leskiw:** My final question is again to the same minister. How will these changes make it easier for constituents like mine, who need these supports and were growing frustrated with the process?

**Mr. J. Johnson:** Well, I think the most important thing is that the kids on the ground, the students, aren't going to see any difference. It's going to be completely transparent to them. Once all the changes are made, the schools will see a 90 per cent reduction in the number of diploma exam accommodation requests that are required. The intent is that this is going to take a lot of unneeded paperwork off the plates of teachers and administrators on the ground. It's not going to create any extra issues for students or parents. Maybe it's something that we should've done a long time ago, but we're going to do it now.

### Agriculture and Rural Development Staff Levels

**Mr. Donovan:** Mr. Speaker, in this back-in-debt budget tabled Thursday, the government decided to cut staff of Alberta Ag by 30 people. Will the minister clarify which positions were eliminated? Were they front-line workers, middle managers, or senior bureaucrats?

**The Speaker:** The hon. minister.

**Mr. Olson:** Thank you, Mr. Speaker. There were, indeed, 30 cuts in my department, but I want to stress that even with these cuts we feel well able to manage the responsibilities that the department has. There were actually 10 positions that were empty positions, not occupied at the time. There were 20 positions that were made up of 17 in my department, middle managers, mostly people in Edmonton, and three people at AFSC in Lacombe.

**The Speaker:** The hon. member.

**Mr. Donovan:** Thank you, Mr. Speaker. Given that we're living in the red and living in the pink-slip times and considering the costly price of severances for managers and bureaucrats, how exactly did you determine who would get the pink slips and who wouldn't?

**Mr. Olson:** Mr. Speaker, my deputy minister manages the department. Those types of decisions are made there. I don't know the names of the people who were given their notice. That's not a policy question. That's a question that could come in estimates, perhaps.

**Mr. Donovan:** All right. Well, I can't wait for estimates.

With this government so committed to cutting and making such a huge cut in this department, actually dropping 30 positions out of the more than 1,600, did the minister ever consider cutting the



completely political position held in this department by the former minister and defeated candidate Evan Berger?

**Mr. Olson:** Mr. Speaker, here we go again with this preoccupation with Evan Berger. I'm interested that the opposition has four failed candidates working for their caucus, and I want to just remind the hon. member that the Ethics Commissioner approved of this hiring of Evan Berger. He's doing great work for our department.

**The Speaker:** We're going to look into the appropriateness of mentioning names, as I mentioned earlier – we just repeated that again – and if there are special categories of people that should be exempt or not. Just so you know, that's all being researched. Meanwhile let's move on.

The hon. Member for Calgary-Mackay-Nose Hill.

### Public Native Grasslands

**Dr. Brown:** Thank you, Mr. Speaker. In 2010 the Premier, responding to widespread public opposition, cancelled a request for a proposal on development of 25 square miles of native mixed-grass prairie rangeland north of Bow Island. In the spring of 2012 the Brewin ranch near Purple Springs was purchased by a new owner, including three sections of native prairie Crown grazing lease. However, it appears, according to reports, that the new owners are trying to acquire freehold title to that Crown land by trading it for freehold land in order to plow it under. My questions are for the Minister of Environment and Sustainable Resource Development. Is the government planning to sell or swap three sections of Crown grazing lease lands for private lands near Purple Springs?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Mr. Speaker, and thank you to the member for the question. You and I know that Alberta's public lands are really an integral part of this province and the heritage of this province, and we have a rigorous application process that must go through for land sales and exchanges. We are aware that an interest has been expressed in obtaining land near Purple Springs. However, at this time government has not received an application to purchase or exchange grazing lease lands near Purple Springs.

**Dr. Brown:** Will the government ensure that qualified professional biologists will conduct assessments on any grazing lease lands and any land which may be proposed to be swapped for them?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. Land sales or exchange proposals are reviewed by resource management specialists, including biologists from our ministry, and as you know, biologists play an essential role because they help determine if an exchange offers a net benefit. Government has not received an application, as I said, to purchase or exchange grazing lease lands near Purple Springs.

**Dr. Brown:** Will the government support the policy of no net loss for public native grasslands in southern Alberta? Yes or no.

**Mrs. McQueen:** Well, Mr. Speaker, we recognize the value of native lands, prairie lands, and we support its protection on public land through existing policy and legislation. The South Saskatchewan regional plan encompasses a large portion of native grasslands, and the plan will ensure that the preservation of native prairie remains a priority for this government.

**The Speaker:** Hon. members, in a few seconds we'll commence with Members' Statements, but might we have your permission to revert briefly to Introduction of Guests?

[Unanimous consent granted]

2:40

### Introduction of Guests

(continued)

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you to all members of the Assembly a group of home-schoolers from St. Paul and Lac La Biche. It is encouraging for the Official Opposition to see, visit, and listen to families from the home-schooling community, and I will definitely say that we will continue to stand up and advocate for choice and parent-driven education policy in Alberta. I would ask that each of you stand up as I say your name. First, the Spiess family: Glenn, Susan, MaryAnne, Maximilian, Benedict. Then the Schalin family: Pam, Naomi, Brannon, Donovan, Justin, and Morgan. I would ask that my guests rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** Hon. Member for Strathmore-Brooks, did you wish to put something on the record about your guests?

**Mr. Hale:** Thank you, Mr. Speaker. The guests that I introduced from the Brooks high school before my question are here now, so I'd just like them to rise and receive the warm traditional greeting.

**The Speaker:** Thank you.

Hon. members, in 30 seconds we'll continue with Members' Statements, starting with the hon. Leader of Her Majesty's Loyal Opposition.

### Members' Statements

(continued)

#### Transition of Michener Centre Residents

**Ms Smith:** Mr. Speaker, yesterday's news that Red Deer's Michener Centre will close and that its residents will be relocated was devastating for the community in more ways than one, devastating, of course, because moving 125 developmentally disabled adults out of familiar surroundings and away from loved ones is never a desirable course of action but also devastating in how it was handled: no consultations, no discussions, not even a courtesy heads-up. When the budget dropped, so did this bombshell: 125 residents, their families, and all the staff blindsided with absolutely no plan for where they all would go. Now, the minister said that families could not be notified because it was a budget decision. What a cold and callous way to justify their actions, Mr. Speaker. These residents aren't a line item on a budget, and they deserve better.

Sadly, Mr. Speaker, this isn't the first such instance of erratic, seemingly arbitrary decisions in health care. Just this summer the government abruptly pulled the plug on the Little Bow continuing care centre in Carmangay, forcing 18 dementia patients out of their homes against doctors' orders and away from their families – several of them have already since died – despite the facility meeting all 12 compliance standards stipulated by AHS just three months prior. Now here we are, almost a year later: another blindsided by this government against our most vulnerable citizens. Just like Carmangay, the residents of Michener are being forced out with nowhere to go.

Now, the minister is saying in the paper today in his quote that he is “fraught with worry” about what will happen to Michener residents once they are moved. I appreciate the minister’s concern. However, I dare say that he owes everyone, especially the residents of Michener, an explanation on how this decision was taken despite his serious reservations. Then again, as we’ve seen before, maybe this is just the way things are done. Shoot first; ask questions later.

**The Speaker:** The hon. Member for Fort Saskatchewan-Vegreville.

### Canadian Agricultural Safety Week

**Ms Fenske:** Thank you, Mr. Speaker. From March 10 to 16 we recognize Canadian Agricultural Safety Week. As we all know, agriculture is part of the foundation of this province and our largest renewable resource industry. Each and every year we celebrate Agricultural Safety Week as a way to raise awareness, but the truth is that farm safety needs to be a year-round priority. My father was involved in a farming accident involving a grain auger, and I know firsthand how important a safety plan is not only to avoid risks but for what to do should an accident occur.

This year the Canadian Agricultural Safety Association’s theme for farm safety week is Get with the Plan! We are urging all producers, farm workers, communities, and organizations to develop written health and safety plans to identify hazards and control them.

Our government is committed to working on initiatives that promote a culture of safety on our farms. Our farm safety coordinators work hard across this province on assessment improvement and the further development of farm safety systems. We also work with organizations such as 4-H and agricultural societies to enhance awareness of farm safety. Education, awareness, and planning are the keys to making sure our farms are safe.

To kick off Canadian Agricultural Safety Week, Agriculture and Rural Development has teamed up with Health Services to provide a fun, interactive health and safety learning environment for kids of all ages at the Peace Country Classic Agri-Show in Grande Prairie. People can always go to Agriculture and Rural Development’s website to access the latest documents and links on farm safety.

I encourage all Albertans to consider the role they have in farm safety and to look for ways to participate in their community, whether by implementing a farm safety plan or by teaching our children how to play safely on the farm. Farm safety needs to be a year-round commitment for everyone, and this week is a good reminder of that commitment.

**The Speaker:** The hon. Member for Edmonton-South West, followed by Calgary-Fish Creek.

### Budget 2013 Benefits

**Mr. Jeneroux:** Thank you, Mr. Speaker. I’m very pleased to have this opportunity to stand and recognize this year’s historic provincial budget and speak to what it means for our future and take a moment to make note of what it means for my constituency of Edmonton-South West. Investing in families and communities has always been a fundamental principle of this PC government. If we are to ever worry about our future, then we must look at what we do today and how it impacts the upbringing of our children as they are our future.

I can think of nowhere else that speaks to the importance and payoff of this than in the communities of Edmonton-South West. I am proud to call these communities home. Our communities are

comprised of new families and the young children that will propel Alberta into the future. Naturally, Mr. Speaker, the well-being and education of our children and the quality of the environment in which they are raised are of the utmost importance to our future. We hold ourselves to a very serious commitment to our children, and this budget reflects that.

Accordingly, Mr. Speaker, it is my belief that our Education budget has set us on the right path for building up a strong future for young Albertans and the province they will come to shape. Although some tough decisions had to be made and some restraints taken, it is important that our children have access to the facilities and learning spaces that will allow them to be successful. This budget proves that this PC government remains dedicated to making the important infrastructure needs in Edmonton-South West happen. The future belongs to those who prepare for it today, and for me, with the future I envision and that many of the families in Edmonton-South West envision, this budget ensures success for our future generations.

Thank you, Mr. Speaker.

### Trust in Government

**Mrs. Forsyth:** Mr. Speaker, this Premier has a way with words. In 2011 she said that she’d bring transparency and accountability to her post. She wants an energy strategy and sustainable development. She says that she wants dialogue and conversation, and anyone who questions her must be extreme or ideological. The Premier is a fan of buzzwords. She manages to devalue these words so much every time she says them that they sound like white noise. These words mean nothing coming from her.

Let’s stop the buzzwords, political jargon, and lawyerly language for a moment and take a look at the Premier’s actions and words. She’s broken fixed election dates, balanced budgets, and no debt. She’s broken all of them. She’s promised to raise the bar on accountability, but her government is just as antidemocratic as her predecessors’.

Look at this year’s budget estimates. A process that usually takes a month is now going to be crammed into just 10 days. That’s 477 pages of detailed financial information that the opposition is now expected to read, analyze, and scrutinize in less than two weeks.

Mr. Speaker, this Premier has a habit of saying one thing and doing another, and she uses it to escape accountability at every turn. Lawyers, after all, are taught that every position is defensible. While the opposition comes prepared every day to engage in real debate to advance the province, the Premier is stuck on talking points and political jargon. Albertans are sick of it.

Mr. Speaker, Albertans are the real heroes in this province, not the government, and they are neither extreme nor ideological. They can tell when they’re being misled, and you know what? They don’t like it. Maybe that’s why more and more Albertans are losing trust in this government every single day. Regardless, the Premier would do well to stop mincing her words and start actually sticking to them.

2:50

**The Speaker:** Before I recognize the hon. Member for Edmonton-Riverview, I want to thank him for allowing us to change the batting order today for private members’ statements. Some people had an urgency to leave sooner than later, and you were gracious enough to go last, and I just wanted that noted. Thank you.

The hon. Member for Edmonton-Riverview.

**Mr. Young:** Thank you for the kind words, Mr. Speaker.

### Fraud Prevention Month

**Mr. Young:** Mr. Speaker, I rise in the House today to draw attention to Fraud Prevention Month. This is another example of a commitment to build safe and strong communities. On a fundamental level the purpose of prevention programs is to raise the awareness of citizens' role before, during, and after a fraud. It is important to emphasize prevention, mitigation, and loss avoidance. By making citizens more aware and involving them, citizens are the stakeholders in their own assets.

While there are several forms of fraud, what it means to every victim is loss. We are seeing a widening gap between these victims' losses and the fraudsters' ability to separate these victims from their assets. It can take its toll on a person's credit rating, finances, and personal life. Our government, crime prevention partners, and law enforcement are working to reduce fraud.

Mr. Speaker, we have the Edmonton Police Service economic crime section, the auto theft unit, and some of their partners here with us today. I'd like to thank them for taking the time from work and travelling to be here with us.

Let me outline the facts. Fraud is a large and growing problem in Canada. It is estimated that approximately 1 million Canadians are victims of mass marketing fraud and identity theft in Canada annually, at a cost of about \$10 billion. Nearly 80 per cent of mass marketing fraud using the telephone, mail, or Internet can reach a large pool of potential victims. It is conducted by organized crime groups and is currently the second most common criminal activity funding terrorist activities.

Despite the pervasiveness of the problem 9 in 10 Canadians do not speak to anyone about fraud. Fewer than 5 per cent of fraud victims contact the Canadian Anti-Fraud Centre to report the offence. In 2011 the CAFC reported that e-mail, Internet, and texting were the most common solicitation methods, and these methods resulted in the highest dollar loss by Canadian victims.

I want to take this opportunity to invite my legislative colleagues on both sides of the House to support this initiative.

### Tabling Returns and Reports

**The Speaker:** The Member for Edmonton-Highlands-Norwood or someone on behalf of. Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Speaker. I'd like to table the appropriate number of copies of e-mail submissions that Albertans made to our prebudget tour, which visited seven cities in the last few weeks. Tina, Mathew, and Stephanie are some of the Albertans who provided interesting input. For example, Stephanie would like this PC government to ensure that oil companies pay their fair share for resources and pay the full cost of cleaning up after themselves. Submissions like this clearly show the priorities of Albertans and how out of touch this PC government actually is with its broken-promises budget.

Thank you.

**The Speaker:** The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you, Mr. Speaker. I have three tablings. I have the appropriate number of copies of all of them. The first one is an evaluation of the summer temporary employment program, the only one I was able to find. It was completed in 1972, the last completed evaluation of this program.

Moving on to my next tabling, there is an RFP, a request for proposal, for a similar review of STEP from October of last fall. This review wanted to determine the value and impact on stakeholders and the value to students. This review was, we

believe, suspended before its completion, before this budget was released by this government.

Also, Mr. Speaker, today I met with a number of students from the Alberta Students' Executive Council. They are concerned with proposed cuts to secondary education and how this budget hinders the future economic growth of this province. I am tabling their document for the record.

Thank you, Mr. Speaker.

**The Speaker:** Thank you, hon. members.

Are there others? The hon. Member for Cardston-Taber-Warner, followed by Lac La Biche-St. Paul-Two Hills.

**Mr. Bikman:** Thank you, Mr. Speaker. I appreciate this opportunity to table some documents that have come to me in the form of letters and e-mails from concerned citizens in my riding that express a view diametrically different from the one expressed by the hon. Minister of Health regarding rural ambulance service as well as the impact of the budget on pharmacists and the patients who rely on the local rural pharmacists for the important care that they receive. I have the requisite number of copies here.

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. I have an e-mail dated March 10 of this year from Andrew DeGruchy. The individual is from Cold Lake. He's asking that the government suspend the relocation decision, consult with the doctors and affected communities, and states that "there is no need to be rushing the medevac changes – especially when lives are at stake." I have the requisite copies.

I also have a second tabling, an e-mail dated March 11 of this year from Jon Knutson from Lac La Biche, who's indicating that where minutes count, rerouting would take additional hours, and he's urging the government to reconsider the relocation of the medevac services. I have the requisite copies.

Thank you, Mr. Speaker.

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following document was deposited with the office of the Clerk. On behalf of the hon. Ms Redford, the Premier, pursuant to the Public Service Act the corporate human resources annual report 2011-2012.

### Statement by the Speaker

#### Preambles to Supplementary Questions

**The Speaker:** Hon. members, just before we go to Orders of the Day, a polite reminder that tomorrow I do intend to proceed with what I called yesterday an experiment, and that is to review how preambles do or do not fit ahead of supplementary questions. I am prepared to grant some leeway to opposition leaders, obviously, but to the rest of you, please be reminded that tomorrow your preambles must not appear before a supplementary question if at all possible. I'll be a little concerned and lenient as well, but we're trying to shorten up the time it takes so that we can get to more members.

Typically, if you take 35 seconds for a question and 35 seconds for an answer, you're going to wind up with about a three-and-a-half-minute exchange per item, and that takes us to about 15 members. We should be getting up to about 16, 17. We used to do that, and we're going to try and get there through some means if we can. That's what I'd like us to try tomorrow, please, and I seek your co-operation today in preparing yourselves for that tomorrow.

**Orders of the Day**  
**Government Motions**  
**Provincial Fiscal Policies**

28. Mr. Horner moved:  
 Be it resolved that the Assembly approve in general the business plans and fiscal policies of the government.

[Adjourned debate March 7: Mr. Saskiw]

**The Speaker:** I have the hon. Member for Lac La Biche-St. Paul-Two Hills ceding to the Leader of the Official Opposition. Please proceed.

**Ms Smith:** Thank you, Mr. Speaker. I'm pleased to be able to rise for the first time to give an official budget response. But I have to say that it does make me want to reminisce a little bit about when I first started getting involved in politics and when I first started looking at budgets for not only the province but also the federal government. It was back when I was Progressive Conservative. Back in 1992-93 I was a campus club president at the University of Calgary, and it was a pretty . . .

**Mr. Hancock:** Redemption is still possible.

**Ms Smith:** Well, I'll tell you my path to becoming a Wildroser because I think that probably some of the members opposite are probably going through the same kind of thinking that caused me to go down this path. I just want to walk through this.

When I was a campus club president, it was pretty exciting because we had five elections that year. There was a provincial leadership race, a federal leadership race, there was the Charlottetown accord, a federal election, and a provincial election. Of course, at the federal level I was a Charest delegate, went to Ottawa. It was a pretty exciting time.

But one of the things that I became frustrated about in the 1993 election, having been a campus club president and trying to argue about why the Mulroney deficit and the Mulroney spending were justified, was some of the crazy talking points that we were given from the federal counterparts, that they had slowed the rate of year-over-year increases in spending from the previous administration. No longer were they increasing operational spending at 14 per cent per year; it had now been decreased to 9 per cent per year. Somehow we were supposed to argue that that was an improvement.

3:00

They also sent talking points to argue about the difference between an operational surplus versus an overall surplus and why it was okay that they were overspending because they were actually running an operational surplus. So if you didn't include the amount that you had to pay for interest, then things were actually okay, when meanwhile, of course, debt-financing charges were continuing to consume a greater and greater portion of the overall amount of operational spending. I have to tell you that it was pretty demoralizing to be a federal Progressive Conservative in those times.

Then I remember 1994, when the Liberal government brought through their very first budget. It was very close for us hitting the debt wall at that time, you may recall. At that time we were at a point where we almost could not flow our national bonds because we were so indebted as a nation. There was an upstart party from Alberta, the Reform Party, led by Preston Manning. Listening to him really resonated with me. I think it's no small compliment and no small feat what the Reform Party was able to accomplish under

Preston Manning's leadership. I think Preston Manning probably is the reason why the federal Liberals at the time finally managed to go back into surpluses within a couple of years. They pressed the government to go in the right direction, and year after year after year they were able to run surpluses.

Now, they weren't the only government that was doing this, the Liberals in 1995, becoming a government that was offering surpluses. They had allies in the west. In western Canada the NDP government of Manitoba and the NDP government of Saskatchewan were also running surplus budgets. They had also realized how important it was to have balanced budgets even though they were NDP. Now, of course, they did it the same way the Liberals did, by increasing taxes.

But I would say that one of the other big allies for the Reform Party to be able to have that influence at the national level was, of course, Premier Ralph Klein, the Progressive Conservative Premier of Alberta. He took a different approach. When he was running for the leadership of the Progressive Conservatives in 1992, he gave an historic speech in Leduc where he talked about the three things that he wanted to do if he became Progressive Conservative leader. He had a passion and a vision even before he actually won the leadership. He said that he wanted to balance the budget without raising taxes – so not raising taxes was the important part – he wanted to make sure that they were in surplus and managed to maintain surpluses, and he wanted to pay off the debt. His three big promises, his big vision based on those three major objectives.

It galvanized the province. The province got behind him. They were excited about the idea that we would put aside the \$23 billion worth of debt that had been racked up by previous administrations during hard economic times in some cases, for certain, and also because resource revenues were off – that is certain – and because of a flawed approach to support a number of different business ventures on this failed idea that governments could somehow diversify the economy by taking our tax dollars to do it.

Premier Klein had a very different idea about how Alberta should be run, and I think Albertans bought into that idea. It was very exciting during that time. It's part of the reason why I was proud at the time to be supportive of that party. I think the proudest day for me was when Klein put that sign over his head back in 2004 during the Calgary Stampede that Alberta's debt had been paid in full. What a remarkable thing to see a politician who set out with three objectives and kept every single one of his promises. He didn't raise taxes. In fact, he reduced them significantly. He did return us to surpluses year after year after year. He did end up paying off the debt by putting enough money in the debt-repayment account so that as it became due, he would be able to pay it off completely.

I noticed some worrying signs shortly after that occurred. I remember going back through some of the columns that I had written back when I was at the *Calgary Herald* and then onward when I was with the Canadian Federation of Independent Business. I've been analyzing government budgets for some time. The signs of worry actually began for me about a decade ago, and that was when we began to see, once we had met this target, that the rules were starting to be played with a little bit. We used to have legislated rules about how much money had to go towards debt repayment and how much money could go into spending. My recollection of it is that at the time 75 per cent had to be earmarked for debt repayment and only 25 per cent could be used for current spending.

[Mrs. Jablonski in the chair]

Well, of course, once they started getting closer and closer to achieving that target, it was time to change the legislation. I was worried about what would happen when it came through, so I wrote columns at the time about that. One of the things that they came through with – and I think this was a Liberal Party idea – was the idea of having a sustainability fund and creating a new fiscal model now that we were into a new generation, having been debt free. Again, once that first came through, I thought that it was a pretty good idea, the notion that government would have a contingency fund that they would set up to be able to shield them against short-term fluctuations as well as to also, then, have some disciplined approach to how they would be managing future surpluses.

When that sustainability fund model first came in, the recommendation was that the government should take no more than \$3.5 billion worth of resource revenue for current operational spending. No more than \$3.5 billion. That was the idea when the sustainability fund model first came in. Not a bad idea. The way they came up with that number was that they looked at the historic average of what resource revenues would be and they wanted to make sure that they were always below that level so that if there was a moment or a year or two where you might have some fluctuations, you would be able to rely on your contingency fund, your sustainability account, to see you through one or two years.

Now, imagine if 10 years ago the Progressive Conservatives had actually stayed true to that commitment when they first passed that legislation, especially during this last boom, if they had managed to stay true to only keeping \$3.5 billion a year in resource revenue for operational spending. In the past 10 years we've brought in over \$100 billion worth of resource revenue. What that would have meant is that there only would have been a third of that brought into operational spending, which means two-thirds of that would have gone into the sustainability fund, topped it up, and then, beyond that, into the heritage fund.

What is so compelling about this thought is that if we could go back and do it all over again from 10 years ago, where would we actually be today?

**Dr. Starke:** Alaska, with no infrastructure.

**Ms Smith:** It's true. It would be like Alaska. It would be like Norway.

What we would have, actually, is \$100 billion to \$150 billion worth of revenue in that fund. And guess what it would be doing? It would be generating at least \$7 billion to \$8 billion per year worth of ongoing, sustainable investment income, which would actually be enough to fill this revenue gap that we often hear the Premier talking about.

Just having made a couple of smart decisions 10 years ago, look where we would be today. We wouldn't be talking about a revenue gap. We wouldn't be talking about how we are still victim of the rise and fall in volatile resource revenues. We would actually be on the sustainable path that the founder of the party opposite, the Hon. Peter Lougheed, had intended for us when he started off the heritage savings trust fund in the first place. But the government ignored the advice that was given. They ignored their own policy. They ignored their own law. That's what happens when laws get in the way, that are inconvenient to what the government does. They pass them at the time because they want to do it because it appears popular, and then when it becomes difficult to do, rather than make the difficult decisions, they just change the law.

We saw this happen again when Premier Stelmach came in. Initially I was actually quite hopeful because he talked about – I think he probably saw some of the same things I did – the need for

more discipline in managing budgets and surpluses. He talked about how the in-year spending was becoming part of the reason why the government wasn't able to meet some of its commitments. He actually came up with a new plan: one-third for infrastructure, one-third for maintenance, and one-third for savings. That would be how he would divide up year-end budget surpluses. Great idea.

An election came and went, and then, of course, in 2008 we saw that there was a surge in oil prices. In that exuberance the Finance minister at the time announced that there would be \$19 billion worth of resource revenue that would come in that year. Nineteen billion dollars. As a result, Premier Stelmach threw those promises out the window, threw his model out the window, and came up with a plan to put \$2 billion into the unfunded liability for the teachers' fund, \$2 billion into carbon capture and storage, and \$2 billion into the GreenTRIP fund, spending money he didn't have before it was actually realized, one of the things he promised during his leadership that he would not do.

**3:10**

That was it for me when I saw that there was absolutely no discipline in the management of the province's finances, when I saw the direction that this government was going. Sure enough, at the end of that year was the first deficit, the first of what is now six deficits and, unfortunately, the first of what are prolonged structural deficits that this government has no idea how it's going to get out of. That was my path to deciding that I could no longer support the Progressive Conservatives and needed to do something, needed to join the Wildrose.

Aside from that, let's remember what happened. That was also the time that Mr. Stelmach started his war on our energy industry. That was when he came through with the new royalty framework, which shattered investor confidence at a time when he should have been working with our industry to make the case internationally about how we were developing the resource in a way that was environmentally responsible, about why we needed pipelines to be able to get our product out to markets because we're a landlocked province. All of that work needed to start five years ago when, unfortunately, the leader of the government and his ministers were at war with their industry. It was the time that they needed to be doing that groundwork because now here we are today. We find ourselves five years behind at least on being able to make the case to get these pipelines approved.

Now, I'm very hopeful. I'm glad the Premier is doing some work in Washington and writing columns to be able to support the Keystone pipeline. That's exactly what the Premier should do. I'm glad that she's working with colleagues in Saskatchewan as well as our federal counterparts to push that ahead. But it's not a done deal. If you talk to people in the industry, they're actually thinking that there's a 50-50 chance that it might not get approved. I hope that's not the case. I hope that we can make the case to our international friends and customers that we are developing this resource in a way that has less and less impact on the environment so that they will approve our pipeline.

But I think it points to what happens when you make bad decisions and the economic consequences roll out from that years later. We are suffering today from bad decisions that were made in some cases 10 years ago and in some cases five years ago. Now it's going to take five to 10 years for us to be able to build the pipelines, get our product to market, close those differentials, realize the higher prices, get more resource revenue. We are stuck with dealing with the environment that we have today and the revenues that we have today. The question is: what is the PC leadership now going to do about it?

Well, I have to say that when I watched the PC leadership race back in 2011, I was watching to see what some of the candidates would be promising in their election platform. I have to say that there was one candidate who, if I had ticked off the boxes of the number of policies that she proposed that were actually out of the Wildrose playbook, would have had the most number of policies that coincided with what it was that the Wildrose wanted to do.

**Mr. Anderson:** Who was that?

**Ms Smith:** That person is the current Premier, who's remarkable to see. I've often said that if she did everything that she said she'd do, she would be a formidable leader and she would be leading a formidable government. Yet she's not. Yet she's not.

Let me tell you. I mean, this is a member's statement that I probably could have read in my first days in the Legislature. Let me read this to you because it tells you just how far the evolution of this Premier has gone since Monday, October 24, 2011.

We have all heard of the crises in Europe. Debt is the trap that has caught so many struggling governments. Debt has proven the death of countless dreams. Many European countries are struggling with debt burdens that in some cases exceed a hundred per cent of GDP. Those unfortunate nations spent too much and took in too little. Now they are faced with hard choices: raise taxes and kill jobs, cut spending and devastate the social safety net, or both. Their citizens are paying the price. The homes they loved have changed beyond all recognition.

Alberta has no net debt. In fact, we have \$5,700 in assets per person and the highest credit rating available. We have the lowest overall taxes in Canada. We have disciplined spending priorities and no long-term debt. We are blessed with a strong economy built on a powerful industrial base and a young population. We have one of the greatest energy sectors in the world. We are better off than many other places, and we have a future anyone else would envy, one this government will work to make better still.

But we can't take this for granted. Good fortune will not fall into our laps because we ask for it or [because we] think we're entitled to it. We have to earn it. We [have to] stay safe from these threats. This government will protect and strengthen our province. We will make it better. We will make the tough decisions. We will spend wisely and save intelligently, managing our finances to protect future Albertans from . . .

You guessed it.

. . . debt.

And just to finish:

We will introduce the necessary reforms to make sure that this province keeps growing. There is no other way.

There is no other way than to avoid debt.

Now, that was what the Premier said in October of 2011 after having just won the Progressive Conservative leadership in the months leading up to an election. That, I guess, is what I think most people thought they were voting for when they voted in March, because that is a pretty clear statement. That was the kind of statement she had been making for well over a year or well over six months as she began her campaign.

Then, of course, we see the evolution of the thinking on debt and the comments from the Finance minister, and it begins on Monday, May 28, 2012. As I've said before, we were already concerned that the government's budget estimates were off and that they needed to start taking action to do something about it. At that time a number of questions were asked of Mr. Horner, but one of the things he said on Monday, May 28, was: "We expect that we will be balancing the budget in 2013-14 as we committed, as we promised, Mr. Speaker."

**The Acting Speaker:** Hon. member, careful with the personal names.

**Ms Smith:** My apologies, Madam Speaker.

On Thursday, May 31, we kept at it, and the Finance minister said then: this "will allow us to finish the year on target in 2013-14 with the balanced budget."

Fast-forward. We got through the summer. October 23: we're back already, and what the Finance minister says is that "our commitment is that it [the budget] will be balanced."

Wednesday, October 24: "As I've said before and I'll say again, we will have a balanced operating plan, [and] a balanced capital plan." This is where we start seeing a little bit of division in the language.

Tuesday, October 30: "In fact, what we've said is that we will balance the budget, and included in that budget will be the funding of our capital plan like any responsible financial manager would do."

As you can see, there's been an evolution in what the government has said, but all the way up to the end of last session they were giving a very strong indication that what we would actually see is a genuine balanced budget and an economic plan that included a capital plan that would be fully funded. That's not what we got. It is remarkable how things have changed in such a couple of short months.

I do have to wonder that if this has been the breaking point for me, it's been a breaking point for a lot of our members here. A lot of our members here at some point in their past did also support the governing party. I just wonder what some of the breaking points are going to be for the members opposite. How can you actually run on one set of priorities and plans and promises and then less than a year later have to go back to those same constituents and be trying to argue that the budget that was put forward was actually part of the plan? That's what I'm sort of having some struggle with, Madam Speaker: wondering how they're facing their constituents, having actually done a complete 180 because that is what has happened on the approach that they've taken to the budget. There has been a complete 180.

If they're not going to listen to me, maybe they're going to listen to some of the commentary that has come out on this budget since it was first passed and first introduced and we started seeing some of the details.

3:20

This is Licia Corbella in the *Calgary Herald* on March 7.

While [the Premier's] government is trying to spin its projected \$451-million operational deficit as some kind of modern-day fiscal conservatism, this is sophistry, saying that operational spending "flatlined from the 2012-13 forecast." Everyone knows that last year's pre-election budget was wildly optimistic to the point of being little more than a fairy tale. Holding the line on spending based on the Alison Wonderland budget is utter madness.

Rick Bell, March 8:

Even when it comes to the budget just for day-to-day expenses, the province's operating budget, that set of numbers is also in the red.

The operating budget is also in the red.

They were in the red in the 2012 budget year by \$1.4 billion.

We didn't find that out until just recently.

They will be in the red in the 2013 budget year by almost half a billion [dollars].

We haven't seen the province unable to balance their daily expense chequebook like this since back when Ralph took over

the reins, pledging to sort out the financial dog's breakfast of that day – and . . .

Let's remember.

. . . doing it.

This is a budget with pain and not a whole lot of gain: Don Braid from the *Calgary Herald*, March 8.

Finance Minister [blankety-blank] went almost bug-eyed Thursday explaining why one government needs three budgets, and why that should make the finances easier to understand.

Harried finance officials, when pressed, did acknowledge that the "old" system would show a deficit of \$1.97 billion in 2013-14.

Horner certainly doesn't deny . . .

**Mr. Anderson:** Oh. Blankety-blank.

**Ms Smith:**

[Blankety-blank] certainly doesn't deny that Alberta has a big deficit problem. He claims, though, that the triple-play budgets will produce clarity.

Mark Milke, *Calgary Herald*, March 8:

Post-1993, the . . . reforms laid out the bare facts, for good or ill, whether flattering to a government or ugly in the light of day.

On a go-forward basis, regardless of whether one wanted higher taxes, less spending, more borrowing or some combination, the books would at least make clear the state of the province's finances.

Post-1993, anyone with rudimentary mathematical skills could glance at a one-page summary, the Historical Fiscal Summary, in the back of the budget and get a clear sense of the provincial finances over the past several decades.

No more.

**The Acting Speaker:** Hon. member, I think that it would be a good idea if you tabled the documents that you're quoting from, please.

**Ms Smith:** I certainly will.

**The Acting Speaker:** Thank you.

**Ms Smith:** The *Calgary Herald* editorial, March 7:

. . . [If] John and Jane Q. Public want to know the answer to a series of simple questions: How much money will the government take in in the upcoming budget year; how much money will the government spend; and what's the deficit? The honest answer on Thursday took civil servants at closed-door briefings some time to come up with [the answer]: \$6.3 billion.

Graham Thomson, March 8:

We now have a budget that is arguably the most detailed, complex and comprehensive yet delivered in Alberta. It is also arguably the most opaque, obscure and cynical budget yet delivered in Alberta.

For the first time, the budget ignores the size of the overall provincial deficit. This is the number you come up with when you take actual revenues and subtract actual expenses. It's the simple money-in-money-out accounting that the government has used for decades.

Graham Thomson, March 9:

Redford didn't even fulfill the modified promise made just weeks ago to balance the operating side of the budget, which accounts for the day-to-day expenses of government. That deficit will be \$451 million.

Lorne Gunter, March 11:

"Besides," he added . . .

This is in talking to a loyal Tory supporter.

. . . "if Alberta weren't a good credit risk, banks wouldn't lend to us."

Oh, wouldn't they? Banks are still lending to Ontario and Quebec, and those provinces' finances may as well have been managed by untutored chimps for the past decade.

They're still lending to Greece, for crying out loud.

The government's own calculation of its deficit is \$1.97 billion. But that doesn't include a \$4.3-billion [for the] "cash requirement" for infrastructure construction. Since those added billions have to be borrowed, call the deficit \$6.3 billion.

And here's the last one. Bev Dahlby, *Calgary Herald*, March 12:

A case in point is the budget's reference to the new policy of "saving" \$5 billion resource revenues by 2016. However, the budget documents forecast that Alberta's net financial assets will [actually] decline from \$10.86 billion at the end of March 2013 to [\$5.1] billion by March 31, 2016. In effect, we will be "dissaving \$5 billion" . . .

And why is that?

. . . because we will be borrowing more than we are squirrelling away in the Heritage Fund and the newly renamed Contingency Fund. It is as if the government is pointing to the money that it is accumulating in its savings account while ignoring the even larger and growing outstanding balance on its credit card. No prudent household would delude itself into [thinking] that it is saving under those conditions. We should expect no less from . . . government.

If you don't want to listen to me, that's a good 10 commentators who've been following the budget for a number of years who have been saying the exact same thing that we are saying, that the path that the government is taking us down is fundamentally flawed.

Now, I know that when we raise the issue of the \$17 billion worth of debt that the government is going to rack up by 2016, the Premier and the Finance minister just evade it. They don't like to answer the question. But regardless of what else we see in this budget, let us be absolutely clear about what is being done in this budget. It is taking us back in debt in a massive way. It is taking us back in debt to levels that we haven't seen since the Getty era.

Let me just talk about how big this reversal has been in 10 short years. Premier Klein left his administration in 2006 with no debt and \$17 billion in the sustainability fund. Ten years later, when we are going back into the next election, we're going to have \$17 billion worth of new debt and virtually nothing in our savings accounts. What a dramatic – dramatic – reversal over the course of 10 years.

I've been trying to think of why it is that the Premier seems to say one thing and do another. I don't know. It could be the legal training that she has. She often comments that I'm not a lawyer, and she's right. What I think happens – and I don't think the Premier is a bad person, but I do think that she has the ability to see both sides of every issue. So part of the parsing comes in, and maybe it's the lawyerly training that she has. You can argue any side of any issue depending on who your client happens to be. That may explain why one day she is able to argue that black is black and then the next day argue that black is actually white.

I have a different background. My background is in economics, and in economics I've been watching the battle go back and forth. They call it the battle of the century between two different economic philosophies, the Keynesian philosophy and the Hayekian philosophy, the Keynesian philosophy being that you can just keep on borrowing to keep the party going, and when it looks like the economy is slowing down, you just keep borrowing some more. The Hayekian philosophy says that at some point when you've borrowed too much, you kind of have to rein it in, get your spending under control so that you can actually get real

savings so that you can have real investment and real economic development. There are a couple of videos that I often post from time to time, a little rap that's been done by actors, one representing the Keynesian position and one representing the Hayekian position. It's called the battle of the century. I'd encourage the members opposite to have a look at it because it is kind of a fun way of looking at what it is that we're actually battling about here. There really are two different ways that we can go forward.

If you don't want to look at that, I'll also be posting a really interesting YouTube video by a young girl by the name of Victoria Grant that's gone viral. I think she's 12 years old. She just spoke at a meeting of bankers recently about the Canadian situation and how as a young 12-year-old girl she feels that her governments are putting her on the hook to pay back billions of dollars not only in interest charges but in future debt payments. She makes a very compelling argument about why she thinks that just isn't fair. It's now got over 825,000 hits on YouTube. I'll post that, and the members can have a look at it. Both are great.

Let me do my best to make the argument about why it is that this budget goes so far off the rails and why it is a budget that we can't possibly support. I would hope some of the members opposite are feeling just as uncomfortable with this budget as we are.

3:30

The first problem is the issue of a lack of clear documents. One of my favourite pages I used to flip to whenever I used to go to budget lock-up, which I've been doing for some years, was the back page of the fiscal summary, where it would have the historical fiscal summary so that you could actually see, going back some 12 to 15 years, exactly how the government has progressed on its debt repayment, how it progressed on its savings, compare how it increased spending, how the revenues increased, compare the lines for resource revenues, so you could actually get an apples-to-apples comparison.

I mentioned to the Finance minister the other day that failing to restate the previous historical budgets using the new methodology is actually not in line with the generally accepted accounting principles, and I hope that does get corrected because I think that's very key. If we're going to see where we're at today with all the smoke and mirrors, with seven or eight different estimates about what the deficit is, we actually need to see what we're comparing today versus how it would be restated if we did it in previous years. That's one issue that we have.

The second major issue, though, is going back to the Premier's comments about how Alberta will not have a deficit. She was right in one strange way. We're not actually going to have one deficit. Since they've split the budget up into three different budgets, we're actually now going to have three deficits. We're going to have an operating deficit, something that the Premier even up until a couple of months ago was promising that we wouldn't do, an operating deficit that was massive last year but even this year is going to be half a billion dollars.

We're also going to have a capital deficit, and this is the number that the Finance minister and the Premier don't like talking about. Even though we don't have money left over to pay for all of our operating expenses, that's not going to stop them from spending and borrowing over \$5 billion to spend on capital. So that's another deficit. Then we've got this deficit in savings. I've already mentioned that, that we're actually going to have a lower amount of our financial resources after the next number of years by at least \$5 billion.

The other area is the level of debt by 2016. We're going to have \$17 billion worth of debt by 2016. I know that the Premier and the

Finance minister are doing a lot to try to argue that debt that government takes out is just like the kind of debt a family takes out or just like the kind of debt that a business would take out, but it's not, and let me explain a couple of reasons why.

In the first case, when a family takes out a mortgage, they do that once or twice in the course of a lifetime. When they take out a mortgage, they also don't take it out for such a long term that they hand it off to their kids and their grandkids to pay the mortgage back. The other thing that households typically do when they take out a mortgage is that they structure it in a way that they're paying a portion of the payment in interest and a portion of the payment in principal so that over time the amount of the principal gets lower and lower and so that the amount of the interest gets lower and lower, and you're getting more bang for your buck.

That's not how this government has structured its debt. The debt that it's taking out has absolutely no relationship to what they say that they're borrowing for. We've looked at the debt. It's structured on a variety of different terms. There is some that is, I think, out for seven years, some that's out for 20 years, some that's out for a little bit less. It's a variety of different interest rates, some as low as 1.6 per cent, some up to 4 per cent, which makes me curious about what future debt issues are going to yield since the government keeps bragging about its credit rating and being able to get debt at low figures. Four per cent doesn't seem like the kind of figure that I was expecting to see.

But the main thing is that in the way they've structured this, they don't actually pay down the principal on the debt, so when we get to \$17 billion worth of debt in 2016, they have to put money aside in a debt repayment account. It's kind of like a mortgage that is an interest-only mortgage with a single balloon payment at the end of it of 100 per cent. That's the kind of debt structure that the government has taken out. That's not the kind of debt structure a typical family would take out.

The reason this is problematic, the way they are doing this, is because it doesn't take much number crunching to realize that they are putting aside vastly fewer dollars than they need to be able to make that 100 per cent balloon payment in 20 years' time. This is a simple calculation. I know that there's a lot of dispute about the numbers, but I'd ask the members opposite to just take out their calculators, and they can do this simple calculation, too. If we have \$17 billion worth of debt in 2016 and we're going to pay it off in 20 years, you need to set aside at least \$850 million a year each and every year to have enough money in 2036, when it all comes due, to be able to pay it off. But if you look at the budget documents, that's not what's happening.

There is \$40 million set aside this year, \$112 million set aside next year, \$205 million set aside the year after that. The question has to be: what actually is the debt repayment strategy? It's one of two things. It's either that the government is still relying on some sort of dream windfall of oil and gas revenues, where they will get billions of dollars of additional unallocated funds, that they will miraculously in 2036 have enough to be able to pay down that debt. That's, I suppose, one option, but it's, I think, a flawed strategy.

The other proposed option is that there isn't really a plan to pay it off after all, that once we get to 2036, that debt will just be rolled over because we won't have enough money to be able to pay it off. What happens when you roll it over at that time? Who knows what the interest rates are going to be 20 years from now? But we have seen what happens with other governments who don't have a disciplined debt repayment strategy. When they do get surprised, when their bonds get turned over and interest rates have changed, all of a sudden what you were banking on for your interest payments can double or triple or more.



Just for context, if we're now looking at having entered into an era of borrowing without paying back, of rolling debt over for 20 or 40 or 60 years, the interest rates that we have had over the past 40 to 60 years have ranged from a low of .25 per cent to a high of 19 per cent. You cannot manage your budget with that kind of extreme volatility, that kind of fluctuation, that kind of interest rate risk. This is why we are going to continue to press the Premier on the \$17 billion borrowing plan, and we're going to continue to ask the question: at what point is she going to start putting aside enough money to make that balloon payment 20 years from now? The number that is in the budget is vastly short of what it actually needs to be.

On the issue of debt for business – that's the other argument that keeps getting made, that it's all right to take out debt because businesses take out debt – I talked to a couple of business owners about this notion. What they told me was, "Yeah, we'll often take out debt if we're buying a piece of machinery or a piece of equipment, and we'll want to be able to pay that back within five to seven years" because they don't actually want to be in a situation of perpetual debt. They take it out to be able to have that asset, to be able to generate income. That's not what's happening here. We're not looking to generate income from the construction of schools or hospitals. These are depreciating assets, and you can tell that just by looking at the government's books. They have said that they have \$72 billion worth of capital spending over the last number of years, but they don't have \$72 billion booked on our books as being an investment. They are depreciating assets, and when you're purchasing depreciating assets, you really should be purchasing them out of current financing.

The other aspect. This, again, goes back to why I'm so concerned about there not being an end point for when we're going to pay the debt back. Any family knows or any business knows, even if they're taking out a longer term debt, you don't want to amortize something over too long a period of time. You don't want to take it out and finance it over too long a period of time. We learned this lesson after the mortgage crisis in the U.S. They had had 35-year loans, and then they reduced them down to 30 years. They just announced recently they would reduce them down to 25 years. Anyone can do the mortgage calculation and figure this out, that the longer you amortize a loan, the longer you finance it, the higher your overall interest charges are. If you end up paying for assets today and you don't pay them back for 30 or 40 or 50 years, you end up paying double or triple the cost in interest payments.

You have to ask the question: penny-wise and pound-foolish, does it make sense for us to have a 10-year capital plan that we can afford to do on a pay-as-you-go model, which is what our proposal is in the Wildrose, or does it make sense to make the politically easy choice, which I believe the government is today, and actually sacrifice our ability to have more dollars available in the future because they're getting eaten up in interest charges?

3:40

This is not a small matter, especially when you look at where we're at in 2016. By 2016 we are going to be spending \$583 million in interest charges year after year after year because that's where the high-water mark is. Since they're not paying down any principal, year after year after year: \$600 million in finance charges. After four years you'd be looking at \$2.4 billion worth of finance charges. This is a huge amount of money that is just getting flushed and not going to any beneficial purpose for Albertans. This is another reason why we think that having a long-term capital plan that we can actually afford on pay-as-you-go avoids the danger of having all of those dollars diverted into

financing a level of debt for spending that happens once our kids and grandkids are paying it off, far into the distant future.

The last thing that I would say is that the approach we would take in the Wildrose is quite different, and this is the reason why we have gone forward and put out a couple of different documents. I'm going to leave this to my Finance critic to talk about in more detail.

There are two things that we have put out in the last number of weeks. Our 10-year debt-free capital plan – I think that the government may believe its own talking points, that the only way to have capital infrastructure built is by borrowing, but it's just simply not true. We look at capital as being core government business, a core function of government, and it should be built year after year into core spending. Our 10-year capital plan begins with \$4 billion worth of spending this year. It increases it over time, right with inflation, so that after the course of 10 years we'd be looking at over \$48 billion worth of spending without going into debt for it.

When I look at the government's capital plan, they're now doing the reverse. We actually see that they are at a high-water mark now, as they have been for some time, well above what other provinces are paying on a per capita basis. Our plan works in a per capita amount that's equivalent to other big provinces plus a 15 per cent premium. Their plan actually calls for a decrease in capital spending as we go forward. I have no idea where they're going to be going with capital spending after 2016, but that's the danger if you don't give any certainty to those who are involved in government procurement. Is it going to go up? Is it going to go down? It has been as low as 1 and a half billion dollars in the past. It has been as high as \$7 billion. We believe our 10-year capital plan is a responsible plan that gives that certainty to industry that they need.

Our Budget 2013 Wildrose financial recovery plan. We started doing this in 2010, and there were really three simple elements to it to get back into budget balance. One was to restrain year-over-year spending growth. The second was to have a 10-year capital plan that you could afford with a prioritized list and with an objective criteria for how that prioritized list was arrived at. That's why we keep asking the question to the Infrastructure minister, and we hope one day he'll actually produce it.

The last area is also cutting wasteful spending. I think you can tell that my colleagues and I are alarmed that the government seems to be taking the easy way out when it comes to finding spending efficiencies. Rather than going after those senior bureaucrats who are making over a hundred thousand dollars a year, layers and layers of middle management with their lavish expense accounts, we're hearing about cuts on the front line, whether it's to ambulance service in Strathmore-Brooks or whether it's to LPNs in centres in Red Deer or in Edmonton. That is not the kind of approach that we think is responsible, and it's not the kind of approach that a Wildrose government would take.

We do encourage the government to look through the 25 different recommendations that we have given for how we would be able to get back into surplus within two years, avoid the kind of capital borrowing that they're proposing, and also do so in a way that gets at the problem of overspending and waste in government without impacting the front lines. Unfortunately, from what I have seen of the budget document that the Premier calls a once-in-a-generation type of budget, I have to say that I'm disappointed. I'm disappointed that we did not see the Premier live up to the commitment that she made during the PC leadership. I'm disappointed she did not live up to the commitment that she made in the first statement that she made in the Legislature after she became Premier.

This is a budget that I can't support, and I'm hopeful that we can make some changes to it that will allow us to be able to move the government in the right direction. We've seen that happen in other jurisdictions. We've seen it happen at the federal level. We think that that is the job of the Wildrose opposition, and that's what we intend to do.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member. I would remind you that during the appropriate time of the daily Routine tomorrow if you could table those documents that you were quoting from, please.

The hon. Member for Edmonton-Meadowlark.

**Dr. Sherman:** Thank you, Madam Speaker. I appreciate the opportunity to speak to last week's budget speech. This is a profoundly disappointing budget. I say that because it's both intellectually and morally bankrupt. That's why we call it a bankrupt budget. As the rest of the world is beginning to wake up to the fact that the way things have been done for the past 30 years is a complete failure, this PC government is either ignorant of this fact or choosing to ignore it.

The economic philosophy of so-called trickle-down economics is now thoroughly discredited. When it took the world by storm back in the early '80s, the promise was that by slashing taxes on the wealthy and the largest corporations, investment and economic activity would increase and that in the fullness of time the benefits would trickle down to middle- and lower middle-income folks. Well, if you've looked at the shocking levels of inequality that have arisen in every country where trickle-down economics has been tried, you can very clearly see that this has not happened. Adjusted for inflation, incomes for middle- and lower middle-income households have been at least stagnant, and the disparity of wealth between the rich and the rest has grown incredibly.

The wealthiest members of society and the largest corporations have done phenomenally well over the past several decades. For them trickle-down economics has been a great gift, and they have seen their wealth increase greatly. But how have the governments done? The governments are large and powerful entities, so they must have done well under trickle-down economics, right? Wrong. Governments around the world today are in a desperate state. Trickle-down economics has starved them of badly needed revenue to provide the services that their citizens need. As a result, they've been forced to go deeper and deeper into debt.

Now, finally, people around the world and even some governments are waking up to the reality that the only thing that trickles down to regular, hard-working folks are burdens. This PC government, however, refuses to face facts and, instead, has chosen to double down on trickle-down, which is one reason I say that this is an intellectually bankrupt budget. It's intellectually bankrupt for other reasons as well. The lack of vision, creativity, and oversight are others.

There is no sense of mission for Alberta in this document despite the government's fondness for rhetorical flourishes such as preparing Alberta for the future. Madam Speaker, how can we prepare Alberta for the future by cutting the education system of today, one of the biggest cuts in decades at a time of growth? What kind of future will that be? The government doesn't say, but looking at the books, it's clear that they remain committed to a course of continuing to squander our resource wealth and proceeding with a program to privatize or at least partially privatize vital public services such as education, health care, seniors' care.

This fetish for privatization is the insidious companion of

trickle-down economics. People have to understand that there is a cost of doing business, and then there's profit. Cost plus profit equals price, the price of public services to the taxpayer and the government and the quality of the service. If the price is higher, then the quality is lower if given through publicly delivered means.

There is no creativity in this budget, and that creativity is sorely needed, Madam Speaker. Don't look to this government for innovative approaches to fixing our vital services because you're going to be disappointed. Don't look to them to position Alberta to gain from the extraordinary new technologies which are already beginning to change our world. Take 3-D printing, nanotechnology, and robotics. This budget is silent on this. I would caution all members of the Assembly that societies that out-educate us today will outperform us tomorrow. The result may very well be that we find ourselves with a 20th-century economy while other provinces, states, and countries across the world blessed with visionary governments build 21st-century economies.

Forget about oversight, too. This is a government that doesn't want anybody to look too closely at what they're doing. Who can blame them when you consider the dire condition of education, health care, and seniors' care?

3:50

Madam Speaker, I said that this is an intellectually and morally bankrupt budget, so now I would like to discuss the moral bankruptcy of this document. What we are seeing from this government, quite frankly, is something that can only be called intergenerational theft. The cover of this budget might as well have one of those Ford bumper stickers on it which says, "We're spending our children's inheritance," or "Please, God, give us another boom; we promise to vote in a Liberal government." [interjections] Finally, they woke up on the other side. It's refreshing to know that someone's listening.

That's exactly what the PC government is doing. They're spending our children's inheritance. Over the past 25 years we have not saved a cent of our resource revenue. The trust fund stood at \$12.6 billion in 1986. Today it's about \$16 billion, plus or minus. They haven't saved one cent. They'll say: hey, we saved about \$4 billion. No, no, no. Our heritage savings fund is worth about half of what it was worth 20 years ago in real dollars. Now this government is taking us back into debt. Our heritage savings trust fund is worth a fraction of Norway's savings fund. Norway started in 1996, and they have socked away more than \$600 billion. I would love to see the interest that that fund generates. Madam Speaker, it's shameful that this government has not saved any of this money for future generations. They've literally spent our children's inheritance. They've stolen from our children and our grandchildren. They have spent every cent of oil and gas revenue as quickly as it came out of the ground since 1986.

The reason for this is the government's abandonment of fair taxation, a progressive taxation. Since giving up the progressive income tax for the 10 per cent flat tax in 2001, this government has lost billions and billions of dollars in revenue, and billions have been lost since the tax rate for large corporations was slashed down to 10 per cent. It's been a race to the bottom for taxes. Everyone knows you get what you pay for. If you want good public services, you've got to pay for them.

Albertans were told in a press release, Madam Speaker, that they would save about a billion and a half dollars a year in taxes. We did some research. Did you know that taxes were actually increased for the lower middle-income and lower income Albertans? They actually paid more tax, and the wealthiest paid less. So billions were saved by the wealthy few. Think about how

much money we could have to invest in a heritage fund or to invest in our vital public services if only we had fair taxation.

Madam Speaker, we ran on it. The Alberta Liberals ran on it last election. We were honest. I'll tell you that it's a tough thing to run on. I'm talking about taxes. Well, we were honest. Our predictions of oil and gas revenues were fair. The Liberal fair tax plan was a central plank to our platform, and I'm very happy to see that these ideas are resonating so strongly today. In fact, a recent poll found that 72 per cent of Albertans want a return to progressive income tax, and 77 per cent want an increase to big corporation income tax. Albertans have known this, and they've woken up. They want this from their government. The overwhelming majority of them now reject trickle-down economics in favour of tax fairness. The Alberta Liberals stand side by side with Albertans on this issue. It's central to the Alberta Liberal plan to save for tomorrow and repair the damage that the PCs have done over the last couple of decades.

The University of Alberta was once the 38th, 39th top-ranked university in the world. Now it has plummeted, so I'm told, to about 108th, and its budget is getting slashed. We once had one of the top-performing health systems in Canada, and seniors were looked after by community organizations. Those days are gone. Our K to 12 education system used to be strong, and now we have overcrowded classrooms, the fewest teachers per capita in the country, the highest high school noncompletion rate, the lowest postsecondary participation rate in the nation, and amongst the highest school fees and postsecondary tuition and mandatory noninstructional fees in the country.

Madam Speaker, imagine if all of our children actually decided to finish school because they saw a future, if they had affordable postsecondary education. Imagine how our classrooms would be bursting at the seams even more than they currently are. All of this is because the PCs consider education to be a cost, a cost to be cut, and that's how they're preparing for the future. All of the evidence in the world, though, shows that they are wrong. Education is an investment, and that's why the Alberta Liberals would invest in early education, invest in our public school system, and invest in postsecondary education. Let's get more teachers and more support for those teachers, and let's fix up the schools that we currently have and build the new ones that we need.

Our goal will be to make education affordable, accessible, and top-notch because we know that our investments will lead to better lives, better health, better jobs, a better Alberta, and eventually savings. In fact, it will save from costs in the health system and the criminal justice system and the social system. These are facts.

We also believe in investing in seniors' care and health care, two more areas which will continue to suffer from severe underfunding and creeping privatization under this budget. To save money – save money – this PC government first began to privatize it, and then they decided to cut the funding for home care and long-term care. When they privatized, we actually got less care for the same dollar. Now they even cut that. To save money, this government cut funding and staff for publicly delivered long-term care and opened it up to privatization as well. The result of all these savings? Seniors warehoused in hospitals, taking up acute-care beds even though they're not sick, resulting in agonizingly long waits in the ER, cancellations of your surgeries, cancer surgeries being cancelled recently, and ambulances sitting idle outside hospitals for hours. It's madness, all to save a few bucks. It's actually cost us our bucks and cost us our morality.

The Alberta Liberals would do things differently. Again, what the PCs consider costs we consider investments. That's why the Alberta Liberals would double funding for home care so seniors

could stay in their own homes and their own communities as long as possible with their loved ones and their families. This is why Alberta Liberals believe in investing in additional nonprofit, long-term care beds to moderate prices and ensure an adequate supply of affordable spaces. We believe this because it's the humane thing to do and, fiscally, the smart thing to do. Our seniors would stay healthy longer, it would free up hospital beds for those who are sick and injured, ERs would no longer be crowded, and ambulances could get back on the road. That's how you fix health care, and we'll save money. With an aging population, the problems this government has caused will only get worse if they stay their current course.

Solutions. You know, many people say that we have a spending problem, that we have a revenue problem, a mismanagement problem. You know what? We do have a mismanagement problem. We do have a wasteful spending problem. You've seen many examples. But we also have a major revenue problem. The Liberals do believe in good management and a return to that good management. It's time to cut the waste and make investments that lead to better outcomes for all Albertans, which would save money over the long-term, to boot. That's something the PCs have lost sight of.

We also believe that it's time to bring in big city charters, so Edmonton and Calgary will have the tools they need to tackle their own unique challenges.

4:00

These are some things we would do differently because it's time to govern smarter, more humanely, and for the benefit of all Albertans. Madam Speaker, trickle-down economics and privatization have not worked. They've hurt people. They've gutted the public services that Albertans rely on. This is why Alberta Liberals are so disappointed in this intellectually and morally bankrupt budget. The age of trickle-down is nearly over, and even if the PCs don't know it yet, the age of fairness and good government is around the corner.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

Hon. colleagues, Standing Order 29(2)(a) is now available for anybody who wishes to comment or question. The hon. Member for Edmonton-Highlands-Norwood under 29(2)(a).

**Mr. Mason:** Yes. I wanted to ask the hon. leader of the Liberal opposition if he'd had a chance to finish his speech and if he wanted to say anything else in conclusion?

**Dr. Sherman:** I'd like to thank the hon. member for the opportunity to answer his question. Thank you, hon. member.

Madam Speaker, we looked at some facts and said: how did the government pay down all that debt in the late '90s? How did they do it? Well, one, they tightened the belt. Well, actually, they slashed and burned, and we're paying the price for that still today. In fact, did we ever pay down the debt? There's \$10 billion in unfunded pension liabilities, \$4 billion in deferred maintenance. And many responsibilities were downloaded. They were downloaded onto individuals, onto families, school kids and school fees, high tuition, and the fees and fines Albertans have to pay. They downloaded onto seniors, downloaded onto municipalities, that now have \$8 billion worth of debt. The municipalities have \$25 billion worth of deferred maintenance.

Also, not only were responsibilities downloaded. At the time the debt was paid there was a progressive income tax and the taxes on larger corporations were higher. In fact, Madam Speaker, there was actually an 8 per cent surtax on the wealthy in the late '90s by

Premier Klein. Did you know that? Well, I'm telling you that. The top tax rate was 12.76 per cent plus 8 per cent, so that's 20.76 per cent on the wealthiest of Albertans. That's how the debt was paid down. In fact, that tax plan is even more aggressive than the Alberta Liberal and NDP tax plans of today. Madam Premier, between Alberta and – or Madam Speaker. You would make a good Premier, possibly.

Madam Speaker, the second-lowest tax jurisdiction in the country taxes its citizens \$12 billion more than Albertans pay. If we had their tax structure, there would be \$12 billion coming in. The Alberta Liberals aren't suggesting we raise \$12 billion more. We're not even suggesting we take \$10 billion more or even \$8 billion or even \$6 billion. The Alberta Liberal fair tax plan is suggesting: hey, we can raise about \$2.7 billion a year more. If we brought back progressive income tax, that will bring in about \$1.9 billion more. Taxation for large corporations from 10 to 12 per cent: you know, they'll still invest, but 2 extra cents out of every dollar is not bad. That will bring in \$840 million. That's \$2.7 billion every year. Whatever the PC plan is, the Liberal plan is \$2.7 billion more. It's \$2.7 billion better.

**The Acting Speaker:** Hon. members, we have a minute and a half left. Is there a question or a comment from any other member?

**Mr. Mason:** I'd like to ask the hon. leader of the Liberal opposition if he'd like to finish. You'd better hurry.

**The Acting Speaker:** Thank you, hon. member.

**Dr. Sherman:** I'd like to thank the hon. member for asking me to finish. The Alberta Liberal fair tax plan will not only bring us the revenue that we need to provide the essential services that we need to build a better province for education and health care and our seniors and our municipalities, but we'll also start saving for the future. By next election the Alberta Liberal fair tax plan will bring in an extra \$8 billion.

Madam Speaker, I think I've said enough. Thank you for this opportunity.

**The Acting Speaker:** Thank you, hon. member.

The Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much. It's an honour to rise and give my reply to the budget speech of the hon. Finance minister from last week. A few weeks ago my caucus and I finished our tour of this province, visiting seven cities and listening to dozens of individuals and organizations in a tour we called the broken promises tour. Madam Speaker, we weren't psychic in naming that tour. We had a very clear appreciation that the promises that were made in the Premier's leadership campaign and during the last provincial election would not be kept, and certainly, in our view, many were never intended to be kept.

Not surprisingly, one of the things that we heard time and again was that Albertans value universal and high-quality public services such as health care and education. Albertans also want a bright future for their children, which includes a clean environment. These are the values that the Premier tapped into during the last election when she and her party promised billions of dollars in promises that she would never keep, including stable and predictable funding for education, health care, full-day kindergarten, reduced waiting times in emergency rooms, improved environmental monitoring, and ending homelessness and child poverty. These are just a few of the billions of dollars worth of election promises.

However, just months before her first budget as Premier-elect she finally decided to tell Albertans the truth, that the PC government

would not provide the money to make these promises come true. Now in this budget, true to PC tradition, when times got tough, she did everything she could to protect her rich friends in high places, and instead of addressing revenues, she made cuts that disproportionately hurt working families, seniors, students, the vulnerable, and the environment. Madam Speaker, this is not acceptable.

Before I speak more about these broken promises, I'd like to pause for a minute to examine how the PCs under the last three Premiers brought us into this fiscal mess. Because of the absence of a concerted effort by this government to promote upgrading in our province combined with a policy of unfettered development at breakneck speed, a giant glut of low-value bitumen ran headlong into a large supply of sweet crude oil from the United States with predictable results. The government's rosy picture for the price of oil never materialized, and of course, neither did the Premier's promised billions in campaign promises. Sadly, last Thursday we found out that the Premier has not learned her lesson. We found out that the Premier's much anticipated promise of a new fiscal paradigm for our province turned out to be a combination of debt and service cuts. It's hardly a solution to our systemic problem of overreliance on nonrenewable resource revenues. At the same time, rosy projections for the price of oil once again mirror those of the private sector, who have a vested interest in predicting a high price of oil to attract investors and whose projections failed so miserably. We've been told that pipelines are the solution to all of our problems. It's interesting to note that the Premier's 2013 budget also projects price increases for our bitumen over the next two years even though I know of no new pipelines that will be completed and pumping oil by then.

The budget we have before us today is full of too many broken promises for me to name, so my caucus and I have chosen the top 10 broken promises as follows: number 10, not twinning highway 881 and slowing down the twinning of highway 63; nine, not increasing MSI funding; eight, failing to provide a grant program for aboriginal and rural students worth \$18 million; number seven, failing to provide fast-track emergency rooms at a cost of 2 and a half million dollars per hospital; number six, not providing the 2 per cent funding increase necessary for postsecondary institutions at a cost of \$650 million; number five, not providing the 2 per cent funding increase for schools in each of the next two years.

That I think deserves a little bit of comment because it's a particularly vulgar move given that so much of her support during the election came from teachers who, sadly, gave her their trust after she returned the \$100 million that had been removed by Premier Stelmach's government. I don't believe that stable and predictable and sustainable funding is too much to ask for our children

#### 4:10

Number four is not providing the 4.5 per cent increase to Alberta Health Services for each of the next five years. Broken promise number three, the absence of a five-year plan to eliminate child poverty and a 10-year plan to reduce poverty. Broken promise number two, not providing full-day kindergarten. Number one on the list of broken promises was a promise that "a new PC government will deliver a balanced budget by 2013 with no new taxes and no service cuts," taken directly from the 2012 PC campaign platform.

This list is a testament to the Premier's broken promise that there would be no service cuts. For the record I should note that the Premier has not even kept her promise to not raise taxes. This budget outlines a plan to eliminate the education property tax assessment program next year. This program helps seniors, many

on fixed incomes, pay their property taxes. Our seniors built this province, yet shamefully, many still struggle just to meet the basics of life and to stay in their own homes. By eliminating this program, seniors' tax bills will go up in order to pay for this government's incompetence.

Which brings me back to the ultimate problem faced by this government, that they will not recognize that we have a serious structural revenue problem in this province. For years the government has subsidized a low tax regime for the wealthiest and the corporate sector through windfall oil royalties. As a consequence, it has foregone billions in revenues and blown through billions more in potential savings with little to show for it but for the growing income inequality, which is common for states with low taxes, and therefore poor social programs.

Let's pause for a moment to consider Norway. Equivalent in size in oil reserves to Alberta, Norway's equivalent to the sustainability fund is over \$600 billion. It is one of the largest investors in the world, and it rose in value by 13.4 per cent last year. Its fund is now 40 per cent bigger than the value of the entire Norwegian economy, compared to ours which by the end of this fiscal year will be a pitiful \$691 million.

The government argues that we need a low tax regime to attract investment. The reality is that the oil companies come here for our oil, not because of our tax rates. The vast majority of oil profits in this province have simply walked out the front door and into the hands of large corporations in the United States where, it should be noted, corporate taxes are much higher and any difference between foreign taxes and U.S. taxes goes directly to the U.S. government. So low Alberta taxes mean nothing to these corporations anyway.

Let's not forget that our revenue problem stems first and foremost from the Klein era cuts to wealthy corporations and his rich friends. This Premier's unwillingness to address the structural revenue problem caused by this short-sighted move ultimately has its roots in the political climate of this province.

We need to take a look as well, I think, at the position of the Wildrose Party because its role is to push the PCs further to the right. It's clear that the PCs are not prepared to stand up to their right-wing cousins on very important questions. They cannot be trusted to protect Alberta's social programs from the kinds of cost-cutting advocated by our friends in the Wildrose.

Both parties believe that we have a spending problem that needs to be solved. The Premier's solution is to borrow money until the price of oil goes up. Ultimately, despite any good intentions, she will always find herself moving to the right in order to appease her former colleagues. In fact, Madam Speaker, I'll point out right now that I'm the only leader of a political party in this House that has not formerly held a Progressive Conservative Party membership, something of which I'm very proud.

For the Wildrose only more Klein-style cuts will do. But, my friends, this will not solve our problem. Even the Wildrose with their alternative budget could not achieve a balanced budget for the year. Madam Speaker, if the Wildrose with their draconian cuts can't balance the budget, then nobody can.

That, Madam Speaker, to me is the clearest evidence yet that we have a structural revenue problem in this province and that we are unable to afford the basic social programs that we want to see in this province because we are too dependent on volatile royalty resource revenue.

When natural gas prices were at their height, Alberta was taking in \$8 billion a year in windfall royalty revenue from natural gas alone. At that time the Klein government cut corporate taxes, and they imposed a flat tax, which was a giant tax giveaway to the very wealthiest of Albertans. As such, they walked away from

billions of dollars of revenue. It was easily made up by gas royalty revenue at the time, but that revenue is no longer there, and we're now in the position, long since predicted not just by us in the NDP but by other experts, including the government's own Emerson panel, where when the price of oil drops, we're laying off teachers and we're laying off nurses. Madam Speaker, we can do better. As a province we have to do better.

When we combine the Premier's elitist and out-of-touch cuts with the Wildrose budget, with its failure to slay the budget deficit, we see that cuts to spending are not the answer. We see that we do in fact have a revenue problem that must be addressed once and for all. At the end of the day, things like the number of teachers in our classrooms and the number of doctors in our emergency rooms should not be determined by the price of a barrel of oil. They should be the result of stable and predictable funding, that does not vary unpredictably from year to year. Albertans should not be asked to move backwards on account of this government's mismanagement, nor should they be coaxed into voting for another right-wing party, that will only offer more of the same.

Albertans are ready for a real alternative, Madam Speaker. During our broken-promises tour we heard from Albertans from all walks of life who understand that quality public services are good for society and good for the economy. They told us that it's time for wealthy corporations and rich Albertans to pay their fair share. They understand that for far too long this government has neglected to act like owners of our resources and has collected far too little in royalties. They are tired of a PC government that looks to balance the books on the backs of seniors, students, the vulnerable, and our environment, and they're leery of a Wildrose Party that promises more of the same.

Madam Speaker, only the New Democratic Party stands up for fairness in this society to ensure that we have the financial ability to deliver the services that Albertans want and to do so by distributing the burden of paying for those services fairly. Only the New Democratic Party offers a real alternative to the Wildrose and PC vision.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a).

**Mr. Anderson:** Although I am heartbroken, Madam Speaker, that I have not yet convinced this hon. member that a Wildrose government is in the best interests of Albertans, I would like to know for sure if he has anything else to say on the subject matter given the importance of this once-in-a-generation budget.

**Mr. Mason:** Thank you very much, hon. member, and I'm sorry to break your heart.

I want to just suggest that I have never seen a government get elected on such a false platform as this one has. I have never seen a government so cynical that it will deliberately promise to end child poverty and then attack the very programs that support children in need in our province. This government has set a breathtaking example for all of us of cynicism and the misleading of voters, and I believe that the voters will not forget this. Voters have very short memories sometimes, but this particular betrayal of the very people that supported this Progressive Conservative Party to form another government will not be forgotten, and this party will pay a price.

**The Acting Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Speaker. I realize the hon.

member may be a heartbreaker, but I was wondering if he'd like to comment on some of the issues dealing with outrageous expenses: a hundred million dollars for executives at Alberta Health and so on and so on.

4:20

**Mr. Mason:** Happy to do that. There's no question that this government wastes money and allows money to be wasted. I've never been one to allow the Conservatives to have a monopoly on fighting for public dollars to be spent well and effectively, and I think that there's much that could be done. But I do not think that you're going to solve the structural financial problems that this province faces by cleaning up some of the messes that the Tories have created in terms of overspending on expenses and wages and so on. I think that's clear.

I know that in the Wildrose alternative budget they talked about mandating a 20 per cent rollback in the salaries and wages of non front-line staff. That's the kind of thing that I don't think we should be doing in order to balance the books. We should be making people who don't pay their fair share in our society pay their fair share. I know that the Wildrose takes the view that there should be no tax increases, and that is now reflected as well in the position of their estranged siblings across the floor. [interjections] Well, I think that they're all from the same family, but they don't get along very well, hon. member. At least, that's been my observation. I think that that's pretty obvious.

I don't think that we can tackle the financial problems of the province unless we make sure that everyone pays their fair share. The assumption that taxes shouldn't go up is fine, but it doesn't answer the question of whether they're at the right place in the first place and for whom. It's not taxes for the middle class because middle-class families pay more in taxes under the flat tax than they do in other provinces. I think that if we put a progressive tax in, we'd actually lower taxes for middle-income taxpayers while making sure that people who can afford to pay more do pay their fair share, so I think that getting rid of a flat tax is fundamental.

I think that in a province like Alberta we don't need really bottom-of-the barrel corporate taxes either. I think that some of the corporations post annual profits in this province that exceed the budgets of middle-sized countries, and we're not getting the fair share of that wealth, which is created by all of us in the province, not just by the brilliance of the investors. That's maybe a philosophical difference between us, but I think that unless you tap that wealth in the province, we won't solve our problems.

**The Acting Speaker:** Thank you, hon. member.

The hon. Associate Minister of Finance.

**Mr. Fawcett:** Thank you very much, Madam Speaker. It's an honour today to rise to speak to Budget 2013. Before I get started, it's definitely an honour to speak to it as the Associate Minister of Finance. I can attest first-hand to the hard work and dedication that goes into putting together one of these documents. I want to take the opportunity to thank all of the staff and members of Treasury Board and all the staff in Treasury Board and Finance for their tireless work. I know that the months leading up to delivering the budget saw a tremendous amount of effort, a lot of late nights, a lot of hard discussions, hard decisions, and it was very obvious that that was reflected in this document.

I want to start off this speech of mine, Madam Speaker, and have a little bit of intellectual honesty around some of the comments that were made. First of all, the Leader of the Official Opposition went through a fascinating historical vignette that I

think, frankly, was a bit revisionist and left out a significant portion of critical pieces as to why we got here. She applauded her support of a former Premier, Premier Klein, and what he did for this province. I can sit here as the member for the constituency of Ralph Klein, representing the area in the city where he was born and raised, and say that I'm proud of where Premier Klein put us, proud of all the colleagues on this side of the Legislature that worked with him and went through making those tough decisions.

However, let's be quite honest. While Premier Klein and that government did do a fancy, splashy announcement that they had paid off the government debt, there were decisions made later on in his mandate to go forward with P3 projects. P3 projects, Madam Speaker, are significantly different from what this opposition says that they want to do, and that's the pay-as-you-go concept. P3s are an agreement, a contract with a private consortium where they go out and get the financing, and we contract to pay back that financing and the principal over time. That is not pay-as-you-go. That was first instituted under Premier Klein.

Also, let's talk about where Premier Klein was and where he eventually got to. In 2007 Premier Klein essentially admitted that they had a challenge on their hands, essentially admitted that the government had no plan. In fact, these were his comments. "They were right about [us] not having a plan. The plan is being developed, but no one could anticipate the phenomenal growth that was taking place."

Madam Speaker, one of the reasons why I really do respect former Premier Klein is his ability to admit when he has made a mistake, his ability to say: hey, we should actually change courses here. This, in my mind, is the ability that when this province is experiencing the growth that we're experiencing, maybe we should think outside of the box, outside of the ideological thoughts that sometimes constrain all of us, no doubt, about what it is that we need to do to move this province forward. That's what Premier Klein was talking about. It's my guess that it was that kind of thinking that made him think about the concept of P3.

The Leader of the Official Opposition for whatever odd and absurd reason decided to compare what we're doing to the situation in Greece, okay? Let's be honest here. Greece has a debt-to-GDP ratio of 145 per cent. At the end of this three-year fiscal plan the debt-to-GDP ratio in Alberta will be 5 per cent. Five to 145. Let's get real, folks. Let's have some intellectual honesty about what we're talking about here.

Madam Speaker, she then mentioned that this budget lacked clarity, that it had three different components or whatever. She must totally not get municipal budgets, then. It might be very obvious when she talks about her commitments, but go to any municipal financial statement, and it's broken down out into an operating budget and a capital budget.

I actually went and looked at the 2011 – it was the only one I was able to find – city of Calgary budget. In their operating budget, much like it's in our operating budget, they have their expenditures on capital debt servicing. It's 10 per cent of their operating budget. What we've put in place is a limit for capital debt servicing costs to be capped at no more than 3 per cent. Again, Madam Speaker, that's incredibly prudent, and this is going to allow us to continue to move forward.

Again, the opposition put out a document last Friday, 24 pages which, when you take out the pictures, could probably be distilled down to about six pages. I'm not sure that it reflects a financial document much more than a grade 2 picture book, but I digress. You know, Madam Speaker, the point that I'm trying to make is that in that document they've suggested that they would limit capital spending to about \$4 billion, about \$1.2 billion less than

what this government is planning to spend, okay? I can even accept that they might not want to spend money on carbon capture and storage or complete the federal building construction. I can accept that, and we could agree to disagree on that.

But what I challenge this opposition to do is to take the government priority list that's in this document, that's on the Infrastructure website, and list for Albertans a billion dollars' worth of projects that they will not build this year. I challenge you to do that. I challenge you to table in this Legislature tomorrow a billion dollars for those projects that you won't be able to build. Hey, it's fine to talk in platitudes about spending too much money, Madam Speaker, but when you actually have to make some tough decisions, let's see if they're able to go out and do that.

4:30

I tell you what, Madam Speaker. What I did and what the Minister of Finance did at the request of the Premier was go out and talk to Albertans over the last number of months. We went out to talk to Albertans about what their priorities are, how they want us to spend taxpayers' money, and what they want the budget to look like. I could tell you that it was undeniable. People wanted us to continue to invest in the infrastructure growth that this province is demanding. You know, the Leader of the Official Opposition stood up just the other day and gave an eloquent speech about how we're leading. [interjections] They're right; we should celebrate this. We're leading in economic growth. We're leading in employment growth. We're leading in investment. We're leading this country, and we need to continue to invest in the infrastructure that facilitates that economic growth and facilitates the quality of life that we deserve as Albertans.

One more piece, Madam Speaker. It's very interesting that the Official Opposition wants to talk about promises that were made during the election and whether they're kept or not. I challenge them to come up with some sort of explanation as to why, if you take their 2011 document and how much they say that they would spend and you compare it to their 2013 document that they released, the combined rate of spending that they're proposing is 10.7 per cent when inflation and population growth over that period are only 7.9 per cent. I don't get it. Pledge 1 of their election platform said that they were going to bring in a law to limit government spending to inflation plus population growth. They can't even deliver it in their own alternative budget. Not only that, but compare the 2011 actuals in this document to the . . . [interjections]

**The Acting Speaker:** Hon. members, the Associate Minister of Finance has the floor.

**Mr. Fawcett:** Compare the 2011 actuals in this budget to the estimated 2013 spending and government spending that this government has proposed over that . . . [interjection] Madam Speaker, that member has got his time to get up and give his speech. I'd more than welcome that, but I do have the floor.

I would say that increased government spending by this government over that period of time is actually 5.9 per cent, okay?

The problem is that this opposition, every year that they bring up their alternative budget, likes to say: well, we're limiting spending to inflation plus population growth. But what's built into the base of that is the previous government's spending projections. The way that this works, Madam Speaker, is this. They put out a graph that says: had the government stuck to inflation plus population growth over the years, they'd be spending I think it's like \$7 billion less or whatever it is. If you guys believe that that's the prudent way, take \$7 billion out of this budget. Show us how

it's done. But you haven't presented anything that shows that. You're all full of rhetoric and hot air.

Madam Speaker, that brings me to this budget. This is a budget that delivers on the priorities that we heard during the election, that we heard through the consultation where the Finance minister and President of Treasury Board and I went out and did and talked to Albertans. We talked about needing to control spending and needing to limit spending. Like I said, inflation plus population growth over the last two years is 7.9 per cent in this province. This government is at 5.9 per cent. They propose 10.7 per cent. So we're doing some very tough things around public-sector salaries. It's never . . .

**The Acting Speaker:** Hon. minister, we have a point of order called.

The hon. Member for Airdrie.

#### Point of Order Clarification

**Mr. Anderson:** Just because we don't want to incite disorder under 23(h), (i), and (j). We don't want to incite a riot in here, so we may as well just clarify right now that the member opposite's numbers on what we would spend . . .

**The Acting Speaker:** Your citation, please.

**Mr. Anderson:** Citation (h), (i), and (j).

**The Acting Speaker:** Thank you.

**Mr. Anderson:** Just to be clear, as we say in our alternative budgets every single year, we go with the government's revenue and expense as a baseline so that the media and the public can compare apples to apples to apples. Every year they've raised spending by a considerable amount, so we've had to increase that baseline. Obviously, we wouldn't want to cut front-line positions.

I just want to make sure that there's a clarification there.

**The Acting Speaker:** Hon. member, this was not a point of order. This was a point of clarification. You'll have your opportunity under Standing Order 29(2)(a) to say that.

Hon. associate minister, we did hold the time, so you have the time to complete.

#### Debate Continued

**Mr. Fawcett:** Okay. Thank you very much. We have had to make some very tough decisions in this year's fiscal plan. We have made the decision to freeze the salaries of public-sector managers as well as looking at freezing and limiting salary growth in other areas in the public sector. This makes up a huge portion of the provincial budget, Madam Speaker. You know, it's not that this is a war against teachers or doctors or nurses or whatever. It's doing what's proper so that we can maintain a respectful level of public service that is sustainable in the long term. Those aren't easy decisions. We appreciate every day the work of all of our teachers and doctors and nurses and all the other people involved in making sure that our province has the best public services. We appreciate that.

I can tell you that sometimes governments, like the private sector, have certain economic realities. I know that my wife, who works in the private sector, has had her salary frozen for three years. This year the company finally started doing well, and they gave her a raise. I can tell you that I do know she does keep an eye

on the job market for what she does, and her comments are around how some of the public-sector jobs with her equivalence of experience pay much higher than what you would be able to get in the private sector, Madam Speaker. There's nothing wrong with that. It's a concern that the government needs to address as part of controlling our spending and living within our means. That's what this budget does.

It also looks at being strategic around how we're spending money so we could spend smarter. There are a number of changes in the health care budget, whether it's around family care clinics, better utilization of health care professionals, how we're dealing with our pharmacare plans, things that will allow us to bend the cost curve on health care spending because we know it's by far outpacing the rest of government. But we'll do so in a way that continues to keep the integrity of what we cherish as Albertans, and that's our public health care system. So these are the priorities that we're investing in, Madam Speaker.

I just want to make a couple of final comments. In this budget as well as in what was tabled in the Fiscal Management Act, that I will talk about later, is something that I've long advocated for and something I've always been concerned about since the day that I got elected, and that's our neglect of the Alberta heritage savings trust fund. I think that this is something that Albertans need to invest in. I'm proud to say that this government under the leadership of this Premier and this Finance minister has tabled a plan that is consistent with the principles of everyday Albertans, and that is that you pay yourself first. That's how we're going to grow the Alberta heritage trust fund, not by leaving it to the whims of surplus money. I do not agree with it. This is a better plan to grow that fund, and we are going to do that.

Finally, my last comment is on the taxes.

**The Acting Speaker:** Thank you.

Standing Order 29(2)(a). The hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you very much, Madam Speaker. Far be it from me . . . [interjections]

**The Acting Speaker:** I'll have a point of clarification from the parliamentary secretary.

I have been told that the practice is to go back and forth, so we'll get you next, hon. minister.

The hon. Member for Airdrie.

**Mr. Anderson:** Thank you. I have three questions. I'll make them brief so that you have time to answer them all.

I'm glad that you're so proud of the Klein legacy. I'm so proud of it, too, that I'm actually fighting to keep it while it seems that that party over there is fighting to flush it down the toilet.

4:40

However, this member made a comment about how awful or how ridiculous the comparison that was made by the Leader of the Official Opposition was, how ridiculous it was to compare Greece and the crisis in western Europe to Alberta's situation, how awful and terrible that was, just an absolutely gross exaggeration. I have a quote from the past AGM here from the Premier. The Premier said:

We have all heard of the crises in Europe. Debt is the trap that has caught so many struggling governments. Debt has proven the death of countless dreams.

Hon. associate minister, are you saying that the comments of your Premier are ridiculous, clouded, pathetic, and stupid?

**Mr. Fawcett:** Madam Speaker, that's not what I'm saying at all. Actually, I think the comments of the Premier should be heeded, and I think we should pay attention to that. I think her comments are more along the lines of: government should be wary of racking up debt-to-GDP ratios that are extreme and unsustainable. One hundred and forty-five per cent to 5 per cent is not comparable. This is why we put in place the 3 per cent cap on debt servicing costs for operating. There are certain risks involved in taking on debt. There is no doubt about that. One of the risks is increased interest rates. However, this rule hedges us from that because if your interest rates go up, you're still capped at the 3 per cent, and it will mean that you will be able to take on less debt. The point is – and I don't care where you go; you know, I've got a number of quotes here, and I seem to have lost my sheet – that smart debt, when managed prudently, can be a very, very smart thing to do.

I've got a picture here: construction begins on Airdrie schools. It's the hon. Member for Airdrie. He's got a shovel in his hand, turning some sod. It's hard to tell, but I'm pretty sure he's got a pretty big smile on his face. He's opening a school or turning sod on a school done on a project that is essentially debt financed. Again, if this member is so opposed to the government debt financing key infrastructure projects, I don't know why he supports these things with such a smile like he has in this picture.

**The Acting Speaker:** The hon. Minister of Justice.

**Mr. Denis:** Thank you very much, Madam Speaker. Far be it from me to engage in lawyer-speak here, but I just do want to quote the leader of the fourth party, who was talking about taxes. I've always felt that the . . . [interjection] Again, this is for question and comment if the hon. member with his heckling doesn't understand.

Madam Speaker, we have a flat tax rate of 10 per cent. I'd like this member to comment on how, even though we have a flat tax rate of 10 per cent in fact, it is proportional, for that member's edification.

**The Acting Speaker:** Thank you.

The hon. minister.

**Mr. Fawcett:** Thank you very much, Madam Speaker. I did want to talk a little bit about taxes because I am proud that this government has tabled a budget with no tax increases, no additional taxes, that has the lowest taxes in Canada, and is part and parcel of the economic environment that leads this country, as I mentioned. As the hon. Member for Edmonton-Meadowlark suggested, we have a tax advantage as Albertans of \$12 billion. That's \$12 billion that's in the pockets of Albertans and in their savings account. I'm proud of that. I know members on this side of the House are proud of that, and probably a few over there are proud of it as well. What I will not support – and I've heard this kind of rhetoric come out from over there – is a government that decides to go and take money out of Albertans' savings accounts just to put it in the government's savings accounts.

**The Acting Speaker:** Thank you, hon. member.

The hon. Member for Airdrie.

**Mr. Anderson:** Now everybody has woken up. That was great. I applaud the member for his passionate defence of the indefensible.

Madam Speaker, in question period last week the Premier showed a clear, stark difference between the current government and those of us in the Official Opposition. It had to do with the role of government in Alberta's economy, and indeed it had to do with each and every Albertan. Alberta has a proud history, as we



know, as our nation's economic powerhouse, greatest job provider and financial contributor, and as a first-choice destination for people around the world to make home. We all know our province's extraordinary track record as a beacon of opportunity and prosperity.

But here is where the views part, Madam Speaker. As the Premier said last week, she thinks the Progressive Conservative government built the successful economy. Well, we in the Wildrose know . . . [interjection] The House leader thinks the PCs built the economy. We know this: we in the Wildrose believe Albertans built our successful economy. Albertans took the risks, started the businesses, tapped into the vast oil and gas resources we have been so profoundly blessed with, invested in research and development, provided the jobs, grew the communities, and put Alberta in a league of its own as a national and international leader, a role model of achievement. It was Albertans that did this.

Albertans also endorsed low taxes and responsible fiscal management. This was why Premier Ralph Klein was such a popular leader during the '90s and early 2000s. Albertans wanted a provincial government that made disciplined and prudent choices focusing on priorities, so they chose a Premier that reflected those wishes in Premier Klein. Does anyone really think that Don Getty would have been re-elected in 1993 had he run? No. Albertans made it clear that he and his party would have been removed from government for their debt-happy and irresponsible, spendthrift ways. Albertans demanded change to fiscal restraint, and they got it.

Because of Albertans' choices in this regard combined with our incredible blessing of unlimited natural resources, Alberta enjoyed unprecedented prosperity and wealth. As recently as 2007 the provincial government was debt free, posting 13 consecutive surpluses of more than a billion dollars a year and taking in ever-increasing revenues generated by the ingenuity, activity, and innovation of Albertans. In that year Alberta astonishingly doubled the Canadian and U.S. rates of GDP and experienced its highest job growth in 25 years. All that prosperity delivered consistently increasing revenues to the provincial treasury.

Then came the last five years and, in particular, the last two. Despite the unprecedented wealth over the past five years Alberta's PC government has shown itself to be quite possibly the most fiscally incompetent regime in Canadian history. Instead of prudently managing booming revenues, adhering to disciplined maintenance of the heritage savings fund, and ensuring government expenditures are focused on needs rather than on wants and political whims so that priority programs are actually sustainable into the future, the PCs have squandered Alberta's wealth, depleted its savings, created a structural deficit, and now have plunged the province back into long-term structural debt. Literally billions of dollars have been and continue to be wasted on subsidies to private businesses and pet projects, on exorbitant pay and perks for politicians, executives, and political insiders, funneled to political parties for partisan purposes rather than to front-line public services, and lost in layers upon layers of bloated administration and management.

Now, the government is going on an unprecedented borrowing binge that would make Premier Getty blush. After five deficit budgets in a row they just revealed their sixth despite a balanced-budget promise during an election only one year ago. They are plunging the province back into debt to the tune of \$17 billion by the time we go back to the ballot box in 2016. They are breaking promises to Albertans as fast as they can make them, making the budget and quarterly updates as difficult as possible for the media and the public to decipher in order to obscure the scale and magnitude of their financial mess. They have put Albertans and

their children into the position of facing billions upon billions in debt interest payments as the years move forward.

4:50

They aren't being honest with Albertans about the deficit. The clearest way to understand the real deficit is to focus on the bottom line, the real cash deficit. The real cash deficit reflects how much in savings is being depleted and how much debt is being accumulated in a given year. It states exactly how much more the government is spending than it is taking in. While the Alberta government claims an accounting deficit of \$2 billion in Budget 2013, when you add the amount that is drained from our sustainability fund and the new borrowing for just capital, only capital, in this budget, this year's real cash budget deficit is at least \$5.5 billion. Most other commentaries have it even higher than that, but we're being kind to the government, as we often are.

The government tries to blame its self-inflicted predicament on declining revenues and the oddly named bitumen bubble, but these explanations, like so much of what the provincial PC government says these days, just aren't true. There is no revenue problem. Including this 2012-13 fiscal year as well as virtually every year previous to it going back over a decade, our government takes in more income and corporate taxes per person than any other province in the country.

As stated, the provincial government enjoyed not a near record, not a great year but a record year for revenue in 2011-12, and in the current 2012-13 fiscal year revenues are projected to come in above the five-year average, at levels similar to those in the boom years of the mid-2000s. The truth is that the Alberta government takes in more overall revenue per capita than the three other large comparable Canadian provinces of B.C., Ontario, and Quebec. This government might lament that resource revenues are billions lower than they'd hoped, but no other province would consider \$7 billion to \$8 billion in royalties anything but an unprecedented boom.

The bitumen price differential, that the Premier and other government members say that just no one saw coming, has always, Madam Speaker, existed. In fact, at the time of the Premier's recent TV infomercial, that cost \$55,000 to tell us what we already knew, the differential was virtually the same – the same – as a year earlier, when she was busy making billions in irresponsible and unbudgeted promises to win an election. Moreover, the overall 2012 differential was only slightly above the average of the last seven years. Clearly, we must work to build the pipelines we need to the U.S. and other key markets, but this is in no way a new problem. The Premier was telling a story.

Our budget problem is the culmination of years of irresponsible governments. The provincial government and the entire public-service infrastructure is predicated on \$100-a-barrel oil prices just to barely cover them. Anything less and the province cannot pay its bills. In the 10 years preceding this latest budget, the government raised spending by 100 per cent. That's double the rate of inflation plus population growth. This Premier's first budget increased operating expenses at the staggering rate of almost 7 per cent, or \$2.4 billion. This year they were forced to hold the line on spending. Unfortunately, when you need to lose a hundred pounds, zero just ain't quite enough.

But perhaps the most startling and glaring example of the government's reckless mismanagement is the state of the provincial government's savings funds. The sustainability/rainy-day fund, worth \$17 billion just five years ago, is gone, nearly wiped off the map. The Alberta heritage savings trust fund is worth less today than in 1976, when Premier Peter Lougheed first created it. To put this in perspective, that fund would be worth

today \$137 billion had annual interest earned since 1986 just been left alone in the fund instead of put into general revenues. We wouldn't have even had to add a cent of resource revenues from 1986 on. Just trust in the power of compound interest to get us where we wanted to go and \$136 billion would be in the heritage fund today. Incredible squandering of wealth. Instead, today it's worth a paltry \$16.4 billion. It is quite possibly, literally and figuratively, the most stunning and incompetent record of fiscal mismanagement in our province's and our nation's history.

Where has all the money gone? It's gone to corporate welfare for some of the world's most profitable multinationals, who happen to be big political donors. It has gone to political insiders and patronage appointments; to government executives and managers who receive bonuses for failing to meet targets or for barely meeting targets they set themselves; to exorbitant expense accounts, butlers, car detailing, lavish lunches, and other perks for political appointees; to spin doctors, pet projects, and new MLA offices; to carbon capture and storage; and to the most bloated and expensive bureaucracy in the entire country.

Politicians who say one thing and do another – they've received a lot – who give themselves pay raises right after elections, sometimes behind closed doors, and then have the gall to say that they didn't give themselves a pay raise: those same politicians then tried to claim hard times and expect everyone else to tighten their belts. [interjection] I know that hurts, House leader. I know that last one hurt. Clearly, this predicament can no longer be solved overnight.

In each of the previous three years the Wildrose made an alternative balanced budget proposal in order to show Albertans what we would have done to balance the budget. Because the financial hole this government has dug us into is now so deep, we could not honestly promise a balanced budget this year without impacting programs and services that are important to Albertans. We promised during the election that we would not cut the salaries or positions of front-line workers in education, health care, policing, and other key social services and supports, and unlike this government, we will not say one thing and do another.

This year we have proposed a two-year Wildrose financial recovery plan because that is what Alberta needs now. Our plan will eliminate the operating deficit immediately in Budget 2013, eliminate the real cash deficit of \$5.5 billion by 2014, return the provincial government to structural surpluses, institute a long-term spending and savings plan to ensure sustainability of priority programs and services, and protect the Alberta advantage with no new taxes or tax hikes.

The government always asks us: where would you cut? We always answer, and they always deny that we answer, so I will repeat it again for everyone to hear. Where would we cut? Well, listen up. We would start at the top. We would roll back cabinet pay by 30 per cent to pre-2008 levels. We would cut the more recent 8 per cent pay raise for MLAs. We would eliminate minister-without-portfolio positions and reduce the number of ministries to 16 while reducing the LAO budget by 10 per cent and the public affairs propaganda bureau by \$10 million.

We would implement a \$50 billion, 10-year debt-free capital plan that would prioritize capital projects based on community needs, not politics, on a list that would be publicly available to all Albertans, set with objective criteria so all Albertans could know what to expect from infrastructure projects across the province. [interjection] In answer to that associate minister's question, "Where is the list?" we just FOIPed your department, and you wouldn't give it to us, so button it.

We would save hundreds of millions of dollars by ending all grants to all for-profit corporations, no exceptions, and we would

divest ourselves from the Alberta Enterprise Corporation and get the government out of the business of being in business, picking winners and losers, and taking on business risks with Albertans' hard-earned tax dollars.

We would hold the line on what we spend overall on front-line positions and salaries for two years in the public service and work with them to transform and streamline the public service so that the best rise to the top and make public-sector compensation and benefits sustainable into the future.

Finally, we would empower the Auditor General and double his office's budget and bring in independent third parties to fully audit the government and review all programs and services for duplication and waste.

Once Alberta's finances are back on track and a cash surplus is re-established in 2014, it is critical that government does not fall back into the same old habits. Because of that, we would therefore pass the Wildrose Balanced Budget and Savings Act, which we campaigned on in 2012. This act will cap increases in annual government spending to inflation plus population growth in good years and bad. It would reinstate mandatory balanced budget legislation that the current government revoked in 2009. It would mandate that 50 per cent of all cash surpluses, once we return to a total cash surplus, are invested in the heritage fund each and every year, and it would prohibit the transfer of interest from the heritage fund into general revenue until that fund . . .

5:00

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) allows for five minutes of questions or comment. Are there any members who would like to use 29(2)(a)? The hon. Member for Chestermere-Rocky View.

**Mr. McAllister:** Thank you, Madam Speaker. Two points or two questions I would like you to cover, hon. Member for Airdrie, the two things that you touched on that there seemed to be so much confusion and debate over, depending on what side of the House you sit on. The 8 per cent raise that MLAs voted themselves once we were elected: can you explain sort of in layman's terms how that number changed from one to the next so that we all understand? Secondly, on the corporate handouts I think if we all were aware maybe of where some of this money is going, then we'd be able to look our constituents in the eye and say: do these companies really need Alberta taxpayer money? Could you give us some more examples?

Thank you.

**Mr. Anderson:** I most certainly can, and I will.

Before I get to those questions, I just have a few more comments to preface that question. As part of the Balanced Budget and Savings Act we would also prohibit the transfer of interest from the heritage fund into general revenue until interest from the fund is more than the amount of government revenues from oil and gas, therefore ending our forever dependence on volatile oil and gas revenues.

Alberta desperately needs this Wildrose financial recovery plan. The longer we wait, the worse it will get, and the more difficult it will be to get out of this mess.

#### Point of Order

#### Question-and-comment Period

**Mr. Hancock:** A point of order, Madam Speaker. Standing Order 29(2)(a) allows for questions and comments. It has been abused in the past by people saying: would you like to finish your speech? But in this case the hon. member didn't. He actually asked a

couple of questions. It's not appropriate for the hon. member to just finish his speech.

**The Acting Speaker:** Hon. member, can you return to the question that you were asked, please?

**Mr. McAllister:** Madam Speaker, can I clarify? I asked the questions.

**The Acting Speaker:** No. We had the questions. The hon. member can remember what you asked him. He should return to the questions.

**Mr. Anderson:** It was an 8 per cent pay raise from what we were receiving right after the election compared to what we're receiving today.

Do you have any other questions?

### Debate Continued

**The Acting Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Speaker. I was wondering if the member would like to comment on some particular issues on the – I'm going to ask a question – issue of borrowing money to get out of debt.

**Mr. McAllister:** And finish your point.

**Mr. Anglin:** And finish your point.

**The Acting Speaker:** The hon. Member for Airdrie on the question.

**Mr. Anderson:** Clearly, I don't think we should borrow to save.

**The Acting Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Sure. I have a question for the hon. member. It's the same one that his colleague asked that he mumbled about and couldn't answer, so I'd ask to give him another chance. How does that member understand a major cut to MLA pay being an 8 per cent increase? Before the election MLAs had a transition allowance. They had a tax-free allowance. They had a number of things which, when you added them up, was 8 per cent more than MLAs are getting now. How does he call that an 8 per cent raise?

**Mr. Anderson:** Well, I own a calculator, and it's really cool because I have pay stubs. I know that your pay stubs don't look like mine because they're, like, twice as much, but under my pay stubs if you compare the month before the election to what I make right now, it's an 8 per cent increase overall. That means it's an 8 per cent increase total. That's the reason for that.

Thank you.

**The Acting Speaker:** That side spoke, so this side can. The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you. I'm just wondering if the hon. Member for Airdrie has any additional comments that he'd like to express.

**Mr. Anderson:** Thank you. That's great. I'd love to express some additional comments.

Alberta desperately needs this Wildrose financial recovery plan. The longer we wait, the worse it will get, and the more difficult it will be to get out of this mess, the more wealth will be squandered, and the heavier the burden will be on our children's and our

grandchildren's future. At least, despite the spectacle of the provincial government's mismanagement, Albertans are moving forward. Alberta's economy is, indeed, once again leading the nation both in terms of employment and growth. Albertans are doing what they do best: creating jobs, generating wealth, providing opportunity and prosperity for them and their families. Our best days are not behind us.

Despite the gloomy state of the government's finances, Albertans shine brightly. They give us hope every day and inspire us in the Wildrose to keep working on their behalf and to urge this old, tired, ineffective government to protect the Alberta advantage and get this government on a responsible fiscal track, living within their means just like Alberta families and businesses do every day because the government is lucky – and indeed we are all blessed – that Albertans are driving ahead with the same ingenuity, innovation, and activity they always have. It's not because of this government. It's because of Albertans, because this is the province Albertans built.

**The Acting Speaker:** Hon. member, we have two seconds left. Sorry.

Are there any other members who wish to speak on Motion 28? The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you, Madam Speaker. It has truly been an interesting afternoon listening to the responses to the budget, and getting an opportunity to comment on my views and thoughts is an honour and a privilege. Having looked at the budget and seeing the results that were presented therein, I can only feel a great deal of sadness for what has transpired over the course of the last 25 years. I can only look at those budget documents as to what they confirmed, that it should be a day of sadness here.

I mean that not as a political poke at anyone. I have been complicit in this as well. As an Albertan who's lived here since 1969, I have been part of the spoils of having been born in this province, lucky enough to be part of it, having been born on a patch of earth that is lucky enough to have 25 per cent of the oil resources. My life has been greatly benefited as a result of that, and in fact if you look at decisions made and the record of this government, clearly there is a reason why that has been so. I have had the opportunity to go to public schools, had great care in hospitals, had an excellent university experience, and all the while had to pay relatively low taxes. It's the same with my parents, the same with everyone in this room. I guess that has been really quite an advantage to many Albertans.

But I have to go back to the reason why I'm sad. I think it was a real eye-opener, a real wake-up call, a real time for us to re-evaluate whether what we've done over the last 25 years and maybe even what we've done over the entire 40-some-odd year reign of this government is really in the best long-term interest of Alberta's future.

Madam Speaker, not to try and be funny, but I meant this from the bottom of my heart when I said yesterday in question period to future generations: call the cops; you've been robbed. I don't think that's too far off the point. What we have seen over here is essentially intergenerational theft.

When we had this oil and gas wealth, there was a recognition, at least by our government, the early days of it in 1971, that there were two things in Alberta's future that were true, and they are still true today. One day we're going to run out of oil and gas, probably not for a long time, hopefully not, but another thing that's going to occur is that the world may move on or our oil and gas may not be worth as much as we think it is or something else is going to happen that we don't know. So given the precautionary

principle I would suggest that the government and even all political parties in here base their assumptions on trying to save a large portion of this nonrenewable resource revenue for a day when we do not have oil and gas reserves.

5:10

Look at how we're living right now. I've already said that I've lived probably better than I should have as a result of accidents of geography as well as government decisions. I have benefited. I have been complicit in this crime, okay? I have. My life has been unduly enriched. But if we believe, I guess, that when the day comes when oil and gas are no longer here, tourism and farming are going to carry the day, I don't think they're going to pay the freight the way we need.

Let's look at the last 25 years. Over that time we have taken in and spent \$150 billion in nonrenewable resource revenues. Yes, we can point to various times in our past when maybe we've done things better. Maybe we more prudently looked after our resources. Maybe we brought in more revenue or cut taxes or did something like that that impacted the economy one way or government revenues the other way. But in the main one has to look at the 25 years and say: what a lost opportunity for building a real legacy, a real structure on which we can ensure that future generations can and will be sustained, possibly in perpetuity.

I know the other side of the House doesn't like me to bring up the example of Norway. But, really, if we look at a prudent society and what they decided to do with their oil and gas revenue, to save it all as it comes out of the ground – they said: we see this as being a resource that will one day no longer be here, and we will need it then. Their society decided to do that, okay?

Of course, the answer will come back from the other side. I think I heard the hon. Member for Calgary-Glenmore and the hon. Solicitor General state: oh, my goodness; they pay higher taxes. Well, are they stupid, or are we stupid? The proof is that they saved the money. It's not a question of who paid higher taxes or who paid less taxes. You know, simply put, if you don't want to pay the taxes, don't provide the services. That's what your government has done. They simply had no accountability with this money or with any obligation to save any portion of it.

The evidence is clear. It came out last week in the budget that not only has this \$150 billion not been enough; we now will need an extra – I don't have a very good abacus, so I'm not very good at figuring out the numbers, but we could be by the end of this thing \$17 billion in debt. I note that the government does seem to say that we have a savings plan here, but let's look at this savings plan. Really? Come on. Let's look at it. Let's be honest.

Yeah, we can go on the TV and the radio and say: "We have an operational budget. We have a capital plan. We have a savings program." But this savings program is really kind of milquetoast at best, okay? I think the number is, say, 5 per cent of the first \$10 billion that comes in in nonrenewable resource revenue, and it doesn't start till 2016, so it'll be \$500 million. Well, great. If I can believe the budget documents, which I'm becoming increasingly skeptical about doing after the last election, if you look at that, we're saving \$500 million of \$10 billion, and we're saying that that's something. Given the unbelievable wealth we're bringing in, we're pointing to that \$500 million of what we're going to save when we're chalking up \$17 billion in debt. Who are we really kidding here? I hope you're not kidding yourselves. If you are, that's just foolish. If you are believing that this is a reasonable plan going forward, please look at the last 25 years because it seems to me that that is exactly the path – despite the little shell game we're playing, despite the little smoke and mirrors and up and down we are doing, it is essentially a shell game.

Now, you might be perfectly correct. I'll give you this. Maybe your political antenna is up, and you guys sense that this is the best way forward to win the next election. Great. But does it do anything, really, to address the underlying fundamental problem that here in Alberta we have refused to save money for the day when we are out of natural gas, oil and gas, and oil sands and the like? It doesn't. If we think we are solving that problem, we are not.

Let me point out a couple of facts here. I think they're factual, but I'm certain there are ministers here and other members who can correct me. We are the lowest taxed jurisdiction in Canada by a country mile. The next lowest is Saskatchewan with their revenue streams amounting to \$12 billion. Yes, they have higher corporate taxes, they have a progressive tax system, and, yes, they do have a PST. Okay? Oh, my God, lightning didn't strike. They have those things. You know, if we adopted that tax structure, we would bring in \$12 billion more.

In my simple mind, being tied for the lowest taxed jurisdiction in all of Canada is not that bad of an approach. Think about it. Pay all of today's bills, save \$6 billion for the future, and there you go. That might not be politically expedient. I understand that. But if you want to continue spending like this – and I would agree with that spending. In fact, given where we are today, given that we're trying to hit reset on this whole last 25 years – I think that's part of this exercise, trying to hit reset on this whole exercise. Going forward, we have to take more of an approach of paying for what we use.

Given that differential – it's a different form of differential – between us and Saskatchewan, or the tax bubble we have, not the bitumen bubble but the tax bubble, if you want to build Alberta, if you want to do these things, which I want you to do, frankly, I think that given where we are today, hitting reset is not the dumbest plan. Nevertheless, convincing ourselves that something is going to change without changing the tax structure is folly. It's complete nonsense. If you tell yourself that, I think you're just playing the role of the ostrich, putting your head in the ground and hoping that the storm is going to go away and we get to win the next election and go from there. That, to me, is not a reasonable plan.

It seems to me, looking at this, that there's this plan that we're going to sell ever-growing amounts of bitumen and that it's just not going to matter one day. But that's been the plan since '08. It still hasn't come in. I think there's some hope over there that it's going to be the plan by 2016, but maybe not. It doesn't take into account the precautionary principle.

In any event, I know I'm getting a question here, so I look forward to taking that. I thank you for the time.

5:20

**The Acting Speaker:** Thank you, hon. member.

Under Standing Order 29(2)(a) the hon. Associate Minister of Services for Persons with Disabilities.

**Mr. Oberle:** Thank you so much, Madam Speaker. I just have a question for the hon. member, who has such concern about the concept of intergenerational theft, coming from a party that wants to raise our taxes and practise current generational theft, I guess. But that's okay. I actually agree with the member and that party there that we need to save some. Obviously, we could talk for a long time about how much, but we need to save some for future generations. I get that.

Wouldn't the hon. member allow that some of the infrastructure that we build today is, in fact, a legacy for future generations, that some of the spending that we do today is a legacy for future generations? It's not just that we have schools or universities. It's

that we have a world-class education system that is enduring and is educating already a future generation or hospitals that are protecting that future generation and their health needs and their children's health needs. But for public investment we wouldn't have an oil sands business today, we wouldn't have an OSB business in Alberta. Those public investments are legacies for future generations. When we get there, we will have diversified our economy beyond an oil economy.

**An Hon. Member:** Is there a question?

**Mr. Oberle:** Wouldn't that hon. member allow that some of the spending that provided this infrastructure and these businesses is, in fact, a legacy for future generations? That's certainly what it's intended for.

**The Acting Speaker:** Hon. member, just for clarification, Standing Order 29(2)(a) is for comments and questions.

**Mr. Hehr:** I thank the hon. minister for his question. It was a thoughtful one. I would agree that some of these investments we make and have made are investments in the future. But let's be clear. These schools we built are generally for children who are going to be going to school in them now. Generally speaking, some of these investments we've made in the oil sands sector were made for us to use now because we're getting the revenue out and spending it all now. I stand by the proposition that if we really are looking to the future like other forward-looking societies have – Alaska for one, Norway for another – this has to be saved for the future.

He says that I made some comment about picking the pocket of today's taxpayer. I went through the process of how our taxpayer gets a pretty good deal as a result of our nonrenewable resource revenue. Really, how can you say that we don't? We spend all of that oil wealth as it comes out of the ground. If we didn't have it, we'd have to pay taxes or else not have the services. How that is lost on the hon. minister I'm not sure. It really makes pretty common sense if you look at this year's budget. Go back the last five years since I've been here. Go back as far as you want. We have always spent nonrenewable resource revenue on operational spending, which we in the main use today. We use it. To again deny that fact, I think the hon. minister is doing mental gymnastics that I don't understand.

I will agree with him that some investments we've made are a legacy for the future, but those will inevitably break down, will inevitably have to be rebuilt, will inevitably have a deficit attached to them as well. Really, the goal should be to get a fund like Norway has, \$700 billion, \$800 billion more, to really set Alberta up for the day when oil and gas are no longer here or the world goes on.

Thank you, Madam Speaker.

**Mr. Anderson:** Clearly, this member brings a different perspective to how to solve this issue of intergenerational theft, and that's what it is. This government has clearly, I would say, robbed future generations blind. This is going to be one heck of a discussion to have with generations down the road, with our kids and grandkids when they get older, trying to explain to them how we blew through all this wealth.

I guess I would ask the hon. member if he has any other comments on that or just general comments that maybe you weren't able to make in that 15 minutes that were given to you.

**Mr. Hehr:** To be fair to the hon. Member for Airdrie, I stole the term from you. Okay? So there it is.

**The Acting Speaker:** Thank you, hon. member.

That's the end of Standing Order 29(2)(a).

Are there any other members who wish to speak on Government Motion 28? The hon. Minister of Tourism, Parks and Recreation.

**Dr. Starke:** Thank you, Madam Speaker. I want to lend some additional perspective to today's debate. I want to talk a little bit to members in the Assembly today about an experience that I had back in January which I found very instructive. It helped sort of bring perspective to me as to how decisions made in the past can then affect where things go in future years.

In the month of January I was very privileged to represent the province of Alberta as a delegate to the Pacific Northwest Economic Region visit to the state capital of Alaska, to Juneau. During the course of two days there we had a series of meetings with state legislators. I had the privilege of meeting the state governor and a number of other officials for the state both from their Senate and from their House of Representatives.

I learned a number of things about the state of Alaska that I found very interesting, and perhaps, you know, I'll pass those on. One of the things that the hon. member who just spoke talked about was the Alaska savings plan. They do. They have a permanent fund, that was patterned in some ways after our heritage trust fund, that was started in 1976 and today has a balance of some \$40 billion dollars. In addition to this permanent fund they also have about \$20 billion in a number of various constitutionally required reserve funds that are there in the event of a budgetary deficit to cover off any budgetary deficit.

In addition to that, they also have an annual dividend payout. Based on a formula that is in law for the permanent fund, that dividend is paid out to Alaskans on an annual basis. Last year that cheque, if you were an eligible Alaskan, was for some \$878. The state has no personal income tax. The state has no state sales tax although there are some jurisdictions within the state that do charge a sales tax. I thought to myself: "My goodness. This is amazing. They've saved all this money. They have no taxes. They pay back to people. I can think of a party that wants Alberta to be run that way. That's right. There they are, across from us."

So you can imagine, Mr. Speaker, when I learned all those things, how I was surprised by a few things. I was surprised by the number of legislators that, when they met with us and found out that I was the delegate from Alberta, said: "Talk to me about how you've done it. Talk to me about how you're diversifying your economy. Talk to me about how you've done it in Alberta in such a way that we wish we would have made those decisions." You see?

**Mr. Fawcett:** Democrats or Republicans?

**Dr. Starke:** Both Democrats and Republicans who have been in power in the state of Alaska, which now has an economy that is 73 per cent dependent on nonrenewable resource revenue, mostly from the Alaskan north slope, and 90 per cent of their unrestricted revenue is dependent on nonrenewable resource revenue.

They have refineries in Alaska that are shut down because they don't have the workers to run them. They have a power grid system – and I wish that the Member for Rimbey-Rocky Mountain House-Sundre was here. Well, they don't have a power grid system. You see, they have a number of isolated areas of the state that are not hooked together in any way. They suffer brownouts regularly during the summer and winter months. In fact, a number of their isolated communities depend on the burning of diesel fuel in generators to generate electric power.

They have abundant natural gas, but they have no infrastructure for transporting that gas to where it's used. As a result, in the city of Fairbanks on an annual basis you spend about \$6,000 to heat your house with heating oil.

5:30

**An Hon. Member:** How much?

**Dr. Starke:** Six thousand dollars to heat your house with heating oil.

They do not have an effective infrastructure. Their roads are limited. Let's just put it that way. And again and again I was asked by their legislators: how did you do it; how did Alberta build the universities, the hospitals, the research facilities that we wish we had in Alaska? I told them: well, we made a number of decisions. Not all of those decisions went perfectly, Madam Speaker, but we did make a number of decisions that I do think have paid out for our province. We decided not to just sit on our savings, put them in a tobacco tin and hide them in the back of the underwear drawer. Instead, we invested those savings. We invested them in a number of ways and in a number of things.

Now, as the opposition has pointed out, not all of those investments turned out as well as we would have liked. But instead of just dwelling on the failures and the well-publicized things that didn't go well, I'd like to point out a few partnerships with private enterprise that did go very, very well: the Joffe gas plant as an example, which was as a result of an investment made in the era of Peter Lougheed; and, as the minister sitting next to me mentioned, the OSB facilities that we have and the OSB factories that we have. A lot of these things would not have gone ahead without investment on behalf of the taxpayer in private business.

I want to talk about one that I'm particularly familiar with, and that's the Lloydminster biprovincial upgrader. For years and years and years we recognized in Lloydminster that we had heavy oil in the ground and were not going to get full value for that oil unless it could be upgraded. When I was on city council in 1985 to 1991 we had numerous meetings with Husky officials, and we said: we really think we need to go ahead and do this. The Husky officials said: "You know what? The economics just aren't there." They said that again and again and again to us.

Then in 1988 we had the courage and the conviction of Don Mazankowski; of Bill McKnight; of the former Premier of this province, the person you guys slag all the time, Premier Getty; and of Premier Devine of Saskatchewan. They developed a unique partnership between the federal government, two provincial governments, and Husky in 1988 to announce the building of the Lloydminster biprovincial upgrader. Now, I will tell you that Lloydminster is a city that has enjoyed a huge rate of growth and continues today to grow hugely, largely driven by the biprovincial upgrader.

A couple of years after the biprovincial upgrader was announced, as an example, Lakeland College had a campus established in Lloydminster. So Lloydminster, that had an economy that was very vulnerable to up-and-down fluctuations, now had an economy that was built on heavy oil, on agriculture, on education.

Soon what else happened in Lloydminster? Well, all of a sudden we became known as a retail market. We drag in a whole lot of folks from the province of Saskatchewan to come shopping to Lloydminster because – yes, you guessed it – we have no sales tax and we also have 14 liquor stores to choose from.

Now, Madam Speaker, we can dwell on the negatives and we can say, "The government shouldn't be involved in private

business," as a dogma, you know, as something that we just believe, just absolutely, because we can't risk making a mistake. But we have to also be bold, and we have to be courageous. If there's anything that we have been as Albertans historically, it's bold and courageous.

To sit and to say that we aren't going to invest in this and we're not going to invest in that and we're not prepared to take risks and we're not prepared to go ahead to me is just not Albertan. It's just not what we do in this province. We are risk takers. We're entrepreneurs. I think that that's the kind of behaviour that people expect of their government.

Now, are they always going to work out and always be success stories? Well, obviously not. I mean, all of us in our private lives probably pick some stocks that win and some stocks that don't do so well. But we do have success stories, Madam Speaker, ones that I'm very proud of.

That is why we're not Alaska. Alaska can't get people to come up there even though they pay them 900 bucks a year from a dividend fund. They can't get people to come even though they don't have a state income tax. It's because they don't have a diversified economy. Their economy is entirely dependent on nonrenewable resource revenue, and that production off the north slope of Alaska has been going steadily downward since 1988. In fact, it's gone down so far that the one piece of infrastructure that they have invested in, the Trans-Alaska pipeline system, is now running at about one-quarter of its capacity. If it falls a lot more, the flow rate will be so low that, in fact, they won't be able to run oil down the Trans-Alaska pipeline.

We know, of course, from my colleague the Minister of Energy the importance of getting your product to tidewater. In fact, they're very interested in the G7G proposal which involves the construction of a rail line from the oil sands to Alaska to hook into the TAP system. I will tell you that they were really interested in that proposal because that proposal, in fact, could kick-start their refining industry and also their pipelines. I said that, you know, really, we're working on some other proposals that we believe to be more economically sound, but we would keep the G7G proposal in the back of our minds, and if it was something worth considering, we would do so in the future.

Madam Speaker, I will tell you from my perspective and from that trip to the state of Alaska that I came home after three days in Juneau a much more proud Albertan. I was a proud Albertan because I had people from basically every jurisdiction around us – from Saskatchewan, from Alaska, from Montana, from Washington state – saying: "How do you do it? Tell us what you've done so that we can try to do the same thing." When I look at other economies that are largely resource dependent like Alaska, like Montana – I look at the world-class universities we have. I look at the fact that we do world-class research. I look at things like the Mazankowski Heart Institute. I look at Kananaskis Country. I look at all of the things that we have invested in in Alberta because we've chosen to invest using the leverage of the heritage trust fund. I'm very proud of what we've built in this province. While I acknowledge that we haven't always got it right, we've got it right more than we've got it wrong.

Madam Speaker, I am tremendously proud to say that I told the governor of Alaska, I told the Speaker of Alaska: "Well, what mistakes do you think you've made?" The Speaker of their House of Representatives, a Republican, said: "Well, the first thing is that we should be charging people income tax." I said: "Really? That's interesting." He said: "The people here have no skin in the game. They don't have any personal investment, personal stake in what's going on." I go: "Really?"

Then I asked: "What about taking on debt? You've got all this money. You probably can buy everything in cash." The chair of their state Finance Committee said: "Well, you'd have to be a moron not to borrow to build. Of course, we borrow; we borrow all the time. We borrow for schools. We borrow for infrastructure." That which they build. He said: "We borrow, then we pay it out over a period of time. We have bond issues." He said: "But we have a great credit rating. We have a triple-A credit rating. Why on earth would we not borrow? Why wouldn't you borrow when you can borrow for 2 per cent, yet your investments are making 6 or 7 per cent?" I thought: "Gee. You know, that sounds familiar. That sounds an awful lot like what the Minister of Finance has been saying."

Madam Speaker, as I said, the trip to Alaska was very instructive. I think, or at least I hope, that they learned as much from me as I learned from them. When I travelled there and met with their governor, met with their state legislators, met with the Speakers of both of their Houses, and met with my fellow elected leaders from other jurisdictions, I came back home as a very proud Albertan.

This budget carries on that tradition. This budget carries on that tradition of building for our future. This budget makes judicious use of borrowing and debt to build us going forward. We will continue to do that, Madam Speaker. I'm very proud of what our government has done, and I look forward to continuing the Alberta success story in that manner.

I thank you.

5:40

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) at this moment. The hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Madam Speaker, and I thank the member for talking about Alaska. That was interesting. Just on some of the numbers now when you talked about the heating oil costs there. Up until two years ago I had heating oil in my old house on the farmyard. Now, I'm just going ballpark numbers, so bear with me here. Those nozzles on those oil furnaces only run about .75 gallons an hour. That's the maximum you can blow through them to make those oil furnaces run. So if you use that, it's \$6,000 annually at \$3.50 a gallon. It's probably higher up there, so I'm not sure. That works out to about 1,715 gallons a year. Now, if you take that at .75 and you divide that, that's 2,285 hours. So running wide open, it would have to be 95 days straight with the furnace never shutting off.

Now, it's the whole cost of it. I totally understand when you say that the cost at \$6,000 is high, and I'll agree with that. But I think you also have to take into account what the price of diesel is up there and, obviously, that it might be a little bit cooler for longer periods of the year there than it is here. I appreciate the numbers you used on that. But I think one has to be a little cautious when we throw numbers around for the shock value. [interjections] I'm very glad that everyone over there finds that because it's something that you should probably do. It's just facts of numbers. When you start throwing them out there, I mean, you're not truly comparing apples to apples on that.

I do appreciate the fact that the cost of heating a house on diesel up there is probably high. But at the time when I was running diesel in my house – and the reason I got rid of it was because it was hard to find anybody to work on them anymore, which was one of the issues, because in this province we've gone to gas – it was actually cheaper. My old farmhouse was cheaper to run with the hot water being diesel and the furnace in the house being

diesel than what it was on natural gas. That was when natural gas had spiked up to \$7 and \$8 a gigajoule.

I mean, I appreciate the numbers – and I do appreciate the story because it does give us a different perspective of what they do up there – but there are definitely some different numbers on that. I'd like to hear your opinion on that, just to throw it back at you.

Thank you.

**The Acting Speaker:** The hon. minister.

**Dr. Starke:** Thanks, Madam Speaker. I thank the hon. Member for Little Bow for his question. The specific number with regard to the heating oil costs came at a lunchtime seminar, that was actually given for members of the staff in the Alaska state Legislature Building, where they talked primarily about electrical power. They were talking primarily about their power grid or, rather, their lack of it.

The other thing that they then talked about, though, was how they heat homes because in some areas it is done by electricity. Specifically, they used the example here of the city of Fairbanks. Fairbanks, as we know, is in central Alaska and is a rather cold place. So I'm not sure, you know, how we can compare, necessarily, efficiencies of their heaters or furnaces versus yours, whether they're as well insulated, that sort of thing.

All I know is that at that particular seminar I was told that the average annual cost for heating a home in Fairbanks, Alaska, specifically, was \$6,000. That to me was a considerable sum, so that's why I quoted it here. It was, like I say, one of the very interesting – and there was a long list of them – sort of tidbits and facts that I picked up during my trip.

**The Acting Speaker:** Thank you, hon. member.

There is still time under 29(2)(a). The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Madam Speaker. Just to comment on this, during the campaign, I was just wondering, did you campaign on going into debt, or is this a new-found love of debt? I know that the Premier had promised during the election that there would be no debt and that that was a terrible road to go. Did you campaign on that to your constituents?

**Dr. Starke:** Madam Speaker, what I campaigned on is giving Albertans good government and using the experience I developed in business and in other areas of public service to make the kinds of decisions that people wanted me to make. People put their trust in me because they trusted me for 28 years with their farms, with their livestock, with their animals. They said: "You know what? He's probably a trustworthy person, and he probably can make good decisions on our behalf."

One of the things that has to be recognized is that you have to make those decisions that are appropriate at the time, that are generated by the circumstances you are faced with. You can't be ideologically in a tunnel. You have to actually have a broad-minded view to recognize that at times you have to manoeuvre, you have to be nimble, and you can't just be on a railway track.

That, Madam Speaker, is why I was elected.

**The Acting Speaker:** Thank you, hon. minister.

That concludes our Standing Order 29(2)(a).

Are there any members who wish to speak on Government Motion 28? The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Madam Speaker. You know, what we've seen with this budget is a budget that's gone back into debt. We were quite surprised when we saw the magnitude of the debt numbers put forward by this government after years and years and years of – and back in 2007, where there was a . . .

**The Acting Speaker:** Sorry. Hon. member, I just had a point clarified to me. You adjourned debate, and that was considered to be your moment to speak, so unfortunately you won't be able to speak again.

The hon. Member for Little Bow.

**Mr. Donovan:** Okay. Sure. [interjection] All right. I'm just checking. I didn't want to get into trouble. There's a lot of finger pointing going on in here.

The campaigning on budgeting and the whole process of it. I guess, I'm a pretty fiscally conservative person as far as how you spend money. We talk about smart borrowing versus bad borrowing and stuff like that, and I appreciate that. Now, I was told by the previous MLA for Little Bow that whenever the government budgeted for new buildings and stuff, they never budgeted for the operational side. It's great to build new schools and hospitals and things like that, but as a farmer – I always turn it back into my lingo – if you're going to build a dairy barn, you'd best have the money put away to buy the cattle and the feed and everything to run it. I mean, we've talked in this forum quite a few different times. The Associate Minister of Finance looked like there was a good possibility of him having a stroke earlier today, but he got her back under control, and that's good. We talk about doing these things, and we talk of the new schools. We talk of all these things we're going to build, but if we don't have the money to operate it, we have more problems. It's that continual ball.

I mean, there are past programs that we've watched. We always hate to look back in history, and it depends, I guess, on which side of the floor you're on and how the argument goes in history. We talk of Premier Lougheed. We talk of Premier Getty. We talk of Premier Klein. If it works for your own situation – and every party in here has done it before – you pick and choose the times that are good and bad from what that previous administration has done to make your point and to validate it.

What worries me with this budget that we're doing is that we're promising people all these infrastructure things that we're going to build, and we're not going to be able to get the teachers or the doctors or whatever they need to put in there.

I received an e-mail this afternoon from a private school in my riding that just got cut \$750,000 due to this budget. Now, that's their guess. I'm waiting for them to still roll that out because I don't want to jump up and down on it yet. It's the whole process of: we have these lists, and we're going to do these things, but we're basically robbing Peter to pay Paul on some of these things. So I just caution the government.

I appreciate that we are a growing province. I appreciate there are over a hundred thousand people a year coming into this province and they don't bring their schools and their hospitals with them. I totally get that. It's the whole process that when we go about doing these things, you know, sitting here – and we sit and throw it back and forth all the time. But it's making good investments and having good ideas, and you get into that whole process.

I'm sure that when we sit down and look at it all – and it's been brought up in debate before that our side has been sitting here, the Wildrose, going on about how we applied for \$1.5 billion in infrastructure. We all sat here. We got an e-mail from the associate Finance minister asking us what we saw as a

representative of our constituency that we needed in our constituencies. So being a blind sheep of faith when I do things, believing everybody is doing it in the right mode, I sit there and send in what I felt my constituents had told me of where in the over 12,000 square kilometre riding of Little Bow there needed to be overpasses and schools and updates on hospitals and stuff like that.

5:50

**Mr. McAllister:** I didn't send anything in.

**Mr. Donovan:** Well, I know that a couple of colleagues didn't send anything in because they thought it could be somewhat of a trap.

The point is that as an MLA you're there to represent your constituents. It doesn't matter what party you're in; you're there to represent what they need. I think that to not send that in would have been, in my thoughts, not a great idea for my constituents. So I sent in my list. Now, to get it thrown back at you later in conversation I find a little bit spiteful, but that's politics. I get how the game is played. I totally understand that. It's just that it's deceiving when people get up and speak about it and say: well, your party wanted \$1.5 billion worth of infrastructure, but you're campaigning on no infrastructure. We never campaigned on no infrastructure. It was a balanced approach to doing it.

On my farm if I get hailed out three years in a row, I don't go and buy a brand new combine, because the other one is not worn out. You have to sit there and take everything in time. I get the times and measures that we're in at times here of how to balance the budget and how to make that work. But I do not recall one person other than our – I guess they're cousins on this side here, the third and fourth parties, because if we're conservative cousins, they're tax cousins or however they work that. They campaigned on raising taxes and doing stuff like that.

We go into the debate of: yes, there have been no raised taxes in this budget. I totally understand that. As the Associate Minister of Finance pointed out, and I believe it was a challenge, he said: show me where that is. Well, I can tell you about farmers. The Alberta farm fuel distribution: 6 cents. To me that's a tax. To my constituents that's a tax. It's going to cost more to fuel now. On the Wednesday before the budget was dropped I could buy farm fuel at 6 cents a litre cheaper than I can now. Now, I have one constituent with a fairly large farm. He farms about 35,000 acres. For him alone it is going to be \$20,000 just in that difference of the 6 cents on fuel. And, I mean, he'll go around it. He'll sit there and end up just not hiring as many people to help at springtime and everything else.

**An Hon. Member:** But your friend from Airdrie doesn't want us to give money to corporations.

**Mr. Donovan:** It's not corporations; it's farmers. This is a family farm. It's truly a family farm.

**An Hon. Member:** It's a business.

**Mr. Donovan:** Yeah. Well, everything is a business.

**The Acting Speaker:** Hon. member, through the chair, please.

**Mr. Donovan:** Sorry very much. I get easily confused by some of the things that can happen sometimes.

In doing these things, this is where it's costing Albertans more to do business, which is a tax. I mean, it's just the process.

We can sit on the other side as the Minister of Infrastructure talks about the list: we always have a list. I pulled it up. The



minister has always said that there is a list on the Internet, so I pulled up the list. I mean, I agree with him. If the information is there, let's pull it up. As you pull it up – and it's right on his web page, as he's laid out before – you sit here and you go through public infrastructure projects in your communities. That's the list you talk of, I believe, Minister of Infrastructure, when we talk about what's going to go on. It's very nicely done. It has schools. It has postsecondary institutions. It has north, central, south. It splits the province up.

Now, the problem is that it's kind of a false bill of goods. You sit here and look on it, and you go: there are some great ideas here. I totally agree. The great ideas came from the MLAs from all those areas they represent. They probably were asked by the Associate Minister of Finance to put out a list for infrastructure. Now, when you read the list, nobody obviously went over it in a little while because we have some great ideas. In Fort Macleod we're going to put in a public safety and law enforcement training centre. Maybe – just maybe; I'm throwing it out there – cross that one off the list because I think you guys did it already. It got heave-hoed. I mean, that's great, but when we have people – and I'm assuming there are a lot of people somewhere in there that should maybe be identifying some of these problems that are out there.

You know, it's maybe nice to leave it on the list. But when we talk about the list and that we've got to use the list and all of those things, make sure the lovely list is updated. It works out a lot better that way. I have constituents that ask me, and I say: they say that it's on the government website, so go look at it. These are things I think we could update and keep everybody a little happier with.

There's not one person that I recall on that side of the floor or on this side of the floor that went out and campaigned on going into debt. I get the whole concept, and it's a great sales pitch you guys have done for this. I do give your comms team full credit for it. You're selling it as a home mortgage. I get the concept of a home mortgage. I have home mortgages. Lots of people have them. That's how we get through. As a farmer I take that next step of how to really leverage yourself at times, but the difference is that it's me paying it. When I sign on that bottom line, it's my butt that's on the line if I default on the payments. The nice part of being in government when you go and borrow money: it's not you that pays it back. You as a taxpayer pay it back, but your names, the 61 MLAs on that side of the floor, are not personally signing an actual IOU to the bank or an actual mortgage. In 2016 if things happen to flip around, the debt is not on your lap, so to speak. Then we'll be sitting here 25 years from now talking about a

government that was in power and that built all of these things, and it's almost like a repeat of the Getty years.

I get that we need to have some stuff built. I'm not here to argue that. It's the whole rolling out of: where do we find the time? Are we actually going to build to a point in life of: "Yeah, we identify that we need that. We're not the party of no infrastructure. We've laid it out. You're going to have to roll it out over a little longer time."

Maybe there are ideas out there for how to justify some of the schools we have. When I was in high school, the high school in High River burned down. Not a great time in life, but like most small communities you make it work. What we did was that we went to Okotoks. Now you say: was there an empty school there? No. The Okotoks composite school was sitting there full. What we did was that the Okotoks composite kids went to school from 7 a.m. till noon, and the kids from High River went to school from noon till 5. Perfect use of a school. Made double time in it. Had two sets of staff in there. It worked out great. The High River people came over. I mean, we got the school rebuilt. Obviously, it was the PC government and an insurance company that rebuilt that school in High River. That was done.

These are the things, I think, that we need to really sit back and look at. I mean, people are talking about it. The means of people are that when we get in a spot, we figure out how to problem solve it. We've done that in communities where communities are starting to use school gyms for community halls because it makes more sense to do stuff like that. If we're looking for ideas on education and such, I think that's one. Now, is it going to work for every parent?

**The Acting Speaker:** Hon. member, I hesitate to interrupt you, but we are coming on to 6 o'clock, and I have two reminders that I would like to give the House before we adjourn until this evening.

**Mr. Donovan:** I was just getting to the sweet stuff, but continue. Yes.

**The Acting Speaker:** Thank you, hon. member.

One is that there were references earlier by a member to the absence of somebody in the House. I would remind you that it's not acceptable to refer to an absent member in the House. The other thing is that unless it's 3 in the morning, it's also not acceptable to put your feet up on another member's chair.

So I would just give you those two reminders.

[The Assembly adjourned at 5:58 p.m.]







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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Tuesday evening, March 12, 2013

Issue 35e

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta  
The 28th Legislature**

First Session

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Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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## Legislative Assembly of Alberta

7:30 p.m.

Tuesday, March 12, 2013

[Mrs. Jablonski in the chair]

**The Acting Speaker:** Everyone, please be seated. Before the table calls the items of business for consideration this evening, the chair would like to alert members to some new faces that you will see helping out in the Assembly during evening sittings. We are fortunate to have Ms Fiona Vance joining the table as sessional Parliamentary Counsel to assist during session. Fiona, can you give a wave? Fiona is a lawyer with the firm of Shores Jardine in Edmonton. She received her law degree from the University of Alberta and was called to the bar in 2007. She also holds degrees from Queen's University and the University of Regina. Fiona did part of her articling rotation with the office of Parliamentary Counsel, so she is acquainted with the people and the environment. On a different note, so to speak, Fiona is an accomplished violinist, having played with the Kingston and Regina symphonies. Welcome, Fiona.

Nancy Robert will also be assisting the table. Nancy is a research officer in House services. Members may recognize her from her current role, which involves conducting research for both the legislative policy committees and the Public Accounts Committee. Prior to working as a research officer, Nancy has served in two other capacities since joining the Legislative Assembly Office in 2000, first as a bills and *Journals* clerk and most recently as a table research clerk. Nancy's previous experience includes a number of positions with the Department of Justice in the Northwest Territories. She also holds a bachelor of arts degree in political science from Acadia University.

One more time please join me in welcoming Ms Vance and Ms Robert to the Assembly. Thank you.

### Government Bills and Orders

#### Second Reading

#### Bill 13

#### Appropriation (Interim Supply) Act, 2013

**The Acting Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Madam Speaker. It's my pleasure to move second reading of Bill 13, the Appropriation (Interim Supply) Act, 2013.

The act, as members will know, will provide funding authority to the offices of the Legislative Assembly and to the government for the period – well, it'll last throughout the year, but actually it's necessary from April 1, 2013, up to a period of about the 10th of May. The required funding authority for the full year is detailed in the estimates, which we'll be getting into, which is why we didn't have a Committee of Supply on interim, because we'll be dealing with that during the estimates.

It is necessary to pay the bills before the budget is passed and the Appropriation Act is passed, which won't happen now until the end of April, maybe early May, so it's quite appropriate and prudent for us to ask the Legislature for permission to pay the bills, pay the civil servants, keep the engine of government running as we go through the long and exhaustive process of discussing estimates and passing the public accounts. Thank you very much.

**The Acting Speaker:** Thank you, hon. Government House Leader.  
The hon. Member for Airdrie.

**Mr. Anderson:** Thank you, Madam Speaker. So we have another bill, Bill 13. For those following these epic debates at home, Bill 11 was a supplementary supply bill, so that helps the government pay the bills for expenses that they incurred that they weren't expecting and, you know, just random stuff that they wanted to spend more money on. So they come back, and that's to kind of top up what they didn't plan to spend in the previous budget.

Bill 13 is an interim supply appropriation act. This little baby, this little piece of work allows the government to function and pay the bills between April 1 and the time that they pass the budget on – well, we've been told that date will be about April 25. In fact, we're told that is what the date will be, so I'm not sure why the House leader would imply in any way, shape, or form that it could be early May that we'll pass the budget because we've been told that it's April 25 no matter what we do. That's what we call a fait accompli. That's when we will pass the budget, at least according to the House leader. Let there be no illusions of transparency, accountability, and democracy in that regard.

This bill is needed because of the irresponsibility of government in not passing a budget prior to the new fiscal year. Because of that irresponsibility, we have to come back and approve – let's see. How much do we have to approve here? Well, let's read it.

1. From the General Revenue Fund, there may be paid and applied a sum of \$13 941 000 . . .

That's a lot of money.

. . . towards defraying the several charges and expenses of the Legislative Assembly for the fiscal year ending March 31, 2014, as shown in the Schedule.

Then it goes on to operational. It says:

2. From the General Revenue Fund, there may be paid and applied a sum of \$5 396 930 000 towards defraying the several charges and expenses of the Public Service classed as operational for the fiscal year ending March 31, 2014, as shown in the Schedule.

There's lots in the schedule. We'll talk about that in a bit.

Then for capital, because they're splitting it out from operational, of course:

3. From the General Revenue Fund, there may be paid and applied a sum of \$1 395 252 000 towards defraying the several charges and expenses of the Public Service classed as capital for the fiscal year ending March 31, 2014, as shown in the Schedule.

Of course, there are no savings, clearly.

Financial transactions:

4. From the General Revenue Fund, there may be paid and applied a sum of \$72 133 000 towards defraying the several charges and expenses of the Public Service classed as financial transactions for the fiscal year ending March 31, 2014, as shown in the Schedule.

Then it sets out the amount broken up into departments, so we've got support for the Legislative Assembly, \$7.8 million. Then you've got office of the Auditor General, \$2.9 million; office of the Ombudsman, \$368,000; office of the Chief Electoral Officer, \$628,000; the Ethics Commissioner, \$106,000; the Privacy Commissioner, \$753,000; office of the Child and Youth Advocate, \$1.34 million. That's the \$13,900,000 or thereabouts that the Legislative Assembly needs to run its affairs for essentially that month that we don't have a budget passed.

The government. You have aboriginal affairs getting just over \$3 million. You have Agriculture and Rural Development. They want \$61 million in operational and \$19 million in capital. By the way, this is the full bill. This is what we're fully discussing and approving today in this bill.

You have Culture: \$35 million, \$5 million for capital, and another \$246,000 for financial transactions. Education: \$762

million in one line item just for operational. That's all we're going to get, \$762 million. That's all the bill says, you know. I guess \$762 million is not that much money. For capital expenses \$101 million.

Then we go to Energy: \$26 million for operational, \$600,000 for capital. Enterprise and Advanced Education: \$445 million, \$7.4 million in capital, and another \$46 million in financial transactions. Environment and SRD: almost \$51 million; capital, \$7.2 million; financial transactions, \$155,000.

The Premier's office: \$5.3 million. That's just for a month. Seems like she's really getting into this whole fiscal discipline thing.

Health. Operational for Health, just for the first little bit here: \$2.646 billion. That's one line item. That's what we're debating here today. Don't know what that's for. It's for Health. We know it's for Health, but other than that we don't know what it's for because it doesn't split it out at all. So we're approving \$2.6 billion because we can, and we like approving \$2.6 billion without having any discussion on how it's being spent or what it's being spent on. We'll just approve it. Whatever. Got to keep the wheels greased, you know. Capital, \$11 million; financial transactions, \$5 million.

7:40

Then we go to Human Services: \$804 million. No idea how it's being spent. Just throw it out there. Capital, \$1 million.

Infrastructure: \$71 million in operational. I don't know why we spend so much money on operational for infrastructure, you know. There's got to be some fat to trim there. Capital for infrastructure, \$159 million, makes a little more sense. Financial transactions, \$7.25 million.

International and Intergovernmental Relations: \$3.5 million for the month or so.

Justice and Solicitor General: operational, \$155 million; capital, almost \$10 million.

Municipal Affairs: \$145,847,000, and capital there is \$852,660,000. Now, I think, from how I've had this explained to me, that \$852 million is apparently what's going towards MSI, so they're doing that all up front, it would appear, which is fine. At least we can understand that line item.

Service Alberta: operational, \$33 million; capital, \$4 million; financial transactions, another million.

Tourism, Parks and Recreation: operational, \$81 million. Probably no fat to trim there. Capital, \$2.5 million.

Transportation: operational, again, \$52 million. Man, that's a lot of money to approve, an operational budget of \$52 million in Transportation. The capital requirement, a little more understandable, is \$212 million. Financial transactions, \$7 million.

Treasury Board and Finance: \$14 million. That's operational. Fourteen million dollars: that is a lot of accountants, isn't it? Holy smokes. I mean, that's a lot. That is an economic stimulus package unto itself. Capital, \$313,000. I mean, these might be very legitimate expenses, but I have no idea what they are paying for because that's all the information we have in the bill. But that's how we roll here in the Big Easy of Alberta. Financial transactions, \$2 million, and so forth.

So the amount of operational to be voted under section 2 in this bill right here, this thin piece of paper that wouldn't kindle a fire in the summer – this is the description we have right here – is for approximately \$5.4 billion of operational spending, and capital in the amount of \$1.4 billion to be voted on and financial transactions of \$72 million or thereabouts. That's what we're debating today and what we're asking from our most gracious sovereign, as it says at the beginning of the bill: "Most Gracious Sovereign."

We're going to ask our most gracious sovereign to approve and allow \$5.4 billion of operational, \$1.4 billion of capital to be spent, and we have approximately five pages telling us what that is about. That is one heck of a way to run a government right there.

I guess some people might still find it a mystery as to why this government finds itself hemorrhaging debt and just completely going into debt, doubling the size of the debt just this year, tripling the size of the debt by the time we go back to the ballot box, mercifully, in 2016. Before that time we're going to be quadrupling the size of the debt in our formerly no-debt Alberta or almost no debt; we did have a couple of billion dollars on the books. But we're just tossing that out and launching into a massive, massive borrowing and spending binge.

So that's what we're doing today with Bill 13. We're going to approve a whole whack-load of money, and we have no idea and no ability to ask the different relevant ministers what this money is for. We don't have that opportunity. We will have an opportunity in estimates to talk about the entire budget, but for that month, you know, we're just kind of approving the money: "Off you go. Spend, spend, spend. Have fun." Boy, oh boy. That's quite an advance on your allowance, I'm telling you. That's a serious advance on allowance right there. [interjection] Yeah, we clearly need that. It'd just be nice if it was listed, you know. Like, if some of the stuff would be listed in here, we might actually know what it's being spent on in the next few months before we approve it because – who knows? – the budget might be amended. It might be changed. Well, then again, maybe not. We've got to work hard on this bill, I think, and spend some time on it.

I think one of the most offensive things that we find with bills like this is that, you know, the government might point to the estimates books that are given to the MLAs when the budget is presented and say: "Well, it's just in there. Go look at it." Well, the problem is that the point of estimates is to go through line by line – I know this is a foreign concept to some – and ask what is included in these things, whether these programs are necessary, whether they could be more efficiently run somehow, whether we need to put more into certain programs and less into other programs.

We have these wonderful debates that can last anywhere from two hours to six hours on billions of dollars. We talk and try to figure out where the money is going and come up with suggestions later on in the process for how we can change the budget. Of course, we're not permitted like they are in other parliaments to bring that many amendments because essentially there's a limit once it gets out of estimates and back into the Legislature on how much time we can debate the budget and how long we have to bring forward amendments. So, really, the whole process is rigged into one that is completely unaccountable in every way, shape, and form.

The only time we have to talk about the budget is when we can kind of point a few things out, ask a few questions that we generally won't get answers to, in the estimates process, and then we can bring it back to the House for a grand total of maybe three hours of debate, maybe four hours, five hours, something like that, on the entirety. We can produce some amendments, maybe, certainly no time to debate them in any real fashion, and then we pass a budget. That's how we do business in Alberta.

One would think that one of reasons why we have a fiscal train wreck in this province right now and why we have squandered hundreds of billions of dollars in resource royalty revenues with certainly not what we should have to show for it – we've got some things to show for it but certainly not what we should have – is

because we run our business this way, because there is not a lot of scrutiny.

You know, it's funny. It doesn't make a lot of sense. If the shoe was on the other foot – and I'm just thinking out loud here, as I'm apt to do in some situations. One would think that by having a proper vetting of the budget where we spent – and I know we don't want to compare ourselves to other provinces because, you know, Alberta is different. We're different. We are different. We're so different that we can pass \$6 billion in, like, an hour and a half or two hours of debate. That's how different we are.

**Mr. Hancock:** That's pretty similar to B.C.

**Mr. Anderson:** Well, if you go to B.C., sir, you'll note that they're in there for hundreds of hours on estimates. Absolutely, they are. They go on and on and on, and they've got tons of time to do it. If you look at Parliament, you'll notice that that process went on for a long, long time, and many amendments were brought forth, I would say, in somewhat of a frivolous manner. After a while there were literally hundreds and hundreds of amendments on each thing.

7:50

**Mr. Hancock:** So in that way were similar to you.

**Mr. Anderson:** Well, we would probably bring forward a little less than that, but we certainly would bring amendments forward, and they would be properly debated, discussed, and voted on and likely voted down. Maybe a few would be changed. Who knows? But that's the point.

If we did it that way, maybe the government would actually pass more fiscally responsible budgets on a year-to-year basis, and that would translate into more electoral support for them. One could even argue that the entire existence of another party, say a centre-rightish party, you know, that gave the government quite a scare in the last election, held the folks on the other side to the lowest vote total in their party's history, that sort of thing . . . [interjection] Oh, sorry; their lowest since 1967.

One would think that that entire political threat just wouldn't exist if the government would learn to budget properly and run their affairs in a competent, efficient manner. We'd still be all singing *Kumbaya*, saving up money, and running an effective government instead of what has occurred over the last four to five years. But we can't go back and change history, and unfortunately here we are. This is just such a slap in the face of good fiscal management. It just speaks of incompetence.

The other piece of incompetence that it profiles or certainly shows is the fact that one has to ask: what on earth are we doing in January and February? I don't know. I picked up a paycheck – well, I didn't pick it up; it was deposited in my bank account – a payment for my work as an MLA in January, February, and then that same cheque came in March, and I'm presuming it will come in April. It was for relatively the same amount. One would think that one of the assignments that we have as a House is to pass a budget, and I would think and, in fact, some might even suggest that passing a budget is the most important thing that we do every year in this House. I mean, it's kind of the piece of business that has to get done because if it doesn't get done, everything shuts down. We've seen how bad that can be in the United States, obviously, and in other places. In fact, passing a budget is so important, such an important homework assignment for this House, that if we don't pass the budget in this House, an election is called. That's how critical it is. It's a vote of nonconfidence if it doesn't pass. That's how absolutely essential passing a budget is

in the grand scheme of things in this Legislature. One would ask how we haven't passed one yet.

**The Acting Speaker:** Thank you, hon. member.

Are there any members who wish to speak to Bill 13?

**Mr. Saskiw:** It's an honour to be here tonight. I'm very excited to be here and to discuss this very important bill, Bill 13, the Appropriation (Interim Supply) Act. You know, the previous member gave a very riveting analysis of section 2 and section 3, which outlined the different budgetary amounts that we're going to be voting on today, and I'll be going through that a little bit later. I might need some energy soon to keep going.

I think it's important in this Legislative Assembly and I think people elected us here to do the appropriate due diligence and ensure that we spend every single dollar – it's not our money; it's taxpayers' dollars – very wisely. Earlier today we heard about, you know, how interest rates are at 2 per cent and you can have an 8 per cent investment, so you should be borrowing and borrowing and borrowing. You may get some things right; you may get some things wrong. The difference here is that we're dealing with taxpayers' money. It's not our money. If some members want to go and take a risk and borrow money and put it into some type of investment, that's their prerogative, but that's their money. It's not taxpayer dollars.

What we're debating here today is Bill 13. It sets out some sections which give Her Majesty the ability to pass certain sections here. I'll start with what I would say is the main section, section 2, operational, which states:

From the General Revenue Fund, there may be paid and applied a sum of \$5 396 930 000 towards defraying the several charges and expenses of the Public Service classed as operational for the fiscal year ending March 31, 2014.

One has to ask if the money was in fact spent wisely, if this government didn't blow the money on things like, you know, severance packages. We saw earlier this year that the CFO for Alberta Health Services had expensed something like \$600,000 for butler services, trips to all these exotic places in Europe, and so forth. He didn't even lose his job. He actually got a full severance package. He got a million dollars initial severance package and then \$10,000 a month for 10 years. If someone gets fired, you don't get a severance if there's cause. If you actually looked at the contract: entirely allowed. I know this sounds crazy, that someone could expense booze and butler service and repairs to his Mercedes and the taxpayer would be on the hook for that. Maybe that's why we have to supply Health with this number here. It's \$2.646 billion in operational spending. I would assume that that money that was blown by this government would fall under that operational budget.

You know, this isn't the only thing that we see money wasted on. We've seen it in the past under various capacities, whether it's municipalities or other institutions that were bullied to provide taxpayer funds to a political party. These are things that don't need to be spent, and if the government was wise on its spending, we wouldn't have to be asking for more money.

What I think would be alarming is if, you know, we went to our constituents and talked about the expending of close to \$5.4 billion and the fact that this would be done over only a couple of hours and the entire budget and estimates would be done over only a 10-day period, the complete lack of ability for people to hold the government to account, to dig into this information to ensure that taxpayer dollars are spent wisely. I think Albertans would be shocked that this government doesn't feel that it's a priority to ensure that every dollar is spent wisely.

We see the results. We see deficits and debt. At no point in April did anybody campaign on debt, but all of a sudden debt is great. I'm sure that the results would have been quite different if during the last election these members had actually campaigned on borrowing \$6 billion and then going into debt by \$17 billion by 2016. What this does is burden future generations. You know, it took an entire generation to pay off the Don Getty debt. Albertans worked hard to pay that off. They knew that there were significant cuts that had to be made to pay off that debt. Now we're just racking up that entire debt again, and it's going to take a whole new generation to pay off that debt.

I know some members opposite think that we should take a risk with money, throw it into carbon capture and storage. Who knows? That experimental technology may work. You know, it's not for us to experiment with taxpayer dollars. It's not for us to get in the business of being in business and expending taxpayer dollars like that.

8:00

What we see as well, despite going into a massive amount of debt, is a continuation of broken promises, and that's why we're here in Bill 13 asking for more money. They've still gone into debt despite promises. We saw recently a broken promise on highway 881, probably soon to become, I guess, close to the most dangerous highway in Alberta. Despite making those necessary improvements with extra passing lanes and turnouts, the government in a series of four months broke its promise.

When you can't trust a word that the Premier says when she makes a promise, how, then, do they have the audacity to come and ask for more money to spend on more things? You can't trust that that money will be spent wisely. You can't trust that promises will be kept. I know that perhaps there are some members here – we've seen the promise of a hospital in Whitecourt for three elections, and now there's a \$10 million line item for that. I don't think those residents are going to buy that again.

Just to go back to the bill, it's broken down into operational and capital. They've split it up. That seems to be the new way this government likes to act to try and come up with a definition that would somehow miraculously, because of a legal definition in the act, result in there not being a deficit or a debt. Going through the different monies that they're asking for, starting with the government side, you see that actually the first part of it under section 1 relates to money from the general revenue fund that's applied to the Legislative Assembly. We see here, you know, close to \$8 million to support the Legislative Assembly.

Of course, what we know is that the government has decided to spend over \$300 million on a brand new MLA office and an office for bureaucrats. I think that clearly isn't a priority. I'm not sure why in these so-called tough times – it depends on the time of day whether they call it a tough time or a good time and whether the economy is doing well but, regardless, pretty much any time – we should be blowing \$300 million on brand new MLA offices. In fact, I talked to my constituents about that, and I can tell you that they're dismayed when they hear that their money is being spent on that. They'd rather see the money being spent on front-line doctors, nurses, and those types of individuals. You know, they may like the fancy offices, and maybe there will be a rooftop garden and a movie theatre and all these kinds of things, but I just don't think that's a priority. It's a difference of priorities here.

You know, it's the same thing when cabinet gave themselves a 34 per cent pay raise. My constituents didn't feel that that was a priority. That money wasn't on their priority list. They thought that that money instead should go to front-line nurses, doctors, and

other individuals to ensure that Albertans had a significant amount of services that were being provided to them.

If you go down the list as well, of course, there's \$3 million for the Auditor General and \$368,000 for the office of the Ombudsman. What's interesting is the \$628,000 for the office of the Chief Electoral Officer. I can understand why that office would need more money. They had to hire a former retired Chief Justice. They've had to hire a couple of forensic auditors to look into an alleged \$430,000 donation to the PC Party, which would have represented a third of the money that they received in the previous election. There are a lot of expenses when you have to hire forensic accountants. There is a lot of money when you have to hire a retired Chief Justice. When you look at this line item, \$628,000, it would be interesting to know how much of that money is being spent on the various scandals that we have seen.

Before we vote on this, it would be, I think, important and pertinent to know how much exactly of \$628,000, which is in the schedule and is in reference to section 1 of Bill 13, is going towards investigating scandal. In my opinion, I think that, you know, if there are these investigations and it's only relating to one party, then perhaps taxpayer dollars . . .

**Ms DeLong:** Maybe you shouldn't make so many false accusations. Then we'll save some money.

**Mr. Saskiw:** I'm hearing in the background here about false accusations. In fact, the Chief Electoral Officer found numerous instances of illegal donations. Thanks for reminding me, though. It's important to recognize that, that it's actually the Chief Electoral Officer who made findings of illegal donations made to the PC Party. I appreciate your bringing that up.

Of that \$628,000 for the Chief Electoral Officer, how much of that money went to investigate those illegal donations that went to the PC Party? That would be an interesting analysis to have because normally, for example, in a court situation, where the judge finds that there's wrongdoing on a particular party, that judge would award costs to the losing party. In this case, the PC Party was found to have accepted illegal donations.

I would suggest that instead of spending 628,000 taxpayer dollars to give to the office of the Chief Electoral Officer, perhaps it's the political party that was found guilty of the wrongdoing that should have to pay for those extra expenses that went into the investigation. It's a significant sum. I mean, it's not as much as, you know, a million dollars that you would pay to go to the London Olympics, but \$628,000 is still a significant amount of money. I don't know how you would calculate it in terms of front-line staff, in terms of registered nurses or teachers and so forth, but it is definitely a significant amount of money.

The next line item in the schedule under the Legislative Assembly, which is in reference to section 1, is \$106,000 for the office of the Ethics Commissioner. Again, one has to question why this extra money is needed for the office of the Ethics Commissioner. Is it perhaps that, you know, he's had to announce a full investigation regarding tobacco litigation? Are there extra resources that his office has to expend to dig into the material, get all the contracts, interview witnesses, potentially hire contracted third-party help to get to the bottom of this?

You know, \$106,000: I mean, it doesn't seem like a lot, but I guess when you're spending someone else's money – this is taxpayer money – I think it's very appropriate, important that we closely scrutinize every single penny. Again, if it's \$106,000 to investigate the Premier's involvement in the tobacco lawsuit, one would argue that if there is a finding of wrongdoing, the wrongdoer would have to pay for the cost of the investigation. It's a very

important dollar amount that we're spending, and I think it goes again to the question of why we'd want to expend taxpayer dollars on these types of funds.

The next line item is the office of the Information and Privacy Commissioner. This is a much bigger one. For some reason in this section they combine operational capital and financial transactions whereas in the other areas they don't. My guess is that because, you know, we've had one of the governments that has been less than open and transparent, that has been recognized nationally as having one of the weakest whistle-blower legislation, that has some of the weakest access to information legislation, perhaps this \$753,000 of additional expenditures is needed to deal with the increased magnitude of the FOIP requests that the government is getting in the various ministries. It's a big amount of money. I don't know whether or not this is because they group the operational with the capital or whether this is more staff to deal with.

**The Acting Speaker:** Thank you, hon. member.

Are any members interested in Standing Order 29(2)(a)? The hon. Government House Leader.

**Mr. Hancock:** Thank you, Madam Speaker. One quick question. As we've listened to the litany that the hon. member has read from the bill, each time asking about extra money, I'm wondering if he actually understands the concept of interim supply.

**Mr. Saskiw:** Thank you, Madam Speaker. I know that the hon. House leader, you know, went to the same prestigious law school as I did, but I also got an undergrad in accounting. Surprisingly, I actually know some numbers. I would suggest that what we saw is a significant amount of expenditures. I'm glad he asked that question because when we look at the wasteful spending of this government, the fact that despite the five years of, I would suggest, record revenue in this province, unfortunately we're going into a situation of debt. We're back into debt.

8:10

**Mr. Hancock:** Not according to this act. Do you understand interim supply?

**Mr. Saskiw:** Yeah, not according to this act because there's some weird kind of definition that they're coming up with on deficit.

It's one of these situations where despite having all these resources, we're going back into debt. I mean, if they can't balance the books in these types of circumstances, in these times, when are they going to balance them? You know, the Government House Leader is talking about the litany going on here, but I think taxpayers, when I go to my constituency, are upset when they find out that there's \$2 million that Alberta Health Services spent on booze, the fact that in the last 17 months Alberta Health Services spent \$100 million on travel expenses and so forth. I think that it's right that we ask those questions, and I think it's important.

For him to be dismissive of that, that's fine. We can blow funds at any time, but I think it's important that we scrutinize it. The fact that he questions that we in the opposition have a right to question the supply of \$5.4 billion, that to question this type of expenditure somehow isn't a valuable use of time I think shines on the government's attitude when it comes to taxpayer money: let's not question this; let's just keep spending, keep spending.

I think that to dismiss those types of relevant concerns – we're trying to do our job to ensure that taxpayers' money is spent wisely. I think it's time that somebody actually do that. I think we've seen in the past that when you don't have a strong opposition, the government isn't held to account. They blow

money on things like \$2 billion on carbon capture, the money in experimental technology to pump CO<sub>2</sub> into the ground. These are the types of expenses that we see. We see \$300 million in brand new MLA offices. We see a million dollars on the London Olympics. We see all these types of expenses, and Albertans are wondering, well, how on earth someone could spend on these things, when they're talking about tough times and going into debt.

I think what's illustrated in this bill is the fact that, you know, in addition to this bill and budget estimates, with a \$4 billion deficit there's only going to be, I think, 10 days of scrutiny in budget estimates. Of course, I haven't calculated the exact hours, but it's a significantly fewer number of hours than in other jurisdictions. I think the other jurisdictions actually make sure that the appropriate due diligence is done to ensure that the money is spent wisely.

To go back to the Government House Leader's question in terms of Bill 13, I think it's very important, you know, the fact that we are going back into debt, not just back into debt but \$17 billion of expected debt by 2016, a significant amount of debt here, and the fact that this is an explicitly broken promise by the Premier. When I talk to people, they say that they can't trust anymore because of the litany. When he talks about litany, he should talk about the litany of broken promises that this Premier and this government have made. The fact is that we're dealing with a significant amount of money here. It's \$5.4 billion. I think that it's important that we here in the Legislature ensure that when we look at these numbers, we go through each line item to ensure that the appropriate level of scrutiny is done.

**The Acting Speaker:** Thank you, hon. member.

The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Speaker. I rise, and I'm opposed to the act, but I'm going to support the act. I have to. It's responsible in the sense that we've got to keep in operation. What's unfortunate is that it has come down to this, and it should not have come down to this. We could have easily been sitting earlier. We could have easily passed the budget earlier, so this would not have been necessary.

But I do want to say one thing about borrowing. We are borrowing. We're into the next fiscal year doing this, and in the next fiscal year we're borrowing. I mean, to say that this is not going to be part of that – we're just borrowing from the next year's budget, that we will approve in its entirety later this month, so it is part of that package. I have an issue with borrowing and how this government is viewing it.

Now, there's been a lot said, and someone over here talked about Greece, and the Associate Minister of Finance was quite offended. No comparison. Well, there is a comparison, and there's always a lesson to be learned. If you look at the Greece debacle, depending on how far back anyone would like to go, you can look at how it got into trouble. The reality is this. It got into trouble, and it took about 80 years to destroy the country, but it did run balanced books at one time. It was run somewhat efficiently, someone might argue very efficiently, but when they started centralizing and started basically co-opting all the various private institutions, the next thing you know, they started living on debt.

But where they really got into problems was when they started misrepresenting the debt. That actually started much later than 80 years ago. That started, like, 20 years ago, and that misrepresentation is what really took the country down. That has been consistent not just with countries; that has been consistent with private industries. That is a lesson to be learned because there's a

situation right here which is: what is the level of debt? This government now has changed the way it's going to start reporting its budget, and that's what we're approving here. We are no longer going to disclose the budget in the terms that we consistently have. We are now changing those accounting measures.

I'm going to talk about those in a second here, but there are significant lessons to be learned. I'm not seeing, really, the government party questioning this government on some consistency and some inconsistencies in its messaging, and that does need to be cleared up. You don't need to listen just to the opposition on this. There are very friendly reporters who have written some very articulate articles in the newspaper questioning how this government is now accounting for this budget, how it is representing its budget. That should raise alarm bells.

Here we are as a province, as an entity, and we're going to borrow to save. I don't get that. Now, I understand the concept that we borrow at a lower interest rate and lend money out at a higher interest rate, and I have to tell you that that doesn't change in the investment world. You invest, you buy low, and then you sell high, and you make money. Sounds real easy. How are you going to execute it? Where are you going to execute this? How is it going to be structured? You tell me this government's credit rating is outstanding – it is triple-A – but you have one problem now. Now you're in debt. You weren't in debt prior; now you're in debt. With that debt, we have one more significant factor that will affect our credit rating. Our operational budget is not balanced. It's in a deficit.

Now, that's not enough to drive our credit rating down, but that is enough to start raising eyebrows, and that's significant. Where are we going to go with this? Well, there is a plan in the budget to address these issues, but I have to tell you that the plan doesn't make sense. There needs to be more disclosure on how it's going to work. If the hon. members on the other side just think that the government can say this and it will happen – it doesn't work that way.

The idea that you're going to borrow money and put it into a savings account and earn more: just look at the heritage fund. I just looked at the transfers in one of the reports that was most recent. The history since 1978: we had the first five years of significant gains, a 17-year trend line of drops in the transfer rates of what monies were made and transferred into the government coffers, and it was sporadic after 2004, but there was a significant loss in that fund in 2002 and 2009. If that's how we plan on investing, I have to tell you that it didn't make a lot of money over the entire history of the fund, and we're just at a good time right now if you look at the returns, which is wonderful. The point is that that's not consistent. That doesn't always happen.

8:20

So how does this government plan on borrowing money? Well, it's not going to borrow at LIBOR. That's not the rate we're going to get. We're going to get LIBOR plus a basis point or prime plus a basis point. That gives us preferred status. I understand that. We have good credit. But how do we loan that money out when we say that we're going to loan that money out at a higher interest rate? Who are we competing with? Well, we're competing with the banks that have a credit rating just as equal if not better if you get into the minutiae of triple-A. We get involved with those institutional investors that are borrowing money, and it's interesting because there are very few people out there that borrow money on the market and loan it out and just consistently make a profit year over year over year.

As a matter of fact, some of the major scandals that showed a history of that ended up in a disaster because what happened was

that in their bookkeeping these institutions did not report consistently. I do not believe some of them intended to, but when they started to come forward with something like even this bill, which shows various figures – I focused on the \$2 billion in Health. Actually, it's 2 and a half billion dollars.

It's a significant figure, and that's all we know. We don't know the details of it. We don't know where it's going. We don't know anything about it. We're just told this is what we need to do. It may very well be justified, but it's not justified in the act. There's no explanation to really give us a full indication of: is this actually what is needed to get us by in this so-called supplement or so-called borrowing into next year's budget? It all depends on how you want to put the spin on it.

It's actually scary in many ways that we're going to say that we're going to go to the market, that we're going to borrow money and then loan money out at a higher interest rate. There's no stipulation whatsoever on who this government plans on loaning money to. What investments? What's the risk? I know the analogy of: well, I purchase a house; I get a mortgage. That's the analogy that has been used more than once in this Assembly. But I have to tell you that when I borrow money for a house, the bank wants to know what I want the money for. The bank wants to go out and look at the House or at least have it inspected and know that the money they're lending is going towards that house and that there's value in that house. They generally don't lend a hundred per cent anyway.

So we're going to go out to the market and borrow money. Is this government saying that we're not going to disclose to whom we're borrowing money from what we're going to do with that money? I don't think so. That's not logical. But there's no disclosure here.

Now, I understand borrowing the money to build bridges, schools, and that's what you want to do. You've disclosed that. But you haven't disclosed – or at least there's no indication that it's been disclosed – that you're going to borrow money to lend out to someone else at a profit. I have to tell you that any institution that lends out money is thinking: why would I lend money to this government to loan out for a profit when I could just skip this government and loan it out anyway on the market?

Now, there's another side to this. The market does have a saturation point. Companies and institutional investors who have significant credit ratings have the ability to shop the market for the best rate. If it's so consistent or if this government thinks that it can just continually do this and make money at a set rate, it's interesting to me because lots of institutions aren't able to do that that are far better than us and that even get the interbank rate.

Again, it's never been disclosed to us or to this Assembly what the rate would be that we would be borrowing on. What rates do we think we're going to get if we loan out a portion of that money? Who are we going to loan that money out to? Who is the market? I mean, that's a very valid question. You shake your head, but I have to tell you that these institutional investors are quite clever.

**An Hon. Member:** It's a stupid question.

**Mr. Anglin:** It's a stupid question. I know. I have to tell you that it's a stupid assumption to think that you can just automatically make money the way you think is so easy. If it was that easy, we'd all do it. It doesn't work that way in the finance world. It does not work that way. I'd introduce you to someone called the Lehman Brothers except they're not there anymore. Barclays bank: they're not there anymore. You laugh, but they're not there. You can't talk to them. You know why? They falsified their books. They got



into trouble. They got in way over their head, and they're no longer in existence. Now, we have the taxpayers that back us, but nobody has disclosed to the taxpayers how we're going to achieve this so-called miracle, that we're going to borrow money to make money by lending it out and nothing will ever change.

I tell you that there was a \$2 billion loss in our own heritage fund in 2009. That's significant. Now, we had some great gains afterwards. That's great. But you can look at the long-term trend of bonds or the long-term trend of the stock market, and I have to tell you that it goes up, goes down. There are some trends over the long term, but the fact is that relative to the cost of inflation it is not a guarantee. In the marketplace – I'm sorry – it's just not a guarantee.

Here we are getting back into the business, which is kind of odd because that's what the ATB is about. It's in the business of loaning out money and getting capital out there. Are we opening another bank? I don't know. It's not disclosed. How are we doing it? That's what I'm getting at. As the members kind of giggle, the mechanism of describing how they plan on doing this is not visible to us. It's not there. Shake your head all you want, but I have to tell you that whoever you're borrowing the money from is going to want to know, and you will have to disclose it. Unfortunately, this is not transparent.

That's what this debate is about. We're looking here at the budget going into next year, and we don't have a lot of answers on exactly what's going on. What we have are just set figures. I'm just going to take a quick time here because it is important. These are some significant disasters in the market, playing around with misreporting how the funds were handled. That's what I'm actually saying that this government is starting to do. When you start to disguise where your deficit is, if you start to disguise your debt – now, I'm making the allegation that that's really what's happening in this change of accounting. Now, you don't like the allegation – I understand – but if you look at what's even happening in the press, you've got multiple sources saying that the debt is at this level, and someone else is saying that the debt is that level. This government is saying that the debt is way down here. Clearly, it is not universal in the assumption of what level of debt this government is planning to engage in.

I want to look at some of the great scandals dealing with misreporting on their accounting systems the level of debt. Waste Management basically lost \$1.7 billion; Enron, \$74 billion; WorldCom, \$180 billion. All this was the result of the way they accounted for their debt, the way they accounted for and misreported dealing with how they were managing their money.

Madam Speaker, that's what's going on here. We are moving into next year's fiscal . . .

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a). The hon. Government House Leader.

**Mr. Hancock:** Thank you, Madam Speaker. I hate to prolong this – it's so painful – but I do want to ask the hon. member if he understands the concept that the heritage savings trust fund monies and other monies, pension monies, have been invested through AIMCo, which is a very transparent operation. They do a financial report. We're not actually borrowing money from the banks and lending it out other than perhaps through Treasury Branch and through the Alberta Capital Finance corporation. If he goes on their website, he'll see the interest rates that are posted on an ongoing basis. Entirely transparent.

8:30

This fiction that he's building, that the government is going to make money by borrowing money and then lending it out and

making money on the spread, is purely his fiction. If he actually believes that, then we're going to have some real troubles as we go through the estimates process and the rest of the appropriation process, and if the rest of his colleagues understand finances the way that he understands finances in terms of government, then we've really got a problem.

Now, I would offer to help him understand those financial statements and understand how government is financed and understand the fact that at any point in time if there's a problem with the return on the market, one can liquidate the assets they have and pay off their debts if they wish to. But it doesn't make sense to spend your money to build capital projects when you've got it invested and earning a return in excess of – what is it this year? – 7.1 per cent when you can borrow it at 2 per cent or 1.5 per cent. With the borrowing power that this government has, with the credit rating we have, and the fact that it's not going to be affected by going into debt – because the hon. member might understand that we've actually been in debt, that we actually have P3 projects, which are a form of debt.

We actually hadn't paid off the debt so much as carried the debt at the interest rates it was at and put money away to offset that. That was actually, if you'd read the papers, paid off, I think two weeks ago, the last of the old accounts, which weren't actually paid off because it made more sense not to pay them off. It made more sense to invest the money because we were making more money on the investment than we were paying on the debt.

The hon. member has a lot of reading and understanding to do about the financial side of government if that's his understanding of this whole issue of debt and debt financing and how you invest in capital over the generation of the capital, the lifespan of the capital, and those sorts of things. I would have thought that a man that has expressed in this House before seven or eight or nine or 10 different vocations that he's served in might have in one of those vocations seen a financial statement.

**The Acting Speaker:** The hon. member.

**Mr. Anglin:** Thank you, Madam Speaker. The member is correct. It does not make sense to me. I mean, it does not make sense. I did not come up with this. It's your government that said: we're going borrow money and lend it out. I mean, that's why I brought that out. I didn't make this one up, so you're a hundred per cent right; it does not make sense.

The second part. I'm glad the member said that they were in debt because I've always known they've had debt. I can show you the track record going back last year and the year before where this government denied it was in debt. As a matter of fact, there are some people from this government still out there denying that they're dealing in debt, and you are, see? I'm glad the member got up and mentioned that because that's really important. That's the issue. The issue is the debt.

Oops; no net debt. No net debt. I like that. It's how we fudge the numbers, and that's what I was getting to, the whole point. If you start fudging the numbers, you start believing your own witches' brew of bookkeeping. That's fine, but you're not going to sell that to the average public. You're not going to sell that to the institutions. What you're going to end up doing is risking knocking our credit rating down, and that would be silly given how good an economy we really have.

There's no reason that we have to have an operational deficit. From our party's perspective, there's no reason we need to operate in debt. Now, even the NDPs and the Liberals believe there's no reason to operate in debt. They just would continue spending, but they would raise taxes to make sure they balance the books.

Now, one of the members over there did bring up sometime earlier today a comparison with how our municipalities operate. I heard that, and I will tell you this. Having sat on a town council, one of my many occupational careers, when accounting we had to balance the books. It was required by law, and I think that's a good part of the MGA. It forces every community to balance their books every fiscal year. I just wish that we would stick with that on a provincial level. I really do. I know; don't fudge the books on me.

**Mr. Hancock:** You say that on one municipal council you didn't have a debt?

**Mr. Anglin:** What's that? Well, I mean, I know what he's saying.

**The Acting Speaker:** Hon. member, Standing Order 29(2)(a) is finished.

The next speaker for the Appropriation (Interim Supply) Act, 2013, the hon. Government House Leader.

**Mr. Hancock:** Thank you, Madam Speaker. This has been wonderful, but I would move that we adjourn debate.

**The Acting Speaker:** The hon. Minister of Intergovernmental and International Relations.

**Mr. Dallas:** I'm informed that I have the ability to move that we adjourn debate.

[Motion to adjourn debate carried]

### Government Bills and Orders Committee of the Whole

[Mrs. Jablonski in the chair]

**The Deputy Chair:** I'd like to call the committee to order.

#### Bill 11 Appropriation (Supplementary Supply) Act, 2013

**The Deputy Chair:** Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Airdrie.

**Mr. Anderson:** Thank you, Madam Chair. I am thrilled – thrilled – to be here tonight to speak to another appropriation bill. With all this money flying around, it's hard to keep track, but this is Bill 11. Are we on Bill 11? We're on Bill 11, right? Just wanted to clarify that.

This is a bill of the First Session of the 28th Legislature, 62 Elizabeth II, and Bill 11 of the Legislative Assembly of Alberta in the year 2013, and it is the Appropriation (Supplementary Supply) Act, 2013.

We're in Committee of the Whole. As my illustrious colleague from Little Bow pointed out so astutely, when the mace goes down . . .

**Mr. Donovan:** The party is on.

**Mr. Anderson:** . . . the party is on. We're in committee. That's right. So here we are in committee.

I think that it's incumbent upon us to review this bill carefully. We have three pages of bill to cover here, so we'll get started. The bill starts out in Bill 11 here on page 1. Again it shows the title, and I know we vote on the title and the preamble in the bill, so I think it's important that we examine the titles and the preambles of these bills appropriately. The title of the bill is, again, the

Appropriation (Supplementary Supply) Act, 2013. It has a little space there. It's going to be assented to sometime in 2013. There's a little space where I think they're going to put the date once it's assented to.

8:40

It starts out pretty graciously by saying, "Most Gracious Sovereign." Then we go into the preamble, which we also vote on. It says:

Whereas it appears by a Message from His Honour Donald S. Ethell, Lieutenant Governor of the Province of Alberta, and the Supplementary Supply Estimates accompanying the Message, that the sums hereinafter mentioned are required to defray certain charges and expenses of the Public Service of Alberta not otherwise provided for during the fiscal year ending March 31, 2013 and for other purposes relating thereto:

May it therefore please Your Majesty that it be enacted and be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Alberta, as follows:

This preamble is a good preamble. I think it's mostly something that we can get behind. I won't speak for my honourable colleagues, whether they think this is an acceptable preamble or not. We have free votes in this caucus, and if this is not acceptable, it's not acceptable. But I will certainly want to be on the record as voting for this preamble at some point in the future.

**An Hon. Member:** You like it?

**Mr. Anderson:** I think so. I like it so much that I'm going to make sure I stand and vote on it.

**The Deputy Chair:** Hon. member, when you turn away, we can't hear you because you're not speaking into the mike, so through the chair, please.

**Mr. Anderson:** Sorry. We're talking about the preamble. You're right.

All right. The next section is Expense. In section 1, which is the expense section, it specifically says:

From the General Revenue Fund, there may be paid and applied a sum of \$401 004 000 towards defraying the further charges and expenses of the Public Service classed as expense for the fiscal year ending March 31, 2013, not otherwise provided for, as shown in the Schedule.

Schedule. Some people say 'sked-yool'; some people say 'shed-yool.' It really is a matter of preference.

In the next section, which is section 2, there's talk of capital investment, and it says:

From the General Revenue Fund, there may be paid and applied a sum of \$54 996 000 towards defraying the further charges and expenses of the Public Service classed as capital investment for the fiscal year ending March 31, 2013, not otherwise provided for, as shown in the Schedule,

or 'shed-yool,' whatever your preference.

This is a very curious section. You know, it's interesting. If you look at Bill 13, which we were just at, and compare the two, it's very interesting. We have a preamble. Those match. If you kind of hold up your Bill 13 and Bill 11, you'll notice – you can follow along with me – the preamble is the same. It has the exact same wording, really, verbatim.

Then it goes into section 1. It talks about expenses in Bill 11, but in Bill 13 you'll notice that it splits operational and capital. Then in Bill 11 it changes it a little bit. It's different in Bill 11. It's expenses, capital investment, and nonbudgetary disbursements and stuff. So it is different. They're similar but different.

I think one of the reasons that they're different is because they do different things. An interim supply bill, which we've been talking about for a little bit, of course, approves money to be spent by the provincial government and does so from April 1 on. It's kind of a way of making sure the bills get paid prior to the actual budget being passed. Supplementary supply, of course, is when extra money is needed or when they need to move money between departments with the budget that had been previously passed the year before.

You'll notice that the language has already changed. They talk about expenses here, capital investment, in Bill 11, which had to do with the old budget, but when you go to the new budget, they've already changed it. It's operational and capital.

It's kind of neat to see history being made because if you put Bill 12, the big connector, how Bill 11 gets to Bill 13 – there's a bridge between the two, and it's called Bill 12. It's kind of like this. It kind of looks like this, and Bill 12 is the reason why the language changes from Bill 11 to Bill 13. In Bill 13 now they talk about operational expenses. Just like the operational deficit and all that, it's split into operational, capital, and savings. It's just interesting how we can see so visually the efforts of the government to move Bill 11 to Bill 13 and how that was accomplished. They're like bookends on this. Very interesting indeed.

Back to the bill and the sections in the bill:

From the General Revenue Fund, there may be paid and applied a sum of \$5 396 930 000 towards defraying the several charges and expenses of the Public Service classed as operational for the fiscal year ending March 31, 2014, as shown in the Schedule,

or 'shed-yool.'

Capital is, then, the next section, and that's section 3. It says:

From the General Revenue Fund, there may be paid and applied a sum of \$1 395 252 000 towards defraying the several charges and expenses of the Public Service classed as capital for the fiscal year ending March 31, 2014, as shown in the Schedule,

or 'shed-yool,' depending on how you want to pronounce the word, of course. We respect that diversity of choice in how we pronounce that word.

Section 4 is financial transactions, and it talks about:

From the General Revenue Fund, there may be paid and applied a sum of \$72 133 000 towards defraying the several charges and expenses of the Public Service classed as financial transactions for the fiscal year ending March 31, 2014, as shown in the Schedule,

or 'shed-yool.'

Accountability, section 5:

The due application of all money expended under this Act shall be accounted for.

That's important. It's important that the due application of all money expended under the act shall be accounted for. I mean, if it wasn't accounted for, God help us.

So we move to the schedule, or 'shed-yool,' and we look at the different votes that we're going to be voting on, and you notice that not all – oh, look what I've been doing. Shoot. Madam Speaker, I am terribly sorry. I was reading from Bill 13. My apologies. In my effort to show and document how Bill 12 is the joining document between 11 and 13, I mixed them up. So back to Bill 11.

**An Hon. Member:** What's the preamble?

**Mr. Anderson:** Well, we've already covered the preamble. I don't want to belabour things unnecessarily.

Under Expense in Bill 11:

1. From the General Revenue Fund, there may be paid and applied a sum of \$401 004 000 towards defraying the

further charges and expenses of the Public Service classed as expense for the fiscal year ending March 31, 2013, not otherwise provided for, as shown in the Schedule,

or 'shed-yool.'

Then we talk about capital investment.

2. From the General Revenue Fund, there may be paid and applied a sum of \$54 996 000 ...

In Canadian dollars, one would assume.

... towards defraying the further charges and expenses of the Public Service classed as capital investment for the fiscal year ending March 31, 2013, not otherwise provided for, as shown in the Schedule,

or 'shed-yool.'

Nonbudgetary disbursements. You'll notice that in Bill 13 they have "financial transactions." Here they have "non-budgetary disbursements." Interesting. Coincidence? I think not.

3. From the General Revenue Fund, there may be paid and applied a sum of \$77 451 000 towards defraying the further charges and expenses of the Public Service classed as non-budgetary disbursements for the fiscal year ending March 31, 2013, not otherwise provided for, as shown in the Schedule,

or 'shed-yool.'

Then accountability. This is noteworthy. In the accountability section, it says:

4. The due application of all money expended under this Act shall be accounted for.

This is identical to what is in Bill 13. Identical. Not a difference other than that one is section 4 of this act and then the other is section 5 of the other act. So there is a small difference.

**8:50**

When we think about Bill 11, we cannot really understand what's in Bill 11 until we examine the schedule, or 'shed-yool,' as it is otherwise known. Under the votes that we're going to be voting on eventually in this House at some point in the future is Education, where \$24,289,000 has been expended; Enterprise and Advanced Education, where \$30,900,000 was expended, with nonbudgetary disbursements of \$77,451,000. Then under Environment and SRD – SRD is an acronym for Sustainable Resource Development – there is an expense there of \$286,497,000 and then capital investment there of \$16,010,000. Now, if you look under Municipal Affairs, the expense is \$59,318,000. Under Transportation you have capital investment, which is \$38,986,000.

That means that the amount to be voted for under section 1 – that would be the amount of expense, or operational, as it's called in Bill 13 – is \$401,004,000. The amount of capital investment to be voted under section 2 is \$54,996,000. The amount of nonbudgetary disbursements to be voted under section 3 is \$77,451,000.

I didn't know we were going to go back to this bill so quickly, so I didn't bring with me – and I'm wondering if any of my colleagues have – the estimates for supplementary supply.

**Mr. Wilson:** Would you like to refer to these?

**Mr. Anderson:** Yes. That is correct. I do have them thanks to the hon. Member for Calgary-Shaw, who is a gentleman and a scholar.

It is important here because this is one of the main differences between Bill 11 and Bill 13. In Bill 11 we actually get to see a little bit about what is included in this amount more precisely than in Bill 13, which we can't really know because in the real estimates binder that we get with the budget, it's the whole amount for the year.

Again, we don't know how much money is going where, when, and so forth, so it's a little bit more difficult to tell.

Because this is Committee of the Whole, I think that a thorough review of the supplementary supply estimates from the general revenue fund, which was presented by the hon. President of the Treasury Board and Minister of Finance in this Assembly of Alberta on March 5, 2013 – we need to examine this and understand it as fully as humanly possible. I think that sometimes these things get glossed over, so this is an opportunity for all of us to take a look at these things. One might notice on the other side that we got through second reading of this bill so fast. I think there was an overall spirit of trust and co-operation that existed in the Leg. Assembly at that time – there was good dialogue and co-operation – but since then it's kind of broken down a little bit, and it's unfortunate.

Because that trust has broken down, unfortunately, when we don't have that trust, that means we're going to have to do all the work ourselves and make sure that every t is crossed and i is dotted. That's important. When we have teamwork in this Legislature, I think that we get a lot more accomplished. Good things happen. But when we're bullies in this Legislature, good things don't happen anymore. Things slow down to a grinding halt. As an opposition party you have very little recourse to look over things like this, like the supplementary supply estimates of 2012-13. When you have that trust, you can go through these supply estimates real quick, lickety-split, and people can go home early, relax, put their feet up at 10 o'clock instead of God knows when. It is important that we go over this and make sure that we're doing our job appropriately, so we will do so.

The first part of the supplementary supply estimates is the preface. The preface is important because it comes first in the document and gives us kind of some background information and so forth, and that's a good thing. There's nothing wrong with a preface. It's good to have a little base information out front to help us along this journey. In the preface one of the paragraphs, if you look at the beginning of it, specifically states – and this is why Committee of the Whole is so great. You look at every single clause in the document and the information that relates to that clause, so you can really dig down deep into every possible nook and cranny.

In the preface it mentions – it says right up front – that the 2012-13 Supplementary Supply Estimates reports the additional requirements for public monies to fund the operations of the Government for the year ending March 31, 2013. The estimate amounts presented in this report are supplements to the original estimate amounts provided by the Legislative Assembly in the Appropriation Act, 2012 as detailed in the 2012-13 Government Estimates.

That's an interesting paragraph. It's a very good explanation of what supplementary supply estimates are, which is a good thing to note. I think anybody coming into this Legislature could read that and say: "You know what? I understand what supplementary supply is." That's good. That's solid. So I think we should leave that in there. If we could vote clause by clause, I would vote for that clause. That's how clear it is.

The next paragraph, under the heading Information Presented, is also important to look at. It says, "This Preface outlines the role of this report in the appropriation process for supplementary supply."

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak? The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Madam Chair, and thank you to my fellow Member for Airdrie. What a wonderful, wonderful speech. Very enlightening. I learned a lot about Bill 11.

I also learned quite a lot about Bill 13. You know, I'm kind of looking at the differences in the bills here, pre Bill 12, post Bill 12. I'm noticing that there are some things that I liked in Bill 11, which would be pre Bill 12. When I look at it here, we actually have supplementary amounts by program. In Bill 13 we just have a line item.

Let's take Education, for instance. Here we're talking about Bill 11. Under Education, the expense, the supplementary amount by program, under vote 2, operating support for public and separate schools, 2.1, operational funding, the current estimate is \$2,488,140,000. The estimate in extra that they need is another \$9 million, which brings the total up.

You know, in Bill 13 that doesn't exist. We actually have some transparency here in Bill 11. In Bill 13 we have none. We just have a line item for \$762 million under operational and under capital, \$101,000,500. It just baffles me why we can be so transparent in one bill and hide what we're going to be spending on in another. It's frustrating, and, you know, I think it's frustrating to Albertans. They want to see what their government is spending on. You want to be able to recognize what those funds are going to, that those taxpayer funds are actually going towards something that the Alberta taxpayers approve of.

9:00

I mean, Bill 11 fosters a bit of trust. With Bill 13 it's just: "Trust us. We seem to think we know what we're doing." You know, I don't really agree with that. I got into politics because I wanted to see transparency. I wanted Albertans to know exactly what it was their government was doing, how they were doing it, and what they were spending on it. Bill 11 does that. You're asking for extra money. Though we may not agree that the government should need extra money, that they maybe should have come in on budget on some of these things, at least it's being responsible and it's giving some level of transparency and accountability back to the taxpayer, who we are ultimately here representing.

Now, you know, we did a lot of talking in the last session about public interest, and this is what public interest is, transparency. This is why we have a new associate minister on the other side whose job is accountability, transparency, and transformation for this government. Well, where is it? Why is it that the new method of reporting doesn't have these breakdowns of line items like expense by program, that I was referencing earlier. I just don't understand it. We're supposed to be becoming more transparent, not less, yet with Bill 12 we seem to be losing that transparency.

Let's move on and keep talking about this Bill 11, Appropriation (Supplementary Supply) Act, 2013. You know, the bill is tabled every year because ministries find that they do need some additional resources, some additional funds because they didn't quite get it right. The government needs some more money.

In Education we're looking at a total of \$24 million; \$12 million is to offset increases in student enrolment, another \$12 million is for Alberta's contribution to school construction in Lloydminster. It's great that Lloydminster is getting a school that's desperately needed. You know, it's wonderful to see that the government is actually building a little bit of infrastructure. I don't know if they plan to build in a few other places. I know of another couple of communities that, well, are going to have some problems with enrolment in the next year or the next two years because their population is far, far exceeding the ability of the current infrastructure within those communities. But those problems were seen. It just seems kind of funny that there hasn't been a shovel in the ground even though some of those communities were promised schools years ago.

Enterprise and Advanced Education is going to be getting another \$107 million; \$17 million is for new completion grants and student assistance. Now, it's great to see that we're supporting students here in the province. It's also interesting, though, that with the actuarial data that's on hand, we couldn't foresee this coming earlier in the year. I guess we're going to ask for more money later on, again something that government seems to be good at: asking for money after they've spent it. So \$13 million for basic infrastructure upgrades at the University of Alberta and \$77 million for higher student loans.

Environment and SRD is going to get another \$302 million over and above what they budgeted for in 2012-13; \$258 million is for emergency firefighting costs as a result of the wildfires last year. Well, that can't be helped. I mean, acts of God do happen, and it's a good thing that we can step up and fight those fires. There is \$40 million for emergency spending to fight the mountain pine beetle. Well, again, we're protecting Alberta industry, so I guess I can agree with this one as well.

**The Deputy Chair:** Excuse me, hon. member. I hesitate to interrupt you, but the noise level is getting a little high. Can we keep it down, please? If you have to speak in your full voice, you're welcome to go out into the exterior rooms.

Thank you very much.  
Carry on.

**Mr. Fox:** Now, this last line, since I'm a bit of an air enthusiast, kind of interests me: \$16 million in capital spending to convert a CL-215 air tanker to turbine engines. Well, you know, I love aircraft. I've spent quite a lot of time sitting around airports watching them fly overhead and going to the different air museums. You know, it is quite the hobby of mine. In fact, I've built a few models and done a little bit of flying when I've had the opportunity, and it's wonderful. Now, the \$16 million capital spending to convert to turbine engines. Well, aside from that I don't think the average taxpayer knows exactly what that's for, I would hope that there would be a little bit more information coming up in budget estimates as to exactly what that is and why those air tankers had their engines upgraded.

Municipal Affairs. Well, they need another \$59 million over and above last year. That was for some disaster recovery as well that had to do with wildfires and wildfire assistance programs. I don't see any real issue with that.

Transportation is going to get another \$39 million as well. Now, Transportation is interesting. My father worked in the transportation industry. I've seen a lot of the highways here in this province, and I've seen a lot of the province itself, and what a beautiful, beautiful province it is. So what are we spending this extra \$39 million on? Well, it's for continued construction of the Anthony Henday and the Stoney Trail around Calgary and \$28 million for improvements to the northeast Alberta transportation corridor, so highway 63. We've heard a lot of that in the last little while, so I'm kind of happy to see that we're trying to make that highway a little bit safer for those that are travelling it.

Again, I did like in Bill 11 that these things were broken out. We can look through it. We actually know what this money is going to be spent on. When you look at Bill 13, the Appropriation (Interim Supply) Act, 2013, again all we have are these line items. Let's kind of flip through this thing and see what all is in here. Infrastructure: operational, \$71 million; capital, \$159 million. Very interesting. I wonder what this is going to be spent on. I'm really not quite clear on that in this piece of legislation, but I am clear in Bill 11 as to what those funds are going to be spent on.

It's quite interesting, the connection between the two that the hon. Member for Airdrie was speaking about in Bill 12. You know, Bill 12 significantly changes the reporting features back to the Alberta taxpayer. What we're looking at in Bill 11 is what the rules used to be. The government used to have to disclose this kind of information to the taxpayer, so the taxpayer did know what we were spending those funds on. Bill 13, on the other hand: no such accountability, no such transparency. The taxpayer really has no idea exactly what those dollars are being spent on, but they're being spent anyway.

Now, I know my colleagues over on this side of the aisle will do our best to try and get some of that information out of the government ministers on the other side there, but it would just be a whole lot better for the Alberta taxpayer if this information was given up front and not having to have it arm-twisted out of the government. You know, this information is something that the province of Alberta used to pride itself on giving out. I mean, we were the province that set ourselves apart from all other provinces when it came to financial transparency and the reporting of financial documents in this Legislature.

What happened? What happened to this province? I mean, under Klein this was unthought of; this was unheard of. But here we are today. We're looking at just strictly numbers, no real identification of what that money is going to be spent on, no real set of priorities, no real transparency back to the taxpayer so they can evaluate what the government is doing. We now just have clouded documents. Instead of one set of books we have three. Shameful.

9:10

Had I in my past position given such little information back to the shareholders of the company, to the president of the company, and to the board of directors, that would've been the end of my job right then. They'd have paid me my severance, and I'd have walked right out that door. They'd have hit me on the bum on the way out, too, probably.

I just can't understand how a government that's running a \$40 billion company doesn't think that it needs to give that level of detail, that it doesn't have to explain exactly what it's spending those dollars on. Just a line item. Just a line item like in your appropriation Bill 13 here, that says: "Operational, capital & financial transactions, \$7,827,000." That's it. No information behind it. Nothing to tell the taxpayer exactly what those dollars are being spent on, unlike Bill 11.

In Bill 11 we have a breakdown here. We know that the money is actually being broken out into different programs. You know, I guess I like the format in Bill 11. I like what's in Bill 11. I like how it's presented, though I don't always agree that we should have to be spending more money. I mean, we're already in a deficit position. Do we really need to be spending more, or should we have shown some fiscal restraint earlier in the year? Yes, I do believe the government should have shown some fiscal restraint earlier in the year. However, we're past that now. The money has been spent. We now have to look at paying the people that have done the work for us, so we have to look at passing Bill 11 now.

Now, Bill 11, the supplementary supply estimates, is money coming out of the general revenue fund. You know, it's funny that that's coming out of the general revenue fund. I mean, clearly, now we're borrowing money, so we're not exactly in a revenue position; we're now coming into a deficit position.

With Bill 13 we don't see any of the breakdowns that we saw under the supplementary supply estimates, just line items. So I guess we're going to have to ask a few more questions of our ministers or a lot more questions of our ministers when we sit

down in the budget estimates so that we can clearly find out exactly what we are spending on in the budget because under the Appropriation (Interim Supply) Act, 2013, we're not given any of that information. We're being asked to pass that bill prior to having all of the relevant data. You know, I just find it frustrating that there isn't the level of transparency in Bill 13 that there is in Bill 11.

I guess with that, I will stand here and say that, yes, I will support Bill 11 so that the government can get on with its business and pay the people that have done the work for the province in the last fiscal year.

I thank the chair for the opportunity to stand up today and make these remarks to the Legislature and to support Bill 11, the Appropriation (Supplementary Supply) Act, 2013. Thank you.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Well, thank you, Madam Chair. I appreciate the opportunity to speak on Bill 11, the appropriation act. I have just a few brief comments in regard to this act allocating quite a significant amount of money, \$533,451,000, for the additional funds for 2012-13, breaking down into \$401 million for operations, almost \$55 million for capital investment, and \$77 and a half million for additional disbursements. I know that the intention behind this debate is to talk about accountability and specifically the need for the Legislature to approve these additional funds that each department needs beyond its original investments.

I just wanted to bring to attention a couple of things. First of all, I guess, some frustration that our caucus had experienced in regard to getting the information on this Bill 11, Appropriation (Supplementary Supply) Act, 2013, and debate particularly in Committee of Supply, which I was made to understand was rather frustrating and disappointing as well through a number of different areas in regard to accountability. I guess there was one minister scheduled, the Minister of Aboriginal Relations, to respond to all of the questions regarding the supplementary supply although we were looking for that to break down into each of the ministries and have individual conversations about each ministry and how they were spending this money of additional supply.

As *Hansard* did record that meeting, members from all opposition parties did ask specific questions about each program that is requiring the supplementary funding, and we could only get a reply that they would convey those questions to the appropriate ministers. Needless to say, accountability would have meant that the appropriate ministers were in the House and ready to speak on unforeseen costs incurred by each of their respective departments. I don't see this happening here, which is unfortunate. My colleague from Edmonton-Beverly-Clareview had asked a series of questions about these supplementary supply estimates, but we've yet to get any of the answers to any of those questions.

You know, I again would perhaps encourage the government to give this. It's almost as if this is a microcosm of the larger budget issue that we have in regard to following a process of rigour – right? – where we can talk to each of the ministers and have enough time and space to go through each line item to give the budget its due. That applies to the \$40 billion which is our universal budget coming up but also to this \$533,451,000 allocation coming through the appropriation act here in Bill 11.

Just for example, some of the things that I see on this supplementary request. We have Education asking for \$12 million for unexpected student enrolment. Again, that's an interesting line item. It would be something that we could certainly pursue in

some more detail to find out where and how many more students are coming to each of the school districts and, you know, perhaps how we can break that down to extrapolate that information to build an appropriate Education budget for next year to accommodate for what we know is a large increase in student population in most areas of the province.

This is an interesting line item from this supplementary request that I think tells us what we need to really do with our global 2013-2014 budget, which is to have sufficient funds available to meet the increased enrolment that our province is experiencing in terms of students. Not just the per student grant but to have the additional teachers and buildings and support staff and so forth to meet all aspects of that unexpected student enrolment growth.

9:20

The other line item in the Education portion of the supplementary request is in regard to school construction in Lloydminster, which is great. It's one of the very large growth areas in our province. That's all well and good, but again it just brings to mind the many more schools that we could use from Fort McMurray to Grande Prairie, you know, Edmonton, Red Deer, Calgary, all of these places that are experiencing this unprecedented growth, and how much of a gap there is between new school construction and how many kids we have requiring spaces here and now. I mean, that one line item here in the supplementary request, again, is like a little beacon that goes off to remind us of just how it's not appropriate to be having a cutting budget in this next fiscal year. It's just out of touch and out of scope with the growth in our economy and the growth in our population here in the province of Alberta.

The next line item that I thought was interesting in this supplementary request bill was \$30.9 million for Enterprise and Advanced Education, which included \$17.9 million for new completion grants, expanded part-time grants, increases in program delivery support within student assistance programs as well as \$13 million for basic infrastructure upgrades at the University of Alberta, including the Devonian Botanic Garden, the new Islamic garden, which is being partially funded by the Aga Khan. There is a \$76 million nonbudgetary disbursement in the advanced education budget for student loan disbursements and \$1.4 million to cover an encumbrance from higher than anticipated student loan disbursements from two years ago, and so forth.

Again, you know, it's like a beacon telling us exactly how the growth rate in advanced education is quite phenomenal – we see increased enrolments in our universities and colleges across the province – and that there's a need for more support in those areas. So to see the significant cut to advanced education in next year's budget, which we'll be debating here next week, is completely out of step with both the needs and the desires of Albertans to obtain some sort of advanced education degree or supplemental courses.

I just think that, again, we could be using Bill 11 as a way by which to remind us of how the budget should go here in the province of Alberta for this next fiscal year. I know that the government has been trying to frame this idea of the necessity for cuts because of a problem with revenue, but it's a question of in what scope you're willing to look at our revenue here in the province of Alberta and make honest choices about how to increase our taxation base for extraordinarily wealthy individuals and for large corporations that are making extraordinary profits as well. Just by touching and addressing those two areas in an honest and reasonable way, we could come very close to balancing this budget, right here and right now, without having to make cuts to

advanced education and to put a freeze on K to 12 education, which is basically a cut, and so forth.

Again, Madam Chair, this supplementary request should be, perhaps, a wake-up call for all of us to realize that we need to build a budget that reflects the increase in the GDP of this province, the gross domestic product, and the inflation that comes from that and the increase in population in the province of Alberta, too.

You know, it's interesting because there are more and more people from interesting quarters that are acknowledging this problem and this gap of our budget not reflecting the economic and fiscal realities in our province. I just hope that within these next few weeks reasonable and thoughtful individuals from all sides will come to a compromise so that we can not only come close to balancing the budget for this next fiscal year but start to build a framework by which we can ensure the security and safety of the population of Alberta, to know that we will balance our revenues and expenditures for the next number of years here in the province.

I see as well in this supplementary request that Environment and Sustainable Resource Development is requesting some monies. There's \$17.4 million for the joint Canada-Alberta implementation plan for oil sands monitoring, which is fully offset by revenue from the oil sands industry, which is fine, and \$258.6 million of emergency spending for firefighting costs as a result of high wildfire hazard levels and higher fire activity in forest protection areas. Now, certainly, this is a fine thing to have in supplementary supply, Madam Chair, but I can't help but notice a pattern of wildly underbudgeting emergency service lines in the budget for this next fiscal year and then having to really put most or all of those monies into supplementary supply.

We know, being a large province with many different regions and different ecosystems and lots of industrial activity and high population growth, that we can expect emergency spending to come back the next year in some reasonable facsimile as it was the year before. For us to not budget for emergency spending in keeping with the patterns of previous years I think is not entirely responsible, really. We see this once again reflected in this supplementary supply request for \$258.6 million for firefighting costs. I mean, I'm not suggesting by any means that this is not money well spent. It's absolutely necessary. I'm just saying that it might as well be reflected in the budget as part of a pattern of spending for emergency funds over the last five or six years. It would be easy to figure that out.

There's another one, \$39.75 million for emergency expenditures around the mountain pine beetle infestation. Then there's \$16.01 million requested for capital investment to convert an air tanker from piston to turbine engines. Again, you know, not unreasonable by any means, but on that emergency side I think there's a way by which we could approximate that in the real budget and not have to deal with it or worry about it in supplementary supply.

In regard to the Municipal Affairs line items in this Bill 11 I see about \$59 million requested for disaster recovery. Again, I've already talked about that. Then there's \$530,000 for the Whispering Pines lodge in Grande Cache. I'm not sure what that exactly is all about.

The Transportation supplementary amount includes a \$38.9 million request. There is \$99.9 million for the Anthony Henday and Stoney Trail ring roads and then \$28.6 million for the northeast Alberta transportation corridor, which includes the twinning of highway 63.

Madam Chair, just in sum, then, I'm saying that we can learn a lot from the supplementary requests to help to perhaps put together a more sophisticated global budget for this next fiscal

year. I'm talking specifically about emergency spending, something that I think we should be more honestly reflecting in the overall budget instead of in supplementary. As well, the obvious growth in education and advanced education that's reflected in this supplementary supply tells me in no uncertain terms that the idea of ostensible or actual cuts in either of these areas is neither prudent nor responsible nor reflects the needs of our province at this time in regard to both K to 12 and advanced education.

Those are some of the comments I had come up with, Madam Chair, and I am very happy to get my chops going on the budget analysis that is coming in the next few weeks. Thank you very much.

9:30

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thanks very much, Madam Chair. It's my pleasure to get up and speak on supplementary supply, Bill 11, as I have on previous occasions. I think this is really a discussion about not only spending money but how we deal with the public trust, how we manage the long-term public interest and ensure that we are prudent, responsible custodians of the public well-being and the public purse.

Just for the record I'll itemize some of the items that are requesting extra funding beyond the budget: Education, \$24 million and change; Enterprise and Advanced Education, \$30 million plus \$77 million in nonbudgetary disbursements; Environment and Sustainable Resource Development, \$286 million and another \$16 million in capital investments and emergency funds; Municipal Affairs, \$59 million; Transportation, \$39 million roughly; for a total of \$401 million.

It's obvious to me as a householder that it's impossible to plan for every contingency, and one has to acknowledge, especially in areas of disaster, that we have no particular ability to manage accurately what we're going to have to spend. But I was pleased to see that at least there were some budgeted elements here that reflected some sense that we were going to be spending on disasters, which we have every year. While it was underestimated, there was an attempt.

I said that we're here to talk about money, how much we have and how much we spend. We're also here to talk about public trust, how much government decisions reflect the long-term public interest, even these short-term budgetary extras that come into play from time to time. There are three levels at which I think people have become skeptical of government: how much they're acting in the public interest, how much they're acting in the private interest, and how much they're acting in self-interest.

I think it's been clear to me over the last seven or eight years that the level of public trust has dropped to an all-time low in relation to financial management. The question about extra needs without more detail makes it very difficult for the opposition to actually say yes or no to some of these extra demands that could or should have been anticipated. In politics, Madam Chair, trust is the only real currency, and I think Albertans present and future deserve to know that their resources, their people, their property are being managed better. Never have I heard such discouragement in the public about the way we are managing our resources, our future, and our fiscal house.

Government's role, in my view, is to meet the key values of Albertans. Consistent with the Alberta Liberal caucus let me outline about six key values. One, pay yourself first. Save, pay for essentials, invest in research and innovation to allow you to make the changes that inevitably come with living. Two, bring in an

essential, sustainable revenue stream to meet our obligations to people and planet. Three, ensure we have a fair and sustainable tax structure. Four, acknowledge the reality that each of us succeeded because of our access to public services: education, health care, supports of various kinds, roads, benefits to being in Alberta in terms of access to justice, and various special-needs services. Five, responsible oversight of spending: making statements easily accessible, transparent, and accountable – that's what builds trust – with checks on spending and bonuses and waste that are acknowledged and easily recognized and applauded by the public. Six, opportunities for business to innovate and develop.

I would have to say that this government meets the mark on one or two of these but not on all, and this is what is so distressing, I think, to many of us as we look into our last few decades of life and look at our children's future. The management of our supplementary supply is a reflection, I think, of how we manage our finances. Looking at how this government manages its finances relative to a corporation has been a real eye-opener to me. I used to be part of a medical partnership of six physicians, and we had to do some level of financial management budgeting. I think all of us have some sense of what a household budget and management looks like. It's hard to accept the level of inconsistency and lack of long-term public interest that's reflected in our budgets here.

The government actually refuses to do its job, beginning at the top, making tough choices that will meet these six fundamental values. Despite the many accolades this government has given to great leaders like Peter Lougheed, they continue to ignore his example and live off the avails of our nonrenewable resource wealth; 25 years without savings. It's hard to understand how they are making these decisions, and the only way I can put it into context is that they are unable to put the public interest ahead of private interests and personal interests. That's a recipe for the end of a political dynasty, and I think that's what we're headed for, Madam Chair.

The government is ideologically stuck on the lowest taxes in the country, falsely believing that this attracts the oil industry, and continues its mean-spirited approach to the most vulnerable in society, the society that is actually grounded on the most valued resource, human beings. Hungry children, neglected seniors, the disabled, and the mentally ill not getting appropriate supports means that we are all paying much more heavily in this society for the end result of neglect.

Alberta could bring in another \$68 billion in taxes and still be the lowest-taxing province in the country. Every year I've been in the Legislature for the last eight years I've seen the same requests come forward, roughly the same amount of supplementary supply, and I ask the same questions. When are we going to see the long-term public interest put ahead of private interests and personal self-interest?

So it's déjà vu all over again, Madam Chair. I don't know whether I will be supporting this bill at this time. I don't know how else to send a message to a government that's lost its way financially, that's lost its way in terms of the long-term public interest, but I am ever hopeful that the good people on the other side of the House will prevail in time and bring the financial picture back into balance, will budget responsibly, and will address the extra needs of Albertans ahead of their own and ahead of their private supporters.

Thank you, Madam Chair. With that, I'll take my seat.

9:40

**The Deputy Chair:** Thank you, hon. member.

I recognize the Member for Medicine Hat.

**Mr. Pedersen:** Thank you, Madam Chair. I'm ecstatic to be here tonight to speak to the Assembly about Bill 11, the Appropriation (Supplementary Supply) Act, 2013. I was supposed to be off tonight, but I had to take this opportunity to come and share the evening with you, so this is awesome.

Earlier this evening the hon. Government House Leader and I passed each other in the hallway, and he said: how are you enjoying this? So I had to tell him. I said: "This is very exciting, being a new member. The budgetary process is obviously very detailed and there's lots to learn, and it's very enlightening." At the same time, there are some processes and procedures that baffle me, to be honest, but I guess it is all part of the process that we go through as we learn.

In discussing this, I have to thank the members on the other side. The minister for municipalities was kind enough to explain a better part of what this is. It addresses some of the shortcomings from the prior budget, finding areas where spending wasn't budgeted accordingly or there were shortages for some reason; surprises came up. I appreciate that, but I think it's surprising that we're being asked to authorize well over half a billion dollars. We're coming into another budget here that is headed into the sixth consecutive deficit budget, which is concerning. You know, I would have thought that somebody would have seen this issue prior to this, well in advance, but obviously that's a little optimistic of me.

Again, it's all about government anticipating what their spending is going to be. It is probably a very tough job. It obviously takes a lot of time and energy of many different people to put this together, but they also come with 40 years of experience doing it. There are always going to be ups and downs. There are going to be misses, and there are going to be shortcomings, but some of the misses have been very dramatic. We're talking about billions of dollars in overspending, billions of dollars in underestimating revenue. That's an issue going back six years and even more so going forward even though we do have new promises and new commitments indicating otherwise.

This year's revenues are projected to be just shy of \$38 billion if that holds to the fiscal year-end.

**Mr. Wilson:** What? I thought it dropped by six.

**Mr. Pedersen:** Well, it's down, you know. They were predicting 40-some or something like that.

It's still one of the best years on record, and still we're being asked to authorize another half a billion dollars at year-end. That's after we've taken money out of the sustainability fund to cover and offset some expenses that were unforeseen. Again, very concerning.

To break it down, Education is looking for an extra \$24 million. About \$12 million is used to offset student enrolment. That's a good thing. With Alberta being one of the provinces that is having challenges in keeping students interested in staying in school and going on to postsecondary, it's encouraging to see that the demand for Education dollars is there. So \$12 million extra is not a bad thing.

What I have to question here and in a few other areas – and, hopefully, we'll get some eyebrows raised – is that we keep hearing about this infrastructure list. About \$12 million is allocated to a school in Lloydminster. Again, you know, that's looking forward. That's building infrastructure. That's adding the bricks and mortar to allow the children of that community to go to school and get an education. But where was that on the infrastructure list? If it was on there, why are we looking for another \$12 million? There's the other question that the government has gone to centralized planning and budgeting so



that they get the best bang for their buck in allocating orders to build schools. Where is this \$12 million? What's it for? If we have such a great process in place, a school should be built, a contract should be negotiated, and that should be it. Maybe I'm missing some major details there. I'm not sure. Again, if that was on the infrastructure priority list, we would know that. This wouldn't come up at the end of the year. It would be on the list. The cost would be there, and we wouldn't be having this discussion now.

It looks like Enterprise and Advanced Education is asking for \$107 million. Again, we have \$17 million being applied to completion grants and student assistance. This is a great, great indication that more and more students are coming out of high school and taking postsecondary as their avenue for their next step. It's a challenge in Alberta because, of course, students can come right out of high school – some don't even finish grade 12 – and they can go find employment within Alberta quite easily and make some very, very good money without having to educate themselves at a postsecondary level. The \$17 million to be added to that is an indication that more and more students are looking to access postsecondary education. That's a good thing. That's a good thing for Alberta. Educating our youth is just going to be such a benefit going forward no matter what avenue of work they get into down the road.

From what we understand, \$13 million dollars is allocated for basic infrastructure upgrades at the University of Alberta. Again, we're talking about infrastructure, and I'm going to hammer on this throughout. Why at the end of the year are we asking for \$13 million if this should have been on the infrastructure list? You know, it should be there. I don't know, I guess we'll have to check the Internet to make sure: is it there or not there?

For student loans \$77 million dollars is also allocated. Again, that's an indication that postsecondary education is becoming more and more important for our youth.

Environment and SRD is looking for \$302 million. Probably my only comment there is: did we underbudget there? You know, should there have been a higher number to address pine beetle, to address forest fire suppression? It's likely that that's going to happen every year. It's always better to have a little bit extra there if you could and throw it back into the budget later on.

Municipal Affairs. Things look to be fairly much in order.

Transportation. They were showing that they found some savings in-house, which is great. That's how the system should work. Again, Transportation being part of Infrastructure, I'm just mystified as to how this comes up at year-end, asking for more money. You know, if it's on a list and it's already budgeted for and it's allocated and the contracts are let, why do these costs keep escalating? Why do people keep going back to government for more money?

You know, there are a lot of issues to be considered around how government negotiates contracts, what the terms and conditions

are, and how we agree to those. If there are a lot of cost-plus arrangements or change clauses in there, we're just allowing contractors to bypass the negotiated deal, and that's not good for the taxpayer. That's bypassing the reason why we've actually negotiated the contract.

To finish up, Madam Chair, you know, what I find interesting is that when a dollar leaves the government nowadays, by the time it reaches the front line or the area of service that we're looking to deliver to, smaller and smaller bits of that dollar actually get to the front line. I think that's a concern. Until we drive out waste and inefficiency and bureaucracy, just throwing more money at it isn't the answer. It's not going to give us better results. Hopefully, the government will look at that and find some of these efficiencies.

Thank you.

9:50

**The Deputy Chair:** Thank you for your question, hon. member.

**Hon. Members:** Question.

**The Deputy Chair:** The question has been called.

[The clauses of Bill 11 agreed to]

[Title and preamble agreed to]

**The Deputy Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? That's carried.

**Mr. Hancock:** Madam Chair, I move that the committee rise and report Bill 11.

[Motion carried]

[Mrs. Jablonski in the chair]

**Dr. Brown:** Madam Speaker, the Committee of the Whole has had under consideration a certain bill. The committee reports the following bill: Bill 11.

**The Acting Speaker:** Thank you.

Does the Assembly concur in the report?

**Hon. Members:** Concur.

**The Acting Speaker:** Opposed? So ordered.

**Mr. Hancock:** Madam Speaker, I would just move that we adjourn till 1:30 p.m. tomorrow.

[Motion carried; the Assembly adjourned at 9:53 p.m. to Wednesday at 1:30 p.m.]







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Wednesday afternoon, March 13, 2013

Issue 35a

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta  
The 28th Legislature**

First Session

Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC), Speaker  
Rogers, George, Leduc-Beaumont (PC), Deputy Speaker and Chair of Committees  
Jablonski, Mary Anne, Red Deer-North (PC), Deputy Chair of Committees

Allen, Mike, Fort McMurray-Wood Buffalo (PC)  
Amery, Moe, Calgary-East (PC)  
Anderson, Rob, Airdrie (W),  
    Official Opposition House Leader  
Anglin, Joe, Rimbey-Rocky Mountain House-Sundre (W)  
Barnes, Drew, Cypress-Medicine Hat (W)  
Bhardwaj, Naresh, Edmonton-Ellerslie (PC)  
Bhullar, Hon. Manmeet Singh, Calgary-Greenway (PC)  
Bikman, Gary, Cardston-Taber-Warner (W)  
Bilous, Deron, Edmonton-Beverly-Clareview (ND)  
Blakeman, Laurie, Edmonton-Centre (AL),  
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    Deputy Government House Leader  
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Dallas, Hon. Cal, Red Deer-South (PC)  
DeLong, Alana, Calgary-Bow (PC)  
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Fraser, Rick, Calgary-South East (PC)  
Fritz, Yvonne, Calgary-Cross (PC)  
Goudreau, Hector G., Dunvegan-Central Peace-Notley (PC)  
Griffiths, Hon. Doug, Battle River-Wainwright (PC)  
Hale, Jason W., Strathmore-Brooks (W)  
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Pedersen, Blake, Medicine Hat (W)  
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Quest, Dave, Strathcona-Sherwood Park (PC)  
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    Premier  
Rodney, Hon. Dave, Calgary-Lougheed (PC)  
Rowe, Bruce, Olds-Didsbury-Three Hills (W)  
Sandhu, Peter, Edmonton-Manning (PC)  
Sarich, Janice, Edmonton-Decore (PC)  
Saskiw, Shayne, Lac La Biche-St. Paul-Two Hills (W),  
    Official Opposition Deputy House Leader  
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    Leader of the Liberal Opposition  
Smith, Danielle, Highwood (W),  
    Leader of the Official Opposition  
Starke, Hon. Dr. Richard, Vermilion-Lloydminster (PC)  
Stier, Pat, Livingstone-Macleod (W)  
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Webber, Len, Calgary-Foothills (PC)  
Wilson, Jeff, Calgary-Shaw (W)  
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
    Government Whip

**Party standings:**

Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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Robert H. Reynolds, QC, Law Clerk/ Director of Interparliamentary Relations	Fiona Vance, Sessional Parliamentary Counsel	Brian G. Hodgson, Sergeant-at-Arms
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Cal Dallas	Minister of International and Intergovernmental Relations
Jonathan Denis	Minister of Justice and Solicitor General
Wayne Drysdale	Minister of Infrastructure
Kyle Fawcett	Associate Minister of Finance
Doug Griffiths	Minister of Municipal Affairs
Dave Hancock	Minister of Human Services
Fred Horne	Minister of Health
Doug Horner	President of Treasury Board and Minister of Finance
Ken Hughes	Minister of Energy
Jeff Johnson	Minister of Education
Heather Klimchuk	Minister of Culture
Ric McIver	Minister of Transportation
Diana McQueen	Minister of Environment and Sustainable Resource Development
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Verlyn Olson	Minister of Agriculture and Rural Development
Dave Rodney	Associate Minister of Wellness
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Teresa Woo-Paw	Associate Minister of International and Intergovernmental Relations

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### Standing Committee on Alberta's Economic Future

Chair: Mr. Amery

Deputy Chair: Mr. Fox

Bhardwaj	Olesen
Cao	Pastoor
Donovan	Quadri
Dorward	Rogers
Eggen	Rowe
Hehr	Sarich
Luan	Strankman
McDonald	Xiao

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Khan

Deputy Chair: Mrs. Jablonski

Anderson  
Casey  
Dorward  
Eggen  
Kubinec  
Sandhu  
Sherman

### Select Special Conflicts of Interest Act Review Committee

Chair: Mr. Allen

Deputy Chair: Mr. Luan

Blakeman	Notley
Dorward	Saskiw
Fenske	Wilson
Johnson, L.	Young
McDonald	

### Standing Committee on Families and Communities

Chair: Mr. Quest

Deputy Chair: Mrs. Forsyth

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Cusanelli	Leskiw
DeLong	Notley
Fraser	Pedersen
Fritz	Swann
Goudreau	Towle
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### Standing Committee on Legislative Offices

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Deputy Chair: Mr. McDonald

Bikman	Leskiw
Blakeman	Quadri
Brown	Rogers
DeLong	Wilson
Eggen	

### Special Standing Committee on Members' Services

Chair: Mr. Zwozdesky

Deputy Chair: Mr. Rogers

Casey	Mason
Forsyth	McDonald
Fraser	Quest
Kennedy-Glans	Sherman
	Smith

### Standing Committee on Private Bills

Chair: Mr. Xiao

Deputy Chair: Ms L. Johnson

Barnes	Jablonski
Bhardwaj	Leskiw
Brown	Notley
Cusanelli	Olesen
DeLong	Rowe
Fox	Strankman
Fritz	Swann
Goudreau	Webber

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Ms Olesen

Deputy Chair: Mr. Lemke

Calahasen	McAllister
Cao	Notley
Casey	Pedersen
Hehr	Rogers
Jansen	Sandhu
Kennedy-Glans	Saskiw
Kubinec	Towle
Luan	Young

### Standing Committee on Public Accounts

Chair: Mr. Anderson

Deputy Chair: Mr. Dorward

Allen	Hehr
Amery	Jeneroux
Anglin	Khan
Bilous	Pastoor
Donovan	Quadri
Fenske	Quest
Goudreau	Sarich
Hale	Stier

### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans

Deputy Chair: Mr. Anglin

Allen	Hale
Barnes	Johnson, L.
Bikman	Khan
Bilous	Kubinec
Blakeman	Lemke
Calahasen	Sandhu
Casey	Stier
Fenske	Webber

## Legislative Assembly of Alberta

1:30 p.m.

Wednesday, March 13, 2013

[The Speaker in the chair]

### Prayers

**The Speaker:** Hon. members, let us pray. We give thanks for the abundant blessings that we have been given, blessings given to our great province and to ourselves and to all those who serve here. May we share in that abundance. May we be ever good stewards of it and be reminded frequently of the great and good fortune that we have. We ask for guidance in our deliberations to be the best stewards possible and to follow in the footsteps of those who came before. Amen.

Please be seated.

### Introduction of Guests

**The Speaker:** The hon. Member for Leduc-Beaumont.

**Mr. Rogers:** Thank you, Mr. Speaker. I know that you already know these guests who are seated in your gallery, but I'd now like to introduce them to all members of the Assembly. They are all very dedicated volunteers who serve on the Alzheimer's Pro-Am hockey committee to raise much-needed funds towards treating the disease and towards finding a cure to eliminate it. I'll ask the individuals to please rise and remain standing as I call your names. They are Bill Gaudette, Alzheimer Society of Alberta and Northwest Territories; Mario Pailamilla, Face Off for Alzheimer's Pro-Am hockey committee; Javier Hernan Pailamilla, Face Off for Alzheimer's Pro-Am hockey committee; Alan Howat; Ryan Stempfle; Mark Asbell; Trish Dober; Greg Christenson; Dennis Fitzgerald; Terry Cavanagh, former mayor of Edmonton; and Bill Hobbins. I'd like to ask all members to give the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Minister of Municipal Affairs and Acting Deputy Premier.

**Mr. Griffiths:** Thank you, Mr. Speaker. It's truly an honour as Minister of Municipal Affairs to introduce a second time but in a little more detail to you and through you to members of this Assembly one of the longest serving municipal councillors in the city of Edmonton's history. As you may recall, he was Edmonton's mayor in the '80s. Today, however, he's here to support fundraising efforts for the Alzheimer Society and, in particular, to support his good friend Gordie Howe, who is the patron for the Alzheimer's Pro-Am hockey tournament. It's interesting to know that he was also Gordie Howe's roommate during his hockey career a few decades ago. Please join me in welcoming to this Assembly Mr. Terry Cavanagh. Please rise.

**The Speaker:** The hon. leader of the Alberta Liberal opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of this Assembly two grade 6 classes from Annunciation school in Edmonton-Meadowlark. These are amongst the hardest working, smartest students in the country, and they are our future, the future of our province. It's the hard work of their teachers that ensures that these young people have a bright future. I'd like to introduce their teachers, Maureen Ostrowerka and Chris Koper, as well as student

teacher Cristina Milite. I would ask all the students to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Minister of Education.

**Mr. J. Johnson:** Thank you, Mr. Speaker. It's fitting that a day after we recognize the contribution of our francophone population, I rise today to introduce to you and through you to members of this Assembly some very special guests who are joining us from the Edmonton Garrison's official language centre. This centre provides the military community with second-language training in both English and French. Joining us from the centre today are members of the English course. I'd ask them to rise and remain standing while I introduce them: Sergeant Yannick Cimon, Master Corporal Tarik El Qasmi, Corporal Christopher Savard, Corporal Sylvie Paradis, Leading Seaman Erika Pruvost, Corporal Maxime Roussel, Private Maxime Proulx-Lepine, Private Guillaume Chouinard, Private Alexandre Thériault, and their teacher, Deborah Stasiuk. I had the opportunity to speak with them earlier. Of course, all of them are from the province of Quebec and are on their first posting here to Alberta, so we want to welcome them. I invite the Assembly to give them the traditional warm welcome they so richly deserve.

**The Speaker:** The hon. Minister of Tourism, Parks and Recreation.

**Dr. Starke:** Well, thank you, Mr. Speaker. I have the privilege to have two introductions today. For my first introduction it's my honour to introduce to you and through you to all members of the Assembly Jaclyn Denman of Community Futures Lac La Biche. Now, Lac La Biche recently was honoured for its Winter Festival of Speed, which was chosen as a winter Alberta story and was also one of Canada's top 10 winter events to attend by *Reader's Digest*. Jaclyn actively works with Travel Alberta to leverage marketing campaigns in her northern region year-round by accessing co-operative funding through Travel Alberta. Without that funding, their marketing reach would be significantly decreased. I would ask Jaclyn to stand and receive the traditional warm welcome of the Assembly.

Mr. Speaker, my second introduction. It's my pleasure to introduce to you and through you to members of the Assembly a group of very bright, energetic, photogenic, and, I might point out, musical students from Lakeland Country school north of Dewberry, who are visiting us today. They are accompanied by their teachers, Ms Vicki Reimer and Ms Tasha Loewen, as well as a group of parents, many of whom were former clients of mine, so I know that they're not only dedicated parents but also excellent stock people: Mr. and Mrs. Jeff and Ardith Warkentin, Mr. Milf Unruh, Mr. and Mrs. Murray and Lucy James, Mrs. Andrea Toews, Mr. and Mrs. Darryl and Mel Reimer, Mr. and Mrs. Rob and Monica Unruh, and Mr. and Mrs. Doug and Sondra Loewen. I might point out that I had the privilege of visiting the Lakeland Country school about 10 days ago, where their opening exercises every day include beautiful four-part a cappella Mennonite singing, which 10 days ago was accompanied by a slightly tone-deaf Lutheran bass. I'd like to ask them to stand and enjoy the warm welcome of the members of the Assembly.

**The Speaker:** The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. It is a privilege today for me to rise on behalf of my colleague the Minister of Health and the Member for Edmonton-Rutherford and introduce to you and through you to all members of this Assembly a group of 27 students from Steinhauer school in the constituency of Edmonton-

Rutherford. They're seated in the members' gallery. Accompanying these students is their teacher, Ms Angie Elsinga. I'm informed that they are bright, articulate, hard-working, and strong-questioning students. I would ask them to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Ellerslie.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. It's my honour to rise today and introduce to you and through you to all members of this Assembly an outstanding constituent of mine, Mr. Zora Singh Jhaggi. Mr. Jhaggi is very active in the community, a true volunteer. He gives his time to volunteering for his gurdwara and serving on the executive committee of the Millwoods Cultural Society of Retired and Semi Retired, a very unique organization within my constituency of Edmonton-Ellerslie. He is also involved as an officiator for Track and Field Alberta. This outstanding volunteer has not gone unnoticed. He has been the recipient of the SAGE award, which recognizes outstanding achievements and contributions of seniors in our community, and he was also the recipient of the Queen's jubilee medal. This individual is an outstanding example of the vital role volunteers play and can play in making the city what it is today. At this time I ask Mr. Jhaggi to please rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Centre.

1:40

**Ms Blakeman:** Thank you very, very much, Mr. Speaker. It's my great pleasure to introduce to you and through you to all members of the Assembly this year's reigning court from the Imperial Sovereign Court of the Wild Rose. Now, many of these members if not all are constituents of the fabulous constituency of Edmonton-Centre, and they are very special people to me. They have accepted me without prejudice, and they tolerate my foibles. They're also special to Edmonton because so far this year – and they're halfway through – they have raised \$15,000 for local charities. This year they have chosen the Pride Centre and Camp fYrefly, which is for youth. Please stand as I introduce you, and stay standing, please. First we have Mr. Gay Edmonton XXV Kewlio Twist; the treasurer of the board of directors, Michelle Pedersen; Imperial Grand Duke XXXVII Genuwine Velour; Imperial Grand Duchess XXXVII Tequila Mockingbird; Imperial Crown Prince Yeust Bobb; Imperial Crown Princess Kitty LeBehr; Emperor XXXVII of Edmonton and northern Alberta JJ Velour; and, of course, Her Most Imperial and Sovereign Majesty, heir apparent to the Empress of Canada, Empress XXXVII of Edmonton and northern Alberta, my favourite, Vanity Fair. Please welcome them to the Assembly.

**The Speaker:** Hon. Member for Edmonton-Ellerslie, my apologies. You had a second introduction. Please proceed.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. For my second introduction I would also like to introduce two more volunteers from my constituency of Edmonton-Ellerslie, Mr. Nirmal Singh Grewal and Mr. Mohinder Singh Cumo. Both of these individuals are very active in the Society of Retired and Semi Retired and very, very active in the community of Edmonton-Ellerslie. At this time I ask both of my guests to please rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The Hon. Associate Minister of Wellness.

**Mr. Rodney:** Thank you very much, Mr. Speaker. It is a pleasure to rise today to introduce a shining example of the valuable work being done right here in Alberta to lower sodium in the food supply. Dr. Mirko Betti is an assistant professor in the department of agricultural, food, and nutritional science at the U of A, and he's the lead researcher conducting sensory and taste trials of a salt flavour enhancement product that his team has developed. Now, the potential for this product as a salt replacement is staggering since consumption of this product is not linked to the ill effects of sodium, including heart disease associated with the overconsumption of sodium, which is common in our diets. This is World Salt Awareness Week, so this is the perfect time to remind Albertans that high dietary salt contributes to high blood pressure, which is the leading risk factor for cardiovascular disease and death. Dr. Betti's research is funded by a grant from Alberta Innovates: Bio Solutions and the Alberta livestock marketing association. He's on his way to the members' gallery, I understand, so I invite all members to offer him the warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. Dorward:** Thank you, Mr. Speaker. I have two. Firstly, Mr. John Craig, a partner from Bennett Jones, is with us today in the members' gallery. I'd like Mr. Craig to please stand up. Mr. Craig and I are working on a private bill that will come before the Assembly at some point in time in the future. If the Assembly could give Mr. Craig a warm welcome. Thank you.

The second one, Mr. Speaker: it's my great pleasure to introduce to you and through you to all members of the Assembly a constituent of mine who is also the executive director of Canada's foremost professional singing ensemble, Pro Coro Canada. I think all of us will remember the amazing rendition of *O Canada* that Pro Coro sang in this Assembly at the beginning of the fall 2012 session. Please join me in welcoming the executive director of Pro Coro, Mr. Russ Mann. [Mr. Dorward sang the name of the choir]

**The Speaker:** Some things you just don't have a comeback for.

## Members' Statements

### Provincial Fiscal Deficit

**Ms Smith:** Mr. Speaker, the Premier insists that the Official Opposition's positions on debt and borrowing are ideological and extreme. We don't think so. In fact, we share these positions with a number of Albertans, one of whom you might know quite well. I invite government members who like to call us names to listen carefully as I quote from a speech this individual made right here in this Chamber on October 24, 2011.

We have all heard of the crises in Europe. Debt is the trap that has caught so many struggling governments. Debt has proven the death of countless dreams. Many European countries are struggling with debt burdens that in some cases exceed a hundred per cent of GDP. Those unfortunate nations spent too much and took in too little. Now they are faced with hard choices: raise taxes and kill jobs, cut spending and devastate the social safety net, or both. Their citizens are paying the price.

Does anyone recognize those words yet and the speech from which they were taken? Well, let me continue.

Alberta has no net debt . . . We have the lowest overall taxes in Canada. We have disciplined spending priorities and no long-term debt . . . We are better off than many other places, and we have a future anyone else would envy . . .

But we can't take this for granted. Good fortune will not fall into our laps because we ask for it . . . This government will protect and strengthen our province . . . We will spend wisely and save intelligently, managing our finances . . .

Wait for it, guys.

. . . to protect future Albertans from debt.

These words come from the Premier's first-ever speech in that role.

Isn't it interesting that when she issues warnings about debt and promises to protect future generations of Albertans from it, the ideas are sensible and visionary. But when the Official Opposition issues the same warnings, they are extreme and ideological. It would be funny if it wasn't so sad.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by Leduc-Beaumont.

**Ms Notley:** Thank you, Mr. Speaker. I must agree with the Leader of the Official Opposition. There really is not that much difference between the two.

### Child Poverty

**Ms Notley:** On a long list of broken promises from this PC government one stands out as particularly egregious, the failure to dedicate any funding to eliminate child poverty in five years, which was the Premier's major promise during the last provincial election. How could the Conservatives make a major promise like this and then completely turn their backs on the 91,000 Alberta children and their families living in poverty?

Not only did the budget fail to dedicate any funding to eliminating child poverty; it also cut. Mr. Speaker, it cut \$32.5 million from income support; 20 per cent from the Alberta child health benefit; \$8 million from health benefits for Albertans receiving income support; 20 per cent from services related to addictions and mental health; 15 per cent from rent supplements; and a hundred per cent from affordable housing capital programs.

Ending child poverty requires in part ensuring household incomes are sufficient to cover basic costs, but for many Albertans that's not the case. A report from Public Interest Alberta showed that nearly 1 in 4 working Albertans make below \$15 an hour. Sixty per cent of those are women; 78 per cent are workers in their prime earning years. The per hour wage gap between men and women in Alberta is the highest in the country, \$6.05. Mr. Speaker, the national average is \$3.57. In spite of the high cost of living Alberta has the lowest minimum wage of any province in the country.

At the recent social policy framework consultations Albertans told this PC government that eliminating child poverty was their number one priority. Not only did the PCs break their promise; they also proved once again that they don't even listen on those few occasions when they do consult with Albertans.

Mr. Speaker, this kind of poverty is something that we should not be seeing here in Alberta. Because the Conservatives won't consider reversing their cuts to the wealthy, we see far too much of it.

**The Speaker:** The hon. Member for Leduc-Beaumont.

### Pro-Am for Alzheimer's Hockey Tournament

**Mr. Rogers:** Thank you, Mr. Speaker. Hon. members, one of the most rapidly rising diseases facing our society today is Alzheimer's. Although it has been around for a long time, unfortunately very little is known about what may cause it, and even less is known about how to cure and eliminate it.

Fortunately, we have organizations like the Alzheimer Society of Alberta and the Northwest Territories, led by executive director Bill Gaudette, who are very dedicated toward their purpose of helping and supporting Alzheimer's sufferers. We also have a very dedicated volunteer committee chairman, Greg Christenson, who leads, sponsors, and organizes many of their related activities.

This debilitating disease, which is the most common form of dementia or memory loss, can affect anyone at any age but most commonly, Mr. Speaker, impacts those 65 and older. No treatment is yet known to stop, cure, and prevent this disease, but today we have with us a very dedicated, committed group of volunteer businesspeople who are helping raise awareness and money to facilitate more research into this disease.

1:50

Of course, I'm referring to the Pro-Am Face Off for Alzheimer's hockey committee, who is organizing a series of activities in Edmonton followed by several games in Leduc, my hometown, on April 27 and 28 to promote and raise funds for this cause. More than 20 community teams have already registered, and they're all raising funds to play alongside NHL all-time greats like Marty McSorley, Bryan Trottier, Curtis Joseph, Jeremy Roenick, Jim Peplinski, and many, many others.

Earlier today about 17 MLAs from all parties in this Assembly, including our Premier, were drafted to participate in this tournament as players, coaches, or cheerleaders, and we're very grateful for their support. We're also pleased to note that you, Mr. Speaker, will be refereeing the final game in Leduc on Sunday, April 28.

Hon. members, please join me in thanking these volunteers for all they do for Alzheimer's.

### Oral Question Period

**The Speaker:** Hon. members, just before we hit the clock, a reminder that I'm expecting no preambles to your supplementals – obviously, a preamble is anticipated with your main question – unless you are an opposition leader, in which case I will give some leeway with the preambles for supplementals.

Let us begin.

### Provincial Debt Repayment

**Ms Smith:** The Premier said this last fall: "Debt is the trap that has caught so many struggling governments. Debt has proven the death of countless dreams." Now, despite that warning this same Premier is prepared to destroy dreams with billions of dollars in new debt. During her mandate she will take Alberta all the way up to \$17 billion in debt. Now, we might discover how she's going to deal with that huge debt obligation by looking at how she handles our current obligations. There are several bond issues that are coming due next year totalling around a billion dollars. Will that debt be paid off, or is it just going to be rolled over and refinanced?

**Mr. Horner:** Well, Mr. Speaker, when the time comes, we're going to make the right financial decision at that point in time.

I find it ironic that the opposition is talking about that they can't find anything. What's the total revenue? What's the total expense? Mr. Speaker, if she would just go to page 127 of the fiscal plan, she will find our total revenue, she will find our total expense, and she will find what's in the contingency account; flip the page, and she'll find the rest of it. When I go to their document, their budget,

and I go looking for what the total revenue is, it's not there. When I look for what the total expense is, it's not there. Quite a budget.

**Ms Smith:** Well, Mr. Speaker, I'm prepared to help the Finance minister out because right here on page 141 in their budget document under refinancing of maturing debt it states that \$905 million will be refinanced. Is this the extent of the government's debt repayment plan? Just keep on refinancing and refinancing and never pay it off?

**Mr. Horner:** You know, Mr. Speaker, what I find incredible is that the hon. member has not actually figured out what we do in this government or in the financials, and it's easy to understand why. When I look at the document that they presented as a budget, it has absolutely no financial statements in it at all. It's got 13 pictures of their leader, but it has no financial documents in it at all. So it's easy to understand how the hon. member would miss the fact that we on-lend to Treasury Branches, to Ag Financial Services, to the municipalities, so sometimes we're going to refinance that as well.

**Ms Smith:** Well, clearly, Mr. Speaker, the Finance minister doesn't know how to read his own documents because this is for their own capital borrowing, not for ATB.

Let's take a look at their debt repayment plan for the coming fiscal year. Making it easy again, Finance minister, on page 141 is an allocation for \$40 million in principal payments. This is about one half of 1 per cent of the total debt that we'll have next year. Now, credit card companies typically require minimum payments of about 3 per cent every single month. The government's plan is either nonexistent to repay debt, or it's built on wishful thinking. So which is it?

**Mr. Horner:** Well, Mr. Speaker, the hon. leader has just proven that if they were running this government, they would be running it like they were running it on a credit card. We don't.

These are bond issues. [interjection] Listen and learn, hon. member. You're the Finance critic. You should know this.

These bond issues don't require principal payments until their maturity. So if their maturity isn't within the next three years, they don't come due. In fact, if you pay them early, you pay a penalty. The reason we get very, very good rates is because of the credit rating we have and the history of financial acumen that this government has.

### Provincial Borrowing

**Ms Smith:** The Finance minister should know that to make those payments on \$17 billion worth of debt, they would need to be putting aside \$850 million per year. Instead, the Premier is driving Alberta back in debt, and their three-part approach to budgeting attempts to hide the fact. We know that they are planning to borrow at least \$17 billion over the next three years, but it might be more than that, in fact a lot more. Now, the government allows itself under its new plan to borrow money as long as the debt-servicing costs don't exceed 3 per cent of the average of the last three years of total revenue. If interest costs are as cheap as the government claims, does that mean that they're actually really prepared to borrow \$35 billion, \$40 billion, maybe even \$45 billion, maybe even more?

**Mr. Horner:** You know, again, Mr. Speaker, the hon. member across the way should maybe take – I understand she's an economist, as I heard in her speech last night – some accounting courses. The reality is that while we are planning on, as projected

right now, borrowing on the capital plan \$12.6 billion over the next three years, we're also going to be adding \$26.3 billion in assets that this province needs and Albertans have asked us to build because we're growing. I would take you to page 135, where you'll see the net worth of this province. You should do the math.

**Ms Smith:** Our net worth has fallen 50 per cent in the last five years, Mr. Speaker.

Speaking of debt-servicing costs, the Associate Minister of Finance ridiculed our claim that they were paying around 3.5 per cent as a ridiculous rate. Well, their last borrowing, \$200 million for highway 63, was at 3.41 per cent, and they have another recent borrowing at 4 per cent. Does anyone over there actually know what's going on with our finances?

**Mr. Horner:** Mr. Speaker, the last borrowing we did – hon. member, you should catch up – was 2.55 per cent. That was on \$500 million worth of bonds that have a maturity out there of nine years, which means that we will be paying it back nine years from now as one of the amortizations.

Actually, at least we show Albertans how we're going to pay for our capital plan. Nowhere in this document does it say how they're going to pay for anything.

**Ms Smith:** Because we're going to pay as we go, Mr. Speaker, just like Albertans expect us to.

Mr. Speaker, no matter what the cost we know that this government loves to borrow. The Premier, her Finance minister, and other government members have been selling hard the whole idea that borrowing for capital is good. So if \$17 billion by 2016 is good, does that mean that \$35 billion or \$40 billion is even better? Where does it stop? How much debt are we going to have?

**Mr. Horner:** Mr. Speaker, I am incredibly appreciative that the financial experts in our department do not operate the way she suggests. I'm incredibly appreciative of the fact that they are financial experts in their field, that they are able to garner the best rates in North America for the capital allocations that we're doing.

This document that I keep referring to is the wild alliance budget that they proposed. [interjections] Sorry, Mr. Speaker. I know it's the Wildrose Alliance Party. [interjections] Well, it's the difference between opinion and name, that's all. This document doesn't tell Albertans how they're going to cut as they go.

**The Speaker:** Hon. leader, for your third main set of questions.

**Ms Smith:** Thank you, Mr. Speaker. So much for raising the bar.

### Prosecutions for First and Second Offences

**Ms Smith:** Mr. Speaker, it is obvious now that there is no place for a conservative in the government. Fiscal conservatives are not welcome. Just look at the debt deficit and cost of borrowing. Social conservatives wonder about the treatment this government provides to vulnerable seniors and the disabled. And today tough-on-crime conservatives are gone as well. The Premier has okayed a decision to ignore first and second offences for lawbreakers. The Crown won't even prosecute them. Doesn't the Premier realize that when you offer two freebie crimes, there's going to be a whole lot more crime?

2:00

**Mr. Denis:** Mr. Speaker, the statements that the member has made are so patently incorrect. I'll endeavour to correct them. As we move forward, prosecutors, who operate independently of any political interference, have many tools for how they deal with

crime. When we talk about individuals that deserve to be behind bars, I'm talking about murderers; I'm talking about people who purvey sexual assaults. On the lower end – guess what? – we can actually rehabilitate some of these people and at the same time save taxpayers' dollars. There's your conservative, Leader.

**Ms Smith:** I think Albertans would hope the Justice minister would care more about victims than criminals.

There is more evidence of this government embracing an extreme left-wing, soft-on-crime ideology with the decision to wind down the electronic monitoring of criminals. Why doesn't this government care about the potential danger to our communities of losing track of dangerous offenders, child molesters, and other criminals?

**Ms Redford:** The opposition is always so fond of reminding people that I'm actually a lawyer, and because of that, I will answer this question. It is unfortunate, Mr. Speaker, that we did have to make tough choices with respect to the electronic ankle bracelets, but that does not mean for any reason the courts are going to be allowing people to walk free. It simply means actually the opposite, which is that if we don't have the ability to ensure that we can locate people, secure people, and the police can connect to them, then they're not going to be let out of jail. It's exactly the opposite.

**Ms Smith:** Somehow I don't think Albertans are going to be comforted by that answer, Mr. Speaker.

Now, the Premier and the minister say that they'd rather have police on the streets, but I would say that they're going to need a lot more police if they let criminals on probation have free rein to go wherever they want and if they offer two freebie crimes to everyone else. How does this save money and protect Albertans?

**Ms Redford:** Mr. Speaker, the budget that was tabled last week very proudly defended a tough-on-crime agenda, one that this government put in place under Safe Communities. Not one judge, not one prosecutor, not one police officer was cut in this budget, and these hypothetical allegations that scare people, as we see again from the opposition, are not appropriate. People have to understand that they can have confidence in their justice system, that they can ensure that victims are protected, that police are on the street doing their job, and that we will continue to support a justice system that protects Albertans.

**The Speaker:** The hon. leader of the Alberta Liberal opposition.

#### For-profit Long-term and Continuing Care

**Dr. Sherman:** Thank you, Mr. Speaker. Yesterday I listed a variety of ways in which the quality of for-profit long-term care is inferior to nonprofit long-term care, yet this Premier said: "There is absolutely no reason to believe that there are differences with respect to level of care." But the Parkland Institute research survey I tabled on March 15 of last year finds that "for-profit facilities are less likely to provide quality care than nonprofit or public facilities." To the Premier: were you unaware of this? Did you misspeak, or were you misleading the House?

**Ms Redford:** Well, Mr. Speaker, the only thing I asked the hon. member for was details of reports which was he relying on with respect to his comments. Thank you very much. I received them about five minutes ago. I haven't had time to read them yet. But I will say that there are reports in here from the Parkland Institute, from the Health Quality Council, from BMJ that, as I reviewed them just now and spoke to our minister about them last week,

offer different perspectives with respect to care. I see already in these, because they've been so nicely annotated for me, some unfounded conclusions. There are certainly debates. This member has an opinion with respect to what these reports say. I don't happen to agree with him.

**The Speaker:** The hon. leader.

**Dr. Sherman:** Thank you, Mr. Speaker. Given that the Premier doesn't trust academics on this issue, perhaps she may be more interested to hear from Albertans. I have the Health Quality Council of Alberta's November 2011 Long Term Care Family Experience Survey, which found that "publicly operated facilities obtained significantly higher overall care ratings compared to private and voluntary operated facilities." That's on page 5. To the Premier: were you unaware of this Health Quality Council of Alberta report as well? If so, why?

**Ms Redford:** Mr. Speaker, when we take a look at the reports that are prepared by Alberta Health Services, by the Health Quality Council, by various institutions with respect to long-term care, we know that we're taking a look at systems that exist currently in this province, that are strong, that are providing health care for Alberta seniors and for people that are living with developmental disabilities. You know, what we see very often with these reports – and we've had this experience in the House before – is hon. members standing up and making wild allegations with respect to reports, then theoretically saying that they're based on, quote, academic reports. These are incredibly important issues. It is not fair to play politics with them, and we shouldn't do it.

**Dr. Sherman:** Mr. Speaker, I might not be a lawyer. You know, I'm just a simple doctor, and health care workers rely on facts and evidence, Madam Premier.

Given that this Premier has been brought up to speed on what the evidence actually says as well as how Albertans feel about the superiority of publicly delivered long-term care, my final question to the Premier is this. Premier, why does your bankrupt budget continue to prop up private companies instead of making smart, fact-based investments in public long-term care? Why, Premier? Stick to the facts.

**The Speaker:** The hon. minister.

**Mr. Horne:** Well, thank you very much, Mr. Speaker. This government is in touch with Albertans on this issue, and we know very clearly what Albertans care about. It is good access, timely access to continuing care across the province. What the hon. member conveniently ignores in the midst of all the reports and papers that he sends across the way is the fact that we have one set of standards in this province for continuing care, both for health and accommodation, and they apply equally to public, private, and not-for-profit providers.

**The Speaker:** We are going to proceed now with no preambles to supplemental questions, and we're going to see how that's demonstrated by the hon. Member for Edmonton-Strathcona.

#### Postsecondary Education Funding

**Ms Notley:** Mr. Speaker, in the last election the Premier promised Alberta's postsecondary students long-term, stable funding. Instead she is delivering long-term, unstable funding. Another promise made; another promise broken. Today we've learned that deans at the U of A have been asked to take an axe to their

budgets to find 20 per cent in cuts over the next two years. To the Premier: will you admit that your short-sighted, broken-promise advanced ed budget is going to hurt students and faculty across the province?

**Ms Redford:** Mr. Speaker, one of the things that everyone in this House will have heard our Finance minister say last week in the budget was that we're going to work in collaboration with research institutions, provide mandate letters, and ensure that base operating grants to the tune of \$2 billion are in place for postsecondary institutions. We know that there are tough choices in this budget. We're all having to deal with those. We had an opportunity to review some of the correspondence from the University of Alberta. I think their perspective is exactly right with respect to looking to collaborate, to find new opportunities, and to actually acknowledge that the investments that we've made as a government in postsecondary institutions in the last 10 years are allowing for better opportunities in the future.

**Ms Notley:** Well, Mr. Speaker, given that faculties are going to be asked to earn back 10 per cent of their future budgets and given that professors should be instructing classrooms, not planning bake sales or selling cupcakes in the hallways, will the Premier admit that deep cuts to advanced education do nothing to advance education and, frankly, neither does her minister?

**Ms Redford:** You know, Mr. Speaker, we have obligations to make sure that taxpayers' dollars are well spent, and we make sure that our postsecondary institutions are investing in research that leads to innovation that's going to allow for economic growth. The other thing that's fundamental is that we ensure that people, both in universities and in technical colleges, are acquiring the skills that they need to participate in the economy. Our minister has ensured that he's going to be able to work with postsecondary presidents across this province, all 26 of them, to ensure that those taxpayer dollars are being used to benefit and to grow the economy. That's what we're committed to.

**Ms Notley:** Well, Mr. Speaker, given that the new minister told us his focus will be on building the quality of education and given that the current budget for his ministry decimates funding for Alberta's institutions, will the Premier explain to Alberta students and faculty how her minister can build playgrounds in Vietnam while destroying universities in Alberta?

2:10

**Ms Redford:** Mr. Speaker, that was a really unfortunate comment. You know, I really recognize the fact that there are volunteers and people in our communities that work hard to help people not only in Alberta but around the world.

More importantly, if we get back to the matter at hand, our budget last year still committed base operating grants and capital infrastructure that is still amongst the highest in Canada. In the last 10 years our funding to postsecondary institutions has increased by more than 45 per cent, and in this budget, Mr. Speaker, we see nearly \$500 million in capital infrastructure that will be spent at five institutions over the next three years. That's quality postsecondary education.

### Traffic Court

**Mrs. Forsyth:** Mr. Speaker, yesterday I had a phone call that passed on some deeply troubling information, if true, regarding a recent meeting the Assistant Deputy Minister of Justice had with traffic prosecutors and all related positions, and I'm hoping that

the Justice minister will clear this up for me. Now, I know this government's plan indicates Alberta should have a fair, accessible, and innovative justice system, but can he confirm if the government has a plan in place to reduce the number or eliminate all traffic prosecutors?

**Mr. Denis:** Mr. Speaker, to date there is no plan.

**Mrs. Forsyth:** Mr. Speaker, I also heard that the Justice department would be moving to close rural traffic courts under the justice system. Can the minister confirm this is also true?

**Mr. Denis:** Mr. Speaker, as I've indicated before, the member really may want to check her sources because to the best of my knowledge there's no such plan being considered at this juncture.

**The Speaker:** The hon. member.

**Mrs. Forsyth:** Thank you. Actually, Mr. Speaker, I'm pleased to hear that.

Can the Justice minister confirm whether or not it is this government's intention to mandate all future traffic tickets to be paid with no option to plead not guilty?

**Mr. Denis:** Mr. Speaker, I'm not aware of that either, but I have said publicly in the past that perhaps we may want to look at relocating traffic court outside of additional courthouses and making it more accessible to people, more economical to the public. But the three questions that I've got from the Member for Calgary-Fish Creek: I'm not quite sure where she's going with this. Maybe she wants to check her sources.

**The Speaker:** The hon. Member for Dunvegan-Central Peace-Notley, followed by Lac La Biche-St. Paul-Two Hills.

### Medevac Services

**Mr. Goudreau:** Thank you, Mr. Speaker. At the end of this week medevac services from the north will be moving from the City Centre Airport to Edmonton International. This is causing a great deal of concern for patients, doctors, and others in northern Alberta who say that this means it will take longer to get critical patients to the hospital, endangering their lives. To the Minister of Health: why did the government choose to locate the new medevac facility so far from hospitals?

**Mr. Horne:** Well, Mr. Speaker, as I think most members know, the closure of the City Centre Airport was a decision of the council of the city of Edmonton. That decision was made some time ago, and at that time government began to look for a new location for medevac services. This morning I was very pleased to be part of the announcement of the opening of this new facility on Friday. We had many elected officials and stakeholders and media from across the province, including the north, who had an opportunity to see this first-class facility in action, and it is going to serve Alberta very, very well.

**Mr. Goudreau:** Mr. Speaker, my next question is also to the same minister. Did the government even consider forcing the city of Edmonton to keep a single runway open for this critical service?

**Mr. Griffiths:** Mr. Speaker, we have the utmost respect for property rights of the individual and the municipality, and they did a lot of due diligence and consultation on what they wanted to do with the City Centre Airport. It didn't take very long for us to assess what the possible cost would be, which the city claims is



close to \$2 billion, which just made it unfeasible. Much better to pour investments into hospitals in the north and invest in exceptional medevac services at the International Airport.

**Mr. Goudreau:** Again to the Minister of Health: how can you ensure patient safety with this move?

**Mr. Horne:** Well, Mr. Speaker, we're very assured of both quality and patient safety in the new location. As most members know, the Health Quality Council of Alberta reviewed the Edmonton International option. They made 18 recommendations. We've accepted all of them. We've implemented almost all of them at this stage. We're very confident that quality and patient safety are not going to be compromised.

Mr. Speaker, the other point that bears repetition is that when it comes to medevac, over 80 per cent of patients who use medevac services are coming for a scheduled service. They're coming for an MRI or a CT scan or perhaps to see a specialist. There are fewer than five patients per month on average that travel via medevac for a critical illness or injury.

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills, followed by Calgary-Hawkwood.

#### **Prosecutions for First and Second Offences** (continued)

**Mr. Saskiw:** Thank you, Mr. Speaker. It looks like the Justice minister's ideological approach to crime will start impacting small businesses and innocent victims across Alberta. Youth offenders can now get off scot-free for pulling off multiple crimes under this government's hug-a-thug approach. Now, I don't know if the Justice minister picked up on these soft-on-crime ideas during his time as a Liberal staffer in Saskatchewan, but telling youth that there are no consequences to their actions isn't justice for the victims or the youth. How can the Justice minister, then, possibly justify his hug-a-thug approach to crime that leaves businesses and communities ripe for the picking?

**Mr. Denis:** Surely, Mr. Speaker, with the many years that this member practised law, he understands that there are many, many options available to prosecutors when they're confronted with a crime. We have youth justice committees that go throughout the entire province. Again, we're adding another issue that the prosecutor can go and deal with only on very low-end offences. This matter deals with a conservative approach to justice. This member complains about people not being conservative. I suggest he look in the mirror.

Thank you.

**The Speaker:** The hon. member.

**Mr. Saskiw:** Thank you, Mr. Speaker. Given that the minister seems to not fully understand the cost to businesses of having their retail shoplifted or their property vandalized or how an increase in vandalism attracts more crime to our communities, why on earth is this government trying to bring the failed Liberal soft-on-crime policies here to Alberta?

**Mr. Denis:** Mr. Speaker, under our new plan prosecutors will continue to have full access to the courts, including the access to actually go and lay a charge under the old system, also under the new system. This member should know that, again, with the many years he spent practising law.

**The Speaker:** The hon. member.

**Mr. Saskiw:** Thank you, Mr. Speaker. Given that the government's new plan is to scrap electronic monitoring of high-risk offenders serving their sentences in the community, including those waiting for trial – and get this – for sexual assaults, does this progressive Justice minister know that these are bad guys . . .

**Mr. Denis:** Point of order.

**Mr. Saskiw:** . . . that they are likely to reoffend if they are not appropriately monitored, and that this reckless decision is putting public safety and security at risk?

**The Speaker:** Hon. Minister of Justice, you have a point of order at 2:18. It's been noted. Now proceed with the answer to the question.

**Mr. Denis:** Mr. Speaker, again, as we move forward with our justice system, the most important thing this member needs to know is that we did not cut one cop. We did not cut one Crown prosecutor. In fact, we're adding two more judges. You would think that someone who claims to be a conservative would get behind this policy.

**The Speaker:** The hon. Member for Calgary-Hawkwood, followed by Edmonton-Centre.

#### **Highway Construction**

**Mr. Luan:** Thank you, Mr. Speaker. Here is a question about policy. There is no doubt that Alberta is growing rapidly and has become one of the fastest rising populations in our country, adding 95,000 people last year. As this trend continues, it is inevitable that our roadways will become busier, increasing the likelihood of car accidents. This is of concern to my constituents. To the Minister of Transportation: with the exception of twinning highway 63, what in particular is your ministry doing to help ease the demand on Alberta's highways and roads and to help improve traffic?

**The Speaker:** The hon. minister.

**Mr. McIver:** Thank you, Mr. Speaker. As the hon. member knows, Albertans depend on their transportation system to get them to work and back, to get their products to market, and to get products to them that they need. That's why this government is investing about \$3 billion this year to do road projects, which includes the continuation of the ring road in Edmonton, the southeast ring road in Calgary, some bridges in Medicine Hat. We'd like to do a lot more, but I can assure you that whatever we're doing is 25 per cent more than the opposition would have done. We will continue to build Alberta within our means to open new markets. That's what we were elected to do, and we're doing it.

**The Speaker:** The hon. member.

**Mr. Luan:** Thank you, Mr. Speaker. I'm glad to hear that the ring road has been mentioned, but on the Stoney Trail ring road my constituents are concerned about delays because of traffic construction there. My question is to the same minister. What is being done to ensure that this crucial ring road is being built in a timely and productive manner?

2:20

**The Speaker:** Hon. member, we had four great examples of no or extremely short preambles. Revisit your next supplemental before you deliver it, and we'll get an answer meanwhile.

**Mr. McIver:** Well, Mr. Speaker, the hon. member, I think, has a legitimate complaint, but the fact is that when you're building a major project, I don't know of a way to do it without some disruption. We are working with it the best we can. We've got a website up for the SEST project that people can look at. We're constantly trying to do work in off-rush-hour times. The southeast part of the ring road in Calgary will be completed by the end of this year. The one in Edmonton and the northwest part of Stoney Trail should be done at the end of 2014.

**The Speaker:** The hon. member.

**Mr. Luan:** Thank you, Mr. Speaker. My final question relates to Deerfoot Trail in Calgary. Many people call it the death trail because of the high rate of fatalities. My question to the minister is: what is your ministry prepared to do to address the safety concerns with this critical road?

**The Speaker:** The hon. minister.

**Mr. McIver:** Well, thank you, Mr. Speaker. Again, the hon. member points to an important situation. The Deerfoot Trail is very important, taking in some areas over 150,000 cars a day. We won't be doing very much on it this year because, of course, it would be a bad time to take a lane out of service before there's relief provided by the southeast Stoney Trail, which will happen at the end of this year. At that point we will be looking at operational improvements to Deerfoot Trail. I'm certainly well aware; it runs right through the middle of my riding. As budgets allow and as we're able to build the transportation network, we will make those improvements.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by Edmonton-Calder.

### Municipal Charters

**Ms Blakeman:** Thank you very much, Mr. Speaker. The issue of an Edmonton charter and a Calgary charter isn't about better or worse; it's about different than. Now, currently Calgary is treated the same as High Level, same restrictions, yet they are vastly different populations, economies, and environments. The big cities, small cities, and towns in Alberta have all been supportive of each other's need for different tools under or outside of the MGA. To the Minister of Municipal Affairs: why is it that the minister is the one who doesn't support Calgary and Edmonton charters?

**Mr. Griffiths:** Mr. Speaker, I don't know where this fantasy comes from for the hon. member. I've been very vocal that civic charters are going to be incredibly important for Edmonton and Calgary and other municipalities as we go along. We have an MGA right now that's the most progressive in Canada, which allows right of natural person powers to municipalities so they can control their own destinies. I've said it before in this House, and I'll say it again. We're a matter of weeks away from signing the civic charter, so I don't know where this fantasy world comes from for this member.

**The Speaker:** The hon. member.

**Ms Blakeman:** Thanks very much, Mr. Speaker. Is the minister's resistance to the two large cities having a charter, not a civic thing but a charter that has them sit outside but parallel to the MGA, about the province losing power and control over Edmonton and Calgary if they are outside the MGA with their own charters?

**Mr. Griffiths:** Mr. Speaker, when the charter gets signed – and I don't care whether she calls it a civic charter or a city charter. My point is that there are 349 municipalities in this province, and I treat everyone equally. I will not separate them into different classes or categories, because some municipalities are not more equal than others; they're all equal. They all have under the MGA the ability and the autonomy to run their affairs the way they see best, and we're going to stay that way.

**The Speaker:** The hon. member.

**Ms Blakeman:** Thanks very much, Mr. Speaker. How can the minister say that he is working well ahead of schedule when a year after an election, an election in which the government ran on big-city charters and everybody knew what it meant at the time, they are now running away and pretending that it's something else they're going to do?

**Mr. Griffiths:** Mr. Speaker, it's very public that we have a memorandum of understanding that was signed that we would complete the civic charter before the next municipal election, which the member knows is in October. The fact that we're mere weeks away means that we're months ahead of schedule. Again, the member is living in a fantasy world.

**The Speaker:** The hon. Member for Edmonton-Calder, followed by Chestermere-Rocky View.

### Labour Negotiations with Teachers

**Mr. Eggen:** Thank you, Mr. Speaker. Recent comments from the Education minister suggest that he's looking to impose a legislated settlement on Alberta's teachers. Teachers already offered last fall to accept zero per cent increases with a commitment from the government to address class sizes and workload. My question is to the Minister of Education. Can the minister please explain why he refuses to partner with teachers to address serious concerns about the quality of education in our schools?

**Mr. J. Johnson:** Mr. Speaker, the member raises a very good question. I'm not sure if he was paying attention yesterday when the Member for Bonnyville-Cold Lake asked what we were doing about some of these exact same things: working with teachers, making their jobs better, and helping them focus on teaching and the students. So we had a great example of that yesterday. We've been reaching out to teachers in a number of ways, including through their organizations and through e-mails and through visiting the schools. I've been to most of the teachers' conventions. We're getting some great feedback, and we are taking steps on some of the things that can help make their job better and will help impact our kids in a very positive way.

**The Speaker:** The hon. member.

**Mr. Eggen:** Thank you, Mr. Speaker. Well, given that teachers are already struggling with workload and inappropriate class sizes and given that the minister cut funding to the Alberta initiative for school improvements, perhaps the minister can tell Alberta teachers how the government's broken promises on the budget and his own poor bargaining are actually building anything at all.

**Mr. J. Johnson:** Mr. Speaker, you know, I take offence to the attack on Alberta's education system and indirectly on Alberta's teachers because the great product we have out of the education system is because we have great teachers in the classroom, and they are doing great work. If he wants to talk about promises and

broken promises in education, how about the promise to live within our means? How about the promise to fund \$107 million, that the Premier put back into education. How about the promise to pass the Education Act, which we did? What about the promise to build 50 new schools and modernize 70 more, which we are moving ahead with?

**Mr. Eggen:** Well, Mr. Speaker, given that Alberta's teachers and students were promised stable, predictable funding but this budget flagrantly breaks this promise, how can the minister justify his cuts for school improvements and his public musings about imposing a settlement on teachers, who have already agreed to a wage freeze?

**Mr. J. Johnson:** If we had an agreement with the teachers, we wouldn't be having a discussion like this.

Mr. Speaker, this is a very a challenging budget; there is absolutely no question, and no one has tried to colour it in any other light. One thing I would have to ask the hon. member to look at, though, is how far the Premier has gone to protect Education. It's one of the very few budget line items, one of the very few ministries that was not cut. In the Education budget the operational budget has gone up by 0.6 per cent. It's one of the few that actually was not cut. That's presented some real challenges for school boards, absolutely, because of enrolment pressures, but we're trying to get every dollar that we can into the classroom.

**The Speaker:** The hon. Member for Chestermere-Rocky View, followed by Grande Prairie-Smoky.

#### Education Property Taxes

**Mr. McAllister:** Thank you, Mr. Speaker. My hometown of Chestermere is getting some very unwelcome news from this government, some changes in the way that education taxes are assessed and collected, resulting in a 53 per cent increase in property taxes. We're not alone: 96 per cent in Wood Buffalo, Blackfalds at 47 per cent, Coalhurst at 44 per cent. Airdrie, Beaumont, Banff, Cochrane are all looking at double-digit hikes. To the Minister of Municipal Affairs: can you explain to my neighbours and the rest of the communities in this province that this affects, how this fits into your government's plan to not raise taxes?

**Mr. Griffiths:** Mr. Speaker, across the province for the education property tax the government of Alberta has not raised the rate of property taxes on education, but assessments have grown in many municipalities, particularly the municipalities of Chestermere and Fort McMurray. That's why they've seen an increase in their assessments. There's been an increase in the property values, which is determined by markets, not by the province of Alberta.

**Mr. McAllister:** Again to the minister: given that you had the leaders of these communities on the phone, on a conference call, on Friday and you had the opportunity to inform them of this giant increase and given that you claim to be a very transparent minister in government, Minister, why didn't you warn them or consult with them about this?

**Mr. Griffiths:** The conference call was on Friday, and I gave municipal councillors a heads-up on how the budget was going to impact them. I informed them that the details of MSI and the education property tax would be available on Monday once the calculations were done on the information we received from municipalities. That's as transparent as I could be because that's

as fast as I got the information. I got it right out to them, Mr. Speaker.

2:30

**Mr. McAllister:** It's not going over very well, Minister.

Given that your government developed the mitigation program and put it in place to ease the rate of tax increases on growing communities like Chestermere and given that you have decided now to cancel it, do you not see that residents around this province only look at this one way, and that is that it is a giant tax increase?

**Mr. Griffiths:** Mr. Speaker, in terms of the mitigation formula there were 11 municipalities around the province of Alberta that had a mitigation formula that operated for many, many, many years when we moved to a different tax structure. There were over 30 municipalities that paid more in education property taxes so that those 11 municipalities could have it mitigated. We have removed the mitigation formula. There will still be four, Chestermere being one, that will have a mitigation going forward for a few years until they're off the mitigation formula completely. But the question they might want to ask is why 38 other municipalities were paying more than their fair share so that those municipalities that had fast-growing equity properties could not pay their full share.

**The Speaker:** The hon. Member for Grande Prairie-Smoky, followed by Lacombe-Ponoka.

#### Red Meat Processing and Marketing

**Mr. McDonald:** Thank you, Mr. Speaker. Our government's proactive approach in sustaining Alberta's role as the driving economic force in Canada is something that we pride ourselves on. However, beef raised in northern Alberta is processed in southern areas of the province, creating a missed opportunity in northern Alberta. My question is to the hon. minister of agriculture. What is your department doing to create better economic opportunities for northern Albertans by processing red meat at home rather than in the south?

**The Speaker:** The hon. minister.

**Mr. Olson:** Well, thank you, Mr. Speaker. It is true that three-quarters of Canadian beef is processed in western Canada, and most of that is in Alberta. We are always interested in seeing more processing – we certainly support that – but the idea of a large, new packing plant in northern Alberta would have to be a private-industry decision. It wouldn't be one that the government would be making, but we certainly would be prepared to support that kind of a decision in any way once industry would make it.

**Mr. McDonald:** To the same minister: given that much of our world-renowned beef is going to China at this present time by refrigerated cars, are there plans to ship more red meat to other foreign countries?

**Mr. Olson:** Well, Mr. Speaker, we're very interested in developing new markets. In fact, we're very happy to see that in the last year we have had some expansion of beef into markets in Korea and Japan. This is something that we're working on constantly. I have a really good relationship with Minister Ritz. We talk often, and we're very interested in supporting those types of initiatives. Our Premier has been very clear that this is something she expects us to be doing. We take that mandate very seriously. Also, I would just point out that we're following the

negotiations with the European Union, and we're expecting and hoping that that will bear fruit as well.

**Mr. McDonald:** Again to the minister: given that red meat is not limited to beef alone, are there any plans to process in our markets anything other than beef such as bison and elk?

**Mr. Olson:** Well, Mr. Speaker, again, we don't see the role of government as creating those industries. We certainly support them if private industry wishes to do so. We have numerous resources that help with the development of those industries. We will help with doing the business analysis. We have various supports available. We also have financing supports through AFSC, so we will certainly act as a facilitator once investors have made the decision that they choose to go forward.

**The Speaker:** The hon. Member for Lacombe-Ponoka, followed by Calgary-Currie.

### **Condominium Special Assessments**

**Mr. Fox:** Thank you, Mr. Speaker. Condo owners in Alberta are being gouged. The Condominium Property Act dictates that all condo boards must carry reserve funds to pay for ongoing maintenance. A recent court ruling dictates that townhouse-style condos cannot use the reserve funds to pay for maintenance of things like walls, exteriors, foundations, driveways, windows, and decks. The judge ruled that these repairs must be paid for by special assessment, resulting in massive and unexpected bills to condo owners. To the minister: are you aware of the difficult financial position that this legislation and ruling puts thousands of Albertans in?

**Mr. Bhullar:** Mr. Speaker, I would like to start off by congratulating that member on asking that question. Why? Because I've been talking about this for – I don't know – a couple of months now. I've talked about it publicly, and yesterday in this very Chamber I went up to the member and said: "Hey, I'm looking to bring forth changes. Would you be supportive of that?" Today, instead of calling me back, he decides to issue a press release. Hon. member, congratulations on seeing the light, congratulations on coming around, and welcome to the conversation. [interjections]

**The Speaker:** Hon. member, you have the floor.

**Mr. Fox:** Thank you, Mr. Speaker, and I thank the minister for coming over and consulting with me. I've been working on this for a couple of months, too.

Will he commit to working with me and other interested members in this Assembly to fix this inequity in legislation, to make sure all Alberta condo owners are treated fairly and to spare them these often unaffordable bills?

**Mr. Bhullar:** Mr. Speaker, today is a great day. You see, the Vatican has just seen white smoke coming up, and I would say: let us send white smoke from this Chamber as well. Let this be a day where the opposition stands up and says that a new generation of honesty is coming forth. They're adopting our ideas. They're coming around to our ideals. We're looking to protect condo owners, and they're going to follow our lead.

Thank you, sir.

**The Speaker:** The hon. member.

**Mr. Fox:** Thank you, Mr. Speaker. You know, I am not the Pope, but I thank the minister again for his commitment to work with the opposition for the betterment of Alberta condo owners.

Will he commit to a timeframe in dealing with this urgent issue because so many hard-working Albertans are being affected daily?

**Mr. Bhullar:** Mr. Speaker, thank you. I'd like to ask the member a few questions. Nearly 3,000 Albertans have responded to the consultation so far. I'd like to ask the member opposite if he has. I'd like to ask what he feels we should do with building assessment reports. Should they be mandatory when a condo conversion project is coming forth? What should developers face if they are not honest about what condo fees should be? Hon. member, bring forth actual ideas.

Thank you.

**The Speaker:** The hon. Member for Calgary-Currie, followed by Livingstone-Macleod.

**Ms Cusanelli:** Thank you, Mr. Speaker. [interjections]

**The Speaker:** You have the floor, hon. member. Proceed.

### **Marijuana Grow Ops**

**Ms Cusanelli:** Thank you, Mr. Speaker. On February 22 the Minister of Justice and Solicitor General announced that the government was going to take a closer look at marijuana grow ops in Alberta. While door-knocking, I spoke with members of the Killarney community, and they've been deeply affected by a notorious drug house in their area. Their children had to witness an investigation of a death and a stabbing, something that is difficult to explain to a young child. All of my questions are to the Minister of Justice and Solicitor General. What do you want to achieve now that the government has finally decided to launch consultations on marijuana grow ops?

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you very much, Mr. Speaker. This government continues to crack down on crime with our law and order agenda, that began many years ago and continues today. Marijuana grow ops are no exception. There actually have been 792 marijuana grow ops found in Alberta over the past five years. What are we doing about it? We're actually looking at consultations throughout the entire province involving police, involving home inspectors, involving health professionals, and involving everyday citizens on our website. After getting at this, we will look at developing new legislation to crack down on this insidious crime.

**Ms Cusanelli:** How does this minister expect to enact any initiatives that result from these consultations when in the 2013 budget safe communities and neighbourhoods funding has been slashed by \$7 million?

**Mr. Denis:** Well, Mr. Speaker, I'm very proud that this budget does not cut one cop. It does not cut one Crown prosecutor. It even increases our component of judges by two. I know this member was not implying, of course, that any one of these officers cannot handle this. [interjections] As I keep on listening to the yammering over here, we have capable law enforcement officers, and we're going to crack down on grow ops in our community. There are some everywhere, throughout each one of our constituencies. [interjections]

**The Speaker:** You know, we were doing reasonably well up to a few minutes ago. Let's see if we can restore ourselves.

**Ms Cusanelli:** Mr. Speaker, why has this government chosen to not include all Albertans in these consultations when clearly grow ops affect all Albertan communities?

2:40

**Mr. Denis:** Well, Mr. Speaker, nothing could be further from the truth. We actually have a website set up at [justice.gov.ab.ca](http://justice.gov.ab.ca). If you didn't hear me the first time – I'm sorry; I have a hoarse throat today – [justice.gov.ab.ca](http://justice.gov.ab.ca). We've received 695 consultations. You know, I'm hoping the Member for Edmonton-Centre talks about some of the words that oversee what she actually wants to deal with this particular issue. I'm looking forward to her comments.

**The Speaker:** The hon. Member for Livingstone-Macleod, followed by Lethbridge-East.

### South Saskatchewan Regional Plan

**Mr. Stier:** Thank you, Mr. Speaker. The land-use plan passed under Bill 36 paved the way for the province to subject land- and leaseholders to a centralized government without full, fair, and timely compensation. Now this government is plowing ahead with the South Saskatchewan regional plan, where thousands of southern Albertans are deeply concerned that this government will dictate to them what they can and cannot do with their property. With the Property Rights Advocate role being hamstrung by an ineffective mandate, how can the SRD minister possibly guarantee that businesses, agricultural operations, and a way of life are not harmed by this regional plan?

**Mr. Hughes:** Well, Mr. Speaker, I'm pleased to take that question on behalf of my colleague. Nothing could be further from the truth. In fact, the South Saskatchewan regional plan is forward looking, constructive. This regional planning model has been identified as being important in the eyes of the government of the United States, in fact, in how they look at Alberta. This is critical to the future of this province. It ensures that we look after and preserve and protect the landscape of this province so that our children in 50 years or our grandchildren in a hundred years will be proud of what they have, the way we are today.

**The Speaker:** The hon. member.

**Mr. Stier:** Thank you again, Mr. Speaker. Despite that, hundreds of southern Albertans are worried.

Given that the lower Athabasca regional plan cancelled 19 leases for oil and gas companies without consultation of landowners, what will be the formula this time for compensating ranchers, farmers, and businesses that might be subject to sterilizations in the South Saskatchewan regional plan?

**Mr. Hughes:** Mr. Speaker, it's always possible to misinterpret reality and try and frighten people, and that is an irresponsible thing to do in this case. In fact, the lower Athabasca regional plan: in a nearly pristine part of the province those consultations were very deep and wide. Actually, those matters will be settled in a way that the interested owners are perfectly happy with. You cannot apply that suggestion, that model, to the South Saskatchewan regional plan.

**The Speaker:** The hon. member.

**Mr. Stier:** Thank you, Mr. Speaker. Given that this first round of consultations in the South Saskatchewan regional plan area is now completed, can the minister of SRD please let southern Albertans know when they will be able to see the first draft of the plan to see how this plan will actually impact their land?

**Mr. Hughes:** Mr. Speaker, I'll certainly take that question under advisement and ask my colleague to let the hon. member know. The answer, I believe, will be: in the very near future. But my colleague will answer with greater specificity.

However, Mr. Speaker, what I can tell you is that southern Albertans, as all Albertans, can be very pleased with the outcome and the work that's been done in the regional plans. This is important work for Alberta. It's important work to ensure that we make the most of the tremendous resources, including the landscapes, that we have in this province.

### Statement by the Speaker

#### Preambles to Supplementary Questions

**The Speaker:** Hon. members, that concludes question period for today. I want to hand out some kudos, first of all, to Edmonton-Strathcona, Calgary-Fish Creek, Dunvegan-Central Peace-Notley, Edmonton-Centre, Grande Prairie-Smoky, and others for making a sincere effort to tighten up the preambles to the supplementals, which weren't really in the form of preambles at all, actually. Some of them were very, very cleverly worded. Edmonton-Strathcona, you started us off on a good path, and I'm grateful to you – and so is the House – because it resulted in 96 questions and answers being posed today. Ninety-six. We should be heading to over a hundred in the days to come. So thank you for that.

Secondly, by playing ball, so to speak, with this, it will allow the Speaker to interpret the rule that there should not be any preambles with some flexibility when it comes to your opposition leaders. That also worked well today, and I'd like to continue to allow the opposition leaders the opportunity to do preambles. That would be my interpretation, and I'd like to try that again tomorrow with your indulgence.

May we briefly revert to the introduction of some school groups who have just arrived? Is anyone opposed?

[Unanimous consent granted]

### Introduction of Guests

*(continued)*

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. It is my absolute pleasure to introduce to you and through you to all members of the Assembly 58 students, staff, and parents from l'école Racette school in St. Paul who will be doing a tour of the Legislature later today. I really appreciate the students taking the time to visit us here today. I know that you all behave much better than the MLAs down here. I would like to introduce their teachers and supervisors and ask that they rise as I say their name: Paula Fejzullai, Simon Page, Melissa LePage, Martin Amyotte, Doris Stafiniak, Marilyn Turcotte, Mr. Darrell Henderson, Mr. Timothy Schweigert, Mrs. Eveline Luce, and their bus driver, Claude Labrie. I would now ask that all the students rise, and I'd ask the members to give them all the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Associate Minister of Wellness.

**Mr. Rodney:** Thank you so much, Mr. Speaker. Earlier today I formally introduced my guest, who has since arrived in the Chamber, and now in person I'd like to introduce to you and through you Dr. Mirko Betti, assistant professor at the department of agricultural food and nutritional science at the U of A, the lead researcher, as you might recall, conducting sensory and taste trials of a salt flavour enhancement product that his team has developed.

I won't go into the details – I did before – other than to remind you, all members, and all Albertans that today, indeed, is the middle of World Salt Awareness Week, so it's the perfect time to remind Albertans that high dietary salt contributes to high blood pressure, which is the leading risk factor for cardiovascular disease and death. World-class work is being done in the area right here by this gentleman. I thank him for standing. Please give him the warm welcome of the Assembly.

**The Speaker:** Hon. members, in 20 seconds we will recommence Members' Statements, starting with Bonnyville-Cold Lake.

### Members' Statements (continued)

**The Speaker:** The hon. Member for Bonnyville-Cold Lake.

### Great Kids Awards

**Mrs. Leskiw:** Thank you, Mr. Speaker. I rise today to recognize the work of three outstanding young people who made a lasting difference to their community and my constituency of Bonnyville-Cold Lake. These individuals are the recipients of the Great Kids award. Each year 16 children across Alberta are acknowledged for their hard work and community spirit, and this year on March 3 three young people from my constituency were presented with this honour.

The Great Kids award was launched in 1999 as a celebration of children and youth who impact their communities in a positive way. Each year Albertans are encouraged to nominate young people between the ages of five and 18 for their determination, generosity, compassion, courage, and strong spirit.

Maeson Stabblar, Hemzy Elkadri, and Winston Gamache are outstanding examples of just this. Hemzy was the motivating force behind the atom and novice hockey tournament in Cold Lake, raising over \$23,000 for the Stollery children's hospital foundation. Maeson raised over \$16,000 to go towards the Curtis Hargrove run across Canada, and Winston is actively volunteering in local organizations such as Students Against Drinking & Driving and HOPE, or Helping Our Peers Everywhere.

Each of these amazing young people is building the future of our province and communities through their determination, spirit, and compassion. These are the traits I believe all Albertans share. I encourage all my colleagues to continue to recognize the amazing work of youth in their constituency. The Great Kids award is one great way of doing that.

Thank you very much.

**The Speaker:** The hon. Member for Calgary-South East, followed by Olds-Didsbury-Three Hills.

2:50

### Medevac Services

**Mr. Fraser:** Thank you, Mr. Speaker, for the opportunity to rise today. As you know, I am a paramedic, and I'm proud to be that. I'm also proud to be the MLA for Calgary-South East. Over these last many months I've had the opportunity to talk about emergency medical services, and that includes air medevac. I've

been a paramedic who's worked on the streets and continues to try to work on the streets to be relevant and to be genuine.

In that, there are things that are unpleasant with that job, and unfortunately I've been there. I've been there when things have gone wrong, but I've been there when things have gone great. But that emotion wells up, and it compels us to advocate for our patients. It causes us to do things that we normally wouldn't, and sometimes we have a hard time understanding. When we get to that point in emergency medicine, air medevac, or anything else, the only thing we have to rely on are the facts. I wanted to release some of the facts here in this House today.

Last year there were 3,071 flights, air medevac flights, air ambulance flights with paramedics, very skilled and highly trained people. They can't do their job without nurses and without physicians that also care and advocate for their patients and are emotional and have been on that scene, have been there and seen the carnage, but they've also seen the great opportunities and the great success stories.

Of those 3,071 flights there were 505 red patient flights flown into the province of Alberta, and out of those flights 282 were sent to the University of Alberta and 161 to the Royal Alexandra. When we talk about red patients, they're life threatening, absolutely, but there's a scale on that. What Alberta Health Services has done is that they've looked at that scale. They've calculated as the call came in, from the first part of that call, because the call coming in is very important from the beginning of that call until the very end. What they did is that they calculated the flight coming in, and they graded it.

Those 505 life-threatening calls coming into the city of Edmonton went to various hospitals, many of them ICU patients. They went to all of the various hospitals. At the end of the day they took a look at all that information. They calculated. They took the patient care reports at the end of that, and then they re-evaluated. That's where those numbers come up. It's medically based evidence that moves us forward. It's what makes this health care system the best in this country.

**The Speaker:** The hon. Member for Olds-Didsbury-Three Hills.

### Olds College Centennial

**Mr. Rowe:** Thank you, Mr. Speaker. I rise to congratulate the Olds College women's basketball team, the Broncos, on winning the Alberta Colleges Athletic Conference championship. They entered the tournament in seventh place and won it. It takes a lot of hard work, teamwork, and dedication to be the best in the province. This week the team is in Nova Scotia for the national championships, and I know they will represent Alberta well.

Being provincial champions is a huge achievement, and it is especially fitting that Olds College women's basketball holds the honour this year, the college's centennial year. One hundred years ago the Olds School of Agriculture and Home Economics opened, offering courses in those two fields. The college has adapted, and course offerings have expanded, but its focus on hands-on training, applied research, and high-tech learning has remained constant throughout the century.

Throughout the year centennial events will be held to showcase the college's roots and look forward to its future. I'm looking forward to attending the Growing the Legacy centennial gala on March 22. In June the town of Olds will salute the college's anniversary with a community celebration. The Jack Anderson Charity Auto Auction will take place, made possible by Mr. Anderson's generous donation of his vintage car and truck

collection to be auctioned off in support of the future of Olds College. In July Olds College will host the 60th World Plowing Championship, and October will bring the centennial rodeo.

Mr. Speaker, these and other events will indeed make the 100th year of Olds College an exciting one. To all students, staff, and alumni: happy anniversary, and go, Broncos, go.

Thank you.

### Notices of Motions

**The Speaker:** The hon. Minister of Human Services and Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I rise to give oral notice of a motion.

Be it resolved that

- A. On Monday afternoons during the period that the 2013-14 main estimates stand referred to the legislative policy committees, the Assembly stands adjourned at 6 p.m.;
- B. Notwithstanding Standing Order 59.03(4)(b), following completion of consideration of the main estimates by legislative policy committees
  - (i) on April 22, 2013, or
  - (ii) on such other date of which the Government House Leader has provided written notice to House leaders and tabled in the Assembly,
 the Assembly shall reconvene in Committee of Supply at 9:30 p.m., at which time the committees shall report, and voting on the main estimates shall proceed.

### Tabling Returns and Reports

**Mr. Fawcett:** Mr. Speaker, I have the requisite number of copies of an article from the *Airdrie Echo* that I referred to yesterday in an exchange with the hon. Member for Airdrie, in which there's a picture of him enthusiastically opening up a school or digging a hole for a school in his constituency that was funded by a P3 project, which essentially puts a liability on the government's balance sheet, unlike public debt.

I also have the requisite number of copies of a CBC article that I also referred to in which former Premier Klein essentially admitted that it was probably a bit of a mistake to pay down the debt so fast while ignoring the infrastructure demands in a boom economy, where he says: "They were right about [us] not having a plan. The plan is being developed, but no one could anticipate the phenomenal growth that was taking place." A mistake that this government does not plan to repeat.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Strathcona.

**Ms. Notley:** Thank you, Mr. Speaker. I have two sets of tablings. The first is the appropriate number of copies of e-mail submissions that Albertans made to our prebudget tour which visited seven cities in February. Karis, Dennis, Cody, and Lydia are some of the Albertans who have provided valuable input. For example, Dennis would like to see this PC government end subsidies to fossil fuel industries while returning to a system of progressive taxation. Submissions like this clearly show the priorities of Albertans.

The second set is the appropriate number of copies of an e-mail I received from Julie O'Bray, who is a concerned parent with children in the Fort McMurray public school district. Julie is dismayed by the fact that only one new school has been built in her district in the last 26 years. She writes, "It is disgusting to me

that we do not have adequate funding to meet the educational needs of our children in this region."

Thank you.

**The Speaker:** The hon. Minister of Transportation, followed by Edmonton-Centre.

**Mr. McIver:** Thank you, Mr. Speaker. I rise to table the requisite number of copies of a letter dated March 1, 2013, from the registrar of motor vehicle services to the presidents of the Alberta Medical Association and the College of Physicians & Surgeons of Alberta. The letter outlines Alberta Transportation's use of assessment tools for medically at-risk drivers. Of particular interest is the following statement: "The Driver Medical Form currently [employed] by doctors is the key piece of information used by the Department to assess a driver's medical fitness to drive."

Thank you.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by Edmonton-Meadowlark.

**Ms. Blakeman:** Thank you, very much, Mr. Speaker. I'd like to table an e-mail that came to me from one of the pharmacists operating in the fabulous constituency of Edmonton-Centre. This is from Arif Virji, and he notes in his letter that the proposed new Alberta Blue Cross agreement would "remove the three tiers of dispensing fees, streamline injectable and contraceptive fees [and] decrease all generic drug pricing to 18% . . . [It's a] travesty for the pharmacy industry." If this keeps going, all Albertans will have are Rexalls, Shoppers Drug Marts, and Superstores. There will be no local pharmacies.

Thank you very much.

**The Speaker:** The hon. Member for Edmonton-Meadowlark, leader of the Liberal opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. I have a number of tablings in response to the Premier's question to produce evidence about for-profit and not-for-profit long-term care facilities. First I'd like to table five copies of *Hansard* from yesterday, March 12, 2013.

Secondly, I'd like to table five copies of Residential Long-term Care for Canadian Seniors, by McGregor and Ronald. It states, "Research [finds] a link between for-profit ownership and inferior quality in residential long-term care for seniors."

I have five copies of a document from the Health Quality Council of Alberta, which states that "publicly operated facilities obtained significantly higher overall care ratings compared to private and voluntary . . . operated facilities." It's a report labelled Long Term Care Family Experience Survey.

Mr. Speaker, I have five copies of Quality of Care in For-profit and Not-for-profit Nursing Homes by Comondore et al. It states, "Not-for-profit nursing homes deliver higher quality care than do for-profit nursing homes."

3:00

**The Speaker:** Hon. member, we're beyond the 3 o'clock mark. Is this your last tabling?

**Dr. Sherman:** Just a couple more, Mr. Speaker.

**The Speaker:** A couple more? I wonder if we could just interrupt and get the Government House Leader to ask for unanimous consent not to conclude the Routine at this point.

**Mr. Hancock:** If you insist, Mr. Speaker.

**The Speaker:** I do not insist, but the hon. Government House Leader has asked for unanimous consent to allow us to go beyond 3 o'clock to conclude the Routine. Does anyone object to that?

[Unanimous consent denied]

**The Speaker:** Unanimous consent was not given, so let's proceed. There's a point of order. The Minister of Justice.

#### Point of Order Inflammatory Language

**Mr. Denis:** Thank you very much, Mr. Speaker. I'll endeavour to be brief given the time constraint here. I rise on a point of order relating to Standing Order 23(h), (i), (j), and (l). Earlier you admonished the hon. Minister of Finance and President of the Treasury Board for referring to the Official Opposition as the wild alliance, which is not their correct name, and I accede to your ruling. Similarly, this has to apply, with respect, on all sides of the House. I would just ask the Member for Lac La Biche-St. Paul-Two Hills to personally correct his reference to me to be the Progressive Conservative Justice minister.

**The Speaker:** Before we hear the argument, it should behoove us all to know that the Blues do not refer to you that way. They refer to a progressive Justice minister, undoubtedly a high compliment.

**Mr. Denis:** Mr. Speaker, with respect, that's the very inference in which I have raised the point of order.

**Mr. Anderson:** Mr. Speaker, obviously, there's no point of order. As you aptly pointed out, progressive is an adjective, and you can clearly call somebody – you know, "This is a progressive policy." As you very clearly pointed out, there is no problem using that here. It's not an insult.

I would note, though, that using the term "wild alliance" is, of course, meant to be an insult and is a misstatement of our name and that we have been warned by the Speaker many times not to do.

**Mr. Denis:** For the six months you practised law, you know a lot about it.

**Mr. Anderson:** Six months. Okay.

If we were to call the other side regressive conservatives, then that would be a problem, so that's why we don't say things like that. But in this case, clearly, there's no point of order here.

**The Speaker:** Hon. members, you know, if you're going to continue with bantering across the aisle, there's no point in even having a Speaker up here. I'd be happy to vacate and just shut it down and let you all just chat amongst yourselves. You know, let's pay some respect to the fine tradition and, regardless of who's in the chair, to the chair as well.

I think this is a point of clarification. I know that sometimes, hon. members, we do get into the heated cut and thrust of debate, and sometimes as a result of the interjections and the howling and scowling and everything else that occasionally erupts in the Assembly, you don't quite hear things. I'm pretty sure that that's what prompted the Minister of Justice to stand. I'm surmising, but I would think that that's what got you going.

The other part is the tone in which these things are delivered. The tone. I've admonished many of you before – and I'm going to remind you again – to watch the tone. We had several examples

yesterday and today where tone and choice of perhaps not the most appropriate words led to minor eruptions, which could have led to major ones, obviously, and I'd sure like to discourage that.

That having been said, points of clarification have been offered on both sides. Let us move on.

### Orders of the Day

#### Government Bills and Orders

##### Second Reading

##### Bill 13

##### Appropriation (Interim Supply) Act, 2013

[Adjourned debate March 12: Mr. Dallas]

**The Speaker:** The hon. Minister of International and Intergovernmental Relations. No?

Are there other speakers?

**Ms Blakeman:** Sorry, Mr. Speaker. I think I've got my ear plugged. I just didn't hear the number of the bill that we're debating.

**The Speaker:** Bill 13. It's the Appropriation (Interim Supply) Act, 2013. Second reading.

**Ms Blakeman:** All right. Okay. I guess I'm happy to speak to it, then. Thanks for the opportunity. Sorry about the plugged ears.

**Mr. Hancock:** Or we could vote it and move on.

**Ms Blakeman:** You know, Mr. Speaker, the hon. Government House Leader is suggesting that I pass on my annual opportunity to beat him up. . .

**Dr. Swann:** Upbraid him.

**Ms Blakeman:** Upbraid him. Thank you. That's much better language. We have some classy people over here.

. . . to upbraid him and his colleagues for the almost annual introduction of the interim supply act.

[The Deputy Speaker in the chair]

For those of you that are following along at home with us here, there are three kinds of supply acts. One is the estimates, which is the big budget, what everybody would call the budget. The second one is supplementary supply, which is just what it says. It's more money. It's adding money in or moving money between departments. That's a supplementary supply, and again this government is astonishingly good at not getting their budget right the first time.

I'm struggling to think, but I'm pretty sure that between 1997 and 2013 they haven't missed a supplementary supply yet. You know, that's quite a record, deserving of applause. They're pretty bad at getting it right the first time. You know, they need a little help with those supplementary supply bills.

Mr. Speaker, some years they've managed not one but two supplementary supply bills, so they were really off the mark. Those were also the years, to be fair, in which they underbudgeted their expenses so badly that when the oil was pouring in, they ended up with gobsmacking surpluses, so they had a lot of money to give out. Did they have a plan about what they were going to do with a lot of surplus money? Did they think beforehand about the best way to use that? Hmm. No.

We had this kind of wild frenzy of asks from different places, and I cannot imagine what their caucus meetings were like as



everybody competed to get a chunk of cash to build a part of a road or do whatever they wanted to do in their constituency.

That was a long explanation. Sorry about that.

So there's an estimates supply, there's a supplementary supply, and here today we have interim supply. Interim means in the meantime or a passage of time that bridges over, and that's exactly what this is. Because the government has chosen – and it's entirely their choice – not to complete their budget debate by the 31st of March, which is their year-end, they don't have permission to spend money come April 1. Nobody gets paid. They don't buy anything. Contractors don't get their contracts paid. Nothing happens. So they have to give themselves permission to spend money so that life continues, and thus you get an interim supply bill, a bridging amount of money in which the government can cut cheques as of the 1st of April and carry on business until they get the budget passed.

For anyone that really loves details and transparency and accountability, interim supply is not going to be your favourite thing because there is no detail, and there is no explanation, and there is no transparency. Anybody that's really looking forward to that, take a break. What you actually get in this bill is one line for each department. The way this government is now doing things is that they cut it into operational and capital, so you're going to get two lines in most departments. You get the name of the department, like Aboriginal Relations, and you get \$3,069,000, which is the permission they're going to give themselves to spend that amount of money come April 1 until they run out.

When do they run out? Well, generally speaking – and I have not actually crunched the numbers on this one – it's about 40 per cent of the budget that they give themselves. The detail people that are out there: that's what you can do. You can divide these numbers into the total budget that they're looking at in the estimates in the general revenue fund that they distributed on budget day and see if this is coming out to 40 per cent because that's usually what they do.

3:10

They don't actually have an end date on this, so it's kind of a free-for-all. This is what I mean about a lack of detail and accountability. It's giving themselves approximately – let's take the 40 per cent number. But it doesn't tell you when it ends. It says that this is for the fiscal year ending March 31, 2014.

I'm trying to think of an analogy here. You go to your parents and say: "I'd like an advance on my allowance. I'd like 40 per cent of what I'm going to get in the next year." But you don't agree over what period of time you're going to spend that 40 per cent. If you go back after, you know, a month or two and you've spent the 40 per cent, is there going to be a little bit of a household argument there that you spent it too fast or that you might need more by the end of the year – "What the heck did you do with it, anyway?" – because you didn't lay out a business plan beforehand? That's kind of an analogy to what's going on here.

Now, what is a little bit different is that the interim supply request came in at the same time as the main estimates, the main budget, so we didn't actually need to have or it wasn't required to have a separate Committee of Supply debate on this, where we could go through and question each of the ministers in each of the departments. I can tell that my colleague the Government House Leader is heaving a huge sigh of relief that that did not have to happen this year.

But it is an interesting time because I always like to go through and ask the different ministers that were here – we actually have ministers here with us today. Isn't that delightful? Thank you so much for being with us.

**An Hon. Member:** I was here.

**Ms Blakeman:** I mentioned that, actually. Thank you for being here with us today.

I ask them if they have filled the requirements that the Auditor General had pointed out. You know, why were they asking for this additional money? What were they going to do with 40 per cent of their budget – that's almost half of their budget – and without a time period under which we understand it's going to be spent and accounted for?

Now, because we got the estimates at the same time, you actually could go back and forth. You could sit here with the interim supply budget and go: "Okay. Well, if I look at the plan from the government for this whole year and I take 40 per cent of it, I've got some idea of where they're going to go in spending this money." That actually is an improvement over past years, Mr. Speaker, in which we got the interim supply before we got the budgets, so we had no idea what they were going to spend the money on.

Just to go back again, the government has complete control of the agenda here. They can decide when we're going to come into session, when we're going to rise from session. They have a majority, so they can change the standing orders. They can move the dates around even if we've agreed to them in the standing orders, which they regularly do.

I'm just going to stop here and go on a tiny little tangent. You need to be able to have the government get the business of the day done. Fair enough. I understand that, but I would argue that this government gives itself far too many ways to hustle the business, to hustle it through.

For example, we have agreed, more or less, that there would be about 70 to 75 hours of debate on the budget. Most people would think: "Okay. Well, you know, doing one or two a day, maybe one in the afternoon and one at night, it would take us X number of days to get through the budget." Not these clever people. They want to be out by April 25, so they have guillotined everything. It has to be done by then. We now have squished all of these hours of debate into that little box that the Government House Leader wants us to fit into. It is a guillotine on the date. [interjection] He's not happy, because he's starting to heckle me from the other side, but that's okay. He can get up and talk about this if he wants to.

But that is what's happened. The government is totally in control of the whole agenda. They choose year after year after year with one recent exception. I think it was in 2010 that they actually got the budget passed before the year-end, and I celebrated with them for actually having managed that. Otherwise, we've had both supplementary supply and interim supply bills in order to backstop the government's decision about its timelines. This is where I have a problem with what's going on.

You would think that with the number of resources this government has, the staff in every minister's office, associate minister's office, wonderful people, many of whom live in the fabulous constituency of Edmonton-Centre, working in government departments with a lot of brains and heart and passion behind them about, you know, how they want to work certain programs through – there's a lot of expertise the government can draw on, yet consistently they're late with the budget. Why? Why are they consistently late with the budget? It's just commonplace now. I mean, when you think about it, in 16 or 17 years they've hit the budget date once, so you've got to go, "Okay; this is a deliberate choice." They can't have – I'm looking for a better word than what came to my head. You can't have mistakenly done this that many times. It must be on purpose.

I really question that. I think that with all of the opportunity and all of the money that we have in Alberta, we should be able to get our budget done before the year-end actually starts, so I always question why we're in this position with interim supply, that we're actually having to go through it. We don't get any information. You can't really debate anything. I mean, I could make everybody crazy by getting up and, you know, asking a whole bunch of questions about how the \$3,069,000 is being spent in Aboriginal Relations. I'm probably not going to get an answer, and they don't have to stick to the answer that they give me.

I just want to put this on the record so people understand that every time they hear a member of this government – and for the sake of the Minister of Justice I won't call them a Progressive Conservative government because his hair catches on fire. I won't say that. I know he gets upset with the word “progressive” because he doesn't want to be that. [interjections] Okay, you guys. You shouldn't let me get off on a tangent because I forget the point of what I was saying.

They hear a nonprogressive conservative – sorry, Minister – talk about what wonderful fiscal managers they are and how brilliantly they've managed all of the finances of Alberta. Ask them why they can't manage to get a budget done before the year-end. I'd love to hear what the answer is. I've heard some, so here's a couple. What's it called when you've got different answers on a test?

**Some Hon. Members:** Multiple choice.

**Ms Blakeman:** A multiple-choice test.

I've heard them say: well, we had to wait for the federal budget so we knew what to do. Okay. I thought we were independent Alberta. I thought we were get-out-there-by-ourselves Alberta. I thought we were leaders in Alberta, and we don't have to wait for no federal budget. But that's been used as an excuse for why they were late.

This year I only have pity for the members of the government and for the staff because I suspect there were probably about four budgets. It's why everybody's looking just the tiniest bit strained over there. I have the feeling there were a lot of budgets that they did before they finally sent one to the printers and said, “Okay; don't talk about it anymore because now they've printed it.” I don't know. We'll talk about that during the supply debate, Mr. Speaker.

It's one of the things that I don't get about this government. I don't understand, with all the resources they've got, why they can't deliver a budget before the beginning of the next fiscal year. If any of the not-for-profits or, indeed, any of the business sector that they work with, that they love, that they talk with about the way the world should be, you know, if any of those people didn't get their budget passed before or they hadn't done any kind of business plan, they'd be in public stocks. They'd be mocked. They'd lose their contract. But they themselves are allowed to do it, and we have been as late as late April, I think, in actually getting that budget passed in the past. Is this a good way to manage money?

Five seconds or five minutes?

3:20

**The Deputy Speaker:** Seconds.

**Ms Blakeman:** Seconds. Oh, that's too bad. Well, I look forward to another opportunity.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available if anyone would like to ask a question. The hon. Member for Calgary-Mountain View.

**Dr. Swann:** I'm just wondering if the hon. member had anything more to say.

**The Deputy Speaker:** It's not intended to carry on debate, hon. member, but I'll give the hon. member a few minutes.

**Dr. Swann:** Well, thank you.

**The Deputy Speaker:** Proceed.

**Ms Blakeman:** You don't want me to carry on the debate?

**The Deputy Speaker:** Well, hon. member, with all due respect, the intent of 29(2)(a) is to be questions or comments. It's not a way to continue the debate from before, and you can read that in the standing orders.

**Ms Blakeman:** Actually, it doesn't determine that, Mr. Speaker, if I may be so bold.

**The Deputy Speaker:** Please answer the member, hon. member.

**Ms Blakeman:** Standing Order 29(2)(a) does allow you to make a statement. It does say that. Not that I would ever argue with the Speaker, of course, you know, but I just thought that since I had my glasses on, I'd refer to it while I was standing here. It does indeed allow for a statement: “to be made available . . . to allow Members to ask questions and comment briefly on matters relevant to the speech and to allow responses to each Member's questions and comments.” So question, comment, statement: they're all kind of in there. Anyway, thank you for the opportunity to review that out loud. I really appreciate it.

In the few minutes that I have left, what's the real concern here? The real concern is that I can't reconcile this government saying that they're open, transparent, and accountable. I know it's become a mantra. It's become rhetoric that you hear all the time. I'm nothing special, just somebody, you know, that ended up luckily in this place, but I don't understand that. I'm not a stupid person. I've got my university degree and all of that. But this doesn't make sense to me. How are you accountable and transparent if you can't pass your budget by the date that everybody knows you're supposed to pass the budget by? Since you can't, then you have to have an interim supply bill.

For the folks at home, the bills are actually called appropriation bills, which is, like, the taking of money. So it's the taking of money – and I can't remember if it's from the Crown or to the Crown – for the purposes of an interim supply. So that's what all the highfalutin language actually means.

But I've heard a lot of rumours, which I'm assured are not true. Are you allowed to repeat things that you are not sure are true? [interjections] Oh, okay. I'm being egged on.

**Mr. Donovan:** It's budget. Don't worry about it.

**Ms Blakeman:** Yes, it's budget. It may fit into the same category of fairy tale. Who knows?

One of the things that a lot of people were talking about was that the government was essentially going to scarper. [interjections] I know. Does that seem wild? I know. As soon as they got the interim supply money so that they could continue to do business on April 1, they would scarper. They would shut down the Assembly and, whoosh, they'd be gone, a little pitter-pattering of feet out that far door. They would suspend the session,

and off they'd go. They wouldn't have to have – God forbid – another question period. They wouldn't have to be accountable or transparent or whatever the other word is.

**The Deputy Speaker:** You're still speaking to the bill, hon. member.

**Ms Blakeman:** Oh, I'm sorry. Yes. That's the point. If they pass this, they could go by tomorrow. They could. They could get up and go because they now have permission to spend money on April 1. I hope they don't do that because I so enjoy spending time with all of you, all your happy, smiling faces looking back at me.

**Mr. Campbell:** Right back at you.

**Ms Blakeman:** Right back at me. You know, there's a perfect example.

So please, please, with all of your expertise, please try not to bring forward an interim supply appropriation act again. You really are capable of better. I know you're capable of better. I know you're capable of fulfilling your rhetoric. Please don't bring another one forward next year because I don't want to have to do this speech again. You don't want to have to listen to it again.

**The Deputy Speaker:** Thank you, hon. member.

The hon. Member for Calgary-Mountain View on the bill.

**Dr. Swann:** Thank you very much, Mr. Speaker. Let me say that this is my eighth year, going into the ninth year in this Legislature. I can confirm what the hon. member from the fabulous constituency of Edmonton-Centre is saying about always coming forward. It's very consistent with late budgets and therefore the need for interim supply. My particular responsibilities around health care, human services, agriculture, and First Nations have certainly led me to those areas where I see the tremendous needs and a government that says that it wants to commit to supporting these important areas of work yet consistently misses the timelines and misses the target.

The interim supply is going to bridge funding between now and April. I guess, like my colleagues here, the question is: where has the planning been in this province for the last decade? It's clear that we have not planned on the very recurring ups and downs of the oil industry and have placed so much emphasis in our budgets on fragile income, shall I say, that we're constantly faced with very great challenges in some of the most fundamental of human services and supports for people in a province that is so well off that I guess many people, both in this province and beyond the province, are asking how it is, why it is that we are struggling for budgets and fail to make the foundational changes in our budgeting process and in our long-term commitment to stable funding. While there are different points of view on it, certainly it has to be seen as a consistent pattern in this province, where in one term we are struggling to find enough cash to keep teachers and nurses and other professionals in place – we're letting them go – and in another year we are hiring them back again and looking around the world for some of these.

I admit, Mr. Speaker, that we have tremendous growth in this province. That's been a consistent pattern. It's no excuse to say that we've had a hundred thousand people come into the province in the past year when that has been the case for a number of years, and we still don't see any longer term plan to provide some stability in funding of our most basic services.

The fact that each year we come back and need to boost and provide the interim supply, I guess, raises questions about what we're learning year to year and whether we're ever going to get to

the place where we can provide a stable, dependable source of funding through our tax base, through our fees, through our land sales, through our various royalty programs so that we can avoid some of this discomfort and, frankly, real suffering for people who are on the edge already in our communities.

I think for many of us in this province there is a strong commitment to longer term thinking, longer term planning. Indeed, I was gratified that some of the members from the opposite side have said that they want to get together in an all-party fashion and talk about some of the longer term planning issues, strategic governance kinds of questions that get beyond some of the partisan issues and help us to think about what it would look like to address in a long-term way some of our carbon issues, some of our need for stable funding, some of our water issues in the province that are going to be so critical for all of the development that has to go on here and ensure that at a base level we do take care of our primary responsibilities as government, which are to protect people and to protect the planet, the earth and animals that we have taken responsibility for.

3:30

While this may seem a bit of a departure from the issues of interim supply, it all has to do, as I indicated before, Mr. Speaker, with whether we are gaining or losing public trust, whether we are gaining or losing a sense of people in this province having a part to play in a sustainable, healthy, innovative economy. This is an indication, I guess, that we're not serious yet in this province about providing stable funding and ensuring that people understand why we need a base of funding that would guarantee, not only for some of the human services but for municipalities, the kinds of planning and opportunities that all of us deserve.

With those remarks, Mr. Speaker, I'm very pleased to take my seat. If there are questions, I will respond to them. It's my honour to speak to this in second reading.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a).

Seeing none, are there additional speakers?

**Hon. Members:** Question.

**The Deputy Speaker:** The question has been called. Would the Minister of Finance and President of Treasury Board like to close the debate?

**Mr. Horner:** Question, please.

[Motion carried; Bill 13 read a second time]

## Government Bills and Orders Third Reading

### Bill 11 Appropriation (Supplementary Supply) Act, 2013

**The Deputy Speaker:** The hon. President of Treasury Board and Minister of Finance.

**Mr. Horner:** Thank you, Mr. Speaker. It's my pleasure to rise today and move third reading of Bill 11, the Appropriation (Supplementary Supply) Act, 2013.

As I do this, Mr. Speaker, I did have the opportunity to listen to some of the comments by the opposition and also to go through and just have a look at some of the questions in *Hansard*. I did pull out two or three that I wanted to respond to the hon. members on.

The hon. Leader of the Official Opposition from Highwood had asked why we do not spend more time talking about the increases in our other revenue sources, that we spend too much time on bitumen issues. Really, apart from the fact that, yes, other sources are up, bitumen is taking the biggest bite. Our forecasts for other revenue sources were either bang on or slightly lower than the actual show. We had a lot of accusations of padding those forecasts, but in actual fact we were quite close.

The second question was why transfers from the government of Canada are lower than budgeted, that they would have thought they would have been constant. We got that one out of *Hansard*. The answer is that the federal transfers are lower due to prior year claims under the ag stability program being lower than the revenue and expense recorded in prior years, so this year's revenue expenses are reduced. The Ecotrust spending reprofiled to the future means that the federal government funding also had to be reprofiled. Their money coming to us got reprofiled out, so we had to reprofile it to match them in out-years. There are also a couple of less significant dollars being reprofiled in some of their other infrastructure programs when dollars are coming to us that are to be matched.

The hon. Member for Airdrie had asked why there is a large amount of in-year savings and we're voting for additional spending. I think we kind of clarified that in the House the other day. It really is all about that we voted for lines of expenditure here in the House, and if we're changing those lines, it has to come back to the Assembly to talk about that.

In addition, there were some comments or questions around Enterprise and Advanced Education having statutory expense in-year savings that could not be applied to that expense vote, so you've got to balance that out.

Environment and Sustainable Resource Development's request is mostly for disaster and emergency assistance. The hon. member from the Liberal opposition was kind of wondering if we could budget for that. Well, it's tough to do that. And that is net of their in-year savings.

Overall, Mr. Speaker, the '12-13 request for supplementary of \$533 million is the smallest for a fiscal year since 2001-2002, and the majority of this request is actually for disaster and emergency assistance.

With that, I'll take my seat.

**The Deputy Speaker:** Thank you, hon. minister.  
Are there other speakers?

**Ms Blakeman:** I thought we were adjourning and coming back to it. I would be delighted to adjourn supplementary supply Bill 11.

[Motion to adjourn debate carried]

## Government Bills and Orders

### Second Reading

(continued)

#### Bill 12

#### Fiscal Management Act

[Adjourned debate March 11: Mr. Horner]

**The Deputy Speaker:** I'll recognize the hon. Leader of the Official Opposition.

**Ms Smith:** Thank you, Mr. Speaker. I'm delighted to rise to speak to the Fiscal Management Act, Bill 12. I'm not going to speak in favour of it because I think the bill is misnamed. I think it should actually be called the fiscal mismanagement act. I think part of the

reason why I call it that is that we have to ask the question: why does the government need this act?

Let me say just for context that I noticed that the researcher for – oh, nobody is here from the ND opposition. I noticed that the researcher from the NDs on Twitter said that I was sounding a little bit wonky. I do kind of get a little bit wonky when I am talking about budget issues because I have been breaking down the province's budget every year since 1999, so this is my 15th year looking at their budget. I've been watching the rise and fall of how they manage their budget for a pretty long period of time, which explains why it sometimes seems like I know parts of the budget better than the Finance minister. It's because I actually know where to look for some of this information.

The reason why the government needs this act is because the budget that they introduced into the Legislature on March 7 is actually illegal under the current legislation. They couldn't actually pass this budget under the existing legislation, under the Government Accountability Act as well as the Fiscal Responsibility Act. There are provisions in there that they would be prohibited from doing with the budget bill that they brought in on March 7. So the reason why they need to throw overboard the Government Accountability Act as well as the Fiscal Responsibility Act is so that they can make legal certain things that allow them to pass their budget.

That should give you some idea of why I oppose the Fiscal Management Act and won't be voting in favour of it. We're going to try our best to improve it with a number of amendments, and I hope the government will be open-minded and at least accept a few of them because a few of them are paralleled by what we see in some of the commentary in the media, among a number of advocacy groups and economic think tanks, including the Alberta Chambers of Commerce, which I was delighted to speak at earlier today about some of the recommendations that they have about how the government should be managing its finances.

But let's talk about what exactly is the problem with this bill and why I say it is not legal under the current legislation for them to pass their budget, which is why they need to change it. The Premier has said to at least one columnist that there is no deficit, and she is right about that because there are actually three deficits. There's an operating deficit, a savings deficit, and a capital deficit. I think that's why this bill falls short in all three regards.

First of all, on the issue of an operating deficit. To be able to get to the number that the government is talking about in this year's budget of \$451 million, they've had to go through a pretzel logic redefinition of what revenues are and what deficits are and what their sustainability fund is for in order to be able to arrive at that conclusion. This is the reason why there are at least five to 10, maybe even more – there seem to be new ones every day; they're popping up like mushrooms – new estimates every single day about what the actual cash shortfall of the government is for this year and for subsequent years.

Part of the reason it's problematic is because they've redefined what an expense is so that it's taken out all of the expenses for capital. They're no longer going to be budgeting for capital at all in their year-to-year expenses – that's one part of the problem – even though they covered half of it before and the other half was considered a transfer. But in any case, they've redefined what it means to have an expense with this legislation.

3:40

They've also redefined what it means to have revenue. Normally, a budget would include your total sources of revenue minus your total expenses, and you'd come up with a surplus or deficit figure. This one makes a number of very complicated

changes to that to again confuse the issue and make it so difficult to figure out what our deficit actually is.

On page 2 of the act, under section 1(1)(b), there are five different things that get reduced, five different types of revenue that get reduced off the revenue number to determine what the operational revenue is. This, I think, goes a long way to explaining why we can't actually get a straight answer or a real number about what the final deficit is for the current budget year in the budget that was proposed.

In addition, the change to the contingency fund. I'm glad to see that the sustainability fund, renamed the contingency fund, still exists in the legislation. But I would like the government to return to what the original purpose of the sustainability fund was because in this legislation I think they go a long way from what the original intention of that account was supposed to be.

When the sustainability fund account came in, the idea was that it was going to have a certain balance in it so that if there was a given year where resource revenues didn't pan out, an unusual year where resource revenues did not pan out the way they were expected to, the government would be able to go into that fund to be able to sustain them over a couple of terms.

Unfortunately, we haven't seen that. What we ended up seeing is that the sustainability fund was grown to \$17 billion, and the government has been living off it year after year after year after year, even though revenues have been high, they've been low, they've been stable. They've been at relatively high levels compared to historical averages, yet they have continued to draw down on the sustainability fund.

Unfortunately, the new definition for contingency fund allows them to continue with that practice, drawing on the contingency fund in any given year if it so happens that they spend more than they take in under these new definitions of what operational revenue is. I think that that is one issue that needs to be corrected in the bill. There has to be some limitation on the kinds of things you can dip into the contingency fund to be able to cover if we're going to see any kind of discipline restored to government spending.

The second area where the bill falls short is on the area of savings. Now, the first problem that we have – and I shouldn't say that I'm opposed to the notion of savings. There are actually some good measures, at least in part, taken in this legislation, if only the government would actually live up to what is in the legislation. Unfortunately, the government doesn't have a very good history in this regard.

Forty-two years in government, three major resource booms, and they've blown every single one of them. So they now start talking: "Trust us next time. After the next election we're going to start saving." If you look at the provisions that they've got in the legislation, they don't start retaining any of the interest in the heritage savings trust fund until 2015-16, which means that with the fixed window for elections, we won't actually know whether or not they live up to that commitment until the consolidated statements are delivered in June of that year. You know, I guess we can always cross our fingers and hope. After all, they certainly wouldn't campaign on one thing and do something else and then change the legislation, would they? No one would imagine that they could do something like that.

In any case, after that, in 2016-17, is when they talk about it being 50 per cent of revenues retained, and then in 2017-18 and beyond they talk about having a hundred per cent of revenue retained. As I say, I'm not opposed to this part of the legislation. I think that this is not a bad provision. I just think there's a credibility gap. I just don't actually think the government is going to make good on this because otherwise they would start now.

They would start now, even if it was with a smaller amount, to demonstrate that they actually are going to walk the talk, which is, I think, unfortunately, now where Albertans are at. They don't trust the government to do what they say they're going to do. They actually want to see the government doing it before they believe. That's a credibility issue that this Premier and her government now have to live with in the way that they've governed in the last year.

The other part of the legislation which I think is far more problematic – and there does need again to be a loophole closed to be able to prevent what they've structured this to do. They talk about having a certain percentage of resource revenues set aside to go into one of four different accounts: the heritage fund, the science and engineering fund, the medical research fund, and the heritage scholarship fund. They want 5 per cent of the first \$10 billion, 25 per cent of the amount between \$10 billion and \$15 billion, and then 50 per cent of the amount over \$15 billion.

We haven't had very many years where we have had revenues in the \$10 billion to \$15 billion range. I don't even know that we've had one year where we've actually seen revenues in the \$15 billion plus range. I think we have to focus in on the smaller end of the range, zero to \$10 billion, because that's where you're actually going to see the government have to comply with the terms of the legislation.

The problem is, going back to the issue of there not being any limitation on what you need to do to be able to dip into the contingency fund, that the way this works is that the contingency fund has to get topped up to \$5 billion, and that's the first cull of any of our resource revenue. You can see how this works. If you don't have any spending limitation, the government can overspend, draw from the contingency fund, and then any resource revenues at the first cull would be going back into the contingency fund. Then you end up with this cycle where you don't actually ever end up seeing any dollars go into the heritage fund, the science and engineering fund, the medical research fund, and the heritage scholarship fund. Looking back on the pattern of behaviour that we've seen of the government over the last 42 years, looking at the way they structured the legislation to allow them that loophole, I have no reason to believe that we would see any difference.

What we need to be able to close that loophole is a spending limit law. It's something we have proposed, the Canadian Taxpayers Federation has proposed, the Canadian Federation of Independent Business has proposed, the Alberta Chambers of Commerce, the OECD even, in talking about jurisdictions that have fluctuating resource revenues. The only way that you can actually get spending under control is to have a spending limit law.

Now, of course, on this side we propose an absolute maximum of spending increases to be in line with inflation and population growth. It has to be below that. But I notice in this legislation there isn't any spending limit law. The Alberta Chambers of Commerce proposes a combination of inflation, population growth, GDP growth. The point is that there isn't any limitation. And this government needs it because what we've seen, especially over the last decade, is that if you look at inflation and population growth, the government has consistently outspent it, in most cases by more than double. This is the reason that if this plan is to have any credibility on the savings side, it has to be coupled with some kind of spending limitation so that you can actually ensure that those dollars are going to flow through to one of the long-term savings accounts.

The third area, the capital plan. I've got two different points that I want to make on this, one about the debt-servicing limit and one

about the debt repayment plan. In the first case, the debt-servicing limit, the government is talking about there being a limit on debt that would ensure that they do not pay more than 3 per cent of overall revenues averaged over the last few years in direct finance charges. Looking at that number – and you can look at the budget documents, page 141; it's got a wealth of information in that part of the fiscal plan – what that means is that by 2016, when the government has taken out \$17 billion worth of debt, they will be paying \$583 million worth of interest payments, and under this 3 per cent debt charge limitation, they would be able to still borrow double the amount that we have in 2016 before they bump up against that limit. They could borrow as much as \$35 billion to \$40 billion, depending on what interest rates they're able to get.

Now, we weren't able to get any answers today from the Premier or the Finance minister about what that upper limit should actually be, but I can tell you that looking through what others are recommending on this route – we, of course, recommend that we don't have debt at all. But if you're going to look at what even the Chambers of Commerce has suggested, they say that the debt limit should be 1 per cent, that you shouldn't be paying finance charges on more than 1 per cent of your revenue.

Now, what would that mean? If the chambers' rule was applied, the government would not have more than \$400 million worth of finance charges in any given year. That would imply a real debt limit. That would imply that they could not borrow more than about \$12 billion, which we think is pretty high, but at least that's an amount that you can envision paying off over a period of time. The idea that we are with this legislation writing the government a blank cheque to go up as high as \$35 billion or \$40 billion without any restraint other than, "Trust us; we know what we're doing," I think is asking for members on this side to put a level of faith in the government that they simply haven't earned.

The second part of what the Chambers of Commerce has suggested is – you're not going to believe this – a priority list, that the only way you can actually determine how many projects you should be allowed to borrow for and take out bonds for in long-term borrowing is that you have to relate it back to the kinds of projects like schools and hospitals and roads. You have to have a public priority list. You have to be open and transparent about how high you're going to go with your borrowing. Otherwise, once again it's one of those cycles that you can get on where it's never-ending.

3:50

This is the main problem that we have with governments taking out debt. Once they start down this path, you end up seeing all kinds of silly things get recategorized as long-term capital expenses. In British Columbia, for instance, they started saying that computers and desks and software upgrades were legitimate long-term capital projects. That is not, I don't think, in keeping with the kind of commitment and the kind of thing that the government keeps on talking about, but that is the kind of thing that you allow to happen if, number one, you don't have a real spending limit like 1 per cent, which is a real spending limit, and you don't have a priority list. You give carte blanche to the government to spend money, recategorize it into capital, whether it deserves to be there or not.

The bigger part of the problem with this legislation – and this is, I think, the main reason why they are throwing the two other bills overboard and bringing through this new piece of legislation in order to be able to pass their budget – is that there isn't any serious effort or thought given to how any of this debt is going to be repaid.

The hon. Member for Edmonton-Gold Bar asked on Twitter

why it is that we didn't acknowledge or raise a fuss about the \$2 billion or \$3 billion that has been on the books for the last few years, and I think it's quite easy to explain. It's because in the prior act there was a requirement that if you had debt, you also had to have an equivalent amount in your debt repayment fund so that as those bonds came due, you had money on hand to be able to pay it off. I mean, I could accept that argument. That was the argument that Premier Klein made when he announced that the province was debt free. We re-created those two graphs so you could show: "Here's the amount that we still have outstanding. Here's the amount that we have in the debt repayment fund. Technically we're debt free, and as the debt comes due, we're going to pay it off."

What this legislation does and what this budget does is throw that out the window. We will not ever see an equivalent amount of money in the debt repayment fund as we see the government take out in new debt, and you need look no further than 2016 to see just how dramatic this difference is. In 2016 the government will have taken out \$17 billion worth of debt, and how much will they have put aside to pay it off? Well, they're planning on putting aside only \$40 million in 2013, \$112 million in 2014, \$205 million in 2015, for a total of \$357 million. There's an imbalance: \$17 billion dollars worth of debt, \$357 million in a debt repayment fund to offset it.

Now, I do find it interesting that one of the things the Premier and the Finance minister have been arguing as we've been pressing them on this for the past number of months is that why they're doing this is that they say that we can borrow at 3.2 per cent and invest at 8.5 per cent and that if you can do that, you're ahead of the game.

This is where the argument falls down for them. Number one, we're not able to get all of our debt at 3.2 per cent. I talked to the Finance minister about this today, and I should give a little bit more detail because he didn't seem to know what I was talking about. But they did issue a bond on March 1, 2013 – so I guess we're talking some, you know, 12 days ago – and it was for \$196,110,000. The rate on that was 3.41 per cent. This is the rate they went to the market with for a 20-year bond, and it was 3.4 per cent. Already we're paying a higher amount than the government had initially intended for us to be paying, a level that the associate Finance minister called ridiculous to be paying, 3 and a half per cent on March 1. That's kind of the ridiculous area that we've entered into now with the borrowing for the provincial government.

That being said, will they be able to year after year invest and earn an 8 and a half per cent return? Year after year. I mean, I think it takes a leap of faith to think that they're going to be that successful in the long term since we know that this debt they're taking out is for 20 years. I'm not sure how many financial experts have a long-term record year after year of getting 8 and a half per cent, especially with the volatility we've seen recently. But even if you acknowledge that that's what the government wants to do, I've got to tell you that with \$17 billion worth of debt, you have to pay \$583 million worth of interest on that. If you only have \$357 million offsetting it to invest, even if you're earning 8 and a half per cent, that's only \$30 million that you're earning to be able to offset that debt. The argument that they're making is that if you're borrowing money and then you're investing the balance, you're going to be net ahead. You're absolutely not. These numbers show that we're behind, massively behind, by over half a billion dollars.

Beyond that – and I've mentioned this before, of course – is that the government does not have a credible plan to actually pay it back. If they were going to seriously, as the Finance minister tried to argue – if they've structured this debt similar to an interest-only

mortgage, with a 100 per cent balloon payment at the end of 20 years, to be able to have that balloon payment on hand in their debt repayment account, they would need to be setting aside, on \$17 billion worth of debt, \$850 million year in and year out, every year, so that when the debt comes due, it can be retired. But that's not what they're doing, and this is why I asked him the question.

It seems pretty clear that the government's strategy is to do one of two things, cross their fingers and hope that the pipelines get built in time so they can have a gusher of new revenues so that they can pay off the debt when it comes due, which is the strategy that, unfortunately, the government has followed for the last 40 years: just cross your fingers and hope that oil and gas prices bail you out. This is, again, what I'm witnessing with their strategy. Or the other part of the strategy is that they don't intend to pay it back at all. They intend to lock Alberta taxpayers into paying at least \$600 million a year every year, year in and year out, and when this payment comes due in 20 years, they'll just roll it over. We're already going to see evidence of this next year. Government members can look at their own budget documents because that's the plan. When the \$905 million comes due next year on this debt that's already outstanding, it's going to be simply rolled over; it's not going to be paid off. They've already demonstrated early on that that is going to be the practice. So why would we believe, since they're not putting aside enough money to repay, that it's going to be any different five years, 10 years, or 20 years from now?

What does that mean? They're trying to argue that they're going to be able to build more schools and roads and hospitals by doing this. I will argue that they're going to actually be able to build fewer schools and roads and hospitals because if we have \$600 million worth of interest payments that we have to pay year in, year out for 20 years, that's \$17 billion worth of interest payments. If they roll it over and we have to continue paying it for another 20 years, it's \$34 billion worth of interest that we'll end up paying on \$17 billion worth of borrowing.

This is the debt trap. This is why governments should never go into debt because they have a very difficult time making the decisions and having the discipline to actually pay it back. Taxpayers are much better off having a pay-as-you-go approach, budgeting for infrastructure as core government spending, and making sure that they live within their means. That's the kind of thing that we're proposing in our Wildrose fiscal recovery plan.

The last area that I would like to touch on is the issue of the reporting that is in this document. The reporting used to be, in the other two acts that I mentioned, quite a bit different than what is being proposed here. In this bill we will now only see the consolidated financial statements from all three of these different budgets once, and that will be at year-end, before June 30, as essentially their fourth-quarter update. That's not the way the system was originally designed when Premier Klein changed the system to make sure that we had a single consolidated set of books. When Premier Klein brought in a different approach, to have a single consolidated set of books, he wanted to have a single number for revenue, a single number for spending, and then a single number to determine whether we were in surplus or deficit.

The other thing he had in his legislation was that every quarterly update had to give an updated representation of the status of that fiscal plan, meaning the full-year fiscal plan. What this bill does is that it actually makes legal the process that the Finance minister has been using for his last couple of updates, which was offside with the legislation. The legislation was supposed to project out for a full year and give a full-year update. This new legislation now entrenches in law the bad practice that he's had in place for his last couple of fiscal updates, where they will only give the

actuals on a quarterly basis. The first quarter will only be the first three months, the second quarter will only be the six months up to that point, and the third quarter will only be nine months. We only get to see the consolidated financial statements once a year.

4:00

Once again, I don't think that that is in keeping with the commitment that the Progressive Conservatives made to the province when they changed the way they did their reporting back in the 1990s. The reason why they did that was because they had lost credibility after the Getty years, which drove up the total amount of debt to \$23 billion and made it impossible to determine what the true nature of the actual deficits was. It's astonishing to me that the government would not want to hold on to that legacy, hold on to that history because I think that is what the expectations of Albertans are.

The other thing I'm still waiting to see – and I did ask for the Finance minister to provide us with this; I'm still hoping that he will – is a historical fiscal summary. Now that they have finagled with the numbers and moved things from one consolidated budget into three, you actually have to restate all of the previous years so that you can figure out what our true status is, so that you can do an apples-to-apples comparison. I still haven't seen that. We'll continue asking for it, and hopefully it will one day be delivered.

As you can see, we've got significant issues with this legislation. The whole premise of it is flawed. They're taking Alberta in a direction that I think is a betrayal of the past, a betrayal of the legacy of Premier Ralph Klein, certainly a betrayal of the campaign commitments that the Premier made when she was running for the Progressive Conservative leadership, certainly a betrayal of the campaign promises that she made when she was running in the last election, and I think that it's not in keeping with what Albertans want to see. We'll certainly have an opportunity to see that in the next election. We believe that the proposals that we are putting forward are in keeping with what Albertans want to see.

I'd said, when I started off my speech, that I don't call this the Fiscal Management Act; I call it the Fiscal Mismanagement Act. But it could have a subtitle. It could be the Buy Now, Let our Children and Grandchildren Pay Later Act, and I think that that is, unfortunately, the true lasting legacy that this Premier will be remembered for, a once-in-a-generation budget. Well, unfortunately for future generations, that's exactly what this piece of legislation delivers.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. leader.

Are there other speakers? I'll recognize the Member for Airdrie.

**Mr. Anderson:** Thank you very much, Mr. Speaker. Well, it's always an honour to stand in this Legislature and have the opportunity to speak on behalf of my constituents even though I am somewhat saddened by having to speak to such a piece of legislation as this. But on behalf of my constituents I'm going to speak on it.

You know, everyone has different reasons why they get into politics. Almost every time it's a good reason. There's a cause or a theme or something that has driven them there. For me, I'd just finished my articles, I was just coming to the end of my first year as an associate, and the opportunity to run provincially came up. I hadn't really thought about running for politics, and I decided that I would run for politics at that time because my wife, Anita, and I had just started having children. We were starting our family, and I realized that the direction our province had been heading in over

the last three to four years at that point was starting to get a little bit off course from where I hoped that we would be going. I wanted to make sure that my children had the same opportunities and, in fact, more opportunities than I had.

I wanted to see our province become just an absolute beacon of financial stability, a place where my kids would always be able to not only find a job but would have opportunities long after oil and gas was not as valuable as it was then. That's why I got into politics. I wanted to keep the Alberta that I knew and loved and grew up in. I wanted to keep those principles that we had strong for my children so that they would stay. I joined what I thought was a conservative party at that time and that was kind of drifting slightly. Unfortunately, I was entirely unable to stop that drift. Essentially, somebody put an anchor through the hull, and it's sinking down, down, down into the depths. But it should be interesting, I guess. [interjection] Listing. We shall say listing. It's listing to the left and the right, back to the left.

Anyway, I'll speak to this act, the Fiscal Management Act. This bill, maybe more than any other piece of legislation put forward under this Premier, epitomizes the culmination of this government's track record of incompetence and fiscal mismanagement. Appropriately and regrettably, this bill repeals and replaces two cornerstone Alberta laws, the Government Accountability Act and the Fiscal Responsibility Act. The startling fact that the legislation we are debating today eliminates the two laws that explicitly call for government accountability and fiscal responsibility is not lost on me and shouldn't be lost on anyone else. This Premier has sure talked a lot about change. Well, vapourizing government accountability and fiscal responsibility to accompany this government's six consecutive deficits into one complicated, opaque, and evasive law is sure some kind of change.

Of course, this government has a track record of doublespeak and broken promises when it comes to the province's finances. Albertans first saw it coming in the last third-quarter update, when the Finance minister broke with tradition and, as the Premier said at the time, changed the way they present the information by producing a document many commentators called useless, deceiving, and many other terms and that only summarized spending and revenue in broad categories.

Unfortunately, it is not surprising that this government is moving to formalize its third-quarter attempt to present only a consolidated fiscal summary rather than an actual consolidated fiscal plan. The accountability act had mandated that Alberta's quarterly updates include comparisons to show the accuracy of projections, detailed borrowing requirements, the net financial position, and breakdown of liabilities in quarterly updates, all of which, we recall, were missing from the third-quarter update. But now we understand. That transparency is just too inconvenient for a government that makes promises it can't keep, says absolutely anything it can to get elected, and has created a financial mess so bad that it wants to keep it shrouded from Albertans in meaningless quarterly updates and budgets with no bottom lines.

Now here we are, debating this act. No one knew until just a few days ago that we were running an operating deficit for the last year. Did you notice they were just kind of: "Oh, we maybe had to run an operating deficit last year" and maybe this, that, and the other thing? Third quarter: still nobody knew. Just recently we came to the knowledge: oh, we ran a \$1.5 billion operating deficit last year, and we're going to have a half-a-billion-dollar operating deficit this year. Wow. That wasn't in your third-quarter update. How did that get missed? Everyone is just in the dark, and that's what this government wants to do, keep Albertans in the dark as to the fiscal health of their province.

Make no mistake. This bill symbolizes a very unsettling change. It tosses out an established 20-year format for budgets and quarterly updates in this province, and it eliminates strict rules around debt in order to make this new budgeting process legal.

This government likes to talk a lot about how it is more sophisticated than all the Albertans who want to see government live within its means, just like Alberta families and businesses have to do every day. This government likes to say that those who want government to balance its budget, spend responsibly, and stay out of debt are backward and ideological and extremists. This government wants to pretend it is moving forward, but let's be honest. This government is regressive. They are moving backwards as we speak. In fact, moving backwards is exactly what this bill is all about, moving backwards to the self-perpetuating cycle of spiralling government deficits and debt, corporate welfare, and doomed economic intervention, back to shrouding the books so that Albertans can't tell what the government is doing with the hard-earned tax dollars with which they are entrusted.

Indeed, during the disastrous Getty-Johnston years convoluted and confusing budgets were deliberately designed to mislead Albertans and to cover up the scale of their government's deficits. These important financial reforms, among them the Government Accountability Act and the Fiscal Responsibility Act, had been implemented to clean up government, to force them to accurately report to Albertans the provincial government's projections, spending, revenue, and shortfalls and to regularly demonstrate how the government's fiscal situation measured up to its comprehensive and transparent fiscal plans. But this government wants to undo those reforms that pulled Alberta out of its past and ensured the government would be open and prudent. This government wants to go backwards, not forwards, and this most recent budget revealed why.

#### 4:10

Because of their incompetence and their irresponsibility, not just of the current administration but especially over the last four years, they have squandered Alberta's wealth, vapourized our savings, created a structural deficit, and now have plunged the province back into long-term structural debt. Why would they want to be honest about that?

Now, they want to pass a law to endorse what they tried to pull off in the budget, defying logic and common sense or perhaps only those of us who believe in balanced budgets and are just too – what's the word? – parochial to get the government's budget gymnastics. This government is trying to convince Albertans that debt shouldn't be included in a deficit and that capital shouldn't be included in spending. This government wants to break up the budget documents to hide the truth from Albertans. They want to take billions of dollars in spending out of the budget and pretend that debt is revenue. Definitely not accountable, definitely not responsible.

The main shift is to move all capital spending off the books into a separate account and to present only a deficit surplus number based on operations. The proposal to take capital out of the bottom line removes accountability entirely. Under capital spending about two-thirds used to be classified as capital grants, and these grants were included in operational expenses. In Bill 12 it will be treated as an investment and largely funded through borrowing. It is clearly not a sustainable approach to encourage the provincial government to cover capital spending, which is a major portion of every budget, almost entirely out of debt.

Worst of all, Bill 12 does not require the government to report a debt repayment schedule, leaving the government forced to pay



billions in debt repayment fees every year. We know this government is well on its way. A billion-dollar payment is due next year. The debt ceiling laid out in Bill 12 is sky-high, opening the door for this government to borrow up to \$40 billion, mortgaging our children's future and putting the long-term sustainability of public, core social programs at risk.

Against this backdrop of compounding borrowing and debt is this bill's savings plan. After more than three decades of the heritage trust fund being allowed to lag and the sustainability fund being almost entirely obliterated within the last five years, it is about time this government realized that actual parameters need to be set to keep current and future governments from using taxpayers' dollars as politicians' vote-buying personal piggy banks. We've got to end that practice.

Although I'm happy to see the call for the interest from the heritage fund to remain in the fund, phased in over four years, mind you, and for an escalating percentage of royalty revenues to be put in the fund, even this section of the bill puts an extra nail in the coffin of accountability. The update to the heritage fund act removes the requirement that the heritage fund standing committee review and approve the annual business plan for the heritage fund. The fund doesn't even have to have an annual business plan anymore. It also removes references to ministerial titles and removes expired provisions for a transition and endowment portfolio. The last thing the heritage fund needs is less disciplined management and oversight than it has in the years since it was established by Premier Lougheed, seeing that it is now worth less than in the year he first established it.

We in the Wildrose know we must do, of course, more than just oppose. We must demonstrate how we would do things differently and make proposals for change that would actually move the provincial government forward on accountability and fiscal responsibility. We've done that in previous balanced budget alternatives, in this year's Wildrose financial recovery plan, in our 10-year debt-free capital plan, and already in our responses to the budget over the last week, and we will continue to do so. We will bring forward a number of amendments to Bill 12 to show how to balance the budget, increase savings, and to be honest with Albertans about how government is managing their money. I very much look forward to the debate.

I want to end by briefly discussing debt. This Finance minister and the Premier continue to talk about comparing the debt that we're taking on to a home mortgage. I want to help folks understand why that comparison is shockingly inadequate. The first reason is that we don't take out mortgages on our homes every year. If I was to go home to my sweet companion and say, "Darling, we're going to take a mortgage on a house every year going forward" – we, of course, would not do that – she would say, "Have you been drinking?" and I would say, "No, I haven't been drinking." Of course I would say that. Clearly, that's not a good course of action and not something normal people go on and do.

The second piece is that when you take a mortgage on a house, you are gaining, generally speaking, an appreciating asset – if it's a business loan, an appreciating asset or an income-generating asset in the case of a business – that you can sell in the future. When you build bridges, roads, schools, and so forth, these are immediately depreciating assets that cost incredible amounts of money to maintain, and you cannot sell them on the open market. Finally, unlike an individual taking out a mortgage, government is not responsible for the debt that it takes out. It's taxpayers that are responsible for it. When it's a mortgage, it's the individual that's responsible. That's why this comparison is, frankly, juvenile and completely ill considered.

The last point is the idea that government should be borrowing vast quantities of money and then reinvesting it in the stock market because the interest rate they borrow at is going to be, hopefully, lower than the interest rate that they invested at. We just learned in western Europe and in the United States about the term "too big to fail." We saw that when massive companies, and banks in particular, go out of business, they can take the economy down with them.

There's something even bigger than banks. They're called governments. They are too big to fail, and that's why we cannot risk – we cannot risk – borrowing billions of dollars in money in order to put it into a bank account so we can save it down the road or invest it down the road. That's what this plan is contemplating. We're talking about borrowing money and saving at the same time because we think we can get a higher return. I mean, it's lunacy, Mr. Speaker. All governments, certainly the provincial government, are too big to fail.

We need to stop going down this road of fiscal insanity, do the right thing and not pass this act, and get back to the principles that made this province great.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. The hon. Minister of Finance and President of the Treasury Board.

**Mr. Horner:** Thank you, Mr. Speaker. I listened with interest to both of the previous speakers, and I did just want to comment on a couple of things and ask the hon. member something at the end. The first one that I wanted to comment on was that the hon. member mentioned that businesses have assets that they borrow for that they can sell. The hon. member said that we can't sell these assets. Well, I wonder if the hon. member is aware of a number of jurisdictions that have sold infrastructure, including our federal government, because they didn't want to have it on their books anymore, because they wanted to raise some money. I mean, currently they're looking at selling their coal transfer station. They've sold a number of buildings that they owned and then leased them back because financial experts have told them that that was the way to go.

Mr. Speaker, I would suggest to the hon. member that when he dug the opening for the three new schools in his jurisdiction that were built under the P3 model, which is debt, he was pretty happy about that and that those schools have a great deal of value in his constituency. In fact, we've sold some properties in this province that used to be schools, and we got pretty good value out of them because the land that they sit on actually had appreciated.

I'm curious, Mr. Speaker. If the hon. member is suggesting that, well, we should not do any more P3s, obviously, because that would be debt, that we shouldn't actually allow municipalities to borrow because, well, we're on the hook for that, too, that perhaps we should rein in those municipalities, that they shouldn't be borrowing money on the taxpayers' dime, would the hon. member, then, advocate that we abolish the Alberta Capital Finance Authority and get rid of the debt that all these municipalities have built and that Alberta taxpayers are one hundred per cent liable for?

**Mr. Anderson:** Good questions. Glad to be able to answer them. There's this funny comment that keeps coming up. The Member for Calgary-Klein tabled earlier the picture of the sod-turning for one of the three schools being built in Airdrie as if that was some kind of smoking gun. As the minister well knows, we have a \$50 billion 10-year capital plan. We would build the schools that we need for this province. We would build them with money in the

bank. We would build not what we need politically but what Albertans need to educate their children.

4:20

That's one big thing. Am I happy that they're building schools? Yeah. Am I happy that they're building schools using debt? No. That, I think, is an interesting argument they keep bringing up, as if it means anything. Obviously, we want to build the things that Albertans need, the infrastructure they need, but we want to do so in a sustainable way, debt free.

How much time do I have? Two minutes?

**Mr. Horner:** I'd like to ask another question.

**Mr. Anderson:** You asked a lot of questions. You know, I've got to go through them.

The second piece that you talked about was regarding selling infrastructure. Well, granted, obviously, on the books as a province we own tens of billions of dollars in provincial assets and infrastructure. Clearly, there are going to be some provincial assets that one can sell. There's no doubt about that. But as a total of the entire amount of assets, it's probably somewhere in the area of, like, 2 per cent that we will ever sell for the value that we've spent on them. Maybe. In rare circumstances. So I would like to know – and I'll return the question. [interjections]

**The Deputy Speaker:** Hon. members, the Member for Airdrie has the floor, please.

**Mr. Anderson:** Correct me if I'm wrong. I would like to know: what list of schools are you planning to sell off? What list of bridges are you planning to sell off? How many roads or seniors' care centres or hospitals are you planning to sell off? Tell us that, and then at least we can know all these great assets that we're going to sell off one day.

**The Deputy Speaker:** Are there others?

**Mr. Horner:** I appreciate the opportunity to stand and talk about the fact that these are assets on our books, and because they have value and they could be sold off, that's the premise on which the hon. member was saying: we shouldn't be valuating them as an asset that we can't sell. We can sell. That was my point.

Mr. Speaker, they talk about a \$50 billion capital plan that they're going to pay cash for, but they don't tell us in this document how they're going to pay cash for it because they don't tell us whether or not they're going to use it as part of their operating expense. There are no financial documents in here. With all of the speeches that they gave, which were very passionate, about us changing the way we presented, this doesn't present any financial documents.

**The Deputy Speaker:** Thank you, hon. minister.

Are there others to speak to the bill? The hon. Associate Minister of Finance.

**Mr. Fawcett:** Thank you very much, Mr. Speaker. It's an honour to stand up today and speak to Bill 12, the Fiscal Management Act. This is something that has been a passion of mine probably since I was elected back in 2008 to represent what was then called the riding of Calgary-North Hill but now Calgary-Klein.

It's been a journey, Mr. Speaker. It's been an interesting one, one where I've learned a lot but one where I feel I've been able to contribute to the public debate and contribute to what we have before this Legislature today.

I know that the Member for Airdrie mentioned how passionate

he was about these issues. In fact, I remember just a few years ago, when he and a few other members of the government caucus decided to make the long-term fiscal sustainability of this province a broader issue. I could tell you, Mr. Speaker, that what motivated me in doing so was just my concern that as a province we were moving from budget to budget without any long-term vision, any long-term plan about how we're prudently going to manage our finances not just for today but for future generations.

That's our challenge as government. What we're really talking about here is: how do we meet the needs of today's society? And there are needs; there's no doubt. Every single one of us goes out to our constituents and engages them in discussions about what would make their community better, what would make things easier for their family. There are all sorts of needs. As their elected representatives we bring those to the table, and we're asked to make some very tough decisions.

What's important, though, is that we meet those needs and that we do so in a way that doesn't put any burden onto future generations, whether that future burden means substantial cuts in public services because we just can no longer pay for them moving forward or whether it means increasing taxes.

I know, Mr. Speaker, that when I come to the Legislature every single day, it's my goal to make sure that every single advantage that Albertans enjoy today, whether it be the quality of life that they receive through the economic opportunities that they have, that rival anywhere else in this world, or whether it be the quality of life in their communities that they have through investment in public services and infrastructure or whether it be the quality of life that they have through being able to keep more of their hard-earned taxpayer dollars in their own bank accounts and in their own pockets for them to decide what to do with – that's what I come here to this Assembly every day to talk about.

I was ecstatic when the Premier asked me after the recent election to serve as Associate Minister of Finance. In her mandate letter to me she asked me to go out and talk to Albertans about the purpose and the use of and how we can build up the Alberta heritage savings trust fund as well as look at different ways to explore options to finance public infrastructure projects in this province. I and the Minister of Finance and President of Treasury Board developed a plan to go out and talk to Albertans, to allow Albertans to come and talk to us at public town hall meetings, to allow them to go online and fill out a survey. We went and reached out to some of the financial experts in this province – people that run businesses, multibillion-dollar corporations, academics that study public economics and other economic fields – to give us advice on what they think is the direction that we should go.

Let's be honest. As the Minister of Finance explained in his budget speech, you know, we are at a watershed moment. It seems that every 20 years we make changes to our fiscal framework, to the way that we're managing our finances to ensure that we have these principles of intergenerational equity when it comes to public services and taxes, Mr. Speaker.

We went out and did that consultation. I just wanted to talk about these two particular areas, the savings part and the capital financing part, that are part of my mandate letter, Mr. Speaker.

One of the things that struck me as we went out and talked to Albertans is that Albertans have tremendous pride about the Alberta heritage savings trust fund. There might not be the greatest understanding about what the fund is used for or what it should be used for, but I can tell you that Albertans have pride that we have it, and they want the government to continue to invest into it. That's what we're going to do with this legislation. The reason is – and this was unanimous – that they want to make sure

that, again, the benefits we enjoy today as a province we can pass on to future generations. The intergenerational transfer of benefits is very, very important. Again, it has to do with the public services, the fairness around that, and how we can pass on the high-quality public services and infrastructure that we enjoy today, the tax advantage that we enjoy today, and the economic opportunities that we enjoy today.

The other thing that they talked about when we asked them about our savings is that they were very grateful about the sustainability fund. They were grateful that it was put in place. It definitely saved us from the economic downturn in 2008-09 and having to drastically cut public services as a result. What we did hear back, though, Mr. Speaker, was that there was some confusion about what exactly the purpose of the sustainability fund was. It seemed like the majority of it, to be honest, actually went into capital projects. That's not a bad thing, but they weren't sure whether it was a capital account or a fiscal stabilization account. In fact, its origins actually started off as both those separate things.

A lot of the experts that we engaged with in this process suggested it's important to have a fiscal stabilization fund to get you through some of those ups and downs of being a nonrenewable resource economy but that, you know, probably you should manage your capital in a different way. That's what we've done. What we've done is that we've repurposed the sustainability fund to be more like a contingency reserve. This was something that was championed by the Calgary Chamber of Commerce.

What we've done is that we've come up with a policy that will allow us to take right off the top of our nonrenewable resource revenue a percentage on a sliding scale. It's 5 per cent on the first \$10 billion, 25 per cent on the next \$5 billion, and 50 per cent on any money coming in after the \$15 billion.

4:30

Mr. Speaker, this does two things. This is going to allow us to grow our Alberta heritage savings trust fund in real terms, something that hasn't happened in a while. You know, I will admit that this is something that I don't think is a proud record for the government. I think that we could have been doing a better job in this area in past years. But I can tell you that when this Premier became leader of this party, this was one of her passions, that we continue to put in place, where we establish a policy that will allow us to grow that fund in real terms, like Peter Lougheed envisioned when he brought it in originally.

The other thing that I think is very, very important is that we can talk about spending controls and legislated spending controls, but when you take money off the top of nonrenewable resource revenue, that essentially acts as a spending control. Okay? It's more flexible, yes, than legislating inflation plus population growth, but let's consider this for a second, the whole concept of inflation plus population growth and legislating that.

It's well known that that's a pretty simplistic way of determining how government or public expenditures should grow. I could tell you two examples of where it doesn't make sense. When you have an aging demographic, Mr. Speaker, that adds additional costs that are beyond the growth of inflation and the growth of your population. You just can't account for those types of things with such a simplistic formula. We do know that we do have an aging population in this province, and the pressures that are going to be on public services as a result of that need to be accommodated. The government needs to have the ability to be able to accommodate those pressures.

Again, Mr. Speaker, another example is around economic growth. Quite honestly, economic growth is not proportionately

correlated to the growth of inflation plus population, yet it puts tremendous pressure on public infrastructure here in the province. So let's have some intellectual honesty and be honest with ourselves that this whole notion of inflation plus population growth is a great guideline. It is a great guideline, and if you ignore that guideline for long periods of time, you might run into a problem. But is it something that should be legislated year over year over year over year? No. That doesn't make sense. It doesn't allow the government to provide effective public services that are needed in the communities. So what we've done in bringing forward this savings policy is that we've allowed a policy that limits the government's ability to spend all of the revenue that it brings in every year and to control spending, but it allows flexibility on a year-over-year basis to meet the needs of the population.

Now, the second piece is around debt financing for capital. You know, I will admit that back seven, eight years ago, I was probably one of the ones standing up right beside Ralph Klein when he said that he put out the debt in full. I can tell you that when that happened, I had been elected to the public school board in Calgary, and one of the biggest issues that I faced on my term as a school board trustee was the fact that there were a number of communities that didn't have schools. That was a consequence of that policy decision. I could stand here today like Ralph Klein did back in 2007 when he said that that probably was a mistake.

Mr. Speaker, there are a number of ways to finance capital projects, and not one of them is right, and not one of them is wrong. In fact, there are three major ways. You could do the pay-as-you-go, where you pay cash; you can do a P3 project; or you can debt finance it through some sort of public debt instrument. Okay? We should allow the government to be open to all three of those where they make financial sense. This isn't an ideological argument as to: you take a bunch of those off the table. You utilize those tools when they financially make sense based on sound financial analysis, not based on some ideology.

When we went out and talked to experts, economists, academia, it was almost unanimous that they said this, Mr. Speaker. I could go back to the conversations we had in the town hall in Medicine Hat. I know the Member for Medicine Hat is not here right now. [interjections] Oh, sorry, Mr. Speaker. He's here. He would be able to verify that when we asked the question in the town hall whether or not government should debt finance, it was unanimous. The over 25 people that decided to come out to that town hall decided to say . . . [interjections] The point is that there was no one that showed up, when the minister and I went out to ask, to tell us that we should not be doing this.

The point is that – guess what? – there might be years in the future when we decide not to debt finance capital projects because it financially does not make sense to do it. You have to do the analysis. The fact is that when you say that you're going to pay as you go on debt financing capital projects, you need to consider one of the things that we haven't done in this province in a long, long time, and that's the opportunity cost of what you could do with that cash asset that you would be paying for. We've never done that analysis on this, and any economist – and I know that the Leader of the Official Opposition has an economics background – would do that analysis before you make that decision.

Mr. Speaker, all we're doing with changing this legislation is allowing the government the flexibility to make sound financial management decisions that will allow us to manage our cash and physical assets to the best financial ability of the government.

Not only that; there are all sorts of risks associated. The traditional pay-as-you-go, where you pay cash and you go out to

public tender, has risk associated with it. Typically, cost overruns are passed on to a government. This is where P3s have their advantage because the government shares those risks with the other partners in that project. This is all part and parcel of the complexity of doing this work, that cannot be fit nicely into some ideological box that government should or should not have debt. The fact is that all governments have debt. Debt is part of cash management. It's part of asset management. What's important is that the government is transparent and puts that information out there and that we do so in a way that has limitations. That's what we go to.

There are a number of lessons that I think we need to learn throughout the world, whether it's right here in our backyard or across the ocean. I think the lesson from the Klein era, in the document that I tabled earlier, that even Ralph Klein recognized himself, is that we cannot be so ideological that we would not have the government have any debt. I mean, at the time, when we were going through the boom, we didn't have any debt, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. minister.

I'll recognize the hon. Member for Little Bow under 29(2)(a).

**Mr. Donovan:** Thank you, Mr. Speaker. I appreciate your input. I don't agree with all of it, but I appreciate it. I just wanted to touch on a couple of things you said about when you get up in the morning and you come to this job and about the quality of life for Albertans and how to make sure that they're not hindered any more than they were when they got up the day before. Ironically, last week when I got up on the Wednesday, I could buy my farm fuel with a 6-cent discount. The Thursday by 3:15 that was 6 cents more. I guess I'd like to ask you: what do I tell my constituents that woke up with 6 cents more a litre, a tax, than they had the day before? I feel that's a tax.

The second part to my question. You look to be maybe a bit of a movie guy. If you want to watch *Inside Job*, it's a movie on economists and how the whole crisis down in the States happened in 2008. There are three parts to it: how they got there, the bubble, which ironically ties in with the bitumen bubble a little bit; the crisis, where everybody figured what they were doing was wrong; and then the accountability. This all goes back to what's going on in this government, the accountability.

I'd like to hear your input on how you stopped, or maybe even voted for, the 6 cents a litre for the farm fuel, because that's inhibited the life of a lot of farmers in Alberta. [interjection] Well, that's a 12-step recovery program for your economy. Don't worry about that one.

**Mr. Fawcett:** Mr. Speaker, I appreciate that question. I just wanted to go back to this movie that the hon. member is talking about. You know, I have seen that movie. What's important, as I was just getting to, is that we put the proper limitations in place. This isn't a conversation on whether debt is right or wrong. It's a conversation about what the appropriate use of debt and the limitations of debt are when it comes to public spending.

4:40

It was quite clear from the financial experts that we engaged. They said it made sense. In fact, I've got a quote here from Jack Mintz, who said: "My argument is simple. Some debt for infrastructure is appropriate, since capital providing long-term benefits should not fall entirely on the existing population." With any of these financial experts that we engaged, that argument was unanimous. What they said, though, was: we want to make sure

that you're putting in the proper limitations. That's what we've done with this 3 per cent rule.

Remember the goal in mind. You know, the Finance minister could talk about this. He's gone and talked to the rating agencies out in New York and Toronto. They were quite clear that even at 5 per cent we would not even come close to putting in jeopardy our triple-A credit rating. We've engaged these people in this conversation. We've moved it down to 3 per cent. Remember that most of the municipalities, particularly the two major ones, are around 10 per cent here in this province. I think what's important is that we make sure that we have those limitations in place and we engage in a conversation about those limitations.

With that, Mr. Speaker, I just want to finish off. I think what this really does is that it puts principles in place to allow us to make the decisions that the hon. member was talking about. It provides the government flexibility to make decisions of the day that, yes, sometimes are tough decisions but are appropriate decisions. It puts in place that flexibility. It allows the government to find that balance between meeting today's needs and meeting future needs. It's a pragmatic bill that is going to move Alberta forward, that finds that balance, and it delivers on the vision.

That's what budgets do. That's what financial documents do. They're a tool to deliver on the vision that the government and the Premier have for this province. That's what this does. They're not an end in itself; they're a means to an end, Mr. Speaker. That's what we've done. We've put the proper mechanisms in place through this bill to allow this government to continue to build Alberta like this Premier promised in the last election.

**Mr. Horner:** Well, Mr. Speaker, I understand that the hon. member wants to ask a question that has no relationship to the bill, and that's fine. The 6 cents a litre is something that we did have to cut, unfortunately.

I know that the hon. member went to a number of the round-table discussions, but he also had some individual discussions on the savings piece in terms of some small working groups. I wonder if he could let the House know the relationship of what he heard in those meetings to the bill that we have before us in this House.

**The Deputy Speaker:** You have eight seconds, hon. member.

**Mr. Fawcett:** Thank you, Mr. Speaker. I think what people said was: be pragmatic. We're not going to save all of our nonrenewable resource revenue today.

**The Deputy Speaker:** Thank you, hon. minister.

I'll recognize the hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Mr. Speaker. This government revels in telling Albertans that they can manage the budget and be open and transparent. However, we've seen time and time again that that's not the case. A good example of this is the supplementary supply bill, where the government has overspent from the budget they presented last year and is now coming to the House to ask for more money. Sadly, when you troll through that bill for specifics, there are none, only line items that ask for bulk dollars. We also see this with the appropriation interim bill, where they need to get the permission of the House to extend the spending of dollars past March 31. This is interesting because the first one could have been solved by living within their means, and the second could have been solved by actually coming to the Legislature on the scheduled date in February to start budget debate. Unfortunately, this government is not able to set the budget and stick to its commitments.

Additionally, if this government wasn't so busy revamping the legislation, creating Bill 12, the Fiscal Management Act, to ensure their budget was legal, then we could have been here in plenty of time and would not have required an extension past March 31. This government is failing to keep their promises to run a balanced budget and to raise the bar on transparency. Bill 12 is indicative of that. This bill tosses out an established 20-year format for budgets and quarterly updates as well as strict rules around debt in order to make the Premier's and the Finance minister's new approach to the budgeting process legal.

This is the same 20-year format that was implemented in Premier Getty's reign, when serious concerns were raised regarding the reporting of financial information by the government. Premier Klein's government created the Fiscal Responsibility Act and the Government Accountability Act to ensure that Albertans knew the truth about where the government was spending their hard-earned dollars. Yet this Premier is returning to an approach that hides information, makes the budget harder to read and understand, and separates dollars into three different deficits. This Premier is lowering the bar on transparency just so their new approach to budgeting can be legal. This is not leadership.

Now, Mr. Speaker, when the Finance minister tried to change the way PC governments presented the province's fiscal situation from how they had in the past, the national director of the Canadian Taxpayers Federation, Scott Hennig, wrote an article. He called it *Why I Think Alberta Finance Minister . . . Is Breaking the Law*. After articulating how he felt the Finance minister's 2012-2013 fiscal update and economic statement was breaking the law, he concluded by saying this:

The Alberta government used to be heralded by me and others for the details, transparency and easy to understand budgets and quarterly updates. No more. When governments start to try and hide information from the public, look out.

This is the legacy the Premier has brought and the legacy that Bill 12 helps to solidify. It is a legacy of broken promises and a government that tries to hide their fiscal management from the public. This government wants to hide how big their deficits are, but Albertans will not be fooled. Albertans know that this was the sixth straight deficit budget, and Albertans know that this budget contained a \$5.5 billion deficit even if the government tries to hide those facts.

The government would also have Albertans believe that they are not hiding anything, yet they now have three different deficits. They have an operating deficit at about a half a billion dollars, a capital deficit at around \$5 billion, and a savings deficit. This is an interesting new way to look at accounting for this province, so interesting that they produced this budget before passing the legislation of Bill 12, the Fiscal Management Act. If this new reporting is so open and transparent, why not bring in the legislation in the fall session? You could have explained it to Albertans, and you didn't have to push it through for your own agenda.

This new outlook on budgets and deficits is a new look for Albertans as well: by 2016 a \$17 billion debt for Alberta. We are now poised to regress backwards to a very negative time for Albertans, a time when Albertans made it clear that debt was not acceptable and they would make the sacrifices required to ensure their children and grandchildren would not have to make the same sacrifices they did. I remember those days. I remember when \$8 a barrel oil was there, and I remember the sacrifices my parents made and their friends made in order to make sure we don't have those days today. They also had a Premier that campaigned on the truth. Premier Klein campaigned on paying the debt, tough times, and difficult choices, and Albertans gave Mr. Klein that mandate.

Albertans have been fooled this time. In April the economy was strong and still is. The Premier gave no indication that she would beg, borrow, and steal from future generations and still not keep her promises from that campaign. Interestingly, this debt, like household debt and business debt, requires a debt repayment plan that is robust and surgical to ensure that \$17 billion is actually paid off in 20 years, as this government promises.

However, if you look at this government's repayment plan, you will see they plan to pay back \$40 million in 2013, \$112 million next year, and \$225 million the year after that. Interesting that most will realize that to pay off \$17 billion in debt, you would need much more than \$377 million. In fact, you would need about \$850 million per year in a debt repayment account to pay it off. It begs the question: does this government actually intend to pay this off, or does it really intend to roll the debt over in 20 years?

The Premier has called this budget a once-in-a-generation budget. Sadly, that's true. However, with this type of repayment it will be many more generations than one. This is a deficit that future generations of Albertans will have to pay, and if the government continues to pay as little towards the principal as they did this year, it could take many, many, many generations to pay it off.

This would be comical if it were not so sad that in the same budget, the same bill they talk about savings. This is the government that over the last five years, despite revenues and taxes that other provinces would beg for, has drained a \$17 billion sustainability fund with billion dollar deficit after billion dollar deficit and has allowed the heritage fund to be worth less per capita today than it was under Mr. Lougheed. How this government believes they have the right to talk about savings precludes all logic.

4:50

The Leader of the Wildrose Official Opposition and Member for Highwood spoke earlier about how much better we could be doing with the heritage fund if we had made a couple of serious commitments. We would already be on the sustainable path and collecting \$7 billion to \$8 billion annually in interest from that fund. We have a plan to build the heritage fund, and it is a lot more realistic than the one the government has proposed. It involves, first and foremost, getting our spending back in order and getting back to surplus budgets. It involves putting 50 per cent of every surplus into the heritage fund and all accumulating interest back into the fund. This will ensure that it is affordable, and it ensures that a good proportion of boom time revenues will get put away.

Mr. Speaker, the government's savings plan only offers more borrowing and no real value to Albertans. This is the same government that has said year after year that they will balance the budget next year. Now, they continue to say that, but they also say that they will start to add to the savings next year. Why should Albertans trust this? This Premier misled Albertans in the campaign and is clearly showing that she's not able to keep her promises.

While Bill 12 may change the law to make the Premier's and Finance minister's approach to budgeting legal, it certainly doesn't make it ethical. We all know the story of Enron. At the end of 2001 it was revealed that its reported financial condition was sustained substantially by an institutionalized, systemic, and creatively planned accounting fraud, known since as the Enron scandal. Enron has since become a well-known example of wilful corporate fraud and corruption. The scandal also brought into question the accounting practices and activities of many corporations in the United States. Surely, we would not want the province of Alberta to suffer any such fate.

Fiscal responsibility is the cornerstone to good governance and is achievable. Most Albertans regularly practice fiscal responsibility. There's nothing new to hard-working Albertans who use sound economic practices each and every day. Albertans know that you don't spend more than you make, you don't get a mortgage every year, and that borrowing from an RRSP to pay the credit card is not good judgment.

More importantly, Albertans expect legislators to achieve a higher standard. They expect us to be stewards of their dollars on loan to us. No one enjoys paying years of interest on depreciating assets, yet this is what this government is proposing. They will tell you that they're investing in Alberta's future. They will also tell you that these assets appreciate, which is simply not true. It is important to invest in infrastructure, and this absolutely should be at the top of the list. However, you don't have to do it all in one shot, and you don't have to borrow to ensure Albertans have what they need.

That is why the Wildrose Official Opposition put forward the 10-year capital debt plan. This allows for over \$48 billion in spending on infrastructure in 10 years. This will also provide Albertans with a prioritized list of what projects are being built and their priority and make it public. Most Albertans understand you can't have everything at once, but they would like to know where they are in the plan, and a Wildrose government would give them that. We would cut spending by ending corporate handouts and shrinking the public bureaucracy, and we should do that now. While doing that, we would not hide facts from Albertans. We would be open and transparent and not pass bills such as the Fiscal Management Act, that hide these facts from Albertans.

The Premier promised to govern differently. We're certainly seeing that. She does govern differently. This is a government that spends at an alarming rate, offers no real plan for savings, and continues to make promises that they cannot keep. The Premier promised to raise the bar on accountability and transparency. Clearly, Bill 12, the Fiscal Management Act, shows that this government is more concerned with hiding the facts than being open. This bill cannot be supported as presented. Legislation that hides information from the public is never good. That being said, I'm looking forward to the opportunity to work with the government and bring forward amendments that could benefit all Albertans and that will allow for all Albertans to benefit from a more open and transparent financial outlook.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a). The hon. Minister of Finance and President of Treasury Board.

**Mr. Horner:** Thank you, Mr. Speaker. Very interesting to listen to the comments from the hon. member. I have just two or three questions. They're not really difficult or anything. I find her comments around supplementary supply interesting because that's how we were able to pay for the disasters that actually occurred during the period of 2012-13. I'm sure she's not advocating that we wouldn't have paid for those disasters, so I'll leave that one alone.

I did want to ask the hon. member: given that she believes that this new format hides information, is harder to read, and is illegal, does she believe that municipalities' presentation of their financial documents and budgets are hiding information, illegal, hard to read, and crossing the boundaries of accountability? That's the first question.

The second question I have, Mr. Speaker, is that she mentioned the Canadian Taxpayers Federation, which, you know, obviously agrees with the Wildrose Alliance in their assessment that our

assets have no value. That's the only way that they can come up with a \$5.2 billion number. They've come up with different numbers, Mr. Speaker, but they actually came up with this number based on what Mr. Fildebrandt – I mean, they agree with them on a lot of issues. The CTF wants to get rid of the Human Rights Commission. The CTF wants to get rid of the Francophone Secretariat. I'm assuming they agree with that, too.

But, Mr. Speaker, if she believes that the assets that we hold have no value, would she suggest, then, since they have no value, that we shouldn't be expensing a billion dollars of depreciation of these valueless assets every year in our operating expense and where we go with that? Perhaps that's how they intend to pay for the stuff that they have on their list, which has no financial statements in it.

**Mr. Saskiw:** It's not called the budget.

**Mr. Horner:** Well, no. It's been called a budget several times by your leader, actually.

**Mr. Saskiw:** It's a recovery plan.

**Mr. Horner:** I would ask, then, if she believes that the municipalities are breaking the law, hiding information, and are presenting confusing statements.

I'd also just bring one other thing, whether she believes that the chair of Suncor actually understands accounting and how we do business, you know, in terms of being able to operate. I'm curious whether she would believe the chairman of Suncor's comment that said, and I quote: I think it's very positive that they're separating the operating and the capital budgets. They're two different things. I think it creates more accountability, and I think overall it will be the right thing to do.

So those things, Mr. Speaker.

**The Deputy Speaker:** Would you like to respond?

**Mrs. Towle:** Thank you, Mr. Speaker. I appreciate the comments from the hon. member. I absolutely agree that we should fund disaster relief. I just guess I have to wonder why this government continues to fund disaster relief in supplementary supply bills. It seems that we should have an emergency relief fund that is budgeted for regularly every single year. Emergencies: we know they happen. Slave Lake fire, absolutely. Now, we may not be able to cover all of the costs in the fund, but we should be building that fund to absolutely do that. Actually, if you started building up the heritage trust fund, just like you promised to do and like the Wildrose would do, you may be able to actually establish a fund that is dedicated to emergency relief coming straight off the interest.

So, yes, I agree we should fund disaster relief, but it should be a regular occurrence in the regular budget that is proposed every year rather than coming here for supplementary funding for the whole amount. Right now it's not built into the budget at all until we come to supplementary.

Secondly, as for the municipalities, the municipalities are not proposing an act before this House to change the way we provincially administer our budget and report our budget. The province is doing that. The government of the province of Alberta is doing that, and the province is the one who is changing the format that's been in place for 20 years, the same format that actually eliminated what we saw with Premier Getty's reign, where financial reporting was questionable and it was able to hide parts of the government spending habits from Albertans. This was an acceptable practice for 20 years.

Like I said, if you want to bring forward the Fiscal Management Act and if it is so good for this province, all the more power to you. You could have done this in the fall legislation. You could have brought it forward as a government bill in the fall. You could have taken it to Albertans, and you could have explained to Albertans what the next budget was going to look like rather than presenting a budget to Albertans that, right now, does not fall within legislation and actually having to push through the legislation before the budget is passed so that it's actually legal. That's the reality that we're facing.

So it's not about what municipalities are doing; it's about what the government does.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the next speaker, the Member for Calgary-Varsity.

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. People often ask me why I went into politics after 28 years in the private sector. [interjections] It's exactly for this reason that I did that, and this is a very serious comment. I was delighted that the Premier asked me to sit on Treasury Board, and I am delighted to be able to participate in putting together legislation that commits our government and all Albertans to fiscal discipline.

5:00

I grew up in a family where my parents were both born during the depression, were a farm family, and fiscal discipline meant everything. They were very compassionate people, but no matter how much money we had or didn't have, fiscal discipline was everything. A lot of the constituents in my area grew up in the same time. I have a lot of seniors, and when they come to my office, they say exactly the same thing. No matter how much money we have as Albertans or we have in our home, fiscal discipline is a responsibility. I see the same from businesspeople, and that's where I grew up. That's where I've worked. I see the same at my dinner table every night. My husband is a CA, a CFA. Our oldest son is a CA. Our middle son is a finance grad.

This is a conversation that I care deeply about. This is exactly why I went into politics. These are real commitments. They're commitments to savings. Right off the top we have to save a defined portion of nonrenewable resource revenues. I've worked in 35 countries in the world where nonrenewable resource income is their primary source of income. This is amazing. What we're doing here in Alberta is remarkable. We can listen to the banter around this Legislature, but the truth is that this is exceptional. To put it into law is unbelievable: 5 per cent of the first \$10 billion must be saved, 25 per cent of the next \$5 billion must be saved, and 50 per cent of all nonrenewable resource revenues in excess of \$15 billion must be saved. That is fiscal discipline.

We've also committed to building a contingency fund, up to \$5 billion, to act as a fiscal shock absorber on the operational side and, clearly, to deal with operational deficits. That is fiscal discipline. We're committed to growing our endowments once our contingency account reads \$5 billion. Additional nonrenewable resource revenue is contributed to the Alberta heritage savings trust fund and other provincial endowments, which we are very clear about. In 2015-16 we're committed to retaining 30 per cent of the heritage trust fund's net income, and by '17-18 we've legislated – we've not just said it; we've legislated it – to retain a hundred per cent of that fund's net income. That's fiscal discipline.

The act requires that the operating budget be balanced and retain a 1 per cent limit on in-year operating expense increases. That's fiscal discipline. This act prescribes how we will service

our debt. Notwithstanding what we're hearing in this House, annual debt-servicing costs are limited, and we're absolutely, expressly saying how we're committed to set aside and repay capital and interest. That's what we talked about in Treasury Board. We're making that commitment into a law, Mr. Speaker. That's fiscal discipline.

If that's not enough, alongside these commitments we also have a results-based budgeting plan. I'm chairing one of the committees. I know what we're doing. We're looking at how every dollar is spent in economic development right now, and I have colleagues doing the same. That is fiscal discipline.

Mr. Speaker, I am very proud to support this act. It honours and respects exactly the kind of fiscal discipline that I grew up with, that my constituents talk to me about, and that all Albertans care about. I'm very proud of this act.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a). The hon. President of Treasury Board and Minister of Finance.

**Mr. Horner:** Thank you, Mr. Speaker. I recognize that the hon. member was talking about the experience that she's had in the commercial sectors in various other countries and, obviously, has a very strong financial background and a business background. I would ask the hon. member to comment just a little bit about the framework of how we're presenting these financial statements and these projections as it relates to what she saw in industry previously and whether or not there's any correlation.

**The Deputy Speaker:** Thank you.

The hon. member.

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. I'd be delighted to. When I was evaluating projects on behalf of energy companies, companies who were British, American, Canadian, we would often look at how host governments were managing their nonrenewable resource income. It was very, very, very rare – it was an exception to the norm – to see this kind of transparency and this kind of clarity between operating and capital costs.

This fall I had the good fortune to participate in conversations hosted by the Commonwealth for jurisdictions like ours, where we are dependent on nonrenewable resource income. Canada and Alberta in particular are miles ahead in terms of clarity and commitment. To commit to this in legislation is something that is very, very, very rare.

**The Deputy Speaker:** Thank you.

The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Speaker. The hon. member was commenting on how debt servicing was going to be in this act and that it is in the act, and we're adding a rhetorical argument that isn't factual. I'm wondering if you could add some facts as to how you plan to repay the debt that you are now so proudly advocating for.

**The Deputy Speaker:** The hon. member.

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. When we were talking in Treasury Board about capital programs and limits on how much we borrow and how we pay that money back, the conversation was very clear that we wanted to make sure that Albertans knew how we were going to pay back the interest and how we were going to pay back the loans. That's something we're committed to doing and we will be doing.

**Mr. Wilson:** To follow up, I'm wondering if you have any specifics that you could add.

**Ms Kennedy-Glans:** Until we have the loans in place, I don't think I can share specifics with this particular member, but clearly the conversation is one that intends to expressly state the capital repayments and the debt repayments. I can't be much more explicit than that.

**The Deputy Speaker:** Thank you, hon. member.

The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. I guess, you know, when one takes out a significant amount of debt – and the government likes to compare this to a mortgage. Generally there's a plan for how to repay that mortgage over time. One would assume that you can create a particular interest rate, and then you would create the amortization period there. I find it really odd that the government right now is admitting that they have no plan to repay this debt.

**Ms Kennedy-Glans:** I find the statement by this member quite astounding. I don't think there's anyone in this House who has said this, and it's certainly not what's represented by this legislation or by the statements by members in this House. It's a very clear commitment that if we're going to borrow capital, we're going to have a plan for how we repay the capital and the interest. We're responsible about that.

**The Deputy Speaker:** I probably should recognize the Member for Edmonton-Gold Bar.

**Mr. Dorward:** Thank you, Mr. Speaker. Following that answer – and thank you for the answer – I see in the bill:

- 9 A fiscal plan must include, in respect of the revenue and expense of the Government and prescribed Provincial agencies,
  - (a) an operational plan,
  - (b) a savings plan,
  - (c) a capital plan . . .

And (d). But my focus is on the operational plan, savings plan, and capital plan. Now, as I've gone through the bill, I don't see anywhere on here whether we pay our operational bills within six days, nine days, 14 days, 26 days, or any other number of days or indeed months. Would you comment on the fact that this bill, as you've reviewed it, seems to be laying out the groundwork for the work that's done thereafter and that the very wording of a plan – the party opposite doesn't seem to understand exactly what a plan is – is that the plan will contain the wording that says when these kinds of things will be able to be paid. Is that your take on the bill?

**The Deputy Speaker:** Hon. member, briefly.

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. In fact, I've talked about this bill with my children. My middle son is 23, so he's a very new finance grad and just cutting his teeth in industry. I've talked about this bill with students who are at the university, and I asked them if they understand it based on their reading of this bill exactly as the member across the aisle has described. Can they see, can they envision what we're talking about? Without exception they understand what's envisioned here.

5:10

**The Deputy Speaker:** Thank you.

I'll recognize the next speaker, the hon. Member for Strathmore-Brooks, followed by Edmonton-Strathcona.

**Mr. Hale:** Thank you, Mr. Speaker. I'd like to take this

opportunity to speak against Bill 12, the Fiscal Management Act, which forces government into debt to save money. This act serves one political purpose, to obscure the true state of Alberta's finances. But what's worse: it opens the door to running deficit levels that will last generations and generations. The Fiscal Management Act is a smokescreen. It forces into law the kind of drastic fiscal management that has tragically plummeted this province back into debt. I hope this government realizes that touting a savings account built on borrowing dollars is wrong and that it's a crime against future generations. This isn't a plan. This is Getty era finance at its best.

Bill 12 takes capital spending out of the bottom-line finances entirely. Bill 12 allows government to use debt to cover its capital costs now and into the future. Bill 12 lets the government take capital spending off the books entirely. This is not good governance. This is the kind of short-sighted budgeting that has no place in Alberta.

The Alberta debt is projected to grow by about \$4 billion per year. By 2016 we're looking at a deficit of about \$17 billion. Still, they would have us believe they're doing Albertans a service now and into the future. Seventeen billion dollars of debt by 2016. Something tells me that our kids won't be happy with the gift we're leaving them.

Bill 12 tosses out an established 20-year format for budgets and quarterly updates in order to make the new budgeting process legal. This new, convoluted system serves only one purpose, to sweep the fiscal mess we're in under the rug. Using debt to save money is wrong. Using legislation to hide the real deficit numbers is even worse.

There is a kind of silver lining here, though. Bill 12 forces the government to do something it seemed incapable of doing before, saving. The government will finally come to its senses and keep interest in the heritage fund and allow it to grow and compound. Sadly, however, this realization has come too late. If this government had always done that, the heritage fund would be over \$130 billion today, nearly 10 times what the fund is worth.

The Premier promised during her leadership campaign to allocate every dollar between \$6 billion and \$9 billion of resource revenue to the heritage fund. Consider that another broken promise. Bill 12 takes only 5 per cent of the first \$10 billion. This is insufficient.

The problem is that government doesn't know how to govern anymore. They sit back and plan for windfall resource revenues each and every year. It's boom or bust each and every year. Bill 12 will toss out the kind of debt rules that would stifle a spend-happy government. It reminds me of the kind of budget documents Finance Minister Dick Johnston put forward under Premier Getty, which hid the fiscal mess the province was in at the time. Bill 12 hearkens back to darker times in Alberta.

The debt limit of 3 per cent of revenues means that this government can borrow almost \$40 billion before having to amend the law and raise the debt ceiling. It drops the reporting requirement for nonoperational numbers. The worst part, however, of Bill 12 is that there's absolutely no plan in place to pay back this debt that they're taking out. There's debt, there's savings, but there's no payback plan. Individuals and businesses don't take debt without a plan to pay it back, so why does this government? Individuals and businesses certainly don't think of a way to misrepresent debt to themselves, so why does the government?

This government would do well to look at the Wildrose capital plan. The Wildrose capital plan has been dismantled by the government as extreme. There's no doubt in my mind that a pay-as-you-go attitude is a foreign concept to this government, so let



me enlighten them. Spending prudently in line with revenues is not extreme; it's sound fiscal management.

There's also no shared understanding between government, economists, and policy-makers on what Bill 12 means in terms of how the numbers will be reported. It's been dismissed as nothing but cheap strategy.

What we're seeing now is a trend. The government has trended far away from its fiscal conservative roots, six deficit budgets in a row and counting. I'm wondering what my friends across the aisle stand for. Bill 12 isn't about building for the future; it's about protecting the government through a smokescreen. Let's be honest about where we stand, and let's practise the same kinds of lessons we teach our children: when you borrow something, give it back.

I'd like to finish with a couple of quotes from friends of mine that are quite a bit older than I am and have seen different times come and go and booms and busts. One of the gentlemen said: using tax increases to get the government out of debt is like standing in a bucket and trying to lift the bucket up by its handles; it just doesn't work. Another friend of mine suggested: we are tired of supporting this government on the inheritance from our grandfathers and the wages of our wives.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. The Member for Edmonton-Gold Bar.

**Mr. Dorward:** Thank you very much, Mr. Speaker. There are deficits around here, but they're knowledge deficits. I'm still reeling from the comparison between Enron and the government of Alberta, which I think I heard although I wasn't able to get up and give a direct reaction. That boggles my mind. I also heard comments such as three different deficits because of three different plans. I don't know how you have a deficit in a savings plan. I just can't get that concept. Quite frankly, you can't really have a deficit in a capital plan, but I'll speak about that later.

I do have a couple of comments with respect to this good member. I heard that it is a crime to save money, and I dare say that the government coming up with a savings plan is a brilliant, wonderful thing. In fact, a simple question for the member is this. Does he know anybody that saves any money when they have a mortgage? Mr. Speaker, that's exactly what's happening here, and this is the example that the government of Alberta is going to lead the nation in, in putting away firstly, before they can spend money on anything, some money, like a person would do, to save for a rainy day. It's a smart thing to do, and I don't understand why the people on the opposite end of the spectrum here, that spectrum that they get mad if we mention, can't understand that or support that concept. That's the first question. Is it really a crime to save money, and does he know anybody who saves money when they have a mortgage?

The second question is this. I do want to allow him some time to answer these questions. The bill allows us, the government, I guess, to take the debt off our books. I would just like to know the section reference for that in the act, please.

**The Deputy Speaker:** Thank you, hon. member.

The hon. Member for Strathmore-Brooks to respond.

**Mr. Hale:** Sure. Thank you, Mr. Speaker. Well, I'll tell you something my grandfather told me many, many years ago. It was a long time ago, and times do change. When I was growing up and spending a lot of time with him, he told me: "You know what? If you don't have the money, you don't spend it."

**Mr. Horner:** He never borrowed any money?

**Mr. Hale:** He never borrowed a dime. He said: I never bought a single car that I couldn't pay cash for. He bought his land with cash. He bought everything with cash. The bank came to his neighbours because they financed and financed and kept rolling over and rolling over, and they couldn't pay for it. Interest rates went up. Taxes went up. They couldn't pay for it. His land and his stuff were all paid off. They couldn't pay for it.

**An Hon. Member:** What if interest rates go up?

**Mr. Hale:** Interest rates went up. They got tough times, more debt, more debt, couldn't pay it off. [interjections]

**The Deputy Speaker:** Hon. members, please, through the chair.

**Mr. Hale:** You know, back in the '80s, when the interest rates were 17 per cent, there were many landowners that had to sell their land. The banks came and took their land because they mortgaged and financed and didn't have anything saved up, spent all their money. The interest rates were too high. They couldn't make it. The bank came and took it away.

Our Wildrose financial recovery plan has been referenced many times. I'll just give you a few examples of where we would make some savings so that we wouldn't have to take out all the debt and try to come up with ways to hide it in here so we can justify it. The first one would be – and I'm not sure if many of the members have read this or not. They pack it around.

**Mr. Saskiw:** They looked at the pictures.

**Mr. Hale:** The pictures? There are some very nice pictures in here, I will say.

Revoke the 8 per cent MLA pay raise, return to the MLA salary that was in place after the 2012 election, and reduce cabinet salary by 30 per cent: \$1.5 million. Eliminate ministers without portfolio, and cut ministries to 16: \$5 million. Let's reduce the Public Affairs Bureau: \$10 million. Eliminate political patronage posts: at least \$2 million. Postpone federal building add-ons: \$4 million. End grants to for-profit companies: \$230 million. Reduce salaries, benefits, bonuses, severances for non front-line workers and government bureaucracy by 20 per cent over four years: savings of \$428 million in 2013, \$343 million in . . .

5:20

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Member for Edmonton-Strathcona.

**Ms Notley:** Well, thank you very much, Mr. Speaker. It's a pleasure to be able to rise and speak to what appears to be the government's flagship bill this session, one that provides not a small amount of amusement and indeed provided not a small amount of amusement when I first heard that this was what the government was going to hang its hat on. I thought: "Wow. That's really leading with your chin. But all right. If that's what you want to do."

Yes, this is the bill. The debate up to now has been a lot of sort of back and forth on appropriate accounting practices, all of which, of course, is certainly relevant to ensuring that Albertans get a good sense of what it is that's being passed in this House.

I want to take a step back to sort of give maybe a little bit more context, at least from my perspective, around what this bill represents. I have to say, ironically, that even though the political drivers which are at the foundation of this bill being introduced are very different than those which drove the government

initiative about which I'm about to speak, nonetheless this government is responding in exactly the same way.

Let me explain that. Back in 2006, 2007 – I don't know when it was – before the world-wide recession, when the economy was percolating along, there really was, and for good reason, a great deal of concern in the public consciousness about the issue of climate change. It was a huge issue, and it was in fact becoming a bit of a vote-getter. There was a lot of discussion. That, of course, changed pretty significantly after the recession. Nonetheless, that certainly was a huge topic of conversation.

This government, being the sort of politically skilled folks that they are, decided to hitch their wagon to that particular star, and they came up with a grand declaration and a grand plan about how they were going to sell the credibility of the oil and gas industry in Alberta and do so by coming up with a grand plan for being the leaders in climate change initiatives in the country.

They came up with a plan that, interestingly, didn't actually ask for any kind of results for two or three years. The hope was, of course, that by the time anyone started checking on those results, people would have long since moved on, and this issue would have lost their attention. No one would notice that, in fact, their grand plan really wasn't worth the paper it was written on and, frankly, never really was intended to be. Indeed, that is in large part what happened. In particular, unfortunately, with the recession people really lost attention, more than I wish would have been the case, on this extremely important issue. Just in the last few weeks and months we've had repeated acknowledgements by independent observers that this government is on track to absolutely fail miserably with respect to every target it ever identified for itself on climate change.

Now, Mr. Speaker, this bill is kind of a replication of that same model all over again. It's a different topic, it's a different issue of the day, but it's still the same kind of dynamic. It's mapping out this great fiscal plan, this great savings plan. "We're going to wean ourselves off reliance on nonrenewable resource revenue. We're going to start saving," yada, yada, yada, and that all starts three years from now.

You know, I've seen this movie before, Mr. Speaker. These guys are really good at mapping out plans, and they've become extremely cynical in the way they use this Legislature to give substance to the plans that really are born in some office where a bunch of communications folks are sitting around the table desperately trying to figure out how to come up with the most recent answer to the current credibility gap.

They come up with grand stuff, and they decide: "You know what? Let's try and make this real. Let's run this baby up the flagpole in the Legislature and see if we can get people to spend a lot of time talking about it and getting lost in the details, and maybe they'll think we're serious about it." The fact of the matter is, Mr. Speaker, that there are so many examples of where this government articulates these grand plans and it all goes by the wayside. Quite frankly, getting really enmeshed in the details of this one makes me think that we would become a little bit the victims of a bait-and-switch tactic here because, really, it's not about their theoretical plan to start saving money four years down the road or three years down the road.

What is really going on here, Mr. Speaker, is that 11 months ago this Premier ran an election campaign to Albertans, and in that election campaign she made a unicorn's basket full of promises. You know, Disney could not have written a platform as full of sparkly twitters and singing birds as the platform that this government introduced to the people of Alberta last spring. They promised full-day kindergarten. They promised stable and predictable funding from K to 12. They promised stable and

predictable funding for our advanced education system. They promised 140 family community care centres although the rumour out there is that somebody misplaced the decimal point. They promised they would end child poverty. They promised they would end all poverty. I mean, I don't even know that Gandhi tried to promise that, but the Premier certainly did. You know, there was just no end to the joy she was going to bring to this province.

Of course, once they managed to inch their way through the election through a number of interesting strategies, including those which I just outlined, they were then in a position where they could make one of two choices. The first choice was to fix the chronic revenue problem that exists in this province and which is as predictable as the sun rising in the east notwithstanding the Premier's regular attempts to convince people that it does in fact rise in the west. It is highly predictable with Conservative governments that they get themselves locked into this decision to capitulate to their friends and insiders and to cut taxes to their wealthy friends and to corporations to a point where we end up in a position of tremendous financial uncertainty and insecurity.

You see that this is exactly what happened in the U.S. This is what is happening federally. The deficit numbers are growing federally because this is what Conservatives do. They cut and cut and cut taxes, and then suddenly they find themselves being held politically accountable for the suffering and the problems that that kind of cutting creates. Then they create a fiscal imbalance or a fiscal problem.

Here in Alberta that particular trend has been ameliorated or masked somewhat by the fact that we've been able to rely on these, you know, repeated windfalls of nonrenewable resource revenue. Now that's starting to have to be addressed. Quite frankly, they knew it was going to have to be addressed long before the election. You know, the whole bitumen balloon thing is, again, another creation at the same table, probably, that generated this bill. Nonetheless, it doesn't deny the fact that we have a fiscal problem in this province. You can either choose to fix the revenue problem, or you can choose to make a lot of cuts to the most vulnerable Albertans. There's no question that this government made the latter choice in direct contradiction to the promises they made in the election and certainly in direct contradiction to the narrative and the image that they put a lot of money into projecting for their leader.

That being said, the ironic thing about all of this is that even though they've chosen to go the cuts route, Mr. Speaker, they still have a problem. They still can't wean us off relying on nonrenewable resources. They still can't start saving. They still can't even do that. You know what? They are so far down the hole in terms of their tax cuts and their corporate tax cuts and the flat tax and the fact that we've got the lowest royalty regime for the oil and gas sector in the world except, apparently, Angola, which somebody proudly pointed out at the Calgary fiscal conference that occurred about a month ago. Someone very defensively said: no, no; Angola charges less than we do. Well, yeah, that's true, but you have to take an army into Angola to extract resources, so I don't know that that's really where we should be setting the bar.

5:30

Nonetheless, we've done that, so now we have a problem. Now we have a bill that's designed to make us look like we are managing and planning, and indeed it does look like we're managing and planning, but again it all starts a long time down the road. One of the previous speakers was very proudly saying: when we get more than \$15 billion or \$20 billion of nonrenewable resource revenue, we're going to put 50 per cent of that into

savings. Well, Mr. Speaker, this government's own projections are that we're not going to get past that 5 per cent stage for the foreseeable future. In the next four years, until the next election, we're never going to get past the point where we're putting anything more than 5 per cent of our nonrenewable resource revenue into savings. I'm sorry. That's not saving. That's not shifting away from being reliant on nonrenewable resources. That's being very reliant on nonrenewable resources.

On top of that, it's refusing to actually change the rate at which we collect those nonrenewable resource revenues. There's nothing in the budget in terms of collecting all that uncollected nonrenewable resource revenue that we're currently entitled to, which could actually help our situation quite a bit. Nonetheless, we've got this situation where we've got this bill that maps out grand plans that the government's own projections don't really see coming to fruition before the next election. Really, that's clear because this government is as arrogant as a group that's been in power for 41 years can be, and certainly, you know, you've got to give them some credit. If I'd been in power for 41 years, I too would think that that was the way of the world, and it would never change.

Nonetheless, we cannot look at any piece of legislation for longer than the term of the government, so when you look at this piece of legislation, it is good until 2016 unless, of course, another shiny object comes along and these folks have to change gears. But we can assume it's good till at least 2016. Well, their own projections do not see these grand 50 per cent diversions of money into savings occurring until well after the next election. I mean, really, I just don't know how real any of it is.

In the meantime, Mr. Speaker, what's not happening is that we are not looking at dealing with the fact that while wealthy Albertans pay the lowest taxes in the country, the rest of us pay more than at least two or three other provinces. So it's not fair. It's the rest of us, the middle- and low-income Albertans, who are feeling the effects of not having full-day kindergarten, who are feeling the effects of – and, of course, I have to go back to my office and do a little bit of research every day after I finish here, but by my count thus far I've found about \$260 million that's been taken away from seniors in this budget. So those people certainly don't get the benefit of the lowest tax rate in the country for wealthy Albertans. As I say, neither, of course, do the low-income Albertans, who've had their income clawed back to the tune of about \$120 million. Neither do the people that rely on affordable housing and the rental supplements. They don't get the benefit of the lowest tax rate in the country for wealthy Albertans. They don't get that benefit at all.

**Mr. Hancock:** Yes, they do. They don't pay any sales taxes.

**Ms Notley:** It has nothing to do with sales tax. It has to do with income tax. Wealthy Albertans pay the lowest taxes in the country, and low-income and middle-income Albertans pay more than many in the country, not the most but more than many. There's a choice that's been made, and that choice is to stand up for the wealthy and to stand up for certain corporations and, in particular, the oil and gas industry.

This bill doesn't change that. This bill is not fixing the fiscal problem that we have in this province. If the projections that the government has put forward, which I've already heard are, once again, somewhat optimistic in terms of economic growth, in terms of employment growth, do not come to fruition, then we're going to be continuing a debt situation.

Of course, you know, I'm sure people in this House are tired of me reminding them of the report of the federal Parliamentary

Budget Officer, who identified that, in fact, over the last 25 years the governments that have been the most successful at balancing budgets in the country are not Liberals, not Conservatives, but New Democrats. One of the ways you do that is you sit down and you look at whether you've got enough revenue that you can count on and can predict.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. I'd just like to give the member an opportunity to talk about which aspects of the bill – are there any aspects of it that you like?

**Ms Notley:** Well, I'm looking forward to the opportunity to go through the bill in more detail in committee and third reading. In terms of things that I like in the bill, I will say that one thing that did jump out at me that I was a bit disappointed – I believe it was members from both the Official Opposition as well as the Liberal caucus who raised the issue of requiring reporting that goes back a couple of years in order to maintain an enhanced accountability for Albertans who were looking at the budgeting activities of the government.

I believe it's section 8 that talks about creating fiscal plans that look two years ahead and all that kind of stuff, but it would have been very nice to have seen them say that where there are changes to the reporting mechanisms, they must also go back at least two or three years in order to ensure consistency and an ease of oversight, my understanding being that that's a point that's been made by both other opposition parties, and they've characterized that as being good accounting practice. It's unfortunate that while we have what is effectively here an accounting bill geared to distract attention from all the things that this government is not doing in this session, they didn't even introduce what I'm told is a best-practices accounting measure.

**The Deputy Speaker:** The hon. Member for Drumheller-Stettler. Standing Order 29(2)(a).

**Mr. Strankman:** Yes. Mr. Speaker, I'd like to ask the member, too, regarding section 6. It talks about that the debt servicing costs "must not exceed 3%." I was wondering if she's looked into that and what her opinion is on that section.

**Ms Notley:** Well, it's a very good question. In fact, just today I sent a note to our researcher saying: "How does this relate to what happens in other provinces? Is this average? Is this high? Is this low? Should we be worried about it?" My answer is that I don't have an answer yet, but it's a very good question because it's one that I just asked. I still don't have an answer, so I'm not giving comment on it quite yet.

**The Deputy Speaker:** Thank you, hon. member.

Others under 29(2)(a)?

I'll recognize the Member for Edmonton-Gold Bar, followed by Drumheller-Stettler.

**Mr. Dorward:** Well, thank you, Mr. Speaker. I think I have 10 minutes, is it?

**The Deputy Speaker:** That's correct, hon. member.

**Mr. Dorward:** Let me start my timer.

**The Deputy Speaker:** Oh. Fifteen, rather, hon. member.

**Mr. Dorward:** That's great. I don't know where to begin. I seriously don't. Maybe I do. Maybe I'd like to start talking about the growth in population plus inflation as being a measure of the expenditures of government. In managerial accounting you always want to make sure that the measurement tool actually reflects reality. It's a very important concept. There is no reality, in my opinion, between the growth in population and the inflation. The reason for that is simple. That would stick you in something in the past. Now, there are people opposite who seem stuck in the past, so this is a concept that they want and they absorb into their policies, but it isn't real.

For example, Mr. Speaker, let me say that the social responsibility that we have in the province of Alberta has changed tremendously in the past while. Some of this is economies of scale or negative economies of scale, perhaps. As you have a bigger population, approaching 4 million people and upwards from that, the number of people that are on the social rolls increases exponentially. It doesn't just increase a small amount. As well, when you talk about the environment, our environmental stewardship and the need to look after environmental issues have a reflection on budget costs. Those environmental costs are increasing exponentially. They're not just increasing by the amount of inflation and the number of people that move into the province.

5:40

Those are just two quick examples of reasons why that doesn't make any sense. It keeps getting brought up. Over time people's needs in the arts and leisure world and our stressful world change. To be able to run things on a computer versus the way they used to be, on paper, is an increase in cost. It just doesn't make any sense. There's no correlation.

Mr. Speaker, I would like to talk a little bit about this concept of what a deficit is. An actual deficit is an excess of expenditure or liability over income or asset. I'm going to slow down because, clearly, people do not understand this. It's an excess of expenditure or liability over income or asset. Now, I've not heard a lot of discussion in this Assembly regarding the income side, so I assume people think that there's an expenditure issue relative to putting us into a deficit, if you will.

Now, Mr. Speaker, this bill, as I read it, helps people to understand this. The party opposite is saying that this confuses and hides things. This is actually not the case. It's quite the opposite. It pulls out three very distinct pieces of any person's, any business's, or any government's actual interaction with financial numbers. That is, it pulls capital away from operational expenditure, which means that you can clearly see whether there's more money being spent on operations than is being brought in from the income of a province; operations, you could say. Therefore, if there is a deficit there in that area, it will be clearly shown.

I dare say that if I walked down the streets of Gold Bar and asked people, when capital is a part of the expenditures of the province, if people understood exactly what the deficit was, they'd probably say, "No, I don't really understand," because capital is included in that and mixed up in that. [interjections] This is proof when the other side doesn't exactly understand what the deficit is and didn't understand, for example, that P3s are debt and P3 debt is on the financial statements of the government of Alberta. It has been for eight years. They don't understand that. They didn't understand that. They have to be taught that. This bill will actually extract that out of the operational numbers and clearly show people how much money is being paid on P3s, for example.

**Ms L. Johnson:** I have a timer going for you.

**Mr. Dorward:** That's fantastic. I've got eight minutes and 33 seconds left. I'm going to keep on going here. I know I won't finish, but I hope I get a question because that will give me five minutes. Heck, in that five minutes, quite frankly, I don't even need to answer the question because I've had so many pure examples of not answering questions that get asked.

Let's move on to the deficit that might be possible in a savings area. You know, when you have a savings plan – I'm just going to stop and contemplate here for a second; please don't shut off the microphone because I'm going to pause – how on earth could you have a deficit? I mean, when you save money, Mr. Speaker, you take some of your revenue, and you tuck it away for the future. That's a simple concept. There can be no deficit.

In fact, I would say that a capital plan cannot have a deficit. It can be fully funded, but if you don't have any money to pay for the capital, Mr. Speaker, well, then you don't have any capital. So by definition it has to be funded somehow. This bill makes it so that the government has to come forward with an operational plan, a savings plan, and that capital plan, which will clearly show in future years, as it's brought before this Assembly here, exactly what's going to happen with the capital. I don't think the details of this need to be in the bill right now. I mean, we're setting the framework. That's why we clearly called it a plan.

Now, Mr. Speaker, I've got to tell you that when I decided to run as an MLA and get out of the business world and devote a hundred per cent of my attention to being an MLA and to serving the 42,000 people in Edmonton-Gold Bar, on the legislative side of things I had some ideas of what would be great about myself as a professional accountant serving the Legislative Assembly. I've got to tell you that this bill is probably three or four years of what I hoped would be accomplished in this Assembly by myself reviewing legislation. This is something that's outstanding.

Let me tell you, Mr. Speaker, that – I'm going to section 4(4) of this bill – when it says, "For the 2017-18 fiscal year and subsequent fiscal years, 100% of the net income of the Heritage Fund must be retained in the Heritage Fund," I'm proud of the government and the Finance minister for bringing forward this kind of proactive legislation. In fact, I've heard from the other side in committee and in other places that this is something that should be done. Now I hear catcalls. Why do I hear catcalls? I think that the people on the other side want to talk more about politics and power than they do about good legislation.

I'm happy as well that in this bill, section 5, the contingency account is still there. Although there are caps on the contingency account, there are rules regarding the periods of time when money needs to go into the contingency account or can come out. It was formerly the sustainability account, for those who haven't had a chance to read the bill, which I know there are some. There's a debt-servicing limit on here of 3 per cent of the average of actual operational revenue. This is laid out for us in this act.

Mr. Speaker, when you go to the nonrenewable resource revenue section of the act, section 3, I'm very proud of the fact that now Albertans can understand that the government must take a portion of the nonrenewable resource revenue in a fiscal year and put it directly into the future of our province. That's a wonderful thing. It's in this bill here. I look for full acceptance of that. [interjections] Thank you. I trust there are no amendments in that area.

Mr. Speaker, with respect to the disclosure – you know, I've created annual reports. I've looked at annual reports. I've looked at annual and quarterly reports for listed companies. I don't know what the concern is over the numbers. I just think it's that situation where people aren't used to them or haven't read enough of them to be able to digest the information that is there. This strengthens

the ability for the government – it clarifies the things that they must report to the people of Alberta.

I've got to tell you as a chartered accountant and as a certified management accountant that this bill, the Fiscal Management Act, is something that I'm very happy with. It will set the tone and the guiding that's needed by the province of Alberta to actually lead the nation in terms of its reporting and structure in the fiscal area. I'd maybe predict – I don't know if that's the right word. I would encourage the other provinces across our nation to take a look at what our Minister of Finance has done under the leadership of our Premier. I've sat at the table in Treasury Board and listened to her and to him speak to these issues that are contained in here in the last eight months as these kinds of concepts have been developed. I hope that those other provinces take a close look at the kinds of things we're doing here and consider adopting them into their own provincial bills and statutes.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a). The Member for Calgary-Shaw.

5:50

**Mr. Wilson:** Thank you, Mr. Speaker. I truly appreciate the opportunity. In my hand I have a copy of the Budget 2012 speech, and I thought I would use this and another document that came along with it to ask the Member for Edmonton-Gold Bar a couple of questions.

First off, he commented on how using the measure of population growth and inflation doesn't make sense and that it's inconsequential. However, in the speech delivered last year it suggests that "the increase in expenses is due almost entirely to increased spending in Albertans' priority areas . . . Mr. Speaker, this increase is less than population growth plus inflation." It's interesting that "is less" is even underlined, so there's actually extra emphasis on that. I can't understand why a Finance minister from that government would emphasize something so inconsequential.

The second thing I would like to ask. I've never been to Edmonton-Gold Bar, and I'm sure that there are some very, very bright people there. What I've got here is Budget 2012 fiscal summary. It takes up less than half a page. I know you're all fond of pictures, so perhaps you could reflect on that. Right here line 13 says: surplus/deficit, line 1 minus line 12. Well, that's pretty simple to figure out. I wonder. If you dropped this on someone in Edmonton-Gold Bar and said, "Hey, what's the deficit," if they wouldn't have a clue.

Please, if you could, sir.

**Mr. Dorward:** I'm pleased to be able to answer those questions, Mr. Speaker. With respect to the first one, there's a floor and ceiling concept here. I just stood here and said that inflation and population increase needs to be considered in the realm of other social needs and things like that. In other words, I don't think that that's a measure that should be entrenched anywhere, and I hear that the folks opposite want to entrench those kinds of things. That is why it shouldn't be in there. Making a statement as to exactly what the deficit or increase in expenditure is relative to those measures is perfectly acceptable. There's absolutely nothing wrong with that.

With respect to the throwing down of the reports, I apologize; I don't know which report you had in your hands. But I dare say, Mr. Speaker, that if I did sit down with anybody in Edmonton-Gold Bar, I would be able to explain those things, and I will be able to explain the future reports of the Minister of Finance in a

very, very clear way so that they can understand as citizens of this province exactly what's going on.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

I recognize the President of Treasury Board and Minister of Finance.

**Mr. Horner:** Well, Mr. Speaker, not having the benefit of the professional designation that the hon. member has, perhaps we could ask him to explain the relevant feasibility of using a capital plan and using the capital markets to build assets that have value for future Albertans as it relates to the cost in future of deferring, perhaps, those capital assets relative to the financial decisions we have to make.

**The Deputy Speaker:** Thank you.

The Member for Edmonton-Gold Bar.

**Mr. Dorward:** Thank you, Mr. Speaker. There are many facets to this. The first one is that there is a workforce out there. I had the pleasure of meeting with several of the unions that work in this province and how they're working in harmony with the corporations that provide jobs for Albertans right now and provide jobs for those union workers and the things that they're working together on. We need to keep those labour forces busy and active. You just can't stop building things in this province. We've already had examples today of the deficit that was caused when government didn't spend.

The private sector takes their cues from government in the sense of: what is government doing? We feel the confidence that then gets into the economy, and they continue to spend, and those workforces are kept busy and active. The capital markets look very closely, Mr. Speaker, at us in Alberta. When they do, they look at the whole picture. They don't just look at one tiny little segment, one tiny little word. Yes, the MLAs got an 8 per cent increase in their RRSP after they took a 25 per cent reduction in their pay. You can't look at one little segment. You have to look at the entire picture.

So when people look at the province of Alberta, they know that there are better roads, better hospitals, better schools because this government has continued to spend on this and under this fiscal plan will continue to spend like that.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Member for Drumheller-Stettler as the next speaker.

**Mr. Strankman:** Thanks, Mr. Speaker. It's kind of an interesting honour for me to rise and speak on this because with all the gesturing and the banter that goes about in the Chamber, sometimes the seriousness is kind of lost. I'd like to go forward.

I'd like to speak to this Fiscal Management Act as a lifelong resident of the special areas, and I know that the Minister of Finance has family members also out in the special areas. There's somewhat of a difference in the municipal accounting that goes on in the special areas as to what's going on in this budget. The management of the special areas and the advisory council, which is made up of members of that constituency, has actually the equivalent of one year's budget in surplus rather than \$50 million in debt. Fifty million dollars is approximately the annual operating budget of the special areas. They have approximately a \$50 million surplus.

Now, Mr. Speaker, I know that recently you travelled to my constituency location of Stettler. On January 23 you and the

Minister of Municipal Affairs and three others were out there. I'd encourage you to come out also to Hanna at some point in time and meet with the special areas advisory council because they have a completely different *modus operandi* for how they manage. I just heard the member opposite say that maybe they're holding themselves back by not going forward in this vision involved in this bill on fiscal management by saving for the future. They understand in the special areas – and the Minister of Finance knows wholeheartedly that it's mandated under an act and operated under the auspices of the Minister of Municipal Affairs – that it is a special area and it is adverse and it is harsh, not unlike, possibly, some of the financial times that we are and could be going through in this province. So I have somewhat of a different view on how we're coming forward with this management here.

We talked about it earlier, saying something to the effect that the plan of this act may not be unethical, but in some cases I believe the constituents of Drumheller-Stettler might believe it to be immoral, going forward with this sort of management. [interjection] It may be a stretch, but the minister is hearing what I'm saying. I'm pleased to hear that, even though he doesn't look over to this side of the House very often. It seems that on many occasions he's had a chance to count the lights, so we've all got an understanding of how many there are.

I want to speak again to the seriousness, Mr. Speaker, of this bill. It repeals the accountability act and the Fiscal Responsibility Act, and it amends the Heritage Savings Trust Fund Act. Now, going forward, I believe that the members previous to us that passed this legislation must have done it with some sincerity. So for this government to in one fell swoop make sweeping changes to three acts is to me quite significant.

I've had a chance to say my small piece on that, and if anybody would like to speak under 29(2)(a), I'd appreciate the discussion.

**Mr. Horner:** Well, Mr. Speaker, just so the hon. member knows, I am looking over there on a fairly regular basis, actually, just to make you feel a little bit better.

I would ask the hon. member: given his concern that we are repealing two acts and creating one new act, what out of the other two acts that we are not putting into this act is he concerned we're leaving on the table?

**The Deputy Speaker:** Hon. minister, I hesitate to interrupt, but it is 6 o'clock. The House will stand adjourned until 7:30. Perhaps the member will have a chance thereafter to respond.

[The Assembly adjourned at 6 p.m.]







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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Wednesday evening, March 13, 2013

Issue 36e

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta  
The 28th Legislature**

First Session

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Wildrose: 17

Alberta Liberal: 5

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## Legislative Assembly of Alberta

7:30 p.m.

Wednesday, March 13, 2013

[The Deputy Speaker in the chair]

**The Deputy Speaker:** Please be seated.

### Government Bills and Orders Second Reading

#### Bill 12 Fiscal Management Act

[Debate adjourned March 13]

**The Deputy Speaker:** I'll recognize the next speaker, the hon. Member for Olds-Didsbury-Three Hills.

**Mr. Rowe:** Thank you, Mr. Speaker. I rise to add my comments to the debate over Bill 12, the Fiscal Management Act. Like many of my colleagues here, I want to take a minute just to explain how I've arrived here. I have 35 years of business experience. I'm not an accountant, I'm not a lawyer, but I have 35 years of successful business experience.

**Ms Calahasen:** That's a long time.

**Mr. Rowe:** Thank you.

I know how to read a financial statement, but I have to say that this budget is the most confusing document I've ever tried to absorb. Like my colleagues, I'm going to explain why I'm here. In addition to 35 years of business experience I have 11 years of municipal politics experience: 11 years on council, eight of those years as mayor. We did budgets each and every one of those years. I had no trouble understanding them. But I do have some serious concerns about this piece of legislation, as do many of my constituents and as do many, many Albertans all across the province.

Last week the government released its back-in-debt budget. Now here we are debating a piece of legislation that will make the government's new, questionable accounting system the law. Bill 12 would repeal the Government Accountability Act and the Fiscal Responsibility Act, and I find that rather odd. This government brought in a brand new ministry this year, accountability and transparency. I find it odd that now we're doing away with accountability and fiscal responsibility. Let me repeat that. It will repeal the Government Accountability Act and the Fiscal Responsibility Act. In effect, the government is removing accountability and responsibility with this legislation.

What would repealing these pieces of legislation mean? It would remove the strict rules around debt that we have in Alberta. We need to remember that these are some of the same rules that made it possible to become a debt-free province in 2004. Now the government wants to remove these rules in order to move ahead with their borrowing plans that will see the province accumulate nearly \$17 billion worth of debt by the 2016 election.

This legislation would also allow the government to limit the interest payments on the debt to 3 per cent of the average revenue for the fiscal year and the previous two fiscal years. In other words, the government has no real plan to get out of debt. We estimate that because of the actions this government is taking, it could be 2097 before Alberta is once again debt free. When I read that and I put this together, I'm thinking: my wife and I took a trip

to Phoenix and to Dallas to visit with our grandkids over Christmas holidays.

**Mr. Dorward:** Right on.

**Mr. Rowe:** Thank you.

About the middle of January I got my Visa bill, and it was pretty substantial. I happened to notice that just underneath the balance it said that if you make the minimum payment on this Visa card, it will take you 43 years to pay that off. That's what we have here. So I said to my wife: "Why would we bother paying it off? We're going to be dead in 43 years." Makes sense to me. I told you I wasn't an accountant.

Bill 12 also makes changes to the heritage fund act, and we would remove the requirement that the Standing Committee on the Alberta Heritage Savings Trust Fund review and approve the annual business plan for the heritage fund. In fact, if Bill 12 passes, the heritage fund won't even be required to have an annual business plan. Does removing the ability of a committee of the Legislature made up of members from all parties to review the plans for a heritage fund sound like the actions of a transparent and accountable government? Albertans sure don't think so, Mr. Speaker.

Bill 12 will remove capital spending from the government's bottom line. Again, that is not a measure that will allow Albertans to hold the government to account because it will make it much tougher for Albertans to see what the government's real bottom line is. Along the same lines, Bill 12 will drop the reporting requirement for nonoperating numbers that are important to a budget, the total revenue and borrowing details.

Mr. Speaker, Budget 2013 and, by extension, Bill 12 are committing Alberta to a \$17 billion debt load by 2016 and reducing our savings fund to almost nothing. The current budget is a result of this PC government doubling the size of the entire provincial budget in the last 10 years because of their chronic overspending year after year. Bill 12 is a clear indication that the government has learned nothing and are still unable to budget responsibly. Instead, they plan to change the rules of budget reporting and what constitutes a deficit in order to continue on with their wasteful spending habits but at the same time try to make their numbers look better than they actually are.

That is why my colleagues and I in the Wildrose Official Opposition put forward the financial recovery plan. Our plan would restore the Alberta advantage and eliminate the provincial deficit in two years. We would prevent any new tax or tax increase from being introduced without a provincial referendum, period. We have always been up front about this with Albertans unlike the Premier, who still refuses to make a commitment on no tax hikes before the next election. No tax hikes this year, but no guarantee that they won't come before the next election.

Our plan would implement 25 cost-saving recommendations focused on cutting wasteful spending, targeting government bureaucracy and AHS waste while at the same time protecting front-line services. I won't go into further detail because the members opposite can read all the details of our plan for themselves. To be honest, I spent so much time trying to figure out your budget that I haven't had time to absorb ours.

Mr. Speaker, in closing, I would like to reiterate that Albertans did not ask for a return to debt. They asked for bold leadership with the moral fortitude to pay our bills, stay out of debt, and provide the high-quality services that Albertans deserve. We in the Wildrose will continue to stand up for Albertans, and I ask that the government finally start to do the same.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. The Member for Edmonton-Gold Bar.

**Mr. Dorward:** Mr. Speaker, thank you for the opportunity to stand. I don't think I can take a whole lot of time, but I know I have five minutes. I'm aghast. As a professional accountant who has reviewed budgets my whole life, I grant that. I understand that. I understand that 35 years of business experience wherein a person has reviewed budgets the whole time, as he stated, is not the same thing as being a professional accountant. I'm still amazed that there hasn't been research by individuals or people. I don't know how a person can stand up and make comments on a budget and then on legislation which is fairly complex. It's not simple legislation. Person after person says: "We don't understand it. We don't get it." Now they comment that even their own detailed financial recovery plan is not something the good member understands.

A simple question: should Alberta stay stuck in the past, or should it move into a more organized, simpler way of telling the citizens of Alberta what their debt situation is by having an operational plan and a capital plan and a savings plan? Should Albertans be stuck in the past?

**Mr. Rowe:** Thank you for that. I don't have a problem with a capital plan, an operational plan, and a savings plan. I just wish there was somewhere in that budget that I could put it all together and find out just what our real situation is. If you want to know what we would do about it, it's right on our website. You can print it off, and it's all right there.

If I've learned anything in this House since I came here, it's how not to answer questions, and I learned that from over there.

7:40

**The Deputy Speaker:** Thank you.

I'll recognize the next speaker, the hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you, Mr. Speaker. It is truly a privilege to add my comments about the new fiscal framework for this province, the Fiscal Management Act, Bill 12. The bill repeals both the Fiscal Responsibility Act and the Government Accountability Act and replaces them with a single statute that changes the way government administers and reports the province's finances.

I guess one of the key features of the new legislation is that the government will now be required to have a distinct operational plan, a distinct savings plan – I'll get to that more later – and a distinct capital plan as part of its overall annual fiscal plan. In creating this new fiscal management structure, the government is reversing the Klein-era restrictions on debt and deficits, relaxing financial reporting requirements, and ultimately demanding, in my view, less accounting and transparency from the Minister of Finance.

I guess this is a slightly positive note on the legislation. It does commit the government to saving a portion of the nonrenewable resource revenue annually by 2017-18 and to retaining 100 per cent of the heritage savings fund's net income in the fund, I think also at a later date, but those are minor accomplishments when it comes to the magnitude of fossil fuel resources that we are actually bringing in as a province.

I must go back into history as to why the Fiscal Responsibility Act and the Government Accountability Act actually were brought in. They were brought in after we saw budgets brought in in 1987 to 1993 that were notoriously wrong. They were inherently inaccurate. They were made with unbelievable assumptions and

really did not require the real, true bottom line as to what the government's actual finances were. I rarely speak positively of Mr. Klein's record, but here it is. He brought in the Fiscal Responsibility Act and the Government Accountability Act to actually allow for that to happen. It was a way to move away from the fudge-it budgets of the Dick Johnston and Don Getty era.

In fact, if you talk to people at that time who were involved in coming in in 1993, they say that there was a mess in the accounts. It took a while for them to balance. They couldn't reconcile the figures, and thus they said: we have to get rid of this voodoo accounting and present things in a reasonable, rational fashion if we're going to be able to have any credibility with the Alberta people after what has just happened over these six years. So that was the birth of the Fiscal Responsibility Act and the Government Accountability Act, and I will give Mr. Klein credit for that as well as some members of his administration who did that. It really, actually allowed us to see things in a true bottom-line fashion. Whether we liked that bottom line or not, you got a clear picture.

Also, I see this as a political document more so than an accounting document. Clearly, the ways of the past, how we were outlining debts and deficits and the like, which was also a political document, by the way, have gone by the wayside. The government no longer sees that as being in their best interests or in this province's best interests. I'm becoming increasingly cynical about which one they actually see as being more important. This allows them to hopefully get us out of this fiscal pickle that we currently find ourselves in. To me this is more of a political document than actually a way of changing business. There was no reason why we couldn't have accomplished a lot of these things under the old act. Nevertheless, since we want to go back into borrowing, something that given the state of our finances I tend to agree with, I think it's a good move given the situation we find ourselves in that we change that rule to be able to borrow.

Back to the politics. I remember in '08, when I was running against my competitor in Calgary-Buffalo, that was his calling card: we will never go into debt again. I guess that just shows how quickly things change. I guess that's probably why I would consider that we get a handle on our savings plan so that maybe one time we or future governments can actually make that claim.

In any event, one of the troubles I see is that there is less accounting in this act than there was in the last act. Conspicuously absent from the new legislation are those sections of the Government Accountability Act that required some measure of accountability from the Minister of Finance. Section 11 obligated the minister to include statements of responsibility with the consolidated fiscal plan and consolidated annual report. Section 12 required the minister to make a public or written statement explaining any omitted information or any noncompliance with the act in producing those two documents. I see the minister here, and he's shaking his head, so maybe he'll correct me on what I'm saying, but in my reading of the act – and maybe it's included elsewhere – those responsibilities are gone.

Also gone is section 6, which required the inclusion of major economic assumptions that the Minister of Finance made in preparing the province's consolidated fiscal plan and anticipated economic condition of the fiscal years which the plan relates to. I know we do have a forecast of oil and gas revenues based on a multitude of private-sector opinions out there. Nevertheless, by my reading and in comparison to the two acts this appears to be somewhat stripped down. I guess it's a new way of accounting.

One thing that I would have liked to have seen – you know, frankly, I don't really mind too much if there's an operational, a savings, or a capital plan. Those are fine. I did find it difficult, especially in lock-up and maybe at other times, where we have



three political parties – the other side of the House may disagree with this, but actually we're probably reasonably intelligent people for the most part. I saw that smirk, Minister. I did. But in the main we are reasonably intelligent people, and despite being there for a couple of hours, it was very difficult to come up with an actual deficit and debt number as to where we were. That, to me, is troubling. I think this act would be much better, much more clear, much more open and transparent if on the final page of said document we implemented something like we did in the Fiscal Responsibility Act and the Government Accountability Act.

Like I said, say what you want about Ralph. This was generally a reasonable way and painted things in a pretty clear picture. I don't see that as necessarily being as clear, open, or transparent. Nevertheless, that would be my suggestion for the government to be able to try and rectify, and maybe they would like to do so at this time or include it in future plans. I don't know if anything stops them from doing that, but I would like to see that included in the plan.

7:50

Now, returning not only to this act but to what the future actually entails for Alberta, I am very disappointed in the savings plan of this document. Despite the fact that over the last 25 years we've taken in and spent all of the \$150 billion in nonrenewable resource revenue – in fact, in our 42 some-odd year history of this government we have only managed to save roughly \$16 billion of the \$350 billion in nonrenewable resource revenue we've brought in. This has been a shame. Like I've said before – and I'll probably continue on this rant for quite some time, so I apologize to members out there who are getting frustrated by it already – it's amounted to, essentially, intergenerational theft. If we are truly interested in leaving this province with something more, something tangible to hang on to from these vast riches that we have been blessed with, I think a savings plan has to be given a real kick-start.

We as a population, in fact, all political parties, have to develop a plan with rugged fiscal structures in place to save a large portion of these fossil fuel resources. Loughheed targeted 30 per cent. I might suggest that 50 per cent would be more reasonable. Simply put, it's fairly easily done. You know, it's a political problem, not necessarily one of reality. I pointed out many times that if we adopted Saskatchewan's tax code, the second-lowest taxed jurisdiction by a country mile, we would bring in \$12 billion more in revenue.

Talking about being able to do what the government wants to do, allegedly build Alberta – something I support, by the way, and something that I see the need for debt for possibly at the time. Nevertheless, we have to develop a process whereby we take a more conservative approach to accounting. By conservative I mean pay for what we use. It seems to be a fair comment, that if we use the services, if we want the services – public health care, public education, decent environmental standards, good roads, and the like – we have an obligation to pay for them as a society. We've had the luxury of simply saying: "Well, we'll spend all this oil wealth in one generation. Why ask the citizens to pay for it today when we can just use this nonrenewable revenue for our benefit?"

I can tell you what. It's great politics. You know, you don't ask anyone to pay for anything and you provide all these services. Well, it's pretty successful. We can see that. I don't deny that. Nevertheless, is it right? That is another thing. No. If you look at the overarching last 42 years and you look at that record of fiscal stewardship of our nonrenewable resource revenue, I believe even the government will admit they have failed. They have failed

dramatically, and unless we change something as to what is going on – in my view it's the tax structure to do that – we will not get ahead of this curve. We'll not get ahead of us saving some of this once-in-a-lifetime opportunity we've had.

The easy days of doing this may actually be gone, Mr. Speaker. You know, in the days when we had the barrels of oil that were more easily obtained from the ground, not the oil sands, maybe that was a time that we could have done a little better. You know, in the days when we were getting upwards of – I believe one year \$16 natural gas was our high, and that was with a 62-cent dollar, you know, which is like getting \$24 natural gas, when you have a 62-cent dollar. Maybe we should have done a lot better then. I guess we can always say: "That was then; this is now. We're hitting reset on this plan. We really got a handle on it." But I think we're kidding ourselves if we believe that. I think we're really denying ourselves what virtually every economist has said out there. I will say that the minister was right yesterday when he said to me in question period that not every economist has said this, but I'll stick with the thing virtually.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. I'll recognize the President of Treasury Board and Minister of Finance.

**Mr. Horner:** Thank you very much, Mr. Speaker. Having listened attentively to the hon. member across the way, I have three questions I'd like him to address if he may. The first is that he talked about how we're changing the accounting rules and we're going to voodoo accounting or something to that effect. I'm curious because, you know, we're following generally accepted accounting principles and the international standards for public-sector reporting. I'm curious whether he would consider that the municipalities in the province of Alberta today are doing voodoo accounting and voodoo presentations. That's the first question.

**Mrs. Forsyth:** You already asked that question.

**Mr. Horner:** But I never got an answer, hon. member, from your party. I'm hopeful I'll get one from them.

The second one is that the content of the new act includes in the annual report a fiscal plan analysis that includes a statement of the actual operating revenue and actual operating expense, the debt-servicing costs to the government, the amount of nonrenewable resource revenue not allocated to or from the contingency account, the prescribed savings, comparison of actual performance results to the desired results included in the business plan, the consolidated financial statements of the province, the Auditor General's report. I'm curious. What information did he say that we're no longer going to be providing that we used to provide? The second thing is on the content of the quarterly reports, where we're actually going to be providing Albertans with the actual results to the budget that we presented in this House so that they can see how well we've been doing to it, not to some projection that we think might happen because something has changed in the last three months.

The third question. He was saying that while he was in lock-up, he couldn't figure out what the old number was. Well, hon. member, the old number was simply stated as a change in our net financial assets, or our net worth. If you want to know what that is: page 135, the line net assets for fiscal policy purposes. The difference between the 2013 forecast and the 2014 estimate is the change in our net worth, which was \$1.975 billion. If you go back and look, that's what we used to report as the change. It's still there, Mr. Speaker. It's still a representative number of all of the

changes, but it's not a representative number of the operating capability of the province.

**The Deputy Speaker:** Thank you, hon. minister.

**Mr. Hehr:** Well, I'll try and do my level best to answer those, and I'm glad the minister didn't want to debate me on the fiscal record in terms of trying to save some of this vast oil wealth over the last 25 years. That would've been a more interesting debate and a more able one. I'd like him to get up and defend the government's record over the 25 years of that policy. That would be something interesting and something that would actually move this forward as to how we're going to change that from happening again, change that intergenerational theft from occurring again, because right now this plan doesn't quite do that for me. I will try.

I think the minister might have come in a little bit late. I was referring to many people suggesting that the Dick Johnston and Don Getty years of financial accounting were in fact voodoo accounting. The budget's estimates were notoriously wrong and not easy to rectify. It's my understanding from people who came into power shortly after that, frankly, the numbers didn't add up. You may or may not have seen that.

What I would like there, hon. President of the Treasury Board, is something that actually shows – I guess you point to that \$1.97 billion. You read the papers, sir. You read what Graham Thomson has said about the numbers. You read what Don Braid said about the numbers. I'm not the only one to suggest that this is not the easiest thing to understand, so please don't consider me a partisan hack on this. Other people are having the same struggle that I am. Clearly, other people, probably with greater acumen in this area than myself, have concerns with this. I think what we would like is something like the entire consolidated statement. I know you say that it's on page 135, that it says \$1.97 billion, but the true number of our deficit debt position is allegedly somewhere between \$5.5 billion and \$6.3 billion.

**Mr. Horner:** No.

**Mr. Hehr:** Well, see, no. That's what you say. Everyone else who seems to do this math comes out to \$6.3 billion.

8:00

**The Deputy Speaker:** It's not a debate, hon. member, please.

**Mr. Hehr:** I'll take everything with a grain of salt.

That was reflected in the final consolidated debt statement of the Klein . . .

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the next speaker, the Member for Edmonton-Calder. [interjections] The Member for Edmonton-Calder has the floor, hon. members.

**Mr. Eggen:** Thank you, Mr. Speaker. I appreciate you keeping order over some of these people, you know, talking out of turn, throwing me off my strategy here.

I'm very happy to speak this evening, Mr. Speaker, to Bill 12, the Fiscal Management Act. I have a number of comments and perhaps some questions as well in regard to this bill. My understanding of it is that this act would repeal the Fiscal Responsibility Act and the Government Accountability Act. This bill seems to have provisions to save a certain percentage of resource revenues and heritage fund contributions, increasing that percentage over time, starting in 2015. It's also outlining the rules around financial reporting and giving us the sense that we cannot

have an operating budget in the province. It limits the amount of debt financing as a percentage of the province's operating budget that we take on altogether.

It's interesting to choose to restructure the reporting and accounting of finances in this way. I have, I guess, not entirely criticism in that regard although I see a fundamental underlying problem, and that's the fact that this bill does very little to change the structural revenue problem that we have here in the province, Mr. Speaker. We need to reverse the Klein cuts that allowed an unreasonably low corporate tax rate for very wealthy corporations and the extraordinary wealth tax as well for individual taxation.

Another problem that I see is that the savings portion of this bill doesn't kick in until 2015. Now, of course, if you don't have money to save, then you can't save it, but I guess that in relation to that, without reforming the revenue side of our finances in this province, then this whole thing about savings is a moot point. Really, it's, as I see it, unlikely that we'll save any significant money until after the next election, so the savings part of this bill I think is less than meaningful without a revenue reform analysis.

You know, I was just looking at the targets of where we could be if we had our royalty rates, for example, at a level that would approximate during the Lougheed regime. We would have saved billions more dollars than we have. In fact, really, since we changed those royalty structures, we haven't really saved anything at all. We've just maintained the heritage fund at a certain level but at the cost of letting billions of dollars in royalties slip away. I mean, that's globally my main concern, and I think it's the concern of most Albertans.

We know that our population is growing quite dramatically, and we know that our economy is doing well, too, in almost all regions in the province, so the budget and this supporting bill to the budget seem out of step to the other fiscal realities that are happening around the province. You know, when you apply economic measurements to any given economy around the world, Mr. Speaker, you'll see that the population is growing in a reasonable sort of way, not explosively, and that the economy, the GDP, is growing commensurate with that population growth or exceeding that growth. You would consider that to be a healthy economy, so for us to be looking at a deficit and a cutting budget during this point in time in our history is out of step with the reality that surrounds us.

I just have a couple of other things I wanted to look at here. The Fiscal Responsibility Act, which this act is replacing, actually made it illegal for actual expenses to exceed the actual revenue plus what was contained in the sustainability fund. In the Fiscal Responsibility Act, for example,

“actual expense” means, with respect to a fiscal year, actual expense of the Crown for all purposes as reported in the consolidated annual report for that year but does not include increases or decreases in liabilities respecting pensions.

Due to this government's version of accounting it no longer has to include capital spending and grants under these operating expenses.

The idea of actual expenses or actual revenue has more or less been removed and replaced with such terms as “operational expense.” This makes this promise to not have an operational deficit ring somewhat hollow or at least less than entirely clear when you can simply take money out of the capital plan to make up the difference, if you see what I mean.

You know, my question is then: at what point are we just going to be moving these goal posts again if the government doesn't find that it has enough revenue to pay for the levels of service that Albertans require from this government? Indeed, without revenue reform, that seems entirely possible or even likely.

The other question is: when will this government recognize that this revenue problem is, in fact, the underlying issue that needs to be resolved?

Mr. Speaker, there are lots of interesting changes here, and I certainly like the idea of having a savings plan built into the structure of our budgeting, but certainly we need to have the money there to actually be able to save.

Further, I find that it's refreshing to see that the government is recognizing the need to borrow at favourable rates, at the best rate possible, for certain capital projects. We know that you do have to build those things over time. I remember for years listening to how this was, defying all logic or reason, just vehemently rejected by a very similar government to what I see across from me right now. Something happened. Someone was struck on the road to Damascus and realized that you can in fact borrow at favourable rates as a government and build the capital projects that you need.

Further to that, I guess I question this government's reliance on P3 projects to make those capital investments. I don't think that a P3 contract is always actually giving you the best value for that public money just because of the requirement of the P3 contractor to make that profit, that extra money. Perhaps part of a further reform with Bill 12 is that we can use a comparative chart or a very clear, transparent system to show how we might be able to build any given project publicly or as a P3 and make the best, most prudent decision based on the facts around savings and what the best value for money is, whether it's a public project or a P3 project.

Mr. Speaker, I'm going to leave it there. I'm going to speak at each opportunity in regard to Bill 12. I welcome any answers to my questions that the government might be able to offer.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, other speakers? The hon. Deputy Government House Leader.

**Mr. Campbell:** Mr. Speaker, I move that we adjourn debate.

[Motion to adjourn debate carried]

**The Deputy Speaker:** The hon. Deputy Government House Leader.

8:10

**Mr. Campbell:** Thank you, Mr. Speaker. I'd like to request the unanimous consent of the Assembly to waive Standing Order 64(2) in order to proceed with Committee of the Whole on Bill 13, the Appropriation (Interim Supply) Act, 2013.

[Unanimous consent granted]

## Government Bills and Orders Committee of the Whole

[Mr. Rogers in the chair]

### Bill 13 Appropriation (Interim Supply) Act, 2013

**Hon. Members:** Question.

**The Chair:** Shall the committee rise and report the bill? Agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? That's carried.

[The Deputy Speaker in the chair]

**The Deputy Speaker:** I'll recognize the Member for Calgary-Varsity.

**Ms Kennedy-Glans:** Thanks, Mr. Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bill: Bill 13.

**The Deputy Speaker:** Does the House concur in the report?

**Hon. Members:** Concur.

**The Deputy Speaker:** That's carried. So ordered.

## Government Bills and Orders Third Reading

### Bill 11 Appropriation (Supplementary Supply) Act, 2013

[Adjourned debate March 13: Ms Blakeman]

**Hon. Members:** Question.

**The Deputy Speaker:** The question has been called. The hon. President of Treasury Board and Minister of Finance has moved third reading of Bill 11.

[Motion carried; Bill 11 read a third time]

**The Deputy Speaker:** The hon. Deputy Government House Leader.

**Mr. Campbell:** Well, thank you, Mr. Speaker. Seeing that we've made such great progress tonight, I would suggest that we adjourn until 1:30 tomorrow afternoon.

[Motion carried; the Assembly adjourned at 8:13 p.m. to Thursday at 1:30 p.m.]



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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Thursday, March 14, 2013

Issue 36a

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta  
The 28th Legislature**

First Session

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Johnson, L.	Young
McDonald	

### Standing Committee on Families and Communities

Chair: Mr. Quest

Deputy Chair: Mrs. Forsyth

Brown	Jeneroux
Cusanelli	Leskiw
DeLong	Notley
Fraser	Pedersen
Fritz	Swann
Goudreau	Towle
Jablonski	Wilson
Jansen	Young

### Standing Committee on Legislative Offices

Chair: Mr. Cao

Deputy Chair: Mr. McDonald

Bikman	Leskiw
Blakeman	Quadri
Brown	Rogers
DeLong	Wilson
Eggen	

### Special Standing Committee on Members' Services

Chair: Mr. Zwozdesky

Deputy Chair: Mr. Rogers

Casey	Mason
Forsyth	McDonald
Fraser	Quest
Kennedy-Glans	Sherman
	Smith

### Standing Committee on Private Bills

Chair: Mr. Xiao

Deputy Chair: Ms L. Johnson

Barnes	Jablonski
Bhardwaj	Leskiw
Brown	Notley
Cusanelli	Olesen
DeLong	Rowe
Fox	Strankman
Fritz	Swann
Goudreau	Webber

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Ms Olesen

Deputy Chair: Mr. Lemke

Calahasen	McAllister
Cao	Notley
Casey	Pedersen
Hehr	Rogers
Jansen	Sandhu
Kennedy-Glans	Saskiw
Kubinec	Towle
Luan	Young

### Standing Committee on Public Accounts

Chair: Mr. Anderson

Deputy Chair: Mr. Dorward

Allen	Hehr
Amery	Jeneroux
Anglin	Khan
Bilous	Pastoor
Donovan	Quadri
Fenske	Quest
Goudreau	Sarich
Hale	Stier

### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans

Deputy Chair: Mr. Anglin

Allen	Hale
Barnes	Johnson, L.
Bikman	Khan
Bilous	Kubinec
Blakeman	Lemke
Calahasen	Sandhu
Casey	Stier
Fenske	Webber

## Legislative Assembly of Alberta

1:30 p.m.

Thursday, March 14, 2013

[The Speaker in the chair]

### Prayers

**The Speaker:** Hon. members and guests, let us pray. May the lessons we learn today help guide and shape our thoughts tomorrow, and may we transfer those learned benefits into actions that will truly help the people we serve. Amen.

Please be seated.

### Introduction of Visitors

**Mr. Dorward:** Mr. Speaker, I am honoured indeed to be able to introduce Mr. Murray Dorin, who was an MP for Edmonton-Northwest; Mr. Ken Epp, who was an MP for Edmonton-Sherwood Park; and it's my great honour to introduce to the Assembly today Senator Betty Unger, representing Alberta. Everybody in the Assembly may know that Senator Unger was recently appointed by the Prime Minister. However, she was the first Senator to be duly elected in the country of Canada, indeed by legislation passed in this Assembly. Please stand – you are standing – and receive the warm welcome.

**The Speaker:** A sincere welcome to our special visitors. Thank you for joining us.

### Introduction of Guests

**The Speaker:** The hon. Member for Drumheller-Stettler.

**Mr. Strankman:** Thank you, Mr. Speaker. I rise today to introduce to you and through you to all members of this Assembly the grade 12 students from Consort school. They came here over a great distance, and I'm pleased and proud to introduce them. Also, they are being guided by Randy Smith and their teacher Kara Strobel, who taught my kids when they were in school. I encourage them to rise and receive the warm welcome from this Assembly.

I also would like to introduce concerned citizens from Consort who have made this trip today to protest the government's neglect of acute care in rural communities. Many in this Assembly may have seen them braving the cold on the front steps of this Assembly in the hope that it would draw some attention to this matter. With that, I'd like to ask them to rise to receive the warm traditional welcome of this Assembly.

**The Speaker:** Let me recognize the hon. Member for Airdrie.

**Mr. Anderson:** Thank you, Mr. Speaker. I have the pleasure today to introduce to you and through you to all members of this Assembly some of the most talented and gifted young Albertans in this province, I would have you know, 75 students from George McDougall high school in Airdrie. As a former Mustang myself I am very, very pleased to have them here in the Assembly today. I'd ask them all to rise. We're going to just introduce their teachers and their parent helpers, which include Mr. Sean Horne, Mrs. Tammy Hodgson, and Mrs. Fatima Sarhan. Those are the teachers. Then we have some parents: Mr. Randy Meredith, Mr. Yazdi Bulsara – I'm sorry if I got the name wrong; I did my best there – and Mrs. Amanda Nolan. If we could all give them a very warm welcome.

**The Speaker:** The hon. Associate Minister of Wellness.

**Mr. Rodney:** Thank you very much, Mr. Speaker. It is indeed a pleasure to rise today to introduce four representatives of the northern Alberta and Territories branch of the Kidney Foundation of Canada. Today is World Kidney Day, and the focus is on acute kidney injury and prevention, which is achieved in part, as you know, by maintaining normal blood pressure, consuming less sodium, and taking medications only as prescribed. The statistics are alarming. In northern Alberta alone over 200 Albertans are listed for kidney transplants, and almost 400 are in the workup process. Well over 2 and a half million Canadians have kidney disease, and well over 2,000 Albertans are on dialysis, which is a life-sustaining therapy but not a cure. Doing great work in this realm nonetheless are Tammy Fifield, Sharon Marcus, Ashley Owens, and Flavia Robles. I will ask them now to please stand and receive the warm welcome of this Assembly.

**The Speaker:** The hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you very much, Mr. Speaker. I have a number of introductions today. First, I am pleased to introduce to you and through you to all members of the Assembly Ms Jacqueline Schaffter, QC, president and CEO of Legal Aid Alberta; second, Toko Zaza, communications officer for Legal Aid Alberta; third, Lyle Toop, divisional director of human resources and communications with Legal Aid Alberta; and fourth, Donavon Young, ADM, justice service division, who, as you know, is also a native of Regina. These individuals are instrumental in operating effective management of Legal Aid Alberta, ensuring low-income Albertans have continued access to legal services. I'd ask them to please stand and receive the traditional warm welcome.

**The Speaker:** The hon. Member for Edmonton-Ellerslie.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. It is my honour to rise today and introduce to you and through you Ms Andrea Burkhart. Ms Burkhart is the executive director of ACT Alberta, the coalition on human trafficking, and an extremely hard-working and dedicated worker. The goal of ACT Alberta is to prevent human trafficking and protect victims through partnership. ACT Alberta works with community agencies, law enforcement, and government to provide assistance to victims, to support the prosecution of traffickers, and to create knowledge and awareness of this issue. At this time I ask my guest to please rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Thank you, Mr. Speaker. It is truly a special day for me here today because I have three young ladies to introduce who grew up in the riding of Little Bow on a farm in Nobleford, Alberta, of all places. All three grew up to be educators, worked very hard in their community, and were dedicated to giving people more opportunities for success in their lives. All three are related to me. Two are my aunts. My aunt Karen Vos from Victoria; my aunt Joan Stagg, now from Victoria; and my mother, Judy Hehr: all three of them have loved me more than I deserve and have given me much guidance in my life. Would you please rise and accept the warm welcome of the Assembly.

**The Speaker:** Hon. Minister of Justice, you have a second intro?

**Mr. Denis:** Yes, I have a second introduction. Thank you, Mr. Speaker. I'm also pleased to introduce to you and through you to all members of the Assembly a practicum student within my

ministry who is seated in the members' gallery today. Her name is Ana Serban, and she's been working in my ministry since January. She's in the final stretch of her criminology degree at the U of A, and she graduates in June. Ana's area of interest is in human rights and human trafficking, and her future plans include entering the esteemed legal profession. My staff have enjoyed having her with them, and her positive spirit and willingness to jump on any project have been greatly appreciated. I think she's got a bright future ahead of her. Please stand and be introduced.

**The Speaker:** The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thank you, Mr. Speaker. I'm very pleased to introduce to you and through you to the members of the Assembly my guests from the Alberta Teachers' Association, local 38, Stephani Clements and Heide Doppmeier. Local 38, Calgary public teachers' largest local in western Canada, represents close to 7,000 full- and part-time teachers in the Calgary area and 17 per cent of all of Alberta's teachers. Stephani is the chair of the Political Action Committee and a special-needs teacher, and Heide is one of the two vice-presidents of the local and a high school ESL teacher. I would ask them now to rise and receive the warm traditional welcome of the Assembly.

**1:40**

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you to all members of the Assembly northern Albertans who are deeply concerned with the premature closure of the life-saving medevac services at the municipal airport. I'd like to introduce them. Please stand as I say your name. Ross Daniels; Roberta Daniels; Randy Bercier; Ruth Isley; Corita Vachon, whose son was saved by air medevac to the downtown airport; and Sean McRae. I'd ask the members to give them the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Associate Minister of Seniors.

**Mr. VanderBurg:** Thank you, Mr. Speaker. With us today is Brady Whittaker from the Alberta Forest Products Association, which represents so many industries and is such a great industry in northern Alberta and throughout the province. That's lifeblood to our communities. Brady, please stand up and be recognized by the Assembly.

**The Speaker:** The hon. Minister of Tourism, Parks and Recreation.

**Dr. Starke:** Thank you, Mr. Speaker. It's my pleasure today to introduce to you and through you to all members of the Assembly Mr. Michael Androsoff. Mr. Androsoff is a CA who has been working very tirelessly to try to navigate the shoals of ground ambulance service in Lloydminster and in dealing with two provincial governments and two provincial health systems. Trust me; he needs all of his accounting skills to be able to do that. I welcome him here today, and I ask him to rise now and receive the traditional warm welcome of the members of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Well, thank you, Mr. Speaker. Today I have the pleasure of introducing to you and through you to this Assembly some very bright, young postsecondary students from the U of A. Bashir Mohamed, Andrew Traynor, Juliana Ho, and Michael Vecchio are undergraduate students who have serious concerns

about the impacts that this government's budget cuts will have on the quality and accessibility of postsecondary education in the province. I'd also like to recognize that Bashir Mohamed, a dedicated activist who has worked tirelessly to champion social justice in our community and abroad, has recently won the Queen's Diamond Jubilee medal for his humanitarian work in Haiti. I would now ask Bashir, Andrew, Juliana, and Michael to stand and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. Dorward:** Thank you, Mr. Speaker. It's my pleasure today to rise before you and introduce to you and through you to all members of this Assembly two good friends of mine, both individuals who have helped to build our capital region in this great province of Alberta in the business sector: firstly, Mr. Jim Spalding and, secondly, Mr. Wynn Payne, both mentors and good friends. Please welcome them, everybody.

**The Speaker:** Hon. Minister of Education, I believe your guests are here now.

**Mr. J. Johnson:** Yeah. Thank you, Mr. Speaker. It's a privilege to rise and introduce to you and through you a couple of very good friends of mine, councillors from Smoky Lake county, Randy Orichowski and Rick Cherniwchan. They're very involved in the seniors' housing foundation out there as well. I'd ask them to rise and receive the traditional warm welcome of our Assembly.

## Members' Statements

**The Speaker:** The hon. Member for Fort Saskatchewan-Vegreville.

## Music for Hope Fundraiser

**Ms Fenske:** Thank you, Mr. Speaker. It is a pleasure to rise today to relate a good-news story that is happening in my community but that happens all over this wonderful province of Alberta. On Saturday, March 16, the Alberta Cancer Foundation will benefit from the second annual Music for Hope fundraiser, that will be held in Fort Saskatchewan.

I'd like to spend a few minutes talking about the benefit of not only that particular event but also the hard-working people who actually spend the time and the energy to make such an event happen. Those people in this case would be Jenn and Isaac McNeill of Fort Saskatchewan. Now, Isaac, of course, is the instigator of all of these wonderful events, and Jenn, his wife, certainly has no choice but to be volun-told. They are typical of many Albertans from across this province who see a need in their community and find a way to meet that need. The fact that this event is sold out indicates the generosity and the compassion of Albertans. The event itself is the second annual event, and each year Isaac will be choosing a new recipient for the fundraising benefits of this particular event.

I along with my colleague the hon. Member for Edmonton-Riverview are looking forward to attending Music for Hope and supporting the Alberta Cancer Foundation in the vital work that they do for cancer patients, survivors, and their families. Each and every year we lose friends, family, and neighbours to cancer. Fortunately for our constituents, Alberta is home to several state-of-the-art cancer treatment facilities staffed with world-class oncologists, doctors, and specialists.

This year we actually have as a guest to this event Bobby Wills, who is the Alberta country music awards male music artist of the year. Being a groupie for wonderful country music, I am looking

forward to attending that event but celebrating it with my community.

### Intergenerational Theft

**Mr. Hehr:** Well, I've said this before, Mr. Speaker, but I believe it bears repeating. Future generations, future children, and grandchildren of this province: call the cops; you have been robbed. You see, I myself and, in fact, all citizens of this province have stolen your inheritance. Now, it's true that we've had an accomplice in this matter, the Progressive Conservative government of this province.

Here's the sad thing, sir. It looks like this intergenerational theft is just getting started. Over the course of the last 25 years this province has taken in and spent all of the \$150 billion in resource revenue we've brought in. This is a windfall of epic proportion that we have chosen to spend on this generation's prosperity, and we have lived well.

However, I come from the school of thought that it is not our God-given right to spend all of this oil wealth as soon as it comes out of the ground. A prudent society and a wise political leadership would convert that resource revenue into another revenue generator. That's what the heritage trust fund was supposed to be.

It became clear to everyone with the release of this budget that this is not what we have done. We are broke, and we have nothing that's been saved. In my view, when charged by future generations with intergenerational theft, we should go before the judge, admit our crime, and say that we are guilty as charged.

The Premier once said, and I'll quote: we need to ensure that our actions are fiscally responsible and fair not only to this generation but to those that follow. This means doing what's right for the long term and not what's in their best interests for the next election cycle.

Simply put, Mr. Speaker, this budget does little to address this intergenerational theft that is going on. It is my greatest hope that the political leadership in that party – in fact, in all parties in this Legislature – understand that.

**The Speaker:** The hon. Member for Calgary-Varsity.

### Violence against Women and Girls

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. Last week I attended the 57th session of the UN Commission on the Status of Women with my colleague from Barrhead-Morinville-Westlock. Our Canadian delegation was very capably led by federal Minister Rona Ambrose. The goal of this session was to identify ways to eliminate and prevent violence against women and girls.

As a mother of three sons it was particularly reassuring to me that the vast majority of the participants at this UN session recognized the need to engage men and boys in preventing violence against women and girls. In fact, this strategic imperative was concretely advanced by the Canadian delegation.

It's heartening to me to know that this approach is already being applied here in Alberta. What does it look like? Well, the Calgary YWCA hosts the Walk a Mile in Her Shoes campaign, inviting men to walk in high heels to raise awareness of men's roles in combating violence against women. The Alberta Council of Women's Shelters hosts Breakfast with the Guys events to bring male leaders together to inform and inspire action to help end domestic violence.

I'm particularly excited about an initiative launched by the B.C. Lions football team, and I'm hoping this will be adopted by the

Calgary Stampeders and the Edmonton Eskimos. Football meets feminism when high-profile athletes stand alongside women as allies. Wally Buono, former coach of the Calgary Stampeders and coach of the B.C. Lions, even steps up to share his own story of growing up in a home with domestic violence.

These initiatives have the potential to be gamechangers. Too often we see gender equality as a women's movement, dependent on male support and encouragement, yet it isn't enough for my father, my husband, and now my sons to stand along the sidelines and root for me. They need to get in this game and participate.

Thank you.

**The Speaker:** Hon. members, we will continue with Edmonton-Ellerslie, Drumheller-Stettler, and Lesser Slave Slake after question period.

1:50

### Oral Question Period

**The Speaker:** Hon. members, just a brief reminder, please, to try and continue the practice of either curtailing or not using any preambles whatsoever to your supplementals so that we can allow the first five spots that privilege as leaders or people designated by their leaders to take their spot.

Let us begin, then, with the hon. Leader of Her Majesty's Loyal Opposition.

### Criminal Justice System

**Ms Smith:** Mr. Speaker, this government's steady abandonment of its former conservative principles is now complete with its embracing of an extreme soft-on-crime, left-wing, lovey-dovey approach to lawbreakers. We know Alberta will be offering two freebie crimes now. One radio commentator today even called this the Alberta criminal advantage. The Premier claims they didn't cut any police or prosecutors in this back-in-debt budget. That's fine, but what about the effect that two free crimes is going to have on Alberta's communities?

**Mr. Denis:** Mr. Speaker, nothing that this member has stated is true in her last exchange, but it's rather shocking that in a statement proposing a tough-on-crime party – I really remembered that her party has talked about less enforcement on highway 63. She called for sheriffs to stop enforcing distracted driving laws, she voted against harsher penalties for impaired drivers, and this leader herself has called upon city council to set up a red-light district. Which way is up?

**Ms Smith:** I kind of expect distortions and lies from that member. [interjections]

There is also the soft-on-crime . . . [interjections]

**The Speaker:** I could stand here and freeze everything for a while. I'd rather not. Let us remember decorum. Let us remember civility. Let us remember proprieties. Let us be very careful about any motives we might be avowing in either way.

Hon. leader, please proceed.

**Ms Smith:** Thank you, Mr. Speaker. There's also the soft-on-crime approach to ankle monitoring. The Premier said yesterday that "if we don't have the ability to ensure that we can locate people, secure people, and the police can connect to them, then they're not going to be let out of jail." Well, how is she planning to find out if we have that ability? Will she be experimenting in our communities by not monitoring criminals to see if that is as effective as monitoring criminals?

**Ms Redford:** Mr. Speaker, these are ridiculous comments. We have a justice system that ensures that people stay in jail if they're supposed to. We also have a set of laws that allow judges in certain circumstances, if people can be tracked, to allow them not to be in jail. If we can't track them, I'm pretty sure the judges aren't going to let them out of jail.

**Ms Smith:** Here's the problem, Mr. Speaker. We've got a Justice minister that says that law enforcement can monitor the criminals even without ankle bracelets, and the Premier says that they'll figure it out somehow, and if it doesn't work, then they'll leave them in jail. But they're out of jail now and they're being monitored electronically, so somebody over there doesn't really understand what is going on. Which is it?

**Ms Redford:** These are ridiculous suggestions. There is an ankle bracelet monitoring program that's been in place, and as long as that's in place, we have the ability to track people. If that program is not in place and it is not possible to track people, then they will not be out of jail. To suggest that there are people right now that are on the streets that shouldn't be on the streets is an insult to the justice system. It's an insult to judges, to the police, to prosecutors, and it's ridiculous, Mr. Speaker.

**The Speaker:** Hon. Minister of Justice, you rose on a point of order? Okay. Thank you.

Hon. leader. Second main set of questions.

### Provincial Fiscal Deficit

**Ms Smith:** Thank you, Mr. Speaker. We can easily see why Albertans don't trust this Premier and her government. The Premier said in a year-end interview in 2011 – and I will quote – that Albertans' real fear is that we are going to incur debt. Well, that fear is real. We are going to incur debt, lots of it. Budget 2013, the back-in-debt budget, shows \$17 billion in debt by 2013. So everyone who voted in the last election gets \$13,123.55 worth of debt for their troubles by the time of the next election. Doesn't the Premier realize that she's doing exactly what Albertans feared?

**Ms Redford:** In fact, Mr. Speaker, by the end of this fiscal year what Albertans will be getting are new schools, new hospitals, and new roads. To invest in infrastructure, which this party has said that they will not do although they have a list of what they'd like to build but no way to pay for it, we have to look to alternative models. I'd like to use an example of a wonderful announcement today with respect to the southeast LRT in Edmonton supported by P3 Canada. I wondered if the Leader of the Opposition was going to send a firmly worded letter to the Prime Minister saying that she doesn't agree with his approach either.

**Ms Smith:** We'd build it without debt.

The Premier recites her talking points about building Alberta and helping communities, but it is a position that is built on debt and borrowing. It is not built on financial management and prudent planning. Doesn't the Premier care that Alberta's per person deficit is higher than the deficit that is being run by the big-government tax-and-spend Liberals in Ontario?

**Mr. Horner:** Well, Mr. Speaker, I've been struggling to understand why the hon. Leader of the Official Opposition doesn't understand the financial statements that we've prepared. I presented to this House the fact that, well, they don't prepare financial statements. Then I read her speech the other day where her financial advisers are Graham Thomson, Don Braid: all

journalists. Our advisers are people like Scotiabank: "with the weight of new legislation, the Fiscal Management Act, the government is putting in place a revised set of fiscal rules to limit the negative consequences." The Bank of Montreal: "the Province will remain in a positive net financial" situation.

**Ms Smith:** Mr. Speaker, I was merely pointing out how their budget had been universally panned by virtually everyone.

Here's the picture, Mr. Speaker. The per person deficit in Alberta is \$1,700. The per person deficit in Ontario is \$1,280. This Premier's management of Alberta's finances is a disaster. Is that what she meant when said she wanted to change the character of Alberta?

**Ms Redford:** The wonderful thing about being the opposition is that they can stand up, make bland statements, and pick and choose. There is no doubt that the budget plan we've set forward, with an operating plan, a capital plan, and a savings plan to put money into the heritage fund, shows Albertans what the fiscal picture is. One of the things that the hon. leader regrets or forgets to say – no motivation intended, Mr. Speaker – is that the reason we're able to deal with the fact that there are challenges to the operational side is that we have a sustainability fund, and it is not a deficit or a debt incurred for Albertans.

**The Speaker:** The hon. leader, for your third main question.

**Ms Smith:** Page 141, \$17 billion worth of debt by 2016.

### Provincial Budget

**Ms Smith:** Mr. Speaker, the Finance minister avoids answering questions about his budget. He'd rather criticize our Wildrose recovery plan. He'd rather criticize our 10-year debt-free capital plan than defend his own plan. Yesterday the minister avoided my question on paying back the debt with a patronizing explanation of how the principal isn't due until the term of the loan expires. That's exactly the point. There will soon be \$17 billion worth of debt, but it will take more than 80 years to save enough to pay it off when it comes due at the rate that they're planning on. How can anyone believe it will ever . . .

**The Speaker:** The hon. Premier.

**Ms Redford:** I am so glad that the hon. leader took the time to show Albertans their 10-year debt-free capital plan. [interjections] Absolutely. Because, Mr. Speaker, the reason it is a debt-free capital plan is that they're not going to build anything. We have set out a plan to invest in families and communities. We've been honest with Albertans about how we're going to pay for it and how we're going pay it back. That's something a Progressive Conservative government is very proud of.

2:00

**Ms Smith:** I don't know where the Premier shops, but \$50 billion is a lot of money.

At the next election the total debt will be \$17 billion, but the total amount set aside will only be \$357 million. The plan for the remaining \$16.6 billion consists of lofty projections, fervent hopes, wishful thinking, and talking-point dreams. We just don't believe any of it. Why should we?

### Speaker's Ruling Decorum

**The Speaker:** Hon. members, this is not an opportunity to shout

or try to outshout others. Please, I know Thursday is spelled differently than Monday, Tuesday, Wednesday, but some decorum has to be maintained here. It's my job to do that, and you're not helping me, some of you. So, please, this is not a question of showing by shouting how much you love your leader. We understand everybody loves their leaders. Let's leave it at that, and let's carry on.

The hon. Minister of Finance.

### Provincial Budget (continued)

**Mr. Horner:** Thank you, Mr. Speaker. [interjections] Obviously, they didn't hear you.

**The Speaker:** I've recognized the Minister of Finance for his answer. Surely we're going to allow him the courtesy to give it, please.

All right. Hon. minister, please proceed in silence. Others are just waiting with bated breath to hear your words.

**Mr. Horner:** Thank you, Mr. Speaker. I appreciate the courtesy. She asked why they should believe that this budget is true, that it has financial relevance, I would say. Well, I don't actually use journalists as my financial advisers. I use people who actually understand how to read a financial statement like the Scotiabank, who believes that what we're doing is on the right track; like the Bank of Montreal Capital Markets, who believe we're on the right track; like the National Bank of Canada, who actually said in their material: "The advantage of the new fiscal framework is that it allows a more valid comparison of the fiscal situation."

**The Speaker:** I believe you have one final sup, hon. leader.

**Ms Smith:** Thank you, Mr. Speaker. I'm asking about paying back the \$17 billion worth of debt. This is kind of like the guy who's spending thousands of dollars on his line of credit every day who puts his pocket change into a jar every night and expects that in a few years there's going to be enough money there to pay back the line of credit. Their plan is fiction. Why won't the Finance minister admit it?

**Mr. Horner:** Mr. Speaker, the very reason why they were able to, well, mislead Albertans about what the \$17 billion is all about is because they didn't tell Albertans that while we're working on the \$17 billion capital market plan, we're also building \$26 billion worth of assets for Albertans. That's something they neglect to mention. The other thing they neglect to mention is that what we're doing on the capital markets is not a mortgage like you would get from a bank for your house. These are capital markets, where you purchase bonds on outgoing maturities. We've planned out those maturities. This bond issue is planned. The plan will be reported on every quarter. They should actually learn how to do finances.

**The Speaker:** The hon. Member for Calgary-Buffalo.

### Education Funding

**Mr. Hehr:** Thank you, Mr. Speaker. Student enrolment across this province is expected to increase by 11,000 next year, but our school boards will be receiving \$48 million less. In southwest Edmonton two public schools recently informed Catholic students who are currently enrolled that they cannot return next year. To the Minister of Education: is this the state of our education

system, where our public schools have to reject students due to a lack of space?

**Mr. J. Johnson:** Mr. Speaker, one thing I would correct is that the Education operational budget is actually going up by \$41 million next year. But there's no question that with the enrolment and with great increases, that creates an incredible amount of pressure on our school boards to keep up. We absolutely have communities like the one he's referring to in southwest Edmonton where we don't have enough space for the children that need to go to the schools in those communities. That's one of the reasons that I'm very confident to be on this side of the House. We've elected the right Premier. We're going to invest in communities and we're going to invest in families and we're going to build Alberta so that those kids will have a school desk in the coming year.

**Mr. Hehr:** Well, it's a nice answer but complete fiction, Mr. Speaker.

Given that there are 450 fewer teachers from three years ago and given that we'll be losing another 400 on April 1 due to the elimination of AISI, by my math that's 850 fewer teachers. Does this sound like a sustainable education system for our children, or does the minister believe that school buildings, not teachers, educate our youth?

**Mr. J. Johnson:** Mr. Speaker, the hon. member makes a great point, and that's why with this difficult budget we took every possible step we could to make sure that the limited resources we have are going into the classroom. Teachers on the ground told us: if you can invest anywhere, invest in small class size initiatives. We increased the funding for that. They said: if you're going to invest in anything, invest in inclusion, resources for those special-needs kids. We increased the funding for that. We made sure that every new kid coming into the system is going to be funded next year, but that means that there are going to be pressures on other pieces like maintenance, like AISI, other things that we had to scale back, unfortunately.

**Mr. Hehr:** Well, Mr. Speaker, that doesn't meet the smell test. I'd ask the minister: are you really saying that ESL students in Calgary public are going to be supported like they were in the last budget?

**Mr. J. Johnson:** Mr. Speaker, every new ESL student coming into the system next year will be funded. Absolutely.

### Education Property Tax Assistance for Seniors

**Mr. Mason:** Mr. Speaker, this budget is an attack on Alberta's seniors. During the election the Premier promised to support seniors and improve their quality of life. Little did they know her empty words would empty their bank accounts. By eliminating property tax assistance in 2014, this Premier effectively hikes property tax for Alberta's seniors or they can pass debt along to their children with a conveniently provided deferral program. My question is to the Premier. Is the property tax assistance program to keep seniors in their own homes just another crutch that the Premier wants to get rid of?

**Mr. VanderBurg:** Mr. Speaker, it's true that the education property tax program will end in the next year and that for high-income seniors, over \$63,700, that program will no longer exist. I think it was about an average of \$160 that was the grant given back to all senior homeowners. The opportunity that we have in front of us with this budget is the opportunity to defer part or all of

your property taxes, and up to \$2,000 would be the average, \$2,000 versus a grant of \$160.

**The Speaker:** The hon. leader.

**Mr. Mason:** Thank you very much. It'll be picked up by the kids, Mr. Speaker.

Higher property taxes mean more seniors will be forced out of their homes sooner. Not only is this hard on seniors and their families, but it can't help but increase long-run costs to the government as well for housing and health care. Will the Premier explain how she can think that the solution to this province's revenue problem lies with taxing fixed-income Albertans?

**The Speaker:** The hon. Premier.

**Ms Redford:** Thank you, Mr. Speaker. Again a simplistic suggestion from the opposition. There is no doubt, as our Associate Minister of Seniors has said, that this was a tough choice to make – and I'll tell you that it certainly does impact people in my constituency as well – but there's no doubt that as we move ahead, the decision that we have made is going to ensure that more seniors have more money in their pocket to be able to continue to live in their homes and to continue to live their lives with dignity.

**The Speaker:** The hon. leader.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, given that the flat tax supported by the Progressive Conservatives and the Wildrose is causing much of the problem with Alberta's services, causing them to flatline, and given that the Premier's record of broken promises now includes cutting seniors' benefits, slashing their drug coverage, and hiking taxes on the very people who've already paid their share to build this province, will the Premier admit that forcing seniors to pay more taxes is both unnecessary and unfair?

**Ms Redford:** Mr. Speaker, our minister responsible for seniors has been an advocate for seniors for many years. He's worked very hard on the seniors' property tax deferral program, and we were very proud to be able to include that in 2013 because that is going to affect seniors across this province who've asked us for the flexibility to be able to make choices with respect to their lives, and that's exactly what we've delivered.

### Provincial Fiscal Deficit (continued)

**Mr. Anderson:** Mr. Speaker, I think I know why the Justice minister and former Liberal staffer doesn't want to prosecute first- and second-time offenders anymore. I was just reading the Fiscal Responsibility Act where it states: "Actual expense for a fiscal year shall not exceed actual revenue for that year plus any amounts allocated from the Alberta Sustainability Fund." That's got to make the Finance minister a little uncomfortable because his back-in-debt budget does not comply with this law and will borrow 3 and a half billion dollars this year to make up the difference. To the Finance minister: how can Albertans trust a government that breaks the law?

2:10

**Mr. Horner:** Mr. Speaker, the hon. member is wrong and once again misleading Albertans with statements like that. The hon. member takes a document like this and tells us that he's going to build \$4 billion worth of construction assets and then says: where's your list? The hon. Minister of Infrastructure has

produced a list of \$5 billion worth of assets we're going to build. What is it you're not going to build? What school are you not going to build? What hospital are you not going to build? What road are you not going to build? We did not break any laws with this budget. In fact, we complied with all the laws, including some accounting standards that you might want to pick up on.

**Mr. Anderson:** It's [www.wildrose.ca](http://www.wildrose.ca) for those of you at home.

Mr. Speaker, given that just a few months ago I asked the Finance minister in question period if he was going to run a deficit in that year and given that the Finance minister stood up and answered, "It is against the law for the government of Alberta to run an operating deficit," and given the operating deficit for last year turned out to be \$1.4 billion and that for next year it's going to be \$450 million, Finance Minister, are you willing to admit that last year's and this year's operating budget deficits were in fact, to use your own words, against the law?

**Mr. Horner:** Mr. Speaker, the definition of the operating deficit plus the sustainability fund is the same that's in the current act in front of this House. It would be the operating revenue less the operating expense plus whatever is in the balance of either the sustainability account, now the contingency account. The hon. member, I was told, was trained as a lawyer. I'm not sure he ever practised, but I was told he was trained as one. Perhaps he could reach back into his memory and actually read what is in the law and figure it out for himself. The Auditor General has already ruled on this.

**Mr. Anderson:** Such vast accounting experience on that side of the room there.

Given that your government has broken the current law twice in two years on this issue and given that you are now attempting to replace the current law with a new law, Bill 12, so you can take what is now illegal and turn it into something that is legal, Minister, how can Albertans trust you to follow your new law when you just finished breaking and discarding the old one as soon as it interfered with your big spending and borrowing plans? Aren't you just going to change the law again next time?

**Ms Redford:** Mr. Speaker, the legislation with respect to fiscal management is consistent in this province, and it has been. It is entirely inappropriate for the – and I use the word lightly – hon. member to make such allegations against an individual who has stood up and been honest with Albertans about our fiscal framework, our fiscal circumstances, and the good, solid, although tough, decisions that we've had to make to ensure that we have a zero increase in spending in this budget, that we're investing in the heritage fund, and that we're living within our means.

**The Speaker:** The hon. Member for Edmonton-Ellerslie, followed by Lac La Biche-St. Paul-Two Hills.

### Legal Aid

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. I know that the decision of this government to prioritize funding to ensure fiscal restraint in Budget 2013 was in line with the needs of a very demanding justice system. It's crucial that everyday Albertans have access and representation in the legal system when they need it. My questions are to the Minister of Justice and Solicitor General. Given the difficult choices made in Budget 2013 please tell us why funding to Legal Aid is a priority for the government.

**The Speaker:** The hon. minister.



**Mr. Denis:** Thank you very much, Mr. Speaker. A healthy justice system includes many different aspects, all of which must be supported by a government, and it includes Legal Aid. This year in our department we had a \$7 million surplus – we’re doing more with less – and that \$7 million, I’m pleased to say, will be going to the Legal Aid operating fund to increase access to justice.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. My next question to the same minister: how does providing funding to Legal Aid fit with our government’s tough-on-crime agenda? [interjections]

**Mr. Denis:** The other thing they have to look at is to stop charging people with things that aren’t dangerous, that clog our system: well, Mr. Speaker, that actually is not my quote; that’s a quote from the Member for Airdrie. [interjections] Despite what this member would want us to do, we are going to continue prosecuting offenders despite what this member’s advice was.

Thank you.

#### **Speaker’s Ruling Decorum**

**The Speaker:** Come on, now, hon. members: Edmonton-Centre, Edmonton-Strathcona, Calgary-Fish Creek. [interjections] Chatting across the bow in the middle of someone asking a question or, for that matter, while I’m speaking is not in keeping with the tradition of the House, when we’re trying to maintain some decorum. I understand that it’s Thursday afternoon and everybody is anxious to go back to work in their constituencies. I understand that, but let’s not get too overly anxious about it, please.

Hon. Member for Edmonton-Ellerslie, let’s try and hear your next question, again with no preamble, which I want to congratulate you on for the first one.

#### **Legal Aid (continued)**

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker, and I will try. My final question to the same minister: how will increased funding to legal aid increase access to the justice system?

**Mr. Denis:** Mr. Speaker, I could probably give a university lecture to that effect. Increasing funding to legal aid helps in many different ways. It helps people who can least afford the system. Everyone is entitled to a defence regardless of whether or not they can afford a lawyer. We have actually increased the funding for legal aid since 2005 by 90 per cent, and I hope that the federal government will follow our lead in this respect.

**The Speaker:** The hon. Member for Lac La Biche-St Paul-Two Hills, followed by Barrhead-Morinville-Westlock.

#### **Criminal Justice System (continued)**

**Mr. Saskiw:** Thank you, Mr. Speaker. This government’s soft-on-crime agenda continues to come to light. The Justice minister, a former Liberal staffer, is now willing to give offenders not just one but two free passes to commit crimes against hard-working Alberta families and businesses. The Wildrose believes in prosecuting criminals and not letting them get off scot-free. The Justice minister’s new hug-a-thug policy is worse than a revolving

door. They won’t even be behind bars in the first place. To the Justice minister: why haven’t you already reversed course on this progressive crime agenda that will allow criminals to escape the law?

**Mr. Denis:** That’s a very easy question to answer, Mr. Speaker. You can’t reverse a course when you didn’t start on that course in the first place, and this member knows it very well. This member, however, wants to go on another course. He’s called for less enforcement on highway 63, fewer sheriffs to enforce drunk-driving laws. He voted against harsher penalties and campaigned against our crackdown on drunk drivers. Which way is up to this member?

**The Speaker:** The hon. member.

**Mr. Saskiw:** Thank you, Mr. Speaker. Given that the freebie crime policy isn’t the only new progressive justice policy the minister is now pursuing and that the government is also going to stop electronic monitoring of some of this society’s most vile criminals, why is the Justice minister abdicating his responsibility to punish and keep track of criminals and put victims of crime first?

**Mr. Denis:** Mr. Speaker, this government continues to put victims of crime first. It was our own legislation that started a civil forfeiture office, which takes money out of the hands of organized crime and puts it to good use. I would suggest further that this member really needs to look carefully, use his good legal mind that I know he had as a criminal defence lawyer, and look towards where the facts are because they’re certainly not in his answers.

**The Speaker:** The hon. member.

**Mr. Saskiw:** Thank you, Mr. Speaker. Again to the Justice minister, a former Liberal staffer: I’d just like to know what kind of message you think you are sending to the families and businesses in this province by giving vandals and thieves free passes and allowing violent criminals to roam the streets with no way of tracking them.

**Mr. Denis:** Again, Mr. Speaker, this member knows or should know that the tracking program never has been for serious or dangerous offenders. We want those people to go to jail. I have no idea why this member wants vandals and thieves on the streets with this monitoring. Ridiculous.

**The Speaker:** The hon. Member for Barrhead-Morinville-Westlock, followed by Edmonton-Centre.

#### **Farm Fuel Distribution Allowance**

**Ms Kubinec:** Thank you, Mr. Speaker. One of the main concerns with Budget 2013 for farmers in my constituency is the recently eliminated farm fuel distribution allowance, which provided a benefit of 6 cents per litre on diesel fuel. My question to the Minister of Agriculture and Rural Development: why was the farm fuel distribution allowance eliminated?

**The Speaker:** The hon. minister.

**Mr. Olson:** Mr. Speaker, thank you, and thank you to the hon. member for the question. It is true that we did have to make a change in terms of the allowance, but I want to stress that what is left after removal of the allowance is still the best program in the country, the best exemption in the country, a 9-cent exemption.

We were the only province that actually had a rebate over and above the exemption, so I feel very comfortable with this change.

Also, I'd just point out that it is an eligible expense in the ag stability program, so the loss of it can be somewhat mitigated by that.

**Ms Kubinec:** My second question is to the same minister. I'm thankful that you brought up the ag stability program. In order to participate in the federal-provincial ag stability program, many farmers, including myself, are spending about \$2,300 per year on dues. I would like to know the benefit that we would see by spending upfront money when crop insurance may likely preclude us from ever collecting through this program.

2:20

**Mr. Olson:** Well, Mr. Speaker, ag stability and crop insurance are not the same thing. In fact, ag stability is broader. It covers more risks, more perils, things like input expenses, loss in storage, market disturbances, that type of thing. So it's prudent to protect oneself and to mitigate one's risk by subscribing to the ag stability program, which is a voluntary program. We also are developing additional insurance options as well, so people can protect themselves that way.

**The Speaker:** The hon. member.

**Ms Kubinec:** Thank you, Mr. Speaker. My last question to the same minister: given your explanation, shouldn't all producers who want to participate in ag stability carry insurance as a matter of course?

**Mr. Olson:** Well, Mr. Speaker, that is a topic of some considerable discussion, and right now the ag stability program is a voluntary program. We do have mechanisms in place, though, to prevent people being paid twice. For example, the ag recovery program and the ag stability program have mechanisms within the assessment parts of those programs to prevent that. We think that people should be protecting themselves by buying insurance, so a deeming provision is really quite reasonable, I think, so that there isn't that kind of a double payment.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by Edmonton-Beverly-Clareview.

### Carbon Tax

**Ms Blakeman:** Thank you very much, Mr. Speaker. More than anything an increase in the carbon levy would convince outsiders of Alberta's commitment to cut carbon emissions. Now, prominent conventional oil and oil sands companies have been factoring a carbon levy into their business planning, so they are ready. My question is to the Minister of Finance. How long will the government continue to hide behind the ruse that a levy based on increased intensity of emissions convinces anyone that we are serious about climate change?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker. I think the member meant the minister of environment, not Finance, so I'll take the question. We in Alberta were the first, as this hon. member knows, to put a price on carbon, at \$15 per tonne. To date we have collected over \$300 million. We are reducing emissions. We know as well that we are growing this economy and supplying oil to the world, so it's important, that emission intensity, but it's also important for us to make sure that we're reducing the emissions

that we are. We're committed to that, and we're committed to looking at our climate change policy as well.

**Ms Blakeman:** Okay. Well, if you prefer, the next question is to the Minister of Finance and President of Treasury Board. Given that Alberta's \$15 levy on increased intensity brought in \$90 million last year, B.C.'s \$15 levy on actual emissions brings in \$1.7 billion, and the Alberta Liberal plan would have brought in \$1.8 billion, does this government have the courage to raise the carbon levy to \$30 per tonne of actual emissions or \$40 per tonne? When do we get to put a price on pollution?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker. This government, as I said, was the first jurisdiction in North America to actually put a price on carbon and legislate that price to reduce emissions intensity by 12 per cent. This government has been a leader in this and will continue to lead in this. What we want to do is to make sure that we're reducing emissions. Alberta is reducing emissions. We are using our climate fund for green technology, for green jobs, and making sure that we are creating opportunities so that we move off fossil fuels and move to greener technology.

**Ms Blakeman:** Does this government not understand that the world is moving in the direction of higher carbon levies?

The Premier can take a thousand trips to the U.S. to convince them to buy our oil, but if the powers that be believe that Alberta is part of the problem, we're sunk. Answer that.

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. Alberta and our government are committed to reaching our targets for greenhouse gas emission reduction. We have said that. I've said that as minister. The Premier has said that. Our government has said that. I've asked my department to renew our climate change strategy to ensure that we will meet not only our 2020 targets but our 2050 targets. This Premier, myself as minister, our government are committed to doing that.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview, followed by Chestermere-Rocky View.

### Summer Temporary Employment Program

**Mr. Bilous:** Thank you, Mr. Speaker. For decades the STEP program has supported important services by community groups like the Edmonton Federation of Community Leagues and Bethel Community Church, who were here today. At the same time STEP has provided opportunities for young people to gain valuable work experience in their fields. The elimination of the STEP program will affect families, single mothers, community groups, faith groups, and NGOs and impact all Albertans. Will the Premier apologize for calling the STEP program a crutch?

**The Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. The Premier and I have had many discussions about the STEP program, and she and I both know how valuably it has served Albertans over the 40 years, just about, that it's been in place. But any 40-year-old program needs to be reviewed. [interjections] As this government has done, renewed and reinvented itself and been progressively better every year. As we go through the results-based budgeting process, we're looking at the effectiveness of programs and how we continue to

make sure that programs reach the outcomes that we desire and need for Albertans.

**Mr. Bilous:** I believe the hon. minister means a 40-year government.

Given that many parents, families, and communities depend on the sports, arts, and literacy programs that will disappear along with STEP and given that the Premier believes that STEP is outdated even though the youth unemployment rate in this province is 8.8 per cent, will the Premier admit that she has made a bad decision?

**Mr. Hancock:** Mr. Speaker, I have to take full credit for that decision. That's in my department. These are all difficult decisions, but you have to look at the outcomes that you're trying to achieve. Are you achieving them in the most effective way? Our youth unemployment rate is actually one of the lowest in the country. There are many opportunities, and there are other job programs for youth both provincially and federally. Our Alberta Works office will be working with youth, as it does with other Albertans, to help find those jobs that are available and going begging in this province at the moment. But on the other side of the equation, we will be working with the not-for-profit organizations to make sure that they have the opportunity in other ways to attract the students they need to learn about careers in the not-for-profit sector.

**The Speaker:** The hon. member.

**Mr. Bilous:** Thank you, Mr. Speaker. Short-sighted, hon. minister.

Given that the STEP program employs more than 3,000 young people and given that this program works with more than 2,400 organizations province-wide, will the minister do the right thing and reinstate the STEP program?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Thank you, Mr. Speaker. What I will do is acknowledge that there are lots of organizations across this province who have been hiring young people and giving them an opportunity to learn about jobs in the not-for-profit sector and in the service sector. What I will say is that we will continue to work through our Alberta Works office and with the other programs available to help make sure that young people have an opportunity to find good jobs during the summer, when they're off school, so that they continue both their schooling and their learning profile in the not-for-profit sector. We will continue to work with the not-for-profit sector to make sure that the important learning opportunity to introduce people to their sector will continue.

**The Speaker:** The hon. Member for Chestermere-Rocky View, followed by Leduc-Beaumont.

### Education Property Tax

**Mr. McAllister:** Mr. Speaker, thank you. The disappointment that I spoke of yesterday from numerous Alberta communities has been replaced with outrage today over provincial changes to the way the education taxes are collected. In Chestermere a single mother told our mayor at the school drop-off today: I don't know where I'm going to find 400 extra dollars. In Wood Buffalo administration told me today that this tax will mean an additional \$16 million in one year coming from their community. To the Minister of Municipal Affairs: why are you downloading responsibility for your own fiscal mismanagement to municipalities?

**Mr. Griffiths:** Mr. Speaker, it's a pleasure for me to explain the way the education property tax system works in this province. The province lays out and collects 32 per cent of the education property tax from taxpayers, property owners. We collect that amount from the province of Alberta regardless of how you divvy it out. But 11 municipalities were heavily mitigated by 51 others which paid more taxes than they should have. We sought equity so that everyone pays their fair share. We're still going to mitigate the transition out of the mitigation formula, but this is about a similarly valued house in a similar class paying similar taxes, equity for Albertans.

2:30

**Mr. McAllister:** I assure you, Minister, that that's not how Albertans are seeing it. Given that you campaigned on a promise not to raise taxes and given that I've heard you yourself say several times that you won't balance the books on the backs of municipalities, can you explain to Albertans and all of us in here, including members that represent communities affected by this, how government reaching into the pockets of families is not a tax increase?

**Mr. Griffiths:** Well, Mr. Speaker, I'm happy to explain again that it was unjust for 11 municipalities to have their education property tax collection heavily subsidized by 51 other municipalities that made up the difference, homeowners that had to make up the difference and pay more education taxes than they should have. We still collect the same amount of taxes. The changes that some people see are because the value of their home has gone up. That's a good-news story. Albertans' net worth is increasing because this is the best economy in the world to be in right now.

**Mr. McAllister:** Mr. Speaker, a tax is a tax is a tax.

I'm going to try something different, though. I believe the minister to be a responsible man. Minister, will you please revisit this issue, or at the very least will you meet and consult with community leaders and find a way to slow down this giant tax increase on those municipalities and phase it in, at least give them some time with it?

**Mr. Griffiths:** Mr. Speaker, I think I've said it twice already now. We are mitigating the loss of the mitigation formula for those municipalities that are having heavy impacts so that it is a slower transition over the next few years as they get rid of it. I'd also like to emphasize that the province of Alberta has not raised the rate of education property taxes. It's all due to assessment. In fact, in this province year after year after year we either hold the line on the rate of taxation or we lower it. It's the equity that causes some places to increase.

**The Speaker:** The hon. Member for Leduc-Beaumont, followed by Drumheller-Stettler.

### Wellness Initiatives

**Mr. Rogers:** Thank you, Mr. Speaker. A recent report from Stats Canada indicates that Canada has a significant issue with the number of Canadians that are overweight or obese. In Alberta more than half of our adults are considered overweight or obese. To the Associate Minister of Wellness. Compared to the other provinces, I understand that Alberta does not stack up well. How can we possibly turn this around? What is in your quiver, Mr. Minister?

**The Speaker:** The hon. minister.

**Mr. Rodney:** Thank you, Mr. Speaker. I'd like to thank the hon. member not only for his question here today but for his past, present, and, I'm going to say, future political support for wellness initiatives. He's truly been a champion for wellness. He is correct. Alberta ranks only in the middle amongst the provinces with Saskatchewan, Manitoba, and Ontario.

According to this study 52 per cent of Albertans are overweight, and experts agree it is a complex issue. It requires a comprehensive approach. It requires various levels of government, private industry, communities, schools, families, and individuals to all come together. That's exactly what we're addressing through partnerships at each of these levels, Mr. Speaker. We intend on being a leader in wellness so Albertans live longer and enjoy a better quality of life than they do today.

**The Speaker:** The hon. member.

**Mr. Rogers:** Well, thank you, Mr. Speaker. Again to the same minister. Connected to this issue is the achievement of a healthy weight. Why is the province not doing more to assist children in this respect?

**Mr. Rodney:** Thank you again to the member. We've seen great results, as a matter of fact, Mr. Speaker, from the healthy school community wellness fund. You know, it supports healthy school community projects in 47 of 59 school districts. We've also developed many programs to support the healthy development of children, as the member asked. Ever Active Schools, Healthy U food checker, and the REAL Kids initiatives are just three. On top of that, the healthy school community awards recognize individuals and schools and communities who come together as champions for positive outcomes for youth.

Mr. Speaker, our focus on wellness is about creating healthy habits from the start so that kids have what they need for the rest of their lives and can pass it on to their children.

**The Speaker:** The hon. member.

**Mr. Rogers:** Thank you, Mr. Speaker. Again to the same minister. Mr. Minister, because many jobs require sitting for ridiculously long hours, causing a myriad of health problems, what are you doing to encourage Albertans to get up and get moving?

**Mr. Rodney:** Well, it sounds like this member knows of this quite well, and so do all the other members here. So many people across Alberta are working really hard, and they are spending a fair bit of time trying to balance both an active lifestyle and time at work, especially sitting down. We've recognized eight employers very recently. They've made great strides in this regard with health and well-being. It's about the Premier's awards for healthy workplaces.

I encourage all members and all Albertans, as a matter of fact, to visit the Healthy U website: [healthyalberta.com](http://healthyalberta.com). It really is a fabulous one-stop shop on healthy eating and active living. There's a whole lot more: Eat Smart Meet Smart. We want everyone in this province to be a health champion, Mr. Speaker.

**The Speaker:** The hon. Member for Drumheller-Stettler, followed by Edmonton-South West.

#### Medical Services in Consort

**Mr. Strankman:** Thank you, Mr. Speaker. In 2011 Alberta Health Services temporarily shut down acute-care beds in the town of Consort due to a lack of physician services. It's 2013, and the people of Consort have been stonewalled for two years when

they've come to Alberta Health Services for updates on this issue. To the Minister of Health: on behalf of the good people of Consort here in the gallery why have you still not supplied them and their neighbours with the medical services they need?

**Mr. VanderBurg:** Well, Mr. Speaker, on behalf of the minister thank you for the question. To the folks that are here visiting: we know this is a difficult time for the community and that the loss of those five acute-care beds in Consort is very important to Small Town, Alberta. I can tell you that the commitment to keep the 15 long-term care beds in that facility remains, and I can also tell you that the commitment from Alberta Health Services remains. They will work with the community to ensure that the great services of Alberta Health Services continue in that community.

**Mr. Strankman:** Mr. Speaker, again to the minister. Given that the lack of physician services was the reason listed for the closures in the first place and given that the people of Consort went out and found new doctors, built them homes, and brought them to Consort, I ask the minister: the physicians are in Consort; where are the acute-care beds?

**Mr. VanderBurg:** Well, like I said previously, the issue is that there's a temporary closure. The citizens and the MLA know that very, very well. I understand that there's a recent hiring of a second physician there. I'm hoping that's going help out the situation, but I can't guarantee you that right now. That's the work of Alberta Health Services.

**Mr. Strankman:** It's beyond me.

To the minister again: since it's been two years since the people of Consort were told that their acute-care beds were being temporarily shut down, will you give the people of Consort a clear timeline of when this government will keep its promise and give them back their beds?

**Mr. VanderBurg:** Mr. Speaker, I don't want to mislead anybody. I can't give you a clear timeline of when that decision will be made, but I can guarantee you that Alberta Health Services will work with that community to make sure that the reopening of that facility, when that comes about, will be well advertised, and the people will know that. I do not want to promise anybody something that I cannot deliver.

**The Speaker:** The hon. Member for Edmonton-South West, followed by Cypress-Medicine Hat.

#### School Overcrowding

**Mr. Jeneroux:** Thank you, Mr. Speaker. Overcrowding in schools continues to be a pervasive issue in my constituency of Edmonton-South West. One case I want to bring to your attention: Johnny Bright school. We have our grade 8 and grade 9 students having to take the bus and leave the only junior high they've ever known, pack up and go to a school some 45 minutes away when just earlier this same year they had to request portables in order to deal with rampant overcrowding. I'm sure that all hon. members would agree that the increased class sizes that result from overcrowding present a severe obstacle to student learning. Could the Minister of Education please indicate why schools that were built just two years ago continue to have insufficient student capacity in southwest Edmonton?

**Mr. J. Johnson:** Mr. Speaker, it's a good question on the mind of many of this MLA's constituents. I know he's been a great

advocate, and he's had me call his parent council from Johnny Bright just this last week. I want to say that we do the planning for schools like Johnny Bright in conjunction with the local school boards based on projected need. Unfortunately, in this situation the population growth has just outpaced what was expected. The good news is that in Budget 2013 we've recommitted to the 120 projects that the Premier committed to during the election. I would say that we've elected the right Premier because we are going to continue building those schools.

**The Speaker:** The hon. member.

**Mr. Jeneroux:** Thank you, Mr. Speaker. To the Minister of Infrastructure: given that this drastically impacts the lives of families and given that a number of sisters and brothers are now going to be attending different schools in September, will you be providing any more modular units, portables, or any other options in the short term to address these existing space needs within our schools so that we can minimize the impact on these families in Edmonton-South West?

**Mr. Drysdale:** Mr. Speaker, in consultation with the Minister of Education and in consultation with all the school boards in Alberta we are working on a plan to put modulars out into the province. The school boards are getting letters as we speak, and the minister has been sharing his plans with the school boards. The letters should be out soon.

2:40

**The Speaker:** The hon. member

**Mr. Jeneroux:** Thank you, Mr. Speaker. Again back to the same minister. Given that southwest Edmonton needs new schools desperately and given that we are continuing to increase in population size at an overwhelming pace, why are we continuing to build schools through a P3 model instead of the traditional method of simply giving school boards the money and they can build the schools with their own unique designs?

**Mr. Drysdale:** Mr. Speaker, we only use P3s when they make sense. Since we started using P3 schools, all projects have been delivered on time and under budget. Using P3s allows us to build a lot more schools in a short period of time, getting a better bang for the taxpayer's dollar. We have saved Alberta taxpayers more than \$245 million since we started building schools with P3s. We also get a 30-year maintenance guarantee with P3s. Flexibility in school design is also addressed using P3s. It's there.

**The Speaker:** Hon. members, in 30 seconds from now we will continue with Members' Statements, starting with Edmonton-Ellerslie.

### Members' Statements

*(continued)*

**The Speaker:** The hon. Member for Edmonton-Ellerslie, followed by Drumheller-Stettler.

### Human Trafficking

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. I rise today to speak about a pervasive issue that impacts families here in Alberta, across Canada, and throughout the world. This issue is human trafficking. Human trafficking is the recruitment, transportation, transfer, harbouring, or the receipt of persons by means of threat or use of force. Individuals who are exploited

through human trafficking are often first subjected to extreme poverty, unemployment, lack of education, inadequate social programs, gender-based inequality, corruption, war and conflict situations, and political unrest in countries of origin. The United Nations has estimated that this illegal activity generates approximately \$32 billion annually for its perpetrators.

Alberta and Ontario have the highest incidence of human trafficking for forced labour right here in Canada. Contrary to popular perception, over 90 per cent of these cases involve domestic rather than international human trafficking. It has been noted that aboriginal women and girls are at particular risk.

In Alberta there are organizations that are currently working to support those who have been affected by human trafficking activities. The Chrysalis Anti-Human Trafficking Network offers free counseling and emergency support services for survivors. Additionally, the Alberta Action Coalition on Human Trafficking also undertakes a variety of activities, including education, advocacy, agency collaboration, and victim assistance, including managing an emergency victims' fund. Organizations such as these are especially vital to addressing this illegal activity.

As well, our government plays an important role in addressing this type of crime and in providing support for victims of human trafficking. The Alberta law enforcement response team and its training unit, the Alberta specialized law enforcement training, provide specific support for victims of human trafficking.

Thank you very much, Mr. Speaker.

**The Speaker:** The hon. Member for Drumheller-Stettler, followed by Lesser Slave Lake.

### Medical Services in Consort

**Mr. Strankman:** Thanks again, Mr. Speaker. Constituents of Drumheller-Stettler are in the gallery today as this out-of-touch PC government prefers to support corporate welfare, high salaries, and political insiders with pay raises for themselves instead of supporting acute care in our rural communities. These constituents have come together out of frustration with this government.

Mr. Speaker, on June 30, 2011, the Consort Hospital and Care Centre was notified that their acute-care beds would no longer be available for use. This was caused by a lack of physicians within the community. The community understands this and, with their concern, has worked towards a positive solution. Since then the Consort community has dedicated their efforts, resources, and abilities to securing and employing physicians for the Hospital and Care Centre. The community has worked together with their residents, the hospital staff, and the municipality to ensure that they meet the requirements for Alberta Health Services. The community was told that once they secured physicians, their acute-care beds would be reinstated, and they are looking to this government to keep their promise.

This government says that they care about communities and they want to keep them vibrant, yet when the community comes together to meet all requirements, they leave the town of Consort hanging. How do these communities encourage physicians to come to them when Alberta Health Services and this government continually block all positive efforts? As the MLA for Drumheller-Stettler I implore this government to keep their promise that they made to the citizens of Consort and immediately reinstate these acute-care beds.

### Métis Settlements Long-term Agreement

**Ms Calahasen:** Twenty-three years ago I stood here on this very

same spot, honoured to sponsor two of four pieces of legislation that changed the lives of Métis people in Alberta, the only province to recognize Métis as its citizens. It was a promise made by another Premier to work with settlements to become self-sustaining. It brings me to another promise made and a promise kept, and it's by our Premier Redford. That promise was to negotiate a long-term agreement with Métis settlements so they can continue to become self-sustaining communities like municipalities are. This was done on March 12.

That commitment means that we will work with Métis settlements to close the social and economic gaps that exist between settlement members and other Albertans, create strong and accountable governing bodies, and develop community services that are on par with other Alberta communities. All of these actions are key building blocks to create communities that are self-sufficient. Like all Albertans, people living on Métis settlements want a good education for their children, good employment opportunities, a chance to contribute to and benefit from our strong economy, and safe, healthy communities. The actions laid out in the long-term arrangement will bring these aspirations to reality. Over the next 10 years Métis settlements will move toward a governing model that will closely resemble other local governments, a model that will make it possible for settlements to raise their own revenues to ensure a good quality of life for their members.

Congratulations to Métis elders, communities, the Métis leaders, and a special thanks to the Premier for keeping this promise and to the Minister of Aboriginal Relations for his perseverance and leadership on this file. The long-term arrangements signify a new day for the Métis settlements and a brighter and stronger future to come in a strong and prosperous Alberta.

Thank you.

### Notices of Motions

**The Speaker:** Hon. Member for Lac La Biche-St. Paul-Two Hills, you have a notice of motion?

**Mr. Saskiw:** Thank you, Mr. Speaker. Pursuant to Standing Order 30 I'd like to move that

the ordinary business of the Legislative Assembly be adjourned to discuss a matter of urgent public importance; namely, the suspension of medevac flights to Edmonton City Centre Airport on March 15, 2013, and the serious concern that this closure could result in the needless death and disability of Albertans who require emergency medical treatment.

I provided the requisite copies of the notice to the Clerk and ask that it be distributed to the members.

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

### Presenting Petitions

**The Speaker:** I didn't quite catch the eye of Drumheller-Stettler on a petition that you had. I'll allow you to present it now, assuming it's in order.

**Mr. Strankman:** Yes. Thank you, Mr. Speaker. The petition that I have here: 944 names, 77 letters of support from taxpayers, and 113 letters of support from businesses. I wish to table this petition, and I have the required copies for the assistants.

**The Speaker:** Thank you.

Hon. member, just as a reminder, we do have a rule that says

that petitions that are to be presented must have Parliamentary Counsel approval. That's all I was asking. Assuming you sought that, fine. If not, as a new member I would just ask you to explain that you will in the future.

**Mr. Strankman:** Yes, sir. I was with the understanding that my assistant had achieved that.

**The Speaker:** Okay. Thank you very much.

2:50

### Tabling Returns and Reports

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition.

**Ms Smith:** Thank you, Mr. Speaker. I would have tabled this yesterday at your request, but we got cut off early from being able to finish all of the tablings. This is the list of documents that I referenced in my speech in response to the budget a couple of days ago. These are the names of the journalists that the Finance minister thinks are too thick to understand his budget, columns by Rick Bell, Don Braid . . .

**Mr. Horner:** Point of order.

**Ms Smith:** . . . Mark Milke, *Calgary Herald* editorial board, Graham Thomson, Lorne Gunter, Bev Dahlby, and Licia Corbella. Five requisite copies.

Thank you, Mr. Speaker.

**The Speaker:** Did I hear the hon. Minister of Finance rising on a point of order during the tabling?

**Mr. Horner:** Yes, sir.

**The Speaker:** Noted.

Are there other tablings? The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. I have a few tablings. The first is an article from the *Bonnyville Nouvelle* dated March 12, 2013, entitled Why the Rush to Reroute Medevac Planes? It explains a conversation with a spokesman with STARS, who said that he's unsure if they currently have the capacity at the International Airport.

The next tabling I have is an e-mail dated March 13 from a Lindsay Webb, who's pleading with the government not to close down the air medevac services. The requisite copies.

The next is an e-mail dated March 10 from a Gladys Boisvert, who's the president of the St. Paul health care auxiliary and trustee with the St. Paul & District Hospital Foundation, urging, again, that the government not close down the emergency medevac services at the municipal airport.

The next is a letter, with requisite copies, from a Natasha Downes, who's urging the province not to close down the medevac services at the downtown airport.

Next I have a letter dated March 10, 2013, from a Raymond Germain, who indicates a story where his brother had a very serious traumatic incident and used the air medevac services, and he's urging the province not to close it down.

An e-mail dated March 13, 2013, from a Robert Pionteck from Cold Lake urging the government not to close down the medevac services.

Finally, an e-mail dated March 13 from a Thomas Yaksich from Cold Lake urging the province to not close down the medevac services.

Thank you, Mr. Speaker.

**The Speaker:** I have the hon. Minister of Human Services, followed by Edmonton-Beverly-Clareview, followed by Edmonton-Gold Bar, and then four more, so let's tighten them up. The time is moving.

**Mr. Hancock:** Thank you, Mr. Speaker. I have the privilege of tabling pursuant to standing orders an estimate schedule for the scheduling of the main estimates following the delivery of the budget. In tabling it, I would just like to say that last year we had nine days to review estimates in committees; this year we have 10 days in committees. Last year we had nine days where committees sat at the same time; this year we have four days where that happens. Last year we started five days after the budget reviewing the estimates; this year we're starting 11 days after the budget to review the estimates. Last year all ministries had three hours; this year seven ministries will be reviewed for six hours and one for five hours. Last year the review of the estimates happened over a period of 28 days; this year over a period of 49 days. Taking the estimates seriously this year.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview, followed by Edmonton-Gold Bar.

**Mr. Bilous:** Thank you, Mr. Speaker. I'd like to table the appropriate number of copies of one of the many e-mails I received about this PC government's cancellation of the STEP program. Bethel Community Church is one of the countless organizations devastated by this cancellation of this program. Wendy Werkman, the church's administrator, writes that they've been hiring two students every year since 2005 and that many of these students have gone on to become teachers or social workers. The cancellation of the STEP program, which the Premier called a crutch, is yet another example of this government's broken promises to the people of Alberta.

The second tabling, Mr. Speaker. I'd like to table the appropriate number of copies of e-mail submissions that Albertans made to our prebudget tour, which visited seven cities in February. Robert, Chris, Brock, and Jack are some of the Albertans who provided valuable input. For example, Brock Robertson writes, "I'm so old I can remember Peter Lougheed defeating the Socreds on a platform of diversification – why then are the Tories so eager to continue exporting raw non-renewable natural resources rather than refined products?"

Submissions like this clearly show the priorities of Albertans and how out of touch this PC government actually is with its broken-promises budget.

**The Speaker:** Hon. members, no editorializing, please. Let's just get the tablings done. We're running against the clock, okay? In the future I will cut you off if you do that.

All right. Let's move on here, please. President of Treasury Board, you will follow Edmonton-Gold Bar.

**Mr. Dorward:** Thank you, Mr. Speaker. I have a tabling, five copies, from Sarah Hoffman, the president of the Cloverdale Community League executive, stating that the executive is disappointed that the STEP grant has been cut and proud of the programs that they used to be able to use that program for and urging the provincial government to reinstate the grant.

Thank you.

**The Speaker:** The hon. President of Treasury Board, followed by Lac La Biche-St. Paul-Two Hills. You have a tabling?

**Mr. Horner:** Sure, Mr. Speaker. I'm tabling five copies each of

the financial analysis that was done by noted financial analysts from Scotiabank, Bank of Montreal, and the National Bank Financial Group, who all gave our budget a positive response and also looked at the format and recognized that it is the proper format for financial documents to be done in.

**The Speaker:** The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks, Mr. Speaker. An e-mail from a constituent, Emily Yu, concerned about the reduction of the price of generic drugs and the collapsing of the three tiers into one for dispensing drugs. She believes that the result will be greater cost to the government and taxpayers and higher hospitalization and emergency room admittances, which pharmacists could have prevented if they'd been allowed to give the care.

Thank you.

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following documents were deposited with the office of the Clerk. On behalf of Dr. Sherman, the hon. Member for Edmonton-Meadowlark, a report dated April 2009 entitled *An Uncertain Future for Seniors* prepared by the Canadian Centre for Policy Alternatives; a report dated July 2004 entitled *There are Not Enough Hands: Conditions in Ontario's Long-term Care Facilities* prepared by the Canadian Union of Public Employees; a document dated September 2004 entitled *Nursing Home Profit Status and Quality of Care: Is There Any Evidence of an Association*; and a report dated December 1994 entitled *Do For-Profit and Not-For-Profit Nursing Homes Behave Differently*.

On behalf of the hon. Mr. Hughes, Minister of Energy, response to Written Question 10, asked for by Mr. Hale on March 11, 2013: for the fiscal year 2012-13, how many oil sands producers paying reduced royalties will reach their payout stage, and what effect will that have on nonrenewable resource revenue; in response to Written Question 20, asked for by Mr. Hehr on March 11, 2013: which companies have been granted royalty credits by the Department of Energy through the incremental ethane extraction program since its inception to December 31, 2011, and what is the value of the credits.

**The Speaker:** Hon. members, I believe we have at least two points of order that I'm aware of.

And I think, hon. Minister of Justice, if I have my timing right, you were first.

**Mr. Denis:** Yes. I'll be very brief, Mr. Speaker.

**The Speaker:** The citation. Proceed.

### Point of Order Parliamentary Language

**Mr. Denis:** I just rise with reference to rule 23(h), (i), (j), and (l) but also referring to some articles from *Beauchesne's*. The hon. Leader of the Opposition made reference to the word "lie" during one of her questions. Now, Mr. Speaker, as I'm sure you know – I refer you to *Beauchesne's* 489, "Since 1958, it has been ruled unparliamentary to use the following expressions." On page 146 there are citations there from 1959 up until 1973 on how the word "lie" is not to be used. I also look to *Beauchesne's* 492, on page 150 "lies" is also mentioned. I would humbly ask that the hon. member personally just apologize for using that term in this House.

**The Speaker:** The hon. House leader for the Official Opposition.

**Mr. Anderson:** Mr. Speaker, obviously, some things were said by the hon. Justice minister with regard to, for example, this leader voting on an impaired driving bill, which she wasn't even in the House to vote on, of course, because she wasn't elected at that time, and calling for lower enforcement on highway 63. She has never called for lower enforcement on highway 63. So he was saying things that were very inaccurate. That said, as with all new members, we all have to, you know, review the rules, and "lie" certainly is not a word that should be used, and neither should the Justice minister say things that he knows are not true, so I certainly on her behalf withdraw that remark.

3:00

**The Speaker:** Thank you. That saves us some time. It's been withdrawn, so that will conclude that matter.

The second point of order. The hon. President of Treasury Board.

### Point of Order

#### Allegations against a Member

**Mr. Horner:** Thank you, Mr. Speaker. I rise on a point of order with the citation 23(i), imputing "false or unavowed motives to another Member." When the hon. Member for Airdrie made a false accusation of me breaking the law, I didn't stand up on a point of order even though I probably could have because he was making an allegation that I did something which I did not, directly to the integrity that I have spent my lifetime building.

**Mr. Anderson:** Well, call a point of order next time.

**Mr. Horner:** Well, I will next time and possibly even more.

Mr. Speaker, when she was doing her tablings, the hon. Leader of the Official Opposition made a comment that I made some comment that somehow suggested the journalists and she were thick. She was tabling what she used in her speech as references of the opinion that she agreed with in terms of the financial statements and presentation. That's entirely false. It's not something that I have imputed at all. What I did say was that we used financial experts to create the budget. We used financial experts in terms of the drafting of the format. The advisers that we used, in terms of how we were going to go about planning out the debt repayments and everything else, are all from the financial community, not from the journalistic community, which the hon. Leader of the Official Opposition seems to be using. So it's not at all that I was inferring that the journalists were thick. Far from it. There are others over there that I might impute that to.

**The Speaker:** The hon. House leader for the opposition.

**Mr. Anderson:** Obviously, we can't call points of order on points of order, but the hon. member clearly was just imputing that folks on the other side of the House are thick, in his words, which, you know, I wouldn't call parliamentary language. I would also note that one could say that you just uttered a threat against me, hon. member, when you said that you were willing to do more than a point of order. I'd be pretty careful about uttering such threats.

Now, with regard to what was said, this hon. member has in this House on multiple occasions, including in his answers when he was referring to those journalists, Mr. Speaker, clearly stated multiple times inferring that those speakers or those journalists as well as this member here clearly did not get it, that we were being ignorant. He's used the word "ignorant" several times. He says

that we haven't read the document. There are many different adjectives that he's used to describe us in this regard.

Obviously, our interpretation is that when he continues to use those words and continues to say that we just don't get it, that if we would just read the documents and if the journalists would just read the documents, maybe they would get it, by imputing in this way, he's clearly saying that we're obviously too silly and dumb to understand it. I don't know how else to take that, but I'm glad that he's clarifying that he didn't call the journalists thick and that he was only calling us thick. I guess that's good. It's unparliamentary, but fair enough.

**The Speaker:** Are there others who wish to join into this? I hope not. Thank you.

You know, I guess nothing should really cease to amaze any of us in this House on occasion because it is where emotion can sometimes reach a very high level. Emotions sometimes give rise to words that we frequently regret having said. I think we had a couple of examples of that today. Just moments ago on a previous point of order we had a comment made about the use of the words "lie" or "lies," we had a retraction and a withdrawal – thank you for that – and now we're talking about motives being avowed one way or the other, threats and words of that nature being used.

I just want to remind you of a couple of things. I say this for the benefit of all, not just the new members but the seasoned members, who know this. On page 444 of *Erskine May* – it's one of several good sources of information for how one ought to conduct oneself – it reads under Personal Allusions and Unparliamentary Expressions:

#### Allegations against Members

Good temper and moderation are the characteristics of parliamentary language. Parliamentary language is never more desirable than when a Member is canvassing the opinions and conduct of his opponents in debate.

It goes on on page 445 to talk about unparliamentary language, and it says:

Expressions which are unparliamentary and call for prompt interference include:

- (1) the imputation of false or unavowed motives;
- (2) the misrepresentation of the language of another and the accusation of misrepresentation;
- (3) charges of uttering a deliberate falsehood;
- (4) abusive and insulting language of a nature likely to create disorder. The Speaker has said in this connection that whether a word should be regarded as unparliamentary depends on the context in which it is used.

Expressions are still unparliamentary even when based on a quotation from elsewhere.

There's more on that front as well.

Finally, you will remember perhaps that on February 21, 2012, nearly a year ago, the Speaker of the day quoted on parliamentary language the following:

Another authoritative statement is found in *House of Commons Procedure and Practice*, 2nd edition, at page 618.

And he quotes:

The proceedings of the House are based on a long-standing tradition of respect for the integrity of all Members. Thus, the use of offensive, provocative or threatening language in the House is strictly forbidden. Personal attacks, insults and obscenities are not in order. A direct charge or accusation against a Member may be made only by way of substantive motion for which notice is required.

Now, today being Thursday, we saw ample examples of violations or near violations of that. I would again tell you and ask you to please – please – refrain from the personal attacks. This is supposed to be a place where we meet honourably to discuss, to disagree, to voice our



expression, to advocate for our constituents, and so on, but it is not a place to stand and take personal shots at each other. That is the lowest form of discussion and debate, not only in this House but out in the community and elsewhere. You wouldn't be doing that when discussing things with your friends and rivals outside of here. I'm sure you wouldn't. Why would you do it here?

Let us move on. We have no more points of order, then? That clarifies that matter and concludes it.

### Emergency Debate

**The Speaker:** I think we have an SO 30 to deal with. The hon. Member for Lac La Biche-St. Paul-Two Hills.

### Medevac Services

**Mr. Saskiw:** Thank you, Mr. Speaker. I rise to propose the following motion under Standing Order 30. As required by Standing Order 30(1), written notice was provided to the Speaker two hours prior to the sitting of the Assembly. A letter has been sent, signed by 104 doctors expressing their concern that ending medevac services to the Edmonton City Centre Airport tomorrow, Friday, will endanger lives. The doctors are deeply concerned and are working to have this closure postponed until their concerns are fully addressed. The doctors are, to quote from their letter, urging the government to delay the March relocation of medevac flights away from the City Centre Airport until a proper plan is developed and implemented that will not result in unavoidable loss of life, increased suffering, and reduced health outcomes.

The motion is as follows:

Be it resolved that the ordinary business of the Legislative Assembly be adjourned to discuss a matter of urgent public importance; namely, the suspension of medevac flights to Edmonton City Centre Airport on March 15, 2013, and the serious concern that this closure could result in the needless death and disability of Albertans who require emergency medical treatment.

3:10

The issue meets the conditions laid out in Standing Order 30(7); namely, that this is the first motion proposed for today. This motion refers to a single matter, in this case the province ending medevac services to the Edmonton City Centre Airport. This motion does not revive any discussion held during session. There is no bill or motion relating to this concern, nor is there one likely to be tabled. This motion is not based on a question of privilege, and the discussion does not raise a question that according to the standing orders could be only debated on a motion on notice.

I'd like to address the question of whether there is a genuine emergency requiring immediate and urgent consideration. I think that it is self-evident that this issue meets the requirements. As allowed in the standing orders, I will provide a brief summary of the facts.

The government has announced that they will suspend medevac services to the Edmonton City Centre Airport on March 15, 2013. The relocation of medevac services to the International Airport will double the time it takes to move critically ill patients to the hospitals in Edmonton, making the total transit time from landing the aircraft to getting treatment in hospital 40 to 50 minutes longer in optimal weather conditions. Of course, it would be much, much longer on a day like today.

One hundred and four doctors have signed a letter asking that the province delay this closure so that the issue can be better understood and their concerns can be addressed. According to the doctors, who represent the concerns of thousands of patients in

northern Alberta, this additional time to the hospital may be the difference between life and death. One hundred and four medical doctors, as of today and counting, have stated that the relocation plan on March 15 is flawed and state that the move is "unnecessary, costly, and will have fatal consequences" and that for the critically ill patients from northern Alberta it "will result in needless deaths and disability."

A STARS spokesman has stated in a newspaper that it's too early to know if STARS can fulfill the new role envisioned by AHS and that there is no helicopter or flight crew dedicated to transporting patients between the Edmonton International Airport and hospitals. According to these statements made publicly, STARS will make an average of two flights from its base in Edmonton every day; therefore, STARS would not be available to deliver medevac patients to hospitals during these times.

The government has yet to implement all the recommendations of the Health Quality Council report on medevac or indicate that they will be implemented soon. They have not built the overpass on highway 2, they have yet to dedicate an ambulance lane on the QE II highway, they have not synchronized the traffic lights in Edmonton, and they have not standardized the IV and monitoring equipment between fixed-wing STARS and ground ambulances.

Another recent Health Quality Council report indicated severe problems occurring when the government halted consolidation of EMS dispatch. It would be prudent to make sure every possible step is taken to ensure the same thing doesn't happen here.

The plan to add a new holding area to the Edmonton International Airport does nothing to improve patient care since patients will have already been diagnosed by sending doctors. They will not be aided by this facility.

The Edmonton City Centre Airport will continue to operate past the March 15 deadline. It is completely reasonable to propose a suspension of the relocation of medevac as the airport is capable and willing to continue accepting medevac flights while it continues to operate.

Given these circumstances, Mr. Speaker, it is clear that this matter is, according to section 389 of *Beauchesne's*, "so pressing that the public interest will suffer it is not given immediate attention." The closure is scheduled for tomorrow, so it cannot be said that there will be another opportunity for us to address it. There will not be. This matter is not being considered by a court of law. There is no other recourse or avenue of appeal for the people of northern Alberta who are now concerned that their access to emergency services is being compromised other than the appeal to this Legislature. Furthermore, delivering emergency medical services is one of the most important things this provincial government does.

Given the facts presented here today, I believe it is in the interests of all of Alberta for this Legislature to permit a respectful debate on the postponing of the relocation of medevac services. When over 104 Alberta doctors are saying that lives are on the line, opening this topic for discussion is the least we can do. This is an imminent decision, and postponing this closure is literally a matter of life and death.

Mr. Speaker, I respectfully ask that you rule in favour of this motion so that all members have a chance to speak on this significant issue, to listen to the arguments being presented, and to consider the consequences of the closure on the province and the people of northern Alberta before it is too late. Let me put it to you this way. If you or one of your family members or any member of this Assembly had family members in the north and needed timely emergency care where minutes mattered, would adding 40 or 50 minutes bother you? If a tragedy happened, would you not hope and wish that you had at least provided this

Legislature the opportunity to fully debate the issue to ensure every precaution was taken? Let's not wait until a tragedy happens to change course. Let's not regret not having this important debate.

Thank you for your consideration, Mr. Speaker.

### Speaker's Ruling Standing Order 30 Motions

**The Speaker:** Hon. members, SO 30s are perhaps one of the most misunderstood and sometimes misinterpreted aspects of our long-standing parliamentary traditions. The word that is most often not understood is the word "urgency" as it applies to this first part. Just be reminded that this is not at this stage a question of defining the urgency of the particular issue. That's not what this stage is about.

Now, you did refer a couple of times to the urgency of why it has to be raised now. That's really what urgency means in this part of the procedure. Everybody recognizes it's an important issue. I know there are urgencies on both sides. Just for purposes of clarity I let you finish off your comments, but you were well into the debate that you are anticipating, and I think you recognize that. Nonetheless, I let it go.

Let's be warned, though, that in the future when we're arguing for or against urgency, it's only to do with whether or not it has to be done now and whether we should adjourn all other business of the Assembly in order to deal with this matter now because there is no other opportunity or because there is no other vehicle and so on. I think veteran members know that, so let me hear now what the timbre of the House is.

Edmonton-Centre on behalf of the Liberal opposition.

### Debate Continued

**Ms Blakeman:** Thanks very much, Mr. Speaker. You know how much I love a good Standing Order 30 debate. I have to say that I wish that I could support my opposition colleagues in calling for this debate, but this particular issue has been alive for some 20 years. While tomorrow is the date that medevac flights into the Edmonton City Centre Airport are to cease and be transferred elsewhere, we've had 20 years to get to this point. As a result, I'm struggling to define this as an urgent debate for today.

Just let me review a few things. Really, as the Speaker said, we're looking for three things: a specific issue, something that is urgent and important, and something that has no other opportunity to get a public airing. I looked through both *Marleau and Montpetit* – actually, the newer version of it is now *House of Commons Procedure and Practice* – and *Beauchesne*. M and M is 585, and *Beauchesne* is 387 and 389. Actually, you can go all the way to 398 on emergency debates. One of the things that it says is "no chronic or continuing concern." A 20-year history of something is fairly chronic and continuing.

I note that in *Beauchesne* 387 – I believe that it's urgent only in that the changeover is tomorrow, as I've said, but the issue has been alive since the 1980s. The province has known for 20 years that the medevac and other services would need to move at some point, once the plebiscite had been held by the citizens of Edmonton. I think it is critical and it is a failure of government that they have not addressed this until this date, but a reason for urgent debate it is not. I think that the issue of health care in northern Alberta is not well served by government. I think that is an incredibly important critical issue, but it is not one that would meet the criteria for urgency at this time.

One of the other cautions we're given is that it shouldn't be a highly partisan issue. What I see now is a fight between two different parties about who can score the most love from northern Alberta. But, as I said, I think the real failure is the government's failure to provide outstanding health care services to the people of northern Alberta.

3:20

Certainly, under *Beauchesne* 389 the requirement is that the issue be "so pressing that the public interest will suffer if it is not given immediate attention." I would argue, certainly, that the number of recommendations of the 18 that were put forward by the Health Quality Council: the government not implementing those is an absolute failure. But it is not an urgency of public interest. The government has had 20 years to deal with this issue, and they have failed to do so. They will, I'm sure, comment that they have done so in their own way. But 20 years does not make today the most urgent day of those 20 years.

So I regret that I can't support my opposition colleagues because, as I say, I do love an SO 30 debate. But based on what I'm looking at and based on the parliamentary criteria that is before us, this particular Standing Order 30 motion does not meet the criteria of urgency.

Thank you.

**The Speaker:** The hon. Government House Leader, followed by Edmonton-Beverly-Clareview.

**Mr. Hancock:** Thank you, Mr. Speaker. This is a very interesting Standing Order 30. The hon. Member for Lac La Biche-St. Paul-Two Hills has brought it forward and has argued its urgency on the basis of a changeover from the City Centre Airport, where medevac flights have been coming in for quite a number of years, to the Edmonton International Airport starting officially tomorrow.

I am going to agree with the hon. member that there is some urgency to this debate but not for the reasons that he's raised. This isn't an urgent debate because of the changeover. As the hon. Member for Edmonton-Centre has quite rightly said, this changeover has been coming since 1992 when the city of Edmonton held a plebiscite, a plebiscite which was again renewed, I think, in 1995. In July 2008 the city of Edmonton passed a bylaw saying that they were going to close the airport, and in October 2010 they closed the first runway.

The province was impelled at that point in time to plan for an orderly transition, and it did. It got a report from the Health Quality Council to talk about what was needed, and it went ahead to say that we cannot actually wait until the city of Edmonton closes that lane to make plans for the transition. We have to make those plans, and we have to do it in an orderly basis. That's, in fact, what the government has done.

The urgency is not the fact that the transition has happened. The urgency is not the fact that the planes are going to be flying into and out of the International Airport as of tomorrow. That has been a long-term plan, and quite frankly the hon. member opposite or any of the doctors or anybody else who didn't think that that was an appropriate process could have raised those issues at any time. The fact that they've chosen to whip up a motion around this issue at the last minute is actually quite tragic.

That, Mr. Speaker, is the urgency. The urgency is really around having a debate in this House to let the public of Alberta, particularly of northern Alberta, know exactly what the facts are relative to the transition and the planning and exactly what the facts are relative to the fact that their health is actually going to be

handled, with respect to the medevac process, in a leading-edge way; that their lives are not being sacrificed; that, in fact, their lives are being respected and the fact that they live in northern Alberta is being respected; and the fact that because the City Centre Airport is being closed, there needs to be a prudent planning process and a prudent transition process, and that has been carried out. It is urgent that the public of Alberta know and understand that they can have confidence in their health care system notwithstanding the hysteria that the members opposite have been trying to raise and notwithstanding the misinformation that's been going out there.

Mr. Speaker, I would normally not be one to easily suggest that we should postpone the business of the House. In fact, there's some very important business. Appropriations is one of the most important pieces of business we can have. But on this occasion, notwithstanding the timeliness of the debate, which is five years too late, at least – you know, this is a debate which if it was a real question of urgency, should have come up, at a minimum, in October 2010 when the other runway was closed and put us at risk of this runway being closed on a time frame that was not of our choosing or making, one that we had to plan for rather than wait for. That would have been disrespectful, and that would have been a problem for northern Albertans for sure.

So I am hoping that we will have a debate this afternoon, an urgent debate, because it's urgent that the people of northern Alberta understand that as of tomorrow their health care will be just as important and just as well cared for, if not better cared for, than it has been as of today. That's the urgency of the debate. It's not a question of a number of people who have decided to take the last 10 days or 15 days or 20 days to go around and get people concerned about their health, when this process of transition has been happening over a long period of time, that it's been well known by all involved, certainly well known by the doctors that have been referred to, that doctors and others have been consulted in the process, that experts in this area have been consulted in the process. It's important, indeed urgent, that northern Albertans know that good work has been done on this issue and good work will continue to be done on this issue and that their health is not at risk.

It's also important, and I think even urgent, to take some of the emotion out of this debate and have a reasoned debate. We need to take the emotion out of the debate because the reality is, Mr. Speaker, that people do die. The fact that an ambulance is called in any particular circumstance is a situation which is a clear indicator that somebody is at risk – and I'm sure we'll hear about that – but I don't want to be hearing from this opposition or from anyone else that just because somebody died, the plan was flawed. That's not the issue. So I want to put that on the table right now. [interjections] If these individuals want to make every death in this province a failure of the health system, I'm telling you that that is not a reality. [interjections] That is not a reality.

So it is urgent that we put the facts on the table, that we reassure Albertans that this transition has been well handled, that we have leading-edge health care in this province, including medevac services, and that the citizens of northern Alberta who have to medevac to Edmonton will be well treated in this new system, perhaps even better than they were in the old system.

Mr. Speaker, I would ask that you consider whether we could proceed with an urgent debate this afternoon.

**The Speaker:** Hon. members, you know, I just explained that I allowed Lac La Biche-St. Paul-Two Hills to go on without interjection. There were no interventions. Surely we can afford the same courtesy to others, even if we disagree with them. Surely we can at least do that.

Now, the custom and tradition is to allow one speaker at this stage from each of the four parties. I'm going to recognize one more, and then I'm going to make a decision.

The hon. Member for Edmonton-Beverly-Clareview, please.

**Mr. Bilous:** Thank you very much, Mr. Speaker. I appreciate the opportunity to speak on behalf of the New Democrat caucus. I will keep my comments short. I'm standing to argue in favour of a SO 30, that it meets the three criteria outlined: first, this is the first opportunity to raise this issue; there was and is no other place to discuss it in the agenda; and that it is a matter of urgent public importance.

First of all, starting tomorrow all medical flights from northern Alberta will land at a new hangar at the Edmonton International Airport. These patients would have otherwise been landing at the municipal airport. This represents a significant change in the way in which northern patients coming to Edmonton for care are going to be treated. Therefore, this is the first opportunity to raise this issue because it begins tomorrow. There is no other place in the agenda for this to be discussed. Question period simply is not debate, as you know very well, Mr. Speaker.

I just wanted to comment briefly that this is of urgent public importance because there is a large concern among Albertans that this move will compromise the quality of care available to northern Albertans. Government chose the International Airport based on the recommendations made by the Health Quality Council of Alberta report. However – and this is the part that I think the hon. minister is failing to recognize – the government has not followed all of the recommendations that are contained in the report, which means that the decision to move the patients to this location may be compromised when considering the quality of care that was expected when the Health Quality Council reported that they were satisfied with the move to the Edmonton International Airport.

The Edmonton municipal airport is not yet closed. Therefore, there may be an opportunity to continue using the Edmonton municipal airport until better arrangements can be made at the International Airport or another northern hospital receives the upgrades necessary to accept northern patients. If the government is going to consider an alternative, then it cannot proceed with its plan to divert all government aircraft to the International Airport tomorrow.

3:30

I think, Mr. Speaker, the matter of urgent concern is that we in this House are trying to prevent future deaths or accidents. I mean, the hon. minister mentioned that deaths happen. Yes, people do die, but if there is a way for this House to prevent future unnecessary deaths from occurring, then I think it is our responsibility to do so.

Thank you, Mr. Speaker.

**The Speaker:** Thank you, hon. members. I have listened very carefully and very attentively to this issue and to the discussion for urgency for the debate to proceed or not. I've listened to one speaker from each of the four parties now as I am bound to do by tradition more than anything else. The issue before us is to adjourn the debate of other matters in the House in order for this discussion to proceed. I am prepared now to make a ruling on this.

The Member for Lac La Biche-St. Paul-Two Hills has in fact met the requirement of providing at least two hours' notice to the Speaker's office by providing the required notice at 10:08 this morning. The motion he provided reads as follows:

Pursuant to Standing Order 30 be it resolved that the ordinary business of the Legislative Assembly be adjourned to discuss a

matter of urgent public importance; namely, the suspension of medevac flights to Edmonton City Centre Airport on March 15, 2013, and the serious concern that this closure could result in the needless death and disability of Albertans who require emergency medical treatment.

Members will recall that there are several relevant parliamentary authorities on this subject. Let me cite a couple of them for you very briefly. In *Beauchesne* under citation 387, where it talks about motions to adjourn the House, it reads:

The Standing Order is clear that the question be specific and must require urgent consideration. It must deal with a matter within the administrative competence of the Government and there must be no other reasonable opportunity for debate . . .

But most decisions based on these conditions are bound to be subjective and few clear cut decisions can be made. In making his ruling, the Speaker may, on occasion, take into account the general wish of the House to have a debate.

As we have just heard, three of four parties have expressed a wish, which I will come to in a moment.

There's also an interesting citation, or paragraph at least, on page 689 of the *House of Commons Procedure and Practice*, which reads:

A Member may request leave from the Speaker "to make a motion for the adjournment of the House for the purpose of discussing a specific and important matter requiring urgent consideration". Furthermore, the matter "must relate to a genuine emergency" and, if the request is granted by the Speaker, the House is permitted to debate the topic at an early opportunity, foregoing the usual 48 hours' notice period.

That having been said, I did make some notes of all the people who spoke, and I am of the view, then, that this matter does meet the requirement for such a debate to occur.

Therefore, in announcing that, I'm taking into account that the move of the medevac services to the Edmonton International Airport is occurring tomorrow, I believe, March 15, as was phrased inside the motion. Therefore, I find that there will be no other opportunity for this Assembly to debate this issue, which is of importance to many Albertans, not only those living in the north but many others who are in their family support network or friend support network. As a result, I find it entirely within the realm to advise you that I find it very much in order for this debate to proceed.

Therefore, I shall now put the question forward to you, and I ask you to listen carefully because I'm going to ask you a question about the debate. If even one member objects, then we'll have to have a standing recording of it. That being said, here is your question – because it's really now in your hands; I've made my decision – shall the debate on the urgent matter proceed? Those in favour, say aye.

**Hon. Members:** Aye.

**The Speaker:** Those opposed, please say no.

Having heard no opposition to the motion, we will now proceed with the debate. Basically, every member will be allowed up to 10 minutes to speak. There is no 29(2)(a) available. We'll go in the same rotation we just had.

Hon. Member for Lac La Biche-St. Paul-Two Hills, I'll recognize you first. We are now into the debate. We're finished with urgency. You can talk about the urgent issue if you wish. Please proceed, followed by the Liberal opposition, followed by the Government House Leader or a designate, followed by the ND opposition.

**Mr. Saskiw:** Thank you so much, Mr. Speaker. As the Government House Leader said, I think it's very important that we put the

facts on the table, and I think today is a perfect example to do that. We all saw the snow flying out here today, the miserable road conditions, and there are people here from Bonnyville right now. Now, what if on March 16 someone has a heart attack and they need emergency medical care? If it happened today, they could fly directly on a fixed-wing plane to the downtown airport, and then they're 1,300 metres away from the Royal Alex. That's probably 40 to 45 minutes, and then they're right at the downtown Royal Alex.

Now after today, if on March 16 they had a heart attack and needed timely emergency care, they would have to fly all the way to the International Airport. Because of the weather today, STARS helicopters cannot fly when it's snowing like this. It's not like the movies, where helicopters fly in rain and snow. They would have to take ground transportation from the International Airport to the downtown hospital. Think of how much time that would add. An hour, probably. So how is the hon. House leader even indicating that somehow the services are going to be equivalent? It's an impossibility.

In fact, no doctor that I know of has said that the services are going to be better or even equivalent. What has been done is that the Alberta Health Quality Council report has come up with some recommendations to try and reduce the negative impacts of this government's decision, yet they haven't even implemented those recommendations.

Life-saving medical services, Mr. Speaker, connect rural northern Alberta with world-class acute and emergency care in Edmonton, and now it's going to be rerouted from the downtown airport to the far away International Airport. In a timely fashion the government has failed to consult adequately, has steamrolled opposition, and has ignored the advice of doctors, now at 104 doctors and counting, in planning and executing this move.

The Government House Leader was mentioning deaths. This is what the doctors have said. The closure on March 15 "will result in needless deaths and disability." Needless deaths and disability. Yes, deaths happen all the time, but by taking the actions right now, there will be needless deaths. And, yes, Government House Leader, we will have that debate if that occurs.

Mr. Speaker, in optimal weather conditions by closing the downtown airport, we are going to be adding 40 to 50 minutes. That's on an optimal, pristine day where someone can fly to the International Airport and then take a STARS helicopter, provided it's available – because the STARS spokesperson said that they're not sure if they can actually provide the services within the current plan – to a hospital downtown.

Now, the Premier in her robocalls and recorded videos attempted to say that somehow the government has followed all of the recommendations in the Alberta Health Quality Council report. That is not true. It is not true. There are 18 recommendations. They have not built an overpass on highway 2, they have not synchronized the traffic lights in Edmonton, they have not standardized the IV and monitoring equipment between fixed-wing, STARS, and ground ambulances, and they don't have a dedicated lane on the QE II for ambulances. They tout this brand new triage unit at the International Airport as if this is some type of solution for this. It's not going to reduce wait times. It's not going to reduce wait times. You don't have tertiary care at the International Airport.

3:40

That's what the doctors are saying, doctors who know about this. And this isn't one or two doctors. This is 104 doctors – 20 from Grande Prairie, four from Fort McMurray, from Lac La Biche, Provost, Wainwright – all across this province that are

trying to tell you guys this. They have no political agenda. Why would a doctor come out and do this? We know what can happen to them. They're standing up for their patients. It's not easy for them to do this. [interjections] Keep laughing, guys, about this topic. Really funny.

The plan to redevelop the lands . . . [interjections]

### Speaker's Ruling Decorum

**The Speaker:** I think this is the fifth time I've stood up today to ask you to please not interrupt others. We might not like what they're saying, we may not agree with what they're saying, but they have a right to say it in this Assembly in accordance with the rules, provided they follow parliamentary procedure and everything else. Please. We've already decided and determined, by unanimous consent of the people earlier, that this is a matter that shall proceed. Let us allow it to proceed with the dignity that it deserves.

Hon. member, please continue.

### Debate Continued

**Mr. Saskiw:** Thank you, Mr. Speaker. I think it's important to go through some of the myths. One of the myths that has been provided is that this is a city of Edmonton decision. Right now the plans for redevelopment are for 25 years. Two-thirds of the land can still be developed with LRT and those very important initiatives that the city wants to run, but the medevac lanes can remain open. The airport is not being functionally closed tomorrow. Planes are actually still in fact flying here. You know, there are private planes. Northern B.C. and Northwest Territories are still going to be landing. So why would we not delay the closure until the very last possible minute?

With respect to the city of Edmonton I am very confident – absolutely confident – that the citizens of Edmonton and the Edmonton city council care deeply about the safety and well-being of their northern neighbours. After all, Edmonton is proud of their collaborative position as the gateway to the north. I'm certain that if the provincial government explained the dangers these 104 doctors are saying that this immediate closure will cause, Edmonton would be willing to delay until the province does its job and establishes an actual alternative that will work. There's simply no rush to move this.

People trust their doctors, the men and women who care for them and their families and who live in their communities. The doctors have overwhelmingly opposed the move and have repeatedly pleaded with the government to reconsider. Now there are over 104 doctors, northern doctors, and counting who have stated that the PC government's decision to relocate medevac is flawed and that the move is "unnecessary, costly, and will have fatal consequences" and for the critically ill patients of northern Alberta "will result in needless deaths and disability." This government has ignored their advice.

This isn't an urban versus rural, a city versus province issue. It's about right versus wrong. I implore the MLAs here, especially the ones from northern Alberta who have their families, their loved ones, their community members there, to stand up and speak out on this issue. It doesn't have to be closed on Friday. It doesn't have to be closed on Friday. Let's not rush this. Let's make sure that all of the recommendations on the Health Quality Council report are implemented. That's the least that we can do for our constituents. A dedicated ambulance lane, an overpass: let's get those things done at a minimum. Let's not close it tomorrow. Let's delay the closure.

A couple of other myths, Mr. Speaker. STARS cannot fly in winter weather conditions like this. I know they're building a helicopter that may have the capacity, but right now there are only two STARS helicopters. That would be the third one. What if those helicopters are being used at another accident?

The other thing, Mr. Speaker, is that we all talk about the growth of the northern area, highways 63 and 881. The chief medical doctor who treats patients in those accidents, Dr. Richard Birkill – if you get into an accident, you're going to wake up looking at the lights in his operating room – said that the closure tomorrow will result in needless death and disability.

There are other myths here. The government has come out saying that there are only five critical patients a month that use these services. That's not right. The chief doctor in Lac La Biche alone said that there are 120 a year. I heard today in Bonnyville that there are a hundred a year. These aren't routine checkups. These are emergencies. If a woman is having complications with her pregnancy or if there is a closed head injury, these are the types of patients that they're sending. If it's not an emergency, they wouldn't be using the fixed-wing plane. They'd be using ground transportation.

Again, Mr. Speaker, I implore the hon. members across to stand up, do what's right, and try and delay this closure past Friday. Thank you so much, Mr. Speaker.

**The Speaker:** Hon. members, we're going to proceed in this order: a Wildrose member, followed by a Liberal member, followed by a government member, followed by NDP.

My next spot now is for a Liberal member if anyone wishes to take it up.

If they don't, then we're going to go over to the government side, and we're going to recognize the hon. Minister of Municipal Affairs.

**Mr. Griffiths:** Thank you very much, Mr. Speaker. I'm pleased to rise today to talk about this debate and the apparent urgency of the situation. As the Member for Edmonton-Centre pointed out, this is a debate that's been going on for 20 years. I know that for the last three it's been an incredibly vigorous and impassioned debate all across the north and here in Edmonton, and I know that city councillors in the city of Edmonton have debated this very vigorously for the last three years.

It's unfortunate that suddenly some people think that this is critically urgent, as though it's never been discussed before, and implore that it should be stopped, Mr. Speaker. This government does not react on a moment's notice to something like that, which is why we have taken a long time, a couple of years, to prepare to move the medevac services, in anticipation that this was going to be inevitable, from the municipal airport to the Edmonton International.

Now, when it began, I do believe it was probably looking at how we could move the medevac services from the Edmonton City Centre Airport to the Edmonton International Airport and get some comparable service, Mr. Speaker. But, you know, some people look at the changes that are made and see it only as a challenge. They say that it can't be done, that it's impossible. There are people on the other side of this House that have said that. There are people all over the province that have concerns because of what some of them have said. But when there are challenges, we on this side of the House view it as an opportunity to find new ways of doing things, which is why we're going to be providing at least as good a service, and in many cases at the Edmonton International Airport the medevac services will be even better.

I know that people who have been opposed to the move sometimes characterize the service that was provided at the Edmonton City Centre Airport as exemplary, second to none, the perfect type of service. But that's incorrect. There have been incredible challenges at the Edmonton City Centre Airport. It's inappropriate to say that when a plane landed with a patient – 1,500 metres, Mr. Speaker, is a kilometre and a half. It is a fair distance when you are driving through the downtown core. To suggest that it's perfect all the time and you will always get in a matter of minutes to any one of the hospitals is inappropriate. Right now, today, I have some of my colleagues who drove in, and it took over an hour and a half to get through the downtown to get to work because of some weather. You combine the high-volume traffic times in the morning or in the evening with inclement weather, and you wind up with hours and hours of delays. So it's not necessarily an ideal situation.

They've neglected the fact, Mr. Speaker, that traditionally when the plane landed, because there was no other hangar available, patients were moved from the plane to the ambulance in the cold. For some health conditions that cold can have a tremendous impact. It's important to have better quality service than that.

There's also the issue, which we saw yesterday if anyone came and did the tour, that at Edmonton City Centre the equipment wasn't always perfect for moving quickly from one vehicle to another, from the plane to the ambulance, Mr. Speaker. You had to move out bits and pieces of equipment all the time, which made the transfer longer. Not an ideal situation.

We also heard from the paramedics themselves yesterday at the International Airport, Mr. Speaker, that the way it operated at the Edmonton City Centre Airport meant that even though there were two paramedics in any of the vehicles, there was only one available for the patient on the plane and in the ambulance to get to the airport. With the new system there'll be three available for every single patient, which is better care.

You know, we've heard stories about situations where there have been incredible technical glitches at the downtown City Centre Airport. We've had circumstances, Mr. Speaker, where the lights have gone out. It has not been the best, most secure system for medevac service for people in the north.

3:50

At the new station, the new solution that we have created out of this adversity, Mr. Speaker, the new opportunities we've found, you would have seen on the tour yesterday that when the plane lands at the Edmonton International Airport and pulls into the hangar, it's right beside STARS, something that we didn't have available at the municipal airport. The equipment is quickly and easily transposed. They did an example, if anybody from the other side of the House had cared to come, that showed moving the patient into the plane, out of the plane, and over into the new chopper that they've got. It was quick. It was seamless. It was incredible to watch, and the paramedics were very proud of having that technology.

We also saw the new helicopter that can fly in inclement weather, Mr. Speaker, which means that when a patient lands, it is only 10 to 12 minutes to get from the International Airport, despite the weather, despite the traffic, regardless of the traffic or the weather, to any one of the hospitals in Edmonton, something that can't be done from the municipal with inclement weather or heavy traffic, which means that the care and service provided to those who are coming in in emergency situations is better than it's ever been.

Now, you know, there are some people who have asserted that we should take over the Edmonton City Centre Airport or keep it

open, Mr. Speaker. I've heard them throw around numbers, that it only costs \$30 million. I asked the mayor yesterday, and he laughed very heartily at that. Again, I asked him, "What do you think it would cost?" He said, "Well, our numbers say about \$2 billion."

I've asked my own department, and they've said that if you don't factor in the cost of lost tax revenue, which could double or triple that number, Mr. Speaker, it's billions of dollars on service that hasn't been the best it could be, service that is even better at the International Airport. People who even ask for us to keep delivering a service at the municipal airport instead of the international are now asking us to spend money on two different sites and keep the one open that's providing less adequate medevac service to people in the north.

When we talk about how much the airport would cost, we have to be very responsible with every single tax dollar that we spend in this province, Mr. Speaker, which is why we're continuing to invest and not presume that everyone in the north has to come in by plane for medevac service to get service in Edmonton. We want to invest in providing those services to people in the north so they don't need medevac. Eighty per cent of the flights that they come in on are regular, routine things. If those services were provided in places like Grande Prairie, Fort McMurray, High Prairie, and Whitecourt, then those people wouldn't need to fly in.

The people in the north don't deserve to have billions of taxpayer dollars invested in the City Centre Airport on the premise that it will provide them better care for medevac service, Mr. Speaker, when it obviously doesn't. They deserve the best medevac service and investment in the facilities in their communities so they can stay home and get the good health care that they need. That's the plan that this province has. That's the vision we have going forward, and we will continue to do better, provide them better medevac service, and continue to provide them better health care service in their own communities in the north.

This is the right move. This is fantastic news for rural Alberta, Mr. Speaker. This is the plan we have for investing in the north and making sure that those people, who help contribute significantly to this economy, are treated like Albertans who get the services they need. That's why I'm proud to be part of this government and this team.

**The Speaker:** The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Well, thank you, Mr. Speaker. I am pleased to rise to support this motion as brought forward here this afternoon. I have a couple of different arguments that I would like to bring forward in regard to this situation. Also, on a personal level I would like to say that I've been following this situation with the airport for quite a number of years. I live right by the airport myself and was part of the citizens advisory council body when the municipality was considering this change. You know, I can say from my neighbourhood community and from that council that we had some serious reservations about how this whole process was brought forward over time. We were just hoping that we could seek some resolution for the good of our community and for the good of Albertans in general and find something that we can all work with.

I guess our main concern and the reason that Alberta New Democrats are supporting this emergency debate this afternoon is that there are a number of recommendations that the Health Quality Council put forward that have not been met up till this time, till the day before the services are meant to be closed off from the municipal airport and over to the International Airport.

Some of these things that the HQCA put forward that have not been met so far include the following, that

traffic patterns be studied and an optimal ambulance route established from the Edmonton International Airport to tertiary care facilities.

That's to all hospitals that we have here in the Edmonton area. We know that the vagaries of traffic and weather conditions can obstruct the smooth flow of traffic from the airport, and certainly we need to look at this more closely before we move the service from one airport to another.

Another one is that

an evaluation be conducted on the impact of traffic lights on transport times and changes implemented to minimize this impact. Changes could include installing an Optacom device/system to allow ambulances to change . . . lights to green or [perhaps] synchronizing traffic lights on the main routes from the Edmonton International Airport to tertiary care facilities.

Again, we all have experienced the traffic jams that can happen at certain times of the day from the Edmonton International Airport, and I think that we should resolve those issues before moving forward.

Number three:

all ambulances be equipped with a Global Positioning System so alternate routes can be determined when traffic is problematic.

You know, sometimes you have a circumstance, Mr. Speaker, where perhaps an emergency debate or a major change like this can actually benefit all Albertans. Who's to say that the best practice that we come forward with for equipping ambulances shouldn't be a standard that we could execute throughout the province, this GPS recommendation, in particular, I think?

Number four:

additional road infrastructure, such as an on/off ramp from the new facility [at the International Airport] that [could] provide faster access to north-bound Queen Elizabeth II or a dedicated emergency lane . . . be built.

Again, Mr. Speaker, we've all experienced, I'm sure, the bottleneck that occurs at the overpass that feeds the QE II both north and south. I think that this is again an opportunity to address the specific problem but perhaps fix a larger issue that has plagued that airport intersection for many, many years.

As well, Mr. Speaker, my second point that I want to bring forward – and I think this is very important – is that Alberta New Democrats first and foremost support the value of independence and the decision-making bodies of municipal governments. Municipal governments should receive the utmost level of respect for their work as any other level of government in our province. Please be sure to note that I am not rising here today, then, to discuss the decision made by the city of Edmonton to close the City Centre Airport. We have to respect these decisions. It was within the jurisdiction of the city of Edmonton to make this decision, and therefore we must accept that the airport will in fact close sometime in the future, as the city of Edmonton's government so desires.

However, the New Democrats certainly understand and empathize with those Albertans who are frustrated with the way in which the government of Alberta has addressed this issue. As I say, the failure to address the Health Quality Council's standards in a reasonable way is the reason that we certainly believe that we should take a sober second look at what the timing is for the closing and the changeover of this facility. The airplanes will still be landing and taking off at the municipal airport after March 15. I will attest to that since I live right by it. I watch them go up and down every day, and they will keep on doing so after the 15th. Until we meet the standards that have been put forward by the

government and a body that is responsible for health quality in this province, I think it is irresponsible and incorrect to meet this artificial deadline that we would see taking place tomorrow.

I thank you for the opportunity to be speaking on this, and thanks to the member who brought it forward here this afternoon.

4:00

**The Speaker:** Thank you.

Hon. members, I'm going to announce the speaking list right away, but please know that I have well over 20-some members who wish to speak. We have 30 minutes left, so if you would keep your comments down to something brief, that would be appreciated. It would allow the maximum number of people a chance to speak this afternoon.

I have Calgary-South East, followed by the Leader of Her Majesty's Loyal Opposition, followed by the Associate Minister of Services for Persons with Disabilities, followed by Calgary-Fish Creek, followed by Bonnyville-Cold Lake, followed by Edmonton-Beverly-Clareview.

Thank you. Please proceed.

**Mr. Fraser:** Thank you, Mr. Speaker. As we all know, I have various experiences in emergency medical services. I want to speak a little bit about those experiences because I think that when we all look at what we want for our families, certainly when I'm training paramedics or when I've been part of the emergency services system, what we want is the best quality. We never want to see anybody die. The reality is that people do die, and they will continue to die. I will not stand here and promise anybody that nobody will die.

I've been in that elevator when we thought everything was going okay, in an apartment building where the elevator barely fits the stretcher, two paramedics, and a patient, talking to the patient one minute and having them crash on you in the next. You know what? The elevator doesn't move any quicker when you're 27 floors up. You can't do effective chest compressions. You can't get your medications in that you want on time. It's a situation that's unfortunate, but I won't stand there and blame the elevator company for the way they designed the elevator or the building. It is what it is, and I'll accept responsibility for that.

The tough thing is having to talk to the other people that couldn't get in the elevator at the bottom of the elevator, who just said goodbye to their family member, and now we're working on them: "I'm sorry. You can't even ride in the front because we've got to go." When they get to the hospital, unfortunately, I've had to give that information to those loved ones that that patient passed away. So the severity of what we're talking about here is not light, and it is not something where politics should be played. It's not something where you hire a group and run them around to scare the hell out of Albertans, Mr. Speaker.

Mr. Speaker, when I made a commitment to do no harm, part of that doing no harm is making sure people have accurate information to make informed decisions, to be sure that we're instilling confidence in the systems that we have today, to make sure that we build on our strengths, and not try to rip them down every time there is change.

Now, let's talk about that change for one minute. There is a person who sat in this Legislature in the very front chairs whom I respect immensely – and most Albertans did; we've heard about it over and over again since the budget has been delivered – and that's Mr. Ralph Klein. In the late '90s what the Klein government decided to do was shut down not just one major hospital in downtown Calgary but two. That's where people received emergency care, and he shut those down simply because there was

better economic value in building hospitals in other areas, one being named after our most beloved Premier, and that's the Peter Lougheed that we know today.

What I will tell you is this. When those changes came, there were almost a million people that were terrified for fear of what physicians were saying, particularly those in downtown Calgary worried about access to care, not just care from an emergency perspective in terms of ambulance, but we were also looking at the ability for nurses to provide in-and-out care and specialty care and so on for those who lived in downtown Calgary. But, as we all know, that transition took place. We are providing better care at the Peter Lougheed Centre, the Rockyview. We have just built a state-of-the-art hospital. It's not just mentioned in Calgary but around the world. It's mentioned around the world as being state of the art. That's what we have here, so let's talk about the facts, Mr. Speaker.

What we have here and what we've heard is that the Health Quality Council has come out with a bunch of numbers, and you know what? The time has doubled. Well, has anybody on this side ever done the research in terms of where those times were determined?

As a paramedic I know there's a difference between emergency care and emergency driving and regular traffic for those regular patients. All those times were calculated with people going through regular traffic. But Alberta Health Services, again, went one step further to make sure for those regular-traffic patients. You cannot evaluate the emergency traffic because you can't fire up an ambulance and drive it through downtown Edmonton or anywhere else without a patient in the back. It's against the law. But they ran those times early in the morning, between 7 and 9, in rush hour. They ran them at noon. Then they ran them between 5 and 6, during probably the worst time that a highway ever receives traffic, and those are the times that they came up with.

I was talking to an air medevac flight pilot who's done it for 11 years, and he says that any time we've come into the International Airport – and let's be sure – there were 63 flights, seven of them being red, with no problems at all, Mr. Speaker. The flight pilot calls in. He says: I need priority. He gets the priority that he needs. This is from an experienced person. He has no gain in it. Nothing. In fact, he doesn't even do that anymore. When we taxied on our plane yesterday, it was slightly different. It was three minutes. He said: worst-case scenario, weather being terrible, crosswinds being terrible, it's 10 minutes. That's from somebody who knows.

Now, let me tell you something that I know because I've done it in Calgary for over a decade, picking up medevac patients, equal to or more than the amount of people that are being flown into Edmonton. I've driven to the Foothills in Calgary, which is not a direct line. It is through traffic, and it is almost exactly the same set-up that we have now with this new state-of-the-art facility, with ambulances that have the ability to take the stretcher from the plane right onto the ambulance. In Calgary we don't have that yet. We have to blanket drag them. We do it outside. It's cold for the patients. There's wind. There are planes firing up all over the place. But you know what? There's no incident there because the physicians that start the care in the beginning and the nurses all care. The paramedics and the pilots all care, and they know when it's serious.

Mr. Speaker, what we're being told here in terms of the facts is that we need a lane. A lane would be great. But I can tell you that when I turn the lights on on that ambulance, I've got every lane. We look at some of the stats. I sat in the St. Paul meeting for Save Our Medevac. When I saw those stats for the St. Paul medevac – and you should be aware of this – they put up a picture of an ambulance stuck in traffic without its lights on. How dare they say

that there's a patient in the back of that ambulance dying? That is false. Otherwise, the lights would be on. It would be going right down the right-of-way, the shoulder, that we all saw in there. That's what I know, and you know it.

Mr. Speaker, what we're being told and what these poor northern Albertans are being sold: snake oil. It is not the truth. You know what? I respect the physicians because I talked to those physicians. In fact, 50 physicians were consulted in this process over a year ago. They are highly decorated physicians from emergency rooms, from ICU, from specialized care all over northern Alberta. They all received the letter, but here we are in an emergency debate one day before we're going to move to a state-of-the-art medevac service ability.

What I hear on this other side is: "Rick, you don't know. You're not a doctor." Well, you know what, Mr. Speaker? Here's what I can tell you. I'm an advanced-care paramedic. I've been out there in the ditch. I've had to make the decision, the hard decision based on the resources that I've had, to walk away from children that are taking their last breath to deal with the person who has drunk too much and decided to get in their car. You tell me that I don't know? I tell you that if it wasn't for the hard-working paramedics that are on the street and in your community saving lives to get them to these physicians, those patients don't get there.

I'll tell you what. If we're going to evaluate it, let's evaluate the whole thing because not every instance in medical care is black and white. It's often very grey based on the decisions. I look back over my career, and I tell you that there were times when I looked and thought: "Maybe I made a mistake. Maybe I waited too long. Maybe I didn't call in the additional resources." You know what? I can tell you that the caring, adequate, awesome physicians that we have in northern Alberta have the same questions. When we evaluate a call, we evaluate it from the time it comes in to the very minute it ends. That call just doesn't end when we get them to the hospital. It doesn't end in the trauma room there. It doesn't end on the ward. It may end 24 hours, 48 hours later, and we all own the responsibility of the care that we provided.

In fact, the Minister of Municipal Affairs had the meeting with Mayor Mandel yesterday. They are eager to move forward on the development of that airport. What this government has done is that we've gotten out in front of it. We have decided to make a decision, albeit not easy. I can tell you: if I could put an airstrip right next to every single hospital, wouldn't that be great? But is it economically feasible, and do the stats tell you that?

4:10

Let me reiterate the stats for you one more time. Ninety-two per cent of the people that were flown into Edmonton were actually regular traffic. They were nonemergent. They might have been ICU, but they were stable. There is a difference. Mr. Speaker. Here's what we know. In fact, the statistics at the end of the day, those time-critical patients, based on the dispatch information that actually came in – you know where the dispatch information comes from? The very doctors that send the patients. They're the ones talking to other doctors on the other line, the rapid scene, that say: "Hey, I've got this patient. Okay. Let's fire up the bird, and let's get him going." That's where the dispatch information comes from. They send them out. In fact, what Alberta Health Services and the Health Quality Council have done when they have come up with these numbers that give you five time-sensitive patients per month is that they've gone back and re-evaluated because their care has been awesome in flight, but their condition has deteriorated.

Mr. Speaker, I speak with passion, I speak with truth, I always want to be approachable, I always want to be believable, I want to



be credible, and I'll continue to do that because I believe that this is the best possible solution for Albertans. In fact, I think it's going to enhance care. In talking to paramedics that I actually worked with and that I respect from all over this province, that do such a wonderful job, they have not objected.

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition, followed by Peace River.

**Ms Smith:** Thank you, Mr. Speaker, and thank you to the previous speaker as well. I understand, having been on the front line, that he's probably seen some pretty harsh incidents, and I understand the passion with which he speaks.

I think there is a solution to this issue. It doesn't need to be black versus white or rural versus urban or Edmonton versus everyone else. The reason we came into this issue – and we're not new to this issue, as it seems to be implied by the hon. Municipal Affairs minister. We took a position on this years ago even though it certainly wasn't very popular with the mayor of Edmonton – he certainly let us know it wasn't popular with him – because we thought it was the right thing to do.

We were very concerned about the issue of service to the north. At the time it was a broader issue, but as we started going forward on this issue, we became increasingly concerned about the issue of providing appropriate medical facilities to those who are in the north and medical care to those who are in the north. We weren't alone in this. I think that the members opposite should remember that it was their former leader, Premier Stelmach, who ordered the Health Quality Council report to look into what needed to be done to be able to ensure that there was seamless access to care for members of the north when the facility and the access to the municipal airport closed down.

That, I think, is the crux of what we're talking about today, whether or not the government, having accepted the recommendations of that Health Quality Council report, accepted that there was some work that needed to be done to ensure seamless care and whether they have completed the work in time for this to close tomorrow. What is the rush in moving towards taking services out of the Edmonton City Centre Airport when there doesn't seem to be an urgent need from the point of view of the city?

Let me talk about a couple of things. Part of the reason why the government, though they don't like us to tell them so, lost credibility when they said, "Trust us; we will fix this, and there will be seamless service" is because we have seen incidents very recently where it hasn't worked. The amalgamation of the AHS superboard has not worked particularly well. We hear all kinds of problems with front-line service delivery – we just got another Health Quality Council report indicating the numerous problems in the amalgamation of EMS – the closure of Carmangay without proper notice, the closure now of Michener without proper notification. The problem is that we have seen again and again and again the government taking decisions and then saying: don't worry; we'll figure it out after the fact. Maybe on certain things you can figure it out after the fact, but on issues of life and death, of critical care, you can't figure it out after the fact. Otherwise, you will have needless death, you will have needless suffering, and that's what we're trying to avoid here.

The issue of the rationale. I appreciate the comments from the Member for Edmonton-Calder saying that planes are going to continue to take off and land after March 15. It seems to us that the very last plane that should take off or land at that airport should be a medevac plane, providing critical care and critical transportation to critically injured patients from northern Alberta. If there are planes still being used in that facility, if there is still an

operational municipal airport, there absolutely is no rush in ending our medevac flights to and from.

I want to address as well – the hon. Member for Battle River-Wainwright was throwing around some figures about cost, the cost of the airport and how much it would cost for the province to take it on. Now, of course, I had at one point in the past suggested that that might be a solution to this, but one of the things that the doctors are suggesting is to allow the city of Edmonton to continue developing two-thirds of the land and just leave one runway open for as long as possible to be able to continue to allow the flights to go in and out. It seems to me that that is the kind of solution that we're looking for, one that doesn't get in the way of the city of Edmonton's ability to develop the lands but also ensures that we're able to have seamless service for our northern communities until such time as all of the promises the government has made on increasing care in other facilities is met. Because right now, it's not been met.

This may be a 25-year time horizon before the city of Edmonton fully develops these lands. It may be 10 to 15 years before they would need to take this particular runway out of use. So let's make sure that we do this right. Let's continue using this runway, ask the Edmonton mayor to work around his plans for development so that we can continue to provide service to northern Alberta.

At some point maybe in the future the province might be interested in looking at buying that last runway. The numbers that we've been hearing are that it would cost \$114 million to \$166 million. Those numbers are quite a bit different than what the hon. Municipal Affairs minister suggested. It also happens to be kind of in the order of what the Edmonton mayor is looking for for his arena funding project, so there might be a way for them to be able to do a bit of a swap: get the mayor what he wants as well as be able to ensure that we've got seamless access for our northern medevac patients. Just putting it out there.

In the meantime I think we have to be advised and we have to listen to what our professionals are saying, what our doctors are saying. In the report that Premier Stelmach had commissioned, it went through 18 recommendations about what needed to be done to make sure that services to our northern communities were not impacted. It's already been referenced – it's already been talked about by a couple of previous members – the ways in which those recommendations have not been fully implemented. If the government intends to fully implement them, great. Then let's take the time, continue the service at the Edmonton City Centre Airport, and get that interchange fixed, get the additional lane put in on the highway, synchronize the lights, do those things first before you end up interfering with the service. There is no rush to end things tomorrow.

I think the other issue that we have to be mindful of – I think that the members opposite maybe are misreading the statistics, but the statistics that I have seen suggest that this is a very, very serious issue for critically injured patients. It may well be that there are some patients who are transferred into the Edmonton City Centre Airport who are coming down for specialist treatment and appointments and are not of a critical or urgent nature. That may well be the case, and I think it certainly is. But the statistics that we have seen are that we've got 3,059 patients coming in from northern Alberta and then there are an additional 805 patients that are coming in from other northern jurisdictions, other provinces, and 58 per cent of them have been identified by doctors as being code yellow or code red, so they are patients with a high level of acuteness who need immediate care.

The question of whether or not any other air ambulance service would be able to take on these patients: it's simply not the case. STARS has indicated already that they cannot step in and take on

these patients because, first of all, they fly at half the speed that a fixed-wing aircraft does. That's one problem. Second of all, the patient load is just too high. In some cases they're looking at bringing in as many as five patients a day. The total amount that STARS would have to be able to assume is an additional 1,779 critical patients to be able to get them into the hospitals in Edmonton. They simply can't do that.

The other issue is the issue of the triage at the Edmonton International Airport, that northern journalists were flown in to at a cost of \$17,000 to get a tour around. These patients don't need triage. The reason why they are flying into Edmonton is that they have already been triaged. It has already been indicated that they need some serious care that is only available at the Royal Alex or the University of Alberta hospital. That, I think, is the crux of the matter here. The services that are going to be available at the Leduc hospital, the regional hospitals are the same as many of the regional hospitals that these patients are being flown out of.

4:20

Let me just go through this because this is really all about patients and it's all about the kind of care that they are going to receive and it is in keeping, I think, with the government's priorities of trying to ensure that we've got specialty services in our large centres. [interjection] One minute? Oh, darn it. Let me go through it quickly, then.

These are the kinds of things that patients are being flown in for, and they can only get this care from the Royal Alexandra hospital and the University of Alberta hospital. They need to have clot-busting drugs for heart attack patients, and they need to have them within 90 minutes of presenting chest pain. For strokes they need a CT scan and a clot-busting drug and maybe even a neurosurgeon, only available at the Royal Alex or U of A. For major trauma, vehicle collisions, moderate to severe closed head injuries, trauma involving the brain or spinal cord, and hemorrhages that require critical care, interventional radiologists, trauma surgeons, intensive care, again, are only available at the Royal Alex and the U of A. For premature labour and premature birth, issues of neonatal ICU, pediatricians, obstetrics are only available at the Royal Alex and at the University of Alberta hospital.

Let me just close, then, with one quote from Dr. Ruben Hansen. There are a whole range of comments – and I will table this document, Mr. Speaker – but let me just close with Dr. Ruben Hansen, site chief, emergency medicine, Royal Alex hospital.

The closure of the City Centre Airport will significantly increase patient transport times to our... facility. This will, without question, negatively impact our ability to provide prompt, necessary medical care to these critical patients. Delays in the provision of life and limb saving interventions in this patient population will have a detrimental effect on long-term outcomes including survival rate and quality of life.

I ask the government to reconsider the closure.

**The Speaker:** The hon. Member for Peace River and Associate Minister of Services for Persons with Disabilities.

**Mr. Oberle:** Thank you, Mr. Speaker. As the Government House Leader said when he rose in the initial debate, there's lots of misinformation flying around. We have to be careful to focus our debate on facts. I agree with that. Of course, the first fact here is that the City Centre Airport is going to close. That's a decision of the city, not the province. It's a decision that was theirs to make, and as far as I'm concerned, it's theirs to live with.

As a northern Albertan obviously my preference would be to have that airport open, not just for medevac but for business. For

some reason it seems to concern the city not a whit that, for example, the city of Grande Prairie flies more passengers to Calgary now than they do to the city of Edmonton because it's easier to do business with them. Mr. Speaker, I'm frustrated to the extreme by that decision. But it is a decision of the city of Edmonton, and the airport is going to close. There's no question about it.

It's going to close. The date of that is uncertain. We heard from the Minister of Municipal Affairs as late as yesterday that the mayor himself couldn't talk about a definitive date. He said that it might take a year. He would prefer that it take a month. We need better certainty than that, and we need to plan. So the City Centre Airport is closing, and we have to examine the best available alternatives. It's just as simple as that. We have to do something else because the airport is closing.

Now, yesterday there was a tour of the new medevac facility at the airport, and it's a fabulous place. You know, it's going to have dedicated ambulances, and you can transfer patients inside. There are staging beds inside, not a triage centre, as the hon. Member for Lac La Biche-St. Paul-Two Hills indicated. It's a transfer centre which allows the facility to hold noncritical patients so that critical patients can get primary access to the transportation vehicles. It's all better and state of the art. In fact, there actually isn't any facility at the City Centre Airport. They transfer you out on the tarmac even if it's 40 below.

So what's the issue? The facilities are great. The people are great. The issue, of course, is timing. The distance from the Edmonton International Airport to the Royal Alex is a lot longer. Nobody's questioning that. We get that. Even though the Royal Alex receives less than a third of the critical transfers that come to Edmonton – less than a third; that's from the Health Quality Council report – it's longer. We get that.

It is longer, although not as bad, from the Edmonton International to the University hospital, which receives more of our patients. It receives about two-thirds. It's longer than it is from the City Centre Airport to the University hospital. Though, let's stick to facts. The member said that it adds 40 to 50 minutes. I drove there after the conclusion of the ceremony yesterday, doing the speed limit all the way, and went through one albeit small construction zone, also observing the speed limit, Mr. Speaker, and made it in 25 minutes to the University hospital. I was downtown in the underground garage getting out of my car in 30 minutes. So let's stick to facts.

The other thing that the hon. member said was that anybody that's on a plane is an emergency; that's why they're on the plane. Nobody gets medevaced from my constituency to Edmonton in a ground ambulance, Mr. Speaker. They're on a plane. That's what a medevac is. A ground ambulance is an interhospital transfer, a completely different beast. We get medevaced down for MRIs and whatever else.

Yes, some of us are critical. Some of us have broken femurs, for example, which is a time-sensitive condition. You'll get loaded onto an ambulance, and they won't even turn the lights on because you're not going to die in five minutes. If you don't get treatment within 12 hours, you might. That's time-sensitive. But that doesn't mean you have to save five minutes.

Mr. Speaker, the question of time is indeed critical, and we have to determine how critical it is. If it is critical, what can you do to mitigate? We don't have the option of using the City Centre Airport. What's the best available option? We think we've chosen that.

Everybody talks about the importance of time, Mr. Speaker, at the front end of this. It's true. We have the golden hour. In my constituency you won't even make your home hospital in the

golden hour, which is why we have CAT scan machines in High Level, in Peace River, in Grande Prairie, in Fort McMurray to mitigate that time. That's when you meet the golden hour, not when you load and get to Edmonton.

You won't get to Edmonton within hours of your injury because a doctor back there has to decide you're going to be medevaced. He has to find a bed. They arrange the plane. You have to get taken by ambulance to the airport there. You fly here. You get transferred to the hospital here. You're in the system for hours, and when you get here, everybody in the system – the dispatchers, the air medevac, the ground ambulance, and the receiving hospital – knows you're coming. Mr. Speaker, they can juggle the time and make sure it works.

The question is: if helicopters are part of the system and they can't fly, Mr. Speaker, what do we do? Well, sometimes the fixed wings can't fly. You pick the next best alternative. Our alternative airport is Calgary. Their alternative airport is Edmonton. What happens if you can't fly and the helicopter can't fly? You might get transferred to Calgary, which is interesting. The time from the Calgary airport to the hospital is the same as the time from the Edmonton airport to the University hospital. Do they have a higher death rate on their medevacs? No. In fact, what do you think happens when you get medevaced to downtown Vancouver and you need to access the critical burn unit at the Vancouver General hospital? It's probably twice the distance.

Mr. Speaker, all you can do is pick the best available alternative and put plans in place to mitigate. We've got a state-of-the-art facility out there. We transfer patients by helicopter when we can. If the helicopter can't fly, then we've got to figure out what the alternative is, and we work that in, the same as the case is today with the City Centre Airport when the fixed wings can't fly.

Mr. Speaker, you've got to pick the best available alternative. This is not a political discussion any more than debating in here what scalpel a physician should use when they're doing heart surgery. That's none of our business. We should leave that to experts, which is what we've done. What a great, great political

discussion would be: should we keep the City Centre Airport open? Unfortunately – although, as a northern Albertan that would be my preference – we're standing in the wrong Chamber to have that debate, but it would be a great debate to have.

Mr. Speaker, I'm concerned about the level of political debate in this House and the role of the opposition. Their role is not to oppose; it's to improve. But we seem to conduct opposition lately by identifying a bogeyman and, as the Member for Edmonton-Centre described, flash up the Chicken Little tour, as she worded it – she's a seasoned practitioner herself – and find a busy intersection to stand in. That's not adding to the value of political debate in our province. It's dishonest. It misinforms people.

Again, Mr. Speaker, we have to find the best available alternative. We think we've done it. If anybody has got a better one, table it. But the City Centre Airport is going to close, and it is not amongst the options we can choose from.

Thank you, Mr. Speaker.

**The Speaker:** Hon. members, we've reached 4:30, and as you know, our Standing Order 4(2) requires us to adjourn. But before we do, I want to thank the members for their input this afternoon and then also express my regret that we didn't get to the entire list. So let your constituents know that you were on the list to speak. In particular, I have Innisfail-Sylvan Lake, Bonnyville-Cold Lake, Edmonton-Beverly-Clareview, Lesser Slave Lake, Rimbey-Rocky Mountain House-Sundre, Grande Prairie-Smoky, Fort McMurray-Wood Buffalo, Dunvegan-Central Peace-Notley, Calgary-Fish Creek, and several others who had wanted to speak, including the Minister of Education and a few others that are from the north in particular. Please let the record show that you were on the list, but we did run out of time, hon. members from all four parties.

With that having been said, I now declare the Assembly adjourned until 1:30 p.m. on Monday pursuant to section 4(2) of our standing orders.

[The Assembly adjourned at 4:30 p.m. to Monday at 1:30 p.m.]



## **Bill Status Report for the 28th Legislature - 1st Session (2012-2013)**

**Activity to March 14, 2013**

The Bill sponsor's name is in brackets following the Bill title. If it is a money Bill, (\$) will appear between the title and the sponsor's name. Numbers following each Reading refer to Hansard pages where the text of debates is found; dates for each Reading are in brackets following the page numbers. Bills numbered 1 to 199 are Government Bills. Bills numbered 200 or higher are Private Members' Public Bills. Bills numbered with a "Pr" prefix are Private Bills.

\*An asterisk beside a Bill number indicates an amendment was passed to that Bill; the Committee line shows the precise date of the amendment.

The date a Bill comes into force is indicated in square brackets after the date of Royal Assent. If a Bill comes into force "on proclamation," "with exceptions," or "on various dates," please contact Legislative Counsel, Alberta Justice, for details at (780) 427-2217. The chapter number assigned to the Bill is entered immediately following the date the Bill comes into force. SA indicates Statutes of Alberta; this is followed by the year in which it is included in the statutes, and its chapter number. Please note, Private Bills are not assigned chapter numbers until the conclusion of the Fall Sitings.

### **1\* Workers' Compensation Amendment Act, 2012 (Redford)**

First Reading -- 8 (May 24 aft., passed)

Second Reading -- 177 (Oct. 23 eve.), 193-96 (Oct. 23 eve.), 233 (Oct. 24 eve., passed)

Committee of the Whole -- 336-39 (Oct. 29 eve.), 354-71 (Oct. 30 aft.), 373-80 (Oct. 30 eve., passed with amendments)

Third Reading -- 476-84 (Nov. 1 aft., passed on division)

Royal Assent -- (Dec. 10 outside of House sitting) [Comes into force December 10, 2012; SA 2012 c8]

### **2\* Responsible Energy Development Act (Hughes)**

First Reading -- 207 (Oct. 24 aft., passed)

Second Reading -- 263 (Oct. 25 aft.), 424-43 (Oct. 31 aft.), 445-57 (Oct. 31 eve.), 526-46 (Nov. 5 eve., passed)

Committee of the Whole -- 563-71 (Nov. 6 aft.), 593 (Nov. 6 eve.), 644-48 (Nov. 7 aft.), 649-69 (Nov. 7 eve.), 731-53 (Nov. 19 eve.), 777-94 (Nov. 20 aft.), 795-853 (Nov. 20 eve.), 902-05 (Nov. 20 eve., passed on division, with amendments)

Third Reading -- 921-41 (Nov. 21 aft., passed on division)

Royal Assent -- (Dec. 10 outside of House sitting) [Comes into force on proclamation, with exceptions; SA 2012 cR-17.3]

### **3\* Education Act (J. Johnson)**

First Reading -- 155 (Oct. 23 aft., passed)

Second Reading -- 219-31 (Oct. 24 aft.), 238 (Oct. 24 eve., passed)

Committee of the Whole -- 380-407 (Oct. 30 eve., passed with amendments)

Third Reading -- 669 (Nov. 7 eve.), 688-94 (Nov. 8 aft.), 753-63 (Nov. 19 eve., passed on division)

Royal Assent -- (Dec. 10 outside of House sitting) [Comes into force on proclamation; SA 2012 cE-0.3]

### **4 Public Interest Disclosure (Whistleblower Protection) Act (Scott)**

First Reading -- 352-53 (Oct. 30 aft., passed)

Second Reading -- 423-24 (Oct. 31 aft.), 593-614 (Nov. 6 eve.), 627-44 (Nov. 7 aft., passed on division)

Committee of the Whole -- 975-80 (Nov. 22 aft.), 1057-74 (Nov. 27 aft.), 1075-101 (Nov. 27 eve.), 1127-137 (Nov. 28 aft.), 1139-161 (Nov. 28 eve., passed)

Third Reading -- 1161-166 (Nov. 28 eve., passed on division)

Royal Assent -- (Dec. 10 outside of House sitting) [Comes into force on proclamation; SA 2012 cP-39.5]

### **5 New Home Buyer Protection Act (Griffiths)**

First Reading -- 261 (Oct. 25 aft., passed)

Second Reading -- 354 (Oct. 30 aft.), 457-59 (Oct. 31 eve., passed)

Committee of the Whole -- 546-49 (Nov. 5 eve.), 571-83 (Nov. 6 aft.), 585-93 (Nov. 6 eve., passed)

Third Reading -- 853-55 (Nov. 20 eve., passed)

Royal Assent -- (Dec. 10 outside of House sitting) [Comes into force on proclamation; SA 2012 cN-3.2]

### **6 Protection and Compliance Statutes Amendment Act, 2012 (Jeneroux)**

First Reading -- 155 (Oct. 23 aft., passed)

Second Reading -- 209 (Oct. 24 aft.), 264 (Oct. 25 aft., passed)

Committee of the Whole -- 459-62 (Oct. 31 eve., passed)

Third Reading -- 855-56 (Nov. 20 eve., passed)

Royal Assent -- (Dec. 10 outside of House sitting) [Comes into force on various dates; SA 2012 c7]

- 7\* Election Accountability Amendment Act, 2012 (Denis)**  
First Reading -- 774 (Nov. 20 aft., passed)  
Second Reading -- 972-75 (Nov. 22 aft.), 1015-41 (Nov. 26 eve., passed)  
Committee of the Whole -- 1166-167 (Nov. 28 eve.), 1191-92 (Nov. 29 aft.), 1221-43 (Dec. 3 eve.), 1261-79 (Dec. 4 aft.), 1281-1300 (Dec. 4 eve., passed, with amendments)  
Third Reading -- 1315-37 (Dec. 5 aft., passed on division)  
Royal Assent -- (Dec. 10 outside of House sitting) [Comes into force on various dates; SA 2012 c5]
- 8 Electric Utilities Amendment Act, 2012 (Hughes)**  
First Reading -- 156 (Oct. 23 aft., passed)  
Second Reading -- 233 (Oct. 24 eve.), 316-36 (Oct. 29 eve., passed)  
Committee of the Whole -- 857-902 (Nov. 20 eve.), 943-53 (Nov. 21 eve., passed)  
Third Reading -- 953-56 (Nov. 21 eve., passed)  
Royal Assent -- (Dec. 10 outside of House sitting) [Comes into force December 10, 2012; SA 2012 c6]
- 9 Alberta Corporate Tax Amendment Act, 2012 (\$) (Horner)**  
First Reading -- 156 (Oct. 23 aft., passed)  
Second Reading -- 209-10 (Oct. 24 aft.), 272 (Oct. 25 aft.), 311-16 (Oct. 29 eve., passed)  
Committee of the Whole -- 462 (Oct. 31 eve., passed)  
Third Reading -- 856-57 (Nov. 20 eve., passed)  
Royal Assent -- (Dec. 10 outside of House sitting) [Comes into force on various dates, SA 2012 c4]
- 10 Employment Pension Plans Act (Kennedy-Glans)**  
First Reading -- 261 (Oct. 25 aft., passed)  
Second Reading -- 521-26 (Nov. 5 eve., passed)  
Committee of the Whole -- 668-69 (Nov. 7 eve., passed)  
Third Reading -- 857 (Nov. 20 eve., passed)  
Royal Assent -- (Dec. 10 outside of House sitting) [Comes into force on proclamation; SA 2012 cE-8.1]
- 11 Appropriation (Supplementary Supply) Act, 2013 (\$) (Horner)**  
First Reading -- 1424 (Mar. 6 aft., passed)  
Second Reading -- (Mar. 11 eve., passed)  
Committee of the Whole -- (Mar. 12 eve., passed)  
Third Reading -- (Mar. 13 aft.), (Mar. 13 eve., passed)
- 12 Fiscal Management Act (\$) (Horner)**  
First Reading -- 1438 (Mar. 7 aft., passed)  
Second Reading -- (Mar. 11 eve.), (Mar. 13 aft.), (Mar. 13 eve., adjourned)
- 13 Appropriation (Interim Supply) Act, 2013 (\$) (Horner)**  
First Reading -- (Mar. 11 aft., passed)  
Second Reading -- (Mar. 12 eve.), (Mar. 13 aft., passed)  
Committee of the Whole -- (Mar. 13 eve., passed)
- 201\* Scrap Metal Dealers and Recyclers Identification Act (Quest)**  
First Reading -- 92 (May 30 aft., passed)  
Second Reading -- 291-301 (Oct. 29 aft., passed)  
Committee of the Whole -- 716-22 (Nov. 19 aft., adjourned, amendments introduced and agreed to)
- 202 Public Lands (Grasslands Preservation) Amendment Act, 2012 (Brown)**  
First Reading -- 130 (May 31 aft., passed)  
Second Reading -- 501-13 (Nov. 5 aft., adjourned)
- 203 Employment Standards (Compassionate Care Leave) Amendment Act, 2012 (Jeneroux)**  
First Reading -- 473 (Nov. 1 aft., passed)
- 204 Irlen Syndrome Testing Act (Jablonski)**  
First Reading -- 968 (Nov. 22 aft., passed)
- 205 Fisheries (Alberta) Amendment Act, 2012 (Calahasen)**  
First Reading -- 1117 (Nov. 28 aft., passed)
- 206 Tobacco Reduction (Flavoured Tobacco Products) Amendment Act, 2012 (Fraser)**  
First Reading -- 1350-51 (Dec. 6 aft., passed)







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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Monday, March 18, 2013

Issue 37

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta**  
**The 28th Legislature**

First Session

Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC), Speaker  
Rogers, George, Leduc-Beaumont (PC), Deputy Speaker and Chair of Committees  
Jablonski, Mary Anne, Red Deer-North (PC), Deputy Chair of Committees

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Anglin, Joe, Rimbey-Rocky Mountain House-Sundre (W)  
Barnes, Drew, Cypress-Medicine Hat (W)  
Bhardwaj, Naresh, Edmonton-Ellerslie (PC)  
Bhullar, Hon. Manmeet Singh, Calgary-Greenway (PC)  
Bikman, Gary, Cardston-Taber-Warner (W)  
Bilous, Deron, Edmonton-Beverly-Clareview (ND)  
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Casey, Ron, Banff-Cochrane (PC)  
Cusanelli, Christine, Calgary-Currie (PC)  
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Forsyth, Heather, Calgary-Fish Creek (W)  
Fox, Rodney M., Lacombe-Ponoka (W)  
Fraser, Rick, Calgary-South East (PC)  
Fritz, Yvonne, Calgary-Cross (PC)  
Goudreau, Hector G., Dunvegan-Central Peace-Notley (PC)  
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Kang, Darshan S., Calgary-McCall (AL),  
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Pedersen, Blake, Medicine Hat (W)  
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Weadick, Hon. Greg, Lethbridge-West (PC)  
Webber, Len, Calgary-Foothills (PC)  
Wilson, Jeff, Calgary-Shaw (W)  
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
    Government Whip

**Party standings:**

Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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Teresa Woo-Paw	Associate Minister of International and Intergovernmental Relations

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### Standing Committee on Alberta's Economic Future

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Deputy Chair: Mr. Fox

Bhardwaj	Olesen
Cao	Pastoor
Donovan	Quadri
Dorward	Rogers
Eggen	Rowe
Hehr	Sarich
Luan	Strankman
McDonald	Xiao

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Khan

Deputy Chair: Mrs. Jablonski

Anderson  
Casey  
Dorward  
Eggen  
Kubinec  
Sandhu  
Sherman

### Select Special Conflicts of Interest Act Review Committee

Chair: Mr. Allen

Deputy Chair: Mr. Luan

Blakeman	Notley
Dorward	Saskiw
Fenske	Wilson
Johnson, L.	Young
McDonald	

### Standing Committee on Families and Communities

Chair: Mr. Quest

Deputy Chair: Mrs. Forsyth

Brown	Jeneroux
Cusanelli	Leskiw
DeLong	Notley
Fraser	Pedersen
Fritz	Swann
Goudreau	Towle
Jablonski	Wilson
Jansen	Young

### Standing Committee on Legislative Offices

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Deputy Chair: Mr. McDonald

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Blakeman	Quadri
Brown	Rogers
DeLong	Wilson
Eggen	

### Special Standing Committee on Members' Services

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Forsyth	McDonald
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	Smith

### Standing Committee on Private Bills

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Deputy Chair: Ms L. Johnson

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Brown	Notley
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### Standing Committee on Privileges and Elections, Standing Orders and Printing

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Cao	Notley
Casey	Pedersen
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Kennedy-Glans	Saskiw
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### Standing Committee on Public Accounts

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### Standing Committee on Resource Stewardship

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Bikman	Khan
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Blakeman	Lemke
Calahasen	Sandhu
Casey	Stier
Fenske	Webber

## Legislative Assembly of Alberta

1:30 p.m.

Monday, March 18, 2013

[The Deputy Speaker in the chair]

### Prayers

**The Deputy Speaker:** Let us pray. Hon. members, as we begin another week of the people's business, let us be mindful of the trust that has been placed in us and the privilege with which we serve. Let us now ask for the guidance of the Creator, that all our deliberations will be indeed honourable. Amen.

Please remain standing for the singing of our national anthem, led by M. Paul Lorieau. Please join in in the language of your choice.

### Hon. Members:

O Canada, our home and native land!  
True patriot love in all thy sons command.  
With glowing hearts we see thee rise,  
The True North strong and free!  
From far and wide, O Canada,  
We stand on guard for thee.  
God keep our land glorious and free!  
O Canada, we stand on guard for thee.  
O Canada, we stand on guard for thee.

**The Deputy Speaker:** Please be seated.

### Introduction of Visitors

**Mr. Olson:** Mr. Speaker, I'm pleased to introduce to you and through you to all members of the Assembly the ambassador of the Kingdom of Norway, Her Excellency Mona Brother. This is the ambassador's official visit to Alberta, and we're very pleased to welcome her here. She's accompanied by her spouse, Mr. Asmund Baklien, and Mr. Roar Tungland, the honorary consul for the Kingdom of Norway here in Edmonton, as well as by my wife, Mardell, and Tim Marriott from the protocol office.

Mr. Speaker, Alberta and Norway have much in common – northern climates, global leaders in energy – and we both have high expectations for environmentally sustainable energy development. I had the great pleasure of hosting the ambassador at lunch today, and we discussed a number of shared interests that our countries have.

These folks are all seated in your gallery, and I'd ask them now to rise and receive the traditional warm welcome of the Assembly.

**The Deputy Speaker:** I'll recognize the hon. Associate Minister of International and Intergovernmental Relations.

**Ms Woo-Paw:** Well, thank you, Mr. Speaker. I'll be making two introductions today. It is with great pleasure and honour that I rise to introduce to you and through you to all members of this House Madam Liu Yongfeng, the consul general of the People's Republic of China in Calgary, and Vice-consul Jia Xiaopan, who are both seated in your gallery today. Since Madam Liu took office, she's been a great friend to Alberta, focusing on increasing co-operation and understanding between China and Alberta. In fact, in the very first week of her assignment some two and a half years ago Consul General Liu welcomed the first group of Chinese visitors to our province after Canada received approved-destination status in China. There's been a 20 per cent annual increase of

visitors from China since then. It is now possible to see Rocky Mountains advertisements in subways in China's major cities.

Other key developments since 2010 include nearly 50 per cent growth in Alberta's exports to China; two-thirds of China's some \$30 billion of investments in Canada came to Alberta; dozens of new co-operation projects in advanced technology have been kick-started, notably between the University of Alberta and the Tsinghua University; and now nearly 10,000 Chinese university and college students are studying in our province.

Madam Liu Yongfeng is from the area of Beijing, where our Member for Calgary-Hawkwood is originally from. I'm sure that he's delighted to see her here today.

With the continued assistance of both Consul General Liu and Vice-consul Jia I'm confident that these numbers will continue to rise and would benefit both of our peoples. I would ask the members of the House to join me in giving our visitors the traditional warm welcome of the Assembly.

**The Deputy Speaker:** A second introduction, hon. minister?

**Ms Woo-Paw:** Yeah. Thank you. I would like to introduce to you and through you to the members of this House Mr. Tom Walter. Tom is a retired lawyer and business owner with extensive experience in various parts of Asia, including China and Thailand. He generously serves on the Asia Advisory Council as vice-chair. As chair of the council it's always a pleasure to work with Tom. I would ask the members of the House to join me in giving Mr. Walter the traditional warm welcome of the Assembly.

### Introduction of Guests

**Mr. J. Johnson:** Mr. Speaker, it's a privilege to rise and introduce to you and through you today a group of young students from H.A. Kostash school in Smoky Lake. As you know, Smoky Lake is the Pumpkin Capital of Alberta, home of the Smoky Lake Pumpkin Festival, and one of my favourite spots in my constituency. I had the pleasure of visiting with these 35 students on the steps here this morning. They're here for the School at the Leg. this week. The group is seated in the members' gallery. The students are accompanied by their teacher Ms Chelsea Evans and parent helpers Mrs. Arlana Phillips, Mr. Chad Mahon, and Mr. Michael Kozakewich. I'd ask the group to please rise and receive the traditional warm welcome of this Assembly.

**The Deputy Speaker:** I recognize the hon. Member for St. Albert.

**Mr. Khan:** Thank you, Mr. Speaker. Today I'm pleased to introduce to you and through you to all members of the Assembly a group of 39 students and their teachers, Ms Janet Hurley and Mr. Roger Bouthillier, from Sir Alexander Mackenzie school.

SAM, as the school is fondly nicknamed, is a very special school in my constituency. SAM school was founded in 1958, making it the first school in the St. Albert public school system. It originally housed kindergarten through grade 12 but now, as St. Albert has grown, is strictly an elementary school. SAM holds a special place in my heart as it was the first school I attended as a young boy when my family first moved to St. Albert. The staff and students continue to make learning fun.

I have been privileged as MLA for St. Albert to visit the school a number of times, a remarkable school, I assure you, Mr. Speaker. I would now ask that these students and their teachers rise to receive the traditional warm welcome of the Assembly.

**The Deputy Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. Dorward:** Thank you, Mr. Speaker, and congratulations. It's my pleasure today to rise before you and introduce to you and to all members of this Assembly individuals from the Suzuki Charter School, a wonderful school found in Edmonton-Gold Bar. The best and brightest grade 6 students in my constituency are here. I'm pleased that they're able to take part in activities that will help them learn more about democracy. We have two classes of grade 6 – I hope that they'll stand behind me here and give a wave – and also their teachers, Mrs. Eva Kapy and Miss Shannon Eremenko, helped by parents Bonnie Gilroy, Mindy Dammer, and Anna Carlsen. If they could please stand and receive a warm welcome from this Assembly.

1:40

**The Deputy Speaker:** The hon. Member for Edmonton-Riverview.

**Mr. Young:** Thank you, Mr. Speaker. I have two introductions. I'm pleased to introduce to you and through you to all members of the Assembly the Alberta international group. They're seated in the public gallery. I'd ask you to rise and receive the traditional warm welcome of the Assembly.

My second introduction. I'm pleased to introduce to you and through you one of my constituents and a staff member at the University of Alberta, Mr. Sulz, who I had the pleasure of meeting with today at lunch. He's seated in the members' gallery.

Thank you.

**The Deputy Speaker:** The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Mr. Speaker. It's my great pleasure to rise and introduce to you and through you to all members of the Assembly Nathan Stephan and his daughter Laurel from Red Deer. Nathan was a fellow candidate in the last provincial election and is a good friend of mine. Laurel is in grade 6 and is a top student in her social studies class, where she is learning about the role of government. I would ask Nathan and Laurel to rise and receive the traditional warm welcome of this Assembly.

**The Deputy Speaker:** The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Speaker. It is a pleasure today to rise and introduce to you and through you to all members of the Assembly three constituents of mine from Calgary-Shaw. Two of these young students are here because their class is coming up later this week, and they were unable to go with them, so one of their mums decided to drive them up so they could come experience this with us today. I'd like to ask, please, Isabelle Wiebe, Jordan Betsworth, and Isabelle's mother, Patty, to please rise and receive the traditional warm welcome of this Assembly.

**The Deputy Speaker:** The hon. Member for Calgary-East.

**Mr. Amery:** Well, thank you, Mr. Speaker. On your behalf I would like to introduce to all members of the Assembly Mrs. Lorna Daniel, your sister, and I'm sure she's very proud of you today. Lorna is a retired paralegal who taught at Grant MacEwan College for 20 years, and she's also a resident of the fabulous constituency of Edmonton-Centre. Lorna is seated in the public gallery. I would like to ask her to rise and receive the traditional warm welcome of the Assembly.

**The Deputy Speaker:** The hon. Member for Grande Prairie-Smoky.

**Mr. McDonald:** Thank you, Mr. Speaker. I am pleased to introduce to you and through you to all members of the Assembly

guests from the constituency of Grande Prairie-Smoky. Council members from the county of Grande Prairie No. 1 are visiting the Legislature today and attending the Alberta Association of Municipal Districts and Counties conference held this week. These have been peers and advisers of mine for many, many years, and I'll ask them to stand as I read their names. I'm proud to introduce to you Reeve Leanne Beaupre, Deputy Reeve Ross Sutherland, councillors Harold Bulford, Mary Ann Eckstrom, Pat Jacobs, Lois Dueck, and Brock Smith. I ask my guests to stand to accept the warm welcome of this House.

**The Deputy Speaker:** The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thank you, Mr. Speaker. Today I'm very pleased to introduce to you and through you to the members of this Assembly my guests Noelle Jaipaul, Evan Hammer, and Cala Jorgensen from Next Up Canada. Next Up is a social and environmental justice leadership program focusing on educating young adults about various issues that face our society today and providing them with the tools to become more actively engaged and involved in our community. I would like to ask them to now please rise and receive the warm welcome of our Assembly.

**The Deputy Speaker:** The hon. Member for Edmonton-South West.

**Mr. Jeneroux:** Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to all members of the Assembly Karan Nikhanj, who recently received the Queen's jubilee medal for his continued role in establishing and building the strong community of Twin Brooks within my constituency of Edmonton-South West. Karan has spent countless hours volunteering and establishing several activities, including the annual Family Day and winter carnival. This past month the community of Twin Brooks was able to celebrate the opening of our new outdoor rink, that was made a reality through the work and vision of Karan's continued dedication. With Karan today is his wonderful wife, Dr. Pam Chowdhury. I ask that Karan and Pam, seated in the members' gallery today, please rise and receive the traditional welcome of the Assembly.

## Members' Statements

**The Deputy Speaker:** The hon. Member for Lesser Slave Lake.

### High School Flexibility Program in Slave Lake

**Ms Calahasen:** Thank you, Mr. Speaker. Addressing the needs of students in education is one of our government's priorities. Today I want to applaud Slave Lake's St. Francis of Assisi Catholic Academy's proactive efforts in making the needs of students its number one priority.

The overarching goal of the high school flexibility program is to carefully examine ways in which the best possible experience can be delivered to each individual student. The decision of St. Francis of Assisi to embrace the flex program reflects an evolution in culture and philosophy within the school environment. Assessment practices, curricula delivery, institutional administration, and interdisciplinary study are closely scrutinized to ensure the best education possible for students with diverse and unique needs.

One of the goals is to strike a balance in the classroom that allows for a wide array of backgrounds and skill sets for students to work to their full potential. St. Francis of Assisi's student population is composed of many young people from disadvantaged backgrounds, and it is inspiring to see the staff take



responsibility for the services and aid they are striving to provide for their students.

Quality education is a cornerstone of what makes Alberta so successful. That is why it is crucial that we attend to the needs of all students regardless of economic or social background or other factors that may impede a positive learning experience. I am delighted with the quality of education St. Francis of Assisi has in promoting dynamic learning and for motivating its students to be successful. We could do well to learn from this example.

Congratulations to the board of Living Waters for great leadership and to the superintendent, the principal, and, of course, the teachers, who work toward educational innovation and success in this province and especially at St. Francis of Assisi. Thank you to all of you.

#### Wildrose Caucus Charitable Foundation

**Mr. McAllister:** Mr. Speaker, it is with great pride that I stand in this House today and it was with great pride that I stood earlier today with my 16 Wildrose colleagues to announce the creation of the Wildrose Caucus Foundation. You see, last year the PC government voted itself an 8 per cent pay raise. They sure didn't campaign on it. When I was elected, my salary was \$145,000. After the election it was \$156,000. [interjections] Now, you can throw out all the rhetoric that you want from the other side. It is what it is. One hundred and fifty-six thousand is greater than 145,000, and you shouldn't need a calculator to figure that out.

Here on this side in the Wildrose caucus we strongly disagree with that decision, Mr. Speaker. In fact, it's unfathomable to me that in an era when we're asking public-sector employees to freeze their salaries and take rollbacks, this government would even consider giving itself a raise. [interjections] Now, we tried to stop them. We voted against it in committee. We tried to appeal to common sense. We tried to explain how the public was perceiving this. But at the end of the day I guess they believe they are entitled to their entitlements. Well, we don't. So we have put our money where our mouth is. We are not going to take this money for ourselves.

Shortly before Christmas, Mr. Speaker, we set up a Wildrose Caucus Foundation, all 17 Wildrose MLAs giving back that PC pay hike, and we are putting it to good use. The 17 of us stand here proudly in unison on this issue. We will give that money to various charity groups in this province. We are going to do our best to help those that make a difference make even more of a difference. I see the heckling has died down.

We are not taking the raise. I would encourage all members of the Assembly to follow our lead and show some leadership. Taxpayer money should be respected. Taxpayers should be respected. We understand that, Mr. Speaker, and are showing some leadership. I think government would be wise to do the same.

#### Oral Question Period

**The Deputy Speaker:** Hon. members, this is day 3 in the rotation, and it is my intention to continue the Speaker's direction of last week with no preambles to supplementals after the leaders have spoken.

I'll recognize the Leader of Her Majesty's Loyal Opposition.

#### MLA Remuneration

**Ms Smith:** Mr. Speaker, you may recall the public outrage when the government forced through an 8 per cent pay raise for MLAs. Now, we warned that it would be difficult to convince the public-

sector employees that zero per cent was fair when MLAs were getting 8 per cent. Of course, the government insisted that the jump from \$145,000 to \$156,000 was a cut, but Albertans can count, and now, it seems, so can the Member for Edmonton-Gold Bar. On Thursday he admitted it was a pay raise. So let's ask the Premier: has the rest of government learned to count, too, and will you admit it was a pay raise?

**The Deputy Speaker:** The hon. member.

1:50

**Mr. Lukaszuk:** Thank you, Mr. Speaker. While this government is focusing on building Alberta, while we're opening up pathways for Alberta products to reach markets offshore, while we're making decisions relevant to this budget, the best this opposition can do, as they have shown over and over again, is gimmicks: printing coupons, printing posters, and now trying to score political points on something that all of us are doing, donating to charity.

**The Deputy Speaker:** The hon. leader.

**Ms Smith:** Thank you, Mr. Speaker. Helping Albertans isn't a gimmick. In fact, it's just as important as building playgrounds in Vietnam.

The Wildrose Official Opposition members are contributing their raises to a caucus foundation to make donations to important charities that do crucial front-line work in health care and education and social services. Will the government members follow our lead and do the same?

**Mr. Lukaszuk:** Mr. Speaker, I am proud of government members, and all of our government members, probably without any exceptions, are making charitable donations quietly to charities of their choice. They don't need to stand up in the House and announce it to the whole world, because that's what they do out of the goodness of their hearts.

**Ms Smith:** Mr. Speaker, we can understand PC MLAs' reluctance to work with the opposition to make this a better province, but perhaps they'll set up their own foundation and return their 8 per cent pay raises to the people of Alberta. When can we expect that announcement?

**Mr. Lukaszuk:** Mr. Speaker, one of the fundamental differences between our caucuses is that every member in our caucus makes their own donations to a charity of their own choice. They obviously need to orchestrate a media campaign to show that they make donations. The fact is that we have issues to deal with in this province. We're focusing on building Alberta. These guys will continue playing gimmicks. Let them do so. But looking at the efficacy of the Official Opposition, I suggest they should be donating more of their salary back to taxpayers.

**The Deputy Speaker:** I recognize the hon. Leader of the Official Opposition for your second set of questions.

**Ms Smith:** I think Albertans would prefer to see them give the money back.

#### Provincial Fiscal Deficit

**Ms Smith:** Mr. Speaker, this government is taking Alberta back into debt, big debt, \$17 billion by the time of the next election. Now, in the run-up to the budget the Finance minister liked to paint a picture that government borrowing was just like a responsible family using debt to buy a house and then paying off the

mortgage over time. It was a folksy little story, but it was just as phony as the three-part budget that he brought down a couple of weeks ago. He finally admitted it last week, when he said that it's not a . . .

**The Deputy Speaker:** The hon. minister.

**Mr. Horner:** You know, Mr. Speaker, it's interesting. The hon. member ended there with asking why we're trying to confuse Albertans. It's exactly the opposite. Albertans have been looking to their municipalities for years at their financial statements, which separate operating from capital. They've been doing that because they wanted to know what they spend on operating, and they wanted to know what they were spending on capital. This is very, very much a common practice not only in Alberta but across the country. It's unfortunate that the hon. members don't believe in the Alberta Chambers of Commerce. They don't believe in the Calgary Chamber of Commerce. They don't believe in the Scotiabank financial analysts. They don't believe in any of those financial experts.

**Ms Smith:** Mr. Speaker, we understand how it works. The \$17 billion in principal for all that debt isn't due until the end of the term, yet the paltry savings plan they lay out would take three or four generations to have enough money in the account to pay it all back. Why isn't there a realistic plan to pay back the \$17 billion in debt?

**Mr. Horner:** You know, Mr. Speaker, on page 75 of the financial plan that we've presented is the debt repayment plan. The hon. member doesn't seem to understand that as we go out and borrow for these projects that have not yet been built, we're going to be getting different amortization terms. We're going to be getting different interest rates. We're going to have a very diverse and, frankly, financially sound plan to build the assets that Albertans need. Twenty-six billion dollars' worth of assets is what the \$17 billion represents. Those are the schools, the roads, and the hospitals that Albertans need today and . . .

**The Deputy Speaker:** Thank you, hon. minister.

**Ms Smith:** The minister should know it'll take \$850 million a year set aside to be able to have enough money to pay it back. They're saying that they're building schools for all the kids that will be in Alberta in the future and that that's why they have to borrow, but those kids are going to face a \$17 billion debt repayment when they enter the workforce because there isn't enough money being set aside to pay back the debt. Why does the minister want to saddle future generations with all that debt?

**Mr. Horner:** You know, Mr. Speaker, we have said this consistently in the House. The debt repayment plan is going to be set out as the debt comes onto the books because then we'll know. The Wildrose Alliance Party has kind of become the party of anger, fear, and bitterness. Albertans elected a government of hope, opportunity, and faith: hope for vulnerable Albertans to lift their station in this province; opportunity for young Albertans to create their dreams and fulfill their futures; faith in not only our Creator, as we pray in this House every day, but also faith in our people and this province.

**The Deputy Speaker:** Thank you, hon. minister.

Hon. leader, your third set of questions.

**Ms Smith:** Mr. Speaker, we would build twice as many schools, and we would do it debt free.

## Provincial Budget

**Ms Smith:** As Albertans try to understand the size and scope of the debt, they wonder about the government's lack of openness and transparency. Now, I feel the Finance minister demeans professional, hard-working journalists who try to explain government spending and debt in an understandable way as he quotes eastern investment bankers as evidence of support. Well, of course the bankers like it. They're going to be getting a slice of \$600 million in annual interest.

**The Deputy Speaker:** The hon. President of Treasury Board and Minister of Finance.

**Mr. Horner:** You know, Mr. Speaker, they keep waving around this plan, this capital plan, but they have yet to tell Albertans how they would pay for it. They have yet to tell Albertans where they would cut the additional \$3 billion in front-line services that they would have to do to actually do what she's talking about. That's why there are no financial numbers in their plan. They don't want to admit it to Albertans. If they don't want to listen to the financial analysts who most Calgary businesses and Edmonton businesses would listen to, how about the Consulting Engineers of Alberta? We know from previous experience that . . .

**The Deputy Speaker:** Thank you, hon. minister.  
The hon. leader. First supplemental.

**Ms Smith:** Thank you, Mr. Speaker. It's all in here for the Finance minister to read. That's how we would do it.

Now, the minister doesn't believe his critics know what they're talking about, yet his back-in-debt budget, of course, hides, obscures, fudges, and manipulates the numbers to avoid direct comparisons with other budgets. When is he going to comply with accounting standards and issue us a complete historical comparison like we've seen in other budgets?

**Mr. Horner:** Mr. Speaker, this budget does comply with all of the PSAC and the generally accepted accounting principles. It's unfortunate that the hon. members opposite don't, because in their purported budget they don't present any financial numbers. They don't show us where they're going to cut \$3 billion out of their operating budget: doctors, nurses, teachers, all of them. All they show is a list of somewhat bogus savings plans that they have that won't achieve what they're talking about.

**Ms Smith:** The minister should know that he is supposed to restate the previous year's budgets with the new accounting standards that they're using, and he hasn't done that yet.

The back-in-debt budget has killed this Premier's promise that we will not incur debt – that's her quote – and not just this year but for decades to come, with huge borrowing and, as I've already mentioned, a paltry payback plan. Did the Premier just say one thing and plan to do another, or did she not think it was important to keep that promise?

**Mr. Lukaszuk:** Mr. Speaker, there is an opposition that, you know, knows the price of everything, but they don't know the value of anything either. This government is focusing on building schools for kids today. They don't want schools 30 years from now. We are building seniors' homes for seniors today, not 30 years from now, and we are building, twinning, and paving roads today, not 30 years from now. If they want to do it in 30 years, tell Albertans that that's how they will do it. We will be building Alberta today not only for today but also . . .

**The Deputy Speaker:** Thank you, hon. Deputy Premier.  
The leader of the Liberal opposition.

### Health Services Performance Measures

**Dr. Sherman:** Thank you, Mr. Speaker. The AHS third quarterly report came out last Friday, and it is as abysmal as every other AHS report. Heart bypass surgery wait times: fail. Hip and knee replacement wait times: fail. Physician and staff engagement: fail. Patients admitted from emergency within eight hours: fail. All of these measures have been consistent failures for years. To the Premier: can you please explain to Albertans why your government is consistently incompetent when it comes to managing the health care system?

2:00

**The Deputy Speaker:** The hon. Minister of Health.

**Mr. Horne:** Thank you very much, Mr. Speaker. Well, it's interesting how the hon. member has appointed himself judge and jury with respect to the efforts of a hundred thousand people in Alberta Health Services, a hundred thousand people who are supporting an influx of a hundred thousand new Albertans every year in a health system that is arguably the best in the country today and certainly the most well funded. We can talk in subsequent questions about many of the strategies that Alberta Health Services has implemented. I think they are to be congratulated for holding a very high standard of service despite . . .

**The Deputy Speaker:** Thank you, hon. minister.

**Dr. Sherman:** Mr. Speaker, I'm simply referring to all the red dots, which mean failure, on the AHS report.

Given that this government has spent well over a hundred million dollars on for-profit continuing care beds that most seniors can't afford, resulting in them being warehoused in hospitals instead, the root cause of AHS's health care access failures, to the Premier: how much longer will you continue to fail Albertans before you follow the Alberta Liberal plan to double home care and invest in nonprofit long-term care so that we can free up acute-care beds and finally improve the . . .

**The Deputy Speaker:** Thank you, hon. member.  
The hon. Minister of Health.

**Mr. Horne:** Thank you very much, Mr. Speaker. Well, the hon. member is very good at talking about red dots, and he's probably seeing quite a few of them lately, and that was well reflected in the budget proposals that they presented to this House.

What I will tell you, Mr. Speaker, is that this government has continually expanded continuing care capacity across this province. We're doing it in partnership with Alberta Health Services, also with not-for-profit providers and providers in the private sector. We're adding a thousand additional new spaces per year. We're delivering them in accordance with standards . . .

**The Deputy Speaker:** Thank you, hon. minister.

**Dr. Sherman:** Mr. Speaker, this hon. member is obviously great at creating red dots on the health system.

Given that AHS continues to fail significantly in reaching its very low target of 54 per cent for medical staff overall engagement, scoring a meagre 38 per cent, to the Premier: will you finally admit that this Health minister's combative and antagonistic approach to medical staff is an abject failure?

**Mr. Horne:** Well, Mr. Speaker, the award for understatement of the year has to go to the hon. member with that last remark. I think the definition of disengagement in public health care would be the hon. member leading the organization and saying some of the things he said to the hundred thousand people that work so hard to deliver the top health care in Canada to the citizens of this province. We can talk about many, many new initiatives that Alberta Health Services has launched in the last quarter, in the last four quarters. They're focused on Albertans' priorities, primary health . . .

**The Deputy Speaker:** Thank you, hon. minister.  
The leader of the New Democratic opposition.

### Bitumen Upgrading

**Mr. Mason:** Thank you very much, Mr. Speaker. This PC government has betrayed Albertans by exporting their jobs to the United States. The Keystone pipeline will cost Alberta tens of thousands of jobs and billions of dollars in investment. This PC government is so deep in the pockets of the oil industry that it's sold out the very people who elected it. Will the Energy minister tell Albertans why his government has refused to require bitumen to be upgraded here in Alberta before it is shipped down the pipeline?

**Mr. Lukaszuk:** Mr. Speaker, while this Premier right now is opening up an office in Ottawa to address issues of access of our products to markets and works in Washington diligently, we have two other parties in this House – let me tell you what they do – one so ideologically bound that they cannot even admit that there is a climate change, which in itself would block most of our products from most markets in the world, and the other one, with the federal leader of the NDP and now the provincial leader of the NDP actively sabotaging our oil and gas industry, making sure that our products don't make it . . .

**Some Hon. Members:** Shame.

**Mr. Mason:** Mr. Speaker, it's this government that should be ashamed.

We just can't trust this PC government to get value for Alberta's resources. The Premier has blamed the bitumen bubble, more accurately called the bitumen bungle, for the massive deficit budget, yet the same government is putting even more eggs in the bitumen basket by supporting the Keystone pipeline, a real job killer. To the Energy minister: why is this government undermining its own finances by supporting the export of even more low-value, unprocessed bitumen?

**Mr. Hughes:** Well, Mr. Speaker, I'd be careful talking about low-value contributions to the debate in this country and this continent. I can tell you that the strategy of this government is to ensure that we have as much upgrading and value added to our products in this province as we possibly can and, secondly, that exports are allowed to go forward to other corners of the world where it makes economic sense. We are pursuing all of these options. We're pursuing them responsibly.

**The Deputy Speaker:** Thank you, hon. minister.

**Mr. Mason:** Mr. Speaker, this Premier has been to Ottawa four times selling Alberta jobs down the pipeline. This government just spent \$30,000 on a misleading greenwash ad in the *New York Times*. In that ad this Tory government brags about adding

138,000 full-time, permanent jobs that this pipeline will create in the United States. Most of those jobs are at Albertans' expense. Why is the PC government betraying Alberta workers by exporting their jobs down the pipeline?

**Mr. Lukaszuk:** Mr. Speaker, it's unfortunate that we have to print ads in newspapers. The reason we have to print ads in newspapers is because the leader of the federal and the provincial NDP parties would have this industry lie flat on its back, an industry that pays for services not only in Alberta but throughout Canada.

Also, I should remind the leaders of both NDP parties that it is the building trades of Alberta and Canadian affiliates that are very much supportive of the pipeline that we are so much advocating both in Washington and Ottawa, so not only are they betraying Albertans and Canadians but also their unions.

**The Deputy Speaker:** Thank you, hon. Deputy Premier.

### Safer Communities and Neighbourhoods Program

**Mr. Saskiw:** This Justice minister's soft-on-crime agenda just keeps on rolling. First he stopped GPS tracking of sex offenders and other violent criminals. Next he gave vandals and thieves two free passes. Now he's cutting enforcement against drug dens and prostitution houses. The safer communities and neighbourhoods program was doing a great job targeting and cracking down on crime; that is, until this former Liberal staffer Justice minister and his progressive crime agenda began to take shape. To the minister: doesn't he realize that his new hug-a-thug approach is just putting our neighbourhoods at risk?

**The Deputy Speaker:** The hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you again, Mr. Speaker. Again, just as we had last week, very little of this member's statement is true. But since the member talks about being a Liberal, I suggest that maybe he look to the woman in a red jacket, their leader, who called on city council to set up a red-light district, or to his own party, which called for less enforcement on highway 63, or to his own party again, which opposed cracking down on drunk drivers. That's the Liberal agenda there.

**The Deputy Speaker:** Point of order at 2:08.

The hon. member.

**Mr. Saskiw:** Thank you, Mr. Speaker. Again to the Justice minister: given that the safer communities program was achieving results and making our streets safer and given that these criminals aren't just going to go away because the minister isn't doing his job, precisely what are you doing to protect our families from drugs and prostitution now that you've axed this important program?

**Mr. Denis:** Well, Mr. Speaker, I'll tell you right now what we're doing. We're keeping cops on the street, we're keeping prosecutors in the courtroom, and we're adding two new judges. You'd think that a lawyer of so many years' experience like the Member for Lac La Biche-St. Paul-Two Hills would get behind this anti-crime initiative instead of spewing rhetoric in this Chamber.

**The Deputy Speaker:** The hon. member.

**Mr. Saskiw:** Thank you, Mr. Speaker. Again to the Justice minister: given that under your watch you have cut monitoring and enforcement against sex offenders, vandals, thieves, and now

drug dealers and pimps, how can Albertans trust you to do your job, protect our streets, and put victims of crime first?

**Mr. Denis:** Mr. Speaker, we have done no such thing. All of these items are still strictly prosecuted. There are consequences in this province to crime, and I want to promote also that it was this Premier who started the civil forfeiture office, which takes money out of the hands of organized crime and into community-based groups, where it belongs.

**The Deputy Speaker:** The hon. Member for Edmonton-McClung, followed by Calgary-Fish Creek.

**Mr. Xiao:** Thank you, Mr. Speaker. I'll try to cool it down a little bit.

### Labour Negotiations with Teachers

**Mr. Xiao:** Mr. Speaker, last week the Alberta Teachers' Association accepted the government's offer on a province-wide deal and will recommend it to teachers. This is, no doubt, good news for Alberta families, but I understand that it is not a done deal yet. To the Minister of Education: what happens now that the ATA is accepting the deal and they're recommending it?

**Mr. J. Johnson:** Mr. Speaker, the agreement with Alberta's 40,000 teachers and this government is great news for Alberta families and, more importantly, for Alberta students. I'm very pleased we could work together to ensure the stability of the education system and to live within our means. What happens now, after about two and a half years' worth of work and efforts have gone into this agreement: the opportunity will be given to local teachers to vote, and I'm optimistic and hopeful that they will support it. Of course, it's only broad brush strokes on a provincial framework. There are still many local issues that need to be discussed with the local school boards, so that has to happen as well.

**The Deputy Speaker:** Thank you, hon. minister.

2:10

**Mr. Xiao:** To the same minister. I'm hearing that the school boards are concerned they were not involved. Why did you leave them out?

**Mr. J. Johnson:** Mr. Speaker, the school boards through the body of the ASBA have been at the table for much of the last two and a half years. Much of what we agreed to with the teachers last week was based on a February offer which was presented to boards and boards overall and reluctantly supported back in February. What changed in the agreement was an assurance that the government compromised on that we wouldn't proclaim legislation that might affect working conditions of teachers during the term of the agreement. That's not something school boards can offer. That's something only this chair can deliver, and we did for the sake of our kids.

**The Deputy Speaker:** Thank you, hon. minister.

**Mr. Xiao:** My last supplemental question to the same minister: can you assure the parents that limiting instructional time of the teachers won't impact the class time for Alberta students?

**Mr. J. Johnson:** Mr. Speaker, what the agreement does is frame some expectations on the workload of teachers around the amount of minutes they can spend in the classroom and the amount of

minutes they can instruct, not the amount of minutes that a student would spend in the classroom. There's no difference, going forward, to any instructional time that students will receive. You know, I recognize this is a potential change moving forward that won't really change the practice in Edmonton and Calgary because these expectations are already there, but it may have implications on rural Alberta, and we're going to watch those very closely. We've got some mechanisms in place to help the rural boards.

**The Deputy Speaker:** Thank you, hon. minister.

### Physician Recruitment

**Mrs. Forsyth:** Mr. Speaker, we know that this government defends things like their own 8 per cent MLA pay hikes by saying that we need to attract quality candidates, but when it comes to the need to recruit quality physicians to our province, this government has no problem using doctors as a punching bag, breaking promise after promise. Dr. Michael Giuffre has even called Alberta the most antidoctor province in the country. How does the Health minister expect to have any credibility talking about the need to recruit physicians while demanding they take a . . .

**The Deputy Speaker:** The hon. minister.

**Mr. Horne:** Well, Mr. Speaker, a very interesting question from an hon. member that comes from a party that is promoting that we shouldn't be spending as much on public services as we have committed to in this budget. A very interesting question indeed. The fact of the matter is that Alberta physicians are the best compensated in Canada, 14 per cent above the national average. We have a budget of \$3.4 billion to compensate just under 8,000 physicians. With the co-operation of the Alberta Medical Association we believe there are better ways to invest that money more efficiently.

**The Deputy Speaker:** Thank you, hon. minister.

**Mrs. Forsyth:** Mr. Speaker, given that this government has broken its promise to call an inquiry into physician intimidation in our province and given that this government has broken its promise to physicians to have an agreement in principle after the election, how will this government assure Albertans that this prolonged dispute won't drive physicians out of the province?

**Mr. Horne:** Just to finish my response to the earlier question, Mr. Speaker, there's half a billion dollars in increased funding for health care this year. I'd invite the hon. member to explain to this House how she would allocate that money. Would she allocate it to increases in physician compensation? Would she choose homecare, which she's spoken about in this House on several occasions? Would she include increases for continuing care or mental health? This is a question of using good judgment to make some difficult decisions in challenging times. When our starting point is 14 per cent above the national . . .

**The Deputy Speaker:** Thank you, hon. minister.

**Mrs. Forsyth:** Mr. Speaker, I'd be pleased to answer that question. I'd allocate it to the front lines and not his bloated bureaucracy.

Given that there are warnings that the squeeze on physicians will cause problems with patient care, including increased wait times and reduced access to quality care, does the minister have

any concerns about what damage the fee dispute will do to the patients in this province?

**Mr. Horne:** Mr. Speaker, the hon. member should know that there are many issues with respect to how we compensate physicians that have a positive impact, when properly resolved, on the patient care experience. Family practitioners are an excellent example. We live in an age where patient complexity is greater than it's ever been. Many Albertans are living with multiple chronic diseases. Family doctors want to spend more time with those patients directly and also support them by working in teams with other professionals. There are opportunities within this \$3.4 billion to make those sorts of opportunities a reality.

**The Deputy Speaker:** Thank you, hon. minister.

The Member for Stony Plain, followed by Calgary-Mountain View.

### Market Access for Oil

**Mr. Lemke:** Thank you, Mr. Speaker. We have all heard about the bitumen bubble. My constituents are concerned about what this means to our economy. To the Minister of Energy: rather than using buzzwords, what steps are you taking to actually fix our market access problems?

**Mr. Hughes:** Mr. Speaker, this government is exceedingly active right across the board, seeking ways to get oil out of this province in all forms, whether refined and upgraded or in raw form, to the west coast, to the south to the Gulf coast, to the east coast, and maybe even to the north coast. This government is very active. I would say that it's very interesting to observe that the Official Opposition, by virtue of their position on climate change, is inactively campaigning against Alberta interests whereas the NDP is actively campaigning.

**The Deputy Speaker:** The hon. member's response.

**Mr. Lemke:** Thank you. [interjections]

**The Deputy Speaker:** The member has the floor, hon. members. Stony Plain.

**Mr. Lemke:** Thank you again, Mr. Speaker. To the same minister: since the government has been talking about belt-tightening, why did you decide to pay thousands of dollars to place an ad in the *New York Times* this weekend?

**The Deputy Speaker:** The hon. minister.

**Mr. Hughes:** Thank you, Mr. Speaker. Well, there's a very active debate going on in America, and it is in Alberta's interest and Canada's interest that we're there and part of that debate. You may not have noticed that last week there was a very positive piece in *Time* magazine. There have been positive pieces. There have been pieces like the *New York Times* editorial. We're in the battle here to defend Alberta's interest. The Official Opposition is undermining us, the NDP is undermining us, and the Liberals, thank goodness, are missing in action.

**The Deputy Speaker:** The hon. member.

**Mr. Lemke:** Thank you, Mr. Speaker. Again to the same minister. We all understand Premier Redford is opening a new Alberta office in Ottawa today.

**The Deputy Speaker:** No preamble, hon. member.

**Mr. Lemke:** Thank you, Mr. Speaker. Why do we need a new office in Ottawa?

**Mr. Hughes:** Mr. Speaker, since the CPR was built across Canada and the last spike was driven at Craigellachie, this country has been built by great national efforts, and this once again is one of those great nation-building opportunities that Alberta is leading the nation on, working with our cousins in Saskatchewan and other provinces. To build this country, we need all the allies and friends we can get. We need to have people well informed, and that is part of what we're doing in the Ottawa office.

**The Deputy Speaker:** Just a reminder, hon. members, that we cannot use the names of members of the Assembly, please.

The Member for Calgary-Mountain View, followed by Edmonton-Calder.

### Physician Services Agreement

**Dr. Swann:** Thank you, Mr. Speaker. It's been two years since the contract with Alberta doctors expired, and we are again at an impasse. This minister has tried to impose a contract, a 20 per cent cut to office practices over the next four years, and he has failed to put in place a fair process for resolving the conflict. Physicians are talking of early retirement and moving elsewhere, and we already have a doctor shortage. To the minister: what is plan B?

**Mr. Horne:** Well, Mr. Speaker, if the hon. member is alluding to a very public offer that the government made to the Alberta Medical Association last fall to add \$463 million in additional funds to physician compensation, he would be correct, but he is incorrect in his characterization of these negotiations. This government has bargained in very good faith with the AMA for the last two years. The AMA has worked in good faith with us as well. There are many challenges in providing physician compensation. There are also many opportunities, and we'll continue to explore them.

**The Deputy Speaker:** I'm sure you will.  
The hon. member.

**Dr. Swann:** To the same minister: is your plan to do without family doctors and run family care clinics with nurse practitioners?

**Mr. Horne:** Well, Mr. Speaker, we seem to be entering the realm of conspiracy theory. The only goal this government has is to maintain our consistent position over the last decade as the jurisdiction that compensates physicians the best in Canada. That is currently at 14 per cent. The hon. member should also know – he heard a budget delivered recently that said that we would be holding the line on public-sector compensation across the board. This includes physician compensation. Everybody has to do their part. I'm confident that the doctors of Alberta want to do their part.

2:20

**Dr. Swann:** To the minister: are you refusing arbitration because you know the arbiter will rule in favour of the doctors or because you think you can just outwait them?

**Mr. Horne:** Well, I'm not going to get into the details of the negotiations in the House. One thing is clear, Mr. Speaker. We know the total amount of money that is available to allocate for physician compensation in the next year. It is the same amount that we have in place this year. The question before us is how we pay physicians and for what we pay them and whether or not we

use that budget in a way that truly acts to meet the needs of Albertans: the need for more family doctors, the need for better access to mental health services, the need for access to geriatric and other services that benefit seniors.

### Postsecondary Education Funding

**Ms Notley:** Mr. Speaker, I'd like to welcome the minister for advanced education and to bring him up to speed on his portfolio. On Friday hundreds of Albertans arrived at the Legislature to demand that this government stop breaking its promises. Unfortunately, while they stood together in the snow, the minister was building sandcastles on a beach. To the minister: why do you think it's okay to break your promises to Alberta students and their families?

**Mr. Lukaszuk:** Mr. Speaker, I was doing some of that quiet charitable work that the Official Opposition would publicize in the House, actually doing some great infrastructure work in a country ravaged by the NDP ideology back home. [interjections]

**The Deputy Speaker:** Hon. leader of the NDP, you're rising on a point of order? So noted.

**Mr. Lukaszuk:** They don't like it when the similarities are being pointed out.

Mr. Speaker, let me tell you that I have been very clear that there will be no tuition increases as a result of this budget. We have increased financial support to students for those from low-income families who will require it, and we are now working with chairs and presidents of all universities and colleges and technical schools in making sure that they receive a mandate letter with which they can work and that they will contribute . . .

**The Deputy Speaker:** Thank you, hon. member.  
The hon. member.

**Ms Notley:** Thank you, Mr. Speaker. Given that on Friday staff at the U of A were asked to give up five days of pay next year to help with budget shortfalls and given that universities are already considering expensive market modifiers and mandatory fees to top up tuition, will the minister admit that this government's fiscal incompetence is being downloaded onto staff and students and families throughout Alberta who are involved with universities?

**Mr. Lukaszuk:** Mr. Speaker, we have been very clear that we will continue working with our schools, all 26 schools within Campus Alberta, to make sure that they continue delivering the great education that they have been for years in this province. Yes, there will be budgetary challenges. That's no secret. However, I know that we will find administrative efficiencies not only in each individual school but in the entire sector of 26 schools, and our students will continue receiving the best education in, let's be reminded, still the best-funded postsecondary education system in Canada.

**Ms Notley:** Given that we also have the highest tuition and instructional fees in Canada and given that this government promised a 2 per cent funding increase to our institutions and given that the budget actually delivers a decimating 7 per cent decrease to those institutions, why couldn't the minister be bothered to pack his bags, come home, and defend his broken-promises budget in person?

**Mr. Lukaszuk:** Mr. Speaker, there will be a time and place in this House when I will be defending my budget line by line, and I

hope that member shows up and states her concerns. In the meantime I will continue working with all presidents and chairs, and I will continue working with student organizations. One thing I can tell you is that the student body will be more involved in the decision-making process than they perhaps have been in the past.

While they want to spell out doom and gloom, I can tell you, Mr. Speaker, that Alberta will continue to have one of the most innovative and relevant education systems in the world.

#### Education Property Tax Assistance for Seniors

**Mrs. Towle:** Last week's back-in-debt budget is hitting hard-working Albertans right in the pocketbook. All across Alberta families are being gouged with massive education hikes, and sadly seniors are also under attack. This government is changing and ultimately ending an assistance program that helps seniors with rising property taxes. I have been flooded with calls from seniors who say that they may have to leave their homes if these planned changes by the government continue. To the Associate Minister of Seniors: why does this government continue to reach into the pockets of vulnerable Albertans to find dollars for their own fiscal mismanagement?

**The Deputy Speaker:** The hon. Associate Minister of Seniors.

**Mr. VanderBurg:** Well, thank you, and thank you for the question. There's no doubt that there's a grant program that's in place right now that will end and a new, better program that will begin. In this budget we talk about the seniors' property tax deferral program that will be laid out, not where you get a \$162 average grant per senior, but you'll get an average of \$2,000, the ability to spend \$2,000 the way you want, not to the municipality to defer your education and your property taxes in part or in whole. That's what is in the budget, \$2,000 versus \$162. Pretty good math to me.

**The Deputy Speaker:** Thank you, hon. minister.  
The hon. member.

**Mrs. Towle:** Thank you, Mr. Speaker. Will this government be honest and tell Albertans how many seniors you are kicking off the property tax assistance program currently by lowering the income thresholds to qualify?

**Mr. VanderBurg:** Well, I can make it very clear that any senior couple that owns a home and whose annual income is over \$63,700 will be cut off.

**The Deputy Speaker:** Thank you, hon. minister.  
The hon. member. Final supplemental.

**Mrs. Towle:** So how many seniors is that?

For the property tax deferral program will the minister tell seniors what the interest rate will be on that program and if the interest rate will be daily, fixed, term, or variable?

**Mr. VanderBurg:** First of all, to qualify for the seniors' property tax you have to be a senior, you have to have 25 per cent equity in your home, and you'll be paying prime rate or lower on that deferral program. As we announced, as the budget process goes through, all of this will be rolled out into a program that seniors can qualify for this taxation year, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. minister.  
The hon. Member for Calgary-Glenmore, followed by Little Bow.

#### Education Concerns in Calgary-Glenmore

**Ms L. Johnson:** Thank you, Mr. Speaker. Recently I held a town hall meeting in Calgary-Glenmore with over 100 residents attending to present their concerns. The top two topics were education and transportation. My questions today are for the Minister of Education. My constituency has over 20 schools, many of which are close to 40 years old. Can the minister advise my constituents whether funding will be available to renovate or retrofit these aging schools?

**Mr. J. Johnson:** Mr. Speaker, I can't advise the hon. member on those specific schools, but I can tell you that Budget 2013 does reaffirm this government's and our Premier's commitment to building Alberta, investing in our communities, investing in our families. We will be building new schools. We will be modernizing schools. There are going to be 70 school modernizations announced in the coming months. I'd say: stay tuned with the budget. We hope to have some announcements this spring and others to follow in the fall.

**The Deputy Speaker:** Thank you, hon. minister.  
The hon. member.

**Ms L. Johnson:** Thank you, Mr. Speaker. Another challenge facing some of the Calgary-Glenmore schools is increasing enrolment. Bishop Grandin high school will be close to capacity again.

**The Deputy Speaker:** No preamble, hon. member.

**Ms L. Johnson:** How can the minister's department support the use of modulars at my constituency's schools?

**Mr. J. Johnson:** Well, Mr. Speaker, there is a great demand for modulars. We have a budget that allows us to traditionally deliver about 45 per year. We've got requests for about 400 and for another about 90 moves. What I can tell you is that we've done some creative things this year, and we're going to be able to roll out about 105 new modulars and move about 90, which is significantly more than we have done in the past. Once again, we're going to help every community we can. It's a testament to this Premier and what she wants to invest in families and communities.

**The Deputy Speaker:** Thank you, hon. minister.  
The hon. member.

**Ms L. Johnson:** Thank you, Mr. Speaker. In regard to literacy and numeracy skills what budget measures will expand and support the mastery of essential skills by our student population?

**Mr. J. Johnson:** Mr. Speaker, you know, it's a great question that we can discuss more during the budget over the next day or two. But I can tell you that Albertans have told us loud and clear through Inspiring Education that literacy and numeracy need to be central in the core of our curriculum. As we look to change the way the education system is operating, focusing less on memorizing facts and teaching kids more what to do with knowledge and how to apply it, that's exactly what we're doing with our curriculum. We're going to unpack that curriculum to make it less prescriptive and much more innovative and creative so that our teachers work to their full scope.

**The Deputy Speaker:** Thank you, hon. minister.

### Farm Fuel Distribution Allowance

**Mr. Donovan:** Mr. Speaker, this government has put us back into debt, and now it seems to be a race to the bottom. They're asking Alberta's farmers to pay for it. I'm a proud Alberta farmer, and when I talk to other Alberta farmers, they're angry. They're furious at this government's decision to cut the Alberta farm fuel distribution allowance. It's a tax hike. Farmers want to know. Is this tax hike about belt-tightening or axe grinding?

2:30

**Mr. Olson:** Mr. Speaker, surely this hon. member is being a little mischievous when he describes the removal of a rebate as a tax hike, especially from a party that talks a lot about removal of subsidies for people.

No, it is not a tax hike. It is a reasonable move in times of fiscal restraint. This is a move that still leaves us with the most competitive support for farm fuel use in Canada.

**Mr. Donovan:** On March 6 when I bought farm diesel, it was 6 cents cheaper than it was on March 7. You call it not a tax hike? Whatever.

My point: is this progressive government planning to build Alberta, or are we going to cut out Alberta agriculture?

**Mr. Olson:** Mr. Speaker, for a couple of years now jurisdictions across the country, including the federal government, have been working on taking innovative approaches to supporting agriculture. That includes market development, research, and innovation. It is true that there is a move away from ad hoc funding of programs. We're not alone in that. There is a consensus across the country that in order for our producers to be competitive in the world and to have a sustainable industry, that's what we have to do, and that's what we are doing.

**Mr. Donovan:** Mr. Speaker, it was never ad hoc, this 6 cents.

Would this minister please respect Alberta's hard-working farmers, reconsider this tax hike, and rescind it?

**Mr. Olson:** Mr. Speaker, I'll just repeat that without the 6-cent rebate – and I'll just remind the hon. member that we were the only province in the country that had a rebate over and above an exemption – we still have an exemption which is better than neighbouring provinces. Other provinces, Saskatchewan and Manitoba, have a partial exemption. Ontario has an exemption for off road only. We support our producers, and we're going to continue doing that.

**The Deputy Speaker:** The hon. Member for Edmonton-Decore, followed by Cypress-Medicine Hat.

### Support for Child Care

**Mrs. Sarich:** Thank you, Mr. Speaker. One of the strategic directions of our government is to invest in families and communities. However, I continue to hear each week from families who live in Edmonton-Decore about issues related to the quality, affordability, and accessibility of child care. My questions are for the Minister of Human Services. Given that our province has a rapidly growing population and limitations on financial resources as a government, are we likely to fall further behind in terms of the accessibility, affordability, and quality of our child care and early learning system?

**The Deputy Speaker:** The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. We're not falling behind at all. In fact, ensuring that Albertans have access to quality and affordable child care continues to be a key priority. Edmonton and area, for example, has 34,000 child care spaces, and 79 per cent of those spaces are occupied. Obviously, there are still spaces available. At the end of 2012 Alberta had 96,000 child care spaces, and 80 per cent of those were occupied. So 20 per cent is still available. Now, there are problems in some suburb areas where the spaces are not where the children are, and that work still needs to be done. We've had a lot of . . .

**The Deputy Speaker:** Thank you, hon. minister.

The hon. member.

**Mrs. Sarich:** Thank you, Mr. Speaker. Again to the same minister: given that the not-for-profits have had a lot of success in our communities, to what extent are there government plans to provide more support for not-for-profit child care given our province's current circumstances?

**The Deputy Speaker:** The hon. minister.

**Mr. Hancock:** Thank you, Mr. Speaker. I think it bears repeating that we have the online child care lookup tool, which makes it possible for parents to search for all licensed and approved child care programs.

Now, the hon. member will know that we don't differentiate between for-profit and not-for-profit child care in terms of the programs that we have. We actually support individuals who need support, and we will continue to do that. In fact, we raised the income threshold levels to \$50,000 last year. A hundred per cent of the subsidy is available for any family that's under the \$50,000, and if they have more than one child, that income level goes even higher.

**The Deputy Speaker:** Thank you, hon. minister.

The hon. member.

**Mrs. Sarich:** Thank you, Mr. Speaker. My final question to the same minister: given that child care in Canada has been criticized by the Organisation for Economic Co-operation and Development and others for the lack of a comprehensive developmental approach to early learning, can the minister tell the Assembly what the government's plans are to move to a more developmentally based, comprehensive child care system?

**The Deputy Speaker:** The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. I'm very proud of the fact that the Premier has tasked Human Services to lead a project with Education and Health and other ministries in the government on early childhood development. We're very cognizant of the fact that investing in young children, doing early testing and early screening with young children and helping young children get a good start, is one of the best investments we can make as a society, and we're working very hard in that direction.

**The Deputy Speaker:** The hon. Member for Cypress-Medicine Hat.

### Sale of Public Land for Commercial Use

**Mr. Barnes:** Thank you, Mr. Speaker. Not long ago this government embarrassed itself when it twice tried to run through a backdoor deal to sell Crown grazing lands north of Bow Island to a potato farm. The government was forced to back down because



of widespread public opposition. To the Minister of Environment and Sustainable Resource Development: did the government pay any compensation for their breach and, if so, how much?

**The Deputy Speaker:** The hon. Minister of Environment and Sustainable Resource Development.

**Mrs. McQueen:** Thank you, Mr. Speaker. It's important to remind this Assembly that our Premier was the one to cancel those leases when we came into leadership here under her leadership and was commended by different groups. This government took action on that. We took action right away, and we are committed to that action.

**Mr. Barnes:** It's not the cancellation of the leases; it's the cancellation of what might have been a signed contract.

Will the minister tell Albertans how they can trust this government when a special deal was initially done without any public input or without a competitive bid process?

**The Deputy Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. What I can tell this Assembly and all Albertans is that with the leadership of this Premier and this government they will be assured that any process of Crown lands that go through will be as we have them in our process. It will be through a public process. The Premier has committed to that. I will commit to that. We've been commended by different groups because of the process of cancelling those leases.

**Mr. Barnes:** Compensation was the first question.

Given that the Member for Calgary-Mackay-Nose Hill asked about this in the House and no clear answer was given, I will ask again: is the Brewin ranch purchase near Purple Springs part of the payoff for allowing the government to cancel the Bow Island grazing reserve contract?

**The Deputy Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. It was asked last week by one of our hon. members with regard to Purple Springs: is there a contract or a request within the government? We have received no request with regard to that in our ministry. When we do, we will use the proper process through ESRD, that is in our legislation, to deal with that piece of property.

**The Deputy Speaker:** Calgary-Foothills.

### Traffic Court

**Mr. Webber:** Thank you, Mr. Speaker. Last week I accidentally got a speeding ticket on the QE II, coming up to Edmonton. [interjections] Shame, I know. There's a bit of shame there.

Also last week, to my concern, we heard a lot about the traffic courts here in the Assembly and plans to eliminate all traffic prosecutors and to close rural traffic courts and mandate that all future traffic tickets be paid, with no option to plead not guilty. My question is to the former Liberal staffer here, the Minister of Justice. While you have confirmed that none of these falsehoods are true, what is being done to make our traffic courts more efficient?

**Mr. Denis:** Well, Mr. Speaker, I'm happy I'm not wearing any red today, with that question.

Throughout this entire province there are a lot of traffic offences, and I'm happy to confirm to you that I've not had one speeding ticket on highway 2 in five years of being an MLA. All things considered, there are more than 1.9 million traffic tickets issued and about 218,000 criminal charges, so this can clog up a courtroom. One of the things that I'm looking at right now is actually moving traffic court outside of our court centres, particularly in Calgary and in Edmonton.

**Mr. Webber:** Well, if the traffic courts are going to be taken out of the courtroom, Mr. Minister, then won't it have an impact on access to our justice system?

**Mr. Denis:** I actually think it would have a positive impact. If you go to the Calgary Courts Centre or the Edmonton court downtown, a few blocks from here, typically you go through airport-style security. On top of that, you're also dealing with places downtown that may not be accessible to the average person. I've been downtown and checked out traffic court. There's a long, long lineup. Maybe we should start looking at locating it elsewhere.

**Mr. Webber:** To the same minister: how much money can we save as taxpayers if we make traffic courts more accessible by moving them out of the courthouses?

2:40

**Mr. Denis:** Well, Mr. Speaker, I appreciate that question because every budget I've had as a minister has indeed gone down. Taxpayers' dollars are very important to me. I can tell you that we don't have a specific number to look at yet. We're just in the very early days. We will table a report at a later date when we actually have further information about how much money this can save.

**The Deputy Speaker:** Thank you, hon. minister.

Hon. members, we got through 17 sets of questions and answers today. Thank you for your co-operation.

In 30 seconds I'll call for the balance of the members' statements.

### Members' Statements

(continued)

**The Deputy Speaker:** I recognize the hon. Member for Fort McMurray-Wood Buffalo.

### Phil Meagher

**Mr. Allen:** Thank you, Mr. Speaker. I'm very pleased today to have this opportunity to recognize a previous colleague and a good friend of mine, Phil Meagher. Phil is currently the longest-serving member of municipal council with the regional municipality of Wood Buffalo and just successfully completed a cross-country ski fundraiser in support of the plan to end homelessness. Phil completed a 280-kilometre trek called the Ski for Hope on March 10 after battling freezing temperatures and a bout of pneumonia to reach his goal.

The campaign, which would take him from Fort Chipewyan back to Fort McMurray, was to raise funds for the Fort McMurray Centre of Hope homeless shelter and donate skiing equipment to Keyano College's Fort Chipewyan campus. He set off on February 23, hoping to take about 40 hours to finish, but he ran into trouble in the final 50-kilometre stretch. Freezing temperatures, poor conditions, a wrong turn, and exhaustion put him out of the trip temporarily. Phil had to be transported to hospital, where he was diagnosed with pneumonia. Despite this

setback, he vowed to finish his trek. On March 10 after nearly 10 hours Phil passed the finish line and raised more than \$12,500 for the Centre of Hope.

I'd like to congratulate Phil for this amazing feat. It takes a lot of courage to make this trek, and I applaud him for his dedication to end homelessness in Fort McMurray.

You know, Mr. Speaker, for many of us working and living in the north, we sometimes take for granted life's basic needs and forget that there are those among us who have to fight to survive in our resource-rich community. Because of the high cost of living in Fort McMurray it presents unique challenges, and it's more of a struggle for us than perhaps other communities in Alberta when one is forced onto the streets. That's why I'm proud that our government has made a commitment to end homelessness in our province with its 10-year plan, which began in 2007. Since then we've made great strides by partnering with communities and their local agencies like our Fort McMurray Centre of Hope and McMan Youth, Family and Community Services Association.

**The Deputy Speaker:** Thank you, hon. member.  
I recognize the Member for Sherwood Park.

### Earth Hour 2013

**Ms Olesen:** Thank you, Mr. Speaker. My community of Sherwood Park, like many others across the globe, will be participating in Earth Hour 2013. Earth Hour is a world-wide initiative to show how we can all work together to build a sustainable future and combat climate change. Earth Hour asks governments, businesses, and individuals to show leadership and take personal responsibility for their climate impact. To symbolize their commitment, participants are asked to turn their lights off for one hour between 8:30 and 9:30 on March 23. Mr. Speaker, I know our Legislature will be dark as well.

The first Earth Hour was held in Sydney, Australia, in 2007 and involved 2.2 million homes and businesses. The next year participation grew to 50 million in 35 countries. In 2012 over 7,000 cities in 152 countries turned off their lights for the sixth annual Earth Hour. Global landmarks such as San Francisco's Golden Gate bridge, the CN Tower in Toronto, and the Coliseum in Rome all went dark.

It is estimated that shutting off nonessential lights in Canada for one hour could save 15 per cent on an average Saturday night's power consumption. By turning off their lights, participants show that they care about energy efficiency and climate change. I urge all of my colleagues in the Legislature to join in. You can find out more or register your participation by googling Earth Hour Canada 2013. While one hour a year may not make much difference in overall energy consumption, it raises awareness of these important issues. It also demonstrates the power of an idea and global concern about climate change. Together we can make a difference.

**The Deputy Speaker:** Thank you, hon. member.  
The Member for Calgary-Glenmore, followed by Edmonton-Meadowlark.

### Prostate Cancer Awareness and Screening Initiative

**Ms L. Johnson:** Thank you, Mr. Speaker. This past Friday saw another tremendous example of community and business coming together with the announcement of the combines for cures initiative to bring prostate cancer awareness and screening to rural Alberta.

This program was the idea of Tony Overwater and was coordinated by the Prostate Cancer Centre, situated at the Rockyview hospital in Calgary-Glenmore. The founding sponsor is Agrium, who is joined by Monsanto, Bayer CropScience, Penn West, and Brett Wilson and the Birthday Boys. Each of these organizations has committed \$300,000 over the next three years to support the project.

The statistics around prostate cancer are frightening, Mr. Speaker. In Alberta prostate cancer is the most frequently diagnosed cancer, with 1 in 7 men being diagnosed, and unfortunately 4 per cent of these men will die of the disease. Prostate cancer is treatable if detected early enough, and that is the focus of the combines for cures program. By having a simple blood test after the age of 40, a baseline reading of the PSA chemical can be recorded and monitored later. Early detection leads to early treatment and in the majority of cases a cancer-free life afterwards.

The next step for the combines for cures program is to purchase a Man Van so that the simple blood test can be taken locally. Rural farmers can also support the initiative by donating grain to their local CPS retail outlet. The money raised from the sale of this grain will also go towards the purchase of the new Man Van.

My colleagues the Minister of Agriculture and Rural Development and the Associate Minister of Wellness applaud the vision of these organizations to support a healthier future for rural Alberta. I encourage all of my male colleagues to get tested and that we each encourage our constituents to do so as well.

**The Deputy Speaker:** Thank you, hon. member.  
The hon. Member for Edmonton-Meadowlark.

### Support for Education

**Dr. Sherman:** Thank you, Mr. Speaker. I'd like to contrast this government's deeply flawed vision for education with the Alberta Liberal plan. The PC's intellectually and morally bankrupt budget proves they see education as a cost to be cut. This is why the Premier is cutting per-student funding in our public schools and why postsecondary institutions are being walloped with a whopping 7 per cent cut at a time of growth. This is no way to prepare for the future.

The Alberta Liberals have a different approach. We see education as an investment which pays huge returns for our kids, our families, and our taxpayers. One reason we would bring in fair taxation on the wealthiest Albertans and large corporations is so that we would have the money to invest. We would increase investments in education so that we can eliminate school fees, reduce class sizes, bring in full-day kindergarten, invest in early childhood education, and make schools community hubs.

Alberta Liberals would also increase funding for postsecondary institutions so that they do not have to nickel and dime students and burden them with the highest tuition and mandatory noninstructional fees in the country and needless debt.

Education at all levels must be affordable and accessible, and students must receive opportunities to develop their skills. For this reason, we would restore the summer temporary employment program so that students can earn money for tuition and develop communication and organizational leadership skills and get that ever-important first job. The Premier calls STEP a crutch, but students and Alberta Liberals know it's a great investment. We call on the government to listen and step back from STEP funding cuts.

Mr. Speaker, an affordable and accessible education system is good for our kids and their families, but it's actually good for our economy. With cuts to an underresourced education system, it's

no wonder Alberta has the lowest high school completion and postsecondary participation rates in the country and industry actually has a shortage of skilled workers.

Mr. Speaker, it's time for the regressive conservatives . . .

**The Deputy Speaker:** Thank you, hon. member.

### Tabling Returns and Reports

**The Deputy Speaker:** The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much. I have three tablings today. The first is a series of letters, 400 in fact, from the Michener Centre, individuals who have been affected by the closure of the Michener Centre, and their families – 400, Mr. Speaker – and the appropriate copies.

The second is a report from the Parkland Institute called Delivery Matters, in which it shows the high cost of for-profit health services in Alberta compared to nonprofit.

The final is a blog post by Susan Wright from Calgary, who writes on the site Susan on the Soapbox. She calls it Redford's Keystone Ad in the New York Times: The St Patrick's Day Blunder and refers to communicating the right message to the right audience in a half-baked message to the wrong audience.

Thanks, Mr. Speaker.

2:50

**The Deputy Speaker:** The hon. Member for Edmonton-Meadowlark.

**Dr. Sherman:** Thank you, Mr. Speaker. I'm tabling 700 letters from my constituency office, letters that are referring to the cutbacks that are happening at the Michener Centre and the closure of the Michener Centre. So I have five copies of 700 letters.

Thank you.

**The Deputy Speaker:** The hon. Member for Edmonton-Highlands-Norwood or someone on his behalf. The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Speaker. I'd like to table the appropriate number of copies of one of the many e-mails we've received about this PC government's cancellation of the STEP program. In this e-mail Kasey Murphy of Lethbridge tells the story of how the STEP program completely changed her life. She writes: "I am disheartened by the losses that will be suffered by the organizations that utilized STEP and devastated for all the lost opportunities for fellow and future students. I would not be where I am today without this program." The cancellation of the STEP program, which the Premier referred to as a crutch, is yet another example of this government's broken promises to the people of Alberta.

Thank you.

**The Deputy Speaker:** The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Thank you, Mr. Speaker. I am tabling a letter from Mr. Neil Evans of Edmonton, who writes a very thoughtful letter regarding our fiscal structure. He calls it "a failed and dysfunctional tax system" that is, in his words, "intentionally designed to maximize the concentration of wealth in the hands of a few." It's a very good letter. I would urge all members of this House to read it.

Thank you.

**The Deputy Speaker:** Thank you.

The hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you. I just have two quick tablings, Mr. Speaker. The first one is an article from the *Calgary Herald* from the Leader of the Opposition that talks about: "Calgary might as well establish a red-light district."

The second is five copies of an article from the Member for Lac La Biche-St. Paul-Two Hills dated August 30, 2012, in which he calls for eight permanent law enforcement officers on highway 63, falling short of the 16 that we offered.

**The Deputy Speaker:** Are there others? The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Speaker. I have two tablings. The first one is the appropriate number of copies of e-mail submissions that Albertans made to the NDP caucus for our budget tour, which visited seven cities in February. Nic, Venessa, Jane, and Emilea are some of the Albertans who have provided valuable input. For example, Nic David from Cochrane would like to see a real investment in long-term care facilities for the elderly so that hospitals can be freed up and used for their intended purpose. Submissions like this clearly show the priorities of Albertans.

The second tabling, Mr. Speaker, is a copy of the government's advertisement placed recently in the *New York Times* which identifies that there will be 42,100 direct and spinoff jobs for Americans during construction and an average of 138,000 spinoff jobs per year.

**The Deputy Speaker:** Hon. member, could you just table the document? It's not a member's statement.

**Mr. Mason:** Thank you very much, Mr. Speaker. The ad clearly indicates the tremendous economic benefit the Keystone pipeline brings to the United States economy.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you.

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following document was deposited with the office of the Clerk: on behalf of the hon. Mr. Horner, President of Treasury Board and Minister of Finance, pursuant to the Insurance Act the Automobile Insurance Rate Board 2012 annual report for the year ended December 31, 2012.

**The Deputy Speaker:** Hon. members, we have two points of order. The Member for Airdrie rose at 2:08, and we have a second point of order at 2:21 from the Member for Edmonton-Highlands-Norwood.

Citation, please, Member for Airdrie.

### Point of Order

#### Factual Accuracy

#### Inflammatory Language

**Mr. Anderson:** Mr. Speaker I rise under Standing Order 23, particularly (h) and (j); subsection (i) as well, but (h) and (j) are the main ones. It is, of course:

23. A Member will be called to order by the Speaker if, in the Speaker's opinion, that Member . . .

(h) makes allegations against another Member;

- (i) imputes false or unavowed motives to another Member;
- (j) uses abusive or insulting language of a nature likely to create disorder.

The reference here is to the Minister of Justice when he stood up and said a few things.

The first will relate to 23(h) “makes allegations against another Member,” or (i) “imputes false or unavowed motives to another Member.” He started out by saying that this party over here wants to put less enforcement on highway 63, and he refers to the tabling that he just made where the Member for Lac La Biche-St. Paul-Two Hills specifically asked for eight officers to be enforcing traffic on highway 63. At that time the government had not made an announcement as to increased enforcement on highway 63, so what he was advocating for at that point was an increase of enforcement. Since that time the minister responded to this Member for Lac La Biche-St. Paul-Two Hills and has in fact put more folks on the road than eight, and that’s something that I know this member supports and our party supports. So that is just completely a false accusation. He should withdraw that because he knows that’s false and he’s doing it on purpose.

The second is regarding the issue of this red-light district. Let’s be clear, Mr. Speaker. The Wildrose Party has been exceptionally clear at all times that we do not in any way, shape, or form support legalizing prostitution in this province. We’ve been very clear on that. There is no doubt that there is an article that has been specifically tabled from the *Calgary Herald*, I believe, a document wherein the Member for Highwood has entertained the idea of red-light districts. She has been very open about that, and her views have changed on that over time. The point is that to somehow impute that as the member’s position today is false. It’s not correct, and I would ask him to withdraw that. That covers subsection (h), Mr. Speaker.

Subsection 23(j) is “uses abusive or insulting language of a nature likely to create disorder.” Mr. Speaker, words are very important in this Legislature. I think we’d agree that there are lots of incendiary things sometimes said in this Legislature, and we talk about that. But when a question is asked about prostitution in this House by the Member for Lac La Biche-St. Paul-Two Hills and the minister on that question about prostitution refers to the woman in the red dress to the left, that is unacceptable. That is absolutely unacceptable. This minister should know better than to use words that I believe were intentionally meant to demean the Leader of the Official Opposition and draw the comparison between the question on prostitution to the woman in the red dress. Just saying woman in the red dress, frankly, is shameful and disrespectful and wrong.

If we had said that same thing about this Premier, if we had even insinuated something like that, I guarantee that that side of the House would erupt – and rightfully so – because it would be completely disrespectful to do that, disrespectful and wrong to call somebody a woman in the red dress. On top of that, Mr. Speaker, we’re talking about a question on prostitution, which was the last thing that this member had asked about, and this minister gets up and refers to the leader of our party as that woman in the red dress. That is awful, and he should absolutely withdraw those remarks and apologize to this leader for demeaning and insulting comments, Mr. Speaker.

**The Deputy Speaker:** I’ll recognize the hon. Minister of Justice.

**Mr. Denis:** Thank you very much, Mr. Speaker. I once handled a case where I was representing someone in a case involving defamation, and it comes back over and over again that the truth is

an absolute defence. You can say that you had damages, slander, libel, but the truth is an absolute defence.

Mr. Speaker, I just tabled to you, on the first item that the Member for Airdrie indicated, an August 30, 2012, document where the Member for Lac La Biche-St. Paul-Two Hills calls for at least eight more permanent law enforcement officers on highway 63. We offered 16. My comment was that he wanted fewer officers on the road than our government did and than we later offered.

Secondly, I’ve already quoted over and over again the Leader of the Opposition’s reference to where she wants legalized prostitution. “Calgary might as well establish a red-light district . . . City council should establish a red-light district and begin to clean up the neighbourhoods – and the profession,” referring to prostitution. Again, for me to say in this Assembly that she did say that and she did support that even though her views may have changed – she hasn’t indicated anything to the contrary. But for me to say that she did say that at one point, again, Mr. Speaker, is true.

Finally, Mr. Speaker, my reference to the Leader of the Opposition was to someone in a red jacket. I did not say a red dress. The red jacket, to me, refers more to her liberal policies on crime. You note that later in the final exchange that I had with the Member for Calgary-Foothills I referred to my tie. I referred to that I wasn’t wearing any red. I was making a simple reference to the colour of her policies. We all have colours in this Assembly, Mr. Speaker, and it is completely disingenuous for anyone to suggest unavowed motives. I would suggest that if you could have a point of order on a point of order, you could do that.

I’m going to tell you one more thing, Mr. Speaker. This member should apologize to every member of this House.

Thank you.

3:00

**The Deputy Speaker:** Thank you, hon. minister.

The hon. Member for Edmonton-Highlands-Norwood. [interjections] The Member for Edmonton-Highlands-Norwood has the floor. Hon. members, please.

**Mr. Mason:** Thank you very much, Mr. Speaker. I would like to rise and speak to the point of order raised by Airdrie. I want to speak in support of it, not in the sense that any of the words of the Leader of the Official Opposition, whether after she was elected or before she was elected, have been used against her by the Justice minister, but specifically on the point of connecting her apparel to the question dealing with prostitution. I think that the hon. Justice minister is not being as straightforward about his motives as he should be. It is, in my view, a reprehensible and sexist remark. The minister should stand and apologize for the implication that he has made because I think it is not befitting someone who holds a high government office such as himself.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Hon. members, I might draw your attention. It seems to me that we’re continuing a narrative that was started last week, essentially around appropriate language. I draw your attention to page 1598 of *Hansard* from last week. In that exchange it just reminded us that expressions which are unparliamentary, of course, call for prompt interference. It includes

- (1) the imputation of false or unavowed motives;
- (2) the misrepresentation of the language of another.

I think we’ve heard some varieties of what may or may not have been said and what was intended. I think it’s always difficult when we start going down that road.

Language really is subject to a lot of interpretation, and 23(h) and (i) do remind us that language that imputes allegations is not in order in the House, nor any abusive language.

It goes on at the bottom of the page. The Speaker spoke.

Another authoritative statement is found in *House of Commons Procedure and Practice*, 2nd edition, at page 618.

The proceedings of the House are based on a long-standing tradition of respect . . .

And I emphasize respect, hon. members.

. . . for the integrity of all Members. Thus, [any] offensive, provocative or threatening language . . .

I'm not suggesting that there was any threatening language heard or repeated by anyone, but it does have the opportunity, hon. members, to cause disorder.

Again, I would just caution all members to remember that respect goes above all else in this House. I believe that we can all do better. I don't agree that there's a point of order here, and I would just encourage all members on both sides of the House: we can and we must do better.

The second point of order was raised by the Member for Edmonton-Highlands-Norwood. Hon. member.

### Point of Order Inflammatory Language

**Mr. Mason:** Thank you very much, Mr. Speaker. I would like to cite section 23 of the standing orders.

- (h) makes allegations against another Member;
- (i) imputes false or unavowed motives to another Member;
- (j) uses abusive or insulting language of a nature likely to create disorder.

I rose on that point of order after listening to the response of the hon. minister of advanced education to my colleague from Edmonton-Strathcona's questions about cuts to postsecondary education and, in particular, about the minister's prolonged absence from this House at a time when the estimates were being debated. He's in the House today.

Mr. Speaker, the minister's response in part – and I don't have the Blues – was to the effect that he was bringing infrastructure to a country that has been devastated by, ravaged by the NDP's ideology. Previous Speakers have made a number of rulings in the past with respect to similar matters. This hon. minister has a habit of engaging in red-baiting when it suits his purposes, but there have been rulings respecting that type of comment on May 25, 1990; March 26, 1990; August 19, 1986; November 28, 1990; and November 29, 2007.

The hon. Member for Edmonton-Strathcona was raising legitimate questions in this House about the serious cuts to postsecondary educational institutions contained in this budget. They are, in fact, the hardest hit of any institutions in the entire budget. The budget of the minister of advanced education has sustained some of the largest cuts, and these are causing a great deal of inconvenience and problems for the postsecondary institutions: for the faculty, for the students, and so on.

The member was quite rightly calling him to account for having a lengthy vacation at the time when his budget was first announced. His response was, of course, that he was there helping a country who had been ravaged by ideology similar to our party's. I want to draw to your attention, Mr. Speaker, and to the ministers and all members of the House some significant differences between the positions of our party and those of the government of Vietnam.

**The Deputy Speaker:** Hon. member, if I may. Just a reminder, hon. member, that a point of order is not an opportunity to prolong

the debate. You've cited a citation. I'm hoping you'll keep your arguments to that offence, so to speak. I'd really appreciate it.

And just as a reminder, hon. member, we don't refer to absences in the Chamber as a matter of practice.

Please continue.

**Mr. Mason:** Thank you, Mr. Speaker. I do want though to be able to show why the minister's statement was false and insulting. Our party is very proud of its defence of human rights, something that goes way back in the history of our party. Many of our outstanding leaders, including Stanley Knowles and others, have been at the forefront of protecting human rights in this country and in this province.

Our party has "democratic" in the name, and we believe in free and fair elections, freedom of speech, and so on, many of the things that may not exist in the Republic of Vietnam, that the minister was just vacationing in. We have quite different economic views as well. So there is no legitimate comparison in any way between the views of our party on economic, political, or ideological issues and the government of Vietnam, and I believe the minister knows that to be true.

Mr. Speaker, what it was was a cheap shot from a minister who has no other recourse because he's been caught very much in the neglect of his duties by my hon. colleague and was being held to account for that.

Our party believes in the full right of all parties in this House to stand up free from intimidation from other members and to state their views and to question the government and to hold it to account without being intimidated by the kinds of statements that came from the mouth of the minister of advanced education.

Mr. Speaker, I would ask that he withdraw those comments and apologize to the House. Thank you.

3:10

**The Deputy Speaker:** Thank you, hon. member.

The hon. Deputy Premier and Minister of Enterprise and Advanced Education.

**Mr. Lukaszuk:** Well, thank you, Mr. Speaker, for this opportunity to respond to the comments of the leader of the NDP fourth party. The member is very selective in his memory of what occurred in the House. He fails to acknowledge the fact that his colleague was in no uncertain terms making provocative comments relative to my charitable trip to that particular country and preferred to depict it as some kind of two-week vacation of, I believe she said, lying on the beach, which is quite unfortunate.

I guess they have very thin skin. They can dish it out, but can't take it when it's coming back. I'm not sure whom to apologize to, whether to the country or to this member, but I have a feeling that since he is quoting the standing orders of this Assembly, he wants me to apologize to him and to this particular House.

I won't be splitting hairs on the similarities and differences between the ideology of that country and his party. I think we could spend a full day debating the similarities and maybe a few minutes the differences. Nonetheless, if it's causing this member so much hardship being compared to another jurisdiction with similar ideologies, I do offer him that apology.

**The Deputy Speaker:** Thank you, hon. Deputy Premier.

**Mr. Anderson:** I wish that that was an apology that one could get behind, but anyway, Mr. Speaker, I want to support the point of order. Clearly, there is a point of order here. Clearly, what was said was very incendiary. To compare the NDP and our hon. members in that NDP caucus with an ideology that has been

responsible for some of the worst human rights violations in the world is shameful. We have lots of differences on policy in here, but I'll tell you one thing. The New Democratic caucus clearly support human rights and many other principles in our democracy that make us strong. I think that it's key that this member watch his tone as we go forward.

**The Deputy Speaker:** Thank you, hon. member.

Hon. members, I think the points raised in this particular point of order bear a lot of similarity to the one that we dealt with earlier. We talked about language. Language is everything. Language can inform, but it can also sting. I think it would behoove us and be helpful from both sides if we kept our questions and answers to government policy.

With that, the hon. Deputy Premier and Minister of Enterprise and Advanced Education has offered an apology. I would like to accept that apology on behalf of the House because he has made one, and I consider this matter closed.

Thank you.

## Orders of the Day

### Written Questions

**The Deputy Speaker:** The hon. Member for Calgary-Mountain View.

#### Provision of Continuing Care Beds

Q14. Dr. Swann asked that the following question be accepted.

As of June 1, 2012, what proportion of continuing care beds were provided by Alberta Health Services, not-for-profit agencies, and for-profit agencies respectively?

**Dr. Swann:** Thank you very much, Mr. Speaker. The government always announces that they are creating beds in the province for seniors. In years past they gave to the affordable supportive living initiative grants to build seniors' living facilities, and these were broken up between P3s and lodges. These dollars are awarded to the RFP applicants from both not-for-profit and for-profit organizations. We would like to know the percentage in each year that goes to for-profit versus not-for-profit.

It's an issue that surrounds, as we've mentioned in the House, a lot of concern respecting both the cost and the quality of care these recipients receive. Typically, the developers that are building or have already built housing that is to be used for low-income seniors raise the issue that they may not receive the same quality of care as those in the not-for-profit sector.

Some for-profit providers recognize that the filling of the accommodation is only one component of the profit base. The added component would of course be the supportive living side. These for-profit providers typically make their profits on the care side. So that basically reflects our interest in trying to better understand some of this.

Long-term care fees were raised in January 2013. The maximum accommodation charge that operators can now apply in long-term facilities increased by 5 per cent, or a maximum daily increase of \$2.80, effective January 1, 2013. Although these raises seem realistic when looking at the rate of inflation, this does become an increase in corporate welfare in some instances of private establishments. We on this side of the House, the Liberal opposition, believe that all facilities, for seniors in particular, are part of the health care system and should be not-for-profit. There is never any real accountability in regard to buildings that are for profit.

We have a difficult time determining what the numbers are and what they may mean, so we're asking for some comparative data there, which truly is in many cases a subsidization of the corporate interests because, in fact, they may or may not pay their staff the same as government institutions and, obviously, would pocket the difference.

So I stand to await the response. Thank you, Mr. Speaker.

**Mr. Denis:** Mr. Speaker, I have relatively few comments moving forward here. We've indicated that we don't believe this matter should proceed for a number of reasons. I think we had this discussion largely on another matter last Monday. I don't have any further comments. I'm not going to belabour the House. I don't like to continue things where we're simply belabouring the horse that's being flogged in the middle of the House here, so I'm going to take my seat.

**The Deputy Speaker:** The hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Mr. Speaker. Once again we see that this government is not prepared for these questions. These questions go in months and months and months in advance. This has nothing to do with the question that the hon. Member for Calgary-Fish Creek brought up last week with regard to nursing ratios, LPN ratios, and health care aide ratios. A strict staffing-to-client ratio was what they were looking for. It had nothing to do with how the beds are allocated, whether they are supported by not-for-profit agencies or for-profit agencies.

Once again what we see from this government is no openness and transparency with regard to how tax dollars are being spent, especially in the areas of health and continuing care and long-term care. We know for a fact that this government actually does know how many nonprofit beds there are and how many for-profit beds there are and how many Alberta Health Services beds there are. Why they're reluctant to let all of the rest of Alberta know exactly how many beds there are available is, quite honestly, beyond me.

The Premier mentioned during her campaign and has said for the last 10 months since we've been elected that she'd like to raise the bar on openness and transparency. This government budgets and allocates dollars accordingly. They send out their money and tell clients that they know they have enough continuing care spaces. They talk all the time about how we need more long-term care beds. They talk all the time about how they're increasing beds by 1,000 continuing care beds, yet every time they're given the opportunity to sit in this House and actually define where those beds are, how they're allocated, how they're funded, how they're staffed, they can never seem to be able to show up and actually do their job.

It seems baffling to me that this government repeatedly shows up to this House and is never able to answer a fundamental question about the beds that they have for continuing care, the beds available for long-term care, which are housed in for-profit agencies, which are housed in not-for-profit agencies, and which are even housed in the Alberta health system. It's interesting that this government talks about the extensive budget for long-term care, the extensive budget for continuing care but can't say where this money is going. That's absolutely atrocious and clearly incompetent.

3:20

The other part of that is: how can Albertans believe and trust this government when they say that they know what's best for seniors as they age in care? How can they possibly know measurable outcomes if they can't even identify where the beds even are

and what facilities are housing what types of beds? We have no idea if the for-profit sector is doing a better job than the nonprofit sector. Or is the nonprofit sector doing a better job than the for-profit sector? Or are both sectors doing a better job than Alberta Health Services? We have no idea because every time this government is asked this question, they're never here to answer. They're never able to find any information with regard to this, yet they're spending \$16 billion worth of money on health care.

It seems atrocious that they're not able to answer to Albertans. How can they possibly tell Albertans across this province that they know what's best, that they have measurable outcomes, and that benchmarks are being met if they don't even know where the dollars are going?

How embarrassing this must be for this government to be so ill prepared for written questions that have been on the Order Paper for months and months and months. The reason they're on the Order Paper and the reason they're in writing is specifically to give this government the opportunity to do the research that is required to provide Albertans with an educated answer and to be open and transparent about where tax dollars are sent. It absolutely is astonishing that this government still comes to these written questions ill prepared, and it almost speaks of incompetence.

Thank you.

**The Deputy Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. The hon. member protests way too much.

I have the privilege of moving on behalf of the Minister of Health an amendment to this written question, moving that Written Question 14 be amended by striking out "as of June 1, 2012," and substituting "as of March 31, 2012." The amended written question would then read as follows:

As of March 31, 2012, what proportion of continuing care beds were provided by Alberta Health Services, not-for-profit agencies, and for-profit agencies respectively?

The hon. Minister of Health will be able to answer that question and has no problem accepting the question if it is amended in that fashion. As the hon. member who proposed the question will know, there are a constantly changing number of things, and you have to pick a point. It's easiest if we agree to pick a point where the numbers are actually available rather than trying to extrapolate to another date. I understand that there may have been discussions between the Minister of Health and the hon. member with respect to the amendment. I hope there have been and that the change of date will be acceptable to him.

**Dr. Swann:** I would speak in favour of the amendment, Mr. Speaker.

**The Deputy Speaker:** Wonderful.

**Mr. Mason:** The concern I have – and it may be a concern with the original question as much as with the amendment – is that it talks about a proportion. That means the numbers we'll get back are percentages or fractions. I would ask the Minister of Human Services if it would be the government's intention to provide actual absolute numbers of beds in each category.

**The Deputy Speaker:** He can only speak once.

Are there others?

Seeing none, I'll call the question on the amendment as circulated.

[Motion on amendment carried]

[Written Question 14 as amended carried]

**The Deputy Speaker:** The hon. Member for Calgary-Mountain View.

### Community Treatment Orders

Q15. Dr. Swann asked that the following question be accepted.

How many community treatment orders were issued under section 9.1 of the Mental Health Act between April 1, 2010, and April 1, 2012?

**Dr. Swann:** Thank you, Mr. Speaker. These are orders for people to be treated in the community as opposed to in a facility. The impact of cutting beds to the extent that the government has in regard to mental health has led to higher numbers of individuals treated in the community. While this is seen as an important tool for mental health treatment, the question is: are we getting to the point where it's being used to compensate for the lack of institutional beds where needed?

There's a high possibility of harm to patients themselves if they receive substandard care in relation to their needs and also a risk that they may harm others. There's a possibility that they might be incarcerated in the wrong type of facility due to the wrong understanding or ability to regulate their behaviour in certain institutions into which they are forced because of lack of appropriate space. Statistics are not released in the regular course of affairs that will provide information needed to assess the impact of these policy decisions such as bed closures on these individuals affected.

Thank you, Mr. Speaker.

**The Deputy Speaker:** The hon. Deputy Government House Leader.

**Mr. Denis:** Thank you very much, Mr. Speaker. I'm pleased to rise today on behalf of the hon. Minister of Health. I'm proposing on his behalf an amendment to this written question and allowing the opportunity for the pages to circulate copies of this.

May I continue?

**The Deputy Speaker:** Please read it into the record, hon. minister.

**Mr. Denis:** Thank you. I wasn't sure if you were rising for something, sir.

The amendment proposes changing the range of dates in which the numbers could be provided. The question would read:

How many community treatment orders were issued under section 9.1 of the Mental Health Act between January 1, 2010, and March 31, 2012?

Mr. Speaker, the change in the range of dates between April 1, 2010, and the same date in 2012 – interesting day – to between January 1, 2010, and March 31, 2012, reflects the period where these numbers are available. My response to the amended written question will be the cumulative summary of the community treatment orders, or CTOs, as reported by AHS for the day on which the CTOs were effective on January 1, 2010. I'd ask all members to support the amendment to the written question.

I will take my seat with that. Thank you.

**The Deputy Speaker:** Thank you, hon. Deputy Government House Leader.

Speaking to the amendment, the hon. Member for Calgary-Mountain View.

**Dr. Swann:** Well, I'm interested in the amendment, Mr. Speaker, from the point of view that I would like to be able to compare year over year. If the numbers are presented in a fashion where we can actually make that comparison even though, I guess, it would be 15 months one year and 12 months the next – as long as we can compare numbers and rates, that would be helpful.

**The Deputy Speaker:** Thank you.

The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thank you, Mr. Speaker. I've been listening intently, and the hon. member has moved an amendment. "How many community treatment orders were issued under section 9.1 of the Mental Health Act between January 1, 2010, and March 31, 2012?" That is what the member has put forward in the amendment whereas in the original one the member asked the government the following question: "How many community treatment orders were issued under section 9.1 of the Mental Health Act between April 1, 2010, and April 1, 2012?" I can see that what we're only talking about is one month if I'm correct.

I think it's important to get what information we can, quite frankly, because I was in debate when we brought this particular order through, and the community treatment orders are something for which I would like to see how many people are being released into the community. For me, it's not as much the beds, but with these people that are moving into the community, how many of the orders have been made under the community treatment orders? We will accept that amendment, but I will go with the hon. member who brought the written question forward.

**The Deputy Speaker:** Thank you, hon. member.

Are there others?

I'll call the question on the amendment.

[Motion on amendment carried]

[Written Question 15 as amended carried]

**The Deputy Speaker:** The hon. Member for Calgary-Mountain View.

### New Special-needs Child Care Spaces

Q16. Dr. Swann asked that the following question be accepted.

How many new special-needs child care spaces were created in Alberta between January 1, 2008, and January 1, 2012?

**Dr. Swann:** Thank you, Mr. Speaker. Most families that work need child care space, and typically with a higher income people have a higher number of options. With lower and middle income there is greater dependency on the availability of affordable child care spaces. The availability of special-needs spaces is particularly short. With fewer options middle- and low-income families are held by the parameters of availability to public options.

3:30

This is an important quality-of-life and income issue. We need to ensure that government is providing for these children as per their requirements. If a single mother, in particular, who has a special-needs child cannot find an appropriate space, her availability to enter into constructive alternate work and better her and her child's future is greatly impacted. We're trying to determine how many special-needs child spaces have been created and ensure that this meets the population needs of the province.

Thank you, Mr. Speaker.

**The Deputy Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I'm pleased to rise today to speak to this particular question. Unfortunately, I'll have to indicate that the question should be rejected on the basis that the question is founded on an incorrect premise, that a portion of funding from the making spaces initiative was allocated specifically for the purpose of creating special-needs child care. That, in fact, is not the circumstance.

Mr. Speaker, the making spaces initiative inspired the creation of approximately 20,000 spaces in total between 2008 and 2011 across the province. While a portion of the funding was certainly used to create child care spaces that support children with special needs and their families, decisions for what types of spaces were created were made at local levels by child care programs based on local needs and therefore were not tracked by our program.

The Ministry of Human Services works with children with special needs and disabilities and their families in a number of different ways and provides support through a number of different avenues. When it comes specifically to child care, the ministry provides child care subsidy support to assist eligible low- and moderate-income families with the cost of child care. As of September 2012 more than 16,700 families were receiving child care subsidy supports. Of these, 78 per cent received the full subsidy, and 22 per cent were helped with partial subsidy supports. More than 500 of these families receiving subsidies for child care services have children with special needs. Keep in mind that this is in addition to a variety of other initiatives our ministry has available to serve these families, including family supports for children with disabilities.

Mr. Speaker, it would be my suggestion that the situation with respect to a family where there is a child with special needs would not be supported through the funding of a program to create new child care spaces specifically for children with special needs because we don't know where those might be needed at any given time. Rather, it would be to work with a family through FSCD to determine what their child care needs are and how we can support them to get those child care needs through FSCD.

So while I appreciate the member's question and the concern in this area, a concern that I share, I have to reject the question because I actually don't have that kind of information with respect to specifically creating spaces for special-needs children. We don't actually do that. We did fund through that process the creation of spaces. Some of those spaces would have been created for children with special needs. But where we actually identify and support the need for child care for children with special needs is through the FSCD program. That would be one of things that would be considered in terms of the support the family might get through that particular program.

Regrettably, because I think it's an important topic and certainly an important concern for Albertans, it's not something that I can respond to with an answer with respect to the written question in that way.

**The Deputy Speaker:** Thank you, hon. Government House Leader.

Are there others?

Hon. Member for Calgary-Mountain View, you can close debate on the question.

**Dr. Swann:** Well, I would like to close debate. I'm puzzled because the minister just said that he understands that 500 children with special needs are being cared for in the system, and then he says that he can't provide the numbers, so there's an inherent contradiction in what he's saying. Are you monitoring them or



not? If you are, why not give us the 500, then, as a statement if that's the correct number? Surely, we need to monitor this to identify whether there's an unmet need for children with special needs.

**The Deputy Speaker:** Thank you.

[Written Question 16 lost]

**The Deputy Speaker:** The hon. Member for Calgary-Mountain View on behalf of the Member for Calgary-Buffalo.

#### Student Loan Amounts for Medical School Graduates

Q17. Dr. Swann asked on behalf of Mr. Hehr that the following question be accepted.

What is the average amount owed in student loans by a student graduating in 2011 with a medical degree from an Alberta university?

**Dr. Swann:** Thank you, Mr. Speaker. This speaks to affordability and accessibility of postsecondary education but medicine in particular. It directly impacts the Alberta economy and the availability of workforce and may speak to doctor recruitment and retention.

After graduation the jurisdiction that a student may wish to practise in will most definitely be influenced by their outstanding debt upon graduation and possibility of high pay scales. Young doctors carrying a high debt may be less likely to move into a smaller community, where they will be receiving less pay, and their cost of living in the city is generally less than living in a rural area. I take that back, Mr. Speaker. That sentence doesn't make sense.

Lifestyle and cultural accessibility are less present in rural areas, and with a high debt load they may wish to stay in a larger centre in order to seek opportunities for advancement, particularly through specialization. Young students, when looking at cost of education, may choose to seek their education elsewhere, and the result of this is often practising elsewhere, where there are more flexible alternatives to their current practice.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I understand there has been discussion between the ministry and the member under whose name this question stands on the Order Paper. He is aware that I will be moving on behalf of the Minister of Enterprise and Advanced Education that Written Question 17 be amended as follows: (a) by striking out "amount owed in student loans by a student graduating in 2011 with a medical degree from" and substituting "amount of total federal and provincial loans provided to a medical student enrolled at" and (b) by adding "who entered repayment in 2009-10" after "Alberta university."

The written question as amended would then read as follows:

What is the average amount of total federal and provincial loans provided to a medical student enrolled at an Alberta university who entered repayment in 2009-10?

Again, Mr. Speaker, the reason for the amendment is really one of timing and being able to provide information that is available. I'm given to understand that the numbers with respect to 2011, which were in the question, wouldn't be available as yet but that the 2009-10 numbers would be available, so the minister would be pleased to provide the information with respect to the numbers we do have with respect to that particular context.

Also, changing the wording from "amount owed in student loans" to the wording "total federal and provincial loans": I'm guessing here, but I would believe that the reason for changing that was that we wouldn't necessarily know what students owed with respect to any other student loans they might have from private institutions or elsewhere, but we do know the loans that they got through the Alberta student loan process, which manages the federal loan program and the provincial loan program.

As I say, as I understand it, this has been shared with the mover of the motion. I can't tell you that he's agreed to it or not because I don't have that information here, but I do know that it's been shared with him. The purpose of the amendment really is to streamline the question so that it refers to available information now. Certainly, as the information for the next year comes available, I would encourage the hon. member to approach the minister for that information.

**The Deputy Speaker:** Thank you.

**Dr. Swann:** Well, I would speak against the amendment at least in the sense that it's written. There are two options within the amendment. There are two amendments. I think we need to sever them and decide on each of them separately. For example, I can agree with the 2009-10 period, part (b), but I can't agree with striking out the "amount owed in student loans" because that's precisely what we want to know. How much debt do young physicians incur in medical school?

It may be one thing to talk about loans, but it's actually quite another thing to ask – and we could compare them to other provinces – how much debt they have, and that's part of the problem. We have among the highest tuition in the country, and that's part of the reason why we want to know how much debt is being incurred, how much discouragement there is to getting a medical degree and to going into family medicine because of high debt load that they've been incurring and giving incentives to go into specialty practice, where they can pay off high loans quicker. Part (a) doesn't address the real question, so I'd like to sever these two and vote on them separately, part (a) separately and the (b) amendment separately.

Thank you.

3:40

**The Deputy Speaker:** The hon. associate minister responsible for SPD.

**Mr. Oberle:** Yes. Mr. Speaker, the hon. member doesn't appear to be aware that there are private student loan instruments such as a student line of credit offered through any chartered bank in our country. Of course, there are other private loans, even family loans, for example. Surely, he can't expect that the government would have access to such information; therefore, we can't report it. If that remains the content of the question, then we'll be rejecting the question because we simply can't meet the terms of the question.

I think it's an entirely reasonable amendment, and I think it should be passed as is.

**The Deputy Speaker:** Are there others? The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Well, thank you, Mr. Speaker. You know, it's an interesting time, and it's an interesting question that the hon. Member for Calgary-Mountain View has asked. He's talked about the fact that he'd like to know: "What is the average amount owed in student loans by a student graduating in 2011 with a medical

degree from an Alberta university?” Then the government comes back, and they don’t say anything about the privacy issue or anything. They talk about an amount owed in student loans by a student graduating in 2011 with a medical degree and substituting “amount of total federal and provincial loans provided to a medical student enrolled at an Alberta university.”

The hon. member talks about the privacy of the loans. What the government is proposing is that they want to talk about the breaking up of the amount of total federal and provincial loans provided and adding that after “an Alberta university.”

I think this is a good question, actually. With the things that are going on right now with the AMA, all of the contracts and negotiations that are going on right now in this province in regard to what I am going to say are negotiations in regard to pay, I think it’s important that if someone is looking at going for a degree and going into a medical profession, they know how much debt they’re going to face when they graduate.

You know, you would think that the government would like to know what debt students are incurring when they go to university. It’s not that we’re asking for every student. Just tell us exactly: if you’re going into the medical profession or, for that matter, engineering or the teaching profession, what is the student going to incur as debt? It’s interesting to me why the government would not want to have this information as they plan for the future like they say. They’re always criticizing the opposition about: we’re stuck in the past, and we don’t talk about the future.

You know, I guess I’m wondering why there’s so much controversy over this particular question.

**The Deputy Speaker:** Are there others?

Seeing none, I’ll call the question on the amendment.

[Motion on amendment carried]

**The Deputy Speaker:** Now back to the question as amended. Are there others?

[Written Question 17 as amended carried]

**The Deputy Speaker:** The hon. Member for Calgary-Mountain View.

### Workers’ Compensation Board Complaints

Q18. Dr. Swann asked that the following question be accepted.

How many written and telephone complaints has the ministry of employment and immigration received related to the Workers’ Compensation Board in each of the fiscal years from 2002-2003 to 2011-2012?

**Dr. Swann:** Thank you, Mr. Speaker. The numbers of complaints to the ministry about WCB reflect dissatisfaction with the board and, obviously, relate to conflicts over denial of claims, proper medical care. It’s clear to me as an MLA for eight years that there are significant problems still unresolved with the WCB system that relate to the appeal period, which is only a year. In many instances this is very difficult for people to meet given their illness or their injury, their rehabilitation, the financial implications for them and their families, some of the emotional turmoil that some of them are going through. So that appeal process is a real problem for some.

There is inconsistency in providing claims in some instances. As I’ve heard, there is in some cases confusion between who is supposed to be paying the injured worker, the employer or WCB, and some conflicting documents that go back and forth. There are independent medical exams that conflict with the medical exams

within WCB, and there is a sense in many instances that there is an incentive for WCB to force people back to work prematurely, resulting in earlier problems and conflicts. There is an unwillingness in some cases to deal with the psychological impacts of the injury and the financial impacts of the injury on the family and the failure to address some of the extra needs of some individuals, not all but particularly some, who develop mental health problems or have addiction problems or whatever their illnesses are.

These are the kinds of issues that I think would be reflected in the numbers of complaints and how they’ve changed over the years and how well the appeal process is working in WCB and how well we’re getting people back to full health and function and therefore able to work and support themselves and their families.

Thank you.

**The Deputy Speaker:** The hon. associate minister of PDD.

**Mr. Oberle:** Thank you, Mr. Speaker. I’m pleased to rise and address Written Question 18. I’ll do so first by expressing a little outrage at the preamble and the discussion of that hon. member, who pointed to – I just was writing as fast as I could – confusion about who pays, whether it’s the WCB or the employer. There’s absolutely no confusion. It’s an absolutely ridiculous statement. Conflicts, inciting the workers to return to work prematurely, ignoring addiction problems or mental health concerns: those are outrageous allegations, none of which, I might add, are actually asked for in Written Question 18. It’s just a drive-by shooting of a whole bunch of people that work very hard in the WCB.

I can tell you, getting back to Written Question 18, which only deals with the number of complaints that the WCB receives – and somehow we should use workers’ complaints as measures of the full litany that will be recorded in *Hansard* there. I think the member might want to apologize to the workers at WCB, particularly when he understands the information that I’m about to talk about.

Mr. Speaker, I’m sure the member can appreciate that over the last 10 years they dealt with a great number of workers in greatly trying situations, and they received a great number of inquiries. They do indeed record the number of inquiries that they get, whether that be by phone or written or in person. In the period from 2002 to 2011, which is the last full year that we have, the inquiries have fallen by more than 50 per cent, thereby refuting another of the member’s allegations. Furthermore, recognizing that the number of inquiries might not be a great measure of the number of people that they actually deal with because a particular complainant might phone several times or a person seeking information might phone several times, they actually also record the pure number of claimants who phone. I can report that that’s fallen by well over 50 per cent.

I am prepared that tomorrow at the regular time I will be tabling the results of those. However, those are not actual complaints, and I cannot tell the member the breakdown of complaints: just straightforward inquiries, inquiries as to the status of a file – did they receive the information? – those sorts of things. I cannot actually answer the member’s question about the number of complaints that were received. Mr. Speaker, we’ve been around to the table officers, and there is no way to amend this question in such a way that meets the legal requirements of the question that he’s asked. So despite being able to provide the information that I will table tomorrow, the information I just referenced, I’m moving that we reject Written Question 18. I still will be tabling the information nonetheless.

**The Deputy Speaker:** Thank you, hon. associate minister.

Are there others? The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Mr. Speaker. If I may, having been in industry for a number of years and paid into workers' compensation on behalf of the employees that worked with me, I'm interested in this, too. I think it does need to be taken in context, as has been suggested. I think the number of complaints compared to the total number of issues satisfactorily resolved would be an important figure to understand. I think it would be helpful to the Workers' Compensation Board itself to want to know how many complaints they received about their service or about their attempts to resolve these issues as a way to monitor their own effectiveness. I'm pleased to hear that the number seems to be dropping, but at the same time I think the hon. minister implied that they aren't tracking how many complaints there really are, and I think that they ought to.

3:50

While the question doesn't specifically address that, I think it's an inadequacy in and of itself, and that should be tracked. It will be useful both to the board in its own internal self-regulation as well as to the industry and our employees, who look to the board for assistance and for relief and for help. If there's a perception that they aren't being treated fairly – I can tell you that in our office workers' compensation issues are, in fact, among the most popular concerns that we receive calls about, so there is something there. If there's been improvement, then I feel sorry for my predecessor because he must have had to put up with an awful lot more than I have.

I think it's important that people know that the government, through the Workers' Compensation Board, really does care and that they can actually sufficiently help to really provide genuine and substantial relief. I think it's a good question in the sense of what's implied along with it, and I would hope that whether the question itself meets the criteria that the government thinks is important, they would at least sense the intent of the question. I don't think the intent is to embarrass. I think that the intent is to monitor and to get some feedback. The board itself should be looking for feedback because you can't course-correct if you aren't measuring, and if you aren't measuring, then you won't notice where deficiencies really are.

That's what I'm interested in, and I think most of us are as well on both sides of the House because we're here to represent people, some of whom have been injured while on the job. We need to be able to reassure them that the board is serious about trying to care for them or that we can act on their behalf if they do have problems that do need I won't say intervention but the assistance, perhaps, of our various offices.

Thank you.

**The Deputy Speaker:** Are there others? The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. Well, this is an interesting discussion. I want to rise and mention on behalf of the associate minister that we agree that that's good information to be tracked, and we'll endeavour to track that information going forward. It's interesting because for a period of time up until the April 23 election and a few days thereafter, when the Premier was good enough to appoint an associate minister, I had that responsibility for the WCB in my area. One of the things that I was quite excited about was the fact that for the first probably 10 years of my serving as an MLA, in my constituency office workers' compensation was one of the key issues. Workers' compensation and maintenance enforcement were the two big issues that came into the office.

Over the last five years that has actually reduced considerably, and that's because of the changes that were made and because of the efforts that were put in to ensure that the Workers' Compensation Board understands its mandate about helping injured workers get back to work and supporting them when they're not in a position to do so. In the first few months when I had responsibility in my office for WCB, I was very surprised at the fact that we got very few complaint calls either from members of the public or, quite frankly, from other MLA offices, which was quite interesting to me.

But the hon. member has a good point. We should be tracking that. It's not definitive because, of course, as you pointed out, people go to various places when they have concerns. One of the places they tend to go – and I think they should – is to MLA offices. Sometimes they come directly to our offices, sometimes they come to the department, and most often they maintain their dialogue with the WCB or perhaps the Appeals Commission.

Just tracking that number in and of itself is not definitive, but I think it's fair to say that the numbers have gone down considerably over the last number of years and certainly in the period of time in which they were in my office and now in the associate minister's office. It would be useful, I think, on each call that comes in to track to see whether it's just a call for further information and action or whether there's actually a complaint being registered about the way the files have been handled or about the policies that are in place.

**The Deputy Speaker:** Thank you.

Are there are others?

Seeing none, I'll call the hon. Member for Calgary-Mountain View to close.

**Dr. Swann:** Thanks very much. Well, thanks to the Member for Cardston-Taber-Warner. I think he's really offered a friendly amendment, that we would like to know not only how many complaints but how well they were resolved. I think that's a reasonable suggestion to improve the efficacy of the question. I'm sorry the government is not able to honour the question and give the information, but I appreciate the minister tabling it tomorrow.

**The Deputy Speaker:** Thank you.

[Written Question 18 lost]

**The Deputy Speaker:** The hon. Member for Calgary-Mountain View on behalf of the Member for Edmonton-Centre.

#### **Inmate Population at Correction Institutions**

Q19. Dr. Swann asked on behalf of Ms Blakeman that the following question be accepted.

What are the government's estimated projections for the increase in prisoners expected in provincial correction institutions as a result of the recent changes to the Criminal Code, Canada, including but not limited to mandatory minimum sentences, reductions in two-for-one credit for time served in remand centres, toughening drug and alcohol laws, et cetera, per year for the fiscal years 2012-2013 and 2013-2014?

**Dr. Swann:** Thank you, Mr. Speaker. The increasing number of federal inmates combined with the rising per capita cost of incarceration have made it increasingly expensive to operate and maintain the prison system. The per capita cost of incarceration for all inmates increased by almost 37 per cent from 2000 to 2011.

The prison system is increasingly overcrowded. At issue is whether overcrowding might lead to more inmate misconduct and recidivism. The results of research on this topic have been mixed. One study found that overcrowding does not affect inmate misconduct or recidivism. Other research suggests that there is a significant positive relationship.

The inmate-to-staff ratio has also increased. The growing prison population is taking a toll on the infrastructure of the prison system. The departments have a backlog of modernizations and repair projects. Past appropriations left the prisons in a position where they could expand bed space to manage overcrowding but not reduce it. However, reductions in funding mean that the ministry will lack the funding to begin new prison construction in the near future. At the same time, it has become more expensive to expand Alberta's prison capacity.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you.

The hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you very much, Mr. Speaker. I want to thank the Member for Calgary-Mountain View for his submission, but it is with regret that I'm recommending rejection of Question 19, posed by the Member for Edmonton-Centre, as set out in the Order Paper on November 1 of last year.

Mr. Speaker, there are a number of problems with the written question. First of all, the term "prisoners" refers to only sentenced inmates. I know the member was trying to help us, but we don't cover that. Statistics maintained by my department only capture inmates, which refers to remand and sentenced inmates.

There are also some issues with the changes to the Criminal Code referred to in the question. Mr. Speaker, bills C-10 and C-25 are the federal government's recent primary amendments to the Criminal Code that may impact correctional operations. For the most part they are supported by this government. All provisions within Bill C-10, the Safe Streets and Communities Act, have been in force since November 2012.

Parts 2 and 4 of Bill C-10 are anticipated to have the most significant impact on correctional services as they relate to restricting the use of conditional sentences, increasing some mandatory minimum sentence provisions, and amending the provisions in the Youth Criminal Justice Act. Unfortunately, they don't deal with mandatory minimums for drunk drivers causing death, but that's another issue. The full impact of the legislation won't be realized until the end of fiscal 2013-14 or even later, I would suggest.

With respect to Bill C-25, the Truth in Sentencing Act, this actually came into force in February of 2010. This legislative amendment restricted the amount of credit available for time spent in pretrial custody. Previously you would have received two for one if you had served time in custody prior to your sentencing.

This information the hon. member has asked for is not captured in a way that generates statistical information or projections as data related to the enhanced credit received by Alberta inmates was not sufficiently available to conduct this type of analysis.

This notwithstanding, Mr. Speaker, my department can provide information on the growth of the adult custody population after this bill came into force in February 2010, as I had referenced. Therefore, I've asked my department to provide this information to the hon. Member for Edmonton-Centre in a timely manner.

While I am recommending rejection of this question as proposed by the hon. member, I always welcome her suggestions as well as those of the Member for Calgary-Mountain View on how to keep Albertans safe and secure in our communities.

Thank you.

**The Deputy Speaker:** Thank you, hon. minister.

The hon. Member for Lac La Biche-St. Paul-Two Hills.

4:00

**Mr. Saskiw:** Thank you, Mr. Speaker, for the opportunity to speak to this written question. I think the numbers here should be readily attainable. It's important that we have the projections for the increase in prisoners so that we can of course build the appropriate facilities to ensure that they're maintained and to ensure that we put as many bad guys behind bars as possible.

What I am concerned about with the refusal to answer this question is that perhaps there's an incongruence with the new federal Conservative tough-on-crime approach with what we're seeing to be a continuation of a progressive soft-on-crime approach with the current Justice minister. It's unfortunate that he would not be in communication with his federal counterparts to ensure that their legislation is going to be appropriately dealt with with respect to the provincial jurisdiction when it comes to prisoners.

I don't know if this dramatic change that this progressive Justice minister is implementing here in Alberta – of course, we've seen it with the fact that he doesn't believe that individuals for first and second offences should be duly prosecuted under the law. We've seen that he has cut funding for electronic monitoring of some of the criminals who have committed some serious crimes. We've also seen the fact that he's cut the safer communities fund, which was quite preventative in terms of getting to the source of the issues before they fester to come into the justice system.

I have a feeling that the minister's rejection of this policy is somehow a further indication that this progressive Justice minister with his background is now rejecting the federal tough-on-crime approach. We're seeing it here with his policies in Alberta. You know, we saw a progressive justice policy put forward by Pierre Trudeau. I think Albertans soundly rejected them, and I'd hope that the Justice minister in his new progressive approach isn't bringing those types of principles and policies here to Alberta because I can tell you that Albertans do want a tough-on-crime agenda. They do want to put bad guys in jail.

The fact that he cannot answer what I'd suggest is a relatively simple question – we're not asking for actual numbers. It's stating "estimated projections." The fact that under his leadership his department hasn't actually done the analysis to determine what these projections are is just another indication that I think, you know, this fundamental shifting in justice policy here to a more progressive approach isn't going to work here in Alberta, Mr. Speaker. I'd hoped that the Justice minister would simply provide the estimated projections so that we know here in Alberta that we will be able to ensure that we have appropriate resources to deal with those increased projections.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Are there others?

Seeing none, I'll call the question.

[Written Question 19 lost]

**The Deputy Speaker:** The hon. Member for Calgary-Mountain View.

#### Staffing Details for CFSAs

Q24. Dr. Swann asked that the following question be accepted.

How many supervisory and front-line staff positions were in each of the child and family services authorities for the

period from January 1, 2009, to December 31, 2011, and what was the funding allocated for salary and wages for supervisory positions compared to front-line staff?

**Dr. Swann:** Thank you, Mr. Speaker. I think the intent of the question is clear. It's important to understand how trends have changed over the last few years in terms of front-line, on-the-ground care individuals versus administrative and management positions.

**The Deputy Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I'm pleased to rise to move an amendment to the question and would then be prepared to accept it with the amendment. The amendment is: be it resolved that Written Question 24 be amended as follows: (a) by striking out "for the period from January 1, 2009, to December 31, 2011" and substituting "as of September 30 for each year from 2009 to 2012" and (b) by striking out "was the funding allocated for salary and wages" and substituting "were the salary and wage ranges." The amended question would then read:

How many supervisory and front-line staff positions were in each of the child and family services authorities as of September 30 for each year from 2009 to 2012, and what were the salary and wage ranges for supervisory positions compared to front-line staff?

The reason, of course, for the amendment is that the number of positions is fluid in terms of what positions have been hired to at any particular time and any particular place. I think the hon. member wants to be able to, as he said, measure trends year over year as things happen. I think the way we've rephrased the question will allow us to take a point in time in each year.

If the hon. member wants more information, I can certainly endeavour to do that at more than one point in time, but in the amended motion I'm offering a point in time in each year to discern how many people were employed in each of the child and family services authorities and then what the salary and wage ranges were with respect to the front-line staff. I anticipate being able to provide that information very quickly, but as I say, if that's not responsive to his question in terms of what he needs, I'd be more than happy to have that discussion with him to see whether further information could be provided or provided in a different way. I'm certainly prepared to answer it in this way and then have that discussion about broader information. I would encourage members to accept the amendments.

It would be very difficult to do it on a day-by-day basis through the course of the years, which is what the question as it's currently worded would require us to do. That would take a lot of time and effort, which I'm sure the hon. member hadn't intended. As the question is currently written – I won't go into the detail – it doesn't sort of look for a point in time. It looks for a range, so you'd have to go through day by day to properly answer the question and do that. We've picked a date and said we'd do it once per year on that date, and that gives you the trend lines.

My commitment to the member is that if he wants more, I'm happy to discuss it with him, and we can figure out how to do it in a way that doesn't utilize very important resources inefficiently but gets him the information that he wants.

**The Deputy Speaker:** Thank you, hon. Government House Leader. The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Speaker.

**The Deputy Speaker:** To the amendment.

**Mr. Wilson:** Yes, of course, sir.

I'm actually quite surprised. This seems very reasonable from the government benches. You know, it kind of makes me reflect on a number of other written questions where a similar type of information has been asked for, that have been about date ranges, and they've been rejected by the government because they couldn't provide date ranges. I don't know why a logical, reasonable amendment like this could not have been proposed for a number of those other ones, whether it be the ratios or the number of beds.

That being said, I'm not going to belabour the point. I think that we've made that point quite clear on this side, how we feel about some of those. I think that this written question's amendment is going to provide information that is critical. I hope that the government uses this as a bit of a template for future written questions that are asking for numbers and dates as opposed to just flat out rejecting it, whether it's because you don't want the information to be public or not. I think that this is going to provide information that will be helpful for all of us and for Albertans in general to understand.

I actually want to thank the Minister of Human Services for agreeing to this amendment. Thank you.

**Dr. Swann:** Having listened to the minister, I think it's eminently reasonable to accept the amendment, and I'll discuss with him further some of the finer points, which, I guess, have to do with the disbursement of resources to one or the other sector. I'm still interested in the total amount that is being paid by September to management and the total amount that is being paid to front-line staff even if it's at that point in time, in September.

Thank you.

**The Deputy Speaker:** Thank you.

Are there others?

I'll call the question, then.

[Motion on amendment carried]

[Written Question 24 as amended carried]

### Reported Abuse of Children in Provincial Care

Q25. **Dr. Swann:**

How many children who have been under the care of the province have been part of a reported situation of abuse, and how many of the reported cases have been substantiated for the fiscal years 2006-2007 through 2011-2012?

**Dr. Swann:** I do move Written Question 25. I think that's part and parcel of our responsibility as government to assess how our programs are managing, both identifying and getting into proper care, abuse situations, especially if they're under the care of the province. The question is self-evident.

Thanks, Mr. Speaker.

4:10

**The Deputy Speaker:** Thank you.

I recognize the hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. Again I would welcome the hon. member's question and his concern for the safety and well-being of children under care. I think everyone in this House, in fact all Albertans, should really put a high priority and emphasis on the well-being of children. Unfortunately, there are situations where intentional or nonintentional actions lead to a

child in care being harmed, and we have to work as hard as we can to minimize both of those, actually.

In 2008-2009 the ministry and the office of the Child and Youth Advocate began tracking and publicly reporting on children who experience abuse while in care. This tracking is now being done with consistency across the system. Pre-2008 data is not considered reliable as there was inconsistent usage in interpretation of definitions of abuse and the manner in which data was collected. These issues were resolved when the new system was introduced in 2008.

Begging the hon. member's indulgence, I would like to move that Written Question 25 be amended by striking out "2006-2007" and substituting "2008-2009." The written question as amended would then be:

How many children who have been under the care of the province have been part of a reported situation of abuse, and how many of the reported cases have been substantiated for the fiscal years 2008-2009 through 2011-2012?

Important information, I think, for us to have and to look at, but as I indicated, we don't believe that pre-2008 data is reliable; therefore, a system was put in place to appropriately track this carrying on from that year. The question as amended would provide the information that I think the hon. member would want to have to be able to focus on this issue and to delve further into it. Again, I'd be more than happy to have discussions with him as we go further with this. I think we share a common concern that we need to put our children first. We need to make sure that children are appropriately cared for and, when they are in the care of the province, that there are systems in place which ensure that harm, whether intentional or unintentional, does not befall a child where it can be avoided.

**The Deputy Speaker:** Thank you, hon. minister.

On the amendment, the hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Speaker. Again I want to thank the Minister of Human Services for understanding how important this information is for us and for Albertans to get an understanding of what's happening in the child and family services area. I don't have a lot to say other than that we'll certainly be supporting this amendment.

Thank you.

**The Deputy Speaker:** Thank you.

Are there others? The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. Just with respect to the amended question I guess I'd like to know the opinion of the mover in terms of what the effect of the amendment will be in the sense that it looks like two years are going to be omitted from the government's response. The rationale is, I think, that the definition of abuse was different back in those years. If the mover would like to answer that, I'd appreciate it.

**The Deputy Speaker:** Thank you, hon. member. We can get that answer, but this will close debate on the amendment.

Hon. Minister of Human Services, if you care to respond.

**Mr. Hancock:** I don't think there's an opportunity to close debate on the amendment. In any event, he was asking the question of the mover.

**The Deputy Speaker:** Well, this is your amendment, hon. minister.

**Mr. Saskiw:** The question is to Calgary-Mountain View.

**The Deputy Speaker:** Oh. Hon. Member for Lac La Biche-St. Paul-Two Hills, your question is to Calgary-Mountain View.

Please proceed.

**Dr. Swann:** Well, Mr. Speaker, I'm disappointed that we haven't had a consistent definition of abuse for more than four years in this province. I must say: it is what it is. If this government doesn't have reliable statistics before 2008, then so be it. There's no point in trying to dig through data to identify whether the old definition and the new definition are sufficiently similar that we can still make significant conclusions about the trends in abuse in care.

I guess I would accept the amendment at this time with great reluctance.

**The Deputy Speaker:** Thank you.

I think it's safe to call the question on the amendment.

[Motion on amendment carried]

**The Deputy Speaker:** Back to the motion as amended.

[Written Question 25 as amended carried]

#### **Cost for Residents in Continuing Care Facilities**

Q26. Dr. Swann asked that the following question be accepted.

For each of the fiscal years 2002-2003 to 2011-2012, what was the average annual cost for a resident in long-term, enhanced living, and designated assisted living facilities both in private and not-for-profit facilities respectively?

**The Deputy Speaker:** The hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you very much, Mr. Speaker. Again I'm rising on behalf of the hon. Minister of Health. I'm proposing on his behalf that there be an amendment to this written question. I'd allow for copies of the amendment to be circulated while I continue speaking if I may. Thank you. The question would read:

For each of the fiscal years 2009-2010 to 2011-2012, what was the average health care funding per resident per day for long-term care, and what was the average health care funding per resident per day for designated supportive living for 2011-2012?

Information such as the operating costs and the total cost to residents in these settings is not available. Funding information is not available prior to the consolidation of former health regions because the information was not collected in a consistent manner, yet another advantage of going to one region from seven. Work is under way to collect data on actual expenditures going forward. As such, the hon. Minister of Health is able to provide information on health care funding in long-term care and in designated supportive living. Furthermore, the information on the maximum accommodation charges to residents in long-term care settings is available publicly.

I'd ask all members to support this amendment to the written question, and I will take my seat.

**The Deputy Speaker:** Thank you, hon. minister.

To the amendment, the hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Well, thank you, Mr. Speaker. I'm somewhat taken aback by the comments from the Justice minister on the amendments to the written question from the fact that this government is responsible for regulating all long-term care, private care, enhanced living, and designated assisted living facilities in this province. It's somewhat striking to me that they wouldn't have the information

prior to the amalgamation or to Alberta Health Services coming under one umbrella. They are the regulators of these facilities, and you would think that they would be able to explain to the minister, even if it was under the regional health authorities, what the facilities were charging residents at the time. I think the question is very simple. It's the average annual cost for a resident in long-term, enhanced living, and designated assisted living facilities both for private and for nonprofit facilities respectively.

We've had this conversation before, when, quite frankly, we were trying to get any information out of the government in regard to the question that was asked last week on the staffing ratios. I know we've got several FOIP requests out right now, trying to just get some information. It's amazing to me that this somehow seems to be information that the government isn't willing to provide or willing to share. I know my colleague from Calgary-Mountain View has probably done the same amount of FOIP requests and had the same questions. I know we as the Wildrose have had written questions like this on the Order Paper over the last couple of years. It just strikes me that the government would not know when they're talking and continually bragging about the fact that there are a thousand continuing care beds that they have every year and about the plans that they have for the seniors in this province. It not only concerns seniors that are in these particular residences, but it could be, you know, folks a lot younger that can't live in a normal setting.

It strikes me, again, that the government does not want to provide this information and is now hiding behind the fact that when we had the regional health authorities, it was different then. Now we're under one umbrella, under Alberta Health Services. As I've said previously, the government is responsible for regulating these facilities, whether they're private or nonprofit.

4:20

**The Deputy Speaker:** Are there others on the amendment?

**Dr. Swann:** Well, I have to agree with my colleague from Calgary-Fish Creek that this really skirts the whole question and the whole purpose of the question. It's one thing to ask about the average annual cost for long-term care in each of those facilities. It's quite another for the government to say: we'll give you the average health funding per person. We would really like to know how the costs have changed and particularly a comparison between private and not-for-profit. That's the whole purpose of the question, and it's entirely sidestepped by the statement that they would give average health care funding per resident for long-term care and for designated assisted living.

I don't understand what the problem is. Even if it is for six years fewer in which they have the data, it's not going to give us answers to the question even in these last two years, which they're offering to give. It's not going to tell us what we actually want to know, which is a comparison of the average cost of long-term, enhanced, and designated assisted living between private and not-for-profit centres. It's a total ignoring of the question, I would have to say, Mr. Speaker.

**The Deputy Speaker:** Are there others? The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Speaker. I would tend to agree with my colleagues from Calgary-Mountain View and Calgary-Fish Creek that part of the original intent of this question was to get an understanding of the difference between private and not-for-profit care and what's being spent there. Again, we go back to a discussion that is very similar to one we had last week. I think that the

government's reluctance to be forthcoming with this information is suggesting that there's something to hide here.

You know, I'm happy to see that they're willing to at least amend the question as opposed to just flat out rejecting it, which has been some of the pattern we'd seen previous to today, but that being said, I think that there is some validity to getting a good understanding of what's happening in the private sector versus what's happened in the not-for-profit. If one is competing with or doing a better job than the other, I think that, again, we should have an understanding of that. If the funding model is different, if the government is providing the exact same, well, great.

It just seems to me a little bit odd that, again, they're withholding information. It's an unfortunate reality, but it's the one that we live in, so I guess we have to take what we're given.

Thank you.

**The Deputy Speaker:** Are there others?

Seeing none, I'll call the question on the amendment.

[Motion on amendment carried]

**The Deputy Speaker:** Now back to the motion as amended. Other speakers?

Seeing none, I'll call the question.

[Written Question 26 as amended carried]

**The Deputy Speaker:** The hon. Member for Calgary-Mountain View.

### Hospital Occupancy Rates

Q27. Dr. Swann asked that the following question be accepted.

As of January 1, 2010, January 1, 2011, and January 1, 2012, what were the total number of acute-care hospital beds in Alberta that were unoccupied due to limited availability of operational funding?

**Dr. Swann:** Thank you, Mr. Speaker. In other words, over a 12-month period how many beds were available but unstaffed and therefore unavailable for occupancy, leaving some hospitals and some wards overwhelmed largely due to the lack of operational funding?

Thank you, Mr. Speaker.

**The Deputy Speaker:** I'll recognize the hon. Deputy Government House Leader.

**Mr. Denis:** Thank you very much, Mr. Speaker. Again, I'm pleased to rise on behalf of the hon. Minister of Health, and again I'll try not to beat the dead horse. This is rather simplistic, what we're proposing.

I'm proposing this amendment to the written question, and the pages will circulate them now. May I continue, Mr. Speaker?

**The Deputy Speaker:** Please do.

**Mr. Denis:** Thank you.

The amendment proposes changing the range of dates for which the numbers would be provided, and the question, if the amendment is accepted, Mr. Speaker, would read:

As of March 31, 2010, March 31, 2011, and March 31, 2012, what were the total number of acute-care hospital beds in Alberta that were unoccupied due to limited availability of operational funding?

Changing the date to March 31 reflects the date at which the number of acute beds are reported. I'd ask all members to support this amendment to this written question, and I will take my seat.

**The Deputy Speaker:** Thank you, hon. Deputy Government House Leader.

**Dr. Swann:** Well, I'm pleased with the amendment, Mr. Speaker. I didn't anticipate that we'd have as much willingness on the part of the government to go back further, so this is a positive amendment. Thank you.

**Mrs. Forsyth:** Mr. Speaker, on behalf of the Wildrose I also want to thank the government for providing an amendment that we can also accept. It's unfortunate that we couldn't get the same sort of agreement on some of the long-term care and continuing care beds, but by all means this is a very positive step.

[Motion on amendment carried]

**The Deputy Speaker:** Now to the motion as amended. Other speakers?

Seeing none, I'll call the question on the motion as amended.

[Written Question 27 as amended carried]

### Motions for Returns

[The Clerk read the following motions for returns, which had been accepted]

#### Nuclear Power

- M1. Mr. Hehr:  
A return showing copies of all correspondence between Bruce Power and the government regarding proposals for nuclear power in Alberta for the period between January 1, 2006, and February 20, 2011.

#### Public-private Partnership School Designs

- M4. Mr. Hehr:  
A return showing copies of all communications between Alberta school boards and the Ministry of Infrastructure regarding complaints concerning P3 school design.

#### Government Aircraft Records

- M2. Dr. Swann moved on behalf of Dr. Sherman that an order of the Assembly do issue for a return showing a copy of all detailed information, including flight records, final destinations, duration of stay, unscheduled stops, and a list of occupants on each flight, however recorded or archived, by electronic means or otherwise, that relates to the operation and usage of any provincially leased or owned aircraft from December 16, 2010, to April 23, 2012.

**The Deputy Speaker:** The hon. President of Treasury Board and Minister of Finance.

**Mr. Horner:** Thank you, Mr. Speaker. We are rejecting this motion because all of this information is currently available on the website. It would seem to be somewhat of a redundant exercise.

**The Deputy Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. I'm rising to speak in favour of this motion. Of course, we have to ensure in this

Assembly that every single tax dollar is spent wisely. This information is about the use of provincially owned or leased aircraft. I know that this information is likely available through FOIP applications, and I'm sure that the leader of the Liberal Party will be processing the appropriate FOIP requests, but if the information is readily available, I think that one should err on the side of full disclosure. We have a Premier that's talked about being open and transparent. If this information is, as the hon. Finance minister says, available on a website, then clearly this information could easily be provided. I'm under the assumption that this motion is actually asking for very detailed information that may not be on the website, including things like unscheduled stops and so forth. In this circumstance I would err on the side of fuller disclosure.

Why this information is, of course, relevant is that there are instances – I know that in my own constituency an MLA flew to my constituency for the opening of a school. It wasn't the Education minister or the Minister of Infrastructure; it was simply an MLA from another constituency. That forced me to of course FOIP the expenditures on that particular flight to garner the amount of wasted taxpayer dollars in that circumstance. Potentially, it could be zero if the plane was already, of course, scheduled and so forth, but it's interesting information to see what kind of taxpayer dollars are being expended on what, I would suggest, would be in that circumstance an unnecessary trip.

So I think that the hon. leader of the Liberal opposition is simply trying to garner as much information as possible to ascertain whether or not taxpayer dollars are being spent wisely.

4:30

Again, if this information is available, I don't see why the government would just simply reject this motion out of turn. It seems that there's almost the implication that this information should be hidden or something. So I speak in favour of this motion.

Of course, the other important information here, I think, is that we've had a debate on medevac. It'd be interesting to see how much the municipal airport is being used by government planes, planes that are owned by the government, of course, or planes that are leased by the government. I think that information would be relevant and pertinent to the medevac debate. You know, there's been an ongoing debate on how much the municipal airport was used. Of course, during this time period my understanding is that the cabinet ministers – that the provincially owned planes would be almost used exclusively at the downtown airport, so it'd be interesting to see what the numbers are there.

The reason I think the list of occupants on each flight is included in the motion for a return is so that the opposition can ensure that taxpayer dollars are being closely scrutinized so that if there's a particular flight with a particular occupant and that doesn't use taxpayer dollars wisely, we can then put that to the government to ensure that in the future flights are only used for critical core services that the government provides, not as an airplane to use freely just for the sake of using it and it being more convenient. We need to ensure that every single tax dollar is spent wisely. If this information is regularly available during this time period, I would suggest that the government provide it rather than trying to stop the opposition from knowing this information.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you.

Are there others? The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I found that last speech rather astounding from a party and a member who constantly talks



about taxpayers' dollars and respecting taxpayers' dollars, that he would want a motion for a return to have somebody tasked to go through and compile all of this information and put it in written form so that it can be tabled in the House, so that it can be stored in perpetuity in the archives, so that it's available for them, when they can go to the website. On the website it has:

The manifests include the following information:

- When the flights took place;
- Which government aircraft was used;
- Where the flights began and ended;
- The purpose of the trip; and
- Who was aboard.

This is for the years 2007, 2008, 2009, 2010, 2011, 2012, 2013. The information that was requested is on the website. Everything that they've asked for is on the website. The information is publicly available.

For that hon. member to get up and make the speech he did about hiding information, about all that sort of stuff: absolute balderdash. For that hon. member on a day-to-day basis to talk about wasting taxpayers' money and then get up and say, "I'm going to submit FOIP requests," so that some FOIP co-ordinator can spend a lot of time doing his homework for him by going to the website and getting all the information down and copying the pages so that we can bring it in and table it here so that he can have it handy to look at: absolutely absurd, hon. member. You should be ashamed of yourself. This question should be rejected.

You know, written questions and motions for returns are great tools to frame a question, to ask for specific information that may or may not be available, but to put one on that asks for information that's readily available, and they're just too lazy to do the work: that's absolutely absurd.

**The Deputy Speaker:** The hon. Member for Drumheller-Stettler.

**Mr. Strankman:** Yes, Mr. Speaker. I'm pleased that the minister of agriculture is returning to the Assembly because I'd like to relate . . . [interjections]

**The Deputy Speaker:** We don't refer to the absence or departure or otherwise of a member. Carry on with your point on the amendment, hon. member, please.

**Mr. Strankman:** On the 14th of February, Mr. Speaker, I had the opportunity to use a government Dash 8. Through our party I was able to fly down to Calgary on a 37-passenger Dash 8 that flies out of the municipal airport almost on a daily basis. On this day the aircraft flew with 19 bodies out of whatever. At the Western Barley Growers convention I met with other significant members of the opposition who also had taken a government aircraft that day. There are hon. members across – and I think he knows who I'm speaking of – who were also there and attended that same facility. They took a separate aircraft.

The pilots on my aircraft told me when I returned to the hangar at Calgary that those gentlemen had returned. Their aircraft had already left for Edmonton. I had made a personal request to the member opposite to fly on that aircraft. I was denied. Now, maybe the member opposite was going to a different location. I don't specifically know that. But to the gentlemen . . .

**Mr. Hancock:** Go to the website and find out.

**Mr. Strankman:** It's not available, Mr. Minister.

Mr. Speaker, the utility of the Dash 8 is not available on the website. You can find out the passenger manifest. The long-term utility of an aircraft flying at 50 per cent capacity or less is not in

the best interests of the taxpayers of Alberta. Certainly, I've talked to the pilots of that aircraft that I flew with. [interjections]

**The Deputy Speaker:** Hon. members, please. The Member for Drumheller-Stettler has the floor. Thank you.

On the question, hon. member, please.

**Mr. Strankman:** It's my understanding that these aircrafts are not being used to the utility that they're required for the taxpayers' dollars, and the method to find out this information is not available to taxpayers. That's the reason I'm in favour of this motion. I've had personal experience with the use of these aircraft, recent experience. That's what I wish to tell you about, Mr. Speaker, that it's not available.

When the medevac flights go to the International, there's going to be the movement of the same transport department. I don't know if those expenses are going to be allowed to be rolled into the file required to find out information. Under the Results-based Budgeting Act I don't know that there's been a review posted either for the use of these taxpayers' dollars in this function.

So I would like to vote in favour of this motion.

**The Deputy Speaker:** Thank you, hon. member.

The Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Well, thank you, Mr. Speaker. It gives me a great deal of pleasure to stand up and debate this motion because I've been on that side, and I know the frequency of the government plane both as a cabinet minister and a private member and now as a member of the opposition. I understand what the Member for Edmonton-Whitemud is saying in regard to the manifest and what's available online. What isn't available online is the room that's available.

I would like to talk, from a personal view, about when the members for Calgary-Mountain View and Edmonton-Meadowlark – the Member for Calgary-Mountain View may recall this – and I had been asked to attend a health debate back sometime that was being televised both in Edmonton and Calgary. The members for Edmonton-Meadowlark, Calgary-Mountain View, and I tried to get on the government plane, and we were told it was full. We were attending the same debate as the Minister of Health at that particular time. We're off scrambling, trying to get onto a regular flight, which, quite frankly, is quite costly to the taxpayers. The same thing when we tried to go back: the flight was full.

We've had this discussion in our caucus. For some of us that come from southern Alberta, quite frankly, the roads can be a little treacherous at times. And the flight is always full. For us it's important to find out exactly what flights are available. I know when I was a government member flying up sometimes on Sunday nights or Monday mornings on the government plane and also flying back Thursdays at – I forget – I think it was 6 o'clock, there are times that they make space available on whatever plane they're going to use depending on how many members are on that particular government flight. There is always – I would suggest 90 per cent of the time – room available.

So while some of that is what the Member for Edmonton-Whitemud has said, that it's available on the website, I think that probably if you read the motion to its fullest, it says:

. . . a copy of all detailed information, including flight records, final destinations, duration of stay, unscheduled stops, and a list of occupants on each flight, however recorded or archived, by electronic means or otherwise, that relates to the operation and usage of any provincially leased or owned aircraft from December 16, 2010, to April 23, 2012.

4:40

Well, it's all well and good to brag about what is available on those flights. I remember that the previous member for Rocky Mountain House, who was actually the Minister of Transportation at that time, was quite agreeable in regard to posting some of this information.

So I think that if you look at the motion in whole, it will be quite revealing on how many times planes have come back deadheaded. You might have a plane where you're only travelling with two or three people. I think the government has to remember that this is a plane owned by the taxpayers of this province. They would like to see some accountability for some of this. I think if they want to brag about what they do post on the website, the rest of the information can also be posted.

**The Deputy Speaker:** Are there others? The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Speaker. You know, as I sat back listening to the hon. Government House Leader in his little tirade there, I just flipped open the unparliamentary language section of *Beauchesne's*, and I found probably at least four or five different indications where unparliamentary language was clearly used. I think if you were to go back and read the Blues, you would see that as well.

I'm not going to stand up and talk to the motion. I just simply want to put forward that, you know, it was a rather unfortunate use of language that the hon. Government House Leader chose. I think that it's an unfortunate piece of that debate. [interjections] I'm sorry. What was that?

**An Hon. Member:** Raise a point of order, then.

**Mr. Wilson:** Well, I appreciate the option to do that. You know, I couldn't find them quite quick enough to raise the point of order, but thank you.

**The Deputy Speaker:** Are there others on the motion?  
Seeing none, I'll call the question.

[Motion for a Return 2 lost]

#### Swan Hills In Situ Coal Gasification Project

M3. Dr. Swann moved on behalf of Ms Blakeman that an order of the Assembly do issue for a return showing a copy of all reports, studies, financial forecasts, and any other materials prepared for Alberta Energy on the Swan Hills in situ coal gasification power project and the associated carbon capture and storage project.

**The Deputy Speaker:** I recognize the Minister of Energy.

**Mr. Hughes:** Thank you, Mr. Speaker. The motion for a return, as the hon. member has indicated, asks for documentation on the Swan Hills in situ gasification power project. In fact, I have consulted with the hon. Member for Edmonton-Centre – we had a very pleasant chat – and the information specific to carbon capture and storage particular to coal gasification will be directly provided to the member in the very near future.

It's also really my understanding, Mr. Speaker, that the member was looking for information to confirm or to better understand that CCS is indeed an appropriate use of taxpayers' dollars. Of course, we're all interested in that topic. I'm sure this will help people understand that circumstance. So because of the importance of

this, I will also be making the same information public and available electronically.

Of course, Mr. Speaker, my door is always open to members of all sides of the House to provide information as requested.

I move at this point as a technicality to reject the motion.

**The Deputy Speaker:** Are there others? The hon. Member for Strathmore-Brooks.

**Mr. Hale:** Yes. Thank you, Mr. Speaker. I would like to speak in favour of this motion for a return. There are many questions that I feel need to be answered. There was a news release that the Alberta government put out saying that at this time it didn't meet the scope of the government's funding requirements. I would actually like to know what those funding requirements are for CCS.

You know, \$285 million has now been postponed, and it has not been reallocated, what they're going to do with that \$285 million. Just throwing it out there that maybe that could be put in the minister of agriculture's fund. That would take care of that 6 cents a litre for about eight years for the Alberta farmers that produce the food for our great province if they are looking for somewhere to go with that money. There is nothing that says what that money is going to be used for now.

The gasification of this coal underground to produce this synthetic gas: it's been mentioned that they would like to see gas at \$5 a gigajoule. Currently it's quite a bit below that. So what is the funding? You know, is \$5 a trigger? If it is, then what are their projections for how long it will take to get into that range of \$5? We've heard it could be many, many years before it's \$5 again.

There's quite a bit of information that could be presented. I'm happy to hear the hon. Energy minister say that his door is always open. Again, he's been very forthcoming with myself, you know, meeting and answering some questions, and I like to hear that. But I think that it could be made a little bit more public, some of this information.

What is the total cost of the carbon capture and storage for this project? If the government is putting in \$285 million, what's the total cost of that? How much money is the company going to be putting in? What is the trigger that actually makes it worth while? Is it \$5 just to cover that \$285 million, or is it \$5 a gigajoule to cover the total expense, and how much profit is going to be made after all their expenses? That's something I would like to find the answers to.

So, you know, I would like to stand in favour of this return. Obviously, from the Energy minister's statements, he will not be tabling this return, so I guess he can look forward to a visit from myself in the near future.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.  
Are there others?

Would the mover like to close? The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Well, thanks, Mr. Speaker. I guess I was a little confused by the minister's response. At first I thought he was planning to provide the information, and then he indicated that he wasn't prepared to honour the motion for a return and, instead, will be tabling it at some future date. I guess that's the same as responding to the motion for a return.

It's clearly something that is on the minds and, obviously, in the budgets of our government. We need to know all that we can, and I guess we'll come back afterwards, then, with further questions depending on what information we receive.

Thank you.

**The Deputy Speaker:** Thank you, hon. member  
I'll call the question.

[Motion for a Return 3 lost]

**The Deputy Speaker:** The hon. Member for Calgary-Mountain View on behalf of the Member for Calgary Buffalo.

### School Fees Details

M5. Dr. Swann moved on behalf of Mr. Hehr that an order of the Assembly do issue for a return showing a list of the fees charged to parents by each of Alberta's 62 school boards for each of the school years from September 2009 to June 2012.

**Dr. Swann:** Well, thank you, Mr. Speaker. It's a pleasure again to rise. This is obviously trying to get at some of the increased costs for families associated with fees that are meant to make up the difference between what school boards are receiving from government and what they're forced to garner from parents. It's a recurring question that, I guess, many of us have about when the government is going to adequately fund our public education system and ensure that we're not nickel and diming or indeed severely compromising some individuals, especially those of few means, in our school system. So I look forward to hearing the minister's response.

Thank you, Mr. Speaker.

4:50

**The Deputy Speaker:** Thank you.  
The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. Well, there are a number of things in the question that would beg for comment with respect to whether you can actually tell what the hon. member was asking from the information. Just because school boards are charging fees does not necessarily mean that the system is underfunded. In fact, we have one of the best if not the best funded education system in the country and, I might say, the best results in the country if not in the English-speaking world, as some, the Prime Minister of Great Britain, would believe. However, the question of school fees has become an issue in the last few years. Now, school fees are within the purview of the school boards, and we should be very clear on that. There's a range of areas in which they can set fees and collect fees.

We are prepared to provide information where we have it. I would ask that this motion be amended so it can be answered by the Minister of Education, and I would propose the amendment read: be it resolved that Motion for a Return 5 be amended by striking out "for each of the school years from September 2009 to June 2012" and substituting "for the 2011-2012 school year as collected by the department." The amended motion for a return would then read as follows:

That an order of the Assembly do issue for a return showing a list of the fees charged to parents by each of Alberta's 62 school boards for the 2011-2012 school year as collected by the department.

As I mentioned, Mr. Speaker, school fees are the purview of the school boards. This return as moved requests school fee data from September '09 to '12, so for essentially three school years. The department only has detailed information on school fees charged by the boards for the 2011-12 year simply because we never collected that data from school boards previously. That was entirely within their purview and their authority to do. We did collect it in 2011, however, in response to a specific request by the previous Minister of Education, so that information is in hand and

available. If the members would like to have information with respect to the other school years, they can do exactly what we would have to do, and that is contact the school boards and get the information.

I would ask that the amendment be passed so that we can provide the information that we have and so that we do not have to, again using taxpayers' dollars, go out and collect other information, which is available to them, from those other jurisdictions. If it's that important and relevant to them, that's a process they could undertake. It's not one that I would suggest we should have Department of Education officials use their time to do. They have the information. They're working on a go-forward basis on the whole issue of school fees. The issue of school fees is important to people.

Certainly, on a provincial basis we now have the 2011-2012 data available. It wouldn't, I would suggest, be in anybody's best interest to set up a make-work project to go back and collect the historical data which we don't have.

**The Deputy Speaker:** Thank you.

On the amendment? The hon. Member for Cypress-Medicine Hat.

**Mr. Barnes:** Thank you, Mr. Speaker. I would like to speak against the amendment. Of course, the elimination of school fees was one of the main components of our campaign. At the doors we received lots of favouritism for this, a lot of parents feeling that there were a lot of extra costs. There were some hard times with affordability for some of the parents. There was a lot of discussion that in a system such as ours it was an unnecessary burden on a lot of lower income families.

With the question specifically, though, I like how the hon. member had it worded, how it was going to show the difference between each of Alberta's 62 school boards for what they were collecting, rather than the way the government has proposed in the amendment, as collected by the department. From what I've been hearing in Cypress-Medicine Hat, it almost seems like no two schools, no two school boards are the same. They all charge different amounts. Some force them to collection agencies; some don't. Some tie up tons and tons of administrators' time in phoning parents for the fees, chasing bounced cheques, explaining why these work.

Surely to goodness it would be beneficial to the 87 of us in here to see how this information relates to all 62 school boards, to see how the enforcement works, and maybe to see how it's tied to the results of each of these schools. Again, because of the situation where all the different school boards have the ability – and there are certainly a lot of strengths in that – to charge different amounts, let's see where it's working.

I'll tell you an interesting story on almost a personal basis. I have a grade 7 son who plays basketball, three baskets last game. There's a school in my constituency where a lot of Mennonite people have moved into the school, and the teachers and the people involved have been doing tremendous work getting these kids involved. The kids are playing on the basketball team, getting more and more involved in the school as time goes by, and large parts of this are working. But one of the interesting things that was discussed was that when the issue of fees were charged to some of these kids, it became a real roadblock, a real difference in culture, a real difference of opinion, a real difference in the value of school and in some cases the value of athletics.

Again, in my opinion, in this day and age of shared technology, in this day and age of shared information, this would be very, very valuable information for all the 62 school boards to share and for

the 87 of us in here to have access to to debate these motions. For that reason, I speak against the government's amendment.

**The Deputy Speaker:** Are there others?

Seeing none, I'll call the question on the amendment.

[Motion on amendment carried]

**The Deputy Speaker:** Now back to the motion as amended. Are there other speakers?

[Motion for a Return 5 as amended carried]

**The Deputy Speaker:** The hon. Member for Calgary-Mountain View on behalf of the Member for Calgary-Buffalo.

### Public Funding for Private Schools

M6. Dr. Swann moved on behalf of Mr. Hehr that an order of the Assembly do issue for a return showing a copy of all government studies on the impact of reducing public funding to private schools.

**Dr. Swann:** Thank you again, Mr. Speaker. For the final push I think the intent is evident that we on this side believe that there's an inordinate amount of money going to private schools that should be invested in the public system to ensure that they have maintenance issues dealt with and that children's education is in a suitable environment.

I'll take my seat and allow debate.

**The Deputy Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. On behalf of the Minister of Education I would urge the House to reject this question. Alberta is recognized for providing one of the best education systems in the world. It's a system that's built on a range of educational choices, including public, separate, charter, francophone, and private schools. Students consistently perform among the best in Canada and around the world, and accredited private schools have officially been part of that and have officially been recognized in Alberta since 1946 and have received some form of public funding since 1967.

Accredited private schools are funded at either 60 per cent or 70 per cent of the base instructional operational funding for public and separate schools, and they do not receive capital funding or a number of differential grants such as transportation, class size, small schools by necessity, to name a few. To qualify for government funding, private schools must be accredited by the Ministry of Education and must meet a specific set of expectations. Accredited funded private schools must follow the Alberta programs of study and must employ Alberta-certificated teachers. Additionally, the schools are required to prepare and regularly update three-year education plans and annual education results reports.

Private schools are providing Alberta kids and their parents with educational options, and for this reason we believe that they are an important part of the choice that should be celebrated, not condemned. The Alberta government has not done a study on the impact of reducing public funding to private schools and is not considering doing one. Therefore, again, I would encourage the rejection of the motion.

I might say, though, that it doesn't take much analysis to understand that if you stop funding private schools, and therefore the attendance numbers at private schools goes down and the attendance numbers at public schools goes up, there would be

more public money required to fund that because we fund on a per-student basis and we fund a hundred per cent of the public schools and we fund transportation grants, etc. . . .

**The Deputy Speaker:** I hesitate to interrupt you, hon. Government House Leader, but the time for the consideration of this matter has expired.

### 5:00 Motions Other than Government Motions

**The Deputy Speaker:** The hon. Member for Airdrie.

### Fiscal Policy Legislation

506. Mr. Anderson moved:

Be it resolved that the Legislative Assembly urge the government to introduce legislation which would do the following: limit spending increases to no more than population growth plus inflation, prohibit the introduction of a budget that proposes a cash deficit, allocate half of all cash surpluses to the Alberta heritage savings trust fund, and amend the appropriate legislation to suspend the practice of spending the interest generated by the fund until it reaches an amount of at least \$200 billion.

**Mr. Anderson:** Thank you very much. Mr. Speaker, I'm proud to introduce private member's Motion 506 at a time in our province's history when an assessment about the government's record of fiscal management could not be more important. Two weeks ago Premier Redford . . .

**The Deputy Speaker:** Hon. member, we don't refer to members by name.

**Mr. Anderson:** Oh, sorry. My bad.

Two weeks ago the Premier introduced her 2013 back-in-debt budget. It was our province's sixth deficit in a row and a damning indictment of this PC government's recent fiscal mismanagement. Budget 2013 was where all the irresponsible PC election promises collided with reality, leaving a trail of broken promises and affirming the warnings of so many who said that the projections in last year's budget were borderline hallucinogenic. But the dire situation revealed in Budget 2013 did not just start last year. It is the culmination of a long-standing lack of concerted and consistent fiscal discipline.

Although left-wing politicians, including most of the PC MLAs opposite, claim that the problem stems from a lack of provincial revenue, the opposite is, in fact, true. The Alberta government has a spending problem. Unlike some human beings, numbers don't lie. The majority of the last two decades have brought annual record revenues flowing into the provincial treasury. Because of the fiscal restraint shown by Albertans during the '90s, our province was able to eliminate a \$23 billion debt albatross taken on by former Premier Getty while posting 13 consecutive provincial surpluses of more than a billion dollars a year.

Then came the years of excess. In the last 10 years preceding this budget, the Alberta government increased spending by 100 per cent. That's double the rate of inflation plus population growth. The Premier's first budget increased operating expenses at a staggering rate of 6.9 per cent, or \$2.4 billion. Economists, policy analysts, advocates, and commentators have long warned of the peril in the government's robust increases in year-over-year spending since 2005. The provincial government has been repeatedly advised that continuing to ramp up spending at the rate of the past several years was unsustainable and would quickly

deplete all of our savings, and they were right. In 2008 our province had almost no debt and a \$17 billion rainy-day fund. By election 2016 we'll have a \$17 billion debt and no rainy-day fund.

This sorry state of affairs is bound to happen when one party has been in power for more than four decades and has failed to implement or maintain rules to ensure fiscal discipline and responsible management. Balanced budgets and refraining from debt are not ends in and of themselves, but they are critical to ensuring the long-term sustainability of core social programs that are important to Albertans. Balanced budgets and responsible surplus management ensure that we fulfill our responsibility to future generations, ensuring that the opportunities for prosperity are even greater for them than what we enjoy today. It is up to us to take the torch, to grow the Alberta advantage to new heights, and then pass that torch to others after a job well done. Sadly, we are not fulfilling that duty. It is time to start, and we can do so by passing and implementing Motion 506 today.

The first part of Motion 506 limits annual government spending increases to no more than the rate of population growth plus inflation. Every day Alberta families make responsible spending decisions to make ends meet and save money for their future. By limiting spending increases in this manner, the government will be able to sustain core social programs and preserve funding for infrastructure, municipalities, and front-line workers such as nurses, teachers, and social workers, all the while balancing the books and having money left over to save for the future.

Some of those over on the other side may recall that I advocated for this spending restraint role while still a PC MLA. I remember the former Treasury Board president being irate with me because I dared to challenge him in question period as a government backbencher on the issue. I followed that up with a private member's bill calling for this legislated spending cap, which was soundly defeated by the PC majority. I was told I was being too inflexible, that everything would work out. Well, guess what? Everything did not work out. I'm not happy about being able to say that I told you so, but here it is. If this government had held spending increases to inflation plus population growth since just 2005, Mr. Speaker, the last six deficit budgets would have all been surpluses. Instead, our \$17 billion rainy-day fund is gone, and we are staring at \$17 billion in debt by election 2016. Those who allowed this to happen should be absolutely ashamed.

People often ask: what spending would you have forgone since 2008, for example? Easy. We would have cut all corporate welfare grants, and that would have saved us billions of dollars. We would have shrunk the size of what we spend on AHS and government bureaucracy by 20 per cent, saving billions more. We would have held the line on front-line wages to cost-of-living increases. We would have shrunk the number of government managers to workers from 4 to 1 down to 10 to 1. We would have cut cabinet and MLA pay, forgone Olympic-size junkets, mothballed a \$300 million new MLA Taj Mahal, and ended the long line of patronage appointments to friends of the government family. In short, we would have spent the money where Albertans needed it instead of where the PCs wanted it.

Motion 506 also asks the government to "prohibit the introduction of a budget that proposes a cash deficit," starting in Budget 2014. Although the Wildrose has offered a balanced budget alternative since 2010, the fiscal mess the PCs have us in today will necessitate now a two-year plan to get us back into balance without the need to cut front-line services, positions, and salaries, as we promised during the 2012 election. Unlike the governing party, this party keeps its promises. This government has thrown out Ralph Klein's no-deficit and no-debt law. A Wildrose government would bring it back.

Then there's the issue of savings. This government has proved itself to be the most incompetent fiscal regime in our province's and potentially our nation's history. We know that in 2008 our province had almost no debt and a \$17 billion rainy-day fund. By 2016 we will have a \$17 billion debt and no rainy-day fund. The recent treatment of the heritage fund, established by Premier Lougheed, that was meant to save enough of our resource wealth so that future generations wouldn't have to rely on oil and gas forever – this visionary plan has been the most neglected of all. What has transpired instead has been nothing short of intergenerational theft. The heritage fund, when adjusted for inflation, is worth less today than in 1976, when Lougheed created it. Think about how disgusting that is. It would be worth roughly \$137 billion today had the annual interest, just the interest, earned since 1986 been left in the fund to grow without the need of investing even one more cent of resource revenue. Instead, it was spent, all of it squandered, wasted. The fund is worth only \$16.4 billion today. What a waste.

I'm glad to see that the importance of growing the heritage fund finally seems to be on the government's radar, but the government's plan to borrow billions each year just to save a few million in the heritage fund is entirely counterproductive to becoming financially independent. Wildrose will not allow the heritage fund to continue to be squandered. Motion 506 says that upon the budget being balanced, we would legislate a rule to allocate half of all cash surpluses to the heritage fund. We would then also "amend the appropriate legislation to suspend the practice of spending the [annual] interest generated by the fund until it reaches an amount of at least \$200 billion." There is no time to lose. I am not willing to look my children and grandchildren in the eye 20 years from now and try to explain how this generation was too incompetent, too selfish, too morally bankrupt to even save a small fraction of our nonrenewable wealth so they can keep the core services and job-friendly environment we enjoy long after the day of massive oil wealth has passed.

As the Official Opposition the Wildrose understands that we must propose solutions and demonstrate how we would do things differently. We have put forward robust policy proposals during the past three years in our 100-plus page caucus policy green book, in our annual alternative balanced budgets, in this year's Wildrose financial recovery plan, in the 10-year debt-free capital plan, and in a series of pledges to Albertans during the last election. I would suggest that no opposition party in our province's history has offered more concrete, proactive solutions than we have, and we are very proud of that. Most of all, Wildrose will be guided by our number one motivation, Albertans. We will continue to work hard every day to make this province a better place for our neighbours, our children, and our grandchildren for decades to come.

I ask that my fellow members pass this motion immediately and get to work implementing it in legislation for all Albertans now and tomorrow. Thank you very much, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

The hon. Minister of Finance and President of Treasury Board.

**Mr. Horner:** Well, thank you, Mr. Speaker. Obviously, there's a lot of political hyperbole and, I would say, some fairly insulting language in a lot of what was said there. Let me get to the basics of this. I appreciate that the hon. member has come up with some constructive ideas, many of which actually have been considered or suggested in past reviews of Alberta's fiscal framework. In fact, the results of the government's most recent review of the framework are actually contained in Bill 12, the new Fiscal

Management Act, which is currently before the House. With that proposed legislation and Budget 2013 the points that have been raised in this motion are actually no longer needed.

The motion proposes that spending increases be limited by law to no more than population growth plus inflation. Mr. Speaker, the budget that we currently have before us in this House holds the line on spending. The rate of growth in operating expenses is zero per cent in 2013-14, well below the estimated 4.3 per cent rate of population growth plus inflation. While population plus inflation can be considered as an important consideration, we don't believe that it's a measure that should be mandatory.

5:10

Limiting spending increases based on these factors is far too simplistic and inflexible, especially in a province like ours, Mr. Speaker, where growth is inevitable. We are growing at a tremendous rate. Population plus inflation doesn't take into account the demographics or other pertinent factors. For example, the demand for social programs and growth in the number of seniors accessing health care and seniors' programs isn't equal to population growth. Enrolment growth in early childhood to grade 12 or postsecondary education is unlikely to be the same either.

While we do consider population growth and general inflation as we develop budget targets, legislating this would be problematic. I do recall the hon. member having discussions in our caucus about whether or not we should legislate a cap on spending, but we have growth in our province, Mr. Speaker. We have people coming here because we have jobs. That's not to say that the government shouldn't rein in spending, and as shown by this current budget, we currently are doing that. We're doing this by putting our house in order first and taking a very careful look at our spending because it's the right thing to do. We have had to make some tough but thoughtful decisions with Budget 2013. We're also continuing to look at the efficiency and effectiveness of our programs and services through results-based budgeting.

We're freezing MLA and management pay and reducing the number of public-sector managers by 10 per cent. The hon. members across the way talk a lot about: they're going to cut 20 per cent of the management in government. You could get rid of all of the managers in the GOA, Mr. Speaker, and it would save you half a billion dollars this year. But what do you do next year? No managers. No growth.

We successfully negotiated a deal with the teachers that sees three years of zero increases, Mr. Speaker. We're holding the line, and we're living within our means because it's the right thing to do, not because it's been legislated. We were elected to make those decisions by the people of Alberta.

Another proposal from the motion is the prohibition of the introduction of a budget that proposes a cash deficit. Mr. Speaker, the proposed Fiscal Management Act legislates that the operational budget can only be in deficit if there are sufficient funds in the contingency account to offset it. I take a bit of an issue when the hon. member said – and his leader said this, too – that the rainy-day fund is going to be gone in three years, that it's going to be – poof – gone, disappeared. I guess they're not really looking at the column which shows that the balance at the end of the year in 2016 is more than 4 and a half billion dollars. The balance of total savings for the province of Alberta is more than \$24 billion. Hardly poof, but I guess they're having difficulty reading financial statements.

Mr. Speaker, we're also in that projecting an operational deficit of \$451 million. That's true, and it's a great concern to us. We're withdrawing the funds from the contingency account to deal with

that, and that's exactly what the contingency account was set up to do. It was to provide short-term fiscal stabilization.

I'd also like to remind members that Alberta is in a net asset position, the only province in Canada to be in that position, Mr. Speaker. In fact, our net asset position will grow over the next three years to \$44 billion. The legislation that was previously before the House, which had the definitions in section 2, that the hon. member was waving at me yesterday, was all about the change in net assets for the province. That's the definition that was used previously. Now, we're going to use that, and we're going to use the operational deficit or surplus to show Albertans exactly what's happening in their operating and their capital and their savings.

Lastly, the motion suggests allocating half of all cash surpluses to the Alberta heritage savings trust fund. Interesting concept, Mr. Speaker. It would also require the fund to retain all interest earned by the fund until it reaches at least \$200 billion. Two hundred billion. What happens if there are no cash surpluses? What do they do then?

Bill 12, on the other hand, will take an annual portion of nonrenewable resource revenue right off the top – right off the top – before it's even considered for use in expenditures and place those funds into savings, Mr. Speaker, because that's what Albertans told us they wanted us to do, save in the good times and in the challenging times, and Bill 12 does that. So our savings will be driven by our revenue intake and aren't dependent on running surpluses. That means we're going to save both in the good times and in the challenging times, as I said, and it's going to reduce our reliance on nonrenewable resources, just as Albertans told us that they want us to do.

Bill 12 also retains an increasing portion of the heritage savings trust fund's net income, and on that we agree. That's why we put it in there. That's why it's in this budget, Mr. Speaker. By 2017-18 a hundred per cent – a hundred per cent – of the fund's net income will be retained for our future generations, which I'm sure the hon. member will agree is a good thing.

The act also doesn't prevent us from adding additional amounts into those savings, Mr. Speaker. The government knows how important savings are, and we will add more money when we are able to do so, money beyond what's legislated in the act.

Mr. Speaker, I would argue that the changes being made to the fiscal framework in Bill 12 provide more flexibility to deal with actual spending pressures that arise. We've seen some of those in the past years. You know what? This government continued to maintain its capital spending through some very, very difficult times, that kept 80,000 Albertans at work, that built the infrastructure that Albertans need, including the schools that this hon. member talks about. That's what Albertans wanted us to do.

I don't know if you know this, Mr. Speaker, but I'm a grandfather. I'm actually a proud grandfather of three grandsons, and probably about 10 years from now they're going to need some schools to go to, in less than 10 years, actually. I want them to be able to go to school, and in the future their parents will pay for schools, too. Their parents will pay for roads and hospitals and all those other things that we're building today. That's why Bill 12 is important. It sets the fiscal framework so that my grandkids are going to have schools to get into in the next few years, not wait for when we have some sort of cash accounting voodoo that they're doing over there, that they can build it in cash.

Mr. Speaker, this new act that we've introduced into the House, Bill 12, limits the ability to have operational deficits and takes money off the top to cover our debt-servicing costs and our savings. It implements a strict savings plan that in some ways goes

beyond the steps that are proposed in this motion. So I cannot support this motion because Bill 12 is better.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. minister.

I recognize the Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Yes, please. Thank you, Mr. Speaker. I'm happy to rise and speak to Motion 506, put forward by the hon. Member for Airdrie. I just want to indicate that I'll be saving my comments on Bill 12 for the actual Bill 12 debate and avoid getting into, you know, a comparison between a bad plan and a worse one, but I do want to put on record some of the views of the NDP with respect to the motion that has been put forward by the Wildrose opposition.

Mr. Speaker, the first thing I want to say is that this particular motion unduly restricts the tools available to government to manage economic growth and budgets of the province of Alberta and in doing so, I think, will create far more problems than it solves.

5:20

For example, the limitation on spending increases to no more than population growth plus inflation makes sense as a good policy to be followed most of the time, but by placing it into legislation, as the Wildrose would like, it locks the government in, and there may be times, particularly when you're anticipating rapid growth in the future, when you need to spend in order to be prepared for that growth in terms of infrastructure or the training of people in universities and technical institutions and so on. There are lots of reasons why you may want to ramp up your spending in a certain year or a certain period in order to prepare for circumstances that you may see developing in the future. So that's, I think, a significant problem.

I guess the second thing that I have to say about this is that the Wildrose financial plan that was released the other day doesn't meet the criteria that are set out in this motion. I think that's a difficulty, Mr. Speaker, that needs to be dealt with. The Wildrose financial recovery plan would not be legal if legislation as proposed by the Wildrose was in fact passed. For example, the Wildrose budget contained cash deficits in 2013 of \$2.75 billion and \$2 billion in 2012. If the Wildrose had taken into account the interest generated by the heritage fund, which is expected to contribute over \$1.07 billion to the general revenue of the province, then their cash deficit for 2013 would be \$3.82 billion. So there's a pretty big mistake in the budget.

**Mr. Anderson:** Point of order, Mr. Speaker.

**The Deputy Speaker:** You're calling a point of order?

**Mr. Anderson:** Point of order. Absolutely.

**The Deputy Speaker:** Citation, hon. member.

#### Point of Order

#### Factual Accuracy

**Mr. Anderson:** Standing Order 23(h), (i), and (j). Clearly, we're not supposed to impute false motives or say things that should be disparaging about other people in this House, Mr. Speaker. I would have the hon. member know . . . [interjections]

**The Deputy Speaker:** Hon. members, please, so we can hear the member.

**Mr. Anderson:** I know you're excited over there. You're so cute when you get excited.

I want that member to very clearly know that we have to have our motions in several months previous to the budget coming down, to today. [interjections] Well, you're imputing a false motive. You can't call a point of order, genius, on a point of order.

In other words, we had to have our motion in before we saw the budget. Therefore, we could not change the motion. We tried, but we were not allowed to change the motion to reflect what was in our alternative budget, which came, of course, just last week. Just for a point of clarification on that.

**The Deputy Speaker:** Thank you.

I'll have the hon. member respond to the point of order called.

**Mr. Mason:** Yes. In my experience in this House, Mr. Speaker – and I've been the recipient of points of order, and I've dished them out as well, even won a few – nowhere in 23(h), (i), and (j) does it refer to simple arithmetic as impugning motives.

**The Deputy Speaker:** Thank you, hon. member.

The hon. Minister of Finance.

**Mr. Horner:** Well, Mr. Speaker, I think the hon. member has covered it. There is no point of order. It shouldn't have even been risen as a point of order given the fact that the hon. member admitted that all he was doing was standing to try to correct what is obviously a mistake in their math. Whether it came in before or not is irrelevant. The fact of the matter is that their planned document that they purport to be a budget does have about a \$3 billion hole in it, and they haven't really figured that out yet. The hon. Member for Edmonton-Highlands-Norwood is right.

**The Deputy Speaker:** Thank you, hon. minister.

Hon. members, we're discussing a motion here, and this motion is dealing with a subject that, depending on interpretation, may or may not refer to other matters that are before the House: the budget, a certain act, and timing. Certainly, any suggestion that one could anticipate or will anticipate what this House might do in terms of how we deal with the budget, for that matter, or the piece of legislation that refers to some of the matters referred in the motion – really, I think we should allow members the opportunity to debate this motion. I can't find where you're stretching for a point of order, hon. member. I'm sorry. I hope we can carry on and get some good debate on your motion.

With your indulgence, I'll ask the Member for Edmonton-Highlands-Norwood to continue, please.

#### Debate Continued

**Mr. Mason:** Thank you very much, Mr. Speaker. I appreciate that very much. Now, the Wildrose plan states that a hundred per cent of the interest generated by the heritage savings trust fund must be put back into the fund. In 2013 the government of Alberta estimates that interest from the fund will contribute \$1.07 billion. That means that if it was taken to a consideration, the 2013 Wildrose alternative budget has a consolidated cash deficit of \$3.82 billion.

Mr. Speaker, this comes to my point, which I made earlier during question period last week, that we have the Progressive Conservatives, on the one hand, with a \$5.2 billion deficit, the Wildrose now with something approaching \$4 billion if you do the math, and we have between them the deficit twins. Now, why is that? What else do they have in common? They also have in common a defence of the Ralph Klein tax cuts that were made

when royalties were very high for natural gas, for example, \$8 billion a year. Of course, the corporate tax rate has been cut from 16 to 10 per cent, with an objective of eventually getting to 8, and the flat tax, of course, also cost billions of dollars in revenue by handing tax breaks to the wealthiest Albertans. At the same time middle class families are paying more in taxes than they do in some other provinces as a result.

Since both parties refuse to force the wealthy or the corporate sector to pay their fair share, we are overly dependent on royalty revenue. That's the problem, and this motion doesn't get at it any more than the government's bill does or the government's budget. Because both parties are parties that are beholden to very, very powerful and wealthy corporate interests in this province, they refuse to deal with the underlying cause of the problem, which is that we are far too dependent on volatile royalty resource revenue.

This was something that was pointed out by the Emerson report, which was established by former Premier Stelmach, and made its report in 2011. I was present at the Alberta Research Park release of the report. I listened very carefully, and I read the report carefully. They warned the government that this could happen, that this was a risk, and others have said the same thing. Peter Lougheed certainly has talked about this as well. We have a situation where the government doesn't take in enough reliable tax revenue because of these inconsistencies and imbalances in the overall tax rates in the province, so we're too dependent on royalty revenues that are very, very volatile. In fact, Mr. Speaker, we're in the position where every time the price of oil drops in this province, we're laying off teachers and nurses. Frankly, we can do a lot better than that, but this government has stubbornly refused to deal with the situation.

Lougheed also talked about saving. Now, the government and the Wildrose both have some savings plans, but here's the thing, Mr. Speaker. When we use royalty revenue from a nonrenewable resource to pay for our current program expenditures, we are robbing our children and our grandchildren of their birthright. We need to move to a position where all of the expenditures for program expenditures in this province are financed strictly from tax revenue and not from royalty revenue. Unless the Wildrose and the PC parties are prepared to deal with that, they will remain the parties of cuts and deficits.

The difference between them, Mr. Speaker, is that one wants more debt and the other wants more cuts, but they both are offering up plenty of both. That is not where the NDP wants to go. The NDP wants to make sure that everyone pays their fair share so that we can fund reliable and steady public services that the people of this province want and deserve and that we can put aside the royalty revenues that we're getting, which are much too low, in our view, into a plan that will actually ensure that in the future we have plentiful wealth in this province to enjoy the kind of standard of living and quality of life that we would like.

5:30

This plan was originally proposed by Peter Lougheed when he was the Premier. He was a Progressive Conservative but very different from the ones we see today and certainly different from the Wildrose as well. He proposed that we should be saving for the future in a very systematic way. Interestingly, the only country in the world that paid attention to what Peter Lougheed said and to the six principles that he established was the country of Norway, and we had the ambassador of Norway visit us today. Norway has successfully invested their proceeds from North Sea oil in a fund that now exceeds \$600 billion, and they invest it very carefully. They don't invest it in their own country because they don't want to fuel inflation and overheat the economy. They invest it in other parts of the world.

Norway has seen a tremendous increase in its standard of living and in its quality of life, Mr. Speaker. That's the direction that we believe we should go, but unless we get full value on our royalties, unless oil companies and wealthy Albertans pay their fair share, we'll never get there.

**The Deputy Speaker:** Thank you, hon. member.  
The Member for Cypress-Medicine Hat.

**Mr. Barnes:** Thank you, Mr. Speaker. I would like to join the discussion, and I would like to support the motion as proposed, especially its three parts: limiting spending increases, the prohibition of a cash deficit, and a more thought-out plan on saving money for our heritage trust fund, something that we all know hasn't happened since 1976, when Peter Lougheed originally put the \$15 billion or \$16 billion away, a plan that includes saving and not borrowing to save. Many, many Albertans that I've talked to find it incomprehensible that the idea of borrowing to save is somehow going to make sense for us in the long run.

Like the grandfather across the floor, I too want to leave the province in better shape for my kids and my grandkids, and that does not mean huge tax increases. That does not mean huge inefficiencies. That means us doing our best job to be good stewards of the taxpayers' money.

I kind of wanted to take a look at where we're at now. In the last 10 years the PC government has doubled – doubled – spending, double what population increase and inflation have been. This has Alberta, a supposedly Conservative province, on a per capita basis outspending Liberal Ontario, outspending socialist Manitoba and Nova Scotia, and even outspending on a per capita basis separatist Quebec.

Does it matter? Well, the authors of the Macdonald-Laurier report six months ago said that it matters, when, incredibly, they said that Alberta because of our inefficient spending, because of our overreliance on oil and gas royalties, and because of our demographics was the most likely province to default on our debt someday. Absolutely incredible: defaulting on debt that at that point we didn't have.

There's also a strong belief, in my mind and in businesspeople's minds, that the type of jurisdiction that investors, people that provide labour, and hard-working small-business people look for is a jurisdiction where they can confidently put their assets, their time, and their money to work without the fear of unfair increased taxation, without the possibility of huge waste. In today's news is a very interesting story about what people will do when they feel the threat of taxation and the possibility of a 6.75 to a 10 per cent tax on bank accounts in Cyprus. That has created a huge run that may bring the entire European Union down, if you can imagine.

I mentioned that our government spends more per capita than Liberal Ontario. I mentioned that one of the parts I really like about our Member for Airdrie's motion is to limit the spending increases. Why does it matter? It matters because Ontario has not limited their spending increases and has not limited their debt. Ontario at this point in time has no strict limits on debt, and the debt has shot up while their economy since 1990-1991 has grown 133 per cent. Over the same time period of approximately 13 or 14 years, when the economy grew 133 per cent, debt grew an amazing 571 per cent. Imagine. Imagine the loss in services, the loss in programs, what this is costing the Ontario citizen, the Ontario taxpayer, and the Ontario economy.

As a matter of fact, Ontario right now is spending \$10 billion a year on interest. They only – only – spend \$9.7 billion on postsecondary and training, less than their interest on their debt. Three years from now, when Alberta is estimated to be \$17 billion



in the hole, we'll be spending some side of \$600 million in debt. How many schools can we build for that? How many hospitals can we build for that? How many roads can we build for that?

Sitting here listening to the whole issue about what the Wildrose wants to do for building and our 10-year debt-free capital plan, I sat back and found it very, very amazing that our plan includes almost \$50 billion over 10 years, has a start this year spending \$4.2 billion and rising by inflation and population growth. When I look at the government's capital plan, I see as well that they are reducing from \$5.2 billion to \$4.8 billion to \$4.6 billion, spending almost identical, Mr. Speaker, to what the Wildrose will be spending three years from now. I find that part of the argument quite humorous.

Interestingly enough, in some of the reading that I was doing to get prepared for the Member for Airdrie's motion today, it talked about the comparison between California and Ontario. California is maybe not considered one of the most fiscally shining examples out there, but amazingly the Fraser report from this January says that Ontario's total debt for 2010-2011 was \$237 billion compared to California's, with a several times bigger economy, at only \$143 billion, almost half of what Ontario's is. Why did that happen? California differs from Ontario because it has strict limits on how much debt the state can accumulate. My goodness, very, very similar to what our Member for Airdrie is saying.

In the few minutes I have left, I want to talk about the third part of the member's motion, and that's accumulating some side of \$200 billion in the fund, where we will have, we being our kids and our grandkids and future Albertans, approximately \$10 billion a year for programs, for services that we all cherish and we all want to support. I'm told it's some side of \$200 billion or \$300 billion that the PC government has collected in royalties and interest off the heritage trust fund and spent it all.

Well, as the Member for Edmonton-Highlands-Norwood pointed out, Norway has been a great steward of its resource, saving over \$600 billion, investing outside of Norway so that they don't cause inflation. I greatly remember the government spending during the boom periods and the inflation that caused. I also remember reading a report about how if Alberta were to save some money properly, not from borrowing, that would stabilize our loonie from rising and making other parts of our economy noncompetitive.

The hon. Minister of Finance has mentioned how Albertans wanted to borrow to save for the heritage trust fund. Respectfully, I disagree.

5:40

**Mr. Horner:** That's not what I said, Drew.

**The Deputy Speaker:** Hon. members, please, through the chair.

**Mr. Barnes:** Okay. Well, respectfully, I disagree. Many, many people in Cypress-Medicine Hat have told me it makes absolutely no sense to borrow to save. Let's return to a surplus position first. We didn't get ourselves into this overspending and six deficits in a row easily, so that part of the hon. Member for Airdrie's plan makes huge sense. It'll cause less hardship. You know, there will be some changes in the economy.

The whole listening process. I mentioned briefly about how we're going to be spending the same as the government in approximately three years in capital even though we hear differently. I also want to mention the listening concept. I was at a Bill 2 hearing in Medicine Hat a short time ago, where the government people were going around again . . .

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Member for Edmonton-Gold Bar.

**Mr. Dorward:** Thank you, Mr. Speaker. I actually never thought I would hear an opposition member speak so glowingly about Norway and its 70 per cent tax rate on resource revenues, nor would I get such a picturesque walk through Ontario and California and extolling the virtues of Ontario and California relative to Alberta. Quite amazing.

Budgeting, Mr. Speaker, based on a legislated population plus inflation growth factor or any other artificial formula, quite frankly, moves the budget process away from the careful weighting of competing priorities and consideration of the value of new initiatives towards a process defined by sterile limits that require the shrinking of government services in most years. That is a fact with respect to the experience that's been meted out in the world relative to the notion of inflation plus population spending limits.

Populations, Mr. Speaker, don't grow evenly. Segments of the population requiring the most government services such as senior citizens and children often expand more rapidly than the population as a whole. So while the entire population may grow at one rate, the population needing increased services often grows at an exponentially higher rate. Alberta's future only shows dependency ratios climbing in both the younger and the older generations.

Measures used also to determine inflation gauge the prices of individual consumer goods, Mr. Speaker, not government goods. That basket of goods is a basket of goods and services that normally aren't acquired by government. It is widely recognized that the cost of services and goods provided by government, mostly, I must say, services such as health and education, increase at a much higher rate than the cost of consumer goods.

This sort of legislation is indeed, Mr. Speaker, bad for business. In order to attract investment, the business climate needs to understand that they are welcome to come to a vibrant, business-activity type of province, where the province supports the business activity, where it helps to stimulate the creation of jobs and maintain the economic growth that we have had in our province for such a long time. We need solid infrastructure, a first-class education system, and we need quality health care.

Short-term deferrals can become long-term problems, Mr. Speaker. Any time that a government needs to cut spending, if it does it as a result of a legislated thing such as this, then it looks to cut items that will be deleted without a short-term impact on the provision of services. For example, government may defer routine maintenance items, capital improvement, staff training, or other investments in infrastructure or workforce. Such changes may help out in the short term; they have devastating effects in the long term. Such formulistic implications can sound reasonable but are actually a recipe for sharply reduced public services and, in fact, an impaired ability to respond effectively to public need, federal mandate, and changed circumstance.

I point at things, for example, like highway 63. Mr. Speaker, if this was enacted and you had a situation where the public desired to have 63 twinning brought to the fore faster than it had been planned, you would have had to sacrifice something else in the government in order to take care of that. Also, disaster relief comes to mind. Alberta is not a province where it's uncommon that we have disasters or we have bugs and things that cause problems in our forestry area. If we had these kinds of limits, we would have difficulty in that regard.

Tax and spending limits based on population changes and inflation, Mr. Speaker, will hinder significantly the ability of the government to cope with unanticipated changes, initiate policy changes, accommodate voter and court mandates, or even maintain current service levels. Jurisdictions which have adopted such legislation have either suspended or repealed it later, as I

mentioned, due to the unsustainability, low quality of life and business environment that it fosters.

I would like to spend a minute on the example of Colorado in this regard. Colorado's average teacher salary compared to average pay in other occupations declined from 30th in the nation in 1992 – and that's how long these kinds of ideas have floated around, Mr. Speaker; it's an old idea that nobody uses – to a low of 50th in 2001 and edging up only slightly to 49th in the United States as of 2007. How can you attract and keep good teachers when they're getting paid the lowest in the country and having to deal with the largest classroom sizes in the country?

Tuitions rose in Colorado as a result. In just three years system-wide resident tuition increased by anywhere between 21 and 39 per cent. How do you expect to create an educated workforce and attract world-class research with tuition rates so far above the national average? These are just some examples, Mr. Speaker, of things that were caused by bringing in legislation that didn't work and was repealed.

In Colorado they fell near to the bottom of national rankings in providing children with full, on-time vaccinations, in fact. The share of low-income children in the state who lacked health insurance doubled, making Colorado the worst in the nation by this measure. At one point, from April 2001 to October 2002, funding got so low that the state suspended its requirement that schoolchildren be fully vaccinated. Unlike any other state, the state of Colorado could not afford to buy the vaccine.

Mr. Speaker, I would like to just spend a minute on what it takes in order to look after, I think, the area that the member opposite has been so patient in bringing forth to this Assembly and putting before his colleagues. The first thing is that the individuals that elect a government, a representative government as we have, a representative democracy as we indeed have – it's important that those folks elect good government. I'm proud to stand on this side of the House amongst individuals who are good government and will be for a long time.

Secondly, we need to have an effective budget analysis, Mr. Speaker. I'm worried about an effective budget analysis with what I heard last Wednesday in this Assembly, where member after member opposite stood up and said that they didn't understand the budget. I certainly hope that that's been remedied and that we can have an effective discussion regarding the budget.

Thirdly, we need to have a strong Public Accounts process. Mr. Speaker, I'm pleased to be able to work with the Finance critic opposite, the good Member for Airdrie, in the Public Accounts area and do the work that we do together on that committee, that all-party committee, to ferret out the questions and things that need to be brought before the people. That is a part of holding the ministries accountable for the money that they spend on behalf of Albertans.

Fourthly, Mr. Speaker, it's good to have an independent, functional Auditor General, and we certainly have that. We have an independent individual who is working in our province to take a look at areas that he wants to have brought forward to the people of Alberta. This is much more effective than having some kind of a tight legislative rule of law that's there that will only inhibit our ability to be able to serve Albertans.

5:50

Fifth, we need to have openness and transparency, particularly with respect to annual returns and such. The annual returns that are produced by the ministry should be explanatory as to the dollars that are spent in our province on behalf of the people of

Alberta so that those individuals in Alberta will be able to see how the dollars are spent. This will help tremendously.

That, Mr. Speaker, is a summation of why I just don't think that particular part of this motion makes any sense at all, and I certainly won't be supporting it. I've supplied some of the things that we need to instead look at, which will help ensure that this province goes forward with another 42 years in the future, and I'm looking forward to assisting in that process.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Speaker. A point of clarification: how much time have I got, sir?

**The Deputy Speaker:** Approximately four minutes.

**Mr. Wilson:** Great. Thank you. I'll keep it quick.

It's been entertaining sitting here and watching the other side cackle and snicker and look at themselves as though they are the strong financial stewards of this province and pat themselves on the back. Here we have a so-called Conservative government that's run now six straight deficit budgets. You've taken what was once a \$17 billion savings account, that was started in 2003 – although your Premier seems to think that there wasn't a savings account started for the last 25 years. I think that's some pretty failed logic on basic math. You know, the idea that we can't legislate around spending more than population growth and inflation – I certainly respect the Member for Edmonton-Highlands-Norwood's concerns and even Edmonton-Gold Bar's about what we would do in special circumstances. I can understand the logic behind that.

Contrary to that, I would also like members to consider that some of the only praise you have received for the budget that was delivered in this House was for some of the cuts that have been forced out of it. AHS, for example, is now streamlining some processes. They are becoming more efficient. I think that that's a natural progression of what happens when spending is restricted. That's exactly what you had given them the mandate to do, to restrict spending. Efficiencies happen, and I think that's a positive thing. Your whole process on results-based budgeting should be able to flesh some of those things out as well.

The idea of living within our means is something that you often hear in this House. The reality is that not many of you really fully understand what that means, clearly, because when you run \$17 billion in debt in the next three years, that's not really living within one's means. When we were on the campaign trail, myself specifically, this was one of the key platforms that people truly connected with. I think that you are going down a road at your own peril if you insist on thinking that Albertans are just going to accept this debt and that they're just going to take it. Good luck campaigning on that. Again, you can only say one thing and do something different so many times before people just finally go: "You know what? Enough is enough."

I think that Peter Lougheed had it right with the savings plan. Having some sort of sustainable revenue source outside of just resource revenue is absolutely visionary, and it's absolutely the direction that we need to go. We may disagree on exactly how to get there. Seeing some sort of savings plan is a positive step in Bill 12. When we get to that and debate that – it's interesting. It is a positive, but I don't think it goes quite far enough because, you know, just not taking a hundred per cent of the interest every year shouldn't really qualify as savings. That's just kind of intelligent.

The constant talk is about how our financial recovery plan is, you know, a faulty document. I mean, what we did is that we looked at the \$38 billion that you said you were going to spend and then we found: how can we make cuts off the top? The fact that it's not a bottom-up budget doesn't hold weight. We found areas where money could be saved, and I think that that speaks a lot to the passion here for . . .

**The Deputy Speaker:** Hon. member, I hesitate to interrupt, but Standing Order 8(3) provides for up to five minutes for the sponsor of a motion other than a government motion to close debate.

I would invite the hon. Member for Airdrie to close debate on Motion 506.

**Mr. Anderson:** Thank you, Mr. Speaker, and thank you to the House for participating in this debate. Obviously, we don't have agreement here, but it's good to hash out these issues and debate them. I would like to correct a few things for the record because there's a lot of very shallow analysis that I've listened to.

The first was that this wasn't a credible idea. To be clear, one of the most credible organizations on economic issues in the world, the OECD, recently put out a report, in 2010, urging the Alberta government to legislate a spending cap just like this. Their conclusion was:

A legislated spending growth rule, rather than the current in-year spending rule, would help anchor fiscal policy and, if respected, would avoid another acceleration of spending when the budget is finally balanced [again].

This is the OECD, one of the most credible organizations on fiscal matters on the planet, specifically having a report out there for Alberta on this issue saying that we should do that.

Further, there were many other studies. I'll just cite one because it's a Canadian study, Tax and Expenditure Limitations: The Next Step in Fiscal Discipline, by Jason Clemens, Todd Fox, and Amela Karabegović. I'm not going to pretend to pronounce that name properly. In any event, they studied all of these different laws in North America, actually, Canada and the United States, and their conclusion was:

Laws enforcing tax and expenditure limitations have generally proven effective in the United States, at both the state and local level, in constraining the growth of government spending and taxation . . . [and any] variance in performance among states with [these laws] can be explained by the design of the [laws] themselves.

So there were some that had better luck than others. If there were problems, it was mostly because of a flaw in design. I would ask that if we ever did this in the future, we talk through it well and make sure that we design the best possible spending restraint rule, and we would.

With regard to being competitive for salaries one of the things that they pointed out earlier was the Colorado example. You can design the law – and I did this, actually, in my private member's bill that I brought in 2011 on this exact spending restraint rule – so that when expenses get to the average of the other Canadian provinces or 5 per cent above the average of the rest of the Canadian provinces, then it can go up with that average instead of just limiting it to inflation plus population growth. The inflation plus population growth gets you down to where you need to be over time, and then from there it can kind of go back up with the Canadian average but not where we are now, which is far, far, far above the Canadian average, and it's really, really hurting us. So there are ways to design the law competently.

The Minister of Finance this year holds the line on expenses. That's good. It's good to hold the line on expenses. But he should know and I think we all know in this House, any of us who have

tried to lose weight in the past, that if you need to lose 40 pounds, Mr. Speaker, losing zero is just not enough. You really do have to cut more than zero if you want to lose a few pounds. We have a fat, bloated government, and we do need to thin out especially the bureaucracy. There's no doubt about it.

Then flexibility. Politicians never want to have their hands tied. Let's face it. They never want their hands tied. But the fact is that spending has gone up over the last 10 years 100 per cent, double the rate of inflation plus population growth. That's what happens when politicians don't have their hands tied. They cannot control themselves. They just can't. Debt and spending is like a heroin addiction for a junky when you're talking about governments. They can't stop themselves unless they have some restraint in good years. Otherwise, in good years they just run it right up. So we do need that kind of restraint.

Also, this idea of borrowing to save: it really doesn't make a lot of sense. People don't understand why we'd want to, say, borrow \$13 billion over the next three years to save a few hundred million. It really is baffling to people. It shouldn't be done.

I would also say that with regard to kids needing schools – I've got four boys. Obviously, I care a great deal about schools, as I'm sure everyone in this room does, but let's make sure we understand what we're getting ourselves into. That same argument can be used for the next hundred years. That is what's been used in Ontario, Quebec, Greece, England, France, Spain, Italy. Every single country that is now facing a debt crisis uses that exact same left-wing tripe to justify their actions. That's the problem. It will never be enough. It'll never be enough, Minister. At some point . . .

**The Deputy Speaker:** Thank you, hon. member.

[The voice vote indicated that Motion Other than Government Motion 506 lost]

[Several members rose calling for a division. The division bell was rung at 6 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Anderson	Donovan	Rowe
Anglin	Forsyth	Saskiw
Barnes	Hale	Strankman
Bikman	Pedersen	Wilson

Against the motion:

Allen	Horner	Pastoor
Bhardwaj	Jeneroux	Quest
Brown	Johnson, L.	Sandhu
Casey	Khan	Sarich
DeLong	Klimchuk	Scott
Denis	Kubinec	Starke
Dorward	Lemke	Swann
Drysdale	Leskiw	VanderBurg
Fawcett	Lukaszuk	Weadick
Fenske	Mason	Webber
Fraser	McDonald	Woo-Paw
Goudreau	Oberle	Xiao
Hancock	Olson	

Totals:	For – 12	Against – 38
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[Motion Other than Government Motion 506 lost]

[The Assembly adjourned at 6:12 p.m. to Tuesday at 1:30 p.m.]



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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Tuesday, March 19, 2013

Issue 38

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta**  
**The 28th Legislature**

First Session

Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC), Speaker  
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Jablonski, Mary Anne, Red Deer-North (PC), Deputy Chair of Committees

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Bhullar, Hon. Manmeet Singh, Calgary-Greenway (PC)  
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Fox, Rodney M., Lacombe-Ponoka (W)  
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Fritz, Yvonne, Calgary-Cross (PC)  
Goudreau, Hector G., Dunvegan-Central Peace-Notley (PC)  
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Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
    Government Whip

**Party standings:**

Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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## Legislative Assembly of Alberta

1:30 p.m.

Tuesday, March 19, 2013

[The Deputy Speaker in the chair]

### Prayers

**The Deputy Speaker:** Good afternoon. Just before we pray, I would ask all members to remain standing after the prayer so that we may pay tribute to a former colleague who has passed away.

Let us pray. Renew us with Your strength, O Great Creator. Focus us in our deliberations. Challenge us in our service to the people of this great province. Amen.

**Dr. Walter Buck**

December 16, 1930, to March 14, 2013

**The Deputy Speaker:** Hon. members, Dr. Walter Buck, former Member of the Legislative Assembly of Alberta, the 431st MLA sworn in, passed away on Thursday, March 14, 2013, at the age of 82 years.

Dr. Buck was first elected in the election held May 23, 1967, and served until March 20, 1989. During his years of service he represented the constituency of Clover Bar for the Social Credit Party, as an independent, and for the Representative Party of Alberta.

During his terms of office Dr. Buck served on the Select Standing Committee on Municipal Law and Law Amendments, 1968 to 1969; Select Standing Committee on Public Affairs, Agriculture and Education, 1968 to 1973; Select Standing Committee on Private Bills, Standing Orders and Printing, 1968 to 1972; Special Committee to Review the Election Act, 1968; Special Legislative Committee on Automobile Insurance, Safe Highway Design, Driver Licensing, Education and Control and Related Matters, 1968; Special Legislative Committee on Automobile Insurance, 1969; Select Standing Committee on Law, Law Amendments and Regulations, 1970 to 1972; Special Committee to Make a Recommendation to the Assembly for the Position of Ombudsman, 1973; Select Standing Committee on Law and Regulations, 1974 to 1988; Select Standing Committee on Privileges and Elections, 1975 to 1976; Select Standing Committee on Public Affairs, 1975 to 1988; Select Committee Reviewing Intra-Provincial Trucking Regulations, 1975 to 1976; Select Committee on Private Bills, 1976, 1979 to 1981, and 1983 to 1985; Special Committee to Appoint a Chief Electoral Officer, 1977; Special Committee to Consider the Appointment or Reappointment of the Chief Electoral Officer, 1979; Select Standing Committee on Public Accounts, 1979 to 1981; Select Standing Committee on Privileges and Elections, Standing Orders and Printing, 1977 to 1985; Select Standing Committee on the Alberta Heritage Savings Trust Fund Act, 1979 to 1980; Select Special Committee on the Workers' Compensation Act and the Occupational Health and Safety Act, 1983; Select Standing Committee on Legislative Offices, 1983 to 1988; and Special Select Standing Committee on Members' Services, 1983 to 1984.

For a number of years Dr. Buck provided commentary for channels ACCESS and CTV Two of the opening of each Legislature session of the Legislative Assembly of Alberta.

Walter was one of the founding members of the former members' association, an active association that works to maintain the values, ethics, and camaraderie of members who have served this institution.

With our admiration and respect there is gratitude to members and their families who shared the burdens of public office. Our prayers are with them. In a moment of silent prayer I ask that all members remember the hon. member Dr. Walter Buck as you may have known him.

Thank you. Please be seated.

### Introduction of Visitors

**The Deputy Speaker:** Hon. members, I'm honoured today to introduce to you all family members of our former colleague Dr. Walter Buck, who passed away on March 14. The family members are seated in the Speaker's gallery. I would ask as I introduce each family member that they stand, and I would ask that you honour them with the warm welcome of the Assembly after all family members been introduced: Mrs. Laura-Marie Buck, spouse; Moira Buck, daughter; David Buck, son; Bob Buck, son; Margaret Buck, daughter-in-law; Liam Buck, grandson; Emily Buck, granddaughter; Lisa Underhill, daughter; Brian Underhill, son-in-law; Ben Underhill, grandson; and Karen Frey, sister-in-law. Hon. members, please join me in welcoming the family of Dr. Walter Buck. [Standing ovation]

### Introduction of Guests

**The Deputy Speaker:** The hon. Member for St. Albert.

**Mr. Khan:** Thank you, Mr. Speaker. Today I'm very pleased to introduce to you and through you to all members of the Assembly a group of 50 grade 6 students and their teachers, Mr. Peter Fenton, Ms Lina Rosato, and Mrs. Erin Adams, from Sir Alexander Mackenzie. Yesterday, as you may recall, I had the privilege of introducing two ambitious grade 6 classes from SAM, and the students in attendance today represent the remaining grade 6 classes at the school. I am always so pleased visiting with the students from grade 6 learning about the Legislature, and I've found that some of the very best questions come from these future leaders. They are thoughtful, inquisitive, and their questions are awfully insightful. I believe this is a testament to their teachers, who engage, challenge, and encourage their pupils to think about their communities and our province. I would now ask these students and their teachers to rise and receive the traditional warm welcome of the Assembly.

**The Deputy Speaker:** The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much, Mr. Speaker. I am so delighted today to introduce to you and through you to all members of the Assembly a fantastic group of students from John A. McDougall school, which, of course, is in the fabulous constituency of Edmonton-Centre. Now, these students are particularly good at debating, so I've challenged them. I'm going to go to their school once their pictures are developed, and we're going to have a really good debate about bicycle helmets. I would ask them all to please rise and accept the warm welcome of the Assembly.

**The Deputy Speaker:** The hon. Minister of Energy.

**Mr. Hughes:** Thank you, Mr. Speaker. I am very pleased to introduce to you and through you to all members of this Assembly a group of 13 staff members from Alberta Energy. They're from the electricity, alternative energy, and carbon capture and storage division. They do great work on behalf of the citizens of Alberta. I'm pleased to welcome them to the Legislature Building today as they participate in a public service orientation tour. With that, I'd

like to ask them to rise and receive the usual welcome of the House. Thank you for your work.

**1:40**

**The Deputy Speaker:** The hon. Member for Edmonton-Riverview.

**Mr. Young:** Thank you, Mr. Speaker. It is a pleasure to rise today and introduce to you and through you to all members of the Assembly Linda Roussel, a constituent of Edmonton-Riverview and founder and director of Kids on Track, an organization with a 17-year track record of outstanding ministry to urban kids in Edmonton. A community health nurse for over 25 years with specialization in multicultural health services, Linda has extensive experience in connecting with parents of at-risk children and a passion for helping children and youth. Linda is seated in the members' gallery, and I'd ask that she stand and receive the traditional welcome of the Assembly.

**The Deputy Speaker:** The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Well, thank you, Mr. Speaker. Today I'm very pleased to introduce to you and through you to the Assembly a group of very informed and intelligent high school students. My guests are part of a grassroots coalition of high school students from across the province called EdStake. Formed in response to this PC government's cuts to education, the EdStake coalition is looking for a voice in future education decision-making. They are asking for greater government accountability, particularly on issues that affect the lives of high school students. Their online campaign is growing very well and has gained media attention around the province. I would now like to ask Kuba Ilcenko, Keenan Walker, Sam Mackie, Cody Anderson, Emma Wiley-Suter, Gloria Osei, Natalia Hennady, and Connor Stephens to please stand and receive the very warm welcome of the Assembly.

**The Deputy Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. I rise to introduce to you and through you to all members of the Assembly Terry James. Terry braved the snowy roads and drove in from Vegreville today to watch question period. Terry is a close follower of politics and is involved in the federal Conservative Party association for the riding of Vegreville-Wainwright. This year Terry has taken over the reins as president of the association, and he's leading an active and involved board. I know all members of this Assembly owe a lot to people like Terry who get involved in their community and tirelessly volunteer their time to fight for the principles they believe in. I'd like to thank Terry and all those like him for everything that they do. I would now ask Terry to rise and receive the traditional warm welcome of this Assembly.

**The Deputy Speaker:** The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Thank you, Mr. Speaker. I'd like to introduce to you and through you to all members of this Assembly a constituent and entrepreneur and all-around incredible woman, Dr. Emily Roback. Dr. Roback is a chiropractor by trade and founded her own practice in Calgary, Iron Mountain Chiropractic. She is also a talented athlete, speaker, and coauthor of a book, *A Silent Cheer*. She teaches hip hop classes in our school system as well as healthy living to both youth and adult alike. In fact, this month she is Global television's woman of vision. Additionally, Dr. Roback has accomplished all these feats despite being diagnosed as a child with a sensory neural hearing impairment. It is individuals like Dr. Roback that are inspirational figures who are pillars of our

community. I would ask all members to give Dr. Roback the traditional warm welcome of this Assembly. Please rise.

**The Deputy Speaker:** The hon. Member for Stony Plain.

**Mr. Lemke:** Thank you, Mr. Speaker. It's my privilege today to introduce two of my constituents, who happen to be parents of our hardest working page, Danielle Seymour. I'm privileged to introduce them to you and through you, and I'd ask them to rise and receive the traditional warm welcome of this Assembly: Michael and Gabrielle Seymour.

## Members' Statements

**The Deputy Speaker:** The hon. Member for Edmonton-Riverview.

### Kids on Track

**Mr. Young:** Thank you, Mr. Speaker. I'm proud today to rise and speak about an incredible community organization that is playing a very important role for Edmonton's young people. For 20 years now Kids on Track has been offering recreational and educational opportunities for children whose socioeconomic situation may prevent them from accessing these types of activities. They deliver school clubs, family nights, parents' cafe, youth leadership training, courses to deal with loss, kids' summer camp, family celebrations like Thanksgiving, and an amazing Christmas black-light musical puppet show that my family and I thoroughly enjoyed this past season. They have a Mother's Day tea and a family picnic. Over the years this organization has helped thousands of young people cultivate enriching relationships with positive role models and learn skills and strategies that will serve them for the rest of their lives.

Mr. Speaker, Kids on Track has been a funding recipient of the STEP program, which was discontinued in the 2013 budget. Our government has had to make thoughtful decisions. With a youth unemployment rate that is nearly half the national average, we're confident that the economy will continue to provide Albertans with strong job prospects. I recently had the opportunity to speak with members of the Kids on Track board about how this change will affect their organization. Initial thoughts were to consider cutting programs in response to this change. However, the organization has resolved to find new ways of continuing to deliver programs that they offer to Alberta's young people.

Mr. Speaker, the response of this dedicated team to Alberta's changing circumstances has been encouraging, to say the least. Our province was founded on an unwavering spirit of entrepreneurialism and a belief that we can do anything if we put our minds to it. Albertans see challenges as obstacles, not barriers. Kids on Track exemplifies this spirit in every way, and I'm so pleased to highlight their accomplishments and their commitment to Alberta youth here today.

Thank you, Mr. Speaker.

**The Deputy Speaker:** The hon. Leader of the Official Opposition.

### National Carbon Tax

**Ms Smith:** Thank you, Mr. Speaker. Yesterday Albertans got the clearest indication yet of where this Premier wants to take her much-hyped but seldom-defined Canadian energy strategy. The Premier floated the idea of a carbon tax, and I'm not talking about the \$15 per tonne charge the government currently collects here in Alberta. This would be a federal carbon tax.

Now, Albertans are reasonable, Mr. Speaker. Albertans want to reduce toxic emissions and greenhouse gases. So do I and my Wildrose colleagues. We know the viability of our oil sands rests on our ability to show the world that we will develop them responsibly, but a federal carbon tax just isn't the way to do it. Yet it appears that the Premier may want this to be a central plank of her grand national energy plan. She wants it to be a federally mandated carbon tax, the same kind of wealth transfer that was pushed by Stéphane Dion and Thomas Mulcair, that would see Alberta's vast resource wealth sucked out of this province and pumped into Ontario and Quebec. That's the message she took with her to Ottawa yesterday. At a time when she was supposed to be advocating for Alberta's economic interests, she proposed the most disastrous of all economic policies, a job-killing tax that would punish Canada's most productive industry and raise the price of just about everything for hard-working Alberta families.

Mr. Speaker, Albertans have been fighting this eastern Canadian socialist redistribution agenda for decades. They should have a Premier who is fighting with them, not cozying up to easterners who have been angling for a greater cut of our resource wealth for a generation. Albertans expect strong leadership from their Premier. If this is her Canadian energy strategy, she can forget it. While eastern Premiers will be lining up around the block to sign on, Albertans certainly won't be. That much is guaranteed. Albertans want real reductions in emissions. Adding a new tax that will reduce our provincial wealth but do virtually nothing to reduce . . .

**The Deputy Speaker:** Thank you, hon. member.

#### Prosecutions for First and Second Offences

**Ms Jansen:** Mr. Speaker, I listened with horror and sadness to the story of a homeless man stomped to death in a jail cell. His reason for incarceration: jaywalking. I've heard so many sad stories like this one for so many years both as a journalist and with a mother who worked in a probation office and a brother who worked with young offenders, so many stories of people in our justice system who live without the strong moral framework and support of a caring family or who struggle with substance abuse or mental illness. Maybe that's why I viewed the glib and thoughtless thug narrative of the opposition last week with such dismay.

Was that homeless man a thug? What about my young constituent whose abusive boyfriend has her prostituting herself in downtown Calgary for heroin? Is she a thug? In an effort to discredit anything and everything this government does to help those people in desperate situations avoid a lifetime in the justice system, they reduce the issue to a joke, a coupon to get out of jail, thus boiling a complex societal issue down to something facile and dismissive.

1:50

I find it unbelievably disturbing that, much like a house of cards, the opposition is building its social policy on a house of wanted posters and joke coupons, sending out a message to the very people we are trying to help that they should be feared, locked up: the jaywalkers, the shoplifters, the mentally ill, the drug- or alcohol-addicted. Lock them up instead of looking for ways to keep the jails free for more serious crimes, instead of offering help.

Well, in my world and in my government those people are still Albertans. Because we are as strong as our weakest citizens, we should be looking . . .

**The Deputy Speaker:** Thank you, hon. member.

## Oral Question Period

### National Carbon Tax

**Ms Smith:** Mr. Speaker, our Premier was once again in eastern Canada musing about her national energy plan, and this time she added a new element to it. She floated the idea of a federal carbon tax. She said: "The goal is not to do something as a PR stunt; it's to actually do something that is going to make a difference to outcomes. It can be a price on carbon." Doesn't the Premier understand that a federal carbon tax would kill Alberta jobs, transfer even more money out of Alberta to the rest of Canada, and is exactly what sensible Albertans have been fighting against for a generation?

**The Deputy Speaker:** The hon. the Premier.

**Ms Redford:** Well, thank you, Mr. Speaker. I'm not at all surprised by the question. I think the suggestion is absurd, firstly, because in Alberta since 2007 we've had a price on carbon. We've used it to invest in a tech fund that has been effective with respect to the reduction of emissions. That is exactly what we talked about yesterday in Ottawa, and Albertans should be proud of that.

I'll tell you what a Canadian energy strategy does. It gives us joint co-operation with Brad Wall in Washington to open markets. It gets us an eastern pipeline built to open markets, and it makes sure that we can be critical . . .

**The Deputy Speaker:** Thank you, hon. Premier.

**Ms Smith:** The Premier was talking about a national carbon tax. That is something former federal Liberal governments have proposed, but voters tossed them out before they could destroy the economy with higher prices on fuels, food, transportation, home heating, business, farm inputs – heck, call it a tax on everything – while achieving next to nothing in greenhouse gas reductions. Why does the Premier think that killing Alberta jobs and shifting more Alberta revenues out of this province is a good idea?

**Ms Redford:** Mr. Speaker, the suggestion that that's what the conversation was about yesterday is absolutely absurd, but I don't expect anything more from the opposition. This is another example of fearmongering, of scaring Canadians, scaring Albertans. What we were talking about was what Alberta has done. We can be proud of what we've done in Alberta to ensure that we're building markets overseas. If there are other jurisdictions that want to look at what we've done, I think they should. It's a record to be proud of, and that's what we stand by.

**The Deputy Speaker:** The hon. leader.

**Ms Smith:** Thank you, Mr. Speaker. I'll table the article so that everyone can read the Premier's comments.

It looks like a job-killing federal carbon tax might actually be a central plank of the Premier's national energy strategy. It's another of her naive ideas that would cause huge problems in the real world. Why doesn't she do something to actually reduce greenhouse gases rather than promoting another damaging tax?

**Ms Redford:** Mr. Speaker, this is a refreshing question from a party that doesn't actually believe the science is settled. We have done something. This government introduced a price on carbon that's allowing for us to invest to impact emissions. There is only one party in this Legislature that wants to take jobs out of Alberta, and that's the NDP.

**Mr. Anderson:** Point of order.

**The Deputy Speaker:** Hon. Member for Airdrie, I note that you rose on a point of order at 1:55.

The hon. Leader of the Opposition for your second set of questions.

### Provincial Borrowing

**Ms Smith:** Mr. Speaker, Albertans are looking for answers, trying to get a true picture of the state of Alberta's finances, but when we ask questions about debt repayment schedules, the real size of the deficit, the mammoth scope of the debt, do we get numbers or rates or amounts or totals? No. We get the Minister of Finance complaining about a Wildrose document. Now, I'm going to try again. If we assume the \$17 billion worth of debt is obtained through a 3 and a half per cent bond, it will cost \$600 million a year. That's \$12 billion to in effect rent that money for 20 years. That is \$29 billion in total. Explain again, please: how is that a good deal for taxpayers?

**Mr. Horner:** Well, Mr. Speaker, they're making a lot of assumptions there that are incorrect, something like their document. It's obvious from the opposition's plan that they don't support business and they don't support proper financial accounting procedures when they make outlandish statements such as that the government gave a \$1.8 million grant to Telus, a very strong corporate philanthropist in our province. That's simply not true. It's not true, but it's listed in this document as being true.

**Mr. Anderson:** It's in your blue book.

**Mr. Horner:** Hon. member, you should check your facts. You should make sure of your facts before you do that.

**Ms Smith:** Like I said, Mr. Speaker, he just keeps answering with our document rather than defending his own.

The minister and his front-bench pals brag about \$28 billion in capital assets that that money is going to build by 2016. Let's see what they're building. Capitals assets today are \$22 billion. In 2016 they will be \$28 billion. So we get an extra \$6 billion in assets. We'll borrow \$17 billion to be able to do that and pay \$12 billion in interest for a total of \$29 billion. How's that . . .

**The Deputy Speaker:** The hon. minister.

**Mr. Horner:** Mr. Speaker, it just proves that they're not really reading the numbers correctly. The \$17 billion is the accumulated debt in 2016, which includes debt that was accrued before this time period for things like – oh, I don't know – the Anthony Henday, that was a pretty good value for Edmontonians; for things like the Stoney Trail, that was a good value; for things like the schools that the hon. Member for Airdrie's children are attending. It's also the value of the assets that the municipalities have put on their books. It doesn't all show up on our books. It shows up in the consolidated financials at the end of the year, which the . . .

**The Deputy Speaker:** Thank you, hon. minister.

**Ms Smith:** The Finance minister is talking about paying twice, once to borrow and once for interest payments. We can do it debt free. Then there's the payback schedule or the lack of one, should I say. We understand the minister can't be precise on the terms and the interest because he hasn't actually borrowed all of that money yet, but by 2016 he will have borrowed \$17 billion, and the

payback plan that he has offered doesn't even come close to paying it off in 20 years. Why not?

**Mr. Horner:** Well, Mr. Speaker, the payback period is not included in the plan because we don't know what it is just yet because we haven't borrowed those funds. I'm not going to put in there the term of a mortgage when I have no idea whether the term is going to be five, 10, 15, or 20 years because we haven't done that yet. Strong financial management means you make good financial decisions. You don't simply make a list of the things that you're not going to do and call that a budget.

**The Deputy Speaker:** Hon. Leader of the Opposition, your third set of questions.

### Generic Drug Price Reduction

**Ms Smith:** Mr. Speaker, this Health minister has sure made a mess of things. He's got big trust issues with doctors right now, that we've all heard about, and he's about to take on another critical component of front-line health care delivery and wreck that, too. Earlier changes to the way pharmacies are paid for dispensing medications have already threatened many small, independent pharmacies, but the new changes threaten the big-chain drugstores, too. Will the minister commit today to halt his destructive plans and actually listen to what the pharmacists are telling him?

**Mr. Horne:** Well, Mr. Speaker, what the pharmacists of Alberta are telling us is that they very much like the idea of being treated as full partners and paid as professionals in our health care system. This government last year implemented a pharmacy services framework that pays pharmacists to provide services to Albertans like renewing prescriptions, like developing care plans as part of a primary health care team, and like managing complex medication issues for patients. The way forward for pharmacists – and we're working with them – is to treat them as full partners in the team, much more than they could expect under the Official Opposition.

**The Deputy Speaker:** Thank you, hon. minister.

**Ms Smith:** Mr. Speaker, this Health minister just is not listening to what pharmacists are saying. Drugstores regardless of size have significant inventories of medications on hand.

The minister's ill-conceived plan announced in the budget will force pharmacies to sell medications at a fraction of what they paid for them, meaning that they will have to absorb hundreds of thousands of dollars, even millions of dollars worth of losses. Why is the minister intent on wrecking this important component of front-line health care service delivery?

2:00

**Mr. Horne:** Well, Mr. Speaker, we welcome the question because, quite frankly, we've been waiting for the opposition to stand up and make an argument as to why Albertans – the government programs that we provide, employers that employ Albertans and provide benefit plans, and people out of their own pocket – should pay more than the best price we can get for generic drugs in this province, and now she's made that argument. The fact of the matter is that this government has poured over \$95 million into transitional funding over the last four years to support pharmacists moving to a new professional services framework. We have an implementation advisory committee that we're working with now on the latest generic price reduction.

**The Deputy Speaker:** Thank you, hon. minister.

**Ms Smith:** Let me make this clear for the minister, Mr. Speaker. The effect on customers, patients, and care providers of this draconian proposal is going to be devastating. Pharmacies will close. Drug shortages will increase. Prescription service for seniors and long-term care patients will suffer. It is a pretty grim legacy because the minister won't listen to the pharmacists. How many more mistakes, blunders, foul-ups will we have to endure from this minister?

**Mr. Horne:** Well, once again, Mr. Speaker, the rather startling rhetoric from the Leader of the Opposition belies her lack of understanding of the basic economics that underlie the situation. The evidence in Ontario, for example, where generic drug prices have been reduced, is that the number of pharmacies has actually increased. The evidence is that when we pay pharmacists to provide the services they are trained to provide and they are regulated to provide by their own college, patient safety, patient quality, and team-based care delivery prosper. Those are the economics.

**The Deputy Speaker:** I will recognize the leader of the Liberal opposition.

### Environmental Policy

**Dr. Sherman:** Thank you, Mr. Speaker. The government is hopelessly confused when it comes to environmental policy, and it's hurting Alberta's reputation and, in turn, our economy. In today's *Edmonton Journal* the Premier called for the federal government to impose a levy on major carbon emitters. Just hours later her office claims that she said no such thing. The government doesn't know if it's coming or going. To the Premier: instead of wasting taxpayers' money on ads in the *New York Times* trying to spin your government's environmental failures, why don't you get your act together, follow the Alberta Liberal lead, and bring in credible environmental policy?

**Ms Redford:** Oh, Mr. Speaker, where to begin? An investment in an ad in the *New York Times* for \$30,000 that told the facts about our environmental record, the fact that we're having a positive impact and that we can be proud of our record with respect to environmental sustainability – there is no doubt that we need to make an investment. We are committed to ensuring that we are communicating the facts. Frankly, one of the reasons we have to do that is because we have the leader of the NDP in Washington spreading mistruths with respect to our environmental record. We will keep investing for Albertans, we will keep informing Americans, and we will . . .

**The Deputy Speaker:** Thank you, hon. Premier.

**Dr. Sherman:** Mr. Speaker, the Premier confuses spin with facts.

Given that one of the main reasons for the so-called bitumen bubble is this government's reliance on a feeble and ineffective intensity-based carbon levy, which brings in a minuscule \$80 million while helping opponents of the oil sands – those on the far left win PR battles against pipelines to the south and west coast – to the Premier: when will you put a carbon tax on actual emissions so that we can raise significantly more revenue, \$1.8 billion for large emitters, incent a . . .

**The Deputy Speaker:** The hon. Premier.

**Ms Redford:** Oh, my goodness, I really hope that some of the leaders of the opposition actually have a chance to travel outside

the borders of this province, Mr. Speaker, and see what the real conversation that's going on is. We are committed to building Alberta, and we made a commitment to Albertans to do that by building markets, a Canadian energy strategy where we can partner with Quebec, with New Brunswick, with Nova Scotia to make sure that we're building pipelines, to make sure that we're partnering with Brad Wall to talk about the good story that we're doing in Canada while we're in Washington, and to ensure that we're allowing every opportunity for markets to be open and product to be exported. That's a Canadian energy strategy, and it's time that people . . .

**The Deputy Speaker:** Thank you, hon. Premier.

**Dr. Sherman:** Mr. Speaker, it's clear that the Premier has been flying too high in first class.

Given that another important aspect of this government's poor environmental reputation is the fact that we have industry monitoring industry and we're just supposed to take their word for it, to the Premier: when will you demonstrate to our friends in America and British Columbia that we are serious about the environment by moving away from the completely ineffective and laughable system of industry self-monitoring and introduce credible independent monitoring, strict enforcement of the rules, and implement the strongest pipeline safety and risk management plan in the country?

**Ms Redford:** Well, Mr. Speaker, I wasn't actually sure where the leader of the Liberal Party was until today, but now it's pretty clear. We have someone who has joined the NDP in standing up and saying that our environmental record in Alberta isn't good enough. That's not good for Alberta, and it's not good for Canada. We're going to keep telling the story of what our success has been, that we have productive results in respect of the decisions that we put in place because that's what opens up markets, and that's what people want to know, the facts.

**The Deputy Speaker:** The leader of the ND opposition.

### Bitumen Upgrading

**Mr. Mason:** Thank you. Mr. Speaker, this Premier makes regular pilgrimages to Washington to convince the United States to take our jobs by approving the Keystone pipeline. She also tries to convince them that Alberta has a good environmental record in the oil sands. Good luck with that. Yet when anyone tries to stand up for Alberta jobs and responsible resource development, she calls them un-Canadian. To the Premier: does she really believe that everyone who disagrees with her on Keystone is un-Canadian?

**Ms Redford:** Mr. Speaker, the Keystone pipeline is going to be fundamental to Alberta's and Canada's economic growth; 1 in 6 Albertans is directly or indirectly employed by the energy industry. Last week I went to a reception with the building trades, and half of the conversation we had in the speeches from trade unions was about the importance of getting Keystone built. It impacts our economy. We understand it, and the hon. leader does not.

**Mr. Mason:** Here's a quote for the Premier: I prefer that we process the bitumen from the oil sands in Alberta and that we would create a lot of jobs and job activity; that would be a better thing to do than merely send the raw bitumen down the pipeline and refine it in Texas, and that means thousands of new jobs in

Texas. Does the Premier think that Peter Lougheed was un-Canadian for saying that?

**Ms Redford:** In fact, Mr. Speaker, I was surprised that Premier Lougheed said it because it sounds exactly like what I would have said. We have a diverse economy in this province. We refine, we upgrade, and we export. People have to understand, as Premier Lougheed did and as this side of the House does, that you have to actually develop products that people want to buy in an environmentally sustainable way to open markets. That's what we're doing. That's responsible, and that's what builds jobs in Alberta.

**The Deputy Speaker:** The hon. leader.

**Mr. Mason:** Well, thank you very much, Mr. Speaker. It's difficult to ask questions to a Premier that doesn't know the difference between fact and fiction. There's one large difference between Mr. Lougheed and this Premier. Peter Lougheed was not in the pockets of the oil industry. He stood up to them in Alberta's interests time and time again. Will the Premier follow his example and insist that bitumen be upgraded here in Alberta, and if not, why not?

**Ms Redford:** Mr. Speaker, we are proud of our government's record in investing with our own resources, with Alberta's resources in the North West upgrader, which is doing exactly that. I'll tell you that the best way to build an economy is to work in partnership with everyone – with industry, with stakeholders, with environmental NGOs, with public policy makers, with our customers overseas – not to have a divisive approach, not to do what this leader of the NDP is doing in Alberta, and not to do what the leader of the NDP is doing in Washington, purportedly in the best interests of Canada when it's not.

**The Deputy Speaker:** Thank you, hon. Premier.

The Member for Innisfail-Sylvan Lake, followed by Calgary-North West.

### **Generic Drug Price Reduction** (continued)

**Mrs. Towle:** Thank you, Mr. Speaker. In many communities across Alberta pharmacists are the front door to health care, yet this government is reducing generic drug fees by 18 per cent to pharmacists, which is already having a negative impact. Pharmacists in Alberta work hard to provide medications to seniors in continuing care centres and lodges. Pharmacists are warning that these changes will prevent them from being able to provide medications to these facilities, leaving the delivery of important drugs to vulnerable seniors at risk. Does the Minister of Health recognize that your plan may result in seniors in care not receiving their medications?

2:10

**Mr. Horne:** Well, Mr. Speaker, we are very closely in touch with pharmacists across the province, ever since I can remember, and certainly very close since we last lowered the price of generic drugs in Alberta. We are the only government in Canada who has provided transition funding for pharmacists, including \$15 million for rural and remote pharmacists, to support exactly the pharmacists that the hon. member is talking about. It is possible for Albertans to enjoy lower generic drug prices and for us to provide a competitive and prosperous environment for pharmacists across this province.

**The Deputy Speaker:** Thank you, hon. minister.  
The hon. member.

**Mrs. Towle:** Thank you, Mr. Speaker. What is the Health minister's plan to provide medications to seniors in care once the pharmacists are forced out of business by this government's ill-informed actions?

**Mr. Horne:** Well, Mr. Speaker, first of all, the hon. member ignores the facts. I've gone through the facts a couple of times today alone. We provided financial support for pharmacists to transition to the new professional services framework. In fact, since we last reduced generic prices, from 45 to 35 per cent of brand name, the number of pharmacists in Alberta has gone up, from 1,003 to 1,024. How is this not supporting pharmacists?

**Mrs. Towle:** Pharmacies all over this province will close. When will this government trust our dedicated and compassionate front-line pharmacists and get back to the negotiating table to ensure that those in care have safe and stable medication delivery?

**Mr. Horne:** Mr. Speaker, this is a little bit beyond the pale. To suggest that somehow seniors across this province are at risk today as a result of changes that have been made in reduced generic drug prices, that the hon. members opposite should be standing up and applauding because it delivers better value for taxpayers, is a complete mythology that, I'm sure, will only be perpetuated. The fact of the matter is that we're continuing to work with pharmacists. They derive revenue from sources other than dispensing fees. They have the advantage of the new professional services framework. There are other options, and we'll continue to work with pharmacists to . . .

**The Deputy Speaker:** Thank you, hon. minister.

### **Market Access for Oil**

**Ms Jansen:** Mr. Speaker, my question is to the Premier. The leaders of the provincial and federal NDP have been on the warpath, spreading fear about the Keystone XL pipeline. Is this pipeline, as they claim, an environmental disaster and a harbinger of massive job loss, or is this what Alberta needs for much-needed economic growth?

**Mr. Lukaszuk:** Mr. Speaker, it is rather unfortunate what leaders of the NDP both federally and provincially have been espousing both in Washington and here in the House. Let's not forget the recent past because NDP both provincially and federally have been against the building of refineries and upgraders in this province. It wasn't so long ago that the Member for Edmonton-Strathcona's constituency office manager was rappelling from rafters, during a Premier's dinner, against big oil. You can't have it on both sides. You can't oppose pipelines and oppose upgrading yet say that you are for creating jobs.

**The Deputy Speaker:** The hon. member.

**Ms Jansen:** Thank you, Mr. Speaker. To the Deputy Premier. The leader of the NDP is pretty insistent that the impact of Keystone XL on jobs north of the border is going to be massive. What do you do to make sure we increase jobs in the oil sector here in Alberta?

**Mr. Hughes:** Mr. Speaker, you know, we have many ways to sell our products in this province. We can upgrade them here. We can refine them here. We can ensure that we sell them from here as relatively raw resources. We do all of that. In fact, in a community



where we have between 4 and 5 per cent unemployment, surely we're doing a good job. This is a great place to invest. I would point to companies like Williams, that in the last couple of days has just taken another step on improving the upgrading and the value-added that's going on right here in this province.

**The Deputy Speaker:** Thank you, hon. minister.  
The hon. member.

**Ms Jansen:** Thank you, Mr. Speaker. To the Energy minister: what's your strategy for coalition building knowing that we have the support of industry, of unions, and of other provinces?

**Mr. Hughes:** Well, Mr. Speaker, this government has worked hard to work with everybody, the coalition of the willing if I can call them that. We're prepared to work together to export our products, to make sure that we're aligned. We're working with First Nations leadership. We're working with union leadership. We're working with political leadership right across this country to look after Canadians.

**The Deputy Speaker:** The hon. Member for Calgary-Shaw.

#### **Bathing Protocols for Persons in Care**

**Mr. Wilson:** Thank you, Mr. Speaker. Last week we learned of yet another bath scalding incident in a government-operated care home. This brings the total number of scalding incidents to three in just under 16 months, a statistic that is simply deplorable. Following the incident the associate minister said, quote: we've got to get to the bottom of this. Quite frankly, I agree with him. To the hon. associate minister: what exactly is your ministry doing to get to the bottom of this?

**The Deputy Speaker:** The hon. minister.

**Mr. Oberle:** Thank you, Mr. Speaker. I thank the hon. member for the question, and I agree with him. It is an unacceptable situation. If the hon. member knows of the incident, he obviously knows what the press release said about exactly what we are doing. There is an investigation going on right now under the Protection for Persons in Care Act. While that's going on, we're again reviewing procedures. Bathing protocols: are they posted? Are all the valves working? We're going over it with all of our care providers again.

**Mr. Wilson:** Given the seriousness of this issue what consequences will there be if during your investigation it's discovered that error or neglect was in place?

**Mr. Oberle:** It would be speculation right at the moment, Mr. Speaker, to say that there are consequences. I don't know what the results of the investigation are going to be, and I don't know that any fault is going to be found, so I'll wait for the results of that investigation.

**Mr. Wilson:** Given that your government implemented a list of recommendations after previous scalding incidents and that those are clearly not having the desired effect, what is your ministry doing to protect vulnerable Albertans in care to ensure that these incidents do not happen again?

**Mr. Oberle:** Well, I thank the member for acknowledging that we did in fact implement the recommendations, Mr. Speaker. We continue to install and check mixing valves. We're now doing random inspections. We have done training. We've spent millions

of dollars on that program. We're ensuring that bathing protocols are posted at every facility. It now takes two people to provide the bath. We're working on the issue, we believe we're doing everything we can, and we will solve this issue.

**The Deputy Speaker:** Thank you, hon. minister.  
The Member for Calgary-East, followed by Calgary-Buffalo.

#### **Seniors' Benefits Program**

**Mr. Amery:** Thank you, Mr. Speaker. Since the budget was released on March 7, I have received numerous phone calls and e-mails from my constituents concerned with the changes to seniors' benefits. I need to be able to reassure my constituents that we will continue to provide for their needs. Given that over 9,000 seniors will be affected by changes to the seniors' benefits, can the Associate Minister of Seniors explain what these changes are?

**The Deputy Speaker:** The hon. Associate Minister of Seniors.

**Mr. VanderBurg:** Well, thank you, Mr. Speaker, and I want to thank the member for being such a strong advocate for seniors in his constituency. Let's remember that the intention of the seniors' benefits program has been to supplement the GIS and old-age security programs that the feds have. What we did in Budget 2013 was harmonize the eligibility of our program with theirs, so you have to be a 10-year resident of Canada to apply. The income exemptions that no longer will be exempted: worker's compensation benefits, alimony payments, and CPP disability payments.

**The Deputy Speaker:** The hon. member.

**Mr. Amery:** Thank you, Mr. Speaker. To the same associate minister: can you explain how these changes will affect low-income seniors in the province since they are the most affected by this change?

**The Deputy Speaker:** The hon. associate minister.

**Mr. VanderBurg:** Thank you, Mr. Speaker. I want to explain to the member very, very clearly that it's the cash benefit of the seniors' benefits program that residents that have not lived in Canada for 10 years will not be eligible for. The benefit programs like the Alberta Blue Cross coverage, the dental and optical, the special-needs assistance program for one-time extraordinary costs will still be there for those citizens. Thirty-five hundred seniors currently receiving the benefit that no longer will meet the residency equivalent is a payment of about an average of \$95.

**The Deputy Speaker:** Thank you, hon. associate minister.  
The hon. member.

**Mr. Amery:** Thank you, Mr. Speaker. To the same associate minister: given that the federal government has given Canadians 10 years' notice of their intent to change seniors' benefits, are we providing the same notice, and if not, why not?

**Mr. VanderBurg:** Well, thank you again for that question. In fact, what the federal government is doing is saying to 55-year-olds today: get ready; in 2023 you'll have to be 67 years old to apply for the old-age security benefit program. Provinces across the nation will have to have their own discussions about this, and all of us – all of us – in our constituencies have to get the point across to our younger people. Fifty-five years and younger: get

ready; plan for retirement. At 67 years old you'll qualify for benefits, not 65 years old.

**The Deputy Speaker:** Thank you, hon. minister.

The hon. Member for Calgary-Buffalo, followed by Edmonton-Calder.

## 2:20 English Language Learner Programs

**Mr. Hehr:** Thank you, Mr. Speaker. First off, to give credit where credit is due, I'd like to congratulate the hon. Minister of Education on reaching a tentative deal with Alberta teachers. Although I question some of his negotiating tactics, who am I to argue with the results?

In any event, between 2006 and 2011 Alberta was the only province in Canada where reading skills for English language learners decreased. Can the minister give reasons for this dramatic drop in performance?

**Mr. J. Johnson:** Mr. Speaker, what I can tell you is that the education system in Alberta is one of the best in the world and one of the best in the English-speaking world, which we repeatedly see and repeatedly hear about. I think we're all very proud of the education system in Alberta, very proud of the teachers, and we're very proud of the results. Obviously, literacy is a very important aspect of that, and one that we'll be focusing on on a daily basis going forward.

**Mr. Hehr:** Nevertheless, though, I'd like to try that question again. Alberta learners in grade 4 have seen significant dropping in their reading comprehension over the course of the last five years. Can you tell me why?

**Mr. J. Johnson:** Mr. Speaker, I'd prefer to talk about the great things that are happening in our education system. There's no question that literacy rates are important and reading and writing and numeracy and literacy are foundational, and they're going to be core pieces of our curriculum going forward. I think sometimes we put too much weight on some of the testing that comes at us all the time, international testing and some of the local testing. Talk to the teachers about the PATs and the concerns they have with those. I think one of the big things we have to focus on is the students in those core competencies that we're moving the system towards.

**Mr. Hehr:** Well, given that the testing was primarily looking at English language learners in Alberta schools, why are we decreasing the support to English second-language students from seven years to five years when the results of their test scores are clearly going down?

**Mr. J. Johnson:** Mr. Speaker, yes, it's true; we've got a lot more new Albertans and new Canadians coming to the province. Those have impacts on these test scores, absolutely, and we need to as a province continue to invest in that and put resources in those areas. Let's not get too skewed by some of the test results coming at us. We will continue to invest in those areas. This member knows that the budget debate and the estimates for the Education ministry are up in about an hour here. We can talk about this at great length, and we can tell him what we're doing with the ESL and how we are continuing to invest in that going forward.

**The Deputy Speaker:** Thank you, hon. minister.

The hon. Member for Edmonton-Calder, followed by Calgary-Fish Creek.

## School Class Sizes

**Mr. Eggen:** Thank you, Mr. Speaker. You know, you just can't trust this government to stand up for students in this province. Last year the PCs talked about the importance of stable, predictable funding for schools, but now the Premier has broken her promises to Alberta students and their families. Even the Education minister admits that budget cuts to public schools mean that class sizes will increase. Will the Education minister please explain how we can defend these budget cuts while admitting that they're not in the best interests of Alberta students and will increase class size?

**Mr. J. Johnson:** Mr. Speaker, what is in the best interests of Alberta students is to have a strong, sustainable education system going forward. It's great to see the hon. member introducing the students here today and the active involvement they're taking in their education. I hope that they might join us for some of the budget estimates coming up in the next hour.

This is a difficult budget, but let's not characterize these as direct cuts to Education. The Premier has clearly protected the Education file in this budget. It's one of the few ministries that actually isn't getting a hard cut.

**The Deputy Speaker:** The hon. member.

**Mr. Eggen:** Thank you, Mr. Speaker. Given that this PC government is cutting funding to school boards and hoping that they can cope with 11,000 new students and given that at least half of Edmonton's high school classes have already 30 or more students, sometimes many more, as I learned this afternoon from our guests, will the minister please explain why he rejects the Commission on Learning's recommended class-size limits, and tell us, in his opinion, just how crowded is too crowded?

**Mr. J. Johnson:** Mr. Speaker, let's be clear that not every board is seeing cuts. Some boards are seeing increases of up to 5 per cent. There's no question, again, that this is a challenging budget. We're trying to make sure that every dollar we have gets into the classroom. The two areas – oddly enough, the member brings them up – where we maintained our commitment, where we increased funding were on the class-size initiative and on inclusion. Those are two areas that parents, students, and teachers in particular told us to protect. We are investing in class size. We do believe in that, and it's a great investment, but we need to keep in mind also that it's the makeup of that class.

**The Deputy Speaker:** Thank you, hon. minister.

The hon. member.

**Mr. Eggen:** Well, thank you, Mr. Speaker. Given that every time this PC government cuts staff in schools, they end up hurting Alberta students and increasing class sizes and given that the amount of money that he's putting into the class size initiative is way dwarfed by the huge size of the cuts in the first place, will the minister admit that he and the Premier are forcing Alberta students to pay the price for this government's poor budgeting practices?

**Mr. J. Johnson:** Mr. Speaker, it's nice to see the member admit that we are increasing funding for class sizes. I appreciate that. I agree that that is a good investment. One of the challenges we were faced with in this budget is that when you have limited

dollars and you have increased enrolment, how are you going to make sure that every dollar that you have ends up in a classroom and ends up going towards instruction? So we have thrown out some strong challenges to school boards. We have cut and eliminated some of the funding envelopes that we have that are not directly impacting instruction in the classrooms so that we can make sure the impacts on those classrooms . . .

**The Deputy Speaker:** Thank you, hon. minister.

### **Nursing Workforce**

**Mrs. Forsyth:** Mr. Speaker, as a result of this government's back-in-debt budget, the internationally educated nurses' assessment program at Mount Royal University has been dropped. This program helped address nursing shortages by transitioning nurses trained abroad to work in Canada. In November the chair of AHS said that there will be a nursing job for absolutely every qualified nurse who wants to work with Alberta Health Services because we need everyone. Is the Minister of Health now saying four months later that we don't need more nurses?

**Mr. Horne:** Mr. Speaker, first of all, the program to which the hon. member refers did not discontinue as a result of a funding cut. Mount Royal University made a decision to discontinue the nursing assessment program. This initiative began in 2006, when today's Minister of Human Services, the then Minister of Health, recognized the growing nursing shortage – international nursing shortage, as a matter of fact – and took steps to provide assessment services for foreign-trained nurses who wished to come to Alberta. This continues to be a priority for government. We're working with the College and Association of Registered Nurses.

**The Deputy Speaker:** Thank you, hon. minister.

**Mrs. Forsyth:** Given that just a couple of months ago the Minister of Health said that he didn't know of any health minister in Canada that wasn't struggling with the issue of how to hire and retain more nurses and given that this program adds 240 nurses to the front lines every year, how does this minister not see the devastation this will cause to the front lines?

**Mr. Horne:** Well, Mr. Speaker, a responsible approach to ensuring adequate nursing supply for our health workforce certainly involves looking at opportunities to provide assistance to foreign-trained nurses who wish to practise in Alberta. It also involves a very careful consideration of factors that allow us to employ more of the nurses that are trained in Alberta and more on a full-time basis. As the hon. member should know, it currently takes 2.88 nurses in the province of Alberta to fill one full-time position. So it's a more complex problem than the hon. member presents, and we'll continue to attack it on all fronts.

**The Deputy Speaker:** Thank you, hon. minister.  
The hon. member.

**Mrs. Forsyth:** Thank you. Given that thousands of Alberta nurses are nearing retirement age, can the advanced education minister – maestro, as he puts it – explain why his plan to dictate to universities what programs they can provide means fewer nurses now and continued pressure on our health care system?

**Mr. Lukaszuk:** Mr. Speaker, I'm not sure if you were paying attention over the last few days to the line of questions coming from the Wildrose, but while they are criticizing this government

for apparently going into debt and not cutting deeply enough into the programs offered by the government of Alberta, every single member on that side has been rising to ask for more programs, not cutting programs and not eliminating programs. I have no idea what school they went to and what mathematics courses they took, but if they really want us to cut much deeper, as they would do if they ever had an opportunity, they can't be rising and asking for more programs.

**The Deputy Speaker:** The hon. Member for Edmonton-Ellerslie.

2:30

### **Generic Drug Price Reduction** (continued)

**Mr. Bhardwaj:** Well, thank you very much, Mr. Speaker. I've been speaking with pharmacists in my constituency of Edmonton-Ellerslie, and we've all been hearing in the media that this new budget will negatively impact pharmacies everywhere, in particular those operating in rural communities. At the same time Alberta strives to be small-business friendly. My questions are to the Minister of Health. Can the minister tell us what the immediate and cumulative impact of this budget will be on Alberta pharmacies, both rural and urban?

**The Deputy Speaker:** The hon. Minister of Health.

**Mr. Horne:** Well, thank you very much, Mr. Speaker, and thank you to the hon. member for the question. In terms of the impact of the generic drug price reduction on pharmacists that will vary according to the pharmacy and their particular arrangements with suppliers to purchase drugs. But the future lies not in relying on generic prices in order to adequately compensate pharmacists; the future relies on exactly what we've been doing for the past four years, paying pharmacists for the services that they are trained to provide and that they legally can provide and fairly compensating them for those services.

**The Deputy Speaker:** Thank you, hon. minister.  
The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. To the same minister: will the transitional funding promised by the government be sufficient to mitigate both the short-term and long-term consequences of this budget for the pharmacies?

**Mr. Horne:** Well, Mr. Speaker, we are the only government in Canada to provide transitional funding for pharmacists in connection with generic price reductions. While we are later than most provinces in reducing these prices, we were the first in Canada to provide a transition fund of over \$95 million to support pharmacists; \$15 million of that is devoted to rural and remote pharmacists across the province, and \$10 million of the \$15 million has yet to be allocated. We're meeting with the Pharmacists Association today to talk about how we can best use that \$10 million along with other initiatives, all related to professional . . .

**The Deputy Speaker:** Thank you, hon. minister.  
The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. My final question is to the Minister of Enterprise and Advanced Education. What other initiatives are being taken, if any, to help small businesses thrive in Alberta?

**Mr. Lukaszuk:** Well, Mr. Speaker, I think everyone in this House realizes that small businesses continue to be the largest employers

of Albertans, and they are pivotal to the backbone of our economy. There are a number of services offered such as Business Link through the government of Alberta, or there are organizations like Startup Edmonton that help small businesses to develop and grow into larger enterprises. Recently we created a new website for small businesses that helps them to deal with the regulatory regime and cut the regulatory burden on businesses as well. So we're working with small businesses, realizing the importance of them not only as contributors to . . .

**The Deputy Speaker:** Thank you, hon. minister.

#### Health and Safety Questions from Airdrie Constituents

**Mr. Anderson:** Mr. Speaker, today I have three health and safety questions on behalf of constituents. On January 15 the Airdrie urgent care centre received a letter from AHS stating that all nurse practitioners in Airdrie were being let go. This was a shock for our growing community of 45,000 people. Fortunately, local health professionals and community leaders were able to convince AHS of their mistake, and the decision was put on hold to be reviewed. To the Health minister: can you please commit to the people of Airdrie and region that their nurse practitioners will not be yanked out of our already overcrowded urgent care centre?

**Mr. Horne:** Well, Mr. Speaker, I thank the hon. member for his concern about his constituents and their access to the health care that they need. The hon. member answered his own question when he indicated that AHS has stated that they will take another look at the situation. There are many services that nurse practitioners provide, that they are trained to provide, and that they can provide very well in environments where they practise with doctors and also without. The goal is to make best use of the Health human resources, those dedicated professionals that we have, to match patient need in given communities. I'm sure, as AHS takes a look at this, that is what they will keep as top of mind.

**The Deputy Speaker:** Thank you, hon. minister.

**Mr. Anderson:** Leave our nurses alone, Minister.

My supplemental is for the Transportation minister. Given that I have several constituents who regularly travel north to Fort McMurray for work and given that they are telling me that the portion of highway 63 north of Fort McMurray running to the actual oil sands projects themselves is not being properly salted, sanded, and is essentially lawless, resulting in several recent fatalities, will the minister commit to doing a better job of maintaining this road for winter driving conditions and ensuring adequate safety enforcement on this road moving forward?

**The Deputy Speaker:** The hon. minister.

**Mr. McIver:** Well, thank you, Mr. Speaker, and I thank the member for the question. We, of course, have contracts across the province with independent contractors to do the maintenance on the roads. When we get complaints, we pass that on and have steps to take to make sure that happens. I'll consider whether this is one of those complaints, so I will take that under advisement. I can assure the hon. member that we have procedures in place, that the people we contract with are required to keep the roads in a safe and passable condition. Of course, as always, unfortunately, we depend upon Albertans to drive in a defensive way.

**The Deputy Speaker:** Thank you, hon. minister.

Hon. member, just a reminder that supplementals ought to follow the same line of questioning, so I hope you'll be able to do that. Your second supplemental.

**Mr. Anderson:** You want me to be meaner, Mr. Speaker? I can be meaner. Okay.

The final supplemental is for the Health minister. Given that I have a constituent that suffers from multiple sclerosis who needs to fill thousands of dollars in prescriptions every month, which she does at Safeway because they give her Air Miles for filling them there, which she then uses to travel to climates that help her cope with her condition, and given that her husband tells me that there is a movement under way to prohibit Safeway from offering incentives like Air Miles for filling prescriptions there and given that this seems very anticompetitive, unwarranted, and will hurt regular folks, Minister, can you assure my constituents that you will not permit this to happen?

**Mr. Horne:** Well, Mr. Speaker, based on my understanding as to what I think I heard from the question, the hon. member is asking about loyalty programs and inducements and the extent to which, if at all, they are permitted in the practice of pharmacy in the province. As the hon. member knows, that is an issue that has been raised by the College of Pharmacists in Alberta. They have asked government to consider the issue. I know that the hon. member's constituent may have the opportunity to benefit from lower generic drug prices in the near future, and that's certainly one of the thoughts behind that initiative. As to the loyalty programs, we're in discussions.

**The Deputy Speaker:** Thank you, hon. minister.

#### Smart Grid Electricity Technology

**Dr. Brown:** Mr. Speaker, last summer an explosion in Calgary caused power outages as much as 18 and a half kilometres away from the point of the accident. With smart grid technologies the outage could have been contained to a localized area. Technologies could also create efficiencies in power distribution and reduce peak power usage. Last year an APEC committee recommended that smart grid interoperability standards should be pursued as a core objective in economy-wide programs. My questions are for the Minister of Energy. When will his department implement a smart grid road map to guide the development and deployment of smart grid technologies in this province?

**The Deputy Speaker:** The hon. minister.

**Mr. Hughes:** Thank you, Mr. Speaker, and I appreciate the question from the member. You know, smart grid is actually a term that describes many different kinds of technologies, all of which take us in a certain direction of a more responsive electricity grid. In 2011 the Alberta Utilities Commission delivered a report which indicated that Alberta's grid is actually already deploying many of these many technologies. There are others out there that haven't been yet. I would note in passing, though, that the government of Alberta does not have plans to introduce smart . . .

**The Deputy Speaker:** Thank you, hon. minister.

**Dr. Brown:** When will that minister employ his department to mandate Alberta utility companies to work together by implementing some sort of interconnectivity and interoperability in the system?

**Mr. Hughes:** Mr. Speaker, clearly, all utility companies in this province have an obligation to work together and to ensure that they have the best performing system that we can possibly have in this province. Representatives from both the Alberta Utilities Commission and the AESO, the system operator, have contributed to building these North America-wide standards. So we're very much in the game, we're very much part of the leadership of this, but of course it always has to be an economic proposition as well.

**The Deputy Speaker:** Thank you, hon. minister.

**Dr. Brown:** Mr. Speaker, finally, will the minister consider promoting the use of household-based instrumentation, which can divert the peak energy usage and lower the cost to consumers? [interjections]

**Mr. Hughes:** I appreciate the question and the enthusiasm from the back row over there.

Mr. Speaker, this government, obviously, earlier this year took strong actions to protect consumers. Just recently, in January, we took steps to ensure that there is greater cost scrutiny of the transmission systems. We've increased market competition, and we've increased price stability. This will lead to more stable, lower prices for Albertans over time and a very stable supply.

**The Deputy Speaker:** Thank you, hon. minister.

The hon. Member for Cardston-Taber-Warner.

2:40

#### Food Safety Regulations

**Mr. Bikman:** Thank you, Mr. Speaker. Churches, legions, and community halls are where small towns come together. The men and women who volunteer in these facilities have been preparing food for their friends and neighbours for generations. Now our community volunteers are under attack, and I keep getting letters about this. They can't cook without a time-consuming food prep course. They can't serve without a costly serving course certificate. To the Minister of Health: why does the government think our local volunteers and senior citizens are incapable of preparing food without AHS looking over their shoulders?

**Mr. Horne:** Well, Mr. Speaker, this government applauds the efforts of volunteers across the province in the large cities and in smaller communities, and we recognize the contribution that they make. That said, there is a requirement for public health regulations and inspection and enforcement across the province in order to ensure that food consumed is safe, and that involves safe preparation. If the hon. member has a particular concern about an incident in his own constituency, I invite him to send me the details. I'd be glad to investigate.

**The Deputy Speaker:** Thank you, hon. minister.

**Mr. Bikman:** Given that people in small communities often bring food to events after they've cooked them at home and given that AHS managers are used to dining out on expensive meals, is the Minister of Health prepared to eliminate rules that prevent volunteers from preparing food at home and then serving it at community-sponsored events?

**Mr. Horne:** Well, Mr. Speaker, I'm sure that the hon. member would agree that he would not want the Minister of Health nor any other elected member of this House to make very critical decisions about the safe preparation and serving of food in our province. So if there's a particular question about a particular aspect of the

Public Health Act or the regulations that the member wants us to investigate, I'd be very pleased to receive that information.

**The Deputy Speaker:** Thank you, hon. minister.

The hon. member. Final supplemental, without preamble.

**Mr. Bikman:** Thank you, Mr. Speaker, and I will do that. Given that local volunteers are reaching out and telling the minister that these bureaucratic rules and regulations are harmful to smaller communities, is the government prepared today to commit to cutting this kind of unnecessary government red tape?

**Mr. Horne:** Well, Mr. Speaker, I absolutely empathize with the spirit of the hon. member's question, but I'm sure he would agree that the responsibility of government to the citizens of this province is to ensure quality and safety in the preparation and the serving of food regardless of the size of the function or the community in which the event takes place. This is an issue that I think many of us have encountered. I'm very happy to continue to work with AHS and to look at specific aspects of the regulation that may be concerning to the hon. member. But I as a layperson am not going to make that decision.

**The Deputy Speaker:** Thank you, hon. minister.

Hon. members, today we got through 16 sets of questions. I thank you for your co-operation. In 30 seconds I'll recognize the next set of members' statements.

#### Members' Statements

(continued)

**The Deputy Speaker:** The hon. Member for Lethbridge-East.

#### Senator Joyce Fairbairn

**Ms Pastoor:** Thank you, Mr. Speaker. Senator Joyce Fairbairn has retired from the Senate of Canada having served her country, her province, and her constituents on Parliament Hill for over half a century.

Joyce was born in Lethbridge, Alberta. She is a graduate of the universities of Alberta and Carleton as a journalist and became known as the first female newsman in the parliamentary news gallery and also was with the bureau of United Press International. She served with Prime Minister Trudeau as legislative assistant and communications director. She served in the Senate for 25 years with passion, dedication, and energy.

She has also been at the forefront of fighting for those whose voices are often marginalized, ignored, or disregarded. Literacy for all Canadians was where she left a remarkable legacy, and she was respected from coast to coast for the programs she helped establish.

She represented Canada at the Nagano Paralympics, and it became a defining moment as she continued to work tirelessly for the Paralympic athletes.

She represented an extension of the Famous Five women's accomplishments. She, too, was a pioneer, blazed trails for women to follow but also to create their own trails. Always with Joyce it was about the job and not about her, and unfortunately, consequently, there are no personal journals or diaries of this remarkable woman, to whom all Canadian women owe so much.

My words have only scratched the surface. In Lethbridge she is Senator Joyce, deeply loved and respected as the lady in red and a woman of great distinction.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.  
The Member for Calgary-Bow.

### Jean (John) Raymond Spenard

**Ms DeLong:** Thank you, Mr. Speaker. I rise today to talk about the spirit of the people of Alberta, that I was privileged this weekend to witness. My weekend was no different than that of any other member here, a calendar of community events to attend and constituents to meet, but I was given reason to reflect on the people behind these events. You see, a long-time member of the Bowness community had passed.

Jean Raymond Spenard spent decades feeding people, first at the old Bowness Hotel, then at the Bowness Seniors Centre, where he volunteered running the kitchen. I last saw Jean just a few weeks ago. He was hooked up to oxygen and using a walker, but arms folded, eyes following each of the volunteers serving his food, he made sure that everything was done to his exacting standards. Well, Mr. Speaker, on Saturday well over 250 people attended a celebration to recognize Jean's life well spent.

This caused me to reflect on the numerous people throughout Alberta who give up their time and energy to make their communities a better place, people like Christine Webster and the parents and teachers who organized and ran the Bowness big band dance on Friday night, raising funds for the music program at the high school; people like the members of Foothills United church that organized, cooked, and served a delicious beef stew for the community at their St. Patrick's Day dinner; or people like Andrew Shorter and the other hard-working members of the Crestmont Community Association board, who gathered for their annual general meeting on Sunday afternoon despite the snow blowing down around Calgary.

Mr. Speaker, we are grateful for these constituents. All of my colleagues here at the Legislature witness the contributions and sacrifices that Albertans make every day. As MLAs we're privileged to see just what it is that makes this province great.

**The Deputy Speaker:** Thank you.  
The Member for Lacombe-Ponoka.

### Blackfalds Concerns

**Mr. Fox:** Thank you, Mr. Speaker. It is my honour to rise and read a letter written to this government by the mayor of Blackfalds, Melodie Stol. Mayor Stol isn't interested in scoring political points. Her concerns are real and honest. This government likes to pass budgets without considering the people they affect, and I hope they recognize hearing this letter as the privilege that it is. She writes:

Over the past week our Council and administrative staff have been reviewing the proposed 2013 budget and [its] ramifications on our community. It is my duty and responsibility on behalf of the Council of Blackfalds to highlight to you the consequences that the change of education property tax requisition has on our community.

The \$600,000 increase translates into a 39.5% residential tax increase on our residents. In real dollars, we will have families facing tax increases of \$400 to \$500. How can our government profess to have a budget of no tax increases that will result in families paying so much more every year? Further, Blackfalds has been waiting for the Province to provide new schools locally and we have not had our needs met. Our schools are bursting at the seams. Our elementary school has been on the capital plan for modernization for over 10 years! Yet we are being asked to pay 39.5% more for inadequate local school infrastructure.

The province has seen fit to offer transitional mitigation measures to 4 communities to help transition over the next two and three years. Blackfalds has been left out . . . Certainly this huge burden of a tax increase is not what you envisioned for the blue collar workers and families that make up Blackfalds' population.

Mr. Speaker, Mayor Stol is fearful for her community. Blackfalds feels ignored, dismissed, and disrespected. Shame on this government for downloading their deficit onto the backs of honest, hard-working communities like Blackfalds.

2:50

### Tabling Returns and Reports

**The Deputy Speaker:** The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you very much, Mr. Speaker. I have two tablings today. The first is the appropriate number of copies of a *Calgary Herald* article dated September 14, 2011, which covers former Premier Lougheed's opposition to the Keystone XL pipeline on grounds that it will ship jobs to the U.S. and also includes a quote from the now Minister of Municipal Affairs and MLA for Battle River-Wainwright wherein when asked about the U.S. rejecting the Keystone project, he said: "I wouldn't be upset. I'd smile and say, 'Great, we'll upgrade it here, and we'll ship it to somewhere that does want it'." Apparently he, too, is un-Canadian.

The second tabling is the appropriate number of copies of submissions received from Albertans made to our prebudget tour, which visited seven cities in February. For example, Polly writes:

As a teacher I am extremely concerned about cuts to education. I feel as though promises . . . to teachers were never taken seriously . . . How am I supposed to ensure my students have a stand up education when I have to teach 32 10 year olds?

Thank you.

**The Deputy Speaker:** Hon. member, did you have another tabling for the Member for Edmonton-Highlands-Norwood?

**Ms Notley:** That was one of them.

**The Deputy Speaker:** That was it? Okay. Wonderful. Thank you.  
I'll recognize the Member for Calgary-Buffalo.

**Mr. Hehr:** Thank you, Mr. Speaker. I'm tabling the report I mentioned in question period. It's the Canadian Results from the Progress in International Reading Literacy Study, which clearly shows that the results of our grade 4s in terms of reading comprehension are on the decline from where they were five years ago.

The second tabling I have is an article from Richard Cuthbertson of the *Calgary Herald* which discusses this report and has a quote in it from Jim Dueck, a former assistant deputy minister, who retired a couple of years ago. He said, "I'm embarrassed by (the results), as a province."

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you.  
The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Mr. Speaker. I'm tabling five copies of a letter from the president of the Alberta Medical Association to members calling for clarity around the negotiating process and a willingness of the government to come back to the table and present a clear approach to solving this two-year-old conflict.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.  
The Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Speaker. I'd like to table the appropriate number of copies of one of many e-mails we received about this PC government's cancellation of the STEP program. Justin McDonald is a university student from Edmonton who was able to gain invaluable experience through the STEP program by working with the Writers Guild of Alberta for a summer. He writes, "The small investment STEP makes in students gives them enormous support in realizing their potential and finding success in a position that matters to them."

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.  
The Member for Little Bow.

**Mr. Donovan:** Thank you, Mr. Speaker. It gives me great pleasure today to table the appropriate number of copies of a letter written by one of my constituents, a very bright and well-spoken 20-year-old, Calvin Timmerman, on behalf of the Association for Reformed Political Action. The letter highlights their concerns with comments made by a member of the Assembly regarding the characterization of children helping around the farm as child labour. I believe it's regarding the Member for Calgary-Mountain View. I could give a speech, but I know you don't want one.

**The Deputy Speaker:** I appreciate that, hon. member. Thank you.

**Mr. Anderson:** Mr. Speaker, I have two tablings today. The first is from a constituent, Todd Hartley, an avid outdoorsman and hunter who feels there needs to be a change in legislation regarding leases on Crown land to allow more foot access year-round so that he and other hunters can use it appropriately. I have the letter and would ask the Minister of Environment and SRD to carefully consider it. I know she will. That's the first one.

The second tabling I have is a very lengthy letter from Sherri Case, also a constituent of mine. She wants to see major reforms in the maintenance enforcement program to better protect the interests of children, and she's outlined several very thoughtful and specific proposals on how to do so. I would ask the Minister of Human Services and the Justice minister to have a thorough read of it. I think it's a very good read – great ideas from Sherri here – and I have the needed copies.

**The Deputy Speaker:** Thank you, hon. member.  
The Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Mr. Speaker. I would like to table the letter I just read from in my member's statement, a letter dated March 14 to the Hon. Alison Redford, Premier of Alberta, and the hon. Alberta cabinet ministers.

**The Deputy Speaker:** Please, hon. member, we don't use proper names.

The hon. associate minister responsible for PDD.

**Mr. Oberle:** Thank you, Mr. Speaker. [interjections] In follow-up to yesterday's discussion about the Workers' Compensation Board in this Chamber I'm pleased to table some statistics on the number of inquiries that they've had in the last 10 years for the consideration of the hon. Member for Calgary-Mountain View and other members there, who, obviously, aren't interested in the tabling.

**The Deputy Speaker:** Thank you, hon. associate minister.

Hon. members, the Member for Airdrie rose on a point of order at 1:55. Hon. Member for Airdrie, if you'd like to speak to your point of order and the citation, please.

#### **Point of Order Factual Accuracy**

**Mr. Anderson:** Thank you, Mr. Speaker. This is referring to our *Standing Orders of the Legislative Assembly of Alberta*. There is a section in here, Standing Order 23(h), (i), and (j) – it's not used often, but we will attempt to here – on making allegations against a member, in particular, imputing false or unavowed motives to another member. Very, very on point in this case. I think that the government would agree that we do not want, obviously, a lot of commotion in this House. We wouldn't want that, especially when we have points that we do agree on. We need to, of course, respect the differences that we have and celebrate those things that we are similar on and not try to razz each other for no reason.

Let me make very clear on behalf of our leader something that she has never wavered from. There's absolutely a complete commitment on her part and on the Wildrose side to decrease carbon emissions that we give off here as a province. There is no doubt about that. We've been very clear about that throughout.

There's no doubt also that there have been instances of miscommunication where there's been a view put forth that the science is somehow unsettled. There is no doubt, Mr. Speaker, that when you put more CO<sub>2</sub> into the atmosphere, the atmosphere warms up. That science is absolutely settled. So we are completely committed to that and reducing carbon dioxide, our carbon footprint, and want to make sure that on a go-forward that is very clear. Of course, where the science is not settled is how fast it is happening and what best to do to deal with that. That's where researchers are spending millions and millions and millions of dollars in that regard.

That is an explanation of it. We will be very, very, very clear going forward that we want to decrease carbon emissions in this province because it's the right thing to do, and we're going to do it.

Thank you.

**The Deputy Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I do believe that there's a place that has frozen over today, and I'm hesitant to go out tonight in case the moon is blue. However, I think it's important for Alberta that the hon. member stood up today and clarified that they do understand that in order for us to sell Alberta products to the world, we have to embrace what the world wants and we have to understand what the market conditions are. I'm pleased that they actually are coming into this modern era and understanding that. There was confusion over that, and there probably will remain confusion because of the way that he equivocated in his remarks.

I'll just go back to the comments that his leader did make on April 16, 2012, in the leaders' debate, quote: we have always said that the science isn't settled, and we need to continue to monitor the debate. On April 19, quote: there is still a debate in the scientific community, and we're going to continue to watch the debate in the scientific community.

So it's an important move forward today. I think an important piece of business was done today when the hon. member dragged his party and his leader kicking and screaming into 2013 to join the rest of us.

3:00

**The Deputy Speaker:** Thank you, hon. Government House Leader.

I'm going to make a ruling at this point. I think what we had here, the reference to a comment I believe from the government side – I believe it was to the Deputy Premier – begged for some clarification. It's obvious that the Member for Airdrie got up and, I would say, very eloquently clarified. I would suggest that the House now has no doubt but to accept this position on behalf of himself and his party. So I would say that there's no point or order. Let's move on.

Hon. members, pursuant to Standing Order 59.01(5)(b) the legislative policy committees will convene this afternoon and this evening for consideration of the main estimates. Families and Communities will consider the estimates for Education in committee room A in the afternoon, and Resource Stewardship will consider the estimates for Treasury Board and Finance in committee room A this evening.

The House now stands adjourned.

[The Assembly adjourned at 3:01 p.m. pursuant to Standing Order 59.01(5)(b) to Wednesday at 1:30 p.m.]



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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Wednesday, March 20, 2013

Issue 39

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta**  
**The 28th Legislature**

First Session

Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC), Speaker  
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Jablonski, Mary Anne, Red Deer-North (PC), Deputy Chair of Committees

Allen, Mike, Fort McMurray-Wood Buffalo (PC)  
Amery, Moe, Calgary-East (PC)  
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Anglin, Joe, Rimbey-Rocky Mountain House-Sundre (W)  
Barnes, Drew, Cypress-Medicine Hat (W)  
Bhardwaj, Naresh, Edmonton-Ellerslie (PC)  
Bhullar, Hon. Manmeet Singh, Calgary-Greenway (PC)  
Bikman, Gary, Cardston-Taber-Warner (W)  
Bilous, Deron, Edmonton-Beverly-Clareview (ND)  
Blakeman, Laurie, Edmonton-Centre (AL),  
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Calahasen, Pearl, Lesser Slave Lake (PC)  
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Casey, Ron, Banff-Cochrane (PC)  
Cusanelli, Christine, Calgary-Currie (PC)  
Dallas, Hon. Cal, Red Deer-South (PC)  
DeLong, Alana, Calgary-Bow (PC)  
Denis, Hon. Jonathan, QC, Calgary-Acadia (PC),  
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Forsyth, Heather, Calgary-Fish Creek (W)  
Fox, Rodney M., Lacombe-Ponoka (W)  
Fraser, Rick, Calgary-South East (PC)  
Fritz, Yvonne, Calgary-Cross (PC)  
Goudreau, Hector G., Dunvegan-Central Peace-Notley (PC)  
Griffiths, Hon. Doug, Battle River-Wainwright (PC)  
Hale, Jason W., Strathmore-Brooks (W)  
Hancock, Hon. Dave, QC, Edmonton-Whitemud (PC),  
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Pedersen, Blake, Medicine Hat (W)  
Quadri, Sohail, Edmonton-Mill Woods (PC)  
Quest, Dave, Strathcona-Sherwood Park (PC)  
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Rodney, Hon. Dave, Calgary-Lougheed (PC)  
Rowe, Bruce, Olds-Didsbury-Three Hills (W)  
Sandhu, Peter, Edmonton-Manning (PC)  
Sarich, Janice, Edmonton-Decore (PC)  
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Strankman, Rick, Drumheller-Stettler (W)  
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Towle, Kerry, Innisfail-Sylvan Lake (W),  
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Weadick, Hon. Greg, Lethbridge-West (PC)  
Webber, Len, Calgary-Foothills (PC)  
Wilson, Jeff, Calgary-Shaw (W)  
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
    Government Whip

**Party standings:**

Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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Cal Dallas	Minister of International and Intergovernmental Relations
Jonathan Denis	Minister of Justice and Solicitor General
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Greg Weadick	Associate Minister of Municipal Affairs
Teresa Woo-Paw	Associate Minister of International and Intergovernmental Relations

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

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Deputy Chair: Mr. Fox

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Cao	Pastoor
Donovan	Quadri
Dorward	Rogers
Eggen	Rowe
Hehr	Sarich
Luan	Strankman
McDonald	Xiao

### Standing Committee on the Alberta Heritage Savings Trust Fund

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Deputy Chair: Mrs. Jablonski

Anderson  
Casey  
Dorward  
Eggen  
Kubinec  
Sandhu  
Sherman

### Select Special Conflicts of Interest Act Review Committee

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Deputy Chair: Mr. Luan

Blakeman	Notley
Dorward	Saskiw
Fenske	Wilson
Johnson, L.	Young
McDonald	

### Standing Committee on Families and Communities

Chair: Mr. Quest

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Cusanelli	Leskiw
DeLong	Notley
Fraser	Pedersen
Fritz	Swann
Goudreau	Towle
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### Standing Committee on Legislative Offices

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### Special Standing Committee on Members' Services

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Deputy Chair: Mr. Rogers

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Forsyth	McDonald
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Kennedy-Glans	Sherman
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### Standing Committee on Private Bills

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Brown	Notley
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DeLong	Rowe
Fox	Strankman
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Goudreau	Webber

### Standing Committee on Privileges and Elections, Standing Orders and Printing

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Deputy Chair: Mr. Lemke

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Cao	Notley
Casey	Pedersen
Hehr	Rogers
Jansen	Sandhu
Kennedy-Glans	Saskiw
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### Standing Committee on Public Accounts

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Deputy Chair: Mr. Dorward

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Amery	Jeneroux
Anglin	Khan
Bilous	Pastoor
Donovan	Quadri
Fenske	Quest
Goudreau	Sarich
Hale	Stier

### Standing Committee on Resource Stewardship

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Barnes	Johnson, L.
Bikman	Khan
Bilous	Kubinec
Blakeman	Lemke
Calahasen	Sandhu
Casey	Stier
Fenske	Webber

## Legislative Assembly of Alberta

1:30 p.m.

Wednesday, March 20, 2013

[Mrs. Jablonski in the chair]

**The Acting Speaker:** I knew this was going to be a bad hair day. [laughter]

### Prayers

**The Acting Speaker:** Let us pray. Guide us so that we may use the privilege given us as elected Members of the Legislative Assembly. Give us the strength to labour diligently, the courage to think and to speak with clarity and conviction and without prejudice or pride. Amen.

Please be seated.

Hon. members, it is with great pleasure that I share with you this information. Today is the 24th election anniversary of one of our colleagues, the hon. Member for Lesser Slave Lake. [applause]

### Introduction of Guests

**The Acting Speaker:** The hon. Member for Edmonton-Ellerslie.

**Mr. Bhardwaj:** Thank you very much, Madam Speaker. It's my honour to rise today on behalf of the Speaker, the hon. Member for Edmonton-Mill Creek, to introduce 56 of the brightest students from Velma E. Baker elementary school in the constituency of Edmonton-Mill Creek. Joining them today are their teachers, Ms Lynn Peacock and Ms Marilyn Manning, and also four parent volunteers, Mrs. Rosalea Petruk, Mrs. Verna Milligan, Mrs. Kelly Nicolson, and Mr. Gary Biddell. At this time I'd ask all of the students and guests to please rise and receive the traditional warm welcome of the Assembly.

**The Acting Speaker:** The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Well, thank you, Madam Speaker. It is truly a pleasure to stand today and introduce to you and through you to all members of the Assembly a group of individuals joining us today from the Trinity Christian school in my riding of Calgary-Shaw. We have 39 grade 6 students along with 23 parents here today, including their teachers, Dawnyshia Dykshoorn and Cheryl Barnard. The principal of the school, Mr. Stan Hielema, is also here. I would ask all of them to please rise and I'd ask fellow members to provide them with the traditional warm welcome of this Assembly.

**The Acting Speaker:** The hon. Minister of International and Intergovernmental Relations.

**Mr. Dallas:** Well, thank you, Madam Speaker. Today it's my great pleasure to introduce through you but not to you a member of the Red Deer-North constituency and a good friend of mine, Bob Jablonski. Bob has been a volunteer pilot and trainer with the Civil Air Search and Rescue. He's been a volunteer fireman with the Nordegg fire rescue as well as one of our area's finest entrepreneurs. Bob has owned a number of family businesses, the latest being The Coverall Shop. Bob resides in Red Deer, where he is a loving father, a grandfather to four granddaughters and one grandson, and for the past 41 years partner to the hon. Member for Red Deer-North. Bob is seated in the Speaker's gallery today, and I'd

ask him to please rise and receive the warm welcome of the Assembly.

**The Acting Speaker:** The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much, Madam Speaker. It is my great pleasure today to introduce to you and through you to all members of the Assembly the careers in transition program. With us today – and I believe they're all sitting in the public gallery – we have Tanis Harder, who is the instructor. Now, the rest of them are all students that are very hard working, looking for their GED. We have Mike Lee, Justine Jensen, Chris Gallinger, Tami Reid, Chris Boyle, Tania Lewis, Renee White, Margaret Gordon, and Patricia Willis. They're all standing, so if you would please join me in welcoming them to the fabulous constituency of Edmonton-Centre.

**The Acting Speaker:** The hon. Member for Bonnyville-Cold Lake.

**Mrs. Leskiw:** Thank you, Madam Speaker. It's a pleasure to introduce to you and through you to all members of this Assembly 13 members of the Advisory Council on Alberta-Ukraine Relations, ACAUR. Over 10 years ago the Member for Edmonton-Mill Creek, our current Speaker, started ACAUR, to which I was appointed way back then. I would like to thank the Minister of International and Intergovernmental Relations for his continued support of this council.

Madam Speaker, I'd ask the council members to rise and stay standing as I list their names. Daria Luciwi is past president of the Ukrainian Canadian Congress Alberta Provincial Council. Kathryn Kozak Wiebe, former mayor of Bonnyville, is active in the rural Ukrainian community. Michael Sulyma is the head of Sulyma Productions, an arts touring and production company. Vitaliy Milentyev is a member of the Canada-Ukraine Chamber of Commerce and president of Global Wealth Builders. Yarema Shulakewych works at the Canadian International Development Agency projects in Ukraine and has represented the Ukrainian Canadian Congress in Kiev. Emil Yereniuk is president of the Ukrainian Self-Reliance Association and vice-president of the Ukrainian Self-Reliance League of Canada. Marilyn Mucha is a member emeritus of the Ukrainian Shumka Dancers Advisory Foundation. Jaroslaw Szewczuk has experience advocating for political rights and freedoms for Ukraine and promoting Canadian values to Ukrainians. He is also president of the League of Ukrainian Canadians in Edmonton.

Bill Lebedovich is a chartered psychologist and teacher at the University of Calgary and the University of Alberta business faculties who has worked in the oil and gas industry. Natalia Toroshenko is a third-term town councillor for the town of Vegreville. Bill Shostak is president of Ukrainian Canadian Social Services, Edmonton branch. Michael Hantzsch is vice-president of the oil sands and heavy oil business unit of the Pembina Pipeline Corporation and is involved in the Ukrainian Canadian Professional and Business Association of Calgary. Bohdan Romaniuk, lawyer, economist, business executive, is involved in the Ukrainian Canadian Professional & Business Association of Calgary. Barbara Hlus is our newly elected president of the Ukrainian Canadian Congress Alberta Provincial Council. Also with her is Stefanie Jones from IIR, assigned to the Europe file. Thanks to Stefanie for her help and guidance over the many years. IIR is blessed to have you onboard.

I would ask everyone to give them the warm welcome of this Assembly.

**The Acting Speaker:** The Associate Minister of Municipal Affairs.

**Mr. Weadick:** Well, thank you, Madam Speaker. It's indeed a pleasure to rise today and introduce someone that's an important part of our community here in Alberta. As you know, the home-building industry is extremely important to our community and to all of us. Today I'm very pleased to have the CHBA Alberta president, Dave Hooze, here. He's in the Legislature with his son and their class from Calgary. Dave is the president and general manager of Stepper Custom Homes. I'd like to tell you that he was also a very strong advocate for the new-home warranty program and for mandatory home warranty for all of the homes in Alberta. I'd like to ask Dave to rise so we can give him the warm reception of our House.

**The Acting Speaker:** The hon. Member for Edmonton-South West.

**Mr. Jeneroux:** Thank you, Madam Speaker. I'm pleased to introduce to you and through you to members of the Assembly Mr. Daylin Breen, who recently received the Queen's jubilee medal for his work building a strong, active community environment while establishing an active and effective school parent council at Johnny Bright school. Through his initiative with his parent council Daylin has spearheaded an annual walk-to-school day and implemented a school travel plan, both of which the Edmonton public school board is now looking at as models for other schools. Daylin continues to create a strong community within Edmonton-South West while still working full-time and raising two remarkable kids, Rowan and Maya. I'd ask that Mr. Daylin Breen please rise and receive the traditional welcome of the Assembly.

1:40

**Mr. Dorward:** Madam Speaker, on July 10, 1971, I met a young woman at a movie theatre who would greatly improve and bless my life. She is here today, my wife, Janice Dorward. Accompanying Janice is our daughter from Salmon Arm, Jennifer Henrie, and five of our 13 grandchildren: Ryan, Nadya, Christian, Bethany, and Joshua. I invite them to stand and receive the warm welcome of this Assembly.

**The Acting Speaker:** The hon. Member for Edmonton-Manning.

**Mr. Sandhu:** Thank you, Madam Speaker. It gives me great pleasure to rise today and introduce to you and through you to all members of this Assembly Youth Akali Dal Mansa party president, Mr. Gurpreet Singh Banawali from Punjab, India. He has been visiting this great province of Alberta for the past week and has expressed to me how much he has enjoyed his visit so far. Today during the visit various issues were discussed, the biggest one being: will India have access to Alberta oil? I have assured him that the Alberta government is working to improve market access. He has been travelling with many friends, visiting both Edmonton and Calgary, and today they are here to watch a live question period.

They are all seated in the members' gallery. Joining Mr. Banawali are many of his friends and mine. I'd ask them to please rise when I mention their names: Gurpreet Banawali, Manpreet Sidhu, Amandeep Dhanju, Rajesh Choudhary, Prab Gill from Calgary, Inderjit Mullanpur of the *Desh Videsh Times*, Parminder Grewal, Balraj Brar, Raj Wander, Navtej Singh, and, of course, my good friend Vattandeep Grewal from the *Ajit* newspaper. I'd ask the members to please give them the traditional warm welcome of the Assembly.

Thank you.

**The Acting Speaker:** The hon. Member for Calgary-Cross.

**Mrs. Fritz:** Thank you, Madam Speaker. Today is a very special occasion as it is the first time in the Assembly that we've had a woman in the Speaker's chair, and it's wonderful. My friend, I want you to know how special it is, too, that Bob has joined you for this very defining moment in your career. We're just going to give you one more real round of applause. [applause]

**The Acting Speaker:** Thank you for that. I would just add that 41 years is not enough. [laughter]

The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Madam Speaker. A tough act to follow.

It's my pleasure to introduce to you and through you to this Assembly my friend Ross Ford, reeve of the county of Warner, former mayor of Coutts, and successful farmer. Ross is a vocal, articulate advocate for our area, especially most recently about the importance of volunteer ambulance service. Ross, please rise and receive the welcome of this Assembly, which I hope will be enthusiastic enough to persuade you to run again this October.

**The Acting Speaker:** The hon. Minister of Service Alberta.

**Mr. Bhullar:** Thank you very much, Madam Speaker. It's indeed a pleasure today to rise and introduce a dear friend, Prab Gill, who's here from Calgary. The Member for Edmonton-Manning already mentioned his name because he likes to take credit for all great things that we know especially come from Calgary. Prab is a dear friend, a great community volunteer, and somebody whose relationship and friendship I cherish very much. I'd ask all members to give him the warm welcome of this Assembly.

**The Acting Speaker:** Are there any others? The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Madam Speaker. It is my extreme pleasure to rise and introduce to you and through you to the Assembly a gentleman named Chris Nielsen. Chris is not only a hard worker with United Food and Commercial Workers 401 but was a very integral part of my campaign team in the last election. Chris volunteered and did everything from helping going door to door to delivering flyers to putting up signs. What's interesting is that Chris is now in the process of seeking the nomination for the Alberta NDP in the riding of Edmonton-Decore. I would now ask Chris to rise and receive the warm traditional welcome of the Assembly.

## Members' Statements

### Edmonton Remand Centre

**Mr. Saskiw:** Yesterday, with great fanfare, the PC government opened up a brand new facility. It's being billed as state of the art, the most technically advanced of its kind in the entire country. It meets high environmental standards, allows for the efficient use of natural light, and is landscaped meticulously to match its agricultural style. But that's not all, Madam Speaker. Its residents will have access to an exercise room, a fresh, clean-air area as well as educational and recreational programs. They'll have regular bathing privileges, warm meals every day, and appropriate mental and physical health care right on-site.

Wouldn't it be wonderful, Madam Speaker, if I was talking about a long-term care centre or seniors' lodge? The men and women who built this province surely deserve no less. But I'm not. The place I'm talking about is the Edmonton Remand Centre,



a jail. The residents I'm talking about are inmates. While seniors in long-term care are bathed twice a week if they're lucky and get served disgusting mush for supper, Alberta taxpayers are footing the \$580 million bill for top-notch care for those behind bars.

I suppose we should expect no less from this Justice minister, a former Saskatchewan Liberal staffer. He's already stopped monitoring sex offenders, stopped prosecuting vandals, and stopped cracking down on drug dens. Why would anyone be surprised that he's rolling out the red carpet for inmates?

Madam Speaker, this isn't justice. Justice would be for vulnerable seniors receiving, at the very least, the same level of comfort and care that this minister offers inmates. [interjections] The fact is that there is no justice under this Justice minister. While a so-called progressive, soft-on-crime agenda continues to give criminals the edge, hard-working Albertans, the victims of these very criminals, are left wondering: what on earth is this Justice minister doing? [interjections]

**The Acting Speaker:** Hon. members, the noise level is getting a little loud even for a grandmother.

The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Madam Speaker, and congratulations for being in the chair today. I'm glad that I'm here to participate on the day that we have the first woman Speaker in the chair.

### Bitumen Upgrading

**Mr. Mason:** Madam Speaker – I had to change that, Madam Speaker – as we all know, since the time of Peter Lougheed the Alberta government has promised Albertans that it would develop the oil industry in the interest of all Albertans, but today Albertans know that our government is firmly in the pockets of the oil industry, and they can't be trusted to do what's best for Albertans. I say this because I know, just as Peter Lougheed did, that there's a difference between the best interest of oil companies and the best interest of Albertans.

When it comes to the oil sands, nothing displays this fact more resoundingly than the proposed Keystone XL pipeline. For years this PC government has promised Albertans they would do their best to promote upgrading of our great promise. That means thousands of well-paying jobs, increased government revenues, and spinoff industries that would help diversify and strengthen the economy.

The economics are clear, Madam Speaker. According to the government's own internal documents the Alberta economy retains 35 per cent of the value of bitumen when it is exported unprocessed, it retains 70 per cent of the value when it is upgraded to synthetic crude, and it retains almost one hundred per cent if it is refined to a higher grade product like gasoline, diesel, or jet fuel.

1:50

The last time the government made a firm promise on bitumen upgrading, Premier Stelmach promised to upgrade 70 per cent. If we followed that commitment, Madam Speaker, we would need four new upgraders, which would mean \$40 billion in capital investment and 60,000 years of employment during construction. Eleven thousand of these jobs would be highly skilled positions, including engineering jobs, and these four upgraders would create 6,000 good, permanent jobs for Albertans.

But, Madam Speaker, we're headed in the wrong direction. Today we upgrade only 58 per cent, and the ERCB projects that by 2017 that figure will drop to 47 per cent. Many of the oil companies working in Alberta already own refineries which can

process the bitumen. In Texas, obviously, it's in their best interest to support a pipeline instead of a refinery here, but it's not in the best interest of Albertans today or in the future.

Madam Speaker, building the Keystone XL pipeline and shipping raw bitumen to the Gulf Coast will . . .

**The Acting Speaker:** Thank you, hon. member.

### Oral Question Period

#### National Carbon Tax

**Ms Smith:** There is still a problem that we need to clear up. Let's review. The Premier goes to Ottawa and muses in an interview that Alberta's carbon tax is such a great idea that the federal government should have its own carbon tax. She's pressed about it, and her office issues a clarification that actually clears up nothing. Then in question period I asked about this national carbon tax strategy, and the Premier deflected and said that it was absurd to raise this. But I'll tell you what's absurd, Madam Speaker. It's the Premier saying one thing in Ontario and then saying another thing when she's back here. Why does she do this?

**Mr. Lukaszuk:** Madam Speaker, saying an absurd thing twice doesn't make it any less absurd. Let me explain that to the Leader of the Official Opposition. The only parties in this House that are talking about new taxes or additional taxes are the three parties across the aisle. However, I can tell you that we are very proud of the carbon program that we have, the made-in-Alberta program, that has proven itself to be very beneficial and could actually be an example for other provinces and other jurisdictions throughout the world.

**Ms Smith:** Thank you, Madam Speaker. Let's be clear. The Wildrose has promised no new taxes.

Let's also be clear, though, that we in the Official Opposition agree that there should be action to reduce pollutants and greenhouse gases, but we also insist that a national carbon tax is not the way to go. Even Alberta's \$15-a-tonne levy has done nothing measurable to improve things. So when, Madam Speaker, are we actually going to have a workable, effective plan to reduce overall emissions?

**The Acting Speaker:** The hon. Minister of Environment and Sustainable Resource Development.

**Mrs. McQueen:** Well, thank you, Madam Speaker, and congratulations on your being in the chair.

You know, Madam Speaker, it's really funny for that party to be asking about climate change and when we would have something measurable when those are actually climate change deniers. But I want to tell you about what we have measurable. Thirty-two million tonnes of greenhouse gases have been reduced under our climate change strategy. Over \$300 million in green technology and green energy projects have been funded for 49 projects.

Madam Speaker, other people look at our climate change policy, the Premier shares that policy, and if other jurisdictions want to look at ours . . .

**The Acting Speaker:** Thank you, hon. member.

I would like to note that there is a point of order by the hon. Member for Airdrie.

The hon. Leader of the Opposition.

**Ms Smith:** Thank you, Madam Speaker. I think the environment minister knows that emissions in the oil sands have actually gone

up and not down, contrary to what she said. The proof that Alberta's environment record is unconvincing are the recent reports of hesitation by a large German science group to proceed with a five-year study of oil sands upgrading processes. How can the Premier expect to open new overseas markets for Alberta bitumen if she has trouble convincing scientists to help us study the matter?

**Mrs. McQueen:** I want to let this hon. member know and the House know that 26 per cent to 29 per cent of intensity emissions have been reduced by the oil sands operators. That's something we should be very proud of, the new technology that industry has put in. I find it amusing that that party over there and that particular leader doesn't support the changes that industry is making.

With regard to Helmholtz and the funding that we provide the University of Alberta, \$25 million over five years, 80 per cent of that funding will continue to Helmholtz, and projects will continue with Helmholtz, and they will continue to use those.

**The Acting Speaker:** Second main question. The Leader of the Opposition.

**Ms Smith:** Thank you, Madam Speaker. We have always supported reducing pollutants and greenhouse gases, contrary to what the environment minister has said.

#### Donations to Political Parties

**Ms Smith:** There are so many clouds over this government due to ethical lapses: health expenses, illegal donations, queue-jumping. It's bad. Yet this government seems oblivious to its problems. For example, yesterday we learned that the Finance minister reappointed the owner of the Edmonton Oilers to the board of AIMCo, the Alberta Investment Management Corporation. All the while the Chief Electoral Officer has an ongoing, judge-led probe of his donations to the PC Party. Doesn't the Finance minister think an appointment like this should wait until after the investigation is over?

**The Acting Speaker:** Thank you, hon. leader.

**Mr. Horner:** Mr. — Madam Speaker, my apologies. Because you are the first, old habits die hard.

Madam Speaker, Mr. Katz is a natural choice for reappointment to the board. This is not a new appointment to the board; this is a reappointment along with a number of other directors. AIMCo is a Crown corporation that makes its day-to-day investment decisions independent of government, and that's a good thing because last year it achieved a 7.9 per cent gross rate of return on the \$7 billion it manages for Albertans.

**Ms Smith:** I think most people would have preferred for the Finance minister to wait until the air was cleared.

Speaking of the Chief Electoral Officer, his term expires shortly, and he's not going to seek reappointment. We wonder if his successor will be appointed soon so that the investigations into illegal donations to the PC Party won't be interrupted. Or will this office be left vacant for a while to just slow things down?

**Mr. Lukaszuk:** Madam Speaker, we were cutting the Leader of the Opposition slack for a while because she was a rookie, but by now she should know that this Legislature appoints a legislative committee which will have participation from all the parties, and that committee will be picking a new Chief Electoral Officer in due course.

**Ms Smith:** Madam Speaker, the Chief Electoral Officer notified the Official Opposition that I would be interviewed to provide additional information into the probe about potentially illegal donations, but I have yet to be contacted. I am just curious. Who will be handling this matter in the interim until a new Chief Electoral Officer is appointed?

**Mr. Lukaszuk:** Well, another lesson for a member who should know this by now: the operations of the Chief Electoral Officer are independent of government. The Chief Electoral Officer only reports to this Assembly as a whole. I imagine there is a progression from one electoral officer to a new one, and I'm sure she will get her phone call in due course either from the existing one or the future one.

**Ms Smith:** That's right, Madam Speaker, because the Premier has never intervened to tell a committee what to do.

#### Provincial Fiscal Deficit

**Ms Smith:** Today, on the first day of spring, perhaps we can look forward to a new attitude from this Premier and her back-in-debt government. We've been asking her Finance minister to give us some realistic numbers on debt repayment, yet he says that he doesn't really need to give us a detailed savings plan to cover off that \$17 billion in debt. "We're building Alberta." That is what they say, but what about the people they're supposedly building for, like students? Teens in a recent survey were asked about government finances and expressed concerns . . .

**The Acting Speaker:** Hon. member, I assume it's the Minister of Finance that that was directed to.

**Mr. Horner:** Thank you, Madam Speaker. You know, the hon. member has been chatting about and asking in estimates about the debt and the debt repayment, and I appreciate that. There is concern around the debt repayment schedules and those sorts of things. As I've said, in due course as we actually take out those loans, we will put the amortization schedules and the interest rates on there, just as the town of Okotoks in the hon. member's riding does in their financial statements. Frankly, they actually separate it out into operating and their capital, and they have a considerable amount of debt on their books. I'm sure she's not advocating that they should pay . . .

**The Acting Speaker:** Thank you, hon. minister.

**Ms Smith:** As I've told the Finance minister, he'd be needing to put aside \$850 million a year to pay off that debt. He's not doing that.

The survey of more than 4,400 high school students conducted by the youth organization Civix found that 58 per cent of Alberta students had major concerns about government debt, yet here in Alberta \$17 billion in debt is coming in the next three years, and nothing realistic is being set aside to pay it back. Why not?

**Mr. Horner:** Well, Madam Speaker, we're not borrowing \$17 billion all in one day and then amortizing it out over 85 years. The hon. member has tried to convince Albertans that that's what we're doing, which is absolutely hogwash. The actual reality is that the \$17 billion she speaks of is the culmination of this year's three-year business plan plus borrowings from before, when we actually put \$26 billion worth of capital into the provincial asset base that we call home. That's schools. That's roads. That's hospitals. That's all the things that Albertans need. Those are

assets that are on our books just like they are in the municipalities. She should take a lesson.

2:00

**The Acting Speaker:** Your final supplemental, hon. Leader of the Opposition.

**Ms Smith:** Thank you, Madam Speaker. Eight billion by the end of this year, \$12 billion by the end of next year, \$17 billion by the end of the year after that; regardless, we are still waiting for a realistic debt repayment plan, and we don't have it. The government's approach is a bit like taking out a \$30,000 car loan for a car that's worth \$6,000 and telling the dealer: "Just trust me. I'll put a little money aside later if things improve, and I'm pretty sure I'll have the money available when it comes time to pay it back someday." Doesn't the Finance minister think it's wrong to saddle future generations with all this debt?

**Mr. Horner:** You know, Madam Speaker, when my grandson drives around Edmonton on the Anthony Henday and realizes that every year he's making a payment on that Anthony Henday, I think he's going to be pretty pleased that this government had the vision to build that infrastructure today and not saddle him with an even higher cost tomorrow.

**The Acting Speaker:** The hon. Member for Edmonton-Centre.

#### Helmholtz Centre for Environmental Research

**Ms Blakeman:** Thanks. So, Madam Speaker, more confirmation that the Redford government's poor record of action on environmental protection is hurting the economy. It's all over the news now that the Helmholtz Centre for Environmental Research has pulled out because of German citizens' mistrust in Alberta's action on climate change and their rejection of involvement with dirty oil. To the Minister of Environment: is it really cheaper to pay for Washington trips, ad campaigns, ministerial rhetoric and number spinning, and strategy committee stipends than to just implement the actions which reduce . . .

**The Acting Speaker:** Thank you, hon. member. I would remind hon. members that it's inappropriate to use proper names of members in the House.

The hon. Minister of Environment and Sustainable Resource Development.

**Mrs. McQueen:** Well, thank you, Madam Speaker. It's important for our government and our Premier and our ministers to go and talk about the important work that Alberta is doing, and the main reason we have to do that is that we've got federal leaders of the NDP going out and talking anti the work that we're doing here. Our job is to promote the oil sands in our area here, to have market access, and to do what Albertans want, for us to get the markets open. That's exactly what this government is doing.

**Ms Blakeman:** The strategy is to blame the NDP?

Well, given that the Helmholtz partners with the U of A on all sorts of other scientific research but it is Alberta's environmental record that has caused them to pull out, does the minister not see that the Alberta record can't be all that great if citizens in Germany, a very environmentally conscious country, won't allow their scientists to continue with this project?

**The Acting Speaker:** Thank you.

The hon. minister.

**Mrs. McQueen:** Thank you, Madam Speaker. As I said in a previous question, the Helmholtz funding that we give: \$25 million over five years to the University of Alberta to work with Helmholtz. We're proud of the work with Helmholtz. Eighty per cent of the work they will continue to do.

We have many groups that we partner with. Helmholtz is one of them. There are studies like the Jacobs study and the Penspen report for the U.K., independent studies that say in their studies independently that there are no differences with regard to oil sands oil in a basket of crudes such that they should be unfairly discriminated against.

**The Acting Speaker:** Thank you, hon. minister.

The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much, Madam Speaker. Back to the Minister of Environment. Does this government really believe in muzzling citizens or in calling them un-Albertan if they challenge the government's poor environmental record? It's a bit thin-skinned, don't you think?

**The Acting Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Madam Speaker. I'm very proud to stand up here today under the leadership of our Premier, and I as Environment minister and our colleagues have opened the door to all voices to come and talk to us, whether it be about environment or SRD issues. I invite NGOs. I invite First Nations. We invite everybody. All Albertans have a voice in this government. This Premier has made sure, and we have as a ministry, that everybody's voice counts in this province.

**The Acting Speaker:** The hon. leader of the ND opposition.

**Mr. Mason:** Thank you very much, Madam Speaker. It's clear this government doesn't believe in free speech if it involves criticizing them.

#### Bitumen Upgrading

**Mr. Mason:** Madam Speaker, given the huge benefit that Keystone will bring to the United States, I'd be surprised if it were not approved by President Obama. As Peter Lougheed pointed out, it will create thousands of jobs and billions of dollars of investment in Texas. To the Energy minister: if Keystone is approved by the U.S. president, what steps will the Alberta government take to increase the amount of bitumen upgraded here in Alberta?

**Mr. Hughes:** Well, Madam Speaker, the government of Alberta has already taken great steps to actually ensure that bitumen is upgraded in this province, including the North West upgrader, which will be coming on stream within about three or four years. We had to take special steps to ensure that that happened. It was a deliberate act of political will by the government of Alberta to make that happen.

**Mr. Mason:** Every single project currently under consideration for oil sands development is for the export of bitumen, not to be upgraded in Alberta. The percentage of bitumen that is upgraded in this province is continuously going to decline because of this government's inaction.

Nancy Pelosi, in the Democratic Party in the United States, has said that by upgrading Alberta bitumen in Texas, it will not be used for domestic U.S. consumption but will be re-exported by the United States. Can the Energy minister explain why this govern-

ment is allowing the Americans to upgrade our bitumen, then resell it and make all . . .

**The Acting Speaker:** Thank you, hon. member.

**Mr. Hughes:** Madam Speaker, we have many ways to get our product to market, and that includes working hard to get access to the west coast, east coast, south through the United States of America, and perhaps north. We will seek all possible ways to get our product to market, including through adding value to it right here in Alberta. I would say that adding value anywhere in Canada is also good for Alberta and also good for Canada.

**The Acting Speaker:** Thank you, hon. minister.  
The hon. Member for Calgary-Fish Creek.

**Mr. Mason:** Excuse me. Three.

**The Acting Speaker:** Sorry, hon. member. Carry on.

**Mr. Mason:** Thank you. I know it feels like 12, but it's only two.

Madam Speaker, a U.S. State Department and Energy Department report to President Obama clearly states that investment and job creation will shift to Alberta if Keystone is not approved, but Alberta does need pipelines if it is to export upgraded and refined products. To the Minister of Energy: if Keystone is indeed built, will the government take steps to ensure that it carries upgraded synthetic crude oil and not unupgraded bitumen?

**Mr. Hughes:** Madam Speaker, you know, you can pretend that somehow you don't need to get access to markets in this province, but actually we do. We need to get to all the markets we possibly can. We will continue to monitor the situation and ensure that as much as makes reasonable sense – in an economy where we've got less than 5 per cent unemployment already in this province, it's not like we're struggling for employment in this province. We have tons of opportunity in this province. People continue to move here to work with us, and there's tremendous opportunity for all Albertans.

#### Alberta Health Services Executive Expenses

**Mrs. Forsyth:** Madam Speaker, the Health minister continues to mismanage our health care system. The PC government broke their promise with physicians after the election by tearing up their agreement in principle and now are on the warpath against doctors, asking for a \$275 million cut. When a typical family physician takes in \$175,000 after their overhead fees, senior vice-presidents like the VP of people and partners make up to \$155,000. Will the Health minister show some leadership and be asking AHS managers like the VP of linens to show an example?

**Mr. Horne:** Well, Madam Speaker, I believe that question was answered last week by Alberta Health Services when the board announced a \$35 million initiative to reduce executive expenditures and salaries across Alberta Health Services. This is exactly the kind of leadership that we're looking for, it's exactly the kind of leadership that agencies, boards, and commissions that work under this government are delivering, and it's exactly the kind of advice the hon. member should listen to.

2:10

**Mrs. Forsyth:** Patients before bureaucracy.

Given that the Deputy Minister of Health makes \$364,000 and given that the junior vice-presidents make up to \$220,000, does the Health minister believe that these bureaucrats have a higher value to patients on the operating table than our doctors do?

**Mr. Horne:** Well, Madam Speaker, I don't know what figures the hon. member is quoting from. The deputy minister figure certainly doesn't sound correct to us.

Putting that aside, this province spends more on health care on an age-adjusted basis than any other jurisdiction in the country. This province provides physician compensation that is 14 per cent above the national average. It is absolutely true that there are ranges and disparities within physician compensation depending upon which specialty we're talking about, and that's exactly one of the issues we're working on with the AMA.

**Mrs. Forsyth:** Executive salaries and bonuses, Madam Speaker.

Given that this government recently gave themselves an 8 per cent pay raise and gave their own deputy minister a pay hike in June, will the Health minister commit to cutting these salaries before asking our front-line health care workers to take a hit?

**Mr. Horne:** Madam Speaker, this government supports a health system that is second to none across the country. The compensation that we provide both to physicians and other providers of services is comparable to any other of the best paying jurisdictions in the country. I don't know what the hon. member is trying to do here in terms of an analogy or a comparison. It doesn't add up to me, it's not an apples-to-apples comparison, and it contributes nothing of value to a discussion about how to improve health care in this province.

**The Acting Speaker:** The hon. Member for Fort Saskatchewan-Vegreville.

#### Regional Collaboration Program

**Ms Fenske:** Thank you, Madam Speaker. Across the front page of my weekly newspaper and at the AAMD and C spring conference this week the Minister of Municipal Affairs talked about the government eliminating MSI operating funds and moving the money into regional collaboration grants. Some municipalities rely on this funding to run their libraries and other initiatives. To the minister: can you explain the reason for this decision?

**Mr. Griffiths:** Well, I can confirm that we had discussed moving the MSI operating funding, which was \$50 million, over to the regional collaboration program, Mr. — Madam Speaker. Congratulations, by the way.

During this budget every minister and indeed all of our colleagues were challenged in trying to find transformative ways to do things, find ways to encourage people to think differently, Mr. Speaker. [interjections]. Madam Speaker. You're right; it is a hard habit to break.

Moving funding over there will help ensure that municipalities find creative ways to ensure their long-term prosperity.

**Ms Fenske:** Madam Speaker, to the same minister: can you confirm, then, that this funding, which was previously ongoing under the MSI program, will now be one-time project funding?

**Some Hon. Members:** Madam.

**Mr. Griffiths:** Madam Speaker, our regional collaboration program was focused on one-time initiatives that municipalities would approach to bring them together to work on something. We know that that might not necessarily apply when we're trying to get transformative things done now. We are working very hard. We're going to consider transforming the program itself to make sure that municipalities always have the opportunity to find as

creative ideas as they can to ensure their long-term prosperity going forward, Mr. Speaker. [interjections] Madam Speaker. That's what this change in initiative is about. I almost got it.

**The Acting Speaker:** The hon. member.

**Ms Fenske:** Thank you, Madam Speaker. To the minister: that's good news, actually. With this and other changes to grant funding how much less money will municipalities receive from the government next year?

**An Hon. Member:** Good question.

**Mr. Griffiths:** Madam Speaker, an exceptional question. I know that some people have considered that perhaps there is a lot less funding going to municipalities. Everyone from every walk of life who is affected by the budget feels like they're being affected, but I can assure all members of this House and all municipalities that MSI funding stays the same at \$896 million. We've added extra money to the regional collaboration program, which is going to be transformative. Of course, last year the funding to municipalities was just over \$2 billion, and now it's just slightly under. It's a very small change. Municipalities are continuing to be supported by this government.

#### South Saskatchewan Regional Plan

**Mr. Anderson:** Madam Speaker, there is a lot of concern about the South Saskatchewan regional plan, especially how a legislated Calgary metropolitan plan as part of the regional plan will rob communities like Airdrie and Rocky View of their autonomy to grow in the way they feel is best for their citizens, turning them into cookie-cutter, stack 'em and pack 'em growth nodes, as the CRP calls them. To the Minister of Municipal Affairs: will you commit that you will not legislatively compel any community to join the CRP nor force them to build to the CRP's minimum density requirement of eight units per acre?

**Mr. Griffiths:** Madam Speaker, we've undertaken mediation right now to get all the partners at the table to start to discuss a solution. I've said many times at the AAMD and C and the AUMA and publicly that forcing people to work together does not get good relationships, but allowing them to not talk to each other does not get good relationships either. It's imperative for the success of this province going forward that these municipalities work together to make sure we have smart building so that we don't have environmental conflicts and agricultural conflicts and industrial conflicts. For the sake of my kids and the next generation it has to be done smartly.

**Mr. Anderson:** Agreed. Agreed. Just don't force them into it, please.

Given that many southern Alberta communities feel that blocking access to water for new residents and businesses is being used as a tool to pressure rural communities into entering the CRP against their wishes and given that every community in Alberta should have an unequivocal right to access the water they need without essentially having a gun to their head, will the minister of environment commit to providing access-to-water licences for these communities without forcing them to join the CRP?

**The Acting Speaker:** The hon. minister of environment.

**Mrs. McQueen:** Well, thank you, Madam Speaker. I'm very glad for the question. Right now we've just completed consultation with regard to the RAC's advice on the SSRP. We're in the midst

of consultation on water discussions, and I invite the hon. members of the whole House. I thank my hon. members on this side of the floor for attending many of the water discussions. We've had many good conversations about that. We're hearing from everybody with regard to the need to share water, water management, waste water, healthy lakes, hydraulic fracturing, water use. It's an important discussion, and we encourage all Albertans to come out and have a good conversation before we make any policy changes.

**Mr. Anderson:** Remember, water is a right, Minister, not a bargaining chip.

Given that under the land-use framework landowners are theoretically going to be compensated for loss of property value if their land is devalued by the South Saskatchewan regional plan and given that the massive scope of such a plan will obviously impact the land values of thousands of southern Albertans, will the Finance minister table to this House an estimate of how much the South Saskatchewan regional plan will cost taxpayers to implement before that plan actually goes into effect?

**The Acting Speaker:** The hon. minister of environment.

**Mrs. McQueen:** Thank you, Madam Speaker. As the hon. member knows and as Albertans know, the process for land-use planning is that, first, a regional advisory council gives advice. That regional advisory council's draft plan goes out into consultation. We've just taken that back. We're looking for feedback from Albertans with regard to that. Then, once we get that feedback, we will this fall take a draft plan out to Albertans on what we've heard from them. There will be more consultation on that. We'll get that feedback before any regional plan on the South Saskatchewan is approved. Lots of time for consultation. Lots of time for input. This government wants good consultation and input from all Albertans on this plan.

**The Acting Speaker:** The hon. Member for Calgary-Currie.

#### Postsecondary Education Funding

**Ms Cusanelli:** Thank you, Madam Speaker, and congratulations. We know that the University of Lethbridge is highly regarded for its world-class research. However, I do know first-hand that in spite of this their facilities could use some upgrading. All of my questions are to the Minister of Enterprise and Advanced Education. Can you explain how the current level of funding to postsecondary institutions around the province will ensure that universities can still make the same remarkable strides in research and concurrently make the necessary upgrades that they require?

**The Acting Speaker:** The hon. Deputy Premier.

**Mr. Lukaszuk:** Thank you, Madam Speaker. First of all, let me be clear. Without any doubt the budgetary constraints that have been placed on universities will require a great deal of hard work and co-operation and collaboration between all schools and the government of Alberta. We will be engaging in a dialogue and making sure that any and all cost-saving decisions that will be made will always be made with students in mind and to minimize the impact on students.

**The Acting Speaker:** The hon. Member for Calgary-Currie.

2:20

**Ms Cusanelli:** Thank you, Madam Speaker. Speaking of students, we know that students are becoming increasingly more interested

in the decisions that impact their academic experience. What are the plans for student involvement in decision-making going forward with universities?

**Mr. Lukaszuk:** Madam Speaker, I am glad that students are – and I would argue they always have been – now becoming even more interested in decisions relevant to postsecondary education. As a matter of fact, I have made it public already that I will be engaging elected student bodies, students' unions in the decision-making process both at the university and school levels and also within the ministry of advanced education. I look at students as not only beneficiaries of the programs but also cofunders of the programs, and they should have every right to be intrinsic to the decision-making process.

**The Acting Speaker:** The hon. Member for Calgary-Currie.

**Ms Cusanelli:** Thank you. What is our plan to ensure that post-secondary students continue to receive the high level of education that Alberta is known for and our citizens deserve?

**Mr. Lukaszuk:** Madam Speaker, first of all, we should thank all of the 26 schools in Alberta for the quality of programming that they deliver. In many cases they're second to none in the world in comparative analysis. However, we will be looking at all the schools from the perspective of Campus Alberta. I know there is plenty of room for improvement relative to collaboration, relative to credit transfers, relative to mobility of programs from one school to another. So I think there's a lot of room for innovation, and we will not be leaving any stones unturned.

**The Acting Speaker:** Thank you.

The hon. Member for Calgary-Buffalo.

#### Labour Negotiations with Teachers

**Mr. Hehr:** Thank you, Madam Speaker. It looks like my congratulations to the minister in reaching a deal with the teachers may have been premature. Yesterday Edmonton public and Holy Spirit in Lethbridge rejected the agreement. Reading between the lines, some boards don't have a disagreement with the contract; what they have a disagreement with is this government's budget. To the minister of education. Edmonton public stated that this board will face a \$5 million to \$18 million shortfall, this despite a growing ELL cohort and bursting classrooms. Will the minister agree that the school boards, by rejecting the agreement, are simply throwing up their hands, saying that they cannot operate under the current funding levels?

**Mr. J. Johnson:** Madam Speaker, this is a great debate for the budget estimates that are coming up in an hour. We had a whole three hours to talk about this last night, so I'm sure we'll get into it in great detail.

I am excited about where we are with the ATA negotiations, however. We did get ratification from our first ATA local, Palliser, a couple of nights ago, so that was great news, and as of this morning we learned that there were three school divisions that have also ratified, or accepted, the deal. So we'll pay close attention as the rest of the ATA locals and the rest of the school boards have a close look at this.

**Mr. Hehr:** Given that Alberta schools are already short some 650 teachers from three years ago and they'll be losing an additional 400 from the cutting of the AISI project, can the minister explain

how this can be happening in a province that in the same period had an increase of 5 per cent in student enrolment?

**Mr. J. Johnson:** Madam Speaker, we've had a lot of discussion about the Education budget and what we're trying to do with it. Obviously, there are some pressures there, and they're going to impact teachers. They're going to impact support staff. They're going to impact all aspects of the business. What we've been focused on is trying to make sure that it doesn't impact teachers in the classrooms. The AISI teachers, other things that we've had to trim back, other things that we've had to cut: we're looking at this with a lens of trying to put kids first, the classroom first, and protect the classroom and mitigate any impacts to the classroom. So that's where the money is staying.

**Mr. Hehr:** Given that I understand the minister's desire to reach an agreement with the teachers and the difficulty of the tripartite process, can the minister comment on Holy Spirit school board's rationale for rejecting the contract? In their view, they were left out of the process.

**Mr. J. Johnson:** Madam Speaker, unfortunately, I can't comment on that. I haven't spoken with Holy Spirit, and I'm not sure what their rationale is or what their concerns are. I'm sure we'll get those in due course.

Needless to say, as we've been working for the last two and a half years with the ASBA, not each of the 62 school boards has been at these meetings or in those negotiations. It's just logistically impossible. So the ASBA has been representing those entities over the last two and a half years, and everyone knows what's happened in the last two weeks.

**The Acting Speaker:** The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thank you, Madam Speaker. This PC government's tax cuts to corporations and wealthy Albertans mean that students, teachers, and school boards are forced to pick up the tab. The minister proposed an education deal, now in jeopardy, that includes no wage increases for three years and no regard for cost of living. He thinks that teachers can take a significant wage cut and school boards now can absorb increased costs even though their budgets have also been cut. Maybe he should think again. Why does this government expect boards and teachers to accept this no-win deal?

**Mr. J. Johnson:** Madam Speaker, this is a win deal. It's a win deal for kids. It brings stability. There's no question there are pressures on the school boards. We've never denied that. As a matter of fact, one thing I would point out is that it's one of the very few ministries that actually had their budget increased. Obviously, there are some pressures coming along with that, but we've been able to mitigate those with a great tentative agreement with the ATA. I give the ATA a lot of credit for taking a three-year freeze, recognizing the situation that we're in, so that we can protect the classroom and do the right thing for kids.

**Mr. Eggen:** Well, Madam Speaker, considering this government promised teachers and local boards that they would support schools with predictable funding increases for three years and given that this minister cut school boards out of the process and ignored their warning that said very explicitly that this would not allow school boards to sustain the services that they currently offer to students, then can the minister please explain why teachers and boards are asked to pay for a deal that will not even protect class sizes and the quality of education in the province?

**Mr. J. Johnson:** Madam Speaker, the hon. member is overlooking the areas of the budget that were actually increased. Those are the class size initiatives, that's the inclusion piece, and those are pieces the school boards and teachers and parents on the ground asked us to invest in so that we could protect the classroom and the size of classes as best we could through this challenging time.

Madam Speaker, it's Albertans that pay for this deal. This deal is good for kids. It is good for education. The ATA has recognized that. I applaud them for the work that they're doing. The ASBA has been great to work with. But we've got to get this out to the locals and get this thing across the finish line.

**The Acting Speaker:** Edmonton-Calder.

**Mr. Eggen:** Thank you, Madam Speaker. Given that school boards, parents, students, and teachers have been disappointed by broken promise heaped upon broken promise from this PC government, is it really such a big surprise that school boards are not trusting your latest offer?

**Mr. J. Johnson:** Madam Speaker, it's actually a very good question because there are some fuzzy areas, some grey areas within the agreement that we need to flesh out. We need to make sure that there's some certainty. We've given the ATA a comfort letter – and the ASBA may be asking for one as well – and that may be around certainty on the funding in year 4, to make sure that we're going to deliver on that. I've told them that this government is quite prepared to give them those assurances if that's what it takes to get a deal across the finish line.

**The Acting Speaker:** The hon. Member for Chestermere-Rocky View.

#### Mount Royal University Nurse Assessment Centre

**Mr. McAllister:** Madam Speaker, thank you. This back-in-debt, broken-promise budget has given us yet another reason why we can't trust the current government. Mount Royal University has been forced to cancel a program and close two centres that trained foreign nurses and expedited the process of getting these desperately needed health care workers to the front lines. The president of the university is already on record as saying that they had to do it because the government wouldn't commit to the program. To the minister of advanced education: is reducing the amount of nurses in Alberta what you had in mind when you said that you were interested in streamlining postsecondary?

**Mr. Lukaszuk:** Madam Speaker, your first day in the chair, so you may not have noticed a trend although I know you were listening carefully in your seat. The first three questions from the Leader of the Opposition: why did you not balance the budget, why didn't you cut any deeper, and why are you going in debt? All remaining questions from every single member of the wild alliance are: "Why did you cut this program? Keep spending more. Do more. Spend more money."

Madam Speaker, tough decisions had to be made. Government made tough decisions. Schools will be co-operating and collaborating. You can't suck and blow at the same time.

2:30

**The Acting Speaker:** Hon. Member for Airdrie. A point of order called.

Hon. Member for Little Bow, did you have a point of order as well?

**Mr. Donovan:** No. I was just helping my colleague from Airdrie.

**The Acting Speaker:** The hon. Member for Chestermere-Rocky View.

**Mr. McAllister:** Madam Speaker, thank you very much. I should have known better. Maybe we'll try somebody else.

Given that the Health Professions Act requires the college of registered nurses to provide a process to assess foreign training and credentials and given that the Minister of Health has said right here in this Chamber that he doesn't know of any Health minister that isn't struggling with the issue of how to hire and train nurses, I ask the Minister of Health: why would you kibosh a legislatively required program that serves Albertans?

**Mr. Horne:** Well, Madam Speaker, first of all, the program is not required under legislation. The program is part of a broader initiative to assist foreign-trained nurses to achieve the required credentials to practise in Alberta. The hon. member is correct in that Mount Royal University at present is not continuing to offer this particular program, but it is solely because we were between budget years and we have yet to confirm the final details of the budget for this program going forward. We're certainly interested in Mount Royal University continuing to offer the program, and we'll work with them in that regard.

**Mr. McAllister:** Madam Speaker, that is potentially good news, and I do appreciate you answering the question. What a novel concept. The Deputy Premier might learn from you.

Given that this previous budget decided to cut the number of nursing positions in this province and has placed the health care workers in a bind and given that more than a quarter of Alberta's nurses are over the age of 55, to the Minister of Health again. I know you say that you'll work with the president of Mount Royal University. Would you pick up the phone and commit to working with him to commit to this program so that we can get more nurses . . .

**The Acting Speaker:** Thank you, hon. member.

**Mr. Horne:** Well, Madam Speaker, as we discussed yesterday in answer to a similar question, the strategy around ensuring an adequate nursing workforce for Alberta includes credentialing foreign-trained nurses. It also includes a very deliberate and focused attempt to employ as many Alberta nursing graduates as we possibly can, to employ them, wherever possible, in full-time positions. We continue to work on both fronts. That's what responsible governments do, and that's what the Minister of Enterprise and Advanced Education and I are working on together.

**The Acting Speaker:** The hon. Member for Calgary-Bow.

#### Trucking Regulations

**Ms DeLong:** Thank you very much, Madam Speaker. Recently I met with Loblaw Companies Limited, what we know as Superstore in Alberta, and they're facing some transportation challenges. To the minister of advanced education. Truckers in Alberta are class 1 P and D tradesmen in comparison to being skilled workers in Saskatchewan. This allows trucking firms to bring truckers to Saskatchewan under temporary foreign worker policy. Does Alberta plan a similar program to address a lack of qualified truckers in Alberta?

**Mr. Lukaszuk:** Madam Speaker, we'd like to do that if we could. Let me perhaps share with you some of the barriers. Currently we

have a cap that is imposed on the province by the federal government relative to the provincial nominee program, and the limited cap that we have, we have distributed among all industries. Nurses, waitresses, line cooks, and truck drivers fall within that cap. If we were to allow more truckers, that means other professions would be suffering by that equal amount.

**The Acting Speaker:** Thank you.

The hon. Member for Calgary-Bow.

**Ms DeLong:** Thank you, Madam Speaker. To the Minister of Transportation: given that Loblaw's main distribution centre is in Regina, some freights moving between the two provinces witness the lack of consistency regarding weight restrictions. What is the minister doing to develop standardized regulations in order to ensure efficient movement between Alberta and Saskatchewan?

**The Acting Speaker:** The hon. Minister of Transportation.

**Mr. McIver:** Madam Speaker, welcome.

I would like the hon. member to know that I also met with the good folks at Loblaw's and that weight limits are in place to protect the roadway and the roadbeds. We worked through the New West Partnership to agreement. We're harmonizing transportation regulations across western Canada. Frankly, the other provinces look to Alberta as a leader here, and we're pleased to work with them because they're great partners. Areas of harmonization include weight and dimension enforcement consistency and safety initiatives.

**The Acting Speaker:** Thank you hon. minister.

The Member for Calgary-Bow.

**Ms DeLong:** Thank you, Madam Speaker. Again to the Minister of Transportation. Now, Saskatchewan is the only province in the country that allows the use of triple trucks, a pilot program to increase efficiency when transporting goods. Are there any plans to adopt this practice in Alberta?

**Mr. McIver:** Well, Madam Speaker, I understand the need of industry to maximize their profits and to be efficient, but we have other responsibilities. We need to protect the infrastructure that Albertans have paid for over the years. Now, we heard in the House a few days ago the opposition saying that the infrastructure has no value whatsoever, but Albertans don't believe that. They believe that the infrastructure that they depend on is very important, and we're working very hard to protect it. While I know that industry wants to put heavier and heavier loads on, we're striking the balance between supporting industry and protecting that very valuable infrastructure.

**The Acting Speaker:** Thank you, hon. member.

The hon. Member for Little Bow.

### Education Property Taxes

**Mr. Donovan:** Thank you, Madam Speaker. Albertans just don't trust this government, and I think it's with good reason. This government said that it wouldn't raise taxes. Let's add that to the list of broken promises. There have been over a hundred communities facing property tax increases in 2013, and these Alberta communities are facing an increase from 1 to 89 per cent. To the Minister of Municipal Affairs: will you just admit you're raising taxes and downloading the cost of this back-in-debt budget to rural communities?

**Mr. Griffiths:** Madam Speaker, we have not changed the rate whatsoever on the education portion of property taxes. We've eliminated the mitigation formula because some municipalities paid less than what they were required to while other municipalities made up the difference. It was just patently unfair, and we wanted to make sure that there was fairness from one end of the province to the other. We know that some people's property taxes have gone up, but primarily it's been caused from one end of the province to the other because their property values have gone up, which is good news because we're increasing the value of those homes and the equity that Albertans have. That's why they continue to move here. It's our prosperity that brings them.

**Mr. Donovan:** Madam Speaker, given that this government has already issued one blow to the community of Carmangay by closing Little Bow continuing care centre, does this government care to explain how this village is supposed to deal with job losses and an increase of 33 per cent to their education tax rate?

**Mr. Griffiths:** Well, Madam Speaker, given the fact that there are 349 municipalities in the province of Alberta and that I wasn't aware that this particular question about this particular community was coming up, I can't answer exactly to what the circumstances are there. But as I've said before, we've eliminated the mitigation formula to make sure every municipality pays fair taxes, and property values have gone up. People continue to move to this province because of our prosperity. That's what brings them – it's the wealth of this province – and Albertans know that it's valuable to be here.

**The Acting Speaker:** The hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Madam Speaker. Carmangay wasn't exactly blowing off brand new houses in the last year.

I'm wondering if this minister would give himself an A plus rating for increasing education taxes 89 per cent in the village of Nobleford, ultimately breaking their promise of not raising taxes to my constituents.

**Mr. Griffiths:** Madam Speaker, the community that the member refers to has had their education portion of property taxes subsidized by other municipalities and other homeowners for a long time. We eliminated the mitigation formula to make sure that regardless of the value of the home, where it was located, and its assessed value, it was fair and equitable to all Albertans. That's a principle we can be proud of.

**The Acting Speaker:** The hon. Member for Banff-Cochrane.

### Obstetric Services in Mineral Springs Hospital

**Mr. Casey:** Thank you, Madam Speaker. On March 25 obstetric services will cease at the Banff Mineral Springs hospital. The decision to end this long-standing community service was made by AHS following discussions with Covenant Health, Banff Mineral Springs hospital, and Canmore general hospital. A Banff physician who has an obstetrical practice in Banff was not invited to participate in the decision-making process, nor were concerned citizens of Banff. A lack of support for this decision is evidenced by a letter of opposition signed by 1,300. Can the Minister of Health explain what steps . . .

**The Acting Speaker:** Thank you, hon. member.

The Minister of Health, please.



2:40

**Mr. Horne:** Well, thank you very much, Madam Speaker. I beg to differ with the hon. member. Doctors in the community were in fact invited to participate, and they provided input into the decision. There was an engagement session in 2011 for health planning in the Bow Valley. Subsequent to that, more than 80 members of the public, health professionals as well as large numbers of physicians participated in the engagement exercise. The decision to consolidate services at Canmore was based on extensive community discussion on how best to deliver services in that area.

**The Acting Speaker:** Thank you.

The hon. Member for Banff-Cochrane.

**Mr. Casey:** Thank you, Madam Speaker. If it is true, as we have been told, that cost is not a factor and if it can be determined that safety is not a concern going forward, shouldn't the government support obstetrical services remaining in Banff?

**Mr. Horne:** Well, Madam Speaker, the hon. member is correct in that this is, in fact, about safety. It's not about cutting costs. Obstetrics is a specialty at Canmore general hospital. Last year more than five times as many babies were born in Canmore as in Banff. Consolidating services there will build on that centre's strengths while delivering babies safely into the future. It's the right choice for both mothers and infants. Moving obstetrics to Canmore gives medical staff more opportunities to maintain that high level of quality.

**The Acting Speaker:** The hon. Member for Banff-Cochrane.

**Mr. Casey:** Thank you, Madam Speaker. Has the government considered whether health costs might in fact increase if the current 90 per cent bed occupancy rates at Canmore force obstetrical patients to be transported by ambulance to Calgary hospitals?

**The Acting Speaker:** The hon. minister.

**Mr. Horne:** Thank you, Madam Speaker. An excellent question. AHS advises that Canmore is capable of managing increased obstetrical capacity, with three dedicated labour and delivery spaces there in the hospital. They also have contingencies to accommodate additional patients in active labour if required. The planning for surge capacity will allow area residents to have their child in Canmore safely. There will be more room for obstetrical patients in Canmore when the plastic and vascular surgery program there moves to Banff.

Thank you.

**The Acting Speaker:** Thank you, hon. members.

In 30 seconds I will call the next of our members' statements.

### Members' Statements

(continued)

**The Acting Speaker:** The hon. Member for Strathcona-Sherwood Park.

### Consideration of Main Estimates

**Mr. Quest:** Well, thank you, Madam Speaker. For the last week and a half we've listened to the opposition complain about this year's estimates schedule. In somewhat typical fashion the opposition says that the sky is falling, cries wolf, that democracy

as we know it is dead, et cetera, et cetera. They act as though they're somehow victims of the estimates schedule and that the government has limited their ability to participate. The facts, of course, are different and speak for themselves.

Budget 2013 represents our commitment to being prudent and responsible in building for the future and not pursuing an extreme ideological agenda stuck in the past. Budget 2013 will continue to be our focus this session. I'm proud to tell Albertans that this spring session provides more opportunity, not less, to examine the fiscal plan to ensure that Albertans get value for their tax dollars. This year we have 10 days and 70 hours dedicated to review estimates for 18 ministries. This is significantly more than last year, when we spent nine days and 63 hours on estimates for 21 departments. Last year's estimates consideration started five days after the budget. This year there were 11 full days to prepare before the estimates commenced.

In previous years opposition also complained that all ministries, large or small, were in committee for only three hours. This year we'll spend six hours on seven of the larger ministries. Last year estimates occurred over a period of 28 days. This year estimates will be reviewed over a longer period, 49 days. [interjections]

In past years opposition has complained about time to prepare, to understand the estimates, and that their resources were stretched. [interjections] Well, Madam Speaker, we've cleared the deck so that members have only the fiscal agenda to deal with . . .

**The Acting Speaker:** Hon. members, this is a member's statement.

**Mr. Quest:** . . . no other committee work, no unrelated legislation to review. Total focus and attention on the budget.

Madam Speaker, Albertans expect our government to focus on Budget 2013, to build Alberta, to live within our means, to open new markets for Alberta's resources, and we're doing just that. Albertans can be assured that democracy lives and that Albertans are well served by their government.

Thank you, Madam Speaker.

**The Acting Speaker:** I would remind hon. members that we have a long-standing tradition to honour each member as they give their member's statement.

The hon. Member for Edmonton-McClung.

### International Day of Happiness

**Mr. Xiao:** Thank you, Madam Speaker. I would like to take this moment to recognize today, March 20, 2013, as the International Day of Happiness as declared by the United Nations last year. This day was founded on the principles of "the relevance of happiness and well-being as universal goals and aspirations in the lives of human beings around the world."

Living in our marvellous, awe-inspiring province, we have many things to be happy about and much that contributes to our well-being. Madam Speaker, we have some of the most majestic lakes and rivers in the world. We have striking mountains, that millions of people from around the world flock to visit. Our province is known as a land of opportunity and prosperity, and our citizens continue to build a modern and inclusive Alberta. The nurturing communities that make up our province allow Albertans from all walks of life to reach their full potential.

Madam Speaker, in Chinese two particular characters together will form a ligature which signifies double happiness, in Mandarin *shuāngxǐ*. I want to wish everyone in our great province double happiness. I want to wish everyone happiness and prosperity in their families, marriages, careers, and, ultimately, in their lives as Albertans. I urge Albertans to take this day to heart and to go out

of their way to make a positive impact on the people around them, not only today but in the future as well. Even the smallest gesture of kindness can make a world of difference in someone's life.

Madam Speaker, I would like to end my statement by wishing all of my colleagues in this House as well as the people of Alberta a very happy day.

Thank you.

**The Acting Speaker:** Thank you, hon. member.

The hon. Member for Banff-Cochrane.

### 2014 Alberta Winter Games

**Mr. Casey:** Thank you, Madam Speaker. Between February 6 and 9, 2014, the towns of Banff and Canmore will be hosting the Alberta Winter Games. This is a great example of communities working together to achieve common goals. The 2014 Alberta Winter Games are about community integration. They bring together the communities of Banff and Canmore in a celebration of and for young athletes and artists of our province. Over 2,500 volunteers will support the games and encourage each participant to Reach Your Peak in Banff and Canmore while at the same time providing a legacy of community pride and development.

Madam Speaker, 2,400 athletes from all over the province, representing eight regions, will be participating in the games. As well as enjoying the friendly competition, the athletes and their families will encounter the arts in the Bow Valley as part of their daily experience at the games through our cultural programs. Twenty-two sports will be held in both towns at several venues. While the valley is known for its beautiful mountain setting, these athletes and their families will discover some of the best sporting facilities in our province.

Madam Speaker, the 2014 Alberta Winter Games will also be good for local business. The games will have a positive economic impact on the Bow Valley leading up to and during the games, which translates to approximately \$2.5 million being spent at the hotels, shops, and restaurants in our two communities. Most of the 2,400 athletes will have family members that will want to come to the Bow Valley to watch their children and spend time in the valley. This will result in an estimated 10,000 spectators to the games.

The 2014 Alberta Winter Games are a perfect opportunity to welcome the athletes and their families to one of the most beautiful places in Alberta. I would encourage everyone to mark these dates in your calendar and plan on attending.

Thank you.

**The Acting Speaker:** Thank you, hon. member.

The hon. Member for Livingstone-Macleod.

### South Saskatchewan Regional Plan

**Mr. Stier:** Thank you, Madam Speaker. The Wildrose Official Opposition believes in responsible environmental stewardship, local decision-making, and protecting the property rights of landowners. In contrast, this government is rolling on with forced regionalization with the South Saskatchewan regional plan. Southern residents are worried about what this plan will look like, and they still don't know exactly when they will see the draft plan or how it will differ from the advice offered by the advisory council.

Like its sibling the lower Athabasca regional plan, the plan for the south will negatively impact landowners, recreationists as well as municipal councils, who will see their decision-making powers undermined by cabinet. One key difference between the lower Athabasca plan and the South Saskatchewan plan is that the south

has far more ranching and farmland. This southern-central plan will affect far more hard-working farming and ranching families than its northern cousin.

2:50

Let me assure this House that southern Albertans are waiting on pins and needles to see what the proposed damage will mean for them in the forthcoming draft. In 2011 the Alberta Association of Municipal Districts and Counties released a report on the impacts of forced regionalization which stated that this "has a history of creating as many problems as it solves." The AAMD and C report defines forced regionalization as "any form of regionalization that is not voluntary" and where "explicit or implicit threat of imposed regionalization exists." This government's regional plans are certainly not voluntary and are being imposed on municipalities and their residents. The AAMD and C document further states that municipalities have a right to be concerned when the powers granted under the Municipal Government Act are undermined.

In contrast, the AAMD and C recommends co-operative regionalization defined as voluntary participation of municipalities. Co-operative regionalization recognizes a political autonomy of municipalities and their right to remain independent. Madam Speaker, the South Saskatchewan regional plan does the exact opposite.

**The Acting Speaker:** Thank you, hon. member.

### Tabling Returns and Reports

**The Acting Speaker:** The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much, Mr. Speaker. I have a number of tablings from constituents today.

**Some Hon. Members:** Madam.

**Ms Blakeman:** I'm sorry, Madam Speaker. Boy, we need to have you up there some more so that we get more used to it.

The first two letters, one from Ali Damani and the second from Al Hodgins, are identical, and they are asking the Minister of Health to consult with pharmacy experts and consider alternative policy options that are available to achieve cost savings for the government.

The second set of letters, one from Thomas Nguyen and the other from Michael Li, are again identical letters making the point that this pharmacy plan would increase deductibles for seniors and let big business off the hook by reducing the portion they pay for patient services.

I have two more letters, from Donald Schopflocher and Alexis Lockwood, both with concerns about postsecondary cuts. The letters are identical, and they ask that the funding reduction decision be overturned and that the mandate letters not be sent.

Finally, a letter from Lyndon Hodgins, who is also a constituent, making many of the same points as the pharmacy industry and asking for our help, that there should have been more consultation with people and that it's very expensive to become a pharmacist and also would be very hard to recoup the money now.

Thank you.

**The Acting Speaker:** Thank you, hon. member.

The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Madam Speaker. I'm pleased. This is the first time I get to get up to speak to congratulate you on your time

in that chair, and I commit to you to refer to future Speakers as Madam Speaker frequently.

I'd like to table the appropriate number of copies of a letter from Ms Jacquie Hansen, president of the Alberta School Boards Association, to the Education minister dated March 3, 2013, in which she outlines the concerns that the ASBA had with the minister's February offer, wherein they state that the offer did not include funding to allow school boards to sustain the services that are currently offered to Alberta students.

Thank you.

**The Acting Speaker:** Thank you, hon. member.

The hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Madam Speaker. The other thing to note today was that we had a Premier, an opposition leader, and a Speaker who were all females, which was excellent to see.

I'm tabling five copies of the list I talked about earlier in my question, the list right from Municipal Affairs, of the over 100 communities where their taxes have gone up. I just want to table the copies for that.

**The Acting Speaker:** Thank you, hon. member.

The hon. Minister of Finance.

**Mr. Horner:** Thank you, Madam Speaker, and it is good to see you in the chair.

I've been making a lot of comments in question period with regard to some quotes that I've been using. I'll be tabling them as time goes on. The first one is from the Consulting Engineers of Alberta. They have provided us with a letter which reads, in part:

We have reviewed the budget and have concluded that borrowing money to fund needed infrastructure is a positive decision. Infrastructure is just too important and vital to our economic well-being to let it suffer.

They go on in the letter to talk about the cost of deferring infrastructure. Madam Speaker, it's a good read.

**The Acting Speaker:** Thank you, hon. minister.

The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Madam Speaker. It's my pleasure to table some information that I've also shared with the Minister of Transportation and the Health minister. One is regarding pharmacies from Matthew Bennett, a pharmacy manager and pharmacist in Cardston-Taber-Warner, expressing concern about the Alberta government's plan with regard to pharmacy being "an irresponsible path to savings."

Then from a farmer who farms west of Cardston in the Glenwood-Hill Spring area who is concerned about a road that is banned and the effect it's having on him being able to deliver his grain and also being able to proceed in an appropriate way with spring seeding. He said that his neighbours and he were promised a long time ago that this road would never be banned and that this year it was supposed to be a year-round road. He's got some concerns about that, especially in light of the extra 6 cents he's paying for fuel.

I have the requisite number of copies, and I would like to table them.

**The Acting Speaker:** Thank you, hon. member.

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following document was deposited with the office of the Clerk. On behalf of

the hon. Mr. Hughes, the Minister of Energy, response to Written Question 21, asked for by Mr. Hehr on March 11, 2013: "As of June 1, 2012, what was the value of unpaid oil and gas royalties that were in dispute?"

**The Acting Speaker:** Thank you.

I believe it's time for us to go to our points of order. I understand that there were three points of order, all from the hon. Member for Airdrie. Can we deal with the first one, hon. member?

**Mr. Anderson:** We'll deal with the first one. We'll deal with them all separately, one at a time, because they're clear in some ways.

**The Acting Speaker:** Thank you.

### Point of Order Factual Accuracy

**Mr. Anderson:** The standing order reference is 23(h), (i), and (j). The first one, Madam Speaker, is obvious because the precedent was set yesterday by the Speaker who was there in the chair. The hon. Minister of Environment and SRD called this party over here and members of this party climate change deniers. This is, of course, categorically false. As we discussed yesterday very clearly, this party, this leader accept that man-made climate change is very real and something that needs to be addressed, and we join with the government and other opposition parties in stating very clearly and unequivocally that we need to address it very quickly. Obviously, we all look forward to all the different research and so forth that's being done on how best to address it and how best to analyze it and how fast it's happening and so forth, but we are with the government on that issue.

It really creates disruption in this House, as the Speaker, I thought, clearly made mention of the last time we were here, when something is said to the contrary of that. He specifically said that this matter was settled last time and that the members opposite were not, in my view, to use that sort of language. I know there are a lot of members here today that perhaps did not hear that – let's put it that way – yesterday, but now they have. I would ask that in the future they do not reference us in that way because it casts aspersions and it casts motives that aren't there. That is not in line with our standing orders, and it has been ruled on by the Speaker previously.

3:00

**The Acting Speaker:** Thank you.

The hon. Minister of Aboriginal Relations.

**Mr. Campbell:** Thank you, Madam Speaker. The member opposite is a little sensitive today, rising on three points of order.

I think that, you know, the truth is an absolute defence. I appreciate the comments from the member, but on April 16, 2012, in a CBC news article the Leader of the Opposition said, "We have always said the science isn't settled." It's nice for the member to get up and say that we all believe in climate change now, but the fact of the matter is that there have been comments to the contrary.

As far as looking at Standing Order 23(h), (i), and (j), I don't see that any of the requirements have been reached in any of those subtitles under section 23. Again, I think they're a little sensitive on the other side. I don't see any point of order to be called at this point.

**The Acting Speaker:** Thank you, hon. member.

The hon. Member for Airdrie was correct when he said that we had dealt with a similar point of order just recently – I think with the same member yesterday – and that can be found in *Hansard*, pages 1661-62, from March 19, 2013. The member clarified his party's position yesterday, as he has just done here today, and it would be parliamentary for members and ministers to take into account statements and explanations made in this Assembly. This may be a situation where there are two different interpretations of an event. I would refer members to paragraph 494 of *Beauchesne*, sixth edition.

I find that there is no point of order. Thank you.

The second point of order. The hon. Member for Airdrie.

## Point of Order

### Inflammatory Language

**Mr. Anderson:** All right. The second point of order is under the same citation, Madam Speaker. If it happens again in this House, I think that we will need to bring a motion for a contempt of parliament. It continues to happen. The Speaker has repeatedly – repeatedly – over and over and over again, asked for that side to quit doing it, and they keep doing it. That is a contempt of parliament. That is, of course, in this case the Deputy Premier's mispronouncing our name, calling us, I believe – what was it this time? – the wild-eyed alliance or the wild alliance. It differs. We are the Wildrose caucus. This government should know that because in three years we'll likely be the government. What this government should do is start learning to pronounce that name properly.

Now, I will say, though, that if we were to do this, if we were to call the other side – whatever – the regressive Conservatives or something like that, we would be held out of order and rightly so. That is not the name of their caucus.

The Speaker has repeatedly, over and over and over again – I think this is probably the fifth time – told them to refrain from doing that, and they are, frankly, flouting what the Speaker's rulings have been. They're just completely ignoring them and pretending that the Speaker's rulings don't exist.

Madam Speaker, I think that clearly there is a point of order here. It's very cut and dried because of past rulings. I do think that it's bordering on contempt of parliament, and it's time to get that straightened out and have respect and decorum in this House.

**The Acting Speaker:** Thank you, hon. member.

Is there anyone else who wishes to speak? The hon. Minister of Aboriginal Relations.

**Mr. Campbell:** Madam Speaker, again, a little sensitivity over there, but I appreciate that. We will withdraw the remarks from the Deputy Premier.

## Point of Order

### Factual Accuracy

**Mr. Anderson:** All right. Third and final. Again, the same citation, particularly:

23(h) makes allegations against another Member;

(i) imputes false or unavowed motives to another Member.

I'm referring to the Minister of Transportation. At no time ever in this House has any party, certainly not this party, this leader, or any member over here, said that infrastructure has no value. Find the quote. Where's the quote where we said that infrastructure has no value? It's a ridiculous assertion. Again, you're putting words that we've never said in the mouth of our party. They're just randomly putting things out there.

Again, if we're going to have debate, we can absolutely, you know, have different opinions about what different words mean and so forth. But when you say that a leader was in this House stating that infrastructure has no value, that's laughable. I mean, we all know that that's not the case.

Madam Speaker, I just hope that when we're quoting each other, we can actually quote the record. We can have questions and interpretations about what is quoted, but to completely misquote – not misquote; just make up a quote – at some point you've got to say that that's not right, and it should not be proper practice in this Legislative Assembly.

**The Acting Speaker:** Thank you, hon. member.

The hon. Minister of Finance and President of Treasury Board.

**Mr. Horner:** Thank you, Madam Speaker. I would like to just comment on the hon. member from the Wildrose Alliance Party. [interjections] That's the way it is on the electoral website. You guys should check it out.

The comments I think are reflective of the discussion that we've had in this House over and over and over again about the fact that the members opposite don't think that we should be putting that valuation of those assets on our balance sheet to net assets. That would indicate that they don't believe there's any value in those assets. I don't think that that is saying that they said that Albertans don't value them intrinsically, just that they just don't put a value on them. A little bit of a different thing. I recognize that the hon. member is a bit sensitive today. Late night last night. I know. I was there with you.

I don't see a point of order because we're not imputing any motives, Madam Speaker.

**The Acting Speaker:** Thank you, hon. members. I think it was clarified why that statement was made. It was a different interpretation, however, a point of clarification. I think that we ought to close this matter. Thank you.

The hon. Minister of Aboriginal Relations.

**Mr. Campbell:** Thank you, Madam Speaker. I would suggest that we adjourn for the purpose of estimates.

**The Acting Speaker:** Pursuant to Standing Order 59.01(5)(b) the legislative policy committees will convene this afternoon and this evening for consideration of the main estimates. Families and Communities will consider the estimates for Education in committee room A in the afternoon, and Resource Stewardship will consider the estimates for Transportation in committee room A in the evening.

The House stands adjourned.

[The Assembly adjourned at 3:07 p.m. pursuant to Standing Order 59.01(5)(b) to Thursday at 1:30 p.m.]

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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Thursday, March 21, 2013

Issue 40

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta**  
**The 28th Legislature**

First Session

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Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
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Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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## Legislative Assembly of Alberta

1:30 p.m.

Thursday, March 21, 2013

[The Deputy Speaker in the chair]

### Prayers

**The Deputy Speaker:** Let us pray. As we conclude this week's work in this Assembly, we renew our energies with thanks so that we may continue the work with the people in the constituencies we represent. Amen.

Please be seated.

### Introduction of Visitors

**The Deputy Speaker:** The hon. Member for Calgary-Foothills.

**Mr. Webber:** Well, thank you, Mr. Speaker. It is my great pleasure to introduce to you and through you to all members of the Assembly two guests sitting in the Speaker's gallery this afternoon. My first guest really needs no introduction to anybody in this building, and that is Mr. Peter Elzinga. Peter spent many years as the MLA for Sherwood Park and served under numerous portfolios as a provincial cabinet minister and as Deputy Premier. He later served as chief of staff to the hon. Premier Ralph Klein. Prior to his long, distinguished career here at the Alberta Legislature Peter served for 12 years as the Member of Parliament for Pembina.

In addition to his many political, business, and community achievements, Peter willingly and without hesitation chose to help his friend and brother Tom Shields by donating a healthy kidney to him in 2004. Tom enjoyed life to its fullest despite various health concerns, and he was daily grateful to his friend Peter Elzinga for the gift of a kidney, that extended his life for several years. Peter is here today to support my private member's bill, the Human Tissue and Organ Donation Amendment Act, 2013, which is up for introduction later today, Mr. Speaker. I ask that Peter please stand – I think he's standing; I can't see him – and receive the warm welcome of the Assembly. [Standing ovation]

Mr. Speaker, accompanying Mr. Elzinga is Ms Karen Korchinski. Karen is a friend of mine and a friend of many and is faced with the possibility of someday needing a liver transplant. It is through her experience that I learned about the challenges facing our organ donor system. I thank her for enlightening me and inspiring me to do what I can to improve Alberta's organ donation system. She is here today to support Bill 207, and I ask her to please stand and receive the traditional warm welcome of the Assembly.

### Introduction of Guests

**The Deputy Speaker:** The hon. Minister of Education.

**Mr. J. Johnson:** Thank you, Mr. Speaker. I'd like to rise and introduce to you and through you to the members of this Assembly 24 students and four adults accompanying them from the Guthrie school in Lancaster Park. These students attend the school at Edmonton Garrison, and most have parents who serve in Canada's military. I've had the pleasure of visiting the school on many occasions, most recently in February with their Reading Rampage. I read to grade 2 and grade 6, and this grade 6 class is here today. It was a lot of fun. I hope to see them again soon. They are accompanied by their teachers Mrs. Colleen Tremblay and Ms

Carol Moores and by parent helpers Cheryl Hamel and Melissa Colson. They tell me they love the Premier, and when I asked them, "Why do you like the Premier so much?" they said: "What's not to like? She's the Premier." I agree. They also said that they love it when we pound on the desks, so let's give them a warm welcome to the Assembly.

**The Deputy Speaker:** The hon. Member for Edmonton-McClung.

**Mr. Xiao:** Thank you, Mr. Speaker. It is a great pleasure for me to rise to introduce 46 bright students, the future of our province. They are accompanied by their teacher, Keri Clifford, by assistant Catherine Manigo, and by parents Rachel Ross and Bradley Dundas. Before we started the session today, I had a brief conversation with them. They asked big questions. They asked about the budget, you know, about the Education budget, and also about negotiations with the doctors. Now I ask them to rise to receive the traditional warm welcome of this House.

**The Deputy Speaker:** The hon. Member for Calgary-South East.

**Mr. Fraser:** Thank you, Mr. Speaker. It's an honour to rise today and introduce to you and through you some special people in this province that actually define this province. The work that they do through medical innovation and trying to increase the quality of care for Albertans through medically based evidence is what makes Alberta and what makes Alberta proud, and I'm certainly proud of the work they do.

First, I'd like to introduce Ian McEwan. He is a friend and a paramedic that's been on calls with me in the city of Calgary. He's also an accomplished flight paramedic with Alberta Health Services, and now he is again leading in his profession through some of this work that he's doing.

Second, I'd like to introduce Nancy Clayden, who is a researcher and paramedic, and Greg Hallihan, also a research associate. They are from the Ward of the 21st Century at the University of Calgary, and again they are leading the way with medical innovation to improve the quality of care that we give our patients. You can read more about this research. They made the front page of the *Edmonton Journal*. Thank you for joining me in this House today, and if the House could give them a warm welcome, I'd appreciate it.

**The Deputy Speaker:** The hon. Member for Calgary-Varsity.

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. It gives me great pleasure to introduce to you and through you to members of this House the Girl Guides of Canada Alberta Council, here to participate in the 42nd session of the Alberta Girls' Parliament right here in Edmonton. This unique program is modelled on the Alberta Legislature, with decorum, of course, and the delegates come from all over Alberta, Saskatchewan, and British Columbia. There are eight staff members here accompanying the girls: Shannen Hoffman, Laurie Robertson, Veronica Hoffman, Shannon Robertson, Heather Robertson, Claire Dubreuil, Emilie Brien, and Anja Clyke. I'm looking forward to having dinner with these girls and learning much from them. I'd ask you to please stand and receive our welcome.

**The Deputy Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you to all members of the Assembly two very amazing women. Glori Meldrum and Randi Tyler rep-

resent the Little Warriors, a charity organization committed to awareness, prevention, and treatment of child sexual abuse. The work that Little Warriors carries out is something every Albertan supports. Today the Wildrose Caucus Foundation showed its support for Glori and Randi's work by donating the 8 per cent MLA pay raise to Little Warriors. I personally offer my thanks and gratitude for their dedication to help find healing for the most vulnerable members of our society, child victims of sexual abuse. I ask Glori and Randi to rise and receive the traditional warm welcome of the Assembly.

**The Deputy Speaker:** The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. It's my pleasure today to introduce to you and through you to members of the Assembly a good friend and constituent from Edmonton-Whitemud, Barb Esdale. Barb is the co-chair of Alberta Donates Life Coalition. Alberta Donates Life Coalition is a group of several health organizations and individual advocates from around the province who have come together to encourage the government of Alberta to co-ordinate organ donation, create an organ donor public awareness campaign, and create an intent-to-donate registry for the citizens of Alberta. Barb's husband, David, who leads the music mission at Riverbend United church, was fortunate to receive the gift of a double-lung transplant from a generous donor family. Barb is here today in support of and to observe the introduction of private member's Bill 207 later this afternoon. Barb is seated in the members' gallery. I might also add, though, that she served the public of Alberta for many years in the Department of Education in, I think, the curriculum branch if I'm not incorrect. If Barb would rise and get the traditional warm welcome of this Assembly.

1:40

**The Deputy Speaker:** The hon. Associate Minister of Services for Persons with Disabilities.

**Mr. Oberle:** Thank you, Mr. Speaker. What an honour it is for me to rise today and introduce a great Albertan and a friend, Mr. Charles Rees, who is seated in the gallery. In addition to a varied business career in the Edmonton region, Mr. Rees is a really important figure in the arts and culture scene in Edmonton. He's personally purchased and renovated two homes that are designated as provincial historic sites, he's an associate member of Alberta Music, he's a strong supporter of Festival Place, he's produced and promoted music concerts in Alberta, he's supported Broadway Across Canada for seven years, and he's a big supporter of the visual arts. He's also a member of the Canadian Diabetes golf committee and yearly organizes a successful tournament. In what little spare time he has left, he also takes an interest in organ transplant awareness and is here today to witness the first reading of Bill 207. I submit that Mr. Rees is working hard to enrich our community and to make Alberta a better place. Please give him the warm welcome of the Assembly.

**The Deputy Speaker:** The hon. Minister of Culture for two introductions.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. It's my pleasure today to introduce to you and through you Tammy Fifield. Tammy is a kidney transplant recipient and is here to represent the Kidney Foundation of Canada, northern Alberta chapter. I'd ask Tammy to rise and receive the warm welcome of the Assembly.

I did have another guest to introduce, Rachelle Sandy, representing the Canadian Liver Foundation, the Edmonton chapter, but she was unable to make the trip due to the beautiful Alberta spring

weather we're having today. Both of these groups are part of the Alberta Donates Life Coalition and support private member's Bill 207, which will be introduced later this afternoon by the hon. Member for Calgary-Foothills.

**The Deputy Speaker:** The hon. Minister of Health.

**Mr. Horne:** Thank you very much, Mr. Speaker. It's my honour to rise today and introduce to you and through you to all members of the Assembly two transplant surgeons who are here to support the introduction of private member's Bill 207, sponsored by the hon. Member for Calgary-Foothills. Our guests are Dr. Atul Humar, director of the Alberta transplant institute, member of the Alberta Donates Life Coalition, and Dr. Lori West, pediatric transplant cardiologist at the Stollery children's hospital, professor of pediatrics and director of research at the Alberta transplant institute, and also a member of the Alberta Donates Life Coalition. I ask that both physicians rise and receive the traditional warm welcome and appreciation of the Assembly.

**The Deputy Speaker:** The hon. Minister of Infrastructure.

**Mr. Drysdale:** Thank you, Mr. Speaker. It is my great pleasure to introduce to you and through you to all members of this Assembly two guests sitting in the members' gallery this afternoon. The first is Mr. Al Arntson, a 35-year resident of Leduc, Alberta, and a double-lung transplant recipient. This past summer in Calgary Mr. Arntson competed in the Canadian transplant summer games in cycling and is now a motivational speaker speaking on the importance of organ donation awareness. He drove in today from Leduc to support Bill 207.

Also, Mr. Speaker, Mr. Dave Smith, from Edmonton. Dave is the past president of the Canadian Transplant Association and is the current executive director of the Alberta transplant association. He is a living kidney transplant recipient of 16 years. He also competed in the Canadian Transplant Games and is also here today to support Bill 207. I ask these gentlemen to please stand and receive the warm welcome of this Assembly.

**The Deputy Speaker:** The hon. Member for Edmonton-Riverview.

**Mr. Young:** Thank you, Mr. Speaker. It is a pleasure to rise today and introduce to you and through you to all the members of the Assembly Sharon Marcus, the co-chair of Alberta Donates Life Coalition and mother of a kidney transplant recipient.

I also have Silvio Dobri. Silvio is a heart transplant recipient and one of the founders of the GoodHearts mentoring foundation. You can read more about them at [goodhearts.ca](http://goodhearts.ca). This organization is a support for all organ recipients. As mentioned by the hon. Member for Edmonton-Whitemud, Alberta Donates Life Coalition is a group of several health organizations and individual advocates from around the province who have come together to encourage the government of Alberta to co-ordinate organ donation, create an organ donor public awareness campaign, and create an intent-to-donate registry for citizens of Alberta.

The Alberta Donates Life Coalition supports the MLA for Calgary-Foothills' private member's Bill 207. I personally would like to encourage all Albertans to sit down with their family members and have that conversation about giving the gift of life. Sharon and Silvio are seated in the members' gallery, and I ask that they rise and that we give them the traditional warm welcome of the Assembly.

**The Deputy Speaker:** Edmonton-South West.

**Mr. Jeneroux:** Thank you, Mr. Speaker. I have two introductions today. I'm pleased to introduce to you and through you to all members of the Assembly Mr. Tony White, a liver transplant recipient since the spring of 2009. Tony is a passionate organ donor advocate and is a member of the Alberta Donates Life Coalition. He is here in support of Bill 207, which will be introduced by my friend the Member for Calgary-Foothills. I'd ask that Tony, seated in the members' gallery today, please rise and receive the traditional warm welcome of the Assembly.

It's also a real honour today to introduce a woman who's had a big impact on me. I recently made a member's statement this past session on Little Warriors, and I'd just like to take the opportunity to introduce Mrs. Glori Meldrum and her friend Randi here today.

**The Deputy Speaker:** The Member for Strathcona-Sherwood Park.

**Mr. Quest:** Well, thank you, Mr. Speaker. It gives me great pleasure to introduce to you and through you to all members of this Assembly my constituent Dwight Kroening, who's been living in Strathcona county for the last 17 years. Dwight will be 27 years post heart transplant this August and has been the subject of numerous research projects at the University of Alberta hospital. As a result of that research along with his many athletic endeavours he's become well known not just within the transplant community but also amongst the media and the general public. Dwight is a member of the Canadian Transplant Association and GoodHearts. In 2008 Dwight became the first and only heart transplant to date to complete an Ironman triathlon, and on April 15 of this year he will be the first heart transplant to run the Boston Marathon, all in an effort to raise organ donor awareness. Dwight is seated in the members' gallery with other supporters of Bill 207, which is being introduced today by the hon. Member for Calgary-Foothills, and I ask that he now rise and receive the traditional warm welcome of this House.

**The Deputy Speaker:** The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Mr. Speaker. It is my pleasure to rise and introduce to you and through you to all members of the Assembly two front-line pharmacists from my constituency of Lacombe-Ponoka. Max Beirsto is a pharmacist at the Blackfalds IDA. Jennifer Fookes is a pharmacist and owner of the Blackfalds IDA. Max and Jennifer are strong advocates of their community and anticipate finally being consulted on the pharmacy issues here in Alberta. I ask Max and Jennifer to please rise and receive the traditional warm welcome of this Assembly.

**The Deputy Speaker:** The Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Speaker. Today I have the pleasure of introducing to you and through you to this Assembly a friend of mine and an important figure in the Edmonton media landscape. Arnim Joop is the founder and editor of two major news publications, the *Albertaner* and the *Mill Woods Mosaic*. Through these two newspapers Arnim has been instrumental in giving voice to multicultural communities in Edmonton and has been a strong champion of multiculturalism and social justice. His work as a journalist has garnered him numerous awards, including the Canadian ethnic journalists' and writers' award, the Alberta centennial medal, and the Queen's golden jubilee medal. I would now ask Arnim to please stand and receive the traditional warm welcome of the Assembly.

I have a second one, Mr. Speaker. It's my pleasure to rise today to introduce to you and through you a constituent of mine,

Kathryn Westlund. For over four years Kathryn has been facing numerous obstacles with her workers' compensation claim and the subsequent appeals process. Kathryn is frustrated by the current legislation that, in her view, allows the WCB to question physicians' reports and discourages physicians from engaging with the WCB on behalf of the patient. Kathryn is facing foreclosure on her home due to lengthy delays and practices of the Workers' Compensation Board. I would like Kathryn to rise and receive the traditional warm welcome of the Assembly.

1:50

**The Deputy Speaker:** The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Speaker. On this day, when people world-wide acknowledge that March 21 is the UN-designated International Day for the Elimination of Racism, it is my pleasure to rise to introduce to you and through you my guest, who is himself international. Reed Bennett is visiting us from the United States, where he is a political science student at Clemson University in Clemson, South Carolina. He is part of Killam, an undergraduate exchange program between Canada and the U.S. He is exchanging with a student from the University of Alberta. I would now like to ask Reed to rise and receive the traditional warm welcome of the Assembly.

**The Deputy Speaker:** Are there others? The hon. Member for Edmonton-Gold Bar.

**Mr. Dorward:** Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to the Assembly Mr. Jean Johnson, newly appointed executive director of the city of Edmonton French Quarter revitalization zone, located in the constituencies of Edmonton-Gold Bar and Edmonton-Strathcona. Please, Mr. Johnson, stand and receive the welcome of the House.

## Oral Question Period

**The Deputy Speaker:** The hon. Leader of the Official Opposition.

### Little Warriors Program Funding

**Ms Smith:** Mr. Speaker, the government's priorities are all wrong. They're racking up \$17 billion in debt, they're running a cash deficit as well, yet they refuse to make meaningful cuts to the number of managers or to trim bloated expenses. They focus their cutting on the front lines and on our most vulnerable citizens. They don't seem to have any trouble making life easier for criminals but are reluctant to help victims. The work done by Little Warriors helping child victims of sexual abuse is critical. Doesn't the Premier agree?

**Ms Redford:** Well, Mr. Speaker, it's fundamental to the work that we have to do as a community and government. Ensuring that we're supporting victims of child sexual assault has been a commitment that we've certainly kept in this government. We have partnerships with community agencies like the Zebra foundation here in Edmonton, the Child Advocacy Centre in Calgary, working with many of the sexual assault centres across this province. In fact, we have funded in the last year \$18 million with respect to these programs. We think these are important programs. We want to make sure that we get good results for people that have been victims, and we're always prepared to do that work.

**The Deputy Speaker:** Thank you.

**Ms Smith:** We appreciate that work, Mr. Speaker, but there is money available to help the Little Warriors establish its Be Brave Ranch. They're only seeking \$650,000. The money is available in the victims of crime fund, which, we understand, has \$50 million worth of net assets. What better use could there be for the money in that fund than helping to heal and nurture victims of child sexual abuse?

**Mr. Hancock:** Mr. Speaker, I couldn't agree more that the victims of crime fund money should be used to help victims of crime. There's no worse situation than a child who's been sexually exploited.

In this particular case, I met with Little Warriors on October 18, 2012, to talk about the Be Brave Ranch program and asked specifically for a business case and for a treatment plan so that we could know that any investment in that project would yield results. I'm awaiting that information, and when that comes, I'm more than happy to deal with that particular issue. It's more than \$650,000 as a capital grant. It's operating money as well. That's Albertans' money, that they want to be used well, and we . . .

**The Deputy Speaker:** Thank you, hon. minister.  
The hon. leader.

**Ms Smith:** Thank you, Mr. Speaker. We're not asking for new spending, just spending on the right kinds of things.

Why is the money just sitting there in that fund? Why not make a commitment today to support a charitable group, Little Warriors, that helps the victims of child sexual abuse? Just make the commitment today.

**Mr. Hancock:** Well, Mr. Speaker, I would think that this hon. member more than anyone, given what they've espoused over the years about the effective use of public funds, would know that you have to have a process for any project. There's no shortage of really wonderful projects that are brought in the door. Our job is to make very difficult decisions. We ask for data, we ask for information to make sure that the investment is going to achieve a result for Albertans. That's what we've asked for. That's what we're waiting for. When that comes, we'll be more than happy to take a look at that particular project to say: is this the best use of funds to achieve the outcomes for Albertans?

**The Deputy Speaker:** Thank you, hon. minister.  
Hon. leader, your second set of questions.

**Ms Smith:** I'm glad the representative of Little Warriors is here to hear that answer, and we'll be following up.

### Compensation for Pharmacy Services

**Ms Smith:** We've been warning the government about the problems they're causing with pharmacies. It's another example of cutting spending in the wrong place, and it's another blow to front-line services. Repeated cuts to compensation levels for pharmacies is putting the entire industry at risk. The level of concern is evidenced by the protest that we witnessed earlier today in the Legislature. Doesn't the Premier realize that putting pharmacies out of business is not the way to save money in health care in Alberta?

**Ms Redford:** Well, Mr. Speaker, if that was actually going to happen, then we wouldn't have made the decisions that we did. We believe pharmacies are fundamental to primary health care in this province. In fact, that's one of the reasons that in the past two

years we've actually changed the fee structure for pharmacists, who have asked us for a wider scope of practice, that is paid for by Alberta taxpayers, in order to support people in communities. In fact, I was just in Vermilion last week working with a pharmacist who was saying that he is very pleased with the decisions that have been made. Of course, as we transition through this, we've made some commitments that we're prepared to keep to support rural . . .

**The Deputy Speaker:** Thank you, hon. Premier.

**Ms Smith:** Mr. Speaker, the Health minister made a mistake. The surprise changes that were announced in the budget without consultation will have a drastic effect on compensation for pharmacies. Inventory costs can't be recovered, revenue streams are being restricted, and additional services are not being priced fairly. The Health minister doesn't get that. Will the Premier step in to clean up the Health minister's most recent mess?

**Ms Redford:** Mr. Speaker, no one should ever suggest that our Minister of Health doesn't understand exactly what needs to be done. In fact, I am truly proud of the work that our Minister of Health has done in the last two weeks and well before that in working with pharmacists to ensure that this transition goes smoothly. In fact, pharmacists have said that they're pleased with these changes. There is always work to be done. We will always make commitments to improve the system. Our Minister of Health has said that, and I have a lot of confidence in him.

**The Deputy Speaker:** Thank you, hon. Premier.

**Ms Smith:** Mr. Speaker, I don't think 300 pharmacists are rallying because they support the government's changes.

The entire Health portfolio is a mess. Doctors, nurses, and now pharmacists are threatened, seniors and long-term care are ignored, but managers, VPs, and executives of AHS are looked after handsomely. Their expenses are obscene. The executive is well taken care of. When is this Premier going to start taking care of the front lines?

**Ms Redford:** Well, Mr. Speaker, if the hon. member actually paid attention to the communications that we have with Alberta Health Services, she would know that one of the things we have said very clearly to Alberta Health Services is that while they are getting a 3.5 per cent increase and while we're holding the line at zero spending, which is 4.5 per cent less than this opposition would have done, they are not to impact front-line workers. They will not impact front-line workers because at the end of the day that's fundamental to the access to health care that Albertans need.

**The Deputy Speaker:** Thank you, hon. Premier.  
The hon. Member for Chestermere-Rocky View.

### Labour Negotiations with Teachers

**Mr. McAllister:** Thank you, Mr. Speaker. Parents and teachers breathed a sigh of relief last week when it was discussed that the ATA and the province had reached a labour deal. True to form, the government nearly threw out its shoulder patting itself on the back. Well, that was then and this is now, as the Premier likes to say. The deal appears to be falling apart. School boards are saying that the government is not putting boards first. To the Premier: did you really expect a ringing endorsement from boards when you didn't involve them in the process?

**Ms Redford:** Well, Mr. Speaker, in fact, it was really wonderful last week on Friday to be able to make the announcement standing next to the president of the ATA and to actually have the Education critic for the opposition at the meeting saying very constructive things with respect to the deal. I don't think it was just us patting ourselves on the back. It was many people. The reason is that this is a good deal for kids. We have school boards, 15 across this province, that have already said that they like this deal. It allows us to hold spending in line, to respect teachers, and to take care of families and kids. That's what we promised Albertans.

2:00

**Mr. McAllister:** Mr. Speaker, given that we should all be putting our kids first in line here and given that the boards who are elected to represent these kids are concerned and are telling us that this deal does not put children first, again to the Premier: are you listening to the concerns of the boards, or will you impose your government-knows-best imposition on them, too?

**Mr. J. Johnson:** Mr. Speaker, we're absolutely listening to the boards. That's why our field people are out talking to the boards, and that's why I'm very happy to report that I think by the end of the day we're going to have in the neighbourhood of 20 boards supporting this deal and only one or two against it. This deal is good for kids. The last five years in this province have been fantastic in the classroom because we've had labour peace. We're going to have labour peace for the next four or five years again.

**Mr. McAllister:** Again to the Premier, Mr. Speaker: given that you can't swoop in with \$107 million this time and given that you used local autonomy as a crutch to do nothing about that silly no-zero policy, why is it that this time you seem to have no problem disregarding the autonomy of locally elected officials?

**Ms Redford:** Mr. Speaker, what we're actually seeing from locally elected officials is a lot of consideration about a deal that makes sense for kids and families. That's one of the reasons that we have school boards across this province, including the Edmonton Catholic board, the Calgary Catholic board, Medicine Hat, and I believe Grasslands, saying that this is a good deal for parents, for kids, for teachers, and for their taxpayers.

**The Deputy Speaker:** The hon. leader of the Liberal opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. Another day, another major bungle from this government through its intellectually and morally bankrupt budget. It's great that the government has got labour peace with the teachers – that's a good thing – but it seems that this government forgot that any teachers' deal would need to be approved by all school boards in the province. Two of the biggest, Edmonton and Calgary, are saying that it's a deal they can't afford through the government's severe underfunding of the K to 12 system. To the Premier: since you knew you would be offering this deal to the teachers, why did you not properly fund the school boards so they could pay for it?

**Ms Redford:** Mr. Speaker, you know, the wonderful thing about bringing people together in common cause is that it gives you the opportunity to exchange ideas. One of the things that's been tremendously important in this negotiation and in this deal is that we've been able to ensure that we can keep our commitment to Albertans to keep spending at zero but at the same time support the teachers, who are so valuable in our classrooms. In fact, there were increases to the Education budget this year. We made

commitments with respect to classroom size, and we made commitments with respect to inclusion that actually increased spending with respect to those. That's what matters to Alberta families.

**Dr. Sherman:** Mr. Speaker, this Premier is great at cutting deals, but I'll tell you that 25 per cent of our kids aren't finishing school.

Given that our schools are already short 650 teachers compared to three years ago despite the fact that enrolments are up 5 per cent over the same period and are projected to increase every year for the next 10 years and that the cancellation of the AISI program means the loss of 400 more teachers, to the Premier: if you end up imposing this deal, how many more teachers do you estimate school boards will need to lay off so they can meet payroll?

**Mr. J. Johnson:** Mr. Speaker, one of the great things this deal does is that it keeps teachers in the classroom. One of the things we've focused on with the budget is strategically looking at every area of the Ministry of Education that we could trim, that we could cut, that does not affect the classroom, where we could put the resources in the classroom. AISI was one of those programs. It's a great program.

I don't know how you can argue that you can't afford a deal with three zeros. The only concern I have if you say that you can't afford a deal with three zeros is that you want to have discussions about rollbacks. We don't want discussions about rollbacks. We want teachers focused on teaching our kids and doing the things that they do best.

**Dr. Sherman:** Mr. Speaker, I can't believe that the Premier and the minister honestly believe that laying off more teachers is good for our kids.

Given that today there are two rallies in Edmonton alone to protest the devastating effects this bankrupt budget will have on K to 12 and postsecondary education, which means we now have students, parents, school boards, university faculty and staff giving your budget an F when it comes to education, to the Premier: what plan do you have to deal with the chaos your budget is creating at every level of education from K to PhD? Your budget is a failure, Premier. What are you going to do about it?

**Ms Redford:** You know, Mr. Speaker, two weeks ago we very clearly set out a budget that ensured we could provide services to Alberta families and build communities. We made a commitment to invest in infrastructure. We made a commitment to save. We just had the AAMD and C, the Alberta Association of Municipal Districts and Counties, here talking about building communities, and what we heard from them is that they understood we had some tough choices to make but that we made the right choices. We're increasing funding to education, to health care. We're investing in communities, we're investing in savings, and we're doing it in a way that meets the priorities of Albertans.

**The Deputy Speaker:** Thank you, hon. Premier.

The hon. leader of the New Democratic opposition.

### Government Communications

**Mr. Mason:** Thank you very much, Mr. Speaker. This government has taken the politicization of government communications to a new low. One political scientist warns that it really causes Albertans to question the value of everything the government is telling us. Adding a partisan spin to government communications is something we've grown used to seeing from the Harper Conservatives, who are well known for their disdain for openness

and democracy. My question is to the Premier. Why does she feel that it's okay to use the resources of the government to distribute PC propaganda?

**Mr. Lukaszuk:** Mr. Speaker, it is unfortunate that this member, the leader of the fourth party, has to read a newspaper that quotes a political scientist to tell him what Albertans really think. Well, I can tell him that Albertans want to hear what the facts are, and the reason why the Harper Conservatives and this government have to send clear information to Albertans is because Mr. Mulcair and this leader of the NDP Party won't do that. [interjections]

**Mr. Mason:** Oh, goody for him.

Well, I happen to have a government information bulletin about 511, which is travel information, road information, and it contains this statement: "Our government was elected to keep building Alberta, to live within its means and to fight to open new markets." [interjections] Well might they thump, but why don't they tell the real reason this government was elected? They scared people to death about the Wildrose. [interjections]

**The Deputy Speaker:** Hon. members, please.

Hon. Member for Airdrie, did you rise on a point of order?

**Mr. Anderson:** I want her to answer the question, Mr. Speaker.

**The Deputy Speaker:** Okay. So no point of order.

The hon. Deputy Premier, please.

**Mr. Lukaszuk:** May I answer this question by way of posing a question? Is it possible for me to give this member my 30 seconds so he can continue reading that press release? It is refreshing to hear him speak the truth.

**Mr. Mason:** And, indeed, out of the mouths of babes: the Deputy Premier has put his finger on it. The government has transformed the Public Affairs Bureau into the Ministry of Truth.

Given that partisan politicking is not the responsible change that Alberta voted for and given the Premier has always claimed she wants government to be more open and transparent, can the Premier explain whether openness and transparency, in her mind, is forcing public servants to regurgitate meaningless PC propaganda?

**Mr. Lukaszuk:** It is unfortunate that reading Orwell hasn't changed that member's mind and that he hasn't changed his political views. Nonetheless, Mr. Speaker, it is imperative that the government of Alberta issues information that is factual to Albertans. Unfortunately, when we have an Official Opposition that resorts to printing coupons and posters and we have leaders of the provincial opposition and federal opposition that insist on misspeaking on matters of truth, the only party that can possibly do it is the government of Alberta. We will continue telling Albertans the truth.

**The Deputy Speaker:** Thank you, Deputy Premier.

#### Senior Public-sector Compensation

**Mrs. Forsyth:** Mr. Speaker, this government continues to show how out of touch they are with the priorities of Albertans. I've received a number of phone calls indicating that AHS is in the midst of pushing through executive bonuses now to beat the freeze that will come into effect April 1. When the government is asking physicians to take a \$275 million pay cut, this is troubling, to say the least. Can the Minister of Health confirm or deny that pay-at-risk

bonuses will be processed before the end of the fiscal year, and will he take the necessary steps to ensure this does not happen?

**Mr. Horne:** Well, Mr. Speaker, I don't know what information the hon. member has or thinks she has, once again. But what I can tell her is that the chair of the AHS board has been very clear about the intentions of that board with respect to both management salaries, including pay at risk, and expenses. The chair has outlined a clear plan to reduce both within the next budget cycle. I find no inconsistency between that position and the position of that chair and that board right now.

2:10

**The Deputy Speaker:** Thank you, hon. minister.

The hon. member.

**Mrs. Forsyth:** Thank you, Speaker. Minister, prove I'm wrong. Pick up the phone and call him.

Given that U of C officials have committed to a wage freeze but not until July 1, meaning plenty of time for raises and bonuses before then, will the advanced education minister commit there will be no special bonuses for university executives, boards, and commissions either today, tomorrow, or any point this fiscal year or the next fiscal year?

**Mr. Lukaszuk:** Mr. Speaker, it is still acceptable that the Leader of the Official Opposition makes these very simple mistakes because she's still a rookie, but for this member there's no excuse. She knows that all 26 schools within Campus Alberta are governed by boards of governors who manage the salaries, not this government. However, some schools should be commended. For example, the University of Calgary has recently put out a directive on freezing wages for their management and executive staff, and I hope that other schools are watching it carefully and will follow the trend.

**Mrs. Forsyth:** With the freeze on senior government bureaucrats being lifted in June of 2012, will the Minister of Finance please tell Albertans whether all deputy ministers, chiefs of staff, senior officials, opted-out and excluded staff will receive any pay hikes or bonus packages in the next 10 days or the next fiscal year?

**Mr. Horner:** Mr. Speaker, I think we were pretty clear back in the third-quarter update when we said that all management and opted-out salary grids will be frozen for the next three years. There will be no bonuses. The opposition knows this. This is not news. I don't know what else I would answer.

**The Deputy Speaker:** Thank you, hon. minister.

The hon. Member for Fort McMurray-Wood Buffalo, followed by Lacombe-Ponoka.

#### Transportation Strategic Services Budget

**Mr. Allen:** Thank you, Mr. Speaker. Last night the opposition proposed cutting the department that provides Alberta's important transportation infrastructure. One of these proposals was to cut strategic services by \$1.7 million. To the Minister of Transportation: will this cut-and-slash approach of the opposition influence the government's commitments to keep transportation infrastructure safe for Albertans?

**The Deputy Speaker:** The hon. Minister of Transportation.

**Mr. McIver:** Thank you, Mr. Speaker. Strategic services provides information technology and database services. I was shocked,



frankly, that the opposition would propose to impair our ability to monitor and repair bridges and roads, threatening the safety of Albertans while they travel around Alberta. This clearly shows the Wildrose opposition's lack of regard for the safety of Albertans, and frankly the member in the party that made the amendment should be embarrassed for the lack of concern for Albertans.

**The Deputy Speaker:** The hon. member. [interjections] The hon. Member for Fort McMurray-Wood Buffalo.

Hon. members, please. The Member for Fort McMurray-Wood Buffalo has the floor.

Proceed, hon. member.

**Mr. Allen:** Thank you, Mr. Speaker. To the same minister: given that the opposition's proposal would also have cut funding to traffic safety services by \$1.4 million, can the minister please inform the House if the safety of motorists on our highways will become a lower priority?

**The Deputy Speaker:** The hon. Minister of Transportation.

**Mr. McIver:** Thank you, Mr. Speaker. It's unfortunate that the opposition is so ill informed about the important work that we do on behalf of Albertans and they continue to hack and slash. Traffic safety services makes sure the vehicles on the roads are safe. They ensure compliance of dangerous goods and make sure that we look after drivers' licences and other important functions. What's clear to me and ought to be to all Albertans is that the opposition is prepared to sacrifice the safety of Albertans with an ideologically driven agenda rather than deal with what's important. [interjections]

**The Deputy Speaker:** Thank you, hon. minister. [interjections]

Hon. Member for Airdrie, you rose on a point of order at 2:15. Thank you.

Hon. members, please. I know it's Thursday, and we're all anxious to get home in the snow and the springtime weather. But, please, could we allow those asking the questions to be heard and, even more importantly, that we might hear the answers? Please.

I'll recognize the Member for Fort McMurray-Wood Buffalo for your final supplemental.

**Mr. Allen:** Thank you, Mr. Speaker. Again to the Minister of Transportation: given that the opposition also wanted to cut the Alberta Transportation Safety Board by \$121,000 and given that the Wildrose Party has been asking for due process for those caught violating the .05 legislation, is he still committed to that process?

**Mr. McIver:** Mr. Speaker, the Wildrose has actually complained and been soft on our impaired driving legislation. They ask for due process, and then they try to cut the very budget that provides the due process that they claim is important. Alberta's Transportation Safety Board not only does this, but they also provide that important channel of appeals for seniors and other medically at-risk Albertans that are in danger of losing their licence. They say they care, and then they go to cut off the appeal process. What else is the opposition not telling Albertans about what they do? They're on both sides of . . .

**The Deputy Speaker:** Thank you, hon. minister.

**Ms Notley:** Point of order.

**The Deputy Speaker:** Point of order, Edmonton-Strathcona, at 2:16.

The hon. Member for Lacombe-Ponoka.

## Compensation for Pharmacy Services

(continued)

**Mr. Fox:** Thank you, Mr. Speaker. This government's meddling in the generic drugs market has threatened the viability of pharmacies across Alberta. Unlike sectors that are simply facing a freeze, front-line local pharmacies are suffering drastic cuts. Last July this government hit rural pharmacies with harsh cuts, but this government's fiscal mismanagement just keeps on going. Now front lines are being targeted again. To the Minister of Health: when will this government stop meddling in the industry, forcing local pharmacies out of business and leaving rural Alberta without care?

**Mr. Horne:** Mr. Speaker, this government has followed a path that we've seen across Canada in the last few years whereby generic drug prices have been reduced. While this benefits very much the prices we pay as government for government-sponsored programs, it also benefits employers who provide jobs to Albertans along with benefit packages that they value very much. It also benefits Albertans who pay out of pocket. We are the only jurisdiction in the country to provide over \$90 million in transition funding to support pharmacists in the pursuit of the new model they designed to pay for their . . .

**The Deputy Speaker:** Thank you, hon. minister.  
The hon. member.

**Mr. Fox:** Thank you, Mr. Speaker. Given that it is estimated that the net loss is \$100,000 per pharmacist and \$400,000 per pharmacy, instead of pronouncing sentence on rural pharmacies, doesn't the minister think this issue should have been dealt with head-on and in consultation with the front-line pharmacists?

**Mr. Horne:** Mr. Speaker, the new pharmacy services framework and the transition funds that we have been providing have been the result of discussions with Alberta pharmacists over the last three years. The hon. member makes a dangerous generalization in the figures that he quoted. The impact of generic price reduction varies widely among pharmacists depending upon the size of the store they practise in and their affiliation and their involvement in other retail activities. What is important here is that we are supporting Alberta pharmacists in the transition to a new professional services model that recognizes them to provide the services they are trained to provide to Alberta.

**The Deputy Speaker:** Thank you, hon. minister.  
The hon. member.

**Mr. Fox:** Thank you, Mr. Speaker. What is dangerous is losing our rural pharmacies.

Given that this government has failed to address the outdated reimbursement model, will this government at least commit to meet with me and front-line pharmacists in Lacombe-Ponoka to work on a funding model that lets pharmacies operate as viable businesses and ensures my constituents and all Albertans still have access to the care they need?

**The Deputy Speaker:** The hon. minister.

**Mr. Horne:** Well, thank you, Mr. Speaker. I'm sure the hon. member is aware that we have a \$15.6 million transition fund directly designed to support rural and independent pharmacies across the province.

In addition to that, we have an implementation advisory committee, which is meeting this week, consulting with pharmacists about transitional issues as the generic drug prices continue to

lower in Alberta and across the country. Mr. Speaker, Alberta pharmacists are directly involved in analyzing the impact of this decision and in developing the solutions to address it.

**The Deputy Speaker:** Thank you, hon. minister.

The hon. Member for St. Albert, followed by Calgary-Mountain View.

### CCSVI Treatment

**Mr. Khan:** Thank you, Mr. Speaker. A number of my constituents in St. Albert, as is all too common in our province, suffer from multiple sclerosis. This terrible condition robs people of their mobility in the prime of their life. Many in the MS community perceive an innovation developed by Dr. Zamboni as ground-breaking treatment. My question is to the Minister of Health. Under the Alberta multiple sclerosis initiative has the province observed any efficacy of Dr. Zamboni's treatment for chronic cerebrospinal venous insufficiency, also known as CCSVI?

2:20

**Mr. Horne:** Mr. Speaker, I thank the hon. member for the question. Multiple sclerosis is an important issue, particularly in western Canada in the more northern climates. As he has said, we have an observational study in progress now, known as TAMS, that began in 2011. It is designed to gather information and to improve understanding of the treatment for CCSVI. There are still many unanswered questions regarding the potential linkages between CCSVI and MS. There have been some preliminary results released. At this point they primarily describe the socio-demographic characteristics of the participants.

**The Deputy Speaker:** Thank you, hon. minister.

The hon. member.

**Mr. Khan:** Thank you, Mr. Speaker. To the same minister: given that other provinces have partnered in large international studies as part of their fight against multiple sclerosis, has Alberta entered into any partnerships involving population-wide studies of this condition, including Dr. Zamboni's CCSVI treatment?

**The Deputy Speaker:** Thank you.

The hon. minister.

**Mr. Horne:** Well, thank you, Mr. Speaker. In fact, the multiple sclerosis clinic at the Foothills hospital in Calgary is involved with the Canadian multiple sclerosis monitoring system, which is a national registry for patients with MS. Our role in Alberta has been, as I said, to design and implement the TAMS study, an observational study. We have made our data available to other clinical researchers around Canada and around the world. I think we're making a very significant contribution to the investigation of the effectiveness of CCSVI.

**The Deputy Speaker:** Thank you, hon. minister.

Hon. member, your final supplemental.

**Mr. Khan:** Thank you, Mr. Speaker. It's good to learn of this initiative that the province is involved with, but given that this province is funding a monitoring study of the efficacy of CCSVI, will the province consider funding standardized treatment to a limited group of Albertans to ensure a universal standard of care and to increase the quality of the data gathered?

**Mr. Horne:** Mr. Speaker, as I think the hon. member knows, there are a number of clinical trials that are being sponsored in Canada

and internationally on this procedure. What I can commit to the hon. member is that we'll continue to monitor the results of our own observational study and continue to look at the evidence from research studies around the world. Based on that evidence, we would make a decision about the potential for sponsoring future clinical trials.

**The Deputy Speaker:** Thank you, hon. minister.

The hon. Member for Calgary-Mountain View, followed by Edmonton-Beverly-Clareview.

### Urogynecology Wait Times

**Dr. Swann:** Thank you, Mr. Speaker. Dr. Jane Schulz is an Edmonton surgeon and medical teacher at the University of Alberta. She has expressed growing outrage with delays in women's urinary and gynecologic surgery for five years. Her patients have their womb or bladder or rectum hanging from their vagina, they lose urinary or bowel control, and they're in constant pain. They wait two to three years to see Dr. Schulz and six to 12 months for surgery. Three women this year died of preventable infectious urinary disease due to delays in treatment. To the minister: what have you done to solve this problem over the past year?

**Mr. Horne:** Well, Mr. Speaker, I thank the hon. member for the question. He and I have discussed the issue in the past. I've also met Dr. Schulz and one of her colleagues myself. These wait times are too long. I think it's the result of a number of issues, including the difficulty in recruiting physicians in this very specialized area. Part of the good news is that two additional urogynecologists have been recruited in Calgary, and that will bring the number there to five. AHS is continuing to try to recruit a similar specialist in Edmonton. It is very much needed.

**The Deputy Speaker:** Thank you, hon. minister.

The hon. member.

**Dr. Swann:** Thank you, Mr. Speaker. Well, given what Dr. Schulz calls, quote, a toxic climate for doctors in Alberta, end quote, and assuming you find more resources from somewhere, how will you attract specialists to Edmonton and Alberta?

**Mr. Horne:** Well, Mr. Speaker, this is where the hon. member and I part ways. It is completely inaccurate and inappropriate to suggest that the climate in this province is anything but conducive to and supportive of attracting the best and brightest physicians in the world. Not only is compensation 14 per cent above the national average in this province and not only do we have some of the best hospitals that will be found anywhere in North America, including the new south Calgary health campus, we have some of the finest research facilities in the world. It is that climate, which is the product of decades of investment in this province, that has attracted the best.

**The Deputy Speaker:** Thank you, hon. minister.

**Dr. Swann:** Mr. Speaker, this is one of many areas in women's health care that's being neglected in this province. When will this government put women's health care foremost in our health care system?

**Mr. Horne:** Mr. Speaker, I believe that we already do have a very strong commitment to women's health. One needs to look no further than the Lois Hole hospital for women at the site of the Royal Alexandra to see that evidence. The hon. member is a physician, and he certainly is correct that more does need to be done

in the area of women's health. Recruitment in very specialized areas such as urogynecology continues to be a priority. We will continue to stand up for women who need access to these services and do our utmost to reduce the waiting times.

**The Deputy Speaker:** Thank you, hon. minister.

#### Summer Temporary Employment Program

**Mr. Bilous:** Mr. Speaker, the Premier has broken yet another promise by axing the community spirit grants, which were funded entirely by lottery revenues. Rather than supporting nonprofits, she's cut funding to 2,100 groups, including food banks, community leagues, and women's shelters. The list of groups affected is 420 pages long. Will the Minister of Culture explain how community organizations can survive a \$15 million blow at the same time as this PC government throws \$200 million into new VLTs?

**The Deputy Speaker:** The hon. Minister of Culture.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. Indeed, the community spirit donation program: as the minister that was a really tough decision to make, as all ministers did. At the end of the day for me, we know that there are other programs available in my department, the community facility enhancement program and the community initiatives program to name a couple, which are constantly oversubscribed. I guess that for me it's working with nonprofits to enable them to have people work in their sector on a longer term basis rather than a short-term basis. We are working with the nonprofit sector.

**The Deputy Speaker:** Thank you, hon. minister.

**Mr. Bilous:** Mr. Speaker, I started an online petition two days ago, and given that over 500 people have already signed it, calling for the minister to reinstate the STEP program, and given that letters continue to pour into my office, providing tangible proof of how successful this program has been and continues to be, to the Minister of Human Services: will you admit that you've made a mistake by cutting a program that has touched so many lives and restore funding immediately?

**The Deputy Speaker:** The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. The reality is that virtually every dollar that's spent in government, taxpayers' dollars, touches people's lives. If you're going to balance the budget and if you're going to make the best use of the public resources, you have to make tough decisions. The STEP program was one of those tough decisions. When we look at a program like that, we have to look and say: is it achieving the outcomes that we need to achieve? The reality is that there are other programs for students who need to get jobs in the summer. There is a good job market for students now, so the purpose for which that program was set up is no longer there. However, there is a need on the not-for-profit side, and we've committed to working with the not-for-profit organizations to make sure that those organizations . . .

**The Deputy Speaker:** Thank you, hon. minister.  
The hon. member.

**Mr. Bilous:** Thank you, Mr. Speaker. Penny-wise, pound-foolish. Given that not a single community group has been consulted by any minister about a replacement for STEP and given that organizations like iHuman and the Boys & Girls Clubs are grap-

pling with mean-spirited cuts to both the STEP program and the community spirit grants, how can the Minister of Culture possibly defend this devastating double blow to Alberta's community organizations?

**The Deputy Speaker:** The hon. Minister of Culture.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. Albertans are among the most generous in all of Canada. We know that the current taxable credit portion that we have is one of the most generous in Canada. That will continue to be available. I guess that for me ensuring that all dollars are focused on addressing the greatest need is what I'm going to be looking for. I look at the student SCIP program, the serving communities internship program. That program was undersubscribed when we began it; now it's oversubscribed. So I look forward to working on that program and getting more students employed.

**The Deputy Speaker:** Thank you.

#### Water Supply in Southern Alberta

**Ms Smith:** Mr. Speaker, as we prepare to head back to our constituencies, I need to get some answers for the residents of Highwood, and I hope that the environment minister can help me out. As with many things in southern Alberta, it's related to water. In Okotoks we're facing a water crisis. The town is being forced to buy a water licence, at a cost of about a million dollars, from an oil company or an irrigation district to obtain rights to water for their growing needs. As I understand it, it's the only community in the province being forced to pay private industry to get water for their residents. Can the environment minister explain why?

**The Deputy Speaker:** The hon. Minister of Environment and Sustainable Resource Development.

**Mrs. McQueen:** Thank you, Mr. Speaker. It's a pleasure to answer this question. I've had the opportunity to meet with the council of Airdrie and the manager of Airdrie on numerous occasions. In fact, in Okotoks we've had good conversations about this. We're looking at a water conversation . . . [interjection] Quite frankly, I was there. I don't remember seeing the hon. member there.

We've had lots of discussion about this. We are working with Okotoks and all communities in southern Alberta with regard to important issues on water, and that's one of the important things that will come out of the discussions.

2:30

**The Deputy Speaker:** Thank you.

**Ms Smith:** Mr. Speaker, not only is the town of Okotoks facing a huge bill for water; it is also one of the communities hard hit by education tax increases, around 17 per cent for this community, which is \$1.6 million. Since the province is taking \$1.6 million more out of Okotoks and they need a million dollars for the licence, can't we just call it square and have the province assume the cost of the water licence for the town?

**The Deputy Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker. As I just said, we are having the discussion across the province in 20 communities about water, the importance of water, sharing water for communities, particularly in the south, where we have a basin that is closed. That will be continuing until the end of the month. Albertans have

a chance to give us input. We have talked with Okotoks. We have talked with other communities. You will see that with regard to water, as we committed to Albertans in these discussions, we are gathering input first, hearing what Albertans have to say in their communities, listening to Albertans first before we make any policy decisions.

**The Deputy Speaker:** Thank you, hon. minister.  
Hon. member, your final supplemental.

**Ms Smith:** Mr. Speaker, there are different water issues in High River. Former MLA George Groeneveld's flood mitigation report called for a plan to help 66 communities that are at risk for flooding. When will the government provide a detailed, comprehensive priority list of flood mitigation plans so that I can tell High River where it is that they stand on the list?

**The Deputy Speaker:** The hon. Minister of Municipal Affairs.

**Mr. Griffiths:** Thank you, Mr. Speaker. As the Minister of Municipal Affairs this falls under my department. We've been working very hard with the federal government. They wind up covering a significant portion. The larger the disaster is, the more needs to be relieved to the communities. They cover a larger and larger portion, and they had announced quite a while ago that they want to work with the provinces on disaster mitigation because they realize an investment up front will save money down the road for repairs. So we're going to continue to work with our provincial partners and the federal government to work on the mitigation of flooding.

**The Deputy Speaker:** Thank you, hon. minister.  
The Member for Calgary-North West, followed by Calgary-Shaw.

#### New School Construction Priorities

**Ms Jansen:** Thank you, Mr. Speaker. Over 300 people in my constituency came together at a freezing cold rally on Family Day to raise awareness about the dire need for a new middle school in Calgary-North West. My first question is to the Minister of Education. Since our school board is changing its method for school ranking, calling it dated, will the minister take into account that a dated ranking system booted us out of the number 2 spot for a middle school?

**Mr. J. Johnson:** Mr. Speaker, when we get the priority list from the school boards, we consider three things on our end. One is health and safety – we've got schools with mould in the walls or the roof is falling off or a flood has come through – we look at the enrolment pressures, and we make sure that school boards have exhausted all possible partnerships with other local groups: postsecondary, health, municipalities. Those are the things we do to weigh the projects against each other across the province. We rely on the school boards to take the data that they've got to give us their priority lists, and as they change those, of course, we take that into consideration.

**The Deputy Speaker:** Thank you.

**Ms Jansen:** My next question to the same minister: when school boards move a school from priority 1 or 2 down to a lower priority on the list like Calgary-North West, which moved from number 2 to number 7, will the minister consider this when making funding decisions for new schools?

**Mr. J. Johnson:** Of course, Mr. Speaker, we will. We put a lot of weight into what the local school boards put forward in terms of their priority list. It's not the only thing we look at, but certainly they need the ability to change their capital list from year to year because communities evolve and grow and demographics change, and that's why they submit annual capital lists. They do change from year to year, and then we respond to those changes.

**The Deputy Speaker:** Thank you, hon. minister.  
Hon. member, your final supplemental.

**Ms Jansen:** My final question to the same minister. When can my constituents, who have already waited 14 years for a middle school, expect a new school announcement for Calgary-North West?

**Mr. J. Johnson:** Mr. Speaker, I want to commend the hon. member because she's been a strong advocate for her community as well as others, the Member for Calgary-South East, particularly in the Calgary area, where we have some growth pressures. I understand that a lot of these communities and parents are anxious to learn about their school projects right across the province, and I'm looking forward to being able to announce these projects once we get through the budget. They are contingent on the budget, so I call on all members of this House to support us in getting this budget passed so we can get these schools built.

**The Deputy Speaker:** Thank you, hon. minister.  
The Member for Calgary-Shaw, followed by Edmonton-Riverview.

#### Transition of Michener Centre Residents

**Mr. Wilson:** Thank you, Mr. Speaker. We've heard the minister defend his decision to slam the doors of the Michener Centre shut, even saying that it was, and I quote, an unacceptable situation. Well, on that we can agree. It's unacceptable that this minister is kicking people out of their homes, and it's unacceptable that this minister feels helpless to do anything about it. The Michener Centre is also a support system for many patients that require stabilization before returning to community living, and losing this service will be a detriment to the social fabric of our province. Why is this government again targeting the front lines for cuts instead of the bloated bureaucracy?

**The Deputy Speaker:** Thank you, hon. member.  
The hon. associate minister for disabilities.

**Mr. Oberle:** Thank you, Mr. Speaker. If the hon. member had been paying attention to the budget discussion – and if he attends the estimates, he'll learn a little bit more – we actually have made administrative cuts across the board.

The closure of the Michener Centre is about care for the vulnerable people that are in there, and it's going to improve. We've got a significant body of evidence that's been gathered across North America. We have our own evidence right here in Alberta, and we're making the right move for putting the patients first.

**The Deputy Speaker:** Thank you, hon. minister.

**Mr. Wilson:** Given that the hard-working staff at the Michener Centre not only provide a home to these vulnerable Albertans but also provide a transitional facility for many individuals that have been stabilized, how can this government justify shutting down this essential front-line service while continuing to support man-

agers managing managers managing managers at all levels of government?

**Mr. Oberle:** An easy thing to say, Mr. Speaker, that across the board we've got so many managers and all this administrative overhead. The fact that it's not true doesn't seem to matter to that hon. member.

If the member knew anything about transition, then he would understand how inadequate this facility is for the transition of patients. That is one of the reasons we're moving to a better model.

**Mr. Wilson:** Given that the Albertans who have been cared for at the Michener Centre are still going to require the care and support of the community and given that the Michener Centre was a safe place for these Albertans and not a homeless shelter or a psych ward, are there going to be supports available for these individuals once they have been kicked out of their homes, or is this minister just going to make them fend for themselves?

**Mr. Oberle:** You know, Mr. Speaker, that is so ridiculous that it almost doesn't deserve an answer. The opposition there would have Albertans believe that we're just going to turn people out onto the street and put them on a waiting list for new homes. The facility doesn't even close until every single resident in there has got a care plan prepared and is moved into an appropriate setting. They're going to get all the supports they need and more.

**The Deputy Speaker:** Thank you, hon. minister.

The Member for Edmonton-Riverview, followed by Cypress-Medicine Hat.

#### Support for Postsecondary Education

**Mr. Young:** Thank you, Mr. Speaker. William Butler Yeats said, "Education is not the filling of a pail, but the lighting of a fire." Given that the universities have significant cuts to their operating budgets instead of the modest increases they were expecting and now have been told that they are being given a mandate letter, to the Deputy Premier and Minister of Enterprise and Advanced Education: how are these mandate letters going to account for cuts and preserve the fire of learning and research in Alberta's postsecondary institutions?

**The Deputy Speaker:** The hon. minister.

**Mr. Lukaszuk:** Thank you, Mr. Speaker. No one is in any way proclaiming that having a 7 per cent decrease in funding is not going to be challenging, but what I am telling all presidents and chairs – and we tend to agree on this – is that we will tackle this challenge together not only as individual schools but as Campus Alberta, and we will be finding efficiencies, duplications, and any other efficiencies that can be found within the entire system. The mandate letters, on the other hand, are being written in collaboration with each school and with student bodies.

**The Deputy Speaker:** Thank you.

**Mr. Young:** Given that there will be no tuition increase for students, can the Deputy Premier educate me on how these cuts will not result in cuts to student programs or increases in noninstructional fees charged to students?

**Mr. Lukaszuk:** Mr. Speaker, we will discuss this in more detail when we go over the estimates for this particular ministry. However, I will tell you this. I made a commitment, the Premier

has made a commitment that we will not be increasing tuitions as a result of this budget. The reason is this: we have also been very clear that we will not be balancing the budget on the backs of students. We will be finding efficiencies in administration, we will be finding efficiencies in relationships between all 26 schools, and we will be encouraging all schools to follow the lead of the government of Alberta on salary increases.

**The Deputy Speaker:** Thank you, hon. minister.

The hon. member. Final supplemental.

**Mr. Young:** Thank you, Mr. Speaker. If we expect our universities and colleges to serve as cornerstones of Alberta's knowledge economy and the drivers of innovation, how can we expect to attract and retain the brightest minds with these cuts? Will these budget cuts result in a brain drain?

2:40

**Mr. Lukaszuk:** Mr. Speaker, in this case the Beatles were right. It's not always that money can buy you love. As a matter of fact, the way to attract the best researchers, the way to develop clusters of innovation, the way to develop research and then commercialize it is to develop a climate for that research to occur in the first place. We will be fostering a climate of research and innovation and commercialization by identifying our areas of strength, by having our institutions collaborate with each other, and as a matter of fact, reaching nationally and internationally. Both Alberta and Canada can do much, much better on that front.

**The Deputy Speaker:** Thank you, hon. minister.

The Member for Cypress-Medicine Hat.

#### Transportation Project Priorities

**Mr. Barnes:** Thank you, Mr. Speaker. Albertans just don't trust this government. The Minister of Transportation claims that a prioritized list of transportation projects is available online. We went online, and the list he's talking about isn't prioritized and is just tentative. So we FOIPed it and found out a priority list does exist, but it will not be made public. In estimates the minister went back on his claims, saying that, quote, I don't have a top five, and there is no definitive list. To the Minister of Transportation. It's time to be honest with Albertans. Where is the prioritized list, or do you just not have a plan?

**The Deputy Speaker:** Thank you.

**Mr. McIver:** Well, Mr. Speaker, I thank the hon. member for the question, particularly because he doesn't seem to get the answer though he's been given it before. The list is on the website. He was told at estimates last night that projects are either funded or unfunded. He has the answer. Albertans that want the answer seem to get it. It seems the hon. member is the only Albertan that doesn't know where the list is.

**Mr. Barnes:** To the minister: given that you have already deferred many important projects like highway 881 and given that your government is known for making political announcements, will you explain to Albertans the criteria you use to prioritize projects, if you use any at all?

**Mr. McIver:** Again, Mr. Speaker, the hon. member already knows we use a variety of criteria: safety, development, traffic, what's there. You know what? Whatever we're building is 25 per cent more than the opposition would be by their own plans. We're doing our best. We don't like deferring any projects, but the fact is

that this government is building Alberta. We're delivering. That's why they chose us in April. We're actually moving the province forward with the infrastructure that Albertans are going to depend upon.

**Mr. Barnes:** The list is just by highway number.

To the minister again: given that like failed Liberal leader Stéphane Dion, you find it hard to make priorities, can you at least explain to Albertans why you refuse to release a prioritized list, or are you just going to respond by saying that it's just not easy to make priorities?

**Mr. McIver:** I hope the hon. member gives his regards to his good friend Stéphane.

Mr. Speaker, again, the list is on the website. It seems the opposition are the only ones that don't know where it is. All other Albertans can find it on the Alberta Transportation website. [interjections]

We're building Alberta. We're moving it into the future. [interjections] People would have to wait a lot longer for their infrastructure if they had made the other choice in April. We're proud of this Premier and this government, that are building . . .

**The Deputy Speaker:** Thank you, hon. minister. [interjections]

Wow. It must be Thursday afternoon.

Hon. members, I want to thank you for your co-operation. We got through 16 sets of questions and answers.

Hon. members, might we revert briefly to the introduction of guests?

[Unanimous consent granted]

### Introduction of Guests

*(continued)*

**The Deputy Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. Dorward:** Thank you, Mr. Speaker. Today it's my great pleasure to introduce to you and through you to the Assembly 14 students, at least, and two professors from King's University College, Dr. John Hiemstra, a professor of political science, and Dr. Michael De Moor, professor of social philosophy. They lead a new course at King's in the politics, history, and economics program. These 14 students are engaged in various aspects of public life through multiple field trips this semester, including a recent visit to my constituency office. Today they observed question period and now will witness House proceedings in order to gain a deeper understanding of how our actions shape public life. The guests are seated in the gallery. I would ask them to please rise and receive the traditional warm welcome of the Assembly.

Thank you, Mr. Speaker.

**The Deputy Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of the Assembly three of my constituents from Lac La Biche-St. Paul-Two Hills. Maria Richard, Cameron Needham, and Graham Anderson came to Edmonton today to protest this government's handling of the pharmacy issues in Alberta. I'd ask them to rise and receive the traditional warm welcome of this Assembly.

**The Deputy Speaker:** The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Mr. Speaker. I don't really know whether my guests are still here. They were the grade 9 class from the Stirling school, home of the 1A girls provincial champions and the 1A boys bronze winners. This is a school where 12 of my 13 children were well launched on their roads to success as citizens, spouses, parents, professionals, and entrepreneurs.

Are they in fact here? They were here, anyway, with their teachers Mike Fletcher, Morgan Schaufele, Ingeborg Pot, and parents Ryan and Ty Stef. In absentia, I guess, just please give them the warm welcome.

### Members' Statements

**The Deputy Speaker:** The hon. Member for Edmonton-Gold Bar.

#### French Quarter and Area Business Revitalization Zone

**Mr. Dorward:** Thank you, Mr. Speaker. Edmonton-Gold Bar is blessed with a significant francophone community, one that I have been privileged to live in and around for 50 of the last 60 years. Recently the city of Edmonton approved the French Quarter revitalization zone, located in the Bonnie Doon area. The first executive director is Mr. Jean Johnson. La Cité, located on 91st Street, is a thriving, active cultural and community centre. Businesses, cultural organizations, health organizations, a theatre, a library, a restaurant, and food service: it's all there, over 30 organizations.

Across the street from La Cité is the University of Alberta's Campus Saint-Jean, which sports a new cafeteria, Mr. Speaker, and I would encourage you to stop by. Campus Saint-Jean issues the only French-language degrees west of Winnipeg. They offer seven undergraduate degree programs and two master's programs.

Mr. Speaker, the number of Albertans that speak French in all of our communities is growing along with our population. Some of these folks are from African countries, but new Albertans are coming from the whole world and other parts of Canada.

I can't help but mention the great work done in my constituency by the Greater North central school board, Conseil scolaire Centre-Nord. They operate three great schools in my constituency.

Mr. Speaker, I'm proud to represent the good folks of Edmonton-Gold Bar, and I'm very thankful for the French culture that is in my home constituency.

**The Deputy Speaker:** Thank you, hon. member.

I recognize the Member for Edmonton-Centre.

#### World Water Day

**Ms Blakeman:** Thanks very much, Mr. Speaker. When I was growing up, there was lots of water to fish in, swim, canoe, drink, water gardens, wash your car, heat houses, sprinkle lawns, cool turbines, irrigate crops. With the exception of southern Alberta the idea of us running out of water was laughable. Now we need to have a World Water Day to urge us to think about water, and that day is tomorrow, March 22.

Here are some of my thoughts on water. I'd like to see water defined as a common good or a public good. In that way, we would provide leadership on future policy about who gets it and how water gets used. This would make privatization and sale of water licences or FITFIR obsolete ideas. It would require that headwaters, lakes, and river runs would have their unique ecology protected. I'd like to see the government stop approaching ground-water and surface water as though the two are not connected. I'd like to see the government get ahead of the problems and test the

water, fingerprint it in areas where development may affect or change it.

2:50

I'd like to see grey water usage made common, have grey water used to water lawns, golf courses, gardens, used in car washes. I'd like to be able to use grey water produced in my household and to have the rainwater be integrated into the system. I'd like to see strict polluter-pay legislation in place in Alberta, especially as it affects water, ice, and snow. I'd like to see conventional oil and gas and oil sands man up – if it was women, it would be done – and significantly reduce their water usage. Water used for deep well injection or for in situ extraction and SAGD is permanently removed from the hydrologic cycle. I'd like to see us choose to grow trees, plants, and food that need less water to survive.

That's what I'd like to see on Water Day. My name is Laurie Blakeman, and I'm an Alberta Liberal.

**The Deputy Speaker:** Thank you, hon. member.

I recognize the Member for Calgary-Currie, followed by Calgary-Hawkwood.

### Child Sexual Assault Services

**Ms Cusanelli:** Thank you, Mr. Speaker. The Alberta government understands the commitment to supporting victims of sexual abuse and their families. As has been said already today, everyone in this House wants to provide the best supports for Albertans who have survived sexual abuse. That is our shared goal. It's our shared compassion for the vulnerable. Alberta's programs and delivery partners achieve results in the prevention and treatment of child sexual abuse. The government of Alberta provides over \$18 million in funding for these areas.

Centres like the Zebra Child Protection Centre in Edmonton and the brand new Child Advocacy Centre in Calgary offer a community of professionals and provide front-line support for children who have been abused. These centres represent major partners coming together to provide compassion through services that will ensure these tragic cases of abuse receive the best quality treatment possible. Police services, child and family services authorities, Alberta Health Services, and the Crown prosecutors' office collaborate to put our children first. These are child-centred environments that nurture the abused child and use all the wisdom of partnerships to heal our most vulnerable and commit to justice being done.

I want Albertans to know that this government has committed \$1.8 million annually to nine sexual assault centres to support victims of sexual violence. We have established over \$6 million for supports of the child sexual exploitation program, including counselling, in-home supports, and outreach for children who have been sexually exploited through prostitution. Approximately \$10 million per year is spent regionally on counselling services and placement for victims of sexual abuse and their families.

Yes, Mr. Speaker, Albertans chose a government that makes vulnerable Albertans a priority. We do not give . . .

**The Deputy Speaker:** Thank you, hon. member.

The Member for Calgary-Hawkwood.

### Poverty Reduction Strategy

**Mr. Luan:** Thank you, Mr. Speaker. As a former social worker I understand that poverty is a complex social issue that affects everyone, and so do the members of this government caucus. That is why we are committed to developing a provincial strategy to

reduce poverty in Alberta, particularly to eliminate child poverty. The new Alberta social policy framework guided us to work in such a way that we will strive to reduce inequality, protect the vulnerable, and promote dignity and inclusion. Under the same framework it calls for us to work in partnership with communities to develop local solutions and also apply research and best practices from other jurisdictions to guide our work in Alberta.

Unfortunately, Mr. Speaker, oppositions have risen in this House and painted a rather gloomy picture about Alberta's poverty reduction strategy in Budget 2013. To set the record straight, I would like to share some numbers and facts to help Albertans know the real picture. Budget 2013 includes a 4.4 per cent increase in funding for AISH, \$5.5 million more in funding for persons with developmental disabilities, \$16 million more in funding for child protection, a \$7 million increase for foster care to keep our children safe, 6,300 new affordable housing units over the next two years, and \$6.7 million more in funding for child care subsidies.

Mr. Speaker, every Albertan deserves the opportunity to live in dignity, reach their potential, and give back to the community. What Budget 2013 has delivered is a tough but responsible change that protects the most vulnerable Albertans while making some very difficult decisions to keep our spending within our means. It is a budget with a balanced and responsible approach to move Alberta forward. I believe that is what Albertans elected this government for.

**The Deputy Speaker:** Thank you, hon. member.

The Member for Strathmore-Brooks.

### Compensation for Pharmacy Services

**Mr. Hale:** Thank you, Mr. Speaker. Pharmacists are here in Edmonton today to draw attention to this government's mismanagement of drug pricing and the negative effect upcoming changes will have on the viability of local pharmacies. My office in Strathmore-Brooks has received many e-mails and questions about this matter, and I would like to share some of what I have learned with the Assembly.

In a letter from the president of the Alberta Pharmacists' Association I was informed of the devastating consequences mandatory changes to drug prices will have on local pharmacies. He wrote:

The Alberta Pharmacists' Association has heard from many pharmacists that are deeply concerned for their patients and for their profession. This cut is so severe and quick, it will be impossible for many community pharmacies to ensure the sustainability of their practice.

Traditionally, the revenue earned through generic drugs has benefited government as they have been able to chronically underfund pharmacy services . . . When cost of living increases are factored in, pharmacists are actually paid less for drug dispensing than they were in 1991. This change coupled with an underfunded model means pharmacists will not be able to provide the level of care that Albertans have become accustomed to and the health system will suffer as patient needs are off-loaded to other care providers or go unmet.

Pharmacists have expressed their commitment to keep prices low to benefit the consumer, but they also want government to reinvest their savings into pharmacies that have been underfunded for some time.

Mr. Speaker, pharmacists are sounding the alarm, and the government isn't listening. Patient care will be impacted. This government needs to get its priorities straight and do whatever it takes to keep pharmacies viable so they can deliver the care

patients need. This was echoed loud and clear today by the nearly 300 pharmacists that gathered on our steps to ask this province to do the thing it refuses to do, listen.

Let's not turn this into another attack on Alberta's front-line workers. The government should reverse course on these changes before it's too late.

**The Deputy Speaker:** Hon. members, I notice that the clock is upon us. I'm wondering if the Government House Leader would like to rise.

**Mr. Hancock:** I would be delighted, Mr. Speaker, to rise and ask for unanimous consent of the House to waive the provisions of Standing Order 7(7) and allow the Routine to proceed past 3 p.m.

**The Deputy Speaker:** Thank you, hon. Government House Leader.  
[Unanimous consent granted]

**The Deputy Speaker:** I recognize the for next member's statement the Member for Calgary-Fort.

### Calgary Francophone History

**Mr. Cao:** Merci, M. le Président. Last week I attended and spoke at the launch of a francophone television program called *Hello-Bonjour Calgary*. This privilege highlighted for me the rich history of French culture in the city of Calgary. The facts of history can be hidden by what we have become accustomed to in our current society and Calgary's modern landscape.

The long history of French-speaking people in Calgary began with the pioneers who contributed to the early development of the land we call home today. There is a neighbourhood in Calgary's inner city that originated as Notre-Dame-de-la-Paix, a Catholic mission, and it was for a time the incorporated village of Rouleauville. Starting in 1872, Father Scollen and Father Lacombe obtained two quarter sections of land for a mission district to ensure a strong French-speaking Catholic community would thrive. After obtaining the rest of the land that's now called the Mission community, the area was incorporated in 1899 as the village of Rouleauville after Charles Rouleau.

Despite Father Lacombe's desire to preserve the French language and culture, Rouleauville slowly came to become more and more English in character. In 1907 the village was annexed to the city of Calgary. As a result, all the French names of the streets were replaced by the Calgary street-numbering system that we have today.

Francophones still continue to flock to Calgary from many parts of the world to begin their lives as Canadians and Albertans. Mr. Speaker, indeed, from these humble historical roots I heard in the news today that Calgary is now ranked the top livable city in Canada, and out of the top 10 livable cities in Canada, Alberta has six.

Merci beaucoup, M. le Président.

**The Deputy Speaker:** Thank you, hon. member.

3:00

### Introduction of Bills

**The Deputy Speaker:** The hon. Member for Calgary-Foothills.

### Bill 207

#### Human Tissue and Organ Donation Amendment Act, 2013

**Mr. Webber:** Thank you, Mr. Speaker. I request leave to introduce Bill 207, the Human Tissue and Organ Donation Amendment Act, 2013.

Bill 207 would establish a corporation in Alberta to be known as the Alberta organ and tissue donation agency. The agency's objective would be to plan, promote, co-ordinate, and support activities relating to the donation of human organs and tissues for transplant and activities relating to the education and research in connection with the donation of organs and tissues.

In addition, the agency would educate the public regarding matters related to organ and tissue donation, would facilitate the provision of such education by others, and advise the Minister of Health on matters relating to the donation of organs and tissues. The Alberta organ and tissue donation agency would co-ordinate and support the work of designated facilities in connection with donation and transplant and also manage the procurement, distribution, and delivery of organs and tissues. It would be responsible for establishing and managing waiting lists for the transplant of organs and tissues and would establish and manage a system to fairly allocate organs and tissues that are available.

In addition, the Alberta organ and tissue donation agency would be responsible for establishing and managing the Alberta organ and tissue donation registry. This registry would establish information-sharing agreements with relevant agencies consistent with the freedom of information and protection of privacy legislation.

Mr. Speaker, Bill 207 would advance the government's commitment to building Alberta by creating an innovative tissue and organ donation agency, and it will have a positive impact on organ and tissue donor rates. It will save the lives of many.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

[Motion carried unanimously; Bill 207 read a first time]

**The Deputy Speaker:** The hon. Associate Minister of Seniors.

### Bill 14

#### RCMP Health Coverage Statutes Amendment Act, 2013

**Mr. VanderBurg:** Well, thank you, Mr. Speaker. I request leave to introduce a bill being the RCMP Health Coverage Statutes Amendment Act, 2013.

Mr. Speaker, the act proposes amendments to two acts, the Alberta Health Care Insurance Act and the Alberta Health Insurance Premiums Act. It should also address changes in the 2012 federal budget to provincial health coverage by the federal government to the RCMP members. It will now fall on the respective provinces and territories to provide health coverage to RCMP members for basic health services, sir. This bill makes the adjustments necessary to provide health coverage to RCMP members under the Alberta Health Care Insurance Act.

I look forward to the debate. Thank you.

**The Deputy Speaker:** Thank you.

[Motion carried; Bill 14 read a first time]



## Tabling Returns and Reports

**The Deputy Speaker:** The hon. Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Speaker. I'd like to table the requisite number of copies of an e-mail my constituency office received from a constituent, Ms Tracey Bert. Ms Bert works at the Mount Royal University and is disheartened to learn about the proposed \$147 million in budget cuts coming to postsecondary education. Ms Bert feels that the government has made a decision that is not in the best interests of Albertans when we need to be investing in, not cutting, postsecondary education funding.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you.

Is there someone on behalf of the Member for Edmonton-Highlands-Norwood? The Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Speaker. I'd like to table four post-card submissions that Albertans made during our broken-promises budget tour. To give you an example of what Albertans are saying, Muriel Stanley Venne from Edmonton believes that taxes should be raised for corporations and the wealthiest Albertans.

Similarly, John Johansen believes that replacing the flat tax with a progressive tax structure should be a priority for this government. Submissions like these are proof that the PC government is completely out of touch with the true priorities of everyday Albertans.

Thank you.

**The Deputy Speaker:** Thank you.

The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Speaker. I'd like to table the appropriate number of copies of one of many e-mails we received about this PC government's cancellation of the STEP program. Sara Coumantarakis writes about how STEP helped make the green shack program a reality and hurt the McCauley neighbourhood in the fabulous constituency of Edmonton-Centre. She asks, "Is scrapping this program a money saver or are we just deferring a cost which will show up later when kids who do not have enough constructive activities and good role models in the summer end up needing much more costly interventions?"

Thank you, Mr. Speaker.

**The Deputy Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. I have two tablings today, one from the CEO of Value Invest, which is a pharmacy, and the other is from the CEO of Value Drug Mart. These are letters that, hopefully, the Minister of Health will take the time to read and listen to the concerns on what's happened with the pharmacies out in the rural area.

**The Deputy Speaker:** Thank you, hon. member.

The hon. Member for Lac La Biche-St. Paul-Two Hills, followed by Cardston-Taber-Warner.

**Mr. Saskiw:** Thank you, Mr. Speaker. I have quite a few tablings. The first is an e-mail dated March 20 from a Sandi Bow from Lac La Biche. She's very concerned about the government of Alberta's irresponsible plan with respect to medevac. I have the requisite copies.

The second is an e-mail dated March 19 from Roxanne Suvak from St. Paul, who as well is concerned about the government's irresponsible plan with respect to pharmacy.

The third is an e-mail dated March 20 from Jeff Pedersen from Elk Point. Again, he's concerned about the reckless plan with respect to pharmacy funding.

The fourth is an e-mail dated March 21 from Natara Cardinal from Kikino. She is also concerned about the proposed cuts to pharmacy funding.

The next is a fax dated March 12 from Lillian Palmer from Vilna, who is also concerned about the cuts to her pharmacy because she knows that's going to affect services in that area.

The next is an e-mail dated March 15 from a pharmacist in Vilna illustrating to the government the impacts that their cuts will have on her pharmacy.

The next is an e-mail dated March 18 from Lesley Rebryna from the St. Paul & District Co-op Pharmacy. She's again outlining the problems with the government's proposed cuts to pharmacy.

Finally, an e-mail dated March 12 from Hope Ainsworth from St. Paul, who also is concerned about the pharmacy cuts.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

The Member for Cardston-Taber-Warner, followed by Lacombe-Ponoka.

**Mr. Bikman:** Thank you, Mr. Speaker. I have four tablings today. One is from Zak Murakami, a pharmacist from Barnwell, Alberta, expressing concern for the province's nursing homes as a result of the recent and future cuts to pharmacy revenues.

An e-mail from Magrath pharmacist Arlen Bennett, who's been forced to lay off staff and says that fees for services are not remunerative.

A letter about pharmacy from Kathy Schow of Cardston expressing her concerns.

And a letter from Lance Miller dated today to the hon. Minister of Service Alberta, copied to me, with regard to Alberta registries. We've talked about that, perhaps examining the possibility of a two-tiered pay system for rural versus urban registries.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Hon. members, I might remind you that the requisite numbers are required with all tablings.

The Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Mr. Speaker. I would like to table a letter hand-delivered to me today by Ms Jennifer Fookes on the issues within the pharmacies in Alberta. I have the required number of copies here.

**The Deputy Speaker:** Are there others? The hon. Member for Edmonton-Strathcona.

3:10

**Ms Notley:** Thank you again, Mr. Speaker. I have since had the documents provided to me that the Member for Edmonton-Highlands-Norwood wished to have me table on his behalf. I'm tabling the appropriate number of copies of a memo from the acting manager/director of the Public Affairs Bureau to bureau staff directing them to use overtly political messaging in all the supposedly nonpartisan government communications that they produce. Accompanying the memo is an example of a government of Alberta press release where this language was used. There are many more examples that exist. This memo represents the cynical attempt by this PC government to use public money in an effort to improve their chances at re-election.

Thank you.

**The Deputy Speaker:** We had two points of order raised. We had a point of order at 2:12 by the Member for Airdrie, and I believe the Member for Edmonton-Strathcona rose at 2:17. At this time we'll deal with the point of order from Airdrie.

The Official Opposition Deputy House Leader.

## Point of Order

### Allegations against Members

**Mr. Saskiw:** Thank you, Mr. Speaker. I rise under Standing Order 23(h), (i), and (j):

- (h) makes allegations against another Member;
- (i) imputes false or unavowed motives to another Member;
- (j) uses abusive or insulting language of a nature likely to create disorder

What I'm referring to specifically is the Minister of Transportation's comments that somehow the Wildrose opposition would want to sacrifice the safety of Albertans. I think every single Member of this Legislative Assembly would agree that not one of us would ever want to sacrifice the safety of Albertans.

Of course, our party has taken very clear stances. In the last election we campaigned on five provincial checkstop teams to ensure that drunk drivers were kept off the road. We had a policy in the Balanced Budget and Savings Act to put more front-line police officers on our roads to increase enforcement. We proposed electronic monitoring of sex offenders and other criminals. We of course deplored the cancelling of the safer communities fund, and we do believe that vandals and other individuals should be convicted on their first and second offences. I think all of us, regardless of political stripe, would agree that not one of us wants to intentionally sacrifice the safety of Albertans. We are all here, every single one of us, to ensure that the public safety and security of Albertans is maintained.

Of course, not only is that statement by the hon. Minister of Transportation not true, but it also is unparliamentary language according to the standing orders, and I'd request that he simply correct his statement.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Deputy Government House Leader and Minister of Transportation in response.

**Mr. McIver:** Well, thank you, Mr. Speaker. What the hon. member needs to understand is that the reference that I made was to an amendment made by the Wildrose Party last night requesting that the government cut funding in areas where we actually provide safety for Albertans. The motive expected, frankly, is a logical extension of the actions of the Wildrose Party in their attempts, through wanting the budget to be amended, to reduce the funding to provide safety for Albertans. It's actually a logical conclusion to what the opposition party put in writing and delivered and put on the record last night when we were doing estimates. Under the category that the truth is an absolute defence, they actually made amendments last evening. I was just drawing what is, frankly, a fairly logical conclusion to an end result of what the opposition party was doing.

**The Deputy Speaker:** Thank you, hon. minister.

Edmonton-Centre, did you wish to participate?

**Ms Blakeman:** Yes, Mr. Speaker. I hadn't intended to, but I have to say that the words given by the Minister of Transportation compelled me to my feet. I really am quite interested in how the minister could – I mean, I know he did make the argument. I just

am seeking the logic in it. When he says that 23(h), (i), and (j), particularly (i), "imputes false or unavowed motives to another member," is not in play here and when he then goes on to describe that, in his opinion, what a member of the Official Opposition put in an amendment, which I'm presuming failed, to an estimates debate last night is a logical extension of their attitude towards the safety of Albertans – I mean, Mr. Speaker, please. You've got to come up to speed if you're going to argue this stuff. Of course that's the exact definition of it, saying, "makes allegations against another Member." That's exactly what happened.

Allegations that some member or all members of the Official Opposition – and I note that the new game the government is playing now is to just say "the opposition," as though all parties were somehow involved in this and not specifying whether they're talking about the Official Opposition or the Liberal opposition. No. It's just all opposition. Of course he meant to, and that's exactly what he did, which was to impute a false or unavowed motive and to make allegations against the member and, further, against the whole caucus. Now, it only counts if you do it against the member, and it's specific to the member.

Honestly, Mr. Speaker, that's exactly what was going on, and that was the purpose of it. All I heard all day today in question period was the government members getting up and slugging the people that were asking the questions. There's no other way to put it. You know, it was slugging all opposition members without being specific, and it seemed to particularly focus on the intellectual capacity of the people that are in this House.

Now, you know, Mr. Speaker, this is a hard job. I believe everybody works hard in here, and I also believe you don't get here if you're truly missing or a little shy on intellectual capacity. I'm sick of it. I mean, honest to goodness, you guys have got all kinds of help. You've got assistants, you're the government, you can make stuff happen, and you have to get up in this House and be that thin skinned? Get a life.

**The Deputy Speaker:** Hon. members, I caution you. Just a reminder that a point of order is not really an opportunity to continue debate, and we seem to have some of that.

I'm going to recognize one more speaker. I had intended to cut it off here, but I'm going to recognize one more speaker for a short point, and then I'm going to make a ruling.

The Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. I raised a point of order last night at the very committee meeting this hon. minister is speaking of. That point of order was upheld for the same type of language.

**The Deputy Speaker:** Well, thank you, hon. members. I certainly appreciate the clarifications. I want to emphasize clarifications because I think the deputy House leader from the opposition did a very credible job of outlining what seems to be the position of his caucus in relation to this matter. It's certainly expected that there will be on an ongoing basis differences of opinion between where people come from on different points. The exchange started from a response, and I want to be clear. The point of order was raised by the Official Opposition in response to an answer from the minister to a question from the Official Opposition.

I'm of the opinion that the exchange that we just had has provided us a glorious opportunity to clarify the positions of the various caucuses, and as such I think we have no point of order on this.

I'd like to move on to the next one, which was raised by the hon. Member for Edmonton-Strathcona. Would you please proceed, hon. member.

## Point of Order

### Offending the Practices of the Assembly

**Ms Notley:** Thank you very much, Mr. Speaker. Yes. I rise under 23(b), (h), (i), (j), and (l) of the standing orders, and I rise in reference to the exchange that has just been the subject of the previous discussion. In so doing, I rise to talk about the whole exchange between not only the minister but also the government member who asked the question. The reason I do that is because what appeared to happen, to me, was that there was questioning and answering that was going on that essentially the foundation or the heart of which was about actions taken by the opposition. What happened was that they were asking each other for questions and answers about issues that essentially revolved around actions taken by the opposition.

3:20

Now, the citations that I want to bring to your attention, Mr. Speaker. First of all, under 23 is simply that a member will be called to order if the member

- (b) speaks to matters other than
- (i) the question under discussion . . .

and also

- (l) introduces any matter in debate that offends the practices and precedents of the Assembly,

and then the typical (h), (i), and (j), which is where you're essentially insulting and imputing bad motives and creating discord.

What I want to start by bringing to your attention, Mr. Speaker, is on page 4 of *Beauchesne's*. It talks about the purpose of question period. I quote when I say:

Similarly, the whole concept of the parliamentary Question Period depends on the tradition that the Cabinet . . .

The cabinet.

. . . is willing to submit its conduct of public affairs to the scrutiny of the Opposition on a regular basis.

The next thing that I'd like to read from, Mr. Speaker, is on page 121, paragraph 410.

In 1986 the Speaker put forth further views in light of more recent conditions and precedents. It was observed that . . .

Then I jump to section (5).

- (5) The primary purpose of the Question Period is the seeking of information and calling the Government to account.

Also, section 10:

- (10) The subject matter of questions must be within the collective responsibility of the Government or the individual responsibilities of Ministers.

What we had here were questions and answers that were not about the conduct of the government, Mr. Speaker, but were about the conduct of the opposition. I would suggest, based on this precedent, that they in fact breach the precedent and the practice of this House.

Now, Mr. Speaker, you are probably aware that there has been a long-standing debate in this House about the fact that the government uses its authority and its majority to insist upon the relatively uncommon practice of taking up question period by asking itself questions, by giving their backbenchers the opportunity to ask their ministers questions. Whenever opposition House leaders raise that and say, "Gee, is that really the right use of question period?" we are told with the greatest of sincerity by the Government House Leader that backbench members also need to be able to hold the ministers to account in the question period setting on behalf of their constituents. That's the argument we always get.

Now, Mr. Speaker, I suspect that you know and certainly anyone who watches this Assembly knows that that practice has essentially devolved into a process whereby the backbencher will read the first paragraph of the press release, the minister will then read back the second paragraph of the press release, the backbencher will then read the third paragraph of the press release, and so on, and so on in order to promote a particular policy of the government. So it's already straying from the purpose of question period as outlined by precedent and by *Beauchesne's*. That's already a bit of a problem. Nonetheless, that seems to be something that has happened in this Assembly for a very, very long time.

That being said, when that, then, devolves yet again into a process where the backbencher asks the minister about why the opposition is so bad and then the minister responds with a question about why the opposition is so bad, that just takes it to a whole new level of abusing the time that all members of this House are supposed to enjoy in question period to fulfill that one primary responsibility, which is to hold not the opposition to account, Mr. Speaker, but to hold the government to account.

When you go beyond that, Mr. Speaker, and simply look at rules of basic fairness, when one person decides to accuse another or critique another – and we can use whatever language because certainly sometimes the opposition becomes more than simply inquiring, and the opposition itself will move on to sort of a little bit more of an accusatory mode when we're asking questions – the fundamental characteristic of that exchange is that both parties get a voice. If the opposition decides to be somewhat accusatory in their question of the cabinet minister in their efforts to hold the government or that minister to account, the fact of the matter is that that minister gets to then defend himself. He has every right to get up and answer.

When the government abuses this tradition in this House of their ability to ask themselves questions and one of them gets up and accuses the opposition of something and then the other one gets up and accuses the opposition of something but we have a set of rules here which prohibit the victim of those accusations from actually engaging in the debate and defending themselves, well, then – you know what, Mr. Speaker? – we get right down to 23(h), (i), and (j). No person in their right mind wouldn't forgive the opposition for becoming disruptive in the House if they have to sit by and listen to an exchange between government members about why the opposition is so bad.

That is what happened in that series of questions. It abuses the process, and it abuses the precedents that have been set in parliamentary settings across the country. That is why *Beauchesne's* sets out very clearly what the role of question period is. I would ask, Mr. Speaker, that you rule that this is, in fact, a breach of our rules and that you direct the government members and the ministers and indeed all members of this House to keep their questions focused on those which are meant to be the subject of question period, which are those matters which are in the control of the minister and the government, not the opposition members.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

I recognize the Minister of Transportation and Deputy Government House Leader.

**Mr. McIver:** Well, thank you, Mr. Speaker. The hon. member left, I think, one thing out which is pertinent to the discussion that she started. What she left out is that private members on the government side also have the right to hold the government to account. They also have the right to question ministers about their motives. They also have the right to find out what the minister's

actions might be, what affect it might have on Albertans. What we saw earlier in the question period was exactly that in action.

What we saw in the questions – and I’m paraphrasing a little bit here – referred not to allegations but to actual proposed amendments to the estimates put on the record by the opposition. The one question talked about the opposition suggesting a cut of \$1.7 million to strategic services. The question that he asked me was: if we were to go ahead with that change, would that change our commitment to keep the infrastructure safe for Albertans? That’s a legitimate question, to ask a Minister of Transportation about what that would be and to get an evaluation on what the government action might be and how it might affect Albertans.

Another question was not about an allegation but an actual amendment put on the record by the opposition of a \$1.4 million cut to traffic safety services. The question was how that will affect the safety of motorists on our highways, a legitimate question, holding the government to account and finding out how it would affect Albertans if the opposition amendment to reduce the funding to the traffic safety services by that much would happen. That’s a legitimate example, Mr. Speaker, of the private member holding the government and the Ministry of Transportation to account based not on an allegation but based on a proposed amendment to the estimates that’s on the record.

Another question was proposed on the record about a reduction to the Alberta Transportation Safety Board. He would hold the government to account, and he actually challenged the ministry and said: you are committed to that .05 legislation in the process. He said: are you still committed to that? That’s a legitimate challenging of the government, a legitimate challenging of the minister, a legitimate use of question period, to challenge the government, challenge the minister by saying: what’s your opinion on this, and how will that change actions?

Frankly, Mr. Speaker, I don’t think there’s any legitimate call for a challenge here because this was question period working, frankly, as it was designed to work and as it properly ought to work.

3:30

**The Deputy Speaker:** Thank you, hon. minister.

I’ll recognize the Member for Lac La Biche-St. Paul-Two Hills, followed by Edmonton-Centre, and then we will deal with the point of order.

**Mr. Saskiw:** Thank you, Mr. Speaker. I think it’s maybe an appropriate time to – I know the member is new to arguing points of order and looking at these standing orders, but he clearly simply doesn’t know what’s in there. This is a very straightforward one. I will support the point of order under 23(1), which states that it’s a point of order to introduce “any matter in debate that offends the practices and [procedures] of the Assembly.”

Mr. Speaker, I’d refer you to numerous supportive passages in *Beauchesne’s*. First, I’d refer you to page 123, paragraph 418, which states, “The Speaker has stated, ‘Hon. Members may not realize it but questions are actually put to the Government.’” Of course, what we saw with the Member for Fort McMurray-Wood Buffalo was that he was referencing the opposition.

The other section is on page 121, paragraph 410, subparagraph (5). “The primary purpose of the Question Period is the seeking of information and calling the Government to account.” So it’s not calling the opposition to account; it’s calling the government to account. Unfortunately, the question from Fort McMurray-Wood Buffalo was talking about opposition comments and so forth. Clearly, that isn’t allowed under *Beauchesne’s*.

The other section I would refer you to, Mr. Speaker, is page 122, subparagraph (10), which states, “The subject matter of questions must be within the collective responsibility of the Government or the individual responsibilities of Ministers.” Of course, something that the opposition is talking about is clearly not within the collective responsibility of the government. To rule otherwise I think would just create a mockery of the Assembly, where a government member could just ask questions about what an opposition member had said at some other point. That is not the purpose of question period. We saw that the member from the New Democratic Party caucus had indicated that the reason for question period is to hold the government to account. Here we have a government MLA, the MLA for Fort McMurray-Wood Buffalo, commenting on what the opposition has said, and it’s simply not allowed under our rules of practice. I think it sets a dangerous precedent if you do not rule in favour of this, Mr. Speaker.

In terms of remedy what is called for under the standing orders is that you call the Member for Fort McMurray-Wood Buffalo to account and to order for violating the standing orders and our parliamentary procedures and precedents under *Beauchesne*.

Thank you, Mr. Speaker.

**The Deputy Speaker:** The Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much, Mr. Speaker. Well, to start from the beginning, what we have here is a violation of most of the basic principles of the way we operate or we understand question period to operate. For starters, it is to hold the government accountable, which a number of people have said. It’s not there to critique the actions of members of the opposition. It’s to hold the government accountable. It’s not to be hypothetical. Now, the hypothetical turns up in a number of different places. I think it’s in Standing Order 23. It’s definitely in *Beauchesne’s* 409, where it says:

A brief question seeking information about an important matter of some urgency which falls within the administrative responsibility of the government . . .

(1) It must be a question, not an expression of an opinion, representation, argumentation, nor debate.

It goes on to talk about how it should be brief.

Then in 409(4) it says, “It ought to be on an important matter, and not be frivolous.” I think that question violated that. It ought to be urgent. There must be some present value in seeking the information through question period. We’re discussing an amendment that someone brought before a committee in an estimates debate that won’t even be voted on for another month. What’s the urgency in that?

What was asked of the minister was not calling them to account. It was an opinion on this amendment that was introduced in a committee the previous night. It wasn’t asked for how the government was actually rolling out a program. It was their opinion of an amendment. I mean, for heaven’s sake, Mr. Speaker.

On page 426 of *House of Commons Procedure and Practice* again it talks about: “The subject matter . . . [has to] fall within the collective responsibility of the Government,” which it did, “or the individual responsibility” of its minister, which it did. It should “seek information,” not ask an opinion or talk about a hypothetical what-if: “What if the sky fell? Would somebody get hurt?” Gee, that’s a perfect example of a hypothetical question. I’ve been called on that before by the Speaker, but what we saw here this afternoon fits right into that. It should not “be a statement, representation, argument or an expression of opinion.” We had all of those things in that exchange that happened here.

Whether you want to look at page 426 in the *House of Commons Procedure and Practice*, you want to look at 409 in *Beauchesne*, you want to look at the various references that my colleague previously brought up, or you want to go back and look at Standing Order 23, you are going to get the same series of limitations about how we conduct question period.

What happened here this afternoon should not have happened, and I hope it never happens again. I ask the Speaker to rule thusly.

**The Deputy Speaker:** Thank you, hon. members.

I have listened intently. I do appreciate that a number of members have participated, and I acknowledge that others have indicated the desire to do so. As I've mentioned, a point of order really should not be an opportunity to continue debate. As I recall the discussion, certainly, I take very seriously the reference to Standing Order 23(b) and the question of whether something should be related.

I have to caution you, though, hon. members on both sides, on the nature of question period, the questions and the answers. For the short time that I've sat in the chair, and certainly I've sat in this Assembly for some number of years, I would say to you that if everything was ruled out of order that strayed from the intent of where a question ought to be going in terms of seeking answers on related topics – also, it suggests that questions ought to be seeking answers based on policy – I think a lot of questions could be ruled out of order on a regular basis. Frankly, I would doubt if we would get very much accomplished in this House.

It seems to me that what we're talking about here is some clarification in terms of the language that was used and whether it focused on a particular caucus or individual. I do have the Blues, and based on some of the answers I recall – and it is here in the Blues – the minister was responding to policy in terms of what certain cuts might do if they occurred. I'm of the opinion that this isn't a point of order. This, again, is clarification. [interjections]

Hon. members, we're going back to the constituency for a two-week break. I would ask all members on both sides of the House to take some time – maybe it wouldn't hurt – to just get a refresher on our standing orders. Certainly, some of the members that spoke eloquently quoted from *Beauchesne* and other places. It certainly might help us all if we became a little more familiar with those conventions that are commonly used in this House so that, hopefully, the next time we gather, we won't have this type of, I would say, disagreement.

I believe there is no point of order, and we will proceed.

**Ms Blakeman:** Mr. Speaker, Standing Order 13(2).

**The Deputy Speaker:** The hon. Member for Edmonton-Centre.

#### Point of Order

#### Explanation of Speaker's Ruling

**Ms Blakeman:** Yes. Under Standing Order 13(2) I can ask the Speaker to explain his ruling. I'm puzzled as to why the Speaker has not addressed the question of being hypothetical. There is no mention made of that. He just talks about it as being a point of clarification. Could he share with me why he made that particular . . .

**The Deputy Speaker:** I'm just going to be brief, hon. member. You are entitled under the standing orders to ask for clarification. Hypothetical: I think you used the word that describes this. There's a lot of hypothetical back and forth from both sides, and quite often hypothetical, hon. member, leads to interpretations.

Interpretations and sometimes the language used in the interpretation from either side can lead to language that – well, I don't know if "offends" would be the right word, but it certainly gets somebody going in terms of how a response refers to that individual or that caucus. Hence, we have the back and forth in terms of what is clarified, what is the position of a caucus, whether it be specific to something that transpired recently or refers to the party's position as a globally known fact or asserted facts.

So, hon. member, I think this matter has been dealt with enough, and we will move on. Thank you very much. [interjection] Hon. member, we're going to move on, please.

3:40

**Ms Blakeman:** I'm sorry. There's nothing in our standing orders that says that you can only ask a 13(2) once, so I'm going to ask again for clarification.

He was very general and talked a lot about back and forth at different times. This was a very specific question I'm asking about a very specific point of order on an exchange between the Member for Fort McMurray-Wood Buffalo and the Minister of Transportation, not a bunch of other general stuff. So I still didn't get the answer to the hypothetical that was involved in that series of questions. Just that one. That's all.

**The Deputy Speaker:** Hon. member, I attempted to answer your request. The matter is closed.

### Orders of the Day

**The Deputy Speaker:** The hon. Associate Minister of Finance.

**Mr. Saskiw:** Standing Order 13(2).

**The Deputy Speaker:** We just recognized the hon. Associate Minister of Finance, hon. member. [interjections] Hon. members, please. This matter: we've debated it for some amount of time. The hon. member asked for a clarification twice on the same matter. I have to the best of my ability provided a clarification. If you are seeking a clarification on the same matter, hon. member, we have dealt with that, and we're moving on.

### Government Bills and Orders

#### Third Reading

#### Bill 13

#### Appropriation (Interim Supply) Act, 2013

**The Deputy Speaker:** The hon. Associate Minister of Finance.

**Mr. Fawcett:** Thank you very much, Mr. Speaker. It's my privilege to rise today and move third reading of Bill 13, the Appropriation (Interim Supply) Act, 2013.

As you very well know, Mr. Speaker, this bill is necessary to keep the wheels of government moving while we debate the budget that was delivered for the 2013-14 fiscal year for the government of Alberta. We do appreciate the comments from all members so far in debate.

With that, I move to adjourn debate. Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you.

[Motion to adjourn debate carried]

## Government Motions

### Sitting Times during Main Estimates Debate

29. Mr. Campbell moved on behalf of Mr. Hancock:

- A. On Monday afternoons during the period that the 2013-14 main estimates stand referred to the legislative policy committees, the Assembly stands adjourned at 6 p.m.;
- B. Notwithstanding Standing Order 59.03(4)(b), following completion of consideration of the main estimates by the legislative policy committees
  - (i) on April 22, 2013, or
  - (ii) on such other date of which the Government House Leader has provided written notice to House leaders and tabled in the Assembly,
 the Assembly shall reconvene in Committee of Supply at 9:30 p.m., at which time the committees shall report, and voting on the main estimates shall proceed.

**The Deputy Speaker:** Hon. members, this motion is debatable. I'll recognize the Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much, Mr. Speaker. Now, this motion is basically the set-up motion to allow for the votes at the end of our estimates debates. According to what the government has done and much against what the House leaders on the opposition side thought we'd agreed to, we have had estimates debates in various departments run concurrently, two of them on Monday night. We've had four a day on Wednesday – two in the morning, afternoon, evening – and then the rest of the days we've just had two. Those are the good days. We just have one in the afternoon and one at night. This is to bring together at the end of it all the vote.

So what's been allowed to happen is that amendments could be put on the floor during the estimates debates, which, by the way, all take place in a legislative policy committee. They don't take place in the Assembly anymore, where you can get people coming to watch us and to sit up in the gallery. Now they take place over in the Annex in a lovely renovated room with a very good speaker system and a nice place for *Hansard*. It's not a great place to be sitting. There are maybe a dozen seats, and if there are any reporters that are interested or, frankly, any staff that want to come along, they're often in the back. I sometimes get up and talk about having the sports fans that are really interested in stuff that have come along. God bless them. You know, I really appreciate the fact that somebody is that keen on something that they would come.

But, you know, does it have that same kind of ease of access? Do you feel as comfortable? Not quite. You're kind of squeezing by – "Excuse me, pardon me; excuse me, pardon me" – to get into the room and get to your seat, so we don't get as many members of the public coming to watch what we're doing in the debates there. I think that's a real shame because the whole point of why we're doing a debate is so that the public can see what we're doing and understand and get through to us and be able to ask some of the questions that they want to ask.

**Mr. Campbell:** It's standing room only.

**Ms Blakeman:** The Minister of Aboriginal Relations is quite exercised that there are only a few people in the gallery at the moment, but frankly we're not debating the estimates at the moment, and that's what I'm speaking of.

**Mr. Campbell:** We're actually not debating anything.

**Ms Blakeman:** No, we're debating a change and a clarification in the standing orders at the end of the estimates, which is what I'm talking about, which take place in the legislative policy committees.

**The Deputy Speaker:** Through the chair, hon. member.

**Ms Blakeman:** Sorry, but you know how they provoke me, Mr. Speaker.

**The Deputy Speaker:** I appreciate you talking through me. If others might allow this member to have the floor, it would be much appreciated.

**Ms Blakeman:** Yes. It would be a lot faster, too, but, you know, we're here all afternoon.

What it's allowing for is the completion and the calling of the votes for that because we don't have any votes in the actual committee. They all come at the end of the final debates, which I think will be the Ministry of Culture and another one on that last Monday night. Again, they're concurrent on the Monday night. Unfortunately, I can't get to the second one because I'm the critic in the first one. I can't be in two places at the same time, but I'm working on it. Then we will all gather together in Committee of Supply and vote on everything, and that's what this motion is setting up.

I'm curious. I think what this is is just a little wee bit of a correction. In the standing orders as they previously existed, under 59.03 it was assumed that it would start on Thursday afternoon, so it said to start at 5 o'clock. We had a change in the standing orders that the Government House Leader brought in right when we started session here that changed that section and allowed that it would happen one hour before the normal adjournment hour as set out in our standing orders, so that would have meant 5 o'clock on the nights we adjourn at 6 and that kind of thing. It says, "9 p.m. if the vote is scheduled for an evening sitting." I think there was a wee bit of a mistake, and this is just a correction on the mistake calling for us to meet in Committee of Supply in the Assembly, so we're back in here at 9:30.

I am a little curious, though. It specifies the date, April 22, which was in the calendar that was duly publicized by the Clerk, as he is required to do, and tabled by the Government House Leader. But then it says, "or on such other date of which the Government House Leader has provided written notice to the House leaders and tabled in the Assembly," then we would all get together and do this. I'm really curious about why we would need to have another date. What kind of a stopgap is this? I'm just curious about why they'd need to put that in because – you know what? – I've never seen this government not have a reason for doing that kind of thing, so I'm sure there's a reason. I would love to hear from the deputy government House leaders what that reason is to have to give themselves the out of a second date when we'd already agreed on the first one.

Frankly, this is going to have to be changed again. I mean, next year we're not going to be guaranteed to finish on April 22. Maybe that's why they want that second one. We're going to limp along with that April 22 in there forever while we use the second bit, maybe. I don't know. I look forward to it.

Thanks.

**The Deputy Speaker:** Are there others? The hon. Member for Edmonton-Strathcona, followed by Lac La Biche-St. Paul-Two Hills.

**Ms Notley:** Well, thank you, Mr. Speaker. I'm pleased to be able to rise to speak to this motion. As the Member for Edmonton-Centre aptly pointed out, the reason why we're having to deal with this motion at this point is because it follows from a series of changes that the Government House Leader brought in two and a half weeks ago, and there was a bit of a drafting error when that was sort of rammed through this Assembly, so it has to be changed. Then, of course, what it does is that it sets out the process for voting on estimates.

3:50

There are two reasons why our caucus is opposed to this motion and will be voting against it. The first reason is, frankly, that this is attached to the previous changes to the standing orders that the House leader brought through. Our caucus was very much opposed to those standing orders at the very outset because those standing orders allowed for the government to change the process by which we debate the budget in this Legislature and to do so in a way that limited public participation, to do so in a way that limited opposition participation, and to do so in a way that just sort of rammed the budget through as fast as they possibly could under cover of night as quickly as they possibly could. It did so in a way that undermined the ability of the opposition to truly and properly prepare and research for it because of the schedule that was put together.

I specifically remember that when the House leader brought forward this standing order, he said: "Oh, yes. Well, this new set of rules gives us the ability to call committee in the morning and to have up to six committees a day. It gives us that ability, but we'll never use it because, you know, it would only be in emergency situations that we would use it." Literally two or three days later out comes the schedule that has Wednesday morning every week being used to debate budget.

For instance, the next time that we're back, I start at 8 in the morning debating Human Services budgets, a place where there's been something like \$250 million worth of cuts. I start at 8 in the morning, go through the morning, then we go into question period. Then we come out of question period, go back into debating that budget, and then in the evening we go directly into advanced education, for which I am also the critic, where this government has taken about \$180 million out of the budget. Do you think that might be a bit of a busy day?

Now, that's not the way it was done before, but under this new Premier that's the way things are done now. We use our majority as aggressively and as brutally as we can in order to get our way as quickly as we can in order to scurry away from the Legislature as quietly as we can.

This is attached to that, Mr. Speaker. Not only did we disagree with it when it came forward, but also we really are not of the view that the House leader has followed through on the assurances or discussions that had previously occurred with the opposition House leaders, and we believe that the government has adopted a number of other strategies to actually quite significantly reduce the amount of time that the opposition has in these debates to deal with these very significant changes and budget problems.

**Mr. Oberle:** Point of order, Mr. Speaker.

**The Deputy Speaker:** Hon. member, we'll pause your speech right there. The Associate Minister of Services for Persons with Disabilities rose on a point of order. Citation, hon. minister?

## Point of Order

### Main Estimates Consideration Allegations against a Member

**Mr. Oberle:** Yes. Under 23(h), (i), and (j), Mr. Speaker. The member doth protest too much, but let me say this. First of all, for the member to suggest that the government is somehow passing a budget under cover of darkness – notice the words – implying that somehow we're being secretive about a budget that is being debated fully both here and in committee in *Hansard*, is just absolutely unacceptable.

She also just finished saying, Mr. Speaker, that we're now somehow debating for fewer hours after in the previous sentence just having explained how she has to sit here all day and do Human Services, which is now six hours, where previously it would have been three.

I'm astounded that this member, who just rose a few minutes ago in full outrage at what the government had to say about their party and their stance, now comes up with these gems about the government somehow being secretive. The proceedings of this Legislature and our committees are recorded in *Hansard* and televised when we're in this Legislature. The member has absolutely nothing to complain about.

Furthermore, the current opportunity is not an opportunity to debate the budget. It's an opportunity to debate the motion.

Mr. Speaker, in her last sentence she implied that somehow the Government House Leader has reneged on a commitment that he made in some previous cloudy process.

**Some Hon. Members:** He did.

**Mr. Oberle:** Well, then they'd better table some information that accuses the Government House Leader and some evidence that, in fact, that's true; otherwise, you cannot stand in this House and make allegations about a member, Mr. Speaker.

**The Deputy Speaker:** Well, thank you, hon. minister.

I'm going to give the Member for Edmonton-Strathcona an opportunity to maybe clarify your comments.

**Ms Notley:** Mr. Speaker, I will respond to the point of order.

**The Deputy Speaker:** Well, to respond and in your response to clarify your comments, possibly.

**Ms Notley:** Well, Mr. Speaker, assuming for the moment that you have not already made a decision before you've even heard my representations on the issue – we'll just assume that – let me just outline my response to the three points made by the member. [interjections]

Well, the Speaker started out by suggesting . . . [interjections]

**The Deputy Speaker:** Hon. member, through the chair. You have the floor.

**Ms Notley:** The Speaker started out by suggesting that I should offer up some remedy as a result of the point of order being raised, and one would assume that the remedy ought not be suggested until both sides of the story have been considered.

First of all, yes, I did indeed use the phrase that it was under cover of darkness because, in fact, as a result of all of these committees now being conducted in the Annex through the legislative policy committees, none of those committees are broadcast through audiovisual.

**An Hon. Member:** Live streamed audio.

**Ms Blakeman:** Audio only.

**Ms Notley:** Audio only.

**The Deputy Speaker:** Hon. members, please.

**Ms Notley:** People are not allowed to watch the budget debate anymore, and that is a change, so I believe it is a reasonable conclusion to suggest that the government has limited the degree to which people can see the debate. As a result of moving it away from a place where there is audiovisual coverage of the debate, it is reasonable to assume that they anticipated that fewer people would see it; hence, the phrase “under cover of darkness” is completely appropriate.

In terms of the second point, Mr. Speaker, made by the member, the fact of the matter is that we have not overall had more hours of time dedicated to budget debate in this Legislature. Far from it. Certain ministries have been given more time, but in return for every one of those ministries getting more time, we have had to accept less time for other ministries.

Moreover, just arbitrarily, completely outside of the terms of agreement that were discussed between the House leaders, the government chairs of committees have adopted a process whereby they’ve come up with a new way to distribute questions in these committees between government members and opposition members. The practical effect of that is to reduce the amount of time that opposition members have in the longer committees by about one hour. So, indeed, there is a complete factual foundation to the statement that I made there.

Finally, Mr. Speaker, the House leaders had a conversation about this issue, and it is our view that that was not the intention at the time that we had that discussion. Now that is what is happening, so it is completely reasonable for the opposition House leaders to conclude that an understanding that we thought we had with the Government House Leader has not been fulfilled.

That is the foundation for each of the statements that I made that were objected to by the member opposite, so as a result of my providing a solid foundation for each of those statements, there is no ground for this particular point of order.

Are people getting a little heated? Yes. Are the rules being changed? Yes. Is the government using its majority to change those rules? Yes. Is the quality and the opportunity for opposition participation in debate being changed as a result? Yes. But are we allowed to talk about that in this Legislature when we’re discussing a motion about the standing orders that guide that very issue? I would expect, Mr. Speaker, that the answer to that in any reasonable setting would also be yes.

Thank you.

4:00

**The Deputy Speaker:** Thank you.

I’m going to recognize two more speakers, the members for Edmonton-Centre and Lac La Biche-St. Paul-Two Hills.

**Ms Blakeman:** Thanks. Very briefly, Mr. Speaker, one of the points that the member opposite raised was disagreeing with the phrase “under cover of darkness.” With respect to the member more than 50 per cent of the debates that are taking place for estimates are in fact taking place at night, in the dark. She is absolutely accurate that most of them are taking place under the cover of darkness. I know this seems small and amusing, but you know that the specificity of language in this place is really important. We have three debates in the afternoon, and we have four at night, so

more of the debates are actually happening under cover of darkness. She is absolutely accurate.

Thank you.

**The Deputy Speaker:** Thank you.

The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. I’m honoured to stand to speak to the point of order from the member opposite. I think the Member for Edmonton-Strathcona’s phrase was “cover of darkness.” Well, I think all the facts would state that that simply is the case. We’ve had situations where, you know, the government has decided to run concurrent sessions for budget estimates, where the public or other third parties cannot watch or listen to budget estimates if they were so inclined. We felt that was a very important aspect of accountability but also openness and transparency.

We’ve had a situation, of course, where in the throne speech the Premier campaigned on openness and transparency, but we’ve seen absolutely nothing in that regard, and this has followed through to budget estimates. We’ve seen instances where, you know, the government is talking about there being a balanced operating budget, which is clearly not true.

We’ve seen situations with time allocation in the last session under Bill 7, where instead of being open and transparent, we saw . . .

**Mr. Campbell:** On the point. We’re not discussing the budget right now.

**Mr. Saskiw:** Am I supposed to talk to him, or do I talk to you?

**The Deputy Speaker:** No, you talk to me. Please carry on on the point, hon. member.

**Mr. Saskiw:** Okay. Sorry. I wasn’t sure because he was speaking. [interjections]

**The Deputy Speaker:** Hon. member, please, and others, can the member finish the point?

**Mr. Saskiw:** I don’t know. He’s saying something.

**The Deputy Speaker:** Through the chair, please.

**Mr. Saskiw:** Thank you, Mr. Speaker. Just to be on point, now that I’m aware that I have to speak through you and that members shouldn’t be talking . . . [interjections]

**The Deputy Speaker:** Please.

**Mr. Saskiw:** Mr. Speaker, you know, we want to get on to the important business of the day here, and I just want to get my point across. I know there are some important government bills that they want to speak on, and of course we still have to speak to Government Motion 29. It’s just important that we get these points of order out.

The whole thrust of the argument from the Member for Edmonton-Strathcona is on just a lack of transparency. Cover of darkness is simply another term for that. I think that if you look at all of the actions of this Premier, of the Government House Leader – limiting debate, time allocation, concurrent sessions for budget estimates – the fact is that she was referencing why Government Motion 29B(ii) would put in: “on such other date of which the Government House Leader has provided written notice.” Why not specify the date on which the government is going to take the



action? That is simply another instance of a lack of transparency, a lack of accountability.

Mr. Speaker, you know, if you hear the statements that the members opposite make about the opposition, is “cover of darkness” seriously what is going to – what is his argument is here? Let’s see here. It’s going to create disorder saying that something has come under the cover of darkness. I didn’t hear everyone yelling and screaming. It was just this one member opposite. He apparently has some problem with the statement. Not everyone here does. Everyone was just listening to her argument on Government Motion 29. There was no disorder created, just one member who for some reason got upset.

It’s unfortunate, Mr. Speaker, I think, that the member opposite is wasting government time here. I suggest that there is absolutely no point of order and that there isn’t even a need for clarification in this circumstance.

**The Deputy Speaker:** Thank you, hon. member.

Hon. members, the nature of this place, this House, is such that we have what is, unfortunately, by its nature an adversarial relationship. We have comments made by one side. They’re refuted by the other. And opinions. Obviously, people interpret what others say. Of course, things don’t always come out as they’re intended, or maybe what is intended has different meanings to different people.

I did suspect that the Member for Edmonton-Centre might have an opportunity to help us along that path, and I think she eloquently did that. I don’t find that there’s a point of order. I see a difference of opinion here. Clarification has been given, and I would ask that we continue.

You were speaking, hon. member. If you would continue, please. Thank you.

### Debate Continued

**Ms Notley:** Thank you very much. Yes, I was speaking about the connection of this motion to the overall standing orders and what their impact has been on the discussion of the budget through the estimates process and that passing this motion effectively facilitates a continuation of that process, a process which – and we’ve had some discussion now, not enough but some – you know, demonstrates the shortcomings that all Albertans have had to tolerate with respect to the full and transparent discussion of this most recent budget.

Now, another element of this motion, Mr. Speaker, is the fact that it does talk about this idea of us all having to come back on April 22, 2013, in the evening, interestingly, at 9:30 – it’s typically dark at that point; I’m just throwing that out there – to vote on the estimates. The concern I have with that April 22 being in there as opposed to simply, for instance, just having “on such date as the Government House Leader proposes,” is that implicit in that is the notion that the government is going to continue on with this very, very intense schedule of debating the estimates.

You know, Mr. Speaker, when you have concurrent estimates debates going on in almost every setting, what happens is that not only do we, as I mentioned before, miss the opportunity just to watch it, the way people would be watching us right now, but also when it happens two at the same time, people can’t watch both. The fact of the matter is that certain ministries impact other ministries. When this whole notion of concurrent debates developed, even that was introduced to the opposition House leaders as an exception to the rule, that we wouldn’t really want to make a habit of having one ministry be debated at exactly the same time as another ministry because, really, how do you keep up with all

of that at the same time? Of course, these are very, very important debates.

Mr. Speaker, I have been contacted by numerous people within my constituency who have very significant concerns about elements of this budget. Of course, they come to me and say: well, can you raise this in the Legislature? And I say: “Well, you know, unfortunately, as things seem to be evolving, we have less and less of a voice in this Legislature notwithstanding that we doubled the number of seats in the last election. I’m unlikely going to be able to ask a question about that particular element of the budget in question period because, as I’ve already mentioned, we’re spending so much time listening to the government ask itself questions and yada, yada, yada. But here’s a place where I can have a good conversation with the minister about the budget and ask some specific questions in a slightly less adversarial setting so that sometimes we can have a really genuine exchange. You should come and watch that and listen to that, and you can hear a little bit more about what is planned for your particular program and your particular community or that thing that really worries you.”

But, Mr. Speaker, when we have a schedule where the debates are going on back to back, concurrently – they happen in the morning, they happen in the afternoon, and they happen in the evening – and the whole process is sort of wound down to, really, three weeks and one day I think is what we’re up to, then those Albertans who have significant concerns about the issues that we’ve talked about in this Legislature and many others will not get the opportunity to hear that debate and to be there with their MLA and e-mail their MLA and ask their MLA to ask a question of the minister about that particular element of the budget. They just will not get that opportunity.

### 4:10

The more condensed this budget debate is, the less opportunity Albertans have to participate in a meaningful discussion with their elected representatives about what this budget means to them and to their lives and to the lives of their kids and their families and their parents and their grandparents.

For instance, just now I have been e-mailing back and forth with an Albertan who is asking me about the specific cost implications of some of the cuts in Seniors and who really wants me to get the answer to: what are the actual cost implications of that? The difficulty is that the night the Health estimates is on, when I could potentially as the Seniors critic go and participate in that debate, is also the same night that I think Environment is on, Mr. Speaker, and I’m the lead critic for Environment. I’m not going to be able to be in two places at once even though I’m actually the critic for a subarea of Health.

You know, that’s what’s happening to opposition members and probably even some government members across this House, Mr. Speaker, because we are condensing this budget debate so intensely. That hurts all Albertans, and that hurts, as I’m often saying, the integrity of this Assembly, too. What we do here is actually important, and I think some of us here still believe that. It’s really important that we do it in a way that invites Albertans to be part of it, to listen to it, care about it, and believe that they have a voice.

So any motion like this one, that is designed to facilitate this really, really draconian, aggressive, and very directed strategy adopted by this government under this Premier, to shorten and make less accessible to Albertans the debate on this budget – this budget actually includes through its distribution of funds throughout the government, essentially, at least, well, I think we’re up to about 15 or 16 broken promises from the last election, you know, promises that Albertans obviously cared about because they voted for these guys. At the same time, now, those promises

are not coming to fruition, and we see that very clearly in this budget. Those very same Albertans are very interested in what's going on in this budget and how many of these promises will be broken again.

Mr. Speaker, by adopting this schedule, we do a disservice to Albertans and we do a disservice to the people who elected us. Supporting this motion effectively contributes to that disservice, and for that reason, certainly, our caucus has no intention of supporting this motion.

Thank you so much for giving me the time to put forward our position on this.

**The Deputy Speaker:** Thank you.

The Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. It's an honour to rise here today to speak to Government Motion 29. It's pretty interesting stuff. I'm kind of living the dream.

Mr. Speaker, I have a bunch of concerns with this particular government motion. Of course, the first paragraph in it states:

- A. On Monday afternoons during the period that the 2013-14 main estimates stand referred to the legislative policy committees, the Assembly stands adjourned at 6 p.m.;

The second part is:

- B. Notwithstanding Standing Order 59.03(4)(b), following completion of consideration of the main estimates by the legislative policy committees
  - (i) on April 22, 2013, or
  - (ii) on such other date of which the Government House Leader has provided written notice to House leaders . . .

### Government Bills and Orders Third Reading

#### Bill 13 Appropriation (Interim Supply) Act, 2013 (continued)

[Adjourned debate March 21: Mr. Fawcett]

**The Deputy Speaker:** I hesitate to interrupt you, hon. Member for Lac La Biche-St. Paul-Two Hills, but in accordance with Standing Order 64(5) the chair is required to put the question to the House on the appropriation bill on the Order Paper for third reading.

[Motion carried; Bill 13 read a third time]

### Government Motions

#### Sitting Times during Main Estimates Debate (continued)

**The Deputy Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. Just going back to Government Motion 29, of course we've seen with this new Premier that she's limited debate on budget estimates, limited the hours of debate, has had concurrent sessions, which makes it quite difficult for opposition parties to adequately scrutinize each and every dollar that the government spends. We in the Wildrose feel that spending taxpayer dollars wisely is of utmost importance and a priority, and it should be a priority. What we're seeing with the limiting of debate on budget estimates is, of course, that by doing that, the scrutiny simply isn't there. Instead of going line item by

line item and identifying potential either misallocation of funds, wasteful spending – those types of things are something that the opposition should be doing.

Secondly, Mr. Speaker, what we're seeing with budget estimates – we saw, of course, during the election that the Premier promised balanced budgets. She said that no jurisdiction should ever go into debt, that it was such a bad thing. But subsequently she obviously broke all those promises. Albertans can't trust their government.

**Mrs. Forsyth:** Things have changed.

**Mr. Saskiw:** Yeah, things have changed. I mean, her trust polling numbers are going down the drain. I agree with the hon. member.

What happens here, Mr. Speaker, is that when you've broken so many promises, whether it's balanced budgets, whether it's indicating, of course, that you were going to be tough on crime but instead cutting and gutting all sorts of programs and initiatives that would ensure that the public is kept safe and secure, then one has to even more closely scrutinize the budget estimates in that particular process. That's why it's imperative that we as parliamentarians do everything within our power and prerogative to ensure that we have the processes in place to closely scrutinize each and every dollar throughout the budget estimates.

If the Premier wants to walk her talk on being open and transparent, perhaps she should ensure that the public is able to watch the debates on budget estimates. Part of being open and transparent, of course, is allowing the public to listen to open debates. How is a public member supposed to do that during concurrent sessions?

Mr. Speaker, what the government is doing with Government Motion 29 and what they've done, in fact, with all of the standing orders that they've put in place is to limit debate, limit openness, limit transparency. You can say in a throne speech that you want to do things differently, you want to have an open and transparent government. But if every single subsequent action does the complete opposite, hampers discussion, keeps things secret, has these cover-of-darkness type of things, those are the types of things that we do not want in our democracy.

What Government Motion 29 does is just a continuation of those types of procedures where government members and opposition members do not have the ability to fully debate and discuss budget estimates. Of course, in these so-called, as the Premier likes to say, tough economic times, we should be carefully scrutinizing every single dollar and penny.

Mr. Speaker, you look at Government Motion 29 and the fact that (ii) gives the discretion fully to the Government House Leader without any consultation. Of course, it states that the Government House Leader has to provide written notice to the other House leaders and that that written notice must be tabled in the Assembly in due course, but the government motion itself doesn't actually have consultation with other House leaders with respect to budget estimates. I think that's an ongoing process that we've seen, a complete lack of consultation.

4:20

We've seen this with the pharmacy industry. Now, after the fact, after they've made the changes, what's happening is that they've set up a committee where they're now going to consult pharmacists. Government Motion 29 is doing the same thing. It's not allowing for . . . [interjections] I'm just referring to B, which states that the Government House Leader just has to provide notice to the House leaders. That's the same as pharmacy. They just provided them notice that they're cutting and slashing their

programs, and they didn't look at the effects of those particular programs, Mr. Speaker.

I think that this is an indication of where the government isn't listening to Albertans. By having concurrent sessions, they're not allowing Albertans through this budget estimate to fully engage and participate and listen to the debates that are going on. Mr. Speaker, what is critically important at any time and one of the fundamental roles and responsibilities for parliamentarians is to ensure that every single dollar of taxpayer money – and it's not our money; it's taxpayer money – is spent wisely. Part of that is to ensure that there is careful scrutiny.

Of course, we have the Auditor General, who provides his determination in terms of whether the financial statements reflect generally accepted accounting principles. But in addition to the Auditor, who oftentimes, depending on the audit that he or she would perform, does a macro, ensures that the internal controls and the accounting systems are done – despite that, you actually also have to have a careful scrutiny of the budget estimates.

You know, this is very important because we've seen with this government that they've blown all sorts of spending. They're building a brand new MLA office next year with a garden rooftop, and I'm sure there'll be all sorts of fancy things there, an 80-person movie theatre or something like that. What I think is very important is that the public also gets to hear the priorities of the government. The priorities. Instead of properly funding pharmacy, instead of properly funding the front-line nurses, doctors, teachers, police officers, instead of spending it there, they've decided to spend it on a brand new MLA office.

I think if the public – and I think the public are going to become aware. I know they've delayed that project. I don't think the ribbon cutting will happen for some time. When the public becomes aware that they're spending all that money on these fancy, brand new MLA offices instead of spending it on the front lines, what I think are the priorities of Albertans, I think most Albertans would say: look, we need to fund our front-line teachers, doctors, nurses to ensure that all Albertans are getting the appropriate level of public services.

What's important with respect to Government Motion 29 is that we ensure that not only is the due diligence done on budget and estimates but that the whole process be open and transparent. Part of that process is allowing the public to fully engage and to fully listen to the debates so they can see for themselves what the priorities are. They can go through line item by line item and say: look, well, you know, the government has spent \$300 million for MLA offices where they could have spent, for example, more money on front-line enforcement or very important programs like the Be Brave Ranch."

Mr. Speaker, what we've seen is a continuation. We've seen words of openness and transparency, but we've seen actions of the government not being open, doing things under the cover of darkness. You know, it's important that we be open, transparent, shine a light on the government's actions, on the taxpayer monies that they're expending.

What I can say with respect to Government Motion 29 is just that I simply cannot support it in its current form. It provides too much discretion to one person, the Government House Leader. What should happen is that there be appropriate due consideration and consultation with all interested stakeholders and not simply allow the Government House Leader within his discretion to change the date. It states: "on such other date of which the Government House Leader has provided written notice." It should provide the ability for other House leaders and other individuals to have due consideration to consider the results of the completion of the consideration of the main estimates.

So, Mr. Speaker, I will be voting against Government Motion 29. Thank you.

**The Deputy Speaker:** Are there others? The Member for Calgary-Shaw.

**Mr. Wilson:** Well, thank you, Mr. Speaker. I will make this quick. I know that some of my colleagues have spoken to a number of issues. I'm just going to go on record and make a bold prediction on the result of this Government Motion 29B.

(ii) on such other date of which the Government House Leader has provided written notice to House leaders and tabled in the Assembly,

the Assembly shall reconvene in Committee of Supply at 9:30 p.m., at which time the committees shall report, and voting on the main estimates shall proceed.

My bold prediction here – and I hope I'm proven wrong, Mr. Speaker. I truly do because if I'm right, it'll be a true shame, and it'll be, really, just another dagger in the heart of democracy in this province. My prediction is that the Government House Leader is going to provide written notice that we're going to be voting on the main estimates in this House previous to April 22. I'm just going to put that on record. Because, well, why else would he put it in there? Maybe there's something more pressing that the Government House Leader has to do.

You know, there have been other times when motions have been put on the Order Paper and the Assembly has been advised that there's no actual purpose for us to have it here unless we absolutely needed to in a crisis. As the Member for Edmonton-Strathcona mentioned earlier . . .

**Ms Blakeman:** Oh, like time allocation.

**Mr. Wilson:** Oh, yeah. Exactly. Time allocation.

We had the discussion about why we would ever need to meet and do estimates on a Wednesday or any morning, for that matter. And this is just part of the standing orders now in the event that we need to in an emergency situation meet and debate estimates in the morning. Well, lo and behold, as we've seen, our estimates schedule includes Wednesday mornings every single week, week in, week out.

It begs the question: why should we actually trust what the Government House Leader says when, you know, over and over again, we see that the intention isn't entirely transparent?

We look at the concurrent sessions as well. The hon. Government House Leader suggested that when he came up with a schedule, he would do everything in his power – his power – to ensure that we didn't have concurrent sessions and that that way the estimates would have the proper debate that they deserve.

**Ms Blakeman:** Yeah. We're supposed to be grateful it only happens one night.

**Mr. Wilson:** Yeah.

Well, you know, it's happened. At the end of the day I must be left to feel that there was no emergency. There was no absolute reason that that had to happen, and really every time he goes back on his word like that, like time allocation on Bill 7 – we challenged him in the House that at some point in the fall he was going to invoke time allocation. He said: absolutely not; that's ridiculous. It wouldn't be on record because he said it while I was speaking, but I clearly remember him suggesting that that was not going to be his intention. A week later what do we have? A motion for time allocation on Bill 7.

It's pretty clear that, you know, the best indicator of future behaviour, Mr. Speaker, is past behaviour, and what we've seen from this Government House Leader is that there's always a reason why things are put on this Order Paper. So my prediction in this matter is that we're going to have a pretty heated debate one night before April 22.

Thank you.

**The Deputy Speaker:** Are there others? The Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you very much, Mr. Speaker. Nice and short. Well, what is this motion about? I believe this motion is basically about transparency. What is transparency? It is a basic tenet of a healthy democracy. It is what . . .

**The Deputy Speaker:** Hon. members, I hesitate to interrupt, but it is 4:30. Under the standing orders the House stands adjourned.

[The Assembly adjourned at 4:30 p.m. to Monday, April 8, at 1:30 p.m.]



## **Bill Status Report for the 28th Legislature - 1st Session (2012-2013)**

**Activity to March 21, 2013**

The Bill sponsor's name is in brackets following the Bill title. If it is a money Bill, (\$) will appear between the title and the sponsor's name. Numbers following each Reading refer to Hansard pages where the text of debates is found; dates for each Reading are in brackets following the page numbers. Bills numbered 1 to 199 are Government Bills. Bills numbered 200 or higher are Private Members' Public Bills. Bills numbered with a "Pr" prefix are Private Bills.

\*An asterisk beside a Bill number indicates an amendment was passed to that Bill; the Committee line shows the precise date of the amendment.

The date a Bill comes into force is indicated in square brackets after the date of Royal Assent. If a Bill comes into force "on proclamation," "with exceptions," or "on various dates," please contact Legislative Counsel, Alberta Justice, for details at (780) 427-2217. The chapter number assigned to the Bill is entered immediately following the date the Bill comes into force. SA indicates Statutes of Alberta; this is followed by the year in which it is included in the statutes, and its chapter number. Please note, Private Bills are not assigned chapter numbers until the conclusion of the Fall Sitzings.

### **1\* Workers' Compensation Amendment Act, 2012 (Redford)**

First Reading -- 8 (May 24 aft., passed)

Second Reading -- 177 (Oct. 23 eve.), 193-96 (Oct. 23 eve.), 233 (Oct. 24 eve., passed)

Committee of the Whole -- 336-39 (Oct. 29 eve.), 354-71 (Oct. 30 aft.), 373-80 (Oct. 30 eve., passed with amendments)

Third Reading -- 476-84 (Nov. 1 aft., passed on division)

Royal Assent -- (Dec. 10 outside of House sitting) [Comes into force December 10, 2012; SA 2012 c8]

### **2\* Responsible Energy Development Act (Hughes)**

First Reading -- 207 (Oct. 24 aft., passed)

Second Reading -- 263 (Oct. 25 aft.), 424-43 (Oct. 31 aft.), 445-57 (Oct. 31 eve.), 526-46 (Nov. 5 eve., passed)

Committee of the Whole -- 563-71 (Nov. 6 aft.), 593 (Nov. 6 eve.), 644-48 (Nov. 7 aft.), 649-69 (Nov. 7 eve.), 731-53 (Nov. 19 eve.), 777-94 (Nov. 20 aft.), 795-853 (Nov. 20 eve.), 902-05 (Nov. 20 eve., passed on division, with amendments)

Third Reading -- 921-41 (Nov. 21 aft., passed on division)

Royal Assent -- (Dec. 10 outside of House sitting) [Comes into force on proclamation, with exceptions; SA 2012 cR-17.3]

### **3\* Education Act (J. Johnson)**

First Reading -- 155 (Oct. 23 aft., passed)

Second Reading -- 219-31 (Oct. 24 aft.), 238 (Oct. 24 eve., passed)

Committee of the Whole -- 380-407 (Oct. 30 eve., passed with amendments)

Third Reading -- 669 (Nov. 7 eve.), 688-94 (Nov. 8 aft.), 753-63 (Nov. 19 eve., passed on division)

Royal Assent -- (Dec. 10 outside of House sitting) [Comes into force on proclamation; SA 2012 cE-0.3]

### **4 Public Interest Disclosure (Whistleblower Protection) Act (Scott)**

First Reading -- 352-53 (Oct. 30 aft., passed)

Second Reading -- 423-24 (Oct. 31 aft.), 593-614 (Nov. 6 eve.), 627-44 (Nov. 7 aft., passed on division)

Committee of the Whole -- 975-80 (Nov. 22 aft.), 1057-74 (Nov. 27 aft.), 1075-101 (Nov. 27 eve.), 1127-137 (Nov. 28 aft.), 1139-161 (Nov. 28 eve., passed)

Third Reading -- 1161-166 (Nov. 28 eve., passed on division)

Royal Assent -- (Dec. 10 outside of House sitting) [Comes into force on proclamation; SA 2012 cP-39.5]

### **5 New Home Buyer Protection Act (Griffiths)**

First Reading -- 261 (Oct. 25 aft., passed)

Second Reading -- 354 (Oct. 30 aft.), 457-59 (Oct. 31 eve., passed)

Committee of the Whole -- 546-49 (Nov. 5 eve.), 571-83 (Nov. 6 aft.), 585-93 (Nov. 6 eve., passed)

Third Reading -- 853-55 (Nov. 20 eve., passed)

Royal Assent -- (Dec. 10 outside of House sitting) [Comes into force on proclamation; SA 2012 cN-3.2]

### **6 Protection and Compliance Statutes Amendment Act, 2012 (Jeneroux)**

First Reading -- 155 (Oct. 23 aft., passed)

Second Reading -- 209 (Oct. 24 aft.), 264 (Oct. 25 aft., passed)

Committee of the Whole -- 459-62 (Oct. 31 eve., passed)

Third Reading -- 855-56 (Nov. 20 eve., passed)

Royal Assent -- (Dec. 10 outside of House sitting) [Comes into force on various dates; SA 2012 c7]

- 7\***      **Election Accountability Amendment Act, 2012 (Denis)**  
First Reading -- 774 (Nov. 20 aft., passed)  
Second Reading -- 972-75 (Nov. 22 aft.), 1015-41 (Nov. 26 eve., passed)  
Committee of the Whole -- 1166-167 (Nov. 28 eve.), 1191-92 (Nov. 29 aft.), 1221-43 (Dec. 3 eve.), 1261-79 (Dec. 4 aft.), 1281-1300 (Dec. 4 eve., passed, with amendments)  
Third Reading -- 1315-37 (Dec. 5 aft., passed on division)  
Royal Assent -- (Dec. 10 outside of House sitting) [Comes into force on various dates; SA 2012 c5]
- 8**      **Electric Utilities Amendment Act, 2012 (Hughes)**  
First Reading -- 156 (Oct. 23 aft., passed)  
Second Reading -- 233 (Oct. 24 eve.), 316-36 (Oct. 29 eve, passed)  
Committee of the Whole -- 857-902 (Nov. 20 eve.), 943-53 (Nov. 21 eve., passed)  
Third Reading -- 953-56 (Nov. 21 eve., passed)  
Royal Assent -- (Dec. 10 outside of House sitting) [Comes into force December 10, 2012; SA 2012 c6]
- 9**      **Alberta Corporate Tax Amendment Act, 2012 (\$) (Horner)**  
First Reading -- 156 (Oct. 23 aft., passed)  
Second Reading -- 209-10 (Oct. 24 aft.), 272 (Oct. 25 aft.), 311-16 (Oct. 29 eve., passed)  
Committee of the Whole -- 462 (Oct. 31 eve., passed)  
Third Reading -- 856-57 (Nov. 20 eve., passed)  
Royal Assent -- (Dec. 10 outside of House sitting) [Comes into force on various dates, SA 2012 c4]
- 10**      **Employment Pension Plans Act (Kennedy-Glans)**  
First Reading -- 261 (Oct. 25 aft., passed)  
Second Reading -- 521-26 (Nov. 5 eve., passed)  
Committee of the Whole -- 668-69 (Nov. 7 eve., passed)  
Third Reading -- 857 (Nov. 20 eve., passed)  
Royal Assent -- (Dec. 10 outside of House sitting) [Comes into force on proclamation; SA 2012 cE-8.1]
- 11**      **Appropriation (Supplementary Supply) Act, 2013 (\$) (Horner)**  
First Reading -- 1424 (Mar. 6 aft., passed)  
Second Reading -- (Mar. 11 eve., passed)  
Committee of the Whole -- (Mar. 12 eve., passed)  
Third Reading -- (Mar. 13 aft.), (Mar. 13 eve., passed)  
Royal Assent -- (Mar. 21 outside of House sitting)
- 12**      **Fiscal Management Act (\$) (Horner)**  
First Reading -- 1438 (Mar. 7 aft., passed)  
Second Reading -- (Mar. 11 eve.), (Mar. 13 aft.), (Mar. 13 eve., adjourned)
- 13**      **Appropriation (Interim Supply) Act, 2013 (\$) (Horner)**  
First Reading -- (Mar. 11 aft., passed)  
Second Reading -- (Mar. 12 eve.), (Mar. 13 aft., passed)  
Committee of the Whole -- (Mar. 13 eve., passed)  
Third Reading -- 1695-1700 (Mar. 21 aft.), (Mar. 21 aft., passed)  
Royal Assent -- (Mar. 21 outside of House sitting)
- 14**      **RCMP Health Coverage Statutes Amendment Act, 2013 (VanderBurg)**  
First Reading -- 1690 (Mar. 21 aft., passed)
- 201\***      **Scrap Metal Dealers and Recyclers Identification Act (Quest)**  
First Reading -- 92 (May 30 aft., passed)  
Second Reading -- 291-301 (Oct. 29 aft., passed)  
Committee of the Whole -- 716-22 (Nov. 19 aft., adjourned, amendments introduced and agreed to)
- 202**      **Public Lands (Grasslands Preservation) Amendment Act, 2012 (Brown)**  
First Reading -- 130 (May 31 aft., passed)  
Second Reading -- 501-13 (Nov. 5 aft., adjourned)
- 203**      **Employment Standards (Compassionate Care Leave) Amendment Act, 2012 (Jeneroux)**  
First Reading -- 473 (Nov. 1 aft., passed)
- 204**      **Irlen Syndrome Testing Act (Jablonski)**  
First Reading -- 968 (Nov. 22 aft., passed)

**205 Fisheries (Alberta) Amendment Act, 2012 (Calahasen)**

First Reading -- 1117 (Nov. 28 aft., passed)

**206 Tobacco Reduction (Flavoured Tobacco Products) Amendment Act, 2012 (Fraser)**

First Reading -- 1350-51 (Dec. 6 aft., passed)

**207 Human Tissue and Organ Donation Amendment Act, 2013 (Webber)**

First Reading -- 1690 (Mar. 21 aft., passed)

**208 Seniors' Advocate Act (Towle)**

First Reading -- 1315 (Dec. 5 aft., passed)



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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Monday, April 8, 2013

Issue 41

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta  
The 28th Legislature**

First Session

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Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
    Government Whip

**Party standings:**

Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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Deputy Chair: Mr. Dorward

Allen	Hehr
Amery	Jeneroux
Anglin	Khan
Bilous	Pastoor
Donovan	Quadri
Fenske	Quest
Goudreau	Sarich
Hale	Stier

### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans

Deputy Chair: Mr. Anglin

Allen	Hale
Barnes	Johnson, L.
Bikman	Khan
Bilous	Kubinec
Blakeman	Lemke
Calahasen	Sandhu
Casey	Stier
Fenske	Webber

## Legislative Assembly of Alberta

1:30 p.m.

Monday, April 8, 2013

[The Speaker in the chair]

### Prayers

**The Speaker:** Hon. members, let us pray. Dear Lord, help us to understand the needs of our citizens and to prioritize our duties in order to address those needs. Help us to fulfill the requests of our constituents and of all Albertans, who are counting on us to deliver. Amen.

Please be seated.

Hon. members, as many of you know, it is our custom to pay tribute on our first day back to those members and former members of this Assembly who have passed away since we last met. Our gratitude also extends to their families, to the families who, like our families, know what sacrifice is, who sacrifice precious time away from their loved ones so that the duties of office are fulfilled to the highest degrees possible, yet so often our families go unrecognized in this regard.

**Mr. Ralph P. Klein, OC, AOE**  
November 1, 1942, to March 29, 2013

**The Speaker:** Today we want to pause to honour former Premier the hon. Ralph Klein, who served the people of Alberta through this Assembly for over 17 years, from March 20, 1989, to January 15, 2007. He represented the constituency of Calgary-Elbow for his entire service as a member of this Assembly.

His public service actually began in 1980, when he was first elected to Calgary city council as mayor. His positive attitude and determination ensured the Calgary Olympics were lauded as a great athletic, social, cultural, and economic success. He was the first former mayor to serve as Premier of Alberta.

Prior to becoming Premier, Mr. Klein served as minister of the environment for just under three years. On December 14, 1992, he was sworn in as Alberta's 12th Premier. It was during his premiership that we celebrated the centennial of this great province and, in fact, the centennial of this Legislative Assembly of Alberta. He resigned as Premier on December 14, 2006.

Throughout his tenure, the third-longest of all Alberta Premiers, Mr. Klein retained his connection with everyday Albertans, people whom he lovingly referred to as Marthas and Henrys, and we all know exactly what he meant. Mr. Klein received many, many accolades, awards, recognitions, honours, and other tributes for his accomplishments over the years, including being named an officer of the Order of Canada last year, but it was his remarkable ability to plainly talk to everyone from those Marthas and Henrys right up to Her Majesty Queen Elizabeth II, and it is for that that he will likely be most often remembered.

Please note, hon. members, that I have invited members of Premier Klein's family to join us today, our traditional first day of remembrance for members who have passed. Unfortunately, they responded that they just simply were not able to join us today, so I would ask that we respect their privacy at this particular time of their bereavement, noting that it is very likely that one or more of them may be able to join us next week. I think they all deserve a rest given the enormous amount of public attention and media attention that they have had over the past several days.

I would now ask you all to rise and in a moment of silent prayer and reflection please remember our former Premier in whatever way you may have known him.

Grant unto him eternal rest, dear Lord. Grant perpetual light, and may it shine upon him forever.

Hon. members, thank you for your silent tribute.

Now, M. Lorieau, s'il vous plaît, our national anthem. May I ask all of you to join in in the language of your choice.

### Hon. Members:

O Canada, our home and native land!  
True patriot love in all thy sons command.  
With glowing hearts we see thee rise,  
The True North strong and free!  
From far and wide, O Canada,  
We stand on guard for thee.  
God keep our land glorious and free!  
O Canada, we stand on guard for thee.  
O Canada, we stand on guard for thee.

**The Speaker:** Thank you, M. Lorieau and hon. members.  
Please be seated.

### Introduction of Guests

**The Speaker:** The hon. Member for Edmonton-Manning.

**Mr. Sandhu:** Thank you, Mr. Speaker. It's a pleasure to rise today to introduce to you and through you to all the members of the Assembly 25 bright young future leaders from John Barnett school in my constituency, Edmonton-Manning. With the students are three parents, Miss Amanda Donald – she's a good friend of mine – Miss Tara Brooks, and Mr. Will Davies. Also with the students is their teacher, Mr. Glenn Newby. They are seated in the public gallery. I would ask all the guests to please rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Well, thank you, Mr. Speaker. I would like to introduce to you and through you to all members of the Assembly the 28 members of St. Angela elementary school along with teachers Meghan Weis and parent helper Christine Siegel. I'm very happy to have them here. I think they're here all week, in fact, at the School at the Legislature, so they're going to compare theory to practice today when they watch us in question period. If they could please rise and receive the warm welcome of the Assembly.

**The Speaker:** The Deputy Premier and Minister of Enterprise and Advanced Education.

1:40

**Mr. Lukaszuk:** Thank you, Mr. Speaker. So many wonderful things to say about this young man. Unfortunately, I won't be able to get through all of it. With us today we have a remarkable young Albertan by the name of David Wilson. David's story is a testament to the resiliency of a child overcoming obstacles that most kids never have to deal with. Through all that he has gained the knowledge and employability award, the work experience award, the employee of the year award from a local grocery store, and recently the 2013 Great Kids award, and he will be competing with a black belt in tae kwon do right away. With him is his father, Scott Wilson, who is the best advocate that any child could possibly have. I would ask them both to rise and receive the welcome of this Assembly.

**The Speaker:** The hon. Minister of Education.

**Mr. J. Johnson:** Thank you, Mr. Speaker. It's a privilege to rise and introduce to you and through you to members of this

Assembly my family. In five years in this House I've never had the opportunity to have my wife and three kids come in, and today is a very special day for me. I would ask them to stand and remain standing while I introduce you. There's my 13-year-old son, Jamieson – he's the middle one in the red – my 11-year-old son, Jakub; my seven-year-old daughter, Georgia, who will be eight this week; and my lovely wife of 17 years, Kim.

**The Speaker:** The hon. Member for Edmonton-Decore.

**Mrs. Sarich:** Thank you, Mr. Speaker. It's indeed an honour and a privilege for me to rise today to introduce to you and through you to all Members of the Legislative Assembly nine guests here in celebration of CapitalCare's 50-year anniversary and legacy of caring and compassion for Alberta's frail, elderly, and disabled people. My guests are seated in the members' gallery, and they represent the dedicated leadership, management, and staff as well as residents from two of the 11 CapitalCare centres.

I would ask each guest seated to please rise or otherwise signify as I mention their name: Ms Iris Neumann, chief executive officer, CapitalCare; Mrs. Betty Kolewaski, administrator, CapitalCare Dickinsfield; Mr. and Mrs. Clinton and Susan Cook, a young married couple celebrating almost nine years of marriage and who also reside at CapitalCare Dickinsfield; Mrs. Adrien Mortensen, nursing attendant, CapitalCare Dickinsfield, celebrating 35 years of employment with CapitalCare; Mr. Thorsten Duebel, administrator, CapitalCare Kipnes Centre for Veterans; Mr. John Elock, a centenarian and proud veteran of the Second World War and current resident of Kipnes Centre – thank you, John, for your sacrifice and service – Mrs. Penny Eliuk, therapy assistant at CapitalCare Dickinsfield and driver of the CapitalCare resident bus today; and, finally, Mrs. Penny Reynolds, administrator of CapitalCare Norwood.

I would kindly ask that the Assembly honour my guests with our traditional warm welcome.

**The Speaker:** The hon. Minister of Service Alberta.

**Mr. Bhullar:** Thank you very much, Mr. Speaker. Earlier today I had the pleasure of attending the seventh Alberta consumer champion awards ceremony. These awards recognize outstanding people, groups, and businesses that go the extra mile to educate consumers about their rights and to ensure Alberta's marketplace is fair for everybody. Now I would like to introduce this year's consumer champions.

I'll ask you to stand as I announce your names. The recipients in the nonprofit category are Janice Harrington, a good friend of mine, representing the Certified General Accountants Association of Alberta, for their financial literacy program for high school students; John Pinsent, representing the Chartered Accountants Education Foundation of Alberta, for their online money management resources for young consumers – my wife is a chartered accountant; I will ask her to take this course herself – my friend and former constituent Gerry Baxter of the Calgary Residential Rental Association, for their landlord and tenant education course; Sandra Crozier-McKee of the Better Business Bureau, serving southern Alberta and east Kootenays, for their consumer education efforts; and Diane Rhyason of the Centre for Public Legal Education of Alberta, for educating young consumers on their legal rights in the marketplace. This year's media recipients are Julie Matthews from Global News Edmonton for a report on marriage scams and Laura Lowe from CTV Edmonton for a report on a scam with wills. In the youth category we had Carin Li and Eunbit Cho, who won second place for their combined essay and poster on Internet shopping. I would ask all

of these fine individuals to rise and ask all of my colleagues in the Alberta Legislature to give them the warm welcome of the Assembly.

**The Speaker:** Hon. Member for Edmonton-South West, your first of two introductions.

**Mr. Jeneroux:** Great. Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to all members of the Assembly a team of four outstanding individuals who participated in the 5 Days for the Homeless campaign at MacEwan University from March 10 to 15 here in Edmonton, which were some very cold days. In addition to raising awareness for poverty and homelessness in our city through this campaign, these individuals also raised \$15,000 for Youth Empowerment & Support Services, otherwise known as YESS. The good news keeps coming. In addition, one of the participants, Cameron McCoy, was just elected president of the students' association at MacEwan University. Seated in the members' gallery today are Cameron McCoy, Cina Gross, Ellisha Sharma, and Pierce Brindza. I ask that these individuals rise and receive the traditional warm welcome of the Assembly.

Mr. Speaker, I'm also pleased to introduce to you and through you two amazing young Edmonton-South West constituents, Eunbit Cho and Carin Li, and her father, Tim Li. Eunbit and Carin were recipients of a consumer champion award today, as mentioned by the Minister of Service Alberta, and I had the luxury of spending a lunch hour with them. They're very smart girls. I ask all members to please extend a warm welcome to these two wonderful constituents.

**The Speaker:** The Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you very much, Mr. Speaker. It's my pleasure today to rise and introduce to you and through you to all members of the Assembly a couple of constituents of Calgary-Acadia, Jen Sputeck and her son Nathan as well as Barb Pickering. Jen and Barb are both on the Inside Out Action Research Team, which assists women dealing with homelessness, poverty, and incarceration. Jen has been with the Inside Out Action Research Team since the beginning. She started as a group member, became a peer researcher and ultimately a project co-ordinator. Since then, she's presented over 80 presentations. She's been invited to Ottawa twice, once to London, Ontario, and will be presenting at the Canadian Criminal Justice Association conference in Vancouver in October of this year. Barb joined the group in 2011 as a then master's student at the U of C and is currently a doctoral student in counselling psychology, again at the U of C. Both of these women have been instrumental in this project, and I ask them to rise and receive the traditional warm welcome of this Assembly.

### Ministerial Statements

**The Speaker:** The hon. Minister of Human Services and Government House Leader.

**Mr. Ralph P. Klein, OC, AOE**  
**November 1, 1942, to March 29, 2013**

**Mr. Hancock:** Thank you, Mr. Speaker. Our Premier is representing us in Washington today and has asked me to rise and speak on her behalf, on behalf of the government of Alberta, our caucus, and personally as someone who has had the great privilege to serve under former Premier Ralph Klein. As our current Premier



said last week, Premier Klein was an Alberta icon, a visionary leader, someone who devoted his life to Alberta. Premier Klein was Alberta's great communicator. His wit, charm, and charisma made him one of the brightest lights on Canada's political scene. He understood politics, but more than that, he understood Albertans, and he had a connection with Albertans.

As a newly elected MLA in 1997 I had the great privilege of being asked by Premier Klein to join his cabinet as minister of federal and intergovernmental affairs, as it was then called. It was then when I began to truly understand the gifts that he brought, the leadership he provided, the loyalty he engendered, the respect and love that he earned.

Much of the public commentary in the days after Premier Klein's passing has focused on the strong fiscal agenda and record, and while that is no doubt a big part of what he will be remembered for and while I certainly agree that the strength and courage he provided showed real leadership for our whole country, Albertans like his close friend Rod Love have more accurately displayed the breadth of Premier Klein's legacy as a journalist, mayor of Calgary, environment minister, and Premier of our beloved province. The Klein Revolution was much more than just a fiscal one, as important as that is.

1:50

As a rookie minister of federal and intergovernmental affairs in 1997 I quickly learned how intelligent he was, how smart he was, how quick to understand the breadth of the situation but also to understand the strategy needed to achieve results. I would read all of my briefings, background materials, and supporting materials – you know what I mean, Mr. Speaker, when I talk about the agenda book, the backup book, and then the documents that back up the backup – and then I would get maybe 15 minutes to brief the Premier going into a federal-provincial-territorial meeting. He didn't need more time than that. His approach at these meetings displayed his effectiveness and his understanding of the agenda.

Premier Klein was never impolite at the table, but he was also not a fan of long discussions without purpose or result. The Premier would step away from the table, perhaps go for a smoke, and leave me wondering whether I should be stepping in or saying something or participating in the agenda, but it wasn't necessary. He was always there when it mattered. When we were on a topic on which Alberta could make a difference or which made a difference to Alberta, he would engage, and then he would knock it out of the park.

Premier Klein had an unerring ability to know where he could add value, make a difference, achieve a result, and he took full advantage of those opportunities. Pick your best spot, play your cards to win, don't invest in losing hands, wait for the window or create the window where you can actually achieve a result, and then do it. That was Premier Klein at the federal and provincial tables, quickly understanding the keys to the issues and translating it into what it meant for Alberta and into language which promoted understanding.

Those same strengths were always at play at the cabinet table, Mr. Speaker. He did not like long meetings. "Bring your issue with a solution. Have the discussions with others before you come. Let's make the decision and get it done." Premier Klein was always more concerned with the effect on Albertans than whether a decision would get us re-elected. The Ralph Klein I knew and loved strived to do the right things for the right reasons. His first question was always: is that what Albertans want us to do?

I recall the Calgary courthouse being one of those decisions. Finances had always been a barrier to bringing together the various court facilities and creating a truly appropriate justice

centre in Calgary. Various committees had in fact been working on the project for over 20 years. There is very little politically attractive in building a new courthouse. They are expensive, and it isn't something that's high on anyone's priority list aside from those who use it.

We were well along in the process when I engaged in a discussion with a member of Premier Klein's staff who met with me to inform me that the project was too grand, too expensive, and was being shelved yet again. On one of the few occasions on which I did this, I asked for a direct meeting with the Premier on the topic. When we met, I stated my case, telling him that it wasn't sexy, that there was no political win in it but that we should do it. He looked at me, and he asked one question: "Is it needed, David? Is it the right thing to do?" I replied, "Yes." He said: "Okay, David. Let's do it." The meeting was over. He wanted ministers to do their job, convince their colleagues, and at the end of the day the question was not "Will this get us elected?" but, rather, "Is this needed?" He always trusted you to give him the straight goods, and you could trust him to return the favour.

Premier Klein changed the way government was done. He coined the phrase "dome disease" because he knew that to govern appropriately, you had to respect the role of the Legislature, but it was most important to get out and listen to the people. He started early and set the stage when he brought forward a new environment act as environment minister. It was a very extensively consulted act. He produced a what-we-heard document after significant consultations involving Albertans. It was open, it was public, and it was the precursor to how everything needed to be done in government. No legislation or policy change was to be brought forward until there was a clear identification as to who wanted it and why, who was going to be affected and how, why we needed more legislation, and, most importantly, whether the people had been consulted, particularly the people who are going to be affected.

Government members played a larger role through changes Premier Klein brought to the legislative processes. Instituting standing policy committees and mandating that almost everything had to pass through them meant government members had a significant role in providing input to, shaping, and ultimately approving policy and legislation before it came to the Legislature. Everything, including significant fiscal and budget discussions and business plans, went through standing policy committees. In no other parliamentary democracy that I'm aware of does government caucus have that kind of input into government direction. In most parliamentary democracies government gives caucus the legislation, the direction, the budget, and caucus supports it.

Premier Klein built on Premier Lougheed's concept of caucus and extended caucus to really embed significant value in the role of a government MLA. Government MLAs were to listen to their constituents and all Albertans and represent those voices clearly in caucus, yes, but also in government committees, in committees that helped to shape the policy in the future. The 20-year strategic plan, Learning Alberta, Water for Life, the land-use strategy, and many others have a direct line back to Ralph Klein and his vision of Alberta seen through the eyes of Albertans themselves, not telling Albertans what they need or want but working with Albertans to define our preferred future.

He Listens, He Cares is not just an election slogan. It was Premier Klein. Premier Klein was often incorrectly portrayed as an individual who cared only about the finances. He cared about people. He wanted children to have a good start, and he exhibited that in so many ways. For me, this was epitomized on the opening day of the Legislature. I believe it was in 1998, and I believe that the bill was the Protection of Children Involved in Prostitution

Act, Bill 1, introduced by Premier Klein. He began his comments by saying:

Bill 1 demonstrates our commitment to protecting the well-being of our children and youth. It recognizes the seriousness of the issue of children involved in prostitution and takes steps to address it. . . . All government departments must work together along with other levels of government, nongovernment organizations, law enforcement agencies, and communities to make the matter of children involved in prostitution a priority and stop the abuse of our children.

As we were leaving the House through the main doors and heading down the stairs towards the traditional receiving line, Colleen Klein greeted me and gave me a big hug, smiled, and whispered: David, we're finally on the agenda. Colleen played a huge part in Premier Klein's premiership. She kept a focus on children and how they were harmed by prostitution, sexual violence, drugs, and abuse. I believe that from private comments such as the one I just related Colleen and Premier Klein were truly centred on what was important for Alberta's future, that children needed the best start possible, protection from harm, and the opportunity to succeed.

That was further reflected in Bill 1 in 2003, the Premier's Council on Alberta's Promise Act, which enshrined in law the government's commitment to children and youth. In his introduction Premier Klein said:

The bill enshrines a promise made on behalf of all Albertans to the province's children. It's a promise to be partners with our neighbours, heroes to our children, and champions of their future.

Ralph was not a balance-the-budget-at-all-costs, fiscal-agenda-driven Premier. He was a Premier who knew that the fiscal agenda was important so that government could do what was really important: working with the community to create the opportunity for Albertans, the Alberta advantage, to have the quality of life they wanted for their children and grandchildren to succeed.

I've had the privilege to work with each of our Progressive Conservative leaders and Premiers during successive governments. I've served in a political volunteer capacity with Premiers Lougheed and Getty; as a member of the PC Party executive, youth president, and party president; and with Premiers Klein, Stelmach, and now our current Premier in elected capacities. Each leader brings strength for their times. Each leader faces challenges for their era and reinvents the party and the government to meet those challenges and revisit the vision and direction for the future of our province. Each has talents, gifts, strengths, and weaknesses that they bring to the challenge. Each is a role model and a mentor, an inspiration to their team. Each earned and deserves, in their own right, respect.

Ralph Klein is a leader whom I grew to respect, value, and, yes, love as he faced very difficult choices with a very real concept of his own personal values and the values of Albertans. He taught me about knowing what you need to do but listening for better ideas. He taught us about humility and knowing when to say that you're sorry, to change direction, that we can't always be right all the time. He lived his life his way and expected that others should live their lives their way but that everyone had the right to live in freedom and with dignity and respect. He taught me about leadership, and he left Alberta in better shape than he found it. Really, that's what this is all about, that we can continue to aspire, to dream, and to fulfill those dreams in the best place in the world to live and to work and to raise our families.

I agree with Shirley McClellan. I never called him Ralph; he was Premier to me. He earned the name and the respect. On behalf of the Premier of Alberta, the government of Alberta, all of my

colleagues in our caucus, and on my own behalf I want to say: goodbye, Mr. Premier.

Thank you. [Standing ovation]

2:00

**The Speaker:** The hon. Leader of Her Majesty's Opposition.

**Ms Smith:** Thank you, Mr. Speaker, and thank you, Minister, for your heartfelt and genuine words about your former colleague. What more can be said about Premier Ralph Klein that hasn't already been spoken? In the 10 days since his death we have heard from his colleagues, both provincial and federal. We've heard from MLAs, from Premiers, from Prime Ministers, both past and present. The outpouring of love and support for Ralph has been at once heartwarming and heartbreaking, heartwarming to know the tremendous impact he had on life in Alberta and heartbreaking knowing that we have lost a once-in-a-lifetime leader.

Ralph led Alberta through one of the most tumultuous political eras, as many of his former caucus colleagues in this Legislature today will attest to. After inheriting record debt and deficits, Ralph repeatedly faced down his critics with courage and conviction on his way to erasing Alberta's debt load and forging our reputation as world leaders in fiscal responsibility. But that will form only part of his legacy. The other part, the human part, is unlikely to ever be equalled.

Ralph Klein transcended politics. He transcended this place filled with spinners and counterspinners, opponents, and journalists and found his way into our hearts. He had that increasingly rare ability to cut through the noise and to speak to us with sincerity and with blunt honesty, and we believed him. We recognized in him not only a purpose to achieve but a person to trust. That's what made him such a remarkable leader.

I want to finish with two rules that all of us in this House would do well to remember in the wake of Ralph's passing. Rule 1: if you say it, do it. If you commit to it, see it through. Lead it. Rule 2: if you mess up, fess up. You might just be forgiven. After all, we're all only human. Simple as these rules are, it's getting harder and harder to find a leader who lives them out. Ralph did. That's how he achieved so much and earned the respect of so many. As Alberta's current elected representatives, to honour Ralph's legacy, we must understand this.

The convictions Premier Ralph Klein stood on as Premier are as relevant today as they were then. He understood that real conservative leadership is doing what is right even when it's hard, standing up to critics and special interests and not backing down even when they get in your face. Mostly, he understood that principles don't have an expiry date. He fought for what is right because it is right. Nothing more, nothing less. So let us honour Ralph by remembering that and, in doing so, bring back to the people of this province some semblance of that Ralph Klein leadership that we will all sorely miss.

Thank you, Mr. Speaker.

**The Speaker:** Hon. members, I see signals from the two other opposition parties wishing to add their comments. I will ask one question only. Does anyone object to other speakers, one from each of the two other opposition parties, joining in on this tribute?

Hearing none, the hon. leader of the Liberal opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. In response to the minister's moving tribute to the late Premier Klein, I'm pleased to reply on behalf of the Alberta Liberal opposition. First of all, we extend our best wishes and deepest, heartfelt condolences to the Klein family.

A lot has been said about Premier Klein's legacy. He was forceful, passionate, and witty. He had the ability to connect with Albertans from all walks of life. When you talked to Ralph, you felt as though you knew him for years even if you'd only met him minutes ago. Although he was affectionately known as King Ralph, he was a fellow you could have a beer with and a good sit-down chit-chat. My better half, Sharon, knew Premier Klein. That's how she felt about him.

Premier Klein was the big-city mayor of Calgary, where he helped build city hall, the LRT, and the Saddledome and helped bring the Olympics to this province to put us on the international map. He understood the importance of building communities and infrastructure for cities. Many people think that it was Premier Klein's fiscal conservatism that allowed for one of the most memorable photo ops in our Legislature's history when he stamped a paid-in-full sticker on our province's debt. However, I'll remind the House that in the '90s this was not just achieved by drastic spending cuts. Premier Klein actually understood the value of progressive income tax, and he put an 8 per cent surtax on the wealthy to get them to pay their fair share.

Even if you didn't agree with his politics, you respected the man for his toughness, enthusiasm, and determination to build Alberta. He loved this province and could connect with the Marthas and Henrys, the average, everyday Albertans, like nobody else. He wasn't perfect – none of us are – but he had this quality which is rare for a government leader, the courage to admit mistakes and learn from them and change course. This is something we can all admire.

Finally, I'd like to extend my condolences to his father, Phil, who is a friend of mine. We were lucky to have had Premier Klein amongst us. We thank him and his family for sharing him with us.

May God bless him and God bless his family and God bless Alberta. Thank you.

**The Speaker:** Thank you.

The leader of the New Democratic opposition.

**Mr. Mason:** Thank you very much, Mr. Speaker. Premier Klein spent his life working for the province of Alberta. The far-reaching political changes brought by Premier Klein transformed the political climate and the state of this province. The impact of the Klein era can still be felt to this day.

Premier Klein dedicated his life to public service and spent decades working in both municipal and provincial politics. His passion made him a tough competitor to have across the floor, and I personally enjoyed question period with Ralph very, very much. If you could get him going, you had no idea what was going to come out of his mouth. It could be right, it could be wrong, but it was always entertaining. He was really hard to stay mad at, I found, and he was a strong communicator. His folksy charm allowed him to connect with Albertans on a very personal level. Mayor Klein undoubtedly made major contributions to the city of Calgary and as Premier to the province of Alberta throughout his lifetime. Today we recognize his dedication and hard work.

On behalf of Alberta's New Democrats I extend my sympathies to his wife, Colleen, to his family, and to his many friends, all of whom, I know, will continue to feel their loss deeply. Across the aisle, my colleagues in the Progressive Conservatives, to those of you that worked with him and knew him well, my sincere condolences. Our thoughts are very much with you today.

Thank you.

## Oral Question Period

**The Speaker:** The Leader of Her Majesty's Loyal Opposition for her first main set of questions.

### Carbon Tax

**Ms Smith:** Mr. Speaker, the government is already raising taxes through a variety of adjustments that they either bury or deny or they call something else, this despite the Premier's promise not to raise taxes. When her minister of environment muses about a huge increase in the current carbon tax, it's no wonder the energy industry is getting nervous. The minister insists it's a collaborative process as she reviews climate change policy, but we know from past experience that collaboration isn't always collaboration. Let's cut to the chase. Is the minister going to raise the \$15-a-tonne tax to \$40?

**Mr. Lukaszuk:** Mr. Speaker, the minister and the Premier have been very clear. In the province of Alberta we have established a protocol that is the envy not only of the country but, in many cases, the world. The Premier and the minister are working collaboratively with industry and with the Prime Minister, who actually, incidentally, at the funeral of our late Premier Ralph Klein indicated that Alberta is driving Canada's economy. We will not make any decisions that will not be collaborative with both the federal government and the industry and that will not be conducive to building this economy and Canada's economy.

2:10

**Ms Smith:** Mr. Speaker, a big increase in the job-killing carbon tax will have a direct effect on Alberta's economy. Now, we agree that curbs on emissions are necessary, but tossing out numbers like the minister did recently has a direct effect on investment, hiring, and business viability. Now, giving the Premier some ammunition for her Washington sales trip is one thing, but why do so much damage by floating trial balloons?

**Mr. Hughes:** Mr. Speaker, the Premier and our colleagues are doing their utmost best on behalf of all Albertans to ensure that we have access to markets for our products. Part of that conversation is ensuring that we have the social licence to operate, working closely with industry and the government of Canada, and to ensure that we actually have some place to send our production when we produce it in this province.

**Ms Smith:** It's beginning to sound like the answer is yes, Mr. Speaker.

The recent back-in-debt budget relies on a fictional future in Alberta to achieve projected revenue levels, yet with such industry uncertainty and with the job losses we've already seen, can we expect that the Minister of Finance is going to rely on other sneaky tax increases to meet his future revenue projections?

**Mr. Horner:** Well, Mr. Speaker, the revenue projections that we have in the plan have been arrived at by using industry's numbers. They've been arrived at by using the market analysts that the hon. member across the way is actually talking about that we're not talking to. Well, in fact, those are the numbers that we're using. I would hazard a guess – I've been waiting for the question of when I lowballed the numbers because currently we would be a little bit under those numbers.

**The Speaker:** Hon. leader, second main set of questions.

**Ms Smith:** Thank you, Mr. Speaker. I see they're having trouble answering this question, so I'm going to try it again. Now, we are supportive of the Keystone XL pipeline, and we're glad that the Premier is encouraging the Americans to approve the project, but we are not supportive of a shocking, disruptive, and unilateral approach to changing the structure of the current carbon tax regime in Alberta. The government has been musing about raising the \$15-a-tonne charge for carbon to a job-killing \$40. It's a transparent attempt to try to convince oil sands opponents that Alberta is green, but its actual effect is to create uncertainty. Why doesn't the government see that?

**Mr. Lukaszuk:** Mr. Speaker, the only person that's talking about shocking disruption to the industry is the member across the aisle. If the member across the aisle would not engage in public discourse questioning the science of today, our Premier wouldn't have to be in Washington, DC, right now trying to convince them that the product needs to be delivered there. I would strongly suggest that the member focus on facts and look at the statements made by the Premier and the minister and not muse about increasing taxes because on this side we're not doing that.

**Ms Smith:** Mr. Speaker, the most recent job numbers show a decline in the number of jobs in Alberta, more than 11,000 lost jobs in March alone. The contraction suggests that the economy is not creating these jobs because of uncertainty about the future. Will the Deputy Premier create some certainty and commit that he will not be increasing the \$15 tax to \$40?

**Mr. Lukaszuk:** Mr. Speaker, the member should know – and if she doesn't, she now will – that the majority of the job losses occurred in the hospitality industry, and that is a natural reaction to what happens when you have a slowdown in economic development. That is why our Premier is in Washington right now. That is why we're working with the Premier of New Brunswick. That is why we're working with the Premier of Quebec. That is why we're working with the Premier and government of British Columbia to get this product to the coast and not to perpetuate the fearmongering both on science and now some new taxes that I know not of.

**Ms Smith:** I'm sure the Deputy Premier knows the Voyageur project isn't in the hospitality field.

Business craves stability, certainty, consistency, but with this government they get the opposite. A few years ago it was the oil royalty mess, a few weeks ago the return to debt and deficit financing, and now the spectre of another broken promise with a threatened tax increase on the energy sector. Why are they trying to destroy the Alberta advantage?

**Mr. Hughes:** Mr. Speaker, I think this government is very much of the view that it actually would be impossible to destroy the Alberta advantage, that we have in this province. We have exceptional strengths. The greatest certainty that we could create for industry in this province is to ensure that we have access to tidewater so that we can sell our products, and that is what this government is absolutely dedicated to.

**The Speaker:** The hon. leader.

#### Compensation for Pharmacy Services

**Ms Smith:** Mr. Speaker, on to another group that's not enjoying the Alberta advantage today. The Minister of Health claims to be

making drugs cheaper for Albertans, but the reality of his generic drug plan is this: drug shortages, price increases, and pharmacy closures. You'll hear more about that in a few minutes. As a result of the government's decision to pay less for generics, prices are actually going up for patients. Dozens of medications will not be covered by Alberta Health, which means patients will pay out of pocket, and other options either aren't in existence or are more expensive. Why didn't the Minister of Health trust pharmacists, who warned him about this disastrous policy change?

**Mr. Horne:** Well, Mr. Speaker, I'm not sure where the hon. member is getting her information, but in fact the price of generic drugs in Alberta is going down. On May 1 Alberta will pay the lowest price for generic drugs in the country at 18 per cent. That price not only benefits government-sponsored drug programs; it benefits private employers who provide drug benefit plans, that help support jobs in this province, something we're interested in. Also, it helps support those who pay out of pocket.

Mr. Speaker, these discussions are not new. They've been going on for a number of years. We have supported and will continue to support . . .

**The Speaker:** The hon. leader.

**Ms Smith:** For the Health minister's benefit: getting it from the summary of changes to the drug benefit list.

Let me give you a few details, Mr. Speaker. The government spent \$400,000 on an ad campaign that claims lower drug prices are good for Alberta. Now, we agree, but that's not what's happening. For example, take keterolac, a commonly prescribed painkiller, one of the generics that will no longer be covered by Alberta Health: the other version is discontinued, and the brand name is 50 per cent more expensive. The bottom line is that patients will pay more out of pocket. How is that good medicine for patients?

**Mr. Horne:** Mr. Speaker, I can assure this House that Albertans need have no concern about the supply of drugs in this province today or after the price changes on May 1. The fact is that we receive drug price quotations monthly from manufacturers both here in Canada and around the world. We have the opportunity because of the policy environment in this province to set a price and to choose from multiple providers of the same drug, in some cases brand name providers as well, to supply that drug for our province. This is sound policy. It's rooted in practice that we see across the country in provinces such as B.C., Ontario. It delivers on our commitment to lower . . .

**The Speaker:** The hon. leader.

**Ms Smith:** Mr. Speaker, here is another one out of a long list of affected medicines, and you'll be hearing about them all week. Triamcinolone, used to treat a variety of conditions, including arthritis, lupus, and asthma, is one of the generics that will no longer be covered by Alberta Health. The version from the other generic drug maker is unavailable. The brand name is more than double the cost. The bottom line is that policy will cost Albertans more money. How is that good medicine for patients?

**Mr. Horne:** The hon. member is obviously not familiar with the policy and the practices around drug procurement in this province or, in fact, across the country. This price-setting exercise is the most comprehensive of its kind in the country. As I said earlier, it affects government-sponsored programs. It provides a price benefit for private and employer-sponsored programs as well as

for people who pay out of pocket. Mr. Speaker, we have multiple sources in Alberta and across the country and internationally for all of these drugs. Many of them are based on equivalent molecules. We will continue to provide the drugs that Albertans need at the best price that we can get on behalf of our citizens.

**The Speaker:** The hon. leader of the Alberta Liberal opposition.

### Oil Price Forecasting

**Dr. Sherman:** Thank you, Mr. Speaker. Last year's fudge-it budget wildly overestimated oil revenues so that the Premier could promise the world in the election. This year's bankrupt budget took advantage of a freak event in the oil market to underestimate oil revenues and manufacture a crisis as an excuse to break all of those promises. Well, the Premier's bitumen bubble is BS. And by BS I mean bitumen sham because today the gap between the prices of Alberta and Texas oil is 23 per cent, smaller than the seven-year average. Some bubble. To the Premier: why did you misinform Albertans by trying to pass off a highly unusual market event . . .

2:20

**The Speaker:** The hon. Deputy Premier.

**Mr. Lukaszuk:** Well, Mr. Speaker, while members on this side of the House spent two weeks with constituents, obviously this member spent a lot of time coming up with slogans. Unfortunately, they're meaningless. It is not the Premier or the Minister of Finance himself that comes up with the estimates of what the revenues will be, but frankly the brightest minds in the world and in the financial houses throughout the world estimate what the cost of commodities will be in the future. We average it, as a matter of fact, on the small "c" conservative side, and that's how prices are set. Maybe next time there's a constituency break this gentleman can take some time and learn that.

**Dr. Sherman:** Mr. Speaker, that's a slogan Premier Klein would have used had he seen this.

Given that the price of western Canadian select is currently higher than the monthly average for 2012, a year when the term "bitumen bubble" was just a glint in the Premier's eye, to the Premier: why are you attacking vital services such as post-secondary education, K to 12, health care, and seniors' care? Does it have something to do with a leadership review, or do you just want to punish regular Albertans: students, teachers, doctors, nurses, and seniors? Why, Premier?

**Mr. Horner:** Mr. Speaker, I just rose in a previous set of questions and said that I was surprised I hadn't got the question about us lowballing the numbers. Well, now I've got it. It just goes to prove that there is a wide variety of pundits who believe they know where the oil price is going to go. We actually use the experts in the industry. We use private industry forecasts. While this hon. member may think that the glut in the North American market, which everyone in the industry sees, is a freak accident, as I think he called it, this is something that the North American industry understands. Unfortunately, the hon. member does not.

**Dr. Sherman:** Mr. Speaker, this same Finance minister told CBC listeners that Alberta, quote, wouldn't get back to the differential of January 2012 at any point in the next three years. Unquote. But, lo and behold, the spread today is actually significantly lower. Significantly lower. To the Premier: was this intellectually and morally bankrupt budget based on profoundly faulty assumptions, or was it based on truth-challenging assertions instead?

**Mr. Horner:** Mr. Speaker, the hon. member should actually take the whole interview so that he can be truthful to this House, which he is not being right now. The context of the question that I answered was: in our budget projections do we get back to the differential of January 2012? The answer is that in our projection we do not. That was the question that was asked. That's the answer, and it's truthful, not like the question that was just asked.

**The Speaker:** The hon. leader of the New Democratic opposition.

### Carbon Tax (continued)

**Mr. Mason:** Thank you very much, Mr. Speaker. To the Deputy Premier. Our Premier is off on another one of her panhandling expeditions to Washington, hoping to convince Americans that Alberta's government has been environmentally responsible with the oil sands. And there's more misleading greenwash advertising, too, \$77,000 worth. Will the Deputy Premier tell the Assembly what he won't say to the Americans, which is that after years of denial this government was forced to admit that its water monitoring system was useless and that the promised new world-class system is still not in place two and a half years after it was announced?

**Mr. Lukaszuk:** Well, Mr. Speaker, as I said earlier, if the leaders of the ND Party both nationally and provincially wouldn't spew information like this out, if the leader of the Liberal Party wouldn't be talking about the magic of the bubble and not believing in the oil bubble, if the Leader of the Official Opposition wasn't going on S.S. *Minnow* cruises with a whole bunch of other climate change deniers, our Premier wouldn't have to be in Washington right now trying to convince the American public of the fact that export of our petroleum is important not only to Canada but to the United States as well.

**The Speaker:** Hon. Member for Airdrie, you rose on a point of order during that last answer, and it's been noted.

The leader of the New Democrats.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, I hope the Deputy Premier enjoyed his corn flakes this morning.

Will the Deputy Premier tell the Assembly what he won't tell the Americans, that Alberta's so-called price on carbon is actually based on the percentage of carbon in emissions, and will he tell them that Alberta has failed to reach its carbon emissions targets by a mile?

**Mr. Lukaszuk:** Mr. Speaker, we will be telling Americans whatever is true. We will be telling Americans whatever is supported by science. As a matter of fact, we are inviting Americans over here. Very recently we had the governor of Colorado find out for himself. But we won't be telling Americans to kill the Canadian economy. We won't be telling Americans to kill the Alberta economy because of some ideology that they may have that is not supported by Canadians both federally or here, provincially, at home.

**The Speaker:** The hon. leader.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, we know that the Deputy Premier has some creative uses for breakfast cereal, but he shouldn't be so creative with the truth. Why won't he admit that the environment minister's recent proposal is just a further attempt to trick the U.S. administration and that this

government is already distancing itself from its recent proposal and trying to pin responsibility for it on the federal government?

**Mr. Lukaszuk:** Mr. Speaker, if this member won't show respect for Albertans and Canadians and for the engine of our economy, he should at least show some respect to our neighbours to the south and acknowledge the fact that they have the capability of looking at the facts, of deciphering the facts and making righteous conclusions on what is good for the United States. When they make that decision, I'm sure it will be a good decision for both the United States and Canada, for Alberta, that is driving the Canadian economy partially through our petroleum industry.

**The Speaker:** The hon. Member for Chestermere-Rocky View, followed by Fort Saskatchewan-Vegreville.

### Support for Postsecondary Education

**Mr. McAllister:** Thank you, Mr. Speaker. It's great to have you back in the big chair.

Mr. Speaker, Edmonton's mayor, Stephen Mandel, quite rightly standing up for all Edmontonians and the advanced education industry in general, pointed out that the minister of advanced education should choose his words more carefully. Last week the minister of advanced education said, and I quote – I'm sorry, but it is a quote – that somebody had pissed in the mayor of Edmonton's corn flakes. Now, I'm wondering if today the advanced education minister would like to publicly apologize to the mayor and the rest of Albertans as he made these comments publicly.

### Speaker's Ruling Parliamentary Language

**The Speaker:** Hon. members, just because you heard something or read something that contained an ill-chosen word, perhaps, or maybe a well-chosen word in terms of the deliverer does not mean that it bears repeating in this Assembly when we have so many wonderful young students here with us and so many others at home listening. Let's be very, very careful about this, please.

Hon. Deputy Premier, I'll allow you to comment if you wish.

### Support for Postsecondary Education (continued)

**Mr. Lukaszuk:** Thank you, Mr. Speaker. First of all, I have to say that Mayor Mandel is not only a colleague as a politician on the Edmonton political stage, but he actually is a very dear friend of mine and of my family. So I don't think he needs them to be inbetweeners. There are other members that need inbetweeners between them and their mayors.

However, Mr. Speaker, let me be clear. I am happy that Mayor Mandel is so passionate about advanced education. As a matter of fact, I called him the same day. I asked him to call me or meet with me to discuss matters in more detail. I continue to wait for his phone call, but I'm sure we will have a good discussion shortly.

**The Speaker:** The hon. member.

**Mr. McAllister:** Mr. Speaker, thank you. I assure you I was uncomfortable with that also. I wonder, Deputy Premier, if the mayor is as good a friend as the federal immigration minister is.

Given that many postsecondary institutions and leaders are rightly telling the advanced education minister that they are not interested in this government's vision of centralization, that takes

autonomy away from postsecondary institutions, why does the minister of advanced education think that he knows how to run a postsecondary institution better than those currently doing it?

**Mr. Lukaszuk:** Well, Mr. Speaker, I don't. That is why I listened to what they have been asking the provincial government to do. For the last 10 years all of the leaders of advanced institutions have been asking this province to put in place Campus Alberta. They have been asking this government to assign roles and responsibilities for each institution within Campus Alberta, and they have been asking this province to provide them with mandate letters. We have done all of that, and now we will be working in collaboration in implementing those letters.

**The Speaker:** The hon. member.

**Mr. McAllister:** Mr. Speaker, thank you. Given that we had professors hold a press conference today saying that they're prepared and getting ready to leave Alberta because of the hand they've been dealt from this province, I just want to ask the minister: plain and simple, what is so wrong with postsecondary institutions in Alberta and the people in charge of operating them that you need to redefine what they do and, in the process, take a giant hatchet to their sector?

2:30

**Mr. Lukaszuk:** This is coming, Mr. Speaker, from the Wildrose, that wants us to cut even deeper and calls this budget not a balanced budget. How incredible is that? But you know what? They will not be leaving the province of Alberta. Even after this budget, this moderate change compared to what they would have done, Alberta's postsecondary education is still the highest funded postsecondary education system in Canada, and we will continue to grow it.

**The Speaker:** The hon. Member for Fort Saskatchewan-Vegreville, followed by Rimbey-Rocky Mountain House-Sundre.

### Market Access for Energy Resources

**Ms Fenske:** Thank you, Mr. Speaker. We've heard several times and again last week that a CIBC report was released that said that the oil pipeline constraints are costing our Canadian economy over \$50 billion over the next three years. My question is to the Minister of Energy. I'd like to know, Mr. Minister: what is the Alberta government going to do to address this?

**The Speaker:** The hon. minister.

**Mr. Hughes:** Thank you very much, Mr. Speaker. You know, this is clearly not just an Alberta challenge. It's a problem, a challenge for all Canadians. What we're doing together with the Premier and other colleagues is that we're working right across this country. Of course, the Premier is in Washington this very week to meet with leaders to help ensure that there is an open market for all of the production that we can create in this province of Alberta.

**The Speaker:** The hon. member.

**Ms Fenske:** Thank you. To the same minister. The government once again is spending advertising money in the United States. Do you really think that that's going to help access?

**Mr. Hughes:** Mr. Speaker, it's really important to get through to all of the leaders in the United States who might have input into this important decision by the President. We're all optimistic that

the President will make the right decision that will serve both American interests and Canadian interests at the same time. So we're very much looking forward to that outcome. We're prepared to invest however it takes, wherever it takes to get the right outcome for the citizens of Alberta.

**The Speaker:** The hon. member.

**Ms Fenske:** Thank you, Mr. Speaker. To the same minister. The Premier is taking another trip to Washington. What does she think she will accomplish this time that she didn't on her previous trips?

**The Speaker:** Hon. minister, we're not here to entertain what people might think. We're here to discuss policy and fact. If you can craft an answer that deals with the policy side of it, please proceed.

**Mr. Hughes:** Thank you very much, Mr. Speaker. It's clear this government has a policy of taking direct action to engage citizens, to engage leadership elsewhere. Meanwhile on the other side here we see the NDP is denying industry, the Liberals are denying bubbles, and the Wildrose denies science. Or maybe they deny science deniers. I'm not sure what it is today. [interjections] Well, you've got all of the options.

**The Speaker:** A point of order has been noted at 2:33.

#### **Carbon Tax** (continued)

**Mr. Anglin:** Mr. Speaker, in 2007 this government passed legislation in an attempt to address greenhouse gas emissions. We could have passed legislation that actually achieved measurable reductions in greenhouse gas emissions and air pollution, but that's not what we got. This government chose instead the cap and tax route, and now we learn that the cap and tax fund has been quietly collecting more than \$50 million over and above what is necessary to fund our greenhouse gas emissions programs. Why does this government think that a cap and hoard strategy will improve our air quality?

**Mr. Hughes:** Well, Mr. Speaker, it's quite clear that this member – it's not clear, actually, where this member is coming from, to tell you the truth. I would say that what we have done is that we have allocated very directly the resources that have been raised. They haven't gone into general revenues. They've been directed towards long-term technology solutions that will get to the outcome of reducing greenhouse gases and the greenhouse gas footprint in a very responsible way in this province.

**Mr. Anglin:** Given that the \$15-a-tonne carbon tax brings in about \$70 million a year and given that the fund only spends \$20 million a year, how does the minister think that hoarding money in a fund will actually improve Alberta's air quality?

**Mr. Hughes:** Mr. Speaker, more than 32 million tonnes of greenhouse gases have been reduced from business as usual. There are very specific measures that have been undertaken. More than \$181 million has been invested and committed to more than 49 projects that are clean energy projects. That's exactly how we'll get to the outcome we need to get to.

**Mr. Anglin:** Given that we now know that the minister of environment is musing about raising the carbon tax to \$40 a tonne from its current level of \$15 a tonne, my question is this: is this new extra \$25-a-tonne carbon tax just going to increase the

balance of this slush fund, or will this money be a straight up-and-down tax grab for general revenues to subsidize this government's addiction to its overspending?

**Mr. Hughes:** Well, Mr. Speaker, you can speculate all you want about what might happen in the future. What I can tell you are the facts. The facts are that there are several alternatives that are being reviewed. The facts are that industry, the federal government, and the government of Alberta are working very closely. We want to ensure that we work very closely to get the right outcome for Albertans, to ensure that we have access to markets, that we get our products to tidewater, that we get world-price revenues for the products from this province.

#### **Campground Improvements**

**Ms Pastoor:** Mr. Speaker, summer is coming, and Albertans will be anxious to take part in outdoor activities such as fishing, camping, and hiking across this province. These activities are traditions which have been enjoyed by generations and must be preserved for the future generations of this province. My question is to the Minister of Tourism, Parks and Recreation, and it is his first question in this House. Some provincial campgrounds across our province have become inaccessible due to the current size of fifth wheels, trailers, and tent trailers. This being the case, what is being done to address this?

**The Speaker:** The hon. minister.

**Dr. Starke:** Well, thank you, Mr. Speaker, and thank you for the question. We're very proud in Alberta that we have some 41,000 campsites across the province to choose from, and I can assure you that those campsites range from the rustic to the sophisticated. Those campsites are being constantly improved upon, including a \$17 billion capital and operational improvement fund this year that is going to improve the diversity and also enhance the quality of those sites. So we're looking forward to that and to being able to enjoy those sites this summer.

**The Speaker:** The hon. member.

**Ms Pastoor:** Thank you. To the same minister, although I think he's pretty much answered my question: how many new campgrounds will we be getting for that money, or will it really just be for enlarging the existing campgrounds?

**Dr. Starke:** Mr. Speaker, I've just been informed by the Treasury Board minister that I've augmented the budget by some thousand times. While I can assure you that I'm a passionate advocate for my portfolio, not even my persuasive abilities would do that much. With \$17 million, however, we intend to continue to make the kinds of improvements like we've made at Pigeon Lake provincial park and Hilliard's Bay provincial park and Lesser Slave Lake. We're very proud of those, and we encourage Albertans, regardless of the size of RV or tent or trailer they have, to get out and camp in Alberta this summer.

**Ms Pastoor:** Mr. Speaker, my next question is to the Minister of Justice and Solicitor General. Given recent cutbacks to wardens and conservation officers how does the government plan to address the problems of random camping and unruly behaviour within our recreation areas?

**Mr. Denis:** Well, Mr. Speaker, summer absolutely is coming. Last summer we went throughout Livingstone-Macleod, to Lethbridge, Medicine Hat, Crowsnest Pass, Pincher Creek, and Brocket, and in

all of these cases we talked to many different conservation officers. I'm very pleased to advise that this year we're recruiting 90 seasonal park rangers and an additional seven full-time rangers, bringing the total conservation officers on a full-time basis to 74 throughout this province.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by Edmonton-Strathcona.

### **Market Access for Energy Resources** (continued)

**Ms Blakeman:** Thanks very much, Mr. Speaker. I'd like to talk about some connected issues: the government's duty to act in the best interests of current and future Albertans to protect the environment and the economy as well as government's backward movement on Alberta's targets on greenhouse gas emission and our part of the federal commitment to reduce the level to below 2005 emission levels by the year 2020. I guess the question goes to the money man. To the Minister of Finance and Treasury Board: what is behind the government's insistence on PR-begging trips over any action that would be transformational for the operation of oil sands . . .

2:40

**The Speaker:** The hon. minister.

**Mr. Horner:** Well, Mr. Speaker, I would suggest that the question is probably better to the Energy minister because what this is all about is market access. As we have seen over the last 10, 12 months especially, market access is crippling our economy and the federal economy, Canada's economy, because we cannot get to tidewater to get what is the appropriate price for our products. Everything this government does right now is focused on making sure that we're doing the right things for Albertans. Part of that is making sure we have market access for our products, and we will do what it takes.

**The Speaker:** The hon. member.

**Ms Blakeman:** Thanks very much. Back to the same minister: given that the coal-burning power plants are the single largest emitters of greenhouse gas, why has the government done absolutely nothing to encourage transformation of this sector to a less carbon-intensive fuel? As a matter of fact, what it has done is extend the worst polluters for up to an additional 10 years. How is that helping our economy?

**Mr. Hughes:** Well, Mr. Speaker, let me take that. You know, there have been a couple of questions today which seem to be based on a completely false assumption. The carbon levy in this province has never been about raising money for general revenues. The carbon levy has historically always been about using it to reduce the greenhouse gas footprint. In fact, the question with respect to coal: there were adjustments made last year, again, in close consultation with the industry and with the government of Canada to ensure that we got to the right outcome for the long-term health of Albertans and Canadians.

**Ms Blakeman:** Okay. Then to the Energy minister: given that Siemens has just announced that they're opening a head office in Calgary – so we're hardly chasing them away – why is the government so obstinate about increasing the carbon levy to something that would be transformational? You could start anywhere. I would take 50 bucks and then phase it in at \$10 a year. But it's got to be transformational, or we are not going to get

anything happening, and we'll be sitting here 10 years from now with the same questions.

**Mr. Hughes:** Mr. Speaker, the transformation that we're creating in this province is the transformation of good, long-term economic fundamentals with a balance for environmental responsibility. Because of that, we will be successful in achieving market access for our products because we will continue to be the responsible provider of energy for America and for the rest of the world.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by Medicine Hat.

### **Support for Postsecondary Education** (continued)

**Ms Notley:** Thank you, Mr. Speaker. Last week Edmonton's mayor joined the chorus of opposition to this government's short-sighted attack on the province's flagship university and, through that, on the capital city. Now we have undergraduate students, graduate students, alumni, staff, faculty, administrators, presidents of universities, the board of governors at the U of A, and now a mayor all opposing the PC cuts to postsecondary education. To the minister. Not a single stakeholder supports you. You clearly listened to no one. Why won't you reverse your regressive cuts to our postsecondary education system?

**Mr. Lukaszuk:** Mr. Speaker, the member will have plenty of opportunity in a few days to talk to the estimates that we will be presenting for this particular ministry. You should know that we have actually increased funding for students. We have frozen tuition increases, and some additional announcements will be coming forward. However, we have made some difficult choices like every other minister on this front bench had to make in response to a suddenly changed fiscal situation for the province of Alberta. The fact is that we are working with the presidents and chairs of all institutions, as a matter of fact, in a very collaborative spirit. They will have to make some difficult decisions, but we will minimize . . .

**The Speaker:** Thank you.  
The hon. member.

**Ms Notley:** Well, thank you, Mr. Speaker. Given that the minister's mandate letters, conveniently released at the very beginning of our break, have been met with a unified chorus of condemnation and given that these new mandates will erode academic independence, our international reputation, and overall educational quality, will the minister admit he doesn't understand postsecondary education, he's not equipped to lead this sector, and that it's time to tear up his mandate letters and start over?

**Mr. Lukaszuk:** Mr. Speaker, the member is wrong again. As a matter of fact, there are chairs and presidents of postsecondary institutions that have already responded in writing very positively towards the letters.

She should also know that the content of those letters is not drafted by me but actually is a collaboration of suggestions from Campus Alberta dialogues that took place over the last number of years. Lastly, Mr. Speaker, they're not very prescriptive. Right now each postsecondary institution has the opportunity to modify their letter, to find their perfect spot within Campus Alberta, and we will be negotiating that back and forth until we find a situation where every single school is satisfied with their letter.

**Ms Notley:** Well, Mr. Speaker, given that in her leadership run



the Premier said that, quote, when times are tough, that is when you should invest in postsecondary education, end quote, and given that real leadership does indeed mean investing in education and, coincidentally, keeping your promises, will the Deputy Premier admit that his cuts to advanced education mean that his government understands neither leadership nor the concept of keeping your promises?

**Mr. Lukaszuk:** Mr. Speaker, what this government will do is make sure that we find as much collaboration as possible without in any way affecting the academic independence of all of our 26 schools. We will make sure that we have a strong Campus Alberta, we will make sure that we provide the best services possible to our students, we will make sure that we will increase the voice of students in the decision-making process, we will make sure that we will not increase students' tuition until we can look them straight in the eyes and say that we are running an efficient process, and we will make sure that postsecondary education will be the driver of our economic growth in this province.

**The Speaker:** The hon. Member for Medicine Hat, followed by Calgary-Fort.

**Mr. Mason:** Point of order, Mr. Speaker.

**The Speaker:** A point of order has been raised by the Member for Edmonton-Highlands-Norwood at 2:47. Noted.

#### Compensation for Pharmacy Services

*(continued)*

**Mr. Pedersen:** Thank you, Mr. Speaker. Once again this PC government has failed Albertans with their incredibly misguided and mismanaged approach to health care. As a direct result of cuts a vital community pharmacy in Medicine Hat is closing its doors. This is just one more black mark on the record of this Health minister, who's proven time and time again that he is incapable of competently doing his job. To the Minister of Health: how can you honestly tell Albertans that pharmacies closing their doors improves their quality of care?

**Mr. Horne:** Well, Mr. Speaker, given that the reduction in generic prices hasn't even occurred yet, I'm at a loss to explain the hon. member's contention that the policies of this government are forcing the closure of that business.

The fact is – and the hon. member should know this – that this government has poured over \$95 million over the last few years into financial support for pharmacists across the province, particularly in rural and remote areas, as generic prices have been gradually reduced. He should also know and appreciate that pharmacists across this province are supporting the evolution of a pharmacy services framework that pays them for their services.

**Mr. Pedersen:** Given that pharmacists across Alberta are actually saying that they cannot operate under this government's new framework and are going so far as to protest on the steps of this Legislature, will the minister end his campaign of misinformation and be honest with Albertans about the damage these changes will cause?

**Mr. Horne:** Well, Mr. Speaker, what would be honest is an acknowledgement of the fact that this government has done more than any other in the country to support pharmacists to become full partners in a health care team that's delivering quality services

to Albertans. It's amazing to us how at one moment the opposition can claim to be holding the domain on the interests of taxpayers in the province at a time when we're lowering generic drug prices to the best in the country and at the same time oppose the same move based on information that isn't even accurate.

**Mr. Pedersen:** Given that pharmacies are closing their doors and Albertans are suffering because of this minister's mismanagement, will he agree right now to cancel his drastic funding cuts and actually consult with Alberta's pharmacists before making any more heavy-handed moves?

**Mr. Horne:** Well, Mr. Speaker, as we used to say to another party, I guess we'll have to wait to figure out if it's a saving day or a spending day, but I will tell you this: this government has consulted more with pharmacists than any other government in the country that I'm aware of in the development of a model that they have asked for to allow them to provide the services that they're trained to provide, to pay them to provide those services, and in the transition to support them in their businesses. We've done that, and we'll continue to do that.

**The Speaker:** The hon. Member for Calgary-Fort, followed by Livingstone-Macleod.

#### Community Safety

**Mr. Cao:** Well, thank you, Mr. Speaker. Community safety is very important for the quality of life of Albertans. Our constituents were very happy when they heard the Minister of Justice in his news release from last year say: "It's important that we provide them with the support they need to help put an end to gang activity." But now they are very worried about the fact that the safer communities and neighbourhoods, or SCAN, program has been terminated in the provincial budget. My question is to the hon. minister. Can the minister explain to my constituent your talk about community safety and your walk in the budget?

2:50

**Mr. Denis:** Well, Mr. Speaker, as a long-time parliamentarian in this House I'm sure that this member recalls that these grants were limited on a three-year basis. They were designed to break down silos in the various ministries, and they have succeeded. We will continue to honour the grants that are in their existing place, but as a result of budgetary reductions we have had to eliminate the grants on a go-forward basis.

I would also point this member to the civil forfeiture fund, which seizes assets from the proceeds of crime and gives them to organizations such as those people. Perhaps your constituent may want to apply for a civil forfeiture grant for his or her organization.

**The Speaker:** The hon. member.

**Mr. Cao:** Thank you, Mr. Speaker. My question is to the same hon. minister. Given that some community safety projects or pilot projects are going to be terminated, can the effective SCAN program be continued? If not, how can you help the safety of vulnerable neighbourhoods where my constituents live?

**Mr. Denis:** Mr. Speaker, even though the budget of Justice and Solicitor General has received an 8 per cent reduction – and we will be talking about that over the next couple of days – I'm very proud that we have not cut one police officer, we've increased the number of judges by two, and we have not cut one Crown prosecutor. In addition, the new police officer grant, or NPOG, is

going to be continued for at least one more year. That adds 300 new police officers on the street. That was started by the Premier when she was Justice minister, and that includes 123 police officers in your hometown of Calgary.

**The Speaker:** The hon. member.

**Mr. Cao:** Thank you, Mr. Speaker. To the same hon. minister: given that community safety is related to some of the public consultation that you have launched on grow ops, why don't you just control or register the purchases of equipment and fertilizer that are also used in grow ops, similar to the controls on pawn shops and spray paint canisters?

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you very much, Mr. Speaker. That's actually the first time I've heard an idea like that, and I would welcome the member to become part of our consultation. You can go to Grow Op Free Alberta on the Justice department's website at alberta.ca and provide your information until the end of May. This is why we have a consultation. We want to listen to the views of Albertans and not just simply put in legislation.

**The Speaker:** The hon. Member for Livingstone-Macleod, followed by Calgary-Hawkwood.

#### South Saskatchewan Regional Plan

**Mr. Stier:** Thank you, Mr. Speaker. Residents in southern Alberta are concerned over the government's centralized regional planning under the Alberta Land Stewardship Act. Municipalities, land-owners, and business owners continue to be in limbo as they prepare to see the final draft of the South Saskatchewan regional plan, and now almost 9,000 Albertans have signed a petition against the plan. With this massive concern resonating among Albertans across southern Alberta, will the minister commit to revisit with the advisory council before they make their first draft on this imposed plan to ensure these voices are heard?

**Mr. Hughes:** Mr. Speaker, I'm pleased to take that question on behalf of my colleague the Minister of ESRD. In fact, this comes after a couple of years of consultations. The regional advisory committee consultations and consultations throughout the south have taken place. I would encourage the hon. member and all Albertans to approach this matter in good faith and see how we can create the best possible land-use structure that we can imagine in southern Alberta.

**The Speaker:** The hon. member.

**Mr. Stier:** Well, thank you. We didn't hear whether he's going to meet with the regional advisory council again.

Anyway, to the Minister of Municipal Affairs: given that the Alberta Association of Municipal Districts and Counties is warning against the dangers of forced regionalization on local communities, why does the province insist on forcing municipalities to accept the province's plan instead of working for the best interest of their communities?

**The Speaker:** The hon. minister.

**Mr. Griffiths:** Thank you very much, Mr. Speaker. I appreciate the question. I am fully aware that the AAMD and C has indicated that they don't believe forced co-operation means success, but neither does allowing municipalities to not talk to each other

encourage any sort of agreement or managing proper planning. I'm simply encouraging that all municipalities come together within the region and come up with a sound plan that ensures strong growth, that ensures agriculture is still viable, that we protect the environment, that we build buildings where they're supposed to be, that we put industry where it's supposed to be, not just for the sake of us but for the sake of the next generation.

**The Speaker:** The hon. member.

**Mr. Stier:** Thank you, Mr. Speaker. Well, we'll try it again, then. To the Finance minister: given that the province spent \$21 million or more in compensation under the lower Athabasca regional plan, what budget does the minister have in mind for compensating the businesses and landowners whose lands will be impacted by the South Saskatchewan regional plan?

**Mr. Hughes:** Mr. Speaker, you know, this kind of highly speculative, provocative allegation is not really helpful to helping people understand what's really going on here. I would encourage the hon. member to participate in the process, engage in the process in a constructive way and in a way that is well informed.

**The Speaker:** The hon. Member for Calgary-Hawkwood, followed by Cypress-Medicine Hat.

#### Grandparent Access to Grandchildren

**Mr. Luan:** Thank you, Mr. Speaker. Currently there is an unfortunate situation that exists in our province, where many children have difficulty accessing or being visited by their grandparents because of parental conflict. However, research has shown that having grandparent support is crucial to healthy child development. To the Minister of Justice and Solicitor General. The province of Manitoba has recently established the grand relations strategy, which successfully addresses problems and has gained some international recognition. Will you consider adopting such a program in Alberta?

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you very much, Mr. Speaker. I welcome this question from this hon. member. I think any one of us has had a strong relationship with our grandparents in our younger years, as I did with my grandfather, and I think it's very important. He references the grand relations strategy in Manitoba. Alberta grandparents may access assistance through family justice services, which offers to assist family law litigants in a resolution prior to court involvement. Of course, court is available, but that is only the last strategy because it can become very expensive, especially with all of the legal fees involved.

**The Speaker:** The hon. member.

**Mr. Luan:** Thank you, Mr. Speaker. Again to the same minister: will you consider establishing a unified family court system which gives proper consideration for grandparent access?

**Mr. Denis:** Mr. Speaker, I'm aware that there was a unified family court task force in about 2004, two or three Legislatures ago. This isn't something that we are looking at right now. I am aware that other jurisdictions have these types of court systems. We have looked at other jurisdictions to weigh the pros and cons and determined this wasn't the best way to proceed after we looked at that task force. This decision was made with input from

the courts and all Albertans. I believe it was the former Member for Calgary-Lougheed who handled that.

**The Speaker:** The hon. member.

**Mr. Luan:** Thank you, Mr. Speaker. The last question is to the same minister. Will you amend the Alberta Family Law Act, section 35(3), which makes it difficult if not impossible for grandparents to access grandchildren?

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you again, Mr. Speaker. Most grandparents will never need to go to court to have contact with their grandchildren, and we want to maintain that status quo. But for those who unfortunately do, Alberta's Family Law Act balances the best interests of the children and the best interests of parents and grandparents in a reasonable manner.

Grandparents are important to me. I think they're important to everyone else here. I look forward to discussing these issues with this member. I look forward to talking to you after the session is done.

**The Speaker:** The hon. Member for Cypress-Medicine Hat, followed by Calgary-Varsity.

### Federal Building Renovations

**Mr. Barnes:** Thank you, Mr. Speaker. The Minister of Infrastructure recently made comments to the *Calgary Herald* that require some explanation. Regarding \$360 million for palatial MLA offices he said: "A lot of people are criticizing it now, but wait until the grand opening. Everybody will be proud of what we have there and it will be a jewel." To the Minister of Infrastructure: given that this government recently gave itself an 8 per cent pay raise and we are facing a 5 and a half billion dollar deficit, doesn't this government think it has done enough to siphon from taxpayers and future generations?

**Mr. Drysdale:** Mr. Speaker, aside from all of the points he made that weren't true, I will comment on the federal building. To stop building that project right now, we'll have spent \$330 million and have nothing for it. There's \$20 million left, and the project will be finished. It would be irresponsible with the taxpayers' dollars to stop building that project.

**Mr. Barnes:** You guys sure like expensive jewellery.

Given that perhaps congratulations are in order for not incurring another massive billion dollar cost overrun like the south campus Calgary hospital, will this minister tell Albertans whether this government has entered into a cost-plus contract with no ceiling to protect taxpayers from those costs rising again beyond this incredible \$75 million it's already over?

3:00

**Mr. Drysdale:** Well, Mr. Speaker, the project was originally budgeted at \$356 million. When it was put out for tender, at a time when construction companies weren't busy, the bids came in lower, so the estimate was reduced. Once you start a project of that size, rebuilding, and get in there, the engineers found concerns that they had to address, and it dragged the project out longer and cost more. Dragging it out increased the budget.

**Mr. Barnes:** Sounds like some interesting planning.

Given that this government has said that it has a prioritized infrastructure spending list but has refused to provide it, can the

minister explain, please, how lush MLA and bureaucratic offices are more important on your priority list than schools, hospitals, and roads?

**Mr. Drysdale:** Well, Mr. Speaker, here we go again misleading the public. There will be 50 MLAs in there, including the opposition. [interjections] There will be spaces for 600 people in that building, so 50 MLAs out of 600. I find it also surprising . . . [interjections]

**The Speaker:** Just about made it, didn't we? Could we please have some restoration of decorum and let the minister answer the question, which you yourselves asked?

**Mr. Drysdale:** Thank you, Mr. Speaker. I also find it quite surprising that the members opposite last year were complaining about their offices in the Annex, wanting us to spend more money, that they weren't good enough, Mr. Speaker. [interjections]

**The Speaker:** Hon. members . . . [interjections]. Hon. members, honourable and even some of you who may not feel so honourable today, please. A point of order has been raised by the Member for Airdrie at 3:02 in response to the final answer here, prompted, I'm sure, by some wonderful comments from this side. We'll hear that point of order shortly.

In the meantime it's just past 3 o'clock, and I'll have to recognize the Government House Leader first.

**Mr. Hancock:** Thank you, Mr. Speaker. In view of the comments this afternoon relative to the passing of Premier Ralph Klein and the undeniable fact that I do tend to go on too long, I would ask the indulgence of colleagues in the House to waive Standing Order 7(7) and allow us to continue past 3 p.m. to complete the Routine.

**The Speaker:** Hon. members, 7(7), of course, requires us to give unanimous consent to carry on with the Routine, including Members' Statements. I will ask one question. Does anybody object to us continuing on in order to conclude our Routine for the day?

[Unanimous consent granted]

### Members' Statements

**The Speaker:** The hon. Member for Edmonton-Decore.

### 50th Anniversary of CapitalCare

**Mrs. Sarich:** Thank you, Mr. Speaker. I rose earlier to introduce and warmly welcome to the Alberta Legislature nine guests from CapitalCare. It is my honour and pleasure to rise again to recognize this remarkable organization for on April 1 they celebrated with pride 50 years of innovative continuing care and service to Alberta's most valued resource, which is people. On April 1, 1963, CapitalCare began operations at Norwood annex, located at the Royal Alexandra hospital, with 72 beds. This section of the hospital was built in 1947 and was known as the south pavilion. It was Alberta's first publicly owned long-term care centre. South pavilion today is known as the CapitalCare CHOICE Norwood, Canada's first stand-alone day centre for the frail elderly living in the community.

Mr. Speaker, since 1963 CapitalCare has evolved to become the largest publicly funded continuing care organization in Canada. This organization administers western Canada's first continuing care research unit, which specializes in assessment, customer care,

and innovative service delivery options to continuing care communities across Canada. A few additional milestone achievements over the years included the establishment of the CapitalCare Foundation in 1989 to fund raise for enhancements beyond government funding and the Kipnes Centre for Veterans in 2005. Also, it should be noted that CapitalCare is a wholly owned subsidiary of Alberta Health Services.

The organization has over 2,700 dedicated allied professionals who provide care and services to more than 1,400 elderly and disabled adults through 11 care centres and day programs around Edmonton and Sherwood Park. An example of a care centre located in my constituency of Edmonton-Decore is CapitalCare Dickinsfield, which has 275 continuing care beds and provides support services to McConnell Place North, adjacent to Dickinsfield, and operates the young adult day support program. *Mr. Speaker, CapitalCare's new motto, Putting People First, truly exemplifies an organization which over the past 50 years has concentrated on cultivating a person-centred social model of care which is responsive to meet the needs of our diverse population.*

*I would like to offer my heartfelt congratulations and sincere appreciation to all those past and present who have contributed to CapitalCare's 50 years of compassionate care and outstanding service to Alberta's frail, elderly, and disabled people, including their families.*

*Thank you, Mr. Speaker.\**

#### **Mr. Ralph P. Klein, OC, AOE**

**Mr. Anderson:** Mr. Speaker, when I lose someone I love and admire, I find comfort and peace in pondering how that person has touched and affected my life for good. Many Albertans have fond personal stories about our friend Ralph Klein, and I'm now different.

After Ralph left politics, he took a position at the law firm BLG in Calgary. I was just a first-year associate at the time, a nobody by the world's standards. Ralph, of course, didn't care about that. He took the time to talk with me and even counselled me on my nomination campaign. He even wrote a very, very kind reference. For me, it was like getting hockey tips from Wayne Gretzky. But that was Ralph. He didn't care who you were or what your position was. He just treated you like a long-time friend regardless.

Over the last week I realized that my emotions at Ralph's passing were not just because of how he treated me personally. It was much more than that. I realized that more than any other person it was Ralph who made me proud to be Albertan. It was under Ralph's leadership that our province went from economic slouch to economic powerhouse. We went from crushing debt to being debt free. We went from a place where our children would leave for opportunities elsewhere to becoming a beacon of prosperity, attracting the best and brightest from all over the world. The Alberta advantage was built under Ralph.

But it wasn't just the substance; it was also the style. He wasn't afraid to be different. He wasn't afraid of saying what needed to be said or to do what needed to be done just because it may not have been politically correct. He gave us courage, he gave us swagger, but he also showed us humility and compassion. He made us feel like our province could do anything, and thanks to him I believe we still can.

Many of us believe that after we leave this life for the next, we will be judged by how we treated others, by what we gave, by how we served our fellow man. If this is true, then Ralph Klein today has become a king. Thank you, Ralph, and please keep watching out for us down here.

**The Speaker:** The hon. Member for Stony Plain.

#### **Holocaust Memorial Day**

**Mr. Lemke:** Thank you, Mr. Speaker. Several years ago I visited the Dachau concentration camp. It left a profound impression on me, so it is with great empathy, compassion, and humility that I rise today in commemoration of Yom ha-Shoah, also known as Holocaust Memorial Day. Many of us, including you, Mr. Speaker, attended the memorial ceremony today at the Leg.

Each year, in accordance with the Jewish lunar calendar, the global community recognizes and pays tribute to the brave individuals who needlessly lost their lives in one of the worst atrocities of all time, the Holocaust. Over the course of World War II more than 6 million Jewish men, women, and children unjustifiably lost their lives at the hands of an oppressive Nazi regime.

Mr. Speaker, it is truly impossible for anyone to imagine the unfathomable suffering and pain of those who endured this catastrophe, and unfortunately while the emotional scars of those who lived through this genocide may never heal, we as part of the global community must do our part to learn from the tragedies of the past, never allowing them to occur again. Ensuring this, of course, is easier said than done but is essential for the progression of humanity and a peaceful future. We all have a part to play in making our world a better place to live, assisting those who are indefensibly oppressed and discriminated against.

**3:10**

In saying this, I would like to quote the words of Elie Wiesel, Holocaust survivor:

I swore never to be silent whenever and wherever human beings endure suffering and humiliation. We must always take sides. Neutrality helps the oppressor, never the victim. Silence encourages the tormentor, never the tormented.

Keeping in mind the wise words of Mr. Wiesel, let us strive to be stewards of justice and righteousness within our own communities and globally. Lest we forget, may we always keep in our thoughts and prayers those affected by the Holocaust and other mass genocides.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Riverview.

#### **Baroness Margaret Thatcher**

**Mr. Young:** Thank you, Mr. Speaker. Sadly, we mark the passing of a truly remarkable woman, one who, in her rise to lead one of the world's great nations, helped to champion responsible government. Of course, I'm referring to the former British Prime Minister, Margaret Thatcher.

Because of her indomitable spirit and strong-willed convictions, she earned the moniker of Iron Lady. Indeed, Mr. Speaker, Baroness Thatcher served as an exemplar of effective leadership and political vision because of her ability to remain steadfast in the face of adversity. She applied that leadership in her incomparable work and in lending her voice to democratic values and economic freedom. Her vision for the United Kingdom propelled its people to a fresh success and prosperity.

Baroness Thatcher was no stranger to controversy. Such is the nature of uncommonly talented and determined public individuals. It cannot be denied that those who are privileged to have served her, whether directly in the United Kingdom or indirectly throughout the Commonwealth and across the globe, have much to be thankful for.

\*The text in italics exceeded the time limit and was not read in the House.

Baroness Thatcher served the people of the United Kingdom from 1979 to 1990, a remarkable 11 years. That decade saw the United Kingdom's GDP increase by over 23 per cent and also saw a period of international upheaval. Because of Baroness Thatcher's strong-willed leadership and sense of purpose the United Kingdom and the Commonwealth, indeed the world were able to weather the storm of the transformational period of international relations. Baroness Thatcher's legacy continues to live in today's age. I have every confidence that the Commonwealth will feel the reverberations of one of the U.K.'s most iconic prime ministers well into the future.

I'll read one of her quotes. "Look at a day when you are supremely satisfied at the end. It's not a day when you lounge around doing nothing; it's [a day] when you had everything to do and you've done it." Mr. Speaker, Margaret Thatcher had a lot to do in her life, and she got it done.

**The Speaker:** The hon. Member for Lesser Slave Lake.

### FireSmart Program

**Ms Calahasen:** Thank you, Mr. Speaker. In the fall of 2012 the regional tri-council of Slave Lake examined the details of a FireSmart plan from the FireSmart Regional Action Team. The goal of the FireSmart plan is to minimize unwanted and harmful effects of wildfire while also recognizing the important ecological role wildfires play in a healthy landscape.

At present FireSmart's plans and accomplishments include vegetation management, also known as fuel modification, equipment purchases as well as some public education. Municipal councillors have received input from constituents expressing concern that certain recovery programs included in the plan have been underfunded and that the \$20 million allocated to FireSmart could be distributed more effectively with more educational promotion of what is occurring with the clear-cutting of all the trees and where the funds are spent and why. It has been suggested that a fruitful alternative method of fire prevention and control could be to implement education and incentive programs for private landowners.

A recent survey of high-risk properties found that only 1 per cent had taken steps to reduce vulnerability to wildfire. A program of education and incentive could help to inform and encourage landowners to undertake fuel reduction on their property in order to prevent the accidental spread of wildfires. The active engagement of private landowners has potential to maximize the efficiency of allocated funds and to ensure the success of FireSmart in protecting communities from property damage.

I am encouraged, however, Mr. Speaker, to know that the discussion on the role FireSmart will play in protecting communities against wildfires is ongoing, and I am confident that a transparent and effective program can be implemented with full education data to help all constituents deal with any devastation.

Thank you.

**The Speaker:** The hon. Member for Calgary-Mountain View.

### Child Poverty

**Dr. Swann:** Thank you very much, Mr. Speaker. *My Name is Today*: this famous poem powerfully expresses the urgency and importance of providing critical opportunities now for the province's poor children. Ninety-one thousand children, including First Nations, today and each day lose ground in their physical and mental health, learning and behaviour problems, and failure to

reach their potential as a result of this government's failure to invest in our most valuable resource, our children.

One year ago the Premier promised to end child poverty in five years. It's appropriate, then, to ask: what has happened over this past year? What is the plan? How are we progressing on the now four-year plan? The social policy framework, filled with high-sounding principles, shows no sign that it will be backed up with substantial resources. Yes, people in poverty by definition need more resources: resources for basic needs, for school programs, for nonprofit organizations that provide critical support to our most vulnerable. Many plans have been touted over the years without significant resources or substantial results. Rather, we see every indication of increased burdens of mental illness, learning deficits, and social problems as a result of this mean-spirited short-term financial planning.

Let's talk about the facts proposed in the budget: no increase in supports for independence, in fact a 16 per cent cut in relation to employment supports, a further 18 per cent cut in career development skills, over \$80 million in cuts proposed this year. Public education reductions also mean more disadvantaged children will have less chance of success in achieving essential education, social, and life skills. Child care supports: reduced by 7 per cent. Funding to nongovernment organizations reduced, the very organizations that support and enable families and vulnerable children to find stability and a measure of well-being. No increase in FCSS, which provides preventative supports. Far from moving ahead on issues like lunch programs, children and families are not on a livable income.

It's time for the Premier and the Human Services minister to honour their promises and reverse the cuts and provide support for our most vulnerable.

**The Speaker:** Thank you, hon. member.

Hon. members, before we proceed on, I wonder if we could just take a moment and extend our collective congratulations to one of our members, who was first elected on this day back in 2002 and went on to be re-elected in '04, '08, and, I believe, in '12. Of course, I would be referring to the Member for Battle River-Wainwright, the hon. Minister of Municipal Affairs. Congratulations.

### Tabling Returns and Reports

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview or someone on behalf of.

**Mr. Eggen:** Yes. Thank you, Mr. Speaker. I would like to table the appropriate number of copies of 50 submissions from Albertans to the Premier which were received by the office of the Member for Edmonton-Beverly-Clareview. They call on the Premier to honour her government's promise to Albertans not to evict some of Alberta's most vulnerable citizens from their home in Red Deer's Michener Centre.

Thank you.

**The Speaker:** The hon. Member for Calgary-Buffalo, followed by Calgary-Mountain View.

**Mr. Hehr:** Thank you, Mr. Speaker. I have three tablings today. My first is from my friend Mr. Ron Theaker on digital solar heat. His company is avidly working on not only bringing in solar and other mechanisms to reduce our greenhouse gas impacts but also on having viable solutions for the Marthas and Henrys out there in Alberta who want to reduce their emissions as well as provide heating to their houses. He's written a very interesting article. He does need some changes from the government to see that this is

incentivized correctly, but in my view it is worth a read, and I have sent a copy to the minister.

My second tabling is from a pharmacist who owns and operates Beacon Pharmacy in my community, Mr. Richard Rego. He's highly concerned about the changes and the nature and scope and the effect they will have on his practice and his ability to provide service to local constituents of Calgary-Buffalo.

My final tabling is from my good friend Ms Dariel Bateman, who has sent me an e-mail in regard to the recent changes to postsecondary institutions in terms of funding as well as, seemingly, the direction of a move to Campus Alberta. In Ms Bateman's view, one that I support, she says that she believes "very strongly that universities do not exist, as their primary function, to be trade schools, and prepare students to be employable and marketable." It is to get them educated.

Thank you very much, Mr. Speaker.

3:20

**The Speaker:** Thank you.

I have Calgary-Mountain View next, but would you mind if we went to the Leader of the Official Opposition quickly? Then we'll come back to you and then Medicine Hat.

**Ms Smith:** Thank you, Mr. Speaker. I made reference to two documents in my questions today. One is a copy of the ad for the \$400,000 ad campaign that the government is doing on pharmacy.

The second is Summary of Changes to the Alberta Drug Benefit List, effective April 1, 2013. I invite all members to take a look at the drugs that are no longer going to be covered as a result of the Health minister's changes to generic drug plans.

**The Speaker:** Thank you.

Calgary-Mountain View, followed by Medicine Hat.

**Dr. Swann:** Thanks, Mr. Speaker. I have several tablings: eight citizens expressing deep concern about the closure of the Michener Centre, with the appropriate number of copies; a number of individuals and pharmacists writing with great consternation about the dramatic and poorly planned changes to pharmacy operations in the province; and the appropriate number of copies of a press release from the Alberta Federation of Labour entitled Redford Reneges on Farm Worker Safety, failing to enact any legislation in relation to the Occupational Health and Safety Act.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Medicine Hat.

**Mr. Pedersen:** Thank you, Mr. Speaker. I have one tabling today. It's a letter which I used to present my questions today to the Minister of Health. It was dated April 4, 2013. A copy was sent to the Minister of Health, so I know he has it. Basically, it's commenting on the fact that pharmacies are struggling with the current framework that has been imposed by government and that the changes that they are imposing on pharmacists against what their traditional work used to be are not augmenting or supplementing their income. I have the requisite copies.

**The Speaker:** Thank you.

Are there others? In that case, it's my pleasure to table pursuant to section 5(1) of the Property Rights Advocate Act five copies of the Property Rights Advocate office annual report.

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following

document was deposited with the office of the Clerk: on behalf of the hon. Mr. Campbell, Minister of Aboriginal Relations, pursuant to the Metis Settlements Act the Metis Settlements Appeal Tribunal annual report 2012.

**The Speaker:** Thank you.

I believe we have some points of order to deal with, starting with the hon. Member for Airdrie. Please proceed with your citation and your point of order.

### Point of Order Factual Accuracy

**Mr. Anderson:** Thank you, Mr. Speaker. I think we called four on our side. We can split them into two groups if you want for efficiency's sake.

In the first I would refer to Standing Order 23, in particular (h) and (i), which says that members shall be called to order when they make "allegations against another Member," impute "false or unavowed motives to another Member," or (j) use "abusive or insulting language of a nature likely to create disorder." This is the third time we've stood on this, and we'll stand continually on your initial ruling on this, which was, after a clarification last time, that the matter had been settled.

It's referring to several references on that side to the Leader of the Official Opposition and perhaps others as being climate change deniers. We have been very clear in this Assembly. We've talked about it many times, and you, of course, did find that the matter had been clarified and settled, but I'm always happy to have the opportunity to clarify once again for the other side so that they know that they have an ally on this and that they know that they don't have to continue to cast false and unavowed motives across the way. This is a good exercise in that regard.

I'll repeat for them and make it very clear that our position is and always has been that our province must take responsible action to reduce our CO<sub>2</sub> emissions. Not only does this make good business sense as our largest customers from around the world are demanding that we do so if we want to continue selling our energy to them, but it is important that we cautiously conserve our resources and planet for ourselves and for future generations.

Although there are billions being spent each year researching, of course, how fast the climate is changing, how much of that change is attributable to mankind, and what we can best do to adapt to that climate change – and that's what the member was referring to in the last election, by the way – there is a general agreement that we should do what we can to reduce our human footprint, whether that be less CO<sub>2</sub> emissions, better water conservation, or better land stewardship. It is also quite settled that CO<sub>2</sub> is a greenhouse gas and that pouring millions of tonnes of it into the atmosphere is likely to have an effect on the climate. Granted, we do not yet fully understand what that affect is or how fast it is affecting us – and, frustratingly, there is a lot of conflicting information in this regard – but that doesn't stop the impetus or end the impetus to act.

Again, Mr. Speaker, this is now the third time you've said that this is settled, that this is clarified. We all know that calling somebody a climate change denier is a very disparaging term. It's been made a disparaging term. Of course, it alludes to other things, other things that have been denied in the past despite their being in front of us and makes it sound like we're denying that CO<sub>2</sub> is a greenhouse gas or denying that we should decrease our CO<sub>2</sub> footprint. That has never been said on this side, and I'm glad we've been able to clarify that for the members opposite. I would ask that they refrain from, in the future, standing up and calling us

climate change deniers or anything of the like, and we can start debating policy instead of where our positions are on these things.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Well, thank you, Mr. Speaker. It is always refreshing to hear the hon. member get up and talk about their new position because during the election, of course, it was clear that the quote from the hon. leader was: “We have always said the science isn’t settled and we need to continue to monitor the debate,” from April 16, 2012. From April 19, 2012: “There is still a debate [in the scientific community]. I will continue to watch the debate in the scientific community.”

The reality, Mr. Speaker, is that the public of Alberta will want to know that, in fact, the hon. members opposite are onside with this government in trying to assure the world that there is no jurisdiction in the world that is more conscious of its environment than this jurisdiction. We’d like to have them onside with that. We’re pleased that they’re saying that. We’re concerned that they continue to say, taking the advice of a nationally known conservative, that they should not let their true feelings be known because it might embarrass them.

**The Speaker:** Hon. members, this reminded me of some previous – there are no other speakers to this point of order, are there? Very good.

We’ve dealt with this before. In fact, it was most recently dealt with by my Deputy Speaker on March 20, I believe, where the same allegation was being made and the same factual accuracy points were described, and it’s all to do with use of the term “climate change deniers.” Let me say this. Let’s put an end to that term in this House. It’s had its mileage, and it’s been used on this side to some effect. It’s been used on this side to their effect, and it’s just time to move on and get on with some choice of new words. So let that stand as a ruling on that point for now, and I won’t take up more of the House’s time.

I believe, hon. Member for Airdrie, that actually addresses both the points of order you had with respect to this matter.

**Mr. Anderson:** With respect to that matter. I have one more.

**The Speaker:** Okay. Let me see now. We’re moving on to another point of order now. On my list that would be the hon. Member for Airdrie again, please.

**Mr. Anderson:** Thank you, Mr. Speaker. This is again the same citation, 23(h), (i), and (j). There was a very . . .

**The Speaker:** I’m sorry, hon. member. Just in terms of my own protocol here, I have you down as another point of order with the Minister of Energy, but I believe that’s been addressed just now.

**Mr. Anderson:** That’s right. That has been addressed.

3:30

**The Speaker:** In that case, I must go to the next point of order, which factually is the leader of the New Democratic opposition. On his behalf the hon. Member for Edmonton-Calder.

#### Point of Order Imputing Motives

**Mr. Eggen:** Yes. Thank you, Mr. Speaker. I rise to seek some clarification on an issue that the Deputy Premier brought up during an exchange between the leader of the New Democrats and

himself. I’m citing the standing orders, section 23(h) and (i) and (j). The Deputy Premier was making comments, and I realize that perhaps he was using a rhetorical flourish in using sort of groups of three to try to aim at all of the opposition here, but in his rhetorical flourish in regard to ourselves, the New Democrats, he I think said something in regard to denying industry. [interjection] Yes. Perhaps he was slipping up on this other card that he was using about carbon or other denials, that he was using before.

The point is that you cannot do so and make these inferences about our policy in regard to the energy industry without, in fact, using some degree of accuracy. We have always been great defenders of our oil and gas industry. Of course, it is the backbone of our economy, where it employs thousands and thousands of people across this province. But we also have made sure that we are stewards of our industry as well and stewards of nonrenewable resources, Mr. Speaker.

The issue that seems to be capturing the attention of the day in regard to our oil and gas industry now, of course, is the export of bitumen across our borders to other jurisdictions, other countries around the world. We have taken a very firm position that we need to ensure that we are upgrading those resources whenever possible to ensure the maximum value of that raw material, to then export that for sale across our country and, indeed, around the world.

This idea of denying industry: I think it’s almost as though when you are trying to pull the wool over one’s eyes, Mr. Speaker, and, in fact, have a policy where you are denying industry, where you are trying to ship the rawest material possible at the cheapest price to another place for them to make that advantage of industry in the United States or in China or wherever that bitumen happens to be upgraded, if you’re trying to perhaps do that, you complain the most loudly about that very thing towards other people.

You can rest assured, Mr. Speaker, that we are very interested in the health of our oil and gas industry, in developing the maximum return for our oil and gas and, in fact, for processing bitumen here in the province of Alberta so that we can take that value-added material and sell it elsewhere across the country and around the world. So this idea of denying industry is completely fabricated. As I say, sometimes you try to yell the loudest when, in fact, you are the one who is guilty of that very same issue.

**The Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I think perhaps those last comments actually speak the loudest. It’s rather interesting in this House that if you’re on the opposition side asking a question, it’s all right to rephrase government policy in whatever light you might want to make it so that you can raise your question and try and show the government in a bad light, but if government replies and points out some of the inconsistencies in your own policies, in your own direction, in your own speaking, that somehow is a subject that we should debate under standing orders. Actually, clarification of policy can be done outside the House. If people feel that their policies have been mishandled inside the House in a question, I don’t think that’s really a point of order. It could be called a clarification, but it’s really most appropriately called a waste of the House’s time.

What we really should do is recognize the fact – and on all sides of the House perhaps it would be wonderful from a parliamentary perspective – that if the opposition quits twisting government’s policies to make them sound devilish, then government members in responding might quit having to try and respond to that and trying to rephrase what the opposition’s position is.

**The Speaker:** I don’t see any other speakers.

Let me just go back quickly on this point. At approximately 2:33 p.m. the hon. Minister of Energy said this: "Thank you very much, Mr. Speaker. It's clear this government has a policy of taking direct action to engage citizens, to engage leadership elsewhere. Meanwhile on the other side here we see the NDP is denying industry." And he goes on. I don't know what it is that the minister might have thought the NDP was denying industry, but nonetheless that is what he said.

Now, I should also just remind all members that as Speaker we don't have the power to control what gets said or how it gets said. We are more often in the reactive mode of having to bring members to order if they've said something inappropriate that has violated a rule. In fact, if you go to page 510 of I believe it's *House of Commons Procedure and Practice* it says:

The Speaker, however, is not responsible for the quality or content of replies to questions. In most instances, when a point of order or a question of privilege has been raised in regard to a response to an oral question, the Speaker has ruled that the matter is a disagreement among Members over the facts surrounding the issue. As such, these matters are more a question of debate and do not constitute a breach of the rules or of privilege.

So we have it again as we've had on many, many occasions. Sometimes we have heard comments about two versions of the same situation having to be accepted by the House because one member saw it one way, another member saw it another, and I think that is probably the case here again.

But I am going to pay even closer attention to how some of the answers are being answered and how some of the questions are being phrased given what both members have just said, one from the ND and one from the government side, because we've got to get a higher level than trying to twist each other's words to suit our particular fancy for that particular day on that particular issue. Surely to heavens we've realized that by now. We're coming up to our first-year anniversary, so I don't consider anyone to be a rookie anymore. This particular matter is not between rookies – I realize that – but a number of other matters have been on this same point.

Let us move on and get on with some of the other important business of the House, and please be reminded to choose words much more carefully going forward.

The hon. Member for Airdrie on your point of order.

### Point of Order

#### Allocation of Office Space for Members

**Mr. Anderson:** Thank you, Mr. Speaker. I appreciate those words.

Under Standing Order 23(h), (i), and (j) I'm referring to a comment that was made by the Infrastructure minister. He said something bizarre. Again, lots of things that are said on the other side I do find bizarre, but I don't rise on a point of order on all of the ones, just the random insults like climate change denier.

In this case there was something that was a little bit troubling, actually. The member accused that the members on this side of the House, the Official Opposition leader were complaining for more space in the office building that we now have. Now, this is troubling for a couple of reasons, Mr. Speaker, and I think you have reason to be concerned about it because I think it's very inappropriate. First of all, of course, we went from four to 17 seats, so I would assume that there would be more space made available. After every election there is a negotiation that is made between House leaders but also headed up by the Clerk and yourself – and I thought you did a very fair job of it – hearing the

needs of the different caucuses respective of their new sizes after the election. You make a decision, working back and forth with the caucuses, on what space they should have in the space that's available. If there are concerns, they're raised with you and so forth, and it goes back and forth.

Now, those discussions, Mr. Speaker, as far as I was under the impression, are confidential, and very few people – obviously, the House leaders are aware of them and, obviously, some people in the LAO and yourself, and of course you would keep that confidence. Very few people know about those discussions, and they should be confidential discussions.

3:40

So not only was what the member said categorically untrue – well, let's put it this way. Of course we were asking for more office space going from four to 17 members. I guess that goes without saying. But he gave the impression as if we were asking for more than our fair share or something like that. Not only that; he's breaching, in my view, the confidentiality of a discussion that took place between our side, yourself, House leaders, and staff members and in a very inappropriate way. I think that should be held out of order. I think it is clearly a violation of the rules.

To answer that member's question, Mr. Speaker, if he would like us to stay in our current offices in the Annex, we would be more than happy to oblige. More than happy to oblige. Take that back to your leader.

**The Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. Perhaps I could make a few comments, and then the minister may add if he wishes to. First of all, let it be perfectly clear that the House leader on this side does not engage in discussions with respect to members' services issues. That's not the House leader's purview on this side, and I have not been involved in negotiations with respect to space or anything else with respect to members' services or the allocation of space to members. I just want to be clear on that.

We do have House leaders' discussions on issues with respect to the operation of the House, and some of those we do in confidence because it's necessary for the operation of the House. I have always expressly said, when someone has tried to draw me into the discussions, that issues around members' salaries, issues around members' space allocations or offices are not the purview of the Government House Leader. I want no part of that. I feel badly for you that you have to engage in that.

The thing that's most important in this is that the point of order comes up in terms of, again, attempts by people to misapprehend what actually happens. We have a federal building that's being redeveloped. That project has been ongoing for years. It's not a plush building for MLA offices. In fact, as the hon. minister has said, it's redeveloping an asset of the province of Alberta for appropriate utilization, an asset which uses up a lot of our financial resources every year to maintain, for no good reason as it's sitting empty, while we have other buildings that are being used and are deteriorating and need refurbishing and cost money.

So a government at one point in time makes a decision to refurbish a federal building, which is an asset of the province, and as part of its allocation to use it as part of the legislative precincts and to use it for offices, a portion of which will be used for offices for MLAs, and the opposition mischaracterizes that consistently as spending \$350 million for plush MLA offices. Then they have the temerity to raise a point of order on that very subject when somebody suggests that they were looking for more space and that space would be in that office.



Now, I understand that the point of order is on the question about whether or not they were looking for more space or weren't looking for more space. I think the hon. member has indicated that, yes, they were looking for more space, but it was for a good reason because they had more members. Fine. I understand that. But to get into this discussion on the federal building, to try and suggest that something has been done to their rights as a member under a point of order relative to this debate when they have constantly used that building inappropriately – they've spent the savings from cancelling that project many, many times when, in fact, there wouldn't be any savings from cancelling that project but, rather, costs. I mean, the temerity is bedazzling.

**The Speaker:** Are there others?

Well, I, too, would like to clarify a few things. [interjections] Hon. members, if I could have your attention, please. I want to clarify a couple of points, too. The issue that the Member for Airdrie raised about confidentiality I want to talk about very briefly. I'm surprised, hon. member, actually, that you would even bring that into the House, to be honest. I can assure you that everything that I have done and, to my knowledge, that the previous Speaker has done with respect to the Annex and with respect to anything else has always been of the highest degree of confidentiality possible, and the same with the Clerk and the same with any of our LAO officials. So let's just put that to rest in case anybody has any concerns only because of it being raised.

I realize you weren't raising an attack, hon. Member for Airdrie. However, just the fact that we were brought into the discussion, the Clerk and I, through your comments, I wanted to clarify that point on confidentiality. It will always remain that way. That's the pledge that I took, and that's the pledge that I will live and die by if necessary.

Secondly, I want to comment on the issue of the apportioning of the space or assigning of the space in the Annex. That is totally the purview of the Speaker. It has nothing to do with the government unless we need renovations done, in which case I then have to go and speak with the Minister of Infrastructure or someone in power in government to say that we need certain renovations done; we need certain alterations made; we need certain improvements made.

That is why I personally made not less than 32 trips to go and visit the space there before the renovation started, during the renovations, and even after to make sure that they were completed to the satisfaction of the various caucuses. I thank you, hon. Member for Airdrie, for pointing out your satisfaction with how that process worked. I did the same with the NDP and the Liberals for a total, as I say, with the Wildrose of about 32 separate visits. I have all the notes from those meetings. We tried our best to deliver on a process that was inherited both by this Speaker and by others who are in decision-making roles.

So let's be clear that assigning the space is the purview of the Speaker. The building itself, however, is owned by the government and by the citizens of this province.

To the point of order raised in that context, I have here a copy of what I think may have led to the point of order. The Minister of Infrastructure stood up in response to the second part of the question, and he said: "Thank you, Mr. Speaker. I also find it quite surprising that the members opposite last year were complaining about their offices in the Annex, wanting us to spend more money, that they weren't good enough, Mr. Speaker." In fact, that's true. There were a number of members who complained. It wasn't just opposition members. It was also government members who were complaining. That, I suspect, is one major reason why the major initiative to re-engage the federal building started several years ago.

So we have a massive project that is under way, which is for your benefit, hon. members, so that you will be able to better serve the constituents who sent you here, and similarly for LAO officials and others who will be moving into that space. I only wish it could be accelerated because it would put a stop to the calls that I still continue to receive about inadequacies of the Annex. I can tell you that we have done a great deal in the Speaker's office and in the Clerk's office and with his staff to try and address these issues.

While some clarification is always good, I also don't want to take up too much time making that clarification. Suffice it to say that we've had a chance for the Wildrose member to express his opinions on this and for the Government House Leader to express his, and we are going to move on to other issues.

Were there other points of order?

Okay. So let that clarification stand, and we'll move on.

The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Yes. Mr. Speaker, I believe that there was one more point of order.

**The Speaker:** I was just asking: was there another point of order?

**Mr. Eggen:** Yes, sir.

**The Speaker:** Okay. Then proceed with that, please, quickly.

**Mr. Eggen:** Thank you.

**The Speaker:** I don't know what it is, but go ahead.

**Mr. Eggen:** Okay. Maybe it didn't register.

The last point of order, then. I'll be very brief. In the exchange between the Member for Edmonton-Strathcona and the Deputy Premier in regard to advanced education the member from the New Democrat caucus said that the various stakeholders, including the university governors and the president and the professors and the students and others, were not agreeing or were speaking out against both the mandate letter and the cuts that were being imposed upon advanced education in general, to which the advanced education minister, the Deputy Premier, replied that, in fact, he had received letters from some institutions in Alberta that were supporting these cuts.

You know, I just would like to ask, then, that the advanced education minister table those letters. Since he was making a public reference to documents, he should be in all fairness giving us access to those documents as well.

3:50

**The Speaker:** Hon. member, I don't know if you had a citation, but that certainly wouldn't be a point of order. I think what you're asking for is that someone table a document referred to during a speech or debate or discussion or questions or answers. Fair enough. This would not be the place to do that, however. Whoever was listening to that on the government side presumably can respond on behalf of whoever uttered it.

**Mr. Hancock:** I'd be happy to respond right now, Mr. Speaker.

**The Speaker:** Please do.

**Mr. Hancock:** If I was quoting from a document, I would be required to table it, but referring to the fact that one exists does not bring any obligation to table.

**The Speaker:** Thank you, hon. member.

## Speaker's Ruling Parliamentary Language

**The Speaker:** All right. Before we move on to Orders of the Day, I want to draw to your attention something that occurred earlier during question period. I believe it was the hon. Member for Chestermere-Rocky View who quoted from something that had been said outside this House and brought it into this House. I have sent the hon. member a note, and he graciously accepted it.

I would ask you to please visit *Erskine May*, 24th edition, at page 445. In a nutshell it simply says this: "Expressions are still unparliamentary even when based on a quotation from elsewhere." I did the hon. member a favour. I sent him a copy of that for his own review and edification.

What I want to draw to your attention is this. Hon. members, where does the line stop? Where does the line stop in terms of parliamentary language? If we allow such quotations as what was brought up today to repeat themselves, surely we are bringing disrepute to this House and, in turn, to ourselves and to other members.

Now, again, I'm well aware of how question period works on both sides of the House. Been there; done that. I understand that sometimes members are asked to ask questions that sometimes they may feel uncomfortable with. In fact, I sensed a little bit of that in your question, hon. Member for Chestermere-Rocky View. I sensed it amongst other members as well. Let me tell you this, hon. members. As individuals who have the right to ask questions during question period, put your own conscience to the test before you accept to ask the question. Ask yourself: would this be a question that you would pose to your child in grade 6? Ask yourself that question, and if you can look in the mirror and honestly say, "Yes, child in grade 6, I'm prepared to use the P-word or the F-word or the S-word or some other word to you," and then you have the courage to bring it into this House, you're a far different human being than am I.

I don't want to ever have to give this speech again, hon. members, because I will cut you off at the knees. Let that admonishment stand. I'm being very sincere about it.

I'm going to give the hon. member, since I gave him the courtesy of the quotation from *Erskine May*, an opportunity to comment on this important issue.

**Mr. McAllister:** Mr. Speaker, thank you. It is good to have you back even when you are admonishing me, sir, but it's justifiable. I think what we often do in here is that we don't admit when we've erred, and we find a way to steer around it. Clearly, I shouldn't have said that. I think my reasoning, while not justifying it, was to draw light to the fact that it shouldn't be said anywhere by anybody at any time. I still know it was not right to say it in here, but I was hopefully, although I was very uncomfortable with it, educating, in my view, some people to make them aware of how certain people conduct themselves.

Again, thank you for sending me the sheet. I will certainly be more aware in the future. Thank you for giving me the opportunity to respond. You are correct, sir.

**The Speaker:** Hon. member, I take that to be your apology for what you said. Is that correct?

**Mr. McAllister:** Yes. Mr. Speaker, again, you were absolutely correct to point it out. As I said, I said it, and I shouldn't have said it. I withdraw it if that's possible. I would have liked to have seen it done publicly as well by the person that initially said it. I think that would have satisfied us all.

**The Speaker:** Thank you.

Hon. members, we'll let that matter stand there. Let that be a lesson to all.

Thank you for your humility in responding the way you have, hon. member.

I believe that concludes our Routine for the day.

## Motions for Returns

### Public Funding for Private Schools

M6. Mr. Hehr moved that an order of the Assembly do issue for a return showing a copy of all government studies on the impact of reducing public funding to private schools.

[Debate adjourned March 18: Mr. Hancock speaking]

**The Speaker:** Hon. Minister of Human Services, anything that you wish to add?

**Mr. Hancock:** No, sir.

**The Speaker:** Then the hon. Member for Calgary-Buffalo to conclude debate.

**Mr. Hehr:** Well, thank you very much, Mr. Speaker. As you are aware, during my time in the House I've asked the government from time to time about the appropriateness of funding private schools in this province. I come from, I guess, a background or a philosophy that sees private schools, although having a right to exist, as not having the corresponding right of having public funding automatically follow that private school choice. In my view, private schools tend to separate and divide children on the basis of a couple of things: wealth, religion, and in some other cases on the basis of ability and/or disability. In my view, government should be funding things that tend to bring people together.

Under the Alberta constitution act of 1905 our government has an obligation to fund our separate school system, our public system, and our francophone system. After that it is a political choice this government has made to prop up private schools in the manner that they do. As an interesting note, Mr. Speaker, we are one of only a handful of provinces that fund private schools. Many provinces do not even allow for any flow-through dollars to private schools if they choose to exist. In my view, we'd be better off going down that path.

On that note, oftentimes government members and others in the community suggest that a reason for private school funding is that it is, quote, unquote, a cost savings. They state that because we only fund private schools at 70 per cent of the per-pupil rate that we fund our public school system and there are also not some capital costs that are allowed in this process, it's a savings. Now, frankly, I don't think savings are the reason to do something, especially in this instance. In fact, you know, I believe it's not an argument in and of itself. In my view, if it was an increased expense to have all these private-school children come back to the public system, I believe our society would be better off in the fact that we'd have all children learning together regardless of things like wealth and religion. Or if they made their own choice to go to a private school, their parents would pay the full freight of that. But there's no need for us to encourage that.

It's one of those things where I always question the logic of many members of this House who say immediately: well, the reason why we allow this is because of cost savings. I don't necessarily know if that's true. You know, for instance, who says that if we cut off funding to private schools, 100 per cent of those

students will simply return to the public system? In my view, that's not what's going to happen. In fact, I don't see that happening at all.

Let's return to the concept of dividing children on wealth. It will augment my argument on this. You have many schools out there in Alberta, many in Calgary – Strathcona-Tweedsmuir, West Island College, Webber Academy; go down the list – that charge a tuition fee of \$15,000 to \$20,000 for the privilege of attending these schools. Not to say anything about the fact that the average Martha and Henry cannot send their kids to those schools, why would we, in fact, fund them if they're not open to all Albertans to attend, again separating people on wealth? I'd also point out that the average income of parents of the students going to West Island College is over \$280,000 per year. You know, if you take a look at it, those children are not going to return to the public system merely by cutting off the funding that we give to them. So the point is . . . [Mr. Hehr's speaking time expired] I was getting to the point. I'd like that information.

4:00

**The Speaker:** Thank you, hon. member. Unfortunately, the time has elapsed, and I'm compelled to call the question.

[Motion for a Return 6 lost]

### Public Bills and Orders Other than Government Bills and Orders Second Reading

**The Speaker:** Hon. members, I rise just to provide a very brief reminder on the order for private members' bills today. Earlier this session and as the chair advised the Assembly on November 26, 2012, from *Hansard* at pages 1003, 1004,

the chair received a request from the Member for Strathcona-Sherwood Park requesting early consideration of his private member's bill, Bill 201, for third reading immediately following Committee of the Whole . . . There are still 74 minutes remaining for consideration of [Bill 201] in Committee of the Whole [but] before Committee of the Whole is called, the House must first conclude second reading debate on Bill 202, of which 23 minutes still remain.

Now, if there is any available time remaining for private members' bills this afternoon, then further to the request by the hon. Member for Strathcona-Sherwood Park the House will proceed to third reading of Bill 201. If there is no time remaining following the bill being reported from Committee of the Whole, then Standing Order 8 requires that third reading of Bill 201 be called first next Monday.

### Bill 202 Public Lands (Grasslands Preservation) Amendment Act, 2012

[Debate adjourned November 5]

**The Speaker:** Who is up? The hon. Member for Drumheller-Stettler.

**Mr. Strankman:** Thank you, Mr. Speaker. I'd like to take an opportunity to speak to this. We had a chance one other time. I was approaching the end of the period, so I declined. It's an honour to speak to this bill and primarily because some portions of the bill specifically are addressed to the special areas, which are a great part of my constituency, and are causing great consternation amongst the constituents of that constituency and of the special areas.

We've seen this government make many ill-informed and rash

decisions regarding land-use regulation, and this is causing my constituents a lot of lost sleep and further red tape and regulation. Legislation like Bill 36, the Land Stewardship Act, centralized decision-making on land-use planning, and this continues to be another example of more of this regulation that's being brought forward. I've spoken to the member bringing the legislation forward, and I believe that he brings it forward with good intention, but it's brought forward in a fashion that seems to be heavy handed to the residents of the area and would reduce our competitive advantage.

Under Bill 202 individuals and firms must now wait for the government to clear more red tape, and it is unclear how the bill will create any increased oversight over the management of our grasslands or improve the environment. In fact, the member bringing the bill forward did meet with people of the special areas, and their consternation was expressed directly to the member. There is already proper grassland/rangeland management in the area, and this is already being self-motivated by the ranchers, who have been stewards of this property for many years, both leased land and private deeded land in the area.

My family, Mr. Speaker, is also one of those families who has managed this grassland and this private property for generations. I'm one of the third generation of that area. There is sustainable range management of these Crown grazing leases in place. I and the members of the area believe the people of the area, the lessees and the owners of the titled land, are handling it properly.

[The Deputy Speaker in the chair]

The bill in its current format is an amendment to the Public Lands Act that adds a section concerning dispositions and grants of Crown lands south of highway 16, including areas specified in the Special Areas Act. Personally, I am unclear exactly how the governance of this bill could possibly work, especially in the areas already identified under the Special Areas Act. This would create a more convoluted system of governance.

Within Bill 202 we see that the definitions of the terms "grass" and "significant wildlife habitat" are rather vague and open to a great number of interpretations, therefore leading to definitions that may be brought forward not by policy but by regulation, Mr. Speaker. How can we be sure that ranchers are not going to be unnecessarily affected by overzealous bureaucrats who don't understand the lighter footprint of grazing? That is creating some of the consternation that's been brought forward to the member.

If the intended goal of this bill was to make a long-term plan to ensure we don't sell too much grassland to be turned into cropland, that would be fine, but this is a whole new set of hoops that ranchers and energy companies will have to jump through for their businesses, and the government has provided no evidence that the grasslands are even being degraded under the current system. That's a concern that we have, and the constituents of the area have a concern on that.

It's important, in my opinion and in those of my constituents, Mr. Speaker, that we don't need new laws for the sake of simply having new laws. I believe my constituents believe that is the case. Landowners adjacent to Crown land who perhaps rely on grazing leases as part of the value of the ranches will see their operations devalued as a result of this step. Now, we understand that there is good intention – and I brought that forward before – but that is not the case. Some of these residents have even taken the drastic step of selling and disposing of their lease land prior to the potential invocation of bills like this.

Like the aforementioned Bill 36, Bill 202 gives cabinet sweeping new powers on how to define criteria for wildlife

habitat. Giving cabinet this type of power is wrong, and it eliminates the need for cabinet to consult with the businesses, landowners, and ranchers who could be impacted by any decision. It's not clear who will be footing the bill for all this added monitoring and study that will go into the assessments of our grasslands, grasslands that Alberta ranchers have done for a number of years, more than a hundred.

Ultimately, this bill, my constituents and many in the area believe, is an unnecessary new law that will only add new burdens on Alberta businesses and will do little to improve the Alberta environment and will create a convoluted system of governance. Mr. Speaker, I stand therefore with my opinion and do not support this bill.

**The Deputy Speaker:** Thank you, hon. member.

Are there others? The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thank you very much, Mr. Speaker. I rise, in fact, to support this private member's bill, and I thank very much the Member for Calgary-Mackay-Nose Hill for bringing it forward. I think it's an idea whose time has come, and in fact I think it has a unique opportunity to not only protect a valuable part of our Alberta natural heritage but also to protect the use of this land through agriculture and other means as well. It strikes a nice balance. You know, it's looking at something that's perhaps the least protected of our natural land here in the province of Alberta.

This is an amendment, Mr. Speaker, to the Public Lands Act, and it does require a wildlife habitat assessment to be completed prior to the disposition of a grant of public grasslands. Then if this assessment determines that the public grassland contains significant wildlife habitat, no disposition of the grants shall be made. As a condition of the grant the purchaser transfers privately owned grassland to the Crown.

4:10

You know, we do do several assessments by the provincial government before any sale, but at this time, Mr. Speaker, there are not any requirements for making the assessment public or for receiving public input. This bill seeks to require these assessments to be put through a 90-day public consultation period. It seems like a good idea, and in fact we have determined that we do support the concept, and we wish that we will see everyone, or at least the majority, agreeing with that as much as possible.

The bill gives cabinet the authority to make regulations establishing this criteria for determining whether a wildlife habitat is deemed to be a significant wildlife habitat and also gives cabinet the authority to determine the manner in which an assessment is done. Therefore, we don't perhaps know what meaning or force will be given to the term "significant wildlife habitat," but, you know, this bill is politically, I think, very interesting and gives us a chance to determine what that definition might in fact be.

Two things I would like to highlight. First of all, I find it a bit funny why there's not unanimity amongst the government on this particular private bill. You know, I don't see why they don't see the need for wildlife assessment reports to determine if a section of public grasslands contains significant wildlife habitat. It's not as though we are asking for the world here; it's just simply a sober second look at potentially a significant habitat for grasslands. I just wonder if denying public consultation and public access to government information is, in fact, sound and transparent public policy. I find that to be a bit disturbing as well. It's not as though we're getting in the way of the established process by which this land is used, but it's just a question of being able to look at it and have that transparency available to the public.

I thank the member for bringing this forward. It's a modest

proposal, I would dare say. In fact, it gives us an opportunity to protect rare and vanishing natural lands without necessarily putting a big fence around it and saying that we're not going to use this land, just to have appropriate stewardship and transparency to ensure that the land is being used in a reasonable sort of way.

Some of these grassland areas are some of the most beautiful and wild places we have in this province. I would venture to say, Mr. Speaker, that these lands do help to define not just the ecosystem of the grasslands but part of the character of our province as a whole. The vast open spaces and the potential that those spaces do create in the imaginations of people who live there and visit these places I think is partially why we should have greater degrees of preservation available to our natural prairie. Many other places across the Great Plains, which extend through Alberta, Saskatchewan, and Manitoba right down through the central and western United States, have been altered forever. This opportunity for us to preserve part of that heritage that we have jurisdiction over is not only prudent but responsible and the right thing to do.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Hon. Member for Calgary-Mountain View, I noticed that you rose, but you have already spoken, so I have to recognize another member that hasn't spoken. You can't speak again. This is still second reading. You've already spoken once, so you'll have to wait for the next process on the bill.

Are there others that would like to speak? Seeing none, I'll recognize the mover, the hon. Member for Calgary-Mackay-Nose Hill, to close debate.

**Dr. Brown:** Thank you very much, Mr. Speaker. I want to thank those members who contributed to the debate today and also so many months ago. I would like to respond to some specific comments of the Leader of the Official Opposition and the hon. Member for Cypress-Medicine Hat, both of whom inferred that Bill 202 would in some way affect the way that public lands are managed. This inference is false. The bill would only come into play when public grasslands are proposed to be sold. It would have no impact on the ongoing management of grazing leases or permits. The amendments which I tabled made that abundantly clear.

Bill 202 would recognize the important role of grazing leaseholders in maintaining the integrity of native grasslands. The hon. Leader of the Official Opposition also apparently misheard me in reference to poorly managed grasslands. I never inferred that grazing leaseholders badly manage the land. In fact, what I referred to was some grasslands which have been made into parks and which don't have the benefit of any intervention of grazing and therefore have suffered habitat deterioration as a result. I am in fact a strong supporter of the management program which has been put in place for the new Glenbow Ranch provincial park, which incorporates cattle grazing as a key tool in preserving the native grasslands. I would argue that the long-term grazing lease makes it imperative that the grazing leaseholders take good care of the range as it's in their interest to do so.

Mr. Speaker, a number of members suggested that Bill 202 is redundant to the existing practices and it wasn't required to protect sensitive public grasslands. However, I would ask: if it was redundant, then why weren't the three assessments done for the government on the so-called Potatogate lands near Bow Island made public? All three of those assessments found that 16,000 acres of Crown grassland proposed for sale were environmentally sensitive and contained important wildlife habitat. Their recommendations

were that the land not be sold and it be retained as a grazing reserve, yet the best objective assessments and scientific advice were all ignored, advice which was only made public after the fact under freedom of information and a request thereunder.

The hon. Leader of the Official Opposition says that her party would be in support of closing the loopholes to prevent another Potatogate situation arising again, and I would suggest that Bill 202 will go a long way to doing just that.

On the issue of redundancy I'd also note that the regional advisory committee for the South Saskatchewan regional plan has recommended that the province retain in public ownership those Crown native grasslands which are environmentally significant or which contain significant wildlife habitat, and that is exactly what Bill 202 would encourage.

Mr. Speaker, members of the Legislature who are not members of Executive Council are properly known as private members, of which I am one. As elected private members we have certain parliamentary privileges which are not available to those on Executive Council, who technically form the government of Alberta. Those privileges include the right to criticize the government, to hold the government to account, to ask questions of the cabinet during question period, and to sit on all-party committees of the Legislature. One of the most important privileges that we have is the privilege of bringing before the House for public debate motions or bills. Only a few win the lottery. I'm thankful for the opportunity to finally be able to debate my first bill after eight years in the House.

Mr. Speaker, the process for the sale of public land and particularly of our disappearing native grasslands is presently inadequate. It needs to be improved. I believe that there needs to be better transparency and better accountability to the citizens of Alberta when our public grasslands are proposed for sale. Bill 202 would do that. So I ask those members who support transparency and accountability in government to support Bill 202.

I'm under no illusions as to the prospects of success. However, regardless of the outcome of the vote on second reading, it's my sincere hope that Bill 202 will have made members of the Assembly and the public at large more aware of the need to preserve our publicly owned native grasslands as a precious yet vanishing part of Alberta's landscape and of the need to modernize and improve the process for the sale of public lands.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

[The voice vote indicated that the motion for second reading lost]

[Several members rose calling for a division. The division bell was rung at 4:20 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Anglin	Donovan	Swann
Brown	Eggen	Wilson

Against the motion:

Allen	Griffiths	Pedersen
Barnes	Hancock	Quadri
Bhardwaj	Horner	Quest
Bikman	Jeneroux	Rowe
Cao	Johnson, J.	Sarich
Casey	Johnson, L.	Saskiw
Denis	Kubinec	Scott

Dorward	Lemke	Starke
Drysdale	Luan	Stier
Fawcett	McAllister	Strankman
Fenske	McDonald	Towle
Fox	Oberle	Weadick
Fraser	Olesen	Xiao
Goudreau	Olson	Young
Totals:	For – 6	Against – 42

[Motion for second reading of Bill 202 lost]

### Public Bills and Orders Other than Government Bills and Orders Committee of the Whole

[Mr. Rogers in the chair]

#### Bill 201 Scrap Metal Dealers and Recyclers Identification Act

**The Chair:** Hon. members, there are a total of 74 minutes of debate remaining in committee. Amendment A2 is on the floor.

**Some Hon. Members:** Question.

[The voice vote indicated that the motion on amendment A2 lost]

[Several members rose calling for a division. The division bell was rung at 4:34 p.m.]

[Ten minutes having elapsed, the committee divided]

[Mr. Rogers in the chair]

**The Chair:** Hon. members, we have a division on the vote on amendment A2. Just for the record and maybe for your recollection, amendment A2 was moved November 19, 2012, and it has two parts. In part A section 3 is amended by striking out subsections (5) and (6), and in part B section 8 is amended by striking out clause (e). That is the substance of amendment A2, on which we do have a division.

For the motion:

Anderson	Eggen	Saskiw
Anglin	Fox	Stier
Barnes	McAllister	Strankman
Bikman	Pedersen	Towle
Donovan	Rowe	Wilson

Against the motion:

Allen	Hancock	Pastoor
Bhardwaj	Horner	Quadri
Brown	Jeneroux	Quest
Cao	Johnson, J.	Sandhu
Casey	Johnson, L.	Sarich
Denis	Khan	Scott
Dorward	Kubinec	Starke
Drysdale	Lemke	Swann
Fawcett	Luan	VanderBurg
Fenske	McDonald	Weadick
Fraser	Oberle	Xiao
Goudreau	Olesen	Young
Griffiths	Olson	

Totals:	For – 15	Against – 38
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[Motion on amendment A2 lost]

**The Chair:** Now we're back to the main bill. Are there other speakers? The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Mr. Chair. On behalf of the Member for Edmonton-Centre I'd like to present an amendment to Bill 201, and I can circulate it.

**The Chair:** The pages will circulate that. We'll just pause for a couple of minutes to get that in the hands of the members, hon. member.

This will be amendment A3.

Hon. member, you might as well start speaking to it. I'm sure the members will catch up with the reading.

**Dr. Swann:** The hon. Member for Edmonton-Centre was very passionate about the need for a term limit for this information to be made public on these individuals who are involved with the scrap metal industry and providing the materials for sale, that there should be a term limit on this rather important personal information that will now be made public. I'll read it as it's worded.

Ms Blakeman to move that Bill 201, Scrap Metal Dealers and Recyclers Identification Act, be amended in section 3 by striking out subsection (4) and substituting the following:

(4) A scrap metal dealer or recycler shall maintain the prescribed information obtained pursuant to the section for a period not to exceed one year after the transaction.

This is intended to protect the confidentiality of individuals who have given their personal information and, therefore, not make it available for an undue period of time in which their privacy might be breached and other nefarious uses made of private information. The Member for Edmonton-Centre is particularly concerned about privacy and feels this is an unnecessary intrusion and a potential risk to people's individual privacy and personal protection. So that's the basis for this amendment.

Thank you, Mr. Chair.

**The Chair:** Is there anyone that would like to speak to the amendment? I'll recognize the Member for Strathcona-Sherwood Park.

**Mr. Quest:** Thank you, Mr. Chair. I thank the Member for Edmonton-Centre for bringing this forward. I've had some discussions with law enforcement about this and about what they really need and what they don't need. I think that in the interest of protecting the private information of individuals, this bill will still do what it's intended to do with this one-year restriction. So I'll be supporting this amendment, and I would encourage all members to do the same.

Thank you, Mr. Chair.

4:50

**The Chair:** Thank you, hon. member.

Are there others that want to speak to the amendment? The Member for Edmonton-Riverview.

**Mr. Young:** Thank you, Mr. Chair. I just want to clarify. In your remarks there you said that the information was public. It isn't public. It's restricted to certain people. I certainly support your amendment, but it is not public information. I just want to clarify that. It's for restricted users of that data, which includes the metal recyclers and law enforcement themselves.

**The Chair:** Are there others? I'll recognize the Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you, Mr. Chair. Just very briefly, I will be

supporting this amendment. I just wanted to get it on the record that this amendment only deals with the scrap metal dealers and recyclers, which would restrict them to one year for keeping that information. In the event that there is a prosecution, it would be handed over to the police and the Crown prosecutors. That would not apply to them.

**The Chair:** Thank you. Are there others?

Seeing none, I'll call the question on amendment A3.

[Motion on amendment A3 carried]

**The Chair:** Back to the bill as amended. Are there other speakers on the bill?

Seeing none, would you like to close debate, hon. Member for Strathcona-Sherwood Park, or would you just like to call the question?

**Mr. Quest:** I think we should just call the question, Mr. Chair.

[The remaining clauses of Bill 201 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported?

**Hon. Members:** Agreed.

**The Chair:** Opposed? So ordered.

**Mr. Hancock:** Mr. Chairman, I'd move that the committee rise and report Bill 201.

[Motion carried]

[The Deputy Speaker in the chair]

**The Deputy Speaker:** The hon. Member for Calgary-Hawkwood.

**Mr. Luan:** Thank you, Mr. Speaker. The Committee of the Whole has had under consideration a certain bill. The committee reports the following bill with some amendments: Bill 201. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

**The Deputy Speaker:** Thank you, hon. member.

Does the Assembly concur in the report?

**Hon. Members:** Concur.

**The Deputy Speaker:** Opposed? So ordered.

### Public Bills and Orders Other than Government Bills and Orders Third Reading

#### Bill 201 Scrap Metal Dealers and Recyclers Identification Act

**The Deputy Speaker:** The hon. Member for Strathcona-Sherwood Park.

**Mr. Quest:** Well, thank you, Mr. Speaker, and thank you to all members for your support for this bill to this point. It has been a very long journey for Bill 201, and I think that in the interests of keeping that journey as short as possible, I would like you to call the question for third reading of Bill 201.

[Motion carried; Bill 201 read a third time]

**The Deputy Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. In light of the time it wouldn't be prudent to move on to another bill at this time, so I would ask for unanimous consent to call it 5 o'clock and move on to motions.

[Unanimous consent granted]

### Motions Other than Government Motions

**The Deputy Speaker:** The hon. Member for Livingstone-Macleod.

#### Alberta Land Stewardship Act

507. Mr. Stier moved:

Be it resolved that the Legislative Assembly urge the government to introduce legislation to repeal the Alberta Land Stewardship Act, formerly known as Bill 36, and replace it with a land-use framework that better protects the rights of landowners and respects the role of locally elected and accountable municipal councils.

**Mr. Stier:** Well, thank you, Mr. Speaker, and good afternoon, everyone. In 2009 the government of Alberta passed the Alberta Land Stewardship Act, formerly known as Bill 36, and then the floodgates opened. North, south, east, and west, Albertans were furious with this government's implementation of an eastern European style of central planning model, the assault on property rights, and the throwing overboard of the rule of law. Property rights, the rule of law, and respect for local land-use decision-making are the bedrock upon which Alberta's economy and communities are based. Bill 36 attacked them all.

Property rights and limits on the power of government, which constitute the rule of law, predate the founding of this province, going back some 800 years in the foundational document the Magna Carta. Albertans were rightly alarmed at the sudden shift to be taken by this government and its willingness to disregard our common heritage, the foundations of our market-driven economy and, at the same time, the government's failure to provide an effective model for land-use planning.

The government knew it had to do something to calm the waters, so in 2011 it drafted and passed Bill 10, which amended some of the more egregious sections of the Alberta Land Stewardship Act but left the worst sections and the central planning model intact. Bill 10 did not provide comfort to landowners across the province, who know, as historians and economists do, that central planning does not work, nor do government laws that assault property rights and the rule of law. With the lower Athabasca regional plan having already been approved, the south Saskatchewan regional plan is in progress and is poised to affect even more Albertans as there is far more private land in the south.

Today I'm proposing Motion 507, therefore, to repeal the Alberta Land Stewardship Act and develop a new and more effective – and I stress that – and respectful land-use planning approach for the province. I respectfully ask the Assembly to hear the reasoning for this motion and to please vote in favour.

The government has wasted significant tax dollars on the Land Stewardship Act, and it is understandable that the government will feel it needs to resist changing course. But when you make a mistake, the right thing to do is to fix it. As I will demonstrate today, repealing the Alberta Land Stewardship Act and replacing it with a more effective and respectful land-use plan is critical to avoid the economic harm that will result from this central

planning model and for regaining the trust of rural Albertans, resource industries, municipalities, environmentally concerned citizens, and the province as a whole.

When it passed, Bill 36 ended landowners' and resource companies' rights to have access to the courts to challenge government decisions that affected their legal rights and economic interests. The act explicitly denied compensation when cabinet decides to rescind water licences, gravel permits, feedlot approvals, environmental approvals, and other statutory consents that are essential for farmers and businesses to operate in our economy. Because they classify the decisions made in their regional plans as policy, there is no right to appeal the decisions that they can make to the courts.

Bill 10 removed the legal wording that said that cabinet could extinguish land titles, but it did nothing to change the top-down central planning philosophy nor the provisions which assault property rights and the rule of law. In short, Albertans are still left, therefore, with legislation which essentially robs them of access to appeal to the courts and of their traditional rights as landowners and resource users.

The Land Stewardship Act even as amended by Bill 10 not only pushes municipal authorities aside; it utterly undermines their authority and local democracy. Not only does it direct municipal councils to rewrite their bylaws to suit the minister's whims; it makes provisions for the minister to withhold monetary transfers to municipalities or to rewrite their municipal bylaws directly if the cabinet is not satisfied that the municipal council has complied with cabinet's edicts.

This sure sounds like bullying to me, not responsible government or responsible land-use planning. It shows the kind of disdain this government has for local decision-making and raises the question of why this government has so suddenly turned its back on the traditional values of this province and the foundational principles of our market economy.

Motion 507, though, will treat councils as partners and enable them to act in the best interests of their constituents. In 2011 the Alberta Association of Municipal Districts and Counties released a report on the impacts of forced regionalization which defines forced regionalization as "any form of regionalization that is not voluntary and where the explicit or implicit threat of imposed regionalization exists." This government's central planning model and the regional plans through which cabinet will be imposing its will on all Albertans and their local governments are certainly not voluntary and are being imposed on municipalities and their residents from above.

5:00

Motion 507 would reinstate local decision-making, protect municipalities from the whims and edicts of cabinet's forced regionalization, and take away the threat of withholding funding if a local decision does not conform to a provincial dictate. Certainly, every MLA in this Assembly knows their local councils would be happy to have their land-use planning powers and local democracy restored.

As written, the Alberta Land Stewardship Act causes economic uncertainty. The government of Alberta rescinded 19 oil sands leases in the lower Athabasca regional plan. Investors and industries need to trust that the government won't suddenly reverse course and confiscate their land or rescind leases after these companies have spent their time and money developing projects in Alberta. Bill 36 gave cabinet new powers to rescind without cause the licences and permits that make our economic wheels turn; for instance, pipeline permits, oil refinery approvals, coal mine permits, oil sands leases, timber licences, forest

management agreements, grazing leases, gravel extraction permits, mineral leases. The list goes on.

Previously, forestry companies, investors, and bankers could reduce their investment risk with the knowledge that the Forests Act limited the circumstances in which government could cancel or rescind a timber permit, licence, or forest management agreement. As the report from the Alberta Landowners Council into the economic impacts of Bill 36 indicates, the Forests Act “allowed investment . . . to take place with a reasonable degree of certainty that there was security of tenure in the timber harvest rights and that the timber harvest rights were enforceable and had value.” Now cabinet doesn’t have to abide by the Forests Act in the sense that there are prescribed situations in which permits can be rescinded. This power to rescind extends to every sector of the economy, whether it is permits, grazing lands, or oil production. It’s easy to see how this could cause some of our economic movers in Alberta to be very concerned, therefore.

To conclude, Mr. Speaker, before Bill 36 Albertans enjoyed traditional property rights that prevented government from overpowering and bullying landowners without recourse to the courts and full and fair compensation. The Alberta farmers and ranchers and business owners became world leaders in their different industries based on those age-old understandings that their property rights would be protected. Bill 36 has not only threatened their rights; it has put the Alberta economy at risk by undermining the historic understanding our producers have had with government. This type of centralized decision-making has made it extremely difficult for landowners to invest in their property with any confidence.

Motion 507 would repeal Bill 36 and propose the development of an alternative land-use planning model that respects local autonomy, protects property rights, safeguards the environment, and rewards regional co-operation. Land-use planning by locally elected municipal officials and voluntary co-operation between communities is a very healthy practice and will be encouraged by Motion 507.

In the report mentioned earlier, the Association of Municipal Districts and Counties recommends co-operative regionalization, defined as voluntary participation of municipalities. Co-operative regionalization recognizes the political autonomy of municipalities and their right to remain independent. Motion 507 supports that concept. It’s time to end the economic uncertainty caused by the Land Stewardship Act and to move forward with a real plan for responsible land-use planning that will safeguard our environment without harming the economy. Motion 507 is a step in the right direction, and I urge all members of this Assembly to support this motion. Thank you very much, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

I’ll recognize the hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you very much, Mr. Speaker. I want to say thank you to the Member for Livingstone-Macleod for bringing this motion. I want to just make a few comments specifically to some histories that have been said across the floor here. It appears that there have been a lot of cases where people get really upset with politicians that say one thing and do another, especially during election time.

I remember that back a few years ago, on May 14, 2009, the Member for Airdrie spoke at length in this House and in the media in support of the Land Stewardship Act. He’s saying now that he’s changed his mind. I can accept the fact that he’s changed his mind. That’s fine. I viewed something on YouTube, though, that’s got over 1,500 hits, so it is a bit of a hit.

Even more questionable, though, is that the Member for Livingstone-Macleod’s first motion as a private member is to repeal the Land Stewardship Act when in his constituency he did make a few comments on April 14, not even a year ago. In fact, he said that there are wonderful things in the new Land Stewardship Act and that it, quote, reflects the thoughts of all people who worked hard on this document since 2006 and that the Land Stewardship Act does, quote, wonderful things that protect clean air, clean water, clean land, and all great and wonderful things. I’m not sure if he has changed his mind from that, but those were his comments on April 14, 2012.

Now, of course, today, Mr. Speaker, he wants to repeal the Land Stewardship Act in its entirety. What we see from this opposition is: saying something to one crowd, and then saying something else to another audience. This has been very prevalent on the whole issue of property rights, which they seem to care about so much, and I take them at their word on that. I have to wonder why the Wildrose continues to flip-flop, to say one thing, then say another in terms of property rights. Is it a hidden agenda? Is the fact that we just can’t trust this opposition?

Just last week the Leader of the Opposition was quoted in the *Bow Island Commentator* – and I do have family in Bow Island – saying that the government needs to restore compensation and the right of appeal of landowners. Well, Mr. Speaker, we’ve never taken it away, and we never will.

The fact of the matter is that the Wildrose scare campaign has been very profitable for them. I’m not quoting myself here. I’m quoting from the *Edmonton Journal*, August 14, 2011, page A3, in which the Leader of the Opposition indicates that “her party contributed \$15,000 to the group that supports [Keith] Wilson, Landowners Against Bills,” to help them with costs. Isn’t that interesting, Mr. Speaker? Of course, I’ll table those documents tomorrow.

Now, according to the documents submitted to the Chief Electoral Officer, the Wildrose received thousands of dollars in return from individuals involved in these groups. While this government was listening to real concerns of landowners, Mr. Speaker, which include access to water, preservation of agricultural lands, ensuring fair and timely compensation for any expropriation, the opposition was out on a wild tour raking in money from hard-working landowners.

The good news is that despite the opposition’s fearmongering on things that are not true, Alberta and Canada are internationally recognized for their strong property rights protection. It was made evident in an independent report by the Frontier Centre for Public Policy, a group not associated with this government, fully independent. The Frontier Centre for Public Policy along with the international Property Rights Alliance released in 2012 the international property rights index, which ranked all countries based on three areas: the legal and political environment as it relates to judicial independence, rule of law, political stability, and degree of corruption; physical property rights; and intellectual property rights. This study concluded that Canada is the highest-ranking country in the western hemisphere and is seen as a model of stability in terms of property rights.

The Frontier Centre also measures property rights protection at the provincial and territorial levels. It released on March 14 of this year, Mr. Speaker, a Canadian property rights index. Its conclusion was very positive for Alberta and Alberta property rights owners. It ranked Alberta as having the second-strongest property rights among the provinces, second only to Nova Scotia.

Even more interesting is how we ranked in terms of expropriation of property. As the Wildrose is scaring landowners into believing that their land will be confiscated like in a



communist country, independent reports determine quite the opposite, Mr. Speaker. Alberta ranked number one in terms of rights of landowners during expropriation. This is something we can be proud of. That is because this government recognizes and guarantees through legislative means that when there is any expropriation of land for public processes, landowners are fairly compensated for their loss. This is of particular interest to me, of course, because I have represented in my past life a property rights organization, which I won't name because it's inappropriate to name past clients.

In fact, the Expropriation Act, which governs expropriation of land in Alberta, guarantees compensation for expropriated land. It would be beneficial for the so-called lawyers across the way to learn how to read legislation and understand that they can't pull one line out from one piece of legislation and use it simply as a fundraising ploy, Mr. Speaker.

In terms of the Alberta Land Stewardship Act I would suggest that the Member for Livingstone-Macleod has a lot of explaining to do to his constituents. I would suggest that the least he could do is apologize for telling his constituents one thing when running for MLA and then standing in the House today and saying something else. Perhaps he's changed his mind like the Member for Airdrie. Everybody changes their mind now and then, but the least they can do is to just indicate that they've changed their mind.

It's time the opposition gets real and starts being honest with Albertans, starts advocating for real property rights, and helps us ensure that we continue to enjoy the best property rights not only in Canada, Mr. Speaker, but in the western world.

Thank you.

5:10

**The Deputy Speaker:** Thank you, hon. minister.

I'll recognize the Member for Edmonton-Calder.

**Mr. Eggen:** Well, thank you, Mr. Speaker. Sometimes, you know, you just can't get it right. You end up getting it from both sides. While we have the Official Opposition here with some concerns in regard to the Land Stewardship Act in regard to property rights, I would say as well that there are serious, grievous problems with the Land Stewardship Act in regard to environmental protection and being able to make a defence of different pieces of land in different areas in regard to environmental breaches.

This government goes out of their way to make it so easy for industry and for individuals to use land. Without proper environmental consultation this Land Stewardship Act just exacerbates this problem and causes more problems in regard to our ability to defend the environment and to have a proper environmental assessment, which not only affects the land but also affects how we are perceived sometimes internationally when we're trying to make energy deals and so forth. I certainly do support motion 507, and I thank the member for bringing it forward.

You know, sometimes you're going to get it both ways, Mr. Speaker. You're going to get it from the right, and you're going to get it from left, and in between you're going to get squeezed just like a pimple. Thank you very much.

**The Deputy Speaker:** Are there others? The hon. Associate Minister of Accountability, Transparency, and Transformation.

**Mr. Scott:** Thank you very much, Mr. Speaker. It's an honour for me to rise today to speak to Motion 507, the goal of which is to urge the government to introduce legislation that would repeal the Alberta Land Stewardship Act, formerly known as Bill 36. This motion proposes that the government replace the act with a land-use framework, that the hon. member believes would better

protect the rights of landowners as well as the rights of municipal bodies.

I feel the need to say at the outset, Mr. Speaker, that the proposed motion would not accomplish this goal. This is because we live in a province that leads the country as well as North America in protecting property rights. The access to courts and the right to compensation available to Alberta property owners is unmatched. No other jurisdiction in Canada enshrines and protects property rights to the extent that Alberta does, and this protection is connected to the great economic success we have enjoyed and continue to enjoy. It has helped us to open new markets and build meaningful, mutually beneficial relationships with many individuals, businesses, provinces, countries, and organizations.

Because this government puts building Alberta at the forefront of its priorities, it is engaged in rigorous consultations with Albertans in order to tailor property rights protection to the needs of landowners. The Alberta Land Stewardship Act, that the hon. member would have the government repeal, was shaped by these consultations. The act as it currently stands is a product of Albertans, their input and their needs.

It is important that this House understand the process behind the consultations which have made Alberta such a bastion of property rights. Mr. Speaker, the Alberta Land Stewardship Act is the authority for regional plans for each of the seven regions identified in the land-use framework. The Alberta Land Stewardship Act creates conservation and stewardship tools to protect natural heritage sites and landscapes. It also includes related amendments to more than 25 legislative acts to support regional planning in the province. Section 5 of the Alberta Land Stewardship Act states that before a regional plan is made or amended, the minister must ensure that appropriate public consultation is carried out and that the findings of such consultations must be provided in a report to the Executive Council.

The Alberta Land Stewardship Act's effectiveness at protecting and upholding the property rights of Albertans is attributable to this government's three-part commitment to consultations, an explicit compensation model, and access to the courts for all property owners. This government has taken action in all three of these areas.

A Property Rights Task Force was established on November 24, 2011. The objective of this task force was to consult with Albertans on the approach that they would like to see taken regarding property rights in our province. Stakeholder meetings took place throughout December 2011, with open houses taking place in various communities throughout January 2012. Ten province-wide community sessions were held. All of these sessions were open to the public so as to encourage stakeholders to attend and make their needs and concerns known. Over a thousand people attended these meetings, yielding invaluable input.

Two other key stakeholder meetings were also held, one of which was in Leduc, the other in Airdrie. At these two meetings 26 key stakeholders were able to provide crucial insight into the issues surrounding property rights. These consultations reflect this government's intention to continue to be consistent, predictable, and timely in this process, as we always have been. More importantly, Mr. Speaker, the process of engaging in these consultations meant that the voices of Albertans were heard loud and clear by this government. The long-term results will be invaluable as well.

Because Alberta is the most steadfast protector of property rights in Canada, we have been able to leverage this reputation to encourage investment and expand our markets as businesses and

new residents flock to the province. This tradition of reliable consultations has been integral to building Alberta, and it is something we are committed to continuing well into the future. From this, Mr. Speaker, it is clear that the Alberta Land Stewardship Act is based upon meaningful consultations and the will of Albertans. It is even more clear that property rights in Alberta are protected to an unrivaled degree.

For these reasons, I cannot support this motion, and I urge all hon. members to follow suit. Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Member for Calgary-Mountain View, did you wish to speak?

**Dr. Swann:** Yes. I'll make a few brief comments, Mr. Speaker. I rise in opposition to this motion. I think we've made some progress in this province in relation to some land-use planning. It's not a perfect document, Bill 36. I was involved in debating it. There are some areas that could be strengthened in terms of an appeal process and a clear public compensation review. But, to me, it is going to ensure that we have some kind of larger plan for this province and that we are not going to have continued conflicts over activities, the abuse of agricultural land when it's bought up for other industries and paved over without a long-term plan that actually protects agricultural land, protects conservation areas, and ensures that we manage our water and our transportation corridors in a responsible way.

It's at least progress. I see this not as a perfect bill, but it's progress. There are checks and balances on how government can impose these plans, plans which, by the way, in the different river systems are thoughtfully debated and discussed by residents and constituents. I would very much hate to see all the good work and the planning that has gone in across this province thrown out. It is an essential part of a provincial government's responsibility to help us set some limits, set some parameters around how we're going to develop this province, how we're going to protect those particular areas that need protecting, allow industry in certain areas, ensure that we have species protection in some of the areas with ecosystem protection.

Already there is a scramble for development on some of these lands because there is no designated plan. We are going to see even more potential destruction of limited habitat and failure to protect conservation areas, failure to protect animal habitat because of the stalemate. This has been stalled for three years. It's time to move forward, provide some support for this land-use framework, and, yes, challenge some of the checks and balances that need to be strengthened.

Do not throw out this whole bill, which has gone through a lot of important processes, debates, and support out in some of the regions of the province where people have already developed land-use plans that are at least going to move us a step forward from the free-for-all. A free-for-all is what we've had in this province for decades. It cannot continue. As soon as possible we have to implement the land-use framework, and this is not going to bode well if we make any attempts to repeal it.

I will not be supporting this motion.

5:20

**The Deputy Speaker:** Thank you, hon. member.

The Member for Cypress-Medicine Hat.

**Mr. Barnes:** Thank you, Mr. Speaker. I rise today in support of Motion 507 for a number of reasons. First of all, back to the beginning: the importance of property rights. I read somewhere where it stated that property rights is where individuals' rights and responsibilities begin and society's and government's rights end,

the opportunity to know clearly where government can be involved, should be involved, and is not welcome to be involved and also on the value of property rights, past just real property, from the economic advantage.

I spoke in this House in the past about some of the fifth- and sixth-generation ranchers in my constituency that have been tremendous stewards of the land, on lease land and on deeded land, for many, many generations. I spoke about how the value can be accrued and increased from situations where different types of leases, different types of property rights accrue and can be sold. I spoke of how Walmart bought some leases from Target and Zellers for over a billion dollars, that as a society we were able to tax and applaud these individuals building their wealth.

I also want to talk about how it touches on the Alberta advantage. The importance of property rights, the importance of being a clear jurisdiction with the best property rights, can go a long, long way. We're very, very blessed in Alberta with our royalties, our oil and gas and our other natural resources. With the recent passing of a great leader, Premier Klein, we're reminded that he had to make some serious changes to protect from some of the mistakes that had been made. At a time when we're revisiting deficit and debt, we're still as a province being reminded by independent agencies like CFIB that we haven't done the best job of eliminating red tape, that we're possibly looking at tax increases to amend the situation. A certain situation where Alberta is a leader in property rights is only – only – going to help us stay competitive, create jobs and wealth for all of our citizens.

I'm not the only one that shares in that belief. I wish to quote our Minister of Municipal Affairs from August 20, 2011, in a debate for the PC leadership, after Bill 10 had been passed. Of course, Bill 10 was the bill that was struck to fix some of the errors that bills 36, 24, 19, and 50 had made and the huge, huge uproar of many Alberta citizens: what we need in this province is a blue ribbon panel of land experts and landowners to come up with some recommendation on how those four pieces of legislation need to be fixed and also come up with recommendations on how we can resolve this property rights issue once and for all. The most interesting part of the quote to me: because you cannot have a good democracy and you do not have a strong economy without security of property rights.

Now, here are some interesting things that I've noticed about how many, many Albertans feel about how secure our property rights are. Four hundred and forty thousand Albertans voted for the Wildrose in the election, many of them because of our stance on property rights. As our critic for sustainable resource development said a short time ago, over 9,000 Albertans affected by the South Saskatchewan River basin have signed a petition asking for that to be reviewed.

I've been to four or five meetings in Cypress-Medicine Hat over the last two years where between 200 and 250 constituents and Albertans have stood up and expressed concern, sometimes very, very serious in its nature, as to the way these bills were written, the way these bills are written. I believe I heard an hon. member from the other side say something about single words, single sentences in these bills. Well, when the single sentences say something like not getting access to the Expropriation Act or due process, of course it's very, very alarming.

I was at a meeting before the election at the Cypress Centre with politicians and candidates and MLAs of all stripes, where the government moderator from Stantec ended the meeting by standing up and saying, again to this meeting of 250 people: "We have heard you loud and clear. We promise to listen. We have heard you loud and clear. You have said to repeal bills 36, 19, 24, and 50." Funny that we still have it.

I don't believe it's a difference of opinion, but let's say that it is. Here is something that the Premier said the same night, August 20, 2011. I quote: got to protect property rights; have to understand none of this legislation works if Albertans aren't behind it; if this legislation isn't reflecting what Albertans want, then government needs to amend legislation. So Bill 19: owners have to be able to trigger expropriation. Bill 36: suspend it until we amend it to deal with compensation, consultation, and access to the courts. I guess it's impossible to know what somebody really meant when they said these words, but it appears that Albertans aren't behind it. Nine thousand on a petition, 440,000 that voted for Wildrose, hundreds in rooms asking for these bills to be repealed: that sounds like not behind it to me.

One more quote from that debate that's interesting. Back to the Minister of Municipal Affairs. People don't trust the PC government because the government hasn't admitted for quite some time when it has made a mistake. I was around when the Premier used to say, "I screwed up," and people used to smile and laugh and say, "Go fix it," and they did. But we have not for the last few years been willing to admit that we have made a mistake, and there are mistakes in those pieces of legislation. I would ask the government and, again, in my support of Motion 507: smile and laugh, and go fix it.

**The Deputy Speaker:** I recognize the Member for Edmonton-Riverview.

**Mr. Young:** Thank you, Mr. Speaker. I rise today to participate in the discussion on Motion 507. The motion urges the government to repeal and replace the Alberta Land Stewardship Act in order to protect the role of locally elected and accountable municipal councils. This proposed motion would be a redundant piece of legislation as we already have well-designed laws in place to effectively guide and address the issues of land-use planning. This motion suggests that there needs to be a change in the Alberta Land Stewardship Amendment Act. However, the legislation that is currently in place already respects the authority and role of municipalities in the land-use process. Through the act the government co-ordinates rather than prescribes land-use decisions made among others by municipal governments. Why would the opposition want to repeal an act that carries out exactly what they are proposing? This is counterproductive to the needs of Alberta landowners.

The opposition's unfounded allegations couldn't be further from the truth. The reality is that our government engages in active consultation with Albertans on property rights issues. This government respects the authority of municipalities and local decision-making. This can hardly be said of the opposition, which clearly disrespects the local decision-making by insisting that the city centre summarily be taken from the city of Edmonton. I wish the hon. member would demonstrate how he reconciles these two positions. The only explanation I can come up with is that hypocrisy can be politically expedient and convenient. But the government will respect the rights of decisions made by municipalities.

Under the jurisdiction of the Alberta Land Stewardship Act local authorities continue to make decisions on what happens to their land. Regional plans help balance development with growing needs of our local communities. Mr. Speaker, the role and responsibilities of municipalities in land-use planning is outlined in the Municipal Government Act. Under part 17 municipalities have responsibilities in planning, regulating, subdividing, and developing land in Alberta.

Further, they also have the authority to create planning and regulatory documents that prescribe how land will be developed.

These regulatory documents include statutory plans. Statutory plans describe the planning policies and types of land use permitted in the municipality and land-use bylaws, specifying development standards and regulations. Before these planning documents are approved, they go through an extensive public review and consultation process. This process ensures that the concerns of local communities are voiced and are respected. Consultation reveals the real concerns that Albertans face instead of employing self-interested, fearmongering tactics by the opposition.

5:30

Current legislation enables local authorities to make local decisions regarding what happens to their land. Regional planning simply provides an umbrella under which specific decisions are made. Our government has already undertaken extensive consultation to engage municipalities and local decision-makers about the concerns over property rights and land-use planning. This consultation continues. Partnerships between Alberta and local authorities are crucial to the development of effective legislative initiatives.

Respecting the role of municipalities is already included under the Alberta Land Stewardship Act. Repealing current law only to replace it with legislation that would also respect the role of municipal councils and protect the rights of landowners seems like a misuse of time in this Legislature, Mr. Speaker. Motion 507 is redundant. For that reason I will not be supporting this motion, and I encourage my fellow hon. members to do the same.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Are there others? The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Mr. Speaker. You know, I'm reading Motion 507 here, and I have to say that I side with the Member for Livingstone-Macleod. We need this. We need this motion to go through. Why? I mean, land-use planning by locally elected municipal officials and voluntary co-operation between communities is a very healthy practice, one that should be encouraged. However, this government has made itself the ultimate central land-planning authority here in the province. This cabinet has the complete power and authority to override the property rights of individuals and corporations as well as the autonomy of municipal governments when implementing their regional plans.

What did we hear earlier today? We heard the Minister of Municipal Affairs tell us that, you know, this was forced collaboration. In another time do you know what they called this when it was states dealing with other states? Gunboat diplomacy. In those times governments would intimidate other states into granting concessions or unequal treaties.

Well, how does the land stewardship bill do this? It does it through the Minister of ESRD. The minister can take steps to make sure that all municipalities come into compliance. If municipalities don't want to, the minister may take all necessary measures, including suspending the municipality's ability to make bylaws and withholding money and other grants payable to the municipality. This just can't stand. You are saying that cabinet has ultimate authority over another elected body, an elected body that is there, elected by the local constituents, to stand up for their locale. What's happening? We are watching this government run roughshod over another elected body. Gunboat diplomacy.

This just cannot stand. We need to go back. We need to have a look at this again. We need to propose something, an alternative regional planning model, one that respects local autonomy,

protects property rights, one that would reward regional co-operation, not mandate regional co-operation.

This is a motion that is not redundant. This is something that we need to look at. It's the reason why there are 17 Wildrose MLAs standing over here.

**An Hon. Member:** And Bill 10.

**Mr. Fox:** And Bill 10 as well.

We're here because of this property rights issue. Rather than ignore it, let's stand up, let's look at it, and let's fix it. There was a mistake made. It was compounded. Bill 10 tried to fix it. It didn't work. Let's go back. Let's get this right before we do something that irreparably damages this province.

**The Deputy Speaker:** I'll recognize the Member for Barrhead-Morinville-Westlock.

**Ms Kubinec:** Thank you, Mr. Speaker. I rise today as a farmer and as someone whose property rights are just fine, thank you very much. During the election campaign I did my own research into this issue to make sure that my property rights and my family's property rights were protected, and I feel compelled to speak to it today.

Mr. Speaker, this motion is unnecessary for a whole host of reasons, but I only have a couple of minutes. Certain members across the aisle are concerned that the Alberta Land Stewardship Act gives the government sweeping powers to take away the property rights of Albertans. That is entirely unfounded and untrue. In order to address landowners' concerns, our government amended the Alberta Land Stewardship Act, further clarifying landowner rights.

There have been a lot of half-truths and misrepresentations put forth over the last couple of years, something that our government has been quick to address. In an effort to dispel the misinformation and half-truths, our government established the Property Rights Task Force and proactively sought feedback from Albertans with regard to their property rights. During the months of December 2011 and January 2012 communities across the province ardently presented to members of the task force their concerns and suggestions. The task force held 10 province-wide community sessions which were open to the public. I attended the one in Westlock. That was part of my research.

Two key stakeholder meetings were also held, one in Leduc and one in Airdrie. These stakeholder sessions included 26 key representatives from landowner associations and advisory groups, leaseholder organizations, freehold mineral rights owners, which I happen to be one of, the energy industry, agriculture producers, and municipal representatives. The community sessions attracted an estimated 1,035 people. In addition to being able to express their views openly and freely, attendees were encouraged to identify issues and provide suggestions. This allowed our government to debunk the opposition's misguided take on our province's landowner rights.

Throughout the consultation process the task force narrowed down its findings to three overarching themes: active consultation, appropriate compensation, and access to the courts and representation. Through active consultation Albertans want to maintain an open and meaningful dialogue with government, regulators, and industry officials in regard to legislation that affects them. Moreover, participants believed that past consultations focused too heavily on a wide variety of broader topics, which many felt did not specifically tackle particular issues. Participants also said that legislation was unclear and

ambiguous, leading many to feel that they would be somewhat left out of any consultation process regarding their property.

In response to these concerns our Premier recognized the need for our government to encourage a more transparent consultation mandate by reviewing engagement policies and procedures to ensure that they are responsive to the needs of all affected parties. As such, our government is making a more concerted effort to be consistent, predictable, and timely when drafting landowner policies so that it can give Albertans ample time to provide informed input.

The second key finding of the task force was appropriate compensation. Albertans want fair access to updated compensation formulas, to do away with restrictive provisions along with a more in-depth consideration of impacts on neighbours. For instance, a large number of participants stated that compensation levels attached to oil and gas leases were outdated and did not accurately represent current resource prices, which have increased a fair bit. Furthermore, people argued that oil and gas wells made a large portion of their land unusable and wanted to be compensated fairly for lost opportunities and income. In response to these concerns our government is reviewing the Expropriation Act as well as the Surface Rights Act in order to consider appropriate compensation measures and strengthen those acts relative to property rights.

Access to the courts and representation was the third main finding of the task force. Concerned landowners want reassurance that laws would not remove the right to appeal any decision made independently and would not deny them access to court. Many asked for this stipulation to be made explicit in all relevant legislation.

Taking these important concerns into consideration, our government responded by appointing a Property Rights Advocate, whose task is to disseminate impartial information about property rights. The Property Rights Advocate is committed to helping Alberta landowners receive timely and accurate information as well as providing Albertans an effective mechanism through which they can raise concerns.

I believe that our government has taken the findings of the Property Rights Task Force and proactively sought the appropriate measures needed to protect the rights of all landowners. As such, Mr. Speaker, I will not be voting in favour of this motion, and I urge all hon. members to do the same.

Thank you, Mr. Speaker.

5:40

**The Deputy Speaker:** Thank you, hon. member.

Are there others? The hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Mr. Speaker. I wasn't going to speak on this, but after listening to the hon. member, I feel I have to say something to it. Today, for instance, we talk about the Property Rights Advocate, and I had lunch with him today. He's not a bad man. He's not a bad person. The reason he's got a job up to this point – because we never needed a Property Rights Advocate in this province – is due to these property bills, Bill 36 being the key one. In southern Alberta if you guys did a quick map of how most of the ridings went, it wasn't the traditional way because of bills like Bill 36.

The hon. Member for Livingstone-Macleod has brought this motion forward, and I think it's back to the process of making sure of the protection of property rights in Alberta. I think everybody wants that, whether you're the Member for Edmonton-Gold Bar and you own a house in town or you're a rancher or a farmer such as yourself, as you had raised that. But the key part is being able to talk about it.

Now, you know, some of the key things that I hear from my constituents in Little Bow is that they aren't happy with it. They weren't happy with Bill 36 at any time because they didn't feel that the consultation was good. This is, I think, merely bringing up that we need to go back to the landowners' rights and respect the roles – and it's part of the motion in here – of the locally elected and accountable municipal councils. Being on council before, the problem with some of the property rights bills that came in was that they superseded the local planning authority ones, which had been put in by local people, the local planning decisions. They've done all of these things before. So it was somewhat that you snuffed what they had locally for powers, and then you sat and put in your own framework for how that was going to be done.

Now, in centralizing these things, which is basically, essentially, what some of these bills do, the centralizing planning with Bill 36, we've shown that in some of the other departments – I think we could probably name off quite a few between Health right now and Education that are having some struggles. I mean, both ministers are trying to do their best to deal with it, but AHS is a pretty prime spot where central planning hasn't worked. On paper it might have looked like a great idea to be able to sit and do these things. I mean, it ties back to this. You get landowners in our area that are very concerned about things.

I mean, you had a member of your own party bring a private member's bill, Bill 202. Now, the reason that was brought forth by the Member for Calgary-Mackay-Nose Hill was because of Potatogate. It was a very large issue in the Cypress-Medicine Hat riding, and it affected up close to mine. Now, if you noticed, I got up and voted for it, much to the dismay of probably quite a few people in the world. But the point is that he brought up that bill because the bills that are in place right now don't protect against something like that happening again. So instead of everybody sitting down and reading that out, they could have gone through Bill 202 and figured out that the reason a member from your own party brought that forward was because he'd identified that it needed to be fixed. An avid outdoorsman, a lawyer, a very well-educated person could sit there and go: "Yeah. Some of these things need to be changed."

I'm not saying that you throw the baby out with the bathwater, but you have to stop at some point and figure out that some of these things are wrong. And if they're wrong, what's wrong with changing them? It's not a hard thing to do. I've been wrong on lots of things. You have to admit it, and then you've got to sit down and figure out how to change it. So this is just one of those things. I think Bill 36 needs to be eliminated to protect many of the fundamentals.

Now, the argument is always that, you know, we're fear-mongering and we're doing all these things. Well, no. We're protecting the rights of Albertans. It's not that we have to throw everything out. Yes, we need some planning. I've never argued that. I've been on county council for 16 years. You need some set plans. My argument is that most of the regional plans that were done were working because they were developed regionally. When they got superseded by Bill 36, for instance, the Land Stewardship Act, that caused some huge dissention amongst the people that had spent lots of days and hours and years essentially doing some planning so they could forward think on it, but it was local decision-making.

Where the problem falls back to, where this happened in our area anyway, is that a lot of people feel that they're not getting a vote or they're not getting a right in it anymore. So you go back to local decision-making, and then we can tie it back to – for instance, yesterday AHS put out a news release at 5 p.m. that there's going to be a public meeting today at 8 a.m. It's not really good notice. I mean, I'm not picking on AHS. But I think some of those things,

when you go back to central stuff, if you have local decision-making, I'm a firm advocate of that because the local people generally know what they want in their area. I think you need a plan of a ballpark of what you need in the province, but to sit down and mandate that into your areas – I think the key to probably at least 15 of our ridings, anyway, was property rights.

Now, everybody over there can argue whether there's a certain lawyer that was in a devil's suit and all kinds of things like that. [interjection] No. It wouldn't have been a lawyer out of Saskatchewan because we know they're great lawyers, and I would never want that member from that side of the floor to ever think that I was, you know, attacking him or any of the other lawyers that are in this building. But the process is that they're laying out the facts. Throw out the information, and let people make their own decision on it.

Now, you could see that pretty well from Red Deer south other than in some of the urban areas the decision was that they weren't happy with the concept of central planning and overriding and superseding the local decision-making that was done by regional planning. [interjection] No. I'm saying that there are quite a few. You know, Calgary-Glenmore, for instance, a great place. They probably had lots of issues, and they picked a fine MLA. I'd never take a shot at her at all on it. It's outside of there, people that sit there. I mean, they voted for what they thought was right. The reason they voted for her is because they had informed information, and they went through it.

People say that we just need to sit back and say: you know, it's not a good piece of legislation. It was put together – I mean, we're going back quite a few years when it was first started. But it tends to screw things up quite a bit when we don't listen to the local decision-makers. The problem is that they basically got told: well, you're going to get superseded by this either way, so you've got to go with it. In my riding alone it was a key issue. We had seven forums in my riding. I had a great candidate I ran against, a PC candidate, and he, too, had issues with the central planning of stuff.

So when you're sitting in a debate and the candidate is from the area – because that's what you're there to do. You're representing your constituents. I think that's all the Member for Livingstone-Macleod is trying to do with his Motion 507. He's trying to represent his constituents on what he hears when he goes around to things. This is a key thing. Yeah, it does fall within our party's parameters. What we were running on was property rights. I believe that we got at least 15 seats that were all rural on this side, a couple of urban seats, too.

I'd say that there are always different issues with everybody. I mean, I've gone through film footage of different things on property rights. There are members from all sides that are now on the government side. Lethbridge-East, for instance, had spoken very adamantly against this bill some time ago. Now, everybody has their right to change on things. I think she was representing her constituents at the time on that because it was a large issue that was done on – I'll pull it up sometime. I forget which date it was. But it was argued that this wasn't a good bill, the property rights in general, the bills that the government was trying to push through.

Instead of just sitting here and saying that it's just a bad motion and we've got to toss it, I really think we need to sit back and say: what's wrong with opening up the book again and figuring it out? Probably what split this province up the most, or one of the biggest things, is property rights. Instead of just sitting there and throwing your hands up and saying, "No; this is bad; we're right" – well, I guess you can do that – you could sit down and have a rational look at it and open up the debate and the decision again and have the conversation with people.

I think that's what people expect in Alberta. We pride ourselves on being able to be open and transparent people. There are 87 MLAs in here that are to be here to listen to what their constituents want. So, you know, even if you've got 20 or 25 per cent of a province saying that it's definitely an issue, then what's wrong with opening up the debate again on it and figuring out what's wrong with the bill? What's wrong with that?

5:50

Well, there were quite a few things wrong with it. I mean, it worked great for us because we were out campaigning, and that's what our constituents wanted. That why, as I say, we on this side of the floor got elected. It was on property rights. I mean, it's your own demise if you want to keep at it, and that's fine. Or you could sit there, and I think we could all be civil and have a decent conversation around what's right and what's wrong with it and open up, you know, to motions like 507.

Thank you.

**The Deputy Speaker:** Hon. members, I believe 55 minutes have expired for debate on this item, so under Standing Order 8(3), which provides for up to five minutes for the sponsor of a motion other than a government motion to close debate, I would now invite the hon. Member for Livingstone-Macleod to close debate on Motion 507.

**Mr. Stier:** Well, thank you, Mr. Speaker. Despite what various speakers have said on the other side of the House and some from the opposite point of view have said, I firmly believe that Bill 36 needs some real review, and that was the purpose of this motion.

Throughout my time as a candidate and even prior to that this was something that I heard all the time during the campaign, and it was something that many, many hundreds of people across Alberta spent many hours, miles, and dollars in trying to convince the government that this was poor legislation. I can recall going up to the massive meeting at Eckville one evening and seeing probably, I think, close to 450 to 500 people being jammed into that arena. Several ministers who were there, who spent the time, received a fairly big boo on what was going on. I was shocked. I was appalled. I'd never seen anything like that. I think that's just one illustration of how inflamed people were about this new change.

Today I mentioned in my questions during question period that it might be a good idea to at least go back to the regional advisory council in the process of doing the South Saskatchewan regional plan first draft and maybe have another visit now that we've had so many people speak out against this. I'd like to just repeat that over 9,000 people have signed a petition about the South Saskatchewan regional plan. That's 9,000 people. That's an awfully significant amount of people who are really, really concerned about what is going on here, and I think we have to pay attention to that.

I think it was also interesting today when I asked the Municipal Affairs minister about something to do with the municipal councils and how they are viewing this thing. I brought to his attention once again – and he and I have spoken about this – the AAMD and C document called forced regionalization. It's a huge issue.

I'd like to also remind the speakers that spoke up against me here today and talked about flip-flops. I think the hon. Member for Calgary-Acadia may have taken something out of context during one of my campaigns when someone asked me about the stewardship act and I said that, yes, there are some good things in it, but certainly I have some other concerns, which he didn't happen to include.

I think it's also interesting, when we talk about flip-flops, when

we see, as the Member for Cypress-Medicine Hat alluded to, that during the debates for leadership two members of this House now spoke that they had really huge concerns during that leadership debate about these bills and particularly about Bill 36, and one of them is sitting here today. Just imagine that they had such concern then, and now they're seemingly on the other side of the fence. Is that a flip-flop, perhaps? Interesting.

Mr. Speaker, I think it's evident throughout Alberta and throughout these debates we've had about property rights over the past few months since I've been here in this House that this is a big, big concern for people. It's a big concern for many members, a big concern for many of their constituents, and I would really implore you to take a chance here and look at this motion.

I mean, it's not that hard. It is a motion that just basically says repeal this act and then replace it with something that better protects the rights than what you have now and perhaps respects and puts in place something that is going to help municipal councils like I came from in looking at how they're going to go about things with the pressure from overtop coming down on them to amend their bylaws, their municipal development plans, even though they may not want to, to conform to some of these things that they don't agree with.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

[The voice vote indicated that Motion Other than Government Motion 507 lost]

[Several members rose calling for a division. The division bell was rung at 5:55 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Anderson	Eggen	Stier
Barnes	Fox	Strankman
Bikman	McAllister	Wilson
Donovan	Rowe	

Against the motion:

Allen	Hancock	Olson
Bhardwaj	Horner	Pastoor
Brown	Jeneroux	Quadri
Cao	Johnson, J.	Quest
Casey	Johnson, L.	Sandhu
Denis	Khan	Sarich
Dorward	Kubinec	Scott
Drysdale	Lemke	Starke
Fawcett	Luan	Swann
Fenske	McDonald	VanderBurg
Fraser	Oberle	Weadick
Goudreau	Olesen	Xiao
Griffiths		

Totals:	For – 11	Against – 37
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[Motion Other than Government Motion 507 lost]

**The Deputy Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I move that we adjourn to 1:30 p.m. tomorrow.

[Motion carried; the Assembly adjourned at 6:08 p.m. to Tuesday at 1:30 p.m.]







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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Tuesday, April 9, 2013

Issue 42

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta  
The 28th Legislature**

First Session

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Wilson, Jeff, Calgary-Shaw (W)  
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
    Government Whip

**Party standings:**

Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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Luan	Strankman
McDonald	Xiao

### Standing Committee on the Alberta Heritage Savings Trust Fund

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Deputy Chair: Mrs. Jablonski

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Casey  
Dorward  
Eggen  
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Sandhu  
Sherman

### Select Special Conflicts of Interest Act Review Committee

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Dorward	Saskiw
Fenske	Wilson
Johnson, L.	Young
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### Standing Committee on Families and Communities

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### Standing Committee on Public Accounts

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## Legislative Assembly of Alberta

1:30 p.m.

Tuesday, April 9, 2013

[The Deputy Speaker in the chair]

### Prayers

**The Deputy Speaker:** Let us pray. As we pray, let us commemorate the 96th anniversary of the Battle of Vimy Ridge on April 9, 1917. We give thanks for the lives of the faithful men and women in our military who have defended and continue to defend the freedoms and values we cherish. Life is precious. When it is lost, we are all impacted. On this day I would ask that all Members of Alberta's Legislative Assembly, all others present here, and those observing these proceedings in their homes join together as we reflect upon the lives of Canadian military personnel lost in service to their countrymen. May their souls rest in eternal peace, and may a nation be eternally grateful. God bless. Amen.

Please be seated.

### Introduction of Visitors

**Mr. Khan:** Mr. Speaker, I'm pleased to introduce to you and through you and to all members of the Assembly Mr. Brent Rathgeber, Member of Parliament for Edmonton-St. Albert. Although Mr. Rathgeber now serves the public from the federal stage, he is no stranger to provincial politics, serving as the MLA for Edmonton-Calder from 2001 till 2004. Mr. Rathgeber was a dedicated advocate for his constituents and worked with many of the MLAs who are sitting in this House today. It was during this time that Mr. Rathgeber met his very first political boss, Premier Ralph Klein, who Brent has very, very fond memories of working for and with.

After being elected as an MP for the first time in 2008, Mr. Rathgeber was appointed to the House of Commons' standing committees on Justice and Human Rights and Public Safety and National Security. After nearly 20 years of practising law, Mr. Rathgeber's knowledge and experience that he brought to these committees was invaluable. He now sits on the Standing Committee on Aboriginal Affairs and Northern Development.

Outside of his parliamentary duties Mr. Rathgeber can be found golfing, reading, and cheering on the Edmonton Eskimos. However, because of the Saskatchewan blood that runs through him – Melville, I believe, sir – Mr. Rathgeber's loyalties shift when the Roughriders are in town. But we won't hold that against him. Well, some may.

Mr. Speaker, I'd ask that Mr. Rathgeber, seated in the Speaker's gallery today, please rise and receive the traditional warm welcome of this Assembly.

### Introduction of Guests

**The Deputy Speaker:** The hon. Member for Edmonton-Riverview.

**Mr. Young:** Thank you, Mr. Speaker. It is a pleasure to rise today and introduce to you and through you to all members of the Assembly 24 intelligent individuals from McKernan elementary school. Accompanying them today are their teacher, Ms Jasmine Kinjo, and Stephen Dobson. They're seated in the public gallery. I'd ask that all guests rise and receive the traditional welcome of this Assembly.

**The Deputy Speaker:** The hon. Member for Strathmore-Brooks.

**Mr. Hale:** Thank you, Mr. Speaker. It's an honour today to rise and introduce to you and through you to all members of the Legislature a group of students from the Rosemary school in my constituency. They haven't arrived yet. They will be arriving at 2, but they're only staying till 2:30, so I would like to continue with their introduction now. With them are their parent chaperones, Mr. Alan Dyck, Mr. Cornelius Krahn, Mr. Travis Simo, Mrs. Jennifer Wiebe, Ms Cretia Morishita, and Mr. Dwight Zacharias. Also with them is the principal of Rosemary school, Mr. David Blumell. I would ask now that you give them the warm traditional greeting of this Assembly.

**The Deputy Speaker:** Thank you, hon. member. You might like to know that I had the privilege of meeting them in the hallway, so they're not that far away.

The Member for Edmonton-McClung.

**Mr. Xiao:** Thank you, Mr. Speaker. It's a great pleasure for me to rise to introduce a group of most-talented students from Talmud Torah school in my riding. Before we started the session, I had the opportunity to talk to them, and they asked me how important homework is. We had a very meaningful conversation on that one. Also, before that, I attended the Telus World communication with Canadian astronaut Chris Hadfield, so I tried to explain that it's very important to study well and someday you can be anybody. They are accompanied by their teacher, Sherry Helland. I'd ask them to rise and receive the traditional warm welcome of this House.

**The Deputy Speaker:** Hon. Member for St. Albert, did you have a second introduction?

**Mr. Khan:** I do, sir. Thank you very much, Mr. Speaker. I would like to introduce to you and through you to all members of the Assembly a group of students and their teachers from Vital Grandin elementary school located in St. Albert, this constituency I am so honoured to serve. Accompanying these ambitious and inquisitive students are their teachers, Miss Courtney Hooper, Mrs. Adriana Bryenton, and Ms Karen Cabot. These individuals are seated in the members' gallery today. I would ask that the students and guests from Vital Grandin school – and there are a whole bunch of parent volunteers with them today – rise and receive the traditional warm welcome of the Assembly.

**Mrs. Jablonski:** Mr. Speaker, today it is my great honour to introduce on your behalf to all members of the Assembly a very special and important person, your mother, Hazel Rogers. Hazel and her late husband, Hal, came to Canada from Jamaica in 1966 to teach in Worsley, a community north of Fairview. In 1969 Hazel and Hal moved to Leduc, where they saw their dream come true when all five of their children successfully completed postsecondary education. Hazel was a reading specialist who taught grade 1 her entire career. She retired in 1990 and now spends her time keeping fit and quilting. Her most precious moments are spent with her children and her six grandchildren. She is seated in your gallery. I'd ask her to rise to receive the traditional warm welcome of the House.

**The Deputy Speaker:** Thank you, hon. members.

The hon. Member for Edmonton-Decore.

**Mrs. Sarich:** Thank you, Mr. Speaker. It's my honour and pleasure to rise today to introduce to you and through you to all members of the Alberta Legislature a number of guests that will be in attendance during question period. These guests are from the

Millennium Pavilion Seniors' Lodge, which is part of the St. Michael's Health Group. It's always nice to have seniors active and interested in current affairs in our democracy here at the Alberta Legislature. It is my pleasure to have them visit the Alberta Legislature and have a very special tour of our historic sites. I would ask that we give them the traditional warm welcome at this time.

Thank you, Mr. Speaker.

**The Deputy Speaker:** The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Speaker. It's my pleasure to rise today to introduce to you and through you my guests Doug Short and Anna Beukes. Anna teaches finance and economics at the business school at NAIT. Currently she chairs the finance program at the school and serves as vice-president external for the Alberta Colleges and Institutes Faculties Association. Doug Short is president of NASA, the faculty association at NAIT, as well as president of the Alberta Colleges and Institutes Faculties Association, which represents the faculty of the colleges, baccalaureate universities, and polytechnics of Alberta. I would now like to ask Doug and Anna to rise and receive the traditional warm welcome of this Assembly.

1:40

**The Deputy Speaker:** The hon. Member for Edmonton-Meadowlark.

**Dr. Sherman:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of this Assembly Muriel and Ronald Whyte, who are here on behalf of their son, Shayne Ronald Whyte. But first about the Whytes. Ronald is from Saskatchewan. Muriel is from the Kootenays. They met on a blind date in 1965 in Jasper. They settled in Hinton. Ronald has worked in the forestry industry, and Muriel has been a specialized educator, assisting kids with severe needs.

They've been blessed with three kids. One is in heaven, a son. Their daughter, Shauna, is in Norway. She's a four-time Paralympic athlete. Their son, Shayne, was born with a skull fracture and brain injury and a complex seizure disorder and autism, and they cared for him. He unfortunately suffered some trauma and abuse when he was in the care system. But for 10 years, since he's been in the Michener Centre, he's been studying math at Red Deer College. He loves to play piano by ear, he's working on getting a girlfriend, he works on the computer, and he's an Oilers fan. They're here to support Shayne, and I would ask them to rise and receive the traditional warm welcome of the Assembly.

Thank you.

### Members' Statements

**The Deputy Speaker:** The hon. Member for Edmonton-McClung.

#### Edmonton-McClung Constituency

**Mr. Xiao:** Thank you, Mr. Speaker. Today I'm extremely pleased to rise and speak about the amazing constituency of Edmonton-McClung. Edmonton-McClung's namesake is the iconic Nellie McClung, a distinguished author, feminist, and member of the Famous Five, a group of courageous and determined women who fought for equality. As an elected representative I try to remember the historic, trail-blazing beginnings of my constituency's namesake and try to work as hard as I can to represent the voice and the interest of my constituents in order to make a meaningful and tangible difference in their everyday lives.

Edmonton-McClung is home to over 45,000 residents. It is blessed with a diverse population that includes Jewish, Muslim, Russian, Filipino, Ukrainian, Chinese, and German communities, to just name a few. This diversity has allowed me to attend some of the most wonderful festivities, and I have had opportunities to taste the most unique and delicious food in the world.

In addition, Mr. Speaker, Edmonton-McClung is home to one of the most modern libraries in the province, the Lois Hole public library, named after the former Lieutenant Governor. The families in my constituency have the opportunity to enjoy various recreational facilities such as the skateboard park and water spray park, Callingwood sports arena, and the Jamie Platz YMCA. These facilities are the magnet of my community. Regardless of your age or interest, everybody can find something to do or enjoy.

Mr. Speaker, I will continue to work hard with all my colleagues in the Alberta government and in this Legislature to serve all Albertans to the best of our capacity so that all Albertans can have a very vibrant and family-oriented life.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you.

The hon. Member for Innisfail-Sylvan Lake.

#### Alberta Health Services Performance Targets

**Mrs. Towle:** Thank you, Mr. Speaker. This government's out-of-touch priorities are no more evident than in our public health care system. For two and a half years straight Alberta Health Services has failed to meet their own performance measure targets. On wait times for procedures the lack of progress would be laughable if it was not so serious. Knee replacements: average wait, 41 weeks. In northern Alberta: average wait time, 56 weeks. Yet the AHS target is half of that at 21 weeks. For hips it's no better. The target is 22 weeks, but on average we wait 37, longer if you are outside of Calgary and Edmonton.

Let's look at access. Most provinces have a benchmark goal of moving 90 per cent of patients through ER and into hospital within eight hours. In Alberta our goal is only 75 per cent, yet we can't manage to reach that goal. In that goal of admitting patients into ER within eight hours, we only reached it 46 per cent of the time. We don't reward our children for failure. Why are we rewarding Alberta Health Services executives?

Knowing all of this, it should be easy for members to understand why Albertans get upset when they hear of Alberta Health Services bonuses, pay raises, and massive increases in spending on administration. Long-term care takes a \$52 million cut, but the bureaucratic monster of Alberta Health Services gets a 21 per cent increase.

But that's not bad enough. Alberta Health Services then goes even further to tell veterans of the Canadian Forces that their discounted hospital parking passes have been discontinued, all of this to make room for an extra \$84 million in bloated administrative spending. And this government has the gall to say that they are reining in bureaucracy.

AHS centralization was supposed to cut down administration costs and save us money, yet the bloated bureaucracy continues to grow at the expense of actual health services. Albertans want to know when their priorities will become this government's priorities.

**The Deputy Speaker:** Thank you, hon. member.

The hon. Member for St. Albert.

**Hon. Lois E. Hole, CM, AOE**

**Mr. Khan:** Thank you, Mr. Speaker. It's turning into St. Albert



day here. As we all know, Lois Hole was the 15th Lieutenant Governor of Alberta, serving from 2000 till her passing in 2005. To many in the province she was known as the Queen of Hugs. To a St. Albert kid like myself she was so much more.

My first recollection of Mrs. Hole was as an elementary-aged student like those sitting in the gallery, accompanying my parents to the Holes' farm to buy vegetables. I remember with great fondness an incredibly friendly woman who was incredibly gracious and warm and who always made sure that I got an extra carrot to eat on my way home. I have to tell you, Mr. Speaker, that I'm not certain I've ever tasted more delicious carrots than were grown by the Holes on their farm, that was then on the outskirts of St. Albert, out in the country.

Fast-forward 30 years or so and that farm, which grew to be Hole's greenhouses, was recognized as one of the largest and best greenhouse facilities in western Canada. Under the visionary stewardship of Lois and Ted's sons, Bill and Jim Hole, the original greenhouses were closed, and just in the past few weeks the original site was demolished. A new location in the southwest corridor of St. Albert was established a couple of years ago to be the home of the Enjoy Centre, which has been developed as a truly world-class greenhouse facility that all Albertans can be proud of.

The Enjoy Centre sits adjacent to another of Lois Hole's remarkable legacies, the Lois Hole centennial provincial park. Encompassing Big Lake, at eight kilometres long and three kilometres wide, the park is a haven for birdwatching and is listed as one of the 20 most important bird habitats in all of Alberta.

I will leave you with a short excerpt from a poem.

As they soar on wind above Big Lake  
So too do our spirits soar.

I invite all members and all Albertans to visit these treasures of the capital region, and I assure them that their spirits, too, shall soar.

Thank you, Mr. Speaker.

**The Deputy Speaker:** The hon. Member for Edmonton-Strathcona.

### Carbon Tax

**Ms Notley:** Thank you, Mr. Speaker. This Conservative government's cozy relationship with the oil and gas industry and their reliance on political donations from their friends in big corporate boardrooms is putting Alberta's environment at risk and has seriously damaged our international reputation, making it difficult to sell our oil to overseas markets. Rather than spending hard-earned public dollars to mislead and greenwash, our government should take a hard look at its environmental record and fix it.

Mr. Speaker, the job of protecting Alberta's environment has been this government's poor distant cousin for decades. Just since 2009 the PCs have cut funding for the ministry of environment by \$21 million, and this past budget saw a \$17 million cut to climate change policies. Alberta's contribution to greenhouse gas emissions has increased more rapidly than Canada's overall emissions. Our so-called intensity-based carbon levy has a negligible impact, and even that program has been criticized by our Auditor General for its lack of accountability and standards. As a result, our government will not even meet its own unambitious greenhouse gas reduction targets.

Now, on the eve of a trip to the U.S., the minister has set up a trial balloon on a new regime that the most optimistic of environmentalists characterize as merely a baby step towards possible change. Even that, unfortunately, Mr. Speaker, is only a discussion, and I'm personally convinced that it will disappear

into a wisp of toxic smoke once the Keystone deal is finalized. Then our Conservative government will go back to its tried-and-true method of firmly implanting its environmental head in the sand.

1:50

At the same time dangerous growth of tailings ponds is also an international black eye for this province. While three years ago the government brought in regulations to very modestly and very apologetically start the process of managing tailings ponds growth, today all but one of the affected industries is ignoring that law with complete impunity, and there is no enforcement on the horizon from our government. At least half of our greenhouse gas emissions . . .

**The Deputy Speaker:** Thank you, hon. member.

### Oral Question Period

**The Deputy Speaker:** The Leader of the Official Opposition.

### Alberta Health Services Administration Costs

**Ms Smith:** Mr. Speaker, in addition to all of the other messes this Minister of Health has created, he now has to explain the Alberta Health Services budget. Let's start with administration costs. We were told the superboard would save money through streamlined administration, but over the past three budgets administration costs are up nearly 60 per cent. In the current budget the increase is \$84 million, or 21 per cent, while front-line services are being cut. Why?

**Mr. Horne:** Well, Mr. Speaker, it is true that Alberta Health Services has made great strides in reducing administration costs and, as acknowledged by recent statistics, has the lowest cost in the country, at 3.3 per cent of total budget. What the hon. member seems not to be aware of is that in their proposed budget, which, of course, is pending approval of Budget 2013, AHS has proposed to include additional items on the administrative line in the budget so as to allow us all to compare their administrative costs on the basis of the Canadian Institute for Health Information data. That's responsible, it's transparent, and this member should applaud Alberta Health Services for it.

**The Deputy Speaker:** Thank you, hon. minister.

**Ms Smith:** I can assure you, Mr. Speaker, that Albertans aren't applauding.

The administration cost increases over the last three years are disgraceful: \$304 million in 2011, \$397 million in 2012, and an outrageous \$481 million this year. Albertans were told administrative cuts were coming. Instead, we see an \$84 million increase. What is going on here?

**Mr. Horne:** Mr. Speaker, as the hon. member well knows, Alberta Health Services led agencies, boards, and commissions in this province when they announced immediately after the provincial announcement that they would reduce management positions by 10 per cent over the next three years. They were the first to eliminate bonuses and pay at risk, something that this member has constantly complained about. They have frozen management salaries. This is the kind of leadership that Albertans are looking for. Alberta Health Services is the fifth-largest employer in the country. We have the privilege of being MLAs in a province that saw 100,000 people come to this province last year and for good reason.

**Ms Smith:** Mr. Speaker, we have been saying for months that there are billions of dollars to be saved by the government through trimming middle management, yet no one in the government seems to get it. At AHS between 2011 and 2012 they added 350 more middle managers, bringing the total to more than 3,800. How does adding 350 middle managers improve health care for Albertans and taxpayers?

**Mr. Horne:** Well, Mr. Speaker, the hon. member's ignorance of how the health system actually works is astounding. [interjections] I realize I've just used a word that I should not have used. So her lack of knowledge on the subject is astounding, and I withdraw the term.

That notwithstanding, Mr. Speaker, middle managers in the health system do not perform the same functions as senior executives. They manage direct patient care programs. They supervise staff. They oversee the deployment of resources across the system in hospitals and community-based care and other areas. These people contribute to the high quality of patient care that we all enjoy.

**The Deputy Speaker:** Thank you, hon. minister.

Hon. leader, your second set of questions.

**Ms Smith:** Thank you, Mr. Speaker. More managers managing managers managing managers.

#### Alberta Health Services Executive Bonuses

**Ms Smith:** This government's commitment to Soviet-style central planning is costing taxpayers more money and is delivering worse service. Alberta Health Services is a stark example. Now, the Minister of Health talks about tough choices and says that improvements are being made. Out here in the real world, where the rest of us live, it's a mess. Wait times don't meet targets. Long-term care is being cut. Doctors still have no contract. With this record of poor performance why is AHS still giving executives hefty salaries and bonuses?

**Mr. Horne:** Mr. Speaker, the commitment that we're seeing, despite all facts that are presented to the contrary in this House, is that the hon. member is committed to undermining public confidence in the health care system, the confidence of the 100,000 people that work for Alberta Health Services, and any attempts that we make consistently in partnership with them to improve care. AHS has not cut funding for long-term care. They are increasing funding next year in home care, in facility-based care, in community-based care. I thought that party stood for better value for taxpayers' dollars. Apparently, they don't. Apparently, they stand for undermining confidence in this system.

**The Deputy Speaker:** Thank you, hon. minister.

**Ms Smith:** A \$52 million cut, Minister. You should read your own books.

AHS says that bonuses are being cancelled because they are not understood by the public. Mr. Speaker, it is not the bonuses the public doesn't understand. It's bonuses for not meeting targets. It's bonuses for not delivering services. It's bonuses for not holding the line on spending. It's bonuses for failure. Why doesn't the minister explain that to the AHS Board?

**Mr. Horne:** Well, Mr. Speaker, what this hon. member should be doing is recognizing the fact that AHS is moving from a 4.5 per cent planned increase for next year to a 3 per cent increase. While

they are doing that – and I would defy the hon. members to suggest that we should not be investing more dollars in health care unless, of course, they want to present us with privatization options, which they've done in the past. This is an organization that takes taxpayer value seriously. They demonstrate it by continuing to serve an increasing population in this province by meeting needs in hospitals, in the community, and in areas like mental health.

**The Deputy Speaker:** Thank you, hon. minister.

**Ms Smith:** We're talking about undeserved bonuses, Health minister.

Mr. Speaker, the chair of AHS has even suggested that because he's cancelling bonuses, he might just make an upward adjustment to executive salaries to make up the difference. Now, I thought that there was a three-year government salary freeze in place. Will the minister agree today that he will spike any AHS proposal to increase executive salaries?

**Mr. Horne:** Mr. Speaker, the hon. member is obviously behind the times. I thought she read the media at least, but apparently she doesn't. The Alberta Health Services Board chair announced when presenting preliminary details of the budget, which is pending approval of Budget 2013, a freeze in management salaries, a reduction of management positions by 10 per cent over the next three years, and the elimination of pay at risk on a permanent basis. That's the leadership Albertans are looking for. The hon. member should congratulate the board for taking that leadership.

**The Deputy Speaker:** Hon. leader, your third set of questions.

**Ms Smith:** Thank you, Mr. Speaker. The Health minister should read his news clippings, *Metro* news today.

#### Prescription Drug Coverage

**Ms Smith:** Mr. Speaker, yesterday in question period I asked some specific questions about the availability and pricing of two drugs delisted by Alberta Health as a result of the minister's generic drug plan, ketolorac, a commonly prescribed painkiller; and triamcinolone, used to treat arthritis, asthma, and lupus. Now, the minister declared there'd be no problem getting these drugs, that there were multiple suppliers. Will the minister take the opportunity to correct his answers from yesterday and provide Albertans with updated factual information regarding these medicines?

**Mr. Horne:** Mr. Speaker, what I will take the opportunity to do, as apparently it wasn't sufficient yesterday, is to inform or attempt to inform the hon. member about the process for drug listing in this province. Like most jurisdictions across the country, drug companies present pricing on a monthly basis to government. On that basis government determines whether it will buy the previously listed drug or whether it will delist that drug and buy the same drug with the same active ingredient, most often from another generic manufacturer or often from a brand name source. We make a broad range of drugs available to Albertans on a consistent basis. The adding and subtracting . . .

**The Deputy Speaker:** Thank you, hon. minister.

**Ms Smith:** Mr. Speaker, after question period yesterday Alberta Health was scrambling to fill some of the gaps in their new list of approved drugs. They tweeted they'd made a mistake on penicillin and had to relist a drug called Apo-Pen. Now, on April 1 the price

of Apo-Pen, penicillin, jumped from about \$7 to just under \$19. That is two and a half times more expensive. Why does the minister claim that his plan will reduce the price of generic drugs when this is quite clearly a massive increase?

**Mr. Horne:** Well, Mr. Speaker, there are over 4,000 drugs that are listed in Alberta under our drug benefit plan. The drug ketolorac, for example, which was in fact delisted in the last listing, has been replaced by a drug with the same active ingredient called Toradol. The listing and delisting of drugs each month is in response to prices that are set responsibly by this government in our attempt to get the best value for taxpayer dollars possible. The hon. member should support that process. The hon. member has an obligation to understand it if she intends to criticize it in this House. This is just another example of fearmongering about health care that . . .

**The Deputy Speaker:** The hon. leader.

2:00

**Ms Smith:** Toradol is the more expensive brand name drug, isn't it, Mr. Minister?

Mr. Speaker, the same drug company that I mentioned, its price list shows new prices for about 15 generic drugs, all with significant price increases: double, triple, and in one case 340 per cent higher than last year. When will the minister admit that his poorly conceived plan for lower drug prices is actually resulting in Albertans paying higher drug prices out of their own pockets?

**Mr. Horne:** Well, Mr. Speaker, this isn't actually a complex issue, but if the hon. member wants to make it complex, she's certainly free to do so. The fact of the matter is that there are over 4,000 drugs listed in Alberta. Prices change monthly. They change in Alberta. They change in other provinces. Manufacturers and distributors respond to activity in the marketplace. We ensure through a system that we have in place that we get the best value for taxpayer dollars, and we make sure that we have all drugs in the same cluster, with the same active ingredients, available to Albertans. The hon. member should know that the way these savings are achieved is by balancing the delisting and listing over time.

**The Deputy Speaker:** Thank you, hon. minister.

The hon. leader of the Liberal opposition.

### Support for Postsecondary Education

**Dr. Sherman:** Thank you, Mr. Speaker. This government's policies have led to the lowest postsecondary participation rates in the country and not enough room for the students who do go to postsecondary. Now, while making the biggest cut in decades, after two years of frozen funding, at a time the province is growing, the Minister of Enterprise and Advanced Education is demanding that space for more domestic students be created. Minister, could you please tell us what alternate universe you live in where postsecondary spaces can be created while funding is being decimated for these postsecondary institutions?

**The Deputy Speaker:** The hon. Minister of Enterprise and Advanced Education.

**Mr. Lukaszuk:** Well, thank you, Mr. Speaker. Yes, the member is correct. Postsecondary education has been receiving consistent increases in funding, as a matter of fact, to the tune of nearly 50 per cent over the last 10 years. This year, as shown in all ministries, has been the exception to that trend of supporting postsecondary education. Now we have, as I was corrected

yesterday, the second-highest funded postsecondary education system in Canada, with the exception of Quebec, but we're also funding that one, as everybody knows. However, we are committed to growing postsecondary education in this province, and we will continue our commitment to postsecondary education.

**The Deputy Speaker:** The hon. leader.

**Dr. Sherman:** Thank you, Mr. Speaker. When education was funded appropriately, the University of Alberta was ranked 38th in the world. With the freezes in the last couple of years, they have dropped to 108th in the world, and now there's this draconian cut. Professor Donna Wilson at the U of A is letting it be known that this government's brutal cuts to postsecondary funding are hurting that institution as the best and brightest from Alberta and around the world are reconsidering their decision to study, teach, or do research at the U of A. To the minister: how can you even pretend to claim you're building a knowledge-based economy when you're driving away the best and brightest students?

**Mr. Lukaszuk:** Mr. Speaker, this member would now have us believe that even though the budget hasn't been passed yet, the University of Alberta dropped 70 spots in the world ranking already. Humbug.

Mr. Speaker, the fact is that we are working in collaboration with all chairs and all presidents of all postsecondary institutions. We are making a commitment to make sure that the impact on students is minimal. I have been very clear that we will not be increasing tuition for students, and at the end of the day we will continue investing in postsecondary education. Yes, difficult decisions will have to be made, and much like in other sectors of the Alberta government we will be focusing on administration, not on students.

**The Deputy Speaker:** Thank you, hon. minister.

**Dr. Sherman:** Mr. Speaker, we already have amongst the highest tuition and fees in the country for postsecondary education. It's no wonder that over 6,000 high school students in this province drop out of school every year, giving Alberta the highest high school dropout rate. This is actually hurting our economy. To the same minister: why would you cut postsecondary education when all that will do is further reduce opportunities at postsecondary levels, actually encouraging more students to drop out of high school, unless that's what you really want, Minister?

**Mr. Lukaszuk:** Mr. Speaker, as you know, as a matter of fact, relevant to participation in postsecondary institutions, the Minister of Education should be congratulated. We've just passed a piece of legislation that allows for dual credit earning, which will further increase participation in postsecondary education. We have increased funding in this budget for students from low-income families who need financial assistance so they can participate in postsecondary education. We have frozen tuition so they can participate in postsecondary education, and we will be working with chairs and presidents of all 26 schools to try to increase the number of seats that they will generate within our postsecondary institutions.

**The Deputy Speaker:** Thank you, hon. minister.

The hon. leader of the New Democrat opposition.

### Funding for Long-term Care

**Mr. Mason:** Thank you very much, Mr. Speaker. This PC government can't be trusted to look after Alberta's seniors. Several years ago an Auditor General's report concluded that Alberta's long-term care facilities were so short-staffed that in

some cases seniors had to be awakened as early 3 a.m. in order for the staff to feed them. In the last election this Premier promised that there would be no service cuts. This budget cuts long-term care by \$52 million. My question is to the Health minister. Why has this government broken its promise to our vulnerable seniors yet again?

**Mr. Horne:** Mr. Speaker, I don't know where the hon. member is getting this information. I can tell you that a media report in the *Calgary Herald* was incorrect. In fact, my understanding from Alberta Health Services today is that they will be increasing funding in home care, in long-term care, and in community-based care.

**The Deputy Speaker:** Thank you, hon. minister.  
The hon. leader.

**Mr. Mason:** Thank you very much, Mr. Speaker. This government has a long record of cutting publicly funded long-term care spaces for seniors and replacing them with so-called continuing care that charges seniors extra for nursing care. Many seniors need the medical care provided in a long-term care facility and not available in assisted living. Thousands of seniors are suffering at home without the care they need or occupying acute-care beds needed by other patients. Will the minister commit today to reversing the mean-spirited cut to long-term care?

**Mr. Horne:** Mr. Speaker, obviously, the hon. member wants to talk about the difference between long-term care and designated supportive living. Of all Albertans waiting for placement in continuing care today, 15 per cent – only 15 per cent – are estimated as requiring long-term care, based on assessment. What's more, we have the ability to meet those needs over time. All of the continuing care spaces we have opened are built to a B2 standard. It's what allows us to provide an enhanced level of care to citizens as they age in their own community, very often with their spouse. That's what progressive continuing care is about.

**The Deputy Speaker:** Thank you, hon. minister.

**Mr. Mason:** Mr. Speaker, 15 per cent of seniors is a huge number, and this government is cutting long-term care. They promised in the election to increase the number of long-term care spaces by 1,000 per year over the next five years to meet the needs of Alberta's aging population and changing demographic profile. Breaking this promise is a betrayal of the seniors who need those spaces. Will the minister admit that the Alberta Health Services budget is just another broken promise from this government?

**Mr. Horne:** Well, Mr. Speaker, 15 per cent is a considerable number, and a hundred per cent of people waiting for continuing care is also a considerable number. That's why we are meeting our commitment to open 5,000 additional continuing care spaces over five years. We are building those spaces to the B2 building standard, which is the standard required for a nursing home environment. That, of course, is what allows us to meet the promise that we made, which was to allow Albertans to age in place in their own communities wherever possible, close to family and friends.

**The Deputy Speaker:** Thank you, hon. minister.

### Carbon Tax

**Mr. Anderson:** Mr. Speaker, we all remember the job losses this government contributed to in 2008 when they dramatically

increased taxes on our oil and gas sector. The PCs thought it was a great idea to raise taxes on energy producers just as the price of energy tanked. Now this same brain trust has decided to increase carbon taxes by 167 per cent on our large oil sands employers in the middle of a market access crisis, with projects like the Voyageur upgrader already being cancelled. To the Deputy Premier: why is your government making the same mistake it made in 2008 and risking the jobs of thousands of Alberta families?

**Mr. Lukaszuk:** I'm going to have to tell you that it's really unfortunate that while our Prime Minister is working really hard to open up access to tidewaters for our product throughout the world, while our Premier right now in Washington is trying to find access for our product abroad, they are making this kind of noise, that is totally unsubstantiated, trying to indicate that what we are doing is not only environmentally unfriendly but also indicating that we are about to increase taxes. The fact is that we're working very closely with the Prime Minister and the federal government. We're working very closely with industry. There will never be any surprises, and there is no anticipation of any increases.

**The Deputy Speaker:** Thank you hon. Deputy Premier.

2:10

**Mr. Anderson:** Your carbon tax is going to kill jobs and do little to reduce CO<sub>2</sub>.

Given that your government made a promise during the last election that you would not raise taxes and given that most Albertans would say that a 167 per cent increase to carbon taxes would probably break that promise, why would your government pursue a job-killing carbon tax instead of adopting, say, the Wildrose natural gas strategy, which would transition us from coal-generated power to natural gas generated power, thereby reducing CO<sub>2</sub> emissions by 30 per cent and creating . . .

**The Deputy Speaker:** Thank you, hon. member.

**Mr. Lukaszuk:** Mr. Speaker, through leadership that actually is the envy of other jurisdictions, we have developed a technology fund that is committed to reducing our carbon footprint and buying us the social licence that we need to be able to sell our product abroad. This is what you do as a leader. This is how you get your product to the markets, not through being a climate change denier and now fearmongering about new taxes.

**The Deputy Speaker:** Hon. Member for Lac La Biche-St. Paul-  
Two Hills, you rose on a point of order at 2:02 p.m. It's noted.

**Mr. Anderson:** Albertans sure embraced Stéphane Dion's carbon tax, Deputy Premier. You have a real winner there. Keep it up.

Given that the Wildrose plan to decrease emissions, including CO<sub>2</sub>, would include a job-creating natural gas strategy rather than a job-killing PC carbon tax increase and given that our oil sands industry is facing a market access crisis and cannot afford yet more uncertainty and higher costs, will the Deputy Premier commit his government to scrapping their carbon tax dreams in favour of the Wildrose natural gas strategy, which will actually help Alberta businesses create jobs for Alberta families?

**Mr. Hughes:** Mr. Speaker, a lot of gas. A lot of gas over there.

Actually, what this province needs is access to markets for oil because that is the largest challenge that we face in this province, getting our products to market. To help ensure that we get our products to market, we have to earn the social licence and the respect of other Canadians and other people around the world. This government, working closely with industry and with the

government of Canada, is working hard to ensure that we build that social licence.

**The Deputy Speaker:** The hon. Member for Calgary-Foothills.

#### **Research Development and Commercialization**

**Mr. Webber:** Well, thank you, Mr. Speaker. Yesterday the Deputy Premier signed a memorandum of understanding with Siemens, which is a huge German-based, multinational engineering conglomerate company founded by Wilhelm von Siemens back in 1844 in Berlin. My question is to the Deputy Premier. Is the signing of this MOU just an empty gesture with a giant foreign company?

**Mr. Lukaszuk:** Well, Mr. Speaker, I have been clear, and I believe our colleagues in Ottawa – and I know we have a member sitting with us – would agree that Canada could do much better in the area of research development and commercialization of research. In this province we are on the cusp of greatness. We have the possibility of research because we have the academia and we have the resources to do that, but often that requires private-sector participation. Siemens is a company that is a world leader in research and development, filing some 25 patents a day. It's a win for Alberta to have it . . .

**The Deputy Speaker:** Thank you, hon. minister.

**Mr. Webber:** Back to the Deputy Premier, then: what exactly are we going to get from Siemens? Are we signing over our innovations system to them?

**Mr. Lukaszuk:** Mr. Speaker, no. We are going to leverage our expertise against theirs and vice versa. They have the expertise in commercializing research. They have the expertise in environmental studies. That's one of their areas of expertise. They have the expertise in attracting venture capital for us to engage in further research. But what is most important – and many jurisdictions can only dream of this – is that we now have them here, located in Alberta, so they can become part of any and all research that will be taking place in the future.

**The Deputy Speaker:** Thank you, hon. Deputy Premier.

**Mr. Webber:** Okay. Located in Calgary, I understand. That's wonderful.

How will Albertans, though, the Marthas and the Henrys out there, benefit from this, Deputy Premier?

**Mr. Lukaszuk:** Well, Mr. Speaker, not only those who actually participate in research will benefit – Siemens is a massive employer throughout the world – but Martha and Henry will benefit from the research that they actually commercialize that they will find on either store shelves or will enjoy through breathing even cleaner air, through enjoying the social licence that we have to export our products, and through other research in health care, in agriculture, or whatever type of research Siemens may choose to get involved in.

**The Deputy Speaker:** Thank you.

The hon. Member for Innisfail-Sylvan Lake, followed by Strathcona-Sherwood Park.

#### **Funding for Long-term Care** (continued)

**Mrs. Towle:** Thank you, Mr. Speaker. Once again Albertans have

a reason not to trust this PC government. Alberta Health Services delivers another budget that doesn't meet with the priorities of Albertans. In the 2013-2014 budget document submitted to the Health minister for his approval, Alberta Health Services cuts long-term care funding to vulnerable seniors by \$52 million, yet somehow superboard executives were able to find \$84 million more for administration and possible pay hikes. Albertans are not applauding AHS; they're disgusted. To the Health minister: how can you possibly explain how cutting funding by \$52 million will improve the quality of care seniors receive?

**The Deputy Speaker:** Thank you, hon. member.

**Mr. Horne:** Well, Mr. Speaker, as I explained in answer to a previous question, Alberta Health Services is increasing funding in all areas of continuing care. That's long-term care, that's home care, and that's other care in the community.

Mr. Speaker, with respect to administration costs, as I explained earlier, AHS has changed how they categorize those costs. Additional programs which previously had not been included in that line like strategic clinical networks have now been added, and that will make our administrative expenses directly comparable to those in other provinces and territories.

**The Deputy Speaker:** Thank you, hon. minister.

**Mrs. Towle:** Maybe there's a second set of books that we're not aware of.

Given that this Health minister has already devastated communities and families with the closures of the Little Bow continuing care centre and Michener Centre in Red Deer, can the Health minister assure Albertans in this House that the \$52 million cut to long-term care in this year's Alberta Health Services budget won't mean additional facility closures this year, next year, or ever?

**Mr. Horne:** Well, Mr. Speaker, the hon. member and her colleagues always seem to be very interested in attributing motive. When it comes to motive, this government has one aim in mind when it comes to seniors, and that is allowing our seniors to live independently and with dignity and for as long as possible in their home community. A commitment to add 5,000 beds over five years and to be on track to deliver that is not a small commitment. We've done that. We're continuing to open new spaces. As I said earlier, about 15 per cent of Albertans who require continuing care are awaiting a long-term care bed, and they will be provided for.

**The Deputy Speaker:** Thank you, hon. minister.

**Mrs. Towle:** There's definitely motive here. Absolutely.

Given that the families of vulnerable residents in Little Bow and Michener Centre were completely blindsided by the government's closure of these two very important care facilities, will the minister be honest with Albertans and tell them which other facilities are on the chopping block so that families can at least prepare?

**Mr. Horne:** Well, Mr. Speaker, when you're standing up in this House claiming to demand better value for taxpayers' dollars and you see initiatives placed in front of you which deliver exactly that in an area as important as health care, what would be honest is to admit that. Resource allocation decisions in health care are often complicated, and they do often affect communities in the name of delivering a higher quality of service to a broader number of Albertans.

Mr. Speaker, they can't have their cake and eat it, too. They can't claim to be on the side of taxpayers and on the basis of no evidence whatsoever continue to undermine public confidence in this system.

**The Deputy Speaker:** Thank you, hon. minister.

The hon. Member for Strathcona-Sherwood Park, followed by Calgary-Buffalo.

### Electricity Pricing

**Mr. Quest:** Thank you, Mr. Speaker. My questions are for the Minister of Energy. Strathcona-Sherwood Park constituents have produced their electricity bills, and they have questions. There are many questions on the ancillary charges, especially now that the cost freeze has been lifted on the administrative charge for energy consumed, distribution billing demand and distribution charge, transmission billing demand and transmission, local access fees, all charges that most don't understand and that can now increase. My question is: can my constituents expect their electricity bills to go through the roof?

**The Deputy Speaker:** The hon. Minister of Energy.

**Mr. Hughes:** Thank you, Mr. Speaker. Well, you know, I'm very empathetic to the fact that Albertans keep a close eye on their electricity bill, and they want to ensure that it is a fair invoice for the services they receive. At one point there was a great concern about the rise in these costs. The province put a freeze on those costs, and to minimize the impact of the lifting of that freeze, this government gave the Alberta Utilities Commission more teeth to scrutinize those costs. The providers will have to justify every single penny.

2:20

**The Deputy Speaker:** Thank you, hon. minister.

The hon. member.

**Mr. Quest:** All right. Well, thank you. My first supplemental is to the same minister. The energy-generating and transmission and distribution companies, all of them: whom do they have to justify these charges to? Is it a government department?

**Mr. Hughes:** Mr. Speaker, no. The energy providers and the ancillary cost providers will have to justify their costs to the Alberta Utilities Commission. Of course, any Albertan could participate in that. We wanted to manage volatility in prices for electricity and for ancillary costs, and we've taken strong steps on behalf of the people of Alberta to accomplish exactly that.

**The Deputy Speaker:** Hon. member, your final supplemental.

**Mr. Quest:** Thank you, Mr. Speaker. To the same minister. The Retail Market Review Committee report recommended that the government eliminate the regulated rate option to ensure price volatility is no longer built into the system. Why did the government reject these recommendations?

**Mr. Hughes:** Mr. Speaker, you know, some 65 per cent of Albertans actually rely upon the regulated rate option.

**Mr. Anglin:** How about you?

**Mr. Hughes:** And that would include the Minister of Energy, Mr. Speaker.

I would say that what we have done, Mr. Speaker, is that we've ensured that we've reduced the volatility in the system by the way

in which providers of electricity can purchase electricity on behalf of consumers. I'm particularly concerned about this for seniors, for people on fixed income. We care about the concerns of Albertans, and we're looking after their interests.

**The Deputy Speaker:** Thank you, hon. minister.

### Alberta Distance Learning Centre

**Mr. Hehr:** This government made bushels of promises to bundles of people during the last election. Many of these promises were made to students in our K through 12 education system. Instead of following through with these promises, gone is the AISI program, gone is the promise of full-day kindergarten, and gone are 600 teachers from the system. To the Minister of Education. The Alberta Distance Learning Centre supports 60,000 students. Your 56 per cent cut to their school partners means that only 30,000 of these students will get the assistance they need. How is this going to improve our high school graduation rates?

**Mr. J. Johnson:** Mr. Speaker, the hon. member is right. We did make lots of promises, and we are keeping them. The ADLC has done a great job, but I want to say that our goal with Budget 2013 was to make sure that every child, every student that walks through the door is getting the instructional funding that they need. We're continuing that instructional funding even though we're going to have 11,000 more students next year.

Unlike the members opposite, who would just like to jack up taxes to cover these costs, what we're doing and what Albertans expect government to do is to live within our means and to look everywhere we can in making difficult choices to make sure that we're taking those taxpayer dollars and spending them wisely. That's why we had to make some changes to the way . . .

**The Deputy Speaker:** Thank you, hon. minister.

**Mr. Hehr:** Well, given that the Alberta Distance Learning Centre supports a variety of students who are having challenges in taking part in the education system either because they are working or have challenges in the classroom or even do not have a public education opportunity in their community, how are these Albertans going to get the education they need with these cuts?

**Mr. J. Johnson:** Mr. Speaker, those distance learning opportunities are still there in Alberta, and they're there through fantastic organizations like the ADLC, like Athabasca University. But up until now we haven't been paying the same for a distance learning credit as we do for a traditional credit. We've been paying 156 per cent for the distance learning credit as compared to the traditional learning credit. That doesn't make sense because it actually costs less money to deliver distance learning education than it does in the traditional classroom. Why would this member want Alberta taxpayers to pay more dollars for a service that costs us less to deliver?

**Mr. Hehr:** What the minister said just doesn't ring true, Mr. Speaker. I got off the phone with the ADLC this morning. They said that they're going to go from being able to support 60,000 to 30,000 students. How is this going to help those 30,000 students who will not be able to access this programming with these cuts?

**Mr. J. Johnson:** Mr. Speaker, to clarify, the ADLC funding was not cut. What happens when we have a distance learning course is that it's delivered from the ADLC, but it's delivered through a resident school division. The resident school division for that student gets 100 per cent of the funding for that credit, and the

ADLC gets 56 per cent of the funding for that credit. We fund that credit to 156 per cent of what we do for the traditional learning, but it costs us less to deliver. So what we did was that we said: "We'll keep the 56 per cent at the ADLC. We're not going to touch their funding." It's an important delivery method, but we're not going to fund a local resident school at 100 per cent because they don't have to deliver a teacher in the classroom; they only need to deliver those services. We're going to give them 44 per cent . . .

**The Deputy Speaker:** Thank you, hon. minister.

#### **Funding for Emergency Cancer Care**

**Mr. Bilous:** Mr. Speaker, yet another cut to the front-line health care services that Albertans depend on. The Cross Cancer Institute, Alberta's premier cancer treatment facility, has told their staff they won't have a triage nurse in the evenings. This is an absolutely outrageous broken promise to sick Albertans, who will now have reduced access to the specialized care they need to recover from cancer. My question is to the Health minister. Why is your government allowing cuts like this to happen?

**Mr. Horne:** Mr. Speaker, the hon. member is obviously referring to an operational decision. I don't know exactly where he's getting his information. I'd be happy to look into his particular question if he'd care to share it with me. I have no doubt that any decisions that are being made regarding cancer care in this province are being made in the best interests of the patients that we serve.

**The Deputy Speaker:** Thank you, hon. minister.

The hon. member.

**Mr. Bilous:** Thank you, Mr. Speaker. Not good enough.

Given that this government broke their promise to deliver stable, long-term funding to public health care and given that one Cross Cancer nurse said that the idea of having potential immunocompromised patients sitting in packed ERs is awful, to the Health minister: how many more cancer patients and their families have to suffer because of this PC government's broken promises?

**Mr. Horne:** Well, Mr. Speaker, again, if the hon. member wants to send me the details of what he heard or what he thinks he knows, I'd be happy to look into it.

Mr. Speaker, the people of this province enjoy a cancer care system that is the envy of this country. The Premier of this province as recently as a few weeks ago announced an entirely new cancer centre, a \$1.1 billion to \$1.3 billion project to serve Calgary and southern Alberta. We continue to invest in the best of equipment, we continue to attract the best researchers in cancer from across the world, and to suggest anything less is simply not true.

**The Deputy Speaker:** Thank you, hon. minister.

The hon. member.

**Mr. Bilous:** Thank you, Mr. Speaker. You should know, hon. minister, what's going on in your ministry.

Given that this government promised to improve primary health care by introducing more centres with user-friendly hours and given that our emergency rooms were already bursting at the seams even before this PC government effectively cut the health care budget, will the minister tell Albertans why this government is breaking yet another promise, this time to Albertans who need cancer treatment?

**Mr. Horne:** Mr. Speaker, I'm not going to stand by and watch cancer patients used as political pawns in this House during question period. If this member wants to question operational decisions made by Alberta Health Services, as I said – and I would do the same for any member of this House – send me the information, and I'll be happy to look into it.

Mr. Speaker, the generalizations that the hon. member makes, the statements with respect to primary health care, are not true. We continue to expand primary health care in this province through family care clinics, through primary care networks. Why? Because Albertans told us that they want us to open . . .

**The Deputy Speaker:** Thank you, hon. minister.

#### **Deportation of Allyson McConnell**

**Mr. Saskiw:** Late last night Allyson McConnell, a mother convicted of drowning her two children, flew back to Australia. Federal Minister Toews, a real tough-on-crime Conservative, said that this Justice minister took too long to ask Ottawa to intervene or restrict McConnell's movements. This is deeply disturbing, and the Justice minister needs to explain why he didn't even try to see that the victims, these children and their father, received real justice. What excuse is the minister going to give for, in effect, the complete and utter incompetence on this file?

**The Deputy Speaker:** Hon. member, I'd hope that the Justice minister might be able to offer something on this, but I'd just caution you. This matter is before the courts by way of an appeal.

**Mr. Denis:** Mr. Speaker, we're dealing with two dead children here and their grieving family. I have no idea why this member continues to try to politicize this issue. I stand behind the actions of our prosecutors, and we've outlined exactly what we will do. There is nothing new to report today other than that we will not stop until justice is served in this province.

**Mr. Saskiw:** You're right: two kids died. That's why we're asking these questions.

Given that the minister has refused to say if or when he has ever talked to the federal government on this case, why is this minister, a fan of liberal justice policy, continuing to put the blame on his federal counterpart, an actual tough-on-crime Conservative, instead of taking responsibility for his own failings, knowing that it was his fault that innocent victims just watched a criminal fly right out of this province?

2:30

**Mr. Denis:** Again, Mr. Speaker, our department filed the appeal immediately and has left no stone unturned whatsoever, despite the conjecture and hearsay we see over there. Again, the focus is on getting justice for the two dead children, not politicizing this issue like this member continues to do.

**Mr. Saskiw:** Given that there was a five-month delay in filing the appeal under your watch and given that this minister has already dropped the ball on the sexual assault case in Airdrie and now the McConnell case, is he simply unaware that his incompetent policies are reflecting on this Premier and his liberal soft-on-crime justice policies are failing victims?

**Mr. Denis:** What this member says is patently untrue. The judgment came down in April; we filed the appeal immediately. I know he practised law for a year or two, so he might want to pull the curtain on that as well.

**Mr. Saskiw:** It was a five-month delay.

**Mr. Denis:** There was no delay in filing the appeal, Mr. Speaker. This government continues to support victims. In fact, in 2010-2011 we helped more than 66,700 victims. One of the cornerstones of our justice system is to help these victims, not politicize and further punish people like the Member for Lac La Biche-St. Paul-Two Hills continues to do.

**The Deputy Speaker:** The hon. Member for Calgary-Varsity, followed by Lacombe-Ponoka.

#### Long-term and Continuing Care for Seniors

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. In my constituency of Calgary-Varsity we have a lot of seniors, and they're paying a lot of attention to how our government supports long-term care choices. They're also watching to make sure that the right amount of funding reaches seniors who need it. My question is to the Minister of Health. You've received many questions today, and I will ask one that drills a little deeper. How are recent changes to the patient care funding model in Alberta impacting residents of long-term care facilities?

**Mr. Horne:** Well, Mr. Speaker, I thank the hon. member for an insightful question. As hon. members may know, patient care based funding has been around in Alberta since 2009. It is based on the principle of matching funding for a particular patient to that patient's needs. This principle has seen a funding increase to a number of long-term care facilities across the province over the last year. Adjustments are also made in the case where funding exceeds patient needs. This is one of the ways that we attempt to deliver a patient-focused continuing care system.

**The Deputy Speaker:** Thank you, hon. minister.

**Ms Kennedy-Glans:** To the same minister: given that long-term care partners like Bethany Care Society have indicated that funding allotted through the recently revised AHS funding model is not adequate to provide care for seniors with dementia, will you look again at the funding model with our partners and iron out those difficulties?

**The Deputy Speaker:** Thank you.  
The hon. minister.

**Mr. Horne:** Well, thank you, Mr. Speaker. Another very insightful question, unlike a number of others that have been asked earlier today. The answer, of course, is yes. We are working with individual providers. As I said earlier, according to this model as patient needs increase, funding increases, and as patient needs decrease, funding is adjusted accordingly. That can have an impact on staffing levels at various times during the year. We'll continue to work with our partners to make sure that we mitigate the effects.

**The Deputy Speaker:** Thank you, hon. minister.  
The hon. member.

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. Again to the Minister of Health: given that providing compassionate end-of-life care is becoming more prominent in the mission of long-term care providers, has AHS considered allocating more funding towards these services?

**Mr. Horne:** Well, Mr. Speaker, the answer is yes. Unlike other

questions that we heard earlier today that focused on particular types of beds or types of institutions, the question of how we support Albertans in end-of-life care is very important. That's why Alberta Health Services is making investments in that area. It is why we will have a very important policy discussion in this province next year about the continuing care system and how we care for those needs as well as those of Albertans living independently.

Thank you, Mr. Speaker.

#### Xplornet Communications Inc.

**Mr. Fox:** Mr. Speaker, this government is once again choosing winners and losers in the private sector. The latest example of this is the government choosing to directly subsidize a single Internet provider called Xplornet to provide high-speed Internet to Albertans in remote areas. Now, the Wildrose agrees with helping our constituents in remote areas gain high-speed Internet access. This will boost rural economies and productivity. But the way the government is doing this is all wrong. Can the minister please explain how financially backing one Internet provider over another is fair?

**Mr. Bhullar:** Mr. Speaker, I'd like to thank the member for the question. He's only – what? – six, seven, eight, nine months late. Regardless, the fact is that in low-density, remote areas of the province there's only one type of technology that can provide accessible high-speed Internet to the homes of rural Albertans, and that is satellite technology. There was an open procurement process. One company was the only one to have access to the new, high-speed, 4G satellite technology, and they have the contract. We're connecting rural Albertans . . .

**The Deputy Speaker:** Thank you, hon. minister.

**Mr. Fox:** Unlike this minister, I actually live in rural Alberta, and we want market choice.

Given that this minister easily could have applied this program to all rural Internet companies and given his decision to throw the entire wad of cash at one Internet company to the detriment of others, how can this minister justify giving one company such a massive advantage over its competitors in this way? Friend of the family, perhaps?

**Mr. Bhullar:** I'll tell you what, Mr. Speaker. These people are not friends to Albertans living in low-density, remote areas. That's what they are not. Albertans living in low-density, remote areas deserve high-speed Internet access just like everybody else living in areas like Ponoka, Red Deer, Calgary, and Edmonton. That's what we've done. It's always funny that these folks on the other side can suck and blow at the same time. My question is: do they want more spending, or do they want cuts? Do they want services for rural Albertans, or do they not?

**The Deputy Speaker:** Thank you, hon. minister.

**Mr. Fox:** Stop playing favourites with members of the government family, Minister.

Given that on the Service Alberta website it states, "Service Alberta works to ensure a fair marketplace" – fair marketplace – "for both buyers and sellers," will the minister apply this program to rural residents who choose other rural Internet providers, or will he continue to prolong this government-imposed monopoly on rural Alberta?

**Mr. Bhullar:** Mr. Speaker, it's so evident that they really have



absolutely no idea what they're talking about. It has taken this member nearly a year to ask a question in the House about this program, and the question he's asking doesn't make any sense.

The fact is that our program is targeted only to those living in low-density, remote areas, areas where it doesn't make sense to spend hundreds of thousands of dollars putting up towers. Instead, it makes sense to help people access high-speed Internet via satellite. Get your act together, hon. member.

**The Deputy Speaker:** Thank you, hon. minister.

The hon. Member for Calgary-Cross.

### **Bare-land Condominiums**

**Mrs. Fritz:** Thank you, Mr. Speaker. Bare-land condominiums are condos where a person owns their building and the land that's underneath it, and it's managed by a condominium corporation. A recent court decision by the Alberta Court of Queen's Bench caused serious concern in the community when it determined that bare-land condominium corporations can no longer use the condo fees they collect, especially in their reserve funds, to maintain and repair buildings. My questions today are for the Minister of Service Alberta. What is the significance of this court ruling for bare-land condominium owners?

**The Deputy Speaker:** The hon. minister.

**Mr. Bhullar:** Thank you, Mr. Speaker. That's an example of a well-thought-out, well-researched question. I bet she has high-speed Internet access and she did her research online.

There was a court ruling, Mr. Speaker, that called into question, essentially, the way bare-land condominiums have been operating since 1985. Our position has been clear since the ruling. We've tried to see if we can make regulatory changes to adapt to the court ruling. Unfortunately, we can't. It has to be through legislation.

**The Deputy Speaker:** Thank you, hon. minister.

The hon. member.

**Mrs. Fritz:** Well, thank you, Mr. Speaker. Just for your information, I did write this question, and I did do the online research. I think the opposition should be doing the same.

Given that this court decision has caused a very severe problem, it really should be acted on, Mr. Speaker. To the same minister: how will your ministry respond on behalf of bare-land condominium owners to this court ruling?

2:40

**The Deputy Speaker:** The hon. minister.

**Mr. Bhullar:** Thank you, Mr. Speaker. As I mentioned, our preference would have been to deal with this matter through a regulatory change because it could be dealt with in a shorter period of time. Unfortunately, that is not possible because of various legal opinions. I'm sure the legal opinions are not from the members opposite because, quite frankly, I don't think they quite know how to research. We'll be bringing forth legislative changes in due course, and we hope that all members on all sides of the House will allow us to move this amendment forward in a very short period of time.

**The Deputy Speaker:** Thank you, hon. minister.

The hon. member. Final supplemental.

**Mrs. Fritz:** Thank you, Mr. Speaker. To the same minister: in

light of all this uncertainty is there anything that concerned condominium owners should be doing right now to deal with this serious situation?

**The Deputy Speaker:** The hon. minister.

**Mr. Bhullar:** Thank you, Mr. Speaker. I think I heard some rumblings from members opposite. You know, we are committed to making change in a very quick process for condominium owners. Unfortunately, some members opposite would rather sit in this Assembly. They love to hear the sound of their own voices, so they want to delay changes. The fact of the matter is that we'll be bringing forward changes very soon, and we hope members from all three of those other parties will actually do the right thing for Albertans for once and support real-life, practical changes.

**The Deputy Speaker:** Thank you, hon. minister.

Hon. members, in 30 seconds I'll call for the next two members' statements.

**Ms Blakeman:** Yo. Point of order.

**The Deputy Speaker:** At 2:41. Noted, hon. member.

### **Members' Statements**

*(continued)*

#### **Family Violence Prevention**

**Ms Jansen:** Mr. Speaker, everyone has a responsibility to help prevent family violence, which brings devastating and long-lasting effects. Family violence touches families from every background in every community in Alberta. One of the Premier's priorities and a vital mandate of our government is to invest in our province's families and communities, and that includes a strong commitment to preventing family violence and supporting those who are affected by it.

On April 12 the call for nominations for the 2013 inspiration awards will be announced. The inspiration awards program was created last year to celebrate leadership in family violence prevention and recognize the many truly exceptional individuals and organizations across the province who work with us on this critical issue. Many of those people work tirelessly for these kinds of efforts and get little or no acknowledgement for work that changes so many people's lives. Mr. Speaker, the inspiration awards are one way that we can celebrate the exceptional work that is being done by these people right across the province.

Nomination packages are available online at [humanservices.alberta.ca/inspirationawards](http://humanservices.alberta.ca/inspirationawards) or by calling 780.422.5916, and you can call toll-free right across Alberta by first dialing 310.0000. Recipients are going to be honoured in November during Family Violence Prevention Month, a time when we highlight the ongoing work to raise awareness about the importance of preventing family violence and helping those people who need support. I know that there are dedicated individuals and groups doing this work in our communities, and I hope to see them nominated for this recognition.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

The hon. Member for Livingstone-Macleod.

#### **Landowner Property Rights**

**Mr. Stier:** Thank you, Mr. Speaker. Yesterday some members of this Assembly failed to understand the really serious problems

when statutory consent would be rescinded with the implementation of regional plans.

For this moment let us just imagine if any MLA here in the House lived in an area like mine or owned land where a regional plan would impact them directly. As an example, the Member for Barrhead-Morinville-Westlock claimed yesterday that it wouldn't impact anyone's rights. What if the member owned land and cabinet decided in a regional plan that a dairy operation on the land would no longer be allowed? As written, the act allows cabinet to rescind permits, licences, and leases without cause. Does she think her land value might drop? Would she want compensation for that government taking?

As another example, what if the Member for Calgary-Acadia bought land as an investment in the south and was suddenly faced with a cabinet-imposed land freeze on his property due to the land falling under a long-term urban sprawl concept for 50 years in the future and the land suddenly depreciated by over 25 per cent? It would be devastating, and his investment would be harshly impacted.

Now consider a member's third-generation grazing lease operation where the cabinet decides to pull the right to graze because they've imposed a conservation area. His business model would be severely impacted, and his livelihood would be destroyed.

In all of these cases where changes are imposed, the results are devastating, and they can affect anyone.

So then these affected parties go to the Property Rights Advocate, someone to whom the landowners are supposed to take their complaints, but the advocate has been denied any meaningful role by legislation. He won't be able to reverse a cabinet decision, nor can he change a regional plan.

This situation has to change. Land values, net worth, and livelihoods must be saved.

**The Deputy Speaker:** Thank you, hon. member.

Hon. members, might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

### Introduction of Guests

*(continued)*

**The Deputy Speaker:** The hon. Minister of Service Alberta.

**Mr. Bhullar:** Thank you very much, Mr. Speaker. It's indeed a tremendous pleasure for me to rise and introduce through you to all members of this Assembly a very distinguished Albertan and a friend of many in this Assembly. After placing first in the Alberta Senate election as a Progressive Conservative last year, the Hon. Douglas Black was appointed to the upper Chamber by the Prime Minister on January 25 of this year. Continuing Alberta's proud tradition of electing representatives to the Canadian Senate, we're very proud to have Mr. Black with us here today. He's the founding president of the Energy Policy Institute of Canada, former chair of the board of the Michaëlle Jean Foundation, and former governor of the Banff Centre. He is a recipient of the Alberta centennial medal and was appointed a Queen's Counsel. I would ask all members of this Assembly to give the Hon. Doug Black a warm welcome to our Assembly.

### Tabling Returns and Reports

**The Deputy Speaker:** The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Mr. Speaker. I have five tablings today. The first is from Joe and Teresa Boone of Picture Butte. They're concerned about the elimination of operation and maintenance grants to independent schools.

The second, third, and fourth are from doctors. Dr. Michael Galbraith is concerned and disappointed that physicians have largely been shut out of the decision-making process for these key providers of health care. Dr. Duncan Nickerson is expressing concerns about the obvious ethical problem of not negotiating in good faith and that the legacy of this Health minister may be a destroyed health care system. From Dr. Lloyd Clarke: "What the government is doing to physicians is intolerable and were this another profession there would be wide scale walk outs."

Finally, from George Lee, a concerned constituent of mine near Coutts, Alberta, currently on the oxygen-at-home program and very concerned about the changes that are going to be made and what impact that's going to have on his health.

I have the requisite copies here, which I submit now.

**The Deputy Speaker:** Thank you.

The hon. Member for Edmonton-Centre.

2:50

**Ms Blakeman:** Thanks very much, Mr. Speaker. I have two tablings of my own and one on behalf of one of my colleagues. My first tabling is an e-mail that was sent to me by Nadine Riopel. She is one of the very few midwives that practise in the province, and she is bringing the point to the government's attention that there are only 18 midwives currently practising in the city of Edmonton and that the Lucina Birth Centre is only available to parents that are under the care of a midwife, so she is looking for additional support in the form of funding and education for midwifery care. That's the first e-mail.

The second one is from another constituent, Olivia Martins, who sent an e-mail outlining her concern that she would like to see a three-month warning put in place before a lease is up to ensure that people are not caught off guard by the ending of the lease.

I'm sorry. I did have one more, a second concern being brought up around rents. One individual, Kory Orban, a constituent, is facing a 9.13 per cent increase in his rent, well above the price of inflation.

Finally, on behalf of my colleague the Member for Calgary-Buffalo I'd like to table an e-mail from Faron Smordin, who is carefully explaining the cuts that happened to ADLC and the anticipated effects that will have on students trying to complete high school and postsecondary distance learning.

Thank you.

**The Deputy Speaker:** Thank you.

The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Speaker. I've got two tablings today. I'd like to table the appropriate number of copies of an open letter sent to the Minister of Human Services by David Dodge, who is the president of the Edmonton Federation of Community Leagues. In his letter Mr. Dodge expresses the disappointment felt by his organization regarding the cancellation of the STEP program. He writes, "We want to be on record as saying that this program was working very well and we would like to see it or a substitute reinstated."

For my second tabling, Mr. Speaker, I'll table the appropriate number of copies of e-mail submissions that Albertans made to our prebudget tour, which visited seven cities in February. Wayne Madden and Martin Bryson Brown are some of the Albertans who

have provided valuable input. For example, Wayne, from Edmonton, would like to see a renewed investment in public education rather than increased funding for private schools. Submissions like this clearly show the priorities of Albertans and how out of touch this PC government is with its broken-promises budget.

**Mr. Lukaszuk:** Mr. Speaker, I'd like to share credit where credit is due with Campus Alberta. First of all, I'd like to table a document produced by the University of Alberta requesting of the government to set up an institute that will focus solely on research, innovation, and commercialization of research.

I would also like to table a document dated April 2002, when some of the initial work started. It's entitled Campus Alberta: A Policy Framework, a collaborative work of all the colleges, universities, and other schools within Alberta advanced education.

Further, Mr. Speaker, a November 2007 document on Campus Alberta. It's entitled the Roles and Mandates – imagine that – Policy Framework for Alberta's Publicly Funded Advanced Education System, asking the department to identify what their roles and mandates should be within Campus Alberta.

And one as recent as January 15, 2013. I should note that it's prebudget, Mr. Speaker, so budget had nothing to do with it yet. This document talks about the Campus Alberta Strategic Directions Committee asking for mandate letters, asking for the roles and responsibilities of schools within Campus Alberta.

The prerequisite number of documents is here.

**The Deputy Speaker:** Thank you.

The Member for Strathmore-Brooks.

**Mr. Hale:** Thank you, Mr. Speaker. I would like to table the recommended number of copies of the XL Foods Community Response Committee final report. We all know the XL Foods situation, the E coli crisis last fall. I'd like to give a special mention to Lynn Pye-Matheson. She's the executive director for the Grasslands Regional FCSS. Her organization provided community response planning, facilitation, and co-ordination services between a number of community associations, the Alberta government, myself as the MLA for Strathmore-Brooks. They did amazing work. The communities all pulled together: the surrounding communities, all the groups within the communities, the workers that were temporarily laid off. You know, we have to give them special mention for staying around and helping work with us to get through this very serious situation. We know that the plant is recently back up and running, and I would like to table this final report so all the members can have a look at it. I do have two personal copies for the Minister of Human Services and the minister of agriculture also.

**The Deputy Speaker:** Thank you, hon. member.

The hon. Member for Calgary-Mountain View, followed by Innisfail-Sylvan Lake and the Leader for the Official Opposition.

**Dr. Swann:** Thank you very much, Mr. Speaker. I have a number of tablings from physicians who are deeply concerned by the lack of integrity in the process relating to negotiations. The most recent is from Dr. Paul Parks from Medicine Hat, expressing concern about the future of health care and how it must be tied to respectful involvement with physicians in decision-making.

From Dr. Garry Borsato of Calgary: a clearly unfair process that is going to alienate physicians.

From Dr. Jeff Pivnick of Calgary: concerned about the current negotiations, which has been a huge disappointment, characterized by erroneous rhetoric and a willingness to vilify physicians.

From Dr. Neil Cooper of Calgary: concerned, again, about the breakdown of respectful negotiations and serious engagement of physicians in planning.

From Dr. Desiree Teoh of Calgary: "The lack of negotiations, the unapproachability of the government, the loss of my trust in fair treatment is affecting how I care for my patients and how well I am able to teach."

Finally, from Dr. Joel Fox, calling on the government to take the high road and enter into respectful negotiations with AMA and stand behind their promises.

Thank you, Mr. Speaker.

**The Deputy Speaker:** The hon. Member for Innisfail-Sylvan Lake, followed by the Leader of the Official Opposition.

**Mrs. Towle:** Thank you, Mr. Speaker. I'd like to table two documents today. The first one is the Alberta Health Services 2012-2013 budgeted expenses by service. Luckily for everybody, they put a nice pretty little graph here and did it in a narrative as well where they clearly state that facility-based continuing care services in the 2012-2013 budget were \$971 million. That's the first tabling.

I would also like to table the 2013-2014 Alberta Health Services budget document, where once again they put it in a narrative and with a nice little graph here that clearly states that facility-based continuing care services for 2013-2014 are \$919 million, for a net loss of \$52 million to continuing care.

**The Deputy Speaker:** Thank you, hon. member.

The hon. Leader of the Official Opposition.

**Ms Smith:** Thank you, Mr. Speaker. I do also have two tablings, both related to pharmaceutical drug price increases, one from Pfizer, indicating that their price increases fall within the regulated rates from the Patented Medicine Prices Review Board.

The other is from Apotex, which is one of the major generic drug companies. These are the 15 different generic drugs that are seeing dramatic increases, from two to three times what they were last year.

**The Deputy Speaker:** Thank you.

The hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you very much, Mr. Speaker. I'm just rising to table a document that I referred to yesterday. The document is a letter from the *Edmonton Journal*, Sunday, August 14, 2011, wherein the Leader of the Opposition indicates that her party contributed \$15,000 to support Keith Wilson and Landowners Against Bills. I have five copies that I'll table to the Clerk.

**The Deputy Speaker:** Thank you.

I have a tabling. Pursuant to section 39(3) of the Legislative Assembly Act I would like to table with the Assembly five copies of the following orders passed at the March 15, 2013, meeting of the Special Standing Committee on Members' Services: one, Members' Services Committee Order 04/13, members' allowances amendment order (No. 26); two, Members' Services Committee Order 05/13, members' committee allowances amendment order (No. 11); finally, Members' Services Committee Order 06/13, administrative services amendment order (No. 02). These orders come into force on September 1, 2013, and I have the requisite number of copies.

3:00

Points of order. I believe we had two points of order raised. At 2:12 the Member for Lac La Biche-St. Paul-Two Hills rose on a

point of order, then we had a second point of order at 2:46, the Member for Edmonton-Centre.

The Member for Airdrie.

### Point of Order Language Creating Disorder

**Mr. Anderson:** Thank you, Mr. Speaker. On behalf of the Member for Lac La Biche-St. Paul-Two Hills I'll rise on this point of order. It's referring to the phrase "climate change denier." This should be fresh in our minds. According to section 23(h), (i), and (j), which I cited on a very similar point of order yesterday, this member cast aspersions against the Leader of the Opposition as well as myself and all members on this side. The Speaker yesterday made a very clear ruling. He was completely unambiguous, very black and white. He said very clearly that in this House we are no longer to use the words "climate change denier" and call another member of this House that. He could not have been any more clear or unambiguous.

Now, I'm assuming that this member or the House leader will withdraw that statement because if he doesn't withdraw the statement, then what that does is that it opens up a whole can of worms. The Speaker has made a clear decision on this matter and has made clear decisions on a whole bunch of matters. For example, we're not allowed to call the Premier or other ministers, et cetera, liars. We're not allowed to use that term to refer to another individual. That's been made very clear in this House. It's been very clearly ruled on, so we abide by that rule. If we don't abide by that rule, then really what we're doing is that we're being contemptuous, I would say, of the Legislature, of the rules of the Legislature and of the Speaker.

The ruling was made just yesterday for the third time, but yesterday it was made very categorical. Specifically, the Speaker said that use of that term in reference to another member is not permitted in this Legislature, Mr. Speaker. That's what he said. So I would ask that that comment be withdrawn.

**The Deputy Speaker:** Thank you, hon. member.

Hon. Government House Leader, would you care to respond?

**Mr. Hancock:** Thank you, Mr. Speaker. I was just actually trying to look at *Hansard* to see if that's exactly what was said yesterday. I will undertake to review *Hansard* and determine whether or not that was definitive, or you might be able to tell us today whether that was definitive, and if it is, I'll certainly talk to my colleague and certainly be prepared to withdraw the comment.

But what I thought I heard yesterday was what I thought I heard before, and that is that we have differences of viewpoint in this House. We are expected to respect the word of individuals in this House as they give it. We have heard on a number of occasions now the House leader for the Official Opposition indicate that the Official Opposition has apparently changed their position on climate change, on whether man-made climate change exists and whether the science is settled. I, for one, am prepared to accept the fact that the hon. member has said that and that the hon. member is expressing perhaps a new position on behalf of their party. I think it's good when people are thoughtful and progressive and update their ideas from time to time. I think that's a wonderful thing.

I only asked yesterday and perhaps would ask again today: is that opinion, that expression of the current policy of the Wildrose Party – Wildrose Alliance Party, I guess, is its official name – the official expression of the party, or is that the representation following along the advice of an esteemed political philosopher

and commentator that people should contain their true views and put more political views forward lest they embarrass their colleagues?

**The Deputy Speaker:** Thank you, hon. Government House Leader.

Hon. members, this point of order was raised in response to the Deputy Premier's use of the term "climate change denier." As noted yesterday – and it's been noted in earlier speeches – the Speaker ruled on the matter that this had been dealt with numerous times. I have to say – and I'm glad we didn't have any others indicating to speak on this – that I'm reluctant to take up the House's time with a lengthy discussion on this point of order. This matter has been clarified on the record time and time again. Yesterday the Speaker did indicate that we should "move on and get on with some choice of new words." This is in *Hansard* at page 1719. I would submit that the repeated use of this term does cause some consternation, and it should be avoided.

Hon. Government House Leader, you have indicated that you're willing to withdraw that term on behalf of your colleague, and I would think that that would be good enough to allow us to move on.

**Mr. Hancock:** Mr. Speaker, I respectfully withdraw the term "climate change denier." Apparently, my listening wasn't as clear as your comments. I will talk to my colleague and indicate that your ruling has been such and that we need to find better ways to clarify for the public where we actually stand on these important issues.

**The Deputy Speaker:** Thank you, hon. Government House Leader.

Hon. Member for Edmonton-Centre, you rose on a point of order at 2:46. If you would speak to that point of order.

### Point of Order Rights of Members

**Ms Blakeman:** I did. Thank you very much for recognizing me, Mr. Speaker, and sorry for calling your attention by saying yo. [interjection] Yes. Happily, I didn't go that far, but I do apologize to you. That was a little off the cuff.

**The Deputy Speaker:** Apology accepted, hon. member.

**Ms Blakeman:** I had wanted to bring the attention of the Speaker but most particularly the Minister of Service Alberta to the sections of the *House of Commons Procedure and Practice*, particularly on page 108, and there is also some information that appears on page 111. The minister is incredibly charming and also very passionate. I am trying to figure out whether he was being very passionately charming in trying to tell members of the opposition that they should give swift passage to something he was particularly interested in or whether perhaps that was crossing the line over to something that was a bit more aggressive in tone and direction. I note that we have to be careful about that in this House.

This is under a section called Freedom from Obstruction, Interference, Intimidation and Molestation. It does note that members are entitled to go about their parliamentary business undisturbed. The assaulting, menacing, or insulting of any Member . . . coming or going.

I'm paraphrasing quickly here. Any form of intimidation should not happen. Later there's an additional quote.

An Hon. Member [who] is impeded or obstructed in the performance of [their] duties through threats, intimidation, bribery attempts or . . . improper behaviour.

Again, that would be considered a breach of parliamentary privilege. I do not believe that we are dealing with something in that realm, but the parliamentary practice is not giving me shades of grey on this one.

I also notice that on page 111 under Other Examples of Obstruction, Interference and Intimidation it includes

damaging of a Member's reputation, the usurpation of the title of [the] Member . . . the intimidation of Members and their staff and of witnesses before committees, and the provision of misleading information.

As I say, it was difficult for me to tell, and I hesitated in actually calling a point of order. I know there's been some discussion from this minister with members of opposition staff and members of opposition in his desire, a wish and some more passionate words, to get us to agree with him for swift passage of a particular item based on the bare-land condo ruling from the courts.

I think we need to be careful and be very, very clear here that we all come here to do our work, and we all respect each other's ability to do that work once we're in the House. Nobody should be telling anyone or giving forth in any way that any part of our privilege or our work in this House should be hastened for any reason.

I will leave that with you, Mr. Speaker. I hope you might be able to recommend the reading of the pages that I've noted to the Minister of Service Alberta.

Thank you very much.

**The Deputy Speaker:** Thank you, hon. member.

The hon. Government House Leader.

3:10

**Mr. Hancock:** Thank you, Mr. Speaker. Well, obviously there's no point of order. There's actually even no point. Well, there was a point. The minister is charming.

The fact of the matter is that we exhort each other in this House every day to do things, to achieve things, to do the right thing for Albertans. We sometimes have different views of what that might be, but strenuous debate and vigorously admonishing people to do the right thing have never been out of order in this House and shouldn't be called out of order in this House now.

**The Deputy Speaker:** Well, thank you, hon. Government House Leader.

Hon. Member for Edmonton-Centre, I certainly appreciate the reference that you gave. I, too, struggle to find, I guess, an issue, a point of order that you raised. I think your suggestion that the minister and others may want to avail themselves of pages 108 and 111 of the *House of Commons Procedure and Practice* may very well help to maybe temper some of this type of exuberance in the future. I would suggest that based on that, there is no point of order. Thank you.

Hon. members, pursuant to Standing Order 7(7) the daily Routine is now concluded. Pursuant to Standing Order 59.01(5)(b) the legislative policy committees will convene this afternoon and this evening for consideration of the main estimates. This afternoon Resource Stewardship will consider the estimates for Energy in committee room A, and this evening Families and Communities will consider the estimates for Justice and Solicitor General in committee room A.

[The Assembly adjourned at 3:12 p.m. pursuant to Standing Order 59.01(5)(b) to Wednesday at 1:30 p.m.]









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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Wednesday, April 10, 2013

Issue 43

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta  
The 28th Legislature**

First Session

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Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
    Government Whip

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Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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## Legislative Assembly of Alberta

1:30 p.m.

Wednesday, April 10, 2013

[The Speaker in the chair]

### Prayers

**The Speaker:** Let us pray. Guide us all, Dear Lord, in our speech, in our thought, and in our action and also in the positions we take and the decisions we make, all of which affect the people we represent and serve. Amen.

Please be seated.

### Introduction of Visitors

**The Speaker:** The hon. Minister of Culture.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. I'm thrilled today to introduce to you and through you to the members of this Assembly Mr. Ilias Kremmydas, consul general of the Hellenic Republic in Vancouver. I would like to welcome Mr. Kremmydas to Alberta on his official visit. The consul general joins us today to learn about what our great province has to offer and to explore new opportunities for collaboration between Greece and Alberta. I was pleased to have the opportunity to host a luncheon in honour of his visit, and I hope this marks the first of many visits to our province. Mr. Kremmydas is seated in your gallery to watch our proceedings. I would ask everyone to give him our warm traditional welcome.

### Introduction of Guests

**The Speaker:** The hon. Minister of Service Alberta.

**Mr. Bhullar:** Thank you very much, Mr. Speaker. It's not very often I get nervous when I'm about to do an introduction in this House. I'm especially a bit nervous doing this introduction because I'm introducing my parents first. I'm nervous because we don't take enough opportunity to thank our parents, so I want to take this opportunity to thank them for helping me be the man I am: my father, Baljinder Singh Bhullar; and my mother, the dear Sukhviri Kaur Bhullar, who is a tremendous human being of great grace, simplicity, and strength. I'd ask them both to rise and receive the traditional warm welcome of this Assembly. I guess now all members can talk to them if you don't like my conduct in this Assembly.

Mr. Speaker, as you know, we had Vaisakhi celebrations today in the Alberta Legislature, and it's my esteemed pleasure to introduce – and I'm going to list everybody and then will ask them to rise and receive the traditional warm welcome of the Assembly – first of all, this year's speaker on behalf of the Sikh community, Major Harpal Singh Mandahar, who is with the PPCLI here in Edmonton. Accompanying him are Captain Dave Peabody and Warrant Officer Chris Durette.

I would also like to introduce Mr. Baljinder Singh Sandhu, the general secretary of the Dashmesh Culture Centre in Calgary. Many members of his congregation are here with us as well. Mr. Sukhdev Singh Khaira is president of the Dashmesh Culture Centre seniors' organization, and again many members of his organization are joining us here as well. Mr. Chanchal Singh Bajwa, president of Inca Senior Citizens Society: welcome to you and your members. Mr. Rachhpal Singh Boparai, president of the South Asian Canadian Association: welcome, sir, to you and your

members. Mr. Sewa Singh Premi of the Indian ex-servicemen association: welcome to you and all of your members. Two dear friends are here representing the Canadian Sikh Network, people I grew up with, a man that encouraged me to play football and turn into this vast, broad character than I am today, Mr. Amritpal Singh Kundan, and Karmjit Khamba. I'd ask them all to receive the warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Manning.

**Mr. Sandhu:** Thank you, Mr. Speaker. Today is a great day, and you were part of the celebration. I've got about three introductions to do, so you've got to bear with me. I'm pleased to introduce to you and through you several members from the Sikh community who are celebrating Vaisakhi outside in the rotunda. I will ask them to stand as I call their names: Mr. Surinder Singh Hoonjan, president, from Gurdwara Mill Woods; Mr. Zora Singh Grewal, president, Gurdwara Nanaksar; Mr. Jagdev Singh Dhillon; and I think Mr. Lothy is sitting up there.

From the Sikh Federation: Kulmit Singh, president – I think he's gone – and Jasbir Singh, spokesman. We've got Siri Guru Nanak, Sikh Gurdwara; Mr. Pal Singh Purewal; Inderjit Singh Kundan; Joginder Singh Pannu, ex-president, northeastern recreation society, which is in my constituency; Bir Singh Chouhan; Kamwarjit Singh Grewal; Gurdwara Siri Guru Singh Sabha; Mehar Singh Gill, president; Mrs. Sra and Mr. Jagjit Gill, ex-president, from Singh Sabha, sitting right up in the front there. They are seated in the members' gallery, public gallery, and your gallery, Mr. Speaker, so please give a round of applause to all of them.

Mr. Speaker, I'm pleased to introduce to you and to the House, my wife, Kamal Sandhu. She's put up with me for the last 29 years. She's here somewhere. She's worked so hard to raise our three children. All have become accountants. My younger brother always said that I'm younger. I'm not a young guy anymore. My daughter has become a nurse. My youngest is still in university.

Along with them, I've got a friend, Naib Sidhu, sitting in the members' gallery – please rise – and Kalwinder Toor, Inderjit Mullanpur, Sunny Briach, Mr. Power, Mr. Hothi, Bobby Gill, and Amerjit Dhaliwal. I will say, you know, that they're all my constituents and all my friends. They helped me out for the last two elections. Please give a round of applause to all my guests.

Mr. Speaker, I've got another introduction. I'm pleased to introduce to you several other members of the Sikh Edmonton Khalsa school, their teachers. I think the students are all gone. Dr. Kamaljit Gill, Kamaljit Kalar, and principals Surinder Hothi and Mrs. Deol. They've done a wonderful job to do *O Canada*, the national anthem, for the Sikhs, so please give them a round of applause.

I'm going to sit down. I may have one more.

**The Speaker:** Thank you.

The hon. Member for Edmonton-Ellerslie.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. It is indeed an honour for me to rise today and introduce to you and through you some additional members from the Sikh community Gurdwara Siri Guru Singh Sabha, which is, of course, located in my constituency of Edmonton-Ellerslie. I'd ask them to rise as I call their names: Mr. Mehar Singh Gill, the current president; Perminder Singh Khubar, the immediate past president; and Sukhjit Kaur Sra, the general secretary. I'd ask these guests to please rise and receive the traditional warm welcome.

For my second introduction I would like to introduce to you and through you Mr. Jaswinder Singh Dhillon, my PC association

president. Please rise. Joining him today is one of my board members, Mr. Sukhdarshan Singh Pannu; also, editor-in-chief of *Des Pardes Times*, Mr. Gurbhalinder Singh Sandhu; and, of course, a very good friend, Jasvinder Singh Binder. At this time I ask all of my guests, as they've risen, to please receive the traditional warm welcome of the Assembly.

1:40

**The Speaker:** The hon. Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Speaker. I am also pleased to introduce to you and through you many more guests from our Sikh community who are here from Calgary and from Edmonton for our Vaisakhi celebration. I would also like to thank them all for the love and support that they have given me during my elections and even after the elections. They are seated in both the members' and the public galleries, and I would ask them all to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** Lakh, lakh wadania to all of our guests who were here for Vaisakhi. Thank you.

Now I'll recognize the hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Mr. Speaker. It's my great honour to rise today and introduce to you and through you to all members of this Assembly 56 incredibly smart students from the St. Augustine school in Ponoka, part of the town of Ponoka and the Lacombe-Ponoka constituency. With them are their fantastic teachers, Mr. Ken Hackett and Mrs. Sharon Hackett, and parent helpers Mr. Bernie Green, Mrs. Susan Bussiere, Mrs. Jennifer Parker, Ms Candace Coubrough, Mr. Romeo Mandanas, and Mrs. Rhonda Meredith. Please rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Leader of Her Majesty's Official Opposition.

**Ms Smith:** Thank you, Mr. Speaker. It's my pleasure to rise today to introduce to you and through you my guest, Melissa Whitney, my constituency assistant for Highwood in my Okotoks office. Now, I'm very fortunate to have Melissa on my team. She brings compassion and a wealth of knowledge to my office. If you notice that she looks a little bit like me, you won't be the first one who's observed that. She gets that a lot.

I would also like to introduce Melissa's mother, Rosemary Stevenson, as well as her two younger sisters, Jill and Hannah Stevenson. Now, both girls have been home-schooled throughout their entire school journey. A decision to move to Alberta several years ago was made in part because of the support Alberta gives to parents as they choose the educational model that best fits the needs of their children. Jill and Hannah are both excited to be able to see Alberta politics in action. I would like to now ask Melissa, Rosemary, Jill, and Hannah to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Associate Minister of Wellness.

**Mr. Rodney:** Thank you very much, Mr. Speaker. It is a pleasure to introduce an inspirational leader in the work being done to reduce the burden of hypertension, or high blood pressure, in Alberta. This past Sunday, April 7, was World Health Day, and this year's focus was on high blood pressure, which is the leading risk factor for stroke, heart attacks, heart failure, aneurysms, peripheral arterial disease and is a cause of chronic kidney disease as well. Even a moderate elevation of blood pressure is associated with a shortened life expectancy, and early identification and management of high blood pressure is critical.

That's where Dr. Richard Lewanczuk comes in. He's not only one of Alberta's leading hypertension researchers; he's also a very well-respected clinician in the area of chronic disease management. Dr. Lewanczuk has authored over 100 published articles on hypertension and is currently looking for genetic factors that lead to hypertension. In this portfolio with Alberta Health Services he oversees delivery of both primary care and community care in the province. He is seated in the public gallery. I would ask our guest to rise, and I invite all members to give him a very warm welcome.

**The Speaker:** The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much, Mr. Speaker. I have two individual introductions today. The first one I'd like to do is to introduce to you and through you to all members of the Assembly Susan Wright. Susan is a lawyer from Calgary. We won't hold that against her. She, in fact, is VP of legal for a Calgary pipeline company. She has her own blog commentary, [susanonthesox.com](http://susanonthesox.com), which is very interesting reading. She is here as a citizen who is very interested in how we do business here. Please join me in welcoming Susan Wright.

My second introduction, Mr. Speaker, is Dr. PearlAnn Reichwein. Now, Dr. Reichwein – there she is, standing – is a historian and professor at the University of Alberta, and she attends the Legislature today also as a concerned citizen. She wanted to come down and see how we're all doing this. She is particularly concerned that the government uphold strong public postsecondary institutions and that that not be compromised, that we do uphold that tradition of funding and independence and institutional autonomy. Please join me in welcoming Dr. PearlAnn Reichwein.

**The Speaker:** Are there any others? Edmonton-Manning, do you have another one?

**Mr. Sandhu:** Yes, Mr. Speaker.

**The Speaker:** Quickly, please.

**Mr. Sandhu:** Mr. Speaker, I'm pleased to introduce to you and through you these members of the play *Jija Ji NRI* last weekend, a very educational drama. They're from India. I don't know where they're seated now, but I can say that Gurchet Singh Chitarkar and the dance groups are downstairs, the two groups, the Punjabi Folk Dance Academy and the Punjabi Heritage Foundation. I see the youth sitting in the gallery up there. Wherever you are, please rise and receive the warm welcome.

## Members' Statements

### Hospital Parking for Veterans

**Mr. Anderson:** Yesterday we honoured and remembered the ultimate sacrifice of those 3,600 Canadian veterans who died and 7,000 who were injured doing what no other Allied army could do, conquering the critical enemy stronghold of Vimy Ridge during World War I. Many historians say that this victory was the actual moment when Canada turned from colony into country.

Imagine the utter disgust and betrayal veterans must feel today with their government and its most incompetently managed agency, Alberta Health Services. Not only did we learn yesterday that AHS has made the outrageous decision to end the practice of allowing veterans and their families free parking at hospitals so they can visit or be visited by loved ones; we also learned that a senior vice-president at AHS, making hundreds of thousands of dollars in salary and undeserved bonuses, when asked about the



idea to end free parking for veterans, said, and I quote: why is this one group more worthy than others? Unquote. One has to wonder what kind of fantasy world one lives in who has the audacity to ask such a mind-numbing and ignorant statement.

Well, let me help this vice-president of God only knows what to understand what makes veterans different and more worthy of such small tokens of our appreciation such as free parking. It's because they sat in mud and blood and rain through thousands of cold nights for us. It's because they watched their friends have their limbs blown off, literally, right in front of their eyes. It's because they were willing to leave their beloved families behind and die for us so we wouldn't have to salute a swastika one day, Mr. Speaker.

I hope that clears it up for this AHS vice-president and some of the other thoughtless individuals who had a hand in this stupidity. Hopefully, it helps our own Health minister to stop his bumbling and get this ungrateful and morally reprehensible policy reversed today lest he forget what we owe our heroes.

### Oral Question Period

**The Speaker:** The Leader of Her Majesty's Loyal Opposition.

#### Hospital Parking for Veterans

**Ms Smith:** Mr. Speaker, the list of mistakes made by this Health minister keeps on growing. His latest blunder involves veterans, the men and women who fought for our freedoms. The Calgary poppy fund buys annual passes from Alberta Health Services so that veterans don't have to pay exorbitant parking fees when they go in for treatment. AHS is cancelling those passes, and when asked why, the response from an AHS VP is: why is this one group more worthy than others? Let me ask the minister. Veterans want to know: what's his answer to that question?

1:50

**Mr. Horne:** Well, Mr. Speaker, this government needs no reminding from the Official Opposition about the important role and status of veterans in our society. The former Calgary health region had a practice of selling annual parking passes to the Royal Canadian Legion's poppy fund. That policy has been revisited not with respect to veterans but with respect to all special parking passes. Compassionate parking passes continue to be available to veterans and to others who require them. This is an issue of concern. This is the explanation for the change, and I believe it's the right decision.

**Ms Smith:** Mr. Speaker, this is stinginess at its worst. AHS officials seem to believe that veterans might be lending these passes to regular civilians. They're worried about potential abuses of the passes, that veterans are in effect cheating. Wow. It's not a giveaway. The Calgary poppy fund has spent close to a quarter-million dollars on these passes since 2006. Can the minister defend this mistreatment of those who defended our country?

**Mr. Horne:** Well, Mr. Speaker, I will certainly be looking into the quotation that was referenced by the hon. member opposite earlier today. What I will tell you is that Alberta Health Services takes seriously the need to provide free parking on a compassionate basis to many people across the province, veterans among them. This change in policy, while perhaps misinterpreted or misrepresented by members opposite, is an attempt to extend that same consideration to veterans and others who need compassionate parking. We'll continue to support that.

**Ms Smith:** If we've misinterpreted, I welcome the opportunity for the Health minister to correct it today.

It is another tax, Mr. Speaker, on the men and women who have served and fought for Canada. Now, the Premier promised no new taxes, but we see different adjustments, increases, fees, charges, and program changes that really mean that citizens are paying more money to government. Will the minister clarify, immediately order AHS to reverse this decision, and continue to sell parking passes to Calgary veterans?

**Mr. Horne:** Well, Mr. Speaker, this is where the hon. member crosses the line from raising a very legitimate question about an item that was in the news earlier this week to partisanship over taxation policy. There's no connection between the two. It's cheap, and it's unbecoming, and it's quite frankly reprehensible to do so. I've explained the policy change that Alberta Health Services has made. Compassionate parking passes continue to be available not just in Calgary but across the province to veterans and others.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition, for your second main set of questions.

#### Prescription Drug Coverage

**Ms Smith:** Mr. Speaker, the Health minister has botched parking, Carmangay, Michener, expense claims, political donations, doctor negotiations, and executive bonuses, and now it's generic drugs. We asked about a number of delisted drugs earlier this week, and he said that everything was okay. But – oops – penicillin was left off the list of approved drugs. Alberta Health scrambled and put it back but at a price nearly three times higher than before. Now they're scrambling again because a dozen more medications were delisted without replacements. How many more mistakes are there?

**Mr. Horne:** Well, Mr. Speaker, the hon. Leader of the Opposition continues to be on the wrong side of this issue. We spent yesterday, in response to various questions, explaining the process for drug price listing and procurement in Alberta. As we said yesterday and as will continue to be the case, we set prices on a monthly basis. Companies have an opportunity to respond to those prices, and where they are not able to meet the prices, we have the opportunity to substitute alternate drugs. The only side to be on in this case is the side of Albertans. This province is leading the way in being a price-maker, not a price-taker, when it comes to drug prices, as the hon. member would lead us to believe.

**Ms Smith:** If only that were the case, Mr. Speaker.

Yesterday the minister said that we were undermining confidence in the health care system. No, we're not. We're pointing out a lack of confidence in this minister. The undermining is being done by the minister himself with blunder after blunder, excuse after excuse. When will the minister admit that he made a mistake, consult with pharmacists, and finally get this program right?

**Mr. Horne:** Mr. Speaker, if the hon. leader doesn't want to talk about the interests of taxpayers, that's certainly up to her. I'm quite prepared to talk about the interests of pharmacists because we have considered and provided that. Today we announced an additional \$40 million in support for pharmacists in connection with the transition of the price from 35 to 18 per cent. That's in addition to the \$95 million we've already provided. What does the

hon. member think that pharmacists won't find supportive about that initiative?

**Ms Smith:** Mr. Speaker, the rushed announcement today proves the minister got it wrong, as we've been saying all along. Pharmacists already rejected the proposal when he put it forward to them last week, and the minister didn't even have the decency to let them know that he was announcing this today. When is the minister going to start listening to the pharmacists and stop acting as if he knows best?

**Mr. Horne:** Mr. Speaker, to further enlighten the hon. member, first of all, the government of Alberta does not negotiate pharmacy prices directly with pharmacists, and that's the situation across the country. Pharmacist associations across Alberta work with government. They act as a body that we consult with when we're looking at changes in the system. We have in fact been consulting with RxA throughout, and I met with the president as recently as Monday. They are aware of these changes. It may not be everything that pharmacists are hoping for in terms of transition support, but it is the best that we are able to do, and we are proud to offer that assistance.

**The Speaker:** The hon. Leader of the Official Opposition. Third main set of questions.

**Ms Smith:** I guess we'll find out with their day of action tomorrow, won't we, Minister?

### Carbon Tax

**Ms Smith:** Mr. Speaker, it's been hard to get a clear answer on the carbon tax, so I'll try again. Now, the Premier promised there would be no tax increases, the Environment minister proposed jacking up the carbon tax from \$15 a tonne to \$40, the Energy minister says, "Well, something has to be done," but he's unwilling to go as far as \$40, and all the while the Deputy Premier says that he doesn't know anything about any carbon tax increase. Simple question: will the government raise the current carbon tax from \$15 a tonne to \$40 a tonne? Yes or no?

**Mr. Lukaszuk:** Mr. Speaker, another Chicken Little. We've been dealing with them for about the last year or so, and none of their predictions ever pan out in reality. I can tell you this. We are committed to a policy that is in place right now where we will be diverting dollars into a fund for studying and improving our environmental performance. I know, Mr. Speaker, you made a ruling yesterday that I can no longer refer to them as climate change deniers, but we will continue our environmentally friendly practice, earning our social licence to sell our product throughout the world and promoting our industry throughout the world, unlike them, Chicken Little style.

**Ms Smith:** Well there's another word that ends in "ier" that I can't use in this Legislature either.

But, Mr. Speaker, let me tell you why Albertans don't trust this Premier or her government. Asked yesterday about this widely reported 40/40 carbon tax plan, she said this: 40/40 isn't a number that we've in any way landed on or proposed. Well, call in the RCMP because someone obviously snuck an extra slide into the Environment minister's presentation to industry. Someone's not telling the truth. Who is it?

**Mr. Lukaszuk:** Mr. Speaker, I don't know how I can be any more clear. We are, we have been, and we will continue to be working

hand in hand with industry, with Prime Minister Harper and the federal government. We will continue our commitment to striking the right balance between environmental responsibility, something they don't know much about, and making sure that our products get to the market and that we have the social licence, the social licence not only domestically but internationally, to sell our product. Unfortunately, this kind of rhetoric is not helping any.

**Ms Smith:** Mr. Speaker, the investment marketplace is sensitive to signals from government. If the messages are consistent, confidence rises and businesses invest higher. If the messages are all over the map and change daily depending on the minister answering the questions, then confidence is eroded. That's why we see job losses like we did in March. When will this government get its story straight and come clean on how much they are increasing the carbon tax?

**Mr. Hughes:** Mr. Speaker, this government is deeply committed to ensuring that we get our products to market. The most fundamental security and stability that we could provide to producers in this province is secure access to global markets to get world price. I can tell you as somebody who in my previous life has been active in the capital markets that I understand the importance of stability. I understand, this government understands the importance of ensuring that we have access to markets for the products from this very province.

**The Speaker:** Thank you.

The hon. Member for Edmonton-Centre.

### Climate Change Initiatives

**Ms Blakeman:** Thank you very much, Mr. Speaker. On Monday I asked about carbon levies high enough to transform behaviour, and the response was not about reducing greenhouse gases, not about incentives to change; it was about money. To the Minister of Energy: if it's all about the access to markets – and I assume that means someone buying Alberta's oil – why is the government failing to deal with the most common concern holding people back, and that is that this government has failed to take action to reduce greenhouse gases and failed to monitor and enforce a polluter-pays policy?

2:00

**Mr. Hughes:** Well, Mr. Speaker, the government of Alberta, actually, is a leader on this continent in terms of what we have done to be responsible environmental stewards and finding that right balance between development, economic health, and environmental responsibilities, and that is where we continue to work.

**Ms Blakeman:** I think that's where you're failing.

I'll go to the Treasurer this time. Can the government justify why they collect a pitifully low carbon levy, bringing in \$70 million a year, and then hand out \$1.4 billion to most of the same companies to encourage carbon capture and storage, which is trying to stuff that same carbon underground? Why isn't it used, as the Liberals have suggested, for municipal public transit and green energy projects?

**Mr. Horner:** Well, Mr. Speaker, I'm sure the hon. member is quite aware, given the fact that we're in the middle of estimates, that there have been a number of estimates done on the infrastructure file. I believe Energy's have already been done. She would know that GreenTRIP funding is already going to our

municipalities for some very significant transportation initiatives, including in her home city of Edmonton.

In terms of the technology we have taken a very innovative approach, different than other jurisdictions, taking industry money to help solve industry problems in greenhouse gas emissions. The \$1.4 billion number is not a one-year number; it's a number over a number of years.

**The Speaker:** The hon. member.

**Ms Blakeman:** Thanks, Mr. Speaker. I will give the government credit if it implements a 40/40, a 40 per cent reduction or pay \$40 a tonne, but I have every confidence they will cave in to industry. Will the Minister of Energy be backing his colleague on the 40/40 or CAPP on their 20/20 or some other number altogether? Which will it be?

**Mr. Hughes:** Mr. Speaker, this minister will back the Minister of ESRD and the people of Alberta in the interest of Albertans and looking after their interests.

**The Speaker:** The hon. leader of the New Democrat opposition.

**Mr. Mason:** Mr. Speaker, I guess that if he's backing the minister of environment, that means he's not backing the Premier.

#### Funding for Long-term Care

**Mr. Mason:** This PC government cannot be trusted to look after Alberta seniors, and the Minister of Health doesn't know his facts. Yesterday the minister denied that AHS will be slashing \$52 million from next year's budget for nursing homes that accommodate frail seniors, but AHS documents say otherwise. Will the minister set the record straight, admit that he misspoke, and restore funding for our most vulnerable citizens?

**Mr. Horne:** Well, Mr. Speaker, as we discussed yesterday, Alberta Health Services is not cutting funding for long-term care. In fact, in a letter submitted to the *Calgary Herald*, which I'll table later today, Alberta Health Services reports that it will be increasing spending as follows: long-term care by 4.4 per cent, or \$39 million; community-based care by 9.9 per cent; and home care by 4.4 per cent. We are not seeing a reduction in these very, very important resources to support our seniors. To suggest the contrary is simply not true.

**Mr. Mason:** Mr. Speaker, I'd like to table a couple of documents as well: Alberta Health Services' health and business plan 2012-2015, indicating that \$971 million is budgeted for continuing care and supports, and the AHS backgrounder from just a couple of days ago, where the number is \$919 million.

**Some Hon. Members:** Question.

**Mr. Mason:** I am allowed a preamble, so just shut up.

Mr. Speaker, why is the minister misleading Albertans about the cuts to long-term care, including the cuts that are taking place right now in Strathmore?

**Mr. Horne:** Well, Mr. Speaker, that's certainly strong language. I think that if the hon. member checks, he will be prepared to admit that the difference between the actual amount spent by Alberta Health Services last year on long-term care and the amount that they have budgeted to spend next year on long-term care represents an increase of 4.4 per cent.

**Mr. Mason:** Well, I suppose we could argue about numbers all day, but here are the facts. Here's what's actually happening on the ground. The government promised during the election that seniors living in care facilities would have access to 24-hour nursing care, but today we hear that medically fragile seniors in Calgary are being moved into facilities without any nursing care of any kind, and in Strathmore they're closing 23 long-term care beds. Will the Minister of Health admit that the AHS budget is yet another broken promise to seniors and is a 100 per cent cut to the credibility of this PC government?

**Mr. Horne:** Well, Mr. Speaker, all I can say is that with respect to an argument about numbers the hon. member began this accounting exercise yesterday, and he's welcome to do so, and I'll continue to respond with the facts. But to suggest that we're doing anything less in terms of putting a focus and an emphasis on providing appropriate continuing care for all seniors, including long-term care, is very far from the truth. In the case of Strathmore, for example, residents are being moved out of the hospital, where they're currently receiving long-term care, to a new facility in the community which includes 82 additional beds. That sounds like a pretty good fact.

#### Allyson McConnell Sentencing

**Mr. Saskiw:** I'm now going to quote verbatim from the McConnell family's statement so that you, Minister, can answer their questions. To quote the family,

we fear that if Allyson . . . McConnell is deported to Australia, we will never see her face justice for the horror and terror she inflicted on two innocent babies before killing them . . . If the Alberta Government was having problems why did they not appeal to the Federal Government for assistance sooner? Why wait until just days before it is too late? . . . Nothing will bring the boys back, but we would like to see justice and common sense prevail.

Answer their questions, Minister.

**The Speaker:** Hon. minister, I'm going to recognize you, and I want you to begin by clarifying whether this matter is now sub judice and therefore not allowed to be pursued in a certain way, or is it otherwise?

**Mr. Denis:** Further to your comments, Mr. Speaker, the actual judgment was pronounced in April 2012, and our department immediately launched an appeal subsequent to the judgment.

**The Speaker:** The hon. member.

**Mr. Saskiw:** Thank you, Mr. Speaker. Given that under your watch, Minister, there was a five-month delay as the Crown asked the court for extensions of time when every single day mattered, will you finally own up to your incredible failure, apologize, and make sure the innocent victims and their family get to see justice?

**Mr. Denis:** Mr. Speaker, as we've said time and time again, there was no such delay. The appeal was filed immediately. We're dealing in a matter of two dead children here and their grieving family. Surely, this member would join me in recognizing that this is not time to politicize this issue.

**Mr. Saskiw:** It's their questions, Minister.

Given that you, instead of doing your job by ensuring that Allyson McConnell never left the province in the first place, are now potentially interfering in the judicial process by telling the courts what to do and giving defence lawyers another legal

defence, what next debacle should Albertans expect from this out-of-touch, liberal, soft-on-crime Justice minister?

**Mr. Denis:** Again, Mr. Speaker, this appears to be some sort of a pattern here because last week this member was arguing that we didn't interfere. Now he's suggesting that we do interfere. I have nothing new to say here. The appeal will continue, and I will not stop until justice is served.

**The Speaker:** Hon. members, I'm going to review this matter when the House adjourns today, and I'll let you know whether or not it's in order to proceed with any further questions tomorrow, depending on how they're crafted.

Meanwhile the hon. Member for Banff-Cochrane.

### **Prescription Drug Coverage** (continued)

**Mr. Casey:** Thank you, Mr. Speaker. Since the budget was introduced, we have heard absolutely nothing but fearmongering from the opposition about the impact of reducing generic drug prices, this from the same critics who only last fall were accusing this government of pandering to pharmacists by paying them to deliver new services. My question is to the Minister of Health. Since we know that pharmacies are a critical health service, what is being done to continue to ensure that pharmacists are compensated appropriately for the valuable work they provide?

**Mr. Horne:** Well, Mr. Speaker, there's a great deal being done to support pharmacists in the transition to lower generic drug prices in Alberta. Earlier today we were pleased to issue a news release detailing additional support for pharmacists. It includes extension of a one-dollar addition to the dispensing fee for the next year that will apply to both public and private plans across the province. It includes expansion of the criteria for eligibility for the rural remote pharmacy grant. That will provide additional funds to rural and remote pharmacies to allow them to hire additional staff.

2:10

**The Speaker:** The hon. member.

**Mr. Casey:** Thank you, Mr. Speaker. Given that members on the other side of the House are trying to cause confusion and fear among Albertans about the availability of needed medication, can the Minister of Health explain how he can ensure Albertans will have access to the drugs they require and will benefit from the lowered prices?

**Mr. Horne:** Well, Mr. Speaker, it is true that for too long Alberta has paid a higher price than the rest of the world for generic drugs, and that, of course, is unacceptable. For example, the current price in Alberta for the antidepressant drug citalopram is 27 cents per pill. In the United States it's 3 cents, and in New Zealand it's 2 cents. That is a 1,250 per cent difference that the opposition thinks Alberta taxpayers should fund.

**The Speaker:** The hon. member.

**Mr. Casey:** Thank you, Mr. Speaker. Given that the opposition has repeatedly tried to undermine public confidence in health care, how will you protect this important public service from their extreme ideology that would see our public system dismantled?

**The Speaker:** Are you rising on a point of order, Airdrie?

**Mr. Anderson:** A point of order. Sure.

**The Speaker:** Okay. A point of order has been noted at 2:11.

**Mr. Horne:** Well, Mr. Speaker, what I will say that the government will do is that we will continue to seek the lowest prices that we possibly can for generic drugs and, in fact, for all drugs that are listed in our drug benefit list. For far too long Alberta and Canada have been price-takers instead of price-makers when it comes to drug prices. We successfully introduced an 18 per cent price mark last month on a pan-Canadian basis, working with our colleagues in other provinces. We'll continue to do the same in the interests of patients and taxpayers.

**The Speaker:** The hon. Member for Calgary-Shaw, followed by Dunvegan-Central Peace-Notley.

### **Michener Centre Closure**

**Mr. Wilson:** Thank you, Mr. Speaker. The impending closure of the Michener Centre has been, simply put, poorly communicated, and the minister has left many questions unanswered. The minister's solution to these unanswered questions has often been the \$10 million in capital he has to create new facilities to house the patients that are being removed from their homes. Can the minister clarify just how much of this \$10 million will actually directly support the residents from Michener?

**Mr. Oberle:** Well, Mr. Speaker, we do have a \$10 million fund set aside if we need to create additional capacity. I can't say right now whether we do need to create additional capacity. I'm informed that we have capacity out there. Whether we do or not depends on individual care plans, individual destinations developed with the individual, with the families, with the guardians, and with PDD staff. When those plans are done, I'll be able to speak more fully on that matter. If we need capacity, we'll be able to develop it.

**Mr. Wilson:** It's good to see there's a plan, Mr. Speaker.

Can the minister clarify how much of the \$10 million will be required to cover the severance packages for the upwards of 400 staff that may lose their jobs?

**Mr. Oberle:** Mr. Speaker, I also don't know how many staff are going to be affected by this move. We're going to absorb some into the department, some into AHS. Some will transition to the service sector. Some will retire. So I can't speak to that right now. I have a fund that will cover the expected cost.

**Mr. Wilson:** Given that the closure of the Michener Centre will free up hundreds of acres of prime real estate in Red Deer, can the Minister of Infrastructure tell us what the estimated value of this land is today and what the plans are for this site once the facility closes?

**Mr. Drysdale:** Mr. Speaker, the policy is that when another government agency is no longer requiring property or buildings in the government, they turn it over to Infrastructure for disposal. That hasn't been done yet, so until Infrastructure has it turned over to them from the other department, we won't be dealing with it until it's ours.

**The Speaker:** The hon. Member for Dunvegan-Central Peace-Notley, followed by Calgary-Buffalo.

### **Shaftesbury Ferry**

**Mr. Goudreau:** Thank you, Mr. Speaker. Last fall the Shaftesbury

ferry, also called the Tangent ferry, which acts as a vital link across the Peace River for people in my riding, was again pulled out of service due to transmission problems. When this ferry is out of commission, this is a massive inconvenience for people, causing over 160 kilometres of detour. The ferry is old, and repair parts are not always available. Every year there seems to be a reason for it not being in the water. My question is to the Minister of Transportation. Will you commit the funds required to have this ferry provide stable and predictable service?

**The Speaker:** The hon. minister.

**Mr. McIver:** Well, thank you, Mr. Speaker. It's a priority of our government to make sure the transportation system is available for Albertans. The hon. member has raised a legitimate concern. About a month before the ferry was scheduled to shut down last year, there was a mechanical failure that couldn't be fixed in that amount of time, but I am happy to report to the hon. member that over the winter people have done a lot of work. The ferry is ready and waiting to go, and when the river is able to accept traffic, then the ferry is ready to provide for that.

**The Speaker:** Thank you.  
The hon. member.

**Mr. Goudreau:** Thank you, Mr. Speaker. To the same minister: given that the province is currently studying options for crossings of the Peace River, including two ferries and ice bridges, what consultation will this government have with local residents, businesses, and officials before any long-term changes are put in place?

**The Speaker:** The hon. minister.

**Mr. McIver:** Thank you, Mr. Speaker. It's a good question because we are looking at making some changes, as the hon. member said. I want to ensure the hon. member that we will be talking to the local municipalities and other interested parties that we can identify or certainly to ones that come forward to us because we recognize that when we make changes to the transportation network, it can affect different people in different ways. As this Premier has committed to, we will listen to Albertans and, after so doing, take action which we believe is in their best interests.

**The Speaker:** The hon. member.

**Mr. Goudreau:** Thank you, Mr. Speaker. Again to the same minister: given the vital nature and the location of this ferry, will the minister inform the House of what plans are in place to ensure that if the ferry requires maintenance or is out of commission, something is and will be done to reduce the massive detour this causes?

**Mr. McIver:** Well, Mr. Speaker, to the hon. member I will say that we have a maintenance contractor in place with a responsibility to keep the ferry working. We also understand that it's not new, so we are monitoring it closely. I appreciate hearing from the hon. member, and I want him to know that we don't take this lightly. We will be working hard to keep it in service because, as he's pointed out, it's an important piece of infrastructure for Albertans, and the mobility of Albertans is a high priority of our ministry.

## Hospital Parking for Veterans (continued)

**Mr. Hehr:** Mr. Speaker, yesterday in this Legislature we marked the Battle of Vimy Ridge, where almost a century ago our troops faced trial by fire and triumphed but not before 3,598 Canadians died. Many Albertans died that day, and more have served in our military over the history of our great nation, putting themselves in harm's way to protect our freedoms. And how does Alberta Health Services thank them? By cutting parking passes discounted to veterans getting medical treatment. To the Minister of Health: why are you insulting our veterans just to save a couple of shekels?

**Mr. Horne:** Well, Mr. Speaker, this question has been asked and answered already today. I'll say again to this hon. member, as I did to the previous questioner, that this is not taking away from veterans. This is a policy change at AHS which is intended to provide a broader range of compassionate parking passes to all people, including veterans, who require that assistance.

**Mr. Hehr:** Can the minister not see why the public is outraged at the cancellation of these discounted parking passes for our veterans when the cost of this program is less than the bonus given to the AHS CEO this year?

**Mr. Horne:** Well, Mr. Speaker, I can certainly agree that the interests of veterans are uppermost on the minds of every member of this House and all Albertans, but to attempt to take this issue and somehow politicize it, to suggest that veterans have been excluded in some way from the opportunity to receive parking passes on a compassionate basis is not true. The policy is clear. Veterans are included. Anything to the contrary is simply cheap political tactics.

**Mr. Hehr:** Well, given that Alberta Health Services has their head buried somewhere where the sun does not shine if they deem it acceptable to cut passes for veterans getting medical treatment, my hope is that the minister doesn't. Will you direct Alberta Health Services to reinstate those passes to veterans and their families, who deserve our respect and gratitude for their service to our community?

**Mr. Horne:** Mr. Speaker, as a result of this policy change, veterans are no worse off than they were prior, in the previous policy under the Calgary health region. In fact, the passes to which the hon. member refers were only available in the former Calgary health region. They were not available across Alberta. It is true they were available to veterans. Now they are available to veterans and others who require the support and assistance of this type, that they so richly deserve.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview, followed by Chestermere-Rocky View.

2:20

## Secondary Ticket Sales

**Mr. Bilous:** Thank you, Mr. Speaker. In Alberta getting a ticket to your favourite concert is about as likely as getting struck by lightning. Tickets to events sell out in minutes. Prices on resale sites are double, triple, or quadruple the price, and secondary sellers are making a fortune. With zero legislation to stop scalpers and protect consumers, ticket buyers are handcuffed, frustrated, and broke. To the Minister of Service Alberta: will this minister

admit that the lack of legislation abandons consumer protection and safeguards scalpers?

**The Speaker:** The hon. minister.

**Mr. Bhullar:** Thank you, Mr. Speaker. This is an issue that we take very, very seriously. The fact is that a few jurisdictions have brought forth some regulatory changes in this area, and they've found that they're actually not working. One of the biggest reasons for the unavailability of tickets is bots, the use of computer technology that purchases all the available tickets online. Now, this is something that requires crossjurisdictional co-operation to work, and we're working on it.

**Mr. Bilous:** Mr. Speaker, given that other provinces like Manitoba have actually done something to protect their constituents and given that Service Alberta has already spent four years reviewing, considering, contemplating, monitoring, consulting, and studying this issue, to the same minister: why won't he stand up, start doing his job, and protect Albertans for a change?

**The Speaker:** The hon. minister.

**Mr. Bhullar:** Thank you, Mr. Speaker. I would invite the member to consult with his fellow NDP colleagues in Manitoba, and he'll find that what they did is actually not leading to any changes. It's not protecting consumers any more. On this side of the House we like bringing forth changes that actually affect the lives of everyday Albertans. We don't like to stay up in la-la land. We don't like to have just ideological principles, far on the right on one side, far on the left on the other side. Pragmatic, real-world solutions right here.

**The Speaker:** The hon. member.

**Mr. Bilous:** Thank you, Mr. Speaker. Far out to lunch on that side.

Given that not every Albertan is a Tory MLA who receives complimentary tickets to premier events and given that Albertans are forced to pay an arm and a leg to attend concerts in this province, to the same minister: why do Albertans have to leave the province to be able to afford tickets to see Mumford & Sons?

**Mr. Bhullar:** Mr. Speaker, here's the deal. This legislative Chamber is a fine avenue of theatre. What we have coming from that side of the House is nothing more than the cheapest imitation of Broadway one can find in Alberta. This is a ticket that every Albertan can get. All they have to do is tune in to channel 13 in Calgary, and they can see some of the wildest acting imaginable coming from that part of the House.

Thank you, Mr. Speaker.

**Mr. McAllister:** Mr. Speaker, if the minister has tickets to Seger, I'll take them, by the way.

### Funding for Postsecondary Education

**Mr. McAllister:** When news of Campus Alberta's mandate letters broke, the minister of advanced education bragged about being the, quote, maestro who would finally be able to get all 26 postsecondary institutions singing from the same song sheet. Well, now that his plan is being universally shredded by schools, students, professors, mayors, pretty much anybody with a pulse, he is backing off, saying that it's been in the works for 11 years. To the maestro – pardon me – the minister of advanced ed: which is it? Are you going to own up to the centralization plan, or are

you going to slough it off because you know it's a recipe for disaster?

**Mr. Lukaszuk:** Mr. Speaker, I tabled documents in the House yesterday showing that Campus Alberta was developed by 26 participating schools some 11 years ago and that they have been participating in meetings to build Campus Alberta up until this year, January of 2013. There is nothing new in this, and they all know about it. As a matter of fact, all postsecondary institutions have been encouraging this government to set up a framework where they can better collaborate, find administrative efficiencies, and improve the experience for students.

**Mr. McAllister:** Thank you, Minister. And to that point, to the same minister: if this centralization plan was indeed the government's plan all along, since 2002, as you say, why on earth did it take 11 years to get to this point, why are postsecondary institutions caught off guard, and why didn't you just campaign on it?

**Mr. Lukaszuk:** The only person caught off guard, I imagine, is this member, Mr. Speaker. I find it rather unusual that a party that is running campaigns and continues to profess slashing and burning would not encourage our postsecondary institutions to look inside of their administration, find efficiencies, make sure that our students' tuition doesn't rise anywhere, make sure that the cost to taxpayers doesn't rise anywhere but focus instead on raising the quality of education that we provide to our kids.

**Mr. McAllister:** Mr. Speaker, given that hundreds of students were apparently caught off guard today as they crashed the Premier's office in Calgary to voice their anger over the centralization plan, given the disastrous results of your centralization plans in primary care, ambulance services, and land planning, will you please reconsider your decision to appoint yourself maestro and let our 26 postsecondary institutions conduct their own music?

**Mr. Lukaszuk:** Well, Mr. Speaker, I think the Wildrose has covered every ministry. They want to balance the budget, and they don't want to pass any debt on to the next generation, but they will refuse any program adjustment in any ministry on this side of the House. [interjections] Well, there is no magic. The fact is that we will continue to focus on students. As minister of advanced education, as professors and administrators education is not for us. It's for young students, and we will be focusing on our students. [interjections]

### Speaker's Ruling Decorum

**The Speaker:** Hon. Member for Airdrie, hon. Member for Lac La Biche-St. Paul-Two Hills, and a few others over here, please, that's enough, okay? I'm going to institute a new rule tomorrow, and here's how it's going to sound. If I see you heckling over the line, interrupting your own leaders, perhaps, or other members – and the same goes for this side – I'm not going to bother putting you onto a vocal list. I'm just going to not recognize you at all. I'm going to start that tomorrow. So, please, let's have some respect for process, let's have some respect for this Assembly, and for heaven's sake let's have some decency and respect for each other.

The hon. Member for Red Deer-North, followed by Little Bow.

### Transition of Michener Centre Residents

**Mrs. Jablonski:** Thank you. Mr. Speaker, the government has decided to close Michener Centre in Red Deer-North, as we've heard earlier today. There are still 230 residents with developmental disabilities that call Michener their home; 105 will remain, and 125 will be moved to other homes in the community. Some of the 125 residents are medically fragile and have lived there all their lives, some for over 50 years. They are happy, and they are thriving. To the Associate Minister of Services for Persons with Disabilities: where will we be able to find safe and suitable homes with specially trained caregivers for 125 persons with developmental disabilities . . .

**The Speaker:** The hon. associate minister.

**Mr. Oberle:** Well, Mr. Speaker, I thank the hon. member for the question. I answered a similar question just before. I'm informed that there are suitable homes. Obviously, we have to work with AHS, with service providers. We may have to develop capacity. I've got \$10 million earmarked to do that if necessary. Not all of the homes will be in the Red Deer area. Not all of the families are actually from Red Deer. We are now going to work with every individual, with their caregivers, their families, their guardians to develop individualized care plans that determine the care that they need, the supports that they need, and the destination that they're going to.

**Mrs. Jablonski:** Thank you for the response. I do appreciate that you're answering these questions more than once because they are very important questions.

So with the long waiting list for long-term care, how long will our PDD seniors have to wait to get into the right care facility with staff who are specially trained for those with complex needs like developmental disabilities and Alzheimer's.

**Mr. Oberle:** Again, Mr. Speaker, working in partnership with AHS, we expect that there will be facilities available right away. Some of our staff will transition into Alberta Health Services; some will transition into other places in our department. I expect that will happen right away. Obviously, I need to stress that nobody – absolutely nobody – will be moved from that facility until there's a care plan in place, appropriate supports that are supported by the family are in place, and an appropriate destination is identified for them.

**Mrs. Jablonski:** Thank you, Minister. I'll hold you to that.

Will the specially designed dental clinic at Michener Centre, on the south side, called Marwayne dental clinic, that provides adequate space for wheelchairs and other disability equipment and has specially designed dental chairs and equipment for people with developmental disabilities and that serves all PDD clients who choose to go there, be allowed to remain open?

2:30

**Mr. Oberle:** Mr. Speaker, my immediate concern is the development of care plans and the transition of the residents of the Michener Centre. We will look at the future of Michener's dental services and other services there – physical therapy, nursing – alongside the needs of the individuals that remain at the Michener Centre in the group home setting and the individuals in the community, and we'll determine the future of those facilities. That planning is under way right now.

### Funding for Private Schools

**Mr. Donovan:** Mr. Speaker, five years ago this government agreed to fund a portion of maintenance and operation of independent schools. I support both independent and public schools as important educational choices in Alberta. Budget 2013 cancelled this support and put independent schools in Little Bow and across Alberta in jeopardy. One school in my riding has a \$600,000 shortfall now. To the Minister of Education: why does this government think it's okay to treat independent schools as secondary to institutes by yanking important support which will inevitably hurt our students?

**Mr. J. Johnson:** Mr. Speaker, this is a great example of the balance that we try to strike in here every day. We have one side of the House that wants us to increase funding, and we have the other side of the House over here that wants us to cut funding to private schools. On this pragmatic side of the House what we're doing is that we're supporting choice. We are funding those private schools. We are supporting those private schools. But one thing we don't support with the private schools is the capital. We fund the instruction. We had to make some tough choices this year to make sure that for every new student coming into those schools, their instructional dollars were there and we could fund those kids. That's where we're focusing our dollars.

**The Speaker:** The hon. member.

**Mr. Donovan:** Thank you, Mr. Speaker. The problem with that is that you cut it with zero consultation. Why has this government deliberately undermined independent school operations with no consultation?

**Mr. J. Johnson:** Mr. Speaker, we talk to the independent schools all the time. There were some very difficult choices to be made in this budget, and we made those choices along with school boards, along with the independent schools association, and along with the ATA, the ASBA, CASS, and ASBOA. All those groups came together in a room with me and my staff to help us with some of those choices, but they were not easy choices, and everyone has some impact.

The one thing we should note is that the overall funding to private schools went up, not down. If we want to look at one envelope – there are about 20 different envelopes of funding for school boards – you'll always be able to pick one that went down.

**Mr. Donovan:** Mr. Speaker, they're not running three different sets of books like our government is right now.

To the same minister: can I explain to my constituents why this government has decided to pick winners and losers between public and independent schools?

**Mr. J. Johnson:** Mr. Speaker, that's not true at all. I think this is a great example, again, of the conditional policies of the Wildrose, which some of their members found out about in the last policy conference here. They want us to cut and balance the budget on the condition that it doesn't affect their constituencies. They don't want us to take on any debt, but apparently if that debt is for schools or projects in their constituencies, then they're the first to line up for the photo ops. On this side of the House we're investing in families and communities. We've got one policy, one direction for this province, and the Premier is leading that.

**Ms Jansen:** Mr. Speaker, Calgary parents are fortunate to have a great deal of choice when it comes to education. Public, separate,

francophone, charter, and private schools are all available to address the unique learning needs of Calgary kids. However, some parents in my constituency are concerned that budget cuts to private schools might limit some of those choices. My first question is to the Minister of Education. Why have private schools like Janus Academy, which is designed for special needs, been singled out and their plant and operation funds eliminated in the provincial budget?

**Mr. J. Johnson:** Mr. Speaker, no school boards or schools got singled out in this budget. One of the things that we tried to go to great efforts to do was to make sure that all school boards and all schools were treated fairly. But at the end of the day it's about the students. We need to put the students first. We need to make sure that for every student that walks in the door and for those new students walking in the door, those instructional dollars are there. Like I've said, we've had to make some tough choices to live within our means and accommodate the 11,000 more students we're going to have next year and make sure the instructional dollars are there for them.

**Ms Jansen:** Again, Mr. Speaker, to the Minister of Education: are these private schools that support special-needs kids seeing the same kind of increases as public schools for inclusive education?

**Mr. J. Johnson:** Mr. Speaker, the private schools do a fantastic job, and the Janus Academy is one of those great examples. It's a great school in Calgary that supports kids with autism. But they are funded differently than the other schools. They don't receive inclusion funding like the public school boards do. They're funded specifically for the needs of that particular child. In Budget 2013 those dollars are still there and those incremental dollars for those new students coming in the building are there.

**Ms Jansen:** Finally, Mr. Speaker, to the same minister: just for clarity's sake if the plant and operation funding had to be cut, how is it the private schools overall are seeing an increase in funding? Was a new program added?

**Mr. J. Johnson:** Mr. Speaker, the member is right, and she's been a great advocate for the schools in her constituency. There were envelopes of funding that were adjusted, there were envelopes of funding that were eliminated, but overall funding to private schools went up. That's because we're going to fund every new student that comes in the system, and because there are more students projected to be in those private schools next year, those private schools will have more money next year.

**The Speaker:** The hon. Member for Lacombe-Ponoka, followed by Edmonton-Gold Bar.

### Alberta Health Services Budget

**Mr. Fox:** Thank you, Mr. Speaker. The latest quarterly performance report from AHS paints a disturbing picture of a bloated health care system that is failing patients from one corner of the province to the other. In central Alberta in 2005 61 per cent of patients were admitted from the ER within the wait time standard of eight hours. Today it's a pitiful 43 per cent. But, even worse, in that same time health care spending has exploded by \$7 billion, a 65 per cent increase. Minister, why are my constituents paying more and waiting longer for health care while you just keep producing ever-more pitiful results?

**Mr. Horne:** Mr. Speaker, I'm sure the hon. member knows we'll

have an opportunity to go through the detailed Health budget in the estimates process. What I will say that is most interesting is the propensity of the member opposite and his colleagues to commensurately complain about changes in health care funding, growth this year of 3 per cent compared to an average of 9 per cent over the last year, and at the same time complain about performance in his own constituency. The fact is that we have an increase of over 5 per cent in emergency department visits in this province over the last year. Our staff are doing an excellent job in meeting those needs, and we have plans in place to serve people in the community.

**The Speaker:** The hon. member.

**Mr. Fox:** Minister, your performance is unacceptable.

Again to the Health minister: given that patients in B.C. wait five months for cornea transplants and in Alberta wait two years, five times longer, what is the government going to do about the 700 people on the cornea transplant waiting list who are slowly going blind, waiting years for the proper care that they deserve?

**Mr. Horne:** Well, Mr. Speaker, this is a complex issue that is felt across the country. The hon. member is correct that wait times for cornea transplants are far too long. We are looking at opportunities both to source corneas outside the province and also, more importantly, to encourage Albertans through the work of one of my colleagues to donate organs and tissue to make them available for this very important purpose.

**Mr. Fox:** To the minister again: given the health care spending is way up and results are way down, what are the consequences for your executives that are sucking up hundreds of millions of dollars in expenses and bonuses, leaving patients to suffer on such long waiting lists?

**Mr. Horne:** Mr. Speaker, if the hon. member should know anything about the Alberta Health Services proposed budget for 2013-14, he should know that AHS has already announced they have eliminated pay at risk, they have already announced they intend to reduce management positions by 10 per cent over the next three years, and they have already announced that they are freezing the budget line for management salaries. That's the kind of leadership Albertans are looking for, it's the kind of leadership I as minister am looking for, and they should be recognized for providing that leadership.

**The Speaker:** Thank you.

Hon. members, before we proceed with Members' Statements, could we have your permission to revert to two brief introductions?

[Unanimous consent granted]

2:40

### Introduction of Guests

(continued)

**The Speaker:** The hon. Associate Minister of Municipal Affairs.

**Mr. Weadick:** Well, thank you, Mr. Speaker. I am pleased to introduce to you and through you to all members of this Assembly Staff Sergeant Rein Tonowski, who oversees 911 and police dispatch, and Kim Pudde, 911 supervisor for the Edmonton Police Service. As heads of Edmonton's 911 call centre they and their staff are the first point of contact for any Edmontonian who dials 911 in an emergency. I know this service is something that we cannot take for granted, and I'm grateful Staff Sergeant Tonowski and Ms Pudde are here today to thank them and their colleagues



across Alberta for their tireless contributions to public safety and to have them here as we introduce this legislation that will bolster 911 service in our province. I would ask them to rise again and receive the warm welcome of this Assembly.

**The Speaker:** Hon. Member for Edmonton-Riverview, are your guests here now?

**Mr. Young:** My guests have departed, but I would like to acknowledge them.

**The Speaker:** For the record.

**Mr. Young:** Thank you, Mr. Speaker. It's my pleasure to rise and introduce to you and through you to all members of this Assembly a group of seniors from the West End Christian Reform Church, affectionately known as West of 60. They were seated in the members' gallery, and I would like the guests to receive the traditional warm welcome of the Assembly.

### Members' Statements

*(continued)*

**The Speaker:** I'll now recognize the hon. Member for Calgary-Glenmore for her member's statement.

#### International Day against Bullying, Discrimination, Homophobia and Transphobia

**Ms L. Johnson:** Thank you, Mr. Speaker. Today marks the Day of Pink, the annual International Day against Bullying, Discrimination, Homophobia and Transphobia in schools and communities. On this day communities across the world unite in celebrating diversity and raising awareness to prevent bullying. Last year over 8 million people participated. This year I suspect it will be even more.

The Day of Pink was inspired by an incident that took place in a Nova Scotia high school in 2007, when a student had to endure name-calling and threats of violence simply because he chose to wear a pink shirt on the first day of grade 9. Unfortunately, it was probably not the only bullying that happened in schools that day except in this case, Mr. Speaker, two students who witnessed the bullying decided to take action, purchased pink shirts, and distributed them to other students. The following morning the school foyer was a sea of students wearing pink. The message was clear. Bullying can be stopped when bystanders take action. We can say loudly and clearly that bullying in any form, anywhere is unacceptable.

I am proud that in Alberta we have a new Education Act that contains some of the most effective and proactive antibullying legislation in the country, an act that clearly states that everyone has a role to play in promoting healthy relationships and preventing bullying. The government has also developed the website [bullyfreealberta.ca](http://bullyfreealberta.ca) to help children, youth, and adults learn about bullying and how to stop it. There is also a 24-hour helpline connecting to community-based supports and resources to help young people dealing with bullying when it happens because no one should have to endure being bullied.

I am proud to wear pink today along with my fellow MLAs and to stand up against bullying. Together we can build a world without bullying.

**The Speaker:** The hon. leader of the New Democratic opposition.

#### Private Health Care Services

**Mr. Mason:** Thank you very much, Mr. Speaker. The release of

the Alberta Health Services 2013 budget and the March 2013 performance standards are graphic depictions of what broken promises from this PC government mean to the front lines of our health care system. This PC government has shown time and time again that they can't be trusted to stand up for Albertans. In fact, they've repeatedly supported for-profit privatization or moves towards two-tier, American-style health care.

This PC government's encouragement of private health clinics such as Helios and Copeman means that regular Albertans don't receive the care that they deserve in a timely way. This was the revelation that came out of the queue-jumping inquiry, but it wasn't a revelation to Alberta's New Democrats, Mr. Speaker. We've always said that this government's experimentation with privatization would lead to serious problems in our health care system.

This ongoing experimentation is all too evident in seniors' care. Instead of encouraging affordable and accessible care, the government routinely closes public long-term care facilities only to replace them with for-profit continuing care. We see it again this week, Mr. Speaker, in the AHS budget, which cuts \$52 million from long-term care. Over 1,200 seniors are already waiting for long-term care and acute-care beds in the community. If a government can't manage to protect and strengthen our health care system, if they break their promises and cry poor instead of providing stable funding, that just means the government has failed Albertans.

Alberta's New Democrats know that we can strengthen our health care system. We should be reducing emergency room wait times and freeing up expensive acute-care hospital beds by expanding home care and long-term care and increasing the number of mental health care beds. Instead of cutting seniors' drug benefits, we would be giving seniors a break on prescription drugs by capping their copayments at \$25 a month. We need to make sure that every Albertan has access to a family doctor.

Health care is the most important priority for Albertans, Mr. Speaker. It's just too bad that it's not a priority that's shared by this government.

**The Speaker:** The hon. Member for Edmonton-Manning, followed by Sherwood Park.

#### Vaisakhi Day

**Mr. Sandhu:** Thank you, Mr. Speaker. Waheguru ji ka Khalsa, Waheguru ji ki fateh. It's my great pleasure to rise today and speak about our Vaisakhi Day celebration that took place today in the Legislature. On behalf of our Sikh community we want to thank you and all MLAs past and present, including the hon. Ken Kowalski, Speaker, and former Premier Ed Stelmach. They were here at our first Vaisakhi celebration.

Today marks the 314th anniversary of the celebration of Khalsa by Shri Guru Gobind Singh Ji, which formalizes the Sikh community and protects the important principles of truth, justice, and equality. Vaisakhi also reminds us of our responsibility to our families, to our society, and to each other. This second aspect is that the farmers cut their crops and celebrate harvest season, which I know, Mr. Speaker, you witnessed in 2003 on your first visit to Punjab, India. The harvest season begins with the Vaisakhi celebration, and our farmers are happy to greet crops.

Today members of the Sikh communities in Edmonton and Calgary came together to celebrate with us. They are all very proud Canadians. The Nagar Kirtan celebration is coming on May 19, 2013. You know that the communities gather and walk from one Sikh temple to another in the Mill Woods area. Our Sikh

community is hoping that the participation will be around 20,000 people so they can raise money for the food bank and other good causes.

More good news: our Premier is going to be part of the celebration as well as you, Mr. Speaker. You are always there with the community. I hope more Canadians will join us and understand the community. The Sikh communities are proud to say that they are Canadian. Thanks, Canada. You give us a lot. God bless our country, Canada.

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

The hon. Member for Sherwood Park, followed by Rimbey-Rocky Mountain House-Sundre.

### Development of Pipeline Infrastructure

**Ms Olesen:** Thank you, Mr. Speaker. I rise today to express my solidarity with our Premier's mission to support development of pipeline infrastructure in the United States. My constituency is a hub of pipelines and petrochemical processing. We have lived side by side with petroleum infrastructure for over 60 years, and we are proud of the companies that bring our natural resources to market.

Pipelines have criss-crossed our province, this country, and all of North America for a long time now and have proven safe and effective compared to just about any other mode of transport. Today the technology is better than it has ever been and will continue to improve going forward.

I applaud those who are concerned about our environment and celebrate the advances in technology that are reducing emissions in the processing and use of petroleum. I'm also pleased to note the long list of alternative electrical generating facilities that are gradually displacing coal generation in this province.

Mr. Speaker, our environmental commitments past, present, and future clearly show that we are the world's most environmentally responsible energy supplier. Alberta is the first place in North America to require by law all large industry across all sectors to take action to curb greenhouse gases. We have a \$15 per tonne price on carbon for those who do not meet legislated limits, and we direct it to a clean technology fund that is sitting now at \$312 million.

Alberta is a province of advancement, and I will continue to support responsible energy development in this province.

**The Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

### 2:50 Compensation for Pharmacy Services

**Mr. Anglin:** Mr. Speaker, this government keeps telling Albertans that the changes made to the pharmaceutical services and the price changes of generic drugs will not affect rural pharmacies. The facts tell that story differently. Tomorrow the owners of pharmacies in the towns of Rimbey, Rocky Mountain House, and Sundre will close their doors for two hours to protest this government's mismanagement of generic drugs and the government's refusal to consult with pharmacists. Dictating is not consulting, and today's rejection of this government's announcement makes that clear.

Pharmacists and staff at these pharmacies will stand outside their locked doors and greet customers to explain how this government's policies are seriously jeopardizing access to pharmacy services in these communities. Perhaps this government doesn't get it. If rural pharmacies close, it will leave rural Albertans without access to this critical component of patient care. Rural

pharmacists are only asking this government to consult with them, in effect to listen. As one of the pharmacists put it in this week's *Rimbey Review*: "We need to get the government's attention. They certainly have shown little interest in our profession and the services we provide."

Mr. Speaker, these protests are against this government's refusal to give pharmacists the time of day regarding these changes. This heavy-handed approach to this problem is destabilizing pharmacies across the province, and it has already caused at least one pharmacy in rural Alberta to close its doors. I support the pharmacists and the goals of this protest. This is serious stuff, and this government needs to stop marginalizing rural pharmacies and pretending there's no problem. The owners of the pharmacies don't take this temporary closure of their doors lightly, and neither should this government.

### Introduction of Bills

**The Speaker:** The hon. Associate Minister of Municipal Affairs.

#### Bill 15 Emergency 911 Act

**Mr. Weadick:** Thank you, Mr. Speaker. I request leave to introduce Bill 15, Emergency 911 Act. This being a money bill, His Honour the Honourable the Lieutenant Governor, having been informed of the contents of this bill, recommends the same to the Assembly.

The intent of this legislation is to improve 911 services by supporting local 911 call centres so they can continue providing Albertans with effective service today and in the future. The act will help address challenges facing Alberta's 911 call centres in several ways. It will allow for the creation of province-wide standards, processes, and procedures in collaboration with stakeholders. It will establish consistent liability protections for people involved with 911 services. It will support 911 centres' efforts to integrate next generation 911 technology like GPS and texting, and it will introduce penalties for frivolous or vexatious 911 calls. Very importantly, it will ensure equity amongst phone users in contributing to the cost of 911 services.

Mr. Speaker, I look forward to speaking more about the benefits of this legislation. I'm confident it will result in improved 911 services for Albertans. I am proud to table Bill 15, the Emergency 911 Act, and move that this bill be read for a first time.

Thank you.

[Motion carried; Bill 15 read a first time]

**The Speaker:** The hon. Minister of Justice and Solicitor General.

#### Bill 16 Victims Statutes Amendment Act, 2013

**Mr. Denis:** Thank you very much, Mr. Speaker. Alberta Justice continues to put victims first and maintain public security. Accordingly, I am pleased to rise today to request leave to introduce Bill 16, the Victims Statutes Amendment Act, 2013. This being a money bill, His Honour the Honourable the Lieutenant Governor, having been informed of the contents of this bill, recommends the same to this Assembly.

The bill would simplify the financial benefits application process for victims of crime; honour victims of crime by giving them more options for how to present their case to the Criminal Injuries Review Board, otherwise known as CIRB; and strengthen the protection of their confidential information. Bill 16 also

touches on victims' restitution as it relates to the civil forfeiture office.

Mr. Speaker, this bill will ensure a process to respond to the forfeiture action on items gained through illegal activity. At the same time it will help prevent baseless and frivolous legal actions that would delay the forfeiture process and continue turning bad money into good by using the proceeds of crime to support victims. This legislation will ensure victims of crime in Alberta continue to be treated with dignity and respect and criminals are held financially accountable for their actions.

I therefore move first reading of Bill 16. Thank you.

[Motion carried; Bill 16 read a first time]

### Tabling Returns and Reports

**The Speaker:** The hon. Member for Calgary-Buffalo, followed by Calgary-Mountain View.

**Mr. Hehr:** Thank you, Mr. Speaker. I have two tablings today. The first is a letter from Denis Melrose, who is the owner-operator of a pharmacy, and he outlines the recent changes and the devastation that will happen both to his pharmacy and to others.

The second letter is, frankly, the best letter I've received from a constituent in my five years in the office. It's from Amanda J. Laurans. She is a single mother who adopted two special-needs children from foster care in Calgary. She has a great deal of difficulty with finding daycare. She notes, and I quote: "The burden of childcare is commonly primarily arranged and executed by the working mothers. The \$100/month taxable child payments from the federal government do not cover one tenth of regular daycare expenses in Calgary." She looks at it closely, and she comes to the conclusion that . . .

**The Speaker:** Thank you, hon. member. It's important to just get on with the tabling, please. We're going to tighten this up a little bit as well.

**Mr. Hehr:** It wasn't that long.

**The Speaker:** That's okay.

Anyone else? I have the hon. Member for Little Bow, followed by the Minister of Health.

**Mr. Donovan:** Thank you, Mr. Speaker. I'm tabling the requisite copies of a letter sent to me and also to the Premier about the education system and the independent schools. Janny and Joop Harthoorn from Coaldale sent it. They're also grandparents down there. They're very concerned about the fact that the money was pulled for plant operations and maintenance as a trade-off a number of years ago, and they feel that maybe the Education minister should revisit this.

**The Speaker:** The hon. Minister of Health.

**Mr. Horne:** Thank you very much, Mr. Speaker. I'm pleased to table the appropriate number of copies of a letter to the editor written by Chris Mazurkewich, chief operating officer of Alberta Health Services, confirming the increases to long-term care and continuing care budgets in the 2013-14 proposed AHS budget. This letter corrects information incorrectly reported by media on Monday.

Mr. Speaker, I have a second tabling. It is the appropriate number of copies of price comparisons of the top 20 generic ingredients paid for by the government of Alberta versus ingredient costs in the United States and New Zealand. This is

prepared by the University of British Columbia's Centre for Health Services and Policy Research.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Cardston-Taber-Warner, followed by the Minister of Human Services.

**Mr. Bikman:** Thank you, Mr. Speaker. I rise today to present six tablings. I have the requisite copies. Now, the first is from Darryl Hutchings, a neighbour of mine in Stirling, concerned with Human Services reducing the number and scope of agencies such as the Support, Hope, Opportunity & Progress in Stirling programs for persons with developmental disabilities.

I also have a letter from a man who is concerned about his son's future. He's in pharmacy right now here at the U of A. He's concerned about what he's seeing, and he's written me a letter about that.

Thirdly, three letters from the Fisher family, who run a pharmacy in Magrath, concerned about . . .

**The Speaker:** I'm sorry to interrupt, hon. member, but I'm obliged to because it's 3 o'clock. I'll let you proceed if we get unanimous consent to go beyond 3 o'clock for the Routine. The Government House Leader has indicated a necessity to rise at this time. I'll ask you to take your seat, and I'll come back and recognize you if the opportunity provides itself.

3:00

**Mr. Hancock:** Thank you, Mr. Speaker. I would ask for the unanimous consent of the House to waive Standing Order 7(7) and allow us to complete the Routine.

**The Speaker:** Thank you.

I'll ask one question. Does anybody object to what the hon. Government House Leader is proposing?

[Unanimous consent granted]

**The Speaker:** Accordingly, we will continue with the Routine.

Hon. member, please continue with your presentation.

**Mr. Bikman:** I'll be brief. Three letters from the Fisher family. Pharmacists are concerned about what's been happening. Contrary to what we've been told, they are concerned.

Finally, an epistle from Deanna Walker, concerned with the South Saskatchewan regional plan.

**The Speaker:** Thank you.

The hon. Minister of Human Services, followed by Lac La Biche-St. Paul-Two Hills.

**Mr. Hancock:** Thank you, Mr. Speaker. It's my pleasure to rise today to table the requisite number of copies of a letter written from myself to the Member for Calgary-Mountain View responding to written questions 24 and 25, and even though Written Question 16 was rejected, we have made the effort to try and provide the information which was essentially requested in the question even though the question wasn't worded in a way in which we could accept it.

**The Speaker:** Thank you.

The hon. Member for Lac La Biche-St. Paul-Two Hills, followed by the hon. leader of the New Democrat opposition.

**Mr. Saskiw:** Thank you, Mr. Speaker. I rise to put forward the requisite copies of an article by the CBC news dated April 7,

2013, in which the McConnell family questions the Justice minister's actions in the case.

Thank you, Mr. Speaker.

**The Speaker:** The hon. leader of the New Democrat opposition.

**Mr. Mason:** Thank you very much, Mr. Speaker. Two tablings today. First, I'd like to table the appropriate number of copies of a petition which calls on the government to take immediate action to reverse the many cuts in the 2013 budget which will negatively affect seniors. Some examples on the petition include the property tax assistance grant and the seniors' drug benefit. Today I'm tabling 63 signatures. Thank you.

Secondly, I'd like to table 50 more copies of e-mail submissions that Albertans have sent to the Premier and copied me on. These are just some of the many hundreds of these e-mails that my office has received. They call on the Premier to honour her government's promise to Albertans not to evict some of Alberta's most vulnerable citizens from their home in Red Deer's Michener Centre.

Thank you, Mr. Speaker.

**The Speaker:** Are there others?

If not, I would like to take an opportunity to table five copies of a report by the Child and Youth Advocate, who is an officer of this Legislature, copies that were provided to my office yesterday, entitled Youth Aging out of Care: Special Report. Copies of this particular tabling will also be provided to each of you as members of the House.

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following documents were deposited with the office of the Clerk: on behalf of the hon. Mr. Johnson, Minister of Education, school jurisdictions' audited financial statements for the year ended August 31, 2011, sections 1, 2, and 3.

**The Speaker:** Thank you.

I think we can proceed to points of order. I believe, hon. Member for Airdrie, you had a point of order, and I would ask you to give the citation and proceed with it now.

### Point of Order

#### Questions by Government Members

**Mr. Anderson:** Mr. Speaker, thank you. The citation is 23(1), in particular, "introduces any matter in debate that offends the practices and precedents of the Assembly." I don't think we need to spend much time on it. You did rule on this when the House leader for the Liberals, the Member for Edmonton-Centre, rose on an identical point of order, and that is that, again, referring to the Member for Banff-Cochrane, he used his question in order to attack the policies and ask clarification from the government minister on the policies of the opposition, in this case the Official Opposition.

Of course, that's not a proper use of questioning in question period. You've ruled on this very clearly in the past. You know, question period is a valuable time. I know the government side is very preoccupied with the Official Opposition right now given certain things going on, polling and so forth. I would use that time that they have over there to question their ministers on issues that matter to Albertans, not to misuse question period in that way.

Obviously, they get the last word in question period on all questions. We don't get that. If they'd like the Official Opposition

leader to rise and answer their questions, we can arrange that if we can get unanimous consent. That would be great, but we can't do that. It's unparliamentary, and you've ruled on this before.

**The Speaker:** I'll recognize the deputy House leader in just a moment.

Hon. Member for Airdrie, send me a note as to when that ruling was made. I don't recall it vividly off the top of my head, but if you have it handy, I'd appreciate that.

In the meantime let's hear from the Deputy Government House Leader.

**Mr. Campbell:** Well, thank you, Mr. Speaker. I wasn't able to hear what the hon. Member for Banff-Cochrane was saying because of all the noise in the House, but I can suggest to you that as a private member the Member for Banff-Cochrane has the right to ask any minister any questions in this House. He asked the minister a question of grave concern to his constituents, and I don't see any point of order.

**The Speaker:** Thank you.

Airdrie, did you wish to clarify?

**Mr. Anderson:** Yes, I would like to clarify. It was actually not yourself that was in the chair at the time that that was made. My bad.

**The Speaker:** Thank you. It didn't ring a bell to me, but I will look up what the Deputy Speaker may have said or ruled at that time.

In the meantime I'm going to receive this in the following manner. We frequently have to be reminded what the purpose of question period is. To put it in the shortest, simplest terms, it is basically an opportunity for all private members, whether they are sitting on the government side or in the opposition benches, to hold the government to account. That is the fundamental purpose of question period.

However, we also understand that question period carries with it a lot of what we call cut and thrust. There will be times when government members feel compelled to return the favour and hold the opposition, perhaps, to account. We allow some of that because it is within their purview to answer in whatever way they want. There is nothing that outlaws them from doing that.

However, even though I haven't yet read what the Deputy Speaker said on this topic, let us be reminded that it is not often the case that government holds the opposition to account, but it is quite entertaining when it happens. So let us be mindful of that and receive today's point of order as a matter of clarification on that point, and if necessary, I will come back with more on it at a later time.

Was there a second point of order? There was no second point of order? Very well, then.

### Statement by the Speaker

#### House Procedure

**The Speaker:** I would like to take a couple of minutes here to clarify a few things. First of all, I'm going to ask House leaders, if they would, please, to get together and discuss something that has been on my mind and on the minds of many members over the last several years but in this last year in particular, and that is with respect to the introduction of guests and what is an appropriate length of time for an introduction.

Now, there are days, as you well know, when we have many,

many guests who need to be introduced. Today, obviously, was one of those days, and we've had others. So in the interest of trying to get to all the people who have guests that they want to introduce, we should all be mindful and respectful of the time in this House and keep our introductions to a reasonable length of time. We don't have a set time for it. It leaves the Speaker sometimes in an awkward position when there is somebody being introduced on a particularly sensitive matter. We've had introductions of people who are here suffering from cancer or suffering from some other disability or some other serious problem, and it's very awkward to stand up and try and cut someone off, as it were. It's very awkward. Put yourself into the Speaker's role in that regard. I use that as one example. Then there are other occasions that require other forms of respect.

I would ask House leaders to please get together and talk about what they feel they would like to pass on to the Speaker and, in turn, to the House by way of an appropriate length of time for the introduction of guests.

The second thing I'd like to comment on is the rule of anticipation for questions in the House. Today, for example, we had a question that was asked with respect to Michener Centre. The question that was asked about Michener Centre dealt with some financial matters, and quite frankly the Speaker was distracted mildly during the time and missed it. I think it was Calgary-Shaw who was asking a question about something to do with \$10 million or something to that effect, and the question was answered by the appropriate minister. Then there was another question with respect, I think, to land values and so on.

Now, ordinarily those questions are very good questions, and they would be allowed. However, when you have estimates for that department or that issue on the same day, which is the case today, then those questions are what we call in anticipation. Because they deal with money matters and therefore they are a budget question, they are more appropriately phrased in the estimates debate, which will take place either at 3:30 or 7 today. Just be reminded of that. It's not going to cause the end of the world, but I will rule them out of order going forward when they happen on the day that that particular ministry is up for its review.

**3:10**

You will note, however, that shortly after that we had a question from Red Deer-North about Michener Centre as well. It dealt with planning and transition, but it didn't get into the financial side, which is what the budget estimates review is all about. A question like that about policy and planning would be allowed. It's not anticipation.

We also had another question asked with respect to centralized planning, and I forget which member asked it. That, too, is okay. As long as there's no money attached to it, it doesn't constitute a part of the budget estimates infraction with respect to anticipation.

A third point I'd like to talk about is what I introduced as a new ruling that I'm going to impose starting tomorrow. I want to tell you why I have imposed this. The chair is frequently at a dilemma in trying to help members be as effective as they can within the confines of the rules and, on the other hand, allowing the maximum latitude so that you can enjoy question period a little bit more than might otherwise be the case. I refer to certain stringent rules that we abide by and others where we give some flexibility.

There has always been some flexibility given for a little bit of joviality and a little bit of heckling and so on, and there are some members who are particularly good at this. Then there are other members who are particularly persistent and insistent and go on and on. Today I cited a couple of members because I had just had a little bit too much of it. When you interject constantly and I

count interjections 15 times, I think that's a little over the top, hon. members. Please. It applies to all sides because it happens from opposition and it happens from government members as well, government members on the front bench.

Please know that I'm not going to tolerate any of that tomorrow. I will allow a little bit of it as I see it going because there's no way that I want to sterilize the process. But by the same token, I can't risk it going past the breaking point where it results in disorder and disruption because that would be violating the rules. So that's that clarification.

The fourth point I want to mention is with regard to petitions, none of which were presented today. However, over the past few days we've had some problems with some of the petitions that have been presented in this House, so I want to instruct you this way. Starting tomorrow, if you have a petition to present, then I would appreciate it if you stood up and said the following words at the beginning of your petition presentation: Mr. Speaker, I rise to table a petition that has been reviewed and approved by Parliamentary Counsel. If I do not hear those words at the outset, I will rule you out of order starting tomorrow.

Now, the reason for this is because sometimes items get tabled which we then have to reject. In this case we had some items rejected because they contained some profanities, which we could not accept or allow. Please, hon. members, check with Parliamentary Counsel. It doesn't take much. They are available, and you have their contact information. Make sure you get their stamp of approval so that we don't have that awkwardness take place.

The fifth point of interest that I'd like to comment on very briefly is the so-called McConnell case. I'm only commenting on this from the standpoint of what is or what isn't sub judice. I indicated I would be reviewing that matter, and I'm going to review it. There will be occasion when a question on a matter such as this, given the stage it's at, might be allowed, but you're treading on very fine lines there. Yes, I am aware of the rule that says: when in doubt, rule in favour of the debate proceeding. I'm well aware of that. I looked it up on Monday. I looked it up again today so that I would be fresh on it. Today I thought it was a little bit on the borderline, but I'm going to familiarize myself a little bit further. But be warned today that I have that on my radar.

The sixth and final thing I want to comment on today is tablings. The length of tablings, the subject of what gets tabled, and the particular vehicle that was used is of interest to the Speaker and should be of interest to you as well. Let me start with the latter, the nature of the material, or the vehicle. It can be so far e-mails or letters or books or magazines or reports. Sometimes we've had props and all kinds of different things tabled. Now, is that what Tabling Returns and Reports should be all about, or should it really be about tabling returns and reports, which you can look up and I can give you definitions of if you like?

Secondly, is the subject matter, and that leads into the length. There are times when some members have taken a great deal of time to introduce a tabling. In fact, there have been cases where people have tried to read the whole letter. You have heard it. You know what I'm talking about. Again, it's an awkward moment for the Speaker, any Speaker, when you're listening to someone table something that has like we heard today a very sensitive tone to it: a single mom who's trying to raise a family, and she's doing so with pennies and so on and so on. It's gut wrenching, and it's heartwarming, and you hate to stand up and try to cut someone off when they're talking about something as serious as that to that particular person and to their representative, presumably whom they contacted for some help.

So please can we just take this under advisement for right now that the length of your tablings, the nature of the tablings, and the

subject vehicle that you use for that tabling ought be primary in your concerns?

That having been said, I think we are now ready to adjourn the House for the day. Pursuant to Standing Order 7(7) the daily Routine has been concluded, and pursuant to Standing Order 59.01(5)(b) the House shall stand adjourned until tomorrow afternoon at 1:30 so that the legislative policy committees can convene this afternoon and this evening for consideration of some particular main estimates. The afternoon will be comprised of

estimates in Families and Communities as they are listed under Human Services, and that will occur in committee room A. Tonight the Alberta's Economic Future agenda will consider the estimates for Enterprise and Advanced Education in committee room A.

Thank you for your kind attention.

[The Assembly adjourned at 3:16 p.m. pursuant to Standing Order 59.01(5)(b) to Thursday at 1:30 p.m.]







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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Thursday, April 11, 2013

Issue 44

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta  
The 28th Legislature**

First Session

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Wildrose: 17

Alberta Liberal: 5

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## Legislative Assembly of Alberta

1:30 p.m.

Thursday, April 11, 2013

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon.

Let us pray. Dear Lord, help us to fulfill our duties and our obligations as respectfully as we are able, help us to be mindful of the pressing needs of others who may not be able to advocate for themselves, and help us to be leaders and role models that others will truly want to emulate. Amen.

Please be seated.

### Statement by the Speaker

#### Longest Serving Opposition Member

**The Speaker:** Hon. members, before we begin our Routine for the day and get on with introductions, I have a very significant milestone to which I would like to draw your attention. We have among us a very special individual indeed, who is the longest serving member to serve exclusively in opposition in Alberta's history. The hon. member was first elected to this Legislature on March 11, 1997, and has served continuously since that time for a total of 5,876 days, including today. [Standing ovation] Hon. members, there are many things that the Speaker can interrupt, but thunder is not one of them.

As I was saying, she has continuously served us for 5,876 days, and recently she surpassed Mr. David Duggan, Member for Edmonton, who served in opposition from June 28, 1926, to May 4, 1942, for a total of 5,790 days. I would like to thank this hon. member for her dedication, her loyalty, her service to what she always refers to as her fabulous constituency of Edmonton-Centre, and also for her persevering work on behalf of all Albertans.

Now will you please join me in thanking and congratulating the very honourable Member for Edmonton-Centre. Congratulations. [Standing ovation]

### Introduction of Guests

**The Speaker:** The hon. Minister of Culture.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. Today I'm very pleased to introduce to you and through you a group of students from NorQuest College seated in the members' gallery who are in the LINC program, which is the language instruction for newcomers to Canada program. NorQuest College has a campus in my constituency, and I'm so thrilled they could come here to the House today. Of course, they're learning great skills at NorQuest College. I would ask that they rise and receive the warm welcome of the Assembly.

**Ms Smith:** Mr. Speaker, it is with pleasure that I rise to introduce to you and through you five hard-working pharmacists who are here today to let the government know their concerns about the changes to pricing of generic drugs. I encourage the members opposite to note their constituencies. Welcome Aileen Jang of Redwater, Terry Fernandes of Redwater, Suhas Thaleshvai of Sherwood Park, and Darrin and Gaylene Erickson of Tofield. Please rise and receive the traditional warm welcome of this Legislature.

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. I have two introductions. First, it is my pleasure to rise and introduce to you and through you to all members of the Assembly 60 grade 6 students from Glen Avon school in St. Paul. These students are joined by Mrs. O'Neill, Mrs. Kendel, Mr. Boyko, Mrs. Piquette, and Ms Rak. A parent from this class is also with us here today. Ms Brandi Whelen is the Lieutenant Governor's great-granddaughter. I would ask that my guests rise and receive the traditional warm welcome of the Assembly.

My second introduction. It is my pleasure to rise and introduce to you and through you to all members of the Assembly four very concerned pharmacists dedicated to advocating for the best care for their patients. I'd like to introduce Maria Richard, Cameron Needham, Graham Anderson, and Monica Statchuk. They came to Edmonton today to protest the government's ill-advised changes to drug costs in Alberta. I'd ask these dedicated pharmacists to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Drumheller-Stettler.

**Mr. Strankman:** Well, thank you, Mr. Speaker. I'd like to introduce to you and through you to all hon. members a group of grade 6 students visiting from my diverse constituency. The nine students from Morrin school are sitting in the gallery along with their teacher, Mr. Harvey Saltys, and parent supervisors Danielle Burrows, Laura Cawiezel, Cam Chapin, Jacqueline Watts, and Megan Fortna. I hope they enjoy their time at the Legislature, and I'll ask them to please stand as my hon. colleagues provide them the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Minister of Environment and Sustainable Resource Development.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. It is indeed my pleasure to rise today to welcome a wonderful group of students from Calmar elementary school from my spectacular constituency of Drayton Valley-Devon. These 34 bright grade 6 students along with parent helpers and their teacher, Mrs. Janet Wilson, have toured our Legislature – and I'm looking forward to the picture with them later – and have learned a great deal about the building and our provincial government. I would ask them to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for St. Albert.

**Mr. Khan:** Thank you, Mr. Speaker. Today I'm very pleased to introduce to you and through you Dr. Rod and Marilyn Oishi and family. They are shared constituents between Minister Campbell's riding of West Yellowhead and St. Albert. Marilyn is a nurse, mother to three children, and a tireless advocate for universal newborn hearing and testing in Alberta. The Oishi family started their personal experience with hearing loss with daughter Alexis, who was born with profound hearing loss six years ago. Through early intervention, therapy, and cochlear implants as well as a lot of love Alexis is a vibrant, beautiful, young girl enrolled in French immersion kindergarten who is succeeding and achieving in all areas of her life today. Marilyn and Dr. Oishi's third child, Annalise, was also born with hearing loss and is also thriving in the same fashion as her big sister.

Marilyn came to my constituency last fall explaining the persistent need for early intervention and screening for hearing loss that Alexis required as an infant. Simply because there was no family history of hearing loss, baby Alexis was not identified as a high risk. Universal testing would have immediately screened Alexis, saving precious time. Marilyn advocates for future

families, which could save delays that impede undetected newborns. We're grateful for her work. With Marilyn today – she's seated in the members' gallery – are many people who have supported her along her journey. Please rise as I call your name: Dr. Rod Oishi; Marilyn Oishi; their children, daughters Alexis and Annalise Oishi and son Braden Oishi; Geraldine Wolff; John Wolff; Lisa Oishi; and Marilyn-Malen Eustaquio. Please join me in welcoming them.

1:40

**The Speaker:** The hon. Associate Minister of Wellness.

**Mr. Rodney:** Thank you very much, Mr. Speaker. It is indeed a pleasure to rise today to introduce an inspirational group of health care providers who are here today in support of the Oishi family and who are advocates of universal newborn screening detection. Each of these hard-working professionals either works with individuals who are affected by hearing loss or are actively involved in its prevention. Seated in the members' gallery today are Kathryn Ritter, educator of the deaf and a listening and spoken language specialist who works at the Glenrose hospital; Kathy Holinski, an early intervention program manager at Connect Society; Cheryl Redhead, program manager with early childhood services at Connect Society; Joe McLaughlin, interim executive director at Connect Society; and Tracy Hetman, who is Mr. McLaughlin's interpreter. I would ask each of these fine Albertans to rise and receive the traditional warm welcome of this Assembly.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Highlands-Norwood and leader of the ND opposition.

**Mr. Mason:** Thank you very much, Mr. Speaker. It's my pleasure to rise today to introduce to you and through you my guests Harpreet Singh Sandhu, Harpreet Singh Gill, and Kashmir Singh. Harpreet Singh Sandhu is the managing editor of the *Asian Vision* newspaper and a renowned journalist in the Punjabi community. He has written many books and also hosts a weekly radio show on Radio Sur Sangam. Harpreet Singh Gill came to Canada as a young student and finished his degree in business management. He is fluent in five languages and works as the political editor at *Asian Vision*. Kashmir Singh is accompanying both of them as an elder and respected member of the community. I would now ask my guests to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Mill Woods, followed by Cardston-Taber-Warner.

**Mr. Quadri:** Thank you, Mr. Speaker. It's a pleasure to rise today and introduce to you and through you to all members of this Assembly two groups of people. One is the action group of Congolese, and the friends of the Democratic Republic of the Congo are here today with us. I will be making a member's statement about the Congo. I will ask that as I say your name, please rise and wait until the end to receive the warm welcome of this Assembly: Pierre Mwamba, Oscar Ngoie-Kadila, Constantin Kibambe, Kipenge Kishala, Dr. Itachi Falanga, Arsene Mwamba, Nshole Modeste, Patrick Mukule, Luc Lukano, Charles Balenga, Justine Kachungunu, Dicky Dikamba, Georges Bahaya. I know my accent may be a little difficult, but those are the names I have. Sorry. They're here today, and as I mentioned, I'll be making a statement about the Congo and what these groups are doing in

Alberta. I would request all members to please give them the warm welcome of this Assembly.

**The Speaker:** The hon. Member for Cardston-Taber-Warner, followed by Banff-Cochrane.

**Mr. Bikman:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to this Assembly my friend Katie Clark, a U of L grad with a bachelor of fine arts now living here in Edmonton. Two of her roommates happen to be pharmacists, and she's here today to see how secure their jobs are. Katie, please rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Banff-Cochrane, followed by Innisfail-Sylvan Lake.

**Mr. Casey:** Thank you, Mr. Speaker. It's a privilege today to introduce to you and through you to all members of the Assembly two members of my constituency that truly make a difference in their community. Ian Wilson is the CAO of the Bow Valley Regional Housing authority. The Bow Valley Regional Housing authority assesses and addresses seniors' and social housing in the Bow Valley region. This authority is a regional management body serving the citizens of five member municipalities, including the town of Banff. Accompanying Ian today is Councillor Grant Canning, who was elected to his first term on Banff town council in 2010 and sits as the town's representative on the Bow Valley Regional Housing authority. He is also a small-business owner in the town of Banff. I would ask the Assembly to give them their traditional welcome.

**The Speaker:** The hon. Member for Innisfail-Sylvan Lake, followed by Edmonton-South West.

**Mrs. Towle:** Thank you, Mr. Speaker. I'd like to introduce to you and through you to all members of the Assembly three pharmacists who are among those today rallying against government changes that lead to drug shortages and higher out-of-pocket costs for patients. We have here today Jason Pon, Ian Lakhram, and Basel Alsaadi. All three are from right here in Edmonton, and although they're not constituents of any member of the Wildrose Official Opposition, we felt as a caucus that their voices needed to be heard. Please stand and receive the warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-South West, followed by the Associate Minister of Services for Persons with Disabilities.

**Mr. Jeneroux:** Thank you, Mr. Speaker. I'm pleased to introduce to you and through you my dear friend Mr. Charles Balenga. He's a dedicated and hard-working constituent in Edmonton-South West. He's involved in the community, and he has always provided me with an ear for advice and support. I ask that Mr. Balenga please rise and receive the traditional welcome of the Assembly.

Mr. Speaker, I'm pleased to also introduce to you and through you another friend, Mr. Kit Poon. Mr. Poon is a tireless advocate and dedicated pharmacist who gives back time and time again to his profession. I'd ask that Mr. Poon please rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Associate Minister of Services for Persons with Disabilities.



**Mr. Oberle:** Thank you, Mr. Speaker. I see we're joined in the gallery today by a councillor; in fact, the deputy mayor, of the town of Peace River, Mr. North Darling. He's in Edmonton to observe the legislative process. Hopefully, he'll be able to sleep after watching this today. Mr. Darling also serves on the executive of the AUMA. Now, I forget his title. I think it's vice-president of small spectacular towns on the banks of beautiful rivers, something like that. I'd ask Mr. Darling to rise and receive the warm welcome of the Assembly.

### Members' Statements

**The Speaker:** The hon. Member for Edmonton-Mill Woods.

#### Democratic Republic of the Congo

**Mr. Quadri:** Thank you, Mr. Speaker. I would like to expand on my introduction this afternoon by recognizing the groups which my guests belong to, the members of the action group of Congolese and friends of the Democratic Republic of the Congo, made up of Canadians of Congolese birth and friends of the Congo, who are dedicated to raising awareness and improving relations among our two countries. These guests are active within our province, bringing awareness and betterment to the people of their original homeland, Democratic Republic of the Congo.

Not to be confused with its smaller central African neighbour Republic of the Congo, the Democratic Republic of the Congo is the second-largest country in Africa and by area the 11th largest in the world. This country also boasts an estimated population of over 75 million and contains one of Africa's most biodiverse areas, with rainforests home to many rare, endemic animal species. Five of the country's national parks are even listed as world heritage sites. The Democratic Republic of the Congo possesses nearly 50 per cent of Africa's forests and a river system, according to a report by the United Nations, which could provide hydroelectric power to the entire continent. It is similar to Alberta in that it is incredibly rich in natural resources and minerals and has the potential to one day become an economic power in central Africa.

While there are many difficulties and struggles still to be overcome for the Democratic Republic of the Congo, it is through the efforts of those organizations such as the action group of Congolese and friends of the Democratic Republic of the Congo that inroads can be made. Those groups are very passionate about their homeland, and their work is undeniable. Their efforts to bring awareness to the plight of the people will only bring about a positive response and reaction from those who hear their words.

Once again, thank you very much as Canadians for doing the work and for your concern about the international global village.

Thank you very much for providing this opportunity to me.

### Oral Question Period

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition.

#### Prescription Drug Coverage

**Ms Smith:** Mr. Speaker, across Alberta today and here on the steps of the Legislature pharmacists demonstrated against the Minister of Health and his ill-conceived changes to drug pricing. His last-minute Hail Mary attempt yesterday to get out in front of the protest by tweaking the plan didn't work, and his repeated insistence that all of this will benefit Albertans just isn't believable. We've asked dozens of questions in the Legislature.

There have been two large protests, including today's province-wide demonstrations. Why won't this minister just start over and get it right?

**The Speaker:** The hon. Premier.

**Ms Redford:** Well, thank you, Mr. Speaker. There's no doubt that change involves some adjustment, but we are committed in this government to ensuring that Alberta patients, the Alberta health care system, and Alberta taxpayers are able to pay some of the lowest prices in the country for drugs. That's one of the reasons these policies were introduced.

You know, Mr. Speaker, I had the opportunity about three weeks ago to meet with a number of pharmacy students at the University of Alberta, and one of the things that they were excited about was the fact that this government has expanded the services that pharmacists are able to provide so that we can see a much more vibrant partnership in health care. This minister has built a plan that allows for transition, which is what pharmacists asked for, and we're doing well.

1:50

**Ms Smith:** Those pharmacy students were sure excited this afternoon when they were demonstrating as well.

The minister defends this mess by pointing to other jurisdictions doing the same thing, but those other jurisdictions restricted pricing on just six specific agreed-upon generic drugs. Alberta didn't do that. Alberta dictated prices for everything, a staggering, unprecedented intervention. One commentator aptly called it a, quote, clueless bureaucratic overreach. Why doesn't the minister see this?

**Mr. Horne:** Well, Mr. Speaker, the hon. member again demonstrates that she doesn't know what side of this issue she's on. In fact, I just had the opportunity to meet for about 40 minutes with a representative group of eight people who were part of the demonstration earlier today, and we talked about the issues that the hon. Premier already raised. We talked about the fact that Alberta is leading the country in designing a pharmacy services framework that pays pharmacists for the services they are trained to provide, services they are not paid to provide in other jurisdictions. We also talked about the importance of getting the best price that we can for generic drugs and about transitional support. We have done all of those.

**Ms Smith:** The 300 protestors sure would have liked to have seen the minister on the steps of the Legislature addressing them directly.

We in the Official Opposition have been pointing out for weeks that the minister's plan will increase prices, create drug shortages, and force pharmacy closures, yet he insists everything will be fine if we just trust him. Fat chance. We don't trust him. Albertans don't trust him. Pharmacists don't trust him. Why does this Premier trust him?

**Mr. Horne:** Well, Mr. Speaker, quite clearly, what Albertans should not trust is the misinformation, inaccurate information the opposition continues to spread. The fact of the matter is, as I said the other day, that the hon. Leader of the Opposition can't have it both ways. She can't be standing in front of Albertans day after day claiming to own the purview of taxpayers of this province and then when the government makes a move to save \$91 million by moving to a benchmark of 18 per cent, that the rest of the country will surely follow, pretend to defend the interests of pharmacists and pharmacy businesses. We have done both. We will continue to support both.

**The Speaker:** The hon. Leader of the Official Opposition. Second main set of questions.

**Ms Smith:** It's about the transition, and the Health minister should know that.

#### Hospital Parking for Veterans

**Ms Smith:** Mr. Speaker, this week Alberta Health Services in a callous and disrespectful way eliminated parking passes that the Calgary poppy fund has been purchasing for use by veterans. The minister's response was equally callous. He dismissed our concerns and said that compassionate parking passes are available. It's not the same thing at all. Veterans used to be able to get a pass at their local Legion. Now they have to plead poverty to a hospital bureaucrat each time they want to go to the hospital. It's a demeaning, belittling affront to veterans. Did the minister ask any veterans what they think of this new arrangement?

**Mr. Horne:** Mr. Speaker, first of all, I have said and I will say again that the way in which this issue was dealt with by Alberta Health Services was not to par. I have asked Alberta Health Services to sit down . . .

**Some Hon. Members:** That's not what you said yesterday.

**Mr. Horne:** What I said yesterday, Mr. Speaker, was that we must continue to offer compassionate parking passes to health facilities for all Albertans who are in need, most importantly, including veterans. I've asked Alberta Health Services to sit down with the poppy fund to talk about this program, which was only available in Calgary, and see what can be done.

**Ms Smith:** Well, we await that review.

Yesterday this minister also told us he'd be looking into the shocking statement made by the AHS vice-president who questioned the worthiness of veterans to receive this tiny demonstration of respect and gratitude. What did he find out, and what is he going to do about that?

**Mr. Horne:** Mr. Speaker, as I said, this government needs no help in standing up for the interests of veterans and people who serve this country. We also don't need any help in the form of trying to politicize a local issue in Calgary that, as I have said, was poorly handled by Alberta Health Services. [interjections] My direction to AHS was to sit down with the poppy fund in Calgary and work this out, and that's what they're doing.

**Ms Smith:** Mr. Speaker, I doubt very much he would be doing that if he wasn't getting pressure from this side.

We asked yesterday that the minister use his vast power and influence in setting health policy and reinstate the discounted veterans' hospital parking plan. Will he issue a ministerial order to reinstate the plan and show veterans the respect they deserve?

**Mr. Horne:** Mr. Speaker, as I have said, this matter was not handled well by Alberta Health Services. I believe Alberta Health Services would be willing to admit that. [interjections] This is a local issue with respect to Calgary. It is not a national or provincial issue with respect to veterans. It is about a particular benefit that was made available by the former Calgary health region. [interjections] AHS needs to make this right with veterans in Calgary, they need to make it right with the poppy fund, and they are in the process of doing that now.

#### Speaker's Ruling Decorum

**The Speaker:** Hon. members, I advised you yesterday that I would not be prepared to recognize someone who consistently and persistently heckles, and that applies to this side of the House as well as that side. I'm not going to give you any warning on it. I'm just not going to recognize you. And if you're not on the list today to not be recognized, then I won't recognize you on Monday or Tuesday or when you are. So, please, let's keep this down to a good level of decorum and a high level of debate.

The hon. Leader of Her Majesty's Loyal Opposition.

**Ms Smith:** Thank you, Mr. Speaker. The way to make it right is to reinstate the plan.

#### Ministerial Oversight of Health Services

**Ms Smith:** Speaking of vast influence and health policy, Mr. Speaker, let's discuss the interview published in the *Edmonton Journal* today with the chair of Alberta Health Services and his complaints about interference in the day-to-day operations by the minister. Now, this interview is troubling on so many levels, but let's start with the minister's role. Does he just set broad policy, then dodge questions about it question period, or does he maintain ministerial responsibility for the delivery of health care in this province?

**Ms Redford:** Mr. Speaker, this is a fabulous illustration of a complete 50-50 and a hypocritical approach to what they expect the Minister of Health to do. My recollection is that we just had a question where the Leader of the Official Opposition asked the minister to fix a parking problem in Calgary and now stands up and accuses the minister of political interference with respect to health policy. I think the opposition had better figure out what they think their role is.

**Ms Smith:** That's not what I asked. I encourage the Premier to check out *Hansard* to see what I actually asked.

Over at AHS they seem to feel that the relationship between government and themselves has been too politicized. The chair complains that the minister damages their operations and undermines their work and that if the minister wants to direct the board on any matter, he should put it in writing in a ministerial order. What does the minister have to say about this?

**Mr. Horne:** Well, Mr. Speaker, if the opposition wants to understand the source of political interference in health care in this province, they should take a good look in the mirror because they beg for it on a daily basis in question period in this House, they beg for it in their so-called advocacy in the media, and on top of that, they continue to undermine the work of Alberta Health Services on a daily basis and, in doing so, undermine confidence in the system. This is the behaviour that should be criticized in the media.

**Ms Smith:** I think they're misunderstanding. We want more ministerial oversight because, on the one hand, we have a minister who has lost trust with doctors, pharmacists, nurses, teachers, and now the organization actually charged with delivering health care; on the other hand, we have a superboard whose chair agrees it has a "terrible reputation" because of lavish expenses, excessive salaries, hefty bonuses, and ballooning wait times that now seems to want to function without direct ministerial oversight. How did this government put us into such a mess?

**Mr. Horne:** Mr. Speaker, the great irony of this is that the opposition loves to ask us to fix health care over and over each day until, of course, we try to change something. The board of Alberta Health Services does, in my opinion, have a very good understanding of their accountability under the Regional Health Authorities Act. The authority to operate the delivery system is a delegated authority – and the hon. leader might want to read up on this – under the RHA Act. The responsibility and the oversight for health care, of course, remains with government. Albertans expect their elected representatives in government to be accountable for health care. They are. And when it's necessary to provide direction, we do.

**The Speaker:** The hon. leader of the Liberal opposition.

2:00

### Taxation Policy

**Dr. Sherman:** Thank you, Mr. Speaker. The latest employment numbers from StatsCan are good news for Saskatchewan Premier Brad Wall, that darling of Canadian conservatism and Canada's most popular Premier with an enviable approval rating of 64 per cent. Interestingly, these numbers show that Saskatchewan now has the lowest jobless numbers despite having a corporate tax of 12 per cent and progressive personal income tax. To the Premier. Tax fairness, sustainable, predictable funding for vital public services, balanced budgets, and low jobless rates go hand in hand in Saskatchewan. Why not here in Alberta, Premier? Why not, Premier?

**Ms Redford:** Well, Mr. Speaker, we're very proud of the fact that on an annual basis there are over a hundred thousand people moving to this province because of the competitive economic environment that we have, the social programs that we're able to support, and the fact that we are planning for the future, that we are investing in hospitals, in schools, and in roads. We are the economic engine of this country, as we have heard the Prime Minister and many Premiers say over the past 10 months. We know that the budget that we have tabled allows us to balance exactly what we need to provide the services that are needed for Albertans, that can continue to draw people to this province, and we're proud of that.

**Dr. Sherman:** Mr. Speaker, not from Saskatchewan, they're not.

Mr. Speaker, the U.S. Congressional Research Service, the equivalent of Canada's Parliamentary Budget Office, did a comprehensive 65-year study which clearly demonstrates that tax cuts don't lead to economic growth. To the Premier: why, other than ideological pigheadedness, do you refuse to make just some small tweaks to our tax system so Alberta can have sustainable funding for seniors' care, K to 12, postsecondary, health care, and maybe even some free hospital parking for our veterans? Why, Premier?

**Ms Redford:** Well, Mr. Speaker, what we've seen in Alberta is that the commitment that this Progressive Conservative government has taken to tax policy has allowed for a competitive and a successful economy. I'm going to put that up against the Parliamentary Budget Officer any day. What I will say is that without increasing taxes and actually keeping spending to zero, which is more than any party in the opposition suggested, we've been able to provide sustainable funding to build infrastructure and to build an economy that continues to attract people to this province every year.

**Dr. Sherman:** Mr. Speaker, it's time this government had its own parliamentary budget officer to keep them honest.

Mr. Speaker, let's have a quick review of the Premier's promises. Stable funding for municipalities: broken. Stable funding for health care: broken. Stable funding for seniors: broken. Stable funding for K to 12: broken. Stable funding for postsecondary: broken. Every promise broken because this Premier absolutely refuses to address the province's revenue problem. Premier, I have to ask you why. Why do you care more about pleasing your big corporate donors and clinging to power for your leadership review than doing what's right for Albertans?

**Ms Redford:** You know, Mr. Speaker, simply because the opposition stands up and says something, as I say over and over again, doesn't make it true. We are committed to sustainable funding for those programs. We have ensured that we are not only committed to sustainable funding but continuing to build the infrastructure that's going to allow those programs to be delivered in the facilities that they need to be. That's what long-term growth looks like in a Progressive Conservative government. It works, and that's why we're on this side of the House.

**The Speaker:** The hon. leader of the New Democrat opposition, followed by Strathmore-Brooks.

### Alberta Health Services

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, I was going to ask a question about political interference in the AHS to the Energy minister, but I think he'd just duck it.

Yesterday the Alberta Health Services Board chair said that he's tired of too much political interference in the health system. The minister interferes when it suits him and hides behind the AHS when that suits him. With the Ministry of Health and Alberta Health Services we get double the bureaucracy and no accountability. My question is to the Health minister: will he reduce waste, confusion, duplication, and mismanagement and abolish Alberta Health Services?

**Mr. Horne:** Well, Mr. Speaker, we will not abolish Alberta Health Services. We will not abandon what is a model that is in fact leading the country, where we have assembled all of the health resources in the province under a single authority and are receiving savings and improvements in quality of care that are unparalleled across this country.

Mr. Speaker, the role of a delegated regional health authority is very clear. It is to operate the delivery system under the supervision of government. The Alberta Health Services Board chair understands the accountability of the board to government. We have an excellent working relationship, and I commend him for being willing to take risks and exercise leadership to improve health care.

**The Speaker:** The hon. member.

**Mr. Mason:** Thank you very much, Mr. Speaker. This PC government told Albertans that Alberta Health Services would reduce administrative costs, but administrative costs continue to skyrocket, another 21 per cent in the AHS budget for this fiscal year. The AHS Board has said: I believe that, quote, administratively we have a terrible reputation. With outrageous executive salaries, expense scandals, and bureaucratic duplication it's no wonder. Will the minister please stop creating confusion and wasting money and abolish AHS?

**Mr. Horne:** Mr. Speaker, this question around administrative expenses was asked and answered earlier in the week. As Alberta

Health Services has said and I will reiterate, they have changed the categorization of administrative services in their budget. They have added additional line items to administration that were not formerly there for the purpose of allowing Alberta to be compared directly with other provinces according to the Canadian Institute for Health Information. That's transparency, and that should be commended.

**The Speaker:** The hon. member.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, this Tory government has time and again organized and reorganized and reorganized our health system. Administrative chaos, escalating operational costs, and systematic inefficiencies have plagued AHS from the beginning, and it's far from being transparent because we don't have adequate oversight in this Legislature over \$14 billion that is spent by AHS. Even the AHS Board chair admits that a major managerial overhaul is needed. What will it take for the minister to finally admit that the creation of AHS was a failure and get rid of it?

**Ms Redford:** Mr. Speaker, one of the opportunities that we have as elected officials is to travel the province and talk to people that work in our health care system whether they're doctors, nurses, or perhaps even partnering with pharmacists. One of the things that I certainly have heard and learned in the last three years as I talked to health care professionals across this province is: whatever you do, please, don't dismantle Alberta Health Services because Alberta Health Services is a model that is cutting edge in this country. It was innovative. It brought change. It is now delivering the health services that not only Albertans need but that health care providers want to provide in the context that they do. That's why we won't abolish Alberta Health Services.

**The Speaker:** The hon. Member for Strathmore-Brooks, followed by Dunvegan-Central Peace-Notley.

#### Strathmore Hospital Long-term Care

**Mr. Hale:** Thank you, Mr. Speaker. Allow me to quote a memo from the Health minister regarding how AHS botched the closure of the Little Bow continuing care centre. Quote: there needed to be clear, concise communication planned with care residents, their families, and the community at large. It goes on: AHS has learned considerably from this experience, and it is utilizing these lessons to inform future decision-making. Unquote. Why, then, Minister, were the residents of the long-term care wing of Strathmore hospital, their families, members, and staff completely blindsided by yesterday's announcement to close the beds? Didn't you learn anything from Carmangay?

**Mr. Horne:** Mr. Speaker, first of all, let's be clear. The long-term care services that are currently provided in the hospital in Strathmore are being moved to a brand new facility in the community that will provide a much better, more respectable and amenable environment for those residents. In addition, 82 additional spaces are being added in that new facility. I think the residents of Strathmore feel very well served by the new facility, by the services that they're going to be able to offer. And I know they were consulted.

**Mr. Hale:** Obviously, you haven't talked to the staff or the seniors.

Given that the 23 seniors who live in the Strathmore facility, many of them with high needs, will be transitioned to beds with

lower care levels and given the Health minister's own memo stating that they had learned from the mistakes at Carmangay, what is the minister's explanation for botching yet another long-term care centre closure and throwing the lives of vulnerable seniors, families, and staff into total chaos?

**2:10**

**Mr. Horne:** Well, Mr. Speaker, if this hon. member wants to stand in front of this House and make an argument that residents receiving long-term care in his constituency should remain in the hospital instead of moving into a brand new facility, then I think he's got some explaining to do.

**Mr. Hale:** The costs are up, and they're not going to get the same care.

Given that the residents, their families, and staff found out about the closure by mistake, given that they were supposed to be kept in the dark until May 1 and given that the minister's memo states that AHS and his ministry are, quote, making progress in the community engagement process, can you explain to this Legislature and to the community of Strathmore how blindsiding vulnerable seniors with yet another long-term care centre closure is making progress and learning from your mistakes?

**Mr. Horne:** Mr. Speaker, Alberta Health Services has done a great deal to improve community consultation since the incident that the hon. member referred to. The thing is that the constituents, I'm sure, in Strathmore-Brooks expect advocacy and expect representation from their MLA, and their MLA is standing in front of this House today, for all I can see, making an argument as to why his constituents don't deserve to move to a brand new facility. Their needs will be met. More people in the community will be served. I can't see what's not to like about that.

**The Speaker:** The hon. Member for Dunvegan-Central Peace-Notley, followed by Innisfail-Sylvan Lake.

#### Market Access for Energy Resources

**Mr. Goudreau:** Thank you, Mr. Speaker. Albertans have had a great deal at stake in what was called the other day the most famous pipeline in the history of the world, even without being built yet. This has been a polarized debate in the U.S., where some have said that you either stand against the oil sands or you write off the environment. My questions are to the Premier. Can you explain the importance of being again in Washington to tell Alberta's story and to advocate for market access? [interjections]

**Ms Redford:** Well, Mr. Speaker, contrary to the opposition, we actually think this is an important issue. The reason it's important is because we know there's going to be an imminent decision made with respect to Keystone. I have to say that whether it's been our ministers on this side of the House, whether it's been federal ministers, whether it's been the Premier of Saskatchewan, although perhaps not the leader of the federal NDP, we have been there to advocate for what Canada and Alberta's environmental record has been, what pipeline safety has meant, and why the importance of building those trade relationships to create and sustain a North American energy economy will matter. People are making decisions, and they're listening to what we have to say.

**The Speaker:** The hon. member.

**Mr. Goudreau:** Thank you, Mr. Speaker. Given the broad range of influential congressmen and congresswomen and senators from both parties along with important state department officials that

the Premier met, can you tell us more about these meetings and the messages they may have had for you? What are you hearing?

**Ms Redford:** Mr. Speaker, one of the things that people in the United States are asking us right now is to make sure that we're clear with respect to what our environmental record has been. You know, just this week there were confirmation hearings in Washington for a new Secretary of Energy, and some of the questions that were being asked were: "Are you going to put a price on carbon? Are you going to invest in carbon capture and storage? Are you going to be able to invest in energy innovation?" Those are all programs that we have in Alberta that we are very proudly talking about to ensure that decision-makers understand what our record has been so that Keystone can be approved.

**The Speaker:** The hon. member.

**Mr. Goudreau:** Thank you again, Mr. Speaker. My last question is also to the Premier. Given that our federal Conservative colleagues have said that they, too, are working closely with the energy industry and with the provinces on greenhouse gas reduction and given that the federal Minister of the Environment said that he is on the same wavelength, going in the same direction as our government, can you explain why this collaboration is so important and critical to market access for our province?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. What a great question that is. It really is about the sector-by-sector work that the federal government and the provincial government are doing because market access is important for Alberta, it's important for Canadians, and it's important for all of us to be able to reach those markets and to be able to do our part as Canadians and Albertans to reduce our environmental GHG emissions.

**The Speaker:** The hon. Member for Innisfail-Sylvan Lake, followed by St. Albert.

#### **Lacombe Hospital Phone Service**

**Mrs. Towle:** Thank you, Mr. Speaker. Another indication today that the bureaucracy of Alberta Health Services is failing Albertans. We've been told that the phone line between the emergency department and ambulance dispatch at the Lacombe hospital was disconnected. That meant ambulances could not talk to the emergency department, nor could emergency talk to ambulances. The reason? We're told it's because Alberta Health Services couldn't pay the phone bill. Shocking. How can it be that Alberta Health Services gets \$480 million in administration money, but it can't pay the phone bills?

**Mr. Horne:** Well, Mr. Speaker, I'm not saying that the hon. member may or may not be correct, but I have no way to validate the payment of a phone bill in Lacombe.

**Mrs. Towle:** I would suggest you make a call to the Lacombe hospital.

Given that we keep hearing that Alberta Health Services takes months and months to pay their bills, and this isn't the first time this has come to our attention – unless, of course, it's executive bonuses; they seem to be able to get that out in time – and given that this has a direct effect on the delivery of health services, like ambulances being able to talk to emergency, maybe the minister could pick up the phone, call Lacombe hospital, talk to the health services staff there, and see if it actually happened.

**Mr. Horne:** Mr. Speaker, if the hon. member wants to spend her House time asking questions about accounts payable issues at the Lacombe hospital, that's entirely up to her. I have no knowledge of the situation she's talking about. Alberta Health Services is monitored by my department, and they're audited by the Auditor General of Alberta. I'm sure that they have their accounts payable in hand.

**Mrs. Towle:** I absolutely do feel the need to stand up for Albertans not receiving emergency care.

Given that I heard about this scary situation directly from a health care professional who works at the Lacombe hospital and who was there the day that it happened but is afraid to come forward because of repercussions and fear of firing – yet we have whistle-blower legislation that's supposed to protect them – I'm just wondering if you can help me understand why health professionals today continue to fear your ministry, your Alberta Health Services, and are terrified to come forward. Help me understand.

**Mr. Horne:** Mr. Speaker, what the hon. member needs to understand is that you don't take an unsubstantiated allegation around an unpaid phone bill and turn it into a generalization about fear and trepidation on behalf of the employees. Alberta Health Services and this department, overseeing Alberta Health Services, are very proud of the employee concerns process that is available to all employees, whether they are health professionals or support staff in the organization. The answer is for the hon. member to learn about the process, understand it, and explain it to her constituents.

**The Speaker:** The hon. Member for St. Albert, followed by Edmonton-Centre.

#### **Hearing Tests for Newborns**

**Mr. Khan:** Thank you, Mr. Speaker. Hearing impairment or loss is one of the most common anomalies found in newborns. It can lead to developmental delays in speech, language, cognition, and learning. Early identification and intervention can minimize these effects. Making hearing tests for newborns universal can make a profound difference in the lives of so many Alberta families. My question is to a very busy gentleman today, the Minister of Health. Will Alberta Health Services be providing universal newborn hearing screening tests?

**Mr. Horne:** Mr. Speaker, the answer is yes. A big part of the reason we can do that is because of the efforts of people such as the Oishi family, who were introduced by my colleague earlier today. This is a relatively small program in terms of dollar costs, but it is going to have a huge impact on the quality of life for newborn Albertans for generations to come. We're very proud of this. It's an important program. It goes to health care, but it goes to early childhood development and education. It's the right thing.

**Mr. Khan:** To the same minister – and thank you, Minister – given the size of our health care system and the necessity of thoughtfully rolling out the new technology and programs, when can Alberta families expect their babies to undergo newborn hearing tests across this entire province?

**Mr. Horne:** Mr. Speaker, we will be implementing the program in a phased approach. The first focus will be on newborns in neonatal intensive care units across the province. Over time it will be expanded to include all newborn babies. Today two hospitals,

one in Grande Prairie and one in Medicine Hat, offer newborn screening services. We're going to build on that success and, as I said, extend it province-wide.

**The Speaker:** The hon. member.

2:20

**Mr. Khan:** Thank you, Mr. Speaker. Given that programs like universal newborn hearing screening have a cost, can you tell us what outcomes we can expect to improve by implementing this new service, whether for newborns and their families or for taxpayers? That question again is for the Minister of Health.

**Mr. Horne:** Well, Mr. Speaker, in the scheme of the budget for health care in this province, over \$17 billion, the \$8 million that it's going to cost to provide this program is a relatively small amount. The impact, we think, will be huge. I think that for many parents who have children with hearing impairment, the opportunity to have that identified early is going to mean a great deal. I think the impact on quality of life, personal success is something that we are going to have to wait decades to see the benefits of, but it is one of those things that will make a huge difference. It's an investment today in future generations of Albertans, and we're very proud to respond to the advocacy of people such as the Oishi family.

#### Municipal Assessment and Taxation

**Ms Blakeman:** Mr. Speaker, Alberta cities and towns get 2 per cent of the CLEA or industrial revenues, but the counties and MDs get over 98 per cent. The MD of Bonnyville and the county of St. Paul: 50 per cent of the people, 98 per cent of industrial revenues. Ditto in the southern Alberta county of Newell: under 30 per cent of the people but almost 98 per cent of the industrial revenues. To the Minister of Municipal Affairs: why is this minister colluding to starve our cities and towns with crumbs while allowing MDs and counties to get not the whole pie but the whole bakery?

**Mr. Griffiths:** Mr. Speaker, we work very hard to support every single one of the 349 municipalities and all of the 422 official and unofficial municipalities, communities in this province. It's evidenced by the MGA review, by the MSI support, by all of the other programs that we have. We're undertaking some extensive reviews, and we've committed that after the next municipal election we will be reviewing the roles and responsibilities and the revenue sources that we share because they're all coming from the same taxpayer.

**Ms Blakeman:** Okay. Thanks very much.

Back to the same minister, then. I've given north examples and south examples. Can the minister explain why in central Alberta the MD of Wainwright rakes in \$24.5 million, but the town of Wainwright and the villages of Edgerton, Chauvin, and Irma have to share a meagre \$320,000?

**The Speaker:** The hon. minister.

**Mr. Griffiths:** Thank you, Mr. Speaker. That's my constituency, and the community is actually pronounced 'shawvin,' not 'showvin.'

Mr. Speaker, every single municipality has different sources of tax bases. Some have a very strong industrial base. Some use linear assessment. Some have an agricultural base. Some will rake in more money, and some will have less money. We've always encouraged municipalities to find regional solutions. But we are,

as I already said, having a review about revenue sources and how we can make sure that all communities have the revenue they need to deliver services to Albertans.

**Ms Blakeman:** I am really interested to know why this government is willingly looking the other way while a large-scale rip-off is happening to municipal assessments, which affect 80 per cent of Albertans. Eighty per cent of us. Why are you looking the other way?

**Mr. Griffiths:** One more time, Mr. Speaker. I announced that after the next election we will be doing a review. Right now we're going over roles and responsibilities, and we'll be talking about the revenue sources and what we can do to ensure that every community has the tools and resources available to make sure they serve Albertans. We're not looking the other way. We're engaging municipalities to find solutions and are not planning, as the opposition probably would, to dictate a solution that doesn't work for everybody.

**The Speaker:** The hon. Member for Edmonton-Calder, followed by Airdrie.

#### Michener Centre Closure

**Mr. Eggen:** Thank you, Mr. Speaker. Today marks one month since this PC government decided to evict 125 Albertans from Michener Centre. Yesterday the associate minister said that he would save \$110,000 on the backs of these individuals. The Premier of this province is forcing the most vulnerable Albertans to pay for her broken promises. This is totally unacceptable. To the Associate Minister of Services for Persons with Disabilities: is providing the highest quality of care to Albertans with disabilities too much to ask of this PC government?

**Mr. Oberle:** Why, thank you, for that question. No, it's not too much to ask at all. If the hon. member would prefer that I don't implement the body of best practices in evidence and experience that have been developed in Alberta, across Canada, across North America for the care of those individuals, then he should say so in this House.

Furthermore, if he'd prefer that I didn't seize upon potential savings so that I can offer excellent care to more individuals, he should probably say that in this House as well, Mr. Speaker.

**Mr. Eggen:** Well, that's funny, Mr. Speaker, because given that the closure of Michener forces these vulnerable Albertans to compete for family-based care and given that this PC government budget slashes funding by 45 per cent for everything from attending doctors' appointments to skills training right now, how can this minister possibly defend his illogical decision to evict vulnerable Albertans from their homes at the exact same time that he slashes the very funding that would transition people out of Michener?

**Mr. Oberle:** Well, it's not funny, Mr. Speaker. I find nothing funny about that member's approach at all. As a matter of fact, he can contest, if he would like, the body of evidence that we're working upon. Then to suggest that we're going to throw people on the street and have them compete for spaces is ridiculous. It doesn't deserve comment.

**Mr. Eggen:** Mr. Speaker, given that local ATA Catholic teachers, the Red Deer public school division, the Red Deer city council, not to mention most Albertans state their opposition to the closure

of this Michener facility, will the minister admit that these cruel budget cuts on the backs of residents are going to leave vulnerable Albertans paying for this government's never-ending list of broken promises?

**Mr. Oberle:** What I will admit is that I'm very proud of the mandate of this department, the mandate the Premier has given me to ensure that persons with disabilities in our province can contribute, lead inclusive lives, and have their contributions valued and that we will provide the care, the housing, and the supports for them to do that. We're going to continue to do that, Mr. Speaker. We're on the leading edge. That's my mission, and that's what I'm going to carry on with.

#### **Servants Anonymous Society of Calgary**

**Mr. Anderson:** Mr. Speaker, Servants Anonymous is a nonprofit organization in Calgary that helps women escape the dangerous world of prostitution. Over the last four years this group has operated SAFE house, which has helped 176 women flee from these terrible situations without their former pimps being able to locate them. It is the only safe house of its kind in the province for women over 16 and their children. It saves lives and has the secondary benefit of saving taxpayers millions in health and policing costs. To the Minister of Justice or whoever can answer this. This group has had their funding for SAFE house eliminated. How can we justify this either financially or morally?

**Mr. Lukaszuk:** Mr. Speaker, this member will not find any argument that any and all of those programs that deliver this kind of valuable service anywhere in Alberta, anywhere in Canada for that matter, are not invaluable. There are a number of these programs where I know the minister had to make some very difficult decisions, but all decisions that have been made were always with one goal in mind, to make sure that services exist but are delivered otherwise. So I can assure this member that as important as it is – and we'll share in that – these women and victims of these crimes will not be left without any support. They will be receiving services just as well but perhaps through different means.

**Mr. Anderson:** That's not what Servants Anonymous says. They say that these women will have nowhere else to go. Please look into it.

Minister, given that this safe house regularly saves the lives of women and children and only costs government \$200,000 each year to run, can you not cut, say, the multimillion-dollar rooftop garden you are about to put on top of the Taj Mahal, that \$350 million monstrosity that's going up over there, or cut a fraction of the \$750 million you plan on giving Shell Canada for CCS? In other words, will you start putting the needs of abused and exploited women and children in front of new MLA offices and corporate welfare?

**Mr. Lukaszuk:** Well, Mr. Speaker, unfortunately, this is where that member and I have to part ways and not because we disagree that those services are important. But politicizing issues and cherry-picking an issue of the day against some building – well, they have already funded all of health care, all of my ministry and everybody else's ministry on the back of that one particular building. You can't do that. The only difference between government and opposition is that we have to make very difficult decisions that often keep us awake at night. We have to make those decisions. They can cherry-pick programs and tug at emotional strings and never be responsible for what they say.

2:30

**Mr. Anderson:** The decisions that are made affect lives, and bad decisions affect lives in bad ways. You should know that.

Given the ministry that cut this \$200,000 safe house for endangered women and children is the same ministry that just finished throwing away over \$69 million on a new communications system that has just been entirely turfed and also burned up tens of millions in a police college that will never be built, Minister, can you understand why so many Albertans are upset with this PC government's cut to front-line services when so much waste, bureaucracy, and corporate welfare continues to slurp up Albertans' hard-earned tax dollars?

**Mr. Lukaszuk:** Well, Mr. Speaker, very disappointing rhetoric. These members have the option of going through every budget every day, and they have been complaining about my budget in advanced education, yet yesterday all they found that I should cut in my budget was one communications staffer from of my office. So this rhetoric for public display doesn't quite add up with their numbers, with the budget, and with what they actually find within budgets that should be eliminated.

#### **Mental Health Capacity Building Initiative**

**Mr. Dorward:** Mr. Speaker, yesterday I was pleased to stand with my colleagues on both sides of the House against bullying and discrimination of any kind anywhere on International Day of Pink. There was a mental health capacity building initiative pilot started in 2006-2007 across 53 communities and 153 schools. The purpose of the initiative is to establish projects that will provide the staffing and support required to implement an integrated school-based community mental health promotion, prevention, and early intervention program. To the Health minister: what outcomes has your ministry seen from this pilot project?

**Mr. Horne:** Well, Mr. Speaker, I thank the hon. member for the question. The mental health capacity building initiative is alive and well in Alberta. We have completed an external evaluation, and we're seeing some very positive results. Most importantly, we are connecting mental health and wellness capacity in our schools with the capacity that exists in the community. The review found that as a result of the initiative we're seeing improved resiliency and coping skills in children and youth and that, most importantly, people are talking about mental health issues.

**Mr. Dorward:** Mr. Speaker, will the government be working on the sustainability of this initiative going forward?

**Mr. Horne:** Mr. Speaker, we certainly will, and we're continuing to provide the necessary funding. The review, as a matter of fact, found that 93 per cent of school administrators reported that they have observed healthier behaviour in students, including better family relations and an increase in prosocial behaviour among students. More than 90 per cent of the youth reported that the program staff assisted them in their ability to cope with problems, so it's a very successful program. We will continue to support it and do our best to expand it.

**Mr. Dorward:** Can you discuss how you measure the success of the program in more detail?

**Mr. Horne:** Well, Mr. Speaker, there are performance indicators, and in my last answer I mentioned a couple of the results that we have seen. Obviously, continuing to provide the \$60 million for the program is going to be important. We've continued to do that

since 2005. Also, the ability to tailor the programs to the specific communities and schools they serve to provide services like mentoring, counselling, parent supports, and addiction counselling is critical. Most importantly, we will continue to support the work of the initiative in normalizing the discourse around mental health and addictions issues in our society. If 13-year-olds can talk about it, the rest of us can as well.

**The Speaker:** The hon. Member for Calgary-Shaw, followed by Bonnyville-Cold Lake.

### Accountability of Government MLAs

**Mr. Wilson:** Thank you, Mr. Speaker. On Wednesday hundreds of family members, residents, and caregivers rallied in Red Deer, telling this government to save the homes at the Michener Centre. Residents are rightly confused about why this government would want to scrap this facility while opposition MLAs, Red Deer city council, and public schools are all urging the government to keep Michener open. Many folks from Red Deer are wondering where their representation is and why their two MLAs aren't publicly protesting this decision. Has the government imposed a gag order on its own MLAs, preventing them from speaking out and representing the views of their constituents?

**The Speaker:** To whom were you addressing the question? Oh, the associate minister. Thank you.

**Mr. Oberle:** I'm not sure that question is to anybody, Mr. Speaker. It's a ridiculous question. I don't know if he was listening to the question from the member of the fourth party over there, but, you know, if that member would have it so that I don't move to implement best practices and research and some fine work that's been done in Alberta and across Canada and North America, he should also say that on the record. If he doesn't think that we should move to implement savings so that we can give more care to more individuals in our province, he should also say that on the record. If he had been at the meetings, he would have noticed at least that the hon. Member for Red Deer-North was at the meeting while the hon. Member for Red Deer-South I believe was in Washington.

**Mr. Wilson:** This is not the first time PC MLAs have been quiet on decisions that harm their constituents. Given that this government raised education taxes for communities across Alberta, including a 47 per cent increase in Wood Buffalo and double-digit hikes in Banff-Cochrane yet local PC MLAs were silent on another broken promise made by this government not to raise taxes, to the Associate Minister of AT and T: is muzzling government MLAs a part of your vision of transformational change?

**Mr. Bhullar:** Mr. Speaker, I find it very amusing that the party that had the thousand-dollar good-conduct bonds or the thousand-dollar bozo eruption prevention fund is talking about muzzling MLAs. On this side of the House we have MLAs that are strong representatives of their constituencies. They have one standard for all people of Alberta.

**The Speaker:** A point of order has been noted from Lac La Biche-St. Paul-Two Hills – I'm sure all of us can imagine what it's about – at 2:37 p.m.

Let us carry on. Calgary-Shaw, you have a final question.

**Mr. Wilson:** Thank you, Mr. Speaker. Given that many PC MLAs seem unable or unwilling to speak out when their constituents are directly impacted by this government's decision-making, will the minister at the very least commit to adopting the Wildrose policy

of voter recall so that MLAs who break their promises after elections stay accountable to their real bosses, Alberta voters?

**Mr. Oberle:** Mr. Speaker, the good members from Red Deer have been advocating on behalf of their constituents at the community level, at the municipal level, and through many years of good service in the Legislature while that MLA was still in Pull-Ups, and they're going to continue to do that.

**The Speaker:** The hon. Member for Bonnyville-Cold Lake, followed by Cardston-Taber-Warner.

### School Transportation Funding

**Mrs. Leskiw:** Thank you, Mr. Speaker. As a rural MLA one of the main issues for my constituents is the cost and hassle of transporting their kids to school on the bus. It can be expensive, and often kids have to stay on the bus for over an hour each way as school jurisdictions are not working together to develop joint transportation strategies to maximize efficiencies. My question is to the Minister of Education. Has there been a reduction in funding allocated to school jurisdictions to provide transportation for their students?

**Mr. J. Johnson:** Mr. Speaker, it's true that we are holding the line on transportation funding. There was one small envelope of transportation funding, the fuel price contingency program, that wasn't scheduled to continue past April 1, and because of the fiscal climate we're in, we can't continue that one. But we still have \$272 million of transportation funding. It's a slight decrease. It's a 5.8 per cent decrease. The funding is just one aspect. The member is right. If we want to decrease ride times and make transportation more efficient, one of the ways is to make sure the school boards are co-operating and looking at all of the strategies they can to make those ride times shorter.

**Mrs. Leskiw:** My next question: why aren't school jurisdictions required to work together to ensure that kids are being transported in the most efficient way?

**Mr. J. Johnson:** Mr. Speaker, we flow the transportation dollars through to school boards and allow them to be – well, they are in the best position to make decisions that make sense for their local communities. We do expect and we do encourage them to co-operate, and we have many boards that are co-operating. As a matter of fact, 32 of our 62 boards are co-operating. We put an element in the new Education Act allowing the minister to direct boards to co-operate on transportation.

**Mrs. Leskiw:** My final question: what will you be doing to encourage school boards to work together so that the funds that they save can be redirected to students and classrooms, where they belong?

2:40

**Mr. J. Johnson:** Mr. Speaker, we do think there's the opportunity to save about 2 and a half million dollars in rural Alberta by transportation co-operation and another \$2 million in urban centres, and we're very encouraged by some of the most recent announcements from Edmonton public and Edmonton Catholic about doing a study on transportation co-operation. So we're encouraging them. We're looking at incentives. We've got some incentives in place, and like I said, we've got the new element in the Education Act that will give us the ultimate ability to step in and give them more direction. But the regulatory review is coming up as well, and that'll be a great place for Albertans to have that discussion.



## Statements by the Speaker

### Decorum

#### Mr. Speaker's MLA for a Day Program

**The Speaker:** Hon. members, in a moment the Clerk will call for Members' Statements, but before that and while I have your attention and a few things are fresh, I want to take a couple of minutes to just address a number of notes that I've received, and they've come from both sides of the House. It's with regard to interruptions, interjections, disturbances, distractions. You name it; we've had a little bit of it from all standpoints today.

On the one hand, I have some government members who are asking that the opposition members stop interrupting answers when they are being given. On the other hand, I have members in the opposition asking government members to stop interrupting them when they're asking their questions and so on.

There were a number of examples of this going both ways. When the hon. Member for Strathmore-Brooks asked his question, we had members of the government try to answer the question, and we had disruptions over here from the opposition members. They didn't like the answer, perhaps.

We have the same thing going on over there. We had questions from Dunvegan-Central Peace-Notley. We had questions from St. Albert being asked. The Premier started to answer the question, and in the middle of it all the government side started pounding away because they liked the answer.

It's a form of disruption either way. The Speaker is often called to adjudicate in moments like that, but you can't have it both ways, hon. members. Either you're going to sit there and interrupt each other all the time or you're not. Whether it's pounding and applauding somebody for a great answer or heckling them for an answer that you don't like, it's still a disruption, and it still leads to some form of disorder. What it really does, which really irks me, is that it prevents one or two other members from asking their questions because we've taken up the time with the disruptions. So could we please remember that and particularly remember it on Thursdays, when we're all so anxious to get home to our constituents?

You know, we sit here and we listen to allegations being levelled against each other, against government members, against opposition members, the government's policy, the opposition's policy, and so on instead of getting on with the real debate, and that's to hold the government accountable by all members, private members on both sides of the House.

You can't stand there and accuse members and accuse ministers and accuse government or, for that matter, accuse opposition members of certain allegations and not expect some kind of a response from them. If it's your purpose to come in here and evoke those kind of responses, then there's no point in me trying to enforce any rules around it regarding decorum, which we've talked about at length, regarding civility of debate or respect or whatever else you want to call it.

So please take that home over the weekend and study it because we have an opportunity here to help future MLAs, and I'm going to ask for your help in this regard.

The Legislative Assembly is again hosting Mr. Speaker's MLA for a Day, which many of you should now be familiar with. That is going to occur on Monday and Tuesday, May 6 and 7. It's a great opportunity for 87 high school students, one from each of your constituencies, from all across the province to come into this Assembly and into the Annex and learn more about what we do. We want them to gain this better understanding of our parliamentary democracy and how it works. We want them to

meet you as their MLA, to meet other MLAs, and we want them to become really good citizens in the process. Your student, if you're able to help identify one, will come here and even participate in a debate right in this Chamber. Please let your high school students know about this because we have to get on with the program as quickly as possible. It is sponsored by the Royal Canadian Legion, and there is no cost to the students whatsoever – none – and visitor services does all of the arranging.

Now, the deadline for MLA for a Day was supposed to be this coming Monday, but we have very few students identified by you so far. In fact, it's such a low number, I won't even quote it. So I would ask you to please over this weekend try and connect with some high school teachers in your area, some high school students that you know in your communities and to encourage them to take up this opportunity. I will be extending the deadline officially to Friday, April 19, so that we can get more students into this very important program. I would hate for us to lose it. Your constituency assistants have all of the information. Just remind them. When you finish here, send them a quick e-mail and see if we can get on with it. MLA for a Day really needs your help, and we'd appreciate any that you can give us.

In 30 seconds we'll call for the Clerk to announce Members' Statements.

## Members' Statements

*(continued)*

### Taxation Policy

**Mr. Hehr:** I'm dedicating this to the province of Saskatchewan, home of Brad Wall, the darling of conservative politics and Canada's most popular Premier, home of budget surpluses, and the province that now has the lowest unemployment rate in Canada. This must be befuddling to members of the PCs and their estranged cousins, the Wildrose, who despite all evidence to the contrary seem to hold steadfastly to the belief that our fiscal structure or, if that is too cryptic, our tax code is what drives our economy. In coming to this conclusion, both of these parties seem to forget that our province is located on 25 per cent of the world's proven oil resources.

Let's look closer at our neighbour. Saskatchewan is the second lowest taxed jurisdiction in Canada. Saskatchewan: home to a PST. Saskatchewan: home to progressive income taxes. Saskatchewan: home to higher corporate tax rates. In fact, if Alberta adopted Saskatchewan's tax code, this province would bring in an additional \$11 billion a year. With that revenue, we could have full-day kindergarten. There would be no cuts to universities and colleges. The government could build the 50 new schools and 140 family care clinics they promised. Alberta could also avoid going into debt some \$17 billion, and we could grow our heritage savings trust fund.

Saskatchewan proves that a reasonable tax structure does not lead to business leaving the province or unemployment skyrocketing. Instead, the Saskatchewan tax code has not only allowed for a budget surplus, but it's allowed them to grow their economy and have the ability to do what is necessary to ensure a civil society.

Mr. Speaker, it's time for both the PCs and their estranged cousins, the Wildrose, to get real regarding this issue. As Saskatchewan shows, there's no need to be the lowest tax jurisdiction by a country mile to have economic and social success.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo, followed by Calgary-Currie.

### Market Access for Energy Resources

**Mr. Allen:** Thank you, Mr. Speaker. The Premier's mission to Washington along with the hon. Minister of Environment and Sustainable Resource Development and the hon. Minister of International and Intergovernmental Relations earlier this week exemplified our government's unwavering commitment to broadening access to international markets for Alberta's energy resources. The citizens of our province entrusted us to be leaders and responsible stewards of our most valuable natural resources, and the Premier's mission further solidifies this position by delivering our message to officials on both sides of the Keystone debate.

The approval of the Keystone pipeline would not only strengthen our strong, long-standing bond with our southern ally, further bolstering Alberta's role as a responsible supplier of energy to America, but it would also lead to economic benefits for both Canada and the U.S., something the opposition is quick to conveniently ignore. It's easy for members across the aisle to blindly critique and politicize every single policy decision that this government makes, but baseless musings bereft of any substance do not benefit Albertans or help to establish a responsible Canada-U.S. energy partnership, one guided by our government's strong environmental track record on both sides of the border.

While the opposition promises to cut Alberta jobs and establish backward-looking socioeconomic provincial firewalls, our Premier, Alberta's Premier, is busy debunking myths and highlighting our position to Washington's decision-makers and concerned citizens alike. The last time I checked, revenue generated from irresponsible opposition smear campaigns and get-out-of-jail cards currently total zero, did not add to Alberta's environmental track record or future, and did not open international markets, especially since the opposition is so adamantly against our forward-thinking environmental policies.

Good economic leadership is derived through the fostering of strong international bonds, and I am proud of our Premier for bringing Alberta's message to our American friends. Thank you.

**The Speaker:** Hon. members, I'll comment on this again at a later time, but we don't traditionally allow points of order during private members' statements, and we'll review that matter.

The hon. Member for Calgary-Currie, followed by Cypress-Medicine Hat.

### 2:50 Calgary Meals on Wheels

**Ms Cusanelli:** Thank you, Mr. Speaker. I'm pleased to rise today to recognize an important nonprofit organization in Calgary, Meals on Wheels. For 48 years Calgary Meals on Wheels has given Calgarians in need healthy meals regardless of age or circumstance. Some clients include schoolchildren, the working homeless, single parents, seniors, and veterans.

When Calgary Meals on Wheels first opened its doors, it had eight clients and operated from a church basement. Today the picture is very different. In 2012 alone they delivered over 371,000 meals. Demand for their services grows every day. Meals on Wheels will be moving into a brand new production facility in June equipped with 16,000 square feet of kitchen. Meals on Wheels will be able to produce over 5,000 meals daily in this new facility.

As you can imagine, any nonprofit organization that serves as many clients as Meals on Wheels does requires a great deal of volunteers. Each day 60 volunteers are needed to make home meal deliveries. I have the honour to be one of those who delivers meals

within my constituency of Calgary-Currie. Meals on Wheels gives me the opportunity to listen and to be present for those in need.

I once delivered a meal to a soft-spoken woman in my constituency who seemed particularly quiet one afternoon. When I asked her how she was, she had just learned that morning that her son had passed on suddenly. I could tell she was alone and in shock over the news. We simply listened to her, let her cry, and promised to follow up and see how she was doing. In that moment she needed someone to be present, and the Meals on Wheels driver and I were there to care.

Mr. Speaker, this is why I ran to be an MLA. I served families as an educator for almost 20 years by caring and listening. The truth is that sometimes we don't know the strength of the simple things we do as politicians. I thank Meals on Wheels for being the conduit, the hand that has helped me do what matters for Albertans and for my families that I feel so privileged to serve in Calgary-Currie.

### Prescription Drug Coverage

**Mr. Barnes:** This government's negligence in health care has caused ongoing grief for doctors, patients, and pharmacists. To complicate matters, the government now is attempting to create a smokescreen, hoping to distract Albertans from the real impact that recent government changes will have on Alberta pharmacies.

Yesterday in another attempt to change the channel, the government issued a press release promoting numerous myths about the situation facing pharmacists. The Alberta Pharmacists' Association was quick to issue a response to this out-of-touch government. For instance, the government's release reannounced \$10.6 million in funding through the remote access grant, Mr. Speaker, but the money was already committed to in past announcements. Surely this government can do better than rehashing old announcements to try to distract Albertans from the facts.

The government says that a \$1 per prescription transaction fee will help, but the facts state otherwise. Pharmacists have repeatedly said that \$1 is insufficient, but this government has refused to listen. This government also makes the claim that the reduction of generic drug prices won't hurt pharmacies. However, the set prices will result in a \$600,000 hit to every pharmacy's revenue line. That's a tough hit for anybody to take, Mr. Speaker.

What it comes down to is this: these types of Soviet-style price controls will actually drive up the out-of-pocket cost of medicine and result in shortages across the province. That means fewer Albertans getting access to the medicines they need to stay healthy. This type of government-knows-best approach is ridiculous bureaucratic overreach of the highest order.

Mr. Speaker, this has gone on long enough. It's time for this government to admit it was wrong, backtrack on these backwards and regressive policies, and preserve pharmacy services for all Albertans.

### Get Outdoors Weekend

**Ms Pastoor:** Mr. Speaker, Alberta has some of the most beautiful outdoor places in the world. Following a winter hibernation in our homes we Albertans are ready to get out and enjoy the outdoors, and that's exactly what the Alberta Get Outdoors Weekend is all about. The second annual Alberta Get Outdoors, or GO, Weekend takes place this year from April 12 to 14.

GO Weekend encourages Albertans of all ages and abilities to get out and enjoy their favourite activities or, in fact, try some new ones. We know the benefits of being active and that even small

amounts of activity help us to be healthier and happier. GO Weekend is for individuals to get fresh air and be active. It's an opportunity for entire communities to have fun together.

For this year's GO Weekend our partners at the Be Fit for Life network are hosting free public events in nine communities across this province. The website [getoutdoorsalberta.ca](http://getoutdoorsalberta.ca) has more information about these events as well as ideas on getting out and how to be active.

The Associate Minister of Wellness will be involved in many events over this weekend, and I'm looking forward to being a part of the Get Outdoors events that are happening in Lethbridge on April 13. We have a day of games, yoga, road bicycle races, and other healthy outdoor activities.

I encourage all Albertans to be a part of the excitement during Alberta Get Outdoors Weekend. Where is the event in your area? Visit [healthyalberta.com](http://healthyalberta.com), and you'll find out. For now, you GO: get outside, Alberta.

### Notices of Motions

**The Speaker:** The hon. Deputy Government House Leader.

**Mr. Campbell:** Thank you, Mr. Speaker. I rise pursuant to Standing Order 34(3) to advise the House that on Monday, April 15, 2013, written questions 28, 29, 31, and 33 will be accepted, and written questions 30 and 32 will be dealt with.

### Introduction of Bills

**The Speaker:** The hon. Member for Barrhead-Morinville-Westlock.

#### Bill 17

#### Municipal Government Amendment Act, 2013

**Ms Kubinec:** Thank you, Mr. Speaker. It is my pleasure to introduce Bill 17, which amends the Municipal Government Act, the MGA, to implement the municipal sustainability strategy.

The MSS, the municipal sustainability strategy, was developed by a working group composed of representatives from the key municipal stakeholder groups such as AUMA, AAMDC, et cetera, and has received strong stakeholder support. These changes will result in a more proactive approach to identifying challenges, more community engagement and involvement in the long-term future of Alberta's municipalities, and more sustainable communities for our residents.

I look forward to discussing this bill as it moves forward. Thank you.

[Motion carried; Bill 17 read a first time]

**The Speaker:** I just want to congratulate and thank the member for that first reading, which was less than one minute. That's very much in keeping with the tradition of this House. The reason I know that is because I once violated that rule significantly. So I thank you very much for setting a good example for the rest of us, who at some point may make first readings.

The hon. Deputy Government House Leader.

**Mr. Campbell:** Yes, Mr. Speaker. I move that Bill 17, the Municipal Government Amendment Act, 2013, be moved onto the Order Paper under Government Bills and Orders.

[Motion carried]

### Tabling Returns and Reports

**The Speaker:** The hon. Member for Edmonton-Meadowlark or someone on behalf of.

**Ms Blakeman:** Thanks very much, Mr. Speaker. On behalf of my colleague the leader of the third party and the MLA for Edmonton-Meadowlark I have two tablings that he referred to in his questions today. The first is copies of the report from the Congressional Research Service on Taxes and the Economy: An Economic Analysis of the Top Tax Rates Since 1945. This was released in September of 2012.

The second is the labour force survey from March 2013. It shows that our employment is above the level of 12 months earlier.

Thank you. May I continue with my own?

3:00

**The Speaker:** Just before you do, hon. member, I notice that it is 3 o'clock and that the Deputy Government House Leader wishes to pose a question.

**Mr. Campbell:** Yes, Mr. Speaker. I'd ask that we ask for unanimous consent to delay Standing Order 7(7).

**The Speaker:** Hon. members, the Routine is not quite concluded, and the Deputy Government House Leader has asked that we be allowed time to complete that. It requires unanimous consent. Does anyone object to giving that unanimous consent? Please say so now.

[Unanimous consent granted]

**The Speaker:** Hearing no objection, hon. Member for Edmonton-Centre, please proceed.

**Ms Blakeman:** Thank you very much, Mr. Speaker. I'm going to continue with the tablings that are from people that have communicated with me, generally constituents from the fabulous constituency of Edmonton-Centre. The first one is from Anneta Alexandrovich around the funding of fertility treatments for Albertans. She strongly supports the inclusion of financial assistance and raises the issue of Albertans who are financially unable to pursue this and how difficult it is. She believes it should be covered by the public purse.

The second tabling is from Peter Koziarz. He is a diagnostic radiologist working in Edmonton. He's very disappointed with the government's position and what he feels are heavy-handed negotiation tactics with the physicians. He raises a number of other points, a very strong letter.

Next is an e-mail from Alim Nagji, who is working as a medical resident for Alberta Health Services, also not keen on the government's approach to negotiating with the doctors. He thinks it's going to have an effect down the line on being able to recruit prospective new physicians.

Thank you very much, Mr. Speaker.

**The Speaker:** Thank you. No other tablings, Edmonton-Centre, on behalf of any other colleagues? All done?

Hon. Member for Strathmore-Brooks, you had a tabling.

**Mr. Hale:** Thank you, Mr. Speaker. I'd like to table the recommended number of copies of the memorandum I quoted from during my question to the hon. Health minister regarding the communication protocol for Alberta Health Services and the closure of the seniors' care centre.

**The Speaker:** Hon. Member for Little Bow, you had a tabling, followed by Edmonton-Calder.

**Mr. Donovan:** Yeah. Thank you, Mr. Speaker. I have two things to table today with the requisite copies. One is to Minister Horne,

the Health minister, from a doctor in Alberta about the cuts. I'll be tabling that.

The other tabling is from a constituent of mine, Dorothy Seiller from Nobleford, who is not very happy with the health care system, especially when she went in in Lethbridge.

**The Speaker:** Thank you, hon. member. Please be reminded that we don't mention names of our hon. members.

Hon. Member for Edmonton-Calder, did you have a tabling as well?

**Mr. Eggen:** Yes. Thank you, Mr. Speaker. Thanks for coming back to me. I have two tablings here. One, 50 or more copies of some of the e-mail submissions that we've been getting, is talking about the Michener Centre and people who would wish to keep the Michener Centre open.

The second tabling is the appropriate number of copies of some samples from the people that we met and received submissions from on our budget tour, that we did back in February, people saying things such as that they would like to see the government reduce their wasting of scarce resources on propaganda-style advertising and another one about health care as well. I would like to submit those, Mr. Speaker.

Thank you.

**The Speaker:** Thank you.

Are there any others or anyone on behalf of anyone else? Lacombe-Ponoka.

**Mr. Fox:** Thank you, Mr. Speaker. I have five letters here out of the litany of letters that I've received on the pharmacare issue here in the province that I would like to table.

**The Speaker:** Thank you. Thank you for demonstrating a tidy way of doing a tabling. Congratulations. Well done.

Are there others?

If not, then I have a tabling today. Hon. members, I'm going to table something that I hope will catch your attention because I'm going to present here five copies of biographies with respect to our pages, who serve us so faithfully. Please take a moment to have a look at it.

We have no tablings to the Clerk. Can we, then, proceed with the points of order? I think I have only one, and I think it's from Lac La Biche-St. Paul-Two Hills. Please give us the citation and proceed.

#### **Point of Order Referring to Party Matters**

**Mr. Saskiw:** Thank you, Mr. Speaker. I rise today under Standing Order 23(h), (i), and (j), and it's with respect to a comment made by the Minister of Service Alberta. During the debate today it was very clear that he deliberately and purposely went out of his way to answer the question. The question wasn't directed at him, but instead he decided to take the question and recite an answer that definitely did cause disruption in this Chamber.

Mr. Speaker, it is very clear – and you have been very clear – that party matters that do not relate to policy or legislation cannot be discussed in this Legislature. In fact, I recall even getting interrupted midway through a question I was asking on a specific party matter, and I wasn't even able to finish the answer because you made it very clear that if it's a purely internal party matter that doesn't relate to a policy or doesn't relate to specific legislation or what the government is doing, it cannot be discussed in this Chamber.

In this instance the Minister of Service Alberta referred to an internal party matter of the Wildrose Party. It has no bearing whatsoever on government policy, on legislation, on, for example, ongoing investigations by our Chief Electoral Officer or any other officers of this Legislature. In this case, just to be clear, he was talking about bonds that our candidates have to put forward when they're running for the Wildrose Party. These bonds are simply paid back, Mr. Speaker, and it's just to ensure that the rules in the nomination are followed. The question that the hon. Member for Calgary-Shaw was putting forward was simply whether or not backbench government MLAs have an opportunity to speak up and stand up for their constituents, and he was referring to the education property tax, he was referring to the medevac situation, and he was referring to the Michener case.

I'll be very brief here. The Minister of Service Alberta knows the rules. He very deliberately and purposely answered the question. It specifically related to a purely internal party matter, that you, Mr. Speaker, have been unequivocal on in the past. I would ask that you absolutely and unequivocally admonish the Minister of Service Alberta for this comment. The subsequent result if people continue to ignore your rulings: it will just continue again and again and again from our side and their side. As this was an internal party matter deliberately and purposely put forward by the Minister of Service Alberta, I'd ask that you admonish this member.

Thank you, Mr. Speaker.

**The Speaker:** Are there others? The Deputy Government House Leader.

**Mr. Campbell:** Well, thank you, Mr. Speaker. I don't want to waste a lot of the House's time but just a couple of points. First of all, any minister of the Crown can get up and answer any questions asked in this House, whether it's directed at him or not, and the fact that the Minister of Service Alberta got up to answer the question is neither here nor there.

Also, Mr. Speaker, you've made it quite clear in this House – and you talked about it again today – that we seem to get a little rambunctious in here and that the jabs go back and forth. Sometimes – I don't know; maybe it's Thursday afternoon – the opposition seems to be getting a little thin skinned when members of the government react to them on issues that have been raised.

I mean, if you follow the arguments of the deputy House leader for the opposition, they wouldn't be able to ask any questions in question period because they're coming at the government on a number of different issues at all times. You know, Mr. Speaker, I feel that the answer from the Minister of Service Alberta was a public fact. It was well documented in the media.

**Mr. Wilson:** So was the \$430,000 donation.

**Mr. Campbell:** We're not talking about that. [interjections]

3:10

**The Speaker:** Hon. members, please. The chair is up here. Thank you.

**Mr. Campbell:** I appreciate that, Mr. Speaker. There's a prime example of what I'm getting at.

Mr. Speaker, I'd like to follow the rules that you've set. I want to see some decorum in this House, but the rules have to be both ways. The opposition has to be more careful in the questions they ask, and I would suggest that the government be more responsible in the answers they give.

Thank you, Mr. Speaker.

**The Speaker:** Edmonton-Centre, did you wish to chime in on this as well? I saw you rise.

**Ms Blakeman:** You know, I can't much beat that. I think we all need to be careful of how we're addressing other caucuses' party business.

Thank you.

**The Speaker:** Thank you, hon. members on both sides of the House.

You know, this is a very interesting situation and an opportune time to make a couple of brief comments. The issue at hand here is with respect to an answer given by the Minister of Service Alberta in which he said, "Mr. Speaker, I find it very amusing that the party that had one-thousand-dollar good-conduct bonds or the thousand-dollar bozo eruption prevention fund is talking about muzzling MLAs," and he went on.

Now, I listened very intently, in particular, to what the Member for Lac La Biche-St. Paul-Two Hills said in his comments. He's absolutely right, hon. members. We can't come into this Assembly and raise party matters. I have mentioned this on numerous occasions, on several occasions in this House, wherein I've asked you to please remember certain rules that exist in *Beauchesne's* and *House of Commons Procedure and Practice* and elsewhere. I won't go through them all. But it is explicitly against the rules to raise matters that pertain to party policies or party fundraising or party donations or party finances of whatever kind. In fact, in this case the hon. Member for Lac La Biche-St. Paul-Two Hills went on to say that this is a Wildrose internal party matter, or words to that effect, and it may well be the case.

By the same token, it is very much in order to ask questions of the government's policy, of the government's budgeting, or the government's procedures and practices. However, you can't have it both ways again here, hon. members. On the one hand, I have a member of the opposition saying that we can't raise questions to do with party matters pertaining to the Wildrose, and on the other hand we can't have the Wildrose asking questions about the government's party, which is the Progressive Conservatives, and their policies because that has no business in here either. So neither one of them has any applicability here because it's a party matter.

I have been, as was stated, very unequivocal about this matter, and I will continue to be unequivocal about it. I have tried to be as consistent as possible in applying that rule, and I'm going to have to tighten it up a little bit more, I can see. I think the Deputy Government House Leader has commented that it is not unusual for us to get rambunctious particularly on Thursdays or when issues of a sensitive nature get raised. Nothing is more sensitive than party matters, nothing is more political than party matters, and you ought not be bringing them in here. Such matters do not belong here for debate. Those are the rules.

I'll tell you something else that's very interesting, and that is that there are rules about questions with respect to internal party matters or internal party fundraising. It's on that point that I have mentioned several times that those kinds of questions will be ruled out of order. What is very strange, however, is that I cannot find anywhere at my fingertips any rules about answers not referring to party matters. It would appear that questions to do with internal fundraising by parties and party matters are out of order, but answers may not be out of order. We're going to look into this a little bit further.

In the meantime I'm going to ask that the government members who are answering questions please refrain from delving into party matters that pertain to any of the opposition parties or to

their own party, for that matter, provided that we can get the same co-operation from opposition members. That would be, to me, a fair and balanced approach and one I would hope that you would take under advisement rather immediately because it is those kinds of issues that inflame this House more quickly than a match near a hot stove. I would ask you to please keep that in mind, and I will admonish anyone who strays from that particular vein of thinking.

My final comment is simply that these kinds of matters often require clarification. I think it's been adequately clarified. We're going to move on on the understanding that I have just given.

Thank you.

## Orders of the Day

### Government Motions

#### Sitting Times during Main Estimates Debate

29. Mr. Hancock moved:

- A. On Monday afternoons during the period that the 2013-14 main estimates stand referred to the legislative policy committees, the Assembly stands adjourned at 6 p.m.;
- B. Notwithstanding Standing Order 59.03(4)(b), following completion of consideration of the main estimates by the legislative policy committees
  - (i) on April 22, 2013, or
  - (ii) on such other date of which the Government House Leader has provided written notice to House leaders and tabled in the Assembly, the Assembly shall reconvene in Committee of Supply at 9:30 p.m., at which time the committees shall report, and voting on the main estimates shall proceed.

[Debate adjourned March 21: Mr. Fox speaking]

**The Speaker:** The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much, Mr. Speaker. Government Motion 29 is essentially the set-up motion around the timing of the estimates debate, estimates being budgets. This is the one that sets it up so that on Monday night there would be two budget debates running concurrently, which, of course, is very difficult for the opposition members because when there are fewer in the opposition than the number of ministries, obviously, people end up being critic for more than one portfolio. With the third and the fourth parties currently with five and four members, obviously, each member is handling three or four different ministries, so the chances that you're double-booked are pretty high. My sympathy goes out to the legislative support individual, House leaders' services, who has to try and organize the schedule and make sure that we're not double-booked.

What it does end up doing – I, for example, have spoken many times about the number of seniors that I have in my constituency. I'd like to be able to go into the Human Services debates, where that's being debated, both to ask some questions but also to hear what the current issues are and how the government is dealing with them, and I just can't do that when I'm in one of the other five portfolios that I'm doing. Then I end up having to raise the issues during second reading and Committee of the Whole and third reading of the appropriation bill for the budget. It's okay to do it there, but I don't get any feedback from the government, so it's me making statements on the record of where I have concerns about things. I'd like to be able to participate in those budget debates. So it's not an optimum set-up for us.

You know, Mr. Speaker, the one area where there is a parliamentary tradition of optimizing the opposition is around finances. Of all of the legislative committees that are all-party select special standing committees of the Assembly, in which every party has a certain number of seats, the one that is always chaired by an opposition member is Public Accounts, and that's the one that reviews the government's finances, their books; in other words, after the fact. Once the books have come out, the opposition chairs that committee and has a significant number of the members on it to be able to scrutinize and hold the government accountable. So there is a parliamentary recognition of that, yet over my years here I have seen a steady erosion not in the ability of opposition members to robustly hold the government to account – they still do that – but the government does everything in its power to make it harder, to make it more difficult.

3:20

I mean, we're now down to a half-hour dinner break. I know lots of people think: "Oh, suck it up, Princess. Really, you're going to be complaining about a half-hour supper break?" Well, yeah. It used to be two and a half hours, and now it's a half-hour. So you've got people rushing from the House. And the break for the afternoon debates: same thing. We're adjourning here a little after 3 o'clock, and the afternoon debates start at 3:30. So you're bombing out of here, me with my arms full of stuff because I'm always carrying everything around, to get back, file your stuff, grab the stuff for the debate in the afternoon, and get up the stairs to the committee rooms in the Annex to actually start that debate. It's just not very dignified and not very efficient.

Another part of what happened with this particular motion is that there were a number of changes that were – I'm not going to say negotiated, Mr. Speaker, because that would be a word that would not adequately describe the process that the House leaders went through. It was much more: this is what we're going to do, and the rest of you are going to deal with it. Certainly, there are a couple of situations where the opposition House leaders feel very strongly that there was an agreement to carry on some of the debates in a certain way, and that has not happened. That is leading to a great deal less desire to be totally co-operative in the House. Could I put it that way? Would you all understand the code that I was using if I said it that way?

Hon. members opposite, you have to understand that everything you do affects what we do over here. If one of you raises a private party business as part of an answer, that sticks with people, and they are less likely to be willing to do a favour for the government like give unanimous consent to revert to the introduction of people or something. Why would they? They're not in a very good mood anymore, and they're not feeling very friendly towards government members. That all starts to add up. You know, there are little things that are said. There's the timing of things. A lot of that stuff all works together.

We have a lot of new people elected in both the government and in the Official Opposition, and I hope government members are beginning to understand what that does to the willingness of people to co-operate in a friendly manner and how that starts to erode as we go on. I think we would all agree that by the last day of the three weeks we had before the constituency break, we were ready to inflict bodily harm on each other, and that's just not a good state to work in.

One of the other things I want to talk about, that is a direct result of this government motion, is that budgets are now being exclusively debated in these legislative policy committees. I still often wonder if these aren't make-work projects for the government members. All of the ministries are divided into one of

those three legislative policy committees, and now we have the appropriate department's budget also going in front of these committees. The committees were humongous. They were 25 people. They've now been cut down to . . .

**The Speaker:** Hon. member, we're on Motion 29.

**Ms Blakeman:** Yes.

**The Speaker:** I believe you may have already spoken, but it was a delight listening to you again.

**Ms Blakeman:** I was so entertaining. I got away with it, didn't I?

**The Speaker:** Well, it's only because it's your special day, hon. member.

**Ms Blakeman:** I kind of knew I had. I almost wrote and asked if I'd already spoken to it, but I'm glad I got the time I did. Thank you for being so kind.

**The Speaker:** Yes. Thank you, hon. member.

Are there others who wish to speak to Government Motion 29? The hon. Member for Edmonton-Caldor.

**Mr. Eggen:** Thank you, Mr. Speaker. Perhaps I can pick up where the hon. Member for Edmonton-Centre left off. I guess we still have a couple more weeks of this system that we're using for the estimates, and I have a couple of things that I wanted to bring forward in regard to perhaps a more efficient use of the time and interaction and the depth to which we can debate the estimates.

The first thing that I was struck by – of course, I'm coming back after an absence – is that previously we debated the budget estimates here in the Legislature. When we were doing that in the Legislature, I noticed that there was distinctly more time and capacity by which we could interact with the ministers on the specific budget line items, and we had an opportunity as well, I think, to ask questions that could be pursued further at a later date through written questions and so forth. You know, with these budget estimates taking place in committee rooms, it just really feels as though we're somehow squirreling away this important democratic process into smaller and smaller places, where the public is less able to view what's actually going on.

Of course, number one, Mr. Speaker, there are no cameras in the budget committee rooms, so people are not able to watch the streams of the estimates like they can when things take place here in this Chamber. Quite frankly, we have at our disposal this wonderful room. I think that there's a certain level of gravity that lends itself to our budget estimates when we are in fact doing them here in the Chamber. If there are estimates that have a distinct or a special significance to the public, then, of course, we have the seating capacity here for several hundred people. In a budget room we maybe can only put 20 or 30 people, if that, and quickly the air gets sucked right out of the room when they're packed in there like that, and it becomes a less conducive atmosphere to have the kinds of debates that we need.

We know that there are lots of postsecondary students that wanted to see the advanced education debate, for example, last night, and there just simply wasn't the space or the capacity to deal with it. We have the whole system set up here with lots of seating and with the security set up here – it's all wonderful – with mikes and cameras and so forth. The symbolism of our moving from the Chamber here, to which we all have been elected, to these individual committee rooms: I just find that to be a little bit unacceptable.

Second of all, I noticed a distinct lack of continuity between the rules of the different chairs running the different ministries in the different committees when we were debating the budget estimates that I've participated in so far. There wasn't the continuity. I didn't know, when I went in, how the question cycle was going to unfold. Sometimes it was just a first-come, first-served kind of deal with a list, like we usually use in committees, and sometimes there was this rotation with PC, Wildrose, you know, NDP, Liberal. There was no rhyme or reason to it necessarily. When we challenged that, sometimes some of the chairs got quite snippy about it, quite frankly. Again, I found that to be a little bit less than conducive to proper debate. I think some continuity and some regularity around that, which can be negotiated in a civilized sort of way between the House leaders, would really help to make our estimates go a lot smoother.

Finally, Mr. Speaker, again, just jamming together all of these estimates in such a concentrated way really makes it difficult for us to be in our top form to make sure that we cover each of the debates or each of the ministries in the best way possible. For example, the week before the break I had quite a lot of estimates. I had 15 hours of budget estimates scheduled to my time. You know, I'm a pretty hale and hearty guy – right? – as most people here know, probably able to deal with those things. It just seemed to be such an incredibly compressed and rushed sort of thing. It was not necessarily the best way to go forward.

As I would like to say again, Mr. Speaker, what goes around comes around. The government members here, what's left of them after they lose an election and end up as a small minority, will have to deal with that same thing. I promise it will be with much more equanimity and graciousness, allowing a longer space of time so that the debates for budget estimates will not tax you in the same way that they did tax me over these last weeks. [interjections] Okay. Well, you know, there are other voices, though, that I cannot necessarily control that might try to exact revenge and deliver the same sort of inhuman working conditions for the estimates, so I can't guarantee being able to do that in the future.

3:30

Anyway, my point, Mr. Speaker, in three easy pieces, is that I think we should be debating the budget estimates here in the House, where we've been elected to do so, that we should be spacing those debates in a much more equitable sort of way, and that we need to have the continuity and the uniformity of the rules that are allowing the chairs to run those debates so that we all know what to expect when we get there.

Thank you very much.

**The Speaker:** Are there others?

Seeing none, the hon. Deputy Government House Leader to close debate.

**Mr. Campbell:** I'd just call the question, Mr. Speaker.

[Government Motion 29 carried]

### Public Interest Commissioner Appointment

30. Mr. Campbell moved on behalf of Mr. Hancock:

Be it resolved that the Legislative Assembly concur in the report of the Standing Committee on Legislative Offices tabled in the Assembly on March 5, 2013, and appoint Mr. Peter Hourihan as Public Interest Commissioner for a term commencing on the coming into force of section 38 of the Public Interest Disclosure (Whistleblower Protection) Act and expiring October 16, 2016.

**The Speaker:** Hon. members, this motion is debatable. Edmonton-Centre.

**Ms Blakeman:** Thanks very much, Mr. Speaker. There are just a couple of things that have occurred to me as I studied this government motion. Aside from the fact that I think we're asking any individual that now will hold the post of Public Interest Commissioner through the Public Interest Disclosure (Whistleblower Protection) Act section – we have given them an impossible task. I really feel that the government shepherded through an act that doesn't protect whistle-blowers, and I'm being very careful to tell people to not be depending on it to protect them if they do decide to step forward. In putting someone in place as the Public Interest Commissioner for this, we are asking him to take on an impossible task, and for that I thank him.

Two other things occurred to me as I looked at this. One, there is a backdating of the appointment. I don't know if the current Ombudsman – yeah, that's the position he has right now – who is this individual that will also take on the Public Interest Disclosure (Whistleblower Protection) Act, was doing the work starting last October, but it's interesting to me that it's backdated. It makes it that it expires on October 16, 2016, a four-year term. I think that most of the terms that government appoints people for are three years or five years, and then, generally speaking, there's an automatic renewal of it, so you're serving for a total of six or 10. With the four years I thought: what the heck is going on?

Well, if I look a little more closely, Mr. Speaker, gosh darn it, if that won't expire six months after the next election, so nicely in place and well into the mandate of the next government. I'm hoping that we will at that point be able to appoint a dedicated person for this. I think it's deserving of it, and I would like to see that happen, but clearly it's not going to happen for a while seeing as the current person's term will not expire until the fall of 2016.

Thank you for letting me raise those few comments, Mr. Speaker. I'm happy to support the motion. I just really have a problem with the way the whole act was done.

Thank you.

**The Speaker:** Are there others? The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. It's an honour to rise today to speak to Government Motion 30. You know, with respect to the appointment of this particular individual I would just have to echo the comments of the previous member. When this legislation came into place, there were so many loopholes throughout the entire act. Our caucus, in particular the Member for Lacombe-Ponoka, had put forward dozens and dozens of amendments that would strengthen the legislation, but unfortunately the government voted down each and every one of them.

While this individual may be qualified, may be recommended by the Legislative Offices Committee, unfortunately due to the excessive loopholes that are currently existing in what they like to call whistle-blower legislation – the name of the act itself doesn't make much sense – there are very limited protections for real whistle-blowers.

One of the problems that we saw in the legislation was that it didn't go retroactively. If somebody has information going back years and years before and wants to come forward, wants to shed light on those facts, whether it was wasteful spending, whether it was bullying and intimidation, under the legislation as it stands, they can no longer do so. Even if the Public Interest Commissioner is appointed and capable, he would not be able to entertain any of those complaints that are filed if they go beyond a certain time period.

One of the other problems with the act is that what it does is that it forces an individual to go through internal measures within a government department rather than giving that individual the direct protection of the Public Interest Commissioner, which should have been done. We saw throughout that debate that independent third parties that had expertise and specialized in whistle-blower protection gave this government an F on this legislation. In fact, in many cases an individual who wants to blow the whistle on this government would have to seek particular advice because there are so many holes in the legislation that it may not be in his or her best interest to go under this legislation if they have legitimate concerns. They'd have to seek other avenues.

The other aspect of it is that if the media wanted to blow the whistle on something, they're of course not protected. You know, this Premier in the throne speech – it seems so long ago – had promised that this government would enter a new era of openness and transparency. She even set up a new ministry, AT and T, the Accountability, Transparency and Transformation ministry, a whole ministry just to try to achieve the outcomes in her throne speech, which were openness and transparency. But under this legislation – I hate to even call it whistle-blower protection because there is very limited protection – when you actually dig into the details, it does nothing to protect whistle-blowers and hence does nothing to increase openness and transparency in this province.

We had an opportunity here in Alberta to put forward whistle-blower legislation, the strongest whistle-blower legislation across the country, so that individuals could come forward, shine the light on infractions of the government or wasteful spending, and really have openness and transparency. Unfortunately, it's been universally panned by stakeholders, third parties, independent bodies that have expertise in this, and the media. Everybody has basically stated that this legislation was a failure. They've given it a complete failure. The Minister of AT and T should have been bold, should have come forward with the strongest possible legislation in this province so that we could actually see results on this file.

3:40

Mr. Speaker, with respect to Government Motion 30, as was stated earlier, even if the Public Interest Commissioner is well qualified, even if he's exceptionally diligent in his job, unfortunately he has to abide by the weakest whistle-blower legislation in Canada. He has to abide by that legislation. His mandate would be limited to what's set out in the legislation, and this legislation was a failure. It does not protect whistle-blowers. We see again and again individuals in health care, particularly in health care, in education, and so forth who want to come forward and express their legitimate concerns to try and better the system, but they are scared. They are scared that under this government, where we've seen intimidation and bullying, they can't do that or there will be repercussions.

What whistle-blower legislation is supposed to do is protect those very same individuals. Unfortunately, Mr. Speaker, this legislation does nothing to protect those individuals, so it defeats the whole purpose of actually implementing that type of legislative framework. This Public Interest Commissioner is in a very precarious situation because an individual could come to him, expose certain evidence, but under the legislation as it currently stands, without this government accepting the substantive amendments that were put forward by the Official Opposition, the legislation would afford those same individuals no protection.

Unfortunately, Mr. Speaker, despite what was a good concept by the Premier in her throne speech, the whistle-blower legislation does not increase openness and transparency.

Those would be my comments on Government Motion 30. Thank you, Mr. Speaker.

**The Speaker:** Are there others? The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Mr. Speaker. Again, it's an honour to rise today and talk once more about the Public Interest Disclosure (Whistleblower Protection) Act and the motion here to appoint a commissioner. Now, I find it interesting that we're appointing a commissioner to look after this legislation when, as we discussed back in the debate, the commissioner really has the ability for whatever reason to not investigate. It's right here in the legislation as well. It could be within the regulations as well. Under section 36 in the act it says:

The Lieutenant Governor in Council may make regulations . . .

- (j) prescribing circumstances in which the Commissioner is not required to investigate a disclosure.

We're talking about installing somebody into this position, and we haven't even seen the regulations yet. We don't know what this person is going to be allowed to investigate. I find it unfathomable that we're actually appointing somebody to this position before we've seen the entire set of regulations that will govern the implementation of this act.

[Mrs. Leskiw in the chair]

I guess it's with great trepidation that I'll be voting on this motion here today. [interjections] I said voting "on" this motion.

I had a lot of frustration with this legislation when we were debating it back in the fall, and my frustration continues today. I mean, really, this is not public interest disclosure. This is muddying the waters. This is adding smoke and mirrors back into Alberta politics and finding a way of burying the concerns of the employees of this government within another bureaucratic nightmare. Again, as I said, it's frustrating, and with trepidation I will be voting on this motion today.

**The Acting Speaker:** The Member for Edmonton-Calder.

**Mr. Eggen:** Thank you, Madam Speaker. You look really well. That entire ensemble with the Speaker's chair suits you very well, I must say. That's great. If somebody looks back in history, they'll note that I did do that job once briefly, too. I don't know if it's such a good one or not.

Anyway, I'm just up here, Madam Speaker, to speak briefly on Government Motion 30 in regard to the Ombudsman taking on this role of the Public Interest Commissioner for a term. I know that the Ombudsman's staff is a very competent team, and they are willing to expand and to take this onto the side of their desks as part of the whistle-blower protection act. I just have a couple of comments in regard to how that might unfold. As I say, the staff of the Ombudsman's office is very competent and has lots of experience, and I think that they could offer us probably quite a few insights as to the shortcomings of the whistle-blower protection act as it unfolds as they try to execute that act off the sides of their desks and through the Ombudsman's office. I'm hoping that we give the Ombudsman and their office plenty of latitude to give us some insights as to what shortcomings do exist in this whistle-blower protection act that we handed down to them.

[The Speaker in the chair]



We know that there were lots of problems with this act, and we know that the compromises that were built into this act, I think, eventually really emasculated the original intention of the whistleblower protection act. I'm hoping that the Ombudsman's office can in fact help to rectify that problem and that we have open ears and allow those officials to give us the information so that we can in turn give back, then, the tools that would make this an effective piece of legislation to move forward on.

Albertans want clear whistle-blower legislation. We know that people in the public service, in emergency services, in just all different walks of life have been hamstrung by threats to their jobs and to the security of their jobs in the past, withholding the knowledge that they know might increase the safety of Albertans. It's been going on for years. It's not something that's exclusive to Alberta, but it's a situation that other jurisdictions around North America have been rectifying. You know, if we would have looked at some of the legislation that has taken place around this issue in different places in North America, in Canada in particular, we could have given the Ombudsman's office much stronger tools than we have.

With that, moving forward, I do feel that by perhaps heeding my words and allowing the Ombudsman to give us a frank critique of this legislation and asking where we can change and amend it – certainly, the basic concept of whistle-blower protection I have no problem with and would like to see it move forward as quickly as possible here in the province.

Thank you.

**The Speaker:** Thank you, hon. members. Standing Order 29(2)(a) is now available.

Seeing none, are there any other speakers to this particular motion?

If not, the hon. Deputy Government House Leader to close debate.

**Mr. Campbell:** I'll call the question, please, Mr. Speaker.

[Government Motion 30 carried]

## Government Bills and Orders Second Reading

### Bill 12 Fiscal Management Act

[Adjourned debate March 13: Mr. Campbell]

**The Speaker:** The hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Mr. Speaker. It's a great honour to get up and speak on Bill 12. I guess I try not to be negative with stuff, but this one might be hard to have a positive sales pitch on for me. You know, it's tossed out an established format that we've used for over 20 years in this fine Assembly of how to format budgets and quarterly updates as we stick to the rules around what debt is. It seems to be a bit of a challenge now for this current sitting government on how to work around debt. Well, it could have been a challenge, but at least when they had enough money rolling in, it wasn't a big problem all the time. Now that that's cut off a little bit, we have a large issue with it, and I'm, you know, pretty sure we've identified it now. I guess what scares me is that when you sit and you look at how it's kind of all rolled out, we're going to change things around a little bit.

3:50

I caught the ire of the crowd a little bit yesterday with my question when I brought up about three different sets of books. That

was probably out of line because it's just three different ways of accounting for everything, which is very creative, to say the least. With the new format that has been proposed here with Bill 12, the biggest thing is that it doesn't retroactively go back, so it's hard to compare historical numbers. I mean, there's the odd accountant in the room. I think the Member for Edmonton-Gold Bar is one.

**An Hon. Member:** He's a very odd accountant.

**Mr. Donovan:** Yes. He's just one of those guys.

But, you know, we have accountants in the room. They are professionals, and they say: well, this is how you go through things. I know I've drawn excitement out of the crowd before when I've compared the changing of the bookkeeping to kind of how Enron went about doing some things a number of years ago and WorldCom, all of those. They kind of went around doing their accounting process so that it was very hard to tell what you were actually budgeting on.

You know, as we sit here, you kind of wonder why everybody on the government side sometimes think they are the smartest people in the room. Yes, they've got these 61 seats... [interjections] Cheer that on, Lesser Slave Lake. You might not enjoy it in 2016, I'm hoping.

I mean, we can always go back. I'm sorry for causing any kind of debate and anything that could be going on and the anger over there. Honestly, we're coming up to a year of being in here. A year ago right now we were all knocking on doors and shaking hands and going to public forums and talking about what each party and each place and each person had better than the other party and policies. That's how democracy works. It was great.

Now, the challenge is there. The candidate I ran against in Little Bow was a good friend of mine. Not at any of the forums did I hear him say: "We're going to go back in debt. That's our mandate. That's our policy. That's how we're going to run." You know, when you get into that, I think that's why a lot of Albertans probably don't have a lot of trust in all their politicians. You go out and you campaign on something. I mean, we had some colleagues in the third and fourth parties saying: let's just raise taxes. Hey, they were upfront about what they were going to do. Some said that they were going to raise corporate taxes. That was their way of balancing the books. Our party said: we're going to have to stretch out some things over some capital spending, maybe get rid of some bureaucracy in there, work out some management issues here and there.

Then we have the party that won. Hey, that's what the electorate said. You won, and I give you that. You won more seats. But I don't remember anybody over there saying: hey, we're going to go into debt when we do this. I wasn't lucky enough to go to Edmonton-Gold Bar and listen to the hon. member in their campaign, but I'm pretty sure he probably didn't say: if you elect me, we're going to take this government into debt. I'm just throwing it out there, but I'm pretty sure it probably didn't happen.

I think, you know, you've got to go back to what you said when you were campaigning, not that anybody in here on the government side planned on having to go into debt. But the whole fact is that you could probably look at it and say: something had to give. We can't keep spending a hundred million dollars at AHS for 17 months on executive squandering of money in there, the bonuses that go out. You've got to tighten your belt on things, but you've got to stick with what you campaigned on.

I wasn't there for the RRSP, I wasn't here for a government gold-plated handout and all the rest, so I gave mine back. That was what I campaigned on. I don't expect anybody else in this

room to give theirs back because I don't know what you campaigned on. I gave mine back. It wasn't an issue for me. I gave it to the food banks, gave it to a couple of charities, and that was fine. That was the process of it. You've got to stick with what you say.

**The Speaker:** Hon. member, I hesitate to interrupt, but could I call for total silence for a second?

**An Hon. Member:** Somebody's phone is vibrating.

**The Speaker:** Somebody's cellphone is vibrating? Okay. The noise has stopped.

Sorry, hon. member, to interrupt. I didn't know if I was hearing some sort of an alarm signal or not. Carry on.

**Mr. Donovan:** Thank you, Mr. Speaker. As I said, you've got to stick with what you say when you're campaigning. It goes back to a trust level. Now, I'm very lucky in my riding. I'm only the third MLA in the last 50 years, but I had some great people ahead of me.

The hon. Ray Speaker: now, there was a guy that was in four different parties. He was Social Credit back when Peter Lougheed came in. He was a minister previous to that. He rode with that for a while. He actually ended up in four different parties in his time. That goes back to: it's not always the party, and it's not everything else. He was a respectful person who, when he said something, stuck with it, and he always did. He always stuck with what he said. He stuck with what his constituents wanted. To me, that's what your job is here. You're here to represent what your constituents want. You hear all kinds of things, but, you know, his skills were so good that when he retired from being an MLA and stepped down, he ran when the Reform Party was an upbeat new party coming along to maybe unseat some of the old problems that we had in a lot of old parties.

If you kind of spin it, I guess it's all in how you look at things, but I think that maybe that's kind of where I see our party at right now, an upbeat party that's going along and changing how you're doing things. We can sit and figure it all out from the other side. You know what? I'm more than happy to sit. I like sitting around and having the socials with some of the members from the other side. I think we always have to remember that when we're inside here, you have your party policies and what you stand for with your party. When you go outside, when we're all friends, you've got to get along. The 87 people in here all got elected by their constituents because they thought they were the right people for the job, that they would represent their constituency and would actually do what they said when they were campaigning.

Mr. Speaker had a great track record, from 1963 to '92: Social Credit, independent. He started his own political party when he wasn't happy with any of the ones that were on the floor currently, and then he crossed over to the mother ship at the time to finish out, and that's how he finished it out.

When he retired, a friend of mine, Mr. McFarland, became the MLA in '92 for 20 years. Again, anybody on that side of the floor that probably sat with him in caucus meetings – Barry is a very straight-up individual. You generally never leave the room wondering where he came from on something. He told you. That's what the man had, and that's what sold him so well in the constituency all the time. He didn't agree with everybody all the time, but he always let you know what he was thinking, and he always represented his constituents. I go through the *Hansard* from when Mr. McFarland got in and made his maiden speech, and his was on fighting for Little Bow. I think he was very good at it. He always stood up for what the constituents wanted.

He was a very frugal person when it came to money. From my

understanding, over a number of years the constituency office always gave money back to the government because he didn't spend it all. He didn't feel the need to have all the lavish things. I took over his old office. Trust me, it is far from lavish, but it works well for what the constituents in my area want. They don't need all the frills. They don't need all the gimmicks. They want responsible government and, actually, people that sit and do things that they say they're going to do.

So it goes back to when you're campaigning, whether you're an accountant in Edmonton-Gold Bar or a farmer in Mossleigh, to sticking to what you said you were going to do when you campaigned. I don't think anybody campaigned on, "This is what we're going to do and then change to go to Bill 12, the Fiscal Management Act," to change a law that was sitting there for over 20 years that was working. I always get worried and wonder: why are we changing it? Obviously, there must be bogeymen in the room and stuff like that, as I've heard before, that have caused all these problems.

The oppositions before have done great jobs, and I think our job as loyal opposition is to hold the government accountable. To me, one of the things that I think needs to be held accountable is how we're going about doing things here. It's being fiscally responsible. It's always the starting of little things here and there. Everybody is, like, "Oh, that's not a lot of money" or "It's not this much money," but it all adds up. I believe I brought up I think it was Motion 507 or one of the motions that I've talked on before. I'm very lucky that I have a good rapport with the past MLAs. The government always had the money for capital, but they never put money in for operation when they built stuff so that you could do the 50 schools, the hospitals, everything else. I tie it, you know, to building a barn and not having the quota or the cattle or the feed in there or anybody to run it. It goes back to that you've got to do some truly good planning, I think, when you're doing things and not spend money just to spend money. It's a challenge.

4:00

I can see how it can happen. Everybody gets in, and they want to lavish everybody with what they want, and they want to get your ear because they're trying to get you to see their side. But where's the line of: what do we really need?

Now, I'm sitting here playing with my pen as I make my speech, and it's a Barry McFarland pen, MLA for Little Bow. Why? Because I'm cheap. There was a box of them left in the office when Barry headed out. I still use them. They've still got good ink in them. I mean, it's a PC pen from back in the day, and it hasn't exploded in my hand in any way, shape, or form. You know, you've got to be frugal with these things, and that's the challenge. You've got to sit there and figure it out. If we're going to lead by example in this format in here and show the people of Alberta that we're truly trying to cut back and we're truly trying to do things differently, I think we've got to sit back and figure out how to do it.

As I say, I touched on it a little before about the changing of bookkeeping and stuff, and that always worries me because usually when you start to change things like that, the format of it – so you can't actually go back and compare it to previous years – it's a definite challenge for, you know, the Henrys and Marthas of the world to figure out where the government started spending money, where they've added it, where they've cut it and put in an operational budget, a capital budget, and a savings budget. None of it really correlates with what had happened over the years.

I'd just like everybody this weekend when you go home – and I know everybody on a Thursday afternoon isn't always a huge fan of hanging out in here, but when you go back home . . .

**Ms Blakeman:** It's a fabulous constituency.

**Mr. Donovan:** It's a lovely constituency, and I always say that. I think I rent an apartment in it now, so I love it that much that I like to hang out here during the week.

But when you go home, just really sit back and think: last year, when you were door-knocking, did you actually say that we're going to go into debt? I'm not hearing a huge crowd, not anybody on that side jumping up and down and saying: yeah, that's how we campaigned. No. I distinctly remember that the campaigns were: "We can toe the line. We can keep having the schools, the hospitals, all of the infrastructure we need, the overpasses. You name it, we can have it."

Nobody from that side, that I remember, when we campaigned said: we're going to go into debt to do this. It's been very cleverly spun that it's like a household mortgage. Yeah, there could be some voters remorse, but that's part of the game, and that's how democracy works. We'll find out in 2016, in three short years. I mean, the year slid by fairly fast.

We've got to sit back and figure out: did anybody campaign on going into debt? I'm not saying that it's the end of the world. I mean, you've just got to go back and say: did you actually do that a year ago? I don't recall anybody doing that. Not one. There wasn't a person on the other side with that format, that policy, that said: we're going to go into debt.

Whereas now we've gotten into a situation, a problem of finances, and now you want Bill 12, the Fiscal Management Act, passed to change how we account. I'd just like everybody to go back and just really think. Is this how you want to run Alberta into the ground in four years? In all honesty, there's no plan in Bill 12 for how to pay it back. There's no strategy for what we're going to pay back or for how you're going to do it. I honestly think your strategy is that somebody else is going to have to deal with it. I'm hoping that with a little bit of rational thinking we can go back and keep doing some long-term planning on what we're doing for capital projects.

Thank you.

**The Speaker:** Thank you.

Hon. members, 29(2)(a) is available. The hon. Member for Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. That's Rimbey-Rocky Mountain House-Sundre. It is the longest name for a riding in this Legislature by far, and I'm very proud to be its MLA.

The question is for the previous speaker, Mr. Speaker. He made a reference to Enron and its accounting issues. I was wondering if he would elaborate on how the Enron accounting problems relate to this budget and to how this government has been reporting.

**The Speaker:** The hon. Member for Little Bow to respond, noting that there are others who wish to participate in 29(2)(a).

**Mr. Donovan:** Well, unlike other colleagues in here, I don't have a background in accounting, so I can't say that I know exactly how Enron – I can tell you about how Enron probably affected everybody financially in the province, tied in one way or the other. I've heard different stories of how they had blocked gas when they bought it and everything else and used some fairly fictitious numbers to make their numbers work. They cooked around the books, to say the least. I mean, it was done. What scared me with that . . .

**The Speaker:** Hon. member, before we start to get notes of relevance, please keep this relevant to the particular subject under debate right now.

**Mr. Donovan:** You betcha. I was just trying to answer the question.

I mean, the thing was that there was so much money across there. I guess the relevance, Mr. Speaker, is that when they changed their accounting practices, they were doing that in the midst of trying to cover up some huge financial challenges that they had as a company because they got a little loose with the chequebook. They got a little crazy in how they were going to run things, and they kind of thought: we'll just spend our way out of it. I think what happened there – I mean, one of the largest accounting firms in the United States was their auditor, and they didn't catch it – was that they ended up going broke over it because they weren't doing a good job.

**Mr. Dorward:** Arthur Andersen.

**Mr. Donovan:** Arthur Andersen. See? I knew an accountant would know that. That's great.

What scares me is that I don't think anybody honestly goes in planning to do it wrong, but then all of sudden you get caught behind the eight ball, and the ball is rolling all the time. I worry when this government is changing the process with a bill on financing – it's been working for 20 years – and goes to the Fiscal Management Act to change the whole way it's laid out. I'm concerned about how that rolls out.

**Mr. J. Johnson:** Mr. Speaker, I've got a very specific question for the hon. member with respect to debt and how he and his party feel about debt in their criticism of us looking at debt for capital. They give the impression that debt is a new thing, that this government is trying to talk about debt as a brand new thing. I'm sure he realizes that P3 schools, P3 projects are debt. There's a liability there. All the ring roads around Edmonton and Calgary: debt there. With every one of the P3 schools that we built, which is about 35 now I think, there is debt there. That's not something that this administration started. That's actually something Ralph Klein started. You know, to mislead people and to try to say that debt and deficit are the same thing – they're not. There's no debt on operations in this budget.

**An Hon. Member:** Yeah, there is. It's a deficit.

**Mr. J. Johnson:** No, it's not. There's cash to cover off the operating deficit, which is not debt.

There's a strong net asset position for this province which is much different than any other province in the country. There seems to be a double standard here, though, that debt is a bad word, in their minds, unless it applies to a project in their constituency.

When we announced the twinning of highway 63, it was very clear that that twinning, which was a demand from the Member for Lac La Biche-St. Paul-Two Hills, was going to be financed with no opposition, no criticism from the opposition. When we announced the P3 schools, when we went to turn sod for the school in Airdrie – I've got the article right here. The hon. Member for Airdrie is on the front page with the shovel, turning sod on a P3-financed school in Airdrie last summer. Those are debts. Now, it seems there's a double standard: we don't want debt for the rest of the province, but if it's for our constituency, it's okay.

To the hon. member, who has a school division that we built a school in that just opened in 2012, Picture Butte, and there are more on the list from his school divisions: I'm wrestling with the capital list, but if his constituency gets a new school on the new capital list and it's a P3 school, which is debt, does he support that?

**Mr. Donovan:** It was a great question, and I appreciate that. I actually have six school divisions in my riding, with all of them crossing over back and forth. [Mr. Donovan's speaking time expired] I was so close.

**The Speaker:** Thank you, hon. member. We'll look forward to your answer at another time.

In the meantime let's go to Edmonton-Centre.

4:10

**Ms Blakeman:** Thank you very much, Mr. Speaker. I haven't spoken to this one already, have I? Because I have a lot of notes, and that always make me think.

On this day when my long service has been recognized, it's very interesting to be debating this particular bill because there have been two previous bills in my time here which I have always referred to as the Government Has To Pass a Law To Keep Itself under Control Financially Bill. One of them was brought in by the Treasurer at the time, Mr. Stockwell Day, and that was the one that I think, honestly, was legislation that said that the government couldn't go into debt. And I thought to myself: how bad a manager are you that you've got to pass legislation to tell yourself that you can't go into debt? I mean, don't you just know not to go into debt? But, no. They actually had legislation that said that.

Actually, all credit goes to Ken Nicol, who was then the Leader of the Official Opposition, who kept saying to the government that you have to create – oh, there were two different ways of referring to it. So the government ended up creating a sustainability fund. He used another word for it. But he was saying that when you've got a surplus, you need to put some of that money aside so that given the cyclical nature of Alberta's economy and its dependence on oil and gas revenues, you know, when it starts to dip, you're able to ride it out with that.

You know, Mr. Nicol just pounded away at that. We were jeered at. We were laughed at. People said: what a stupid idea. Then before we knew it, the government adopted it. That was the second piece of legislation where the sustainability fund was set up. Again I kind of laughed to myself and said, "Well, that's funny because that's the one where the government has to tell itself to save money," which, again, would seem like kind of an obvious thing for the government to be doing.

Now we have an act – and they always have really great names like Fiscal Responsibility Act. Well, yeah. What was the other one? Oh, there we go. The Government Accountability Act. Yeah. I'd hope that a government was fiscally responsible. And the granddaddy was the Financial Administration Act. You know, I think that in a lot of ways some of the previous acts, the predecessors to Bill 12, the Fiscal Management Act, were a certain amount of PR and pomp and circumstance to be able to advertise to people. They were kind of election gimmicks: we've got legislation that we will not go into debt. Okay. Good. The government actually used that, and it was quite effective when they were on the doors, but I always secretly kind of giggled because I thought it was so silly that they would have to actually make legislation to have them do things that any Albertan would expect them to do anyway.

So here we are. They are now repealing two of the ones I just talked about. One of them has already been repealed. Just let me

check the back, and I'll see what they're taking out. Here we go. They're repealing the Fiscal Responsibility Act and the Government Accountability Act. Those two are now gone, and with that, we're getting the Fiscal Management Act. Are you all following along with this? I was going to say that the only thing it has in common is the fiscal, but it doesn't, so there we go.

Is this an improvement? No, it's not. This bill actually gives us less accountability from the government, less requirement to be keeping the books and being able to access them in a way that is not easy but at least not so darn difficult. You know, I'm a big proponent of open data because, really, aside from security things and super-duper confidentiality and budgets and stuff, where you might be able to manipulate markets and that, I think there's an awful lot of information that the government holds that it could just put online. Then we wouldn't have to worry about FOIP. We wouldn't have to worry about everybody being upset with this government consistently being voted the worst government to be working with freedom of information documents. I'm sorry; it's not always the worst. Sometimes it's second to the feds, I think.

But, you know, that information could just go online. It shouldn't be so hard to get fiscal information out of this government, yet each time the budget books come out, they're harder to read. There's less information in them. Health services: the entire budget for everything that goes into hospitals is one line in the budget document. Right. How do you tell what services are under that? You can spend your whole debate time going: "Okay. Well, what programs are under this particular vote or under this line?" Yeah, they make it really hard.

There's less accountability now. With the passage of this bill there's less transparency. There's less reporting of how the government is going to fiscally manage all they have. They've got a lot of money. I mean, this is the land of opportunity, make no mistake. My colleagues were talking about how wonderful Saskatchewan was today, but honest to goodness, this is the best place on Earth. We are so, so fortunate to have been born here or to have had the intellectual wherewithal to move here because this is where the dinosaurs decided to roll over and die, and as a result we have oil and gas reserves that are unbelievable.

That leads me to another thing that's missing from this bill. It does talk about a savings plan, but it doesn't talk about any endowments. Some time ago, when I was working with the Liberal leader, Dr. Taft, he had what I still think is the best idea, and I will happily have the government steal it. That was having a series of endowment funds that were coming from nonrenewable resource revenue. The money went into a postsecondary endowment fund, and there were certain percentages that were broken out. There was a postsecondary endowment fund, there was an arts and social sciences fund, there was an infrastructure fund, and then the heritage fund.

You know, we have so much opportunity in this province. Just imagine all the stuff that we could be doing. I admit that I still am baffled at how the government managed to go into a position of debt when we have so much in this province. Yes, I hear about the bitumen bubble, but . . .

**Mr. Donovan:** Ten dollars difference right now.

**Ms Blakeman:** Yeah, I know. Well, that's the thing. The bitumen bubble always reminded me – it's a terrible image, actually – of somebody blowing up bubble gum. You know, it gets too big, and then it pops, and it just splats on your face, which is kind of what happened to the government. The bitumen bubble itself lasted for – what? – 10 weeks. Then it was over, and the prices started to settle out.

What's really annoying about all of that is that we know that this province relies far too much on using a cyclical commodity, oil and gas, to balance its budget. Never, never, never should you be using nonrenewable resource revenue to supplement an operating budget. We've been doing that in Alberta four decades, and it's just flat-out wrong. I mean, people say to us: "Oh, I pay your salary. You should be doing X, Y, and Z for me." [interjections] Oh, yeah. See? Laughter. Everybody gets that one. I think to myself: actually, you're not. When we look at the taxes and personal and corporate income taxes contribution to the operating budget – and the operating budget is the money the government spends every day to supply programs or buy stuff or make stuff happen in the province, right? That's the operating budget.

4:20

Well, Mr. Speaker, I shouldn't go off on a tangent. I get too far out there, and I forget where I was. Does anybody remember? No? Okay. Nobody else was listening. [interjection] Debt. Thank you. Yeah, you're right: debt. You know, the amount of money that taxes put into the operating budget is about two-thirds of what we spend at any given time in operating money, so we're subsidizing our operating, a provision of provincial government programs and services, by 30 per cent every day, every year, and that's why we get into trouble.

When the price of that oil and gas, that nonrenewable resource revenue, goes down, we're short on 30 per cent of our budget, and all of a sudden we have all these cutbacks, and the cutbacks just make it really hard to manage things for the government. We end up with all kinds of political ideologies that play out: the government never really liked something. Well, stunningly, that's what gets cut the most – what a surprise – even, you know, if it didn't deserve to be cut the most. I would argue that nothing deserves to be cut the most, but there you go.

The flip side of that is the surpluses. When I started, the budget that we debated that year was \$17 billion – \$17 billion – and every year after that the budget got bigger and bigger and bigger. What we started to see was a lowballing of revenue, high on the expenses, and then: oh, my God, aren't they brilliant fiscal managers. The government would come out with a honking big surplus. Weren't they brilliant? No. Not giving them credit for that because they had deliberately lowballed stuff. I'd like to believe that this was sort of careful management, but it wasn't. It was just so out of whack. We got into years where we had, you know, \$2 billion, \$3 billion, \$4 billion, \$5 billion, \$6 billion surpluses.

Six billion extra dollars. Where is it? That's a lot of money. Where is it? Did we get paved roads? Is every road paved with gold? I mean, the amount of money that we have already spent that came out of nonrenewable resources is something over 200 and some-odd billion dollars since we started to collect it and use it that way. You think: "Holy mackerel. All right. Where is that money?" When I look around, where is that money? Do we have, you know, the highest completion rate for university students, the most amazing postsecondary research fellowships? Do we have a 100 per cent or a 99 per cent completion rate for high school students? Do we have no children growing up in poverty? No. So where did the money go?

This is why it's important that as part of this fiscal management bill, Bill 12, there is a really concrete plan about, one, not spending nonrenewable resource revenue on an operating budget. Two, I believe there should be a series of endowment funds. I support the postsecondary endowment fund as part of that cluster that I've been talking about as a sort of way to save this money because postsecondary education is the key to our future.

Any country that's gotten itself into trouble got itself out of trouble by doing two things. One is looking for innovation and really inciting a lot of creativity from its artists, which made it a better place to live, and a lot more stuff started to happen. It was more interesting. People would move there. Head offices would move there, et cetera, et cetera. The second thing was investing in education. Those two things would always pull those countries out.

I think postsecondary education should be invested in. I think it should be one of those endowment funds, and that kind of thing is not in here. Yeah, there's another kind of run at the stability fund. Yeah. Great. I think there's a commitment to put money into the heritage trust savings fund. Well, terrific, but if we're going to do that, why don't we learn some of the lessons from – what's that favourite phrase you guys have? – best practices? [Ms Blakeman's speaking time expired] You're kidding, Mr. Speaker. That's time? Wow.

**The Speaker:** Thank you.

Hon. members, 29(2)(a) is available. The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Mr. Speaker. Hon. member, thank you very much for the speech. I would like just a little bit of clarity on your position on government debt. I was hoping you could give me some information on that.

**The Speaker:** The hon. member.

**Ms Blakeman:** Thanks. My position on government debt is the same as my position on personal debt. Taking out a loan or going into debt to build an asset is worth doing. I mean, frankly, very few of us have the wherewithal to be able to build a home cash up front, so we save some money for a down payment – good; that's what we should be doing – and then we work it out with a bank or a credit union to borrow the money to allow us to build the house now and start to invest in an asset. You actually have an asset. It's worth something on the books, right?

I feel it's the same way for debt with government. You know, we need schools. I believe that government should build public institutions. I do not believe in P3s, and I certainly do not think that P3s are appropriate in Alberta. When we have such an amazing credit rating, we can borrow money for less money than they do. There are enormous problems with the maintenance of the contracts. We never get to see the contracts themselves, so there's a lack of transparency. The contracts are always written in a crappy way, and they end up with huge problems somewhere down the line. We get our resource or our asset back at some point at the end of the contract. So far we haven't taken any of them back, but – this will be another one of my I-told-you-so moments – we will get them back in a condition that was not what we were expecting and in worse shape.

Is it appropriate for government to borrow money in order to build infrastructure? Yes, it is, in the same way that all of us do. Now, is it appropriate for us to borrow money to pay off a credit card? No. That's not a wise way to be running your personal life either. You know, if you cannot pay off your credit card at the end of every month, you're spending too much money, and you need to cut back on it. No, you don't go into debt to pay operating money. Yes, certainly you do if you are providing infrastructure for the people of Alberta: schools, highways, bridges, courthouses. That's the kind of thing that you do want the government to be building for you, hopefully.

I mean, we've had such a bad run on that recently, where during the Klein years – sorry, Premier – one of the ways that they cut costs

was to reduce both the small maintenance but also the long, large, over-many-years investment kind of maintenance into infrastructure. As a result, we ended up at the end of that with, you know, crumbling bridges, bad highways. They were actually budgeting for and their goal, their target recognized worse conditions of our highways. It was in their budget documents that we would have worse conditions of our highways. They were planning for that. We're catching up with that. It's costing us money now. It cost us more money than if we'd done it to begin with.

There are all kinds of examples you can use about doing the maintenance on your car. You do regular maintenance on your car; you're going to have the car continue to run quite well. You do no maintenance: well, I'm sorry; I don't have a lot of sympathy for you when, you know, the muffler falls off.

I think you have to be reasonable about this. You end up with an asset that has a value that you could sell if you needed to; not that I'd want the government selling a bridge or a highway, but you could. It is an asset. Certainly, there are examples of, you know, some structures that we have sold in the past. I can think of a couple of schools, and they were sold to nonprofits, that kind of thing.

I hope that answered your question.

**The Speaker:** Hon. members, that's a convenient ending because it's 4:30. I would now declare that the House be adjourned until 1:30 p.m. on Monday under Standing Order 4(2).

[The Assembly adjourned at 4:30 p.m. to Monday at 1:30 p.m.]

## **Bill Status Report for the 28th Legislature - 1st Session (2012-2013)**

**Activity to April 11, 2013**

The Bill sponsor's name is in brackets following the Bill title. If it is a money Bill, (\$) will appear between the title and the sponsor's name. Numbers following each Reading refer to Hansard pages where the text of debates is found; dates for each Reading are in brackets following the page numbers. Bills numbered 1 to 199 are Government Bills. Bills numbered 200 or higher are Private Members' Public Bills. Bills numbered with a "Pr" prefix are Private Bills.

\*An asterisk beside a Bill number indicates an amendment was passed to that Bill; the Committee line shows the precise date of the amendment.

The date a Bill comes into force is indicated in square brackets after the date of Royal Assent. If a Bill comes into force "on proclamation," "with exceptions," or "on various dates," please contact Legislative Counsel, Alberta Justice, for details at (780) 427-2217. The chapter number assigned to the Bill is entered immediately following the date the Bill comes into force. SA indicates Statutes of Alberta; this is followed by the year in which it is included in the statutes, and its chapter number. Please note, Private Bills are not assigned chapter numbers until the conclusion of the Fall Sitings.

### **1\* Workers' Compensation Amendment Act, 2012 (Redford)**

First Reading -- 8 (May 24 aft., passed)

Second Reading -- 177 (Oct. 23 eve.), 193-96 (Oct. 23 eve.), 233 (Oct. 24 eve., passed)

Committee of the Whole -- 336-39 (Oct. 29 eve.), 354-71 (Oct. 30 aft.), 373-80 (Oct. 30 eve., passed with amendments)

Third Reading -- 476-84 (Nov. 1 aft., passed on division)

Royal Assent -- (Dec. 10 outside of House sitting) [Comes into force December 10, 2012; SA 2012 c8]

### **2\* Responsible Energy Development Act (Hughes)**

First Reading -- 207 (Oct. 24 aft., passed)

Second Reading -- 263 (Oct. 25 aft.), 424-43 (Oct. 31 aft.), 445-57 (Oct. 31 eve.), 526-46 (Nov. 5 eve., passed)

Committee of the Whole -- 563-71 (Nov. 6 aft.), 593 (Nov. 6 eve.), 644-48 (Nov. 7 aft.), 649-69 (Nov. 7 eve.), 731-53 (Nov. 19 eve.), 777-94 (Nov. 20 aft.), 795-853 (Nov. 20 eve.), 902-05 (Nov. 20 eve., passed on division, with amendments)

Third Reading -- 921-41 (Nov. 21 aft., passed on division)

Royal Assent -- (Dec. 10 outside of House sitting) [Comes into force on proclamation, with exceptions; SA 2012 cR-17.3]

### **3\* Education Act (J. Johnson)**

First Reading -- 155 (Oct. 23 aft., passed)

Second Reading -- 219-31 (Oct. 24 aft.), 238 (Oct. 24 eve., passed)

Committee of the Whole -- 380-407 (Oct. 30 eve., passed with amendments)

Third Reading -- 669 (Nov. 7 eve.), 688-94 (Nov. 8 aft.), 753-63 (Nov. 19 eve., passed on division)

Royal Assent -- (Dec. 10 outside of House sitting) [Comes into force on proclamation; SA 2012 cE-0.3]

### **4 Public Interest Disclosure (Whistleblower Protection) Act (Scott)**

First Reading -- 352-53 (Oct. 30 aft., passed)

Second Reading -- 423-24 (Oct. 31 aft.), 593-614 (Nov. 6 eve.), 627-44 (Nov. 7 aft., passed on division)

Committee of the Whole -- 975-80 (Nov. 22 aft.), 1057-74 (Nov. 27 aft.), 1075-101 (Nov. 27 eve.), 1127-137 (Nov. 28 aft.), 1139-161 (Nov. 28 eve., passed)

Third Reading -- 1161-166 (Nov. 28 eve., passed on division)

Royal Assent -- (Dec. 10 outside of House sitting) [Comes into force on proclamation; SA 2012 cP-39.5]

### **5 New Home Buyer Protection Act (Griffiths)**

First Reading -- 261 (Oct. 25 aft., passed)

Second Reading -- 354 (Oct. 30 aft.), 457-59 (Oct. 31 eve., passed)

Committee of the Whole -- 546-49 (Nov. 5 eve.), 571-83 (Nov. 6 aft.), 585-93 (Nov. 6 eve., passed)

Third Reading -- 853-55 (Nov. 20 eve., passed)

Royal Assent -- (Dec. 10 outside of House sitting) [Comes into force on proclamation; SA 2012 cN-3.2]

### **6 Protection and Compliance Statutes Amendment Act, 2012 (Jeneroux)**

First Reading -- 155 (Oct. 23 aft., passed)

Second Reading -- 209 (Oct. 24 aft.), 264 (Oct. 25 aft., passed)

Committee of the Whole -- 459-62 (Oct. 31 eve., passed)

Third Reading -- 855-56 (Nov. 20 eve., passed)

Royal Assent -- (Dec. 10 outside of House sitting) [Comes into force on various dates; SA 2012 c7]

- 7\* Election Accountability Amendment Act, 2012 (Denis)**  
First Reading -- 774 (Nov. 20 aft., passed)  
Second Reading -- 972-75 (Nov. 22 aft.), 1015-41 (Nov. 26 eve., passed)  
Committee of the Whole -- 1166-167 (Nov. 28 eve.), 1191-92 (Nov. 29 aft.), 1221-43 (Dec. 3 eve.), 1261-79 (Dec. 4 aft.), 1281-1300 (Dec. 4 eve., passed, with amendments)  
Third Reading -- 1315-37 (Dec. 5 aft., passed on division)  
Royal Assent -- (Dec. 10 outside of House sitting) [Comes into force on various dates; SA 2012 c5]
- 8 Electric Utilities Amendment Act, 2012 (Hughes)**  
First Reading -- 156 (Oct. 23 aft., passed)  
Second Reading -- 233 (Oct. 24 eve.), 316-36 (Oct. 29 eve., passed)  
Committee of the Whole -- 857-902 (Nov. 20 eve.), 943-53 (Nov. 21 eve., passed)  
Third Reading -- 953-56 (Nov. 21 eve., passed)  
Royal Assent -- (Dec. 10 outside of House sitting) [Comes into force December 10, 2012; SA 2012 c6]
- 9 Alberta Corporate Tax Amendment Act, 2012 (\$) (Horner)**  
First Reading -- 156 (Oct. 23 aft., passed)  
Second Reading -- 209-10 (Oct. 24 aft.), 272 (Oct. 25 aft.), 311-16 (Oct. 29 eve., passed)  
Committee of the Whole -- 462 (Oct. 31 eve., passed)  
Third Reading -- 856-57 (Nov. 20 eve., passed)  
Royal Assent -- (Dec. 10 outside of House sitting) [Comes into force on various dates, SA 2012 c4]
- 10 Employment Pension Plans Act (Kennedy-Glans)**  
First Reading -- 261 (Oct. 25 aft., passed)  
Second Reading -- 521-26 (Nov. 5 eve., passed)  
Committee of the Whole -- 668-69 (Nov. 7 eve., passed)  
Third Reading -- 857 (Nov. 20 eve., passed)  
Royal Assent -- (Dec. 10 outside of House sitting) [Comes into force on proclamation; SA 2012 cE-8.1]
- 11 Appropriation (Supplementary Supply) Act, 2013 (\$) (Horner)**  
First Reading -- 1424 (Mar. 6 aft., passed)  
Second Reading -- 1480-86 (Mar. 11 eve., passed)  
Committee of the Whole -- 1534-41 (Mar. 12 eve., passed)  
Third Reading -- 1583 (Mar. 13 aft.), 1559-60 (Mar. 13 eve., passed)  
Royal Assent -- (Mar. 21 outside of House sitting) [Comes into force March 21, 2013; SA 2013 c2]
- 12 Fiscal Management Act (\$) (Horner)**  
First Reading -- 1438 (Mar. 7 aft., passed)  
Second Reading -- 1479-80 (Mar. 11 eve.), 1560-78 (Mar. 13 aft.), 1579-83 (Mar. 13 eve.), 1785-90 (Apr. 11 aft., adjourned)
- 13 Appropriation (Interim Supply) Act, 2013 (\$) (Horner)**  
First Reading -- 1456 (Mar. 11 aft., passed)  
Second Reading -- 1527-34 (Mar. 12 eve.), 1556 (Mar. 13 aft., passed)  
Committee of the Whole -- 1583 (Mar. 13 eve., passed)  
Third Reading -- 1695-1700 (Mar. 21 aft.), 1695-1700 (Mar. 21 aft., passed)  
Royal Assent -- (Mar. 21 outside of House sitting) [Comes into force March 21, 2013; SA 2013 c1]
- 14 RCMP Health Coverage Statutes Amendment Act, 2013 (VanderBurg)**  
First Reading -- 1690 (Mar. 21 aft., passed)
- 15 Emergency 911 Act (\$) (Weadick)**  
First Reading -- 1762 (Apr. 10 aft., passed)
- 16 Victims Statutes Amendment Act, 2013 (\$) (Denis)**  
First Reading -- 1762-63 (Apr. 10 aft., passed)
- 17 Municipal Government Amendment Act, 2013 (Kubinec)**  
First Reading -- 1779 (Apr. 11 aft., passed)
- 201\* Scrap Metal Dealers and Recyclers Identification Act (Quest)**  
First Reading -- 92 (May 30 aft., passed)  
Second Reading -- 291-301 (Oct. 29 aft., passed)  
Committee of the Whole -- 716-22 (Nov. 19 aft.), 1725-26 (Apr. 8 aft., passed with amendments)  
Third Reading -- 1726-27 (Apr. 8 aft., passed)



- 202      Public Lands (Grasslands Preservation) Amendment Act, 2012 (Brown)**  
First Reading -- 130 (May 31 aft., passed)  
Second Reading -- 501-13 (Nov. 5 aft.), 1723-25 (Apr. 8 aft., defeated on division)
- 203      Employment Standards (Compassionate Care Leave) Amendment Act, 2012 (Jeneroux)**  
First Reading -- 473 (Nov. 1 aft., passed)
- 204      Irlen Syndrome Testing Act (Jablonski)**  
First Reading -- 968 (Nov. 22 aft., passed)
- 205      Fisheries (Alberta) Amendment Act, 2012 (Calahasen)**  
First Reading -- 1117 (Nov. 28 aft., passed)
- 206      Tobacco Reduction (Flavoured Tobacco Products) Amendment Act, 2012 (Fraser)**  
First Reading -- 1350-51 (Dec. 6 aft., passed)
- 207      Human Tissue and Organ Donation Amendment Act, 2013 (Webber)**  
First Reading -- 1690 (Mar. 21 aft., passed)
- 208      Seniors' Advocate Act (Towle)**  
First Reading -- 1315 (Dec. 5 aft., passed)







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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Monday, April 15, 2013

Issue 45

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta  
The 28th Legislature**

First Session

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**Party standings:**

Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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George VanderBurg	Associate Minister of Seniors
Greg Weadick	Associate Minister of Municipal Affairs
Teresa Woo-Paw	Associate Minister of International and Intergovernmental Relations

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on Alberta's Economic Future

Chair: Mr. Amery

Deputy Chair: Mr. Fox

Bhardwaj	Olesen
Cao	Pastoor
Donovan	Quadri
Dorward	Rogers
Eggen	Rowe
Hehr	Sarich
Luan	Strankman
McDonald	Xiao

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Khan

Deputy Chair: Mrs. Jablonski

Anderson  
Casey  
Dorward  
Eggen  
Kubinec  
Sandhu  
Sherman

### Select Special Conflicts of Interest Act Review Committee

Chair: Mr. Allen

Deputy Chair: Mr. Luan

Blakeman	Notley
Dorward	Saskiw
Fenske	Wilson
Johnson, L.	Young
McDonald	

### Standing Committee on Families and Communities

Chair: Mr. Quest

Deputy Chair: Mrs. Forsyth

Brown	Jeneroux
Cusanelli	Leskiw
DeLong	Notley
Fraser	Pedersen
Fritz	Swann
Goudreau	Towle
Jablonski	Wilson
Jansen	Young

### Standing Committee on Legislative Offices

Chair: Mr. Cao

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Bikman	Leskiw
Blakeman	Quadri
Brown	Rogers
DeLong	Wilson
Eggen	

### Special Standing Committee on Members' Services

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Deputy Chair: Mr. Rogers

Casey	Mason
Forsyth	McDonald
Fraser	Quest
Kennedy-Glans	Sherman
	Smith

### Standing Committee on Private Bills

Chair: Mr. Xiao

Deputy Chair: Ms L. Johnson

Barnes	Jablonski
Bhardwaj	Leskiw
Brown	Notley
Cusanelli	Olesen
DeLong	Rowe
Fox	Strankman
Fritz	Swann
Goudreau	Webber

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Ms Olesen

Deputy Chair: Mr. Lemke

Calahasen	McAllister
Cao	Notley
Casey	Pedersen
Hehr	Rogers
Jansen	Sandhu
Kennedy-Glans	Saskiw
Kubinec	Towle
Luan	Young

### Standing Committee on Public Accounts

Chair: Mr. Anderson

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Amery	Jeneroux
Anglin	Khan
Bilous	Pastoor
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Goudreau	Sarich
Hale	Stier

### Standing Committee on Resource Stewardship

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Deputy Chair: Mr. Anglin

Allen	Hale
Barnes	Johnson, L.
Bikman	Khan
Bilous	Kubinec
Blakeman	Lemke
Calahasen	Sandhu
Casey	Stier
Fenske	Webber

## Legislative Assembly of Alberta

1:30 p.m.

Monday, April 15, 2013

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon, hon. members and guests.

Let us pray. Dear Lord, let us be thankful for the opportunity we have been given to help improve the lives of others, and let us count among our blessings the freedoms and the responsibilities that accompany that opportunity. Amen.

Please remain standing, hon. members, for the singing of our national anthem led by Mr. Paul Lorieau, and I invite you to participate in the language of your choice.

### Hon. Members:

O Canada, our home and native land!  
True patriot love in all thy sons command.  
With glowing hearts we see thee rise,  
The True North strong and free!  
From far and wide, O Canada,  
We stand on guard for thee.  
God keep our land glorious and free!  
O Canada, we stand on guard for thee.  
O Canada, we stand on guard for thee.

**The Speaker:** Thank you, members. Please be seated.

### Introduction of Guests

**The Speaker:** The hon. Minister of Tourism, Parks and Recreation.

**Dr. Starke:** Well, thank you, Mr. Speaker. It's my great pleasure today to introduce to you and through you to all members of the Assembly a group of 12 students who geographically represent Alberta from Calgary right up to Grimshaw. While that would seem a little bit unusual, what is not unusual is that they have enrolled themselves in the School of Hope home-schooling program, which my two sons graduated from. I'm very pleased to have them here today along with seven parent leaders and their teacher, Mrs. Johnston MacMillan. I had the opportunity to meet with these students. They're anywhere from grade 4 to grade 7. They informed me that they've enjoyed their visit to the Legislature very much and that it beats a day at home. They're seated in the public gallery, and I'd ask them to rise and receive the warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Well, thank you, Mr. Speaker. I would like to introduce to you and through you to all members of the Assembly 23 members of l'école St. Angela elementary school. They are a grade 6 class that will be here for the whole week as part of the School at the Legislature, and they are here with their teacher, Luke Wasik. If I could have them all stand, please, and receive the warm traditional welcome of the Assembly.

**The Speaker:** The hon. Minister of Energy.

**Mr. Hughes:** Thank you very much, Mr. Speaker. I'm pleased to introduce to you and through you to all members of this Assembly a group of students with three teachers from Webber Academy. Webber Academy houses students from kindergarten through to

grade 12 and is located in the scenic and historic constituency of Calgary-West. They are seated in both the members' and the public galleries. I'd ask that they rise and receive the traditional warm welcome of the Assembly.

**Mr. Anderson:** Mr. Speaker, I'd like to introduce to you and through you to all members of this Assembly one of the most courageous individuals I've ever met along with her loyal family and friends. I'd ask them to rise and remain standing as I introduce them. First, Dani Polsom. She has been in the news a lot lately. She tragically was abused for eight years and then had her case dropped because of Crown and system delays. It is her courage that has resulted in the government's recommendations, just released on Friday, which should help ensure that what our system did to her doesn't happen again.

Also with Dani is her mother and biggest cheerleader, Alison Jones. Then we have several family members: Kevin Hughes, Alison's boyfriend; Lance Edwards-Hampton, Dani's boyfriend; Andy Jones, Alison's brother; Beverley Jones, Alison's sister; Kristopher Polsom, Dani's twin brother; David Jones, Alison's nephew; and friends Lois Jones; Karen MacDonald, another wonderful victims' advocate; and Angie Milley-Lowe.

They are here today with a document that I will table after question period urging the government to make some important changes to justice legislation. I'd ask them to rise if they haven't already and receive the very warm welcome of this Assembly. [Standing ovation]

**The Speaker:** Thank you.

The hon. Member for Edmonton-Meadowlark and leader of the Liberal opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of this Assembly Jon and his wife, Evelyn, who have travelled to Edmonton from Shellbrook, Saskatchewan, to advocate for Jon's brother Paul Siebert, who is a 55-year resident of Michener Centre. Accompanying them is Jon's brother James Siebert and his wife, Ann, as well as their daughters Melody and Joy.

Paul, who is now 60 years old, was 17 months old when he was diagnosed with encephalitis. He suffered brain damage and began having up to 24 seizures a day, and it affected his sensory abilities. Paul's parents, Abe and Cornelia Siebert, lived 30 miles away from town with their family, and without the care of nurses they cared for Paul around the clock and even took turns sleeping with him in his bed. Paul was five when Michener Centre opened their doors to him, and he has lived there happily and safely for the last 55 years. Mr. Speaker, Paul's mother, Cornelia, was so touched by her son's life that she felt compelled to write the story of Paul. She wrote a book titled *Over the Wall* with Paul, that I will table later today. Please join me in giving Jon and Evelyn Siebert and James, Ann, Melody, and Joy the traditional warm welcome of this Assembly as they ask us to keep the Michener Centre open for Paul.

Thank you.

**The Speaker:** The hon. Member for Red Deer-North.

**Mrs. Jablonski:** Thank you, Mr. Speaker. I'm very honoured to rise today and introduce to you and through you a very special guest who personifies the very meaning of community service and dedication to others. Bettylyn Baker, a teacher and certified Irlen screener, has travelled to be here today to show her support for my private member's bill, Bill 204, the Irlen Syndrome Testing Act. Bettylyn is a teacher who very frequently encounters and

thoroughly understands the many hurdles that come with Irlen syndrome. She was the first teacher to bring Irlen's to my attention, and for that I'm grateful. She's had the opportunity to change the lives of many people, and I'm grateful for the work she has done with all of the children in whose lives she has made a difference. Bettylyn, you have risen, and I'd ask the Assembly to give you the warm traditional welcome.

**The Speaker:** The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you, Mr. Speaker. It is an honour and privilege to introduce to you and through you to all members of this august Assembly doctors Ross and Eleanor Wein. These two are long-time Albertans who have been involved as postsecondary educators in Alberta. They have a new passion now, and it's trying to establish the international wellness and nature lodge out at Coyote Lake. This lodge is similar to a lodge that we see down in Kananaskis Country called William Watson Lodge, which was established by Premier Lougheed, and many people with disabilities have enjoyed that for the past 25 years. What they see is a need for one in the Edmonton area. I'm very impressed by these two individuals in their passion for this, and I know they're working with the Minister of Infrastructure to try and get some things handled in this regard. I have every confidence that they will be successful, and I look forward myself to going there at some point in time in the future. If they could rise, and let's give them the warm welcome of this Assembly.

1:40

### Members' Statements

**The Speaker:** The hon. Member for Calgary-Glenmore.

#### Ultimate Ascent Robotics Competition

**Ms L. Johnson:** Thank you, Mr. Speaker. On Saturday, April 6, I took off my MLA hat for the day and was a proud mom and spectator at the Ultimate Ascent robotics competition. This competition included 30 teams from North, Central, and South America. For the first time the high school regional competition was held in Calgary.

Both of my sons have been part of Team 1482, representing Bishop Grandin high school, one of the pioneer teams from western Canada. Joining them on the field was the rookie team from Henry Wise Wood high school, also in Calgary-Glenmore. What was really exciting was that the robots we were watching were built by the high school students themselves. In early January robotics teams all around the world received the same kit consisting of basic drive mechanisms and programming boards. Then for the next six weeks team members designed and built their robot.

During the competition robots begin by operating independently to shoot Frisbees into goal boxes that are eight and 10 feet off the ground. Then the students step up and operate the robots. For the next two minutes robots are loading and shooting Frisbees across a field that is 27 by 54 feet in size. By the way, Mr. Speaker, did I also mention that there are six robots on the field at a time? The robots are placed into teams of three, where they work together to get as many Frisbees into the goals as possible. Interference, blocking, and checking of robots by robots is also allowed. This is a full-contact sport. As the clock is counting down, robots begin climbing a tripod to earn more points. The tripod is eight feet tall, and more points are awarded depending on how high the robot reaches.

FIRST Robotics would not have been a success without the participation of industry, mentors, parents, volunteers, school staff, and the use of school facilities. Their support and a grant from the Department of Culture had teenagers and adults working together, creating risk takers and students with initiative. It was a great day, Mr. Speaker.

#### Dani Polsom

**Mr. Anderson:** To look at Dani Polsom for the first time, one would likely just see a smart young woman with a magnetic personality and a contagious smile, but there is so much more to her than that. You see, Dani was sexually abused hundreds of times over eight years by someone in a position of trust. When Dani was able to report what had occurred, she was revictimized, this time by Alberta's justice system, which allowed her case to be dropped because of three years of Crown and court delays.

Now, Dani could have done what most would have justifiably done in her case. She could have kept her identity secret and hoped that time would slowly make the pain fade away. But she didn't. Although she understood that her abuser would never be punished for what he had done, she decided that no other person who had suffered at the hands of a child molester should have to be revictimized in the justice system. Not only would she speak out about this; she would fight and win a court application to have her identity become public. She wanted victims to have a face, not some shadowy figure with a distorted voice on a television news story because, as she rightly states, she and every victim like her have absolutely nothing to be ashamed of.

On Friday Alberta Justice released a report on Dani's case, including recommendations to ensure that what the justice system did to Dani will never happen to another. These are good first steps. Like so many heroes, Dani will never meet the victims she has saved. It's impossible to know who would have had their abuser go unpunished had Dani's reforms not been implemented, but that's just another reason why Dani is a true hero. She has given up her privacy, anonymity, and freedom to not talk about her abuse for the welfare of those she will never meet.

Dani, thank you not only for being the driving force behind these needed reforms but for showing us all what courage, sacrifice, and love truly are.

**The Speaker:** The hon. Member for Red Deer-North.

#### Irlen Syndrome

**Mrs. Jablonski:** Thank you, Mr. Speaker. Irlen syndrome is a real disorder that requires our attention in this Legislature if we are to help children and adults who suffer from this disability. Irlen syndrome is a neurological impairment which adversely affects one's ability to read by causing word distortions to appear on paper.

Because of Irlen's reading becomes a struggle and causes children to have difficulties in school. They complain of tiredness or headaches after reading. They complain that the print is blurry and the words dance or jiggle on the paper. They rub their eyes after reading for a while. They often lose their patience when reading aloud, and they often misread short words. Some are suspected of having ADHD, and parents are told that Ritalin might help.

If a teacher or a parent suspects that a child may have scotopic sensitivity syndrome, or Irlen's, then they should take the steps to help a child. The impact of this condition is devastating.

Today's theme is literacy, and no one needs to say how important literacy is to the success and happiness of every Albertan. Teachers work very hard to ensure that students are reading to their very best levels at grade 3. Mr. Speaker, I believe that we have a duty to all children in Alberta. If we can address the problem of Irlen syndrome and help children with this disability to become all that they can be, then we had better not miss the opportunity today, right now, right here in this Legislature.

I will be asking all members of the Legislature to review Bill 204, the Irlen Syndrome Testing Act, and to support the passing of this bill. Addressing Irlen syndrome in our schools will go a long way in helping all Albertans to achieve their dreams.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Lesser Slave Lake.

#### Northland School Division Literacy Initiative

**Ms Calahasen:** Thank you, Mr. Speaker. "Literacy is not a luxury, it is a right and a responsibility. If our world is to meet the challenges of the twenty-first century, we must harness the energy and creativity of all our citizens." That's quoting President Clinton, and that is what Northland school division is doing as a result of their division-wide literacy initiative, which was implemented at the beginning of the 2012-2013 school year.

According to Literacy Alberta 40 per cent of adult Albertans and 35 per cent of working-age Albertans do not have basic literacy skills. That's why I'm so proud of Northland school division for tackling literacy in their schools so that we minimize the high percentage of illiteracy in our present-day world.

They will do this by implementing a sustained emphasis on reading, writing, language development, and comprehension. All of the schools in the division schedule two hours of daily literacy programming during which educators help students become stronger readers. Because the Northland school division has up to a 98 per cent aboriginal population, there is a strong emphasis on using First Nation, Métis, and Inuit material in these activities, including works of both fiction and nonfiction, as well as a major focus on oral language and reading in various forms across the curriculum. It also places a focus on community and family engagement with a number of advanced activities such as the celebration of Family Literacy Day. Although it is in its first year, early results indicate student progress and community engagement.

I have high hopes for Northland school division and its students and its community that all schools will continue to celebrate student growth and highlight the importance of literacy so that Northland school division students can also be successful. Exactly like Dr. Seuss says: "The more that you read, the more things you will know. The more that you learn, the more places you'll go."

Congratulations to the trustees, to the superintendent, to the principals, and to all the teachers and the communities that have been involved.

**The Speaker:** The hon. Member for Calgary-Currie.

#### Scotiabank Calgary Marathon

**Ms Cusanelli:** Thank you, Mr. Speaker. I'm pleased to rise today to speak about the 49th annual Scotiabank Calgary Marathon happening on May 26 from the Calgary Stampede grounds. Celebrating its 50th anniversary in June 2014, the Scotiabank Calgary Marathon has the distinction of being Canada's longest running marathon.

When the race first took place on August 10, 1963, there were 19 runners. This year approximately 30,000 competitors, volunteers, and onlookers are expected to take part. Events like this attract people to experience Alberta, boosting our global profile and our economy.

The Calgary marathon offers a full marathon, a half marathon, a five- or 10-kilometre family walk or run as well as a children's marathon and offers an opportunity for participants of all ages to achieve goals, enjoy the outdoors, and be active.

The event also gives competitors the opportunity to raise money for local and national charities by racing on behalf of a worthy cause of their choice. Known as the Charity Challenge, participants represent over 70 charities, and last year the Charity Challenge raised \$738,000. This year the goal is \$750,000.

**1:50**

I'm delighted to share with you that I'll be partaking in the 10-kilometre run in order to raise funds for the Sonshine community service, a nonprofit residential shelter in my constituency that is committed to helping young women and their families escape situations of domestic violence and rebuild their lives. In addition, I would like to thank the hon. members for Calgary-Lougheed, Calgary-South East, and Calgary-North West for agreeing to also participate.

Also, I'm extremely proud and honoured to have been chosen as the first honorary chair for the event as I fundamentally believe that events like the Scotiabank Calgary Marathon help bring communities together in the spirit of service and charity.

Thank you, Mr. Speaker.

#### Oral Question Period

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition for the first main set of questions.

#### Alberta Health Services Executive Expenses

**Ms Smith:** Mr. Speaker, we have evidence which points to a scandal that combines two of the most troubling aspects of the mess in health care, exorbitant expenses and queue-jumping. Documents we will table today show that a former Capital health region executive spent more than \$7,000 for a visit to the Mayo Clinic in Rochester, Minnesota, submitted the bill, and was reimbursed by Capital health. To the associate minister for Health: is this another example of the lax approach to managing expenses, or was this actually a workaround to avoid lengthy wait times here at home?

**Mr. Lukaszuk:** Well, Mr. Speaker, another drive-by smear campaign. The member of the opposition is making innuendos that are suggesting that something unbecoming has happened. Frankly, she had withdrawn those innuendos just a few minutes after she made them initially, so she isn't even sure whether what she's saying is factual or not. But let me tell you one thing. This government is committed to working hard to making sure that we have one of the best health care systems possible, and if you don't believe me, tune into your best news network today at 2:30, and you will see how.

**Ms Smith:** I haven't withdrawn anything, Mr. Speaker. I'm asking questions for clarification. That's what the Official Opposition does.

I'd like to get some answers because we need proof, not just lame talking points. Will the associate minister for Health assure Albertans that this practice has been stopped and that the government will take every effort to ensure that this money is paid back?

**Mr. Lukaszuk:** Mr. Speaker, Alberta Health Services officials and Alberta Health officials travel extensively to other, allied clinics to make sure that we acquire the best practices possible, so travel for executives of both Alberta Health and Alberta Health Services is not unusual. What is unusual is to see somebody's travel expenses, which very well probably are legitimate, and to make innuendos without any factual basis for it.

**Ms Smith:** Well, Mr. Speaker, the Deputy Premier could clear things up by answering the questions here today. He's chosen not to.

We have made freedom of information requests for the expenses of 93 health executives, and we're still waiting for 42 of them to be released. Several of these executives are fighting our requests. If the minister was sincere about wanting to clean things up, then he would simply agree to the request, that we've made multiple times. Will he release all of the expenses for all of the executives for all of the health regions going back to 2005?

**Mr. Lukaszuk:** Mr. Speaker, in this province we have very clear legislation relative to the Freedom of Information and Protection of Privacy Act, and any and all parties can request information. If that information can be released relative to the legislation, they will receive it. As she indicated, they have already received a large portion of what they requested, and if the rest can be released, it will be released. There's nothing to hide, but to draw conclusions on documents that you haven't yet received is simply irresponsible and wrong.

**The Speaker:** The hon. Leader of Her Majesty's Opposition for the second main set of questions.

**Ms Smith:** If there's nothing to hide, we have no reason to know why it is they're not releasing them because, Mr. Speaker, expense account abuse does exist in the health regions. That much is clear.

#### Health Services Preferential Access

**Ms Smith:** The changes to the rules don't erase years of lavish overspending, but this case points out a situation that's even more serious than just wasting money. It appears that this Capital health executive jumped the queue by going outside of the country for treatment and having taxpayers pay for it. This apparent queue-jumping must be investigated. Will the Premier extend and expand the Vertes inquiry to look at this case and any others that may come to light?

**Mr. Lukaszuk:** Mr. Speaker, once the documents are released on this FOIP request and if indeed there is any behaviour that's unbecoming, it will be dealt with. We just had a queue-jumping inquiry, a very extensive queue-jumping inquiry, and what did they come up with by way of evidence? Nothing. So why would we now draw conclusions on documents that have not yet been released, that they haven't had a chance to see? They've already prejudged the outcome having not even received the documents.

**Ms Smith:** Mr. Speaker, the Deputy Premier isn't listening. The documents have been released. We released them to the media today, and we will be tabling them today, and we'd sure like some answers on this.

Albertans must be forgiven for wondering about the state of our health care system because when executives who run the public system go to private clinics to get treatment that they can't get from the public system that they run, doesn't the minister see that that is an accountability problem?

**Mr. Lukaszuk:** Mr. Speaker, if that was the case, it would be a problem, and if there was a problem, we would deal with that problem.

The problem with the opposition is that they don't know whether there is a problem. They imagine a problem, they allege there to be a problem, and they want us to deal with it. We have the managing of health care at stake, and we have making sure that Albertans get the best health care possible at stake, not dealing with their imaginary problems.

**Ms Smith:** Mr. Speaker, it appears the Deputy Premier wasn't properly briefed today. Maybe he'll answer the questions tomorrow because this is an issue of fairness.

Many other Albertans sometimes need out-of-province treatment, too, but they have trouble getting reimbursed by AHS – and we'll hear about one of those cases a little bit later in question period – yet health executives jump to the front of the line, they buy expensive private care, and then they submit the bills to the taxpayer for immediate payment. Now, that's not fair, Minister, is it?

**Mr. Lukaszuk:** Mr. Speaker, any Albertan that needs to travel outside of the province or outside of the country for treatment that isn't otherwise available in this province or within Canada can, and there is a medical committee that makes the decision of whether it is a bona fide treatment that would be justified. These will not be political decisions like the opposition would do right now. These are medical decisions made by medical professionals, so if an individual needs to travel outside of the province, that decision is made on a medical basis.

**The Speaker:** The hon. Member for Airdrie.

#### Access to Justice

**Mr. Anderson:** Mr. Speaker, by now we all know about the case of Dani Polsom, who was sexually abused repeatedly for over eight years only to have Alberta's justice system drop her case because of three years of Crown and court delays. The Ministry of Justice has now announced several reforms that it says will guarantee that victims of sexual violence in our province will never have their cases dropped again due to Crown and system delays. Some of these changes will take time and money. To the Justice minister: have you set a hard deadline by which these recommendations must all be implemented?

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you very much, Mr. Speaker. First and foremost, I think we all should go and thank the victim in this particular case for her courage and determination in bringing this matter forward. I also want to thank Greg Lepp, our associate deputy minister, for authoring this report. I've committed that within 90 days we'll be making a further statement as to what progress we can make as well as what part of the recommendations we want to act upon immediately. I recognize that some also deal with other levels of government like the federal government, and we will handle that as well.

**Mr. Anderson:** These recommendations if implemented – and we will follow up to make sure they are implemented – are a good start, but, Justice Minister, they do not go far enough. Given that your own government's safe communities task force recommended back in 2007 that the government should annually publish the number of cases that were stayed or dropped due to system delays and given that such a reform would improve accountability and give the Justice minister a gauge to measure progress by, will the Justice minister implement this long-overdue reform immediately?

**Mr. Denis:** Mr. Speaker, as I have indicated, we will go forward, and within 90 days we will make a further correspondence to everyone in this House, including this particular member, about where we want to go on the report itself. Just so everybody knows, the report talks about enhancing the use of precharge consultation with the police, enhanced education of Crowns in prosecuting sexual assaults, expanding the court case management program, and, as well, continuing to advocate for the elimination of preliminary inquiries, which on average delay each trial by 26 weeks.

**Mr. Anderson:** You didn't answer the question. That wasn't part of one of the recommendations made in that report. You need to implement that.

Mr. Speaker, given that the Crown initially did not support Dani's request that she be allowed to speak publicly about her victimization and identify herself, not the accused but herself, and given that victims of sexual abuse should never be forced to refrain from talking about their abuse or system failures such as this, will the Justice minister undertake to alter the policies or laws necessary to grant victims over 18 the right to waive media bans pertaining to their ability to identify themselves and to speak publicly about their victimization?

2:00

**Mr. Denis:** Mr. Speaker, in this particular instance our prosecutions branch did not oppose the victim's request to lift the publication ban. At that point in time we also have to consult with the police as well as the prosecution to see if this is possible. One of my concerns is that by following this member's request, we may inadvertently identify other people if we actually go that far.

Again, within 90 days we're going to be back with this particular item to discuss this further, and I thank this member for his comments.

**The Speaker:** The hon. leader of the Alberta Liberal opposition, followed by Edmonton-Beverly-Clareview.

#### Alberta Health Services Executive Expenses (continued)

**Dr. Sherman:** Thank you, Mr. Speaker. In order for regular Albertans to get out-of-country health care coverage for medically necessary care not available in Alberta, the standard procedure is to apply to Alberta Health, where a special medical panel approves coverage of the care, travel, accommodation, et cetera. However, in this one instance the region approved these expenses and covered the costs without following standard procedure. To the Premier: was this standard practice in the health region, or was this just an isolated incident?

**Mr. Lukaszuk:** Well, Mr. Speaker, thank you to the leader of the Liberal Party for clarifying for the members of the Wildrose Party how the system actually works because he said exactly what I

said. There's a medical decision made if an Albertan needs to travel outside of the province or outside of the country for medical treatment. However, if there was an irregularity, which I am not insinuating there was – the opposition is insinuating that there was – that matter will be reviewed and dealt with. But at this point in time we have no information on which to base such a conclusion that there was an impropriety of any kind.

**Dr. Sherman:** Mr. Speaker. I don't think he heard the question.

The Helios quickie-colonoscopy issue is one thing in the public inquiry, but this one takes the cake: top-notch care at the world-renowned Mayo Clinic and an all-expenses-paid stay at the Marriott, including an in-house movie and even two bottles of Aquafina. It's like a special medical system they have set up for themselves and their senior executives. To the Premier: is this an isolated case, or is this one of the perks that goes with being one of the senior execs in AHS or one of these highly connected Albertans?

**Mr. Lukaszuk:** Mr. Speaker, if what the member is insinuating in any way resembles what happened, that person and others will be dealt with. What I'm saying is that at this point in time there is no evidence to suggest that. It is very possible that this individual went to that clinic for a meeting and actually was at a seminar for two or three days, hence the hotel and other charges. We don't know that. But if there is inconsistency with policy, it will be dealt with.

**Dr. Sherman:** Mr. Speaker, this transitions perfectly into my next question. Dr. Chris Eagle originally ordered a forensic audit of all Capital health region executives, but the Premier had the board chair shut him down and just focus on Mr. Merali. But there are hundreds of executives. To the Premier: will you finally order the forensic audit of all senior execs, which Dr. Eagle called for in the first place, or do we just have to keep waiting for all these FOIPs?

**Mr. Lukaszuk:** Mr. Speaker, I explained already very clearly how information is released. It is released in accordance with the law, and that's how it will continue to be released and made available to those who request it. At this point we will be focusing on delivering the best possible care to Albertans. We will be moving forward, and we will be making sure that Albertans receive the care that they deserve. If they want to do smear campaigns, they're more than welcome to do so.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview, followed by Calgary-Shaw. Edmonton-Beverly-Clareview? The hon. Leader of the New Democrat opposition instead. Okay.

**Mr. Mason:** I didn't think I was heckling so much that I would be missed, Mr. Speaker.

#### Provincial Budget

**Mr. Mason:** This government has been on the retreat in the past week, proving that Albertans can stand up to this government and make them keep their promises. They've retreated on pharmacist compensation, they've retreated on the veterans' parking pass, and they've retreated on their high-handed attempt to destroy academic independence in this province. But this government also made an absolutely disastrous \$147 million cut to our postsecondary institutions, Mr. Speaker. Will the Deputy Premier reverse it and keep his promise to Alberta students?

**Mr. Lukaszuk:** Well, before this member pounds his chest too much, Mr. Speaker, no retreat in this particular file has happened. As a matter of fact, I am pleased to report to you and to the Legislature that I had a meeting with all 26 presidents. The presidents agreed that there has to be a mandate letter. The presidents agreed that they have the capacity and the wherewithal to deal with the budget. Although it will be difficult, they will deal with the budget. They have simply asked of me what I used to ask of them when I was a university student, an extension. They need an extension to deal with the mandate letter a little longer. They have received it. They will respond by September 1.

**Mr. Mason:** Mr. Speaker, the Deputy Premier has ordered a charge to the rear.

Today Albertans affected by cuts to persons with disabilities gathered to express concern about a \$42 million cut to programs that allow persons with disabilities to live full lives. The past few weeks are proof that Albertans who stand up can force this callous PC government to back down and keep its promises. My question is to the associate minister. Will he do his job, stop breaking promises, and restore the funding that allows vulnerable Albertans to live with dignity?

**Mr. Oberle:** Mr. Speaker, the hon. member obviously didn't read the whole budget. We got, actually, an increase in the disability services budget. We're quite confident that we have the budget in place to do the job that we need to do. There have been within that budget some reallocations. We're working with service providers on that now.

**Mr. Mason:** Mr. Speaker, it's the same old practice of just moving money around within the department, but those cuts exist.

This PC government's broken-promises budget contains \$180 million of cuts to the seniors' drug benefit plan, meaning that thousands of seniors will be cut off their drug coverage. The province's seniors didn't know that they'd be paying out of pocket for this government's broken promises. Will the Deputy Premier back down, as he does on so many other things, and keep the PC promise to Alberta's vulnerable seniors?

**Mr. Lukaszuk:** Speaking of charges to the rear, the leader of the fourth party, Mr. Speaker, is wrong again. As a matter of fact, you can't win with these guys either way because if you don't listen, you're arrogant, and if you listen, you retreat. You can't get it right.

Mr. Speaker, I'll tell you one thing. We will continue listening to Albertans. We listened to Albertans during the last campaign, and that is why you have in this House what you have. Look at the numbers. We will continue listening to Albertans because that's how we arrive at the right decisions.

**The Speaker:** The hon. Member for Calgary-Shaw, followed by Edmonton-South West.

#### Servants Anonymous Society of Calgary

**Mr. Wilson:** Mr. Speaker, the safe house operated by Servants Anonymous in Calgary, which supports women and their children escaping prostitution, human trafficking, and sexual exploitation, is closing because of this government's misplaced priorities. It is a terrible decision to eliminate support for a service that has directly assisted 176 women to exit the sex trade over the last four years. There's nothing else like it in Alberta, yet the Deputy Premier, apparently an expert on everything, says that there are other

services available that perform this exact same function. Really? Where are they, and what are their names?

**Mr. Hancock:** Mr. Speaker, perhaps the hon. member would like to know what actually is happening. What actually is happening is that under the safe communities task force there were pilot projects that were funded with one-time grants and short-term grants. That's the grant that's running out. Under Human Services we're working with all sorts of groups across the province to help vulnerable women with respect to shelters, to help women who have been victimized by sexual crimes and in a number of other areas. We will continue to do that, and we will continue to embed those good programs that work.

**Mr. Wilson:** Given that this is another case of the government telling us that they've had to make tough decisions when, really, all they've done is made cuts to the front lines and given that a year's worth of funding to operate the Servants Anonymous safe house is about the same as the annual salary of just one of the communications people in the Premier's office, when can Albertans expect this Premier to get her priorities straight?

**Mr. Lukaszuk:** Well, I'm glad that this member brought this up, Mr. Speaker. I don't expect you to listen or to read the *Hansard* from the estimates. This opposition went through my entire budget. Even though, on one hand, they're asking us to balance and cut deeper and most severely, on the other hand they don't want anything cut. The only thing they found wrong in my budget, the budget for our ministry, was to lay off one person in my office from communications. This is how constructive this opposition is.

2:10

**Mr. Wilson:** It's good to see they continue to answer the questions, Mr. Speaker.

Given that the Justice minister just last year presented Servants Anonymous with an award recognizing the important work the organization does and given that the Justice department's analysis showed that for every dollar invested in SAFE House, \$8 are saved in policing, justice, health, and social supports, to my hon. friend the Associate Minister of Finance: how is it possible that a 700 per cent return on investment was deemed a waste of taxpayer dollars?

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you, Mr. Speaker. Servants Anonymous over the last four years received \$866,000. This was designed to be a temporary grant with some bridge funding. I know they've done a lot of good work. In fact, I was just talking to one of them on my Facebook today. That being said, this was just temporary funding, and if you look forward, we do expect these individuals and these groups to look towards private funding as well. I'm sure that's something that this member could support.

#### Collective Bargaining with Teachers

**Mr. Jeneroux:** Mr. Speaker, it's been an entire month since the Premier, the ATA president, and our Minister of Education announced that a tentative deal had been reached with 40,000 of Alberta's teachers. This agreement is great. Many of my constituents were relieved, knowing that all we have to worry about now are just new schools coming to our constituency and not a teachers' strike, but we haven't heard much since. To the minister: can you please give these parents an update since the



fanfare announcement last month on when this great education deal might be finalized?

**Mr. J. Johnson:** Mr. Speaker, since the fanfare announcement last month there has been a great deal of progress made, but there is still work to be done. Since the announcement of the tentative deal I can tell you that we've been going around the province meeting with several communities and with all the school boards as well as the ATA locals, making sure that they're well informed on it and that they make good decisions as they try to ratify this. As a matter of fact, yesterday Edmonton public ATA local voted yes. I can tell you that we've got close to 40 of our 62 boards now onboard, and we'll be working with the rest in the coming weeks.

**The Speaker:** The hon. member.

**Mr. Jeneroux:** Thank you, Mr. Speaker. Given that we've only had a fraction of the boards support this deal and a number are still debating whether it works for them and some have even taken the step of voting against this deal, when will we know that this great education deal is final and the school boards' voices are heard?

**Mr. J. Johnson:** Mr. Speaker, the school boards' voices are being heard on an ongoing basis, but there are still several weeks of work to be done in terms of working with the boards, meeting with the boards, making sure their concerns are heard and that all the trustees understand the deal here. As a matter of fact, this week alone there are dozens of meetings scheduled with the ATA locals and the school boards across this province. Within the coming weeks, by the middle of May, we'll know how every one of them feels, but I'm very optimistic.

**The Speaker:** The hon. member.

**Mr. Jeneroux:** Thank you, Mr. Speaker. My final question: given that you just said that this agreement ensures the stability and sustainability of our system, can you please speak to my constituents, clear the air on how the specifics of this deal will truly impact our kids, my kids, in the classroom and not just comfort in the boardrooms?

**Mr. J. Johnson:** Mr. Speaker, as the Premier said when we announced this deal – it was over two years in the making – it does recognize the vital role of teachers and gives them some of the supports they need to continue doing the great job that they do. It's great news for school boards because it gives them cost certainty over the three years. We've frozen salary and pay for three years in terms of the raises for teachers. More importantly, it gives stability to the entire system and to the students so that we can continue to focus on making the system better for students as opposed to worrying about labour agreements.

**The Speaker:** The hon. Member for Innisfail-Sylvan Lake, followed by Calgary-Glenmore.

#### Out-of-country Health Services

**Mrs. Towle:** Thank you, Mr. Speaker. While health executives are busy expensing private health care at the Mayo Clinic to the taxpayer, five-year-old Brooke Aubuchon from Innisfail is dying of a rare disease of the nervous system, the same disease which took the life of her brother Alex in 2011. But there's hope. Brooke qualified for a revolutionary clinical trial in New York that may save her life. Her surgery was on February 26 of this year. Unfortunately, Brooke is not a senior health executive, and the Minister of Health told Brooke's family that the PC government

won't cover her expenses. How can the associate minister for Health possibly defend this absolutely disgusting hypocrisy?

**Mr. Lukaszuk:** You know, as a parent I have to tell you that nothing can be more difficult to anyone than having a sick child and not being able to help. But at the same time, I have to tell you, Mr. Speaker, that to hear this, the word "despicable" would be an understatement. We have been very clear that the decisions on out-of-province and out-of-country services are made by medical doctors in the best interests of the patient, not by a PC government, not by a Wildrose opposition but by medical doctors, who know what is best and what is really possible.

**Mrs. Towle:** So disappointing.

Given that this PC government clearly has set up the worst kind of two-tier health care possible and given that one tier has Albertans waiting the longest in the country for many medical procedures if they're even available and given that the second tier allows Alberta Health Services executives and members of the government family immediate access to private health care on the public dime, when will this government afford this same opportunity to everyday Albertans?

**Mr. Lukaszuk:** Mr. Speaker, if we had the choice and the ability, every member on this side of the government would give any child and any parent any ability to send their child anywhere possible, but we all know that that is not realistic, especially when you have an opposition screaming to cut deeper and deeper and deeper. We will always make sure that decisions are made on the best medical information available to the benefit of the child or the patient and that they will not be politicized by government members, by bureaucrats, or by the opposition, who have a tendency to do so.

**Mrs. Towle:** Given that five-year-old Brooke Aubuchon's family has taken on severe financial hardship to pay for what this government gives away to senior health executives, will someone in this government finally do what's right, realize how wrong they are, and pay for Brooke Aubuchon's expenses?

**Mr. Lukaszuk:** Mr. Speaker, let me restate the obvious. Decisions on sending children or any Albertans to clinics outside of Alberta or outside of Canada are made based on medical information from medical doctors and other allied professionals. These are not political decisions. These are not decisions made by government officials, nor should they ever be.

**The Speaker:** The hon. Member for Calgary-Glenmore, followed by Calgary-Mountain View.

#### Employment Supports

**Ms L. Johnson:** Thank you, Mr. Speaker. My questions today are for the Minister of Human Services. Mr. Minister, Budget 2013 includes adjustments to program supports for underemployed and unemployed Albertans. Can the minister advise the Legislature: what are the expected effects to literacy programs as a result of these decisions?

**The Speaker:** The hon. Minister of Human Services.

**Mr. Hancock:** Well, thank you, Mr. Speaker. What we anticipate with the strength of the economy and the job market in Alberta is that a number of people will not require the services of Alberta Works or will require the services of Alberta Works for a shorter period of time. What it will allow us to do is to focus on target

populations who actually need more supports to get into the workforce. Literacy is one of those target populations. Obviously, literacy is a very important part of being in the workplace today, and we're working closely with Enterprise and Advanced Education to ensure that those programs are available.

**The Speaker:** The hon. member.

**Ms L. Johnson:** Thank you, Mr. Speaker. Can the minister comment on the impact of the skills improvement plan, where I hear from community members there is some concern?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Thank you, Mr. Speaker. Again, I would just add on to my previous answer to say that by reducing the number of people who require the services of Alberta Works and the associated programs, we'll actually be able to focus more strongly on those people who really need our assistance. That skills program is one of those areas where we'll continue to connect actively to Albertans with job opportunities and continue to assist in programs which will help them get the skills they need not just to get a job but to get a job with a livable wage.

**Ms L. Johnson:** Finally, Mr. Speaker, I continue to hear from nonprofit agencies about the cancellation of the STEP program. Can the minister indicate his progress with nonprofit organizations for the upcoming summer employment programs?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Well, thank you, Mr. Speaker. The STEP program was cancelled as it was started up to be a summer temporary employment program. As I referenced in the previous two answers, the job market is actually quite good, and there are jobs out there. What we do want to do is to work with not-for-profit organizations and service providers who want to get students to come into their area to learn about a career in that area. We're working with Enterprise and Advanced Education, with Volunteer Alberta, and with other organizations to find ways to assist those organizations to achieve success in drawing students in to learn about careers in that area, and we'll continue to work in that area.

**The Speaker:** The hon. Member for Calgary-Mountain View, followed by Edmonton-Strathcona.

### Support for Vulnerable Albertans

**Dr. Swann:** Thank you very much, Mr. Speaker. Well, this government continues with damage control communications couched in the new guise of results-based budgeting. Most Albertans see it for what it is, a desperate attempt of government to make their financial mismanagement look responsible. Cuts to the Servants Anonymous emergency shelter we've heard about; \$48 million in cuts to persons with disabilities community supports; inadequate funding to the charitable group Inn from the Cold, housing families from the street, mostly First Nations; cuts to child care; and no poverty strategy. To the Minister of Human Services. Albertans contacting my office don't believe that these changes, most without consultation, reflect anything but this government's PR problem. How is that any . . .

2:20

**Mr. Hancock:** Well, Mr. Speaker, the problem they've got is that they went to his office. In fact, there's a lot of good work

happening. We've had strong consultations across the province with respect to a social policy framework that's leading into some excellent work with partner agencies and communities on a poverty reduction strategy. These people talk about cutting grants with respect to organizations. The organization that he referenced was on a short-term, three-year grant program. So they've got to get their facts right. They've got to know that we are working closely with Albertans to ensure that every Albertan has the opportunity to achieve their potential.

**Dr. Swann:** Well, Mr. Minister, tell vulnerable Albertans how these cuts to services are going to improve their quality of life.

**The Speaker:** The hon. minister.

**Mr. Hancock:** Thank you, Mr. Speaker. What we're doing is making sure that every taxpayer dollar is effectively used to achieve results. Focusing on outcomes, focusing on targeting where people need assistance to overcome a barrier to success, whether it's periodic or chronic, working with individual Albertans to understand what the barriers to success are and how they need to move past those barriers to success: it's very focused, it's very broad in terms of looking at all of the things that get in the way of success, and it's going to be achieved with the success of communities and Albertans.

**Dr. Swann:** Well, this government has a lot to account for, with bonuses to executives when they're cutting the services to the most vulnerable. When are you going to allow the vulnerable to define their results?

**Mr. Hancock:** Every day, Mr. Speaker. Every day, every time we embark on this type of a process, we talk with the most vulnerable to find out what their issues, what their barriers have been and what will help lead to success.

This hon. member would have people believe that it all stops and starts with the money. It doesn't stop and start with the money. It starts and stops with understanding what success looks like, understanding how you can help people overcome the barriers that they have to success, and understanding where they want to get to. Applying and prioritizing our resources is part of that, but it's not the be all and the end all.

### Environmental Protection Policy

**Ms Notley:** Mr. Speaker, in Washington the Premier told the story, and I quote: the truth is that Alberta is home to some of the most environmentally friendly, progressive legislation in the world. Clearly, the Premier is confused about how to use the word "truth" in a sentence. As renowned scientist David Schindler said last week: just because you shut your eyes and say the oil sands are clean four times doesn't mean they are. So to the Premier: why don't you understand that intentionally and knowingly making public statements that are not correct jeopardizes our industry in the long run?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker. The Premier was quite accurate in her statements. I'd like to actually mention a few statements that Dr. Schindler has made in the past as well about when we look at the work that we're doing with regard to land-use planning, with regard to the monitoring in the oil sands, and

doubling that monitoring. Dr. Schindler has actually made very positive comments about from where we were to where we moved to. The Premier was very accurate in her statements in Washington.

**Ms Notley:** Well, interestingly, given that Dr. Schindler said that even the village idiot couldn't deny the significant impact the oil sands have on the environment and given Alberta's inaction and denial on almost every facet of environmental protection means that this government has not yet risen to village idiot status, why is this minister standing by while the Premier intentionally and knowingly makes public statements . . . [interjections]

#### **Speaker's Ruling Inflammatory Language**

**The Speaker:** Hon. member, we had an episode last week when someone was quoting something, and it was somewhat derogatory for some. Some could construe what you just said as a quote also in that same light of casting an aspersion that may not rightfully be so. So please review your questions before you bring them in here. It just raises disorder and disruption, and I'm trying my best to not allow that to happen.

Meanwhile let's have an answer from the minister.

#### **Environmental Protection Policy (continued)**

**Mrs. McQueen:** Mr. Speaker, let's talk about the facts about Alberta, the first jurisdiction in North America to put a price on carbon, to have a technology fund to reduce emissions. As we grow the oils sands region to supply access to markets, world-wide markets, we continue to make sure that on integrated resource management, land-use planning, monitoring, and the climate change policy – show me anywhere else that has the kind of environmental policies that this Premier and this government have taken.

**Ms Notley:** Well, Mr. Speaker, given that this PC government just handed over most environmental protection in this province to the founding member of the Canadian Association of Petroleum Producers and given that Alberta will miss its reduction targets by miles and has absolutely no plans to fix that, why won't the minister admit that the failed PC environmental record seriously damages Alberta's international credibility and simultaneously hurts industry and the environment?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. You can do solid environmental policies while being efficient and effective in the regulatory process, and that is exactly what this minister is doing along with the Energy minister. As well, we're making sure that our environmental policies are being reviewed as they pertain to climate change policy to make sure that our emissions will be reduced. That is the commitment we have made.

**The Speaker:** The hon. Member for Olds-Didsbury-Three Hills, followed by Calgary-Varsity.

#### **Capital Region Municipal Planning**

**Mr. Rowe:** Thank you, Mr. Speaker. Today Albertans living in and around our major cities awoke to some rather troubling

comments made by the Minister of Municipal Affairs. The minister stated that he is seriously considering forcing the amalgamation of capital region municipalities. It appears this government wants to throw the little guy under the bus on the way to the creation of megamunicipalities and end local autonomy just like Ontario did with the regions surrounding Toronto. Will the minister commit to preserving local autonomy rather than forcing Toronto-style megacities?

**Mr. Griffiths:** Mr. Speaker, the member's comments actually are inaccurate. I never suggested that we were going to amalgamate in any way, shape, or form municipalities. We haven't talked about that at all.

The Capital Region Board is critical to the success of the entire region. They have to adhere to the same principles that the Ministry of Municipal Affairs does. There is no us versus them. One of them will not be successful while the rest fail, and politicizing this process drives business away and does not appropriately serve the people that live within the Capital Region Board.

**The Speaker:** The hon. member.

**Mr. Rowe:** Thank you. Given that this government thinks that Toronto is a good example from which to copy regionalization plans and given that Albertans in and around our major cities want their local autonomy preserved, why won't the minister commit to working with municipalities to keep local decision-making in their hands instead of threatening to forcibly amalgamate the entire region?

**Mr. Griffiths:** Mr. Speaker, again the premise is inaccurate. I've never even mentioned the city of Toronto once in any comment I've ever made. It's completely inaccurate.

The Capital Region Board is a group of municipalities that comes together to try and find creative solutions to ensure the success of every single municipality. We in Municipal Affairs and this government respect municipalities, and the Capital Region Board also has to respect municipalities and each other because we're all dependent on each other for success.

**Mr. Rowe:** I understand the minister's comments, but this process has been going on for eight to 10 years now, and it's clearly not working. Given the numerous failures of forced centralization here in Alberta, chief among them Alberta Health Services, and given that forced regionalization will rob municipalities of their autonomy and their democratic authority, why is the minister even considering imposing a Toronto-style program of regionalization on our municipalities and threatening their independence?

**Mr. Griffiths:** Mr. Speaker, this is about smart planning for the next generation as well. This has been eight years of success. They have reached a small impasse, but ultimately I don't think I'm going to take any recommendations from an opposition that needs a mediator to meet with the town of Sylvan Lake, that demands the city of Calgary have a red-light district, that tells the city of Edmonton what they're going to do with their municipal airport, and writes chastising letters in local newspapers when a municipality decides to build a library. I won't be taking their advice.

**Mr. Saskiw:** Point of order, Mr. Speaker.

**The Speaker:** A point of order from Lac La Biche-St. Paul-Two Hills has been noted at 2:29 p.m. in response to the last answer that was just given.

Let's go on to Calgary-Varsity, followed by Strathmore-Brooks.

### Results-based Budgeting

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. Results-based budgeting was implemented last November to review individual government programs for their relevance, their effectiveness, and their efficiency. Supported by five external experts and two other MLAs, I'm chairing the results-based budgeting panel challenging 60 of 180 economic development programs across eight ministries. We're reaching the end of our cycle, and panel members want to ensure that this work does not lead to another report that's simply filed away. My first question is to the Minister of Enterprise and Advanced Education. How will your ministry ensure that the learnings from this RBB process are incorporated into decision-making not just this one time but on an on-going basis?

**The Speaker:** The hon. minister and Deputy Premier.

2:30

**Mr. Lukaszuk:** Mr. Speaker, results-based budgeting is an exercise where we practically have a chance to step back, look at what we do, and make a determination on whether we deliver the best services possible to Albertans at the best price possible. So it's in a sense deconstructing the delivery and then reconstructing it again. One of the benefits that will occur from this is that we're hoping that the culture of delivering benefits will change so that we will continue to deliver great programs at good cost.

**Ms Kennedy-Glans:** My next question is to the Associate Minister of Finance. Given your role in overseeing the results-based budgeting process, what have you learned from this process thus far, and what improvements will you be recommending to ensure that this process achieves even better results going forward?

**The Speaker:** The hon. associate minister. [interjections]

**Mr. Fawcett:** Thank you very much, Mr. Speaker. I'm glad the opposition is so interested to learn more about this.

What we have learned is that there's a high level of professionalism and commitment in the public service, and they've embraced this initiative in changing the culture of how we deliver and how we look at making decisions in allocating finite resources. They've really embraced the fact that we need to balance the fact that we have finite resources with the ability to achieve an outcome of excellence for Albertans, and that's the responsible thing to do.

**The Speaker:** The hon. member?

The hon. Member for Strathmore-Brooks, followed by St. Albert.

### ERCB Production Outage

**Mr. Hale:** Thank you, Mr. Speaker. On Friday we learned of some troubling developments at the ERCB. First of all, we found out that several of its core technological systems had been down for days, jeopardizing applications, notifications, licences, and fee recovery, but it appears the system outage is only the surface of the problem. A former ERCB executive has blown the whistle, saying that the outage is part of a much deeper backroom issue where egos are trumping sound decision-making. He called it a panicked environment. To the Energy minister: just what exactly is happening at the ERCB?

**The Speaker:** The hon. minister.

**Mr. Hughes:** Well, thank you, Mr. Speaker. I'm delighted to answer that question because it's quite clear that what's going on is that the most important function of the ERCB is carrying on, and that is ERCB's incident reporting and emergency response capability. Field staff are continuing regular inspections, monitoring, and responding to landowner concerns. They are also dealing with a temporary outage of some of their IT systems. They're managing through that, and as we have seen, the Canadian Association of Petroleum Producers has indicated that this is not causing a concern at this stage.

**The Speaker:** The hon. member.

**Mr. Hale:** Thank you, Mr. Speaker. Again to the Energy minister: given that it took five days for the ERCB to even report the systems outage and given that the former ERCB executive has alerted us to the internal problems that are apparently paralyzing the board and its functions, how can Albertans have confidence that the ERCB is doing its job to ensure the safe and secure development of our natural resources?

**Mr. Hughes:** Well, I think, Mr. Speaker, that Albertans can be quite confident that the ERCB is continuing to carry on its functions on behalf of all Albertans to protect the environmental concerns of Albertans under the new regulator when the Alberta energy regulator steps up in the next few months and to ensure the right balance between effective and efficient responsible development, that Alberta is well known for.

**The Speaker:** The hon. member.

**Mr. Hale:** Thank you, Mr. Speaker. Again to the Energy minister: given that your department is already scrambling to have the new single regulator under Bill 2 up and running by June and given the apparent dysfunction at the ERCB right now, how can we believe that the new regulator won't be paralyzed by the same internal carnage that has seized the ERCB?

**Mr. Hughes:** Mr. Speaker, Alberta remains one of the strongest regimes in North America in terms of managing the regulatory regimes in this province and ensuring that the energy sector is appropriately regulated and ensuring that Albertans' interests are protected throughout the piece.

**The Speaker:** The hon. Member for St. Albert, followed by Cypress-Medicine Hat.

### Attention Deficit Hyperactivity Disorder Support

**Mr. Khan:** Thank you, Mr. Speaker. A number of concerned parents in St. Albert have approached me with a common concern and have identified what I believe are discrepancies that exist in our education and social support systems. Students who suffer and struggle with severe attention deficit hyperactivity disorder, ADHD, and other severe learning disabilities do not always receive standardized support services throughout all of their schooling years. My constituents have shared with me that from kindergarten to grade 6 youth with these severe learning difficulties get very good assistance, that helps them be successful. However, once these youth reach junior high, the extra support seems to wane. My first question is to the Minister of Education. Where is the support in our schools for youth aged 12 to 17 . . .

**The Speaker:** Hon. Minister of Education, you'll have to jump in here, please.

**Mr. J. Johnson:** I think I'll just guess what the rest of the question was about, Mr. Speaker.

Students with unique learning needs are something we heard a lot about with Inspiring Education over the last few years, so that's why we've taken action. Parents have told us that every child is unique, including those with ADHD, and we need to ensure that there's adequate funding and flexibility in funding for local educators to make decisions on how to support those kids. That's why we increased the inclusive education funding this last year by \$68 million to a total of \$375 million. We are increasing it even yet again in this tough budget.

**The Speaker:** The hon. member.

**Mr. Khan:** Thank you, Mr. Speaker. My second question is to the same minister. Mr. Minister, my constituents have a simple question. Why is it that an ADHD student who qualifies for additional supports in elementary school no longer meets the requirements for these same supports in middle and high school?

**Mr. J. Johnson:** Mr. Speaker, there actually is no change in funding between elementary to junior high to high school. School boards have the funding coming from us in the form of \$375 million in inclusive education funding, and they can apply that funding to whatever they deem is appropriate at the local level because all kids learn in different ways, and they need that flexibility. So that funding should not drop off just because the student moves up in grades throughout their educational life.

**The Speaker:** The hon. member.

**Mr. Khan:** Thank you, Mr. Speaker, and thank you, Mr. Minister. My next question is to the Minister of Human Services. What supports currently exist outside of the school system so that youth aged 12 to 17 with severe ADHD who do not have access to school supports can still receive the community and family assistance they need to be successful?

**Mr. Hancock:** Well, Mr. Speaker, in certain circumstances that would fall within the purview of the family supports for children with disabilities, a program that we have to help families if their children have unique needs and barriers to promoting their development. Each individual circumstance would be determined on its own merits. FSCD would assess the impact of ADHD on the child and family and may provide services and supports to meet the child's and family's unique needs. Families whose children are severely affected by any diagnosed disability may receive specialized services and, of course, other information with respect to where they might find other supports.

#### Northern Lights Regional Health Centre

**Mr. Barnes:** Mr. Speaker, the Northern Lights regional health centre is in dire need of a new building exterior, and this government doesn't seem to get that. The health centre is the only primary health facility in the Fort McMurray service area, and the ongoing delay in getting this done is a huge concern for local and area residents. To the associate minister for Health: doesn't the minister think it's time to publish a public infrastructure priority list so northern Albertans can have some assurance that their hospital will be able to continue servicing their area?

**Mr. Lukaszuk:** Mr. Speaker, because of the fact that this government did not take the advice of the Wildrose opposition and

did not cut our infrastructure spending by \$1.6 billion, the residents in this riding have hope. They have hope that the facilities will be renovated and built as we're building right now. Not only are we building health facilities, but we're building schools and seniors' homes and highways and overpasses, and we're fixing bridges. Those are projects that would not have been built if we'd adopted their capital plan with a \$1.6 billion cut.

**Mr. Barnes:** Yeah. Not the MLA office building.

Given that the Northern Lights regional health centre received a D in the CBC's Rate My Hospital investigation and most patients would not recommend the hospital and given that the government claims health and safety are the most important criteria to base infrastructure spending on, when will this government get serious about respecting northern Albertans and publish a public infrastructure priority list so residents of northern Alberta know their community priorities are important to this government?

**Mr. Lukaszuk:** Mr. Speaker, how rich coming from an opposition that is chastising this government every day for what they call not balancing the budget and not cutting deeper and harsher, from an opposition that wanted to cut capital spending by \$1.6 billion, from an opposition that doesn't allow us to amortize the cost of building infrastructure to the future, from an opposition that says that if we borrow to build those hospitals for which they're asking right now, we're passing on debt to the next generation. You can't have it both ways.

2:40

**Mr. Barnes:** Our debt-free capital plan accomplishes a lot of this.

Given that last month a report indicated that patients at the Northern Lights regional health centre are picking up infections at a rate twice the national average despite the best efforts of front-line health workers, isn't the associate minister for Health worried that this leaky building is causing patients to get sicker?

**Mr. Lukaszuk:** Well, Mr. Speaker, that is why we will not listen to this opposition and will continue building Alberta. We will continue making sure that kids have schools today, not in 30 years; that patients have hospitals today, not in 10 years; and that our seniors have adequate facilities for homes now, not in 10 years.

**The Speaker:** The hon. Member for Barrhead-Morinville-Westlock, followed by Little Bow.

#### Alberta Distance Learning Centre

**Ms. Kubinec:** Thank you, Mr. Speaker. Over the constituency week I met with the Pembina Hills regional school division to discuss recent funding cuts to the Alberta Distance Learning Centre. The ADLC serves in excess of 60,000 students, including those in FNMI communities, rural and remote schools, and outreach centres, in collaboration with over 130 school authorities in Alberta. My first question is to the Minister of Education. The number of students enrolled in distance education has been steadily increasing, so why was it so hard hit with the cuts?

**Mr. J. Johnson:** Mr. Speaker, I'd like to thank the member for the question. She's been a great advocate for her constituency and for the ADLC. To answer her question, when we were looking at this budget, we had to examine every line to make sure we were getting the best bang for the buck. When we looked at the way we were funding distance education, distance learning, we realized that we were funding kids taking distance education courses more

than we were the traditional courses when they actually cost less to deliver. So what we did was that we adjusted that funding, but it's important to point out that we did not, as part of that, change or decrease the funding that the ADLC gets for each student that it delivers those services to.

**Ms Kubinec:** To the same minister. Pembina Hills felt that they were left out of the conversation that led to this new funding model. Why weren't they included?

**Mr. J. Johnson:** Mr. Speaker, as I mentioned, the Alberta Distance Learning Centre, which is operated by the Pembina Hills school division: their funding for delivering the distance learning to the kids didn't change. They used to receive 56 per cent of the value for the credits that any child taking the distance learning courses got, and they still do. What we did change is the funding of the resident board, the board that registers the student. They used to get the same level of funding that they would get for a student that they were delivering traditional learning to. Of course, it doesn't cost as much. It doesn't take as many resources. That didn't make sense, and we addressed it.

**The Speaker:** The hon. member.

**Ms Kubinec:** Thank you, Mr. Speaker. Again to the Minister of Education: how can we ensure that these cuts don't affect students' distance learning capabilities when the subscribing boards indicate that they will not be able to afford the services of ADLC to the same extent?

**Mr. J. Johnson:** Mr. Speaker, students take distance learning for a variety of reasons, and we expect that demand to keep increasing for a number of reasons. Really, it's about access, and it's about programs. We know that the school divisions will do a great job. ADLC continues to do a great job. As those programs are available, we'll have more and more students signing up because that's the way it's got to be delivered in the future for many students for a number of different reasons.

**The Speaker:** Hon. members, that concludes question period. Before we carry on with the rest of the Routine, could we have unanimous consent to revert briefly to Introduction of Guests?

[Unanimous consent granted]

### Introduction of Guests

*(continued)*

**The Speaker:** The hon. Member for Edmonton-South West.

**Mr. Jeneroux:** Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to all members of the Assembly some very important ears and advocates for my bill, Bill 203, being read for a second time today: Ms Angeline Webb, Ms Anna Mann, and Ms Chelsey Anseuw. All three of these ladies and others have provided countless hours of advice and support during the consultation process of my bill. This bill wouldn't have the legs it does today without their unwavering support. I'm proud to ask that these guests here today please rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Red Deer-North.

**Mrs. Jablonski:** Thank you, Mr. Speaker. It's my pleasure to rise and introduce to you and through you to all members of this

Assembly Dr. Sharon Vaselenak. I am very privileged to have Dr. Vaselenak here today. She's joining us in the Assembly to show her support for my private member's bill, Bill 204, the Irlen Syndrome Testing Act. She is one of many professionals who view this as a condition which must be addressed. I will be meeting with Dr. Vaselenak later this afternoon to discuss Irlen syndrome and the negative effects it has on literacy for all those affected. Dr. Vaselenak is from Edmonton, and she wears many hats. She's a family physician, a parent, and a person who suffers from Irlen's. She is seated in the public gallery, and I would ask her to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** Seeing no others, in 20 seconds we will continue with Members' Statements, beginning with Calgary-Mountain View.

### Members' Statements

*(continued)*

**The Speaker:** The hon. Member for Calgary-Mountain View.

### Support for Vulnerable Citizens

**Dr. Swann:** Thank you, Mr. Speaker. After 42 years in power this government is clearly the best in Canada at one area, public relations spin. Given another serious budget deficit this government announced it has suddenly realized new ways to improve care for our most vulnerable and save money at the same time. The Public Affairs Bureau is clearly in damage control for a government that has failed a thoughtful, evidence-based, inclusive plan for people, especially our most vulnerable. Having mismanaged our finances and still dependent on oil prices for 25 per cent of Alberta's budget, it's no surprise that the cuts to some of our most vulnerable citizens are being explained as improving care for people, and all this without consultations with key stakeholders and clients in these programs.

Under the excuse of results-based budgeting Human Services has cut Servants Anonymous emergency shelter in Calgary; \$48 million from persons with developmental disabilities community supports; allowed cuts to Inn from the Cold, housing families which are mostly First Nations, including children, from the street; announced it will wait to address its commitment to end child poverty until it has a definition of poverty. Yet another example is the lack of indexing of AISH, assured income for the severely handicapped, which would protect them from cost-of-living increases year to year. This, of course, contrasts sharply with the MLA salaries, which benefit from a policy of indexing and annual cost-of-living increases.

It's a small wonder that Albertans are saying that enough is enough. When the most vulnerable and their exhausted families must fight each year for their essential supports and depend on the charity of churches and donors for their security, there is no security. With the fear of the Wildrose dominating all decisions of this old government, they will not bring in a fair tax system to provide stability and dignity to our most vulnerable, just more spin. Well, Albertans are doing their own results-based analysis on this government, and the trust is gone. Many long-standing Tories that I know will no longer be supporting this sham of responsible government.

Thank you, Mr. Speaker.

## Presenting Petitions

**The Speaker:** The hon. Member for Red Deer-North.

**Mrs. Jablonski:** Thank you, Mr. Speaker. Today I am very pleased to present a petition that has been reviewed and approved in format by Parliamentary Counsel. The pheasant release program petition to be presented has 486 signatures, and it's petitioning the Legislative Assembly to

urge the Government to take the necessary measures, including the introduction of proposed amendments to existing legislation, to ensure the preservation and enhancement of the Pheasant Release Program, which has been an important part of Alberta's hunting tradition, heritage and culture for over 65 years.

Thank you, Mr. Speaker.

## Introduction of Bills

**The Speaker:** The hon. Minister of Aboriginal Relations.

### Bill 19

#### Metis Settlements Amendment Act, 2013

**Mr. Campbell:** Thank you, Mr. Speaker. I request leave to introduce Bill 19, the Metis Settlements Amendment Act, 2013.

The proposed legislation will amend Alberta's Metis Settlements Act. The amendments in Bill 19 flow from my ministry's close work with the Métis settlements leadership over the last year. Bill 19 is vital to the success of the Métis settlements' long-term arrangements, one of my ministry's key initiatives. The Premier and I officially signed an agreement with the Métis settlements on March 12, 2013, and this represents an investment of \$85 million over 10 years.

2:50

The long-term arrangements have four objectives: strengthening settlement governance, accountability, and sustainability; enabling the Métis settlements to provide essential services, including infrastructure, on par with neighbouring communities; developing long-term economic and financial stability and settlement capacity; and enhancing the productivity relationship between this government and the settlements. The Metis Settlements Amendment Act focuses on accountability and governance, which will contribute to the sustainability and future economic prosperity of the settlements for the benefit of all Albertans.

Thank you, Mr. Speaker.

[Motion carried; Bill 19 read a first time]

## Tabling Returns and Reports

**The Speaker:** The hon. Minister of Justice, followed by Edmonton-Beverly-Clareview.

**Mr. Denis:** Thank you very much, Mr. Speaker. I'm tabling five copies today of a report entitled Injecting a Sense of Urgency: A New Approach to Delivering Justice in Serious and Violent Criminal Cases. This report was presented to me on April 11, 2013, and it was authored at my request by Greg Lepp, who's the assistant deputy minister in my department. I'll pass five copies to the Clerk.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview, followed by Edmonton-Centre.

**Mr. Bilous:** Thank you, Mr. Speaker. If you'll indulge me, I have two tablings today. I have the appropriate number of copies of an open letter sent to Premier Redford by Joyce Tona of Rimbey. In this letter Joyce speaks very passionately about why it's so important for this PC government to reconsider the closure of the Michener Centre. Joyce's daughter has now lived in the Michener Centre for 45 years and is one of a very vulnerable group of people who would be severely affected by this closure.

The second tabling, Mr. Speaker, is the appropriate number of copies of one of many e-mails we received about the PC government's cancellation of the STEP program. Marianne Wilkat, president of Ogden House senior citizens' club, writes about how STEP helped them set up a program to assist seniors who were incapable of clearing snow and doing yardwork. Marianne describes the cancellation of the STEP program as a "real kick in the teeth" for seniors in Alberta. Here's another example of the effects of the cancellation of this program.

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

The hon. Member for Edmonton-Centre or someone on behalf of, followed by Calgary-Buffalo.

**Dr. Swann:** Thanks very much, Mr. Speaker. Earlier the parents of Paul Siebert, who has been a resident of the Michener Centre for 50 years, were here, and his mother penned the booklet Over the Wall with Paul, which I'm tabling five copies of.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Airdrie, please.

**Mr. Anderson:** Thank you, Mr. Speaker. I have five copies of a document that has been signed by over 1,000 folks, constituents mostly, asking the government of Alberta to

immediately pass legislation that will:

- Expedite all cases of crimes against children;
- Automatically trigger an outside investigation, independent of Alberta Justice, where cases are stayed due to institutional or Crown delays, in order to determine the causes of such delays as well as solutions to ensure such delays do not happen again;
- Grant victims over 18 the right to waive media bans on their name if they choose to speak publicly about their victimization;
- Publish the number of Crown Stay of Proceedings and Withdrawals annually with an updated action plan from the Attorney General detailing how this problem is being addressed; and
- Ensure the government allocates adequate resources to ensure the Crown Prosecutor's office is able to effectively manage all prosecutions against violent offenders, especially those charged with sexual and other violent crimes against children.

I have five copies of that with well over a thousand signatures.

**The Speaker:** Are there others? The hon. Member for Cardston-Taber-Warner, please.

**Mr. Bikman:** Thank you, Mr. Speaker. I have the requisite number of copies of two e-mails that I received. One is from Ryan Holt of King Drug Accounting regarding pharmacy as well as one from pharmacist Wayne Smith in Raymond. I've handed them to the page.

Thank you.

**The Speaker:** Hon. members, I believe we're now going to deal with points of order. I have one on the schedule today, and that was Lac La Biche-St. Paul-Two Hills. Please proceed with your citation and the point.

#### Point of Order

##### Allegations against Members

**Mr. Saskiw:** Thank you, Mr. Speaker. I rise today according to Standing Order 23(h), (i), (j), and it's with respect to a comment that was made by the Minister of Municipal Affairs. Our hon. Member for Olds-Didsbury-Three Hills was asking a question about municipalities, and for some reason the minister decided to respond with an allegation that was not true, that our party in some way supported red-light districts. That is in no case the circumstance. Our party does not advocate or support that in any way whatsoever. Perhaps the member found that idea in his book that he wrote, *13 Ways To Kill Your Community*, because it certainly would be.

One thing that we see is, you know, this government's policy in respect of cutting the safer communities funds, which had actually provided a safe house for individuals in prostitution to provide them with a sort of safe haven. With respect to those cuts our party actually vigorously advocated against front-line cuts to those services that provide support to the most vulnerable in our society.

Mr. Speaker, we've discussed this matter multiple, multiple times. Our party has clarified this issue multiple, multiple times. I think that in these circumstances, where you have a situation where an allegation is continually made, our side continually clarifies our position, and after that robust and exhaustive clarification there is a continuation of making an incorrect and false allegation, that is obviously going to cause disorder in this Assembly.

Again, this was a circumstance where the question that was asked was on a topic within the minister's jurisdiction and prerogative, but instead he went out of his way. He went out of his way to make a false allegation, an incorrect allegation, that has been clarified multiple times. In these circumstances, where it's an intentional, flagrant use of an allegation towards our side and where this matter has been clarified again and again, I ask that under the standing orders you request that that comment be withdrawn from the record.

Thank you, Mr. Speaker.

**The Speaker:** The hon. minister.

**Mr. Griffiths:** Thank you, Mr. Speaker. It's actually kind of humorous to be standing up here and to listen to some of the comments that have been made that it's completely inaccurate and that it's a false accusation. Every single statement that comes out of the opposition's mouths in a preamble to every question is a false accusation against the government.

In fact, Mr. Speaker, the Member for Olds-Didsbury-Three Hills, who is the Municipal Affairs critic, I have some respect for, but he's obviously buying into some of the mantra that comes from his opposition colleagues because in his preamble in the second question he said: given the fact that I think Toronto's system of a large municipality is great. I've never ever, ever made any such comment, and in every question the opposition does that. They come out with false information.

I simply was pointing out, in the question about how this department and how this minister approaches municipalities, that we treat them with respect, that we honour their integrity, but we know that they need to work together because conflict does not

help build a better Alberta. It does not build stronger communities. Especially in something like the Capital Region Board, Mr. Speaker, it's essential that they work together for the common good so that the people that they represent live in a competitive environment where the industry, the business, and their communities continue to grow and be prosperous. I was simply pointing out on the last question some facts that the opposition has said that indicate that they are not a good group to take advice from when it comes to working with municipalities.

The Member for Rimbey-Rocky Mountain House-Sundre, Mr. Speaker, wrote a couple of very public letters in the local newspaper chastising the local municipality for making a decision to build a library. Something that you're supposed to have is respect for municipalities, and they were insinuating I didn't. I was simply pointing out that they're the ones that seem to have challenges with municipalities.

The Member for Innisfail-Sylvan Lake, Mr. Speaker: the town had to get a mediator to come in to have a meeting with their local MLA. Obviously, there's a challenge there for respect, and again this helps me to indicate that the opposition is not a great group of people to take advice from on how to approach a deal with municipalities.

The constant berating of the city of Edmonton and its council on its decision to close the city airport, Mr. Speaker: their assertions that they would overturn that decision and impose their decision on the city council and the citizens of Edmonton, who made a decision to close that airport, show, again, that they are not the best group of people to take information from.

3:00

Finally, Mr. Speaker, I was simply pointing out that the Leader of the Official Opposition very, very publicly – and never has a member recanted their comments about that – recommended that the city of Calgary have a red-light district. It's fact. When you write a column in a local newspaper in the city of Calgary telling the city council what they need to do even though many aldermen said that they didn't think that was a very good idea, it simply indicates the way the opposition approaches their discussions with municipal councils.

Those are four good examples, in my mind, of why I would not take advice from the opposition on how to deal with municipalities. Every single thing I talked about, every single one of the four examples I used, Mr. Speaker, is a fact. It is a fact. There is no point of order. Simply because the opposition doesn't like the truth does not make it a point of order.

**Mr. Hancock:** Although my friend has been very eloquent, perhaps just a brief supplement to suggest that it's very dangerous, Mr. Speaker, to have points of order with respect to questions of policy. Those can be clarified by people getting up and making clarifications. But if one was to call a point of order every time there was a deviation from the facts, there would not be any questions coming from the opposition side of the House. There are clearly differences of viewpoint. This is clearly a difference of viewpoint. But to call a point of order every time they believe that they've been misquoted or misapprehended is ridiculous. I mean, if we were to do that, there wouldn't be any other business carried on.

**The Speaker:** I see the hon. Minister of Justice wanting to rise briefly, but we've had several speakers, and I'm prepared to rule on this. In fact, I've been sent a bunch of notes here, and I was distracted momentarily by them. But they're all valid. Hon.



Minister of Justice, I apologize for interrupting you prematurely there.

In any event, let me make a couple of very brief comments here before I give you the decision. The hon. Member for Olds-Didsbury-Three Hills rose and asked a question at 2:27 p.m. The hon. Minister of Municipal Affairs answered the question and said this:

They have reached a small impasse, but ultimately I don't think I'm going to take any recommendations from an opposition that needs a mediator to meet with the town of Sylvan Lake, that demands the city of Calgary have a red-light district, that tells the city of Edmonton what they're going to do with their municipal airport, and writes chastising letters in local newspapers when a municipality decides to build a library. I won't be taking their advice.

Now, there's nothing unparliamentary about anything that went on in the question or, frankly, in the answer, so there's really no point of order.

Let me just remind you of this. You know, it's fair and fine for opposition or private members to stand up and ask all kinds of questions they want, and the chair typically allows a maximum amount of latitude in that regard. Also, there's a thorough appreciation for what we call freedom of speech in this Assembly, which is what it was set up many, many hundreds of years ago to in fact reflect.

On the one hand, we get questions, in the two examples I'm going to give you, from the opposition. One opposition member today stood up and said something about the idiot status of the government or something along that line. Well, the context within which it was said and because it was a quote and so on doesn't make it very parliamentary. Then we had somebody last week and perhaps the week before as well accusing government of muzzling people and words to that effect. Typically these things go without any point of order being raised.

However, on the other side, when a government member says something in return, you have to remember that you get as good as you give, and that is what this Assembly has been noted for. Now, that does not mean that you should become unparliamentary in the giving and the sharing and the getting and the receiving. That doesn't mean that that justifies it. I'm simply telling you that there's a wide amount of latitude that goes on here.

I think the Government House Leader is very correct in the statement he made when he said that we would probably stall the entire proceeding of this Assembly, or words to that effect, if someone stood up every single time that there was a disagreement on a policy matter, on a procedural matter, or on something along that line. We wouldn't be making any progress here at all.

So how do we cure this going forward? Well, fix up your language. Most of these points of order happen during question period, and question period is also a time when you have ample time to prepare your question. In fact, you can time it to the second. You know word for word what you're going to be asking. Look in the mirror and, again, ask yourself: "Is this the kind of question that I'm going to get away with, so to speak? Is this question in order? Am I going to raise a point of order, or am I going to be accused of creating disorder, disruption, and all the rest of it?" At the end of the day let's be a lot more careful if we can, both on the questions and in the answers, to avoid any accusations, to avoid the allegations, to avoid the assertions, and to avoid attributions that may be unfounded. There you have the four As of the Assembly coined today: accusations, allegations, assertions, and attributions.

That being said, you might want to also – and I'll close on this point – review *Beauchesne's* 494 just as a reminder, where it is noted very clearly that the acceptance of one member's word on an issue ought to be enough and that statements within their particular level of expertise are to be taken and treated as true regardless of how you may feel or if you feel differently.

Secondly, on page 510 of *House of Commons Procedure and Practice* it says that there is frequently disagreement over the facts and what I just alluded to. If there's a disagreement as to the facts or as to the question of debate or a particular policy position, that is not a point of order. It is simply a disagreement. Please keep that in mind, and we'll save the House a lot of time, save you a lot of time, and we'll move on with a much more effective mannerism in this House.

## Orders of the Day

### Written Questions

[The Clerk read the following written questions, which had been accepted]

#### Federal Building and Centennial Plaza Costs

Q28. Mr. Barnes:

As of November 1, 2012, what costs have been incurred on the Edmonton federal building and Centennial Plaza project?

#### Health Capital Plan Infrastructure Costs

Q29. Mr. Barnes:

As of November 1, 2012, what is the status of all infrastructure projects in phase 1 and phase 2 of the health capital plan, 2010-2013?

#### Traffic Safety Act Vehicle Impoundments

Q31. Mr. Barnes:

How many drivers have had their vehicles impounded since September 1, 2012, pursuant to the 2011 amendments to the Traffic Safety Act, and what was the average length of time of the impoundment?

#### New School Construction and Maintenance Costs

Q33. Mr. Barnes:

What was the cost to build each school under the Alberta schools alternative procurement 1 and Alberta schools alternative procurement 2 initiatives and the ABC Schools Partnership, and what is the ongoing annual cost of the maintenance agreements for each school?

**The Speaker:** The hon. Member for Cypress-Medicine Hat.

#### Transportation Construction Costs

Q30. Mr. Barnes asked that the following question be accepted.

As of November 1, 2012, what is the projected spending for each project listed in Alberta Transportation's three-year construction program, 2012-2015?

**Mr. Barnes:** Thank you, Mr. Speaker. I rise today to ask that my Written Question 30 be accepted as written. It makes me wonder why the Transportation ministry and the government want to change the question. I want to start with what we have now. We have a three-year tentative major construction project list by highway number without any cost, and obviously being listed by

highway number means without any real priority. Throw the word "tentative" in there, and that, of course, strongly suggests without any commitment either.

One of our researchers did a great job and took the 2012-13 list and compared it to the 2014 list, and it's amazing how many different projects I have that have been dropped from the list that appear not to have been done. It makes me wonder whatever got them on the list in the first place or maybe, better yet, what got them taken off the list.

The Wildrose and myself especially believe that Albertans and Alberta taxpayers are open to a full-blown conversation about where their taxpayer money is spent, what our highest priority needs are, and where our money is best put forward to help our economy. Too many times – too many times – I've seen where Albertans thought they were on a priority list, thought they were getting a much-needed infrastructure project, and it doesn't happen and the hardship this causes. It pits one area of Alberta against another, and that's not what we want. We want all Albertans working together to build a strong Alberta and a strong economy.

3:10

I think that fact, coupled with the fact that this government ran on the idea of being more open, more transparent, more fair, suggests that we should have the numbers as to what these projected costs are going to be there. In part (a) the government has suggested they change my question by adding "the contract associated with" before where I had put in "each project listed." For some reason we want to add "the contract associated with." Well, then my thoughts are: what the heck are they doing on the list if they're not that far?

I think there are some other important reasons, though, for us to have the estimated or the cost that the government is projecting for these Transportation projects transparent. Number one, it will help us prioritize. I'm very much in agreement with the government that there are only limited dollars, and they have to be spent where they're most effective. When Alberta citizens and taxpayers can get a full look at what everything is going to cost, this will help tremendously. People realize that they may have to wait a year or two or that they may not be the highest priority in terms of safety, in terms of health, and there may be other things.

I would hope that for all of our government spending, especially in Infrastructure and Transportation, there is a huge degree of cost-benefit analysis put into the bigger, more expensive projects before they're committed to. I would hope they're not just political. I would hope there's proper planning and the proper use of taxpayers' money for all reasons. If we're going to the extent of trained professionals, whether it's in our Transportation department or some consultants we may have, doing a full-blown cost-benefit analysis on the importance of having these projects, it's only a smaller step, then, to having the estimated cost of these projects on the list as well.

I've been talking to a lot of stakeholders since I've been Transportation critic, and a lot of stakeholders have told me that the government's inability to plan properly, the government's inability to spend on a sustainable, consistent level, the government's inability to let projects know what order they're going to be done in on a certain priority costs Alberta taxpayers extra money, costs us more services, costs us all quality of life.

Why do they tell me this is so? They tell me this is so because what happens when they see the government not prioritize these things, when they see the government break promises, is that they go to other jurisdictions. They do some private work. Or, worse yet, when they do get some government work, they put in many,

many costs of capital equipment and costs of being in business that they would probably prefer to amortize over a longer period of time if they could, but because they don't know what the government's priorities are, because they don't know what the total costs are of these projects, because they don't know the full estimates, they end up increasing their bids. If they become a successful bidder, it ends up costing us all more.

Again, stakeholders are telling me that with a fully public prioritized infrastructure list with costs and a government that had the commitment to stick to the list or release the good reasons when things change, that openness and transparency would lead to better value for all Albertans and future generations. I also believe that it might help avoid some cases of what might be missing costs and what might be missing estimates.

We all may remember that in the supplementary estimates we had a hundred-million-dollar extra request from the government for some of the ring road around Anthony Henday. Whether it was missed or whether it was just part of the overall process and was a later part of what was being done is not clear to me, but I do believe that if this was on the priority list and our number was there, this would help taxpayers hold the government and Transportation accountable for how the money is spent, and this would help our Transportation employees work towards the number we need to work towards.

Also, I think that this can be done. If we know the number and if we release the number, I think this could become an important way, Mr. Speaker, to hold contractors accountable. If we're not releasing the number and if one of the reasons that we're not releasing the number is that we're not sure what we want, then we haven't done our planning. If we're only putting it out to two or three bidders and we don't know what the costs are going to come in at, then, my goodness, we're in a tough spot if the safety or the economic importance of that project rises and our costs are only the higher costs.

Again, I think that releasing a project cost that shows more clearly what the experts in the Transportation department are expecting this to cost can help hold some companies in check and can help us negotiate some better deals for taxpayers and some better quality infrastructure for all Albertans.

I also think that if we're more open and transparent with all of our stakeholders, all of our transportation and road-building companies, this will lead to some efficiencies. They will see what certain projects are, what certain costs are estimated for certain areas, and again they can plan their capital, their men, and their equipment better. This will allow them, you know, to give the taxpayer and the citizen a better deal, better quality, and possibly more roads.

I also think that if we put this projected cost of the projects out, it would ensure some more fairness for taxpayers and certainly for contractors. Taxpayers can see what's on the list. We're very fortunate. We have a great, educated population. They know that Rome or Alberta cannot be built in a day, but they do know that working together on what is most important and has the highest safety needs will lead to better infrastructure for all of us.

Again, Mr. Speaker, I would speak against changing my question, where the phrase "the contract associated with" before "each project listed" is put in there. Once a contract is signed, we have certainly missed out on huge parts of the planning. We have certainly missed out on what may be the most important part of all, and that is the cost-benefit analysis. A good cost-benefit analysis, of course, will have to have some number with some degree of hardness.

When we add to the end of the question "with the exception of pretended estimates," that basically suggests, again, that many,

many parts of the priority list are just thrown on there with the desire to come off in a short time without being seriously thought of. I think it's a disservice to Albertans not to provide as much information to them as we can.

Thank you.

**The Speaker:** Hon. member, thank you for your comments. Actually, it sounded like you were anticipating some changes to your motion. The House has not seen any amendments yet, but that's okay. It will save us time later when we get to the amendment if there is one.

That being said, the hon. Member for Cypress-Medicine Hat has now moved Written Question 30, and it's on the floor for discussion.

The hon. Minister of Transportation.

**Mr. McIver:** Well, thank you, Mr. Speaker. The hon. member is like Kreskin because as it turns out, there is an amendment. It's like he read my mind. That's actually because we furnished the hon. member with the amendment ahead of time. The Member for Cypress-Medicine Hat asked this question: "As of November 1, 2012, what is the projected spending for each project listed in Alberta Transportation's three-year construction program, 2012-2015?" After reviewing the question, I would propose an amendment so that it would read as follows:

As of November 1, 2012, what is the projected spending for the contract associated with each project listed in Alberta Transportation's three-year construction program, 2012-2015, with the exception of pretended estimates?

Mr. Speaker, I'm asking for this amendment really just to protect the integrity of our tendering process. Alberta Transportation does not publicize the pretender estimates of construction projects. If we did, it would influence the prices bid on these projects. As an analogy that would be like getting an estimate to build a house and telling your contractors in advance how big your bank account is and then saying: now bid on it. This is essentially what the hon. member is advocating, and the reason that we don't want to do that is that we don't want to put Alberta taxpayers in that position.

3:20

Of course, we set a budget for projects, but again by contract if you tell the contractor what your bank account is for that project, they're obviously going to bid the full amount or more. Without doing that, there is a chance, of course, that they could bid under that, which is in the better interest of Albertans, which is essentially the reason we're asking for that amendment.

We need to be accountable within our budget. Project bids should reflect what the work will cost, not what contractors think we can afford on behalf of the taxpayers. In addition, costs are not presented at a project level because it could put a contractor at a competitive disadvantage on a future project. Of course, that also might dissuade them from giving the people of Alberta through this government the best price that they can. Each project on the three-year program could be a subcomponent of a larger construction tender. For example, they could be different types of work or work on different highways, so when the time comes to tender, they may be bundled together to achieve efficiencies in their delivery.

Making this type of detailed "project" information publicly available to their competitors could put them at a disadvantage. Of course, Mr. Speaker, if we put our contractors at a disadvantage, they may not want to do work for the government anymore, and with fewer people bidding on our contracts, the taxpayers could actually get a worse deal, and we don't want that to happen to

them. So we don't want anything that may impact the integrity of our construction project tenders or the competitive process. If there are questions offline later on that I could explain to the member, I would be happy to do so.

Mr. Speaker, another couple of points were raised in the opening speech. One that the member raised was about a hundred million dollars in estimates for Anthony Henday. The biggest part of that, as was explained to the member, was that the work got done actually ahead of schedule. Of course, it shouldn't really surprise anybody that when work gets done, you have to pay for it. Sometimes when work gets done sooner, you have to pay for it a little sooner.

Further, the speaker also talked about pitting one area against another, Mr. Speaker, and that's why we put all of our approved projects on the website. We think that that actually prevents pitting one area against another because there are only two rankings that matter, funded and unfunded. Well, pitting one area against another because one project was theoretically under the speaker's idea approved at number 1 and another at number 17 would cause a fight that has no point simply because they're either funded or they're not. That's what the municipalities tell me. They want their projects funded. Funded or not funded: that's what they need to know. That's what we tell them.

Mr. Speaker, that's why I'm proposing the amendment, and I hope all members of the Assembly, having heard the explanation that I have just given, will support the amendment that has just been proposed.

**The Speaker:** Having heard the amendment as moved by the Minister of Transportation and having heard some comments already about the anticipated amendment by the hon. Member for Cypress-Medicine Hat, are there other speakers to the amendment?

The hon. member.

**Mr. Barnes:** Thank you, Mr. Speaker. Sorry for my misunderstanding at first, and thank you to the hon. minister for providing me the amendment earlier. I appreciate it. I think it is a step forward that we're going to get some information on what the costs are going to be. Again, openness and transparency is something that's important to many Albertans.

**An Hon. Member:** All Albertans.

**Mr. Barnes:** All Albertans. I appreciate that.

What is the projected spending for the contract associated? That phrase to me suggests that the numbers that are provided are going to be limited, and I don't see any reason to limit them. "With the exception of pretended estimates" is also going to limit it. I'm going to suggest to you that possibly a range of prices where your cost-benefit analysis has looked at things would go a long way to help Albertans know when things are going to be done.

In closing, thank you for considering my question this far, and thank you for providing it to me earlier.

**The Speaker:** Thank you.

Are there any other speakers to the amendment? The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. I rise today to support the original, unamended question, and that question reads: "As of November 1, 2012, what is the projected spending for each project listed in Alberta Transportation's three-year construction program," and that's from 2012 to 2015 inclusive.

Mr. Speaker, the reason I support this written question is that we often see that when the government comes out with various announcements, promises on different projects, there's often an overspending or escalation of costs once they get into the process. We saw this with the MLA offices, where the Minister of Infrastructure had come up with a budget for that project, and again and again it just ballooned and ballooned and ballooned. That may have been because of extra parts of it in terms of, you know, a rooftop garden or an 80-person movie theatre or something like that, but it also could have been because the contractors, due to the type of project, simply had to escalate their costs and increase the price, and that may not have been incorporated in the original estimate that was put forward by the minister.

We see this with other types of projects: roads, hospitals, and things like that. I think the average Albertan would want to see that. You know, I talk to my constituents. Okay. You have a list of projects over the next three years. What do you expect those to cost? I think that is a very reasonable question to ask here in this Legislature. What is the projected cost of those projects?

When you have a government that's talked about being open and transparent – this was actually part of the original throne speech; this was supposed to be a pillar of this government – part of that includes putting forward publicly information that is important. I think what would be important when you come up with a three-year construction program is how much that construction is going to cost. What is the projected cost going forward? It's a little odd that that simple information, that would be used in any type of budgeting, cannot be put forward in its purest form as is asked in this question by the hon. Member for Cypress-Medicine Hat.

We see again and again various examples of how this government puts forward ideas, openness and transparency, coming forward and being, you know, the most the most open and transparent government across Canada, but when it comes to actually doing something to further that objective, in this case making public the projected costs of different projects, they fall short. I think that in this Legislature if you have a viable, important question, the information for which should be readily attainable by the minister or obviously his department, that information should be made public, that there should not be any type of amendments.

It looks like part of the amendment here is to put in “the contract associated with” before the part that's quoted as “each project listed.” Of course, once a contract has been finalized, you would have crystallized the cost within that particular contract. But even there, I mean, there are obviously provisions in the contract that would allow for either the increase or decrease of the eventual payout. We saw this – again, this is a perfect example – with the brand new, fancy MLA offices.

Mr. Speaker, I respect the hon. Minister of Transportation for his comments about, you know, perhaps not knowing with clear certainty the projected costs, but this an estimate of it. What are you projecting going forward? We do not know numbers definitively right now, so we need to know what the projected amounts are. How do you come up with budgetary decisions when you don't even have projected numbers?

I think that this a very important question to ask because we see again and again this government rolling out different projects, picking numbers out – they seem to be able to project numbers at certain times, and then those numbers inevitably are proved to be wrong. But it's important that you at least come up with those projections right off that bat so that taxpayers can say: “Okay. This is what they projected based on these circumstances. There

was a change for some reason in circumstances.” The MLA offices are one example. Maybe there wasn't a projection of a rooftop garden. You know, there was a change in circumstances. That's why the costs escalated. I think taxpayers could forgive the government if they actually were open and transparent and showed their decision-making right from the beginning all the way through to the end. “This is what we projected. This is what happened. This is why the projection either fell short or was too high.”

3:30

So I think, Mr. Speaker, in these circumstances where you have a very clear question, you go to Albertans, you go to your constituents and say, you know: “We asked a question of the government. What is the projected spending for each project listed in their three-year construction program? They couldn't even answer that.” I think that most Albertans, small-business owners particularly, who have to project their costs on a go-forward basis, would understandably indicate that that type of rejection of a question like that doesn't make any sense.

That's why I rise today to support the question in its original form without the amended statement that was put forward by the hon. Transportation minister. We need to know going forward what the projected costs are for each and every project within that department. What are they, and how are we going to proceed on a go-forward basis if we don't even have the projected costs, if the government can't even answer that simple question? It shouldn't take us, the opposition, going through the process of FOIP to dig this information up, to go through that long, tedious process when, if the information is readily available, the government should be able to provide that information so that not only the opposition can see it but, of course, all Albertans and taxpayers can see what those projected costs are within a particular department.

Mr. Speaker, you know, it just seems to me to be pretty common sense. The government is indicating: we're going to go ahead with a certain project. We're simply asking: what is the projected cost of that project? That doesn't seem unreasonable. In these circumstances I believe it's incumbent upon the government to answer clearly, to be forthright in their answers, to be comprehensive. Making this amendment really limits the usefulness of the information that was requested by the Member for Cypress-Medicine Hat. That's why I rise today to vote in favour of the unamended question and to vote against this proposed amendment that's been put forward by the Transportation minister.

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

I have the hon. Member for Rimbey-Rocky Mountain House-Sundre, followed by Innisfail-Sylvan Lake.

**Mr. Anglin:** Thank you, Mr. Speaker. I, too, rise opposed to the amendment but in favour of the original question brought forward. The minister is welcome to address my concerns, but the idea that we should not have an expected cost of an unfunded project so that we can budget properly is just not consistent with the way we budget in municipalities.

That's a good analogy. The fact is that we have funded and unfunded. For those projects that remain unfunded, we have to go back occasionally and re-evaluate what the projected costs are, but then once they become that funded portion of our budget, we generally put them out for bid. Now, if we don't have an expected cost, how on earth are we supposed to have any idea whether or not the bids are even going to come in correctly if they're way

over or way under? Having just a general sense of what a project is going to cost is, to me, fundamental in planning your budget going forward. So the original request is asking for just that, and the amended version is saying: if it hasn't been bid yet, we're not going to disclose that information.

I'll bring up a point that was kind of made a little bit earlier. In my little community of Rimbey the library has come forward for an expansion. Much of the town has risen up in opposition to that, but they're not opposed to the library expansion. What they're opposed to is that there's no idea what the project is, there's no idea how much it's going to cost, and they want to know before anything is approved. That, to me, is logical.

We sit here now trying to figure it out, dealing with the issues of the various ministries' budgets. What we really do want to know in the Wildrose is: what is the priority list of these infrastructure projects? I know we get all the rhetoric back saying, "You want to cut, and we want to build," but the fact is that all we want to know is: what are the priorities so we can argue about the priorities of what should or should not be funded?

What, in particular, a lot of the communities want to know with infrastructure – in my community it's highway 53. Highway 11 and intersection 761 is also very important. Highway 11 upgrades are important. What they want to know is: where does that project sit? What is the estimated cost of the project? Is it going to be this year, next year, or in the third year? This is the information people can live with.

We're not asking to build the world. We're not asking to overspend. What we're saying is that we do want to spend within our means, but we need to have an idea of the priorities of what is more important in one project versus others, and how much the expected costs are.

This is nothing new even in the private sector. When private corporate entities, particularly very large ones, plan for the future, they have an expectation of what they're budgeting for, and that is generally well known in the internal workings of a company. When it does get funded and it goes out for bids, it's evaluated based on bids. If those bids come in way over, maybe you have to rethink the project. Maybe something was wrong in the planning stages. That's a good cautionary tale.

That is a big part of holding a government accountable. If we knew what projects were unfunded in the sense of this budget year but with an expected cost or an expected price tag on that project, when that comes into the funded portion of our budget, we are better equipped to deal with it, whether it's reasonable or unreasonable. It's also very helpful to us to plan future budgets.

So I don't understand the Minister of Transportation's argument on this that because it hasn't gone out to bid yet, you don't need to know what the expected cost is. We're not asking for the bid price here. What we're asking for is the budgeted price. How much is this government going to put forward on these projects when they come into the funded pool of projects to be built? That's really important because it gives us a great sense of our books, of what's funded, what's unfunded, what to expect. What are the needs of Albertans?

Also, when you have this type of information, if something like the Rocky Mountain House hospital remains unfunded and on the books for 10 years or on the list for about 10 years, you know that has to be upgraded. You know things have changed. But it also gives you a tool to look across not just your budget but the community's. "How can I maximize spending my dollars when we go forward to build this infrastructure?" These are all important issues of why that information is important.

Again, just to close, I'm opposed to the amendment, and I will be supporting the original question. Thank you very much, Mr. Speaker.

**The Speaker:** The hon. Member for Innisfail-Sylvan Lake, followed by Edmonton-Beverly-Clareview.

**Mrs. Towle:** Thank you, Mr. Speaker. It's my pleasure to rise and support the original question and not the amended version put forward by the Minister of Transportation. The original question reads: "As of November 1, 2012, what is the projected spending for each project listed in Alberta Transportation's three-year construction program, 2012-2015?"

I can appreciate the Minister of Transportation's concerns regarding competitive advantage and not wanting to put out the maximum budget amount that they would want or possibly receive from vendors who go to tenders, but there is importance in making sure that that competitive advantage is anchored on both sides. One of the things that we often see with this current government is that when the tenders go out, the costs that actually are incurred by Alberta taxpayers are significantly higher than what the original projected amount was and even what the tendered amount was. Some of that is unforeseeable, and some of it is foreseeable.

As many of my colleagues have already discussed, we saw that with clear, clear indication on the federal building renovations. The original budget was \$275 million, and the new projected budget is \$350 million. We're going to see an 80-seat gallery in there, and while that's very nice, I'm sure we can put that money to better use. We're also going to see a complete rooftop garden that can only be accessed by the Premier and selective members of her cabinet. So it's not an opportunity for all Albertans to enjoy, yet we're expecting Albertans to expend an extra \$75 million over the projected budget to cover the costs of that. If there actually is a budget, then we should stay within the budget. It would seem to me that that is only one example.

3:40

It also seems to me that clearly one of the ways to avoid this is if you just had a clear list of the projects that the Alberta government sees as priorities, a clear list of the order of priority, and a clear list of what the projected dollar amounts associated with those projects might be. I don't think anybody is asking for their exact budget. We all know there are unforeseeable circumstances, but we also know that if unaccounted for, spending can get a bit out of control.

I would also have to question the Minister of Transportation's assertion that if we tell companies what the budget for certain projects might be, those companies would be so greedy as to gouge the government at every opportunity and take as much from the government as they possibly can. It would seem to me that if the government actually went out with an idea of what the plan should cost, many Alberta companies are very competent and very much want to deal fairly, so if given the opportunity, these companies would come back to the table with a reasonable offer to the government.

If they don't know the projections of the budget and they don't really know the exact parameters of what the client wants, you're not allowing for any planning by the company that might actually allow the company to build in some cost savings or efficiencies that would allow for them to save the government money either. If they never know sort of what the guidelines are – we're asking companies to meet guidelines and come in under budget, but they never really know what the budget is.

I think we're assuming that all companies and especially Alberta companies – you know, from my experience Albertans and Alberta companies are very entrepreneurial and very honest and hard-working – will automatically go to the dark side and try and take as much as they can from the government. We also are assuming that companies are incapable of putting in an effective tender if they're given the actual budget which we want them to work within, and we are assuming that they're unable to plan for those costs and find ways to save the government and eventually the Alberta taxpayers money.

If we don't have a complete list of the prioritized projects, what we see is the politicization of these decisions. A clear example of this is one from my own riding. I can tell you that clearly the residents of Innisfail-Sylvan Lake riding and in the community of Sylvan Lake did not see it as a priority of this government at all to close down the intersection of highway 11 and highway 781. That closure of the intersection not only has devastated our downtown economy in Sylvan Lake and created a different safety issue not even a mile away and then put other residents at risk, but it actually has come in at a cost of close to \$10 million. Ten million dollars for an intersection that was never in the budget.

This was a knee-jerk reaction, and it was an unfortunate situation that caused the knee-jerk reaction. If they'd actually had a discussion with the residents of Sylvan Lake and surrounding area about what their priorities would be for how to spend taxpayer money, they would have seen that the residents of Sylvan Lake and surrounding area actually wanted it to be a clear priority that they have an open and safe intersection and that they wanted lights to be considered, a cloverleaf, a four-way, whichever. They wanted a safe intersection open, and we know that lights at similar intersections much busier than that highway 11, highway 781 intersection came in at a cost between \$500,000 and \$1 million, which would have allowed for significant tax savings to the Alberta taxpayer.

Given that there's a set of lights not 1,500 metres away on the crest of a hill which has resulted in two fatalities since those lights were installed, it's not a matter of money and safety. It clearly is just a matter of Alberta Transportation and the Minister of Transportation just picking and choosing what the ministry decides is a priority for him at the time. That was not, unfortunately, this current Minister of Transportation's but the previous Minister of Transportation's decision. Unfortunately, this government has decided not to listen to the community.

In that community 4,500 people signed that petition expressing their concern about the money being spent to close this intersection and the devastating effects it's had on that community. That's just one example.

Then we go even further. When you don't have a clear list of priorities and a clear budget attached to it: we saw this clearly with the Strathcona community hospital. Promises have been made several times. For the last 10 years this community has been promised a hospital. It started in 2005, when the hospital was built. This hospital was promised during the election, that phase 2 of the hospital would be built. It was clearly a political election promise, a campaign promise to get votes. What ended up happening, because there was no clear priority list and no budget associated with it: phase 1, which cost \$130 million, has now essentially turned the Strathcona community hospital into one of the most expensive urgent care facilities in Alberta. Their own physician, Dr. Jim Adams, has called this a glorified walk-in clinic and an expensive one at that.

Clearly, the Sherwood Park residents are reeling. After the election nothing was said until the budget came out, and that was no longer on the three-year capital plan. If we had a clear list of

priorities, you would see that residents would be able to actually go online – and I don't care if it's online or if it's in writing and hard copy – and see what the priorities of this government are. They would be able to see the dollar amounts, what each of these projects costs.

Additionally, the other part of it is that we maybe need to educate Albertans on exactly what a project does cost. I know that in my own riding, for example, with the idea of lights there were many people who thought a set of lights was \$50,000 when in reality it's \$500,000 to a million dollars. That was an education process. I also know that many in my community didn't understand that the closure of an intersection and fixing a few roads would cost \$10 million either. If we actually started prioritizing and putting budget amounts together for each priority project, you might have the added benefit of educating Albertans on what the true costs of these projects are.

That goes a long, long way to working with Albertans and being accountable, being transparent, and getting Albertans onboard with what should be asked of our government. There is sometimes an expectation from Albertans that think that we need to pay for every single thing. But we have to do our part as legislators as well. We have to do our part to set expectations, we have to show what the priorities are, and we have to start showing what the true cost of each and every single one of these priorities would be. That can easily be solved with a simple priority list and budgeted amounts.

That's why I stand in support of the original question. "As of November 1, 2012, what is the projected spending for each project listed in Alberta Transportation's three-year construction program, 2012-2015?" I'm not in support of the amended version that the Minister of Transportation has provided.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview, followed by Fort McMurray-Wood Buffalo. We're on the amendment, by the way.

**Mr. Bilous:** Thank you very much. Mr. Speaker, I rise in support of the question as originally put forward by the hon. member, and therefore I'm speaking against the amendment.

Mr. Speaker, there are several points. One, you know, the job of the opposition is to hold the government to account and ensure that they are not breaking their promises. I guess, then, unfortunately, the opposition needs to do a bit better of a job considering how many have been broken.

However, the one thing that we'd like to do is to ensure that Albertans know exactly where their dollars are going. In order to keep the government accountable, to keep them honest, and to force them to do a better job planning and looking at how many dollars are going to be going into different projects, we and Albertans need to have access to this information. I think that asking for projected spending for each project listed under Alberta Transportation's three-year construction program is a very reasonable request. I think that by having this figure, the opposition and Albertans are better informed as to where their hard-earned money is going.

3:50

I, too, agree with the idea that a priority list of projected projects needs to be made available to the public. Part of this is because if there is a change in priorities, if the government decides that one project is going to move up or down the list, at least Albertans are informed as to what those priorities are. More importantly, then the opposition and citizens of this province can ask the government what the reasons are behind one project being

delayed and another one being accelerated. I think part of the reason that it's frustrating to Albertans is that they don't know where they are on a list, and it makes it very difficult to plan and to know what direction the government is going. I find it very interesting that, again, for a government that campaigned very hard on being accountable and open and transparent, you know, we have to resort to the opposition asking and fighting for the government to be accountable and transparent and open.

I think the written question that was submitted by the hon. member was very well written and goes to the heart of the matter, where we're looking for projected costs, not exempting the pretended estimates. I think Albertans need to know what the government is projecting for spending. I think, you know, that if the hon. minister is concerned about prices for tendering going up, well, then the government can be very conservative in their budget estimates or what they would like to spend, which may actually bring down the tendering contracts.

Again, I'm speaking in favour of the question as it was originally written, and I ask all members of the Assembly to agree. Thank you, Mr. Speaker.

**The Speaker:** Thank you.

The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Allen:** Thank you, Mr. Speaker. It's a pleasure to rise today and speak in favour of the amendment. I listened to all of the comments very carefully, and I can certainly appreciate where every member that has stood up is coming from. I think there isn't a single person in this House that does not want to see us improve and always be more accountable and transparent and responsible for the dollars that we spend on behalf of the taxpayers.

Quite frankly, I'm not sure if it's naïveté or what it is, but the members that have been speaking against the amendment are in fact speaking against what is currently common purchasing practice. It's a procurement standard. It's supported by the PMAC and the PSAB and everyone else. I think that for us to not stay with those standards would in fact be not only inappropriate, but it would be irresponsible, and I think there are certain cases where it can actually lead towards artificially impacting market forces, which would have a negative impact.

I've got a couple of examples here. You know, I've never said that the government needs to operate like a business, but I have always believed it needs to operate with sound business practice. The hon. Member for Cypress-Medicine Hat and I share, I think, a common passion in our private lives, and that is for sales and marketing. I believe the member – I'm just going to throw this out there – would probably agree with me that the interpretation of this type of disclosure in any case, whether it be the public or private sector, is going to have a different impact on whether you are the buyer or the seller. The person who is selling is going to have an advantage by not disclosing how much he actually wants for it. He's going to invite several different bids. The person who is buying it wants to know: exactly how low will you go? In this particular case we're talking about spending public dollars on projects.

Now, Mr. Speaker, there are cases where we do announce prices before they're tendered, and I'll use highway 63 as an example. Last October we announced that we were going to fund and complete the balance of the twinning of highway 63 at a cost of \$778 million. That cost was based on a completed design of the road, but that tender is going to be broken up into multiple tenders. It could be 30, it could be 50 tenders. So there's no one

company that is going to know that he can bid on the entire job for \$778 million or push it to \$777.5 million. It's not allowing them to know what is in our bank account, as he said.

The other thing is that the Member for Rimbey-Rocky Mountain House-Sundre is quite correct when he says that the private sector does disclose a budget to their shareholders. However, they're talking about total project prices as well. When Suncor came out and announced their Voyageur project, it was a \$10 billion project. Literally thousands of different tenders would have been issued on that.

Municipalities also follow this, and I'll use my own municipality as an example, the regional municipality of Wood Buffalo, when I served on council there. Every piece of land they're going to buy doesn't appear as a single line item in their budget. They came out and said: we need \$30 million for land acquisition. If you do it line by line – and you'll know this in real estate as well – that leads to real estate speculation, and that can have some impacts on the market forces.

When we look at different bids, particularly in Transportation, these are very complex projects, projects that are going to require multiple tenders. We can come out with an estimate. We can publish that in advance. But until it's actually tendered and tenders are awarded, I believe it would be irresponsible to put a price out on every bridge and every mile of highway. We can estimate those, and road builders and other people can estimate based on what the average is on a per-kilometre basis for asphalt, et cetera, but everybody that's in the business of bidding knows what it's going to take to do the job, and they will bid accordingly.

Mr. Speaker, I believe we're following the appropriate transparent process right now, and that is to come out with a budget that is a lump sum for our highway transportation projects and to list them all out until such a time as we know exactly what the actual costs for the citizens of Alberta are going to be.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-McCall, followed by Cardston-Taber-Warner, followed by Medicine Hat unless I see others on this side.

**Mr. Kang:** Thank you, Mr. Speaker. I also stand up in favour of the written question from the Member for Cypress-Medicine Hat. It happens every day in the real world. When a company plans a project, they always have the projected costs. You know, this is just for accountability and so that we can scrutinize a project. We have to have the number in order for the project to go ahead. I don't see any reason why the Ministry of Transportation can't release the list of the number of projects and projected costs. When somebody is building a house, there's a price put on the whole project, and then tenders go out. It all depends how we negotiate with the contractors when the tenders come in.

If the minister is worried about the tender costs going up, I don't know how that would be because it's done every day. Companies always have projected costs on the projects, and they always tender. They always go out and, you know, finish the project on budget and on time. I don't see any reason why the Ministry of Transportation can't do the same.

For those reasons, I'm also supporting the Member for Cypress-Medicine Hat on his written question. Thank you, sir.

**The Speaker:** The hon. Member for Cardston-Taber-Warner, followed by Medicine Hat on the amendment.

**Mr. Bikman:** Thank you, Mr. Speaker. I'm voting against this amendment, and I'm going to tell you why. We think that

prioritized lists are very useful. They increase the transparency. They also increase the certainty of projects being followed through on. If a municipality or an area of the province knows that they're on this list and where they are on that list, they may not like where they are on the list, but they'll see the projects that are higher up on the list being completed and checked off. They know that they're moving up that list, so they can have some confidence that it's really going to happen.

4:00

We know, unfortunately, that this government has a track record of breaking some of those promises. The projects are being promised, and the people are waiting for them, but somehow they just keep getting shuffled back to the bottom of the deck in some sort of political sleight of hand, and that undermines the credibility of the government. It also undermines the people's confidence in the likelihood of their projects coming on. It makes it harder for those individual jurisdictions to plan.

I think a prioritized list would go a long way towards reassuring them but also remove from the government or make it harder, at least, for the government to politicize and change projects on prioritized lists. We know that happens. Unfortunately, it's sort of the way the game is played, and it's not the right way to play the game. It's sort of bending the rules for your own political benefit. We'd like to of course see that eliminated, not just because we're in opposition but because we all live in these communities.

Some of us have served on local community councils. You know, I've been a mayor and a village councillor, and some others have had other positions like that, too. We count on it. We've received the promise. It doesn't happen. We look at where we are on this list, and apparently we're never coming up to the surface. That's pretty discouraging.

Of course, the tendering process itself can be manipulated by designing a bid in such a way that only certain bidders qualify. We don't like to talk about that. It's sort of the elephant in the room, though, because we all know it happens. You'd think that in theory it's good on the surface to have some prequalifications that you have to meet in order to be allowed to bid, and as far as that goes, if that's all it was, that would be good. But if it's used to eliminate certain companies that would be equally capable because their equipment isn't painted the right colour or whatever – sometimes it seems like it's almost that frivolous. It would make it harder for that to happen if the prioritized list was there.

I will be voting against this amendment and voting in favour of the well-thought-out, well-constructed proposal, the question that's being asked, that will help bring more accountability and transparency to this government and give Albertans a chance to really see where they stand with their projects and know when they can anticipate their actual completion.

**The Speaker:** Thank you.

Hon. members, we're on the amendment. I'll recognize Medicine Hat.

**Mr. Pedersen:** Thank you, Mr. Speaker. I also will be voting against the amendment. The original question, I think, is interesting. It's asking for projected spending. It's not saying that that is what the project will spend or what the cost will be. It's projected spending. There's always a range of dollar values that you can work with, up or down, and I think that is fairly consistent in how projects are budgeted, whether government is doing it or

whether it's private business, but you have to have some kind of idea of what number you're going to play with.

If you have a good vendor or construction company or somebody who is doing services, they can come to the table and offer some very innovative new technology or ways of delivering services that can drastically slash the cost of your project. Projected is what we're dealing with today. What the budgeted or the let contract actually comes out at will be much different.

I think the way the original question is worded is proper, and I think it also helps to take the politics out of the whole equation because now you're seeing that there is a number associated to it. We're talking about the number, not only the cost but where it is on the list of projects to be done, and again, as has been mentioned by other members here, people just want to know where their project is. They just want to know: are they on the list? Has the government heard them? When the project drops off the list, I think it's incumbent that the people know that so that they can get representation back in there and say: "Where is our project? Why is it no longer on the list? Can we get it added? What was the reasoning for removing it from the list?" I think that's very important.

It's also a great opportunity for the government to work towards, you know, being more open, more transparent. The accountability factor: I mean, we all strive to have that in our personal lives and our lives as MLAs, being accountable. Transformational: I've heard that term as well. Gee, I just thought of something here. Government could even propose maybe doing an associate ministry of such words. But now that I'm thinking about it, it's probably not a good idea, and it would probably just be a waste of time and money.

These projects, unfortunately, are used as carrots. Where I find that they're most used is during elections, or they can be used to buy favours in certain ridings or from certain people, or they can be used as a punishing or intimidating factor. Take those out of that, and take the politics out of it. Just be open, be transparent, and make that list public so that people can actually hold government accountable. That is the purpose of this.

It also helps to keep an eye on the cost and the progress of all these projects. Sometimes I think we all get lost in the idea that we're the only ones interested in it or that certain special-interest groups are interested in that project, but it's not the case. It's constituents who are going to benefit from these projects. They need to know, they want to know, they're asking to know, so I think it's very important that we actually address these needs and concerns.

By having this list and having these costs there, it could help reduce the cost of inflating the price on the project. Look at the south Calgary health centre, for example. That was originally talked about as being around, I believe, \$600 million, plus or minus. The last number I heard is well over \$1 billion, maybe \$1.3 billion. Who actually misses the mark that badly on an estimated project? Who misses it that badly? I mean, in the private sector you would be looking for a new job. Why is this behaviour accepted? Why is government actually allowing projects like this to overrun that badly? There's no accountability. Where is it? There are stories of all kinds of waste on that project. You know, if we had really good whistle-blower protection, we might even have some of those people come forward, but again we don't.

The federal building is another example of costs going down and then up and then down. Oh, guess what? It's up again. If you had that list on the Internet or if it was accessible to the public, we



could see that. I don't think we'd see as much movement on projects up and down, up and down because you'd have to be transparent. You'd have to be open. You'd have to be accountable. But if you don't have it out there, I guess it gives you the freedom of not having to be any one of those three.

Building infrastructure, to me, is a really clear comparison to what happens in the private sector because we're actually spending money that you could term as being part of shareholder money. Shareholders want good value. They want a return on their investment. They want it to be handled properly, and they just want to have the faith in whomever is using their money to make sure that the procurement of the service or the infrastructure is done properly.

I think one of the issues is that it appears that the government hasn't been really clear sometimes on the specifications or the requirements or maybe the expectations of the project because we continue to hear about projects that go over budget. Again, if we had that listed in front for everybody to see in black and white, I think there would be a lot more accountability to hold the original project price in line with what the delivery price is from the contractor.

There also should be an opportunity for the government to push back on contractors when costs are escalating, and there might even be an opportunity to offer incentives for bringing costs in under budget as long as there's no cut to specifications or towards safety or building codes.

It's amazing to me, actually, that during the election we had to listen to the now Premier promise 140 family care clinics. That was thrown out there as being a proposed projected cost of over a billion dollars. Why was this, you know, deemed acceptable at that point in time, yet when the real needs are required, when the rubber needs to hit the road, many old and outstanding projects go unaddressed? I just don't understand why that's acceptable at one time and not another.

4:10

The promise to build 50 new schools and renovate 70 was another campaign promise. That was over, I believe, a billion dollars, and that number was thrown out, so why was this deemed acceptable at the time? You know, during the election it was okay to do it, but now why wouldn't you roll that over into budgeting models? If you can do it during electioneering times, why don't you put it into practice?

In closing here, I think the fear the government has in disclosing project estimates is because they have typically done such a poor job in managing these and in holding the contractors to account and holding themselves to account. I just don't think they want to wear the responsibility of this.

Thanks.

**The Speaker:** Are there other speakers to the amendment?

Not hearing or seeing any others who wish to speak, let me then pose the question.

[Motion on amendment carried]

**The Speaker:** Now on to the motion as amended.

**Hon. Members:** Question.

**The Speaker:** The question has been called.

[Written Question 30 as amended carried]

### Staffing for Checkstops

Q32. Mr. Barnes asked that the following question be accepted.

As of November 28, 2012, how many peace officers have been added to operate checkstops in Alberta since April 23, 2012?

**Mr. Barnes:** We all may remember that in the Wildrose's balanced budget alternative from 2012 we clearly announced that we would hire 300 new police officers, corrections officers, and sheriffs, including five dedicated checkstop teams. We feel this would go a long, long way to increasing the visibility and, obviously, to catching impaired drivers, but the visibility would go a long, long way to potentially keeping impaired drivers off the road.

[The Deputy Speaker in the chair]

On kind of a personal interest basis, I have a few friends in Cypress-Medicine Hat that are policemen, very, very hard-working professionals. It's interesting to me, when I talk to them, how big parts of their day are lost in paperwork, book work, transporting prisoners, working with courts. There's lots of this. It's potentially a situation where, you know, the idea of five dedicated checkstop teams could go a long, long way to really making our province safer for all.

With that, I would ask that the government please support my question and consider it.

**The Deputy Speaker:** The hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you very much for recognizing me, Mr. Speaker. With respect, I'm going to reject the hon. member's question for a number of reasons. First off, the term "peace officers" can include both police officers and provincial traffic sheriffs, and frankly we don't cover that. The word "peace officers" is open to interpretation. Tracking down accurate specifics to this written question would be difficult if not impossible. If the term "peace officers" is limited to provincial traffic sheriffs, an answer may infer that sheriffs have criminal impaired driving authorities, which, of course, they do not have. That would be tantamount to creating a provincial police force, which, as we know, our government has decided not to do. The provincial police service agreement, of course, is being funded 30 per cent by the federal government, which we would lose in the event that we were to go in that direction.

The province does not directly establish or allocate police officers at checkstops. This is the responsibility of the highly qualified and hard-working chiefs of police as well as the commissioner of the RCMP in Alberta.

Mr. Speaker, we're not a third-world country. We don't tell the police chiefs what to do. The wording of this question implies that we tell law enforcement when to conduct checkstops, how many they can execute, and how many officers are involved. Again, the policing in this province is fully and completely independent of any political interference from anybody in this Chamber.

We do allocate sheriffs to provide a support function to the police at checkstops. This would include the laying of provincial charges, providing mobile breath testing, traffic control, or towing vehicles.

Mr. Speaker, I know this member didn't support our particular crackdown on drunk driving a number of years ago. This government takes drinking and driving very seriously, and to support our provincial strategy to reduce impaired driving, we've provided additional funds through the enhanced Alberta checkstop

program, that has funded approximately 2,500 additional law enforcement hours between April 23, 2012, and November 28, 2012.

I would also be remiss if I did not point out, Mr. Speaker, that there are many ways other than checkpoints, however useful that they are, for police and peace officers to detect and pull over drunk drivers. There is the 911 call, that we encourage people to make if they actually see a drunk driver. Of course, we don't live in a police state. We don't want to live in a police state, where you have a cop around every corner. We expect people to obey the law. We also expect law-abiding citizens to call and report a drunk driver so that the police can act accordingly. On top of that, there are police that are periodically on patrol here in Edmonton, in Calgary as well as in rural Alberta. These are all ways that the police do enforce drunk-driving laws.

Mr. Speaker, while I'm rejecting this member's question for the reasons outlined, I ask him to help us in supporting our continued efforts to crack down on impaired driving and save Albertans' lives. Thank you.

**The Deputy Speaker:** Thank you, hon. minister.

Are there others? The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. I rise in support of this question: how many officers were added to operate checkpoints in Alberta since April 23, 2012? As the hon. Member for Cypress-Medicine Hat indicated, our party had supported more front-line enforcement, boots on the ground, to actually find drunk drivers. In addition to that, we had put forward a proposal for five dedicated provincial checkpoint teams. This is because we often see that, you know, in rural Alberta sometimes there's enforcement during certain time periods, but then there's not enforcement in other time periods and in particular locations. In particular, we see this in rural Alberta. We felt that having five dedicated provincial checkpoint teams would show a real force and momentum to actually get drunk drivers off the road.

Now, the hon. Justice minister mentioned this .05 legislation as cracking down on impaired driving, I think he mentioned. We saw earlier today where there are clogs in our judicial system. There was a report, actually, that was filed on Friday, that indicated that because of a whole bunch of traffic ticket cases serious sexual assault cases were actually being dropped. This minister is promoting, advocating more of these types of administrative penalties in our judicial system. It just seems completely counterintuitive. We should be going after serious offenders and making sure that those people are brought to justice. Part of that is actually finding these serious offenders, finding those people who are driving over the legal limit, and making sure that once those individuals are found, we put them through the judicial system and that there are serious, swift, and certain consequences for their actions.

Part of that is actually increasing boots on the ground. There are various instances where, of course, people are out there driving impaired, over the legal limit, but they are just not found because of the lack of resources in terms of front-line officers. In our case we're suggesting five provincial checkpoint teams.

The question, in particular, here is simply asking for a statistic. "How many peace officers have been added to operate checkpoints in Alberta since April 23, 2012," since the election? I don't think this should be a very complicated answer for the Justice minister to provide. His refusal to provide what I would suggest is a very vital statistic I think demonstrates his lack of control over his portfolio.

4:20

This information should be very readily available. If he's actually taking drunk driving seriously, if he was actually serious about cracking down on crime, serious crime, he should actually know how many officers have been added to checkpoints in Alberta. Instead, what we see is a continuation with this Justice minister where he scraps electronic monitoring for individuals who've committed very serious offences, where he eliminates funding for safer communities, where individuals who are very vulnerable had safe havens to get out of particular lifestyles. We see that this minister is promoting offenders getting two free passes when it's dealing with vandalism or with petty crimes. This is a continuation of a soft-on-crime agenda that's been put forward by this government.

I know the hon. minister must be jumping for joy with Justin Trudeau being elected as the federal Liberal leader and maybe hoping that he would take after his father in terms of these types of progressive justice policies, but I have to say, Mr. Speaker, that our party does not support that type of soft-on-crime attitude. We know that when we're going after drunk drivers, we need to ensure that the resources – the boots on the ground, the front-line officers – are available. For this minister to not be able to answer a very simple question – how many more officers have been added to checkpoints? – it's just, quite frankly, shocking that this information is not readily available at his fingertips.

We see, Mr. Speaker, some type of a progression that I think hasn't been seen in Alberta politics for some time. When there are very serious questions being asked – you know, we saw with the McConnell case that what the minister actually did was bring out his ADM to answer questions to the media. The ADM is supposed to be, of course, truly nonpartisan. He actually brought that individual out to speak to the media, which I think is unprecedented. I think it demonstrates a lack of, again, control over his portfolio. If he can't actually answer questions in front of the media and has to bring out his bureaucrat to answer for him, I think that demonstrates that he doesn't have control over his portfolio.

The rejection of this question furthers that argument. The fact that he cannot answer how many officers have been added to operate checkpoints in Alberta since the election, a very simple number, whether it's part-time or full-time, the fact that he can't even answer that, that it's not readily available at his fingertips, to me speaks to the fact that instead of actually being tough on crime, instead of actually being hard on drunk drivers, instead of actually putting in the front-line resources to find drunk drivers, to ensure that prosecutions occur, and that there are swift, certain, and severe consequences for those people who break the law, this minister has no grasp on his portfolio and doesn't even know how many officers have been added to checkpoints in Alberta since the last election. To me, Mr. Speaker, that is completely confusing.

Of course, our party has put forward many tough-on-crime policies, but we also backed it up in our alternative balanced budget, back in 2012, with resources to those front-line officers who could actually find those people that are driving over the criminal limit and ensure that they get off the road and that we prosecute them to the fullest extent of the law and that there are consequences for it. The fact that this Justice minister can't answer this question, again, is just shocking. It seems to be a very simple statistic that should be readily available within his department.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Are there others? The Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Mr. Speaker. I rise as well to support the original question, which is, "As of November 28, 2012, how many peace officers have been added to operate checkpoints in Alberta since April 23, 2012?" It would seem pretty easy for the Minister of Justice and Solicitor General to actually provide this information. Yes, it does include many layers of officers who provide this service, but if this minister is truly dedicated to ensuring that drunk drivers are off the road and with creating safer roads for all Albertans, then it would seem he would actually want to come out and gloat about exactly how many officers are providing this much-needed service.

As my colleague the Member for Lac La Biche-St. Paul-Two Hills has said, the Wildrose has always supported additional workforce to ensure that drunk drivers are not on the road. To actually suggest otherwise and to actually suggest that just because we may not agree on everything, just because we might be on the opposite sides of certain funding models and certain policies, we are in favour of having drunk drivers on the road and that we would be in favour of endangering Albertans and killing Albertans at risk of drunk drivers is actually truly offensive not only to me and my colleagues who stand here but is truly offensive to all Albertans.

I think every single Albertan out there assumes and wants to believe that every single person in this Legislature wants the safety of their roads to be a primary concern. To insinuate that any single one of us in this House wants everyday Albertans to be killed on Alberta roads by drunk drivers is absolutely offensive.

To go on even further, to decide to not provide this information based solely on a technicality and to use it as sort of a scapegoat way to not come forward with exactly what the plan is by this provincial government is really irresponsible. Actually, it goes even further. One has to question first of all his dedication to ensuring that drunk drivers are off the road, but even further to that is his competence. The reality of it is that we've seen time and time again that during the election they promise one thing, and then they do another right after the election. We saw it with the .05 administrative penalties. We saw them come forward and promote .05, which in reality can have the effect of forcing everyday Albertans to plead guilty because the ramifications to their personal life, to their job can cause them to lose their job without even ever having the benefit of going before a court.

[Mrs. Leskiw in the chair]

As one example of this, my husband works for a company that has a zero-tolerance policy. He does not drink ever when he's out on a workday, but a .05 policy could force him to plead guilty in the event that he was ever stopped and possibly faced this procedure. It clearly has come forward. We know that lawyers are challenging this law right now. Really, this is an administrative penalty, and it's a dollar grab. It really is a way of trying to get money away from Albertans and put it into their pockets without actually having the benefit of the courts and without actually letting the person appeal to the court and plead not guilty. It assumes on the side of the road that they're guilty of something that is an administrative penalty. We've seen the government take it this far. There's no reason to have the government not gloat about how many officers they have providing this service.

The other part of it is that if you go to the Alberta Transportation website, it states, "The highest number of casualty collisions involving alcohol occur from May to October." It goes on to state that "most casualty collisions involving alcohol occur

on the weekends" and that "the most likely time for these collisions is between 11 p.m. and 3 a.m." It also goes on to state that "drinking and driving collisions are often associated with long weekends."

It would seem to me that in the budget that the Department of Justice puts forward, they would know how many officers they need to allocate at any given time and what the funding model is for checkpoints to ensure that Alberta's roads are safe from drinking and driving. They already know what the stats are. Alberta Transportation has done it. Alberta Health Services did a policy paper in 2005 that talked about the need to increase the patrols for drinking and driving. Clearly, this government continues to state that this is a number one priority but really can't come to the table with any numbers at all. That seems a little odd.

It also goes on to state on the Alberta Transportation website under Suspensions and Convictions that "over the last five years . . . administrative suspensions for drinking and driving have been initiated." They received 42,762 immediate 24-hour suspensions, 6,123 Alberta zero alcohol tolerance suspensions, and 34,852 administrative licence suspensions. They also had 41,466 convictions. Clearly, they must know what the dollars allocated are as to how many officers are currently being dedicated to getting drunk drivers off the road and what they plan to put forward because they promised Albertans that this is a priority for this government. If they know that, it would seem very clear that they could come to the House and provide all that information to Albertans.

It would also seem that under the guise of accountability and transparency they would also want to make sure that Albertans truly understand what these costs are, what the impacts are that drinking and driving is having on Albertans.

I would also go even further to say that there's an *Edmonton Journal* article from January of 2013 that talks about:

Alberta's rate of impaired driving rose slightly faster than the national average to 450 incidents per 100,000 population. Only Saskatchewan and Prince Edward Island were higher.

Of those charged across the country, 84 per cent were found guilty. Alberta shared the distinction of having the lowest conviction rate in the country with Ontario, at 81 per cent.

. . . Alberta's assistant deputy minister of criminal justice . . . said the lower rate is a reflection of the fact the province has a large number of defence lawyers who specialize in impaired driving cases and lots of well-heeled accused who can afford to hire their services.

4:30

It seems disturbing that the Minister of Justice is clearly wanting to blame everyone else for his inaction on drunk driving. If he wants to actually do the right thing, he can make it very clear and provide Albertans with all of the activities that he's doing.

[The Deputy Speaker in the chair]

The *Journal* article goes on even further to say, "Only 6.6 per cent of drivers in Alberta who were convicted were sent to jail." Now, this is the assistant deputy minister of criminal justice. I'm not making this up. These are his words. "Only 6.6 per cent of drivers in Alberta who were convicted were sent to jail. The median sentence in the province of 30 days was also slightly less than the national average."

He goes on to say, "First-time offenders rarely get jail time in Alberta unless they have caused injury or death." He said that the prosecutors in this province seek the same mandatory sentence of 14 days as their counterparts elsewhere in Canada in cases where there's a second conviction in five years. So this soft-on-crime policy that clearly this minister has shows that even he is not

assisting to increase the sentencing. Fourteen days for your second drunk-driving conviction, but we're making drunk driving a priority in this province.

He also goes on to say, "They'll spare no expense to try to hire some lawyer to take advantage of the fact that it's a technical and difficult area of the law and try and get off." Here the associate deputy minister is saying – and he's criticizing – that those who are facing drunk-driving convictions will "spare no expense to try to hire some lawyer to take advantage of the fact that it's a technical and difficult area." I believe the Minister of Justice just used those same words in the House. He said that it was difficult or impossible to get those numbers – so is it difficult, or is it impossible? – yet his own associate minister is criticizing lawyers for using that it's difficult or of getting out of having to do what's right based on a technicality.

Yet this minister is using that exact same argument in this House today. He's saying to the hon. Member for Cypress-Medicine Hat: "Sorry. I'd like to answer it, but because of a technicality of just calling it peace officers, there might be too many people in there. It's a little difficult, and you might be asking me too many questions at once, and I might have to deal with the RCMP, peace officers, police officers— I'm not really sure – so based on that technicality, I'm just going to choose not to answer your question." Yet his ministry has no problem branding those who are before the courts, saying that they're sparing no expense to get off on a technicality.

It seems a bit of hypocrisy for this minister to on one hand tout the greatness of how his provincial government is protecting Albertans and putting all these initiatives forward for drunk driving when clearly he can't even say how many resources are being allocated to this initiative, and we're failing even with those that we do convict. We can't even get them to spend any serious time so that there's actually a repercussion to an action that they're performing.

Clearly, everyone is against drunk driving. We're against drunk driving. They're against drunk driving. I have no doubt about that. I think most Albertans are against drunk driving.

**The Deputy Speaker:** Thank you, hon. member.

The Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Well, thank you, Mr. Speaker. I'm pleased to rise and speak in regard to . . . [interjection]

**The Deputy Speaker:** Hon. Member for Calgary-Fish Creek, you have the floor. Please proceed.

**Mrs. Forsyth:** You know, it's always a pleasure to rise and speak on a written question when you have the Justice minister yelling across the floor at you. It always makes me wonder why.

Mr. Speaker, I'm going to speak as a former Solicitor General of this province. I was listening very intently, and quite frankly I wasn't going to speak to this particular question, but it bothered me when the Justice minister spoke about the question and the intent of the question and how he said: we can't answer. He talked about what we have, whether we have peace officers or whether they're police officers, and then he had to throw in the provincial police force. I find it quite fascinating. Fascinating isn't even the word, possibly appalling. He was reading from a piece of paper, so he obviously got that little briefing note from someone within his department. It shows to me the relationship that this minister has with the fine men and women that do the job in this province on behalf of us.

I can tell you that it doesn't interfere in any way for him to pick up the phone and call the chief of police in Calgary or to pick up

the phone and call the chief of police in Medicine Hat or, for that matter, to pick up the phone and call the chief of police in Edmonton and say: "Chief Hanson, how are you doing? Just wanted to check. You know we're serious about what's happening in this province in regard to drunk driving. I wanted to know how you're doing on the checkpoints." No one is suggesting that this minister is telling Chief Hanson what to do, nor would anyone on this side of the House even think about telling a chief of police how to tell their men and women in this province how they operate.

I know that when I had the opportunity of working with a former Minister of Justice, the Member for Edmonton-Whitemud, the relationship that we had with the policemen and -women that serve this fine province was open and accountable. We would sit down and talk about some of our initiatives. I go back to the time when the Member for Edmonton-Whitemud was the Minister of Justice and was adamant, at every FPT that we appeared at, about talking about moving the age of consent up. He talked, when we went to the Alberta Association of Chiefs of Police, about what, you know, his priorities were.

You know, for me it is perplexing that this minister can't pick up the phone and ask:

As of November 28, 2012, how many peace officers . . .

Now, he's using the word "peace officers" in the way he wants. "Well, is it federal, or is it provincial, or is it sheriffs?" It's astounding.

. . . have been added to operate checkpoints in Alberta since

April 23, 2012?

I can tell you, Mr. Speaker, that I had the privilege when I was the Solicitor General of being on many checkpoints – and they were interesting, to say the least – spending hours at a checkpoint and watching the officers do what they had to do to keep drunk drivers off the road. For me and for a government that touts that they're adamant about stopping drinking and driving, you would think that the Justice minister would want to know how many checkpoints are operating in this province and what they're doing, not only how many but where they are, to make sure that they're, you know, getting at where checkpoints should be.

I mean, I can tell you as the former minister that the police officers that I was working with at the time knew exactly the areas in this province where people tended to drive. We all know that if you're on the Deerfoot, that's not such a good way to be driving home because possibly – possibly – there might be a checkpoint when you're coming off Heritage Drive or maybe off Glenmore. Those are some of the areas that are central to where some of the locations are downtown.

It bothers me that this minister cannot pick up the phone and find out exactly how many charges were laid or how many checkpoints there are out there at any given time. Has it increased? Has it decreased? Is it working? Is it not working? The minister was all over the map on this particular question. I guess that, to me, if he doesn't like the question, why doesn't he propose an amendment so that the question can be answered?

Quite frankly, I think Albertans deserve to know if what is happening in this province is really tackling the issue of drinking and driving. We've seen the .05 legislation, that we debated for long hours at night, and I had asked continuously the then Member for Lac La Biche-St. Paul to provide us some numbers on how many times there have been stops, how many times people have been pulled over, how many suspensions there are. Well, lo and behold, it's April 15, 2013, and we're still waiting for those numbers. No one in this province knows whether that's working or whether it's not working.

4:40

If we are serious in this province, if this government is serious about the issue of drinking and driving, as they say they are, and they're serious about dealing with the issue of getting the drunks off the road, then the minister, you would think, would be able to stand up and be able to say how many checkpoints have been operated, how many people have been stopped. He doesn't have to give away the idea of where the checkpoints are, but it's important information. If he wants to eliminate the Official Opposition on that information, that's okay, but for his own information and his own self-satisfaction and for his own caucus colleagues he could provide that information to them and say: "You know what? We need to talk" – not dictate but talk – "to the police about whether we have enough police officers on the ground. Do we have enough police officers dealing with checkpoints?" My colleague from Lac La Biche talked about the fact that, you know, we talked about increasing the number of officers that are doing checkpoints.

It's a simple question. The problem is that he's complicated the answer by throwing in his lawyer terms of peace officers. Quite frankly, it's an embarrassment to the minister, and it's sad that he doesn't want to give Albertans the opportunity to know the answers.

**The Deputy Speaker:** Thank you, hon. member.

Are there others?

Seeing none, we'll call the question on the question as proposed by the hon. Member for Cypress-Medicine Hat.

[The voice vote indicated that Written Question 32 lost]

[Several members rose calling for a division. The division bell was rung at 4:42 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Barnes	Forsyth	Saskiw
Bikman	Hale	Strankman
Bilous	Kang	Towle
Donovan	Pedersen	Wilson

Against the motion:

Allen	Hughes	Olesen
Bhardwaj	Jablonski	Olson
Bhullar	Jeneroux	Pastoor
Brown	Johnson, J.	Quadri
Casey	Johnson, L.	Quest
Denis	Khan	Sandhu
Dorward	Klimchuk	Sarich
Drysdale	Kubinec	Scott
Fenske	Lemke	Starke
Fraser	Leskiw	Xiao
Goudreau	McQueen	Young
Hancock	Oberle	

Totals:	For – 12	Against – 35
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[Written Question 32 lost]

**Mr. Hancock:** Mr. Speaker, in light of the hour and the fact that the mover would not have time to properly introduce his bill, I would move that the clock be called 5 o'clock and that we move to motions.

[Motion carried]

## Motions Other than Government Motions

### Hospital Emergency Department Data Reporting

508. Mrs. Forsyth moved:

Be it resolved that the Legislative Assembly urge the government to mandate that Alberta Health Services report length-of-stay data for all emergency departments across the province on a weekly basis.

**Mrs. Forsyth:** Mr. Speaker, I'm pleased to rise and speak to my Motion 508. As it stands, two performance results are recorded with respect to length-of-stay data on a week-by-week basis, the percentage of patients discharged from the emergency room within four hours and the percentage of patients admitted to the hospital from the emergency room within eight hours. Only those results from Edmonton and Calgary hospitals are published, however, on a week-by-week basis.

[Mrs. Jablonski in the chair]

An AHS online release titled Action on Emergency Department Lengths of Stay reads:

Updated length-of-stay statistics from Edmonton and Calgary emergency departments will be posted here every Monday, reflecting the previous week's data. We're working on getting accurate wait time information from elsewhere in the province, which will be posted here as soon as it's available.

Well, they already have the data. They release wait time information in the ERs of all hospitals on a quarterly basis. Still the weekly wait time data for Edmonton and Calgary is easily accessible online, but the exact same information for all other Alberta hospital stays is buried in the AHS quarterly reports.

This data can be acquired on a monthly basis through the freedom of information process, but as we all know, that takes time, and it takes money. I think all members would agree that whether a citizen or an MLA, for that matter, is living in Edmonton or Calgary, Red Deer, Okotoks, High Level, Fort Macleod, Crownsnest, or anywhere else in this wonderful province, they deserve to know how the health care system they rely on and pay for is operating locally. Unfortunately, this is sadly just another example of how AHS continues to ignore the needs and concerns of our communities across this province.

Now, what Motion 508 calls for isn't changing the wheel. It is a simple, modest step, making sure that Albertans across this province feel like their health system responds to their needs. It means that we can slowly take steps so we can change the reputation of our health system from being managed by executives who are plagued with scandal and mismanagement to one that Albertans can slowly once again put their trust in. The fact is that across Alberta the wait time average for Albertans to be admitted within eight hours is a paltry 45 per cent. Madam Speaker, I have one of those FOIP documents that I referred to earlier. For the Red Deer regional hospital, which you will know: 43 per cent. That's not good for your hospital.

It's important that we look at this as an issue of quality care. AHS continues to spend more money on administration – I think the last time I checked, we had 81 vice-presidents – and fails to improve many, many wait time outcomes, which was clearly put out on the last quarterly report, which is actually quite dismal. This kind of data that we're asking for in this motion provides citizens with the kind of insight into their health care system that will put us in the right direction to finally improve government transparency and public trust.

Let's remember that Motion 508 simply mandates AHS to meet the guidelines it already has in place and to improve transparency.

The same release that I mentioned earlier says, "Transparency is important." I wholly believe that transparency of performance will lead to accountability and in the future ultimately an improved health care system. I think it's important that we start to examine the information surrounding our health care system.

From the reports that I've seen on successes, we can see how Big Country, Cardston, Fort Macleod, Pincher Creek, Medicine Hat, and many of these other small to mid-sized practices are in fact operating exceedingly well compared to many other hospitals in our system, and we need to congratulate them on their work.

5:00

For Albertans not to have access to this information is, quite frankly, illogical and completely unreasonable. For Albertans who pay so much into the health care system – in fact we've heard over and over again in this House that we spend more per capita than any other province in Canada. For them not to be able to get this information simply isn't right. The fact is and the fact remains that there is no good reason why this information isn't available to all Albertans. Albertans are entitled to the same information about their hospital that is provided to people living in Edmonton and where I live, in Calgary.

Whether it's queue-jumping, executive bonuses, or lavish expense claims, AHS and this government have earned a terrible reputation when it comes to accountability and transparency. This motion would be a step on the road towards a more efficient, effective, and accountable health care system in Alberta. This is Albertans' health care system, and we need to remember that. After all, we shouldn't lose sight of whose health care system it is.

I think that Alberta Health Services could easily cast their net a little wider, and they can increase their reporting. AHS already has the data. They release wait times in the ERs of all hospitals on a quarterly basis. They are already collecting the data. They are already publishing it.

I'm urging all members of this Assembly to support this motion so we can begin to make these small steps towards accountability and transparency a reality.

**The Acting Speaker:** The Associate Minister of Accountability, Transparency and Transformation.

**Mr. Scott:** Thank you, Madam Speaker. It is a pleasure for me to rise today to speak to Motion 508, brought forward by the hon. Member for Calgary-Fish Creek. As we all know, our health care system is foundational to healthy families and communities throughout Alberta. It is essential to ensuring a high quality of life filled with longevity and prosperity. As Alberta's population continues to grow, demands on health care service providers, infrastructure, and front-line workers will continue to rise. It is essential that we continue to invest in our communities and health care system, and our government is doing just that with a commitment to build Alberta and care for our most vulnerable.

The objective of Motion 508 is to make sure that data regarding the length of stay in emergency wards is reported and made publicly available on a weekly basis. Now, it is no secret that the efficiency of our emergency departments is paramount to providing the urgent care that Albertans need and deserve. Make no mistake, Madam Speaker, I am all for improving efficiency, but on the surface I have to question the necessity of this motion. I think it fails to propose a real solution to this issue.

In fact, I would go so far as to suggest that this motion to an extent duplicates a service that's already provided by Alberta Health Services, and that was acknowledged by the person proposing the motion. Currently AHS publishes weekly length-of-

stay statistics for admitted and discharged patients at the nine busiest emergency departments in Edmonton and Calgary, and as the proposer of the motion has acknowledged, there is quarterly reporting as well. Madam Speaker, these reports are completely transparent and available for all Albertans to see online. Given that such reporting is already provided, why must it be duplicated in any form, as suggested by the hon. member's motion?

Collectively AHS is taking action to provide more timely access for patients. A target has been set so that 90 per cent of patients needing emergency care are assessed, treated, and discharged within four hours by 2015. Such action demonstrates that this issue has been identified and what steps are being taken to address it. This is being achieved in part by optimizing the scope of practice of key health professionals so they can make full use of their education and skills and also by redesigning protocols for care and treatment, known as clinical pathways.

Early indicators suggest that these province-wide overcapacity protocols aimed at reducing peak pressures in emergency departments are having the desired impact of reducing lengths of stay. Madam Speaker, this is certainly an encouraging sign and important for the overall quality of health care in our province. Again, while I understand the underlying premise of the hon. member's proposal, I need to ask why we should be spending the extra resources in this way. Taxpayer dollars could be better spent elsewhere delivering health services.

When you look at emergency room lengths of stay, I think that it's important that you understand the demographic of citizens who are receiving care. Many but not all are seniors. For these patients their needs are such that sometimes they cannot be adequately cared for in an independent home setting and require an alternate care option. This being the case, we may be better served allocating resources to services like home care or perhaps assisted living and long-term care facilities instead of an expansion of IT capacities in smaller hospitals. Essentially, Madam Speaker, it comes down to an opportunity cost.

All things considered, however, I certainly understand the importance of reducing emergency department lengths of stay for the sake of improving efficiency. This government clearly recognizes the importance of this as well as continuing to invest in health and social services, culminating in stronger, more vibrant communities for all Albertans. By making the right investments, I am hopeful that Albertans will be healthier, hence reducing the strain on emergency department services across the province.

I would like to thank the hon. member for proposing this motion today, but as it stands, I will not be supporting it.

**The Acting Speaker:** Thank you.

The hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Madam Speaker. I rise to support Motion 508, which reads: "Be it resolved that the Legislative Assembly urge the government to mandate that Alberta Health Services report length-of-stay data for all emergency departments across the province on a weekly basis." As the hon. Member for Calgary-Fish Creek clearly and understandably talks about, there are currently only two wait times that are tracked, the percentage of patients that are discharged from ER within four hours and the percentage of patients that are admitted to hospital within eight hours. Right now the only ones that are clearly disclosed weekly are the Calgary and Edmonton locations.

While that seems fine on the surface of it, the reality of what that means is that everyday Albertans from all over Alberta are not able to see what the wait times are in their local areas and make decisions that affect the crucial health care that they may or may

not need. Albertans in all areas of this province have a right and an expectation that they should get to know what the wait times are at their local hospital. They may choose to go to a different care facility or a different hospital to provide care or they may choose to wait. They may choose to go to a walk-in clinic. They may go to an urgent care facility rather than going to that facility. But if they never know, then they become involved in the situation of not knowing exactly what the wait times are.

What we've also seen – and let's take a look at some of those numbers in a moment here – is that Alberta Health Services' budget continues to be out of control. We've seen Alberta Health Services ask for over \$480 million this year to cover administrative costs. One has to wonder, when they're already gathering the data to prepare it quarterly, that it's a very simple task with very little work to be done to provide it weekly. The hospitals already provide this information. It's just that Alberta Health Services can't get their act together and provide it to Albertans in a timely manner.

Alberta Health Services has the data, but they bury it in a link on the quarterly report. Ask the average Albertan to go in and take a look at that quarterly report and try and find the wait times for their local hospital. It's very difficult to find. We know, unfortunately – I apologize, Madam Speaker – that with the Red Deer hospital the Wildrose had to FOIP that information. It wasn't even included in the link, minister of accountability and transparency. We actually had to FOIP that.

We had to literally spend money and wait months to find out what the actual wait times are for Red Deer. Red Deer right now is only meeting those really important targets that Alberta Health Services has set out 43 per cent of the time. Is the minister honestly suggesting that Albertans in Red Deer and surrounding areas don't have the right to know what the efficiencies are at their hospital so that they may choose to go to a surrounding hospital or go get their health care somewhere else? I find that incredibly shocking.

5:10

Let's take a look at the data for Calgary for emergency department lengths of stay. For Alberta Children's hospital from March 24 to March 30, so one week, they were only able to meet the target 82 per cent of the time. Actually, that's pretty good. It's pretty close to the target, and I actually honour that they're working really hard. Let's look at the Foothills medical centre. They were only able to meet the target 51 per cent of the time. The Peter Lougheed Centre was only able to meet the target of discharged patients 60 per cent of the time, and Rockyview general 63 per cent of the time. The people in that area know exactly what their hospitals are doing and exactly what's going on at their hospital.

Let's go over to Calgary admitted hospitals, March 24 through March 30. That means patients that are admitted to the hospital within eight hours. That means you are sitting in the emergency department – this is not from the time you arrive. This is actually from the time your triage determines that you need to be admitted. Please understand that you could sit in the hospital for many, many, many more hours either in an ambulance or wherever while you're waiting to be seen. So within eight hours – oh; too bad – the Alberta Children's hospital was only able to meet the 90 per cent target 53 per cent of the time; Foothills medical centre, same thing, 53 per cent of the time; Peter Lougheed Centre, sadly, 31 per cent of the time they were able to meet that target; and Rockyview general hospital, 35 per cent of the time. Yet Alberta Health Services executives were given bonuses for meeting their targets on a pro-rated basis, and that truly is disgusting.

Let's go even further. That was just Calgary. Let's go on and take a look at Edmonton patients who were able to be discharged from emergency within four hours. Let's take a look at how many times they were able to meet the targets: the Grey Nuns, 67 per cent of the time; Misericordia, only 59 per cent of the time; the Royal Alex hospital was only able to meet the target of being discharged from ER within four hours 38 per cent of the time; the Stollery, still trying to achieve a very good rate, 86 per cent of the time; but the University of Alberta could only meet that target 43 per cent of the time. That clearly identifies that discharging patients from ER within four hours is a huge challenge for Alberta Health Services and goes on to identify – this is just one week – that, clearly, Alberta Health Services is not putting the resources where they need to go.

Let's take a look at admitted patients for Edmonton, the number of patients that are admitted to hospital within eight hours. Once again, they could sit in the admitting room or in an ambulance bay for a long, long time. The Grey Nuns was only able to achieve the target of admitting into the hospital within eight hours – that means your loved one was identified and needs to go into hospital – 28 per cent of the time; Misericordia, 35 per cent; Royal Alex, 47 per cent; Stollery, 66 per cent; and U of A, 47 per cent.

Can the Associate Minister of Accountability, Transparency and Transformation honestly stand here and suggest, by not identifying these rates for all of the other hospitals, that this shouldn't be a priority for Alberta Health Services if not for all Albertans, which should be our first priority? Clearly, it identifies that Alberta Health Services is failing to meet their own targets of 90 per cent, and clearly it identifies that Alberta Health Services continues to give themselves bonuses for not meeting targets. This is their own data.

Let's go on even further. Let's just take a look even further. Why wouldn't the Associate Minister of Accountability, Transparency and Transformation not want to give credit where credit is due? Why would the associate minister actually want to be so deceptive as to not acknowledge what facilities are doing it right? Let's take a look at what facilities are actually meeting these targets: Bassano health centre, 92 per cent; Big Country hospital, 94 per cent; Bow Island health centre, 98 per cent; Brooks health centre, 93 per cent; Cardston, 92 per cent; Chinook regional hospital, 78 per cent.

The Coaldale health centre, Crowsnest Pass, Fort Macleod, Medicine Hat, Milk River, Pincher Creek, Raymond health centre, Taber health are all above 95 per cent of meeting the targets. Why would the Associate Minister of Accountability, Transparency and Transformation not want to acknowledge that some of our facilities are actually doing it right. You know what the beauty of it is, Madam Speaker? The Piyami community health centre met its targets 100 per cent of the time. Should that not be acknowledged by the transparency minister?

Let's go on to talk about which facilities are getting it right. Admitting from emergency departments within eight hours: Bassano, 92 per cent; Big Country hospital, 69 per cent; Bow Island, Brooks, Taber are all achieving past 90 per cent. The rest of them – Raymond, Pincher Creek, Medicine Hat, Crowsnest Pass, Chinook regional, Cardston, and Brooks – are all achieving between 60 and 80 per cent of their target times.

If this minister is truly dedicated to accountability and transparency, he needs to understand that Albertans need to know that there are facilities across this province who've got it right, are getting it right, and they should start to be the model for other facilities who can't raise the bar and get to the 90 per cent discharge rates that this government keeps touting. That's a fact. Unfortunately, what this says very clearly is that Alberta Health



Services is not able to identify the challenges within their own bureaucracy. That's what it says clearly.

The minister talked about how he would not support this motion because it didn't offer a solution. Is the minister of accountability and transparency honestly suggesting that the only time transparency is relevant or the only time that transparency should happen from this government is when it's convenient for them and when the Wildrose has to come up with a solution for this government to get it right? Is that honestly what he's saying? Or should he actually take his ministry and show initiative and actually tell Albertans exactly why transparency is so important.

**The Acting Speaker:** Thank you.

The hon. Member for Edmonton-Gold Bar.

**Mr. Dorward:** Thank you, Madam Speaker. I want to thank the Member for Innisfail-Sylvan Lake for making this motion totally irrelevant by telling us that all of the hospitals that don't now need to report are so good.

It's an honour for me to rise today to speak to Motion 508, the goal of which we can assume is to improve the quality of patient care by enhancing accountability and transparency. I have to say that the goal is perhaps good, and the goal is one that this government shares with the member opposite. Length-of-stay data is an important indicator that can help pinpoint a variety of ailments in the health care system such as a lack of long-term health care beds or inadequate staffing in emergency departments. Monitoring and reporting are important components to improvement. As the old adage suggests, you can't improve what you don't measure. Because of this, length-of-stay times are in fact being measured.

Alberta is one of the many Canadian provinces that submits statistics on lengths of stay in emergency departments to a program called the national ambulatory care reporting system operated by the Canadian Institute for Health Information. Unfortunately, there is a delay from when data is reported to when data is made publicly available, Madam Speaker. This is not an issue of having something to hide at all. This is about having adequate resources to commit to timely publication. There is a cost to resources.

That being said, Alberta Health Services is committed to publishing weekly updates of length-of-stay statistics for the nine busiest emergency departments in Edmonton and Calgary. The data is posted for the prior week and includes trends for the past two years. This is feasible because the larger emergency departments already have appropriate information technology systems in place to do it. Alberta Health Services is also considering expanding weekly reporting of length-of-stay data to include five regional hospitals as follows: Grande Prairie, Fort McMurray, Red Deer, Lethbridge, and Medicine Hat. This expansion would now address the 14 busiest emergency departments in Alberta. Apparently, all the other ones are doing just fine.

However, this would still exclude the Sturgeon community hospital and the Northeast community health centre, which are included in the high-volume hospital statistics in the AHS quarterly reports. That's because the proper information technology, which would cost more money, something being asked for by individuals over on the other side again – Madam Speaker, it's an ask day, apparently – is not in place.

It becomes a question of: what is the most effective use of taxpayers' dollars? Would the member opposite like another RN in a rural hospital or another IT person in AHS? As Ralph Klein would say: let's hunt where the ducks are. More so, AHS has been

directed to decrease its administrative expenditures by 10 per cent over the next three years, something that I think would be supported by the other side. So who exactly is going to do this work? Any decision whether to expand weekly reporting of ED length-of-stay data to include regional and rural hospitals will need to be considered against competing budgets and human resource demands. Once again it becomes a question of: where will we get the most bang for the taxpayers' buck? Because, Madam Speaker, nothing is free unless, perhaps, you're on the other side.

5:20

I want the member opposite to seriously consider whether she thinks it's the best use of resources in this tough fiscal climate, especially when previous analysis of emergency department data indicates that long wait times and lengths of stay are not significant problems in rural and suburban hospitals, as we were just told. Rather, long wait times and lengths of stay are concentrated in Edmonton and Calgary hospitals and to a lesser extent in the regional hospitals of Grande Prairie, Fort McMurray, Red Deer, Lethbridge, and Medicine Hat, as mentioned, which will be reporting. As such, we're already providing consistent weekly reports on the requested data where the problem is concentrated in Edmonton's and Calgary's nine busiest hospitals.

I'm curious as to why the member opposite believes that expanding this reporting capacity to every emergency department across the province is a prudent use of resources. If the purpose of this motion is to ultimately improve patient care, I urge the member opposite to reconsider whether this is the best way that she can think of to improve patient care. I don't think it is. Although I do support the goal, I don't support this way of achieving the goal.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

The Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Madam Speaker. It's my honour to rise and speak in favour of Motion 508, the motion that was put forward by the Member for Calgary-Fish Creek. I speak in favour of this motion for several reasons. First and foremost, we're talking about ensuring that all Albertans are treated fairly and that they have access to information that not just residents of Edmonton and Calgary have access to.

I find it quite interesting that the previous speaker, a member from the other side, talks about having to choose between accountability and programming whereas I think all the opposition would agree that in order to evaluate our programs, we need to be accountable. We need to have targets, we need to see them, they need to be available to the public, and then the public can evaluate to a better extent how well something is working or not working.

It's my belief that all Albertans, whether they live in rural Alberta or in other urban centres other than Edmonton and Calgary, deserve to know the length-of-stay data for the emergency departments. I think it's not fair to Albertans, to about 49 per cent of Albertans in this province, in fact, to get B-level information while almost half of Albertans are given information on a weekly basis.

I think, first and foremost, this motion speaks to ensuring that Albertans, that opposition can keep this government accountable and to showing Albertans how well our system is performing or to show if it is underperforming. I think the fact that this information is not readily available makes it very difficult, again, to have a proper assessment. I think as well that it's not good enough for the



government to say: well, this is available; a citizen can FOIP the information. Well, accessing information is a very timely process. It does cost money. Many Albertans do not have the expertise to navigate through that process.

What the Member for Calgary-Fish Creek is calling for is ensuring that this information is accessible and that the government is being transparent. Again, I don't know how many times in under a year I have stood up and called out this government for providing lip service to the words "accountability" and "transparency," yet when it comes time for action, they seem to fail miserably. Here is an example of where the government can very easily do what's right. Let's get this reporting available to all Albertans in a timely fashion and do the right thing.

The other point that I just want to address is the fact that the hon. Member for Edmonton-Gold Bar tried to make an issue as far as: well, if we do this and we bring this through, it's going to cost a lot of money, and then we won't be able to have as many front-line workers available. I'd like to remind the hon. member that, as it stands, billions of dollars go to corporate welfare to some of the largest corporations in the province that do not need those dollars. As well, as has been pointed out numerous times in this House, there are high-level executives in AHS who are receiving an exorbitant amount of money, not to mention huge expense accounts, privileges which the average Albertan does not have.

So it's a matter of priorities and where the government is choosing to spend their dollars. I think it's quite important and any business would argue that you need to have targets, you need to be accountable, you need to have measures in order to evaluate if you're meeting those targets. This motion is calling for that.

Again, I'm speaking strongly in favour of this in order to ensure there is a level playing field for all Albertans regardless of where they live. So I will urge members on the other side of the House to support this motion.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you.

The hon. Member for Calgary-South East, followed by the hon. Member for Cardston-Taber-Warner.

**Mr. Fraser:** Thank you, Madam Speaker.

To the hon. Member for Calgary-Fish Creek: we missed you a few days last week. I noticed that you were absent in the House. [interjections] Oh, sorry. Pardon me. But our thoughts are with you. It's always a pleasure to hear your advocacy for health care, and that was the point I was trying to make.

Madam Speaker, you know, I've got quite a bit of experience with hospital wait times, unfortunately, all too much, I regret to say. Let me tell you that I think sometimes we're glossing over the complexity of the issues that we're facing in this province and some of the things that are actually already in place.

While we've heard that Calgary and Edmonton do indeed post their wait times and put them on a website and try to give people accurate information about the patients coming in – and, certainly, patients going out would be part of that – the one thing to remember, I guess, is that when we're thinking about hospitals and emergency rooms throughout the entire province, we can never control who actually walks in through the front door. As people come in through the front door, their issues are sometimes serious and sometimes not very serious at all. Part of that message in health care and Alberta Health Services is informing patients to make sure that they're making the best decisions on their health care.

I think we've seen from this government, whether it's publishing wait times on emergency access to encourage people to use their family clinic or primary care networks or, certainly, the new

development around family care networks in this province to, again, ease those wait times – as a government I think we're well aware of these issues, and each one of those initiatives has an impact on the overall wait time.

The one thing that we'd also recognize is that in the rural emergency departments how we would gauge that wait time would be significantly different than how we would gauge it, certainly, in the cities. I know that one of the things mentioned by the hon. Member for Innisfail-Sylvan Lake was the 31 percentile at the Peter Lougheed Centre. Now, I certainly did a lot of my career there in the Peter Lougheed Centre, and if you're gauging it on a percentage of how they meet their wait times, being a kid from northeast Calgary and living there, I can tell you that it's a very diverse area with a lot of new Canadians, so the challenge sometimes, particularly around wait times, is being able to communicate with the patient about what the real issues are.

That leads us back again to the overall idea of patient outcomes. It's one thing to move patients in and move them out right away to try to meet a wait time – and I think that is part of the danger when we start making the terminology mandatory. Again, when we think about those rural hospitals that might have a different socioeconomic demographic, they also don't have the capacity in terms of the specialty needs that some of these larger hospitals in the cities would have; i.e., Edmonton and Calgary.

As we look at that, I mean, there are some things in place, and one of them is referral, access, advice, placement, information, and destination, which we use on the ambulance to make sure that we're actually taking patients to where there is an open bed, and that is in a real-time atmosphere. We get it right over the computer-aided dispatch in the ambulance to make sure. Sometimes that changes on the fly. Again, that's another initiative that would impact overall wait times in terms of people coming in and out.

5:30

The other part of that is our aging population. I can tell you a story, Madam Speaker, about a time when I went to a home and had to deal with a patient who was about 95 years old. Her kids were somewhere in the range of 60 to 65, and her son-in-law was closer to 70. Well, the challenge there was that all three of them needed placement all at once. That's what we're facing in this province, that transition, and those people, maybe not necessarily needing an emergency room, have to go there to see a physician. These are some of the tasks and the complexities that we have to take on. The options are family care clinics or very efficient primary care networks, being able to access physicians to get people to go to the right place. It's the right care at the right time.

The real-time emergency patient access and co-ordination is what I mentioned before. Again, referral, access, advice, placement information, and destination: that refers to the small rural hospitals. The rural hospitals use that on a very regular basis to get their patients to specialized care in these larger centres. Quite often we're moving there. We know that, based on what we've heard about emergency services and interfacility transfer. That's why you see those ambulances going all the time from those rural centres to get that specialized care, that one-time treatment that they need, again, where the higher populations are, where it makes more sense to put those things, particularly where research and advancements can be made. To the hon. associate minister of transparency, it's really about driving down to: how can we make efficiencies in the system?

Again, I appreciate the advocacy from the Member for Calgary-Fish Creek and her passion for health care, but I can't support this motion simply because it's mandatory. Certainly, when we think

about it, when we start picking apart the efficiencies in those rural hospitals – I think we’ve seen a report recently about how some of our rural hospitals are very transparent and they’re doing a lot of great things. You know, I can’t support this motion.

Those are my comments around that. I think that there are better ways to measure our performance outcomes. I think it’s also important for us to remember the very complex job that Alberta Health Services has to make sure that the right type of care is happening at the right time for that particular patient and then make sure they get back to their communities. That’s why we have the reporting the way it is.

Again, I thank the member for her motion, but I simply won’t support it today.

**The Acting Speaker:** Thank you very much, hon. member.

The Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Madam Speaker. It’s a pleasure to rise in support of my colleague in favour of Motion 508. I’m not going to cast aspersions or question motives.

**An Hon. Member:** Thank you.

**Mr. Bikman:** You’re welcome.

I want to talk about principles and good management. As was alluded to by the Member for Edmonton-Gold Bar, if you don’t measure it, you can’t manage it, or words to that effect. I’d also add that if you aren’t measuring it, you aren’t doing your job. When we deal in generalities, we rarely succeed. You know where I’m going with this. When we deal in specifics, we rarely have a failure. When performance is measured, performance improves; when it’s measured and reported, the rate of improvement accelerates. Thomas S. Monson said that, and I believe him. It’s a principle of good management. Stephen Covey said that for things that you’re measuring to be of use to you, they need to be focused, specific – in other words, as Monson mentioned – but also reported in a timely manner.

Taxpayers, the folks that pay the bills, that give the government the money that they’re spending, are entitled to know this information. Their health and maybe even their lives depend on their ability to make informed decisions, choosing to go, perhaps, to a more efficient, more effectively run emergency department. I would hope that AHS is measuring this, and I don’t think it’s too great of a stretch to say: “If you’re already measuring it, good for you. Let’s report it. Let’s get it out there.”

What are you doing with the information yourself? It isn’t just the taxpayers, the people who are patients that need to be admitted to emergency rooms that need this information to help them make better decisions. AHS, the management, also needs this information because there are departments that are getting it right, and we ought to see how they can do it and why. Is there some aspect of what they’re doing that could be shared with the rest of the system, could be cascaded throughout the system to raise the bar, so to speak, or to raise the performance and the ability of these other departments to provide this service that I know they’d like to provide?

I’m sure that the goals that have been set and the commitments that have been made to reach those goals have been set with all sincerity. You want to reach them. You’re not happy with the result, and we’re not bringing it up to embarrass you. You’re doing enough things on your own to do that; we don’t have to do it for you. I think that recognizing that this information is there and is easily capturable – and it probably is, in fact, and not just in the places that have been mentioned, but it could be reported in a timely manner.

We know that wait times are a problem in and of themselves, but they’re also symptomatic of problems within the Alberta health care system. Emergency departments used to be used for real emergencies; thus, the name. I think we all know that over the past few years they’ve evolved into walk-in clinics in many cases. Why? I’m sure Alberta Health Services knows why, but I’m also sure it’s largely due to breakdowns and inadequacies in the system itself. Perhaps there aren’t enough clinics or doctors to go around.

So the system suffers, and we download again onto these front-line workers in these critical, stressful situations in emergency departments the responsibility to do things that the system should be taking care of in other parts of the system rather than in emergency rooms.

I support this motion. I think it’s a timely motion, and I think we need to consider the source of this motion. It’s from a former Health minister, somebody that’s among the most knowledgeable people in this House about the importance of timely information to make good decisions. I hope AHS already has this information. I hope they are using it to tweak and correct and improve the system, but if they aren’t, shame on them.

Thanks.

**The Acting Speaker:** Thank you, hon. member.

Are there any other members who wish to speak? The hon. Member for Drumheller-Stettler.

**Mr. Strankman:** Thank you, Madam Speaker. I’d just like to say a few words here. It’s been interesting listening to the ongoing debate, and I, too, would like to compliment my counterpart from Calgary-Fish Creek on her heartfelt passion for trying to bring forward proper health care within the system.

Madam Speaker, just while I was away from the Assembly this weekend in the constituency of Drumheller-Stettler, people were asking me about the past process whereby people could look up their own health care costs and what they were charged within the system. They felt that that was a way that they could achieve accountability for their own costs within the system. They felt that that was something that would have been a method of bringing forward their own accountability, their own transparency, and their own method of making sure that the system, to the level of their involvement, was being adjudicated correctly.

Because we have nuances to the wording in the Chamber, Madam Speaker, I’d like to reread this motion: “Be it resolved that the Legislative Assembly” in the public interest “urge the government to mandate that Alberta Health Services report length-of-stay data for all emergency departments across the province on a weekly basis.” I found it kind of interesting, in compiling my thoughts to make this presentation, whether or not the party opposite would have a different point of view if we were to interject the words “in the public interest” because I believe that’s why this member is bringing this motion forward: in the public interest. Even though the words aren’t in her motion, that’s what we’re trying to do: do something better for the public and, therefore, bring forward some accountability and transparency to the regulation, to the legislation.

I just wanted to make that point, if possible, and bring forward another point. This issue is important to Albertans. In Alberta Health Services’ own words, “Transparency is important.” That’s what my constituents have been asking me to bring forward, and that’s why I wish to speak to this motion to some small extent.

5:40

How they rely on this health system is important to them, too. When they need it in an emergency situation, like the young

Member for Calgary-South East talked about with his personal experiences, how people relate to this system is important. When they need it, they need it to be there in a professional and timely manner. If we have some small semblance of presenting performance levels, as the Member for Cardston-Taber-Warner talked about reporting, it allows vindication of service rendered. I'd just like to bring that forward.

With that, I think I'll relinquish the floor to other speakers.

**The Acting Speaker:** Are there any others who wish to speak on Motion 508? The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Madam Speaker. I appreciate the opportunity to rise and speak in favour of this motion brought forward by my hon. friend from Calgary-Fish Creek. I do appreciate the dialogue back and forth. The Member for Calgary-South East is obviously very passionate about health care as well, and I thank him for that and being able to bring that experience into this House.

I disagree often with the Member for Edmonton-Gold Bar and will do so again right now when he stands up and suggests that this motion is irrelevant. I don't believe this motion is irrelevant at all. As has been discussed, this is something that AHS is already committed to doing, so all we're suggesting and all the member is suggesting is that the government urge AHS to do this now and do it more consistently. At the end of the day, we have the information. It exists. It's being tracked.

So the fact is that, you know, there are going to be charges from the other side suggesting: while we have these cost-cutting measures and this cost-cutting, conservative opposition party, how could they ever ask us to do anything that would potentially add more cost? Well, health care is still the number one issue facing Albertans today. I'm sure that you're aware of this, Madam Speaker. This is something that has been the number one concern of Albertans for upwards of 20 years, probably even more, and will be for the foreseeable future. The definition of insanity, as I'm sure you all know, is doing the same thing over and over again and expecting a different result. Well, if you have the statistics and you have the data and you have a way of measuring whether or not you're actually making improvements, why would you not want to then publish that data and actually find out if you are improving?

Imagine the public accolades that the governing party could pat themselves on the back with if they were to actually make measurable improvements to some of these statistics that they so often fail at, that give us so much food to stand up in here, the low-hanging fruit of your failing to meet these targets. Imagine if we didn't have that, and imagine if you had a mechanism to ensure that we didn't. I'm sure you'd like to take it. Well, it just so happens that Motion 508 will help you get there, but apparently it's irrelevant.

I would challenge the members opposite to consider or reconsider their position on this because, as the body of AHS is already tracking the information, they've already suggested that transparency is an important aspect to improving the service that they deliver for Albertans, and given the fact that Albertans have all said and continue to say today, Madam Speaker, that this is the most important issue facing them – and it will be again moving forward – I think that this motion deserves their support.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

Are there any other members who wish to speak? The hon. Member for Strathmore-Brooks.

**Mr. Hale:** Thank you, Madam Chair. I would like to stand and speak in favour of Motion 508 from my colleague from Calgary-Fish Creek. I think it's very important to show the results. You know, we talk about transparency. This is just another way of being more transparent. We have the quarterly reports, so let's go to weekly reports.

The comment has been made about the additional cost. Well, maybe the Alberta Health Services executive that's been charging a hundred million dollars in 17 months – they could trim a little something there to put towards somebody else that could actually report these findings.

There's been talk about the nine busiest hospitals between Calgary and Edmonton doing this reporting. Well, one of the hospitals in my area, the Strathmore hospital, has one of the busiest emergency rooms in rural Alberta. I've met with many of the doctors, and they work very hard. You know, because they are so close to Calgary, they have many challenges with people coming out from Calgary to this emergency room. I can't say enough good things about them.

The Member for Innisfail-Sylvan Lake mentioned the Bassano and Brooks health centres, how well they do. That's a feather in your cap that you can promote and say: look, you know, we do have these rural hospitals.

We know that rural sustainability is tough, and part of that is having a good health care system. We work very hard. I'm good friends with a doctor in Bassano, and it's a challenge to get doctors to come out to these rural hospitals. It's something that's a challenge all over Alberta and that we have to keep working on together to try to get good doctors so that we can keep providing that good service, the most bang for the taxpayers' bucks.

We have a lot of rural taxpayers that would like to know this information, and many of them are seniors that can't go onto the websites and sort for hours through material trying to find this data. I think if it was made more accessible, it would go a long way to showing some of the good, and maybe it would go to show some of the bad and put a little bit of spur on these guys to get things right if those results were made known. You know, I think it's something that should be very easy to fulfill. The data is there. Put it out there so that everybody can see it, so you don't have to be a computer whiz to go and sort through and try to find it. It just goes to the accountability and transparency.

The AT and T minister was making comments back there: well, let's work to fix it. Well, yeah. We all want to fix health services in Alberta so that everybody gets the best service that they can, and this would go a long way to helping that service.

In closing, I'm in support of my colleague and her motion. I think it's something that would serve Albertans well. Thank you.

**The Acting Speaker:** Thank you, hon. member.

Are there any other members who wish to speak? The hon. Member for Medicine Hat.

**Mr. Pedersen:** Thank you, Madam Speaker. I also rise today to speak in support of Motion 508. It's very interesting. You can tell that the Member for Calgary-Fish Creek does have a long-standing passion for health care. I also appreciate the Member for Calgary-South East. The insight that you to bring to the Chamber from that side is so valuable for us that do not get to deal with that on a daily basis, so thank you for that insight.

I think that ties in. I think that the Member for Calgary-South East brought forward some very, very good information. He was talking about dealing with instances and issues in real time, and to have that, you have to have technology that's creating that real-time information. If that technology is creating that, it can be

tracked. If it can be tracked, it can be reported. So it's already in place, and it works to the benefit of EMTs. That is critical. When you find out that you have somebody in need of medical treatment, you need to know where they can get access to that as fast as possible based upon that condition. He has identified the fact that there is great, great technology out there already in use, and it's benefiting not only EMTs but hospitals and emergency wards and treatment centres. In that regard it is there and it's working, so it needs to be pushed out to all of the centres so that they're all able to take advantage of those great, great technological advances that some are lucky to have.

The interesting thing with health being the number one expenditure in the budget – we're looking at about \$16 billion – is that it almost seems like we're afraid to challenge this group of people running this ministry. As the number one expenditure I think it's incumbent upon us to ask even more from these people. It has to be our number one ask to this ministry. It's where the most money is spent. As mentioned before, it's the biggest concern on most voters' minds. It's got to give better results. It's failing on too many levels. I'm not going to say all but too many. They're doing great work in some areas on some things, but to get better, it has to be reported, it has to be visible, and we have to be able to do good things from areas that are doing good things and move that to areas where they're suffering. I think it's very important that we concentrate on that more than we would on any other ministry.

Thank you.

5:50

**The Acting Speaker:** Thank you, hon. member.

I would now ask the hon. Member for Calgary-Fish Creek to close debate on Motion 508.

**Mrs. Forsyth:** Thank you, Madam Speaker. I'm pleased to rise. I've been listening quietly and carefully to the debate in the Legislature. It's always amazing to me when we talk about private members' bills or private members' motions. I guess for me I personally want to thank the health care professionals who actually urged me to bring this motion forward, and I particularly want to thank a doctor that I've spoken to in regard to this motion for his incredible insight into the health care system. His name is Dr. Paul Parks. We've heard that name on this Legislature floor on many, many occasions. I don't know Dr. Parks' political affiliations, and I've never ever asked him. He would give the same advice to anyone else in this Assembly who would pick up the phone to talk to him and ask him about health care and what he thinks. After all, it was he that brought up the issue of the crisis in emergency that we were in for two and a half years. This motion was on behalf of Dr. Parks, who insisted that it's important for the government to be accountable and transparent to all Albertans, not just Albertans that are in Calgary and Edmonton.

You know, it's interesting to hear from the minister of accountability. I just think that's such a farce of a name for someone that can stand up here and speak about accountability and transparency. It's just, quite frankly, an embarrassment. [interjections] What I would like to say, Madam Speaker, if I can . . . [interjections]

**The Acting Speaker:** Hon. members, the Member for Calgary-Fish Creek has the floor.

**Mrs. Forsyth:** The Associate Minister of Accountability, Transparency and Transformation is yelling across the floor in regard to what he's not accountable for and what he's not transparent about.

Madam Speaker, if I may, I want to on behalf of Albertans and on behalf of all of the health care professionals in this province and particularly Dr. Parks thank them for their advice and thank them for their kind words. They are the people in this province who are accountable and who are transparent and who are trying on behalf of Albertans to do the right thing.

With that, I will ask all members of the Assembly to support this motion.

**The Acting Speaker:** Thank you, hon. member.

[The voice vote indicated that Motion Other than Government Motion 508 lost]

[Several members rose calling for a division. The division bell was rung at 5:53 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[Mrs. Jablonski in the chair]

For the motion:

Anderson	Forsyth	Strankman
Barnes	Hale	Towle
Bikman	Pedersen	Wilson
Bilous	Rowe	

Against the motion:

Allen	Hancock	Olson
Bhardwaj	Hughes	Pastoor
Bhullar	Johnson, J.	Quadri
Brown	Johnson, L.	Quest
Casey	Khan	Rodney
Denis	Klimchuk	Sandhu
Dorward	Kubinec	Sarich
Drysdale	Lemke	Scott
Fenske	Leskiw	Starke
Fraser	McQueen	Xiao
Goudreau	Olesen	Young
Griffiths		

Totals:	For – 11	Against – 34
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[Motion Other than Government Motion 508 lost]

**The Acting Speaker:** Hon. members, pursuant to Government Motion 29 the legislative policy committees will convene this evening for consideration of the main estimates. Alberta's Economic Future will consider the estimates for Executive Council in committee room A, and Resource Stewardship will consider the estimates for Environment and Sustainable Resource Development in committee room B.

Thank you very much.

[The Assembly adjourned at 6:06 p.m. to Tuesday at 1:30 p.m.]

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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Tuesday, April 16, 2013

Issue 46

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta  
The 28th Legislature**

First Session

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Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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## Legislative Assembly of Alberta

1:30 p.m.

Tuesday, April 16, 2013

[The Speaker in the chair]

### Prayers

**The Speaker:** Hon. members and guests, let us pray. May we know what is true and pure, may our hearts be filled with joy and kindness, and may our minds guide our actions in favour of those whom we humbly serve. Amen.

Please be seated.

### Introduction of Guests

**The Speaker:** The hon. Member for Leduc-Beaumont.

**Mr. Rogers:** Thank you, Mr. Speaker. I'm very pleased to introduce to you and through you to all members of the Assembly nine individuals who are the 2013 nominees for the Ernest C. Manning innovation awards, Canada's most prestigious innovation awards. The Ernest C. Manning innovation awards recognize Canadians of all ages with the imagination to innovate and the stamina to succeed. Albertans are well represented as recipients of Manning awards since they were established some years ago as a national award program named after Alberta Premier Ernest C. Manning.

Mr. Speaker, they are seated in your gallery, and they are: Carl Denis, innovator of the Freedom patient immobilization system medical device; Kevin Grumetza, innovator of the Easy Sheet curling rink liner; Camiel Huisma, innovator of GrowSafe technology, a data system for the agricultural industry; Gregory Hunt, innovator of PackJack, a lightweight, easy-to-use motorcycle jack; Dr. Deepak Kaura and Rohit Joshi, innovators of the Brightsquid dental link; J. Scott Moore of UTFx Precise Transcript Management; John Putters, innovator of WANDA, washroom management software; and Randy Schmitz, innovator of Schmitz Mittz, an indestructible safety glove. Another Alberta innovator, Dr. Naser El-Sheimy, who developed Trusted Positioning platforms, is out of the country speaking about his innovation at this time and could not join us. I'd ask the nominees to rise and receive the warm traditional welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Mill Woods, followed by Innisfail-Sylvan Lake.

**Mr. Quadri:** Thank you, Mr. Speaker. It is indeed my honour and privilege to rise today and introduce to you and through you to all members of this Assembly 53 of the best and brightest students from l'école Greenview elementary school who are joined by their teachers, Cheri Krywko and Angela Sharun, and also parent helpers Carolyn, Terri, Stéphanie, and Chris. They are here today to observe some of our proceedings, and I would request that they please rise and receive the warm traditional welcome of this Assembly.

**The Speaker:** The hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Mr. Speaker. I would like to introduce to you and through you to all hon. members of this House a group of fantastic grade 6 students visiting from my constituency. The 31 students from Bowden Grandview school, who are all clearly

taller than I am, are sitting in the gallery along with their teachers, Tracy Dreher and Brenda Sherwood, and dedicated parent helpers. I hope they enjoy their time at the Legislature. I'll ask them to please stand as my hon. colleagues provide the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. It is my pleasure to rise and introduce to you and through you to all members of the Assembly 41 grade 6 students from the Elk Point elementary school. They are accompanied by their teachers, Mrs. Hlushak, Mrs. Youngmans, and Mrs. Pindroch, as well as parent volunteers. I would ask that all of these guests rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for St. Albert, followed by Edmonton-Ellerslie.

**Mr. Khan:** Thank you, Mr. Speaker. Today I'm very pleased to introduce to you and through you to all members of the Assembly five special guests who I will ask to rise as I mention their names. The first is Lowell Thronson and his wife, Laurel, who have been residents of St. Albert for over 30 years. Lowell was an educator in the province for 40 years, serving as the principal of several St. Albert elementary schools, the deputy superintendent of St. Albert public school division, and he later served with distinction as superintendent of the Black Gold school division. But Mr. Thronson will be always remembered by me very fondly as my first principal in elementary school at Sir Alexander Mackenzie. Also attending is their son Dale Thronson, his wife, Lynn, and Lynn's mother, Gladys Toth.

This group also has another interest in attending question period, and that's to see their son and grandson Ben Thronson serve as our hard-working page. Thank you again, Ben. Ben is the student council president at Sainte Marguerite d'Youville in St. Albert. Mr. Speaker, as you may recall, this past November, for November, Ben grew a better moustache than a number of our colleagues in the House. Would you please stand to receive the warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Ellerslie.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. It's an honour for me to rise today and introduce to you and through you to all members of the Assembly an outstanding Albertan, a mentor, a friend, and an Alberta sports icon. Larry Mather is one of the reasons Olympic weightlifting exists in the province of Alberta. Larry began coaching Olympic weightlifting in the fall of 1965 in a club in Red Deer, and by 1973 he had opened Alberta's first stand-alone weightlifting club in Alberta, the Grierson weightlifting club. Grierson would go on to serve as a national team training camp in 1977 and played an important role in the success of the Canadian weightlifting team at the 1978 Commonwealth Games in the province.

Larry honed his skills and ultimately became one of the most highly regarded coaches in the country, serving from 1973 to 1983 as one of the Canadian national team coaches. Athletes from a number of different sports have taken advantage of Larry's skills. For nearly 50 years Larry has been a major presence in the Alberta sport. He's joined here today by his lovely wife, Clarece, and his

son Steven. At this time I'd ask my guests to please rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** Thank you.

Hon. Member for Edmonton-Ellerslie, your second introduction.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. Once again, it is an honour for me to rise and introduce to you and through you Mr. Russ Pickford, Charles Klaver, and our very own powerhouse, Ms Wendy Rodgers. All three are outstanding public servants and are veterans of the Grierson weightlifting club. Grierson will be celebrating their 40th anniversary this Saturday. It played a very, very significant role in Wendy's weightlifting career, along with Larry, for 15 years. She competed locally, nationally, internationally, and at masters weightlifting competitions, including pan-American competitions. I'd ask all of my guests at this time to please rise and receive the traditional warm welcome of the Assembly.

### Members' Statements

**The Speaker:** The hon. Member for Lethbridge-East, followed by Innisfail-Sylvan Lake.

**Mr. Mason:** Mr. Speaker, a point of order. I would respectfully request your guidance as to the timing of this point of order, which deals with the handling of estimates by the government in the various committees of the House. I would be pleased to raise it at the time that you recommend.

**The Speaker:** At the appropriate time. Let us move on at this time with Members' Statements. We've already recognized this, and I'll come back to your point in a moment.

The hon. Member for Lethbridge-East.

### 1:40 Upgrades for Seniors' Accommodations

**Ms Pastoor:** Thank you, Mr. Speaker. I'm pleased today to recognize the announcement made by my colleague the Hon. Doug Griffiths, Minister of Municipal Affairs. As a passionate advocate for seniors' issues for many years, this is good news. Albertans living in seniors' lodges can expect modernization and greater comfort through a nearly \$31 million investment in the seniors' lodge renewal grants. There are more than 10,000 lodges, cottages, and unique home units in Alberta. The housing management body for these units will be allocated \$3,000 in funding for every unit it owns or manages.

Mr. Speaker, the Green Acres Foundation, which manages lodges in my constituency of Lethbridge-East among others in our area and our city, will be receiving nearly \$2.3 million. It will be most welcome as some of these units are almost as old as their residents. Other southern Alberta communities, Blairmore and Taber, will be receiving \$174,000 and \$231,000 respectively for their lodge upgrades. This money will be provided for building repairs, mechanical and plumbing upgrades, fire and safety upgrades, and dining room and resident expansion.

This government is committed to ensuring that residents in seniors' lodges have a safe, comfortable, and affordable place to live with the very important aspect of daily socialization. Looking forward, this government will continue to develop a proactive long-term capital plan for seniors' lodges. I wish to again commend my colleague and his ministry for their commitment to

seniors' housing in this province that helps meet their current and future needs.

Thank you.

**The Speaker:** The hon. Member for Innisfail-Sylvan Lake, followed by Bonnyville-Cold Lake.

### Government Health Policies

**Mrs. Towle:** Thank you, Mr. Speaker. One has to wonder about the state of our health care system. For months doctors have been asking for the minister to call and engage with them on their contract. After a long-drawn-out, painful process the minister finally picked up the phone and – surprise, surprise – results. What an ordeal to get here. The Health minister brought the system to the brink before doing his job and recognizing that doctors play an important role in the health care system. Unfortunately, pharmacists are still out in the cold.

This arrogant I-know-best attitude permeates the health care system. Without consultation long-term care beds in Carmangay and Strathmore were closed, kicking out vulnerable seniors to facilities that provide lower levels of care. Vulnerable residents of Michener Centre, the same fate: no consultation with family, caregivers, or staff. Michener families are told that 50 seniors won't be forced to leave – I think we heard that in Carmangay – and that they'll be placed into continuing care facilities. Where? There are 486 long-term care clients in acute-care beds awaiting placement, and continuing care lists are as long as your arm. Will these seniors jump the queue, or is this minister confused on Alberta Health Services' placement policy?

Let's get to those infamous targets that the government insists will improve health care. Hip replacement surgery: target is 22 weeks. Get on the list today, and you'll wait 37. Knee replacement: target is 28 weeks. We wait almost three months longer, 39 weeks. Scheduled bypass surgery: target is 6 weeks. We wait 25 weeks. Yet health executives received their bonuses last year, the year before, and the year before that.

Then we get to those pesky, darned old expense accounts. The minister would like everyone to forgive and forget those, expense accounts that led to luxury cars, fancy parties, lavish dinners, and even specialized visits to the Mayo Clinic in the U.S. The minister says that he's disappointed and disgusted and that the past is the past. I guess it just doesn't matter if they make the wrong decisions today because it will all be in the past tomorrow.

**The Speaker:** Thank you.

Hon. members, the leader of the New Democratic opposition rose on a point of order, which we will entertain at the regular time, at the end of question period, toward the end of the Routine.

In the meantime let's carry on with Members' Statements and hear from Bonnyville-Cold Lake, followed by Edmonton-McClung.

### Lakeland Centre for FASD

**Mrs. Leskiw:** Thank you, Mr. Speaker. The Lakeland FASD Society operates the Lakeland Centre for FASD in Cold Lake and is an excellent example of community collaboration to develop needed FASD prevention, education, and services. The Lakeland area has been working since 1994 on better understanding the disability of FASD and women who drink during pregnancy.

This working committee has evolved into a society and leading agency in developing rural-based approaches to addressing

diagnosis/assessment, intense prevention programs for women, and supports to those who are affected.

Since opening in July 2012, the program has accepted women into the program with amazing results. Ninety per cent of the women have been pregnant. The youngest patient has been 15 years of age. Ninety-five per cent of the women themselves have had a diagnosis of FASD or suspected. The average number of children they've had prior to coming to treatment is three. A hundred per cent of the women who've completed the program have maintained sobriety for at least three months following this program. Seventy-five per cent of the women came into this program homeless, and 97 per cent of them have left with a stable housing plan on discharge along with relevant services. Many of the women have had their children returned to them after completion of this program. One woman had a child protection alert removed from her file at the birth of her child, thus allowing her to finally take her baby home.

The program also shows a strong social return on investment in the early days. The 2nd Floor Women's Recovery centre program shows that for every dollar the government spends on this program, two dollars are saved.

The 2nd Floor Women's Recovery Centre program is available to eligible women across the province and fills a desperate need to provide services to this very challenging-to-serve group of women. The belief of this program is that if they can support the women and connect them with meaningful services on baby number one or two, we can prevent many children from being born alcohol or drug exposed.

Thank you.

**The Speaker:** Could I just remind particularly members on the government side to please keep your conversations down to a minimum volume level? It's sometimes difficult to hear when people are speaking their members' statements.

Thank you very much.

Let's move on to Edmonton-McClung.

### Edmonton Callingwood Farmers' Market

**Mr. Xiao:** Thank you, Mr. Speaker. Spring is always an exciting time for me not only because I know that summer is on its way but because a very special annual event begins, one that combines community spirit with entrepreneurial flair. The Edmonton Callingwood Farmers' Market in my constituency, Edmonton's original and only Sunday market, starts its new season on Sunday, May 5, 2013. It also opens on Wednesdays.

Mr. Speaker, as you enjoy the scents of the many beautiful flowers, you will be serenaded by the lovely sounds of musicians while you browse and make your purchases. You can find almost anything and everything, including organic vegetables, sumptuous wild mushrooms, artisanal handicrafts, homemade foods such as pies, fresh pastas, game meats, and organic honey to name a few. Last year I had the opportunity to purchase a bottle of very delicious honey wine and an amazing home-baked strawberry-rhubarb pie. I can't wait to get my hands on more homemade goods this summer.

In fact, 80 per cent of the vendors at the Callingwood market sell products that have been locally produced, baked, or grown by the vendors, and purchasing these products means helping to build and support our farmers and our economy.

From time to time, Mr. Speaker, I set up a booth at the market so I can have meaningful one-on-one conversations with my

constituents on the issues that concern them the most. This allows me to better listen to their concerns and bring them forward to the government table and eventually to this House.

Finally, Mr. Speaker, I would like to invite you and everyone in this House and all Albertans to Callingwood Farmers' Market to taste some of the best kettle corn you might ever have.

Thank you.

### Oral Question Period

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition for her first set of main questions.

### Carbon Tax

**Ms Smith:** Mr. Speaker, before we get to the troubling issue surrounding the latest health care scandal, let me begin with a simple question. Now that the Premier is back from Washington, trying to clear up some confusion, will her government be raising the current carbon tax from \$15 per tonne to \$40 per tonne, and will they be raising the emission reduction target from its current level of 12 per cent to 40 per cent?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. I clearly answered this question last week, but I'm very happy to provide the hon. member with information again. We are in the process with the federal government of a review of each sector with regard to GHG emissions reduction. We have completed the coal sector. We've completed the transportation sector. We are now in the oil and gas sector. It is too early in the process, because we're just beginning it, to comment on any of the options that are before our partners.

1:50

**Ms Smith:** Mr. Speaker, the Premier said this during an interview in *Maclean's* magazine: "So 40/40 isn't a number that we've in any way landed on or proposed." Yet the 40/40 scenario appears as a proposal in the Environment minister's presentation to industry. It's reported by various industry sources as a proposed target. Let's see if we can get some clarity. Is the Premier denying that the 40/40 plan has been part of the government's discussions with industry?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker. As I've said and as the Premier has said, we are working with industry, we are working with our stakeholders, and we're working with the federal government on a sector-by-sector approach. We're on the oil and gas sector right now. We are looking at many different scenarios so that federally they can meet their emission reduction targets and we can as well. It is way too early in the process, but once we're at that point, we'll be happy to share with the hon. member and all Albertans and Canadians.

**Ms Smith:** Mr. Speaker, since we've seen with this Premier and this government that a promise isn't a promise and a tax isn't a tax and a raise isn't a raise and a decision isn't a decision, I guess we can certainly understand why a proposal isn't really a proposal. But since the government claims that all of this is designed to make us look greener and to convince our critics that Alberta has a good record on emissions, will the government reject this punitive approach and propose something that will actually work to reduce emissions?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker. Since 2008 this government has had the first plan in North America that is reducing emissions. We have a technology fund as well. Our plan is to make sure that we can access important markets for Canadians and for Albertans. That is our plan, and while doing that, we do a sector-by-sector approach. We've committed and the federal government has committed to meeting our 2050 targets, and that's what we're working to do.

**The Speaker:** Hon. leader, your second main set of questions.

**Ms Smith:** We'll try again another day, Mr. Speaker.

### Health System Executive Expenses

**Ms Smith:** There are more revelations today on the issue we raised yesterday about a former Capital health executive who expensed a \$7,000 visit to the Mayo Clinic. That executive has since explained that she was treated for a form of cancer here in Alberta and was told that she was cured. Then her boss, former CEO Sheila Weatherill, told her to go get checked out at the Mayo Clinic just to be sure. This raises so many questions, Mr. Speaker, starting with: just how widespread is this practice of having Alberta diagnoses confirmed by the Mayo Clinic?

**Mr. Horne:** Well, Mr. Speaker, the allegation that was made yesterday, as the hon. member says, was confirmed today by the individual involved. This is with respect to a situation in 2007. There's no other reaction to this than to describe it for what it is, which is wrong. It is offensive. It is offensive to Albertans. It is a situation that occurred six years ago that should never have occurred.

What is important, of course, is that today we have a single health authority with a single set of rules in place that would never allow this situation to occur again.

**Ms Smith:** Mr. Speaker, the Health minister is right. It is offensive.

Many Albertans have received the bad news of a cancer diagnosis, and because of the outstanding work of the dedicated health professionals at the Cross cancer clinic and the Tom Baker cancer centre, they've received clean bills of health. Can the Minister of Health tell us how many of those people who are not current or former health executives get a confirmation examination at the Mayo Clinic that's paid for by taxpayers?

**Mr. Horne:** Mr. Speaker, if the hon. member wants to focus on situations that occurred in 2007 or 2005 or 2003, she's very welcome to do that. It certainly does not take away from the fact that this situation is wrong and should never have happened.

I'm sure that the hon. member would agree with me that we have among the finest cancer care in North America right here in Alberta. We have a single health authority with a single set of rules, open and transparent rules that allow Albertans to verify that this situation could not happen and is not happening in Alberta today.

**Ms Smith:** The problem is, Mr. Speaker, that a lot of those folks were around in 2007, so it is still relevant today.

We asked about this yesterday, wondering if this was just another example of a sloppy expense policy, or perhaps it was a workaround to avoid lengthy wait times here at home. Now it's revealed that it's a special perk available to high-ranking health

executives. This happened in 2007. Was the minister aware of this practice, and did he do anything specific to end it?

**Mr. Horne:** Well, Mr. Speaker, I have no idea what the hon. member was doing in 2007. I can tell you that I was not the Minister of Health in 2007. While the single incident is indeed offensive to all Albertans, to suggest that this practice is continuing today is to simply ignore the fact . . . [interjections]

**The Speaker:** Leader of the Liberal opposition, leader of the Wildrose, you're welcome to converse outside if you wish but not in here during someone else's time.

Hon. minister, please conclude your comments.

**Mr. Horne:** Well, thank you very much, Mr. Speaker. To finish, of course, as the hon. member well knows, we have one set of rules today. We have one health region to deliver health care services in the province. We have the single most stringent and transparent set of rules around executive compensation and expenses that we will find anywhere in this country, and that's what Albertans can rely on.

**The Speaker:** The hon. Leader of Her Majesty's Opposition. Third main set of questions.

**Ms Smith:** I apologize, Mr. Speaker, but I think that the hon. member was actually working for the then Health minister at the time, in 2007, so he was very much involved.

We don't want to dig into the personal details of someone's medical history, but the individual who was at the centre of the Mayo Clinic issue has confirmed the details about her case, her diagnosis, and the trip. This is an issue of confidence in the system. Now, the minister likes to say that we undermine the system with our questions, but I ask him: what could be more undermining than when executives who run the health system don't trust what our doctors have to say and spend our precious health care dollars to hire Americans to check on their work?

**Mr. Horne:** Mr. Speaker, from what I'm told from yesterday, the hon. member had no compunction whatsoever insofar as talking about individual details with respect to health care received here or elsewhere, so let's put an end to that fallacy.

Secondly, the opposition does routinely, Mr. Speaker, attempt to undermine the confidence of Albertans in 2013, not in 2007, in the very fine health care system that we offer Albertans today, and she continues to ignore, despite having made requests repeatedly over her time in this House, the fact that we have the most stringent rules around expenses and disclosure that will be found anywhere in this country.

**Ms Smith:** The problem is, Mr. Speaker, that yesterday the Deputy Premier didn't have a clue about what was going on. The Premier said: oh, it was all in the past. You'll forgive me for not believing this.

Will the minister provide concrete assurances that this practice has been stopped and that he will make every effort to ensure that this money is paid back and returned to Alberta taxpayers?

**Mr. Horne:** Mr. Speaker, the hon. member has no basis whatsoever to claim that this is a common practice in Alberta today.

On the question of recovering the expenses, I can tell you that yesterday, when the allegation was made, the opposition offered no proof. Today, when the individual involved confirmed the information, I immediately consulted with our legal counsel. This

is an important principle. Unfortunately, there is not a legal way, I'm advised, to recover the funds. As offensive as it is, what Albertans again can take comfort in is that this Premier and this government have taken steps to make sure that this situation cannot occur today.

**Ms Smith:** It's the same government, Mr. Speaker.

The minister often speaks about how great Alberta's health care system is, and on that point he is right. We have great doctors, nurses, facilities, and support systems. But the administration is abysmal. The cavalier attitude toward expenses displayed by current and former Health executives is shocking, and that's why we continue to ask this question. Will the minister release all of the expenses of all of the executives of all of the health regions going back to 2005? Let's get to the bottom of this.

2:00

**Mr. Horne:** Apparently, Mr. Speaker, the era in question now goes back to 2005. These hon. members and other hon. members on all sides of the House have made very good use of the provisions of the Freedom of Information and Protection of Privacy Act to access information that they wish to bring to light. Albertans who are concerned about these issues have made use of the same process.

It is not for elected people, for political people to decide what information should and should not be made available under that act. That is an independent process. People under that process have legal rights, and I would challenge the hon. Leader of the Opposition to suggest that we should otherwise interfere.

**The Speaker:** The hon. leader of the Alberta Liberal opposition, followed by the New Democrat opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. Most members of this House are aware that I was once in government. Now, one thing I can tell you is that government sees every single FOIP before it gets out, so it's very difficult to believe that nobody in government knew that the issue of the Mayo Clinic invoice, which was expensed by the former executive vice-president and COO of Capital health and approved by the CEO, was a clear case of queue-jumping. To the Deputy Premier: were you just very poorly briefed, or did you mislead the House yesterday?

**Mr. Lukaszuk:** Mr. Speaker, let me be perfectly clear. Yesterday I did not have available to me the evidence that is available to us today, so I was making statements based on the fact that it is inappropriate to make slanderous remarks about any Albertan unless you have solid evidence to support it. Today, now that the additional evidence has become available to me, I have to tell you that in view of this new evidence my comments yesterday were wrong. I fully support the minister in his comments, and I know that he has put a system in place to make sure that events like these don't occur into the future.

**Dr. Sherman:** Mr. Speaker, I appreciate the Deputy Premier saying that he was poorly briefed or clueless.

To the Premier, the Health minister, or whomever is properly briefed today: what is the government going to do about the fact that the individual who signed off on this queue-jumping expense claim and who was on the board of AHS until very recently, the former Capital health CEO, did not see fit to mention this while testifying under oath before the queue-jumping inquiry, which is very conveniently no longer hearing testimony? Is this why you wanted to end the inquiry so quickly, Minister? Is this why you wanted to end that inquiry?

**Mr. Horne:** Mr. Speaker, let me take the opportunity to correct the hon. member on a couple of counts. First of all, the government does not review all the FOIP requests that are made in this province. That is legislation that governs an independent process, and that process is available to all members of this House and to all Albertans. To suggest otherwise is wrong.

Secondly, on the question of the review and approval of the expense in question six years ago I cannot answer why the decision was made or whether it was in accordance with rules that were in place at the time. What I can answer for is the rules that are in place today, rules that would not permit a situation like this to ever occur again.

**Dr. Sherman:** Mr. Speaker, it's amazing how this minister slips and slides and how this government jumps when there's a FOIP and some light shines in dark places. Suddenly the government gets religion and orders that unsavoury practices be discontinued.

Premier, since you only root out corruption and waste when we point it out, could you please expedite the process and tell us what we should FOIP next? Better yet, will you finally do the right thing and authorize the forensic audit of the Capital health region, which Dr. Chris Eagle, the current CEO of AHS, called for, which you blocked?

**Mr. Horne:** Mr. Speaker, that is entirely inaccurate. The hon. member knows that the Alberta Health Services Board of its own volition asked the Auditor General to audit the expenses of senior executives at AHS, including those individuals who are serving in executive positions now that also served in executive positions in the previous health regions. That report has been made public. There were no concerns expressed with the expenses.

This hon. member needs to make a decision as to whether or not he is going to stand up for the health system that we have in 2013 or whether he wants to stand up or not for a health system in 2007 or earlier.

### Speaker's Ruling FOIP Requests

**The Speaker:** Hon. members, I'm going to review *Hansard* a little bit later, but there was some comment which I think the Alberta Liberal leader made with respect to FOIP. The Information and Privacy Commissioner will be very interested, I'm sure, to read those comments because to my knowledge freedom of information requests are not routinely shared with the government. We'll have a look at that and get a comment and clear that point up, so let's not get into any points of order today on that. We'll sort this out and report back to you. Thank you.

Let us move on. The leader of the New Democrat opposition.

### Recovery of Health Executive Expenses

**Mr. Mason:** Thank you very much, Mr. Speaker. Today the former VP of Capital health released a statement confirming that Capital health did indeed pay more than \$7,000 so she could get a second opinion after being declared cancer free by Alberta doctors. This was never considered by the medical committee that approves out-of-province treatment. The former CEO of Capital health, who approved this, received a \$5.7 million severance when Alberta Health Services was created. What will this government do to get the \$7,000 back from the former CEO?

**Mr. Horne:** Well, Mr. Speaker, the hon. member is obviously as outraged as I am and I believe the rest of the members are with respect to this situation that occurred in 2007. I am not familiar

with the terms of the severance for that employee, so I can't speak to the accuracy of his comments in that regard. What I can tell you is that as soon as I learned today, when the new information came to light today, that the individual in question had admitted that the expense was claimed and approved, I asked our legal counsel if there was an opportunity for us to try to recover that money on behalf of Albertans. Unfortunately, there is not that opportunity.

**The Speaker:** The hon. leader.

**Mr. Mason:** Thank you, Mr. Speaker. Well, I'm going to ask the Health minister to go back to his legal counsel because the use of public funds by the former CEO of Capital health to send the former vice-president of Capital health to the Mayo Clinic was a violation not only of Alberta Health policy but a violation of section 12(1)(a) of the Canada Health Act. It may also contravene section 122 of the Criminal Code of Canada. What is the minister going to do about it?

**Mr. Horne:** Mr. Speaker, I will continue to rely on the advice of legal counsel with respect to this matter. If the hon. member wants to stand in front of the House and interpret the law for us, I guess that's entirely up to him. What I can tell you is that I immediately sought the opinion this morning of our legal counsel after the individual in question confirmed that the expense was claimed and reimbursed. It doesn't change the fact that it is wrong. It doesn't change the fact that Albertans are outraged. But it does unfortunately present us with a situation where legally we are not able to pursue recovery of those funds.

**The Speaker:** The hon. leader.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, when you talk to your lawyer, Mr. Minister, you've got to ask the right questions.

This government attempts to brush aside evidence of serious violations of the law, breaches of ethics, and misuse of public funds. It refused to extend the Vertes inquiry when Justice Vertes requested more time to uncover evidence. He called the government's refusal interference with the inquiry. To the Health minister: why is your government covering up wrongdoing by the Capital health authority?

**Mr. Horne:** With respect to the independent inquiry that is under way into improper preferential access – and it is an independent inquiry, I'd remind the hon. member – those decisions as to what evidence should be considered belong with the commissioner for the inquiry, Justice Vertes. The justice did request an extension, and he was granted an extension to complete the report. That report is due on August 31, 2013, Mr. Speaker, and it will be delivered to you, as you know, for distribution to all members.

### Out-of-country Health Services

**Mrs. Towle:** The past is the past. That's what we hear every time we raise the issue of abuse of taxpayer dollars by health care executives. Yet for Fort McMurray's Shane Wambolt the past is not over. Shane had a brain tumour the size of a golf ball that was causing him to go blind. If he had waited another three months to have it removed, he would have been, and I quote, deemed a vegetable. The out-of-province committee refused to pay for this surgery because they said that it was elective. To the Health minister: what possible explanation is there for covering private treatments at the Mayo Clinic for health executives while people

like Shane Wambolt are desperately in need of similar-type care and similar-type coverage?

**Mr. Horne:** Well, Mr. Speaker, as I think we've all pointed out, there is absolutely no excuse for the situation that was reported on that occurred in 2007, and no one is attempting to suggest anything otherwise. To compare that situation to the individual – and as we know, we must be cautious in the House to observe the provisions of the Health Information Act when talking about individuals' medical care or treatment or personal medical information. There is an appropriate process for seeking approval for out-of-country medical services. This particular constituent is well represented by his MLA, who is a member of the government caucus. We're familiar with the situation.

2:10

**Mrs. Towle:** Well, that's great. I'll send his MLA this file, and perhaps he can advocate on his behalf.

Given that Shane has been denied six times on technicalities and is now refiled for the seventh time and given that this two-tier health care system allows for Alberta Health Services executives to receive immediate access to private health care while everyday Albertans wait, will this minister sincerely take on Shane's case no matter who's advocating for him and pay for his procedure and afford him the same special treatment that you afforded to Michele Lahey?

**Mr. Horne:** Mr. Speaker, with respect to this individual – and, again, I would remind everyone of the provisions of the Health Information Act – I have met the individual in question. I have talked with the individual. I have taken steps within my ministry to ensure that he's been provided with all of the information with respect to the process for seeking the reimbursement that is being sought. We have taken every possible step to ensure that the fair and transparent process that overrides the Out-of-country Health Services Committee and its appeal panel is being observed in this case.

**Mrs. Towle:** Sadly, that's not the case because clearly this AHS executive didn't have to go through the same committee.

Given that on November 28, 2011, the Premier agreed to look into Shane's case and given that his family has now recently filed for bankruptcy – they've been forced to sell their home because of the out-of-pocket expenses for this operation – and given that Alberta Health executives can simply expense what others are literally dying for, will this hon. Premier keep her promise and do the right thing by ensuring that this family has the same standards that clearly are afforded to Alberta health care executives?

**Mr. Horne:** Well, Mr. Speaker, had I thought that the House would have the patience, I would have raised a point of order based on the hon. member's last statement. There is no evidence whatsoever to suggest that the situation that occurred in 2007 can occur today. In fact, the evidence is just the opposite. The hon. members love to make loose connections between a past offence, the present, and the future. The fact of the matter is that the rules are in place. The expenses are approved in accordance with those rules. They are transparent. The receipts are there for all to see. This is a system that stands up for those sorts of issues.

### Memorandum of Understanding with Physicians

**Ms Jansen:** Mr. Speaker, yesterday the Alberta government and the Alberta Medical Association signed an MOU that provides long-term stability for the health system. My questions are to the



Minister of Health. After years of negotiations and two previous attempts that did not result in a final agreement, can the minister explain to the House what the difference is with this agreement and why Albertans should be confident that the issue is resolved once and for all?

**The Speaker:** The hon. minister.

**Mr. Horne:** Well, thank you very much, Mr. Speaker. We are indeed very pleased to have been able to reach a memorandum of understanding with the Alberta Medical Association. There's no question that this has been a long negotiation. It spans multiple ministers over a two-and-a-half-year period. This is a seven-year deal. In addition to providing some support for reducing costs in our health system over time, the agreement provides a series of pay increases for doctors, it provides stability over a seven-year period, and most importantly it recognizes the Alberta Medical Association as the representative body for physicians in our province.

**Ms Jansen:** Mr. Speaker, there is some skepticism that this deal is as good as it looks. I'll quote a doctor in my constituency who said to me last night: the proof of the pudding is in the eating. Is this pudding still going to taste good after April 22?

**Mr. Horne:** Well, Mr. Speaker, I believe the president of the Alberta Medical Association has made it clear in his statements to the media that he is indeed very excited about this deal and what it can mean for Alberta's doctors. He has indicated, obviously, his recommendation for it. He has signed the deal. He has talked, I think very eloquently, about the opportunities for partnership between government, the Alberta Medical Association, and Alberta Health Services to do what we all want to do, and that's to make the health care system works better for patients.

**Ms Jansen:** My final question, Mr. Speaker. Is there anything in this agreement that assures Albertans that the government and the doctors are on the same page when it comes to primary care?

**Mr. Horne:** Well, Mr. Speaker, the memorandum of understanding does speak extensively to primary care. It talks about a partnership between government and the AMA to further develop primary care across the province. That work had been ongoing but had yet to be recognized in a formal agreement. I'm very pleased to see it there. All Albertans want to have the opportunity for access to a family doctor and to other professionals that work with doctors to provide everyone with a home in our health care system.

#### Compensation for Pharmacy Services

**Mrs. Forsyth:** Mr. Speaker, yesterday this Health minister announced that he had given up on his failed strategy of fighting with our hard-working docs and picked up the phone, called the head of AMA, and he struck a deal. Now, I could congratulate the Health minister if this was the only part of his portfolio that he was messing up. My question is to the minister. Now that he has seen that taking an arrogant I-know-better-than-anyone-else attitude doesn't work, will he pick up the phone and call the head of the Pharmacists Association and fix his ill-conceived plan for generic drugs?

**The Speaker:** The hon. minister.

**Mr. Horne:** Well, thank you very much, Mr. Speaker. It is hard to know how to reply sometimes to questions as they're put in this

House. What I can say is that the credit for the hard-won memorandum of understanding that was announced yesterday belongs to the government, it belongs to the Alberta Medical Association, and, most importantly, it belongs to doctors and patients across the province who worked hard to help us find a way to make this deal possible. This is arguably one of the most important agreements with a medical association in the country in recent years. It provides the need for no further negotiation on issues such as the relationship between government and the AMA. It is what we have sought to provide.

**Mrs. Forsyth:** Let's be clear, Mr. Speaker. The credit goes to the hard-working doctors in this province.

Given that this Health minister says that he wants to lower generic drug prices and given that not just one but two major generic drug companies have now raised their prices on dozens of medications, will he admit that his plan is failing and it is leading to higher, not lower, drug prices for Albertans?

**Mr. Horne:** Well, Mr. Speaker, there is a choice that the hon. member needs to make, and I guess the choice is: does she want to be on the side of large drug manufacturers who sell to 60 to 70 countries around the world, or does she want to be on the side of taxpayers and patients and pharmacists in this province who not only want lower drug prices but want their pharmacists to be recognized as full professionals and as partners in the health care team? The policy that we have outlined with respect to reducing generic drug prices delivers on the value side. It also delivers for pharmacists and patients in terms of better health care.

**Mrs. Forsyth:** Let's be clear, Minister. We're on the side of patients, and your ill-conceived plan is going to screw them.

Given that these two major drug companies, Teva and Apotex, have generally refused to meet the government's across-the-board 18 per cent price and given that Alberta Health has had to relist unavailable drugs like penicillin at a higher price, will the minister admit that his Fred-icare plan is a failure and scrap it?

**Mr. Horne:** Mr. Speaker, the hon. member would benefit from some better research. In fact, on April 1 in response to a pan-Canadian decision by all provinces to set the price for our six top-volume generic drugs at 18 per cent, I'm pleased to report to this House that the manufacturers have met the 18 per cent price quotation on those six drugs. With the top 20 generic drugs in this province available in New Zealand and Australia at \$30 million to \$40 million less than the 18 per cent that we're prepared to pay, I have to wonder whose side this hon. member is really on.

**The Speaker:** The hon. Member for Stony Plain, followed by Calgary-Mountain View.

2:20

#### Recycling of Small Appliances

**Mr. Lemke:** Thank you, Mr. Speaker. Alberta was the first jurisdiction in North America to institute a recycling program for electronic items. However, there is still a considerable list of items that are not yet recyclable such as small appliances like toasters. In fact, approximately 13 tonnes a day of ineligible electronic items end up in garbage trucks bound for landfills. My question is to the Minister of Environment and Sustainable Resource Development. Given that certain appliances are recyclable under the existing electronics recycling program, why do we not expand that program to encompass a broader range of electronic items?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. In Alberta we're pretty excited and proud of the work that's happened to date on recycling, and we're proud of the work that the Alberta Recycling Management Authority has done. Quite frankly, Albertans and municipalities are asking us exactly what this hon. member is asking, a very good question. When are we going to add more items with regard to recycling? Albertans want to do the right thing. We've asked ARMA, the Alberta Recycling Management Authority, to go back and consult with Albertans so that we can do what they would like us to do.

**The Speaker:** The hon. member.

**Mr. Lemke:** Thank you, Mr. Speaker. To the same minister: when can my constituents and all Albertans expect an answer from ARMA on this important initiative?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker. It's important for Albertans to have the opportunity to give us input through ARMA about the kind of additional items they would like us to include. We've had some input with regard to things like toasters, irons, and other household items. We've asked them to go out and ask Albertans what they want to do – that's their job as an arm's-length agency – and to come back to us sometime within this year, when they've done that work, so that we can then review what Albertans have told us and make sure that not only do we have an outstanding program now and lead across the nation but that we continue to do that as well.

**The Speaker:** The hon. member.

**Mr. Lemke:** Thank you, Mr. Speaker. To the same minister: do you have any idea what the costs might be for this expanded program?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker. Again, the recycling programs only cover the costs that are needed. Quite frankly, ARMA has done a very good job over the years of actually reducing costs. Those costs are kept to a minimum because what we want to do is incent Albertans to recycle and to reuse. So the costs are only to cover operations.

**The Speaker:** Any further questions about costs can be addressed in estimates today because I think that department is up later.

Let us move on to Calgary-Mountain View, followed by Edmonton-Calder.

### PDD Funding

**Dr. Swann:** Thank you, Mr. Speaker. This Associate Minister of Services for Persons with Disabilities still doesn't get it. A budget-imposed revolution in PDD programming is being imposed without adequate time and without respecting the people most affected. This government refuses to listen to those living the experience, relying on his staff to make arbitrary and potentially harmful decisions. Shockingly, this minister gives them three months to adjust to dramatic changes in their care and quality of life. When will this minister work with the volunteer sector and develop a plan and a budget process that respects and harnesses the expertise of those receiving the services and doing the work?

**Mr. Oberle:** Well, Mr. Speaker, the fact of the matter is that the changes that we're planning to make this year have been talked about for years. They were made in consultation with stakeholders, user groups out there, and my staff. I hope the hon. member would support that. We believe that the time is right. We believe that we're implementing best practices. We're going to move forward, and we will continue to work with stakeholders and interest groups in doing so.

**Dr. Swann:** Well, Mr. Speaker, that's in stark contrast to what the people on the floor are saying, even at your public meeting yesterday. Will you reverse the cuts until the PDD community is working with a plan they helped to create?

**Mr. Oberle:** I'll say again that the plans that we have for transformational change in the persons with developmental disabilities program have been made in consultation with stakeholders and interest groups. Mr. Speaker, we're going to keep moving ahead.

**Dr. Swann:** Transformational change. Will you at least take a step back and delay the July 1 implementation date?

**Mr. Oberle:** Mr. Speaker, we will take a step forward and provide the care that is right for persons with developmental disabilities. I'll say again that we will continue to work with stakeholders and interest groups in doing so.

**The Speaker:** The hon. Member for Edmonton-Calder, followed by Rimbey-Rocky Mountain House-Sundre.

### Collective Bargaining with Teachers

**Mr. Eggen:** Thank you, Mr. Speaker. Yesterday's deal for Alberta's doctors saw them receive \$68 million in cash. This \$68 million payout – fair enough – to the Alberta Medical Association represents more than a 2 per cent increase for doctors. In 2014-15 doctors will receive a 2.5 per cent increase while the teachers get zero per cent. My question is to the Education minister. Why is this government giving raises to doctors but not to teachers?

**Mr. J. Johnson:** Mr. Speaker, this deal is great for doctors and great for patients, and the teachers' deal is great for teachers and great for students. It's consistent with the doctors' deal. It's consistent with what our Finance minister came out with in the third quarter with respect to freezing the public sector and reducing the size of our opted out in our management by 10 per cent. There is in all those deals three years of zeros. Within every deal there are some nuances, and the \$68 million is one with the doctors, but certainly there are similar nuances with the teachers' deal and certain top-ups, including a bonus of 1 per cent in the fourth year.

**Mr. Eggen:** Well, sometimes those zeros exist in different places and sometimes in the distant past.

Given that the doctors receive a 2.5 per cent increase at the start of next year and assurances as well that they will have a greater role in the development of Alberta's primary care – fair enough – and given that the parade of broken PC education promises, however, sees teachers being asked to accept a freeze of their wages, school improvement programs being cut, school boards predicting layoffs, this from a government that promised stable, predictable funding for our schools, my question again to the Education minister: why is this government willing to give a fair deal to doctors but not so much to teachers?

**Mr. J. Johnson:** Mr. Speaker, I'm not sure how the math adds up over there, but three zeros on my left hand and three zeros on my right hand seems to be pretty balanced to me. If you want to argue about which year it is or what year it starts and what year it ends, we can get into those semantics, but both of these deals are three zeros. Certainly, the doctors are good partners in the health system, and the minister has recognized that. Some of the things that we put in the teachers' deal with respect to the teacher development committee, funding a province-wide study on workload: all those things are nuances that are important for teachers, good for teachers, and at the end of the day good for our students.

**The Speaker:** Hon. members from the Wildrose and the Liberals, please keep the conversations out in the hallways. Don't bring them in here right now. It's just disruptive, and it's not necessary. Edmonton-Calder.

**Mr. Eggen:** Thank you, Mr. Speaker. Given that these broken promises to Alberta's teachers and students will result in fewer teachers and larger class sizes and given that the minister is trying to off-load the cost of this government's broken promises straight onto teachers, school boards, and parents, my question is again to the minister. Are Alberta's schools and teachers really such a low priority that he can make significant cuts, break promises, and then try to force a bad deal onto teachers?

**Mr. J. Johnson:** Mr. Speaker, I have to give a lot of credit to the ATA and the school boards that worked very hard on this deal for close to three years. At the end of that, this deal is in line with what we're doing in health care, it's in line with what we're doing with the entire public sector, and it is good for kids. At the end of the day that's what's important.

This government is moving forward under this Premier to fulfilling a lot of the promises we made, including the \$107 million that went back into education, including the Education Act that was passed, including getting a deal done with teachers, including getting 120 capital projects out the door, which we're working on. The PATs and the full-day K is coming. Stay tuned.

**The Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre, followed by Calgary-Hawkwood.

#### Carbon Offset Verification Process

**Mr. Anglin:** Thank you, Mr. Speaker. Alberta created one of the first carbon offset markets. This market makes up more than half of Alberta's greenhouse gas reduction claims. Our Premier boasts about this market internationally. The world is watching. Now we find out that companies selling carbon offsets are not delivering on these contracts. Failure to deliver on contracts in any market is a criminal offence. When will this government clamp down and hold these fraudulent companies accountable?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker. I'm glad the hon. member raised this issue because that just proves that our process is working in Alberta. We have an audit process for the offset credits, and we catch those that fall through the cracks. The process and the system are working. We have 34 offset protocols, and he is speaking of one of the 34 protocols, to which we continue to make improvements, with the Auditor General's advice.

**Mr. Anglin:** Sixty per cent failure.

Given that the Auditor General twice reported, once in 2009 and once again in 2011, that there are significant credibility issues with the market verification process and given that one company released all its clients from its contractual obligations because the verification process is in shambles, when will this government make the process transparent, protect the market, and hold these fraudulent companies accountable?

2:30

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker. Quite frankly, we are working with the Auditor General and taking the advice of the Auditor General. We have made significant changes to the tillage offset program. That's the one offset the member is talking about. We have done a detailed rewrite of the tillage protocol. We have changes to the verification guidelines and processes, extensive outreach and communication with the offset community and project developers and regulated industry. We are working with the Auditor General to improve this system. It's a new system in Alberta, and we're making the changes that need to be made.

**Mr. Anglin:** Given that Alberta agriculture's website is posting a warning not to do business with a certain company selling carbon offsets because they're defaulting on their contracts and they actually suggest farmers should seek legal counsel, given that the same company is still registered on the ESRD's registry website selling bogus carbon contracts and defaulting on those contracts, can the Minister of ESRD – I don't know – Agriculture, Justice, someone get their head out of the sand and do something about this?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker. This hon. member likes to talk about one offset out of the 34 that isn't working, but if I could, I'd like to talk about the other 33 offsets. Qualification protocol for energy efficiency: eight projects, 920,000 tonnes reduced. Direct reductions of changes for forest harvesting: one project, 600,000 tonnes reduced. Acid gas injection: nine projects, over a million tonnes reduced. Enhanced oil recovery: seven projects, 1.7 million tonnes reduced. Landfill gas capture: two projects, 657 tonnes reduced.

Mr. Speaker, I'm only halfway through. I could go on and on. This is what Alberta does in this system.

**The Speaker:** The hon. Member for Calgary-Hawkwood, followed by Little Bow.

#### Cultural Sensitivity in the Delivery of Services

**Mr. Luan:** Thank you, Mr. Speaker. In one of my recent community consultation workshops held in Calgary, a passionate young immigrant mother shared a touching story that almost brought our audience to tears. It was a story of her struggle in meeting the needs of her disabled children on top of the additional language and cultural barriers of her family. It compounded the complexity of the issues that she's struggling with. She was in a state of despair and literally crying for help. Apparently, in her struggle she was not alone. Our current support system in this area lacks capacity to provide culturally sensitive services to families with disabilities. To the Associate Minister of Services for Persons with Disabilities: what is your department prepared to do to address this issue?

**The Speaker:** The hon. associate minister.

**Mr. Oberle:** Thank you, Mr. Speaker, and through you I'd like to thank that hon. member for the question and for his advocacy for constituents. We have in the department indeed heard of occasions from parents or caregivers where services provided to children with disabilities were not in accordance with their cultural needs, including the language of origin. We're working on that through partnerships with cultural agencies and with providing training. For example, we now provide cultural awareness training to our family supports for children with disabilities programs.

**The Speaker:** The hon. member.

**Mr. Luan:** Thank you, Mr. Speaker. To the same minister: given the high volume of new immigrants coming to our province year after year, how do you plan on collaborating, with your services working with immigrant-serving agencies to provide comprehensive, sensitive services in this area?

**The Speaker:** The hon. associate minister.

**Mr. Oberle:** Thank you, Mr. Speaker. We work with hundreds of community partners and agencies in the province, including agencies that provide services for immigrants and support to new families in our province, to address specific needs. For example, we're currently collaborating with the Chinese community in Calgary to build cultural understanding for our own staff, not just to train our own staff but to increase the number of Chinese nationals that are involved in services and service provision in our province.

**Mr. Luan:** Thank you. That's very encouraging.

A last but very specific question. In this year's budget a 4 per cent funding increase has been given to the family support for children with disabilities program. My question to the same associate minister: will you designate a portion of that increased funding to address the cultural competency issue?

**Mr. Oberle:** Mr. Speaker, what we find in this is that every community and every situation is different, and I'm not prepared to provide hard targets. We do, however, provide flexibility to our agencies in how they use that funding. We already know that they make every effort to tailor their services in a culturally appropriate manner and provide language training and cultural awareness training directly to their staff, and we'll continue to encourage that to happen.

**The Speaker:** The hon. Member for Little Bow, followed by Fort McMurray-Wood Buffalo.

### Support for Cattle Producers

**Mr. Donovan:** Thank you, Mr. Speaker. To the Minister of Agriculture and Rural Development. Over the last year the cattle industry has taken quite a hit, and now there are rumblings that the loan guarantee program is being eliminated in this year's back-in-debt budget. Can the minister please guarantee Alberta cattle feeders that this program will not be pulled now or in future budgets under his time as agriculture minister?

**Mr. Olson:** Mr. Speaker, I'd like to thank the hon. member for the question. Of course, I look forward to my estimates coming up on Monday. I know the hon. member will be there, and we can have a fulsome conversation about that and other issues then. But for now I'll just say that there are currently no plans to make changes to

this 70-year-old program, which has done great things for beef producers in the province, and we expect it will continue.

**The Speaker:** The hon. member.

**Mr. Donovan:** Thank you, Mr. Speaker. Given that I've received many phone calls on the recent changes to the AgriStability program, can the minister please explain to this House how these changes are going to affect the ranchers and commit to engaging the industry on this information?

**Mr. Olson:** Well, Mr. Speaker, I spent a good part of my summer last year out consulting with producers, including cattle producers, and one thing that I heard and one thing that I think ministers are hearing across the country is that there's an important need to change our focus a little bit towards research, innovation, and market development. That's what the Growing Forward 2 agreement, which was just recently signed, has done. However, there's also a strong recommitment to support what exists and develop new insurance programs, including livestock price insurance programs, in Alberta and elsewhere.

**The Speaker:** The hon. member.

**Mr. Donovan:** Thank you, Mr. Speaker. To the same minister: what is your department doing to promote the future of the cattle industry in this province?

**The Speaker:** The hon. minister. [interjections]  
Hon. members, the minister has the floor.

**Mr. Olson:** I'd like to thank the member for the question. I mean that sincerely because agriculture is a very important industry to Alberta, and any chance we get to talk about it – I know that he's passionate about it, and so am I. Every day my department is working on all kinds of things to help cattle producers. I have a meeting right after this ends to talk to cattle producers. My department is very actively engaged in hearing what their concerns are, and we're trying to address them as we go.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo, followed by Cardston-Taber-Warner.

### Child Care Accreditation Funding

**Mr. Allen:** Thank you, Mr. Speaker. The quality funding grant was put in place in 2003 to encourage child care programs to become involved in accreditation. This accreditation funding grant helped operators meet accreditation standards by offsetting the cost of toys, equipment, and programming resources. However, it was just announced that the quality funding grant would be eliminated as of April 1, 2013. This will put a great deal of pressure on the child care centres in my constituency of Fort McMurray-Wood Buffalo, where people pay up to \$400 per month more than Edmonton or Calgary. To the Minister of Human Services: can the minister explain the rationale behind the change to the way child care centres are funded in my constituency?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Well, thank you, Mr. Speaker. Indeed, as the hon. member indicated, the grant was put in place in 2003 to encourage daycares and day home operators to move to a level of accreditation that would seem to be appropriate for the children in our province that are in child care. In fact, we've been very successful in that. We have over 97 per cent of the daycares and

87 per cent of the out of school care programs seeking or having already obtained that accreditation. So the program has been successful. It was never intended to be a permanent grant. Daycares are expected to continue to maintain the level of accreditation. We wanted to move them there, and we have.

**The Speaker:** The hon. member.

**Mr. Allen:** Thank you, Mr. Speaker. To the same minister: given that these child care centres need to maintain that accreditation, how can they continue to maintain it if they don't have this funding incentive?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Well, thank you, Mr. Speaker. With every business, of course, they have to invest in themselves and their programs and their equipment, but we continue to invest in Alberta's children as we do wage top-ups up to \$6.62 an hour for accredited staff. We provide professional development for staff, a thousand dollars per year. We do a staff attraction incentive allowance up to \$5,000 over two years to help daycares attain accredited staff and keep accredited staff and keep them current. We're focusing on the staff for the children, and we expect the daycares to invest in maintaining the quality of their equipment.

2:40

**The Speaker:** The hon. member.

**Mr. Allen:** Thank you, Mr. Speaker. My final supplemental is to the same minister. Is there any other assistance available for these programs to offset the staffing challenges that we constantly face in Wood Buffalo?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Well, thank you, Mr. Speaker. Indeed, in the north and particularly in the Wood Buffalo area there are higher costs, and to compensate for higher costs of living in that region, on top of the funding that I mentioned, we provide a northern allowance of \$1,040 per month for child care staff working in daycares, out of school cares, and family day home agencies in the Fort McMurray region, and approved family day home providers receive \$208 per month. Staff also get an additional \$500 per year to support professional development for a total of \$1,500 per year. We recognize the additional costs in that area. We're supporting those costs and those individuals. It's critical that we maintain the accreditation of those daycare spaces, not just in Fort McMurray and Wood Buffalo but all across the province, and we will continue to do that.

**The Speaker:** Thank you.

Hon. members, 30 seconds from now we will resume with private members' statements, beginning with Calgary-Hawkwood and following up with whoever is next.

### Members' Statements (continued)

**The Speaker:** The hon. Member for Calgary-Hawkwood.

### Postgraduate Internships

**Mr. Luan:** Thank you, Mr. Speaker. It's a real honour to address you again. As Albertans we can be so proud of having world-class

postsecondary institutions in our province that provide our youth with the necessary skills and the knowledge to prepare them to succeed in the real world. We're also truly blessed to have great teachers and professors who dedicate their lives to the education of our children. For that, I am extremely thankful.

Mr. Speaker, as important as our primary school system is, I believe there is another important aspect to our education that is not given the credit or exposure that it deserves. That is the internship programs that give our students opportunities to apply their learning in real-life experiences. Through these opportunities recent university graduates and current students are given the chance to showcase their talents in the work setting and gain first-hand practical experiences which are second to none.

Here in Alberta I'm very proud to say that our government has established numerous programs in this area. One such is called the Washington Center-Alberta internship partnership. Funded in part by our government, this program gives students and recent graduates the opportunity to work in Washington, DC, at prestigious institutions such as the United States Senate, the *Washington Post*, and the United States Department of the Treasury.

It is my hope that we can continue to promote and maintain such internships to assist in the professional development of our young adults. Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Shaw.

### Servants Anonymous Society of Calgary

**Mr. Wilson:** Thank you, Mr. Speaker. As a result of the imaginary bitumen bubble, the unicorn of Alberta politics, this government has backed away from virtually all of its election promises. An unfortunate casualty of this unicorn bubble was the funding for safe communities, promised on page 5 of the PC election platform. The Servants Anonymous facilitated exit, or SAFE, house in Calgary is facing imminent closure on June 30 as a result of this government's misguided priorities. This program provides comprehensive long-term services for women and their children looking to exit prostitution, human trafficking, and sexual exploitation. To date it has helped 176 women, each one somebody's daughter, somebody's sister, somebody's loved one, escape the sex trade and recover from the inherent violence and trauma inflicted upon them.

The cost to taxpayers of supporting these women was \$211,000 a year, roughly the same as just one member of the Premier's ever-growing communications staff. The return on investment is phenomenal. For every \$1 invested in SAFE house, it saved taxpayers \$8 in justice, health, and other social costs. The minister said that funding was always temporary and part of a pilot program, Mr. Speaker, so correct me if I'm wrong here. If pilot programs are working, we should keep them. That's the point of pilot programs. You scrap the ones that don't work, and you keep the ones that do. This one was working. It received referrals from every city in the province. It is working closely with various police forces to facilitate these exits.

Mr. Speaker, when courageous women make the decision to flee, their government should be there to support them. Instead, this government has turned their backs on them, perpetrating the same betrayal they live through daily and are trying to escape. This decision is ignorant, cold, and just plain wrong, but it's not too late to change. I implore the government and the members opposite to reconsider.

Thank you.

## Presenting Petitions

**The Speaker:** The hon. Member for Red Deer-North.

**Mrs. Jablonski:** Thank you, Mr. Speaker. Today I am very pleased to present part 2 of the pheasant release sustainability program petition. With this group of 516 signatures we now have over a thousand signatures from Albertans who are petitioning the Legislative Assembly to urge the government to take the necessary measures, including the introduction of proposed amendments to existing legislation, to ensure the preservation and enhancement of the Pheasant Release Program, which has been an important part of Alberta's hunting tradition, heritage and culture for over 65 years.

**The Speaker:** Hon. member, can I assume that was vetted past Parliamentary Counsel as to form?

**Mrs. Jablonski:** Correct. It has been reviewed and approved in format by Parliamentary Counsel.

**The Speaker:** Thank you.

## Tabling Returns and Reports

**The Speaker:** The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Yes. Thank you, Mr. Speaker. I have two sets of tablings here this afternoon. I have, first of all, 50 or more copies of some e-mail submissions that have been sent to the Premier and CCed to me as well in regard to the Michener Centre. Submissions like these clearly show that to keep open the Michener Centre is a very large priority for Albertans, and the government is out of touch with their suggestions that they would do otherwise.

The second tabling I have is the appropriate amount of copies of e-mail submissions that were made to our budget tour, the NDP budget tour, which visited seven cities in February. We have people making very pointed comments in regard to restoring funding to health care facilities and especially long-term care facilities, again showing how this budget is a broken-promises budget, and Albertans don't accept it.

Thank you.

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition, followed by Calgary-Buffalo, Cardston-Taber-Warner, and Innisfail-Sylvan Lake.

**Ms Smith:** Thank you, Mr. Speaker. I'd like to table the requisite number of copies of the expenses related to the health executive who has been discussed in question period today, including the receipts paid to the Mayo Clinic in addition to numerous lunches, dinners, snacks, and coffees, accommodation at the Rochester Marriott as well as the airport transfers, for a total in excess of \$7,000.

**The Speaker:** The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Thank you, Mr. Speaker. I have two tablings. The first is from Jim and Barbara Steel, and they are very concerned about changes to the aids to daily living program for Albertans needing oxygen and respiratory services. They're worried about rising costs and less service due to these changes.

My second tabling is from Ms Aileen Jang, a pharmacist concerned about the changes to the generic drug prices and the

pharmacy changes that are coming down the pike.

Thank you, Mr. Speaker.

**The Speaker:** Hon. Member for Cardston-Taber-Warner, I understand you have six separate tablings.

**Mr. Bikman:** I do.

**The Speaker:** Can you do them all at once, please?

**Mr. Bikman:** I'll be quick.

**The Speaker:** Okay.

2:50

**Mr. Bikman:** Thank you, Mr. Speaker. I have an excellent epistle here from Taria Gouw, a pharmacist in her hometown of Bow Island, chronicling the problems being created by the Minister of Health's changes to generic drug pricing. It's recommended reading. I gave it five stars.

Secondly, from Wayne Smith, a pharmacist in Raymond, on what he perceives as evidence of misinformation and incompetence with regard to the generic drug pricing.

From Dennis Strong from Wood's Dispensary in Lethbridge, posing 12 questions on pharmacy in Alberta.

I have the Alberta Pharmacists Association March 27 fact sheet about the impact of Alberta generic price reductions. It's sort of a myth-and-facts comparison, quite fascinating.

From grandparents Janny and Joop Harthoorn from Coaldale about the abrupt termination of funding of plant operation and maintenance at two independent schools.

From Raymond irrigation district general manager Gordon ZoBell, providing more information on Crown lands that will be protected by the requested main canal spillway that we all feel is so important in my area of southern Alberta.

Thank you.

**The Speaker:** The hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Mr. Speaker. I have the requisite number of tablings with regard to little Brooke Aubuchon, whom we talked about yesterday. The five-year-old child is dying from Batten disease. There is no cure or treatment for Batten disease. "Ultimately, Batten disease children become blind, bedridden, and demented . . . [and] the disease often claims the very young." The article goes on to talk about her struggle, about the financial challenges her family faces, and goes on to state that the provincial government will not help the family with the costs to go to New York, as stated by Bart Johnson, the press secretary for the Minister of Health. I would encourage everybody to read it because clearly she's not a health executive.

## Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following document was deposited with the office of the Clerk: on behalf of the hon. Mr. Lukaszuk, Deputy Premier and Minister of Enterprise and Advanced Education, pursuant to the Alberta Economic Development Authority Act the Alberta Economic Development Authority activity report 2012.

**The Speaker:** Hon. members, we now have a point of order, which the hon. leader of the New Democrat opposition raised

around 1:40 p.m. I'm going to ask him to elaborate now, probably starting with his citation and carrying on from there.

### Point of Order

#### Speaking Rotation in Estimates Consideration

**Mr. Mason:** Yes. Thank you very much, Mr. Speaker. Well, my initial citation comes from *Beauchesne's Parliamentary Rules & Forms* on page 4. It is Content and Sources of Parliamentary Procedure. Under section 3, the Constitution Act, it says:

The whole concept of the parliamentary Question Period depends on the tradition that the Cabinet is willing to submit its conduct of public affairs to the scrutiny of the Opposition on a regular basis.

Then it goes on to say:

More tentative are such traditional features as respect for the rights of the minority, which precludes a Government from using to excess the extensive powers that it has to limit debate or to proceed in what the public and the Opposition might interpret as unorthodox ways.

That's my initial citation for this, Mr. Speaker.

Let me explain the problem. The problem is that in the consideration of estimates by the three standing committees the chairs of the committees are interpreting the rules, particularly the allocation of time for the opposition, in different ways. That is why I am raising it here instead of in the committees. It's a question, first of all, of consistency, but most important to us are the ways that sometimes limit the ability of the opposition to do their job, which is to have scrutiny over the government's estimates and to ask questions as they stand.

Now, the hon. Member for Calgary-Varsity chairs Resource Stewardship, and the rules that she's following in terms of the sequence basically go through the opposition parties, followed by the government member, but then have a government member, then an Official Opposition member, then a government member, then I think Official Opposition again, then a government member, then the third party, then a government member, then the fourth party. So there's a very high participation of government members in the questioning of the estimates, and in that particular format the opposition gets less time to ask its questions than traditionally.

Now, the Member for Calgary-East chairs Economic Future, and his rotation is different. It goes: a government member, Official Opposition, then third party, then fourth party, then government member, and then allows all members equal opportunity. He allows in the second half an additional 20-minute period for the Official Opposition but not for the other opposition parties. I have the Blues from the meeting last night indicating that process.

As far as I'm aware, the Member for Strathcona-Sherwood Park, who chairs Families and Communities, has the rotation that is more standard: the first hour to the Official Opposition, 20 minutes to the third party, 20 minutes to the fourth party, a government member 20 minutes, and then each party in turn has a chance.

**Ms Notley:** No.

**Mr. Mason:** No. I'm corrected on that.

**Ms Notley:** Then it's back and forth, government and opposition.

**Mr. Mason:** Then it's back and forth, government and opposition.

We have different procedures in each committee, Mr. Speaker. When it comes to the role of the opposition in terms of estimates, I

would argue that this is not something that should be left to the discretion of individual chairs to decide in their own way how the questioning ought to proceed. In my view, it ought to be agreed upon, preferably by the House leaders, to have a systematic rotation that's used uniformly that respects the role of the opposition in providing scrutiny and respects the roles of all opposition parties in particular.

I have some other citations. Under *House of Commons Procedure and Practice*, second edition, at page 819, it says:

The direct control of national finance has been referred to as the "great task of modern parliamentary government." That control is exercised at two levels. First, Parliament must assent to all legislative measures which implement public policy and the House of Commons authorizes both the amounts and objects or destination of all public expenditures.

At page 820:

The basic components of parliamentary financial procedure may be succinctly described as follows:

Consolidated Revenue Fund . . .

Royal Recommendation . . .

Supply: the process by which the government submits its projected annual expenditures (the estimates) for parliamentary approval.

Borrowing authority . . .

Ways and means . . .

Public Accounts . . .

At page 831 *House of Commons* recognizes

two contradictory principles: that the government is entitled to get its financial legislation through Parliament; and that the opposition is entitled to identify, draw attention to, delay, and debate, items that it feels need attention and discussion.

It's that area that I think the opposition has been prevented in some cases from doing.

Mr. Speaker, I've been advised by my House leader that all opposition House leaders felt that they had agreed to something different than is currently happening. Overall, the outcome is that the opposition now has less time to scrutinize government expenditures and to ask questions than they have in previous years.

I get back to the basic point that I made at the beginning, from page 4 of *Beauchesne's*, which is

respect for the rights of the minority, which precludes a Government from using to excess the extensive powers that it has to limit debate or to proceed in what the public and the Opposition might interpret as unorthodox ways.

Mr. Speaker, I would ask that you rule on two things. First of all, the chairs of the committees must have a uniform system of rotation for the questions, and that rotation must include adequate time for all opposition parties to ask questions with respect to this. In some cases, for those departments where the shortest amount of time has been allocated, an opposition member might have seven minutes to ask their questions and in terms of time may not get another opportunity to ask questions. That's far from satisfactory, and I believe that it interferes with the ability of the opposition, particularly the smaller opposition parties, to do their job.

Thank you.

3:00

**The Speaker:** The hon. House leader for the Alberta Liberals.

**Ms Blakeman:** Thank you very much, Mr. Speaker. We are trying a slightly different version of the estimates this year. The government has been quite insistent that we move away from a Committee of Supply situation, where the estimates are debated here in the House and using a common system there. We have moved into debating the estimates in committees, in this particular

case into debating all of the estimates in the legislative policy committees.

We, the three House leaders, believed that we had an understanding of what the rotation would be. That has not come to fruition. I will note that there are a number of cases where we, the Assembly, or indeed possibly in committee decide the way we want to conduct our business. That trumps what we find in the supposedly higher orders of parliamentary procedure, for example *Beauchesne* and parliamentary procedure in the House of Commons. There are a number of places where that happens. We disagree with what they're saying, but it's our rules, and we get to play by them when we all agree. That happens in a couple of different cases I'll just raise.

Minority reports are an example. We allow them. The House of Commons wouldn't or not in the same way. In the House of Commons they allow consideration of estimates. In the committees we don't. There are two examples of where we've written our own rules, and we agree to abide by them. Where our standing rules are silent, we default to these higher authorities in trying to figure out how to conduct our business.

Now, what's happened is that in our standing orders under – oh, my God, I've moved my page. Sorry. I had it marked, and now I'm going to be fishing.

**An Hon. Member:** Page 35?

**Ms Blakeman:** No. I'm looking under the delegation to the policy committees and how the rotation will work, so I think that's going to turn up on . . .

**Mr. Hancock:** Page 37, 59.01(6).

**Ms Blakeman:** At 59.01(6). Thank you. That's it. That's really good. Thank you very much, Government House Leader.

We have very specifically set out how we will do it in the first three hours of debate or slightly less than the first three hours, a very specific rotation. At the end of that it says, "Any Member may speak thereafter," which would be 59.01(6)(f). What that doesn't give us is the rotation of any member. What's happened is that we could have the designated critic sitting in the committee. They have been substituted in in order to have voice and vote and the ability to move motions, and they're recognized, but then in the next go-round any member can and has been recognized as being another member of that particular party but not the critic themselves.

What we're missing here is the specificity on how the rotation goes. I would argue that the rotation should repeat the rotation that's already agreed to. We would go back to a specified amount of time for the Official Opposition party, a shorter amount for the third and fourth parties. That's not what's happening. As my colleague has pointed out, what we have is an inconsistency between the three committees, and everybody is doing it differently.

Now, there is often argument in this House about the privilege and respect due to opposition members and the role they hold, that is specific to opposition as compared to government back-benchers. I have been reviewing that, Mr. Speaker, and I note that in the House of Commons it quite specifically recognizes the importance of the opposition in holding the government to account and specifically states certain committees of which they will be the chair. I think that shows us – well, it definitely demonstrates the holding to account of the government by the Official Opposition, specifically around money.

Of the four committees, the Standing Committee on Public Accounts is example number one. We follow that in this particular Assembly because the chairperson of Public Accounts is a member of the Official Opposition. The Parliament adds in the Standing Committee on the Status of Women, the Standing Committee on Access to Information, and, Mr. Speaker, the Standing Committee on Government Operations and Estimates, so the committee to which the estimates are referred in our House of Commons, and that is also chaired by a member of the Official Opposition, which underlines again the importance and special duty that opposition members have to hold the government to account when it comes to estimates and public accounts.

In fact, Mr. Speaker, on pages 1036 and 1037 of *House of Commons Procedure and Practice* the standing orders specify that the chair is a member of the Official Opposition, the vice-chair is a member of government, and the second vice-chair is a member of another opposition party. That's how important it is for opposition members to hold the government to account with its past financial obligations in public accounts and future by way of estimates.

The other thing I find very interesting, Mr. Speaker, appears on page 1030, which is about the duties and powers of chairs, vice-chairs, and acting chairs. Now, it says that chairs are very important. In fact, when there is not a chairperson available for a committee, no business is done until there's a chairperson that is in place. I note that they must follow what the committee has decided or what has been referred to them from the House. Specifically, on page 1030 under procedural responsibilities it says that they, meaning the chairs, "ensure that any rules established by the committee" – I'll underline that and put my emphasis on it – "including those on the apportioning of speaking time, are respected."

Now, we did not vote in the committees on what the apportioning would be. That partial instruction – and I say that it's partial – came from the House when they approved the changes to the standing orders. It is partial because it does not give us the second rotation or part 2 or the second at-bat or however you want to describe it. We have a new system of doing things this year, where we expanded the amount of time that was assigned to certain ministries, and that was agreed upon. Those ministries are, for the most part, getting six hours, a three-hour piece and a three-hour piece.

We have a designation available in our standing orders that sets out the rotation for part 1, for the first section, and that is what appears on pages 36 and 37 in Standing Order 59.01(6) and everything that follows. You've got the minister for 10 minutes, the Official Opposition for an hour, 20 minutes for the third party, 20 minutes for the fourth party, 20 minutes for the government members, and then this very unhelpful part (f), "any Member may speak thereafter." Now, what we don't have here is a specific rotation, and that is our complaint in this particular case. We've been given not enough information to make decisions on it, and unfortunately the chairs of the committees have also not been provided with adequate information and instruction to be able to carry out their duties.

As a result, we've got three different chairs with three different decisions, we're asking people to operate in an inconsistent manner between the committees, and we have, I believe, abdicated our responsibility to recognize and uphold the particular duties that opposition members have to hold the government to account, which I believe I have explained through the quotations that I've already given you.



3:10

We are asking – and I will echo my colleague the leader of the fourth party and the NDP caucus – that this should be resolved, that all parties should be consistent, and I believe that the rotation should go back and repeat the rotation that we've already agreed on: more time for the Official Opposition and a pro-rated amount of time for the third-party and fourth-party oppositions, ditto for the government members. Then we can start that rotation over again.

Thank you very much for the opportunity to run through that. Thank you very much, Mr. Speaker, for allowing me to bring those points to you.

**Mr. Anderson:** Well, what more can be said after a very, very thorough analysis? I concur and agree with the analyses both by the New Democratic leader as well as the Member for Edmonton-Centre, the House leader for the Liberals. I won't go over those same points, but I do want to raise a couple of brief points in that it has become definitely, in my view, below the standards of what we should practise in this House to have three different sets of rules for these committees that are discussing the budget estimates. I think that's just common sense. It's very clear that we should have the same set of rules when we're discussing the budget and the budget estimates. I think that makes sense. Everyone is on the same page. Everyone knows what's coming. Everyone can prepare.

I remember that in the first round, before we even knew what the chairs were going to do, we prepared as if we were going to do as the House leader for the Liberals said, that we would go Official Opposition, third party, fourth party, government member, Official Opposition, third party, fourth party, government member, and we'd go like that. So we prepared accordingly, only to have that not be the case when we got there.

This has become a bone of contention. Again, I think our House can do better. We can set a higher standard for fairness and consistency because it looks very arbitrary right now, and it certainly is not serving the interests of the public. I mean, I think we can see that questions from the opposition side are, shall we put it, mildly more probing than ones from the government side. [interjections] I know some might take exception to that, but the point is that our job as the Official Opposition and the third and fourth parties is to hold the government to account, specifically on issues of money, and we should have that.

Now, the second point is with regard to the agreement that we thought was made. I'm not going to undermine the character of the Government House Leader in any way, shape, or form. I'm going to say that there was a misunderstanding there. But it was very clearly my understanding as well as that of the other two members, as we discussed, that indeed we had agreed to an hour for the Official Opposition after 10 minutes for the government, followed by 20 minutes for the third and then the fourth parties and the government, and then it would switch to 10 minutes in the same order – Wildrose, Liberal, ND, government, and so forth – and around, around, around we go. That's what all three of us thought we had agreed to.

The reason that we remember the conversation is because the Official Opposition actually requested that in the second three-hour block for some of these larger ministries, Mr. Speaker, we would get either another hour or another half an hour at the very least, and then it would be pro-rated for the third and fourth parties so that we could do our jobs as Official Opposition for the next three hours. That was said no to, and then my recollection is that we agreed it would just be 10 minutes in the same order.

However, I'm absolutely going to give the benefit of the doubt to the Government House Leader that there was a miscommunication there. So we'll need to do a better job in making sure that as we go forward, we have a clear written understanding of what was agreed to because it was very, very frustrating on that first night to hear something different.

There were several allusions to Public Accounts and how we conduct things in Public Accounts. Let's be clear. The government members control the Public Accounts Committee. As the Official Opposition House Leader and the Finance critic I'm the chair of that committee, but there are more government members on that committee. When we were negotiating the time slots for Public Accounts, I was really, frankly, limited on what I could do. I had to do something that the government members would agree to. There were negotiations in that regard. I certainly put on the table, first, that the Official Opposition should have more time. However, we came through negotiation to an agreement that everybody could live with and, more importantly, that the government majority could live with.

In the Public Accounts Committee the government actually goes first. That, I think, could be improved upon somewhat, but that, again, was part of the negotiation. The government goes first, followed by the Wildrose, and actually the government gets the most time. They get exactly half of the time. The Wildrose gets a quarter of the time, and the last quarter is split between the ND and Liberal caucuses. Could there be improvements there? Yeah, but that will be up to the government majority because the government majority rules on that committee.

I do not think we should take Public Accounts as some sort of precedent on how these other committees should be run. That's a separate negotiation, and it's a separate committee, and it's for a separate purpose. Public Accounts is an important committee, but of course going over the budget estimates is critical. It's a critical part of the process, and it should be treated as a separate vehicle from any other committee of the House, I would say. I think it's very important that we not think that that should be the precedent.

With that, Mr. Speaker, I would also ask that a process be outlined for making sure that we have one set of rules that we can all prepare for for the remainder of the estimates period. Then perhaps we House leaders can get together and make sure that that's clear for the next round next year so that we have uniform rules and that within those rules for the remaining time here adequate time is given in the rotation to the opposition parties so that they have the majority of time necessary and needed to do their job, which is to hold the government accountable.

A final point, Mr. Speaker. There's some discussion that I hear at some of these committees that the opposition should feel very fortunate and very warm and fuzzy inside and grateful to the government for the extra three hours given to some of the larger ministries. I personally think that that's a little overboard. To examine the Health estimates, for example, in three hours, with the opposition getting roughly half the time during that three hours to examine a \$17 billion Health budget and so forth, and some of the larger ministries is frankly a little bit insane. I'm glad that we've extended it to a more reasonable time, but the problem is that with the new rotation it works out that actually the opposition gets very little more time if at all in some cases. It's certainly less as a proportion of the total time because of the way that they've done the rotation in the second three hours.

Again, I would say that that argument is a red herring, and it doesn't make a whole lot of sense. Our job is to hold the government accountable. We should have the time to do so.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Bow.

**Ms DeLong:** Thank you very much, Mr. Speaker. I believe that it is necessary for me to speak up at this point as a member of one of these committees and as a member of the government. I believe that it is my right as an MLA to speak on behalf of my constituents and to ask questions at these very important meetings. Now, unfortunately, there are 12 members of the government caucus that are a part of this committee. We are a part of that committee, okay? If in those second three hours we do a rotation, nine of us get to speak. Only nine out of the 12 get to speak. As a private member I think that I do have the right. If we do change this, that does impact me and my ability to represent my constituents.

Thank you very much.

3:20

**The Speaker:** Thank you.

The hon. Member for Edmonton-Strathcona, and I believe we have Calgary-Varsity and Calgary-Fish Creek, and at some point we're going to have to hear from the Government House Leader. This is getting a little bit long. Let's go very briefly here. We have a 3:30 main estimates meeting to get to, and I'd like to deal with this matter before then.

Briefly, hon. Member for Edmonton-Strathcona.

**Ms Notley:** I will be very brief because many of the points have already been made. I just want to as a House leader concur with my other House leader colleagues about our understanding with respect to how the second piece of the extended estimates was to unfold. Mr. Speaker, I ask you to consider this. Would we have asked for more time only to hand it over to the government? Clearly, the answer is no.

The long and the short of this is that if this is not resolved, the outcome is that under this new government with this new Premier in this new Assembly the opposition members will get significantly less time to address the budget debate. That is a problem for democracy, and that is a step backward from the process that we have engaged in over the previous four years. That is why it requires the attention of this whole Assembly for us to make a determination on whether or not that is the direction we want to go in.

As for the member who just spoke, I would just like to note that at no time does our caucus get anywhere close to nine opportunities to speak to the budget. Under no circumstances. We don't get to sit in caucus with the government and talk about the budget. That is why our parliamentary system sets up a different process for the opposition.

**The Speaker:** Thank you.

Hon. Member for Calgary-Fish Creek, do you have something new to add? Can you be very brief, please?

**Mrs. Forsyth:** Thank you, Mr. Speaker. Well, I am the deputy chair of one of the committees, and I'm fortunate to be able to work with the chair of our committee, that is willing to work with the deputy chair of the committee. That's the Member for Strathcona-Sherwood Park. We established the rotating process of how we were going to conduct our business during the questions, and I think he needs to be commended for what we were able to work forward on at the beginning of the process, as we started.

What has been interesting to me is the fact that – I was quite taken aback – when I sat in some of the other committees, the process was different. I'm thinking: "Well, did we make up something? Were we out of sync, or maybe they were out of

sync?" So I went to my House leader, and I said: maybe you can let me know how this is working. He reiterated that what the chair and I were doing for Families and Communities was the process that was originally agreed on with the House leader. It has worked out well. We've had no complaints from any of the members on our committee that I'm aware of.

You know, as a former member of the government who used to be able to go through the budget process – it gives the government members the opportunity to ask questions during the budget process as they're getting their budgets ready. Quite frankly, they also have the opportunity – and I used to have the opportunity – to go down and sit down with a particular minister and say: "You know, I'm uneasy about what we're establishing on this process. Maybe you can explain it, and we can talk." I think that's one of the nice things about being in government.

It's fascinating. When I listened to the Premier as she was running for the leadership, she talked about democracy, she talked about leadership, and she talked about how she was going to establish these committees and how she was going to do things differently in the committee process. We started to see some of that as we started this committee process. With the former member for Lethbridge-East we started strategizing on the priorities of the committee and the government in regard to what we were going to talk about. She's not there, and we miss her because we had started on how we were going to deal with mental health and things like that.

You know, Mr. Speaker, I think it's incumbent for all of the committees to run the same way. I think it's important for the government to carry through with what they've said that they were going to do, and that's in regard to democracy and giving people the ability to have the appropriate time. We're discussing tonight a \$17 billion budget, and I have to agree with the House leader of the Wildrose that that's a ton of money to be only able to talk about it for a limited time. Amongst my colleagues on the committee we've decided how we are going to strategize that. I know the Member for Strathcona-Sherwood Park will have the same agreement as we started with.

This has to be fixed. It has to be the same for all of the committees. We're going into estimates at 3:30, as you've alluded to. We're going into estimates tonight. We have probably about 12 doctors that are going to be at the meeting tonight, that are wanting to hear what the Official Opposition has to say in regard to the budget process, so a ruling needs to be made.

**The Speaker:** Thank you.

Can we conclude, then, with the hon. Government House Leader on this matter? Then I'll have listened to everyone's concerns from all four parties, and I'll be prepared to make a ruling.

**Mr. Hancock:** Thank you, Mr. Speaker. First of all, you know, there's been a lot of discussion on this but very little on the actual point of order. I would submit first of all that there is no point of order. Standing Order 65(2)(b) is very clear. "The Chair [in the committee] shall maintain order in standing and special committees and shall decide all questions of order subject to an appeal to the committee." There's nothing in the standing orders about the speaking process. Standing Order 59.01(6)(f) says, "Any Member may speak thereafter." The order of speaking is then up to the chair, and if the committee doesn't like the way the chair is handling it, the committee can set that order. That's pretty clear in our standing orders. Nobody has overruled that. Nobody has changed that.

With all due respect to my House leader colleagues, there was no agreement. There obviously was a misunderstanding because each of the three people has come back and said: we thought we'd agreed. But I was very clear, I thought, in saying: no; we aren't going to start the rotation over again in the second three hours. We did not come to any conclusion with respect to the rotation. I went back and clearly checked my notes and other notes that were made at that meeting to be sure of that point. I don't think I've lost my faculties. I appreciate where the Opposition House Leader left it. There was clearly a misunderstanding, but on my part there was no agreement to change the normal rotation that we use with respect to this, and that is back and forth between opposition and government.

Now, I also went back, as I said I would, to the opposition House leaders when they pressed the point. I know you won't believe this, but I actually went back and looked at past committees over past years and confirmed that, in fact, the rotation of back and forth between an opposition questioning the government and then a private member on the government side questioning the government is exactly the way it's happened in committee before. I went back and read about five different committees to find that. I didn't read them all. I did a sampling.

Now, there have been a number of myths that have been put forward. One of those myths is that the custom is that we go through the rotation. That is a myth. We have not actually gone through that rotation.

Another myth is that we're taking away from the process, that we're changing the process away from a Committee of Supply process. This House over my 15 years has used about 15 different processes. We've always tried to find a better way to do it. Some of those processes have involved utilization of some departments coming into Committee of Supply. I think I can only remember about one year where we did most of them in Committee of Supply. Almost all of them have been in either A, B, C, D committees or two committees sitting in the evening or, you know, some form of committee process, including a Friday morning four-hour committee to recognize the designated departments. There have been many different processes, but all of them with the exception of maybe one year have involved committees of the House, not committees of the whole House but subcommittees of the House, hearing estimates. So it's a myth that we're moving it away from Committee of Supply.

One of the most important pieces to address here is the role of a member in the House. Previous Speakers, Mr. Speaker, your predecessors, have always upheld the importance of the individual member in the House being able to participate, and I would hope and trust that you will uphold that as well. Every member is elected to serve their constituents. Some of us have the privilege of being asked to also serve in government and to be members of Executive Council. All members of the House who are not in government and Executive Council have the duty and the obligation, the responsibility to serve their constituents by holding government to account in the Legislature. That is the fundamental and very elementary distinction between government and the Legislature.

3:30

We happen to be a parliamentary form of government, so the Executive Council actually sits in the House. To that extent, those of us who are privileged to serve as members of Executive Council and, therefore, of government do give up one of our roles, that of a private member holding government to account. Because we're members of government, we can't question ourselves, but no other member in the House is obliged to give up their

responsibility to their constituents or their obligation to serve their constituents by questioning government and holding government to account.

Yes, private members have other opportunities to help set policy, help set direction. That's one of the privileges they get for being on the winning team, to put it bluntly. They get to participate in setting policy at a higher level, but they do not, by virtue of getting that additional responsibility and that additional opportunity, give up their responsibility to serve their constituents by holding government to account. There should be no suggestion that the opposition are the sole purveyors of truth and light in terms of holding government to account. In fact, it is an obligation of every private member.

Now, there is a recognition of the enhanced role of the opposition, as the hon. House leader of the third party indicated, chairing a committee. In our particular case chairing the Public Accounts Committee is done by members of the opposition. The fact of the matter is that we give the Official Opposition the leadoff role – when I say “we,” I mean the House, not the government – and the larger role at the front end of estimates in order to pursue their role as the Official Opposition and, obviously, the front-end role in question period. They have more questions than private members do to hold government to account in question period.

So there is a recognition of their role, but it's not an abdication of the total role to opposition, nor should it be, nor can it be in a parliamentary democracy. I would certainly want to refute any allegation or suggestion by the Opposition House Leader that their questions are mildly more probing. They're neither mild nor probing. [interjection] Because I've heard your questions, and they're neither mild nor probing.

In fact, if you go through the estimates on Human Services, you'll find that many of the interchanges with government members were equally if not more probing than those of the opposition. No private member in the House has a lock on probing questions, and I would certainly hold up private members on the government side as being equal to or better than any other questions that come forward.

This new process has not afforded less time to ask questions than traditionally, as the leader of the fourth party indicated. In fact, traditionally this House – and this is the first time for a long time that we've deviated from it – has afforded three hours per department. With 18 departments, including Executive Council, that's 54 hours. I believe, if my math is correct, that we actually have 78 hours this year. So we're not giving less time; rather, we're giving more time. That was a wrong statement.

Well, Mr. Speaker, I'm not sure that I need to go on any longer. The point of the fact is that the chairs of committees under Standing Order 65(2)(b) set the standard in their committees. The Member for Calgary-Varsity, who is chair of one of the committees, had intended to speak, but she has to chair a committee that probably has been called to order already. She's indicated to me in discussion – I think she wouldn't mind my representing that here – that she has established with her committee a pattern over the process, which they've adhered to and are continuing to adhere to now. That's their committee. That's the pattern that they have, and they're adhering to it. Nobody, actually, has challenged her on it, that I'm aware of, by raising a point of order. If there was . . . [interjections] Well, if the point of order was raised there and dealt with, then this is absolutely functus unless somebody has appealed it to here, and there's been no appeal to here that I'm aware of.

So there's no point of order. But even if there was a point of order, the fact of the matter is that we are operating in the way

we've always operated with respect to the process of committees, back and forth, with private members on both sides of the House having an important role in holding government to account. If you want to change that, we can always discuss it. We have discussed every year changes in the process.

But this House leader will never give up on the concept that every member of this House has an important role, to represent their constituents. Some of us, who are privileged to be in Executive Council, give up a little bit of that role because we cannot challenge our colleagues with respect to their departments, but we get to do that in cabinet and in cabinet committees.

In this House every member is important. Every member has an equal role to play, and no member gives up their privileges just because they're not in opposition. In the process of those committees as in the process of the House there has to be some respect of the fact that if you only have four members, you're going to have less time and less opportunity. That's just a fact of the numbers. If you only have five members, you're going to have less time, less opportunity. If you're fortunate enough to have achieved 17 members, you're going to have more time, and you get more time. On this side of the House there are actually, I think, 61 members, and they get time, too.

**The Speaker:** Thank you, hon. members. I want to begin by just saying that I find it somewhat unusual that this particular point of order would be brought into the House. It may well be a first in this context; I'm not sure. It'll be something for our historians and librarians to look through. Nonetheless, I allowed it to come forward because I found it quite interesting as we got into the debate and the discussion on it. We've now heard from six or seven different speakers from all four parties, so clearly there is a heightened level of interest in this regard.

I want to make a few points as I lead up to a declaration at the end here. First of all, the issue of the rotation of question period, as raised first and foremost by the hon. member who is the leader of the New Democrat opposition, is clearly pointed out in our standing orders. I think every person who spoke acknowledged that in one way or another. The issue isn't so much about what's specified in our standing orders. The issue is more about how it's applied. How are the rules that are specified adhered to and/or interpreted?

I was fascinated by what Calgary-Fish Creek had to say as a co-chair of one of these committees, where she works very well with the member from the government side who chairs the committee. They determine that particular rotation order based, presumably, on who is present and wishes to participate and on what the other confines or rules or regulations might be. As unusual as it might be for that point to come in here, I did find it interesting, as we got into the debate, how different people interpreted how that rotation works or, to their point, doesn't work.

When I listened to what Edmonton-Centre had to say, noting that she had spoken at some length during the debate on that issue in this Chamber weeks ago, I found it equally interesting about the understanding of what the rotation should be. I would agree with her, as I would agree with all seven speakers, that the rotation ought to be very clearly determined, but that is an issue that must be determined in the committee. Now that we have standing orders of our own and we have citations that were referenced from the House of Commons and perhaps elsewhere, it's really very clear. I would hope that the chairs of these committees would make it very clear at the beginning as to what that understanding of the rotation is just so that there isn't any confusion going forward.

The role of the chair of the committee is clearly specified as well. The chair is, in fact, in charge of order and decorum, and that includes the issue of rotation. Those of you who attend the meetings that I chair would know that I make it very clear what the speaking order is and who's up next and whether or not they have something fresh to say or whatever. It's not perfect, and I'm not claiming to be perfect either, but at least there's a clear understanding of how the process works and, going forward, who's up next.

3:40

Then I listened carefully to what the House leader for the Wildrose had to say on the opportunities for holding the government to account. There is no greater opportunity, as will be acknowledged by all, than the main estimates, where you actually can get into a to-and-fro with the minister or the Premier or whomever happens to be responding. That is the most fascinating time of all other than question period, perhaps, for some.

With respect to his comment about an agreement having to be made as to how procedures work in committee during estimates debates, I agree, but I understood that you had that particular agreement. If you don't, then it belongs in the committee stage now to determine at the outset. I'm hoping that that's what will happen going forward.

I heard other speakers comment as well, and I'll spare you the time, hon. members, before getting into any details on that.

Let me just begin my wrap-up here by saying the following. If there is a breach of the orders or the order of rotation during your committee estimates, that's the time to raise it. You raise it right then, right there. Let me add that we have had this process in place now since March 18, when the first estimates actually occurred. About 12 or so departments or ministries have already gone through the estimates process. We're well past the halfway mark. I would think that if there were any serious breaches in those committees, they would have been raised at an earlier opportunity, in the more proper venue, and that would be the committees themselves.

Secondly, if after you have raised an issue and the chair has ruled on it in the committee you don't like the ruling, there is an appeal process, which you're welcome to use as well. So I invite you to review how that works and where it exists. It is not the Speaker's role to entertain questions on matters that can and should be more properly raised in the committees, as I have just said, unless or until a report comes into the Assembly from that committee, perhaps as referred to the committee in the first place by this Assembly.

Furthermore, you know, the issue of the committees considering the estimates pursuant to the standing orders was amended by Government Motion 24 – I believe that's what it was – which was approved by this Assembly back on March 5. The amendments clearly gave the authority for the legislative policy committees to consider the estimates, and accordingly a schedule was tabled in this Assembly as to how that would work and which departments would come up and when and so on. The final day for all of these considerations of estimates, as you know, is this coming Monday.

Another point is that the chairs of these committees, who are responsible for the rotations, are able to communicate with their members privately if necessary to ensure that fairness and consistency are occurring. If they're not, then, individual members, it's your right as well to go to that chair or send a note to that chair, to bring it to someone's attention and see if it can be dealt with at the committee level first. The appropriate forum and time for a matter such as this is during those committee proceedings, as I've indicated.

Now, a couple of final points here, and we'll get on with the day. First of all, the Practical Guide is a wonderful document. This guide is seldom referred to, but I'll tell you that I've been through it, and it is an excellent document. I hold it to show it to you so that you will perhaps request a copy of it again. They were all sent out, but if you don't have one, please get one because here on page 30 is a wonderful section that talks all about procedure in committee. There's a lot to be gleaned from this, and there's a lot to be learned from this, and for some of us there are some wonderful reminders. Basically, it recaps exactly everything that I've just said up till now. I won't go through it all, but it talks to you about how standing orders are applied. It talks to you about the roles of the chair. It talks to you about the processes, appealing a chair's committee decision, about order and decorum, and so on. It is our guide. It is our guide for the Alberta Legislative Assembly, and I encourage you to please visit it.

Now, I'm going to end with this. The statements that have been made here have not fallen on deaf ears. We had a number of the committee chairs present when this was in fact discussed and debated over the last 45 minutes, and I'm sure that every committee chair, perhaps at the prompting of the Government

House Leader and other House leaders, will be paying much more careful attention to this. But I'm going to also suggest that we allow the standing orders to be properly enforced, as we know them to be, and that the procedure we have in place today be continued and be followed.

We have two main estimates debates coming up right now. Let's pay attention to how those two committees operate today, and let's know that all the committee chairs have a responsibility to communicate much more clearly and to communicate as consistently and as fairly as possible the interpretation of those standing orders.

I find no point of order on this matter today, and I'm hoping that going forward tonight and tomorrow and through to the conclusion, there will be a greater attention paid to the consistency and fairness of rotations and sequencing and that the abilities of all members to get up and represent their constituents and their own feelings with regard to estimates can in fact be heard and appreciated.

That concludes things for today.

[The Assembly adjourned at 3:46 p.m. pursuant to Standing Order 59.01(5)(b) to Wednesday at 1:30 p.m.]









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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Wednesday, April 17, 2013

Issue 47

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta  
The 28th Legislature**

First Session

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**Party standings:**

Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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## Legislative Assembly of Alberta

1:30 p.m.

Wednesday, April 17, 2013

[The Speaker in the chair]

### Prayers

**The Speaker:** Hon. members and guests, let us pray. As Canadians and as Albertans we give thanks for the precious gifts of freedom and peace which we so enjoy. We give further thanks for the gifts of culture and heritage which we share. As Members of this Legislative Assembly let us rededicate ourselves to the valued traditions of parliamentary democracy as a means of serving our province and our country and particularly so because today is the anniversary of Canada's Constitution Act, 1982, an act that was signed by Her Majesty Queen Elizabeth II 31 years ago on this day. Amen.

Please be seated.

### Introduction of Visitors

**The Speaker:** The hon. Premier.

**Ms Redford:** Thank you, Mr. Speaker. I rise today to introduce to you and through you to all members of this Assembly esteemed delegates from the Council of Arab League Ambassadors: His Excellency Smail Benamara, ambassador of the People's Democratic Republic of Algeria and dean of the Arab ambassadors, and his spouse, Mrs. Hasna Benamara; Her Excellency Nouzha Chekrouni, ambassador of the Kingdom of Morocco, and her spouse, El Menouar Bentefrit; His Excellency Abdulrahman Hamid Al-Hussaini, ambassador of the Republic of Iraq, and his spouse, Mrs. Adwiya Abdulwadood Rashid; His Excellency Wael Ahmed Kamal Aboul Magd, ambassador of the Arab Republic of Egypt, and his spouse, Mrs. Hanan Mohamed Abdel Kader; His Excellency Mohammed Saif Helal M. Alshehhi, ambassador of the United Arab Emirates; His Excellency Riadh Essid, ambassador of the Republic of Tunisia; Mr. Sami Haddad, chargé d'affaires, embassy of Lebanon; Mr. Said Mousa Hamad, head of the Palestinian General Delegation to Canada, and his spouse, Mrs. Claudette Hamad.

Mr. Speaker, Alberta and the Middle East and North Africa region share a long history of friendship built on dynamic collaboration in key sectors such as energy, resource development, food safety, and water. This important visit, the first of its kind in Canada and certainly the first to Alberta, is a great opportunity for us to tell Alberta's story as well as to explore new areas of co-operation in a variety of sectors. Through ambassadorial visits such as this we lay the groundwork for an even stronger friendship with our partners in the Middle East and North Africa. Our esteemed guests are now standing in the Speaker's gallery, and I ask that they receive the warm welcome of this House.

### Introduction of Guests

**The Speaker:** The hon. Member for Stony Plain.

**Mr. Lemke:** Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you to all members of this Assembly 39 students from the grade 6 class of Stony Plain Central school. Some of them were here for the week of December 17 to spend a week in the Legislature and learn about the Legislature, and they're back to observe us today. I want to tell you that I spent the

last week in their classroom and these are the best and brightest that Alberta has to offer. If this is representative of our youth today, we're in good hands. Would you please rise. There are 39 students, teachers Mr. Paul McCann and Mrs. Kara Holst, and they're accompanied by parents Mrs. Shonia Tarr, Mrs. Chantal Brown, and Mr. Michael Mullen. If you'll please give them the warm welcome of this Assembly.

**The Speaker:** The hon. Associate Minister of Municipal Affairs.

**Mr. Weadick:** Thank you, Mr. Speaker. It is my pleasure today to introduce to you and through you to all members of this Assembly three constituents from Lethbridge-West who are visiting the Legislature today. Seated in the members' gallery today are Ruth and Auke Elzinga, who are here to present the hon. Minister of Aboriginal Relations with a bronze sculpture called *Buffalo Spirit* by Cornelius Martens. This art piece is currently on loan and in the process of being donated to the government of Alberta, and I would like to take this time to thank Auke and Ruth for their generosity. The sculpture will be prominently displayed in the office of Aboriginal Relations, and I encourage my colleagues to take a moment to stop by and view this remarkable piece.

Also in the gallery today is Kerry Milder, outreach co-ordinator for Volunteer Lethbridge and a member of the University of Lethbridge senate. Kerry not only dedicates her time to the city of Lethbridge but also serves on numerous boards and councils throughout southern Alberta.

I'd like to thank Ruth, Auke, and Kerry for making the trip to Edmonton today. I would ask them to rise and receive the warm welcome of this Assembly.

**The Speaker:** The hon. Deputy Premier.

**Mr. Lukaszuk:** Well, thank you, Mr. Speaker. You have just met the best and the brightest from Stony Plain. Let me introduce to you the best and the brightest from Edmonton. With us today from St. Lucy school is a group of grade 6 students who are studying parliamentary democracy and everything that happens in this House and in our city hall and in our government in Ottawa. They're accompanied by teachers Mrs. Karen Robinson and Miss Kailee Smith and Mr. Arnold Brockmann. I would ask them all to rise and receive the warm welcome of our Assembly. Here they are.

**The Speaker:** The hon. Member for Calgary-South East.

**Mr. Fraser:** Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to all members of the Assembly somebody that I admire and somebody that I respect not only because he helped bring a Stanley Cup to Calgary in 1989 but also for the same dedication and persistence in his advocacy for victims of sexual abuse. Accompanying him today are Dr. Don Castaldi and Kim Barthel. It's Theoron Fleury that I was mentioning and getting at. I guess I was a bit awestruck as he watches me give this introduction. Dr. Don Castaldi is a clinical psychologist with a specialty in forensics and sexual deviance. He is also the adviser for the Alberta complex needs initiative. Kim Barthel is an occupational therapist with a specialty in the neurobiology of attachment and trauma. I'd ask them to rise and receive the warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Meadowlark and leader of the Alberta Liberal opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of this Assembly Sallie Parmiter and her granddaughter Meagan Parmiter. Sallie is the mother of Michael Parmiter, who is a resident of Michener Centre. Sallie is a mother to seven children. She worked at Sears for 23 years. Her husband is a veteran of the armed forces. Meagan is a respite worker who is studying at Grant MacEwan to be a physiotherapist.

They are here today on behalf of Michael, who is a 44-year resident of Michener Centre who requires 24-hour care and supervision. He was born with hydrocephalitis and seizures. Sallie wants us to know that Michael has a wonderful quality of life at Michener and does not belong in a nursing home or an Alzheimer's hospital. Michael's caregivers cater to whatever makes him happy and whatever he needs, including camping trips, bike rides at the gym, dances, and bus rides. When previously moved from Michener, Michael immediately suffered from depression and was hospitalized and returned to Michener, where he recovered because that was where his home was. Please join me in giving Sallie and Meagan Parmiter the traditional warm welcome of the Assembly.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Speaker. Today I have the pleasure to introduce to you and through you to this Assembly my guest, Sandra Azocar. Sandra has been a community and labour activist in Alberta for over 30 years and is currently the executive director of Friends of Medicare. Prior to coming to Friends of Medicare Sandra worked as a vice-president of the Alberta Union of Provincial Employees and was employed in the Ministry of Human Services. She was also a member of the board of directors of Friends of Medicare for six years before becoming its executive director. I would now ask Sandra to please rise and receive the traditional warm welcome of the Assembly.

1:40

**The Speaker:** Thank you, hon. member, for that very nice introduction. Perhaps we could salute you on your special milestone birthday today. That was a nice present to yourself.

The hon. Minister of Education.

**Mr. J. Johnson:** Thank you, Mr. Speaker. It's a great honour for me to rise and introduce to you and through you to the members of this Assembly a couple of extraordinary individuals with us today from Respect Group, Mr. Sheldon Kennedy and Mr. Wayne McNeil. Both of these men are well known for their exhaustive work serving their communities. Wayne served as trustee and vice-chair of the Rocky View school division as well as many volunteer efforts supporting children in athletics over the years. Sheldon Kennedy, of course, is known around the world not just for his skill on the ice but his efforts to give a voice to children who have been abused. In fact, just recently the Calgary Child Advocacy Centre was renamed the Sheldon Kennedy Child Advocacy Centre in his honour to recognize the important work he continues to do on behalf of our kids.

In 2004 these two men joined forces to create the Respect Group and have made it their mission to eliminate online abuse, bullying, harassment, whether it appears in sports or at schools or in the workplace. As Minister of Education I'm particularly proud of the work these gentlemen are doing in partnership with some of

our schools around the province, creating safe, caring, and welcoming places for our students. I'd ask both Wayne and Mr. Kennedy to stand, and I'd ask you, Mr. Speaker, and the rest of the Assembly to join me in giving them the traditional warm welcome.

**The Speaker:** The hon. Member for Edmonton-Decore, followed by the Minister of Environment and Sustainable Resource Development.

**Mrs. Sarich:** Thank you, Mr. Speaker. It's my honour and privilege to rise today to introduce to you and through you to all Members of the Legislative Assembly seven representatives from the John Humphrey Centre for Peace and Human Rights, an Edmonton-based organization celebrating their 15th anniversary. Guided by the principles of the universal declaration of human rights, the John Humphrey Centre advances a culture of peace and human rights through educational programs, activities, community collaboration, and relationship building.

My guests are seated in the members' gallery, and I would ask them to please rise as I mention their names: Mrs. Karen Gall, wife of founder and past president Professor Gerald Gall, who with heartfelt regret passed away in 2012; Ms Christine Rapp, QC, vice-president; Judge Gurcharan Bhatia, founder and past president; Mrs. Salma Lakhani, member of the board of directors; Ms Renée Vaugeois, executive director; Mr. Cory Cardinal, staff member, new to the organization; Ms Nehal Mahmoud, staff member, quite new to the organization as well. I would now ask that the Assembly honour my guests with the traditional warm welcome.

Thank you.

**The Speaker:** The hon. Minister of Environment and Sustainable Resource Development.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. Today it's a real pleasure for me to rise to introduce to you and through you to all members of this Assembly a good friend of this Assembly and a good friend of Alberta. Brady Whittaker is with the Alberta Forest Products Association and is a real outstanding star that continues to promote this very important industry not only in our province but throughout Canada, United States, and Asia. Brady, if you could please rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for St. Albert.

**Mr. Khan:** Thank you, Mr. Speaker. Today I am pleased to introduce to you and through you to all members of the Assembly six constituents and dear friends from St. Albert. I'll ask them to rise as I introduce them. Jacques Basterash has been living primarily in St. Albert since 1986. We lost him to Calgary for a couple of years, but he's back. Jacques has been an insurance broker for the past 30 years. Beth Bell has lived in St. Albert since 1976, and she came to Alberta and Canada from Britain in 1961. Beth worked as a nurse manager and retired in 2004. Ross Pronishen moved from Manitoba to St. Albert in 2006 to spend time with his sons and his grandchildren. Ross had a distinguished career with Manitoba Telephones for 40 years.

Dr. Kim Bugera has lived in St. Albert for the past 15 years, and in between raising a very active young family she finds time to serve as an optometrist in our community. Glenna Bell moved to St. Albert in October 1979 and has been a valued member of our



community every since. Glenna is an active volunteer in our community and is a trusted friend and confidante. Last but certainly not least, Sandra Fenton moved to St. Albert in 1996 with her husband, Roy, and her young family from Chilliwack, B.C. Sandra works as a very busy accountant.

All of these people are remarkable representatives of the community that we love so much. They're so active in our community and offer so much to all of us. Mr. Speaker, I am humbled to serve as their representative in the House, and I ask all members of the Assembly to welcome them with a very warm traditional sentiment.

**The Speaker:** The hon. Premier.

**Ms Redford:** Thank you, Mr. Speaker. I would very much like today to introduce to you and through you a very good friend of mine, Mr. Mike Gladstone. Mr. Mike Gladstone was my campaign manager when I ran in 2008 in the riding of Calgary-Elbow for the very first time. I'm not sure that we knew exactly what we were doing, but we had a lot of fun doing it, and it turned out to be quite successful. I know he is a friend to many people on this side of the House and, I think, on the other side of the House. I'd really ask him to rise, with my heartfelt thanks, for a warm welcome from this Assembly.

### Members' Statements

#### Administration of Health Care

**Ms Smith:** Mr. Speaker, in a few minutes question period will be under way, and once again the Official Opposition will be asking questions about health care and the current minister's many failures. We've asked dozens of questions already, questions about the combative doctors' negotiations, the ill-conceived increase in drug prices, the exorbitant expense accounts, botched facility closures, unacceptable wait-lists, undeserved executive bonuses, missed performance targets, and other areas of his responsibility. Overall, it's a pretty bleak picture.

Just yesterday the minister had to admit that allowing a former health executive to expense out-of-province treatments at the Mayo Clinic was wrong, that it was unacceptable and offensive. He boasted about how the rules had changed, how AHS was different, how the rules are the strongest in the country. Even if that's true – and we doubt it – it doesn't erase decades of waste, entitlement, and special treatment, and it doesn't get a nickel of those millions paid back.

But there's more, Mr. Speaker. In a few minutes I'll be asking the minister about a case that happened under his watch while he was minister after AHS was put in charge. In December 2011 Alison Tonge, a former VP in AHS, received services from a private diagnostic imaging clinic in Edmonton. She was invoiced \$1,160 and paid the bills. She then submitted the bills for reimbursement via expense account claim forms in January 2012. The charges were approved later that month by Dr. Chris Eagle, our current president and CEO of Alberta Health Services. This latest case goes directly to issues of universality, access, and fairness, that are the cornerstones of our public health system.

As I said yesterday in the Assembly, Alberta has a great system in many ways, with great doctors, nurses, facilities, and great support staff, but the administration and management of health care is abysmal, and the person most responsible for that is the Minister of Health.

### Speaker's Ruling Members' Statements

**The Speaker:** Hon. members, another point that I wish House leaders will take under advisement is what the purpose of Members' Statements is all about. [interjections] Hang on a moment. I want to just remind you that I gave you fair warning a year ago almost when I said: please, let us elevate the level of debate and decorum in this House, and let's not take opportunities to do what I would call political assassination attempts on other members.

Now, I'm not labelling what I just heard as one of those, but it's getting pretty close to that when you attack a member in person that way. I'm just asking you to please review that. I'm not going to make any other ruling or statement on that matter today other than to just remind you of how dangerously close we sometimes come to violating some of the great sanctities of this House if we're not careful.

1:50

### Oral Question Period

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition for her first main set of questions.

### Alberta Health Services Executive Expenses

**Ms Smith:** Mr. Speaker, we have been assured time and again that the minister has fixed the problem of lavish executive expense accounts. That's all in the past, he assures us, before his time. However, in December 2011 Alison Tonge, a former VP in AHS, received services from a private diagnostic imaging clinic in Edmonton. She paid the bills, then submitted them for reimbursement in January 2012. The charges were approved later that month by Dr. Chris Eagle, our current president and CEO of Alberta Health Services. Can the Health minister explain how something like this could occur under his watch?

**The Speaker:** The hon. minister.

**Mr. Horne:** Well, thank you, Mr. Speaker. The hon. member's attempts to continue to undermine public confidence in our health system seem to know no bounds. I checked with Dr. Chris Eagle, the chief executive officer of Alberta Health Services, prior to question period today, and I'm informed that the expenses in question relate to the recruiting of out-of-country staff, which Ms Tonge was, and her family. The expenses incurred were for the purpose of supporting their application for landed immigrant status in Canada. Dr. Eagle has offered to provide me with a detailed explanation, which I'll be happy to table in this House.

**Ms Smith:** Mr. Speaker, it's another example of the utter disregard AHS has for taxpayers. The culture of entitlement that we saw with other executives under the former health regions and under previous Health ministers is still alive despite this Premier's claims to have eradicated it. This executive was approved for \$1,160 in private medical expenses and then was let go with a \$426,000 severance package. Who's responsible for this?

**The Speaker:** Hon. Member for Airdrie, you rose on a point of order at 1:51. It's been noted.

**Ms Redford:** Well, Mr. Speaker, this characterization is getting a little bit ridiculous. There's no doubt that we as government fund an agency, Alberta Health Services, which, as we know, takes up a significant portion of the budget in providing public health care to

Albertans. It means that we have to engage executives that are able to provide those services, and they do a good job. There is no doubt that one of the reasons many people on this side of the House decided to run in 2008 was to change health care. That is what this minister has done with that deal with doctors on Monday, and we're very proud of him.

**Ms Smith:** Mr. Speaker, the Premier, the minister, and the CEO all boasted about how the system is fixed, how expense account rules are now so strong, but here's the proof that all of those claims are just worthless bluster. This is two-tier, queue-jumping, expense account abuse all wrapped up in one offensive package. Someone needs to lose their job. Who's it going to be?

**Ms Redford:** Mr. Speaker, we are very proud of the fact that we've introduced an expense claim policy that will ensure that all information is available to the public with respect to expenses not only for Alberta Health Services but for government ministers, for MLAs, for public service, and for other agencies, boards, and commissions. There is no doubt that it's important for Albertans to understand how taxpayers' dollars are spent to ensure that we are held accountable for them, but the purpose of question period is not to come up with false allegations, mischaracterizations, and undermine public health care.

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition. Second main set of questions.

#### Health Care Accessibility

**Ms Smith:** Mr. Speaker, the Canada Health Act demands universality of care. Here in Alberta we don't have that. Regular folks don't get access to the Mayo Clinic to have their Alberta diagnoses confirmed. Regular folks don't get to go to a private diagnostic imaging clinic to get looked after right away. Regular folks can't submit an expense claim and get reimbursed for private treatments, but health executives can. While the Health minister insists it's been stopped, the evidence contradicts him. Doesn't the minister understand the risks of being in breach of the Canada Health Act?

**Ms Redford:** Mr. Speaker, that is rich coming from an opposition party that less than a year ago told Albertans that they believe there should be a two-tier health care system in this province. I will tell you that this side of the House fully understands the importance of the Canada Health Act and ensures that we are funding accessible, quality public health care for all Albertans. These continual mischaracterizations are absurd. It is wrong to make assumptions with respect to facts that are simply not true. It's not . . .

**The Speaker:** Thank you.

Hon. Member for Airdrie, you rose on a point of order during the Premier's answer. That's been noted.

**Ms Smith:** Speaking of mischaracterizations, our wait time guaranteed regular Albertans would get access to care, not these health executives.

Under heavy questioning about the \$7,000 Mayo Clinic executive expense the Minister of Health repeated again and again that it happened in 2007. He wasn't the minister, so it wasn't his fault. This latest case happened in 2012. He was the minister, so this is his fault. How can this minister continue to claim that he has fixed things when he clearly hasn't?

**Ms Redford:** Mr. Speaker, the report of the decision in 2007 – in 2007 – I think is completely wrong. I'm actually offended by it. I think it's disgusting. It's one of the reasons that I ran in 2008, to change the culture of government and to change the culture of health care. We introduced expense guidelines that did that in September of last year, and to try to connect these two payments as being the same thing is ridiculous.

**Ms Smith:** If the Premier is as offended as we are, she would get the money back.

The government members like to fling accusations at us, but it's the government that has actually established a two-tier health care system, tier 1 for health executives, tier 2 for everyone else. Doesn't the minister understand that this undermines confidence in the fairness and accessibility of our public health care system?

**Mr. Horne:** Well, Mr. Speaker, it doesn't take much in the way of sophistication to fill out an application under the freedom of information act, receive the documents, and table them with the media. What does take sophistication to do is to interpret those documents, to make appropriate inquiries as to the reasons for the expenses, and to report those accurately to the House. That is what we have done in this case.

Mr. Speaker, in terms of private health care the views of the hon. Leader of the Opposition are well known. As recently as 2005, if that isn't too far in the past to quote, she said: allowing doctors to straddle the public and private system may be one way to bridge the gap. That is one example.

**Ms Smith:** As I said, our wait time guarantee promised accessible care for every Albertan.

#### Health System Executive Expenses

**Ms Smith:** When a health executive gets immediate coverage for out-of-province private medical services or when another health executive gets immediate expense coverage of private medical imaging services, it's queue-jumping. This kind of coverage isn't available to others. The Vertes inquiry into preferential access heard testimony from the former Capital health CEO, but she didn't acknowledge that she signed off on the Mayo expense. Will the Premier expand and extend the Vertes inquiry to include this instance?

**Ms Redford:** Mr. Speaker, the inquiry with respect to the issues that Mr. Justice Vertes is dealing with fully explored all of the issues that he as an independent chair has determined to explore. There is no doubt that that will be good information for us to have going forward. We're not going to presume the outcome of that. As usual, it is still an independent inquiry. We're looking forward to the report. But this continuing characterization and parrying, suggesting innuendo and personal failures, is inappropriate. It is not acceptable, and it's not acceptable to us to see decisions that were made that were not appropriate, and that is why we changed the system.

**Ms Smith:** Mr. Speaker, there is a huge trust problem here. When a health executive can claim medical expenses that no one else can, whether it's lavish meals, luxury cars, fancy dinners, an examination at the Mayo Clinic, or private imaging services, the public loses confidence. We need the truth. Will the Premier finally agree that Albertans deserve a full forensic audit of current and past health expenses so that we can know just how bad things really are?

**Mr. Horne:** Well, Mr. Speaker, I think the Premier has been very clear. The fact is that the rules have changed, and the rules changed under her leadership, not at the suggestion of the opposition. The hon. leader is very good at interchangeably comparing the situation in 2007 with the situation in 2012. As I've said, I've asked Dr. Eagle for an explanation as to why he authorized this expense claim. He has advised me that it relates to employment-related expenses connected with the landed immigrant status that was sought by the person claiming the amounts. He believes these amounts are in order. He will provide an explanation, and I will table it in this House.

2:00

**Ms Smith:** The services were billed in December 2011. She was let go in January 2012. I think you need to double-check that story, Minister.

The minister's claim that he's cleaned things up is not credible. His assurances that health expenses are no longer subject to abuse are feeble, yet they still say no to a full forensic audit. Once again, in the spirit of openness and transparency and accountability, that this government and this Premier love to trumpet all the time, I will ask: will the Health minister release all of the expenses of all of the executives of all of the health regions going back to 2005?

**Mr. Horne:** Mr. Speaker, this question has been asked and answered and asked and answered. The hon. member opposite has made very good use of the provisions of the Freedom of Information and Protection of Privacy Act. The hon. member knows that there is a process that governs the disclosure of documents. Many of those documents have been disclosed, they have been investigated by this government, and most importantly we have taken the necessary steps to implement new rules that I stand by and that I say can and do prevent similar situations to the 2007 claim from happening again. An additional explanation will be provided by the CEO of Alberta Health Services, but the situation is not . . .

**The Speaker:** Thank you.

The hon. leader of the Alberta Liberal opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. Premier, glad you could join us. We learned that the former Capital health CEO approved a former COO's expense claim for medical care at the Mayo Clinic, a practice the Health minister calls despicable and which most Albertans call queue-jumping, which, interestingly, didn't come up during the inquiry. The Deputy Premier said that if what the opposition brought to light was correct, "that person and others will be dealt with." However, the Health minister essentially said: that was then; this is now; move along. To the Premier: who do you side with here, your Deputy Premier or your Health minister? Are you going to deal with it, or are you going to move along?

**Ms Redford:** Well, Mr. Speaker, we side with Alberta taxpayers, and that's why we introduced new expense guidelines that ensure that this government can hold agencies, boards, and commissions accountable for all expenses. That is appropriate, that is important, and that is why a year ago, when we promised to change health care and we promised to change government, we were able to gain the confidence of Albertans and to ensure that we provided public health care to everyone in this province in a way that allowed them to continue to build family and live in their communities.

**Dr. Sherman:** Mr. Speaker, it's clear this Premier sides with those few Alberta taxpayers who waste the rest of our taxpayers' money.

The Auditor General's February 2013 report clearly states that under the direction of this minister AHS hired Ernst & Young to audit only expenses claimed by the former Capital health CFO. Any Health minister worth his salt would know that the dollar value of executive claims authorized by Sheila Weatherill was absolutely outrageous. To the minister: why weren't all the health claims authorized by Mrs. Weatherill audited? What else were you afraid would come to light? Why didn't you audit everything, Minister?

**Mr. Horne:** Well, Mr. Speaker, we are certainly not afraid of the fearmongering that persists on the part of members opposite in the discussion of this issue. The fact of the matter is that the Alberta Health Services Board took the appropriate step in requesting the Auditor General to audit the expense claims of senior Alberta Health Services executives who had served in former capacities with the former health regions. This was an important step. The Auditor General has delivered his report. We've all had the opportunity to see it. It's very interesting that the hon. members don't take the opportunity to discuss the results of that report, which were, in fact, quite positive. Moreover, the Auditor General has reviewed the expense claim procedures of Alberta Health Services today and supports those procedures.

**Dr. Sherman:** Mr. Speaker, clearly, they're not afraid of wasting taxpayers' money.

Let's just back up here. Fact: the AHS audit arose because of the outrageous expense claims made by Allaudin Merali, which only came to light because of a FOIP by Charles Rusnell. Fact: Allaudin Merali's expense claims were authorized by Sheila Weatherill. Fact: Mrs. Weatherill approved her COO's claim for medical care at the Mayo Clinic, uncovered due to a FOIP because of the opposition. This question is for the Premier, not the Health minister. Will you finally do the right thing and authorize a forensic audit of the former Capital health region, which the current AHS CEO, Dr. Chris Eagle, originally called for?

**Ms Redford:** Well, Mr. Speaker, as the Minister of Health has said, this work has been done. We're ensuring that wherever we can pursue avenues with respect to the expense claim that the hon. member has raised, we are doing that. We are proud of the fact that we now have a system that's going to ensure that we no longer have those sorts of circumstances happen. I'm not standing here to apologize for decisions that I find personally offensive, that took place well before I and many of my colleagues were actually even elected. We got elected to change things, and we did.

**The Speaker:** The hon. leader of the New Democrat opposition, followed by Innisfail-Sylvan Lake.

#### Alberta Health Services Executive Expenses (continued)

**Mr. Mason:** Thank you, Mr. Speaker. The Health minister needs to come clean with Albertans. Alberta Health Services provided preferred access to a health care service to an individual at a private, for-profit clinic, apparently as a recruitment strategy and to expedite her immigration status. Is that what the minister is saying? How is that not queue-jumping? How is that not two-tier, private health care?

**Ms Redford:** Well, first of all, Mr. Speaker, let's start with the facts, which are that this is not what this minister said. What this minister simply said was that there was an employment contract in

place that did permit a person, whom we recruited in order to work and manage a very large health care system, to see whether or not they could settle in Alberta. That is all that the minister said, and any other characterization is false.

**Mr. Mason:** Mr. Speaker, these bills are for health care services from a doctor.

Yesterday the Health minister told the House that queue-jumping at the taxpayers' expense by Alberta Health Services executives was a thing of the past. He said, "This situation could not happen and is not happening in Alberta today." Today we've learned that it's not a thing of the past. It's still happening on this Health minister's watch. To the Premier: how can Albertans have confidence in a Health minister that denies that queue-jumping at taxpayers' expense is happening when it is?

**Ms Redford:** Mr. Speaker, I don't actually understand how Albertans would have confidence if they actually listened to the false structures of these questions, that draw unequal parallels, that characterize completely different fact situations as being the same thing. It is not appropriate. The information with respect to the question asked today will be provided. This minister has never misled the House.

**The Speaker:** The hon. leader.

**Mr. Mason:** Thank you, Mr. Speaker. Well, the Premier's lawyer double-talk is not going to work this time.

This PC government can't be trusted to protect our health care system. In public the government assures us that they support universal public health care, but behind the scenes senior health executives get preferential treatment from private, for-profit health care corporations. It looks a lot like private two-tier, American-style health care to me, Mr. Speaker. How can Albertans have confidence in a government that permits preferential access to health services paid for by taxpayers for its senior officials?

**Ms Redford:** Mr. Speaker, the reason that Albertans can have confidence in how this government provides public health care is because we're committed to it. I don't know where I was on Monday compared to everyone else. I was standing in Calgary with the president of the AMA signing a seven-year employment contract with doctors in this province to provide certainty in the health care system, and this Minister of Health negotiated that deal. [interjections]

**The Speaker:** Why don't we all take a moment and thump on our desks and all feel better about that. Go ahead. [applause] I feel better after that, too. Thank you.

Let's move on.

## 2:10 Out-of-province Health Services

**Mrs. Towle:** Mr. Speaker, there seems to be a lot of confusion, so I'm just going to make it a little simpler here. A senior in my riding was recently told that she needed immediate shoulder surgery. If not done, it would cause irreparable damage to her shoulder, active. Booking for surgery was a ridiculous three-year wait. Instead, she took her health care into her own hands, and she booked her surgery in B.C. The cost of that surgery: \$17,000 out of her own pocket. The AHS cost – she went to the committee – a \$980 reimbursement. Minister, please help me understand, so I can explain to my constituents, how you can justify paying for Alberta Health executives who clearly jump the queue, yet Albertans have to do so many . . .

**The Speaker:** The hon. minister.

**Mr. Horne:** Well, Mr. Speaker, no one has proven that any Alberta Health Services executive since this government took office has jumped the queue, and to suggest so on the basis of a receipt tabled in the House is simply not accurate. What the hon. member should know is that the Out-of-country Health Services Committee program is administered by a separate committee independent of government. If the hon. member wants to make a direct connection between her question and her constituent's problem, I'd be pleased to look into it. If she wants to falsely connect it to other allegations that have been made in the House earlier today, I can't help her.

**Mrs. Towle:** Well, luckily for us, Albertans have the ability to read.

Given that we have already heard of two families in serious need of life-saving health care that was not offered in Alberta – and they were denied – and given that this Alberta Health Services executive billed taxpayers for this private diagnostic service in December of 2011, left AHS in January of 2012, and received over \$400,000 in severance, doesn't the minister understand that Albertans will not see this as fair?

**Mr. Horne:** Mr. Speaker, this is the typical non sequitur that we hear in the questions that have been offered by this member earlier this week. We've dealt with the issue that was raised at the beginning of question period with respect to the expense claim in question. If the hon. member wants to help her constituent, one thing she could do is to inform her constituent of the process that is available to recoup health expenses that are provided out of province or out of country. This program is administered independently of government, and the insured services that are provided in B.C. would not be provided in Alberta because this government stands up for public health care.

**The Speaker:** Hon. Member for Airdrie, you rose on a point of order at 2:11 p.m., during the minister's first answer. We'll note that later.

The hon. member. Final question.

**Mrs. Towle:** We helped her with that process, and you kindly gave her back \$980.

Given that this minister continues to insist that there is a fair process for approving these out-of-province claims and given that Alberta Health Services executives don't have to go before the same committees that Albertans do, will this government not agree that the process is not working and create a policy that allows all Albertans to obtain health coverage even when treatment is not offered in Alberta or exceeds the excessive wait times that are currently the case?

**Mr. Horne:** Mr. Speaker, as was indicated in answers in the estimates last evening for the Department of Health, we know that over 12,000 Albertans received financial support for out-of-province and out-of-country health services last year. We regularly provide this level of support. It is based on physician adjudication of patient need and circumstance, not the adjudication of ministers or elected members of the House. There is an appeal process that's available for people that are unhappy with the decision they receive from the committee, and we'll continue to provide funding to support this program to get Albertans access to the services they need.

**The Speaker:** Thank you.

### Collective Bargaining Agreements

**Mr. Young:** Mr. Speaker, the Premier has been very clear about the need for making tough, thoughtful decisions necessary to ensure that this government lives within its means. As we know, compensation to our hard-working teachers and doctors and other public sectors make up a significant portion of the provincial budget. With the number of people moving to Alberta and even with the zero per cent increases, my question to the Premier: how are we able to control the costs for the sustainability of these services?

**Ms Redford:** Well, Mr. Speaker, in the last three months we've had tremendous success, and I want to give credit to our Minister of Health and the Minister of Education for signing landmark deals with doctors and teachers that ensure that we're able to continue to provide public services to students in classrooms and public health care through doctors to patients. We have agreements that are in place now that provide long-term labour peace, that are going to allow us to continue to adapt and to deliver services and to ensure that we do that in a way that allows us to not increase taxes and to not increase our spending.

**Mr. Young:** Again to the Premier. Parents are counting on teachers to be able to focus on the classroom. Albertans are counting on physicians to be able to focus on their patients' needs. How will these tentative agreements, that have taken so long to negotiate, provide stability with the current budget challenges?

**Ms Redford:** Well, Mr. Speaker, of course, we know, working with both the Alberta Teachers' Association and the Alberta Medical Association, that since they have memberships, these agreements do need to be ratified by their membership. We're seeing tremendous progress with respect to the agreement around education with the ATA, with over half of the boards and locals ratifying this. Speaking to the president of the AMA on Monday, he was very confident that we will see ratification of the deal, which is the longest deal for doctors in Canada, something that we really need to be proud of, and we have to commend the Minister of Health for negotiating it.

**Mr. Young:** Mr. Speaker, how will these agreements allow us to focus and address system challenges and operational budget pressures going forward?

**Ms Redford:** Mr. Speaker, what's really important in both of these agreements is that we have ministers that are able to work with employee associations and unions to put in place not only financial terms but also terms with respect to governance. There's no way that we could run an education system or a health care system without consulting with the professionals that are delivering services within that system. So the governance that we've been able to see, which involves participation from both teachers and doctors, is going to allow us to not only continue to provide the excellent care that we have but to improve it even further.

### Alberta Motor Vehicle Industry Council

**Mr. Fox:** Mr. Speaker, AMVIC, the Motor Vehicle Industry Council, is the province's regulator for the auto industry. AMVIC enforces legislation, investigates complaints, and protects Albertans against unfair business practices. A recent investigation, however, suggested that AMVIC is dropping the ball and that Albertans are getting gouged by some dealerships for hundreds of

dollars in bogus fees. To the minister: how widespread is the practice of Albertans getting gouged, and how have you allowed this to happen under your watch?

**The Speaker:** The hon. Minister of Transportation.

**Mr. McIver:** Thank you, Mr. Speaker. I think I'm referring to the same thing that the hon. member did, and if I am, the cases where people were being charged for services not received were actually as a result of an investigation done through AMVIC and this government. So while this is being characterized as the system not working, it's actually an example of the system working very well. I think they're some people that have worked very hard and continue to investigate and make sure that Albertans get fair value when they do business in this province.

**The Speaker:** The hon. member.

**Mr. Fox:** Thank you, Mr. Speaker. Given that the Automobile Protection Association, an industry watchdog, has shockingly stated that it believes AMVIC is actually colluding with dealerships to have these fees forced on hard-working Albertans, has the minister investigated these extremely disturbing allegations?

**Mr. McIver:** Mr. Speaker, the member is talking about somebody who has made a statement, and he's talking about, I think, illegal activity. I think the correct place to take a question about illegal activity would be to the police. If that's the case, I'm sure they'll investigate, and I'm sure they'll get to the bottom of it.

I can tell you that AMVIC and this government work very hard to make sure that when Albertans do business, they're treated fairly in an environment where they can trust the rules that make sure that they get fair value when they do business in Alberta.

**The Speaker:** Second and final supplementary.

**Mr. Fox:** Thank you, Mr. Speaker. Given the news today that AMVIC has just fired several of its senior investigators after these revelations surfaced and given that three weeks ago the minister stated, and I quote, that this is a very serious issue that demands the attention of government, will the minister finally do his job, uphold the integrity of the regulator, and protect Albertans from predatory practices?

**Mr. McIver:** Mr. Speaker, as the hon. member ought to know, the AMVIC is an arm's-length organization. The hon. member also ought to know that it's somewhat inappropriate to comment on internal, personal matters. I'll tell you what. The Minister of Service Alberta is involved in some internal restructuring. I don't know whether it's really related to what the member is asking because he hasn't been extra clear. But I can tell you that if he has somebody concerned about an activity that he doesn't think is legal, the police is the right place to ask the question, and I'm sure that they will investigate that fully.

**The Speaker:** The hon. Member for Calgary-Currie, followed by Calgary-Buffalo.

### Bicycle Safety on Roadways and Trails

**Ms Cusanelli:** Thank you, Mr. Speaker. Calgary-Currie is a constituency with many urban professionals who place a value on environmental stewardship. I recently met with a bike shop owner

in my constituency. He's a strong advocate for cycling strategies that ensure cyclist safety and encourage Albertans to choose cycling as an alternate method of transportation. Of course, this is a choice that, if encouraged in Alberta through proper infrastructure and trail systems, will impact our environment and health care systems in a very positive way. All of my questions are to the Minister of Transportation. Can you explain how the development of policies, guidelines, and standards for trails in Alberta's highway rights-of-way will provide direction to our avid cyclists, who are seeking safe ways . . .

2:20

**The Speaker:** The hon. minister.

**Mr. McIver:** Thank you, Mr. Speaker, and I thank the hon. member for the question. Now, we have started looking at guidelines and standards for pathways and areas where cyclists can travel around Alberta, and I can tell you that it's just one tool that we're going use to make sure that not only on pathways but off we can get vulnerable users around, and that, of course, includes cyclists. One example that we're doing is working in partnership with the county of Rocky View on the highway 8 corridor to provide a place for a laneway that cyclists will be able to use to safely travel that route.

**The Speaker:** The hon. member.

**Ms Cusanelli:** Thank you, Mr. Speaker. How will your ministry ensure that we promote safe, easy travel through the use of way-finding signs, particularly in rural areas, where every extra day a tourist stays means extra dollars put into dining, accommodations, and entertainment, some of the main ingredients of economic impact in the tourism industry?

**The Speaker:** The hon. minister.

**Mr. McIver:** Thanks, Mr. Speaker. The question is a good one because it's something we're actually working on, and frankly the member is right in pointing out that we're looking to actually improve what we currently do. Since 2004 we've been working in co-operation with Alberta Tourism and other departments in replacing some of the old brown tourist signs with the blue-and-white ones and actually even trying to work with the industry to find other ways to direct people off the roads and byways and into the towns, villages, and other tourist places of Alberta. If we're getting criticism that we need to do better, we are trying to do better.

**The Speaker:** The hon. member.

**Ms Cusanelli:** Thank you, Mr. Speaker. Lastly, a very big question that has been asked and comes up quite often is: will this minister consider introducing a three-foot passing law as was introduced in the Ontario Legislature?

**Mr. McIver:** Well, Mr. Speaker, first, I'll give the short answer, which is no, and then I'll give the longer answer, which isn't no. Rather, the fact is that the three-foot law, or the one-metre law, as was suggested here, was introduced, as I understand it, in the Legislature in Ontario, but it wasn't passed. I understand there are a number of states in the U.S., but not that many, that have a law like this. In Alberta we have laws that protect cyclists on the road, but at this time we're not actually considering adding this particular regulation.

## Funding for Private Schools

**Mr. Hehr:** The consequence of eliminating references to the Charter and the Human Rights Act in our Education Act is that many schools now believe these acts don't matter. It is the Edmonton Islamic Academy's policy that children with disabilities will not be accepted. A video shows a man lecturing students, apparently during class time. "Someone who is homosexual is like someone who has diabetes or someone who has cancer or AIDS." To the Minister of Ed.: as taxpayers send \$4.5 million to this private school, shouldn't children with disabilities be allowed to attend and teachings be free from discrimination?

**Mr. J. Johnson:** Yes. The answer is yes. Mr. Speaker, our goal and our expectation is that all of our schools would be promoting diversity and teaching respect. Albertans told us that they wanted an education system for all Albertans that values that diversity and respect and that has welcome, caring, respectful, and safe schools. We're not going to tolerate any attempt to promote hatred or intolerance or discrimination of any kind in our schools.

**Mr. Hehr:** Can the minister tell me if he is investigating what is happening in our private schools and whether ongoing violations of our Charter of Rights and Freedoms and our Alberta Human Rights Act are continuing?

**Mr. J. Johnson:** Mr. Speaker, that's a pretty broad allegation. You know, in Alberta parents and students have the choice to go to faith-based schools, to go to private schools, but even if they do go to those, those schools need to follow the programs and studies outlined in Alberta Education and within the Education Act and within the Human Rights Act and teach the Alberta programs of study. I have asked my department to check into this school and visit this school and make sure that this situation that arose that is concerning to some of us is not going to continue and that we won't have this in any of our schools in the province.

**Mr. Hehr:** Given that these violations of our Human Rights Act in our school system appear to be a regular theme here in Alberta, can the minister not see why this is a textbook example of why we should not be funding private schools and separating children on the basis of wealth and religion?

**Mr. J. Johnson:** Mr. Speaker, let's not smear all private schools because of one incident. These schools are providing kids and parents with some very important choices and some very important diversity in our system. What this party is saying is that they respect diversity; just let's not fund it.

I want to encourage the member, like I did before, to actually visit some of the private schools. What he's talking about, if he's talking about removing funding from these schools, is eliminating schools like Inner City high in Alberta, that serves at-risk students, or the Elves Special Needs Society, that provides schooling for kids with severe disabilities, or the Janus Academy in Calgary, that serves autistic students. This is the face of private schools in our province.

## Municipal Charters

**Mr. Bilous:** Mr. Speaker, using a cookie-cutter, one-size-fits-all approach simply doesn't work when it comes to Alberta municipalities. Our communities range from summer villages of 50 people to urban centres of over a million. It's time that we recognized the diversity and uniqueness of our communities in policy and in legislation. To the Minister of Municipal Affairs: do

you think that a summer village has the same needs and provides the same services as our large cities?

**Mr. Griffiths:** Mr. Speaker, that's kind of an absurd question. Villages, summer villages, hamlets, counties, the cities, medium-sized cities, small towns all provide different services for the different needs of the people in those communities. It's a fact.

**The Speaker:** Hon. member, be careful not to be asking questions that call for opinion. Proceed with your second question.

**Mr. Bilous:** Mr. Speaker, given that on June 12, 2012, this minister signed a memorandum of understanding that recognizes the unique character of Alberta's two largest cities and given that a solution for the big-city charter was to be completed by this February and given that legislation was supposed to be tabled for a big-city charter this spring, will the minister admit to the mayors, Calgarians, and Edmontonians that his idea for our big cities is just another big broken promise?

**Mr. Griffiths:** Mr. Speaker, we are working very hard to review the MGA and rewrite it so that municipalities are empowered with all sorts of abilities to meet their local constituents' needs. If the member would read the press release again, factually it actually says that if legislation is needed, it could be tabled this spring. We have worked and will continue to work to come to a solution for this fall. There's no broken promise, and if the member would actually check what spring means, we're in the middle of it. It's not even over yet.

**The Speaker:** The hon. member.

**Mr. Bilous:** Thank you, Mr. Speaker. Tick-tock, tick-tock.

Given that this minister is already an expert on the 13 ways to kill your community and given this minister's apparent efforts to stifle any progress made on the much-needed big-city charter, I have a suggestion for the minister if he ever wants to turn his latest failed project into another book: *One Big Way To Kill Your Cities*.

**Mr. Griffiths:** Mr. Speaker, my colleagues have just pointed out that technically spring hasn't even begun yet.

We worked with our municipalities on the rewrite of the MGA, on the municipal sustainability initiative, on the municipal sustainability strategy. The civic charter: we're going to continue to work on that, Mr. Speaker. The insinuation at all that this is a failed attempt when we still have months to go and lots of work to do is ludicrous.

**The Speaker:** The hon. Member for Cardston-Taber-Warner, followed by Calgary-Varsity.

#### Research Development and Commercialization

**Mr. Bikman:** Thank you, Mr. Speaker. The Minister of Enterprise and Advanced Education has had a rough time lately. His proposed changes to Alberta's postsecondary system under his Campus Alberta brand have been widely panned. More than just poor policy planning, forced mandate letters since adjusted to be more collaborative, and sudden budget cuts, the minister has shown a reluctance to even talk with faculty and students. Recently the minister announced a new partnership with a company to improve research and commercialization. It sounds good, but we haven't heard much about it since. To the minister. I'm giving you a chance to be transparent now. What are the terms of the MOU?

**Mr. Lukaszuk:** Mr. Speaker, I have to tell you that I'm shocked. I don't have it here, but I have an e-mail and a note from the member telling me just about two days ago how well I'm doing and what a good idea it is to introduce Campus Alberta and how this is the right thing to do for advanced education. So if something happened over the last 24 hours, Member, send me another note, but you told me something the very opposite in private.

Nonetheless, Mr. Speaker, I have to tell you that all presidents of Campus Alberta have met with me. They embraced the concept. As we speak, they are all meeting in Banff for the U of A and mapping out their role in Campus Alberta. I'm not sure what his concerns are as of the last 24 hours.

2:30

**Mr. Bikman:** Mr. Speaker, a simple question. You made a deal with Siemens, an MOU signed. What are the terms of the agreement?

**Mr. Lukaszuk:** Well, maybe I should meet with the member again because the Siemens deal has nothing to do with Campus Alberta.

Mr. Speaker, Siemens is one of the world's largest knowledge-based companies from Germany, that has made a marvellous decision to invest in Alberta. They're relocating their energy research centre from down east to Calgary. This is a company that files 25 patents per day, and their focus is very much aligned with Alberta's; that is, energy, environment, health care, research development, and commercialization of research, which is exactly what we need to do in our province.

**Mr. Bikman:** Mr. Speaker, to this minister again: given that Siemens could become a key player in Alberta's economy, when can Albertans, the people who pay the bills, expect to know the cost as well as the benefits of this relationship?

**Mr. Lukaszuk:** Well, Mr. Speaker, Albertans are not paying anything. Zero. Zilch. This is an MOU that attracts the company to Alberta and allows them to be in touch with our private-sector industry, allows them to be in touch with all institutions within Campus Alberta, our learning institutions, to see if there can be any collaborative research done between Alberta companies and Alberta schools to better our economy, to better our quality of life, to develop products that could be commercialized not only locally but internationally. The benefit to Albertans is magnificent. The cost, zero.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by Strathmore-Brooks.

#### Renewable Energy Strategy

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. At the doors in Calgary-Varsity, especially when I'm on campus at the University of Calgary, constituents ask why the province of Alberta doesn't yet have a renewable energy strategy. It's a good question. To the Minister of Energy: what is your plan for a made-in-Alberta renewable energy strategy, and when do you plan to put this in place?

**The Speaker:** The hon. minister.

**Mr. Hughes:** Thank you very much, Mr. Speaker. Well, you know, this government clearly recognizes the importance of our greenhouse gas footprint. We're recognizing the importance of

that for access for our products to be shipped around the world. One important aspect of that obviously is renewable energy. If you look at this great success, actually, in this province to date, 7.5 per cent of the capacity in the electricity system today comes from wind. There are some 20 different new projects that are either under consideration or in various processes as well.

**Ms Kennedy-Glans:** To the same minister: how do you stimulate the use of renewables here in Alberta in ways that don't distort the marketplace?

**Mr. Hughes:** Well, Mr. Speaker, one of the great advantages we have here in Alberta is that we have a very competitive and open and welcoming investment climate for parties to come and play. We've got one of the highest penetrations of wind supply in the country. That's come about in an environment where there hasn't been any distortion of the market using other economic factors other than a great place to invest, lots of wind, good interconnection capacity to a very robust network and backbone.

**Ms Kennedy-Glans:** Finally, Minister, given that we have a lot of natural gas in this province, how can you support a renewable energy strategy here in Alberta while at the same time endorsing enhanced natural gas utilization here in Alberta?

**Mr. Hughes:** Well, Mr. Speaker, clearly, we recognize the importance of renewable energy in this province as being an important aspect of the future of the province, but let's be realistic. We as Alberta, as Canada, as North America, and as the world are not going to be off fossil fuels any time soon. There's going to continue to be huge demand for fossil fuels. To the extent possible natural gas is a fabulous fossil fuel that can be used with a lower greenhouse gas footprint. We're encouraging and looking at all options to ensure that we are able to continue to make the best use of it.

**The Speaker:** The hon. Member for Strathmore-Brooks, followed by Strathcona-Sherwood Park.

#### Compensation for Pharmacy Services

**Mr. Hale:** Thank you, Mr. Speaker. This government continues to cause harm to the delivery of health care with its negligent, Fredicare approach to pharmacies and drug pricing. A pharmacist from my constituency estimates that Toradol, a pain medication, will cost consumers 300 per cent more than what is currently paid. Furthermore, the very basic drug penicillin has been delisted and will no longer be covered by insurance. Would this Health minister like me to arrange a meeting with him and health care professionals on the importance of penicillin, pain medication, and pharmacists?

**Mr. Horne:** Mr. Speaker, we are in touch with pharmacists across the province, and we were very pleased about a week ago to announce \$40 million in additional support for pharmacists during the transition to the lower price on generic drugs. The hon. member is incorrect. Penicillin is available in Alberta, and as with all of our drugs we have multiple manufacturers that are able to provide a drug with the same active ingredient. Therefore, we have the ability to deliver on our commitment to get the lowest possible price for drugs for Albertans.

**The Speaker:** The hon. member.

**Mr. Hale:** Thank you, Mr. Speaker. Given that many pharmacists that have talked to me have stockpiles of drugs affected by the imposed 30-day washout period and given that this is not enough time to move the products, when will this government listen to pharmacists, stop meddling in the drug market, and extend the washout period in order for pharmacists to recover those costs?

**The Speaker:** Hon. members, just be reminded that you've got another three hours on Health estimates today.

Hon. minister, if it's a policy-related type of answer that you wish to give, proceed.

**Mr. Horne:** Well, the policy of this government is to deliver the lowest possible drug prices for Albertans, and that includes generic drugs. The hon. member is correct that we have provided a 30-day washout period, as it's termed, to allow pharmacies that have purchased drugs at the higher price to sell those drugs at the higher price. We consulted with the Alberta Pharmacists Association on this decision, and all of us in the government caucus consulted with pharmacists in our own constituencies. That with the other measures we've introduced, Mr. Speaker, is providing extra support to pharmacists during the price reduction.

**Mr. Hale:** Not according to my pharmacists.

Given that pharmacists in my constituency are saying that this Fredicare will force them to close their doors, leaving patients without access to an essential part of health care, when will the minister explain to Albertans and pharmacists why this government is trying to drive them out of business?

**Mr. Horne:** Mr. Speaker, nothing could be further from the truth. The hon. member, if he hasn't already done so, should discuss with his pharmacists the opportunities under our professional pharmacy services framework for pharmacists to be treated as full members of the health care team. That, of course, includes the opportunity to bill for professional services like renewing a prescription, like preparing a care plan for a complex patient, and like working with other health professions as part of a team delivering care.

**The Speaker:** The hon. Member for Strathcona-Sherwood Park, followed by Cypress-Medicine Hat.

#### Bridge Safety

**Mr. Quest:** Thank you, Mr. Speaker. Throughout the years Alberta Transportation has provided our counties and municipal districts with grants to assist with the construction and maintenance of roadways and bridges. Recently, however, funding for the local road/bridge program has been reduced. This program assisted municipalities in addressing their bridge construction, rehabilitation, and maintenance needs. My question to the Minister of Transportation: given the cuts to this program how does your department plan on keeping Alberta bridges safe and up to code?

**The Speaker:** The hon. minister.

**Mr. McIver:** Thank you, Mr. Speaker. It's a good question, and I want the hon. member to know that although we're responsible for a sizable network of roads and bridges, we take safety very seriously. I can assure the member that regardless of the changes and the adjustments to the budget on this program, every inspection that was done last year will be done this year. Safety is a big priority, and bridges are a big part of that. It's a big



responsibility, and there's no finish line, so I can assure the hon. member that we will stay on the file.

**The Speaker:** The hon. member.

**Mr. Quest:** Thank you, Mr. Speaker. A supplemental to the same minister: given that even before these reductions the Auditor General found deficiencies in terms of the quality, timeliness, and completeness of bridge inspections, how are you planning on addressing this issue with even less money available?

**Mr. McIver:** Well, Mr. Speaker, this is a very good opportunity, as it turns out, to talk about the audit we got last year, where the Auditor made some recommendations to us, and the fact that we've accepted every one of those recommendations. They're all essentially fulfilled. We've met our responsibilities. We thank the Auditor for the advice. Let me point out to the House and to any Albertans watching that the audit also said very clearly: we saw no evidence of unsafe bridges. Albertans can have great confidence.

2:40

**Mr. Quest:** Well, it's good to hear, Mr. Speaker.

My second supplemental to the same minister: given that our bridges continue to age around the province and in my constituency, Minister, can you provide a summary of updated bridge inspections and the quality in the riding of Strathcona-Sherwood Park so we can be assured that our travels are safe?

**Mr. McIver:** Well, Mr. Speaker, we all continue to age, as does our infrastructure.

If the hon. member has an issue with a particular bridge or a particular structure, I would be more than happy, you know, to give him that specific information online. As has been said in the House before, there are somewhere north of 4,000 bridges. Again, for this member or anyone in the House: if they have a question about a specific one, I'd be happy to try to answer that.

**The Speaker:** Hon. members, we're going to proceed with Members' Statements in 30 seconds from now.

### Members' Statements

*(continued)*

**The Speaker:** The hon. Member for Edmonton-Highlands-Norwood, followed by Edmonton-Decore.

### Financial Oversight of Alberta Health Services

**Mr. Mason:** Thank you, Mr. Speaker. Today more evidence has emerged that this PC government can't be trusted to protect Alberta's public health care system, yet another executive submitting expense claims through Alberta Health Services after accessing private health care, this time under the current Minister of Health's watch, in 2012. For our public health officials to show this kind of contempt for the health care we have in Alberta is more than disappointing. It is outrageous.

Under this Health minister's very eyes Alberta Health Services violated the Canada Health Act, section 12(1)(a), which reads that a province "must provide for insured health services on uniform terms and conditions." But instead of observing the law that protects public health care in Canada, the very people who are supposed to be improving the care of ordinary people are undermining it. Perhaps these executives aren't even fully motivated to improve the system because they'll simply expense claim their way to the front of the line.

Alberta's NDP has always been committed to improving, strengthening, and extending public health care, but this PC government continually attempts to starve, undermine, and weaken public health care in Alberta. It's time for this PC government to take responsibility for their legacy in our health care system. It's time that they step up to ensure proper financial oversight of AHS and ensure that the people in charge of our public health care system actually believe in public health care. This government, this Premier, this Health minister, and indeed the executives that run Alberta Health Services must, as Alberta's NDP always has, stand up for public health care and stand up against two-tier health care and queue-jumping.

This government and this Health minister have lost control of Alberta's health care system. They appoint boards full of high-flying, wealthy businesspeople to control it and then try to avoid responsibility when their rich friends make decisions that hurt health care for everyday Albertans.

Alberta's NDP is committed to strengthening our public health system and to ensuring that all Albertans have access to high-quality health care. We will continue to stand up to this PC government's attempts to damage public health care so all Albertans receive access to the care they need regardless of income.

**The Speaker:** The hon. Member for Edmonton-Decore, followed by Calgary-Currie.

### John Humphrey Centre for Peace and Human Rights

**Mrs. Sarich:** Thank you, Mr. Speaker. I'm honoured and privileged to rise in recognition of the 15th anniversary of the John Humphrey Centre for Peace and Human Rights, a charitable, nonprofit Edmonton organization which was established on November 26, 1998.

November 1998 was a pivotal time for this signature organization as their *raison d'être* drew inspiration and action from the International Conference on Universal Rights and Human Values: A Blueprint for Peace, Justice and Freedom, held in Edmonton that month, and also for individuals with a shared interest in contributing to a new view of the world, which has a common high standard and value for peace, human rights, and freedoms. The conference was the largest international commemoration of the 50th anniversary of the United Nations universal declaration of human rights.

Conference delegates, Mr. Speaker, included the Most Reverend Desmond Tutu, Archbishop Emeritus and Nobel laureate; and Her Excellency Mary Robinson, United Nations High Commissioner for Human Rights, to name a few.

Mr. Speaker, the centre is named after the late John P. Humphrey, a Canadian lawyer and the principal drafter of the United Nations universal declaration of human rights, which celebrates 65 years on December 10 of this year. Central to the goals of the John Humphrey Centre is to observe and realize the universal implementation of human rights through the teaching and education of all people, with a focus on children and youth.

Also, through the lens of the United Nations universal declaration of human rights they seek universal recognition, understanding, promotion, and protection of human rights, which are essential to maintain and advance the everlasting culture of peace and human rights.

Since 1998 with pride and conviction the John Humphrey Centre has made undeniable progress. Congratulations to the enormous leadership of all those involved, who have contributed to the long-standing success of the John Humphrey Centre.

Heartfelt thanks for adding immeasurably to our city, province, and country, and best wishes for continued success in the years to come.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Currie, followed by Calgary-South East.

### Excellence in Teaching Awards

**Ms Cusanelli:** Thank you, Mr. Speaker. I'm honoured to rise today to celebrate outstanding educators in Alberta. This week 129 excellence in teaching award semifinalists from across the province are being recognized in Calgary and Edmonton. On May 25 twenty of these outstanding teachers will be added to the distinguished list of over 500 former excellence in teaching award recipients since 1989.

Last year I brought greetings on behalf of our Minister of Education at the award recipients' ceremony. I can tell you that these are the educators who recognize that teaching is not a job; teaching is a vocation.

Shaping Alberta's next generation is a huge responsibility. These semifinalists embody the vision and the direction of Alberta's Inspiring Education initiative, which is to lead students towards being engaged thinkers and ethical citizens with an entrepreneurial spirit.

These are the teachers and administrators who understand the minds of the children that we serve today and the whole new world that they will live in tomorrow, a creative, innovative, and interactive world that we as a government strive every day to imagine and to build.

I want to publicly congratulate each and every one of these incredible teachers for making a difference in the lives of our kids. I think I can speak on behalf of all Albertans to say that just as every challenge is embraced by all of us, every student's success and victory is felt by all of us as well.

Thank you to these individuals, who have not just measured up to the expectations but have gone beyond in the most important place that we can have success, our schools.

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

The hon. Member for Calgary-South East, followed by Airdrie.

### Alberta Advantages

**Mr. Fraser:** Thank you, Mr. Speaker. Disgust, ridiculous, unethical, corrupt, immoral, wrong: these are words we've heard in the past. These are words that come from a place of anger. They breed hate and misinformation. They pit people against each other. They don't lift people up, and they certainly don't describe hope.

Mr. Speaker, these are the words that oppressors and haters used to describe Dr. Martin Luther King and his plight to emancipate African-Americans and the poor. Dr. King had a dream that in America and, in fact, the world the best was yet to come, which he articulated in his mountaintop speech on April 3, 1968.

Sadly, Mr. Speaker, on April 4, 1968, Dr. Martin Luther King was assassinated at the Lorraine Motel in Memphis, Tennessee. I've been to the Lorraine Motel, which is now the National Civil Rights Museum. It's an experience I'll never forget. It's an experience that affirmed in me that whatever I do in life, I will do my best to lift people up.

Mr. Speaker, I'm proud to be part of a government that has made the same commitment to Albertans, to work hand in hand

with them and represent them to the world. Like Dr. King, I believe the best is yet to come in this province and that we must build on our strengths rather than rip everything down that the people of this province created with their hard work and their great ideas for Alberta.

Let me reiterate a sampling of Alberta's many accomplishments. Mr. Speaker, Alberta has by far the strongest protection for land and property rights in Canada. Alberta leads the nation in growth. Alberta has a first-rate education system that consistently ranks near the top in the world. Our institutions of higher learning are world class. In fact, with only 11 per cent of the national population Alberta holds 17 per cent of the Canada excellence research chairs. Alberta has one of the lowest unemployment rates in the country, the lowest taxes. At the end of the day Alberta is the best place in the world to live. It is the best place to grow up, to study, to work, to raise a family, and to retire.

To say that Alberta has much to be proud of would be an understatement, Mr. Speaker. I see no reason to be anything but positive in my outlook for this province. I'm proud to call myself an Albertan. I'm even more proud to say that I have the privilege of serving this great province under this leader.

2:50

### Provincial Fiscal Policy

**Mr. Anderson:** Well, on that happy note, Mr. Speaker, Albertans are getting more and more upset with this government's irresponsible handling of our province's budget crisis. Although most understand the need to cut wasteful spending in order to balance the budget, Albertans don't understand why the government is cutting directly on the front lines rather than axing corporate grants or trimming our largest in the nation bureaucracy.

They don't understand how we can on the one hand spend \$350 million on new MLA offices, \$2 billion on direct industry grants to pump CO<sub>2</sub> underground, and hundreds of millions on waste and mismanagement in our health care system, and then, on the other hand, cut front-line services for the vulnerable.

For example, the Bethany care centres in Airdrie, Cochrane, and Calgary provide long-term care for 800 seniors, many of them with very severe dementia. The government has recently cut funding for these seniors, resulting in the firing of 53 full-time front-line workers, resulting in pain and discomfort for these wonderful seniors. Bethany has detailed how these changes have increased the time spent by seniors waiting for help to go to the bathroom, reduced the amount of offered activities, rushed meal times, and increased agitation where staff are often unavailable to assist dementia patients who've become confused or disoriented.

I hope that each of you on that side of the House, while you're patting yourselves on the backs, thinks about this when you are looking out the window of your \$350 million new MLA Taj Mahal next year or perhaps when your RSP allowance comes in several thousands of dollars higher than it was when you were first elected.

When governments make wasteful, selfish, and irresponsible spending decisions, there are real-life consequences for real people. Your poor decisions and unwillingness to cut the real fat in your bloated government is causing our seniors, who built what we enjoy today, to suffer needlessly. These cuts to seniors' care at Bethany and other front-line service cuts should be reversed immediately.

Thank you, Mr. Speaker.

### Presenting Petitions

**The Speaker:** The hon. Member for Edmonton-McClung.

**Mr. Xiao:** Thank you, Mr. Speaker. As chair of the Standing Committee on Private Bills I beg leave to present under Standing Order 98(2) the following petitions that have been received for private bills:

- (1) the petition of Stephen D. Miller, trustee of the Church of Jesus Christ of Latter-day Saints in Canada, for the Church of Jesus Christ of Latter-day Saints in Canada Act.
- (2) the petition of Charles Frederick Barth, chair of the members of Misericordia hospital for the Misericordia Hospital Amendment Act, 2013, and
- (3) the petition of Lynn Jacobson, president of the Wild Rose Agricultural Producers, for the Wild Rose Agricultural Producers Amendment Act, 2013.

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

The hon. Member for Red Deer-North.

**Mrs. Jablonski:** Thank you, Mr. Speaker. Today I am pleased to present the third installment of the pheasant release sustainability program petition, that was reviewed and improved in format by Parliamentary Counsel. These petitions are coming in from around the province. With the third installment of this petition we have 1,449 signatures from Albertans who are petitioning the Leg. Assembly to urge the government to

take the necessary measures, including the introduction of proposed amendments to existing legislation, to ensure the preservation and enhancement of the Pheasant Release Program, which has been an important part of Alberta's hunting tradition, heritage and culture for over 65 years.

### Tabling Returns and Reports

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition.

**Ms Smith:** Thank you, Mr. Speaker. I have the requisite number of five copies of the document I mentioned today, the travel, hospitality, and hosting expense claim form, signed by Dr. Chris Eagle, for expenses at the private diagnostic centre, on behalf of the VP from AHS, Alison Tonge.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by Calgary-Buffalo.

**Ms Notley:** Thank you, Mr. Speaker. I have three tablings today. First of all, I have the appropriate number of copies of documents referred to by the leader of the NDP caucus in question period today. In particular, these are promotional materials for the privately funded diagnostic clinic which an AHS official attended on the dime of Alberta taxpayers, apparently as part of a recruitment package consisting of taxpayer-funded private health care for someone recruited to manage our public system.

The second set of documents is again the appropriate number of copies of e-mail submissions that Albertans have sent to the Premier and copied to me. These are just some of the many hundreds of e-mails that my office has received calling on the Premier to honour her government's promise to Albertans not to evict some of Alberta's most vulnerable citizens from their home in Red Deer's Michener Centre. Submissions like this clearly show that keeping the Michener Centre open is a priority of Albertans and that this PC government is out of touch with its broken-promises budget.

The final group, Mr. Speaker, is the appropriate number of copies of e-mail submissions that Albertans made to our prebudget tour, which visited seven cities in February. Gerald, M. Januario, and Kyla are some of the Albertans who have provided valuable input. For example, high school teacher Kyla's primary concern is a lack of proper funding for education in Alberta. Submissions like this clearly show what the priorities of Albertans are and how out of touch the government's broken-promises budget is with those priorities.

Thank you.

**Mr. Hehr:** I have two tablings today, Mr. Speaker. The first is an article by Ezra Levant, which goes through the goings-on at the Edmonton Islamic Academy and shows where clerics visit to give lectures in sharia law.

The other one that I referenced in my question was the criteria for admission at the Edmonton Islamic Academy, which states clearly that no student with special needs or IPPs need apply.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview, followed by the Minister of International and Intergovernmental Relations.

**Mr. Bilous:** Thank you, Mr. Speaker. I'd like to table the appropriate number of copies of the MOU, or memorandum of understanding, between the government of Alberta and the cities of Calgary and Edmonton for the establishment of a big-city charter. The agreement states that the charter will be in place by spring of 2013. Considering the progress that's been made to date, cities are growing impatient and increasingly worried that this agreement will amount to little more than another broken promise.

**The Speaker:** The hon. Minister of International and Intergovernmental Relations, followed by Airdrie.

**Mr. Dallas:** Thank you, Mr. Speaker. It's my pleasure to table five copies of a handout on my ministry's performance measures. Last winter we developed new performance measures to more transparently reflect the department's effectiveness at delivering on its mandate. This chart, which was presented to the standing committee in budget estimates this morning, April 17, shows the relationship between my ministry's activities, the performance measures, and the results Albertans can expect to see.

Thank you.

**The Speaker:** The hon. Member for Airdrie.

**Mr. Anderson:** Thank you, Mr. Speaker. I have one tabling today. It's a letter from David Ross, who contacted me as a concerned father of a young man who is under the care of PDD in Alberta and found out at an informational meeting in Calgary that budget cuts to PDD were going to significantly harm a day program for his son. Fifty per cent of that budget will be taken out. The son has a worker who takes him four days a week into the community and supervises him as he does volunteer work for the food bank and the Bethany care centre, unbelievably, as well. Because of this funding being cut, his son will no longer be able to do that. Those types of programs will essentially have to be at home. He's very concerned about that, and I would ask the Minister of Human Services to take a look as well.

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following document was deposited with the office of the Clerk: on behalf of the hon. Mr. Griffiths, Minister of Municipal Affairs, responses to questions raised by Ms Smith, hon. Member for Highwood; Mr. Bilous, hon. Member for Edmonton-Beverly-Clareview; Ms Blakeman, hon. Member for Edmonton-Centre; and Mr. Rowe, hon. Member for Olds-Didsbury-Three Hills on March 6, 2013, the Ministry of Municipal Affairs 2012-13 supplementary supply estimates debate.

**The Speaker:** I believe that concludes the Routine, and we can move on to points of order. The first point of order, I believe, was Airdrie.

Hon. Member for Airdrie, please proceed with your citation and your point.

**Mr. Anderson:** Mr. Speaker, if you would like, I called three points of order, but two of them could be merged into one if that would speed things up.

3:00

**The Speaker:** Okay. Is it 1 and 2 or 1 and 3 or 2 and 3?

**Mr. Anderson:** It's 1 and 2.

**The Speaker:** Okay. Proceed. Thank you.

### Point of Order

#### Allegations against Members

**Mr. Anderson:** This is referring to Standing Order 23(h), (i), and (j), specifically making allegations against another member, imputing false or unavowed motives, and also – well, we'll stick with those ones. They refer to two comments: the Health minister, who said specifically that this side of the House did not support public health care; and then, of course, the Premier's comment that we campaigned on a two-tier health care plan.

Mr. Speaker, it's one thing to have different opinions about certain things, and that certainly happens in this Legislature a lot. However, it's quite another to completely misrepresent the facts. On our website, our caucus website, our party website, in the campaign our members and our caucus have been very clear that we completely support the tenets of the Canada Health Act and do not support a two-tier health care system. Now, we do support, of course, a health wait time guarantee, where if the wait is too long in the public system – over six months, I believe it is, for some serious treatments – we would pay to have that service done out of province if necessary. That would be available to all Albertans. It wouldn't be two-tier. It would be if they were waiting on a wait list longer than six months.

That is something that needs to be cleared up. When we start throwing things around like that that say that we want to break the Canada Health Act, that we're actively doing that, that's just fundamentally not true. I hope that that would clarify those untruthful comments.

**The Speaker:** The hon. Deputy Government House Leader.

**Mr. Denis:** Thank you very much, Mr. Speaker. I thank the member for keeping his comments brief. I will endeavour to do the same.

I do not have the benefit of the Blues that you may have, Mr. Speaker, but I believe the exact comment from the hon. Minister

of Health was the undermining of health care, and this is a matter of his particular opinion.

The second thing that I would indicate is that this member has somewhat of a revisionist view of history. I go back to the election, and this is a document that I'll table tomorrow. A quote from the *Globe and Mail* from April 5, 2012: "Wildrose promises private health care on public dime to shorten waiting times." Now, again . . . [interjections] Mr. Speaker, I can hardly hear myself think over this member's heckling. It is not our fault on the government side that this member doesn't like what his party has said in the past.

There is no point of order here because what the Minister of Health was simply stating is true. This member is also trained in the law, Mr. Speaker, and he knows that truth is an absolute defence. With respect, there is no point of order.

Thank you.

**The Speaker:** Hon. members, the Member for Airdrie has already said that it's more a point of clarification. I would agree with him. But it is a reminder again of previous discussions we've had here, particularly over the last few days. We just need to be a little bit careful and perhaps at times even sensitive as to what we say, how we say it, the tone and manner in which we deliver our statements, and so on. That would save the House enormous amounts of time.

I'm going to save the House some time right now by accepting that this is a point of clarification and it not be debated any further.

Let us move on to the third point. The hon. Member for Airdrie.

### Point of Order

#### Factual Accuracy

**Mr. Anderson:** Thank you, Mr. Speaker. This refers also to 23(h), (i), and (j), but also (l): "introduces any matter in debate that offends the practices and precedents of the Assembly." The Minister of Health specifically stated that nothing has been proven with regard to queue-jumping by health executives and so forth. That's what he was alluding to, nothing has been proven in this House since the government took office.

Now, of course, I would ask for a clarification from that side because clearly that's not true. The PC government has been in power for 42 years. It's very clear that the evidence tabled yesterday in this House very clearly showed that a health executive did jump the queue and went to the Mayo Clinic, and that's all been hashed out in this Assembly. In fact, the Premier and the Health minister both said and agreed, conceded, that that did happen and said that it was unacceptable. As well, of course, we have the documents that were alluded to today and will be tabled going forward, those FOIP requests, et cetera.

So for the Health minister to stand and say that nothing has been proven, saying that we are just falsely throwing out allegations, is just not true. You can't say something that is just patently not true in this House. We've shown the evidence. It's been accepted by the other side, specifically on the Mayo Clinic issue from yesterday. I'm sure they'll change their position tomorrow, but who knows? I'm not going to speculate on what we brought forward today. There's no doubt that it has been proven that queue-jumping has indeed been occurring.

Again, you know, I don't see the point of bringing any kind of accusation of intentionally misleading the House. Obviously, things are said in debate. But to say that something is not proven, that they just yesterday said did happen and conceded, is nonsense, Mr. Speaker.

**The Speaker:** The hon. Deputy Government House Leader.

**Mr. Denis:** Thank you very much, and I'll again endeavour to be brief, Mr. Speaker. The member has suggested that. Nothing has been proven. Well, he's made all sorts of allegations and innuendo here, but allegations and innuendo are just that. I realize that there's no point of order on a point of order, but even 23(h) talks about making allegations against another member. We hear all these allegations. We've recently had an independent inquiry as to queue-jumping. There was nothing found of substance. Again, the member, with respect, keeps moving forward and talking about things that are not true.

I would suggest again, with respect and deference to you, that there is no point of order here.

**The Speaker:** You know, hon. members, we don't move ahead in the Assembly too much when we stand up to defend a point of order by then giving rise to something that might cause another point to be raised. I think we understand the intent of what you're trying to say here, and the clarification as given is accepted.

I want to say two things here very quickly and clearly. Number one, in reviewing the Blues, which I've just received, it's clear here what the Minister of Health had said and that his reference was to the current government, and I think everyone understands what is meant by that. What is meant by that is that every time we have an election, effectively a new government comes in because the new government is typically a new front bench or several faces

who are new, so it's frequently referred to as the government, those 18 to 26 people or so that are privileged to serve in that position.

However, we often hear comments, too, where people say: well, this government has been in power for so many years. It's not only in Alberta that this happens. It happens elsewhere. But a distinction ought to be made and understood that when we're referring to the government in this House, we're talking about this government because that's all that this government and its front benches can comment on: their own actions, their own policies. In the same way that members in opposition wouldn't be expected to be responsible for comments or policies developed by their predecessors, it's the same on the government side.

Number two, we should never use the points of order section of our proceedings here to continue debate. I do accept and understand that it's oftentimes necessary to clarify party positions or government positions or whatever, and I think that's what has happened here.

That having been said, the caution has been given. We're not going to accept this as a point of order but as a matter of clarification, and we're going to move on.

On that happy note, we are going to move on to an adjournment which will see the House reconvene tomorrow at 1:30 p.m. Thank you.

[The Assembly adjourned at 3:09 p.m. pursuant to Standing Order 59.01(5)(b) to Thursday at 1:30 p.m.]









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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Thursday, April 18, 2013

Issue 48

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta  
The 28th Legislature**

First Session

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Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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## Legislative Assembly of Alberta

1:30 p.m.

Thursday, April 18, 2013

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon.

Let us pray. As we conclude our work in this Assembly for this week and return to continue our work in our constituencies, let us be thankful for what we have accomplished on behalf of our constituents. Let us also be replenished with renewed energy and enthusiasm that results from being reunited with our families and our loved ones. Amen.

Please be seated.

### Introduction of Guests

**Ms Calahasen:** Mr. Speaker, I'm pleased to introduce to you and through you to members of this Assembly 24 students from Northern Lakes College in High Prairie and area along with their chaperone, Jennifer Zallum. I ask that they stand and receive the traditional warm welcome of the Assembly. I'm not exactly sure if they're seated in the public gallery.

**Mr. Anderson:** Mr. Speaker. It's my privilege to introduce to you and through you to members of the Assembly some amazing people. In fact, we're very lucky here because we have 80 of the smartest and most promising students in all of Airdrie – in all of Airdrie, obviously, but in all of Alberta, too – here with us today, three classes of grade 6 students from Ralph McCall in Airdrie, and they're here with 10 teachers and parents. I know this class is very excited to be here. We skyped in preparation for this meeting. We had a great Skype question-and-answer session. They asked incredible questions. As everyone in this Assembly knows, we get some of our hardest questions from the students that visit, far more probing than even the opposition, the House leader would say, and I would agree.

They're here today with their teachers and group leaders. I'm just going to ask those group leaders to rise as I call their names and remain standing: Mr. Brian Jackson, a teacher; Mrs. Pam Burke; Ms Kendall Brown; and Rob Saipe are all here. Their parent helpers are Ms Dawn Weaver, Mr. Michael Froslev, Ms Gray – I'm sorry, I didn't get that first name – Mrs. Stella Randell, Mrs. Tammy Dixon, and Jason. Again I didn't get the last name, but I saw you earlier, Jason. There you are. If the students could now all rise – they're in both galleries – and please receive the warm welcome of this Assembly.

**The Speaker:** The hon. Member for St. Albert.

**Mr. Khan:** Thank you, Mr. Speaker. Today I rise to introduce to you and through you to all members of this Assembly two very special constituents from St. Albert, Eileen Hofmann and her husband Lorne Hofmann, whom I'll ask to rise in the members' gallery as I introduce them. Eileen is the manager of my constituency office in St. Albert, a position she has served with passion and grace for the past five years. Eileen is a remarkable asset to our community. She is a determined and compassionate advocate for all who come to our office for assistance, and I can't imagine serving in this position without her guidance and support. In her spare time Eileen is a loving mother of two teenage children, Kyeler and Corissa, and she's also taking night courses

to complete her social work degree. She's developing and honing a skill that she uses every week in our office in St. Albert.

As for Lorne, you could say that he has dual citizenship between St. Albert, where he resides, and Athabasca, where he works at the Alberta-Pacific pulp mill. It's also worth mentioning that Lorne is a hockey buddy of Minister Johnson, and I've been told he's got exceptional hands. Lorne is also the resident handyman in our office.

I'd like to take this opportunity to thank both Eileen and Lorne for their tireless dedication and commitment to our office in St. Albert, and I'd ask them now to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by Edmonton-South West.

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. It's my honour to rise today and introduce to you and through you to all members of this Assembly two of my constituents, Louise Brisson and her daughter Aliya Bartkiewicz. Aliya is a U of A student currently in her last year of nursing. She graduated from the University of Calgary with a degree in geography. She's truly a product of Campus Alberta. She's following in the footsteps of her mother, who is also a nurse. Aliya and Louise are in the members' gallery, and I'd ask them to rise and receive our traditional warm welcome.

**The Speaker:** The hon. Member for Edmonton-South West, followed by Edmonton-Meadowlark.

**Mr. Jeneroux:** Thank you, Mr. Speaker. It is truly a privilege to rise today and introduce to you and through you members and staff from our Youth Secretariat. We are joined by Amber Moos, Nancy Groat, and Shandy Wogan, who are currently serving on the 2013 Human Services Youth Advisory Panel. They are joined by David French and Brittany Wiebe, Human Services staff that support the work of the Youth Secretariat. The newly appointed Youth Advisory Panel has made great strides this past month. I'm glad to have these engaged youth here today to have a better understanding of how this Legislature works. Please join me in giving them the traditional warm welcome of the Assembly.

**The Speaker:** The hon. leader of the Liberal opposition, followed by the New Democratic leader.

**Dr. Sherman:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of this Assembly Merv Lien, his daughter Sherri-Ann Godby, and Jean Zukowsky. Merv is a retired construction superintendent, and he and Jean have been dating for 35 years. Between them they have 12 children, 27 grandchildren, and 19 great-grandchildren. All of their children give back to the community as nurses, doctors, teachers, caregivers, dispatchers, and tinsmiths. Sherri-Ann is a full-time foster mom. Merv is concerned about the future of Alberta and has been a fervent advocate for better democracy. Yesterday was the 31st anniversary of the Canadian Charter of Rights and Freedoms, and he is here to show his support. He's been advocating to get rid of gag orders in the health system, section 11 of Bill 44, and he's also an advocate for property rights. Merv is also an author of some books, *The Devil's Tongue* and *Life Is a Joke*. He's written to Her Majesty the Queen and to you, Mr. Speaker. He's here to thank Her Majesty and you for writing back. I would ask Merv and his family to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. leader of the New Democrat opposition, followed by Edmonton-Strathcona.

**Mr. Mason:** Thank you very much, Mr. Speaker. I'm very pleased to introduce to you and through you to this Assembly my guest, Steve Kaz. Steve is originally from Sherwood Park but now splits his time between Edmonton and Slave Lake. He owns and runs his own company, Summit Finishing & Woodwork. In the 2012 election Steve was also a candidate for the NDP, running in the constituency of Lesser Slave Lake. I would now ask Steve to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** Thank you.

The hon. Member for Edmonton-Strathcona, followed by Edmonton-Gold Bar.

**Ms Notley:** Thank you, Mr. Speaker. It is my great pleasure today to rise to introduce to you and through you my guest Lisa Kaye-Stanisky. Lisa is the sister and guardian of Floyd Kaye, a medically fragile resident of Michener Centre for 56 years. He doesn't speak, he's blind, and he's mostly deaf. He has to be fed very carefully, or he will choke. Lisa worries that in Floyd's new home the staff will not have time to feed him properly, will assess him as too high risk to feed, and will put a feeding tube in him. He will resist this treatment, and he will have to be restrained. At Michener Floyd receives regular baths, is taken on outings, goes to camp and to church. Lisa is incredibly worried about the future quality of life for Floyd unless the Premier reverses her ill-conceived decision to close the Michener Centre. I would now like to ask Lisa to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** Hon. Member for Edmonton-Gold Bar, your guests have not yet arrived, so we'll move on to the Minister of Environment and Sustainable Resource Development.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. It's an honour to rise today and introduce to you and through you to all members of this Assembly one of the councillors from the beautiful community of Devon in our new part of our constituency. It's great to have elected officials join us here. If I could introduce to you Councillor Gordon Groat and his lovely bride. Please rise and receive the traditional warm welcome of this Assembly.

1:40

### Members' Statements

**The Speaker:** The hon. Member for Calgary-Glenmore.

### National Volunteer Week

**Ms L. Johnson:** Thank you, Mr. Speaker. Across Alberta the same incredible spirit of community that helped to build our great province continues to burn brightly. It is a light fuelled by the compassion, the concern, and the generosity of a special group of amazing Albertans. They are our friends and neighbours, our students, our parents, our grandparents, and even our children. They are farmers, bankers, shopkeepers, rig workers, and home builders. They are Alberta-born and -raised and those who have come from far and wide to make this province their home. While their backgrounds may differ, they share a common bond of community service. They are volunteers.

Mr. Speaker, April 21 to 27 is National Volunteer Week, a time to recognize and honour our volunteers, Albertans who have identified a need and stepped forward to create solutions in their communities. Our volunteers are delivering recreational, social,

and cultural programs and services valued at more than \$9 billion annually that enhance the quality of life for our families and communities. Our volunteers help to develop the artists, the athletes, entrepreneurs, and leaders of tomorrow.

These remarkable individuals are not driven by their desire for compensation, recognition, or praise. They are motivated by a sense of duty, a sense of compassion, and a sense of community. Mr. Speaker, their reward is in the new skills they've learned, the experience they've gained, the friendships they've made, and the memories that will last a lifetime.

The government of Alberta is proud to support our volunteers and voluntary sector agencies. The Stars of Alberta volunteer awards are presented each December to recognize exceptional Albertans who are making it happen and who demonstrate the true spirit of this province for the benefit of all our citizens.

Mr. Speaker, I would ask that all members and all Albertans join together to recognize and celebrate our amazing volunteers during National Volunteer Week, starting this Sunday, and every day of the year.

Thank you.

**The Speaker:** The hon. Leader of the Official Opposition, followed by Edmonton-Gold Bar.

### Health System Executive Expenses

**Ms Smith:** Thank you, Mr. Speaker. This has been a bad week for Albertans' ever-eroding confidence in their public health care system. Our public system is built on key principles of universality and equal access. All Albertans are entitled to the same level of health care regardless of who they are or who they know. These principles took a very public beating this week with revelations that not one but two senior health executives bought private health care out of pocket and then recouped the money from Alberta taxpayers.

Last year former AHS VP Alison Tonge charged for medical tests at a private facility. She submitted the bill to taxpayers, and AHS CEO Chris Eagle approved it. If you are not an AHS VP, good luck getting the government to pay that for you, Mr. Speaker. In 2007 former Capital health VP Michele Lahey went all the way to the world-renowned Mayo Clinic in Minnesota for \$7,000 worth of treatment and then turned around and charged taxpayers for it.

In other words, Mr. Speaker, Albertans who would have to wait in line for health care got stuck with the bill for a connected government insider to get preferential access unavailable to them. Now, I understand that Sheila Weatherill has since admitted that this was wrong and has agreed to pay it back on Ms Lahey's behalf, and if that's true, that's a good thing.

Regardless of that, this is queue-jumping, Mr. Speaker, no ifs, ands, or buts. It's queue-jumping, and it's wrong. The government is pretending to be mad about it. It's the same act they pull whenever they are confronted with a smoking gun that verifies their entitlement and mismanagement. But they're not mad. They can manufacture rhetorical anger for political convenience all they want. They will be judged by their actions. The ball is now in their court, and they can do two things. They can sweep it under the rug and pretend it never happened, or they can undertake to get to the bottom of it.

### North Saskatchewan River Valley

**Mr. Dorward:** Mr. Speaker, in 1957 I caught my first goldeye in the North Saskatchewan River. In 1967 my family founded the



Waskahagan hiking trail, a 300-kilometre trail that transverses at the North Saskatchewan River at Ross Creek, near Fort Saskatchewan. The beautiful constituency that I've lived in for over 50 years, Gold Bar, has as its western and northern border this beautiful river.

Mr. Speaker, I've canoed the river from Devon to Whitemud park, but not recently.

In 1978, Mr. Speaker, I worked for the company that planted thousands of trees and shrubs in the valley. At that time the province and the city of Edmonton invested in the river valley trails. The city continues to be great stewards of the valley. Today the River Valley Alliance, with the goal to preserve, protect, and enhance, is working on linking the trails from Devon to Fort Saskatchewan. The North Saskatchewan Riverkeeper is urging responsible use of the river, and a relatively new group, the North Saskatchewan River Valley Conservation Society, is promoting the Big Island/Woodbend natural area. This 400-hectare area will be Canada's largest urban wilderness area, completely within the city of Edmonton.

Mr. Speaker, the North Saskatchewan River valley is a year-round blessing to Edmontonians and Albertans. Let's protect it, and let's use it.

**The Speaker:** The hon. Member for Edmonton-South West, followed by Calgary-Varsity.

#### Youth Advisory Panel

**Mr. Jeneroux:** Thank you, Mr. Speaker. I'm honoured to stand before the Assembly today as chair of Alberta's Youth Secretariat. As such, I'm excited to take this opportunity to recognize its success and make mention of its current activities.

The Youth Secretariat, which falls under the Ministry of Human Services, was formed by Premier Klein in 1999 for the purpose of helping the government to address issues that impact youth at risk. By the year 2000 a Youth Advisory Panel was established to provide an ongoing youth perspective on all work done by the secretariat. Ever since, Mr. Speaker, Alberta has been able to provide its youth with the unique opportunity to become involved in government through their voice on the panel.

This Progressive Conservative government takes seriously the civic education and engagement of Alberta's youth. Alberta's long-term success depends upon inquiring minds and proactive attitudes in all of its citizens but particularly in our youth. It is today's youth that will lead the Alberta of tomorrow. This is why we are looking at upcoming legislation with engaged youth in order to familiarize them with the legislative process to gain valuable insight from our up-and-coming leaders.

We held our inaugural meeting with this year's Youth Advisory Panel in early March, and I can honestly say that it was an inspiring meeting. We engaged the hon. Minister of Human Services on the panel's goals and priorities for the year. We also discussed the water conversation with the hon. Minister of Environment and Sustainable Resource Development. Along with their fellow panel members Amber, Nancy, and Shandy, who are here today, have embraced this opportunity to help shape programs that impact everyone in this province.

Now I issue a challenge to my MLA colleagues. If you see an opportunity to engage youth on government initiatives, involve the Youth Advisory Panel. The best way to educate the citizens and leaders of tomorrow is to get them involved early in their lives.

Mr. Speaker, we have some incredibly bright, ambitious, and hard-working Albertans on this year's Youth Advisory Panel, and I can't wait to sit down with them again. This government is

building Alberta. What better way to build than to foster ambition, compassion, and responsibility within young Albertans.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by Calgary-Bow.

#### Advocacy for Seniors

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. The median age of people living in the constituency of Calgary-Varsity is over 60. Many of our constituents have lived in this community for 30 to 40 years, and they want to stay in these communities, close to their family and their friends.

As a new MLA how do I support this vision? In our constituency office we've decided that we're going to be unrelenting advocates for seniors. Negotiating transitions from home care to acute care in hospital to supportive living or long-term care in the community is daunting. Sometimes this involves going to the seniors' bedsides to support planning with Alberta Health Services or talking to family members about choices.

We're always talking with local community associations about active aging programs. Together we look at all possibilities. For example, will permitting more secondary suites in Calgary support the goal of keeping seniors in the community longer? We meet with the mayor of Calgary, his staff, and our local alderman to figure out ways to streamline zoning approvals for construction of new supportive living and affordable housing. At our urging and with the support of colleagues the city has even designated someone responsible for managing seniors' issues at city hall.

Our constituency office presses the Calgary board of education, our government, and the private sector to identify land in Calgary-Varsity where we can locate more facilities. When we see plans for new construction happening – for example, the west campus development at the U of C or the redesign of Stadium Shopping Centre in University Heights – we're at the table with the developers and the local communities promoting age-friendly buildings even at the design stage.

Mr. Speaker, seniors are the heart and soul of our communities. As MLA my goal is to work with the government and our other strategic partners to create the conditions for seniors to live in their communities in dignity for as long as they choose.

Thank you.

**The Speaker:** Thank you, hon. members. We have one final member's statement, which we'll hear after question period.

Let me just congratulate all of you for listening so attentively to each other's member's statements today. That was well done. You deserve a thank you from the Speaker, and you've got it.

1:50

#### Oral Question Period

**The Speaker:** Hon. Leader of Her Majesty's Loyal Opposition, your first main set of questions.

#### Health Services Preferential Access Inquiry

**Ms Smith:** Mr. Speaker, the Minister of Health continues to undermine public confidence in the Alberta health system. He refuses to acknowledge any shortcomings or failures, yet his performance on doctors' negotiations, drug prices, excessive expenses, facility closures, wait lists, and executive bonuses is terrible. Then there is the reluctance to get to the bottom of queue-jumping. The Lahey Mayo Clinic example is the smoking gun.

Will the Premier agree to ask the Vertes inquiry to reopen and re-examine this matter?

**The Speaker:** The hon. minister.

**Mr. Horne:** Thank you very much, Mr. Speaker. I have some news to share with the House today, and I will table the relevant document at the appropriate time. Just prior to question period today I received a letter from Mrs. Sheila Weatherill, former CEO of Capital health, in which she acknowledges that the payment in question, referred to by the hon. Leader of the Opposition, was made in error, was a mistake. She has apologized for the mistake, she has provided an explanation, and she has repaid the money to the government of Alberta and the people of Alberta.

**Ms Smith:** I'm glad she saw fit to use a portion of her \$1.5 million severance payment to do the right thing and pay that back.

Mr. Speaker, the former CEO of Capital health sent one of her VPs out of the country for special treatment, signed off on the expense so that it would be covered by Alberta taxpayers, bypassed the process that other Albertans have to follow. That is queue-jumping. Even though she has paid it back, that same CEO testified before the Vertes inquiry and never even mentioned it. Why doesn't the Premier reopen the inquiry to see if there are any other cases we should be worried about?

**Mr. Horne:** Well, Mr. Speaker, the inquiry into improper preferential access is still ongoing. As we've discussed in the past, it is not the business of the Minister of Health or, I would say, any elected member of this Assembly to tell the commissioner for that inquiry where he should and should not look. The inquiry is open. An extension has been provided until the end of August. We have every confidence that Justice Vertes will thoroughly investigate any matter he deems relevant.

**Ms Smith:** The justice invited us to give him suggestions, and we intend to do that.

The Premier told the Assembly yesterday that she ran for office so she could make changes in the way government operates. Well, Mr. Speaker, so far we haven't seen any evidence of any changes to the culture of entitlement that pervades that 42-year-old operation. I ask again: if she won't agree to get to the truth through the Vertes inquiry, how about a forensic audit into all of the expenses of the health regions going back to the Merali era?

**Mr. Horne:** Mr. Speaker, I think we've established in this House on many occasions that there is a process available under the Freedom of Information and Protection of Privacy Act to access that information. While I don't have details of any of the information, I would be very surprised if it was not the case that all of the expense claims that the hon. member refers to – I don't know how many years she's talking about today – have in fact been requested through that process.

Mr. Speaker, what I did do earlier today is that I had a conversation with and subsequently wrote to the former Chief Justice of the Court of Queen's Bench, Chief Justice Allan Wachowich, and I've asked for his assistance in looking at avenues to recoup . . .

**The Speaker:** Hon. leader, your second main set of questions.

**Ms Smith:** I'll be looking forward to seeing how the Minister of Health finishes that statement.

### Health System Executive Expenses

**Ms Smith:** The Minister of Health finally did acknowledge yesterday that it was wrong and offensive to spend public health dollars to send a health executive to the Mayo Clinic, but he does say that it was in the past. Well, the minister in 2007 is sitting right there as Human Services. He himself was the minister's top adviser then, yet he still denies any continuity. Unbelievable. Will this minister at least take full responsibility for AHS executive contracts and expenses that were signed since he became Health minister, or is that too much to ask?

**Mr. Horne:** Well, Mr. Speaker, the ability to weave conspiracy theories apparently knows no bounds on the other side of the House.

We have taken the appropriate steps to put in place not only rules with respect to health executives but with respect to all of government, agencies, boards, and commissions that report to government in order that we do not have to entertain a situation such as the one that was reported on in 2007. If the hon. member truly regards herself as a Premier of a government-in-waiting in this province, she needs to take a lesson from a real Premier of Alberta as to how . . .

**Ms Smith:** We are not talking about conspiracy when we are demanding accountability.

When executives get monster contracts with country club memberships, tax advisers, and career coaches and then get released with huge severance packages, including expenses, just a couple of years after they're recruited from abroad, Albertans are right to wonder about the competence of AHS management. The minister claims to have fixed all the trouble with lavish expenses in the old health regions. When is he going to look into the lavish contracts and sloppy management at the Health superboard?

**Mr. Horne:** Well, Mr. Speaker, this hon. member is in absolutely no position to cast judgment on the competency of management or the delivery of health care in this province. Every time she does so, she denigrates the reputation of not only the board of Alberta Health Services but of the people who actually deliver care to each of us each day, and that is reprehensible.

As I was about to say in the answer to the earlier question, I have also taken an additional step. Given the importance that Albertans place on recouping repayment of improper expenses, I have asked the former Chief Justice of Alberta to conduct a review of any and all legal avenues that are available to recover such expenses.

**Ms Smith:** Well, Mr. Speaker, to recover them, we've got to find them all first, and when we ask for information, the minister points us to the freedom of information process. Now, we're using it, but we've still only received about half of the requests, and some very senior former health executives are fighting very hard to keep their expenses secret. Once again I ask the minister: to restore public trust, will he agree to release all of the expenses for all of the executives for all of the health regions going back to 2005?

**Mr. Horne:** Well, Mr. Speaker, I was waiting to see how far back in time the hon. member would want me to go with her in her time machine today. We have rules and processes in place that appropriately govern the approval and the disclosure of expenses at Alberta Health Services and across government. These have been in place for some time. They've been well documented with members of the Assembly. The information is there not just for

the opposition to see but for all Albertans to see on the Internet. That's responsible government, that's what responsible Premiers do, and that's the leadership that we've provided.

**The Speaker:** Hon. Leader of the Official Opposition, your third main set of questions.

### Prescription Drug Coverage

**Ms Smith:** Mr. Speaker, the Health minister said this week: "On April 1 in response to a pan-Canadian decision by all provinces to set the price for our six top-volume generic drugs at 18 per cent . . . the manufacturers have met the . . . price . . . on those six drugs." That's great, but his answer makes me wonder if the minister even understands his own generic drug plan. He cut prices across the board for everything, not just those six drugs, and that is what now threatens the viability of Alberta pharmacies. Why did the minister break the original agreement?

**Mr. Horne:** Well, Mr. Speaker, once again I have no idea what the hon. member thinks she is talking about, but I can tell you what we have done. It's a very interesting dynamic to be on the side of taxpayers in one set of questions and then to not be on the side of taxpayers in the second set of questions.

The leadership that Alberta has provided in reducing generic drug prices is important. It's important for Albertans. It's important for our economy and small business. It's also important for the rest of Canada. On a pan-Canadian basis we have as a country now reduced the price of the six top generic drugs to 18 per cent. We will proceed with our plans to do the rest with a balance of . . .

**Ms Smith:** Mr. Speaker, there is an agreement across provincial jurisdictions to set lower prices for the six most prescribed generic drugs, but that is not what this minister did in Alberta. He announced he was setting prices for all of the generics, so naturally many of these drugs have been delisted, and the prices have actually gone up. Doesn't the minister understand that this Fred-icare plan will mean higher prices for patients and eventually drug shortages and pharmacy closures?

2:00

**Mr. Horne:** Well, Mr. Speaker, the hon. member's statement is about as far from the truth as I could possibly imagine. Drug prices in Alberta are only going in one direction, and that is down.

**Mr. Anderson:** Point of order, Mr. Speaker.

**Mr. Horne:** As the hon. member well knows, with leadership comes the responsibility of taking on difficult challenges and implementing policy in the interests of citizens. Mr. Speaker, this province has led the country in providing transition support to pharmacists as drug prices have been reduced. There are no drugs in Alberta that are delisted without an equivalent drug being brought to the market. I'm very pleased to report to the House that prices are coming . . .

**The Speaker:** The hon. leader.

**Ms Smith:** Every time he talks about this, he confirms he doesn't know the details of his own plan.

The minister made dramatic changes to the way drugs are priced without the agreement of drug companies or pharmacies. He broke the original deal. Will the minister now admit that it was a mistake to try to control the prices of all generic drugs and go

back to the original pan-Canadian agreement on the six top-volume drugs?

**Mr. Horne:** Well, Mr. Speaker, my colleagues across Canada who are ministers of health are welcoming Alberta's initiative in reducing generic drug prices for all generic drugs to 18 per cent. They support it because they know it means that they're able to provide more drugs to their growing populations. They support it because they know it means support for jobs for small- and medium-sized businesses that have to pay for employer-sponsored benefit plans. They support it because it reduces prices for people who are unfortunate enough to have to pay out of pocket for their drugs.

**The Speaker:** Thank you.

Hon. Member for Airdrie, you rose on a point of order at 2 o'clock during the first supplemental answer by the Minister of Health. It's been noted.

### Postsecondary Education Funding

**Mr. Hehr:** In her press release this morning the Premier stated that the budget would not be balanced "on the backs of students." That's quite a statement given the draconian cuts this government has delivered to our postsecondary institutions. I'm not the only one who thinks this. The mayors of Edmonton and Calgary believe that these cuts are unjustifiable and a terrible error. To the Premier: in all sincerity given that Alberta already has the lowest participation rate in postsecondary and even fewer opportunities will be given to Alberta's students to take part because of these cuts, how can you make this type of statement?

**The Speaker:** The hon. Deputy Premier.

**Mr. Lukaszuk:** Well, thank you, Mr. Speaker. Let's get some facts straight. First of all, it should be known – and I'm sure it's appreciated by the majority of students in Alberta – that even following this budget adjustment Alberta advanced education is the second-highest funded advanced education system in Canada. Also, we have the second-highest level of bursaries and grants to students in Canada. Nobody jumps up and down with happiness to have a budget reduction, but we will be focusing on adjusting the budget through administrative changes and not at the expense of students.

**Mr. Hehr:** Well, let's look at Mount Royal University. They announced program cuts to disability studies, music performance, theatre arts, aging studies, forensics, journalism, prenatal, engineering and reduced the intake for nursing. Does the Premier not recognize that these cuts to our postsecondary system are devastating to students and will have long-lasting effects?

**Mr. Lukaszuk:** Mr. Speaker, the only artistic performance that should be cut is that of this member sitting across asking those questions because no programs have been cut at this point in time. Maybe it would serve the member well to know that in order for a program to be eliminated, first, the board of directors has to make that decision and vote upon it. The board of directors is made up of community members. Then that has to be submitted to the minister's office for approval or not. I have to date not received any requests for cutting programs.

**Mr. Hehr:** Well, despite this rhetoric I cannot get over not only what the hon. member said but the press release today stating that

we are not balancing the budget on the backs of students. Isn't that akin to when I was trying to pull one over on my grandma, and she would say, "My boy, don't take a leak on my shoes and tell me it's raining"?"

**The Speaker:** Let us move on.

The hon. leader of the New Democrat opposition, followed by Strathmore-Brooks.

**Mr. Mason:** Thank you very much, Mr. Speaker. That's a hard image to get out of my mind.

### Health System Executive Expenses

(continued)

**Mr. Mason:** Well, the CEO of Capital health, Sheila Weatherill, approved Michele Lahey's \$7,800 visit to the Mayo Clinic while she was the CEO. Today Mrs. Weatherill repaid the \$7,800 expense. As she received a \$2 million severance from Capital health, no doubt she can afford it. However, we still haven't seen Mrs. Weatherill's own expenses. Why not?

**Mr. Horne:** Well, Mr. Speaker, as the hon. member knows, that information is available under the provisions of the Freedom of Information and Protection of Privacy Act. I am not the party that makes a determination about the release of information under that act. The hon. member is aware of the process, and he has the ability to access that information.

**The Speaker:** The hon. member.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, that act is to get information that the government wants to give. It doesn't prevent the government from giving it.

Mrs. Weatherill also approved the extravagant and outrageous expenses of another senior Capital health official, Mr. Allaudin Merali. Will the minister ask Sheila Weatherill to repay those expenses as well, and if not, why not?

**Mr. Horne:** Mr. Speaker, I want to be clear, and I think you would probably caution us to be careful about talking about individuals that are not in the House. What I will tell you and will confirm when I table the document later today is that Mrs. Weatherill offered this repayment of her own volition. She acknowledges in the letter that she sent to me that the payment to Ms Lahey was an error, has apologized for that error, and has renewed her commitment and restated her concern for the interest and integrity of our health care system. For that, I do thank her.

**The Speaker:** The hon. member.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, it seems to me that the expenses of Allaudin Merali were similar, almost identical, yet the minister is not prepared to demand that Sheila Weatherill return those, nor apparently is he prepared to tell this House what Sheila Weatherill's expenses were and who approved those. Why not, Mr. Minister?

**Mr. Horne:** Mr. Speaker, as I attempted to say in the answer to an earlier question from another member, I have asked the former Chief Justice of the Court of Queen's Bench, Mr. Allan Wachowich, to look at the question of the ability of government to seek repayment. We want to seek repayment for inappropriate expenses, and I've asked him to look at the law and to provide me with his considered opinion as to how that can be done.

### Out-of-province Health Services

**Mr. Hale:** Mr. Speaker, this week we learned a little bit more about the health expense scandal. In addition to personal butlers and fancy dinners, senior AHS executives are allowed to expense private medicare, leaving Albertans stuck holding the bill. Grant Ellefson and Russell Coyne are two victims of this minister's two-tiered health system. Both men underwent spinal surgery after suffering injuries and had their surgical claims rejected. Both men contacted the Health ministry and were turned away. To the Health minister. It's time to start telling the truth. Why are AHS executives getting paid access to private care when Albertans like Grant and Russell are left holding the bill?

**Mr. Horne:** Mr. Speaker, I've got to take issue with the premise of the hon. member's question. Access to private health care is not a right or a benefit that is provided to Alberta Health Services or any other employees. If we want to talk about 2005 and we want to talk about the attitude of the Leader of the Opposition to privatization of health care, we can look at her words in the *Calgary Herald*. "The sooner Canadians realize that privatization is a must, the sooner we can move on to the more crucial debate over how to refinance the system." What did she mean by that?

**Mr. Hale:** Given that Russell Coyne, a hard-working Albertan with a young family, is suffering the financial burden of his surgery and he's been waiting over 10 months to hear back from the minister's office, will the minister commit to personally looking into Russell's file and compensating him for his surgical costs even though he's not an AHS executive?

**Mr. Horne:** Well, Mr. Speaker, I'd be pleased to look at any information that the hon. member wants to send to me on behalf of his constituent.

What the hon. member hasn't mentioned is whether his constituent is seeking compensation through the Out-of-country Health Services Committee process or the appeal process associated with that. These decisions are not made by government. They are made by a quasi-judicial panel, and there's an appeal process, but I'd be pleased to look at the information if you'd like to send it.

**Mr. Hale:** I have a document here from back in June. You were fully aware of this for over a year now, Minister.

To the same minister: given that Grant and Russell are both on the hook for tens of thousands of dollars after they were only compensated for anaesthesia and given that both men were facing paralysis, a lifelong debilitation, will you admit that something is wrong with this two-tiered system and that it's examples like these that truly undermine Alberta's confidence in the health care system?

2:10

**Mr. Horne:** Mr. Speaker, as much as I would certainly feel for the hon. member's constituents, this situation has nothing to do with two-tier health care. Decisions that are made on repayment for health services received out of country are made by a body independent of government. This minister does not have the authority – the hon. member knows this – to override the decisions of the committee or the appeal panel.

**The Speaker:** The hon. Member for Calgary-Foothills, followed by Little Bow.

### Postsecondary Education Funding (continued)

**Mr. Webber:** Well, thank you, Mr. Speaker. After Budget 2013 was released, I received some concerns from my constituents in Calgary-Foothills. The concerns centred around the decreases to postsecondary education funding and the effects that this will have on institutions like Mount Royal University. MRU is now having to make budget adjustments resulting in the cancellation of the engineering transfer program and the cancellation of the theatre and music programs to name a few. My question is to the Deputy Premier: given that decreased funding has raised many uncertainties among postsecondary institutions, what options will be provided to ensure that students will continue to have access to affordable and accessible postsecondary education?

**The Speaker:** The hon. Deputy Premier.

**Mr. Lukaszuk:** Thank you, Mr. Speaker. It's only natural that in view of a budgetary adjustment there would be uncertainty. Often we talk about numbers and percentages, but at the end of the day we're talking about faculty staff and administrative staff whose job that is, who count on a paycheque, and who have families and probably mortgages. But having said that, this government had to make some very difficult decisions. As you know, we haven't adjusted the budget to the tune that the opposition would want us to adjust it to because then I would have to deal with a much more severe situation in the education system. However, what must be said is that we will work with administration and presidents to minimize the impact on students.

**Mr. Webber:** Again to the Deputy Premier: given the importance of investing in our province's skilled workforce of the future and that Alberta's prosperity is riding on the academic and professional success of our students and given the fiscal reality that we are currently facing, what can your ministry do to protect postsecondary students like those at Mount Royal University?

**Mr. Lukaszuk:** Well, first off all, Mr. Speaker, I would encourage everyone not to jump to conclusions. No decisions have been made on eliminations of programs. I know that the faculty associations are putting forward some worst-case scenarios. What we will do is that we will look at the operations of all schools and also of Campus Alberta to see where we can minimize expenses and make sure that the most dollars enter into the classroom. At the end of the day the second-highest funded education system in Canada should have at least the second-highest participation rate of students. At this point we don't. We will be working on that.

**Mr. Webber:** Again to the Deputy Premier: given that Alberta's postsecondary institutions are Alberta's engines of innovation and that we need them to continue to provide leading-edge education and given that the deadline for responses to the letter of expectations has been extended, what collaborative efforts are in place to ensure that the quality of education is not compromised?

**Mr. Lukaszuk:** Good question. Mr. Speaker, what we have established are three tables: one of presidents, one of chairs, and for the first time one of students. We will be meeting quarterly and engaging in those collaborative dialogues on how to better operate our system of Campus Alberta, how to be more functional, and how to deliver a better service to our students, who have more and more options as education is becoming a global commodity. I agree with the member. The only way to diversify our economy

and set this economy on fire is through innovation and commercialization, and that is also what we will be focusing on.

**The Speaker:** The hon. Member for Little Bow, followed by Edmonton-Mill Woods.

### PDD Funding

**Mr. Donovan:** Thank you, Mr. Speaker. This government's cold-hearted cuts to vulnerable front-line services continue. The PDD day program in southern Alberta provides high-needs clients with jobs within their limitations and helps to give them a sense of purpose. The Premier even did a photo op at this facility during the election last year in Coaldale. But now programs like it are being cut, and millions are being wasted on plush new MLA offices and special services for health care insiders. To the Associate Minister of Services for Persons with Disabilities: why do you swing an axe at the front-line programs for the most vulnerable citizens of Alberta?

**The Speaker:** The hon. associate minister.

**Mr. Oberle:** Thank you, Mr. Speaker. I thank the hon. member for the question. It's a good question. He's representing his constituents and concerns that he's heard out there. I can tell him that they are concerns that I share. We haven't cut any programs yet. We're shifting away from community access programs towards programs that produce better outcomes, community inclusion, community engagement, and employment programs. How that impacts any particular client out there we haven't yet determined, but we're going to do that very carefully.

**Mr. Donovan:** There was a web seminar on Monday saying that you're going to close all these programs. That's why people are concerned.

Mr. Speaker, again to the same minister: given that southern Alberta has especially high rates of PDD clients and given that you clearly haven't done all the homework for these various employment challenges that exist, when are you going to suspend these cuts and do a proper assessment of the programs that are needed in my region?

**Mr. Oberle:** Mr. Speaker, my budget saw an overall increase, though modest, this year. This isn't about cutting; this is about shifting to fund programs that produce better outcomes and better care for the clients that we have in the system.

**Mr. Donovan:** Mr. Speaker, again to the same minister: given that the parents of these PDD clients have contacted me and are worried they're going to have to quit their jobs to look after their adult children, what can we say to assure them? Are you going to reassess your cuts and the needs in my region, or are you going to just keep putting vulnerable Albertans at risk?

**Mr. Oberle:** Mr. Speaker, let me be clear. We're not putting vulnerable Albertans at risk, nor are we going to evict, as some members over there have suggested, persons in need and throw them back to their families or put them on the street. That's wrong.

But here's something for the member to ponder over the weekend. We're talking about implementing a difficult budget, doing some difficult balances with a modest increase in the budget. Think about what happens when you cut a couple of billion dollars out of the system, the difficult decisions that you guys would have forecast in moving forward.

Mr. Speaker, we are moving to increase and provide better care for the individuals, for vulnerable Albertans out there. We'll continue to do that.

**The Speaker:** The hon. Member for Edmonton-Mill Woods, followed by Calgary-Mountain View.

### Immigrant Nominee Program

**Mr. Quadri:** Thank you, Mr. Speaker. The Alberta immigrant nominee program is one of the important tools that we have to continue to build Alberta. Through the AINP program Alberta can nominate individuals and their families for permanent residence. Many of my constituents are interested in this program. My question to the Minister of Enterprise and Advanced Education: how many workers have been nominated each year?

**Mr. Lukaszuk:** Mr. Speaker, I should begin answering that question by saying that it is our firm policy to make sure that any and all job opportunities are first extended to Albertans and then to the rest of our brothers and sisters throughout Canada, and then if those jobs can't be filled, they are made available to foreigners.

Right now, Mr. Speaker, we nominate approximately 5,000 temporary foreign workers, but when you add their families to this, we're looking at about 18,000 individuals.

**Mr. Quadri:** To the same minister again: does the ministry have a limit on the number of people that can qualify under AINP in different streams?

**Mr. Lukaszuk:** Mr. Speaker, the program is a federal program, the program of temporary foreign workers. The obtaining of a labour market opinion by employers is also a federal program. There are federal caps that are put on provinces. Right now the province of Alberta is limited to some 5,000 semiskilled workers per year.

**Mr. Quadri:** To the same minister again: what kind of assistance does the province provide for the people who qualify under this program to help them out in the transition period until they become permanent residents?

**Mr. Lukaszuk:** Well, Mr. Speaker, while they are temporary foreign workers, there are offices that assist temporary foreign workers not only with some administrative work and the paperwork that they have to go through but also with settlement services. Once they become bona fide permanent residents of Canada, they can access any and all services throughout the province, throughout the country such as Catholic Social Services, the Mennonite centre, and the list goes on and on. We're very fortunate in this province to have agencies and third parties that deliver some very valuable services to our immigrant community.

**The Speaker:** The hon. Member for Calgary-Mountain View, followed by Edmonton-Strathcona.

### Supports for Vulnerable Albertans

**Dr. Swann:** Thank you, Mr. Speaker. Last month the Premier said: we will make tough decisions, but they will be responsible; they will ensure that we are protecting vulnerable people. Jody is a mentally disabled, mobile adult whose supervised community activities get her out of her basement for volunteering, group activities, and exercise. They've eliminated her need for antidepressants. Because of this government's poorly planned cut of \$45 million for community access to PDD Jody's meagre

opportunities will be severely reduced. To the Premier: will the Premier stop insulting Albertans who are disabled and their families by portraying these cuts as improvements when all Albertans recognize . . .

2:20

**The Speaker:** The hon. associate minister.

**Mr. Oberle:** Mr. Speaker, as I pointed out in a previous question, the overall budget for disabilities services did in fact increase although modestly. Nonetheless, there are always difficult decisions to make when you are talking about the care of vulnerable Albertans. We did not cut that budget completely. What I did commit is that those people that rely upon community access supports, that need them, that are identified in their assessments will still get those supports.

**Dr. Swann:** Well, Mr. Speaker, let me go to the Minister of Human Services, then, who has dodged these questions repeatedly. How can the minister be seen as anything but irresponsible in forcing these drastic cuts in three months? He's clearly out of touch with our most vulnerable and their families.

**Mr. Hancock:** I would answer that by saying: how can that hon. member be so irresponsible as to scare vulnerable Albertans when the answer is very clear? There will be a plan for each one of those Albertans, and if they need those services, they'll continue to get those services. But we're working to better services for vulnerable Albertans for better outcomes for vulnerable Albertans. That takes time. The associate minister is working with those families, and our department is working with those families. It's absolutely irresponsible to scare those vulnerable Albertans with any other comments.

**Dr. Swann:** Working with the families doesn't mean listening to the families, Mr. Minister.

Given that you want to increase employment and postsecondary for the severely disabled, which is impossible for people like Jody, and given that Alberta Works has cut a hundred million from employment programs and postsecondary has taken more drastic cuts, how is this not irresponsible? Are these ministries even talking to each other?

**Mr. Hancock:** What's irresponsible, Mr. Speaker, is to lump every single disabled Albertan into the same can and say that these cuts are going to affect all of them in the same way. What we're doing is responsibly looking at each particular program, at each particular individual, and each particular individual's need and saying: how can we get better outcomes for those people? Yes, we are working with Enterprise and Advanced Education with respect to how we get skill levels up, and yes, we are targeting our resources so that instead of devoting them to the advantaged Albertans, who have the opportunity to get good jobs in a good economy, we're targeting them at those who have barriers to success so that they, too, can participate in our economy.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by Innisfail-Sylvan Lake.

### Postsecondary Education Funding (continued)

**Ms Notley:** Thank you, Mr. Speaker. The ink is not even dry on a budget which has been debated but not passed, and the advanced education minister is going back to the drawing board to find \$16 million. The minister is so focused on his bait-and-switch plan to

distract Albertans from the harm created by his much larger cut that he forgot to include the cost of this plan in his budget and refused to discuss it in estimates debate in the House. To the minister: does he have absolutely no respect for this House, or is he really just making this up as he goes along?

**Mr. Lukaszuk:** Mr. Speaker, last Thursday this member had an opportunity to sift through the estimates of this ministry and go line by line through this ministry's budget, so she should have known that there are no added dollars to supplement the inflationary costs that now we are saving students from paying and that the department will pay on students' behalf. There is a line item in the budget. She has seen it; she has approved it. [interjections] I imagine that if she wants to sit down with me and show me what the line item is, I'll gladly show it to her. The budget has not changed, and the allocation to universities has not changed.

**Ms Notley:** Well, Mr. Speaker, given that several rural institutions have already predicted staff cuts, downsizing of academic programs, and closure of student support services and given that these reductions when combined with the government's broken promise to fund scholarships for aboriginal and rural students will limit access by these underrepresented groups to advanced ed, why won't the minister admit the facts? Your cuts fundamentally assault the quality and the accessibility of Albertans' advanced education system.

**Mr. Lukaszuk:** Well, Mr. Speaker, in a province that has the second-highest funding for advanced education in Canada and also has the second-highest financial support for students and also in a province, as the member will point out every time, that has one of the lower postsecondary enrolments amongst students, if she points out that there is access lacking, something is wrong. [interjections] We will make sure that the dollars that we spend on advanced education get to the classrooms, we will make sure that students get the services that they deserve, and we will run a system that is efficient and student focused.

**Ms Notley:** Well, only this government would think that the way to fix a problem is to cut 8 per cent away from it. That's ridiculous.

Given that the minister claims he can only ask postsecondary institutions to refrain from raising noninstructional fees and given that Mount Royal University has clearly demonstrated the weight of this so-called ministerial request by announcing plans to raise noninstructional fees, why won't the minister admit that he has all the legislative authority he needs to ban these fees and then step up and do his job and ban them?

**Mr. Lukaszuk:** Mr. Speaker, only a member of the NDP caucus would say that the only way to solve a problem is to spend your way out of that problem, to throw more money at the problem and grow it.

Mr. Speaker, we will be focusing on students. [interjections] We know that we can deliver high-quality, competitive education for our students, and we know that we can find administrative efficiencies not only in one school but in the entire Campus Alberta. That's what we will do because at the end of the day 25 per cent of that cost is paid by students through tuition. Certainly, she doesn't want that to go up, does she?

**The Speaker:** Can we go to the hon. Member for Innisfail-Sylvan Lake, followed by Edmonton-South West, without any more outbursts if you please?

## Respiratory Care Services

**Mrs. Towle:** On July 1 Alberta Health will be handing clinical oversight of respiratory services to the AHS superboard, who will put the contracts to tender. This is the same board that in 2009 tendered contracts for cataract surgeries, resulting in ballooning wait times and worse outcomes for Albertans. Even the Respiratory Home Care Association of Alberta has stated that this move will lead to significant cost increases and reduced patient access. Does the minister understand that by not listening to those who are actually providing the oxygen service to Albertans that this will cause patient harm?

**Mr. Horne:** Mr. Speaker, this change will not cause patient harm. What it will do is enable Alberta Health Services to delivery respiratory services to a greater number, a growing number of Albertans across the province who need these services. My understanding from my department is that there was consultation with all of the stakeholders involved. The changes were publicized well in advance, and when they come into effect, they will improve access for Albertans who need respiratory care.

**Mrs. Towle:** I have here a document actually from the Respiratory Home Care Association of Alberta wherein they specifically lay out exactly what the implications are to patients. They also go on to say that this move will increase ER visits, increase death rates, increase hospital admissions, increase ICU admissions. Given that the sole sourcing of contracts leads to supply shortages, doesn't the minister understand that AHS bureaucracy does not need another opportunity to screw up something that is already working?

**Mr. Horne:** Well, Mr. Speaker, as the hon. member probably knows, there are multiple vendors across the province, some large ones but many, many small vendors, who have been involved in the delivery of respiratory services over the years. One of the opportunities in having one health authority to serve the entire province is to achieve a better efficiency and savings in matters related to procurement. This is one such example. I said that people were consulted. I didn't say that everyone would agree. Vendors are affected by this change, but our concern, of course, is with access for patients.

**Mrs. Towle:** Given that in rural Alberta some oxygen users, including my own father, are already being told that they might not get access and given that this government's very own report from Keefe Taylor Associates says that this type of tender process should be avoided and that the government should keep the current program in place, will the Health minister please stop ignoring your own reports and please reconsider this decision and go back to the table and talk to the home care association of Alberta?

**Mr. Horne:** Mr. Speaker, in making decisions of this nature, it's very important to separate business interests from the interests of patients. The hon. member may disagree with the decision, and she may know people who disagree with the decision, but Albertans expect us as a province and within our health system to achieve the best possible cost-efficiency and value that we can. There are growing numbers of Albertans who require respiratory therapy as a result of the growing incidence of chronic disease and other factors. We must make provisions to meet their needs, and this initiative will do just that.

**The Speaker:** The hon. Member for Edmonton-South West, followed by Cypress-Medicine Hat.

### Family Care Clinics

**Mr. Jeneroux:** Thank you, Mr. Speaker. Recently we've been hearing about how important family care clinics are for the long-term vision of this government. Specifically, these types of clinics are clearly integral to this government's commitment to investing in the families and communities that make up this province. I know within my constituency of Edmonton-South West we are eagerly awaiting news of when we can expect a clinic. My question is to the hon. Minister of Health. Can you clearly explain about the physical makeup of these clinics and how they're equipped so as to be suited to the needs of all Albertans?

2:30

**Mr. Horne:** Mr. Speaker, we are very excited about the potential for family care clinics to further improve access to primary health care for all Albertans. That is our core commitment. Family care clinics will provide this access – they are a clinic model, not a network – by putting in place the right mix of health professionals in a given community to serve the people that live in that community. We're doing this by working with local health professionals to conduct community needs assessments. This is a community-driven process. There's an opportunity to tailor the services that are offered for the specific needs of the community.

**The Speaker:** The hon. member.

**Mr. Jeneroux:** Thank you, Mr. Speaker. Given that a lot of what you just said seems already to be in place with the primary care networks and given that this may be more efficient to build as a model across the province, has the Ministry of Health considered standardizing these family care clinics so we can get more of them built and faster?

**Mr. Horne:** Well, Mr. Speaker, what we are doing is that we are developing primary health care standards that will apply to both primary care networks and family care clinics, that will deliver a more consistent level of service across the province. This includes considerations such as core services that need to be offered in primary health care, the hours of operation, whether PCNs or FCCs are delivering the care to ensure the services are available when people need them, and also, as I said earlier, looking at the unique needs of each community.

**The Speaker:** The hon. member.

**Mr. Jeneroux:** Thank you, Mr. Speaker. Given that in my constituency we have a lot of young families who could benefit from this type of clinic and given that this would significantly reduce the burdens on hospital emergency rooms, when can we expect more clinics to be operational, and where exactly will they be located in the province?

**Mr. Horne:** Well, Mr. Speaker, we currently have three pilot clinics, as the hon. member may know: one in Edmonton, one in Calgary, and one in Slave Lake. In the very near future we will be announcing a longer list of communities that we will be working with directly to develop a plan for their family care clinic. Part of this work obviously involves working with the primary care networks, that may serve the same area, to ensure appropriate linkages between the two. So some very exciting and good news coming in the very short future.

### Wainwright Health Centre

**Mr. Barnes:** Mr. Speaker, the Wainwright health centre is in dire need of infrastructure upgrades as the sewer system is on the brink of failure. According to Alberta Health Services the sewage system has been a significant concern. This desperately needed project is currently unfunded despite being resubmitted again and again. The need for a new facility is immediate. To the Minister of Infrastructure: a solution is clearly a priority for Wainwright; why is it not a priority for your government?

**Mr. Drysdale:** Mr. Speaker, this government was elected to build Alberta and live within our means, and we are doing that. My department consults with the Health department and builds the priorities that meet Health's recommendations. A facility condition index scoring is done on all facilities throughout the province every year, and the condition is reported.

**Mr. Barnes:** Minister, it's been asked for again and again.

Given that this new facility in Wainwright is in immediate need and given that the government recently gave itself an 8 per cent pay raise and given that AHS has been paying executives for out-of-country personal health care expenses, when will this government reprioritize its spending so the people in Wainwright don't have to live in fear that their health facility will shut down?

**Mr. Drysdale:** Well, Mr. Speaker, what the member says is all well and good, but I'm not sure if they want us to spend more money on building capital or less. We have a capital plan that's funded, and it's the priority list. That's the money we have. If they want us to spend more, they should say so.

**Mr. Barnes:** We want you to prioritize your spending properly.

The dire situation residents of Wainwright and the surrounding area would find themselves in should the health centre facility's sewage system fail and the facility be forced to close underscores again the need for a public prioritized infrastructure list so Albertans know when their critical infrastructure needs will be addressed. Why does this government refuse to do so?

**Mr. Drysdale:** Well, Mr. Speaker, as I said before, our priority list is our capital plan. It's on our website. The member has gone there and looked at it. There are good projects on there. Which projects on there would you like us to remove to do these other ones? It didn't make the priority list. They would have to cancel projects we have on there to build new ones. I guess they want to spend more in capital.

**The Speaker:** The hon. Member for Leduc-Beaumont, followed by Olds-Didsbury-Three Hills.

### Impaired Driving

**Mr. Rogers:** Thank you, Mr. Speaker. My questions are for the Minister of Justice. Hon. minister, you and I are scheduled to meet with my constituents Robert and Sheri Arseneault, whose son along with two others was killed by an alleged drunk driver in a horrific accident between Leduc and Beaumont. This family is frustrated that it took a year to get this case to court. Mr. Minister, what are you doing to speed up this process?

**The Speaker:** Hon. minister, you can clarify if this is sub judice. The chair has no knowledge, but you go ahead.

**Mr. Denis:** Thank you very much, Mr. Speaker. I'll just comment in general here. First off, my sincere sympathies to this member's



constituents. No one should have to suffer at the hands of a drunk driver because drunk driving is one hundred per cent preventable.

To deal with this member's question directly, we're opening up case management offices. We're looking at moving traffic court outside of the courts so we can deal with more serious matters such as this. Of course, we'll continue to advocate with the federal government for the elimination of preliminary inquiries, which take 26 weeks off of trial time on average, every trial.

**The Speaker:** The hon. member.

**Mr. Rogers:** Thank you, Mr. Speaker. Again to the same minister. Mr. Minister, this past summer you brought in Bill 26 to increase penalties for impaired driving. What impact, if any, has this had on making our roads safer?

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you very much again, Mr. Speaker. Last year I had the privilege of taking a drinking test with the Calgary police. I'm going to tell you again that at .05 I felt pretty tipsy. At .08 it felt like a Friday back in my university days. I had no business driving in either instance. If you don't believe me, let's go and look at what some of the media have had to say. Quote: none of us could imagine driving at .05. Dawn Walton, *Globe and Mail*. "Let me tell you, at .05 you are drunk . . . Hand over the keys and find a different way home." Bryce Forbes, *Calgary Herald*. Nobody has any business driving at .05.

**The Speaker:** The hon. member.

**Mr. Rogers:** Thank you, Mr. Speaker. Again to the same minister. I want to thank the minister for those efforts, but I wonder what else he might be doing to deal with the issue of impaired drivers.

**Mr. Denis:** Well, first, I want to highlight again, Mr. Speaker, that the matters between .05 and .08 do not actually clog the courts because these are administrative penalties, unlike what the opposition keeps on telling us here. Regardless of what the opposition has to say, we will not stop our crackdown on drunk drivers.

**Mr. Donovan:** You're soft on crime. You're soft on impaired driving.

**Mr. Denis:** This opposition is soft on crime. This Premier is strong on crime as is this government.

**The Speaker:** The hon. Member for Olds-Didsbury-Three Hills, followed by Lesser Slave Lake.

#### **Tank Site Remediation Program**

**Mr. Rowe:** Thank you, Mr. Speaker. Yesterday the Minister of Municipal Affairs stated that the tank site remediation program is winding down and that sites can no longer enter the program. In fact, this program has not accepted new sites for the past four years. This program has helped to mitigate contamination of the environment by leaky underground fuel tanks, and this government's abandonment of the program is a concern to Albertans. To the minister of environment: what is your plan to deal with the current and former gas station sites contaminated by leaking underground tanks that are not a part of the tank site remediation program?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Mr. Speaker, and to the hon. member for the question. It's an important question. We continue to work with municipalities and with communities when there are contaminated sites. It's an ongoing concern for all of us, and it's one that we want to work on with them. As you know, that particular program that you talk about is no longer in place. Again, it's one of those where we have to make choices. It's not been in place for some time, but we continue to work with communities because we know it's a tough issue for them.

**Mr. Rowe:** The fact is that there are still many of these brownfield sites throughout the province. Given that the tank site remediation program has not accepted any new sites since 2009 and given that there are still contaminated sites and there are sure to be more in the future, Albertans are wondering: does the government even have a plan to remediate these sites, or will these tanks just stay in the ground?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker. As the hon. member, I'm sure, is aware, we've been working very closely with the Alberta Urban Municipalities Association and the rural counties as well on a strategy for how we address these issues. We know that it's a complex issue involving many players: municipal governments, provincial governments, departments, developers, and others. It's something that we're coming together on, working with municipal leaders as well, to come forward with a brownfield policy on this issue.

**Mr. Rowe:** Given that municipal leaders have been asking for over a decade where the plan is to ensure that all contaminated brownfield sites in the province are cleaned up and given that this government clearly does not have a plan in place to deal with the current and future contaminated gas station sites, how are Albertans or anyone else scrutinizing our environmental records supposed to believe that this government takes the protection of our environment seriously?

2:40

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. As this hon. member would know after spending a great deal of time, which we actually spent together, on the Alberta urban municipalities board, we are taking action with municipalities. Both rural and urban associations have asked us and the Department of Municipal Affairs to work with them so that we can actually develop this together. We are taking action, but we're doing it with our municipal partners because they have asked us to do that.

**The Speaker:** The hon. Member for Lesser Slave Lake.

#### **Continuing Care Services for Wabasca-Desmarais**

**Ms Calahasen:** Thank you. The community of Wabasca-Desmarais has a population of 5,500 people. It does not have an extended care facility. Elders are being moved to surrounding communities like Slave Lake, High Prairie, Athabasca, Mayerthorpe, far away from home. Of course, people are concerned. My question is to the Minister of Health. What does the community of Wabasca-Desmarais have to do to get an extended care facility built?

**The Speaker:** The hon. Minister of Health.

**Mr. Horne:** Thank you very much, Mr. Speaker. Well, as the hon. member knows, our government is committed to providing quality continuing care spaces that allow our seniors to age in place in their communities, with their family and friends close by. Over the past two years alone we've opened more than 2,400 new spaces, making it possible for more people to get the care and supports they need closer to their home. The process for opening new continuing care spaces starts with the identification of need. The hon. member is starting that process in asking her question today. I would encourage the community to keep working with Alberta Health Services to provide their input on service planning in that area.

**The Speaker:** The hon. member.

**Ms Calahasen:** Thank you, Mr. Speaker. Given the fact that one of our priorities is to invest in families and communities – and, of course, this is not a pet project – what can be done to ensure that Alberta Health and Alberta Health Services take into account the need that I've just described within our communities so that we can begin to see and address the circumstances of Wabasca-Desmarais?

**The Speaker:** The hon. minister.

**Mr. Horne:** Well, thank you, Mr. Speaker. The hon. member is on the right course. The process for identifying locations where we add continuing care spaces in the province is through a formal needs assessment. Identifying community needs is the place to start. The community of Wabasca-Desmarais can continue, I would advise, to discuss with government and AHS the needs in their community and contribute to the needs assessment work.

**The Speaker:** The hon. member.

**Ms Calahasen:** Thank you. That's wonderful news, Mr. Speaker.

My final question. I know we are such strong supporters of P3s. Given the fact that the municipal district of Opportunity No. 17 is willing to partner with us to build an extended care facility, can you, Mr. Minister, tell me what we need to do in order for your staff to work with the people within the MD of Opportunity?

**Mr. Horne:** Well, Mr. Speaker, we certainly applaud municipalities and others who partner with government in order to make additional continuing care spaces possible. Their role is absolutely critical. From what the hon. member has said, the community is certainly on the right track. The needs assessment, of course, is the first step that needs to be completed. Exploring the partnership opportunities around the actual construction of a facility is also very much supportive of her efforts.

**The Speaker:** Hon. members, before we take a 30-second break and finish off Members' Statements, might we have your unanimous consent to revert to introductions briefly?

[Unanimous consent granted]

### Introduction of Guests

*(continued)*

**The Speaker:** Please proceed, Associate Minister of Municipal Affairs.

**Mr. Weadick:** Well, thank you, Mr. Speaker. It's a great pleasure for me to rise today and introduce to you and through you to all members of this Assembly some of the hard-working staff we

have at the Alberta Emergency Management Agency. These folks have been integral in helping to put together Bill 15, the Emergency 911 Act. They're here today to watch second reading. I would ask them to rise and receive our support as I call their names: Dave Galea, Andrew Renfree, Shelley Davies, and Amanda Dalton. Thanks for all your hard work.

**The Speaker:** Hon. members, in 30 seconds we will continue with Members' Statements and hear the final one.

### Members' Statements

*(continued)*

**The Speaker:** The hon. Member for Calgary-Bow.

### Memorandum of Understanding with Physicians

**Ms DeLong:** Thank you very much, Mr. Speaker. I am pleased to rise in honour of the significant milestone reached by this government and the Alberta Medical Association. In this memorandum of understanding Albertans are seeing the responsible change that they voted for. This has been a long and challenging process, and we're all very proud of the hard work done by this government, the Alberta Medical Association, and, most importantly, the doctors and patients across this province who've helped us to find a way to make this deal possible.

This is arguably one of the most important agreements with a medical association in the country in recent years. There's no question that this has been a long negotiation, spanning multiple ministers over a two-and-a-half-year period. While the opposition has wasted this time engaging in their usual fearmongering, this side of the House has focused on workable solutions and collaboration with Alberta's hard-working doctors. This agreement provides support for cost reductions in our health care system over time, a series of pay increases for doctors, and stability over a seven-year period.

It also recognizes the Alberta Medical Association as the representative body for physicians in our province. We're excited for opportunities for partnership between government, the Alberta Medical Association, and Alberta Health Services to do what we all want to do and that is to make the health care system work better for patients. We've been successful in arriving at an agreement that improves access and quality of care for patients and at the same time recognizes the very real fiscal realities facing both parties and addresses challenges for physicians' practices such as climbing overhead costs.

We were elected to live within our means, and that is just what we're doing. Thank you very much.

### Notices of Motions

**The Speaker:** The hon. Minister of Transportation.

**Mr. McIver:** Thank you, Mr. Speaker. I rise pursuant to Standing Order 34(3) to advise the House that on Monday, April 22, 2013, written questions 34 and 35 will be accepted.

**The Speaker:** Thank you.

### Introduction of Bills

**The Speaker:** The hon. Associate Minister of Finance.

### Bill 18 Pooled Registered Pension Plans Act

**Mr. Fawcett:** Thank you very much, Mr. Speaker. I request leave to introduce a bill being Bill 18, the Pooled Registered Pension Plans Act.

Mr. Speaker, this act will allow pooled registered pension plans to be established here in Alberta. Currently only 1 of 6 Albertans working in the private sector participate in an employee pension plan. This legislation will allow all working Albertans, including those who work for small enterprises or are self-employed, to have more choices when it comes to retirement savings, including a low-cost pension plan option. I look forward to discussing this bill as it moves forward.

Thank you, Mr. Speaker.

[Motion carried; Bill 18 read a first time]

### Tabling Returns and Reports

**The Speaker:** Hon. members, I rise quickly just to remind you to be as succinct as possible. I recognize that there are a number of tablings today, and several members are offering more than one, so let's please be patient with each other.

Let us start with Edmonton-Centre to set the example.

**Ms Blakeman:** Oh, the pressure is on. All right. Thank you very much, Mr. Speaker. These tablings are from me in the fabulous constituency of Edmonton-Centre. Fiona Lauridsen writes with her concerns, vehemently opposing the appointment of Gerry Protti as the energy regulator on the grounds it is contrary to the public interest.

An e-mail from Jodi Kashmere, who is a physician, is looking for me to "promote fair government negotiations with physicians." I hope she's pleased with the outcome.

The third one is from constituent Dianne Molstad, who wants the concern expressed to the Minister of Education and to the Premier about the violation of the Human Rights Act in the province by fundamentalist, extremist Islamic schools. Thank you very much, Mr. Speaker.

2:50

Also directed to me is an e-mail from Grant Kemp, who is concerned about the destruction of the Alberta Heritage Foundation for Medical Research, a world-class location. He loves Canada and many of the things it stands for, particularly freedom, but as a scientist he doesn't feel welcome. Thank you.

This next one was sent to my colleague the Member for Edmonton-Meadowlark. She is very angry about the attack on postsecondary education and research and feels that there's an unfair flat tax and would like to see the progressive tax reinstated.

Then, sent to the Member for Calgary-Mountain View, someone was compelled to express their significant disappointment and concern with the funding cuts to education in the province of Alberta.

I'm going to table the rest of them as a big chunk, but I'll give you the names. These are all people that are writing with terrific concern about the cut to the theatre and music programs at Mount Royal University. Coming from that community, I can tell you the effect this is going to have on the city of Calgary, especially since it was named the 2012 cultural capital of Canada. These are from Al Tinholt; Siobhan Cooney; Sheldon Zandboer; Daniella Rubeling; Sharon Owens-Rubeling; Ben Miles; Nicole Yukiko Sekiya, who is a grad; Loraine Fowlow, who is a parent; Trevor Rueger, who is a playwright that I know; Joe-Norman Shaw; and

Nicole McIntyre. All of them are very concerned with what this is going to do to Calgary, to artists and wish to express their concerns.

Thank you.

**The Speaker:** Thank you.

The hon. Member for Edmonton-Calder, followed by Rimbey-Rocky Mountain House-Sundre and the Minister of Health.

**Mr. Eggen:** Thank you, Mr. Speaker. I have three tablings that I will very succinctly bring forward here. The first is 50 more copies of e-mails that I have received in regard to the Michener Centre closure. They call on the Premier to honour her government's promise to Albertans not to evict Alberta's most vulnerable citizens from their home in Michener Centre. This is an ongoing theme of the broken-promises budget that we've seen.

The second tabling I have today is the appropriate number of copies of a letter calling on Premier Redford to fulfill Alberta's responsibility as a fossil fuel producer and one of the world's wealthiest economies to meet the challenge of climate change. This letter has been signed by 22 organizations, including the Athabasca Chipewyan First Nation. It calls to make real progress towards averting the more than two degrees of global warming.

The third tabling that I have here is the appropriate number of copies of postcard submissions that Albertans made to our New Democrat budget tour that visited seven cities, some examples of people talking about putting less money towards punitive measures in our society and more towards social programs. Submissions like these clearly show the priorities of Albertans and how out of touch this PC government actually is.

Thank you.

**The Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre, followed by the Minister of Health.

**Mr. Anglin:** Thank you, Mr. Speaker. I have the appropriate number of copies of a tabling here. It is a letter from the O'Chiese First Nation. The letter was also CCed to the hon. Minister of Finance and the hon. Minister of Aboriginal Relations. The O'Chiese band is seeking to take control of their financial future. This will be the subject of a debate, hopefully, sometime in the near future.

**The Speaker:** The hon. Minister of Health, followed by Strathmore-Brooks.

**Mr. Horne:** Thank you very much, Mr. Speaker. I have four tablings today. The first is the appropriate number of copies of a letter I received earlier today from Mrs. Sheila Weatherill, former CEO of Capital health, regarding a topic that was raised in question period this afternoon. In the letter Mrs. Weatherill takes responsibility for approving a medical expense for a former Capital health executive. The letter includes a \$7,800 cheque to the Alberta treasury as repayment for that expense.

My second tabling is a copy of a letter I sent today to the hon. Allan Wachowich, former Chief Justice of the Court of Queen's Bench of Alberta, requesting his opinion on

the options available to the Government of Alberta and/or Alberta Health Services . . . to recover any funds that may have been improperly paid to current or former employees of Alberta Health Services or the former health authorities.

Mr. Speaker, my third tabling is the appropriate number of copies of a letter I received on April 17, 2013, from the president

and chief executive officer of Alberta Health Services regarding reimbursement of medical expenses incurred by Ms Alison Tonge.

The last tabling, Mr. Speaker, is a letter I received dated April 11, 2013, from Mr. Chris Mazurkewich, executive vice-president and chief operating officer of Alberta Health Services, detailing increases in the area of continuing care in the AHS proposed budget for the year 2013-14.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Strathmore-Brooks, followed by Little Bow.

**Mr. Donovan:** I'm just going to table his for him.

**The Speaker:** Please proceed.

**Mr. Donovan:** Thank you. I'm tabling the requisite five copies of a letter from the Minister of Health to the Member for Strathmore-Brooks referencing a letter dated June 27 and regarding his question earlier in question period.

I have five copies of a news article from last April during the campaign, where the Premier was in Coaldale telling the people at the PDD centre down there the great job they're doing on their day program. There's even a colour photo of her shaking hands in the facility.

Thank you.

**The Speaker:** The hon. Member for Innisfail-Sylvan Lake, followed by the Minister of Human Services.

**Mrs. Towle:** Thank you, Mr. Speaker. I'm tabling the letter from the Respiratory Home Care Association of Alberta in which they give statistical information. They also go on to talk about the changes coming into effect July 1 and the impacts they are going to have on those who receive oxygen. They go on to talk about why those impacts are going to hurt those who receive oxygen and that the government's own 2007-2008 report from Keefe Taylor Associates clearly stated that the government should not move to this type of process and should keep the highly regarded current program.

**The Speaker:** The hon. Minister of Human Services, followed by the Member for Medicine Hat.

**Mr. Hancock:** Thank you, Mr. Speaker. I would like to table the requisite number of copies of a letter I've written to the Member for Calgary-Mountain View, and I've provided him with the original letter. It's in response to some comments he made and a news release he issued after the estimates of Human Services in which he, in my view, misapprehended my response relative to the definition of poverty and how we understand poverty. I thought his comments were unworthy and needed response.

**The Speaker:** The hon. Member for Medicine Hat.

**Mr. Pedersen:** Thank you, Mr. Speaker. I have two tablings today. The first is the requisite copies of over 20 e-mails that came to our office with concerns around the changes to the pharmacy agreement and the viability of pharmacies going forward.

My second tabling is the requisite copies of almost 70 letters from constituents again concerned about the changes to the pharmacy agreement and the ongoing viability of pharmacies going forward.

Thank you.

**The Speaker:** Are there others? If not, hon. members, permit me to table with you the Legislative Assembly of Alberta 2011 annual report *Advancing through Engagement*.

Thank you.

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following documents were deposited with the office of the Clerk. On behalf of the hon. Mr. Horne, Minister of Health, responses to questions raised by Mrs. Forsyth, hon. Member for Calgary-Fish Creek; and Mr. Mason, hon. Member for Edmonton-Highlands-Norwood, on March 7, 2012, the ministry of health and wellness 2012 main estimates debate.

On behalf of the hon. Mr. Johnson, Minister of Education, return to order of the Assembly, Motion for a Return 5, asked for by Mr. Hehr on March 18, 2013, a list of fees charged to parents by each of Alberta's 62 school boards for the 2011-12 school year as collected by the department.

**The Speaker:** Thank you.

Hon. members, I believe that concludes the Routine and that we can move on to the points of order. We had a point of order raised by the Member for Airdrie.

The hon. Official Opposition deputy House leader on his behalf, I assume.

### Point of Order Factual Accuracy

**Mr. Saskiw:** Thank you, Mr. Speaker. I rise today under standing orders 23(h), (i), (j) as well as (l) in response to a statement made by the Minister of Health that drug prices are only going down. Of course, we've heard in this House on many occasions that there can be differences of opinion. Different individuals can look at certain facts and conclude different outcomes based on those definitive facts.

Unfortunately, in this case, Mr. Speaker, what the Minister of Health said was absolutely, flat-out false. It was patently untrue. I will just go over some of what I would say are obvious increases in the price of drugs, and I will refer to an Apotex *Advancing Generics* document – I believe this has been tabled before – dated April 4, 2013. At the bottom it says, "Price change." I'm going through the list of drugs. It states that the old price for the first line item was \$8.69, and now it's \$18. That's a price increase. We see another line item here, where \$25 became a \$47 price. Again and again, if you look through this document, it's very clear that the prices have gone up.

3:00

Why is this important? Perhaps this is better raised as a point of privilege. If this minister, knowing these facts here, is stating the complete opposite, it's, in essence, misleading the House. The question would be whether he's intentionally misleading the House. Why that's important is that if you're misleading the House, you're also misleading Albertans on the price of drugs. The evidence is clear.

Mr. Speaker, I would suggest that the minister either withdraw that incorrect, false statement or clarify his position. Thank you.

**The Speaker:** Thank you.

The hon. Government House Leader, briefly, in response.

**Mr. Hancock:** Thank you, Mr. Speaker. This is what happens when you have people who want to be lawyers and then go get elected and then try to be lawyers again. He's being absolutely too technical on this whole process. If he reads the context of the remarks, the minister was obviously talking about generic drugs. That's what the question was about. That's what the answer was about. The minister has indicated to me that I can assure the House that that was what he meant, that for the price of generic drugs in Alberta the policy is that those prices will go down and that those prices are going down. That's what he said in the context of the question and answer.

The hon. member, if he'd been listening clearly, would understand that rather than trying to intervene all the time, not this member but the member who raised the point of order, loudly in the middle of a question to disrupt the question, I would suggest, Mr. Speaker, which is not the way we normally raise points of order in this House, to leap to your feet and yell loudly to interrupt the flow of the question and the flow of the answer. This is something that we've seen happen over the last couple of days in this House with respect to the way points of order have been raised. There's clearly a process happening here. It clearly has nothing to do with the hon. minister's answer because the hon. minister's answer was clearly in context.

**The Speaker:** Thank you, hon. members. We've been around this particular maypole before, and I'd like us not to go around it again. We all know and you know exactly what I'm going to tell you. There's frequently a disagreement between members or among members in this House as to what they perceive to be the case or the truth or whatever the question might be. I've referred to this probably half a dozen or more times, as early as April 8, for example, wherein I said: let's take a look at page 510 of *House of Commons Procedure and Practice*. It says:

The Speaker, however, is not responsible for the quality or content of replies to questions. In most instances, when a point of order or a question of privilege has been raised in regard to a response to an oral question, the Speaker has ruled that the matter is a disagreement among Members over the facts surrounding the issue. As such, these matters are more a question of debate and do not constitute a breach of the rules or of privilege.

Now, hon. Member for Lac La Biche-St. Paul-Two Hills, if you wish to raise a question of privilege, which you've alluded to, that is an entirely different process, and you might want to review that.

In looking at the question, the question from the hon. Leader of Her Majesty's Loyal Opposition at 1:59 was clearly about generic drugs. The answer, however, at 2 o'clock this afternoon was a little more generic. It talked about drug prices in general. So it's a question of how you interpret one question in relation to the answer that was just given and vice versa.

As such, there is no point of order, but a point of clarification has been made on both sides of the House, and with that, we're going to move on.

### Orders of the Day

#### Government Bills and Orders Second Reading

#### Bill 14 RCMP Health Coverage Statutes Amendment Act, 2013

**The Speaker:** The hon. Associate Minister of Seniors.

**Mr. VanderBurg:** Well, thank you, Mr. Speaker. I'm pleased to rise today to move second reading of Bill 14, the RCMP Health Coverage Statutes Amendment Act, 2013.

Mr. Speaker, the legislation is necessary to provide Alberta health care coverage to RCMP members appointed to rank within the RCMP who live in Alberta. The legislation is also necessary to ensure that Alberta is in compliance with the Canada Health Act. Until recently these RCMP members maintained a separate nation-wide health program. That's because RCMP members, like the military, were excluded from the Canada Health Act definition of insured persons, changed in June 2012, when the federal omnibus Bill C-38 received royal assent. The bill amended the definition of insured persons under the Canada Health Act so that members of the RCMP appointed to rank are no longer excluded as insured persons. That means that roughly 3,000 RCMP members in Alberta who are appointed to rank will now need to be insured under the Alberta Health Act.

The RCMP Health Coverage Statutes Amendment Act that is before us makes necessary amendments to two Alberta statutes, the Health Insurance Premiums Act and the Alberta Health Care Insurance Act. The amendments are necessary to require RCMP members appointed to rank within the RCMP to register for health care coverage in Alberta and to extend Alberta health coverage to these RCMP members.

Mr. Speaker, I ask for your support of the RCMP Health Coverage Statutes Amendment Act so that Alberta can be in compliance with the Canada Health Act and so that we can provide Alberta health care coverage to the dedicated men and women who bring law and order to our communities.

Thank you, Mr. Speaker. I now move to adjourn debate on Bill 14.

[Motion to adjourn debate carried]

#### Bill 15 Emergency 911 Act

**The Speaker:** The hon. Associate Minister of Municipal Affairs.

**Mr. Weadick:** Well, thank you, Mr. Speaker. I am pleased to rise today and move second reading of the Emergency 911 Act.

I'm sure all of us can agree that effective and reliable 911 service is a cornerstone of strong communities. We have heard from stakeholders like 911 call centres, emergency response agencies, and municipalities that 911 call centres are faced with funding challenges, increasing call volumes, and the need to adopt new technologies. This legislation helps 911 call centres address these challenges and provides an opportunity to make 911 services in Alberta even better. This will help Alberta's 911 centres continue to provide Albertans with effective service today and tomorrow.

I'm excited about this legislation, Mr. Speaker, and look forward to partnering with our stakeholders, which include our 911 call centres, our emergency responders, and the wireless industry, to enhance 911 services across Alberta. The Emergency 911 Act includes a monthly 911 levy on wireless devices that will ensure that cellphone users contribute to the cost of 911, the same as land-line users do now; the ability for the government in collaboration with stakeholders to create standards, processes, and procedures for 911 call-taking; the establishment of liability protection for people involved with 911 services and penalties for frivolous and vexatious use of the 911 system.

Mr. Speaker, some of the challenges facing 911 centres stem from the increased numbers of cellphones in Alberta. Unlike land-

line users, cellphone subscribers have not been directly contributing to 911 call centres. This has led to a decline in funding for 911 call centres as more and more Albertans opt for cellphones instead of land lines. The proposed 911 levy would be the same amount as the one on land lines, just 44 cents per month. That's \$5.28 per year, about the cost of a new app on your smart phone. This will ensure all land-line and cellphone users contribute to Alberta's 911 call centres. It'll be a monthly fee, not a per-call fee, and no one will have to pay for making a 911 call when they need help.

This legislation will require wireless telecommunications providers to collect the 911 levy from Alberta wireless subscribers. The funds from the levy will then be remitted to the province for distribution to 911 centres. The funding will be done through a statutory appropriation, which means that the collected funds can only be used for 911 call centres and administration of this act. I think we can all agree that this is a nominal amount of money to support our 911 centres and that it is important for all cellphone and land-line users to contribute.

The legislation will also allow for the creation of standards for 911 call centres. The standards will be developed over time in collaboration with 911 call centres and all other stakeholders. We'll be certain that everyone's perspective will be heard and that standards will work for our stakeholders. These standards will help ensure consistent processes and procedures for 911 call-taking across the province. We will work with our partners to find ways to make 911 service delivery across Alberta even more effective and consistent than it is today.

3:10

The legislation will also introduce new legal protection. Extending legal protection for 911 call centres will help 911 operators focus on serving Albertans in their time of need. This provision will establish liability protection for all 911 centres so that staff have the legal protection they need while providing 911 services in good faith. This will also limit the liability of wireless telecommunications providers and the province while acting under the authority of this act and regulations.

The legislation also involves new penalties for frivolous 911 calls. Frivolous 911 calls can waste the time and resources needed to address real 911 calls from Albertans in need. This legislation establishes offences and fines for the intentional abuse of 911 services. The intent of establishing offences and penalties is to deter those individuals who may be inappropriately using the system. We've all heard stories of people making frivolous 911 calls asking for help to do their taxes or complaining about a coffee they bought somewhere, Mr. Speaker. These fines, with amounts set to make people think twice about making frivolous 911 calls, will help prevent this wasteful and potentially harmful activity. The maximum fine for first-time offenders is \$5,000, for repeat offenders up to \$10,000.

Another key element of the legislation is that it will enable 911 call centres to keep up with emergency technologies. Earlier this year the Canadian Radio-television Telecommunications Commission, or the CRTC, began consulting with Canadians to find out their thoughts on the future of 911 services at a national level. This consultation is expected to take a number of years. The CRTC is also requiring all Canadian telecommunications companies to upgrade their systems, Mr. Speaker, with text-to-911 capabilities by 2014 for Canadians with hearing or speech impairments.

Here in Alberta we're proposing to help our call centres move in that direction with this proposed legislation, which will provide an additional source of funding that can be used by call centres to

move towards next generation 911 technologies. At the same time, we are participating in the CRTC's effort to ensure Alberta's jurisdiction and interests are considered throughout the consultation and any resulting federal regulatory frameworks.

More details regarding the implementation of this legislation will be contained in the regulations. These will be drafted later in 2013. The key aspects of the regulations will enable the billing, collection, and remittance of the 911 levy and outline how the collected funds will be distributed. This is a flexible and responsive approach that can respond to Albertans' and 911 centres' needs over time.

In conclusion, Mr. Speaker, I want to emphasize how important this legislation is to the men and women who provide 911 services each and every day throughout this province. For any kind of emergency in this province they are our first point of contact with Alberta's emergency response system. We depend on them to be there for us, and they are there 24/7, 365 days a year. Their services make our communities stronger and more resilient. I am confident that this bill, by providing new supports for 911 operators, will help improve these services.

This proposed bill is the culmination of the work of many, and in many respects it is just the beginning. However, I do want to recognize at this stage the extraordinary efforts of Mr. Craig Mahovsky, who first while working for the city of Calgary and more recently for the government of Alberta has distinguished himself by his selfless focus on public safety.

Mr. Speaker, I look forward to further discussing this important legislation that will enhance and ensure the safety and security of all Albertans.

With that, I would move that we adjourn debate. Thank you.

[Motion to adjourn debate carried]

## Bill 19

### Metis Settlements Amendment Act, 2013

**The Speaker:** The hon. Minister of Aboriginal Relations.

**Mr. Campbell:** Thank you, Mr. Speaker. I'm pleased to rise today to move second reading of Bill 19, the Metis Settlements Amendment Act, 2013.

Bill 19 is vital to the success of the recently announced Métis settlements long-term arrangements. The long-term arrangements have four objectives: strengthening settlement governance, accountability, and sustainability; enabling the Métis settlements to provide essential services, including infrastructure, on par with neighbouring communities; developing long-term economic and financial stability and settlement capacity; and enhancing the productive relationship between this government and the settlements. Bill 19 is doing what the Métis settlements' leadership has asked us to do.

Before we start debate on the bill, I'd like to highlight some of the provisions that will help us achieve our goals when it comes to a successful future for the Métis settlements. There will be a requirement for annual three-year business plans. An official code of conduct for settlement councils will be required, and the Metis Settlements General Council will be given policy-making authority to develop the code. Their legislated policy-making authority is their law-making authority. It is similar to provincial regulation and binds all eight settlements.

There will also be an amendment to the current requirement for an election every three years to one every four years. This is consistent with the recent move to a four-year cycle for other local governments.

A provision will require the councils to operate under a standardized financial reporting structure, which will allow for better planning and greater transparency.

The general council will have policy-making authority to establish an independent committee to review and make recommendations about council salaries to the central governing body, the Metis Settlements General Council. The provisions will also give the general council the power to set the remuneration rates following receipt of the committee's recommendations. The provisions will allow the general council to set a ceiling on council remuneration based on the committee's recommendations.

Mr. Speaker, Bill 19 focuses on accountability and governance, which will contribute to the sustainability and future economic prosperity of the settlements for the benefit of all Albertans.

Thank you, Mr. Speaker. I now move to adjourn debate on Bill 19.

[Motion to adjourn debate carried]

## Bill 12 Fiscal Management Act

[Debate adjourned April 11]

**The Speaker:** Speakers on Bill 12? Shall we begin with the hon. Member for Rimbey-Rocky Mountain House-Sundre?

**Mr. Anglin:** Thank you, Mr. Speaker. The Member for Lacombe-Ponoka would like to go in front of me if that's okay with you.

**The Speaker:** It's fine by me.  
The hon. member.

**Mr. Fox:** Thank you, Mr. Speaker. Today I rise to speak to Bill 12, the Fiscal Management Act, which is now in second reading. Now, as I read this bill, one thing really jumped out at me, and that was the complete repeal of the Government Accountability Act. When this act was passed in 1995, the province of Alberta was a leader. We were the first province in the country to adopt a publicly reported, results-based, performance-measured framework into our budgeting process. That act was designed to improve accountability between civil servants, elected officials, the government, and the citizens of Alberta. It was so well regarded by Canadians that all other provinces introduced similar legislation, with the federal government finally following suit in 2006, giving royal assent to the Federal Accountability Act.

Mr. Speaker, it's important, I think, to look back at 1995 and really examine what the Government Accountability Act was all about. The Premier of the day, Mr. Klein, made quite an impact on how finances were done. He epitomized the era. Knowing that Mr. Klein not only led the charge on eliminating the deficit by 1995 but also the province's net debt by 1999, it comes as no surprise that he coined the phrase "Alberta advantage." Something else that comes as no surprise is that this government has done away with not only his vision of a debt-free Alberta but also, in the same breath, destroyed the Alberta advantage, too.

Mr. Speaker, what's happened with Bill 12 is that this government seems to have us in a race to the bottom. Future government budgets need no longer list any of the following requirements from the Government Accountability Act except in terms of operations: total revenues from all sources, total expenses with breakdown, accumulated debt, planned payments, reconciliation of expenses, and revenues for deficit or surplus; in other words, a dramatic shift away from the reporting of performance measures in past budgets. Wow. What a policy shift.

3:20

When the Government Accountability Act was passed, it was glowingly proclaimed that with the positive impact of reporting publicly on the government performance, it enhanced transparency, strengthened accountability, provided motivation for civil servants to improve services and programs for Alberta's citizens, and was reported as an immense improvement to our democracy.

It would be prudent, I think, to remind the Assembly, Mr. Speaker, that the use of performance measures in government accounting has not always happened. An article written by a political scientist, Kimberly Speers from the University of Alberta and the University of Manitoba, shows insight into the original purpose of initially implementing performance measures into government financial reporting.

Designed to measure a variety of activities in government, the development and implementation of performance measures was also to monitor a government's performance, and in weak areas of performance, to draw attention to where the government should improve. It has also become a way to communicate to the general citizenry about the government's performance at the department and government-wide level. In a public effort to become more accountable and transparent, the reporting of performance measures is considered to be an educated way for citizens to judge a government's annual performance.

Mr. Speaker, I find it quite disturbing – and I'm sure most Albertans will as well – that Bill 12, the Fiscal Management Act, is a step back because it removes many of the performance measures that were required to be reported under the Government Accountability Act. Through its total repeal, it is worth noting over the last few years, well, the last few deficit budgets that performance reporting has become something of a risky endeavour for this government. It's no wonder the PC government wants to repeal the Government Accountability Act. We have watched the challenges of these performance measures for this government lead to a dilemma of legitimacy and authenticity in its reporting.

Here we are looking at the 2012-2013 budget, a work of propaganda written for a then upcoming election, and the 2013-2014 budget, where the truth is attempted to be masked and hidden in cloudy and opaque documents. It is something to note that the performance measures are not of themselves beacons of accountability. Simply put, "the authenticity of performance measurement is questioned because of the subjectivity of performance itself."

The Speers report goes on to outline reasons which I believe are indicative of this government's desire to do away with the accountability act under Bill 12.

Indeed, the process of measuring performance is a highly subjective task depending on the stated expectations, the established targets and goals, external variables, the quality of leadership, and a variety of other reasons depending on the assessor's values and biases. The subjectivity of performance is inherent to a political environment, which makes performance reporting a risky endeavour for any government. Indeed, reporting to the public in a political environment is risky given the traditional role of the Opposition to critique the party in power and the media to report on issues that will attract customers which tend to be those that expose the government's wrongdoings.

Essentially, Mr. Speaker, this boils down to one simple fact. A government that wants people to drink the punch that their performance measures are inherently indicative of accountability is not only wrong but reasonably can be seen to be manipulative of the public, the media, and the opposition parties as well.

Performance measures have to be real and substantive. They have to be strong enough to show real results so that every Albertan can either rest assured knowing that the government dollars are being spent wisely and with good results or, alternatively, Albertans can be properly and fully informed of the waste or potential for waste. It is not up to the government to dictate to Albertans how they should view the government by using ploys such as playing with performance measures in the annual reports and business plans.

The Government Accountability Act was designed to be a public effort to become more accountable and transparent in its reporting and an educated or intelligent way for its citizens to judge their government's annual performance, something this budget released now just doesn't do.

I want to quote a March 7, 2013, news article from *Beacon* news, and it quotes the Minister of Finance. It says that the President of Treasury Board and Minister of Finance

admitted the new budget format made it difficult to compare last year's numbers with this year's, made all the more difficult by only showing a \$451 million operating budget deficit that was in fact closer to \$2 billion after factoring in different costs and cash adjustments.

The Government Accountability Act was a communication and management tool. Bill 12, the Fiscal Management Act, is a tool that does nothing more than bring smoke and mirrors back into Alberta politics, Mr. Speaker.

At a basic level the Government Accountability Act put into the provincial budget a quantitative and qualitative measure designed to assess performance against goals. Well, the Health Quality Council report on EMS hit this one on the head. I'm quoting from page 44 of that report. There is a "lack of AHS long-term vision and goals." In future reporting these kinds of abysmal results won't be required in the province's financial documents. One must wonder if this is only to hide such results from Alberta taxpayers.

An example of this loss of transparency is found under section 7(3) of the Government Accountability Act.

- (3) The government business plan must include the following:
  - (a) the mission, core businesses and goals of the Government;
  - (b) the measures to be used in assessing the performance of the Government in achieving its goals;
  - (c) the performance targets set by the Government for each of its goals;
  - (d) links to the ministry business plans.

That's very clear language about the performance measures required of the government.

In section 10(3) in the replacement, in Bill 12, it reads: "The business plans must be in the form determined by the Treasury Board and must be made public at the same time as the responsible Minister makes the fiscal plan public."

This language, Mr. Speaker: well, it's about as clear as mud. What if the minister for one purpose or another determines that the form for business plans ought to be vague and designed to put a fog over the true affairs of each ministry? Without clear, articulated, measurable, and understood performance expectations there will never be sustained improvement in government programs and services.

Let me leave you with this. Effective decision-making in our democracy requires that Albertans have access to all the information in a reasonable, recognizable, and responsive format. Mr. Speaker, it is never good for democracy when citizens question the authenticity and the accuracy of any government document, which inevitably leads to the perception that their government as a whole has failed them.

**The Speaker:** Hon. members, 29(2)(a) is available.

Seeing none, then let us go back to the regular order. The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. I rise on this bill. What's troubling about this bill is how it was proposed and why it was proposed. The Canadian Taxpayers Federation complained I think about three quarters ago about some of the reporting that this government did. They put forward an allegation that this government wasn't being transparent according to the law. Now, it's just an allegation, and anyone can argue either side of it, but the fact is that as we move forward into the election, this government, this party did not campaign on what we have here today.

As a matter of fact, in this House after the election statements were still made that our operational budget would be balanced. It wasn't too difficult, in my view, to ask of this government: will you, can you balance the operational budget? When they were asked that question multiple times, they stood up and said: yes, it will be balanced. There are multiple quotes to support that, yet when the budget was tabled, it was not balanced, totally contrary to the statements made by government members, who should have known better at that time.

I will give the people credit, both the elected members and the bureaucrats responsible, for being a bit more competent than what this budget showed or what it came to be because it should not have been a surprise that the operational budget was not going to be balanced. It should not have been a surprise at all.

What else is troubling about this bill is that it's absolutely necessary. This budget would be basically an illegal budget under our current laws. We need to change that, so we are repealing the Government Accountability Act and the Fiscal Responsibility Act to put forth this new law. What's troubling about that is that not a single member in here knocked on any door and said: if you elect us, we will repeal the Government Accountability Act, and we will repeal the Fiscal Responsibility Act.

These were the legacy of the Klein era. This was the thing, that if history does anything in the memory of our former Premier, they will always show that one picture of the debt removed. He is known for that. He is hated for that; he is loved for that. He did it, and it is his legacy. What we're doing here is removing that. That is what I say is problematic. In some ways it's still very difficult for Albertans to understand how we got to this point.

3:30

The other thing that I find troubling. It is the right of government to decide how it wants to present its books, and I will defend its right to do that. When any entity, generally a government or corporate entity, does this, it is well established what they're going to do going forward, and they prepare the marketplace: we're going to change the way we're going to report. So there's always that indication. Accounting rules and accounting laws basically say that when you do that, when you change your accounting method, then you restate at least one prior year so there can be some sort of comparative analysis of what you're proposing to do in this current budget, and you can compare that to previous years to start that track record. That is a common practice. That is the law under our accounting standards.

What this government did is that it tabled a budget with a new reporting methodology, which is its right, but it did not restate anything behind this so we could have some sort of comparative analysis. That, to me, is fundamentally wrong. We should be able to have that not just as an opposition. We should have that as Albertans so we can keep track. In other words, this government is



making commitments; we can see a little historical value to this, how it would have compared to last year's. We don't have that.

Unfortunately, that seems to be a systemic problem right now. I pointed that out in my own estimates a few days ago. There was a small footnote in Alberta Environment that basically just bluntly stated: the methodology has changed, so you can no longer compare what our targets are this year to previous years. That to me is an accounting issue. There's absolutely no reason that we should be tolerating that. There's absolutely no reason we should be doing that.

Now, one good thing that did come out of some of the debates, not just on this bill and the budget, is that the Government House Leader has admitted that we actually are not going to borrow money and then lend it out on the market at a lower interest rate. I noticed that a lot of the members have stopped saying that, and I'm glad for that. I know that that's not what's going to happen. He made that very clear. It makes no economic sense to think that we could go out and compete with the markets in that sense. Companies or institutions that can qualify for much lower loans can get them at the same rate we can get them. That's not the biggest issue.

What is a problem is the idea that we're going to borrow money to save. Could we do that? It's an interesting question. Lots of people have tried. It's never worked, but it will be interesting to see if this government can make it work. I'm not sure it can. I'm not sure it can at all, and since no one else has ever been able to make it work, the future doesn't look that promising here.

We have a budget that came down that is in deficit. We are going to borrow money going forward for our infrastructure. That's what this law provides for. It allows us now to do that on a consistent basis. I guess I probably should point out that there are some positive aspects. I mean, it's not totally negative. The majority of it is negative, but there are some positive aspects to it. It talks about savings. Unfortunately, the idea of borrowing to save doesn't make sense to me. I would love it if we could put some amendments forward – and the members could all clap as you accept all of the amendments from the Wildrose – so we can be a little bit more responsible.

I do want to address some of the issues that the members have brought forward beyond the rhetoric, beyond the chastising, the hostility, the humour that goes on in this Chamber. The fact is that we take in roughly \$40 billion in income, just a little bit less than \$40 billion. Nobody is talking about not spending money and taking care of the province's needs. What is fundamentally missing from this bill – I would hope that the members would see a motion coming forward dealing with the issue of priority because we've talked about that, and that has not happened yet.

When you're spending billions and billions of dollars, as this bill will allow us to do, the idea to put in a priority list of what your major priorities are, particularly with infrastructure – all municipalities do. We did that. We just list them top to bottom. We argue about which is more important than the other, and we have a funded line and an unfunded line so we know going forward what we're going to do this year, what we're going to plan on doing next year and the year after and the year after. That's what this budget does but without the priority list, and in this act it's not there.

It would make this act stronger and more responsible if we were to impose that upon this government, which is to say simply this. Your capital expenditures should be prioritized in the sense that we know what the priorities are for this government to spend on infrastructure. That is a good working tool. That allows these communities – and I will use a particular example. The

community of Rocky Mountain House has been waiting for a hospital, and when I meet with the community leaders, when I meet with the council, they're not necessarily saying that they would like it this year. They understand that there would be higher priorities. They just want to know where they would be on the list, when they could expect the funding for the new hospital and then plan accordingly, knowing full well that this is not an easy decision, but it is something that will have to come down.

Now, I want to talk about the benefits of actually having a priority list because that's what can make this bill stronger. If we were to put something like that in this bill and allow communities to see where their major projects were, if there was a project that was presented high on a priority list, then many in the public, particularly in the civic community, the various boards, councils could say: "Whoa. Wait a minute. That is not a high priority above, say, a hospital in this community, a school in that community, or a seniors' lodge in that community." That would assist this government in many cases if these communities were able to look at a list that showed them the priorities, and the government could get better feedback from a broader range of politicians, not just: what is funded, and we have no idea where these other projects stand and what priority they might be in.

That is something that we have consistently talked about in this Legislative Assembly. It's something that has never been answered. Unfortunately, what we do get from the various ministries is: there's a list, and the members can go to the website. That seems to be the standard response today when there are no answers. Go to the website. The fact is that the website doesn't have a priority list. It is so important in managing a budget that we know what is the highest priority, what is a low priority, and that we argue about the priorities that surround that funded and unfunded line. Good on those that make the best arguments to get their projects funded. But it does help us manage our expenditures better. It does help us in the sense of making sure that the billions and hundreds of millions of dollars that we are going to spend we spend more wisely. It also helps in the sense of managing the budget and hitting our targets, and that is really important to me.

Another thing I want to talk about in what we've been doing here – and this has been brought up in a number of different parts of our debate – is this bitumen bubble. One minister – and I won't mention the minister because it was an error, and I think it was an honest error – mentioned that we lost \$6 billion on the bitumen bubble when the spread was wide. Well, that's really not true, and there's no such thing as a bitumen bubble. What we had was a spread that actually got quite wide, and this government had every right to be concerned about that spread widening. Absolutely. But it's not normal for any type of differential to be static. It's dynamic. It always moves every day. That's mark-to-market accounting. As soon as that was made quite widely known by this government, and rightfully so, that there was a wide spread, what happened? The market addressed the issue, and that spread narrowed significantly to the point that I think it went the other way on the pendulum swing and went way too narrow, and I think we should see it widen again. But at the end of the year this should be an average spread.

3:40

I think that when this government looked at that differential – it should be around that \$22 mark plus or minus. That spread should average out right over the year. I don't think we're off target for that. So that's not an excuse for how we budgeted, and that's not an excuse to bring this bill forward to change the way we do

budgets and the way we spend. That's where I have an issue with how this was brought forward.

The Government Accountability Act was a good act, and it was a good move by this former government to do that. The Fiscal Responsibility Act was a positive step to proper financial management, in my view. Here it is being removed to make way for a new system of spending, which I think is borderline irresponsible. I won't go as far as some of my counterparts and say that it's totally irresponsible, and I'll tell you why. We haven't done it yet. But I will call it irresponsible if we go deeper into debt and spend more than we should have. Then it would be irresponsible. I'll withhold my judgment until the results come in. But I still don't believe that the future is as optimistic as we're proposing it is, and I say that this law that we are passing here, this legislation that we're about to pass, is set up to give us more problems in the future than to provide responsibility, accountability, and transparency. That's why I definitely will be opposing the legislation.

However, if the government were to decide to accept some of the amendments we will be bringing forward – who knows? – I might be able to actually support it and vote for it. I would love to be able to do that. We'll see as that time comes if that is a possibility.

With that, I think I'll finish here, and maybe somebody might like to ask me some questions.

**The Speaker:** Hon. members, 29(2)(a) is available. The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thanks, Mr. Speaker. I was just curious to ask the hon. Member for Rimbey-Rocky Mountain House-Sundre two things, actually. First of all, you had mentioned that you would conceivably support this bill if you saw amendments. I'm having trouble. I'm struggling with what we could possibly do with this bill. If you had any suggestions as to what we could do to perhaps patch the holes that seem so apparent to you and perhaps to me, too.

**Mr. Anglin:** Mr. Speaker, anything's conceivable. It is a possibility. How they would construct it on amending it would be the critical aspect, of course.

I will say something because everyone knows we differ in our fiscal views except for one thing. If you look at the parties in opposition, we talk about a balanced budget here in the Official Opposition, but we don't think we need to raise revenue. We think the revenue is there. It's about priorities so that we can actually balance our budget. The third and fourth parties would raise revenue to balance the budget. I think that's a legitimate debate for the public. I think that's a legitimate debate in an election. I like that debate because I think I can win that debate. I think I can win every debate. What we didn't have a debate on was that we will go into operational deficit, that we will go into deficit, and that we will borrow money to save. That we never debated, and we should have going into the election.

**The Speaker:** Thank you, hon. members. We have a number of speakers, so thank you for keeping your questions and answers brief.

The hon. Member for Calgary-Mackay-Nose Hill.

**Dr. Brown:** Thank you very much, Mr. Speaker. I would ask the Member for Rimbey-Rocky Mountain House-Sundre whether or not his party has any specific plan with respect to the use of the funds in the heritage fund. We've heard some rhetoric over there about the fact that all the revenue from the fund has been

squandered over the years. In reality, it's been used to build Alberta. It's been used to keep the taxes down, personal and corporate taxes, very low, to attract new business and enterprise to the province. What does he envision as the ultimate purpose of the heritage fund and its income?

**The Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. I really do enjoy the question. I can tell the hon. member this. The money would not be going to AHS executives' expenses, that's for sure. The money would not be going to carbon capture. The money would not be going to private corporations. I agree – I know where he's going with this, and I'm not going to dispute it – that we put money away for that rainy day, and we make good use of it. Actually, that's how a former Premier, Mr. Klein, actually balanced and paid off the debt. He had the money sitting there to make sure he could say that we're debt free. I won't get into the specifics of that, but that was why it was there.

The fact is that it's nonrenewable resource revenue. In other words, there's no other way to get that, and that will eventually run out, so to put that money aside is, I think, a great idea, but we've not done a very good job of it. That fund has been quite small and has been reduced, reduced, reduced. Now, the reason we've been reducing that fund is because we've not been spending wisely. That's my issue. We have a historical problem with overspending and not getting spending under control and thereby withdrawing these funds. We're on track to make a mess out of that and go into a negative balance or just empty the fund altogether.

**The Speaker:** Are there others under 29(2)(a)?

Seeing none, let us move on to the next main speaker, Livingstone-Macleod.

**Mr. Stier:** Well, thank you, Mr. Speaker. Good afternoon, everyone. Folks, while I may not be an accountant, I would like to take this opportunity to rise here today to speak briefly to Bill 12 on behalf of the constituents of my riding, Livingstone-Macleod. Bill 12, the Fiscal Management Act, apparently repeals the Government Accountability Act and the Fiscal Responsibility Act and amends the Alberta Heritage Savings Trust Fund Act as well as a handful of others, I'm told. However, it seems to ignore a 20-year-old established format for budgets and quarterly updates as well as strict rules around debt, I've observed.

This seems to be a true reflection of how this government plays the game. When the rules don't suit their needs, they change them. Not only does the government change acts on a whim to suit their needs; they attempt to blindside stakeholders, members of this Assembly, and, more importantly, Albertans.

I'm told that when the previous Government Accountability Act was passed, it was glowingly proclaimed that with the positive impact of reporting publicly on government performance, it had enhanced transparency, strengthened accountability, provided motivation for civil servants to improve services and programs for Alberta's citizens, and was reported as an immense improvement to our democracy. Although the system wasn't perfect, the process was honest and was done with the intent of improving the reporting structure.

The Government Accountability Act was designed to be a public effort, become more accountable and transparent in its reporting, and be an educated, intelligent way for citizens to judge the government's annual performance. At a basic level the Government Accountability Act put into the provincial budget a

qualitative and quantitative measure designed to assess performance against goals. It was a communication and management tool. That act was designed to improve accountability between civil servants, elected officials, academics, and the citizens of Alberta. It was so well regarded by Canadians, Mr. Speaker, that other provinces introduced several legislation filings, with the federal government following suit in 2006, giving royal assent to the Federal Accountability Act.

While the Government Accountability Act was a communication and management tool, the new proposed Bill 12, the Fiscal Management Act, appears to be a tool that does nothing more than bring mystery back into Alberta politics. From my standpoint, what's happened with Bill 12 is that except in terms of operations future government budgets need no longer list any of the following requirements that were present in the Government Accountability Act: total revenues from all sources, total expenses with breakdowns, accumulated debt, planned payments, reconciliation of expenses, and revenues for deficit or surplus. It is quite disturbing to me and most Albertans, I think, that Bill 12, the Fiscal Management Act, seems to be a step back because it removes many of those performance measures that were required to be reported under the Government Accountability Act.

3:50

Mr. Speaker, as members of the Legislature and as members of the government there should always be a push to maintain the integrity of this House and live up to the standards Albertans expect of us and this office. This government should not be attempting to confuse Albertans. They should be seeking to proactively disclose and inform in a manner which can be understood and easily accessible by all. Unfortunately, this time, however, Albertans are left going here and there and around the square trying to simply figure out how much Alberta is in debt.

After this deficit budget was released, stakeholders, news agencies, financial firms were left scrambling to figure out what the total debt was. I think the following day there were about 10-plus different totals, and not one matched the government's. I ask members to consider this as they vote on this Fiscal Management Act. When financial firms and agencies cannot state with certainty what your budget means or what it will reflect, is this truly accountable?

Mr. Speaker, in contrast, an example of this loss of transparency is found under section 7 of the Government Accountability Act, where it states:

- (3) The government business plan must include the following:
  - (a) the mission, core businesses and goals of the Government;
  - (b) the measures to be used in assessing the performance of the Government in achieving its goals;
  - (c) the performance targets set by the Government for each of its goals;

And finally,

- (d) links to the ministry business plans.

That was very clear language then about the performance measures required of the government.

However, section 10(3) is the replacement in Bill 12, which now reads:

- (3) The business plans must be in the form determined by the Treasury Board and must be made public at the same time as the responsible Minister makes the fiscal plan public.

This new language is very unclear. Mr. Speaker, it's my opinion that without clearly articulated measurable and understood performance expectations, there will never be sustained improvement in government programs and services. There is

virtually no shared understanding of what the budget means in terms of a bottom line.

To conclude, Mr. Speaker, the proposal to take capital out of the bottom line seems to entirely remove accountability. The proposal to fund capital spending almost entirely out of debt seems like folly. It drops the reporting requirement for important nonoperating numbers, in other words total revenue, and borrowing details.

On this note I'd like to leave you with an interesting comparison made by Derek Fildebrandt of the Canadian Taxpayers Federation: this new reporting structure makes about as much sense as taking out an RRSP with money you borrowed from your credit card.

To conclude, it seems very deceiving to be touting a savings account that appears to contain no debt repayment plan. This entire plan is only one of spending and savings while running up a far larger debt account. I will not be supporting Bill 12 without substantive change to include real accountability.

Thank you very much.

**The Speaker:** Hon. members, Standing Order 29(2)(a) is available.

Seeing none, are there any other speakers? Let's go on to Calgary-Shaw, please.

**Mr. Wilson:** Well, thank you, Mr. Speaker. It's been a couple of weeks of anticipation waiting to rise to speak to Bill 12, and I'm happy to do that here today. The speech I've prepared for you is titled *The Good, The Bad, and The Ugly*. Let's start with the good. It was very encouraging to see a savings plan... [interjection] I thank the Member for Edmonton-Centre for her commentary. Yes, theme music would always be nice to have in the background. It would keep us all motivated, especially on a Thursday afternoon, before we get to go home to our families and constituencies.

The good part of Bill 12: it has in it a savings plan. You know, truthfully, when I heard that, I was reflecting on what I was doing just before we came back into session, which was potty training my toddler. You get used to saying things like "hurray" and "fantastic" and "good job" as you encourage them along. Quite truthfully, when I first heard about a savings plan, those were the first things that popped into my head, a good "hurray" and a bit of "fantastic."

You know, it's funny how past generations truly believed in what we were doing in Alberta. The pride around the heritage savings trust fund was something that was tangible when I was growing up. My parents spoke about it, their friends spoke about it, and that translated into a great sense of pride. They made those sacrifices to save future generations. I think that that's something that we should be doing as well.

The hon. Member for Calgary-Mackay-Nose Hill earlier asked one of our members what we would be doing with the heritage savings trust fund. Well, I would remind the hon. member that had this government chosen not to skim the interest since the late '80s, that fund would now sit at roughly \$136 billion. The simple answer to that question is that we would use it to create another source of revenue, and that is exactly what our plan would be, Mr. Speaker, to use that heritage savings trust fund, to invest in it, as opposed to only leaving in...

**Mr. Dorward:** That's a big number.

**Mr. Wilson:** I'm not sure if the Member for Edmonton-Gold Bar has something wrong with him, Mr. Speaker, but there are some rather unpleasant noises coming from that part of the Chamber today. We may want to bring medical in to have him checked out. It's kind of nonstop.

Anyway, the creation of a stable revenue source. Being able to save money and do it the way that our party has planned to do it would allow us to keep interest in the fund and not take it out until it equalled the value of the resource revenue that the province took in that year. What we can all accept here is that there will be a point in time, Mr. Speaker, when resource revenue either dries up in this province or the world has moved on. If and when that time comes – and we know it will come – our province had best be ready for it. That was the vision that Peter Lougheed had when we started the heritage savings trust fund, to build that equity and that wealth for the future generations so that they would be sure to enjoy it.

It's interesting that part of the savings plan that this government has is simply suggesting that they're only going to take 75 per cent of the interest from the fund in the coming years, and that's now apparently savings. Then we have the Premier stand up and suggest that this is the first time in 25 years that this province has had a savings plan. Well, that's just simply not true. Anyone who's been around from the time of Ralph Klein will recognize that the sustainability fund that he started in 2003 was a savings plan.

**Ms Blakeman:** And a Liberal idea.

**Mr. Wilson:** Well, sure, a Liberal idea and a good one at that.

It was very unfortunate to see, you know, that this budget has dwindled what at one point was \$17 billion in savings down to just under I think \$700 million. It's very sad that that's happened since 2007, Mr. Speaker. The other side of this budget is that we now look at going further into debt roughly at about the same rate as we depleted the sustainability fund.

I reflect on the problems that we hear sometimes of lottery winners, where they get this windfall of cash and they think it's going to change their lives and that everything is going to be fantastic and great, and then a few years down the road they're bankrupt, they're depressed, and they're trying to figure out some way to recover. Well, that's exactly what we see this government having done, a \$17 billion windfall that they fell into after the fiscal policies of Ralph Klein. They have now found a way to absolutely blow through it, and here we are.

When I was knocking on doors during the campaign, quite often people would ask me why I wanted to get into politics, Mr. Speaker. You know, I grew up knowing about the Alberta advantage, and I really did and do today truly understand that Alberta is the best place to live. It is the best place to raise a family, to work, and to play, and it's absolutely true. It is absolutely true.

Earlier in this session one of the ministers on the other side referred to the time period that we're in right now as AB, after bubble. I would suggest that the time period we're in now is truly AR, after Ralph, because had we just continued on the path that he had us on, we wouldn't be having the conversations we're having today.

The reason why I wanted to get into politics and the reason why I'm here today, Mr. Speaker, is because I truly did believe that what we saw after Ralph was a process of mortgaging our children's future with the way in which this government was spending its money. I decided that if you're passionate about something and you want to do something about it, you better put your name in the hat, step into the ring, and do some fighting, so that is why I'm here.

That pretty much takes us out of the good. Now let's talk about the bad. When you reflect on what was probably known as the low point of the 42-year dynasty, I think most members opposite

would agree that that was probably the Getty era. Dick Johnston, when he was the Minister of Finance, had a way of reporting the books that gave him the moniker of Tricky Dick because he, quite simply, was cooking the books, so to speak. He was reporting in a way that was not transparent and was not open. Where did we find ourselves? At \$23 billion in debt.

4:00

Quite honestly, I'm sure that most members opposite would look back on that and recognize that that legacy is the one legacy of this party that they want nothing to do with. Well, I have some bad news for you, friends. That is now going to be your legacy when you go to the next election. By 2016 we're going to have \$17 billion in debt according to this budget, Mr. Speaker. I would not want to be one of my hon. colleagues across the floor knocking on doors and presenting that case to Albertans because that's certainly not what they campaigned on just last year.

**Ms Blakeman:** You're assuming they knocked on doors.

**Mr. Wilson:** Well, you are correct.

On budget day, Mr. Speaker, honestly, it felt like someone had punched me in the stomach. It was a very uncomfortable feeling. I required some self-medicating that night just to get through the reality of what we were going to be putting our kids through and where we were going over the next few years.

It's funny to hear members opposite as well comment on our capital plan, which they do so often. The Premier likes to suggest that we would build absolutely nothing under our plan, which is just plain wrong. I would point out to the members opposite that not only is your government now employing some of the ideas that we campaigned on with regard to capital plans, which is extending some projects so as to allow that capital to go further and for it not to be so front heavy – but that's okay. We don't need to take any credit for that. You guys just continue doing what you're doing.

I would remind you, though, that the 10-year debt-free capital plan that we've put forward is a responsible plan. About three years from now our plan and your plan are going to meet at right about the same number, that same dollar figure. So go right ahead and pretend, you know, that you guys are going to be spending through the roof and building Alberta and using interest to build Alberta or borrowing to build Alberta. At the end of the day, if the Wildrose 10-year debt-free capital plan were employed, we would be building more. Maybe not this year and maybe not next, but we would be continuing to increase spending on capital.

Another thing that we hear of over here quite often is how during maiden speeches in the first couple of weeks that party had the gall to ask for \$1.5 billion in spending. Well, I have a couple of thoughts on that. First off, it really shouldn't surprise you that during a maiden speech a member of this House would stand and advocate for their constituency. I mean, that really is the crux of why we're all here.

Another thing that I'm going to share with you all is that there was a time when we over here received an e-mail from the Associate Minister of Finance directly asking: "What are your priorities? We're coming up with our capital plan, and we really want to know. Golly gee, what do you guys want to build?" Well, of course, it's all just in jest because now we hear that, well, we shouldn't have actually responded to those e-mails, that we shouldn't have actually told the minister what it was that we were hoping to have in our constituencies, about whether or not we thought that was something that we would want next year, the year after or what the priorities are for the next four or five years.

But, again, on the \$1.5 billion we just get told that we're irresponsible, yet we have a party opposite who believes that going further and further into debt is really what Albertans are asking them to do. Clearly, why 61 of you are here is because that's what you told your constituents as you knocked on doors during the last campaign.

Again, this whole concept of calling debt revenue: it's no different, Mr. Speaker, than taking out a line of credit and pretending that it's income. You know, if a guy who's making \$80,000 a year wants to say that he's pulling in six figures and he goes and gets himself a line of credit for 20 grand, is that a six-figure salary? It certainly isn't. But if you look at the way that the books are presented in this budget, that's how this government thinks Albertans would interpret that. I think that the government seems to be in that same lost headspace as this individual that I used in the example.

Finally, Mr. Speaker, I'll get to the ugly. What we've got in Bill 12 is long-term intergenerational harm without a repayment plan, and that, again, is in the form of debt. The members in our party might – might – be able to take the idea of some debt if there was actually a plan to pay it off and there was actually a plan that would work to pay it off. But that certainly was not presented, nor does it seem to be presented.

Yeah, you're right. We're not going to agree with what you guys have planned, and we're probably not going to support this bill. I know I'm certainly not going to support this bill as it's written. You know, it can be summed up when you look at exactly what this bill is doing. It's repealing two pieces of legislation. One is called the Government Accountability Act, and the second is the Fiscal Responsibility Act, two very aptly named pieces of legislation which are being thrown out. Government accountability and fiscal responsibility: it says it right in the names alone.

But that's just, I suppose, the way it is. It demonstrates that this government can pass legislation, can repeal it at any time. That goes for a number of the finer details inside Bill 12; for example, the idea of a debt ceiling. "Well, if you don't like the debt ceiling that we set in 2013, we'll have to just go back and change it." Based on the fact that you're repealing the Government Accountability Act and the Fiscal Responsibility Act, why should anyone believe that you wouldn't just go back and change it? We've seen this happen with our friends down south.

This bill and this budget were anything but open and transparent reporting, Mr. Speaker. It comes down to something that you've heard us say quite often in this House, and that is: promises made, promises broken. That is what has been delivered in this. If there is only one thing to take away from this budget and this bill, it is that this government cannot be trusted. That's the only thing that Albertans know for sure.

Thank you.

**The Speaker:** Hon. members, 29(2)(a) is available. The hon. Member for Calgary-Mackay-Nose Hill, followed by Drumheller-Stettler.

**Dr. Brown:** Thank you, Mr. Speaker. I asked the Member for Rimbe- Rocky Mountain House-Sundre a question, and he artfully dodged it. I believe he said that he was practising to be a cabinet minister, learning how to avoid questions.

But back to the question about what his party would do with the income from the heritage fund. As he's aware, after inflation-proofing, we've used the income from that fund for quite a few years now to fund government operations and programs and build infrastructure. Would he not concede that had the PC government

not used the income from that fund to build infrastructure and to provide for operational funding, we would not have the lowest taxes that we have right now, nor would we have the tremendous infrastructure that we have in the province of Alberta?

**The Speaker:** The hon. member.

**Mr. Wilson:** Thank you, Mr. Speaker, and thank you to the hon. member for his question. You know, there's no question that having a source of revenue has allowed this government and this province to reap the rewards and the benefits of that. I think, you know, that if you're asking me what we would have done with it, we would have probably managed it a little bit more wisely than what we've seen.

Again, for me, it goes back to: what was the original intent of this fund? I'm sure that if you go and look through what Peter Lougheed thought he was starting when he started this fund, it was to create a sustainable, long-term source of revenue. In fairness, you chose to use that revenue. That was the choice that the government made. The electorate has put you back in office to continue down that path. That's the choice that they made, and that's what you chose to do with it.

Our party would choose to save it. We would choose to make sure that if and when we run surpluses, we mandate that 50 per cent of those surplus dollars go into the heritage savings trust fund year in, year out. Using the magic of compound interest, for the Member for Edmonton-Gold Bar, the number that I quoted earlier was \$136 billion had you just left the fund alone and let the interest grow. It is somewhat sad and upsetting.

To answer the hon. member's question, we would leave the money in the fund. We would allow the fund to grow. We would mandate and legislate around not touching the interest on that fund until it equalled in an annual year what the province brought in in resource revenue.

Thank you.

**The Speaker:** Drumheller-Stettler, do you want to go next?

**Mr. Strankman:** Mr. Speaker, during the budget estimates the President of Treasury Board and Minister of Finance made the comment that he would not be leaving his children a debt-free house. In your dissertations earlier, Mr. Member for Calgary-Shaw, you talked about your family history and your pride in the belief in a savings fund, so I wondered how you would relate to hearing the Minister of Finance of the province of Alberta make a comment that he would not leave his children a debt-free house. I'm anxious to hear your opinion.

4:10

**Mr. Wilson:** Well, thank you for the question. It's an interesting question, and I guess it comes down to different parenting styles, for one. I know that with my son the last thing that I want to do when it's time for me to pass is to have him be responsible for mistakes that I made and have him carry debt as a result of decisions that I made. I would do and will do everything in my power to ensure that that doesn't happen. I can't speak, necessarily, to what the Minister of Finance and President of Treasury Board spoke to specifically around why he thought that he would not leave his children in a debt-free situation. I don't know if that's some sort of life lesson that he's looking to teach them.

I know that in this province it is simply irresponsible – irresponsible – for us to have had six years ago \$17 billion in the bank in a sustainability fund, that's now going to be renamed the contingency fund because you don't want to actually mesh those

two. You want to make sure that people forget that the sustainability fund even existed. You know, we've spent that \$17 billion, we're going to have \$17 billion more in debt, so in a matter of – what will that be? – a whole 10 years you're going to have spent \$34 billion more than what you brought in. You can shake your head over there all you want, and you can . . .

**The Speaker:** Thank you, hon. member. Sorry to interrupt, but we must move on.

We're going to go to Medicine Hat. Hon. Member for Medicine Hat, you have the floor.

**Mr. Pedersen:** Thank you, Mr. Speaker. I appreciate the opportunity to speak today to Bill 12, the Fiscal Management Act. I must say: what a difference a year makes, especially when it comes to budgets in Alberta. I'd like to just make a quote here from the Budget 2013: Responsible Change speech, and it's something that was presented by the Minister of Finance. What he says is:

It's no secret. We have our challenges: immediate, serious challenges that Budget 2013 speaks to.

For example, for the past 10 years, on average, we have increased spending by 7.3 per cent and this year zero because it was the responsible thing to do in light of our fiscal situation.

When you look at that, it's interesting because in 2013 the fiscal challenge is no secret, as stated by the minister, but in 2011 and 2012 it was probably the worst-kept secret by the PCs. I would say that it was used only to hang onto power. I think that they're being judged for that decision today.

Mr. Speaker, there is no comparison between the election budget and the current budget, that we are dealing with today. The election budget had promises to spend, and the current budget breaks all these promises and cuts front-line services. The old budget was talking about increasing spending in all areas. They wanted to add 140 family care clinics. That was announced by the Premier after the budget. They also promised to build 50 new schools, refurbish 70, again added after the budget, and many people thought that those promises would add another \$4 billion to \$6 billion to the budget. So you already have a high spending promise budget, you have more promises into the election, and then once you get through the election, you find out: oh; there was a secret. You just have to wonder, you know, about the integrity of what is presented in the budgeting process from government past and today.

This is the back-in-debt budget, and the Premier talks of it being a once-in-a-generation budget. We're seeing that. It's going to possibly put this generation back two generations. It took a generation to pay off the debt that the Getty government put us into, and we're headed in the same direction, Mr. Speaker. We are witnessing some of the biggest squandering of wealth in our province's history, and again this budget, that's presented this year, is full of broken promises based upon previous commitments. It is interesting that it's touted from the other side, the government side, that the capital plan is where they shine. They talk about spending billions of dollars. The trouble is that they've moved that off what was normally the regular reporting side, and now all that money is being borrowed.

I think that for any one of us, had we been elected: give us a platinum card. We'll go spend. We'll make people happy. But then you come home. You deliver the bill. That's when decisions need to be dealt with. That's when we have to decide: was that in the best interest of Alberta at that time? Mr. Speaker, I think that that question is going to linger over the next three years.

When you compare what the government wants to spend on capital, on debt, by the way, it's interesting when you look at it. They are very proud to say that over the next three years they're going to spend on average \$5 billion, but it's front-end-loaded spending. They're talking about spending \$5.2 billion in this year and just under \$5.2 billion in the following year, but by 2015-2016 their spend is down to \$4.6 billion. When you compare that to what our plan was, we start off smaller, but our rates actually grow. As the Member for Calgary-Shaw mentioned, there is an intersection in about year 3 or 4, and as the PC spending drops, ours accelerates. The interesting thing is that ours is not debt. We're not adding debt to the future generations.

**An Hon. Member:** No services either.

**Mr. Pedersen:** I'm just telling you, Member. We're spending, we're building, and in year 3 or 4 we'll surpass the PCs. It's a sad fact that the government takes and promises big up front . . . [interjections]

**The Speaker:** We're just about there, guys.

**Mr. Pedersen:** Thank you, Mr. Speaker.

It's interesting that the PCs will front-end-load their spending promises using debt, which is going to last and last and last, while we promote spending in a responsible fashion. We bypass them, and we deliver it with no debt. I think that they should review their budget on that.

Again, when you look at the budget on the capital plan, just reading from there,

amounts required for capital debt servicing costs are being drawn from current-year revenue. The amount of direct borrowing for the Capital Plan is subject to a legislated limit in the Fiscal Management Act. The Act stipulates that Capital Plan debt servicing costs cannot exceed 3% of the average of Operational Revenue of the current year and two prior years.

We're glad to see that there is a limitation and a bit of a ceiling there.

The problem is that when you look at the numbers, from what I can read – and maybe I could be corrected, or I might not be right – coming up to the year 2015-2016, Mr. Speaker, the debt-servicing costs as listed are shown at \$593 million. That's based on 3 per cent of the three-year average of operational revenue of \$1.2 billion. If I'm to interpret that correctly, we're already going to be at almost 50 per cent of our borrowing limit in only three years. I think that's very troubling. It's very worrisome, when you see a spending cap or a spending limit set out, that we have hit half of that in three years. You know, it's going to take a lot longer to pay it off. It's easy to spend, easy to rack it up, but we all know it's painful and takes a long time to pay it back.

Mr. Speaker, as was mentioned before, too, what used to be called the sustainability fund was built up to quite a considerable amount – I think it was \$14 billion, \$15 billion at the high – and has gradually been taken down in substantial quantities almost every year. As of 2011-2012 there was over \$11 billion sitting in that fund. By the time we get to 2014-2015, the anticipated balance is going to be under \$700 million, so we're basically 16 and a half billion dollars used up over the next couple of years from '11-12. That's a substantial amount of money. They're anticipating that that fund will begin to rise by then, and of course it's going to be called the contingency fund, which is an interesting change. We'll see if their numbers hold true or if we have any problems.

4:20

Some of the real numbers for the budget from 2013-2014, Mr. Speaker. There's going to be about \$3.5 billion in new debt this year. That's going to be doubling to about \$8 billion by next year by what is said in the budget. Again, we're looking at a total budget deficit in spending of about \$17 billion on the capital side. That's going to be there by the time we face the next election, and I do think that's going to be one of the Achilles heels of this government because it is certainly not one of the things they did campaign on nor went to the voters and asked approval for.

There's a 5-and-a-half-billion-dollar cash deficit in the 2013-14 budget, and that's after we've taken \$2 billion out of the sustainability fund, now called the contingency fund. The operational deficit, from what we can figure out by working the many, many different figures and books and columns, is about \$1.4 billion for this year. It's pretty dramatic, and it's going to be concerning for us this year as well as next year, when we're looking at \$451 million for an operational deficit.

The problem with the budget, too, we feel, is that it still leaves the door open for taxes. Now, we've asked, and they've said that there will not be new taxes, but again when you're treading water, when you're fine-lining things so closely, the way this government is, there are very few options. If there is a hiccup in the revenue stream and they wanted to stay committed to their spending stream, it does limit their options. Taxes are obviously one of those options that is open to them. We think that that is still something that's on the table for them, and we're concerned about that because they say that they won't do it, but we'll have to see.

Their plan, again, as mentioned before, to borrow to put into savings I'm a bit skeptical of. I'm not sure that's the best idea, but that's the decision the government is making, and we're concerned about that, Mr. Speaker. You know, there are many broken promises. We're talking about education funding, you know, being promised before and cut. That's on the regular

education system. The advanced education system, or postsecondary, is experiencing a 7 per cent cut when they were expecting an increase, as promised by the government in the previous budget. Again, the 50 new schools and 70 modernizations: now it looks like they're going to be built over five years instead of four. We'll see if that actually comes through or not.

I think, you know, in closing, Mr. Speaker, that Bill 12 is designed for one purpose, and that's really to hide the true nature of what the PC government has planned for us not only this year but over the next three years. It's certainly not making any great strides to get their spending in order. We've seen that the actual spending reductions are actually affecting front-line services, front-line workers. They haven't really gone after bureaucracy. They haven't gone after any of the spending on themselves, and I think that's the issue that we take most seriously. As it is presented, I personally cannot support this bill without significant amendments.

Thank you.

**The Speaker:** Hon. members, 29(2)(a) is available.

**Hon. Members:** Question.

**The Speaker:** The question has been called, then. No other speakers? Thank you.

[Motion carried; Bill 12 read a second time]

**The Speaker:** The hon. Deputy Government House Leader.

**Mr. Campbell:** Thank you, Mr. Speaker. Seeing that, let's call it 4:30 and adjourn until 1:30 on Monday, April 22.

[Motion carried; the Assembly adjourned at 4:26 p.m. to Monday, April 22, at 1:30 p.m.]





## **Bill Status Report for the 28th Legislature - 1st Session (2012-2013)**

**Activity to April 18, 2013**

The Bill sponsor's name is in brackets following the Bill title. If it is a money Bill, (\$) will appear between the title and the sponsor's name. Numbers following each Reading refer to Hansard pages where the text of debates is found; dates for each Reading are in brackets following the page numbers. Bills numbered 1 to 199 are Government Bills. Bills numbered 200 or higher are Private Members' Public Bills. Bills numbered with a "Pr" prefix are Private Bills.

\*An asterisk beside a Bill number indicates an amendment was passed to that Bill; the Committee line shows the precise date of the amendment.

The date a Bill comes into force is indicated in square brackets after the date of Royal Assent. If a Bill comes into force "on proclamation," "with exceptions," or "on various dates," please contact Legislative Counsel, Alberta Justice, for details at (780) 427-2217. The chapter number assigned to the Bill is entered immediately following the date the Bill comes into force. SA indicates Statutes of Alberta; this is followed by the year in which it is included in the statutes, and its chapter number. Please note, Private Bills are not assigned chapter numbers until the conclusion of the Fall Sitings.

### **1\* Workers' Compensation Amendment Act, 2012 (Redford)**

First Reading -- 8 (May 24, 2012 aft., passed)

Second Reading -- 177 (Oct. 23, 2012 eve.), 193-96 (Oct. 23, 2012 eve.), 233 (Oct. 24, 2012 eve., passed)

Committee of the Whole -- 336-39 (Oct. 29, 2012 eve.), 354-71 (Oct. 30, 2012 aft.), 373-80 (Oct. 30, 2012 eve., passed with amendments)

Third Reading -- 476-84 (Nov. 1, 2012 aft., passed on division)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force December 10, 2012; SA 2012 c8]

### **2\* Responsible Energy Development Act (Hughes)**

First Reading -- 207 (Oct. 24, 2012 aft., passed)

Second Reading -- 263 (Oct. 25, 2012 aft.), 424-43 (Oct. 31, 2012 aft.), 445-57 (Oct. 31, 2012 eve.), 526-46 (Nov. 5, 2012 eve., passed)

Committee of the Whole -- 563-71 (Nov. 6, 2012 aft.), 593 (Nov. 6, 2012 eve.), 644-48 (Nov. 7, 2012 aft.), 649-69 (Nov. 7, 2012 eve.), 731-53 (Nov. 19, 2012 eve.), 777-94 (Nov. 20, 2012 aft.), 795-853 (Nov. 20, 2012 eve.), 902-05 (Nov. 20, 2012 eve., passed on division, with amendments)

Third Reading -- 921-41 (Nov. 21, 2012 aft., passed on division)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on proclamation, with exceptions; SA 2012 cR-17.3]

### **3\* Education Act (J. Johnson)**

First Reading -- 155 (Oct. 23, 2012 aft., passed)

Second Reading -- 219-31 (Oct. 24, 2012 aft.), 238 (Oct. 24, 2012 eve., passed)

Committee of the Whole -- 380-407 (Oct. 30, 2012 eve., passed with amendments)

Third Reading -- 669 (Nov. 7, 2012 eve.), 688-94 (Nov. 8, 2012 aft.), 753-63 (Nov. 19, 2012 eve., passed on division)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on proclamation; SA 2012 cE-0.3]

### **4 Public Interest Disclosure (Whistleblower Protection) Act (Scott)**

First Reading -- 352-53 (Oct. 30, 2012 aft., passed)

Second Reading -- 423-24 (Oct. 31, 2012 aft.), 593-614 (Nov. 6, 2012 eve.), 627-44 (Nov. 7, 2012 aft., passed on division)

Committee of the Whole -- 975-80 (Nov. 22, 2012 aft.), 1057-74 (Nov. 27, 2012 aft.), 1075-101 (Nov. 27, 2012 eve.), 1127-137 (Nov. 28, 2012 aft.), 1139-161 (Nov. 28, 2012 eve., passed)

Third Reading -- 1161-166 (Nov. 28, 2012 eve., passed on division)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on proclamation; SA 2012 cP-39.5]

### **5 New Home Buyer Protection Act (Griffiths)**

First Reading -- 261 (Oct. 25, 2012 aft., passed)

Second Reading -- 354 (Oct. 30, 2012 aft.), 457-59 (Oct. 31, 2012 eve., passed)

Committee of the Whole -- 546-49 (Nov. 5, 2012 eve.), 571-83 (Nov. 6, 2012 aft.), 585-93 (Nov. 6, 2012 eve., passed)

Third Reading -- 853-55 (Nov. 20, 2012 eve., passed)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on proclamation; SA 2012 cN-3.2]

### **6 Protection and Compliance Statutes Amendment Act, 2012 (Jeneroux)**

First Reading -- 155 (Oct. 23, 2012 aft., passed)

Second Reading -- 209 (Oct. 24, 2012 aft.), 264 (Oct. 25, 2012 aft., passed)

Committee of the Whole -- 459-62 (Oct. 31, 2012 eve., passed)

Third Reading -- 855-56 (Nov. 20, 2012 eve., passed)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on various dates; SA 2012 c7]

- 7\* Election Accountability Amendment Act, 2012 (Denis)**  
First Reading -- 774 (Nov. 20, 2012 aft., passed)  
Second Reading -- 972-75 (Nov. 22, 2012 aft.), 1015-41 (Nov. 26, 2012 eve., passed)  
Committee of the Whole -- 1166-167 (Nov. 28, 2012 eve.), 1191-92 (Nov. 29, 2012 aft.), 1221-43 (Dec. 3, 2012 eve.), 1261-79 (Dec. 4, 2012 aft.), 1281-1300 (Dec. 4, 2012 eve., passed, with amendments)  
Third Reading -- 1315-37 (Dec. 5, 2012 aft., passed on division)  
Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on various dates; SA 2012 c5]
- 8 Electric Utilities Amendment Act, 2012 (Hughes)**  
First Reading -- 156 (Oct. 23, 2012 aft., passed)  
Second Reading -- 233 (Oct. 24, 2012 eve.), 316-36 (Oct. 29, 2012 eve, passed)  
Committee of the Whole -- 857-902 (Nov. 20, 2012 eve.), 943-53 (Nov. 21, 2012 eve., passed)  
Third Reading -- 953-56 (Nov. 21, 2012 eve., passed)  
Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force December 10, 2012; SA 2012 c6]
- 9 Alberta Corporate Tax Amendment Act, 2012 (\$) (Horner)**  
First Reading -- 156 (Oct. 23, 2012 aft., passed)  
Second Reading -- 209-10 (Oct. 24, 2012 aft.), 272 (Oct. 25, 2012 aft.), 311-16 (Oct. 29, 2012 eve., passed)  
Committee of the Whole -- 462 (Oct. 31, 2012 eve., passed)  
Third Reading -- 856-57 (Nov. 20, 2012 eve., passed)  
Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on various dates, SA 2012 c4]
- 10 Employment Pension Plans Act (Kennedy-Glans)**  
First Reading -- 261 (Oct. 25, 2012 aft., passed)  
Second Reading -- 521-26 (Nov. 5, 2012 eve., passed)  
Committee of the Whole -- 668-69 (Nov. 7, 2012 eve., passed)  
Third Reading -- 857 (Nov. 20, 2012 eve., passed)  
Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on proclamation; SA 2012 cE-8.1]
- 11 Appropriation (Supplementary Supply) Act, 2013 (\$) (Horner)**  
First Reading -- 1424 (Mar. 6, 2013 aft., passed)  
Second Reading -- 1480-86 (Mar. 11, 2013 eve., passed)  
Committee of the Whole -- 1534-41 (Mar. 12, 2013 eve., passed)  
Third Reading -- 1583 (Mar. 13, 2013 aft.), 1559-60 (Mar. 13, 2013 eve., passed)  
Royal Assent -- (Mar. 21, 2013 outside of House sitting) [Comes into force March 21, 2013; SA 2013 c2]
- 12 Fiscal Management Act (\$) (Horner)**  
First Reading -- 1438 (Mar. 7, 2013 aft., passed)  
Second Reading -- 1479-80 (Mar. 11, 2013 eve.), 1560-78 (Mar. 13, 2013 aft.), 1579-83 (Mar. 13, 2013 eve.), 1785-90 (Apr. 11, 2013 aft.), 1877-85 (Apr. 18, 2013 aft., passed)
- 13 Appropriation (Interim Supply) Act, 2013 (\$) (Horner)**  
First Reading -- 1456 (Mar. 11, 2013 aft., passed)  
Second Reading -- 1527-34 (Mar. 12, 2013 eve.), 1556 (Mar. 13, 2013 aft., passed)  
Committee of the Whole -- 1583 (Mar. 13, 2013 eve., passed)  
Third Reading -- 1695-1700 (Mar. 21, 2013 aft.), 1695-1700 (Mar. 21, 2013 aft., passed)  
Royal Assent -- (Mar. 21, 2013 outside of House sitting) [Comes into force March 21, 2013; SA 2013 c1]
- 14 RCMP Health Coverage Statutes Amendment Act, 2013 (VanderBurg)**  
First Reading -- 1690 (Mar. 21, 2013 aft., passed)  
Second Reading -- 1875 (Apr. 18, 2013 aft., adjourned)
- 15 Emergency 911 Act (\$) (Weadick)**  
First Reading -- 1762 (Apr. 10, 2013 aft., passed)  
Second Reading -- 1875-76 (Apr. 18, 2013 aft., adjourned)
- 16 Victims Statutes Amendment Act, 2013 (\$) (Denis)**  
First Reading -- 1762-63 (Apr. 10, 2013 aft., passed)
- 17 Municipal Government Amendment Act, 2013 (Kubinec)**  
First Reading -- 1779 (Apr. 11, 2013 aft., passed)
- 18 Pooled Registered Pension Plans Act (Fawcett)**  
First Reading -- 1873 (Apr. 18, 2013 aft., passed)

- 19        Metis Settlements Amendment Act, 2013 (Campbell)**  
First Reading -- 1803 (Apr. 15, 2013 aft., passed)  
Second Reading -- 1876-77 (Apr. 18, 2013 aft., adjourned)
- 201\*      Scrap Metal Dealers and Recyclers Identification Act (Quest)**  
First Reading -- 92 (May 30, 2012 aft., passed)  
Second Reading -- 291-301 (Oct. 29, 2012 aft., passed)  
Committee of the Whole -- 716-22 (Nov. 19, 2012 aft.), 1725-26 (Apr. 8, 2013 aft., passed with amendments)  
Third Reading -- 1726-27 (Apr. 8, 2013 aft., passed)
- 202        Public Lands (Grasslands Preservation) Amendment Act, 2012 (Brown)**  
First Reading -- 130 (May 31, 2012 aft., passed)  
Second Reading -- 501-13 (Nov. 5, 2012 aft.), 1723-25 (Apr. 8, 2013 aft., defeated on division)
- 203        Employment Standards (Compassionate Care Leave) Amendment Act, 2012 (Jeneroux)**  
First Reading -- 473 (Nov. 1, 2012 aft., passed)
- 204        Irlen Syndrome Testing Act (Jablonski)**  
First Reading -- 968 (Nov. 22, 2012 aft., passed)
- 205        Fisheries (Alberta) Amendment Act, 2012 (Calahasen)**  
First Reading -- 1117 (Nov. 28, 2012 aft., passed)
- 206        Tobacco Reduction (Flavoured Tobacco Products) Amendment Act, 2012 (Fraser)**  
First Reading -- 1350-51 (Dec. 6, 2012 aft., passed)
- 207        Human Tissue and Organ Donation Amendment Act, 2013 (Webber)**  
First Reading -- 1690 (Mar. 21, 2013 aft., passed)
- 208        Seniors' Advocate Act (Towle)**  
First Reading -- 1315 (Dec. 5, 2012 aft., passed)



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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Monday afternoon, April 22, 2013

Issue 49

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta  
The 28th Legislature**

First Session

Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC), Speaker  
Rogers, George, Leduc-Beaumont (PC), Deputy Speaker and Chair of Committees  
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Amery, Moe, Calgary-East (PC)  
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Bhardwaj, Naresh, Edmonton-Ellerslie (PC)  
Bhullar, Hon. Manmeet Singh, Calgary-Greenway (PC)  
Bikman, Gary, Cardston-Taber-Warner (W)  
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Fox, Rodney M., Lacombe-Ponoka (W)  
Fraser, Rick, Calgary-South East (PC)  
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Hughes, Hon. Ken, Calgary-West (PC)  
Jansen, Sandra, Calgary-North West (PC)  
Jeneroux, Matt, Edmonton-South West (PC)  
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Johnson, Linda, Calgary-Glenmore (PC)  
Kang, Darshan S., Calgary-McCall (AL),  
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Pedersen, Blake, Medicine Hat (W)  
Quadri, Sohail, Edmonton-Mill Woods (PC)  
Quest, Dave, Strathcona-Sherwood Park (PC)  
Redford, Hon. Alison M., QC, Calgary-Elbow (PC),  
    Premier  
Rodney, Hon. Dave, Calgary-Lougheed (PC)  
Rowe, Bruce, Olds-Didsbury-Three Hills (W)  
Sandhu, Peter, Edmonton-Manning (PC)  
Sarich, Janice, Edmonton-Decore (PC)  
Saskiw, Shayne, Lac La Biche-St. Paul-Two Hills (W),  
    Official Opposition Deputy House Leader  
Scott, Hon. Donald, QC, Fort McMurray-Conklin (PC)  
Sherman, Dr. Raj, Edmonton-Meadowlark (AL),  
    Leader of the Liberal Opposition  
Smith, Danielle, Highwood (W),  
    Leader of the Official Opposition  
Starke, Hon. Dr. Richard, Vermilion-Lloydminster (PC)  
Stier, Pat, Livingstone-Macleod (W)  
Strankman, Rick, Drumheller-Stettler (W)  
Swann, Dr. David, Calgary-Mountain View (AL)  
Towle, Kerry, Innisfail-Sylvan Lake (W),  
    Official Opposition Deputy Whip  
VanderBurg, Hon. George, Whitecourt-St. Anne (PC)  
Weadick, Hon. Greg, Lethbridge-West (PC)  
Webber, Len, Calgary-Foothills (PC)  
Wilson, Jeff, Calgary-Shaw (W)  
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
    Government Whip

**Party standings:**

Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

**Officers and Officials of the Legislative Assembly**

W.J. David McNeil, Clerk	Stephanie LeBlanc, Parliamentary Counsel and Legal Research Officer	Philip Massolin, Manager of Research Services
Robert H. Reynolds, QC, Law Clerk/ Director of Interparliamentary Relations	Fiona Vance, Sessional Parliamentary Counsel	Brian G. Hodgson, Sergeant-at-Arms
Shannon Dean, Senior Parliamentary Counsel/Director of House Services	Nancy Robert, Research Officer	Chris Caughell, Assistant Sergeant-at-Arms
		Gordon H. Munk, Assistant Sergeant-at-Arms
		Liz Sim, Managing Editor of <i>Alberta Hansard</i>



## **Executive Council**

Alison Redford	Premier, President of Executive Council
Thomas Lukaszuk	Deputy Premier, Minister of Enterprise and Advanced Education, Ministerial Liaison to the Canadian Forces
Manmeet Singh Bhullar	Minister of Service Alberta
Robin Campbell	Minister of Aboriginal Relations
Cal Dallas	Minister of International and Intergovernmental Relations
Jonathan Denis	Minister of Justice and Solicitor General
Wayne Drysdale	Minister of Infrastructure
Kyle Fawcett	Associate Minister of Finance
Doug Griffiths	Minister of Municipal Affairs
Dave Hancock	Minister of Human Services
Fred Horne	Minister of Health
Doug Horner	President of Treasury Board and Minister of Finance
Ken Hughes	Minister of Energy
Jeff Johnson	Minister of Education
Heather Klimchuk	Minister of Culture
Ric McIver	Minister of Transportation
Diana McQueen	Minister of Environment and Sustainable Resource Development
Frank Oberle	Associate Minister of Services for Persons with Disabilities
Verlyn Olson	Minister of Agriculture and Rural Development
Dave Rodney	Associate Minister of Wellness
Donald Scott	Associate Minister of Accountability, Transparency and Transformation
Richard Starke	Minister of Tourism, Parks and Recreation
George VanderBurg	Associate Minister of Seniors
Greg Weadick	Associate Minister of Municipal Affairs
Teresa Woo-Paw	Associate Minister of International and Intergovernmental Relations

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on Alberta's Economic Future

Chair: Mr. Amery

Deputy Chair: Mr. Fox

Bhardwaj	Olesen
Cao	Pastoor
Donovan	Quadri
Dorward	Rogers
Eggen	Rowe
Hehr	Sarich
Luan	Strankman
McDonald	Xiao

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Khan

Deputy Chair: Mrs. Jablonski

Anderson  
Casey  
Dorward  
Eggen  
Kubinec  
Sandhu  
Sherman

### Select Special Conflicts of Interest Act Review Committee

Chair: Mr. Allen

Deputy Chair: Mr. Luan

Blakeman	Notley
Dorward	Saskiw
Fenske	Wilson
Johnson, L.	Young
McDonald	

### Standing Committee on Families and Communities

Chair: Mr. Quest

Deputy Chair: Mrs. Forsyth

Brown	Jeneroux
Cusanelli	Leskiw
DeLong	Notley
Fraser	Pedersen
Fritz	Swann
Goudreau	Towle
Jablonski	Wilson
Jansen	Young

### Standing Committee on Legislative Offices

Chair: Mr. Cao

Deputy Chair: Mr. McDonald

Bikman	Leskiw
Blakeman	Quadri
Brown	Rogers
DeLong	Wilson
Eggen	

### Special Standing Committee on Members' Services

Chair: Mr. Zwozdesky

Deputy Chair: Mr. Rogers

Casey	Mason
Forsyth	McDonald
Fraser	Quest
Kennedy-Glans	Sherman
	Smith

### Standing Committee on Private Bills

Chair: Mr. Xiao

Deputy Chair: Ms L. Johnson

Barnes	Jablonski
Bhardwaj	Leskiw
Brown	Notley
Cusanelli	Olesen
DeLong	Rowe
Fox	Strankman
Fritz	Swann
Goudreau	Webber

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Ms Olesen

Deputy Chair: Mr. Lemke

Calahasen	McAllister
Cao	Notley
Casey	Pedersen
Hehr	Rogers
Jansen	Sandhu
Kennedy-Glans	Saskiw
Kubinec	Towle
Luan	Young

### Standing Committee on Public Accounts

Chair: Mr. Anderson

Deputy Chair: Mr. Dorward

Allen	Hehr
Amery	Jeneroux
Anglin	Khan
Bilous	Pastoor
Donovan	Quadri
Fenske	Quest
Goudreau	Sarich
Hale	Stier

### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans

Deputy Chair: Mr. Anglin

Allen	Hale
Barnes	Johnson, L.
Bikman	Khan
Bilous	Kubinec
Blakeman	Lemke
Calahasen	Sandhu
Casey	Stier
Fenske	Webber

## Legislative Assembly of Alberta

1:30 p.m.

Monday, April 22, 2013

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon, everyone.

Let us begin with our daily prayer. Let us pray for the protection of this Assembly and also the province we have been elected to serve. Let us also pray for the protection of citizens who live in other parts of our country and for those innocent victims who become victimized by vicious acts of violence. Amen.

Please remain standing for the singing of our nation's national anthem led by none other than M. Paul Lorieau. Please join in in the language of your choice.

### Hon. Members:

O Canada, our home and native land!  
True patriot love in all thy sons command.  
With glowing hearts we see thee rise,  
The True North strong and free!  
From far and wide, O Canada,  
We stand on guard for thee.  
God keep our land glorious and free!  
O Canada, we stand on guard for thee.  
O Canada, we stand on guard for thee.

**The Speaker:** Merci beaucoup, M. Lorieau.

Thank you, gentlemen and ladies. Please be seated.

### Introduction of Visitors

**The Speaker:** The hon. Minister of International and Intergovernmental Relations.

**Mr. Dallas:** Thank you, Mr. Speaker. I rise to introduce to you and through you to all members of this Assembly His Excellency Vytautas Žalys, who is the ambassador of the Republic of Lithuania. Also joining him are Ms Nejolla Korris, the honorary consul of Lithuania in Edmonton and the chair of the Edmonton consular corps, and Mr. Arūnas Staškevičius, who is the honorary consul of the Republic of Lithuania in Montreal.

Mr. Speaker, our relationship with Lithuania dates back to 1904, when Lithuanian immigrants began to arrive in Alberta. Today more than 3,000 Albertans are of Lithuanian descent, and Alberta's Lithuanian community continues to actively promote its heritage in our province. Lithuania was, for example, this year's host country of the 33rd annual Consular Corps Ball, which took place in Edmonton this last Saturday. This event was a great success and another opportunity to showcase wonderful Lithuanian artists in Alberta.

It is a great pleasure to welcome His Excellency on his official visit to our province. We look forward to continuing the positive relationship that exists between Alberta and Lithuania over the years to come. His Excellency, Ms Korris, and Mr. Staškevičius are seated in the Speaker's gallery. In fact, they are now standing in the Speaker's gallery. I ask that our honoured guests be welcomed with the traditional warm welcome of this Assembly.

**The Speaker:** Hon. members, while our guests are still standing, you may be interested to know that the large canopy that now envelops and frames the Speaker's chair was installed in this Chamber in 1980. It was a gift from the city of Edmonton to

commemorate the province's 75th birthday. What you may not know, however, is that the canopy was designed by Paul Van Imschoot of Stony Plain, and it was built by Titas Uogintas of Edmonton, who originally came from Lithuania.

### Introduction of Guests

**The Speaker:** The hon. Member for Chestermere-Rocky View.

**Mr. McAllister:** Thank you, Mr. Speaker. I rise today to introduce to you and through you to all members of the Assembly a great group of students from the Bears paw Christian School, located in my constituency of Chestermere-Rocky View. Together with students from six other Christian schools across the province these engaged junior high school students have come to watch their elected officials in action today. They also told me – I had the pleasure of meeting them beforehand – that they regularly say prayers for all of us in here, so I think we can all be grateful for that. I would ask the nine grade 5 students from Bears paw Christian School to please rise with teacher Rebecca Bock, principal Judy Huffman, and parent Lisa Dalglish and receive the traditional welcome from all of us here in the Assembly.

**The Speaker:** The hon. Minister of Agriculture and Rural Development.

**Mr. Olson:** Thank you, Mr. Speaker. It's my pleasure today to welcome and also to introduce to you and through you to all members of the Assembly a wonderful group of students from the Drayton Christian school in the neighbouring constituency to the west of my own, and that's Drayton Valley-Devon. On behalf of their MLA, the Minister of Environment and Sustainable Resource Development, I am pleased to welcome here these 17 bright grade 6 students along with their leaders, Mr. Jordan Pauls and Mrs. Jeanine Johnson. They've toured the Legislature. They've learned a great deal about the building and provincial government and how it works. We're really happy to have them here today to watch these proceedings. I'd ask them to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Fort Saskatchewan-Vegreville.

**Ms Fenske:** Thank you, Mr. Speaker. I would like to introduce to you and through you to all Members of the Legislative Assembly 20 friendly and enthusiastic students from my constituency from the Fort Saskatchewan Christian school. They're here with their teacher, Mrs. Elaine Baillie, and parent helper Mrs. Susanne Wiens. Before this session started, they presented me with a plaque, and I would like to just mention what that plaque said. It was presented to me along with all those who call themselves Albertans and seek to live up to our name: Alberta, bright through nobility. I would ask that they rise and receive the warm welcome of the Assembly.

**The Speaker:** The hon. Member for Lesser Slave Lake.

**Ms Calahasen:** Thank you, Mr. Speaker. It is a rare occasion that I receive visitors from the constituency of Lesser Slave Lake, so today I am so pleased to introduce to you and through you to all members of the Assembly five bright minds from grades 7 to 9 from Koinonia Christian School in Slave Lake. They are accompanied by their teacher, Miss Jasmine Light.

I also have the great honour of introducing two home-schoolers today who have done extremely well, Mr. Speaker. They're with their parents, Carey and Heather Barnstable. They are seated in

the public gallery, and I'd ask that they stand and receive the warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Well, thank you, Mr. Speaker. I'd like to introduce to you and through you to all members of the Assembly 25 students from l'école St. Angela elementary school. They're here all week as part of the School at the Legislature, and they are here with their teacher, Mrs. Carmel Perry, and parent Angie Zills. If they could all stand up, please, and get a warm reception from the Legislature.

1:40

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. I have two introductions today. It is my pleasure to rise and introduce to you and through you to all members of the Assembly several students from the Saddle Lake Christian school, part of a larger group of Christian schools visiting the Legislature today. They are attending with my good friend Mavis Giant. I'd ask them to rise and receive the traditional warm welcome of the Assembly.

My second introduction. I'm very pleased to introduce to you and through you to all members of the Assembly several students from the Wisdom Home Schooling Society, which is headquartered in my constituency of Derwent. They're accompanied by Mr. Carey Barnstable and Mrs. Heather Barnstable. Mr. Speaker, I'm encouraged by these students attending the Legislature today so that they know that the Wildrose supports strong and diverse schooling options for Albertans, especially home-schooled children. I'd ask that these students rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** Are there any other school groups to be introduced? If not, let us move on to guests.

Fort Saskatchewan-Vegreville, do you have some other guests to introduce?

**Ms Fenske:** Yes. Thank you, Mr. Speaker. I have two sets of introductions. The first is to introduce to you four people from my constituency who are sporting the Strathcona volunteer centre ribbon that recognizes the volunteers in the community. Mel and Wendy Marler are farmers from near Josephsburg. In a normal year they wouldn't be here today; they'd be out in the field. So we're thankful that they could take advantage of this. Mel serves on the Community Advisory Panel for Dow, and Wendy is very active in the Josephsburg Presents series, which is the longest running cultural series in Alberta.

With them today are Grant and Evelyn Osbaldeston, who also live near Josephsburg. Grant has retired from one of our local industries, and his volunteer portfolio is too lengthy to even mention, but he does volunteer for the Fort Historical Society. Next month they are going to host the Peoples of the North Saskatchewan. Evelyn, his wife, works in the small retail business sector in Sherwood Park, and she will benefit from our government's pooled registered pension plans legislation. She volunteers with her church, Partridge Hill United church. I'd ask them to please rise and accept the warm greeting of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Meadowlark, leader of the Liberal opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of the Assembly Norma Hayward Ketchum and her brother Roy Loyek, two of 12 children. Norma is a resident of Red Deer county. She is a retired registered nurse and a full-time caregiver for her brother Roy, a PDD recipient and former resident of Michener Centre. Norma is concerned with the 45 per cent cutback to PDD and the effects on Roy. Roy's transition from Michener some 25 years ago was not easy on him, his family, or his community. He was misunderstood, mistakes were made with his care, and the stress placed on one family member may have contributed to their untimely death. But after decades of struggles Roy has finally found a balance, and he has been rescued. Each week he spends 144 hours in Norma's care and the remaining 24 hours within the community under the care of PDD, enjoying activities like bowling, watching a movie, activities most of us take for granted. Norma is here with Roy to request investment into PDD caregiver support and to keep Michener open. Please join me in giving Norma and Roy a warm welcome to the Assembly.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Highlands-Norwood and leader of the New Democrat opposition.

**Mr. Mason:** Thank you very much, Mr. Speaker. I have two introductions today. First of all, I have the pleasure to introduce to you and through you to the Assembly a new member of my staff, Amy Lambe. Amy is a graduate of the University of Alberta and comes to us from the John Humphrey Centre for Peace and Human Rights, where she has a long history of volunteering and worked as a project co-ordinator for two years, providing human rights education opportunities around Edmonton and throughout the province. Amy has also worked for Global Youth Connect in Rwanda, where she supported youth from North America and Rwanda through intensive human rights education programs. She is my new executive assistant and as such faces the challenging task of keeping me in the right place at least at approximately the right time. I would now ask Amy to please stand and receive the traditional warm welcome of the Assembly.

For my second introduction, Mr. Speaker, it's my pleasure to rise today to introduce to you and through you a constituent of mine, Kathryn Westlund. Kathryn has been facing numerous obstacles with her workers' compensation claim and the subsequent appeals process. It's now been over four years since Kathryn started the process of resolving her WCB claim. As a result, her ability to make decisions regarding her financial situation has been at a standstill. I would now ask Kathryn to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Mr. Speaker. It is my honour to introduce to you and through you to all Members of the Legislative Assembly some members of my constituency of Innisfail-Sylvan Lake. Carmen Andrew and her daughters Emma and Leah Pilkington are joining us today. They're on spring break, and they chose to come and spend their day at the Legislature, which is, I think, a great privilege for us. Emma is a grade 9 student at Delburne school, and her sister Leah is in grade 6. Unfortunately, Delburne school is not able to visit the Legislature this year due to timing, so we're glad that you guys took some free time out of your day to come and see us today. Thank you. I'd ask them to receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-South West for your first of two introductions.

**Mr. Jeneroux:** Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to all Members of the Legislative Assembly my friend Connor Haakenson, who recently completed the Japanese Fushimi exchange program this spring. Connor had nothing but amazing things to say about Japan. We had the opportunity to meet before he went, and he assured me that he and his classmates were incredibly excited to experience the culture, the food, and all that Japan had to offer. One of the major differences he's mentioned since returning home is the superior level of technology within the country. Specifically, he talked about seeing a vending machine in a back alley that talked and had a digital screen which played music and offered a variety of drinks. Now, I can assure you that my days of listening to music and drinking in back alleys are behind me, but the degree of passion with which Connor speaks about this amazing country inspires me to visit it one day. I'd ask that Connor and his father, Gerald Haakenson, and his mother, Carol Haakenson, seated in the members' gallery today, please rise and receive the traditional warm welcome of the Assembly.

Mr. Speaker, I'm pleased to introduce to you and through you to members of the Assembly a long-term resident of Medicine Hat, a small-business owner there but also a very keen and passionate Albertan for our political process. Jordan Lien is the regional director of the Medicine Hat Progressive Conservative association. I would ask that he please rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Fort Saskatchewan-Vegreville.

**Ms Fenske:** Thank you, Mr. Speaker. I would like to take this opportunity to introduce two gentlemen who are here with the Christian schools today. They are seated in the members' gallery. To you and through you I would like to introduce Tim Schindel, who provides ministerial support to the B.C. Legislature, and with him is Larry Lindoff. I would ask them both to rise and receive the traditional warm welcome of the Assembly.

### Members' Statements

**The Speaker:** The hon. Member for Calgary-Foothills, followed by Chestermere-Rocky View.

### Organ and Tissue Donations

**Mr. Webber:** Thank you, Mr. Speaker. I stand here today to once again speak about human organ and tissue donation during this week of national awareness. I may sound like a broken record to many of you; however, I am not apologetic. In fact, I will continue to talk about this issue until the dire state of organ donation procurement here in Alberta has improved considerably. We have one of the worst donation rates in the country.

Most of us are not even aware of organ and tissue donation unless we have been personally affected. For most Albertans awareness never goes further than signing the back of their Alberta health care card. Few of us realize that in most cases even if we were to die and wanted to donate our organs, many things preclude the chance to be a donor. In fact, a recent study found that 8 per cent of donor candidates that come through the emergency room doors actually made it to the donor process after death. An abysmal 8 per cent.

Donation of organs requires a well-thought-out plan. Medical personnel must co-ordinate between emergency departments and

organ donation programs. It involves having trained hospital staff in every hospital, staff able to ask sensitive questions of families. Yes, family consent is still required even though a person has signed his or her Alberta health care card. In fact, family consent has decreased from 85 per cent just over a decade ago to a staggering 45 per cent today because of lack of awareness and the neglect of families to have talked about the issue.

Hon. members, 62 Albertans have died needlessly waiting for the gift of life since my last organ donation member's statement over a year ago today. A co-ordinated approach to address the problems of our current system could have saved the lives of many of these individuals. The time to act is now.

Thank you.

1:50

### Oral Question Period

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition. Your first main set of questions.

### Health System Executive Expenses

**Ms Smith:** Mr. Speaker, the Minister of Health continues to undermine confidence in the public health system, especially on the issue of health executive expenses. For months the Premier and the minister have said that the past is the past, but on Thursday the minister bragged that the former CEO of Capital health had paid back an expense she approved to send one of her VPs to the Mayo Clinic in 2007. It turns out that past expense account abuse is a big deal after all. Does the minister now agree that there are other offensive expenses that should also be paid back?

**The Speaker:** The hon. Premier.

**Ms Redford:** Well, thank you, Mr. Speaker. The circumstances that we discussed last week were very troubling to the Minister of Health and to our government, and that is one of the reasons that on Thursday the Minister of Health asked former Chief Justice of the Court of Queen's Bench Allan Wachowich to provide advice to him directly on whether or not there were opportunities to deal with these circumstances. We're looking forward to that advice because, as we said last week, we don't think that they were appropriate, and if there is any possible way to deal with that, then we will.

**The Speaker:** The hon. leader.

**Ms Smith:** Thank you. I accept that the minister made the announcement Thursday that he was asking a retired judge to examine potential ways to recover expense money paid to health executives. Now it seems that the minister actually is interested in what happened before the creation of the Alberta Health superboard after telling Albertans many, many times that it was time to look forward and forget the past. So what changed?

**Ms Redford:** One thing that we are most concerned with as a government is ensuring that we are protecting taxpayers, Mr. Speaker. If there are situations where we think that there are steps that we need to take, we want to make sure that we are getting the best possible advice with respect to that. That doesn't change the fact that in the past 18 months this government, elected a year ago tomorrow, put in place changes to the expense policy guidelines to ensure that this can never happen again.

**Ms Smith:** Mr. Speaker, we're pleased to see the Premier and the minister seem to have had a conversion on the road to Damascus

and now agree with the opposition's view that health executive expenses need to be reviewed in detail and paid back. He's got a judge looking at potential legal remedies. The only thing missing is a full forensic audit of all of the health executives' expenses going back to the Merali era. When can we expect that?

**Ms Redford:** Mr. Speaker, the Minister of Health has already said that Alberta Health Services has made a decision with respect to how to deal with those expenses. We think that's appropriate. We're going to ensure wherever possible that if circumstances do arise, we have the best possible advice as to what steps to take in order to recover taxpayer dollars, and we'll move forward.

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition. Second main set of questions.

**Ms Smith:** Mr. Speaker, last week we revealed that Michele Lahey, a former health executive, billed taxpayers for a visit to the Mayo Clinic. Now, the Premier said that she was disgusted, the minister said that he was outraged, and that prompted the former CEO of Capital health who had approved these expenses to pay back the \$7,200 cost of treatment plus interest. Now, there are tens of thousands of dollars in other questionable expenses that we have raised in the past. I'm wondering: will the Premier express disgust again so that maybe we can get some of those expenses paid back, too?

**Ms Redford:** Well, Mr. Speaker, I will not stand in this House and concede that all of the suggestions made by the opposition are somehow accurate simply because they said them, but there is no doubt that there are circumstances that do arise from time to time. It's why we're going to pursue advice that will allow us wherever possible to deal with these issues where it's appropriate. We believe fundamentally that everything we do has to be about ensuring that we're being custodians of taxpayers' dollars, that we're ensuring the integrity of a public health care system to ensure that people can continue to have confidence and not see fearmongering from the other side of the House.

**Ms Smith:** Mr. Speaker, here's another expense that Ms Lahey incurred and that the Capital health CEO approved. In April of 2005 Ms Lahey and her husband attended the Hope Foundation gala fundraiser, where her husband bought a luxury dinner for four at the live auction for \$1,200. Ms Lahey then expensed her husband's \$1,200 donation, and the CEO of Capital health approved it. Is the Premier or anyone disgusted by that?

**Ms Redford:** Mr. Speaker, as we see continually, these circumstances are possibly arising, and what we've asked the opposition to do is to ensure that all appropriate steps are taken to provide the information to independent agencies that can take a look at these matters. There is no doubt as we move forward and we take a look at some of these circumstances that if there are opportunities to deal with them, we will. But let's also keep in mind that the regulations that are in place, the expense guidelines that we have put in place and we've asked Alberta Health Services to follow, will ensure that this does not happen again.

**Ms Smith:** Here's some more taxpayer-funded philanthropy by Ms Lahey's husband: November 2005, \$4,300 for a Heavenly Evening of Dining auction item; May 2006, \$1,700 at another function; \$3,000 more in 2007, all paid for by Ms Lahey's husband on his credit card, which she then expensed to taxpayers. Is the Premier or anyone else disgusted by that?

**Ms Redford:** Mr. Speaker, it's entirely appropriate to raise these issues. There's no reason for us not to look into them, and we will.

But I will say something else, and I'd like to remind the opposition of this. While these circumstances that we're talking about are certainly disappointing, we want to make sure that we've dealt with them. [interjections] We've taken steps to ensure they can't happen again. We've taken steps to ensure there's the opportunity to recover, but let's keep in mind that what we did as a government, elected a year ago tomorrow, was ensured we instituted changes to make . . . [interjections]

### **Speaker's Ruling Decorum**

**The Speaker:** Hon. members, I hear a few members in the rows of the Wildrose opposition starting to interject more and more as the questions build. I don't hear anybody interjecting when the questions are being asked. Let's not interject when the answers are being given. You may like the answers; you may not. But it doesn't give cause for you to create any disorder. So please let us be respectful. Let's change the tone as we all said we would try to do last year. It would just be a wonderful world, wouldn't it?

Let's proceed on with your third main set of questions.

### **Prescription Drug Coverage**

**Ms Smith:** Mr. Speaker, the Minister of Health is systematically undermining the public's confidence in the health care system. Changing pharmacy pricing is just the most recent example, yet the minister defends his Fred-icare plan, insisting that drug prices are dropping. Not true. There are examples galore, and they affect patients. We'll hear more about that in a subsequent question. Life-saving medicines that were one price last month are double, triple, or more this month. It affects their health, and it affects their lives. When is the minister going to scrap this horrible plan and put patients first?

**Ms Redford:** Mr. Speaker, the introduction of changes that the Minister of Health has proposed with respect to generic drugs is doing exactly that. We've made responsible and tough choices to ensure that our public health care system continues to remain sustainable, that Alberta taxpayers get good value for their money, and that Albertans can afford medication. As we move forward, we have every confidence that through this transition phase we're able to see tremendous success and opportunity, and we look forward to that continuing.

**Ms Smith:** The minister has been telling Albertans a number of things about his pharmacy plan that are simply not true. He claimed that there are multiple manufacturers for all of our drugs. This is false. The sole supplier of penicillin is Apotex. The old price was \$71 per thousand pills. The new Fred-icare price is \$178 per thousand pills. Will the Premier take her minister to task and give him the opportunity to admit his mistake and tell the Assembly the truth about his Fred-icare?

**Ms Redford:** Mr. Speaker, I expect within the next little while we'll see these sorts of specific examples that are misleading to Albertans. The reason for that is that what we've done as the government is that we have absolutely changed the way that the government of Alberta purchases medication. That doesn't mean that in some cases you may not see increases in some and decreases in others, but what we have confidence in is that this plan reduces the cost of medication to Albertans, to the Alberta

health care system and ensures that we can continue to have a sustainable system that supports vulnerable people.

2:00

**Ms Smith:** I'll help the Premier with the math. Penicillin is now two and half times higher in price.

Mr. Speaker, the minister is also trying to convince Albertans that as a result of consultations with pharmacists the pharmacists agree with the changes. They don't. Can the minister answer a question from a pharmacist in the Banff-Cochrane constituency? I'm sure that the MLA wishes he could ask this question on his behalf. Who in their right mind would agree that it is best to sell products at a loss and put their business at risk?

**Ms Redford:** Mr. Speaker, here is the difference between the government and the opposition. As I've said very clearly and as our Minister of Health has said, our primary responsibility is to ensure that our health care system is sustainable and that all Albertans have access to medication. We have ensured that we've consulted with pharmacists. We understand that there are some pharmacists who have business models where this transition is challenging. We are supporting them, but I'll tell you that our first obligation is not the same as the Leader of the Opposition's. The Leader of the Opposition says that she's opposed to corporate subsidies, which doesn't seem to be the case. [interjections]

**The Speaker:** The hon. leader of the Alberta Liberal opposition.

#### Funding for Education

**Dr. Sherman:** Thank you, Mr. Speaker. Tomorrow is the one-year anniversary of the 2012 election. In his column Don Braid talks about the Premier. He states, "She rarely admits a mistake; indeed, she won't even concede that promises made in the election campaign have been broken." One such promise was to bring in full-day kindergarten. Promise made, promise broken. To the Premier: why did you promise full-day kindergarten when you had no intention of honouring that promise? Was it just a ploy to win votes? Why, Premier?

**Ms Redford:** Well, actually, Mr. Speaker, whether it's our Minister of Education or our Minister of Human Services talking about this issue, we will talk about the fact that all-day kindergarten matters to Albertans, because we're fundamentally committed to ensuring that early childhood development is a foundation for the future. We already see in over half of the jurisdictions in this province the opportunity for all-day kindergarten, and as we move forward, we are transitioning more and more programs to that. Local school boards are involved in making these decisions that are appropriate for their families. We'll continue to support it, and to suggest that we're not going to get there is completely misleading.

**Dr. Sherman:** Mr. Speaker, Albertans don't need this Premier to talk; they need her to walk.

In the election the Premier promised to end child poverty in five years, to revisit minimum wage, and to end all poverty in 10 years, yet after 42 years this government doesn't even have a working definition of poverty nor any money budgeted to end it. One year has gone by, and more than 70,000 Alberta kids are waiting to be appropriately fed, clothed, housed, and brought out of poverty. Promise made, promise broken. [interjections] To the Premier: why are you playing politics with the most vulnerable members of our society instead of helping them?

**Mr. Hancock:** Mr. Speaker, the presumptions of the hon. member are absolutely absurd. First of all, there are no magic wands. Nobody promised that everything would be done on day 1. We have a four-year mandate, and we will fulfill that four-year mandate. [interjections] The hon. member says that there's no definition of poverty. If he went back to the estimates, at which the Member for Calgary-Mountain View raised the same issue, he'd understand that social issues belong to the community and have to be worked on with the community. There are many definitions of poverty. [interjections] We are working on making sure that there's common cause in this province so that we actually do succeed in achieving these very, very laudable goals.

#### Speaker's Ruling Decorum

**The Speaker:** All right. We now have hecklings and interjections by the Liberals and by the New Democrat opposition and even a few from the government side. Again I ask: could you please all come back to some sense of civility and decorum before this gets escalated to the point where I have to interject even more?

Hon. member, your final question.

#### Funding for Education (continued)

**Dr. Sherman:** Mr. Speaker, this minister talks about magic wands. Our kids are getting lumps of coal.

During the election my daughter and her friends at the University of Alberta read election slogans where the Premier told students she'd walked in their shoes and promised to prepare Alberta for the future by investing in their education. Instead, we've seen the most draconian cuts to postsecondary education in decades and even the cancellation of STEP funding. Promise made, promise broken. To the Premier: how exactly did you decide that chaos, fear, and uncertainty were what our postsecondary institutions needed to prepare our young people and our province for the future?

**Ms Redford:** Well, Mr. Speaker, I think we see a lot of examples of spreading chaos, fear, and uncertainty, but they're coming from that side of the House. Nonetheless, we're very aware of the fact that postsecondary funding in this budget makes up more than 5 per cent of our budget. This is an area where we have a responsibility to ensure that taxpayer dollars are being used effectively for research and innovation, to train our students, not wasted on administrative costs. Everything that our minister is doing is working with presidents and boards of governors to ensure that taxpayer dollars are being spent effectively. You know, we've seen incredible investments in the past 10 years, and we think we can ensure that this continues.

**The Speaker:** The hon. leader of the New Democrat opposition.

#### Seniors' Drug Coverage

**Mr. Mason:** Thank you very much, Mr. Speaker. The Premier is breaking another promise, this time to Alberta seniors. As a PC leadership candidate in a letter dated September 6, 2011, this Premier assured seniors she would "cancel the proposed Alberta Senior's Drug Strategy and retain the current program." Now as Premier she's looking to replace the current plan with an income-adjusted plan that could see seniors paying hundreds or even thousands more for their prescriptions. To the Premier: why have

you broken another promise, this time to our most vulnerable citizens?

**Ms Redford:** Well, Mr. Speaker, first of all, the comments made with respect to ASDS were important because we wanted to make sure that we were putting in place a system that did take care of the most vulnerable Albertans. The work that our Minister of Health is doing on pharmacare is ensuring that that is exactly what will happen. This program will ensure access for 20 per cent of Albertans that currently do not have drug coverage. The work that he's doing with respect to generic drugs is going to ensure that the price of medication goes down. Everything we're doing is about ensuring that medication is more accessible for everyone in this province.

**The Speaker:** The hon. leader. Second question.

**Mr. Mason:** Thank you very much, Mr. Speaker. In this Premier's letter she clearly stated that income-based supports for prescriptions are "a poor repayment" for seniors' contributions to building Alberta. Just before the election the Health minister underlined the commitment to seniors, saying that government has no intention to make changes to the plan. That was before the election, and this is after. To the Premier: why didn't you tell Alberta seniors the truth?

**Ms Redford:** Mr. Speaker, what we told Alberta seniors and all Albertans was that we wanted to ensure that we had a pharmacare system and a drug system that ensured that the most vulnerable people were protected. As we move forward, that's exactly what we have. We saw the opportunity in the past 12 months to do something better than what we'd actually thought was in place before. We're committed to doing that not only to serve Albertans and Alberta taxpayers but also to ensure that we're allowing our health care system to continue to be sustainable. We're committed to that.

**Mr. Mason:** Before the last election this Premier made so many promises to so many people that they could fill the Saddledome. Clearly, this Premier will say anything to anyone in order to get elected. Now she's tricked vulnerable seniors into voting for her by making promises she had no intention of keeping. Premier, have you no shame?

**Ms Redford:** Mr. Speaker, this is a government that wants to ensure and has ensured with this budget that we are protecting vulnerable Albertans across the board, whether they are seniors or otherwise. I'll talk about some promises we made that we kept. We promised to protect vulnerable Albertans, to hold the line on spending, to not increase taxes, to improve pharmacare, to fund insulin pumps, to build family care clinics, to build new schools, to fast-track emergency rooms, and to renew our fiscal policy framework. We made those commitments and we kept those commitments and we're proud of those commitments.

**The Speaker:** The hon. Member for Calgary-Shaw, followed by Calgary-Mackay-Nose Hill.

### Safe Communities Innovation Fund

**Mr. Wilson:** Thank you, Mr. Speaker. As a result of this year's back-in-debt budget that cut all funding to the safe communities innovation fund, Servants Anonymous has been desperately trying to find sustainable funding for their SAFE house. For the past three years the SAFE house has provided women and children the

support necessary to exit the violence of prostitution, human trafficking, and sexual exploitation. Last week the Minister of Human Services indicated to me that his ministry will be finding a way to sustain the funding for the SAFE house due to the success of the program. Can the minister tell this House when Servants Anonymous can expect your call?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Thank you, Mr. Speaker. What the hon. member was doing last week was raising questions and talking about budget cuts, which was entirely inaccurate. What actually happened with respect to that particular program and a number of others that were funded under safe com was that they knew that their grants were one-, two-, or three-year grants, and they were expiring. They were working on a transition plan to sustainability. Our department is working on those transition plans with respect to those projects, which need to be continued to sustain those ones that were successful, and we'll continue to do that.

2:10

**Mr. Wilson:** A cut is a cut is a cut, Minister.

Given that other pilot programs under the safe communities innovation fund are beginning to feel the heat as a result of this government's misguided priorities and given that just last week the government insisted that funding had dried up for all SCIF programs, can the minister outline what other front-line services that were going to be cut last week are now deemed funded this week?

**Mr. Hancock:** Well, Mr. Speaker, the hon. member continues to intentionally change the facts. The facts are that SCIF projects were funded with specific grants for one, two, or three years. Those grants expired. They weren't renewable. They weren't ongoing. They were term certain. During that period of time the projects were to determine, first of all, whether they achieved results, and then, secondly, how they were going to be sustainable. That discussion about how they were going to be sustainable is a discussion which they needed to engage in with the appropriate departments so that appropriate programs can go forward. It's not a budget cut. It's a grant that expired.

**Mr. Wilson:** Given that the government has indicated it will backtrack on the decision to cancel funding for Servants Anonymous and apparently some other very deserving programs, will the government now overturn its stubborn decision to close to the Michener Centre, or will it continue to bulldoze ahead with its pattern of miscommunication around cuts to the front-line services that matter most to vulnerable Albertans?

**Mr. Oberle:** Mr. Speaker, let's set the record straight here. The hon. member stands and complains about cuts despite the fact that they propose that we cut \$2 billion from the budget. Nonetheless, our PDD budget wasn't cut. It's increased in this year's budget. The only person who has proposed a cut in the PDD budget by way of amendment, which we'll vote on tonight, is that hon. member. [interjections]

### Speaker's Ruling Decorum

**The Speaker:** Okay. Whoever is hooting and hollering over here, enough. You know, this may surprise some of you, but there are people who watch question period. There are people who come to the galleries expecting to listen to question period. Do you know



what? They expect those of us who were elected here to be role models for them and for others. Did you know that? Now, just take a look at your own decorum over this last little while. Is that the kind of role modelling you would like to see? Even while I'm speaking, some of you are talking to each other. Is that how you are in your own homes in your own communities? I don't think so. Why, then, would you try to be like that here? Come on.

I know question period isn't as exciting for some as it is for others, but it's a serious time to hold the government accountable. That's what it's all about. So let's let members who ask questions have that right, and let's have government members offer up their explanations. Wouldn't that be a wonderful world? It's the second time I'm asking you.

Let us move onward. Calgary-Mackay-Nose Hill, followed by Airdrie.

### Joint Oil Sands Environmental Monitoring

**Dr. Brown:** Thank you, Mr. Speaker. My questions are for the Minister of Energy. Albertans know that developing our energy resources comes with an environmental cost in the generation of greenhouse gases that do cause climate change and in impacts on air, land, and watersheds. But Albertans want to know the facts. Given the widespread criticism of our old monitoring systems, what is the minister doing to provide up-to-date information on environmental impacts from oil sands developments?

**The Speaker:** The hon. minister.

**Mr. Hughes:** Thank you very much. Mr. Speaker, the joint oil sands monitoring portal was launched today, very appropriately on Earth Day, and it will provide clear, open, and transparent access for anybody who wishes to take a look at it, information about the air, the water, soil, and biodiversity in northeastern Alberta. This is a significant on-the-ground development in terms of having access for all Canadians and Albertans. We're very deeply committed to this, working with the government of Canada.

**Dr. Brown:** To the same minister: given that the joint environmental plan was announced in February 2012, what on-the-ground enhancements have been put in place to provide the data, and how can the minister assure Albertans that the new portal will have some scientific credibility?

**Mr. Hughes:** Well, Mr. Speaker, clearly, that's what it's all about, ensuring that there is scientific credibility to the work that's going on, that it's out there for all to review.

Our Minister of ESRD and her federal counterpart have undertaken tremendous hard work since February of 2012, when they announced this. We're broadening monitoring of contaminants specific to the oil sands and implementing an expanded groundwater monitoring network as well. Those are just a couple of examples of the additional monitoring that's available publicly.

**Dr. Brown:** Given the importance of our oil sands to Alberta, Canada, and, in fact, to North America can the minister advise how this new data is going to help to clear up some of PR campaigns of misinformation about our oil sands developments?

**Mr. Hughes:** Well, Mr. Speaker, clearly, what we have to do as Albertans is ensure that science is our friend. Science is helpful to all of us to help ensure that the facts are out there, that we're able to put our case forward, that people can contest it and take a look at the facts and understand it and analyze it. Canada and Alberta are working closely to ensure that this is out there, that we're

working together on our environmental policies. Meanwhile the opposition, of course, are still scratching their heads about what science is and which science they actually believe.

### Crossmunicipal Taxi Fares

**Mr. Anderson:** The taxi shortage in the city of Calgary is well documented, and although the majority of the problem must be dealt with by the city, it is starting to affect those from communities outside of Calgary, including my own. Airdrie taxi drivers are forbidden to pick up Airdrie residents from Calgary and bring them back to Airdrie and are fined \$1,500 for doing so even though the shortage of Calgary taxis means hours of waiting. To the Minister of Transportation: why don't we do what most other jurisdictions have done and allow for a crossmunicipal taxi licence so that Airdrie drivers aren't penalized for serving members in their own communities?

**The Speaker:** The hon. minister.

**Mr. McIver:** Well, thank you, Mr. Speaker. As the hon. member probably knows – and I guess there was a time in my life when I spent nine years dealing with this amongst other issues – the municipalities have the authority over the taxi business. I guess the hon. member wants to wrestle that authority from them. That's an issue that he may want to bring forward in a proposal. But right now municipalities are duly elected, really not unlike us, and at this point I don't know of any plans to take away their duly elected authority.

**Mr. Anderson:** It's intermunicipal trade. We don't make buses and charters do that. Why should we do that for taxis?

Given this minister is always touting how he is cracking down on drunk driving and given that having timely access to a cab would do far more to prevent drunk driving and be a lot more cost efficient than, say – oh, I don't know – going after those at .05, will the minister agree to develop a permit that allows taxi drivers to pick up those living in their communities, whether that's a Calgary taxi picking up a Calgarian from an Airdrie bar or vice versa?

**Mr. Griffiths:** Mr. Speaker, we've got a volunteer organization called the Calgary Regional Partnership, where municipalities have come together and continue to come together to address the challenges with long-term regional planning, land-use planning. At the meeting we had on Thursday evening, we discussed water use, we discussed business licences, and we discussed a lot of other things, an example of which this member has listed, which can help make the Calgary Regional Partnership stronger and make it more competitive down the road to better serve every single one of its clients instead of defending themselves against borders, which are really arbitrary. It's about working together.

**Mr. Anderson:** Given that the reason Airdrie taxis cannot afford to run a wheelchair accessible van is because they are not permitted to return with customers from hospitals or other facilities in Calgary even if they brought them there in the first place and given that this is a major restriction on the mobility of seniors and the disabled living in communities outside of Calgary, Minister, will you show just a little compassion and perhaps a little common sense and allow taxis from Airdrie, Chestermere, and others to at the very least pick up seniors and the disabled from Calgary locations so they can be brought home to our communities in a timely and safe fashion?

**Mr. Griffiths:** Mr. Speaker, this is a municipal issue, and we continually respect municipalities and their ability not only to solve their own problems but to work together to come up with long-term solutions.

I find it very ironic that half the members on that side are working to undermine the Calgary Regional Partnership and cause more division while we on this side respect municipalities and encourage them to constantly work together to address these solutions because we all, from every single municipal jurisdiction in the province, serve the same clients.

**The Speaker:** The hon. Member for Calgary-South East, followed by Edmonton-Centre.

## 2:20 Seniors' Property Tax Deferral Program

**Mr. Fraser:** Thank you, Mr. Speaker. As part of Budget 2013 it was announced that the seniors' property tax deferral program will be implemented so seniors can keep more money in their pockets by deferring property taxes till they sell their homes. To the Associate Minister of Seniors. We know that seniors are facing rising expenses, including my parents. We know that even seniors who own their own home are not immune to the added burden of rising property values, including my parents. How will the seniors' property tax deferral program actually deal with this issue?

**The Speaker:** The hon. associate minister.

**Mr. VanderBurg:** Well, thank you. Mr. Speaker, the voluntary program, the seniors' property tax deferral program, was announced today. Everybody is going to have the opportunity in their offices to have information packages. The Treasury Branches have information packages. The Seniors websites have information packages. This opportunity for seniors to defer the equity in their home will give the opportunity for seniors to decide how best they spend their money. Whether they just spend it on extra groceries, whether they spend it on a trip, that's up to them. It gives them a low-cost interest to be able to achieve this.

**Mr. Fraser:** To the same minister: how will this program work, and when can the seniors start applying?

**Mr. VanderBurg:** Well, Mr. Speaker, quite simply they can start applying today, and the qualifications for this program are pretty simple. You have to be 65 years old with 25 per cent equity in your home. Fill out the application, and the process will roll.

**Mr. Fraser:** Given that Calgary seniors who can't live at home are waiting for placement into higher level care facilities, not long-term placement but a home with 24-hour care, what is this government doing to provide these spaces for Albertans who have built this province?

**Mr. VanderBurg:** Mr. Speaker, it's very clear in the budget document that we have an opportunity for enhanced housing and continuing care for communities across the province. Sir, if you and others in this Assembly pass this budget tonight, we'll be able to roll out this program and make some announcements very, very soon. If you vote against the budget, we won't have the opportunity to do that.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by Edmonton-Calder.

## Municipal Charters

**Ms Blakeman:** Thanks very much, Mr. Speaker. During her leadership race, the election, and on other occasions the Premier promised a big-city charter for Edmonton and Calgary. Now, whether this was one big-city charter referring to both cities or two separate charters, the Edmonton charter and the Calgary charter, the details are not worked out. But there is no question. I heard the promise, Edmonton heard the promise, and Calgary heard the promise. To the Minister of Municipal Affairs: why is the minister now saying that this will not happen in any way, shape, or form?

**Mr. Griffiths:** Well, Mr. Speaker, I've never said that. In fact, I've stood every single time in this House and said that we continue to work on the charter. We're making incredible progress, but keep in mind that I'm not the only signatory to this. We're respecting the discussions with the city of Calgary and the city of Edmonton as we try and craft a charter, and we still anticipate that we will have one come forward.

**The Speaker:** The hon. member.

**Ms Blakeman:** Thanks very much. Well, the minister is quoted in *Hansard* as saying that he is very much opposed to creating classes of municipalities. My question to the minister is: why not? What we have are different classes of municipalities.

**Mr. Griffiths:** We have currently still one of the most progressive municipal government acts in all of Canada, and we're working to rewrite the Municipal Government Act to make sure that it is the most progressive in all of North America for another generation to come, Mr. Speaker. That means that we're working with all of our municipalities to make sure that they have the appropriate roles, the appropriate responsibilities, and the opportunities to govern themselves as best they can for the citizens they represent. That's the ultimate solution for every single municipality in this province.

**Ms Blakeman:** Well, Mr. Speaker, given that Edmonton and Calgary have already proved their maturity, their population base, and therefore their need for a separate charter and they have the support of their village, town, and small-city colleagues, what has the minister got against these two cities – or maybe it's the two mayors – that he keeps blocking a big-city charter for these two cities?

**Mr. Griffiths:** As I've said before, our administrations continue to work together. We continue to work together as politicians, Mr. Speaker, on a charter for the municipalities. I have absolutely nothing against them. They have a tremendous amount of capacity, and we have to make sure that the charter, which is about the relationship between those municipalities in the province, is set up so that we can all function most effectively. I will not and cannot simply sign off and mandate what the charter will look like. I work with my municipal colleagues to create one, and they're not ready to sign it either because we're still discussing the details of that charter.

**The Speaker:** The hon. Member for Edmonton-Calder, followed by Strathmore-Brooks.

## Corporate Taxes

**Mr. Eggen:** Thank you. Mr. Speaker, we hear that the province just lost \$120 million because two major corporations, using

Alberta's tax loopholes, avoided paying what is the lowest corporate tax rate in Canada. This PC government fails to even collect the lowly sum it asks corporations to pay. Billions have been left on the table, and everything from health care to road maintenance is left to suffer. To the Minister of Finance: let's just make this clear. Your government is willing to carry on with cuts to public services rather than compelling corporations to pay their fair share.

**Mr. Horner:** Mr. Speaker, the hon. member is more or less misleading this House when he suggests that this is an Alberta tax loophole. It was nothing of the kind, and he should perhaps do his homework. The fact is that we actually took this all the way to the Supreme Court. We did everything in our power to try to recoup as much as we possibly could and did actually recoup close to \$80 million.

The actual loophole that this was under is actually in the Ontario jurisdiction. The Ontario government has worked with us. We've changed it, we've closed it, and frankly, Mr. Speaker, we are aggressively pursuing any others that we may find.

**The Speaker:** The hon. member.

**Mr. Eggen:** Thank you. Well, given that this government relies on corporate tax to account for only about 12 per cent of its total budget – and apparently our government can't even collect that properly – and given that this PC government has turned its poor revenue management practices into an excuse to cut public services, how can this minister possibly defend a budget that hurts Alberta families while his government allows massive corporations to get away without paying their taxes as they should?

**Mr. Horner:** Well, Mr. Speaker, given that the question was entirely inappropriate and unfactual, I'm going to give my answer, which is factual, and that is that we will aggressively pursue anyone who is not abiding by our tax laws in our jurisdiction and beyond if they're paying taxes in this province. We will continue to take matters to the highest court in this land if we believe that we have even the slightest chance of winning. We will also honour the courts in this land because that's what we do in this province.

**Mr. Eggen:** Well, Mr. Speaker, given that Alberta still does not use the much more efficient Canada Revenue Agency for collecting corporate tax and given that this PC government has been dishing out poorly thought-out and unsustainable corporate tax cuts for more than 10 years, will this minister cut our collective losses now, set a reasonable corporate tax rate, and stop this bargain basement race to the bottom that only seems to benefit large corporations with large offshore accounts and small armies of clever tax lawyers like Deloitte Touche?

**Mr. Horner:** Well, Mr. Speaker, I might suggest to him that he's probably extremely lucky that he said that in this House and not outside those doors.

Mr. Speaker, this government with the tax policy that we have has done some interesting things. It has created the strongest economy in our country. It has created an economy that has some of the lowest unemployment rates in our country. We have the strongest financial position of any jurisdiction, I would say, in North America. Albertans told us to live within our means, and that's exactly what this budget is doing.

**The Speaker:** The hon. Member for Strathmore-Brooks, followed by Edmonton-Manning.

## Prescription Drug Coverage (continued)

**Mr. Hale:** Thank you, Mr. Speaker. This government has gone to great lengths and spent a lot of taxpayers' dollars telling Albertans that generic drug prices would be coming down. However, a pharmacist in my constituency recently had to inform one of her patients that he now has to pay more than double what he used to for his morphine. Previously he paid about \$68. Now he's paying \$155. In her e-mail to me she said, quote: he was so upset, and I felt like crying. To the Health minister: how many more stories like this do you need to hear before you realize that your centralized Fred-icare program is a total failure?

**Mr. VanderBurg:** Mr. Speaker, on behalf of the minister the minister has made it very, very clear that the health system in this province is and is going to be and will remain publicly funded. We need to make sure, you know, for now and for the future that our publicly funded system is operated properly in the most efficient way. I think the pharmacare program is one of those programs very, very clearly laid out by the minister. We are going to have an opportunity for all Albertans to have a great program going forward, where those that are in most need will get the best benefit.

**The Speaker:** The hon. member.

**Mr. Hale:** Thanks, Mr. Speaker. Not quite sure where that was going.

Given that morphine patients don't have the luxury of choosing to go off their medication and given that this patient in particular just can't afford such a drastic increase to his medication, how can this minister look at Albertans square in the eye and say that his centralized Fred-icare program is good medicine?

2:30

**Mr. VanderBurg:** Mr. Speaker, I stand by the comments that I made. If there are any individual concerns that the member wants to bring forward, not in this Assembly but to the minister's office, I'm sure that the minister will handle that in a timely fashion.

**Mr. Hale:** He doesn't seem to ever return my calls.

Given that when this pharmacist told her patient of the increased price, the first words out of his mouth were, "I thought drug prices were going down," will the Health minister immediately apologize to this patient and all Albertans for this misleading advertising campaign and admit that his centralized Fred-icare program for generic drugs has completely backfired?

**Mr. VanderBurg:** Mr. Speaker, I find it ironic about these situations that occur right now. The program starts to kick in later on this year. The new generic pricing will kick in May 1. We haven't even got to where the member is talking about. Again, if the member has specific concerns that he wants to bring for a constituent, he can bring them to me or to the Health minister's office. I make a commitment to you that we'll help you out.

**The Speaker:** The hon. Member for Edmonton-Manning, followed by Cypress-Medicine Hat.

## Supports for Vulnerable Albertans

**Mr. Sandhu:** Thank you, Mr. Speaker. This year's budget focuses on supporting programs and services to the most vulnerable Albertans. I'm concerned about the gap that our province's income support program leaves for Albertans who exceed the

maximum income yet still do not earn enough to meet their basic needs. My first question is to the Minister of Human Services. When was the income support program last reviewed and evaluated to adapt to the changing needs of vulnerable Albertans?

**Mr. Hancock:** Well, Mr. Speaker, any Albertan can access our Alberta Works centres. There are 53 of them in communities throughout the province. In those centres they'll find services and programs to support them, including information on training and employment programs to help with funding or linking the individual to appropriate short-term assistance. If the Albertan is dealing with an immediate emergency, they can qualify for a one-time issue of benefits. As well, they or family members might qualify for health benefits. Our staff will assess the whole person and their individual needs. In short, Alberta Works centres are there to help all Albertans in their time of need.

**The Speaker:** The hon. member.

**Mr. Sandhu:** Thank you, Mr. Speaker. To the same minister: what is the maximum income that a family can earn and still be eligible for income support?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Thank you, Mr. Speaker. When providing appropriate income support, each situation and individual is reviewed on a case-by-case basis. There's no specific income maximum amount as benefits and services provided are based on an assessment of the person's situation such as the number of dependents, living arrangements, income exemptions, and so forth. There are eligibility thresholds. For example, for a single parent with one child under 10 years of age where the parent is not working and renting an apartment, the threshold would be \$933 per month. But you can tell by that example that there could be many different circumstances, and each individual is assessed on their own circumstances.

**The Speaker:** The hon. member.

**Mr. Sandhu:** Thank you, Mr. Speaker. Again to the same minister: does your ministry plan to offer income support for Albertans who fall outside of that limit while perhaps mandating a proactive repayment plan or financial counselling?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Thank you, Mr. Speaker. Again, I would indicate that the application process includes a comprehensive review of an individual's budgetary needs and issues. If they're not eligible for income supports, they may be eligible for one-time support to get through an emergency situation. They may be assisted to find a better job or a stronger job position. We work with community agencies and not-for-profit agencies, so there may be an opportunity to find someone who can help them through their particular situation. It's a comprehensive approach, not a routine approach. Every individual is assessed on their particular need and aligned with the services that they need to get through that particular spot in their lives.

**The Speaker:** The hon. Member for Cypress-Medicine Hat, followed by Edmonton-Decore.

## Public-private Partnerships

**Mr. Barnes:** Mr. Speaker, during budget estimates the Minister of Infrastructure made a stunning admission. The minister finally admitted that the cost of public-private partnerships is much higher than traditional builds. He said, "Usually the up-front cost is higher in a P3 than a traditional build." To the minister: why is your government so eager to build Alberta using this costly and ineffective means of financing projects?

**The Speaker:** The hon. Minister of Finance.

**Mr. Horner:** I'm going to go first, Mr. Speaker, and I'm going to ask the hon. minister to supplement. I wanted to suggest to the hon. member that when you look at the financing package – and the up-front cost is what the minister had talked about – there is an up-front component of cash, and there is an ability for us to transfer the risk of the construction to the proponent, which is also built into the net present value of how we calculate it. The idea is to get the greatest value for the taxpayer both today and in the future life of the project.

**Mr. Barnes:** Given that this back-in-debt budget will take Albertans down a path of paying billions of dollars in interest and service fees to banks, why doesn't this government show some respect for taxpayers and future generations and reconsider its dangerous approach of relying so heavily on trading debt for infrastructure?

**Mr. Horner:** You know, it's rather interesting. Last week I happened to be at a luncheon with our federal Finance minister, Mr. Flaherty. He asked me what we were going to do with infrastructure and how we were going to fund it in the future. He was on his way to the IMF to talk about interest rates and where things are going. Both he and I talked about the value to taxpayers of using capital markets and P3s because it's the best way to get the best value for taxpayers. He was absolutely shocked when I said that the right wing, the people across the way, the Wildrose Alliance Party are opposed to P3s. He couldn't quite figure that out because they're supposed to be all about taxpayer value. Mr. Speaker, we are.

**Mr. Barnes:** We're very concerned how they're billing Alberta, not building Alberta.

Given that this government won't produce an infrastructure priority list and instead is mortgaging our children's futures with these costly borrowing schemes and cannot convince Albertans that the additional billions of dollars in interest being taken from their pockets isn't being done for political reasons, will the minister commit to giving Albertans the P3 they are really asking for, a public prioritized project list?

**Mr. Drysdale:** Mr. Speaker, once again that hardly made sense and was hard to follow and misquoted my budget. P3s save money. When you do a public-sector/private-sector comparator over the life of the project, P3s have saved this province lots of money. In fact, we've saved over \$2.2 billion since we started building with P3s. That's money that's gone into building infrastructure for all kinds of projects in this province. It would mean a lot fewer schools in your areas and ours if you didn't build with P3s. Make sure, when you quote, that you quote the whole thing.

**The Speaker:** The hon. Member for Edmonton-Decore, followed by Medicine Hat.

### New School Construction

**Mrs. Sarich:** Thank you, Mr. Speaker. I'm so happy we're talking about P3s. Since 2008 the government has built 40 schools Alberta-wide using a P3 model, which includes Florence Hallock in Edmonton-Decore. The P3 total dollar investment for schools since '08 is \$1.175 billion, for a cost savings of \$245 million over conventional construction. Many of my constituents are demanding more cost savings. To the Minister of Education: after the government formally announces to build and pay for new schools using a P3 model or approves an alternative funding option for new school construction, would the minister consider implementing a government-led procurement strategy . . .

**The Speaker:** I'll have to ask the hon. member to respond at this point.

**Mr. Bhullar:** Thank you, Mr. Speaker. It's my pleasure to respond on behalf of my colleague the Minister of Education. Our government is committed to living within our means and getting maximum value for taxpayers' dollars. That's why we look at creative instruments like P3s to make sure that we have the ability to get the services, to build the capital, the infrastructure that Albertans need today for the young children that need to go to school today and the seniors that need access to seniors' housing today. We'll continue to find innovative ways to continue to save money.

**Mrs. Sarich:** To the Minister of Service Alberta: given that you're responsible for government procurement, will there be any consideration currently or in the future of implementing a government-led procurement strategy with school boards for school desks, labs, chairs, tables, office desks, white boards, and technology?

**The Speaker:** The hon. minister.

**Mr. Bhullar:** Thank you. We're already doing a lot of that work. As of today over 60 school boards, including, I believe, some charter schools, are taking advantage of what's known as standing offers. That's where the provincial government, Mr. Speaker, working with other sectors like the postsecondary sector, the education sector, and our municipalities come together to really capitalize on our buying power to ensure that we can get the best prices using the maximum dollar force that we in the province have in our capacity.

2:40

**The Speaker:** The hon. member.

**Mrs. Sarich:** Thank you, Mr. Speaker. On behalf of Edmonton-Decore constituents I really appreciate that response.

Again to the same minister: are there any steps in place to monitor the current practices of procurement by school boards, government boards, commissions, and agencies to ensure accountability and transparency?

**The Speaker:** The hon. minister.

**Mr. Bhullar:** Thank you, Mr. Speaker. You know, as we said earlier, it's very important that we continue to ensure that our education sector as well as all of the other sectors that are funded by taxpayers' dollars continue to maximize taxpayers' dollars. They're expected to live up to a lot of the trade agreements that we as a province have signed off on. For example, for purchases over \$75,000 they are required to post on the Alberta Purchasing

Connection to make sure we extend every single dollar that is being spent that comes from our Alberta taxpayers.

**The Speaker:** Thank you.

Hon. members, in 30 seconds from now we will continue with private members' statements, starting with Chestermere-Rocky View.

### Members' Statements

(continued)

**The Speaker:** The hon. Member for Chestermere-Rocky View, followed by Calgary-North West.

### Highway 8 Twinning

**Mr. McAllister:** Mr. Speaker, thank you. On the west side of the riding of Chestermere-Rocky View there's a highway in desperate need of attention. That's highway 8. It begins to head west from the corner of Glenmore and Sarcee trails, and it travels through a growing residential area of western Calgary and Rocky View county. The highway has outgrown the role that it historically fulfilled, and it has become very dangerous. Last summer two teenage boys were killed just days apart, Dustin Peers and Chase Hudye. In each case the boy's vehicle crossed the center line and hit an oncoming tractor-trailer.

Now, highway 8 was never intended to be a trucking route. Truckers use it to avoid a steep climb on Sarcee Trail, but in doing so, they're clogging up a single-lane highway and contributing to the dangerous congestion. Traffic on highway 8 already exceeds the threshold for twinning with the average traffic count of 24,500 vehicles at Elbow Springs golf course. Single unit and tractor-trailer units at times make up close to 20 per cent of the vehicles on the highway.

Now, there is a very committed group of local residents that want to see truck traffic banned. At the very least the government should look at restricting it, particularly during peak hours. Eventually the Calgary ring road will solve these problems, but we can't sit idly by and wait, with the condition of this road getting worse.

One portion of that ring road could be built while we wait for a deal with Tsuu T'ina. I would encourage the minister to consider fast-tracking the west portion. It's going to be built either way, and it would alleviate many of the concerns for the people in west Calgary, Springbank, and Elbow Valley.

The government could also look at reducing the speed limit on the 100-kilometre-an-hour stretch so the highway isn't a convenient thoroughfare. After all, this highway is travelled by many school buses full of children.

The summer driving season is almost upon us. The time to act is now. We owe it to the people of west Calgary, Springbank, and Elbow Valley. Most of all we owe it to Chase Hudye, Dustin Peers, and their families.

**The Speaker:** The hon. Member for Calgary-North West, followed by Calgary-Hawkwood.

### Juno Award Alberta Nominee

**Ms Jansen:** Thank you, Mr. Speaker. I rise in the Assembly today to pay tribute to some great Albertans. Last night the Juno award ceremony was held in Regina. There were 11 nominees from Alberta: from Edmonton Corb Lund, Kreesha Turner, Vivian Fung, the groups Purity Ring and Ten Second Epic, and the Edmonton Symphony Orchestra. From Calgary there was Jan

Lisiecki, R. Murray Schafer, Hugh Sicotte, and also the group Makeshift Innocence. From Grande Prairie there was Emerson Drive. From Hanna there was Nickelback.

The nominees really represent an impressive range of musical styles and expressions. They were nominated in individual and group categories, and in a very special part of the ceremony k.d. lang, the pride of Consort, Alberta, was inducted into the Canadian Music Hall of Fame.

Mr. Speaker, we as Albertans strive to tell our story to the world. We want the world to know we are an open and diverse society, a place where hard work and dedication make dreams come true, a place of established traditions whose heart is always big enough to welcome a new perspective on the human journey, a place that prizes excellence in all things and whose musical artists help tell that story in the most eloquent way. Through the pursuit of artistic passion they bring us joy and distinction.

I would like to congratulate Vivian Fung of Edmonton, who won a Juno award last night for classical composition of the year. We're so proud of Vivian and all the sons and daughters of Alberta who represented our province at the Juno awards. We are so proud of them.

**The Speaker:** Hon. members, I know you'll want to listen equally attentively to the next member because it was on this day many years ago that he uttered his first words. Now let's hear how he has improved on them. The hon. Member for Calgary-Hawkwood.

#### Support for Senior Citizens

**Mr. Luan:** Thank you, Mr. Speaker. As a society we owe our senior citizens a great amount of respect and compassion. Day in and day out these individuals worked incredibly hard to build the Alberta that we've all come to know and love today. Personally, I grew up in a Chinese family and inherited a very strong culture that respects the elderly being held in high virtue.

In fact, the red envelope exchange tradition, that many of you might be familiar with, is just such an example. At the time of the Chinese New Year the elderly give red envelopes with money in them, wishing the younger generation prosperity. The receiving generation pays tribute to the elderly to thank them for the care and support. In my family it's followed by bowing three times to your parents to thank them. I must admit, Mr. Speaker, that when I was in my turbulent junior years, I was trying to get rid of the second part. I wasn't successful.

On a more serious note, Mr. Speaker, my point is that respecting the elderly is a value that I believe we, all Albertans, embrace regardless of our cultural background. It is our utmost responsibility to make sure that our senior citizens have the necessary programs and support at their disposal so that they can enjoy their last stage of life with love, care, and dignity.

Mr. Speaker, as we proceed with today's budget vote, I'd like to urge the hon. members of this House to give proper support for seniors' programs. I believe Alberta is great only if it is great to all, including our vulnerable senior citizens.

Thank you, Mr. Speaker.

**The Speaker:** Thank you, hon. member, and happy birthday.

The hon. Member for Stony Plain, followed by Edmonton-Meadowlark.

#### Support for Agriculture

**Mr. Lemke:** Thank you, Mr. Speaker. I rise today to recognize one of Alberta's most vibrant and innovative economic sectors. Not only is it our largest renewable resource industry; this sector

also holds immense potential as we look to continue to diversify our already strong economy. I am talking about Alberta's agricultural industry, which continues to grow both domestically and internationally as we look to gain market access and a fair price for an array of Alberta's resources.

Our strong agricultural sector is one of our most forward-thinking industries. It is a leader in technological research and innovation through its employment of sustainable practices. The agricultural initiatives program funds many of these projects. This industry is the sector that our province's strong economic foundation was originally built on, and its value to our economy today should not be overlooked. After all, this sector employs 73,000 Albertans, Mr. Speaker. Canada is one of only five countries in the world that produces more than we consume.

Mr. Speaker, much of my constituency of Stony Plain is rural and has a significant number of farmers. It is crucial that we continue to support and nurture this important sector. As this government continues to build Alberta, I see the agricultural industry playing a crucial role in the diversification of our economy as it holds great potential for all Albertans.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Meadowlark and leader of the Liberal opposition.

2:50

#### Liberal Election Promises

**Dr. Sherman:** Thank you, Mr. Speaker. Tomorrow marks one year since the last provincial election, and the top issues a year ago are the top issues today. Last year the Alberta Liberals presented a plan to act on these issues, and that plan is still vitally relevant and bursting with common-sense solutions.

Increased funding for home care and nonprofit long-term care so that seniors are no longer warehoused in hospitals, ER wait times are reduced, and ambulances get back to the road quickly: we were right then, and we are right now. Eliminating school fees for K to 12, making schools community hubs, starting a provincial school lunch program, expanding registered apprenticeship programs, and an end to overcrowded classrooms: we were right then, and we're right now. Increasing our investment in postsecondary education so that it is more affordable and accessible, so class sizes are reduced, so postsecondary institutions have stable and predictable funding: we were right then, and we're right now. Apply the carbon levy to actual emissions and create an important source of revenue to fund environmental innovation and transit options for cities and towns, thereby repairing this province's poor environmental reputation, which is hurting our economy: we were right then, and we're right now.

Last year the Alberta Liberals said that it was time to stop spending all of our nonrenewable resource revenue. We said that it was time to stop tying the funding of vital public services to the price of a barrel of oil and that the way to do this was to bring back progressive income tax and modestly increase the tax on large corporations to 12 per cent. Stable, predictable funding for vital services and money going into the savings account every year: we were right then, and we're right now. Mr. Speaker, I can only hope that someday soon this government will also be right instead of taking a hard turn to the right.

Mr. Speaker, on behalf of the Alberta Liberals it was an honour for me to celebrate the one-year anniversary of a truly forward-thinking, common-sense, honest plan for Albertans.

Thank you.

## Tabling Returns and Reports

**The Speaker:** Hon. Member for Cardston-Taber-Warner, do you have a tabling today?

**Mr. Bikman:** I do. Thank you, Mr. Speaker. I have two letters from concerned pharmacists. Dennis Strong, owner of Woods Dispensary, and Craig Jensen and David Wright, owners of Johnson's Taber Drugs, are concerned that the schedule of prices that's been put out recently is nonbinding as per clause 17.1. Two tablings there.

Also, from the village of Stirling I want to table a letter that I received, as did all other citizens of the community, about the lowering of the municipal sustainability initiative program by \$81,720 and the increase in education requisition of about \$130 to each homeowner. I'll table that.

Also, a letter from Rita Lyster of Rita's Apothecary & Home Healthcare Ltd., who just recently made an investment in her business and now feels like this state-of-the-art clinic is in jeopardy because of the changes.

I have the requisite number of copies and will give them to the page.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by Edmonton-Centre.

**Ms Notley:** Thank you very much, Mr. Speaker. I have four tablings today. The first is the appropriate number of copies of a letter referred to by the Member for Edmonton-Highlands-Norwood in his questions today and written by the Premier to seniors' advocate and former Calgary alderman John Schmal dated September 6, 2011, in which she promises to retain the current system of pharmacare for Alberta seniors. In the letter she goes further to state, "Elderly Albertans devoted their lives to building this province and income-based supports . . . are a poor repayment for their efforts." Seniors are outraged that the Premier is now ready to break this promise.

My second tabling, Mr. Speaker, is the appropriate number of copies of a letter written by the current Minister of Health to seniors' advocate and former Calgary alderman John Schmal dated March 19, 2012. In that letter the Health minister assures Mr. Schmal that he has been asked by the Premier to assure him that the government has no intent to make changes to seniors' drug coverage in Alberta. It took the Premier less than a year to break this promise to seniors, and they are outraged.

My third tabling, Mr. Speaker, is 50 more copies of some e-mail submissions that Albertans have sent to the Premier and copied me on. These are just some of the many hundreds of these e-mails my office has received. They call on the Premier to honour her government's promise to Albertans not to evict some of Alberta's most vulnerable citizens from their home in Red Deer's Michener Centre. Submissions like this clearly show that keeping the Michener Centre open is a priority of Albertans and that this PC government is out of touch with its broken-promises budget.

The final tabling, Mr. Speaker, is the appropriate number of copies of postcard submissions that Albertans made to our pre-budget tour, which visited seven cities in February. Anne,\* Gloria, Clive, and Judith are some of the Albertans who provided input. For example, Anne from Sherwood Park would like to see the STEP summer employment program reinstated.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by Calgary-Buffalo.

**Ms Blakeman:** Thanks very much, Mr. Speaker. I have two tablings. The first is from a constituent, Tyler Peterson. He has been involved with the U of A for the last 10 years as a student and now as an employee. He's very disturbed by the postsecondary education cuts and is experiencing them first-hand, but the point he wants to make is that this will have a significant impact on the professoriate and their research and that the research will be hampered one way or another. It will cost them more money to hire contract labour, or they won't be able to get the assistance. A good letter. Thank you very much.

The second tabling is on behalf of my colleague the Member for Edmonton-Meadowlark, leader of the Liberal opposition. I am tabling the document in which the quote that he used during question period is found in writing. I'm sorry I can't actually find it there, but he did quote a columnist from the *Calgary Herald*, and the quote is in here.

**The Speaker:** The hon. Member for Calgary Buffalo.

**Mr. Hehr:** Well, thank you, Mr. Speaker. I have two tablings. The first is from the Alberta Distance Learning Centre, Enabling 21st Century Learning. It's their executive summary on what they do. You are aware that they have suffered approximately a 50 per cent cut in funding to those students who were using their programs, and 30,000 students around Alberta will be affected.

My second tabling is a letter from Dr. Chris Carter, who is concerned about the admissions process in regard to getting a residency here in Alberta. He is struggling to do so despite being eminently well qualified.

Thank you very much, Mr. Speaker.

**The Speaker:** Are there other tablings? The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you, Mr. Speaker. I'd like to table the appropriate number of copies in response to a letter from the Minister of Human Services regarding his comments about "willful misconceptions" in relation to child poverty and some of the concerns I have about his interpretation and delays in dealing with child poverty over this fractious debate about a definition of poverty.

Thank you, Mr. Speaker.

## Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following document was deposited with the office of the Clerk: on behalf of the hon. Mr. Hughes, Minister of Energy, return to order of the Assembly for Motion for a Return MR 1, asked for by Mr. Hehr on March 18, 2013, copies of all correspondence between Bruce Power and the government regarding proposals for nuclear power in Alberta for the period January 1, 2006, and February 20, 2011.

**The Speaker:** Thank you, hon. members. That concludes our Routine today, with no points of order.

## Orders of the Day

### Written Questions

[The Clerk read the following written questions, which had been accepted]

### Mandatory School Fees

Q34. Mr. McAllister:

What was the total amount that school boards in Alberta

\*This spelling could not be verified at the time of publication.

charged in mandatory school fees in each of the school years from 2007-2008 to 2011-2012, and how much did each individual board charge?

### **New School Construction Criteria**

Q35. Mr. McAllister:

What are the criteria currently used by the Ministry of Education to determine where new schools are constructed?

3:00

### **Public Bills and Orders Other than Government Bills and Orders Second Reading**

#### **Bill 203**

#### **Employment Standards (Compassionate Care Leave) Amendment Act, 2012**

**The Speaker:** The hon. Member for Edmonton-South West.

**Mr. Jeneroux:** Well, thank you, Mr. Speaker. I'm pleased to rise today to present Bill 203, the Employment Standards (Compassionate Care Leave) Amendment Act, 2012.

This bill deals with an issue that is of great concern to families and employees alike in the province of Alberta and seeks to begin to change the attitudes and mindsets that surround this issue. Bill 203 proposes to amend the Employment Standards Code to include a provision that entitles employees up to an eight-week unpaid leave from work in order to provide compassionate care for family members in a palliative state.

Mr. Speaker, Alberta is the only jurisdiction in Canada that does not include provisions for compassionate care leave in our employment law. As Albertans and as a government that has expressed our commitment to fostering strong families and communities and as a province that is seeing both a labour shortage and a dramatic demographic change, this fact should give us pause.

It is common practice in all other provinces to allow employees up to eight weeks of compassionate care leave. Quebec and Saskatchewan go further, at 12 weeks and 16 weeks respectively. The federal government's labour standards code allows compassionate caregivers to collect employment insurance benefits for up to six weeks. Elsewhere this insurance is collected in order to ease the financial strain that taking this leave entails; thus, employees in other provinces may collect supplemental income while carrying out their familial duties and transition back into the workplace afterwards. Mr. Speaker, employees in Alberta, while entitled to federal EI benefits, do not have the same assurance that their jobs will be waiting for them once the difficult responsibilities of compassionate caregiving are complete.

What Bill 203 proposes in detail, Mr. Speaker, is for an employee to be able to take leave from work for a combined total period of eight weeks in order to care for a terminally ill family member. In order to do so, the employee would have to obtain a medical certificate from his or her family member's medical provider certifying that the family member under question is at serious risk of death within 26 weeks and that that said family member requires the care and support of the individual who is to take the leave. Under Bill 203 the individual requesting leave would have to be a primary caregiver of the sick family member.

Mr. Speaker, the individual could take the eight weeks of leave consecutively or break up the leave into two periods of leave totalling no more than eight weeks as long as the second period ends no later than 26 weeks after the first period began. No period of leave could be less than one week in duration. Importantly,

upon returning to work, the employee could do so without any reduction in pay, salary, seniority, or benefits.

While this bill is meant to assist all working Albertans, it is addressed particularly to what may be termed our sandwich generation. This generation is composed of young parents tasked with raising children and often providing support for aging parents as well. It is becoming increasingly prominent within the province's demographic shift. Families in my constituency of Edmonton-South West have made it clear to me that there is widespread concern regarding the pressures of fulfilling these familial responsibilities while simultaneously earning a living to support these family dependants.

Now, it is true and ought to be recognized that there are employers here in Alberta that do provide some form of compassionate care leave in their benefit plans. While this practice is both admirable and commendable, it is not universal. An individual who happens to work for an employer that does not provide compassionate care leave is left with two options if a family member falls seriously ill. These two choices are to quit or to risk being severed from employment in order to care for a family member.

The individuals that comprise this sandwich generation are typically just establishing themselves in both their family and work lives. The loss of employment can be devastating for their own livelihoods and their capacity to provide effective care and support for their dependants. The unfortunate situation of having a family member in a palliative state does not affect only this individual and his or her caregiver, of course; the costs to an employer of losing an employee are substantial. In light of recent labour shortages and a myriad of unfilled job postings the impact of losing an employee from a business owner's perspective is considerable. For those employers that may not have considered offering compassionate care leave benefits, there is a risk of the unavoidable costs associated with losing existing employees. Subsequently, searching for training replacements will be incurred.

Mr. Speaker, Bill 203 seeks to recognize more clearly the scope of the impact of compassionate caregivers. This is why I'm committed to ensuring Bill 203 is as effective and comprehensive as it can be. Consultations have yielded responses from a diverse range of stakeholders from the Alberta Chambers of Commerce, the Alberta Caregivers Association, the Alberta Disabilities Forum, the Canadian Cancer Society, and policy researchers with expertise in the economics of compassionate caregiving. The discussions that I've had about compassionate care leave have only confirmed what my constituents in Edmonton-South West have asked me to do, specifically that access to job-protected compassionate care leave is advantageous to caregivers, to care recipients, to employers, and, most importantly, to our families.

Mr. Speaker, we have an opportunity to make a significant change in our province right here today. We as a group of elected officials have a chance to positively impact future generations that want to and need to take time to care for their loved ones. I, like many others in this room today, want to give Albertans that choice, that option, to spend the final days with their loved ones. Through Bill 203 we can help these Albertans. We can make this a reality for those Albertans.

Thank you.

**The Speaker:** The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Mr. Speaker. It's an honour for me to rise today to speak to this bill and speak in support of this bill. As someone who watched his wife die and chose to acquiesce to her wishes to die at home, it was very important to me to be able to be



there with her. Fortunately, I was self-employed, but an awful lot of my co-workers needed to step forward and fulfill my responsibilities and take care of things while I was there with her.

Being able to do this was a tremendous comfort to her and to our children, seven of whom were still living at home. We were able to give service to her. We were able to be there when she was in particular times of pain and need. We were able to do little favours for her, and it was particularly beneficial and a blessing for the children to be able to give back to their mother as they watched her die.

At one point prior to her passing she was unconscious because the doctors had put her into a twilight sleep so that the pain could be under control and she wouldn't have to be aware of it. They would come in after school and hold her hand and talk to her, and they'd take little foam swabs and touch them to her lips because she wasn't being fed. She didn't want to be on any machines to prolong her life because her condition was terminal, with no hope of having any quality of life if we intervened in any other way. So it was wonderful to have this opportunity.

[The Deputy Speaker in the chair]

I have great compassion for people who are in positions where they have loved ones that are near and dear to them. It's high time to have this government do this finally, I would say, since I think we are the last jurisdiction to do this in Canada, so that people who are in positions like I was in will be able to be there for their loved ones to provide compassionate care and to continue to demonstrate that love, which they I'm sure received in return during that person's lifetime, as I certainly did.

I'm certainly going to vote in favour of this, and I appreciate the member bringing it forward. I trust that everyone here will feel just as compassionately towards those that find themselves in this kind of circumstance.

I thank you for this opportunity. Thanks.

**The Deputy Speaker:** Thank you, hon. member.

The hon. Minister of Culture.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. I'm very pleased to rise today to speak to Bill 203, the Employment Standards (Compassionate Care Leave) Amendment Act, 2012, brought forward by my colleague the hon. Member for Edmonton-South West. This bill is very important to me as it addresses a significant issue that unfortunately too many people have had to endure. This is long overdue.

Bill 203 is being brought forward in an effort to alleviate the financial and emotional strain on compassionate caregivers. By providing an employee with eight weeks of unpaid leave and the assurance of the same position and pay grade when they return, the government can provide a small amount of solace to help in a grave situation. This bill is aligned with the government's commitment to investing in Alberta's families and communities. It is indeed the right thing to do.

However, it would also serve to provide economic benefits to Alberta by reducing the number of jobs lost or turned down as a result of the obligations of being a caregiver. The obligation to provide care and support to ailing family members is often a heavy burden on families. Usually the first thing that comes to mind about the detriments of being a compassionate caregiver is the emotional impacts on the individual and their family. It is often difficult to look beyond these emotional struggles and consider the extensive economic consequences the situation can create.

A Statistics Canada study found that in 2002 there were approximately 1,784,000 informal caregivers aged 45 to 64. That is almost 2 million Canadians providing care to loved ones with long-term health problems over the age of 65.

3:10

Now, Mr. Speaker, let's translate that stat into an economic measure. That is 229,000 hours of work lost, which is approximately a 13.1 per cent reduction in the hours these people might have worked. Also, 293,000, or 16.8 per cent of these individuals, report changing their work patterns as a result of caregiving responsibilities, and 142,000 reported lost income, accounting for 8.1 per cent of the total number of caregivers. Now, these stats show the negative impacts on not only the individual but also the employer. When employees lose hours and change their work habits, employers lose productivity.

Many workplaces experience the upheavals of an employee's disruptive work schedule as they attempt to balance their duties at work and at home. If employees were assured they could take the time off as outlined in Bill 203 to fully commit to their home lives, then a smoother transition would take place at home and in the workplace.

Referring to the same study, Mr. Speaker, Stats Canada discovered that 47,000 job offers were turned down, and 27,000 resignations were handed in. I would just like to focus on the 27,000 positions that were left vacant and their effects on business. According to another report by StatsCan there are now more jobs than ever before the 2008 recession, which is leading to the number of vacancies increasing. As Albertans we know all too well our need to satisfy the labour needs of our growing economy.

Both small and large businesses are having difficulty recruiting and hiring qualified staff. As a result, companies are spending an increasing amount of time and money trying to fill vacancies and often settle for candidates who may not be suitable. For a company, no matter its size, to constantly hire new staff is not only disruptive for business but also drains resources, affecting the bottom line. It has also been said that it takes anywhere from three to six months for a new employee to become fully proficient at their job through mentoring, supports, and the follow-up.

It is the hope of Bill 203, Mr. Speaker, that by providing employees with the eight-week leave option, we can mitigate the issue of them vacating their current positions, therefore reducing the need for companies to find new permanent staff.

So far I've been speaking on the national level, so a few stats closer to home: of the 1,784,000 informal caregivers in 2002 308,000 were in the prairie provinces. It's also important to consider that the study I'm referencing only takes into account those caregivers between 45 and 64 and only those individuals over 65 receiving care. The actual number of informal caregivers is significantly higher if we include younger caregivers and family members. We are all too familiar with stories we all hear in our constituencies, including mine.

This bill will have a positive economic impact by simply supporting Albertans in their time of need. While I'm on the topic of economic impact I must also consider the detriments to the employers, specifically small business. A large company may be able to make do by spreading out the work of one employee over eight weeks instead of investing in the costs of hiring a temporary replacement; therefore, the work cycle is not impacted in a substantial way.

However, Mr. Speaker, when there are small teams, the loss of one employee for eight weeks may prove to be a monumental burden. I would question if the cost savings of not having to replace the absent employee would outweigh the costs the

employer would have to cover in his absence. When a team member is missing, the remainder of the team may find themselves working extra hours, meaning the employer may also have to pay overtime.

Mr. Speaker, monetary costs are not the only costs associated with this situation. When an added workload places strain on a team, morale can worsen, which affects productivity. We have to ask ourselves: is retaining an employee worth the added cost to business, especially those that may not be able to sustain the change?

As I stated before, this government is committed to investing in our families and communities, and we're always looking for new and innovative ways to do just that. I would once again like to thank the hon. Member for Edmonton-South West for bringing this bill forward – I'm proud to be your colleague – and also congratulate him for his first private member's bill. It's an initiative I feel is important to discuss in this House as it has the potential to make an impact on Albertans' lives. Bill 203 is absolutely necessary because it is about respect for families and employers, and it strikes the right balance.

**The Deputy Speaker:** Thank you, hon. minister.

The hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Mr. Speaker. It is a great pleasure to speak to Bill 203, the Employment Standards (Compassionate Care Leave) Amendment Act, 2012, something that is definitely long overdue. I'd like to thank the Member for Edmonton-South West for bringing this forward, and I appreciate the initiative in this matter.

Alberta is the last province to adopt compassionate care leave legislation. Our friends and neighbours, including Manitoba, Ontario, and B.C., have all recognized the value and compassion that personal care providers bring to the table.

The Service Canada employment insurance compassionate care benefits publication recognizes that compassionate care leave is a necessity for Canada as a whole. It states:

One of the most difficult times for anyone is when a loved one is dying or at risk of death. The demands of caring for a gravely ill family member can jeopardize both your job and the financial security of your family. The Government of Canada believes that, during such times, you should not have to choose between keeping your job and caring for your family.

I'm encouraged that the Member for Edmonton-South West has brought this bill forward as I believe that we should be in step with the government of Canada and ensure that all Albertans have the same abilities.

The Health Council of Canada states, "when Canadians are struggling to cope with the illness of a loved one, they want the comfort of knowing they can be there to provide care without paying a heavy personal financial penalty."

Currently in the Alberta Employment Standards Code there's limited allowance for authorized leave. It only applies to maternal, parental, and those in the military reserve. All of these forms of leave are necessary, but there is no allowance for compassionate leave in the case of someone wanting to look after a family member that will most likely die in the near future.

This is similar to what the Wildrose campaigned on in the last election under our kinship palliative care policy. In that policy the Wildrose proposed that the government adopt legislation where family members who might otherwise be employed in the workforce are compensated for providing end-of-life care for their loved ones. In addition to that, the Wildrose called for the government to reduce the complexity and regulatory barriers to families,

nonprofit organizations, charities, and businesses who wish to establish safe and affordable facilities providing assisted living, long-term care, and palliative care. I understand that Bill 203 doesn't go nearly as far as our proposal did, but I also understand that the limitations are there for what private members can actually do.

There have been many reports and discussions regarding the effects of end-of-life care. A study of end-of-life care and the effects of bereavement on family caregivers of persons with dementia found that although family caregiving has been intensively studied in the past decade, little attention has been paid to the impact of end-of-life care on caregivers, who are often family members of persons with dementia, or to the caregivers' responses to the death of the patient. I would suggest that it is no different for any end-of-life care.

In this study it goes on to say that half of the caregivers reported spending at least 46 hours per week assisting patients with activities of daily living and instrumental activities of daily living. More than half the caregivers reported that they felt they were on duty 24 hours a day, that the patient had frequent pain, and that they had to end or reduce employment owing to the demands of caregiving. Caregivers exhibited high levels of depressive symptoms while providing care to the relative with dementia, but they showed remarkable resilience after the death. Within three months of the death caregivers had clinically significant declines in the level of depressive symptoms, and within one year the levels of symptoms were substantially lower than levels reported when they were acting as the caregiver. Seventy-two per cent of caregivers reported that the death was a relief to them, and more than 90 per cent reported belief that it was a relief to the patient.

The conclusion of that study also found that end-of-life care for patients with dementia was extremely demanding on family caregivers, intervention and support services were needed most before the patient's death when death was preceded by a protracted and stressful period of caregiving, and caregivers reported considerable relief at the death itself.

Clearly, there are many factors that affect those that look after their loved ones in the end of life. Sadly, Mr. Speaker, my own family has experienced this first-hand, as many Albertans do each day. As most are aware, my brother Ron was diagnosed with Huntington's in July 2008. As I've said before many times in this House, this came as a complete shock to our family. Huntington's is a deadly disease where there's no treatment, no cure.

Our neurologist gave my brother Ron two years to live, and my mom and dad and our family were devastated. Once the initial shock wore off, we certainly did our part to ensure he was able to be cared for appropriately. Sadly, his disease was so far progressed that we were not able to keep him at home, and he was cared for in a long-term care facility. I can assure you, though, that the demands on caregivers even in a long-term care facility are still great.

Mr. Speaker, my mom is a saint. I cannot do what she did for us and for my brother. I can tell you that from my own personal standpoint I just don't have the fortitude to be my mom. Her average day consisted of going to the long-term care facility every morning before she went to her full-time job. She would arrive there. She would wake my brother up. First of all, she'd give him a big hug. She would make sure that he had his drinks for the day. She would make sure he had his nutrition. She would feed him, she would wipe him, and she would do whatever she needed to do before she started her long day.

3:20

Mom would then come back to the facility every day and night, including weekends. She spent every waking moment with my 32-

year-old brother until his death at 35. She would feed Ron. She would feed him his meals, she would feed him his snacks, she would help him with his Pepsi, and she would even light his cigarettes for him. She would wheel him around so that he could get some fresh air. She would laugh with him, and she would talk with him for hours. She cried with him, she shared with him, and she loved him.

She went on. She dressed him, she bathed him, she combed his hair, and she brushed his teeth. These were all things that front-line staff couldn't or weren't able to find the time to do just because of natural reasons. Yes, I know that many parents do this; however, not many parents are doing it believing that tomorrow their son, their daughter, or their loved one will die.

I shared in some of those responsibilities for my brother, and while I couldn't do them nearly as well as she, I can tell you that the demands even on my own family were great. I can also tell you that at the time my six-year-old daughter and my 18-year-old daughter would visit Ron every single day as well, and they would share some of those responsibilities to give my mom a break. Even though they were there, my mom still felt a need to be there every single day to love her son like every parent does.

Like many Albertans who provide end-of-life care, my mom would have liked to have been able to be with her son full-time in that last six months. Bill 203, compassionate care leave, would have allowed her to do that.

Mr. Speaker, much like the Wildrose kinship care program, Bill 203 would have an additional benefit. You see, there is a process for those who care for loved ones who are dying. As with any death there are many stages of grief, and allowing that person to be with them if they're able allows them to go through each stage with their loved one rather than feeling alone or out of control or pressured that their employment would not be there when they returned.

That being said, I believe that many Alberta employers are very good about ensuring that they show compassion in these circumstances, and I can tell you that my mom's employer was one of such employers. Alberta employers value the people working for them and do their best to accommodate employees in difficult situations.

I support Bill 203, the compassionate care act, Mr. Speaker. This will provide some respite to those required to take leave and those who wish to take care of dying family members like a child, a spouse, or a parent. As many members in this House know, today our own caucus is dealing with one such situation. This is a leave, not a paid leave, so it will not pass on additional cost to independent businesses or government. If Bill 203 passes, people won't have to choose between losing a job and neglecting a loved one in need. Bill 203, like the Wildrose kinship care program, helps the growing number of people who must care for their own children and their aging parents while at the same time working, the sandwich generation, as we affectionately call them.

Finally, Mr. Speaker, reducing stress for people who are already vulnerable is good not only for the family but also for society in reduced medical costs and lost working time down the road. The worker already has emotional stress. This legislation reduces some of the financial stress they also might have.

In conclusion, Mr. Speaker, this is a long overdue bill, and I'm happy to support it. I encourage all members of the House to pass Bill 203, the compassionate care act.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

The hon. Member for Bonnyville-Cold Lake.

**Mrs. Leskiw:** Thank you, Mr. Speaker. It is an honour for me to rise today to speak to Bill 203, the Employment Standards (Compassionate Care Leave) Amendment Act, 2012. I would like to thank the hon. Member for Edmonton-South West for bringing this bill forward. Bill 203 intends to alleviate the financial and emotional strain on individuals acting as informal caregivers for seriously ill family members by amending the Employment Standards Code to ensure up to eight weeks of unpaid leave from work with no risk of loss of employment and no reduction in pay or seniority upon returning to work.

To provide care and support to ill and aging family members is an unwritten obligation in our society. In some cases this can be extremely taxing for families. Family members who fill the role of an informal caregiver often must turn down or lose jobs as a result of the responsibility associated with caregiving. Ensuring that children are fed, clothed, sheltered, and happy as a part of caring for a family can be a handful in itself. Concerns about job security are the last things that young families should be worried about, especially if family members find themselves as an informal caregiver for a relative or even a child. Mr. Speaker, this act may help young and new families in Alberta.

As we have stated in this Chamber many times, a priority under the leadership of the hon. Premier is to invest in all Alberta families. Albertans know that strong families are the heart of our prosperous province. Our government will continue to implement initiatives that support the strengthening of families, and amending the code would allow for adults and young families to have assurance in their employment position if ever they are required to take time away from the work environment to care for a sick loved one, child, family member, or even a spouse's family members.

Giving employees the time they need to act as caregivers in their families when there's a terminal illness may encourage economic stability in the family. For example, if a young child were to become terminally ill, this act may give the parents the freedom to take compassionate caregiver leave, which may help to maintain domestic stability in the household. This act may support young families who have elderly and aging parents so they, too, can have the opportunity to act as caregivers. Sometimes elderly parents are moved into the care of costly nursing homes. Compassionate care leave offers an alternative for young families beginning to establish themselves and gain stable economic footings.

Although this bill would provide the option to employees to take a leave to care for their ailing loved ones, not all employees may choose to take advantage of this. This could incur guilt and judgment among workers who choose to put their loved ones in professional care instead of taking compassionate care leave. The code currently provides unpaid self-protected maternity, parental, and military reservist job leave. However, Mr. Speaker, Alberta is one of the only provinces that does not have a standard for compassionate care leave enshrined in its code. Given our government's commitment to investing in all Alberta families, implementing this act could protect employment for families and may bring us up to par with other provinces like British Columbia, Saskatchewan, Manitoba, and Ontario. Furthermore, fostering domestic stability is crucial in informal caregiving roles, which can be maintained through a reliable caregiver presence.

In 2004 a Health Canada survey revealed that 84 per cent of caregivers were providing care to a family member, friend, or neighbour diagnosed with mental illness. At times when mental illness is involved, it may be important to maintain a consistent, familiar caregiver presence. This stable presence helps their family member to be better equipped to deal with their illnesses.

Another facet of informal caregiving is the identity of a young caregiver. This includes family members under the age of 25 who are forced to care for their sick parent, sibling, or grandparent. Young caregivers who are thrust into otherwise unexpected positions face trading normal adolescent experience and development for the ceaseless and exhausting demands of caregiving. Caregiving can be demanding, emotionally draining, and time consuming. In addition, a young caregiver may be expected to balance these expectations while facing the risk of not finishing school or acquiring skills, knowledge, and experience that will afford them future success in life. On the other hand, there are numerous supports in place to counsel young teens through the stress of adolescence, including their roles as caregivers.

A recent survey of high school students in Vancouver classrooms found that 12 per cent of surveyed youth are in caregiving roles. This survey also painted a picture of the family dynamics of participants, where fewer young caregivers than noncaregivers reported living with both parents, 57 per cent versus 71 per cent. More young caregivers reported living with their mothers most of the time, 19 per cent versus 14 per cent. In 40 per cent of the cases parents were the recipients of primary care. Another 36 per cent of young caregivers were caring for their grandparents. Finally, 7 per cent were caring for an aunt or an uncle, 16 per cent for another member.

Because working parents and young families may not be supported by employers to take compassionate care leave, young family members assume the position of caregiving. Mr. Speaker, youth may not be equipped or trained with the life or practical skills to assume the role of caregiver for family members with extensive chronic conditions. Young caregivers prematurely assume adult responsibilities.

3:30

On the other hand, this bill could assume that family members who choose to take compassionate care leave are experienced in giving care. Those loved ones who need care often suffer from complex and life-threatening conditions that require expertise. Encouraging compassionate care leave instead of professional care by trained individuals could be dangerous for ailing family members. As a result, there are numerous effects on both families and individuals, with shifts in caring responsibilities and expectations.

I would like to thank again the Member for Edmonton-South West for bringing this bill forward as it allows this Assembly to consider the effects that employment legislation has on Albertans, especially the young and new families.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

I recognize the Member for Edmonton-Strathcona, followed by Calgary-Buffalo.

**Ms Notley:** Thank you very much, Mr. Speaker. I'm pleased to be able to get up to speak to this bill. I, too, would like to join with the other members and thank the Member for Edmonton-South West for bringing forward this bill. It is an important bill. It's long, long overdue. Really, there is no question that we will support the bill. I don't think, frankly, that either in this province or federally we have anywhere near the support in place that's actually required to deal with the growing challenges that Canadian and Albertan families face when it comes to dealing with the illness of their loved ones and the slowly decreasing opportunities for care through the public sector. Of course, we've had a great deal of discussion about that here in this Legislature as it relates to long-term care.

There is no question that a starting point, of course, is for us to bring ourselves up to the level that the rest of the country is operating at, and I guess that's one point that I would like to make, Mr. Speaker. The ability of Albertans to gain access to those benefits through the Employment Insurance Act actually occurred or was introduced in 2005. For eight years Albertans have basically been significantly limited in their ability to access these benefits because this government has been unprepared to ever ask Alberta employers to do anything. When it came down to saying, "You know what? You need to guarantee people the right to return to their job," this government simply did not have the best interests of the greatest number of Albertans in their mind. As a result, we spent eight years not having legislation that was required to ensure that our citizens could get access to a program into which they contribute as active working people.

It really is quite shameful, Mr. Speaker, that this matter has to come forward as a private member's bill, but I give nothing but the greatest of accolades to the member for bringing it forward. I really think it's important for members on the government side to support this bill and then, when you go into your caucus meeting, to push the minister to actually move forward with it. I'm a little concerned that this bill is not coming forward as a government bill. Now, in media reports around why it's coming forward as a private member's bill rather than a government member's bill, there was one article. By all means, it may have not entirely quoted the member correctly. Nonetheless, it suggested that, well, there wasn't quite room for this bill on the government's legislative agenda, so as a result this member chose to approach bringing this bill through a private member's strategy.

You know, Mr. Speaker, if I could just sort of go through, since I was elected in 2008, the government passed 53 bills in 2008, passed 62 bills in 2009. In 2011, a little bit of a bumpy year for those folks, a bit of a leadership thing going on at that time, they were down to 27, and in 2012 I believe that collectively between pre- and postelection we were able to pass 16. Now we're at about 12 so far introduced this year. I'm not quite sure why it is that there isn't room on the government's legislative agenda for this bill to be a government bill so that we would know that if it was passed, it would actually be implemented. Of course, as all members in this House understand, a private member's bill, even if passed, does not compel the government to act on it.

Of course, we have seen that with respect to the bill banning provincial achievement tests for grade 3. [interjection] Okay. There it was a motion. We've seen this government essentially ignore a motion. As you know, as the House leader reminds me, it was just a motion. They chose to ignore a motion passed by the majority of members in this House, but of course we also know that they have the authority or the ability to ignore a private member's bill passed by the majority of members in this House.

It should actually be a government bill because, to review, our employment insurance contributions have been going towards paying for the ability of families who are struck with the tragedy of having to care for a loved one to access those benefits we've been paying for since 2004. This government has not guaranteed the rights of Albertans to access the benefits for which they've been paying since 2004, and there is no excuse for it, Mr. Speaker, none at all.

Now, in terms of the bill itself, as I said, we will support it. I think that when we get to committee – hopefully, we will get to committee at some point – we may actually be putting forward a few amendments. One that I hope all members, including the sponsor of the bill, will consider, which is quite technical, is just defining when it is that the right to ensure that your job is protected for you commences. That right should not commence

when you started the leave. Rather, that right should commence when you give notice that you're going to need the leave so that there's not a window there where there's an ability for your employer to terminate your employment. That's kind of an important thing.

Generally speaking, one of the things as well is that because Canadians across the country have actually had access to this benefit for eight years, the one upside of this government being so slow and unwilling to stand up for families who are suffering from the terminal illness of a loved one is, I suppose, if you can find one at all, that we have the benefit of looking back at what's worked with that program since it was introduced in 2004.

We know that there are issues around whether or not people should be able to share that compassionate care leave and also issues around whether or not you can maintain partial employment, so go down to part-time rather than completely leave the employment. Of course, as we all know, all that happens when you take that compassionate care leave is that you get employment insurance, which I believe is about \$1,300, \$1,400 a month right now. For most people that in and of itself is quite a tremendous loss to their income. They're still taking quite a major financial hit even when they're accessing those benefits. Sometimes people want to be able to try and do part-time. People who've observed the effectiveness of the compassionate care program have recommended that that ought to be something which should be considered.

Going forward, Mr. Speaker, I think that the member's bill highlights a larger issue that we need to deal with not only in this Legislature but in Legislatures across the country. What I refer to when I say that is this whole issue of the fact that we have an aging population, that we have in most jurisdictions and certainly in this jurisdiction reductions in home-care services, that we have a planned increase in cost to pharmaceutical services. Most studies show, actually, that when those kinds of programs are implemented, we see an increase in illness and an increase in acute illness. Then, of course, we have a government which has embarked upon a process of not building new long-term care, and then we've got sort of this continuing care, where the standards are quite varied.

So what happens is that, in short, a huge and growing burden shifts to families to care for their chronically ill family members. That happens whether that person is terminally ill or whether they have a chronic illness that requires daily care and may well require daily care for 20 more years. Through a variety of decisions that this government has made, a very significant burden is being shifted to Alberta families and to Alberta caregivers. I'm sure many members of this House on all sides have met with advocates from caregiver associations who talk about the reality of having to deal with a chronically ill loved one while also juggling the need to pay their rent and keep a roof over their head and feed their family.

3:40

We know that there are significant challenges and that those challenges grow every day, and at this point the government is actually hastening the growth of those challenges and indeed exaggerating them through some of the policies that they've been pursuing quite aggressively and intentionally over the last four or five years. These issues are not going to go away.

Now, that being said, this particular act is one which is limited in a very narrow way to people who are terminally ill, and this simply ensures that people who attempt to care for their terminally ill family members are able to maintain their job. As I say, it is truly unfortunate that this is having to come as a private member's

bill, that the government hasn't done it as a government bill, but I urge all to vote in favour of it.

**The Deputy Speaker:** Thank you, hon. member.

I recognize the Member for Calgary-Buffalo, followed by Fort McMurray-Wood Buffalo.

**Mr. Hehr:** Well, thank you, Mr. Speaker. I, too, would like to thank the Member for Edmonton-South West for putting forward this very good bill, Bill 203, Employment Standards (Compassionate Care Leave) Amendment Act, 2012. If you look at the broader social construct in which we live, I think this bill goes some way to address a problem that exists here in Alberta, but as the member before stated, these problems are oncoming and forthcoming and will be ever present in our daily lives here in Alberta over the course of the next 20, 30, 40 years.

Simply put, we have an aging population that will tend to need a large amount of care both through our medical system, our long-term care system, and otherwise, and both legislation as well as government policy are going to have to reflect that reality. We can go through a whole look at the way we have done things over the last 50, 60 years that has based our society on many of the baby boomers working and being active in their community, moving into older age, and hopefully living in older age a reasonable existence in a compassionate, caring community.

This bill actually does a little bit in not only helping a certain situation, particularly when a person has a terminal illness and someone wishes to get compassionate leave from their employer to take care of the family member who is terminally ill, but the bill also highlights this growing concern that is going to happen throughout the rest of our society.

The member's bill is very good legislation. It really only makes sense that a person who wishes to care for a loved one who is terminally ill should be able to take a leave from his or her employment to do the decent thing and assist their family member. It only makes common sense.

I was somewhat surprised when the hon. member before me spoke and indicated that this was well in place in other provinces and that we are well behind the curve here in Alberta on issues like this. I guess I should have intuitively known that, but I'm glad that the hon. member put more of a fine point on that and did an excellent job of showing that other provinces have seemingly reacted to this undeniable situation of what is happening in our societies and how we can best do it in a compassionate and caring manner that reflects not only what people's needs are but what is basic human decency.

On that note, I too am surprised that it's not a government motion. It would have been timely to that effect and simply would delay the ongoing wranglings behind the scenes of getting a private member's bill put into law. As we all know, sometimes these things pass, and then they never see the light of day again until someone drags these bills up about 10 years later and says: "Oh, my goodness. We didn't pass this." My hope is that that won't happen in this case and that we'll go forward on that basis.

If we return to my initial point, this is good legislation. I applaud the member for making this bill here, and my hope is that everyone in this Assembly will support it. If we could remember that our society is going to have to deal with these situations in a continual and ongoing manner – the cost of an aging society both medically and with the loss of them in the workplace and for human decency's sake, in my view, indicates that government expenditures in social spending and health care will inevitably rise over the coming years. It's an inescapable truth that unless we want to see people on the streets or not getting the medical care

they need or the like, governments are going to be actively involved in an aging society.

I think that's something that governments all across Canada and our federal government as well as this government are failing to recognize. It's going to take our recognition as a society that contributions to the public purse to see that people age in a decent fashion are made and that it's reasonable for the government to have a role in supporting people as they age. But that debate will continue to happen, and we'll go from there.

Thank you very much, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

A correction. I'll recognize the Member for Drumheller-Stettler, followed by Fort McMurray-Wood Buffalo.

**Mr. Strankman:** Thanks, Mr. Speaker. I was kind of wondering what had happened there.

This may seem frivolous, Mr. Speaker, but it is with great respect that I rise to speak to Bill 203, the Employment Standards (Compassionate Care Leave) Amendment Act, 2012, something that's long overdue. Alberta is the last province to adopt this compassionate care leave legislation. Currently in the Employment Standards Code there is limited allowance only for authorized leave. It only applies to maternal, parental, and those who are in the military reserve. All these forms of leave are necessary, but there is no allowance for compassionate leave in the case of someone wanting to look after a family member that most likely will die in the near term. Bill 203 doesn't go as far as the Wildrose policy did, but I do understand that there are limits to what a private member's bill can or would do.

To relate from my respect, Mr. Speaker, in the spring of 1985, as my father's time on this Earth approached its end as a result of colorectal cancer, our family farm aircraft was making a daily commute of some one hour and 10 minutes each way to the city of Saskatoon so our family could effect his proper care at the end of his time. It was only through our financial attributes and the family commitment at that time that we were able to provide him with his care. It was quite a traumatic time for our family, and I still remember those days.

I will be supporting this bill, Mr. Speaker, and I believe this legislation will do a good thing in providing leave for those who wish to take care of dying family members like a child, a spouse, or a parent. This is a leave, not a paid leave, so it will not pass on additional costs to independent businesses or the government. If this bill passes, people won't have to choose between losing a job and neglecting a loved one in need. This bill helps the growing number of people who must care for their own children and their aging parents at the same time. Reducing stress for people who are already vulnerable is good not only for the family but also for society in reducing medical costs and lost working time down the road. The worker already has emotional stress, and this legislation reduces some of the financial stress they may have.

In conclusion, Mr. Speaker, this is a long overdue bill, and I am glad the member brought it forward.

3:50

**The Deputy Speaker:** Thank you, hon. member.

I recognize the Member for Fort McMurray-Wood Buffalo.

**Mr. Allen:** Thank you, Mr. Speaker. I'd first like to thank the Member for Edmonton-South West for bringing this bill, the Employment Standards (Compassionate Care Leave) Amendment Act, 2012, forward. The objective of this bill, I think, is something that we can all agree with. Wanting to care for a seriously ill

family member in their time of need is something, I believe, that we all share in this House.

We all know the difficulties that families face when confronted with the challenges of caring for relatives who are not well. People who provide care to their family members are not just caring for their loved ones; they're also providing a valuable service to society through their love and compassion. These caregivers deserve society's care and understanding in a trying time, Mr. Speaker. That's why I'm glad the hon. member has put forward Bill 203 so that we may discuss this topic in the House.

Bill 203 would provide for eight weeks of unpaid leave for caregivers of a family member who has a serious medical condition and is at risk of death within the subsequent 26 weeks. It's important to have a clear understanding of what this unpaid leave would mean to a caregiver. It would mean being able to take up to eight weeks of unpaid leave from work with no risk of loss of employment. It would mean no reduction in pay or seniority upon returning to work. It would offer more flexibility to workers who as of today may not be seeking employment due to commitments to caring for loved ones. On the other hand, the bill would attempt to apply a one-size-fits-all solution to a complex situation, which may not work across all sectors of the economy. This bill would increase the flexibility for employees but have the opposite effect for employers. Therefore, we also need to weigh all potential viewpoints on the issue.

Societies are often judged by their empathy for the common man or woman, and this bill would enable society to better accommodate the decisions of caregivers both now and in the future. Enabling all who work in our society to choose whether or not to take a leave from work in order to care for a seriously ill loved one could improve the efficiency of our economy. The end result would be economic benefit and a society which better cares for its people. These benefits, in my mind, form a virtuous circle.

Other changes proposed include setting a minimum standard for this type of leave, ensuring a common process for requesting and granting leave across workplaces. Setting that standard would make it easier for caregivers to navigate a course of action when seeking compassionate care leave, making life just a bit easier for them during a time of great strain in their family life. A universal process would ensure that the granting of leave is not arbitrary according to an individual employer's policy. Mr. Speaker, two individuals working for different employers would be assured under this bill of a standard response to similar applications for compassionate care leave.

Mindful of this amendment's possible benefits to the Employment Standards Code, as proposed by the hon. member, it's important to ensure that minimum standards do not cause more overall harm than good to society by discouraging employers from hiring additional workers. Eight weeks of leave to care for a seriously ill family member might set the right balance between employees' commitments made to employers and the realistic challenges facing employers.

As a small-business owner and employer myself – I'm also the past president of the Fort McMurray Chamber of Commerce – I anticipate there will be some concerns that will arise from this at the onset, but most will likely overcome that. I don't believe that the standard would be overly onerous for most employers today. Many already provide these opportunities. Many, including myself, have provided paid leave in situations like that to assist their employees, but that's not possible for all employers.

We have the lowest unemployment in Canada, and employee retention is certainly an issue. It is a benefit to employers to maintain that expertise which comes back to their businesses. It provides that certainty. It provides a certainty for both the

employer and the employee that that job will still be there and that the employer will benefit from having that expertise back in their business.

Bill 203 would grant people who may have to care for a seriously ill family member future security. It would enable people to know that there will be a standard set in the event they need to care for a seriously ill family member, removing a perceived barrier for some to seek employment, no matter where one sought to work. It would enable the seriously ill individual to know without a doubt that the family member taking compassionate leave to care for them is not endangering their future economic situation through loss of employment. Mr. Speaker, that's what this bill is all about, making the lives of the seriously ill and their caregivers just a little bit easier in their time of need.

Creating a compassionate leave standard as described in Bill 203 is exactly the type of policy we were elected by our constituents to make. I believe it's important to make these types of decisions with our eyes open both to the consequences of our actions and the benefits. We must consider the points of view from other members and the perspectives of all of our constituents, including business owners, before making changes to the standard employment relationship.

That being said, I'm mindful that individuals and even companies acting alone cannot create a system like the one proposed. Sometimes only government can ensure that society's values are put into action across our entire economy and are not subject to the whims of individual employers over time. This certainty is why I believe the bill would be a significant addition to our system of supports for seriously and terminally ill individuals and their family caregivers. Only government can put into action minimum standards that we all wish to enjoy. Only government can act to protect the most vulnerable when individual values of the employers conflict with society's values. We've seen this over time with the development of labour standards, including legislating minimum wage, overtime laws, and other interventions into what's seen as the private domain of business.

Mr. Speaker, it is my belief that we are all stronger together, that while individual actions and spirits form the core of our society, it is the collective decisions our society makes through our representatives here in the Assembly where we express our values and ensure no one is subject to the whims of other individuals that violate our collective values. This expression of our values is what we owe to our caregivers and the seriously ill people that they care for. Empathy alone, when it is within our power to take real action with little negative consequence, is a betrayal of our values. It is our job while living out collective values to ensure that our methods of achieving an objective impairs others' rights and values as little as possible.

Although some may view this approach of evaluation as overly cautious, I believe the benefits of this approach are readily apparent. Mr. Speaker, the benefits of this bill to terminally ill individuals and their caregivers is plain to see. This bill would enable those who wish to provide personal care to their relatives in their last days with the freedom to do so. The impact of a family face and a loved one's compassion cannot be underestimated. The increase in quality of life is immeasurable.

Mr. Speaker, I'd like to thank everyone who participated in this bill today, and I would like to again thank the hon. member for bringing this bill forward, his first private member's bill in the Assembly. I have enjoyed hearing other members' points of view on this matter, and I urge all hon. members to consider both the benefits and consequences of what is proposed in this bill.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.  
The Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Speaker. I, too, would echo many of the comments of our colleagues here today in congratulating the Member for Edmonton-South West for bringing this bill forward. It is refreshing, I believe we could all agree, when you have bipartisan, seemingly all-party support for a piece of legislation, private member's bill or not. So well done.

It would be nice to see, though, as the Member for Edmonton-Strathcona noted earlier, a bill of this nature being brought forward as a government bill so it wouldn't be, I guess, held up by the process or lack thereof sometimes of private members' business. I think that Bill 207 could probably be looked at through a similar lens, but that's a discussion for another day.

You know, it's quite encouraging to see when we put forward pieces of legislation in this House that do really have the opportunity to make a positive impact in people's lives, and I do believe that that's what the intent of Bill 203 is and what it will actually do.

4:00

Previously the choice that was afforded to many people who had a loved one at home – a parent, a spouse, a sibling, whatever the case may be – that required long-term support in their palliative care time was a difficult choice that employers were sometimes asking their employees to make. Were they going to keep their job, or were they going to care for the person or the loved one that they, you know, obviously so desperately wanted to and needed to? I've never had the need to be in that situation, Mr. Speaker, but I couldn't imagine the guilt that some must have felt to have known that they needed to choose to stay at work as opposed to being at home and caring for that loved one who so desperately needed them at that time. It's not a decision that I think anyone would take lightly.

I'm very pleased to see that this bill has been put forward. I guess, as the Member for Calgary-Mackay-Nose Hill can attest to, that just because you have private members' business and you're a government member, it doesn't mean it's going anywhere, but I truly do hope and believe that this bill will.

You know, this bill does help, as we've said before, that sandwich generation, those who are having children who are being brought up in school. They're having to raise those kids and at the same time care for aging parents. It's very much the right thing to do, and it's encouraging.

As has been said as well, many employers would probably allow for this sort of compassionate leave with or without the legislation, Mr. Speaker. You know, I would like to think that most employers would do that. It was encouraging to hear the speech from the Member for Fort McMurray-Wood Buffalo suggesting that even as a small-business owner himself he compensated those who required it. That takes that compassion up to another level. As he suggested, there are employers who would refuse to do that or may not have the option or opportunity to do it. It is nice to see that the employment code will be amended to allow for this type of leave and this type of situation.

Obviously, there are some consequences to legislation of this nature, and it would be, I guess, unwise of me not to at least just reflect on perhaps one unintended consequence. If you were a small-business owner and you had two or three employees and you had to lose one for compassionate care – and I'm sure that these individuals who are running these businesses would wilfully do this in the first place – it may put them in a tough position when they have no choice but to let this person go. It's a tough

timeline, eight weeks. It's difficult to find someone and have to hire someone to fill that need.

I'm not for a moment suggesting that this House should not pass this legislation. I look forward to seeing the amendments that the members in the other parties will be bringing forward, and I hope that we are able to strengthen this bill so that, you know, employees are definitely protected as they go through this process, which can be described only as probably a very stressful and not very fun time.

Alberta is the last province to adopt this protection. It is a good move, and I look forward, as do my colleagues, I'm sure, to helping the Member for Edmonton-South West pass this legislation.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

I recognize the Member for Edmonton-Ellerslie.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. It's a pleasure to rise to speak to Bill 203, the Employment Standards (Compassionate Care Leave) Amendment Act, 2012, introduced by the hon. Member for Edmonton-South West. I would like to thank the hon. member for his efforts on this bill, and I would like to extend my congratulations to this hon. member for his first bill tabled in this House.

Mr. Speaker, Bill 203 aims to amend the Employment Standards Code. It seeks to alleviate the financial and emotional stress on individuals who are acting as informal caregivers for seriously ill family members by guaranteeing eight weeks of unpaid leave from work with no risk of loss of employment and no reduction in pay or seniority. This bill aims to serve Alberta's workers in extreme family situations.

Within the framework of what this bill proposes, an employee would have to present his or her employer with a signed medical certificate indicating that a family member is at serious risk of death within the subsequent 26 weeks. Following the leave period the employee would return to work at the same rate of pay and seniority as he or she previously held before the leave was taken.

Other provinces in Canada currently have legislation regarding compassionate care leave, Mr. Speaker. If this bill were to be passed, Alberta would join other provinces that have introduced similar legislation.

Mr. Speaker, this bill pertains to a question that is of concern to the province of Alberta, the question of how best to serve the families that call Alberta home. As I am sure we will all agree, families comprise a cornerstone of health and vibrancy of our culture and our communities. It is the family that is the core of any community. Within the family children undergo the formative growth that will prepare them for their education and ultimately their careers, within which they will hopefully establish their own families. Families provide love and support to their members. The morale that the family unit instills in individuals allows them to be active and contributing members of society. As a result, the family unit is a key driver in Alberta's economic prosperity as well as our social cohesion.

The intent of Bill 203 is to aid families that have been affected by the tragedy of a terminally ill member. Alberta businesses recognize the importance of the family as an institution vital to their own success as well. Mr. Speaker, it is because of strong and stable families that we are in the prosperous position in which we currently find ourselves. In turn, businesses have the same families to thank for their own profitability. This is why a number of businesses and employers across the province have built provisions for compassionate care leave into their own employee

benefits programs. Business owners know that an unstable family life makes for a troubled and unproductive employee.

Mr. Speaker, thanks to the economic success of this province we have been and will continue to be able to attract, invest in, and strengthen business viability. It is our unique prosperity, matched nowhere else, I might add, that has therefore allowed Albertan companies to be among the best to work in in the whole world. This is why employers in our province have helped us to ensure that our families receive the financial stability that they require in order to provide love and security to the member.

Bill 203 recognizes that employers are not legally required to grant leave to employees undertaking the responsibility of the compassionate caregiver. Bill 203 seeks to change that, Mr. Speaker. It aims to provide a clear guideline for employees and employers who are in this situation. Fortunately, we can rest assured that despite there not being any legislation to this effect, the incentives to promote a high quality of life for employees has prompted businesses to protect their workers to this effect. This government works hard to foster excellent economic and social opportunities for its families, and it will always continue to do so as we would like every Albertan to be able to enjoy the prosperity and the good fortune our province offers. The spirit of Bill 203 recognizes this.

At the same time, our government recognizes that there will always be the opportunity to improve standards of living for workers and that there will be a variety of means by which such improvements may be enacted. We focus on areas such as access to services, protection of personal property, and, most importantly, families, health, and well-being. This government is working very hard to improve primary health care.

Mr. Speaker, we also have our Employment Standards Code legislation, which allows workers to take leave for reasons pertaining to maternal and paternal responsibilities. Our province also offers great health care services for individuals suffering from terminal illness. But when loved ones get sick, family members may choose to become their caregiver. A number of individuals and families feel that this is the best way to take care of somebody who is terminally ill. When people are charged with the task of having to care for an ill family member, the health of the family member should take precedence over financial burdens.

**4:10**

The need for dedicated family caregivers is recognized by all Albertans, by workers and employers alike. It is this like-mindedness that has contributed to the decision of so many business owners to care for their employees by undertaking the importance of familial obligations. We all recognize that it is extremely stressful for everyone involved when a family member becomes seriously ill. Families will endure more stress if the person acting as an informal caregiver is at risk of losing their job.

Mr. Speaker, currently there are thousands of informal caregivers in Alberta, and that they are able to function as caregivers is a testament to the dedication of this province and our business owners to support the family unit. Nonetheless, it could well be the case that some informal caregivers have to give up employment in order to fulfill their obligations. Bill 203 could potentially curb job loss by guaranteeing the worker leave to take care of an ill family member by universalizing the obligation to grant leave.

Of course, job retention is vital to Alberta's economic concerns, just as it is to concerns of families for stable and secure home lives. We can be thankful, Mr. Speaker, that employee loyalty remains high in this province and that our families can reliably expect the security of their household incomes.



I appreciate the hon. member's recognition of families as the building blocks of this province, and the sponsor of Bill 203 has allowed us to highlight the importance of families and all advantages that this province holds out to them. Mr. Speaker, I thank the hon. member for tabling this bill and for the discussion it has generated in this House. I look forward to hearing what my other colleagues have to contribute to the remaining debate on this particular bill.

Thank you very much, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Member for Olds-Didsbury-Three Hills, followed by Stony Plain.

**Mr. Rowe:** Thank you, Mr. Speaker. I'm grateful for the opportunity to rise and speak to Bill 203, proposed by the Member for Edmonton-South West. I applaud my colleague opposite for raising the issue of compassionate care and bringing this legislation forward for debate.

Our province is the only one in Canada that has not legislated the right for citizens to access compassionate care leave from their employer, and it is time we looked at doing so, in fact probably long past time. The unfortunate reality is that there are and will continue to be Albertans who have a family member, whether it be a spouse, a child, or a parent, who is gravely ill and who needs care in their last moments. I certainly would not wish this circumstance upon anyone. When instances like these arise, a person shouldn't have to choose between their career and their family member. They should not have to choose between caring for their loved one and keeping a job.

I will be supporting this legislation because it will expand the ability of an Albertan to take leave from their employment. If this legislation passes, Albertans will not only be authorized to take parental leave or a leave for military service but will also be authorized to take compassionate care leave. This legislation would protect the jobs of those on leave so that people won't have to choose between losing a job and neglecting a loved one in need.

The measures around compassionate care as proposed in this legislation seem to me to strike a good balance. For example, the leave must be certified by a physician. This makes sense and will help ensure the system is not abused. Another balance measure is the requirement for an employee to have worked at least 52 consecutive weeks for the same employer in order to be eligible to take a compassionate care leave. Since the legislation will protect an employee's job and make it available upon their return from leave, it is an appropriate requirement for that employee to have spent a significant amount of time in that position. Because the proposed compassionate care leave is exactly that, a leave, it is not a paid absence, so there will be no additional cost to businesses or the taxpayer when an employee goes on leave.

Mr. Speaker, I would like to ask my colleagues, especially those sitting on the government benches, to consider the Wildrose proposal of developing a palliative care program that would provide employment insurance type supplemental coverage for Albertans who are ineligible for federal EI while caring for a loved one needing home care. I sincerely hope that the government will consider this. Even if Bill 203 passes and Albertans have in theory access to compassionate care leave, there are still many Albertans who in practice will be in the position of choosing between a paycheck and the last days of a loved one's life.

While we are considering the legislation that is before us, we should also be thinking about the Albertans who may not be eligible for federal EI and who can't survive on that unpaid leave and ask ourselves what measures we in this Assembly could take

to assist them in actually being able to use a compassionate care leave should they need to.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

The Member for Stony Plain, followed by Rimbey-Rocky Mountain House-Sundre.

**Mr. Lemke:** Thank you, Mr. Speaker. It is an honour today to rise to speak to Bill 203, the Employment Standards (Compassionate Care Leave) Amendment Act, 2012. The goal of Bill 203 is to lessen the financial and emotional strain placed on Albertans acting as informal caregivers for seriously ill family members. This would be accomplished by amending the provincial Employment Standards Code. If passed, this bill would ensure up to eight weeks of unpaid leave over the course of a 26-week period. An employee would need to present his or her employer with a signed medical practitioner's certificate confirming that the family member on behalf of whom the employee is taking leave has a serious medical condition and has a risk of death within 26 weeks. While away from work, there would be no risk of loss of employment and no reduction in pay or seniority upon returning.

Mr. Speaker, part of belonging to a family means being there for one another. It means being there in times of happiness and joy and also in times of need and hardship. It is in times of terminal illness that loved ones experience some of the greatest hardships a family can bear. Perhaps more than any other time it is important that the love and support of one's family members be made readily available. The opportunity to take a leave of absence from work provides recourse for individuals put in the position of acting as informal caregivers for terminally ill family members.

Currently Alberta is the only jurisdiction in the country that does not provide employees with compassionate care leave. Whether they are caring for elderly parents, children with a disease or long-term illness, or any family member who requires immediate aid, informal caregivers in Alberta should not have to choose between their families and their careers. Mr. Speaker, balancing the obligations within a family and at the workplace is often challenging and stressful under normal circumstances. However, if a family member becomes seriously ill, the significant challenges and stresses of being an informal caregiver while holding down the responsibilities of a job can often be too much to handle.

Because Alberta's employment code does not provide employees with compassionate care leave, there are a number of Albertans every year who turn down offers, lose their seniority, and lose their jobs due to the responsibilities of an informal caregiver. Mr. Speaker, this is why a number of companies take this into account when designing their employee benefit plans.

In a 2002 Statistics Canada study it was found that out of the 1,784,000 informal caregivers in the country over 300,000 were located in the prairie provinces. As our provincial economy and population continue to grow, I feel this proposed legislation will provide a greater sense of security for those Albertans who are working and acting as informal caregivers. Mr. Speaker, Alberta was built by hard-working families that did what was necessary to make ends meet. Nevertheless, they always found the time and made the effort to care for their loved ones.

Mr. Speaker, I can only imagine how difficult it must be for individuals who have families to be informal caregivers, but I think it is important to mention that families can often help each other out with commitments relating to informal care. In some cases a spouse, sibling, cousin, aunt, uncle, or other relative may be able to help relieve some of the stress and workload from a

primary informal caregiver. I know this because I've seen families share the responsibility of informal care albeit one family member usually takes the majority of the responsibility. This is the reason for Bill 203 explicitly proposing that the primary caregiver and only the primary caregiver is to be entitled to a leave of absence.

As we debate this bill, I think that we also need to consider the individuals who do not have anyone to help them in fulfilling their caregiving commitments. Not only can it be more stressful for an individual who does not have anyone to turn to, but it can also be more difficult financially if this person does not have a spouse, partner, or someone else to help out with their finances in cases where a job was lost or pay was reduced.

4:20

However, Mr. Speaker, just because Alberta is currently the only jurisdiction in Canada in which informal caregivers are not entitled to compassionate leave by law does not mean that it isn't provided for by other means. There are a number of businesses, companies, and other organizations in the province that have compassionate care leave written into their own benefit policies. While this practice is both admirable and commendable, it is not universal. An individual who is working for an employer that does not provide compassionate care leave is left with few options if a family member falls gravely ill. The options are to quit their job or risk being let go in order to care for that family member. In reality, the choice is between a rock and a hard place, and nobody should have to be put into that situation.

Bill 203 would eliminate this scenario and facilitate greater consistency and predictability for employers and employees alike. In addition, this bill provides us with the opportunity to not only bring Alberta in line with the rest of the country; it represents an opportunity to increase investment in families and communities and foster greater domestic stability for everyone living in Alberta. As a government we need to do what we can to help promote stronger families and communities because they are what makes this province vibrant and diverse both economically and culturally. Mr. Speaker, I believe that Alberta has always sought to provide families and individuals across Alberta with a sense of employment security at the time they need it the most. I also believe that this government has done a competent job at doing this.

I thank the hon. Member for Edmonton-South West for bringing this bill before the House for debate. It allows us to take a closer look at how employment legislation can impact Albertans and provide them with supports. Any time that we are given the opportunity to examine how to protect Albertans and their employment standards is an opportunity that we ought to take advantage of in the form of a lively and constructive debate.

With that being said, I look forward to hearing the comments of my hon. colleagues on this bill. Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Member for Rimbey-Rocky Mountain House-Sundre, followed by the Government House Leader.

**Mr. Anglin:** Thank you, Mr. Speaker. I, too, rise with great pleasure to support a bipartisan bill. As some of the members have pointed out, it's long overdue. As a person who has actually had the unfortunate or in some cases fortunate opportunity to have gone through this multiple times in my life I don't know which is worse, when you go through it or if you watch people you care about going through it. It's problematic, and it's amazingly painful. So this is aptly named, you know, compassionate care leave.

For me, I think that it is sufficient, but I would hope that the government would actually take a cue from the hon. member who

submitted the bill. There's a lot of work that can actually be built upon this. We talked about the financial burden that affects a family when this happens. Here we have a bill that actually protects employment, but there is no income coming in, so there is still a financial burden. People have experienced this. But there's more to it, and that's why I suggested that maybe the government take a hint from this bill and build upon this later in a government bill in that there is an opportunity also that we can actually save money in health care by providing home care where loved ones or people who can provide that compassionate care can actually do that full-time. It's a complex issue that will require tremendous effort, I think, but it's something that still can be done.

I want to share a couple of examples, one in particular of an experience I had recently, Mr. Speaker. It's about a man by the name of Mike Troitsky. Mike was a farmer in my area, a gentleman, and a man of integrity. I befriended him very late in his life, and he impressed me significantly. When he was in the last days of his life, I will tell the hon. member that introduced this bill that for Mr. Troitsky this was a long period of time. To watch his family go through their compassionate care, particularly his wife, Mary, both of them in their 90s – this is something, as I just shared, which is really painful, to watch another family go through this. They struggled. They had the ability to do the things that they needed to do, but they still struggled as a family because it is so emotional and so painful.

To have mechanisms in place so that family members can care for loved ones and not suffer any kind of outside or superfluous penalties unnecessarily is significant to me. It does show the compassion of the government when we are able to put forth legislation. In this case, this is a private member's bill, but it is something that I think all members can relate to. It's with great honour that I – I enjoy that we can actually find a bill that we can agree on. Even though it is the job of the opposition to actually scrutinize and criticize and go through line by line to see if we can improve it – because it's always to improve – the fact that we're making a step in the right direction is something that for me is an honour to acknowledge the member, that we've done something. We've taken that one step in the right direction, and I'm really proud of that fact.

I just would like to take the next step, too. That's the cue that I've asked this government to pay attention to, to look at what this member has done. Look at it, build upon it, and bring forth a government bill that expands this and makes the system not only work on compassionate care but improves our health care, too. There's a lot to be done as we take a look at what goes on here.

There's a lot to be said. There's a lot to talk about. Most everything has already been said, so with that Mr. Speaker, I again thank the member, and I encourage all members to pass this bill.

**The Deputy Speaker:** Thank you, hon. member.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. It gives me great pleasure to rise and speak as well to Bill 203, the Employment Standards (Compassionate Care Leave) Amendment Act, 2012, brought forward by the hon. Member for Edmonton-South West. I want to start by commending the hon. Member for Edmonton-South West. The process of running for office, consulting with constituents, finding people within your constituency who will be supportive, and getting yourself elected is a difficult process. The hon. member, first elected in the election of 2012, not only went through that process in Edmonton-South West but as he went through that process was alive to what he was hearing from his constituents about what their concerns were.

After all, Mr. Speaker, that is probably the most important role that each of us as MLAs can bring to this House, to have that active ear, to have that opportunity to listen to our constituents, to understand what are the most fundamental issues for them in their lives, not so that government can take over their lives for them or run their lives for them or in any way reduce the challenges that people have in their lives because all of us grow from the challenges we face. There are some things that are really important, and having that opportunity with loved ones as they go through times that you cannot control as a family, sickness and even death, are things that are not something that we can control as individuals.

There are times when there is an appropriate role for legislation, for policy, for intervention, if you will, to help people. As a society we've done that on an informal basis over the years: obviously, by stepping up for our neighbours, by being there for our family. But we live in a much more complex world, so sometimes those simple things that we used to do together as members of a small community, whether that was a small community in terms of a village or whether that's a small community within a large population area like Edmonton, it's how we come together as community and care for each other. That's really the fundamental.

I really do believe that the hon. Member for Edmonton-South West, by bringing forward this bill, is showing actually the very nature of the compassion of our society in terms of understanding how we can come together to assist each other in a time of need and then how that translates, in terms of listening to your constituents, into developing public policy and bringing it forward for approval.

I wanted to start, Mr. Speaker, by putting that forward because I think it's a lesson for all of us in this House in terms of understanding that in the day-to-day back and forth and the things that get thrown out and the challenges that we make to each other there are some fundamentals. The fundamentals are about how we care for each other in our community and how we create policies and, indeed, legislation as a society not to take over people's lives but to fundamentally be there for people when they need it so that we can all live with respect and dignity in our community. That, really, to me is what this bill is about and the effort that the hon. member has made.

4:30

Now, it does fall within the purview of Human Services. The Employment Standards Code is an act which comes under the purview of my department. I've heard a number of hon. members today say: "Well, this should be a government bill." "The government should bring forward this bill." "It should be on the government to do this." I think that sometimes when people make those sorts of statements, they don't actually really have a deep appreciation for the process for developing government policy and legislation. I could say to the hon. members that this is actually going to be a faster route to bringing this in than if it was done as a government bill. Why? Well, because as a government bill there's always a commitment to – democracy is a wonderful thing, but it's not fast. It requires consultation. It requires discussion.

We have an Employment Standards Code, Mr. Speaker, and that code deals with many, many items. Indeed, it does need to be reviewed from time to time, so sometime in the next little while a process for review of the Employment Standards Code will actually be formulated. That's in the works right now. If we get through the approval process to say that, yes, this is something that should be on the agenda for this year – obviously, Mr. Speaker, you can't do everything every year – if we get to the

stage where we're bringing it forward and say that we can do this this year, then we will have to start the process of consultation. We take that very seriously. I'm not making light of it. It's a very important part of the process. Even an act like this, which every speaker in the House so far has supported and indeed I support, will have people out there, particularly small-business people, who will say: "How can I afford to do that? How can I afford to keep a position open for a year and willingly take back an employee? That's a burden on my business. How can I do that?"

When we're making changes to something like the Employment Standards Code, we have to have an opportunity for everybody to be heard and listened to in that process and understand what the balances are in our community and in our society. What are the things that we do to make sure that, yes, it's still possible for people to carry on business and be encouraged to do so yet build into that the things that are necessary with respect to leave for sickness, a reserve leave so that people can be encouraged to give back to their community in that way, and yes, indeed most importantly, compassionate care leave?

We will have a review of the Employment Standards Code, I hope. I'm hoping that it will come forward in the near future to a community near you. But it's not a short process. It's a long process, and it is a very complex process, and it is a detailed process. Typically something like the employment code can't easily be dealt with in isolation. You have to look at it in terms of what the overall regulatory burden is, if I can put it in that context. Most people wouldn't think of this as a burden, but in fact it's a regulatory burden that you're putting on business, and it has to be looked at in that context.

In fact, I would say that, no, it shouldn't be a government bill. This should be a bill that the House embraces as a private member's bill, as a one-off piece to the Employment Standards Code, which we can move on now if we want to. We can make this change because we think it's something overriding, overarching, very important to be done. We can do it now. We may need to take a little bit of time to figure out how that affects any necessary regulations. So it would come into effect on proclamation. Rather than waiting for the full, robust review of the Employment Standards Code and have this as a piece of it – and I've signed I don't know how many letters in the last little while, Mr. Speaker, saying exactly that to people who've written in asking for this amendment: yes, we will be looking at that in due course when we review the Employment Standards Code.

You know, I don't like signing those letters. I don't like saying: "Well, you know, that's a good idea, but wait for it. We'll get to it. We'll do the process. We'll consult the public. We'll consult the businesses that are affected. We'll have this ongoing discussion." I don't like to do that, but in fact it's part of the democracy that we're in. Part of any democracy is that you just don't mandate things; you actually consult. You actually take them out and see what the consequences and perhaps even the unintended consequences might be before you bring something forward.

That's the process that we tend to do with most government bills, Mr. Speaker. We don't sort of dream them up overnight. There's a process. I can tell you that as Government House Leader I will have started this year already sending out a notice to my colleagues saying, "What's your legislative agenda for next year and for the next three years? What's on the horizon? What are we planning to do?" We'll be asking them for templates on next year within a month. We'll be looking at saying: "Okay. Well, what have you done? Have you done the consultations that are necessary to get that on the agenda? If you haven't finished the consultations by September and if you haven't got policy approval

by October, what makes you think you're going to get on a spring agenda?"

Of course, there are exceptions to the rule. There's emergency legislation that comes forward from time to time on something that needs to be dealt with in a hurry, but typically the legislation that's done in a hurry is not the best legislation. I can tell you that from experience. Almost every piece of legislation the government has ever got into trouble on was something that didn't actually go through that reflective and democratic process of consultation, discussion with the people who are affected. All of those steps need to be taken.

Now, private members' business allows you the opportunity to do something that speaks out, that says that this should be done notwithstanding that whole process. It does have its risks because it doesn't go through that consultative process. There are ways in which those risks can be ameliorated by going to committee, for example, and having the standing committee or legislative policy committee of this Assembly look at it and do the consultation there, but even that type of consultation tends not to be as broad and thorough as you might want for public legislation, which is going to have to stand the test of time. So even the one-offs that we all embrace shouldn't necessarily be done too enthusiastically.

That being said, Mr. Speaker, I think this is one of those pieces of legislation that one should move on because it does speak to something in each of us. It speaks to all of the things that we hold dear in terms of what it means to be family, so I would ask the House to pass this bill.

**The Deputy Speaker:** Thank you, hon. Government House Leader.

If there are no other speakers – member, you have spoken already.

**Ms Notley:** Under 29(2)(a).

**The Deputy Speaker:** There is no 29(2)(a) on this portion. Sorry.

**Ms Notley:** There isn't?

**The Deputy Speaker:** I am positive. Thank you.

If there are no other speakers, I would invite the Member for Edmonton-South West to close debate.

**Mr. Jeneroux:** Thank you, Mr. Speaker, and a heartfelt thank you to all hon. members who rose to speak on this bill and shared their personal stories. As discussed, the goal of Bill 203 above anything is to introduce compassionate care leave into the Employment Standards Code. Research, consultations, and analysis all indicate that this bill would be of economic and social benefit to all Albertans by helping to contribute to strengthening our families and communities while reducing job loss.

Bill 203 contains the reasonable requirement that employers allow workers eight weeks of unpaid job-protected leave in which to care for terminally ill family members. Again, some Alberta businesses already have this leave built into their benefits packages. Mr. Speaker, Bill 203 would introduce consistency across the board so that both employers and employees would be clear on what their rights and duties are with respect to caring for sick loved ones. Bill 203 would contribute to reducing health care costs and free up palliative care beds. By reducing the number of palliative care beds that are occupied, it would lower costs for our health care system and free up health care workers to provide services to those not fortunate enough to have family members there for them.

This piece of legislation is the most appropriate means at our disposal of strengthening our employment standards as well as making Alberta an attractive place to live and work in this time of labour shortage.

Mr. Speaker, I value and respect my colleagues' comments regarding this bill. I would like to thank everyone who has participated in this debate and urge all hon. members to vote in support, a vote that takes a step towards positive change within our province.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

**Ms Notley:** Point of order.

**The Deputy Speaker:** Point of order?

**Point of Order**

**Question-and-comment Period**

**Ms Notley:** Yes. Under Standing Order 13 I'm asking you to provide further information on your decision to prevent me from asking questions under 29(2)(a). Having just looked at 29(1) and (2), I see no limitation on the application of 29(2)(a) to debate which occurs during private members' business. I'm wondering if the Speaker could cite for me the limitation which he suggested I was subject to.

**The Deputy Speaker:** Thank you, hon. member. I believe that the only reference that I have to speaking times in this particular portion of debate in the House refers to 29(3)(a), (b), and (c) and does not refer to 29(2)(a), hence the reason I did not recognize you. So no point of order, hon. member.

[Motion carried; Bill 203 read a second time]

4:40

**Bill 204**

**Irlen Syndrome Testing Act**

**The Deputy Speaker:** The hon. Member for Red Deer-North.

**Mrs. Jablonski:** Thank you, Mr. Speaker. Today I wish to make a motion regarding Bill 204. Pursuant to Standing Order 74.1(1) I stand to refer my private member's bill, Bill 204, the Irlen Syndrome Testing Act, to the Standing Committee on Families and Communities.

This motion is not debatable. However, I would like to make a few short comments. I'm referring Bill 204 to our Standing Committee on Families and Communities to bring awareness to an issue within our communities which is very important to many Albertans. Mr. Speaker, I have invited doctors, therapists, screeners, diagnosticians, and Helen Irlen, founder and executive director of the Irlen Institute in California, to come before the committee to help us determine the need to recognize Irlen syndrome and our responsibility in helping children with reading and other learning challenges.

If a child or an adult has problems with reading comprehension, misreading words, problems tracking from line to line, reads slowly or hesitantly, loses their place frequently, or avoids reading, experiences headaches or nausea, is fidgety or restless, among many other symptoms, this child or adult should be tested for scotopic sensitivity syndrome, or Irlen's.

Irlen syndrome negatively impacts the lives of many children and adults throughout the province. Mr. Speaker, we can change that. We can make their lives better.

Standing Order 74.2, proceedings on bills referred to a committee after first reading, states:

- (1) When a Bill is referred to a Legislative Policy Committee after first reading, the committee may conduct public hearings on the subject matter of the Bill and report its observations, opinions and recommendations with respect to the Bill to the Assembly.
- (2) Upon the concurrence of a committee report that a Bill be proceeded with, the Bill shall be placed on the Order Paper for second reading.

It is my hope that after the public hearings have been conducted, the committee shall report that Bill 204 proceed and be placed on the Order Paper for second reading.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

[Motion carried]

### Bill 205

#### Fisheries (Alberta) Amendment Act, 2012

**The Deputy Speaker:** The hon. Member for Lesser Slave Lake.

**Ms Calahasen:** Thank you, Mr. Speaker. I'm pleased to rise today to make a motion to refer Bill 205, Fisheries (Alberta) Amendment Act, 2012, to the Standing Committee on Resource Stewardship.

I'm referring this bill because I believe that the aim of this bill is to ensure that there is a mechanism by which concerned stakeholders can contribute to the setting of fishing quotas each year. This amendment proposed by Bill 205 would expand and formalize the consultation process by writing it into the existing Fisheries (Alberta) Act.

The intent of this bill is to make sure that the consultation process is direct, fair, consistent, transparent, accountable, and inclusive of all stakeholders. It would consist of any fisheries department, including commercial fishermen in decisions which impact commercial fishing quotas for the upcoming fishing season. As well, under the provisions of this bill commercial fishermen who wish to initiate the consultation process would be able to do so themselves. In order to do this, commercial fishermen would be required to submit a request for consultation following the notice of changes to industry quotas. By receiving such a request, department officials would be required to consult with the affected stakeholders.

The report that would be done would have to be published so that people could then see the consultations. The criteria by which these quotas were determined as well as the statement and final quota would be made public. In addition, the report would be made available online and would include information on scientific indicators of the health of fish populations in the different lakes. The point of publishing this report would be to demonstrate that meaningful consultation has occurred and that stakeholder concerns have been seriously addressed.

Mr. Speaker, although the province has regulations in place that necessitate consultations with commercial fishermen when making decisions that affect their livelihoods, there is no consistent application of these regulations, and that's exactly what I'm trying to do in Bill 205. Because the result has been inconsistent with the requirements of legislation, regardless of how well intentioned those regulations have been, I want to make sure that whatever conflicts arise, we can resolve them.

As there is no set of legislation to standardize regulations and there are instances in which stakeholders such as commercial

fishermen are not consulted in a direct and timely manner, I want to make sure that this bill will go forward. I'm referring it to the Standing Committee on Resource Stewardship, and I ask all members to support that.

**The Deputy Speaker:** Thank you, hon. member.

[Motion carried]

**The Deputy Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. In light of the hour and the fact that there's another bill coming and we've made significant progress today, I would move that we call it 5 o'clock and move on to private members' motions.

[Unanimous consent granted]

### Motions Other than Government Motions

**The Deputy Speaker:** The hon. Member for Calgary-North West.

#### Resource Development in Urban Areas

509. Ms Jansen moved:

Be it resolved that the Legislative Assembly urge the government to establish a working group to review whether adequate policies are in place for urban communities with regard to oil and gas development.

**Ms Jansen:** Thank you, Mr. Speaker. I am pleased to rise today and open debate on Motion 509. I'm proposing this motion because I believe that oil and gas development is the lifeblood of this province and that we have to work to reconcile conflicts between nearby residents and oil and gas companies. Providing clear standards will help both affected residents and oil and gas developers.

I proposed Motion 509 to help ensure that similar situations to the oil and gas development in my constituency near the communities of Royal Oak and Rocky Ridge do not occur in the future. That situation is still ongoing, and I'm working with the Minister of Energy to find a solution that satisfies all parties. In Rocky Ridge and Royal Oak an oil well that could be productive for half a century was proposed 270 metres from the nearest home and 130 metres from the local shopping centre.

The problem is not solely the short distance between the proposed development and the residences. It's also the lack of community engagement and consultation over safety requirements. It's traffic, it's noise, it's odour, and it's lighting for a development that might be in their neighbourhood for 50 years. If the proper protocols were in place, perhaps the uncertainty that exists in my riding for both residents and the energy industry could have been avoided.

Mr. Speaker, Alberta's population is growing, and as our population grows, so does the footprint of our communities. Naturally, this results in new residential, new commercial, and new industrial land development on previously undeveloped land. In addition, new technology has increased interest in mature oil and gas formations throughout the province. Many of these mature formations, which were developed far away from farmhouses on agricultural lands decades ago, are now in close proximity to dense housing developments. Previously developed wells may need extensive servicing to rejuvenate production, and formations that were long believed to be tapped out may flourish once again with new technology. Moreover, formerly unprofitable formations not seen as economic under past prices and technology are now

being exploited. New technology and continued population growth means a potential for increased conflict.

4:50

Mr. Speaker, Albertans understand that there'll be local impacts from resource development, but I believe it's our responsibility to do everything in our power to ensure that resource development is undertaken in a way that is sensitive to local concerns. For instance, our government has a strong track record when it comes to environmental leadership, being the first jurisdiction in North America to implement legislation to curb greenhouse gases. Keeping this in mind, I believe that studying the adequacy of current policies is a necessary step to ensuring that oil and gas development policies work for all Albertans. Indeed, with the development of regulations for Alberta's new energy regulator this seems the optimal time to make adjustments to the current practices that are needed.

In the Speech from the Throne the Lieutenant Governor spoke of Alberta's continued goal of responsible energy development and resource stewardship. Ensuring that residents who live in close proximity to resource development are not left worse off due to economic activity is the key to ensuring we fulfill that goal.

Resource extraction industries, while they generate substantial economic activity, can also greatly increase road wear and traffic. Additionally, the effects of oil and gas development, being a 24-hours-a-day business, can change when the traffic comes. I believe our government would increase the local buy-in for resource development while ensuring that the province continues to foster its reputation for being a welcome environment for business by improving policies surrounding oil and gas developments near residential areas.

Mr. Speaker, I'm sure other hon. members would be able to point to situations in their constituencies just like the ongoing problems we face in Rocky Ridge and Royal Oak. Motion 509 calls for the examination of policies "for urban communities with regard to oil and gas development," and I hope that in conjunction with the development of regulations surrounding the new energy regulator, we are able to put in place updated standards for oil and gas development throughout the province. Updated standards will mean a streamlined process for oil and gas development while increasing community acceptance by clearly laying out the standards for the responsibilities of oil and gas development proponents.

In conclusion, Mr. Speaker, Motion 509 urges the government to explore options to the problems that I have been talking about. In my opinion, Motion 509 would keep us on the path to ensuring that all local roads impacted by resource and industry truck traffic are adequately maintained. I hope that this debate will help inform current efforts and implement new regulations.

Mr. Speaker, I believe that our government and our Energy minister are working hard to ensure responsible energy development in Alberta, but I also believe the government has to look for better ways to do things, not solely resting on our laurels but ensuring continued responsible resource development.

I look forward to hearing the perspectives of all our hon. members from all sides of the House, and I urge you to vote in favour of Motion 509. Thank you.

**The Deputy Speaker:** Thank you, hon. member.

The hon. Member for Strathmore-Brooks.

**Mr. Hale:** Thank you, Mr. Speaker. It's a pleasure to rise today and talk to the Member for Calgary-North West's Motion 509 as I was involved in the energy industry for many years before I dove

into politics. I do believe that this is a good way to alleviate some of the urban concerns that we're dealing with around oil and gas development. You know, we saw in the campaign period last year that there was quite a bit of concern coming from outside of Calgary, and I do know it's not just specific to outside of Calgary. It's in many areas. I'm in mainly a rural riding, but we have one city and some bigger towns that are affected also and many rural people that live on farms that have this issue also.

There are regulations in place. They've been in place for over 30 years, I believe, and they take into account the different wells, if they're sour or sweet gas, and pipelines and facilities. You know, I would ask the hon. Energy minister if there have been many issues where those setbacks were, I guess, too close, if there are any instances where there have been issues because the setbacks weren't followed.

We must ensure that the regulations are in place so everybody can be safe. Safety is the number one concern. We have to come up with the right balance between industry and the population in our communities. We're going to continue to see as the province grows, you know, that for many wells that are drilled now, in ten years the encroachment of the communities will be coming up to them. It's something that's going to have to continuously be watched and monitored to ensure that our communities are safe.

The oil companies are doing a tremendous job. The technological advancements that we've seen in the past 10 years – I was consulting on a rig, and we were over by Drumheller up on a riverbank. We drilled a horizontal well right underneath the little community of Rosedale. We were half a mile away. I think it was a 2,500-metre horizontal well, so we were well far back of any setback needed. So there are advances in technology so that these pools of gas and oil can be accessed from different distances, which is good. The member mentioned going into existing wells and recompleting them, doing different processes to get the resources out of the ground. That's something that's going to have to be looked at also.

Many municipalities do have in place regulations for when you go to drill in their areas. You know, there are school bus routes. We couldn't do rig moves during certain hours, on certain days. We had to watch in communities on Sundays. We couldn't do any rig moves on Sundays because a lot of the families were out travelling and we didn't want to have any interference. Also, there were many times in areas when we weren't allowed to move our rigs at night for the safety of the people travelling the roads, the safety of the rig crews and the truck crews that had to work in the dark.

I think we're going to continue to see issues come up. We have the new regulator now that's going to be looking at many issues, I believe, when they come up with the new regulations. I hope the member is confident in the new regulator, in their ability. I'm not sure why she would want to establish a working group. I'm not sure if she meant that the working group is going to be the regulator or if she wanted to have a separate working group to advise the regulator. Regardless, I think that within the regulator and their structure this would be an issue that they'll be looking at because I'm sure that she will be keeping up with the Energy minister to ensure that it's looked at.

I will remind you that I put forward some amendments to Bill 2 that would ensure that landowners, environment, and industry – all their concerns were going to be addressed under the regulator. I guess we will see as the new regulations come out.

I will be supporting this motion under the pretense that this issue will be addressed under the new regulator and the new policy management office so that the regulations are made not just taking in industry concerns but taking in community concerns and the

safety of our public so that regulations can be made in the best public interest.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Member for Calgary-Buffalo, followed by the Minister of Energy.

**Mr. Hehr:** Well, thank you, Mr. Speaker. It was with great interest that I listened to the Member for Calgary-North West's interesting motion to strike a committee to consult on oil and gas developments in and around urban centres. It's interesting timing considering that we've just passed a new energy regulator with regulations that are going to be passed throughout that process. It seems to me that that would be an interesting way to go about getting those concerns met, through those regulations and whether something can be worked out there because that is essentially going to be the law of the land.

5:00

Whether a committee is necessary to discuss this or not, I am not so sure, but I will applaud the member for taking this issue to the fore. It has been an issue in her constituency that has been bubbling for about the last two years. It's very important for that member to be engaged with her constituents, to be seen to be highlighting their concerns in the Legislature, and this is an excellent forum to do that in.

It reminds me. I read a book – don't giggle; I did read a book; I saw that look – called *All Politics Is Local* by Tip O'Neill. It really has some neat tips on sort of the practical, nuts-and-bolts politics that you need to do in this business to keep onside with your constituents. What we have seen through this motion is a political document meant to show the constituents in her community that she's taking their side, and I applaud her. Whether it's the correct forum or not, who exactly knows? Sometimes these things will intertwine and supersede and the like. I would doubt very much that a committee will be formed in this matter, nor do I actually see how it would interact with the developing of the regulations, but again the politics of this is bang on. We're highlighting a concern.

If I could go a little further in this, if we look more at some of the underlying effects of the hon. member bringing up this private member's motion at the time and some of the issues that may actually influence future government policy, that is the more interesting part of this debate.

Hey, another thing you guys should all know from the Tip O'Neill book is that it says to never stiff a server in your area. Even if the service is horrible, you tip them and tip them well because they talk to people, okay? That is just one of those things I learned, so carry that with you and remember that. When in your constituency, even when given poor service, you give a tip, and you smile. So there you go. You learned something from me.

Anyway, one of the larger societal issues at play here is maybe, in fact, urban sprawl, which, in my view, is one of the symptoms of the way Alberta has grown over the course of the last 50 years, especially our two large urban centres, Edmonton and surrounding communities as well as Calgary. We have large footprints that have superseded anything that could have been imagined 50 years ago. In fact, when I moved to Calgary in 1977, I think the edge of town was Varsity. Well, we've come a long way from there, and the hon. member's constituency is part of that new development that has occurred over that time. We are reaching those limitations. In my view, urban sprawl, if we don't start developing policies around it, may be to this province's peril in the long run.

I've read some reports on this issue from the Van Horne Institute which say simply that with the cost of public transportation, the cost of infrastructure and roads and the like cities may actually crumble underneath the weight of providing these services as they extend further and further out into the hinterland. There may be some policy objectives along that line that might dovetail nicely with this committee or possible committee or look at the more broad thing of what actually urban sprawl looks like and what policies should be implemented to do this.

I note that Toronto has now gone through two variations of greenbelt legislation. The first one didn't work. The second one was imposed and is apparently doing a much better job of seeing a densification of that city. These may be some things that we want to look at in this Legislature.

Returning to the motion, I applaud the member for bringing this up. I applaud the member for taking her constituents' issues to heart. I encourage her to work closely in the development of the regulations when they're consulted on and the like. I'm not certain if her committee will see the light of day, but I know the hon. Minister of Energy told me that if it is the wisdom, he looks forward to working with them very, very closely and going to the member's constituency and hearing the concerns.

In any event, I thank the hon. member for bringing this forward. It was a privilege to talk. And remember: tip your servers well.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the hon. Minister of Energy, followed by the Member for Edmonton-Strathcona.

**Mr. Hughes:** Thank you very much, Mr. Speaker. You know, when you get talking about a motion in this Legislature, one never knows where the discussion will lead. Here we have a prime example of that this afternoon, and I thank the hon. Member for Calgary-Buffalo for his very constructive advice to all of us on how to work with our constituents.

Mr. Speaker, Motion 509 is a very important initiative by the hon. Member for Calgary-North West. I'd like to start by acknowledging and paying tribute to the good work that this hon. member has undertaken. I was not the Minister of Energy for more than a few days, it seems to me, before the hon. Member for Calgary-North West was speaking to me in a very persuasive manner that brought to my attention these concerns of her constituents, that of course were fresh in her mind, having just come through an election. We all had just come through the election. You know, I was really pleased to have a chance to work with the hon. member, to meet with some of her constituents who had concerns about a particular circumstance in her constituency.

It seemed to me, Mr. Speaker, that at that time this was a concern that we would see more of over time in this province. As communities grow, as the energy industry continues to expand, as technology expands, the potential is there for difficulties in the relationship between developed areas – that could be rural or urban – and the energy industry. I actually thought this was a really important opportunity for me as a new Energy minister to sit down with the Member for Calgary-North West and her constituents and listen to them and understand what their concerns were. Through the piece we've been working over recent months, month in, month out, and I'm optimistic that together with this motion and other work that is under way, we will find a way to ensure that interests are addressed appropriately over time.

My department has undertaken a lot of work as well to try and understand what the alternatives are. I know folks in industry are watching this topic with interest as well because this has an impact upon them. What we're seeking to do through the introduction of

Bill 2, the Responsible Energy Development Act, which this House passed last fall, is ensure that we find that right balance, the balance between environmental responsibility, the immense economic opportunity that we face in this province, and the landowners and the neighbours around the landowner.

You know, we're seeking balance here. I look forward to moving forward with the new Alberta energy regulator in the very near future. We've announced the chair of the governance board, and that will be moving forward soon. In that context, I've spoken often of one of the early opportunities we have to use the new Alberta energy regulator and the policy management office, which is located within the Energy department and works closely with ESRD as well. This is a topic that we can give to the policy management office. They can engage and work with interested parties. This will be a very good, constructive, great example of the kinds of balances that we have to find throughout Alberta in some urban, maybe even in some rural communities.

I support this motion by the hon. member, and I would support it in the context of using the policy management office as that group that could be used to develop the policy, to listen to Albertans to ensure that we find the right regulatory construct to address issues like this.

5:10

The policy review, I'm sure, will likely result in the modification of existing regulations. I'm quite confident of that. It will be exceedingly well informed by the good work done by the hon. Member for Calgary-North West, who has, as the Member for Calgary-Buffalo has pointed out, been working hard to represent her constituents and ensuring that their issues are brought to the forefront, that they're addressed in a thoughtful manner, and that we find an outcome that is good not just for the people of Calgary-North West but for all Albertans.

In that context, Mr. Speaker, I'm very pleased to support my colleague.

**The Deputy Speaker:** Thank you, hon. minister.

I recognize the Member for Edmonton-Strathcona, followed by Lethbridge-East.

**Ms Notley:** Well, thank you. I'm pleased to be able to rise to speak to this issue. I also thank the member for putting forward this motion so that we have an opportunity to speak, at least generally, about the kinds of challenges that her motion brings to the attention of this House and the kinds of challenges that I think we need to wrestle with throughout the province. You know, she did a good job of outlining some of the specific ways in which it impacts members of her constituency. In fact, I guess my one observation with respect to that is that, of course, it's not just limited to the good examples that she discussed with respect to her constituency, but indeed the issue exists throughout the province in a number of different contexts.

With that in mind, I guess, because I think the issue that she's identified is an important one – and I thank her for that – what I'm going to say is that I'm not as keen on the strategy that is being proposed for resolving this issue. That is certainly not as a result of having any questions with respect to the good-faith attempt of this member to put something down in writing that might bring about some kind of outcome. The difficulty, Mr. Speaker, that occurs to me very quickly as someone who's been here since 2008 and someone who's been meeting with community groups and environmental groups and land-use groups and surface rights groups from across the province is that, you see, we've been having a lot of discussion, and we've had a lot of committees, and

we've had a lot of talk about this challenge that we have in Alberta with respect to balancing development needs on one hand and community needs on the other. The concern that I have is that if we have another committee, we might be still having this discussion 10 years from now without any concrete outcome.

I note an article that was brought to my attention by our staff today. It was published in something called *Business Edge News Magazine* in 2004. The issue around sort of the natural gas recovery process around Calgary was discussed in 2004. At that point there was discussion of the fact that a senior-level provincial task force, including deputy ministers from five different ministries, was established to look at the conflict around land use in relation to the growth, the ever-growing footprint of the city of Calgary on one hand and the nonrenewable resources which many companies were hoping to extract from those affected lands on the other hand. We had this high-level group of deputy ministers in 2004, but we still don't seem to have any solutions identified, and we still seem to have difficulties.

I was looking through some notes around issues that have occurred in Peace River. Well, there are a number of issues in Peace River. There are a number of concerns and complaints by citizens around the interaction between oil and gas development on one hand and the impact on quality of life for community members on the other. I was just looking at one particular article that identified the fact that the company in question had increased its production by 400 per cent since 2009 around bitumen extraction, and in the course of increasing its production by 400 per cent, the impact on the adjacent community members as far as odour and that kind of thing had been rather significant. It had been discussed repeatedly in the community.

There's an article that came out just in the last two or three days or maybe in the last couple of weeks where, of course, the MLA for the area is saying: "Well, there is a serious odour problem here, and the question is really: what are we going to do about it?" Then he's saying: you know, I've certainly talked to the Energy minister, and he thinks that there's something we need to do about it. But then, of course, this problem has been growing since 2009, and I've been hearing from people in that community since before I was elected, actually. Again, the question becomes: how much consultation are we going to have before we start doing something about this?

The same thing exists, you know, if you look in Fort McMurray. We all know that there are tremendous challenges there around urban development. Well, there are ownership issues and compensation issues as well as the whole issue of proximity of development to the actual community, the same thing. I was able to find some commentary by the mayor at that time, back around 2006, 2007, around: "We've really got to get a handle on this. You know, we really need to figure out what to do about this conflict."

Then, of course, Mr. Speaker, the other thing that we already have in the province is the land-use framework, which is theoretically supposed to be the forum within which for several years now people who represent these competing interests are able to come together on a geographic basis and a community basis and a regional basis in order to come up with recommendations for how we would introduce and amend our regulations around these things. As we all know, this process, again, has been a lot, a lot, a lot of talk, with almost no regulatory structure having been introduced notwithstanding that we've been talking a lot for several years.

I actually remember being in estimates debate with the former minister of environment, who is no longer a member of this House, and him acknowledging: well, we haven't probably been



able to resource the land-use framework process very well, so we're not able to really move as fast as we need to, and we're not able to provide the resources necessary to ensure that we've got an adequate level of expertise at these consultations in this policy development process. Well, okay. Here we are a few years later, and in fact that ministry has seen their resources reduced even further.

My concern is that, absolutely, there is a challenge in this province, whether we're talking about urban conflict with industrial development, whether we're talking about downstream impacts of industrial development on, effectively, rural communities, whether we're talking about farmers and the conflict that they experience occasionally with development. This is not a problem that is new. It is not a problem that's going away. It is a problem that everybody has identified repeatedly, and it's a problem that we've not managed to get a handle on.

I think it's because at the end of the day this government is never really ever going to compel the energy industry to come to the table and bargain with somebody who's there primarily with the overarching public interest on their side. I think that instead we have a relationship where the oil and gas industry comes and tells the government what they want, and then the government, acting as an agent for the oil and gas industry, proceeds to try and sell it to the people of Alberta. As long as that's the model of how our government develops our industry in Alberta, we're going to continue to have lots of consultations without any kind of meaningful regulatory change.

5:20

I do very much applaud the member for raising the issue, but I'm afraid that more talk, more policy, more consultations, more conversations – I think some people in the House have heard me wax a little bit less than poetical about the overuse of the words “conversation” and “collaboration” in the most recent edition of the government's message box and speaking points. Nonetheless, as long as that's what we do and we don't realize that we actually have to put rules in place, we're not going to get anywhere.

It's the same, you know, with the monitoring. We can monitor forever, but if that monitoring is not associated with a set of rules about how practices need to change and standards need to be met, who cares if we monitor? One of the folks in my office pointed out: “You know, you can watch a train crash in slow motion. You can put 16 different cameras on it, and you can watch that train crash occur. You can make sure you get it filmed from absolutely every angle, but if you don't ultimately find a way to make the train go onto a different track, then the train crash is going to happen. It doesn't matter how many different ways you look at it.” That is my concern.

I think we need to come up with a slightly more defined strategy in this, but I do thank the member for giving us an opportunity to have a conversation about an issue which continues to present itself to Albertans and that requires a substantive form of addressing it.

**The Deputy Speaker:** Thank you, hon. member.

**Ms Pastoor:** Mr. Speaker, Motion 509 is being brought forward by my colleague the hon. Member for Calgary-North West. It calls on the government “to establish a working group to review whether adequate policies are in place for urban communities with regard to oil and gas development.” This is a very important matter for consideration and will have consequences well into this province's future for all of our citizens. There is always a risk when oil and gas facilities are in close proximity to residential and

other public districts and, in fact, rural areas as well. As such, making sure that these facilities are safe and do not negatively impact nearby residents is a matter for a wide-reaching research report.

The policy management office can be the vehicle for this research for several reasons. The policy management office is the government's link to the Alberta energy regulator. The office deals with both the Department of Energy and the Department of Environment and Sustainable Resource Development and is the interface of the enhanced system for oil and gas. This interface manages policy development as well as policy assurance.

A chief responsibility of this office is to ensure that government policy is communicated effectively to the regulator. Alberta Energy is currently undertaking a thorough evaluation of policy options regarding energy development in this province. It's important to examine the policy management office in this regard. Mr. Speaker, the policy management office facilitates policy integration, policy guidelines, and communication between policy development and policy assurance stages. A key role of the office is to ensure that there's a common risk management approach that is used throughout the system to promote consistency and reliability.

Mr. Speaker, the office both supports and facilitates a co-ordinated approach to public management, which is precisely what we're talking about here today. Going forward, the policy management office will engage stakeholders in the development of the new rules of practice. Enhanced public engagement will allow for the continuation of informed and prudent policy development. Consequently, landowners will have the opportunity to influence regulatory procedures to a much greater extent than has been previously known.

Further, policy assurance is facilitated by the implementation of a single regulator, that is responsible and accountable for all assurance functions. The policy management office provides a single window of contact through which to select policy compliance tools. The delineation of respective responsibilities for policy development and policy assurance will help warrant stronger accountability and the reliability of outcomes.

Mr. Speaker, policy assurance functions are consolidated in a single regulator in order to provide a single point of contact and consistent procedures throughout project life cycles. Through the use of a systematic and common risk management framework and a formal sustainable resource and environmental policy management office, the entire system will ensure policies are developed and applied in a co-ordinated and integrated fashion.

The use of a performance measurement framework and public reporting mechanisms will enable Albertans to know with great accuracy how the system is performing. Equally as important, Mr. Speaker, these reporting mechanisms will help to inform Albertans on how they can provide input regarding the improvement of any systematic gaps that will be identified. The system must continue to support Alberta's investment competitiveness as well as meet the desired social, economic, and environmental outcomes. Ultimately, it is for the residents that safety precautions are being taken. The policies put in place to protect high-density communities must reflect the input of these communities' residents.

This motion for awareness should go to the government, and the policy management office can directly review the intent that this motion proposes. I would like to see the intent of this motion also discussed within the land-use framework because, Mr. Speaker, with another million people coming to this province for the opportunities for industrial, cultural, and environmental activities, we must know how to use our land, protect agricultural and

recreational land and the wilderness, and certainly protect it for industrial use as well. A harmony of interests is what is important to move this province forward in the progressive way that this government envisions.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

The hon. Member for Rimbey-Rocky Mountain House-Sundre, followed by the hon. Associate Minister of Services for Persons with Disabilities.

**Mr. Anglin:** Thank you, Mr. Speaker. I rise to support this motion, but this motion, or the subject, should have been brought forward in an earlier debate. The reason it has to come forward now – it's missing some clarity here. To save the hon. minister, whom I have the greatest respect for, time and energy, I would prefer that it be a working group, and two members from this caucus would be happy to join that working group and actually save on the labour of some of my fellow members across the aisle.

I want to point out that there are a couple of things I find ironic, maybe even comical. My colleague here, the Member for Strathmore-Brooks, used the word "pretense" accidentally versus to "premise" an assumption upon, and I just found that sort of ironic because the word "pretense" is something that did come up in the debate dealing with the single regulator.

You have to remember that this is a serious issue. I will make light of a few of our past debates, but the fact is that it doesn't diminish how serious this issue is. I remember when the citizens of Calgary first spoke up. I've been involved with a lot of landowner rights since long before I got elected, so for us in the rural area, particularly the rural communities, as oil and gas has approached, these issues have always been first and foremost in their concerns dealing with their rights, the issues of water, all the complicated issues dealing with oil and gas development, and there are a lot. There's a lot here.

What I want to say is that we missed a lot of this when we passed through this bill dealing with the single regulator. We talked about this extensively. The single regulator can be a good process. It can be one of those streamlining processes that we would all agree upon, but you have to remember that there was a piece of legislation that did say at one point in time that the good citizens of northwest Calgary, southwest Edmonton, and all of Alberta had a right, a reasonable opportunity to learn the facts, and that's no longer in legislation. That was removed. They had a reasonable opportunity to challenge the facts. That's no longer in legislation. That's been removed.

5:30

Here we are with a bill for a single regulator that's supposed to be taking care of this motion, that's supposed to be taking care of these concerns. What we have here is an issue of how we're going to find a way to now address this. That, to me, is the fundamental flaw of the legislation that was passed. The legislation should have by definition made sure that there was a protocol that when the regulator was going to make its rules, when they were going to make the regulations, it was going to have to adhere to the legislative mandate to make sure this subject was covered, and that legislation didn't do that.

Will the regulations actually cover it? Will the rules address this motion? The answer is that we don't know. That's why this motion has come forward. It's also why I'm going to support this motion. We need answers to this. That legislation should have been clearer, and it was not. Here we are now again dealing with this issue. If I understand it correctly – and correct me if I'm

wrong – it appears that it's going to go to the policy management office, and that will now be who's going to address this.

But there are a couple of things that I think even the policy management office doesn't have guidance on. It does not have guidance on the public interest. Those words were removed totally from legislation. Can they do it? Sure they can, but they're not required to by legislation. That was the point of going all night discussing why public interest needed to be accounted for in the legislation. It was a mandate that anybody who would actually be part of this working group or part of the policy management office would have to by legislation make sure they address the issues of the public interest, which is what this motion is all about. That, to me, is very important.

I would ask the hon. member who has brought this motion forward if she can find the time – I believe it's directive 051. There's a draft document that has come out. If you don't have a copy, I'm happy to send you a copy. It should concern everybody and anybody in here that deals with oil and gas on a landowner's issues of: what are adequate policies? It's not yet been approved, but it is dealing with emergency procedures around the development. I have real serious concerns with this draft. Hopefully – hopefully – they change it. What they've done is that they've really made it, in my view, a little bit more precarious in dealing with emergency preparedness, particularly around things like sour gas and other issues dealing with oil and gas development.

The point I'm trying to make is that we're dealing here with a motion that talks about whether or not adequate policies are in place. As I read the motion, I know about the possibility of this draft directive coming forward, and I know about the legislation on the other side. I don't see where either one of those at the moment is supporting the intent of what this motion is here, which is actually making sure we cover all the bases and do it right.

I see no excuse for why we can't do it right. There's no excuse at all. We have the ability. We have the qualified people in the industry, of course, but we also have the ability to make sure that as legislators we get it right so that nothing goes off the rail, so nothing gets missed. It's inexcusable to have to drop the ball on any particular application, on any particular issue dealing with these types of concerns. That is, I think, the entire argument here. This motion should not have been necessary had we done our job the first time in creating the legislation for the single regulator. This absolutely could have been included in that.

I would disagree with the hon. Member for Lethbridge-East when she brought up a statement – and I apologize if it woke me up and caught my attention – about landowners being able to influence the regulator. I have appeared in front of the regulator in more hearings than I can probably count, and I have to tell you that if landowners were not able to influence the regulator in the past, I do not see where the legislation now can give them the extra ability or that extra authority to actually influence.

I will tell you that sometimes they turn into a gong show. We had a board member on one of these boards. I will leave the gentleman's name out. I consider him a friend of mine. He was appointed to one of the hearing boards because he had agricultural experience. We wanted somebody on the board that had agricultural experience, but the only agricultural experience he had was that he had a grow op in 1969 that he got arrested for. That didn't work out. Now, my farmer friends here, whom I have great respect for, always tell me, "At least he had a cash crop." I say: "That's true. That's true." That does not diminish the seriousness of what we're dealing with.

The point is that sometimes in these hearings our landowners feel powerless in front of it. Now, some of you over there would argue that they're not powerless, but I can tell you from the

position I've been in time and time again with landowner concerns, they feel absolutely powerless. When you stand in front of these commissioners and they change the rules on you on the spot – I'll give you a prime example. I just brought this up recently with the minister of environment. At an Environmental Appeals Board hearing some of those people who had a concern – and this is the same type of process – were not allowed to bring their concern forward. They put them together on one panel. They were all affected by the same issue. Three or four got to speak, but they gave them a time frame. Those who had what I would call distinct concerns affecting their property, their homes did not get to participate because the clock ran out. I've never seen that in any process.

In a court of law it takes as long as it takes. You get to make your case. Judges don't like repetitiveness. They will stop you. But if you have information you're bringing forward, they will listen to you. They will give you that time. These boards are supposed to do the same thing, and in my experience I've seen time and time again where people did not have the opportunity to actually bring their concerns forward. They have no recourse. They have absolutely no recourse. They don't understand the system in many cases, but the board is all powerful in many ways. They are the master of their own destiny as a quasi-judicial panel, and they get to make up their rules. They're not bound by the rules of evidence that a courtroom is bound by. That is clearly labelled and stated in the legislation.

Clearly, there are significant issues dealing with these concerns that are brought forward in this motion. I am definitely going to support the motion. I would like to go beyond that and make sure that these people have a right to be heard.

**The Deputy Speaker:** Thank you, hon. member.

The hon. Associate Minister of Services for Persons with Disabilities.

**Mr. Oberle:** Thank you, Mr. Speaker. Could you advise me of how much time I have left?

**The Deputy Speaker:** You have 10 minutes, hon. minister.

**Mr. Oberle:** Ten minutes. Okay. Very good. Thank you.

Mr. Speaker, I'm very honoured to rise this evening and speak to Motion 509. I will in fact be supporting it. I'll speak in favour of it.

**The Deputy Speaker:** Hon. minister, my apologies. We're coming to the end of the time allotted, so six minutes. Please proceed.

**Mr. Oberle:** Okay. I will be speaking in favour of it although I'll say that it might not seem like that at times, Mr. Speaker.

First of all, I'll congratulate the Member for Calgary-North West for her advocacy on behalf of her constituents although I need to point out to my constituency that I, too, have advocated to the Energy minister, as have the members for Dunvegan-Central Peace-Notley, Lesser Slave Lake, and, I'm sure, others, Mr. Speaker. It's an issue of concern, to be sure.

I'm not sure that a working group is the right path forward, but I certainly think there's a discussion necessary. The minister talked about the policy management office. That's fine. I do think there's a discussion necessary.

I'm also not sure about the urban viewpoint of this although I'm always willing to look at something from a new angle and certainly this issue as well. Indeed, there are some very serious urban issues, Mr. Speaker, and we do need a discussion. Development

within a populated area is indeed an issue, and, you know, we have to make sure that it reflects the modern realities of energy development and of urban development. Just from a safety point of view, we have to talk about emergency management, and notifications and evacuations in an urban environment are certainly concerns although I'll readily point out that the Member for Calgary-North West did not confine her conversation just to safety. There are certainly others of nuisance and noise and those sorts of things. That's fine. Very clearly, we need to have a conversation.

Let's examine this issue briefly from another point of view, that being the rural point of view, Mr. Speaker. Now, it's convenient for us to think of energy development as being out there or up there in the north. That's not peculiar to urban Alberta. Even in rural Alberta we think of the energy industry as being out there. Most of the energy development, particularly in the northeast of our province, is out there in the green zone, and it's not integrated with the residential land base out there in very many places in our province.

5:40

I would like to point out that my constituency is a little different from that, Mr. Speaker. I have four towns in my constituency that are the largest population centres – no cities, four towns – one village, and the rest are rural municipalities, a couple of First Nations reserves, and one Métis settlement. Two-thirds of the population in my constituency do not live in those four towns. They live out there, and they are completely integrated with the development of the energy industry.

That's not peculiar to my constituency. In fact, the hon. Member for Dunvegan-Central Peace-Notley has 36 wells within one and a half kilometres of his house. You're not going to get that in an urban environment. They're all out there making noise and dust and everything else, so the same issues apply out there in rural Alberta.

If it was just about safety, Mr. Speaker, even then I would argue: what about rural residents? What about somebody that lives three miles down a road that's a dead end and they have to pass six oil wells on the way into their property? What happens if there's an accident when they don't have access to high-speed Internet and often don't have cellphone coverage? The issues of notification and evacuation are every bit as pressing. But, again, the member did not confine her remarks simply to safety. There are other issues.

While I'm in agreement with the motion, I think we need to have this discussion in light of how the energy industry interacts with and impacts all Albertans, Mr. Speaker. Let's be clear. The issues that define the interface between human residents and industrial development are not at all confined to safety, and the member did not try to suggest that they were. Any discussion of this going forward should respect that fact.

Mr. Speaker, I ask you to ask Donna Dahm – she's a constituent of mine who bought a lovely house, probably hoping it would be a retirement house, on a little-used road allowance near a provincial highway but well set back, in a serene, really isolated setting. A few years later she finds herself sitting at the intersection of that same provincial highway, on a four-lane industrial road that's just blazing with tanker traffic and oil field traffic. Because it's right at the stop sign, there have been quite a few accidents there. Truckers have fallen asleep, and parts have fallen off trucks. She's probably a couple of weeks away from being able to open a used truck part shop on her property there. She's going to find out I said that, and she's going to be pretty mad at me. She's already pretty mad at me, mad at the fate of her property there.

Go further than that. Ask Donna Dahm and the surrounding residents there what they think about the oil and gas industry, although most of them in some way are employed in the industry. Not one single person I've met is actually against development. That area is called Three Creeks, and it's been an area of major concern to me and through me to the minister of environment and the Minister of Energy. The odours in that area . . . [Mr. Oberle's speaking time expired] I thought I had six minutes, Mr. Speaker.

**The Deputy Speaker:** You did when you started, hon. minister, but I do appreciate your points.

At this time I would give the mover of the motion the opportunity for five minutes to close debate. The hon. Member for Calgary-North West.

**Ms Jansen:** Thank you, Mr. Speaker. I want to thank everyone who spoke to this motion and contributed to this debate. Certainly, I absolutely acknowledge the concerns of our members and members across the aisle who have the impact of this in their own areas.

Oil and gas development does present, right across this province, regardless of where you live, really unique challenges. Those challenges exist whether you live on a farm, whether you are close to a busy intersection with a lot of tanker traffic, whether you're on an acreage, in a town or a village or a city, as we are quite painfully finding out right now in Royal Oak. I hope that any

review of the policies that we are talking about will make an attempt to speak to these challenges and these opportunities.

Resource development in Alberta, most of us would agree, is the key to our prosperity. So, too, is the health of our communities and the well-being of all of our constituents. As such, we really do need a policy that sets out clear expectations for development both for the nearby residents and for the project proponents.

Mr. Speaker, Motion 509 simply urges the government to review whether adequate policies are in place for oil and gas development. I value and respect my colleagues' comments regarding the motion, and I urge all hon. members to vote in support of Motion 509.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

[Motion Other than Government Motion 509 carried]

**The Deputy Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. In light of the rules that suggest one motion gets considered a day and even though it's not 6 o'clock, I would move that we adjourn until 9:30 this evening, at which time we reconvene in Committee of Supply.

**The Deputy Speaker:** Thank you.

[Motion carried; the Assembly adjourned at 5:46 p.m.]

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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Monday evening, April 22, 2013

Issue 50e

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta  
The 28th Legislature**

First Session

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## Legislative Assembly of Alberta

9:30 p.m.

Monday, April 22, 2013

### Committee of Supply

[Mr. Rogers in the chair]

**The Chair:** Hon. members, I would now call the Committee of Supply to order. Members, please take your seats.

Hon. members, prior to beginning, the chair will outline the process for this evening's proceedings. The Committee of Supply will first call on the chairs of the legislative policy committees to report on their meetings with the various ministries under their mandate. No vote is required when these reports are presented according to Standing Order 59.01(10).

Members are reminded that there were amendments introduced during the legislative policy committee meetings, so the committee will vote on all proposed amendments.

The committee will then proceed to the vote on the estimates of the Legislative Assembly as approved by the Special Standing Committee on Members' Services. The vote for the main estimates will then take place.

Finally, the chair would like to remind all hon. members of Standing Order 32(3.1), which provides that after the first division is called in Committee of Supply during the vote on the main estimates, the interval between division bells shall be reduced to one minute for any subsequent division.

### Committee Reports

**The Chair:** I would now invite the chair of the Standing Committee on Alberta's Economic Future to present the committee's report. The hon. Member for Calgary-East.

**Mr. Amery:** Thank you, Mr. Chair. As chair of the Standing Committee on Alberta's Economic Future and pursuant to Standing Order 59.01(10) I am pleased to report that the committee has reviewed the 2013-2014 proposed estimates and business plans for the following ministries: Ministry of Agriculture and Rural Development, two hours; Ministry of Enterprise and Advanced Education, three hours; Executive Council, two hours; Ministry of Infrastructure, two hours; Ministry of International and Intergovernmental Relations, two hours; Ministry of Tourism, Parks and Recreation, two hours.

Mr. Chair, I would like to table amendments to the following ministries that were introduced during our meetings for the Committee of Supply's consideration: Ministry of Agriculture and Rural Development, one amendment; Ministry of Enterprise and Advanced Education, one amendment; Executive Council, one amendment; Ministry of Infrastructure, one amendment; Ministry of Tourism, Parks and Recreation, one amendment.

Mr. Chairman, I'd also like to table copies of documents tabled during consideration of the main estimates for the official record of the Assembly.

Thank you, Mr. Chair.

**The Chair:** Thank you, hon. member.

I would now call on the acting chair of the Standing Committee on Families and Communities to present the committee's report. The hon. Member for Calgary-Varsity.

**Ms Kennedy-Glans:** Thank you. On behalf of the chair of Standing Committee on Families and Communities and pursuant to

Standing Order 59.01(10) I am pleased to report that the committee has reviewed the 2013-14 proposed estimates and business plans for the following ministries: Ministry of Culture, two hours; Ministry of Education, six hours; Ministry of Health, six hours; Ministry of Human Services, six hours; Ministry of Justice and Solicitor General, six hours; Ministry of Service Alberta, three hours.

I'd like to table amendments to the following ministries that were introduced during our meetings for the Committee of Supply's consideration: Ministry of Culture, one amendment; Ministry of Education, one amendment; Ministry of Health, one amendment; Ministry of Human Services, one amendment; Ministry of Service Alberta, one amendment.

**The Chair:** Thank you, hon. member.

I would now call the chair of the Standing Committee on Resource Stewardship. Again the Member for Calgary-Varsity.

**Ms Kennedy-Glans:** Thank you. As chair for the Standing Committee on Resource Stewardship and pursuant to Standing Order 59.01(10) I am pleased to report that the committee has reviewed the 2013-14 proposed estimates and business plans for the following departments: Ministry of Aboriginal Relations, two hours; Ministry of Energy, six hours; Ministry of Environment and Sustainable Resource Development, six hours; Ministry of Municipal Affairs, five hours; Ministry of Transportation, three hours; Ministry of Treasury Board and Finance, six hours.

I'd also like to table amendments to the following departments that were introduced during our meetings for the Committee of Supply's consideration: Ministry of Energy, one amendment; Ministry of Environment and Sustainable Resource Development, one amendment; Ministry of Municipal Affairs, one amendment; Ministry of Treasury Board and Finance, one amendment; Ministry of Transportation, one amendment.

I would also like to table copies of a document tabled during consideration of the main estimates for the official record of the Assembly.

Thank you.

**The Chair:** Thank you, hon. member.

### Vote on Main Estimates 2013-14

**The Chair:** Hon. members, the next order of business is the vote on the amendments introduced during the legislative policy committee meetings. There are a total of 15 amendments, and they will be identified as amendments A1 through A15. Members have received copies of all the amendments on your desks. We will begin with A1 and carry on in sequence.

A1. Mr. Donovan moved that the 2013-14 main estimates of the Ministry of Agriculture and Rural Development be reduced as follows:

- (a) for the minister's office under reference 1.1 at page 22 by \$205,000,
- (b) for the deputy minister's office under reference 1.2 at page 22 by \$54,000,
- (c) for corporate services under reference 1.4 at page 22 by \$1,900,000,
- (d) for communications under reference 1.5 at page 22 by \$36,000,
- (e) for human resources under reference 1.6 at page 22 by \$224,000, and
- (f) for policy, strategy and intergovernmental affairs under reference 2.3 at page 22 by \$120,000

so that the amount to be voted at page 21 for operational is \$557,021,000.

[Motion on amendment A1 lost]

A2. Mr. Pedersen moved that the 2013-14 main estimates of the Ministry of Culture be reduced as follows:

- (a) for the minister's office under reference 1.1 at page 36 by \$119,000,
- (b) for the deputy minister's office under reference 1.2 at page 36 by \$30,000,
- (c) for human resources under reference 1.3 at page 36 by \$156,000,
- (d) for communications under reference 1.4 at page 36 by \$45,000,
- (e) for program support under reference 2.1 at page 36 by \$452,000,
- (f) for program support under reference 3.1 at page 36 by \$359,000,
- (g) for community engagement under reference 3.2 at page 36 by \$2,268,000, and
- (h) for program support under reference 4.1 at page 36 by \$316,000

so that the amount to be voted at page 35 for operational is \$137,410,000.

[Motion on amendment A2 lost]

A3. Mr. McAllister moved that the 2013-14 main estimates of the Ministry of Education be reduced as follows:

- (a) for the minister's office under reference 1.1 at page 52 by \$101,000,
- (b) for the deputy minister's office under reference 1.2 at page 52 by \$137,000,
- (c) for the corporate services under reference 1.3 at page 52 by \$1,761,000, and
- (d) for the information and program services under reference 1.4 at page 52 by \$2,817,000

so that the amount to be voted at page 51 for operational is \$4,011,441,000.

[Motion on amendment A3 lost]

A4. Mr. Anglin moved that the 2013-14 main estimates of the Ministry of Energy be reduced as follows:

- (a) for the minister's office under reference 1.1 at page 66 by \$44,000,
- (b) for the deputy minister's office under reference 1.2 at page 66 by \$19,000,
- (c) for communications under reference 1.3 at page 66 by \$127,000,
- (d) for corporate services under reference 1.4 at page 66 by \$227,000,
- (e) for biofuel initiatives under reference 3 at page 66 by \$32,000,000, and
- (f) for costs of marketing oil under reference 4 at page 66 by \$3,100,000

so that the amount to be voted at page 65 for operational is \$196,566,000.

[Motion on amendment A4 lost]

A5. Mr. McAllister moved that the 2013-14 main estimates of the Ministry of Enterprise and Advanced Education be reduced as follows:

- (a) for the minister's office under reference 1.1 at page 78 by \$79,000,
- (b) for the deputy minister's office under reference 1.2 at page 78 by \$70,000,
- (c) for communications under reference 1.3 at page 78 by \$110,000,
- (d) for corporate services under reference 1.4 at page 78 by \$3,156,000,
- (e) for corporate costs under reference 1.5 at page 78 by \$241,000,
- (f) for international partnerships under reference 1.6 at page 78 by \$153,000, and
- (g) for transfer to Alberta Enterprise Corporation under reference 5.5 on page 78 by \$1,149,000

so that the amount to be voted at page 77 for operational is \$2,588,567,000.

[Motion on amendment A5 lost]

A6. Mr. Stier moved that the 2013-14 main estimates of the Ministry of Environment and Sustainable Resource Development be reduced as follows:

- (a) for the minister's office under reference 1.1 at page 92 by \$198,000,
- (b) for the deputy minister's office under reference 1.2 at page 92 by \$60,000,
- (c) for communications under reference 1.3 at page 92 by \$246,000,
- (d) for human resources under reference 1.4 at page 92 by \$444,000,
- (e) for legal services under reference 1.5 at page 92 by \$115,000,
- (f) for corporate services under reference 1.6 at page 92 by \$2,097,000, and
- (g) for Land Use Secretariat under reference 5.4 at page 92 by \$1,482,000

so that the amount to be voted at page 91 for operational is \$456,676,000.

[Motion on amendment A6 lost]

A7. Ms Smith moved that the estimates for Executive Council be reduced as follows:

- (a) for Public Affairs corporate services under reference 2.1 at page 110 by \$1,437,000 and
- (b) for Public Affairs corporate communications under reference 2.2 at page 110 by \$8,563,000

so that the amount to be voted at page 109 for operational is \$38,430,000.

[The voice vote indicated that the motion on amendment A7 lost]

[Several members rose calling for a division. The division bell was rung at 9:36 p.m.]

[Ten minutes having elapsed, the committee divided]

[Mr. Rogers in the chair]

For the motion:

Anderson	Fox	Sherman
Anglin	Hale	Smith
Barnes	Hehr	Stier
Bikman	Kang	Strankman
Bilous	McAllister	Swann
Blakeman	Pedersen	Towle
Donovan	Rowe	Wilson
Eggen	Saskiw	

Against the motion:

Allen	Fritz	Lemke
Amery	Goudreau	Leskiw
Bhardwaj	Griffiths	McDonald
Calahasen	Hancock	Oberle
Campbell	Horner	Olesen
Cao	Hughes	Pastoor
Casey	Jablonski	Quadri
Cusanelli	Jansen	Sandhu
Dallas	Jeneroux	Sarich
Denis	Johnson, J.	Scott
Dorward	Johnson, L.	Starke
Drysdale	Kennedy-Glans	VanderBurg
Fawcett	Khan	Weadick
Fenske	Klimchuk	Xiao
Fraser	Kubinec	

Totals: For – 23 Against – 44

[Motion on amendment A7 lost]

A8. Mrs. Towle moved that the 2013-14 main estimates of the Ministry of Health be reduced as follows:

- (a) for the minister's office under reference 1.1 at page 116 by \$27,000,
- (b) for the associate ministers' offices under reference 1.2 at page 116 by \$548,000,
- (c) for the deputy minister's office under reference 1.3 at page 116 by \$60,000,
- (d) for communications under reference 1.4 at page 116 by \$1,001,000,
- (e) for strategic corporate support under reference 1.5 at page 116 by \$6,547,000, and
- (f) for policy development and strategic support under reference 1.6 at page 116 by \$1,733,000

so that the amount to be voted at page 115 for operational is \$17,010,573,000.

[Motion on amendment A8 lost]

A9. Mr. Wilson moved that the 2013-14 main estimates of the Ministry of Human Services be reduced as follows:

- (a) for the associate minister's office under reference 1.2 at page 126 by \$256,000,
- (b) for strategic services under reference 1.5 at page 126 by \$1,732,000, and
- (c) for corporate services under reference 1.6 at page 126 by \$1,164,000

so that the amount to be voted at page 125 for operational is \$4,236,493,000.

[Motion on amendment A9 lost]

9:50

A10. Mr. Barnes moved that the 2013-14 main estimates of the Ministry of Infrastructure be reduced as follows:

under operational vote by program

- (a) for the minister's office under reference 1.1 at page 150 by \$29,000,
  - (b) for the deputy minister's office under reference 1.2 at page 150 by \$39,000,
  - (c) for communications under reference 1.3 at page 150 by \$27,000,
  - (d) for strategic services under reference 1.4 at page 150 by \$629,000,
  - (e) for strategic capital planning under reference 4 at page 150 by \$128,000,
- under capital vote by program
- (f) for strategic capital planning under reference 4 at page 150 by \$125,000, and
  - (g) for government-owned facilities preservation under reference 5.3 at page 151 by \$1,000,000

so that the amount to be voted at page 149 for operational is \$506,518,000, and the amount to be voted at page 149 for capital is \$782,400,000.

[Motion on amendment A10 lost]

A11. Mr. Rowe moved that the 2013-14 main estimates of the Ministry of Municipal Affairs be reduced as follows:

- (a) for the minister's office under reference 1.1 at page 182 by \$339,000,
- (b) for the associate minister's office under reference 1.2 at page 182 by \$285,000,
- (c) for the deputy minister's office under reference 1.3 at page 182 by \$110,000,
- (d) for support services under reference 1.4 at page 182 by \$824,000,
- (e) for major legislative projects and strategic planning under reference 2.1 at page 182 by \$1,255,000,
- (f) for municipal services under reference 2.2 at page 182 by \$1,736,000,
- (g) for grants and education property tax under reference 2.3 at page 182 by \$1,353,000,
- (h) for assessment services under reference 2.4 at page 182 by \$883,000, and
- (i) for the Municipal Government Board under reference 8 at page 182 by \$178,000

so that the amount to be voted at page 181 for operational is \$402,375,000.

[Motion on amendment A11 lost]

A12. Mrs. Forsyth moved that the estimates for the minister's office under reference 1.1 at page 196 of the 2013-14 main estimates of the Ministry of Service Alberta be reduced by \$255,000 so that the amount to be voted at page 195 for operational is \$302,063,000.

[Motion on amendment A12 lost]

A13. Mr. Strankman moved that the 2013-14 main estimates of the Ministry of Tourism, Parks and Recreation be reduced as follows:

- (a) for the minister's office under reference 1.1 at page 206 by \$162,000 and

- (b) for the assistance to Travel Alberta corporation under reference 2.5 at page 206 by \$10,000,000 so that the amount to be voted at page 205 for operational is \$144,196,000.

[Motion on amendment A13 lost]

A14. Mr. Barnes moved that the 2013-14 main estimates of the Ministry of Transportation be reduced as follows:

- (a) for the minister's office under reference 1.1 at page 220 by \$150,000,
  - (b) for communications under reference 1.3 at page 220 by \$26,000,
  - (c) for strategic services under reference 1.4 at page 220 by \$1,723,000,
  - (d) for traffic safety services under reference 3 at page 220 by \$1,473,000, and
  - (e) for the grant to Alberta Transportation Safety Board under reference 4 at page 220 by \$121,000
- so that the amount to be voted at page 219 for operational is \$474,633,000.

[Motion on amendment A14 lost]

A15. Mr. Bikman moved that the 2013-14 main estimates of the Ministry of Treasury Board and Finance be reduced as follows:

- (a) for the minister's office under reference 1.1 at page 234 by \$137,000,
  - (b) for the associate minister's office under reference 1.2 at page 234 by \$266,000,
  - (c) for the deputy minister's office under reference 1.3 at page 234 by \$149,000,
  - (d) for the strategic and business services under reference 1.4 at page 234 by \$2,265,000,
  - (e) for communications under reference 1.5 at page 234 by \$153,000,
  - (f) for budget development and reporting under reference 2 at page 234 by \$1,132,000,
  - (g) for fiscal planning and economic analysis under reference 3 at page 234 by \$1,164,000,
  - (h) for risk management and insurance under reference 4.2 at page 234 by \$332,000,
  - (i) for the office of the Controller under reference 5 at page 234 by \$873,000,
  - (j) for the corporate internal audit services under reference 6 at page 234 by \$827,000,
  - (k) for tax and revenue management under reference 7 at page 234 by \$6,956,000,
  - (l) for the financial sector regulation and policy under reference 8.1 at page 234 by \$1,322,000,
  - (m) for the Automobile Insurance Rate Board under reference 8.2 at page 234 by \$290,000, and
  - (n) for air services under reference 9 at page 234 by \$908,000
- so that the amount to be voted at page 233 for operational is \$114,531,000.

[Motion on amendment A15 lost]

**The Chair:** Hon. members, we will now proceed to the vote on the estimates for the Legislative Assembly Office as approved by the Special Standing Committee on Members' Services. Pursuant to Standing Order 59.03(5), which requires that the estimates of the offices of the Legislative Assembly be decided without debate or amendment prior to the vote on the main estimates, I must now

put the question on all matters relating to the 2013-14 offices of the Legislative Assembly estimates for the fiscal year ending March 31, 2014.

Agreed to:

Offices of the Legislative Assembly

\$128,616,000

**The Chair:** Shall the vote be reported?

**Hon. Members:** Agreed.

**The Chair:** Opposed? So ordered.

We shall now proceed to the final vote on the main estimates. Those members in favour of the resolution for the 2013-14 government estimates for the general revenue fund and the lottery fund for the fiscal year ending March 31, please say aye.

**Hon. Members:** Aye.

**The Chair:** Those opposed, please say no. That motion is carried.

I would now invite the hon. Government House Leader to move that the committee rise and report the 2013-14 offices of the Legislative Assembly estimates and the 2013-14 government estimates for the general revenue fund and the lottery fund.

**Mr. Hancock:** So moved, Mr. Chair.

[Motion carried]

[The Deputy Speaker in the chair]

**The Deputy Speaker:** The hon. Member for Calgary-East.

**Mr. Amery:** Thank you, Mr. Speaker. The Committee of Supply has had under consideration certain resolutions relating to the 2013-14 offices of the Legislative Assembly estimates and the 2013-14 government estimates for the general revenue fund and the lottery fund, reports as follows, and requests leave to sit again.

Mr. Speaker, the following resolutions for the fiscal year ending March 31, 2014, have been approved.

Offices of the Legislative Assembly.

Support to the Legislative Assembly, \$71,421,000; office of the Auditor General, \$26,635,000; office of the Ombudsman, \$3,359,000; office of the Chief Electoral Officer, \$5,683,000; office of the Ethics Commissioner, \$967,000; office of the Information and Privacy Commissioner, \$6,867,000; office of the Child and Youth Advocate, \$12,224,000; office of the Public Interest Commissioner, \$1,460,000.

Mr. Speaker, the government main estimates.

Aboriginal Relations: operational, \$166,965,000; capital, \$25,000.

Agriculture and Rural Development: operational, \$559,560,000; capital, \$24,196,000.

Culture: operational, \$141,155,000; capital, \$53,100,000; financial transactions, \$2,243,000.

Education: operational, \$4,016,257,000; capital, \$505,235,000; financial transactions, \$21,899,000.

Energy: operational, \$232,083,000; capital, \$6,315,000; financial transactions, \$30,500,000.

Enterprise and Advanced Education: operational, \$2,593,525,000; capital, \$68,347,000; financial transactions, \$425,000,000.

Environment and Sustainable Resource Development: operational, \$461,318,000; capital, \$65,916,000; financial transactions, \$1,410,000.

Executive Council: operational, \$48,430,000.

Health: operational, \$17,020,489,000; capital, \$104,450,000; financial transactions, \$50,226,000.

Human Services: operational, \$4,239,645,000; capital, \$9,442,000.

Infrastructure: operational, \$507,370,000; capital, \$783,525,000; financial transactions, \$52,000,000.

International and Intergovernmental Relations: operational, \$37,144,000; capital, \$25,000.

Justice and Solicitor General: operational, \$1,193,526,000; capital, \$87,412,000.

Municipal Affairs: operational, \$409,338,000; capital, \$855,740,000.

Service Alberta: operational, \$302,318,000; capital, \$40,524,000; financial transactions, \$8,750,000.

Tourism, Parks and Recreation: operational, \$154,358,000; capital, \$18,812,000.

Transportation: operational, \$478,126,000; capital, \$1,935,408,000; financial transactions, \$63,914,000.

Treasury Board and Finance: operational, \$131,305,000; capital, \$2,853,000; financial transactions, \$20,125,000; lottery fund transfer, \$1,485,671,000.

Mr. Speaker, that concludes my report.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.  
Does the Assembly concur in the report?

**Hon. Members:** Concur.

**The Deputy Speaker:** Opposed? So ordered.

10:00

### Introduction of Bills

**The Deputy Speaker:** The hon. President of Treasury Board and Minister of Finance.

### Bill 20 Appropriation Act, 2013

**Mr. Horner:** Thank you very much, Mr. Speaker. I request leave to introduce Bill 20, the Appropriation Act, 2013. This being a money bill, His Honour the Honourable the Lieutenant Governor, having been informed of the contents of this bill, recommends the same to the Assembly.

[Motion carried; Bill 20 read a first time]

### Government Bills and Orders Second Reading

### Bill 14 RCMP Health Coverage Statutes Amendment Act, 2013

[Adjourned debate April 18: Mr. VanderBurg]

**The Deputy Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. I am pleased to rise and speak to Bill 14, the RCMP Health Coverage Statutes Amendment Act, 2013, in second reading. As the Assembly is well aware, this bill will fill the gap that is coming from the federal government in the provision of health care coverage for RCMP officers in Alberta. This is a very important bill, and I am pleased to stand in support of it. This bill is going to afford a vital provision for health care coverage for RCMP officers in Alberta. This provision was granted through federal legislation until recently.

We as Albertans must step up and ensure RCMP in our province don't lose their coverage. It is important that this

Assembly does what it can to support these men and women. I do thank the minister for putting this bill forward in such a manner that it can be supported by all members of the Assembly. I don't think there's a single member in this Assembly who disagrees with the assertion that the RCMP deserve this sort of coverage. These brave men and women proudly serve Albertans with a special focus on small towns and rural communities. The protection they provide and the feeling of security it produces profoundly affect Alberta province-wide.

The examples abound. When the RCMP shuts down a gang that is trying to establish itself in a small town, parents can rest assured knowing their children won't be targeted as new members. When the RCMP shuts down a grow op or a meth lab, the innocent neighbours are no longer victims to the threat of violence or danger to their wealth. When the RCMP engages with students in their school and teaches them about important issues, from the rules of the road to explaining the basic structure of the criminal court system, they make connections that inspire these students and help keep our communities safer and more productive.

Mr. Speaker, I am convinced that this is a necessary bill which will ensure that we as Albertans do our due diligence to ensure that those who protect us are properly covered when it comes to health care issues. These RCMP officers deserve no less. I ask all members to take the opportunity this bill presents to engage with their local RCMP detachment, thank those officers for their services, and assure them that we as parliamentarians have their back.

Again, I'd like to thank the minister for putting this bill forward, and I encourage all members to vote in favour of this bill.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.  
The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much, Mr. Speaker, for the opportunity to speak in favour of this bill. I'm a little flabbergasted that the federal government would punt the RCMP off their health care insurance plan, but they did. It's one of those cases where the province has got to step in and pick them up and offer them the opportunity to sign on to the provincial program. You know, how could we not? And I'm glad that the provincial government did do that. That's a bit of a staggering concept, that you'd punt the RCMP, isn't it? But there you go.

In fact, they have a very short bill, and that's exactly what they do. They used to have the RCMP specifically excluded, and they've basically taken that exclusion out, so now they are included. Thank you for stepping up and doing that, but I will remind the government that the municipalities do this on your behalf many times. Keep that in mind, will you?

Thanks so much.

**The Deputy Speaker:** Thank you, hon. member.  
I'll recognize the hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you very much for recognizing me, Mr. Speaker. I just wanted to echo the comments from the Member for Lac La Biche-St. Paul-Two Hills as well as the Member for Edmonton-Centre. At the end of the day every one of us likely knows that when we get up in the morning and we go to work, we're going to be coming back to our friends and family later, at night. Our RCMP don't have that luxury. They put themselves often in harm's way. Many times they don't know, necessarily, that they're going to be coming home to their friends and family that particular night.

Mr. Speaker, in the year and a half or so that I've been Solicitor General for this province I can tell you that I've actually visited some RCMP in hospital that have suffered gunshot wounds while in the line of duty. This is a very serious matter.

I'm very happy to see multiparty support for this particular initiative, and I thank all the members opposite for supporting it. Thank you.

**The Deputy Speaker:** Thank you, hon. minister.

The hon. Member for Innisfail-Sylvan Lake, followed by Calgary-*Buffalo*.

**Mrs. Towle:** Thank you, Mr. Speaker. It's an honour and a privilege to rise today to speak on Bill 14, the RCMP Health Coverage Statutes Amendment Act, 2013. I would like to thank the Associate Minister of Seniors for bringing this forward as I believe it's a bill that all parties can support.

We know that the RCMP officers who serve and live in Alberta are some of the finest citizens in many of our rural and urban communities. They're the officers who keep our streets safe and are among the special few who are brave enough to put their lives on the line to ensure that our communities are protected. There was an all-too-real example of this earlier this year when we heard about a sheriff in the town of Whitecourt who sustained a serious hand injury from a prisoner fleeing the scene.

With the type of sacrifices these officers make here in the province, having the province recognize our RCMP officers and provide coverage for them now through the province is an important first step. These are men and women who are serving and protecting, and it seems appropriate for us to recognize that in adjustments to our own health care legislation. These are also men and women who serve in our communities and volunteer their time with our children. Further, with RCMP officers being provincial taxpayers for our great province, it only makes sense that the taxes they pay into are part of the provincial insurance coverage that Albertans across our province universally enjoy.

Now, there are some minor concerns about this bill on how the changes will be financed. My understanding of the history of health coverage for the RCMP officers is that they were exempted from provincial insurance coverage because the Canada Health Act did not list them as an insured person. As a result, the federal government covered their insurance needs in the past.

I know that the federal government has done some important work in securing long-term sustainable funding in transfers to the provinces, announcing that beginning in 2014-2015 the Canada health transfer payment will now be made on an equal per capita cash basis only. These transfer payments finally recognize that Canadians, no matter where they live, are deserving of extra payment and will allow Alberta to receive further funding from the federal government, and we thank them for that. All the same, it would be good to know if this government planned for the extra funding required to now list our RCMP officers to be included for provincial insurance coverage here in Alberta, what the total cost of it was, and how it was to be paid.

Outside of these concerns it's obvious that these changes are part of the maintenance required by the provincial government due to the appropriate changes from the federal government providing more autonomy for the provinces to provide provincial care for the brave RCMP officers who serve our community. With some further clarity from the province on some of the more technical aspects of this bill, this legislation will have my support and will be an important first step in making our RCMP officers more tightly bound with the communities they so bravely serve each and every day.

On a side note, Mr. Speaker, I'd like to thank the RCMP officers who donate their time, who volunteer in our communities, who offer programs such as the DARE program, which my 11-year-old daughter recently completed, and who help to educate our children and also bring stability and safety to many of our communities, whether they're in the rural communities or in the urban communities all across this province.

Thank you again to the Associate Minister of Seniors.

**The Deputy Speaker:** Hon. members, Standing Order 29(2)(a) is available.

Seeing none, I recognize the Member for Calgary-*Buffalo*.

**Mr. Hehr:** Well, thank you, Mr. Speaker. I'll be quick. I'd like to thank the Associate Minister of Seniors for putting forward this bill. It seems like an appropriate thing to do, to cover RCMP officers working in Alberta with coverage under our health care system.

It seems odd, like the Member for Edmonton-Centre indicated, that the federal government, who primarily runs the RCMP program, would be getting out of the business of providing them health care, but I guess that is the day and age that we live in. We often see governments downloading responsibility to other levels of government and expecting them to foot the bill.

**10:10**

Inevitably it's the senior levels of government, both federal and provincial, that have the taxation power. When we do that in this House particularly, I guess, to our municipalities and further on down the line, they don't have the power of taxation that we have here. We should recognize that if we don't have the ability to pay or the guts to raise revenue, one of the two, then it's even doubly more difficult for those jurisdictions that don't have the ability to do such a thing. We should keep that in mind when we download our services.

Just a quick comment, a big shout-out to the RCMP on what they do for all citizens of not only this great province but of our nation. I recognize that they do a difficult job and often have to deal with people when they're at their worst, whether they're in a crime situation, a domestic dispute, or are simply pulling someone over on the highway for speeding. It's not always the easiest to deal with human beings who are not always happy to see them, yet they do it with honour and respect and an ability to serve our communities and keep us safe.

Thank you for the opportunity to speak on this bill. It's good that we're doing such a thing when the federal government doesn't seem able or fit to do the coverage for the RCMP.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, the Member for Calgary-*Mountain View*.

**Dr. Swann:** Thank you very much, Mr. Speaker. I'm pleased to rise. There are a lot of issues relating to this transfer of authority, transfer of costs, transfer of responsibility to the provincial government. No question that the RCMP are a credible, important player in our security in the provinces and in Alberta. I guess my one registered concern – and I hope the government is listening – is that this is yet another example of downloading onto the province without a serious debate, without a serious discussion of why we would take on a significant extra funding requirement at a time, particularly, when the federal government appears to be withdrawing from health care funding in this country. At one time, when medicare was brought in, they paid 50 per cent to the provinces for health care. It's now a fraction of that, and in 2014



the federal government is going to cut even more from their contributions to health care, as I understand it, probably to below 10 per cent of what our health care budgets are.

In addition, having watched this Prime Minister and his omnibus bills and his defiance of due process in the Parliament of Canada and the downloading of environmental impact assessments to the province, navigable waters, now relegated to the province to manage, this federal government is clearly trying to deal with fiscal problems as well as other issues by simply downloading. I guess I'm a bit surprised at this government that it doesn't have any push-back, it doesn't have any debate, and it doesn't have any comments about how this government is slowly but surely downloading more and more responsibilities onto the province without any debate or discussion.

Having said that, I will be supporting the bill. It's clear we have to support our RCMP. It was a bureaucratic process that they had to run through to get their bills paid that's unnecessary, really. But it does reflect a very dangerous trend, in my view, that this federal government is looking to balance its own books on the backs of the provinces.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a)?

Are there other speakers?

Seeing none, hon. associate minister, would you like to close debate?

**Mr. VanderBurg:** Well, I would like to thank all members of the Assembly for their kind remarks. I think all of us know the situation that went on in Mayerthorpe in my constituency, and none of us would ever deny the RCMP and their families this right just like any other Albertan.

I ask for your support, and I call the question.

**The Deputy Speaker:** Thank you.

[Motion carried unanimously; Bill 14 read a second time]

### Government Motions

**The Deputy Speaker:** The hon. Government House Leader.

#### Select Special Chief Electoral Officer Search Committee

31. Mr. Hancock moved:

Be it resolved that:

- (1) A Select Special Chief Electoral Officer Search Committee of the Legislative Assembly be appointed consisting of the following members, namely Mr. Rogers, chair; Mr. Quadri, deputy chair; Ms Blakeman; Mr. Eggen; Mr. Goudreau; Mr. Lemke; Mrs. Leskiw; Mr. McDonald; and Mr. Saskiw, for the purpose of inviting applications for the position of Chief Electoral Officer and to recommend to the Assembly the applicant it considers most suitable to this position.
- (2) Reasonable disbursements by the committee for advertising, staff assistance, equipment and supplies, rent, travel, and other expenditures necessary for the effective conduct of its responsibilities shall be paid, subject to the approval of the chair.

- (3) In carrying out its responsibilities, the committee may with the concurrence of the head of the department utilize the services of members of the public service employed in that department and of the staff employed by the Assembly.
- (4) The committee may without leave of the Assembly sit during a period when the Assembly is adjourned or prorogued.
- (5) When its work has been completed, the committee shall report to the Assembly if it is sitting. During a period when the Assembly is adjourned or prorogued, the committee may release its report by depositing a copy with the Clerk and forwarding a copy to each member of the Assembly.

**Mr. Hancock:** Thank you, Mr. Speaker. It's my pleasure to move Government Motion 31. As we know, as was tabled by the Speaker some weeks ago, Brian Fjeldheim, the current Chief Electoral Officer, has determined that he does not want to seek a renewal of his term, which expires, I think, today. As such, it's necessary to go through the process with a committee. A special select committee is usually the process undertaken to seek candidates for this very, very important job in our province, and I would ask for the support of the House in passing this so that the committee can now begin to meet and start its work to find a new Chief Electoral Officer for the province of Alberta.

**The Deputy Speaker:** Thank you, hon. Government House Leader.

Are there speakers to the motion? The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much, Mr. Speaker. It's always interesting to me how the government chooses to decide on the allocation of seats for committees such as this. This is considered a subcommittee of the Legislative Offices Committee, which leads us into the wider conversation about how those seats are assigned. I find fault with this government for continually narrowing the number of seats that are available to members of the opposition.

I have offered up an alternative, as I am wont to do. I think that to better represent the people of Alberta, these committees should be peopled on the basis of the popular vote, which I think would give us a nice redistribution of the seats on all of the select special, standing, and legislative policy committees as a counterbalance to the steadfast and block-like voting that we get from the government members. Just a little thing for you all to consider. I can tell that it's receiving an overwhelmingly thudding response.

Nonetheless, it is always top of mind for us because it is used in a quite heavy-handed way, and it's very frustrating to sit on these committees, to do good work, to work hard, to do your research, and to be constantly voted down by a government majority who just comes in and votes as a block. It's very frustrating. Nonetheless, I'm sure that myself and the other members of the opposition will continue to do the good work that we do, but I just thought I'd put that little thorn, that little pointy bit that might be a petard, underneath the, ahem, lower extremities of the members of the government.

Thank you very much.

**The Deputy Speaker:** Thank you, hon. member.

Are there others that wish to speak to this?

Seeing none, the hon. Government House Leader to close debate or call the question.

**Mr. Hancock:** Call the question.

**The Deputy Speaker:** The question has been called.

[Government Motion 31 carried]

**The Deputy Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Mr. Speaker, much to my surprise we are finished the business that we wanted to accomplish tonight but for one bill, which, I understand, given a little bit more time members will be

prepared to pass with alacrity. Rather than waste time talking about it tonight, I would move that we adjourn till 1:30 p.m. tomorrow.

**The Deputy Speaker:** Thank you.

[Motion carried; the Assembly adjourned at 10:20 p.m. to Tuesday at 1:30 p.m.]





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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Tuesday afternoon, April 23, 2013

Issue 50a

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta  
The 28th Legislature**

First Session

Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC), Speaker  
Rogers, George, Leduc-Beaumont (PC), Deputy Speaker and Chair of Committees  
Jablonski, Mary Anne, Red Deer-North (PC), Deputy Chair of Committees

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Anglin, Joe, Rimbey-Rocky Mountain House-Sundre (W),  
    Official Opposition Whip  
Barnes, Drew, Cypress-Medicine Hat (W)  
Bhardwaj, Naresh, Edmonton-Ellerslie (PC)  
Bhullar, Hon. Manmeet Singh, Calgary-Greenway (PC)  
Bikman, Gary, Cardston-Taber-Warner (W)  
Bilous, Deron, Edmonton-Beverly-Clareview (ND)  
Blakeman, Laurie, Edmonton-Centre (AL),  
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Calahasen, Pearl, Lesser Slave Lake (PC)  
Campbell, Hon. Robin, West Yellowhead (PC),  
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Cao, Wayne C.N., Calgary-Fort (PC)  
Casey, Ron, Banff-Cochrane (PC)  
Cusanelli, Christine, Calgary-Currie (PC)  
Dallas, Hon. Cal, Red Deer-South (PC)  
DeLong, Alana, Calgary-Bow (PC)  
Denis, Hon. Jonathan, QC, Calgary-Acadia (PC),  
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Donovan, Ian, Little Bow (W)  
Dorward, David C., Edmonton-Gold Bar (PC)  
Drysdale, Hon. Wayne, Grande Prairie-Wapiti (PC)  
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Fenske, Jacquie, Fort Saskatchewan-Vegreville (PC)  
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Fox, Rodney M., Lacombe-Ponoka (W)  
Fraser, Rick, Calgary-South East (PC)  
Fritz, Yvonne, Calgary-Cross (PC)  
Goudreau, Hector G., Dunvegan-Central Peace-Notley (PC)  
Griffiths, Hon. Doug, Battle River-Wainwright (PC)  
Hale, Jason W., Strathmore-Brooks (W)  
Hancock, Hon. Dave, QC, Edmonton-Whitemud (PC),  
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Horne, Hon. Fred, Edmonton-Rutherford (PC)  
Horner, Hon. Doug, Spruce Grove-St. Albert (PC)  
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Lemke, Ken, Stony Plain (PC)  
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Olesen, Cathy, Sherwood Park (PC)  
Olson, Hon. Verlyn, QC, Wetaskiwin-Camrose (PC)  
Pastoor, Bridget Brennan, Lethbridge-East (PC)  
Pedersen, Blake, Medicine Hat (W)  
Quadri, Sohail, Edmonton-Mill Woods (PC)  
Quest, Dave, Strathcona-Sherwood Park (PC)  
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Rodney, Hon. Dave, Calgary-Lougheed (PC)  
Rowe, Bruce, Olds-Didsbury-Three Hills (W)  
Sandhu, Peter, Edmonton-Manning (PC)  
Sarich, Janice, Edmonton-Decore (PC)  
Saskiw, Shayne, Lac La Biche-St. Paul-Two Hills (W),  
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Sherman, Dr. Raj, Edmonton-Meadowlark (AL),  
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Smith, Danielle, Highwood (W),  
    Leader of the Official Opposition  
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Stier, Pat, Livingstone-Macleod (W)  
Strankman, Rick, Drumheller-Stettler (W)  
Swann, Dr. David, Calgary-Mountain View (AL)  
Towle, Kerry, Innisfail-Sylvan Lake (W),  
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Weadick, Hon. Greg, Lethbridge-West (PC)  
Webber, Len, Calgary-Foothills (PC)  
Wilson, Jeff, Calgary-Shaw (W)  
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
    Government Whip

**Party standings:**

Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on Alberta's Economic Future

Chair: Mr. Amery

Deputy Chair: Mr. Fox

Bhardwaj	Olesen
Cao	Pastoor
Donovan	Quadri
Dorward	Rogers
Eggen	Rowe
Hehr	Sarich
Luan	Strankman
McDonald	Xiao

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Khan

Deputy Chair: Mrs. Jablonski

Anderson  
Casey  
Dorward  
Eggen  
Kubinec  
Sandhu  
Sherman

### Select Special Chief Electoral Officer Search Committee

Chair: Mr. Rogers

Deputy Chair: Mr. Quadri

Blakeman	Leskiw
Eggen	McDonald
Goudreau	Saskiw
Lemke	

### Select Special Conflicts of Interest Act Review Committee

Chair: Mr. Allen

Deputy Chair: Mr. Luan

Blakeman	Notley
Dorward	Saskiw
Fenske	Wilson
Johnson, L.	Young
McDonald	

### Standing Committee on Families and Communities

Chair: Mr. Quest

Deputy Chair: Mrs. Forsyth

Brown	Jeneroux
Cusanelli	Leskiw
DeLong	Notley
Fraser	Pedersen
Fritz	Swann
Goudreau	Towle
Jablonski	Wilson
Jansen	Young

### Standing Committee on Legislative Offices

Chair: Mr. Cao

Deputy Chair: Mr. McDonald

Bikman	Leskiw
Blakeman	Quadri
Brown	Rogers
DeLong	Wilson
Eggen	

### Special Standing Committee on Members' Services

Chair: Mr. Zwozdesky

Deputy Chair: Mr. Rogers

Casey	Mason
Forsyth	McDonald
Fraser	Quest
Kennedy-Glans	Sherman
Glans	Smith

### Standing Committee on Private Bills

Chair: Mr. Xiao

Deputy Chair: Ms L. Johnson

Barnes	Jablonski
Bhardwaj	Leskiw
Brown	Notley
Cusanelli	Olesen
DeLong	Rowe
Fox	Strankman
Fritz	Swann
Goudreau	Webber

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Ms Olesen

Deputy Chair: Mr. Lemke

Calahasen	McAllister
Cao	Notley
Casey	Pedersen
Hehr	Rogers
Jansen	Sandhu
Kennedy-Glans	Saskiw
Kubinec	Towle
Luan	Young

### Standing Committee on Public Accounts

Chair: Mr. Anderson

Deputy Chair: Mr. Dorward

Allen	Hehr
Amery	Jeneroux
Anglin	Khan
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Hale	Stier

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Blakeman	Lemke
Calahasen	Sandhu
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## Legislative Assembly of Alberta

1:30 p.m.

Tuesday, April 23, 2013

[The Speaker in the chair]

### Prayers

**The Speaker:** Let us pray. O Great Creator, grant us daily awareness of the precious gift of life we have been given and also of the emptiness we feel when the life of someone has been taken. As Members of this Legislative Assembly we dedicate our lives anew to the service of our province and our country, as did members who came before us. Amen.

Please be seated.

Hon. members, as is our long-standing custom, we pay tribute to members who have passed away since we last met.

**Mr. Gerard J. Amerongen, QC**  
**July 18, 1914, to April 21, 2013**

**The Speaker:** Today we mourn the passing of hon. Gerard Joseph Amerongen. He was first elected to the Legislative Assembly of Alberta on August 30, 1971, as the Progressive Conservative candidate for Edmonton-Meadowlark. He served as the Member for Edmonton-Meadowlark for four consecutive terms, being re-elected on March 26, 1975; March 14, 1979; and November 2, 1982, through until May 8, 1986. He served as Speaker for the entire time of his tenure.

As the eighth Speaker of this Assembly Mr. Amerongen oversaw many aspects of the modernization of this Assembly. The establishment of *Alberta Hansard* and the commencement of the broadcasting of proceedings in 1972, for example, resulted in Mr. Amerongen becoming the first Speaker to administer the Legislative Assembly Office on a full-time basis.

Mr. Amerongen was responsible for having the daily Speaker's procession enter through the main doors of the Chamber rather than through one of the side doors. He was also responsible for how we refer to the building. The physical building "doesn't legislate," he stated. That is why today we are in the Alberta Legislature Building, not the Alberta Legislative Building.

Today, as we mourn this significant loss, we are reminded of the families who support members like hon. Mr. Amerongen. With our admiration and deepest respect there is gratitude to members of the families who share and/or have shared the burdens of public office and of public service.

Today I would like to welcome members of the Amerongen family who are present in the Speaker's gallery. After I've introduced all of them and each of them has risen, we will thank them with our applause: Michael Amerongen, son; Henry Amerongen, brother; Greg Amerongen, nephew; Peter Amerongen, son; Cathy Roy, daughter-in-law; Max Amerongen, grandson; Sara McKeon, granddaughter; Bob McKeon, son-in-law; Hedwig Lankau, granddaughter; Rhoda Rodriguez and her daughters Nicole Rodriguez and Therese Rodriguez, devoted caregivers. Hon. members, let us thank them with our applause for the outstanding, dedicated support they gave to a former Speaker of this Assembly, Mr. Gerard Amerongen. [Standing ovation]

Hon. members, stay standing, please, because in a moment of silent prayer I'm going to ask you to please remember hon. Mr. Amerongen in the way that you may have known him, respecting all of the great accomplishments that he brought forward during his time serving exclusively and only as the Speaker of this Assembly.

In a moment of silent prayer let us reflect on his great accomplishments and what he did for us and for all Albertans. Rest eternal grant unto him, O Lord, and let light perpetual ever shine upon him and his service. Amen.

Please be seated.

### Introduction of Visitors

**The Speaker:** The hon. Member for Leduc-Beaumont.

**Mr. Rogers:** Thank you, Mr. Speaker. In your gallery is a distinguished officer of the Royal Canadian Infantry Corps. I'd like to introduce him to you and through you to all members of this Assembly. Lieutenant-General Peter Devlin is the commander of the Canadian Army. He is to retire in a few months after 36 years of service to our nation and sovereign at home and abroad. His exceptional leadership and dedication have been recognized by Canada and by the United States. He is a commander of the Order of Military Merit and has been awarded the Meritorious Service Cross and the U.S. Legion of Merit. An officer who has seen the face of conflict through his service in Cyprus, the former Yugoslavia, Bosnia, Afghanistan, and Iraq, he has had a full, varied, and challenging career. Lieutenant-General Devlin is no stranger to Alberta, having been stationed here with 1 Canadian Mechanized Brigade Group, then located in Calgary.

He's accompanied today by the other member of his command team, the Army Regimental Sergeant Major, Chief Warrant Officer Mike Hornbrook. Mr. Speaker, I'd invite them now to stand and be warmly acknowledged by this Assembly for all that they have done in defence of Canada at home and in harm's way abroad.

### Introduction of Guests

**The Speaker:** Hon. members, we will start with school groups, and I'll recognize the Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. It is my privilege on behalf of the Member for Edmonton-Rutherford, the Minister of Health, to rise and introduce to you and through you to all members of the Assembly a group of 74 students and their teachers and accompanying parents from Greenfield school in the constituency of Edmonton-Rutherford. They're seated in both the members' gallery and the public gallery. Accompanying the students are their teachers and group leaders Miss Ellen Reid, Mrs. Lori Tytler, Mrs. Alicia Dowdell, Mrs. Lilia Yu, Mrs. Reena Dhaliwal and parent helpers Mrs. Tiffany Bailey, Mr. Jeff Warner, Mr. Andrew Happer, Mrs. Monica Robson, and Mr. Jamie Zuniga. I'd ask the students, the teachers, and the parent helpers from Greenfield school to please rise and receive the traditional warm welcome of this Assembly.

1:40

**The Speaker:** The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Rowe:** Thank you, Mr. Speaker. I rise to introduce to you and through you to all members of the Assembly a group of junior high students from the Kneehill Christian School, located in my constituency of Olds-Didsbury-Three Hills. These engaged junior high students made the trek to Edmonton today from their school in Linden to spend the afternoon learning first-hand about what goes on here at the Legislature. I'd ask that the eight students from Kneehill Christian School along with their teacher, Terri Miller, and parents Bruce and Jodi Reimer and Sid and Glenda Toews

please rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** Are there other school groups?

Seeing none, let's move on, then, to the Minister of Energy.

**Mr. Hughes:** Thank you, Mr. Speaker. I'm very pleased to introduce to you and through you to all members of this Assembly a very dear friend, confidante, and community activist from the community of Calgary-West. This is Brenda Meneghetti, who is a community leader who effectively led her community to create the Westside Recreation Centre, one of the most outstanding recreation centres in all of North America. On this one-year anniversary of our election victory I'm delighted to ask her to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Calgary-Foothills.

**Mr. Webber:** Thank you, Mr. Speaker. I'd like to take this opportunity to introduce to you and through you several individuals from the Canadian Cancer Society that are here today to acknowledge cancer awareness month. Cancer awareness month provides an opportunity for Albertans to unite in the fight against cancer. We are all wearing our daffodil pins here today to let everyone know that people living with cancer do not have to face cancer alone.

Here with us is Ms Barbara Bird. I assume she's up in the members' gallery or one of the galleries here. If I can ask her to stand, please. She works with people living with cancer. She's a two-time breast cancer survivor. She is originally from Nova Scotia, has been an Albertan for two years, and loves it here. I also met this morning with Angeline Webb of the Canadian Cancer Society. She is from Edmonton. Also, Chelsey Anseeuw is with the Canadian Cancer Society as well. She is two years in Edmonton from Winnipeg, loves it in Edmonton but is not quite yet an Oilers fan. I'd ask that all three of them rise, please, and receive the warm welcome of the Assembly.

**Mr. Hehr:** Mr. Speaker, it's my pleasure to introduce to you and through you to all members of this Assembly Julene Polis and Roger Polis. Julene's brother Andrew has Down syndrome, and he has been living in the Michener Centre for the last 47 years. Over the last number of years his situation has become more complex, having developed Alzheimer's. Michener staff ensure his safety, health, and happiness. Andrew is totally dependent on the Michener Centre to thrive and survive his disability. Hon. members, please join me in welcoming Julene and Roger on behalf of Andy with the traditional warm welcome of this Assembly.

**Mr. Fraser:** Mr. Speaker, it's an honour for me to rise and introduce to you and through you to the members of this House two people who are very connected to their community, who work very hard there and are actually the epitome of what Alberta is in terms of increasing civic responsibility at all levels of government. Those two people are Kelly Bitz and Richard MacQuarrie. I'd ask them to rise today and receive the warm welcome of this House. I might add that they love how I speak with my hands, and they're fans of mine. Again, please rise and receive the warm welcome of this House.

**The Speaker:** The hon. Minister of International and Intergovernmental Relations, followed by the leader of the Liberal opposition.

**Mr. Dallas:** Thank you, Mr. Speaker. It's my honour to rise and introduce to you and through you to all members of the Assembly

the Board of Trustees for Red Deer public schools. I'll ask that they rise as I call their names. We have with us today Bev Manning, vice-chair, as well as trustees Bill Christie; Dick Lemke, who is the brother of the hon. Member for Stony Plain; Dianne Macaulay; Cathy Peacock; and Bill Stuebing. Also with us is the associate superintendent of business services, Cody McClintock.

Founded in 1887, Red Deer public schools is celebrating 125 years of excellence in teaching and learning. Public schools were one of the first institutions established by the community. Citizens came together, elected trustees, built schools, hired teachers, and, yes, even collected local taxes to provide the support needed for this important institution. Today Red Deer public schools under the leadership of the board of trustees, through outstanding teachers, administrators, and support staff, and in partnership with parents in the community provides outstanding education to more than 10,000 students within the city of Red Deer. It plays a vital role within our community and is achieving excellent results.

As Red Deer public schools celebrates its 125th anniversary, please offer your warm reception to our guests today.

**The Speaker:** The hon. leader of the Liberal opposition, followed by Edmonton-Decore.

**Dr. Sherman:** Thank you, Mr. Speaker. Today I have two introductions, but firstly, on behalf of the constituents of Edmonton-Meadowlark I'd like to honour Speaker Amerongen and thank his family for sharing him not only with Edmonton-Meadowlark but also with the province in the Chamber. May God bless you and your family. Thank you.

Mr. Speaker, it's my pleasure to introduce to you and through you to all members of this Assembly a surprise introduction. Let's see if the guests can figure out who they are. They're sitting in the members' gallery. They have lived in the constituency of Edmonton-Meadowlark for 12 years. They moved to Canada at the age of 23 with their newborn son from Albania, a country threatened by civil war. They came here for a dream, a dream for their son to have a better quality of life, a safe life, and a better education. Interestingly, their dream has come true. It's the first time that they'll be sitting here watching their son work as a page on the floor of this Assembly. Their son Donald Ademaj was nice enough to set up this little surprise for his parents. He's been a page for two years, and it's the first time that his mom and dad are coming here to watch him work. Hon. members, please join me in welcoming Dash and Alma Ademaj, the proud parents of our page Donald, with the traditional warm welcome of the Assembly.

**The Speaker:** Your second introduction, hon. member.

**Dr. Sherman:** Thank you, Mr. Speaker. It's also my pleasure to introduce to you and through you to all members of this Assembly Vivian Charest. Vivian is a volunteer co-ordinator who works with the Michener Centre. Her daughter Laurie is a 46-year-old resident of Michener. Laurie has lived at Michener for 40 years. Vivian is here to ask all of us to keep our hearts open and to keep Michener open. Hon. members, please join me in welcoming Vivian on behalf of her daughter Laurie with the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Decore.

**Mrs. Sarich:** Thank you, Mr. Speaker. It's my honour and privilege to rise today to introduce to you and through you to all members of the Assembly nine representatives from the Polish Veterans' Society, an Edmonton-based organization celebrating their 75-year anniversary. My guests are seated in the members'

gallery wearing their military dress, and I would ask them to please rise as I mention their names: Mr. Jan K. Kucy, president; Mr. Stan Podraza, first vice-president; Mr. Jan Hliwa, second vice-president; Mr. Kaz Zajac, correspondence secretary; Mr. Bogumil Czuprynski, recording secretary; Mr. Leon Bozmowski, member of the Polish Veterans' Society; Mr. Mike Markow, member of the same society; Mr. Kaz Chodorski, member of the Polish Veterans' Society; and Mr. Tad Szczepanski, audit committee member. I would now ask that we provide them the traditional warm welcome of the Legislative Assembly.

Thank you.

1:50

**The Clerk:** Oral Question Period.

**The Speaker:** Hon. members, we have a few more introductions to go here, which I was just alerted to. We have Calgary-Mountain View, who has a quick intro. If you can be brief, then, Clerk, let's allow them to do that quickly. I think the hon. leader of the New Democrats had a brief one as well. I'll allow it, these two. Please proceed quickly.

**Dr. Swann:** It's my pleasure, Mr. Speaker, to introduce to you and through you to the House three women who are here from the Michener Centre: Eileen Broberg, Mabel Stanway, and Carolyn Cordell. Eileen is attending on behalf of her daughter Donalda, who is a resident of the Michener Centre, and says that if her daughter is removed from Michener, it will be a death sentence. I would ask each of them to rise, and we'll give them the traditional warm welcome.

Thank you.

**The Speaker:** One more, hon. member?

**Dr. Swann:** Yes, Mr. Speaker. Beth Gignac is project lead for cultural transformation with the city of Calgary, a bright, articulate progressive who ran for Alberta Liberals in 2008 and is passionate about public service. She is committed to open, transparent, accountable government and concerned with social justice. Let's have her rise and receive the warm welcome of the Assembly.

**The Speaker:** The hon. leader of the New Democratic opposition.

**Mr. Mason:** Thank you very much, Mr. Speaker. Today I have the great pleasure of introducing to you and through you to this Assembly four members of the Frente Farabundo Martí para la Liberación Nacional, or FMLN, which is the governing party of El Salvador. Zoila Beatriz Quijada Solis is one of the founding members of the FMLN and a legislative representative in that country. Liduvina Magarin is also a legislative representative and a member of the Secretariat of International Relations for the FMLN. Edwin Leonel Viscarra and Leonel Viscarra are both representatives of the FMLN residing here in Edmonton. I would now ask all four to please stand and receive the traditional warm welcome of this Assembly.

**The Speaker:** Hon. members, could I have unanimous consent for one more brief introduction? Does anyone object?

[Unanimous consent granted]

**The Speaker:** The hon. Member for Leduc-Beaumont, very quickly. Thank you.

**Mr. Rogers:** Thank you, Mr. Speaker. It's a great pleasure for me to introduce to you and through you to all members of this Assembly a very dedicated volunteer from the city of Leduc, Mr.

Mark O'Flanagan. I had the privilege of presenting to Mark today a Queen's Diamond Jubilee medal. He's been a paramedic, a firefighter, a volunteer, a nurse, and a STARS volunteer flight crew member as well as a manager, and he was a first responder at the Evergreen trailer park after the 1987 tornado. Mark is here with his wife, sister-in-law, and two nephews as well as Rick Sereda from the fire department in Leduc. Mark O'Flanagan, receive the warm welcome of the Assembly.

## Oral Question Period

**The Speaker:** The Leader of Her Majesty's Loyal Opposition for your first main set of questions.

## Prescription Drug Coverage

**Ms Smith:** Mr. Speaker, the Minister of Health continues to undermine public confidence in health care with his ham-fisted approach to setting drug prices. The minister's ad campaign just doesn't tell the truth about what's happening: higher prices, pharmacy closures, and eventually drug shortages. Yesterday the Premier even acknowledged that there will be price increases under the plan. She said: you may see increases in some and decreases in others. We have many, many examples of increases. Will the Premier pull the government's deceptive advertising that tells Albertans their drug prices are going down?

**Ms Redford:** Mr. Speaker, this is the difference between why Albertans voted for us a year ago today and not the opposition. You can't make decisions in the short term. You have to make decisions that fundamentally change health care to ensure that it's sustainable so that we can continue to have a public system. That is what our plan is doing, and that is the information that we'll share with Albertans.

**Ms Smith:** Albertans certainly did not vote to have their drug prices go up.

Mr. Speaker, the turmoil in the pharmacy industry is causing stress for patients as well as for pharmacists. Alberta's across-the-board centrally mandated drug prices, what we've been calling Fred-icare, will mean pharmacy closures, mostly in rural Alberta. Now, the Premier's own caucus members must be telling her the same thing by now. Can she tell us, all of us, how closing rural pharmacies is good medicine for Albertans?

**Ms Redford:** Well, Mr. Speaker, as usual what we see from the opposition are false suppositions. We have an incredibly representative caucus that's worked very hard with business and community leaders in communities across this province both in urban and rural Alberta. What we see is a sensible plan to transition to lower drug costs for Albertans, better accountability for taxpayers' dollars, and a more sustainable health care system. That's what we're delivering.

**Ms Smith:** No. Pharmacists in those ridings would sure hope their MLAs would speak up for them because there is additional uncertainty now because of the pharmacare plan that was part of the budget. Now, it appears to be another broken promise. The Premier keeps saying that this new seniors' drug plan will be better than the current system, but we keep hearing that seniors are going to end up paying more out of pocket for their drugs. What assurances can the Premier give us that her new pharmacare plan won't be as badly botched as the Health minister's generic drug plan?

**Mr. VanderBurg:** Mr. Speaker, it's clear that the new plan going forward is going to be a plan for all Albertans, not just senior driven; this is for all Albertans. We're going to have an advantage for so many Albertans that don't have a plan right now. We know that there are seniors right now that are in the most need that are looking forward to this program with no deductions and that there will be many seniors that will have a great benefit from this new plan.

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition. Second main set of questions.

**Ms Smith:** Well, hopefully we'll see the details soon, so we can see whether there's truth in that.

### Health System Executive Expenses

**Ms Smith:** Mr. Speaker, yesterday we also asked the Premier about health executives' expenses, and she said, "We've asked the opposition . . . to ensure that all appropriate steps are taken to provide the information to independent agencies that can take a look at these matters." It kind of sounds like she's saying that it's the job of the Official Opposition to hold health executives to account for their lavish expenses. While we accept that we have been a very effective opposition, why is it that the Premier is not asking the Health minister to do his job?

**Ms Redford:** Well, Mr. Speaker, I have to say that I was pretty excited a year ago to see the Wildrose become the Official Opposition in this province. I'll tell you that when we take a look at the issues that have been part of a previous government's decisions with respect to Alberta Health Services and agencies that were in existence seven or eight years ago, we want to make sure that wherever there were decisions taken that were not appropriate, we're able to deal with those. That's why we're looking for and seeking independent advice. The Minister of Health has made that announcement. Of course, if there's any information, we'd be very welcome to receive it. Alberta Health Services is doing that work, too.

**Ms Smith:** Okay. Here is the kind of expense we'd like to recover. In 2005 Joanne Stalinski, VP of wellness, expensed \$4,000 for the eight-day Hoffman process program that examines your childhood to "allow you to have the choice to let go of many limiting belief systems so that you can enjoy the banquet of life instead of just settling for the crumbs." Now, I'm not sure that any Albertans would get reimbursed for that, but 18 months later, in 2007, the expense was approved by Jack Davis. What does the Premier think about that one?

**Mr. Horner:** Well, Mr. Speaker, as President of Treasury Board I am talking to the minister on a day-to-day basis. As the Premier has said, the minister has said that he will seek legal advice as to the possible collection of expenses that were approved by a health region that no longer exists for some expenses that are almost eight years old. Different than the opposition, we've actually brought into this Legislature the expense policy that is the gold standard of Canada. Alberta Health Services was one of the first agencies to adopt that standard. We're looking to the future, not the past like some other parties.

**The Speaker:** Thank you.

Questions ought not call for opinion. Please proceed with your third.

**Ms Smith:** Except they've asked Justice Wachowich to look at all of the expenses going back to the other health regions.

It is clear to me now that the Premier really does expect the opposition to do all of the work of finding all of the examples of all of the expenses that Judge Wachowich can study for possible repayment. Okay. If she wants us to do this for her, that's fine, but we could use a little help. Will the Premier give us a hand by ordering the release of all of the expenses of all of the executives of all of the health regions going back to 2005? Help us out.

**Mr. Horner:** Mr. Speaker, once again, as the hon. member is talking about expenses that happened five, six, seven, eight years ago, we have to ensure that we are protecting the privacy of some of those individuals. We need legal advice as to whether or not you can actually recoup expense from an organization that no longer exists.

Coming to the present, again, this government, this Premier have instituted the toughest expense policies and disclosures of any jurisdiction in Canada, and we are very proud of that. We're the leader in Canada under expense policy.

### 2:00 Health Services Performance Measures

**Mr. Anderson:** Mr. Speaker, in 2008, when this government announced the creation of the AHS health superboard, they promised major cost savings and efficiencies at all levels. Well, the very well-respected Canadian Institute for Health Information just released a report showing that since AHS has taken over, hospital costs have soared by 49 per cent, placing us a full 40 per cent higher than the national average. To the Minister of Finance or the Premier: how on earth can you and your government claim that centralizing health care has saved taxpayers and improved patient care when all indicators show that, in fact, the opposite is true?

**Mr. Horner:** Well, Mr. Speaker, all indicators do not show that. As a matter of fact, when you have nine health regions – and I'll use some common sense, which the hon. members opposite don't have – that have nine different human resources platforms, that have nine different accounting platforms, that have a total of nine different CEOs, obviously, when you bring them together, you have some transition costs, which you would incur in any business that is amalgamating, but after that you're actually achieving the savings you desired in the first place. They are calculable, they are there, and we're very proud of what we've done.

**Mr. Anderson:** A 49 per cent increase. Unbelievable.

Given that this Canadian Institute for Health Information study shows that since AHS has taken over, the amount spent on long-term care for seniors has actually not even kept up with inflation, let alone seniors' population growth, and given that it is common knowledge that it costs far more to care for seniors in a hospital setting than in a proper long-term care facility, Premier, why does this government continue to chronically underfund long-term care for seniors while wasting billions unnecessarily by housing seniors in crowded and expensive hospital beds?

**Mr. VanderBurg:** Mr. Speaker, we know and all members of the Assembly know that the commitment going back to 2010 was to build over 5,300 spaces for seniors, modern spaces, not 10 by 10 rooms and a bathroom down the hallway, modern spaces for couples to live in. The investment is in the budget. We've made that commitment, and we will continue to make that commitment.

**Mr. Anderson:** Nice to hear the Premier actually answer a question once in a while.

Given that this government is always asking us for ways to be more efficient with taxpayer dollars, will they try this? Instead of spending billions on new hospital beds, how about reallocating some of those infrastructure dollars into new long-term care accommodations for seniors? Not only would this result in better care for seniors, but it would also open up hundreds of existing acute-care hospital beds without having to build a whole bunch of expensive new ones. It will help seniors and improve health care while saving money. Premier, will you try this common-sense Wildrose solution?

**Mr. VanderBurg:** Well, Mr. Speaker, I hope the member is not talking about the new Whitecourt care facility that we're going to build, because that wouldn't go over very well in my community.

We are making a very concerted effort to open up new spaces across the province. The next round of approvals will be in communities like Slave Lake, communities like Valleyview, communities like Rocky Mountain House, communities like Calgary, communities like Red Deer, and the list goes on. We'll have over a thousand new spaces that we'll be able to cut the ribbon on together, colleagues. Together. We'll all be very, very proud of that.

**The Speaker:** The leader of the Alberta Liberal opposition.

#### Funding for Education

**Dr. Sherman:** Thank you, Mr. Speaker. Yesterday I asked some questions about this government's broken promises. Instead of admitting that they didn't keep their word, the Premier and the Minister of Human Services resorted to the usual boilerplate and rhetoric, exactly the sort of the thing that led 71 per cent of Albertans to be dissatisfied with this government on trust and accountability. I think it will be therapeutic for Albertans and for the Premier herself if she were just to admit to one broken promise. To the Premier: you promised all-day kindergarten in every school within one year of becoming Premier. You didn't deliver. Will you please admit here today that you broke your promise?

**Ms Redford:** You know, Mr. Speaker, the commitment that we made to Albertans was to build families and communities, to continue investing in sustainable education, and to make sure that early childhood development was one of our six priorities. We believe that all-day kindergarten is a very important part of that. We have all-day kindergarten currently in more than half the school boards across this province, and we've given the option to parents in most of those jurisdictions to ensure that they have the choice. Now, we're going to continue to implement that. There's no doubt that we had some tough choices to make, but we're committed to making that program work.

**The Speaker:** The hon. leader.

**Dr. Sherman:** Thank you, Mr. Speaker. It was great to see the Premier actually get up and answer a question and sort of admit to not fulfilling her promise – more boilerplate, more rhetoric – so I guess the Premier won't take ownership of that broken promise.

Let's try again, and remember: confession, Premier, is good for the soul. Deep cuts are the order of the day for postsecondary institutions. Courses are being eliminated. Students, faculty staff, and administrators are in an uproar. To the Premier. You promised stable, predictable funding for postsecondary institutions and again you have failed to do so in the most spectacular fashion. Will you please admit . . .

**The Speaker:** The hon. Premier.

**Ms Redford:** Mr. Speaker, the commitment that we made to Albertans, including postsecondary institutions, was to ensure that we were focusing taxpayers' dollars building research and innovation and ensuring that we had the best postsecondary system in the country. We still fund our postsecondary system at a higher level per capita than any other jurisdiction in Canada. We are working with presidents to make sure that we are excellent across this province. That was what we were going to achieve, that was our commitment, and we're delivering.

**Dr. Sherman:** Mr. Speaker, these are simple questions. They are defunding postsecondary by more than \$130 million today than yesterday. Nothing but boilerplate and rhetoric, Premier, to defend the indefensible.

You have broken nearly every significant promise that you have made in your quest to get elected, Premier. You are either completely incapable or completely unwilling to be straight with Albertans, and as the polls show, you have lost the trust and support of the majority of Albertans. To the Premier. Nobody voted for any of the things you are doing today. How can you claim any sort of mandate moving forward?

**Ms Redford:** This is what Albertans voted for. They voted for building infrastructure, increased health and education spending, family care clinics, insulin pump therapy, pharmacare, lower prescription drugs, a new Education Act, a tuition freeze, transparent government, whistle-blower legislation, a seniors' property tax deferral, stable municipal funding. Mr. Speaker, the list goes on, and we've delivered.

**The Speaker:** The hon. leader of the New Democrat opposition.

**Mr. Mason:** Mr. Speaker, they voted to stop the lake of fire, and that's where it ends.

#### Seniors' Drug Coverage

**Mr. Mason:** Yesterday, answering questions about her broken promise to retain seniors' drug benefits, the Premier said, "We saw the opportunity in the past 12 months to do something better than what . . . was in place before." But, Mr. Speaker, the new plan is similar to the old plan, which she promised seniors she would reject. My question is to the Premier. How is forcing thousands of seniors to pay an arm and a leg for prescription medication better for them?

**Ms Redford:** Mr. Speaker, this is wild speculation. The pharmacare program that will be introduced and developed with community stakeholders is providing better access to Albertans right across this province whether they are seniors or not. We know it's important to ensure that people have access to medication. We also know that it's important for that medication to be affordable, which is why we're doing the work with respect to the costing of generic drugs. What we would like to see from the opposition is some thoughtful consideration of an integrated plan that will actually serve Albertans better, which is exactly what we're delivering.

**The Speaker:** The hon. member.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, they're cutting \$180 million out of the program and spreading it over more groups, so clearly thousands and thousands of seniors are going to lose their drug coverage, directly contradicting what this

Premier said in the last election. Will the Premier do the right thing and reverse this cut and retain the existing seniors' drug program?

**Ms Redford:** Mr. Speaker, we don't think that the existing plan serves Albertans well. We're going to ensure that we move forward with pharmacare because this allows us to put in place a sustainable plan for public health care that allows for people to get support for medication with reduced deductibles. That's what matters to Albertans, and that's what we'll continue with.

2:10

**The Speaker:** The hon. member.

**Mr. Mason:** Thank you, Mr. Speaker. This is a budget cut, not a better program. Seniors shouldn't have to pay for this government's broken promises. Instead of continuing to break your promises, Premier, why don't you do the right thing and reinstate the universal drug coverage program for Alberta seniors and then extend it to others?

**Ms Redford:** Mr. Speaker, this is exactly why we need to introduce these changes. We can't keep going back. Whether it's the Leader of the Opposition or the leader of the NDP opposition, what we can't do is to continue to maintain the status quo or, worse still, revert to programs that worked 20 years ago, when there were 2 million people in the province. We're a growing province. We know that we have a thriving economy. We know we have vulnerable people in our communities, and this pharmacare plan is going to support seniors and youth and provide access to 20 per cent of Albertans that can't get medication now.

#### Outcomes-based Student Learning Assessments

**Mr. McAllister:** Mr. Speaker, there is a battle brewing in the Battle River school division, and it all has to do with student assessment. You see, the division is moving toward a style of grading that uses achievement levels instead of the traditional percentages. Neither parents and teachers or students are very happy about this. To the Minister of Education: are you and Alberta Education in favour of this new form of assessment?

**Mr. J. Johnson:** Mr. Speaker, this government works with the school boards, and we respect the important job that they do on the ground. It's unfortunate that this member doesn't have the same confidence in those boards and those local teachers and those principals and those parents to be able to make those decisions. Those decisions are local decisions. It seems that they respect local decision-making only if they don't disagree with the local decision.

**Mr. McAllister:** I love it when a plan comes together, Mr. Speaker.

Given that the superintendent says they are moving to this assessment at the direction of Alberta Education: "The change to outcome-based assessment is not specific to [Battle River school division]. We are following the philosophy and direction of Inspiring Education." Minister, why are you implementing this new way of grading our kids when clearly it is a direction that parents, students, and teachers do not want?

**Mr. J. Johnson:** Mr. Speaker, I'd encourage the hon. member to actually read the Inspiring Education report. Yes, there are lots of fantastic ideas in there that Albertans have brought forward and that are setting the expectation that we will deliver on. That's why it's very important that an Education critic should actually know

what's in it. The philosophies that are in Inspiring Education are not a regulation or a direction from Alberta Education. If a local school board makes an interpretation and wants to report in certain ways or assess in certain ways their kids to their parents, those are local decisions and need to be taken to the local table.

**Mr. McAllister:** Minister, I don't mean to make this personal. I asked a question on behalf of the people of Battle River.

Maybe we need some clarity. That could be what we need. Will you set the record straight and tell boards that they are not being directed to pursue this new type of assessment or implement this no-zero policy like the Battle River superintendent says Alberta Education is telling them to do?

**Mr. J. Johnson:** Mr. Speaker, we did have questions similar to this with the Dorval case, and the answers are similar. It's that the province sets standardized assessment four times during that student's life in their K to 12 education, at grades 3, 6, and 9 PATs and the diploma exams. Outside of that, the local assessment, the day-to-day assessment, the day-to-day reporting and engagement with the parents is critical, and it's critical that the local school boards be empowered to do that with their local administration. Now, this party may have flip-flopped on that, but it seemed to me that about a year ago they were strong advocates of local decision-making. Now if they disagree with the local decision, they want me to step in. On this side we're principled. We believe in the work local school boards are doing.

**The Speaker:** The hon. Member for Calgary-South East.

#### Review of Government Achievements

**Mr. Fraser:** Thank you, Mr. Speaker. This time last year Albertans made a choice to build on our strengths and build for the future. They rejected the build-nothing approach and the one-way ticket on the Social Credit DeLorean back to the future, an approach that would have closed the door on the South Health Campus, family medicine, and extra ER capacity. This Social Credit rerun would have cut \$400 million from local communities, eroding our roads, public transit, sewers that keep our cities clean, and our parks that we trust to be safe and well maintained. To the Minister of Infrastructure: tell me how building modern health facilities, quality schools, safe highways, and other important infrastructure is better than the build-nothing approach?

**Mr. Drysdale:** Well, Mr. Speaker, our province is growing rapidly. That's why we're building new health care facilities across this province, opening schools for more than 13,000 students, and building 3,000 kilometres of new and improved roads. It's simple: either we want world-class education or we don't; either we want state-of-the-art health facilities or we don't; either we want newer and safer roads or we don't. That's why Albertans rejected the opposition's build-nothing approach and gave us the mandate to build a better, stronger Alberta.

**Mr. Fraser:** Given that we must build Alberta and that one year of opposition policy would have meant that 35 new schools wouldn't have been started, potentially leaving thousands of students out in the cold, and given that the Leader of the Opposition said that our very best and most skilled teachers are no longer in the classroom delivering those front-line services, can the Minister of Education explain to me how working with our teachers and building our world-class education system is a better approach?



**Mr. J. Johnson:** Yes, Mr. Speaker, we are building Alberta. The most important thing for me and what we've heard from Alberta parents and families is that we put students first. The over 35 capital announcements since last spring are going to add 8,000 new spaces, and that doesn't include the 14 new schools that we opened this year. In addition to that, this year we've passed the Education Act. We've put the \$107 million, now \$110 million, back into Education, as the Premier promised. We're planning and we're going to deliver the 50 new schools and 70 modernizations. The other way we're putting students first is that we're a long ways down the path to inking and finalizing a deal between the ATA and the ASBA. We've been working hard with them, and now over two-thirds of the school boards in the province have signed on to this great deal.

**Mr. Fraser:** Given that we have to build Alberta, my final question is to the Minister of International and Intergovernmental Relations. Given that the opposition questions climate change science, suggesting that the Obama administration is misguided and that we should have a deep discussion that the science is real, and given that the opposition would cut funding for clean energy projects, tell me, Minister: is this helpful at all in getting our products to market?

**The Speaker:** The hon. minister. [interjections] I've recognized the hon. minister for the answer. [interjections] Hon. members, they are the government; you are the opposition. The questions that are asked are asked to government members, and anyone from the front bench may answer that.

So would someone from the front bench of government please rise to answer this question?

**Mr. Dallas:** That would be me, Mr. Speaker. Undoubtedly, the opposition's reckless denials, their disregard for diplomacy, their denouncement of clean technology . . . [interjections]

**The Speaker:** Hon. members, let's try and re-elevate this level of debate and move on here.

**Ms Smith:** Well, Mr. Speaker, in 2016 they will get to ask all of the questions.

#### Opposition Alternatives to Government Policies

**Ms Smith:** We began voting on the back-in-debt budget last night. The Premier and her Finance minister have returned the province to more borrowing and more debt: \$17 billion in savings to be replaced by \$17 billion in debt, a sad legacy for our children and grandchildren. Of course, they spin it as building Alberta or going to the capital markets, but it's borrowing, and borrowing is debt. It's been quite a while since I asked this, but I never really did get an answer to my question. What is the plan to pay all of that debt back?

**Mr. Horner:** Well, Mr. Speaker, it is unfortunate that a party who claims to represent business interests, who claims to represent the fiscal conservatives would try to take away the value of building today for taxpayers and wait until – oh, I don't know – five, six years from now to build the hospital in Whitecourt, to build the hospital in High Prairie, to build the hospital in Strathcona.

**The Speaker:** Hon. Member for Airdrie, you rose on a point of order at 2:18 p.m., during the hon. Minister of Finance's question.

#### Speaker's Ruling Decorum

**The Speaker:** Let me just explain to everybody in case they don't know where we're at. We're at the one-year anniversary of a lot of new people being elected for the first time. So there's a little bit of anxiety in the air, and we recognize that, but it's no excuse to break any rules or to lower the level of decorum, which we're all striving so hard to maintain, I know.

Hon. minister, would you like to conclude your comments, please?

**Mr. Horner:** I would love to, Mr. Speaker.

#### 2:20 Opposition Alternatives to Government Policies (continued)

**Mr. Horner:** You know, rising on a point of order when I point out what they would have done had they been the government is an interesting piece of theatre, but it doesn't do anything about policy for government. [interjections] It's going to be a long day.

The Chambers of Commerce understand it, the Bank of Canada understands it, the federal Minister of Finance understands it. It's unfortunate they don't.

**The Speaker:** Thank you.

**Ms Smith:** The Premier and her government are congratulating themselves for their first year in office, and in some areas we congratulate them, too, for adopting so many of Wildrose's good ideas like improving meals and bathing in long-term care, reinstating veterans' hospital parking passes, ending executive bonuses, imposing tough new rules on expenses, and speeding up the twinning of highway 63. When are they going to adopt another of our suggestions and scrap this horrible Fred-icare plan, that will force pharmacies out of business?

**Mr. VanderBurg:** Well, Mr. Speaker, on this side of the House we're looking to conserve the publicly funded health care system. That will make sure that we have some choices, some tough choices for now and tough choices in the future, but we maintain that the publicly paid for system is a system that this side of the House will maintain.

**Ms Smith:** Mr. Speaker, it's clear that the Official Opposition is making a difference as we put Albertans first. We have another idea we'd like the government to accept. How about they take politics out of their infrastructure spending plan and create a full, public, prioritized project list using objective, published criteria? When can we expect that good idea?

**Mr. Drysdale:** Mr. Speaker, as I've explained before – and members opposite have gone to the website and looked at our approved capital plans – there's a list of all the projects listed. That's a lot better list than the opposition's capital plan, that has no projects listed.

**The Speaker:** The hon. Member for Edmonton-Ellerslie, followed by Calgary-Buffalo.

#### Tobacco Reduction Strategy

**Mr. Bhardwaj:** Thank you very much. Mr. Speaker, science has well documented the harmful consequences of tobacco use. Campaigns to dissuade tobacco use are persuasive, yet tobacco use remains strong with 17 per cent of Canadians reporting that they

are currently smoking. My questions are to the Associate Minister of Wellness. What tobacco reduction initiatives are currently under way in Alberta, and how do you decide what tactics to use?

**The Speaker:** The hon. minister.

**Mr. Rodney:** Well, thank you very much, Mr. Speaker. The hon. member, sadly, is correct. In Canada tobacco is the leading cause of preventable disease and death. In Alberta we've created a multifaceted approach to fight exactly that. The strategy features three priority legislative initiatives: restricting the sale of flavoured tobacco, prohibiting tobacco sales to minors, and protecting children from second-hand smoke in vehicles. We will ensure that the legislation will be well thought out and will be enforceable. There are other initiatives focused on discouraging Albertans from starting to smoke in the first place as well as helping them to quit.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much. Mr. Speaker, my second question to the same minister: in these tough economic times, how much is this strategy costing the taxpayers of Alberta?

**Mr. Rodney:** A fair question, Mr. Speaker. I consider that we should think about the price of not implementing tobacco reduction initiatives because not only will it cost taxpayers more in the long run, but it also puts a huge strain on the health care system and the quality of life for all Albertans. Tobacco contributes not only to heart disease but also to several forms of cancer, resulting in approximately 3,000 deaths each year in Alberta alone. Those numbers are staggering. They're unacceptable. To facilitate the implementation of the strategy, the department will spend \$500,000 this year, and there are additional funds available as well.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much. My final question to the same minister: are we seeing real returns on our investment, and what, really, is the end goal strategy, Mr. Minister?

**Mr. Rodney:** Thank you again to the hon. member. We need to measure progress; it's crucial. We do have ambitious performance targets, I want everyone to know. For Albertans 15 and older we're looking to decrease from 19 to 12 per cent; for those 12 to 19, from 13 to 6 per cent; for Albertans 20 to 24, from 30 to 20 per cent; for pregnant women, from 17 down to 11 per cent. Let's face it. Until it gets a little closer to zero, none of us will be truly satisfied. There are many other key performance targets, one of them being the estimated per capita tobacco sales. We want that to be decreased, chopped in half, as a matter of fact. We're confident that we will reduce tobacco use and give knowledge and the tools and the incentives to Albertans so that they can enjoy a much greater degree of wellness.

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

The hon. Member for Calgary-Buffalo, followed by Edmonton-Strathcona.

### Sign Language Interpreter Program

**Mr. Hehr:** Thank you, Mr. Speaker. As a result of cuts to postsecondary Lakeland College will not continue its sign language interpreter program for the deaf community. Without

these interpreters simple, basic access to communication, a right guaranteed by the United Nations, would be in jeopardy. The Premier stated in her budget that it would not affect vulnerable people. That's simply not true. It's affected people with developmental disabilities, seniors, and, now it appears, the deaf and hard-of-hearing community. To the Premier: why don't you just admit that your government is not interested in protecting vulnerable Albertans? In fact, your budget just makes life more difficult for them.

**The Speaker:** The hon. minister.

**Mr. Hancock:** Thank you, Mr. Speaker. The fact of the matter is that this Premier is very interested in protecting vulnerable people. This government is very interested in protecting vulnerable people. But our project is not to just add money and stir. Our project is to take a look at everything we're doing through results-based budgeting, through our social policy framework process, through discussions with Albertans about what poverty means to them and what poverty looks like in their communities, talking with real people about the real issues they face and finding real solutions for them. Yes, in a tough budget there are tough decisions to be made. But this government cannot be accused of not protecting vulnerable people. We put vulnerable Albertans first.

**Mr. Hehr:** Well, given that one of the stated goals of Campus Alberta was to preserve the uniqueness of Alberta's schools and given that it is the only program of this type in Alberta, will you ensure that this program is properly funded and protect the basic rights of our deaf community?

**The Speaker:** The hon. minister.

**Mr. Campbell:** Well, thank you, Mr. Speaker. I know that the minister has said that any program before its suspended has to come to him. I can tell you that the minister has committed that he will look at the need for this type of program in Alberta, and he will be exploring all available options during the review to suspending the Lakeland program.

**Mr. Hehr:** Well, given that the need for this program is that people who are deaf and hard of hearing need sign language interpretation and the fact that this is the only program available in Alberta and the fact that these sign language interpreters are demanded almost two weeks in advance, that seems a compelling enough case. I hope you can assure us that the minister, because of these reasons, will not be cutting this program at Lakeland College. Is that what I'm hearing today?

**Mr. Campbell:** Well, Mr. Speaker, what I'm saying is that the minister said that he will review this very closely. I think it's important to understand that board-governed institutions like Lakeland College make their own decisions. They have to look at their own budgets and make the decisions based on what they see for their day-to-day operations. But I know that the minister has committed to reviewing this very seriously.

**The Speaker:** The hon. Member for Edmonton-Strathcona, who almost lost her spot. You're up next.

### Funding for Postsecondary Education

**Ms. Notley:** Well, Mr. Speaker, today the University of Lethbridge did what this PC government refuses to do, tell us how the Premier's cuts to postsecondary education will hurt southern

Alberta students and their families. For instance, the university plans to increase their student fees by \$200 per student per year, a shocking 250 per cent increase, which more than offsets this Premier's bait-and-switch tuition freeze. To the Premier: why won't she admit that the tuition freeze means nothing and that Alberta students will pay the price for this Premier's broken promises one way or the other?

**The Speaker:** The hon. minister.

**Mr. Campbell:** Well, thank you, Mr. Speaker. The minister has made it quite clear that tuitions will be frozen. The minister has also made it clear that the universities or the colleges will not be able to just increase their fees on the backs of students.

**Ms Notley:** Well, Mr. Speaker, they just did today.

Given that the University of Lethbridge also announced today that they will have 34 fewer professors next year, increasing class size while cutting quality and choice, and given that this comes right after both the Premier and her Minister of Incredible Claims stated that the loss of \$147 million could not possibly hurt our education system, will the minister admit that Albertans can be forgiven for concluding that neither the Premier nor the minister can be counted on as reliable sources of information when it comes to the real impact of her broken promises?

**The Speaker:** The hon. minister.

**Mr. Campbell:** Thank you, Mr. Speaker. Both our Premier and our minister have been very clear on the importance of post-secondary education to this province and to all our students. Both our Premier and our minister have said that postsecondary decreases in the budget will not be on the backs of our students, and we will continue to offer first-class education in this province.

2:30

**Ms Notley:** Well, Mr. Speaker, given that today the U of L announced that they face a \$20 million deficit by 2015 – that's 20 per cent of their budget – and given that they've said that computer labs will close, libraries will stop buying new books, faculty research funds will disappear, and access will suffer, why won't the minister finally come clean and admit what everybody else already knows, that the Premier's broken promises mean only a more expensive, less accessible, and lower quality postsecondary education for all Albertans?

**The Speaker:** The hon. minister.

**Mr. Campbell:** Thank you, Mr. Speaker. Our minister has met with all 26 presidents from the different institutions. I know that they're working very closely to look at some of the issues that are facing them and at implementing the strategies and implications of Campus Alberta. Again, those will not be done on the backs of the students in this province.

**The Speaker:** The hon. Member for Innisfail-Sylvan Lake, followed by Edmonton-McClung.

#### Elder Abuse Strategy

**Mrs. Towle:** Thank you, Mr. Speaker. Elder abuse is one of the darkest issues facing senior Albertans. This type of abuse isn't always physical in nature. Often it takes the form of financial fraud, and in some cases seniors are victimized by those they know. The people who are most often taken advantage of are the ones that are least able to speak up for themselves. Can the Associate Minister

of Seniors please explain why seniors across Alberta are still waiting for the implementation of the elder abuse strategy despite its inclusion in the Premier's mandate letters to both Seniors and Health?

**Mr. VanderBurg:** Mr. Speaker, the member raises a very serious concern. I will say that the majority of elder abuse comes in the form of financial abuse. It's been an issue that we've faced for many, many years, and I would encourage all members to phone our hotline, phone the RCMP when these issues arise. It is an issue that I'm working towards. We've had consultations around the province, and we're working closely with police forces in the province.

**Mrs. Towle:** Given that the implementation of the elder abuse strategy was a so-called priority initiative for the Seniors ministry last year and it is a so-called priority initiative for the Health ministry this year, will any minister finally do something about elder abuse? Or like another waffling Liberal politician, Stéphane Dion, do you find it difficult to actually make priorities?

**Mr. VanderBurg:** Mr. Speaker, elder abuse is a very serious issue. Like I said earlier, if there's anybody aware of a senior being abused, contact the police services immediately, contact my offices. We'll do something about this.

On the overarching piece of the governance and the issue of elder abuse policy: we're moving forward on that file. It may not be as quick as many would like it, but I want to get the issue right.

**Mrs. Towle:** So elders should call the phone line while they're still being abused while they wait for implementation of the elder abuse strategy.

Given that an organization in Medicine Hat has already said that they have taken it upon themselves to investigate 70 complaints of seniors' financial abuse last year alone, when will the government recognize that this is an actual problem and start protecting vulnerable Albertans?

**Mr. VanderBurg:** Mr. Speaker, we know it's an issue. We know it's an ongoing issue, and that's why I've committed to working with the police agencies across this province. That's why I've committed with our staff that we're going to take this issue very, very seriously, and we have been. We've been in consultation with groups in Medicine Hat, groups in Grande Prairie, groups all across this province. We'll take this issue on as a piece of work that needs to be concluded.

**The Speaker:** The hon. Member for Edmonton-McClung, followed by Medicine Hat.

#### Oil Sands Royalties

**Mr. Xiao:** Thank you, Mr. Speaker. Alberta's oil sands developments demand complex planning and substantial investments, often billions, to undertake. In order to offset these massive project costs, a prepayment and a postpayment period is given to recover allowable costs for a given project plus a return allowance. My questions are to the Minister of Energy. How many oil sands projects have reached the postpayment period since the royalty regime of 2009 was implemented?

**The Speaker:** The hon. minister.

**Mr. Hughes:** Thank you, Mr. Speaker. Well, you know, a well-designed royalty system actually strikes the right balance between returning a share of the profits to the resource owner while also

encouraging development and creating jobs and economic growth. Once payout is achieved, the producer pays a higher royalty rate. Today there are 115 approved oil sands royalty projects, 55 of which are in the prepayout stage and 60 of which are in the postpayout stage. I would say that the context within which all of these companies are working contributes directly to 1 in 6 Albertans having jobs directly tied to the energy sector.

**Mr. Xiao:** To the same minister: based on today's prices, how many oil sands projects are expected to reach the postpayout period in the next two years?

**Mr. Hughes:** Well, it's an interesting question, Mr. Speaker, given that, unlike conventional oil and gas development, oil sands developments require massive investment, as the hon. member has identified, often billions of dollars, and may require many years before full production can be realized. Currently we expect that there will be one more project that will reach payout during 2013, and then the next one after that we expect to reach payout in 2015.

**Mr. Xiao:** Again to the same minister: how significant of an impact can those postpayout projects have on our natural resource revenues, and by how much?

**The Speaker:** The hon. minister.

**Mr. Hughes:** Thank you, Mr. Speaker. Well, you know, these projects and this source of revenue are a very important source of revenue for the province of Alberta. Postpayout projects generally pay more royalties than prepayout projects and can reach 35 to 40 per cent in royalties at the maximum. Of course, this is directly affected by many factors, including particularly the price. I'm happy to report, though, that over the next three fiscal years the total royalty revenue from all oil sands projects will amount to approximately \$15 billion.

**The Speaker:** The hon. Member for Medicine Hat, followed by Edmonton-Riverview.

### Medicine Hat Schools

**Mr. Pedersen:** Thank you, Mr. Speaker. This PC government likes to break promises to the people of Medicine Hat. Whether it's a new hospital, a new overpass, or a detox centre, this government announces, delays, reannounces, then delays again. In the government's evaluation of Alberta's schools six schools in Medicine Hat are now rated in poor physical condition, yet this PC back-in-debt budget cuts maintenance funding by 20 per cent. With this government's promise to refurbish 70 schools put on the back burner, what will the Minister of Infrastructure do to stop these schools from falling apart?

**Mr. Drysdale:** Well, Mr. Speaker, let me be very clear. First of all, there are no schools in Alberta that pose a health or safety risk to any of our children. Health and safety is our number one concern. We have a facility condition index that's done by every school, and there are only 15 out of 1,500 that are rated as poor. I'm sure those are the ones that'll be upgraded in the 70 mods.

**Mr. Pedersen:** Minister, you answered earlier – and it is simple – that you can repair schools now, or you can rebuild them later at a higher cost.

Mr. Speaker, given that this government doesn't have a public, prioritized project list and fails to give full details on which 70 schools will be receiving renovations and why, can the minister

tell the families in Medicine Hat that their six schools are near or at the top of this secret list?

**Mr. Drysdale:** Mr. Speaker, I work closely with my colleague from Education, he works with the school boards in the province, and they have a priority list. As soon as we have the budget passed in the House, then we can announce the projects we're carrying forward. I'm sure the people of Medicine Hat will find that out.

**Mr. Pedersen:** Minister, you're picking winners and losers behind closed doors.

Mr. Speaker, how on earth can the minister break his promises to hard-working families who rely on these schools for the education of their children when he has been busy watching the cost of new MLA offices in the federal building skyrocket to pay for rooftop gardens and fancy auditoriums?

**Mr. Drysdale:** Well, Mr. Speaker, as I said before, I don't want this party across the way scaring the good people of this province that their children are not in safe conditions in our schools. All schools pose no health or safety risk, and I hope they don't start fearmongering like they have done on many other projects.

**The Speaker:** The hon. Member for Edmonton-Riverview, followed by Cypress-Medicine Hat.

### Interoperable Information Technology Services

**Mr. Young:** Thank you, Mr. Speaker. The Ministry of Justice and Solicitor General's justice innovation and modernization of services program, known as JIMS, was established to address old and antiquated IT systems used in the Alberta courts. To the minister: with the cancellation of the JIMS program how will the ministry reform issues in our courts that are backlogged by paper-laden systems and inefficient IT systems?

2:40

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you very much, Mr. Speaker. I'm happy to see that this member as a new MLA is paying attention to some of these important issues. The cancellation of the JIMS program saves \$39 million. [interjections] Many people talk about saving money, but again we have done it in my ministry. Earlier this month I released the report *Injecting a Sense of Urgency*, that talks about some of the major recommendations for the justice system. [interjections] No one group or IT project can ease the burden, but JIMS to date has implemented 15 projects, including case management. We're going to have to stop it there in the interests of fiscal responsibility.

**The Speaker:** Hon. members, I appreciate your enthusiasm today, but there are just too many conversations going across the bow from the government over to the opposition, from the opposition to the government. Please, let's just curtail those for a few more minutes.

Hon. Member for Edmonton-Riverview, you have the floor.

**Mr. Young:** Thank you, Mr. Speaker. And I do indeed pay attention.

Mr. Speaker, given that it is now a year into the Justice and Solicitor General merger and IT operations are still operating as separate entities and with well-documented successes of shared service initiatives, to the Minister of Service Alberta: if we can't share services in a single ministry, what is the status of the shared services across all of government?

**The Speaker:** The hon. minister.

**Mr. Bhullar:** Thank you, Mr. Speaker. I'd like to first of all congratulate this hon. member today on celebrating his first anniversary as a Member of the Legislative Assembly. On behalf of all Edmontonians I'd like to say that members of the public are very pleased that he's in the Assembly and not out patrolling the streets anymore.

Mr. Speaker, he asks a very good question. The fact is that we want to get maximum value for taxpayers' dollars, and 80 per cent of government IT users are on one system, one domain. We're working to ensure that we get maximum value for our systems.

**The Speaker:** The hon. member.

**Mr. Young:** Thank you, Mr. Speaker. I would like to applaud the Minister of Justice and Solicitor General on his leadership in ending the Alberta integrated information initiative. While well intended, it has however pursued an ill-conceived direction. Has the minister committed to interoperability and open-data standards?

**Mr. Denis:** Well, first off, it's a very rare occasion that a lawyer gets a compliment from a police officer, so I want to thank the member for that.

This is a rather tough and bold budget, and as the minister I need to sort through what are the nice-to-haves and what are the must-haves. I think that this member would agree that our number one priority is keeping police on the streets, keeping prosecutors in the courtrooms, and actually even adding more judges. Mr. Speaker, that is exactly what we've done.

Now, as a sworn officer this member knows that communication is paramount to law enforcement. His suggestion dangerously suggests that what works in the United States would work in Canada. Realistically, Mr. Speaker, that isn't the case. We have to have a made-in-Alberta solution.

### Public-private Partnerships

**Mr. Barnes:** It's no wonder Albertans don't trust this government. The Minister of Transportation has a different story every time he is asked to explain the extra costs for Edmonton's Anthony Henday ring road. First, the minister said that an extra hundred million dollars was needed because "it was only after the final approval was received that the total cost of it was clear." When asked the same question in estimates, the minister said that the additional money was needed because of the vagaries of the weather. To the Premier. Which is it: poor planning, bad weather, or something else entirely?

**Mr. J. Johnson:** Mr. Speaker, what I can tell you about transportation in this province is that we've invested about \$3 billion annually in road projects like the Calgary and the Edmonton ring roads. As a matter of fact, those are great examples of P3 projects, which I know the opposition supports and, one could argue, is taking on debt. That P3 philosophy was started by one of our Premiers, Ralph Klein, who I know they also support.

**Mr. Barnes:** This government just can't keep its story straight when it comes to public-private partnerships. Given that yesterday the Finance minister said, "The idea is to get the greatest value for the taxpayer both today and in the future," and given that the Minister of Infrastructure admitted the upfront costs of a P3 are higher than a traditional build, how are Albertans getting the best deal when they're paying more today and more in the future with interest payments?

**Mr. Horner:** Well, Mr. Speaker, that's actually a good question. It kind of caught me a little bit off guard. I would commend the hon. member to take a look at how we deal with net present values, how we figure out what the value is today of something that is stretched out over a 30-year period of time, what the value is of transferring the risk of construction from the taxpayer to the proponents of the actual facility and the agreements that we have in there to maintain that facility for the next 30 years. We are putting the risk on the proponents, not the taxpayers. We are getting great value for taxpayers.

**Mr. Barnes:** Mr. Speaker, given that the Infrastructure minister said that every P3 project has been on time and on budget and given that the Transportation minister recently asked for an extra \$100 million for the Henday because, quote, there was a hundred million dollars less approved than was required to complete this P3 project, how does this government expect Albertans to have confidence in P3s when it can't keep its planning in order or its story straight?

**Mr. Horner:** Mr. Speaker, for many of the P3 programs that we do under the contract, there are codicils for whether the weather is working for or against and whether or not there are engineering issues that they may hit. I'm not familiar with the exact circumstances under the hundred million that the hon. member is talking about. I'm sure the Minister of Transportation will be able to provide him with that. He probably did in estimates. We had, as I'll talk about a little bit later, some 70 hours' worth of estimates, where the hon. member had his opportunity.

**The Speaker:** Hon. members, I believe I heard the bells ring, so that concludes question period for today. [interjections] You would like to continue question period? [interjections] You know, don't start your celebration too early, okay?

One of the members has requested we revert to introductions briefly. Is anyone opposed to that?

[Unanimous consent granted]

### Introduction of Guests

(continued)

**The Speaker:** Hon. Member for Barrhead-Morinville-Westlock, please proceed.

**Ms Kubinec:** Thank you, Mr. Speaker. I am pleased to introduce to you and through you to the members of this Legislature the hard-working students from Pembina Valley Christian school. They are visiting the Legislature today along with their teacher, Meghan Penner, and parents Dwight Reimer, Mary Reimer, Larry Reimer, Anne Reimer, Roy Friesen, and Shauna Friesen. Would you please give them the warm welcome that they deserve.

**The Speaker:** Thank you.

### Statement by the Speaker

#### Election Anniversaries

**The Speaker:** Hon. members, before we go on to Members' Statements and while we still have everyone's attention, I want to draw the public's attention and the colleagues' attention to the special anniversary that is being celebrated today. It is the first election anniversary for a number of members.

I'm going to call their names, ask them to rise, and we can congratulate them all at once. I'll go quickly. The hon. members

from Banff-Cochrane, Barrhead-Morinville-Westlock, Calgary-Currie, Calgary-Glenmore, Calgary-Hawthwood, Calgary-Hays, Calgary-North West, Calgary-Shaw, Calgary-South East, Calgary-Varsity, Calgary-West, Cardston-Taber-Warner, Chestermere-Rocky View, Cypress-Medicine Hat, Drumheller-Stettler, Edmonton-Calder, Edmonton-Beverly-Clareview, Edmonton-Gold Bar, Edmonton-Mill Woods, Edmonton-Riverview, Edmonton-South West, Fort McMurray-Conklin, Fort McMurray-Wood Buffalo, Fort Saskatchewan-Vegreville, Grande Prairie-Smoky, Highwood, Innisfail-Sylvan Lake, Lac La Biche-St. Paul-Two Hills, Lacombe-Ponoka, Little Bow, Livingstone-Macleod, Medicine Hat, Olds-Didsbury-Three Hills, Rimbey-Rocky Mountain House-Sundre, Sherwood Park, St. Albert, Stony Plain, Strathmore-Brooks, and Vermilion-Lloydminster.

Are there any that I've missed? I hope not.

Hon. members, let's congratulate these first-time members. Congratulations. [applause]

In 30 seconds from now the Clerk will call for Members' Statements.

2:50

### Members' Statements

**The Speaker:** The hon. Member for Edmonton-Decore.

#### Polish Veterans' Society

**Mrs. Sarich:** Mr. Speaker, it's truly my honour and privilege to rise today in recognition of the Polish Veterans' Society, which was established on April 11, 1938, and is celebrating their 75th anniversary. I would like to commend the important leadership of the Polish Veterans' Society and all other affiliated Polish organizations in the community for their steadfast support to strengthen, advance, and preserve the cultural, political, and economic contributions so that they remain recognized and cherished across generations. The Polish Veterans' Society truly exemplifies the essence of the Alberta spirit.

Mr. Speaker, Polish settlement began in the Edmonton region in 1895, and in the decades following, like other cultural groups, many of their family histories were brought to Alberta through immigration. I have often said that the future of our province is unwritten, and I am proud to say that through the dedicated leadership of the Polish Veterans' Society a strong foundation was established to lead the way.

The collective accomplishments of this organization and others include the purchase of the first Polish Hall in 1940 and the grand opening in 1960, the construction of the Polish church in 1954, the opening of the Villa Maria sections at the Polish Veterans Hall and senior citizens home in the 1970s in Edmonton-Decore, and the opening of the Wawel Country Lodge in 1995.

Mr. Speaker, I had the pleasure to be included in their wonderful commemorative celebration on April 6, 2013, to help recognize their achievements and those who served in the military. I commend all individuals from the past, present, and those in the future for their contributions to the Polish Veterans' Society. Thank you to all for adding immeasurably to our city, province, and country. My heartfelt admiration for being great Albertans, great Canadians, and just simply a great community of people that I've had the pleasure to work with along my life's journey.

Congratulations and best wishes for continued success in the many years to come. God bless. Thank you.

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition.

### Official Opposition Achievements

**Ms Smith:** Thank you, Mr. Speaker. A year ago today Albertans elected the province's largest Official Opposition in a generation. Never before has Alberta seen an Official Opposition so united in purpose and focus on the task we were elected to do. After receiving 34 per cent of the vote in the election a year ago today, we came here to Edmonton with a strong mandate to hold this government to account, and that is precisely what we are doing. Over the last 12 months MLAs on this side of the House have forced the government's hand into making the right decision for Albertans on several occasions. Through dogged determination we've seen backtracks, reversals, retreats, and withdrawals on everything from seniors' care to property rights to justice for victims of crime. Here are just a few of the highlights for the members opposite.

The Education Act. After resisting Wildrose efforts before the election to enshrine parental rights into law, the government finally relented to our much larger Wildrose caucus after the election, recognizing parents as the ultimate decision-makers in their children's education.

Highway 63. The day after our members for Lac La Biche-St. Paul-Two Hills and Cypress-Medicine Hat issued a report calling for a timeline for the twinning, the Transportation minister did exactly that.

Illegal donations. After constant revelations of shady donations and relentless questioning from our side, the members opposite finally gave in, crafting legislation to report all illegal donations publicly.

I could go on, Mr. Speaker: Bill 50 transmission policy, home-cooked meals for seniors, discounted hospital parking for veterans, stronger rules for government expenses, repayment of egregious health expenses, and justice reforms for violent-crime victims. Getting things done for Albertans: that is what an effective Official Opposition looks like. It's what we were sent here to do. It's what we will keep on doing, and we will prove to Albertans that by 2016 we can be trusted with much more.

**The Speaker:** The hon. Member for Barrhead-Morinville-Westlock.

### Anniversary of Election

**Ms Kubinec:** Thank you, Mr. Speaker. I am so pleased to rise today to celebrate the first anniversary of this government's election. I remember this day one year ago as being nerve-racking, exciting, and a bit scary. I was so humbled that the people of Barrhead-Morinville-Westlock gave me the honour of representing them in this amazing place. I remember thinking that I had such a responsibility to bring our shared values and ambitions to this table. After six months I felt a bit like the information intake was like drinking from a fire hose. Today I still feel so honoured to be here.

Albertans gave us an aggressive mandate. Albertans have told us not to back down in the face of adversity or neglect our most vulnerable just because the times get tough. Albertans have told us to balance fiscal responsibility with the need to build Alberta in good times and bad. That's what we've done, Mr. Speaker. We have had to make some tough decisions in light of our fiscal reality, but we've stuck to our values, and we haven't turned our back on our promises.

We promised Albertans no new taxes, and we've kept that promise. Budget 2013 has committed \$503 million over the next three years for 50 new schools and 70 modernizations. We

promised family care clinics, and we've kept that promise with \$235 million in Budget 2013. We promised to protect vulnerable Albertans, and that's what we're doing by providing over a hundred million dollars for outreach support services, housing, and emergency and/or transitional shelters. We promised Alberta whistle-blower legislation, and we've delivered on that promise. We promised the twinning of highway 63, and Budget 2013 has provided funding to accelerate that twinning. I'm proud to stand in this House and say that we've made promises, and we will continue to deliver on them.

Mr. Speaker, this is the first of a four-year mandate. In order to be thoughtful and thorough and with Albertans' priorities in mind, we will continue the efforts in the years to come. We didn't promise to do it all within the first year. With three years left to do that, we are confident that we will.

Thank you.

### St. George's Day

**Dr. Brown:** Mr. Speaker, today millions of people around the world will pay tribute to the Christian martyr St. George. St. George was a Roman soldier who was imprisoned, tortured, and put to death on the orders of Emperor Diocletian for protesting the persecution of Christians. He is believed to have been put to death in Lydda, Palestine, on April 23, 303 AD.

Seventeen centuries later the memory and the spirit of St. George live on. In Canada St. George is perhaps best known as the patron saint of England, but countries such as Belgium, Italy, Malta, Georgia, and Spain also revere St. George as a beacon of courage, strength, and truth. In the 11th century St. George was adopted as the patron saint of soldiers, which is appropriate today when we recognize the bravery and dedication of the men and women who serve in our armed forces and willingly put themselves in danger in service of their country. The flag of the international Red Cross has adopted the cross of St. George as its widely known symbol. Accounts of St. George's life are steeped in myth and legend. We've all heard about the slaying of the dragon. This is possibly an allegory of his struggle against the Roman authorities.

In Alberta we're proud that our provincial flag and our coat of arms prominently display the cross of St. George, which is a perpendicular red martyr's cross on a white background. Three other provincial flags, Mr. Speaker, hanging in this Chamber also prominently feature St. George's cross.

Mr. Speaker, St. George exemplified the values that all hon. members of this House should aspire to: courage, conviction, and dedication to one's belief and causes.

Thank you, Mr. Speaker.

### 2013 Special Olympics Alberta Spring Games

**Mrs. Jablonski:** Mr. Speaker, the 2013 Special Olympics Alberta Spring Games held this past weekend in Red Deer delivered an exciting and unforgettable weekend for over 1,200 athletes, coaches, and volunteers. The opening ceremonies were just as unforgettable. Imagine the excitement of over 800 athletes as the Olympic torchbearers ran into the Lindsay Thurber high school gym holding the torch high above their heads for all to see. All eyes were focused on the runners as they ran through the stunning honour guard made up of eight law enforcement officers from around the province.

Mr. Speaker, I would like to thank Jerry Tennant, the chairman of the Red Deer Special Olympics committee for over 32 years and the chairman of the 2013 Games Organizing Committee, and

his great team of volunteers for organizing and delivering a highly successful 2013 Special Olympics Spring Games. I would also like to thank Karen Saunders, chair of the Special Olympics Alberta Board of Directors, and the provincial board for helping to make this a very successful games.

Mr. Speaker, did you know that there are 1,500 coaches and volunteers in Alberta who work year-round to give people with an intellectual disability the chance to realize their full potential in sports? Of the 18 official Special Olympics sports the Spring Games include five-pin and 10-pin bowling, basketball, and swimming. The winning athletes in these events now have the opportunity to join Team Alberta at the 2014 Special Olympics Canada Summer Games in Vancouver.

3:00

Thank you to the generous sponsors, provincial and local, including the city of Red Deer and the Catholic school board. Thanks to the many volunteers, families, and friends who support the athletes. Congratulations to all the athletes whose team spirit was so great that they cheered for every medal winner regardless of what team they belonged to. You have truly demonstrated the spirit of Alberta, and you have taught us that there is no challenge that can't be overcome. May you always strive to be the very best that you can be.

**The Speaker:** Hon. Government House Leader, did you wish to address the Assembly briefly?

**Mr. Hancock:** If you insist, Mr. Speaker, I'd ask for unanimous consent to allow us to move past 3 o'clock and complete the Routine.

**The Speaker:** Hon. members, may we have unanimous consent, as requested by the Government House Leader, to proceed onward and conclude the Routine?

[Unanimous consent granted]

**The Speaker:** Hearing no objections, let us conclude, then, by proceeding with the hon. Member for Innisfail-Sylvan Lake to hear her statement.

### Cancer Awareness and Prevention

**Mrs. Towle:** Thank you, Mr. Speaker. If you'll notice, like many other members in the Assembly today and across the aisle and like many guests in the gallery I'm wearing a daffodil pin today. The daffodil is the first flower of spring, and for cancer patients it's a symbol of hope. April is cancer awareness month.

Despite great strides in cancer research and prevention this disease remains one of the gravest diagnoses a patient can receive. This year over 16,000 Albertans will be diagnosed with cancer, and sadly over 6,000 of them will succumb to the disease. These patients will travel a long and life-altering road to recovery. Many of them will survive to see the daffodils bloom again. Too many of them will not.

Cancer awareness month gives us the opportunity to unite under one common goal, eliminating cancer for good. It also gives us the opportunity to remind cancer patients that they're not alone in their journey, that we're right here, that we support them, and that we have them in our minds.

Prevention is the key. Living a tobacco-free lifestyle remains the single most important thing Albertans can do to prevent cancer. Unfortunately, while overall rates of smoking are going down, Alberta's youth continue to use tobacco at an alarming rate. This year over 2,000 Albertans will be diagnosed with lung cancer

and over 1,500 of them will succumb to the disease. Their deaths will be completely preventable. They are our mothers, our fathers, our brothers, our sisters, and our friends. The Canadian Cancer Society would like to highlight the issue of tobacco use this year. As legislators we must continue to work to discourage young people from using tobacco and encourage all current smokers to kick the habit.

My father has throat cancer from smoking, and he breathes through a hole in his throat. Cancer affected us. It affects everyone. I implore all members to take the opportunity to tell their stories and never miss a chance to speak up about cancer and do our part in the fight against cancer.

Albertans, colleagues, and friends, please join me in wearing a daffodil and add your support to cancer research.

### Presenting Reports by Standing and Special Committees

**The Speaker:** The hon. Member for Edmonton-McClung.

**Mr. Xiao:** Thank you, Mr. Speaker. In accordance with Standing Order 99 the Standing Committee on Private Bills has reviewed the petitions that were presented on Wednesday, April 17, 2013, and as the chair of the committee I can advise the House that the petitions comply with standing orders 90 to 94. However, the petition of Charles Frederick Barth, chair of the members of the Misericordia hospital for the Misericordia Hospital Amendment Act, 2013, has been withdrawn by the petitioner and will not be proceeding.

Mr. Speaker, this is my report.

### Tabling Returns and Reports

**The Speaker:** The hon. Member for Edmonton-Centre, followed by Calgary-Buffalo and Edmonton-Beverly-Clareview.

**Ms Blakeman:** Thank you very much, Mr. Speaker. I'm tabling a handwritten note – how rare is that in this day and age? – from one of my senior constituents. His name is John Nevakshonoff, and he is one of those people that is currently being provided with medical oxygen by Parkland Respiratory Care. This is an issue that is causing a large number of seniors a great deal of stress because there's quite a bit of scuttlebutt out there about how AHS is going to change around who's delivering this medical oxygen. He's asking me to do what I can to stop this change as I have more power than he does as a senior. I hope that isn't true. I hope he ultimately holds the power in convincing this government to not frighten seniors, as they are doing currently.

**The Speaker:** The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you, Mr. Speaker. I have two tablings today. The first is from Nicola Ramsey from Slave Lake. She has been a teacher at the Alberta Distance Learning Centre. She goes through in dramatic fashion both her role and the effects that the 56 per cent cut to this very important program will have on students in this province.

My second tabling is an online petition to stop the cuts to advanced distance learning. I will do a shout-out to Stacy Harper, who has been very passionate about this issue. I hope she's successful in getting the government's attention on this matter.

Thank you very much, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Speaker. If you'll indulge me, I have two tablings today. I'd like to table 50 more copies of some e-mail submissions that Albertans have sent to the Premier and copied me on. These are just some of the many hundreds of e-mails my office has received. They call on the Premier to honour her government's promise to Albertans not to evict some of Alberta's most vulnerable citizens from their home in Red Deer's Michener Centre. Submissions like this clearly show that keeping the Michener Centre open is a priority for Albertans and that this PC government is clearly out of touch with its broken-promises budget.

My second tabling is the appropriate number of copies of 46 e-mails we received from Albertans who are extremely worried and upset about this PC government's broken promise to seniors. For example, Richard and Brenda from Sherwood Park write: what Premier Redford is doing to seniors is a disgrace. These e-mails show that the government can't be trusted to protect seniors and other vulnerable citizens of Alberta.

Thank you, Mr. Speaker.

**The Speaker:** Are there others? The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Mr. Speaker. I rise today with the requisite number of copies to present three tablings. The first is from Diana Stinn of the Phoenix Foundation, asking for help in understanding the cuts made to private schools in this budget, which she feels is an unfair action.

The second is from Mrs. Shirley Redford, asking for maintenance of the road to a provincial park, the Police Outpost park in my riding.

Finally, then, Ron Bos, Susan Hamel, and two others from the Rehoboth Christian Ministries are concerned about cutting funds to key programs for persons with developmental disabilities. She feels this is going to have a deleterious impact on their lifestyle.

Thank you, Mr. Speaker.

**The Speaker:** I believe that concludes the Routine, but we're going to hear at least one point of order.

If the hon. Member for Airdrie wishes to proceed with a citation and his point of order, I believe you're the only one I have today.

### Point of Order Factual Accuracy

**Mr. Anderson:** Thank you, Mr. Speaker. The citation is 23(h), (i), and (j), specifically, imputing "false or unavowed motives to another Member" and using "abusive or insulting language . . . likely to create disorder" and introducing a "matter in debate that offends the practices and precedents of this Assembly." This issue in question is that the Finance minister specifically listed several projects that he said that the leader of this opposition and this caucus would cut if we were elected, if we were in the government. He specifically noted the Whitecourt hospital, but there were several that he listed. I think that it's clear, Mr. Speaker, that we can't just say things that are flat-out fictitious. It's important that we don't do that. So what I will do in order to help this member is explain for probably the 30th time in here what our capital plan does with regard to that so that he won't, I'm sure, accidentally mislead the public on what that is.

3:10

Clearly, we've said many times that we would take all requested health care projects, education projects, road infrastructure projects and put them into an infrastructure priority list based on



objective criteria. They'd be listed. They'd be in four different envelopes: health, education, road infrastructure, and a fourth, other category. They'd be listed in the order of need based on objective criteria. Those would be published, and then the \$4 billion that we would allocate this year – and it would go up with inflation and population growth – would be allocated to those lists in that order.

Now, unfortunately, we do not have those lists at our disposal because we do not have what the government has access to with all the information that they get that would allow us to prioritize the list properly. We do not have access to that information, nor have we been given it by the government when asked.

Mr. Speaker, clearly it is incorrect for them to say that we would cut any project, because we don't know what's on the list. Now, if they wanted to be able to tell us what we would cut, they could. There's a way out of this. They could themselves publish the infrastructure priority list, and they would say: we would put this much to the infrastructure priority list, and the Wildrose would only put this much to it, and these are the projects that would have to wait an extra year or two years or so forth. They've got that power in their hands to do that, yet they don't do it.

But to say that we're going to cut any specific project is just not true. They've got to publish the list, and then they would be able to tell us what the difference is between what we would spend on infrastructure and what they would spend on infrastructure and how much less or more the capital projects that would be built would be.

Mr. Speaker, I think it's important that that be clarified because it's very unfair for this member to sit in here and say what we would and would not cut when they will not produce the list that would allow them to truthfully make that claim. One thing that certainly would not be on our list is that \$350 million new MLA Taj Mahal. That would not be on our priority list.

**The Speaker:** The hon. minister briefly in response.

**Mr. Horner:** I will try to be brief, Mr. Speaker. The hon. member is correct, and I should apologize for saying which projects they would cut, because with \$2 billion in cuts I'm not exactly sure which projects they would cut. It could be the Whitecourt hospital. It could be any schools in Airdrie. It could be schools in my riding. I don't know. They're promising to pay cash for everything, but they're not telling Albertans where they would cut \$3 billion out of the operating budget that we currently have before us in the House.

I fail to see where this would be a point of order. It's certainly a point of clarification of what we know they won't do. We don't know, Mr. Speaker, because their plan only has numbers in it and then a list of things that actually don't apply. So it's difficult for me to say what they would cut. All I know is that they would cut about two and a half billion dollars' worth of projects that are on our list.

**The Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Yes. Very briefly, Mr. Speaker.

**The Speaker:** Well, please, very briefly.

**Mr. Hancock:** I just wanted to point out that even in the hon. member's submission he contradicted himself. At one stage he said that one shouldn't speak untruths – I think that's a paraphrase of what he said – and then went on to characterize a project as being MLA offices when he knows full well, or he should know if he had any ability to read at all, that the federal building refurbishing is actually going to house a significant number of

civil servants now currently housed in the Terrace Building and LAO staff currently housed in the Annex. Time after time after time they have talked about the federal building as being expensive MLA offices, which is patently untrue.

The hon. member is once again raising a point of order to try and clarify – and I understand why he'd want to clarify because their positions have been very murky. South Calgary health campus, for example, very clearly was heard to be cancelled during the last campaign by them. Then they changed their position.

This is another circumstance, Mr. Speaker, where they're trying to change their spots. They're trying to hide the things that they don't think the public will accept, and that's not a point of order. That's just an ongoing battle for them because it's so necessary if they want to ever declare any . . .

**The Speaker:** Hon. members, I've recognized two members from the government side. I'm going to recognize one final one from the Official Opposition side and then make a ruling on this, assuming no one else is baited into this discussion about points of order.

The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. I'll be very brief. Of course, I rise today to support the point of order under 23(h), (i), and (j) from the Member for Airdrie. I think it's important to clarify. The hon. Finance minister's question: \$2 billion separation between the Wildrose and the PC. It's actually \$1 billion. He asked to clarify where that would come from. We've talked again and again about corporate subsidies, \$2 billion in corporate subsidies to pump CO<sub>2</sub> into the ground; MLA offices, putting a rooftop garden on a building. These are the types of cuts: not specific priorities for Albertans. I think it's very important that we distinguish the differences in priorities. This party wants to put corporate subsidies above schools. This party wants to put MLA offices above hospitals. We just don't support that, Mr. Speaker.

**The Speaker:** Let me ask and hope there are no others who wish to participate in this. I see none, and I'm grateful for that. I'm sure the rest of the members are as well. Thank you.

Hon. members, we've seen so many occasions where, really, points of order start out as a point of order, perhaps, but factually they become points of clarification, which is, I think, what the case is here. You would be very familiar with previous rulings that I and previous Speakers will have made in this regard when we have said there are ample examples of rules and proceedings in *House of Commons Procedure and Practice*, in *Beauchesne's*, and elsewhere that say that frequently you might be asked to accept two versions of the same story or the same incident or the same occasion or the same truth, for that matter, because people do have differing points of view. Nonetheless, it is always refreshing to have those points clarified, and I think they have been amply clarified.

As a result of that, there is no point of order, and we are going to move on.

## Orders of the Day

### Government Bills and Orders Second Reading

#### Bill 20 Appropriation Act, 2013

**The Speaker:** The hon. President of Treasury Board and Minister of Finance.

**Mr. Horner:** Well, thank you very much, Mr. Speaker. I'm going to resist the temptation to utilize some of this time to talk about the budget and some of the things that are in there. I think there have been some 70 hours of debate in estimates, a number of hours last night in going over a number of amendments. You know, under last year's rules there would have only been around 54 hours of debate in estimates, so we've already had some 16 hours more of debate on this budget and the estimates for each of the departments than we would have had if we had used the previous rules.

I know we're going to be getting into the Fiscal Management Act and a number of other things later on, so there will be probably ample opportunity to talk about some of the items that are there.

I think, given the numerous hours of debate, that I'm simply going to suggest that what we have before us is an appropriate Appropriation Act, that it has been debated and questioned over a lengthy period of time. [interjection] And I understand we may have some more.

It's my pleasure to move second reading of Bill 20, the Appropriation Act, 2013.

**The Speaker:** The hon. Member for Airdrie, followed by Edmonton-Centre.

**Mr. Anderson:** Thank you very much, Mr. Speaker. I'm glad to be standing up and speaking in regard to Bill 20, the Appropriation Act, 2013, which, for those following at home, is the budget. We have debated this for some time in estimates and so forth, and we've had a chance for me and the Leader of the Official Opposition as well as the two other opposition party leaders and opposition finance critics to debate this. We certainly haven't had very much time to debate the entirety of the budget, and unfortunately the rules, the standing orders, that we have right now are somewhat limiting with regard to the ability to do that as it can essentially be adjourned until the end of the day and voted on. But here we are.

I think that there are several key issues in this budget, and I'll highlight the major ones. In my view, the first and most important piece that we need to talk about is the fact that this is the back-in-debt budget. Right now, currently, the Alberta government has on its books roughly \$4 billion in debt for infrastructure projects primarily. A lot of that is P3 debt. Some of it is direct borrowing, specifically Alberta bonds and so forth, but it's roughly \$4 billion.

3:20

That does not include any of the liabilities, and there are billions and billions in liabilities, pension liabilities and such, on the books. Not counting all of those things, just your basic debt as most people think of debt, not including lines of credit used for insurance policies and so forth, it's roughly \$4 billion. That's accumulated primarily over the last few years, over the last five or six years. That's \$4 billion too much, in my view, but it's not crushing debt by any stretch. It's something that needs to be paid back. A Wildrose government would certainly do that as quickly as possible, but it's not something that is going to crush our balance sheet, that \$4 billion.

Unfortunately, this government is repeating the exact same mistakes that it did during the Getty years in the late '80s and early '90s. Instead of saying, "Look, we've done this \$4 billion of debt; it was a world financial crisis that occurred, and we needed to do that in order to deal with it and so forth," whatever excuse they wanted to use, "and we're now going to get out of it because we're close to record revenues over the last five years; we're

going to get our act together and stop the borrowing and get back to business as usual, which is paying as we go, living within our means," that's not what this government has chosen to do. This government has chosen to go on a borrowing binge, and that means an additional just under \$4 billion this year in borrowing. It means close to \$17 billion in total borrowing, including the \$4 billion that's already there, that I mentioned earlier, by 2016, by the next time that we in Alberta go to the polls.

I cannot fathom any kind of storybook fantasy that the PCs might come up with wherein the people of Alberta in the last election would have voted for this government, certainly in the numbers that they did, if they had known that the government would be taking out \$17 billion in debt by 2016. They simply would not have supported that. That is why this government did not run on that in their campaign.

Albertans have made it very clear, as the late Premier Klein so perfectly encapsulated in the way he dealt with the debt situation, that they want Alberta's politicians to live within their means. They do not want to go into debt. They do not buy the excuses, the justifications, for going into debt. Mr. Speaker, we have heard from literally thousands of Albertans that are upset with this debt project, this government's plan to debt finance this government for the next three years. They're not happy. Every poll, survey, one-on-one conversation clearly says that an overwhelming number of Albertans from all party lines, whether it be Liberal, New Democrat, PCs, and, of course, Wildrose supporters from the last election, do not in any way, shape, or form support going back into debt. There's a small group that does. There's a small group, 20 to 25 per cent, maybe 30 per cent, that agree that we should debt finance, but the vast majority of Albertans do not agree with that. I have not seen a single shred of empirical evidence to support that.

That's why it's very disconcerting and disheartening to the people of this province after so many – I believe it was 44 per cent – in the last election voted for this PC party partly based on a very important promise that they would live within their means and not go into debt. The Premier said it multiple times. Every minister on that front bench involved in the Finance portfolio said the same thing. They were not going to go into debt. Not only are they breaking that promise; they're blowing it away. Just absolutely. From \$4 billion to \$17 billion in three years. Imagine that.

In 2004 when Ralph held up the paid-in-full sign at the McDougall Centre, who would've thought that just a few years later we'd be sitting here going \$17 billion into debt by 2016? I know for a fact that there are many members of the party opposite, the governing party, that are not happy with this. There are certainly many members on this side that are not happy with this.

We do not all agree on the best way to get out of this mess. The Liberals, obviously, have a fair tax plan. The NDs have a plan to generate more royalty revenue or collect more royalty revenue. We have a plan that spreads out capital over an extra year and cuts bureaucracy, waste, and so forth. The government does not have a plan to get out of this mess. Their plan is to just borrow and borrow and borrow.

So I would urge the members opposite there who do believe in balanced budgets, who do not believe in going into debt, who believe that this is a betrayal of Albertans and the legacy that was forged by Premier Ralph Klein while he was in power and while he was leading this province that they should vote against this bill. They should vote against it out of principle. They should vote against it because it would send the right signal to this government. There's no reason for them to vote for it.

I don't expect the Finance minister to vote against his own budget. I don't think that's going to happen. I don't even expect

anyone from the Executive Council to do so. But there are members over there, who have spoken with other opposition members, who we've heard specifically are absolutely upset with this. Those folks should vote against this, not just toe the party line. Please stand up and be counted. This is not the right path to go down. This is a betrayal of that no-debt legacy that so many Albertans identify with. I would urge us to think about that.

There is a comment that you hear from the Finance minister and Premier and others. They talk about why going into government debt for capital is the same, is similar to the debt that businesses take on when they take a business loan out to buy some equipment or when a family takes a mortgage out to finance a home. This is not a good comparison. It is a huge stretch for many reasons, Mr. Speaker. First of all, when you take out a business loan as a businessperson or when you mortgage a home, take out a mortgage, first of all, you're generally purchasing an asset that will appreciate in value or will create income, and with that income generated and so forth you can pay back the loan.

Government debts are not like that, Mr. Speaker. An asset that is purchased by government is not an appreciating asset; it's a depreciating asset. It's an important asset. It's something that we need to do because these are the public works that we want our people in Alberta to have, our fellow citizens, but a road is not going to increase in value. A school is not going to increase in value, meaning monetary value. It has other value, but the monetary value is not going to increase. So it's very different in that way.

The other difference is that you can sell a house. [interjection] Yeah. I love how the House leader, who was part of that Klein revolution who spoke against debt, who supported the no-debt policy, is now the biggest apologist for the debt policy. It's ridiculous. It's absolutely ridiculous. You can't be inconsistent like that. There was a policy in this government for a decade that said that they were not going to go into debt to finance the operations or anything in government. Now they do. That is inconsistent. It's completely inconsistent. We're the ones over here being consistent with regard to not wanting to take on debt. [interjections]

You know, I don't remember the junior Finance minister saying anything about wanting to go into debt in the last election. I really don't remember him promising that. I certainly don't remember the Finance minister or the House leader or anybody, the Justice minister, any one of them, saying: we are going to go into debt to the tune of \$17 billion or, frankly, to the tune of \$1 to finance our spending. I didn't hear it. If they had campaigned on that, Mr. Speaker, they would not have been elected. It would not have happened. [interjection] You may have. There might have been three or four of you over there. You're a popular guy, Finance minister, in your riding. You might have made it. But I'm telling you that the folks over there that won by a couple of hundred votes – and there are a lot of you – wouldn't have won. I'm telling you right now. It wouldn't have happened.

3:30

I think it's very important that the public understand that, and they have. I think the polling and everything else that you see out there right now is indicative of that betrayal that they feel on that issue and other issues. But the debt issue seems to be certainly a rising issue that people are upset about.

The other difference between mortgage debt and business debt as opposed to government debt is that you cannot take a government asset – you cannot take many government assets, anyway – and sell them on the open market. You can do it with

some, but with the majority you cannot. Again, it's very different that way.

Another difference is that people don't take out a mortgage every single year. They don't take out a mortgage and then take out another mortgage and then the next year take out a mortgage and the next year take out a mortgage. They don't do that. They usually do it once in their lifetime, sometimes twice, but they generally don't take out a mortgage on their home every single year forever. They don't do that. People who have tried that and governments who have tried that – there are governments out there that have tried it. Their names are Greece, Spain, Portugal, Italy. What do these have in common? They've all tried it. What happens, Mr. Speaker, is that they go bankrupt. They can't do it after a while. They can't support the cost of the crushing debt. The United States of America: another example of that.

The province of Ontario is in huge trouble right now because that attitude is the attitude they've been going with for the last 20 years, and it's catching up with them now. Many pennies on the dollar, 30, 40 per cent of every dollar they take in in tax collection, are going towards debt finance. That's no way to live. That's no legacy to leave our families and our children in the future.

Again, it's one thing if this was a one-time mortgage or a one-time debt financing, but it's not. They're planning on doing it every single year, certainly till 2016 – we don't know the plans after that – \$4 billion a year. It's not the right thing to do.

One of the other differences, of course, is that governments, when they debt finance, are risking taxpayer money. When we take out a mortgage or an individual business loan, we're risking as individuals our own money. That's the difference. They're risking taxpayer money; we're risking our own when we're talking about the difference between a business loan and a government loan.

So there are many differences between government debt financing and mortgages and so forth that people do on an individual level. I would ask this government to please make sure that as they go forward, they will end this debt financing plan. At the end of this year we'll be \$8 billion in debt. At that point I hope this will be the last year of that. I hope that the government will reassess this policy. After this year, hopefully, you know, the differential is shrunk down to, actually, an historically small amount. Roughly \$15 is the differential.

**An Hon. Member:** No.

**Mr. Anderson:** Right now? Is it higher today?

**An Hon. Member:** It's worse.

**Mr. Anderson:** Really? A bad day for oil, apparently.

But if it's \$15 to \$20, that's still a reasonable level. It's certainly not as bad as it was earlier in the year. If they can get that money coming back into the coffers, if they can cut and restrain their spending, then perhaps we will not have to borrow as much or at all. I would ask the government, going forward, to make it a priority that when the next budget comes out that it not include debt financing or that it significantly lowers it from the \$4 billion they're planning on next year. We probably can't do anything about it this year, but certainly we can make sure that next year we start digging ourselves out of the hole. I think that's very important.

That is what Albertans voted for. You can say: "Oh, well, they didn't vote for you. They voted for blah, blah, blah." Let's just talk about what Albertans voted for from a policy perspective, not a party perspective, for a second. What they voted for from a

policy perspective, clearly, overwhelmingly – I would say a hundred per cent of them because I didn't see any of the parties run on debt financing. I'm not aware of the Liberals or the NDP running on it either. The Wildrose certainly did not do it, and neither did the PCs. So if a hundred per cent of Albertans voted for parties that did not include debt financing in their election platforms, shouldn't that be what we give Albertans in this House? I would think so. I would think that that's exactly what we should give Albertans in this House.

Again, we can debate how we get there. We can discuss whether that's tax increases, different services decreasing, stretching out the capital plan. Whatever it is, we can have that discussion in here, but nobody can honestly say that they were elected on a platform of \$17 billion in debt by 2016. No one can do that. So a vote for that is a betrayal of the people that checked that box for you in the ballot booth, and it's not right.

We need to be proud of who we are as Albertans when it comes to the legacy of no debt. We are different. We conducted ourselves very differently in the '90s and the early 2000s. Because of that, we have a glorious opportunity, frankly, to be something better, to be the exception in this world, where we see governments crashing and going bankrupt and having all kinds of problems and having to cut programs forever because they can't afford to even pay the interest on their loans. We can be the exception to that. We are now, but if we conduct ourselves as we're doing now, by going into debt to the tune of \$16 billion, a debt ceiling of \$40 billion – and you know how easy it is to raise a debt ceiling. Look at the States. They just keep raising it and raising it and raising it.

If we can get back on track, we have the opportunity to do something spectacular in this province instead of in 20 years from now saying to our kids: "Man, did we ever blow an amazing opportunity because now we're just like everybody else. We can barely pay our bills, and 30 to 40 cents of every dollar we collect in taxes is going to debt financing and debt servicing instead of programs, instead of lower taxes, instead of more infrastructure." Let's not build that. That's not building Alberta's future. That's building regret. That is what that is.

I hope that the members opposite, certainly those not in Executive Council, will vote against this budget and join with the Wildrose and perhaps the other opposition parties, I'm assuming – but I won't speak for them – on voting against a budget that was ill conceived and, with regard to debt financing, is something that simply was not run on in the last election.

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

Hon. members, 29(2)(a) will be available after the next speaker. I have Edmonton-Centre, followed by the Associate Minister of Finance, followed by Edmonton-Beverly-Clareview.

**Ms Blakeman:** Thanks very much, Mr. Speaker. The Treasurer referenced the 70 hours of debate that we've had on this budget, and I suppose that in some jurisdictions that might be a big deal – it might be a lot of time – but not in this jurisdiction because we spend so much of our time just trying to find out what's in the darn budget. For some reason this government feels very strongly that it needs to keep its plan under wraps, so we get budget documents in which you look at a page, there are maybe four or five total votes, two or three subvotes under each one of those, and that's it.

There could be tens of millions of dollars spent in the department. We can't tell what the programs are by looking at those budget documents. We can't tell by looking at the business plan what the projects are, how much they're spending on

different programs, how many FTEs are involved in the different programs, what the outcomes-based budgeting is supposed to be producing for those different programs. We can't tell any of that, and that's pretty basic information, Mr. Speaker. That's what I would expect to find in any budget document but, God bless their cotton socks, not this government's.

3:40

This was an increase in the amount of budget time that we had but, in fact, not much of an increase for opposition members. We did manage to negotiate for some budgets that had become very large, like the Ministry of Health, where you've got \$17 billion that gets spent, that you have to spend more than three hours, especially with four different parties, trying to debate that. We did. We were able to allocate more hours to a select few of those ministries and then less time to some other ministries.

That didn't mean that there was more time for the opposition, Mr. Speaker. As a matter of fact, there turned out to be less time for the opposition. The Government House Leader and the opposition House leaders are going to continue to disagree with each other, but frankly I felt tricked. I felt there was an agreement that had been made, and that was not carried through. Did my members get more time to speak? No, they didn't. They got less time to speak than they did last time. Certainly, when we got into the some of the prorated, less-time ministries, we had 14 minutes to try and debate, you know, a budget of \$130 million. I mean, really? That's like a million dollars a minute. We don't even know what the programs are because they can't be bothered putting any information in their budget documents.

So, no, 70 hours is not enough to debate this particular government's budget. I've had members of the government admit that, you know, it shouldn't be a big deal, that they should be able to give us lots of information. They can't understand why they're not doing that. The next budget rolls out: less information than the one before.

We're in second reading of the Appropriation Act, for which we've now had a Committee of Supply process except that it wasn't Committee of Supply. It took place in legislative policy committees, in which in some cases a fairly large number of people got to sit in an enclosed, airless room for an extended period of time, with little air circulation and seemingly no temperature control either, to try and hold government ministers accountable through this process.

Now, what was interesting, Mr. Speaker, was that there was absolutely no consistency. Each committee decided on its own, God bless them, that they were going to deal with budget debates in a different way. Actually, what most of them did was decide – I didn't actually hear the decision-making – that they were going to treat budget debates the same way that they were treating their other inquiries, so every committee had a different system of how and in what order the rotation of speakers would go. The end result? Opposition members got less time than they did previously to debate the budget and in some cases significantly less time as we went government member, one of the opposition parties, government member, the Official Opposition, government member.

The government members, who sit beside ministers, had, one presumes – at least, I thought they did, Mr. Speaker, but evidently not – caucus meetings and spoke to one another and communicated this stuff. I expressed my horror and confusion that a smart government must not have been listening to their backbenchers if they cut both the community spirit program and the STEP program, which was going to have such an effect on all of the not-for-profit, public, volunteer sector in Alberta. They

cannot have been listening to their own backbenchers, that are out in the community. It turns out, I guess, that they never asked them, so I'm beginning to understand why the government backbenchers keep saying that they need equal time to opposition members to be able to hold the government to account. Still, they do get to sit in meetings with ministers, they do bump into them in the hallway, and they do socialize with them quite a bit.

I would think they could find a few opportunities in there to be able to discuss the budget aside from using up time which in a parliamentary process and tradition has been significantly allocated to opposition members.

As we look at second reading of this appropriation bill, second reading traditionally is about whether or not you're willing to go with the principle of the bill that is being put before you. Are you going to go with the principle? Yes or no? You can kind of fix it up, tidy it up, address the worst of the problems, you know, in Committee of the Whole, which actually is not particularly available to us with an appropriation act, but that's the way it goes. Can I accept the principle of this? The answer is a big, whopping, uh, no.

Why can't I accept the principle of the budget process that this government has gone through and presents before us? Well, a couple of reasons right off the bat. Do you remember there was a commercial that said in ominous words, "No plan, no plan"? It really upset the government of the day. I always thought it was kind of funny because it was in this deep male voice like a promo for a horror flick or something. Anyway, the truth is that here we are, a new government. Sorry; new term, same government. Same government. Same people sitting on that front bench as were sitting there last time, or maybe they were sitting on the backbench last time. But no plan. I can't believe that. How could that hokey commercial be right? But it is.

Now, it seems strange in this day of the bitumen bubble for me to be saying: what is your surplus plan? As we keep being told by all the highly paid and highly educated economists in this province, this is a cyclical economy. This government has got to come to terms with that fact, and it has to deal with it in the way we budget for the provision of our services. Our provision of health care, child welfare, assistance for work, culture grants cannot depend on the price of a barrel of oil. We've been told that over and over and over again. So do we have a plan for a surplus? Uh, no. No plan for what we would do with a surplus, and it's coming.

The very first question I heard today came from one of the backbenchers to the Minister of Energy, inquiring ever so slightly about when we would start to get the royalties from when the oil sands projects start kicking at their 25 per cent rate. So far they've been at, I think, 1 per cent during the build of their oil sands projects. That's a lot of money, Mr. Speaker. The money is coming. A lot of money is coming. Do we have a plan? Nope, not that we see in this budget. [interjection] I'm sorry, Minister of Energy?

**Mr. Hughes:** It's best if you listen to the answer.

**Ms Blakeman:** I did listen to the answer, actually.

**The Speaker:** Hon. members, through the chair, please. Minister of Energy, you'll have your chance later.

The hon. member.

**Ms Blakeman:** Thank you. I did listen to the answer, actually. It doesn't negate the fact that you've got a hunk of money coming, and you're trying to pretend you don't.

So no surplus plan. As far as I can tell, no debt plan. There wasn't a particular cutting plan. To me that would involve priorities. What are your priorities? Well, I keep hearing from this government: our priorities are education and people. What have we got cut in this budget? Education and people. What? Well, then that must not have been their cutting plan because they didn't follow it, or maybe I read it upside down or reversed or through a mirror or something, and saying that you valued people and education was actually the reverse. You know when you read things in a mirror and it comes out kind of upside down and backwards? Maybe it was that. I don't know.

But there was certainly no plan in cutting. I mean, we have heard the priorities of this government. Frankly, I think that in many cases they're the priorities of all of us. But what we got was the wackiest cutting plan I've ever seen, where things maybe should have been up, been protected, where postsecondary is just stomped, where the not-for-profit volunteer sector, which is where, by the way, the safe communities framework or strategy or whatever it was being called – you know, a perfect example.

3:50

Three or four years ago, a big tah-dah. This safe communities program was announced, all this money poured into the not-for-profit volunteer sector: "Go out, my children. Develop programs to make safer communities." Well, I'd really like to see the contract. I would like to see where it was written: by the way, at the end of three years you have to be self-sufficient. My understanding was that those groups were sent out to develop those programs, not to develop a fundraising program to keep themselves going. They are two different activities, and they take up pretty much the same amount of time.

So we had all these groups go out and develop all these great pilot projects, and then there's no money. The Minister of Human Services stands up with a sad look on his face and says: "Oh, my goodness. Did you not understand? These were all pilot programs, and they were all coming to an end. We expect you to be self-sustaining." How? How does this government expect those agencies to be self-sustaining in this day and age, particularly when you consider that the government took \$15 million out of that sector when they axed the community spirit matching donation program?

Groups had to raise not only the same old money but new money above and beyond any kind of money that they had raised through other schemes that they had going, memberships or ticket sales or a brunch fundraiser, whatever. Those didn't count. It has to be above and beyond that. They would get matching funds from the community spirit program. For some little organizations, you know, that \$3,000 and the matching \$3,000: that was it, and it was a big deal.

At the same time as we're telling the human services sector to implement the social policy framework and the safer communities, they're supposed to go out and be self-sustaining now. We cut \$15 million out of that budget and the STEP program. Honestly, are you people crazy? How do you expect people to function that way?

I'm running out of time here, Mr. Speaker, and I'm going to look for other opportunities. I have a file folder here of letters and notes and phone call receipts that people have sent me asking me to raise issues from my constituency during this debate. Now, because of the way the debate was structured, I didn't get the opportunity to go to the Seniors debate or other debates and be able to raise their points, so this is where I'm going to get to raise them. It's not optimum because I'm not going to get an answer back from any of the ministers, but it's how I'm going to be able

to put on the record for the government members and ministers to hear what is of concern to constituents in the fabulous constituency of Edmonton-Centre. I look forward to the time when I'm able to do that.

In closing, on the principle of this appropriation bill, am I willing to support the principle of it? No. It shows no planning, no foresight. It's cutting stupidly. There's no way to address the fact that every day every dollar spent by this government in programs and services is being subsidized by the next generation's non-renewable resource revenue. That is, as my colleague calls it, intergenerational theft. I can't support that, and I'm not supporting second reading of this bill.

Thanks.

**The Speaker:** Hon. members, 29(2)(a) is now available.

Seeing none, let us move on to the Associate Minister of Finance.

Excuse me. Apologies. Hon. Member for Calgary-Buffalo, did I miss your hand signal?

**Mr. Hehr:** Yeah, to be added to the list.

**The Speaker:** Okay. You've been added.

Hon. minister, you've been recognized. Speak ahead.

**Mr. Fawcett:** Thank you very much, Mr. Speaker. I just wanted to stand up to talk about a few points that have been brought up during debate. I know the Member for Airdrie would like to spend his time talking about how his party likes to say that this is the back-in-debt budget, somehow referencing that had we gone out and campaigned on having debt on our books, the people of Alberta would not have voted us in a year ago today as the government. However, I do note that I did go out and campaign for building things like the ring roads.

**Mr. Saskiw:** With debt?

**Mr. Fawcett:** Yeah. P3 is a debt. It's a liability on the government's balance sheet. It's quite outstanding, Mr. Speaker, that they don't even have the most basic financial literacy to understand that a debt or a P3 agreement is a liability on the government's balance sheet and treated the exact same way when it comes to raters and those types of things that will rate our financial position out there in the general public. Yes, I did go out and campaign on that. I did go out and campaign on the schools that this government has built through P3 initiatives. I did go out and campaign on the ring roads.

In fact, Mr. Speaker, the question that I have is: did that party actually go out and campaign that the government should have never built these things either? I don't think so. As I've alluded to before, the hon. Member for Airdrie is standing opening up a school that's P3 financed. It's an instrument of debt. A P3 agreement is a debt instrument. There are different debt instruments out there, and that's a debt instrument. What we've done as a government is open it up and allowed ourselves to look at different financial instruments to finance capital projects, which includes P3 projects.

We do know that the way that the debt works with some P3 projects is that the debt is taken out by a private consortium. Because we have a triple-A credit rating, Mr. Speaker, in some circumstances it makes sense for us as the government to take out the debt because it lowers the overall costs of the projects. I mean, this is basic financial management. This is how businesses operate their finances. This is how my wife and I decide what we do with

our money, how we spend it, and how we invest in some of the things that we like to buy.

The gall of the member to stand up and say that this is somehow an affront to the Ralph Klein legacy. Again, realizing that the very basic premise of what we're talking about is liabilities on the government balance sheet, Mr. Speaker, there are different instruments that create those liabilities on the government balance sheet, but at the end of the day they really mean the same thing. In 2002 former Premier Klein said: I want to look at the whole accounting system and the way that we finance capital projects using P3s, public-private partnerships, and find imaginative ways to finance these projects rather than the pay-as-you-go. That is a direct quote from former Premier Klein, who you guys put up there on a pedestal as someone that suggests that the government should never have any liabilities on the balance sheet.

**Ms Blakeman:** Don't look at me on that one.

**Mr. Fawcett:** Oh, I'm getting to your comments, hon. member.

You know, the whole premise of why this party is not supporting the budget is frankly built on a house of cards. It is flimsy and doesn't even understand the basic tenets of financial principles, Mr. Speaker.

I want to get to some additional comments on this year's budget. Yes, there were some hard choices made – agreed – not easy choices. Members on this side of the House engaged in those discussions. Like I said, they weren't easy. We knew that there would be some people out there in the public, constituents of ours that would be frustrated by some of these decisions. That's what we campaigned for when we ran, to be the party that was put in the position to have to make some of the tough decisions that you have to make as government. [interjections]

There is a huge distinction between being in government and being in opposition, Mr. Speaker. That huge distinction is that in the opposition you can stand up . . .

### Speaker's Ruling Decorum

**The Speaker:** I hesitate to interrupt you, hon. member, but please could we stop the across-the-bow conversations so that all of us can hear whoever happens to be speaking? Again, let's be reminded. We may not like what one member is saying about a particular issue. We may not agree with what a member may be saying, but they have every right to say it here. As long as they stick within the rules, they will and shall be heard.

The hon. Associate Minister of Finance, please continue.

The rest of you, please be reminded not to interject.

### Debate Continued

**Mr. Fawcett:** Mr. Speaker, as I was alluding to, there were a number of tough decisions. When you're on the government side, you have to make those decisions and you have to deal with the consequences of those decisions. When you're in the opposition, you can say whatever you want, but you never have to make a decision. You know, it would be nice to be able to do that on the government side, but we don't have that luxury. But that's what we campaigned for, and we're not making excuses.

I will say, Mr. Speaker, that when we make these decisions, we make them based on the premise that just because we've done something in the past, it doesn't mean that it should go on forever and ever and ever.

Part of what you do in governing is that you reallocate resources. You look at what you're doing. You try to maximize the

value that you get from the money that you do have with the outcomes that you get for Albertans.

4:00

When you come into this Legislature, Mr. Speaker, on a daily basis – I think that if the average Alberta came in here, they'd be appalled at the disconnect between what happens here and what's going on outside in our communities. We are leading the country in economic growth. We are the envy of the country when it comes to economic growth. Do we have some challenges? Certainly we do.

We've seen a study that indicates that when it comes to ranking the top 200 cities in this country, six of the top 11 are right here in Alberta. This is considering facts like employment, affordability, access to amenities, transportation, all of these things. Six of the top 11, right across the country, are right here in Alberta. We had a study that came out that ranked hospitals. Four of the top 10 are right here in Alberta, Mr. Speaker.

At the end of the day a budget is not an end in itself. It's a means to an end. It's a means to create prosperity and quality of life for the citizens that put us here. That's what this government has done a very good job of for the last 41 years. It's a vision that our Premier has clearly articulated, and it's why a year ago Albertans put this Progressive Conservative government on this side of the House, Mr. Speaker. This budget is the means to that end. It's not an end in itself.

The results speak for themselves. We have a great place to live. That's the disconnect that Albertans would not understand if they came and visited. If they came and visited this Chamber, they would think the sky was falling. But guess what? We have a bright future here in this province, Mr. Speaker. People are investing in this province like they're not investing anywhere else in this country. Therefore, shouldn't the government also want to invest in its own citizens, in its own province? That's what this budget does.

Thank you very much.

**The Speaker:** Hon. members, 29(2)(a) is available. I have the hon. Member for Edmonton-Centre first, followed by the Minister of Finance.

**Ms Blakeman:** Thank you very much. I have a question under 29(2)(a) for the Associate Minister of Finance. He talked about disconnect and the Alberta public coming in here and looking at the disconnect. He sees a different disconnect than I do because what I'm hearing from people is the disconnect between the government and the choices they make and how it affects the people in Alberta.

Here's a disconnect that I don't understand. How could this province have so much money, so many resources, so much opportunity, so many possibilities, a great employment rate, a great credit rating, well-educated people, a prepared workforce, and a government that has run a debt year after year after year? This place, this province, is literally paved in gold. How does this government manage to get into debt?

Don't give me the bitumen bubble stuff because that lasted for – what? – exactly two weeks, and we were out of that one. I'm sorry. I wish I could give you permission to use it, but all of the economists have just dismissed it and have moved on now.

That's the disconnect they see, and that's the question I get asked. How could we have so much here, so many natural resources, and have a government that is so much in debt that they are cutting services to vulnerable people? That's the question I'd like you to answer.

**The Speaker:** The hon. associate minister.

**Mr. Fawcett:** Thank you very much, Mr. Speaker. I think those are some very good questions. What I would suggest is that one of the reasons why we do have a bit of a disconnect there is that, you know, we have for so long in this province really relied on what I would consider may be excess revenues from the oil and gas sector, that we realize we're just not going to have in the long term. What that has meant is that we've had to make some tough decisions.

I don't make any apologies for having the best paid doctors and the best paid teachers in this province. They earn their money, and we should support them. How much better paid than the rest of the country? That is the question, and this goes on and on and on. We should always ask ourselves some questions. That's our job as governors, to ask ourselves some questions as to what we're currently doing and how we're currently allocating resources, whether it's an efficient and effective use of money and whether it aligns with what else is going on out there. We have had to make the decisions, and this government stands up for the decisions that we've made in this budget as the right ones moving forward.

We also recognize that for many groups – many groups – out there this is change for them. This does signal a new direction that we want to take, keeping in mind that at the end it's about achieving outcomes. It's not about how much money we spend.

Mr. Speaker, I will say this. One of the reasons I got into public life, whether it be as a school board trustee before I was elected as an MLA or whether it's my time in running as an MLA and seeking my candidacy there, is that I've always been frustrated that public policy always centres around how much money you spend on a particular thing. Granted, that has a huge impact on the outcomes that you get, but typically sometimes what happens is that we invest money in things that are outdated, whether it's technology or a service program or program delivery models. It doesn't really matter how much money you invest. You can keep on investing and investing and investing, but you're not going to improve outcomes. That's what this government is focusing on, not on how much money we're spending but on the outcomes we're getting for our money.

**The Speaker:** Thirty seconds, hon. Minister of Finance.

**Mr. Horner:** Well, Mr. Speaker, very quickly, I was wondering if the hon. member could comment on all of the municipalities that we actually borrow for and on-lend to, if he believes that that is giving good value for taxpayers' dollars as well.

**Mr. Fawcett:** Well, I do think that it is getting good value for taxpayers' money. The reason, Mr. Speaker, is that in Alberta we are a land of hope and opportunity, and people want to come here. They bring their skills, their creativity, their passions. They don't bring their infrastructure, and that's what we need to build for them.

**The Speaker:** Thank you.

Hon. members, I'm going to do my best to go opposition member, government member, and so on in the exchanges that follow.

I have the hon. Member for Edmonton-Beverly-Clareview, followed by the Minister of Justice, followed by Calgary-Buffalo.

**Mr. Bilous:** Thank you very much, Mr. Speaker. I feel compelled to rise to speak to this bill and to speak in opposition for some very, very clear reasons, but first I just want to clarify that I know the hon. minister had claimed that there were 70 hours in

estimates for debate. However, we need to clarify the word "debate" because in estimates it is not a debate. It's an opportunity to ask a few questions. As the hon. Member for Edmonton-Centre pointed out, in this year's structure the smaller opposition parties were stifled even further than they have been in the past. It's quite absurd that in a five-hour block of debate 30 minutes is allocated to an opposition party to question millions if not billions of dollars in spending.

First and foremost, the Premier and this PC government made many promises to Albertans in the last election, and this budget breaks most of those promises to students, to families, to seniors, to communities, and to the most vulnerable Albertans. It's interesting to point out and shameful that this budget contains the most significant cuts of the last 20 years.

I want to start with the fact that many Albertans have been asking me: why is this PC government presenting a recession-style budget? When they look around – and the seven different cities that I and my caucus toured all said this – the economy is looking very healthy, it's in a growth phase, and there's a significant amount of work. Yet Albertans are forced to swallow this austerity budget, which seems a little ridiculous considering that, as the associate minister just stood up and said, Alberta is in a period of growth and we have a healthy economy. It begs the question: why are services that Albertans depend on – again, I'll go through the specifics shortly – having to face cuts and having to stop delivering a lot of programs?

4:10

My frustration and what Albertans are saying to me is: why isn't this government addressing the revenue side? First of all, let's start with cleaning up the mismanagement of dollars. Let's address the issue of high salaries for senior executives, which seem to have spiralled out of control, in addition to the absurd expense accounts that most Albertans could only ever dream of.

Then moving to the issue of royalties, again, you know, I can appreciate that our oil sands are more unique than many of the other oil-producing regions from the fact that we have very little sweet light crude left, and it's a different process, and it's more expensive to extract and refine bitumen. However, it needs to be noted that we have the lowest royalty rate in North America. The fact of the matter is that our province, this government, could easily raise our rates to a level competitive with other jurisdictions. Companies aren't going anywhere. I mean, the reserves are here in Alberta, so charging a fair share for the resource, that belongs to all Albertans, is just common sense and practical.

Second of all, you know, during the election, Mr. Speaker, many Albertans spoke out and said: why aren't we refining and upgrading more of our product in Alberta? Why is this government content and intent on shipping jobs down to the United States, to other jurisdictions when we should be adding value to our product, which would increase what we bring in on the market and keep those quality, long-term jobs in Alberta and ensure that Alberta is prosperous for the long term?

As well, the fact of the matter is that this government talks about lowering the corporate tax rate even lower than it already is. Sadly, it went from 16 per cent down to 10 per cent, and we are failing to collect billions of dollars' worth of taxes between our flat-tax system and our extremely low rate of corporate tax. Again, raising our corporate taxes even by a small amount, by 1 or 2 per cent, would keep us competitive yet bring in billions of dollars in much-needed revenue.

In addition to that, the government could be doing things like closing the corporate tax loopholes, eliminating corporate welfare. The fact that you've got, you know, multinational corporations

that are still getting subsidies even though they're turning record profits seems absurd. Alberta's NDP would have passed those savings on to small and medium-sized businesses, the real economic drivers of this province.

It's a great frustration that the revenue side of this budget has not been addressed. This government is determined to pass this burden onto the backs of today's Alberta families, to middle-income earners as opposed to ensuring that everyone pays their fair share. It begs the question: what will it take for this PC government to listen to Albertans? We've already seen many rallies and protests. We've seen pharmacists protesting. Seniors are up in arms. Families with persons with developmental disabilities are very upset with this government. Families who have relatives in the Michener Centre are quite upset. There is complete uncertainty in the nonprofit and voluntary sector, which has caused some great alarm and frustration.

You know, Mr. Speaker, it's unfortunate. With the limitation that this government insists on imposing on the opposition to having genuine debate and discussion on a budget where they're planning to spend \$40 billion, I think there needs to be more debate and more opportunity for members to discuss this.

Getting back to this budget, completely laden with broken promises, I'll break this down by ministry. In our Health ministry there was a promise during the election to build thousands more long-term care beds, and the delivery is maybe 30 at best. There was a promise or a commitment to address the emergency room wait times, and the fact is that those are growing as opposed to shrinking. There was a commitment to hire more nurses. If you look at the cuts to PDD, I believe it's around \$40 million, again this government clearly picking on vulnerable Albertans.

There was an outcry, as we've seen, as far as folks working in EMS and the ambulance emergency services that there's great frustration. There aren't enough resources being put into ensuring that the folks on the front line can do the job that they want to do, and this government has no excuse but to say: "Well, I'm sorry. We broke another promise."

We look at the environment. Regardless of the PR job that this government is insisting on doing, they're spending thousands or millions of dollars on trying to sell the product as opposed to bringing in some legislation to ensure that we're doing more to combat climate change, that they're even in fact meeting their own climate change targets. However, there needs to be more of a discussion between intensity versus hard caps.

You know, the government has failed to protect our water and get rid of our water markets. I mean, it's frustrating as well. Albertans have indicated that it seems ridiculous the money that this government insists on putting into carbon capture and storage as opposed to really tackling the challenges that are facing our province and our world today.

[Mrs. Jablonski in the chair]

A broken promise to diversify the economy. Again, this government should be a lot more proactive than they are, cutting down and ensuring that there are tools in place to minimize the booms and busts of this economy. Again, we look at the fact that our taxes are not at the level that they should be to ensure that you have stable revenues coming into the government coffers as opposed to being reliant on the price of oil.

Regarding our Education department the fact that the AISI funding was eliminated has severely hurt many schools and school districts. There are many teachers and parents and families that don't quite understand how this government has increased funding to private schools yet cut funding to the public system and is



really posing more of a block, if you will, as far as teachers wanting to deliver the highest quality of education. When there aren't resources that are put into the classroom, it stifles the ability of teachers to teach, and it affects children and their families and affects this province in the long term. There are many teachers that I've spoken with who are quite frustrated with the cuts that this government is putting forward in the area of education.

As well, failure to introduce full-day kindergarten, which was a promise that was delivered I believe when the Premier was running for her leadership of the PC Party. Again, all that they can say is: well, maybe it will come one day.

You know, unfortunately, it's this kind of behaviour, where a government promises one thing and fails to deliver, that really frustrates Albertans. It also tarnishes, I think, politicians and gives people a sense that: well, if they don't have to keep their promise, then how is that fair to us?

4:20

We look at Human Services. Specifically, \$42 million was cut from the community access supports for persons with developmental disabilities. We've had no adequate explanation for this cut whatsoever. Again, when we look at the slight increase that Human Services has gotten, there are still programs and areas that have been significantly reduced.

[The Speaker in the chair]

The elimination of the STEP program affected many, many Albertans. In fact, this was a program that many Albertans were proud of. Many of them got their first start in the nonprofit and voluntary sector. In sectors of our society that might struggle to create positions, the STEP program helped them do that, so it didn't just benefit the students by giving them real, meaningful experience. I know the minister has popped up and said: "Well, you know, they can get a job. Our job rate is fantastic." Well, you know what? We actually value civil society and the work that the nonprofit and voluntary sector does, and it's in those areas where, if we want our postsecondary and young people to get experience in those areas, we need to create those opportunities as opposed to taking them away.

We look at advanced education and the fact that there have been 11 per cent cuts to the postsecondary system. We've seen the elimination of many different programs. There have already been increases to student fees, so again a promise that this government made that they would freeze tuition was a promise made of hot air. Clearly, there are postsecondary institutions that are going to put these cuts onto the backs of students through noninstructional fees. We've had the mayors of Edmonton and Calgary and university boards and presidents and students all band together to say that the plan for advanced education is clearly unacceptable and that it's going to come at the expense of students and the reputation of Alberta's postsecondary system.

When we look at seniors, again, revelations yesterday show that the Premier promised to maintain universal drug coverage for seniors. Well, clearly, that was yet another broken promise. She's implementing a new plan that will see \$180 million cut from the seniors' drug benefit. I know my office has letters and e-mails coming in daily from seniors very concerned about these cuts.

Increasing property taxes for senior homeowners with this dubious new deferral program: that will ultimately cost seniors more. We've got a reduction in the eligibility for the seniors' benefit, including removing the WCB and CPP disability income exemptions, which is going to mean that at the end of the day seniors are going to pay more. It's with great frustration that there's a lack of respect for the folks who helped build this

province, who helped make Alberta as strong as it is, and this government clearly has no problems, no qualms about throwing them under the bus, again targeting seniors who have been injured or disabled.

We look at broken promises to many of the cities and municipalities. When we look at MSI funding, in the business plan it had called for \$1.05 billion in the 2013-14 budget for MSI, and the government failed to deliver that. Cities and municipalities . . .

**The Speaker:** Hon. members, 29(2)(a) is available, and I see Lac La Biche-St. Paul-Two Hills wanting to participate. Go ahead.

**Mr. Saskiw:** Thank you, Mr. Speaker. I was just wondering if the hon. member could expand upon some of the principles that he was outlining.

Thank you.

**Mr. Bilous:** Thank you very much, hon. Member for Lac La Biche-St. Paul-Two Hills. I appreciate the question, and I'd very much like to continue.

You know, it's with frustration that in the estimates there may be programs that are cut from one area, but the reality is that if we're looking at, let's say, municipalities, there were many different cuts that they faced, not just from the Ministry of Municipal Affairs. When we look at, again, the STEP program, that affects many communities and many community leagues within the city of Edmonton, which was a cut. We look at the fact that the community spirit grant was completely eliminated. For many organizations this has been a double blow because the loss of the STEP program in combination with the elimination of the community spirit program is severely hurting many organizations, and they're not sure how they're going to be able to offer the programs and services that many Albertans have come to rely on.

The safe communities initiative. You know, it bewilders me, to be honest, Mr. Speaker, how this government doesn't value proactive measures and anything that's preventative. When we look at the safe communities initiative, the feedback from the communities was that it was working very well. You had community organizations partnering with different policing services to create programs that were relevant to the local community that they served. You know, I'm sure the minister will jump up and say that this was a three-year grant or a time-allocated type of program, but it's clear that these programs do serve a great need. When they go into a community, people learn about them, they take a while to get off the ground, and then suddenly they're yanked. So it's with great frustration that the safe communities initiative has literally been decimated.

As well, a broken promise that's going to affect many young people throughout the province is that the grants that were promised by this Premier and this government for aboriginal and rural students are nonexistent in this budget. I just want to point out the fact, Mr. Speaker, that aboriginal and rural students are grossly underrepresented in our postsecondary institutions. This was a promise that should have been kept.

You know, again, all of these broken promises that have been listed here by us today and many others are more than disheartening. Again, Albertans are scratching their heads wondering how we can be in the wealthiest province in the country, at a time when our economy is healthy and strong, yet this government is imposing cuts and pushing those cuts onto the backs of students, of seniors, of middle-income families and communities. Really, there's no reason for it, Mr. Speaker. Alberta is a great province to live in. I think that there's lots of potential, but this budget is actually doing the opposite. It's taking away opportunities from

Albertans, and it's taking us back a number of steps as opposed to forward.

For that reason, Mr. Speaker, and all the reasons that I've outlined, I cannot support the Appropriation Act and have felt compelled to speak out on behalf of Albertans everywhere who feel disenfranchised and are disillusioned with this government and who, to be quite honest, are quite frustrated with one broken promise after another.

Thank you, Mr. Speaker.

**The Speaker:** Are there any others under 29(2)(a)? Okay. I don't see any.

#### Speaker's Ruling Question-and-comment Period

**The Speaker:** Before we move on to the next speaker, could I just ask you out of courtesy, hon. members, to review what 29(2)(a) is really all about? With no specific reference to the previous speaker or speakers or to previous discussions or debate, here it is. It says:

- (2)(a) Subject to clause (b), following each speech on the items in debate referred to in suborder (1), a period not exceeding 5 minutes shall be made available, if required, to allow Members to ask questions and comment briefly on matters relevant to the speech and to allow responses to each Member's questions and comments.

Just bear that in mind, hon. members.

I have no big issue with this, but 29(2)(a) really should be used more for questions pertaining to comments just made as opposed to sometimes doing what we've all done, and that is to allow the member to stand up and complete their speech and so on. That is in order, but Standing Order 29(2)(a) is really meant to be more of an exchange between members rather than that. So please keep that in mind. Again, no admonishment, just a reminder of what the original purpose was and what 29(2)(a) really stands for and how it's described in our own orders.

**Ms Blakeman:** Under Standing Order 13(2), Mr. Speaker, I'm going to ask the Speaker to explain his comments because I'm not sure what he was trying to tell us to do or not do. We have long had an exchange in this House where one member may ask another to expand on what they were saying or to make a statement or a comment. Indeed, in a number of cases individuals have actually used the entire five minutes to make their own comment, and it does allow for that under 2(a), where it says: "to allow Members to ask questions and comment."

**The Speaker:** Thank you. Hon. member, that's just exactly what I said: no admonishment, just a reminder of what the original purpose was. If you read *Hansard*, the little exchange there, you'll perhaps have a similar opinion. No admonishment whatsoever, simply a reminder of what the true purpose of 29(2)(a) really was.

With that, that matter has been clarified. Please have a seat, hon. member, and we'll move on to the hon. Minister of Justice. Thank you for your co-operation and understanding, members.

You have the floor, hon. minister.

**Mr. Denis:** Thank you very much, Mr. Speaker. I rise to move to adjourn debate on Bill 20.

[The voice vote indicated that the motion to adjourn debate carried]

[Several members rose calling for a division. The division bell was rung at 4:30 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Speaker in the chair]

For the motion:

Allen	Fraser	Luan
Amery	Fritz	McDonald
Bhullar	Goudreau	McQueen
Brown	Hancock	Oberle
Calahasen	Horner	Olesen
Cao	Hughes	Pastoor
Casey	Jablonski	Rodney
Cusanelli	Jansen	Scott
Dallas	Johnson, L.	Starke
DeLong	Kennedy-Glans	VanderBurg
Denis	Kubinec	Webber
Drysdale	Leskiw	Woo-Paw
Fawcett		

Against the motion:

Anglin	Hehr	Rowe
Bikman	Kang	Saskiw
Bilous	Mason	Stier
Blakeman	Notley	Towle
Fox	Pedersen	Wilson
Hale		

Totals: For – 37 Against – 16

[Motion to adjourn debate carried]

**Mr. Bilous:** Point of privilege, Mr. Speaker.

**The Speaker:** You wish to raise a point of privilege?

**Mr. Bilous:** Yes, Mr. Speaker, I do.

**The Speaker:** There is a process for doing that, hon. member.

**Mr. Bilous:** Yes, Mr. Speaker. This is the first opportunity for me to raise this point, so with your guidance I would like to raise this point of privilege. Seeing as this is my first, I hope that you can direct me on this.

**The Speaker:** Well, I mean, a point of privilege can be in order, and if you wish to proceed and outline the basics of it, please proceed, then.

#### Privilege Opportunity for Debate

**Mr. Bilous:** Thank you, Mr. Speaker. I'm pursuing a point of privilege under Standing Order 15. I'm pursuing this point of privilege on the grounds that my ability and that of all opposition members to participate fully and fairly in debate around Bill 20, the Appropriation Act, 2013, has and will be unjustifiably hindered by the actions of this government and therefore infringe on my privileges as an opposition member.

Mr. Speaker, there is no more important function for an opposition MLA than to hold the government accountable on issues of public expenditure. Please allow me to explain the nefarious nature of what the government is trying to accomplish and then touch on the matter as it regards a question of privilege. The government has just moved to adjourn debate on Bill 20 until late this evening. I am arguing that this government is implementing a strategy to prevent any opportunity for the opposition to debate Bill 20 by using its majority to abuse the intent and spirit of

Standing Order 64(1)(b) and Standing Order 64(3), as has been done in the past by this PC government, if the government plans to adjourn debate until 15 minutes before the normal adjournment hour of 10:30 p.m. as outlined in Standing Order 64(1)(b).

At that time Standing Order 64(3) requires that the Speaker interrupt normal proceedings and put the question on every appropriation bill then standing on the Order Paper for second reading.

**The Speaker:** Hon. member, thank you. Please have a seat for a moment.

Hon. members, what's happened here just now is that we've had an adjournment of a motion. That motion could come back in five minutes. It could come back this evening. It could come back later. We don't know. Just like you said, hon. member that just spoke, if it is the government's intention to do something, I don't know what the government's intention is. I don't know that you know what it is. So you might want to wait until the appropriate time, when we find out what the government's action actually is or has been, before you proceed onwards.

If you have a few more comments you wish to offer in light of what I've just said, then please feel free.

**Mr. Bilous:** I would like to continue, Mr. Speaker.

By using its majority to adjourn debate until what is essentially the last minute for debate, the government will effectively prevent any opposition member from having the opportunity to debate Bill 20, thus robbing them of their voice in this Legislature and their duty to hold the government accountable on issues of public expenditure.

I'd like to remind the House, Mr. Speaker, that this is exactly what this PC government has done in the past. This is a tried-and-true method which has been used by this government. It's with this history in mind that I feel confident in the belief that this will occur again today. With this in mind, I'm submitting that this is the first opportunity for me to raise this point of privilege in the Legislature.

**The Speaker:** Hon. member, thank you. Have a seat, please.

I don't see that anything has yet been violated that would result in a point of privilege motion being entertained at this stage. You may feel differently after we know what the government has in fact done, but at this stage I'm not prepared to entertain any significant amount of debate on this.

I will recognize Edmonton-Centre briefly. If you can be very brief so I don't have to cut you off, please.

**Ms Blakeman:** Thank you very much. Two questions to the Speaker under 13(2). Is the damage not done if the government does decide to follow its precedents from the last five years of bringing appropriation bills back 15 minutes before the normal hour of adjournment and having them voted then, thereby taking away the opportunity of members to speak? If they do that, then the damage is done, is it not? Members who wish to speak in second reading, indeed who are here now, who came in to speak in second reading – and we understand that when it's voted tonight, it's gone. People who wanted to speak in second reading are here and have indicated they wanted to speak, and now they're not going to be allowed to. If precedent is followed, they won't be allowed to tonight.

**The Speaker:** Thank you.

Hon. member, I'll tell you exactly what I just told the previous member. I have no knowledge of what the government's intention is after this motion of adjournment. All I know is that so far this particular bill, Bill 20, which I know has had some previous

debate in various committees, is now the subject of adjournment. As a result, no violation has occurred as of this stage, so there's no point in raising a point of privilege right now because there's no basis for it yet. You may feel differently later. The hon. member who first raised it may feel differently later. Hon. Member for Edmonton-Centre, you may be exactly correct, or you could be exactly wrong. We'll just have to wait and see.

Thank you.

Hon. members, let's move on.

### **Bill 15 Emergency 911 Act**

[Adjourned debate April 18: Mr. Weadick]

**The Speaker:** I believe the hon. Associate Minister of Municipal Affairs has already moved this.

Are there other speakers? The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much, Mr. Speaker. This is a fairly – sorry; I jumped in front of the Official Opposition.

**An Hon. Member:** Have at 'er.

**Ms Blakeman:** Okay. All righty, I'll just keep going, then.

This is a fairly straightforward, administrative type of bill in that the world changes, and we have to adapt legislation to grasp that and to keep up with it sometimes. We had a situation where the costs of operating a 911 call were essentially covered by a minimal charge that was added to everyone's land line because at one point in time everyone had a land line. Remember those? Some people will in this Chamber, and some people won't. I look at my young staff, and frankly two out of three of them don't have a land line anymore. They have a cellphone. Well, you know, we're a good province, so we want to offer the 911 service to people with cellphones, but we still have to pay for it. So how are we supposed to pay for it if, in fact, we're not able to put that small charge on land lines because people are having fewer land lines?

**4:50**

This bill is seeking to generate revenue to be able to pay for those 911 centres, and I agree. One, I think it's responsible that in this case it's essentially a user-pay system. I mean, somebody that doesn't use a phone at all and uses the mail or walks somewhere: they're not going to end up paying part of this. If they end up borrowing someone's phone or using a telephone booth or a free phone in a doctor's office or something, they're not going to end up paying the cost of the 911. But for most of us this is how we're now going to pay for this service.

It's also going to allow new technologies to be integrated that would allow for things like text messaging and – tah-dah; wait for it – GPS, which I'll just remind everybody you can turn off on your cellphone so that the little people can't tell where you are every second of every day. You can turn that function off, and I recommend you do turn that function off because, frankly, it's nobody's business where you are. Nonetheless, it does allow GPS functions to be rolled into this.

Is this an onerous amount of money that's been put forward? No. Can I even compare it to a cup of coffee? No. I actually think it's less than the price of those little creamers, you know, the flavoured ones that you can buy at the 7-Eleven. They're charging, like, 50 cents for those now, right? [interjection] If you buy the coffee, you don't have to pay for the creamer. Help me out here,

minister. I'm just trying to give people an example that this is not an onerous amount of money.

I think you're paying about 50 cents for the little creamer, the ones that are, you know, hazelnut and other weird things that some people do to coffee, those little creamers you can buy, that are actually an edible oil product. God bless Alberta: our bitumen in a little cup with flavours in it.

**Mr. Denis:** Different kind of oil.

**Ms Blakeman:** Oh, a different kind of oil. I'm so sorry.

So about 50 cents. The charge they're going to put on your cellphone bill or your land line – they've been charging your land line anyway – is 44 cents. So I would argue that this is not an overwhelming amount of money. I represent a number of people who are extremely low income. They would match any definition of poverty that you want to come up with, whether it's the low-income cut-off or a market-basket assessment or any of the other ones that people use nowadays. I've got a lot of low-income people and a lot of people on government assistance programs, and they are exceptionally good budgeters.

[Mrs. Jablonski in the chair]

I know that when things like the telephone bill itself went up – I mean, at one point it was around \$23. Then it started to creep up, and it got to \$30. I think it's over \$30 now for a land line. Well, that extra 10 bucks a month did make a difference to some of my seniors. That's not going to affect any of us in here, but to people that were, you know, trying to manage on under a thousand dollars, 10 bucks made a difference. But I really don't think the 44 cents is going to make a difference here. So where I would usually be stepping up and saying, "Ooh. I don't know. I'm not happy about that," I can defend this to my constituents, that this is a reasonable charge for a very good service. This charge is expected to generate about \$8 million. I'm getting this from page 28 of the government's operational plan for the business plan for 2013-2016.

This bill makes perfect sense to me. You know, it's not hiding anything. Nothing is sneaking through here. They're just doing what they should be doing, and that's kind of moving ahead with things and recognizing that technology has changed, and they are trying to continue to offer a service that we all value very much.

They will also be trying to deal with pocket calls. You know, I love my phone, but when I got my new phone, it had a feature right on the outside of the lock-off where you could hit it and it would dial emergency numbers. Oh, my God. I must have pocket-called 911 five times. You feel so bad because you're thinking: "Oh, my God. They have to follow up on those calls." They had to phone and make sure that I hadn't, you know, fallen in a ditch and that's why my pocket was calling them. Sure enough, you go, "Oh, my God," and you shut it off, and then they phone you and say: are you all right? You think: I'm so sorry I just wasted your time and money; that's really quite unforgivable. Having that function outside the lock-off – so even though the phone was locked off, you could still hit the face of it, and it would dial – just killed me. Eventually I had to go to a younger person and get them to get rid of that feature. So I would have to unlock my phone and put in the pass code in order to dial 911. I'll have to remember that if I ever get into serious trouble. It's going to take me a while to dial that password to be able to hit the keypad and dial 911, but it's totally worth it because, oh my goodness, I felt just horrible about pocket-dialing the 911 centre.

They are trying – I'm sorry; I'm just trying to remember what the heck they were going to do in here. It says in section 8, "No

person shall make a frivolous or vexatious 911 call." I wouldn't have deemed what I was doing frivolous or vexatious. I would have deemed it embarrassing and stupid, but not frivolous or vexatious. There are fines involved: for a first offence, not more than \$5,000; for a subsequent offence for frivolous or vexatious 911 calls, not more than \$10,000. I think a lot of what they're trying to deal with here is people that phone up and say, "Can you give me the number of the nearest pizza place?" or "Can you call me a cab?" Honest to goodness, people do this. I've got some pages that are smiling at me, going: "Yeah. Right. That doesn't happen." Yeah, it does, unfortunately.

It's a wonderful thing for me to be able to get up and say: "You know what? I think the government did a pretty good job on this." There's nothing fancy. It's just straight-ahead legislation. They're trying to deal with the realities of the time. They have added in the vexatious and frivolous calls and added in the fines. I don't quite know how they're going to manage to get as far as an offence on that one because it's usually going to have to be tracking somebody down and then actually charging them in some sort of court process in order to fine them, but maybe there's an administrative process that I'm missing here.

As usual, the government's list of things that they can make regulations on behind closed doors is almost longer than the rest of the bill, which I still find problematic. Yes, indeed. The regulations that the Lieutenant Governor in Council may make starts at the top of page 5 and goes to the top of page 7. This is the stuff that the Lieutenant Governor in Council, which is the cabinet, does behind closed doors. We never get any input in it. Based on what I'm seeing and hearing, I don't think the government backbenchers are getting any input into this stuff anymore either. It's problematic. I think this should be a more open process. I don't get what the big secrecy is about regulations. If they're going to be public in the end anyway, what's the problem? But, you know, once you get into that secrecy habit, it seems to be very hard for this government to kick that. It's like an addiction.

5:00

I'm happy to support this bill on behalf of my colleagues. There are a couple of questions that we were going to put on the record. In families with multiple cellphones, especially when those beloved companies make it so easy – you know, all the commercials where dad gets a phone, mom gets a phone, three kids all get phones, and they're looking at the dog like he might want one – I think they're all going to have to pay, but I'll ask the minister to follow up on that one. Even then, at 44 cents a phone I don't know that I would be really exercised about that, but I'll put the question on the record.

The money that is collected is for the ongoing service that is being offered. I just want to make sure that we are not stockpiling this anywhere and that we're not, you know, building this up, that it isn't just a one-time-only switch to technology and then we start collecting a slush fund there. According to my understanding of it it's the ongoing support of the 911 system, but I'll just double-check that.

One of the issues that has been raised with me is the lack of good reception for cellphone users in rural Alberta, that they are going to get charged for something that they may not be able to get. I know that when I go up to my cabin, there's probably a 10-mile stretch in there, including my cabin, where you can't get cellphone coverage for love nor money. So I'm paying 44 cents for no cellphone coverage up there. I think that is more of a problem, and I'd like to know how the government is going to handle that one. I think people in rural areas where they're not getting good

coverage or any coverage have a right to complain about that. What's the plan there to handle that one?

What is the criteria for the operators to be able to decide whether it's a frivolous call or not?

I'll put those on the record for the sponsor of the bill to be able to answer when he can.

I thank you for the opportunity to speak in support of Bill 15, the Emergency 911 Act. Thank you very much.

**The Acting Speaker:** Thank you, hon. member.

The hon. Member for Olds-Didsbury-Three Hills, followed by Edmonton-Beverly-Clareview.

**Mr. Rowe:** Thank you, Madam Speaker. As the Municipal Affairs critic for the Wildrose Official Opposition I rise tonight to add my voice to the discussion on Bill 15, the Emergency 911 Act. Let me begin by saying that I am supportive of Bill 15. The Alberta Urban Municipalities Association and the Alberta Association of Municipal Districts and Counties have also lent their support to this legislation. In fact, our municipalities asked for this legislation. It is often noted that municipal officials are the order of government closest to the people, so when they tell us something, we should perhaps listen. I agree with the AUMA and the AAMD and C that the 911 call and dispatch centres in our communities need some assistance to help pay for their maintenance and their upkeep.

It's no secret that use of land-line telephones is decreasing, but it might come as a surprise to some that while land-line users continue to pay 44 cents a month on their phone bills, funding that is sent directly to the 911 call centres, Albertans who use cell-phones do not pay this levy. Bill 15 will allow the government to enact regulations to ensure that people who use cellphones as well as people who use land-line phones will all pay the same monthly fee that will flow through 911 call centres. The increased funding to 911 call and dispatch centres will allow them to upgrade services, technology, and equipment, something all Albertans will benefit from.

Another important aspect of Bill 15 is that it will extend liability protection to all employees of 911 call and dispatch centres as well as the employees of telecommunications companies involved in 911. Liability protection is often referred to as good Samaritan protection, and I think it is important that all the men and women who do their best every day through their work with 911 be afforded this protection. I can also tell you as a past municipal councillor, mayor, and a member of the AUMA that providing this liability protection for call centres, especially in rural communities, will go a long way towards ensuring that the 911 service can continue to be provided at the local level.

I am supportive of the proposal in Bill 15 to bring in regulations for standards of both service and equipment at 911 centres. Setting basic parameters is needed to ensure that all Albertans, no matter where they live, receive the same service and procedures when they call 911 and, likewise, to ensure that equipment in all call and dispatch centres in Alberta, no matter where they are located, meets a basic standard that will increase public safety.

There are a couple of things I am concerned about, and I know that the government will say that these things will be dealt with when the regulations are developed. However, that is also concerning as we are being asked to pass legislation without having a clear picture of the end product. I sincerely hope these concerns will be addressed before Bill 15 is finally passed.

My greatest concern is centred around how the funding formula will be determined. If mobile phone users start to pay the same monthly levy that land-line phone users pay, how will this funding flow through to each of the 22 call centres in Alberta? If the

formula is based on population alone, major centres will receive the bulk of the funding. This will leave rural centres lacking the funds for newer technology and other upgrades and could force some 911 service amalgamations. This would result in a decrease in local service delivery, something I think is the actual opposite of the intent of this legislation. I would ask the minister to provide some feedback on this aspect while Bill 15 is still on the floor of the Legislature and also to work with and really listen to what the municipalities with call centres suggest is the fairest formula.

I look forward to hearing the comments from other members regarding Bill 15. Thank you, Madam Speaker.

**The Acting Speaker:** Thank you.

Standing Order 29(2)(a). Please keep in mind the intention of the standing order, as was addressed by our Speaker just recently.

Seeing none, we'll move on to the hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you very much, Madam Speaker. It gives me great pleasure to rise and speak to Bill 15, the Emergency 911 Act. You know, I just want to begin by saying that I've always during the election and even before the election, when I was campaigning, prided myself on being able to give the government credit where credit is due and to fulfill the role of the opposition, which is to augment and improve legislation but at the same to acknowledge the value of legislation and how it's going to benefit communities.

I do rise to speak in support of this bill. You know, it's a piece of legislation that makes sense. I know that, again, with the movement of many Albertans from using land lines to now using mobile devices, there's been a significant reduction in the number of land lines. Many homes and families do not even have land lines anymore, and in order to provide the essential 911 services that many municipalities provide, they need the appropriate funding. This act will place a levy that will help them meet their needs.

As well, I just want to mention that the levies that will be garnered through this bill will be spent on essential financial support to local 911 call centres and used in part to enhance 911 call operator training but as well to allow the upgrade of equipment to meet the changing technological requirements, which I think is very important if we want to make sure that we're up to date and up to speed.

I think as well that this bill is valuable in that it establishes liability limitations for employees who work at the 911 call centres, so we're going to protect the folks that are doing their best to help connect people who are in need of this service with the appropriate services. It's also going to reduce the potential for damages if there are any allegations of breaches of the quality of services provided by 911 call centres. I think that is very important.

**5:10**

As well, this is an example of a piece of legislation where there have been some discussions and conversations with the two organizations, the AUMA and the AAMD and C. I think it's critical that these conversations take place and that the government gets feedback about proposed legislation and how that's going to impact those that are going to carry it out or those that are going to be affected by it. It gives me confidence to be able to speak in favour of this bill because the AUMA and the AAMD and C agree that this is something that's practical and that is needed to help offset the costs to operate these call centres.

A couple of questions need to be raised, though. I appreciate the Member for Edmonton-Centre raising the question of families with multiple cellphones. You know, does that mean that each of those phones or mobile devices will be charged the 44 cents? I can appreciate that maybe for most people it's a fairly nominal amount, but it's still an important question of clarification.

As well, something else that I raise an eyebrow over is that the government is going to decide how much the wireless providers can retain to cover administrative costs. It begs the question, Madam Speaker: why not lay that out in the bill itself? Why not make it very clear and up front to all members of this House exactly what the portion is that the wireless providers are going to keep for themselves?

I think this is going to have a significant impact on many people, so if this legislation passes through this House, does it mean that any person who doesn't pay their phone bill is guilty of an offence and liable to be fined up to \$1,000? I think it's, again, important that we have some clarification on this before we move this bill further along.

In general, Madam Speaker, I do support the tenets of this bill. For municipalities that have call centres, this bill will help them recover some of their costs and lighten the burden that many municipalities are faced with.

I will leave it there. Thank you, Madam Speaker, for the opportunity to speak to Bill 15.

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a). Any takers?

Seeing none, we'll move to our next speaker, the hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Madam Speaker. It is my honour to rise today and speak to Bill 15, the Emergency 911 Act. Among other provisions this bill will legalize a 44-cent-per-month charge to cellphone users for 911 services, the same amount that is paid by land-line users. The government is putting forward this bill to offset decreasing revenues as phone users move away from land-line telephones. I, like many others in the House, am one such person that actually does this, and I know none of our neighbours have land lines anymore. This already incorporates a government-imposed 44-cent surcharge towards mobile phones. The subsequent revenues the government would receive through Bill 15 would be used for improvements and upgrades to 911 dispatch centres across Alberta and to enable 911 responses through text message and GPS location. The prospect of these new innovations is exciting.

However, there are still many questions around Bill 15 that should be answered before this bill passes into law. It's hard to support this bill when the 44-cent surcharge is essentially acting as a tax on Albertans who own cellphones. Virgin Mobile has already publicly called the 44-cent provision a tax, and I think all members would agree that a 44-cent fee to pay for a core government service like 911 is a tough pill to swallow, especially since Albertans already pay some of the highest cellphone rates in Canada and in the world.

I am also curious how the minister came up with the 44-cent figure to begin with. It seems arbitrary. I'd like for the minister to put forward some rationale for how he arrived at this number, and if not, I'd ask how he knows this fee will generate enough revenue to pay for the equipment and upgrades it's meant for. What happens if it's not enough? Does the fee go up? What happens if it's too much? Will the fee go down? Not likely. Included in the 44-cent charge is a 7-cent administration fee that will be collected by mobile phone companies. This strikes me as slightly high

considering most telecommunication companies already charge a hefty administration fee to their clients.

Many cellphone users also pay a 911 fee in association with their monthly bill, that will exist independent of the 44-cent provision. I would ask on behalf of those Albertans already paying an additional fee for 911 services where their money is currently going. I know on my own bill I have the administration fee for 911 already there, and I have no idea how it's allocated. There's no accountability for what that fee goes to, and we're not even sure how much of it actually goes to the administration of 911 calls. We should be careful that we're getting a fair deal for Albertans before we rush a decision such as this.

There is also the issue with the funding allocation formula that is going to be used. What is it? We don't know, and there are a variety of possibilities that don't sit right with Albertans, like the base formula that was suggested in the 2008 report. Through this formula funding allocation would be based on population alone. Edmonton and Calgary would be poised to be the big winners while rural dispatch centres are stuck trying to meet a new generation of standards and practices with inadequate funds and resources to do it with. Rural centres do have an additional problem with cellphone coverage. Does that mean that the 911 centres in rural Alberta won't receive as much funding? If so, how are they going to equalize this? This could ultimately force our rural dispatches to amalgamate or shut down entirely. Essentially, Albertans living in rural areas could lose access to 911 services while at the same time paying for more.

In my own area we are kind of already seeing this. One of the things we see there is with EMS. We know already that some of our more rural locations cannot get access to EMS service because there is a problem with the GPS location. So I'm just clarifying for Albertans exactly what this would mean as well.

If we're going to ask Albertans to pay this money, we need to give them a fair formula for allocating the resources first. This government campaigned on transparency, and what we see time and time again is a concerted effort on their part to hide information. This is turning into another example of that. We need a funding formula that is open and honest.

We all own cellphones, and I'm sure we've all accidentally pocket dialed someone before. It's happened to everyone. The minister says that frivolous calls to 911 will carry with them a first-time punishment of \$5,000 but that pocket dials will be forgiven. I'd like to know how the minister plans to investigate frivolous calls and what evidence he would or wouldn't use to impose a penalty in association with that. I'd also like to go one step further. What will the minister do to those people who make the frivolous calls but have no assets, who have no income, or who may not be capable of understanding what a call to 911 truly is? I'd like to know what the parameters around that \$5,000 fine would be.

There are too many areas where I take issue with Bill 15 to support it wholly at this time: the 44-cent levy, the 7-cent administration charge, the lack of a clear funding formula, questions surrounding pocket-dial issues. These are all important questions buried deep in the regulation of Bill 15 that won't see the light of day until after this bill is passed into law and it will finally be opened to opposition scrutiny, not to mention market and Albertans' scrutiny.

There are some questions around the validity of Bill 15 as well. It's not uncommon anymore for every member of an ordinary-sized family to own a cellphone. It is also not uncommon for just one or two members of the family to own a cellphone, usually the parents, and then either lend it to their children or go on the family plan. I am not one such parent as my 11-year-old has been told she

can't have a cellphone until she's 18 and can pay for it herself. Bill 15 would ask one family to pay significantly more than the other in any given year. Bill 15 assumes, therefore, that one family is more likely to need emergency services than the other. Or is Bill 15 simply a tax on cellphone owners? Has the minister considered a reduced tax for those people who go onto the family plan or for those people who have multiple cellphones in their home but are sharing amongst multiple members of their family?

5:20

It's clear to me that while Bill 15 will usher in many good provisions like liability protection for the hard-working men and women involved with 911 dispatch and new provincial regulations for standards of service and equipment, there are still many issues that could potentially prevent Bill 15 from achieving its desired goal.

Once again we get back to the discussion of transparency. It seems interesting to me that this bill is being brought forward as a government bill, that clearly the government has set this as a priority, that clearly the government is telling Albertans that this money is needed, and that clearly the government has established that 911 centres in Alberta need additional funding. I'm not necessarily disagreeing with any part of that, but once again I wonder. I wonder how many members of the PC government currently in power went to the doors and actually knocked on the doors and said: if you elect me tomorrow, I'm going to put a levy on your cellphone of 44 cents, and this is exactly what it's going to be used for. Now, I understand that they may not have known that the levy was 44 cents at the time, but they certainly would have known that this was a priority. The report is from 2008, and they certainly could have used that.

Once again we're in a situation where members opposite did not go to the doors and tell taxpayers that they're going to raise taxes, much the same as we've seen with so many other things. It's not transparent, and it's not honest. Once again we're not seeing it here. There is no accountability for the 7 cents in administration. They're not saying exactly what that goes to. Exactly how much does it cost in administration? Surely, they've done studies on the other side that would say that administration of this levy would cost X number of dollars, which would justify the 7 cents, yet we see none of that coming forward in the proposal. It's easy to solve. If the government has it, provide it. If the government doesn't have it, then they should do a study on exactly what that 7-cent administration is likely to be and what it should be used for. If it truly is too much, then reduce it. If it's not too much, then justify it. That should be pretty easy to do, and that's open and transparent to all Albertans.

Given that we're playing with taxpayers' money, we need to be in every decision, first and foremost, open and transparent to taxpayers. The additional 37 cents that it says will be distributed to 911 centres: there's no plan for that. It doesn't tell us exactly how that distribution is going to play out, how it's going to go to rural or urban or if it is even going to be a split. Yes, the report says that it's by population. Once again, when you were knocking on the doors during the campaign, and you had a 2008 report – clearly, this is a priority for the government – were you telling them that this is where their 37 cents was going to go to? Were you even addressing that 911 call centres across this province were in trouble?

With respect to all of my aforementioned reservations I recommend the government take more time to study Bill 15 in its fullness and look for ways to improve it. I'm more than willing to work with them to find improvements and amendments to Bill 15 that would make all Albertans happy. I support Bill 15 with

reservation and recommend the government examine these outstanding issues before entering it into law.

Thank you.

**The Acting Speaker:** Thank you, hon. member.

Are there any other speakers? The hon. Member for Calgary-McCall.

**Mr. Kang:** Thank you, Madam Speaker. I'm also rising in support of Bill 15. I've got a couple of questions here. The first question is on how we arrived at the levy of 44 cents per month. Is it to cover the shortfall we have right now in the 911 call centres? How much money will be paid to the telecommunications providers for administration costs and all of that? How long before the 44-cent levy goes up? Another year?

Another question is: what will happen if the telecommunications provider, you know, dissolves the company? What will happen to the money? How will the government recover that money from the call centres?

Another question is about families who have multiple cellphones. There are so many families out there like my family that have, I think, five or six of them. I don't mind paying 44 cents, but that's another question that comes to mind. This particular program at first blush looks beneficial to all Albertans, especially rural Albertans, but it also dumps the responsibility for the management of this onto a third party in municipal bodies. In the likely occurrence of a cellphone provider dissolving or disappearing, like I said before – no company will last forever – is the municipality still on the hook for those funds collected but not yet paid to the municipal government? If the provincial government is collecting those fees, what process do they have for the collection of the third-party debt?

Those are some of the questions that I have. I think we should be looking into that to make this fair for everybody. Those were my reasons for rising, but I still support Bill 15 because it's going to save lives, Madam Speaker. Anything is worth the cost to save a life.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

The hon. Member for Calgary-South East.

**Mr. Fraser:** Thank you, Madam Speaker. Well, I'm glad to hear that members opposite are supporting this bill. Let's talk a little bit about what this act is going to do for rural Alberta. As we do know, a number of years ago the government embarked on – in part it was the hon. Member for Airdrie, in the bill that he wrote – a transition of ambulance service into Alberta Health Services. When that happened, obviously there was the opportunity for ambulance services to be in or to be out. What we've seen from the very beginning is ambulances wanting Alberta Health Services, communities in fact wanting Alberta Health Services to provide direct delivery, to manage and operate and own the cost of it because they recognized the opportunities, I presume, to deliver more effective health care.

Inherently when we think about first responders and the 911 dispatch centres, they typically dispatch those front-line staff. From community to community we know that those 911 call centres vary, particularly around ambulance dispatch. When the municipalities owned it, they were responsible in part to provide the infrastructure, particularly when you talk about those land lines. That's what a lot of those ambulance services and dispatch services in the past were built on and grown on. But we've seen a change in Alberta. We've moved into the 21st century. People are using cellphones, and the technology has gotten better. In fact,

there's probably a greater conversation because of that technology and access to lots of information.

Madam Speaker, the big part of the additional cost for this is to provide for that infrastructure. If that infrastructure isn't there, well, it's just simply not there. What we see are calls dropped. What we see are lag times in getting those first responders, whether they be firefighters, police officers, or paramedics, into the field. A large part of that is to support the infrastructure from a cellular stance but also the hard line because we also know that not everybody in rural Alberta is going to own a cellphone, perhaps. It's just a part of doing business that I believe is going to help us provide emergency services to Albertans. Isn't that what we should be doing instead of creating innuendo and campaigning and talking about campaigning and what we did at the doors?

Madam Speaker, I can tell you as an advanced care paramedic what I said to people when I took that oath. Certainly, when I took the oath here in this House, when people put their trust in me, I said that I would do what was right, that I would protect them. It wasn't about my campaign promises about taxes. I told them I'd drive the car for them, and I'd drive it as straight as possible. But what I won't do is that just because I said I'd drive the car straight, when I see a cliff coming, I'm not going to continue straight off that cliff. I'm going to turn. I'm going to make an adjustment for the time that we have here and now to build up Alberta, to do the right thing, not what's political or political rhetoric.

That pertains again back to the infrastructure that we need. That's what this act is going to do. It's going to start allowing us to provide for the technology for the information systems to make sure that calls aren't dropped, that calls aren't missed, to put computer-aided dispatch computers in ambulances so that we can see where they are in real time. Madam Speaker, that doesn't just pertain to the safety of the people that are actually calling for the service; it's actually for the paramedics and the police officers and the firefighters, so that we know where they are.

5:30

You know, being part of that dispatch system and having been dispatched, I can tell you that when they see the car parked and they see it stopped, it gives them the ability to know if that crew is in trouble or in danger. The cellphones that we have: there are a multitude of them now in rural Alberta. That's good to see. Again, it's to provide the infrastructure for the farmer who falls off the tractor and is now hurt with a broken leg. I can tell you that when I worked in the rural ambulance service in Mayerthorpe, Alberta, that happened a lot. In fact, I can tell you that my aunt tells my uncle all the time, who's farming, and her son and their family and their loved ones to wear a cellphone when they're out rounding up the cows, when they're out on the combine in case there's a problem so that they can call 911.

Again, that is a positive thing for Alberta. The costs associated with this: obviously, we know there are administration costs to that. You know, there's nothing nefarious here. This is about protecting Albertans. This is about doing the right thing. This isn't a political decision. This is about building infrastructure that's going to protect the front-line staff so that they can get to the people who need them the most.

Madam Speaker, I'm in support of this bill. I'm glad my colleague is in support of this bill. Thank you.

**The Acting Speaker:** Thank you, hon. member.

Are there any members who would like to speak under 29(2)(a)? The hon. Member for Strathmore-Brooks.

**Mr. Hale:** I just wanted to make a comment and maybe have you elaborate a little bit more. You made it sound like these farmers are always in a wreck, you know, falling off their horses and falling off their tractors. I've got many friends and family members who are ranchers and farmers, and we use horses and tractors every day. I can't remember the last time we, the people I know, had to call 911. Maybe you'd like to just elaborate on that a little bit and clarify that we're not all in a wreck all the time.

**Mr. Fraser:** Madam Speaker, let me clarify, I guess, from my own personal experience. My dad is somebody whom I love dearly, a man that probably has come too close to the edge of being in serious trouble due to his activities on a horse with his brother out on the farm. The time that I got the call from the hospital in Drumheller, you know, that he may have an internal bleed because he broke his pelvis on a horse that reared up on him or the time that the horse bucked him off and broke his scapula: I guess there are some personal things there.

What I can tell you is this. Let me talk honestly. Many times as a child I spent my summers on the farm in my uncle's care, in my grandmother's care when my parents were going through a rough divorce. You know what? Those were probably some of the fondest memories I'll ever have of my childhood. Between my grandmother and the people out on the farm, I can't tell you what a connected group of people they are and how they care for one another and how they are safe. In fact, it's their common sense and their connection to their community which I believe contribute to that overall safety. I just mentioned it in terms of the Member for Innisfail-Sylvan Lake and her comments. Did we knock on the doors? Did we go out to the rural families?

Again, I'll make the comment that the world is ever-changing, and it's better for us to make a turn that protects Albertans rather than just go off the cliff. That's what we said that we would do. I just think, you know, we need to be nimble as a government, and we need to be effective. That's not always popular, Madam Speaker.

**The Acting Speaker:** Thank you.

We still have two and a half minutes under 29(2)(a). Any other members wish to speak?

Seeing none, are there any other members who would like to speak on Bill 15, the Emergency 911 Act?

Would an hon. member like to close debate?

**Hon. Members:** Question.

**The Acting Speaker:** The question has been called.

[Motion carried; Bill 15 read a second time]

## Bill 16

### Victims Statutes Amendment Act, 2013

**The Acting Speaker:** The hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you very much, Madam Speaker. I rise today to move second reading of Bill 16, the Victims Statutes Amendment Act, 2013.

The proposed changes in Bill 16 will amend both the Victims of Crime Act and the Victims Restitution and Compensation Payment Act. I appreciate that the latter can be a bit of a mouthful. The bill focuses on financial benefits of victims of crime and helps to ensure that the government responds to victims in an informed and timely manner. We will continue to put the rights of victims



first, ahead of offenders. Victims of serious crime resulting in injury are entitled to financial benefits. These benefits help victims cope and move on from the trauma that they have suffered.

I'm going to speak first about the proposed changes to the Victims of Crime Act. Madam Speaker, the last thing that this government wants to do is subject victims to time-consuming, long, and protracted or arduous processes and procedures with respect to receiving the financial benefits they qualify for. The victims of crime financial benefits program gives victims the options to have their case reviewed by the Criminal Injuries Review Board, otherwise referred to as the CIRB.

In order to streamline the current process, a fair number of amendments in Bill 16 deal with streamlining CIRB processes and reducing delays. The amendments would allow a member of the CIRB who has completed an initial evaluation in a case to also sit on the subsequent review panel. The amendments would also clarify that a case can be heard by only two CIRB panel members rather than a full component of three. These changes would add clarity to the legislation and, again, streamline the process. They will also make the decision process faster for victims, who will no longer have to wait for the full board to be available before their hearing can proceed.

The proposed amendments give CIRB the power of a commissioner for the purpose of conducting hearings. This would ensure the board has necessary authority to conduct hearings and obtain information needed to make decisions. Further, Madam Speaker, the amendments would allow the board to obtain expert advice from time to time and to request that a victim undergo a medical examination if necessary to determine the extent of their injury.

The amendments would also require the board to inform the victim of his or her right to choose an oral hearing or a written review. Many ask: why would this be an issue? Well, it's about fairness to victims and giving them more options. Victims who wish to discuss their experiences in person in a hearing would have the right to do so. Conversely, victims who do not wish to appear in person – for example, often but not limited to the case where the victim has suffered something very personal – could opt for a written review, in which they would not have to attend. Again, Madam Speaker, this is the sole choice of the victim. That's what this legislation would offer.

The next amendment would extend the time period in which a victim must report a crime to the police. Currently a victim can report the offence to police within a reasonable period of time after the incident took place. We would propose the change to a "reasonable period of time" after the applicant knew or ought to have known that the criminal offence occurred. Those people who are legally trained in this Chamber will know that this mirrors section 3's language in the Limitations Act. This would also make it easier for adult victims of childhood sex abuse to receive financial benefits. It also enshrines in legislation best practice for serving victims and recognizes the need for flexibility in these situations.

Madam Speaker, we also propose to streamline the review processes I have mentioned. Currently, when new information arises, the board must send the case back to the program director. Pursuant to the amendments, if it is decided that new information is not significant, the board may hear it as part of the review process. These amendments will of course increase the efficiency of the whole process. They will also ensure that we avoid any unnecessary delays that would have a negative impact on the victim.

Proposed amendments would also give CIRB authority to withhold confidential information, otherwise known as redacting, provided by third parties such as police and health services

records. This respects the independence of our law enforcement process as well as our investigative process. For example, the release of this information could compromise ongoing police investigations or reveal practices and tactics, matters which the police are entitled to keep private. These amendments would also help ensure that sensitive information is protected while speeding up the review process for victims.

The amendments would also ensure that the transition between the current and the proposed legislation is seamless. Madam Speaker, any applicant who requested a review after October 1, 2011, will be able to choose an oral or written review, as I had mentioned. Requests before that date will remain subject to the act in place at that time.

5:40

There are also a number of proposed housekeeping amendments meant to ensure consistent wording and correct cross-referencing in the Victims of Crime Act as well as including information about death benefits, which was an oversight when the act was last amended, in 2011.

Madam Speaker, I'll now focus on the proposed amendments under the second act, the Victims Restitution and Compensation Payment Act. This was an act, actually, passed originally by our current Minister of Human Services and later proclaimed in 2008 by the Premier when she sat in my chair as Justice minister. The particular act provides the tools necessary for Alberta's civil forfeiture office to seize the proceeds of crime through the courts. These processes have supported a number of programs and services, including without limitation those for victims of crime.

Madam Speaker, while the majority of those whose assets are seized do not contest the action, the government must go through the same court process regardless of whether the seizure of assets is contested or not. Bill 16 proposes a process whereby those who may have their assets confiscated have 30 days to respond to our forfeiture notification. If an objection is filed, then the forfeiture action proceeds to court. Interestingly enough, the current legislation under the *Rules of Court* allows for 15 days when a statement of claim is filed, so this gives twice that period of notification.

If an objection is not filed, the forfeiture proceeds through an administrative process and without court intervention. In the event that a person has not responded to the notification for a truly legitimate reason, that person can apply to the courts to have the forfeiture action reversed. If the application is successful, the objection is considered filed, and the forfeiture proceeds to court.

To be clear, real estate is not subject to the proposed amendments. This deals strictly with personal property and not with real property. Houses and other real estate will continue to be dealt with through the existing court process.

Additional amendments strive to end baseless legal delays by putting a reasonable time frame and limits on the number of adjournments in a case that can be made. This speaks, again, to moving away from what our ADM, Greg Lepp, had talked about as being a culture of delay. This moves away from that culture of delay. History shows that in at least 75 per cent of forfeiture cases mandatory paperwork is never filed by the defendant despite their continued requests for adjournments to do so. These unnecessary delays are a burden to an already busy justice system and delay the government in getting the criminal proceeds off the streets and the criminal proceeds into the hands of groups designed to deal with victims or, actually, to prevent crime.

The last amendment that I want to highlight deals with the assumed criminal proceeds uncovered during a police investigation. I stress again that this is during a police investigation. The amendment proposes that if the police find more than \$10,000 in

cash or assets that are easily converted into cash and there is no legitimate sign of business activity, it will automatically be presumed that this money is from the proceeds of crime. Of course, Madam Speaker, the owner of the cash can provide evidence to show that the cash is somehow not connected to the crime.

Madam Speaker, the Victims Statutes Amendment Act, 2013, honours victims of crime and helps the government do right by them. The amendments will also give victims of crime more options, help protect confidential information, and make the review process more efficient. They will also ensure that people who bring baseless or frivolous or vexatious legal actions that delay the forfeiture process will be screened out earlier in the process. These amendments enhance the timeliness of forfeiture actions and bolster the police's ability to seize goods and money obtained illegally while still preserving due process.

Ultimately, this increases the money available for victims and crime prevention programs for all Albertans. Of course, this money does not go into the police's wallet. It does not go into the government's coffers. It is given, actually, to organizations that we've seen help victims or prevent crime. Over the last five years over \$25 million has actually gone through this process.

Bill 16 is key to ensuring that we continue to offer excellent services to victims of crime throughout Alberta. Madam Speaker, I'd like to thank you for the opportunity to provide these comments. I therefore propose that Bill 16, the Victims Statutes Amendment Act, 2013 be moved through second reading.

Thank you.

**The Acting Speaker:** Thank you, hon. minister.

The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Madam Speaker. I am pleased to rise today and speak to Bill 16, the Victims Statutes Amendment Act, 2013, which amends two pieces of legislation, the Victims of Crime Act and the Victims Restitution and Compensation Payment Act. There are many changes throughout this bill, but I'll only highlight a few of them.

The amendments to the Victims of Crime Act allow for a simplified review process of decisions made by the director in charge of carrying out the duties of the act and also reduces some of the complexity that existed in the review process.

The amendments to the Victims Restitution and Compensation Payment Act essentially make it easier for the minister to confiscate property obtained by or used in illegal activities by creating an administrative process for such procedures.

One additional change is the limit to the number of extensions that an individual can be granted in preparation of a disposition hearing. The one thing that lawyers can certainly do – and their clients do it all the time – is to ask for extensions of time, stretching out the process. Of course, one would hope that every available avenue to reduce that type of undue delay is sought.

There are other minor changes that can be discussed in more detail in Committee of the Whole. One material change is that authorities are now being granted the power to confiscate cash or negotiable instruments, as that is defined in the act, if over \$10,000 of such funds can be associated to drug activity or are found in bulk amounts not associated with the regular course of business activities.

I was pleasantly surprised by some of the amendments put forward by the Justice minister. Since he's been given his position, he has pursued what I'd call a complete soft-on-crime agenda, his progressive justice policy agenda. He may have found his world view on justice policy back in 1995 when he was a Liberal staffer for the Saskatchewan Liberal Party, which was well into the Jean

Chrétien era. Maybe the minister is wanting to show that contrary to everything else he has done to date, he is actually not soft on crime. If that is his intention, I definitely support that, to actually come up with some policies that would reduce crime and also help the victims of crime.

We saw events in the past year where there's been the elimination of the electronic monitoring of criminals, the slash of the safer communities fund, the two free passes for individuals who commit crimes of theft or vandalism. We also saw delays in the court system. Where individuals who've been charged with sexual assault, where the police investigation warranted a charge and where the Crown prosecutor after an analysis of the evidence found that a charge was warranted, due to the delay in the justice system, the defence was actually able to get those cases thrown right out of court, and the victims in those cases certainly did not see justice. So it's good that the minister is maybe finally turning a leaf and taking some of our criticisms to heart.

What we really need is a comprehensive, real concerted tough-on-crime approach here in Alberta. We need to seriously pursue criminals and criminal activities and ensure that the crooks who break the law receive swift, certain, and severe penalties. Get your affairs in order and start taking care of the victims of crime in Alberta by making sure that the criminals actually get charged and go to jail. We've seen time and time again, which was actually outlined in the report by his ADM, where there was such a multitude of flaws in the current system that resulted in delay and resulted in the victims not having their day in court and their perpetrators not seeing the consequences of their actions.

We hope that, you know, although this act doesn't deal with that specifically, maybe this minister is turning a corner here and actually being tough on crime and actually supporting the victims of those crimes. If that's the case, of course, we would continue to support that movement away from a soft-on-crime liberal . . .

**Ms Blakeman:** Hey. Hey.

**Mr. Saskiw:** A progressive approach, not liberal.

**Ms Blakeman:** Thank you.

**Mr. Saskiw:** From a progressive approach to a more tough-on-crime conservative approach, that the Wildrose favours.

Madam Speaker, I believe that some of these amendments put forward in this bill will assist in halting organized crime. I look forward to debating the specific provisions of the act in Committee of the Whole.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

Are there any other members who wish to speak? The hon. Member for Edmonton-Centre.

5:50

**Ms Blakeman:** Thanks very much, Madam Speaker. I'm struggling with this act. I haven't been able to quite work through it enough to be able to walk you through all the sections that I'm not happy about, so I'm paying attention to what others are saying about this, including the minister, of course.

I'll tell you where my cautions come in. I keep seeing this government – this is the second or third time, I guess, where we have moved from a court setting with all that that means, you know, the ability to call witnesses and cross-examine and all the stuff that flows from the Constitution, to an administrative setting where those things don't necessarily apply. Actually, a lot of them don't apply.

I'm just as concerned as everybody else about crime. I represent downtown Edmonton. Most of my constituents think that we have way more crime than we actually do, but it's very hard to convince them of that. I want people to feel safe. I want them to report crime and not cover it up because it's a friend or whatever. I want them to participate in that policing and justice, the courts and the Solicitor General, you know, incarceration sections. That's important for my people because a lot of them are living on the edge or over the edge in their relationship with those particular bodies.

But I always look at this and think: "Okay. What if it was me?" I would hope that it wasn't, but we've got to be honest with ourselves. We hope lots of things. We hope, you know, that none of us will ever be poor or homeless or sick or get beat up or get yelled at. There are all kinds of things we hope won't happen, and in fact sometimes they do, sometimes of your own stupid decisions and sometimes bad luck, being in the wrong place at the wrong time.

So when I look at this and I'm trying to work my way through the consequences, intended and otherwise, of what's being done in this act, I'm struggling because I think there's more here than meets the eye. There's the version that the minister puts out that this is about looking after victims – good; excellent – that it's about punishing bad guys. Okay. But part of what we've always done in our legal system in Canada is make darn sure that we punish the right bad guy and not the wrong person. Even trying to do that, I think, in a fairly stellar way in Canada, particularly compared to our neighbours to the south, we've still made some monumental mistakes.

I think we always have to be very cautious about where we give power or forfeit power around the law. You've got to be careful about this stuff because if you hand over your ability to be a free person to someone else and they make a decision that they're going to lock you up, you're kind of hooped. You agreed that they had the power to do that, and now they can do it to you. So is that really what you intended?

Let me back up a bit here. I remember once there was a debate on gun legislation here, and people kept getting up and saying, "Oh, you know, my kid was just doing this, and he got picked up and he got fined or charged with something," and I kept thinking: "Yeah, and they broke the law. So what is the problem?" But we need to be careful that we're not judge, jury, and jailer before the fact.

I often hear people in here make the same mistake, where they talk about people in the remand centre as being inmates or convicts or crooks or criminals in some way. In fact, that's wrong. People are in the remand centre usually because they don't have an address, so they don't get released on their own recognizance. They are kept there so that the courts know where to find them. Some of them are truly heinous people – they are gang members and murders and other people – but there is also a fair number of them that are mentally ill or homeless or very poor and don't have the resources. They don't have an address to give, and guess what happens? The rule is: give an address where they can find you or spend time in the remand centre.

I have constituents that end up in the remand centre, and they're not crooks, criminals, convicts, or bad guys, and they are certainly not inmates, which indicates that they have been charged and convicted of a crime. They haven't been. We have to be very cautious about casting people or even creating a situation where that can happen to people. I'm really looking for the double checks that need to be in place here.

As I said, this moving from a court-based system with all of the protections and double checks that are inherent in that system and moving to an administrative tribunal is a different thing. It just

caught my ear when I heard the minister say: well, to all of you with a legal background in this House, blah, blah, blah, blah, blah. I thought: hmm; we shouldn't need to have a legal background to understand what's going on.

**Mr. Denis:** I didn't say that. You misrepresented the truth.

**Ms Blakeman:** I put in the blah, blah, blah part, so that should cover it.

**Mr. Denis:** That's all I hear when you speak.

**Ms Blakeman:** Oh, Minister. Do you really have to descend to that level? Really, Minister?

**The Acting Speaker:** Hon. member, through the chair.

**Ms Blakeman:** I would love to go through the chair, but that's pretty disappointing behaviour from someone that's supposed to be a grown-up. Okay. [interjection] If the Minister of Justice really feels that he needs to get up and demean me, please take the opportunity to do that.

**Mr. Denis:** Point of order, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.  
We have a point of order.

#### Point of Order Remarks off the Record

**Mr. Denis:** Standing orders 23(h), (i), and (j). At no time did I demean this member. I request that she withdraw those comments.

**Ms Blakeman:** No. I'm sorry. I have someone here that is deliberately making comments that I can hear. Yes, you're absolutely right, Madam Speaker. If we'd gone through you, that wouldn't have happened, but he intended me to hear demeaning comments, and I heard them. [interjection] Well, then we can postpone this, and the Speaker can find out what's in *Hansard* exactly because *Hansard* has got pretty good mikes. I bet you they picked up the comments, and we can all come back and look at this again.

I'm not going to withdraw those comments. If the minister feels that he needs to sit here and make comments about me while I'm speaking, then use the opportunity under 29(2)(a) to get up and put them on the record. All I'm trying to do is express an opinion and express on to my constituents what's going around a bill. He should be able to stand a little questioning around that.

So, no, I'm not going to withdraw my comments, Madam Speaker. No offence to you or to this Assembly, but I can't.

**The Acting Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Madam Speaker. Of course, I don't think there's a point of order here at all. We should just move on with business, I think. The Justice minister didn't even bother expanding upon the rationale for his point of order. It was like an eight-word point of order, almost nonsensical. We'd have to look at all the facts, but there's no point of order here.

**The Acting Speaker:** Hon. member, thank you for that.

It is now 6 o'clock. We will respond to the point of order when we return at 7:30 p.m. The Assembly stands adjourned.

Thank you.

[The Assembly adjourned at 6 p.m.]



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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Tuesday evening, April 23, 2013

Issue 51e

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta  
The 28th Legislature**

First Session

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Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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## Legislative Assembly of Alberta

7:30 p.m.

Tuesday, April 23, 2013

[Mrs. Jablonski in the chair]

**The Acting Speaker:** Please be seated.

### Point of Order

#### Remarks off the Record

**The Acting Speaker:** Before we proceed with the next member to speak on Bill 16, we have a point of order that I need to talk to you about. Hon. members, there was a point of order raised by the hon. Minister of Justice and Solicitor General a few minutes prior to the afternoon adjournment. The chair has reviewed the matter and consulted with *Hansard*. Given that the chair did not hear any offensive remarks nor were any such remarks recorded by *Hansard*, the chair cannot find a point of order.

In situations such as this the chair would refer members to the *House of Commons Procedure and Practice*, page 618, where it states:

If the Chair did not hear the offensive word or phrase and if the offensive language was not recorded in the Debates, the Chair cannot be expected to rule in the absence of a reliable record.

The same principle is in *Beauchesne's* at paragraph 486(4). Accordingly, the chair cannot find a point of order.

We will now go back to the debate on second reading for Bill 16. I would remind everyone that it would be a good idea if you remember to speak through the chair and to show respect for each other and the institution. That's what's important in this Legislature.

## Government Bills and Orders Second Reading

### Bill 16

#### Victims Statutes Amendment Act, 2013

[Debate adjourned April 23: Ms Blakeman speaking]

**The Acting Speaker:** We'll carry on. Are there any other members who would like to speak on Bill 16? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Chair. It's a pleasure to say Madam Chair.

**Ms Calahasen:** I like you.

**Mr. Anglin:** I like you, too, Member for Lesser Slave Lake.

Madam Chair, I rise to speak in favour of this bill in the sense that victims' rights have long been ignored. I can go through multiple stories. We don't need to hear all the stories that go along with this. [interjection] You want to hear the stories? I've got my coffee. Not to diminish the seriousness of this bill . . .

**The Acting Speaker:** Through the chair, please.

**Mr. Anglin:** Through the chair.

For far too long victims have watched a legal system that protected the rights of criminals for due process of law. Due process of law is extremely important, and I won't take away the importance of that. But what victims go through when a crime is being committed, whether it's a violent crime – even in the case of criminals with misdemeanors and things like petty theft,

people feel violated. What some legal scholars point out is that it's not justice; it's a legal system. This type of bill brings some sense of justice to the process. That's why I will support the bill.

I have one concern. It is a concern that I would like the government to take into consideration, and that is the concern of due process of law. I always want to make sure that the rights of the victims are protected but also that we don't create other victims in haste or accidentally or unintentionally, that we wouldn't eliminate due processes of law. That would allow injustice to happen as an indirect result of passing this bill. Clearly, there are some concerns here, but I feel the overall intention of the bill is good. It does address this issue.

In some cases maybe it doesn't go quite far enough. How do we address the losses of many of the victims? There are so many different aspects to what these losses are. This isn't the end-all. The government doesn't yet have what I think is a very good solution in the sense of bringing justice to the victims of crime, but it is a step in the right direction. I would prefer to see a system of justice where victims of crime not only receive compensation but closure. That's a complicated issue, closure for people who have been violated. It's different for the different types of crimes that are committed.

I commend the government for bringing this forward. I will be supporting it. I'll ask my members here to support this act. Whether or not we bring some amendments forward, it is possible to address some of those concerns. Maybe the hon. members from the other side can actually address those up front to make sure that there are processes in place that guarantee due process of law. That's the only thing that I'm concerned about.

We like to think that our system of justice always operates at an extremely high level, but we know that sometimes mistakes are made. We're human. People inject into the system their own belief systems, or in some cases we have people that have to be disciplined as a result of improper actions. That deserves to be addressed. We never want the system of justice to actually abuse those who come before it.

These are my concerns about dealing with due process of law, and I've seen it. I've seen it a number of times. I've seen where judges were held accountable, prosecutors were held accountable, and defence lawyers were held accountable for improper behaviour. We want the system to work to hold them accountable. We don't want anyone to be abused, but we want justice served.

To address the issue that deals with victims and how we're going to deal with their rights: this is an ongoing issue in our society. This is something that in many ways we always look at in terms of financial support or financial issues dealing with compensation when, in fact, for many victims of crime, what they're looking for is closure. It's that emotional feeling of being abused, violated, in many ways, and it is for some unending to get over, to have closure, to get on with life.

To have somebody who has been victimized suffer that penalty, in some cases for years, particularly with violent crimes – you hear women who have suffered from the violent crime of rape talk about how it haunts them for many years to come and how difficult it is to deal with it. That's the issue that I think goes beyond this bill. It goes beyond this bill. It is about closure. It's more than just the compensation issue. It is about dealing with the victims of crime and bringing justice towards, you know, an end of closure, I guess is how I want to put it.

That's where I am with this bill. I'm going to support the bill. I support the intent of the bill. I just have my concerns, and I don't want to support the bill and let this government know that I think this is the solution, the end-all, and it satisfies everything

that needs to be done. A lot more work does need to be done, and I hope the members on the other side think about that. Maybe we can do something to even improve this bill so we address those types of issues. Maybe that needs to be a whole different undertaking, and I would still support that.

Victims of crime suffer immeasurably, and sometimes their sentences are far greater than the sentence handed out to those who have actually committed the crime. That, to me, is a tremendous injustice. We're dealing with an issue of victims' restitution and compensation, but that is not necessarily justice. I think that if we take a step back, we can pass this bill but still address these other issues or keep in mind how we're going to address those, how we're going to help the victims of crime get back to where they can live a whole life and enjoy life and have a decent quality of life.

7:40

With some crimes it's not that difficult to have a victim get over it, get on with life. With other crimes it is devastating. It can be devastating not just for the victim of that crime – and it's something for government to think about – but as a parent. I think many of us are parents in here. If our son or our daughter is a victim of crime, I think the parents and the grandparents suffer just as much as the actual victims themselves. It does affect everybody. It needs to be looked at in that context of who the victim actually is here and what justice is in the sense of putting closure to these events that these victims go through and, in the other venue, how we protect society as a whole.

Clearly, as stated earlier, this is in my view a good bill. I think it's a right step in the right direction. I'm pleased as a member of the Official Opposition to go with the government on this and support the bill. I want to see it go forward. We will scrutinize it at great length as we always do. But the fact is that taking these right steps is a positive thing not just for government but for the fact that we as a legislative group in a bipartisan manner can actually come to an agreement and say: "Okay. Let's take the right steps. We will support this, but let's continue, and let's build upon what we're doing and address more comprehensively the issues that deal with victims of crime."

With that, Madam Speaker, thank you very much. I urge all my colleagues here to support this bill. Thank you.

**The Acting Speaker:** The hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you very much, Madam Speaker. I wanted to say thank you very much for . . .

**The Acting Speaker:** I'm sorry, hon. Minister. I forgot to call 29(2)(a).

**Mr. Denis:** That's what I was on.

**The Acting Speaker:** Carry on.

**Mr. Denis:** Thank you. I just have some brief comments. I wanted to thank the member for supporting this bill. I think it's very important in a bill like this that we have bipartisan support.

The one comment that he did make that I did want to address is when he talked about, for example, a woman who had been sexually assaulted and not wanting to victimize her twice. I couldn't possibly agree with him more. One of the most positive changes in this particular bill is that fact that if the person who would have suffered such a violent and heinous crime would apply to the Criminal Injuries Review Board for compensation,

this person would have the choice of presenting an oral submission or a written submission. In that case I can imagine that many of these victims would want to just simply present a written submission. The pith and substance, the idea, behind this bill and the changes that it's making to the Victims of Crime Act is that we do not want to victimize people twice, particularly but not limited to situations like that.

I want to thank the member again for his comments and his support.

**The Acting Speaker:** Thank you, hon. Minister.

Are there other members who wish to speak? The hon. Member for Airdrie.

**Mr. Anderson:** Thank you, Madam Speaker. I would like to stand in support of this bill. I think it's an important bill, Bill 16, the Victims Statutes Amendment Act, 2013. This is a very good piece of legislation. It's a very good idea, this victims' fund in general, and it's something that is very good. It's very, very, very good. This is something that we certainly should be strengthening going forward.

I like the ideas in this bill. I like the idea of being able to seize more assets from organized crime, prostitution rings, things like that, and this legislation seems to make it easier for that to occur, makes it easier to seize money from these organizations. They stockpile a lot of cash. Sometimes when police raid their facilities or their hideouts and bases and things like that, they are able to seize some of those funds. Those funds can now be directed, I think, more expeditiously into the victims of crime fund. That's a good thing.

One thing I would like to see in this bill is addressing the issue of, for example, Dani in Airdrie, who we've gotten to know with regard to the sexual assault case that was dropped. The victims of crime fund, as far as I understand it, would apply to someone like that if there was a finding of guilt, but I don't know if that fund would be available to her and her family in her case.

I think that a good amendment would be that if the Crown for some reason is to drop a case like Dani's or like somebody else who had had their case dropped because of Crown and court delays, so system delays, not for lack of evidence – sometimes there's a lack of evidence, and cases are dropped because of that and so forth. Then I think that it is important that those victims who have essentially been revictimized by not having their day in court – hopefully, that won't happen again, but if it does happen again, those individuals in those very few cases, if any, I would hope, should also be able to access the victims of crime fund.

I'm not sure if that's the case right now. I'm not sure if this bill entertains that notion. I think that we should perhaps think about doing that. I don't know if we can find a way to do that in Committee of the Whole, but it certainly would be something I'd like to see.

I think that what this victims of crime fund allows us to do, Madam Speaker, is it gives us an opportunity to change the dynamic. I think that for many years there seemed to be an overemphasis on the rights of criminals or the accused and much less emphasis on the rights of the victims and what had been taken away from them, the dignity that had been taken away from them, the fear that they had to live in, the cost associated sometimes – the emotional cost, the physical cost – with the crime that was perpetrated against them.

Of course, this is an amendment to an existing piece of legislation that we have on the victims of crime fund. I think that

this kind of turns it around a little bit and is a recognition that crime has two sides, obviously. It has someone who commits the crime and someone or multiple people who are the victims of the crime, and those people need to have more than just – in order to have true reconciliation, there has to obviously be justice to the person who perpetrated the crime. That's important, and one would say that we need to improve that side as well. But for real restitution to occur, they need to be compensated even if it's not fully, because some things, of course, you can never fully compensate a victim for. But there needs to be a recognition that something has been taken from them and that society recognizes that and feels an obligation to compensate that victim for their loss. I think that that's a real important step.

I think what will happen here with the victims of crime fund is that this will allow it to build up more, that there will be more funds available to the victims of crime fund because of this amendment. My understanding is that we have a surplus in the victims of crime fund, and I think that that needs to be addressed as well. We need to make sure that the funds are going to the victims, and if we're seeing a surplus built in that fund every year, that means that we need to have more compensation going to those victims of crime or expand the scope of it, like I said earlier, to someone like Dani Polsom, who I think should have access to that fund, as well as people like her who are victims of court system delays and Crown delays and so forth when it does happen.

I support this bill, and I would encourage all members to support it. There is a comment sometimes that we worry about the civil rights of individuals in situations like this, where you have personal property being seized by the police before an accused is convicted of a crime. Obviously, that shouldn't be done just willy-nilly. There have to be protections around it, but I would say that I do think that a piece of legislation like that is open to abuse.

7:50

That said, all legislation is open to abuse, and with all legislation that we pass when it comes to policing and so forth, there are always ways that that legislation can be abused. You'll never get away from that. At some point you have to make sure that the civil liberties of individuals are protected, but you can't go so far overboard with that that you make it impossible for the police and law enforcement and the court system to do their jobs, and that's what's kind of happened. We've made it so difficult with paperwork and all kinds of rules and regulations around how to process the accused and so forth that now what's happened is that it's become so onerous that a lot of people are never even getting their day in court or the sentences aren't as stiff as they potentially once were for very serious crimes. Things like that will happen, so there has to be a balance.

I think we'll probably always be working at that balance between protecting civil liberties and protecting the rights of the victim and serving justice. I think that this bill strikes that right balance and gets us closer to that balance, and I applaud the government for doing a good job on that bill.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) now applies, five minutes of questions and comments. Are there any members who would like to speak under 29(2)(a)?

Seeing none, I would ask: are there any members who wish to speak on Bill 16, the Victims Statutes Amendment Act, 2013? The hon. Member for Calgary-*Buffalo*.

**Mr. Hehr:** Well, thank you, Madam Speaker. I'll be relatively brief. This looks like a reasonable piece of legislation put forward by the hon. Solicitor General. It looks to strengthen the rights of the victim, enabling them to obtain compensation and assistance when they have suffered, having been a victim of crime, and that is always a good thing.

I, too, echo the concerns of the Member for *Airdrie*. The civil liberties component of this bill is always one of those things we have to look at very closely to decide whether and in what situations we are going to seize property prior to a person being found guilty of committing a crime. I will analyze this bill in greater detail to satisfy myself that we have not overstepped sort of, I guess, my radar on those things.

Nevertheless, I'm of the understanding that people who are victims of crime do suffer a great deal. They do need to be compensated, and they do need access to support mechanisms that may be made available through the victims of crime compensation act with the support of this amendment to enable them to try to move forward, move past, and try to be made whole as a result of the situation that they've been put through.

I will briefly comment, too, on the fact that the victims of crime fund, by all appearances, does have a surplus. The victims of crime fund, where possible, hopefully could be used to support not only individuals but community-minded efforts that not only allow for a reduction in crime but a social good that leads to positive outcomes, whether that be supporting a local community group to keep kids busy after school or something of that nature.

I think there are a whole host of opportunities where we'd look at reducing acts of violence and acts of crime in our society as a result of investments by government in helping people better themselves, better their community, and the like, both when they're young and at other stages in their lives, because that seems to be a much more proactive approach than locking people up in jail forever and a day. In my view, the American experience hasn't, I guess, produced satisfactory results. The price of keeping people in jail forever and a day far exceeds the measures for investments in your community that would keep them out.

If the fund could be used in such a manner and on such occasions to do that, I would hope that it is embracing those opportunities. At this point in time I reserve final comment on it, but it looks like it's headed in that direction, and we'll see it at the next stage of the bill.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member. Are there any members who wish to speak under 29(2)(a)?

Seeing none, I'll ask if there are any members who wish to speak further in second reading of Bill 16, Victims Statutes Amendment Act.

**Hon. Members:** Question.

**The Acting Speaker:** The question has been called. Would the hon. Minister of Justice and Solicitor General like to close debate?

**Mr. Denis:** I just would like to thank all members from all sides of the House for supporting this important bill of victims. If there are any amendments coming into Committee of the Whole, I would appreciate advance notice so we can discuss them.

Thank you.

[Motion carried; Bill 16 read a second time]

## Government Bills and Orders Committee of the Whole

[Mrs. Jablonski in the chair]

### Bill 14 RCMP Health Coverage Statutes Amendment Act, 2013

**The Deputy Chair:** Are there any members who wish to speak in Committee of the Whole? The hon. Associate Minister of Seniors.

**Mr. VanderBurg:** Thank you, Madam Speaker. It's a pleasure to rise in support of Bill 14, the RCMP Health Coverage Statutes Amendment Act, 2013. I appreciate the support of all members of this Assembly in the second reading. It's clear that the members of the RCMP have the respect and admiration of all Albertans, including all of my colleagues here in the Legislature.

The passage of this legislation is not a choice. It's a requirement created by the federal Bill C-38, and it's a requirement to ensure that Alberta remains in compliance with the Canada Health Act. Before the federal government's Bill C-38 members of Canada's national police force, like members of the military, were excluded from the definition of insured persons under the Canada Health Act. Bill C-38 changes the definition of insured person so that an RCMP appointed to the rank is no longer excluded. This means that roughly 3,000 RCMP members in Alberta who are appointed to the rank will now need to be insured under the Alberta Health Act insurance plan, and that requires changes to the provincial legislation.

Like the Canada Health Act, Alberta's own health care legislation defines who qualifies for provincial health care coverage and who needs to register for coverage. The Alberta Health Care Insurance Act and the Alberta Health Insurance Premiums Act have clauses that exclude members of the RCMP who are appointed to rank. Bill 14 amends these two Alberta statutes to remove the exclusion, so members of the RCMP appointed to the rank are eligible for provincial health care coverage and may register for coverage.

The RCMP Health Coverage Statutes Amendment Act is amongst the shortest acts I've ever had the pleasure to speak to. It has just two sections, consisting of two clauses each. The Alberta Health Care Insurance Act section 4(3)(b) identifies residents who are not entitled to payments of the benefits in respect of the health services. The first section of Bill 14 removes members of the RCMP who are appointed to the rank from the list of unentitled persons. The Health Insurance Premiums Act section 3(1) also lists members of the RCMP who are appointed to a rank as being amongst those exempt from the requirement to pay health premiums.

8:00

The second section of Bill 14 removes RCMP members appointed to a rank from the list of exemptions. With these two amendments, Madam Chair, Alberta's health system will have the legislative authority to include members of the RCMP appointed to rank.

In second reading the hon. Member for Innisfail-Sylvan Lake raised the question of whether the province has recognized the cost of health care coverage. The simple answer is yes. The financial impact is small. RCMP members represent approximately .08 per cent of the population. Based on RCMP billings, the average yearly cost for physician services is between \$1.3 million and \$1.5 million. Plus, under the prior arrangements Justice and Solicitor General already paid for 70 per cent of that

total. Government will now be assuming the other 30 per cent, and we expect higher federal transfers to cover that cost.

I hope that clears up the information that the member asked for. I also look forward to any further discussion and debate at committee stage and once again want to thank hon. members for their support in second reading. Today I ask for your continued support for Bill 14, the RCMP Health Coverage Statutes Amendment Act, 2013, so we can bring these dedicated police officers into the publicly funded health care system that every other Albertan, including their spouses and children, is entitled to.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Chair. I rise in favour of this bill. I did not speak to it during second reading, but I wanted to make sure that I did put it on record, because it is very personal for me to make sure that we support and that I support the RCMP. I understand where this comes from. I understand the origins of it and why we need this bill. I'm also of the belief that sometimes we can't do enough to support our men and women in uniform, that put their lives on the line every day.

I just want to emphasize one point. All too often people think that when these men and women go out there and put their lives on the line that they have some sort of anticipation or some sort of idea of what to expect every time that call happens. The reality is that they don't. These men and women don't just put their lives on the line, but they get hurt in the most awkward of situations and sometimes the most incredibly surprising venues, where they totally did not expect to find violence from the direction it came from. That's why it is such an extremely dangerous profession.

I'll just share one experience of mine where we went on a domestic call. Most police officers will verify that they are the most volatile in some cases. My partner actually rescued a lady who was being assaulted, and while he was rescuing her, she bit him on the arm to such an extent that he was laid up for more than three months. Nobody saw that coming, nobody expected it to happen, and now all of a sudden we had somebody who was severely injured. And if anyone knows anything about a human bite, it is amazingly infectious, and that's what happened.

I can go on and on with stories like this. It's so important that we take care of our men and women in uniform, and it is so important that we support them in every way, shape, or form.

To the hon. Member for Whitecourt-St. Anne: I remember that day. I remember that day. I was driving to Sylvan Lake when those officers from Red Deer were heading north, going to the event that happened in Mayerthorpe. When they went by me, I knew something was out of the ordinary as one cruiser after another cruiser after another cruiser came by in a parade at full speed heading north. I knew something serious had happened that day, and later on when it hit the news, my heart sank. I felt that loss.

Again, I support this. Thank you.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak on Bill 14?

**Hon. Members:** Question.

[The clauses of Bill 14 agreed to]

[Title and preamble agreed to]

**The Deputy Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? Carried.

**Bill 12**  
**Fiscal Management Act**

**The Deputy Chair:** The hon. Member for Airdrie.

**Mr. Anderson:** Thank you, Madam Chair. Bill 12. It seems like an eternity since speaking to Bill 12. It was just like . . .

**Mr. Hancock:** All that time we spent in estimates.

**Mr. Anderson:** All that time we spent in estimates. That's right. We almost forgot about Bill 12. I thought it was just a bad dream, a nightmare, perhaps. But, no. It is real. It is a real bill.

Madam Chair, Bill 12 is a piece of legislation that I certainly cannot support. [interjections] I know that's shocking and disappointing to those opposite. Although I will note that I voted for the majority of the government's bills both in the last session and in this session, this one I cannot support.

It is a bill that, in my view, first of all, allows for more clouding of the budget documents that we receive. It essentially allows for less transparency in the budget process and in the budget documents, which I can't support. It contemplates a savings plan, which is good, but I believe that the savings plan in the way it's articulated allows for, well, essentially borrowing to save, which is something that I don't think government should be doing. I realize there are some private investors that use that strategy, but I don't believe that government should be borrowing to save money, which essentially this savings plan does allow for. I do think it's good that we're at least contemplating a savings plan, which is at least a small step.

In my view, by separating the operational from the capital and the savings plan and so forth, it allows the government to continue this practice that they have of taking capital spending off and essentially treating it separately as if it's completely different from the regular activities of government. It's not. We build capital every single year, so we should treat it as a regular expense, not as a separate category.

I think that there are some major flaws in this bill, and I think that it's being passed for the sole purpose of allowing the government to be less transparent. One of the ways that it is less transparent, in my view – and I don't know what the excuse for it is – is this idea that we have quarterly updates. As everyone knows, that was an idea for more fiscal accountability, fiscal transparency, that was passed in two pieces of legislation during the Ralph Klein revolution, actually by the Finance minister of the day, Jim Dinning. A lot of confidence had been lost by the people of Alberta in the way the finances were handled under former Premier Don Getty. A lot of confidence was lost in that. Huge debts were being run up, and they were using accounting practices that – let's put it this way – were not as clear as they should have been with the public, so there was a lot of confusion and so forth.

**8:10**

When Premier Klein came into office, one of the things that he directed his finance minister to do was to restore public confidence in the way that numbers were reported. They passed two significant pieces of legislation to accomplish this. In that package of legislation one of the things that was brought to pass was the idea of quarterly updates. What these quarterly updates would do is give people – obviously, we have the budget that's delivered usually in February or March or April, and that sets out

the government's plan for the coming year, obviously, and explains how the money is going to be spent and where and so forth and what they expect revenues to be and what they expect expenses to be and so on.

Quarterly updates were intended to give the people of Alberta – the government and the opposition parties as well as the general public – an update as to where they were, what had changed in that first quarter, if anything, to change the original budget, what had happened. Were revenues coming in as strong as first thought? Was there an emergency that we didn't expect? Was there some kind of program that just had to be implemented, or was there something that was cut that was in there originally? And so forth.

There are all kinds of things that can change in a quarter throughout a year, so what Mr. Dinning did and what Premier Klein did, rightfully so, was that they said: look, we need to give Albertans an update and show them every quarter, every three months, how things are proceeding, how we think the budget has changed over the last three months, what we're projecting the budget to be now that we have more up-to-date information. This would again restore the trust that Albertans had in the budgeting process and in the books that the government was publishing.

Well, this Finance minister decided recently that that was not – he released a quarterly update, but unfortunately it did not include projections as to how the budget had changed. All it did was give a summation of the revenue for that first three months and the expenses for that first three months in question. But it didn't look at what the projected deficit would be by the end of the year, what the projected surplus would be by the end of the year, the projected expenses, the projected revenues if the price of oil had changed, what the projected revenues would be and so forth. He didn't include that as had been done for more than a decade previously by his predecessors. He decided he didn't want to share that information. He said that his interpretation of the legislation on the books at that time was that he didn't need to, that he just needed to show the revenues and expenses for that quarter and so forth.

I've read that act. I disagree with his interpretation, however. I know folks at the Canadian Taxpayers Federation, a great watchdog over the public purse, also disagreed with the Finance minister on that as did CFIB and several other third parties. Nonetheless, the Auditor General looked at it as well and certainly did not say that the Finance minister was doing anything contrary to the legislation, so we'll have to agree to disagree on that one, I guess.

But I think that it is stunning that after more than a decade of doing it that way, of clearly articulating, clearly showing what the projected end-of-year budget was going to look like every single quarter as new information came, giving Albertans a more fulsome picture of what the budget document was going to look like at the end, to change that so that it doesn't need to be done anymore, which is what this legislation makes very clear now, I think is not a healthy practice for our democracy and, frankly, for our financial affairs here.

We saw this very clearly with the release of the budget. We also got a third-quarter update just before that. If you notice in the third-quarter update, we didn't know if we were going to have an operational deficit, we weren't sure of the size of the deficit because there was no projection at that time. Then, sure enough, when the budget was released, we found out that, indeed, there was an operational deficit for last year and that the real cash deficit was massive. It was north of \$5 billion. It was a huge cash deficit, and that was taken out primarily from the sustainability fund.

We had to wait to the very end of the year to figure that out. There were all kinds of questions and all kinds of games being played as to what the size of the thing was, and we couldn't get a clear answer or a clear projection until after the fact. I think that's wrong. That's the government trying to control the message, and that's not what budget documents or quarterly updates are for. They're for transparency, accountability, so everybody can see the projections, so they can know if the government is holding back some expenses to the last minute to mask the size of the deficit, which is indeed what was happening, whether intentionally or just that's the way the program works, whatever.

The point is that we were totally unaware of the size of the deficit and the sustainability fund and everything else. We didn't know what the projection was going to be until after the year was over, and that's not appropriate.

Anyway, going to my first amendment on Bill 12, that is meant to deal with that. I can pass the amendment around if you'd like, Madam Chair.

**The Deputy Chair:** Hon. member, do you have the original of the amendment?

**Mr. Anderson:** Yup.

**The Deputy Chair:** If you could have that sent to the table, please, through the pages.

Hon. members, we'll call this amendment A1, and we'll wait a minute while we have the amendment distributed among the members.

Hon. member, I think that you may proceed.

**Mr. Anderson:** Okay. Now, what this amendment does – if you turn to section 9, it currently says:

- 9 A fiscal plan must include, in respect of the revenue and expense of the Government and prescribed Provincial agencies,
  - (a) an operational plan,
  - (b) a savings plan,
  - (c) a capital plan, and
  - (d) the major economic assumptions made in preparing the fiscal plan, including a comment on the effect that changes in those assumptions may have on the finances of the Government in the fiscal years to which the fiscal plan relates.

What would happen is that it would add a clause (e) at the end that says:

- (e) a consolidated expense and revenue balance sheet which includes all capital spending as an expense.

Now, what this is an attempt to do is to create essentially a line item there which would show the cash surplus or deficit. The intention of this is to treat capital spending, all money outflows from the government, detail exactly what those are, detail all the money, the inflows and outflows of the government for a given year.

**8:20**

What had happened previously in the budget document is that if you looked under expenses, the government would have all the operational expenses listed, and then they would also have the capital expenses listed as it applied to grants that they gave out to municipalities and so forth. Then there was a line item there, infrastructure spending for capital, essentially, and it would range from \$2 billion, \$3 billion, or northward. There was a little asterisk beside that number, and if you went down to the footnote, it would say that this amount is not included as an expense in the balance sheet. The reason is because it was offset. It was an asset owned by the province that was being purchased with that money,

so what they would say is: "Look. Even though there's money going out, because we're getting an asset, it offsets. We paid a billion dollars for a road or whatever, and it's worth a billion dollars, so that spending didn't count."

Now, the problem with doing it that way – I mean, it's all fine from an accounting perspective. There's nothing illegal or Enronlike going on with that. But the problem with regard to the public is that it masked the size of the true cash shortfall of government. Because of that, you would have really silly things where the government would announce a deficit, say, of a billion dollars, yet the sustainability fund would go down by 3 and a half billion dollars or \$4 billion that year. The question is: well, if the deficit is only a billion dollars, why are we taking \$3 billion or \$4 billion out of the sustainability fund? The reason for that is because that capital spending was not counting as an expense and was being paid for at that time by the sustainability fund.

So it became very unclear, and people would say, "Well, you know, a billion dollars, yeah, it's a deficit, and we need to correct that, but it doesn't sound like the end of the world," yet their sustainability fund just kept dropping like a rock until at the end of this year it'll be worth roughly a half billion dollars when it was \$17 billion not too long ago.

The intent of this amendment is to ask the government to make sure that when they're putting out a fiscal plan, a budget and all the quarterly updates that go with that budget, they will clearly outline the cash flow – inflow, outflow – so we can have an idea of what the true cash deficit or cash adjustment, as the Finance minister sometimes calls it, is. That number should be very clear, and it essentially should equal how much was taken out of savings and how much debt was taken out to finance.

In the case of this last budget that number totalled 5 and a half billion dollars. That was the amount of debt that we're taking out this year plus the amount the government is taking out of the sustainability fund. You add those up together, and it's \$5.5 billion. So that was the cash adjustment. And, yeah, there are some amortization costs and a whole bunch of other things that kind of change the number. I will leave that to much smarter people to figure out how all that affects the number. What I'm talking about here is just the actual cash in, cash out of government, and I think that the people of Alberta would have a better understanding and it would also give government members a better understanding and opposition members a better understanding of the state of our government's books.

I think that that's very important because when we have debates on finance and when we have debates on budgets, it's good to have everyone agreeing on the basic facts instead of trying to find agreement on what the real deficit is. Is it the one the government is saying? Is it the number that they give? Is it the number the opposition is giving? Is it the number that the CFIB or Canadian Taxpayers or Public Interest Alberta or whoever is giving out or a number from the media? We had literally 10 to 12 different numbers flying around the Legislature on budget day. The lowest number for the budget deficit was given by the Finance minister. I believe it went up to as much as – I think the NDs had it pegged near \$6 billion. That was the highest number. We had it at about 5 and a half billion dollars.

The point is that it's not healthy. That's not healthy to the debate. We've got to be able to debate from an agreed to set of facts with regard to the numbers, and right now we're not doing that. So I would urge members opposite to agree to this amendment so that we can have a little more transparency in the budget document.

Thank you, Madam Chair.



**The Deputy Chair:** Thank you, hon. member.

Speaking on amendment A1, the hon. Minister of Finance and President of Treasury Board.

**Mr. Horner:** Well, thank you, Madam Chairman. I was listening with interest to the hon. member's discourse on his belief that assets the government of Alberta buys or builds are worthless. I guess that's where it comes down to the fundamental difference between what he's trying to do in his accounting methodology, which doesn't follow anybody's standards, and where we have brought our financial statements to, which has actually been talked about in a very positive light by the chambers of commerce in Calgary and Edmonton, the Alberta Chambers of Commerce, by Scotiabank, by CIBC, by Standard & Poor's, by Moody's, by RBC Capital. National Bank Financial actually said that the way we're doing it now is more transparent because now we see exactly what the operating is without the blend of capital that so confused the hon. member that he now needs to go to a cash-flow statement to try to describe what he's doing.

Frankly, Madam Chairman, when I look at a consolidated expense and revenue balance sheet, there is no such thing. You have a balance sheet. You have a cash flow. You have a profit and loss or a financial statement. But capital spending is not listed as an expense in any one of those things. Generally accepted accounting principles, public-sector accounting principles would be violated if we said yes to this amendment. It would be ridiculous for a province who's known for having accurate, businesslike financial statements to move away from that to something that, frankly – well, maybe it's closer to how he does his chequebook. I don't know. This is a \$40 billion enterprise. It needs to have the backing of the Standard & Poors, the Moodys, the CIBCs, all of those folks who look at what we do and provide us with that triple-A credit rating that Albertans take pride in very much, which is not affected by this budget.

Madam Chairman, I'll probably have an opportunity to rise on several more occasions, I'm sure, and talk a little bit more about this. You know, just a couple of things. The hon. member earlier in some of his statements this afternoon talked about how you couldn't sell any of Alberta's assets and a school doesn't actually appreciate, and he's wrong. He's absolutely wrong. Our assets have value, and Albertans should put them on their balance sheet. It is on our balance sheet, page 135 of the budget documents and the overview. The balance sheet shows the difference in the net financial position, which I agree was how we used to calculate what we called the surplus deficit, which no other jurisdiction did, by the way. Today under the new fiscal framework that we're proposing in this act, our financial statements will mirror what business does. It will mirror the way Standard & Poor's and Moody's actually break down the old stuff, and they used to build it back into this formula. Today they can just look at it; they understand.

When Albertans want us to show them how much we're spending on operating expenditures, Madam Chairman, they want it to be clear of the clutter of what used to be the capital expenditures. They want us to show them what we're going to spend on capital and operating expense, and they want us to show them how much we're going to put in their savings accounts. That's the fiscal framework that we have in this act. All of the other controls that the hon. members across the way are concerned about are actually still in the act. the 1 per cent spending rule. In fact, we have a new cap on debt ceilings that is now interest rate sensitive – it wasn't before – and no other jurisdiction has it. We now have legislated savings in this act. No other jurisdiction has this kind of savings plan.

Frankly, this kind of attempt to change accounting rules so that the hon. member can figure out what our cash requirements are is a little bit of a stretch given that if he was to use the financial tables that we actually have in the financial documents, he would find that the cash adjustments section would actually tell him what the cash requirements are. You know, if the accountants wanted to figure it out, they could. It's a very easy calculation, but it's not one you use to measure where you're going. If you put cash into savings, that's a cash requirement. But now you have cash. Now you have savings. The difference, Madam Chair, is that we are going to take a businesslike approach, not a chequebook approach, so I cannot accept or support the amendment.

**8:30**

**The Deputy Chair:** Thank you, hon. minister.

**Mr. Anderson:** Thanks for clarifying that you won't be accepting the amendment. I wasn't totally sure about that, but... [interjections] Well, I appreciate the impassioned defence. This member seems to think he's the smartest man in the room. That's for sure.

This is Graham Thomson from today. "On managing its finances, for example, the government [in this recent Leger poll] gets the thumbs-down from 77 per cent of Albertans and the thumbs-up from just 11 per cent. On government trust and accountability, 71 per cent are shaking their heads and only 17 per cent are nodding."

**An Hon. Member:** The polls didn't help you much a year ago, did they?

**Mr. Anderson:** Yeah, well, you did a good job of telling some good stories. They sure did a number on those polls.

**The Deputy Chair:** The hon. member has the floor.

**Mr. Anderson:** Absolutely. Hey, that's fine. It's all good. You got your election victory. You had to sacrifice every principle that you had to get it, but that's all right. You got your election victory.

Seventy-seven per cent of Albertans disapprove of this government's handling of the finances. [interjections] They feel really guilty. You get that? You get the guilt? You're feeling the guilt over on that side?

**The Deputy Chair:** Hon. members, the level of noise is so loud that I'm having a hard time hearing the member speak, and I'm also hearing a member sing in the background. You can go into the Confederation Room and sing, but singing in here is not quite appropriate.

Hon. member, please proceed.

**Mr. Anderson:** The guilty take the truth to be hard, Madam Chair. It cuts them to the very bone. They just can't seem to deal with it.

Seventy-seven per cent of Albertans disagree with the way that this government is handling its finances. If that isn't a damning indictment, I don't know what is. Now, they can say that those polls are made up, pulled out of thin air. They can do whatever they want, okay? But that is reflective of what everyone around the province other than the folks living in the dome on that side of the aisle are saying. There is no doubt. People are furious with the way the finances of this province have been handled, especially given the promises and the litany of broken promises of this government. I think that it is very apparent to everyone but apparently a few folks on the opposite side, but that's okay.

There's an expression you hear once in a while, that everybody is lost but me. When I hear the Finance minister talk, that's what I hear. We're expressing what the people of Alberta are saying. They don't think this government has been transparent with the finances. They don't like this budget. They don't like this act. You've seen commentator and study and person after person line up and say that this act is not being transparent. The government's response is: "You guys are all dumb. We're all smart, so nyah-nyah. Standard & Poor's accepted our principles." I mean, come on.

As I said in my remarks, I'm not saying that there's any Enron here. I'm not saying that there's any fraud here in the accounting. I'm saying that there should be a way in the budget document to account for a consolidated cash balance, a consolidated cash flow balance for that year. You can word it any way you want, but that's what we're talking about here. We're not talking about changing generally accepted accounting principles. We're talking about making it clear to Albertans how much money is going in and how much money is being taken out of savings and taken out in the form of debt. I think that that's a very reasonable request from the people of Alberta.

You know, I don't question the intelligence of the Finance minister and his ability to balance a chequebook and things like that. This is not personal for me. I just want clarification and transparency in the budget documents, and I think a lot of Albertans feel the same way. I think that the minister ought to think about that a little bit before going off on a litany of personal attacks. If that makes him feel better, go for it, I guess.

The point of this amendment, Madam Chair, is to increase transparency in government. You know, the minister said something very interesting. He said that no other jurisdiction in the country was doing it like we did before. Is he saying that when they had a semiconsolidated cash surplus or deficit, either the government wasn't following generally accepted accounting principles before, which I don't think is what he was saying – I think he was saying that he was going above and beyond the call of duty for what accounting principles ask for. Yet he's saying that if a proposal comes from this side to do that exact same thing, to do something exceptional, to show real transparency, that's somehow juvenile and ignorant or whatever.

That's silly. You can't have it both ways. What were you doing before? You said that what you were doing before was above and beyond generally accepted accounting principles. So you can't do this now? A little humility from that side in that regard would be a good thing. Perhaps that's why generally speaking it's a good idea to switch governments once every 30 or 40 years, because after a while they start thinking they know everything. That's not a good idea. We should probably just respond to what our constituents are writing to us and telling us they want to see. Ours certainly want to see more transparency on this issue.

I think this is a reasoned amendment, and I would ask the minister to give it due consideration. Hopefully, we can vote on it and move on.

**The Deputy Chair:** Thank you, hon. member.

**Mr. Fawcett:** Madam Chair, I don't think we can support this amendment because I think, frankly, it duplicates what's already in the act. It would take a very quick calculation of clauses 9(a), (b), and (c) to figure out what he's requiring in (e). Essentially, what is being proposed in (e) is that the member is mixing up concepts of the balance sheet and the income statement. Essentially, what he's asking for is for us to produce a statement that takes all of the liabilities from the balance sheet accrued in

that year and put them on a statement but not put any of the assets from that year onto the statement. Again, that doesn't make any financial sense. It doesn't meet any of the criteria of any sort of basic financial statement. It would beg me to ask the question: why would this amendment even be appropriate?

**The Deputy Chair:** Thank you, hon. associate minister.  
Are there any others who wish to speak?

**Mr. Anderson:** Well, it's appropriate because Parliamentary Counsel approved it, so it's fine to be in the document. You contradicted yourself, hon. member, when you said that this is duplicative, yet it's stupid. So if it's duplicative, that means it's already in there, and if it's stupid, that means you're calling your legislation stupid.

**The Deputy Chair:** Hon. member, through the chair.

**Mr. Anderson:** Yeah.

I sometimes have trouble with this member's explanations on a whole range of concepts. Certainly calling something unnecessary because it's duplicative and then calling that same thing stupid doesn't seem to make much sense, I would say.

Again, I think, obviously, we'll have to agree to disagree on this point, which is fine. Hopefully, we can vote on this amendment and move on.

**The Deputy Chair:** Are there any more members who wish to speak on amendment A1? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Chair. I rise to support this amendment, and I want to address some of the issues that were brought up. I understand where the hon. member and the minister can take issue with maybe the language but certainly not the intent. I don't believe it's confusing a balance sheet with an income statement. I think what he's really looking for is the operational, the investment, and the financing cash flows.

**8:40**

I think the members can confirm this. What this member is really looking for is that whenever you change your methodology of accounting – and I stand corrected if they want to correct me – you have to restate, I believe, at least one year of accounting so there's continuity for looking back. That wasn't done with our budget. Now, it doesn't have to be done. The member knows that. But the fact is that for transparency to restate past financial reporting to coincide with the new methodology that you've adopted is what is normally good accounting practice. That wasn't done.

What this amendment is trying to do is to show the total cash flow by showing what has been changed from the way capital is addressed. I understand where it's going. I'll give you credit. I'll give the members credit for being smart enough to figure out exactly what we're trying to do. What we're trying to do here is quite simple, and it's out there in the public. It wasn't just the members here in the House in the opposition coming up with different deficit numbers. The NDP came up with a set of numbers. The Liberals came up with a set of numbers. We're all in the same ballpark. We saw what each other was accounting for.

But when you went out to the press and said, "How does this budget compare?" the press, some of the experts being interviewed, as has been mentioned, were coming up with different deficits. They were coming up with different levels of debt depending on what they were including in the process.

What this amendment is trying to is bring transparency so that there's no question about it, that members of the public, people who have accounting backgrounds, accountants themselves would consistently be able to look at what we're doing and say that it is very clear, that it is very transparent, and that the number they came up with would be the same number somebody else came up with, which would be the same number the other experts would come up with. That's where this is going.

We don't need to insult each other. All you need to do is look at the reporting that took place once this budget was announced, look at the experts that were interviewed in all the media, whether it was radio, newspaper, and look at the consensus. There wasn't one because of way the reporting was handled. What they wanted to see was consistency, and that's what this amendment is trying to bring forward so that it would be absolutely clear where we were on our debt, where we were on our deficit, and nothing was hidden.

To the members who claim that it's all transparent: I don't deny that from your perspective. But from the public's perspective, from the fact that the opposition couldn't even come to the same consensus because we might have disagreed on one or two items that changed the final number we came up with, clearly what you've brought forward is not that transparent, not if that many different experts and that many different people can come up with a different deficit number, a different debt number. We all came up with debt. We all came up with deficit. But the numbers were different because of the way the accounting was presented to the public. Good accounting principles seek to avoid that.

Maybe this amendment itself isn't the end-all in the sense that it doesn't accomplish everything we want to accomplish, but it's the right start. It's the right start because what we're trying to get to – and you know this – is where you present your books and there's absolutely no disagreement among the different factions on what you're presenting, where it's accurate, where they can agree to it consistently, not just the opposition but members in the public. Yes, you can parade those who agree with you out front, but you have 60 members that will agree with the one, and rightfully so; you will agree. But the reality is that you know, I know, the Liberals know, the NDs know, and the people that were interviewed know.

When you presented this budget, I was driving to Camrose, and I was listening to an accountant for one of the major banks, who was evaluating this for one of those talk show hosts. It was fascinating because he pretty much knew what he was talking about, and he gave a good synopsis of the budget and of the inconsistency on the size of the deficit, the inconsistency on the size of the debt. When he detailed that – it now becomes the interpretation of the person who is presenting it and not so much the person who is reading it. That's what this amendment sought. It was just clarity.

So you could take issue with the language of a consolidated expense and revenue balance sheet, but I think that when you read this as a whole, no one is asking you to violate any accounting rules. No one is requesting that you falsify any information. What we're looking for is consistency in reporting, and what we don't have is consistency in reporting. You've changed the methodology on how you want to report. It is your right to do so. I understand that. But you should have at least restated it so that we could get some sort of consistency from the past year to the current year, and we don't have that right now.

What we don't have, and this is clear – I like to call this the new Coke that Coca-Cola came out with many years ago. They introduced it to the market. They said that it was better tasting than the old-fashioned Coke. They spent billions of dollars, and it

was a flop, but they tried to sell it. What you're doing here is trying to sell a new reporting methodology, saying that it's clear, it's concise, and it's transparent, but the public itself is saying no. You're telling the public they're wrong. That's not right. You know that. You're smart enough to know that.

What you have here is a new methodology for reporting. What we're asking for is better clarity and better consistency. You can call it any kind of financial report that you want. But you know the old methodology that you used. There weren't any complaints that I remember other than the fact that you continually overspent, but there weren't complaints about your reporting. There were some complaints that you weren't reporting as you said you were going to under the Fiscal Responsibility Act and the Government Accountability Act. There was some discussion in that regard, that you weren't following those acts.

This amendment is trying to bring that back into some sort of transparency so that all parties – if it was just one that said that it's not transparent, maybe you can educate just the one, but you have three parties over here that are telling you that it's not transparent. I have to tell you, quite honestly, that compared to last year and the year before and the year before, this is a new way of presenting the budget, and what we're looking for is consistency so that we can track the debt, track the expenses, track the cash flow consistently so that we get a better picture of how this government is spending its money so that there can be better accountability. That's the key. I don't think that's a lot to ask for.

Yes, you can take issue with the way the member used language here, that it's not the correct form of accounting in the sense of the language, but you do understand exactly what this member is getting to. You know that. The hon. President of Treasury Board and Finance knows how to do this. All the public is saying is: fine; if you want to change your methodology, good enough, but we need some better transparency so that there is consistency in the understanding of your financial reporting. That's it. They want that.

I'm done.

**The Deputy Chair:** Thank you, hon. member.

**Mr. Horner:** You know, Madam Chairman, the hon. member across the way says that I know how to do this amendment. In all honesty, hon. member, I do not know of a consolidated expense and revenue balance sheet.

**Mr. Anglin:** But you know about operational financing.

**Mr. Horner:** Hon. member, we're talking about your colleague's amendment. I understand that you must not support this amendment because you obviously think that we can do this.

The other thing I wanted to suggest to you, hon. member, is that – you asked about the restatement of our previous year – if you look in the budget documents, 2012 is actually in there; 2011-12 is restated in this format, as are the others. The other thing I wanted to suggest to you: don't you think that it's important that the financial experts understand what our financial statements are all about? Don't you think it's important that the financial experts, the people that people listen to, the Angus Watts of the world, as an example, the National Bank Financial, as an example, can tell their clients that they understand what we're doing? I think it's important. I think it's important that the Alberta Chambers of Commerce say: "Yeah, we understand this. It's transparent. It's what we're doing." When we force municipalities to present their books this way because we want to know what they're doing in their operations and their capital plan and we want them to

separate it out, don't you think that Albertans deserve the same thing in their books? I do. That's why we're doing this.

**8:50**

The people that made this complicated, the financial experts that you've been referring to, are the journalists who found it easy the other way. Frankly, the misinformation that has been spread about what the deficit is as opposed to a cash requirement or as opposed to a net change in financial assets, that misinterpretation by a number of colleagues – granted, people who don't understand business financials. None of the financial experts have any problem that has been told to me. If you're thinking about some of them . . .

**Mr. Hehr:** The Premier says we're not in deficit.

**Mr. Horner:** We are in deficit; of course she said that.

But I do want to come back. Hon. member, you mentioned the experts, and you mentioned the bank experts you were listening to. Pretty much every bank that is operating in the province of Alberta has reviewed these financial statements. I got the format from them. That's where this comes from. So for you to say that I know how I could have actually accomplished this amendment, absolutely not, because in the accounting world, frankly, it doesn't exist.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for – I've forgotten – Edmonton-Highlands-Norwood.

**Mr. Mason:** I don't know why people have so much trouble with my constituency. You're not alone.

Well, when conservatives fight, what do they fight about? Accounting principles, of course. This is some of the most boring debate I've ever heard in this place, and I've been here for a while, Madam Chair.

I just want to ask the mover of the motion a question about his amendment, "a consolidated expense and revenue balance sheet which includes all capital spending as an expense." Now, I remember the time I bought my first house. I was terrified of the size of the mortgage, and I talked about that with the real estate agent and the lawyer and with my wife. One of the things that I realized was that, yes, we were incurring a very large debt, which was very scary for me at that point in my life, but we were also getting an asset as well that was offset against the debt. It just wasn't that we owed a couple of hundred thousand dollars; we actually had an asset that was of the same amount.

My question, then, is: would the balance sheet then include the assets also? Would it include the things that you get for the capital spending as an asset to offset the debt, the capital spending? Like, you buy an overpass that's worth half a billion dollars, so you add half a billion dollars to your debt, according to this. Do you also take the asset and put it on the other side as an asset and count it so that it zeroes out?

**The Deputy Chair:** Thank you, hon. member.

**Mr. Anderson:** I have to admit, Madam Chair, I was distracted by a beautiful young woman who came and sat down beside me and was whispering in my ear actually for the duration of that comment. See, the PCs will go to any length to distract me from my job, and this is just another example of that.

**An Hon. Member:** You're weak, Anderson.

**Mr. Anderson:** That's right. Sorry, Sarge. Sorry about that.

I would love to discuss this at a future point in great detail with you, hon. member. I stand by my original comments, whatever those were.

**The Deputy Chair:** Thank you.

Are there any other members who wish to speak on amendment A1? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Chair. To just finish off what I started last time – and I did state it – the way that I interpreted this was that we were really looking at operational cash flows, investment cash flows, and financing cash flows. I understand what the member was trying to come up with, and that's why I gave credit to the hon. Minister of Finance, which was: you do know; you understand what he's trying to do.

I did state that you could put out experts. I know you can. I know you did go find certain experts, but if you don't acknowledge that there were other experts out there, there were. They were all over the news media, and they had issues with the transparency. That should give you cause for concern. It should, and you give weight to it. You give weight to it. Now you want me to go back to get a list. I didn't bring my list with me tonight, but I will tell you what I will do. I will put my list together, and I will table it for you as soon as I accumulate the list. I'll be happy to do that.

I'm not asking you to satisfy everybody one hundred per cent. What this is getting after is to get more transparency, get more consistent transparency. I don't think we're too far off the mark. I know you're going to vote this down, but it gives you cause to think. Can you improve the way you're reporting? [interjection] I will be over there in three more years. I promise you. [interjections] I came here via the Green Party, too, so give me a break.

By the way, global warming and greenhouse gases are a very important issue dealing with the world, the environment, and this party cares very much about it.

I'm done. Thank you very much.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak on amendment A1?

Seeing none, we'll call the vote.

[Motion on amendment A1 lost]

**The Deputy Chair:** We'll go back to the bill, Bill 12, Fiscal Management Act.

**Mr. Anderson:** That was lovely, Madam Chair. Just a wonderful debate, there, on the first amendment.

I have another amendment. Hopefully, this will be just more exciting for the members opposite. First I'll pass it out, and then we'll discuss it. How about that?

**The Deputy Chair:** Yes, please. We'll have the original at the table. This will be known as amendment A2. Hon. member, you may proceed on amendment A2.

**Mr. Anderson:** Thank you, Madam Chair. The subject matter of this amendment is the debt. If you look at section 6 in the act, it says, "The debt-servicing costs of the Government for a fiscal year in respect of outstanding capital borrowing must not exceed 3% of the average of the actual operational revenue for the fiscal year and the previous 2 fiscal years." This is a debt ceiling of sorts, Madam Chair.

9:00

Now, I don't have a lot of trust in debt ceilings. We've seen in the United States that multiple times, dozens and dozens of times, the ceiling has been raised, and the reason it is is because, of course, you would never want to default on your payments. That would significantly harm your credit. So, really, a debt ceiling is somewhat questionable. If it ever came down to it, especially when based on interest payments, you would certainly want to pay your interest payments even if it went over the debt ceiling because the consequences could be far worse in that regard.

What the amendment does is strike this section 6, and it says instead:

For the 2014-15 fiscal year . . .

That's starting next year, not this budget but the next budget.

. . . and subsequent fiscal years, the Government may not borrow any amount that exceeds an amount that is set aside in the same fiscal year in an account specifically designed for the retirement of debt.

Premier Ralph Klein had a debt retirement account, so in 2004, when he retired the debt and declared Alberta debt free, we actually did still have some debt on the books, but we had some money in the debt retirement account that went along with it, so for all intents and purposes we were out of debt.

That's essentially what this is saying. It's saying that if you're going to go into debt for whatever reason, then you need to offset that debt with cash somewhere else. Now, of course, generally you wouldn't do that, so essentially this is an amendment to outlaw debt for operational and capital purposes. It's meant to return our province to its principles of not being a debtor province.

I think that a lot of folks – and I said this in my comments when I was speaking earlier on Bill 20, the Appropriation Act, which is the budget. I talked extensively about debt. I won't repeat all my comments here about what I said at that time, but essentially it was that by 2016 according to this government's budget document Alberta's debt will go from \$4 billion, where it is now, to \$17 billion. I don't think that anybody in Alberta was aware in the least that when they marked an X, the 44 per cent that marked an X for the Progressive Conservatives in the last election – I don't think one of them had any idea that they were going to increase the debt levels from \$4 billion to \$17 billion by the next time they went to the polls. I think that it's dreaming in technicolour to think that that would not have had an effect on the final election result to their detriment, but they don't like to admit that at all.

I would suggest, Madam Chair, that there are many reasons why we should not go into debt. First off – and I think Jack Mintz has alluded to this many times – when a resource-rich province goes into debt, they're essentially double-dipping from future generations because not only are they going into debt, but they are also going into debt while they have high resource revenues. Future generations at some point will not have access to the same nonrenewable resource revenues that we do now, and at that point they'll still have the debt, that they have to pay off. It's intergenerational theft times two. [interjections] Yeah. You like that. I've got fans over there.

I think that Dr. Mintz and my friends in the Liberals and NDP are right about that, and we agree in solidarity with the intergenerational theft and in our condemnation of the intergenerational theft that's taking place.

We would like to see debt outlawed in Alberta. I do find that it's ironic. We take a lot of grief in this Assembly from the other side on this issue. You know, sometimes I have to do a double take. I remember going to PC AGMs for many, many years. Every year I'd go, and I'd look up, and there was the House leader. I'd be, like: "Wow. The House Leader. What a guy." I was an

aspiring lawyer, so I was, like: oh, my gosh, this is the guy that I want to be like. I'd look across the way, and I'd see other members of the government that were there at the time. There aren't many left. They're starting to decrease in number a great deal.

**Mr. McAllister:** You're shattering my image of you.

**Mr. Anderson:** Well, I'm just saying that I was drinking the blue Kool-Aid in droves. The bowl was way back here, and I was just drinking it up and slurping it down. It was good stuff.

I remember during that Klein Revolution, as it was called, all of these ministers speaking out against the evils of debt and how awful debt was, that it's just awful stuff. You know, you go to the conventions. In Banff one year I heard a great speech. I forget who gave it. Anyway, Ralph followed it up, and he explained how we were going to be the first debt-free province and that this is fantastic and all this sort of stuff. Everyone was just roaring: "This is fantastic. Ralph, you did it. You slayed the debt," all this sort of thing. It's some of the same people now that are saying: "Holy man. You Wildrose are such backward-thinking Neanderthals to think that you can go forward and finance government operations without going into debt." Wow. What a turnaround.

I think of the Premier in her leadership, and we've got a great television clip of her being very clear in saying to Albertans that we can maintain the levels of services that Albertans expect and should have without having to go into debt. I am committed to that, she says. She said many, many other things quoted in newspaper articles, TV. She said multiple, multiple times that she was not going to go into debt. Now she says: "Well, that's kind of an ideological, you know, purity thing going on there. That's just backwards thinking. That's Social Credit thinking." It's such a turnaround from where they were even just before the election but certainly from where they were during the height of the Klein Revolution, which were good times.

It is a little bit hypocritical to be castigating us for essentially trying desperately to save your diminishing legacy in this province. But we're trying. We're doing our best to save your diminishing legacy. We really are trying, and we'll give it our all. That's the problem. I think this amendment does that. Frankly, because of the situation that we're in right now, we wouldn't be able to balance the budget without cutting front-line services this year, so we're not proposing that we do that.

**Mr. Horner:** So you'd borrow?

**Mr. Anderson:** No. We still have a little extra in the sustainability fund for an extra year. We'd be able to hold it over for another year, so that would be good. That's why we call it the debt-free plan. We wouldn't have to go into debt. We would be able to use the sustainability fund to carry us to next year, when we would balance the budget, the entire consolidated budget, including capital and operational expenses. We think that that's a reasonable approach.

That's why this amendment doesn't start till 2014-15. It does of course allow for a debt retirement account to be created. This was really the only way we could put in here a way to make sure that we don't go into debt further. This was the creative legislative drafting that took place to try to do that, which sometimes we members are asked to perform, and Parliamentary Counsel has to patiently deal with us as we creatively try to do certain things. They're quite the troopers for doing it.

Anyway, I hope the members will accept this and fight their government so that we don't go into debt any further. Thank you, Madam Chair.

9:10

**The Deputy Chair:** Thank you, hon. member.

The hon. Minister of Finance and President of Treasury Board.

**Mr. Horner:** Thank you, Madam Chairman. I thought it was really kind of interesting because right off the hop the hon. member said that he doesn't trust debt-ceiling legislation, yet what he's doing is putting in debt-ceiling legislation that he's replacing our debt-ceiling legislation with. The problem is that his debt-ceiling legislation doesn't work because, I'm assuming, then, he would want all of the municipalities in the province of Alberta to immediately pay off all their debt, too. We borrow for them. I'm assuming he would want us to call all of the loans that Ag Financial Services has outstanding today. Some of the members opposite may even have some of those. He may ask us to call those notes in because, by the way, we borrow for them, too.

In fact, Madam Chairman, if you look at the plans that we have in the documents around the financing requirements, if you look at most years, the majority of the borrowing that we're doing is actually for on-lending to the Alberta Treasury Branches. I'm sure he'd be pleased if Alberta Treasury Branches had to charge higher rates to all of those Albertans who, God forbid, are borrowing from the Alberta Treasury Branches.

This amendment actually says that the government of Alberta cannot borrow. Therefore, Madam Chairman, we would not be able to do the municipalities through the Alberta Capital Finance Authority, we would not be able to do ATB, and I guess we'd have to call in all of the Ag Financial Services loans because we do the lending for that.

Something that also keeps coming up – and I know he does it in his town hall meetings, too – is that he asks the question: should government be financing its operations with debt? The answer to that question is an obvious no. We are not doing that, hon. member, and it's a misrepresentation of what we're doing to actually say that in a town hall. Madam Chairman, this kind of a debt-free Alberta, debt-ceiling Alberta is simply not workable given what prudent financial resources would tell us we should be doing. Frankly, you know, we could talk a little bit about the phantom budget that they've got out there, where they say that they could be able to do this without debt. It would be impossible without cutting about \$3 billion out of the current operating budget.

The other thing I just wanted to say, too, is that the hon. member talks about an account specifically designed for debt retirement. I actually agree with him on that point. On that one we're actually aligned because if you look on page 128, line 23, we have the capital debt repayment account. As we understand what the maturities are for the bonds that we will be issuing, we are going to be putting dollars in place to pay for those bonds as they come due because that's a prudent thing to do. In fact, it's a bit of a negative financing operation that will work quite well.

Given those reasons, Madam Chairman, I cannot support this, and I urge all hon. members in this House to defeat this amendment A2.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you, Madam Chair. It's a privilege to speak to this amendment moved by the Official Opposition. I will say, before I speak against this amendment, that I do agree with the hon. member's sentiments around intergenerational theft. It has been theft of epic proportions that we have done to future generations. As you're well aware, a far greater sum than what

we've even tried to do has to be saved for future generations. On that point I agree with the hon. member.

If we look at this amendment in the main, what it seeks to do is tie the government's hands. Almost any legislation that attempts to do this sort of thing I find ridiculous and something that we should all seek to avoid. Often these types of things are for political theatre, not necessarily for actual public good. I remember I ran in the '08 election, and my opponent would get up at town halls, like you were saying, and say: "We will never go into debt again. We have a law. We have a law. We will never go into debt again." Sure enough, that day came to pass, and sure enough, we changed the law.

Nevertheless, I just find these types of amendments that seek to tie the government's hands unnecessary. Governments need the ability to do what is necessary given the circumstances that they face. Although I have many ways that the government could be fairer to future generations as well as do a little bit better today, tying their hands in this manner does not seek to address that. If it is on the books, then you never know. Twenty years from now if it is on the books, all of a sudden: "Oh, my goodness. We can't do what's necessary. We have to go in and run a session and undo this law." It doesn't make sense from a pragmatic practicality.

The government of the day needs to do what's necessary, and the voters will be the judge. In fact, opposition parties need to do a job to hold them to account. If they believe that no debt ever is the way to go, well, then they have to make their voices heard from the opposition and win that debate in the sphere of the public realm. If debt is necessary at some point in time, well, then it has to be a tool that the government has at its disposal if it indeed serves the best interests of the public.

I will not be supporting this amendment for those reasons. Nevertheless, like I said, it's intergenerational theft of epic proportions that has happened over the last 25 years.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you, Madam Chair. Well, you know, different political parties have different policies on different things, whether it's social programs, education, whether it's the environment, or whether it's the economic and fiscal policy of the government. These are all different sets of ideas that political parties fight out in this place, in the media between elections, and during elections.

One of the principles of a democracy is that different individuals and different political parties can put forward their ideas for the management of the economy and for the management of the government finances. And they are different. They are different between different political parties. Certainly, we don't have the same position relative to this question as the Wildrose or the Conservatives or even the Liberal Party. They also change within political parties over time.

The hon. member who introduced this amendment talked about being debt free as Alberta's principle. I beg to differ. Those aren't Alberta's principles. Those are Ralph Klein's principles, and they're the principles of the Wildrose Party, but they're not the principles of other political parties or other groups within Albertan society.

One of the things that bothers me a little bit – and this is building on the Member for Calgary-Buffalo's comments – is the sort of self-righteous approach that the political principles of one party are so universal and so transcendent that they need to be put into law so that no other political party can change them. Well, of course, another political party comes to power, and they change

them. When it decided it didn't want to be debt free anymore, this government itself changed the law, and it's changing the law again.

It's a little bit of a silly exercise, in my opinion, Madam Chair, to attempt to enshrine your economic principles in legislation and make them the law of the land. I think governments, like Calgary-Buffalo said, have to be able to do what they do depending on their philosophy and depending on the times in which they're governing. I certainly don't agree that debt is always and in every case a bad thing for governments. As the provincial Finance minister has pointed out, all private businesses, all individuals at one point or another make use of the tool of debt. Governments are no different.

9:20

What becomes the problem and what we have to guard against is that sometimes debt is a political way out of difficult problems. Instead of cutting spending or instead of raising taxes, you just keep borrowing, and you're transferring the problems then to a subsequent generation. There's no question that this did happen in Canada and in other places and certainly in this province under the Getty government in particular.

We're again seeing a deficit. What we need to do is that when that begins to be a problem, we need to assess our revenues, and we need to assess how much debt we're going to incur. We need to put in place a systematic way of repaying the debt so that it doesn't become unmanageable, and then when we move to better times, the debt can be systematically paid down. Now, I don't see that from this government at this point. But I don't see that this particular amendment will accomplish that because it's far too restrictive and is really just a backdoor way of restricting the government's ability to borrow.

Now, municipalities in particular have always depended on borrowing for their capital projects, and it has many advantages. You don't have to delay capital projects well past the time that they're needed. You can also spread out the costs of a project that may last 50 years or more over the life of the project so that this particular generation doesn't have to pay all of the costs up front for a project that would be enjoyed by subsequent generations.

I recall that when I was on city council in the city of Edmonton, we had a policy that had been established by the former mayor, Laurence Decore, of pay-as-you-go for capital projects. It made it very difficult for Edmonton to get the infrastructure that it needed in a timely way. By contrast, in the same period the city of Calgary under Mayor Ralph Klein was borrowing to beat the band. He ran up very significant debt, but the infrastructure in Calgary was put in place in a timely fashion, and it facilitated the growth of the economy. The growth of the economy facilitated the capacity of the city of Calgary to service its debt and to pay down its debt.

That's the principle that I think the more rigid Conservatives forget. Sometimes you borrow and undertake debt for capital projects as a way of accelerating economic growth, which diminishes the magnitude of the debt relatively so that it becomes more manageable. That's an approach that I do support and our party does support. Not everything this government is doing is terrible.

**Mr. Denis:** I'll quote you on that. Thank you.

**Mr. Mason:** Just most of it. Make sure it's a complete quote. Just most of it.

This particular piece, borrowing for capital, we don't have a problem with, but there must be a plan in place for the orderly

repayment of that debt. It cannot be used as an excuse not to raise taxes or not to cut programs. I think those are hard choices.

The government failed to fix its revenue problem, which should have been its first task upon being re-elected. It's paying a price because now we have both program cuts and more debt. The government has got itself into a lot of trouble because it didn't bite the bullet and correct the financial position that was also created when Ralph Klein was the Premier. In other words, he cut corporate taxes. I was there at a Chamber of Commerce luncheon where Steve West announced plans to reduce the corporate tax rate from 16 to 8 per cent. Well, we're now down to 10. That's billions of dollars every year that the government no longer has.

Before I was elected, we had Stockwell Day as the Provincial Treasurer, and he imposed the flat tax on personal incomes that also cost billions of dollars every year. At that time, Madam Chair, of course, natural gas prices were sky-high, and we had enormous royalty revenues flowing in, at their peak \$8 billion a year in natural gas royalty revenue, that offset those tax cuts for the wealthiest in our society. Well, guess what? Those royalties are just not there anymore, and that's the problem the government has gotten into.

You can't generate by magic, re-create those royalty revenues, so you have to do something else. You have to correct and reverse the corporate tax cut and the flat tax so that we have the adequate revenues to provide the programs that we need. The government has failed to do that, and that's why we have more debt than we need to have. That's why we have a rising deficit, and that's why we have simultaneously significant program cuts across the board. The government failed to grasp its fundamental task, the task that should have been tackled head-on in its first budget in its first year but was not, so the government has paid a price. Frankly, Madam Chair, the people of Alberta are also paying a price.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak on amendment A2?

**Mr. Fawcett:** Madam Speaker, we might be making progress here because I actually agree with a little bit of what the hon. Member for Edmonton-Highlands-Norwood said. I think he actually suggested that at times government might have to make hard decisions to cut programs, so we're making a bit of progress here.

What I do want to highlight, though, is that when the Premier asked me to be Associate Minister of Finance, one of the things that she put in my mandate letter was to go out and do consultation on a number of things. One is the savings policy, and the other is looking at alternative ways to finance capital projects. The Minister of Finance and I went out and talked to a number of Albertans, did an online survey, and talked to a number of financial experts.

In all of the questions that we asked, the one particular area that actually came back pretty solid, that there wasn't a lot of disagreement with, was that the government of Alberta should try to be as flexible as possible when it comes to managing its assets, particularly its physical infrastructure assets. That meant that where it financially made sense, to debt finance; where it financially made sense, to pay cash for certain projects; and where it financially made sense, Madam Chair, to go the P3 route. Accepting this amendment would go against everything that we heard in that consultation.

In fact, if you look at the realities of this, Madam Chair, you know, we wouldn't be able to move as quickly as we did on projects like highway 63 if we had this. I know the hon. Member for Chestermere-Rocky View gave a passionate member's state-

ment, I thought a very good member's statement, yesterday around some of the challenges around highway 8. Again, hopefully we will sometime in the future have an agreement to complete the southwest ring road in Calgary, and when we do that, that is going to be a massive, massive infrastructure project. You know, I don't know what numbers are coming in, but I've heard everything from \$4 billion to \$6 billion.

Governments don't have the ability to just collect the cash on hand and build those massive infrastructure projects. You need the ability to debt finance those to get them off the ground and get them built for our communities and for our cities and for our province when we need them, and we need those things today. As the members up in Fort McMurray on highway 63 know and as the member over there on the opposite side knows, we need that project as soon as we possibly can in southwest Calgary. So I would urge him and all members that have those critical infrastructure needs in their communities to defeat this amendment because it would really inhibit the government's ability to be able to move forward on those.

**The Deputy Chair:** Thank you, hon. member.

Are there any more members who wish to speak on amendment A2?

Seeing none, we'll call the vote.

[Motion on amendment A2 lost]

**The Deputy Chair:** We'll carry on with the bill, Bill 12, the Fiscal Management Act. The hon. Member for Calgary-*Buffalo*.

**Mr. Hehr:** Well, thank you, Madam Chair. I'd like to thank the hon. Member for Airdrie for allowing me to present my thoughts on Bill 12, the Fiscal Management Act, and make a couple of amendments of my own before I head back to Calgary. It was a very gentlemanly gesture by the hon. member, and I thank him very much for it.

Speaking to the merits of the bill, I'd like to go through some of the reasons why, at least in my view, this has happened, that the Fiscal Management Act has come about at this time, at this place, and at this juncture. We did have an act in place, that was brought in in 1993 by Mr. Klein, that – say what you want – was serving its purpose in terms of providing a clear, unambiguous, and easy way for Albertans to read what our positions were in terms of revenues and a consolidated debt number.

9:30

In fact, one of the reasons that was brought in immediately upon Mr. Klein's election was the fact that over the course of the four years previous the Don Getty and Dick Johnston administration was running budgets and budget numbers and revenue projections and allocations of expenditures which never turned out to be true or to have an air of reality to them. It was even suggested by some people at that time that they thought the government itself didn't quite know exactly what their position was. With the election Mr. Klein did bring in a fairly transparent process that allowed Albertans to understand what was going on and that let opposition, media, and Joe and Jane Albertan know what the actual position of the province was.

Despite the protestations of the Treasury, that does not appear to be the case at this time. We can look back to the fiasco that happened on budget day when, simply put, the opposition members couldn't get a clear handle on what our net deficit or net debt position was. The media could not get a clear position on what that was. In fact, it took many days for organizations that are pretty adept at this stuff to come up with an exact number.

Although the Minister of Treasury Board says the confusion is only amongst people on this side of the House, I will point out that his boss, the Premier, has indicated that she doesn't believe we are in a deficit position – and she said that to Graham Thomson – whereas the minister confirms that we are, so it appears that confusion is rampant all around in terms of this new Fiscal Management Act that has been brought into this province.

Let me be even clearer on why, in my view, this act came in during this juncture. In my view, it was because ultimately the sustainability fund proved unsustainable, and you needed a mechanism by which . . . [interjection] You liked that one, hon. associate Finance minister. I thought you would. But, ultimately, it did prove unsustainable.

To carry on what has happened in our province since '08, when we found ourselves in a position of not being able to pay for our operating and our capital projects through generating revenue from taxation and through our oil and gas revenues and because of the sustainability fund running out, we needed a new set of accounting to provide a new message to the public. No longer was the old messaging going to work: that we still have \$15 billion in the sustainability fund, we still have \$8 billion in the sustainability fund, and that we still have this in the sustainability fund. Eventually, that message ran dry. You were unable to have that cushion to shield you from the public scrutiny of what, in fact, the finances of this province are because we have not been able to pay our way with our existing fiscal structure as it is or the oil and gas revenues as they are.

Accordingly, you need to switch the message, switch the scenarios, so you have the Fiscal Management Act, which divides the budget into three constituent parts: an operating budget, a capital budget – or I guess we could call it the debt side of the budget as it would have been formerly known – and a savings component. Really, in my view, the savings component is the most specious of the messaging arms that are out there because if you look at projected revenues and the amount of savings that we're going to do over the course, at least until the next election, it's going to be minimal compared to the amount of the net debt position that we are going to find ourselves in. I think that is the backdrop.

I would also like to point out that when I first spoke to this in second reading, I indicated at that time that I wasn't as familiar with what was going to happen in the accountability act. I wasn't as familiar with some of the commentary that was going on out there. I remember giving my comments that indicated that some of the financial reporting requirements underneath the new Fiscal Management Act didn't seem to be as diligent or require the government to be as open and transparent as the former rules and regulations under the old act did.

In fact, I wrote a letter to the Auditor General about this and asked for his views on the matter. Although he is undertaking a thorough review that he will be giving in early July 2013, he does say in this letter – and I'll quote it just to make sure; it's from the middle of the page – that

in this regard, the government stated on page 17 of the 2011-2012 Annual Report that both the audited consolidated financial statements of the Province of Alberta in the annual report and the fiscal plan documents (the budget and quarterly fiscal updates) adhere to Canadian public sector accounting standards, . . .

Now here is where it gets interesting.

. . . except that the fiscal plan covers a narrower scope of reporting.

That's interesting because I believe we heard a lot about openness and transparency in the last election, that we were moving to more



of a system of that measure whereas the Auditor General confirms in this letter that we are going to a narrower scope of reporting.

Now, I might not be the sharpest tool in the shed, Madam Chair, but I do understand that a narrower scope of reporting does not allow for more information to be passed through to the opposition, to the media, and to the general public to truly validate our fiscal position. I'm looking forward to the Auditor General's report in this regard.

I would like to add on to the comments of the Member for Edmonton-Highlands-Norwood, who put very succinctly, I think, what debt and things of that nature are in a financial accounting system. Essentially, with debt and any other move that the government must make, it has to account for a reasonable basis of mapping out what our society needs for today and what our society needs to do tomorrow. If we're just taking on debt to avoid the difficult situation of having to revisit the fiscal structure, which, in my view, is something that we should be doing, then that is not a good enough reason to be going into debt. We as a society have to learn to pay for how we go and for what we use.

9:40

The hon. member did a great job of pointing out how Mr. Klein, although bringing in a pretty open and transparent measure for viewing budgets, was not so good at planning for the long term, when natural gas prices maybe weren't at \$12 to \$16 dollars and the Canadian dollar was at 62 cents, or having stable revenue streams when cutting the corporate tax rate from 16 down to 10. It wasn't made with long-term planning towards what our society was actually going to need and the fact that we may be in a difficult position in the future if things change.

I think the government is making a bet that they're simply going to be selling so much bitumen by 2016 that it doesn't matter. Maybe. Maybe not. But I think that goes against the evidence of economists and government reports that suggest that in order to do better both for today and for tomorrow, we need a substantial revisiting of our fiscal framework. To deny that is just denying the future, what would make our province not only better today but better tomorrow.

Those are my comments on the act and why it came about. In my view, it's not as open and transparent as it could be or as the old provision was, so I'm going to pass out a couple of amendments to my colleagues in the House and see where they go.

**The Deputy Chair:** Hon. member, we'll pause at this moment as we distribute the amendments. You have the original copies as well?

**Mr. Hehr:** Yes.

**The Deputy Chair:** Can we have the pages distribute the amendments, please?

**Mr. Hehr:** Well, I'll start. You guys are waiting with bated breath. Essentially, my amendment, which every member will get in due course, is based on some of the things that are happening with the federal government that have led to, actually, a closer scrutiny of the budgeting process. They had at one time appointed an independent budget officer to look at . . .

**The Deputy Chair:** Excuse me, hon. member. I hate to interrupt, but we haven't named this amendment yet. Hon. member, we will call this amendment A3. We'll just wait a minute until enough of our members have a copy, please. I know you're anxious.

Hon. member, you may proceed.

**Mr. Hehr:** Madam Chair, sorry for jumping the gun there.

Essentially, this amendment is a move to try and replicate, not in the exact same way but in some way, what would allow for additional scrutiny on the budgeting process by having our Auditor General be able to investigate any report prepared under the act and to analyze our budgeting process with a little more scrutiny.

I was very impressed, actually, with the work of Kevin Page, the federal budget officer, who would analyze the federal budget process, would ask questions around it, would write reports about it, would challenge the government on their assumptions, would challenge the government on some of the decisions that they made. I think it allowed for a more public view of the inside look at the budgeting process.

Let's face it; the Member for Edmonton-Centre was bang on this afternoon when she rightly informed the House that the opposition in this province is given very little information in our budget documents. There's no detailed breakdown of how many full-time employees are in a department, what infrastructure spending is going to go on a line item detail, where all the spending in projects fits into this massive \$40 billion operating budget, now our capital or our debt side of things. Where is this information coming?

So, in my view, having the Auditor General be able to do this – I grant that he may be able to do this now, but having this in the act would encourage him to do such a thing, and it would allow him to do this whether it forms part of Public Accounts or not. I believe the Auditor General would add a certain amount of scrutiny and an eye for detail that would be welcome, and his views would be welcome not only to us in this House but to the general public as well.

I leave that for people to consider, and I'd encourage them, too, if they think this has merit or can fit in with our Fiscal Management Act, that it be followed through on.

**The Deputy Chair:** The hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you very much, Madam Chair. At this point I would move to adjourn debate on Bill 12.

[Motion to adjourn debate carried]

**The Deputy Chair:** The hon. minister.

**Mr. Denis:** Thank you, Madam Chair. I would also move that we rise and report.

**The Deputy Chair:** Hon. minister, did you want us to rise and report Bill 14 and rise and report progress on Bill 12 as well?

**Mr. Denis:** That is correct, and move back into second reading on Bill 20.

**The Deputy Chair:** Thank you.

[Motion carried]

[Mrs. Jablonski in the chair]

**The Acting Speaker:** At this time I would ask the Member for Calgary-Varsity to rise and give the committee report.

**Ms Kennedy-Glans:** Thank you, Madam Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bill: Bill 14. The committee reports progress on the following bill: Bill 12. I wish to table

copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

Thank you.

**The Acting Speaker:** Thank you, hon. member.  
Does the Assembly concur in the report?

**Hon. Members:** Concur.

**The Acting Speaker:** Opposed? So ordered.

**Government Bills and Orders**  
**Second Reading**  
*(continued)*

**Bill 20**  
**Appropriation Act, 2013**

[Adjourned debate April 23: Mr. Denis]

**The Acting Speaker:** Hon. minister, you have 15 minutes left.

**Mr. Denis:** I don't have further comments, actually. I'll let it go to the next speaker.

**The Acting Speaker:** Thank you, hon. minister.  
The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Madam Speaker. Can I ask how much time I have before this thing gets put automatically to a vote?

**Mr. Hancock:** You've got 15 minutes.

**Mr. Mason:** Fifteen minutes. Wow.

**The Acting Speaker:** I understand that we will be taking the vote at 10:15. You have your 15 minutes, hon. member.

**9:50**

**Mr. Mason:** Thank you very much, Madam Speaker. I want to start by expressing my real concern about the fact that many members of this Assembly have been disenfranchised by government tactics and have been prevented from speaking to this budget bill.

I'm going to share my 15 minutes with my hon. colleague from Calgary-Buffalo, who I know came over especially this afternoon from his office in order to speak to that bill before it was adjourned. I want to talk about what's happened here because we've seen a gradual erosion of the ability of the Assembly to have oversight over taxation and public expenditures, which is one of the foundations of our parliamentary system of government.

The parliamentary system evolved in Britain under demands for the public to have the right to scrutinize and approve government expenditures and taxation. That was a struggle over a number of centuries that has brought us to today, and it's one of the foundations, one of the pillars, of our parliamentary democracy which this government has trampled upon.

There have been two things that have happened, Madam Speaker. First of all, the government, using its majority, has built into the standing orders automatic closure on budget bills. That's in the standing orders, that there's a fixed amount of time, after which the vote on an appropriation bill must automatically be put, and that's the deadline that we're facing in about 15 minutes.

That's not bad enough, a certain number of hours set aside automatically before closure is imposed by the rules. Then the government has gamed that system, the system that they put in

place, by adjourning debate, but the clock keeps ticking. They talk about other things and debate other bills, and the clock still keeps ticking. Then they bring the bill back before the House just a few minutes before it's due to be voted upon, thereby disenfranchising not only opposition MLAs who want to speak to the budget bill but many of their own members as well, who should be getting on the record on this budget.

I want to indicate to you, Madam Speaker, that at the first available opportunity, which will be tomorrow, we will be proceeding with a point of privilege against the government and will be arguing that, in fact, they have intruded on, trampled on the rights of members of this House through their rules and their tactics.

I want to talk about this budget. As I indicated earlier, Madam Speaker, the government has missed an opportunity to put the province's finances in order. They needed to do that by making sure that the revenues of the province were stable and capable of supporting the program expenditures that Albertans demand and that it not be dependent on royalty revenue for ongoing program expenditures. About 30 per cent of our program expenditures are now funded by nonrenewable resource revenue, and as the hon. Member for Calgary-Buffalo has said, that's intergenerational theft. That is stealing the resources that belong to all generations of Albertans to use them to pay for our programs today instead of paying for them ourselves.

The government can't seem to get off that roller coaster. I will note that the Emerson report, that was commissioned by former Premier Stelmach in 2011, identified the need to deal with this problem – and it's something that we've been raising for a number of years, and others have as well – the need to get off volatile royalty revenues and to pay for our program expenditures through a fair, equitable, and competitive system of taxation. The government has failed to do that.

The government has now seen a huge plunge in its popularity and its credibility as a result directly of this budget. The reason is that, as we identified well before the budget was actually tabled, this is the broken promises budget. The Premier and the Progressive Conservative Party in the last election made an enormous list of promises to the people of Alberta in order to secure their re-election. Now, the Premier keeps trying to redefine the mandate of the government, and she keeps claiming: we were elected to make tough decisions, to provide the kinds of decisions and so on that Alberta needs, and never mind what we actually said in the election.

Madam Speaker, in order to provide my colleague with some time to speak, I'm not going to go through a comprehensive list of the broken promises in this budget. Suffice it to say that very few of them have been kept, and existing programs have been cut and are under attack in a wide range of areas. At the same time the deficit is mounting much faster than it needs to do. Albertans won't put up with it, and they've clearly signalled that they won't put up with it. They were misled in the election by this Premier and this government in securing their own re-election, and they've been betrayed now that the election is over.

There's no question in my mind that in the area of seniors, in the area of postsecondary education, primary and secondary education, in the area of health care, in the environment, in arts and culture, in almost every area this government has betrayed the people that put them in power and gave them another mandate, and they will pay a price for it, Madam Speaker. They will pay a price.

We'll make sure that Albertans fully understand that there's a real, different, progressive option that's available to them in the

next election, that they don't have to be scared by the Wildrose into voting PC, that they can vote for a progressive and moderate political party, which is the Alberta NDP. We will stand up to the Wildrose in a way that these Conservatives are afraid to, Madam Speaker. I look forward to that day. I look forward to the day when we have two options in this province, one conservative vision and one progressive vision, and the whole shambles of progressive conservatism is swept from the stage of history. I look forward to that day.

I am certainly not going to be supporting this budget. This budget is actually the worst of all possible worlds. It has lots of debt, lots of cuts, and it is not a document worthy of the people of Alberta.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

Are there any members who would like to speak under 29(2)(a)?

The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Do I get to speak?

**The Acting Speaker:** We're done with 29(2)(a) if you'd like to speak on the bill.

**Mr. Hehr:** How much time do I have?

**The Acting Speaker:** You will have 15 minutes.

**Mr. Hehr:** Well, thank you, Madam Speaker. It is a privilege to rise, and I thank the hon. Member for Edmonton-Highlands-Norwood for ceding me some time as I did come in this afternoon to speak to this situation we find ourselves in. I, too, would echo his comments on the way we have set up discussion on the importance of the finances in this province, the importance of budgets. Our ability to comment on them in a fulsome manner has been outright pulled out from us as members of this esteemed House.

What happened today was an example of what's happened for the last five years, where we're discussing the budget and we're going through our final comments and offering our fulsome thought on what has transpired, but our hopes and dreams and aspirations for a better fiscal structure in the future have been severely compromised. That's what we saw transpire this afternoon and why we're back here tonight fighting over time on speaking to a very important bill. That is what has transpired. Needless to say, I hope that is rectified and that it is handled in due course in some form or fashion.

Madam Speaker, I'm a pretty even-keeled guy. I honestly am. But I was pretty riled up this afternoon at some of the speeches coming from the government members' side and, in fact, some of the members' statements that have been coming from the government members' side as of late that have stated: we are fulfilling the mandate that we were elected to do. If they believe that, I consider that an outright lie.

**10:00**

If I remember what transpired at election time, the promises made and promises given, they can essentially come down to about four or five different things. One, I think, was no debt. The other was no service cuts. The other one was no new taxes. There was a whole host and magnitude of other promises, a balanced budget and the like. They also promised three years of predictable, sustainable funding. They also promised, you know, post-secondary funding that would go forward in that fashion.

There was no mention of any of the calamity that we now see. For government members to have the temerity that they do, to get up here and say, "We are following through on what our promises were in the last election," is beyond the pale. Frankly, they should be ashamed because they should know better. They know what they were elected on. They know what they promised. To now try this revisionist history that is occurring in this Chamber is ridiculous. It reminds me of when the hon. Member for Airdrie used to sit beside me over on this end, and he'd say, "There the government goes again saying north is south, east is west, up is down" and the like. That's what it amounts to.

So if you could do me a favour just for my sanity and maybe for my peace of mind, try to remember, when you get up and do your member's statement, what you ran on and were elected on. Remember that. People see through it. I see through it. Maybe you can ship it off to your constituents, and they might believe it for a second or two. Really, you know, look at yourselves when you do it. You know what you said. You know what you ran on. You know what you promised. When you try to spin it this way, it just rings hollow.

I, too, would like to go back to where we are on our fiscal structure. Clearly, this was the opportunity where I was hoping that the government would get it right. For any member who ran under the new Progressive Conservative Party who actually believed that you were progressive: I hope you didn't convince yourself that that just meant you were going to spend the oil wealth faster, okay? Simply put, that would be irresponsible. It would amount to intergenerational theft, which we have done in the last 25 years, that I was hoping was going to end under this new Premier.

To be progressive, I recognize that you have to assume certain things and you have to ask the taxpayer to support certain initiatives that you deem important. I assumed the Premier and her party deemed full-day kindergarten important. I assumed the Premier and her party deemed postsecondary education important. I assumed a whole host of things that, when I saw those election platforms, are not reflected. In fact, to be honest, I was one of the people who, actually, after election day said: "Heck. I'm pretty excited. Maybe we have a Premier here who can change things, who can actually change the structure that was set up under Ralph Klein and move this province into the 21st century."

I think we missed a real opportunity. In fact, I think the government would be more popular today if they had just lock, stock, and barrel gone ahead and changed the tax system to reflect something, you know, in the mode of Saskatchewan or even somewhat half that of Saskatchewan, been in a better position with the public than they are today. Really, if you're going to break a promise, in my view, you might as well break a promise that fixes something, okay?

You had an option, I guess, as to what state you are right now. You could break the promise of no debt, you could break the promise of no new taxes, or you could break the promise of predictable, sustainable funding. You've broken all of those except the one you probably should have broke, the taxes. You should have broken that tax promise and probably left all of the others alone. You could have done that. That would have put Alberta's finances on the road to some sort of reasonableness and rationality and would have given you something to actually take into the election. "We're different than the Wildrose because we're going to have predictable, sustainable funding. We are going to provide for the social needs of this province. We are going to be able to provide full-day kindergarten."

If you just keep the same fiscal structure, if we're just going to keep kicking this problem down the line – you know, I don't care

what your bitumen projections hopefully are by 2016. I think some think that that's the best strategy to win the next election. We're never going to get out of the fact that we are not paying for what we use. Eventually the situation we'll find ourselves in – you may get a temporary reprieve from it in 2016, but it's never going to solve the underlying problem as outlined in the Emerson report, that said that our revenue structures need to change. The fact is that virtually every economist over the last 25 years has said that, whether they're from the left or the right side of the spectrum.

Where I feel very comfortable with this is that two former Finance ministers have also said this, Minister Liepert and, of all things, Minister Morton. When Minister Morton can admit that we have a revenue problem, why can't this government? You know, it couldn't have been easy for him to say that. Ask yourselves that. The darling of the fiscal right says that. Now that he's out of government, he says: "My goodness, guys. Let's do something that's right for the province and right for future generations." You have to ask yourself. Are you really telling yourself that these two gentlemen, who have been Finance ministers in this province, who say that our fiscal structure is broken and that we finally have to deal with it – if that's not enough evidence despite the fact of all the other evidence that is out there, I don't know what is.

I don't know why you had that fiscal summit if you're just going to bury your head in the sand and hope to sell more bitumen by 2016 and try and fool the public. "The Tories saved the day. By the way, we put the oil in the ground. Didn't you know it? We put it there, so we're going to spend it all. That's just how it is, okay?" You didn't put it there. Ernest put it there. He prayed really hard, and he got it there. Actually, it might have been Bible Bill, so you guys can take credit for it.

That to me is not a plan, okay? It may seem like a winning election strategy – I don't even know if it's that – but it doesn't solve anything. We've got a real problem here. Any objective measure of this outside of the political lens says that we have this problem, and I would hope that next year we can see some action on this front to really fix the problem that is evident and to go ahead from there.

I will not be supporting the budget, Madam Speaker, for that laundry list of explanations, primarily because I don't believe that the government has fulfilled one iota of their promises given on election day, and this is reflected in their budget. I would hope that members of this House honestly assess that and, if they are a Progressive, ask themselves if that was that just to simply spend the oil wealth faster. If it was, you didn't understand why you got into this business or what needed to be done.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

I will call the next speaker for the next few minutes, but I would remind all members that we are not in committee. We expect everybody to have proper decorum, and that means not having your feet up on another person's chair.

Did anyone want to speak on 29(2)(a)? Going once, twice. Okay.

Moving on to the next speaker, the hon. Member for Innisfail-Sylvan Lake.

**10:10**

**Mrs. Towle:** Thank you, Madam Speaker. It's a pleasure to rise and talk about Bill 20 tonight. I've sat here, and I've listened to so many discussions on this budget, where each individual thinks we should go and where each individual doesn't think we should go. It's interesting that while we may not agree with my friends to the left on the principles of how money should be spent, we agree on

one certain thing, and that was that clearly today democracy as a whole was thwarted by the PCs on the other side. It seems unfair to not allow an opportunity for the hon. member from the Liberals to speak to the budget when he was here and prepared, to hold it off till tonight for no other reason than just to be difficult.

But to go forward to the budget, on July 12, 2004, Alberta declared itself debt free.

Alberta is now debt-free, due in part to the high price of oil and gas.

"Today I'm very, very proud to announce that Alberta has slain its debt," Premier Ralph Klein said on Monday in Calgary.

"Never again will this government or the people of this province have to set aside another tax dollar on debt."

That's what Premier Ralph Klein said, and that is the PC Party, the Conservative Party that Ralph Klein envisioned and that Albertans envisioned.

Going forward, Premier Klein went even further. Not only did he slay the debt and make a better Alberta for all of us, but he went even further to leave this government with a \$17 billion sustainability fund, the same fund that they have absolutely drained to almost nothing.

In 2012 we had the highest resource revenues and the highest corporate and personal income tax revenues in all of Alberta's history, and we had the remaining parts of the Alberta sustainability fund. With all of its great economy, with all of its great attributes, a province that everybody wants to come to, when you have the previous Premier, Mr. Klein, set you up for success, how is it possible that in 2013 we could possibly be heading into \$5 billion worth of debt? You cannot tell me that last year, during the campaign, at any one point anybody talked about the need to go into debt. They talked about what a great economy we're in, what a great province we're in, how they'll balance the budget, how they will personally guarantee they're going to balance the provincial budget. They went on and on and on with all the promises that they were going to be able to do.

Let's take a look at some of those promises that weren't able to be kept in this budget. Let's talk about seniors' cuts. Let's talk about reduced home care. Let's talk about closures of long-term care facilities such as Carmangay, Strathmore, Michener Centre.

Let's talk about the 50 seniors in Michener Centre that are now going to go to continuing care facilities that don't deal with people with developmental disabilities. Many of my colleagues in this room were at the breakfast this morning at 7 o'clock with the Canadian Mental Health Association. They talked about the unique needs those people with mental health have. Where do those seniors fit into our current continuing care centres? We hear the other side talk about how we're moving away from institutionalizing our Michener Centre clients, yet moving these same clients into continuing care centres: I hate to say it, but those are institutions as well. The reality of it is that the government has failed on that.

Never once during the campaign did they talk about 8 per cent MLA pay raises. Never once during the campaign did they talk about the federal building. Never once during the campaign did they talk about how they were going to go over budget on the federal building for new MLA offices by over \$75 million, never once during the campaign and never once in this budget. They were questioned thousands of times during this budget with regard to AHS bonuses, and they waited until the very last minute to be transparent and open with Albertans and tell Albertans that they're going to go ahead and pay out those bonuses on March 31. They waited till the absolute last minute.

They tell everybody they're going to do all these things: changing, going first. Let's just talk about even the elder abuse

strategy, still not implemented. The 44 cents on cellphone calls: that's a tax. Let's talk about the reductions in seniors' benefits. Let's talk about the property tax deferral program. For all of these things they waited to the last minute.

**The Acting Speaker:** Hon. member, I hesitate to interrupt you, but in accordance with Standing Order 64(3) the chair is required to put the question to the House on the appropriation bill on the Order Paper for second reading.

[Motion carried; Bill 20 read a second time]

## Government Bills and Orders Committee of the Whole

[Mrs. Jablonski in the chair]

### Bill 12 Fiscal Management Act (continued)

**The Deputy Chair:** Hon. members, we have amendment A3 on the floor, moved by Calgary-Buffalo.

The hon. Minister of Finance and President of Treasury Board.

**Mr. Horner:** Thank you, Madam Chair. I'm going to speak to amendment A3, that the hon. member has brought forward to us, that essentially gives the Auditor General carte blanche on pretty much everything and anything he would like to report on under the act. Frankly, the Auditor General has a great deal of power within the act and within his own act to do what he needs to do, and this would be superfluous to what he's got in the act that grants him his powers today.

I would not be in support of this motion because I have not had any opportunity to review what kind of impact that may have on a whole raft of other issues as it relates to what is an officer of this Legislature, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

**Mr. Mason:** Well, I'd like to ask the Finance minister what he's afraid of. Why wouldn't he let the Auditor General, an officer of this Legislative Assembly, look closely at all aspects of the government's reports that are prepared under this act, whether or not it forms a part of the public accounts?

I think this is an excellent amendment. I think the Auditor General should be allowed to do that. But, then again, I forget myself, you know, Madam Chairman. They don't want the Legislature to have full scrutiny over their budget. They don't want the Legislature to have full ability to debate all of their accounts. Why would they want an expert like the Auditor General looking at their accounts and making public reports? That could be terribly embarrassing for this government.

I guess I'm not surprised that they're not supporting this amendment, Madam Chair, but I am nevertheless disappointed.

**The Deputy Chair:** Thank you, hon. member.

**Mr. Horner:** Well, I'm certainly disappointed that the hon. member is disappointed. Madam Chair, this government is not afraid to have the Auditor General look at whatever the Auditor General would like to look at under the purviews of the powers granted to him by this Legislature in the act that he has for his particular office. Putting this kind of clause in all of the other pieces of legislation is not required, it's not needed, and frankly

I'm not sure why it would even be brought into this act. Therefore, I'm not supporting it.

**The Deputy Chair:** Thank you, hon. minister.

Are there any other members who wish to speak on amendment A3?

**Hon. Members:** Question.

**The Deputy Chair:** The question has been called.

[Motion on amendment A3 lost]

**The Deputy Chair:** We'll go back to debating Bill 12, the Fiscal Management Act.

**Mr. Hehr:** One more amendment, Madam Chair, and it's going to be very, very quick.

**The Deputy Chair:** We'll pause for a moment while we distribute the amendment. This will be known as amendment A4.

10:20

**Mr. Hehr:** Well, I'll read the amendment. It renumbers section 9 as section 9(1) and adds the following subsection to it.

**The Deputy Chair:** Hon. member, please pause for a moment so that they can have the amendment in front of them as you read it.

Hon. member, you may continue.

**Mr. Hehr:** Well, thank you, Madam Chair. Essentially, this amendment is asking that the fiscal plan contain

- (a) a consolidated statement of revenues and expenses for each fiscal year;
- (b) the actual total surplus or deficit for each fiscal year; and
- (c) the actual total debt, if any.

I'm looking for these to be somehow incorporated into our budget documents to allow us to not have the debacle we had on budget day of last year, where no one knows what the total deficit total or the total debt total is. I believe it would be in the spirit of openness and transparency in allowing the opposition, media, and the average Joe and Jane Albertan alike to have a clearer picture of our financial picture.

Thank you very much, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

**Mr. Horner:** Madam Chair, when the hon. member looks at the plan that was presented based on the Fiscal Management Act this year, he will note that there are consolidated statements of revenues and expenses at each year, which are required under the public-sector accounting principles, which we follow. We have not changed that. We will continue to have the consolidated financials within the business plans and the operating plan that we present. That's part of the operating plan. The Auditor General would be terribly upset with us if we didn't do that.

As well, the actual total surplus as defined in the act is actually stated in the operating and expense plan, and the actual total debt, hon. member, is part of the capital plan. It's in the document, and you can readily see that as it changes in the capital repayment. What you're asking for is already in the act. Therefore, I cannot accept the amendment.

**The Deputy Chair:** Thank you, hon. minister.

**Mr. Hehr:** Fair enough with that explanation. I agree to disagree at this point in the evening, and we'll move on.

**The Deputy Chair:** Are there any other members who wish to speak to amendment A4?

Seeing none, we'll call the vote.

[Motion on amendment A4 lost]

**The Deputy Chair:** We'll go back to debating Bill 12, the Fiscal Management Act.

The hon. Member for Airdrie.

**Mr. Anderson:** Yeah. That's me. I have an amendment, and I'll distribute that now.

**The Deputy Chair:** Hon. member, we'll pause for a few moments as you distribute the amendment. Please send the originals up to the table. We'll call this amendment A5.

Hon. member, please continue.

**Mr. Anderson:** All right. Well, this is a simple amendment. It addresses an issue I brought up earlier. It would change section 11 by adding after subsection (2).

Section 11 says, "Reports on progress." This refers to what I was talking about earlier with the quarterly updates.

11(1) The responsible Minister must make the following public as follows:

- (a) the actual results of the fiscal plan for the first 3 months of the fiscal year, on or before August 31 in that year,
- (b) the actual results of the fiscal plan for the first 6 months of the fiscal year, on or before November 30 in that year, and
- (c) the actual results of the fiscal plan for the first 9 months of the fiscal year, on or before February 28 in that year.

Then:

- (2) The responsible Minister may determine the content and form of a report made under this section.

Well, the amendment would address this vagueness, this power given to the minister. It says:

- (2.1) Notwithstanding subsection (2), each report made under this section must include a statement of the accuracy of the operational, savings, and capital plans in light of any revised projections for the entire fiscal year.

[Dr. Brown in the chair]

This goes to the idea that – Mr. Chair. Holy smokes. Poof. All of a sudden a new chair. It's good to see you.

Subsection (2.1) is designed to make sure that when the government gives their quarterly updates, they give a projection of what they expect the final surplus, deficit, balance sheet, et cetera, all that stuff will look like at the end of the year. What they've been doing over the last couple of quarters, as I alluded to earlier, is changing a practice where before they would make sure to give a projection. So in the first-quarter update they would say: look, given what we know about oil prices and expenses and all that sort of thing and revenues, et cetera, this is what we expect the deficit, surplus, sustainability fund, et cetera, et cetera, will look like at the end of the year. They did it again in the second quarter, third quarter. Recently they haven't been doing that. They have just been stating what the actual revenues and expenses were for that first three months and not making the projection thereafter of what the deficit or debt or whatever will be.

This is a way of clarifying it. I think it's a good amendment, and it will create transparency. The Canadian Taxpayers Federation, which is a very respected group when it comes to standing up for taxpayers and transparency and so forth with government

finances, has suggested this type of thing be added to Bill 12. I think it's a very good idea, and I hope the minister will see fit to accept this amendment.

**The Acting Chair:** The hon. Minister of Finance.

**Mr. Horner:** Thank you, Mr. Chairman. I read with interest the amendment that says that it must include a statement of the accuracy of revised projections. Basically, that's what it's asking. It wants us to say that our projections that we're going to make are going to come out true somehow or to guarantee that they're going to be true. No one can do that, Mr. Chair.

What section 11 talks about is that the minister responsible will have to provide Albertans with the actual results of the fiscal plan for each of the first three months, then the first six months, then the first nine months. The minister is also required, given the business plans that we've done, to talk in great detail, as we have, about what the changes are in the economic situation going forward. What are the changes that are going to be happening?

[Mrs. Jablonski in the chair]

Contrary to what the hon. member has stated, we do provide a projection of what the range could be given what we know in the economic conditions that are out there. But it's more important, frankly, Madam Chairman and fellow colleagues in the House, that we are telling Albertans how well we're doing in the budget that we're debating today.

**10:30**

Three months from now Albertans are going to want to know how well we did versus what we said we were going to do. You know, did we spend what we said that we were going to spend? Were we too much? Were we too little? I think it's important that we recognize that doing a projection for a projection's sake only gives, you know, some like the Canadian Taxpayers Federation an opportunity to try to do the math, and obviously then they can write up the story.

I want to quote from somebody who I think is quite knowledgeable in these things. That would be John Ferguson. Now, John Ferguson is a very respected businessman in the city of Edmonton. He is a chartered accountant. He has been recognized by a number of different associations for his knowledge and business acumen. He also just happens to be the chair of Suncor Energy. This is what he had to say the day of the budget.

I think it's very positive that they're separating the operating and the capital budgets. They're two different things... It creates more accountability, and I think overall it will be the right thing to do. It's unfortunate that it's happening in this year, when there's so much going on, but when we get the comparative figures next year, it'll be terrific.

Now, that's someone who understands that management makes decisions by good information and by seeing where we're going to what our actual results are.

That's why, Madam Chair, we are moving to a process that, quite frankly, will be able to thwart things like March madness, which I know many of us in this House have talked about in our constituencies. You know, you can't tell when March madness is going to happen until after the year end. Well, by the third quarter of this year we're going to be able to tell where we're at in our actual expenditures to our budget that we said we would be at. We're going to be able to manage the expenses of government even better than we did before.

Quite frankly, that is the accuracy the hon. member is looking for in this amendment, but he doesn't need to put this amendment in. To say that we're going to have a statement of the accuracy of

the revised projections just seems a little bit at odds to me. I think it is much better to say that the minister responsible will make public the actual results of the fiscal plan for the period that they're reporting on. I think, Madam Chair, this is actually not that much different than what was in the previous act, so, yes, I am going to have to say that I will not support this amendment.

**The Deputy Chair:** Thank you, hon. minister.

Are there any others who wish to speak on amendment A5?

Seeing none, we'll move to the vote.

[Motion on amendment A5 lost]

**The Deputy Chair:** We'll move back to debating Bill 12, Fiscal Management Act.

**Mr. Anderson:** I have another amendment I'd like to distribute.

**The Deputy Chair:** We have another amendment. We'll call this amendment A6. We'll pause for a moment until everybody gets a copy.

Hon. member, please proceed.

**Mr. Anderson:** Okay. This is an amendment. One thing I am happy about in this act is a clause that I've been advocating for since I started five years ago, with the Progressive Conservative caucus for a couple of years. I've been advocating for this for a long time, so I am happy to see it in here. I'm just such an impatient person. I just want to see it moved up, so that's what this is. This refers to section 4. Currently it says:

4(1) In this section, "net income" means the net income from operations as reported in the "Statement of Operations and Accumulated Surplus" contained in the Heritage Fund's financial statements.

(2) For the 2015-16 fiscal year, the greater of the following must be retained in the Heritage Fund:

- (a) 30% of the net income of the Heritage Fund;
- (b) the amount determined under section 11(2) of the Alberta Heritage Savings Trust Fund Act.

(3) For the 2016-17 fiscal year, the greater of the following must be retained in the Heritage Fund:

- (a) 50% of the net income of the Heritage Fund;
- (b) the amount determined under section 11(2) of the Alberta Heritage Savings Trust Fund Act.

(4) For the 2017-18 fiscal year and subsequent years, 100% of the net income of the Heritage Fund must be retained in the Heritage Fund.

The reason why this is important, Madam Chair, and why I've been advocating for it is that at some point, of course, as we've talked about many times in this Legislature, the oil and gas revenues that we have as a province will start to decline, probably not because we've run out of oil. That's probably not going to be the reason why. The reason will be for the same reason that many other natural resources which are out there where there's abundant supply – it's gone down in price for things like coal, for example, is not because we ran out of coal. It's because there were alternative energies that were out there for heating homes like natural gas and so forth. Demand has gone down for those products, so it's a lower price.

Well, it's the same issue with oil and gas. I think it's clear that demand over time will subside. It'll certainly go down. The demand already has plateaued and is going down. That is combined with a huge amount of supply because new technologies developed in Alberta, ironically, in a lot of cases, are being used to develop huge plays in the United States, in Russia, in other places around the world, so the supply is up. In a lot of cases like the

U.S. the supply is also close to the customers, closer than we are to the customers we want to get to. Because of that, I think you're going to see oil and gas prices decrease over time.

We still have some time to make some good money on oil and gas, but I think it's a handful of decades now, not forever – that's for sure – and certainly not for another five, six, seven decades. It's probably going to be a much shorter timeframe than that. That's why it's important that we put away enough money in the heritage fund so that we replace our reliance on oil and natural gas revenues, and part of that means not raiding the heritage fund.

Many people don't know this, but the heritage fund today is worth less than it was in 1976, when it was first established by Premier Lougheed, if you adjust it for inflation. People say: well, how is that possible? Well, this is how it's possible. What happened was that from about 1986 on – I think it was 1986 – every year the government would take the revenues made on the heritage fund, the earnings from the heritage fund from that year, and they would stick it into general revenues, and they would spend it instead of saving it. They kept doing that and doing that over and over and over again. There were a few years they inflation-proofed it but just a few. For the most part they just took all of the interest from the fund, put it in the general revenues, and spent it.

The problem with that is that what would happen over time is that when the heritage fund would have a good year and, say, gain \$2 billion in value or whatever, they would take that full \$2 billion out, and they would spend it. Therefore, the best-case scenario would be that they would inflation-proof it, and it would be worth no more than it was when you started. At worst, they didn't inflation-proof it, and because of inflation it would actually be worth less than when they started. That was one way it would decrease.

In years when the heritage fund decreased in value, when it, say, lost a billion dollars or so like in the 2008 world stock market problem, collapse, the money would go out, or the value would be lost, you could say, and they wouldn't replace that value after the fact. What would happen, of course, is that that would decrease over time the value of the heritage fund. That's why it's worth less today than in 1976 when adjusted for inflation. It's an absolutely horrendous record of wealth management.

**10:40**

If we had just left the interest in the fund from 1986 on, not invested another penny of oil and gas revenue in the fund from 1986 on, just left the interest in there, assuming a rate of return at 7 per cent, which could be a little lower or could be a little higher – who knows, but let's say 7 per cent – the fund today would be worth well over \$150 billion in value, which would be enough, if the earnings off that, let's say, were at 6 or 7 per cent. That would replace the annual amount we get from oil and gas today or be very close to it anyway. That's where we would have been if we'd just used a little foresight, starting in 1986, and saved.

Now, we can't blame it on Premier Ralph Klein. What happened was that from 1986 to . . .

**Mr. Mason:** We can't blame it on Ralph Klein?

**Mr. Anderson:** No, you can't. I'll tell you why you can't blame it on Ralph.

From 1986 to 1993 Premier Don Getty and his government went into a massive amount of debt. Not only did they not save, but they also went in the opposite direction. They debt financed, and they took out roughly \$23 billion in debt.

When Ralph came into office as Premier in 1993, his first priority, and rightfully so, was to get rid of the debt. So instead of leaving the money in the heritage fund, what he did is that it went into general revenues, and then it was used along with other revenues to pay off the debt. And he did so. He paid off the debt, and he built up a \$17 billion sustainability fund/capital fund.

Was that too much? Maybe, maybe not. Who knows? But the point is that he took \$40 billion in cash because of his balanced budgets, and he was able to pay down the debt in the amount of roughly \$40 billion. So I don't blame Ralph in any way, shape, or form for not investing at that time. It was the mistakes of his predecessor that changed his focus to debt repayment instead of savings.

However, if from 1986 we had just balanced that budget and just left that interest alone, that's where we would be today, \$150 billion or more in savings. It's a massive squandering of wealth that occurred primarily during the Getty administration, the Stelmach administration, and now the Redford administration. It is truly a shameful record.

I am grateful that there seems to be an admission that there needs to be a change in this regard, so that's why section 4(4) says, "For the 2017-18 fiscal year and subsequent fiscal years, 100% of the net income of the Heritage Fund must be retained in the Heritage Fund." That's fantastic. Now, the only problem with that, of course, is that there is a kind of caveat. The caveat is that in that same year or the year before that, 2016, they're planning on borrowing \$4 billion to pay for capital, bringing our debt up to \$17 billion. If you don't include pension liabilities and just debt for capital, essentially P3s, bonds, et cetera, it'll be \$17 billion. If they're still borrowing at that rate, \$4 billion a year or \$3 billion or whatever, you know, that's great that they're going to allow the heritage fund to grow, but at the same time our debt is going to be going up, and that's not good. I'm glad for section 4(4), but I wish that we wouldn't be borrowing at the same time, essentially borrowing to save.

What this amendment does is that it strikes out subsections (2) and (3), and it gets right down to business. Starting in 2014-15, which is the year that we say that we would balance the budget if the Wildrose government was elected, which is not this year but next year, 100 per cent of heritage fund earnings would be retained in the fund.

In fact, what a Wildrose government would do is that we would continue to not raid the heritage fund interest, let it build up every year as well as hopefully some additional investments into the heritage fund from surplus funds from year to year, so that within 20 years or thereabouts, maybe 25 years, the heritage fund would be at a level, \$150 billion to \$200 billion, where it would literally replace our reliance on oil and natural gas revenues from year to year, which would be an amazing legacy to leave. So our kids could keep the same tax advantages that they have today. It will be just as easy to start a business in a low-tax environment as it is today. They won't have to worry about their taxes going up to 15 or 17 or 20 per cent or whatever to pay for the same social programs and infrastructure that they have today. They won't have to do that because it'll be like they still have oil and gas revenues coming in every year. But in this case it's not a nonrenewable resource; it's a renewable fund that every year is compounding with interest and paying out dividends to allow us to keep our Alberta advantage that Ralph established and that I think we still have although it is deteriorating every day that we continue on in the direction we're going right now.

That's the purpose of this amendment, to move up this wonderful idea of leaving the interest in the fund, something that should have been done a long time ago. I don't want to wait – and

I don't think Albertans want to wait – till 2017-18 for that to happen. We want to see it happen now, well, starting in 2014-15. We want to balance the budget, not be in debt, start saving, do what our children need us to do, and start today.

Thanks, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

The hon. Minister of Finance and Treasury Board.

**Mr. Horner:** Well, thank you very much, Madam Chair. I am pleased that the hon. member is recognizing that the savings initiative of keeping 100 per cent of the Alberta heritage savings trust fund earnings in the heritage savings trust fund is something that he can support. I don't think it'll change his support for the bill, but, you know, one can only hope.

I would also say that, hon. member, we did look at moving it up. In fact, we thought: what would happen if we did that? Then we thought: what would happen if the differential stayed where it was? What would happen if we didn't get access? What would happen if – if you start to think about those what-ifs, which are pretty close politically to us right now, and you put it in legislation that you had to start next year, it ties your hands to deal with some of the things you might have to deal with if those situations arose.

That's why in the act we did the stepped approach. We said: "We're going to start in 2015-16. We're going to move to 30 per cent, 50 per cent, 100 per cent." You'll note in the business plan – and I'm sure you did – that we actually do start earlier because we think we'll be able to, but we're not going to put it in legislation and tie the government's hands to do that. We're going to say: "We're going to get there. It's in legislation. We're going to get there, but we're not going to tie our hands." In fact, you know, even under your old definition in terms of balancing, we're looking at a balanced budget in 2015 with a surplus on the operating side of close to \$1.4 billion. If we hit those numbers . . .

**Mr. Anderson:** But you're borrowing.

**Mr. Horner:** Of course we are. That's the right thing to do financially because your net assets are going up.

I think, hon. member, it should be put on the record that a lot of the dollars that you talk about have been spent. The \$17 billion, the interest earned from heritage savings trust fund investments in past years: a lot of that is in the \$44 billion worth of net financial assets that this province has, that Albertans enjoy. We are the only jurisdiction in Canada and probably North America that has actually taken the assets out of the ground and built a balance sheet that is second to none in North America. Frankly, that's not an intergenerational theft. That's setting the framework for the next generation's completely solid financial footing. That's something that we can be proud of, hon. member, not something you should disparage as a theft from the next generation. As a matter of fact, we've set the next generation on a very, very strong foundation.

I can't accept this for the reasons that I've outlined in the sense that it would be irresponsible of us to put this in legislation given what we know politically. I know you know that, too. So I'll take my seat and say that we should vote this amendment down, too.

**The Deputy Chair:** Thank you, hon. minister.

The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Madam Chair. I want to just maybe ask a question of the mover of this amendment, seeing as he seems not as distracted as he was before. I do want to make a couple of points. First of all, I agree with the principle of the



amendment, which is to move towards retention of the interest earned in the heritage fund and allow it to compound.

**10:50**

I want to correct, you know, a little bit of a blind spot in his history relative to the role of former Premier Klein and the interest in the heritage fund. It's true he was left with a large deficit, and it's true he had a mandate to eliminate that deficit. He was focused upon it. But when he got close to that goal, instead of retaining the interest in the fund again, he chose to give tax cuts to corporations and to impose a flat tax, which cost billions in revenue and left him then with no choice but to continue reaching into the heritage fund and taking money out. It wasn't just for deficit fighting; it was also for helping his rich friends that that occurred.

My question is this. You talk about retaining 100 per cent of the interest within the fund, but in the next moment you're talking about building up the fund and paying out dividends from the fund.

**Mr. Anderson:** No. I meant to general revenue, not to people.

**Mr. Mason:** I know you don't mean to people.

**The Deputy Chair:** Hon. member, through the chair, please.

**Mr. Mason:** But to use interest, then, to offset our appallingly low royalties and to put that into the general revenues of the province: at what point do we transition from retaining all of the interest in the fund to using the interest to pay for government programs? That's my question.

**The Deputy Chair:** Thank you, hon. member.

**Mr. Anderson:** Well, that's a good question. Obviously, that's not in the amendment, but our policy that we ran on during the election, of course, was the Balanced Budget and Savings Act, and we thought it was a very popular policy with folks. The point where we would start taking money out of the heritage fund, taking the interest out and start putting it into general revenues to be used for regular program spending and so forth, would be the point when the annual earnings from the fund replaced entirely our reliance on oil and natural gas. In other words, if a five-year rolling average for oil and natural gas was, say, \$7 billion a year, if the fund was able to produce \$7 billion a year, then at that point we could use that money because we would no longer be dependent upon it. So that's it.

Now, I do want to just make one little note here about Ralph Klein. You know, you wave a red flag in front of a bull when you do that.

**The Deputy Chair:** Through the chair, please.

**Mr. Anderson:** Yes, Madam Chair.

Obviously, Premier Klein did pay off the debt, as you said, and the deficit and so forth. But then the comment was that – I forget; I think it was in roughly 2000 or 2001, one of those years – the PC government, the Ralph Klein government, brought in the flat tax and lowered corporate taxes as well.

I do not for a minute think that was because Premier Klein was trying to enrich his friends, his business friends or what have you. That is not why those tax cuts were brought in. Those tax cuts were brought in to establish what we called back then the Alberta advantage. It was to make sure that businesses would come from all over the world to invest in Alberta and so that people would come from all over the world to live in Alberta. That was the Alberta advantage that has attracted, frankly, millions of people to

our province. They know that they can come here and be in a low-tax environment and be successful, and it's a fantastic place to raise their family.

That's why we on this side of the House are working so hard to remind our cousins across the way, as we like to say, our some days friendly, some days estranged cousins – it depends on the day or the issue – why that legacy is so important and why we need to protect it by making sure we keep balanced budgets, don't go into debt, and keep taxes low. That Alberta advantage is something that we need to keep going forward. Ralph Klein, when he did that, did not do it to enrich his friends; he did it for the benefit of this province, and it worked, Madam Chair.

**Mr. Mason:** Enriching his friends was just a side benefit, then, Madam Chair.

Actually, I just want to point out that under the current flat tax on personal income in Alberta, people in middle income ranges pay higher taxes than they do in a number of other provinces. It benefits the wealthy far more than the middle income. They raised the personal exemption – I grant you that – but for the middle class it's not as good a deal as you're suggesting.

I have a couple more questions. First of all, you talk about the tipping point where you start reaching in and taking the interest income at the point where it starts to offset royalties. That raises a little alarm bell in my head. Does that mean you want it to replace royalty revenue and you'll cancel royalties when that happens? Is that what you're saying? I think you should clarify that on the record, hon. member.

Secondly, it doesn't say anything about that particular trigger in the amendment at all. I would assume that if, God forbid, there was a Wildrose government and you reached that point, since it's not in the act or not a part of this amendment, you'd have to repeal your own act, wouldn't you? You'd have to change that legislation in order for you to dig it out.

If you could sort of talk about your future vision of offsetting royalties and what you mean by that, I'd appreciate it.

**Mr. Anderson:** I know this is captivating the audience here, but I will be very, very brief and just say that, yeah, we would have to amend it, for sure. No doubt about that. But if oil royalties were still coming in, I don't think it would ever be the intent of a Wildrose government to cancel oil royalties. That would be kind of silly, so we wouldn't do that. What we could do is all kinds of really cool stuff. For example, we could build up scholarship funds. We could build up endowment funds with that extra cash, sustainable endowment funds. We could build more infrastructure. We could do that. We could build a little extra infrastructure here and there with those extra funds. That would be good.

Another thing we could do is – oh, sorry; through the chair. That's right.

**The Deputy Chair:** Thank you.

**Mr. Anderson:** I'm deaf in my right ear. I am, so sometimes I don't hear well.

We could do all of those things. And you know what we could do? Through the chair, hon. member, I know you'll support this. If we got that heritage fund up to \$200 billion, \$250 billion, say in 20 years, we could do the unthinkable. We could actually eliminate – eliminate – income taxes. Could you imagine that? Income taxes. Have people from all over the world coming to Alberta because . . .

**Mr. Mason:** For a free ride.

**Mr. Anderson:** For a free ride? To set up doctors coming in, all kinds of health professionals coming in . . .

**Mr. Mason:** That's not my vision.

**Mr. Anderson:** I know that must be your vision. I know that's what you meant.

Anyway, we could responsibly lower taxes to even lower levels at that point if we had a fund that could replace that revenue. Granted, that's probably 20, 30 years away, but the sky's the limit. That's what's so exciting about a large heritage fund. We could do so many things.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak on amendment A6?

**Hon. Members:** Question.

**The Deputy Chair:** The question has been called.

[Motion on amendment A6 lost]

**The Deputy Chair:** We'll move back to Bill 12, the Fiscal Management Act. The hon. Government House Leader.

**Mr. Hancock:** Thank you. I've been inspired by all these amendments. No, I don't have one, but I would move that we adjourn debate.

[Motion to adjourn debate carried]

**The Deputy Chair:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Madam Chair. I would move that the committee rise and report progress on Bill 12 and beg leave to sit again.

[Motion carried]

[Mrs. Jablonski in the chair]

**The Acting Speaker:** I recognize the hon. Member for Calgary-Varsity to give the committee report.

**11:00**

**Ms Kennedy-Glans:** Madam Speaker, the Committee of the Whole has had under consideration a certain bill. The committee reports progress on Bill 12. I wish to table copies of all amendments considered by Committee of the Whole on this date for the official records of the Assembly.

**The Acting Speaker:** Thank you.

Does the Assembly concur in the report?

**Hon. Members:** Concur.

**The Acting Speaker:** Opposed? So ordered.

### **Government Bills and Orders Third Reading**

#### **Bill 14 RCMP Health Coverage Statutes Amendment Act, 2013**

**The Acting Speaker:** The hon. Associate Minister of Seniors.

**Mr. VanderBurg:** Thank you, Madam Speaker. I move third and final reading.

**The Acting Speaker:** Is there anyone else who would like to speak on Bill 14?

[Motion carried; Bill 14 read a third time]

**The Acting Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Madam Speaker. I'd move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; the Assembly adjourned at 11:02 p.m. to Wednesday at 1:30 p.m.]





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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Wednesday afternoon, April 24, 2013

Issue 51a

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta  
The 28th Legislature**

First Session

Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC), Speaker  
Rogers, George, Leduc-Beaumont (PC), Deputy Speaker and Chair of Committees  
Jablonski, Mary Anne, Red Deer-North (PC), Deputy Chair of Committees

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Anglin, Joe, Rimbey-Rocky Mountain House-Sundre (W),  
    Official Opposition Whip  
Barnes, Drew, Cypress-Medicine Hat (W)  
Bhardwaj, Naresh, Edmonton-Ellerslie (PC)  
Bhullar, Hon. Manmeet Singh, Calgary-Greenway (PC)  
Bikman, Gary, Cardston-Taber-Warner (W)  
Bilous, Deron, Edmonton-Beverly-Clareview (ND)  
Blakeman, Laurie, Edmonton-Centre (AL),  
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Calahasen, Pearl, Lesser Slave Lake (PC)  
Campbell, Hon. Robin, West Yellowhead (PC),  
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Cao, Wayne C.N., Calgary-Fort (PC)  
Casey, Ron, Banff-Cochrane (PC)  
Cusanelli, Christine, Calgary-Currie (PC)  
Dallas, Hon. Cal, Red Deer-South (PC)  
DeLong, Alana, Calgary-Bow (PC)  
Denis, Hon. Jonathan, QC, Calgary-Acadia (PC),  
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Donovan, Ian, Little Bow (W)  
Dorward, David C., Edmonton-Gold Bar (PC)  
Drysdale, Hon. Wayne, Grande Prairie-Wapiti (PC)  
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Forsyth, Heather, Calgary-Fish Creek (W)  
Fox, Rodney M., Lacombe-Ponoka (W)  
Fraser, Rick, Calgary-South East (PC)  
Fritz, Yvonne, Calgary-Cross (PC)  
Goudreau, Hector G., Dunvegan-Central Peace-Notley (PC)  
Griffiths, Hon. Doug, Battle River-Wainwright (PC)  
Hale, Jason W., Strathmore-Brooks (W)  
Hancock, Hon. Dave, QC, Edmonton-Whitemud (PC),  
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Webber, Len, Calgary-Foothills (PC)  
Wilson, Jeff, Calgary-Shaw (W)  
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
    Government Whip

**Party standings:**

Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

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Bhardwaj	Olesen
Cao	Pastoor
Donovan	Quadri
Dorward	Rogers
Eggen	Rowe
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Luan	Strankman
McDonald	Xiao

### Standing Committee on the Alberta Heritage Savings Trust Fund

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Deputy Chair: Mrs. Jablonski

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Casey  
Dorward  
Eggen  
Kubinec  
Sandhu  
Sherman

### Select Special Chief Electoral Officer Search Committee

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Deputy Chair: Mr. Quadri

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Eggen	McDonald
Goudreau	Saskiw
Lemke	

### Select Special Conflicts of Interest Act Review Committee

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Fenske	Wilson
Johnson, L.	Young
McDonald	

### Standing Committee on Families and Communities

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DeLong	Notley
Fraser	Pedersen
Fritz	Swann
Goudreau	Towle
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Deputy Chair: Ms L. Johnson

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Cusanelli	Olesen
DeLong	Rowe
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Goudreau	Webber

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Deputy Chair: Mr. Lemke

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Cao	Notley
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## Legislative Assembly of Alberta

1:30 p.m.

Wednesday, April 24, 2013

[The Speaker in the chair]

### Prayers

**The Speaker:** Let us pray. Let us be thankful for the voice we have been given, let us be thoughtful in how we employ that voice, and let us remember there are those who have no voice at all. Amen.

Please be seated.

### Introduction of Guests

**The Speaker:** Hon. members, we have many, many introductions today, so once again, in the absence of any specified time limit for introductions, I will ask you all to please be as brief as you can in order to allow other members the courtesy of having enough time to do their introduction. House leaders, I will again ask all of you to review this matter of introductions. We have had introductions that have gone from as low as 20 seconds in length to as high as over a minute in length, and we need a little tightening up on that, with due respect. Thank you, hon. members.

Let us start with school groups. The hon. Member for Edmonton-Meadowlark, leader of the Liberal opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of the Assembly some of the hardest working, smartest, brightest students in the country, two classes of students from Aldergrove elementary school, located in my constituency of Edmonton-Meadowlark. Accompanying the first class of students today is their teacher, Elana McConaghie, and parent volunteers Kendra Nickerson and Julie Haskins. Accompanying the second class of students is their teacher, Doug Johnson; TA Anna Pietucha; and parent volunteer Iris Bruening.

Now, Mr. Johnson's class is studying FNMI traditions, specifically the Iroquois Confederacy and how it relates to democratic government. We may be the leaders of today, but these are the leaders of tomorrow. I would ask them to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** Thank you for your brevity, hon. member.  
The Minister of Education.

**Mr. J. Johnson:** Thank you, Mr. Speaker. On behalf of the hon. Deputy Premier it's an honour to rise and introduce to you and through you a group of 49 visiting students and their leaders from Caernarvon elementary school here in Edmonton. Like I said, there are 49 in this group, including group leaders Lisa Shemko and Susanne Venaas and parent helpers Kaye Ly, Jenny Chan, and Shelly Quon. They are seated in the members' gallery, I believe, and I'd ask them to please rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** Thank you as well, hon. minister.  
Let's go to Innisfail-Sylvan Lake, please.

**Mrs. Towle:** Thank you, Mr. Speaker. It's an honour today to rise and introduce to you and through you Ben Kemball, who is a work experience student in my constituency office of Innisfail-Sylvan Lake. Ben is heading to university in September but, unfortunately, was just recently affected by the budget cuts. Ben works very

hard in my constituency office, and he's learning a lot. He's here today to see how the Legislature works.

**The Speaker:** Thank you, hon. member, for your brevity.

Any other school groups? The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thank you, Mr. Speaker. I would like to introduce 27 students and teachers from Calder elementary school. They are here today to observe the proceedings in question period, and I wish that they could have the warm reception from everyone here in the Legislature.

Thank you.

**The Speaker:** Thank you, hon. member, as well.

Let's move on now. Leduc-Beaumont.

**Mr. Rogers:** Thank you, Mr. Speaker. It gives me great pleasure to introduce to you and through you to all members of the Assembly the community sponsors of the School at the Legislature program. This program gives grade 6 teachers from all across our province an opportunity to relocate their classroom to the Legislature for a week. Seated in your gallery are Mr. Tim Downey, president, Priority Printing Limited; from CTV Mr. Lloyd Lewis, VP and general manager; Mr. Eric Rice, manager, production and interactive, CTV Two; from the Rotary Club of Edmonton Mr. Jack Clements; and finally, Mr. Ron LaFranchise, horticulturist and volunteer to our program.

I'd also like to formally recognize the support of CKUA Radio Network: Mr. Ken Regan, general manager; Ms Patti Pon, chair of CKUA Radio Foundation; and Ms Katrina Regan-Ingram, director of marketing and sales, who, regrettably, could not join us today. We wish to show our appreciation for this significant and ongoing sponsorship of the program. Our guests are seated in your gallery, and I'd ask that they rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** Hon. Member for Sherwood Park, your first of two introductions.

**Ms Olesen:** Thank you, Mr. Speaker. It's my pleasure today to rise before you and introduce to you and through you to all members of this Assembly Mr. Gordon Weighell and his daughter Lindsay. Gordon and Lindsay were originally scheduled to attend session back in November, but the very first heavy snowfall of last year derailed those plans. I am extremely glad they have still made the effort and found the time to be here today. I would like them to now rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** Your second introduction.

**Ms Olesen:** It is again my pleasure to rise before you and introduce to you and through you to all members of this Assembly two of my constituents who are in attendance today. Todd Banks is the executive director of the Chamber of Commerce, and Chris Dugan is my favourite bill collector at Case Receivable Management in Sherwood Park. They are great volunteers in our community and good friends of mine. Would they please rise, and could we all please welcome them with the traditional welcome of this Assembly.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Highlands-Norwood and Leader of the ND opposition.

**Mr. Mason:** Thanks, Mr. Speaker. I have two oppositions to – I have more than two oppositions, but I have two introductions. I'm pleased to introduce to you and through you to this Assembly my guests from the Athabasca-Sturgeon-Redwater Alberta NDP Constituency Association. They're here to present a petition on an issue that has severely affected many Albertans, particularly those on low and fixed incomes, the price of electricity in our province. The petition asks the government to recognize electricity as an essential service and reregulate the industry. I would now like my guests to rise as I call their names and to receive the traditional welcome of the Assembly: Mandy Melnyk, Chandra Clarke, Jean Brehaut, Ron Monroe, Margaret Monroe, and Joyce Ollikka. Please join me in giving them a warm welcome.

My second introduction, Mr. Speaker, through you and to you is a constituent of mine, Rachel King. Rachel is in the process of completing a master's degree in counselling psychology at the University of Alberta and will be starting her PhD in the fall. The province's recent budget has made her concerned for the future of postsecondary education in this province. Rachel is also the sister of our director of research and communications. I would ask Rachel to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Calgary-Glenmore, followed by the Minister of Aboriginal Relations.

**Ms L. Johnson:** Thank you, Mr. Speaker. I would like to take this opportunity to introduce to you and through you to the Assembly Patty McLeod. Patty is a vice-president of corporate responsibility for her employer. She and her husband, Dan, have two lively daughters, and Patty shares her energy and expertise on the boards of the YWCA of Calgary, the Calgary Chamber of Commerce, and the Calgary Economic Development Authority. Most importantly, Patty and her family are residents of Calgary-Glenmore. I ask Patty to rise and receive the traditional warm welcome of the Assembly.

My second introduction, Mr. Speaker, is Mr. Al Johnson. Al is originally from Montreal and as a chartered accountant accepted a six-month assignment to Calgary over 30 years ago. Al is a management consultant working in the nonprofit sector. I suspect, though, Al's biggest challenge in life has been as my husband. Thank you, Al, for bringing out the best in me. I'd ask Al to rise and receive the traditional warm welcome of the Assembly.

1:40

**The Speaker:** The Minister of Aboriginal Relations.

**Mr. Campbell:** Thank you, Mr. Speaker. I rise to introduce to you and through you to all members of this Assembly two constituents of mine from Hinton, Shirley and Gino Caputo, who help make this the great province it is today. Shirley has served as trustee in the Grande Yellowhead public school division for the last 12 years, six of those as the vice-chair. In addition to her work with the school division, Shirley is chair of the Hinton Adult Learning Society, and she has volunteered with several organizations, which is important to recognize as it is National Volunteer Week.

Her husband, Gino, is a remarkable individual. Gino is a cancer survivor, being diagnosed with cancer three times. He was able to do his chemotherapy treatments in Hinton at the local hospital. In 1998 he was featured in the *Facing Cancer* magazine, encouraging expansion of local community centre cancer clinics. Gino is a strong advocate and fundraiser for the Hinton community cancer clinic, and it's one of the facilities that received government funding for upgrades recently. Gino's personal philosophy is to live life, love, enjoy everything, exercise, and not stress, words

that we all need to follow. Mr. Speaker, I'm happy to say that they're here in the members' gallery, and I'd ask them to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Ellerslie, followed by the Minister of Environment and SRD.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. It's an honour for me to introduce to you and through you to all members of the Assembly 10 constituents of mine from Edmonton-Ellerslie: Telly Balanag, the president of the Filipino Womens' Association in Alberta; Fely Taylor, recently crowned as Miss Spring 2013 by the Filipino Womens' Association – and I had the honour of attending the event out in the snow two weeks ago – Beth Aperocho, the first president of the association; Flor Salanguit, the Filipino Retirees' Association's Queen of 2012; Arcy Arabe, the board director; and Rebecca Bengco, August Salanguit, Maria Aromin, all members of the retirees association. In addition to all of those people, we have Elena Monar from my constituency, who serves on my PC association. At this time all my guests have risen. Please accept our traditional warm welcome.

**The Speaker:** The hon. Minister of Environment and Sustainable Resource Development, followed by Edmonton-Strathcona.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. It's a real pleasure for me to rise today to introduce to you and through you to all members of this Assembly two outstanding constituents from my community and my constituency of Drayton Valley-Devon. Donna and Laurie Tkachuk are here joining us today for the first time in the gallery. Laurie has been a pharmacist in our community for a number of years, and together they have run a very successful retail business in pharmacy as well. In our community of Drayton Valley when we want something done, this is the couple we go to. Donna and Laurie are such outstanding volunteers and businesspeople, and they give so much back to our community and this province. I would ask them to please rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by Calgary-Mountain View.

**Ms Notley:** Thank you, Mr. Speaker. Today I am very pleased to introduce to you and through you to this Assembly my guests from the Coalition for Action on Post-Secondary Education, or CAPSE. CAPSE deplores this government's dramatic budget cuts for postsecondary education. They'd like to see the government stop demanding innovation from everyone except itself and instead demonstrate innovation to create new ways of generating revenue to fund essential services like postsecondary education. I would now ask my guests to rise as I call their names: William Anselmi, Micah Cooper, Dougal MacDonald, Kelly MacFarlane, Amina Mohamed, Carolyn Sale, Brianna Wells, and Janice Williamson. I would ask everybody to join me in giving them the traditional warm welcome.

**The Speaker:** Hon. Member for Calgary-Mountain View, the first of two introductions.

**Dr. Swann:** That's correct. Thanks, Mr. Speaker. It's my great honour to introduce to you two Albertans that are fairly familiar to the Legislature. Over the last 10 years Eric Musekamp and Darlene Dunlop have attended the Legislature. Eric is a member of the Wild Rose Agricultural Producers, the largest producer-funded farm organization in Alberta, which, by the way, unanimously

called for mandatory WCB and child labour standards. Eric is also the president of the Farmworkers Union of Alberta, advocating for extending labour legislation to agriculture to protect child labourers. With him is Darlene Dunlop of the Farmworkers Union, to remind this government that just as women are persons, so too are farm workers, deserving of the same rights as other workers in Alberta. I'll ask them to stand and receive the warm welcome of the Legislature.

My second introduction is Mr. Peter Helfrich, a Calgary paramedic for 20 years and candidate in the Banff-Cochrane area in 2012, as passionate as I am about better government in Alberta. Please rise and receive the warm welcome.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Speaker. Today I'm very pleased to introduce to you and through you to this Assembly – that's a tongue twister – my guests from United Church Women. Donna Krucik, Louise Rogers, and Margery Wright are here to present a petition demanding that this PC government take real action on ending child poverty in Alberta. Many promises have been made, yet little to no funding has been allocated to tackle this serious issue. There are still over 90,000 children living in poverty in Alberta, a truly shameful statistic in a province as wealthy as ours. I'd now like to ask Donna, Louise, and Margery to please rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** Are there others? The hon. Member for Fort Saskatchewan-Vegreville.

**Ms Fenske:** Thank you, Mr. Speaker. I would like to introduce to you and through you three constituents from Fort Saskatchewan-Vegreville, leaders in our community. Elizabeth Sebest is a retired educator and also an avid gardener. George Sebest, her husband, is also a retired educator, and both are involved in the Pysanka Festival. Also from Fort Saskatchewan-Vegreville today is Marcel Van Hecke. He lives near the wonderful community of Fort Saskatchewan. He's a farmer, and he's a developer, but he does actually live in Strathcona county. I would ask that they all rise and receive the warm greeting from this Assembly.

### Members' Statements

**The Speaker:** The hon. Member for Innisfail-Sylvan Lake, followed by Edmonton-Highlands-Norwood.

### Insulin Pump Therapy

**Mrs. Towle:** Thank you, Mr. Speaker. Another example of why Albertans can't trust this government and another broken promise that affects vulnerable Albertans. Yet the Premier and her ministers ignore those promises, and they claim they're keeping their commitments. Just yesterday the Premier gave us a list, and she included insulin pumps as a promise kept. Nope. Promise broken.

Here's what one Albertan told me: "The election promise was for people with type 1 diabetes who would benefit from an insulin pump. They would have their costs covered. My vote was swayed accordingly as my daughter has type 1 diabetes. The only reason I voted Conservative was because of this promise."

Another Albertan told me of the ordeal that type 1 diabetics face each and every day. She said that a pump would alleviate those with type 1 diabetes from having to poke their fingers repeatedly every day up to 15 times or more. Then, to top it off, they can be injecting themselves as many as 10 times a day. I have received

over 30 e-mails from Albertans just like these two, and they're consistently saying that they need these pumps, they were promised these pumps, and they're not here.

Mr. Speaker, the original promise was for \$18 million this year and \$65 million over five years. This would have covered 1,600 Albertans this year and 6,200 Albertans in all. But after the election everything changed. Funding dropped to only \$5 million this year, leaving only 300 Albertans eligible for this coverage. That's a far, far cry from 1,600. If you do the calculations, it's about \$17,000 per patient, but the pumps are only \$7,000 per patient. One must wonder where the rest of the money goes.

Now, I don't know if this callous decision is due to this government's stunning fiscal mismanagement, the imaginary bitumen bubble, or whether the government just had to make some room to pay for those March 31 Alberta Health Services bonuses. At the end of the day the Premier made this promise, and you continue to take credit. Please do something.

### Oral Question Period

**The Speaker:** The Leader of Her Majesty's Loyal Opposition. First main set of questions.

### Prescription Drug Coverage

**Ms Smith:** Mr. Speaker, the government's plan to reduce drug prices is a complete disaster. Yesterday in their latest bulletin Alberta Blue Cross confirmed it's a mess. It turns out the repricing and delisting of drugs has created a large number of supply issues. Many of the drugs that were supposed to be of a lower price aren't available, so many of the delisted drugs have to be relisted at a much higher price. Now, we warned several weeks ago that this would happen. The minister ignored the warnings. Is the Premier listening now to the reality of what he has done to our drug pricing plan?

1:50

**Ms Redford:** Well, Mr. Speaker, the decisions that we made with respect to drug pricing are going to continue to allow us to ensure that there is appropriate access for Albertans throughout this province at a cost to taxpayers that is much reduced. There is no doubt that whenever we introduce change, there is some period of transition, but we have complete confidence with respect to this decision. Simply because the opposition fearmongers about this is no reason for us to change our mind.

**Ms Smith:** Well, Mr. Speaker, we've also been warning about the potential for pharmacy closures as a result of the minister's Fredicare plan. We've revealed information about drugstores in Lethbridge, Medicine Hat, Banff, and elsewhere. There's also a pharmacist in the Premier's constituency who has made multiple requests to meet with her MLA to explain the impact drug prices are going to have. Since the Premier has so far refused to meet or even respond, what would she like me to tell her constituent on her behalf?

**Ms Redford:** Well, I think that it's very important for MLAs to meet with their constituents, and whenever there is a request, that certainly happens, Mr. Speaker. I'll be happy to meet with any of my constituents who have any view with respect to our decisions. But at the end of the day our circumstances are exactly what we've described before, which is that we've made decisions with respect to how to take care of vulnerable Albertans to ensure that drugs are available at a fair cost to everyone. We do believe that there has been fair advance notice with respect to transitioning

into a business model that allows that to continue, and we would encourage anyone who's running a business in this province to make the decisions that are necessary to maintain that business.

**The Speaker:** Thank you.

**Ms Smith:** Mr. Speaker, this Calgary drugstore in the Britannia mall in the Premier's constituency has operated there for more than 50 years, and the current owner, Debbie Boyle, has owned it for 22 years. She's worried about increased costs, reduced income, poorer service to patients, and potential closure of her business. This is one of dozens of stories that we've heard. Surely government MLAs must be hearing the same stories, yet the Premier and her Minister of Health continue to ignore pharmacists, ignore patients, and ignore reality. Why?

**Ms Redford:** Well, Mr. Speaker, one of the reasons that we have so many people that are worried about these issues is because of these continued unfounded allegations by the opposition that are continuing to make sure that people do not have confidence in the public health care system. In fact, I am very familiar with this business. I understand that it's a thriving business. I understand that people are concerned, and it's important to have these discussions. But one of the reasons that people are concerned is that we continue to see these unfounded allegations from the opposition spreading doom and gloom, which simply isn't the case.

**The Speaker:** The hon. Leader of the Official Opposition. Second main series of questions.

**Ms Smith:** I'll be sure to pass that on to your constituent Debbie Boyle.

### Health System Executive Expenses

**Ms Smith:** Mr. Speaker, the government is sending mixed messages on health executive expenses. Now, some days the Premier calls it fearmongering when we raise issues about the Mayo Clinic, fancy dinners, charity write-offs, and attending political functions. Other days she wants us to make sure that all appropriate steps are taken to report it. Some days she says that it's all in the past, yet she hired Justice Wachowich to see if he can get some of this money back. So which is it? Are they serious about recovering wasted tax dollars or not?

**Ms Redford:** As said in this House last week, we have made the decision to ask for legal advice to determine, Mr. Speaker, where and whether it will be possible to recover costs that may come up over the course of time and to say that we can ensure that where it is effective and it is possible, we can take appropriate steps. But standing up in this House and pounding desks and saying that it all must be done doesn't actually give us the legal right to do it. We've asked for legal advice with respect to that, and once we receive it, we'll follow it.

**Ms Smith:** Here's the problem, Mr. Speaker. We've got two tiers of health care, one for health VPs and one for everyone else. Take Danielle King, a 17-year-old nationally ranked dancer who had a serious knee injury. She was told to wait up to three years for her operation. Instead she went to Cleveland for surgery so she could keep on dancing. She paid over \$11,000 for treatment. The out-of-province committee offered to cover \$613. Yet health VP Joanne Stalinski got automatic expense reimbursements for almost \$6,000

for a personal fitness trainer and a spiritual life coach. How is that fair?

**Mr. Horner:** Well, Mr. Speaker, I'm not going to go back and dig out what the employment contract might have been for somebody seven, eight, nine years ago, but I do want to say this. If someone has gotten taxpayer dollars when they should not have gotten those taxpayer dollars based on the policies of the day, we will do everything in our power to recoup those costs. We will do everything in our power to achieve the cost savings for taxpayers. In fact, this leadership, this Premier, has delivered the most comprehensive expense policy of any province in this country.

**Ms Smith:** Mr. Speaker, it's not in the past. Executive contracts that have been approved by the current minister still offer all kinds of personal and health care perks that everyday Albertans just can't get. Health VP Alison Tonge's contract, which was signed in 2010 and subject to approval by the minister, allowed for up to \$15,000 a year for personal financial and tax advice, for club memberships, and other similar expenses. If the Premier is looking for places to cut, how about cutting the country club clause in health executive contracts?

**Mr. Horner:** Mr. Speaker, it is not unusual to have health accounts in clauses in contracts. As a matter of fact, the Alberta Union of Provincial Employees . . . [interjection] We're talking about health clauses or health accounts. In fact, I can remember having a Members' Services discussion about MLAs having a health account. [interjections] If we want to have productivity, every business knows that you're going to have accounts in senior executives' contracts that will have benefits. I am sure AHS is looking at all of those benefits.

### Speaker's Ruling Decorum

**The Speaker:** Hon. members, what is it that propels you to keep interjecting so much?

**Mr. Anderson:** We're not.

**The Speaker:** You're not? It's becoming abundantly obvious that you're getting a little bit more chirpy and more chirpy and more chirpy over here on the Wildrose side, and that baits stuff on this side, on the government side. Then we get Edmonton-Strathcona jumping in as well, having an out-and-out conversation across the hallway. Edmonton-Centre, I'm going to leave you out of it this time. Let's carry on with some civility and decorum the way we're trained to do.

The Leader of the Official Opposition. Third main series of questions.

**Ms Smith:** You'd think with \$400,000 incomes they could cover their own country club memberships.

### Provincial Fiscal Policy

**Ms Smith:** Mr. Speaker, Albertans are right to be disappointed in this government's handling of our finances. Disapproval of the financial direction is growing. Trust and confidence are shrinking. One need only look at the overall financial picture of the last few years to understand why. We've gone from \$17 billion in savings in 2008 to \$17 billion in debt by 2016. It's an average cash shortfall of more than \$4 billion a year. What possible justification can the Finance minister offer for this extreme fiscal mismanagement?

**Mr. Horner:** Mr. Speaker, what can I offer? I can offer schools. I can offer hospitals. I can offer roads. I can offer the best fiscal system in the country. I can offer a savings plan. I can offer living within our means, zero per cent increase in our expenditures. I can offer all of those things to Albertans because they need it today, not when they think the money might come in in the future.

I would even suggest that the hon. member might want to talk to her own town council in Okotoks, where they have borrowed some \$25 million. Why? Their residents need it now, Mr. Speaker.

**Ms Smith:** And Albertans are offering 26 per cent approval ratings.

Yesterday the Energy minister told us that bitumen revenue will be up, generating \$15 billion over the next three years. That's great. But these rosy estimates that he offers don't begin to erase the annual cash shortfall. Does this Finance minister ever expect that the government is going to live within its means, or is he still relying on energy revenues to one day bail him out?

**Mr. Horner:** You know, Mr. Speaker, we had six hours of estimates on my department, and it's amazing that in those six hours the hon. members opposite did not do the math on the projections of the next three years. They talk about \$17 billion in savings going to nothing. That \$17 billion is in those schools, those roads, and those hospitals. Over the three years, if they were to actually look at the economic plan, our savings will grow to \$24 billion, and net financial assets in this province are going to grow. We are the only province in Canada that has net financial assets per capita, and we will stay that way.

2:00

**Ms Smith:** We know that the Finance minister likes to explain that he's building Alberta. Well, we think he's just billing Alberta, saddling future generations with billions of dollars in borrowing without any plan to pay it back. Now, we already know that we're going to have \$17 billion in debt by the time Albertans are asked to choose their next government, and now we know we can't count on a windfall of energy revenues, so where's the money going to come from? How's the minister going to balance the budget and pay back all that debt?

**Mr. Horner:** Well, Mr. Speaker, again, I can refer back to the six hours' worth of estimates. The hon. member opposite must have missed a few of those hours because we talked a lot about the debt repayment plan. In fact, we talked about the capital debt repayment account that is in our business plan. We talked about the fact that, yes, there's \$17 billion worth of debt that's going to be on the books from the five-year period, both two years previous and the three going forward.

You know what, Mr. Speaker? A lot of that debt actually is for municipalities like the town of Okotoks, where we actually borrowed the money for them so they could get the best rate possible. Why? Because we have a triple-A credit rating that we are using, and 60 per cent of the people in that Leger survey said: use it for debt for capital.

**The Speaker:** Hon. Member for Airdrie, you rose on a point of order during the Minister of Finance's final answer. That point of order has been noted at 2:01:05.

Calgary-Mountain View, followed by the leader of the New Democrat opposition.

#### Labour Protection for Paid Farm Workers

**Dr. Swann:** Thank you very much, Mr. Speaker. Well, over a year ago the Premier promised in her leadership campaign to bring

paid farm workers under the protection of occupational health and safety. As a human rights lawyer the Premier is well aware that occupational health and safety laws are internationally recognized as a basic worker right, yet this is just another promise made, another promise broken. I expect this resistance to sensible regulation from the Tea Party on my right but not you, Madam Premier. Why have you broken this promise to a particularly vulnerable group?

**Mr. Hancock:** Mr. Speaker, there are no promises broken. In fact, as this hon. member knows, there have been and there continue to be discussions with the agriculture sector in this province, the agri-industry in this province. The minister of agriculture and I have engaged in a number of processes. As the hon. member knows, just simply passing a law doesn't make everything right. It doesn't fix everything. There's a combination of education, regulation, enforcement, and engineering that goes into safety in any place, including agricultural workplaces, and that's a work-in-progress.

**Dr. Swann:** Mr. Speaker, I wonder if this minister isn't tired of hearing his voice say the same thing year after year after year. Legislation is part of the solution. You know that.

Given that you also promised, Madam Premier, to bring paid farm workers under workers' compensation, which is only possible if occupational health and safety is in place, can you please stop the rhetoric and give a straight answer? When will you deliver on this promise?

**Mr. Hancock:** Well, Mr. Speaker, I would indicate that I was tired of hearing the same voice over and over again, but he injected a new piece into it this time. He referred to the Tea Party, and I thought that was rather refreshing. Tea is always refreshing.

It's a very serious subject, and the hon. member knows that doing one piece of the whole puzzle often is more ineffective than doing it comprehensively and together. Education, engineering, legislation, and enforcement are all pieces of the process. It has to be done right to be effective. This hon. member knows that.

**Dr. Swann:** Well, Mr. Speaker, it's interesting that both the Wildrose and the PCs represent rural ridings. It strikes me as odd that neither stands up for paid farm workers, who, to state the obvious, live and work in rural areas. Again, to the Premier, if she's courageous enough to stand: how do you explain your shocking disregard for the human rights of your rural constituents, some of whom are children?

**Mr. Hancock:** Mr. Speaker, this Premier, above all, respects the rights of children and, in fact, has tasked this minister to protect those rights of children each and every day. Children are the most vulnerable of our citizens. Children, if they have the opportunity to grow up, to succeed, to maximize their potential, are the future of this province, and this Premier has tasked this minister to make sure that that happens.

**The Speaker:** The hon. Member for Edmonton-Calder, followed by Chestermere-Rocky View.

#### Education Funding

**Mr. Eggen:** Thank you, Mr. Speaker. Yesterday the Edmonton public school board determined that they have \$18.9 million less to work with and 1,200 more students to teach. It took them awhile to root out all the hidden places where this government hid their cynical, dishonest cuts to public education, but there it is:

cuts that will lay off hundreds of workers, reduce the quality of education in our schools, and hand teachers an effective 10 per cent wage cut over three years. My questions are to the Premier. How can you possibly think that the quality of public education will not be affected with all of these cuts that are taking place here now?

**Mr. J. Johnson:** Mr. Speaker, I don't share the hon. member's concern over the quality of education in this province. The quality of education in this province is second to none right across the world, and it's going to continue to be that way. Even with the cost restraints that we've put into this budget – and there's no question this a challenging budget for everyone in every corner of the province, and education is no exception. But thanks to this Premier, when you look at the budget line items and when you look at the different ministries, it's obvious which ministries she protected, and one of them was Education.

**Mr. Eggen:** Oh, Mr. Speaker, really.

Given that Edmonton public schools actually added up all the cuts for us and found that they ended up holding the bag for \$18.9 million and that even if we break this number out across Alberta, this government has left kids short \$100 million, or \$225 per kid, how can the Premier possibly think, honestly think, that this will result in anything but larger class sizes, more students being left behind, and a whole big heaping helping of broken promises right through this next school year?

**Ms Redford:** Mr. Speaker, I find it absolutely fascinating to listen to this wild conjecture with respect to the impact of education cuts which actually didn't happen in this budget. What we saw in this budget was the ability to fund education more than many other departments. We were able to come to a deal with teachers, who were able to therefore be honest partners in education.

I understand one of the things that the school board did last night was to take a look at their own administrative salaries. We think that is a wise decision because it's important to make sure that they do what we do, which is make sure resources in the classroom are going to students.

**Mr. Eggen:** Well, you know, Mr. Speaker, given that this Premier has been prancing around with this teachers' agreement like she's just bagged a moose for her wall while at least \$100 million has been siphoned off school and classroom budgets – not all the teachers are signing it; that's for sure – why don't you drop the cuts to public education before the damage becomes irreversible?

**Mr. J. Johnson:** Mr. Speaker, I'm glad the member agrees with me that the Premier did an incredible job in getting a deal with the teachers. That's just one of the many promises that she's delivering in education, including putting \$107 million back into education, including increasing funding for class sizes, increasing funding for inclusion, including passing the Education Act, and, most important of all for the sustainability of the system and as an example for our students, living within our means in Alberta.

#### Fort McMurray Education Property Tax

**Mr. McAllister:** Mr. Speaker, Fort McMurray is trying to get the government's attention on education taxes, and if their two elected representatives won't speak up for them, I will. Yesterday the mayor sent a letter to the Premier pointing out the inequities in her town. The mayor is upset and justifiably so. Her residents are paying a disproportionately high amount in tax and are receiving little in the way of new classroom space or support. To the Minister of

Municipal Affairs: do you care to enlighten the people of Fort McMurray as to why you are shortchanging them on schools and gouging them with higher taxes?

**The Speaker:** The hon. minister.

**Mr. Griffiths:** Thank you, Mr. Speaker. I really appreciate the letter that the mayor of Fort McMurray wrote. I believe every mayor and every elected official should advocate on their community's behalf, and our two MLAs from the area have done a stellar job in advocating on their community's behalf. The fact remains, though, that we had a very unfair system which encouraged many Alberta taxpayers, education property tax payers, to have to subsidize other regions, which is patently unfair. We had to move to an equitable playing field, a fair system for every single Albertan in this province.

**Mr. McAllister:** Mr. Speaker, given that Mayor Blake is also upset with this government's lack of consultation, saying that she is concerned the province failed to enter into discussions regarding the removal of the education tax cap in the back-in-debt budget, and given that this government claims to be accountable and transparent, I'd like to ask the Associate Minister of AT and T, who coincidentally represents the people of Fort McMurray: why in the world wouldn't you consult with the mayor before you and your government chose to increase the taxes in your community by \$16 million?

2:10

**Mr. Griffiths:** Mr. Speaker, I know that this member is still somewhat new to this Legislature – it's only been a year – but he should know full well that the process that we have, the parliamentary privilege, means that he cannot discuss the budget. It has to be tabled in this House for members of this Assembly first, and you cannot go out and consult about what you're going to do in the budget and about policy changes that you may make. It's so that people can't abuse the system and make investments or make changes that they may profit from. That makes it fair to everybody in Alberta.

**Mr. McAllister:** I'm glad to see these MLAs are doing a great job of speaking for their ridings.

To the Minister of Municipal Affairs: given that this government has once again left Fort McMurray in a lurch when it comes to classroom space just like they did with the twinning of highway 63 and with promising and delaying a much-needed seniors' facility and given that you have just made Fort McMurray residents pay the highest education property taxes in this province, why is it that not one red cent from this additional \$16 million is going back into that community to help with education?

**Mr. J. Johnson:** Mr. Speaker, I think this hon. member as the critic for Education should do a little bit more homework. Just like yesterday, when it was apparent that he had not read the Inspiring Education report, I wonder if he's actually looked at the budget and seen that the school divisions in Fort McMurray are getting the largest increases in the entire province. Likewise, I would ask the member if he will stand up there with me on the day we announce new schools in Fort McMurray that, based on Infrastructure's decision, may potentially be P3, or financed, schools and if this member of the Wildrose would support taking on debt and financing schools in Fort McMurray.

**The Speaker:** Hon. Government House Leader, you rose on a point of order at 2:11, during the last member's last question.



The hon. Member for Sherwood Park, followed by Innisfail-Sylvan Lake.

### Support for Vulnerable Albertans

**Ms Olesen:** Thank you, Mr. Speaker. My questions are to the Minister of Human Services. We are all tremendously fortunate to live in a province that has been blessed with so much, yet we know that significant social challenges exist in every community in Alberta and that personal tragedies occur each and every day. In responding to personal tragedies as part of their job, first responders are all too often confronted with horrific situations that can leave them psychologically wounded and scarred. To the minister. This Legislature took action last year to support first responders. Can you tell me: has this actually made a difference on the front lines?

**The Speaker:** The hon. associate minister.

**Mr. Oberle:** Thank you, Mr. Speaker. It was my honour last year to be asked to carry Bill 1 on behalf of our Premier, that allowed presumptive coverage for PTSD sufferers in the first responder community. It was the right thing to do, and it was a promise kept. Since the act was proclaimed in December, 15 first responders have received PTSD coverage. [interjections] Apparently, they don't want to hear the answer. In the previous three years only four had received coverage.

**The Speaker:** The hon. member.

**Ms Olesen:** Thank you. Given that this government has made a number of commitments to address complex social changes and given that the promised social policy framework was delivered earlier this year and was called by some the most in-depth government guide to social policy in 30 years, will the minister now turn that policy work into actions that will make a difference to the lives of Albertans?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Thank you, Mr. Speaker. In fact, that's already happening. The social policy framework was completed – at least this stage of the discussion was completed at the end of February. It's already been utilized by government to look at issues as we went through the budgeting process, as we're proceeding through the RBB process, the results-based budgeting process. All policy decisions will consider the social policy framework.

But we haven't stood still while we've been consulting, Mr. Speaker. We've taken action to end homelessness. In fact, over 6,000 Albertans in partnership with our collaborating partners in communities have been housed. We've kept our commitment to AISH recipients, we're ensuring low and medium incomes have access to child care subsidies, and we've created an independent child advocate. Promises made, promises kept.

**Ms Olesen:** My supplemental. Given that promises have been made to address homelessness and that those without a home, including the chronically homeless, aboriginals, youth, and women and their families leaving violent situations, are desperately counting on these promises being kept and given that an interagency council was announced earlier this year, can the minister assure Albertans that a council is really something that will make a difference in something as important as breaking the cycle of poverty?

**Mr. Hancock:** Mr. Speaker, the Premier's promise to set up the Interagency Council on Homelessness is an important step forward on this promise to end homelessness within 10 years. We work with seven collaborating organizations across the province and a number of delivery organizations. The Premier's vision was to bring those agencies and those communities together in a council to jointly govern the process of how we identify and address the causes affecting homelessness and the result of how we deal with homelessness. That council is in place, it's working, and it's going to deliver on the promise to end homelessness in 10 years. It's exciting work for Albertans. It's very necessary for our communities.

**The Speaker:** The hon. Member for Innisfail-Sylvan Lake, followed by Calgary-North West.

### Insulin Pump Therapy

**Mrs. Towle:** Thank you, Mr. Speaker. The Health minister continues to undermine confidence in our health care system. Last year the Premier promised funding to cover insulin pumps for all Albertans who needed them to manage their disease. In January 2013 the Minister of Health said that 1,600 Albertans would be covered at a cost of \$18 million. Today there is only \$5 million, and only 300 Albertans will be covered. How could this government could be so cruel as to promise thousands of Albertans hope when you clearly could not deliver?

**Mr. VanderBurg:** Mr. Speaker, we just had the opportunity to have six hours of budget discussions. This member was there and heard very clearly the commitment from the minister on the insulin issue. The commitment was made very loud and clear on behalf of the government that this program is a work-in-progress, and the minister is completely committed to this program.

**Mrs. Towle:** I was there. He promised \$18 million in January, \$5 million at budget estimates.

Given that according to the Canadian Diabetes Association 6,200 patients should be eligible for these pumps and the minister promised to help 1,600 of them just two months ago, in January, but today is covering just 300 and given that of the \$5 million allocated, less than half is going to the actual pumps, what is the rest of the money being spent on, and why is it not being used to fulfill the Premier's promise to type 1 diabetics?

**Mr. VanderBurg:** Mr. Speaker, I made it very, very clear that the commitment is in the budget. It's a budget item. The minister has defended it in estimates and is committed to this program. It will not be decided by politicians who gets the insulin pumps and who gets the support. Clinical advice from medical professionals will determine those most in need. We are committed to this program. Promises made, promises kept.

**Mrs. Towle:** Wow. Less than half of the budget allocated is going to fund these pumps. It's fewer dollars for fewer patients. But that's not the whole problem. Why was the Premier bragging about insulin pumps yesterday as part of her year 1 accomplishments when the only thing that's been accomplished is another broken promise?

**Mr. VanderBurg:** Mr. Speaker, I know the member's commitment to her constituents and to those Albertans that are looking for support with insulin pumps. It's a line item in the budget. This budget will be passed, and it will be acted upon. I promise you that.

### Mount Royal University Jazz Program

**Ms Jansen:** Mr. Speaker, I had a call from a very upset constituent who is a member of the two-year jazz program that is on the chopping block at Mount Royal University. She's one of 45 talented musicians who feel they're being cheated out of a quality musical education. Can the minister of advanced education help right this painful situation?

**The Speaker:** The hon. minister.

**Mr. Campbell:** Well, thank you, Mr. Speaker. I understand from the minister that the students that are currently in the program at Mount Royal University will be fully able to finish their entire program. That much we know for certain.

Now, we all know that many institutions have made very difficult decisions as a result of the budget, but the Minister of Enterprise and Advanced Education has said over and over that the impact on students should be the number one consideration.

**Ms Jansen:** Mr. Speaker, again to the minister. Some of the students who have not yet entered the program are scrambling to audition for other programs in other cities, but some of them live in Calgary and have families, and they cannot relocate. How do we avoid losing talented musicians to other provinces?

**The Speaker:** The hon. minister.

**Mr. Campbell:** Thank you, Mr. Speaker. I want to be clear that arts programming, including the fine arts, is important to all Albertans. I want to make it clear that the minister must review and sign off on any program closures, and it's my understanding that the Deputy Premier is working with Mount Royal University at this time. This minister, his department, and Alberta schools are committed to accommodating students in this province.

2:20

**Ms Jansen:** And finally, Mr. Speaker, again to the minister: how do we convince the nucleus of jazz talent in Calgary that we're still a city that values them?

**The Speaker:** The hon. minister.

**Mr. Campbell:** Well, thank you, Mr. Speaker. Arts- and culture-related education programs are important to Albertans and to this government. They enrich education in our communities and feed directly into the future growth and sustainability within our cultural sector, which is a huge contributor to our economy. Calgary's reputation for valuing the arts is well known from numerous festivals and events to the many world-class performers who live in Calgary or who pass through this city to perform. There is no shortage of incredible opportunities to experience arts and culture in the city of Calgary.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by Edmonton-Calder.

### Secondary Ticket Sales

**Ms Blakeman:** Thanks very much, Mr. Speaker. When the government had the opportunity in 2008 to stop online ticket scalping and protect Alberta workers, performers, et cetera, they responded with vague hand wavings about how protection would be offered through the new Fair Trading Act and to let the system work. Well, that didn't happen. Instead, we had Ticketmaster registering as a lobbyist in 2009 and – poof – scalping legislation went right

off the agenda. So to the Minister of Service Alberta. Ontario, Saskatchewan, and Manitoba have managed to protect their stage technicians and the ticket-buying public with legislation. What's Alberta's excuse?

**The Speaker:** The hon. minister.

**Mr. Bhullar:** Thank you, Mr. Speaker. As the member previously asked this question in the House, that is very closely aligned to the ideology that this member subscribes to, I would suggest that the member take a look and actually research the success of programs in other jurisdictions. For example, some of the jurisdictions that this member mentions banned scalping; however, if you go to any Internet site or actually visit any single venue, any concert date, you'll find a variety of people offering tickets for sale. Member, on this side of the House we're looking for solutions that actually produce real-life change.

**Ms Blakeman:** Well, as a result, you've offered absolutely no protection to people.

The minister likes to pretend that this problem is about bots. Mr. Minister, computers can't think. They are programmed by humans, operated by humans, and humans can be held accountable through legislation that is passed and enforced by humans. That would be you. When can Alberta expect consumer protection from this government?

**Mr. Bhullar:** Mr. Speaker, bots operate very similarly to a lot of the folks on Twitter from that side of the House. They're essentially machine-operated people that continue to just send out one tweet after another after another after another, hoping that somebody will watch and listen to their propaganda and their ideas.

The fact of the matter is that this technology has been banned by other jurisdictions, and those jurisdictions have found that there's no actual enforceable way to crack down on that technology. We're exploring options to see how we can actually bring in meaningful, long-lasting, productive change in Alberta.

**Ms Blakeman:** Well, back to the same minister. How much longer is this government going to dither given that secondary ticket sites are multiplying like rabbits? StubHub, Vivid Seats, TicketNetwork, Razorgator, Viagogo, Seatwave, SeatGeek: all of these exist where only TicketsNow flourished in 2008. Why aren't you doing something to protect people?

**Mr. Bhullar:** Mr. Speaker, this is really, really funny now because this particular member a question ago – not a minute ago, a day ago, just one question ago – implied that we were essentially working for Ticketmaster. Now with this latest question this member is essentially implying that we are allowing secondary sites to function in the province. So, Member, you should note that what you just asked would imply that you're working for Ticketmaster.

**The Speaker:** Hon. Member for Edmonton-Centre, did you wish to raise a point of order at 2:25?

**Ms Blakeman:** Yes. Unfortunately, they don't seem to be learning.

**The Speaker:** All right. A point of order has been registered at 2:25 from Edmonton-Centre during that last answer just given.

Let's move on now. Hon. Member for Edmonton-Calder, you have ceded your spot to Edmonton-Strathcona.

Edmonton-Strathcona, please proceed.

### Funding for Sexual Health Services

**Ms Notley:** Thank you, Mr. Speaker. Yesterday we heard that recent cuts to sexual health centres meant these clinics will no longer provide low-cost birth control to women who desperately need it. Now, whether this is, as AHS suggests, just a review or whether it's a budget cut is actually irrelevant. What is important is that at-risk women in Alberta now have less access to affordable birth control than they did before. To the associate minister of health and wellness: why isn't this issue a priority for you?

**The Speaker:** The hon. minister.

**Mr. VanderBurg:** Well, thank you, Mr. Speaker. I'm aware of the issue. The College of Pharmacists has raised this issue with AHS, and together they're working out a solution. I can guarantee you that those most in need of these drugs are continuing to receive them.

**Ms Notley:** Well, Mr. Speaker, that's not what we're hearing from the centres.

Given that research clearly demonstrates that greater access to sexual health education and contraceptive methods is a fundamental pillar to long-term poverty reduction and given that this was a program to lower barriers for women to obtain contraceptives, can the associate minister tell us why this government isn't taking action to improve access to sexual health services for low-income Albertans rather than standing by while AHS cuts it?

**Mr. VanderBurg:** Mr. Speaker, the member infers that this is a budget issue. It's not a budget issue. This is a simple issue. The pharmacists have an issue with AHS and the way this program is administered. It will be worked out. Albertans are protected. The minister is committed to this program and will continue to be.

**Ms Notley:** Mr. Speaker, given that we've been given no assurances around timelines for when it will be, quote, worked out and given that appropriate and convenient access to birth control is the single best way to ensure women don't have unwanted pregnancies and given that the lost service will hurt women across the province, will this government take responsibility and direct AHS today to reverse the decision to cut off thousands of women from low-cost birth control?

**Mr. VanderBurg:** Mr. Speaker, again I want to correct the member. The College of Pharmacists has raised an issue on the selling of these drugs. AHS is currently working on this issue to resolve this as quickly as possible. The minister and the ministry are committed to this program.

### Funding for Hospital Infrastructure

**Mr. Barnes:** Mr. Speaker, recently the CBC released its Rate My Hospital report. It is very discouraging to see subpar ranking for hospitals across Alberta. Three Alberta hospitals received a D rating, which speaks to yet another government failure in both health care and infrastructure. This comes in addition to broken promises to build new health facilities in many communities. When will this government put the priorities of Albertans first so residents in Fort McMurray, Daysland, and Bonnyville can access the same level of health care as other Albertans?

**Mr. Griffiths:** Mr. Speaker, we know how important health facilities are to communities. He named one that's in my own constituency. We know how important schools are to kids and parents. We know how important roads are for our economy and

traffic. This is the same mantra of this tired old opposition that stands up and says to balance the budget and then runs criticism about why we're not spending more money. It's hypocritical.

**Mr. Barnes:** Mr. Speaker, it's about priorities.

Given that conditions in the Daysland health centre are substantially worse than the average hospital in rural Alberta, will the minister admit that this government has failed to provide the community with the same level of care as the rest of Alberta and immediately take corrective action to get this hospital up to par?

**Mr. Griffiths:** Mr. Speaker, last Friday was a constituency day, and I was in Daysland talking to the town council, talking to people in the community, in the seniors' centre. The people in that community are incredibly proud of the doctors, the staff, and the hospital they have in Daysland. They know that we're continuing as a province to work with every single community to ensure Albertans get proper health care services, which means continuing to invest in the infrastructure for the people of this province.

**Mr. Barnes:** It received a D in the survey.

Given that residents of Bonnyville and the Lakeland area should receive the same level of care as other Albertans and given that results show substantially more patients are readmitted to the Bonnyville health care centre after surgery than other hospitals of a similar size, will the government commit to working with staff and administration to identify areas of concern and fix the issues that need fixing?

2:30

**Mr. Griffiths:** Mr. Speaker, given the fact that the opposition claims they would spend \$4 billion on infrastructure but don't say where the money is, given the fact that they would slash the budget and continue to take infrastructure projects off the priority list, they are the last group that can comment on how we invest in this province appropriately. We'll continue to work with municipalities, with people, and with communities to build infrastructure, to build a stronger Alberta for the next generation.

**The Speaker:** The hon. Member for Edmonton-Mill Woods, followed by Calgary-Shaw.

### Seniors' Lodge Renewal Program

**Mr. Quadri:** Thank you, Mr. Speaker. The Minister of Municipal Affairs announced nearly \$31 million for maintenance and upgrades to seniors' lodges throughout this province. This is certainly welcome news, but it's only a start. Those lodges need more than maintenance. Some need a complete overhaul, and some communities need brand new lodges. My question to the Municipal Affairs minister: can the minister tell us what he has planned in addition to the one-time maintenance funding?

**The Speaker:** The hon. minister.

**Mr. Griffiths:** Well, thank you very much, Mr. Speaker. Every year we work on our budget to make sure that we have maintenance funding so that the housing authorities can work on where the investments need to be. It's not necessarily just maintenance in each room; it can also be more vigorous maintenance in particular facilities. With the Alberta Social Housing Corporation in Municipal Affairs we're working very vigorously with our partnered local authorities on a long-term real estate strategy that will make sure we address those long-term infrastructure needs when it comes to seniors.

**Mr. Quadri:** To the same minister again: will the government build new lodges in addition to maintaining the existing ones?

**Mr. Griffiths:** Well, Mr. Speaker, looking ahead, the Alberta government plans on working very proactively to develop a long-term capital plan. It includes consideration of additional facilities. We know that the population of seniors in this province is going to grow from approximately 420,000 to close to 700,000 people over the next generation, and it's going to take significant investment and partnerships with our local municipalities and with seniors to make sure we meet those needs.

**Mr. Quadri:** To the same minister again: will the government be picking and choosing which communities will get the new lodges and where this funding is located?

**The Speaker:** The hon. minister.

**Mr. Griffiths:** Thank you very much, Mr. Speaker. We continue to work collaboratively with our management bodies. We know that they understand the situation at the local level. They provide the best input. I can say that staff are visiting and assessing facilities now so that we can understand the situation that we're in. We'll be working with our local authorities to address community needs and make sure that we put the investment in the right place.

**The Speaker:** The hon. Member for Calgary-Shaw, followed by Calgary-Fort.

#### Assessing Supports for PDD Clients

**Mr. Wilson:** Thank you, Mr. Speaker. Our most vulnerable continue to be impacted by this government's mismanagement and inability to communicate. The decision to shift away from community-based supports to outcomes-based supports may be a positive thing, but the minister has admitted to not knowing how this system will impact any individuals in the PDD system. With no planning, no consultation, and no feedback from those who will be directly impacted by this government's decision-making, how is the minister going to determine which supports will be cut?

**Mr. Oberle:** Mr. Speaker, there's so much in that preamble that is just absolutely incorrect. Very obviously, we're not proceeding anywhere without some very thoughtful planning and working with our partners. That's exactly how we're going to continue to do it going forward. That's just ridiculous.

**Mr. Wilson:** Check the *Hansard*, Minister. You admitted it last week.

Given that the lack of communication with caregivers and families has resulted in anxiety and insecurity in communities across this province, when will this minister find the courage to advise parents, guardians, clients, and staff which specific programs will be cut as of July 1?

**Mr. Oberle:** Mr. Speaker, we are indeed working with parents and families and service providers across the province, and over the coming weeks we will be travelling the province to visit with each and every one of them. The changes that we're trying to make are a logical and correct transition in services that we provide there. We, in fact, have the support of the service providers. I recognize that there's a transition issue. I'm doing everything I can to manage that.

**Mr. Wilson:** Given that this government has a history of ramming through decisions without proper consultation and this minister

has imposed an irresponsible and offensive three-month deadline to current contracts without communicating what to expect after July 1, when will the minister have the new outcomes-based contracts in the hands of our service providers and advise families what supports their vulnerable loved ones will receive?

**Mr. Oberle:** As I indicated in the last answer, Mr. Speaker, I recognize that there's a transition issue here. We do indeed have some trepidation in the service community out there and with some parents, and I'm working on that. We will ramp up our communications efforts. We will have contracts in place.

**The Speaker:** The hon. Member for Calgary-Fort, followed by Medicine Hat.

#### Access to Government Services

**Mr. Cao:** Well, thank you, Mr. Speaker. Albertans have enjoyed the great success of privatization of government services such as registries and liquor stores. It benefits both consumers and service providers. This privatization process and business model was launched 17 years ago. Since then the Alberta population has more than doubled, urban community growth is high, and we've seen far greater advances in technology. My question is to the hon. Minister of Service Alberta. What is your plan to make the government more accessible and more open?

**The Speaker:** The hon. minister.

**Mr. Bhullar:** Thank you, Mr. Speaker. We are moving forth with what I call an open government strategy that will allow Alberta citizens to be able to get access to services at their fingertips. We'd like to see a portal, a window perhaps, one access point for Albertans to a variety of online services, whether it be relating to the department of Service Alberta or the Department of Education to get transcripts. We believe that Albertans expect co-ordinated, sophisticated mechanisms and tools in place to help them get access to the best services at their fingertips.

**The Speaker:** Hon. members, please keep your conversations down to a dull roar.

The hon. member. Second question.

**Mr. Cao:** Well, thank you, Mr. Speaker. My question is to the same hon. minister. Look at the registries alone. Given that the number of registry shops has not been increased with the population growth and diverse needs, what is the minister planning to do in this area of service?

**The Speaker:** The hon. minister.

**Mr. Bhullar:** Thank you very much. I'd like to thank the veteran member of this Assembly for a hard-hitting question. Mr. Speaker, the fact is that we look to see how we can best provide services to the Alberta public, which may include, potentially, the expansion of existing systems we have place, which could mean more services through more storefront locations. Also, as I mentioned earlier, it's very, very important that we find better tools and better ways to provide services to Albertans and the everyday Alberta public living in many, many different parts of this province to get them services online, right at their fingertips.

**The Speaker:** The hon. member.

**Mr. Cao:** Thank you, Mr. Speaker. To the same hon. minister: given that we must provide Albertans with government services at

the least cost to taxpayers and to consumers of services as well, what is your plan?

**The Speaker:** The hon. minister.

**Mr. Bhullar:** Thank you, Mr. Speaker. Once again I'd like to thank the member for that very strong question. In fact, we're committed to making sure that we find the most value possible out of every single taxpayer's dollar that we spend on providing services to Albertans. Through our results-based budgeting process we're looking at a variety of different systems that provide services to the public to see how we can make them better, to see how we can provide services to Albertans more cost-effectively and more conveniently. It's very important that the public gets all the services . . .

**The Speaker:** The hon. Member for Medicine Hat, followed by Calgary-Mackay-Nose Hill.

#### Employment Supports for PDD Clients

**Mr. Pedersen:** Thank you, Mr. Speaker. Once again, this government is leaving vulnerable Albertans in the cold. The associate minister of PDD has swung his axe at front-line services for Albertans living with disabilities in my constituency as part of his \$42 million cut to day programs. Experts say this cut will send Alberta back 40 years in how we care for our most vulnerable. A 40-year setback from a tired 40-year-old government. Minister, the people affected by your cuts are scared as you're tampering with their lives. Will you do the right thing and stop downloading your deficit onto our most vulnerable citizens?

**Mr. Oberle:** Well, let's just dial it down here a bit, Mr. Speaker, and help the opposition understand that that wasn't a cut in the budget. We did transition \$42 million out of community access into community supports and into wages for front-line staff, which I sincerely hope that hon. member supports. Now, we're going to try to achieve a transformation in PDD care. I have assistance in employment supports in other budgets outside of the PDD program. I do recognize that we're creating some concern in the community, and we're working on that. I will work on a transition.

2:40

**Mr. Pedersen:** Mr. Speaker, given that this minister plans to funnel these disabled citizens into work placements and given that the executive director of REDI, a group that specializes in finding work for disabled people, said that less than 1 per cent of these people could manage to hold down a job without added supports, will the minister admit that his vision is destined to fail?

**Mr. Oberle:** I absolutely will not admit any such thing, Mr. Speaker, and I will chastise that member for having a rather jaded view of the ability of disabled persons to lead productive lives in our society.

**The Speaker:** Hon. Member for Lac La Biche-St. Paul-Two Hills, you rose on a point of order at 2:41 during the associate minister's answer just now. It's been noted.

The final question, please, from the hon. member.

**Mr. Pedersen:** Thank you, Mr. Speaker. It's from the experts, not myself.

Mr. Speaker, given that this minister says that he has a plan to transition these disabled residents into the workforce and given that he's put nothing forward in the way of details of that plan,

how can service providers, families, and clients trust this minister to replace these effective day programs before they are officially cut on July 1?

**Mr. Oberle:** You know, Mr. Speaker, the questions seem to be almost as if we're planning to turn people out in the street and expect them to get eight-hour-a-day jobs without any supports and get them off our rolls. The actual fact is that we fully recognize there are going to be ongoing employment supports. This is not about cost savings. This is about the dignity of persons with disabilities and their right to belong, to contribute, and to be valued in our society and about our duty – our duty – to support that.

#### Speaker's Ruling Preambles to Supplementary Questions

**The Speaker:** Hon. members, just before we carry on with our Routine, a number of our members over the last few days are getting a little bit carried away with the preambles, so I would ask you to please tighten those up for tomorrow. In fact, there should be no preambles, as you know. We've talked about this before. I want to commend the hon. Member for Edmonton-Mill Woods, who stood up and asked three good questions. There were others, but that one in particular I noted.

On that note, we're going to carry on here in 30 seconds with the continuation of Members' Statements.

#### Members' Statements (continued)

**The Speaker:** Let's go on to the hon. leader of the New Democrat opposition with his private member's statement.

#### Anniversary of Election

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, yesterday marked the one-year anniversary of the last election. Unfortunately, the government that Albertans thought they voted for is not the one they got. Whether it's seniors' drug prices, increased funding to postsecondary institutions, schools, teacher workload, full-day kindergarten, funding for municipalities, or ending child poverty, this government has proven over the last year that it cannot be trusted to deliver on the very issues that got the PCs elected.

First, in communities across the province and now in between the budget lines we have been chasing all of those broken promises, and it's an impressively long list. This government will tell Albertans over and over again, as if repetition creates reality, that times have changed. But when it comes down to it, there's one thing that really matters to Alberta voters, and that's trust. This Premier and government have repeatedly betrayed the trust of voters over the past year. So year 1 has been a never-ending list of broken promises and plummeting trust and support for this government.

An anniversary, however troubled, is not just a time to reflect. More importantly, it's a time to look forward. I have no doubt that we will continue to encounter the negative effects of this government's policies and budget in the next year, and we will continue to oppose them on those issues, but we will also continue to propose positive alternatives to the cynical politics of the day. Instead of simply talking about difficult decisions, we will be talking about investing in people. Instead of simply talking about the need to extract our resources faster and faster, we will be talking about a sustainable pace of development and the creation of jobs in

Alberta. Instead of talking about building Alberta in the interests of a few, we will be talking about building an Alberta for everyone.

So happy anniversary to this government, and sympathies on the failing grades.

**The Speaker:** Hon. members, I hesitate to interrupt, but I think you have a group that's here that we did get permission to revert for, but we'll carry on with Calgary-Glenmore and keep looking for your group.

#### Salute to Families and Friends of Members

**Ms L. Johnson:** Thank you, Mr. Speaker. As we celebrated yesterday the election results of 2012, today I would like to speak to the families and friends who encouraged each of us to be here. An election campaign truly is a time when you learn who your friends are, those who look us in the eye and honestly tell us that our ideas, our speeches, and our campaign platforms are good or bad. These are the individuals who walked with us as we decided whether to stand for nomination and election or not.

The other team of individuals who stand with us through thick and thin are our family members: our wives, our husbands, mothers, fathers, brothers, sisters, children, and grandchildren. They contribute to and support our passion to be in public life. As MLAs we've all had discussions around the dinner table regarding money, policy, and the impact on the family. Our children see the newspaper headlines and see the media, where politicians are accused of good and not-so-good activities. Our family members love and support us no matter what their personal opinion is on current policy. We can be strong and attentive in our MLA roles as we rely on their continuing support.

In conclusion, Mr. Speaker, thank you to family and friends for helping us to achieve our goals and aspirations for our constituencies, and a special thank you to my husband, who has stood by me through thick and thin, as we celebrate our 31st wedding anniversary today. Thank you, Al.

Thank you, Mr. Speaker.

#### Armenian Genocide

**Mrs. Jablonski:** Mr. Speaker, on the night of April 24, 1915, 98 years ago today, the Turkish government arrested more than 200 Armenian community leaders in Constantinople. Hundreds more were arrested, and all were executed. This was the first step in the annihilation of all Armenian families. Over 1 and a half million Armenian men, women, and children were massacred. Hundreds of witnesses reported these atrocities.

As the first genocide of the 20th century, the Armenian genocide was a precursor to the genocides that followed, acting as the prototype to modern crimes against humanity, including the genocides in Cambodia, Rwanda, Darfur, the Ukrainian Holodomor, and the Jewish Holocaust.

Mr. Speaker, a genocide denied is a genocide repeated. The international community failed to hold the perpetrators of the Armenian genocide accountable for their crimes, encouraging the most heinous and brutal dictator in world history, Adolf Hitler, to say as he planned the annihilation of the Jewish people, "Who, after all, speaks today of the annihilation of the Armenians?"

Mr. Speaker, my grandfather Paravon Kalagian never spoke about the night he witnessed the people of his village, including his mother, being tortured and burned alive even though he never stopped reliving the horror at night in his dreams.

My grandmother Mariam Kalagian had an incredible capacity to love others despite the fact that she lost her entire family during

the genocide. She taught us that love was better than hate. Her story and lessons are not forgotten.

Mr. Speaker, we remember these atrocities like the Armenian genocide, the Ukrainian Holodomor, and the Jewish Holocaust because, as George Santayana said, "Those who cannot remember the past are condemned to repeat it."

I wish to extend my heartfelt sympathy and expressions of solidarity to all Armenian people at this solemn time of remembrance. My grandmother was right when she said that love was better than hate, and if anyone in history should ever say again, "Who remembers?" we can say, "We remember."

**The Speaker:** The hon. Member for Sherwood Park, followed by Cardston-Taber-Warner.

2:50

#### Sherwood Park Music Festival

**Ms Olesen:** Thank you, Mr. Speaker. This past week the 37th Sherwood Park Music Festival was held at Festival Place. Over the course of four very full days the festival played host to numerous performances in junior, intermediate, and senior piano; junior and senior strings; musical theatre; speech arts; choral; handbells; woodwinds; brass; and percussion. Judging in these different categories culminated in the grand concert on Sunday, starring the winning performers.

The Sherwood Park Music Festival has grown steadily over the years and now serves the counties of Strathcona, Beaver, Lamont, and Minburn. This growth occurs only because of the hard work and dedication of over 50 volunteers and another 50-plus sponsors. Each and every year these dedicated individuals make this important community event an extraordinary success.

From the Sherwood Park Music Festival winners go on to compete in the Alberta Music Festival, the first of which was established in Edmonton in 1908 under the guidance of Lord Grey, the same Canadian Governor General of Grey Cup football fame. There local winners join others from more than 35 other music festivals held annually in Alberta. Those fortunate enough to win the Alberta Music Festival are then invited to compete at the National Music Festival, hosted this year by Wilfrid Laurier University in Waterloo, Ontario.

Dedicated to music appreciation and encouraging young performers and music teachers to pursue excellence in music performance, the music festival movement provides a framework and incentive for growth in musical knowledge and ensures those skills are passed on and continue to flourish.

Congratulations and thank you to all involved.

**The Speaker:** The hon. Member for Cardston-Taber-Warner.

#### Workplace Safety

**Mr. Bikman:** Thank you, Mr. Speaker. April 28 is the day set aside to remember Albertans injured or killed on the job. I remember one who worked with me, Mel Ondryk. He was dedicated to serving our customers and helping his associates work safely. He knew the rules of safe rig moving and their importance. Mel was so knowledgeable and committed to following them that he became a driver trainer, one of our best. We called him By-the-Book Mel.

He trained many young drivers and swamper. They learned how to properly use load slings and load binders. He taught them the importance of the walk-around check before beginning a trip. He showed them how to secure loads and how to put on over-dimension signs and outrigger lights. He was patient and careful to cover all the safety procedures and everything else they needed to

know. They were taught the importance of following at a safe distance and how to calculate that, depending upon their speed and the weight of their load. When Mel said that they were ready, we had confidence that these new drivers would do a great job.

But while helping another driver during a rig move, Mel momentarily forgot an important rule, to establish eye contact to confirm that the other driver knew he was stepping within the radius of that truck's movement as it was backing up. Seconds later he was dead, knocked down and run over by the front tire of the truck as it backed up and the driver turned the steering wheel to correct the direction of his trailer. I lost a friend and his wife lost her sweetheart to a preventable, avoidable accident.

Safety rules evolve and develop over time as organizations anticipate problems and learn from them. I encourage all managers and their employees to be even more diligent in making workplaces as safe as possible. Co-operate, collaborate, and consult with others.

This Sunday let's remember all the Mels. In their memory may we resolve to be vigilant and safe.

Thank you.

**The Speaker:** Hon. members, we asked for unanimous consent to revert to Introduction of Guests. Could we ask once again if that's still in place? The guests have now arrived.

[Unanimous consent granted]

### Introduction of Guests

*(continued)*

**The Speaker:** Innisfail-Sylvan Lake, please proceed.

**Mrs. Towle:** Thank you, Mr. Speaker. I would like to introduce to you and through you to all hon. members a fantastic group of grade 6 students visiting from my constituency of Innisfail-Sylvan Lake. The students from Destiny Christian School are sitting in the gallery along with their teacher Mr. Glenn Mullen and their parent supervisors, Ms Jaime Whitehead and Ms Roberta Bechtold. I hope they enjoy their time at the Legislature today, and I'll ask them to please rise and stand as my hon. colleagues provide the traditional warm welcome of this Assembly.

### Presenting Petitions

**The Speaker:** Hon. Member for Red Deer-North, did you have a petition? Please proceed.

**Mrs. Jablonski:** Thank you, Mr. Speaker. Today I'm very pleased to present the pheasant release program sustainability petition, that was reviewed and approved in format by Parliamentary Counsel. With the fourth instalment of this petition, I am presenting an additional 389 signatures, for a current total of 1,838 signatures from Albertans who are petitioning the Legislative Assembly to urge the government to

take the necessary measures, including the introduction of proposed amendments to existing legislation, to ensure the preservation and enhancement of the pheasant release program, which has been an important part of Alberta's hunting tradition, heritage and culture for over 65 years.

### Notices of Motions

**The Speaker:** The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Speaker. I rise to give oral notice that at the appropriate time I will be rising on a point of privilege

pursuant to section 15 of the standing orders. The matter relates to the conduct of the government yesterday with respect to managing House business in relation to the debate of Bill 20, the Appropriation Act, 2013. In particular, my rights and privileges as a member of the Assembly to within reason identify, draw attention to, and debate matters arising from Bill 20 were limited in a way that breaches my parliamentary privilege.

**The Speaker:** So noted. Thank you.

### Introduction of Bills

#### Bill Pr. 1

#### Church of Jesus Christ of Latter-day Saints in Canada Act

**Mr. Dorward:** Mr. Speaker, I request leave to introduce a bill being the Church of Jesus Christ of Latter-day Saints in Canada Act.

Mr. Speaker, this bill will simplify the organizational structure of the church and is therefore administrative in nature. The bill number is Pr. 1.

[Motion carried; Bill Pr. 1 read a first time]

#### Bill Pr. 2

#### Wild Rose Agricultural Producers Amendment Act, 2013

**Mr. McDonald:** Mr. Speaker, I request leave to introduce a bill being the Wild Rose Agricultural Producers Amendment Act, 2013.

[Motion carried; Bill Pr. 2 read a first time]

### Tabling Returns and Reports

**The Speaker:** Hon. Member for Edmonton-Strathcona, please proceed. I understand you have two tablings.

**Ms Notley:** Yes. Thank you, Mr. Speaker. I do have two tablings. I'd like to table the appropriate number of copies of a petition which calls on the government to revise their policies to eliminate child poverty and its manifestations in Alberta.

The second tabling, Mr. Speaker, is the appropriate number of copies of a petition which calls on the government to "take immediate action to regulate electricity prices, recognizing that electricity is an essential service."

Thank you.

**The Speaker:** Are there others? The hon. Member for Calgary-Mountain View, followed by Highwood, followed by Innisfail-Sylvan Lake.

**Dr. Swann:** Thank you very much, Mr. Speaker. I'll table the appropriate copies of a letter from a physician in Calgary, Dr. Patrick Wyse, who says that he will retire early this year because "by not utilizing the collective expertise [of physicians in the community] the mayhem created in Alberta's health care system over the past two decades falls squarely on the shoulders of the conservative government."

**The Speaker:** The hon. Member for Highwood and Leader of Her Majesty's Loyal Opposition.

**Ms Smith:** Thank you, Mr. Speaker. I have a number of tablings related to several questions that I asked this week about Alberta Health Services expenses. First, the employment contract between

Alberta Health Services and Alison Tonge: the requisite number of copies, five.

I also have a number of expenses from Joanne Stalinski for her personal training sessions with HigherSelf Fitness and Consulting, which I mentioned today.

Also, a number of expense forms related to expenses by Michele Lahey. I've got four different expense forms related to that, five copies of each.

3:00

In addition, the Pharmacy Benefact, which is the bulletin by Alberta Blue Cross that I also referenced today, where they acknowledge that the drug plan pricing changes have had a major impact on their delisting and some of the changes that they are going to be making not only at this time, but they also do say that additional process changes are going to be announced in future updates.

Thank you, Mr. Speaker.

**The Speaker:** Hon. Deputy Government House Leader, were you trying to catch my eye because the clock hit 3 o'clock?

**Mr. Campbell:** Yes, Mr. Speaker. I'd ask that we let 7(7) lapse and continue with the Orders of the Day.

[Unanimous consent granted]

**The Speaker:** Hon. Member for Innisfail-Sylvan Lake, you have a tabling?

**Mrs. Towle:** Thank you, Mr. Speaker. I rise to table two documents that I referenced today. The first one is an article from Jamie Komarnicki with the *Calgary Herald*, dated January 13, 2013, where she did an interview with the Minister of Health. "The health minister said the government has set aside \$18 million in 2013 to fund the first free pumps."

The second document that I'm tabling is from the 2013 April 17 Families and Communities budget estimates committee for Health, wherein he states that actually only 300 people and only \$5 million will be put aside for the pumps.

**The Speaker:** Are there other tablings?

Seeing no others, then allow me to please table with you and for you the requisite number of copies of the School at the Legislature annual reports for 2010-11 and 2011-12, noting that the reason we are one year behind, so to speak, is because of the provincial election last year. Nonetheless, this is a very successful program, and I encourage you to become more familiar with the School at the Legislature.

Hon. members, we have a point of privilege, I believe, that has been noted here by the hon. Member for Edmonton-Strathcona. Hon. member, did you wish to proceed and outline your case for urgency?

### Privilege Opportunity for Debate

**Ms Notley:** Thank you very much, Mr. Speaker. I am pursuing a point of privilege today under Standing Order 15. I'm pursuing this point of privilege on the grounds that my ability and that of all opposition members, in fact, to participate fully and fairly in second reading debate around Bill 20, the Appropriation Act, 2013, has been unjustifiably hindered by the actions of this government and therefore infringe upon my privileges as an opposition member. I also have some reason to believe that this will continue in the Committee of the Whole process and also in

third reading unless a remedy is achieved. There's no more important function for an opposition MLA than to hold the government accountable on issues of public expenditure. Please allow me to explain the nature of the actions in particular and touch on why I believe they relate to privilege.

Essentially, Mr. Speaker, yesterday several members of the opposition made repeated requests to representatives of the government caucus that different opposition members be allowed to speak to Bill 20. In response the government allowed one member of each opposition party to speak once before the government majority was used to adjourn debate in the afternoon. Then in the evening the government brought Bill 20 back to the floor with just enough time for one member of each opposition party to speak again before the issue had to be voted on under Standing Order 64(3) at 10:15 p.m.

Through this strategy roughly four hours of debate opportunity was lost to members of this Assembly. In other words, by using its majority to adjourn debate at will, the government effectively prevented up to 20 opposition members and a number of government members from having the opportunity to participate in debate on Bill 20 in second reading.

Now, as it is, Mr. Speaker, the government has previously used its majority to bring in our standing orders, and as I'm sure you are aware, we already have what some people might characterize as time limits or what others might even characterize as closure as a result of section 64 of our standing orders, which limit or put on a maximum amount of time that the appropriations bill can be debated. Indeed, as you know, the bill can only be debated for a maximum of one day for each stage. So now this new practice of the government, one that I've only seen in the last couple of years and to greater and greater degrees this year, to further limit debate by significantly limiting the amount of time allowed for budget debate within each of the days when we're allowed to debate, in my view, represents an excessive use of its majority by the government caucus.

As for timeliness, Mr. Speaker, you did indicate to the Member for Edmonton-Beverly-Clareview that he could not anticipate the actions of the government and use that as the foundation for his complaint with respect to privilege. As a result, we had to wait until what we had anticipated would occur did indeed occur. The matter was brought back by the government near the very end of debate yesterday evening such that second reading was completed with no time between the first adjournment and the last 40 minutes or so in the evening.

Now, Mr. Speaker, as I mentioned, there's no more important function for an opposition MLA than to hold the government accountable on issues of public expenditure. *House of Commons Procedure and Practice*, second edition, on page 819 states that the direct control of national finance has been referred to as the "great task of modern parliamentary government".

Page 820 of the same volume recognizes the fact that

Parliament must assent to all legislative measures which implement public policy and the House of Commons authorizes both the amounts and objects or destination of all public expenditures.

Now, as the Speaker knows, the Parliament consists of all elected members, not just the government. Of utmost importance to the role of Parliament is the role of the opposition in debating issues of public expenditure. Pursuant to this at page 831 of *House of Commons Procedure and Practice* it states that the House of Commons recognizes

two contradictory principles: that the government is entitled to get its financial legislation through Parliament; and that the



opposition is entitled to identify, draw attention to, delay, and debate, items that it feels need attention and discussion.

*Marleau and Montpetit* on pages 66 to 67 speaks to the issue of privilege and states that

any disregard of or attack on the rights, powers and immunities of the House and its Members . . . is referred to as a "breach of privilege" and is punishable by the House.

*Erskine May*, 22nd edition, on page 108 states that

any act or omission which obstructs or impedes either House of Parliament in the performance of its functions, or which obstructs or impedes any Member or officer of such House in the discharge of his duty, or which has a tendency, directly or indirectly, to produce such results may be treated as a contempt even though there is no precedent of the offence.

Moreover, *Beauchesne's* page 3, section 1, describes the principles of parliamentary law, and it states, Mr. Speaker, that they are

to protect a minority and restrain the improvidence or tyranny of a majority; to secure the transaction of public business in an orderly manner; to enable every Member to express opinions within limits necessary to preserve decorum and prevent an unnecessary waste of time; to give abundant opportunity for the consideration of every measure, and to prevent any legislative action being taken upon sudden impulse.

Mr. Speaker, it is my assessment that Standing Order 64, which essentially places a very significant time limit on debate in second reading for appropriation bills, is in place and more than meets the principle of orderly execution of business and avoiding any unnecessary waste of time, those principles that I just referred to in reference to the quote from *Beauchesne's*. However, for there to be no unnecessary waste of time, there needs to have been an excess of time spent on the issue to begin with, and in this case there was almost no time given to the issue, which is the cause of my concern. Both myself as well as another member of my caucus were given no opportunity to speak to Bill 20 in second reading. In total, six of 26 opposition members were allowed to speak to Bill 20 yesterday.

3:10

Now, Mr. Speaker, it's important to note that while estimates provide an opportunity for opposition members to question the government on issues concerning the budget, they do not afford the opportunity to engage in parliamentary debate. I know that what we will hear from the other side is, "Oh, well, you got 55 hours or whatever of estimates debate," notwithstanding the fact that we've already had a conversation here around the fact that the number of hours for estimates debate was significantly limited to the opposition by this government in a previous decision.

Notwithstanding that, Mr. Speaker, this is different. The opportunity to debate Bill 20 is the one forum in which we are given the ability to debate the combined impact of the budget as it relates to all the departments of this government. There is no other such forum for us to talk about how: well, you know, maybe this cut here is okay, but when it's added up with all these other cuts, it's really not so okay. Or if I were a member of the Wildrose caucus, what I might say is: well, maybe this increase in funding right here is okay, but when added up with all these other increases in funding, it's not okay.

There is a principle, Mr. Speaker, that the budget as a whole requires debate, not just the line-by-line, ministry-by-ministry discussions that we have in estimates. That is the debate which this government has limited significantly. They've already, as I've said, had the benefit of section 64. By using their majority to adjourn debate and then not bring something back, they've

actually, as I've said, on second reading itself limited the debate by about 50 per cent, roughly 4 hours.

Mr. Speaker, parliamentary democracies often see arguments over the principle of respect for the rights of the minority. *Beauchesne's* suggests in section 3 that it is there to preclude "a Government from using to excess the extensive powers that it has to limit debate or to proceed in what the public and the Opposition might interpret as unorthodox ways." If almost no time is given to the opposition to debate Bill 20, then we must surely conclude that debate has been limited to the most excessive level achievable, that of almost no debate, with all due respect to the six opposition members who were given the opportunity to engage in debate. Similarly, this also calls into question the principles of every member expressing their opinion and having the opportunity to engage.

In this case, I am arguing that the government is using its power of majority to unjustifiably and excessively limit debate on a matter that is of the outmost importance to this House and goes to the very heart of our roles as members of this Assembly. Mr. Speaker, the standing orders, which are put in place to ensure that excessive debate does not occur, are there. Moving forward in the way I've just described, I would suggest and I would argue, amounts to an abuse and a fundamental breach of privilege. That is why I'm bringing this to your attention now so that by your good judgment you can find a *prima facie* case of breach of privilege in this matter, and a remedy can be sought before the rights and responsibilities of the opposition to debate matters of public expenditure have been completely trampled upon.

Thank you, Mr. Speaker, for your consideration of my points.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by Airdrie.

**Ms Blakeman:** Thanks very much, Mr. Speaker. I want to support my colleague from Edmonton-Strathcona in her question of privilege because I believe what we've seen here is interference by government in the performance of the responsibilities of a member. Specifically, this question of privilege is pinned onto the Member for Edmonton-Strathcona, but it could just as easily have been pinned onto my colleague from Calgary-McCall, who was here yesterday afternoon and, in fact, whose name was on the list because he wanted to speak and was not allowed to.

We have a number of citations, Mr. Speaker, that recognize that the role of the opposition is to hold the government accountable. In *House of Commons Procedure and Practice*, page 37, we notice that

it is indeed essential for the country that the shades of opinion which are represented on both sides of this House should be placed as far as possible on a footing of equality and that we should have a strong opposition to voice the views of those who do not think with the majority.

What I have seen in this particular instance, I would argue, is a changing definition of obstruction. There are a number of good definitions in *Erskine May*, in *House of Commons Procedure and Practice*, in *Beauchesne* around how members may not be interfered with or obstructed from pursuing their duties as members. Clearly, it's been meant to deal with physically restraining someone — we have had an example of that here in this House — or getting in their way. We also had an example once where the doors were closed, and members were not able to access the Chamber and participate in debates.

I would argue that what we're seeing here is this government moving into a new definition of obstruction. I will just give you that definition on page 61 of *House of Commons Procedure and*

*Practice*. “The House has the authority to assert privilege where its ability has been obstructed in the execution of its functions or where Members have been obstructed in the performance of their duties.” I believe that that is the case here.

Now, I was careful to check, and indeed I will put on the record page 117 of *House of Commons Procedure and Practice*, in which it says: “In other words, just as a member is protected from anything he does while taking part in a proceeding in Parliament, so too must interference relate to the member’s role in the context of parliamentary work.” In other words, this is not about constituency work. We were here trying to debate the appropriation bill, and we are supported in being able to do that.

The standing order rules are our rules. We, hopefully, have all agreed to abide by those rules in the same way that citizens generally agree to have the police have a condition of power over them in exercising their authority. But I think that this government has abused our standing orders in the following way. They have used the parts of the standing orders to make a sum that equals a denial of the right to rise and speak in this Assembly.

Now, the government through the Government House Leader and the deputy leaders has presumed to create closure or time allocation. Now, under those circumstances you have to admit it, Mr. Speaker. You have to put that motion on the Order Paper. We don’t have closure anymore because it made the government look so bad, but now we have time allocation. But you have to put that motion on the Order Paper. There’s a day’s notice. Everybody can see what the government is going to do. There has to be a level of discussion, and then the time allocation can be put into place. But you’ve got to admit it.

What this government is doing by using different parts of our standing orders is that they are creating a sum total of silent closure: no notice necessary, no debate necessary. The motion for time allocation, Mr. Speaker, as you well know, is debatable, and it allows the opportunity for all to speak in opposition to that. What we’re getting now and what we’re experiencing now is time allocation or closure by stealth. They’re not admitting to it, there’s no notice in front of it, and we’re not able to debate it. It’s just implemented. That is, as you can understand, in my opinion, very wrong.

Worse than that, Mr. Speaker, this was predetermined. This wasn’t accidental. It didn’t happen as things rolled out yesterday. In fact, the Government House Leader had approached and communicated with opposition House leaders, proposing that one speaker per caucus per day was how he would like to proceed with things. Well, of course, I and other opposition House leaders responded pretty vehemently against that, saying: no; we have a number of people that wish to speak. Because of the way the budget estimates were done in legislative policy committees, we felt very strongly we wanted to speak to the total effect of the appropriation bill. We made that very clear. So it was predetermined that that was the way the government wanted to implement this, and they proceeded to do it. We had no notice, which we would have had, and no opportunity to debate it, as I said.

3:20

Further to that, we’ve had a recent change to the standing orders – these are some of the parts that I’m bringing together for the Speaker – not supported by the House leaders, in 59.03(7) in which the government, who used to have to get unanimous consent to revert to introductions in order to give first reading of the appropriation bill and struggled sometimes to get that permission unanimously, changed the standing orders so that they always got it. Our Standing Order 59.03(7) now reads: “Following the Committee of Supply’s report to the Assembly on the main

estimates, the Assembly shall immediately revert to Introduction of Bills for the introduction of the appropriation Bill.” Okay. Now we have to go to the appropriation bill.

Under 64(2) it says: “No appropriation Bill may advance more than one stage a day.” Now we’ve lost the first day of debate or the first day that we would usually have to prepare, notify people to come to the gallery, whatever, because the government has already given itself a head start on that. I disagree slightly with my colleague in that I don’t see 64(2) as a limitation. I read it that you cannot cram them together. In fact, appropriation bill debate in second, committee, or third could go on longer than one day, but it has to get a minimum of one day.

This is third of the parts, Mr. Speaker. Standing Order 64(3) says that once the appropriation bill has been moved for second reading on any day – I guess that this is the curtailment of it; you’re right – then the Speaker will interrupt the proceedings at the end of that day 15 minutes before regular adjournment time, which in this Assembly is taken to be at 10:30, so the Speaker would intervene at 10:15, and call the vote.

So now the whole debate has to take place between when it’s first brought up in second reading and 10:15. Indeed, what we had was the Government House Leader using the standing orders and his prerogative to organize the House business. He did it in a way that opposition members were denied an opportunity to debate. I had people here that wanted to debate. I had people here in the afternoon that wanted to debate in second reading.

As I mentioned yesterday, Mr. Speaker, we have specific themes that are to be respected in the debating of a bill. Second reading is to debate the principle of the bill, and we wanted to be able to do that. It’s considered inappropriate in debating in other stages of the bill to be trying to lump it all together although we certainly do take our leeway here in this House sometimes. Some of my caucus members are now denied that opportunity. They go straight into Committee of the Whole, if they can manage to be recognized, or try to speak in third reading.

Now, Mr. Speaker, adjournment is not debatable according to *House of Commons Procedure and Practice*. It’s supposedly used for the ordering of House business, but it should not be used as a form of closure, as a form of time allocation, and that’s what this government did. They used the adjournment in the afternoon knowing that they were going to come back very close to the specified voting time of 10:15 that evening, perhaps allow another speaker or two, and then call the vote. But they certainly curtailed the amount of time that was available, and they used the parts of the standing orders that are not meant to be combined to stop opposition members or any member from speaking. But, in fact, that is what this government and the Government House Leader have done. He has combined a number of parts of our standing orders to create a total that has the effect of denying the opportunity for members to speak.

Now, on page 594 of *House of Commons Procedure and Practice* it does go over the ability of members to speak and notes: “With few exceptions, a Member may speak to any motion that has been proposed to the House and which is open to debate.” Few exceptions.

In *House of Commons Procedure and Practice* on page 596 we have that the opposition is particularly recognized when we are debating supply. We know that, and I’ve raised this in this House before. We even recognize the importance of the opposition’s role with money matters by having the chair of the Public Accounts Committee always be designated as a member of the Official Opposition. So it is recognized in parliamentary procedure that the opposition is given a unique role and unique rights, I would argue, in holding the government accountable about money bills.

On 596 of *House of Commons Procedure and Practice* it says: "On supply days, the Chair may recognize Members from the party sponsoring the opposition motion more frequently." More frequently, not less frequently, Mr. Speaker. More frequently.

All in all, what we've had is an especially grievous coming together of design by the House leaders of the government, and it is especially grievous because the opposition House leaders had been so unhappy with the allocation of speaking rotation and time in the estimates debates. With a set of committees running concurrently on some days, not every day but some days, it's not possible for me or the members for Calgary-McCall or Calgary-Mountain View or Edmonton-Strathcona to be able to be in two places at once or to be able to take part in all of those.

I've been able to raise some of the issues that my constituents wanted me to raise, looking at the totality of the budget, but other members in the opposition have not, and that should not be happening. If it needs to happen, Mr. Speaker, then the government should use the standing orders that are in place to do that. If they wish to curtail debate, then use the processes that are there. In other words, stand up and admit it. Put the time allocation motion out there on the Order Paper. Everybody knows there are 24 hours. Put it on the floor, and we'll debate it. But don't sneak around using standing orders and putting them together in a way that it ends up with a result that, I believe, was never intended to be arrived at, and that is disallowing members an opportunity to speak in second reading on appropriation.

Thank you, Mr. Speaker.

**The Speaker:** Thank you, hon. member.

The hon. Member for Airdrie.

**Mr. Anderson:** Thank you, Mr. Speaker. I want to commend the two members that have already spoken, the members for Edmonton-Centre and Edmonton-Strathcona, on very, very thoughtful preparation and citations in this debate. I'm always learning a lot from both of these members, who very meticulously prepare for these sorts of things. My comments, thankfully, can be a lot shorter because they've covered, essentially, every possible citation on this that could be brought up and have done so very effectively, certainly the most important ones.

I'm going to just appeal to a sense of fairness and common sense to back up what has been said here. Obviously, we do have estimates debate. We do have 70-some hours of estimates debate. Of course, as you know, Mr. Speaker, those are broken up into different ministries. Two to six hours are given to each of those, and there's back and forth. There are very specific rules about what you can and cannot ask about and so forth. We go through that process. But as the previous members have clearly articulated, that is a very different process and a separate process from debate on the budget as a whole, in its entirety.

I have to say: think about the absurdity of this. The Official Opposition and all opposition parties have a very crucial and specific role in government to hold the government to account, especially on money bills, on appropriation bills. Really, if it's not our number one purpose in here, it's close. We're supposed to do that.

3:30

To give the opposition parties essentially a couple of speakers each, which is what we got at the beginning of this – but in some ways that's not true because that was a response to the budget. It wasn't a response to the actual appropriation bill before us. But that was the maximum that we were able to negotiate just to respond to the budget, two people from each party. Okay. All

right. We've got to move things along, so maybe that can be justified. By the way, I should say that I think more than two people per party should be able to respond to the budget, but okay.

For a minute it's moved into estimates. We move things along so we can get things going, so it doesn't get hung up too much in this House. The government wouldn't want to do that. But we get into estimates, and we go through the estimates process. Then it comes back, and we have the bill in front of us. Now we have a situation where, essentially, well, I've been able to speak to that bill in second reading, a couple of others have been able to speak to that bill in second reading, and that's it. So only literally two to three members of the opposition parties are able to speak to the budget in its entirety.

Think about the absurdity of that. It makes no sense. I mean, it's completely undemocratic. What possible justification could there be on that side of the House? What justification could our Legislature have for only allowing the opposition the opportunity for one or two speakers to respond to the budget in its entirety? The citations were very clear. Only in very rare circumstances should debate be limited with regard to bills, especially appropriation bills. In fact, the most limited that we are with regard to debate is on the ultimate money bill, the budget.

Mr. Speaker, I think that this is a very good opportunity for you to set a standard in this Legislature of fairness on this issue. We as opposition House leaders, obviously, are in the minority here. We can't change the standing orders. We talk about negotiation. Well, I guess you can say that House leaders negotiate. It's a negotiation. It's not exactly a fair negotiation because, really, the government can do whatever they want, but we call it that to all sound nice about it.

**An Hon. Member:** It's a democracy.

**Mr. Anderson:** Well, democracy doesn't mean you can trample on the rights of the minority. That's not democracy.

**Mr. Dorward:** You had a lot more time than I did.

**Mr. Anderson:** Well, you should have time, Member. You should have more time.

Anyway, I think that it's very appropriate that we... [interjections]

**The Speaker:** Hon. member, I'm sorry to interject.

Government members, please. Let's not get into this. This is a very serious point of privilege that a member has raised, and I would afford each of you the same courtesy if you were arguing a point of privilege that you felt strongly about. So please let's button it, and let's let this member continue on and finish his comments. Then we'll come to you if you wish to speak.

**Mr. Anderson:** Thank you, Mr. Speaker. Again, I think that the points have been made very clearly. I think that we have an opportunity to change the standard in here with regard to this particular issue.

I want to make it clear that the standing orders, I think, were never intended to limit debate on the budget in that way. Obviously, there was some kind of time allocation looked into, but there's nothing in the orders that would ever suggest that we should put the budget on the table, the appropriation bill, and immediately adjourn, have no debate on it, then bring it back so that a couple of people can speak on it, and then vote on it 15 minutes later. That's an abuse of that standing order. It goes directly against the privilege that every member of this House should have, on the government side and on this side, to respond

to the main piece of legislation that we pass every year, which is the budget.

I hope you will carefully consider that, Mr. Speaker, in your evaluation of this. Thank you.

**The Speaker:** Are there any other speakers? The hon. Deputy Government House Leader.

**Mr. Campbell:** Well, thank you, Mr. Speaker, for the chance. I'll try to be as brief as I can. As you said earlier, a point of privilege is very serious but also is very rare. There's no doubt that the onus is on the member asserting it to prove it, and I don't believe that that burden of proof has been met today. I'd suggest to you that there is no point of privilege.

Mr. Speaker, as a government we have the privilege to set the agenda, and I think that's a very important point that we can never forget. I'd say that there's no lack of opportunity for the opposition to put forward their arguments. Under this Premier we increased the estimates to discuss the budget to 70 hours. When I first came here, it was three hours per ministry. We now have our bigger ministries where we're allowing six hours of debate, and I think that, you know, gives the opposition a chance to ask some really detailed questions of the ministers and the ministers a chance to give some answers back.

Mr. Speaker, the budget was introduced on March 7, and there's been plenty of time to debate its merits. I think that it is important that we've had debate on the interim supply bill, we've had debate on the budget, we've had debate on estimates, and we're having three debates on the appropriation bill.

I'd like to also say that, you know, there's been no direction from the Official Opposition on the number of speakers they wanted to speak to the bill. I can say to you that even last night there was opportunity for another Liberal and NDP member to speak to that bill, and . . . [interjections]

**The Speaker:** Hon. members, please. I asked government members to not interject when opposition was raising its points. Now I'm going to ask Wildrose opposition and other opposition members: please don't interject when the government is speaking. It's got to be good for the goose, good for the gander, and that whole story.

Hon. Deputy Government House Leader, please continue.

**Mr. Campbell:** Thank you, Mr. Speaker. To argue that the use of available standing orders to manage the flow of work in the Legislature can be subject to a question of privilege is the same as arguing that the government's use of majority vote is an abuse of privilege. There is a process to change the standing orders, but until they are changed, they will as written guide the efficient operation of the Assembly.

Mr. Speaker, I want to leave you with this. It's one thing to say that something is undemocratic because you didn't have your say, but it's another thing to say that something is undemocratic because you didn't get your way. In this case I think that's where we are today, and I would suggest that there is no point of privilege.

Thank you, Mr. Speaker.

**The Speaker:** Thank you, hon. members. We've now heard from, in fact, all House leaders or deputy House leaders.

The purported question of privilege is actually a continuation of something that started in this House yesterday afternoon, April 23, during second reading in the debate on Bill 20, the Appropriation Act, 2013. At that time, the Member for Edmonton-Beverly-Clareview rose under Standing Order 15(5) to raise a purported

question of privilege on this same issue, which is now being raised by a different member, in this case the Member for Edmonton-Strathcona. Yesterday's discussion of this issue can be found at pages 1952 and 1953 of *Alberta Hansard*. Because it was raised yesterday and I was anticipating it coming forward today, albeit not by this member – nonetheless, the issue I was anticipating coming forward – I had the benefit of one full night to think about it and one full day or thereabouts to consider a decision on it after I had heard the comments, of course.

With respect to the protocols and procedures notice of the purported question of privilege was in fact provided to my office by the Member for Edmonton-Strathcona this morning at approximately 10:50, which means the member did meet the requirement of Standing Order 15(2). The basis of the purported question of privilege that was raised yesterday and which has now been reiterated here today is that the member's ability to perform her duties is being interfered with because debate, in her view, was limited on Bill 20, the Appropriation Act, 2013.

3:40

Yesterday's exchange on this matter and the discussion that we've just heard here today suggests that some members are alleging that their right to free speech or their opportunity to speak in this Assembly is being called into question. But I want to be very clear that members in this Assembly are in fact allowed to say anything they want here as long as they do it within the rules of this Assembly and/or within the practices and guidelines, that I've cited many times and which many of you have no doubt read, that come from other established practice books.

In the context of the comments about the rights and privileges of free speech of members let me start, first, by referring you to *House of Commons Procedure and Practice*, second edition, page 308, where it states the following:

The right to freedom of speech is not, however, absolute; there are restrictions imposed by the House on its Members, derived from practice, convention, and the rules agreed to by the House. For example, the Standing Orders provide for time limits on speeches.

And it goes on. In fact, a little later on page 308 it says the following:

The duty of the Speaker is to ensure that the right of Members to free speech is protected and exercised to the fullest possible extent; this is accomplished in part by ensuring that the rules and practices of the House are applied and that order and decorum are maintained.

The same point is found in *Beauchesne's*, sixth edition, at paragraph 77, which states the following:

Freedom of speech does not mean that Members have an unlimited or unrestrained right to speak on every issue. The rules of the House impose limits on the participation of Members and it is the duty of the Speaker to restrain those who abuse the rules.

Let us be reminded about those rules. In particular and as just one example, the time allocated to debate on an appropriation bill is limited by Standing Order 64, which all of you would know, because it sets a deadline for the vote. In fact, Bill 20, the subject of this purported point of privilege, is an appropriation bill. Hon. members, rules such as Standing Order 64 are, in fact, the rules that you as members have set for yourselves in order to conduct business in this Assembly.

Now, I am very sympathetic to the views expressed by Edmonton-Strathcona and by Edmonton-Centre and, for that matter, by Airdrie, and I certainly am not discounting the views of the deputy House leader either. These are all good, solid, valued, principled views that they have all expressed. In fact, I would

encourage everyone to read through that *Hansard* and hear what these members have said about the role of opposition and about the role of rules and how we're all bound to abide by them, because there's valuable information.

You can tell by the way a member stands up and presents a point of privilege or a point of order or chimes in with comments from him- or herself as to how much dedicated research went into that preparation. As Airdrie said, there's always something to be learned from that. Sometimes we can learn from his comments as well. There's a lot to be learned when House leaders of government stand up. There are things that we can all learn from each other.

I am sympathetic to what was said. I listened very carefully to it, and I reviewed it all in my mind last night as well, what was said yesterday. Standing orders, as Edmonton-Centre said, are our rules; we've all agreed to abide by them, or words to that effect. In this instance the standing order that we're asked to abide by was followed. It was not violated. Now, members can argue and they did argue that they don't like the wording of that or they don't like the application of it or they don't like the net effect of what comes out of a standing order that has what is frequently referred to as a guillotine vote capability. So I am sympathetic to that.

I'm also sympathetic to the fact, as I think the deputy House leader said or as has been said on similar debate in the past, that decisions do have to be made in this House and that rules exist for those decisions to be facilitated, whether we like it or not.

The rules governing the length of debate, the frequency of speakers who participate in that debate, and how long each member can speak: all of these rules are important, and all of these points are important. In considering the importance of these rules of debate and frequency and so on, we also have to remember that debates simply cannot go on endlessly. We would never arrive at any decisions. Think about that. That's why we have them.

I am persuaded by comments of fairness, by comments pertaining to common sense, and I am also well aware of how the decision-making process works both inside this Chamber and outside it. It's not infrequent for opposition members to disagree on some of the House rules. They may not have gotten it their way, and sometimes government doesn't get it their way either.

Someone mentioned the point of rules being negotiated. Indeed, they are negotiated. They are debated. They are thoroughly vetted through caucus mechanisms. They are vetted and debated by House leaders and deputy House leaders and their representatives and the whips, and the leaders chime in sometimes with their own people, so it's not infrequent that there would be differing points of view on that. In fact, that is one reason why I allowed a considerable amount of time to occur. We had a lot of healthy discussion here. The first speaker took nine minutes, the second speaker took 15 minutes, and the third speaker took some time less than that. The fourth speaker took even less time. Obviously, I didn't note it down. That's a considerable amount of time. Nonetheless, a lot of points were raised.

In my view, this matter is something that ought to be sorted out by the House leaders when they next meet to discuss and debate our standing orders, which are de facto our standing orders, our rules. Edmonton-Strathcona, you spoke. Edmonton-Centre, you spoke. Airdrie, you spoke. The hon. Minister of Aboriginal Relations spoke. You are all House leaders privy to those meetings.

The points you have raised from the opposition side are extremely important to the functioning of democracy, extremely important. I would ask government members to pay attention to what has been said here so that you can somehow alleviate the concerns that the opposition members have. I'm going to side with the opposition on that point of having those items addressed by you because opposition's role in this democracy is to hold the

government to account, and the rules by which they are asked to abide may not favour them all the time. They don't favour government all the time either, but there is always room for some improvement. I'm going to read those points again because I enjoyed the way that most of them were presented.

However, in the end there is no *prima facie* question of privilege at this time, and pursuant to Standing Order 15(7) that concludes this matter. We will now move on to the understanding that, please, members, I ask you to review all of what was just said in the last 45, 50 minutes of debate in this Chamber.

Let us move on to points of order. Hon. Member for Airdrie, you had the first point of order at 2:01. Proceed with your citation and your point, please.

### Point of Order Factual Accuracy

**Mr. Anderson:** Thank you, Mr. Speaker. The first point of order, the point of order you referred to, is under 23, specifically (h), (i), and (j), but particularly (l), "introduces any matter in debate that offends the practices and precedents of the Assembly." The Finance minister in debate today specifically said of the \$17 billion in debt that we referred to, which is the debt for borrowing for capital and so forth, that some of that money, some of that debt that we were referring to was money being lent to municipalities. He clearly said that. Now, that was a flat-out false assertion. There is no other way to put it.

I refer the Speaker to the budget, page 135 of the fiscal plan. It is very clearly laid out that the Alberta Capital Finance Authority right now has liabilities of roughly \$15 billion. That is the fund for the liability that includes money that is lent or that the municipalities use to borrow, that the government allows them to do, essentially cosigns for. That is very clear.

3:50

If you go down a couple of lines to liabilities for capital projects, you'll see alternative financing and direct borrowing. As you can see, this year that totals just over about 4 and a half billion dollars. Then that rises to just over \$8 billion this year, and then by 2016, as we referred to, it equals just barely under \$17 billion. That's what we referred to in this House.

When the minister stands here and says something that is patently false and knows that because it is in his own budget – and I've heard him belittle members of the opposition over and over and over again for not doing their homework, for not understanding the budget documents. You guys are fools; you obviously have no training. That is what I've heard him say many times, essentially paraphrasing. Then he comes into this House and says something that is so categorically untrue and accuses this member, meaning the Leader of the Opposition, saying that by railing against or by being against the \$17 billion in debt that is being taken out for liabilities for capital projects as per this document, she is somehow limiting what one of her towns, Okotoks, can do when borrowing for their capital projects. It's absolutely false.

Mr. Speaker, they talk a lot about scary over there. What is scary is a Finance minister that does not understand his own budget document or wilfully ignores it and says something that's categorically untrue. That is what happened here. That should not be a practice. When we ask a question in question period, we should get a truthful answer or at least some kind of an answer but not something that is in direct conflict with the document that the minister in charge has put on the table. That is not appropriate in this House, and I'd ask him to clarify and withdraw that comment and apologize for misleading.

**The Speaker:** The hon. Minister of Finance.

**Mr. Horner:** Thank you, Mr. Speaker. I guess it doesn't surprise me that there's a little bit of confusion because the opposition has consistently said in this House and outside of this House that we are going back in debt, that we are going to incur \$17 billion worth of debt. The hon. member is absolutely correct, and I would point him to page 141 of the document that he was referring to, where it shows that in the out years we're going to borrow about \$12 billion, 12 and a half billion for capital projects, not \$17 billion. It does rise to that because we have debt from the past. We were in debt before. We can't go back into debt if we were in debt before.

You know, I can understand how this is starting to confuse Albertans because the opposition refuses to tell the facts to Albertans when they go out into their town halls and some of the places that they go to. I was a little confused about where the \$17 billion came from, so I assumed – and one should never assume, Mr. Speaker – that he was referring to the capital debt that we're going to incur and some portion of the advancing of loans that we're going to incur, because those numbers roughly add up to about \$17 billion, too, in the next three-year business plan. And we can talk about last night when the hon. member actually introduced an amendment to Bill 12 that would have cancelled all borrowing, which would have meant that the Alberta Capital Finance Authority would not be able to use the government of Alberta's guarantee, actually wouldn't be able to function, frankly.

I would point to and will table at the appropriate time the town of Okotoks' notes to consolidated financial statements, page 11, where it states that when 25 and a half million dollars worth of principal and interest is repayable, "debenture debt is repayable to Alberta Capital Finance Authority," which is us, which is part of the borrowing we've done and will do in the future.

So if the hon. member would like to clarify that we are not going back in debt but adding \$12.5 billion worth of debt and some debt for on-lending to farmers, customers of ATB, municipalities in his riding and his leader's riding, then I'd be happy, Mr. Speaker, to apologize for being confused about what the heck they're talking about. Unfortunately, Mr. Speaker, I'm not sure where we're going with that.

**The Speaker:** Hon. members, you know, we're getting more and more points of order from both sides here that are more points of clarification and so on. I don't mean to make light of it at all, but I don't know how many times I've stood and said that these points of order that are raised – I can't stop them from being raised, nor would I want to, but they do offer a chance for people to clarify their positions. I noted both speakers just now referred to different pages of a particular document for clarification and understanding and perhaps for definitions as to what is debt, what isn't debt, when did somebody go into debt, when did it start, when will it end, and whatever else.

There are various citations I could read, but I think I'm just going to stop here and say that there is no point of order, but I did appreciate the points of clarification that both sides have now had a chance to utter, and I'm not going to take more time on that.

Let us move on to item 2. A point of order was raised at 2:11 p.m., and that point of order was raised by the hon. Government House Leader. I wonder if there is a Deputy Government House Leader that wishes to speak to this.

## Point of Order

### Questions outside Ministerial Responsibility

**Mr. Campbell:** Okay. Thank you, Mr. Speaker. I'll be very brief. This is in reference to the Member for Chestermere-Rocky View asking a question to the Member for Fort McMurray-Conklin, the Associate Minister of AT and T. Basically, the Member for Chestermere-Rocky View maligned the minister by trying to put a question to him that he knows full well is within the purview of Municipal Affairs. I'd look under Standing Orders 23(h) and (j) as my citations. I'd also look at the *House of Commons*, 503, "make a charge by way of a preamble." Mr. Speaker, I'd also look at *Beauchesne's*, page 120, 409(1), where it's very clear. "It must be a question, not an expression of an opinion" or argumentative.

Mr. Speaker, the member asked a question to the Associate Minister of AT and T really about his advocacy for his constituency, not about his ministerial responsibilities, and I suggest that by doing so, he maligned the member by calling into question his actions representing his constituency.

Thank you, Mr. Speaker.

**The Speaker:** The hon. deputy House leader for the Wildrose.

**Mr. Saskiw:** Thank you, Mr. Speaker. I'm not sure where the hon. member is coming from. The point of order was called on the third question, and the third question was to the Minister of Municipal Affairs. I'm not sure if he's got the wrong information. That just simply wasn't the case. I have the quote here. To the Minister of Municipal Affairs: why is it that not one red cent of that additional \$16 million in education tax is actually going back to the community to help with education?

Of course, when the opposition asks questions, the government has the opportunity to have any minister answer that question. In this case the Minister of AT and T decided to sit in his chair and not answer it and not be accountable. Instead, the Minister of Municipal Affairs decided to answer it.

There's absolutely no point of order. The references that he refers to – I'm not even sure if he mentioned the citations in the standing orders. There's just no point of order.

**The Speaker:** Thank you.

Hon. members, thank you both for being brief. Clearly, there's no point of order here. But just for purposes of clarity the point of order was raised right around 2:11 p.m. this afternoon, and it was during the third question; in other words, the second supplementary question. The Minister of Human Services rose when the person asking the question, Chestermere-Rocky View, said something to the effect of Fort McMurray being left in the lurch. I have partial Blues here, and that's what prompted the minister to rise, according to my recollections.

However, let us just be careful what we impute one way and the other and move on to the next point of order because there is no point of order here.

4:00

Hon. members, the third point of order was with respect to Edmonton-Centre, who raised a point of order during the third answer given by the Minister of Service Alberta. She has indicated that she is withdrawing that point of order only because she had to attend to some other urgency. However, I have the Blues from then, and I would just explain a brief cautionary point here to both the minister and to the Member for Edmonton-Centre, to be careful in our speeches to not impute any motives about people working for or at the behest of others or suggesting something untoward. Although she didn't ask me to raise it, in her absence I

do raise it only because of that purpose. So let it be known that officially that point has been withdrawn but with that cautionary note from me, please.

Item 4 on the point of order list is from Lac La Biche-St. Paul-Two Hills or someone on behalf of.

### Point of Order

#### Allegations against a Member

**Mr. Anderson:** Thank you, Mr. Speaker. I'll rise on this point of order. Again, it's Standing Order 23, specifically

- (h) makes allegations against another Member;
- (i) imputes false or unavowed motives to another Member;
- (j) uses abusive or insulting language of a nature likely to create disorder.

You know, on this side of the House the Member for Medicine Hat asked a question about a policy that he feels and I think the majority of us on this side of the House feel is going to hurt persons with disabilities. It's going to be harmful to them and to their future. That's a policy. We're saying that the policy is going to hurt people, and that's why we want it reversed.

Now, the minister then replied with a personal attack, saying that we on this side of the House have a dated view of persons with developmental disabilities, that his comments were belittling and essentially dismissing those with developmental disabilities and their ability to be a part of society to work and so forth. I don't have the exact Blues quote – hopefully, you can read it – but that's what was said.

Emotions run high in here, so perhaps this is a way of getting this off our chest. As someone who has an autistic son and a brother with a developmental disability who's looking for work right now, I really have a problem with personal attacks on either side saying that individuals do not care or belittling individuals or that individuals don't understand persons with developmental disabilities.

We can have policy disagreements. There's no doubt about that. But to come into the House and say that to people on this side, to demonize them – that's what it is. People who are callous and cold towards people with developmental disabilities are not good people, so to state that flat out is not only imputing false motives but is very likely to create disorder, especially with those who have very close loved ones with those types of disabilities.

Perhaps the best thing to do is to clarify for this member for the future that I can guarantee him that if a Wildrose government is elected in 2016 . . . [interjection] You can laugh about it, but I'll tell you one thing. We will treat people with developmental disabilities better than you have ever treated them. Do you want to know what we'll do? We'll make sure that instead of spending \$350 million on MLA offices, we'll put it on the front lines to those individuals who need it the most. That's what we'll do.

I would hope that we could have a policy disagreement on things and not have to resort to saying to members opposite and across the way that we don't care about people with developmental disabilities and their ability to function in society. That is absolute garbage, and it's uncalled for. We want to have a policy debate – that's good – but please do not demean us in that way.

Thank you.

**The Speaker:** The hon. associate minister.

**Mr. Oberle:** Thank you, Mr. Speaker. It's most interesting that the hon. Member for Airdrie would continually rise on a point of order about inflammatory language and then use an argument about whether or not they're going to win the 2016 election to make a point of order. That's nonsense. Let's just dial it back a little bit here, and let's explain what happened.

The hon. Member for Medicine Hat expressed an opinion. Whether it was his opinion or an expert's is not clear to me, but that's irrelevant. The opinion was that disabled persons are not going to be able to be employed. That's the way I interpreted that. I think I've got the quote very close. I said: I will chastise that hon. member for his jaded point of view. Something very close to that. I reacted passionately because I very strongly disagree with that statement, Mr. Speaker. The fact of the matter is that we have an employment rate of about 18 per cent in our disabled community in Alberta. Washington state has an employment rate of 70 per cent. So that statement, whether it came from that hon. member or an expert, is wrong, and that's why I reacted to it.

However, Mr. Speaker, I was passionate because I actually agree with the Member for Airdrie in his passionate statement about persons with disabilities. It is never ever my intention to offend the practices and proceedings of this House, and if that language is in any way unparliamentary, I freely withdraw it. Furthermore, if it offends the sensibilities of that hon. member, whom I clearly called an hon. member and believe, I'm also quite willing to withdraw it.

In doing so, Mr. Speaker, I'm going to issue a plea that I very, very much hope that the hon. Member for Airdrie will support. I think I heard in the preamble to that question and I know I've heard in other preambles to questions about this topic in this House the use of the words "these people." That harkens back to an offensive time for me, and I'm going to call a point of order the next time I hear it. That should not happen. When you refer to a group of people as these people or those people, I think the hon. Member for Airdrie would understand that that's offensive. Maybe he doesn't, but I will call a point of order the next time I hear it.

I freely withdraw my comments, and I apologize to the hon. Member for Medicine Hat, who's working very hard on behalf of his constituents, Mr. Speaker.

**The Speaker:** Thank you, hon. members. Issues pertaining to persons with developmental disabilities or any kind of disabilities or to people who are down in their luck for other reasons: they are very special people indeed. They deserve the utmost of respect. We've heard two very good statements given here. The associate minister has withdrawn his comments and apologized for them. That's a very good move, hon. member. Thank you.

With that, we're going to move on.

### Orders of the Day

#### Government Bills and Orders Committee of the Whole

[Mr. Rogers in the chair]

#### Bill 12 Fiscal Management Act

**The Chair:** The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Mr. Chair. I must say that it's a pleasure to stand and move this amendment to Bill 12, the Fiscal Management Act, to improve government transparency. I have the original and requisite number of copies for the Assembly.

**The Chair:** The pages will circulate that, so if you'd just give us a minute or two and then you can speak to the amendment, hon. member. This would be amendment A7.

Proceed, hon. member.

**Mr. Fox:** Thank you, Mr. Chair. I move that Bill 12, the Fiscal Management Act, be amended in section 10 by striking out subsection (3) and replacing it with the following:

- (3) A business plan must include the following:
  - (a) the mission, core business, and goals of the Government . . . or agency;
  - (b) the measures to be used in assessing the performance of the Government [ministry] . . . or agency in achieving . . . [its] goals; and
  - (c) the performance targets set by the Government [ministry] . . . or agency in achieving . . . [its] goals.
- (4) The business plans must be made public at the same time as the responsible Minister makes the fiscal plan public.

**4:10**

Since being elected last April 23, I've heard this government continually speak to the importance of transparency but continually fail to put those intentions into legislation. This is extremely pronounced in the weakness of the legislation that the Associate Minister of Accountability, Transparency and Transformation brought forward with the government's whistle-blower legislation. I and the Wildrose believe that this is not good enough. Transparency needs to be law. The act must mandate what needs to be reported in ministry business plans. Sunlight is the best of disinfectants, Mr. Chair.

In second reading of Bill 12 I spoke to the complete repeal of the Government Accountability Act, which is what is happening under the Fiscal Management Act. When that Government Accountability Act was passed – it was passed in 1995 – it was the envy of the rest of our nation. We were the first – let me repeat that, the first – province in Canada to adopt a publicly reported results-based performance measure framework into our budgeting process. The act was designed to improve accountability between civil servants, elected officials, the government, and the citizens of Alberta.

Mr. Chair, according to the Taxpayers Federation and Mr. Derek Fildebrandt "repealing the Government Accountability Act will gut the most important accountability measures required by law. This will leave taxpayers without the most basic information required to know what their government is up to." He goes on to say, "In theory, the government could present its entire budget on the back of a napkin with these massively reduced requirements in Bill 12."

Mr. Chair, it is for this reason that I put forward this amendment in the exact language the Klein government used and thought important for government transparency. I want to make sure for my constituents and all Albertans that all future budgets will be presented in an accountable and transparent manner. Retaining this section of the Government Accountability Act, which this government now wants to repeal, will ensure that in future provincial budgets there will continue to be a qualitative and quantitative measure that has been designed to assess performance against goals.

Last Thursday I left the Assembly with this statement.

Without clearly articulated measurable . . . performance expectations, there will never be sustained improvement in government programs and services.

Effective decision-making in our democracy requires that Albertans have access to all the information in a reasonable, recognizable, and responsive format . . . It is never good for democracy when citizens question the authenticity and the accuracy of any government document, which inevitably leads to the perception that their government as a whole has failed them.

Mr. Chair, we have the opportunity here today to make sure that this doesn't happen. We can ensure that this direction from Klein's Government Accountability Act lives on in this new act, the Fiscal Management Act. Let's make sure there is a continuation of this positive impact of publicly reporting on government's performance, which has enhanced our transparency, strengthened accountability, and provided measurable and visible motivation for civil servants to improve services and programs for Alberta's citizens. Let's continue to improve the transparency of our democracy, not retreat into the opaque reporting requirements of budgets in past generations like Bill 12 will do.

Hon. members, please support this amendment rather than completely throwing away the Government Accountability Act, that was passed in 1995. Thank you, Mr. Chair.

**The Chair:** Thank you.

The hon. Minister of Finance, President of Treasury Board.

**Mr. Horner:** Thank you, Mr. Chairman. You know, we could put in there how many pages it should be. We could put in there how many pictures there should be, kind of like their budget. It has more pictures than pages. We could put in there things that are somewhat, I would suggest to you, common sense in terms of a business plan.

I would put Budget 2013 on the table to say that all of the things that the hon. member is looking for are part of the fiscal plan. They're part of the business plans. They are what a business plan is. In fact, the business plan has to be prepared for each fiscal year for all of the government agencies for that period and at least two subsequent periods. The major economic assumptions have to be made and prepared in that fiscal plan, including a comment on the effect that changes in those assumptions may have on the finances of the government in the fiscal years to which fiscal plan relates.

The mission, core business, and goals of the government are still going to be in our three-year business plans, the ministry annual reports, and the government-wide performance report Measuring Up, which has never been in legislation. It's something we do as part of our policy and our core business, so putting it into the legislation, Mr. Chairman, every time the Finance minister wanted to change some format in terms of the mission or the core – all of the information is there. For the hon. member to suggest that the information is not there or even for the Canadian Taxpayers Federation to suggest that the information is not there is not correct. It is in the business plan and will continue to be in the business plan.

So, no, I'm not going to support the amendment as proposed.

**The Chair:** Thank you, hon. minister.

Are there others? The Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Mr. Chair. I don't understand why you're now having the idea of voting against the Government Accountability Act. I mean, this was an act that was passed in this Legislature by a PC government. It was a communication tool for that government. Bill 12, the Fiscal Management Act, is a tool that does nothing more now than bring smoke and mirrors back into Alberta politics.

At the basic level the Government Accountability Act put into the provincial budget a quantitative and qualitative measure designed to assess performance against goals. Those were words that were used to describe that act by the PC government of that day. Why vote against it now? What's wrong with that wording? Let's bring it back. It was a very, very good piece of legislation, so why throw the baby out with the bathwater, Mr. Chair?



**Mr. Horner:** Well, hon. member, the rhetoric all sounds good, but the reality is that what we're doing is combining two acts, not getting rid of one. We're combining two acts into the Fiscal Management Act. It's going to implement all of the government policy decisions related to changes in the current fiscal framework. We're adding a savings policy. That wasn't in the other act; we're putting it into this one. We're blending them together. We're changing the debt ceiling, the way that we now have it. It wasn't in the other acts; now we're putting it in. Those are good things, hon. member.

Just to say that you're going to have a mission statement embedded in the budget or business plan – you can't tell me that that's your core value. Your core value is that you want financial information that's clear and concise, you want people to be able to read and understand what you're presenting in terms of those expenses, and you want people to understand what you're borrowing, what you're saving. All of those pieces are the core values, not the fluff that you're talking about.

I won't be supporting the amendment, Mr. Chairman.

**The Chair:** Thank you, hon. minister.

The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Mr. Chair. I'd like to remind the hon. minister of the debt retirement account that existed prior to Bill 12.

Now, section 10(3) right now reads, "The business plans must be in the form determined by the Treasury Board and must be made public at the same time as the responsible Minister makes the fiscal plan public." This doesn't state what must be in those business plans. This other language, this language that the Klein government wrote, states what must be contained in those business plans. I see no reason why we need to throw that away. That was very good language. That was very clear and concise language about what the government must report to the citizens of Alberta. They need to be the ones who make the decision on whether or not it's a good budget.

It's not up to the minister or to the government to decide what performance measures should be used in reporting on that. It should be, as it was in the other legislation, clear and transparent and put forward in a manner that Albertans could recognize, make a decision on, and judge the government on. This new wording, "business plans must be in the form determined by the Treasury Board and must be made public at the same time as the responsible Minister makes the fiscal plan public," to me means that you can change how it's going to be reported whenever you want.

Now, with Bill 12, that's what this is putting forward. The old act, the Government Accountability Act, the act passed by the Klein government in 1995, made a change to that. Rather than have the Treasury Board decide, it was put into legislation so that everybody understood what was coming and what would be in that plan before it was released.

4:20

**Mr. Horner:** Well, Mr. Chairman, the hon. member says that his complaint is that the government is going to be able to say what's in the plan. Yet his amendment says that the government is going to state what the mission is, that the government is going to state what the core businesses are, that the government is going to state what measures are going to be used, and that the government is going to set the performance targets. The opposition isn't going to set the performance targets. The Canadian Taxpayers Federation isn't going to set the performance targets. He's saying that govern-

ment is going to do all this. Well, that's what we do, and we will be doing that in a format that will be legible, easy for Albertans to understand, and will contain all of the information that is pertinent, as is the document that is before this House today. It has the environmental outlook. It has the capital plan. It has the savings plan. It has the operational plan. It has the overview. There is the Measuring Up document.

Hon. member, the performance plans and targets that we do are not part of a step-by-step legislative process where we have to set out the number of pages and those sorts of things. You're asking if the government is going to do it. Of course the government is going to do it. That's what the government does. Even in your amendment the government does it all.

So, no, I'm not going to accept the amendment.

**The Chair:** Are there others? The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you very much. I just wanted to comment very briefly on this issue. I think that the issue here, of course, is trying to improve accountability and limit the opportunity for the public relations department of the government, with all due respect to the public relations department, to come up with the kind of language that they've been using as a means of suggesting that they've met their goals, like: we're going to collaborate, and we're going to work towards the future; that's what we said that we were going to do when we said it, and now we're doing it. That's all they ever say. Then, of course, it means nothing when you actually try to dissect or analyze the pablum that is coming out of the Conservative message box these days.

Just looking through the business plan right now – the minister says that it's already in the business plan – I have to say that I'm not convinced that they're actually meeting the objectives that he suggests they are. There are a number of elements in the business plan where the performance measures are not given on an annual basis. They might be given every two or three years at this point. It's very discretionary.

As well, we have instances where in the Ministry of Human Services you have on one hand – I mean, I really just don't know where they come up with these things. The goal is that vulnerable Albertans are protected and supported in times of need, and then one of the performance measures is about percentage of children and youth who received child intervention after their file was closed. The question is: well, how many files are closed? Really, the issue is: how many children are being subject to abuse, and what are the measures of that, and is that going up or down? How many children are using the food bank right now, and is that going up or down?

So for the performance measures that currently exist, I would suggest that you actually have legislation like this so that we could decide whether, in fact, a reasonable person would actually suggest that what has been produced here amounts to a performance measure. That might be a good thing. Perhaps having legislation would promote a practice within government to say that, well, let's just put on our objective hat here and say: does this thing we put in here actually amount to a performance measure of the goal that we just outlined? In fact, you can probably go through a third of the items in this business plan and find that there's very little connection to the goal they've identified and the performance measure they put out there. Percentage of clients who feel that getting a little bit of money improved their life a bit: really? That's a performance measure? I mean, it's all of these sorts of subjective satisfaction measures. Those aren't performance measures, for heaven's sake, Mr. Chair, and I think the minister knows that.

You know, I'm looking at one that says that a priority initiative is to work with partners. It's this lovely collaboration word. Apparently, a Conservative cabinet minister cannot get up in the morning without repeating their collaboration mantra to themselves in front of the mirror for 10 minutes before taking off to potentially talk to media in the future. Nonetheless, we're going to collaborate with communities and stakeholders so that opportunities are created for Albertans to succeed, and through that, our priority is going to be that we're going to eliminate child poverty. Then you get down to performance measures, and it's the percentage of AISH clients who believe that their benefits help them live more independently. Really? I mean, one is hardly a performance measure of the other.

Perhaps if this amendment were passed, there would be an obligation for there to be a rational connection between the goals which the government puts out in its press releases and the performance measures to which it holds itself accountable.

That's all. Thank you.

**Mr. Horner:** Mr. Chairman, the hon. member just made my point. This amendment doesn't speak to the quality of the measures or anything else. We can have a good debate about the quality of the measures. The measurements that the hon. member was just complaining about are the measurements that this basic amendment would put back in in terms of the legislative requirement. I don't disagree that we should have robust discussion about the measurements and how we measure and the targets, but this amendment would not solve the concern that the hon. member has just put on the floor.

**The Chair:** Are there others? The hon. Member for Edmonton-Strathcona.

**Ms Notley:** I can't help it. It's so much fun when we get to have a bit of a debate, but I'll be brief. I guess my argument is that, in theory, if there is an obligation in legislation for there to be a goal and an associated performance measure, there might actually be an objective forum; for instance, in an administrative review application in front of a judge, where the judge would actually be asked to render a reasonable, objective decision on whether one is a reasonable performance measure of the other.

Right now, with it just saying that it's up to the government, well, no objective observer is ever going to wade into it because the legislation clearly says that it's up to the government to do whatever it wants.

**The Chair:** Are there others?

**Hon. Members:** Question.

**The Chair:** The question has been called.

[Motion on amendment A7 lost]

**The Chair:** Now back to the bill. The hon. Member for Airdrie.

**Mr. Anderson:** Thank you, Mr. Chair. I have an amendment that I'll circulate.

**The Chair:** That amendment shall be A8. If you would circulate that through the pages, please, and give us half a minute. Then I'll let you speak to it, hon. member.

Proceed, hon. member.

**Mr. Anderson:** All right. Thank you, Mr. Chair. This amendment refers to Bill 12, section 13. If you turn to section 13 right now,

you will see that it's talking about the ministry annual reports. What this amendment does is add a subsection after subsection (4) which would say:

(5) In addition to the requirements of this section, ministry annual reports must incorporate any changes to format, timing and content recommended by the Auditor General or state explicitly in the report why the Auditor General's recommendations have not been adopted.

Now, I think that this is a very reasonable amendment. I think that what this is meant to do is that if the Auditor General comes back and says that there's something missing from these annual reports or that there's something that needs to be added to these annual reports for clarity purposes or whatever or to comply with accounting principles, whatever the Auditor General might think, this government will make sure that they will incorporate those recommendations from the Auditor General. I think that this is very important.

4:30

I think we're seeing an example of it now. There was just a letter written by our colleague from Calgary-Buffalo asking for the Auditor General to examine whether the government had complied with its legislation when they put Budget 2013 forward, to see if the consolidated financial statements and budget, et cetera, were prepared in accordance with generally accepted principles that could be understood by Albertans.

Now, it may be that he comes back and says: yes, they have been. Certainly, we've heard from the Canadian Taxpayers Federation and we've heard from many others who have said that they don't think that that's the case. If the Auditor General were to – of course, this is speculative – come back and say, "We've got some problems here; you need to include this; you need to change your report" or consolidated statements or whatever, such and such, "in order to comply with generally accepted accounting principles" or whatever, what have you, this amendment would make it incumbent upon the government to adopt that recommendation and implement that recommendation.

I think that this is a good safeguard. I think it's actually good for the government, too, because it allows the government to show that it's willing to be transparent, that it's willing to abide by an outside, third-party, independent source when it comes to ensuring that the consolidated documents and annual reports are indeed up to snuff and up to standard. This would be something that as chair of the Public Accounts Committee I think would be very helpful.

We work very closely in the Public Accounts Committee, and there are many members in this House on all sides who work with that committee that are dedicated to making sure that the recommendations of the Auditor General are implemented. We spend most of our time in that committee doing that. We think that it's important. The Auditor General, in my view and, I'm sure, in most views, is one of the most if not the most important officers of the Legislative Assembly, and his recommendations certainly should be given the utmost weight. That's why I like the idea that if the Auditor General says, "Look, something is missing here to make this a truly transparent document," why not implement it? I think that that would be very important.

I would say, too, that we did originally want to introduce a budget officer. We got a letter from the Calgary Chamber of Commerce outlining their idea for a provincial budget office, and it's very well worded and a very good argument. It specifically says that we should have a third party, essentially, to audit or be able to make sure that the numbers that the government is putting out there are indeed accurate, that they aren't playing around with

the numbers, being a little bit too rosy or underrosy. The provincial budget officer would guard against that.

Now, I've heard the minister say that we don't need that because we've got an Auditor General. Okay. Great. I still think it would be good to have a budget officer. But if we have the Auditor General, if that's what the minister has said and he trusts that that budget officer is unnecessary because we have an Auditor General, then let's put it into law. If the Auditor General comes with a recommendation that says that the government needs to alter or incorporate any changes to format, timing, or content, et cetera, that should be added.

Let's be clear. This doesn't bind the government. We're not saying that you don't have any flexibility here. It specifically says at the end that they can either accept those recommendations or state explicitly in the report why the AG's recommendations have not been adopted. It doesn't bind the government's hands. It gives them the ability to say that if they feel something is just so outrageous, which would probably be very rare – but let's say that it happened – they can say: no, we didn't do it, and we didn't do it because of X, Y, and Z.

I think that this would be a good amendment, and I hope that the members opposite would support it.

**The Chair:** Thank you, hon. member.

The hon. Minister of Finance.

**Mr. Horner:** Thank you, Mr. Chair. Interesting, interesting amendment. I went to the budget documents, and I went to the tab titled Response to the Auditor General. In the response to the Auditor General's package of the plan, which is something that we do as a matter of course in response to the Auditor General's recommendations, which come from the report of the Auditor General of Alberta, which are done every year and which we have to reply to, there are Auditor General's recommendations on Transportation, on inspector confirmation, on timeliness and completion, on Environment and Sustainable Resource Development, on Executive Council, on Treasury Board and Finance. The Auditor General has made recommendations as it relates to Treasury Board and Finance, as it relates to AIMCo.

You know, interestingly enough, Mr. Chairman, as part of the response to the Auditor General's recommendation we as the government have to put our response right there, right next to it in the column. The reality is: why would you put one clause into the Fiscal Management Act that relates to one thing when you have all of these other recommendations? The Auditor General is perfectly free and, I would also say, very willing to put recommendations as to how our format may have crossed the line of the legislation. I would add that when the previous letter went to the Auditor General saying that we had violated the act in some sense in terms of our quarterly reporting, he came back and said: "No, you hadn't. You didn't." There are no recommendations that we have violated anything in this report from the Auditor General.

I would also say to the hon. members opposite that if the Auditor General gave us a recommendation as to format, timing, content, or that ministry reports should incorporate any changes – he's the Auditor – then we're going to have our government response in the response to the report of the Auditor General. You wouldn't put it in the legislation and have it as a one-off item, Mr. Chairman. Therefore, we cannot accept this amendment.

Thank you.

**The Chair:** Are there others? The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Again, very briefly, I need to rise in support of this amendment. Again, just trying to use examples, I think of recommendations by the Auditor General on the effectiveness of and the process around climate change management, climate change emissions, and the climate change program. I think he made some very specific recommendations, and I do not believe that the annual reports of that ministry refer to them consistently or, in many cases, at all. The response of the government that's included in the Auditor General's report often just amounts to simply: working on it. Then it doesn't come back until the Auditor General actually takes the time and uses his very limited resources to specifically highlight it again.

What should be happening is that where the Auditor General outlines that there is a significant departmental problem with implementing a task that the government has committed to, then there should be an obligation for that to remain a feature of the annual report, not just the one time the Auditor General brings it out but every year. Certainly, that's not the practice right now, and this would ensure that it was the practice, so I support the amendment.

**The Chair:** Thank you, hon. member.

**Mr. Horner:** Well, actually, hon. member, you might want to read the amendment. It would not ensure that. It would only ensure that if it was a change to format, timing, and content of the report, not whether or not the recommendation was made.

I would also point you to the report, the Auditor General's recommendations and the responses, page 153, Environment and Sustainable Resource Development, the Auditor General's recommendation that

the Department of Environment and Sustainable Resource Development improve the reliability, comparability and relevance of its public reporting on Alberta's results and costs incurred in meeting climate change targets.

It's already there, and it's been there every year, hon. member. This amendment would not do what you're asking for.

**The Chair:** Are there others?

Seeing none, I'll call the question.

[Motion on amendment A8 lost]

**The Chair:** Back to the bill. The hon. Member for Airdrie.

4:40

**Mr. Anderson:** Thank you very much. All right. I have another amendment, so we'll distribute it.

**The Chair:** If you'll have the pages circulate that, hon. member. Give us half a minute.

Hon. member, please proceed.

**Mr. Anderson:** Thank you, Mr. Chair. This amendment, A9 I believe it is, amends section 12(2). In this it's talking about the government annual report and what must be in here.

- (2) The annual report must include for a fiscal year
  - (a) a fiscal plan analysis that includes a statement of
    - (i) the actual operational revenue and actual operational expense,
    - (ii) the debt-servicing costs . . .
    - (iii) the amount of non-renewable resource revenue,
    - (iv) the amount allocated to or from the Contingency Account . . .
    - (v) the prescribed savings,

- (b) a comparison of the actual performance results to the desired results included in the business plan . . . [and] variances,
- (c) the consolidated financial statements of the Province of Alberta.

What (c.1) would do is that it would go under that, “the consolidated financial statements of the Province of Alberta,” and say:

- (c.1) a historical fiscal summary commencing with the 1993-94 fiscal year and for all subsequent fiscal years that includes
  - (i) a breakdown of revenue by source,
  - (ii) a breakdown of operating and capital expense by function, and
  - (iii) a balance sheet including financial assets, capital assets, pension liabilities, and accumulated debt.

I know this Finance minister wants to always follow generally accepted accounting principles. Well, generally accepted accounting principles: if you talk to some accountants, obviously not every accountant, they would say that when you change the way that you report your numbers as a company, you have to alter your historical fiscal summary to report it as it would be if you had always done it that way so that there can be a specific comparison made, so you can compare apples to apples, essentially. If you don't do it that way, then you're comparing apples to oranges because you're doing the books differently one year as opposed to the 20 years before that. So it becomes difficult for people, members of the public in this case and government members and members of the opposition, to compare apples to apples to see whether we're making progress or whether we're going in the wrong direction or whatever.

What this amendment would do is make sure that this document, that is in the fiscal plan this year, the historical fiscal summary that is in the fiscal plan this year – what it would make sure would happen is that we would be able to have another table that would show that historical fiscal summary but would do so using the same methodology that's being used now under the new act for all those years previous to this one. In that way, we could compare apples to apples. When we're debating in this House, we'll be able to figure out exactly what has changed, the size of the operational deficit, a surplus, the size of the capital program, the size of the savings, whatever. It would be, I think, a very good financial practice to be able to do that and give that type of fiscal summary for people to peruse and look over and be able to compare.

That is the amendment in this case.

**The Chair:** Thank you, hon. member.

The hon. Minister of Finance.

**Mr. Horner:** Thank you, Mr. Chairman. I do recognize where the hon. member is coming from on this one. The change to how we broke down the capital expense by function in actual fact would be a fairly significant exercise by a lot of people, to go back into records to figure out what the capital that was hidden in that operating expense that we didn't pull out before was. It would be a significant undertaking to do that.

I think what we're going to be seeing in the years to come is the benefit of having actual results compared to budgeted and actual operating expense results compared to what we said that we were going to spend on a program or service, not blended with what I've been saying all along was an opportunity to move capital in and out of the expense accounts to change the numbers. I think

that change has been a significant component of where we're going for transparency, similar to what municipalities use.

So I would not support putting this into the act. There will be many, I'm sure, in the future that will look at breaking those things down and coming up with the comparators on their own. I would not be averse to that. I wouldn't be averse to going through the exercise, but I would be averse to putting it into the act.

**The Chair:** Thank you, hon. minister.

Are there others? The hon. Member for Airdrie.

**Mr. Anderson:** Well, I think you've got some very smart people working in that department. I don't think it would be that hard to do it, and it sounds like you're not opposed to it. So if you're not going to put it in the act, would you at least put it under advisement so that if your department is able to supply that in future summaries, we can compare apples to apples?

**Mr. Horner:** You know, there may be an opportunity for us to look at utilizing some. I don't know whether we do it as a research project or something like that. I'm not opposed to it, hon. member, but I am opposed to putting it into the act.

**The Chair:** Are there others?

I'll call the question.

[Motion on amendment A9 lost]

**The Chair:** Are there others to speak? The hon. Member for Airdrie.

**Mr. Anderson:** I have another amendment.

**The Chair:** We'll call that one A10, hon. member.

Proceed, hon. member.

**Mr. Anderson:** Thank you, Mr. Chair. This is another amendment. This is in the definitions section under 1(1). What we do here is that we strike out clauses (a) and (b). Now, (a) and (b) under the new act say:

- (a) “actual operational expense” means, with respect to a fiscal year, the actual operational expense of the Government and prescribed Provincial agencies as reported in the fiscal plan analysis for that year, but does not include changes in liabilities respecting pensions;
- (b) “actual operational revenue” means, with respect to a fiscal year, actual revenue of the Government and prescribed Provincial agencies, less . . .

And it goes through and says what things are not going to be included in the revenue.

Now, what this amendment does is that it strikes those and replaces them with:

- (a) “actual expense” means, with respect to a fiscal year, actual expense of the Crown for all purposes as reported in the Government annual report for that year but does not include increases or decreases in liabilities respecting pensions;
- (b) “actual revenue” means, with respect to a fiscal year, actual revenue of the Crown from all sources as reported in the Government annual report for that year.

It then also strikes out “actual operational expenses” wherever it occurs in the act and puts in “actual expense” and strikes out “actual operational revenue” wherever it occurs in the act and substitutes “actual revenue” just to make it consistent with the definitions throughout the act.

The purpose of this. The language being used in this amendment is the exact language of the previous act. It's just going back to the way we reported it last year. Again, this goes back to the fact that it was truly amazing on budget day how many different numbers were out there with regard to the actual size of the deficit, the cash adjustment, the size of the sustainability fund, everything under the sun. Certainly, for the deficit number there were literally a dozen different numbers floating around, including from your own government. I heard with my own ears – unless I was hearing things – that when media asked the government what the actual deficit was, the Finance minister gave a different answer than the associate Finance minister.

4:50

Then, of course, the NDs had a number. The Liberals had a number. The Wildrose had a number. They were similar, but they were different. The Canadian Taxpayers Federation came out with a totally different number. CFIB came out with a different number. Then Don Braid had a different number. I mean, it was just all over the map.

That can't be healthy, and I think that that goes back a little bit to what I was saying about how we're now changing the way we report things so that we're not comparing apples to apples anymore, which is why we need that historical summary to be able to do that. I talked about that in the last amendment. But we wouldn't need that at all if we passed this amendment, if we just continued to go on with the way we've reported it.

I can't see the Finance minister saying – he says that there's such harm in doing it that way. I don't see it. We've had some of the best, the most balanced budgets we've ever had using this definition from last year. It gives people an understanding, a better understanding anyway, of what the consolidated deficit or the consolidated surplus is.

I don't think we have any problem with the Finance minister separating out operational, capital, and savings as another document in his budget in the fiscal plan. If he wants to do that in order to put that out there so he can message it how he wants to message his budget and make it even more clear for people, in his view, that's fine. But why change the way that we have done this reporting for decades now? It doesn't make any sense to make that change.

You know, it makes people concerned, frankly, when government starts changing the way that they account for things, the way that they present the budget, the way that they present, particularly, the deficit number. When they start changing the rules around that, that makes people nervous. It makes it look like they're hiding something. Indeed, if you look at the number that the Finance minister and the associate Finance minister gave, they were on the low end. They said: the deficit is this much. Then everybody else was more in the \$5 billion to \$6 billion range: no, it's this much if you consolidate capital into it.

We can't have that kind of craziness again on budget day. It's uncertain. It's amateurish. We've got to make sure that we have consistency. There may be some investors out there that like the new format, and I'm sure the minister will quote that. But the public, which is who the budget is for mostly, just the general public, were happy with the way it was being done. This definition complied with generally accepted accounting principles. People were happy with it. It worked. People understood it. We would have some disagreements about, you know, that we would try to merge in some expenses that still weren't counted as expenses like capital for provincial infrastructure, but that was just one number. We had back and forth about that, but the general deficit number

gave everybody a consistent gauge by which to judge the size of the deficit or the surplus and the finances of the province.

I think that Albertans want us to continue to be consistent, to use that same definition, and not to change the definition in order to frankly hide the size of the deficit. Well, not to hide the size but – what's the word? – to make it more difficult to determine what the true cash adjustment is and what the size of the deficit is. That's very difficult, and it caused a lot of uncertainty. I hope that perhaps – I have a small hope. It's probably a little tiny hope. Okay. Maybe it's not there at all, but I will say that I am hoping this amendment will be accepted.

**Mr. Horner:** Mr. Chairman, I'm having a déjà vu moment here because last night we had an amendment – in fact, it was amendment A1, I believe – that the hon. member presented that said that we would have to present “a consolidated expense and revenue balance sheet which includes all capital spending as an expense.” Today we have an amendment which, basically, would do the same thing, which means that he's doing the same thing amendment that this House has already defeated. You know, I'm sure there are some rules around that. You know, I'm not as educated in House rules as the hon. Opposition House Leader, but my guess is that perhaps there's something we might want to check there

The other thing that I did want to say, too – and I know there's another hon. member that wants to comment on this – is that the way that we reported it before included capital in the expense side, which is why there was confusion, which is why, hon. member, you used to bring it up almost all the time. Now you won't have that issue because it's all in – you know, I was kind of doing this for you. When you think about it, we are now showing a more transparent view of the operating expenditures of this government. I could have risen on a point of order, Mr. Chairman, when he was suggesting that I was trying to hide what the deficit was. Totally untrue.

In fact, I pointed out not only to the journalists and the Canadian Taxpayers Federation the calculation that we used to do, which is still there. It's simply the difference between the change of our net financial assets. That's all it was. It's still there. You can still figure it out. So there was no, I guess, confusion on our side. But it was because of all of those other numbers where people are trying to turn it into a cash-required deficit, which includes money that you would have put into savings, versus what is an accounting deficit of operating revenue over operating expenditures, which is what we have today.

So, no, I can't accept an amendment, which we defeated in this House yesterday, presented in a different format today, which I believe is against the rules. The Clerk might want to comment on that. I'm also going to say no to this amendment for the same reasons that I said no to it yesterday.

Thank you, Mr. Chair.

**The Chair:** Are there others? The hon. Member for Edmonton-Gold Bar.

**Mr. Dorward:** Thank you, Mr. Chair. There's no question that these are complex matters, and there's no question that a \$40 billion budget is a complex thing. However, Bill 12, this document, over time will be better understood, quite frankly, than the financial statements that have been released by the government in the past. There is a bit of a transition period. There's no question.

I would like to just say – and I support everything the minister just said. Of course, that's a puffball statement. [interjection] It's not a puffball question; it's a puffball statement. Mr. Chair, deficit

is to operating as funded is to capital. Simply, what's happening here is that the operational expenses are really what is associated with deficit, and capital is the word "funded." To use the word "deficit" with respect to capital is nonsensical in the accounting world. Therefore, this is going to make things much clearer.

Thank you.

**The Chair:** Are there others?

Seeing none, I'll call the question on amendment A10.

[Motion on amendment A10 lost]

**The Chair:** I'll recognize the Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Mr. Chairman. On behalf of the Member for Calgary-Buffalo I've got an amendment, which I will circulate.

**The Chair:** We'll refer to that one as A11, hon. member.

**Dr. Swann:** Thank you.

**The Chair:** Proceed, hon. member.

**Dr. Swann:** Thank you, Mr. Chair. The purpose of the amendment is somewhat similar to the previous amendment. It's to establish clear taxpayer information rights in relation to the act. We're proposing that every citizen has the right to:

- (a) know how their tax dollars are spent;
- (b) expect the Government to conform to generally accepted accounting principles in preparing any documents under this Act;
- (c) expect the Government to report on the province's finances in a clear, straightforward and unambiguous manner.

The motivation is that Bill 12 fundamentally changes the way government administers and reports on the province's finances. One of the key features of the new legislation is that the government will now be required to have a distinct operational plan, a distinct savings plan, and a distinct capital plan as part of its overall annual fiscal plan.

In creating these new, quote, fiscal management structures, end quote, as the Premier calls them, the government is reversing the Klein-era restrictions on debt and deficit, relaxing financial reporting requirements, and ultimately demanding less accountability and transparency from the Minister of Finance.

5:00

The new process also makes direct comparisons to previous budget estimates much more challenging and, as we saw with Budget 2013, leads to multiple and contradictory ways for the province's actual deficit and debt numbers to be calculated.

I appreciate that I wasn't here last evening, and the minister has already said that there was some repetition, so I'll put it to the minister to comment on whether there is sufficient difference between this and the most recent amendment.

Thank you, Mr. Chair.

**The Chair:** Thank you, hon. member.

Hon. minister, I take it you've got a copy of the amendment?

**Mr. Horner:** I do. Thank you, Mr. Chairman. I note that in the amendment it says that the act would "expect the Government to conform to generally accepted accounting principles in preparing any documents." I would not accept the amendment because we also have to adhere to the public-sector accounting principles,

which in some cases are actually different than GAAP. In some cases, as we'll see in the near future, our Auditor General is actually on the committee of the public-sector accounting groups.

There are different ways that we deal with depreciation, different ways that we deal with capital and capital amortization. There are different ways that revenue is actually recorded in the public sector versus generally accepted accounting, but because we are a public entity, we must adhere, in my view, to what our Auditor General is going to tell us, which could actually violate this, which would be unfortunate. I would not want to do that. Therefore, I'm not going to. In addition to the fact that it is a given that by the nature of the general business plans that we're doing – the savings plan, the capital plan – the whole intent of this new framework, as I think I heard the hon. member say, is to be transparent and to provide that, this would be redundant in terms of putting it into the act.

**The Chair:** Thank you, hon. minister.

Are there others?

Seeing none, I'll call the question on amendment A11.

[Motion on amendment A11 lost]

**The Chair:** Again, I'll recognize the Member for Calgary-Mountain View.

**Dr. Swann:** Thank you, Mr. Chair. Again, on behalf of the Member for Calgary-Buffalo an amendment.

**The Chair:** This will be amendment A12, hon. member.

Proceed, hon. member.

**Dr. Swann:** The purpose of this amendment, an addition to section 16.1, is to commit the Legislative Assembly to a review of Alberta's tax revenues within one year of the act coming into force. The three items to be included in the review are all from the Alberta Liberal fiscal platform, including (a) the feasibility and benefits of moving to a continuously progressive income tax system, (b) the feasibility and appropriateness of increasing the Alberta corporate income tax rate by 2 per cent, and (c) examining whether Alberta's overall tax system, tax mix, and tax revenues are sufficient to pay for the level of government services that Albertans need and expect.

Thank you, Mr. Chair.

**Mr. Horner:** I'm not sure that I even need to speak to this one, Mr. Chairman. Obviously, this is not something that we're going to accept putting into the act. How we come up with our policy around tax – corporate, personal, and other – is a matter of government policy, and you wouldn't put it in a piece of legislation, so we will not be accepting A12.

**The Chair:** Thank you.

Are there others to speak to amendment A12?

**Ms. Notley:** I will speak very briefly to this. I just want to outline my wholehearted support for this amendment. Probably the singularly most difficult component of this bill, Bill 12, is the fact that it absolutely fails to deal with the structural revenue problems in this province and that, in fact, through a number of different mechanisms it simply gives the government a whole bunch of discretion to put off fixing structural revenue problems in this province. This amendment is one small mechanism that would hold the government at least partially publicly accountable for a process of answering to Albertans for why we're not looking at other sources of revenue. Of course, we also have some fairly

huge issues with respect to what we're collecting from our nonrenewable resource revenue.

However, the issue of the flat tax in Alberta is a significantly difficult one and one that, clearly, Albertans no longer support. The majority of Albertans do not support this. We need to allow for an opportunity for there to be some broader discussion with it, and this is one mechanism that might allow for that.

Thank you.

**The Chair:** Thank you, hon. member.

Are there others?

Seeing none, I'll call the question.

[Motion on amendment A12 lost]

**The Chair:** On the bill are there other speakers?

Seeing none, I'll call the question.

[The clauses of Bill 12 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? Carried.

The committee will now rise and report.

[The Deputy Speaker in the chair]

**The Deputy Speaker:** The hon. Member for Calgary-East.

**Mr. Amery:** Thank you, Mr. Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bill: Bill 12. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

**The Deputy Speaker:** Thank you, hon. member.

Does the Assembly concur in the report?

**Hon. Members:** Concur.

**The Deputy Speaker:** Opposed? That's carried. So ordered.

Hon. members, might we revert briefly to Introduction of Guests prior to Committee of the Whole?

[Unanimous consent granted]

#### 5:10 Introduction of Guests (reversion)

**Mr. Sandhu:** Mr. Speaker, I'm honoured to have found many of my friends outside the Legislature taking pictures. They will be travelling to Fort McMurray tomorrow. They will be moving into crucial decision-making positions in ONGC, which is the national oil company in India. This group of 23 ONGC senior general managers are to take over strategic positions in the Indian national oil company. The group has come to the University of Alberta through IIM Bangalore. IIM Bangalore is a leading management institute in the country and has organized this visit as part of the leadership development program in collaboration with the University of Alberta. Professor V. Anand Ram is one of the program directors accompanying the group. I will ask all my new friends to rise and receive the warm welcome of this Assembly.

Thank you.

## Government Bills and Orders Committee of the Whole

[Mr. Rogers in the chair]

### Bill 20 Appropriation Act, 2013

**The Chair:** The hon. Member for Edmonton-Strathcona.

**Ms. Notley:** Thank you, Mr. Chair. I'm glad to be able to rise, finally, to speak to Bill 20, the Appropriation Act, 2013, having not had an opportunity to do that in second reading and, of course, as we've mentioned before, having had the opportunity to do that in estimates significantly limited through an unprecedented change in process introduced by the House leader and his committee chairs. That being said, I am pleased to be able to take this brief period of time in Committee of the Whole to offer up some comments about Bill 20, the Appropriation Act.

As we have stated in a couple of other forums, probably the most fundamental difficulty around this piece of legislation rests with, first of all, the countless broken promises which it reflects on the part of the Premier, and the second difficulty relates to the failure of this government to come to grips with its revenue problems. That's probably a good summary of how this budget reflects a very disappointing first year on the part of this government and this Premier.

When it comes to the issue of revenues, Mr. Chair, we've argued on a number of occasions that the 10 per cent flat tax has not been a success in Alberta. The very fact that not a single other province has adopted the flat tax is an indication that it's not actually burning up the phone lines in a "Hey, this a great idea; let's do this here" sort of way. In fact, it is one of the many policies that this government has introduced over its ridiculously long and antidemocratic tenure – antidemocratic in length, shall I say – that works towards increasing the gap between rich and poor. Nowhere is that greater than in this province, and that happens, of course, as a result of this flat tax.

As is typical with many right-wing governments – in case anybody hasn't been watching over the last few months, it's very clear that that's exactly what we have; people might have thought they were voting against the Wildrose, but really in many respects that's kind of what they got, the Wildrose with different personalities but, beyond that, very similar agendas – what you find in situations where you've got right-wing governments is that they often have a tendency to want to cut services, but even more significantly they really want to do great things for their friends in business.

They do that in two ways. First of all, they slowly chip away at their base of revenue. Thankfully, you know, at least the average guy or girl gets their taxes reduced a little bit although typically they end up paying on the other end with lost services and increased fees. But in theory everybody's taxes go down, and certainly the taxes of the wealthy go down even more. That's the first thing that happens.

The other thing that we do is that we then start finding ways to give millions and hundreds of millions and, indeed, billions of dollars to big corporations and – wait for it – wealthy Albertans. So we actually do it on both sides. What happens is that you'll find that if you analyze the management history of right-wing governments, they often contribute to spiralling debt faster than other parties. Of course, as I always like to remind this Assembly, in Canada the party with the best record in terms of balancing the budget is, in fact, the NDP.

I do believe that a balanced budget is very important. But the way you do that is that you make it very clear that we are all part of this great province. We ask those who can afford to to pay their fair share. We're all part of this province, and we all want to see it grow forward in a way that is fair and equitable. Indeed, Mr. Chair, it's becoming more and more apparent that the more equitable a community is, the better everybody does, even those at the very, very top. Their quality of life actually goes up by way of living in a more equitable community.

That being said, we're also conscious of the competitive advantage. It's never been our idea that we would, you know, price ourselves out of the market. It's quite the opposite. It's our view that we can retain the lowest taxes in the country yet make them fairer amongst Albertans and increase them enough to also bring a lot more money into our treasury while retaining that competitive advantage. We can do that.

We also have the lowest natural resource revenue system in pretty much the developed world. I did hear one person point out that Angola had a lower royalty rate than us, but I'm just not convinced that we should be comparing ourselves to Angola in that regard. Were we to simply follow the guidance that was given by former Premier Lougheed, we could easily double the amount of money that comes into our coffers right now through non-renewable resource revenues.

That being said, the other thing that our party has been very keen on seeing more work on is the idea of investing to upgrade our resources here in the province of Alberta. Rather than shipping them out as fast as possible, as cheaply as possible, ensuring the greatest amount of profit possible to organizations and corporations which have no loyalty to our province as a community, what we would do is we'd say that we need to be putting more work into creating long-term, sustainable, mortgage-paying jobs for Albertans here, and in so doing, we increase our tax base, we bring more revenue into our coffers, and we also increase the quality of life for regular Albertans. Rather than being the source of cheap and easy dollars for multinational corporations, we ought to be actually developing our resources in the best interests of all Albertans.

That being said, on the expense side of this budget we also have a number of significant broken promises. It's hard to go through the list because I think I only have at this point about three minutes left, and the list is so long. I have to say that I am personally almost offended by the Premier's decision to make the elimination of child poverty a critical plank in her election platform and to watch what she has done since then. I find it to be the quintessential cynical move of a politician, and it's the kind of move that will ensure that the respect for and trust in politicians takes an unprecedented plummet. I don't know who promises to end child poverty and then turns around and cuts program after program after program that currently maintains the level of child poverty where it is and tries to stop it from increasing. I just don't know who does that kind of thing. It's just so cynical.

5:20

Certainly, what this budget did was not only cut a number of different programs that would have helped not eliminate child poverty but certainly worked against it increasing, but on top of that this budget includes nothing, no money, for increasing efforts to reduce child poverty. In fact, instead what it does is it has a lot of gobbledygook and message box language about how we're going to collaborate more with the private sector and nonprofit organizations and move away from our role as being a resource provider to families and communities and children who are in need. It is a monumental communications feat that someone

managed to write that plan and still have any sense of dignity when they publicly read it out and suggested that it was actually going to make life better for vulnerable children in our province. It's a broken promise, and it's one that I think the Premier should be really quite ashamed of.

The other one, of course, is full-day kindergarten. Now, of course, she says: oh, we've got kindergarten all over the place. Well, actually, we've got lots of full-day private kindergartens and a smaller number of full-day kindergartens where school boards have been creative in order to make that work for high-needs kids, but overall full-day kindergarten does not exist for the majority of children in Alberta. We are, I believe, the only province left in the country that doesn't do that. Just to be clear, that is a fundamental piece to ending cyclical intergenerational poverty over the long term.

Once again, the Premier cynically broke her promise on it and then refuses to take responsibility for it. I have to tell you, Mr. Chair, I have just never seen a political leader who is so shameless in not at least taking responsibility for the decisions she's made. To simply choose not to fund full-day kindergarten and then to not acknowledge it is – really, you wonder why people have such a low trust relationship and such a low trust rating of the Premier.

That's really a concern for me, Mr. Chair. I think that all Albertans want to see everybody have a shared and equal opportunity for success in the future. They don't want to see Alberta become the home of intergenerational, structural, unfixable poverty. We should not have children who are in government care going to the food bank, and we do. That is ridiculous. We are a province that is far too wealthy for that. There are so many components to child poverty which I think every member of this House who chooses to vote in favour of this budget should really consider. Quite frankly, we are doing nothing, and the government actually had the gall to run on doing something. You should be pushing your Finance minister to add some honesty to the positions that were publicly taken by the party which is now in government.

Obviously, we've heard a tremendous outcry about the cuts to advanced education. Again, you talk about the investments that we make in our province that actually would bring about diversification. You know, everybody involved in politics loves to talk about economic diversification. We talk about it all the time. It's just one of those words. It's like motherhood and apple pie. Economic diversification: we're all in favour of it. Yet here we have a government that is taking away significant resources, 8 per cent, from our ministry of advanced education after several years where that area was frozen.

We have a Premier who once again refuses to take responsibility for the outcome of her decisions, who actually will sit in a press conference and say to people, "Oh, no; we can cut this by 8 per cent," and then people will magically have an improved education through finding efficiencies. I mean, I'm pretty sure she doesn't actually believe that because nobody who knows anything about organizational management would believe that to be true. So why is she saying things which no reasonable person would actually believe to be true? It's frustrating, Mr. Chair. It's frustrating not having a Premier who would engage in an honest debate about the implications of her decisions.

Ultimately, here's what happened, Mr. Chair. The Premier had to decide: do I have the political courage to go to Albertans to come up with ways to restructure our revenue, or am I going to break a whole bunch of promises? If she believes that Albertans would rather see those promises broken, then she should go honestly to Albertans and say: "You know what? I know I promised you the moon and several unicorns in addition to the



moon, but it can't happen because I don't have the political will and/or courage. I believe you folks are not at all interested in getting rid of the flat tax. You're not at all interested in seeing the oil and gas sector contribute more to our coffers. You're not interested in these things, so I believe this is something that you want me to do."

Instead, she has the temerity to come into here, well, certainly in public, to say: "Oh, no, no, no. I cut a hundred and fifty million dollars, but I did that because I was trying to improve things." Really? Really, Mr. Chair? I mean, there's got to be a point at which these things come back to haunt you.

So that's with advanced education. Of course, it's the same kind of thing with the cuts to PDD: a \$45 million cut from a community access support grant, roughly a 45 per cent cut to Albertans with developmental disabilities. And, yes, I understand that that overall budget went up a little bit because the government made a decision to partially fund a promise. They didn't keep their promise. They halfway kept their promise to put more money into salaries for those hard-working people who do brilliant work every day in the PDD sector, so that's great.

But nobody believed that when the Premier said, "I'm going to give more money to these hard-working Albertans," she meant that what she was going to do was take it away from the very developmentally disabled Albertans who those people serve. I don't believe that's what people thought. Again, it's a profoundly misleading way to approach talking to Albertans and governing the province. Those cuts are going to hurt some of our most vulnerable Albertans.

Again, it frustrates me that the Premier is not at least prepared to admit that that's a choice she made and that she thinks that in the long run that's what Albertans would choose. That's what political courage is, Mr. Chair. You make tough choices, and then you take responsibility for them. You don't simply start wishing on a star and talking about unicorns and then, you know, striding out of a press conference saying: "Yeah. Truly, unicorns are real, and the sun rises in the west. That's me. Thank you very much. I'm going to collaborate. I'm going to move forward. Tough decisions. Bye-bye." I mean, it's just a profoundly disrespectful way to govern the province. That's what this whole budget includes. That's what this whole budget encapsulates.

Another issue, Mr. Chair, relates to seniors. Seniors probably are taking the biggest hit in this budget out of anybody. It hasn't been fully discussed yet. I don't think they're fully aware yet of what this means because there's perhaps a different means of communication in certain subsets or communities in our province. We're taking tax relief away from seniors, we're taking income support funds away from seniors, and we are taking pharmacare away from seniors. It adds up to about \$250 million that seniors in the next two years are going to lose out of this budget. It is the single biggest area of cuts. That's on top of the government's continued refusal to build new long-term care beds and their decision to contract out the fake long-term care beds to private developers, the majority of whom will charge seniors a ridiculous amount of money for the care that they need.

When it all comes together, this is a tremendous betrayal to seniors. What that means is that it's not just about seniors, of course. We know what that will really mean is that the families of those seniors will be the ones who shoulder the burden that this government is creating and building and handing back to Albertans. Why? It's really important that the wealthiest Albertans pay the least amount of tax in the country, to the tune of \$10 billion a year. That's really important to this government, and that's the choice that they've made, Mr. Chair.

I think that it's really a disappointing budget because there were some tremendous opportunities for this government to truly move forward, to truly make gains, to truly become progressive, to truly reflect the values of Albertans. Instead, what we got was the same old same old combined with an unprecedented unwillingness to acknowledge and admit to the same old same old. So, yeah, I guess there was something new introduced into this budget, and that was a whole new relationship with reality on the part of this government's leader. That's the new part, the relationship between the facts and what we talk about. That's a real problem in terms of the cuts to Health.

5:30

Then, obviously, with the stable, predictable funding that was promised for health, that was promised for advanced education, that was promised for K to 12, all of that, just the elimination of the predictability of it is a hit. That was something that this government argued over and over and over again that these institutions needed in order to be able to plan, in order to be able to improve their services and make better decisions. All of that rested on stable, predictable funding. I remember seeing different ministers across the way a year ago saying that as a chant, as a mantra: stable, predictable funding. In every area this government has broken its promise on stable, predictable funding. The only stability in the funding is that you cannot count from year to year on what it is you will receive. That is something that these folks on the other side actually acknowledged in a pre-election period was bad for good governance. Now, of course, we've decided to go to stable, unpredictable funding. So that's a problem.

I'm also, of course, concerned about what this province is doing with respect to the effective management of our resources and the protection of our environment. When I talk about that, I mean making sure that our air is clean, that people aren't getting sick because of development that's going on too close to their community, ensuring that our water is clean, ensuring the health of our wildlife and that our biodiversity is clean. All of that is not included in this budget.

Thank you.

**The Chair:** Thank you, hon. member.

Are there other speakers? The hon. Member for Calgary-Mountain View, followed by Rimbey-Rocky Mountain House-Sundre.

**Dr. Swann:** Thank you very much, Mr. Chairman. I'm honoured to rise and speak in committee on what I would have to call an indescribable failure of government to really address the 21st century in terms of our finances, our responsibilities, our future. The Minister of Finance earlier dismissed the Liberal-proposed amendment to actually commit to a serious and legislated examination and transformation of our revenue and our budget, instead opting with his government to transform the reporting of our revenue and our budget plans. Albertans deserve better. The financial management of the last two decades reflects a shameful lack of courage and foresight and a failure to provide the fundamental role of government, which is to act to protect the most vulnerable in our society and future generations.

Mr. Chairman, the term "power corrupts" is well known. Perhaps what is less well known is that weakness corrupts. What has resulted over the last decade, in particular, is a profound loss of hope and confidence in our population such that we have lost all but a small proportion of our public to the democratic process.

It's been fostered, may I say, by the continuing concentration of power, concentration of media messaging, and intimidation from a

government that has resorted to using power to silence and dismiss dissent and alternate perspectives on where this province could be and should be; by the staggering lack of leadership despite repeated financial advice from within this country and beyond this country; by recommendations that we get off the resource roller coaster totally unheeded by this government, now compromising not only future generations but the current resources we have for services and a new economy, not to mention the abdication of environmental standards in terms of proper monitoring, objective monitoring, objective science, and proper enforcement of those standards, again compromising present and future generations.

The failure to recognize the need for stable revenue for basic services such as education, poverty reduction, persons with developmental disabilities, and environmental monitoring as well as health care in the broadest sense of health care, not simply sickness treatment but real investment in primary care and prevention, is going to haunt us for decades. The lack of humility and willingness to examine the evidence, the failure to invest in early childhood, in lifelong learning, and in health means at least three serious compromises to our future.

We will see more social violence, addictions, mental health problems, and long-term physical health costs. We will see a profound loss of human potential, which, for a government that touts its commitment to a knowledge economy and a future in postsecondary innovation and research, is a profound failure. Thirdly, it will mean, ultimately, the failure of a sustainable economy if we do not invest in early childhood; in people with compromised surroundings; environmental, social, and intellectual opportunity. We will fail to get the kind of economy that we would see with vibrant education leading to thoughtful, engaged citizens in research, in developing alternative entrepreneurial options to the resource addiction that has plagued this province for decades.

The Alberta Liberals have consistently called for an honest review of our tax system for fairness, for stability, and for social development based on evidence. Mr. Chairman, the evidence from around the world is quite persuasive. It seems this government has never been interested beyond its own borders in learning about state-of-the-art or best practices in terms of governance and financial management and planning for the future.

In short, this government has no foresight, no courage to deal with the evidence that's on the table, and no willingness to learn from experts like Richard Wilkinson, who over the span of 35 years has put together a tremendous accounting for what happens when you invest in people, in social equity, in people in disadvantaged positions and reduce the income inequality that spurs all kinds of social, health, and environmental problems.

Norway has also been a quiet leader in terms of governance, in thinking about both the short-term needs of people and the longer term investment for the future. They were the first country to have a carbon tax, in 1991, and they have shown in half the time a savings account of close to \$600 billion as a result of saving their nonrenewable resource wealth and being able now, if they chose, to fund all their programs through the interest on this tremendous savings account that they have built up primarily through their nonrenewable resource sector. That, Mr. Chairman, is leadership.

Somehow, despite several visits to Norway and several visits from Norway to this government, there has been no inclination to make the kind of changes, the kind of tough decisions in some ways that that government has made: first of all, to examine the revenue stream, look at what we're getting for our natural resources, examine the tax system and see where there is fairness

and unfairness in terms of the corporate sector and individual income.

We have repeatedly recommended that we move away from this egregious flat tax, that has left us between \$6 billion and \$8 billion less in tax revenue than the nearest province, where we would clearly be able to invest in the kinds of preventative and long-term social and economic development priorities that these countries have and have demonstrated great returns. In Norway, for example, there are extremely few homeless. They are well taken care of. The children from disadvantaged families do not go hungry. There are seniors' care centres that are models in the world. Yes, they have a higher tax system, but they have also put the priorities of government on what human and environmental priorities must demand if we're going to have a sustainable society and a sustainable planet.

It's once again distressing to have to stand up and rail about a government that seems unwilling or unable to learn from the past and learn from the best that's going on in the present around the world in terms of both managing our revenue stream and budgeting for the needs of the people today as well as saving for the long-term future of tomorrow.

Thank you, Mr. Chair.

5:40

**The Chair:** Thank you, hon. member.

The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I'm disappointed with the appropriations and in the budget in general. I just want to raise a few points because we've debated a number of topics dealing with the amendments that came forward on Bill 12 or even the bill itself. Now we have the Appropriations Act. But I want to talk about a couple of things, particularly with regard to debt and the rhetoric that's been transpiring throughout the entire debate.

Borrowing money responsibly throughout all of our society works extremely well in business. I pay off my credit card once a month. That's my goal, and lots of people like to do that. The way this government was able to call itself debt-free was that it actually had a debt retirement account, and the law was very specific about that. It basically said in section 5(2) of the Fiscal Responsibility Act that the debt retirement account must be equal to or greater than the total accumulated debt, a very good provision of the act that now is basically removed as a result of rescinding the Government Accountability Act and the Fiscal Responsibility Act. That to me is the primary difference. The government, to borrow responsibly and have those funds available so it actually had that zero net debt, was allowed to manage its finances and call itself debt-free.

**Mr. Horner:** Which we will after this.

**Mr. Anglin:** Well, that's where we're going to have to disagree. That's where we're going to have to disagree.

The hon. House leader from the government side put an end to the nonsense of: we're going to borrow money to save money, and we're going to lend that borrowed money out. When that was brought up quite awhile back, he stood up and said: that's nonsense. I was glad to hear it. I'm glad to hear that the government is not saying that anymore, which was, in the House leader's words, nonsense.

The fact is that I've never seen anybody borrow money to save money, and I've never seen any institution borrow money to save money. It's a unique concept. I don't think it works. If you can make it work, please show us how. But we'll judge that a few years down the road. More and more investors have gotten them-

selves into trouble thinking they were going to borrow money, invest the money, get rich off it, and pay that money back. That generally has never happened, and I don't see that happening here.

There are a couple of issues that were brought up recently in these debates, and one of them I did not get a chance to address. That was the one about setting the goals and assessing the performances and setting those performance targets so that we can measure in the business plan of the government, when it proposes a budget, how we're going to do these things.

I'm going to give you a particular example. The issue of greenhouse gases is a significant issue. Nobody that I know of argues that point. We need to deal with it. [interjection] I do know it very well, hon. member from Edmonton—whatever, Gold Bar.

**An Hon. Member:** Goldfinger.

**Mr. Anglin:** Goldfinger.

I'll tell you that while the member over here may insult us, calling us the Tea Party, the reality is that we would be better described as the Green Tea Party. That still would be an insult, but I wear it well. I wear it well, being the environment critic. That's one of the reasons I'm the environment critic.

Let's talk about that because that is in your budget.

**An Hon. Member:** Born again.

**Mr. Anglin:** No, sir. I was born that way, not again. Just born that way.

I want to get done in 10 minutes here, so let me get done. Otherwise, you'll get me off topic, and I will keep on going.

I do want to say this. The greenhouse gas strategy, if it complied with some of the things that were brought forward in the way it's presented in this budget, if there was accountability, if there was verifiability, then we would be able to actually measure whether or not we're achieving those targets. That's not just important for this budget. That's important for our economy, and that's important for our industry. What has been made public in the estimates, what has been made public recently is that there's a real lack of verifiability in that sector, and we're suffering that criticism internationally. To change that criticism, all we have to do is be more transparent and verify those carbon offsets to make sure we are achieving exactly what we said we are, and anyone who's an accountant knows that. You want to be able, when you measure this stuff, to verify that it's accurate. That's what audits do. That's the whole purpose of the carbon offset system.

In this budget, in this act itself everything would have flowed better had we accepted some of the amendments that were offered earlier, and I think that's extremely important.

I do want to make a point. Under our other system, soon to be our old system, we had a debt retirement account that allowed us to use money more efficiently, to borrow money but to actually be able to state to the public – and that's why our former Premier did this and hung that big sign that says: we're debt free. That was his justification. That was his legitimacy. What we're going to do on the passage of multiple acts here is remove that legitimacy.

Now, what you're saying in many ways, hon. minister of Treasury Board and Finance, is pretty much: trust me. You're not saying that? Well, I think you're saying that, but that's okay. If you're not saying it, I'm not trusting you anyways on the issue of the budget.

**Mr. Horner:** The feeling is mutual.

**Mr. Anglin:** But I don't have the billions of dollars you have.

I will tell you this. The measurement is: have you always done what you said you would do? You may say that, yes, you have.

But you stood up here in this Legislature and said that we would have a balanced budget at one time. I can go back and find that. You said that our operational budget would be balanced, and what we did is that we came in with a deficit. We don't have a balanced budget, and we're running a deficit.

We can go back – and we've done this. We've tabled the evidence where our Premier has talked very negatively about debt, the way you're hearing the opposition talk about it. She did that during the leadership campaign. We have stayed on message with that, the very same words she used when she ran for leadership about how negative debt is. I took that as that whole concept of the net debt, gross debt, and what's often referred to as the total accumulated debt. What we have here now is a system in place where it looks like there could be checks and balances – you can change that as we move forward – but we're going to still accumulate debt going forward. That is my belief.

Now, I don't have the evidence to say that this is what it's exactly going to be in four years or three years or five years. Nobody can say that precisely. But the track record is that we haven't done what we said we were going to do, and that's what's disturbing. There needs to be accountability or something in the act that really would hold the government accountable to its spending.

As I stated earlier once in this House, it's a legitimate debate that the Liberals and the NDP have brought forward, which is that they would balance the budget by raising revenues. They would do it differently. Both those parties have said so. We said that we would balance the budget by reprioritizing, and that's a legitimate debate.

5:50

What I think went wrong is that nobody on the other side, nobody that I know of, stood up and said that when they went door-knocking, they told their constituents that when they got elected they were going to repeal the Government Accountability Act and they were going to repeal the Fiscal Responsibility Act. I don't believe it. Maybe some member will stand up and say that they did – please do – but I don't believe they did that.

To me, that's the legacy that I think gave Alberta its reputation, that gave Alberta its credibility. It's what gave Alberta that acronym of the Alberta advantage, and it meant a lot. It meant a lot to the people who did it. It meant a lot to the citizens who supported it.

I don't believe they were told that during the election. And when they found out, I think that's what we're hearing the rumblings about from the public.

With that, Mr. Chair, I will finish. Thanks.

**The Chair:** Thank you, hon. member.

Are there others? The hon. Deputy Government House Leader.

**Mr. Campbell:** Yes. Mr. Chairman, I'd ask that we rise and report progress on Bill 20.

[Motion carried]

[The Deputy Speaker in the chair]

**The Deputy Speaker:** I'll recognize the hon. Member for Calgary-Varsity.

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports progress on Bill 20.

**The Deputy Speaker:** Does the Assembly concur in the report?

**Hon. Members:** Concur.

**The Deputy Speaker:** Opposed? That's carried.  
The hon. Deputy Government House Leader.

**Mr. Campbell:** Well, Mr. Speaker, being that the Member for Rimbey-Rocky Mountain House-Sundre was so diligent in his comments and was very nice to finish before 6 o'clock, I'll suggest that we adjourn the House until 7:30 tonight.

[Motion carried; the Assembly adjourned at 5:52 p.m.]

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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Wednesday evening, April 24, 2013

Issue 52e

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta  
The 28th Legislature**

First Session

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Lemke, Ken, Stony Plain (PC)  
Leskiw, Genia, Bonnyville-Cold Lake (PC)  
Luan, Jason, Calgary-Hawkwood (PC)  
Lukaszuk, Hon. Thomas A., Edmonton-Castle Downs (PC)  
Mason, Brian, Edmonton-Highlands-Norwood (ND),  
    Leader of the New Democrat Opposition  
McAllister, Bruce, Chestermere-Rocky View (W)  
McDonald, Everett, Grande Prairie-Smoky (PC)  
McIver, Hon. Ric, Calgary-Hays (PC),  
    Deputy Government House Leader  
McQueen, Hon. Diana, Drayton Valley-Devon (PC)  
Notley, Rachel, Edmonton-Strathcona (ND),  
    New Democrat Opposition House Leader  
Oberle, Hon. Frank, Peace River (PC)  
Olesen, Cathy, Sherwood Park (PC)  
Olson, Hon. Verlyn, QC, Wetaskiwin-Camrose (PC)  
Pastoor, Bridget Brennan, Lethbridge-East (PC)  
Pedersen, Blake, Medicine Hat (W)  
Quadri, Sohail, Edmonton-Mill Woods (PC)  
Quest, Dave, Strathcona-Sherwood Park (PC)  
Redford, Hon. Alison M., QC, Calgary-Elbow (PC),  
    Premier  
Rodney, Hon. Dave, Calgary-Lougheed (PC)  
Rowe, Bruce, Olds-Didsbury-Three Hills (W)  
Sandhu, Peter, Edmonton-Manning (PC)  
Sarich, Janice, Edmonton-Decore (PC)  
Saskiw, Shayne, Lac La Biche-St. Paul-Two Hills (W),  
    Official Opposition Deputy House Leader  
Scott, Hon. Donald, QC, Fort McMurray-Conklin (PC)  
Sherman, Dr. Raj, Edmonton-Meadowlark (AL),  
    Leader of the Liberal Opposition  
Smith, Danielle, Highwood (W),  
    Leader of the Official Opposition  
Starke, Hon. Dr. Richard, Vermilion-Lloydminster (PC)  
Stier, Pat, Livingstone-Macleod (W)  
Strankman, Rick, Drumheller-Stettler (W)  
Swann, Dr. David, Calgary-Mountain View (AL)  
Towle, Kerry, Innisfail-Sylvan Lake (W),  
    Official Opposition Deputy Whip  
VanderBurg, Hon. George, Whitecourt-St. Anne (PC)  
Weadick, Hon. Greg, Lethbridge-West (PC)  
Webber, Len, Calgary-Foothills (PC)  
Wilson, Jeff, Calgary-Shaw (W)  
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
    Government Whip

**Party standings:**

Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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W.J. David McNeil, Clerk	Stephanie LeBlanc, Parliamentary Counsel and Legal Research Officer	Philip Massolin, Manager of Research Services
Robert H. Reynolds, QC, Law Clerk/ Director of Interparliamentary Relations	Fiona Vance, Sessional Parliamentary Counsel	Brian G. Hodgson, Sergeant-at-Arms
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		Gordon H. Munk, Assistant Sergeant-at-Arms
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## **Executive Council**

Alison Redford	Premier, President of Executive Council
Thomas Lukaszuk	Deputy Premier, Minister of Enterprise and Advanced Education, Ministerial Liaison to the Canadian Forces
Manmeet Singh Bhullar	Minister of Service Alberta
Robin Campbell	Minister of Aboriginal Relations
Cal Dallas	Minister of International and Intergovernmental Relations
Jonathan Denis	Minister of Justice and Solicitor General
Wayne Drysdale	Minister of Infrastructure
Kyle Fawcett	Associate Minister of Finance
Doug Griffiths	Minister of Municipal Affairs
Dave Hancock	Minister of Human Services
Fred Horne	Minister of Health
Doug Horner	President of Treasury Board and Minister of Finance
Ken Hughes	Minister of Energy
Jeff Johnson	Minister of Education
Heather Klimchuk	Minister of Culture
Ric McIver	Minister of Transportation
Diana McQueen	Minister of Environment and Sustainable Resource Development
Frank Oberle	Associate Minister of Services for Persons with Disabilities
Verlyn Olson	Minister of Agriculture and Rural Development
Dave Rodney	Associate Minister of Wellness
Donald Scott	Associate Minister of Accountability, Transparency and Transformation
Richard Starke	Minister of Tourism, Parks and Recreation
George VanderBurg	Associate Minister of Seniors
Greg Weadick	Associate Minister of Municipal Affairs
Teresa Woo-Paw	Associate Minister of International and Intergovernmental Relations

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on Alberta's Economic Future

Chair: Mr. Amery

Deputy Chair: Mr. Fox

Bhardwaj	Olesen
Cao	Pastoor
Donovan	Quadri
Dorward	Rogers
Eggen	Rowe
Hehr	Sarich
Luan	Strankman
McDonald	Xiao

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Khan

Deputy Chair: Mrs. Jablonski

Anderson  
Casey  
Dorward  
Eggen  
Kubinec  
Sandhu  
Sherman

### Select Special Chief Electoral Officer Search Committee

Chair: Mr. Rogers

Deputy Chair: Mr. Quadri

Blakeman	Leskiw
Eggen	McDonald
Goudreau	Saskiw
Lemke	

### Select Special Conflicts of Interest Act Review Committee

Chair: Mr. Allen

Deputy Chair: Mr. Luan

Blakeman	Notley
Dorward	Saskiw
Fenske	Wilson
Johnson, L.	Young
McDonald	

### Standing Committee on Families and Communities

Chair: Mr. Quest

Deputy Chair: Mrs. Forsyth

Brown	Jeneroux
Cusanelli	Leskiw
DeLong	Notley
Fraser	Pedersen
Fritz	Swann
Goudreau	Towle
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Jansen	Young

### Standing Committee on Legislative Offices

Chair: Mr. Cao

Deputy Chair: Mr. McDonald

Bikman	Leskiw
Blakeman	Quadri
Brown	Rogers
DeLong	Wilson
Eggen	

### Special Standing Committee on Members' Services

Chair: Mr. Zwozdesky

Deputy Chair: Mr. Rogers

Casey	Mason
Forsyth	McDonald
Fraser	Quest
Kennedy-Glans	Sherman
Glans	Smith

### Standing Committee on Private Bills

Chair: Mr. Xiao

Deputy Chair: Ms L. Johnson

Barnes	Jablonski
Bhardwaj	Leskiw
Brown	Notley
Cusanelli	Olesen
DeLong	Rowe
Fox	Strankman
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Goudreau	Webber

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Ms Olesen

Deputy Chair: Mr. Lemke

Calahasen	McAllister
Cao	Notley
Casey	Pedersen
Hehr	Rogers
Jansen	Sandhu
Kennedy-Glans	Saskiw
Kubinec	Towle
Luan	Young

### Standing Committee on Public Accounts

Chair: Mr. Anderson

Deputy Chair: Mr. Dorward

Allen	Hehr
Amery	Jeneroux
Anglin	Khan
Bilous	Pastoor
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Hale	Stier

### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans

Deputy Chair: Mr. Anglin

Allen	Hale
Barnes	Johnson, L.
Bikman	Khan
Bilous	Kubinec
Blakeman	Lemke
Calahasen	Sandhu
Casey	Stier
Fenske	Webber

## Legislative Assembly of Alberta

7:30 p.m.

Wednesday, April 24, 2013

[The Deputy Speaker in the chair]

**The Deputy Speaker:** Please be seated.

### Government Bills and Orders Second Reading

#### Bill 19

#### Metis Settlements Amendment Act, 2013

[Adjourned debate April 18: Mr. Campbell]

**The Deputy Speaker:** The hon. Leader of the Official Opposition.

**Ms Smith:** Thank you, Mr. Speaker. I'm delighted to rise this evening to speak to the Metis Settlements Amendment Act, 2013. I am generally supportive of the direction that the minister is taking on this. I think it's a good step forward in a lot of different ways.

I want to just spend some time going through a little bit about some of the areas where I think that the minister is making some great progress as well as identify some areas where I have some concern and will continue doing some consultation. I do have a few amendments that I will be proposing when we get into Committee of the Whole. I can give some idea of the direction that I think we need to go there. Hopefully, we'll be able to get some government support on at least one or two of them.

One of the things I do want to start by saying, though, is that my father-in-law was actually one of the principal individuals behind the Metis Settlements Act originally. Dennis Surrendi, when he was in government as a deputy minister, assisted in drafting this legislation. I'm going to be talking with him about some of the changes that are now being made to it to see whether or not he approves of the new direction. I'm quite sure that he will, but I know that he looked at it as an area of great pride for Alberta to have been in a leadership role in advancing the cause of the Métis in Alberta.

I think we've seen as well in the rest of the country that other jurisdictions are now having to grapple with something that we in Alberta showed leadership on many, many years ago. You look at, for instance, the Manitoba Supreme Court decision, which essentially charts out a course for Manitoba to do exactly what we have already done here in Alberta. I do commend the government for having been visionary in that regard and having made such great strides so that we are now at the next stage of assisting our Métis friends in being able to develop even more self-government, more accountability to their own membership, and, I think, open a new era in investing in their own communities, job creation, improving infrastructure, education.

I'm very excited about the direction that the Métis settlements are likely to go in the coming years. I think that the Metis Settlements Act laid the groundwork, and I think that the Metis Settlements Amendment Act, 2013, with some of the changes, is going to move things even one step further.

I understand the process for this was that in 2011 the government entered into a 10-year agreement to develop some long-term governance structures as well as to address the issue of funding. Both of those announcements have now been made, and I think that that is a good indication as well. What I like about this type of approach is that it recognizes that you can't change

governance roles without dealing with the issue of funding as well. I think our municipal leaders who are going through the process of determining city charters and determining changes to the Municipal Government Act would actually appreciate that the government has recognized this in this area, that you can't change or have a new discussion about roles and responsibilities without also having a discussion about how you're going to increase funding to be able to address that. I think that sets a good bar.

The reason I mention that is because I understand that what the minister is attempting to do with this legislation is to – and we recognize that the Métis have a special status in our Constitution and special roles. They're not like a municipality, although many of the functions they perform are very similar to municipalities, yet under our current legislation they don't enjoy the full range of autonomy that many of our municipalities do enjoy. They have other areas of autonomy that our municipalities don't enjoy, which is why they're a bit of a hybrid. But I think it was important for the minister to recognize and to move forward on addressing some of those areas where they actually were not being treated with the same level of autonomy and independence that our municipal leaders enjoy. It's all very good that we're making progress here with local governance, addressing issues of education, infrastructure, employment. I do think the minister struck a nice balance in this legislation in recognizing the special jurisdiction and in being supportive of that.

Again, I had mentioned that I'm going to do a bit more consulting. I'd like to consult with the Metis Settlements General Council and the Métis Nation of Alberta just to see if there are any other areas that they might flag for future concern or future consideration. I think that any time you have new legislation, especially legislation that is changing the relationship in a substantive way, it can probably always be improved, so we are going to be looking at ways in which we can offer potential improvements.

If I could, I'll go through a couple of the areas where I think that the act strikes the right chord. One of the things that I like that I'm seeing in this legislation is that there's very clearly greater attention and certainly legislative language around increasing transparency on a whole range of fronts, in particular, I think, the transparency around some of the decision-making that happens at the council level, the ways in which they set their own pay, creating some caps for their pay. Financial reporting is, of course, another important area, the fact that they're going to move more in alignment with what we're seeing at the provincial level as well at as the municipal level with developing three-year business plans so that not only the province but also their own people will be able to see the kind of direction that each settlement council intends to go and also the financial reporting to back that up.

There's also extensive language around the issue of a code of conduct. Of course, those of us in public life are accustomed to reading through those codes of conduct that we get on our first couple of days of orientation when we come up here to the Legislature. I don't think that that is an onerous provision to be asking for in other levels of elected office, whether it be municipal or, in this case, our Métis settlements council members.

The other thing – it looks like it's a bit of housekeeping but also a good measure to keep in – is the parity with municipalities in having the four-year election cycle. I know that moving from three years to four years was a very popular move when the government proposed that for municipalities. Allowing for the general elections to take place on Métis settlements on a four-year election cycle is in keeping with, I think, the direction in which the government is wanting to go in trying to make sure that there's at

least some parity on the main elements of the jurisdictional framework for governing both municipalities and our Métis settlements.

The areas of concern that I have, though, are on the issue of eliminating completely the Métis ombudsman. Now, I know that the ombudsman had some difficulty in the past, I think a couple of years ago, when there was an issue at the Elizabeth settlement regarding the development of a gravel operation in the Edmonton area. There were also some issues on the Elizabeth settlement with another business venture that had not panned out. I think that there was some difficulty in being able to get to the bottom of what happened there to provide the full transparency to the community. There was a big shakeup in the office, and I don't know that we ever really did get to the bottom of understanding what happened in that community.

I don't know that you necessarily throw out an ombudsman process just because it didn't appear to work in an individual case. I have to say that this is the one area where I am hearing from members of the Métis community, maybe not from those who are in elected office but certainly from those who are living in those communities, about whether or not it is in their best interest to have lost this opportunity to have another avenue to appeal when they do see that things are going wrong.

I recognize what the minister has said, that there is still an opportunity for any issues to be brought forward before the ombudsman, and there is also another appeal process. I'm prepared to give him the benefit of the doubt that that is a process that is going to work to address some of concerns that I'm hearing from Métis living in these communities, but I did just want to flag that because it did seem to come a bit out of the blue. It was a bit of a surprise, and it didn't seem to be one that was universally hailed as a good move. I think that there might be some language around greater accountability or the appeals process that some members of our Métis communities might like to see to feel a little more comfortable that that provision has now been eliminated.

There are also a few issues that I'm seeing around the role of the chief administrator in a settlement under these new provisions. I think I understand where the minister is attempting to go by establishing a governance board that will hire the chief administrator essentially as their principal employee and then empower that administrator to hire their own staff. I can understand why that might be a better approach. It's certainly what we do at the municipal level. It's what we see in many nonprofit and other charitable organizations. It's certainly the structure that many governance bodies use so that you don't end up having a board of directors interfering with the day-to-day operations and hiring managers and individuals who may or may not then know who their direct boss is.

7:40

I understand the structure that he is moving to, but I do think that in empowering a chief administrative officer in that way, it does require additional barriers, executive limitations, to be built around the role of that chief administrator. I know that there is extensive language in here about code of conduct and how it applies to council members. One of the amendments we'll be proposing is that that same code of conduct provision also apply to the chief administrative officer. We think it's important. Because they are going to be the arm implementing so much of council's decisions, they do need to have the same code of conduct provisions around them if we're going to be able to get at addressing some of the issues with governance accountability.

The other way in which I think there do need to be some limitations or at least some empowerment of the council built in is

that in changing the language the way they have to allow for the council to only hire the one employee, not all employees, it seems like they have taken away the provision of council to be able to set parameters around the type of pay structures or pay grid that the administrative officer is then empowered to implement. I think that's important, too. Once again, if you're going to try to build a fence around the decision-making power of the council so that you can get better governance, they do also need to be able to set executive limitations around their chief administrative officer in this regard to ensure that there is some clear direction about what the parameters should be.

I mean, the minister is going to great lengths to make sure that the council members themselves are going to have a more open process for determining pay as well as a more transparent process for determining and reporting what the level of pay would be. You want to make sure that that same high standard also applies now to the employees that are going to be determined by the chief administrative officer. That's another area where I think we just need a little greater clarity.

I think it's worthwhile going to the actual act to see what the current provisions are when you get to the issue of direct democracy. Actually, as a party that believes in direct democracy and wants to see more measures for the general public to get involved in approving decision-making of their governing bodies I found some of the parameters that are built into the current legislation about bylaws to be something that we could probably look at adopting not only at the municipal level but also at the provincial level.

I will just make note of the act under sections 54 and 55. I mention this because there are provisions in the proposed new bill that do have me quite concerned with regard to budget.

In the current legislation under section 54 it talks about the process by which Métis settlements approve bylaws. What it says is:

- (1) Every proposed bylaw must be presented at a public meeting in the settlement area after second reading but before third reading.

How fantastic would that be if we actually had that same parameter on provincial legislation, if before we could move from second reading to third reading and approving something, we actually had to go to the public and do a public meeting so that they could hear what it is we were talking about and give us some feedback?

In addition, it says:

- (2) At least 14 days' public notice of the date, time and place of the public meeting must be given.

This is kind of an interesting proposal. I think it's in keeping with what the Premier promised in the last election about making sure that there was more time to debate legislation through its different readings. What I find so fascinating, as we're talking about debating changes to the Metis Settlements Act, is that the Metis Settlements Act already has most of its bylaws operating under these rules.

I will go one step further, and this is even more interesting. It talks about approving the bylaws. It's not just enough to have the elected members approve bylaws. In this case,

- 55(1) A quorum for public meetings called to vote on settlement bylaws is 15 settlement members.

They actually have members come out who are eligible to vote, and then any member who is eligible to vote can actually vote on whether the bylaw should pass or whether it should fail. So anyone who's affected by the issue under discussion can show up at the public meeting and be able to have a vote.

- (4) A bylaw voted on at a public meeting is approved if a majority of the settlement members who are eligible to vote and who vote at the meeting vote in favour of the bylaw, [and]
- (5) If the vote at the public meeting is not in favour of the proposed bylaw, the bylaw is defeated, and all previous readings are cancelled.

I think this is fascinating, that the government has created legislation that has this level of direct democracy and accountability on our Métis settlements. I think there's something instructive that we can actually learn from that in how we would approach all of our bills that we're debating in the Legislature, especially since there is a great possibility that we'll be here until 2 and 3 o'clock in the morning over the next number of weeks. Just thought I would mention that to the members opposite. There is a better way to do it. There is a different way to do this. They were the ones who came up with this in consultation with their Métis settlement leaders, so what do you know?

But the reason I'm raising this is that while I love this direct democracy process, what I am concerned about is that in the provisions that the government is now suggesting for how budgets will be passed, it now says that those two sections that I made reference to – and this is under section 14 of the Metis Settlements Act – they're going to add a new section, section 55.1, under budget bylaws, and it says that sections 54 and 55 do not apply to a budget bylaw.

That has me a bit concerned because, as we've seen with this last budget at the provincial level, there is a great deal of policy that gets set through the course of bringing forward a budget. As we've heard the members opposite and ministers often say, when we ask them, "Why didn't you consult with anybody? Why didn't you tell anybody what was coming?" we kept hearing, "Well, we couldn't do that because it was in the budget, and if you leak details of the budget, it could impact markets." That was the reason why all of these policy changes came through the budget without consultation.

What I'm worried about is that by enshrining that practice here now in this legislation, we're actually moving away from what the minister is hoping to have, which is more accountability. I think there's a danger of less accountability. Now, I might be able to be convinced into the argument that the membership of the settlement should not be able to vote down the budget at a public meeting. I mean, we don't have our municipal governments operate that way. We certainly don't have the provincial government operate that way. So I think I could appreciate perhaps exempting the budget from section 55.

But I don't know how you can exempt the budget from section 54, that requires it to be presented at a public meeting, requires 14 days' public notice. I think it should be pretty clear that if we're trying to create some parity with other levels of office in the way we have our Métis settlements governed, there clearly has to be some mechanism for public input and public feedback. We go for weeks with our estimates process. Everything is posted online. At the municipal level they have public hearings, and they also go for weeks in their budget process.

It does seem to me that this is a bit of a hole in the act. The way it is now written does actually allow for a great deal of policy-making and a very important piece of legislation to pass seemingly without any requirement to let the public know, to give oversight, to have any public meetings. I don't think that is what the minister had intended to do with that, but I do think the way this amendment is written does take it one step too far.

The other issue that I do have is the issue of consultation. It does say that the minister can make regulations in consultation with the general council and the settlement, and I think that's a

good provision to have. But I think we do need to see a little more definition about what consultation actually means. I think we have heard oftentimes the government claiming that it does consult, but then we hear the recipients of the decisions that are being made telling us that they don't feel they were consulted. So one-way consultation, with the minister telling a council what he's going to do in regulation and just informing, doesn't quite cut it, I don't think, with our higher standard of obligation to our Métis since they have a special constitutional status.

If we can actually get some clear language around what constitutes proper two-way consultation, I think that there would actually be some good value in being able to use that language in many other types of changes, regulatory changes, that happen in many other different applications. It certainly will be of interest to me when the minister brings forward his aboriginal consultation legislation, which I think is expected later this month, to be able to see whether or not we can get some clarity there. If we can get some clarity in that aboriginal consultation legislation, perhaps some of that language can be built into this act as well.

I don't have too much more to say. I know that people were probably worried when I got here tonight that I'd be going on for 90 minutes. Don't worry, Mr. Speaker, I'm not going to go on for 90 minutes tonight. Aw, come on. I thought I'd get applause from the other side for that. [interjections] There we go. Thank you.

7:50

As I said, Minister, there's lots of good in this legislation. Having seen that some of the amendments in the bill are house-keeping, changing names of ministers because ministers' names have changed – it's no longer minister of environment; it's now Minister of Environment and SRD – I did find some amusement in certain portions of the bill about some of the anachronisms. It does actually demonstrate how old this legislation is, for instance, when in schedule 2 it talks about how some of the required investments or allowed investments would be securities in the Alberta Energy Company. I don't think the Alberta Energy Company exists anymore, so if we're going to be trying to clean up some of that language, it might be an opportunity to clear that up.

I was also greatly interested in the way in which the composition of one of the appeals councils is determined. Let me just find the page on that. I think the minister may decide that he might want to make a revision to that one as well because it did seem like it may have been a little out of step with the times. It talked about the Metis Settlements Appeals Tribunal Existing Leases Land Access Panel being established, consisting of five persons. The reason why I was attracted to this is because, of course, when the Minister of Energy brought through his Bill 2, this is the kind of granular detail that we were trying to get him to write into his Bill 2, to actually talk about the types of groups he would consult before putting different persons on the panel.

It says:

- (a) a chair appointed by agreement of the Minister of Energy . . .
- (b) 2 persons appointed by the General Council.
- (c) one person appointed by agreement of the Canadian Petroleum Association, the Independent Petroleum Association of Canada, the Small Explorers and Producers Association of Canada and the Canadian Association of Petroleum Landmen.

I think all of those names have now been updated. I think some of the associations have merged, and I think there are others who have grown out of that. If you're going to do a housekeeping amendment, that just may be one area that the minister might want

to take a look at, to update that to identify the proper associations that should have some input into that appeal tribunal panel.

I also would encourage the Minister of Energy to take a closer look at that because that's the kind of approach that we were hoping to see him take when he was populating the board for his new energy regulator, actually identifying in legislation the groups that should be consulted from an environmental perspective, from a landowner perspective to make sure that you've got the full range of input into the people who should be on the council. It seems to me that if we've done it once before in legislation, heck, I think we can probably do it again.

Maybe it's something that should be done in regulation, though, because if changes to names happen, then we end up with this difficult position where we've identified companies or associations that no longer exist. It would still be nice to see a similar type of approach in other legislation. I did just want to flag that for the minister. I think there might be other areas just because the legislation is a little out of date, a little old. There may be some additional housekeeping amendments that need to be done.

In any case, I do think, generally speaking, that this legislation heads in the right direction. It certainly does strike a more respectful tone. One of the things that I have heard from members of the Métis and aboriginal communities is that they often do feel like the other orders of government take a bit of a patronizing approach in their dealings with those who are living on settlements or living on reserve. I think that this does strike the right tone.

I know that many of the powers that the settlements have are similar to municipal governments', so I'm glad to see that the government is addressing some of those areas.

I still think there may be additional work that needs to be done around all of the other areas of constitutional jurisdiction that our Métis settlements have. Perhaps that will take place over the course of the next 10 years as the government develops the new funding model to ensure that children's services, health care services, seniors' services, education, community colleges, employment, and other economic development services are developed on the reserve with a coadministration type of approach.

I've heard often from our friends in the Métis community and even from our First Nations that they want to have a productive, constructive relationship with the provincial government, but they want to make sure that they're doing it as equals. They want to make sure that the province looks at them as another order of government and treats them as such. I do believe that the government is going in the right direction with this bill, but, you know, bills can always use a little bit of improving.

As we identify some of the amendments that we may bring forward – I think I've identified about six or seven that we're likely to bring forward – I do hope that the government gives them due consideration and that we'll be able to move forward on improving this bill in the interests of making sure that our Métis settlements and the leaders in those have the tools that they need to continue to lead their people and that we also respect the grassroots decision-making and grassroots interests of rank-and-file Métis members.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. leader.

Hon. members, before I recognize the next speaker, I'd just remind you that if you would like to speak, please indicate. Send me a note.

I'll recognize the next speaker, the Member for Edmonton-Calder.

**Mr. Eggen:** Well, thank you, Mr. Speaker. I rise with some interest to speak on Bill 19 here this evening, the Métis Settlements Amendment Act. Again, it's a very interesting piece of legislation. It's quite comprehensive. Considering the historical precedents our province has set in regard to the recognition of our Métis land base here in the province of Alberta, I think it's entirely appropriate and timely that we are again leading this initiative to make amendments to update this set of regulations and laws for 2013.

In our view, most of these changes are not contentious. They seem, in fact, Mr. Speaker, to be technical, and indeed I do see noticeable improvements. However, there are some questionable changes that I would like to bring forward, and we will do so in this and subsequent readings.

Just going through the legislation, then, starting with governance, I suppose, and this idea of the annual meetings for settlement residents, including the presentation of a business plan and an audited financial statement. Currently it seems, to my understanding, Mr. Speaker, that the Métis settlements must hold an annual general meeting every year within 180 days of the end of the financial year and then present audited financial statements, discuss any matters raised by those present.

So this amendment means that the council will also have an obligation to present a business plan, to my understanding, at the annual meeting and to allow discussion of that along with financials amongst the participants. As well, this legislation seems to have settlement chairs continue to be appointed by successful councillors. However, there seems as well to be a new provision that allows a settlement to enact a bylaw providing for the election of a settlement chair. I'm guessing that would happen at the same time as when the councillors are elected as well. Some interesting technical and substantive changes there that I think are mostly good.

We know that there have been extensive negotiations by the minister and several ministries in regard to this amalgamation, and I do recognize the minister's work on this and recognize the integrity that he took to the table in regard to these amendments in Bill 19.

One area, though, that I wanted to talk about here this evening is in regard to this elimination of the Métis settlements ombudsman. This ombudsman had become critical, really, of how the PC government had been treating his office. For example, Mr. Speaker, in the 2011-2012 annual report from the ombudsman he wrote that the migration of this office

from a contracted organization to the Government of Alberta . . . had the effect of undermining primary key components of an Ombudsman's role – independence, impartiality, and confidentiality . . . In effect, this change has created a schizophrenic organizational structure whereby staff report to and are responsible to the Ministry's administration but are required to comply with the operational directives from me as the MSO.

Some confusion here that I think deserves to be clarified.

He goes on to talk about impartiality. He says in one of his writings that

legal advice and opinions are now provided to the Office of the Métis Settlements Ombudsman by Alberta Justice – the same people who in fact provide legal advice to the Minister and to the Ministry. In my opinion, this situation is not only a conflict of interest but this closely-related relationship was clearly not envisioned . . . In addition, any properly established 'classical Ombudsmen' and the vast majority of departmentally appointed Ombudsmen have their own legal counsel.

This does seem to be a structure/reporting relationship problem.

8:00

You know, on a similar theme, the office is at a minimum one member short to complete the reviews and investigations regarding complaints that take place throughout the area. It seems to be a problem, as far as I can see. I just wanted to identify this for clarification so that we can perhaps get an explanation in regard to why it was necessary to eliminate this ombudsman. What are we going to do to replace that important independent role, especially when we are moving forward with amending the Metis Settlements Act?

Specifically, in Bill 19 on the first page section 2 amends section 1 of the act by redefining councillor as “a member of a settlement council, including a settlement chair.” The previous definition indicated that a councillor was “a settlement member elected or appointed to a settlement council.” I’m just wondering why it was necessary, Mr. Speaker, to remove the reference to councillors being, quote, unquote, elected. Again, why wasn’t this reference to elections maintained in the new definition?

Section 4 of this bill before us pertains to the selection of a settlement chair and creates two different systems, as far as I can see, for choosing that chair, either through appointment by councillors from amongst themselves or through direct election. The council would then decide the process that they want to follow. This creates two different types of removal process as well, as far as I can see. Appointed chairs can still be removed by their fellow councillors, but elected chairs, as far as I can see, cannot. So an appointed chair who is removed remains a member of the council as a councillor, but an elected chair who resigns is no longer a member of council.

This gives rise, Mr. Speaker, I think, to several questions. One, why was it decided to create two different systems: appointed chairs, elected chairs? It seems to create a degree of local decision-making autonomy for each settlement, which is good, but it also, I think, two, creates potential confusion in relation to the significant differences that will exist between different settlement councils who will choose their chairs and the ability the different councils will have or not have to remove that chair. I just really wonder why it was necessary to create two different processes.

Section 10, which repeals section 23.1 of the old act, stipulates that the minister and the general council shall review the procedures and make recommendations for changes not later than December 31, 2005. According to the website the last amendments to this act were made in 2004. I’m curious to know if the consultations and recommendations were met by that date in 2005 and, if so, why no changes were made to the act at that time. Do the changes that are now being proposed here in this Bill 19 relate to the recommendations that are, I guess, almost eight years old now? I’m just wondering about that, too.

Finally, why is there no provision retained in this act for a future review process, unless I’m missing something here, and consultation relating to the election procedures and recommendations for improvement?

I just wanted to bring up those few points, not to suggest that ultimately we are not interested in supporting this bill, Mr. Speaker. In fact, I think it is in some way an improvement, again, like I said from the outset, setting a direction for amendment of I think a fairly high-standard and unique situation that we’ve created here in Alberta in regard to the Métis settlements.

So with amendments and with some debate and revisions, answers to the questions that I brought up and some more that I will bring up later, I certainly think that the Alberta New Democrats are supportive of this bill. Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Hon. members, Standing Order 29(2)(a) is available.

Seeing none, I’ll recognize the Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. I am pleased today to rise and speak to Bill 19. As an MLA from a constituency with significant Métis populations – I have two Métis settlements, the Kikino and Buffalo Métis settlements – I’m really happy to see that the government is finally taking some steps to improve some of the legislation surrounding Métis settlements.

Of course, I did quite well in the election in those two different settlements, and part of the reason was because I think that some of the individuals, not all, had believed that Premier Redford and this government were not consulting with them. The Premier was not consulting with a significant number of the individuals within those settlements. So it’s nice to see that there’s at least something going on here and that they’re addressing some issues.

The legislation attempts to improve the governing capacity of the Alberta Métis settlements. I know the Leader of the Official Opposition has thoroughly gone through a number of the legislative provisions. She is going to be putting forward a significant number of amendments to try to improve this legislation.

I thought I would talk just briefly and highlight some of the issues that I’ve seen. Of course, there are over 66,000 Métis people in Alberta, I believe, and the lion’s share of that population is located in northern Alberta. I do have some comments from one of the stakeholders, and that’s the chairman of the Kikino Métis settlement, Floyd Thompson. He was one of the four Métis officials who were appointed to the long-term arrangement negotiation committee and was involved in developing Bill 19 and the long-term agreement itself, which is a 10-year, \$85 million investment plan with the Alberta government.

Mr. Thompson has been looking forward to, as he has stated, some stricter guidelines and greater accountability. One quote that he has stated is that with local and provincial government, people want their government to be up front and centre, that they don’t want things behind closed doors. This legislation sets the stage so that anyone coming into leadership knows that they have to be accountable. They’ve been elected to serve the people, not correct them.

I think those are, of course, wise words, Mr. Speaker. It’s too bad that those words and that wisdom weren’t acknowledged by this Premier because I think it would be very valuable advice. If you’re going to – and the Leader of the Official Opposition alluded to it – make these types of substantial changes to the Métis settlements, some of those are very equally applicable to this current PC government.

The other comment that Mr. Thompson had indicated is that the election period goes from three years to four years. I just want to indicate that he is indicating that he is in favour of that, that it puts Métis settlements in a good position for business planning and assessing outcomes.

Another interesting amendment is in the legislation. I believe that currently individuals within the settlements can elect five council members. With the legislative amendments, if the settlement members prefer, they can elect four council members to run for election, with a separate election race for chair. That, obviously, is a synergy with municipalities where, if there are a sufficient number of individuals within a municipality that want to directly elect, in a county’s case, a reeve, they can put that forward and have those elections.

The other aspect is a code of conduct. That would be an official code of conduct for settlement councils that will be supposedly

developed in the near future and will ensure that the requirements of those council members are defined. In that area Mr. Thompson indicates that he is in favour, and essentially he is indicating that they want to ensure that the councils act responsibly, ethically, with professional conduct, impartially, with integrity, honesty, and treat people with respect, maintain confidences while not withholding public information.

With those comments, Mr. Speaker, again, a lot of wisdom there. It would be fortunate if some of the ministers, in particular the Minister of AT and T, would listen to some of those principles and apply it to Alberta's legislation, not just Bill 19, with respect to Métis settlements.

8:10

One thing that our leader had indicated is that there is some concern within settlements that the government in their communications are saying that a settlement is akin to a municipality. You know, I'll just quote from what Mr. Thompson is stating: all governments have similarities, but the bottom line is that Métis settlements are never going to be municipalities, and we don't care to be referred to as municipalities. I hope that the hon. minister would take that into account. Of course, Mr. Thompson is quite accurate in that Métis settlements have different constitutional rights, and although the minister is trying to align some of the principles and government structures of municipalities with the settlements, he should not refer to settlements as a municipality. I think that would be some wise advice for him to take.

The other aspect is that the legislation will create standardized financial reporting for all the settlements and require three-year business plans with strategic plans laid out for achieving goals. Of course, anything that provides forward-looking requirements I think is positive. I've discussed this with some of the individuals on the settlements, and they see this as a positive step forward.

I look forward to the debate in Committee of the Whole. Our party will be putting forward substantive amendments. I hope that the hon. minister looks closely at those amendments so that we can pursue and have some positive outcomes in this legislation. You know, I think this minister has done a significant amount of consultation. I hope that he will look at our amendments thoroughly and genuinely give them some due consideration to try and strengthen the legislation.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the Member for Calgary-Mountain View.

**Dr. Swann:** Thanks very much, Mr. Speaker. I'm very pleased to stand and speak to Bill 19, the Metis Settlements Amendment Act, 2013. I give a lot of credit to the minister for his leadership on this. I think it's long overdue that we have a constructive and leadership relationship with all our First Nations. The Métis are a unique part of our history. Indeed, they went through some of the same troubling times that our other First Nations did, suffered a lot of the same kinds of experiences, deprivations, and abuses by a system that tried to destroy the Indian culture.

I think we have a lot to make up for, and investing in these folks, investing in their stability, their educational processes, their cultural enrichment, and assisting them in finding their way into the complex management world and the accountabilities that we know all governments have to face and meet is an important step. Everything I've heard about the settlements has been that they're challenged in a lot of different ways, not unlike some of the

reserves, and the minister has taken it firmly in hand and addressed some of the key issues.

As many will know – and I want to put it on the record – this government did conclude a long-term agreement with the Metis Settlements General Council, directing \$85 million in provincial funding to the settlements over the next 10 years, after which it's presumed these settlements will become relatively self-sufficient. They will have the capacity to set tax or other revenue streams. They will then have full accountability, as outlined here, to have democratic elections, four-year terms now instead of three-year terms.

They will have financial accountability guidelines that will preempt any, I guess, concerns that have been raised in other contexts and make sure that they get off to a good strong start with the training, the opportunities for feedback, and appropriate, constructive oversight as they move into their roles on these councils, with more clear roles and accountabilities, as I say, which are very appropriate.

I have a few questions about some of the sections. They may well have been addressed in the bill itself, but I couldn't see them. Section 14 amends section 55 of the Métis settlements agreement by stipulating that, unlike all other bylaws, budget bylaws are exempt from public notice and public approval requirements from settlement members. That, in the face of it, doesn't appear to be a democratic process. It doesn't seem to address some of the *prima facie* case for accountability, transparency, and democratic process.

Section 15 amends section 57(1) of the MSA by stipulating that settlement members may petition the settlement council for a bylaw about any matter other than annual settlement budgets. Again I have questions about why that would be exempt, and I'm sure the minister will have some opportunity to explain that further.

Section 21 repeals sections 175.1 to 175.3 due to the fact that the \$700,000 Métis settlements ombudsman office was eliminated in the 2013-14 Alberta government estimates. As I raised at the time, I think there are concerns that the ombudsman was receiving twice as many appeals and concerns about due process as the council. It raised questions in my mind about whether the ombudsman was more accessible, whether he was seen to be acting independent of the council and therefore having a significant ongoing role, and whether we're going to lose some of that sense of accountability through this process. We haven't yet heard from the Métis communities themselves about what they feel the impact is going to be of eliminating this ombudsman, and I think we need to hear more about the impact. If this is simply a cost-cutting measure and is going to undermine the confidence of people and the ability to have due process, then we will be very much pushing back on that.

Another area. I've just begun to read through the Metis Settlements Act. It's my understanding that energy and subsurface rights do fall within the Métis jurisdiction and that there will have to be joint agreements and due consultation and accommodation for any developments on their lands and, if I'm not mistaken, comanagement as a result of the arrangement that has been made with Métis settlements. I'd like to hear more about that and how, in fact, the new consultation agreement that is being developed and proposed by this government will impact, how the consultation accommodation process may or may not be different between First Nations and the Métis. It's not clear to me yet where that falls, and again I would like very much to hear from the Métis communities themselves on some of these issues.

With those provisos, again I congratulate the minister and the government for moving forward on some essential work that



needs to be done in terms of social development, economic development, education, responsible and accountable democratic processes, financial accountability on the Métis settlements. From the limited interaction I've had with Métis people, I think it is a real step forward.

With that, I'll take my seat. Thanks, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Questions or comments under 29(2)(a)?

Seeing none, I'll recognize the Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. I rise to be brief, which is a nice change of pace. [interjections] I notice they did not hesitate, compared to my hon. leader. [interjections] I will be brief because most of what my concerns were have been questioned.

I rise because although I do not have Métis settlements in my riding, I have many Métis people, and the CFO of my campaign is Métis. I actually had a chance to talk to him about this bill.

8:20

I want to thank the hon. minister for bringing this bill forward, but I do have a question. Hopefully, the minister can address and answer the question. Some of the other members have brought it up. How does the appeal tribunal differ from or enhance what the ombudsman was or is today? That's been brought up, I think, a number of times, and maybe we can get that answered to the level that we can deal with that.

Beyond that, having debated the budget – and we will have some more speeches on the budget later and on the other bills where we will disagree – it's always a pleasure to rise and agree and see something brought forward that we can have bipartisan support for and actually take positive steps in the governance of our great province. From where I sit reading this bill, I'm pleased to rise to support it. I ask my fellow members to support it, and I want to thank the member for bringing it forward.

Thanks again, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a)?

Seeing none, I'd invite the hon. minister to close debate.

**Mr. Campbell:** Thank you, Mr. Speaker. I really do appreciate the comments from the hon. members about this bill. I think it's quite timely that 2013 is the 75th anniversary of the establishment of the Métis settlements in this province, which I think speaks volumes about the long and productive relationship we've had with the Métis community.

Mr. Speaker, settlement members and their elected leadership want improved governments, they want increased transparency, and they want clear roles and responsibilities, which this bill is set to achieve. The Métis settlements have nothing but my admiration and respect for the work that they continue to do. This bill supports the Métis settlements long-term arrangements which were negotiated between the province and the Métis settlements leadership, which is a prime example of what is achieved through dialogue and a positive working relationship.

Mr. Speaker, I just want you to know that we took about two years to get to the point where we were actually able to sign the long-term agreement. That's because we had real good dialogue, and we wanted to make sure that we had a bill and an agreement in place that would allow the Métis settlements to move forward. That's what they wanted to do, and they made that very clear to me. Again, I have nothing but admiration for the leadership of the Métis settlements and the work they did.

One thing that I do have to say because of some of the comments is that members have to understand that there's a very distinct difference between the MNA, which is the Métis Nation of Alberta, and the Métis settlements. Those are two different organizations. When we look at talking about that, hopefully, I'll be able to clarify that a little bit more in Committee of the Whole.

In saying that, Mr. Speaker, again, I appreciate the support of the members of the Assembly. I look forward to talking about the amendments.

With that, I would call the question.

[Motion carried; Bill 19 read a second time]

## Government Bills and Orders Third Reading

### Bill 12 Fiscal Management Act

**The Deputy Speaker:** The hon. President of Treasury Board and Minister of Finance.

**Mr. Horner:** Thank you, Mr. Speaker. It is my pleasure to move third reading of Bill 12, and I'm pleased to rise and move that.

You know, government first committed to a renewal of the fiscal framework in Budget 2012. Last fall we consulted with businesses and financial leaders and academics and everyday Albertans both in person and online. They told us that the province should save for future generations in both good times and in challenging times. They said that we should consider borrowing to build infrastructure but only when it made financial sense. I've seen that most recently in the Leger poll. And they said that Alberta needed to reduce its reliance on nonrenewable natural resource revenues.

Mr. Speaker, we have a duty to prepare this province for the future. The province is expected to expand to more than 5 million people in the next 17 years. That's the equivalent of adding another city the size of Calgary. Population growth means good things for Alberta: more diverse and vibrant communities, more tax revenue, more customers, and higher consumer spending at local businesses. It also means more pressure on existing programs and services and more pressure on our public infrastructure. We know that adequate public infrastructure goes hand in hand with quality of life, and Albertans have told us that access to schools and health facilities and maintained roads and highways are priorities for them.

The Fiscal Management Act is our response to what we heard. Bill 12 legislates the requirement for an operational plan, a savings plan, and a capital plan, and it retains a 1 per cent legislated limit on in-year spending increases in total operational expense. It also sets limits on borrowing for infrastructure and prohibits borrowing for programs and services.

In addition, Bill 12 establishes the new contingency account, a short-term savings fund that will act as a fiscal shock absorber and stabilize revenue fluctuations. The Alberta sustainability fund will be replaced by this new account. Bill 12 allows the operational budget to be in deficit only if there are assets available in the contingency account to offset it.

Another important change that this legislation makes will help future generations become less reliant on resource revenue. Each year specific amounts of nonrenewable resource revenue will be set aside for savings: 5 per cent of the first \$10 billion in non-renewable resource revenue, 25 per cent of the next \$5 billion up to \$15 billion, and 50 per cent of all nonrenewable resource revenue in excess of \$15 billion. This portion will be placed into

the contingency account until it reaches a balance of \$5 billion. The revenue will then be used for other savings such as the Alberta heritage savings trust fund or endowments or the capital debt repayment account.

I would also like to address some questions and comments that have come from some of the members. Concerns were expressed about the repeal of the Government Accountability Act and the Fiscal Responsibility Act. I would like to point out that the majority of items in the old acts have been included in the new Fiscal Management Act; for example, the 1 per cent legislated limit on in-year spending increases in total operating expense. Information such as the consolidated deficit and change in net assets has not disappeared. These items are still included in the consolidated financial statements that we present. We will see that the depreciating of our assets and debt-servicing costs in this way of presenting the budget is the same as we require of municipalities, separating capital from operating budgets. This method, recommended by groups such as the Alberta Chambers of Commerce, is similar to financial statements that can be found in the business world.

A number of members also referred to government's borrowing plans as borrowing to save. Our borrowing is responsible and strategic, much like the hon. Member for Rimbey-Rocky Mountain House-Sundre suggested. The Fiscal Management Act responsibly sets a cap on how much we can borrow. It limits debt-servicing costs associated with capital borrowing to 3 per cent of operational revenue. It's tied to market conditions and the government's operational revenue. So if our revenue goes down, the limit on our debt goes down. If interest rates go up, the amount of additional debt that we can take on goes down as well. We've said that borrowing for capital projects will be done strategically.

Our one point that we continually made when talking about borrowing for capital has been that borrowing will only be done when it makes financial sense. We're not going to borrow just for the sake of borrowing. We're leveraging our triple-A credit rating to access low financing costs. This strategy will save more money in the long run, and it lets us avoid increased labour costs and inflation that come with delaying projects. By "save," I don't mean add to our savings. I mean pay less costs. This way much-needed capital projects such as schools, health facilities, and roads like highway 63 will be there for Alberta's growing communities when they need them instead of needing to play catch-up. Debt repayment plans will be established at the time of borrowing.

Speaking of capital projects, if members wish to see a list of priority projects, they just need to have a look at our capital plan on the website.

Throughout the debate I heard strong support from all sides of the House for our approach to saving. Albertans have told government that saving is a priority in both good times and challenging times. They continue to support strongly the heritage savings trust fund and believe it to still be the best way to save for future generations. Bill 12, the Fiscal Management Act, provides the province's first savings policy in more than 25 years and will ensure a degree of saving each and every year. We're putting into law a responsible savings strategy where a portion of non-renewable resource revenue will be set aside into savings.

Some would like us to accelerate our savings plan, and this act does allow us to do this. We had a good discussion about that in one of the amendments last night. While it sets out a timeline of 2015-16 to start saving specific amounts of nonrenewable resource revenue, we do have a full intention of accelerating this plan. Income from the heritage savings trust fund will also be retained in increasing portions, ultimately retaining a hundred per cent of the income by 2016-17. Under the new savings plan the

province's total savings in various funds and endowments will grow to more than \$24 billion over the next three years. That's significant, Mr. Speaker, and it is reflective of this government's focus on building Alberta's future. To suggest that our savings are depleted is wrong. The Fiscal Management Act is important not only because of how it changes the way we save for the future but also because of enhancements to the rules around how we spend and borrow.

I would ask all members of this House for their support of Bill 12, and I look forward to debate in third reading.

8:30

**The Deputy Speaker:** Thank you, hon. minister.

The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. It's a pleasure to rise today to briefly talk on Bill 12. Of course, what this back-in-debt budget does, despite the debt, is that it also repeals the Government Accountability Act as well as the Fiscal Responsibility Act. It's interesting to see day in, day out how the Finance minister tries to spin this. He says: well, we're going to borrow to save. If you actually go into *Hansard* and take a look at the number of times this Finance minister has used the word "debt," it would be an interesting word count. I'm sure it's dozens if not hundreds of times. This is quite a substantial difference from the past. Of course, we've gone from \$17 billion in the sustainability fund to eventually having \$17 billion in debt by 2016.

I just wanted to close with a statement that was actually done in the third reading of the Government Accountability Act back on May 11, 1995. Since we're doing third reading of Bill 12, I think it's quite relevant. It was by the then Treasurer, Jim Dinning, who said:

I'm proud that my colleagues have been willing to set the standard and set a high one such that no matter who may come behind us, they will not be able to water the standard down without looking at the whites of the eyes of Albertans and saying, "We're going to deliver to you substandard government."

I hope that these members can go to their constituents and look into their eyes and say these same words, that they are indeed going to have substandard government.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Member for Edmonton-Calder.

**Mr. Eggen:** Thank you, Mr. Speaker. I just want to again make a few comments in regard to Bill 12, the Fiscal Management Act. I have made my comments and views fairly clear in readings that we've had of this bill already. Just to remind people, this really lies at the heart of this spring session and the budget. The problems that we see in Bill 12, I think, are largely indicative of the cuts and the other issues we have in each of the other ministries before us here this spring.

In my view, Mr. Speaker, the biggest problem with this bill is that it does very little to change the structural revenue problem that we have here in the province of Alberta. We need to not only reverse the cuts that we had felt and experienced over the last 17 years but also start to restructure our corporate tax rate and royalties rates so that we are capturing a fair share of the revenue and of the wealth that is being produced in this province.

Everyone knows that Alberta is becoming more and more the economic engine of the entire country. While other jurisdictions in North America and in Europe are experiencing recession, our economy is in fact growing. So for us to have a budget that is

essentially a cutting budget in the midst of a growing economy, there lies an essential contradiction that, I think, should become abundantly clear to most Albertans, and I know that it is for regular working people. This budget doesn't match the reality that they are experiencing on the ground with their own lives and with their own budgets in their families.

Our population is growing, too. While all of the classic indicators of an economy in healthy, substantive, long-term growth are here right before us, right in front of the doors of this Legislature, suddenly you come in here and you have this alternate reality where we are making cuts and somehow looking to reduce our public expenditures for the essential services for which this government and this entire Legislature has been created in the first place, to provide public health care, education, roads, and so forth to meet the needs of a modern industrialized society.

You know, I find it kind of unfortunate that we are running up against these two realities here in this Legislature. It's not just a moot point that we're debating for academic purposes; it means actual dollars that affect the lives of regular Albertans, millions of them across the province, everyone from someone who might have a school-aged child to seniors or someone who is needing to access the health care system. So many of us have all of those things in our lives all at the same time in regard to school-aged children, postsecondary children, aging parents, and so forth and require extra care. You know, when we take dollars and we debate these things here in this House, it's not just for ideological purposes or for moot points of debating; its effects are direct and measurable in the outside world, in people's lives.

As well, the problem is that this bill really doesn't save money, and I cannot see it saving substantial amounts of money until after the next election cycle or until somehow we hit another oil boom or energy boom in the province – right? – which could entirely possibly be soon. But, again, when have we learned that we should put systemic things into place that will see us through the vagaries of the boom and bust cycle that invariably causes damage, both societal and physical damage, to our province, both on the boom and on the bust cycle? That's not to say that the boom doesn't do those damaging things to our social fabric and to our physical environment as much as a recession does, too.

We need to learn from these mistakes, and while, you know, Bill 12 certainly – I mean, I'm not suggesting that it's not worth the paper that it's printed on. It has some provisions to ensure responsibility and some sense of saving. At least it acknowledges those concepts, which, I think, Albertans consider to be very overdue. We just have to, I think, categorize these things much more carefully and make substantial savings and not spend the royalty and revenue from our nonrenewable resources but, rather, save those and start building a structural change that allows us to diversify our economy and make something that is sustainable and something that we can be proud to hand down to subsequent generations.

This budget also, I think, has this sense of confusion – right? – between money in and money out. I know that this budget is separated into three sections, but really I don't see it making a deficit calculation, in my mind, at all. You know, this drastic reorganization makes it hard for us to track things, and I think that goes against the grain of both the substance and the theme of transparency that we strive to achieve here in the Legislature.

As well, so many of the reporting provisions in this bill are up to the discretion of the minister and the ministry. I think that we could have more required reporting in Bill 12 in our budgets and make those problems go away, right? It's not as though people are not capable of reading budgets and reading sophisticated budgets,

but this whole idea of discretion, I think, is not entirely appropriate.

Again, I know the minister talked about this, but, I mean, this Bill 12 was replacing the Fiscal Responsibility Act, which actually made it illegal for actual expenses to exceed the revenue plus what was contained in the sustainability fund. This present act abolishes that requirement and replaces it with a requirement that only the operating accounts in the budget must be balanced, opening the door for borrowing for capital expenditures. It makes a promise not to have that operational deficit ring. It sends off a bit of an alarm bell, I think.

8:40

Certainly, it's not necessarily an imprudent thing to choose to borrow for capital expenditures, but I just find a contradiction here in what I had heard for many years in this Legislature when I was here before. Suddenly you see the turnaround. I just wonder how sincere the government is in regard to these things or if they're just saying what they think people want to hear.

You know, the questions that I asked before are something that I just wanted to bring forward again very quickly, Mr. Speaker. Well, you know, what is in the way here that would just stop this government from moving the goalposts again if they don't find enough revenue to pay for the level of services that Albertans demand, right?

Part of this budget exercise that we've just gone through here is very much less substance in terms of a shortage of funds and more of an excuse to continue down the path of privatization and this neoliberal concept of reducing the responsibility of government to provide the essential services that a modern industrial society requires. This ideological attack would have come regardless, even if we had a billion billion dollars in surplus. I know that the pattern over the last 20 years is to have a cutting budget, to make attacks on public services immediately subsequent to an election victory. That hasn't changed, and I find that to be cynical and ultimately destructive.

This bill is only part of a strategy, I think ostensibly only, to make Alberta less dependent on nonrenewable resources, but it doesn't seem to achieve that. There's nothing in the bill that helps to diversify the economy, nothing to address the revenue problem, as I said before. The only thing that this might accomplish, I hope, is some small revenue savings that can smooth through and build the heritage trust fund into something more substantive that we can use as part of our ongoing budget if it builds enough size and scope.

So, Mr. Speaker, for the sake of brevity I don't want to go over all of these points again. It's safe to say that the budget that we've dealt with over the last few weeks is disappointing, and this Bill 12 is just a pale shadow of that disappointing news that Albertans are having to face.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Standing order 29(2)(a) is available.

Seeing none, I'll recognize the Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Speaker. I'm also glad to rise and speak on Bill 12. Bill 12 repeals both the Fiscal Responsibility Act and the Government Accountability Act and replaces them with a single statute that changes the way the government administers and reports on the province's finances. One of the key features of the new legislation is that the government will now be required to have a distinct operational plan, a distinct savings plan, and a distinct capital plan as parts of the overall annual fiscal plan. It

also establishes a new short-term savings contingency account whose purpose is to provide funding for those years in which the actual operational expenses exceed actual operational revenues, as operational deficits will now be illegal with this bill.

The contingency account is a renaming, repurposing, and continuation of the Alberta sustainability fund within the general revenue fund. The balance in the contingency account is not permitted to be less than zero.

It also repeals the Fiscal Responsibility Act, which had made deficits illegal. Under the new Fiscal Management Act only operational deficits are illegal now. It also, you know, waters down the Government Accountability Act. It incorporates seven watered-down sections of that statute into the Fiscal Management Act, including the following: fiscal plan, business plans, reports on progress, government annual report, ministry annual reports, accountable organization, and contents of public accounts.

The new section pertaining to the government's annual fiscal plan creates the requirement for an operational plan, a savings plan, and a capital plan. The references to the Minister of Finance that were found in the Government Accountability Act have been replaced by ones to the responsible minister in the Fiscal Management Act.

Absent from the new legislation are those sections of the Government Accountability Act that require some measure of accountability from the Minister of Finance. Section 11 obligated the minister to include a statement of responsibility within the consolidated fiscal plan and the consolidated annual report, and section 12 required the minister to make public a written statement explaining any omitted information or noncompliance with the act and produce those two documents.

Also gone is section 6, which required the inclusion of the major economic assumptions that the Minister of Finance made in preparing the province's consolidated fiscal plan and the anticipated economic conditions for the fiscal years to which the plan related. Repealing the Fiscal Responsibility Act and the Government Accountability Act was necessary to give the government the flexibility it needed to borrow, to go into debt, to pay for capital projects. I don't think we would need to repeal the Fiscal Responsibility Act and the Government Accountability Act had the government not been mismanaging the money.

By committing the government to a savings plan as well as an operational plan and a capital plan, the Minister of Finance claims that Alberta's major savings accounts will grow to over \$24 billion within three years, which, it should be noted, is an estimate of all the money that will be held in a new contingency account and the Alberta heritage savings trust fund and other savings. This is not to be interpreted as the heritage savings fund being worth over \$24 billion within three years.

The bill needlessly reduces the fiscal accountability and transparency on the part of government for election finance reporting requirements. It doesn't change the potential tax mix or diversify its revenue streams. It offers no real plan or lifeline for paying off the province's growing debt and does nothing in the short and medium terms to reduce the province's overreliance on nonrenewable resource revenues.

The government claims that this legislation reflects the results from the Dollars and Sense consultations held in the fall of 2012. By the government's own admission only 6,000-plus Albertans participated in that process according to page 3 of the government's Dollars and Sense: What We Heard report. This begs the question: why is the government setting fiscal policy based on the feedback and advice of less than 1 per cent of Albertans?

When the government first announced that it was borrowing up to \$1.1 billion to pay for the twinning of highway 63, the Transportation minister said that it would be paid back within 20 years. Since then it was revealed in Budget 2013 that the government plans to borrow 12 and a half billion dollars over four years for various capital projects. The debt keeps growing, Mr. Speaker, yet this new legislation contains no plan or timeline for paying off this debt. This debt is going to be like a runaway train.

I think this bill should be defeated because it needlessly reduces fiscal accountability and transparency on the part of the government for election finance reporting requirements, it doesn't change the province's tax mix or diversify its revenue streams, it offers no real plan or timeline for paying off the province's growing debt, and it does nothing in the short and medium terms to reduce the province's overreliance on nonrenewable resource revenues.

If the government is going to repeal and amend laws to make itself less fiscally accountable and transparent, it should at least have the courage to admit that it's doing so of its own choosing and not because a relatively small number of Albertans apparently told them to do this through the Dollars and Sense consultation.

With this bill Alberta Liberal members are once again being asked to support several questionable proposals in order to get one desperately needed one passed; namely, a legislated savings plan. The government must not use Bill 12's requirement for an operational plan, a savings plan, and a capital plan as a shell game to obfuscate the province's finances. Why is this government setting fiscal policy based on the feedback and advice of less than 1 per cent of Albertans? That boggles my mind, Mr. Speaker.

For those reasons, I won't be supporting the bill.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the Leader of the Official Opposition.

**Ms Smith:** Thank you, Mr. Speaker. I find it interesting that over the last number of months the PCs have been looking at their historic leaders and the legacies that they've left and how much we hear about Peter Lougheed, how much we hear about Ralph Klein, how proud they clearly are of the legacy that both of those leaders left behind.

I think it's worth remembering why it is that Peter Lougheed enjoys the legacy and the admiration that he does today. It's because for most of time that he was in government, when he was in the Premier's office, he balanced budgets, ran surpluses, and put money into savings.

I think it's important to remember why Ralph Klein has the admiration that he does today. It's because for most of the time he was in office, he ran balanced budgets, ran surpluses, not only became debt free but also put money into savings, some \$15 billion by the time he left office, and he also instituted rules that created greater transparency.

**8:50**

You don't hear the PCs talk much about some of their other leaders, like Don Getty, who racked up \$23 billion worth of debt, who lost his own seat, who spent billions of dollars on corporate welfare trying to pick winners and losers in the economy. You don't hear them talk that much about Mr. Stelmach, who depleted savings, who also started down a path of corporate welfare with the \$2 billion carbon capture and storage.

I think it's instructive for the members opposite to think about what kind of legacy their current leader is going to leave. When you look at two of the most important things that those two leaders had done and how they actually changed the expectation in this province about what their government ought to do, I think you see a massive mismatch with what the Finance minister has proposed in Bill 12 and why Bill 12 should fail.

I look at this bill as a bold step backward, a bold step backward to the kind of substandard government that my colleague from Lac La Biche-St. Paul-Two Hills was talking about. I hope they look at the whites of the eyes of the people that are in their constituencies as they go back and try to sell why it is that a year later they're taking a step away from the legacy they often claimed to be so proud of. Had they followed in the path of Peter Lougheed, who in 1976 established the heritage savings trust fund, if they had done then what they claim they're going to do now, keeping the interest in that fund, it would have grown to \$136 billion today. It would be generating \$7 billion to \$8 billion a year in additional investment income. We would have already weaned ourselves off of the reliance on oil and gas revenues if only they had been able to keep with the good decisions that he made back in those early days.

If you look, as well, even at some of the more recent decisions that have been made, the Canadian Taxpayers Federation points out another substantial way in which this budget is taking a step backwards. The Premier likes to talk about raising the bar on transparency and accountability. We're absolutely going in the opposite direction in this legislation. "Repealing the Government Accountability Act will gut the most important accountability measures required by law." This is according to the Canadian Taxpayers Federation's Alberta director Derek Fildebrandt. "This will leave taxpayers without the most basic information required to know what their government is up to."

There's no requirement to have consolidated revenues and expenses, a consolidated deficit or surplus number; revenue sources by category; expenses by category; a breakdown of liabilities and assets; borrowing, or debt, requirements; or detailed spending of capital by ministry. These are ways in which the government I think is breaking some of the early pioneering work that had been done by the previous leader Premier Ralph Klein and his then Finance minister.

I am going to address in my brief statements tonight this notion that the Finance minister likes to keep putting forward about borrowing for capital and when it makes sense. I've noticed that the Finance minister seems to suffer from selective hearing. I will try once again to get across to him what others, what economists and business leaders, are telling him makes sense when you're looking at the issue of borrowing for capital in this province and, in particular, government borrowing.

What the Alberta Chambers of Commerce said is that for debt to make sense, it had to have five key parameters, five key restrictions. One, there had to be a spending limit law because if you do not have a year-over-year spending limitation, you will always put yourself in a position where the government is spending well beyond its means. This has absolutely been the case with this government over the last 10 years, doubling inflation and population growth, which is why we're in the trouble that we're in today. So a broken rule 1 about when borrowing makes sense.

Two, borrowing only makes sense if you have a priority list and you have preidentified all of the projects that you might borrow for for capital, and this government does not do this. Directing us to their website to look at what their priorities are going to be for

the next three years is not what we have been asking for day in and day out in this Legislature. They know exactly what all of the priority capital projects are for every single school board, for every single health district, for every single municipality. We want to see a long-term, 10-year priority list so that we can start identifying those projects which should be near the top of the list and those ones which can wait a little bit longer. They refuse to give that, and you need to give that kind of priority list if you're going to be able to prioritize your borrowing. That's what the Chambers of Commerce actually said.

They also say that you shouldn't be borrowing for things that are going to have a higher operating cost than the cost of capital. You shouldn't be borrowing for things like schools and hospitals, which we know in some cases can . . .

**Mr. Horner:** They did not say that.

**Ms Smith:** They absolutely did say that. I will show the minister. I will send that over to you, Minister. I will show you exactly where they did say in their budget submission that you should not be borrowing for items that will have a higher operating cost than capital cost. The Finance minister continues to break that third rule of when it makes sense to borrow.

The fourth. When they began, they actually proposed a much stricter limitation on what the borrowing limit should be based on a percentage of revenues. The government has said 3 per cent. The Chambers of Commerce has said 1 per cent. They started off even lower than that, at .05 per cent, a few years ago, but I think they saw there was no way the government was going to be able to match that. That would still put a spending limit in there of \$12 billion. Their 3 per cent spending limit gives the Finance minister the latitude to go up to \$36 billion or \$40 billion depending on what the interest rates are.

Now, of course, he did say this evening that if the interest rates end up going up, that means that we borrow less. Well, what happens if the Finance minister borrows to his spending limit on the basis of today's interest rates? Then when he goes to refinance, as we know he's going to do – we know he's going to roll over – when he rolls that debt over and we end up not being able to be within those parameters, what do you think is going to happen? Well, I can already predict it. We saw what happened when their debt repayment rules were inconvenient, when they got in the way. When it was inconvenient because they had a balanced budget rule and that got in the way, and when it was inconvenient for them to have a zero-debt rule and that got in the way, they changed the legislation. That's exactly what this Finance minister is going to do. This spending limit law is a sham. There's absolutely no limitation when you're going to have a 3 per cent limit.

Then we also have the fifth rule that the Finance minister has broken for when it makes sense to borrow. If you're actually going to borrow, you have to have a plan to pay it back. He's constantly told us how this is like a family mortgage. This debt is not structured like a family mortgage. When a family takes out a mortgage on a property, when they make their payment every year, not only are they paying a portion of the finance charges; they're also paying a portion of principal. So year after year after year the amount of the outstanding debt gets smaller and smaller and smaller, and a greater and greater portion of their payment goes to pay down the principal, and less and less goes to finance charges. That's not what the Finance minister has done.

What the Finance minister has done is that he's taken out long-term bonds so that when we get up to the \$17 billion that he

intends to borrow by 2016, we are going to be spending \$600 million year in, year out, every single year, until that money is paid back. And I don't believe it will be paid back. I don't see any evidence that there's a debt repayment plan that will allow for him to make that end-of-term balloon payment when that debt comes due. I'm already going to predict that if this government is still in power in 20 years, what we'll actually see is a plan to just simply roll it over and roll it over. Who knows? Maybe it'll take 20 or 40 or 60 or 80 years to finally pay that debt back. We've done the calculation. With the kind of money that they are setting aside right now, it would take 83 years to pay back \$17 billion worth of debt. So he's broken the fifth rule of what the Chambers of Commerce say makes sense for borrowing for capital.

I go one step further because, quite frankly, I do not think it makes sense at all for a government that is awash in resource revenues, as this government has been for most of its history, as it still is when you look at \$7 billion to \$8 billion a year worth of resource revenue, windfall revenues that any other provincial Premier would be delighted to have, that this government can't seem to live within those means. It absolutely is unconscionable that on top of not putting any meaningful amount of those resource revenues away, this government is also intending for us to go back into debt.

I'll just share a little story. The hon. leader of the fourth party, the NDP opposition, and I were at a debate at the University of Calgary a couple of weeks ago put on by the students of the Economic Society of Calgary as well as the Wildrose and the NDP clubs on campus. I can tell you that we had a pretty good debate there. One of the things he said was: the NDP is not a party that believes in deficit; we would not go into debt. The NDP would increase revenues – at least they're being honest about it – by increasing taxes. I can tell you that the kids in that room gave him a round of applause for saying that he would not mortgage their futures.

9:00

Here's the interesting thing when we're trying to figure out where the political paradigm is in this province. It's quite clear to me that the Progressive Conservatives are actually not just to the left of the Liberals; they are actually to the left of the NDP, absolutely to the left of the NDP. There is no question in my mind.

Here's what Jack Mintz had to say about this. This is why I believe, once again, the Finance minister is not listening or he's having selective hearing when he listens to what it is that economists tell him. Jack Mintz has said that in a resource-rich economy like Alberta we should not be borrowing at all. We should be putting money away like Alaska and Norway because if we spend every dollar worth of resource revenues, we are actually dipping into the wealth of future generations. We should be putting some of that money aside so that not only do we have those resources to be able to take care of our own needs, but they also have those resources to be able to take care of future needs. When the government not only spends every dollar worth of resource revenue but, in addition to that, starts borrowing money, Jack Mintz says that they are double-dipping on future generations. That is exactly what this government is doing.

I can tell you they do not have the support of the younger generations, people who have not even had the opportunity to vote, to take out billions and billions and billions of dollars' worth of debt that they and their kids and their grandkids are going to have to pay back. This is not smart debt; this is foolish debt. It is not fair to future generations. I hope that when the minister goes back to his riding and looks those young people in the eyes, he

actually has a much better explanation for why it is that he's mortgaging their future, because what he's told us here tonight, in my view, gets a big fat F, a big fat fail.

I'm going to be voting against this bill.

**The Deputy Speaker:** Standing Order 29(2)(a) is available.

The Member for Edmonton-Centre.

**Ms Blakeman:** Thank you. I know that we're moving on to the appropriation bill, and I really want to get there. On behalf of my colleague the Member for Calgary-Buffalo – I know he would want me to put a couple of things on the record.

First of all, the Liberal caucus really strongly believes that this government has to stop supplementing 30 per cent of its operational budget in its budget by using nonrenewable resource revenue. It has to stop that. That is spending the next generation's money – it is intergenerational theft – and they have to stop doing that. That money has to be put into, we would suggest, endowment funds, postsecondary endowment, infrastructure endowment, the heritage fund, arts and social sciences. That's our suggestion. You can come up with something else.

We do need to return to a progressive tax. That gets more support than I thought it would. People are asked: "Do you want the services? If you want the services, this is what it's going to cost." They're willing to pay that. So I think we should be returning to a progressive and fair income tax system and taxing our corporations appropriately.

You know, I made a lot of fun of the government when I first spoke to this bill, that it still has to pass laws to stop itself from doing what it should be doing in serving the people. I do find that really odd. We have to pass a savings bill to make ourselves save. I just think that's weird. But the government seems to need to do that, and I've been through three Treasurers who have done it. It seems to be part of the Conservative culture, I guess. I don't know.

The last thing that I'm going to say here is about the need for a surplus plan. I'm going to keep talking about that. This is a cyclical economy. We are going to have surpluses again. What plan does this government have as to how it will spend those surpluses? They're going to come even through oil sands royalties and the postpayment option payout that I was referencing earlier.

We had during my time – I haven't even gone back and counted it. I don't know how much it is. Maybe \$15 billion worth of surplus money has come while I've been serving, and I can't tell you where that money went. You'd think that with \$15 billion the highway from here to Calgary would be paved with gold. It's so much money, and I can't tell where you guys spent it because you had no plan, and everybody that got there first with their hand out got the money. I'm not really sure how it benefited everybody in Alberta. You need to get a surplus plan about what you're going to do. Nobody is looking me in the eye, which just tells you how – oh, there he is. The Treasurer looks me in the eye as everybody else was looking anywhere but there. That tells me how uncomfortable they are with the idea.

That is my last requirement. My colleague from Calgary-Buffalo had raised a number of very reasonable amendments, none of which were passed by the government majority. You know, he was asking for things like a fiscal plan being expressed in plain language, that there be a consolidated statement each year and an actual total surplus or deficit – I mean, this isn't radical stuff; well, I wouldn't have thought this was radical, but evidently it's way out there to ask for plain language and consolidated statements – also, empowering the Auditor General to investigate

anything that happens under this act or as a result of this act, reviewing the income tax rate and looking at the appropriateness of increases to it, and allowing the citizens to know how their tax dollars are being spent. It's very reasonable. Sorry; I thought it was reasonable. I guess it's radical.

Those are the points I wanted to raise in connection with Bill 12, the Fiscal Management Act. Thank you very much.

**The Deputy Speaker:** Hon. members, Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the Minister of Finance and President of Treasury Board to close debate.

**Mr. Saskiw:** If I just could make a motion first to have one-minute bells, please.

**The Deputy Speaker:** I don't know if that's in order at this point, hon. member. We'll come back to that.

Go ahead, Minister of Finance.

**Mr. Horner:** Thank you very much, Mr. Speaker. You know, I am going to be, I hope, fairly brief, but I do have to cover off some of the information that was put on the floor of this House, which was, frankly, a little bit misleading in terms of the information that was provided.

First of all, we talked about the opposition talking about the back-in-debt thing, and we had a point of order on it actually earlier on today, Mr. Speaker. They talked about the fact that we're going back in debt, back in debt. If they actually looked at the books of the province of Alberta, they would know that we've been in debt. We've been in debt for some time. Since 2005 we've been building infrastructure using debt financing. It's unfortunate that they're not looking at that and are trying to convince people to look at it as a back-in-debt budget, which, frankly, I find kind of interesting. If that's all they've got, that's it.

The other thing that they're talking about is repealing two acts. They're not talking about the fact that we're replacing with one that actually contains almost all of the requirements of the previous two and bringing those two together as well as putting in a savings piece and a debt ceiling that is sensitive not only to our revenues but also to our interest rate costs.

The hon. Leader of the Official Opposition also mentioned Mr. Dinning and talked about how this would be contrary to his views. I can inform the hon. member that I had a very long chat with former Minister Dinning. We have had a lot of chats about how the budget would go. He was actually one of the CEOs that I consulted with last year around the fact that we should be using capital in the capital markets for financing debt. You know what he said, Mr. Speaker? He said: that's the right thing to do. He said that you should be moving in that direction because it makes financial sense.

We committed to not raising taxes in this budget, and we didn't, Mr. Speaker. Promise made, promise kept.

You know, frankly, as some of the other members in this House can do, I can talk about the legacy of Peter Lougheed. I can talk about the legacy of Ralph Klein. I can talk about the legacy of Premier Stelmach. Quite frankly, I can talk about the legacy of Don Getty because I grew up in both of those, in Peter Lougheed's and Don Getty's. I still have a relationship with former Premier Don Getty. He served this province extremely well. He sacrificed a lot for this province. To talk about someone who put his family and his life into the hands of the Albertan public and served this

province the way the hon. leader did, frankly, I find a little bit distasteful.

9:10

Mr. Speaker, Premier Lougheed knew that we had to build in this province. When you travel around this province and you go to the airport terminal in Medicine Hat, there's a plaque on the wall that says: built by the Alberta heritage savings trust fund. When you move through the hospital where my first child was going to be born, in Consort, Alberta, where I lived for a period of time, it's a beautiful facility, built with Alberta heritage savings trust fund dollars, capital dollars, cash.

When you talk about things like the sustainability fund, the majority of that \$17 billion actually went in when Premier Stelmach made the conscious decision not to put \$8 billion into the heritage savings trust fund but to put it into the sustainability fund. Premier Stelmach built infrastructure in this province by utilizing that sustainability fund. Did I agree that he should use cash? Not really because even then the markets would have sufficed.

The hon. leader likes to use the Canadian Taxpayers Federation as her guide for all things financial. I understand they've used political science advisers in the past. It hasn't worked out too well for them. I don't think this one has either. When they talk about, frankly, that we're gutting the most important aspects of the act, we're not. We've proved that already by the amendments that came forward, by the discussion that we've had in this House. It's unfortunate she obviously wasn't paying attention to that.

The Chamber of Commerce. The hon. Leader of the Official Opposition is talking about the submission that the Alberta Chambers of Commerce gave to this government before the budget, what they said before the budget. Let's talk about what they said after the budget, after they actually saw what we did, after Ken Kolby, who is the president and CEO of the Alberta Chambers of Commerce, was in the lock-up and read it and understood it probably better than members opposite. He said:

The Alberta Chambers has also long supported the need to strategically invest in capital projects to secure our province's future... For that reason, it supports the provincial plan to leverage its solid credit rating to borrow at today's low interest rates in order to proactively build infrastructure to accommodate Alberta's growth.

Mr. Speaker, that was after the budget was tabled.

Let's talk about the Edmonton Chamber of Commerce, Mr. Speaker. The Edmonton Chamber of Commerce has said:

The Edmonton Chamber of Commerce agrees that borrowing to invest in infrastructure, by taking on debt, can be a good way to help fund needed infrastructure projects, which can significantly boost our economy and increase quality of life.

Let's talk about the Calgary Chamber of Commerce. This is from Ben Brunnen, the chief economist with the Calgary Chamber of Commerce: the approach of using debt to finance capital is actually a prudent one in the sense that these infrastructure assets last decades, and it makes good sense to finance them over their useful life.

Mr. Speaker, the Chambers of Commerce are obviously supportive of the plan that we presented after the budget.

The hon. leader talks about a list. They've been asking for the list. We've said that the list is there. Where's yours? They have \$4 billion worth of capital in their supposed plan. They haven't told Albertans what they're not going to build. They haven't told Albertans what they're going to cut, a \$3 billion cut to operating over and above what we've already done. They haven't told

Albertans about that because they don't have a back-to-back budget.

**Mr. Saskiw:** Carbon capture.

**Mr. Horner:** Carbon capture and storage. How much is in the budget this year? How much, hon. member, is in the budget this year for carbon capture and storage? Less than a hundred million dollars. How are you going to save a billion dollars with less than a hundred million? It doesn't add up.

The other thing they talked about is the capital plan debt repayment. You know, Mr. Speaker, we keep talking about this document which we tabled in the House on March 7, this document which is the budget, which talks about, among other things, how we're going to borrow, what we're going to borrow, the cash adjustments: all of the things that the hon. members say that we don't present to Albertans. It's all here. Just about everybody who actually understands, you know, the reading of the financial statements: they find it. Evidently, they don't.

For the hon. members I'll come back to page 128. Line 23 is the capital debt repayment account year-end balance. Gee, that sounds like the capital . . .

**Ms Smith:** Yes. You calculate that up: 83 years to pay it back.

**Mr. Horner:** Well, if it was a very simple calculation like that, you wouldn't be running a \$40 billion operation, Madam Leader.

Jack Mintz. I've got to comment on Jack Mintz. I love the idea that the hon. Leader of the Official Opposition brings up Jack Mintz but only brings up a very small piece of what Jack says. Jack says: don't borrow; when you've got all this money, you shouldn't borrow. But what else does Jack say? Jack says: put in a sales tax. Jack says: we should increase and close the gap on the taxes. Well, you know what, Mr. Speaker? You can borrow pieces from all these folks and say that this is the way to go, but if I'm supposed to listen to what Jack Mintz says, perhaps the hon. leader should, too. I'm telling you that we did not agree with putting in an increase in taxes in this budget.

Another thing the hon. member talks about is: why aren't we like Norway? Norway, Mr. Speaker, has a 25 per cent sales tax, the highest personal income taxes in Europe. I don't want to be like Norway. I kind of like the taxes that we pay in Alberta in terms of the lowest in the land, and this plan, this budget will actually maintain that.

Alaska. I actually had a very interesting discussion last week with the chief investment officer of the Alaska permanent fund. Do you know what the Alaska permanent fund is up to, Mr. Speaker? Forty-five billion. All this time that they've been doing, evidently, what the right thing was and would have this big fund, the savings that Albertans will have after three years of this business plan will be \$24 billion, but we will also have built the infrastructure that the Alaska state government is looking for investors from outside to build because they can't use any of their own resources.

Mr. Speaker, we've taken a balanced approach – and Peter Lougheed is the one we'll thank for the balanced approach – to the Alberta heritage savings trust fund and what we do with nonrenewable resources. Peter Lougheed understood something very, very important. If we want Alberta to grow and to move from where it was in the Social Credit era, we need to invest, and we need to put our faith in Albertans being entrepreneurial and keep taxes low and build the infrastructure that we need to bring Albertans to this province. That's what this government and this

Premier are going to do. [interjection] I know she's chirping over there, but the Leader of the Official Opposition is talking to . . . [interjection]

**The Deputy Speaker:** Hon. member, please. The minister has the floor.

**Mr. Horner:** Thank you, Mr. Speaker. The hon. Leader of the Official Opposition has said: why don't you look young people in the eyes? You know what? I do. When I look young people in the eyes, I say: what's the Alberta you want to have 20 years from now? Is it one where we're still waiting for that school for your kids? Is it one where you can't get to work because the road isn't there? Is it one where you couldn't drive around the city of Edmonton on a ring road because ideology said that we shouldn't enter into P3 debt, that we shouldn't be doing that, to wait until we pocket \$8 billion somewhere before we build any other infrastructure? Young people understand that you build today for success tomorrow. They want that infrastructure here, and that's why we're going to build it for them.

Mr. Speaker, I encourage all members in this Legislature to vote yes for this bill, vote yes for this budget because it's about living within our means, building for the future, and creating opportunity for Albertans. [interjections]

**The Deputy Speaker:** The exuberance is great, hon. members, but we do want to get home tonight.

The hon. Minister of Finance and President of Treasury Board has moved third reading of Bill 12, but before I call the vote, hon. Deputy Government House Leader, I believe you had a request that may require unanimous consent.

**Mr. Campbell:** Yes, Mr. Speaker. I would ask for unanimous consent that we forgo the standing order on division bells and that we go to a one-minute bell.

**The Deputy Speaker:** Having heard the motion by the hon. Deputy Government House Leader, I'll ask one question. Does anyone oppose the motion?

[Unanimous consent granted]

**The Deputy Speaker:** With that, I will call the vote.

[The voice vote indicated that the motion for third reading carried]

[Several members rose calling for a division. The division bell was rung at 9:20 p.m.]

[One minute having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Amery	Fenske	McIver
Bhardwaj	Fraser	Olesen
Bhullar	Horner	Quadri
Brown	Hughes	Rodney
Campbell	Jansen	Sandhu
Cao	Jeneroux	Sarich
Casey	Johnson, J.	Starke
Cusanelli	Kennedy-Glans	Webber
DeLong	Khan	Woo-Paw
Dorward	Klimchuk	Xiao
Fawcett	Lemke	



Against the motion:

Anglin	Hale	Saskiw
Bikman	Kang	Smith
Blakeman	Pedersen	Stier
Engen		
Totals:	For – 32	Against – 10

[Motion carried; Bill 12 read a third time]

### Government Bills and Orders Committee of the Whole

[Mr. Rogers in the chair]

#### Bill 20 Appropriation Act, 2013

**The Chair:** Hon. members, are there any comments to be offered? The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much, Mr. Chair. This is the part of the budget process that I've been looking forward to because I get the opportunity to put the comments, questions, and concerns of a number of my constituents on the record around this year's budget. No surprise to anybody, I made quite a fuss about there being enough time for opposition members to speak to this bill because we do feel that we didn't have a lot of time to be checking out the other departments when we were in the policy field committees for debate. This is our chance to be able to speak with a sort of overarching view of the budget.

Let me get right down to business here. I did table a letter earlier this week, I think, from a senior who was very concerned about the changes that were happening to the medical oxygen program. I see that concern repeated a number of times. Every time the government changes the delivery of a program, which is not to say that they shouldn't change – they should. You know, our ability to govern should move with the times. But there always seems to be that period of incredible instability and indecision and lack of information for vulnerable people. Those of us that are up and around and in the thick of things here have access to information. Well, we should have access to it. I think that a number of times we actually don't. It sure causes a lot of concern and stress in, particularly, the seniors community when they don't know what's going to happen. A lot of them don't really like change that much.

On this particular project, changing who's going to deliver their medical oxygen, I've heard from a number of seniors with concerns about that. I didn't get a chance in the Health budget to say: "Why are you doing this? What is the point of changing this or looking to find a new contractor? Is it to save money? Is it, you know, to share the opportunity for other local suppliers to get a contract?" I don't know. There's the question.

I did get a chance in the Culture debate to raise the huge concerns that are generated in the charitable, not-for-profit communities under Culture around the cancellation of the STEP program and the community spirit matching grant program. I don't know quite how to describe this. For a number of years the CFEP program has been oversubscribed, and often extra money slipped that way. This year I think it was supposed to be \$45 million that was actually going to be spent although the budgeted amount was \$38 million, so the budgeted amount for next year is \$38 million. Well, essentially, that is a cut of \$7 million. I count that because, you know, if you're not going to put that extra

money in there, that's money that that community doesn't have access to, and they need it.

These are not communities that have a lot of cash lying around. This is a volunteer-based community. They're not-for-profits. Any money that they make, any surplus they have goes back into strengthening the services and programs that they provide. The stretch is enormous. This is public service. This runs the gamut from the United Way and all of the services that they raise money for – Big Brothers Big Sisters, youth-based organizations, the youth emergency shelter in Edmonton – through to all the poverty organizations and the shelters and the housing organizations, faith-based communities, disability communities, and I will talk specifically about one of them.

9:30

This was just an unbelievable blow. I was really surprised that this government would miss the mark on this one so badly because this is a connection to community, and usually this government is a little smarter than that. I think what's happened is that the lines of communication are so bad with this government right now – by that I mean between caucus and individual backbenchers and cabinet – that they didn't get a chance to express how damaging this was going to be. Big mistake. This one I think is going to cost you in many ways more than anything else you did in this budget because it's going to affect so many people. When they can't get that service, they're going to say, "Why not?" and the finger is going to get pointed back at you folks for taking money from front-line services. I've been wrong before, but I've also been right a lot, and I think this is one that I'm going to be right on.

Let me just talk about the Alberta Committee of Citizens with Disabilities. Again, they wrote to me. They've already had a funding cutback from the Harper Conservatives. They've just been told, basically, that funding is going to be phased out for any disability assistance groups over three years. At least they gave them three years. It's a 35 per cent cut this year, moving to 65 per cent next year, and the last bit of funding would come in '15-16. That's pretty devastating for groups that are trying to help people participate fully in the life of the province. So what does the government do? It cuts the STEP program, cuts CFEP or isn't going to go over on it, and eliminates the matching community spirit project. Yikes. That's a blow. That's a huge blow. They have communicated that to me really well.

The other group that wrote specifically about that cut, aside from all the groups I've already talked about in the Culture debate, was Changing Together, which is a group that serves immigrant women – by immigrant women, for immigrant women – a really vital organization. They're volunteer based. The thing about the whole volunteer community is that there is a disproportionate number of women that volunteer for these organizations, and they are also the recipients of these organizations. So making a cut into the not-for-profit charitable volunteer sector really has an effect on women's lives in this province.

The point that Dilara, who is their executive director, was making to me was that they're criticized for how they manage their money, yet the model actually creates the duplication that they're criticized for. It keeps being offered as a project-based grant, and it's announced that it's all about youth this year or bullying this year. Well, everybody writes the grant, doing essentially the same work they're doing, but they target it now towards youth so that they can get some money to keep going and offer the services that they're offering. So, yeah, you get duplication. Well, you know, you set that one up yourself. Next year it's bullying, and everybody will write the grant targeted

towards bullying. You shouldn't be surprised about that. You created that situation.

She also makes the point that I just made about the preponderance of women who are volunteers, who keep these agencies going but who are also recipients of the services. She goes as far as to say, you know: isn't this an exploitation of labour, an exploitation of women? Now, I don't think I would actually accuse this government of doing that, but it sure works in your favour, doesn't it? It sure lets you do some stuff that ideologically you wanted to do. I don't know if it's an act of commission or omission. Nonetheless, it has a huge effect on women in this province.

A constituent wrote to me. I'm not making fun of the constituent, but he started out by expressing his dismay. He'd always supported me as a Conservative member and liked the work I was doing, but he was really upset with this particular decision. I, with heavy heart, wrote back and said: "Hmm. Not a Conservative. Never have been. Glad you like my work, though." His point was that he was very concerned about – his name is Bruce. I'll quote: However, I am dismayed by the government's decision in their last budget to slash funding to postsecondary institutions while not permitting an increase in tuition fees. He goes on: attaining higher education is an investment. Yes, indeed. I agree with him.

Specifically, what he was writing to ask is if the Conservatives had considered the model introduced last year in the United Kingdom. Last year their tuition fees tripled, but access was not denied because the government introduced a student loan program through which students could borrow money to pay for the fees. The students are not required to repay the loans until they earn an annual salary higher than 50,000 Great British pounds annually. This scheme acknowledges that the students are eventually likely to earn such large salaries, so the government will recoup their costs. The increased revenues through income taxes will cover the costs of the unpaid loans by those who do not earn such a high salary. During their degree the students are free to devote themselves full-time to their studies with no fear of bankruptcy if their investment does not pay off.

Elsewhere in the letter he talks about the fact that, you know, almost all of our university students are also working full-time at a job, and it's not conducive to great learning, and it takes them longer to do it. Thanks very much to Bruce for raising that point. I've now been able to raise it with the government and just kind of drill that home again.

This was another area where I was really surprised by the government because there was a lot of talk in the election and in the Premier's leadership race about postsecondary education and diversification and research and how much they value that. And then, yikes, they get in and make moves that really hurt postsecondary education, like serious cuts, really putting our universities in a very odd position, and then really-out-there explanations that came from the new minister of advanced education as to why that was being done.

I don't know why it was done. It really didn't make sense with what I'd heard from the government previously. It didn't jibe, but – you know what? – recently a lot of things don't mesh very well with what I heard people say earlier. It's the difference between what they say and what they do, and, boy, is there a big gap on that one.

Another big issue in my constituency – and I have started to get letters about it again – is the cost of rental housing. This government is adamantly opposed to any kind of rent cap, even a temporary one. Well, you know, I'm glad that you're in a position

where you don't have to worry about that kind of thing, but my constituents aren't. In this constituency we have probably the largest stock of rental housing in all of Edmonton because it's older housing stock and it's cheaper housing stock. We, too, have had a lot of conversions to condominiums. We can see as the economy is doing really well here – the government is not doing so well, but the economy is actually doing pretty well with the number of people employed, blah, blah, blah. So the rental rates are starting to go up again. People are writing to me going: how am I supposed to afford this? There's no cap on how much they can increase it, but they can only do it once a year, which was the result of the last change.

I don't know what to say to them. What do you say to somebody when their rent goes up by like, I think the last guy said, \$700? Well, you know, you're paying whatever, \$850, and all of a sudden it goes to \$1,500. I don't know how you cope with that. I think the answer is that you don't. You move. You try and find an even cheaper place, which is probably a little less safe in the structure and in the age of the building, whether there's any mould there and how likely it is to have vermin and all the rest of that stuff that you deal with in lower cost rental housing.

It is an issue for my constituents, and I wanted to make sure that I got that on the record because I think it's going to become more of an issue. I really do seriously think we need to look at temporary rent caps when that kind of thing happens. Eighteen months max, but it needs to be enough to ride out that real peak in what happens.

**9:40**

The government's excuse is always: well, you know, the landlords have to tough it out during the times when they've got more vacancies and they aren't able to charge as much. But you know what? They never drop the rent. They say: well, we'll throw in the Internet cost, or we'll throw in the cost of cable TV. But they never actually drop the rental rates on any of these places. I don't actually see them hurting very much, not that I want them to hurt, but I'm told that this is such a tough time for them. Well, it's a tougher time for people that are trying to find a secure place to live.

Housing security and food security are two really vital issues in our urban areas today and, for all I know, maybe in the rural areas, but I'm not going to comment on that because I don't have enough expertise to say it. But food and housing security are real issues for people, and they cause huge stress. I used to say: "Oh, stress-schmess. C'mon, who cares? Just, you know, suck it up. Get on with it. What is this stuff about stress?" But I'm persuaded by the evidence. You start to look at the medical evidence of what stress actually costs us in lost productivity and doctor visits and hospital visits, and you start going: "Okay. All right. I'm convinced. This counts." Creating situations like that does create stress. It is paid for in another part of our society. So don't think you're getting away with this, because we're going to all pay for it somewhere else.

That's part of the lesson that you actually did learn with the housing first project, that to insist on the old way of thinking about homeless people was costing all of us a lot of money because those people still got services. They got them through emergency rooms in the hospitals. They got it through the police services intervention. They got it through courts. They got it through jails. They got a place to sleep. They got food. They got it through places that we didn't think they were going to get it from, and it cost us money. It costs us way more money to do it that way than if we would provide the housing that they need and the housing security. So put that on the record.

I want to talk about the Condominium Property Act and the building codes, two things that need to be updated. That condo act is 30 years old, I think, or close to it. It is not dealing with the fact that we've had people living in condominiums now in the larger urban centres for 30 solid years. The issues that are coming up are long-term structural problems, so sinking funds and additional assessments are becoming a huge issue for people. I mean, imagine that you've almost paid off your \$100,000 or \$150,000 mortgage and your condo board decides that they're going to need to assess you \$25,000. Oh, my God. Like, you're not living in a grand place, and now you're going to have to try and come up with this additional money on top of the mortgage that you're already paying. It's a life-changing event, I'll tell you. That's their single biggest expenditure that they will ever lay out. It's the single biggest thing that they'll ever purchase. When we can't provide them with legislation that offers consumer protection, we're doing something wrong. We're doing something very wrong in this place.

So I will continue to push for much stronger changes to the condo act around both the building codes and what's possible and reasonable there but also around how the condo act actually works and how it's implemented for boards of directors and property managers and realtors and owners and sellers. The consultation process has been very frustrating. There have been, I think, three different committees that have come and gone and made recommendations that didn't particularly go anywhere. Now the minister is running another public consultation. You know, Minister, with all respect, we're kind of done with that. We really need to see these changes move faster rather than slower. I understand we're not going to see these changes come before us for another year, which is going to be very difficult.

I also want to put in a plug for this government to please develop life lease legislation. Life lease, as you probably don't know, is another kind of housing that is being provided that on the continuum sits between a rental property and a condominium. You are in a shared property, and you've paid money, a significant capital outlay, that goes into a fund that actually pays for the building of it. It's long and complicated. I'm not going to go into it right now, but there are a number of life leases in Alberta right now, and there is no legislation governing them.

I'm coming to the end of my time. Well, it's a good thing I'm on duty for tomorrow afternoon, Mr. Chair. I'll be able to get up in third reading and put the rest of my four pages of notes on the record.

**The Chair:** Thank you, hon. member.

I'll recognize the Member for Edmonton-Calder.

**Mr. Eggen:** Well, thank you, Mr. Chair. I rise with great interest to speak briefly on Bill 20, the Appropriation Act, 2013. This is, again, not dissimilar to Bill 12, that we were speaking on before. It's sort of a summation of the budget that we've just worked our way through and, I guess, an opportunity to highlight some areas that require improvement and why we, in fact, as New Democrats will be opposing this Appropriation Act for this year.

Again, I would just like to start off talking about broad strokes. When you are doing a budget, Mr. Chair, you have to ensure that you are not just dealing with your expenditures but with your revenue. Perhaps the fundamental failure of the budget for 2013 was the failure to deal realistically and honestly and with enough scope in regard to royalties, in regard to corporate taxes, and in regard to the flat personal income tax that we have here in the province of Alberta.

You know, Albertans are wily and intelligent. They know how budgets are produced and how you have both revenue and expenditure. They do it themselves. We do it ourselves, and we've become adept at watching how the government does it, too. By some magical sleight of hand, as I said before, while our population is increasing and our economy is increasing, somehow the government claims poverty and has run short of cash.

The explanation was long and elaborate, and it strained credibility with each passing week. In fact, by the time we are here, in these last few weeks, we know that the so-called price differential for our energy here in the province, the bitumen bubble, as it was coined, is pretty much the way it has been over the last number of years, with the usual vagaries of market fluctuation. You know, that whole explanation or excuse, as you might describe it, Mr. Chair, in fact just didn't hold water.

Yes, we do have a price differential between Alberta's energy and other places in the world because we are located in a different location on the map. One, we are in a different place, and transporting our energy products takes longer than if you are in another part of North America. Number two, we are dealing with a different energy source. All of these things Albertans know, right?

We are intimately involved in the oil and gas industry, where many of our jobs are. We read about it. Our family members are part of the energy industry. So, you know, you can't pull the wool over the eyes of a population that already is driving and is employed in the industry. I have lots and lots of relatives and friends, people that work in the oil industry and gas industry. They know exactly what the price differential is, and they know that that explanation rang hollow at best and, in fact, was an excuse to make another attack on public services here in the province of Alberta just like this government has done after the elections many, many times over.

When we're dealing with royalties, for example, we know that our royalty rates are lower than they should be, and Albertans know that, too. We saw a poll that just came out in the last 24 hours that demonstrated abundantly, clearly that, in fact, our royalty rates are bargain basement. They are inadequate, and they are leaving us with a deficit in our public expenditures that is resulting in the cuts to everything from education to health care to advanced education to municipalities.

I mean, just take a look at the roads, right? I only have to point as far as, you know, the roads that we drive on to and fro here in Edmonton to see that the level of infrastructure that we invest in in this province is not commensurate with the wealth and the industry that takes place within the boundaries of the province of Alberta. It's just not happening. It's embarrassing to see the level of road maintenance. It's one small example that people bring up to me all of the time.

**9:50**

It goes on, Mr. Chair, in regard to K to 12 education, some of the areas for which I'm responsible as a critic. You know, we know that we were fully capable of having an expenditure on public education, K to 12, that was commensurate with the increase in our population and the increase in the expense of living and of producing a public education system here in the province of Alberta, but instead we chose to make cuts, the extent of which is now becoming more clear.

We talked about this today, how one school board has taken all of the various bits and pieces, nooks and crannies of cuts and come up with just how short they actually are for their budget. It's a significant amount of money. It's almost \$19 million just for one school board. Here in the province of Alberta you can extrapolate the figures that they worked on there to suggest that, in fact, we

have a shortage of at least a hundred million dollars in our public education system for this next school year.

You do not make that sort of cut in a public education system. We know that we spend 80 per cent on education workers. If you take a hundred million dollars out, it's going to result in layoffs of teachers and layoffs of other support staff and larger class sizes and all of the things that go along with that. You know, stable, predictable funding for our public education system didn't happen. We failed to see the full-day kindergarten that we were expecting and hoping for over this next fiscal year and long-term funding as well. The AISI funding was eliminated, and we will see the negative results from all of those sorts of cuts.

In regard to Treasury Board and Finance, Mr. Chair, we were looking for stable and predictable funding for these public services. We didn't get it. We wanted to reduce our dependence on the oil and gas revenues that we're spending for operations, which we failed to do. We haven't fixed our revenue problem, and we end up with the vicious cycle of boom and bust that we have been locked into here in the province of Alberta for many, many years.

Advanced education. I mean, people know what sort of mayhem has been unleashed on our advanced education system, right? The stable, three-year, predictable funding that was promised was broken, of course, and capital funding taken away. We have effectively an 11 per cent reduction to postsecondary education, which will result in higher fees being charged to students and to the families of those students, one of which is mine. We're going to see reductions in faculty and so forth.

Again, an unnecessary cut not for the sake of the economy or the population growing in our province, Mr. Chair, but for the sake of ideology and confused priorities and the unwillingness to look realistically and seriously at our revenue problem in this province and this predilection of this government to serve and to follow the wishes of the very most wealthy in our province, individuals and corporations as well.

It's not a proud thing. I'm hoping that we can look for some constructive places where we can make some compromises here. I know from living through these kinds of public service cuts like we did 15 years ago that they cause systemic damage that is very difficult to fix. For example, if this government is allowing these sorts of cuts to fester in the health care sector, if you allow that to take place for more than a year – right? – which is bad enough, then you start to have the health professionals that actually make the system function, the boots on the ground that actually deliver health care, making decisions about moving to other places.

We saw that before, and if it happens again here, quite frankly, Mr. Chair, I will not stand for it. I not only have a great deal invested in the integrity of our public health system systemically but personally as well, right? I know that for my own family and the choices that they've made to become health professionals or to be trained as health professionals, if this doesn't get resolved, Mr. MLA from Edmonton-Manning, playing with your lips over there like you are, and we end up losing that next generation of student nurses, of which my daughter is one, I will hold you personally accountable for that. Do you know what I mean when I say that? Just so you know.

So, yeah, that's the way it's going to go, right? I take this job as a legislator, but I also take it as an Albertan who is raising my family here, and I find these sorts of cuts unnecessary. I find them to be objectionable. I find that the social fabric of our province is only as good as the next investment you make into it, Mr. Chair. I just hope that we can find a way to mitigate some of the damage that is taking place here now and in the immediate future;

otherwise, again, we end up having to pay down the road more than the original cut that's taking place.

Thank you.

**The Chair:** Thank you, hon. member.

I'll recognize the Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Chair. I'm also pleased to rise and speak on Bill 20. There are issues with the budget. We are debating \$40 billion that we are going to spend, and we only had about 70 hours to scrutinize and debate the budget. There are cutbacks, and we are still going into debt. The debt was paid off in 2004. That was a \$23 billion debt, and there was a sustainability fund of \$17 billion. That is gone, and four years down the road we will be back into a \$17 billion debt again. That is like a runaway train. With the budget cutbacks teachers are getting laid off, class sizes are going up, and professors are getting laid off. There's no full-time KG, the STEP program has been cut, PDD lost \$45 million, I believe, and there's a \$146 million cutback to the PSE.

We didn't need to go down this road, Mr. Chairman. We heard the talk about Mr. Lougheed and Mr. Klein. They had fiscal plans in place, and we have deviated from those plans. Had we stuck to Mr. Lougheed's plan and had we been putting away 30 per cent of our oil revenues every year and had this progressive government stayed on course, you know, we could have had about \$150 billion in savings, not \$15 billion. If we placed \$3 billion per year into the heritage fund starting in 2013 until 2030 and if we get an 8 per cent rate of return and reinvest all of the profits of those first 10 years, the heritage trust fund would grow from today's \$15 billion to almost \$75 billion. That's lots of money. With the return on that money alone we wouldn't need to do any cutting back. We wouldn't need to borrow.

The government is claiming that they can borrow at preferred interest rates, but who knows what's going to happen five years down the road, 10 years down the road? I think we are going on the wrong path, and this budget is going to take us back into debt, Mr. Chair. The cutbacks to the PSE are really going to hurt.

**10:00**

I got a letter from my constituents that goes on to say:

Calgary, the 2012 Cultural Capital of Canada, is about to feel the effects of drastic cutbacks to Provincial Government funding to post-secondary institutions.

Tuesday it was announced that the entire Theatre and Music Program at Mount Royal University will be cut. Students, faculty and supporters of the arts are astonished and outraged at this very short-sighted decision. The ripple effects of such a decision will reverberate across the city.

Calgary is fortunate to have amazing high school band and theatre programs. At issue here is the commitment to maintaining a high quality training ground at the post-secondary level for young musicians and artists in Calgary. These programs serve to stimulate and grow arts and culture in our city. Enrollment in the MRU Jazz program is consistently two or three times the capacity, proving that young Calgarians demand to have a local option for training in Jazz music. Now, just as the current school year is ending, and with very little advanced notice, local students will have to leave the city to audition for and find other postsecondary music and theatre studies programs.

This letter goes on to say:

Just one year ago, Calgarians celebrated receiving the national distinction as the Cultural Capital of Canada. It began with enthusiastic statements by Calgary-Centre MP Lee Richardson who made the announcement on behalf of Heritage Minister James Moore. "Calgary is one of Canada's fastest

growing and most vibrant cities, and we look forward to working with the city to continue to promote the arts, boost tourism, and grow our economy.”

The government of Alberta, through its 2008 *Education and Lifelong Learning* policy in “*Spirit of Alberta*” says that “It is essential that the education system, from early childhood development to post secondary, contribute to Alberta’s cultural development. Our schools have a valuable role to play in transmitting cultural values and in enabling cultural and creative exploration for young people. Investment in lifelong learning institutions such as schools, post-secondary institutions, interpretative centres, historic sites, libraries and museums will ensure the long-term viability of our important cultural resources.” If the proposed cuts to the MRU Theatre and Music Program proceed, many talented individuals will choose to leave the community and seek employment elsewhere. Our local aspiring theatre and music students will leave the city and/or the province in order to study.

Unfortunately, what began in 2012 on a high note for arts and culture in the city of Calgary is ending in tragedy.

I’ve got another letter here saying:

I am writing to express my opposition to the proposed cuts to the Theatre and Music Programs at Mount Royal University. Due to provincial funding cutbacks, the university has had to make some difficult choices. On recommendation from academic administration, you will be voting to suspend intake into the Theatre and Music Performance Diplomas effective Fall 2013. While current students will be able to continue next year to finish their diplomas, no new students will be accepted into the forthcoming years. This equates to a loss of 120 student seats in theatre and music programs and possibly the end of the University’s Shakespeare In the Park program – a twenty five year Calgary institution [will be gone.] These cuts have a significant impact on the mentorship of emerging artists in Calgary. These programs provide a constant flow of new creativity to the vibrance of the Calgary community. Without them, Calgary’s cultural identity will suffer. I urge you to reconsider this decision and recognize the impact it will have on all aspects of this community from professional theatres, dance, opera, musical performance venues, clubs and entertainment and cultural life of this city.

I’ve got another letter here saying:

I cannot fathom how such a misguided decision can be made with regards to cutting the Mount Royal University theatre and Music Programs.

As a former teacher of the arts it sickens me the way this province has eroded our band and music programs in our schools and is now taking aim at the university level. What will our legacy be? What happened to a ‘well-rounded person?’

Keep culture in Alberta. Please.

There’s another one here. It goes on to say:

I was disheartened to learn about the impending budget cuts to postsecondary education following the 2013 budget announcement on Thursday, March 7, 2013. A hundred-forty-seven million dollars in budget cuts to the postsecondary education is no small amount, and this challenges each and every postsecondary institution in the province that mandates to provide quality learning to young adults.

It goes on to say:

I am an employee at Mount Royal University. As one of the leading undergraduate institutions, MRU has done an excellent job of creating experiential learning experiences for its students, and everyone who is a part of this community takes pride in the role we play in the lives of our students and in helping to fulfill this mandate under an already strained operating budget.

It goes on to say:

I am a member of your constituency, a citizen of this province, and a tax payer of this province. I feel that our government has made a decision that is not in the best interest of Albertans by causing a huge unnecessary burden to our PSEs. It is through the PSE system that our province will be able to sustain its economic engine in the country. In order for the government to diversify our economy and take care of our environment, we need to invest even more in our PSEs so that we have a highly skilled workforce. Investing in our youth is the only way that we are able to keep our economic engine propelling forward and compete in a very competitive global market.

Please rethink this action against post-secondary education. Students have had to deal with increasing tuition costs; they should not have to deal with a compromised experience or a decrease in the quality of education they receive.

Education is an investment. Money put toward education is an investment. I get so many other letters. Albertans are demanding that there should be no cutbacks to education. There was a promise that there would be three years of sustainable funding and, you know, an increase of 2 per cent every year, but there has been \$146 million cut from PSE. That’s going to make students leave the province.

You know what happened during the ‘90s with the cutbacks. We lost all the nurses, doctors. We’ve got people moving to Alberta, and we’re going to need our doctors, nurses, and all the skilled people, so if you keep on cutting back on education, everything is going to suffer. We will pay for this in the long run. This budget is affecting not only one segment of the population; it’s affecting a whole lot of Albertans. For those reasons, Mr. Chair, I will not be supporting the budget.

Thank you very much.

**The Chair:** Thank you, hon. member.

Are there other speakers?

If there are no other speakers, I’ll call the question.

[The clauses of Bill 20 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? That’s carried.

The hon. Deputy Government House Leader.

**Mr. Campbell:** Mr. Chair, I move that the committee rise and report.

[Motion carried]

[The Deputy Speaker in the chair]

**The Deputy Speaker:** The hon. Member for Calgary-East.

**Mr. Amery:** Thank you, Mr. Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bill: Bill 20.

**The Deputy Speaker:** Does the Assembly concur in the report?

**Hon. Members:** Concur.

**The Deputy Speaker:** Opposed? So ordered.

**10:10 Government Bills and Orders**  
**Committee of the Whole**  
*(continued)*

[Mr. Rogers in the chair]

**Bill 15**  
**Emergency 911 Act**

**The Chair:** Are there any questions or comments?

**Hon. Members:** Question.

[The clauses of Bill 15 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? That's carried.

**Bill 16**  
**Victims Statutes Amendment Act, 2013**

**The Chair:** Are there any questions or comments? The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Chair. I have an amendment with the requisite copies that I would hand to the Clerk.

**The Chair:** We'll get the pages to circulate that.

Hon. members, this being the first amendment, it will be amendment A1.

Proceed, hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Chair. I'll be very brief. This is the only amendment that I'll be putting forward. What this section does is amend Bill 16 by striking out section 2(c). Typically the review board consists of three members, and what section 2(c) does is eliminate that requirement in certain circumstances and would allow for essentially one person to make a decision to dispose of property. I guess the rationale for this amendment is that if in the act there's a reason to have three people make a very important decision, why allow a cop-out by allowing only one person to make that decision?

It's a very simple amendment, Mr. Chair. We take, obviously, the process of taking someone's property rights as a very serious thing. We think that the appropriate due diligence should occur, and if it is three members that typically make this decision, I would ask that the government consider this amendment.

Thank you, Mr. Chair.

**The Chair:** Are there others? The Deputy Government House Leader.

**Mr. Campbell:** Thank you, Mr. Chair. Speaking on the amendment, I understand that the minister and the MLA spoke this afternoon. Bill 16 was drafted with extensive consultation with the Criminal Injuries Review Board, the CIRB. There's general agreement with the CIRB to go ahead with this clause. The CIRB administers appeals, which is a vital function. CIRB members are very strong advocates for victims, and the appeals will happen faster with section 2(c) as it is.

We won't be supporting this amendment, but I'd like to thank the Member for Lac La Biche-St. Paul-Two Hills for his input.

**The Chair:** Are there other speakers to amendment A1?

Seeing none, I'll call the question.

[Motion on amendment A1 lost]

**Hon. Members:** Question.

[The clauses of Bill 16 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? That's carried.

**Mr. Campbell:** Mr. Chair, I'd ask that we rise and report Bill 15 and Bill 16.

[Motion carried]

[The Deputy Speaker in the chair]

**The Deputy Speaker:** The hon. Member for Calgary-East.

**Mr. Amery:** Thank you, Mr. Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bills: Bill 15, Bill 16. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

**The Deputy Speaker:** Does the House concur in the report?

**Hon. Members:** Concur.

**The Deputy Speaker:** Opposed? So ordered.

**Mr. Campbell:** Mr. Speaker, I'd like to thank the opposition for the work we've done tonight. I think we've made some substantial progress. I would suggest that we adjourn until 1:30 tomorrow afternoon.

[Motion carried; the Assembly adjourned at 10:16 p.m. to Thursday at 1:30 p.m.]







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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Thursday, April 25, 2013

Issue 52a

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta  
The 28th Legislature**

First Session

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Webber, Len, Calgary-Foothills (PC)  
Wilson, Jeff, Calgary-Shaw (W)  
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
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Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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Luan	Strankman
McDonald	Xiao

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Casey  
Dorward  
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Kubinec  
Sandhu  
Sherman

### Select Special Chief Electoral Officer Search Committee

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Deputy Chair: Mr. Quadri

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Eggen	McDonald
Goudreau	Saskiw
Lemke	

### Select Special Conflicts of Interest Act Review Committee

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Deputy Chair: Mr. Luan

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Fenske	Wilson
Johnson, L.	Young
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### Standing Committee on Families and Communities

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Cusanelli	Leskiw
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## Legislative Assembly of Alberta

1:30 p.m.

Thursday, April 25, 2013

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon, hon. members.

Let us pray. Hon. members, may this beautiful, warm, and sunny day be absorbed just as warmly within our hearts and souls as it is being shone upon our bodies, for it was surely on a day just like this one some time ago that someone first called our province sunny Alberta. May it forever be blessed so. Amen.

Pleased be seated.

### Introduction of Visitors

**The Speaker:** Hon. members, yesterday I asked for and received some very good co-operation from you in keeping our introductions as brief as possible so that all who had introductions could present them in the appropriate time. Today I would ask you to please do likewise. However, please know that for the very first introduction, which will be provided by the hon. Member for Calgary-Buffalo, he has requested that some added time be given for his introduction. I have considered that, and I have allowed him a little bit of extra time today for his introduction should he wish to use it. I would ask for your co-operation and understanding.

Let's proceed, then, with Calgary-Buffalo.

**Mr. Hehr:** Well, Mr. Speaker, it is my pleasure to introduce to you and through you to all members of this Assembly someone you want in your corner when you're in a fight, former Alberta Liberal MLA Rick Miller. A number of you across the aisle sometimes entered the squared circle known as the Alberta Legislature with Rick, and as you know, he is a formidable opponent, a tireless technician, a resolute reformer, an audacious advocate, and a doggedly determined defender of the down-and-out.

Rick was the MLA for Edmonton-Rutherford from 2004 to 2008 and served as the Alberta Liberal caucus chief of staff from 2009 to 2012. Rick is bravely battling cancer in the same style with which he battled the Tories, with honour and dignity. While sometimes we go to battle wearing different colours, I know today everyone in this House is in Rick's corner. Hon. members, please join me in welcoming the man, the myth, the legend, Rick Miller, with the traditional warm welcome of this Assembly. [Standing ovation]

**The Speaker:** Thank you, hon. members, and thank you, hon. member in our gallery.

The hon. Member for Calgary-Foothills.

**Mr. Webber:** Thank you. I'm privileged to introduce to you and through you to all members of the Assembly a number of visitors seated in your gallery, Mr. Speaker. The first is well known to many of us here in the Legislature and is a friend of mine and a friend of many, Mr. Art Johnston. I'd ask you to stand, Art, please. Art is a past two-term Alberta Progressive Conservative MLA who represented the constituency of Calgary-Hays from 2004 to 2012. His impressive career also included 11 and a half years serving in the Canadian armed forces and 25 years serving with the Calgary Police Service, retiring as a patrol sergeant. Art is up here to participate in the annual Scotiabank Alzheimer's

hockey challenge in Leduc this weekend, and he's playing on the Alberta MLA all-star team. We all know that Art is not only an all-star on the ice, but he's an all-star off the ice as well. Absolutely.

Accompanying Art, Mr. Speaker, is his son Ed Johnston, who is from Calgary. I'd ask Ed to stand. We recruited Ed as one of our ringers for our MLA all-star team. He is a natural playmaker, and he's a selfless son who sets up his dad for goals all the time. Also here with Art is his granddaughter Jordon Johnston and her friend Travis Brittain, both from Pigeon Lake.

They're here today to watch the proceedings in the House, and we are privileged to have them all here today. We thank Art for his many years of dedicated service to his city, to his province, and to his country. I ask that my MLA colleagues greet them with the warm welcome of the Assembly.

**The Speaker:** Welcome, hon. member.

The hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Mr. Speaker. Today I'd like to introduce to you and through you to all the members of this Assembly my wife, Serena Donovan. She is sitting in your gallery also today. I'd like to thank her for all she does for me and our family. She has also come to Edmonton this week to cheer on all MLAs from all the different parties, but especially the Wildrose goaltender, playing in the Alzheimer's hockey fundraiser, which you helped organize, and I'm gratefully thankful for. If she could please rise and receive the traditional warm welcome of this Assembly.

**Mr. Jeneroux:** Mr. Speaker, it's an absolute pleasure to stand here today and introduce you to a gentleman seated in your gallery. This is certainly not this gentleman's first time in the Chamber. As a matter of fact, I imagine this gentleman has logged more hours inside this Chamber than most elected officials. He spent nearly 13 years in this Chamber and had the power that most of us dream of, the power to be able to turn on and, more importantly, turn off any of our microphones whenever he wished. He was, in fact, the former console operator, sitting right above that very clock. He introduced me to politics in the Legislature long before I was even school aged and has continued to support my passion and chosen career path. I ask that my father, Mr. Doug Jeneroux, please rise and receive the traditional welcome of the Assembly.

### Introduction of Guests

**The Speaker:** The hon. Member for Cardston-Taber-Warner, followed by Fort Saskatchewan-Vegreville.

**Mr. Bikman:** Thank you, Mr. Speaker. I am pleased to stand and introduce to you and through you to all members of the Assembly a fantastic group of students from Glenwood school in my constituency of Cardston-Taber-Warner. They are here with Mr. Kelly Thomas, their principal; Mrs. Kathy Thomas; and Mr. Ken Selk. Please rise, students, and receive the warm welcome of this Assembly.

**The Speaker:** The hon. Member for Fort Saskatchewan-Vegreville, followed by Lacombe-Ponoka.

**Ms Fenske:** Thank you, Mr. Speaker. On behalf of my colleague from Bonnyville-Cold Lake I would like to introduce to you and through you a group of 60 students from H.E. Bourgoin middle school from the constituency of Bonnyville-Cold Lake. They are not with us in the Chamber right now. They will be joining us

during question period. I would ask that they be recognized at this time.

Thank you.

**The Speaker:** The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Mr. Speaker. It is my great pleasure to rise today and introduce to you and through you to all members of the Assembly 82 incredibly bright grade 6 students from the Iron Ridge junior campus in Blackfalds. They are accompanied today by their teachers Mrs. Ashley Kovitch, Mrs. Amanda Mayert, Mr. Bill Carter, Mrs. Shelly Miller, Mrs. Irene Allen, Mrs. Cheryl Drobot, Mrs. Cheryl Taylor, Mrs. Jodi Vanderzwaag, and Mrs. Joni Olsen. Please rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** Are there other school groups?

Let's move on, then, to the Minister of Agriculture and Rural Development.

**Mr. Olson:** Thank you, Mr. Speaker. As I'm fond of saying, the future of agriculture is very bright in Alberta, and we have proof positive with us today. It's a great pleasure to introduce to you and through you to all members of the Assembly Jacob Onyschuk, who is this year's Alberta 4-H Premier's award winner. He is from Legal, and his family home and family farm kind of straddle two constituencies, Barrhead-Morinville-Westlock and Athabasca-Sturgeon-Redwater. We have two very proud MLAs who are happy to see him here today, too.

This prestigious award recognizes an individual who exhibits outstanding leadership, communication, and interpersonal skills. It's a one-year term during which Jacob has been and is representing youth and 4-H at various events. He was a member of the Bon Accord 4-H and Vimy Dunrobin 4-H Multi Club, and he's been extremely active in many clubs. He majored in animal science at the U of A and just finished his exams. He was formally presented with his award by the Premier earlier today.

He's here with his parents, Teresa and George; siblings Larissa, Nicholas, and Benjamin; and 4-H specialists Leila Hickman and Jocelyn McKinnon. They're all standing, and I'd ask that the Assembly give them a warm welcome.

1:40

**The Speaker:** The hon. leader of the New Democrat opposition, followed by the leader of the Liberal opposition.

**Mr. Mason:** Thank you very much, Mr. Speaker. It's my honour today to rise and introduce to you and through you to all members of this Assembly my guest Lorne Dach. Lorne has been a real estate associate broker in Edmonton for the past 26 years. His slogan Call Lorne Dach and Start To Pack is well known to many of us. For six years he was a member and chair of the city of Edmonton Non-Profit Housing Corporation, which is responsible for managing more than 600 units of multifamily housing owned by the city. In the 2012 election Lorne was also a candidate for the NDP, running in the constituency of Edmonton-McClung. I would now ask Lorne to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. leader of the Liberal opposition, followed by Calgary-Varsity.

**Dr. Sherman:** Thank you, Mr. Speaker. Today I have three introductions. It's my pleasure to introduce to you and through you to all members of this Assembly Sabina Florence Zutter. I met Sabina at the gym while I was trying to lose weight for this

hockey tournament. She was clipping along like a 24-year-old, and she told me she was a senior. Sabina prides herself on keeping in good physical shape, taking personal responsibility, and maintaining her independence. She's here to oppose the cuts to financial assistance for seniors. These subsidies have helped to keep seniors active and healthy so they don't end up spending their last years in bed, burdening the health system. I would ask Sabina to rise and receive the traditional warm welcome of the Assembly.

Mr. Speaker, my second introduction. I'd like to introduce to you and through you Betty Wedman, who continues to advocate on bullying and teen health and wellness since the suicide of her son in 2008. Betty's son Alex chose to end his life due to depression caused by bullying. Betty is here today as she feels there is a lack of accountability regarding bullying. She hopes that government will incorporate health and wellness classes into our school system to help combat this societal problem. I would ask Betty to rise and receive the traditional warm welcome of the Assembly.

Mr. Speaker, it's my pleasure to introduce to you and through you Madeline Rainey on behalf of her son Connor, who has autism. According to Madeline Connor endured horrific abuses in the Edmonton public behaviour classrooms, culminating in a chokehold that Ms Rainey reported to her trustee. The response? She said that there was a staunch denial. For years Ms Rainey has advocated to spare others the nightmare. There are legal protections against staff bullying staff, students bullying students, students bullying staff, but what's missing is protection against staff bullying students. Ms Rainey, I apologize for whatever happened to Connor, and I would ask you to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by Calgary-Mountain View.

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. It's my honour to rise today and introduce to you and through you to all members of our Assembly members of the results-based budgeting economic development challenge panel: Brad Anderson, executive director of the Alberta Chamber of Resources; Ruth Kelly, president of Venture Publishing Inc.; Jeremy Heigh, principal economist and founder, Sift Every Thing Corporation; and John Swendsen, vice-chairman, corporate and investment banking, National Bank of Canada. We've been meeting today, and we will continue to meet until 9 o'clock tonight. There is our panel – it's a bit like *Dragons' Den* – and we've pulled them out for an hour to watch question period.

**The Speaker:** The hon. Member for Calgary-Mountain View, followed by Edmonton-Decore.

**Dr. Swann:** Thank you very much, Mr. Speaker. Some of you will have met Eric Musekamp and Darlene Dunlop yesterday. They're here to advocate for responsible legislation to protect farm workers and also to honour the International Day of Mourning next week for dead and injured workers. This morning they were on the Legislature steps, where a documentary filmmaker is making a trailer to be shown at the Global Visions Film Festival for a proposed feature-length film with the National Film Board on the plight of farm workers in Alberta. I'll ask them to rise and receive the warm welcome of the Legislature.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Decore, followed by Edmonton-Strathcona.



**Mrs. Sarich:** Thank you, Mr. Speaker. It's my honour and privilege to rise today to introduce to you and through you to all Members of the Legislative Assembly 11 representatives from Edmonton's Chinese community here in celebration of their 100 years of history in our great capital city. The Chinese population in Edmonton has grown along with our city, and they have developed strong organizations to assist them to promote and preserve their culture and to support one another in their chosen country.

My guests are seated in the members' gallery, and I would ask them to please rise as I mention their names: Mrs. Mei Hung, president of the Chinese Benevolent Association; Mr. Games Choy, vice-president of the Chinese Benevolent Association; Mr. Lap Cheek Kwong, national chairman of the Chinese Freemasons Society; Mr. Ken Kwong, chairman of the Dart Coon Club, Edmonton chapter; Mr. Henry Fung, president of Edmonton Chinatown Multicultural Centre; Mr. Frank Gee, chairman of Gee Association of Edmonton; Mr. Donald Mah, chairman of Mah Society of Edmonton; Mr. Dan Wong, chairman of Wong's Benevolent Association; Mr. Allan Kwan, president of Assist Community Services Centre; Mr. Raymond Ng, president of Edmonton Chinese News community newspapers; Mrs. Barbara Fung, public relations person for the Chinese Freemasons Society and Dart Coon Club. I would now ask the Assembly to please give them the traditional warm welcome. Thank you.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by Calgary-Buffalo.

**Ms Notley:** Thank you, Mr. Speaker. I have two introductions today. First, I'm very pleased to introduce to you and through you to this Assembly my guest Jim Brennan. Jim is the chair of theatre, speech, and music performance at Mount Royal University. Due to recent provincial budget cuts to postsecondary education Mount Royal University has had to cut diplomas in jazz and theatre. This threatens the very existence of Calgary's Shakespeare in the Park festival, which has been running for 40 years and hosted 45,000 people last year. By cutting these programs, 120 seats will be reduced from Mount Royal, and many of the arts students will have to leave Calgary for study. I would now ask Jim to rise and receive the traditional warm welcome of this Assembly.

As well, Mr. Speaker, I'm very pleased to introduce to you and through you to this Assembly my guests from the Coalition for Action on Post-Secondary Education. CAPSE is returning to the Legislature today to remind the Legislature that the government of Alberta has solutions to the financial problems before it that do not involve imposing cuts to its postsecondary system. They are also here to provide a representative face to the over 67 per cent of Edmontonians who oppose these cuts. I would now ask my guests to rise as I call their names: William Anselmi, Cressida Heyes, Natasha Hurley, Carolyn Sale, and Janice Williamson. I would ask everybody to join me in welcoming them to the Legislature.

### Ministerial Statements

**The Speaker:** The hon. Minister of Human Services.

### National Day of Mourning

**Mr. Hancock:** Thank you, Mr. Speaker. Sunday, April 28, is a sombre day across our nation as we pause to commemorate all the men and women and children whose lives have been forever altered by workplace fatalities, injuries, and illnesses. Sunday is the National Day of Mourning, a day that we recognize the

tremendous loss experienced by far too many Canadian families each year. We think of those whose mother, father, sibling, or loved one failed to come home from work healthy or, worse, failed to come home at all.

We do not have to ask for whom the bell tolls. Death or injury in the workplace affects us all. It weakens the strength of our families, our communities, our province, and our country. But a workplace fatality affects none of us so much as the family left behind. The constant reminders of a lost loved one throughout the year are the tears and memories rather than the warm embrace or the bright future. When a loved one is killed on the job or when an injury or illness snatches away their quality of life, a family is shattered, children left without a parent. The fibres of our community are stretched. Tensions rise. Loss, anger, and fear fray the bonds that were once thought of as strong and unbreakable.

1:50

The National Day of Mourning, founded by the Canadian Union of Public Employees and the Canadian Labour Congress, is meant to help ensure that we as individuals and as communities understand those challenges and help with those challenges. It's meant to remind us that despite our losses and our pain, there is a community of support in Alberta and across the country that can help guide us through our sadness and, more, provide help and support where needed.

Our government is committed to help strengthen those families and communities by enabling and encouraging all members of our society to help one another and to improve the social policies at the very foundation of our strength. Although today is a reminder of those we've lost, it's also a challenge to us to protect the living, to maintain constant vigilance in our goal of ensuring that every working Albertan is able to arrive home safely at the end of each and every working day, that each of us as an employer, as a worker needs to make safety our first priority.

As a government we are demonstrating this commitment in a number of ways. There are no excuses, no accidents, and no circumstances under which a workplace death or injury can be accepted. I'm confident that our fellow Albertans and Canadians will take some solace in the efforts that we're using to make our communities safer places in which to work. Those efforts include ongoing improvements to our employer records database, an approach which makes companies accountable by making their safety records publicly available.

We're improving our occupational health and safety measures, including the hiring of additional officers. This means more rigorous and focused investigation procedures and some of the most stringent compliance enforcement measures of any jurisdiction in Canada. Those measures include fines of up to \$10,000 for repeated violations of safety legislation and are intended to send a clear message to workers and employers. The message is this. Those who senselessly risk the health and safety of others will be held accountable, and the cost to them for doing so will be far greater than the cost of doing business in a safe and healthy manner.

Mr. Speaker, on behalf of all of my Legislature colleagues I offer my most heartfelt sympathies to those whose lives have been forever changed by workplace injuries and fatalities. Last year there were 145 fatalities in Alberta. Each one of those fatalities was preventable. Each one of them diminished our province and our lives, and we are committed to changing that.

**The Speaker:** The hon. Member for Cardston-Taber-Warner on behalf of the Wildrose opposition. Thank you.

**Mr. Bikman:** Thank you, Mr. Speaker, and thank you, Minister, for rising to commemorate this occasion. Nothing we say here will erase the pain families of Albertans killed in the workplace live with every day. Yesterday I shared a story of a friend of mine. Mel Ondryk was probably not all that different from many of the workers who are killed on the job in Alberta: hard working, humble, dependable, professional.

In a workplace like the Legislature a momentary lapse in judgment might earn you some scorn and ridicule from the other side, maybe even a bad headline or two. I learned that pretty quickly. But at workplaces like Mel's a momentary lapse can cost you your life. That's why safety is so important and why we mark the National Day of Mourning to assess where we are in regard to workplace safety and what more we can do.

Mr. Speaker, I owned and operated an oil field services trucking company for 25 years. Mel lost his life while working with me, I'm sad to say. Over the years I witnessed a lot of dangerous situations unfold that were completely avoidable. Because of that, I did all I could to put safety first.

There are many reasons why accidents happen. Most have to do with pressure: pressure from field supervisors, from managers, from customers, pressure to get the job done quicker. But that can never be an excuse. The very best are the ones who say: I don't care what pressure there is; I'm going to do this by the book. That can't be an attitude just for front-line workers. It must be a culture from the top down. If you're a boss, talk to your staff. Find out what challenges they face. Never put them in a situation where they have to compromise safety. If you're a worker, talk to your boss. Speak up. Stand up for yourself. Don't be pressured into cutting corners.

Wildrose supports measures to make companies more accountable for their safety records.

I encourage Albertans to take time on the National Day of Mourning, on Sunday, to think about what they can do on their own job sites to protect one another.

Thank you.

**The Speaker:** The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you. Can I respond to the minister?

**The Speaker:** Hon. members, I would anticipate that the tradition should now be followed, and that is to ask for unanimous consent to allow the other two opposition parties a moment to have one of their representatives speak to this very serious issue. I will ask you one question. Is anyone opposed to granting unanimous consent for the other two opposition parties to offer their comments on this issue?

[Unanimous consent granted]

**The Speaker:** Calgary-Mountain View, please proceed.

**Dr. Swann:** Thank you, Mr. Speaker. It's my honour to respond on this soon to be International Day of Mourning for worker deaths and injuries. Last year in Alberta 20 people and a similar number of companies were convicted or under active investigation for various offences under the Occupational Health and Safety Act for causing workplace fatalities and injuries. Sadly, none of these investigations or enforcements applied to industrial farming operations. This is because still in 2013 agricultural operations are explicitly exempted from these laws for reasons that only this Conservative government can answer.

Industrial farming operations contributed in the last 20 years to 355 deaths, over 12,000 hospitalizations, and hundreds of millions

of dollars of public cost according to the most recent report of the Alberta Centre for Injury Control & Research. The unique negligence of the Alberta government in relation to paid farm workers is now well known across Canada and widely condemned by those who respect international standards of human rights, worker rights, and Charter rights.

In an upcoming international conference in Florida two occupational health experts, Dr. Shirley McDonald of the University of British Columbia and Dr. Bob Barnetson of Athabasca University, will tell delegates that Alberta officials justify the exclusion of paid agricultural workers from basic health and safety rights on the basis of three myths.

Myth 1, education is better than regulation. The evidence shows that both education and regulations work synergistically to significantly reduce injury and death. Myth 2, farms cannot be regulated. The fact is that every other Canadian province has a combination of both education and regulation. Myth 3, farmers don't want and can't afford regulation. In fact, the Wild Rose Agricultural Producers have again unanimously called on government to work with producers and bring in responsible occupational health and safety and child labour standards, which would not only save lives but protect owners from criminal negligence charges. Enlightened governments know that occupational health and safety benefits employers, employees, and all society.

We await the time when this government exercises its fiduciary duty to both farm workers and farm owners and moves the agricultural industry into the 21st century. Government carries the responsibility for protecting basic human rights and workplace equitably across this great province. Sufficient, qualified, and committed occupational health and safety staff are needed to accomplish this important responsibility. Political leadership is needed in Alberta today if we are to ensure our great agricultural enterprise meets its goal of becoming an ethical industry.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Speaker. As we recognize and pay tribute to workers killed, injured, or who become ill because of their work, I join with Canadians across the country to anticipate marking the National Day of Mourning. To give honour to this tribute, it is important for us to note that much work remains to be done to make Alberta's workplaces safe and healthy.

The reality is that Alberta as a province has among the highest workplace death rates in Canada. As things stand now, we also have some of the weakest standards and weakest rules in the country. We remain the only province in the nation that does not legislate mandatory work site health and safety committees, thereby withholding a fundamental tool that workers in every other province in the country use to keep themselves safe.

2:00

As well, the safety of farm workers in this province is another issue that this government is ignoring. Fatalities on Alberta farms, as tragic as they are, are preventable with the proper legislation to protect those workers. Instead of keeping their promise to include farm workers in safety legislation, this government has recently taken active steps to preclude public access to information about farm fatalities.

No one should have to fear for their life as they do their job, Mr. Speaker. Risks and possibilities of danger must be eliminated. Workers need to know they can demand safety measures to reduce hazards or threats to themselves or their co-workers. This government must improve safety standards and then invest adequate

resources to enforce those standards that keep workplaces safe. The safety of workers should never be sacrificed in the name of cost savings.

Mr. Speaker, as we reflect and mourn those who have lost their lives and the families who have lost their loved ones, let us commit to ensure the safety of our workers and prevent as many tragic accidents as we can because, as we all know, one death is too many.

I would also like to extend an invitation to all Alberta workers, including those in this House, to attend the formal day of mourning ceremony and tribute being put on by the Canadian Labour Congress at Grant Notley park this Sunday at 1:30 in the afternoon.

Thank you.

**The Speaker:** Hon. members, thank you for those recognitions. Please be advised that the flags that fly on this glorious building, the Alberta Legislature Building, will be lowered from sunrise to sunset in recognition of this day on Sunday.

### Oral Question Period

**The Speaker:** The Leader of Her Majesty's Loyal Opposition. First main set of questions.

#### Support for Couples Aging in Long-term Care

**Ms Smith:** Mr. Speaker, a family doctor contacted the Wildrose opposition to advocate on behalf of his patients on an urgent matter. I want to tell you about a couple in Crowsnest Pass. This couple has been married for 63 years and rarely ever spent time apart. The 90-year-old husband has Parkinson's, but he's able to get along quite well with minimal help. His wife, though, has terminal cancer and is very ill. Their doctor has been able to keep them together in the local long-term care facility for the last two months, but the AHS superboard has now told the husband that he has to move out next week. To the minister: why can't they stay together for the time that they have left?

**Mr. Horne:** Mr. Speaker, I'm unaware of this particular situation, and I'd certainly be happy to look into it if the hon. member would like to provide me with the details. What I can tell you is that we are working very hard to allow couples to stay together as long as possible, particularly in very tragic circumstances like the ones that have been described. Because of the demand for continuing care across the province, we do have a first available bed policy that Alberta Health Services has in effect, but I know they make every effort to ensure, particularly in very difficult circumstances such as these, that couples are not unnecessarily separated.

**Ms Smith:** I'll just give a bit more detail, Mr. Speaker. Their doctor has found a way to keep them together for the last two months by having them in community support beds in the long-term care facility. It's worked well, but AHS rules say that these beds can only be occupied for a maximum of two months, which seems kind of arbitrary. The husband isn't blocking access to anyone else. There are 20 empty beds at this facility. Will the minister step in and make the caring and decent decision to allow this couple to spend their last days together?

**Mr. Horne:** Well, Mr. Speaker, certainly there are situations where exceptions should be granted. As I said, I don't have any specific information about this case. If the family physician or the hon. member wants to provide me with more details, I'll certainly look into it.

**Ms Smith:** Mr. Speaker, I appreciate the minister's undertaking. I just want to get on the record a couple of last details. To add insult to injury, if the husband is forced out, he is going to have to take a taxi over to see his wife, plus pay additional charges every day for his meals. Meanwhile, of course, they've raised the issue of the AHS health executives who still do enjoy their lavish expense accounts. I want to get an undertaking from the minister, because this is not the only issue we'll raise today. Will he agree to put patients first, give local caregivers the power to serve their patients the way they want to with compassion and with respect?

**Mr. Horne:** Mr. Speaker, as I said, I don't have the particulars of this case. I'd be pleased to look into it. As Leader of the Official Opposition I'm sure the hon. member would not expect me to have those details at hand. If her intention is to raise awareness about a particular constituent in this province and their issues, she's accomplished that. There are ways to do that more directly, and I'd invite her to provide the details to my office.

**The Speaker:** The hon. Leader of the Official Opposition. Second main set of questions.

**Ms Smith:** I certainly will give the minister the information he needs. I hope he can help out.

#### Prescription Drug Coverage

**Ms Smith:** Mr. Speaker, there are also more stories coming in about the mess that the Minister of Health has created with generic drugs. In a few moments you'll hear about one such story from one of our MLAs. The mess is bad enough, but the government has made it worse with an advertising campaign that distorts what's really going on. Here's what one pharmacist had to say about that, and I quote: maybe instead of spending \$400,000 to advertise how great these generic cuts are, you could have invested the money into pharmacy to allow us to provide much-needed care for our patients. What does the minister have to say about that?

**Mr. Horne:** Well, what we have to say, Mr. Speaker, is that we just added \$40 million in additional benefits to pharmacists to enable them to work through the transition to lower generic drug prices. As the hon. member knows, that is on top of the over \$80 million that has been provided over the last few years. The very specific reason that we are taking these measures is to allow pharmacists to be paid directly for many of the services that they have provided for free to Albertans over the years. That can only be accomplished if we as payers on behalf of taxpayers have access to lower generic drug prices.

**Ms Smith:** The problem is, Mr. Speaker, that the claims being made by the Premier and her Health minister are just not true.

Here is an example of the government misleading the public in its advertising. The government claims that their changes will have limited financial impact on pharmacies, but the fact is that the average pharmacy will see a loss of annual revenue of about \$600,000. How can the minister expect pharmacies to survive with that kind of loss?

**Mr. Horne:** Mr. Speaker, this might be a good opportunity to help inform the hon. member about some of the facts. First of all – and I don't know where she's getting her information – there is no evidence that has been presented to me to suggest that \$600,000 is the average loss in rebates that pharmacists would experience. In fact, the nature of those payments, which are rebates – they are

financial transactions between individual pharmacies and distributors – is not transparent. That's data that's not available to us. That's not right. That's why we don't have the lowest generic prices that we should have. We're going to invest the money that we do save in expanding pharmacy services in the province.

**Ms Smith:** Well, I'm getting my information from the Pharmacists Association of Alberta, whom the minister claims he's been listening to and consulting with. Clearly not, because the government claims other jurisdictions like Ontario are reducing prices, too, yet have more pharmacies open. But here's the truth. Ontario pharmacists are allowed to charge higher dispensing fees, so they have higher revenues, and even then Ontario's pharmacy wages and hours have been reduced, pharmacy unemployment is up, and, more importantly, Ontario's price reductions were to 25 per cent, not 18 per cent like Alberta's. Why does the minister keep distorting the truth?

**Mr. Horne:** Mr. Speaker, we'll leave that last comment aside for a moment.

The fact of the matter is that we in Alberta have followed the lead of other jurisdictions like Ontario, which began many years ago to reduce generic drug prices. I don't think any member on this side of the House wants our pharmacists to continue to rely on rebates and other under-the-table payments that are not transparent to the public, that result not only in higher drug prices for government and for Albertans who pay out of pocket and for employers but also deny pharmacists the opportunity to be paid for the very professional services they do provide. Our pharmacists deserve better. They are getting better as a result of this plan. We'll continue to work with them directly.

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition. Third main set of questions.

**Ms Smith:** The problem is that there is a limit to how low you can go, and the minister's plan goes too far.

### Provincial Fiscal Policies

**Ms Smith:** Mr. Speaker, Albertans know that the Premier's excuse for borrowing billions of dollars in the back-in-debt budget is phony. It's the unicorn of Alberta politics. Even the former Finance minister, Lloyd Snelgrove, was critical of his former colleagues for using the bitumen bubble as an excuse. He correctly pointed out that the spread between bitumen prices and conventional prices has been a fact in the real world for years. We pointed out that the spread on budget day was almost the same as the spread on election day, when the Premier was making all of those promises to spend, spend, spend. Will the Premier now concede that we're going into debt because she's spending too much?

**Ms Redford:** Mr. Speaker, the fascinating thing is that between election day and budget day there was an entire 12 months of an increasing differential that impacted our revenue to the tune of \$6 billion. Not only that; let's just look at the newspaper today, Brian Ferguson, CEO of Cenovus. It says: "Cenovus predicts the differential – which on Wednesday stood at about \$18... will widen again in the last half of this year." He said: "All things taken as a whole, we're expecting that supply will increase somewhat more than demand." I'm going to take Brian Ferguson's advice from Cenovus well before the Leader of the Opposition's.

2:10

**Ms Smith:** The fact of the matter is that the bitumen spread has been there for decades, Premier.

When we raise the issue of debt and borrowing, the Premier with the backing of her Finance minister insists it's a good idea to borrow. Of course, that wasn't what they were saying during the election a year ago. But if the government cut its wasteful spending on things like layers of managers managing managers, on things like corporate welfare, it could pay cash for core government responsibilities like building schools and hospitals. Wouldn't that be better?

**Ms Redford:** Mr. Speaker, one of the things that was very exciting in this budget was the fact that we made a commitment to continue to invest in the infrastructure that matters to build Alberta, unlike the opposition. But on top of that, let's remember – oh, I don't know – that on budget day we kept spending to zero whereas the opposition suggested that spending should increase to population plus inflation. On top of that, we've enhanced savings, saving \$24 billion. [interjections] We continue to increase funding for education and health care. We have a deal with teachers and with doctors to ensure that we keep our fiscal framework strong. That's something we're proud of. [interjections]

**The Speaker:** I see the usual Thursday afternoon chorus is alive and well.

Hon. members, on a more serious note the Member for Airdrie rose on a point of order at 2:11:30, and that has been noted.

Let's go on with your final question, hon. leader.

**Ms Smith:** Well, Mr. Speaker, Albertans aren't nearly so enthusiastic about the government's direction on finances. Only 13 per cent approve of the direction.

Earlier in the week the Energy minister pretty much admitted that future bitumen revenues will not be high enough to save them. If the Premier refuses to prioritize spending, as we've suggested, how will they ever stop the downward spiral of constant deficits and ballooning debt?

**Ms Redford:** In estimates two weeks ago we had a fascinating discussion where the Leader of the Opposition used exactly the same language, and this is what she said: we would prioritize spending on infrastructure and find the savings on services somewhere else. Well, I don't know about them, Mr. Speaker, but from our perspective we weren't going to cut \$6 billion in services to Albertans because we're committed to savings, to building Alberta, to supporting families and communities, to ensuring that schools and hospitals continue to open. We will build for the future because that's the commitment that we made to Albertans.

**The Speaker:** The hon. leader of the Alberta Liberal opposition, followed by the New Democratic leader.

### Political Party Donations

**Dr. Sherman:** Thank you, Mr. Speaker. According to a story by Chuck Rusnell of CBC it appears that in exchange for major financial donations to a leadership campaign a promise was made to amend Alberta's labour legislation. To the Premier: was this promise to amend Alberta's labour legislation made in return for a campaign donation?

**Ms Redford:** Mr. Speaker, I saw part of this story. Do you want me to answer this or not?

**The Speaker:** Well, I think we all know the rule about campaign donations and political party references and so on. But if you wish to . . . [interjections] Excuse me. The chorus does not get an encore.

If you wish to provide an answer, I welcome you.

**Ms Redford:** I will. Mr. Speaker, I saw a copy of this story this morning. In fact, I welcome the report. What did this report say? It said that someone made a political contribution and, as a result of that, expected to get access. As far as I can tell, the story was that they didn't. That's a good system. That's what we're proud of. That's what change looks like. We're going to continue to do the work that's right for Albertans.

**Dr. Sherman:** Mr. Speaker, according to the story they had access. A commitment was made. It was reflected in the party's platform. People are just so cynical in this province. One political commentator says that this is just how things are done in this province, behind the scenes. When all of these types of campaign donations are made, Premier, how do Albertans trust this Premier and this government when each day brings a new scandal? How, Premier?

**Ms Redford:** Mr. Speaker, as far as I can tell, what each day brings is another story in the newspaper that the opposition brings up to try to get some political traction. This story today exactly proves the point that that's not the way that business should be done. It's not the way that we are involved in doing public policy. It is not something we subscribe to or support in any way. And it simply did not happen and will not happen in the future.

**Dr. Sherman:** Mr. Speaker, we had illegal campaign donations. We've had a \$430,000 donation. We've had Tobaccogate. We've had all these kinds of election campaign finance issues. You just passed legislation recently, Premier. You could still drive a \$430,000 truck through that legislation. Premier, my question to you: what other decisions are for sale in this province under your leadership? Come on, Premier.

**Ms Redford:** None, Mr. Speaker.

**The Speaker:** The hon. leader of the New Democrat opposition, followed by Innisfail-Sylvan Lake.

**Mr. Mason:** Thanks very much, Mr. Speaker. Unlike the leader of the Liberals I actually have the documents.

Now, this morning more revelations of shady backroom politics came to light, this time involving years of collusion between a coalition of big construction companies and the PCs. During her PC leadership campaign the Premier accepted \$26,900 from the Construction Competitiveness Coalition and its members. At the same time she assured this coalition that she supported their antiunion agenda and then included proposals in the PC election platform that were almost word for word. Can the Premier tell us why she promised big construction corporations to bring in union-busting amendments . . .

**The Speaker:** The hon. Premier.

**Ms Redford:** Well, Mr. Speaker, the only fact in that entire question is that there was, in fact, a political contribution. We, our party, before any other party, before there were even rules in place, ensured that we disclosed those contributions. That was consistent then with amendments that we made to the Election Act.

The other thing, again, is that it proves the point. Even though people may choose to participate in the political process, there is no reason to ever presume, as this story shows today, that that will do anything more than allow them to feel like good, solid citizens.

**The Speaker:** The hon. leader.

**Mr. Mason:** Thank you very much, Mr. Speaker. The fact that they revealed it doesn't change the fact that they got them.

Following large, ongoing donations to the PCs members of the antiunion construction coalition received about \$1 billion in grants and contracts over a six-year period. On top of that, they received a promise to make union-busting revisions to the labour code in this Progressive Conservative platform from the last election. Will the Premier admit that the donations from the antiunion construction coalition not only got them their contracts but also got them the promise of labour code reviews intending to facilitate union-busting by these antiunion construction companies?

#### **Speaker's Ruling Questions about Political Party Activity**

**The Speaker:** Hon. member, please review your third question because if it's along the same lines, it won't be allowed. The rules specifically say: no questions with respect to political parties or political party donations. We've talked about this before, so please rethink, recraft your question. You're a veteran; you'll figure it out.

Hon. Minister of Human Services, if you wish to respond.

#### **Political Party Donations (continued)**

**Mr. Hancock:** Well, thank you, Mr. Speaker. Yes. And I guess that would mean it would be totally inappropriate for me to mention that the AFL gave the NDP \$30,000 in 2012. [interjections]

#### **Speaker's Ruling Questions about Political Party Activity**

**The Speaker:** Hon. members, you can see that if I allow something like that on one side of the House, I have to allow it on the other side. Then you can see what happens between members of this House. Please.

So let us remember that there are rules in our practice of parliament books. Those rules and those guidelines exist for a reason, and it is exactly to prevent outbursts like we just had during the Liberal leader's questions, during the NDP leader's questions, and certainly during the Minister of Human Services' answer.

Hon. Minister of Human Services, would you like to conclude your answer now, bearing in mind the rules and practices?

**Mr. Hancock:** Thank you, Mr. Speaker. I'm glad we're very clear on that now.

#### **Political Party Donations (continued)**

**Mr. Hancock:** What I'd like to indicate to this hon. member is that there's no surprise in this. We for two years have been talking. The Competitiveness Council provided a brief to government some two years ago, and the previous minister opened up a discussion on that. We've had the discussion with the building trades council, with unions. We've had letter-writing campaigns.

We've had open, transparent discussions. Everybody involved now knows that Andy Sims is mediating the process. There's nothing hidden here, and there's no special . . .

**The Speaker:** The hon. leader of the New Democrat opposition.

2:20

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, we know that the PCs have received \$186,750 in something we're not allowed to talk about from the antiunion construction coalition. Coincidentally, I'm sure they received not one but two reviews of the labour code intended to undermine the rights of working people and a campaign promise in the PC platform document to allow union-busting. To the Premier: now that Albertans know how this government makes policy, will she finally do the right thing and ban corporate and union election donations, including for leadership races?

**The Speaker:** The hon. minister briefly. I think the ND leader got his point onto the record, and I'm prepared to move on, but if you can do something briefly to comment, I invite you to offer your comment.

**Mr. Hancock:** Briefly is very difficult for me, Mr. Speaker, but I would like to say this. Nothing has been bought, nothing is bought in this government in terms of policy. We have had a very clear, very open, very transparent process in which there's been no secret about the fact that the Competitiveness Council wanted change, there's been no secret in the fact that many of the things they asked for are not happening, and there's no secret in the fact that there has been discussion with all parties very publicly . . .

**The Speaker:** Wonderful. Thank you.

#### **Support for Couples Aging in Long-term Care** (continued)

**Mrs. Towle:** Babe is a 96-year-old World War II veteran currently in a private care facility and on the waiting list for extended care. Fran, the love of his life for 71 years, was put into extended care in October. When Babe can visit Fran, they find comfort holding each other's hands even though Babe can no longer express his words and Fran is confused. Babe and Fran deserve to be together. How many other Alberta couples, having spent decades together, will have to spend their last days apart because this government will not make it a priority to keep them together?

**Mr. VanderBurg:** Well, Mr. Speaker, we have known going back to 2010 of the issue that we're facing today, and that's an aging population. Since 2010 this government has made a commitment to build a thousand new spaces each and every year. Every one of the new facilities and every one of the facilities that we co-announce with opposition members and members on this side, mayors, community members, all have spaces for couples. We know we have to get our stock of couples' residences higher, and we're going to.

**Mrs. Towle:** Well, given that recently released documents show that the policy allowing seniors to be placed in care facilities up to a hundred kilometres away from their home was supposed to be an interim policy to deal with bed shortages during the H1N1 pandemic, which was four years ago, and given that couples in the last years of their life are still ending up 200 kilometres apart, why does the minister allow this so-called interim policy to continue well after the pandemic has ended?

**Mr. Horne:** Mr. Speaker, I have an idea of the document the hon. member is referring to. It's from 2009.

The hon. member should well know that the demand for continuing care spaces in Alberta is very high. There is a first available bed policy that's in effect. As the associate minister has indicated, today's modern facilities, the thousand spaces that we're opening each year, offer opportunities for couples to stay together because we recognize that need, Mr. Speaker. That's what leadership in continuing care is about.

**Mrs. Towle:** Couples are separated every day, Mr. Speaker, and given that in 2009, when the hundred-kilometre placement policy came into effect, Alberta Health Services said, and I quote, that Alberta Health Services is committed to getting these clients back into their community of choice as soon as there is relief from the unique H1N1 pandemic pressure, will the minister scrap the hundred-kilometre rule immediately, or will he continue this government's cruel policy of divorce by nursing home?

**Mr. Horne:** Well, Mr. Speaker, what we will continue to do is what we have been doing; that is, increasing continuing care spaces at a rate not seen anywhere else in this country on a per capita basis. I'm sure all of us would welcome the opportunity in question period to stand up and talk about the very specific details of constituents. If the hon. member's question is about policy, she's aware of the policy that's in effect. It's nothing any of us want to continue longer than possible, but it is a necessary response to a very temporary situation.

**The Speaker:** Hon. members, please review your questions from here on out because I'm going to clamp down on supplementals. We're running late today.

We're going to call and recognize yesterday's champion of no preambles to supplementaries, the hon. Member for Edmonton-Mill Woods.

**Mr. Quadri:** I've got lots of preambles today.

#### **Access to International Markets**

**Mr. Quadri:** Thank you, Mr. Speaker. Yesterday the CEO of a leading Alberta energy company raised concerns about the threat to our economy of the bitumen bubble and that Alberta lacks market access. This is an issue that concerns everyone who has looked at it seriously, including industry, economists, and financial institutions. That has not only had a serious impact on Alberta's revenue outlook, with a \$6.2 billion drop this year, but it's also had a big impact on our federal partner in Ottawa as well. To the Premier. We know that all those who would like to build walls around Alberta like to deny that there are problems.

**The Speaker:** Hon. member, we were hoping for a repeat performance, but we're not getting it.

Hon. Premier, if you wish to respond.

**Ms Redford:** Well, Mr. Speaker, the unique challenge that we've always faced in Alberta is that we're an export-driven economy. When we face some of these difficult financial challenges, one of the things that we need to do is make sure that we're putting strategies in place to allow our markets to continue to grow. That, of course, is why we understood in the last election that we couldn't live within our borders, that we couldn't build firewalls or perhaps other kinds of fires, and that we needed to make sure that we were building markets. That's why we have incredible work going on in our government in our international offices on

Keystone, on pipelines to the east, on pipelines to the north, and on Gateway. That's what allows us to continue to have the quality of life that we're entitled to.

**The Speaker:** The hon. Member for Edmonton-Mill Woods.

**Mr. Quadri:** Thank you, Mr. Speaker. Again to the Premier: given that yesterday a report surfaced that indicated that Alberta is looking to do even more to build international markets and given that the budget increased funding to strengthen Alberta's presence and growth and to diversify markets in Asia and the United States, do Albertans receive tangible benefits from the work that takes place outside our borders?

**Ms Redford:** Mr. Speaker, I am sure that the hon. member will not be surprised to hear that the answer to that question is yes, we do receive tangible benefits. We see that every day in Washington and Quebec and New Brunswick, where we have strong partnerships with people that understand what our environmental record is, that we're important economic partners, and that the economic engine of Canada, right now located in Alberta, can share the wealth across this country so that we can have refining in Quebec, refining in New Brunswick, and exports to Asia. That's an international strategy outside of our borders, and that's what matters to Albertans.

**Mr. Quadri:** Mr. Speaker, can the Premier explain how Albertans can understand the important opportunity that exists internationally and how small- and medium-sized businesses can get help from the government to gain a competitive edge in those markets?

**Ms Redford:** Well, Mr. Speaker, one of the things that's very important for us to understand if we look at Alberta's economy is that everything doesn't happen only through energy, and everything doesn't happen only in very large corporations. It's very important for us to be working with agricultural producers, with companies that are exporting to Asia such as honey producers, that have very successful markets. The only way that we can ensure that we're finding customers and supporting those trade strategies is to have international offices with people that understand Alberta's businesses and economy and to make sure that that ongoing relationship continues to expand markets in lots of commodities around the world.

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills, followed by Calgary-Bow.

#### **Police Integrated Information Initiative**

**Mr. Saskiw:** This Justice minister is now infamous for throwing tens of millions of dollars of taxpayers' money down the drain. For several years this government, including the Premier when she was Justice minister, spent at least \$69 million on a police integrated information system, known as API3, but then scrapped the project. That's money spent on nothing just like the \$10 million spent on not building the police college in Fort Macleod. What excuse does this progressive Justice minister have for his reckless incompetence in spending hard-earned, taxpayers' money?

**Mr. Denis:** Well, Mr. Speaker, if anybody is incompetent, it's this very member. [interjections] In fact, the \$69 million: guess what? That can be used throughout this entire province. I invite him to go and contact the chief of the Calgary police, who has even indicated that . . .

#### **Speaker's Ruling Inflammatory Language**

**The Speaker:** Hon. member, do you see what you've prompted with your reference to incompetence? Then we have another one firing back at your incompetence and his incompetence. It's in that category of personal attack.

So craft your questions a little better, hon. members, and government members, craft your answers a little bit better. Don't take the bait all the time, both ways.

Lac La Biche-St. Paul-Two Hills, let's see how you do on your first supplementary.

#### **2:30 Police Integrated Information Initiative (continued)**

**Mr. Saskiw:** Thank you, Mr. Speaker. Given that the Premier was the Justice minister as the API3 program was being developed, can the current Justice minister clarify whether this million-dollar boondoggle occurred under his watch or hers?

**Mr. Denis:** Actually, Mr. Speaker, the API3 program was founded before either the Premier or myself was elected in 2006.

Regardless, there's no money wasted here. The chief of Calgary police, Rick Hansen, has even said so publicly. I invite this member to check his quotes in the *Herald*. He has indicated that he can use the coding from the actual API3 system and much of the hardware can be used throughout much of the entire government, so this member's statements are inaccurate.

**The Speaker:** The hon. member.

**Mr. Saskiw:** Thank you, Mr. Speaker. Given that the Calgary Police Service cited that the API3 project would help – and I quote – increase public safety and enhance efficiency and effectiveness, can the minister explain how he's going to fill these gaps in the justice system now that millions spent on the project have been flushed down the drain?

**Mr. Denis:** Well, again, Mr. Speaker, I don't know which inaccuracy to talk about first, but perhaps this member would first want to talk about his party's weak and soft record on crime, the fact that his leader wanted to go and create a red-light district, the fact that he wanted less enforcement on highway 63. [interjections] No matter what this member does, we're continuing with enforcement in this area. [interjections]

**The Speaker:** All right. Let's just take a few seconds to cool off. Alberta is sunny Alberta, but it's also been known to be cool Alberta. Ah, I feel better. I'm sure you do as well. Let us move on. Calgary-Bow, followed by Calgary-Buffalo.

#### **Support for Volunteer Organizations**

**Ms DeLong:** Thank you very much, Mr. Speaker. This week is National Volunteer Week, and across the province Albertans are honouring the amazing volunteers who make a difference in their communities. Every year these volunteers make it possible for our citizens to access programs and services worth an estimated \$9 billion, supporting youth and families and keeping our province strong. My question is to the Minister of Culture. Given the incredible contribution of our nonprofit volunteer sector, how can you justify cuts to grants that are so vital to helping volunteer organizations achieve their goals?

**The Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. Well, volunteers do indeed make our province hum, and I'm so thankful for everything they do. That's why funding has been maintained to many of our community investment programs, including the francophone community and arts and heritage programs – those are very, very important programs – as well as the community initiatives program and the community facility enhancement program.

**The Speaker:** The hon. member.

**Ms DeLong:** Thank you, Mr. Speaker. Again to the Minister of Culture: why was the community spirit program, one of the few programs where Albertans helped to determine where dollars went through their donations, eliminated?

**The Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. Indeed, that was a really difficult decision to make as a minister, but we know that \$65 million now has been allocated towards the core programs and services that community initiatives and community facility enhancement do provide. As well, the applications for the community spirit donation program are being processed. Those cheques are being mailed out in May. I want to note that Alberta has one of highest charitable tax credits in all of Canada, and I know Albertans will continue to donate to their charities of choice.

**The Speaker:** The hon. member.

**Ms DeLong:** Thank you. To the same minister: what is this government doing to ensure that the nonprofit, voluntary sector remains viable for future generations of Albertans?

**The Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. We are indeed committed to helping Albertans now and into the future. One of the things that we have is community development officers that are across Alberta. They will assist organizations with fundraising, strategic development, and board development. As well, the government has incredible partnerships with organizations like the Alberta nonprofit, voluntary sector, and I'm currently working with the Minister of Human Services on some other programs to engage and keep communication open with the nonprofit, voluntary sector.

**The Speaker:** The hon. Member for Calgary-McCall, followed by Edmonton-Strathcona.

### Deerfoot Trail

**Mr. Kang:** Thank you, Mr. Speaker. Like the Fort Macleod police college, the Deerfoot Trail handover is something that we keep hearing about, but nothing ever really happens. To the Minister of Transportation: when is this now expected to occur, Mr. Minister?

**The Speaker:** The hon. minister.

**Mr. McIver:** Well, thank you, Mr. Speaker. As the hon. member knows, when he talks about the Deerfoot, it's not a single location issue. There are a whole bunch of changes that eventually we'd like to make. I can tell the hon. member right now that there are big improvements going on as part of the southeast Calgary ring road project, with better interchanges between highway 22X and Deerfoot Trail that will accommodate a lot more traffic. Through that, Mr. Speaker, I also expect we'll take off a lot of the truck

traffic that ties up Deerfoot Trail, particularly during the rush hour, when that finishes by the end of this year. We're hoping that will at least be one improvement although certainly not the last one.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. The minister has said that before this happens, he will have to fix the problem with the Glenmore Trail. But there was no money in the budget. Will he still fix the problem at the Glenmore Trail before he hands Deerfoot Trail to the city of Calgary?

**The Speaker:** The hon. minister.

**Mr. McIver:** Thank you, Mr. Speaker. To the hon. member: I'm sure he's aware, because we just finished estimates and we just finished quite a bit of discussion on the budget, that the Glenmore Trail interchange is not in the three-year plan, but we hope to get it in there in the future, and I thank the hon. member for the reminder of that project. It's certainly something that we want to get done.

In terms of handing the Deerfoot Trail over to the city, that will happen at some point, we hope, in the future but not until after we have, I would hope, a good discussion with the city and try to actually come to an agreement on when that'll happen. There is no date per se, Mr. Speaker, when we're planning it.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. Given that it costs about \$4 million a year to operate a freeway like Deerfoot and the road has some major design problems, will Calgary see any increase in transportation grants to help pay for the upkeep, or will those costs be downloaded to the city of Calgary?

**Mr. McIver:** Well, Mr. Speaker, I appreciate that the hon. member wants to negotiate something here in the House when the discussions haven't even begun yet with the city. Obviously, the question can't be answered because the negotiations haven't even begun, but I can you this. When we go ahead, we will talk to the city in advance. We'll actually try to get their agreement, and when that will happen – again, I'll repeat myself because the question was asked again – we don't know, but we look forward to looking after the Deerfoot Trail very well until such time as we turn it over.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by Cardston-Taber-Warner.

### Child Poverty

**Ms Notley:** Thank you, Mr. Speaker. A year and a half ago this Premier made a promise to end child poverty in five years. Since then not only has she allotted zero new dollars to this promise; she's actually cut funding to countless programs which fight child poverty in Alberta. My question is to the Premier. Who promises to eliminate child poverty in five years, puts no money toward that promise, and cuts funding that currently exists? Who does that, Madam Premier?

**Mr. Hancock:** Mr. Speaker, this is a typical NDP approach to policy, just add money and stir. What we're actually doing is looking at every program that we have that affects children to determine how effective they're being. We're looking at a poverty strategy based on the social policy framework. [interjections]



We're looking at that to determine how we can do better. We're continuing the very good programs we have. There are a lot of good things happening. There will be more good things happening. But you don't start by putting in billions of dollars. [interjections]

**The Speaker:** Hon. Member for Edmonton-Centre, you may be on the list later. We'll give you a chance then if you want.

Hon. Member for Edmonton-Strathcona, please proceed.

**Ms Notley:** Thank you, Mr. Speaker. Well, given that this budget cuts child intervention, cuts support for youth in transition, cuts retraining for parents and poor families and given that this Premier's social policy/public relations framework calls for government to, among other things, actually reduce its role as a funder of antipoverty initiatives, will the minister admit that not even his substantial rhetoric is enough to feed growing numbers of hungry children in Alberta?

**Mr. Hancock:** Mr. Speaker, what I think Albertans understand and certainly what we understand from Albertans in the discussions we've had through the social policy framework and others is that when you deal with issues like poverty, in particular child poverty, it has to be owned by the community. We have to come together to do these things. It's not simply a matter of creating, for example, a school breakfast program that you apply right across the province at a substantial cost. You look at targeted programs. You look at communities coming together. You look at effective use of public resources to actually achieve results. That's what we're committed to doing.

**Ms Notley:** Well, here are your results. Given that the number of Alberta children living in poverty has grown by 70 per cent in the last four years alone and given that this government has already had over 46 years to fix this problem, is the minister really trying to tell this House that the Premier broke her promise to children in this budget because you really have no idea about where to start the fight against poverty? Is that really what you're telling us?

2:40

**Mr. Hancock:** No, Mr. Speaker, because the Premier did not break her promise. The Premier is keeping her promise to Alberta's children. We are putting children first. We are making sure that our programs are effective and achieving results. Most importantly, we're making sure that all Albertans come together in this very important battle to fight child poverty to make sure that each and every child has the opportunity to have a successful start because their successful start will be our successful future.

### Provincial Labour Supply

**Mr. Bikman:** Mr. Speaker, small business is the engine of our economy, encouraging competition, spurring innovation, and creating jobs. Two days ago CFIB's report, *Looking for Hire Ground*, indicated that over half of all entrepreneurs in the west are giving up business opportunities due to the shortage of labour and skills. A stunning 84 per cent of small-business owners looking for help in the last three years say that they've had difficulty finding new employees. Over two-thirds are hiring underqualified people. This government claims to be taking action. Why haven't we seen better results?

**Mr. Hancock:** Mr. Speaker, there are a number of answers to that question. We've done some very good work in conjunction with the federal government to change some of the rules so that we can

get the skilled workers we need and make it easier for them to come. The helmets to hard hats program would be a good example of that, where people who have skills coming out of the armed services, whether they're the Canadian or American armed services, can get the accreditation they need to put those skills to work here in Alberta. So there are a number of very successful recruitment programs happening.

We're also, Mr. Speaker, working within Alberta to make sure that people, whether from the aboriginal community, perhaps, or persons with disabilities or women in rural areas, who haven't had access to the skill sets that they need to get those jobs have proper programs to get that access, to get those skills. So Albertans working, Canadians working, and bringing in people from other jurisdictions that have the needed skills: that's a comprehensive program, and it is working for Alberta.

**Mr. Bikman:** Mr. Speaker, given that this labour shortage hurts not only our own provincial economy but Canada's too and given that the Calgary Chamber of Commerce's chief economist, often quoted here, calls the labour shortage a structural challenge, when can small-business owners expect this government to address the structural nature of Alberta's labour shortage?

**Mr. Hancock:** Well, Mr. Speaker, it's a very good question because small businesses in Alberta through the chambers of commerce and other organizations have been partnering with us in this very important process. They have been working with us as we've talked to the federal government, for example, about increasing the allocated number of spaces in our provincial immigrant nominee program and other programs, which would help us to actually bring people here not on a temporary basis but on a permanent basis to add to our community, add to our businesses, and add to our economy. So business has been working fully with us. They have offered to go to Ottawa with us, and they have gone on their own. But it's not just about going to Ottawa; it's about looking at how we bring those people who are here in this province who need to be part of the economy into the economy as well. So we're working on both fronts.

**The Speaker:** The hon. member.

**Mr. Bikman:** Thank you, Mr. Speaker. Given the CFIB Alberta director said, "Policy-makers have begun to respond, but much more needs to be done to help employers find the qualified people they need to build their business and grow our economy," what else will this government do to address this shortage and help our economy?

**Mr. Hancock:** Well, Mr. Speaker, it's obviously a continuing piece of work because a skill shortage, for example in the oil sands, translates into demands in all other aspects of our economy. It's a fairly comprehensive piece. You can't just say: we need more welders. You have to look at the whole structure of the economy and where we need people.

The answer is not just in temporary foreign workers. The answer is in how we can bring people here, how we can increase the skills of the people who are here so that they can be true contributors to our economy on a long-term basis. That's an ongoing strategy. We're working with business on that strategy. We're working with communities on that strategy. It is working, but more needs to be done, absolutely, and we will partner with all of our communities – chambers of commerce, business – to ensure that that strategy continues to be successful.

**The Speaker:** The hon. Member for Sherwood Park, followed by Lacombe-Ponoka.

### Victims' Assistance Programs

**Ms Olesen:** Thank you, Mr. Speaker. April 21 to 27 is Victims of Crime Awareness Week all across Canada. The theme for this week is We All Have a Role, and I encourage everyone in this Legislature to pause and reflect on what they can do to support victims of crime and see if they can do even more. My question is to the Minister of Justice and Solicitor General. In keeping with the theme of We All Have a Role, is our government taking its share of responsibility when it comes to supporting victims of crime in their time of need?

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you very much, Mr. Speaker. I'm very pleased to rise and answer this question, specifically because it deals with the many services that Alberta Justice provides to victims. Last year we were able to help over 66,000 victims in a budget of over \$30 million.

We also wouldn't be able to do this if it weren't for the many community-based organizations in the nonprofit sector such as Project Kare, Calgary Communities Against Sexual Abuse, the Canadian Society for the Investigation of Child Abuse, and the Zebra centre, a few blocks from here, or it was a couple of weeks ago. If it wasn't for these valued organizations, we wouldn't be able to do it.

**Ms Olesen:** To the same minister: if that is the case, what kinds of services are available to victims of crime in Alberta.

**Mr. Denis:** The first thing to note, Mr. Speaker, is that every crime is unique and every victim is unique. The grants that we talked about go to 76 police-based programs that operate 138 victims' services units and 33 community-based victims' organizations. I also want to take this opportunity to thank the more than 2,000 volunteers each year that contribute more than 189,000 hours – that's 189,000 hours – of their personal time to help victims of crime.

**The Speaker:** The hon. member.

**Ms Olesen:** Thank you. Again to the same minister: while it's easy to understand the value of assistance that goes directly to victims, what is the value of conferences such as the one being held today by the Victims of Homicide Support Society?

**Mr. Denis:** Well, first off, there was that meeting today. Unfortunately, I wasn't able to attend, but I want to thank the Member for Edmonton-Gold Bar for doing so on my behalf. The conference is a great forum, a learning opportunity for victims, law enforcement, criminal justice professionals, everyone who works with victims of crime. The theme is very appropriate, Mr. Speaker, because it reflects the government's commitment to ensuring that victims are treated with dignity, compassion, and respect. It's our belief that victims' rights should be placed above criminals' rights.

**The Speaker:** Thank you, Sherwood Park, for no preambles.

### Prescription Drug Coverage (continued)

**Mr. Fox:** Mr. Speaker, every day we see more fallout from the Health minister's reckless Fred-icare plan. Another pharmacy, this time in my constituency, is at risk of closing its doors for good, possibly leaving patients without access to their much-needed medications. This irresponsible plan is resulting in shorter hours, less direct care, no more complimentary services, and reduced stocks of medications at local pharmacies. Minister, the time for grandstanding is over. Your ad campaign is a sham. Will the minister finally accept that his plan has backfired and is causing physical and financial distress for Albertans?

**Mr. Horne:** Well, Mr. Speaker, I think the situation is quite the contrary. We've already talked about the financial transition assistance that's provided by government to pharmacists. I'm pleased to tell the House that we've now received price offerings from all generic manufacturers for May. They have made the right decision. I can tell Albertans that they will be seeing lower prices for drugs in this province starting on May 1.

**Mr. Fox:** Given that this minister's reckless Fred-icare plan has already failed, with pharmacies facing closure, drug costs rising, and patients suffering, what will it take for him to finally hit the reset button on this disastrous plan and stop putting the health of everyday Albertans at risk?

**Mr. Horne:** Well, Mr. Speaker, that is a gross exaggeration. If the hon. member wants to have a discussion about patient safety and quality assurance in this health system, I'd invite him to ask a real question, and I'd be pleased to explain to him exactly how the system operates in that regard.

We are proud of the work that we are doing to reduce generic drug prices in Alberta. We are supporting pharmacists in providing the professional services that they are trained to deliver. We are delivering lower generic drug prices, beginning in May, for Albertans that pay out of pocket, for government, for taxpayers, and, most importantly, for employers across this province who give people jobs.

**Mr. Fox:** Albertans would like a real answer, Minister.

Mr. Speaker, given that a pharmacy team from Blackfalds has asked their customers to tell their stories, explaining how the minister's changes are deteriorating their quality of care, and given that I have a stack of these letters filled with one sad story after another, can this minister explain why he continues to plow ahead with his reckless Fred-icare plan without any regard to how it's failing Albertans?

**Mr. Horne:** Mr. Speaker, where to begin? A real answer would involve asking a real question, one that recognizes the facts that have been presented over and over in this House and to Albertans.

The reason we're doing this, as I said in an answer to an earlier question, is not only to reduce taxpayers' costs although that's a laudable goal and one that we would expect the hon. member to share as an MLA in this House. What we are doing is freeing pharmacists from the tyranny of rebates and other payments that are made to them, which are not transparent, and we're replacing that with professional fees for professional services that they provide to Albertans.

2:50

**Homelessness**

**Mr. Dorward:** Mr. Speaker, today at a news conference held in Edmonton, the Edmonton Homeless Commission released its four-year update, and the results show real progress in meeting the goals of Edmonton's 10-year plan to end homelessness. It's always good to hear good news, particularly when it comes to supporting less fortunate individuals. One of the challenges that many vulnerable individuals experience is feeling excluded from mainstream society. My questions today are for the Minister of Human Services. What is your ministry doing to address the need for community acceptance in addressing homelessness?

**Mr. Hancock:** Mr. Speaker, that's a very important question. We've seen both in Edmonton and Calgary situations where communities have been concerned about the demographics of their community in terms of a higher number of lower income people and whether they have too much social housing already in their community. That's a very important question to be raised. We need to have and we do have through the social policy framework discussions some real understanding that all of us as a community have to come together to deal with these issues. All of us own these issues, and we have a shared result of the process. Now, a lot of the real answer ends up at the civic level with respect to zoning and with respect to how they plan the city so that all citizens have the opportunity to live in any community.

**Mr. Dorward:** Is your ministry undertaking any focused work to address the youth issue? We hear time and time again that there are too many youths and children who are homeless.

**Mr. Hancock:** Absolutely, Mr. Speaker. The youth homelessness agenda is an additional agenda that has been embarked on not just by our department but also by the Interagency Council on Homelessness, working together to say that with respect to the specific youth population we know that a homeless youth who doesn't find a secure place within a very short period of time may go on to have a very long life of homelessness. It's an important issue, it's an important concern, and it's being worked on diligently right across this province.

**Mr. Dorward:** What is the government doing to address the need for permanent supportive housing? We want permanent solutions.

**The Speaker:** The hon. minister.

**Mr. Hancock:** Well, thank you, Mr. Speaker. There's a real success story in this area, with approximately \$255 million in 2013 that will go to various housing programs, including supports to social housing, seniors' lodges, and rent supplements. Now, the government will continue to make investments in affordable housing a priority by using existing resources in the Alberta Social Housing Corporation to match federal contributions in this very important area. The government has a long-term plan, which started in 2011-12, to invest up to \$320 million over five years to develop 36,000 government-owned or -supported housing units and affordable housing units where appropriate.

The federal government just recently announced a five-year commitment to housing, and we're examining our five-year plan to consider a variety of funding models and ensure that our priorities are aligned and approaches are sustained to make the best possible use of the funding.

**The Speaker:** Thank you.

Hon. members, just because of the outbursts and delays and the interventions and somewhat lengthier preambles on the parts of

some members, six other members did not get a chance to get recognized for their questions today. I know you'll think about this over the next week and come back prepared differently when we resume.

Hon. members, in 20 seconds I will call on the first of several members to read their member's statement.

Before we do, the hon. Government House Leader.

**Mr. Hancock:** While we're waiting that 20 seconds and people are shifting around, Mr. Speaker, in anticipation that we will reach 3 o'clock before we reach the finish, perhaps we could ask for unanimous consent now to extend past 3 o'clock if necessary to conclude.

**The Speaker:** Hon. members, one question to you: do we have unanimous consent to proceed with the Routine beyond 3 p.m. should it become necessary today? Does anyone object to that?

[Unanimous consent granted]

**Members' Statements**

**The Speaker:** Let us carry on with private members' statements, starting with Edmonton-Decore.

**Centennial of Edmonton Chinatown**

**Mrs. Sarich:** Thank you, Mr. Speaker. It's truly my honour and privilege to rise today in recognition of Edmonton's Chinatown centennial anniversary and the tremendous contributions by the Edmonton Chinese community over the past 100 years in our province's capital city. Albertans of Chinese ancestry have a proud history, heritage, and identity in the province. They were amongst the many founding cultural groups that helped to build this province from its very beginnings.

The first Chinese settler arrived in Edmonton in May 1890 and established a laundry business on Jasper Avenue near 97th Street, known then as Namayo Avenue. The migration of Chinese settlers to Edmonton continued over the decades as there was a desire to create familiar communities filled with support from individuals and organizations in a new homeland. One such community, located in the heart of Edmonton, is known as Chinatown, which features the Harbin gate, built in 1987. This gate symbolizes the friendship between Edmonton and its sister city Harbin in the People's Republic of China. This is an eclectic and enticing area, built by local dedicated entrepreneurs, community and service organizations, and tireless volunteers.

Edmonton's Chinatown is truly a living part of the Alberta spirit, where generations of people may discover, experience, and enjoy exciting festivals, traditional cuisine, fellowship, old and new Chinese architecture, and local professional and business services.

Congratulations and best wishes to all those from the past, present, and future in the Edmonton Chinese community on the occasion of their 100th anniversary of the establishment of Edmonton's Chinatown and for their dedicated leadership to add immeasurably to our great city, province, and country. May they have continued success in the many years to come.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-McCall, followed by Edmonton-Gold Bar.

**Bitumen Valuation**

**Mr. Kang:** Thank you, Mr. Speaker. Most Albertans don't believe the Premier when she claims the bitumen bubble is the reason her

government is breaking nearly every promise they made to get elected. In fact, a recent poll says that a whopping 65 per cent of respondents do not buy the Premier's excuse. Alberta Liberals called it what it was, BS, a bitumen sham. We were right then, and we are right now. But you don't have to take our word for it. A former Finance minister and Treasury Board president, Lloyd Snelgrove, thinks so, too. He even went so far as to state on the public record that the Premier's excuse might work for the people who don't follow the financial history of Alberta. So either they weren't going to listen, or they chose to ignore what would just be common sense.

What happened? Where did the Premier go so wrong? When the bitumen differential cycle peaked in December, smack in the middle of budget preparations, the Premier panicked, and she decided then to make bitumen prices the scapegoat. But for the bitumen sham to work, the Premier had to convince Albertans that the bubble was both real and unforeseeable. She couldn't, and because her televised propaganda address failed so miserably, the Premier deflected attention by calling an economic summit. Sadly, even then she did not find the courage to address our province's overreliance on volatile resource revenues despite the fact that that was exactly what economists were telling her to do. Instead of progressive taxation and asking large corporations to pay their fair share, as Alberta Liberals propose, she put our savings and services at risk by tying them to the price of a barrel of oil. Now that's a shame, just as the story she told us about bitumen is a sham.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Gold Bar, followed by Edmonton-South West.

#### Jacob Onyschuk

**Mr. Dorward:** Thank you, Mr. Speaker. I rise today to recognize a special young Albertan. During last year's annual 4-H selections program in Olds Jacob Onyschuk of Legal was chosen from amongst the province's top 4-H members to receive 4-H's highest honour, the Premier's award.

Over the past year Jacob has done a great job representing youth and 4-H at various events, and he had the opportunity to meet with the Premier, the Minister of Agriculture and Rural Development, and his local MLA, the Minister of Education, this afternoon.

Jacob has been an important member of the Bon Accord 4-H and Vimy Dunrobin 4-H multi clubs. In addition to having market steer, heifer, cow/calf, and goat projects, he's contributed at the district and regional levels by facilitating workshops and chairing the Northwest Regional Beef Committee. Jacob has also been involved in the U of A Multi-Species Judging Club and Collegiate 4-H Club.

Mr. Speaker, 4-H has been shaping the lives of youth and adults for a century. One of the longest running youth organizations in Alberta, it has more than 6,000 members participating in close to 400 clubs across the province. With more than 250,000 alumni, 4-H is also one of the most respected and admired youth programs in Canada. In fact, it would be nice to see by a show of hands, Mr. Speaker, with your permission, how many of the hon. members in the House today are former 4-H members.

Mr. Speaker, the 4-H motto is Learn To Do by Doing. Through various activities they develop professionalism, strong leadership qualities, and build the confidence they need to succeed. I want to acknowledge the outstanding work done by the 4-H clubs in Alberta, extend a warm thank you to the volunteers, applaud our young people, and extend special congratulations to Jacob.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-South West, followed by Highwood.

3:00

#### Postpartum Depression in Men

**Mr. Jeneroux:** Thank you, Mr. Speaker. Today I would like to take a few moments to recognize, discuss, and bring a bit more attention to the issue of postpartum depression and anxiety in men. It is well known that postpartum depression is a condition that can manifest itself in women who have recently given birth. Symptoms include social withdrawal, feelings of guilt, irritability, low self-esteem, insomnia, and even panic attacks, among others. Though we always can and always will strive to do better, the prevalence of postpartum depression in women means that a number of resources are predominantly geared toward the women who suffer from it.

I don't intend to take any attention or focus away from the seriousness of how this affects women, but though this type of clinical depression is starting to be socially accepted and documented in women, it is often forgotten that men, too, can suffer from a form of postpartum depression and anxiety, often referred to as the daddy blues. This depression is an experience of anxiety and other problems of mood by fathers after the birth of a child. Because the condition is so well known in women and because the idea of male postpartum depression may seem counterintuitive to some, men are often left to suffer alone and in silence.

Research is also beginning to suggest that men often experience depression and anxiety in ways that are different from women. Men sometimes cope with their symptoms in different ways, too. These findings might help explain why even trained mental health professionals frequently overlook or misdiagnose this form of depression. However, it has been found that certain symptoms exist that are unique to the men who experience them. The manifestations of these symptoms include such things as increased anger, the misuse of prescription medication, and even thoughts of suicide.

I'm hopeful, Mr. Speaker, that as time and research progress, increased awareness may be raised as to the full extent of the prevalence of postpartum depression and anxiety in men as well as women.

Thank you.

#### Provincial Borrowing

**Ms Smith:** Mr. Speaker, we've been discussing the province's finances in the Legislature lately in the debate on the financial management act, or, as I like to call it, the financial mismanagement act. Let me reinforce the Official Opposition's position on why the Minister of Finance and the Premier are wrong on debt and borrowing.

We've heard the Finance minister cite multiple chambers of commerce as supporting his position, but we really should look more closely at what they are actually saying. What the Alberta Chambers of Commerce said is that for debt to make sense, it had to have five key limitations.

Number one, there had to be a spending limit law because if you don't have limits, you'll never control spending. Strike 1.

Number two, borrowing only makes sense if you have a priority list and you have pre-identified all of the projects you might borrow for. Oops. Missed that one, too.

The third rule is that government should not be borrowing for projects that will have a higher operating cost than the capital cost. Wrong again.

The fourth, a strict limitation on finance charges as a percentage of revenues. The government has said 3 per cent. The chamber has said 1 per cent. Another broken rule.

The fifth rule that's been broken is the requirement to have a plan to pay the borrowing back. The minister likes to compare the province's borrowing to a mortgage, but mortgage payments include a portion for the principal. All the minister plans to pay is the interest.

Finally, here you see what economist Jack Mintz had to say about the government's finance. Now, first off, although Mintz has argued for tax changes, he has never argued to increase and close the gap on taxes, as the Finance minister claimed yesterday. What Mintz actually said is that the government must learn to deal with its spending problem. He also said – and this is more important – that provinces with natural resource revenues are borrowing significant amounts from the future already since they are selling off physical assets that would provide revenues to support future generations. So when the government spends every dollar's worth of resource revenues and also starts to borrow money, they're double-dipping on future generations.

I hope that corrects the record, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-McClung.

#### Edmonton Music Awards

**Mr. Xiao:** Thank you, Mr. Speaker. As many of my colleagues may know, I'm a big supporter of the arts. Over the years I have organized and sponsored many cultural events and performances at Edmonton's Jubilee Auditorium, Edmonton's Winspear Centre, and other places. Such exciting events treat Edmontonians to a variety of colourful performances from Italian opera singers to Chinese folksingers, from traditional violinists to Japanese drummers and Ecuadorian pan flute players, from European folk dancers to Indian Bollywood dancing and bamboo dancing from the Philippines. We are very fortunate that Alberta is home to such an array of talented artists and musicians, many of whom have achieved national and international success.

Mr. Speaker, this Sunday, April 28, musical excellence will take the centre stage in Edmonton during the 2013 Edmonton music awards. The awards are an opportunity to celebrate and pay tribute to the outstanding local talent we have in the Edmonton area, including St. Albert, Sherwood Park, Leduc, Spruce Grove, and Stony Plain. It is also a chance to hear some of the capital region's best. There will be live performances by Corb Lund, The Command Sisters, Owls by Nature, Nuela Charles, KingDoom, SIINNES, and Il Duo. On Sunday night there are not enough awards to recognize the countless efforts and hours that many talented and dedicated artists have put into their craft.

I want to say that all of this year's nominees are deserving of a heartfelt thank you from all of us. Thank you for your hard work, thank you for sharing your talents, and thank you for your contribution to the cultural mosaic of our great province.

#### Notices of Motions

**The Speaker:** The hon. Minister of Transportation and Deputy Government House Leader.

**Mr. McIver:** Thank you, Mr. Speaker. I rise pursuant to Standing Order 34(3) to advise the House that on Monday, May 6, 2013, written questions 36, 37, and 39 will be accepted, and written questions 38 and 40 will be dealt with.

Also, on Monday, May 6, 2013, Motion for a Return 7 will be dealt with.

Thank you, Mr. Speaker.

#### Introduction of Bills

**The Speaker:** The hon. Member for Calgary-North West.

##### Bill 21

#### Environmental Protection and Enhancement Amendment Act, 2013

**Ms Jansen:** Thank you, Mr. Speaker. I request leave to introduce Bill 21, the Environmental Protection and Enhancement Amendment Act, 2013.

Bill 21 will create a funding mechanism between industry and government to support the joint Canada-Alberta implementation plan for oil sands monitoring. The funding arrangement will enable Alberta to collect, hold, and disburse funds and continue to implement the joint plan. Changes to the act will also allow government to move forward on a provincial monitoring system by identifying programs and setting fees to support those programs. The goal of Environment and Sustainable Resource Development is full integration of all hazardous waste management systems in the province.

With this in mind, Bill 21 will remove the requirement for personal information numbers, PINs, for hazardous waste management to support implementation of the regulatory enhancement project. Removal of the requirement for a PIN will support the integration of the two waste management systems under the new Alberta energy regulator. Removing the PIN requirement will simplify administration and will not affect environmental assurance.

Thank you, Mr. Speaker.

[Motion carried; Bill 21 read a first time]

**The Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I move that Bill 21 be moved onto the Order Paper under Government Bills and Orders.

[Motion carried]

#### Tabling Returns and Reports

**The Speaker:** Hon. members, I rise just to remind you to please be brief with the introductions to your tablings.

Let's carry on. The hon. Leader of Her Majesty's Loyal Opposition, followed by Grande Prairie-Smoky.

**Ms Smith:** Thank you, Mr. Speaker. I'm glad the Finance minister is back for my tabling. I was correcting the record of what he said last night about how Jack Mintz had argued to increase and close the gap on taxes. I've got, actually, five copies of a column that Professor Mintz wrote himself, where he does say: "In my view, Alberta does not have a revenue problem, but it does have a spending problem . . . More spending does not necessarily mean better public services." He proposes revenue-neutral tax reform, and he finishes with "Let me repeat: None of the tax reform revenue should be used to reduce the deficit. The government must learn to deal with its spending problem."

I trust that corrects the record, Mr. Speaker.

3:10

**The Speaker:** The hon. Member for Grande Prairie-Smoky, followed by Edmonton-Beverly-Clareview.

**Mr. McDonald:** Thank you, Mr. Speaker. I have the appropriate number of copies of a report released to the public earlier this year. This report is a review of the retail electricity system of Alberta. There were 41 recommendations. Six recommendations related to removing the default rate were rejected, two were accepted immediately, and the remaining 33 recommendations have been approved in principle and are in the implementation phase. The remaining work of these recommendations will be done by an MLA team chaired by myself and supported by Department of Energy experts. We'll be working closely with the Minister of Energy to ensure that the public interest is considered when developing the implementation plan.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Speaker. I'd like to table the appropriate number of copies of 24 handwritten notes from postsecondary students calling on this PC government to reverse the devastating cuts to colleges and universities. One note from an anonymous student includes a five-dollar bill, and it reads: "Dear Hon. Mrs. Redford . . . Please, have my last \$5 and do something nice for yourselves . . . You really haven't been looking out for your own interests. It's not much, but it's all I have, enjoy yourselves." Instead of giving the money to the Premier, we will donate it to CAPSE to continue their fight to stand up for post-secondary education in Alberta.

Thank you, Mr. Speaker.

**The Speaker:** Let's be reminded not to use proper names of members in this Assembly. Even if we're quoting, it's still inappropriate.

The hon. Minister of Transportation.

**Mr. McIver:** Thank you, Mr. Speaker. I have two tablings. One is a letter from March 19 to the Member for Calgary-Shaw, and the other, the same letter on the same date, is to the Member for Edmonton-Centre, fabulous Edmonton-Centre if you don't mind. The letters: I've been putting on the record some information about the estimates, and they're necessary to correct the record, based on the question asked by the Member for Cypress-Medicine Hat yesterday. Hopefully, he'll avail himself of the information, which was sent to his party over a month ago.

**The Speaker:** Are there others? The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much, Mr. Speaker. I get to table on behalf of my colleague from Calgary-McCall a number of documents that were the basis for the opposition leader of the third party's questions today, the quotes from Mr. Conacher, the founder of Democracy Watch and professor now at the University of Toronto.

In addition, a CBC news article on the one-year anniversary and people's unhappiness with what's happening.

Finally, some information I believe based on the initial announcement by the government and followed up on by the media on the bitumen bubble not being the source of Alberta's financial pain.

Thank you.

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following documents were deposited with the office of the Clerk. On behalf

of the hon. Mr. Horne, Minister of Health, response to Written Question 1, asked for by Mrs. Forsyth on November 26, 2012, "How many long-term care nursing beds were available to Albertans as of March 31, 2012?"; response to Written Question 2, asked for by Mrs. Forsyth on November 26, 2012, "How many mental health beds and addiction beds on average were available to Albertans in 2011?"

On behalf of the hon. Mr. Drysdale, Minister of Infrastructure, response to Written Question 3, asked for by Dr. Swann on November 26, 2012, "What was the original 2007 estimate of construction costs and projected opening day for the South Campus Hospital in Calgary versus the actual cost on completion, and actual opening date?"

**The Speaker:** Thank you.

Hon. members, there were two points of order today, the first of which was brought forward by the Member for Airdrie. The hon. deputy House leader for the Wildrose.

### Point of Order Factual Accuracy

**Mr. Saskiw:** Thank you, Mr. Speaker. I'll endeavour to be brief. I rise today under Standing Order 23(h), (i), and (j). This is with respect to some comments that were made by the Premier. In her statements the Premier indicated that the Wildrose financial recovery plan somehow increased spending at inflation plus population growth. I think this is, you know, an ongoing situation. If you continue to make outright false assertions, people won't believe a word you say. We see this in the polls, where the trust factors are way, way down. This has to stop.

I know the Premier may not have read our financial recovery plan. What we did in our plan was ensure that in two years' time, given how badly this province has been managed, we would be back in the black. What the Premier should know in terms of our plan is that our cuts went to things like bonuses to health executives, cutting that, cutting MLA pay raises, cutting corporate subsidies, cutting the expensive add-ons for MLA offices like rooftop gardens, theatres. I'm guessing there's marble flooring as well.

Our plan is quite a bit different, Mr. Speaker. I just would like to clarify on the record that her statement is false, and maybe we can send her a copy of our plan if she would like that.

**Mr. Hancock:** Well, Mr. Speaker, when the point of order was raised, I recall there being shouts of derision in the House, quite appropriately, because once again this is not a point of order. This is the opposition trying to justify their platform and showing incredibly thin skin. There is no standing order that says that you can raise an objection every time somebody talks about the things that you've talked about in public.

The thing that's really incredible about this is that the hon. member talks about how their real cuts would be on these things and then goes on to list a number of a things which, if you added them all up and added a dollar, wouldn't fund half of the things that they've tried to spend it on. I think the number in the budget this year for the federal building renovations is something like \$20 million. They keep talking about this building that's going to house luxury offices, and they wilfully neglect to add that it's going to house all sorts of civil servants coming out of the Terrace Building and the LAO offices coming out of the Annex. They keep talking about it as though they could spend \$375 million when there's only \$20 million in the budget, which, if they were to cancel the project, they wouldn't be able to spend because the cancellation

costs would probably be twice that. This is the problem when they're using points of order to try and clarify something which cannot possibly be either clarified or considered good public policy.

Nonetheless, the standing orders are not the place to raise it. The place to raise it is the debate. They can try and justify that out on the streets if they want. They can add it to their speeches in the House if they want. The fact of the matter is that it's quite ludicrous that they think they could prioritize the budget and finance all of the things they think they should cut out of the budget with the numbers that they're using. It's ludicrous. But the point is that it's not a point of order.

**The Speaker:** Hon. members, I would agree that it's not a point of order, but let me make a couple of brief comments. I've gone through the *Hansard* Blues, and here's what got said. I'm going to use this to some effect, I hope. The Leader of Her Majesty's Loyal Opposition stood up and in her question said, amongst other things, the following: "If the government cut its wasteful spending on things like layers of managers managing managers, on things like corporate welfare, it could pay cash for core government responsibilities," and it goes on.

That gave rise to the Premier then standing and saying, among other things, the following: "On budget day we kept spending to zero whereas the opposition suggested that spending should increase to population plus inflation. On top of that, we've enhanced savings, saving \$24 billion," and then interjections will show in the record of *Hansard* as having occurred. Subsequent to that, we had the point of order raised by the Member for Airdrie.

Now, it's not infrequent in this House for positions to be misunderstood or misinterpreted, perhaps even misused by one person against another or one caucus against another or however it goes, so let me just remind you of what I reminded you of yesterday in this regard: page 510, second paragraph of *House of Commons Procedure and Practice*, which I won't read again, and *Beauchesne's* 494, both of which talk about receiving two different variants of a fact and so on. In particular, though, with regard to 510 *House of Commons* it did say this, and I want to mention this one quickly. "These matters" such as the one we've just been hearing about here now "are more a question of debate and do not constitute a breach of the rules."

3:20

Now, points of order, as we have all experienced in the past and in this past year in particular, are not an opportunity as such to get up and disagree with someone else on a position or some procedure that is commenting on a position. What it is is a time for you to stand up and raise a point of order because a rule of this House has been violated or some guideline given in some other parliamentary practice book has been violated, has been breached. That's what points of order are all about. They should never be used as a reason or an excuse or an opportunity to extend or promote further debate on a point, and they should only be used to address violations such as I've just mentioned.

Again, we've just passed our first-year anniversary. None of us are rookies anymore. You've heard me speak to this before. You've probably read *Hansard* from the past of previous Speaker's rulings in this regard. And I know you've all paid strict attention to the parliamentary practices that have been mentioned in those comments.

Let's note that and move on to our second point of order, which was raised by the Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** I thought the Government House Leader actually rose on a point of order during the debate.

**The Speaker:** I'm sorry. I distinctly remember you standing.

**Mr. Saskiw:** I'll withdraw it.

**The Speaker:** You'll withdraw it. Okay. Thank you.

That second point of order has been withdrawn, and we can move on.

## Orders of the Day

### Government Bills and Orders

#### Third Reading

#### Bill 20

#### Appropriation Act, 2013

**The Speaker:** The hon. Minister of Finance and President of Treasury Board.

**Mr. Horner:** Thank you very much, Mr. Speaker. I am pleased to rise today to move third reading of Bill 20, the Appropriation Act, 2013.

This act will provide funding authority to the offices of the Legislative Assembly and the government for the 2013-14 fiscal year. The schedule to the act provides amounts that were presented in greater detail in the 2013-14 government and Legislative Assembly estimates tabled on March 7, 2013. These were since debated in Committee of Supply and legislative policy committees over the past several weeks.

Mr. Speaker, there is no question that Budget 2013 is one of the toughest budgets this government has seen in some time. When we prepared this budget, we did so knowing that we had some serious and immediate fiscal challenges to address. Namely, we were facing a \$6 billion shortfall of revenue due to low energy prices as well as the even lower price that Alberta producers are getting for their product.

Forecasting at its best is an inexact science. We rely on the knowledge and expertise of experts in both the public and the private sector to arrive at our own forecast. Traditionally, if our forecast turns out to be too high, we're accused of padding the forecast. If it's lower, we're accused of lowballing it. I heard a member's statement today in this House talking about the fact that, well, we must have made a sham instead of using what industry has, yet in today's papers there are three or four different companies that are talking about the fact that this bitumen bubble has affected their earnings this year and will next year.

In Budget 2013 we arrived at a forecast for oil of \$92.50 a barrel with the differential estimated to be at 27 per cent. The one thing that we know we can predict with some certainty is that energy prices will continue to be volatile. We see proof of that volatility now when we look at the differential, the discount Alberta producers get for bitumen. We've seen this in the months leading up to the budget, when Alberta was getting about \$30 less for its bitumen. Today the discount sits at around \$17.50.

The smaller discount is good news for Alberta, but it's not something we can bank on. As quickly as we saw prices recover, we know they can fall again just as quickly. We need to take action now to deal with this reality. I know that the Premier, in response to one of the questions, was talking about the Cenovus executive who was talking about how that differential is quite likely to spread to \$40 in the second half of this year.

That's why, Mr. Speaker, responsible change is the theme of Budget 2013. This government is open to changing the way we do things to ensure this province continues to meet the high expectations of Albertans. As Alberta grows and evolves, we find

ourselves at a pivotal moment in time. Budget 2013 represents the responsible change that's required, change that Albertans have been asking for and that this government is committed to deliver.

Mr. Speaker, this budget builds on the work of Budget 2012. It addresses the immediate fiscal challenges we're facing today, and it sets the stage for creating the Alberta we need to be 20 years down the road. Through this budget we're focusing on three priorities. One is building Alberta by investing in families and communities, including the new roads, schools, and health facilities that we need. Two is living within our means by challenging every dollar government spends and making sure that every program continues to deliver real results for Albertans.

You know, Mr. Speaker, the hon. Leader of the Opposition tabled a newspaper article written by Jack Mintz to support her claim that Dr. Mintz says that we shouldn't be borrowing. Well, I had an interview with Dr. Mintz some time ago, when I was doing the budget consultations. One of his quotes is: debt is not wrong to use for capital – in fact, it could be an opportunity for the pension plans to become involved – as long as we learn to live within our means.

Mr. Speaker, the number two theme of this budget is living within our means. The other piece that Dr. Mintz said was: yes, we want to do a sales tax, a consumption tax, and it'll be revenue neutral. How many taxes has this House seen that were revenue neutral? I haven't seen too many of them. It would mean increased revenues for this province. A consumption tax is not something that is included in this budget.

The third thing that was part of this analysis was that we have to work to ensure that our resources get to market, including new markets in Canada and around the world, so we can get the highest possible price for our products.

Budget 2013 is the right budget for right now. It's also the right budget for tomorrow as we prepare for a future when a larger number of Albertans will be expecting the same high quality of life they're enjoying here in our province today. This budget is maintaining Alberta's low tax advantage. It neither increases taxes nor introduces new ones.

Make no mistake, Mr. Speaker. Before we look into the pocketbooks of Albertans, we are looking at ourselves first. That's why we're reviewing every government program and service through the results-based budgeting process. We'll be sure that Albertans are receiving value for their tax dollars and the government is delivering the outcomes Albertans expect as effectively and as efficiently as possible. That's why this budget provides no increases for public-sector compensation.

Government has shown leadership on this issue. In February we introduced a three-year wage freeze for all government managers and opted out and excluded employees. We're planning to reduce the size of management by 10 per cent over the same three years. That's almost 500 positions, Mr. Speaker. We'll ensure that the right people in the right positions are doing the right work. In March we came to a tentative agreement with the Alberta Teachers' Association that will see the wages for nearly 40,000 Alberta teachers frozen for three years. This week we finalized an agreement with Alberta's physicians that also includes zero wage increases for the first three years of that agreement.

As we hold the line on spending, we will continue to support the core programs and services. The budget delivers on the Premier's commitment to invest in what Albertans have told us matters most, like savings and priority services like health care and education, and ultimately reducing our reliance on nonrenewable resource revenues.

Budget 2013 invests \$17 billion in health care. That's a \$500 million increase from last year. It provides \$500 million towards

50 new schools and 70 school modernizations. This budget holds the line on increased funding for programs that support vulnerable Albertans, including AISH, persons with disabilities, homelessness programs, and child intervention programs. It includes postsecondary capital funding of nearly \$500 million over the next three years and municipal sustainability initiative funding of nearly \$900 million this fiscal year.

Mr. Speaker, Budget 2013 delivers responsible change in part by bringing structural change to our actual physical framework. This change creates three plans instead of one. There seems to have been some confusion about that. That actually allows this government to be even more transparent and accountable to Albertans. We've had some good debate in the House around that.

The budget includes an operational plan that includes a zero per cent increase in spending, not an easy accomplishment when over the past 10 years the average increase in spending has been 7.3 per cent. This budget also includes a legislated savings plan that ensures that we save during good times and challenging times. Under this plan we will set aside a portion of nonrenewable resource revenue and replenish the savings in our contingency account while also growing the province's longer term savings vehicles, including the Alberta heritage savings trust fund. We will see our savings grow to over \$24 billion, as the Premier said in question period today, over the next three years, all part of the plan to build Alberta.

3:30

Finally, Budget 2013 includes a fully funded capital plan that will ensure we have the public infrastructure Albertans need today and in 20 years from now. Like with savings, we need to invest in infrastructure in both good times and in challenging times. Public infrastructure is a priority and essential to our long-term economic success.

Our capital plan is supported by a responsible borrowing strategy to finance infrastructure projects, something that the financial experts, including Jack Mintz, business leaders, and other Albertans, have told us makes good financial sense. Even a recent survey, the one survey that the opposition continues to throw out there – it's not a very scientific one, but I'm going to use a piece of it, too, Mr. Speaker – showed that close to 60 per cent of the respondents said that borrowing for capital projects like my school and my hospital was a good idea.

The plan also includes concrete, legislated steps to ensure our debt does not get out of control. It limits how much the government can borrow by placing a limit on its debt-servicing costs, and it includes a debt repayment plan in which the government will set aside money each year in a capital debt repayment account, as evidenced in our documents presented in this House.

Mr. Speaker, as we move forward into the future, the budget builds on the best of what Alberta has today: our healthy economy, a solid global reputation, and a public service that is committed to delivering the value Albertans expect. At the same time Budget 2013 also brings responsible change, ensuring that this province continues to succeed in the future and is prepared to meet the needs of a new generation years from now.

Mr. Speaker, I am very excited about the future of this province. I am very excited about the future of the Alberta of tomorrow, 20 years from now. This budget, this plan, is the fundamental basis on which we will achieve that. I ask for all members' support.

**The Speaker:** The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much, Mr. Speaker. I'm pleased to get the opportunity in third reading to get up and speak to Bill



20, the Appropriation Act, 2013. For those fans that are joining us in the gallery, thank you so much for coming. I hope you find this interesting. Third reading is the stage of reading for a bill in which we discuss the expected or anticipated effects of the bill once it passes. If you know all this already, please forgive me.

We're dealing with Bill 20, the Appropriation Act, 2013, which gives final permission for the budget that's been presented by the government. Now, I had made quite a big deal over the fact that I was very unhappy with the budget process in Committee of Supply, which wasn't in Committee of Supply. It was in the legislative policy committees. Despite having negotiated successfully for more hours to be spent on the larger ministries or more complex ministries, given a severe failure of understanding we in the opposition, in fact, got less time in that additional time that we negotiated. The preponderance of time was allocated to government backbenchers. I continue to be puzzled why government backbenchers need to get public time to question their own caucus members. Evidently you don't talk to each other, so you need to do it on public time. I still don't agree with that, but that's the way it is.

I'm going to use this time to put on the record some of the concerns that my constituents have raised with me that were in budget debates that I wasn't able to attend either because I was in another one at the same time or I was preparing for another one at the same time.

I know that the minister for aboriginal affairs has been working very diligently. In fact, we have a bill in front of us now – I think it's Bill 19 – around additional understandings with Métis settlements, and I know that they're looking at clarifying additional legislation for some of our First Nations. What I still don't see are programs that are dealing much more specifically with urban aboriginal people. They tend to get disenfranchised. They get punted from here to here. They're not on the reservation; therefore, the federal government doesn't want to cover their programs and services. The province doesn't want to pick it up, or if they do, they want the organization that's delivered the service to go and get payment back from the band council. Can you imagine sitting in a band council office waiting to get paid back for, you know, services you offered like battered women's shelter services? That would take a while.

We just have not moved into the 21st century. We're not dealing with what we actually have in front of us. In fact, what I see is that where people from urban aboriginal communities end up in high-risk situations, the city ends up picking up the tab because it's their city, and they're not going to let people die on their streets or, you know, go cold or hungry. So the city steps in. I don't know how we managed to download from the federal government through the provincial government to the city, but that's what's happening, and it should be dealt with. I know the minister is working on a lot of stuff. I'm just going to put that one back on his plate because it needs to be dealt with.

The next issue. I don't know why this happens. It happened before my time. We have an interesting situation in our standing orders whereby the accounts from the Legislative Assembly Office, which cover things like the cost of *Hansard*, the library services, the human resource and financial assistance that's given to the constituency offices to process their expenses and human resource obligations – it also covers all of the committees that we do. It pays for the clerks, Parliamentary Counsel, that sort of thing. I have never figured out why you don't get to debate those budgets. The answer that I have been given is that each committee passes their own budget, and once the committee has passed the budget, well, there it is. That's all you need. Bundle them all up

together, put them in a document, and put it in front of the Assembly.

That officially is the first vote that we do when we're voting on the main estimates, but we don't get to debate it, and we don't really get to examine it. There's not an in-depth opportunity to examine what exactly that money is. It's just a curiosity to me that we don't actually get to look at that and understand how much is paid for what and why and whom. I just thought I'd put that on the record. I do get asked about it occasionally, and I duly go through the story that, you know, supposedly these committees have okayed all of this. But it still strikes me as curious.

Culture. That was one of the committees where I got to participate in the debate, so I won't spend a lot of time on this, but I just have to put this on the record because there are so many new people involved in the Assembly at this point. Please remember that the funding originally for Culture was 100 per cent tax dollars, but those dollars started to get scarcer in the very early 1980s. To augment what they were trying to do and the legacy they were upholding at the time, which was coming from Premier Lougheed, the staff managed to finagle some of the lottery money that was coming in and get it assigned to their department to augment what was being done there. Over a period of time the tax dollars for Culture were withdrawn more and more and more, and increasing numbers of gambling dollars replaced them until finally all of the activities were in fact funded by lottery dollars.

Now, that connects really closely to lottery dollars. They're not a big deal right now. Nobody seems particularly exercised about the fact that \$1.485 billion that this government raises and uses comes from gambling in this province. The biggest addict to gambling is the government because that's now an integral part of how they do their budgeting. They depend on that money coming in, so they've got to have it. They've got to encourage a certain level of gambling to continue in this province because they need that money.

Interesting things have happened over time with how the lottery money is accounted for. In my time it used to come out originally as a separate document. You had the general revenue fund, and you had the lottery revenue fund. It showed, you know, the money that came in through ticket sales, through – I think it's just the two things. It's ticket sales, and then the big monster blow-up of revenue was the VLTs. Now we have the slot machines. That was the really big bounce.

3:40

It was always that \$200,000, \$300,000 was the revenue from the lottery-based tickets like Lotto Max and Lotto 6/49 and Western whatever it is now. The money that the province actually made was at \$200,000, \$300,000, but then it jumped to over a billion when the VLTs came in and then the slot machines behind them. I always love the fact that the government explains this by saying that they had to get into the business of being the gambling operator because if they didn't do it, organized crime would, dot, dot, dot. Oh, my goodness. Sorry, *Hansard*; you can't actually get the laugh in there, but maybe you can write it in. You've got to love it. You've got to love it, really.

There was a to-do in the mid- to late '70s about VLTs. There were lots of stories about people that became addicted to the VLT revenues, that they gambled away everything: their family's house, the car, the kids' education, everything. They were devastated. People were not so keen about these VLTs. Some local municipalities voted to have them removed. Now, remember what I said at the beginning about the province really needing these gambling monies because they count on them? The province

managed to drag everybody through the courts long enough that people forgot, and things got settled.

But the way they accounted for it at that point was that they needed to prove to people how important and integral the gambling money was to what this province is. So all of a sudden we started to get in every department's budget except a couple – I think it was 14 budgets. Right in the budget you would see "from the lottery fund," and then they would assign certain amounts of money to it. It was building a school. It was supporting an aboriginal initiative. In all of these departments they were accounting for use of lottery money and making it mean something.

At that point if people said, "Well, get rid of the VLT money; quit gambling, government," the government could say: "Really? You don't want that school? You don't want that program? But that's what it's paying for." I've got to admire it. It's pretty clever, and it worked. So people moved off the government as a gambling addict thing and have stayed off it. I mean, people have accepted gambling as a form of entertainment now although there's still always a hesitation about how it affects people who are problem gamblers and how it affects the rest of society, that has to pick up the pieces behind them.

We did have a department of gambling – I'm sorry; gaming – at one point. They called it gaming; I call it gambling. Gaming sounded more fun and not quite so insidious and dangerous. In that document you had all of the things they then decided to admit were being paid for out of the lottery fund, that were accounted for under the gambling – sorry; gaming – department, including all of the big foundations that money went out to, so another way of accounting for it.

This year, goldarn it, I can't find it. I ask: where's the lottery money? I know it's paying for things in Culture like the CFEP grant and the CIP grant. Where is it? Well, yes, they admit that's where the money is coming from, but they don't account for it in their budget anymore. Huh? Well, it's under Treasury. I look, and indeed it is. There it is, one little line, one line in Treasury showing that Treasury is transferring \$1.485 billion from the lottery fund, coming from Treasury as largesse out to all of the ministries. There's a little trip down memory lane for you about how you can have different accounting practices for lottery money.

I want to raise again the concern that people have around adequate funding for K to 12 schools and reflect the number of letters and phone calls and walk-ins, e-mails, Twitters, Facebook postings from constituents. My schools are all working really hard and doing wonderfully, some of them against pretty significant and staggering odds. When you're working from what can be considered core city schools, you can be up against it. You may not have the support from parents, for example, that other communities do.

The staff do an exceptional job, and the staff raise a lot of the additional money that the schools have. My hat is off to them. I honour them every year with their very own special day towards the end of June. Funding education in the future is very important.

I want to talk about the concerns that seniors have and their previous rejection of the government's pharma-plan, which is moving from a universal plan, where everybody gets the same access no matter whether you're rich or poor, to one that now will have a line that says: above this you pay X, below this you pay less. As soon as the government gets into these ones that aren't universal, that have a line drawn, then we get into: well, what about the people that have \$2 less? They are now paying full freight on this above or beyond that line. It just creates huge problems.

Yes, pharmaceuticals are not covered under the Canada Health Act. The government is not obliged to pay for them, but we really

need to find a better way to pay for pharmaceuticals than charging seniors. Basically, we're charging the sick additional money because they need prescriptions. It just doesn't reflect a societal attitude that I really want to participate in in my province. You know, it's basically saying: "You're old. You're sick. Great. You pay more because you're using more." Again, it's a user-pay way of approaching health care – the sicker you are, the more you pay – that I just don't accept, but this government seems to be going in that direction. I'll put that on the record on behalf of my seniors.

It does disproportionately affect, once again, women because women tend to be the primary caregivers both professionally in the health care system and also as volunteer caregivers in the home or in the community. Because women live longer, they are primarily the people that are going to be those elderly, vulnerable, sicker seniors that will be caught in this and be struggling now to find money to pay a premium every month and then to pay a copay, or an additional pharmacy fee or however that's all going to be worked out, to get their prescription.

You know, I keep bringing this up, and the government goes: "Oh, yeah. Right. Yeah. Hmm." And then they do nothing about it. It definitely disproportionately affects women. That is the best argument for why we should have more women in this House because we'd have a better understanding of what's going on. In the meantime we don't have more women in this House, and we keep disproportionately affecting women's lives in the way the government decides to do things.

I am really frustrated and angry about this budget. It's not what we were told was coming either in the leadership contest from the Premier or in the election. Then we end up with this very strange sort of phantom bitumen bubble thing, which lasted, like, two and a half weeks before the price differential started to adjust itself back to familiar territory. As a result, we've had – I don't know whether to call it ideology or incompetence. You people need to talk to each other because there's a lot of chaos and slipping between the cracks and things undone and things not done that shouldn't be happening in a province with the resources and the technology that we have. We should be able to treat people better.

I believe we should be saving our nonrenewable resource revenue, and that means we're going to have to be levying a fair and progressive tax upon people so that we're not stealing from our children. Currently that's what we're doing. It's intergenerational theft because we are using their natural resources. We've already used the natural resources we could lay claim to and that our parents and our grandparents could have laid claim to because we managed to take that oil as it came out of the ground yesterday and spend it today in government programs and services. Thirty per cent of the operating budget is gathered from the oil and gas sector, particularly the oil sector.

You know, a long time ago I was told that either we're going to run out of oil and gas – it didn't seem that likely – or people are going to stop buying it from us. At the time I thought: yeah, right. But I've lived long enough that, actually, it is starting to look like the second thing is in play. It's in play today, where people are boycotting our oil or questioning us or questioning the possibility of a pipeline because they believe we are not environmentally rigorous enough and we're not taking the steps that they expect us to take.

3:50

What I get from this government is: "We're working on it. We're working on Ticketmaster and online scalping. We're working on the environment. We're working on health care." You know what? I'd like to see the product of your work occasionally because so far all I hear is that you're working on it and that

you're in a committee and that you've got a strategy coming out, which just means you use more trees to publish more papers. We're not actually seeing the product of that.

You know, your performance measurements: you can't hit your targets. We're not reducing wait times in ERs. We're not managing to give people hip and knee surgeries fast enough. If people are truly in a disaster – a heart attack, a stroke, a car accident – and they get through into the ICU, it is amazing. The delivery of health care is amazing. Everyone talks about how terrific the staff are. But the administration of health care sucks, and it needs to be addressed. I'm sorry to use such brutal language, but frankly I can't find anything else that quite sums it up with the same amount of . . .

**An Hon. Member:** Spice.

**Ms Blakeman:** . . . spice.

**An Hon. Member:** Conviction.

**Ms Blakeman:** Conviction. Oh, thank you. I'm getting all kinds of help now.

Because it does. Your administration of health care has failed repeatedly. Now, somehow or another the front-line staff manage to pull it off for you. You should be terribly grateful to them for doing that.

Thank you very much, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you very much, Mr. Speaker. It's my pleasure to rise and speak today to third reading of Bill 20, the Appropriation Act, 2013. I'd like to begin, before I go into the details of this act and the budget that the government has put forward, just with some general comments on the fact that many Albertans are left scratching their heads, wondering why we've got a budget where there are significant cuts to some essential services and programs that many Albertans rely on, from seniors to postsecondary students to teachers and children in our classrooms to our community programs. Like I said, I'll go through it in a more detailed, line-by-line analysis in a moment here.

Many constituents have asked me as I've travelled around the province: why do we have such a recessionary-style budget, or, as my colleagues from the Wildrose call it, an austerity budget, when the economy is doing quite well, as we've heard and as we see? The government themselves have talked about the numbers. Our unemployment rate is fairly low. Our economy has recovered better than most jurisdictions across this country, yet there seems to be a lack of revenue in the government coffers to support and to even continue some of the most critical and basic services that many Albertans rely on. It begs the question, first of all: what is the breakdown of the spending that the government is doing with their current \$40 billion? I believe all opposition parties have pointed time and time again to certain people in positions, often high-level executives, abusing not only their salaries but eligible expenses. Really, it comes down to this government allowing a mismanagement of the dollars that people work hard for and that this government collects.

You know, to start from the top, there needs to be a cleanup of the dollars that are being spent, some that are being misappropriated, that could be used toward programs, especially on-the-ground programs funding our front-line services. Unfortunately, it seems that those are the first folks to feel the cuts and the last ones to get the dollars restored. In order to fix this – the New Democrats have

called it this broken-promises budget – it's shameful that the government will not look to address the side of revenue.

I mean, again, we have a budget that is heavily reliant on our fluctuating resources and the rates that they're going for as opposed to closing our corporate tax loopholes, raising it by a percentage or two, which would still keep Alberta competitive with our neighbours on either side.

As well, Alberta is the only province that has a shameful flat tax. When you look at how it breaks down, you actually have middle-income earners paying more than they would in neighbouring provinces where there is a progressive tax system. Then you have those folks like the Albertans earning \$40,000 who are paying the same amount as the extremely wealthy Albertans earning \$4 million. There's definitely something wrong with that, Mr. Speaker.

As well, something that the Alberta New Democrats have been saying for years is to upgrade and refine our raw bitumen, our product, here in the province, which would keep these quality long-term jobs in Alberta. Let's ship a more refined product, a finished product. Our neighbours all around us, including our neighbours in the United States, have learned this. In fact, I'm sure they snicker at the fact that we're shipping the lowest quality product, that we're wanting to ship it to them, so that they can upgrade it, get the value, the jobs, and then sell it at a much higher rate. It's unfortunate that this government is content to ship jobs and resources down the pipeline at the expense of Albertans and our future.

You know, Mr. Speaker, between increasing the upgrading capacity in this province, closing our loopholes, raising our corporate taxes by a very modest amount, and weaning Alberta off this flat tax, we would have more than enough revenues to save for the future, to diversify our economy further, to invest in green energy.

I mean, I'm not sure why we don't take advantage of the fact that Alberta gets more sunlight than any other jurisdiction, I know for sure, in Canada. I'm not sure about North America. But the fact of the matter is that there's a great amount of free energy that we should be harnessing, and it's shameful that we're going to wait Lord knows how long with this government in power. Clearly, it's been 42 years, and we're still waiting.

I think there are solutions to the revenue side, and it's unfortunate that the government is unwilling to look at that, you know, especially because it's reflected directly in this budget and in this appropriation bill. We've got municipalities that are frustrated, are crying out that there's crumbling infrastructure, whether we're talking about roads and bridges or hospitals and schools that are in desperate need of maintenance. Yet, again, something that's been a thing in the past and that this government enjoys to do is to just defer costs, either download them onto municipalities or: let's just defer them to the future; we don't have enough money for that. It's quite frustrating that they continue to kick the can forward. Well, what happens is that the infrastructure deteriorates further the more we delay. You've got issues of safety. You've got higher expenses when we eventually do get around to putting the dollars into the infrastructure that's sorely needed.

We're falling further and further behind. I mean, you look at many municipalities, and their infrastructure deficits are ballooning, yet the dollars that they're getting from this government aren't nearly enough. You know, Mr. Speaker, I'm sure you're aware that on every tax dollar municipalities get somewhere between 8 to 10 cents, yet they are the folks who provide the bulk of the services and programs that Albertans rely on on a day-to-day basis. Our system is quite skewed.

They don't have the dollars they need, and to top up some dollars that they get, the government is insistent on using this paternalistic grant-style lottery formula where municipalities have to compete with one another for dollars. They are unsustainable. They're random. They're not sure if they're going to get the same grants. They're not sure if they're going to be there the next year. You know, municipalities are saying that they need long-term, stable funding in order to have an appropriate strategy and a plan in place to build for the future, to be proactive and look at their needs, not just today, not just three years from now but six years, 10 years down the road so that Alberta is the best place to live in this country.

4:00

Although there is MSI funding, which I know many municipalities welcomed when it was introduced years ago, their frustration is that the dollars that were promised for MSI funding have not been delivered. I believe it was in this budget or this coming year that MSI was going to be increased, or the PCs promised MSI would go up to \$1.05 billion. Unfortunately, it remains flat at \$846 million. Now, that number isn't exactly true because we need to keep in mind inflation and population growth, which according to the Tory numbers is actually 4.3 per cent. When you look at that, holding the line is actually, in effect, a cut. So municipalities are quite frustrated that they're not getting the dollars that they were promised, which, again, seems to be a recurring theme for this government. They seem to love to promise the moon and the sun, yet they cannot deliver. Albertans are saying: "This is ridiculous. We are actually moving in the wrong direction."

I want to just work my way through a couple of the promises, to be a little more specific so that the members in this House are quite clear on what was promised and what was delivered and how contradictory the two are. First of all, the government promised to introduce an initiative to make Alberta the national leader in energy efficiency and sustainability. Well, unfortunately, they're nowhere near fulfilling this promise.

The Premier claimed that we'd be a world leader in climate change. You know, unfortunately, all that this government has done is continue to embark on PR campaigns to try to convince the world that what we're doing is quite environmentally sustainable and that we have clean methods of extracting our resources. Well, unfortunately, the government cannot and has not even met its own climate change targets let alone targets that were assigned by Canada. Years past Kyoto we are long past and miles away from meeting those targets. Even the government's greenhouse gas targets are well below those of our federal counterpart.

You know, it's frustrating that there are no supports, like I'd said, for building and upgrading more of our resources here in the province.

Something else that came through last fall was creating the single energy regulator. Well, many Albertans are really confused on how this isn't a conflict of interest, where you have a regulator that is a promoter of the oil and gas industry yet at the same time is supposed to be the police of the oil and gas industry. A complete conflict of interest there.

We look at health care. A promise of five years of stable funding for health care with increases of 4.5 per cent: broken promise. Introduction of a fast-track emergency room program to reduce wait times: broken promise. Access to mental health services or improving access to mental health services in the community: not even close. There was money that was promised to STARS ambulance, \$10 million, and unfortunately they're not going to see it.

This budget, again, was riddled with promises on the one hand and failed to deliver on the other. I mean, in health care 1.5 per

cent less was given than was expected. There is no money to hire more nurses, which are desperately needed, significant cuts to PDD funding, and the fact that this government still has not addressed the problem of a lack of ambulance services in rural Alberta areas.

For seniors, I mean, there was a promise to build a thousand more long-term care beds – now the seniors are going to be lucky to have 30 this year, just a slight difference from a thousand – as well as to enhance the capacity of long-term care. Well, you know, we saw this week that the Premier promised universal drug coverage for seniors, and now she's not only rescinded that promise; she's implementing a plan that's going to see \$180 million cut from the seniors' drug benefit plan.

Seniors as well are getting slapped in the face by the increasing property taxes – this dubious deferral program is actually going to cost seniors more in the long term – and the fact that this government has reduced the eligibility for seniors' benefits, removing the WCB and CPP disability income exemptions, which is actually going to significantly hurt many seniors across this province and especially target those seniors who are injured or who have disabilities.

You know, in this budget we see cuts for climate change policy development. It does nothing to help Alberta reach its climate change objectives for greenhouse gas emissions. It still does not eliminate water markets in our province, and it cuts the operating budget for the climate change and emissions management fund down to zero. Unfortunately, this government, as opposed to being proactive and looking at taking these positive steps, continues its course of being reactionary and reactive and is investing heavily in carbon capture and storage as opposed to addressing the issue of cutting down on how much we produce, not finding a dark place to stow it away and pretend that it's not there anymore.

Regarding Treasury Board and Finance – and I've talked about this a little bit as well – I mean, this government still has not fixed its revenue problem or will not even look to addressing that, from closing corporate tax loopholes to raising corporate taxes to eliminating the flat tax. You know, we're not doing a good enough job.

**The Speaker:** Hon. members, 29(2)(a) is now available. The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much, Mr. Speaker. I don't always agree – actually, I often disagree – with my parties to the left here, but I'm wondering what it is about the tax structure, the revenue structure that the member is particularly promoting here.

**The Speaker:** The hon. member.

**Mr. Bilous:** Thank you, and I thank the hon. Member for Edmonton-Centre for that question. You know, really, we're promoting a three-pronged approach: first and foremost, raising our royalties to a competitive rate, competitive with other jurisdictions within North America; looking at investing in upgrading and refining more of our bitumen here in the province; then addressing the tax side, our flat-tax and corporate tax side. I want to thank the member for that.

In addition, continuing on this theme of broken promises, I know that Albertans are well aware that our education system was promised predictable, stable funding. That hasn't happened. There was promised full-day kindergarten. That was another broken promise. Many schools indicated before the budget came down that eliminating the AISI funding would significantly hurt many of the new programs, from literacy programs to new spaces and partnerships that schools were creating to help address the fact that today in Alberta we have a significant number of people moving

to Alberta from other parts of the country, from other parts of the world.

We have many more English language learners in our classrooms than we did 50, 60 years ago, and if we want to ensure that we're giving every student an opportunity to succeed, we need to ensure that there is the appropriate level of funding in our classrooms and that teachers have the resources available to give students the attention that they need and deserve.

From there, I mean, we look at Human Services. It's riddled with cuts, the \$42 million cut for community access supports for people with developmental disabilities, the elimination of the STEP program. That was something, Mr. Speaker, that I tried very hard to have reinstated. Organizations across the province wrote letters and e-mails talking about the impact, the real impact that the STEP program had not just on the students but on the organizations, the programs they offered, especially families and specifically low-income families who relied on summer programming in their communities for their kids. Now communities are scrambling and have indicated to me that they're going to have to cut some of their programs.

4:10

The Department of Culture. It's frustrating that that's the first place the Tories love to take the axe to. The community spirit grant: completely abolished. Many of those organizations used the STEP program. Now they're hit twice. The safe communities initiative fund, again, a proactive partnership program that was on the ground, community based, community driven: this government yanked it away. I mean, it seems that anytime a program is proactive in looking at being preventative and doing something positive, this government doesn't like it: no, let's go back to our reactionary, throw a Band-Aid on an issue approach as opposed to looking at addressing root causes.

So I just wanted to very briefly say that, you know, it's interesting, Mr. Speaker, that since the Premier took office, she's cut funding to the combined community spirit and other initiative grants by a total of 91 per cent. That's quite impressive. It went from \$28.6 million in 2011-12 to just \$2.7 million this year when we look at combined operational and capital spending. Clearly, it is not a priority for this Premier to invest in arts and culture in this province.

Mr. Speaker, I'll conclude by saying that I cannot support this appropriation bill. I am very concerned about what these cuts mean not only to Albertans today but to future Albertans. It's important to note this government in their reluctance and refusal to address the revenue issue. We can't help but forecast recessionary-style budgets in the years to come, where organizations that are getting hit this year are going to be impacted again next year and the year after. As has been pointed out, the government is forecasting a \$17 billion deficit within three years. My concern is not just with this budget today; it's with future budgets.

Thank you, Mr. Speaker.

**The Speaker:** Are there any other speakers? Did you want to speak to this?

**Mr. McIver:** Yes, please.

**The Speaker:** You are speaking to this motion?

**Mr. McIver:** Yes. I understand that I haven't got much time because at 4:15 something has to happen, so I'll try to be quick, Mr. Speaker. You know what? I just want to stand up and be on the record supporting this budget and what this government is doing. We're building Alberta. We're opening markets. We're

putting infrastructure in place. We're doing the things that Albertans are asking us to do, and I want to stand up and thank the Premier for the leadership in keeping the promises, the President of Treasury Board for putting together a plan, and my colleagues for listening to Albertans and influencing the decisions made along the way, which at the end of the day are in the interest of Albertans.

Albertans have told us that they want schools now. They don't want to wait until their kids are 12 years old to start grade 1. They want them to be six years old to start grade 1. They're telling us that when their kids grow up, they want a transportation system that's going to get them around, that's going to provide jobs and opportunities for them. They want an education system that's going to put them in a position to take those jobs. This budget is doing those things.

I also want to say that – you know what? – Albertans are smart people. They know when they see this budget that where we've had to make cuts – and never when you make cuts is it pleasant. But we did our best to make sure that we share the joy in that area, if you would, Mr. Speaker, and actually prioritize where money does get spent on infrastructure and programs. These are the things that Albertans are after.

Mr. Speaker, I'm proud to support this, and I look forward to voting for it in a very short period of time, which I think I've squeezed out, between now and 4:15.

**The Speaker:** Hon. members, we have about 30 seconds or less left. I wonder: does the Minister of Finance wish to close debate at this stage?

**Mr. Horner:** Let's call the question, Mr. Speaker.

**The Speaker:** The question has been called.

[Motion carried; Bill 20 read a third time]

**The Speaker:** Hon. members, we're at 4:16. I wonder if I should recognize the Government House Leader or the Deputy Government House Leader. Do you wish to proceed? We're proceeding onward, then.

## Bill 16

### Victims Statutes Amendment Act, 2013

**The Speaker:** The hon. Minister of Transportation.

**Mr. McIver:** Thank you, Mr. Speaker. On behalf of the hon. Minister of Justice it's my pleasure to rise today and move third reading of Bill 16, the Victims Statutes Amendment Act, 2013.

Unfortunately, Mr. Speaker, crime is a reality in our communities, which means that there are always victims of crime who need our help. This bill honours victims by easing their access to supports and benefits offered through the victims of crime fund and demonstrates once again the leadership of our Premier, our Minister of Justice, and this government with respect to ensuring that victims of crime receive the respect, compassion, and support that they deserve. These supports can be vital in helping victims of crime through their grieving and coping process.

As we heard during debate of this bill, this proposed legislation will give victims of crime more options in how to present their case to the Criminal Injuries Review Board and will strengthen the protection of confidential information. In addition, this bill holds criminals accountable for their actions by amending the Victims Restitution and Compensation Payment Act. As this House is aware, this particular act provides the resources necessary for

Alberta's civil forfeiture office to seize the proceeds of crime. These proceeds are then used to support a number of programs and services, including those for victims of crime.

Specifically, Bill 16 closes some unintended loopholes by ensuring that defendants cannot initiate countless baseless legal delays. At the same time, the legislation ensures that defendants of forfeiture action have plenty of time to initiate their defence before any confiscation occurs.

The remaining change noted in the legislation clarifies what is considered proceeds of crime. If \$10,000 in cash or goods easily liquidated into cash is found during a police investigation, it will be assumed to be the result of criminal activity, and it may be confiscated so long as there is no sign of legitimate business activity.

I know of the concerns about the proposed legislation. I know one of the concerns is balancing the individual's civil liberties when it comes to seizing their property. Mr. Speaker, this bill was drafted to protect victims' rights while balancing an individual's civil liberties when it comes to the seizure of goods gained from criminal activities. The legislation is about ensuring that justice is served.

I thank all the members in this House for their positive feedback and support of this bill. I'm confident that it will make a positive impact in the lives of victims of crime and ensure that they receive the support they need to return their lives to normal as quickly possible.

Thank you.

**Mr. Saskiw:** Very briefly, Mr. Speaker, I'm pleased to rise to speak to Bill 16 on third reading. It's the Victims Statutes Amendment Act, 2013, which amends two pieces of legislation, the Victims of Crime Act and the Victims Restitution and Compensation Payment Act. Of course, this is a piece of legislation that will put a dent in organized crime and allow some of the enforcement officers increased abilities due to amendments to the administrative process. We've seen with this Justice minister that he's come up consistently with a progressive, soft-on-crime approach. It's nice to see that he's thrown a bone to the conservative part of the Progressive Conservatives.

Mr. Speaker, I rise today to thank the minister for putting forward this piece of legislation, which will again allow for a cleaned up administrative process by limiting extensions that individuals had previously provided. As well, essentially it provides for a simplified review process of the decisions made by the director in charge of carrying out the duties under the act.

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

The hon. Member for Edmonton-Beverly-Clareview.

4:20

**Mr. Bilous:** Thank you, Mr. Speaker. I'm happy to be able to rise and speak to this very complex bill. You know, I just want to say that first and foremost this government should be investing in more courtrooms and in the courtroom process where there is due process. We have a system. We need to ensure that we have enough judges in courtrooms to process, to ensure that everyone is entitled to a fair trial. Albertans should not be guilty before proven innocent.

My concern, first of all, is that this PC government in this budget is closing six courtrooms. I mean, that really goes counter to, I think, the essence of what they're trying to do in this bill. Instead of investing in more courtroom infrastructure, which would address the court delays, again, this government is closing six courtrooms and enacting this legislation, which replaces a

presumptive legal process with a presumptive administrative process. Such changes by definition are not wrong, but it should be handled with a great level of sobriety and care.

One of my concerns, first of all, is the amount of time that members in this House have had to speak on this bill. It feels like it's been extremely limited.

You know, we need to ensure that there is due process. Our courts function the way they do to ensure that we're not misjudging individuals and that their rights as Albertans, as Canadians are protected and that they're not judged before they're entitled to go through the court system.

It gives me great concern that this bill wants to replace the legal system with more of an administrative system. I mean, Mr. Speaker, in our legal system there's access to counsel. On the administrative side what this bill would do: there's no right to legal counsel. We've got rules, but we're not sure how they're going to be enforced or how well they're going to be enforced if we're under an administrative model as opposed to being under a legal model.

Mr. Speaker, if I can speak on behalf of myself and the Alberta NDP, we would prefer that we have more resources in victim services, that we work on providing and opening up more courtrooms, and look at ensuring that Albertans have the right to court, not create legislation where a person's rights might be trampled because they no longer have access to due process.

You know, there are a couple of other concerns that we have, Mr. Speaker. The wording changes from a reasonable time when the crime occurred to a reasonable time from the date the applicant knew or ought to have known that a criminal offence occurred. You know, I think that's positive, on the one hand, yet at the same time I'm not sure what a reasonable time is. That is, again, very ambiguous, which makes it difficult to support that point. I think, honestly, that what we need to do is fix the problem that we have, not allow a way to offload due process and the legal process by dealing with these through administrative measures.

Questions that I have. It talks about that seized property "may be disposed of without the Minister having to commence a legal action." Questions about Albertans who either have no permanent address or are homeless or transient: I'm not sure how this is going to affect them. Another concern. If an individual does not file a notice of objection, they are "deemed to admit the facts asserted in the notice" of a disposition.

**Ms Blakeman:** Which is negative billing.

**Mr. Bilous:** Which is negative billing. Thank you, Member for Edmonton-Centre.

I mean, simply, it's just not right that if the person in question is out of the province – the fact is that we're saying that silence means consent, not that we need to find out what the person means. If anything, now we're silencing people even further. Folks who either don't know or are unaware: the system is now working against them as opposed to ensuring that Albertans have the right to legal counsel, to the court system. You know, I don't doubt that our court system is heavily bogged down at the moment, but let's address the problem. Let's open up more courtrooms. Let's bring in more judges. Let's ensure that Albertans' rights are protected and that they have access to this due process.

You know, Mr. Speaker, the other reality of looking at the legal side as opposed to the administrative side is that there is the neutrality of a judge, and we rely on judges to be impartial when they're making decisions and enforcing natural justice as opposed to going through an administrative body. If I recall correctly, in this bill the review board can function with one member. I'm a

little confused as well because the bill says: member or members. That implies that really a review board could be one person. Well, that's quite a concern, that you have one individual who is making decisions. Again, they are not a judge. They are not impartial. This is not going through a legal framework.

Mr. Speaker, we, myself and the Alberta NDP, are very much in favour of ensuring that victims are compensated, that we strengthen legislation for victims and look at doing what we can to prevent crime, that criminals are given their due process, that there is a court system. They have rights, but we need to ensure that we're protecting our victims and ensuring that the law is respected and is served.

It's with great trepidation, Mr. Speaker, that we're still considering supporting this bill. Again, the intent I think is noble. We're behind that. But the process and what this bill wants to do very

much puts individuals' rights possibly in jeopardy. We want to ensure that all Albertans are respected and have the proper channels.

Thank you, Mr. Speaker.

**The Speaker:** Are there any other speakers?

**Hon. Members:** Question.

[Motion carried; Bill 16 read a third time]

**Mr. Hancock:** If I can get it in before the clock, Mr. Speaker, I would move that we adjourn until 1:30 p.m. on May 6.

[Motion carried; the Assembly adjourned at 4:29 p.m. to Monday, May 6, at 1:30 p.m.]





## **Bill Status Report for the 28th Legislature - 1st Session (2012-2013)**

**Activity to April 25, 2013**

The Bill sponsor's name is in brackets following the Bill title. If it is a money Bill, (\$) will appear between the title and the sponsor's name. Numbers following each Reading refer to Hansard pages where the text of debates is found; dates for each Reading are in brackets following the page numbers. Bills numbered 1 to 199 are Government Bills. Bills numbered 200 or higher are Private Members' Public Bills. Bills numbered with a "Pr" prefix are Private Bills.

\*An asterisk beside a Bill number indicates an amendment was passed to that Bill; the Committee line shows the precise date of the amendment.

The date a Bill comes into force is indicated in square brackets after the date of Royal Assent. If a Bill comes into force "on proclamation," "with exceptions," or "on various dates," please contact Legislative Counsel, Alberta Justice, for details at (780) 427-2217. The chapter number assigned to the Bill is entered immediately following the date the Bill comes into force. SA indicates Statutes of Alberta; this is followed by the year in which it is included in the statutes, and its chapter number. Please note, Private Bills are not assigned chapter numbers until the conclusion of the Fall Sitings.

### **1\* Workers' Compensation Amendment Act, 2012 (Redford)**

First Reading -- 8 (May 24, 2012 aft., passed)

Second Reading -- 177 (Oct. 23, 2012 eve.), 193-96 (Oct. 23, 2012 eve.), 233 (Oct. 24, 2012 eve., passed)

Committee of the Whole -- 336-39 (Oct. 29, 2012 eve.), 354-71 (Oct. 30, 2012 aft.), 373-80 (Oct. 30, 2012 eve., passed with amendments)

Third Reading -- 476-84 (Nov. 1, 2012 aft., passed on division)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force December 10, 2012; SA 2012 c8]

### **2\* Responsible Energy Development Act (Hughes)**

First Reading -- 207 (Oct. 24, 2012 aft., passed)

Second Reading -- 263 (Oct. 25, 2012 aft.), 424-43 (Oct. 31, 2012 aft.), 445-57 (Oct. 31, 2012 eve.), 526-46 (Nov. 5, 2012 eve., passed)

Committee of the Whole -- 563-71 (Nov. 6, 2012 aft.), 593 (Nov. 6, 2012 eve.), 644-48 (Nov. 7, 2012 aft.), 649-69 (Nov. 7, 2012 eve.), 731-53 (Nov. 19, 2012 eve.), 777-94 (Nov. 20, 2012 aft.), 795-853 (Nov. 20, 2012 eve.), 902-05 (Nov. 20, 2012 eve., passed on division, with amendments)

Third Reading -- 921-41 (Nov. 21, 2012 aft., passed on division)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on proclamation, with exceptions; SA 2012 cR-17.3]

### **3\* Education Act (J. Johnson)**

First Reading -- 155 (Oct. 23, 2012 aft., passed)

Second Reading -- 219-31 (Oct. 24, 2012 aft.), 238 (Oct. 24, 2012 eve., passed)

Committee of the Whole -- 380-407 (Oct. 30, 2012 eve., passed with amendments)

Third Reading -- 669 (Nov. 7, 2012 eve.), 688-94 (Nov. 8, 2012 aft.), 753-63 (Nov. 19, 2012 eve., passed on division)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on proclamation; SA 2012 cE-0.3]

### **4 Public Interest Disclosure (Whistleblower Protection) Act (Scott)**

First Reading -- 352-53 (Oct. 30, 2012 aft., passed)

Second Reading -- 423-24 (Oct. 31, 2012 aft.), 593-614 (Nov. 6, 2012 eve.), 627-44 (Nov. 7, 2012 aft., passed on division)

Committee of the Whole -- 975-80 (Nov. 22, 2012 aft.), 1057-74 (Nov. 27, 2012 aft.), 1075-101 (Nov. 27, 2012 eve.), 1127-137 (Nov. 28, 2012 aft.), 1139-161 (Nov. 28, 2012 eve., passed)

Third Reading -- 1161-166 (Nov. 28, 2012 eve., passed on division)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on proclamation; SA 2012 cP-39.5]

### **5 New Home Buyer Protection Act (Griffiths)**

First Reading -- 261 (Oct. 25, 2012 aft., passed)

Second Reading -- 354 (Oct. 30, 2012 aft.), 457-59 (Oct. 31, 2012 eve., passed)

Committee of the Whole -- 546-49 (Nov. 5, 2012 eve.), 571-83 (Nov. 6, 2012 aft.), 585-93 (Nov. 6, 2012 eve., passed)

Third Reading -- 853-55 (Nov. 20, 2012 eve., passed)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on proclamation; SA 2012 cN-3.2]

### **6 Protection and Compliance Statutes Amendment Act, 2012 (Jeneroux)**

First Reading -- 155 (Oct. 23, 2012 aft., passed)

Second Reading -- 209 (Oct. 24, 2012 aft.), 264 (Oct. 25, 2012 aft., passed)

Committee of the Whole -- 459-62 (Oct. 31, 2012 eve., passed)

Third Reading -- 855-56 (Nov. 20, 2012 eve., passed)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on various dates; SA 2012 c7]

- 7\* Election Accountability Amendment Act, 2012 (Denis)**  
First Reading -- 774 (Nov. 20, 2012 aft., passed)  
Second Reading -- 972-75 (Nov. 22, 2012 aft.), 1015-41 (Nov. 26, 2012 eve., passed)  
Committee of the Whole -- 1166-167 (Nov. 28, 2012 eve.), 1191-92 (Nov. 29, 2012 aft.), 1221-43 (Dec. 3, 2012 eve.), 1261-79 (Dec. 4, 2012 aft.), 1281-1300 (Dec. 4, 2012 eve., passed, with amendments)  
Third Reading -- 1315-37 (Dec. 5, 2012 aft., passed on division)  
Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on various dates; SA 2012 c5]
- 8 Electric Utilities Amendment Act, 2012 (Hughes)**  
First Reading -- 156 (Oct. 23, 2012 aft., passed)  
Second Reading -- 233 (Oct. 24, 2012 eve.), 316-36 (Oct. 29, 2012 eve., passed)  
Committee of the Whole -- 857-902 (Nov. 20, 2012 eve.), 943-53 (Nov. 21, 2012 eve., passed)  
Third Reading -- 953-56 (Nov. 21, 2012 eve., passed)  
Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force December 10, 2012; SA 2012 c6]
- 9 Alberta Corporate Tax Amendment Act, 2012 (\$) (Horner)**  
First Reading -- 156 (Oct. 23, 2012 aft., passed)  
Second Reading -- 209-10 (Oct. 24, 2012 aft.), 272 (Oct. 25, 2012 aft.), 311-16 (Oct. 29, 2012 eve., passed)  
Committee of the Whole -- 462 (Oct. 31, 2012 eve., passed)  
Third Reading -- 856-57 (Nov. 20, 2012 eve., passed)  
Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on various dates, SA 2012 c4]
- 10 Employment Pension Plans Act (Kennedy-Glans)**  
First Reading -- 261 (Oct. 25, 2012 aft., passed)  
Second Reading -- 521-26 (Nov. 5, 2012 eve., passed)  
Committee of the Whole -- 668-69 (Nov. 7, 2012 eve., passed)  
Third Reading -- 857 (Nov. 20, 2012 eve., passed)  
Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on proclamation; SA 2012 cE-8.1]
- 11 Appropriation (Supplementary Supply) Act, 2013 (\$) (Horner)**  
First Reading -- 1424 (Mar. 6, 2013 aft., passed)  
Second Reading -- 1480-86 (Mar. 11, 2013 eve., passed)  
Committee of the Whole -- 1534-41 (Mar. 12, 2013 eve., passed)  
Third Reading -- 1583 (Mar. 13, 2013 aft.), 1559-60 (Mar. 13, 2013 eve., passed)  
Royal Assent -- (Mar. 21, 2013 outside of House sitting) [Comes into force March 21, 2013; SA 2013 c2]
- 12 Fiscal Management Act (\$) (Horner)**  
First Reading -- 1438 (Mar. 7, 2013 aft., passed)  
Second Reading -- 1479-80 (Mar. 11, 2013 eve.), 1560-78 (Mar. 13, 2013 aft.), 1579-83 (Mar. 13, 2013 eve.), 1785-90 (Apr. 11, 2013 aft.), 1877-85 (Apr. 18, 2013 aft., passed)  
Committee of the Whole -- 1967-78 (Apr. 23, 2013 eve), 1981-86 (Apr. 23, 2013 eve, passed), 2007-15 (Apr. 24, 2013 aft.)  
Third Reading -- (Apr. 24, 2013 eve., passed on division)
- 13 Appropriation (Interim Supply) Act, 2013 (\$) (Horner)**  
First Reading -- 1456 (Mar. 11, 2013 aft., passed)  
Second Reading -- 1527-34 (Mar. 12, 2013 eve.), 1556 (Mar. 13, 2013 aft., passed)  
Committee of the Whole -- 1583 (Mar. 13, 2013 eve., passed)  
Third Reading -- 1695-1700 (Mar. 21, 2013 aft.), 1695-1700 (Mar. 21, 2013 aft., passed)  
Royal Assent -- (Mar. 21, 2013 outside of House sitting) [Comes into force March 21, 2013; SA 2013 c1]
- 14 RCMP Health Coverage Statutes Amendment Act, 2013 (VanderBurg)**  
First Reading -- 1690 (Mar. 21, 2013 aft., passed)  
Second Reading -- 1875 (Apr. 18, 2013 aft.), 1925-27 (Apr. 22, 2013 eve., passed)  
Committee of the Whole -- 1966-67 (Apr. 23, 2013 eve., passed)  
Third Reading -- 1986 (Apr. 23, 2013 eve., passed)
- 15 Emergency 911 Act (\$) (Weadick)**  
First Reading -- 1762 (Apr. 10, 2013 aft., passed)  
Second Reading -- 1875-76 (Apr. 18, 2013 aft.), 1953-58 (Apr. 23, 2013 aft., passed)  
Committee of the Whole -- (Apr. 24, 2013 eve., passed)  
Third Reading -- (Apr. 25, 2013 )

- 16 Victims Statutes Amendment Act, 2013 (\$) (Denis)**  
First Reading -- 1762-63 (Apr. 10, 2013 aft., passed)  
Second Reading -- 1958-61 (Apr. 23, 2013 aft.), 1963-67 (Apr. 23, 2013 eve., passed)  
Committee of the Whole -- (Apr. 24, 2013 eve., passed)  
Third Reading -- 2063-65 (Apr. 25, 2013 aft., passed)
- 17 Municipal Government Amendment Act, 2013 (Kubinec)**  
First Reading -- 1779 (Apr. 11, 2013 aft., passed)
- 18 Pooled Registered Pension Plans Act (Fawcett)**  
First Reading -- 1873 (Apr. 18, 2013 aft., passed)
- 19 Metis Settlements Amendment Act, 2013 (Campbell)**  
First Reading -- 1803 (Apr. 15, 2013 aft., passed)  
Second Reading -- 1876-77 (Apr. 18, 2013 aft.), (Apr. 24, 2013 eve., passed)
- 20 Appropriation Act, 2013 (\$) (Horner)**  
First Reading -- 1925 (Apr. 22, 2013 eve., passed)  
Second Reading -- 1943-52 (Apr. 23, 2013 aft.), 1978-81 (Apr. 23, 2013 eve., passed)  
Committee of the Whole -- 2015-19 (Apr. 24, 2013 aft.), (Apr. 24, 2013 eve., passed)  
Third Reading -- 2057-63 (Apr. 25, 2013 aft., passed)
- 21 Environmental Protection and Enhancement Amendment Act, 2013 (Jansen)**  
First Reading -- 2055 (Apr. 25, 2013 aft., passed)
- 201\* Scrap Metal Dealers and Recyclers Identification Act (Quest)**  
First Reading -- 92 (May 30, 2012 aft., passed)  
Second Reading -- 291-301 (Oct. 29, 2012 aft., passed)  
Committee of the Whole -- 716-22 (Nov. 19, 2012 aft.), 1725-26 (Apr. 8, 2013 aft., passed with amendments)  
Third Reading -- 1726-27 (Apr. 8, 2013 aft., passed)
- 202 Public Lands (Grasslands Preservation) Amendment Act, 2012 (Brown)**  
First Reading -- 130 (May 31, 2012 aft., passed)  
Second Reading -- 501-13 (Nov. 5, 2012 aft.), 1723-25 (Apr. 8, 2013 aft., defeated on division)
- 203 Employment Standards (Compassionate Care Leave) Amendment Act, 2012 (Jeneroux)**  
First Reading -- 473 (Nov. 1, 2012 aft., passed)  
Second Reading -- 1900 (Apr. 22, 2013 aft., passed)
- 204 Irlen Syndrome Testing Act (Jablonski)**  
First Reading -- 968 (Nov. 22, 2012 aft., passed)  
Second Reading -- 1912 (Apr. 22, 2013 aft., referred to Standing Committee on Families and Communities)
- 205 Fisheries (Alberta) Amendment Act, 2012 (Calahasen)**  
First Reading -- 1117 (Nov. 28, 2012 aft., passed)  
Second Reading -- 1913 (Apr. 22, 2013 aft., referred to Standing Committee on Resource Stewardship)
- 206 Tobacco Reduction (Flavoured Tobacco Products) Amendment Act, 2012 (Fraser)**  
First Reading -- 1350-51 (Dec. 6, 2012 aft., passed)
- 207 Human Tissue and Organ Donation Amendment Act, 2013 (Webber)**  
First Reading -- 1690 (Mar. 21, 2013 aft., passed)
- 208 Seniors' Advocate Act (Towle)**  
First Reading -- 1315 (Dec. 5, 2012 aft., passed)
- Pr1 Church of Jesus Christ of Latter-day Saints in Canada Act (Dorward)**  
First Reading -- 1999 (Apr. 24, 2013 aft., passed)
- Pr2 Wild Rose Agricultural Producers Amendment Act, 2013 (McDonald)**  
First Reading -- 1999 (Apr. 24, 2013 aft., passed)

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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Monday afternoon, May 6, 2013

Issue 53

The Honourable Gene Zwozdesky, Speaker

## Legislative Assembly of Alberta The 28th Legislature

First Session

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Xiao, David H., Edmonton-McClung (PC)  
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Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans

Deputy Chair: Mr. Anglin

Allen	Hale
Barnes	Johnson, L.
Bikman	Khan
Bilous	Kubinec
Blakeman	Lemke
Calahasen	Sandhu
Casey	Stier
Fenske	Webber

## Legislative Assembly of Alberta

1:30 p.m.

Monday, May 6, 2013

[The Speaker in the chair]

### Prayers

**The Speaker:** Hon. members and guests, let us pray. On this beautiful day let us be reminded of the freshness that comes with spring: the birth of new buds on trees, the sprouting of beautiful plants and foliage, and the reappearance of beautiful flowers that enhance our province from border to border to border to border. Let us also be reminded to take time to stop and smell those beautiful flowers. Amen.

Now, please remain standing as we listen carefully to one of Alberta's rising young stars, who is going to sing for us *O Canada*, our national anthem. Welcome Alexandra Brigley all the way from Coronation.

**Miss Brigley:**

O Canada, our home and native land!  
True patriot love in all thy sons command.  
With glowing hearts we see thee rise,  
The True North strong and free!  
From far and wide, O Canada,  
We stand on guard for thee.  
God keep our land glorious and free!  
O Canada, we stand on guard for thee.  
O Canada, we stand on guard for thee.

**The Speaker:** Thank you very much, Alexandra. [applause]

Thank you, members.

Please be seated.

### Introduction of Guests

**The Speaker:** School groups first, beginning with the Minister of Culture.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. Today I'd like to introduce to you and through you to all members of this Assembly some wonderful students from St. Vincent elementary school located in my constituency of Edmonton-Glenora. They are seated in the public gallery. I had the opportunity to visit their classroom, and their questions were absolutely excellent. They're visiting with their teacher, Lori Lundeen, and parent helpers Joan Hertz, Cathy Kreutz, and Joanne Slugoski. I would ask that they all rise now so that they can receive the warm welcome of the entire Assembly.

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. Dorward:** Thank you, Mr. Speaker. It's my pleasure today to rise before you and introduce to you and through you to all members of the Assembly 25 of Clara Tyner elementary school's best and brightest grade 6 students along with teacher Sandi James and parent helpers Jackie Kanash, who knows my sister-in-law well; Carol Lamont; Lynda Lauman; Isabel MacBeth; Bryan Wigger; and Minerva De Tio, from my constituency, of course, Edmonton-Gold Bar. I'm pleased that they are able to be here today. They're currently studying active citizenship in their social studies class. As part of that program they've also raised money for the Stollery children's hospital and made sandwiches at the Mustard Seed. I would ask that the students, parents, and teacher now rise and receive the warm welcome.

Mr. Speaker, I have some friends here today. If they could please rise. Diane Llewelyn-Jones is from Taber, and she is writing a screenplay for a movie on the Famous Five. She is here along with three dear friends: Rob, Terra, and Michael Hodgins, who were with me almost every day from January 1 until April 23 last spring. Please receive the welcome of the House.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Riverview.

**Mr. Young:** Thank you, Mr. Speaker. It is my pleasure to rise today to introduce to you and through you to all members of the Assembly a group of grade 6 students from Windsor Park school. They're here as part of the School at the Legislature program. Here today are 21 students; their teacher, Mr. Lucas McCaw; and one parent helper, Dr. Deepali Humar. They're seated in the members' gallery. I would ask that my guests please rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** Are there any other school groups?

Seeing none, let's proceed onward with guests. The Deputy Premier.

**Mr. Lukaszuk:** Thank you, Mr. Speaker. I have a particular honour today. Number one, I'm doing my introduction on behalf of our Minister of Municipal Affairs. Sitting in your gallery is a young lady whom we have just heard sing a rendition of *O Canada*. Alexandra Brigley is a grade 9 student at Coronation school and, as you know, is a very, very talented young lady. She began formal music lessons in piano and singing when she started school and looks forward to competing in local and provincial festivals each spring. Alexandra's long-term goals are to perform in live theatre and also to teach music. Isn't that wonderful? She is accompanied today by what I would imagine are very, very proud parents, Dale and Brenda Brigley; and also Nick and Joe, who are her siblings; and, finally, some other relatives: Brian Heidecker, who has been involved with the U of A for some 30 years, including serving on the university's board of governors and even serving as a board chair; Shelley Heidecker; and Donna Bagdan. I'd now ask all of them to rise and receive our welcome. Thank you for the singing.

**The Speaker:** The Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you very much, Mr. Speaker. I'm pleased to rise on the first of two introductions I have today. I'm pleased to introduce to you and through you to all members of the Assembly no stranger to us, Mr. Doug Brinson. He's accompanied today by his wife of 42 years, Sharon. Doug, in addition to being one of the nicest guys in the building, is retiring after more than 15 years spent keeping this House and us safe as a member of the legislative security staff and, of course, as a sheriff. Before joining us here, he was a 30-year veteran of the RCMP.

Doug, I particularly want to say thank you on behalf of the government for your service to us every day. Please rise and receive the traditional warm welcome of the Assembly. [Standing ovation]

**The Speaker:** The hon. Minister of Infrastructure, followed by Lac La Biche-St. Paul-Two Hills.

**Mr. Drysdale:** Thank you, Mr. Speaker. It is a great privilege today to introduce to you and through you to all members of this Assembly two special constituents of mine who have travelled to Edmonton today to watch question period, my daughter Jodie and

my oldest granddaughter, Tory Johnson. They are seated in the members' gallery. My daughter has helped me very much over the last six or seven years along the way. She normally sits at home and watches QP on TV, so she was glad to be able to watch it here today. I would now ask them to please stand and receive the warm welcome of this Assembly.

1:40

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills, followed by Edmonton-Strathcona.

**Mr. Saskiw:** Thank you, Mr. Speaker. It is my pleasure to rise and introduce to you and through you to all members of the Assembly two constituents of mine, Carl and Eileen Christensen. They are both former teachers and reside near the booming metropolis of St. Lina. They are proud home-schooling parents of four children and, at least from the reports I hear, are particularly proud of their youngest daughter. Carl is the Wildrose constituency association president for Lac La Biche-St. Paul-Two Hills. I appreciate everything he does and his wife for allowing him to do it. I would ask that they both rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by Edmonton-Meadowlark.

**Ms Notley:** Well, thank you, Mr. Speaker. I have two sets of introductions today. First, I'm pleased to introduce to you and through you my son, Ethan Notley. Ethan has been to the Legislature before but never to watch question period in person. He has however watched fairly regularly on TV, and he has indicated that I can pass on a couple of his observations. While he is now and always will be a member of the NDP, he admits to having a bit of sympathy for certain members of the government front bench. In particular, he says that he's quite aware of what a pain it can be to be lectured by me and suggests that if any members of the front bench are feeling particularly hard done by, they should simply revel in the fact that at least for them, unlike him, it's not a daily experience. I would ask that Ethan stand and that all members of this Assembly join me in giving him our traditional warm welcome.

Now, the reason Ethan is here today is mostly to give support to his very good friend Erik Heise, the next person I'm pleased to introduce. Erik is in grade 8 and has been enrolled in the Edmonton public school board's music enrichment program since grade 5, learning to play the cello. When Erik heard the news that the 50-year-old program would be eliminated due to a lack of provincial funding, Erik's very precise comment was: this is my hockey team; why are they taking that away from me?

With Erik today is his mother, Kari Heise. Kari teaches music, and she also sings in the renowned Eucharistic choir. Kari is here in support of Erik and to reinforce the fact that music education does not just create musicians; it also supports and significantly improves the overall education and success of students who are beneficiaries of a music education. She is frustrated that a government which promised to build our K to 12 education is instead making cuts that are causing the demise of a 50-year-old music program serving over 600 children in Edmonton. I would now ask both Erik and Kari to stand and receive the traditional warm welcome of this House.

**The Speaker:** The hon. leader of the Liberal opposition, followed by Edmonton-Decore.

**Dr. Sherman:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of this Assembly Heather Workman. Heather is concerned that victims of domestic violence experience further victimization owing to a lack of support systems, which, in turn, leads to long-term health, social, legal, and financial problems. She is here to advocate for discussions on how support systems for victims of domestic violence can be improved. I'll be tabling today on Heather's behalf an article on Chief Justice Beverley McLachlin's call for restructuring the family law system. I will also be tabling the Action Committee on Access to Justice in Civil and Family Matters April 2013 report on the problems with family justice. I would ask Ms Workman to please rise and receive the traditional warm welcome of the Assembly.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Decore, followed by Edmonton-South West.

**Mrs. Sarich:** Thank you, Mr. Speaker. It's an honour and privilege for me to rise today to introduce to you and through you to all Members of the Legislative Assembly guests here in recognition of the 50th anniversary of Balwin Community League, which will be celebrated with the greater community on June 22, 2013, in the constituency of Edmonton-Decore. These guests give selflessly and fully to their community league to ensure that their goals and programs make a lasting difference to all. They are seated in the members' gallery, and I would ask that they please rise and remain standing as I mention their names: Mrs. Cynthia Lenders, president of Balwin Community League and avid volunteer to the league's board; Mr. Graham Harbak, past president and maintenance director; Mr. Rick Chaulk, past president, who served eight years; Ms Marianne Ethier, treasurer and past area council 2 representative; Mrs. Joyce Krachkowski, social director and past ladies auxiliary codirector. Ms Terra Harel couldn't be with us today, but she serves as the special events director.

Congratulations and heartfelt best wishes to these outstanding volunteers of Balwin Community League. I would now ask that we give them the traditional warm welcome.

Thank you.

**The Speaker:** The hon. Member for Edmonton-South West.

**Mr. Jeneroux:** Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to members of the Assembly two ladies who are here today on behalf of the Alberta Caregivers Association: Ms Anna Mann, the executive director of the Alberta Caregivers Association, and Joan Bowes, who sits on the board of directors for the Alberta Caregivers Association. It's no secret that these individuals and their association have worked closely with me on the development of my compassionate care leave bill. I'm also pleased to recognize and raise awareness in the House that it's Family Caregiver Week in Alberta. There are 4 million to 5 million caregivers in Canada, with 170,000 of them living right here in Edmonton. I'd ask that my two guests, seated in the members' gallery today, please rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** You have a second introduction. Proceed.

**Mr. Jeneroux:** Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to members of the Assembly two young gentlemen who sat down with many elected officials over the last week, including me. I have a fond spot in my heart for young, talented doctors, so when these two gentlemen introduced

themselves to me, I couldn't help but invite them to see us all in action. Dr. William Wei Han is a second-year family medicine resident from Edmonton, and Dr. Chris Fung is a third-year radiologist and nuclear science resident also from Edmonton. These two residents are also very strong advocates for caregivers in Alberta, know a lot more about medicine than I could even fathom, and it's an absolute pleasure to introduce them today. I'd ask that my two guests rise.

Thank you.

**The Speaker:** The hon. Minister of Justice and Solicitor General, followed by the Minister of Education.

**Mr. Denis:** Thank you very much, Mr. Speaker. I have a second introduction. I wanted to also introduce to you and through you to all members of this Assembly Doug's daughter Cindy McMullen and her son Britton McMullen. Britton is a source of pride and joy to the family, and like his grandfather, he's demonstrated that courage runs in his family as Britton has faced and fought a difficult battle with cancer. We pray that he enjoys a very long, happy, and healthy future. I'd ask both him and his mother to please rise and enjoy the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Minister of Education, followed by Edmonton-Ellerslie.

**Mr. J. Johnson:** Thank you, Mr. Speaker. It's a privilege to rise and introduce to you and through you to members of this Assembly a constituent of mine, Mr. Dan Dennis, and four visitors that he has with him here from Brazil. Dan is the youth exchange co-ordinator for the Rotary Club of Athabasca and has been hosting Rui Brasil Neto, a student from Brazil participating in the program. Rui arrived in Athabasca in August and has been attending high school at Edwin Parr, just down the street from my house. During his time in Canada he'll be staying with four different families, including Dan and including my constituency office manager, Dawn Minns. His family from Brazil is with him here this week; that is, his father, Rui Brasil Jr., a doctor in Brazil; his mother, Iza Brasil, who is an orthodontist; and his younger sister Bea. When he returns to Brazil, he plans to begin studies to become a doctor just like his father, and then he wants to return to Alberta, which we would welcome. It's a pleasure to have them here, and I'd ask them to rise and please receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Ellerslie.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. It's a pleasure to rise today and introduce to you and through you an outstanding citizen and a constituent of mine. Mr. Sukhdarshan Singh Pannu is a passionate volunteer. He volunteers his time as a dedicated, tireless coach for the Edmonton Eagles Field Hockey Club and has led his team to five silver medals as well as a gold medal in the league tournament. His efforts go beyond field hockey. He is a tireless activist working as a fundraiser for the Salvation Army, the Heart and Stroke Foundation, the Canadian Red Cross, the University Hospital Foundation, the Sikh Federation of Edmonton, and many others. He was the recipient last week of the Seniors Association of Greater Edmonton award for sports and leisure. On top of all that, he volunteers on my PC association board. He's joined here today by his wife and his nephew Harpreet Singh Sandhu, the editor-in-chief of *Asian Times*, a community newspaper. At this time I'd ask my guests to please rise and receive the traditional warm welcome.

## Speaker's Ruling Introduction of Guests

**The Speaker:** Hon. members, just before we go on with question period, could I ask you once again to please tighten up your introduction of guests. We just barely made it today, and we didn't have that many guests to introduce. There are some jurisdictions, as you may know, that only allow a total of five minutes – total – for guest intros to be done. So bear that in mind.

1:50

## Oral Question Period

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition. First main set of questions.

## School Infrastructure Funding

**Ms Smith:** Mr. Speaker, the Wildrose 10-year debt-free capital plan calls for the building of a hundred schools and renovating 60 others. It would do so without saddling future generations with \$17 billion worth of debt, like the government will. I mention this because the Premier, when she made her school funding announcements in front of elementary school students, got it all wrong. But now that I've explained the Wildrose debt-free capital plan to her again, will she stop acting like Pinocchio and tell the kids the truth about it instead of the made up scary tales that she told them last week?

**Ms Redford:** Mr. Speaker, I appreciate the fact that the Leader of the Opposition is prepared to provide some information to Albertans, but that's exactly the point of actually announcing real infrastructure plans such as we did last week. I recall two weeks ago – perhaps it was three weeks ago – when we were at my estimates, the Leader of the Opposition randomly threw out that the reason they would be able to build infrastructure is because they would, quote, reprioritize \$4 billion in spending this year. So it's easy to say that you can promise one thing on one hand and not promise something on the other. We have a plan to build schools, and we'll continue to do that.

**The Speaker:** The hon. leader.

**Ms Smith:** Yes, Mr. Speaker. We would start with the patronage and corporate welfare this government likes to hand out.

When the Premier, though, was scaring the kids with her bedtime stories last week about the Wildrose, she neglected to tell them about her back-in-debt budget and the \$17 billion worth of debt that she is borrowing on their behalf. Why didn't she tell the kids about that?

**Ms Redford:** Mr. Speaker, it's a wonderful opportunity to review the fact that a year ago Albertans made a choice between looking to the future, investing in infrastructure, understanding that it's worth creating 18,000 new spaces for kids as opposed to the build-nothing approach that we see from the opposition. It's not what Albertans chose a year ago, and it's not what they want today.

**Ms Smith:** Well, I certainly don't remember the Premier campaigning on going into debt, Mr. Speaker.

The Premier also didn't mention the really scary part. When those school kids just start to get themselves established 20 years from now, the entire \$17 billion worth of principal amount is going to be due, but the government isn't planning to set aside anywhere near enough money to pay it back. Why didn't she tell the kids that they're going to be on the hook for all of it?

**Ms Redford:** Well, Mr. Speaker, what we see in this Legislature every day is the Leader of the Opposition who should be concerned about her nose growing.

It has been very clear that we have put in place a fiscal plan that ensures that we are dealing with infrastructure, going to capital markets that invest in the long term, and ensures that this province can continue to grow, and that's what we're committed to.

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition. Second main set of questions.

**Ms Smith:** Still didn't campaign on going into debt, Mr. Speaker.

#### Political Party Donations

**Ms Smith:** Now, Mr. Speaker, there is a big problem with Alberta's election financing laws. The Chief Electoral Officer verified that the PC Party was indeed given a single \$430,000 bank draft for a huge donation, but the electoral office said it was okay because of what appears to be a new category of political contributions available to large, powerful organizations. It's called a bulk donation. This ruling has opened the door for the kind of self-serving political action committees like they have in the U.S. Why does the Premier continue to support a law that has the potential for such abuse?

**Ms Redford:** Well, Mr. Speaker, as we said when the opposition raised this last year, the most important thing that we could do was get the facts on the table and get a decision from the Chief Electoral Officer. We have had that decision. It has clearly ensured that what has been put in place is entirely appropriate.

I might suggest from the other perspective that this party should be very careful about suggesting that anything like that isn't appropriate since we certainly know that they have participated in exactly the same form of fundraising, and we wouldn't accuse them of doing anything wrong either.

**Ms Smith:** I can assure this Assembly we have never received a single \$430,000 cheque.

Mr. Speaker, Albertans need to trust that the election process is clean, fair, and democratic, and they are right to be concerned about what is going to happen in the next election if a large corporation, a law firm, a union, or a special-interest group can gather money into a single bulk donation and try to influence the election. Now that the Premier has seen the public reaction to this distasteful practice, will she act now to change the law to prevent future abuse?

**Ms Redford:** Mr. Speaker, we have a very clear set of rules that are in place that are transparent, that ensures that everyone understands who makes political contributions and how they're made. For any political party to stand in this House and deny that they have not actually taken the same approach to political fundraising is slightly hypocritical.

**Ms Smith:** Mr. Speaker, what the Wildrose has done in this Assembly is propose an amendment to close the Katz loophole, but the government voted it down. Now, in light of the potential abuse that was unveiled following the Chief Electoral Officer's recent decision, if the Premier won't agree to close the loophole to stop future bulk donations, will she at least agree to ban union and corporate donations altogether?

**Ms Redford:** Mr. Speaker, we have a set of rules with respect to election financing that are rules that people can have confidence

in. We also have an independent Chief Electoral Officer, who, despite what the opposition says, has not said that anything untoward happened and in fact vindicated the people that this party slandered last year. That's why we have independent offices. The report is clear. No rules were broken, and it's important for us to respect those rules, as we did.

**The Speaker:** Hon. members, the noise level is rising here. The heckling is starting up again. I'd like to ask you to show some respect for the people asking the questions and for those attempting to answer them.

The hon. Leader of Her Majesty's Loyal Opposition. Third main set of questions.

**Ms Smith:** Thank you, Mr. Speaker. If the PCs have done nothing wrong, maybe the Premier can explain why they had to pay \$25,000 in illegal donations back.

#### Funding for Dementia and Alzheimer's Patient Care

**Ms Smith:** Mr. Speaker, they're doing this again, trying to save money on the backs of the most vulnerable Albertans. This time it's Alzheimer's and dementia patients. The government claims that their new centralized outcomes-based funding approach is better for patients, but in practice it is taking front-line resources and staffing away from patients with dementia and Alzheimer's. When the CEO of the Bethany care centre, that operates a number of facilities across Alberta, calls it a perverse system, will the Premier acknowledge her government might have made a mistake?

**The Speaker:** The hon. associate minister.

**Mr. VanderBurg:** Well, thank you, Mr. Speaker. The fact of the matter is that the patient-based funding, what the member is talking about, assesses the patients with Alberta Health Services to make sure that the funding goes to the patient in the right space at the right time. There are many instances where we can show that there are reductions of funding, and there are many instances where we can show that there are increases in funding. The whole premise behind this policy is that those in need will get the services, and the funding will follow.

**Ms Smith:** Mr. Speaker, that's not what's happening. Front-line worker positions are being cut in facilities with some very high-needs patients because the funding model is biased against patients with dementia and those who are in end-of-life care. In Cochrane, for example, where there was a huge protest this past weekend, 13 aides and LPNs have been laid off, and other staff have had their hours reduced. How does that make patient care outcomes better?

**Mr. VanderBurg:** Mr. Speaker, like I said in the first set of answers, Alberta Health Services' intention is to make the process responsible and responsive to the needs of the patient. There are cases that will fall through the cracks, and Alberta Health Services will review those. I'll say that if any of those circumstances arise, I encourage the people to raise these issues with Alberta Health Services directly, right at the site.

**Ms Smith:** Mr. Speaker, these are dementia and Alzheimer's patients, who can't speak up for themselves.

The outcome we should be demanding for these patients is compassion. If the minister won't give us the right answer, will the Premier agree to reassess the complex formula for funding and

make the necessary changes to ensure that all patients get the care that they need?

**Ms Redford:** Mr. Speaker, in fact, the reason that we now have the system in place is because we have reassessed the formula for funding. Patient-centred funding ensures that the supports are there for patients and their families. In some cases that means that in structures and in organizations, if you actually take a personal interest in advocating on behalf of patients and families, staffing structures will change. That may affect staff, but it doesn't affect patients.

**The Speaker:** Hon. Member for Airdrie, your point of order was noted at 1:57 p.m.

The Leader of the Alberta Liberal opposition.

## 2:00 Research Development and Commercialization

**Dr. Sherman:** Thank you, Mr. Speaker. When this Conservative government made devastating cuts to postsecondary education, nobody could figure out why. It just doesn't make sense. Well, now we know why. The Conservative agenda is to turn postsecondary institutions into R and D facilities for their big corporate donors. To the Premier: why are you suggesting that the University of Alberta change its motto from whatsoever is true to whatsoever is profitable? Why, Premier?

**Ms Redford:** Well, Mr. Speaker, one of the things that we promised Albertans was that we were going to ensure that our universities and the taxpayer dollars that we invest in them are diversifying the economy. We see already tremendous partnerships between the private sector and universities that are doing very well to invest in research that will grow the economy. All that we are doing now is continuing to deliver on that model. We know that boards of governors and presidents of universities know that it's important to invest in diversifying the economy, in finding new opportunities for economic growth, and that's why we made the decisions we did.

**Dr. Sherman:** Mr. Speaker, hogwash. What the Premier is proposing to do is to tear down a mansion and build a shack in its place.

In his State of the City Address Mayor Stephen Mandel said that the University of Alberta contributes 5 per cent of this province's GDP, more than \$12 billion. Alberta's postsecondary institutions already have strong working relationships with industry. Most importantly, they do not sacrifice academic independence and freedom, something that rightly concerns Alberta's professors, teachers, and students. To the Premier. Your approach will drive out top researchers and students. What makes you think that Soviet-style central planning is a way to direct postsecondary research?

**Mr. Lukaszuk:** Mr. Speaker, I'm not sure how to answer to theatrics like this, but let me tell you this. We know that there is fabulous research going on in our academic institutions, and that includes universities, polytechnics, and colleges. We also know that our professors have the academic freedom to engage in any research that they see valuable. We also know that all that is paid for by Alberta taxpayers. If there is a possibility to solve real problems with real solutions, monetize it, and bring revenue back to universities and to Albertans, I don't see what's wrong with that.

**Dr. Sherman:** Mr. Speaker, the only theatrical trapeze artist is the Deputy Premier here.

This government has completely lost its way when it comes to postsecondary education. The pursuit of truth and knowledge, while not always of commercial benefit, is valuable in and of itself. Furthermore, some research, which does eventually prove to be of commercial benefit, would not be approved if the only motive was profit. Albert Einstein would not get funded in your Alberta, Premier. To the Premier: do you really think Alberta students voted for this when you claimed to have walked in their shoes? Premier, I'm asking you.

**Mr. Lukaszuk:** Mr. Speaker, we know that Canadian professors are the most cited and quoted professors in the world in academic journals, but we also know that not only this provincial government but our federal government is looking at making sure that the research that already happens in our institutions brings benefit to all of Canada and, frankly, de facto to Alberta. So the fact is that since we're investing so much into our postsecondary institutions, it only stands to reason that we benefit from it not only financially but by actually bringing real solutions to real problems that the world is struggling with right now.

**The Speaker:** The hon. leader of the ND opposition, followed by Chestermere-Rocky View.

## New School Construction Announcements

**Mr. Mason:** Thank you very much, Mr. Speaker. Last week the Premier was busy using school kids as a backdrop for her partisan attacks on the opposition. On the one hand, this Premier is breaking promises with cuts to programs, increasing class sizes, and imposing a reduced quality of education. On the other hand, she pulls kids out of class to serve as props for her partisan political attacks on the opposition. My question is to the Premier. Can you get any more cynical?

**Ms Redford:** Mr. Speaker, it was very exciting last week to be able to travel this province with our Minister of Education and our Minister of Infrastructure and keep a promise that we made during the election, which was to build 50 new schools. There is nothing wrong with ensuring that we remind people that last year they had a choice, and they chose to build schools, they chose to create 18,000 new spaces for children, and they chose to have high-quality education. That's a promise we kept.

**Mr. Mason:** In the last election the people had a choice between a lake of fire and a bunch of broken promises, Mr. Speaker.

When parents and teachers agreed to allow their kids to participate in the Premier's news conference, did they know that they were agreeing to their kids serving as a backdrop to a Tory campaign event complete with cheap attacks on other political parties?

**Ms Redford:** Well, in fact, Mr. Speaker, the wonderful thing about some of the work that we were able to do last week in announcing those schools was that there were lots of parents and community leaders there. What they knew was that they were coming to announcements to build new schools, to modernize schools, to create new spaces to make sure that our kids could excel to the best of their ability. There is no doubt that Albertans and parents understand that we made a commitment to Albertans, and we're going to keep it.

**The Speaker:** The hon. leader.

**Mr. Mason:** Thank you very much, Mr. Speaker. We all know that the government has borrowed a whole bunch of money to build a whole bunch of schools, many of which should have been built 10 years ago. It's no great accomplishment. Only this Premier could manage to get bad press when announcing new schools, but it's no surprise given the slew of broken promises that follow this Premier around. My question is to the Premier. Will she apologize to Albertans for misusing their resources for partisan purposes and for using their kids as her props?

**Ms Redford:** Well, Mr. Speaker, as I understand it, we all get to work on behalf of the people of Alberta. We all get to make promises, and some of us, fortunately, get elected to actually deliver on our promises. When I look at what we do as MLAs and leaders of opposition parties and everything that we do to encourage public debate, that's part of what a democracy is. The last time I checked, the leader of that party was paid by taxpayers, too.

**The Speaker:** The hon. Member for Chestermere-Rocky View, followed by Bonnyville-Cold Lake.

#### **Research Development and Commercialization** (continued)

**Mr. McAllister:** Thank you, Mr. Speaker. It is another day and another example of this advanced education minister's failed government-knows-best approach. [interjections] Dr. Bob Church, who is a member of the Order of Canada . . .

#### **Speaker's Ruling Decorum**

**The Speaker:** Please, leader of the ND and whoever you're conversing with on the front bench, be it the Deputy Premier or whoever, let's stop that across-the-bow stuff. The Member for Chestermere-Rocky View has the floor. He was interrupted, and I'm going to ask him to start over if he wishes or to pick up where he left off. It's your choice.

**Mr. McAllister:** I'm familiar with this, Mr. Speaker. It's take 2. Thank you.

#### **Research Development and Commercialization** (continued)

**Mr. McAllister:** It is another day and another example of this advanced education minister's failed government-knows-best approach. Dr. Bob Church, who is a member of the Order of Canada and a founding chair of the Alberta Science and Research Authority, is saying that the research plan under Campus Alberta and the government's latest announcement will be a complete disaster. He's warning that the centralized R and D superboard will result in the continued exit of top scientists, clinicians, and engineers from this province. To the minister: how does creating a brain drain out of Alberta do anything except take a hammer to whatever is left of the Alberta advantage?

**Mr. Lukaszuk:** Well, Mr. Speaker, never mind take 2. This show will stay in a can because it has no resemblance to reality whatsoever.

If this Official Opposition critic for this ministry would actually take five minutes and choose to meet with me, send me a memo or a letter or ask a question, I would be able to perhaps illuminate him on the subject. The fact of the matter is that there will be no brain drain. The fact is that we will be giving our academia more options to engage in collaborative research if they choose to do so.

**The Speaker:** The hon. member.

**Mr. McAllister:** Mr. Speaker, thank you. I did try to meet with the minister when the budget was released and this was affecting postsecondaries, but he was busy tweeting from a beach across the world.

Given that Dr. Church is saying that this type of top-down, government-driven research hasn't worked anywhere in the world and given that he says the last time he saw this model in action was when he was a visiting scientist in the Soviet Union in 1972, will the minister admit that his plan to have bureaucrats staring over the shoulder of researchers is nothing short of a disaster?

2:10

**Mr. Lukaszuk:** Mr. Speaker, I will not be debating through this member on what Dr. Church may or may not have said. I'd gladly meet with him and discuss that myself.

It may have happened somewhere in 1972, but I can tell you right now that in Boston at MIT, in Tel Aviv, Silicon Valley, and Stanford all of that is happening, as a matter of fact, and I don't see a brain drain over there. Everybody is vying to work out of those institutions. We can be just as great if we give our academia that opportunity.

**Mr. McAllister:** Well, perhaps we'll try it like this. Minister, who do you think Albertans will find more credible on the issue of how to create innovation in our economy? A man who has been in the field for 35 years, is a founding member of the Natural Sciences and Engineering Research Council, and is a former member of the Medical Research Council of Canada and the Alberta Research Council or a minister who has only been on the job for all of a whopping three months?

**Mr. Lukaszuk:** Well, Mr. Speaker, it's really refreshing that they actually believe in science. Maybe global warming will be something that they will believe in soon.

I will tell you whom I will believe. I will believe our professors at the universities. I will believe the individuals I met with in Lake Louise over the weekend, who are the top researchers in Canada and Alberta who are looking at collaborative research not only with the private sector but with other institutes throughout the world, who are looking at solving real problems like global warming, believe it or not, with real solutions that are already taking place in our universities but could be delivered to market, could be commercialized and enrich our province and our research.

**The Speaker:** The hon. Member for Bonnyville-Cold Lake, followed by Innisfail-Sylvan Lake.

#### **New School Construction**

**Mrs. Leskiw:** Thank you, Mr. Speaker. This is Education Week in Alberta, when we honour the best of our educators and the best in education. I can tell you that for municipalities in my constituency of Bonnyville-Cold Lake as well as many others across this great province having a school means spaces to learn and opportunities for our children to grow. Unlike some other parties,



our Premier and our government prioritized education and are putting our commitments into bricks and mortar. My questions are to the Premier. Over the constituency week you announced a number of new schools. Can you tell me why our government is building schools while the Official Opposition says we should cut spending and delay?

**Ms Redford:** Well, Mr. Speaker, as we've already talked about, this is a government and a party that's building Alberta, and we're proud of that. We have made that commitment to Albertans over time, and we made that commitment a year ago. We made a promise to keep investing in infrastructure – schools, roads, and hospitals – so that we can continue to succeed as we have in the past 40 years under a Progressive Conservative government. Eighteen thousand new spaces right across this province, that are going to allow children to excel, was a commitment we were proud to make last week.

**Mrs. Leskiw:** Again to the Premier. Many Alberta communities like Bonnyville and Cold Lake in my constituency are facing the pressures of a growing population. As a government we have committed to many more schools. In communities like Cold Lake when can we look forward to more school projects being announced like the ones announced in the 19 communities?

**The Speaker:** Hon. member, I don't know if that was a question or just a lot of preamble, but if somebody wants to address it from the government side, please do so.

**Ms Redford:** Well, Mr. Speaker, thank you. One of the things that was really important last week is that we made sure that Albertans understood that while there were many announcements made, 30 new schools, there are more to come. We certainly dealt with the immediate growth pressures but worked very closely in partnership with school boards right across this province to make sure that we keep that commitment to build 50 new schools and modernize 70 because that's how Alberta students will be able to learn to the best of their ability.

**Mrs. Leskiw:** Again to the Premier. Given that this morning you announced \$11 million to support dual credit programming to encourage students to earn high school and postsecondary credits at the same time, how is our government helping to ensure that our kids will find rewarding careers? [interjections]

**Ms Redford:** Well, actually, Mr. Speaker, I hope the opposition will listen to this because it's actually about helping kids improve. We had the opportunity today to announce the dual credit system, which will be available to school boards right across this province, \$11 million over the next three years, so that students who are in high school and may choose to not take a purely academic track are going to be able to be given information and options and actually get credits ahead of time. That's what allows Alberta's kids to succeed.

#### **Funding for Dementia and Alzheimer's Patient Care** (continued)

**Mrs. Towle:** Mary is 85 years old. She has dementia. She needs help with eating and going to the bathroom, she needs nine medications a day, she's frail, and she's in a wheelchair. She lives in continuing care. Now, because of the government's new funding model for seniors' care, Mary is going to suffer. AHS has

determined that patients like Mary can't meet the so-called outcomes and are therefore not entitled to the same level of care they used to have. Facilities that care for Mary are already laying off staff. To the Associate Minister of Seniors. It appears that this new funding model is leaving vulnerable Alzheimer's and dementia patients behind. Why?

**Mr. VanderBurg:** Mr. Speaker, Albertans need to know and have confidence in their publicly funded health care system, that it's there and it's going to be there to respond to the needs of Mary, your constituent that you raised. Listen. At any time the province takes care of vulnerable people. We know that there are people like Mary around. We have caring, loving, dedicated staff that make sure that she doesn't fall through the cracks. [interjection] Sir, this lady will be taken care of.

**The Speaker:** The hon. member.

**Mrs. Towle:** Thank you, Mr. Speaker. Given that the new AHS funding model is supposed to provide greater levels of care for patients with high needs, can you please explain how patients like Mary, who have dementia and need help getting dressed, washing up, and using the bathroom, are having their care hours decreased?

**Mr. VanderBurg:** Mr. Speaker, we talked about this a bit earlier. The patient funding model will respond to the needs. As the needs change, the responses will change. You can be assured that there will be patients that have fewer hours of service, and there will be patients that will have more hours of service. It will depend on the care plan, and it'll depend on the assessment given by the caregivers at each individual site.

**Mrs. Towle:** Unfortunately, those caregivers won't be there at each individual site.

Given that Alzheimer's and dementia patients have apparently been left behind by this Alberta Health Services funding model, will the Associate Minister of Seniors please commit to reviewing the model so that the very unique and very intensive needs of these patients and their families are addressed and not ignored?

**Mr. VanderBurg:** Mr. Speaker, as we age and as the demographics change in this province, we're going to have an increase in higher levels of care throughout the province. This is part of the reason why the Premier and our government have committed to building more spaces across this province. Every one of the new spaces that we're talking about announcing in June or July will have care for dementia patients. Every one of those places will have opportunities for couples to age in place. Is it enough? Is it fast enough? No, it's not. We're getting there.

**The Speaker:** The hon. Member for Calgary-Currie, followed by Calgary-Buffalo.

#### **PDD Community Access Funding**

**Ms Cusanelli:** Thank you, Mr. Speaker. Last week during the constituency break I had the opportunity to speak with several of my constituents regarding PDD funding. Many are worried that these cuts may have serious, real-world impacts on them, their family members, their lives, and their quality of life. All of my questions are to the Associate Minister of Services for Persons with Disabilities. How will the \$39 million cut to community access affect my constituents who are concerned that this cut will deny them the basic opportunity to participate and be a member of their community?

**The Speaker:** The hon. associate minister.

**Mr. Oberle:** Thank you, Mr. Speaker. I'm pleased to respond to that. We discussed that we're going to reduce community access funding in favour of services that provide more inclusive, more engaging opportunities in the community, like employment. I can tell you right now that while that transition is in place and assessments are ongoing, nobody, but nobody, who needs services will be denied services.

**The Speaker:** The hon. member.

**Ms Cusanelli:** Thank you, Mr. Speaker. Given that cuts have been made to postsecondary training institutions like Mount Royal University for their social work program for disabilities, how is the minister going to ensure that the difficulties that organizations are already having regarding staffing are not multiplied, compounded?

**Mr. Oberle:** Mr. Speaker, we do have a strategic plan in place to deal with workforce issues and disability service workers, and a big part of that was the 10 per cent wage offer that was made this year. We do have a strategic plan going forward, developed in concert with service providers and postsecondary institutions. It's posted on our website for comment right now.

I am actually deeply concerned about the cuts in postsecondary institutions. We had a sign language interpreter program at Lakeland and a disability service worker program at Mount Royal. I'm concerned, and I will take that up with the minister of advanced education, Mr. Speaker.

2:20

**The Speaker:** The hon. member.

**Ms Cusanelli:** Thank you, Mr. Speaker. Given that many organizations are concerned with the July 1 deadline to submit revised budgets and that this is a very aggressive timeline to initiate change in caring for the vulnerable Albertans that we have here, will the minister consider extending this deadline?

**Mr. Oberle:** Well, thank you for the question. Mr. Speaker, at the moment we are working towards that very deadline. We are working collaboratively with service providers, PDD agencies, caregivers, guardians. I recognize completely that there is a concern out there about the pace of implementation. I also recognize I'm not going to have success unless I work with people. We'll see how the transition goes, but I am absolutely prepared to be flexible if I have to be.

### **New School Construction** (continued)

**Mr. Hehr:** During the election the Premier promised to build 50 schools and renovate 70 in four years. Last month in estimates the Minister of Education admitted that this promise will not be fulfilled. With 40,000 more students expected by 2016, even with the 50/70 plan this will leave 17,000 students without a classroom or a desk to sit in. Our classrooms are bursting at the seams, and the building of new schools is not being given a high enough priority. To the Premier: can you explain to me how we will educate these additional 17,000 students?

**The Speaker:** The hon. Deputy Premier.

**Mr. Lukaszuk:** Well, thank you, Mr. Speaker. I appreciate the fact that this member of this opposition party agrees that there is a

need now to build schools for kids today and not 30 years from now. I would have to remind this member that we are only in year 1 of a four-year term, and we will do our utmost to make sure that our kids have the classrooms and the schools they need today and not 30 years from now.

**Mr. Hehr:** Well, given that a school can be built in 18 months if the government scraps their addiction to P3s, which can take up to five years to build, why does this government simply not roll up their sleeves and start construction tomorrow on these 28 schools instead of forcing children and communities to wait until 2016?

**Mr. Lukaszuk:** Mr. Speaker, we will be using funding models that make sense, and the funding models will be different in different communities. At the end of the day we made a very clear commitment to invest in infrastructure and to invest in building Alberta. That not only means schools, but it means seniors' facilities, it means hospitals, and it means clinics and many other pieces of infrastructure. But the fact is that, as everybody knows, very few people out there have enough cash up front to build everything with cash up front, so we will be looking at innovative solutions to bring the schools to kids today and not 30 years from now, like opposition would have it.

**Mr. Hehr:** Well, given that in 1993 the provincial government took away the local school boards' ability to tax citizens for schools and by extension the province would be responsible for building these new schools, when will this government either provide the necessary funds to school boards or, if they're too gutless to raise revenue, return the taxation powers to the local authorities?

**Mr. Horner:** Well, Mr. Speaker, this government made a commitment to Albertans that we were not going to raise taxes, that we were not going to dig into their pockets until we did an entire review of what we were doing in our government. I would also say that the list of projects that was recently released was the first tranche of a number to come. We understood that there were pressures in certain areas of the province. We dealt with that as promised. Another promise made, another promise kept.

**The Speaker:** Thank you.

The hon. Member for Edmonton-Calder, followed by Rimbey-Rocky Mountain House-Sundre.

### **Education Funding**

**Mr. Eggen:** Thank you. In the last election this PC government ran on the promise of adequate funding for education. Mr. Speaker, this has turned out to be a particularly nasty, hurtful broken promise. For example, in Edmonton public schools the latest cuts include 44 education specialists from math to science, English to phys ed. Junior high sports programs are likely to be cut significantly as a result. How can this government rip \$19 million out of Edmonton public schools and a similar amount from boards across Alberta without knowing full well that these sorts of cuts would end up taking place?

**Mr. Lukaszuk:** Well, Mr. Speaker, if the member has read the 2013-14 budget, he would have seen that there wasn't a cut to K to 12 education, but there was an increase. Even though a minimal increase, there was an increase in the budget. Our Minister of Education is working collaboratively with all 62 school boards, making sure that every single dollar as much as possible ends up

in the classroom, benefiting students. That is why kudos go to our teachers and the ATA and our minister in achieving a long-term labour agreement that will allow us to better budget into the future and make sure that dollars get into the classrooms.

**The Speaker:** The hon. member.

**Mr. Eggen:** Thank you, Mr. Speaker. Well, given that this government extracted \$19 million from Edmonton public for the next school year, resulting as well in the elimination of the music enrichment program, which for more than 50 years has provided affordable music instruction to students in Edmonton, how can this government stand by and claim their innocence while these cuts unfold? Music programs burn across Alberta while this government fiddles.

**Mr. Lukaszuk:** Mr. Speaker, grants for inclusion and small classroom size have actually gone up. What this member is referring to – and he should know well because he’s a teacher as well – is a music program that has been apparently eliminated that was an extracurricular activity, an after school program, thankfully delivered by teachers. Again, our teachers need to be thanked for the work that they do outside of classroom delivering extracurricular activities, but if he has an issue with those, he should be speaking with the school board, with the locally elected trustees who manage each school board’s budget.

**The Speaker:** The hon. member.

**Mr. Eggen:** Thank you, Mr. Speaker. Well, given that on one hand this Premier, this government uses education and young children in particular as campaign props while on the other hand they’re busy cutting school funding – and let it be known that that school funding cut to enrichment is a direct result of the budget cuts that came from this Chamber – why won’t this government clean up their act and give back the money they took away from education so that we can get on with the important business of looking after our children and the schools in which they learn?

**Mr. Lukaszuk:** Mr. Speaker, fancy, inflammatory language but very little truth. As I said earlier, the budget did not go down, but it has gone up even though a little. This member needs to be reminded that our school boards now will have to make some very difficult decisions. I know some school boards will have to be dealing with school infrastructure and others, but at the end of the day this Premier has made a commitment, this government has made a commitment not to balance the budget on the backs of kids, and we haven’t. We haven’t diminished school boards’ budgets, but they will have to make some difficult decisions on the infrastructure side perhaps, and I encourage them to look at that.

### Electricity Pricing

**Mr. Anglin:** Mr. Speaker, over the last seven to 10 days the price of wholesale electricity in the province of Alberta has averaged more than \$400 a megawatt, and on more than one occasion the price has approached a thousand dollars a megawatt. Given that there are no reported problems, no increases in demand, and given that the average wholesale price of electricity across North America was less than \$40 a megawatt for the same time period, how can this government honestly say that Albertans have a very good, working electricity system?

**Mr. Hughes:** Well, Mr. Speaker, the electricity system delivered by the private sector and by the oversight regulators delivers to Albertans fair electricity at a fair price over a consistent, long period of time. In fact, I noticed that the hon. member wasn’t complaining about the fact that the price of electricity, the average pool price, was, like, \$28 in the month of February. Remarkably, when it’s really, really low, we don’t hear anything.

**The Speaker:** The hon. member.

**Mr. Anglin:** Thank you. That’s because they’re not listening, Mr. Speaker. The ancillary costs doubled.

Given that TransCanada’s internal study found that Albertans are paying more than double what it costs to build a transmission line in seven western states and two other western Canadian provinces, to the minister: why are Albertans paying more than double the going rate?

**Mr. Hughes:** Well, Mr. Speaker, the hon. member is exceedingly skilled at comparing apples and oranges. I would say that if you look at his press release recently, he’s pointing out and suggesting that the costs are quite different when, really, in one case it’s trying to build a line in Alberta; in the other case 400 kilometres of it is underwater. If the hon. member would like to find us 400 kilometres in a straight line in Alberta that goes underwater where we could put a line, by golly, we’d be there right with him.

**Mr. Anglin:** You got it.

Given that Albertans are paying \$10 million per kilometre to build an above ground heartland transmission line, which goes past the schools and homes of Sherwood Park, and given that it only costs \$4.1 million per kilometre, half the price, to build the same size transmission line underwater, underground, which is supposed to be more expensive, how can this minister say that Albertans are not getting ripped off?

2:30

**Mr. Hughes:** Mr. Speaker, Albertans are exceedingly well served by the electricity system they have in this province. They’ve had consistent, reliable costs that are right in the middle of the average supply of electricity right across this country. Albertans are well served. I would add that we’ve given additional teeth to the Alberta Utilities Commission to ensure that costs are kept under scrutiny through the build of these transmission lines.

### Transition of Michener Centre Residents

**Mrs. Jablonski:** Mr. Speaker, there are many concerns across this province for the residents of Michener Centre in Red Deer-North, who will be transferred to new homes in the community. Some parents of the 125 residents are pleased that their loved ones will be repatriated back to their home communities for care, but other parents and guardians have serious concerns about moving their loved ones. I’ve been assured that each resident will have an individual plan developed for them with the assistance of their family and caregivers. I understand that a resident will only be moved once their parents or guardians agree to the plans. I also understand that every effort will be made to move residents with their friends whenever possible. To the associate minister for persons with disabilities. Residents and staff have been told that it’s been mandated . . .

**The Speaker:** The hon. associate minister.

**Mr. Oberle:** Thank you, Mr. Speaker. I think I caught the tail end of that. I was trying to watch the member there. It relates to whether or not there's a mandate for residents that are cared for by the public guardian to be moved first. That is absolutely not the case. The public guardian represents a number of residents there, some with lesser needs and some with more profound needs. Every patient in there will be moved in accordance with an individual plan, agreed upon and developed with, in fact, the staff, our department, and their guardian.

**The Speaker:** The hon. member.

**Mrs. Jablonski:** Thank you. To the same minister: will parents, guardians, residents, and caregivers be able to participate in developing the plan for their loved one, and what will you do if a parent does not agree to the plan that is being developed?

**Mr. Oberle:** Well, Mr. Speaker, I spent a good part of last week actually meeting with families from the Michener Centre. You know, we have some difficult but productive discussions going forward, and I'll continue to do that. Every individual in that place will have a plan developed for their particular needs and an appropriate destination identified as a result of that. From there, parents or guardians will have choices about what the best pathway for their loved one will be, and I will guarantee that we're going to work with every individual before they're moved. No one moves until there's a place for them.

**Mrs. Jablonski:** To the same minister: given that Michener staff are very concerned about the residents first but, secondly, more than 400 staff are concerned about losing their jobs, what kinds of supports will be available for the staff, some of whom are near retirement?

**Mr. Oberle:** Mr. Speaker, you know, I have to say that the staff have been absolutely exceptional in very difficult circumstances, more difficult because of the planning at the individual level that needs to be done. We can't identify what some of the staff impacts will be right now, so it's a difficult time for staff. Despite that, they have pledged to be involved in the care plans for individuals, which is absolutely exceptional and speaks volumes for the great people that are there. Once those care plans, appropriate destinations are identified, we'll be able to work with staff. We can absorb some in AHS, in our own program. At all times we'll be working within the collective agreement, and people will be dealt with with dignity and respect and gratitude.

**The Speaker:** The hon. Member for Calgary-Fish Creek, followed by Lesser Slave Lake.

#### **PDD Front-line Staff Contract**

**Mrs. Forsyth:** Thank you, Mr. Speaker. The associate minister of PDD is having a tough time selling his plan to cut \$42 million in program spending for the most vulnerable citizens. Front-line workers are worried about how they'll deliver quality care, and our clients are worried about how the cuts will affect their standard of life. Now we hear about a new gag order which is being imposed on all PDD front-line workers and service providers that threatens them against speaking out without prior consent from your government. The culture of fear and intimidation is being used to muzzle front-line staff like it did in AHS. Why is the associate minister adopting it to silence the people caring for people with developmental disabilities?

**Mr. Oberle:** Well, Mr. Speaker, if the member's assertions were true, I'd probably be equally concerned about them, but in fact they're not. We've got a draft contract out there that nobody has signed yet, that's available for open comment. In fact, we're having a forum with service providers next week for everybody to comment. We're trying to standardize a contract on our side that deals with children's services and our needs. That clause came from children's services. It's out there for open comment. If anybody has a problem with it, I'm pretty sure they'll identify it in an open forum that we have next week. We're trying to work collaboratively.

**Mrs. Forsyth:** So, Minister, will you guarantee this House that there'll be no muzzling of front-line staff?

**Mr. Oberle:** I think I've been through that, Mr. Speaker. Overall, we have a budget increase. We've moved some money out of community access supports. We want to move more toward employment supports. We gave a boost of 10 per cent directly to front-line staff.

**Mrs. Forsyth:** Mr. Speaker, I'm going to ask that question one more time. Minister, will you guarantee that there'll be no muzzling of front-line staff or service providers?

**Mr. Oberle:** I apologize to the hon. member. I misunderstood the question. There was something probably on our side, not theirs. Mr. Speaker, I will guarantee, first of all, that people that need services will get them and, second of all, that those contracts will be fashioned so they meet the needs of front-line providers and the government. I don't know right now where that clause is going to wind up. But if there's a clause in there, it's for good reason, to protect people's health information or whatever else. There will be no muzzling of front-line staff to talk about issues in care.

**The Speaker:** The hon. Member for Lesser Slave Lake, followed by Cypress-Medicine Hat.

#### **Aboriginal Youth Participation in Sports Programs**

**Ms Calahasen:** Thank you, Mr. Speaker. People who participate in sports have the opportunity to develop many skills, some emotional and some physical. It allows us all to learn about teamwork, trust, self-discipline, respect for officials, and how to be good winners and losers. For some Albertans, though, there are barriers which do not allow them to play. My question is to the Minister of Tourism, Parks and Recreation: what exactly is your ministry doing to increase activity in sport participation in underrepresented groups in Alberta such as in my communities?

**Dr. Starke:** Well, Mr. Speaker, as the hon. member correctly points out, anyone who has participated in any capacity of sport, whether as an athlete, a coach, an official, or in any other capacity, knows that there are tremendous benefits for both the participant and the greater community. Sport can do more than that. Sport can be a tremendous agent for positive social change as well. I was very proud two weeks ago along with my counterpart at the federal level, the Hon. Bal Gosal, to sign a three-year funding agreement between the federal and provincial governments that will provide for programming focused on the very groups that my hon. friend is referring to.

**Ms Calahasen:** Given that my constituency has many underrepresented groups such as aboriginal youth looking to get more involved in sport, what is specifically being done to increase their

sport participation, especially if you have this agreement with the federal government?

**The Speaker:** The hon. minister.

**Dr. Starke:** Thank you, Mr. Speaker. You know, it is a very good question with regard to targeted programming. I'd like to acknowledge, first of all, that my hon. friend has been a long-time and tireless advocate on behalf of aboriginal youth throughout her long and distinguished career here in the House. One of the key areas that we're going to be working with through this program is that we're working co-operatively with the Red Cross to provide special training in both water safety and swimming skills. It may alarm you to learn that the drowning rate in our First Nations, Métis, and aboriginal communities is some 10 times what it is in the greater population. That is a shocking statistic and one that this program intends to address.

**Ms Calahasen:** Mr. Speaker, given the fact that we have money coming from the federal government and that we have organizations that have been involved for a long time with sports, especially dealing with aboriginal youth, what is the minister doing to be able to make sure that we are getting the results that we should be getting, especially when we're dealing with the North American Indigenous Games Council?

**Dr. Starke:** Well, Mr. Speaker, one of the programs that we have that I'm very proud of is Alberta's participation, the only province that participates, in the Arctic Winter Games. Those are coming up once again, and it provides for participation by northern Albertans in these traditional sports. But, beyond that, the programming and the funding that I just mentioned a moment ago will allow for the funding of a number of different programs. For example, one that has been ongoing involves some 42 aboriginal communities and some 8,400 program participants in order to provide them with the skills and the training necessary to allow them full participation in sporting events at various levels within . . .

**The Speaker:** The hon. Member for Cypress-Medicine Hat, followed by Dunvegan-Central Peace-Notley.

## 2:40 Infrastructure Planning and Maintenance

**Mr. Barnes:** This government is once again playing politics with infrastructure in Alberta. Some of our hospitals' basic safety requirements are being ignored in favour of friendly government projects. AHS has outlined for government an immediate need to upgrade the kitchen facility at the Calgary Foothills hospital, which hasn't received any kitchen upgrades since the 1960s. The Foothills kitchen has received several public health citations and is dealing with failing, obsolete equipment and mould issues. AHS has requested immediate funding to repair this issue. To the government: can you explain why this important issue has not been addressed?

**Mr. Lukaszuk:** Mr. Speaker, this is really rich coming from a party that ran their last campaign on and continues to be committed to building less, yet every project in their constituency should be this government's number one priority. This government has committed to building Alberta, to building infrastructure, building it now, building it in a manner that is well thought out, and addressing as many of these infrastructure issues as we possibly can, not politically like they would have us do. We

will not diminish our infrastructure budget, which they would have us do, but we'll continue to invest in a methodical, rational, needs-based manner.

**Mr. Barnes:** A major safety concern not at all on the priority list.

Given that your government has ignored similar requests and deficiencies from facilities in Wainwright, Daysland, Fort McMurray, and Bonnyville and given that it's likely this request to upgrade the Foothills medical centre kitchen is going to suffer a similar fate, can you please explain how your government decides which projects are approved and which projects are not approved?

**Mr. Drysdale:** Well, Mr. Speaker, as I've said before in this House, our list of all the projects that we're doing is on our website, including the 30 that we announced last week. They're already up and on the website, so our three-year plan is there for all to see. You know, one day the opposition wants us to spend more money; another day they want us to spend less. We're building the right infrastructure in the right places at the right time.

**Mr. Barnes:** Given that Alberta Health Services has submitted this repair as an immediate concern and given that your government has ignored this health concern while at the same time funding projects that aren't even on the list of AHS capital requests, it's clear the government continues to play politics with taxpayers' money. When will this government release a prioritized project list for all Albertans to see?

**Mr. Drysdale:** Well, Mr. Speaker, I don't know how many times I have to say it. It's on the website. I work with my colleagues in Education and in Health. They have budgets for maintenance and ongoing infrastructure challenges, and they build in priority, that the highest needs are built, and they have the money to do that in their budgets.

**The Speaker:** Airdrie, your point of order at 2:44 has been noted.

## Statement by the Speaker

### Oral Question Period Practices

**The Speaker:** Just before we continue on, I want to make four quick comments. Number one, some of the preambles that some members are using are really getting carried away. There's not supposed to be any preamble, but some of you are particularly skilful at using given that and given that and given that, and you're making it into a 35-second speech with the given thats. Well, I can tolerate a little bit of it, but can't we tighten that up? We've left about five or six members who had questions on the list. They weren't able to get up because we're taking a little too long on that front.

Secondly, there are a lot of these toss-ins that some of you give right before you ask your second question or right before you give your second answer in the case of government, and those toss-ins take time. They don't maybe look like they do, but it means that you're going over the 35-second limit. Today we had about 10 or 12 people who violated the . . . [interjections]

That would be my third point, and that is all the side conversations. I know you've missed each other for a week and there's great love in the room – I understand that – but the side conversations today were well and beyond what is normally the case.

Next point. Some of you are becoming a little bit tricky with your heckling. You tend to hide behind someone else and then heckle away as if I can't hear you. Well, I can hear you, and I can pretty much recognize who you are, so let's not play those games with each other, okay? If you've got a heckle you want to throw in there and you have the guts and courage to do it, throw it in and suffer the consequences if necessary, but don't be hiding or pulling in behind somebody's chair like I saw three or four of you do today. It happened on both sides.

Next point. You know, there's a rule in our House that comes from a long-standing parliamentary tradition, and it reads something like this: you cannot do indirectly what you're not allowed to do directly. What that means is that a comment like the Pinocchio comment suggests the L word. I think we're above that. Responding with "Someone's nose is growing" is in the same category. There's one for each side of the House. Let's please keep that in mind. We're not going to allow that or tolerate it going forward.

The hon. Government House Leader.

**Mr. Hancock:** I'm anticipating that we'll have a time challenge. Could we ask now, so that we don't interrupt statements, if we could extend past 3 o'clock?

**The Speaker:** Hon. members, we are running a bit late in the program today. The Government House Leader has asked that if, when 3 o'clock arrives, we're not finished the Routine, we grant unanimous consent to continue. Does anyone feel opposed to that request?

[Unanimous consent granted]

### Members' Statements

**The Speaker:** Let's carry on, then, with Calgary-North West.

#### Anniversary of the Liberation of the Netherlands

**Ms Jansen:** Thank you, Mr. Speaker. I'm honoured to rise today and speak about an important historical anniversary that occurred yesterday, May 5. It marked the 68th anniversary of the liberation of the Netherlands by Allied forces. Through the winter of 1944-45 Canadian soldiers battled German forces in the Netherlands until May 5, 1945, when freedom was once again returned to Dutch citizens, including my parents, after five treacherous years of occupation during World War II.

As the tulips, a gift to Canada from the Netherlands, bloom in Ottawa every spring, it is a renewed reminder of the liberation as well as the fact that Canada provided safe harbour to the Dutch royal family during the German occupation. The Groesbeek Canadian War Cemetery and memorial in the Netherlands is the final resting place of many Canadian soldiers who lost their lives in the fight for the Netherlands' freedom.

As the daughter of Dutch immigrants I know how thankful the Netherlands is to Canadian soldiers, and I am so very proud of the eternal bond that has been forged between Canada and the Netherlands after that liberation. We are thankful for their sacrifice, and we will never forget.

#### New School Construction Announcements

**Mr. McAllister:** Mr. Speaker, last week should have been a great week for the government. They travelled around Alberta

announcing badly needed schools for Alberta students. We support these new school announcements wholeheartedly although a Wildrose government would have built them without going into debt. We would have publicized a prioritized list of all schools requested throughout Alberta so that those who didn't make the cut this time would know how long they will be waiting in line.

Now, if anybody needed a good headline right now, Mr. Speaker, I think we all know it's the government, but somehow they even managed to botch this one. You see, somebody over there thought it would be a good idea to gather little children around for a photo op and then launch into a completely unfounded diatribe against the Official Opposition. The Premier warned the little ones against that evil Wildrose Party: they wouldn't have built any schools; in fact, if they're in charge, they won't build anything at all. Well, I guess that when Alberta adults stop believing you and listening, maybe you reach out to the little ones. Obviously, this was in very poor taste, and what should have been a good-news announcement turned into another communications embarrassment for the government.

You know, it's funny, Mr. Speaker. This government has the largest number of communications and public relations staff in provincial history. There are a lot of people on the public payroll over there. Perhaps somebody should have figured out that using kids as political pawns is not appropriate. In fact, it's quite pathetic. You would think somebody would be fired for this colossal gaffe. My guess, though, is that we're going to have to wait until 2016 for that.

2:50

**The Speaker:** Hon. members, this is a reminder that it's not customary to raise points of order during private members' statements, nor is it customary to heckle them as they're speaking.

Let's carry on with Edmonton-Gold Bar.

#### Long-term Cancer Prevention Strategy

**Mr. Dorward:** Thank you very much, Mr. Speaker. More Albertans aged 35 to 64 die from cancer than heart disease, stroke, other circulatory disorders, infectious diseases, and unintentional injuries combined. Every day 42 Albertans learn they have cancer. By 2030, a short 17 years from now, we expect that to grow to 73 new cancer cases a day. These rising numbers have a significant effect on our communities, health system, our provincial economy, and, most of all, the families and loved ones affected personally.

I'm so proud to see this government invest time and money into reducing and preventing cancer with the release of its new cancer plan to 2030, Changing Our Future. Alberta's cancer plan is about creating a better future, where more cancer is prevented, more cases of cancer are cured, and suffering from cancer is greatly reduced. The plan takes a provincial approach to cancer so that all parts of the system will work together for the best possible outcomes for patients and families.

The plan sets out 10 strategies to complete a comprehensive and co-ordinated system, headed by CancerControl Alberta, a new operating division under Alberta Health Services. It will combine existing resources, Mr. Speaker, so its implementation won't cost taxpayers any more money. The investments that we are making in cancer infrastructure will enable Alberta to be a leader in the fight against cancer. I'm proud to be on the government side, that's not afraid to make a fully funded capital plan in this regard as well.

This government protects our vulnerable and builds the better Alberta that we all want to see for today and for our tomorrows, Mr. Speaker, and that includes a great cancer plan.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Decore, followed by Grande Prairie-Smoky.

### Balwin Community League 50th Anniversary

**Mrs. Sarich:** Thank you, Mr. Speaker. I am honoured and privileged to rise today in recognition of the 50th anniversary of Balwin Community League, which will celebrate their five decades of accomplishments with the greater community on June 22, 2013.

The Balwin community is located in the northeast area of our provincial capital between 127th and 132nd avenues and 66th to 82nd streets in Edmonton-Decore. In the early part of the 20th century it was known as Packingtown. This was a rugged, working-class neighbourhood as many families living in the area worked at the nearby stockyards, rendering, and meat-packing plants. Mr. Speaker, Packingtown no longer exists, and in 1910 the area was incorporated as the village of North Edmonton and became part of the city of Edmonton in 1912.

The Balwin neighbourhood is derived from two early property owners, Frank Ball and Luke Winterburn. It was officially founded in 1962 by G.W. Linford and incorporated by the province of Alberta on February 15, 1963.

Over the years the community was the lucky recipient of a new clubhouse, which was donated by a local real estate owner. In 1970 the Balwin community hall was built at 76th Street and 128th Avenue. Seven years later with pride the mortgage was retired thanks to the tireless hard work and commitment of many people who rolled up their sleeves, including the ladies auxiliary, to tackle this goal.

The Balwin Community League has remained active over the years, and most recently, last year, in partnership with the city of Edmonton they completed a refurbishment of Zoie Gardner park.

Congratulations to all those involved who have given so generously to the long-standing success of the Balwin Community League. I know that the families, the community, and the leaders of our city, province, and country are very proud of all the past, present, and future volunteers in the Balwin community. *Heartfelt thanks for adding immeasurably to the lives of children, youth, individuals, and families. Special best wishes for continued success in the many years to come.\**

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Grande Prairie-Smoky, followed by Calgary-Buffalo.

### David Thompson Corridor Visitor Services Program

**Mr. McDonald:** Thank you very much, Mr. Speaker. I am pleased to rise today to recognize the innovative David Thompson corridor visitor services program. Just recently this program won the responsible Canadian energy social performance award, which recognizes CAPP members who have demonstrated innovation and leading performance in their commitment to responsible development of the Canadian petroleum industry. This program builds upon a long-term co-operative relationship between Suncor Energy and Alberta Tourism staff at Crimson Lake provincial park with a goal of raising awareness and fostering stewardship of the provincial parks and protected areas within the David Thompson corridor.

Located in the constituency of Rimbey-Rocky Mountain House-Sundre, the David Thompson corridor visitor services program, under the leadership of Graham Thursfield, provides opportunities for people to engage in nature-based, hands-on, experiential learning about our incredible natural habitats. The partnership has made this possible by providing funding for a full-time visitor services program, environmental education programs for regional students, the delivery of public interpretive programs, and the establishment of numerous partnerships in support of Alberta parks.

Mr. Speaker, these days Albertans are asking our oil sands industry to take decisive action on global and regional environmental issues, so it's important that we recognize the industry's environmental stewardship and collaborative social initiatives. The award-winning David Thompson corridor visitor services program is an excellent example of the oil sands industry working with our provincial parks system to preserve important ecological areas and provide places where people can enjoy and learn about Alberta's natural heritage.

Thank you, Mr. Speaker.

### Provincial Tax Policy

**Mr. Hehr:** Until this government adopts a fair and principled tax code like that famed socialist Brad Wall in Saskatchewan, it seems we will have to turn to the Minister of Alchemy, who possesses the fabled philosopher's stone responsible for the transmutation of lead into gold. How else can we expect to pay for the bundles of promises to bushels of people given by this Premier, which included 50 new schools and 70 renovations? By the way, the Minister of Education admitted last week that this will be another broken promise. If Alberta adopted Saskatchewan's tax code, the second lowest in Canada, this province would bring in an extra \$11 billion a year. We could pay for those new schools. We could also plan to adjust demographic needs.

The education of our children should not be an election promise tied to the price of a barrel of oil. Yes, the Premier announced nine new schools to be built in Calgary, but they will not be completed until after 2016. This does not bode well for our education system. Alberta's K through 12 enrolment is expected to increase by 40,000 students in the next four years. Even with the completion of the Stelmach schools we'll have a shortfall of 17,000 student spaces. What will happen to these students? They'll be crammed into the already sardinelike conditions in our classrooms.

In 1993 this government took away the taxation power of school boards. The corresponding duty is that this government would tax citizens when schools would need to be built. Clearly, this has not happened. Instead of following the advice of virtually every economist or every government report or the advice of former Finance ministers Liepert and Morton to raise revenue, this government would choose to simply turn its back on educating our children.

Failing to modernize our tax system to ensure predictable and sustainable funding and saving for the future leaves the government only one option, to set up a government ministry devoted to alchemy. Otherwise, the system just isn't going to work.

### Presenting Reports by Standing and Special Committees

**The Speaker:** The hon. Member for Calgary-East.

\*The text in italics exceeded the time limit and was not read in the House.

**Mr. Amery:** Thank you, Mr. Speaker. As chair of the Standing Committee on Alberta's Economic Future I am pleased to table five copies of the committee's first report, dated May 2013, entitled Review of the BRIK (Bitumen Royalty-in-Kind) Program. The committee undertook this review on its own initiative in accordance with Standing Order 52.07(2) after considering a number of suggestions put forward by committee members.

Mr. Speaker, I would like to thank all committee members for their contributions during this review, the LAO committee support staff, and the stakeholders who contributed via written submissions and oral presentations. The committee looks forward to receiving the government's response to the recommendations set out in its report within the 150-day period set out in Standing Order 52.09(1).

This report is comprehensive enough, expressive enough, and also thin enough that it will not defend itself against being read, as Sir Winston Churchill so eloquently used to say.

Mr. Speaker, copies of this report are being distributed to all members of the Assembly.

### 3:00 Introduction of Bills

**The Speaker:** The hon. Government House Leader.

#### Bill 23 Tax Statutes Amendment Act, 2013

**Mr. Hancock:** Thank you, Mr. Speaker. I beg leave today to present on behalf of my hon. colleague the President of Treasury Board and Minister of Finance Bill 23, the Tax Statutes Amendment Act, 2013, for first reading.

Bill 23 removes legislation that's no longer needed and amends our personal and corporate income tax acts. It makes adjustments that will maintain consistency with tax law changes made by the federal government to items such as the Canada child tax benefit and the scientific research and experimental development tax credit. Bill 23 also repeals the Alberta Income Tax Act, which was replaced by the Alberta Personal Income Tax Act some years ago. I would encourage all members to support this bill in first reading.

[Motion carried; Bill 23 read a first time]

**The Speaker:** The hon. Government House Leader.

#### Bill 24 Statutes Amendment Act, 2013

**Mr. Hancock:** Thank you, Mr. Speaker. I would also beg leave to introduce Bill 24, the Statutes Amendment Act, 2013, on behalf of my hon. colleague the Minister of Service Alberta.

Bill 24 is a statutes amendment act, somewhat in the line of a miscellaneous statutes amendment act but differing in that we haven't actually sought opposition approval, so it's not a unanimous consent type of bill. It is a bill which would be open for debate. It's a bill which is essentially compiled of amendments to a number of acts, what I would call one-line or one-page amendments to a number of acts. It amends, for example, the Condominium Property Act in section 38. It amends the Emblems of Alberta Act in sections 2 and 12. It amends the Perpetuities Act in section 3. It amends the Surveys Act in section 4.

It has a number of amendments. The reason why the bill is longer than one might expect is that it has a number of pages of amendments which essentially are just changing the names of ministries from how they are currently expressed in statute to how

they are currently represented, with the names of the ministries that we have now.

It's a relatively straightforward bill amending five acts, with specific changes to sections, and then a number of acts, virtually all of the other acts in the province, with respect to changing the names of ministries and other representations of that nature. A very straightforward bill, Mr. Speaker, and I would ask support at first reading.

[Motion carried; Bill 24 read a first time]

### Tabling Returns and Reports

**The Speaker:** Hon. members, let's be brief in the introductions of our tablings today.

The hon. Member for Edmonton-Centre on behalf of.

**Ms Blakeman:** Thank you very much. I have tablings on behalf of my colleague the leader of the third party and Member for Edmonton-Meadowlark. The first is copies of the mayor of the city of Edmonton's State of the City Address on April 2, 2013, in which he specifically talks about the 5 per cent contribution to GDP from the University of Alberta.

The second two tablings were mentioned earlier during an introduction of Heather Workman, who's in the gallery. The first is an article on Chief Justice Beverley McLachlin's call for restructuring of the family law system, and the second is the final report of the Family Justice Working Group of the Action Committee on Access to Justice in Civil and Family Matters, entitled Meaningful Change for Family Justice: Beyond Wise Words.

Thank you.

**The Speaker:** The hon. Member for Calgary-Buffalo on behalf of.

**Mr. Hehr:** This is actually on behalf of myself, Mr. Speaker. It's just a letter I referred to last week in the House. It's a letter from the Auditor General, Mr. Merwan N. Saher, regarding his anticipated work that he's going to do and reporting on the change in our budgeting processes and the fact that there's a narrower scope of reporting contained therein.

Thank you very much, Mr. Speaker.

**The Speaker:** Thank you.

Let me move on to Cardston-Taber-Warner, followed by Airdrie.

**Mr. Bikman:** Thank you, Mr. Speaker. This past constituency week I was able to meet with persons concerned about the PDD program. I have the requisite number of copies of 29 letters from parents, providers, grandparents, siblings, community members concerned about the announced cuts and changes to the PDD program.

I also heard from a pharmacist concerned about some things in his letter here.

The oxygen supply changes that are being made are a concern to Ms Janzen and Kelly Clemis.

The parent preschool program, southwestern Alberta, invited me to meet with them. They gave me four letters from Naomi Wiebe, Kathleen Van Herk, Chellsea Jensen, and Nicole Leavitt. I'd like to table those.

Thank you.

**The Speaker:** The hon. Member for Airdrie.

**Mr. Anderson:** Thank you, Mr. Speaker. I'd like to table five copies of a letter that I received from Mr. Matt Dumais from



Airdrie. Mr. Dumais has multiple sclerosis and spends roughly \$2,500 or sometimes more on prescription drugs every single month. What he's concerned about is that the Alberta College of Pharmacists is trying to get rid of reward programs such as Air Miles at Safeway. He uses those air miles to get to warmer locations to treat his MS and is very worried. This is the fourth or fifth letter I've received in Airdrie alone on this. I would hope that the Health minister would look into this. This seems very anticompetitive and is only hurting MS patients.

Thank you, Mr. Speaker.

**The Speaker:** Hon. members, I'm pleased to table with you five copies of an Ethics Commissioner report titled Report of an Investigation under the Lobbyists Act Re: Mr. Joseph Lougheed.

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following documents were deposited with the office of the Clerk: on behalf of the hon. Mr. Campbell, Minister of Aboriginal Relations, response to Written Question 5, asked for by Ms Smith on December 3, 2012, "Of the transfers received from the federal government, what is the total amount earmarked for health care for aboriginal peoples in Alberta, and where and how were these funds spent during the past three fiscal years?" and response to Written Question 6, asked for by Ms Smith on December 3, 2012, "Of the transfers received from the federal government, what, if any, is the total amount earmarked for housing for aboriginal peoples in Alberta, and where and how were these funds spent during the past three fiscal years?"

**The Speaker:** Hon. Member for Airdrie, I believe you had two points of order. Do you want to deal with them one at a time?

**Mr. Anderson:** Sure.

**The Speaker:** Okay.

### Point of Order Parliamentary Language

**Mr. Anderson:** Thank you, Mr. Speaker. The first point of order relates to our Standing Order 23 (h), (i), and (j). Specifically, if you could look at page 144 of *Beauchesne's*, it specifically notes that accusing someone of slander in this House is unparliamentary language and should not be used. The Premier did in fact accuse the Leader of the Opposition of being a slanderer, of slandering folks over this Daryl Katz investigation by Elections Alberta. Obviously, it is not slander for many reasons, not the least of which is that \$25,000 was found to be in contravention of the act and had to be returned by the PC Party. Truth is a defence, as anybody would know.

In that case, there is no doubt that the complaints made by this Official Opposition leader necessitated an investigation that did in fact find that \$25,000 was illegally donated and had to be returned. It was simply the case that that was certainly not a slanderous accusation. Neither is asking for an investigation into something slander. If every time we're in here, we're going to be accused of slander for doing our jobs, which is to refer matters to the officers of this Legislature, whether that be the Ethics Commissioner or the Chief Electoral Officer and so forth, we're going to be accused of slander a lot because that's our job as Official Opposition, to refer matters that don't meet the smell test, that have issues that may be a problem, to these independent officers to let them do their work.

Not only that, but we did obviously say, Mr. Speaker, that the donation, the bundle amount, was in the form of a \$430,000 bank draft. That actually was proven true in the investigation, once again. It was seen by the Chief Electoral Officer that \$405,000 of that \$430,000 did comply with the act in the Chief Electoral Officer's interpretation. We don't like the policy that allows for that, but to say that we've slandered anybody is unparliamentary and should be withdrawn by that side.

3:10

**The Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Well, thank you, Mr. Speaker. There are a number of things, I think, that beg comment there. First of all, it's totally disingenuous for that hon. member to suggest that the finding that one of the donations that was made was made by somebody who was outside the province somehow justifies the comments that they were making, which in no way, actually, were related to that particular fact. Over the course of the last year we can even look in *Hansard* – I believe we'd find it in *Hansard* – at the comments that were made relating to a corporate donation from somebody who was seeking favours and all those sorts of things. I think that whether or not the word "slander" is a parliamentary word that's allowed under *Beauchesne's*, the definition of slander is certainly in what was said.

Time after time the hon. members on that side – and the Premier did not refer today to the hon. Leader of the Opposition. I was listening fairly closely. She said that those people over there have been slandering or something to that effect. Quite frankly, what we heard last year was not the appropriate role played by the opposition in standing up, identifying an issue, and asking that it be investigated by the Chief Electoral Officer. No. What they did was day after day slag somebody who is not in this House.

I believe, if I recall correctly, that a number of times they were admonished not to use names of people in the House who were not here. That's another rule that says: do not speak of someone who can't be here to defend themselves. Time after time they used the opportunity to slag Mr. Katz and Mr. Katz's companies and make accusations that somehow the company was making a corporate donation and buying a favour and all that sort of stuff, which is very clearly in the definition of slander, only to discover after the investigation of the Chief Electoral Officer that none of that was true, that none of that was right. The only thing that was found to be a case is not something they commented on at all, that one member who had made a donation actually, although he has offices in Edmonton and spends most of his time here, a lot of his time here, has his official residence or his driver's licence, et cetera, in Ontario.

That one was found to be an illegal donation, not something, by the way, that the Progressive Conservative Association of Alberta would have been able to discern. That's something that was found to be a wrongdoing on that person's part, but of course the rules require and the action taken was to return the money, and there was, as I understand it, a letter of admonishment. That's in the Chief Electoral Officer's report.

The appropriate way to go forward on this at the time would indeed have been to say, "We think this looks like something that should be investigated," to write to the Chief Electoral Officer and ask for an investigation. The investigation would have been done. The result would likely have been the same result, and that would have been an appropriate process if they felt that there was a problem. But, no, they brought it to the floor of the House. As you've admonished and as your predecessors have admonished a number of times, political contributions are not a subject for the

floor of the House. They brought it to the floor of the House. They did not actually raise the issue saying, "Here's an issue we'd like to have referred to the Chief Electoral Officer" until they were batted down a number of times for their comments in the House.

So, no, it's not the opposition doing their job. The opposition doing their job would be to take issues that are important to Albertans, put a context around them, ask the questions, and if they believe that there is something that needs to be investigated by an officer of the Legislature, to refer it to the officer of the Legislature for investigation. That's not what they do. They're not doing their job as opposition, quite frankly. They are fearmongering, and they are muckraking, and they are bringing up all sorts of stuff and putting it in the worst possible context and dragging the names of people who are not in this House to defend themselves into the debate.

Mr. Speaker, you might find that slander is a bad word. I've looked; it's in here. It might be a bad word, but all words have to be used in context. The Premier was not accusing the Leader of the Opposition of slandering. What she said was that the behaviour of the Official Opposition over the course of this was slanderous, and I think that's an appropriate description. If you find otherwise, I'd be happy to withdraw it.

But, Mr. Speaker, in the context of this it's important to understand that there is a proper role for opposition. The public does expect that role to be played. It is to ferret out the things that proper questions should be asked on, and it is to ask them properly and deal within a proper context. None of that is what the opposition did.

**The Speaker:** The hon. Member for Edmonton-Centre, briefly, I'm sure. Carry on.

**Ms Blakeman:** Thank you, very much, Mr. Speaker. Pardon me for interjecting myself into this point of order between the Government House Leader and the Official Opposition House Leader, but there are two points that have come up that I think are really important. One is that we are given the privilege of free speech in this House exactly so that anyone, including members of the opposition, even the Official Opposition, may describe circumstances and hold the government to account for it.

The balance to that is that we do have to be careful with that freedom of speech, with that privilege, not to call people names who are not in the Assembly to defend themselves. As far as naming them, just referencing them, I think the government doth protest too much because sometimes you'll need to say someone's name so we all understand who we're talking about. I'm not particularly in this case talking about the gentleman that the Government House Leader raised. That's the balance that we're seeking here.

I find that increasingly the government takes umbrage whenever any member of the opposition wants to criticize the government at all for any reason. That simply is not acceptable, and I know that the Speaker will uphold that free speech and the right of members, including the opposition, to raise situations that we find curious or unacceptable and to demand an answer from the government for that.

Secondly, a number of times recently – and most recently the Government House Leader made reference to the fact that party revenue cannot be raised as a question. In fact, that is not true. In *House of Commons Procedure and Practice* on page 504 – and this is under the section that is dealing with questions criteria – it says: concerning "internal party matters, or party or election

expenses." Not revenue. Expenses. I don't think that's a mistake or an omission, Mr. Speaker, because the revenue is important in the context of elections. I'm not commenting on any particular example that may or may not have been raised recently in context with this government receiving money or not receiving money from any particular court, but it is important in the overarching role of democracy that where the revenue comes from in any political party is important, and that's why the wording is there.

I'll also note that this comes up in *Beauchesne's* under 410(17), less specific there: "Ministers may not be questioned with respect to party responsibilities." Nothing about expenses or revenue in that line. If I may use the hon. Government House Leader as an example – and I will give the disclaimer at the beginning that I have no idea whether this is true; I'm just using it as an example. Say that the hon. Government House Leader is also the vice-president of a political party. We would not be able to question him on his political responsibilities, but we can certainly question him on how that might be affecting his job as a minister of X, Y, or Z. I think it's important that we remember these clarifications. The connection between how parties are funded and who's funding them is important, and that's why that express wording has been used.

As well, my first point about the government's oversensitivity to any questioning – it's darn near any questioning now – that isn't brought up by the government as being beyond the pale and outrageous and all kinds of other dramatic statements. I mean, if you can outdramatize me, Mr. Speaker, something is going on here.

**The Speaker:** Hon. members, the Member for Airdrie rose on a point of order at 1:57. I think it's important to put a little bit of context ahead of this point of order. We had a comment just moments before to do with Pinocchio, which I've already noted, and we had a response to do with the term "your nose is growing" or words to that effect.

3:20

Then we got into this question from the Leader of Her Majesty's Loyal Opposition about so-called loopholes, bulk donations, union and corporate donations, and so on. At that point the Premier said the following:

Mr. Speaker, we have a set of rules with respect to election financing that are rules that people can have confidence in. We also have an independent Chief Electoral Officer, who, despite what the opposition says, has not said that anything untoward happened and in fact vindicated the people that this party slandered last year. That's why we have independent offices. The report is clear. No rules were broken, and it's important for us to respect those rules, as we did.

Now, the point of order that has been raised is under 23(h), (i), and (j), and I just want to refresh your memories on what this reads. It says that a member shall be called to order:

- (h) makes allegations against another Member;
- (i) imputes false or unavowed motives to another Member.

So in the strictest sense of the interpretation of that, this was not a comment avowed to any individual member. However, the spirit of that standing order I think is just as important to consider because although it's not a direct allegation against another member, it is nonetheless a reference to a party of which several members happen to be members.

I don't think that it's in keeping with our rules to accuse someone or some party or some other body or entity of slander. So technically while it doesn't fall under that particular ambit of SO 23(h) and (i), I

don't know that it's in the best interest or in the best tradition of this House to use those kinds of statements. The language that has been uttered by various members in this House over the many years that I have been here often comes into question.

So I'm going to ask the Government House Leader if there is an opportunity, as you have offered, to withdraw that particular comment so that we can never have it referenced again. Then we can move on with the rest of the day.

**Mr. Hancock:** Thank you, Mr. Speaker. In light of your words, it would be most appropriate for me to on behalf of the Premier withdraw that comment, and I will undertake to speak to the Premier and indicate to her the extent of your ruling.

In that context, Mr. Speaker, I might say that I have been very reluctant to raise points of order on all of the issues that have been happening in the House with respect to the names that have been called back and forth. We would totally destroy the back and forth in the House if we had a point of order on every breach that's come up in this session. I know you've tried to control the session, but if we cannot call a spade a spade because we want to keep decorum in the House, then I think we'd better keep decorum in the House.

**The Speaker:** Thank you. That comment has been withdrawn officially.

The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much. Under 13(2). I'm sorry, Mr. Speaker. You have absolutely got me puzzled. Has the Speaker now ruled that the word "slander" joins the list of unusable language? Because . . .

**The Speaker:** No. Hon. member, please sit down. [interjection] Please have a seat. It's not the word "slander"; it's the accusation. I think I made that quite clear when I read out the comment. It's the accusation of someone being a slanderer or somebody being a slanderer. I hope that clarifies it.

In any event, we are now done with the points of order. Oh, no. You had one more, Member for Airdrie.

**Mr. Anderson:** You know what? Given that we'll be discussing a motion for a return that deals with the infrastructure priority list, I think I'll withdraw it, and we'll just discuss it then.

**The Speaker:** Thank you.

That second point of order has been withdrawn, and we're going to move on.

## Orders of the Day

### Written Questions

[The Clerk read the following written questions, which had been accepted]

#### New School Construction Criteria

Q36. Mr. McAllister:

What are the criteria currently used by the Ministry of Infrastructure to determine where new schools are constructed?

#### Auditor General Recommendations for Human Services

Q37. Mr. Wilson:

What steps are being taken by the Minister of Human Services and what steps were taken by the previous

ministers of children and youth services to complete the recommendations that were made in the 2006-2007 annual report of the Auditor General of Alberta?

#### AISH Benefit Extension Costs

Q39. Mr. Wilson:

What are the cost implications on a fiscal year basis to extend assured income for the severely handicapped benefits to those currently receiving benefits beyond the age of 65?

**The Speaker:** The hon. Member for Calgary-Shaw.

#### Subsidized Daycare Spaces

Q38. Mr. Wilson asked that the following question be accepted.

How many subsidized daycare spaces were available each month in Edmonton, Calgary, and the province as a whole from January 1, 2011, to January 31, 2013?

**Mr. Wilson:** Thank you, Mr. Speaker. I would like to at this time ask the hon. minister, who I believe does have amendments to it, to please table those at this point so that we can move on with the debate.

Thank you.

**The Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. Yes, I do wish to respond to the question by indicating that we would be prepared to accept the question if it was amended and to move an amendment, which I have discussed with the member who raised the question. I understand that he is okay with the amendment. If that's the case and the House does approve the amendment and the motion as amended, then I actually have the response here for him today. In fact, I'll send him the response even if you don't support it because he asked the question.

[The Deputy Speaker in the chair]

I would like to move an amendment to the question, that Written Question 38 be amended as follows: (a) by striking out "subsidized daycare" and substituting "regulated child care"; (b) by striking out "each month in Edmonton, Calgary, and the province as a whole from January 1, 2011, to January 31, 2013?" and substituting "quarterly in the Edmonton and Calgary child and family service regions and the province as a whole from April 1, 2011, to March 31, 2013, and how many children received child care subsidies quarterly in the Edmonton and Calgary regions and the province as a whole from April 1, 2011, to March 31, 2013?"

The amended question would then read as follows:

How many regulated child care spaces were available quarterly in the Edmonton and Calgary child and family service regions and the province as a whole from April 1, 2011, to March 31, 2013, and how many children received child care subsidies quarterly in the Edmonton and Calgary regions and the province as a whole from April 1, 2011, to March 31, 2013?

Now, Mr. Speaker, the reasons for those amendments are probably clear although I went over them very fast. We can report on the number of regulated child care spaces, which include all program types, including licensed daycare, preschool and out of school care, group family, innovative programs, and approved family day homes, but the question as originally written talked about subsidized daycare. In fact, we don't actually subsidize daycare spaces; we actually provide subsidies for children, which

is a slightly different distinction. In order to report accurately, we wanted to make that distinction.

The second amendment with respect to monthly and quarterly: there are changes on a month-to-month basis. We actually have reports on a quarterly basis that are more accurate. In the interest of providing accurate information, we report on a quarterly basis.

Then with respect to Edmonton and Calgary those are actually in regions that are a bit broader than Edmonton and Calgary proper. So if it's all right with you, hon. member, we'd rather report on the Edmonton and Calgary child and family services authorities regions as opposed to the cities proper. So these are relatively modest changes that we're proposing.

Then adding at the end of it "and how many children received child care subsidies quarterly in the Edmonton and Calgary regions and the province as a whole" gets back to the initial part of the question about the subsidized daycare spaces but reports it in the way in which we actually do it in terms of child care subsidies rather than subsidized spaces.

I would ask the House to adopt those amendments, and then, as I said, as adopted, I'd be happy to provide the answers.

**The Deputy Speaker:** Thank you, hon. Government House Leader.

I'll recognize the Member for Edmonton-Centre. Proceed.

**Ms Blakeman:** Thanks very much, Mr. Speaker. To the Minister of Human Services – and I stand to be corrected, which is why I stood – is not the money that is given by way of child care subsidies also given to families that do not participate in an organized child care system but goes directly to families that are caring for children at home? Thus, giving us the number of child care subsidies does not in fact tell us how many spaces there are that are available to people. It tells us how many families are receiving subsidies for some kind of child care, whether it's in a licensed daycare space or whether, in fact, people have opted to take that money and care for their children at home or to have a grandmother or a neighbour care for several children in their home or any number of other possible options. I'll seek clarification on that, please.

3:30

**The Deputy Speaker:** Are there others? The Member for Calgary-Shaw.

**Mr. Wilson:** Thank you. I would like to thank the minister for approaching me a couple of weeks ago with this proposed amendment. I advised him that I was prepared to accept the amendment, and I appreciate his co-operation in this matter. I am prepared to ask for the question, Mr. Speaker.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

The hon. Minister of Human Services has moved an amendment to Written Question 38.

[Motion on amendment carried]

**The Deputy Speaker:** Back to the question as amended. The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I know it's a bit redundant now that the amendment has been passed, but I didn't have the opportunity to speak before because I'd already spoken. But that's one of the reasons why the amendment is necessary. We do not actually subsidize child care spaces. We provide subsidies to children and families, and they can use those subsidies at a

daycare or a day home. I'm not sure that they can use them in their own home, but if they're paying for a day home space or a child care space, they can get those. I can get the information. If the hon. member is interested in what they can use it for and those sorts of things, I'd be more than happy to get that information.

That's actually precisely the distinction here. We don't subsidize daycare spaces. We did support the building of daycare spaces. I shouldn't say that we don't subsidize them because we do insofar as we pay for top-up wages for qualified staff and those sorts of things, but those aren't related to specific spaces. Those are related to the quality of the daycare or the day home itself.

Then with respect to children we support families currently starting at \$50,000 and below in terms of family wages and even between \$50,000 and \$75,000, depending on how many children, to support the cost of them acquiring daycare or care for their children in a number of different places.

I hope that clarifies for the hon. member. If she has any more questions about that, I'm more than happy to get the information.

**The Deputy Speaker:** Thank you, hon. Government House Leader.

[Written Question 38 as amended carried]

### Traffic Ticket Fine Revenues

Q40. Mr. Rowe asked that the following question be accepted.

Which municipalities have not received their full share of eligible fine revenues earned through provincial traffic tickets issued pursuant to the Traffic Safety Act from January 1, 2007, to December 31, 2012, and what is the total amount that was not returned to municipalities across the province because of clerical errors and missed time limits since January 1, 2007?

**The Deputy Speaker:** Thank you, hon. member.

The hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you very much, Mr. Speaker. I want to thank the hon. member for this question regarding municipalities that have not received their full share of eligible fine revenues earned through provincial traffic tickets. Unfortunately, I have to reject this as we don't cover that. It's up to municipalities to contact us to determine if they have not received the full amount of their fine revenue. Individual municipalities review their disbursement reports on a regular basis to ensure they're receiving the full amount they are due.

Sometimes, of course, errors can occur, and I'm sure that any errors that do occur are not intentional. For example, if the officer issuing the ticket recorded the wrong location where the ticket was issued or was unclear which municipality the ticket had been issued in, the courts enter in what's recorded on the ticket based on the only evidence that they have in many cases.

For any errors that have been identified, we have made the corrections and provided the revenue to the appropriate municipalities. When these issues arise, Mr. Speaker, Justice and Solicitor General works directly with municipalities to ensure these issues are dealt with on a timely basis. Therefore, with regret I am rejecting this question as previous issues with municipalities have been dealt with in this regard.

I will also add, with respect to this member, that this is not an appropriate use of the written question. If this member knows of any specific concern in any municipality, I invite him to contact my office. I'd be pleased to look into it for him.

Thank you.

**The Deputy Speaker:** Thank you.

Are there others? The Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. I rise today to speak to this written question. First off, with respect to the Justice minister saying that this is an inappropriate written question, when the opposition or perhaps a government member puts forward written questions, they actually provide those questions to Parliamentary Counsel. Parliamentary Counsel then approves them as valid questions, or if they're not valid, they send them back, saying that you cannot ask that written question. So for the Justice minister to say that it's not an appropriate question is completely unfounded. This written question was approved by Parliamentary Counsel and is definitely in accordance with the rules and practice of this Legislature.

With respect to the substance of the question this is another example where I think that the government is abdicating its responsibility. If there are any fines that were not transferred back to the municipalities, the government can just say so. If they are unaware of any outstanding amounts, they can simply say so. If they know that amounts have been fully repaid, if there are any errors that have been rectified, they can simply say so. This is not a case of, you know, going through their records and creating new records. They can simply say that to their knowledge, there are none.

This is, I think, another example of the government abdicating its responsibility and then also downloading that responsibility to municipalities and putting the onus on them to identify to the government their errors and omissions. Why should it be up to the municipality to identify errors or omissions on behalf of the provincial government? I think this is well within the provincial government's responsibility and another example of downloading onuses onto municipalities.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Are there others? The hon. Member for Olds-Didsbury-Three Hills to close debate.

**Mr. Rowe:** Thank you, Mr. Speaker. The intent of this question is to provide some information to municipalities who have raised concerns about the collection and reimbursement of fine revenues from the province. Some municipalities have concerns that fine revenue collected through provincial tickets may have been misdirected to the province rather than being directed back to the municipality in which those fines were issued. For instance, one town in my constituency requested an audit of the provincial tickets written by their peace officers. The audit showed that a data entry mistake had been made, and because of this a significant amount of revenue from provincial tickets issued in the municipality was not being forwarded to the town. If this is in fact the case, it is very concerning.

My written question asks the government to be open and transparent and clearly state which municipalities have not received a full share of the fine revenues earned through provincial traffic tickets that they are eligible to receive.

Another concern raised by the town in my constituency who had requested the audit is that when they asked for information from 2007 onwards, they were told that information cannot be provided further back than 2009. The response from the mayor was: "We find this unacceptable and unbelievable as most record retention policies would require that these records be kept up for up to seven . . . years." I also find it quite unbelievable that the government cannot provide information from five or six years

ago. More likely is the fact that the government is simply choosing not to provide that information. So much for the Premier's promise to lead an open, transparent, and accountable government.

In closing, I would like to quote from a letter I received on this issue.

It is our expectation that we trust the Province to provide accurate information, to provide feedback in a timely manner and to correct the mistakes made by the provincial department.

The lack of accountability on the part of the Province raises concerns with other municipalities and the number of possible misdirected fine revenues.

Identifying a problem is a first step to fixing the problem, so I ask that the government undertake to find out how many municipalities have not yet received their full share of eligible fine revenues, which municipalities they are, how much the province owes to each municipality, and table that information in this Chamber so that all municipalities and Albertans can access that information. That shouldn't be the municipality's responsibility; it should be the government's.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

The hon. Member for Olds-Didsbury-Three Hills has moved acceptance of Written Question 40.

[The voice vote indicated that Written Question 40 lost]

[Several members rose calling for a division. The division bell was rung at 3:40 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Anderson	Forsyth	Stier
Barnes	Hale	Strankman
Bikman	Rowe	Towle
Blakeman	Saskiw	Wilson
Eggen		

3:50

Against the motion:

Allen	Jansen	Quadri
Bhardwaj	Jeneroux	Quest
Calahasen	Johnson, J.	Rodney
Cao	Johnson, L.	Sandhu
Casey	Khan	Sarich
Dallas	Klimchuk	Scott
Denis	Kubinec	Starke
Dorward	Lemke	VanderBurg
Drysdale	Leskiw	Weadick
Fenske	McQueen	Webber
Goudreau	Olesen	Xiao
Hancock	Olson	Young
Horner		

Totals: For – 13 Against – 37

[Written Question 40 lost]

## Motions for Returns

### Transportation Construction Priorities and Costs

M7. Mr. Barnes moved that an order of the Assembly do issue for a return showing a list of the projects itemized in the

Alberta Transportation three-year construction plan, 2012-2015, listed according to priority rather than highway number, with related costs for each project.

**The Deputy Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. On behalf of the government and the hon. Minister of Transportation I would indicate to the House that we reject this motion. There have been a number of times over the course of the last year or so when there's been this question about prioritized lists and then making lists available. Well, I can very easily go to the Transportation website – in fact, I just did – and the three-year construction plan is publicly available on the Transportation website. There's a link right from the main page. I went in there. I found it. It said: three-year transportation plan. I clicked on it, and it comes up with the three-year transportation plan. It's there.

The three-year transportation plan is publicly available. It's listed there. It doesn't need to be the subject of a motion for a return. The rolling three-year plan is reviewed annually and publicly reported with the budget documents.

I think it's fair to say, Mr. Speaker, that Alberta Transportation continually collects data on things like pavement and bridge conditions, traffic volumes, collision data and has experts who analyze that data each year to identify the most appropriate and urgent projects, taking into consideration construction or maintenance costs; reductions in vehicle operating costs; costs associated with travel delays and safety; deliverability, which includes permits, rights-of-way, and local issues; industry capacity; prevailing trends in construction costs; support for new development or increased economic activity in an area; condition of infrastructure; available funding; local consultations; and the best timing for specific improvements.

Suffice it to say that on any given project that's on that list, there are a number of variables that go into play to determine whether or not that project can be advanced and how quickly that project can be advanced. Any one or a number of these factors can change in the course of a year. We look at the whole picture. We update the list each and every year to ensure we're providing value for Alberta taxpayers' dollars.

The second part of the question relates to the question of related costs for each project. Alberta Transportation quite advisedly does not release budgeted costs for each individual project as this would negatively impact the open and public tendering process. If you put a number on a specific project as to what you expect it to cost you, it would be amazing at how close to that number the bids would come in. That doesn't give good value for money – you'd never get a good price that way – and it's not an accountable way to manage taxpayers' dollars. Information that Albertans want, that the road builders, the heavy construction contractors, the consulting engineers, and the municipalities across the province want are all publicly available.

As we go forward with road projects that are on the three-year plan that's publicly listed, as I said, on the Alberta Transportation website, there are a number of factors which determine when they go out for tender and whether they could be built on a timely basis. All the projects that are listed on that plan are important, Mr. Speaker. All of them we intend to do.

The question of the timing and the question of the cost are all as a result of a number of factors, so it would be totally inappropriate to provide a prioritized list of those projects showing numbers that relate to something other than how quickly you can actually get all the variables together and get that project going, and it would be

totally inappropriate to provide a cost for each specific project prior to the tendering process going out to determine what those costs ought to be.

**The Deputy Speaker:** Are there others? The hon. Member for Airdrie, followed by Edmonton-Centre.

**Mr. Anderson:** Thank you, Mr. Speaker. You know, I wish we could for once in this House, on that side of the House, have an intellectually honest discussion about what we're asking for here. [interjections] This is absolutely the epitome of . . .

**Ms Blakeman:** Honest or intellectual? Which were you objecting to?

I'm sorry.

**Mr. Anderson:** No, no, no. I was agreeing with you. It's incredible to think that, you know, maybe we hold them in as high a regard that we can actually have an honest discussion about this.

This government sits there time and time again, looks at the opposition over here, and says: "Okay. What would you cut?" Now, the problem with saying, "What would you cut?" is that in order to understand what we would cut, to know what we would cut by only building \$4 billion of infrastructure as opposed to the \$5 billion that the government wants to build, which is the case – they're building \$5 billion of infrastructure; we're saying \$4 billion – there would need to be a prioritized infrastructure list which not only shows what is going to be built but what is on the list going forward, what requests have been made but are not going to be built by government going forward, the order of priority not only for the projects that were approved but also the projects that are not yet approved. If they would just do that, Mr. Speaker, we would all know what the difference in our infrastructure plans would be.

But they say: "Well, you guys just have to tell us. You just have to tell us what you're going to not build." Well, we do not have the resources of government. We don't have people sitting on the side of the road with a clipboard tracking every car that goes by on the road or have the ability to have people go out and see whether there needs to be maintenance on a certain road or have hundreds of people working in the government bureaucracy to decide which projects should be fast-tracked for safety reasons and which ones can wait a couple of years. We don't have, obviously, the government resources to do that. What we need is the same thing that the public needs, which is the government to be open and transparent about that process, to make a prioritized infrastructure list and to put it on the website and make sure that we know not only the projects that have been approved but the ones that haven't yet been approved.

In the Wildrose 10-year capital plan, this is one of the things that we propose, and it will be one of the very first things that we do if we are elected in 2016, put out an infrastructure priority list. We would break it into four envelopes, Mr. Speaker. There would be health care infrastructure, health and seniors' facilities infrastructure; education infrastructure; roads, the highway network and so forth; as well as other, things like museums, cultural facilities, recreational facilities, and so forth. We'd break it into those four envelopes. We would make sure every request – let's use the Education file as an example. We would look at every single request that came in from the many different school divisions across the province, because they all submit to government a priority list for their school board that they've come up with, with access to information that they have about their needs and so forth.

4:00

Now, at that point they send it in, and the government probably receives – I don't know the number because it's not published, obviously. That's why we're here. But they probably receive a thousand requests for a school – I'm just throwing a number out there – a thousand new school and maintenance requests. Okay. Great. Then they go and announce like they did this past week 17 lucky winners. Was it 17 or 20? What was it? I can't remember, but whatever it was, the 17 or 20 schools, they announced it. The other people, the other 900 requests for schools on that list or 500 or 300, have no clue where they are on the list. They have no idea where they are.

People say: oh, well, they know because they submit lists. No, they don't. Edmonton public and Calgary public don't know where the schools that they put forward are. They know where they are in ranking according to other schools within their own school division, but they don't know where they are with regard to priority in comparison to the schools requested by Calgary Catholic, Calgary public, Edmonton Catholic, Rocky View school division, Red Deer, and so forth. They don't know.

That's the point of the prioritized infrastructure list. Put all those schools, all those requests into the pot. Then all those wonderful, smart people in the Ministry of Education or the Ministry of Infrastructure or the Ministry of Health and so forth can prioritize all of those requests, one through 500 or a thousand or whatever it is, and say that number one is the most needed, all the way down to the least needed.

Then what we would do is that we've said that a certain amount of that money, that \$4 billion, would be put towards new schools. Whatever it is. Say that it's a billion dollars; say that it's a quarter of it. So we put a quarter of it into the Education file. Then you would be able to see exactly or very closely – of course, you have to tender it and so forth, but you'd be able to make a very educated guess as to which projects would be built under a Wildrose government with that \$1 billion and what would be built by the PCs or the NDPs or the Liberals, whatever they say they are going to spend on Education infrastructure projects. It would be open. It would be transparent. Everybody would see it.

But the government doesn't do this. They don't do it for schools. They don't do it for roads. Oh, they publish a request sheet. It's in order according to highway number. Wow. That's fantastic. We've got it in order for highway number. How about in order of priority? We don't know what the priority is. We have no idea what the priority is because the government won't put an infrastructure priority list for roads out there. Sure, they have what they're going to build in the next three years, but what about beyond that? Communities are trying to build their infrastructure and are trying to plan smartly for growth, and a lot of that growth is going to be contingent on whether they get support for a provincial project, for a school, for a health facility, for a road.

They can't plan like that, Mr. Speaker, because they don't have a ruddy clue what's coming down the pipeline, and they don't know when they're going to get it. They are told: "Oh, it's on the five-year list. It's on the 10-year plan. It's on the seven-year plan. It's on the six-month plan." Who knows where it's at? No one knows where their project is unless it's in the specific budget for that year or for the three-year infrastructure plan, and even the three-year infrastructure plan can be adjusted quite a bit, so something that's on there doesn't necessarily get built in the three years. I think most of us who have been here longer than a couple of years have had that happen to us.

As an example, Mr. Speaker, let's take Beaumont. I know for a fact and you know for a fact that Beaumont needs a new school.

They really need a new school. Well, I didn't see Beaumont in the new school announcement. I thought Beaumont was one of the highest needs areas in the entire province. That's what the data seems to suggest. That's what has been suggested in this House by the Education minister and others. Yet they weren't on the list. Okay. Maybe there's a legitimate reason. I'm not saying it was political, but the people of Beaumont don't know that.

What could have happened is that they could have been number 10 on the list and somebody might have said: "You know what? Ah, we don't really need a school in Beaumont. Let's put it here. This is a more politically hot area over here. Why don't we make sure that that MLA gets their school so that they can announce it, and then Beaumont can wait another year?" Maybe that's not what happened. I don't know. Nobody does because the list is not printed.

The criteria by which things are prioritized in the government is also not printed. They have some vague, "Oh, you know, it's need, and it's maintenance, and it's da, da, da," but they don't have any formula. They don't have any waiting system, any kind of public document that, frankly, could even be audited. It's all just conjecture and feel-good stuff. It's ridiculous to do it this way, it's incompetent to do it this way, and it's wrong to do this way.

It's also very frustrating. I think I do understand. I know the government won't like this, but I do understand because of my opportunity to sit there for two years and to be able to be on that side of the aisle. I know for a fact that politics does come into play when it comes to infrastructure funding. I know that because when I was with caucus, Airdrie was in high need of a school, many schools, actually.

**Mr. J. Johnson:** You got the schools.

**Mr. Anderson:** Absolutely. We did get the schools. Absolutely. Very good.

But in 2008, pre-election, roughly 30 schools were announced, and Airdrie was not one of the schools even though it literally doubled in size in a 10-year period. It didn't get the announcement of schools. But there were roughly 10 in Edmonton, the exact same number in Calgary, and then the rest were spread around.

**The Deputy Speaker:** Thank you, hon. member.

I recognize the Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much, Mr. Speaker. There are a couple of things that come to mind for me when I look at the government's rejection of this request. There's a request for a prioritized list of Alberta Transportation's three-year construction plan, 2012-15, listed according to priority rather than highway number. This strikes me as entirely reasonable and also doable despite the Government House Leader's protests.

Part of the reason that I know it's doable is the government's very own ministry business plan, Budget 2013: Responsible Change. On page 70 of Transportation's business plan under performance measure 2(a) is the physical condition of provincial highway surfaces. The last actual was in 2011-12. Then there's a target for '13-14, '14-15, and '15-16. So the government must know which highways they're going to build or fix, or they wouldn't be able to do the allocation that they have done here. They're able to tell us that the percentage of highways in good condition, which was last determined in '11-12, is 58.6 per cent. But, in fact, that is going to go down so that by 2015-16 only 52 per cent are expected to be in good condition.

Now, Mr. Speaker, the government knows what their priority list is, or they wouldn't be able to make this kind of a statement in

their business plan. They're able to say the percentage in fair condition. This is slightly better news, by the way. The last actual for that in '11-12 was 26.8 per cent, and it is expected to go up to 30 per cent. So 30 per cent of the provincial highway surfaces are expected to be in fair condition. But the very last category is bad news again because the percentage of highway surfaces expected to be in poor condition, the last check mark, is 14.6 per cent. It gets worse because they're expecting 16.5 per cent to be in worse condition in '13-14, 17 per cent to be in poor condition by '14-15, and 18 per cent to be in poor condition by 2015-16.

Clearly, the government knows what they're fixing and what they aren't, or they wouldn't be able to make that kind of a projection for which highway surfaces are going to get better or how many are going to get better or what percentage is going to get better and what percentage is going to get worse. So they have the information.

**4:10**

I was really interested in listening to the Government House Leader and the objections he was putting forward or his criteria for rejecting this request. He went into a long list of people that use these statistics and seemed to be saying that, well, what others would wish for or wish information for is somehow a factor in answering a request from the Official Opposition. He seemed to be saying – and he's welcome to get up and argue with me on this one, of course, Mr. Speaker – that, you know, if the Alberta transportation network or the contractors association or whoever isn't interested in this information, then the opposition doesn't get it either. It was a very convoluted argument, so I don't accept that either.

He also mentioned that, you know, how could they possibly know all the timelines and when supplies would come and what the season – I'm assuming that the seasons would affect the timelines in building things. How could they possibly give a prioritized list? Well, really? The government is telling us that they don't know how long it takes to build a highway? I'm pretty sure they can tell me within a couple of days how long it takes to build a kilometre of highway in southern Alberta, central Alberta, and northern Alberta. They've been doing this for a while. If they're not keeping statistics, we're all in trouble. That's what we expect government to do is to be able to cover that kind of thing. To say, "Oh, we don't know how much the supplies will cost or how long it'll take to come," well, okay. Yeah. If you're going to be ordering supplies from – what's the most recent thing that happened here? They ordered steel from Quebec instead of using local companies. Does anybody else on this one remember what it is they're doing?

**Mr. Eggen:** For the proposed arena. Bidding for the proposed arena.

**Ms Blakeman:** Are you serious?

**Mr. Eggen:** Yeah.

**Ms Blakeman:** Oh, for God's sake.

**The Deputy Speaker:** Through the chair, hon. member.

**Ms Blakeman:** I'm so sorry, Mr. Speaker. Okay. So that's actually the city of Edmonton's fault, not the government's. Okay. I won't blame you for that one, then. I'll take that back.

It's just beggars belief that the government doesn't know how long it takes to do, you know, any given stretch of highway or how long it takes to get the supplies or even how much seasonal time they have to build it. I mean, please. The government loves to tell us how long they've been in power, and then they turn around and say: "Yeah, but we weren't paying attention. We didn't keep any statistics, and we have no clue how long this takes." Ah, nah. That one doesn't work.

I'm not saying that the government is doing this, but I am certainly laying out that it is quite possible to do it, which is why you want the kind of transparency that's being asked for. Without a prioritized list, it does allow the government to electioneer using projects. They can go into a community they're not doing well in or, gosh, that was won by another party and say, "We are going to promise you a school and a highway and a bridge and an arena and all kinds of things," all of which may well be on the list. But if you don't have to publish that list in any way, nobody is able to say: "No, no, no, no. Hold it. You promised a school to us." What's the other one somebody was talking about here? Airdrie, I think, wanted a school, and they got it. You know, if that transparent list isn't there, then the government can in fact use it for electioneering and should not be able to.

I'm not saying whether they do or don't. I'm just saying that if we really want transparency here, the best transparency is open data, and an openness that says: yes, this is the prioritized list, and we can do it in three-year increments, three, five, 10, 20. That would be fine. It does allow communities to do better planning around when that disruption might be happening, when they could maybe work out a deal to have additional work done in their town with the same contractor, et cetera, et cetera. It also allows everyone else to hold the government to account if they start promising the world during an election time. Well, they wouldn't be able to do that if there was a prioritized list, so it does also save the government from any accusations of that ilk.

The last piece, Mr. Speaker, is the increasing reliance on private contractors for the maintenance of highways. I know that a while ago Parkland did a paper, *Delivery Matters*, 2013, on infrastructure maintenance. They do go through how to figure out whether or not this government is maintaining our assets – that is, our infrastructure – the bridges, the schools, the hospitals, the highways. There's money put into that. It's a physical thing. It's worth something. We could sell it if we needed to, but we're not going to sell it. We can put a price on it, and it absolutely is an asset. Here was Parkland looking to say: okay; well, how do we know whether the value of it is being maintained?

As I just pointed out to you in that business plan, which is the government's own ministry business plan, they know that there is going to be a degrading of the highway surfaces over a period of time. That they'll admit to. But when you're trying to find out, you know, how well any given area is being maintained, if it's a private contractor, all of a sudden you're into that gigantic loophole in FOIP that is called third party. They won't release the information unless the third party gives permission to release it, and really, Mr. Speaker, very, very, very few third parties will agree to release that information. That's a lack of transparency on behalf of the government as well.

As we get into more and more P3s from the government and those sorts of arrangements, we never get to see the bids that come in, we don't get to see the contracts that are signed, and we don't get to see any kind of performance measurement that goes on. First of all, well, it's a private, closed-bid process, and you can't



see the bids because of that. Then we're into FOIP because there's a contract with the government and the private operator.

**The Deputy Speaker:** Thank you, hon. member.

**Ms Blakeman:** Thank you so much.

**The Deputy Speaker:** I recognize the Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Mr. Speaker. It's a pleasure to rise and talk about this issue. As somebody who also went onto the Alberta Transportation website – I took the hon. House leader's advice and went on there. I went and took a look. On there it says, first of all, that it's a tentative list, so there's nothing clear about that. Then it goes on to list them in order. It absolutely does list them in order, but it lists them in order of highway name – for example, highway 63 – and then it goes through a series of numbers, highway 790, highway 587. It lists them in order of the highway name.

In no way, shape, or form does it say in which order each highway would be dealt with. It doesn't say where they're at on the list. It doesn't say what the priority is. It doesn't say what the priority isn't. It doesn't say what the tentative timeline is. It doesn't say anything about costs. It doesn't say where they're at in the process. So a tentative major construction project list is nowhere near a public prioritized project list like the opposition has been asking for, like every single Albertan has been asking for, and like every single municipality, every single school board has been asking for. Mostly Albertans just want to know where their needs fit on the list.

I would go so far as to say that almost every single Albertan understands that the needs change in this province. We all are very, very clear that what might be the priority this year could change next year. I think Albertans said that loud and clear when we saw the tragedies of highway 63. After those seven people died on highway 63, I don't think there was anybody who said: "No, no, no. Don't do anything up there because I want my stop sign first before you do anything with highway 63." I think it was made clear across this province that they wanted to see highway 63 become a priority, and the Wildrose would have made highway 63 a priority as well.

When you go through this list, it starts off with – and I'm looking at the very first page – highway 1. Then it says, under location, "4 Km W of Bow Valley Trail – 1 km E of Hwy 1X (selective near Canmore)"; type of work, "Preservation/Overlay"; estimated length, 39 kilometres. That's what it says. That's directly from the Ministry of Transportation's website. The Minister of Infrastructure consistently sends us back to this list and says to us every single day when we ask the question about projects that it is published. It's not public. It says the highway. It says the location. It says the type of work and estimated length. It says nothing about the priority.

4:20

Are the Minister of Transportation and the Minister of Infrastructure saying that everything to do on highway 1 is the priority, so we'll start with number 1, and we'll work all the way through the numbers until the end? I'm sure he's not. Or is he saying that within highway 1 all the way up to highway 890 or whatever it goes to there's prioritization of those projects? I'm sure that there is. That would only make sense.

Now, there's no reason not to tell the public what those prioritizations of those projects are. For example, the very second line says, again, under highway, highway 1, location, "Hwy 9 – 1 km E of

Hwy 817 (E of Calgary)"; type of work, "Preservation/Overlay"; estimated length, 21 kilometres. In no way, shape, or form does this website state that the second item has more priority than the first item. It doesn't even say if it has any priority. It doesn't say where it is in the process. It's in the tentative government-owned transportation projects near completion, under way, or scheduled in 2013-2016. If you couldn't get any more vague, it wouldn't be clearer than that.

If you scroll down, if you continue down the list – again, like I said, it goes: highway 1, highway 1A, highway 1X, highway 2, and it goes consecutively all the way down until it ends at the number of highways that are within that three-year span, but nowhere on there does it say anything about the priority of it. For example, under highway 43, which is six pages into the list, it says: "E of Crooked Creek – W of Sturgeon Lake IR 154," "Twinning – Grade, Base, Stage Paving," 17 kilometres. Where is that in the priority list? What stage is that at? Is it a number one priority? Is it a number 101 priority? Is it the third priority? Is it going to come before 63? After 63?

I'll even go to my own riding, where we're getting some paving. We're very happy for that, but, for example, highway 587, which is in my riding: "9 km W of Hwy 766 – 7 km E of Hwy 766 (SW of Innisfail)," "Preservation/Overlay," 16 kilometres. That is on page 11 of 16. Again, it doesn't say anything about priority anywhere in the document.

The Minister of Transportation and the Minister of Infrastructure consistently tell the opposition: "Go to the website. It's laid out. The priorities are there. Albertans know exactly where they stand with every project." No, they don't. They just know that these projects are listed here. If any one of them drops off, we don't know why. We don't know what bumped them, and I think Albertans want to know that. Nobody is asking for some sort of really detailed, ooh, secret list. In your own ministry clearly you have a priority of which projects you're allotting the money to, and that only makes sense. We're just asking: why not let all of Alberta know that?

This government constantly talks about being open and transparent and always telling Albertans exactly where they stand, but what you have with this list is that when somebody gets bumped off the list, the community is never told why they got bumped off the list or why something became more important. I think that if most communities knew that they had to wait, you know, that they were number 10 on the spot and may be moved up to number 8 or moved down to number 12, they would understand that because they would understand that clearly there is a prioritization, and there would be criteria for how that prioritization is applied.

For the Minister of Transportation and the Minister of Infrastructure to consistently go back and tell the opposition all the time that it's on the website – Albertans have been on your website. It's not there. I would encourage the Minister of Infrastructure to actually look at the website and explain to me how it's prioritized. If it's prioritized by highway number, then great. Let us know that. But if he's not going to say that, then there is no priority allotment to this.

Now, the Minister of Infrastructure, you know, shakes his head at me and thinks I'm acting all strange and all that kind of thing to ask for a prioritized list. Well, he can do that, but this isn't me asking for this list. These are constituents in the province of Alberta who are saying to the Minister of Infrastructure: "I go to your website. I don't see a priority listed to any of these projects." If I'm confused about that, Minister of Infrastructure, I'm more than willing to have you sit down with me and educate me on how your website works, and if there's some sort of interactive part of

this that I'm not understanding, I'm certainly more than willing to do that. But I've sat down with Albertans. They don't see a priority on this list, and I'm sure the Minister of Infrastructure and the Minister of Transportation don't either.

Now, if you go even further than that, we know that Alberta Health Services and we know that the school boards are expected by the government to submit a prioritized list to the government. They put their capital projects in order of priority. They put it over a plan of three and five years, and they submit to the government what is the first, second, third, fourth, fifth, 10th priority. They literally go through and submit that list to the government. Then the government takes that list.

The Minister of Education has explained quite clearly how it works for him, and I think he gave a very good explanation. He talked about how they take the needs of the school boards, and then they take a look at growth in the province, and they come up with the priorities that they're going to build schools in. I think that if that's the way you're going to do it, then that's fantastic. But why not make that known to everybody? Why not let every school board know that when they submit the list, they're to go through this formula, and they're going to work together to figure out what the priorities are for each local school board and then what the priorities are of the province, and you come together and have consensus and then make it public?

Then to go even further than that, Alberta Health Services does the same thing. We know Alberta Health Services submits their capital request, and we know Alberta Health Services has different capital requests than what the government's priorities are. We've seen it. We've known that Foothills hospital has a situation with mould in the kitchen. It's been on the list to be fixed for years. You know, that kitchen has been in place since 1960. This government claims to have a priority for home-cooked meals. That's yet to be seen, but they claim to have that, yet we have a kitchen at one of our major, major hospitals that has mould in it. It didn't even make it onto the Alberta Infrastructure list, and nobody knows why. Nobody knows when it will make it onto the Alberta Infrastructure list. No idea, none at all.

The same with the building of hospitals. Why not make it public? Why not have community input into that? Why not share with Albertans exactly what the process will be for developing infrastructure in the province of Alberta?

Now, the Minister of Infrastructure, every time we ask a question like this, often says: go to the website. I've said that already. When you go further down the website . . . [Mrs. Towle's speaking time expired] Perfect.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Member for Edmonton-Calder, followed by Cardston-Taber-Warner.

**Mr. Eggen:** Thank you, Mr. Speaker. I just wanted to make a brief comment on this motion, that I find very interesting because, of course, when we talk about infrastructure projects, we're not just dealing with roads. Really, there are a whole range of projects that are being promised or prioritized to be built by the Crown. Then it's a question of when they're going to start with the construction and when we might see them come to fruition and in which order.

I think it's a practical suggestion by the hon. member that we should have a prioritized list because, of course, capital projects such as roads and buildings take a long time to go through various stages of planning, and there are many other investments that can take place around that capital project, especially of roads, that might involve other economic interests. If we know that a road is

going to be upgraded so that larger and heavier trucks might be able to use it, for example, Mr. Speaker, then this is a means by which different resources or industries might pursue and develop economic interests based on the availability of that road. Right? If a road is upgraded so that heavier trucks can be used, you could have some economic development anywhere along that road, for example. It's a practical way that not only the individuals in the constituencies can look to see where their infrastructure is going, but also it's a way by which our economy can make long-term plans for the future.

I know that in my own personal experience before I became an MLA and was a teacher, I did pave roads as well as part of my jobs in the summer for university. I know for a fact that they do make those long-term plans with construction companies, paving companies for two, three, four, five years in advance – right? – and indeed over the lifetime of a road in terms of its management and its upkeep there is a schedule by which, you know, a road might be upgraded or maintained over time. In a way, this is information that we could probably discern using some kind of detective skills that highway 22 needs to be paved on a five-year regime. If you're being responsible stewards of that Crown infrastructure, then you should pave it during that time. I mean, really, it would take a lot of the mystery out of this process if we could in fact see that prioritized list made public on the website.

4:30

You know, we're not asking to put this prioritized list and write it in stone. Indeed, we're writing it electronically on the Internet, and we know that things do change, right? We have changes in plans. We have changes in our assets, changes in our revenues that might determine that that prioritized list would change. I don't think Albertans would take offence to that. Certainly, the level of transparency even with a list that does change over time being available to the public I think would trump the sort of cone of silence that we have to live under now in not seeing which projects are prioritized or, indeed, how they do go on or fall off that same list.

You know, we know that building infrastructure, particularly roads, and other projects is on three-, five-, or even 10-year cycles, so it's a bit ridiculous to presume that we can't figure that out as members of the Legislature or members of the public. Again, I won't reiterate to a great extent what others have already said in regard to the depoliticization of building capital projects in certain places and using certain timing, but we all know that that does happen.

I think that as we seek to change the way we do politics and increase the transparency and the democratization of the politics that we practise here in the province of Alberta, this would be a nice step so we could see when the road is going to get paved or not get paved, which order it's in, and people can make judgments about that. But if we have it behind this drapery that we pull forward or we pull back – and the curtain is drawn at this point – and if we see a sudden flurry of capital projects being pulled out from behind that curtain, let's say, in the last year before an election, then that adds to this sense of cynicism and confusion about good government and wise choices based on need rather than political issues, right?

I mean, the same thing extends to schools, to health centres, to all sorts of capital projects that we need and would like to see. For me as the critic currently for K to 12 education the new school list is very interesting and very relevant to people. You know, we saw a flurry of announcements last week, which were great, in regard to some new schools. Like, I mean, what happened? What was the process, and why were these choices made? We could even extend

that to the portables and the modulars that are required to help our schools meet the needs of our growing population.

In closing, Mr. Speaker, as we drive along the dilapidated roads that we see not just in Edmonton but all across the province, it reminds us daily, I think, of the contrast between what we are told is the wealth that we live amongst and live with here in the province of Alberta, the discrepancy between that and what we see when the rubber hits the highway, so to speak. We could do a lot better; we could have infrastructure that's in keeping with our growing population and with our growing economy. You know, Edmontonians are faced with that every day when we smash our way through potholes and so forth. I know that we could do a lot better, and we could see in a more transparent way across the province how that infrastructure is being doled out and, hopefully, being doled out based on need, based on a schedule of maintenance, a schedule of capital investment.

I think that everyone would benefit from that, Mr. Speaker. Thank you.

**The Deputy Speaker:** Thank you, hon. member.

I recognize the hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Mr. Speaker. I appreciate the opportunity to stand and speak to this motion

that an order of the Assembly do issue for a return showing a list of the projects itemized in the Alberta Transportation three-year construction plan, 2012-2015, listed according to priority rather than highway number, with related costs for each project.

As the hon. Member for Cypress-Medicine Hat, my colleague, has mentioned, I think this is a pretty reasonable request. A prioritized list makes a lot of sense. It should be standard operating procedure, I submit. Citizens have a right to know. Jurisdictions certainly need to know. They need to know when their projects are going to be approved and when they're likely to be built. Their citizens require it of them, and they require that for good governance in managing their own time and resources. They need clear criteria about why their project may be where it falls on the prioritized list. Of course, they'd like it to be fast-tracked and be as close to the top of the list as possible. That's human nature.

It also may be reality. If they know what the criteria are and if those criteria are clear and transparent, then they can tweak their request or they can make the point a little better about what the government seems to think or the Transportation department in this case might think are the important factors that they are considering when they're making their decisions and making that prioritized list. They could tweak their pitch, so to speak.

Without this clear, transparent prioritized list with the reasons or the criteria, the government comes under a cloud of suspicion, as has been alluded to, that the government uses projects and project approval as a bit of a club. And as someone who has been on village council as a mayor and as a councillor and maintains relationships with other councils and councillors today, of course, because I now represent a riding that has counties and MDs in it and many community councils, there is a sense that if they don't – I don't know. Is “kiss up” allowed, Mr. Speaker?

**The Deputy Speaker:** Yes.

**Mr. Bikman:** All right. Great. I don't know what's allowed and what ain't. Right?

You know, they feel like they kind of have to kiss up. We won't say where because that probably isn't allowed. Nevertheless, there's a sense that they are under some threat, that if they vote left instead of right, they might come out on the short end of the stick, so to speak. There is a sense that the government may be

using this to keep the voters in line, to keep the population a little more under control and dependent.

Now, I don't believe in entitlements, generally, but I think Albertans are entitled to know where their projects are on the list and why and what they need to do to keep their project moving up the list. Budget estimates on projects are just that: estimates. It would be all right to share how your engineers and your people have costed out a project. Surely, they're doing it. I can't imagine they're suggesting a project without first taking the time to count the cost, as an ancient Middle Eastern proverb suggests is the wise approach to take.

I believe, quite candidly, in the free enterprise system. I believe that in a free market, even with an estimated cost of a project, if there's a clear, transparent, open, fair bidding process that is not designed to eliminate some bidders and tilt the table in favour of some other bidders, then I think that the prices and costs would actually come down. That's a problem that we do have in Alberta. Projects that we build do go over; we know that they go over cost. I can't imagine that we've had a project built in our province in the last decade or two that actually came in under budget. If we did, I'm sure we'd all like to know about it because if we knew that it happened, we might be able to see how it happened and why it happened and replicate that desirable outcome.

As it is right now, I have a sense and there is a sense from conversations that I've had that things are just never quite on a level playing field. The bidding and tendering process, when it occurs – of course, we know it hasn't occurred with regard to power line construction. If we did have a level playing field for the bidding, then I think we would be very pleasantly surprised at how much more we could accomplish with our taxpayers' dollars. Remember, it's taxpayers' money that we're spending. We're not spending our own money; we're spending the taxpayers' money. Having open, published, transparent lists that are prioritized would require us to be better stewards, would require the government to be a better steward.

I think that all we're asking for with this request is for the government to be transparent and accountable. Well, I'll bet it would even start a transformation.

Thank you.

**The Deputy Speaker:** Are there others?

4:40

**Mr. McIver:** I'll be brief, Mr. Speaker. You know, I hear things about: it's the taxpayers' dollars. I agree with that. They are the taxpayers' dollars, and that's exactly why we're operating the way we are. We're respecting the taxpayers' dollars in trying to get them a good deal. If we were to go ahead with this, essentially what the opposition is asking us to do is to hand the taxpayers' wallets over to the contractor and say: “Well, here's all the money we have. Please don't take it all, but do the work.”

We're actually putting them in a competitive situation where they have to try to undercut their competitors, get the work while underpricing other people. Of course, if we put out in the first place the budget that we have to work with, it takes away that protection for the taxpayers. Actually, to talk about supporting this particular question in its current form and talk about protecting the taxpayers is completely diverse, separated by 180 degrees. So that's why we're rejecting the question.

Further, in terms of the priority list, Mr. Speaker, the fact is that everything that we're funding is on the website, as mentioned by some of the hon. members across, and everything that isn't funded isn't on the website. It was mentioned that people need to know ahead. They know three years ahead what we're planning on

funding. Would they have us tell people a hundred years ahead? No, actually I don't think the opposition would have us tell people what we're going to build a hundred years ahead because that would be ridiculous. All we're really talking about here is degree. We tell them three years ahead. At some point it doesn't become useful anymore.

You know, Mr. Speaker, when people talk to me about what's on the funded list, they say, "Is my project funded, or isn't it?" You know what I don't hear: am I number 15 instead of 17? I never hear that. They want to know: is it funded, or isn't it funded? If it's not funded, they sometimes will say, "Why not?" and we talk about that we have to set priorities, which is exactly the fact. Whether something funded is 15th or 17th is irrelevant, and if something is unfunded, whether the first unfunded or the 10th unfunded, it isn't relevant either except for the fact that it would introduce one element that the opposition says they don't want. They don't want politics.

Well, if you want politics, what you want to do is release a list that says that this is one, two, three, four that aren't funded. It would give people hope that they could get in. It wouldn't work because we're objective in how we do these things and try to do the projects that give the best value for Albertans first, but it would really inspire people, good people that have a reason for wanting these projects, to come forward and say: if I could just politic a little harder, maybe I can get it moved up the list. We actually decide on the projects not on the basis of politics but, rather, on the basis of need, on how we'll get the best value for Albertans, how we'll deliver the most infrastructure that will do the most good for Albertans.

You know, the folks over there even talked about worrying about whether people are going to get fair treatment. One example was mentioned in the House. Six schools were announced the other day. Four of them were in nongovernment ridings. It's just because that was where the need was. That's how we do things here, and that's how we intend to keep doing them.

In order to serve Albertans best, protect the taxpayers' interests – the question, Mr. Speaker, unfortunately, is contrary to those things, which is why we will reject it.

**The Deputy Speaker:** Thank you, hon. minister.

The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. I'll be brief here as well. You know, it's one of these things where I think it was in the throne speech where the Premier put forward her vision for this province of having an open and transparent government. What could be more open and transparent than publicizing a priority list for transportation projects? Put out the list; put out the expected costs. I think taxpayers would forgive the government if there were overruns due to unforeseen factors or factors that were beyond the control of government.

This is where we could then see. If you had a prioritized transportation list or infrastructure list, you could say: this project is a priority for certain reasons, and this isn't. You could see, for example, some of the rationale of why MLA offices are at the top of the priority, at the very top for this government. A rooftop garden is apparently one of the top priorities for this government, to create this rooftop garden on top of brand new MLA offices, or a movie theatre, or something like that. We need to see . . .

**Mr. Anderson:** You get a movie theatre.

**Mr. Saskiw:** Yeah, you get a movie theatre in this new MLA office. It's quite outstanding, actually, that taxpayer dollars are wasted on that.

You know, I applaud the Member for Cypress-Medicine Hat for putting forward this motion for a return. What it would do is allow all Albertans to see what the priority list is for this government over the next three years. Instead of spending the week making announcements and berating the opposition in front of I think it was kids in grade one – that was the tactic that this Premier decided to take when she made these announcements – what we could do is something positive. We can have this government put forward a public, open, transparent, prioritized infrastructure and transportation list so that all Albertans can see what has taken place.

I think that the Minister of Transportation may have just forgotten that the city of Calgary has a prioritized and open and public and transparent transportation and infrastructure list. I don't know if it's been a year or two or whatnot, but I think that the member should take a look at what was done in the city of Calgary and maybe take those good lessons learned there to the government of Alberta.

Apparently what happens is that once you get elected with this government, some of that knowledge of the past and some of those principles that were espoused in the past just kind of – poof – go away. They're not brought forward. Sometimes after people leave government – we saw Ted Morton espouse a whole bunch of principles after he left government, but when he was in government, they weren't there. Poof. They go. Mr. Speaker, in these circumstances let's have a principled approach, have an intellectual discussion, and have this put on the website.

I don't know what *Hansard* is going to do with "poof." I think they can put that in there but probably not the inclinations.

Mr. Speaker, let's do something right here. Let's have the Premier for once keep a promise. It would be, you know, a big thing if she kept a promise of being open and transparent and actually provided an itemized list in Alberta Transportation for the next three years. Keep a promise for once. It would be outstanding. I think that Albertans would be surprised that a promise was kept, but it would be outstanding.

Mr. Speaker, I rise to speak in favour of this motion for a return, and I'd hope the government would reconsider its position. Thank you.

**The Deputy Speaker:** Thank you.

Are there others?

The Member for Cypress-Medicine Hat to close debate.

**Mr. Barnes:** Thank you, Mr. Speaker. What I'm asking for is a simple request for the government to provide the list of its priority projects for the Department of Transportation. It is important. I've heard time and time again from the people in the construction industry that it is so difficult to effectively plan their men and their capital because projects come on and off the government's lists on what seems like a random basis.

Road builders have told me about times when Alberta Transportation pulled a considerable amount of roadwork without warning and that there was no consistency in the project planning. This, of course, makes contractors financially nervous. What can happen in that case is that they may try to capitalize the cost of their equipment over one year's projects rather than the five or 10 years' worth of work that the equipment and capital would last because they have no faith in the government's list, because they have no faith in the government following through on the amount of work that is planned. This is also true for employees, our tradespeople, and the importance of the capacity in our industry so that we can maintain the proper pricing that's required. Of course, it's the taxpayers who lose out in this scenario.

A priority list would provide certainty to contractors, allow them to plan ahead better, and in turn provide the best value for taxpayers' dollars and citizens of Alberta. Yet every time the government is asked to provide its priority list for transportation projects in Alberta, the minister says that a priority list is on the Alberta Transportation website. As almost everyone has said, however, it is not a prioritized list. It is, in fact, a three-year tentative list. A tentative list. When we compared 2011 to 2012, many things came off the list without being done, without an explanation as to why they weren't done. In one case, highway 61 in my constituency, half of the highway was done and not the other half, no explanation, and it goes on and on. The document on the Alberta Transportation website is titled 2013-16 Tentative Major Construction Projects list.

4:50

Also, during debate on the Transportation estimates when I asked the Minister of Transportation to release a priority list of what highways the government is going to work on and in what order they will be done, the minister responded:

The priority list is available, as I've told the hon. member before. He's clearly decided to ignore the advice. It's on our website. If he goes to [transportation.alberta.ca](http://transportation.alberta.ca), he will find the three-year capital plan there, the priorities that are approved.

I pointed out to the minister that the priority list he referred to on his department's website is a tentative list, first of all. In fact, as the Member for Innisfail-Sylvan Lake mentioned, all the items but particularly the first five items on the list are all projects on highway 1. This is, of course, because the tentative list of projects is only arranged by highway number. The first seven projects on the list are on highway 1. It makes us all wish we lived on highway 1. Then there are 36 references to highway 2, followed by three references to highway 2A, then highways 4, 6, 9, 10, and 11 are mentioned and on and on.

Since the minister said that this is his priority list, I asked him if those first five projects listed on highway 1 are, in fact, the government's top five priority projects for the Department of Transportation. His response was: "I don't have a top five." Clearly, the tentative Alberta Transportation three-year construction plan is not a priority list. Although the minister has said time and time again that it is a priority list, he admitted in estimates that it is not.

What my motion for a return is asking for, so people who are actually working on these projects can gain some clarity into the government's plans, is for the government to provide the list of Alberta Transportation construction projects by priority, not by highway number. We are not asking for any new information here. We are just asking the government to reorder the projects that are done in this document and to list the projects by priority and not by highway number. Mr. Speaker, this should not be hard to do because, in fact, we know the government does have a priority list. They are just choosing to keep it secret. We know this because we FOIPed it and found out that there is a list.

**The Deputy Speaker:** Thank you, hon. member.

The hon. Member for Cypress-Medicine Hat has moved Motion for a Return 7.

[The voice vote indicated that Motion for a Return 7 lost]

[Several members rose calling for a division. The division bell was rung at 4:53 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Anderson	Blakeman	Rowe
Anglin	Eggen	Stier
Barnes	Forsyth	Strankman
Bikman	Pedersen	Wilson

Against the motion:

Allen	Horner	Olesen
Bhardwaj	Jansen	Olson
Bhullar	Jeneroux	Quadri
Calahasen	Johnson, J.	Quest
Cao	Johnson, L.	Rodney
Casey	Khan	Sandhu
Dallas	Klimchuk	Sarich
Denis	Kubinec	Scott
Dorward	Lemke	Starke
Drysdale	Leskiw	VanderBurg
Fenske	McIver	Weadick
Fraser	McQueen	Webber
Goudreau	Oberle	Xiao
Hancock		

Totals:	For – 12	Against – 40
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[Motion for a Return 7 lost]

### Motions Other than Government Motions

**The Deputy Speaker:** The hon. Member for Medicine Hat.

#### Film Industry Support

510. Mr. Pedersen moved:

Be it resolved that the Legislative Assembly urge the government to reinstate a competitive tax credit regime for supporting the film industry in Alberta rather than the current grant system.

**Mr. Pedersen:** Thank you, Mr. Speaker. It is great to be here today to introduce Motion 510 to the Assembly, a motion that urges the government to reinstate a competitive film tax credit system for supporting Alberta's film industry. As we are all aware, a system of grants is inherently flawed due to its basic nature, that of picking winners and losers. Any attempt to attract and maintain the film industry as part of Alberta's economy is laudable, but completely changing that process over the years has created instability and skepticism within the industry.

That is why I am proud to be here today to champion a return to a competitive film tax credit, a system that was successful, a system that works and is working in North America. There will be those that want government to get out of the way altogether, but I don't think that is the solution. There is a role for government, but we need to adapt with the industry, not against it.

A competitive film tax credit has many benefits for Albertans in and out of the film industry. Among the best reasons for a film tax credit, as I have mentioned, is that it does not pick winners or losers. It does not discriminate against one group over another or one company over another, and it does not make political decisions for the group with the best lobbyist.

A competitive film tax credit ensures that there is equality and freedom in the film industry, something that is lacking now across the spectrum, from the entry level and right on up to the major Hollywood productions. I know that we still have funding through the Alberta multimedia development fund, as I am sure other members will point out, but it is far from being a fair and equal system. While some stakeholders approve of the granting system,

it still requires applications, reviews, and then waiting to see if your project is funded or approved for some or all of the funds.

Sometimes we forget to look outside of our borders to see what is being done elsewhere, and this is truly and sadly the case with film tax credits. We need to look no further than British Columbia, where the provincial NDP is promising to raise the film tax credit to 40 per cent should they win the election. That's going to do a lot of good when it comes to attracting and building a competitive film industry there because they have invested the time and the effort to diversify their economy and attract film production to B.C. This modest increase will make them even more competitive while making Alberta even less competitive simply because we refuse to look at what is working elsewhere.

We can also look to Saskatchewan for a lesson in what not to do as they recently eliminated their film tax credit. You may very well ask what happened once they made that decision, and the answer is that industry packed their bags almost instantly, and they're gone. It's similar to what happened here when we eliminated our tax credit. It's happening now in Saskatchewan, and other provinces are becoming even more competitive. What this is going to end up meaning is that there will be provinces that will forever be ahead of the game, and all the while Alberta becomes less and less competitive and attractive to the film industry and all of its support groups.

We know there have been some remarkable films produced at least in part in Alberta, whether it's *Brokeback Mountain*, *Unforgiven*, *Inception*, *The Assassination of Jesse James*, or *Passchendaele*. However, we are losing ground against other provinces when it comes to our competitiveness, not only because we eliminated our competitive film tax credit but also because we are failing to respond to the changing times in film. Now, this is not only about getting Brad Pitt and Angelina Jolie to come to visit Alberta once every couple of years. This is about ensuring that we can attract film projects of varying scales, whether it's an independent film or it's Warner Brothers.

Through a film tax credit everyone benefits regardless of who your friends are and regardless of what your budget may be. In the end, don't we all want a sustainable and world-class talent pool that chooses to live and work in Alberta? It's not too late to restore a vibrant and successful industry to Alberta. I know there will likely be other members that will disagree with me on this, but I think that we need to fix a system that was changed by this government in the first place. We need to restore equality and fairness in our film industry, and we need to stop giving millions of dollars to the chosen few while leaving everybody else in the dark.

5:10

I would also be remiss if I did not talk about the spinoff effects of having a vibrant, diverse, and thriving cultural industry. We have been hearing a lot of talk about economic diversification for the last couple of decades, but all too often what we have seen are grants to multibillion-dollar corporations or subsidies given to friends or connected individuals. This has done very little to diversify the economy, and in some ways it actually hinders diversification because it shows people outside of Alberta that we aren't competitive or a fair place to conduct business, that we just give money without a long-term vision in place. Why would they come here when the government just gives a cheque to their competitor and when the government maintains an uneven playing field?

The same applies to the film industry, and we see the results of that every day. We know that when people come here to work or when they move here for work, they need to live within the

community where they stay. They need to eat, they need to sleep, they need to buy gas, and they need to go out every now and then. Fortunately, that means that they are going to be spending money in local stores, staying at local hotels, or maybe buying a house, eating at a local restaurant and leaving a tip for an Albertan that works in the hospitality industry. All of these are good things, which is why we need to attract a film industry back to Alberta. We may not be Hollywood – and we don't need to pretend to be – but we can still be successful, and we can exemplify the Canadian culture, spirit, and work ethic we are known for around the world.

Another piece of the puzzle is the opportunity to consistently attract and deliver various sectors within the film industry so that we can develop and retain individuals in the spinoff industries such as postproduction. As we all like to talk about, producing a value-added product can be very beneficial to the long-term success of the industry and its many products. This is an opportunity to actually do something, to walk the walk and make sure that we are securing and maximizing on all parts of the process.

Mr. Speaker, it is a great honour and a privilege to be here to debate Motion 510, and I look forward to the discussion that we are going to have in the next little bit, but I want to close with this. We were all elected to ensure fairness and equality in everything we do, and I believe that this is an opportunity to do so. This is an opportunity to show the film industry and the world that we can be competitive and that they should come here to do business. We can show them that when they come here, regardless of the size of their project or what they are here for, they will be treated fairly and that they will receive the same treatment as everyone else.

We can diversify our economy. We can see the benefits of attracting business, people, and investments to our province, and we can restore the competitiveness of our film industry. I think those are all laudable goals, and I know they are all achievable. I believe that reinstating the film tax credit is but one way we can further diversify our economy, and I look forward to seeing stakeholders involved in developing even more tools to help their industry become even more competitive.

Mr. Speaker, I look forward to the debate we are about to have, and I hope my colleagues will support Motion 510. Thank you very much.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Minister of Culture.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. I'm so pleased to stand today to speak on the motion from the hon. Member for Medicine Hat to create a competitive tax credit regime for supporting the film industry in Alberta. As the minister responsible for the film, television, and digital media industry in Alberta I recognize the importance of providing support to the talented Albertans who are our province's screen-based production sector, and I'm also proud to report that Alberta is a leader in this industry, with a competitive production incentive program nationally and regionally.

Our film, television, and digital media industry is an important part of Alberta's economy and a contributor to our cultural fabric. This vibrant industry employs over 3,000 Albertans. It is responsible for more than \$400 million in economic activity over the last five years. We know that every dollar government invests in film, television, and digital media results in spinoff benefits for many other Alberta industries. Alberta's successes in film, television, and digital media also help to diversify our economy and to retain and attract talent and skilled labour.

This industry helps us tell more Alberta stories so we can showcase our province to the world. It is in our best interest that this industry not only remain competitive nationally and internationally but that it continue to grow. That's why the government of Alberta through Alberta Culture offers incentives to producers in this sector through the Alberta multimedia development fund.

The film, television, and digital media production industry is very competitive. Alberta contends not only with traditional production centres like Ontario but also with American states with comparable locations like New Mexico and Louisiana. Different production incentives are offered across Canada and North America to encourage local production.

Alberta's multimedia development fund, created in 1998, provides production incentives against all eligible production costs in a grant form as well as funding for Alberta production companies for project and script development, training and mentorship, export development, and market development. Now, through this fund production companies can receive up to 30 per cent of Alberta production costs back. So the comment about picking winners and losers is totally out of line because it's based on the Alberta span. We want the money to stay in Alberta.

Some competing jurisdictions in Canada and the United States provide tax credits as opposed to production grants for film, television, and digital media projects. These tax credit incentives are typically a refundable corporate income tax based on eligible expenditures or labour costs. By comparison our Alberta grant system provides up to a 30 per cent return on Alberta production costs, which is equivalent to a labour-based tax credit of up to 55 per cent. Alberta has always provided funding through a grant-based system. Our grant system has several advantages. It offers quicker payout times and a tax credit, a point producers very much like. Paperwork and administration requirements are very straightforward. Our system is very flexible and proactive, allowing us to adjust to changing needs in the production sector.

Regarding the future this discussion comes down to two points. First, regardless of what form a production incentive takes, we know it is needed for more jurisdictions to remain competitive and to attract production in support of their local industry. Second, while our current grant system is working well, we will continue to keep watch on trends in this sector so we can adjust our system accordingly.

Alberta Culture will continue to provide services that support the growth, sustainability, and business attraction of the film, television, and digital media industry, always being fiscally responsible. We will continue to work with industry and stakeholders through the Alberta Film Advisory Council to make sure that appropriate revisions are made to the incentive program when needed to maintain its effectiveness and to maximize its benefit to the industry.

As tax credits fall under the responsibility of the President of Treasury Board and Minister of Finance, Alberta Culture officials will continue to work with colleagues in that department to assess the effectiveness of support of this sector and its appropriateness with the province's overall tax policy approach. This government will remain an active partner alongside industry to make sure that our screen-based production sector is growing and is sustainable for our province.

Now, a bit of perspective here. The film *Freezer* was filmed entirely at the Film Alberta Studio in January with Dylan McDermott, and postproduction is now being completed here in Alberta. This is a first as this work usually goes south. *Blackstone* just wrapped up. This summer alone we have *Klondike*, six one-

hour shows being filmed; *Hell on Wheels*, 10 one-hour shows; and *Heartland*. We know that people love our crews. We are trying to get people to come back to Alberta. We know they want to come back, and that's really important to me.

This industry is a reflection of our culture, and it contributed to our economy and quality of life. Job creation and diversification are the ultimate goals. For example, there was a student at NAIT who got to be a part of the film *Freezer*. He did some work on it, and he has his credit on his very, very first film. If that doesn't inspire a student at school, I don't know what does.

So before any change in how Alberta provides financial support to this sector can be made, this must be fully explored to determine what is best for the province and what is best for the industry overall. Thank you.

**The Deputy Speaker:** Thank you, hon. minister.

The hon. Member for Edmonton-Calder, followed by Edmonton-Centre.

5:20

**Mr. Eggen:** Thank you, Mr. Speaker. I'm very pleased to rise to speak on this motion, and I'd like to thank the member for bringing it forward. We had to have some deliberation on this motion to reinstate the tax credit regime rather than the current grant system, and upon careful reflection we have chosen to support the motion.

It certainly is a complex issue, but considering the competitive industry – you know, many large film companies devote entire departments to looking at cross-jurisdictional analysis of film incentive programs to find where they might go. We don't have to look anywhere further in Canada than British Columbia and then Ontario to see how they nurtured over time, using tax incentives, some of North America's and, indeed, the world's very best film industries.

You know, it's important to have stability over time just like in any industry – right? – and to know that that regime is not going to change. What happened when we did take away the tax incentives here in the province of Alberta years ago was that we saw an exodus of film production companies and the spinoff industries and individuals who serviced those industries. Really, we haven't got them back, quite frankly.

Because movies can be shot anywhere in the world and because of the large dollars that are involved and the large returns that can come from a successful film industry, you know, we really missed the opportunity here by making a change. Certainly, I think it's the right idea to try to get that back and to make that commitment to a long-term set of tax incentives that are competitive with other jurisdictions around the world so that we can nurture the film industry that I think Alberta deserves both now and in the future. We know that, for example, when we shoot films in Alberta, the economic multiplier really exceeds almost any other industry that I can think of. You know, we see at least 10 or 11 times the original investment from a given film, a major production.

You know, I think that the damage is clear. We know that in 1996 the changes, like I said, from the Klein regime have caused the industry damage that we have never really recovered from.

A consistent message is certainly important. You know, the grant system can leave people out in the cold and can be quite arbitrary. I mean, picking winners and losers: maybe that's not the best way of putting it. Rather, it's a question of allowing the industry to build organically rather than just making arbitrary decisions about which projects might get grants or not.

In 2008-2009 the Minister of Culture at that point was publicly saying that we should introduce a revamped incentive system – very interesting – that could include a combination of tax credits, capital grants, and development grants. So we've heard those noises from over in the government side, and we shouldn't preclude the possibility of moving back to that sort of thing. That's why a motion, I think, is a good first step.

The current Minister of Culture said in 2012 that a discussion was ongoing about tax credits, but we haven't heard much about that since. Again, a very friendly reminder, very organic here, with the idea of the best interests of the industry and of the Alberta public: I think it's time to start that discussion again.

Alberta is the only province that provides grants as opposed to tax credits. I think we all know that. People who work in the creative sector say that without a tax credit system and a dedicated system for developing productions and talents, Alberta will never be as competitive as other provinces. You know, we've done research, talking to people in the industry in Edmonton and Calgary. They do say that there is some quick turnaround with grants, right? Maybe we shouldn't preclude the possibility of having some of those available, too, but the bedrock investment, the thing that will actually make the industry go over the long term, will be tax incentives, certainly.

You know, there are big-budget films. We just haven't really attracted that many. They pull out a few chestnuts and repeat them over and over because really there are just so few examples to choose from compared to a place like Ontario or British Columbia. Big-budget films are choosing to shoot in those places. For example, a \$50 million film would receive almost twice as much funding in the province of Ontario as it would in Alberta, where the funding is capped through the grant system currently. In Alberta we need to come up with a system that works well for both small productions and large productions. Again, I think a tax incentive system would meet that need.

Alberta should have a tax incentive system, Mr. Speaker, that allows us to compete. I also would venture to say that we need to do more as well. I think that we need to invest in the film infrastructure that can support film production as well, to take it one step further. We have a critical lack, for example, of studio space across the province. If we had that infrastructure in place, made that investment, helped with that, every film production company, you know, would be helped, right? In 2013, this year, members of the film industry even began a public letter writing campaign asking for these issues to be addressed, and we haven't seen anything come of that so far. Building a creative hub both here in Edmonton and in Calgary I think is something that's long overdue. You can talk about it, but if you don't invest in it, it'll never happen.

Really, I see that the capital infrastructure spending that has taken place with this current government, with this Premier has actually been reduced significantly. We see it being reduced by at least \$14.4 million, Mr. Speaker. You can talk all you want about culture, but if you don't put the money in there, it's not going to be there, right? It's just talk.

I think it's ludicrous to talk about gutting capital spending when there's already such a serious shortage of film infrastructure. If you move to a certain point, it's like the roads breaking down, right? If you don't do the maintenance at a certain point, you have critical failure, and that's what we're close to at this point with the film infrastructure in this province.

The New Democrats do support the motion to build and to nurture our film industry in the province of Alberta. We also see a broader issue about the undermining of our culture support in this province for a long time. We need to repair that damage, Mr.

Speaker, by investing in infrastructure and developing a more robust incentive program.

With that, I thank the member for bringing forward this motion. I certainly will vote in support of it, and I encourage others to do so, too.

**The Deputy Speaker:** Thank you, hon. member.

I recognize the hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much, Mr. Speaker. I need a bit more information before I know whether I'm going to support what's being put forward. [A cellphone rang] Donuts for everyone. Whose phone is ringing?

**An Hon. Member:** Fifty bucks for the food bank.

**Ms Blakeman:** Or 50 bucks for the food bank. Oh. Miraculously, it stopped ringing. Okay. There we go.

This government – this government – under whichever Premier you want has really had not a love-hate relationship with film and television development and production in Alberta but more like a passive aggressive sort of relationship with them. At various times people, ministers, have been willing to stand up and say: “Yes, indeed, we understand how much money this brings into our province. It gives us great exposure. It actually has a quantifiable spinoff now on tourism because people come because they want to see where the film was shot, and/or they are just impressed by the scenery and want to come there themselves.” But we've also just had devastating cuts to the community.

I mean, at one point we were poised to overtake B.C. as the big film production centre in Canada. That was right when Premier Klein came in, and everything was slashed. They dumped AMPDC, which was the Alberta Motion Picture Development Corporation. They slashed the funding from wherever it had gotten to at that point, like, \$30 million down to \$3 million. I mean, everything just died. We had actually gotten to a point, as I said, where we were poised to beat out B.C. – and there's a lot of activity in B.C. – because we had things like the costume trailers, which are custom built. They're built to do a certain job. It's very particular, and it's very expensive. We had those. We had the lighting trucks. We had makeup and dressing room trucks. We had a lot of people who had invested a lot of money in film production in the province, and they just got into the truck and drove away and took their equipment with them because they had to work. They had bills owing on this stuff – it was not cheap – and they left.

5:30

Well, I remember the community working so hard to get the previous Treasurer, I guess it was, Stockwell Day, to go out and go to a film shoot and see, you know, what was going on there. There was always this great suspicion that somehow we were hatching anarchists or something in the editing suite, a very strange attitude of the government. Eventually the community did manage to convince the government that they were a good investment, and we moved to the three-stream system that has just now been adjusted.

I keep in touch with this community. I used to work in it as an actor. I do keep in touch with the actors' union, the Directors Guild, the Teamsters, IATSE, which is the stage and technical workers. There is a big community still in Alberta although they're very frustrated because so many of them still live here and pay mortgages here but are working somewhere else. I remember a really good conversation before the last election where a number of people got up and said: yeah, you know, my kid works in this



industry, and I'd like them to work more at home and less out of the province.

There was an intense lobbying effort to get the government to adjust the three-stream system, and they have. Of the current three streams, stream 1 is indigenous/coproduction, which is funding up to 30 per cent of all the eligible Alberta costs, but it does require between 30 and 100 per cent Alberta ownership of the production. So you get a better deal. You get more if it's an Alberta production or has a lot of Albertans involved.

There is also stream 2. What they did was that they took the three streams and collapsed them because there was a way to kind of work the system that was happening with the three streams. They've collapsed them into two streams, and it seems to be working much better except for a whole bunch of other things. The second stream is the foreign/service ones. That's where you get the Hollywood ones coming in. They can get up to 26 per cent.

Now, let me give you the list of what they actually cover. The eligible expenses include postproduction – and I think that Alberta might be one of the few jurisdictions that actually covers postproduction costs – special effects; all rentals that they do, from fridges and trucks to costumes and all rentals; set construction and props; animation; craft services, which for you that don't know is food, feeding people; all of the Alberta labour that's involved in the production; food and accommodations; in-province travel; all production services; and additional to that. So it's covering a very wide range.

Now, when you go to tax incentives, quite often the tax incentives are based on labour. I'm not sure exactly what the sponsoring member was looking for, and I'd be looking for a bit of clarification. Neither system is terrific. There are drawbacks with the tax system. You know, what are you going to cover?

Two, in talking to people, actually, just recently at the Mayor's Celebration of the Arts and a couple of other arts events I've been at in the last week, the producers will admit that they get their money faster under this system than they would under a tax incentive system. Well, when your name is on the line and your house is put up as collateral, that means something. The percentage that you're getting back is also very good. I mean, are you talking about a tax incentive that's 5 per cent? Are you talking about one that's 50 per cent? What are you going to cover? So it's a bit more complicated. You haven't fleshed out for me what it is exactly that you're looking for.

**An Hon. Member:** Fifty-thousand feet.

**The Deputy Speaker:** Through the chair, hon. member.

**Ms Blakeman:** Fifty-thousand feet? Yeah. I'm sorry. At 50,000 feet or taking it back to the principle of the thing: that doesn't cut it for me.

We fooled around a lot with this industry. It produces between \$8 and \$11 for every dollar that is invested in it by government, so it is an astonishing payback. I mean, honestly, if any of us could get that rate at the bank right now, we would be cashing out everything we had and running down to the bank to get 8 to 11 per cent back on every dollar that we put on. Holy mackerel.

We have a well-trained group of people in this province that know how to do it. We've got experienced producers, and the system that is in place currently has a couple of things in it that people wanted me to mention specifically, and that was that there is a commitment to mentor and bring along more Alberta labour and talent. They wouldn't want to see that lost under a different system. They were very specific that they didn't want to lose that mentorship piece.

I mean, this system isn't great. Part of it is the cap. There's a \$5 million cap per production, I think, and in this day and age that's pretty small potatoes for the film community. You know, at this point a \$5 million film is almost animation. It's very short. It's going to be, like, under 20 minutes. If you're talking about professional feature length, it's very hard to get anything done, whether the full amount of the film is \$5 million or if your eligible grant is \$5 million. I really hate the cap. When we're getting that kind of money back, why is there a cap on each production? That needs to go.

The second thing is that the fund itself for the same reasons needs to be much higher. I can't even remember how much is in there right now. Minister, is it \$30 million? Nineteen million? How much is in the film fund right now?

**Mrs. Klimchuk:** It's \$19 million.

**The Deputy Speaker:** Through the chair.

**Ms Blakeman:** Yes, of course, through the Speaker.

It's \$19 million, says the minister.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. I rise in favour of this motion, and I do so because I actually have a little bit of experience with the . . . [interjections] I couldn't hesitate to stand up and say that. If the hon. members will pull up the movie *Double Jeopardy* with Ashley Judd, you will notice that some of that filming was done in Howe Sound, right north of Vancouver. The reason that was done there is because of the tax credits that B.C. had in place. That's the reality. That was a film that was designed to represent Washington state, and the B.C. Film Commission, with the way they had their film credit system, was able to get a part of that film up into B.C. By the way, my wife's church in Edgemont Village was also in that chase scene in the middle of the village.

The point I want to make is simply this. To keep the film industry competitive, you have to realize what the competition is doing. When you look at the amount of economic activity the film industry brings, that is why these other jurisdictions do give tax credits to entice these movies to come film. Nothing is more, I think, depressing than to see a movie being filmed in Vancouver that's representing Calgary or Edmonton in its scenery, just for that very reason.

There's a potential here to attract, but the real potential is to make us competitive, and that's why I stand right now in support of this motion, for the singular purpose of making and keeping the Alberta film industry competitive. There's a lot of value that we're missing by not being competitive. If we were to have this type of tax structure, that would encourage and invite the industry to come here, to keep us competitive, particularly when we measure ourselves against these other jurisdictions like British Columbia, like Ontario. It actually increases our economic activity in the film industry, and that's something that should never be taken lightly.

**5:40**

When you do look at the film *Double Jeopardy* and you see the car go off the ferry into the water, I was in a boat just six metres out of the film as a member of the Canadian Coast Guard, looking to save anybody that was going to drown. Just for your own

knowledge, the people in the car were actually filmed in a pool, so I didn't get to save anybody that day.

Thank you very much.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Member for Edmonton-South West.

**Mr. Jeneroux:** Well, thank you, Mr. Speaker. I'm pleased to rise today and speak to Motion 510, being brought forward by the hon. Member for Medicine Hat. The intent of this motion, from my understanding, is to reinstate a film tax credit regime similar to those found in the provinces of Ontario and Quebec. My understanding is that this would replace the current grant system known as the Alberta multimedia development fund. The tax credit system proposed by this motion would reimburse production companies for filming in Alberta.

Mr. Speaker, the fact of the matter is that the film industry is a substantial economic contributor to Alberta's prosperity. This is why any motion that claims to be aimed at protecting and bolstering that industry is worthy of serious and careful consideration in the House. It is also why I rise today to speak in favour of the hon. member's motion.

The film industry is a competitive one. There is no doubt about that. While it is often pointed out that Alberta's natural beauty makes it an obvious and attractive option as a filming location, any production company's bottom line is inevitably going to play a role in deciding where to film a project. Thus, we need to take a close look at Alberta's current grant-based system and whether or not it does enough to encourage film production in this province.

I had the luxury of introducing my father in the House recently as he was a former console operator, sitting above the clock. However, Mr. Speaker, he did that job as a way to supplement his income while he pursued and was successful in his own passion for film production. After studying film at Brock University in Ontario, he moved here to Alberta to begin his own film production company. It wasn't a difficult choice at the time as the industry was growing, and the potential seemed endless. However, times changed in the 1990s, and we are now able to realize the significance of the film and motion picture industry in Alberta.

Mr. Speaker, I think it would be fruitful in this conversation to examine the success stories stemming from the film tax credits. I do not believe that it is a coincidence that the two biggest and most prolific filming sectors in Canada, Ontario and Quebec, are two sectors that have implemented film tax credits. Though it trails behind Quebec for third place in film production, British Columbia also makes use of a film tax credit.

After doing some of my own research, the Ontario Media Development Corporation offers the Ontario production services tax credit, OPSTC. This is a refundable tax credit based upon eligible Ontario labour and other production expenditures incurred by a qualifying corporation with respect to an eligible film or TV production. OPSTC requirements are generally harmonized with the federal film or video production services tax credit. The latter is administered by the Canadian audiovisual certification office, the Department of Canadian Heritage, and Canada Revenue Agency.

The OPSTC has been expanded. For expenditures incurred after June 30, 2009, it is calculated at 25 per cent of all qualifying production expenditures in Ontario. Something big to note, though: there is no limit on the amount of qualifying production expenditures. In addition, this credit can be combined with the federal film or video production services tax credit for 16 per cent of qualified Canadian labour expenditures. Again, something

substantial is that there is no per-project or annual corporate tax credit limits.

In order to ensure an economic return for the province, the OPSTC requires that eligible productions must exceed a production cost of \$1 million. That typically means more money flowing back into the province in the form of jobs for local crews and talent, not to mention publicity for filming locations that pays off in the longer run.

Similar to Ontario, Quebec offers the Quebec tax credit for film production services. In order to qualify for this credit, productions must be of the eligible genre, and production costs must exceed \$1 million. The matter is slightly different for the production of a series. For a series production with a running time of 30 minutes or less, production costs must exceed \$100,000 per episode. Episodes with longer running times must exceed \$200,000 per episode. I recently had the opportunity to tour the *Blackstone* television set being filmed right here in Edmonton by Prairie Dog films, and in talking to some of the industry representatives, the limitations we currently have restrict additional growth for these series. I believe the evidence shows that a film tax credit is potent incentive for production companies when choosing among locations.

Mr. Speaker, there is no reason to suspect that a tax credit will have the opposite effect here in Alberta to what it has had on the other film industries of Ontario and Quebec. We have some really talented individuals here in the province, and many of them have the dream to do business here in the province that involves the production of film projects. Any helping hand we may give them by attracting future employment prospects ought to be considered.

I spoke with one such individual last week. She went off to study her trade in British Columbia, but she has recently returned to Alberta, to Edmonton. Could she have more opportunity in British Columbia? She thought so, but she also has a passion for our province. Mr. Speaker, these are the people I want to stand for in this House and represent.

When leveraged along with Alberta's natural scenic appeal, I see no reason why a film tax credit could not take us closer to making Alberta a mecca for filmmaking in Canada. I'm not saying that this motion will singlehandedly change the industry, but I do think it's a big step in the right direction to have this conversation. This is why I will be voting in favour of the motion, Mr. Speaker. I wholeheartedly commend the hon. Member for Medicine Hat for bringing this to the floor of the Legislature.

Thank you.

**The Deputy Speaker:** I recognize the Member for Cypress-Medicine Hat.

**Mr. Barnes:** Thank you, Mr. Speaker. I rise to lend my support to the motion put forward today by my colleague from Medicine Hat, Motion 510. "Be it resolved that the Legislative Assembly urge the government to reinstate a competitive tax credit regime for supporting the film industry in Alberta rather than the current grant system." It has been just over one year since the Member for Medicine Hat and I were elected in neighbouring constituencies to serve in this Assembly. One of the things we both campaigned on was to re-establish a film tax credit in Alberta to compete with other North American jurisdictions and restore Alberta's film industry.

The decision by this government to move away from a tax credit system and instead implement the Alberta multimedia development fund grants has not increased the competitiveness of Alberta's film industry. With the AMDF grants the government is now in the position of hand-picking winners and losers in the film

industry. This motion is asking for a reinstatement of a competitive tax credit system for film industry labour costs. This type of tax credit would apply across the board and throughout the province as opposed to what is in place today.

Now, Alberta already has an advantage over some jurisdictions because of our low tax regime, including the fact that we do not have a provincial sales tax, although, unfortunately, the Premier's principal secretary would like to see our taxes hiked. Adding a tax credit would provide yet another incentive for film studios and production facilities to set up shop in Alberta and employ Albertans. It would put us on a competitive footing with B.C. and Ontario, both of which have a film tax credit for labour costs. As the hon. Member for Medicine Hat has said, in B.C. it's a big part of the election platform to actually increase the tax credit for the industry should the NDP win. The federal government also provides this type of tax credit. In fact, nearly all provinces with the exception of our province and Saskatchewan provide some type of film tax credit for labour or other expenses.

Mr. Speaker, in conclusion, I ask all members of this Assembly to think about restoring a competitive film tax credit that would help the film industry in our province and to support Motion 510.

**The Deputy Speaker:** Thank you, hon. member.

Hon. Deputy Government House Leader, you caught my eye.

**Mr. Denis:** Yes. Thank you very much, Mr. Speaker. I just rise as I noticed that we began debate about three minutes late. In order that we can get a vote today, I would like to ask for unanimous consent of the House to waive 3(1) and to continue past 6 p.m.

**The Deputy Speaker:** Having heard the motion by the Deputy Government House Leader, this requires unanimous consent, hon. members. So I'll ask one question. Is anyone opposed?

[Unanimous consent granted]

**Mr. Saskiw:** Mr. Speaker, I was wondering at this point whether we could have unanimous consent for one-minute bells.

**The Deputy Speaker:** Okay. The motion by the Member for Lac La Biche-St. Paul-Two Hills is for one-minute bells in the event of a division. I'll ask the question. Is anyone opposed?

**An Hon. Member:** Yes.

**The Deputy Speaker:** Okay. Then if there's a bell, it'll be 10 minutes.

I'll recognize the Member for Calgary-North West.

**Ms Jansen:** Thank you, Mr. Speaker. I rise to speak on this. I was very interested when this motion came up. Certainly, it's because I have what I consider to be a significant amount of experience in this area. I was a film student back in the '80s along with my television career, so I went to school with a lot of film students, kept in touch with them over the years, followed their careers, and was lucky enough last year to be appointed as co-chair of the Alberta Film Advisory Council. So I've spent the last year really immersed in this issue.

5:50

It's interesting. When we began to talk about just how workable the Alberta multimedia development fund is, I got a lot of feedback from people in the industry. In fact, for the last year I've got nothing but feedback from people in the industry. I feel there's a little bit of a disconnect from the information I'm hearing across the aisle and what I've experienced in terms of messaging.

What I'm hearing from hundreds of people that I've spoken with is that the AMDF creates a lot of TV and film production activity in Alberta. It keeps us competitive in the marketplace. Alberta's current system is easy to work with, and as all of those people told me, it is utterly fair. The rules are consistently applied. There's no jury, no bureaucracy picking shows they like and shows they don't like. It's strictly first-come, first-served as long as you produce shows that qualify under the guidelines.

Now, AMPIA, which represents the local film and television industry, is one hundred per cent behind the cultural grant system tied to production spending within the province because they say it's working. It's extremely convenient for everyone concerned. It's well understood by the coproduction partners from other parts of Canada and the U.S. and other parts of the world.

A tax credit system, on the other hand, is far more complicated. It's cumbersome, it's not as fair, it's not as efficient, and it's not desired by any of the people I spoke to in the industry. For example, the federal government funding mechanism, CAVCO, is a tax credit system. It's more labour intensive for both the governing body and the applicant than a simple grant. Tax credits require more complicated audits because the money trail is longer. All of this creates more bureaucracy instead of supporting art and artists.

Bureaucracy slows everything down. It makes productions more expensive. Producers have to work on loans or on deficit while waiting for that tax credit assessment to come through. Why make producers jump through more hoops, more paperwork, more expense when they should concentrate on doing good work? Money should funnel down to where it's needed and not back up the system like bad plumbing.

The current Alberta program is revenue positive. Grants are tied directly to spending within Alberta. More money comes back into the province in forms of tax revenue, increased economic activity than is invested in grants. So it fits into a strategy of economic diversification, and that fosters important areas like knowledge-based businesses, digital communications, web-based enterprises, even tourism.

Something else to remember is that this is a cultural program. It's not just job creation. It helps Alberta companies compete in the world marketplace, provides opportunities for creative Albertans to tell their stories to the world. Producers, writers, directors, actors, editors, cameramen, sound engineers, animators, musicians: all of those people are working in this province using this fund successfully. One company I spoke with has created hundreds of hours of programming using this fund, all of it across Canada, syndicated in more than 35 countries. They've now managed to build their own studio with two sound stages, nine edit suites, two sound production suites, and computer animation. This is a fund that's working.

Now, an economist at Simon Fraser University recently wrote that B.C. subsidies amount to a taxpayer cost of \$125,000 per film. It kind of sounds like corporate welfare. I don't think you mean to suggest that that's a road we should go down, but it sort of sounds like it is. Do we need to look at other provinces as examples? Well, why don't we look at other provinces as examples? In Budget 2012 Saskatchewan announced that the province was winding down its tax credit. Why? Because this is the problem with tax credits. Industry experts indicate that a greater level of subsidization was required to remain competitive. You raise yours half a point, another company gives you a little bit more, then off you go to another part of the country. It's a race to the bottom. This is one of the problems with it. Provinces are now realizing what former Premier Klein had the foresight to point out

years ago, that tax credits for film activities eventually become unsustainable.

Now, I talked to a couple of producers who came back from B.C. in the last year because, lo and behold, they have work here. They have work here, and they're happy about it. One of the things they talk about is this happy example of the fact that they're developing programs that are going into production. A tax credit does not support that kind of initiative. Development is what creates the critical mass of infrastructure here in Alberta. Tax credits work for companies who use Alberta as a location but migrate to wherever it's cheaper to produce the next time because the next province will have a bigger tax credit. That's the problem.

We have a program here that's working. When I talk to people in the industry, they love it. They love it. It works for them. We shouldn't fix what isn't broken.

Thank you, Mr. Speaker

**The Deputy Speaker:** Thank you, hon. member.

If there are no other speakers, I'll recognize the Member for Medicine Hat to close debate.

**Mr. Pedersen:** Thank you, Mr. Speaker. It was great to hear the debate on Motion 510 today, a motion that urges the government

to reinstate a competitive film tax credit system for supporting the Alberta film industry. There have been some great discussions, and I'm proud to be here today to champion a return to a competitive film tax credit. A competitive film tax credit has many benefits for Albertans in and out of the film industry. Among the best reasons for a film tax credit, as I mentioned, is that it does not pick winners and losers. It does not discriminate against one group over another, and it does not make political decisions.

I would urge all of my colleagues to support Motion 510 and walk the walk when it comes to making a decision that can improve our province and make us more competitive and to do the right thing.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you.

The question has been called.

[Motion Other than Government Motion 510 carried]

**Mr. Denis:** Mr. Speaker, as it's close to 6 p.m., I would move that the House stand adjourned until 7:30 this evening.

[Motion carried; the Assembly adjourned at 5:57 p.m.]

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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Monday evening, May 6, 2013

Issue 54e

The Honourable Gene Zwozdesky, Speaker

## Legislative Assembly of Alberta The 28th Legislature

First Session

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## Legislative Assembly of Alberta

7:30 p.m.

Monday, May 6, 2013

[The Deputy Speaker in the chair]

**The Deputy Speaker:** Please be seated.

### Government Bills and Orders Committee of the Whole

[Mr. Rogers in the chair]

**The Chair:** Hon. members, I'd like to call the Committee of the Whole to order.

#### Bill 19 Metis Settlements Amendment Act, 2013

**The Chair:** I'll recognize the Deputy Government House Leader and Minister of Aboriginal Relations.

**Mr. Campbell:** Thank you, Mr. Chair. I'm pleased to rise today in support of Bill 19, the Metis Settlements Amendment Act, 2013. I'd like to thank the hon. members from across the aisle for their support of this bill. I'm going to be very brief because I know that the Leader of the Official Opposition has some comments.

The focus of Bill 19 is on governance and accountability, which will contribute to the sustainability and future economic prosperity of the settlements for the benefit of all Albertans. The intent of these amendments is to define the role of settlement councils and settlement administration. The amendments are a product of extensive consultation through long-term arrangements and negotiations, which resulted in a 10-year agreement signed by the Premier, the president of the Métis council, and myself.

During second reading members of the opposition made comments on Bill 19, most of which were in support of the legislation, and I appreciate that. I have to be clear that this act was developed in full consultation with the Metis Settlements General Council and settlements over the last year. For me to accept amendments without first consulting or discussing with the Métis settlements leadership would be inappropriate. I think the hon. members from across the aisle recognize that and can respect that process.

Some suggestions for improvement, like a code of conduct for the settlement administrator, should be considered, and I will be bringing them forward to the Metis Settlements General Council for their comments. Our intent is to bring forward additional amendments in 2014 to reflect the ongoing work with the long-term arrangements and to clean up several sections of the act that have outdated language. The suggestions of the hon. members could be incorporated at that time if they are accepted by the Métis settlements leadership. I believe some of the suggestions are worth considering, and I'll be willing to incorporate them during our next set of amendments if the Metis Settlements General Council agrees with them.

With that being said, the amendments before you in Bill 19 have been endorsed by the Métis settlements leadership, Mr. Chair, and I think that's very important. They clarify the role of the settlement councils as a policy role, and the role of settlement administration is to implement the policy decisions of councils.

As for enhancing accountability, the amendments establish a code of conduct for councils, standardized reporting, business plans, and a joint Alberta-Métis settlements process to examine

new ways of increasing accountability. The development of a code of conduct reflects long-term arrangements and their commitment to increasing accountability. Among other things, it will include rules related to conflict of interest and disclosure when or if a councillor may be associated with a settlement business and rules that apply when a conflict has been disclosed.

A general election will be held every four years instead of every three for each settlement council. General elections will be held on the first Monday in October in an election year, starting in 2013. This change is consistent with the changes made to the Local Authorities Elections Act. The amendments to Bill 19 will also provide settlements with the ability to elect their settlement chairs at large during the general settlement elections or to keep the status quo. A settlement bylaw will be required to allow for the option.

A joint review committee made up of government and Métis settlement reps will be established to review in a comprehensive way all accountability and enforcement provisions in the Metis Settlements Act and make recommendations for change. There will be a requirement for the settlement councils to develop annual three-year business plans. This will include public notification, posting of business plans, and reporting at the required annual meeting of the settlement. Settlement councils will be required to report on expenditure and revenues on an annual basis. This will mean a general council policy to allow for standardized financial reporting in establishing the details of the report.

The amendments also pertain to the roles and responsibilities of the settlement administrator. The administrator will be the head of the settlement administration to help ensure a clear separation between policies and administration. Roles and responsibilities of the settlement council will also be clearly defined when it comes to the development of bylaws and policies. Settlement councils are to oversee operations without getting involved in the day-to-day administration of settlement corporations. This is to ensure a separation between the roles of the settlement administrators and those of the settlement councils.

A general council policy will be required to establish an independent committee to recommend rates of remuneration, expenses, and other payments or benefits for settlement councillors. A general council policy will be required to consider the recommendations of the review committee and prescribe the maximum remuneration, expenses, and payments and other benefits payable by a settlement council to a councillor.

Finally, Mr. Chair, Bill 19 will also repeal the sections of the act that refer to the Métis settlements ombudsman. A review of the office was conducted in December 2012. The review determined that there were more effective mechanisms for addressing the function and protecting the public interest on Métis settlements. My ministry will work with the Métis settlements to develop more effective accountability mechanisms.

Thank you, Mr. Chair.

**The Chair:** The hon. Leader of the Official Opposition.

**Ms Smith:** Well, thank you, Mr. Chair. This is the first opportunity I've had to bring through a slate of amendments on a bill, and I'm delighted to be able to speak to the Metis Settlements Amendment Act, 2013. In my second reading comments I did express support for the general direction that this is going. But I do think it can be improved, and I did let the minister know that I would sending over some proposed amendments.

I do find it interesting that we're in the process of passing a piece of legislation to help guide the process that Métis settlements will use to pass legislation in a way that is more transparent

and accountable, yet there's such a rush to get through this that it does not appear there is any opportunity for us to be able to give full and fair consideration to these amendments, debate them on their merit, without going back to the Métis settlements for consultation, as the minister just said. I appreciate that he does have to go back to the Métis settlements for consultation, but it does kind of make me question what the rush is in pushing this through the various stages of the readings when in point of fact since this session continues we could actually take the time, do the proper consultation, come back to debate the amendments, pass a few of them, and finish the reading in the fall.

I think that this is an interesting irony that we're in. Here we are giving some direction to the Métis settlements about the kind of time frames that they should have in passing their legislation, the type of public consultation that they should do – in fact, they have some pretty interesting provisions in their current act about that – yet we don't actually follow the same kind of process that we're asking the Métis settlements to follow. I do find that a bit disappointing.

Knowing that none of these are going to pass this evening, I will go through and at least make the best argument for them in any case, and hopefully some of my colleagues in the Official Opposition will lend their voice and their support. Perhaps we'll be able to get an indication from the minister about whether or not he thinks it is likely to pass with the settlement councils.

Again, I think this is just sort of indicative of how we may need to change the way in which we do our work. If we're sort of rushing through things and squeezing out that process of consultation because we're in such a race to get through the different readings, I don't know that we're going to be passing very good legislation. I have to say that I support the view that the leader of government, the Premier, had put forward in her leadership race as well as during the election about slowing down the legislative process, having more time between the different readings so that you do have the opportunity to look at the amendments being proposed by the opposition, to do proper stakeholder consultation. I hope that the Premier does live up to that commitment at some point, but I have to say that I'm a bit disappointed that it hasn't happened in this case.

That being said, I did want to give the minister an early heads-up about the amendments that we were going to propose today, so I sent him a letter, and I've also provided the other opposition parties with the amendments in advance. So, hopefully, we'll be able to go through this rather quickly. I don't think that there's much point in belabouring the amendments. I just want to get them on the record and hope that at some future point we'll be able to pass some of them.

In the letter that I sent to the minister earlier today, the amendments fall essentially into six broad categories. The first is that in giving oversight to the settlement administrator, the power should be exercised within guidelines set by general council policy. I think the concern that we have here is that we want to make sure that there are executive limitations on the administrator since the general council is now empowering that administrator with the requirement to be able to hire employees and set the remuneration.

**7:40**

I also have some concerns that certain sections of the budget bylaws have now been removed from the public notice and public approval requirements that all the other bylaws have to operate under, so I will be putting forward an amendment to be able to address that in two different parts.

We also have a concern about some of the language around financial reporting. The fact that we use the term “financial

reports” as opposed to the clearer language of financial statements I think is problematic. I think we need to make that a little bit more clear so that we're giving direction about the standards that we're hoping the financial statements live up to as well as making sure that they comply with the international standards of accounting, which is what we're trying to do, to move the settlements closer to what the expectations are of other orders of government.

Finally, as well, I think that there is some need to address the issue of the settlement administrator being clearly under conflict-of-interest rules that are established by council.

I've also indicated to the minister that because there's some age on the legislation, there are two areas when he brings back amendments that he may want to consider opening up as well. In division 2, existing leases land access panel, 187(2)(c), it mentions four associations that no longer exist because they've changed their names or merged or split apart over the years. Then in schedule 2, investments, under 1(2)(f) there is “securities of the Alberta Energy Company.” Again, a company that no longer exists. We can't make amendments to those sections because they weren't brought forward in the initial amendment act. So if the minister is going to bring it back, I just wanted to flag those two as areas that are going to need a revision.

Just going forward, I'll start with my first amendment. Mr. Chair, since I'm new at this, you'll just have to remind me of the time frame. Do I wait until this is circulated before I continue speaking?

**The Chair:** Hon. leader, yes, you can circulate those. When they've just about been circulated, you can speak to it. If you could just give us a few minutes, and catch your breath.

**Ms Smith:** Fantastic. Thank you.

**The Chair:** We'll call this amendment A1, hon. leader.  
You may start to speak, hon. leader.

**Ms Smith:** Thank you, Mr. Chair. I would like to move that Bill 19, the Metis Settlements Amendment Act, 2013, be amended in section 13 in the proposed section 48(1)(b) by striking out “may” and substituting the word “must” and by striking out “other duties” and substituting “the duties.”

If you go to Bill 19, section 13, when it's describing what the role of the council is in the section under settlement administrator, what it now says is that a settlement council under (b) “may prescribe other duties and functions of the settlement administrator in addition to the duties and functions set out in this or any other enactment.” What this amendment then would effectively do by striking out “may” and inserting “must” and striking out “other duties” and putting in “the duties” is that it would then read that a settlement council “must prescribe the duties and functions of the settlement administrator in addition to the duties and functions set out in this or any other enactment.”

What it does is that it takes away the arbitrary nature by having “may” or “may not” and putting in “must,” creating the obligation on the council to ensure that it puts the proper executive limitations in place so that the settlement administrator isn't just bound by what is in the legislation but is also bound by the overriding direction of the settlement council.

Once again, the reason why we think this is important is because there is now in this new model an awful lot of power being transferred to the settlement administrator. In doing so, we think it's important that the council retain the very clear direction and obligation to prescribe and proscribe the duties and functions of the administrator. The language where it just says “may” makes

it a little bit too optional, in our opinion. We do believe that it should be “must.”

If you look at the section right above that, it mirrors that same certainty, that a settlement council “must appoint a settlement administrator and fix the settlement administrator’s remuneration and terms of employment.” It seems to me that there has to be a greater degree of direction and authority vested in the council in that second part where they must also prescribe and proscribe the duties and functions.

I’d be happy to hear from any opposition member or the minister about whether or not he thinks the settlements would be likely to support that change, and I look forward to the debate.

**The Chair:** Thank you, hon. leader.

Hon. minister, do you care to respond?

Are there others? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I rise in support of the amendment. What I just want to say about it is that by changing the language from permissive to prescriptive by saying “must prescribe the duties and functions,” I think that provides clarity to the section of the act. Clarity, in my view, is something that I think a lot of people, particularly the Métis and even the government, can agree to.

I understand some of the arguments made that the minister wishes to go back and consult. I agree with our leader. What’s the rush? We can basically adjourn, and then we could actually consult and come back in and finish this.

In the meantime, if you take a look at the amendment based on its own merit, seeking clarity for this section in the description of the duties seems not just logical but basic in the application of the act. That’s, to me, providing some sort of logic and clarity.

Quite frankly, consistency is something that I will support. I urge all my fellow members and even some of the government members to support that.

Thank you very much.

**The Chair:** Thank you, hon. member.

Are there others? The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thanks very much, Mr. Chairman. Let me begin by saying that Bill 19, the Metis Settlements Amendment Act, 2013, is a tremendous piece of legislation. I think it’s great progress. It represents real leadership and a desire to find common ground with First Nations, to build the capacity not only within the Métis nation but also to develop stronger mutual support, shall I say.

Having said that it is a tremendous step toward clarity and accountability and transparency and standards, I think I have to say that this amendment would add to the clarity and accountability and standards that we all welcome not only in our current government but that we welcome in every level of government so that everybody knows and everybody has an understanding and everybody expects the same thing. I think for citizens, for taxpayers, for people who elect representatives to serve their purposes, this kind of clarity and certainty is vital to the whole democratic process, or people check out. They stop paying attention. They stop caring. They stop raising their voices. It’s all part of a very important process that we have all entered into because we all want it.

This is a very sensible amendment that’s simply going to, I think, add to what I think the minister is moving towards and has made great strides towards. It will simply add that greater certainty and clarity. It won’t be, as has been said, as permissive. It will be prescriptive: this is what your responsibility is, and this

is what you will be held accountable for both by other Albertans and the government of Alberta but also by your own citizens.

I, too, welcome this minor wording that will just add some more stability, certainty, and, I think, accountability for this whole progressive process that I think the minister deserves a lot of credit for.

Thank you, Mr. Chair.

**The Chair:** Thank you.

Are there others?

**Mr. Campbell:** Let me put everything into context, Mr. Chair, for the rest of the amendments. I won’t be accepting any amendments tonight or voting on any of the amendments tonight.

Two of the speakers have talked about how this is a quick process. This bill has been 75 years in the making. I can say to you that this bill has been, at least in the last four years, very dedicated to coming to a long-term agreement with the Métis settlements in Alberta. The last LTA ran out, and I can tell you that there’s as much urgency on the part of the Métis settlements to get this LTA in place as there is in the government.

7:50

Mr. Chair, the reason I won’t accept any amendments tonight is because this has been a negotiated process. We’ve respected the rights of the Metis Settlements General Council, and we’ve respected the rights of the chair within the negotiation process. Having said that, I am more than prepared to bring these amendments back to our discussions with the Metis Settlements General Council and will bring forward amendments again in the spring.

To suggest that we’re trying to rush through a bill is not true. I can tell you that I myself have spent the last year working on this agreement with my department to get to the point where the Metis Settlements General Council wanted to move forward on this.

As I’ve said in my other speeches, I’m very proud of the work that the Metis Settlements General Council has done. I’m very supportive and very proud of the work that all the settlement chairs have done. Mr. Chair, this legislation is the result of that negotiation process, and I will not do anything to ruin or bring into disrepair that relationship that we’ve built so far.

Thank you, Mr. Chair.

**The Chair:** Thank you, hon. minister.

Are there others? The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Chair. I rise to speak in favour of this amendment. I can appreciate the minister’s comments as far as the fact that much discussion has taken place with the different leaders of the Métis settlements. However, you know, Committee of the Whole is a very important process in our legislative process before we pass bills, and it’s to give all opposition parties the opportunity to look at a bill and look at improving and strengthening a bill to ensure that the legislation is as comprehensive as it can be. I mean, truthfully, I appreciate the minister’s comments. However, once this bill is passed, it’s very difficult to go back and amend a bill. As opposed to kind of doing a haphazard job here in the House, I think we should take the time before we pass a bill to ensure that it has all the different elements addressed.

**Dr. Swann:** Why bring it here?

**Mr. Bilous:** Well, that’s a very good point. You know, it’s here in the Legislature, Mr. Chair, so that the different parties can bring

their perspective and ideas to the bill to ensure that Albertans are guaranteed the highest quality of debate and that democracy remains to thrive.

As I said, Mr. Chair, I'm rising to speak in favour of this motion. I think any time we're trying to not only clarify and show transparency but to clarify the different roles and responsibilities within prescribed legislation – I mean, clearly, we're changing the word “may” to “must,” which I think narrows the scope and makes it much easier for a position to be held accountable, for duties to be outlined very specifically. The challenge with the current wording is that it is a little ambiguous. We're not sure under circumstances (a) or (b) if certain responsibilities or duties apply.

This is, I believe, a very reasonable amendment, and it's quite disheartening to hear the minister speak in generalities that all amendments this evening toward improving the Metis Settlements Act will be rejected by the minister. I can appreciate that this process has gone on for some time. There have been discussions with the different leaders of the Métis settlements. However, there has not been the opportunity for this House to debate this bill and to bring forward amendments and recommendations to improve it, so it's quite disheartening to hear the minister say that none will be accepted. I think it's our responsibility and the responsibility of all 87 members in this Chamber to ensure that we're representing our constituents and that everyone is given the due course to speak and make recommendations.

With that, Mr. Chair, I hope that the other 86 members of this Assembly will truly look at some of the amendments that are being put forward, the merits behind them, and seriously contemplate their validity and how they're going to strengthen and improve the current bill as it stands.

Thank you, Mr. Chair.

**The Chair:** Thank you, hon. member.

Are there other speakers? The Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I want to rise and just kind of respond to the minister's comment. I was one of the members that rose and made the comment about rushing the bill forward. I will retract that statement, but then I will make the statement that maybe the bill is premature. The fact of the matter is that I don't want to infringe upon the minister's ability to consult. That's not the point here. The point is that we also consult on this side. The whole goal of bringing these amendments forward is to look for ways that we can improve upon legislation based on the consultations that we go through with our stakeholders. That's what's happening here. If the minister needs more time to consult, I don't think there's anyone on this side that's going to object to that. That's not the issue. The issue is, then: why should we pass this bill before that consultation is finished?

But beyond that, when you look at the actual legislation, which I'm going to support – I think most members are going to support the legislation. It could be a split vote on the other side. I don't know. The fact of the matter is that I think most of my colleagues, when we discussed it, were supportive of it. To just deny outright or say you will not accept any amendment until you can take that back for further consultation – there's an easy solution that I think everyone could agree on. We just want to slow the process down, take some time, go back out and consult, and then come back to Committee of the Whole and get back and engage in the debate with these amendments to strengthen the bill, which is the whole goal of bringing amendments forward.

With that, I'll concede now to the hon. member.

**The Chair:** Are there others?

Saying none, I'll call the question on amendment A1.

[Motion on amendment A1 lost]

**The Chair:** Now back to the bill. The hon. leader.

**Ms Smith:** Thank you, Mr. Chair. Well, it was sort of an interesting statement from the minister. I have to tell you that the House leader criticized us once before for not sending the amendments over. He said that if we'd sent them over, he would have had a chance to review them and discuss them with the caucus and might have been able to give full consideration to them. Now we're hearing from the minister that even though I sent them over, he's not going to listen to them anyway.

I guess I am looking for some direction from the government about what we actually do have to do to get them to give serious consideration to any of our amendments. I mean, we're quite happy to go through and make the motion and go through the motions, but it sure would be nice if we actually had a dancing partner on the other side who was taking this as seriously as we were.

If they are in the position where they need more time to consult, then what they should actually do is build opposition feedback into their consultation process. The last time I checked, there is a role in the Legislature to debate legislation. It's why we go through Committee of the Whole. It's why the opposition puts forward amendments and motions. Presumably we have a role in adding input into legislation. It would seem to me that if there is a problem in the government's processes and they're missing a piece that allows the opposition to have meaningful input, then maybe they need to consider the processes.

Anyway, we'll continue on. I do have a second amendment that I'd like to propose. I'm happy to circulate that.

**The Chair:** That will be amendment A2, hon. leader. If you'll just give us a moment to circulate that, the pages will be there shortly.

Proceed, hon. leader.

**Ms Smith:** Thank you, Mr. Chair. Once again let me just read into the record the amendment. I move that Bill 19, Metis Settlements Amendment Act, 2013, be amended in section 13 in the proposed section 48(2)(e) by adding “in accordance with any applicable General Council Policy” after the word “employment.”

I'll just read what the current section says right now under section 48(2). It goes through sort of a number of different delegated responsibilities that are now given to the settlement administrator. These are the ones that are defined in legislation. Then, of course, the way the act is currently written, the settlement will have the opportunity to provide greater direction for duties and functions if they so choose.

**8:00**

The current settlement administrator under these rules would have the ability to ensure that

- (a) . . . bylaws . . . are implemented;
- (b) to administer the affairs . . . ;
- (c) to advise and inform the settlement council on the operation and affairs of the settlement;
- (d) to establish and maintain . . .

And here again the wording says:

. . . in accordance with any applicable General Council Policy, the systems of financial management for the settlement and the records of the settlement:

Subsection (e) is the provision on hiring employees, (f) is establishing human resource policies, and

- (g) to exercise any other power and perform any other duty or function assigned to a settlement administrator by this Act or any other enactment or prescribed by the settlement council or a General Council Policy.

What I find interesting about the way this section is structured is that there are references to the administrator being bound through executive limitations by general council policy in (b), (d), and (g), and it does seem to me that it is a missing piece to not have that recognition of general council policy in (e). What the effect of this amendment would do is that it would give the delegated authority to the administrator to hire employees of the settlement and fix remuneration and terms of employment “in accordance with any applicable General Council Policy.”

I think one of the things that we’ve probably all heard as we’ve been consulting with members of the Métis community – and, of course, I think we have to keep in mind the rank-and-file members, the 8,000 individuals who are going to be governed by the councils that are now going to be under this revised piece of legislation – is that there is a concern under the old system about council members being able to hire every single staff member. I think that the members of the Métis community I’ve heard from have expressed concern about the potential of family members getting hired on, that there aren’t any parameters around what the remuneration should be.

The problem with changing this reporting structure without allowing general council to set those policies is that you could be shifting those same concerns away from the council but to the administrator. You need to be able to make sure that the general council maintains the authority and, indeed, the mandate to provide prescriptions about what the pay scale should be for each of those employees that are hired and to also prescribe policies on when family members can be hired or when family members may not be hired.

I think leaving it open like this and giving complete delegated authority to the administrator without making it clear that general council policy ought to apply in this area does seem like a missing piece. The reason why I think it is a missing piece is because we do actually make reference in three other subsections here to general council policy, so I think it could be interpreted that general council doesn’t have any authority to set those kind of remuneration standards. I think they ought to have it prescribed in law that there’s an expectation that they would set those remuneration standards so that we can address the very legitimate issues that are often brought forward from the perspective of those residents of the Métis settlements who are concerned about some of the oversight, some of the hiring practices. I think if we’re going to correct that part by bringing through this legislation, then we need to make sure that that element also applies to the settlement administrator.

With that, I’d be happy to hear from the minister or other members about whether or not they would support the amendment, and I encourage them to do so.

**The Chair:** Thank you.

The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I rise in support of this amendment, and I encourage all my fellow colleagues to support it. The amendment does nothing more than clarify the parameters of the legislation. When the settlement administrator is given the ability to hire employees, which is exactly what this is, it sets parameters to make sure that there’s no mistake about this. If we accept this amendment, the settlement administrator will hire employees in accordance with any applicable general council

policy. That now sets the parameters around how employees are hired.

This gives consistency to the whole act, in my view, and brings it back to the general council, the policies that it establishes and the authorities that follow from that. I understand why the minister would want to go back and consult, but I would argue that anyone that would be in favour of this legislation could easily see where this amendment clarifies the act and makes it a little bit stronger and sets out a parameter to prevent any kind of abuse. We don’t want to be hiring employees not consistent with the general council policies. Here we are with an amendment that, in my view, gives a little bit of simplicity to the clarity, to the parameters on how we want to construct this piece of legislation.

With that, I would love to hear from the minister. Thank you very much.

**The Chair:** Thank you, hon. member.

Are there others? The Member for Edmonton-Beverly-Clareview, followed by Calgary-Mountain View.

**Mr. Bilous:** Thank you, Mr. Chair. I rise to speak in favour of this amendment. I think, again, that any time we can clarify a bill further to ensure, first of all, that there are systems and processes in place and to ensure that there aren’t possibilities of misusing a position of authority – as my colleagues have already stated, you know, this is really just clarifying further a point in the bill. I would almost even think of this in certain ways as a friendly amendment to ensure that there is that transparency, that clarification that, again, I think just strengthens the bill.

I think that this is another example of a reasonable amendment. You know, the opposition parties go to great lengths to prepare amendments to improve legislation to ensure that many Albertans, in fact all Albertans, have a voice in this Legislature. I think it’s crucial that the minister and my colleagues opposite consider carefully not only the words but the amendments that the opposition parties go to great lengths to prepare to ensure, like I said, that democracy remains strong in this province and that we’re clarifying as much as possible different interpretations of how legislation can be enacted.

With that, I will encourage all my colleagues in this House to seriously consider this friendly amendment. Thank you, Mr. Chair.

**The Chair:** Thank you, hon. member.

The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Well, thanks, Mr. Chair. I know that the intent of this bill in its entirety is to build a sense of clarity, security, trust, respect for the democratic process, and authenticity of the leadership of these settlements, and I think it behooves us to take every possible step to make sure that we make it easy for that to happen on settlements and make it clear and supportive and strong to legitimate the leadership and provide them with the tools they need.

There may be, in fact, other ways in which it becomes clear within the Metis Settlements Act that there are going to be these checks and balances and that there are going to be council directives and general policies around conflict of interest, family members, guidelines on salaries, that sort of thing, but this simply would reinforce a sense that if there’s any question, it’s very clear, black and white, as it says in this amendment, “in accordance with any applicable General Council Policy.”

I would have to support this, and it may be that the minister will want to discuss this further with others. I’d be interested in his comments specifically about this because to me it strengthens his

desire and his commitment through this act to provide the best leadership, the most confidence in the community, and the strongest sense of direction that we can possibly give to make sure they are successful and that people in the community know how things work and who they're accountable to and for what.

So I will be supporting this amendment and look forward to hearing the minister's comments.

**The Chair:** Thank you, hon. member.

Are there others? The hon. minister.

**Mr. Campbell:** Thank you, Mr. Chair. Just briefly, you know, this is an interesting proposal, and I am prepared to take it back to the leadership of the settlements. But I think it's important for the House to realize that this was almost a deal breaker. When we did our negotiation with the Métis general council, this was the last piece that we were able to get done. You know, for us to sit here in the House and say, "This makes sense to us, and this is the way we do business, and any Albertan should understand this" – this was a big step for the Métis general council and the settlements to come to this, to separate, first of all, between council and their businesses and to differentiate between council and the administration within the Métis settlements.

Mr. Chair, again, I'm prepared to take this back and have that discussion and see where the settlements are at, but I just want to make the House understand that this is a very big step that we've moved forward, just separating the Métis council from the day-to-day business of businesses within the Métis settlements.

Again, my hat is off to the settlement chairs for moving forward on this, and I won't be supporting this amendment at this time.

8:10

**Ms Smith:** Well, I just want to clarify. The two amendments I proposed are really putting more power back into the hands of the general council. I guess what I worry about with this is that it seems to me that the balance in a couple of these places puts too much power into the hands of an administrator without the mandate for oversight from the general council.

You know, we've seen all kinds of instances in the provincial government where senior executive pay has quite literally gotten out of control, and the minister is saying: "Hey, it's not my problem. Go talk to the guy who I delegated the decision to." We've already seen in provincial contracts – whether it was Alison Tonge, who signed a \$300,000-a-year contract, worked for two years, and got a \$400,000 payout; whether it was Jack Davis, who walked away with millions of dollars worth of payout; whether it's the SAIT president, who walked away with a full year, \$365,000 – that it doesn't seem like any elected official wants to take responsibility for those kinds of contracts.

I don't think that we want to replicate the same problem on Métis settlements, where you remove the elected officials from not only having oversight but also from having the requirement to be accountable to their electors for making sure that all of the administrators are paid within a pay scale that is reasonable for the settlement, that they have the mandate from those who are elected, and also have the accountability to those who are elected. So I think that the general council should be quite pleased that what we're contemplating here is that we're going to allow them to retain that executive limitation on their administrator so that they can maintain that accountability in going to their people to justify what the pay scales are and what the hiring practices are.

Thank you, Mr. Chair.

**Mr. Campbell:** Mr. Chair, section 48 is very clear that it gives the council the authority to set the administrator's remuneration and

terms of employment and to prescribe other duties and functions of the administration on top of those set out in the act. So the council does have full control over the administrator and the salaries that are going to be set. This isn't a case in point where the administrator is going to set his own salaries and just go hog wild and take a bunch of money and run. Also, the minister has very specific delegation duties under the act to make sure those things don't happen.

**The Chair:** Thank you.

Are there others? The hon. Associate Minister of Services for Persons with Disabilities.

**Mr. Oberle:** Thank you, Mr. Chairman. Just very briefly I want to speak in support of the minister's position here and add my support as to why this bill shouldn't be amended. The legislation we're tabling tonight and the legislation we're discussing tonight comes about as the result of a negotiated settlement between the government of Alberta and the Métis association. We're free to speak against it, I suppose, and to identify individual clauses of that bill that we don't like, and at the end of the day we can vote against it. But to amend it is not acceptable because what we're trying to do is to write legislation around an agreement that we already negotiated, to implement that agreement. To amend it is to go back to the Métis population and say: "Well, we didn't like it. This is how the bill turned out. Love it or leave it." That is not the appropriate mechanism to amend a bill.

First of all, as I said, we can speak against it, and I invite all opposition to speak against any particular clause and at the end of the day to vote against the bill in its entirety. However, it is an insult to the Métis to amend the bill and go back to them and say, "This is what the Legislature cooked up," when none of the people in this House sat around the table for as long as that minister and his staff did to be there in the negotiation. Negotiation is a package deal, and the Métis are expecting us to implement this agreement. If we're not going to, then we have to defeat the bill in its entirety on the floor of this House, not amend it, Mr. Chair.

**The Chair:** Thank you, hon. minister.

Are there others? The hon. Member for Lac La Biche-St. Paul-  
Two Hills.

**Mr. Saskiw:** Thank you, Mr. Chair. I'd like to speak in favour of this amendment but particularly just to deal with the comments that were just made by the hon. member. What he's implying here is that once a piece of legislation is drafted by a minister, there can be no amendments whatsoever throughout the process. That absolutely makes no sense. There's precedent, of course, that bills after second reading are put to a committee so that that committee can then go ahead and do consultation.

In my opinion, it is contrary to any parliamentary procedure, practice, logic to indicate that you cannot as an opposition or as a government member propose amendments because the minister has done a whole bunch of consultations. Well, the minister didn't consult with the Official Opposition on what this bill would be. Maybe we have some good ideas. Maybe we're going to be presenting them right here. That's democracy. I think that for the hon. member to indicate that is just completely contrary to the principles in this Legislature.

I think that if this government would listen to some of the substantive amendments or even, potentially, procedural amendments that we're putting forward in terms of the legislation, the legislation could be strengthened. It shouldn't be one of these circumstances where a minister puts forward a piece of legislation and they can just cover their ears and not listen to any type of



amendments put forward simply because they've done a significant amount of consultation. Legislation can always be strengthened through the legislative process, and to say otherwise is undermining that process.

**The Chair:** Thank you, hon. member.

The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Chair. I do want to address some of the comments that were just made. I know that the members on the other side of the House seem to think their legislation is perfect. However, news flash: I don't think any of them are actually perfect. They can be improved, which is part of the role of the opposition. I think that to insinuate that only the government speaks with the people and stakeholders who are going to be affected by this bill is quite insulting as I'm sure that many members on this side of the House also speak to different Métis leaders and have input to offer. For the government to assume or insinuate that they speak on behalf of and that they're the only ones in discussion with Métis settlements and leaders I think is quite offensive, to begin with.

I think as well that the government needs reminding that they don't represent every single Albertan in this province, that there are opposition members that were elected throughout the province, and that even within their own ridings there are Albertans who don't share their views. So to say that they're coming into this House with a prescribed, written, done deal piece of legislation that is perfect – and I can appreciate that the minister has worked very hard with the Métis settlements and has had many discussions with the leaders. I acknowledge that; I appreciate that. However, members of this side of the House have also had discussions with different leaders, and we do bring other perspectives to the table.

Again, you know, the last time I checked, Mr. Chair, our system of democracy, the Westminster system, was based on the multiparty system, meaning each party brings different perspectives to the Legislature and different points. We are all here in the spirit of bringing forward and improving legislation so that we can go back to all Albertans and say that this was a collaborative effort, something that we all worked on together, all sides of the House bringing forward all points of view and respecting them in a discussion and also in the legislation.

For that reason, Mr. Chair, I felt moved to address some of the issues that the associate minister brought up because I think it's very crucial to acknowledge that we all meet and consult with our constituents and bring their points of view forward in this Legislature. To insinuate that only one side needs to be represented in legislation I think is quite offensive to the many Albertans who aren't represented by the government.

Thank you, Mr. Chair.

**The Chair:** Thank you, hon. member.

Are there others that wish to speak to amendment A2?

Seeing none, I'll call the question.

[Motion on amendment A2 lost]

**The Chair:** Back to the bill. The hon. leader.

**Ms Smith:** Thank you, Mr. Chair. Well, I think this next amendment that I'm proposing might put the government in a bit of a pickle. Why don't I have it circulated first?

**The Chair:** Sure. Pages.

**Ms Smith:** Then I'll explain why the government might be in a little bit of difficulty in passing this bill tonight because it does seem like it may actually go against the current provisions of the legislation. I'll explain that in just a minute, after this has been circulated.

8:20

**The Chair:** This will be amendment A3 for the record.

Hon. leader, please proceed.

**Ms Smith:** Thank you, Mr. Chair. What this amendment states is that I would move that Bill 19, the Metis Settlements Amendment Act, 2013, be amended by striking out section 14. Now, if you look at Bill 19, section 14, budget bylaws, under 55.1, it states, "Sections 54 and 55 do not apply to a budget bylaw."

I would direct the hon. members to go to the original text of the current Metis Settlements Act and just have a look at what section 54 and section 55 state right now. What we're saying with this amendment is that these two sections are no longer going to apply to any budget bylaws. The sections that will no longer apply to budgets are under public notice of bylaws:

54(1) Every proposed bylaw must be presented at a public meeting in the settlement area after second reading but before third reading.

Then it says:

(2) At least 14 days' public notice of the date, time and place the public meeting must be given.

But it goes on to say under approval of bylaws:

55(1) A quorum for public meetings called to vote on settlement bylaws is 15 settlement members who are eligible to vote on the bylaw, or any other number specified by settlement bylaw.

(2) A settlement member is eligible to vote on a bylaw presented at a public meeting if

(a) the member has resided in the settlement area for the 12 months immediately preceding the date of the vote, or any lesser period prescribed in a settlement bylaw, and

(b) the member's residence is in the settlement area on the date of the vote.

(3) Persons affected by an issue under discussion at a public meeting have the right to participate in the discussion of the issue but may not vote on it unless they are settlement members and eligible to vote on it.

(4) A bylaw voted on at a public meeting is approved if a majority of the settlement members who are eligible to vote and who vote at the meeting vote in favour of the bylaw.

(5) If the vote at the public meeting is not in favour of the proposed bylaw, the bylaw is defeated, and all previous readings are cancelled.

I just find it fascinating that the minister talks about all the consultation that he did with Métis settlement leaders, yet they have a very strong culture and history of direct democracy when major bylaw changes are happening on the settlements. So here we are in the Legislature actually taking away the rights of rank-and-file Métis settlement members to have the basics that every other individual living in a municipality has of public notice when budgets are coming through. They also have this very special right currently. They actually have the opportunity to directly vote on any bylaws that are coming forward.

Now, I don't know. To the minister: maybe I missed it. Maybe I missed the broad-based referendum of all of the 8,000 people on the Métis settlements approving this agreement. But it does seem to me that we are rewriting in a fundamental way an essential bylaw approval process for an essential piece of legislation that would come through at the Métis settlements by violating the

current provisions that are in place because we haven't actually put it to a referendum of the people in the Métis settlements.

Hopefully, the minister will be persuaded by the argument that we should actually strike section 14 from his settlement act so that we do have sections 54 and 55 applying to this type of budget bylaw in the same way that it always has and the same way that it would apply to any bylaw. I think that if this does not succeed or if he is not able to get this passed by the settlement, at the very least we have to make sure that section 55 continues to apply to budget bylaws.

That will be my next motion, which I'd be happy to speak to. But I think I'd like to hear from other members and maybe even from the minister about whether or not this was perhaps miswritten or an oversight that essentially with this legislation allows the settlement councils to pass a budget without having a public hearing or public notice and gets around the traditional processes that they had for establishing budget bylaws, which was by direct referendum, and doing so without actually consulting directly with the people through a referendum. It does seem to me that this is a fairly major change to Métis settlements and the way in which they pass their legislation.

Again, I know the minister has consulted with the leadership, but I think the reason why these provisions exist in the first place is because they recognize the grassroots decision-making that is the culture of the Métis settlement. To go through and do a negotiation without having a referendum, fundamentally rewrite the way in which the people are going to be consulted on the most important bill that their government brings forward, which is how they're spending money, it seems to me, goes a step too far.

This is why I would urge other members to support the elimination of this section 14 until such time as it can be fully consulted with the members of the Métis settlements through referendum, which is the way in which all other bylaws have to be consulted, because this is a substantial change to the way in which their budgets will be passed even at the settlement level, even with the additional powers that were given to the council.

With that in mind, I would like to hear from other members, but I would urge them to remove section 14 so that the existing rules that are outlined in the Metis Settlements Act continue to apply.

**The Chair:** Thank you, hon. leader.

The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I rise in support of the motion. Specifically, I too would like to hear from the minister with regard to striking out the public notice and the opportunity for a vote on a bylaw. If I'm missing something here, I am persuadable, but I just don't understand why this would not be applicable. When I look at what this amendment does to the bill to restore these two provisions, I see value in the democratic process, and I see value in due process. Yes, I understand the minister has consulted at great length, but I also know that when we consulted, the whole idea of the democratic process was of significant high value.

I'd be curious as to why it was constructed – was this actually in the agreement that was arrived at before this bill was drafted? – and how this came to be. This is now significant. This is a process that I think any community even beyond Métis would consider extremely valuable. To have due notice and to be able to actually have an opportunity to vote to deal with these issues is significant.

To the hon. minister: I hope that there's a reasonable explanation why this amendment is not something that would be under consideration.

Thank you very much, Mr. Chair.

**The Chair:** Thank you.

Are there others to speak to this amendment? The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Chair. I rise to speak strongly in favour of this amendment. It think it's very unique, the system of governance that the Métis settlements have set up for themselves and their members. I find it very unique when a group of people use the form of direct democracy. I think that there is no stronger form of democracy than direct democracy, when each person has direct input on a decision before it is made and truly the voice of the people rings loud. I too look forward to hearing from the minister as to specifically why this section is in there and why this is being changed.

I think, you know, that holding a public meeting is crucial, ensuring that settlement members have the ability to vote on a bylaw when it's presented at a public meeting and that it can be defeated at a public meeting through the act of direct democracy when they're voting. I think that truly places the ultimate decision-making and power in the hands of the people that their leaders are elected to represent. It's ensuring that people are participating in that democratic process and ensuring that they have a voice. I mean this, if anything, Mr. Chair, is a fail-safe mechanism to ensure that when items are being voted on, especially relating to the budget, if the members of a community disagree with it, it can be sent out. I find it quite interesting that if the budget that the government just passed a couple of weeks ago was put to a vote for all Albertans, it might have a very different outcome and result.

I think it's important that this ability remain in the hands of the people that the Métis settlement leadership is representing. I think it's crucial that this amendment be adopted by this legislative body and that all members truly think about and reflect on how this amendment is going to ensure that each member of the Métis settlements has a voice and is involved in that decision-making process.

Thank you, Mr. Chair.

**8:30**

**The Chair:** Are there others? The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you, Mr. Chairman. I, too, will stand to at least invite the minister's response because this seems eminently sensible at a time when people are coming together. It's kind of like bringing in their first constitution. They have to have a very strong buy-in to it to believe it, to participate in it, to recognize the importance of every phrase and every decision around it. Maybe not every phrase, but they need to know that they have some ability to influence the process.

These are fairly substantive changes in their lives and in their governance. It strikes me that the very foundational activity that has to come out of this has to be one of honouring and respecting and demonstrating what democracy looks like and that the people of the communities have a very strong role to play. Unless there's something that we don't understand about the existing Métis act which the minister can inform us of, this seems like an eminently sensible way to strengthen what he's doing, to strengthen the capacity of people to address the issues that are most going to affect their lives and their ability to participate in their own democratic process, and to respect those who are in positions of power, not defer to them but to recognize that they are there as a result of the proper, due democratic process in which they still

have power to change what's happening and the decisions that are being made at that level of the representative.

I look forward to hearing the minister's comments before I vote, but on the face of it it looks like a very helpful, strengthening amendment to the bill.

**The Chair:** Are there others? The hon. minister.

**Mr. Campbell:** Mr. Chair, I'm getting up more than I want to.

I think that first of all, before we start on the budget bylaw part, people have to understand – and the Member for Rimbey-Rocky Mountain House-Sundre talked about consultation, consultation. This is not a consultation. This is a negotiation. This is a negotiated agreement between the government of Alberta and the Métis settlements. This isn't that we went out and consulted with members and we consulted with the leadership and continue to talk. This is a negotiated settlement, and the Métis general council through their settlements indicated who their negotiating team would be. I can tell you that their negotiating team was the big four that they refer to. We go through this process. This isn't just a consultation. This is sitting down and negotiating what the terms and agreements are going to be.

While I understand the member's concerns about democracy, Mr. Chairman, this is probably the most unique piece of legislation anybody in this Legislature will deal with in the coming months. This is not the norm by any means.

**An Hon. Member:** It may be unique, but is it the best it can be?

**Mr. Campbell:** Well, I think it is at the present time. I think it's the best it could be because, first of all, we were able to settle a \$6 million lawsuit. We were able to get all eight settlements to agree unanimously that this was a good deal. We were able to put funding in place over the next 10 years to provide services such as policing, housing, essential services, good governance, economic development, and health care. I would say that this is a pretty damn good piece of legislation.

Mr. Chair, I think it's important. Again, I appreciate the Official Opposition leader's amendments, and I'm prepared to discuss this with the settlement leaders, but I think it's important to note that these amendments require the councils to consult in development of the business plans. The budgets cannot do anything outside the business plan. That's a three-year business plan that has to be adopted by the settlement, has to be adopted by the Métis general council. Again, as minister I have control over those business plans if I think something is out of the ordinary.

Mr. Chairman, I think it's also important that this ensures that councils are not prevented from governing by as few as 15 members but also ensures that members are informed of the council's plans, have input into the planning process, and promote the accountability of councils.

Mr. Chair, when the opposition talks about democracy and people being involved in the process, we've taken that step. We're making sure that all council members are involved in the process. Under the former legislation 15 members could vote down the budget, and all of the affairs of the Métis community would come to a grinding halt because they would not have the okay from their settlement to do the financial business going forward.

Mr. Chair, again, this is an important step forward. Is it as far as I'd like it to go? No, it's not, but as I said, this is a negotiated settlement, and this is a big step for the Métis settlements to take. I'll not be supporting the amendment.

Thank you, Mr. Chairman.

**The Chair:** Thank you, hon. minister.

Are there others?

Seeing none, I'll call the question.

[Motion on amendment A3 lost]

**The Chair:** Back to the main bill. The hon. leader.

**Ms Smith:** Thank you, Mr. Chair. I do have a follow-up amendment with that one being defeated. I accept some of the arguments that the minister made. I'd be happy to talk a little bit more about that while this one is being circulated.

I do recognize that part of what is occurring in this legislation is that we are trying to move Métis settlement governance to be on par with other orders of government in Alberta. It's quite clear that we don't have a public referendum on the provincial budget. Heck, if we'd had a public referendum on this past budget, I'm pretty sure it would have failed resoundingly, so I can understand the minister's concern about the power of the people in that regard on a budget. We've got something like over 400 municipal councils in the province if you include summer villages. I don't think any of them, at least none that I know of, go to the people with a public referendum – I'm happy to be corrected by someone if I'm wrong – on the particular issue of the budget.

I can recognize that it might be a step too far to have both sections 54 and 55 not apply to the budget bylaw.

Can I now speak to this?

**The Chair:** Just to be clear, hon. leader, for the record you are moving this amendment, which will be referred to as A4. Please proceed.

**Ms Smith:** Thank you. With all of that context in mind, the amendment that I would love the minister to take to the Métis settlement leaders in his discussions with them is to move that Bill 19, the Metis Settlements Amendment Act, 2013, be amended in section 14 by striking out the proposed section 55.1 and substituting the following:

Budget Bylaws

55.1 Section 55 does not apply to a budget bylaw.

I think that would address the concerns that the minister made in his comments about the potential for the business of the settlement to come to a halt in the event that there was a referendum defeating the budget. But I have to say that I do not see why we would keep section 14 as it currently is written, that says that section 54 would not apply to the passage of a budget.

Again, just as a reminder, what this amendment would do is that it would say that there does not have to be a referendum in the instance of a budget bylaw coming forward, but there would still have to be public notice of the bylaws. Section 54, then, would still apply to the budget bylaw, and in this case it means:

(1) Every proposed bylaw must be presented at a public meeting in the settlement area after second reading but before third reading.

(2) At least 14 days' public notice of the date, time and place of the public meeting must be given.

I would say that it would be very unusual for a government in Alberta at any level to fail to give an annual budget the public airing and public notification. I don't think that that would be in line with anything we see at the municipal level. Certainly, it's not how the provincial government operates. To say, "Well, it's all in the three-year business plan" is, in my view, not adequate. If the government said to the people of Alberta, "We're no longer going to issue an annual budget; just go look at the three-year business

plan that we passed this year,” that would certainly not pass muster in raising the bar on accountability and transparency.

This notion of having an annual budget available for the public to scrutinize and review is vitally important, especially when it comes down to the budget. We’ve seen with the government’s most recent budget how many major policy decisions were made through the course of deciding where dollars were going to be allocated. It would be no different on a Métis settlement. You could have something in a business plan. As we see every single day and we saw through estimates, you can have a high-level principle about what your business plan is going to do and the objectives and priorities that you want to achieve and then have that be a mismatch on how dollars are actually allocated. We do see that in numerous cases in the provincial government’s own estimates. This is why it’s very important for the public to be able to see on an annual basis the same public notification provisions before a budget actually gets passed.

Again, I accept the minister’s argument about it not being voted down by referendum. Fair enough. But I don’t think that there can be any justification to why you would say that the most important bylaw that a Métis council would bring forward, that a Métis settlement would bring forward, which is the budget bylaw, because it sets the stage for virtually every other policy decision that is made throughout the year – I have no idea why you would make the decision that the most important bylaw doesn’t have the public notice requirement, but everything else does.

8:40

In that spirit and, I think, again, in keeping with what the stated intention is of what the legislation is trying to do, which is to bring Métis settlements governance powers more in alignment with the kind of governance powers, oversight, and accountability that we see from municipal councils and indeed our own provincial government, it seems to me that this is a mismatch, having this section 54, about the public notification of bylaws, fail to apply to a budget bylaw. I would argue the opposite, that this is probably the most important bylaw that the public notification should apply to because it determines so many of the other decisions that the Métis settlement council is going to make.

With that, I’d be happy to hear from my colleagues about whether or not they would support this amendment. Thank you.

**The Chair:** Thank you, hon. leader.

Are there others? The Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I rise in support of this amendment. There is a trend that’s been developing with this government in the repeal of notification. We witnessed this in Bill 2, and now we’re here with the Metis Settlements Amendment Act. I don’t understand the omission or the withdrawal or the repeal of proper notification. I don’t understand that. I don’t get that. I would really like someone to rise, particularly the minister on the other side, and explain why notification is not a reasonable mandate in legislation. To me, it’s just basic to the democratic process, how it’s handled. Beyond that, the whole basis of our democratic process is a well-informed public, so when we break this down into a smaller segment that is dealing with the Métis settlement, it still doesn’t change. We have to have proper notification, where the people are informed. From that information, then, the people can make the proper decisions that they need to make.

Whether this was an oversight, I still don’t know, but I will say this. To me, it is absolutely paramount that proper notification be a mandate in any type of process so that the people involved in the process have an opportunity to learn the facts, to learn the issues, and to participate in the process. Without proper notification that ability to learn the facts and to participate in the process is diminished significantly.

With that, I will turn the floor over to any other member. [interjections] Maybe you would like to call the members to order so they could hear the other members, too.

**The Chair:** Thank you, hon. member.

The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Chair. I’ll speak very briefly to this and just reiterate some of the main points. This is a very straightforward amendment, and it would just simply require public notice when a budget bylaw is being put forward by the settlement council. We see in the other portions of the legislation that when there is a bylaw that’s being put forward by a settlement, that type of public notice must be given.

This is, to me, a completely sensible, no-brainer amendment. I don’t think this is something that should even be that debatable. From a settlement perspective, with the most important piece of enabling policy they put forward, which is the budget bylaw, for there to be no requirement for notice to the general members whatsoever, I simply don’t, at least in my dealings with the Métis settlements in my area – and I have two of them. I think that they’re very open and transparent. They would like their members to have an opportunity to see the numbers. I’ve talked to many, many members not just on the council but also in the community. They would like more openness and transparency.

To the minister: I’m not sure if this is simply an oversight or if it’s intended to not provide that notice to the members. I’d be very interested in hearing what he has to say on this particular amendment.

**The Chair:** Thank you, hon. member.

Are there others? The Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Mr. Chairman. I, too, am curious about this lack of public notice on budgets. Surely, especially as a new government is forming itself and establishing credibility and building relationships with the community, recognizing that they’re in that position of power because of the community, it would be incumbent on us to make very clear to both the leadership and the citizens that we have such a high regard for democracy and for accountability that we would very much insist as a government, the governing body of all of Alberta, that we have standards that include the public information for citizens regarding how their money is to be spent.

It’s very fundamental, and I have to assume that it’s an oversight, that it was just something that slipped through, and that in the best interests of the community and the best interests of the future stability and confidence in this community it would be restored. I await the minister’s statement on this because it’s a pretty fundamental oversight in a democratic system and in all other municipalities – of course, this isn’t entirely consistent, and they were very clear that they don’t want to be entirely operating under the same guidelines and statutes as a municipality, but everything possible to instill confidence and accountability and transparency. Surely the budget has to be the foundation of any kind of trust that’s going to develop in a community and in a newly created body within the Métis settlements.

I hope the minister will take this under advisement and do a very serious review of it and consider its importance to not only the credibility of this whole act but also the credibility of this government. If it doesn't set standards, if it doesn't enforce standards, then what are we left with in this province?

Thank you, Mr. Chairman.

**The Chair:** The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Chair. I rise to speak in favour of this amendment. You know, I think that not only is this amendment logical, but it really does fit as one of the cornerstones of democracy. Removing the public notification aspect, where the public must be notified, I think is a step backwards for a couple of different reasons, Mr. Chair.

Number one, I don't know how many years that public notification has been a part of the governance and democratic process for the Métis settlements, but I'm sure that that would have negative consequences in a variety of ways. I mean, if the folks that are part of the Métis settlements have been relying on this public notification for budgets to know exactly what's going on, how the dollars are going to be spent, and the priorities of their leaders, to take this away I think, first of all, would come as a surprise or a shock for many folks. If they've come to count on it, I think that you're taking away their ability to stay informed and to be aware of what's going on.

I mean, when I think about our own budget process, Mr. Chair, in Alberta we're fortunate that province-wide we have quite a bit of media that will bring to attention the budget that we're debating, the estimates, ministry by ministry. You know, forgive my ignorance. I'm not sure what kind of media is available on the eight different Métis settlements, but I think there might be less access to that information via the media.

That's a luxury that we have in this House, Mr. Chair. Many Albertans can turn on the television and at least follow along with what the government is proposing to spend in its budgets. Again, for smaller governance structures like the Métis settlements public notification may be an absolutely essential part of the process to ensure that its citizens are not only informed and engaged but have that ability to participate in the process. I think that I, too, as are my colleagues on this side of the House, am curious to hear the minister's response and rationale for this.

8:50

It seems only logical. Again, when we talk about public interest, ensuring that our citizens are informed and engaged, putting forward public notification and ensuring that everyone is well aware of what's going on, especially when it comes to budgets and spending dollars and priorities in different communities, including the Métis settlements, I think is absolutely crucial.

So I, too, would urge all members of the Assembly to critically look at this amendment and to understand and to see the logic and the reasonableness and rationale behind keeping this in place to ensure that that crucial cornerstone of democracy remains intact. Thank you, Mr. Chair.

**The Chair:** Thank you.

The hon. minister.

**Mr. Campbell:** Thank you, Mr. Chair. First of all, nothing in my ministry is straightforward. Let's get that on the record. Whether it's dealing with the Métis settlements, the MNA, or our First Nations, we go in circles quite a bit, so nothing is straightforward.

This section is very straightforward. Let me say that a budget has to be passed at the settlement council meeting, so that has to

be open to the public. Mr. Chair, that's no different than municipal government, and I say municipal government knowing that I'm going to get a phone call from the chair of Kikino because he makes sure that I understand that they are not a municipal government; they are a government on their own and very unique. At the municipal government level no public notice has to be given for the passing of budgets. It has to be done at a public meeting. What we're doing is following what's under the Municipal Government Act right now and asking the Métis settlements to do the same thing.

Again, Mr. Chair, I will not be supporting this amendment.

**The Chair:** Are there others?

Seeing none, I'll call the question on amendment A4.

[Motion on amendment A4 lost]

**The Chair:** Now back to the main bill. The hon. leader.

**Ms Smith:** Thank you, Mr. Chair. I have a two-part amendment in this next section as well. If this first one is not to the minister's liking, I've got another version that may well be. I'll let that be circulated.

**The Chair:** This will be amendment A5, hon. leader. Just give us a minute for the circulation. Thank you.

You may proceed, hon. leader.

**Ms Smith:** Thank you, Mr. Chair. I listened to the hon. Member for Calgary-Mountain View say that it may be an oversight that this public notification piece had been excised from the legislation with regard to budget bylaws, but I guess when you see two instances where the public does not appear to be inserted into the bill, you kind of wonder whether or not it is an oversight to have happened twice. So let me try to reinsert the public into this other section of the legislation.

I will read into the record the amendment. It looks like a long one, but I'll explain the two parts to it and then also explain what the subsequent amendment would be if this one does not pass. I move that Bill 19, Metis Settlements Amendment Act, 2013, be amended in section 20 by striking out the proposed section 159.1 and changing the title of it to "Standardized financial statements." Then it reads as follows:

159.1 On or before September 30 of every year, each settlement council must

- (a) prepare, in accordance with General Council Policy and International Financial Reporting Standards, standardized financial statements for the previous financial year for the settlement,
- (b) file a copy of the standardized financial statements with the Minister and the General Council, and
- (c) make the financial statements for the previous financial year for the settlement available to the public in the manner the council considers appropriate.

There are a few changes that, I would say, you'll notice if you're looking at the Metis Settlements Amendment Act on page 11 versus what we've got here.

The concern that I have is that the term "financial reports" is open to interpretation. I think most people understand that financial statements has a fairly specific meaning for what it is you're expecting to see when you see the statements of a business operation or, in this case, a council's operations. What you'll see in the language that I'm proposing here is that we move away from the language of using "financial reports" to using "financial

statements,” which required the revision in point (a) and point (b) and the new point (c).

The other point that you’ll see that I’m suggesting here is that by moving to the term “statements,” we also have to identify the accounting standards with which we think the Métis settlements ought to comply. It’s my understanding that municipalities as well as the provincial government are moving away from the generally accepted accounting principles standard to this international financial reporting standards, which is why I’ve put that in there in the provision under (a), to make it quite clear that we’re not just talking about reports in any old format. We’re talking about financial reporting standards and particular types of financial statements.

In addition to that, I think the important element as well is that it’s one thing to make your statements available to the minister, but our view, especially in keeping with the grassroots, democratic consultative process that you see in Métis settlements, is that you have to make those financial statements for the previous year available to the public as well.

I hope it’s just an oversight. It does seem to me that that should be a fairly standard practice, that it’s not just the accountability that the council has to the minister. They have an even greater accountability to the people who vote them into office, and as a result the financial statements should be available to the public every single year. If it’s not made available to the public in an easy way, I guess the alternative would be that all 8,000 members would have to call the minister’s office to be able to get the financial reports. That doesn’t seem like a very efficient way of approaching this.

It seems to me that this should be fairly straightforward. We see this in every other level of government. When they get to their end of year, they will issue a finalized version with updated financial statements in an appropriate format, easy to read, easy to compare to previous years. In keeping with the minister’s stated intention of moving the governance structure for this order of government closer to what we see at the provincial level, closer to what we see at the municipal level, this seems to me to be just a fairly standard omission in the original drafting of the bill and a fairly reasonable series of amendments.

Just to reiterate, then, it would be adding the term “financial statements” in place of “financial reports,” putting in place international financial reporting standards so that we have a standard that we’re asking all settlements to rise to, and, in addition, making sure that there is some kind of public availability for the financial statements each and every year so that the members of the public, members of the Métis settlement have access to the information of the council members who are directly responsible to them.

I hope to hear from other members about whether or not they would support this, and I urge them to do so.

**The Chair:** Thank you, hon. leader.

The hon. Member for Edmonton-Gold Bar.

**Mr. Dorward:** I just wonder if the member could describe the international financial reporting standards.

**Ms Smith:** Okay. Well, I think I would have put generally accepted accounting principles in there, but my understanding is that the new standard that businesses are moving towards is the international financial reporting standards. This is my understanding from the Finance minister, that this is the financial reporting standard that we comply with at the provincial level. These are the standards that we ask our municipalities to apply. If

we’re going to ask our municipalities and our provincial government to move towards this standard, it would seem to me that what we’re trying to get is the same standard at the Métis settlements.

I think the problem with the term “report” is that it’s not specific enough. It could allow for eight different settlements to create different reports in eight different ways. I think that with the fact that we do have international bodies that have reporting standards, I think we should put something in there. If the hon. member wants to propose some other type of accounting standard so that every settlement has them, I guess he can do that. I think that it’s fairly clear that most municipalities and other orders of government have a particular standard that they work towards in releasing their financial documents, and I think that we should be asking for the Métis settlements to meet that same standard that we’re asking of other elected councils.

**The Chair:** Thank you, hon. leader.

Are there others? The hon. Member for Edmonton-Beverly-Clareview.

9:00

**Mr. Bilous:** Thank you, Mr. Chair. I rise to speak in favour of this amendment. I find it something that’s very, very interesting, and I applaud the hon. Leader of the Official Opposition for how she’s wordsmithed this amendment. If you look at (c), they’ve not only proposed making the financial statements for the previous year public, but I think what’s really important here is “in the manner the council considers appropriate.” I think, especially when we’re looking at working with different groups, that we are culturally sensitive and that how they phrased this amendment is that it is in a manner which the council deems appropriate. So we’re not imposing our standard or what we think should be disclosed to the public. It’s leaving that authority with the council, who knows better than anyone else what is appropriate and relevant culturally, but ensuring that it is also made public for the purpose of their members and for others as well.

I mean, again, when we look at companies or the government, the books are public and opened up so that anyone is able to look through them and scrutinize and question. So I appreciate the hon. member’s amendment and looking at having some standards and being able to have a comparison from year to year.

Mr. Chair, I’m sure the irony isn’t lost on you that it seems in this House, even though this was my first budget estimates set, that new categories are invented and implemented, and money is shifted around, and it’s challenging to track from year to year exactly what was spent on what. I mean, when we look at the new categories in this budget, some dollars were pulled from previous operating and capital and put into whatever the category is, which makes it extremely difficult to find out very clearly and concisely, without having to be an accountant or a financial expert, if there was an increase or a decrease from previous years. What was the money? How was it spent? That way, there can be a real, fruitful discussion as opposed to this kind of trying to find a needle in a haystack, discovering what dollars are new, what dollars were moved from which section to where.

I can appreciate that aspect of this amendment, Mr. Chair, as far as asking for a standard set of financial statements, again, that will be made public as deemed by the Métis council as far as their standards of what is appropriate, the format that they decide to share with the public and in keeping with being culturally sensitive and appropriate for the settlement leaders.

Thank you, Mr. Chair.

**The Chair:** Thank you.

Are there others? The hon. minister.

**Mr. Campbell:** Thank you, Mr. Chair. I wish that they'd read the whole act as it encompasses everything at once instead of just picking out certain pieces.

Financial reports are in addition to the already required financial statements, which must be audited and presented to the public, so this is an added part to the financial piece. We're not taking anything away at all. The financial report is new, and it means that all settlements must prepare their financial reports in the same way. What we're looking for is to ensure that there is comparable tracking in order to more effectively plan. Before we signed this agreement, the settlements coded their budget items differently. Now all eight settlements will budget and code their items the same way.

Again, Mr. Chair, this is a big move forward. I can also say to you that we have a controller on three settlements right now, one that was asked to come in and look at some issues, and two other settlements asked for the same controller to come in and help them as they move forward on their financial accountability. I would suggest that by the time we're done, the controller in question will visit all eight settlements, moving forward and making sure that these reports are done in a prudent manner.

I will not be supporting the amendment. Thank you, Mr. Chair.

**The Chair:** Thank you.

The hon. leader.

**Ms Smith:** Thank you, Mr. Chair. You know, I'm happy to be corrected. I didn't see anywhere else in the legislation that financial statements were enumerated differently from the financial reports, so I hope the minister might be able to point that out for me to correct my error so I can see. I mean, he suggested that we're choosing from one area, and it's covered off in another, so if he would indulge me and let me know what section I need to be looking at, I would appreciate that.

**The Chair:** Thank you.

Are there others?

Seeing none, I'll call the question on amendment A5.

[Motion on amendment A5 lost]

**The Chair:** The hon. leader, to the bill.

**Ms Smith:** All right. Well, fair enough. Maybe we'll have that in a written response.

Following up, then, on the defeat of that amendment, again I would invite the minister to perhaps . . .

**The Chair:** Amendment A6.

**Ms Smith:** I'll wait until it's circulated.

**The Chair:** Sure. Please.

**Ms Smith:** But I would invite the minister to maybe make me a written statement or to get one of his staff to show me where the financial statements are indicated in the legislation because that is the reason I thought it was important to put the financial statements in. I still am a little bit confused, then, if the financial statements are covered somewhere else, about why it is that we have financial reports here. Perhaps we can have a sidebar conversation about that because I guess I'm a little bit surprised that I didn't see that in my first reading through.

In any case, I think it still doesn't eliminate the concern that I had initially expressed. If the government does not want to move towards establishing an accounting standard, and they don't want to move towards calling these statements – they want to continue calling them reports – that's fair enough, but I think that there is also still the requirement that we have the public back in this process. It's not enough for the minister to be in receipt of these documents. Really, we're creating a governance structure for the 8,000 people who live on-reserve, who are accustomed to having direct democracy and direct accountability from their council members, and I think that the financial reports are a key aspect to that.

With that in mind, the amendment that I would propose is to move that Bill 19, the Metis Settlements Act, 2013, be amended in section 20 in the proposed section 159.1 by striking out “, and” at the end of clause (a), by adding “, and” at the end of clause (b), and by adding a following clause after (b). So this would make this clause (c). It's again in the same section but this time about standardized financial reports. What section (c) then would read is: “make the financial reports for the previous financial year for the settlement available to the public in the manner the council considers appropriate.”

It's again the same wording that we had before, the same intention that we had before, and I'll make the same argument that I did before, that it isn't sufficient for just the minister to be in receipt of these financial reports. We believe that the public, the voting public on the settlements, should be able to have access to these reports in a manner the council considers appropriate, but I still think that the idea that the public should be able to have easy access to the reports is what we're trying to get at in this legislation. We're trying to create an accountability structure so that we can have confidence among the people who are going to be governed by this new legislation, the 8,000 members of the settlements, that they can have confidence that they have the documents and the accountability that they need to have to be able to have confidence in their elected leaders.

I think this just adds additional protection, it adds additional information, it increases transparency, and it raises the bar on openness. These are all things that I think the government talks a lot about. I think in keeping with that spirit, that we're constantly trying to raise the bar for the provincial government, we also want to raise the bar for Métis settlements. I think this is something that would be appreciated by members of the settlement as well as something that would be appropriate in a democracy where council members are principally and foremost responsible to the citizens who elected them.

I urge other members to vote in favour of this, and I look forward to hearing the minister's response.

**The Chair:** Thank you, hon. leader.

The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I rise in support of this amendment. This speaks directly to public disclosure. I don't see where the objection would be to including this in the act and basically supporting this amendment, the idea of making financial reports specifically for the previous financial year for the settlement available to the public in a manner that the council considers appropriate. That is just basic public disclosure for the benefit of all.

Looking at the intent and the context of what this amendment does, it only serves to strengthen. I cannot imagine where the objection would be in any kind of agreement, particularly when you look at the overall bill that we're dealing with. This does

nothing more than make the legislation stronger. It is going back to what we talked about earlier, when we debated public notification. The whole strength in the democratic process is an informed public making informed decisions. Making the financial reports available – and we're talking about the previous year's financial reports – in a manner that the council considers appropriate strengthens that democratic process that is applicable to the Métis settlement.

With that, I will cede the floor, and I'd like to hear some opinions as to why this wouldn't be.

9:10

**The Chair:** Thank you, hon. member.

The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Well, thank you, Mr. Chair. I'm happy to see this next amendment from the Leader of the Official Opposition because, again, this speaks to accountability and transparency. You know, I think this amendment is beneficial not only for the members of the different Métis settlements but for all Albertans, should they choose to view the financial statements just as someone from the city of Calgary could look at the city of Edmonton's books and vice versa.

I think what's important about this, again – and I think it's worth highlighting – is the terminology or the phrasing of this amendment, that the financial statements of the previous year are available to the public “in the manner council considers appropriate,” which is quite significant, how the council deems they want to present their information in whatever way or fashion or method that is appropriate to them, whether we're talking about culturally or in other manners.

Again, this speaks to the responsibility that elected officials have to show to the people that they represent not only how dollars are spent. Especially when we look at budgets, I mean, that reflects priorities, and it should be available to the public. It's not that they have to ask for or request that information; it should be available no matter what, which basically takes down barriers and makes it more accessible for individuals to find that information and to be able to hold their leadership to account and to ask questions about priorities or about previous years' spending and, as well, to be able to have those comparatives year over year to see how dollars were spent.

I, too, urge all members of the Assembly to look at this amendment and to adopt it for the sake that it is reasonable, it is logical, and again it's something that ensures that it's protecting the public, the public interest. This is a responsibility of elected officials, Mr. Chair, that there is an element, as the Member for Rimbey-Rocky Mountain House-Sundre had said, of public disclosure and that the public is well informed of what the leadership is doing and the dollars that they're spending.

Thank you, Mr. Chair.

**The Chair:** Thank you.

Are there others?

**Mr. Dorward:** Mr. Chair, I realize everybody on the opposite side is not an accountant, and I totally respect that. I do. But when people put forth amendments, you wouldn't think that the amendments wouldn't make any sense whatsoever. The IFRS rules: as it was explained, what the difference is in some detailed explanation, it was way out there. I've got to say that this amendment cannot be supported. I thought the Member for Rimbey-Rocky Mountain House-Sundre, who told us – I'm pretty sure it was either recently or in the fall – that he was an accountant, would

know that any annual report done by a qualified accountant does report the previous year in it already.

It's not necessary. We don't need this amendment. The prior year information is already in the current year financial statements.

**The Chair:** Thank you, hon. member.

The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Chair. I'd just like to speak in favour of this amendment. The hon. Member for Edmonton-Gold Bar likes to wax on about how he's an accountant. He's got this massive amount of experience. Has he produced audited financial statements and signed off on all of them?

**Mr. Dorward:** Yes.

**Mr. Saskiw:** Well, if you know that, this is an amendment to make sure that the audited financial statements are given to the public, that they're made publicly available.

Mr. Chair, you know, with the type of tone here – we're genuinely trying to make substantive amendments. He doesn't have to come to this Legislature and put down other members that are trying to make a positive difference in this legislation. If he's going to go there and try to make demeaning comments about how someone is not an accountant and someone is not a lawyer or whatever, he shouldn't even stand up.

Thank you, Mr. Chair.

**The Chair:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. The reality is that the hon. Member for Edmonton-Gold Bar doesn't listen, so he wouldn't understand. The comment I made is on the record. I never once said in this Assembly that I was an accountant. I made that absolutely clear. You apparently missed it, so I'll explain it again. When I went through university, I majored in accounting, but I never once said I was an accountant. I don't want to be an accountant. I decided at that time it was ridiculous to be an accountant. So let's make that very clear. I decided to be an engineer instead. I want to make that . . . [interjections] Well, the allegation was at me, so I want to make it absolutely clear.

Now, in saying that – and I want to make it clear – I did study for my certified financial analyst, which is a three-year program, and I learned quite a bit more than I learned in university, but that's another matter for another day.

The basis is simply this. I understand financial accounting, and I understand reporting. This is not about debits and credits; this is about reporting, financial reports. That's all it's about. That's all this is about, disclosure, and you don't have to be an accountant to figure out that disclosure is something that absolutely is paramount in making an organization work. If you don't have disclosure, you have all sorts of propensities to falsify and to disrupt and to corrupt.

The whole purpose of disclosure is to make sure that there is seamless knowledge that is disseminated. If you're in a private institution, that, of course, is among stockholders. In this case this is about the democratic process. It's not about financial disclosure in terms of what the budget is in front of you. This is about the past reports. I'd like to hear the Member for Edmonton-Gold Bar actually justify why past reports should not be disclosed in the public interest. Of course, then again, we might want to hear why the public interest is being removed bit by bit from pieces of legislation.



But in dealing with this amendment here with the Métis settlements, the issue is about public disclosure of the previous financial year. I know this: from any accounting rules, whether you're dealing with the issue of our current budget or whether you're dealing with financial accounting, cost accounting, having access to previous reports is fundamental in any kind of analysis.

I will say this: I never pretended to be an accountant as some may have in this room, but I know some that are not chartered accountants. That to me is a proper accountant, so I would make that very clear. That does not negate the issue of understanding what accounting is. That is not germane to someone who portrays themselves to be an accountant; that is something that is learned and exercised and expressed through a number of different professions.

I would leave it at that, and if the member would like to engage me more, I am happy to.

**The Chair:** I hope the member might want to engage the chair, hon. member.

I'll recognize the minister.

**Mr. Campbell:** Thank you, Mr. Chair. I didn't want to bring out the big book, but the Member for Calgary-Shaw said, "Where's the big book?" so here it is.

Mr. Chair, I want to turn to part 1 of the Metis Settlements Act, division 1, section 5(1), annual meetings. This will clarify the Member for Rimbey-Rocky Mountain House-Sundre's question.

5(1) Within 180 days after the end of each financial year a settlement council must call an annual meeting of the residents of the settlement area by giving public notice of the meeting.

(2) The purpose of the meeting is

- (a) to discuss past and future activities of the settlement council,
- (b) to present the audited financial statements for the immediately preceding financial year, and
- (c) to discuss any matters raised by those present at the meeting.

Mr. Chair, also, just for clarification and to the opposition leader's comments, the standardized financial reporting is for the general council and the minister. The audited financial statements are made public at the annual general meetings, which I just talked about, to all Métis settlement members who are at that meeting.

Thank you, Mr. Chair.

9:20

**Ms Smith:** I appreciate that clarification. I had obviously over-looked that.

But I have to admit to then needing a definition of what financial reports are. If the financial reports are not the same as the financial statements, then perhaps the minister needs to add a definition to the legislation about what exactly he is referring to when he's talking about financial reports. I think you can understand that when reading through this, you would expect standardized financial reports to be financial statements. If they're not financial statements and are something else, I think that's kind of important for us to understand, to know whether or not there actually does need to be this additional requirement of them being reported to the public.

I recognize that there is another section where they talk about audited financial statements, but I still am left puzzling about what this financial report might be referring to and, again, why it would be that this would not be something that would be required to be shared with the public as my amendment suggests.

**The Chair:** Are there others?

**Mr. Saskiw:** Well, the question is what the difference between financial reports and financial statements is. Since we have the expert here, the accountant, a CMA, not a chartered accountant, if you know the difference between what a financial statement is and a financial report – I would hope, Mr. Chair, that the hon. member would since he's so well versed in these types of materials. I mean, clearly, he would know that. It would just devastate all of us if he didn't. He's been standing up here day after day talking about his accounting credentials. Clearly, he can answer the question, if the minister can't, as to the difference between a financial statement and a financial report and what the definition of a financial report is.

**The Chair:** Thank you.

I'll recognize the hon. minister.

**Mr. Campbell:** Thank you, Mr. Chair. I mean, the Member for Edmonton-Gold Bar wasn't at the negotiations, so for him to talk about the difference is unfair.

For the required financial reporting, Mr. Chair, as I said, that's reporting to general council and to the minister, and that's to report on the expenditures and revenues on an annual basis. That is different than the audited financial statements that the settlement councils will do for each settlement council and report to their members. The general council needs to know on an aggregate basis what monies are being expended. Again, as we go out over the next 10 years and look at the \$85 million that we're going to spend on a number of different essential services – education, et cetera – for the Métis settlements, we need to have an idea of where we're at on that.

That's the difference between the two. One is to the council and to me; the other is the financial statement that will be the audited financial statement by a certified firm that goes to the Métis settlement at their annual general meeting.

**The Chair:** Thank you, hon. minister.

**Mr. Saskiw:** Well, I guess the question is that if there's a financial report that's out there, then why would it just simply go to the minister and not to the general members of the Métis settlement?

**The Chair:** Thank you, hon. member.

Hon. minister, if you care to respond.

**Mr. Campbell:** I've explained it enough. Thank you.

**The Chair:** Are there others?

Seeing none, I'll call the question on amendment A6.

[Motion on amendment A6 lost]

**The Chair:** The hon. leader.

**Ms Smith:** Thank you, Mr. Chair. I have one last amendment, and I live in hope that the minister may actually agree to pass this one. The reason I live in hope is because in the summary of amendments to the Metis Settlements Act it actually is one of the items that is already listed there as what the Metis Settlements Amendment Act, 2013, will do. It looks to me like he's already gotten preapproval in his negotiations with Métis settlement leaders to actually do this. The problem is that in my read of the legislation – and once again I'm quite happy to be corrected if I have missed something. We're sort of scouring through a number of pages here. There are 150 or so pages in the original act, and then in addition to that, there are about another 20 pages in the

amendment act. So it is possible that I did end up missing this piece.

But I will go through and read the amendment if everybody has a copy of it.

**The Chair:** Just another half a minute, hon. leader.

**Ms Smith:** Sure.

Again, a lot of the amendments that we put forward were to make sure that in transferring this power to the administrative officer, the settlement administrator, the general council did not give up any provisions to be able to put executive limitations around that administrator.

First of all, I'll read into the record the summary of the amendments that the minister was kind enough to give to me. In section 2 under roles and responsibilities he said that the

MSA will establish the Administrator as the administrative head of the Settlement and outline the powers, duties and functions of the Administrator, including . . .

And this is point 4.

. . . comply with the MSA and General Council policies, including the Code of Conduct.

Now, I think it's very important that the administrator also be included under a code of conduct. In fact, I think the minister has done a really good job of establishing in one of these sections – just give me a moment to find it. He did a really good job of going through in quite a bit of detail what the conflict-of-interest provisions would be for a council member. I'm just going to go through and find this here. It's sort of escaping my attention.

Let me read it into the record. The difficulty that we have is the way in which the section was enumerated. Here it is. Sorry. Section 27 of the Metis Settlements Amendment Act is amending section 222, where it talks about in subsection (1) adding the following after clause (bb), and it goes through

- (bb.1) establishing a code of conduct to govern the conduct of councillors, that includes, without limitation, rules
  - (i) respecting conflicts of interest, including . . .
    - (A) defining conflict of interest,
    - (B) requiring a councillor to disclose the names of . . . family members . . . employers . . . corporations in which the councillor is a shareholder, officer or director, the names of each partnership of which the councillor is a member, and the names of other entities in which the councillor has a financial interest,
    - (C) respecting what constitutes a conflict of interest and what does not constitute a conflict of interest,
    - (D) respecting the disclosure of conflicts of interest, and
    - (E) respecting how conflicts of interest are to be dealt with,
  - (ii) governing whether a councillor may have a business or financial arrangement with the settlement council . . .
  - (iii) respecting the obligation of councillors to keep [confidential] matters . . .
- (bb.2) establishing a Councillor Remuneration and Benefits Committee . . .

and so on and so forth.

The areas where he goes through and discusses conflict of interest as it respects councillors are very good. The problem is that now with all of this power transferred over to the administrator, the same code of conduct has to apply to the administrator. We have to make sure that when an administrator has now been delegated the authority to make these decisions,

especially over hiring, over business contracts, we also have a clear definition of what constitutes a conflict of interest and we also have the administrator disclosing any potential family members, employers, or corporations of which they may be a part, respecting what constitutes a conflict of interest, respecting the disclosure of conflict of interest, respecting how conflicts of interest are to be dealt with, and so on and so forth.

I think that in my read of what the minister indicated the legislation was going to do, which is to ensure that the administrator on being given these new powers would also have to abide by a code of conduct, I was kind of expecting to see more clarity in the legislation about how that would apply to the administrator. It does appear on my reading that it is not in the legislation, so we worked with Parliamentary Counsel to try to fill this gap. We can't really fill it in that section because that section deals specifically with the provisions that govern the conduct of council members.

What was suggested by Parliamentary Counsel was that we do an amendment instead to the proposed section 48. Section 48, as we've discussed in a couple of places before when we were trying to make some amendments to it, is the place in which the settlement administrator has the limitations and legislation placed on them. So it is in this section. We've got subsections (1), (2), and (3). What we're proposing is that we add two sections afterwards that would fill this gap and live up to the commitment that the minister negotiated with the settlement councils about ensuring that the code of conduct also applies to the settlement administrator.

In doing so, I would move that Bill 19, the Metis Settlements Amendment Act, 2013, be amended in section 13, in the proposed section 48 by adding the following after subsection (3): "The Minister must, after consulting with the General Council, make at least one regulation establishing rules concerning conflicts of interest for settlement administrators."

That was the wording that was suggested by Parliamentary Counsel. Presumably that means that there could be additional legislation that is put around the conflict-of-interest provisions by the general council, but we do need to have at least one regulation establishing conflict-of-interest requirements since that is something that the minister appears to have committed to in his negotiations with the settlement council members.

**9:30**

Then, of course:

- (5) If a regulation under subsection (4) relies upon rules concerning conflicts of interest in other enactments, it must state the enactments that apply.

Again, this is language that was proposed by Parliamentary Counsel. Admittedly, it's not all that elegant. There might be a better way for the minister to be able to ensure that in legislation a code of conduct does indeed apply to the administrative head of the settlement. I think that's what the expectation was of those who were reading through what the act was intended to do. I think this does appear to be a piece that might be missing in the legislation.

I would urge others to support this so that we can make sure that in handing over these additional new powers to the administration, we don't end up inadvertently creating a hole so that the general council does not have all of the tools of oversight that they need to and all of the requirements in a code of conduct that should be applying to this very important and key member of the council staff. It really is one of those – I think it's just filling the gap. Now that we're moving to a different type of model, where there is going to be a single administrative head, the requirements on that

administrative head include a very clear code of conduct. I think it's missing in the legislation, and I urge all members to support it.

**The Chair:** Thank you, hon. leader.  
Are there other speakers?

**Dr. Swann:** I'll just add a few words briefly, Mr. Chair. I like the general tone of these amendments. They're friendly amendments. They're strengthening amendments to the whole tone of the legislation. They don't have to be seen as onerous. They don't have to be seen as infringing on an agreement that's been made with the Métis nations. They can be seen as strengthening the capacity to hold each other accountable, and if there are arguments, then it's right there.

If there are no clear black-and-white statements about conflict of interest, for example, that apply to administrators, it's just that much more difficult for people in the administration and in the councils to deal with. If there is an addition of clarity and strengthening of the whole process, to me it's something that we should be embracing, and I'm sure the First Nations would see the merit of it, to add to that already good legislation and bring about a stronger sense of consistency that people may be used to in other circumstances and suddenly see a big gap within their existing legislation.

I guess it's a question, Mr. Chair, of trying to get this right the first time rather than having to go back again and again and again and say, "Oh, let's add this" or "Let's not add this." Then we have fights and debates within the settlements themselves, which we could pre-empt by having it standard with and consistent with other jurisdictions across Alberta.

It is the role of this government to set a standard. It is the role of this government to say: this is what you should aspire to. Obviously, nobody expects to achieve it a hundred per cent of the time. But if they know what the benchmark is, if they know what the standard is, then we can all aspire to that. We can hold each other accountable for that, and we can help build the capacity to actually reach it more consistently than not.

That's all I see, Mr. Chair. I see some opportunity to strengthen the legislation, and I will be supporting it.

**The Chair:** Thank you, hon. member.  
Are there others?

**Mr. Campbell:** Well, Mr. Chair, I'd just like to say that when you look at section 48, which gives the council the authority to set the administrator's remuneration and terms of employment, it also prescribes other duties and functions of the administrator on top of these set out in the act. The council has the ability right now to set the code of conduct and any conflict-of-interest guidelines that they want to put in place for the administrator under section 48.

**The Chair:** Are there others?  
Seeing none, I'll call the question.

[Motion on amendment A7 lost]

**The Chair:** The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Chair. I have the appropriate number of copies of an amendment I would like to make.

**The Chair:** The proposed amendment A8 will be the next amendment recognized. Hon. member, if you could just give us a few minutes to circulate that.

Proceed, hon. member.

**Mr. Bilous:** Thank you, Mr. Chair. I'll begin by reading the amendment into *Hansard* here. I move that Bill 19, the Metis Settlements Amendment Act, 2013, be amended by striking out section 21 and substituting the following after section 175.3.

Immunity and confidentiality continue

175.4(1) For greater certainty, a person who is a former Metis Settlements Ombudsman, investigator or other member of the staff in the Metis Settlements Ombudsman office is not personally liable for anything done or omitted to be done in good faith in the performance or purported performance of a function, power or duty under this Act as a Metis Settlements Ombudsman, investigator or other member of the staff in the Metis Settlements Ombudsman office.

(2) For greater certainty, a person who is a former Metis Settlements Ombudsman, investigator or other member of the staff in the Metis Settlements Ombudsman office shall continue to treat all information that came into the person's possession in the course of performing functions, powers or duties under this Act as a Metis Settlements Ombudsman, investigator or other member of the staff in the Metis Settlements Ombudsman office as private and confidential and shall not release that information except as permitted or required under any law in force in Alberta.

Mr. Chair, the reason that I'm moving this – and I have the support of my whole NDP caucus – is that this amendment will retain the ministerial authority to establish an office of the Métis settlements ombudsman.

Mr. Chair, the bill currently seeks to repeal sections 175.1 to 175.3. This amendment will remove this repeal although it does retain the government's proposed section, 175.4, specifically subsection (1) pertaining to immunity and subsection (2) pertaining to confidentiality with respect to the former ombudsman and all staff of the now eliminated office.

I have much to say in support of this amendment because this is a complex matter, and the government's actions are currently deeply troubling to me and to many Métis settlement members. The reason, Mr. Chair, is that there is a troubling irony that in this bill, that purportedly increases the transparency and accountability of Métis settlement governance for the benefit of all residents, the provision that allows the minister to establish a Métis settlements ombudsman is removed.

To be clear here, Mr. Chair, the MSO has already been eliminated, so funding for the ombudsman was completely eliminated in Budget 2013. The office closed its doors on April 4 of 2013. Members of all three opposition parties have raised concerns in this House and outside of the House with respect to the elimination of this office. However, it has so far failed to receive not only a great deal of attention but to get a significant amount of attention from members on the other side of the House. Tonight it's imperative that the minister finally explain why the elimination of the Métis settlements ombudsman was necessary, and unless he can do so in a convincing manner, I urge all members of the House to support this amendment.

I'd like to begin, Mr. Chair, by speaking briefly to the importance of the MSO and the problems associated with the way the government has handled this office. Firstly, the hon. Member for Rimbey-Rocky Mountain House-Sundre raised a very important question during debate on April 24. He asked, as has been asked before – and I believe my colleague from Calgary-Mountain View asked a similar question in the past – "How does the appeal tribunal differ from or enhance what the ombudsman was or is today?" To date the minister has not provided an adequate response to that question.

According to the Metis Settlements General Council there is a very clear distinction between the functions and responsibilities of

the appeal tribunal and the formal office of the Métis settlements ombudsman. The Métis Settlements Appeal Tribunal is a quasi-judicial body that resolves disputes related to land and settlement membership. It has the authority to amend right of entry orders and works through adjudication and mediation to settle compensation disputes for oil and gas activities that occur on settlement lands. The appeal tribunal is also able to resolve other matters outlined in the local bylaws and policies of the general council.

9:40

In contrast, the Métis settlements ombudsman was supposed to be an independent and impartial office where settlement members could take any complaints concerning the management or leadership of the settlements. The ombudsman would work informally with parties involved to try to resolve their concern, collect evidence, and launch formal investigations and reviews. In short, the appeal tribunal resolves disputes pertaining to land and membership while the ombudsman served a singularly unique function pertaining to governance and accountability by providing all residents with a dedicated service and process to investigate complaints related to settlement management.

The issues addressed by the office of the Métis settlements ombudsman included alleged conflicts of interests, including furthering private interests, nepotism, acceptance of gifts, confidentiality concerns, and outside employment; misuse of funds; professional misconduct; as well as concerns related to housing, employment, policies, and procedures. Included amongst the many issues addressed by the ombudsman were mispending on unauthorized trips for council members, unauthorized lending errors, unauthorized bonus payments, unauthorized expense claims, unauthorized severance, suspicious investments, kick-backs, job openings not posted properly, fraudulent complaints, and a lack of control over spending. In short, the appeal tribunal and the ombudsman were two different entities with two very different functions and responsibilities.

Secondly, members of this House should be aware of the evidence that this office not only served a unique function but also served a critical function, as demonstrated by the volume of complaints it received every year from residents of the settlements. According to the 2011-12 annual report of the ombudsman, Mr. Chair, there were 137 complaints made by settlement members in 2010-11. That number rose to 175 complaints in 2011-12, which is an increase of 30 per cent. In addition, investigations arising from the ombudsman's own initiative increased 270 per cent in the same one-year time period, from 11 in 2010-11 to 30 in 2011-12.

The evidence suggests three clear things, Mr. Chair. One, there's a clear need for the office of the ombudsman, as demonstrated by the number of complaints received from residents. Two, there is demonstrated knowledge amongst residents of the function and process made available through the office of the MSO. Three, the individual who served as ombudsman most recently was clearly active and proactive in his role. He resolved a total of 235 complaints in 2011-12 and, as mentioned, significantly increased the number of self-initiated investigations. Within that year he offered referrals, he conducted reviews, he conducted formal investigations, and ultimately submitted 61 formal reports to the minister. That is no small number. In short, on average the minister was receiving a formal report from the Métis settlements ombudsman every four business days.

Thirdly, the individual who served as ombudsman was not afraid to speak out about the support or lack thereof he received

from this PC government and from the minister. In his 2011-12 annual report the ombudsman wrote that

the migration of the Office of the Métis Settlements Ombudsman from a contracted organization to the Government of Alberta... had the effect of undermining primary key components of an Ombudsman's role — independence, impartiality, and confidentiality... In effect, this change has created a schizophrenic organizational structure whereby staff report to and are responsible to the Ministry's administration but are required to comply with the operational directives from me as the MSO.

As to impartiality, Mr. Chairman, he wrote:

Legal advice and opinions are now provided to the Office of the Métis Settlements Ombudsman by Alberta Justice — the same people who in fact provide legal advice to the Minister and to the Ministry. In my opinion, this situation is not only a conflict of interest but this closely-related relationship was clearly not envisioned... In addition, any properly established 'classical Ombudsmen' and the vast majority of departmentally appointed Ombudsmen have their own legal counsel. It is unfortunate that I have been singularly unsuccessful in convincing government authorities of this need. To be effective, this office needs to be independent, impartial, and transparent. I will continue to press for the degree of separation necessary for this office to operate properly. To me, a major problem is the structure and reporting relationship. On a similar theme, the Office is at minimum, one staff member (Advisor) short to complete the Reviews and Investigations relating to the complaints we receive in a timely manner.

This is located on page 4 of his report.

I've also spoken with residents of the Métis settlements who have told me the exact same thing. They say that the MSO didn't ever quite work as it could have because this PC government never gave it the support that it needed. Clearly, the government has made it impossible for the ombudsman to do his job properly.

Now, within a year of making his complaints public in his annual report, his office has been eliminated. Frankly, it looks like a tactic to get rid of a civil servant who was criticizing the government. Maybe it is; maybe it isn't. But there is an appearance of muzzling going on here. Up to now I've spoken both about the unique and critical functions of the office as well as the individual performance of the most recent ombudsman. There are two separate issues, of course, and I've spoken to both of them, not because they're difficult to dissociate but because there is no public evidence on either matter that would lead a rational person, let alone a member, to believe that there are solid public policy reasons to support the elimination of this necessary office.

But distinguishing between the office and the individual performing the duties of the office is of critical importance. However, to this point the only comment the minister has provided regarding the elimination of this office was at estimates debate in response to a question I raised. I'll quote from *Hansard*, Mr. Chair. He said:

Well, first of all, understand that this was the ombudsman's second kick at the cat... I met with the ombudsman three times: when I was first made minister, when I golfed with him at a Métis tribunal golf tournament, and when he came to talk to me about the fact that he might be leaving. So for the ombudsman to say that there was any interference or that he didn't have independence in his office is not true at all.

Those are the words of the minister. The problem here is that the minister is saying that the individual who served as ombudsman had two terms, and things weren't working out, so this minister decided to eliminate the entire office. That seems problematic to me.

Moving away from the individual, I want to turn specifically to section 21 of this bill, which is the final nail in the coffin for the office of the Métis settlements ombudsman. Section 21 of this bill formally removes the minister's ability to make regulations establishing an office of the Métis settlements ombudsman. In its place a new section, 175.4, has been added, requiring the former ombudsman and all former staff to maintain confidentiality of all information gained through the exercise of their authority in the office of the MSO.

The question that now arises is quite important. For settlement members who need to raise complaints regarding management and governance on settlements, including conflicts of interest and all other issues that the ombudsman would have investigated, what is the process that they can follow to have their concerns addressed? Indeed, is there a process in place to address these complaints? The answer appears to be no, and I hope that the minister will enlighten the Chamber.

The appeals tribunal deals with distinctly different disputes. The provincial Ombudsman of Alberta does not investigate matters involving other levels of governance, including federal, municipal, and settlements governance. The only advice given on the old website of the Métis settlements ombudsman is to contact the policy co-ordinator of the Métis relations with the government of Alberta, which is hardly a permanent solution.

Moreover, Mr. Chair, according to the Metis Settlements General Council the need for an ombudsman has not disappeared. They have told us that something similar is needed. It needs to be quasi-judicial and ombudsmanlike, to use their words specifically. The general council also says that consultations are ongoing with the minister regarding what kind of quasi-judicial and ombudsmanlike body should replace the office of the Métis settlements ombudsman. This is the problem. We can debate how well the current system was working. The government can try to discredit the last ombudsman because he was critical of them, but we should not debate the purpose, the function, and the importance of having a dedicated process and office for dealing with complaints related to settlement management and governance. We certainly should not eliminate that office before a new process or another process has been established.

As far as anyone can tell, the government has handled this situation backwards. They've handled it in a reverse order, Mr. Chair. They've eliminated the ombudsman's office without having completed consultations and without having a replacement ready. We have to question when and even if a replacement is going to be created.

9:50

In short, the result of what the government has done is twofold. For those members who haven't been listening as intently as they should, I'll summarize. One, the minister is asking MLAs to accept the removal of the office of the MSO from the Metis Settlements Act without knowing what its replacement is going to look like or whether there will even be a replacement. Two, settlement residents who have legitimate concerns about the governance on their settlements no longer have an established process and dedicated staff to address their concerns. Instead, they are directed to a staff member of the department. So the government has replaced an established process with a shadowy interim process that nobody can publicly scrutinize.

To conclude, this amendment is a small step to say that as lawmakers we cannot remove a process for handling complaints about governance without ensuring that a proper new process is in place. This is also an opportunity for the minister to finally explain his troubling decision, and apparently a step in the wrong

direction and even a backward step, Mr. Chair, to eliminate the Métis settlements ombudsman. Clearly, as I've outlined this evening, his function and role was very specific and very unique, and by removing that office without having an office or a new system or process in place, I would argue that it's dismantling the democratic ability of the folks who live on Métis settlements to have a channel, a process, an opportunity to take their complaints.

Clearly, as I've identified in the statistics, the ombudsman was extremely efficient at doing his job and ensuring that the folks who live on the Métis settlements have an outlet, a vehicle that is independent, to address their concerns.

Mr. Chair, I strongly encourage all members to think about this amendment. I'm very curious to hear what other members of the Assembly have to say about this amendment, if they feel as passionately about having and restoring the office of the ombudsman, this independent office, that clearly was very effective in his job in addressing concerns of the people who live in the Métis settlements.

I also look forward to hearing from the minister to finally get an answer as to why this office has been eliminated altogether.

Thank you.

**The Chair:** Thank you, hon. member.

Are there speakers? The hon. minister on the amendment.

**Mr. Campbell:** Thank you, Mr. Chair. I wasn't going to get up to speak to this – I was just going to vote it down – but I think we have to get the facts right.

First of all, I think it's important that the last ombudsman was on his second term of duty. He was the ombudsman, he left, and he came back again. So to suggest at any time that the government was not happy with the job that this individual did is just not true. If that was the case, he'd never have got hired a second time. The fact of the matter is that he was a competent individual, and we hired him again.

I think it's important that we talk about the independence and what – Mr. Chair, I really don't feel comfortable standing up in the Legislature and talking about somebody who hasn't got the ability to defend themselves. So, you know, I do this with great reluctance. But I think it's important that when the ombudsman left the first time, he asked that all of his staff at the time, who were independent and outside of government, be put into government so that they could retain their jobs and have a chance to move around the public sector if something happened, that there were layoffs or whatever. That ombudsman asked the government to put his people into the public sector and into government positions. The government did that. So for him to come back the second time around and say that, you know, it's not independent, that we don't respect his independence, is not true.

As I said in *Hansard*, that the hon. member quoted – I did say that – I met with the ombudsman three times. When I first joined the ministry, he came over to say hi to me. We had a nice chat for about an hour. I had the privilege of golfing with him and the former ombudsman before him at the Métis general council golf tournament and talking about the ombudsman's office. Then he came to see me about a number of investigations that were ongoing and that he had not completed and asked me to make some decisions. Again, Mr. Chair, I wasn't comfortable with that because I would have thought that he would have completed those investigations and moved forward on some of them, but he didn't.

The other thing that was disconcerting to me, Mr. Chair, was that when he tabled his final report, he mailed it to all members of the Legislature before the minister got to see that report, and I find that not proper. That report is to come to the minister, and the

minister tables that report in the Legislature. That did not happen, and that concerns me.

**Mr. Anderson:** Is he an officer of the Legislature?

**Mr. Campbell:** No, he's not an officer of the Legislature. He's an officer from Aboriginal Relations.

**The Chair:** Through the chair, hon. members.

**Mr. Campbell:** So, Mr. Chair, I had a problem with that.

Let me talk about some of the stats. Mr. Chair, 10 to 30 per cent, depending on the year, were not jurisdictional complaints, and over 50 per cent of the jurisdictional complaints never went to investigation. Many of the 50 per cent mentioned did not even see a complainant make a formal complaint, or they withdrew their complaint. That trend in complaints has dropped by approximately 30 complaints every year since 2003.

We did not contemplate at all doing away with the ombudsman's office until we knew that the current ombudsman had decided that he was going to retire early. He came to me before his term expired and said: I'm leaving early. It was at that point in time that I sat down with officials from my department and had the discussion about whether or not we still needed the ombudsman's office.

Mr. Chair, right now within the Métis general council and the Metis Settlements Act we have the Métis appeals tribunal, which is a quasi-judicial body. It's our thought within the ministry that we can bring that work to that quasi-judicial body and that they can fulfill the role of the ombudsman. At the present time anybody that has a complaint can phone our office, and we'll investigate those complaints through our Métis relations department. We also have the ability if we think anything is serious to ask an investigator to go out and do the investigation and report back to the minister and then follow up on that complaint. If it's real serious, we always have the ability to call in the RCMP to look at that. We have the ability to look after complaints that are happening right now within the Métis settlements.

Mr. Chair, I can say to you that I've had two letters from Métis settlement members about not retaining the ombudsman. Two. So for the hon. member to come out and say that all kinds of Métis settlement members are out raising arms about this, that all of a sudden they don't have someplace to go, is just not true. I can say to you that our department has a very good working relationship with members of the Métis settlements. I've visited all eight Métis settlements. I've talked to the community members, I've talked to the councils, and I know what's going on out there. Are there some people that aren't happy? Sure there are. There always are in every circumstance, but we have the ability to deal with those complaints.

Mr. Chair, again, unfortunately, you know, Budget '13 happened, and we had to make some tough decisions. It was our thought that with the Métis appeals tribunal in place and the fact that it is a quasi-judicial board and the fact that it was dealing with a number of matters within the Métis settlements already, it was a natural fit, that we could take the ombudsman's job and put it into that tribunal. These are people, a number of them, that actually live on the Métis settlements. They're people that have been appointed from the public at large. They're very qualified in dealing with the Métis settlement issues. So we made that decision.

I would strongly suggest to all of my colleagues to vote down this amendment. This makes no sense at all. Like I said, for my hon. colleague across the way to get up and wax eloquent about democracy and how people aren't going to be looked after, Mr.

Chair, is just not true. This department and the people within my department take their roles and responsibilities very, very seriously, and we will do all within our power to make sure that if anybody within the Métis settlements has complaints, those complaints will be heard and will be dealt with in a timely fashion.

Thank you, Mr. Chair.

**The Chair:** Thank you, hon. minister.

The hon. Leader of the Official Opposition.

**Ms Smith:** Thank you, Mr. Chair. I appreciate the comments of both the Member for Edmonton-Beverly-Clareview as well as the minister. I'm still open to being convinced of the importance of passing this amendment. I did speak with the minister about the different processes that would be available to those who raised concerns about issues that are happening on Métis settlements. One of the arguments that he had indicated to me before – I don't think he made it in his speech right now – is that Métis people still have access to the Alberta Ombudsman, just like any Alberta resident would.

Part of the reason we did not bring forward an amendment on this is that it did strike me that we don't have a municipal ombudsman overseeing any issues that take place at the municipal level. We recognize, again, in trying to keep some level of parity with the way in which we govern our municipal councils, that we want to try to get the same governance structure for our Métis settlements.

**10:00**

I was persuaded by the argument of the minister that the Alberta Ombudsman is also one of the avenues to be able to have Métis indicate that they've got issues on the settlement. Perhaps the minister can respond to that. In dealing with only the issue of the tribunal – again, that was another argument that the minister had put forward – it strikes me that going through a tribunal process is likely somewhat more cumbersome than being able to make a complaint to an ombudsman. Perhaps the minister would be able to clarify how easy it would be to go through that tribunal process versus going through the ombudsman.

I guess, finally, the other concern that I have in just eliminating this section and restoring the ombudsman is that now the budget has passed, and there's no budget for it. The \$700,000 has been eliminated. I'm just wondering. From a structural point of view, if you re-establish an ombudsman and you don't give it any money, have you actually established an ombudsman? I just wonder if perhaps what needs to happen at this stage, now that the budget has eliminated the ombudsman, is that we really need to monitor the situation over the next year and see whether or not there is actually a hole.

I wonder if the minister might answer those points but then also just commit to sharing with us in this Legislature in keeping track of how many calls do come in to his office, if that is one of the legitimate avenues by which he is anticipating that he would be able to receive some of these complaints, so that we can get some gauge of whether or not there is some need to be able to restore this process or create some suboffice or specialty underneath the ombudsman or whether or not we are indeed seeing any increase in cases heard before the appeals tribunal.

I am open to giving this a try for the next year, but I wouldn't mind if the minister would give us some undertaking about how he would anticipate judging the level of success in eliminating this office and some of the other issues that I'd raised.

**The Chair:** Thank you.

The hon. minister.

**Mr. Campbell:** Well, thank you, Mr. Chair, and I thank the Leader of the Official Opposition for those comments. We will monitor what happens over the next year because, again, our role within the ministry is to make sure that we do a proper job of looking after all aboriginal people in this province, and the Métis settlements are a very key component to our success. We will be monitoring and tracking that.

As far as the tribunal process, again, while I say that it's quasi-judicial, it's also very informal. A number of the issues that the tribunal deals with right now are land issues. You'll have two members quarreling over who has land and who doesn't within the settlement. I mean, they're serious matters – don't get me wrong – but again it's very casual, and they do a very good job of administering that. I just see it as a very natural fit for the tribunal to take on the added responsibilities. Again, if the tribunal was to come to the minister and say, "Listen, we have a very serious situation; it's outside our scope," we can always put an investigator on that. Again, if it's a matter of fraud or that nature, we can always call in the RCMP. We have those mechanisms in place. But we will be tracking over the next year to see the number of calls that do come in and whether or not we have to make adjustments.

Again, we'll do that through sitting down with the Métis settlement councils and chairs and having their feedback and understanding where they're at in all this also. As we move through the LTA, it will be a work-in-progress.

**The Chair:** The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you very much, Mr. Chair. I'd like to clarify a few things. First, the Member for Highwood has been misinformed to the extent that the Alberta Ombudsman does not look at settlement issues. My office contacted them directly, and they do not, so that is not an avenue that settlements have.

Second of all, we're not talking about establishing or re-establishing an ombudsman. We're talking about ensuring or retaining the ministerial power to create an ombudsman office. The year could go by where we don't have an ombudsman and we see the difference in how disputes are resolved and all the rest while still leaving the minister with the authority to create an ombudsman office or re-establish in a subsequent year. The challenge with the way the amendment act is written is that it eliminates the ombudsman office altogether and removes the power of the minister to create an ombudsman office, which is part of the reason that I'm speaking so passionately about this this evening. The establishment of the office is also done through regulation, not through legislation. Again, the amendment is for the minister to retain his powers to create that office.

A couple of points I'd like to raise. First, the minister still has not addressed my question adequately on the process that is replacing the function of the ombudsman. I'll just reiterate. The appeal tribunal is not the same as the ombudsman office and has different authority. The tribunal is related to land issues and settlement matters whereas the office of the ombudsman is an independent and impartial office that deals with an avenue or an outlet, a process for residents to go through if there are issues or concerns about leadership and the governance of the Métis settlements. Going through to the minister's office is not the same thing as having an ombudsman. The minister's office, first of all, is not dedicated to resolve and work toward the resolution of these issues. It is not dedicated to the Métis settlements. As well, some could argue that it is not a completely impartial office, an avenue for complaints to go through.

I think we're comparing apples and oranges if we want to look at the number of complaints and resolutions that the ombudsman worked towards versus going a year without the office of the ombudsman and just seeing how many calls come into the minister's office. That is not the same avenue. Individuals may not feel as comfortable contacting the minister's office with their claims or their concerns or their issues.

Again, I welcome the minister looking at the annual report from 2011-12 – pardon me; for 2010-2011, but it's in the annual report the following year. There were 137 complaints made by settlement members. The number rose to 175 complaints in 2011-12, which is an increase of 30 per cent. So it is not correct that every year the number of complaints has gone down. That can be seen clearly in the annual report of the office of the ombudsman.

The other thing. Another value the ombudsman brought was that his office has the power to help resolve these disputes through an informal channel, where it doesn't have to necessarily go to formal investigations. Much of the work of the office of the ombudsman is done I don't want to say behind the scenes, but it doesn't need to go to that formal process. By eliminating that, sure, we may see that in a year from now it may rise, and I may say: "I told you so. Look at the number of complaints and formal investigations that have been launched." The problem is that the horses are already out of the barn, and we're now trying to close the barn doors because we've already taken away the power that the minister has to create an office of the ombudsman.

I'd be happy to be proven wrong. However, I urge the Assembly to look at the amendment, which is ensuring the minister has the power to create an office of the ombudsman. It is already eliminated out of this year's budget. That can't be changed. What I'm advocating for is that that power remains and is not removed so that in a year from now, if we see an increase in the number of complaints and formal investigations and this Chamber decides the ombudsman did in fact serve a very critical role, the minister has the authority to create an office of the ombudsman.

For those reasons, I urge members of this Assembly to vote in favour of this amendment. Thank you, Mr. Chair.

**The Chair:** The hon. Leader of the Official Opposition.

**Ms Smith:** Thank you. I appreciate the hon. Member for Edmonton-Beverly-Clareview clarifying some of that. I wonder if he might be able to clarify one more thing since he has had a conversation with the ombudsman office. One of the other concerns that I have is that we want to start removing – and I think this bill goes a long way towards that – some of the paternalistic approaches to members of our Métis communities. It does seem to me that having a special ombudsman just for Métis settlements and not having an ombudsman for other municipal councils seems to be moving away from this notion that we should be treating our Métis settlements as a similar order of government, as we do with our municipal governments.

I think that was sort of the intention that the provincial government was moving towards. I wonder if maybe my misunderstanding of the Alberta Ombudsman applies also to municipal government. Does municipal government have the opportunity? If somebody has a complaint against a municipal government, will the Alberta Ombudsman look at those cases? It would seem to me that if that is not the case, we are seeking to have some parity, and if it is the case that it applies to municipal complaints but not to Métis complaints, then maybe we need to actually change a different piece of legislation. Since I haven't looked at this closely

and it sounds like the Member for Edmonton-Beverly-Clareview has, I wouldn't mind if he might be able to clarify that for me.

10:10

**The Chair:** Thank you, hon. leader.

The Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Sure. I thank the Member for Highwood for her question. You know what? I cannot speak at the moment on the Alberta Ombudsman, on what role that office can play in resolving municipal issues. I think that is a very valid question. I would be in support of looking into the benefits of creating a municipal ombudsman office, but I can tell you that the reason I feel strongly about the minister retaining the power to create the office of the ombudsman is because the Alberta Ombudsman will not investigate issues on Métis settlements. For that reason, there is not that avenue available for them as there is for most other Albertans.

Thank you, Mr. Chair.

**The Chair:** Are there others? The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you, Mr. Chairman. I've been listening very intently to the interesting discussion here around the ombudsman, and I'm prepared to give the minister the benefit of the doubt. I see municipalities who have problems dealing directly with their municipal councillors, voting them out of office, starting movements to hold them accountable if they have been misbehaving, having a complaints process develop through their council when there are irregularities or consistent ignoring of problems.

I think this would be a major shift, that I'm not sure we want to set a precedent for, with the new autonomy and respect that is now being shown to the Métis councils. I'm willing to give the minister the benefit of the doubt on this one even though I was one who early on raised serious doubts about the elimination of the ombudsman as a result of this government's, well, timely budget cuts, I would call them, associated with this elimination.

I'm persuaded by the fact that, one, there's no parallel in the municipal government set-up and also by the fact that this minister has obviously gotten his commitment made to the Métis settlements, a delicate, difficult negotiation process, and this would, I think, be a significant threat to the kind of working relationship that has to be developed in these next few years to actually have a very constructive, mutually supportive, capacity-building role, which I think this minister, in all honesty, is trying to develop.

With great appreciation to the Member for Edmonton-Beverly-Clareview for doing his research, consulting, looking at the data, I think it was an important thing. We need to keep some tabs on the complaint process as it evolves over the next year or two on the Métis settlement issue. I hope to hear from the minister in the next year exactly the numbers of complaints and how the tribunal has been dealing with them.

Myself, I intend as the critic for First Nations to be in touch with individuals in the Métis settlements and to find out just what has happened in relation to their complaints process. I share the concern here that this independent officer, who was really responding directly to the people, will be a very different role from those in the council who are dealing with the concerns or the minister's office itself, which will be dealing with the occasional complaint. A very different process, very different roles and responsibilities, and very much less assured accountability, that I think all elected offices need to be held up to.

I won't be supporting this at this time. Thank you.

**The Chair:** Thank you, hon. member.

The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Chair. I just wanted to clarify a few points. I mean, obviously, I respect the opinions of all members in this House. The issue I have here is that getting rid of a dedicated process is not the answer. You know, the office of the ombudsman served a very useful and unique role. It was another level of oversight that the public had access to. The ombudsman worked in order to uncover whether there were misdoings or wrongdoings but also was just able to work with complaints in an informal way. The office of the ombudsman itself is an impartial and independent office, which I think is crucial when we look at, again, oversight within our democratic structures.

This amendment, I just wanted to clarify for the Member for Calgary-Mountain View, isn't about retaining the office of the ombudsman because that has been eliminated in this budget. This is an amendment for the minister to retain the ability to create an office of a Métis ombudsman. This is, again, an example, you know, where time will tell if the office is as necessary as I believe and New Democrats believe. Now, maybe it's not, but the point is that with this amendment the minister still has the authority to create that. If the bill goes through the way it is, unamended, that office will be eliminated permanently. That's really the concern here, Mr. Chair. This is an opportunity to leave a process, another form of oversight, in place as opposed to a decision that members of this Assembly will make which could change that, potentially, forever.

Again I urge the members of the Assembly to consider this amendment as a safety measure and as a way to leave that authority intact in this new amendment act should we the Assembly and the government decide, moving forward, that that position is as necessary as I hope to have articulated this evening.

Thank you, Mr. Chair.

**The Chair:** Thank you.

Are there others?

Seeing none, I'll call the question on amendment A8.

[Motion on amendment A8 lost]

**The Chair:** Back to the main bill.

**Hon. Members:** Question.

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? That's carried.

The hon. minister.

**Mr. Campbell:** Yes. Mr. Chair, I'd ask now that the committee rise and report on Bill 19.

[Motion carried]

[The Deputy Speaker in the chair]

**The Deputy Speaker:** The hon. Member for Calgary-Fort.

10:20

**Mr. Cao:** Thank you, Mr. Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bill: Bill 19. I wish to table copies of all amend-



ments considered by the Committee of the Whole on this date for the official records of the Assembly.

**The Deputy Speaker:** Thank you.

Having heard the report by the hon. Member for Calgary-Fort, does the Assembly concur in the report?

**Hon. Members:** Concur.

**The Deputy Speaker:** Opposed? So ordered.

## Government Bills and Orders Second Reading

### Bill 21 Environmental Protection and Enhancement Amendment Act, 2013

**The Deputy Speaker:** The hon. Member for Calgary-North West.

**Ms Jansen:** Thank you, Mr. Speaker. I'm pleased to rise today and move second reading of Bill 21, the Environmental Protection and Enhancement Amendment Act, 2013.

Bill 21 will create a funding mechanism between industry and government to support the joint Canada-Alberta implementation plan for oil sands monitoring, announced in February 2012 by the governments of Canada and Alberta. This plan lays out a phased implementation of monitoring activities in the oil sands area over three years, from 2012 to 2015. The plan addresses several concerns that have been raised about monitoring in the region, including the need for a more integrated and transparent and scientifically credible oil sands monitoring program.

At the time the oil sands industry committed to providing funding over three years at a cost of up to \$50 million a year. The Canadian Association of Petroleum Producers recommended the funding formula that determines what each individual company will pay into the fund. The funding arrangement outlined in Bill 21 will enable Alberta to collect, hold, and disburse funds and continue to implement the joint plan. We fully expect industry to comply given that the mechanism was co-operatively and collaboratively designed and developed. However, as requested by industry, we have included a provision in the proposed legislation in the unlikely event that we need to impose regulation to pursue nonpayment. A final decision on a funding approach for a province-wide monitoring system has yet to be made.

Additionally, Bill 21 outlines our goal to fully integrate all hazardous waste management systems in Alberta, and with this in mind Bill 21 will remove the requirement for personal information numbers, or PINs, for hazardous waste management to support implementation of the regulatory enhancement project. Removal of the requirement for a PIN will support integration of the two waste management systems under the new Alberta energy regulator. Removing the PIN requirement will simplify administration and will not affect environmental assurance.

There is also a change in the regulation that ensures that all persons with delegated authority, not just government employees, are granted liability protection. Thank you, Mr. Speaker.

I now move to adjourn debate on Bill 21.

[Motion to adjourn debate carried]

### Bill 17 Municipal Government Amendment Act, 2013

**The Deputy Speaker:** The hon. Member for Barrhead-Morinville-Westlock.

**Ms Kubinec:** Thank you, Mr. Speaker. I am pleased to rise today to move second reading of Bill 17, the Municipal Government Amendment Act, 2013.

Mr. Speaker, Bill 17 is necessary to amend the MGA to implement the new municipal sustainability strategy. This strategy intends to better support the long-term viability of municipalities by providing a wide range of tools and supports, not the least of which will be a new viability review process to be used when challenges to a municipality's viability are substantial. This new viability review process will result in a more proactive approach to identifying challenges, more community engagement and involvement in the long-term future of Alberta's municipalities, and more sustainable communities for our residents. I happen to have two such cases in my own constituency, so I really have a vested interest in this bill.

These changes will help make dissolution a last choice by giving communities a way to assess and work through issues. Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Are there other speakers to the bill? The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Rowe:** Thank you, Mr. Speaker, for the opportunity to rise and participate in the discussion on Bill 17, the Municipal Government Amendment Act. I have been sitting in the Legislature for one year plus a few days. Prior to being elected as the MLA for Olds-Didsbury-Three Hills, I served as a municipal councillor for and then as mayor of the village of Beiseker. Over that period I also had the pleasure of working with the Alberta Urban Municipalities Association first on their board of directors and later on as the vice-president of villages and summer villages. In my experience as an elected official at both the municipal and provincial levels I know of several situations in my area of the province where small communities felt it would be in the best interest of the community to dissolve and become part of the surrounding municipal district. This is going to continue to happen from time to time in the future, and I agree that providing greater clarity around the dissolution process is needed.

Bill 17 would implement one of the recommendations made in the 2010 municipal sustainability strategy report, in which the AUMA was a participant. I know that the AUMA is supportive of Bill 17. They also make a good point that since the Municipal Government Act is being opened up to amend section 130, the section that deals with dissolution, there are also a few other pressing issues that they would like to see addressed at this time rather than waiting for the overhaul of the MGA, which will be continuing over the next couple of years.

Currently the MGA provides the minister with the following tools to resolve municipal issues: a dissolution study and the dissolution itself. Bill 17 is proposing to do away with dissolution studies and replace them with viability reviews. Other measures would also be added to the minister's authority so that the dissolution is not necessarily the only option to resolve municipal issues.

The term "viability review" certainly sounds more positive than "dissolution study," but besides a name change I would like to hear some of the more specific details on what the difference will be between a dissolution study and a viability review. What new elements will be looked at with a viability review that have not previously been looked at through a dissolution study? Are there things that were measured in a dissolution study that will no longer be included in a viability study? Currently I know of at least one community that recently triggered a dissolution study by

submitting a petition from 30 per cent of the population of the municipality to the minister. The minister and I had a discussion about this during the estimates debate. He mentioned that instead of a dissolution study, that community is going to be undergoing a viability study in anticipation of the fact that this is the way we will be moving in the future.

I know the government has all of the details of what a viability study will look like as compared to a dissolution study, and I look forward to receiving that information before debate on Bill 17 concludes. Thanks in advance to the minister and his office for providing that information.

In the Wildrose Official Opposition we respect the role of local decision-making in creating what's best for municipalities. We recognize that it is local leaders who best understand the needs of local communities. It is the people on the ground who are in the best position to determine what is needed for their community. I am supportive of the proposal in Bill 17 to amend the Municipal Government Act to write into law that a vote must be held on whether or not to dissolve a municipality before it can be dissolved. This only make sense, especially when a community asks for a viability study. They should be able to look over the results of that study and, based on what they see, hold a vote on whether or not they want to go ahead with the dissolution.

Bill 17 would ensure that if the electors vote to dissolve the municipality, the minister must make that recommendation to cabinet. I certainly hope that regardless of the party sitting as government, the government of the day would respect the decision made by the people within that community.

**10:30**

The other amendment Bill 17 would make that I view as a positive is to provide more tools than just dissolution to use to resolve problems within a municipality. Dissolution may not always be the answer to problems a municipality is experiencing. Sometimes municipalities may simply need some assistance and perhaps some direction as to what actions to take to resolve issues within their own community. Bill 17 will give the minister the authority to provide this assistance.

Mr. Speaker, I will always be first in line to support Alberta's municipalities. From the feedback I have received on Bill 17, it is clear that our municipalities support the changes to the Municipal Government Act that Bill 17 is proposing. I will be supporting Bill 17 and would also like to say that I look forward to the future discussions that will be had on all other sections for the MGA moving forward.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Are there other speakers? The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you very much, Mr. Speaker. It's my pleasure to rise and speak to Bill 17, the Municipal Government Amendment Act. I just want to say at the onset that I and the Alberta NDP caucus strongly value local governance and municipalities as an order of government and their autonomy and independence in decision-making.

With this bill, Mr. Speaker, I'm very happy to have spoken with representatives from the AUMA and the AAMD and C and to learn that they have been a part of this bill. They've been consulted, and, you know, this has been discussed with them, and for the most part they do approve of this amended piece of legislation, which I think is absolutely crucial before the government moves forward. So I do commend members on the

other side for working with these two organizations to draft this piece of legislation.

I think the bill is very interesting, Mr. Speaker. It contains many provisions that I and my colleagues from the NDP caucus can support. The need to hold a vote of electors in order for a dissolution to be approved is an example of direct democracy and a direct democratic procedure with respect to the most significant question that can face a municipality, and that's whether or not it should be dissolved. So I'm happy to see that that is part of this bill.

A couple of questions that I do have, Mr. Speaker. I'm not sure why there is no process for conducting the viability review that's laid out in the bill. Instead, the proposed section 130(3) states that "a viability review must be conducted in a manner determined by the Minister." Now, you know, that gives me a little bit of trepidation because it gives tremendous authority to the minister not only to initiate viability reviews when he wishes to do so but also to conduct them in the ways that he sees fit. Now, of course, the current Minister of Municipal Affairs would never abuse his authority or his post and the responsibilities that have been bestowed on him, but the concern is that I'm not sure if future ministers of municipal affairs will be as noble in their actions and as cautious with the power that they have, so I am concerned with this part of Bill 17.

It would be easier, I must say, Mr. Speaker, to support this bill if we – and I'm sure my colleagues in the Chamber here would agree – could see exactly how a viability review would work and what exactly is entailed in this process. I know, for example, that both bodies, AUMA and AAMD and C, are very curious to see what those details are and how this functions and carries out. You know, as elected lawmakers we want to promote accountability, transparency, and due process, so for that reason I'm concerned that the viability review process is not detailed in this bill, and I would have liked to have seen that.

The bill does provide the legislative framework required to support the municipal sustainability strategy, which has been developed in collaboration with the AUMA and the AAMD and C. I don't know why I'm tripping on that acronym tonight, Mr. Speaker. Any time the government can work collaboratively with various organizations and bodies that are directly and indirectly impacted by legislation that this Chamber passes to come up with a solution that everyone is satisfied with for the most part I think is an example of good governance.

Like I said, the AUMA and the AAMD and C, from conversations I've had with them, are happy to see this legislation as creating a series of options to keep municipalities viable and give them more than just the option of dissolution or not to dissolve. The AUMA has said that this is positive and constructive for municipalities, allowing currently or apparently unviable municipalities to work with their neighbours to find solutions that will work for them in their regions, which I think is very, very positive.

Again, Mr. Speaker, the bill gives tremendous power to the minister. I guess a note of caution that I will issue to the minister is that I believe that people will be watching, people within municipalities all across Alberta, within this room, and the two bodies. AUMA is going to be watching, AAMD and C is going to be watching, and we're going to be watching to ensure that the minister or his successors do not in any way, shape, or form abuse the power vested in them through this bill.

I just want to highlight very briefly, Mr. Speaker, the one issue that the AUMA raised, their one bone of contention if you will. They're disappointed in the minister's willingness to open the MGA in that it did not extend to property assessment and taxation

reform, which the AUMA specifically has submitted in its 2010-2012 reports. The AUMA is talking about reforms that are critical to ensure that they can offer the programs and services that many Albertans rely on. You know, unfortunately, coming from the AUMA, their opinion or belief is that by the minister delaying the conversation or opening up the MGA now, in the near future specifically looking at tax reforms and property assessments, is going to delay them in ensuring that communities are sustainable and viable. This delay might endanger their sustainability. It's definitely going to cause an increase in costs because of delayed infrastructure, maintenance, and repair.

It's also going to perpetuate inequalities between municipalities, Mr. Speaker. That's an issue that, you know, we definitely need to have further discussion and debate on in this House. There are differences in property taxes and differences in some municipalities having access to funds that other municipalities don't have. Quite frankly, there is an uneven playing field, which we do need to address. It needs to be addressed in the MGA. So I share the concerns that the AUMA has as far as the minister's reluctance to address these issues in a timely manner.

For the reasons I've outlined earlier, I will be supporting this bill, Mr. Speaker. A couple of questions I wish that my colleagues on the other side could clarify. I wish the bill had more details as far as the viability review, maybe a little less power given to the minister and future ministers. As I've said, I trust that the current Minister of Municipal Affairs will not abuse his powers, but we need to be thinking long term, that maybe future ministers might not be as impartial in their position. For these reasons, again, I will commend the members on the other side for drafting this bill, and I will support it.

Thank you, Mr. Speaker.

10:40

**The Deputy Speaker:** Are there others?

Seeing none, I'll invite the Member for Barrhead-Morinville-Westlock to close debate.

**Ms Kubinec:** Mr. Speaker, I call the question.

**The Deputy Speaker:** The question has been called.

[Motion carried; Bill 17 read a second time]

### Bill 18

#### Pooled Registered Pension Plans Act

**The Deputy Speaker:** The hon. Associate Minister of Finance.

**Mr. Fawcett:** Thank you very much, Mr. Speaker. I'm pleased today to rise to move second reading of Bill 18, the Pooled Registered Pension Plans Act.

This act will provide the authority to create pooled registered pension plans here in Alberta, giving working Albertans more options when it comes to retirement savings. This proposed act comes on the heels of federal legislation which has enabled the territories and national companies to offer low-cost pooled pension plans, but in order for Albertans to take advantage of these new pension plans, it is necessary for our provincial government to create enabling legislation in our province, which is what I'm putting forward here today.

Actor and comedian Gene Perret once had this to say about retirement. "It's nice to get out of the rat race, but you have to learn to get along with less cheese." This quote, Mr. Speaker, was probably said in jest, but unfortunately for many Albertans this could be their reality as they reach their golden years. Research

has shown that a significant portion of Canadians are not saving enough for retirement and will likely see a drop in their standard of living when they retire.

There are many reasons for this, Mr. Speaker, not the least of which include increased life expectancy, with the average person now living more than four years longer than when the Canadian pension plan was introduced back in 1966, and limited personal retirement savings, with fewer than 6 per cent of Canadians maximizing their RRSP contributions each year. Another reason is difficulty making investment decisions amongst people due to a lack of information and experience. Another is that few people are joining workplace pension plans. Another reason is increasing household debt, making it more difficult to save for the future. Finally, one other reason is high management fees for retirement funds, which significantly reduce fund balances.

Make no mistake, Mr. Speaker. By no means are these excuses for putting off retirement planning. Our government strongly believes that it is every individual's personal responsibility to set aside enough money to live comfortably in retirement, but we also recognize that some of the factors I outlined just a few minutes ago are barriers to keeping Albertans from successfully planning for their future. To help address these challenges, our government has introduced the pooled pension plan legislation, that will give more Albertans access to retirement savings plans that are affordable, simple, and easy to administer. We are giving Albertans freedom and responsibility to choose how best to plan their retirement savings.

PRPPs offer many advantages to their members, the first being that they will be a low-cost retirement savings vehicle. Because of their pooled nature, the plans can take advantage of having a large number of members to share management costs so that cost to the consumer is lower than typical retail savings vehicles. In the federal legislation low cost is defined in the regulation as the per-member cost being at or below that of a plan with 500 or more members. This means Albertans enrolled in these plans will end up with more money in their pockets by the time they are ready to retire.

Plan members will also enjoy the benefit of belonging to a pension plan without having to work for a large company or organization. For the first time all small- and medium-sized businesses as well as the self-employed and the nonprofit sector will have access to professionally managed pension plans.

Another advantage of pooled pension plans is their flexibility. These new retirement tools will be portable, meaning members can move their pension contributions from one fund to another, and should the member leave a job to pursue another career, their pension plan will follow them to their new job.

Another benefit to these pooled plans is the high degree of customization available, Mr. Speaker. First and foremost, if an employer chooses to participate, their employees will automatically be enrolled in the plan. However, employees can still opt out if they so desire. Should they choose to join a plan, members may choose how their savings are invested based on their tolerance for risk and other factors. They can also choose how much to contribute within the plan's guidelines. Plan members may also choose to temporarily suspend their contributions to help them deal with changing personal circumstances that may occur from time to time. This adds up to a lot of flexibility for every member that is enrolled.

On the flip side, Mr. Speaker, for Albertans who aren't as comfortable with investment decisions, they can go with a default, the recommended option that is not too risky, and they still get a good, solid pension plan that works for them. This should remove a barrier that prevents some people from saving and investing

successfully for their retirement, the lack of knowledge or confidence to make specific decisions on investment funds.

One of the advantages of joining a pooled pension plan is that contributions will come right off their paycheque, ensuring that Albertans stick to the principle of paying themselves first.

Like other pension plans, funds are locked in but may be accessed under certain circumstances such as financial hardship.

Another benefit of pooled pension plans is the fact that they will not only benefit working Albertans but also business owners, Mr. Speaker. For employers these plans are easy to offer, and the administrative burden is very minimal. In fact, financial institutions that plan to offer the product tell us that it will be as easy if not easier than offering group RRSPs. Furthermore, we'll see these pooled pension plans as one incentive for smaller employers to use to attract employees and retain current staff.

There are other benefits of pooled pension plans over regular pension plans or group RRSPs. Employers will not be liable for investment decisions or results, benefit guarantees, or administrative burden and cost. Responsibility is limited to enrolling employees and deducting and remitting contributions, and that's it for employers. This takes a huge burden off their shoulders.

Another difference business owners will see in pooled pension plans is that employer contributions are optional. How much if any contribution is given should be a decision made between the employer and the employee.

Business owners that take advantage of the pooled pension plan program and decide to make a contribution will see some tax benefits or greater tax benefits over offering group RRSPs. Canada pension plan and employment insurance premiums will not apply to pooled pension plan employer contributions the way that they would to group RRSPs.

These, Mr. Speaker, are only some of the advantages of pooled registered pension plans. These new retirement savings vehicles are another tool we have to offer Albertans to make it easier to responsibly save for their future.

Bill 18, the Pooled Registered Pension Plans Act, will benefit a great number of Albertans from employees to employers, but most of all they will benefit hard-working families. Mr. Speaker, I can sit here and honestly say today that I wish that this plan was available to my parents as they were working hard and earning a living, putting me and my brothers through sports and school and making sure that we had everything that was available to us. It would have been nice for them to have this type of plan available to them so that they could have planned appropriately for their future. This is something that I worry about greatly, having parents that are getting close to retirement age, that they have the sufficient amount of retirement income.

**10:50**

A good retirement savings fund ensures that the financial burden of getting older is not passed on to our children and is not passed on to our society and, as a result, on to our government. The fact that there is a real concern that there are not sufficient funds available amongst citizens for retirement is certainly a huge concern, I think, of all governments across this country and something that we've been working on very closely with other provinces and with the federal government. Solid retirement savings make for good peace of mind, Mr. Speaker, and that is the legacy I hope Albertans leave behind as they enter into their golden years.

In closing, I ask all members of this Assembly to support this bill because it's the right thing to do, and it provides Albertans more options to be able to retire comfortably and with dignity. Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. minister.

**Mr. Anderson:** Mr. Speaker, it's my pleasure to speak today to Bill 18, the Pooled Registered Pension Plans Act. I want to commend the government for introducing this legislation. Here in this House debates, of course, are often heated, and barbs back and forth at each other are often sharp, but we should always take the time to recognize good ideas and to support some public policy solutions to the challenges that everyday Albertans face.

Fundamentally this bill will allow for more options for Albertans to plan and to save for their futures. Since this is a principle that we in the Wildrose constantly urge the government to heed when it comes to tax dollars and the province's budget, I am of course compelled to support this legislation since I believe it's a good thing for Albertans to have as many alternatives as possible to save for their retirement.

We know that only 1 in 6 Albertans working in the private sector currently participates in an employee pension plan and that employee pension plans can be onerous for small- and mid-sized businesses to establish independently. Pooled registered pension plans clearly address this issue.

I feel that we need to acknowledge the leadership of the federal Conservative government in passing Bill C-25 in order to make these new low-cost, easily accessible, privately administered pension options available to all Canadians. I'm glad the provincial government moved quickly with Bill 18 to provide the legislative framework for the regulation of these plans.

Accessibility is one of the most important aspects of these pooled pension plans. It is crucial and commendable that they will be available to employees with or without participating employers so that the self-employed will also have the opportunity to participate. Mobility is also key to these new plans so that an employee who changes jobs can carry their pooled plan with them to their new employment, where hopefully their new employer will participate. But if they won't, the employee can still make regular contributions to it.

It is important to recognize the burdensome administrative costs, management demands, and legal liabilities for small- and medium-sized enterprises in establishing employee pension programs. The pooled registered pension plans, or PRPPs for the acronym, proposed under the federal legislation and in this bill account for the concerns about the cost and administrative burdens of offering a pension plan to employees by ensuring the plans will be managed by qualified third-party administrators such as major banks and subject to a fiduciary standard of care so the best interests of participating Albertans are protected.

The Canadian Federation of Independent Business reports that 78 per cent of Alberta's small businesses do not have a company retirement savings plan but that the majority are either unsure about their options and would be interested in learning more about these PRPPs as an alternative or would definitely consider offering such plans in their workplace to improve retirement savings for them and for their employees. This legislation will give small businesses this option.

In addition to expanding the availability of options through which Albertans can save and plan for their futures, it is good that the PRPPs are defined contribution plans. Therefore, the PRPPs will avoid the risks around sustainability and liability that so many public pension plans face around the world today.

There is certainly still some needed work to be done on these plans, which can probably be dealt with mostly in regulation. For example, it does seem to me and to others I've spoken with that the parameters for contribution limits for self-employed participation should be different from those of regular RRSP

contribution limits for regular employees. Contributions for the self-employed should be based on a special formula that accounts for the total amount eligible for PRPP donations, not necessarily reflecting their earnings in any given year, because earnings in these situations are often retained in the company of a self-employed individual and are not taken out as income.

A regulated formula should take that into account for self-employed individuals that own their own business and want to use this tool. If such a formula does not take care of this inequity, this would act as a penalty against self-employed individuals, who wouldn't be able to contribute as much to their plans. So I would ask that the minister address that when he is putting together his regulations.

In conclusion, Bill 18 represents an important step in offering private-sector employees and employers in Alberta an accessible and low-cost option for retirement savings plans. It is important for Albertans to have as many ways as possible to save for their future and to plan for their retirement. I urge all of us here to support this legislation and make Alberta one of the first provinces in Canada to match the leadership of the federal government and pass this enabling legislation for pooled registered pension plans.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thanks very much, Mr. Speaker. I, too, am pleased to stand and speak to Bill 18, the Pooled Registered Pension Plans Act. I haven't yet made a decision about this bill, and our caucus is still coming to grips with it, but I think it's fair to say that it's an interesting idea that will potentially produce more choice. It will also potentially produce more risk and more uncertainty for many people who are already struggling with a plethora of choices in investment, many of whom, I think, are already convinced that CPP could provide most of what is needed if it was simply strengthened. We would reduce the overhead costs with such a large pool of monies with tremendous security as a national plan.

So we have some reservations about it but recognize that the pooled registered pension plans as articulated by the federal minister since 2010 to try to accommodate the provinces of Alberta and Quebec, that rejected the idea of CPP reform, put forward this opportunity for provinces to expand the scope and presumably make more accessible investment packages that were more stable, perhaps, more varied, less costly. We remain to be convinced.

Looking at the approach that this government has taken to a lot of financial management, I guess many of us have doubts that they could add anything to the investment portfolios that are already out there. I mean, this is what independent business does. Why would we as a government feel that we have a better way to sell investments to people? It somehow flies in the face of what these folks and the Wildrose say they believe in, which is free enterprise. Here we are setting up something that I'm not sure wouldn't be there if it was already going to be a profitable venture on its own.

That having been said, I think there are some interesting aspects to this that we will look at, but certainly we've seen some of the criticisms that claim that they are not really that different from RRSPs as they exist today. As an investor myself I struggle just to understand the current costs, risks, benefits of the variable investment options out there today. I also recognize that they won't necessarily be effective in closing the gaps in retirement income unless they're mandatory on the part of employers and employees. It's difficult to know exactly what this government is

trying to achieve if people are already making choices around their investment strategy.

I acknowledge that about a third of Canadians don't have any savings, and they're at risk. There's no question. Only a third of Canadians are actually covered by a workplace pension plan. In fact, I'll correct my earlier statement. Only about a third of us have any savings plan at all. Clearly, some changes are needed.

The maximum CPP retirement benefit for someone who retires at age 65 is only about a thousand dollars a month. Clearly, that's not going to do it in the next 20 to 30 years. The median value of an RRSP for workers 55 years of age and over is just around \$60,000. In a typical year only a quarter of us put anything into an RRSP. So these obviously create some challenges that need to be addressed.

**11:00**

Again, I guess we have some questions about the risks and benefits. For many of us, adding yet another layer of investment opportunities will raise more questions and presumably create more risk. Albertans already have access, then, to RRSPs. Since PRPPs are voluntary, will those that are not participating in an RRSP choose these? Should people be forced to save for retirement? These are some of the questions that I think are being raised by this bill.

So far only Quebec has made employer contributions mandatory. That's not the case under this bill, as I understand it. The business community is certainly against any kind of mandatory employer pension contributions.

Will PRPPs expand pension coverage at the expense of pension quality? That's a question that I have certainly raised. Just having more numbers doesn't necessarily mean more accountability, better financial management. It will increase to some extent the need for oversight, administrative costs, and until it gets to the level where it's actually dealing with large amounts of money, one has to wonder whether it's going to be a cost-effective option. In other words, might they encourage some companies to drop existing in-house defined benefit pension plans, where they are already matching employee contributions, in favour of this new defined contribution scheme, where workers assume all the risk and employers aren't required to contribute to their pensions at all? Are PRPPs a precursor to defined contribution pension plans for public-sector workers?

In his 2013 budget speech the Finance minister said:

The pension boards are reviewing four major public-sector plans: the local authorities pension plan, the public service pension plan, the management employees pension plan, and the special forces pension plan. This review will ensure these plans remain part of a competitive compensation package for the public service while protecting taxpayers' interests.

Could giving people yet another retirement saving option actually make things worse?

Columnist Preet Banerjee notes, and I quote: we have RRSPs, TFSA's, RESPs, PRPPs; a lot of people will be suffering from paralysis with all these choices. End quote.

Some interesting opportunities. I look forward to learning more and hearing from both sides about these debates. I certainly wouldn't want to rush in to fill a gap that already has old age security and guaranteed income supplement, mandatory public pension plans like CPP, and private savings vehicles like RRSPs and workplace pension plans. I look forward to the debate.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the next speaker, the hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you very much, Mr. Speaker. It's my pleasure to rise and speak to Bill 18, the Pooled Registered Pension Plans Act. Similar to the Member for Calgary-Mountain View, there are quite a few questions that I and the Alberta NDP caucus have regarding this act.

There's no dispute or discussion on the issue that Canadians deserve to have meaningful improvements to their pensions. The CPP has a proven track record of professional management, low-cost administration, and reasonable rates of return. Through modest and mandatory savings the CPP provides the guarantee of defined benefits, which provide Albertans with an unrivalled peace of mind. It's therefore, in my opinion, the best option for helping to secure a guaranteed future for Albertans' retirement. What's interesting, Mr. Speaker, is that only 18 per cent of Albertans have a private-sector pension plan versus 40 per cent Canada-wide.

Now, Gil McGowan of the AFL has said that what Albertans desperately need is a mandatory pension program to ensure that they don't retire into poverty. He says that the PRPP is a step backwards because it's not mandatory and, even when combined with federal benefits, is still not enough to ensure that workers have sufficient money when they retire. The AFL and the federal NDP say that PRPPs are simply a glorified RRSP, designed in such a way as to see retirement savings of Albertans handed over to the financial sector, which, quite frankly, has often failed to deliver on its promises with surprising regularity. Anyone who has tried to cash in their RRSPs during the end of a business cycle will know what that means.

It's also important to note that during the great economic recession the CPP barely lost but a few percentage points in value while the stock market took a terrible turn, as many will recall. It's likely that if the PRPP was around at the time, it would have lost an equivalent value to that of the stock market, not the CPP.

Now, Mr. Speaker, PRPPs are entirely voluntary. They contain no requirement for employers to match employee contributions. The benefits they pay out are not guaranteed and are subject to the vagaries of the stock market. If people couldn't afford RRSPs before, then it's unlikely that they'll be able to afford them now. Only 31 per cent of eligible Canadians actually use their ability to invest in RRSPs.

The PRPP will be just another gift to Bay Street, just another financial product that they can sell, especially if they negotiate higher fees than RRSPs. This legislation does nothing to cap the fees that administrators of the PRPPs will charge.

Mr. Speaker, many people believe that the Canadian pension plan is the most efficient, most effective tool for ensuring income security for all Canadians, especially with its operating cost of 1 per cent or better and a good track record. It's pan-Canadian, and it's portable. Therefore, instead of spending so much time and effort working on a new voluntary program, the government should be looking at ways to support and enhance the expansion of the CPP.

The Canadian Labour Congress has a detailed plan to double the CPP benefit, from \$934 a month to \$1,868, by gradually increasing the employee and the employer contributions, each from 4.95 per cent of salary to 7.95. Regardless, Mr. Speaker, there are unlikely to be many companies that are profitable enough or right-headed enough who are going to provide pensions who don't already have pension plans of their own.

Mr. Speaker, there are several questions that I have about this new act and PRPPs. What's interesting to note is that Australia

had a similar plan to PRPPs, but the plan was mandatory, with an opt-out provision. The AustralianSuper fund required employers to enrol their workers in one of the many defined contributions plans offered by the private sector. A recent review, commissioned by the Australian government, after 12 years' experience of doing this reported that the AustralianSuper fund did not even match inflation. Again, part of the reason is because the fees that were being charged were just eroding the interest that they were earning.

I'll move into some of the questions that I have, which hopefully will be addressed soon, Mr. Speaker. I think it's safe to say that most people will agree our pension system in Canada needs to be improved and requires improvement. Now, what can't be agreed upon is whether or not Canadians will be better served by forcing them to hand over their hard-earned money to the private sector so that their retirement can be predicated on the ups and downs of the stock market, guaranteeing large profits for the big banks and investment companies, with no guarantee for Canadian families, or if we should take a more practical and prudent step to expand what's already working for Canadians and guarantee money for their retirement by expanding the CPP.

As I've stated earlier, there are some that believe that the PRPP is really nothing more than a glorified RRSP. It's got a defined contribution plan, but the money is invested back into mutual funds, bonds, et cetera. There are no guarantees for employees and no new money.

My first question – and there are a list of them, Mr. Speaker – is: why has the government failed the best interests of Albertans by failing to advocate on behalf of them to increase the CPP? Maybe I should rephrase that to find out if the government did look into expanding CPP and increasing it.

**11:10**

The next question: if the government truly believes that the fees will be lower than existing retirement tools, will they commit to legislating a cap on the fees that administrators can charge? Again, there's no vehicle that I'm aware of where the fees are as low as what we pay through CPP, which is around 1 per cent.

As well, there are no provisions that would even index the benefits to inflation. So, really, in the long term, you know, people who are investing in the PRPP could actually be sliding backwards, Mr. Speaker, and losing money each year.

What type of efforts will the government make to ensure that Albertans understand the difference between the PRPP and the CPP? How much will this new program cost the government of Alberta to regulate, including possible court fees if the act is contravened?

The bill does nothing to ensure that corporations that go bankrupt will see pensioners and those on long-term disability go to the front of the line of creditors. Again, they may not see their dollars at all.

Moving to section 3, Mr. Speaker, it explains how this act will apply to employees of employers who participate in the plan and to the self-employed.

The question is: will there be any tax benefits to corporations who implement a PRPP in Alberta? If not, is the government planning on providing any? How many businesses who currently do not provide any sort of pension plan whatsoever does the Alberta government believe will adopt the PRPP? In other words, a little bit more about, you know, where the logic behind bringing in this new tool came from or the statistics, I should say. How many businesses are likely to include an employer contribution?

Moving to section 5, subsection (2) allows the superintendent of pensions to

- (a) conduct studies, surveys and research programs and compile statistical and other information relating to plans and their establishment, administration and operation.

This information can be shared with other governments, government agencies, or regulatory bodies of designated jurisdictions, which means Canada or a prescribed province outside of Alberta. Under (c) this information can be shared with supervisory authorities, bodies that act like the superintendent of pensions in Alberta and other designated jurisdictions. The question really is: would the government commit to making any of this information publicly available?

Sections 7 and 8 allow the minister to enter into bilateral or multilateral agreements with other provinces on matters relating to the PRPP. This would allow the superintendent of another jurisdiction to enforce any powers under our act and authorize our superintendent to exercise any powers of analogous legislation from an authority in another province here.

There are provisions in section 8(2)(b) which allow us to limit the application of the analogous legislation of a jurisdiction that is party to an agreement.

Section 8(1) states that the province can “enter into an agreement with the appropriate authorities of 2 or more designated jurisdictions respecting any matters relating to pooled pension plans.” Does this mean that the province cannot enter into an agreement with only one province? Is the province worried that if only a small number of provinces enter into the PRPP plan, sufficient economies of scale will not exist and that the fees that will be charged by plan administrators will not be any better or even worse than the financial retirement tools which are currently available?

Section 9(2) provides that any bilateral or multilateral agreement will prevail over any provisions of this act in the case of inconsistencies or conflicts between them. So a couple of questions. Why would the government give away so much power under a bilateral or multilateral agreement? Why should we trust this government to negotiate such an agreement?

I’m going to jump ahead to section 13. If any administrator becomes insolvent, is unable to act as administrator, or the superintendent feels that this is in the best interests of the members, the superintendent can transfer all assets and the plans that it administers to an entity designated by the superintendent, including all the contractual rights and obligations that the former administrator had. There do not seem to be any provisions here for other entities to refuse to accept the assets and plans of an insolvent administrator. What will occur if another administrator cannot be found? Could the government or the superintendent be held accountable?

If the superintendent moves the assets and plans of a provider to another, will the former plan administrator be compensated? If not, and the new administrator benefits financially, will the money go to the previous provider? If the contractual rights and obligations are transferred to a new administrator, will the former administrator still be held accountable to any financial liabilities?

If the members suffer a financial loss due to an administrator becoming insolvent or unable to continue, will the member or members be compensated, and if yes, by whom? Could the government or the superintendent be held accountable? If the benefits being provided to members are negatively affected by an administrator becoming insolvent or unable to continue, will anybody be held liable for lost earnings? How many administrators are currently licensed in Canada, and how many do we expect to operate?

Section 84(1) of this act imposes court-ordered fines of up to \$500,000 for an offence under this act. The court can also order that

any party comply with the act or with a contract. My question is: does this fine apply to each offence or to all offences under consideration at one time? Can any administrator lose their licence for offering inducements? What protection will there be for an employee who believes that they have information concerning possible inducements and who wants to provide this information to the superintendent? What obligation will the superintendent have to follow up on allegations of inducements? What resources will they have to investigate such claims, and how much will this cost?

All right. Just looking over some of my other questions, there are quite a few that I have and still some that are outstanding, Mr. Speaker, but I will try to wrap up. Again, just to bring up another point, currently people without a pension plan are often targeted by private providers of retirement investment tools such as RRSPs or tax-free savings accounts or mutual funds. Mutual funds and RRSPs often charge around 2 to 3 per cent in management fees. This is quite a stark comparison to the 1 per cent that CPP charges or operates at.

The often-stated primary benefit of this idea is that it will pool together the retirement savings of many individuals and, therefore, because of economy of scale, will be able to offer a lower administrative fee than other retail retirement tools. During the briefing that we received from the Associate Minister of Finance, he stated that fees are likely to work out to something less than 2 to 3 per cent but more than 1 per cent. These plans are defined contribution, not defined benefit, so there’s no guaranteed retirement income. Now, the Saskatchewan pension plan claims to have administrative costs of 1 per cent, and it’s also voluntary.

You know, just some general questions to the associate minister. Why is the government of Alberta spending time and resources on a plan that doesn’t guarantee retirement incomes? Will there be a minimum benefit that people can receive? Will there be a minimum contribution that employees must make? Has the government considered that depending on what gets negotiated, the benefits could be worse than what the private-sector pensions currently provide, which could incentivize companies to drop their current private pensions and move towards the PRPP, initiating a race to the bottom on pensions?

The problem we’re facing today is that many Albertans cannot afford to save for their retirement, Mr. Speaker. The decrease in administrative costs between the RRSP and other retirement financial tools . . .

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

**Dr. Swann:** I was just wondering if he had any more to say about that issue.

**Mr. Bilous:** Well, I thank the hon. Member for Calgary-Mountain View. I’ll wrap up here. Basically, the decrease in administrative costs between the RRSP and other retirement financial tools and the PRPPs will only be a few percentage points at best. So what makes the government believe that this will make them much more affordable to Albertans?

Similarly, what makes the government believe that a savings of 1 or 2 per cent in administrative fees is going to make this affordable suddenly for small- to medium-sized companies? Why won’t the government admit that this plan is looking more and more like a glorified RRSP?

Again, if the true purpose is to help Albertans save for their retirement, I’m curious to know if the minister has explored the idea and the option of increasing CPP, which again has the proven track record, the low administrative fees, is spread out for all

Canadians, so you have a much lower risk because of the number of people involved in that pooled pension. Would it not make sense to look at increasing CPP as opposed to creating another financial tool which may or may not prove to actually be more affordable and may not actually encourage or provide Albertans with the opportunity to save more for their retirement?

I look forward to further debate in the House about this bill. Thank you, Mr. Speaker.

11:20

**The Deputy Speaker:** Thank you, hon. member.  
Are there other speakers?

**Hon. Members:** Question.

**The Deputy Speaker:** The question has been called.

I guess I'd offer the hon. associate minister the opportunity to close debate.

**Mr. Fawcett:** I just want to say that I appreciate the comments of all members. There were a number of questions asked. We'll endeavour to get back to the members on the questions that were proposed to us.

I'm glad to see that there is considerable support, at least from some of the parties opposite, for this program that will help all Albertans.

**The Deputy Speaker:** Thank you, hon. associate minister.

[Motion carried; Bill 18 read a second time]

### Government Bills and Orders Third Reading

#### Bill 15 Emergency 911 Act

**The Deputy Speaker:** The hon. Associate Minister of Municipal Affairs.

**Mr. Weadick:** Thank you, Mr. Speaker. It's a pleasure to rise and move third reading of this bill.

Mr. Speaker, we've heard lots of support across the floor for this bill. We know that there are a number of issues facing 911 call centres. We have the cost, new technologies, and all of those other things, and we know that this bill will go a long way to resolving some of those issues. We also know that this levy against cellphones will allow us to continue to support 911 call centres across the province of Alberta.

But, Mr. Speaker, one of the other really important things is that it will take the liability off of 911 call centre call takers. As we do with volunteer firefighters, it will absolve them of liability when they're working at the level of their training.

Mr. Speaker, there are fines now for the intentional misuse of 911. This does not include pocket dialing. It's specifically let out of the legislation, but now if there is frivolous and vexatious use, we can act against those people. Those are some of the questions that we heard during debate.

Mr. Speaker, I would ask for support in third reading.

**The Deputy Speaker:** Are there other speakers? The hon. Member for Edmonton-Beverly-Clareview. [interjections] Please, hon. members, the Member for Edmonton-Beverly-Clareview has the floor.

**Mr. Bilous:** Thank you. I can appreciate that it's late into the night. However, you know what? I think at the same time it's

more important that members have the opportunity to rise and speak to these bills, considering we are passing legislation in this province.

First and foremost, certainly, the Alberta NDP supports the principle behind this bill and what the government is trying to do, okay? We're trying to ensure that costs related to the 911 system are funded by all phone subscribers. However, it's unfortunate – and I'd like to note this, Mr. Speaker – that this bill passed through Committee of the Whole on April 24 late in the evening without any comments or proposed amendments from any party. Now, I'm not suggesting there was not an opportunity for debate or tabling amendments. However, in the midst of budget debates somehow this bill slipped along rather quickly. Perhaps we didn't fully consider this bill and everything it entails. Had the bill been amended in Committee of the Whole, I might be able to stand and support the bill this evening. However, there are several loopholes and unintended consequences lurking in this bill, which I'm going to illustrate.

I want to begin by noting that it's correct to say that other provinces have similar 911 levies to support their emergency response systems. However, all provinces impose and regulate those levies in different ways. Now, it is true that Alberta has administered a 911 levy on land lines for a number of years, Mr. Speaker; however, I have to say that my staff and the Legislature Library both had difficulty finding out exactly how this levy on land lines first came about. Was it through legislation or regulation or how exactly? It's difficult to find information, which is always a little disconcerting. The reason I point this out is that this bill addresses 911 levies for wireless devices specifically whereas other provinces have one piece of legislation or regulation that refers to levies on both wireless and land lines.

Now I'd like to focus on several substantive concerns that we have with regard to the way the bill is written, Mr. Speaker. If the minister is responsive to legitimate concerns and constructive criticism, he'll consider the issues very seriously and consider making changes to legislation going forward. One, the vagueness of this bill. For instance, clause (c) in section 7 gives the minister the power to "do any other thing the Minister considers necessary" in order to carry out the purposes of this act. It's unfortunate the minister couldn't be more specific about the powers that he's requesting.

The fundamental principle of responsible government is that the executive branch and the bureaucracy come up with a range of policy alternatives to suit decided upon policy and present them at cabinet and then, in turn, present them for debate. So how can the Assembly simply give the minister the blanket authority to do anything he needs to do? It's his responsibility as a minister reporting to this Legislature to propose to us what he needs to do, to provide us with details in order to improve the 911 system, which we would all support. Moreover, it's been noted by other hon. members who have spoken previously that many of the most pertinent details surrounding this legislation will only be detailed in cabinet regulations, which is always problematic, again for the same reasons I just stated.

Now, at this point effectively the government is asking members to support a piece of legislation where we do not know the exact amount of the levy or the amount that the wireless companies will be allowed to retain to pay for administrative costs. The government says that the fee will be 44 cents per device per month, but it's not stated in the legislation.

Two, section 8 is also problematic. It prohibits any person from making a frivolous or vexatious 911 call. However, it provides no detail about how that determination will be made. Again, perhaps the principle is okay, but the wording and implementation in this



bill is very problematic. Now, the ministry's website, Mr. Speaker, provides information about this bill and this section specifically that should, frankly, be included in the bill. The website states that a frivolous 911 call is any 911 call made deliberately to abuse the system. However, this bill itself includes no definition of frivolous or vexatious, and the word "deliberately" is not included in this section of the bill. Here we have an example of a discrepancy between how legislation is written and will be enforced and how the government is selling this bill to us and the public on the ministry's website.

The website also states that 911 operators who feel they've been subject to frivolous calls will be able to place a complaint with their local police service and that no one will be fined for calling 911 in good faith or by accident. These are details that should be included in the bill. They're on the website, but they're not in the bill, Mr. Speaker.

Again, I want to reiterate that the principle and the spirit of this legislation are good, but the way the legislation is currently worded could have unintended consequences. For example, there are situations where one can imagine a call appearing to be frivolous to people who are not in danger themselves, including dangerous situations that may appear to not exist or be resolved by the time emergency responders arrive. People who find themselves in those dangerous situations should never have to question whether someone on the other end of the line will be evaluating their call on the basis of whether it's frivolous or not.

It's also imperative, Mr. Speaker, that no one who makes an accidental phone call to 911 is ever charged with making a frivolous call. I'd feel much more comfortable supporting this legislation if it was a bit more carefully worded to include some of the language that's actually posted on the website, where it explicitly states that no one will be fined for calling 911 in good faith or by accident. I'm still unsure as to why that wording is on the website and not included in the bill itself.

Three, I'm also concerned about the imposition of a fine of up to a thousand dollars for not paying the levy. Does this mean that someone who runs into financial trouble and misses a cellphone payment will be guilty of contravening section 4(2) and, hence, liable to a fine under section 9(2)?

11:30

I want to bring to the House's attention that Saskatchewan, which has a 70-cent-per-month 911 levy, has a much different policy, Mr. Speaker. According to section 45.2(2) of the Saskatchewan Telecommunications Act, "if a customer fails to pay the Sask911 fee... the corporation may terminate the customer's telecommunications services until the fee or charge is paid in full." They do not fine people up to \$1,000. Instead, they reaffirm the right of the wireless corporation to discontinue service if someone does not pay their phone bill, which seems to be far more reasonable.

Now, if the PC government here in Alberta is concerned about people somehow paying the balance of their phone bill but refusing to pay the 44-cent fee for the 911 levy for some reason, which seems far reaching, Mr. Speaker, then section 9(2) should explicitly state that people will only be fined if they deliberately and repeatedly contravene section 4(2). Under no circumstances should we find a single parent who can't pay their phone bill on time one month due to unforeseen circumstances being fined up to \$1,000 because they missed paying their 44-cent 911 levy.

As we are all aware, in writing legislation, word choice does matter, definitions matter, and detail and nuance and care matter because they will be enshrined to stand the test of time. These

things are not superfluous. We should not rush, and we should not approve legislation that is badly or insufficiently detailed.

I want to conclude, Mr. Speaker, by saying that this bill is not an excellent piece of legislation. The principle is right – there is no disagreement there – but the exact wording is problematic. To reiterate to all members of the Assembly here, the NDP caucus is supportive of the principle of this piece of legislation, but we see another instance here of poorly written legislation with many holes which present questions that raise issues of concern for working families. Legislation should never have unintended consequences. It should be written with such clarity and foresight so as to preclude or at least address and answer the kinds of questions that I've outlined here today.

Mr. Speaker, this bill is not written with the utmost clarity and foresight. It is problematic in a number of ways, and the government asks us to accept its word on faith. They say that the charge will be 44 cents per month. They say that no one will be fined for calling 911 accidentally. No Albertan should ever fear calling 911 because they think it could be misinterpreted as a frivolous call. The government says nothing at all about whether late payment of one's phone bill could lead to a \$1,000 fine, which would be ridiculous.

I hope the minister considers these issues and takes the opportunity today to address each of these specific questions that I've raised and provide his assurances in the House and to all members and that the minister considers making appropriate changes to this act. Therefore, Mr. Speaker, until such time I cannot in good conscience support this legislation. I am unable to support it as it is currently written.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.  
Are there others?

Seeing none, I'll offer the hon. associate minister the opportunity to close debate.

**Hon. Members:** Question.

**The Deputy Speaker:** The question has been called.

[Motion carried; Bill 15 read a third time]

## Bill 19

### Metis Settlements Amendment Act, 2013

**The Deputy Speaker:** The hon. Minister of Aboriginal Relations.

**Mr. Campbell:** Thank you, Mr. Speaker. I'm pleased today to rise and move third reading of Bill 19, the Metis Settlements Amendment Act, 2013.

**The Deputy Speaker:** Speakers to the motion? The hon. Member for Edmonton-Beverly-Clareview. [interjections]

**Mr. Bilous:** Thank you, Mr. Speaker. I'm thrilled to hear my colleagues so enthusiastic about my rising to speak to this bill. Thank you very much.

Mr. Speaker, I want to start off by saying that there definitely are some concerns that I tried to raise during Committee of the Whole, amendments that I put forward and that I spoke to. There were amendments put forward by the Wildrose opposition that were very reasonable in nature. Again, you know, I think it's worth reminding all members of the Assembly that most amendments, if not all, that are put forward by the opposition are meant to improve a bill and strengthen it as well as to remind

members of the government that there are four different political parties represented in this House and different ideologies that many Albertans hold. By bringing forward amendments, this is an opportunity for us to ensure that all Albertans are represented, not just the ideas of one political party.

You know, I won't go back too much on the ombudsman and the amendments that, again, my colleagues from the Wildrose put forward as far as trying to strengthen this bill, amendments that were quite reasonable, looking at ensuring that the public interest is protected and that there are transparent and open processes for not only residents of Métis settlements but for all Albertans to be confident in this legislation going forward.

I wanted to just touch very briefly on an earlier discussion during Committee of the Whole on treating Métis settlements as municipalities. I think it's worth noting that the folks that I've spoken to on Métis settlements and the leadership are very much opposed to being classified or treated as a municipality. They are distinct, and they are very unique. For those reasons, the Métis settlements having, for example, a position of an ombudsman where municipalities don't have an ombudsman specifically appointed to work with them that is independent and impartial – I think that we're trying to compare apples and oranges. Settlements are very unique, and therefore they need to be treated that way, so there is a role for an ombudsman to act and to continue. It's disheartening that that power that the minister had has been squashed.

You know, I do appreciate the fact that the Minister of Aboriginal Relations did a significant amount of research and had many discussions with the different leaders of the Métis settlements and that this piece of legislation was a collaborative effort, and for that I will thank the hon. minister. This legislation

does help and does work with the Métis settlements to be, I believe, more independent and to continue their process of governance.

With that, Mr. Speaker, I will support this bill. It's unfortunate that all of the amendments put forward by the opposition parties were voted down. Again, you know, if we want to ensure that all voices in Alberta are represented and that we do look at pieces of legislation from the different points of view and perspectives not only on the political spectrum but also from each of us who speaks on a regular basis with our constituents and tries to bring their issues, their concerns, and their ideas forward in the House, I strongly urge the government to consider especially the very reasonable amendments that are meant to improve legislation. I would argue that nothing is ever perfect; it can always be improved.

With that, Mr. Speaker, I will thank you for giving me the opportunity to speak to the third reading of this bill.

**The Deputy Speaker:** Thank you, hon. member.

Are there others?

**Hon. Members:** Question.

[Motion carried; Bill 19 read a third time]

**The Deputy Speaker:** The hon. Deputy Government House Leader.

**Mr. Campbell:** Well, thank you, Mr. Speaker. Seeing that it's about 20 to 12 and we made great progress tonight, I would move that we adjourn the House until 1:30 tomorrow afternoon.

[Motion carried; the Assembly adjourned at 11:40 p.m. to Tuesday at 1:30 p.m.]





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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Tuesday afternoon, May 7, 2013

Issue 54a

The Honourable Gene Zwozdesky, Speaker

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First Session

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Blakeman	Leskiw
Eggen	McDonald
Goudreau	Saskiw
Lemke	

### Select Special Conflicts of Interest Act Review Committee

Chair: Mr. Allen

Deputy Chair: Mr. Luan

Blakeman	Notley
Dorward	Saskiw
Fenske	Wilson
Johnson, L.	Young
McDonald	

### Standing Committee on Families and Communities

Chair: Mr. Quest

Deputy Chair: Mrs. Forsyth

Brown	Jeneroux
Cusanelli	Leskiw
DeLong	Notley
Fraser	Pedersen
Fritz	Swann
Goudreau	Towle
Jablonski	Wilson
Jansen	Young

### Standing Committee on Legislative Offices

Chair: Mr. Cao

Deputy Chair: Mr. McDonald

Bikman	Leskiw
Blakeman	Quadri
Brown	Rogers
DeLong	Wilson
Eggen	

### Special Standing Committee on Members' Services

Chair: Mr. Zwozdesky

Deputy Chair: Mr. Rogers

Casey	Mason
Forsyth	McDonald
Fraser	Quest
Kennedy-Glans	Sherman
	Smith

### Standing Committee on Private Bills

Chair: Mr. Xiao

Deputy Chair: Ms L. Johnson

Barnes	Jablonski
Bhardwaj	Leskiw
Brown	Notley
Cusanelli	Olesen
DeLong	Rowe
Fox	Strankman
Fritz	Swann
Goudreau	Webber

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Ms Olesen

Deputy Chair: Mr. Lemke

Calahasen	McAllister
Cao	Notley
Casey	Pedersen
Hehr	Rogers
Jansen	Sandhu
Kennedy-Glans	Saskiw
Kubinec	Towle
Luan	Young

### Standing Committee on Public Accounts

Chair: Mr. Anderson

Deputy Chair: Mr. Dorward

Allen	Hehr
Amery	Jeneroux
Anglin	Khan
Bilous	Pastoor
Donovan	Quadri
Fenske	Quest
Goudreau	Sarich
Hale	Stier

### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans

Deputy Chair: Mr. Anglin

Allen	Hale
Barnes	Johnson, L.
Bikman	Khan
Bilous	Kubinec
Blakeman	Lemke
Calahasen	Sandhu
Casey	Stier
Fenske	Webber

## Legislative Assembly of Alberta

1:30 p.m.

Tuesday, May 7, 2013

[The Speaker in the chair]

### Prayers

**The Speaker:** Hon. members, let us pray. Life is truly precious, and the freedom to live it in a free and democratic way is something that we owe to those who sacrificed their precious lives in defence of that freedom which we enjoy today. Let us remember them, let us uphold what they stood for, and let us be ever thankful. Amen.

Please be seated.

### Introduction of Guests

**The Speaker:** We have school groups to introduce first. The hon. Member for Edmonton-McClung.

**Mr. Xiao:** Thank you, Mr. Speaker. I'm very pleased to rise today to introduce to you and through you to members of the Assembly the grade 6 class from Michael A. Kostek school in Edmonton-McClung along with their chaperones, Mrs. Paula O'Conner, Mr. Bob Shulko, and Ms Cynthia Smalley, and parents Mrs. Yip and Mrs. Rempel. I would ask the group of students to rise and receive the traditional warm welcome of this House.

**The Speaker:** Are there other school groups?

Let us move on, then. The Associate Minister of Finance.

**Mr. Fawcett:** Thank you very much, Mr. Speaker. I have two introductions today. The first is a very good member of my family, my youngest brother, Wade, who was a member of my constituency but has since moved to the city of Airdrie. He's here today to take in the festivities of question period. He was a tireless supporter of mine over the last two elections, doing everything from going door-knocking with me to pounding in signs. He's a journeyman plumber and works for a company called Larmco Mechanical as a project supervisor. I'm very proud of all of his accomplishments, and I'd ask Wade to please rise and receive the traditional warm welcome of this Assembly.

Thank you, Mr. Speaker. I'd like to introduce to you and through you a couple of members of the Department of Finance that have worked very tirelessly on the pooled registered pension plans legislation, that we debated in second reading yesterday. They're here to watch question period and debate in Committee of the Whole on this piece of legislation. I'd like to ask Ellen Nygaard and Adam Bailey to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The Minister of Aboriginal Relations.

**Mr. Campbell:** Well, thank you, Mr. Speaker. It's a pleasure to stand here today and introduce to you and through you to all members of the Assembly Jed Johns. Originally from Fort Vermilion and a member of the Sucker Creek First Nation Jed is a student ministerial intern in my office. Currently he's studying political science at Grant MacEwan. Jed is also president of the students' association at MacEwan University and vice-chair of the Alberta Students' Executive Council. He's excited to be here, and we're excited to have him. He will be a great addition to the

Aboriginal Relations team. He's seated in the members' gallery. I would ask Jed to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Chestermere-Rocky View.

**Mr. McAllister:** Mr. Speaker, thank you. It gives me great pleasure to rise and introduce to you and through you to all members of the Assembly a great leader in the community of Chestermere. He is one of the most prominent and influential people, I think, in my hometown because of his commitment to community and also his faith. He is Reverend John Nemanic. Reverend John does a great job serving his congregation, and he gets involved in community, too. In fact, he's planning on climbing a mountain to help raise funds to build a church in the town of Chestermere. He backs up his faith with deeds, and I am proud to know him. I would ask Reverend John to rise. As he does, he has a couple of guests with him today, friends of his, Linda and Andy Fehr, who are with us from Saskatchewan. I would ask my colleagues in the Legislature to give Reverend John and Linda and Andy a nice warm welcome.

**The Speaker:** The hon. Minister of Energy.

**Mr. Hughes:** Thank you, Mr. Speaker. I'd like to introduce to you and through you to all members of this Assembly two university students who will be working out of my ministerial office this summer, Aurora Pounder, who is a political science student at the University of Alberta; and Jessica Mitchell, who is a policy studies student at Mount Royal University. I would ask that they please rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Manning.

**Mr. Sandhu:** Thank you. It's my pleasure to rise today and introduce to you and through you to all members of the Assembly Raja Abbas, director of the Pakistan Canada Association and also a well-known friend of the Pakistan and Indian community; Raja's daughter Umbreen Abbas, who is visiting from Paris, France; his son-in-law Amir Fayyaz; Syed Shahrazi, who is a media person travelling with them; and Jagdish Nischal, who is a well-known personality in the Edmonton Indian community. I also call him Uncle Jagdish. They are seated in your gallery, Mr. Speaker. I would ask all my guests to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Mr. Speaker. I'd like to introduce to you and through you to members of this Assembly Alison Lee, a grade 10 student from Coaldale and a brave teen who has shed light on sexual abuse in Alberta. She is a strong advocate against this. Also in the gallery is Mr. Ryan Gateman, who is also a grade 10 student, from my hometown of Mossleigh. He was a great door-knocker during my campaign, and his mom was my manager for a well-won election there. I'd like to ask them both to stand and receive the warm traditional welcome of this House.

**The Speaker:** The hon. Member for Edmonton-Riverview.

**Mr. Young:** Thank you, Mr. Speaker. I'd like to introduce to you and through you to all members of the Assembly two gentlemen who are in town for meetings and will be attending the Alberta

Emergency Management international working group on interoperability, Mr. Mario Beauchamp and Mr. Scott LeFevre. I'd ask that they receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Drumheller-Stettler.

**Mr. Strankman:** Thank you, Mr. Speaker. It is a great honour to introduce to you and through you to all hon. members two guests, seated above me in the members' gallery, from my diverse constituency of Drumheller-Stettler. Gordon Butler is a long-time friend of mine and is responsible for my initial involvement with the Wildrose. His father, Jack, served as a visionary MLA in this Assembly under Premier Peter Lougheed from 1975 to 1979. I'd also like to introduce Ken Perreault, another long-time friend of mine and a long-time Reformer in the area and in the constituency. He was president of the Crowfoot constituency association for the Reform Party of Canada, the Canadian Alliance, and then the Conservative Party of Canada. I continue to rely on the guidance, vision, and friendship of both Gordon and Ken, and I ask my hon. colleagues to please give them the warm welcome of this Assembly.

**The Speaker:** Are there others? Hon. Member for Edmonton-Riverview, one more?

**Mr. Young:** Yeah. Thank you, Mr. Speaker. I'd like to introduce to you and through you to all members of the Assembly a person we all know, Rory Koopmans, who is not only a prolific blogger but a political fan. So, Rory.

**The Speaker:** The hon. Member for Edmonton-Mill Woods.

**Mr. Quadri:** Thank you, Mr. Speaker. It is my honour to rise today and introduce to you my youth VP of the PC association of Mill Woods, Daniel Rose, who is observing QP and all of the process. I would ask Daniel Rose to please rise and receive our warm traditional welcome.

**The Speaker:** Are there others?

If not, let me close off this portion by begging your indulgence to introduce 82 students from 59 different constituencies who are all here as participants in Mr. Speaker's MLA for a Day program. Hon. members, as a result of your help, we set a record for the most applications received under this program ever, 110 to be exact. These participants are here to learn about your role, your job as an MLA, and they are being very well cared for by the Royal Canadian Legion reps, whom I'll introduce to you shortly.

**1:40**

These students have now toured the Legislature. They've dined with their MLA. They've met privately with their MLA in their offices. They've debated a motion in this Assembly, and they sat in your chairs. I presided over that session. There were things to be learned from it, and they did very well. Later today they will be taking part in a special workshop with Elections Alberta officials.

I want to commend the Royal Canadian Legion Alberta-NWT Command for their ongoing support for chaperoning the program and for their cosponsorship, without which none of this would be possible. And I want to thank our own Sergeant-at-Arms for his stewardship from our end. Thank you, sir.

Seated in my gallery today are the following individuals. Mrs. Audrey Ferguson, who is the district commander, Alberta-NWT Command, and our head chaperone for this year. Please stay standing. She's accompanied by student chaperones from the

Alberta-NWT Command of the Royal Canadian Legion: Mr. Bill Fecteau, Ms. LeeAnn Leaburn, Ms. Delores Thibault, Mrs. Sharon Charlet, Mr. Dave Basham, and Mrs. Laberta Basham. If you'd stay standing for a moment. Now let me ask all of our MLAs for a Day, who are seated in both galleries, to please rise. Colleagues, let us thank all of these individuals for their outstanding support. I have no doubt that in future years we'll see some of them sitting in this Assembly for real. They are quite a good group. Thank you, all.

## Members' Statements

**The Speaker:** The hon. Member for Calgary-South East.

## New School Construction

**Mr. Fraser:** Thank you, Mr. Speaker. It's my pleasure to rise today in recognition of Education Week taking place from May 6 to 10. I thought: how fitting would it be to provide a little bit of a history lesson? Premier Duff Roblin of Manitoba many years ago, in the '60s, dug a ditch through Manitoba, and when he dug that ditch through Manitoba, many of the people there criticized him. They said it wasn't worth it. There wasn't enough political capital in the area and what a waste of money. Well, he had foresight, he had a plan, and he's saved that province and the city over \$10 billion to date. He should be commended for having a plan and foresight, and I'm proud to serve under a Premier who has the same vision.

We saw that. In this Education Week we are celebrating 30 new school projects to be built in 19 growing communities across Alberta. These new schools will ensure that these kids in these communities can access a world-class education in modern, student-friendly learning environments. I was excited to participate in the announcement in Calgary, Mr. Speaker. It was a tremendous day for my constituency as they needed schools. They were happy to participate. They were happy to bring their kids out to these events. They should celebrate. It's their future that we're celebrating.

The Premier made a commitment to build new schools, and she's doing that. Mr. Speaker, it's just the beginning. Over the next three years this government will invest over \$500 million to support the delivery of new schools through public-private partnerships as well as traditional methods. It's a promise that we made, and it's a promise that we're keeping.

We are building Alberta and putting kids first. I look forward to 2016, when I can walk through the doors of these schools with these students in my constituency for the very first time. I hope they look back and realize how much money we saved, and I hope they realize that we had a plan. We're going to build this province.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills, followed by Calgary-Hawkwood.

## Political Party Donations

**Mr. Saskiw:** Thank you, Mr. Speaker. Last week's ruling by Elections Alberta sanctioning political party donations that exceed legal contribution limits has further eroded Albertans' confidence in the democratic process. With limits on corporate and union donations already at sky-high levels, Alberta's flimsy elections laws were even further relaxed when Elections Alberta decided that it was perfectly legal to exceed limits with "bulk" donations.

Mr. Speaker, it's no wonder why voter cynicism is on the rise and voter turnout is plummeting. Elections and government shouldn't be for sale to the highest bidder. Your ability to be heard shouldn't depend on the size of your wallet. Yet those are precisely the messages Alberta's elections laws communicate to voters.

Mr. Speaker, there's a simple way to fix this, a quick and easy change that would immediately restore voter confidence in the system and remove the appearance of buying influence: ban corporate and union donations. By prohibiting large corporations and unions with deep pockets from donating to political parties, we would make a big step towards giving elections back to whom they belong, the voters. When this House was amending elections legislation last year, the Wildrose put forward amendments to close the bulk donations loophole and ban corporate and union donations. To nobody's surprise, the government voted them down.

There's a reason several Canadian jurisdictions, including the federal government under the leadership of Prime Minister Harper, have moved to get big money out of politics. Governments are accountable to voters, not corporations. By opening the door to U.S.-style political action committees that can exceed contribution limits with bulk donations, this government has dealt another blow to the fairness and integrity of Alberta's electoral system.

But the government can still fix this. They can send the message that influence is not for sale in Alberta by banning corporate and union donations, but given the PC Party's heavy reliance on corporate interests, I won't hold my breath.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Hawkwood, followed by Calgary-Varsity.

#### North American Occupational Safety and Health Week

**Mr. Luan:** Thank you, Mr. Speaker. I'm honoured to rise today to acknowledge the North American Occupational Safety and Health Week, which is from May 5 to May 11. It is an initiative led by the Canadian Society of Safety Engineering and a number of other partnering organizations across the continent. The government of Alberta is very proud to take part in this annual event focused on the importance of preventing injury and illness in the workplace.

Mr. Speaker, despite the sad stories of every workplace incident, the good news is that they are 100 per cent preventable. By participating in this initiative, the government of Alberta takes the opportunity to educate employers, employees, and the public to understand their workplace responsibilities.

During this week over 30 events are planned province-wide. You can find them on the Ministry of Human Services website, but here's one I want to highlight. This is called the work safe Alberta student video contest. This event engages youth to showcase their creativity and talent in raising public awareness of this important issue. Congratulations to the three winning teams. They are Strathcona composite in Edmonton, Bishop Carroll in Calgary, and Stirling school in Stirling village in southern Alberta. They will go on to represent Alberta and compete in the national student video contest. I urge members of this House to cast your vote by visiting [youtube.com/YourJobVotreTravail](http://youtube.com/YourJobVotreTravail).

Mr. Speaker, the goal of workplace health and safety in this province is very simple, to ensure that every Albertan returns home safely at the end of each workday. Thank you.

**The Speaker:** The hon. Member for Calgary-Varsity.

#### Results-based Budgeting Economic Development Challenge Panel

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. In 2012 this government made a commitment to a new process, results-based budgeting, to ensure that all government programs are reviewed for relevance, effectiveness, and efficiency. Many constituents of mine have asked for more detail on this process, and in response I'd like to share my experience chairing one of the inaugural panels.

Last November the results-based budgeting panel on economic development was created by the Treasury Board and Finance ministry. Our RBB panel was tasked with challenging the results of the evaluation of over 50 economic development programs administered by this government with a combined budget of \$675 million. These programs fall within the mandate of eight government ministries, and to be clear, it was not within our panel's mandate to recommend government policy.

To do this work, I was assigned an impressive team of five external experts, whom I introduced in the Legislature a few weeks ago, plus two other members, my colleagues from Barrhead-Morinville-Westlock and Edmonton-Mill Woods. Our challenge panel asked hard-hitting questions like: "This program was set up in response to a critical need in 2005. Hasn't the program achieved its purpose? Is it still relevant? What are the entry and exit strategies for this program?" or "Why are these four programs administered separately? Wouldn't they be more effectively and efficiently managed with a clearer governance structure and under the same management strategy?" or "If ministries shared services for grant administration, what savings could be achieved?"

1:50

At times the challenge had a bit of a *Dragons' Den* feel, but deputy ministers and ADMs from the eight ministries rose to the challenge. Some of these decisions will be put in place immediately. Some of the recommendations will be implemented via the 2014 budget process. In my opinion, all of these changes can't be expected overnight.

Thank you.

#### Oral Question Period

**The Speaker:** Hon. members, before we start the clock, let us be reminded that we have about 82 people watching from high school who have already assumed your roles once today and are looking forward to observing the highest possible level of role modelling you can offer. Let's not disappoint them.

First main set of questions. The hon. Leader of Her Majesty's Loyal Opposition.

#### Report to Taxpayers

**Ms Smith:** Mr. Speaker, the Premier never misses an opportunity to remind Albertans they elected her government last year, but she also never misses an opportunity to campaign and have taxpayers foot the bill. We all know about the way she used school kids as a backdrop for her election-style school announcement bashing the Wildrose. Her backbench MLAs use question period to attack us as well. And now the latest, a PC-branded propaganda piece disguised as a government brochure. The election is three years away. How much more of these blatantly partisan political stunts are taxpayers going to have to pay for?

**Ms Redford:** Well, Mr. Speaker, we are very excited to be able to make sure that we are accountable to Albertans for the decisions that we made in Budget 2013, and we're proud of the fact that we're going to deliver that fact-based document to 1.2 million households this week. I find it ironic that this party, which produces these documents that say right on them "Wildrose Official Opposition," would stand up and ask that question when taxpayer money paid for this and it actually refers to the name of a party.

**Ms Smith:** We spent about a hundred bucks on that. You're spending \$350,000.

The back-in-debt budget that this document brags about, as I said, actually cut \$210,000 from Safe House, a society that rescues victims of sexual exploitation. The \$350,000 that this government wasted on a PC election-style brochure would have covered Safe House for more than a year. How can she justify that?

**Mr. Horner:** You know, Mr. Speaker, the amount of misinformation that is spread by documents such as this, paid for by the taxpayers, needs to be countered by 29 cents per household of facts to Albertans so that they understand what kind of mistruths are being spread in documents like the other one. We do not apologize for communicating to Albertans the information that Albertans want to know.

**Ms Smith:** That's \$350,000 in new money, and it doesn't mention the \$17 billion worth of debt once. Maybe the Premier can get some of her corporate cronies to gather up some bulk donations and stop gouging taxpayers for things like this waste of money.

Mr. Speaker, the Premier can't stop campaigning. Last summer she said: if what we are doing doesn't pass the highest level of scrutiny, we shouldn't be doing it. I couldn't agree more, Premier. When is she going to start raising the bar?

**Ms Redford:** I'll tell you that the people that I'm concerned about judging us are not the opposition but Albertans, Mr. Speaker. In 2013 this government is delivering on the commitments that we made to Albertans by investing in infrastructure, investing in schools, doing better than this party across the way with respect to controlling spending, not increasing taxes. That document sets out the facts clearly for Albertans in a way that we can be accountable for the decisions that we made to ensure that they, not the opposition, can hold us to account.

**The Speaker:** The Leader of Her Majesty's Loyal Opposition. Second main set of questions.

**Ms Smith:** A 26 per cent approval rating speaks for itself.

#### Political Party Donations

**Ms Smith:** Mr. Speaker, many Albertans were shocked to learn that the door is now open to the creation of U.S.-style political action committees here in Alberta. The recent ruling from the Chief Electoral Officer indicated that the large Katz Group bulk donation was okay under existing rules. Entirely appropriate, says the Premier. But others, including the election financing expert Robert MacDermid of York University, said that he was appalled, and he called the ruling, quote, a licence to give money without disclosing the truth about it. Does the Premier want to reconsider her position?

**Mr. Denis:** Well, Mr. Speaker, if anyone needs to reconsider her position, I'll give her this number: \$464,500. That's the amount of

bulk donations that her party received from one source – one source – her former leader, from 2004 to 2008. Consider that.

**The Speaker:** A point of order has been raised by the Member for Airdrie at 1:56 p.m.

Second question, please.

**Ms Smith:** I think the Justice minister is talking about the Alberta Alliance, another political party. Whoops.

Mr. Speaker, with this new Katz precedent there is even less openness and transparency in election financing. [interjections] Elections Alberta admits that the Katz bulk donations are similar to U.S. political action committees. [interjections] But they're different here because of this. There are actually regulations in the United States governing their operations, but there aren't any regulations governing their operations in Alberta. Doesn't the Premier see that having no regulations whatsoever around bulk donations actually makes it worse?

**Ms Redford:** Mr. Speaker, we have an elections financing act that ensures transparency with respect to political contributions, and we also have legislation that ensures that there are rules that political parties must follow with respect to their conduct. [interjections] To stand up and say that there are no regulations with respect to political . . .

#### Speaker's Ruling Decorum

**The Speaker:** Sorry to interrupt, hon. Premier, but there is quite a discussion going on here between Airdrie and the Minister of Justice. I just wonder if they would like to either step outside and have their conversation . . . [interjections] I'll have the Sergeant-at-Arms accompany you if you'd like.

Hon. Premier, if you'd like to continue.

#### Political Party Donations (continued)

**Ms Redford:** Thank you. I'll just continue, Mr. Speaker. To suggest that there is not regulation with respect to political fundraising and transparency or with respect to the way that parties conduct themselves is absolutely false, and the opposition shouldn't suggest it.

**Ms Smith:** Mr. Speaker, there's another way to close this massive loophole that threatens to damage the fairness that Albertans demand in their elections. The government could simply ban union and corporate donations to election campaigns. Opposition parties support that. It would be a much-needed win for the Premier. Why doesn't she do it?

**Mr. Denis:** The Leader of the Opposition: \$749,562. That's the amount in corporate donations that her party accepted during the 2012 election. Those who live in glass houses, Mr. Speaker, need not throw stones. [interjections]

**The Speaker:** All right. All right. All right. Enough already. You're showing off to our students. See, hon. students, what I was talking about now? You see this?

Please continue. Third main set of questions.

**Ms Smith:** Thank you, Mr. Speaker. Eighty per cent of our donations come from individuals. Ninety per cent of their donations come from corporations.

### Care for Dementia Patients

**Ms Smith:** Mr. Speaker, just as we hear of dementia facilities reducing staff, a fatality inquiry report released Monday is recommending more care for those with dementia. Eighty-four-year-old dementia patient William Buckley, who lived in the Health minister's constituency, choked on a paper napkin in 2010, apparently thinking it was food. Mr. Buckley was being looked after by a caring staff, a registered nurse, and health care aides supervised mealtimes, but even with all that care Mr. Buckley got into trouble. How can families of dementia patients in other facilities feel secure now that they see that staffing levels are going down?

**Mr. Horne:** Well, Mr. Speaker, this is a very tragic situation. While I have not reviewed the fatality report in detail, I am aware of most of the recommendations. This report dealt with the unfortunate death of a gentleman in a specific facility at a specific point in time under a specific set of circumstances. There are some comments in the report that talk about benefits from making the system simpler to understand for residents' families and families pursuing other options. But there is absolutely no basis to conclude from the report that there is a widespread issue with respect to the care of dementia patients in this province.

2:00

**Ms Smith:** Mr. Speaker, Judge Wheatley actually said that the funding for dementia patients is a mess. He wrote that despite the best efforts of an expert who testified, "a comprehension of this funding system was impossible to understand and one wonders how healthcare professionals . . . on the front line can possibly bring understanding and logic to this system." Will the minister accept Judge Wheatley's recommendation to create a comprehensible system so that the public can understand how facilities get funding?

**Mr. Horne:** Well, Mr. Speaker, I will agree with the hon. member to a very limited extent. There is certainly always room to improve in making our system easier to understand for Albertans. Many of us are assisting mothers or fathers or other loved ones to navigate the continuing care system, a very good system I might add, and to find the placement that works best for them. But there is absolutely nothing in this report, which, again, is a report based on a situation in 2010, that would lead me to conclude that we have anything but the best possible approach to funding for continuing care. We use patient-based funding in Alberta in 2013. This system matches financial resources to the specific needs of the resident, and that includes the staffing support that resident receives.

**Ms Smith:** Mr. Speaker, the government's approach to assessing long-term care patients and having funding follow them is sound in theory, but in practice people with dementia are rated lower than other patients and now get less funding and less care. Judge Wheatley said this. "It is obvious that no sufficient research has been done in this field especially in the area of geriatric or dementia nursing situations." He was told that the Alberta Health Quality Council should be asked to undertake research to determine proper staffing levels. Will the minister commit to act on this recommendation?

**Mr. Horne:** Mr. Speaker, we are continually working to improve continuing care in this province. It seems to me that public policy that is soundly based on matching financial and staffing resources to the needs of specific residents is in the interests of those

residents and the families and the communities that are served by them. The hon. member is attempting to make generalizations based on a report on a specific fatality incident, a very unfortunate incident, in 2010. I suggest she try to understand what the system in 2013 consists of, and perhaps then we can have a discussion.

**The Speaker:** The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much, Mr. Speaker. A public fatality inquiry describes an elderly man with dementia dying on a weekend because he choked on a napkin, went into respiratory distress, and had a heart attack. Now, if he had choked on a Monday, he might still be alive because there would've been a full contingent of staff to help him. According to the inquiry's expert, staffing levels should not vary on the weekends and should be much greater than when this senior needed help. To the Premier: tell me again why decreasing staffing for frail seniors just to drive down costs is okay for this province?

**Mr. Horne:** Mr. Speaker, this is clearly beyond the pale. Staffing levels across Alberta are not reduced on weekends in continuing care facilities. There are challenges across the country in recruiting sufficient staff for a growing number of citizens who require continuing care. But to suggest somehow on the basis of a report in 2010 about a very unfortunate situation that occurred with respect to a very specific set of circumstances that this is cause for widespread public concern is simply not fair to the residents, their families, or, most importantly, the staff that care for them.

**The Speaker:** The hon. member.

**Ms Blakeman:** Thanks very much, Mr. Speaker. Well, I know staffing is less in this facility because I am there twice a week, and I read the notice by the elevator that talked about staffing changes. My heart skipped a beat this morning when I read that because the facility where this man died is the facility where my mother lives. So please tell me and everyone else in Alberta that has someone, a family member in care: why are seniors paying such an awful price for being frail and for getting old in Alberta?

**Mr. Horne:** Well, Mr. Speaker, with all due respect to the hon. member and her family situation I, too, know very well the facility in which this incident occurred. I can tell you that as a result of the move to patient-based funding across this province staffing levels in many facilities have increased over the last year and a half in order to meet the needs of their particular residents. Equally and more recently staffing levels have been adjusted downward in facilities where the same level of care is not required for the residents in care at that particular point in time. This is a system that we watch closely. We believe it reflects a good intent and policy on the part of Alberta Health Services to allocate staffing resources appropriately.

**The Speaker:** The hon. member.

**Ms Blakeman:** Thanks very much, Mr. Speaker. Well, given that on March 11 I said that the government was "playing a game of risk and time here" with seniors in long-term care because staff ratios are important, particularly at night or on weekends, when people get sick, throw up, can't turn over, and then choke, how is this honouring our parents, our elders?

**Mr. Horne:** Mr. Speaker, a system that allocates resources based on the specific needs of residents at a specific point in time is a system that is supporting residents and families and communities.

Again, to make generalizations about our continuing care system on the basis of a specific incident that took place three years ago is simply not an accurate reflection of the excellent work that is going into continuing care across the province today. [interjection]

**The Speaker:** The hon. leader of the New Democrat opposition, followed by Airdrie.

### Long-term Care Staffing Ratios

**Mr. Mason:** Thanks very much, Mr. Speaker. Well, as we've already heard, a public fatality report into the death of a dementia patient in long-term care found that staffing levels are insufficient and instructed that the province look into staff-patient ratios. This is not addressed by the money-following-the-patient policy that the government is talking about. Since a damning Auditor General's report in 2007 the NDP has been calling for action on this issue, and for those years the government has ignored this basic aspect of caring for our seniors. My question is to the Premier. Why has the government failed Alberta seniors by refusing to take action on adequate staffing in long-term care?

**Mr. Horne:** Mr. Speaker, no doubt what the hon. member would have us do is to regulate staffing ratios for all residents in Alberta and be completely indifferent to the very large number of people that require care above that level in order to adequately meet their needs. The hon. member has access to this information. He can see clearly the paid hours that are allocated for long-term care supportive living level 4, dementia, which is the subject of this question, and the other levels of care that are provided in these facilities. Again, the hon. member would do well to look at what we're doing today in continuing care, and I'm sure he would realize that it's a patient- and resident-centred approach.

**The Speaker:** The hon. leader.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, I have, but both the Auditor General and the justice in this inquiry talked about the need for minimum staffing levels, and that's not accomplished by the government policy.

Last weekend Albertans in Cochrane rallied against patient-based funding, which this minister seems to think is the solution, but facilities like the one where this senior died are the ones that have suffered the most from his new formula, that has cost them the most staff. What's he going to do about that?

**Mr. Horne:** Well, Mr. Speaker, you know, herein lies the basic difference in philosophy between the hon. member and this government. We believe that public health care dollars need to be allocated based on the needs of the residents and patients that we serve in the health care system, and we believe that residents in continuing care facilities deserve no less than that. [interjections] It calls for a higher level of sophistication in this debate than to simply revert to the policies of the 1960s and '70s to only provide one level of care for outpatients and to regulate or legislate the nature of the care that should be provided. These are individual residents. They are supported by families and staff in the local communities that serve them. This was a very unfortunate situation, and we certainly feel for the family, but the facts are the facts. [interjections]

**The Speaker:** Let's continue without the interjections, please, Edmonton-Calder – thank you – Edmonton-Centre, and Edmonton-Strathcona over the last few minutes. Let's carry on.

Leader of the New Democrat opposition, your third question.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, it's unfortunate that the Premier doesn't care enough to get up and answer these questions.

This government can't be trusted to protect our seniors. This government can't be trusted to provide our seniors with the kind of care they deserve. This government can't be trusted to build long-term care beds for our seniors. To the Premier: will this government start rebuilding trust with Alberta seniors and commit to finally legislating staff ratios in long-term care facilities?

**The Speaker:** A point of order has been noted by the Government House Leader at 2:10.

The hon. minister.

2:10

**Mr. Horne:** Thank you very much, Mr. Speaker. Well, there is no greater defender of seniors in this province than the Premier of this province. Until recently no one has shown a greater interest than the Premier of this province in actually matching the resources that we have available to serve a growing number of seniors, some of whom have very, very high care needs.

We will continue in our commitment to open 1,000 new continuing care spaces per year across the province. We're on track to reach our goal of 5,300 over five years. All of those beds can accommodate all levels of care, including those with dementia.

### Securities Regulation

**Mr. Anderson:** Mr. Speaker, an important aspect of securities legislation is to protect investors against fraud. In Alberta's exempt market, however, enforcement of these rules is almost nonexistent. Over the last few years over 25,000 Albertans have lost over \$2.2 billion to companies like Platinum Equities, Foundation Capital, and many others in a manner that has all the telltale signs of a real estate scam. To the Minister of Finance: are you aware of this situation, and what are you doing to help the thousands of Albertans who appear to have been ripped off?

**The Speaker:** The hon. minister.

**Mr. Horner:** Well, thank you, Mr. Speaker. In fact, it's a good question. It caught me off guard a little bit. We are aware and the Alberta Securities Commission is aware of a number of these exempt filings that have been made over the last few years. We are not alone in this. A number of provinces across Canada are also becoming involved in this. The Alberta Securities Commission is doing investigations where they have purview over the offerings. We are also as ministers across the passport system looking at that exempt status, and we are bringing forward some new regulation opportunities across the country in this area.

**Mr. Anderson:** Given that literally hundreds of Albertans have reported these alleged frauds to the RCMP, yet the issue is still not under investigation by them, will the minister join with me in writing to the RCMP to inform them of this situation and ask that it be investigated as soon as possible so hopefully the Crown can recover any funds fraudulently obtained and return that money to the rightful owners?

**Mr. Horner:** Mr. Speaker, indeed – and we probably would need to tread a little bit carefully here – there are some matters before the courts as we speak. There are some investigations that the RCMP are undertaking as we speak. For some of these activities one would have to go to court to determine whether or not they



were fraudulent, in fact. There are some issues around what people got into and what they were told. We have to get all the facts before we can actually accuse someone of something.

**Mr. Anderson:** Well, it certainly isn't illegal to report a crime, and that's what we need to do in this case.

Given that the Alberta Securities Commission has not adequately protected Alberta investors from these dozens of alleged scams, will the minister commit to investigate what can be done to strengthen the ASC so that it can aggressively enforce securities legislation, institute much stiffer fines and punishments, reimburse victims of these crimes when appropriate, and, most importantly, protect Albertans from investment fraudsters and scam artists moving forward?

**Mr. Horner:** Mr. Speaker, the hon. member basically just outlined what the ASC is doing right now. There are certain fines that are being levied. There are certain activities that are currently before the court, and if they are found to be contravening the act or contravening the law, the fines will be levied. As well, the police are investigating. I know of a couple that they are investigating as we speak, and they will follow the process of that investigation. The other thing to remember is that the ASC does levy fines in the province of Alberta and, in fact, has levied substantial fines this year alone. However, if the proponents don't have any money, you can't get blood from a stone.

**The Speaker:** The hon. Member for Barrhead-Morinville-Westlock, followed by Calgary-Shaw.

#### High School Education Initiatives

**Ms Kubinec:** Thank you, Mr. Speaker. In the spirit of Education Week earlier today the Premier and the Education minister held a press conference with Alberta students from across the province about education in Alberta and specifically how this government is improving diploma exams. I'm wondering how the initiative that he has been announcing over the last few days is going to make a difference for kids. To the Minister of Education: by moving to a digital format for diploma exams, are we actually improving the exam for the written aspect of the exam, and are we eliminating the need for teachers from the picture?

**Mr. J. Johnson:** Absolutely not, Mr. Speaker. What I can tell you is about the great announcements we've had over the last couple of days, including the dual crediting, the new ministerial order on learner outcomes. Today was diploma exams and moving them to a digital format, which is really going to be about centring the system on the student, which is what we heard so much about through Inspiring Education. Students learn at different paces. We need to embrace that, we need to enable that, and they need the flexibility. That's why we're making these exams in a digital format. We're going to give them more opportunities at different times of the year to write. We're going to make it easier for teachers that have to mark those. We'll start introducing the diploma exams in 2014 and move to our diploma exams in digital format in 2017 and, ultimately, to exams on demand.

**The Speaker:** The hon. member.

**Ms Kubinec:** Thank you, Mr. Speaker. Again to the same minister: given that we're obviously committed to building schools and expanding programs but that some school boards like my own are getting less funding this year, are we making these

advancements at the expense of day-to-day learning, or is this just window dressing?

**Mr. J. Johnson:** Mr. Speaker, these are very substantial transformations in the education system, and they are within our educational budget. We've allocated dollars towards those. I want to highlight that the educational budget actually went up this year by \$216 million. Some of that is capital, of course, but over \$40 million in operating. So this is a great investment, \$35 million, for education every day. We're continuing to fund enrolment increases and core programs and initiatives that are important to our students, but this is really going to centre the system around our students, and these are great developments.

**Ms Kubinec:** Again to the same minister. Given this announcement today and the funding announced for the dual credit program yesterday, much of the focus is on our high school students. Can the minister tell us when we can expect some announcements that will help our younger students as well?

**Mr. J. Johnson:** Mr. Speaker, that's a good question. We're going to continue to focus our efforts on all of our students. Although the announcement today is really around diploma exams and yesterday there was a fantastic announcement on dual credit, last week was a great week to be the Minister of Education, when we rolled out 30 infrastructure projects. Most of those were for elementary and middle schools. If Albertans stay tuned over the next day or two, we're going to have more announcements that will impact kids, especially in grades 3, 6, and 9.

**The Speaker:** The hon. Member for Calgary-Shaw, followed by Fort Saskatchewan-Vegreville.

#### PDD Supports Intensity Scale

**Mr. Wilson:** Thank you, Mr. Speaker. In 2008 PDD boards started a pilot project known as the supports intensity scale, or SIS, a tool intended to evaluate the support requirements of a person with developmental disabilities. The SIS places a value from 1 to 7 on a variety of criteria to determine the support an individual should need. My question for the minister is very simple. True or false: when the PDD boards introduced this to service providers, caregivers, self-advocates, families, and clients, were they assured that the supports intensity scale would not be used to determine funding?

**Mr. Oberle:** You know, Mr. Speaker, I can't speak to the conversations that were held back then. What I can tell the hon. member is that that's not the sole determinant of funding today.

**Mr. Wilson:** Given that many organizations and families, including my own parents, would dispute your claim, Minister, when did your ministry advise service providers, caregivers, self-advocates, and families that SIS would become the tool for determining funding?

**Mr. Oberle:** Mr. Speaker, the supports intensity scale, pretty much as described, is a tool to determine supports intensity, need. It's based on an assessment of need and an understanding of what the person's circumstances are and natural supports, those kinds of things. That's what determines funding.

**Mr. Wilson:** Well, given that roughly only two-thirds of PDD clients have had a personal SIS interview to date, will you ensure,

Minister, that every PDD client has an individual SIS completed before implementing your changes, that are merely seven weeks away?

**Mr. Oberle:** Mr. Speaker, actually, over 80 per cent of the PDD clients in Alberta have had an assessment already. We will be through most of them before July 1 and the rest of them very shortly thereafter.

**The Speaker:** The hon. Member for Fort Saskatchewan-Vegreville, followed by Calgary-Mountain View.

#### Physician Recruitment in Tofield

**Ms Fenske:** Thank you, Mr. Speaker. Unlike some others here today who have complained about communicating with the public, I know that listening and imparting information is vital in public service. In Tofield we knew for months that there would be a doctor shortage. Limited emergency services have now been implemented, and two additional doctors have expressed interest in practising in the town. To the Minister of Health: when are full emergency services expected to be reinstated, and when are the doctors expected to begin practising?

**Mr. Horne:** Well, Mr. Speaker, I'll speak first to the recruitment process for physicians. We have multiple teams from AHS and the Department of Health working together on physician recruitment in Tofield. There is a local recruitment and retention committee that engaged the assistance of a recruitment firm, Global Medics, to work with them and AHS physicians and recruiters to help bring additional doctors into the community. This is a challenge that's faced by a number of smaller communities across the province. It is not uncommon. But through the rural physician action plan and other initiatives and particularly the work of local communities we're confident we'll be able to address this in the short term.

**The Speaker:** The hon. member.

**Ms Fenske:** Thank you, Mr. Speaker. To the same minister. A community open house on health care in Tofield was requested several weeks ago. Why was one not held prior to the reduction in emergency hours?

2:20

**Mr. Horne:** Well, Mr. Speaker, obviously, the reduction in emergency department hours is going to be a response to a shortage of physicians in the community. I do understand that AHS is planning to meet with the community and stakeholders in the near future. Again, they've committed to keeping the town informed of the progress being made in recruitment. But as we look across the province at our success in physician recruitment in local communities, we know that local communities are a huge part of that solution.

**The Speaker:** The hon. member.

**Ms Fenske:** Thank you. To the same minister. You have indicated that AHS will be communicating with the residents of Tofield. Do you have any more idea as to a firm date?

**Mr. Horne:** Well, Mr. Speaker, I don't have that information with me. There are meetings going on around several communities in the province related to physician recruitment. My advice to the hon. member is to continue to do what she has been doing and to work with the local recruitment committee and Alberta Health

Services in the hope of recruiting additional physicians in the short term and, of course, getting the emergency department back up to full operational status.

**The Speaker:** The hon. Member for Calgary-Mountain View, followed by Edmonton-Strathcona.

#### Coal-fired Power Production

**Dr. Swann:** Thanks, Mr. Speaker. Today is World Asthma Day, raising awareness of a life-threatening condition affecting Albertans of all ages, probably some of the students in our galleries today. An important contributor to asthma in Alberta is airborne pollutants from coal-fired power plants. Despite health costs associated with coal in Alberta at close to \$300 million annually, this Conservative government, with their federal cousins, has caved to the industry lobby to extend the normal lifespan of these antiquated polluters by five to 10 years. To the Energy Minister: why are you continuing to extend the damage to the environment and to the health of all Albertans by extending the life of these coal-fired power plants?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. I'd like to say that we work very hard with the federal government to make sure that we have a baseload of coal in this province to ensure that Albertans are receiving a very good price for their electricity while ensuring that we're taking care of the air and the water in this province. With regard to those plants we've worked with the industry. We're working on it sector by sector, and coal plants will be phased out over 50 years. We are working and taking a very proactive approach to the reductions in coal emissions.

**Dr. Swann:** Typical of this government, Mr. Speaker: profits before people. Could it have anything to do with the \$400,000 you received from the industry in your 2011 election? Albertans are rightly . . .

**The Speaker:** Hon. member, is that the question?

**Dr. Swann:** No.

**The Speaker:** Sorry, hon. member. I thought I heard a question. Conclude your question, please.

**Dr. Swann:** Albertans are rightfully shocked that two-thirds of our electricity is still generated from coal in this province. What is your excuse for putting Albertans' health risks second to profits in this province?

**Mrs. McQueen:** Well, Mr. Speaker, Albertans also want us to make sure that we put them first, too, and we put them first by making sure that we have electricity in this province that is affordable for Albertans. When you have an 800-year supply of low-cost, coal-based electricity, we work with Albertans to make sure that they have that. We're not putting industry first. We put Albertans and the environment first in this province.

**Dr. Swann:** Mr. Speaker, coal is an important health care cost, and it damages our environmental reputation. What is your excuse, again, Mr. Minister, for not using the abundance of natural gas which could be powering our power today? We have alternatives. We have clean alternatives. What is your excuse?

**Mr. Hughes:** If you actually look at the facts, what you would see, Mr. Speaker, is that over the last 10 years the percentage of electricity generated in this province by coal has gone from some 60 to 70 per cent down to about 40 per cent today. We're clearly on a trajectory of reducing the amount of coal that's used in this province. In addition, natural gas is increasing in the amount that is being used, just as is the case throughout North America, and that's a good thing. It's using natural gas, it's producing a cleaner greenhouse gas footprint, and it's ensuring that Albertans have a healthier environment as well.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by Chestermere-Rocky View.

### Pipeline Safety

**Ms Notley:** Thank you, Mr. Speaker. Last summer, after three major pipeline leaks in Alberta and following damning reviews by two separate Auditors General, the NDP called for an independent review of pipeline safety by Alberta's Auditor General. Instead, the government did a quick bait and switch, and with the approval of their friends in the energy industry they came up with their own hand-picked group to do a review. Since December that report has been sitting on the minister's desk. Why has it not been released yet?

**Mr. Hughes:** Well, Mr. Speaker, this government is deeply committed to ensuring that we have a very high-performing pipeline industry in this province because that is so important to our credibility in the rest of the world as well. Let's deal with the facts and not the grassy knoll conspiracy theories of certain members of this House. The fact is that the report arrived in the last month after review by the Energy Resources Conservation Board, and it will be released in due course.

**Ms Notley:** Well, Mr. Speaker, given that providing editing privileges to the subject of a performance review is just one more example of this government's commitment to having the fox guard the henhouse and given that the real accountability for pipeline safety performance in Alberta is to Alberta's citizens through this Assembly, why is the minister afraid of releasing his insider review of pipeline safety while the House is still in session?

**Mr. Hughes:** Mr. Speaker, I'm quite confident that hon. members opposite will be able to generate public debate whether this House is in session or not. I will bring this forward in the fullness of time. What is important is to ensure that we have the highest performing pipeline system in the world, in fact, because we have 400,000 kilometres of pipeline in this province. We ought to know what we're doing, and we do know what we're doing.

**Ms Notley:** How about you tell Albertans what you're doing?

Given that, as you say, there are over 400,000 kilometres of pipeline running through Alberta yet just yesterday Enbridge admitted to breaking safety rules for over 10 years without being called to account by federal regulators, why won't this government face this issue honestly, admit there is good reason for Albertans to be concerned, and come clean by releasing that report today?

**Mr. Hughes:** Mr. Speaker, the pipeline industry is an important infrastructure in this province and has been working hard. Actually, it was this government and it was me as the Minister of Energy who sat down with industry leaders and specifically said

to them: folks, you need to make sure that the whole industry performs as well as the best in industry can, and you need to get to work on doing that. It was a strong message of encouraging industry, and then we started the recovery.

That report will be made available when it's ready, in due course.

**The Speaker:** The hon. Member for Chestermere-Rocky View, followed by Calgary-Mackay-Nose Hill.

### New School Construction

**Mr. McAllister:** Mr. Speaker, thank you. Why don't we start with a positive? We all welcomed the good news of the school announcements in this province last week. Now, to that, there are a lot of school boards and communities, I think we're aware, that didn't get any news. The Wildrose's 10-year debt-free capital plan would do that by delivering 100 schools and renovating 60 more and, more importantly, by publishing a priority list so that communities don't have to wait with bated breath to find out if they're going to get a school. Will the government, then, finally adopt the Wildrose policy, release its priority list for new schools, and take the politics out of the classroom?

**Mr. J. Johnson:** Mr. Speaker, what I can tell you is that we won't adopt the Wildrose policy of reducing our capital build of schools by 30 per cent. [interjections] As they mentioned when they launched their capital brochure, they said that 30 per cent of the schools we're building today aren't needed. I wonder which ones those are? I'd like to see that list. [interjections] Are those the schools in Airdrie? Is that the school we just announced in Okotoks? Is that the school we just opened in Langdon?

**The Speaker:** A good little exchange there. Thank you.

First supplementary, please.

**Mr. McAllister:** You know, Mr. Speaker, I did start with a wonderful positive.

**The Speaker:** Noted.

**Mr. McAllister:** Mr. Speaker, to the same minister. Given that students in the STAR Catholic division were among the many communities who will not be receiving new schools and given that their board chair is saying that they've "been left out of the loop" for which criteria are at play when it comes to project approval, can the government explain why they insist on keeping school boards across this province like the one in Leduc in the dark and get to publishing a list so we all know what's going on?

2:30

**Mr. J. Johnson:** Mr. Speaker, you know, it's a very good question. There are a lot of school boards and parents and teachers and kids out there that want to know: "Is our school going to get funded? How do you guys decide on these lists?" The reality is that we've got over 2,000 schools in the province. There are also a number of modernization projects on the go. Besides that, there are modulars. If you wanted to keep an inventory list of all those projects and which one is coming up next, you'd need an entire bureaucracy just to keep that up on a day-to-day basis. Nevertheless, our guys do the best they can. School boards change their capital plans every year and even during the year, so it is just an impossible thing to keep a list of 3,000 projects. How big do they want this list to be?

**Mr. McAllister:** Mr. Speaker, when adjustments are needed to be made on a list, I don't think anybody would begrudge a school board for making them.

Another positive. You know, I think we all recognize that we can't build all the schools we need, but given that, we should be doing all we can to allow boards and communities to prepare for the future. Will the minister commit to contacting the boards who did not have their projects approved and giving them some feedback so they know where they are as a provincial priority and can in turn plan for the kids and the families in their community?

**Mr. J. Johnson:** Mr. Speaker, we do that on a day-to-day basis. I talk to school boards every day. I talk to board chairs, superintendents, the business officials. As a matter of fact, we just met with all the stakeholders yesterday, when we launched the dual crediting and the new ministerial order.

Mr. Speaker, this is ironic, that we've got a group that's advocating for us to build more schools when they said that a good 30 per cent of the schools we're building don't need to be built. In addition, their alternative budget last year wanted us to cut our infrastructure budget by \$1.623 billion. That's a very specific number with no list. The year previous it was \$2.74 billion. That's a very specific number with no list. I think they should look at themselves in the mirror.

**The Speaker:** Hon. Member for Airdrie, your point of order at 2:32 has been noted.

Let us move on to Calgary-Mackay-Nose Hill, followed by Strathmore-Brooks.

#### Noninstructional Postsecondary Tuition Fees

**Dr. Brown:** Thank you, Mr. Speaker. Postsecondary institutions in Alberta are struggling to cope with the 2013 budget cuts, and some of them are offering retirement packages to faculty, including some of our leading researchers. In the past some institutions have responded to funding cuts by unilaterally imposing noninstructional fees on students for a variety of services. My questions are for the Minister of Enterprise and Advanced Education. Why has the government not allowed postsecondary institutions to raise their tuition fees by the increased cost of living?

**Mr. Lukaszuk:** Well, Mr. Speaker, offering early retirement packages to tenured professors, who have no mandatory retirement age and actually can sit in office till they die, is not perhaps a bad idea if they choose to take those retirement packages, but we were very, very clear in our messaging. We will not be balancing the budgets of this province or our provincial universities, schools, and colleges on the backs of students. We have to make sure that we have efficiencies in the system, that we run those institutions as efficiently as possible before we ask students to pay additional money through tuition or taxpayers to invest additional dollars into the institutes.

**Dr. Brown:** Research funding coming into the province of Alberta for universities is a major economic driver, so why isn't the department doing more to retain and to attract leading researchers to our universities?

**Mr. Lukaszuk:** Mr. Speaker, we are attracting researchers to this province, but I would agree with this member, if that's what he's suggesting, that we can probably do more. The way to attract researchers is not only through promoting the province of Alberta but actually creating an environment in which they can engage in

research that excites them, in research that is relevant, in research that can be commercialized, in research that solves real-world problems with real, scientific solutions. That is what we're going to do. We know we have great facilities, we know we have great academia, and we're hoping to foster an environment that will attract researchers from all over the world to have that happen.

**Dr. Brown:** Will the minister explain what his government's policy is regarding noninstructional fees and the increases imposed upon students for those fees?

**Mr. Lukaszuk:** Mr. Speaker, I have been very clear with chairs and presidents of all institutions, urging them not to increase the fees unless they are increasing the level of service that will be available to students. The possibility of regulating those fees may be discussed. The fact is that those fees vary from year to year based on what services are offered to students. Most of those services are very valuable, and students want them. They're extracurricular. We will be discussing that as we will be looking at different models of funding postsecondary institutions and as we will be opening up the legislation soon.

**The Speaker:** The hon. Member for Strathmore-Brooks, followed by Dunvegan-Central Peace-Notley.

#### Alberta Energy Regulator

**Mr. Hale:** Thank you, Mr. Speaker. In December the ERCB released a draft of a new regulatory framework for unconventional oil and gas. This proposed new framework completely changes how regulations will happen. It will regulate plays instead of individual wells, and it will deal with performance outcomes rather than setting specific procedures. To do this, stakeholders, industry, and the regulator will have to work together to write an entirely new joint-outcomes document. To the Minister of Energy: doesn't experimenting with an entirely new style of regulatory regime defeat the stated purpose of improving efficiency for the new regulator?

**Mr. Hughes:** Mr. Speaker, the hon. member has raised an important question, and it deals, really, with: how do you ensure that you continue to have leading-edge regulatory capacity in the regulation of oil and gas business while technology is evolving dramatically? This will all fall under the responsibility of the Alberta energy regulator. We will have a new process in which the policy management office in the Department of Energy will be able to play a role in defining policy, consulting with interested parties, including the hon. member or people he knows.

**Mr. Hale:** Mr. Speaker, given that in the next month the new regulator will have to get up and running, integrate new environmental regulations, and now experiment with an entirely new type of regulatory regime for unconventional oil and gas, isn't the minister concerned that he may have put too much on the new regulator's plate and set it up for failure?

**Mr. Hughes:** Actually, we have 75 years of exceptional experience in this province of a regulator, going right back to the Turner Valley conservation board in 1938. I know, Mr. Speaker, you probably don't remember that either. But we have a long and an honourable history in this province, and we have many changes that are imposed not by the minister but by the circumstances, by industry, by evolving technologies, and by science as well that ensure that we actually have the appropriate level of regulatory oversight in this province.

**Mr. Hale:** Mr. Speaker, given that the greatest challenge for the energy industry is market access and given that the world is demanding ever-greater assurances on pipeline review and given that the Energy minister answered a question earlier saying that he would release the report by March 31, why aren't the ERCB's resources being used to develop and promote top-notch pipeline integrity regulations rather than experimenting with an entirely new style of regulatory framework for unconventional oil and gas?

**Mr. Hughes:** Well, Mr. Speaker, it would be nice if we could live in a world where there's stuff that we could ignore and other stuff that we could focus on, but in fact we have the responsibility of dealing with all aspects of the energy industry, and that is all-important to how we carry on business in this province. We ensure that we get the right balance between economic development, environmental concerns, and respecting landowners in the process with the new Alberta energy regulator. This is a very important initiative, and it's going to be led by first-class people who are really dedicated to ensuring that we meet that balance and that we serve the interests of all Albertans.

**The Speaker:** The hon. Member for Dunvegan-Central Peace-Notley, followed by Little Bow.

### Rat Control

**Mr. Goudreau:** Thank you, Mr. Speaker. Since the early 1950s Alberta has boasted about being rat free because of a very aggressive rat control program that has kept this pest outside of Alberta's borders. Last year, however, in Medicine Hat all that changed. Agricultural producers in my constituency of Dunvegan-Central Peace-Notley, located in the northwest part of the province, are very concerned about this rodent. Recently some municipalities questioned the need to spend resources on this pest. My questions are to the Minister of Agriculture and Rural Development. As we've heard little of this, what is the status of the control or eradication program?

**The Speaker:** The hon. minister.

**Mr. Olson:** Thank you, Mr. Speaker, and I appreciate the question from the hon. member. Things have been somewhat quiet on the rat scene in recent months, but that's a good thing. It is true that last summer we did have an infestation at the landfill in Medicine Hat, and that gave us an opportunity to see our people at work. We have wonderful resources, who take their job very seriously in keeping rats out of the province. Now, we call Alberta rat free, and we are, but that doesn't mean that there are never rats that show up here. But when they do, they don't last long.

2:40

**The Speaker:** The hon. member.

**Mr. Goudreau:** Thank you, Mr. Speaker. To the same minister: given that normally rats can carry viruses and disease and cause millions of dollars of losses to food crops, what is your ministry doing to ensure that municipalities have proper control plans?

**Mr. Olson:** Mr. Speaker, again, I appreciate the question, and particularly I appreciate it coming from an MLA in northwestern Alberta because people tend to think that the focus of this issue is in the south and along the Saskatchewan border. That is true; we do have a special focus there. However, we think that in every part of the province we should be ready to deal with an infestation because a rat could arrive on a truck, in a piece of equipment, on a train. Two rats can be responsible for reproduction and create

15,000 rats in a year. This is something we take very seriously because they could do a great deal of damage to crops and to property.

**Mr. Goudreau:** Mr. Speaker, to the same minister: what is being done to eliminate the source of Norway rats, preventing this, as you said, from reoccurring and preventing their spread to other parts of the province, including my constituency, especially as we move seed and grain by trucks and by rail and by farm equipment? There's a lot of farm equipment coming in from auctions from the Saskatchewan side.

**Mr. Olson:** Mr. Speaker, we obviously rely on people to report when they see a rat so that our people can get in place and deal with them. Where we suspect a rat infestation, bait is placed. People can phone 310.FARM – that's 3276 – and report a rat sighting, and our people will deal with it immediately. We were able to maintain all of the support in terms of our budget for these programs. We work very closely with municipalities, and where necessary we have even provided extra resources for them to deal with the problem.

**The Speaker:** Hon. members, that concludes question period for today.

In 30 seconds from now we will resume with private members' statements, starting with Edmonton-Mill Woods, followed by Innisfail-Sylvan Lake.

### Members' Statements

(continued)

**The Speaker:** The hon. Member for Edmonton-Mill Woods.

### Asian Heritage Month

**Mr. Quadri:** Thank you, Mr. Speaker. I rise today to pay tribute to Albertans of Asian descent whose contributions have helped build our province and make it such an amazing place to live. Throughout May many organizations and communities across Canada will be celebrating Asian Heritage Month.

We as Albertans and as Canadians take great pride in our diversity. The history of our multiculturalism is the struggle and success story of the pan-Asian communities. From the earliest days of settlement to the present day the contributions of Asian Albertans have made enormous impacts across all facets of life. Asian Canadians helped build our great country, working on the railways that linked Canada from coast to coast. Most began in the most humble circumstances, overcoming mighty obstacles to achieve recognition and citizenship.

Today we can find Asian Canadians in all areas of society: artists and athletes, who dazzle with their creativity and dedication, enriching our culture; the scientists and the businesspeople, leading the way to innovation and prosperity; and the public servants, dedicated to service and building better communities. Their contributions have greatly enriched our Alberta. Some, like our previous Lieutenant Governor, the Hon. Norman Kwong, and the recent Juno award winner Vivian Fung, exemplify the spirit of Alberta as a province where ethnicity is no barrier to excellence at the highest levels.

Sometimes the smallest thing is felt every day. For example, you can find a Chinese restaurant, I think, in every part of the community. The Royal Alberta Museum currently has an exhibit called Chop Suey on the Prairies. It is something so ordinary yet an undeniable part of our cultural history, showcasing once again that this is a land truly stitched together by many brilliant threads.

Though many of us were born here, many came from distant lands to make Alberta home. Culture connects us to others in our communities, but culture also connects us to our shared identity as Albertans and as Canadians.

**The Speaker:** Thank you, hon. member.

### Huntington's Disease Awareness Month

**Mrs. Towle:** May is Huntington's Disease Awareness Month. Huntington's is a genetic brain disorder. About 1 in 7,000 Canadians has HD, but 1 in every 1,000 is touched by Huntington's as a caregiver, family member, friend, or someone who is at risk. Each child of a parent with HD has a 50 per cent chance of inheriting the disease and is said to be at risk. Males and females have exactly the same risk.

I am one of those 1 in 1,000 touched by Huntington's. My brother Ron had Huntington's. He was 35 when he died. It's a horrible disease. Ron described it this way. It's like having Alzheimer's disease, schizophrenia, and ALS all at once.

Ron's experience began with personality changes, slurred speech, inability to keep his job, and depression. He stopped taking care of himself, had a general lack of co-ordination, an unsteady gait, and a decline in mental abilities. As his disease progressed, his abnormal movements became faster, almost violent. He had jerky, almost dancelike motions. His neurologist called it chorea.

Sadly, like so many Huntington's patients, he had severe dementia associated with the late stages of the disease. Eventually Huntington's patients are unable to look after themselves and need help with daily activities and functions such as eating, hygiene, and toileting. Eventually they become bedridden. The disease leads to complete incapacitation and eventually death. There is no cure.

Ron lived in a long-term care facility for two years. His constant body movements were the equivalent of running a triathlon every 30 minutes. He needed 11,000 calories a day to live. Ron could not feed himself, dress himself, or care for himself. He was vulnerable, but Ron was full of love. Each and every day that our family visited Ron, he hugged us, he kissed us, and he touched us with his struggle. Ron was 32 when he was diagnosed with Huntington's and 35 when he died. We love him. We miss him dearly. He is the reason that I am an MLA.

I encourage all members to go to [www.huntingtonsociety.ca](http://www.huntingtonsociety.ca) and help to find a cure for Huntington's.

**The Speaker:** The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. Before I introduce a bill, might we revert briefly to Introduction of Guests?

**The Speaker:** Hon. members, unanimous consent is requested to revert briefly to Introduction of Guests. Is anyone opposed to that?

[Unanimous consent granted]

### Introduction of Guests

*(continued)*

**The Speaker:** Proceed, please.

**Mr. Hancock:** Thank you, Mr. Speaker. I might beg your indulgence again after Introduction of Bills, a little later on in the Routine, as other guests have not arrived, but I wanted to take this opportunity to introduce to you and through you to members of the Assembly someone who has been an inspiration for me over

the last 35, 40 years. As I introduce today the Children First Act, I want to recognize an individual who has been teaching for 34 years in the Edmonton public schools system, who has put children first every day, who has brought home issues with respect to children and understanding with respect to what children need to be successful. I might say that she's also successfully been the mother of our three children. My wife, Janet, who has not been introduced in this House in the 15 years that I've been here, is here with us today for the introduction of my bill along with my daughter Janine. I'd ask them to rise and know that I love them very much and that they truly are very special parts of my life and my inspiration and mentors and role models for me.

2:50

**The Speaker:** Are there any other introductions while we're at that stage?

**Mr. Hancock:** Yes, as a matter of fact, Mr. Speaker. I'm also very pleased to introduce a number of people who have arrived today to be here for the introduction of Bill 25, people who have been very instrumental as we've consulted and discussed what we could do better to ensure that children have a good start.

I want to single out one person first of all and then introduce the others as a group. The person I want to single out is Marie Whelan. Marie Whelan – I'd ask Marie to stand – is a principal with the Edmonton Catholic school system, and together with Margo McGee, the M and Ms as they're often called, they were the principals of St. Mary school in my constituency and then moved to Monsignor Fee Otterson school, which was in my constituency and now is in the constituency of Edmonton-South West. On the day that I was sworn in as Minister of Education, they provided me with a pin, Children First. Marie and Margo as role models and mentors have been an inspiration to me over the years. There are schools where, if you walk in, you understand what caring for children means, what educating children means. I just want to ask Marie to rise and receive the warm welcome of this Assembly.

If I may, I'll introduce the others who have joined us today, and I'd ask them to stand as I call their names: Chief Rick Hanson, chief of police from Calgary; Dr. Anny Sauvageau, the Alberta chief medical examiner; Dr. Talbot, the chief medical officer of health; Rhonda Barraclough, Alberta Association of Services for Children and Families; Randy Baker and Jackie Stewart, Child and Youth Advocate office; Robyn Blackadar, president and CEO of the Alberta Centre for Child, Family and Community Research; Fay Orr, the Mental Health Patient Advocate; Sheldon Kennedy of Respect Group Inc.; Bonnie Johnston, CEO of the Sheldon Kennedy Child Advocacy Centre; Joan Carr, superintendent of Edmonton Catholic schools; Kevin McNichol from HomeFront; Bernie Kollman, northern vice-chair of Alberta's Promise; Dr. Allen Benson, Native Counselling Services of Alberta; Val Campbell, the chair of the death review committee working group and a Crown prosecutor in the province of Alberta; Janine Fraser, Alberta Council of Women's Shelters; Christie Lavan, Alberta Council of Women's Shelters; and accompanied by Jason Chance, who works in the deputy minister's office in the department.

All of these individuals have been critical and key in consultations leading up to the Children First Act and, beyond that, to what we're doing on behalf of children, working together collaboratively with the community to ensure that we get the best results. I'd ask them all to rise and receive the traditional warm welcome of the House. I'd like to add a specific thanks to Jason Chance, who has been shepherding this bill through its stages till it got to the House today.

## Introduction of Bills

**The Speaker:** Let us proceed with the Minister of Human Services for his introduction.

### Bill 25 Children First Act

**Mr. Hancock:** Thank you, Mr. Speaker. It is an honour and a privilege today to rise and introduce for first reading Bill 25, the Children First Act. It being a money bill, there is a message from His Honour the Honourable the Lieutenant Governor recommending the same.

Mr. Speaker, the Children First Act is an important piece of legislation to put a focus on the importance of ensuring that each and every child in Alberta has the opportunity for success. We know from the research, we know from practice that when children get a good start, when they have a stable home life, when they have people who love them, when they have an adult in their life that's a role model and a mentor, they grow up to be successful.

I want to start, again, by acknowledging our Premier for the emphasis that she placed on early childhood development, early learning, the protection of children, and the opportunity for each and every child in Alberta to have the opportunity for success, the opportunity to reach their potential, and the opportunity to aspire to be the best they can be.

I would also like to as well again mention Marie Whelan and Margo McGee, the inspirations for me in terms of the concept of children first and the meaning that that has. In each and every meeting I have, when someone says, "What's that pin about?" I say: "It's not a program; it's an agenda. It's what we're here about."

The elements of the bill will be to provide a children's charter, to provide for a review of policies, programs, and services across government that impact children, to ensure that there is appropriate information sharing between collaborative agencies, the police, education, health, child welfare, others in the community who are working together on behalf of children and that they share the information that they have in the best interests of the child.

It will provide for the sharing of information also, on an anonymized basis, with the Alberta Centre for Child, Family & Community Research. It's very important that this agency, which was set up by government to do research, have access to the wealth of data which we have in the government data banks so that they can actually tell us what is effective, what will be effective, and what the longitudinal analysis will be.

The important parts of the bill are the children's charter, the information sharing, the review of policies and processes that are provisioned in the bill, which will require that we review all legislation, policy, and programs relative to children and report back to the Legislature on them and that we share the data and information with the Alberta Centre for Child, Family & Community Research so they can give us information back upon which we can make decisions.

There are a number of amendments to other acts, which are coming from the consultations which we've had to date with members here and others who have told us some of the early things that we can do at the start towards looking at all of our legislation to make sure that we are operating in the most effective and the most efficient way possible, with the outcome, Mr.

Speaker, of ensuring that every child has access to the opportunities which are in Alberta.

[Motion carried; Bill 25 read a first time]

## Tabling Returns and Reports

**The Speaker:** Hon. Member for Edmonton-Calder, I believe you have three tablings according to my list.

**Mr. Eggen:** Yes, I do. Thank you, Mr. Speaker. Three tablings very quickly. The first one is the appropriate number of copies of a domestic violence letter, an open letter to the Premier from the Calgary Domestic Violence Committee outlining how the elimination of programs like STEP and the community spirit donation grant program have had devastating effects on the ability of nonprofit groups and government agencies to reduce domestic violence in Canada.

The second tabling I have, Mr. Speaker, is the appropriate number of copies of a petition which calls on the government to increase postsecondary funding rather than imposing the devastating cuts to colleges and universities. I have 465 signatures here today and plenty more to come.

The third tabling I have, Mr. Speaker, is the appropriate number of copies of a *Globe and Mail* article from May 7, which is today. The article describes how Adrian Dix has a moderate and level-headed approach to the development in the oil and gas industry and is soon to become the Premier.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by Calgary-Mountain View.

**Ms Blakeman:** Thanks very much, Mr. Speaker. I have two tablings today. The first is a copy of the public fatality inquiry that I referenced during my questions today. It was held on the 23rd and 24th of July 2012 and on the 15th of March 2013 respecting a death in the Good Samaritan Society Southgate Care Centre.

The second tabling is an electronic Internet petition. At the last count, which was about an hour and a half ago – they were going up fairly rapidly – there were 2,370 signers. These are parents and students from six or eight different schools – D.S. MacKenzie, Victoria, Hardisty, Esther Starkman, Avalon, Meyokumin, Dunluce, and Coronation – that are involved in an enhanced arts program that happens after school. Because of the funding that transfers from this government to the Edmonton public school board, that program is under threat of being cut even though parents pay for it, so it's of great concern to a number of people.

3:00

**The Speaker:** Hon. member, I hesitate to interrupt, but it is 3 o'clock, and the Deputy Government House Leader has caught my attention.

**Mr. Denis:** Yes. Thank you, Mr. Speaker. I just wanted to rise and ask for unanimous consent of the House to continue past 3 o'clock notwithstanding rule 7(7).

**The Speaker:** Hon. members, unanimous consent is required for us to proceed with the conclusion of our Routine. I'll ask one question. Is anyone opposed to granting that permission? Say so now.

[Unanimous consent granted]

**The Speaker:** Hon. Member for Edmonton-Centre, did you conclude?

**Ms Blakeman:** Yes. Thank you.

**The Speaker:** Thank you.

The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you, Mr. Speaker. Two tablings. One is from Joan Raugust of Calgary, with a 27-year-old with developmental disabilities who describes the Ministry of Human Services as “laying the tracks” in these cuts “as they are driving the train,” with no clear plan since the groundwork has not been laid. She is very concerned about these changes.

The second is from a number of individuals across the province, seniors and pharmacists concerned about the cuts to pharmacy and their programs.

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

I have the Minister of Justice, followed by the Leader of Her Majesty’s Loyal Opposition, followed by Calgary-Buffalo. If there are others, please let me know.

**Mr. Denis:** Thank you very much, Mr. Speaker. I just rise to table five copies of five different documents, the first being the 2004 political party annual financial statements for the Alberta Alliance Party indicating that a former leader’s family and corporation contributed \$97,500, 73 per cent; the 2005 report, \$95,000, 72 per cent; the 2005 campaign, \$2,000, at 4 per cent; and 2007, \$150,000, 99.7 per cent during that campaign. After the party merged with the Wildrose Alliance Party, the contributions continued for \$120,000, or 23.3 per cent, of total donations during that campaign. I’ll pass these documents through to the Clerk.

**The Speaker:** Thank you.

The hon. Leader of Her Majesty’s Loyal Opposition.

**Ms Smith:** Thank you, Mr. Speaker. I made reference to two documents today in my questions. One is the new \$300,000 mailer going out with PC Party colours, five copies, the requisite number.

In addition, the report to the Minister of Justice and Attorney General, public fatality inquiry. This is the sad story of Mr. Buckley and the recommendations from Judge James Wheatley on what needs to be done to ensure that we have better care for those in dementia facilities.

**The Speaker:** The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Thank you, Mr. Speaker. I have a letter from a constituent of mine, Rachel McDougall-Sutherland, going through the difficulty she has with both finding and keeping daycare, the very little that the federal tax incentive program for daycare does for her as an individual, and requesting that we either get onboard with providing an Alberta daycare program or persuading the federal government to put a national daycare program into effect.

Thank you very much, Mr. Speaker.

**The Speaker:** Are there others?

If not, allow me, please, to table five copies of a report produced by the Chief Electoral Officer re candidates who failed to eliminate a campaign deficit reported for the 2012 provincial general election.

## Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following documents were deposited with the office of the Clerk. On behalf of the hon. Mr. Griffiths, Minister of Municipal Affairs, pursuant to the Special Areas Act special areas trust account financial statements, December 31, 2012; pursuant to the Government Organization Act the Alberta Boilers Safety Association annual report, 2012, dated October 31, 2012; and pursuant to the Capital Region Board regulation the Capital Region Board 2012 annual report.

**The Speaker:** Thank you, Clerk.

We have I think three points of order. The first one, I believe, was from the hon. Member for Airdrie at 1:56 p.m. Do you wish to proceed with your point, your citation, and so on?

## Point of Order Factual Accuracy

**Mr. Anderson:** Thank you, Mr. Speaker. I refer to Standing Order 23(h), (i), and (j). This is going to a comment that the Justice minister stated, that our party, the Wildrose Party, had in fact in the past accepted bundled donations or something to that effect into the Wildrose Party. This minister was flat out being untruthful. If you’re going to say something, if you’re going to refer to specific numbers in this House and you’re going to specifically make an accusation of that magnitude, you cannot just flat out tell an untruth. This is not a different version of the facts here. This is not that the facts could be interpreted in two different ways. This is just a flat-out falsehood by the Justice minister, and it should not be allowed to proceed.

First of all, the party that he is referencing, the Alberta Alliance Party, is an entirely separate legal entity than the Wildrose Party, a totally separate entity, totally different. I know that’s difficult, but as a lawyer you would think he would have some clue in that noggin of his that you cannot have a completely separate entity be responsible for the actions of a previous entity.

Now, I know that we took the Alliance name, I guess, in 2008 and it became part of this party, but the entities were completely different. It’s kind of like the Progressive Conservatives and the Conservatives federally are completely different, totally different parties. So try to get that through the old noggin there.

That was the first problem. It was a completely different party; obviously, different leaders, but that’s really immaterial. Different parties is the key issue there.

Secondly, you know, it is ironic here. In the case that he spoke of, Mr. Thorsteinson lent that Alliance Party \$130,000. That loan, that bridge financing, very similar to what this party received from Mr. Katz and the Katz group of companies, was found illegal under the act. That money had to be returned. I find it funny that what was found to be illegal for that 2008 Alberta Alliance Party has been found legal in this case, an incredible double standard, I would mention in that regard. I think that the Chief Electoral Officer should maybe take a look at the differences between the two and help us understand the differences between the two. There really wasn’t any difference between the two except that one was found illegal, and the one that your party did was found not to be illegal, a bit of a double standard.

In any event, that’s the first piece. The second amount that he was talking about . . .

**The Speaker:** Hon. member, I hope we’re going to have a clear airing on this because once we get into discussing internal party



matters, they are really not in order in this House. The clarification has been given. If you have something briefly to wrap up, I'll certainly allow it because I want this matter done and settled once and for all. Then we'll make a ruling on it accordingly.

**Mr. Anderson:** Absolutely, Mr. Speaker. I would mention that he brought this up, and I'm just trying to clarify the comments that were completely unfounded and untrue.

To close, I'd say that besides that bridge loan that was found to be illegal and was given back, there was an amount of money donated by Mr. Thorsteinson and his family members in separate cheques. Never once was the money bundled. It was always in separate cheques, and it was over a five-year period, from 2004 to 2008. It was not one cheque or one bank draft for \$430,000. Completely different.

I want to thank the member for actually making our case that what your party did was completely inappropriate. What happened here was actually something that wasn't even done by our party, so get your facts straight, and please withdraw your comments.

**The Speaker:** The hon. Minister of Justice to respond.

**Mr. Denis:** First off, Mr. Speaker, none of my comments dealt with loans, just donations, so we won't deal with that. None of my comments dealt with separate cheques. I simply, as I tabled those documents earlier, just a few minutes ago, indicated, again, that this individual, his family, and his corporation in '04 donated \$97,500; in '04 during the campaign, \$95,000; in '05, \$2,000; and in '07, \$150,000.

3:10

Mr. Speaker, the member is quite correct – please check the records of Elections Alberta if you don't accept my particular memory in this case – that on January 19, 2008, the Wildrose Party and the Alberta Alliance Party merged into one entity. But even after they merged, \$120,000 from that former leader's amount in addition to his corporations and family, which is 23.3 per cent in 2008, when that party still exists today. It is still under the elections' rules and listed on the Elections Alberta website as the Wildrose Alliance Party. That's the total amount, \$464,500. Despite what all the naysayers may say, it's unfortunate that this member in particular seeks to run from his party's record.

Mr. Speaker, truth is an absolute defence. We simply have a good debate here, and what I've stated is entirely, 100 per cent true.

**The Speaker:** Well, hon. members, I have to tell you that I am disappointed that this matter would even be brought forward. Help me out here. How many times have I reminded you that matters dealing with internal party issues ought not be raised or brought forward in this House? Five, six, seven? I think about eight different times. Now, I could stand here and read them all to you again, and it would take me about 30 minutes to do that.

I would hope that we could, please, forever stop raising issues to do with internal party matters because they not only have no place here, but no one here has the jurisdiction within which to actually address those matters. There is a government. The government has policies, procedures, practices, finances, and so on, and they are here to be responsible and account for how they are determined and how they are applied. Opposition and private members, you have the role to ensure the government is doing that and to hold them to account on government matters.

If you want to go into this a little bit further, just be reminded of one of our favourite books, *House of Commons Procedure and Practice*, where it says on page 504, with a lead-in from earlier,

that a question should not “concern internal party matters, or party or election expenses.” Anything to do with parties is always going to give rise to some kind of debate in this House. It's going to provoke some members to say things that in my experience over the years they have then lived to regret. So far we haven't seen too much of that, but we're on the cusp of that.

I'm going to ask you for the last time. I'm just not going to entertain any more stuff that has anything to do with internal party matters. It wastes time, it's beyond the jurisdiction of the House, and it is out of order to do so. I don't know how I can be more clear.

We've had the Member for Airdrie clarify his position. We've had the Minister of Justice clarify his position. That clarification has been offered. It's now in *Hansard* for others to read and learn from. Let us not visit this particular tack or this particular vein of questions or answers going forward, please. That concludes that matter.

Let me move on. A second point of order was raised at 2:10 – I believe it was the Government House Leader – with reference to something that the leader of the New Democrat opposition had raised.

The hon. Deputy Government House Leader.

#### Point of Order Insisting on Answers

**Mr. Campbell:** Thank you, Mr. Speaker. I rise in accordance with Standing Order 23(h), (i), and (j). The leader of the fourth party, in his preamble during this question, made comments. I don't have the Blues in front of me, so I could be corrected, but the statement was basically the fact that the Premier didn't care enough to get up and answer the question.

Mr. Speaker, I think it's very clear. You've ruled on this yourself, and it's in *Beauchesne's* at 419 and 420. As the government determines who answers the question, it's quite appropriate for the Premier to get up and talk about issues in the House and deal with matters of a broad nature in public policy and vision and direction, but it's also very clear that the Premier has the ability to ask specific ministers to speak to specific questions within their purview. Again, this was a specific incident, Mr. Speaker, and it was quite appropriate for the Minister of Health to get up and speak on that.

I'd ask that the member of the fourth party withdraw his remarks.

**The Speaker:** The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Well, thank you, Mr. Speaker. You know, I find this interesting. Of course, if an individual member is not in attendance, you can't speak of their absence, certainly, but within the bounds of rhetoric in talking about the issue of the day, in this case the seniors issue, it's not inappropriate considering how the argument was just previously made. I believe the member said something to the effect that you won't find a Premier that cares more about seniors. In reference to that, I think that it was not inappropriate that the leader of the New Democrats should at least invite the Premier to make comment on this issue.

Certainly, people can have a feeling or a sentiment that they are caring about a particular group or an issue, but I am a person that subscribes to the idea that you judge a person based on their actions and not just their rhetoric. When I look at the seniors file, we get inflamed about it because it is so important to all of us to

ensure that we look after not only the people who are in care and seniors at the moment but also ensure that the policy is in place in the immediate and long-term future for future seniors, which could include all of us, hopefully, if it's our ambition to become a senior one day. You know, it's not an issue that's just on the side of anyone's plate.

We believe that it's very important that we hear from the very highest level. We make an invitation to the very highest level of the government here to talk about seniors' issues and to give us their opinion because we saw on one hand, for example, these promises that were made in regard to seniors. Then this budget comes and hits us on the back of the head, and we end up with, for example, the promised \$20 million education tax subsidy suddenly taken off the table. I know in my constituency this affected seniors a great deal, and they were very disappointed. It really did affect those on a fixed income considerably.

Again, out of the blue this seniors drug plan came out, and we know from the last time just how potentially devastating that can be to certain groups. They haven't set the levels for cut-offs yet, but we see at least \$180 million globally coming out of this and onto the backs of seniors, who are having to pay a higher amount.

Then, you know, there was this whole cut to this seniors' income subsidy as well, affecting at least 9,000 seniors.

**The Speaker:** Hon. member.

**Mr. Eggen:** Yes.

**The Speaker:** I appreciate your waxing away, but it has nothing to do with the point of order. The point of order that has been raised is under 23(h), (i), and (j) or in that vicinity, so if you would just conclude in response to what the deputy House leader has offered by way of the point here. It has to do with something that your leader said. I have it here in the Blues, where he said at 2:09 or 2:10, "Well, it's unfortunate that the Premier doesn't care enough to get up and answer these questions." He went on to say, "This government can't be trusted to protect our seniors." That is what the issue here is, hon. member, not about your interpretation of the budgets. Please wrap up.

**Mr. Eggen:** Thank you, Mr. Speaker. Yes. I mean, that's a good, succinct way to come to a conclusion on this. This is an issue talking about caring and talking about specific issues on this, and we need to hear from the highest level about how and where the government is going on all these issues because these few broken promises that I brought up here are not just rhetorical points. They are affecting real people.

**The Speaker:** Thank you.

**Mr. Horner:** Just to add, Mr. Speaker, because the Member for Edmonton-Calder is missing the point here, that Standing Order 23(i) is about imputing a false motive to another member. We're all hon. members in this House. To suggest that what the member said does not impute the motive that the Premier doesn't care is ridiculous, and they should withdraw the comment. It does impute a motive to the Premier that is not true. In fact, the hon. member heard from the highest level as designated by the Premier, which is entirely within her purview. It does not mean that she doesn't care. In fact, it means she cares a great deal because she wants the right answer to come from the right person. This hon. member should be told to tell his leader to retract the comments.

Thank you, Mr. Speaker.

3:20

**The Speaker:** Well, hon. members, the Deputy Government House Leader on behalf of the Government House Leader has risen on this point of order, which I just read for you according to what the Blues said. I want to make a couple of comments here quickly. First of all, I know I've reminded you of this before, but I'll remind you again. When a question is posed to government, regardless of the person to whom it is posed, any member of Executive Council is allowed to answer that. We all know this by now surely. We've been here for about a year. In this particular case, we have questions that sometimes get posed to the Premier, and the Premier has the full ability to either answer the question herself or to delegate it to one of the other members of Executive Council. It's how the system works.

In fact, if you looked at *Beauchesne's* 419, it clearly says:

The Prime Minister . . .

And in this case we could take that to be our own local Premier.

. . . answers for the government as a whole and is entitled to answer any question relating to any ministerial portfolio and matter of policy. Likewise, the Prime Minister is entitled to delegate this responsibility to the Deputy Prime Minister . . .

Read into that the Deputy Premier for our purposes.

. . . even when the Prime Minister is present in the House.

Then *Beauchesne's* 420 reads as follows:

The Speaker has stated, "Of course, the Chair will allow a question to be put to a certain Minister; but it cannot insist that that Minister rather than another should answer it."

So that's one point.

There are other references, and I know you'll want to hear this because it comes from our favourite book, *House of Commons Procedure and Practice*. On page 509 the first sentence says, "Questions, although customarily addressed to specific Ministers, are directed to the Ministry as a whole." In other words, they're able to be answered by perhaps associate ministers or by others on Executive Council.

I find that the way that the comment was made by the leader of the New Democrat opposition violates those particular rules. The rules are very clear, and what happens when we violate a rule or we breach a rule in one way or another is that points of order get raised again, time gets wasted, admonishments have to be given, and the rest you've heard from me many times before.

These kinds of shots, if you will, under the table are really not in keeping with the spirit of the House, and they're certainly not reflective of the vast amount of experience that all of you bring to this House from your own private lives and the kinds of shots you wouldn't be taking at that level. So why take them here when you know they are a breach?

While I'm up, I want to make another quick comment which ties in with this. Frequently we have people playing these little games, as I will call them, where they know very well that the person from the front bench is out of the room. I know we're not allowed to refer to their absences. They may have gone to the washroom. They may be dealing with an urgency. They may be helping one of your constituents, for all you know, or they might be representing the cause elsewhere. But the questions sometimes get posed to that member knowing full well that the member isn't present.

I know how the game works. I've been at this for 20 years. It tends to point out someone's absence. Now, the same could be done toward opposition leaders, and I would hope that we wouldn't stoop to that. So far we haven't, but I would ask opposition members to please review that practice. It's cute to a point. You've made your point. Let's not try to make it over and over again, or we will again have to have this wastage of time to

address points of order. I fully anticipate, based on notes that I've gotten and collected over the last few weeks, that that will in fact be the case.

I hope that has clarified that. Accordingly, hon. Member for Edmonton-Calder, I would ask you to connect with your leader and ask him to withdraw those comments unless you're prepared to do that now. I'll offer you that opportunity.

**Mr. Eggen:** Yes. Thanks, Mr. Speaker. Thanks for your edification on these issues. Based on that, I would on behalf of the leader of the New Democrats withdraw those comments here today.

Thanks.

**The Speaker:** Thank you very much. Those comments have been officially withdrawn. We appreciate the co-operation.

Third and final point of order.

### Point of Order

#### Explanation of Speaker's Ruling

**Mr. Anderson:** Actually, under Standing Order 13, clarification. To your last point, Mr. Speaker, there are often times when we have a health question, for example. If that minister is not in the House and the Premier is not in her chair, we don't know who to direct the health question to. In that case, what do we say? Do we just say, "To the government," or do we say, "To the person representing the Health minister"? What do we say?

**The Speaker:** Hon. member, you would know this from your previous experience. Every minister has someone who covers them in their absence. In fact, there are typically two. The question could be posed, just as you've said, to any member of government who wishes to respond – that's totally appropriate because anyone, in fact, can – or as another way to the acting Minister of Health or to the Deputy Premier or to any member of Executive Council. There's an associate minister. You have a number of options. Suffice it to say that government members always have at least one if not two or more acting ministers who are ready and usually up to speed to jump in and answer any of those questions.

Now, did we have a third point of order? I believe we did. Airdrie, you rose on a point of order, something to do with the Minister of Education's comments. Citation, then please proceed.

### Point of Order

#### Factual Accuracy

**Mr. Anderson:** Again our favourite passages, 23(h), (i), (j), and (l). As you know, sometimes with these points of order we do need to call them in order to clarify something that is just completely false from the other side. I'll be brief on this one and just say that the Minister of Education quoted or seemed to be inferring, anyway, that he was quoting from the Wildrose literature that 30 per cent of the schools being built by the government were not needed. That, of course, is not in the literature anywhere.

We would indeed spend less – that is in the literature – on schools. If we had an infrastructure priority list for schools, we'd actually be able to know what that entailed. It would entail, obviously, that some of the schools that the government is building this year – there might be five or six that would not be built this year under a Wildrose government – would have to wait till the next year. They would be at the top of the priority list the very next year and built the very next year. We feel that not only is it important to build schools, Mr. Speaker, but it's important to

not go into debt and leave our children holding the bill for those schools. There has to be a balance; otherwise, we'd just build 300 or 400 or 500 schools. Obviously, we have to have a balance between building the schools that we need and staying and living within our means.

The point here with the Education minister is that he inferred that we said in our literature that 30 per cent of the schools that they would build are not needed or are unnecessary. That is completely false. It's true that several may have had to wait an extra year to be built, but it's false to say that we would claim that they're not needed. I would ask him to withdraw that remark.

**The Speaker:** The hon. Deputy Government House Leader.

**Mr. Campbell:** Well, thank you, Mr. Speaker. I hate to take up your time because we do have some important bills to pass. What the minister said was accurate. As a matter of fact, in 2011 under their alternative budget the Wildrose Alliance Party was going to cut \$2.74 billion out of our capital, which at the time was \$7 billion, 30 per cent. In 2012 the Wildrose Alliance Party said that they'd cut about \$1.623 billion out of our budget, which was \$5.6 billion, again 30 per cent.

3:30

As a matter of fact, in audio from February 13 of this year the hon. member was quoted as saying, I quote: we don't have a problem with a lack of money for building new schools; we've got buckets of it; the problem is that we keep on putting a lot of our schools – I would say up to 30 per cent of the schools that we build are in areas where the priority isn't there; it just isn't.

Mr. Speaker, the Minister of Education answered the question I think in a very fair manner, and I don't think there's any point of order here.

**The Speaker:** Is there anyone else who wishes to participate? No.

Well, hon. members, right around 2:32 p.m. the hon. Minister of Education, in response to a question from I think it was Chestermere-Rocky View, said the following among other things:

Mr. Speaker, this is ironic, that we've got a group that's advocating for us to build more schools when they said that a good 30 per cent of the schools we're building don't need to be built. In addition, their alternative budget last year wanted us to cut our infrastructure budget by \$1.623 billion. That's a very specific number with no list. The year previous it was \$2.74 billion. That's a very specific number with no list. I think they should look at themselves in the mirror.

That's a quote according to the Blues. We'll see how they actually come out, but I'm sure it'll be fairly close to that.

Now, the Minister of Aboriginal Relations has defended this point from Airdrie, and I think the hon. Member for Airdrie is looking for clarification more than anything here.

This issue, again, has come up time and time and time again in different words, in different statements, in different positions. I, for the life of me, don't know why we're trying to debate two budgets in this House, one by the government and one by the Official Opposition. I've never heard of such a thing ever before, but it seems to be going on in this House now and going on out there as well. Why? I'll never know.

We have one official budget that is running the province, and that is the one that we should be concentrating on. That is the one we should be debating. That is the one for which, government members, you are being held accountable, not the opposition's budget or whatever you might want to refer to it as. It's just very strange for me in my 20 years to experience that.

Nonetheless, in conclusion, I want to just cite something from *House of Commons Procedure and Practice*, where it says:

Members may not insist on an answer nor may a Member insist that a specific Minister respond to his or her question. A Minister's refusal to answer a question may not be questioned or treated as the subject of a point of order or question of privilege.

The Speaker ensures that replies adhere to the dictates of order, decorum and parliamentary language. The Speaker, however, is not responsible for the quality or content of replies to questions. In most instances, when a point of order or a question of privilege has been raised in regard to a response to an oral question, the Speaker has ruled that the matter is a disagreement among Members over the facts surrounding the issue.

The Speaker has no knowledge of what the actual facts in this case might be, but I've heard both sides explain their positions, and this matter has now been clarified, so let us move on and hopefully not visit this particular issue in this nature again if at all possible.

### Orders of the Day

#### Government Bills and Orders Second Reading

##### Bill 23 Tax Statutes Amendment Act, 2013

**The Speaker:** The hon. Minister of Finance and President of Treasury Board.

**Mr. Horner:** Thank you very much, Mr. Speaker. I'm pleased to rise today and to move second reading of Bill 23, the Tax Statutes Amendment Act, 2013.

This is largely a housekeeping bill that will amend our personal and corporate income tax acts and align the tax laws with changes that have occurred recently in the federal tax system. There are also some portions of the act where we would repeal the Alberta Income Tax Act, which, when we moved to the single rate system in 2001, was replaced by the Alberta Personal Income Tax Act.

Repealing the Alberta Income Tax Act will help clean up the books. It will also facilitate the repeal of the related tax deductions regulation and thereby support the regulatory review process by helping to remove legislation that is no longer needed. Legal counsel and the Canada Revenue Agency have both confirmed that the act can be repealed without any negative consequences.

The bill will also amend the Alberta Personal Income Tax Act. These amendments will address recent federal changes to the Canada child tax benefit program regarding parents who share custody of their children. Because the Alberta family employment tax credit piggybacks on the Canada child tax benefit administration system, Alberta's legislation must also be changed. The amendments related to parents with shared custody spread the payment of the credit out more evenly over the year and do not change the level of benefit provided.

The amendments to this act will also repeal the sections pertaining to the Alberta resource rebate program and the NHL players' tax. As these programs are no longer in effect, we no longer require the related legislation and regulation. Other amendments are for housekeeping purposes or to ensure Alberta's legislation properly references applicable sections of the federal Income Tax Act.

The bill also includes changes to the Alberta Corporate Tax Act. When applying the scientific research and experimental development tax credit, corporations are permitted to include a

proxy amount for overhead expenses. Concerns were raised that this proxy rate was overgenerous and inappropriately increased the cost of the credits to the government. As a result, the federal government reduced its rate in its 2012 budget. Amendments to this act will maintain our consistency with federal law by reducing the Alberta rate to match the federal change. The scientific research and experimental development tax credit continues to give researchers more access to funds to support their work and support research and development in Alberta. Taxpayers will still be able to claim the credit on the full amount of their itemized eligible overhead expenditures.

Changes to the act will also be made in regard to the discretionary deduction for a capital gains reserve. Capital gains are taxable in the year that the asset is sold. However, corporations can defer tax on the gain by claiming a reserve when some portion of the proceeds on the sale are still receivable. With this bill if a corporation claims a reserve for federal purposes, it will also have to claim the same reserve for Alberta purposes.

Alberta's corporate income tax system parallels federal law but generally permits corporations to claim different amounts of discretionary deductions. In this case this opportunity is being eliminated to ensure the deductions are fair for everyone. This response is consistent with what we've done in the past when we think a discretionary deduction has the potential to be misused. It does not eliminate the deduction but leaves corporations in the same tax position in Alberta as they would be in almost all other jurisdictions in Canada.

Finally, amendments in this bill parallel federal policy that requires large corporations to pay 50 per cent of amounts in dispute. This policy aids in the collection of amounts from corporations that may or may not have been an ongoing presence in Alberta when the tax issue is finally resolved.

In summary, the Tax Statutes Amendment Act will remove legislation that is no longer needed, strengthen the tax system against abuse, align Alberta's tax law with changes made by the federal government, and support the regulatory review process. As I said, Mr. Speaker, this is mostly a housekeeping bill in alignment with the federal changes.

With that, Mr. Speaker, I now move to adjourn debate of Bill 23, the Tax Statutes Amendment Act, 2013.

[Motion to adjourn debate carried]

##### Bill 24 Statutes Amendment Act, 2013

**The Speaker:** The hon. Minister of Service Alberta.

**Mr. Bhullar:** Thank you, Mr. Speaker. I'm pleased to rise today and move second reading of Bill 24, Statutes Amendment Act, 2013.

This is an omnibus act that will address the Condominium Property Act, the Emblems of Alberta Act, the Perpetuities Act, and the Surveys Act and update portfolio names of different departments and associated organizations.

From a Service Alberta perspective the amendment to the Condominium Property Act will help improve protection for approximately 1,300 bare-land condominium corporations representing 40,000 owners. This is an important issue that can be addressed.

3:40

Clarifying the authority of corporations, Mr. Speaker, in a court decision the Alberta Court of Queen's Bench ruled that bare-land condominium corporations cannot use reserve funds to maintain

or repair property that their bylaws obligate them to manage outside of the requirements of the Condominium Property Act. This ruling has had a significant impact for bare-land condominiums, typically being single-family detached homes, townhomes, or duplexes. The corporations in many of these types of developments are often required by their bylaws to look after what is known as managed property. This can include the building's exterior, roofs, lawns, and other structures attached to the property. For years bare-land corporations have been paying for major repairs or replacements of this property from their reserve funds.

The impact of the court's decision is far reaching. Between 90 and 95 per cent of bare-land condominium corporations are responsible for taking care of managed property, and as a result of this decision corporations are not able to use their reserve funds to cover the expenses associated with managed property and will have to finance the cost on a pay-as-you-go basis. This, obviously, Mr. Speaker, places undue hardship on condominium owners, who must cover the cost to maintain managed property by paying potentially large assessments, often within a very short period of time.

The amendments would allow bare-land condo corporations to use their reserve funds to cover these expenses for managed property as long as it's allowed in the corporation's bylaws. Mr. Speaker, this is the way they've been functioning since the first bare-land condominium corporations came around in the 1980s. We will be giving them certainty and clarity in this.

The Service Alberta condominium consultation that we just concluded also looked into this specific issue, and nearly 90 per cent of Albertans who responded agreed that the corporations should be allowed to precollect these funds from unit owners to maintain and repair managed property as they've been doing, as I said before, since the 1980s.

Bare-land unit owners have expressed support for this through many public engagements and through a lot of correspondence with me. It's critical that we address the issues to give bare-land condominium owners and corporations the clarity and certainty they deserve in dealing with repair and maintenance issues. This is an immediate action we can take to address the challenge for many, many condominium owners.

I should add that additional changes will be coming to the Condominium Property Act as we review the input Albertans have provided in the consultation. I hope that all parties can come together to support this bill. This is a positive step that will have a very positive impact. It's very much needed as a result of the court decision that came out, Mr. Speaker.

Thank you very much, and now I move to adjourn debate on Bill 24.

[Motion to adjourn debate carried]

## **Government Bills and Orders Committee of the Whole**

[Mrs. Jablonski in the chair]

**The Deputy Chair:** I'd like to call the committee to order.

### **Bill 18 Pooled Registered Pension Plans Act**

**The Deputy Chair:** Are there any comments, questions, or amendments to be offered with respect to the bill?

The hon. Associate Minister of Finance.

**Mr. Fawcett:** Thank you very much, Madam Chairman. It's a pleasure to rise in committee to speak in a little bit more detail about this particular piece of legislation that our government has been proud to put forward to the floor of the Legislature and proud to have been a leader in bringing this to life here in our country. You know, obviously, the federal government deserves to be commended for its leadership on this, introducing legislation and passing it last fall so that other provinces can harmonize their legislation with what they've put together. That's exactly what we have with the majority of this particular bill and the clauses in this bill. It very much mirrors and harmonizes with the federal government's. We're hoping that all the other provinces follow suit with our particular province and that we have an effective, portable, and harmonized privately administered pension regime for small businesses and self-employed people here in this province, of course, and right across Canada.

As I mentioned, other provinces are looking at this legislation. Saskatchewan has tabled similar legislation. B.C. has tabled similar legislation, as has Quebec. In some of those instances the electoral cycle has provided a barrier to getting that legislation passed, but we're hopeful that other provinces will be following suit.

I thought there was some really interesting discussion during second reading of this particular bill, Madam Chairman. I would like to just start by making some broad comments, and then I'll get into some specific answers that we have for some of the questions that were asked during some of the debate in second reading.

One of the broad comments that I would like to mention though, Madam Chairman, is that there's no doubt that there is a conversation going on in this particular country around pension reform or this concept of whether individuals, citizens of Canada, have sufficient pension incomes to support themselves and their families or their spouses when they retire. One of the discussions that is happening at the federal-provincial-territorial finance ministers' meetings and tables is the idea around the sufficiency of the Canada pension plan. There are a number of comments that would suggest that it's an either/or, that we should reform the Canada pension plan and this would not be necessary. That's actually the furthest from the truth. We're not in the position of trying to decide between one or the other, and in fact those conversations can happen.

At the end of the day what we have is that the Canada pension plan is certainly going to provide some sort of level of retirement savings for all Canadians. It's a universal program for all Canadians. I think we should have that discussion, and that discussion, again, is happening. But at the same time retirement savings are something that people need to be involved in personally.

You know, we all have different levels of quality of life that we want to ensure when we retire, and it's not the responsibility of this government or of the government of Canada to be involved in determining what comfort level we as individuals want to have when we decide to retire. That is one hundred per cent our responsibility as individuals. Some might decide that they don't need as much money to retire, that when they retire, they'll live modestly. You know, they will have a small house that they'll live in, and they will do very little travelling, these types of things. Others may decide that their retirement needs are different and that they need to save a lot more money. They might decide that when they retire, they want to travel. They might decide that they want to have two houses, one so that they can visit family where they live here in Alberta, and one where they can get away from some of the nasty weather that we have in the winter.

3:50

These are personal, individual choices. People's retirement planning must reflect that particular desire. There's no right or wrong to any of it. It's just a personal taste; therefore, the government should not be involved in providing pension plans, public pension plans, government-funded pension plans that start to differentiate between the two of them.

No matter what conversations happen with the Canada pension plan, Albertans, Canadians are going to need other savings vehicles to do their retirement planning around that will help meet their individual retirement needs. That's why this isn't an either/or debate, and I want to make that very clear. The Minister of Finance is with the federal-provincial-territorial finance ministers, and they are having those discussions right now around reform of the Canada pension plan. While interrelated, it is a separate issue, and we need not rush into making a decision that is either/or.

I do want to make some broader comments after I answer some of the questions that came up in second reading. First of all, I know that the hon. Member for Airdrie had put forward the concept of whether there should be contribution parameters for the self-employed and whether they should be different than regular employees as earnings are often retained in the company.

The challenge is this. While individuals are free to contribute – self-employed or not, they can contribute, and they're free to do so – an incorporated business can make contributions to the employer as the employer or the owner of that particular company. Even if it's their business, the company can still make a contribution into a pooled pension plan on behalf of that employer. What the limit is would be a federal tax matter, not a matter that is in the purview of this particular legislation. I just wanted to get that on the record.

There were questions about a PRPP provider going bankrupt. What are the consequences, and are members of that particular pooled pension plan protected? The answer is yes. Funds are not part of the overall assets of the provider. They're held in trust and protected from creditors.

There were questions as to: why not have a legislated cap on costs or at least indexing to inflation? What we are doing is defining the low cost, which I mentioned in second reading. We will be defining it in regulation, and it will mirror the federal regulation, which defines the cost as less than that of a pension plan of 500 or more members. We believe that this is a good starting point for what we're considering, essentially bulk pricing, for these types of products. Then institutions themselves at that threshold will be able to compete amongst themselves as part of the marketplace to be able to lower costs for investors. I would suggest that those that are offering the lowest costs below that particular threshold are likely to attract more members just based on the ability of people to go out and look at different plans. That is one of the questions that we wanted to answer.

There was a question about what the tax benefits are to employers that offer pooled registered pension plans. I mentioned this briefly in second reading. I'll indicate again that employers would not be paying CPP and EI as they would on group RRSP contributions since the contributions under PRPPs would not be part of employee income. There is a bit of a different treatment there. There will be a tax benefit for employers. Again, it's not required, but if they so choose to make a contribution or match a contribution to a pooled registered pension plan, there will be tax benefits that don't exist under contributions that are made using a group RRSP. When members talked about this being essentially a glorified RRSP program, it's simply not true. There are significantly different benefits or advantages to offering a pooled registered pension plan rather than a group RRSP.

There was a question around whether the government will commit to making public the information available to and disclosed by the superintendent under part 1, section 5 of the act. This would all depend on the type of information and purpose as there may be proprietary information involved and FOIP restrictions on what information may be public. For public reporting purposes of policy outcomes and the evolution of the PRPP initiative, for example, some information would likely be used and disclosed.

Another question was: do the necessary economies of scale for the low-cost provision depend on all provinces implementing this? That's something that would definitely help for the provision of achieving that low cost, but it's not a necessary success factor. It all depends on the overall size of the plan. You can get sufficiently sized pooled plans just from offering here in Alberta, but I think that from a financial institution's standpoint the more that you're able to pool in the various plans, the more you're able to lower the per-unit management and administrative fees, which, again, will accrue to those that are members of these plans, the average, hard-working Albertans and their families. The success of this initiative doesn't necessarily rest on all provinces signing up.

There were questions about the nature and necessity of bilateral agreements. Because not all jurisdictions are implementing this legislation at this particular time, there needs to be the ability for sequential bilateral agreements, that are necessary to make sure that these plans and legislation and mechanisms are harmonized right across the country.

There were a few more questions regarding authority of the superintendent to change the administrator in section 13. The question was: is the government liable or accountable for outcomes of the change in administrator, including losses? Are there any requirements to notify plan members? Members are protected via the superintendent's power to transfer funds to a new entity if necessary. All members would be notified accordingly, and no investment decisions would be made on behalf of them without consent. This will be in the regulation.

Another question was: how many institutions are currently licensed PRPP providers? There are none yet, obviously, because we don't have the legislation in place; however, there are a number of insurance companies, trust companies, and other financial institutions that have expressed a keen interest to become licensed to develop products and offer these in the Alberta marketplace.

Finally, we had a question about whether there are any measures in place to protect employees who may come forward with allegations of inducements. There are already measures in place to discourage inducements and actions the superintendent can take around those. If employers take any wrongful action against an employee, the employee would have legal recourse, as they would in any other situation. Evidence of inducements is monitored carefully by the superintendent of pensions.

Those were just some of the questions that were asked as part of second reading, Madam Chairman. I just wanted to talk about one particular thing. There was a comment made during second reading by one of the members. I believe it was by the Member for Edmonton-Beverly-Clareview. He made a comment about this not being in the interests of Albertans and it being in the interests of the financial institutions. I take particular offence to that. The reason is that there's no doubt that members of that particular party have a different perspective of society and the role of government in society. There's no doubt that members of that

particular caucus have a very paternalistic view of the role of government, and they may particularly believe that the role of government is to save for people's retirement because either they're not smart enough or don't have the will to be able to do it themselves.

4:00

We over here on this side of the Legislature and, I think, probably some other members of opposition parties have the view that while the government does have a particular role to provide a safety net for individuals, the government can't be there to do everything for people. There is a level of personal responsibility in our particular society that rests at the individual level, and certainly retirement savings is one of them. I think that any time we can provide individuals with more options and break down more barriers so that they can take it upon themselves to invest in their future, invest in their retirement, and utilize certain tools and mechanisms, we should be very, very proud of doing that and of offering them that option.

This isn't an easy area. As I mentioned in second reading, there are a number of excuses and barriers that people can use that will prevent them from putting away sufficient funds. This is an opportunity, Madam Chairman – and I point to section 33, where automatic membership is required – that if an employer decides to offer this, all of their employees are enrolled. We specifically put in that onus because we want to make people make the decision themselves to opt out, and we want them to understand that there are consequences in doing so. That's why that particular clause under section 33 of the act is in there. We want them to make a conscious decision. It is their personal decision. They do have the option to opt out. We do know that for some people there are particular individual circumstances where they might do that, and that's why we've built the flexibility into this plan.

At the end of the day this comes down to individual personal responsibility. We on this side of the House and, again, I think other members as well, but particularly on this side of House, believe it is a personal responsibility for individuals to be involved in saving in their retirement fund and determining what level they want and what sort of financial mechanisms they want to put their money into, to be able to do that. We do not believe that this is the sole purview of the government, to take a paternalistic view and create a pension plan that protects people from themselves, which is, I think, the underlying premise that I got from the comments from the hon. Member for Edmonton-Beverly-Clareview in second reading.

So I wanted to clarify. This is a good-news story. We're helping people, hard-working Albertans, and giving them tools to plan for their future, to plan for their retirement so that they continue to enjoy a high quality of life through all of their years.

Thank you, Madam Chairman.

**The Deputy Chair:** Thank you.

Are there any other members? Any other comments or questions? The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thank you, Madam Chair, and thank you to the Associate Minister of Finance and MLA for Calgary-Klein for the comments. I appreciate his answers. I could sort of see many of the questions that we had put forward in regard to this bill in your comments, and I appreciate the vigour with which you managed to address most of our concerns and reservations around this bill.

Certainly, we've had discussions from the outset of this bill in regard to the importance of having meaningful improvements to pensions and exposure to pensions not just in the province of

Alberta but right across the country. We have quite a low rate of people that do have a private-sector pension plan, you know, only about 18 per cent here in the province of Alberta compared to about maybe 40 per cent Canada-wide. We know that while our economy is growing and our population is growing and people are making money, Madam Chair, there is not the corresponding saving taking place here that would ensure a reasonable living for our same Albertans when they reach retirement.

You know, the premise of this bill or the global idea, I think, is trying to address that, and I appreciate that sentiment. I mean, I just found it a little bit disconcerting that we moved from the practical boots-on-the-ground sort of thing here, providing increased pension coverage to Albertans, to sort of a more ideological bent. I mean, I certainly can't just let those unsolicited comments go back towards the member. Yes, of course we're looking for pensions.

You know, it's curious that the member mentioned that, well, people make choices about what kind of retirement they have. But, I mean, really, most people end up with a substantial reduction in their income when they are retired, and it's not a choice, Madam Chair; it's a physical reality, right? Many Albertans spend a good deal of their income on their accommodation and on their food and on their transport and on looking after their kids and don't have a great deal of money to save for their retirement. So this notion that people make the choice I think is less reality and more fiction, certainly.

Also, interestingly, we have a program that's been around for many, many years, which is the Canada pension plan. If we did some, I guess, updating and some work on the maintenance of the Canada pension plan – I think we should encourage that. I know that the associate minister is not precluding the fact that you could have your PRPP as well as the Canada pension plan. Our concern is that this plan will perhaps compromise the integrity and the contribution and the commitment to the Canada pension plan. You know, it's not saying that it's six of one or half a dozen of the other, Madam Chair, but rather just reminding ourselves where we can make the most efficient investments to ensure that people will have the means by which to have a decent life in retirement.

You know, there are a number of issues that I have a problem with still. I know you talked about them a little bit. I mean, we all make investments for our future anyway, so the whole question of registered retirement savings plans – I know my own financial adviser is starting to suggest that maybe it's not really the best investment, that you're not getting the return that you should and that it's difficult to take that money out at the appropriate time. I just feel less than comfortable instituting an expansion of the RRSP program when it seems as though our financial sector planning for our futures is moving away from those very investments.

We know that we could put money and contributions towards more of the CPP benefit, which is more portable, which is larger, right? When we're talking about these investments, the economy of scale really does factor into play, Madam Chair, where if you have more people investing in something, you get a more efficient return. We just know that. So to update the CPP, the Canada pension plan, benefit from 4.95 per cent to 7.95 per cent would I think alleviate a lot of these concerns that people have about the future viability of the CPP here in Canada.

I think we see an initiative across the country, started by the federal Conservatives in regard to PRPPs, that we're trying to follow here. But I question, Madam Chair, that we don't necessarily need to just follow these things blindly. We know that in some other countries they've had problems. I've looked at

places like Australia that have put in PRPP mandatory plans with some opt-out provisions. This superfund required their employers to have their workers in one of these defined contribution plans, and I think we've seen that the jury is out on that Australian experiment. It hasn't been producing the results that they had hoped for. So always when we look at implementing something new, we should look at best practices from around the world and evidence-based decision-making from other experiences around the world. You know, I just don't see the Australian version of this operating particularly well.

4:10

Based on that, Madam Chair, we did have a number of specific questions that we wanted to bring forward. I think the court of public opinion is also relevant to what we're doing here because, of course, ultimately it's individual workers, people working here in Alberta, that we will be imposing some change on. We saw a Canada-wide poll from about three years ago showing that most Canadians and 66 per cent of Albertans were looking to an update and a solidification of the CPP benefits. Again, I think it's a reflection of the durability and the confidence that people have in our Canada pension plan plus the idea that people do really want to save for their future and want something there that is reliable and constant, right? We all have CPP taken off of our cheques now. You know, it's something modest to look forward to, but it's also something very secure regardless of the vagaries of market and so forth. If we make regulation that ensures the viability of CPP over the long term, then that's money you can take to the bank.

I mean, I'm certainly not precluding the possibility. I appreciate the associate minister's proposal here with Bill 18. We have been discussing it quite extensively in our caucus, so don't presume that we are just blindly following ideology. I think many of the questions or the analysis and the depth of analysis that you had alluded to in your speech, in fact, came from us. So, I mean, at least acknowledge that. We do try hard here and don't just follow the simple version of ideology that you might ascribe to us. In fact, we look for the best, most practical way to serve most Albertans now and in the future.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members? The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you very much, Madam Chair. It's a true privilege to speak to Bill 18, Pooled Registered Pension Plans Act. I appreciate the hon. minister for bringing this act forward. Although I'm not so certain about the tangible results that will be created by the implementation of this new program to the Alberta landscape or, in fact, to other provinces that are going down this path, I do appreciate the discussion it brings up, some of the points that will be made and some that have been made by members before me. Hopefully, I'll add to some of those comments. At least there's a recognition that our fellow Albertans often are not retiring with a large amount of money at their disposal, and we are trying to encourage them to in fact save more for their future.

I see this bill as being an outright reflection of the fact that the current system is not working. Otherwise, why would government be introducing this bill? If there is nothing to fix, this government wouldn't be putting any proposal before you.

I guess, as the hon. minister said, if individuals and companies truly knew what was best for their retirement and were truly

following through with everything that is currently available and the like, there would be no need for this bill. So I take those comments somewhat with a grain of salt. Government shouldn't act unless there is a problem to be solved. This act, just by the nature of its being in this Legislature and presented by the hon. minister, seems to be correcting a problem, that problem being that individuals are not saving enough for the future. We see this throughout Canada and throughout other jurisdictions, that individuals are not saving as much as they have in the past through whatever means. Whether it is through lack of preparation or a lack of ability, people are getting to their retirement years with not very much saved.

I know we can even go back to looking at the existing mechanisms that are out there for people to plan their retirement. The RRSP program, the registered retirement savings program, a very good program that encourages savings, encourages people to reduce their tax burden, and allows them to actually use government money to save for the future, is not taken up with any great shakes by the Canadian population. I think it is 50 per cent at best of Canadians that actually contribute to an RRSP.

With that being the case, one can make two deductions. Maybe they don't have the information. You know, I think that would be hard to believe. Ever since I've been old enough to understand this, RRSPs have been pushed by both the private sector and by other entities, that RRSPs are to be used and managed and that they're good mechanisms for the future.

I think an attempt to expand people's ability to save was through the TFSAs. I'm not sure what they're called, but TFSAs allow people to save an additional amount of money. Clearly, this is not happening. There's a recognition by this bill that there's a problem.

The second point to it, why governments may want to play a role in this. It's my greatest hope and the hope of everyone in here that despite all the rhetoric that individuals should have personal responsibility, that individuals should do this, that, and the other thing, and that individuals have the obligation to save for their future, if they don't, what happens then? Are we then just correspondingly supposed to say: "Well, no. You didn't do this. We provided you an opportunity through registered retirement savings plans, through TFSAs, through this pooled registered pension act. You were supposed to save for your future"? We don't.

There seems to be at least a recognition at this time that life is difficult for many people, that things aren't easily planned for, that there are kids to raise, that there is food to put on the table and clothes to buy. Yes, there may even be a little bit of: I'd rather have that big-screen TV than contribute to my RRSP. I recognize that, Madam Chair. There may be some of that thinking. I think that thinking draws back to: oftentimes I don't think human beings are great planners. You know, it comes back to that.

So what is the corollary of that? Regardless of whether we do it through this mechanism or at the end of their lives, government is going to have to play a role in assisting people. That happens. It happens now. It happens through our government currently subsidizing people over 65 in rental and housing situations when there's need. With many of those complexes run by the Trinity Foundation and other good entities, this government seems to recognize: hey, there are people who get to the 65-plus age and need assistance. We're going to continue to do that because, as we all know, who votes? Seniors vote. So that's going to continue, okay?



4:20

But back to the point here. I got a little sidetracked on why we need to have both a government response as well as, hopefully, encouraging seniors to save. If we look, then, at what the statistics say, that people currently aren't saving for their retirement through the existing means, what gives us any indication that this bill will substantially solve that problem? It won't, okay? As the hon. minister said, can it encourage people? Yes. Can it do a little more? Can it give people another option? Sure. I'd buy that. Good. But does it substantially solve the problem of seniors getting to 65-plus in need of a steady stream of income so that they can live life in a reasonable, dignified fashion? Does it address the problem that people are retiring at 65, to use a term, without a pot to take a leak in? Does this solve that problem? No, and hence the need for comprehensive CPP reform, okay? It simply has to be.

Let's call it what it is, CPP reform. It's a forced savings account for people. When they're working, the government takes money from their cheque and ensures that it is there in some form or fashion at the end of their lives. I guess it's a recognition, despite the hon. minister's comments, that sometimes life circumstances, individual choices, and the like are not necessarily happening that dictate an appropriate savings rate to absolve governments of their responsibilities to our fellow citizens that arise at 65. Given that that's the case, given that all evidence to the contrary says that this is happening and that this, unless I read it wrong, is not going to magically correct the problem, we need to engage in comprehensive CPP reform. It's my hope that this government understands that mechanisms like this, having more advertising about RRSPs, having more options like TFSAs out there, are maybe good and maybe make you feel good for a certain time, but it is not substantially correcting the problem.

In my view, the best way to ensure that people at least have an adequate system of retirement is through CPP reform. Yes, that does entail governments being involved in collecting a little bit from people's cheques and employers' cheques and ensuring that they are then pooled in a good system, like the CPP system is – it's efficiently run, efficiently managed, and the like – and then divvied out so everyone has a reasonable standard of living.

Will I be supporting this bill? Well, I'm not so certain, you know, whether I'll vote for it or against it. It doesn't really harm anything. I'll probably vote for it. But at the same time, I don't see it substantially solving a problem despite the rhetoric of what has been said. I think all evidence to the contrary indicates that this will not be good enough. All evidence of watching individuals and families contribute to RRSPs over the last 30 years tells us otherwise. If we continue to ignore that fact as government and as members of this House and cling to the notion that people are going to magically start getting it, are going to magically start understanding that they are going to live to be 88 years of age and they're not going to be able to work after 65, well, then I think we're just burying our heads in the sand and clinging to rhetoric.

Sometimes when a problem is so clear, a problem is so obvious, governments, despite what the political philosophy of the day is or despite what they internally believe, have to act. At the end of the day I hope all of us in this Assembly are not going to see people who have not adequately saved for their futures starve on the streets, where we look past them and say: "No. You didn't take individual responsibility for yourself or your family. No. You didn't do that." We're going to recognize that life is hard. We're going to recognize that things don't always work, that sometimes the best of intentions in life don't always lead to the end being that easy.

Those are my comments, Madam Chair. It's time for us, not only as legislators in this province but encouraging our federal government, to engage in some CPP reform.

Thank you very much, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

Are there any others? The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Madam Chair. I am pleased to be able to get up to speak to this bill, a bill that we will be voting against because it is such an unfortunate missed opportunity. It is simply supporting the profoundly disappointing set of decisions made by the Harper government in their decision to abandon seniors in Canada and to refuse to engage in putting forward a meaningful income supports program for seniors like one that we would see in most other developed countries. That is essentially why we are voting against this. The bottom line is that this is a smoke-and-mirrors attempt to paper over the unwillingness of the Harper Conservatives to choose the interests of regular Canadians over that of many big business owners.

In our view, Canadians deserve to have meaningful improvements to their pensions. They absolutely do. What should have happened, Madam Chair, is that we should have been pushing the government much more aggressively to make changes to the Canada pension plan. Unfortunately, instead, this government under the former Minister of Finance, whose name I believe I can now mention, Minister Morton, in adopting not only Conservative policies but also policies of the Wildrose, very aggressively fought against the idea of increasing the Canada pension plan and increasing the benefits received through the Canada pension plan. As a result, this government actually played a role in pushing the Harper government to this very, very bad decision, a decision for which Canadians will be paying for many, many years.

It's interesting, Madam Chair, that if you look at what public opinion is on this issue, the fact of the matter is that in December 2010 a poll showed that 78 per cent of Canadians wanted CPP benefits increased. This included, even in Alberta, that 66 per cent of Albertans believed that CPP benefits should increase, and of course they should because, as you know, the CPP pension right now on its own is well, well below the poverty line. We need to address that because we have a growing number of seniors in our population. The Canada pension plan has been determined by many experts to be the absolute best mechanism for addressing retirement issues in Canada because, of course, we have failed to deal with that issue, as has happened in so many other jurisdictions.

4:30

Professor Jon Kesselman, the Canada research chair in public finance at the Simon Fraser University School of Public Policy says, and I quote: expanding the CPP is the best option for improving Canadian workers' retirement income security; it can ensure results that none of the many alternative reform proposals for private schemes can provide.

The CARP director of political advocacy, Susan Eng, writes: CARP remains committed to improving retirement benefits for the current crop of seniors, including increasing CPP, OAS and GIS payments, getting a moratorium on RRIF withdrawals, making access to tax-free savings accounts retroactive and lobbying to remove the HST on seniors' energy bills.

Albertans, in particular, require some kind of meaningful change. Forty per cent of Canadians actually have access to private-sector pension plans, defined benefit private-sector

pension plans, but in Alberta only 18 per cent of Albertans have access to those kinds of pension plans. So, in fact, more Albertans will likely be required to rely on CPP than the rest of Canadians, yet we advocated against their interests. So typical, Madam Chair.

Now, if you look at sort of the actual effectiveness of the kind of plan that this government is bringing in, Madam Chair, it's helpful to look at the experience in other jurisdictions. Australia apparently had a plan that was similar to the one this government is supporting Stephen Harper is bringing in. It was a little bit different because it required employers to enrol their workers. It was mandatory, and then workers had an opt-out as opposed to making the whole thing voluntary. But a recent review commissioned by the Australian government after 12 years of experience reported that the Australian superfund did not even match inflation, again because the fees that were being charged were eroding it.

Interestingly, even the *Calgary Herald*, Madam Chair, noted that

the CPP already covers almost all Canadian workers and thus spreads the risk and management fees. It's fully portable, offers guaranteed income to all retirees, and is the only risk-free investment broadly available to workers. Private RRSPs and employer pension plans have proven much riskier than initially billed. Those who are in company pension plans are likely in a defined contribution scheme [at this point], where the amount that goes in is predetermined, but the payout is based on how well the fund... ultimately performs. Nortel workers know only too well how that worked.

Madam Chair, this bill is not going to deal with the growing urgency of the income shortage that is going to be experienced by Canada's seniors. The Canadian Labour Congress has a plan, which, frankly, the federal NDP was in favour of, to gradually increase CPP over time and to double it so that rather than paying \$934 per month, it would eventually pay \$1,868 a month. Pretty much enough to live on if you're very, very careful. That would have brought Canada's system, well, not really as close to the U.S. but closer.

In the U.S. they pay \$30,000 a year. Right now in Canada the maximum benefit that we have is \$12,000 through the current version of CPP. We actually have one of the lowest guaranteed retirement income plans in all of the OECD. As we've talked about previously, the greater the gap between rich and poor and the greater the inequality in a society, the more damaging it is to the community as a whole. Interestingly, it's not just damaging to those who are poor, Madam Chair. It's actually damaging to everyone. It's actually even damaging to the chair of Enbridge or, you know, the regional rep for Walmart or whoever it is, whether wealthy or not wealthy. When there's great disparity between rich and poor, it damages the whole community.

So here we are in Canada with the lowest guaranteed retirement income plan in the OECD by about 50 per cent, and we are doing nothing to fix that problem, Madam Chair, and our federal government is doing nothing to fix that problem. This government is piling on through this piece of legislation and supporting...

**The Deputy Chair:** I hesitate to interrupt you, hon. member, but the noise level is getting just a little too loud. Hon. members, if we can keep it down. If you'd like to have any major discussions, you can take them to the room out there.

Thank you.

**Ms Notley:** Thank you, Madam Chair.

Again, our argument is that this government should reverse its previously hostile position to promoting and growing CPP benefits

to provide for true equality and greater income security across the country in order, as I said before, to bring us closer in line with what is offered in other OECD countries. CPP has a proven track record of professional management, low-cost administration, and reasonable rates of return. Through modest and mandatory savings the CPP provides the guarantee of defined benefits, which provide Albertans with unrivalled peace of mind. We would argue that it's therefore the best option for helping to secure a guaranteed future for Alberta's retirees. As I've said, only 18 per cent of Albertans have a private-sector pension plan versus 40 per cent Canada-wide.

We desperately need to have a mandatory pension program to ensure that Albertans do not retire into poverty, Madam Chair. This PRPP is a step backwards because it's not mandatory, and even when combined with federal benefits, it's still not enough to ensure that workers have sufficient money when they retire. This PRPP is simply glorified RRSPs. It's designed in such a way as to see the retirement savings of Albertans handed over to the financial sector, which, quite frankly, is the group that benefits the most from this piece of legislation. Anyone who's tried to cash in their RRSPs during the end of a business cycle will know that the financial sector fails to deliver on its promises with surprising regularity.

It's also important to note that during the great economic recession the CPP barely lost but a few percentage points in value while the stock market took a terrible tumble. It's likely that if the PRPP was around at the time, it would've lost an equivalent value to the stock market, not the CPP. PRPPs are entirely voluntary, and they contain no requirement for employers to match employee contributions. The benefits they pay are not guaranteed and are subject, as I said, to the vagaries of the stock market.

Of course, Madam Chair, that is what is at the heart of this and at the heart of the Harper government's refusal to deal with this issue and at the heart of this Conservative government's advocacy to ensure that the Harper government refuses to deal with this issue. It's simply this, that they're unwilling to ask employers to contribute to the retirement future of their employees. That is why we are creating a second class of retirees and we will create a generation of very, very poor Albertans, in particular.

Madam Chair, it is for these reasons that we will not be supporting this bill. Everyone does agree that our pension system in Canada requires improvement, and we believe our pension system in Canada and in Alberta requires improvement, but this legislation is so wrong-headed and so unable to provide any kind of meaningful benefit to Albertans and at the same time allows the federal government a certain amount of cover for their profoundly damaging and ill-advised decision to abandon seniors' futures in Alberta. We simply cannot support anything that would even indirectly support such a grossly ill-advised policy decision as that which our federal government has perpetrated on the majority of Canadians who require income support in their retirement, so we will not be supporting this bill.

Thank you.

4:40

**The Deputy Chair:** Thank you.

Are there any other members?

**Hon. Members:** Question.

**The Deputy Chair:** The question has been called on Bill 18, the Pooled Registered Pension Plans Act.

[The clauses of Bill 18 agreed to]

[Title and preamble agreed to]

**The Deputy Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? Carried.

**Mr. Denis:** I would now ask that the committee rise and report Bill 18, Madam Chair.

[Motion carried]

[Mrs. Jablonski in the chair]

**The Acting Speaker:** I'd like to recognize the hon. Member for Calgary-East to give the committee report.

**Mr. Amery:** Thank you, Madam Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bill: Bill 18.

**The Acting Speaker:** Thank you.  
Does the Assembly concur in the report?

**Hon. Members:** Concur.

**The Acting Speaker:** Opposed? So ordered.

### **Government Bills and Orders**

#### **Second Reading**

*(continued)*

#### **Bill 21**

#### **Environmental Protection and Enhancement Amendment Act, 2013**

[Adjourned debate May 6: Ms Jansen]

**The Acting Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Speaker. I rise in support of this bill, but there are a couple of issues that . . .

**Mr. Denis:** What's your experience?

**Mr. Anglin:** My experience is that I don't generally get listened to on the other side, but I will happily change that experience. They listen to me on this side, Madam Speaker.

I will say this. For the most part I will urge my fellow colleagues to support the bill, but there are some issues with the bill that I hope we can clean up or correct with some amendments when we approach Committee of the Whole. Where I have some real problems with this bill is how it was constructed. In my view, it was constructed backwards.

What I think we all agree on is that we need some sort of air quality monitoring system, and this actually came about with the joint Canada-Alberta implementation plan for oil sands monitoring, which I have the report for right here. When that report was first announced some time ago, many Albertans were in agreement with it, and the report actually has a number of provisions outlining how this should work.

From that, this legislation comes forward. As I understand it – and I hope the minister can clear up some of this before we even get into Committee of the Whole – the oil sands working group agreed to fund approximately \$50 million over and above both the federal and the provincial funding to implement this. What I would like to have seen is a world-class monitoring system constructed for implementation, and then we look at what it would have cost to implement and keep operating, and then we evaluate whether or not that was exactly what we wanted to do.

Now we look towards the funding and making it work. What I have heard from the stakeholders and the ministry itself is that they looked at the total dollar value that the industry was willing to invest in this, and now this is what we're looking to spend without actually having constructed or devised the air quality monitoring system. That is one problem I have, actually, with the bill, the way it was constructed.

There's another factor that is evident here. It was mentioned last night in the hon. member's speech when this bill was tabled for second reading, and then it was adjourned. This PIN, the personal identification number, for treating hazardous waste: what this bill will do is give the power to the minister to exempt certain companies or groups of people, as they're referred to, from this requirement. I'm concerned about that because there is a potential for dropping the ball here.

I understand why this provision was introduced. The idea is that these companies or classes of people, as they're referred to, are going to come under the jurisdiction of the single regulator. However, the way the legislation is drafted is broad enough that it is not just restricted to oil sands companies or, for that matter, the companies that would come under the single regulator. What we have is a broad exemption that the minister can grant but not necessarily where the single regulator would pick up the jurisdiction. That would be a very small category of companies or a small category of industry, but still there is a loophole there that could come back and haunt this government, come back and haunt the people of Alberta. That is one area that I was hoping we could correct with some of the amendments.

All in all, the idea is that our industry, our oil sands companies need this. They see the value in this. The environmental groups in this province want this. We as a government, as various parties within the Legislature, all agree that we have to do something for our monitoring system. Now, with that said, we also need something that actually will work, that is verifiable, that will give the confidence not just to the industry and to the environmental groups but to our customers, the rest of the international markets that are asking for this for the marketability of our own products.

With that, there seems to be general support for the bill. This is a good start. Industry is onboard. Environmental groups, I think, would love to see it strengthened. Myself, I would really want to have the minister explain in better detail how this exemption from the PIN is going to actually work in conjunction with the manifest that is required. What I see as I read the bill – and I'll stand to be corrected if the minister can correct me – is that this exemption would also eliminate some cases where a manifest is not necessary, and that, to me, would be a little bit too precarious for what we need to do in handling hazardous material.

With that, Madam Speaker, I will conclude by asking my fellow colleagues to take a serious look at this and support this bill. In the Committee of the Whole I will introduce a couple of amendments. Hopefully, the members across will hear that, and maybe my experience will change.

Thank you.

**The Acting Speaker:** Thank you, hon. member.

The hon. Member for Airdrie.

4:50

**Mr. Anderson:** Thank you, Madam Speaker. It's my pleasure to rise today to speak to Bill 21, the Environmental Protection and Enhancement Amendment Act, 2013. As elected representatives there are two duties that are likely among our most important responsibilities. They are, first, to help make Alberta an even better place than when we were first elected and, two, to do all we

can to enhance and protect our province for future generations, for our children, and for our grandchildren. With these two guiding principles in mind, I look forward to voting in support of Bill 21.

Alberta's environmental and economic fortunes are inextricably linked. Government has a critical role in setting and enforcing regulations in order to protect the quality of Alberta's air, water, and land. Industry – oil sands and other resource developers – knows that they must minimize the environmental footprint of their activities and operate as responsible corporate citizens while they generate the jobs and prosperity that benefit all Albertans and beyond. We in the Official Opposition have always advocated for real measures that ensure clean air, clean water, and clean land. Every Albertan has a stake in the quality of our air, water, and land.

Alberta's emissions strategy needs to be expanded, and the focus needs to be on ensuring front-line monitoring and enforcement of regulations regarding air, water, and land quality instead of spending billions of taxpayer dollars on flawed ideas like giving \$2 billion to some of the largest corporations in the country to pump CO<sub>2</sub> into the ground. That is not a way to improve our environment and is not a wise use of tax dollars. Also, we would rather not see the expensive wealth redistribution schemes like cap and trade. We like the idea of a made-in-Alberta solution, and it starts with effective monitoring of emissions and enforcement of our CO<sub>2</sub> and other regulations.

In order to serve the best interests of Albertans and to earn the best possible reputation internationally, we must accept the reality that every new oil sands project is going to have environmental impacts. That's what development does. The key is to make sure each project operates under clear and consistent environmental parameters, with a clear strategy for how to reclaim the land as quickly as possible.

It is important for environmental and reclamation expectations and regulations to be predictable and consistent for developers and to be enforced by government, so I support this effort to enhance oil sands monitoring and to co-ordinate provincial and federal data on air, water, land, and biodiversity in the oil sands region. I also support making the information transparent and accessible so that all Albertans and people all across the globe can know that government and industry are fulfilling their joint responsibilities in oil sands development.

Oil sands development represents the pinnacle of technological advancement and innovative achievement, and industry constantly improves the efficiency and effectiveness of exploration, production, and value-added processing of this important resource. Oil sands and other resource developments also play a major role in providing government the resources to fund the priority social programs and services that are so important to Albertans as well as to save for future generations in the heritage fund. That is why it is important for the government to set clear and consistent rules and to enforce them so oil sands developers can operate with the confidence of Albertans that they are fulfilling their social licence to develop the resources owned by all our citizens.

I look forward to the debate and to amendments in Committee of the Whole in order to make this the best possible legislation governing environmental stewardship, hazardous materials, and protection of front-line enforcement officers as well. For example, I'd like to see the \$15-per-tonne carbon levy currently charged by the government, instead of going into a fund that winners and losers are picked out of, where we pick which technology we're going to fund here or which company we're going to fund there with that money, put into enforcement, monitoring our oil sands, keeping the regulations around our emissions, air and water quality, land quality, land reclamation, and so forth. I think that is

how we should be spending that money rather than giving it to private corporations to do what they should be doing anyway, frankly.

In closing, I think that as MLAs in this House we must make decisions that balance economic growth and opportunity with environmental stewardship and conservation. The two are not mutually exclusive. In fact, the statistics around the world – the proof, the evidence – are very clear. The more economically prosperous a jurisdiction is, the better the tools they have and the better the means they have and the more demand their people have for maintaining and improving their environment around them. I think that this is a truism, and we should never try to say that environmentalism and economic development are somehow mutually exclusive. That's just simply not the case.

Bill 21 is an important future step in fulfilling our obligations to current and future Albertans, and I very much look forward to supporting this bill. Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is now in place. Are there any members that wish to use 29(2)(a) for questions or comments?

Seeing none, are there any other members that wish to speak on Bill 21 in second reading? The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Well, thank you very much, Madam Speaker. I'm pleased to be able to rise to speak to Bill 21, the Environmental Protection and Enhancement Amendment Act, 2013. I'd like to start by thanking the officials from the ministry of environment who took the time to provide me and one of our caucus researchers with a briefing on elements of this piece of legislation.

I think it's really important to sort of start the discussion on this piece of legislation by looking a little bit at the history of this issue as it relates to this provincial government. You know, I can only go back so far. Although I often feel, Madam Speaker, like I've been here for decades, really it's only been five years. I remember – I think it was probably in the fall of 2008 – when I very nervously got up and posed one of my first questions to the minister of environment around the fact that a number of residents of Fort Chip were raising concerns, very serious concerns, about their health and very significant differences in terms of their health, which they attributed to development activities by the oil and gas industry upstream from where they lived.

At that time I was told with much disdain and a great deal of patronizing by the minister that, of course, we all knew that industry was having no impact – no impact at all – on the air or the water or the land in the oil sands region and that we were simply, you know, Chicken Little and that we were causing panic and that that was because our overall goal was to kill jobs. I'm pretty sure that that was part of it, that we lived to kill jobs, and therefore we were completely making this stuff up and were completely hysterical and that there was nothing to it. That was sort of the response that we would get from the government.

Of course, we would also get the age-old response: "You know, there are a few chemicals in the water here and there, but you know what? It's all naturally occurring, and it would be there with or without industry activity, and indeed industry is having no impact on the environment up there." I was assured of that over and over by the minister of environment, who told me how many wonderful scientists he had in his ministry and how they knew so much more about these issues than we did.

Anyway, Dr. Schindler and his colleague Erin Kelly in August of 2010 independently produced a report, an academically independent report. I don't know if it would still be produced in

the minister of advanced education's new postsecondary world. Nonetheless, it was produced there although I do believe it was mostly funded by international funders. It showed unequivocally in scientific, geeky terms that, in fact, there was impact on the environment as a result of industrial activity.

Notwithstanding that, the first response of this government and of the minister at the time, the former minister, Rob Renner, was, quote: my scientists are telling me that the amount of compounds that can be detected in the Athabasca River at this point is not a concern and is an insignificant level. Renner said: the fact remains that they are naturally occurring substances in the water, and if we had never set foot in the region, these kinds of results would still be there. Now, that was the minister of this government in August of 2010.

5:00

Well, in December of 2010 the Royal Society of Canada, which is basically the leading scientists in the whole country, reviewed Dr. Schindler's work and not only agreed with all that he had found but went further to say that they had no idea how it was that the minister of environment or any of the scientists who were briefing this minister of environment could even make the statements that the minister of environment had made because they weren't even doing the tests and the investigations that they would have had to do to make the statements that they made.

In essence, we had a Progressive Conservative minister of environment assuring the world that we were all hysterical and that their scientists told them that everything was just fine only to have actual scientists come in and tell them that their scientists had not actually even tested for the very thing that they were talking to the public about. Now, personally, Madam Speaker, in other jurisdictions that would have resulted in the resignation of the minister of environment. In this province, unfortunately, things are a little bit slower to happen. But it ought to have resulted in the resignation at that point of the minister of environment; nonetheless, it did not.

Then on December 17, 2010, there was another scientific report that was released which outlined, indeed, that the regional aquatics monitoring program was underreporting occurrences of deformed fish in the Athabasca River, the occurrence of which was actually hidden from the public for decades. So there you go.

Then by January of 2011 the government was forced by public pressure and also at that point by some international pressure to appoint its own environmental monitoring panel. Now, that panel went through its own hiccups. As I recall, there was a fellow who had his own economic interests at heart that basically conflicted him out of being on that panel, and they had to remove him because he was actually a lobbyist for water treatment systems.

In any event, by March of 2011 the minister had to finally backtrack on his assertions that RAMP was adequate and that all toxins found in the river were naturally occurring because their own committee released its findings saying: "You know what? Maybe this isn't quite as good as we thought." Finally, in March 2011 the federal government came to the table as well, and their scientists also said: well, you know, we've actually finally had a look at this, and we've also looked at Dr. Schindler's data. They also said that – who knew it? – Alberta had never really been testing, had never really been monitoring, and maybe someone ought to start doing that.

Quite honestly, Madam Speaker, this government's record on monitoring and protecting the environment and protecting the interests of the Albertans who live downstream from the industrial activity in the oil sands is shameful. They have actually never even come clean on the fact that they intentionally engaged in the

activity of misleading Albertans about their health. They've never even apologized for this shoddy record and these knowing efforts to mislead Albertans about how safe our water systems were in that particular area.

Nonetheless, though, international pressure, I suspect, is the primary reason why we are finally moving forward on some of this stuff. But the question is: how do we move forward? Do we move forward 85 per cent press release, 15 per cent action, or do we actually move forward with real action?

One of the key components as a result of this rather unfortunate and unseemly history of governance and public policy management by this government on this file was that almost everybody agreed that the government couldn't be trusted to continue with this work and that what needed to happen was that there needed to be an independent system of monitoring that was ultimately overseen by academically independent scientists who would do monitoring based on what the science told them to seek. That was one of the fundamental components of recommendations that came from this rather unfortunate history.

Then the provincial government and federal government got together, and they came up with their new dog-and-pony show, the joint monitoring program. Yes, they made some improvements. Yes, they increased the locations where they were engaging and monitoring in some cases, so there was a marginal increase in monitoring. And, yes, they also just very recently started releasing some of that information, not full information but pieces of that information, to the public more regularly. However, the independence, the independent body, the independent agency does not yet exist. The agencies that are doing the increased monitoring that is currently going on up there include among others the originally discredited RAMP.

This bill will essentially allow the government to stand between industry and the monitors, so collect money from industry and then give it to the monitors in order to ensure that it's not a direct model of industry funding the monitors. The idea is that perhaps that will result in a slight increase in quality, and maybe it will. But, again, you need to keep in perspective, Madam Speaker, the history of this government on this file and understand, when you look at that, that most people who are concerned about the health of their water and their ecosystem and the environment are, rightly so, somewhat untrusting of the degree to which they can rely on this government, not only those Albertans but also the international markets who are very closely watching the way in which we handle this challenge.

For that reason, we need to set up a system that is actually one that will gain trust. And for that reason, rather than bringing in at the very end of a session that they want to get out of really quickly an enabling piece of legislation that essentially says that the minister may make regulations about whatever the heck she wants, and then we can all go behind closed doors and do it, what should be happening is that the minister should be coming in here with, you know, a piece of legislation that would really define and change the culture and define and dictate a change in culture in this province, both with industry and within their own department and their own ministry and within their own benches, that would define and oblige a change in how we approach protecting the environment on behalf of all Albertans and future Albertans.

That's not what this legislation is. This legislation is, as is typical with this government, the kind of legislation that is written to ensure that the minister of environment will never have to come back into this Legislature if she can avoid it to have these issues discussed.

**Mrs. McQueen:** I will always be here.

**Ms Notley:** The minister says that she'll always be here. You know, she's often here. She's usually here. She's great at being here. But the point is: how often do we get to have a really thorough discussion about components, detailed components, of what makes a good environmental protection scheme and what does not make a good environmental protection scheme? Madam Speaker, the reality is that it's almost never.

If this government really wanted to convince our investors and our markets, not to mention our citizens, that they are serious about this, they would bring in a hallmark piece of legislation that actually stipulates the standards and the breadth and the scope and the application and the outcomes of this new environmental regime as opposed to simply saying: we're going to give the minister the authority to do whatever she thinks is appropriate in all her great judgment.

The reason I say this and the reason I started with that long and really unfortunate dark history is because when you've got a history like the one that this government has around the assertions and the assurances that they have made in this House and through this House and in the public to the public about the degree to which we should be trusting them on the environment, when you have that kind of shadowed history, you need to do something pretty big to win back trust. Simply asking Albertans to trust us isn't going to do it. You know, they're – what? – 21 per cent in trust, and there's a reason for it. So I'm disappointed that this legislation does not include much more specific guidance and direction with a vision towards where we're going to go.

Now, when we move further along, Madam Speaker, I will speak about certain components of the legislation that cause me some concern. There are elements of it that we need to know more about. As the Member for Rimbey-Rocky Mountain House-Sundre pointed out, there are specific elements that might be easily improved, hopefully through amendments, but I think that we need to understand that from the start this legislation does not in any way, shape, or form get us to the independence that we are looking for, get us to the basic minimal requirements that we're looking for.

5:10

The final point that I will make, Madam Speaker, is that as much as these guys have been really keen to talk about how they're doing monitoring in a really independent way at some point in the future, the final word is this. You can put 19 cameras on a train which is about to go off the rails, but if you don't fix the rails or change the track, you're still going to go off the rails. At this point all these guys are doing is that they're taking a long time setting up the cameras, and nothing is being done to change the direction of this train. I want to make sure that this is not being used as a mechanism to talk about simply the number of cameras for the next 10 years while we continue to let the train barrel to its destination, which, unfortunately, will not be on the tracks.

Thank you.

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is in place. Are there any members who wish to speak on 29(2)(a)?

Seeing none, we'll go to the next speaker. Are there any other speakers who wish to speak in second reading? The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you, Madam Speaker. As always, it's a privilege to rise to discuss any bill, and it's the same here with Bill 21, the Environmental Protection and Enhancement Amendment Act, 2013. It was a particular treat to actually just listen to that tale

of woe or description of what actually has happened in this province over the course of the last number of years.

In particular, I didn't get here till 2008, at roughly the same time as the hon. member, and I remember those times. I remember reading in the papers prior to getting here what was happening up at Fort Chipewyan: the increased cancer rates, the strange fish they were finding in the waters, the location downstream from the production of our oil sands. You know, I wasn't the best in science, but I was pretty good at deductive reasoning, and I could pretty much draw the map and sort of see: well, there's something happening here, and dollars to doughnuts it's all that heavy industry that's going on up there. In fact, other signs and symbols were occurring in the province. Other red flags were coming up that clearly indicated that something was happening here.

My recollection of hearing for the first time that all of our concerns on the opposition side were just ridiculous, that we were all just crying wolf, that there were no problems, and that everything was in hand was actually in estimates. It might have even been supplementary supply. We actually got to ask ministers questions.

The first time I heard the story of how the toxin levels in our rivers were perfectly fine and not affected by what our industry was doing up in the Athabasca and other natural, flowing waters was when I asked hon. Minister Morton. I think he might have been the Environment and SRD minister at that time. He told me point-blank that my concerns were ill founded. Didn't I know that the tar sands . . .

**Some Hon. Members:** Oil sands.

**Mr. Hehr:** My apologies. I apologize.

. . . were naturally flowing substances that had just been seeping into the streams forever and a day, that this was just happening, that the rivers and the streams up there had become so accustomed to it that this additional industry component would have no effect on what was going on, that the oil sands were just a natural seep in there, that everything had reacted that way over the centuries and that there was nothing wrong, that we were crying wolf, like I said earlier.

Again, I was also here when former Minister Renner would get up and answer those questions posed by I believe it was the hon. Member for Edmonton-Centre and other opposition MLAs on a repeated basis and said with a straight face: "Our scientists have investigated this problem. There is no cause for concern. Everything is all right." Then, lo and behold, the report came out from Dr. Schindler which said: well, everything isn't all right; there are real concerns here.

The way the government portrayed itself, essentially playing the role of Nero and playing the fiddle while things in the environment up there were going to heck in a handbasket, is very concerning. If they didn't know, that's highly concerning, but they should have known, really, what was happening up there. Therein lies the problem.

Going back even further, I know there is much talk now and again about who believes in climate change, but some of you were here in this Legislature when this provincial government was one of the late converts to global warming and the fact that it was real. This government didn't get onboard until 2004, when after, you know, almost 30 years of climate science being out there and most national governments recognizing it, maybe not doing anything about it but at least recognizing it, this government switched its position on global warming and actually admitted that it is real.

We have a long history of not recognizing science, the effects of our industry on water streams, the effects of CO<sub>2</sub> in the

atmosphere and the like and the devastating effects. To be honest, we thought at one time that it was probably in our economic interests to ignore them. You know, although that doesn't absolve us from our responsibility to other issues like the environment and global warming, I think we saw it as: "Well, we just have to do this. It's the way Alberta is going to make money and the way Alberta is going to make money in the future. Taking this stuff seriously is just not in our bailiwick because it's going to be too hard, and it's going to impact the bottom line." I think that decision was made.

Possibly and maybe even probably because we paid such a lack of attention to the real and overriding concerns out there, we find ourselves in the conundrum we are in today, where the world community looks at us and says: "What have you done? What are you guys going to do?" Our record is silent as to being in the direction that it should have been. Our actions have not matched our rhetoric as to how seriously we are going to address these environmental concerns.

Because of this, we are now in a box. We have to act quickly. We have to react to this public pressure. I don't even know if we're reacting quickly enough. It almost appears as if we're making it up on the fly. We saw that with the 40/40 proposal on emissions. You know, all of a sudden Keystone XL is in jeopardy. "Well, jeepers, we've got to try and do something to make it look like we're doing something." Hey, I think it would be a decent strategy to implement and bring that in and move forward on it.

5:20

My worry is that this is all just sort of a reaction to the current pressures and not necessarily taking seriously not only what's in our economic interest but what is our global responsibility issue. Our global responsibility is to try and do better and have levels of enforcement, levels of scientific monitoring that actually give us a true picture of what is happening. If we don't have that true picture, well, heck, we can never try and do any better.

Although this bill, I guess, is a step, I think I would have liked to have seen more of an independent body that manages this, that has a whole clean-slate approach to the way we're doing things and monitoring not only CO<sub>2</sub> emissions but our emissions into lakes, rivers, streams, and the like. Although this is a first step, as the hon. member said beforehand, we've been in a series of first steps or a series of baby steps when, to make headway in this game, we should be taking large leaps, trying to rectify not only problems of the past but to give us a social licence to carry on in what we do. My hope is that this bill goes a long way in doing this. However, because we do not know the details – they're not laid out for us for, I guess, a full, clear, and wholesome debate about the good, the bad, and the ugly of what we're going to try and do – it falls short, for me, in giving me that comfort level that we are going to do better.

Now, I know the hon. minister of environment is here. She assures me that everything is going to be done to see that this program is up, running, and doing what we need to do, but I would have liked to have seen in this Legislature more of the details of what we're going to do.

Nevertheless, Madam Speaker, I appreciate the opportunity to discuss this matter. I appreciate the detailed way the hon. Member for Edmonton-Strathcona went through the history. It gave me a chance to revisit some of those times over the last five years when I've almost fallen out of my chair at some of the answers that were given by the former minister of environment in regard to what was happening and the like. I'm hopeful for a better future. Take care.

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a).

Seeing none, are there any other members who wish to speak in second reading on Bill 21?

**Hon. Members:** Question.

**The Acting Speaker:** The question has been called, but I'll ask the hon. Member for Calgary-North West to close debate.

**Ms Jansen:** Thank you, Madam Speaker. I wish to thank all the members for participating in this debate and for their comments. We are certainly looking forward to continuing the debate in Committee of the Whole. I call the question.

[Motion carried; Bill 21 read a second time]

### Government Bills and Orders Committee of the Whole (continued)

[Mrs. Jablonski in the chair]

**The Deputy Chair:** I'd like to call the Committee of the Whole to order.

#### Bill 17 Municipal Government Amendment Act, 2013

**The Deputy Chair:** Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Rowe:** Thank you, Madam Chair. I have an amendment with the requisite number of copies that I will hand to the Clerk.

**The Deputy Chair:** Yes. We'll pause while we distribute those copies.

Hon. members, this will be known as amendment A1. The Member for Olds-Didsbury-Three Hills may continue.

**Mr. Rowe:** Thank you again, Madam Chair. I will be very brief. This is the only amendment that I will be putting forward. What it would do is amend section 130(1)(b) to add the stipulation that the minister must hold a vote of the electors of the municipality on the proposed dissolution within 60 days after completing the viability review.

This would ensure that after a viability review is completed, a vote by the electors in the municipality would take place in a timely fashion. We all know government can move very slowly, and I think it is important to ensure that after a viability study is conducted and completed, a vote be held on the proposed dissolution within a reasonable time frame so that it is not delayed indefinitely. Sixty days, or two months, is adequate time for municipal officials and those residing in the municipality to thoroughly study the findings of the viability review.

Bill 17 will give the minister the ability to order a viability review for a municipality, and the same criteria that were in place for triggering a dissolution study will remain in place to trigger a viability review. A municipal council will still be able to request a viability review, or the people of the municipality can request a viability review with a petition from 30 per cent of the population of a municipality or the majority of electors in a summer village.

Most recent examples of municipalities undergoing a dissolution study, including one in my riding of Olds-Didsbury-Three Hills, were triggered because people within the municipality put forward a petition for dissolution. When it is the people in the

municipality asking for dissolution, it is important that they are able to cast their vote on the proposed dissolution in a timely manner after the viability review is completed.

Amending Bill 17 to ensure that a vote on a dissolution proposal must be held within 60 days after the completion of a viability review strikes the right balance between giving people in the municipality enough time to look at the findings of the viability review and ensuring that they are able to cast their vote on the dissolution proposal soon after the viability review is completed.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

5:30

**Mr. Anglin:** Thank you, Madam Chair. I rise in favour of this amendment. Hopefully, even the minister himself will support this amendment. What this amendment does is something very, very simple. It says that once that viability study is complete, there can be some sort of closure to this issue. The closure is that there has to be a vote under the act. It just makes sure that that doesn't get dragged out too long. For the citizens that would have brought the concerns forward, everything follows in place as the act requires. It just allows the citizens to know once the study is done and is complete that when the minister makes the announcement, there will be a vote, and they can count on the fact that it's going to be within so many days. If the minister would like a friendly amendment to extend it to 90 days or 120 days, I don't think there would be any opposition over here.

The reason the amendment was brought forward is so that there'd be some sort of assurance of closure and that something would not just get arbitrarily hung up in administration and not be resolved. I think it's a reasonable amendment. I would hope that the minister himself will accept it, and I encourage my colleagues to support it.

Thank you.

**The Deputy Chair:** Are there any other members who wish to speak on amendment A1? The hon. Member for Strathmore-Brooks.

**Mr. Hale:** Yes. Thank you, Madam Chair. I'd just like to rise and speak in favour of this amendment. The hon. Municipal Affairs minister knows of an issue kind of like this in my constituency. It's the village of Tilley, who had over 80 per cent of the residents sign a petition. They want to go through dissolution. The county wants to take them. I believe they are going through the viability review at this time.

You know, this would give them a little bit of a time frame so that they know. They're concerned that these studies won't be done and the voting and everything won't be done before the municipal elections come this fall. That's one of their concerns. I think this would allow them to put some of those concerns at ease. For other communities that are going through the same process, it would allow them a little bit of planning. They'll be able to plan a little bit better and put some of their concerns at ease.

I would hope that the hon. minister would take this into account. Thank you.

**The Deputy Chair:** Thank you very much.

The hon. Member for Barrhead-Morinville-Westlock.

**Ms Kubinec:** Thank you, Madam Chairman. Unfortunately, I have to speak against the amendment as this went through a very

consultative process with AAMD and C and AUMA. I think that by putting that restriction on it, it's taking away some flexibility. We talk about being a government who wants to consult with our citizens, and that's exactly what we did in this process.

As well intentioned as it is, I cannot support it, and I would urge my colleagues not to as well.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak?

**Mr. Griffiths:** Well, Madam Chairman, first, I would just say a sincere, heartfelt thank you to the Member for Barrhead-Morinville-Westlock for doing an exceptional job of carrying this piece of legislation. It's her first piece of legislation, and I am quite sure that it will not be her last. She will do a lot more good work in this House.

I didn't have the benefit, nor did any of my other colleagues, of seeing this proposed amendment before. It was just introduced. My colleague, who had already addressed the concern that these amendments were written to move from a dissolution process to a viability review process to be more active in engaging with municipalities, meant that we worked on this for three years. There have been extensive consultations with AUMA and AAMD and C and other municipalities to make sure that we had a process in place that was just. From all of that consultation I do understand exactly what the members are talking about because we have heard municipalities talk about timeliness and the process and making sure that they could get some of these challenges resolved quickly.

Madam Chairman, in this particular circumstance section 130.1 gives an option for the minister. It says:

After completing a viability review, the Minister may

- (a) by order direct the council or the chief administrative officer to take any actions, based on the results of the viability review, that the Minister considers appropriate to ensure the viability of the municipality, or
- (b) hold a vote of the electors.

This amendment, Madam Chairman, proposes to amend 130.1(b). Now, that still leaves the minister the option of providing orders to the municipality on what they need to do to make sure that they become more viable or actions that they need to take to make sure that they're successful. Putting a timeline around this, whether it's 90 days or 100 days, gives the impression that a vote will be conducted. But when you read this, the minister still has the option of (a) or (b), and there may be no vote at all. It gives a false impression that there will be directives around a vote in a timeline prescribed under 130.1(b) even though the minister has the option of pursuing 130.1(a) in directing the municipality to take a particular action.

Madam Chairman, I think this amendment isn't appropriate the way it's written, and I'd encourage my colleagues to reject it.

**The Deputy Chair:** Thank you, hon. minister.

The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Chair. The whole idea was not to take that flexibility away from the minister. I would just disagree with the hon. member. It doesn't give any type of false impression because it is still an option for the minister to administer and to call that vote. When the minister decides that that's the route you've chosen – that's your ability to do that – then once you make that decision, the vote takes places within so many days. That's where this amendment comes from. It maintains the



flexibility of the ministry to make other changes necessary to have all of that flexibility that's already built into the act.

All that this was intended to do – I think it's very clear – is that when the decision is made to conduct a vote, there is a time frame. I think that's reasonable. If you look at the act, particularly dealing with municipalities, under a couple of different provisions now the municipality, in dealing with things like petitions, with issues of some sort of referendum – the municipality has time frames for conducting a vote, I believe, on petitions. I think it's 60 days. I'll stand corrected. I'm going by memory. That vote falls within a certain time frame. So if a question is brought in front of a municipality, the council has the ability to say that if it's within one year of a scheduled vote, then they can delay that question until the regular election date. So it gives the municipalities the flexibility to not have multiple elections in any given year.

There are multiple provisions in the act now, which, hopefully, will be either strengthened or maintained when these issues are brought forward. I would just argue that this section does only one thing. It stays consistent with the rest of the act by providing a time frame when the ministry calls the vote. Only when that decision is made does this come into effect. That's why I said that whether it was 90 days or 120 days, I think you'd find acceptance on this side. We just wanted some sort of clarity that once it was determined that it was going to a vote, the public had some sort of time frame to expect that vote to happen.

**The Deputy Chair:** Thank you, hon. member.

The hon. Minister of Municipal Affairs.

**Mr. Griffiths:** Thank you, Madam Chairman. Well, now I would argue that all of the arguments made by the hon. member make this amendment completely irrelevant, then, because if it still gives flexibility to the minister – and I know what he's referring to. In the MGA after councillors resign, they have to have a by-election within six months unless the minister gives permission that they can advance that longer so that if there is a municipal election nine months away, they don't have two elections in short succession. That gives the minister flexibility.

If the intent here, then, is to still give the minister flexibility so that once it's determined there's going to be a vote – the minister could simply sit for six months and wait until he decides on whether or not there's going to be a vote, so it still doesn't take the authority away from the minister to make that sort of decision. In fact, the way it's written now still allows for a timely vote if necessary, but it still allows the minister the opportunity to decide if it coincides too much with a general provincial election or a general municipal election.

There are other challenges as we have some municipalities where we've had one or two or three councillors resign. It still allows the minister the choice. This serves absolutely no purpose because it doesn't take it away; it doesn't give any sort of clarity or succinctness. It is still allowed, but it is at the minister's discretion, so I'd say this amendment becomes completely irrelevant.

5:40

**The Deputy Chair:** Thank you, hon. minister.

Are there any others wishing to comment on amendment A1?

We'll call the vote.

[Motion on amendment A1 lost]

**The Deputy Chair:** We are back to discussing Bill 17 in Committee of the Whole. Are there any others who wish to speak? The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you, Madam Chair. It's my first time speaking to this bill. I appreciate the difficulty of what is facing the minister in regard to at least my perception of what he is facing out there and the challenges that are present in both our urban and our rural communities and how the whole group is getting along, where the Municipal Government Act regulates things, and how, in my view, the urbanization of this province is affecting the different mechanisms that have been in place and have served our province for the last 50 years.

There is no doubt that if you look at the local Calgary situation, you hear arguments over water and development size. You hear the comments from the mayor and other city councillors here in Edmonton, who feel that they are not getting a fair deal and that some, if reading between the lines, mergers and acquisitions should happen in our urban landscape to more adequately reflect the fact that Alberta is largely an urban province now. That doesn't mean that I don't understand that our rural communities continue to have people in them, that they continue to be valued Albertans, and they continue to provide much grit and muscle to the Alberta economy.

There is a sense out there amongst municipal councillors and, I know for a fact, some other people out there that the system right now is not working. You see that where you have a smaller town that may have a large industrial base. They're awash in cash while a community two steps down has a population base but no resources because of the way our system has been set up. Or you have big-city mayors who recognize that 50 per cent of the tax dollars their citizens send to the provincial coffers don't necessarily go back to them. They support other province-building activities that have traditionally been pursued in this province. It's difficult to continue those ways when you become a more urban province and when you even have people from rural communities who are using most of the services in our urban centres and the like.

Needless to say, this is a very difficult exercise that the minister is undertaking, one that will no doubt be challenging and full of land mines and not that easy to do. But the exercise is a little bit in public relations, changing some of the language, from dissolution and other words, to more favourable language which is trying to portray the government as a partner in assisting – assisting – with communities' problems and not necessarily being the bad guy. I understand that. That's how politics works and the like, but there is a lot that needs to be done. Hopefully, this bill will allow us to move to a recognition that the current system is not working for many municipalities in this great province and, in my view, has needed revamping for a long time.

On this note, because the hon. Member for Edmonton-Centre is not here and she has tasked me with making her amendment here this afternoon, I will try to do it justice. You know, if I forgot to make this amendment here today, you could imagine what my time would be like at the caucus meeting tomorrow, Madam Chair. So with no further ado let me get this on the record. Here we go. This is on behalf of the Member for Edmonton-Centre. If we could just pass that out.

**The Deputy Chair:** We'll pause for a moment while we pass out an amendment to Bill 17. This will be known as amendment A2.

**Mr. Hehr:** In this motion you can see that the Member for Edmonton-Centre is highly concerned that the minister will have, seemingly, the powers to dismiss an elected council. I guess from the position of the Member for Edmonton-Centre she sees this as

highly difficult, that the minister can just disband elected officials. Now, I guess we all know here that when you're dealing with matters of dissolution and whether people are going to go into another electoral zone or become a different name or entity, this becomes somewhat problematic. How much power can the minister have? How much can the town councils have?

I guess maybe a pragmatic solution is that once everything is agreed to, we can wait till, you know, the next election cycle. Whatever is proposed can happen the next election cycle so that those town councillors who are elected continue to serve their areas for the full term of their elected session prior to any dissolution or amalgamation occurring. That would be one idea. I am certain that there are others, which the Member for Edmonton-Centre will explain when she discusses this at a later time in this House.

That's essentially it. We think it's heavy handed and unwarranted in this regard. I'd urge members to support this amendment on behalf of the Member for Edmonton-Centre.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who would like to speak on amendment A2? The hon. Member for Barrhead-Morinville-Westlock.

**Ms Kubinec:** Thank you, Madam Chair. Unfortunately, again I have to speak against this amendment, and I'm using the same rationale as the last one. This went through a very thorough consultative process with the people involved, and this is what the people want to see happen. Just as a side note, the minister already has the power to do that.

I would urge my colleagues to vote against this amendment.

5:50

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak on amendment A2?

**Hon. Members:** Question.

**The Deputy Chair:** The question has been called.

[Motion on amendment A2 lost]

**The Deputy Chair:** We are back to discussion on Bill 17 in committee.

**Mr. Hehr:** No. I think that's fine. I've done my good service on behalf of the Alberta Liberal caucus and the Alberta people. I wish the minister luck with getting some of his ideas through.

**The Deputy Chair:** Thank you, hon. member.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Madam Chair. I'd move that the committee rise and report progress and beg leave to sit again.

**The Deputy Chair:** Thank you.

[Motion carried]

[Mrs. Jablonski in the chair]

**The Acting Speaker:** The hon. Member for Calgary-Varsity to report.

**Ms Kennedy-Glans:** I am happy to do that, Madam Speaker. The Committee of the Whole has had under consideration certain bills and reports progress on Bill 17. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

**The Acting Speaker:** Thank you.

Does the Assembly concur in the report?

**Hon. Members:** Concur.

**The Acting Speaker:** Opposed? So ordered.

**Mr. Hancock:** Madam Speaker, I'd move that we adjourn until 7:30 p.m.

[Motion carried; the Assembly adjourned at 5:53 p.m.]





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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Tuesday evening, May 7, 2013

Issue 55e

The Honourable Gene Zwozdesky, Speaker

## Legislative Assembly of Alberta The 28th Legislature

First Session

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Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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McDonald	Xiao

### Standing Committee on the Alberta Heritage Savings Trust Fund

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Eggen  
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Sandhu  
Sherman

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Lemke	

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Blakeman	Lemke
Calahasen	Sandhu
Casey	Stier
Fenske	Webber

## Legislative Assembly of Alberta

7:30 p.m.

Tuesday, May 7, 2013

[Mrs. Jablonski in the chair]

**The Acting Speaker:** Please be seated.

### Government Bills and Orders Second Reading

#### Bill 23 Tax Statutes Amendment Act, 2013

[Adjourned debate May 7: Mr. Horner]

**The Acting Speaker:** The hon. President of Treasury Board and Minister of Finance.

**Mr. Horner:** Question.

[Motion carried; Bill 23 read a second time]

### Government Bills and Orders Committee of the Whole

[Mrs. Jablonski in the chair]

**The Deputy Chair:** I'd like to call the committee to order.

#### Bill 21 Environmental Protection and Enhancement Amendment Act, 2013

**The Deputy Chair:** Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Chair. I just want to stand and share my experience with this bill. This is a serious bill in many respects. If any of you had the opportunity at our most recent break, supertime, there was an article just published. I believe it was in the *Edmonton Journal*. It was a comment about Al Gore. Many of you know who he is. The point is this. It's not what was written. What is happening is that the reputation is being leveled and the allegations are being leveled, and the only thing that really succeeds in dealing with this is being proactive in doing something about it.

Here we're dealing with a bill that is trying to do just that. Industry has come forward and said: we want to do monitoring. If I remember what this government said initially, it wanted world-class monitoring. That's significant, but without any type of real performance measures to actually validate what we're doing, we lose the argument internationally. And we are. We're getting a black eye. Regardless of how many successes where we can go to the public and say, "This is what we're doing," what they want to see are measurable results. This has the ability to start down the right road. This act of actually instituting a world-class monitoring system has the ability to make transparent and validate what we so desperately need to do. It's what our industry needs us to so desperately do. That's why they have bought into this.

Without further ado, Madam Chair, what I'd like to do is make an amendment to this act. I have the requisite copies right here.

**The Deputy Chair:** Thank you, hon. member. We'll pause for a moment while you distribute copies of the amendment. This will be known as amendment A1.

Hon. member, you may proceed.

**Mr. Anglin:** Thank you, Madam Chair. What this amendment does is move that the Environmental Protection and Enhancement Amendment Act, 2013, be amended in section 2 in the proposed section 36.1 as follows: (a) by striking out "one or more environmental monitoring programs" and substituting "an oil sands environmental monitoring program" and (b) by adding "oil sands" before "environmental monitoring" wherever it occurs.

Now, the reason for that is that this whole monitoring program was born out of the joint Canada-Alberta implementation plan for the oil sands monitoring. The act itself is very broad based. It just openly creates the ministerial authority to actually create a monitoring system. What this does is define it as the oil sands environmental monitoring program, which connects the two dots. As one reads the joint Canada-Alberta implementation plan, which is this plan that both the feds and the province came up with, it sets out the parameters, sets out many of the guidelines, which I hope the regulations would follow because it has a lot of industry participation. It gives it clarity.

When I spoke to the various stakeholders, there were some concerns about the authority going elsewhere, left or right, and what they wanted to see is clarity, that this is what we intend to do. This was the industry class. As the minister knows, reading the legislation, it talks about persons and persons of another class, which I assume is an industry group. That's how I take that language. When I read the language "person or class of persons," I'm presuming that we're talking about the Oil Sands Developers Group in many regards. So this is what this amendment is designed to do, to make that connection between the legislation and the plan that was already developed.

As you remember, some of my colleagues across the floor did listen to me. I said that we develop the plan first, then we follow with the legislation. This amendment is to connect one to the other. With that, I would encourage my colleagues and fellow members to support me, and I'd be happy to hear from the minister on this.

Thank you.

**The Deputy Chair:** Are there any other members who wish to speak on amendment A1? The hon. Minister of Environment and Sustainable Resource Development.

**Mrs. McQueen:** Well, thank you, Madam Chair, and thank you to the hon. member for proposing an amendment. I would encourage the members in the House, though, to not support this amendment for a number of reasons. Particularly, we've talked about providing the first part of this with the oil sands region as we know that what we're looking at here is where we're starting. We've always talked about that. We've got a great agreement with the federal government with regard to the joint oil sands monitoring plan, the three-year agreement. We've got support with regard to industry for funding that and also for bringing this piece of legislation to the House.

Overall we'll be looking at how we make sure that we have a monitoring program. When we talked about the arm's-length agency, that was discussed from all sides of the opposition in the second reading of the bill, we talked about how this will eventually be across the province. So although this is initially starting out for the oil sands, as we continue on with regional plans and as we continue on with the arm's-length agency, we will also continue to have this legislation be able to affect all of the province.

It would not be good legislation to come back here a year or two from now but to have legislation that is broad, that is encompassing, and that will give us the opportunity to implement other

parts of the important monitoring that this member and others have talked about in this House many times. It's not just in the oil sands region that we want to have good air, water, land, and biodiversity quality; we want that across the province. That's what this government is committed to. That's what our Premier has talked about. That's what we've worked toward.

Although I respect the member for bringing the amendment forward, I would ask members of the House to not support this amendment. Thank you, Madam Chair.

7:40

**The Deputy Chair:** Thank you, hon. minister.

Are there any others who wish to speak on amendment A1?

Seeing none, we'll take the vote.

[Motion on amendment A1 lost]

**The Deputy Chair:** We'll move on to the bill. The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Chair. I kind of suspected that was going to happen – but that's okay – so I prepared my second amendment based on the first amendment being rejected. The issue of monitoring is significant. In many ways it's legitimate to say that we're going to spread out and that this is going to take in areas other than the oil sands development that's going on. So I prepared another amendment to address that broader issue. I have the requisite copies.

**The Deputy Chair:** Once again we'll pause while we distribute the copies of the amendment. This amendment will be known as A2.

Hon. member, you may proceed.

**Mr. Anglin:** Thank you, Madam Chair. With the whole issue of monitoring, whether it's the water, land, or air, it is significant that we have this transparent system. I do encourage the government not to settle for anything less than what is world class if not the leading technology in the world. With that said, to come to an agreement with the industry I think is valid. I think that shows that industry is concerned and they want to participate. That's why I brought this amendment forward, that basically says that we'll move that Bill 21, the Environmental Protection and Enhancement Amendment Act, 2013, be amended in section 2 by adding the following after the proposed section 36.1:

Fees

36.2 Within 6 months of the coming into force of this Act, the Minister must develop a proposal for the reimbursement of fees paid by participants in an environmental monitoring program from the Climate Change and Emissions Management Fund.

Now, the issue here is that we have a fund in which industry, the big emitters, now have a choice. They can buy into the carbon offset market, on which we have some disagreements about how well that is working, but we also have this fund. You know, I follow the CCEMC very well, but I do have questions on some of the projects that the fund has invested in. Now, the questions I have are ones of transparency. I don't know if they're working. I don't know if they're doing what they say they are doing. This fund has \$260 million plus or minus. The latest is \$300 million. That's a sizable sum.

Here's the issue. The industry is willing to participate. They're willing to commit \$50 million. That fund has already been set up. The money is there to invest, and the monitoring system that I hope this government undertakes to build will actually apply to many of the projects that are a result of the investment from this fund. Are they doing the things that they say they're doing?

If we have baseline data, if we have the ability to actually measure not just these projects but what the oil sands is doing, what our coal plants are doing, and what every aspect of our industry is doing, then we not only have credible data, but it just seems a perfect marriage to be funded out of this fund because that's the whole purpose of this fund.

Industry pays \$15 a tonne for the CO<sub>2</sub> that they emit, that goes directly into this fund. As the minister just signalled to me, there's \$300 million in that fund now. Why penalize or why charge more for something than you need to? If the funds are there, this has the opportunity for industry still to participate but to not cost them. They're already paying the fee into this fund. Now, if industry is willing to pay more, then that is something for the minister to take up with industry based on what the criteria is.

Backing up to the original comments I made about the way this amendment act was constructed. We created the plan first, and as the hon. member's staff told me, they looked at the amount of money industry was willing to contribute, and then they backed into it from there. Now, what they mean by backed into it from there, I don't know the technology they were thinking of applying.

I don't think the ministry or this government should be limited in terms of what industry was willing to just contribute when we have this fund that has the ability to actually pay for and maintain the operational costs of a state-of-the-art, world-class monitoring system. Once developed, that is something that Alberta could show the international market. That's why tonight I highlighted that story that was published in the newspaper, which denigrates Alberta and Alberta's industry.

Our goal should be to have a transparent monitoring system that is not limited by money or investment but is only limited by the technology that we can apply to make ourselves the leading jurisdiction in the world in dealing with the technology for world-class monitoring. That, to me, defeats many of the criticisms that are leveled at Alberta, that are leveled at Alberta's industries.

Looking at how this is constructed. What this amendment does is that it just says that the minister will then within six months establish how this is going to be paid for utilizing this fund without having it necessary to set up a fee system. Now, it doesn't stop you later on from incorporating the fee, but it does give a lot of extra value based on what that fund is.

Now, the fund can still invest in the projects that it deems worthy, but the monitoring program is consistent with what that fund is doing. It is, in my view, a consistent marriage of technologies, the technologies that reduce things like sulphur dioxide, nitrogen oxides, fine particulate matter, and CO<sub>2</sub>. The technology being funded to monitor that comes out of the same source of funding. That now, I think, gives a competitive balance on how those funds are used.

With that, I invite my colleagues to support this amendment, and certainly I would love to hear from the minister.

**The Deputy Chair:** Thank you.

Are there any other hon. members who wish to speak on amendment A2? The Minister of Environment and Sustainable Resource Development.

**Mrs. McQueen:** Well, thank you, Madam Chair. This is a really good opportunity perhaps, with all respect to the member and his amendment, to do a little bit of education on this: what this is about, and what it's not about. I thank the member for this amendment because it gives me a chance to clarify to the House and to all Albertans with regard to what this piece of legislation is about. This piece of legislation is not dealing with the climate change \$15 per tonne technology fund. That's a fund that's

managed by the climate change and emissions management fund, an arms-length, independent agency.

7:50

What this is about, this piece of legislation, is dealing with environmental monitoring, and I do mean this with the utmost respect to make sure that all members of the House are aware of the difference. This is about us, the monitoring that we do for air, land, water, and biodiversity in the oil sands region. We have the joint monitoring agreement with the federal government for implementation there, and what industry has agreed to is a \$50 million maximum each year up to three years. We'll then look at what the renewal of that three-year plan looks like. So this is not about the tech fund, and I'd be happy to have a conversation later on with the hon. member about that.

But I do want to mention about the tech fund what is very important about that. What Albertans told us and what the House told us at that point in time, prior to my or the hon. member's time in the House, was that it needed to be independent and credible and that independent people outside of government or outside of this House were actually making the decisions with regard to who would get to apply for that funding. I think that piece of legislation, which is different from this, has really done an excellent job as we grow that area in technology, making sure we're reducing GHG emissions. Anyone from Alberta, Canada, or, quite frankly, around the world can apply for that fund and can apply for those dollars as long as the technology is then applicable in Alberta to reduce our GHG emissions.

Back to what this legislation is about, Madam Chair. This is actually about the monitoring that's happening on the ground. Therefore, all members in the House, I would ask you not to support this amendment because this amendment is not talking about the piece of legislation that we're talking about in this House.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. minister.

The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Chair. To the hon. member: you just made my argument though. One of the arguments about this legislation – and you heard it earlier, I think, from one of the other parties – was that there is a need for independence. There is an actual need for that arm's length. You're absolutely right. How you describe the CCEMC was correct, and I understand that.

That's why I made the amendment, so it would be at arm's length for some funding. It would be an independent body that would actually be looking at or having some sort of input into the creation and operation of the monitoring if they were funding that. Now, there are a number of ways. I suppose it could be constructed inside. But that was the whole reason for the amendment, to go to that independence and to go to that arm's length. I don't disagree with the way you described the two different aspects. I was just trying to bring them back together into one, and I was trying to bring them back into the CCEMC.

With that, there are several things that can happen. But the whole purpose of that fund and the whole purpose of that fund investing in the projects it invests in also has to be monitored, and there needs to be verifiable results. When I look at the projects, many of the projects on the surface might make sense. I look at the investment, and what I don't see is the transparency that it's doing what it says it is doing.

That's the key. That's the whole key behind what I think this legislation is. Our oil sands companies or any industry that's

affected is going to take steps to improve what they're doing. They always have. It's only in their best interest. But having a monitoring system that's independent that can verify that and be transparent now is something we can take to the world and say: you can criticize this, but here is how we're doing it, and this is independent. So that's where that came from.

Thank you very much.

**The Deputy Chair:** Thank you, hon. member.

Are there any more members who wish to speak? The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Madam Chair. With respect to this amendment reimbursing the fees, I'm afraid the participation of the environmental monitoring program is not something that we can support. We certainly believe that the polluter-pay principle needs to be maintained, and that includes costs of ongoing monitoring and general cleanup.

Unfortunately, we will not be supporting this amendment at the present time.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members? The hon. Minister of Environment and Sustainable Resource Development.

**Mrs. McQueen:** Thank you, Madam Chair. I'll be very brief on this piece because I know members want to move on. The hon. Member for Rimbey-Rocky Mountain House-Sundre talks about the independence piece. If you will reflect upon two weeks ago in Ottawa, the independence piece is very clear with the joint monitoring with the federal government. We are very happy after the one-year anniversary of monitoring out of this three-year plan to go to Ottawa and to go to Carleton University and to show what we've done. Not only is the monitoring very transparent, we have created based on our Oil Sands Information Portal a joint portal so that that information is publicly available, very transparent for everyone to see. Quite frankly, the response we got from that was very, very positive.

I agree with transparency. This Premier has committed to transparency. This government is committed to transparency. Quite frankly, Madam Chair, that's exactly what we're doing.

Thank you.

**The Deputy Chair:** Thank you, hon. minister.

The hon. Member for Calgary-McCall.

**Mr. Kang:** Thank you, Madam Chair. I would also agree with the Member for Edmonton-Highlands-Norwood that the polluter-pay principle should apply here, and that we should be building that fund, you know, not paying the fees back after six months, so we could use that money for some other projects.

I will not be supporting this amendment for those reasons.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak?

Seeing none, we'll call the question.

[Motion on amendment A2 lost]

**The Deputy Chair:** We'll move to debating the bill. Again, are there any who would like to comment on Bill 21?

**Hon. Members:** Question.

[The clauses of Bill 21 agreed to]

[Title and preamble agreed to]

**The Deputy Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? That's carried.

**Bill 23  
Tax Statutes Amendment Act, 2013**

**The Deputy Chair:** Are there any members with comments, questions, or amendments? The hon. Member for Airdrie.

**Mr. Anderson:** Thank you, Madam Chair. As the Official Opposition Finance critic I'm happy to rise and make some brief remarks about Bill 23, the Tax Statutes Amendment Act, 2013. I will be supporting this housekeeping bill because it makes a few necessary adjustments. It clarifies Alberta tax statutes and harmonizes Alberta tax statutes with federal law and repeals legislation that is no longer relevant. Harmonization of the federal and provincial tax codes is necessary to clarify and streamline the tax codes for all Albertans, simplifying the process and reducing administrative complications.

Key points to this bill. Specifically regarding amendments to the Alberta corporate tax code that it brings about, I believe that these are positive and that these amendments provide clarity and accountability for corporate taxation, including harmonizing the Alberta tax code with the federal tax code by defining large corporations as those with taxable income over \$10 million, removing existing restrictions on the collection of taxes and arrears from large corporations by the minister, stating that deductions for political contributions by a corporation cannot exceed the amount of tax payable.

It also proposes minor changes to the calculation for deductions claimed under the scientific research and experimental development tax credit. These amendments will maintain Alberta's consistency with federal law by matching the federal change to the proxy amount that corporations can claim for overhead expenses when applying for the scientific research and experimental development tax credit. Reducing the proxy rate also has the added benefit of reducing previously added costs to the provincial government. It is positive that the scientific research and experimental development tax credit still gives researchers access to funds to support their important research and development work that they do here in Alberta and that taxpayers will still be able to claim the credit on the full amount of their eligible overhead expenditures.

**8:00**

There were also some amendments to the Alberta Personal Income Tax Act. Number one, the deletion of the NHL players tax. Although, having attended a few Flames and Oilers games this year, perhaps we should have been collecting some tax revenues because we sure weren't getting much out of those teams. I know that they're going to be back next year, so I think it's good that this will help, perhaps, the Oilers and Flames sign a few more free agents. You know, I remember when that NHL players tax was there, that was a big problem, getting those folks to come to Alberta. So making that official, getting that off the books, is a good thing.

Obviously, the Alberta resource rebate doesn't apply anymore, so that will be taken out.

It provides modest increases to the family employment tax credit. This is important to provide as much tax relief as possible, and although the increases are hundreds of dollars a year, it will make a difference to employees in small- and medium-sized businesses, which are often family owned.

Also, there's an amendment to the medical tax exemption to remove the \$10,000 cap. Before this amendment, when someone claimed medical expenses for a dependant, the person was capped at \$10,000, and this bill will remove that cap. We support the government making it easier for family members and friends to care for dependants when they are in need of medical care.

Bill 23 will also repeal the Alberta Income Tax Act to remove outdated provisions or those that are redundant in the Alberta Corporate Tax Act and the Alberta Personal Income Tax Act.

Madam Chair, all in all, it's a good housekeeping bill that streamlines our tax code and is something that the Wildrose will be supporting. Thank you very much.

**The Deputy Chair:** Thank you, hon. member.  
Are there any others who wish to speak?

**Hon. Members:** Question.

**The Deputy Chair:** The question has been called.

[The clauses of Bill 23 agreed to]

[Title and preamble agreed to]

**The Deputy Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? Carried.

Hon. members, the Committee of the Whole now has under consideration Bill 17, Municipal Government Amendment Act, 2013. Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Government House Leader.

**Mr. Hancock:** Madam Chair, as much as I hate to do this, I did make a commitment to the Liberal Opposition House Leader that we would not deal with that until 9 unless somebody has amendments to bring. Rather than call this now, I would move that the committee rise and report bills 21 and 23 and beg leave to sit again.

[Motion carried]

[Mrs. Jablonski in the chair]

**The Acting Speaker:** I recognize the Member for Calgary-East to give the committee report.

**Mr. Amery:** Thank you, Madam Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bills: Bill 21 and Bill 23. I wish to table copies of all amendments considered by Committee of the Whole on this date for the official records of the Assembly.

**The Acting Speaker:** Does the Assembly concur in the report?

**Hon. Members:** Concur.

**The Acting Speaker:** Opposed? So ordered.

**Government Bills and Orders  
Second Reading  
(continued)**

**Bill 24  
Statutes Amendment Act, 2013**

[Adjourned debate May 7: Mr. Bhullar]

**The Acting Speaker:** The hon. Member for Airdrie.

**Mr. Anderson:** Thank you very much, Madam Speaker. In my recent trend of full co-operation with the legislative agenda of the government I'm happy to rise to lend my support yet again to another government bill. Sorry, Sarge. Bill 24, the Statutes Amendment Act, 2013, is what we are speaking about.

I'd like to commend the government for efficiently dealing with a number of minor but important amendments that reflect necessary revisions to a wide range of government statutes, including name changes of ministerial portfolios, the Emblems of Alberta Act, the Perpetuities Act, and the Surveys Act. We on this side of the House always do like it when things can be done harmoniously and in the most efficient and streamlined way possible.

Most importantly, I want to acknowledge and congratulate, obviously, the Minister of Service Alberta for bringing this forward and congratulate the MLA for Lacombe-Ponoka, our Service Alberta critic, for his leadership as well in highlighting a significant issue for condo owners across Alberta. His work in raising this in the Legislature earlier this year and making substantive proposals to improve the Condominium Property Act undoubtedly played a role in bringing forward the amendments contained in Bill 24.

We support these amendments that better protect Albertan condo owners by eliminating costly one-time special assessments that condo boards would previously collect for repairs in favour of smaller monthly fees for residents of townhouses, duplexes, villas, and single-family dwelling developments, or bare-land developments as they're called.

We know that a recent court ruling affirmed that common property in those bare-land developments only referred to roads, sewers, and landscaping. Other managed property, including walls, roofs, foundations, driveways, decks, doors, and windows could not be funded out of reserve funds and had to be paid for out of special assessments. The changes to the act now mean those bare-land condos can use reserve funds to pay for improvements to their residences. I've received several calls on this matter from condo owners, and this is something that they've certainly been looking for the government to do since the court kind of confused and muddled the issue earlier this year.

I join the Member for Lacombe-Ponoka in applauding the minister for helping to make life more affordable for Alberta homeowners by bringing forward changes to protect Alberta condo owners, many of whom are young first-time owners or seniors on fixed incomes who can't afford large one-time levies, and also for making the changes necessary to clear up the muddled waters caused by the court earlier this year. It's always gratifying when we can work together to make legislative changes that impact Albertans for the better.

Thank you, Madam Speaker. With that, I would move that we adjourn debate on Bill 24.

[Motion to adjourn debate carried]

## Government Bills and Orders Third Reading

### Bill 18 Pooled Registered Pension Plans Act

**The Acting Speaker:** The hon. President of Treasury Board and Minister of Finance.

**Mr. Horner:** Madam Speaker, it's my pleasure to move third reading of Bill 18, Pooled Registered Pension Plans Act.

I think there's wide support in the House, and I look forward to it passing, Madam Speaker.

**The Acting Speaker:** The hon. Member for Edmonton-Highlands-Norwood.

**8:10**

**Mr. Mason:** Thank you very much, Madam Speaker. This legislation, or the genesis for this legislation, comes from a federal Conservative bill which established the idea of a PRPP, which is essentially to have a few large national financial institutions provide employers with the opportunity to offer employees a private pension plan which theoretically would achieve low costs through the economies of scale. The federal bill was designed with input from the provinces, the idea being that they would all implement provincial legislation that would allow for this new type of pension plan to be offered. Alberta's legislation is in line with the federal agenda.

Currently if an Albertan does not have access to an employer pension, the only things they have access to are private retirement financial tools such as RRSPs, mutual funds, tax-free savings accounts, and so on. The idea of a pooled registered pension plan is that instead of having a bunch of small pension plans, you have one big one. Essentially, the benefits to the companies are obvious. They can offer a pension and so on.

I think that Canadians deserve to have meaningful improvements to their pensions. The Canada pension plan has a proven track record of professional management, low-cost administration, and reasonable rates of return. Through modest and mandatory savings the Canada pension plan provides the guarantee of defined benefits which provide Albertans with unrivalled peace of mind. It's, therefore, the best option for helping secure a guaranteed future for Albertans' retirement. Only 18 per cent, Madam Speaker, of Albertans have a private-sector pension plan versus 40 per cent across Canada.

Madam Speaker, we think that the plan proposed here is simply a glorified RRSP. It's designed in such a way to see the retirement savings of Albertans handed over to the financial sector, which, quite frankly, fails to deliver on its promises with surprising regularity.

It's also important to note that these are entirely voluntary and contain no requirement for employers to match employee contributions. The benefits they pay out are not guaranteed and subject to the vagaries of the stock market. If people couldn't afford RRSPs before, then it's likely that they will be unable to afford them now.

We think that the PRPP will just be a gift to Bay Street, just another financial product they can sell, especially if they can negotiate higher fees than RRSPs. The legislation does nothing to cap the fees that administrators of the PRPPs will charge.

We believe that the Canada pension plan is the most efficient and most effective tool for ensuring income security for all Canadians, especially with its operating cost of 1 per cent or better and a good track record. It is pan-Canadian and it's portable. Therefore, instead of spending so much time and effort working on a new voluntary program, the government should be looking to a way to support enhancing and expanding the Canada pension plan. The Canadian Labour Congress has a detailed plan to double the CPP benefit, from about \$934 per month to \$1,868, by gradually increasing both the employee and employer contributions from 4.95 per cent of salary to 7.95 per cent.

It's interesting to note, Madam Speaker, that in the U.S. social security has benefits of \$30,000 a year, but the maximum benefit

in Canada is less than \$12,000. We have one of the lowest guaranteed retirement income plans in the OECD.

In my view, Madam Speaker, this is not the way to go, and I was very, very disappointed that the PC government led the charge against reform of the Canada pension plan. If this is all that they can offer Alberta workers in exchange, then it's a sad trade. What we need to do is improve and reform the Canada pension plan so that it provides benefits so that seniors who retire on the pension plan are not plunged into poverty. We need to ensure that not only employees but employers make a fair and equitable contribution to the retirement of all Albertans.

On that basis, Madam Speaker, we will be opposing Bill 18. Thank you.

**The Acting Speaker:** Thank you, hon. member.

Are there any others who wish to speak? The hon. Member for Calgary-McCall.

**Mr. Kang:** Thank you, Madam Speaker. It's a great pleasure to speak on Bill 18, the Pooled Registered Pension Plans Act. Pooled registered pension plans are the brainchild of our federal Finance minister, Mr. Jim Flaherty. He started floating this idea in 2010 after the federal-provincial negotiations on the CPP broke down. Mainly Alberta and Quebec came out in opposition to the idea of gradually boosting CPP payouts and premiums. At a December meeting of Canada's finance ministers that year there was reportedly unanimous agreement to pursue a framework for PRPPs. The federal government subsequently introduced Bill C-25, and the Pooled Registered Pension Plans Act was passed in the House of Commons. The PRPP framework will be implemented across Canada once the Senate approves and provincial enabling legislation occurs.

Bill 18 represents Alberta's PRPP enabling legislation and provides a legal framework for establishment, administration, and operation of the new type of retirement savings instrument. Alberta is the fourth province, after Quebec and British Columbia and Saskatchewan, to introduce or pass PRPP legislation.

PRPPs are to expand pension coverage, give people more retirement savings options, help more people to be financially prepared for retirement. You know, there are critics in the federal parties, the Liberals and the NDP. They claim that they are not all that different, that we already have RRSPs, we have TFSAs, and that we should really be focusing more on enhancing the Canada pension plan. Some pension experts also say that PRPPs won't be effective in closing gaps in retirement income unless they are mandatory on the part of both employers and employees under this bill.

Currently, Madam Speaker, only 1 in 6 Albertans working in the private sector participates in an employee pension plan. The Canadian Federation of Independent Business said in a news release that recent member data shows that 78 per cent of Alberta's small businesses do not have a company retirement savings plan but that 36 per cent would consider offering a PRPP in their workplace. An estimated 3 and a half million middle-income private-sector workers in Canada have no employer pension plan.

So far Quebec is the only province to back the federal PRPP initiative with companion provincial legislation that would make employer participation mandatory. Quebec was also the first province to set out its own framework of rules for the PRPPs. They are calling them voluntary retirement savings plans, or VRSPs.

In British Columbia the bill died on the Order Paper. Saskatchewan also introduced PRPPs. PRPPs will be simple

defined contribution plans, unlike the CPP, and won't provide guaranteed or inflation-indexed benefits. The way PRPPs are envisioned, participants will benefit from economies of scale and therefore a more diverse portfolio as well as lower investment costs.

While participation in PRPPs will be open to all Albertans, they are more targeted to help small businesses and self-employed people. Employees can contribute through payroll savings, making it easy to contribute, but, you know, it will not be mandatory for the employers to contribute to the PRPPs.

**8:20**

The debate over PRPPs is linked to the debate over expanding the Canada pension plan, the CPP. In fact, PRPPs grew out of a breakdown of federal-provincial negotiations on CPP reform, which Alberta and Quebec largely brought about on their own. With this being the case and because Bill 18 will pass regardless of whether we support it or not, our position on PRPPs is that we should be expanding the CPP.

Madam Speaker, Albertans, like other Canadians, are not saving enough for retirement. The Canada pension plan should be lauded as an extremely well-run public pension plan that could be expanded to help address the growing retirement income gap facing many Albertans and Canadians. Unfortunately, there is really no guarantee that the provinces and the federal government will ever agree on a plan to boost the CPP, and if changes do occur, will payments ever be high enough to preclude the need for other retirement savings instruments such as PRPPs?

Albertans already have access to voluntary retirement savings options such as RRSPs, yet a great many don't contribute, Madam Speaker. Since PRPP participation is voluntary as well, how successful will they really be in increasing pension coverage? Should people be forced to save for their retirement? Some pension experts say that PRPPs won't be effective in closing gaps in retirement income unless they are mandatory on the part of both the employers and employees. So far only Quebec has made employer participation mandatory. I think Bill 18 should make that mandatory for both the employer and employees, but the business community doesn't want PRPP participation to be mandatory.

What is the ultimate goal of the legislation? If it is to encourage more people to save for their retirement, how are PRPPs going to be any more effective than RRSPs in this regard since both are voluntary retirement savings plans? We have to have some teeth in the bill, Madam Speaker, so that people will have to save for their retirement. People are more concerned about putting bread and butter on the table, and they want more money in their pockets. You know, a lot of people are not that far-sighted.

Will PRPPs expand pension coverage at the expense of pension quality? In other words, might they encourage some companies to drop existing in-house defined benefit pension plans, where they match employee contributions, in favour of this new defined contribution scheme, where workers assume all risks and employers aren't required to contribute to the employee pension plan? Are PRPPs a precursor to defined contribution pension plans for public-sector workers? Could giving people yet another retirement savings option actually make things worse? We already have RRSPs and TFSAs and RESPs and now PRPPs, you name it. If people are not putting their money into RRSPs or RESPs or TFSAs – they already have those vehicles to save for their retirement – if they're not doing it now, how are they going to put their money into PRPPs?

I don't think it's a good bill, Madam Speaker. It's not going to do whatever it is intended to do. It's just going to be another plan



which people will not be taking the benefit of. I don't think I'll be supporting this bill for those reasons. It should be mandatory for both employers and employees.

Thank you.

**The Acting Speaker:** Thank you, hon. member.

Any members wish to speak under 29(2)(a)?

Seeing none, are there any other speakers on Bill 18?

**Hon. Members:** Question.

**The Acting Speaker:** The question has been called.

[Motion carried; Bill 18 read a third time]

## Government Bills and Orders

### Second Reading

#### Bill 24

#### Statutes Amendment Act, 2013

(continued)

[Adjourned debate May 7: Mr. Anderson]

**The Acting Speaker:** The hon. Member for Chestermere-Rocky View.

**Mr. McAllister:** Number 10 in the program, Madam Speaker, number one in your heart.

Madam Speaker, I'd like to rise in support of this bill, just like the Member for Airdrie. I'm pleased to do so, to speak to Bill 24, the Statutes Amendment Act, 2013. I'd also like to thank my colleague the Member for Lacombe-Ponoka for first raising the issue in the Legislature and the Minister of Service Alberta for bringing it forward.

I think we've all heard from condo owners – and that's the specific portion that I'd like to speak to – who said that the changes were needed. I certainly have in my constituency, which is why I wanted to rise and speak on behalf of my constituents tonight. The changes were welcome in Chestermere-Rocky View, and as I said, I fully intend to support the bill.

What I would like to do, Madam Speaker, is read a letter, or at least a portion of it, I received from a member of the condo board at the Prince of Peace Village in my constituency in order to explain why these changes brought forward by my colleague for Lacombe-Ponoka and the hon. Minister of Service Alberta are so important and why we're so pleased that they're going to be put into legislation.

The letter:

Dear Bruce:

I'm writing to you as a concerned resident and Condominium Board Director of the Prince of Peace Village . . . within your constituency.

For years, we Boards and Management companies have been collecting fees with good intentions on a monthly basis as a reserve fund in preparation for future maintenance of our common and managed property. Most condo owners would prefer to pay a little each month rather than a large sum perhaps several times per year.

However, recently in Alberta, there was a court case involving a bare land condominium corporation in regards to the authority of the condominium to be able to pre-collect reserve fund contributions for "managed" property.

The judge ruled in this case that a condominium corporation can, as per condominium by laws, maintain managed property but cannot pre-collect funds in reserve for replacement of "managed" property such as roofs, railings,

driveways, fences or other expensive items. They can only do so for "common" property due to the ruling of this case.

Herein is the problem, as I continue.

In other words, projects such as the aforementioned may only be done and paid for by the condo owners by special resolution which could be a very large lump sum of money at the time and consequently unaffordable by [many] condo owners.

. . . Honourable Mr. Justice A.W. Germain [the judge] that ruled on the case called "The Shores" dated October 10, 2012 . . . stated this legislation to be flawed, "bizarre", "not practical", "nonsensical" and "restrictive" as it relates to managed property because in the past fees have been pre-collected and held in reserve funds.

I'm getting to the good part, Madam Speaker, I assure you.

This ruling has now made it clear based on flawed legislation, that these fees have been collected illegally placing boards and management companies in an extremely awkward and vulnerable position.

There are about 1200 Bare Land Condominium Corporations within Alberta therefore affecting thousands of condo owners, their corporations and management companies.

Moving forward, we have been informed by lawyers that to correct this problem an amendment to the Condominium Property Act and subsequent Regulations is needed to simply include collection of fees for "managed" property as well as "common" property.

We were also told that [the Service Alberta minister] said amending the Act would be quick and easy to fix, but the opposition although in favour of the amendments, preferred to have further discussion before making any changes.

8:30

This is the point that I need to raise. I've only been here a year, Madam Speaker, so maybe I'm not quite familiar with how we hold up legislation that isn't even before the House. Needless to say, I went back to Mr. Harley Sanders and many of the other residents in Prince of Peace and had a good, long discussion with them about this act and the fact that we wanted to support it and couldn't wait to, in fact, once it was presented here. It has all been straightened out in the Prince of Peace Village. I think they saw between the lines anyway.

But the point I would raise is that if we're going to work together on issues such as this or anything in general and if we're going to visit other constituencies of other members, it would be wise of us to include the information that's actually factual and is actually occurring. To suggest in any way that we have been delaying this is simply not true. Now everybody has been corrected on it and, frankly, are a little perturbed that it was raised in the first place.

I do rise to support particularly this portion of the act. It affects so many condo owners in my riding. I just wish that I hadn't had to go through going back to them to explain the fact that we have been waiting to pass this all along, and it was our member who initially asked the question and brought the issue to the Legislature.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

Can I ask you to please table the document, the letter that you were reading from, tomorrow?

**Mr. McAllister:** You can ask me.

**The Acting Speaker:** And will you?

**Mr. McAllister:** Yes.

**The Acting Speaker:** Thank you.

We have 29(2)(a). Would anybody like to comment or question?

Seeing none, are there any other members who would like to speak to Bill 24, Statutes Amendment Act? The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Madam Speaker. I want to make some comments with respect to this. The first thing that I'd like to say is that we will support the bill, and we support particularly the changes to the Condominium Property Act.

But before I go on, I want to talk a little bit about the use of miscellaneous statutes under our rules. Traditionally miscellaneous statutes are used only for routine housekeeping changes that are agreed to by all parties and can go through without debate. We think that this should have been included as its own act. It's a substantial change and corrects a very serious problem that has affected condominiums. As Justice Germain concluded, it's a "bizarre" and regrettable decision, and he calls it the "worst possible outcome from a business point of view" for the Shores. This amendment does change that and does fix the problem, so it should be supported.

You know, just to come back to the other thing, it comes back to the Surveys Act, all of the things that are included in this Public Trustee Act. The Justice minister says that it's not miscellaneous statutes but it's a grab bag of minor amendments. In our view, this particular piece is important enough that it ought to have been contained in its own act.

We will nevertheless, Madam Speaker, be supporting Bill 24. Thank you.

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a). Are there any members who wish to comment or question?

Seeing none, I'll ask the hon. Government House Leader.

**Mr. Hancock:** Thank you, Madam Speaker. Just briefly to comment to the hon. member's comments about miscellaneous statutes, clearly this act is not a miscellaneous statutes act. It is, in fact, more substantive than that. It has some amendments that do change policy and are more than just merely corrective. It wasn't held out to be miscellaneous statutes, which requires unanimous consent of all parties to include pieces in the bill. It was clear up front that we wouldn't get unanimous consent from all parties to include the Condominium Property Act in the bill, so that wasn't going to be a miscellaneous statute in any event.

It does seem a shame to bring forward bills in a stand-alone that have one or two lines even sometimes when there are important concepts in them. This Statutes Amendment Act deals with four pieces of legislation – five, really, I guess – but four that really are one or two lines, no more than one page and don't need to be stand-alone. They speak to specific items that need to be fixed, not huge policy issues but important issues, yes.

So it's not a miscellaneous statute. It is a grouping of different statutes, however, that require modest amendment, and the only reason that there's any heft or bulk to this act at all is because of the number of changes to the names of departments under the amendments to the Government Organization Act.

With those few clarifying comments and because I understand there's a request for this bill to be dealt with again tomorrow, I would move that we adjourn debate.

[Motion to adjourn debate carried]

**The Acting Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Madam Speaker. Might I request unanimous consent of the House to deal with Bill 23, Tax Statutes Amendment Act, in third reading? It passed second reading this afternoon and is out of committee, so it would require unanimous consent to move to third reading.

[Unanimous consent granted]

### Government Bills and Orders Third Reading (continued)

#### Bill 23 Tax Statutes Amendment Act, 2013

**The Acting Speaker:** The hon. President of Treasury Board and Minister of Finance.

**Mr. Horner:** Well, thank you, Madam Speaker. It's my pleasure to move third reading of Bill 23, the Tax Statutes Amendment Act, 2013.

Again, this bill is simply housekeeping in most respects. I'm very pleased with the support of the House today as it's moving through quickly, as it should because it is simply housekeeping.

**The Acting Speaker:** Thank you, hon. minister.

Are there any other members who wish to speak?

Seeing none, I'll call the vote.

[Motion carried; Bill 23 read a third time]

**The Acting Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Madam Speaker. I'm struggling here. I might ask for unanimous consent of the House to deal with Bill 21, Environmental Protection and Enhancement Amendment Act, 2013, in third reading.

[Unanimous consent denied]

### Government Bills and Orders Committee of the Whole (continued)

[Mrs. Jablonski in the chair]

**The Deputy Chair:** I'd like to call the committee to order.

#### Bill 17 Municipal Government Amendment Act, 2013

**The Deputy Chair:** Are there any members who wish to speak? The hon. Member for Airdrie.

**Mr. Anderson:** This is an interesting, odd thing in this Legislature right now. We have already spoken on this. I know our Member for Rimbey-Rocky Mountain House-Sundre as well as, of course, our critic for the Municipal Government Amendment Act has already spoken to this. We're supportive of it.

Hopefully, we can hear from the other side for another 20 minutes or so and see what's going on so we can have happiness in the Legislature in days to come. I'll leave it in the government's hands to tell us why this is such great legislation.

8:40

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak?

**Ms Kubinec:** Madam Chairman, Bill 17, Municipal Government Amendment Act, 2013, proposes amendments to the MGA that are required to implement the municipal sustainability strategy. The strategy is intended to achieve long-term sustainability in our municipalities and directly supports the government's strategic plan for safe, prosperous, welcoming, culturally diverse, and desirable communities.

By replacing the dissolution study process with a new viability review process, municipalities will be able to address their long-term viability challenges in a more proactive way that engages community residents, neighbouring municipalities, and key municipal stakeholder groups. This bill ensures that residents ultimately decide their municipality's future through a public vote prior to a municipality being dissolved. If residents choose not to dissolve their municipality, the process will clearly lay out the actions needed to return the municipality to long-term viability and will authorize the minister to issue directives on those actions. The results of a public vote will be binding and will require the community to choose between meaningful options for future sustainability rather than allowing an unsustainable status quo to continue.

The MSS was developed by a working group composed of representatives from the key municipal stakeholder groups – for example, the AUMA, the Alberta Urban Municipalities Association; and the AAMD and C, the Alberta Association of Municipal Districts and Counties – and has strong support from stakeholders.

I'm very proud to support this bill. It is the result of a very collaborative process between the province and municipalities to determine proactive solutions to support municipal sustainability.

Madam Chairman, I would encourage all members to support this bill. Thank you.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak? The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Madam Chair. I'd like to take this opportunity to speak to Bill 17. It deals with an issue, I think, that's emerged across the province, which is disparity. I guess the underlying piece that I want to talk about is the disparity between the financial capacity of different types of municipalities in different parts of the province. We've had a number of urban municipalities that have been forced to dissolve because they simply didn't have the financial capacity to meet the needs of their constituents.

There are lots of other reasons for some of these things. I just have a glimmer of hope here that the minister could use this to address that issue in a more enlightened way than simply requiring the dissolution of a municipality, be it a town or a village, because they don't have the financial capacity to deal with it.

We've had a number of conversations with municipal leaders around the province in the last few months, and there is a variety of approaches to this. Certainly, one of the approaches is to forge new types of municipalities that combine both urban and rural components or sections of the municipality. Right now the choice of simply dissolving or not, in a very rigid way, is part of the problem, which I think this bill is seeking to address.

I think it has a number of positive things. First of all, in order to dissolve, there has to be a vote of the electors, and I think that that's a democratic procedure regarding the most significant question which can face a municipality, which is: to be or not to be. It allows the people who live there to answer that question.

But there are some other things that I think are interesting about this bill that need some answers. First of all, it says that the

"viability review must be conducted in a manner determined by the Minister." That does give a lot of authority to the minister without putting any kind of definition around what he or she does. If there was some definition or more definition around how a viability review could work, it would be easier to support the bill. We are supposed to be promoting accountability, transparency, and due process. The viability review process could be more detailed in order to provide assurance of that.

Overall, though, Madam Chair, I can say that the NDP caucus will be supporting this bill. It is supported by AAMD and C and AUMA. I think that if the minister can get agreement between both urban and rural associations in the province on a way to go forward on such a thorny issue, he deserves some credit. I think this piece of legislation is a step forward.

I do want to say, however, that the AUMA has raised an issue. I just want to put that on the record. They are disappointed that the minister's willingness to open the MGA did not extend to property assessment and taxation reforms, which AUMA submitted in 2010 and 2012. The AUMA believes that such reforms are critical, and delaying them will endanger the sustainability of communities, perpetuate inequalities between municipalities, and fail to match property taxes paid by Albertans and businesses to the costs that municipalities incur in the provision of services.

I believe those issues need to be dealt with in this term by the government. I hope that they are. Nevertheless, I believe this act is a step forward, and I'm happy to support it.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

The hon. Minister of Municipal Affairs.

**Mr. Griffiths:** Thank you very much, Madam Chairman. It's a pleasure for me to get up and relay a few comments on some of the questions and the issues that were raised, particularly by the last speaker. I think I've mentioned it many, many times in this House before that I understand that there are issues that AUMA and the AAMD and C have, individual municipalities, from large urban municipalities to small rural municipalities, all in relation to the Municipal Government Act. I've indicated that the roles and the responsibilities – the taxation and assessment, the planning and development, the governance, all three sections of the MGA – will be reviewed in full course and in their entirety by all of the municipalities, by members of the public, who have just as much say as AUMA and AAMD and C in how they're going to be governed. That's where those sorts of issues on taxation and assessment will be addressed.

This, Madam Chairman, was an initiative that was undertaken between the department, this government, and AUMA and AAMD and C to find the solution to a challenge. A previous solution was no longer working. We previously had dissolution studies, which were in the MGA, which served when a municipality found themselves challenged to remain viable. It was felt by AUMA and AAMD and C and this department that we needed to work on a new process that was about not just the dissolution of a municipality but the long-term viability and sustainability of municipalities.

I know the presumption is that the reason why a municipality would go through a dissolution study is that it's not financially viable, Madam Chairman, but my experience travelling around and being in 329 of the 422 communities in the province of Alberta in some way, shape, or form was that in many municipalities it wasn't just an issue about whether or not they had enough finances to provide the services to their community. In some cases they had the finances, but they didn't have a tax base

in order to build their community. In some cases they just didn't have the capacity, and it was difficult to find people who wanted to run even though they had financial resources available to them.

So viability is about more than just money, which is why we didn't address this in this legislation. We're addressing it in the full MGA review because, quite frankly, it's an issue that needs a lot more fulsome debate in the process over the next two years to come to a conclusion.

**8:50**

This process, Madam Chairman, is much more effective. The dissolution process that we had before would have communities reach a critical point, and actually we had to receive a letter from the general public, a petition, or a request from the council that we do a dissolution study. We would go through and do an assessment for several months and spend a lot of good taxpayers' dollars to do an assessment on the sustainability of that community. Then the report would be presented to the community, and in the meantime, while we were doing all the research, the community would become divided, half saying, "We have to dissolve; our taxes will go down, and it will be better," the other half saying: "No. We'll lose our identity." People in the community would become bitter enemies who would fight because they were preserving, in some cases, what they thought was where they lived, and in some cases they thought it would be better if they dissolved.

Then, regardless of what the dissolution study came back and said about their tax base or about their viability or about the resources they had available to them, the capacity they had to govern themselves, Madam Chairman, they would have a vote, which in most cases was almost 50-50. It was very close, 55 to 45 or 57 to 43. In those cases, it didn't really matter whether the vote was to dissolve or not. Those bitter relationships stuck with the community for an entire generation and did not help make the community stronger. If they voted not to dissolve, we'd be back to square one, where a community now had not just a question about their viability but was divided against itself. If they voted to dissolve, there was still bitter anger for a generation about who had the impact on the future of their community.

This process, Madam Chairman, helps communities become viable. It asks questions about their financial wherewithal, about their tax base, about their capacity to govern themselves. It brings in partnering municipalities to see if there are opportunities to share costs, to share resources, to share knowledge and information and find better relationships, to bring about collaboration to make sure everybody is sustainable, viable over the long term. That's what this legislation is about.

I know that the member had some questions about taxation and assessment. It will be done in the full review of the MGA, where everyone deserves to have a full debate. I would hate for this piece of legislation, which was crafted by AUMA and AAMD and C with this department to help communities become more viable, not to pass because it's being confused with another issue that will be addressed in the next two years.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much, Madam Chair. I'd like to offer a few comments on this bill. I've listened carefully to the minister repeatedly. That thing about visiting 329 municipalities is becoming his little personal word logo, like his colleague climbing Mount Everest not once but twice.

I understand the work that's been done on this, and I understand where it originated from. I actually think it went back to the previous member. [interjections] I can tell you're all so glad I'm back in here.

Okay. I think it was actually started by the previous – he was Minister of Municipal Affairs, rode a motorbike, and represented Lloydminster. Anybody? No. Okay. Blank looks. I know that the previous member for Peace River-ish, northwestern Alberta, also had a report that a lot of this came out of, so I appreciate that, you know, this has been chugging its way through the process. That's appropriate.

But I have to take issue with what I was hearing this afternoon, where the Member for Barrhead-Morinville-Westlock kept popping up in response to every comment, going: oh, no; couldn't possibly even consider that because this was put together by AAMD and C and AUMA, and that's that. I think there are some things in this bill that they didn't agree to, and I would really like to see where in their resolutions they okayed having the minister being able to punt them. If she can send that over, that would settle my mind on this one, anyway.

Section 130.3, which I attempted to amend this afternoon – or my amendment was brought forward this afternoon – is the one I wanted struck because that's where, you know, if everything isn't done "to the satisfaction of the Minister, the Minister may dismiss the council or any member of it or the chief administrative officer of the municipality, and section 574(3) to (6) apply in respect of the dismissal." I'd love to see the resolution where AAMD and C or AUMA said: yippee; yeah, I want that minister to jump up and dismiss me. If you can send that over, I'd really appreciate it because I find that one a bit hard to believe. It may well be there. I will admit that I have not read every single resolution that they've ever passed, so it's indeed possible.

I have an amendment to bring forward. It's been sent to the table, and I'll ask that it be distributed at this point. Some of you have heard me talk about this before, so I'm just going to keep talking while you distribute it. What I'm trying to do here is get at . . .

**The Deputy Chair:** Hon. member, I'll just have you pause for a moment so that we can identify this as amendment A3. Just give us a minute or two, please. Thank you.

**Ms Blakeman:** Okay. Sure.

**The Deputy Chair:** Hon. member, you may proceed.

**Ms Blakeman:** Thank you very much. The minister is very aware of my interest in what I call the CLEA, the combined low expenditure assessments, which is shorthand for the number of assessments that municipalities and rural areas can make and charge against, oh, things like the linear assessments, which are the pipelines and railways, against power plants, for example, you know, stuff like that. They can assess whatever they want. A lot of the municipal districts make a fair income out of it, and I've raised those numbers with the minister in question period. I feel that this has quite a bit to do with why we are in this situation of having to look at viability and/or dissolution in some areas of Alberta.

Now I will pause here and go: sometimes that may be appropriate because we do have an exodus from rural areas to urban areas. It's a fact, and it may not be appropriate to be forcing a community to stay together. You know, it may not be viable, which is the point of looking at this viability assessment. But I think a big piece of this is those assessments. Now, CLEA is a shorthand that I use and some other people use.

I'm sorry. I'm going to pause here and just do a shout-out to Parliamentary Counsel, who did a double whip flip to get some

amendments through for me at the speed of light. Frankly, for some reason the government perhaps doesn't like the heat in this room, the actual heat, not the other heat, and wants to get out of session. I don't know why, but we're ripsnorting through this legislation, so my thanks to Parliamentary Counsel for processing my amendments so quickly.

The amendment that I'm moving, that is now A3, is to start to gather some information about the effect that that's actually having. It's amending section 134.1, which is currently a transitional clause, and it's adding after the proposed section 130.3 a section called 130.4.

When a municipality is dissolved or where a viability review recommends the dissolution of a municipality, the Minister must prepare and make public a report within 6 months of the dissolution or recommendation for dissolution, as the case may be, addressing the impact that . . .

Here we go.

. . . residential, non-residential, farm land, machinery and equipment, and other categories of assessment had on the dissolution or recommendation.

It's starting to bring together, frankly, some of the facts so that we have a better sense of the distribution of these assessments, which I feel is not of benefit to the urban areas, in which I include villages, towns, and cities, and that may well be a major cause as to whether we're having to look at the viability of certain areas. I know the minister has spoken before about: oh, it's a community, and we should all work together. It's sounding a tiny bit forced to me as though the government really needs them all to stay together, and that may well be the case. I know that the government has a major voting base there, and they need to keep that voting base where it is so that they keep getting elected. I understand that. That's politics. But it is sounding a bit forced to me that, you know, communities have to stay together and they have to help each other.

9:00

What I'm seeing in this act is that municipalities are giving up their self-determination in order to have the minister step in. That may well be what they said they wanted, but I do find it a bit troubling. They're giving up municipal autonomy and self-determination so that the minister now has control over this viability dissolution process.

What I'm trying to do with my amendment is start a little bit of research and say: when we look at this process, let's also look at this piece and see how much it had to do with the original recommendation coming from the community or whether the final version of it, whatever that may be, is tied to the assessments. I think it does. So far the minister and I are descending into: "I'm right." "No, you're not." "Yes, you are." "No, I'm not." Blah, blah, blah. That kind of conversation. I'd like to take it a step further and actually get into looking at some of the root causes of what's happening here.

This is my province, too. I represent an urban riding, and I'm proud to represent an urban riding. I just came in a great rush from a community league meeting of a fairly new community league, which is the Downtown Edmonton Community League. It's been in formulation for a period of time and has now been formally constituted and recognized by the city of Edmonton. They're having their AGM, and all kinds of great things are happening down there. The farmers' market, for anybody that's in town, is starting on the May long weekend, a fabulous outdoor market on 104th Street, the best one in town, even better than Edmonton-Strathcona's. Come on down. You'll have a great time.

That's what I'm trying to do with this amendment. I'm not dissing the process. I'm not questioning – well, yes, I am. I am questioning the reverse onus, the switching of onus that's happened under this bill. I'm being told repeatedly by the Member for Barrhead-Morinville-Westlock that this is exactly what they wanted.

Okay. I will have to take her word for that except for the part about dismissing people. I just can't believe they agreed to that.

I want to know how that tax assessment is affecting people because it's a lot of money. A lot of money. I think that tax should be redistributed across Alberta. These structures, once they're built, are a low expenditure to keep going. It's not as though, you know, you have to build a new road out to them every 10 years. You might have to pave it, but frankly you're going to pave everything else, too. The municipality doesn't pay for that; the government does.

That's the reasoning behind the amendment that I've put in front of you. I hope that the government will support this. It should lead us into a more evidence-based position from which to examine some of these. I can tell you that I have not heard from 329 municipalities, but I'm really surprised at how many municipal councillors have managed to track me down and thank me for starting to raise this subject in the Assembly and to bring it forward and say: what the heck is going on? To be fair, I have had a couple of reeves send me steaming, flames-licking-off-the-sides Facebook posts and things. You know, fair enough. Yeah, I'm surprised at how many people have been tracking me down and saying: thank you very much for doing this. I think it's worth considering, for the minister and for the sponsor of the bill, and I hope that they will consider it.

I would have been happy to share this through the government caucus, but as I've already outlined, this whole thing was put together at the speed of light. I left a community league meeting seven or eight blocks away from here and hotfooted it in here to move this tonight. If you keep moving this fast, yes, indeed, you will all be going home this weekend, which may be the plan.

I hope I can get your support in that, and I look forward to any continued discussion on it. Thank you.

**The Deputy Chair:** Thank you, hon. member.

The hon. Minister of Municipal Affairs.

**Mr. Griffiths:** I'll be very brief, Madam Chairman. I just wanted to point out that this is very prescriptive. The viability reviews actually are not done just by the Ministry of Municipal Affairs. We help co-ordinate the committee. We have membership from the local municipality, from the neighbouring municipalities, from AUMA, and AAMD and C, and they choose the prerogative on the direction that they want. This would prescribe including revenue in the discussion. It doesn't prescribe expenses. It doesn't prescribe capacity. It doesn't prescribe relationships. Every single municipality is a unique circumstance when they're doing a viability review. I'd ask my colleagues not to support this because we're not going to make it prescriptive.

**The Deputy Chair:** Thank you, hon. minister.

Any other speakers on amendment A3 to Bill 17? The hon. Member for Banff-Cochrane.

**Mr. Casey:** Again, I'll be extremely brief. I would suggest that the member should possibly look at the Municipal Government Act when she's concerned about the minister having the ability to dismiss under 574(1) and 574(2). I'll read you (2): "If an order of the Minister under this section is not carried out to the satisfaction of the Minister, the Minister may dismiss the council or any member of it or the chief administrative officer." So that section that is in here now is no different than the section that is currently in the act and does not give the minister a lick more power than he has today to deal with issues in municipalities.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

Are there any other speakers on amendment A3?  
Seeing none, we'll call the vote.

[Motion on amendment A3 lost]

**The Deputy Chair:** We'll carry on in Committee of the Whole with Bill 17, the Municipal Government Amendment Act. Are there any other speakers?

Seeing none, we will call the vote.

[The clauses of Bill 17 agreed to]

[Title and preamble agreed to]

**The Deputy Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? Carried.  
The hon. Government House Leader.

**Mr. Hancock:** Thank you, Madam Chair. I would move that the committee rise and report Bill 17.

[Motion carried]

[Mrs. Jablonski in the chair]

**The Acting Speaker:** I would ask the Member for Calgary-Varsity to report.

9:10

**Ms Kennedy-Glans:** Thank you. The Committee of the Whole has had under consideration a certain bill. The committee reports the following bill: Bill 17. Madam Speaker, I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

**The Acting Speaker:** Having heard the report, does the Assembly agree?

**Hon. Members:** Agree.

**The Acting Speaker:** Opposed? So ordered.

### Government Bills and Orders Third Reading (continued)

#### Bill 17 Municipal Government Amendment Act, 2013

**The Acting Speaker:** The hon. Member for Barrhead-Morinville-Westlock.

**Ms Kubinec:** Thank you, Madam Speaker. It is a pleasure to rise this evening and move third reading of Bill 17, which amends the Municipal Government Act to implement the municipal sustainability strategy.

I want to thank all my hon. colleagues for their consideration in debate on this important piece of legislation. These changes will result in a more proactive approach to identifying challenges, more community engagement and involvement in the long-term future of Alberta's municipalities, and more sustainable communities for our residents.

Specifically, implementation of the MSS will include identifying municipal challenges sooner and developing options to address those challenges; ensuring that the right process is used when the viability of a municipality is in question; finding solutions through strong partnerships amongst neighbouring municipalities, municipal associations, and Municipal Affairs; more community engagement and involvement, including with neighbouring municipalities; and requiring the community to choose meaningful options for future sustainability rather than allowing an unsustainable status quo to continue.

The MSS is a result of a collaborative process between the province and key municipal stakeholders and has received strong stakeholder support.

Madam Speaker, I would like to thank you for providing the time for me to speak to this important piece of legislation. This will mean a lot to the two municipalities in my constituency who are going through this process.

Thank you.

**The Acting Speaker:** Thank you, hon. member.

Are there any other members who wish to speak on Bill 17?  
Seeing none, we'll call the question.

[Motion carried; Bill 17 read a third time]

**Mr. Hancock:** Madam Speaker, I'm at a loss as to what to do now.

**The Acting Speaker:** Go home.

**Mr. Hancock:** I could ask for unanimous consent again on Bill 21. [interjections] Ain't gonna happen. Okay.

In that case, Madam Speaker, I guess I'll have to move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; the Assembly adjourned at 9:13 p.m. to Wednesday at 1:30 p.m.]







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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Wednesday afternoon, May 8, 2013

Issue 55a

The Honourable Gene Zwozdesky, Speaker

## Legislative Assembly of Alberta The 28th Legislature

First Session

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Kubinec	Towle
Luan	Young

### Standing Committee on Public Accounts

Chair: Mr. Anderson

Deputy Chair: Mr. Dorward

Allen	Hehr
Amery	Jeneroux
Anglin	Khan
Bilous	Pastoor
Donovan	Quadri
Fenske	Quest
Goudreau	Sarich
Hale	Stier

### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans

Deputy Chair: Mr. Anglin

Allen	Hale
Barnes	Johnson, L.
Bikman	Khan
Bilous	Kubinec
Blakeman	Lemke
Calahasen	Sandhu
Casey	Stier
Fenske	Webber

## Legislative Assembly of Alberta

1:30 p.m.

Wednesday, May 8, 2013

[The Speaker in the chair]

### Prayers

**The Speaker:** Let us pray. Dear Lord, help us to think, to act, and to live in a manner that instills confidence amongst Albertans and reassures those who elected us that they made the right choices. Amen.

Please be seated.

### Introduction of Visitors

**The Speaker:** The hon. Minister of Health.

**Mr. Horne:** Thank you very much, Mr. Speaker. I rise today to introduce to you and through to all members of the Assembly someone who will be well known to many colleagues, Judy Gordon. Judy is a former member of this House who had the privilege of serving the old constituency of Lacombe-Stettler. She is with us today to acknowledge Multiple Sclerosis Awareness Month, which occurs every May. Mrs. Gordon is an MS Society board member and honorary ambassador in the fight against multiple sclerosis. She's seated in your gallery. She's an excellent ambassador for the causes related to multiple sclerosis. I would ask her to rise, please, and receive our traditional warm welcome.

### Introduction of Guests

**The Speaker:** Hon. President of Treasury Board, you have a school group to introduce?

**Mr. Horner:** Yes, I do, Mr. Speaker. In fact, I've got a very large school group from Spruce Grove, the Greystone Centennial middle school, 118 visitors in both of our galleries, and they are a very energetic group. We were doing the pictures downstairs, as we normally do, and I think I may have to look at shaving off the grey because one of them thought I was the Premier's father. This very notable group is accompanied by their teachers and their group leaders, Patty Nicholls, Claudia Scanga, Joan Papp, Laura Robert, Mathew Pecht, Cheryl Hanson, and Patricia Kusmire. As I said, they are in both of our galleries, and I would ask that they now rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** Are there other school groups?

Seeing none, let us proceed on with other guests.

The hon. Minister of Health, followed by Edmonton-Centre.

**Mr. Horne:** Thank you very much, Mr. Speaker. It gives me great pleasure to introduce to you and through you to all members of the House some additional guests that have joined us today in recognition of Multiple Sclerosis Awareness Month. These individuals are role models and true leaders within our community in the fight against MS.

I'd ask that each rise as I introduce them: Neil Pierce, who has served as the president of the MS Society of Alberta for the past eight years and has been a tremendous advocate for MS awareness in our communities; Julie Kelndorfer, who was diagnosed with MS nine years ago and began working at the MS Society in order to make a difference in the lives of others affected by this illness – and made a difference she has – and Dr. Christopher Power, an

internationally recognized clinician-scientist focused on the causes and potential treatment methods of diseases like multiple sclerosis. He is also a board member for the MS Society here in Alberta. Last but certainly not least, Patrycia Rzechowka. Patrycia was diagnosed with MS last January and recently graduated from the U of A with a BA in criminology. She aspires to become a police officer and has raised close to \$13,000 for MS research.

Mr. Speaker, multiple sclerosis is a lifelong chronic illness that can occur at any age, but with individuals such as our distinguished guests, who are dedicated to combating this disease, I am hopeful and confident that we will one day find a cure.

All these guests are seated in your gallery, and I would ask that all members of the Assembly give them the traditional warm welcome and appreciation of this House.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by Barrhead-Morinville-Westlock.

**Ms Blakeman:** Thank you very much, Mr. Speaker. The other Saturday I was listening to CBC, and there was my favourite program, *The Irrelevant Show*. I thought: "Hot damn. That is a comedy show that is produced out of Edmonton. It is a national program, and it's into its fourth year." I thought: "Okay. That's it. We have to bring in some of the company and introduce them to you so you can all celebrate with them."

Now, *The Irrelevant Show* has won both the Canadian comedy award and a medal at the prestigious New York Festivals. We were not able to get Neil Grahm here with us today, whom I remember from *Three Dead Trolls in a Baggie*, which tells you how old I am. Neil is the head writer along with names you'll recognize like Chris Craddock and Dana Andersen, who help to write the show. I'd like to introduce you to the people we did get here. All four of them are part of the original company.

Mark Meer, if you would rise. Mark is a writer and a performer. We met when he was still in high school, I think. He is a member of Die-Nasty Improv. He's a founder of Gordon's Big Bald Head. He has written and performed in *Caution: May Contain Nuts*, which is another television comedy show, toured all over the place with Rapid Fire Theatre, and you'll recognize his voice from video games. Jana, stand up and join him. Jana: you would recognize her voice if she was allowed to speak to you. You've heard it many times. She's worked as an actor, an improviser, a theatre instructor, and a playwright. I think she started or had a hand in starting the Sprouts festival, which is for small kids.

Donovan Workun: you will recognize him from a number of different commercials and things. He's a founding member of Atomic Improv. He's won both the Just for Laughs Festival and the world improv championships in Los Angeles. He is very proud to have with him today his son and daughter, Ethan and Emma. Please rise.

Finally, the guy who thought it all up. Peter Brown is the producer. He grew up in Saskatoon. A chance radio audition changed his career path. He for many years did *Radio Active* and is now going to host a network radio show and take us across Canada.

Thank you so much for being so wonderful.

**Ms Kubinec:** Mr. Speaker, I am pleased to introduce to you and through you to the members of the Assembly two of my constituents, Mr. Earl Allen and Mr. John Podolski. Both are proud farmers from the BMW Fawcett-Jarvie area in the north part of my constituency. I sat with both of these gentlemen on the Linaria agricultural society in the '90s, when our sons played hockey together. They are dedicated volunteers in our community,

as are many of their fellow Albertans. This is their first visit to the Legislature. I ask them to rise as I call their names. Please receive the traditional warm welcome of the Assembly, John and Earl.

**The Speaker:** The hon. Minister of Aboriginal Relations, followed by Strathmore-Brooks.

**Mr. Campbell:** Well, thank you, Mr. Speaker. I rise to introduce to you and through you to the members of this Assembly two constituents from Edson, Gean Chouinard and his son Ryan. Gean is a first-time councillor with the town of Edson and is very involved in the community. He has helped out with a dozen initiatives, including Edson's Rotary Sundays in the Park and the Family Day extravaganza and organizes the town's annual soapbox derby. Gean is also a foster parent and has been involved in the Foster Parent Association for many years.

1:40

His son Ryan is a grade 6 honours student at Pine Grove middle school and is a remarkable young man. In fact, Mr. Speaker, he received the Edson Chamber of Commerce youth volunteer award this year. He has also helped out with many initiatives, including the Pine Grove school breakfast program and the Rotary Sundays in the Park.

Mr. Speaker, I'm proud to say that both Gean and Ryan were very active members in my campaign last year, and Ryan was actually appointed as my chief sign guy. Gean and Ryan are seated in the members' gallery, and I invite them to please stand and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Strathmore-Brooks, followed by Lesser Slave Lake.

**Mr. Hale:** Thank you, Mr. Speaker. It's my pleasure to rise today to introduce to you and through you to all members of the Legislature a group of concerned citizens from the city of Brooks. They're here today to raise their concerns to this government in hopes that their parents and all Alberta seniors receive the level of care they deserve. As I call their names, I would ask them to rise: Cheryl Hyland, Darlene Deschamps, Sheila Eaton, Glenn Eaton, Reid DeForest, Jack Peeters, Gina Smith, and Roberta Brower. Also, there are two health care workers here today who don't want their names announced for fear of retribution. I ask that all members join me in providing the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Lesser Slave Lake, followed by the leader of the Liberal opposition.

**Ms Calahasen:** Well, thank you very much, Mr. Speaker. Today I have the great honour of introducing to you and through you an individual who has family connected to High Prairie. He was born and raised in High Prairie, Alberta, went to the international university in San Diego to get a bachelor of science, and is now the product marketing manager, warehouse products, for Toyota Material Handling Europe and lives in Sweden. He has come to see what kind of possibilities exist here for business. I know that he is so thrilled to be introduced in this House as his father was a really great campaigner of mine. I'd ask Joe Cunningham, who I believe is sitting in the public gallery, to please stand and receive the warm welcome of this Assembly.

**The Speaker:** Hon. members, we have about 10 more to go, and I'm watching the clock, so please tighten up your introductions wherever possible.

The hon. leader of the Liberal opposition, followed by the Associate Minister of IIR.

**Dr. Sherman:** Thank you, Mr. Speaker. Today I have two introductions. The first is a young fellow by the name of Will Lumsden. Will is currently attending the University of Alberta. He introduced Justin Trudeau to Edmonton when he launched his leadership campaign. He sits on the board of the Edmonton-Riverview constituency association. He was recently elected as the vice-president of policy for the Alberta Young Liberals. I know Will Lumsden will be sitting in one of these chairs one day, fighting for Albertans. I would ask him to rise and for all the members to give him the traditional warm welcome of the Assembly.

Mr. Speaker, it's also my pleasure to introduce to you and through you to all members of the Assembly Marjorie Bencz, Mark Doram, Cheryl Natrass, and Roxann Vaos from the Edmonton food bank. Alberta is one of the best places. A lot of people are doing great, but unfortunately there are a lot of families that are going through a tough time. Closer to home 53,512 Albertans are assisted by the food banks, with 44 per cent of those served being children. Hunger Awareness Week is about raising awareness of the solvable problem of hunger in Canada. Food banks across Canada are asking all Canadians to acknowledge Hunger Awareness Week and understand that as a collective, as a society we can all make a difference. I would ask all hon. members today to use Facebook and Twitter and use our social media networks to get the word out to go to [hungerawarenessweek.ca](http://hungerawarenessweek.ca) or [foodbankscanada.ca](http://foodbankscanada.ca), and the Twitter hash tag is #yegfoodbank. I would ask our members from the food bank to rise and receive the traditional warm welcome of the Assembly.

Thank you.

**The Speaker:** The hon. Associate Minister of International and Intergovernmental Relations, followed by Edmonton-Gold Bar.

**Ms Woo-Paw:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of the House four constituents from the Calgary-Northern Hills constituency who are sitting in the members' gallery. I would like to ask them to stand as I introduce them. Karim Dossa is a successful entrepreneur with a recycling business and is director of the Beverage Container Management Board. He is also a very active volunteer and leader with the Ismaili community, serving youth and a multifaith food bank and Aga Khan Development Network projects. Mr. Khin Chew is a professional engineer with an impressive record of community involvement and leadership. Khin is present at almost all Asian community events in Calgary and has been heard at several disaster relief efforts. Mr. Mark Gerlitz is a native Calgarian and a lawyer of 11 years. He and his wife, ShariLyn, have a daughter they named Victoria. Mark is also a board member of the Alberta Safety Codes Council. Ms Holly Wong is a health services researcher at the U of C. Her passion is women's issues and rights, particularly women in the correctional system. Holly is going to India in a few weeks to volunteer in a program that promotes women's empowerment.

I'm pleased to hear that they had a chance today to meet with some of my colleagues and tour the Alberta Legislature Building, and now they're here to listen to us in question period. I would like to thank all of you for taking time out to visit us here today, and I would like to ask the members of the Assembly to join me in giving them the warm welcome of the House.



**The Speaker:** Hon. members, once again I beg your indulgence. Please review your introductions from this moment forward, or we're not going to quite make it in time.

Edmonton-Gold Bar to demonstrate, followed by Calgary-Shaw.

**Mr. Dorward:** Mr. Speaker, I'm pleased to introduce to you and through you to all members of the Assembly three exceptional individuals that I know, two from the Edmonton-Gold Bar constituency: Mufi Khairullah, Shelley Sabo, and Dicky Tshipamba Dikamba. Shelley is a home co-ordinator for SEESA, the South East Edmonton Seniors Association, and works hard in the community. Dicky runs an organization called the Canadian association of volunteers in action, a francophone organization that finds volunteers and matches them up with the need. Mufi has been a friend of mine for many, many years and works in the recruitment area, particularly in IT, indeed for the government of Alberta. Please welcome these individuals sitting in the members' gallery.

**The Speaker:** The hon. Member for Calgary-Shaw, followed by the Minister of Environment and SRD.

**Mr. Wilson:** Thank you, Mr. Speaker. I would like to introduce to you and through you to all members of the Assembly Eryn Kelly. Eryn is with the March of Dimes, a wonderful organization. I had the great pleasure of spending the morning with her while I was in a wheelchair as part of accessibility awareness week. She also happens to be a constituent of mine in Calgary-Shaw. I would like to ask Eryn to please rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The Minister of Environment and Sustainable Resource Development, followed by Calgary-Glenmore.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. It's a pleasure for me to rise today to introduce to you and through you to all members of this Assembly a dear friend of mine. He's a great community volunteer, a gentleman with a forestry background and business background, and certainly one of Drayton Valley's very fine volunteers. He's a member of the Rotary Club and a great Rotarian but, most importantly, a dear friend of mine and the president of my Drayton Valley-Devon PC association. Colin Campbell, will you please rise and receive the welcome of this Assembly.

**The Speaker:** The hon. Member for Calgary-Glenmore, followed by Sherwood Park.

**Ms L. Johnson:** Thank you, Mr. Speaker. I rise today to introduce to you and through you Mr. Dennis Fendall, an active community member of Calgary-Glenmore. Dennis was a school principal and a superintendent with the Calgary separate school board. With the selection of Premier Redford as the leader of the PC Party of Alberta, Mr. Fendall became re-engaged in party politics, and during the 2012 election campaign Dennis was a key member of the Liberals for Linda campaign in Calgary-Glenmore. I now ask Dennis to rise and accept the traditional welcome of the Legislature.

**The Speaker:** Just a remembrance that we're not to refer to elected members by their names.

The hon. Member for Sherwood Park, followed by Edmonton-Ellerslie.

**Ms Olesen:** Thank you, Mr. Speaker. It's my pleasure today to rise before you and introduce to you and through you to all members of this Assembly two of my constituents and long-time friends. [interjections] I'll start with Mr. Ed Riediger. [interjections] Ed is the CEO of the Robin Hood Association, an organization committed to helping people with disabilities.

**The Speaker:** Hon. members, please. We're already fighting the clock, and you're not helping by having conversations across the bow, which prompt my rising. The Member for Sherwood Park has the floor. Let's give her the courtesy of it.

**Ms Olesen:** Thank you. I'll start again. I don't think anyone heard.

It's my pleasure today to rise before you and introduce to you and through you to all members of this Assembly two of my constituents and long-time friends. I'll start with Mr. Ed Riediger. Ed is the CEO of the Robin Hood Association, a school for disabilities and an organization committed to helping people with disabilities achieve their personal best and experience a quality lifestyle.

1:50

Next is Gerry Gabinet. He is the director of economic development and tourism for Strathcona county. He has helped attract and promote investment in Sherwood Park, Strathcona county, and Alberta.

I am so pleased they're able to join us today, and I would now ask that you provide them with the traditional warm welcome of this Assembly. Thank you.

### Speaker's Ruling Introduction of Guests

**The Speaker:** Hon. members, we still have introductions from Edmonton-Ellerslie, the Minister of Agriculture and Rural Development, the Minister of Human Services, St. Albert, Lacombe-Ponoka, and one other place. However, our agreement with the television network requires us to now move to question period. I'm sorry, hon. members who are left at the altar, so to speak. Some of the introductions took a very long time today. I would ask, please, House leaders to again review this matter. Let's tighten this up so that all members can be introduced. Some people are here and have to leave and will not have the benefit of being here when their introductions are done after QP, and that is highly unfortunate. You have yourselves to look at.

### Oral Question Period

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition. First official question.

### Report to Taxpayers

**Ms Smith:** Mr. Speaker, I was reading through this PC Party brochure, that the Premier is claiming is legitimate government communications to explain how the back-in-debt budget is supposed to be good for Alberta. It is a glossy document. It's got lots of pretty pictures and nice words, and it's all decked out in PC campaign colours, but it doesn't really tell the whole story. For example, the Premier and the Finance minister insist that borrowing and debt are good for Albertans, but I couldn't find one mention in the entire brochure that the government will rack up \$17 billion in debt by 2016. Why not?

**Mr. Horner:** Well, Mr. Speaker, if I may, what the document talks about is where this province is headed under this Premier's leadership. What the document talks about is living within our means. It talks about saving for the future. The hon. members opposite don't talk about the \$24 billion of savings that the three-year plan will put in the bank for Albertans. They don't talk about the \$19 billion that we have in savings today. This is a plan for the future of the province. We don't drive the vehicle by looking in the rear-view mirror, like the opposition.

**Ms Smith:** And they don't like to talk about the \$17 billion they drained from our sustainability fund in the last five years.

Mr. Speaker, if the government is going to communicate with Albertans, it could at least tell the full story about what it's doing. The campaign-style brochure claims that Alberta's borrowing is much like taking out a mortgage on a home. This is not true. They're only going to be paying the interest. They are paying none of the principal and setting aside next to nothing when the balloon payment comes due. They are leaving \$17 billion for the next generation to pay off. No one has a home mortgage like that. When will they tell Albertans the truth about that?

**Mr. Horner:** You know, Mr. Speaker, if the hon. member would actually read the budget documents, she would see that we have a debt retirement plan and we have a debt retirement account to which we have made an allocation in this budget year and will make in the future budget years.

She should also take a look at the P3 projects that have served Albertans so tremendously well. I saw a report produced by one of our deputy ministers not too long ago that showed a savings in the value of \$2 billion for things like the Anthony Henday, which I think Edmontonians are very grateful for and which is, by the way, a liability for 30 years, a debt, Mr. Speaker. Albertans understand how we should build infrastructure; the opposition does not.

**Ms Smith:** I've read their budget, Mr. Speaker. At the rate the minister is going, it'll take 83 years to pay back that \$17 billion in debt.

It's a \$350,000 infomercial being spent to misinform Albertans. Here's another example. They describe the 8 per cent MLA pay raise as a pay cut. Plus, it's designed to look like a PC Party document. It's another communications disaster on the heels of the school announcement blunder, that was using kids as a backdrop for political attacks. Yet the Premier and her ministers continue to hire more and more PR and communications experts from Ontario. Doesn't the Premier realize that it's these kinds of mistakes that are making Albertans . . .

**Mr. Horner:** You know, Mr. Speaker, one of the things that I've found as a representative of this august Assembly is that when I go outside of this place, my constituents say: "Well, why don't you tell us what you're doing? Why don't you show us what you're doing? Why aren't you telling us what these folks are trying to misinterpret and give, basically, false statements about?" [interjections] Sending 29 cents to every household so that they can see that we are building Alberta, that we are living within our means, that we are going to save for their children's tomorrow: this is a plan for today and tomorrow. [interjections]

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition. Second main set of questions, without interjections, please.

**Ms Smith:** They're billing Alberta, Mr. Speaker, and they're not being forthright about it.

### Health System Executive Expenses

**Ms Smith:** Mr. Speaker, in light of the Mayo Clinic expense scandal, we wrote a letter asking Justice Vertes if he would expand his health care inquiry, and we received a response from him this week. He said this.

Your request is one that should be addressed in the Legislature.

Any expansion or alteration to the Commission's terms of reference is solely within the purview of the Minister of Health and his cabinet colleagues.

Will the minister join us in our request for a complete examination of health expenses in order to clear the air on queue-jumping once and for all?

**Mr. Horne:** Mr. Speaker, the inquiry has done a very thorough job of investigating all sorts of allegations that have been made. As the hon. member knows, the commissioner asked for and received an extension in order for him to have time to consider the evidence that's been submitted and to prepare the report. The inquiry has fulfilled its mandate or will shortly fulfill its mandate when it delivers its report to you. We have no intention of otherwise interfering with the work of the inquiry.

**Ms Smith:** Mr. Speaker, the government's response to the health executive expense account abuse has been disappointing to say the least. The standard answer is that they've tightened up the policy. Of course, after we exposed the Mayo Clinic expense scandal a few weeks ago, they started to see if there was a way to recover some of those illegitimate expenses, but they refuse to order a complete forensic audit. Why is the Premier only taking half measures to recover these dollars on behalf of Alberta taxpayers?

**Mr. Horne:** Mr. Speaker, the Premier has in fact taken very aggressive measures with respect to all of the allegations that have been brought forward in this House. The fact is that the inquiry has heard evidence on many subjects throughout the course of the last year. The commissioner is in the process of reviewing that evidence and preparing his report. Unlike the hon. member opposite, we are looking forward to the report and its recommendations in order to further strengthen the steps we have taken to ensure this kind of thing can never happen again in Alberta.

**Ms Smith:** This is where it gets confusing, Mr. Speaker. Either they care about the waste of taxpayer dollars on executive health expenses, which, frankly, go back to the time when the Government House Leader was the Health minister, or they don't care about recovering these expenses. If they're serious, asking Justice Wachowich to get involved is a good step one. Step two would be the release of all of the expenses for all of the executives for all of the health regions going back to 2005. Why won't they do that?

**Mr. Horne:** Mr. Speaker, as I'm sure the hon. member well knows, in fact, all of the expenses of all of the executives of all of the former health regions back to 2005 are all the subject of FOIP requests that are presently in process. That is a process that occurs independent of government. We have absolutely no intention of interfering with that process. The opposition has proven it knows how to use the process, how to disclose and, if I may say, in some cases distort the information that's presented. We stand by that process.

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition. Third main set of questions.

### **Assisted Living Facilities in Brooks**

**Ms Smith:** Well, Mr. Speaker, let me start by acknowledging the efforts of the Minister of Health. I understand the couple in Crowsnest Pass that I spoke about last month will be permitted to stay together in the same seniors' facility. Today I hope he will address major issues in two seniors' care facilities in Brooks. Carla Buckler told us about often finding her grandfather sitting in a soaked diaper and getting bruised from being moved too roughly from his recliner to his wheelchair and her grandmother being fed poor quality meals such as half a hot dog and a brown banana. This is elder abuse. Why are there no consequences?

**Mr. Horne:** Well, Mr. Speaker, let me say, first of all, that there are certainly very serious consequences in this province for individuals who neglect or otherwise mistreat seniors. The hon. member should know that she has an obligation, as does any other Albertan, to report suspicions or evidence of such inappropriate treatment under the Protection for Persons in Care Act, and I won't take the House's time to enlighten her as to what that process is. What I will say is that I am concerned about the situation in Brooks. It was first brought to my attention today in a news release, and I've taken immediate steps to ensure that there is an inspection of both facilities forthwith.

**Ms Smith:** This is precisely what we're doing, Mr. Speaker, bringing it to the attention of the minister.

Here is what Tia Crapo told us about care in one of these facilities in Brooks.

My dad was found on the floor, in his vomit, with not one person aware of when he was last checked on. When admitted to the hospital, weak, severely dehydrated, suffering with a urine infection, and several bed sores, the doctors were shocked at the state he was in and did not think he would survive the night.

Why do these kinds of things happen without the minister intervening and holding anyone responsible?

2:00

**Mr. Horne:** Mr. Speaker, first of all, as I said, the information that's been brought forward with respect to the two facilities in Brooks will be followed up. Those facilities are inspected on a regular basis, as are all facilities in the province regardless of whether they're publicly operated, private, or not-for-profit operations.

But, Mr. Speaker, this hon. member is teetering on the verge of something that is very serious. If she is alleging that there has been abuse or neglect of residents in these facilities, she or anyone else who has knowledge has a responsibility to report that under the appropriate legislation.

**Ms Smith:** Mr. Speaker, they've reported it. It's been ignored, and now the minister needs to step in and do something about it.

You've already been introduced to several people in the galleries affected by unacceptable care and lax enforcement of existing standards.

**An Hon. Member:** Fearmongering.

**Ms Smith:** Well, maybe the hon. member would like to go hear the stories himself if he thinks it's fearmongering.

They have many more heart-wrenching stories about neglect, lack of attention, horrible food, and ignored requests. The families and the caregivers have come here today to the Legislature to seek action. What is the minister going to do about it?

**Mr. Horne:** We, in fact, have tremendous compassion for any Alberta resident or family that would find themselves in such circumstances, and we have taken the appropriate steps. The hon. member's constituents and community representatives should be commended for coming to the Legislature today to express their concerns.

What would not be forgivable, Mr. Speaker, is a politicization of this issue. As I've said, the processes are in place. I've asked for an immediate inspection of both facilities. If there are concerns with regard to abuse or neglect, I'm sure the hon. member knows how to handle that.

**The Speaker:** The hon. leader of the Alberta Liberal opposition.

### **Report to Taxpayers** (continued)

**Dr. Sherman:** Thank you, Mr. Speaker. I looked through the Premier's leadership review campaign brochure, produced by the increasingly partisan Public Affairs Bureau, paid for with \$350,000 of taxpayer money. Now, if this leadership review brochure told the truth about the Premier's broken promises, I'd have no problem with it. However, it's nothing but a spin job. To the Premier: why does your leadership review brochure not mention your broken promise to provide all-day kindergarten within a year of being elected?

### **Speaker's Ruling** **Questions about Political Party Activity**

**The Speaker:** The hon. Government House Leader rose on a point of order at 2:03, and I suspect it's to do with issues pertaining to party matters, which have no place in this Assembly. Hon. leader of the Liberal opposition, please review your supplementary questions so that they can be ruled in order. Party matters are not the subject of debate here. I've indicated this a number of times, and if you wish to rewrite the history of tradition, then so be it. However, in the meantime we're not going to allow that. I made it very clear yesterday, and we're going to pursue those rules today.

If someone from the government side would like to answer this question, please do so.

### **Report to Taxpayers** (continued)

**Mr. J. Johnson:** Yeah. Mr. Speaker, I'm happy to ... [interjections]

**The Speaker:** Just a moment.

Hon. members on the Wildrose front bench, please. Enough. Okay? Enough.

**Mr. J. Johnson:** Mr. Speaker, I'm happy to try and answer the question. As we've said many times in this House, full-day kindergarten is a commitment of the government. It is important to the Premier. It is something we're working on. It is something we're going to deliver. But it is linked to the early childhood development strategy, that's being led by the Minister of Human Services in co-operation with the Minister of Health and myself,

and once we have that strategy nailed down and some of the costing on it, we'll be bringing those options forward to cabinet. We hope to be delivering full-day K in this province in the very near future. Again, it is a commitment. We are working on it, and we will get there.

**Dr. Sherman:** Mr. Speaker, allow me to rephrase. What I referred to, that looked like a leadership campaign brochure, is actually a government document. I note that this document fails to mention the Premier's broken promise to provide sustainable, predictable funding to Alberta's postsecondary institutions. Not a single, solitary word about this is in this document. Whatever happened to truth in advertising? To the Premier. Why does your leadership review brochure – oh, excuse me. Why does this document fail to mention your devastating cuts to postsecondary education?

**Mr. Lukaszuk:** Mr. Speaker, I think it's highly appropriate and not only appropriate but desirable for government to communicate with Albertans and share information relevant to what the plan of the government is into the future, what achievements we have accomplished together, not this government but Albertans together, and where we're going to move with our economic development, with our financial plans, with our growth. Albertans want to hear that. If this opposition wasn't spreading the fearmongering that they do, perhaps we wouldn't have to do it, but unfortunately that is one of the means by which we will continue to communicate with Albertans.

**Dr. Sherman:** Mr. Speaker, only with this government is the truth referred to as fearmongering.

I've only mentioned two broken promises out of this document. There are others, of course. Some examples are increased MSI funding, a very important issue today; increased art funding; no service cuts to those with PDD, our respected seniors; and, of course, a balanced budget. To the Premier: did you exclude all of your broken promises in this brochure because they're too politically damaging or because you wanted this to fit in the mailbox?

**Mr. Horner:** You know, Mr. Speaker, on the one hand the hon. member complains that this document may be political. Then on the next hand he talks about a political document that was issued a year ago, and why isn't this like that document? What this is information for Albertans in their households at 29 cents apiece so that they can understand what is in the budget because it's very obvious that the opposition does not.

**The Speaker:** The leader of the New Democrat opposition.

### Alberta Energy Regulator

**Mr. Mason:** Thank you very much, Mr. Speaker. The Minister of Energy appointed Gerry Protti as chair of the regulator responsible for approving all energy projects in Alberta. It seems that Mr. Protti is listed as the vice-chair of the Energy Policy Institute of Canada, a lobby group representing the who's who of energy companies in Canada. He is himself a registered lobbyist for the energy industry. To the Energy minister: if Mr. Protti doesn't have a conflict of interest, then who does?

**Mr. Hughes:** Mr. Speaker, it's always good to get questions from the grassy-knoll group. It is quite clear that when Mr. Protti was asked to take on this role, he took all the steps to eliminate any potential conflicts such as those alluded to here, should there be such things. I would add, actually, that Mr. Protti is a very

fair-minded, straightforward, hard-working, and dedicated Albertan, that ought to be supported in his role.

**Mr. Mason:** Mr. Speaker, you know, this Energy minister can talk all he wants about how fair minded he is, but here's who he represents: the Canadian Association of Petroleum Producers, Suncor, EnCana, the Canadian Energy Pipeline Association, CNRL, Enbridge, TransAlta, Aecon, Cenovus, Shell Canada, Imperial Oil, and the Canadian Petroleum Products Institute, to name just a few. This guy can't possibly take an objective view of projects involving any of these energy corporations. Why is this minister putting the fox in charge of the henhouse?

**Mr. Hughes:** Mr. Speaker, the governance board of the Alberta energy regulator will have responsibility for ensuring that the organization is well run, that it sets appropriate outcomes for the organization to perform. In addition to that, there will be a panel of independent commissioners, who will be put on the panels to hear specific cases as they come forward. I'd rather appoint somebody who actually knows what's going on as opposed to somebody who doesn't.

**The Speaker:** The hon. leader.

**Mr. Mason:** Thank you, Mr. Speaker. I really appreciated your prayer today because only divine intervention can save this government now. This government has made a farce of energy regulation in Alberta. If it wasn't so outrageous, it would be funny. How can this Energy minister justify turning one of the ministry's most serious responsibilities into a joke?

**Mr. Hughes:** Well, Mr. Speaker, if anybody was laughing, it would be a joke, but there isn't anybody who's laughing at that joke. I would say: what we're building, we haven't even started yet. I would encourage all even-minded, fair-minded Albertans to give us a chance to establish the board, to establish the organization. Let it get up and do its work. The proof is in the pudding.

### Assisted Living Facilities in Brooks

*(continued)*

**Mrs. Towle:** Heartbreaking stories about mistreatment and neglect of our seniors have been heard from all over the province. In Brooks Hilda Bunney fell one night, and her head went through a wall. Hilda lay there for hours. The call bell didn't work. She suffered steam burns, fractured vertebrae, and two hematomas to her brain. No one called a nurse or an ambulance. This is not fearmongering. The family wrote letters to the ministry. The family made a complaint under the Protection for Persons in Care Act in 2011, and the RCMP will not investigate. When will the minister take action and end elder abuse in Alberta?

2:10

**Mr. Horne:** Well, Mr. Speaker, we take all allegations of elder abuse extremely seriously, and this government, I believe, has proven that in response to any member on any side of this House who has brought forward a concern about a constituent or wanted to represent a constituent's family. We will take these concerns equally seriously. As I've said, I've ordered an immediate inspection of both facilities. We do not believe these are widespread issues across our province – and I want to be very clear about that – but one incident is too many, and we'll continue to take aggressive action.

**Mrs. Towle:** This is not one incident, Minister.

Given that under the Protection for Persons in Care Act you, the minister, can launch your own investigation when “a report of serious abuse has been made about a service provider” and given that the horrifying stories of friends and family of AgeCare residents here today have already been provided to you, will the Minister of Health launch an investigation immediately into these AgeCare facilities?

**Mr. Horne:** Mr. Speaker, as with any similar situation, we will look at the information that is presented, and we will take immediate action to investigate the complaints.

**Mrs. Towle:** That’s great because they’re here today, and they’d love to meet with you right after QP, and they can go through their complaints with you.

Given that this ministry and the protections for persons in care and the RCMP are not able to protect seniors in our system, will the minister tell the families who are here today why this would be unacceptable if it was a daycare or an education facility, but you find it completely acceptable to do this to our seniors?

**Mr. Horne:** Mr. Speaker, this is really crossing a line. We take these allegations extremely seriously, and as members across this House can attest from their own experience, any time an allegation has been brought forward, we have investigated, and we have taken the appropriate action. It would be completely improper for me as minister to stand here and to draw or to speculate on conclusions resulting from the information that’s just been presented. We will take this matter as seriously as we take the circumstance of any other senior in this province.

**The Speaker:** The hon. Member for Sherwood Park, followed by Calgary-Fish Creek.

### High School Education Initiatives

**Ms Olesen:** Thank you, Mr. Speaker. This being Education Week, I want to focus on an issue that really matters to Alberta families. There are few issues of more importance to parents than having an educational environment that is going to help their child succeed. We know Alberta’s education system is effective and world class, but the only way to keep it that way is to make sure it continues to evolve. In fact, that was the message Albertans delivered through Inspiring Education. To the Minister of Education: is the system evolving as quickly as it needs to?

**Mr. J. Johnson:** Mr. Speaker, that was the message Albertans gave us, and I’m very proud to say that in the last three years since Albertans developed the Inspiring Education vision, we’ve made significant steps and jumps to bring it to life. We’ve passed the Education Act this last year and made some alignments with Inspiring Education. We’ve had some great announcements this week with things like dual crediting, which was announced Monday, a high school flexibility program that was announced today, digital diploma exams yesterday, and a new ministerial order on student learning. Most importantly, we’re a hundred per cent focused on making sure our decisions are centred around the student.

**Ms Olesen:** Again to the same minister: given that Albertans said through Inspiring Education that the system as a whole needs to be responsive and flexible and given that high school students in my constituency are saying that elements of the system continue to be too prescriptive, will the minister take the kind of actions Albertans expect to address this concern?

**Mr. J. Johnson:** Mr. Speaker, the hon. member is absolutely right. Kids are unique, and we need a system that embraces and recognizes that uniqueness and their capacity to learn. We’re doing just that with things like moving the diploma exams to more times throughout the year and even digital exams and the expansion of the high school flexibility program, which we announced today, which is essentially delinking the time kids sit at a desk from the credits they earn and tying it more to the mastery of their skills and their capacity to learn.

**The Speaker:** The hon. member.

**Ms Olesen:** Thank you. Finally, to the same minister: given that the minister can hardly expect success without the participation of students, teachers, and parents and given that the actions you’ve talked about include some significant changes and thinking outside the box, are stakeholders onboard with these specific changes, and how can we have confidence that they will be successful?

**Mr. J. Johnson:** Mr. Speaker, they will only be successful if everyone is onboard, and I can tell you that during Inspiring Ed we had input from thousands of Albertans over several years, from young to old, because we’re all stakeholders in the education system. It doesn’t matter what you do, whether you’re a parent, a grandparent, whether you pump gas, whether you’re a senior in a lodge, or whether you’re a taxpayer or a part of government. We all benefit from the fact that we’ve got the best education system in the English-speaking world, and we’re all going to benefit from the fact that we’ve got a Premier who’s a hundred per cent committed to keeping us the best.

**The Speaker:** The hon. Member for Calgary-Fish Creek, followed by Calgary-Cross.

### Assisted Living Facilities in Brooks

*(continued)*

**Mrs. Forsyth:** Thank you, Mr. Speaker. Today we’ve heard some very sad stories about what’s happening in our province to our seniors. Minister, the family is here today. They’ve gone through all the processes of the Protection for Persons in Care Act and complained to the RCMP. Will you meet with them after question period?

**Mr. Horne:** Mr. Speaker, we will handle this situation the way we would handle a situation brought forward by any member of this House. We will look into the complaints that have been made. We will look at the history of the complaints under the Protection for Persons in Care Act and through correspondence, and we will get back directly to the families about the concerns they’ve raised.

**The Speaker:** The hon. member.

**Mrs. Forsyth:** Thank you, Mr. Speaker. Minister, we have some employees who worked at the care centre who have lost their jobs. Would you be willing to meet with them? They complained through the correct processes, and they’ve lost their jobs since. Would you meet with them?

**Mr. Horne:** Mr. Speaker, as I said, I ordered an immediate inspection under the continuing care health standards and the continuing care accommodation standards into these two facilities. As the hon. member knows and as the families know, there are processes, and they have obviously availed themselves of those processes. I will look into the status of the complaints that have

been made, and once we've had an opportunity to consider the facts and all the circumstances, we'll get back to them with a response.

**Mrs. Forsyth:** Minister, we have staff up in the gallery who currently work for the facility that we're complaining about. They're concerned about losing their jobs. Will you guarantee that they will not lose their jobs?

**Mr. Horne:** Mr. Speaker, this is a most unusual way to have concerns presented on behalf of constituents.

What we will do is what I have laid out with respect to the standards in the facilities and with respect to the complaints that have been filed. I do not believe that any employee in any facility in this province has to or should need to fear for their job as a result of advocating for the people they care for. I stand by that, and that will continue to be the case.

**The Speaker:** The hon. Member for Calgary-Cross, followed by Edmonton-Centre.

### Family Violence Death Review Committee

**Mrs. Fritz:** Thank you, Mr. Speaker. Alberta has one of the highest rates of family violence in Canada, and in many cases children can be profoundly affected. They can be witnesses, they can be orphaned, or they can lose their lives. My questions are for the Minister of Human Services. I understand that the proposed family violence death review committee will only look at homicide-suicides that were committed in the context of an intimate partner relationship. My question is: how will this help children affected by such tragedy?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Well, thank you, Mr. Speaker. I think there are two important aspects to that. The first is, of course, that children who are in a situation where there's family violence, particularly resulting in death, are demonstrably affected. The work of Dr. Fraser Mustard and others has shown the developmental impacts on the child who lives in a situation of family violence and is exposed to it. So understanding how we can prevent family violence is very important to the development of children.

Also, of course, sometimes children are involved in that family violence themselves and are the victims of that family violence, and we need to know and understand what we can do better to help families in that situation be protected from aggressors.

**The Speaker:** The hon. member.

**Mrs. Fritz:** Thank you, Mr. Speaker. To the same minister: since we have seen cases recently where a youth in an intimate partner relationship experienced dating violence as a precursor to a horrific tragedy, how will the death review committee improve the safety of youth who are presently at risk through dating violence?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Thank you, Mr. Speaker. Unfortunately, we are seeing an increasing number of violent incidents in dating relationships, so it's very important to understand that and to take that into account. Certainly, the family violence death review committee will be able to look at situations of intimate relationship, including dating, and understand what we can do better in that area.

The other piece that I would want to add is that we are currently reviewing our family violence and bullying reduction strategy and renewing it, and we're putting a particular focus on education about positive relationships and other areas to reduce the amount of dating violence.

**The Speaker:** The hon. member.

2:20

**Mrs. Fritz:** Thank you, Mr. Speaker. As you know, a very strong group of people in the community is already working to prevent family violence in our province. My question is to the same minister.

**Mr. Saskiw:** Point of order, Mr. Speaker.

**Mrs. Fritz:** How is the death review committee going to work with the communities without overlapping their efforts?

**Ms Blakeman:** Mr. Speaker, point of order. Anticipation.

**The Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. The family violence death review committee is something that the community and the stakeholders in this area have been asking for for a number of years. We've been working with the community in terms of developing a proposal for a family violence death review committee. If Bill 25 is passed by the Legislature, the community, I believe, will be very strongly supportive of us implementing what they've asked for.

**The Speaker:** Hon. Member for Lac La Biche-St. Paul-Two Hills, you rose on a point of order at 2:19:30, and hon. Member for Edmonton-Centre, you rose on a point of order at 2:19:40. They've both been noted.

Let's carry on. Edmonton-Centre, you have the floor, followed by Edmonton-Beverly-Clareview.

### Athabasca River Water Management

**Ms Blakeman:** Thanks very much, Mr. Speaker. This government has not been exactly rigorous in ensuring that some water will be left in the Athabasca River. Since the mid-70s the low-flow rate for this river has decreased by 30 per cent due to climate change, but the government has allowed current and future licences for 15 per cent more water flow to be removed even during low-flow periods. To the Minister of Environment and SRD: what reason does the minister have for allowing increased water allocation when the total flow is dropping?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. We take water very seriously with regard to the Athabasca River and across this province. In fact, we have a system that's continuously monitoring, and we evaluate within our framework. We have a system of green condition, when you can allow approvals for water to happen; a yellow condition so that oil sands companies will be cautioned when they require water limit withdrawals; and then we have a red condition, that makes sure that less than 1 per cent of allocation would be withdrawn. We work with industry and they work with us to make sure that when there are low flows, we have policies in place to protect that.

**Ms Blakeman:** No. Didn't answer the question.

Back to the same minister. Given that this minister keeps touting science-based decision-making, why do the recommendations of both the '06 Radke report and the '07 joint review panel for the Kearl project for base water-flow limits get ignored in the new framework? Or were they not science based?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker. We're not ignoring these. We are taking real action on the ground with regard to the monitoring that we're doing in the oil sands with regard to the amount of allocation of water from the river. We are taking action in this province. As we grow the oil sands region, we're increasing the monitoring that's happening there. We have 2 per cent allowable but less than 1 per cent of allocation happening there. Those are real actions.

**The Speaker:** The hon. member.

**Ms Blakeman:** Well, thanks very much, Mr. Speaker, and thanks to the minister for raising that. How does the minister tell the newer oil sands projects that under the current water management framework there will not be enough water for their development? Or to put it another way, why did Syncrude and Suncor get a FITFIR deal to keep drawing as much water as they want?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. We have a process in this province called cumulative effects management. We make sure that we're monitoring within the whole land-use area. We have enough water, and as I said, during low flows we work together with industry to make sure that we take care of that and that less than 1 per cent of the water withdrawal happens. That is taking real environmental action. We will continue to develop the oil sands in an environmentally responsible way, as we have in the past and will continue in the future.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview, followed by Lac La Biche-St. Paul-Two Hills.

#### Student Ministerial Internship Program

**Mr. Bilous:** Thank you, Mr. Speaker. Last spring this PC government quietly introduced the taxpayer-funded Alberta student ministerial internship program, better known as the tiny Tory boot camp, for 27 nonpartisan individuals. At the same time this government cut the STEP program, which nonprofit and volunteer organizations relied on to provide programs for families. To the Minister of Human Services: why does this government insist on funding self-serving projects rather than organizations that support families and communities across Alberta?

**Mr. Hancock:** What an absurd context that he's put around a very important question. The important part of that question was about the STEP program. The absurdity is talking about an internship program which allows young Albertans to come in and understand the workings of government, young Albertans from all political backgrounds, I might add. [interjections] If he wants the proof of that, I can show him that because some of those interns have been very active in other political processes. But that's not the important thing. [interjections] The important thing is that young Albertans have the opportunity to get an internship in government, understand the workings of government, and take that very good . . .

#### Speaker's Ruling Decorum

**The Speaker:** Edmonton-Centre, you had your chance. If you want another chance, let's please abide by the rules of decorum here.

Also, while I'm on my feet, I might add that there are a number of side conversations going on over here and a number of them going on over there. Sometimes it's difficult to hear each other think. I know that we might not like questions, the way they're phrased. I know we might not like answers, the way they're given. But the people giving them have the right to give them and to ask them in their own words, so let's give them the respect, shall we? That would be very refreshing.

Are we ready to carry on? Let us proceed, then. The hon. member.

#### Student Ministerial Internship Program (continued)

**Mr. Bilous:** Thank you, Mr. Speaker. A special STEP program just for Tories.

Given the difficult position that nonprofit and voluntary organizations are in because of this PC government's budget cuts and given that this government chose to fund its own 27 interns, to the same minister: do you find it a little hypocritical to tell organizations across Alberta that you can't afford to pay for their interns while you happily use public dollars to pay for yours?

**Mr. Hancock:** Mr. Speaker, again, the hon. member provokes. The response clearly indicates that internships across government, both ministerial interns and departmental interns, are very important ways of ensuring that young people get an opportunity to get experience, and that's a very educational process.

But I would answer the hon. member's question. We have, in fact, very much appreciated the opportunity for other organizations to have internship programs, and that's why my department has partnered with Enterprise and Advanced Education to increase the funding available for SCIP so that Volunteer Alberta can provide internship programs to not-for-profits all across the province.

**The Speaker:** The hon. member.

**Mr. Bilous:** Thank you, Mr. Speaker. SCIP and STEP are two totally different programs, Minister.

Given that cutting programs, which hurts communities, means this government is actually putting Albertan families last and given that the government's priority is itself and not families and communities, when the opposition raised serious concerns about priorities, this minister's response is not to answer questions but to asphyxiate us with large volumes of hot air.

**Mr. Hancock:** Well, Mr. Speaker, perhaps that could be another carbon capture and storage project.

The opportunities for young Albertans to learn about voluntary organizations and understand the career in a voluntary organization is very important to this government. That's why we're working with Volunteer Alberta, and that's why we're working with voluntary organizations across the province, to ensure that that part of the STEP program continues. The STEP program itself was cancelled, yes. It was cancelled because employment opportunities for young Albertans wasn't the priority. There are lots of employment opportunities, but learning how to work in . . .

**The Speaker:** Thank you, hon. member.

Lac La Biche-St. Paul-Two Hills, followed by Edmonton-South West.

#### **Agriculture and Rural Development Policy Adviser**

**Mr. Saskiw:** Thank you, Mr. Speaker. I hope to tone down things here a little bit.

Last summer the agriculture minister found himself in a bit of hot water when the media revealed that Evan Berger, the former ag minister, was hired by the ag department to be a senior policy adviser. My questions are to the current agriculture minister. Could he remind us why he decided to hire Mr. Berger, and can he tell us how Mr. Berger has been doing in his role as a policy adviser now that he's held the job for some nine months?

**The Speaker:** The hon. minister.

**Mr. Olson:** Thank you, Mr. Speaker. One would have hoped for a question about policy, but we'll address this question. I do wonder, however, if perhaps the question was written by or the hon. member was assisted by one of the failed candidates who is working for his caucus. Nonetheless, the person in question does not report to me. He reports to an assistant deputy minister. That group does great policy work, and I'm very happy with the work that they do.

2:30

**The Speaker:** The hon. member.

**Mr. Saskiw:** Thank you, Mr. Speaker. Our employees don't have a cooling-off period.

Can the minister commit to tabling some of the examples of, I quote, the innovative, leading-edge, written policy advice he has received from Mr. Berger, or has all the advice been oral? If so, can the minister tell us on which topics he gets advice from Mr. Berger?

**Mr. Olson:** Mr. Speaker, the hon. member's staff also doesn't get preapproved by the Ethics Commissioner, and that's what happened in this particular case. This person was not hired until after the Ethics Commissioner had approved the position.

The evidence of the good work that Mr. Berger is doing as well as my staff is all over the place. It's in the Growing Forward agreement we just entered into with the federal government, a new five-year agreement that we're very proud of, also CEDA negotiations, farm safety, rat policy, and on we go.

**The Speaker:** The hon. member.

**Mr. Saskiw:** Thank you, Mr. Speaker. Given that Mr. Berger earns about the equivalent of a ministerial salary, can the minister assure us that Albertans are getting good value for money for his continued employment?

**Mr. Olson:** Mr. Speaker, my understanding is that Mr. Berger earns a salary which is similar to that of an executive manager. I am no more going to be providing particular evidence of one employee of my department, this one in particular, than I am any of the rest of the 1,600. They all do good work, and I'm proud of the work they all do.

**The Speaker:** The hon. Minister for Edmonton-South West, followed by Medicine Hat.

#### **Missing Persons**

**Mr. Jeneroux:** Thank you, Mr. Speaker. May 5 through May 11 is Missing Persons Week. This important week is a time for us to reflect on what we can do as individuals and as a government to help. As a father of two young daughters I can't even fathom what it would be like if they were to go missing. This week's remarkable rescue in Ohio of three women who had been missing for over a decade renews hope for those that are still missing, like Shelley-Anne Bacsu of Hinton, who has not been seen for over 30 years, and Lyle and Marie McCann, who went missing in 2010. To the Minister of Justice and Solicitor General: what is our government doing to help reunite families and friends with their missing loved ones?

**The Speaker:** The hon. Minister of Justice.

**Mr. Denis:** Thank you very much, Mr. Speaker. I thank the hon. member for that question, particularly given that this week is, in fact, Missing Persons Week. One of the things that I want to highlight to him is the Amber Alert program, which began in this province in 2002. One of the success stories includes the return to her home of a 16-year-old with fetal alcohol spectrum disorder in Edmonton two years ago. This isn't just the work of legislators, Mr. Speaker. It's also the work of the police services in this province, and we have to give them a sincere thank you.

**The Speaker:** The hon. member.

**Mr. Jeneroux:** Thank you, Mr. Speaker. To the same minister. It's pretty clear that the police agencies do an amazing job when looking for missing people. I don't want to deflect from that, but what role does our government play, specifically the Ministry of Justice and Solicitor General?

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you very much, Mr. Speaker. One very important initiative was the enactment last year of the Missing Persons Act, and I thank the former Minister of Justice for passing that particular act. This legislation actually gives police the tools to deal with missing persons matters, gets them information ahead of time while respecting people's privacy. It is the first such stand-alone legislation in the entire country, but it's not going to be the last. I've spoken to Manitoba's Attorney General, who has indicated to me that he has significant interest in this particular area and plans to pass similar legislation.

**The Speaker:** The hon. member.

**Mr. Jeneroux:** Thank you, Mr. Speaker. Again to the same minister: given that these situations have a reaching range of people they affect, what about the families and friends of missing people? What services does our government provide to help them during and after to cope with this incredibly tough situation?

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you very much again, Mr. Speaker. Victims continue to be a priority for this government, especially with the passage of Bill 16, the Victims Statutes Amendment Act, 2013, which improves services to victims throughout this province. I note that it was actually passed with the support of both sides of the House. Particularly, this year we're also providing \$12.9 million to support the 76 police-based programs that operate



victims' services units across the province. There's still more work to be done, but we've paved some good ground here.

**The Speaker:** The hon. Member for Medicine Hat, followed by Lesser Slave Lake.

### Support for the Film Industry

**Mr. Pedersen:** Thank you, Mr. Speaker. I was very pleased to see this House pass my private member's motion to restore a competitive film tax credit. A competitive film tax credit will bring back a fair, honest system that all Alberta film and television producers can benefit from and eliminate this government's habit of picking winners and losers in the industry. To the Minister of Culture: since this motion has received support from all parties, when can we expect to see your government take action and implement it?

**The Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. That was indeed a robust debate on that motion. Of course, the motion is advice to the government. The Alberta multimedia development fund is already doing tremendous work in the film, television, and digital media industry. We know there are many solutions to funding out there such as public-private partnerships. We know that the funding model that we have right now with the Alberta multimedia development fund is working.

**Mr. Pedersen:** To the same minister: given that the current system of film grants has resulted in anti-Alberta projects like *Dirty Oil* receiving tax dollars with the minister's approval, doesn't she see the fairness and opportunity in broad-based relief as opposed to direct subsidies and support from taxpayers for individual projects?

**The Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. Indeed, there are many production companies, and when they apply for films or television, it's not for me to judge the interest and the passion out there that a production company may have. At the end of the day it's about job creation, it's about diversification, and it's about encouraging our students who are at NAIT or at SAIT or at Red Deer College to go into a profession like film, television, or digital media and stay in Alberta and achieve their dreams and work on a crew and be part of something really awesome.

**Mr. Pedersen:** To the same minister: given that a local president of the International Alliance of Theatrical Stage Employees said that this motion "is a turning point for [the Alberta film] industry as never before have we had such strong support from the legislature," can you give Alberta film and television workers a firm date by which they can expect your government to take action and restore fairness in their industry?

**The Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. The Alberta Film Advisory Council currently is doing a lot of excellent work and having conversations with a number of individuals just about the choices out there, whether it's public-private partnerships, whether it's AMDF, or whether it's a tax credit. At the end of the day it's about ensuring that these films are filmed here. This fund is not

about choosing winners or losers. It's about funding the right things that need to be done and encouraging the jobs to stay here in Alberta.

**The Speaker:** The hon. Member for Lesser Slave Lake, followed by Rimbey-Rocky Mountain House-Sundre.

### Slave Lake Housing Needs

**Ms Calahasen:** Thank you, Mr. Speaker. A number of homes were lost in Lesser Slave Lake during the wildfires we had. Our government made a swift decision to purchase over 400 manufactured homes and ship them to the area for those in need. I understand that the housing authority will no longer be placing people in units as they become vacant even though there is a drastic need for housing in the area. My question is to the Minister of Municipal Affairs. Why is it that we can't use those units that are there in Slave Lake for the people of Slave Lake as well as the MD of Lesser Slave River?

**The Speaker:** The hon. minister.

**Mr. Griffiths:** Thank you, Mr. Speaker. The units in question were always intended to be short-term housing to be used in a time of crisis and to help the community transition back to success given that this was one of the greatest disasters the province of Alberta has ever experienced. Now, the community, particularly the Tri-Council, has done an amazing job of helping the community to recover, rebuilding housing because the demand for affordable housing is on the decline. Currently in the province of Alberta we are developing a comprehensive real estate strategy that will recognize the need for temporary units across the province and help us work on a strategy for housing province-wide.

**The Speaker:** The hon. member.

**Ms Calahasen:** Thank you very much, Mr. Speaker. Thank you to the minister for that answer. However, given the fact that we made such a big deal with the Tri-Council being involved in all decisions regarding the recovery, why are they not being consulted in the decision to remove these units or in the exit strategy or to even be involved so that they can become part of the solution rather than part of the problem?

**The Speaker:** The hon. minister.

**Mr. Griffiths:** Thank you very much, Mr. Speaker. We've consulted with the Tri-Council from the very beginning. They have done an exceptional job of working together to help rebuild the community. When affordable housing and crisis housing was necessary for the community immediately after the fire, we consulted with the Tri-Council, who helped us work out the strategy for how many houses were needed, how we were going to develop them in the community, and how we were going to transition through this period of rebuilding the community. We'll continue to work with the Tri-Council and the local housing authority to address the needs in the community. We're going to continue to discuss when it comes to these transitional housing units and the province-wide strategy to make sure they're utilized in the best possible way.

**Ms Calahasen:** To the same minister, then, Mr. Speaker. Given the fact that these trailers . . .

**Some Hon. Members:** Trailers for sale or rent.

**Ms Calahasen:** My poor Roger Miller song.

To the same minister: given the fact that these trailers will be moved eventually and that there's such a housing need in a constituency such as mine, why – why – can't you consider providing these units to those authorities or communities who are needing them?

2:40

**Mr. Griffiths:** Mr. Speaker, we take all of this very seriously. We're aware of the housing needs in Slave Lake. We know that the local housing authority manages those housing needs exceptionally well in working with partnerships throughout the community and throughout the region. There's a need for affordable housing all over this province because we have such a fast-growing economy and so many new people moving here, which is why we're working on a long-term, comprehensive, province-wide strategy to address this. These units as well as other units around the province will be accorded through a province-wide strategy to address every community's needs where possible.

**The Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre, followed by Calgary-Glenmore.

### Electricity Pricing

**Mr. Anglin:** Thank you, Mr. Speaker. This government doesn't like to answer questions about electricity. The maximum generation capacity of Alberta is 14,400 megawatts, and the average demand is 8,000 megawatts. Given that there is clearly more supply of electricity than demand, why has the monthly average price for wholesale electricity gone from \$65 to \$93 a megawatt?

**Mr. Hughes:** Mr. Speaker, there are days when I feel like all I do is answer questions about electricity from this member.

One has to be fair minded about this. You have to look at a series of months. Actually, what ordinary consumers pay is not the wholesale price. Rather, they pay a price which I would observe is considerably lower each month this year than it was last year. It's right in the middle of the pricing of electricity right across this country. It's a fair price.

**Mr. Anglin:** Let's put this in context here. Given that ratepayers paid to the generators of Alberta on average \$400 million per month for all of last year, how does this minister justify the increase now that Albertans have been paying \$600 million per month to the generators for 2013?

**Mr. Hughes:** Well, Mr. Speaker, one can cherry-pick and try and pick apples, oranges, or whatever fruit one wishes in terms of trying to compare different numbers, but the facts don't lie. The facts are that we have fair pricing for electricity in Alberta. We have consistent delivery of electricity in Alberta. As the hon. member noted himself in his opening comments, we have tremendous capacity in this province to ensure that Albertans are well served and that when they turn the light switch on, it goes on.

**Mr. Anglin:** We're not talking about apples and oranges; we're talking about electricity.

Given that Alberta ratepayers will pay the generators \$850 million for selling this electricity for the month of April and given that Albertans are on track to pay the generators \$1.9 billion for the month of May, would another minister like to pinch-hit and tell Albertans how wonderful this electricity market is working for Albertans?

**Mr. Hughes:** Mr. Speaker, it's easy to pick numbers out of the air and try and turn them into facts. Actually, if you look at the history, if you look at the performance – and I'd be happy to share this information subsequently – if you look at the rates that Albertans pay, they are fair. They're in the middle of the pack in terms of the rates that other Canadians pay if you look at comparable jurisdictions.

**The Speaker:** Hon. members, that concludes question period for today.

## Statements by the Speaker

### Timers in Question Period

#### Use of Another Member's Letterhead

**The Speaker:** Just two quick notices here before we go on and continue with the introduction of guests, even if it's just for the record at this stage. One, the Speaker did not hear the real bell when it apparently went off right when I stood to recognize the last questioner primarily because of an increased level of noise in the Assembly. However, I did hear a subsequent bell at 2:42. I believe it came from the northwest corner. This has happened all too frequently. If someone has a bell that rings to signal their particular version of when question period ends, I'd ask you to please silence it because it is distracting.

The other point is that this is a very busy Chamber even when we're not sitting in it, hon. members. While most of you are here and paying rapt attention, let me say this. We get a number of groups who come and visit. They tour through the Assembly. They walk through the Assembly. We have MLA for a Day, where every single seat is taken up by a student, for example. These students move around. They have their own materials. And it is very possible sometimes during Committee of the Whole that members go and sit in each other's desks.

As a result of that, I'm thinking someone may have inadvertently picked up another person's letterhead and perhaps mistakenly used it as their own. Or not. Nonetheless, it has come to the Speaker's attention that there has been a little bit of a note exchange going on, perhaps attributed to those whose name is on the letterhead but not necessarily to those who signed the notes. If that happened directly, inadvertently, or in a joking fashion or whatever, I would ask you to please stop that because it has offended some members, and I've received notes to that effect. They're not in on the joke the way some of you are.

That having been said, let us continue on.

## Introduction of Guests

(continued)

**The Speaker:** I will recognize Edmonton-Ellerslie for your introduction.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. It's an honour and a privilege to rise today and introduce to you and through you an outstanding individual, Mr. Khan Virk. He has been a very active volunteer in the community for many, many years. He was heavily involved with soccer in the city of Edmonton, serving on the board of EDSA, and is currently involved with the Mini World Cup. He has also been a very active member of the Millwoods Cultural Society of Retired and Semi Retired as their vice-president. I've known Mr. Virk ever since we came to Canada, and he's always been Uncle Virk to me. He's joined here today by his grandson Rocky. At this time I'd ask both

of my guests to please rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** Thank you.

We have the Minister of Agriculture and Rural Development, followed by the Minister of Human Services.

**Mr. Olson:** Thank you, Mr. Speaker. Alberta is Canada's largest beef-producing province, and the beef industry is a cornerstone of our agricultural industry and our agricultural economy. The Alberta Beef Producers are a strong voice for that industry, for their members, and they're an important partner with us in maintaining sustainability and competitiveness for our beef industry. We have with us today four representatives of the Alberta Beef Producers: the chair, Doug Sawyer; the vice-chair, Greg Bowie; the finance chair, John Buckley; and their executive director, Rich Smith. They've been watching these proceedings for the last hour or so. They're standing now in the members' gallery. I'd ask that hon. members welcome them.

**The Speaker:** The hon. Minister of Human Services, followed by St. Albert.

**Mr. Hancock:** Thank you, Mr. Speaker. Today it's my pleasure to rise and introduce to you and through you to members of the Assembly one of my constituents in Edmonton-Whitemud, Alice Ayre. This is Alice's first time in the House, and she's indicated that she wanted to come and see the procedures and how business is conducted. She's seated in the members' gallery, and I'd ask that Alice rise and receive the traditional warm welcome of the Assembly.

**Mr. Khan:** Mr. Speaker, I'm honoured to rise and introduce to you and through you a fine young man from Norrköping, Sweden. Karl Waszkiewicz is with the almost 60 fine kids from the Rotary International group that's visiting us today. Karl has almost spent a full year in St. Albert. He's attending high school at Bellerose. I have it on good authority, as he's living with his rotary family, Rob and Cathy Heron, who are very good friends of mine, that Karl is an outstanding young man, they assure me, and he is setting a very good example for their young children. I'd like to ask my colleagues in the House to recognize a fine young man with their warm traditional greeting.

Thank you.

**The Speaker:** The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Mr. Speaker. It's an honour today to rise and introduce to you and through you to all members of the Assembly a lady who I have the utmost respect for. My first opportunity to get to know her was when she was the mayor of Lacombe. I had the tremendous opportunity of learning from her when I sat on Lacombe's Economic Development Board. She has had an incredible impact on our community both as mayor and MLA. Mrs. Judy Gordon, thank you for all you have done for Alberta and for our community. I'd ask that Mrs. Gordon please receive the traditional warm welcome of this Assembly.

2:50

**The Speaker:** The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. I'm very happy today to have guests again in the gallery, this time for the second reading of the Children First Act. These individuals have played a vital partnership role with government in the past and will be engaged

throughout the next year, as will all Albertans, as we look forward to focus on the children's agenda.

With us today are members of the Alberta Foster Parent Association: Sylvia Thompson, Linda Krauskopf, Katherine Jones, and Norm Brownell. I'd ask them to stand, please, as I call their names. We also have Carolyn Goard, the acting executive director of the Alberta Council of Women's Shelters; and Christie Lavan, also with the Alberta Council of Women's Shelters; Sergeant Gary Willits, the child at risk response team, Edmonton Police Service; Deb Cautley from the Youth Empowerment & Support Services society; Val Campbell, chair of the death review committee working group and a Crown prosecutor. From the Alberta Centre for Child, Family and Community Research: Leslie Twilley; Christine Werk, who is also a constituent in Edmonton-Whitemud; Cecilia Bukutu; Jo Lamba; and Robyn Blackadar.

Again, today we have with us Marie Whelan, who, as I mentioned yesterday, was the principal at St. Mary and now at Monsignor Fee Otterson and is the inspiration for me behind the Children First Act. With Marie today is her daughter Karen Keats, who also is an educator with the Edmonton public system, I believe. I'd ask them all to rise and receive the traditional warm welcome and a thank you.

**The Speaker:** The hon. Minister of Transportation.

**Mr. McIver:** Thank you, Mr. Speaker. I rise today to introduce to you and through you to all members of the Assembly 54 enthusiastic, intelligent, awesome Rotary youth exchange students who are living in Alberta for one year. The students come from Asia, Europe, South America, and all parts of Canada. Canadian students are preparing for their exchange next year. I had the pleasure of speaking with them this morning, but I'm sure the highlight for them was meeting the Premier. I'm pleased to welcome the students along with their Rotarians: Phil Hochhausen, Wayne McCutcheon, Ron Prokosch, Rick Istead, Donna Johnson, and Doug Campbell. They are seated in the public gallery, and I'd ask that they please rise and receive the traditional warm welcome of this Assembly.

### Members' Statements

**The Speaker:** The hon. Member for Strathmore-Brooks.

#### Assisted Living Facilities in Brooks

**Mr. Hale:** Thank you, Mr. Speaker. Seated in the gallery today are a group of brave individuals who travelled all the way up from Brooks to get this government's attention on an issue that is near and dear to their hearts. They are here to talk about the quality of care their loved ones, patients, are receiving while living in facilities that are supposed to be regulated and supervised by the government.

They shared their stories with the media earlier today, and they are truly heartbreaking to hear. I won't go into too much detail, Mr. Speaker, but here is a sampling. A lady told us about the care in the same facilities in 2011. She said that her mother was hospitalized after she had fallen in a hallway. The staff did not call for an ambulance but, instead, waited until the next day when her mother could not get out of bed. She suffered a cracked kneecap and torn ligaments as well as facial bruising. She was hospitalized for six weeks. She now requires a walker, something she didn't require prior to her fall. Why do these kinds of things happen without the minister intervening and holding anyone responsible?

This is just one story of dozens that have transpired in these facilities.

Even staff at the facilities have been afraid to speak out for fear of reprisal. Some have been terminated for voicing their concerns, and others can't take it anymore. That's why they're here. Their concerns and stories have been made known to the government through the proper channels, through contact with elected officials, and even through official complaints under the Protection for Persons in Care Act dating back to 2011. They are not getting anywhere. They are not here to point fingers, Mr. Speaker. They're here for answers. They're here to demand action. They're here because they have nowhere else left to go.

This government is tasked with ensuring basic standards for quality of care and is failing these people that they love. I applaud their courage, and I'm proud to stand with them in demanding answers and actions. We will be at your office shortly, Mr. Health Minister, to give you another formal complaint and to get your assurance that you will investigate the employees who were terminated, who brought their concerns forward, and assure the employees who are here that they will not be terminated for speaking out.

**The Speaker:** Hon. member, thank you.

Edmonton-Beverly-Clareview, followed by Edmonton-South West.

### Support for Municipalities

**Mr. Bilous:** Thank you, Mr. Speaker. Municipalities provide Albertans with the important day-to-day services we all rely on – transit, roads, sidewalks, snow removal, libraries, water, sewage, and garbage disposal – yet they receive the least amount of funding of the three orders of government. In fact, municipalities only receive 10 per cent of the tax dollar but provide 90 per cent of the services. This creates an unfair relationship of dependency and saps municipal autonomy. Municipalities need local revenues to fund local priorities.

Mr. Speaker, the mayors of Edmonton and Calgary have been calling for a city charter which would give them the tools and resources to deliver services, programs, and infrastructure. Clearly, the Minister of Municipal Affairs does not realize most Albertans call Calgary or Edmonton their home, nor does he appreciate the fact that Edmonton has 10 times the population of the third-largest city in Alberta. Many people who do not live within the municipal boundaries of the two largest cities still rely on Edmonton and Calgary for core services, and no matter where Albertans live, they must come to these two cities to receive specialized services. Calgary and Edmonton are asking to be recognized as distinct, distinct in their size and in the way they contribute to Alberta culturally, socially, and economically.

The minister wants a civic charter to apply to more than just the two largest cities. He wants it to apply to all municipalities, but he's missing the point. The purpose of a big-city charter is to recognize the unique role big cities play. Despite how the minister may feel, every municipality is not the same. A summer village is not the same as a city of 1 million people. Mr. Speaker, it's time to treat Edmonton and Calgary as world-class cities and give them the authority, ability, and autonomy to meet the growing needs of their communities.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-South West, followed by Bonnyville-Cold Lake.

### Education Week

**Mr. Jeneroux:** Thank you, Mr. Speaker. This week marks Education Week in Alberta, and it gives me great pleasure to rise today and celebrate Alberta's education system, which many feel is one of the best in the English-speaking world. But even with those ringing endorsements, we are working hard to make our education system even better so that we can be certain our schools are preparing students for tomorrow.

When our government worked with Albertans to develop Inspiring Education, they told us that our education system must be flexible, innovative, and focused on the student, and they told us that we should encourage engaged thinkers and ethical citizens with an entrepreneurial spirit. We listened, Mr. Speaker, and we are taking action to bring Inspiring Education to life.

One initiative that I would like to highlight today is the high school flexibility enhancement project. Since the 2008-2009 school year the Ministry of Education has been working collaboratively with the principals and superintendents of 16 high schools to study the 25-hour-per-credit requirement and the effect of its removal on high school organization and program delivery. This morning, Mr. Speaker, the Ministry of Education announced an expansion of this project, which will give all high schools in Alberta the opportunity to participate. This will increase opportunities for high school students to learn any time, any place, and at any pace. After all, the students must remain our focus, and they are the heart of our efforts in Inspiring Education.

I look forward to continuing to see the ways that Inspiring Education is coming to life in my constituency, Mr. Speaker. I would like to wish everyone a happy Education Week.

Thank you.

**The Speaker:** The Deputy Government House Leader has caught my attention because it is coming up to 3 o'clock.

**Mr. Campbell:** Yes, Mr. Speaker. I would ask that we forgo 7(7) for the time being and finish the business in front of us before we go to Orders of the Day.

**The Speaker:** Hon. members, unanimous consent is required and requested. Does anyone object to us granting unanimous approval to continue on with the Routine until finished? If you object, please say so now.

[Unanimous consent granted]

**The Speaker:** Let us continue on. The hon. Member for Bonnyville-Cold Lake, followed by Sherwood Park.

### Continuing Care Facilities

**Mrs. Leskiw:** Thank you, Mr. Speaker. Yesterday the Associate Minister of Seniors and I along with mayors and reeves in my constituency announced the opening of the new Points West Living in my constituency. Every Albertan regardless of age or circumstances should have a place they are proud to call home. But welcoming spaces like this don't just happen. They are built, supported, and maintained by committed staff, loving families, visionary leaders, and an engaged community. All of those have certainly come together at Points West Living. Here the residents are able to receive the care and the support they need and continue thriving in the community. The Alberta government is proud to be a partner in this facility.

3:00

This new supportive living centre will add 42 new designated supportive living spaces in Cold Lake. An additional 10 spaces will be independent living spaces. The facility will provide new, modern, homelike accommodations and expanded supportive living options. We are pleased to provide \$3.7 million to the affordable supportive living initiative to support this project.

We remain committed to increasing the supply of affordable supportive living spaces for Alberta's seniors and vulnerable people. Within the past two years alone we partnered with voluntary and private providers to open more than 2,100 continuing care spaces province-wide. These spaces allow more seniors to get the care they need closer to home while staying connected to their families, friends, and communities. This is a priority for Albertans and is a priority for our government.

Congratulations on the opening of Points West in Cold Lake.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Sherwood Park.

### Bitumen Royalty in Kind Review

**Ms Olesen:** Thank you, Mr. Speaker. Today I would like to commend the Standing Committee on Alberta's Economic Future for their review of the BRIK program and, of course, our chairman, the Member for Calgary-East. I think the review shed needed light on the importance of upgrading, refining, the capture of value-added in Alberta, and the benefits of further processing in Alberta in so many ways.

As the chairman of North West Upgrading pointed out, Alberta would have made \$500 million more in 2012 had their BRIK allocation program been up and running. Other benefits include improving the market for bitumen, taking supply off the market, improving prices for western Canada select, and nailing market share for improved Alberta production before the markets are dominated by other players.

The review overturned some of the myths about the profitability and impact of processing in Alberta. It also improved the understanding of members of the committee and hopefully this entire House on a number of current issues relating to our oil and gas industry moving forward.

It also pointed out how the regulatory approvals need to be streamlined, which supports our implementation of a new single regulator as per the Responsible Energy Development Act.

The report identifies some areas where further research may be required such as the capacity of our watershed to deliver the quantities of processed water.

The North West Upgrader project alone quantified some of the benefits: 1,300 engineers and accountants currently working on the design; 8,000 construction jobs; 350 specialists; a \$4.6 billion impact to the Albertan economy in the construction phase, generating over \$400 million in provincial taxes and over \$900 million in federal tax.

Value-added processing is about capturing the potential of Alberta's resources for Albertans and growing our economy so we can provide the high-quality services and supports Albertans deserve.

Congratulations to the committee, and thank you so much to all staff and presenters for your valuable insights.

**The Speaker:** The hon. Member for Calgary-Shaw.

### Calgary Access Awareness Week

**Mr. Wilson:** Thank you, Mr. Speaker. I rise today to recognize Access Awareness Week, a valiant effort by many people to raise awareness of people living with a disability and the barriers and challenges they face. Calgary Access Awareness Week promotes a barrier-free society for all citizens of Calgary, whether that is transportation, employment, recreation, education, or communication.

Today I had the privilege of being selected along with Joy Bowen-Eyre, a Calgary board of education trustee, and Calgary alderman Diane Colley-Urquhart to become image-makers for the day by simulating living with a disability.

It is said that to truly understand someone, one should take a walk in their shoes. Well, today, Mr. Speaker, I wheeled in someone's chair. It was quite an eye-opener, and I have a much better understanding of the unique situations people with disabilities face as well as the things that I often took for granted. It gives me an entirely new level of respect for the Member for Calgary-Buffalo and the challenges he must overcome daily in simply navigating the Legislature Grounds. Whether it be a long wait for an accessible vehicle this morning to be transported here to the Legislature, the fact that I needed someone to carry my coffee, open a drawer, open a door, or even move items in my office just to allow me access to my desk, it has been an enlightening experience to say the least.

Since becoming elected, as the Official Opposition Human Services critic I have had the privilege of meeting with many people who share the values of the week of awareness, and we are working together to create a world where people are not seen for what they cannot do but, rather, for what they can contribute.

Access Awareness Week has been successful in accomplishing its statement of purpose, in particular working towards providing a means by which the disabled community can speak for itself and have a voice of its own.

I would like to recognize all the volunteers, organizers, and participants involved in this year's Access Awareness Week. Alberta is a more inclusive, welcoming place because of your contributions, and I thank you for all that you do.

Thank you.

### Introduction of Bills

**The Speaker:** The hon. Minister of Aboriginal Relations.

#### Bill 22

#### Aboriginal Consultation Levy Act

**Mr. Campbell:** Thank you, Mr. Speaker. I request leave to introduce Bill 22, the Aboriginal Consultation Levy Act. This being a money bill, His Honour the Honourable the Lieutenant Governor, having been informed of the contents of this bill, recommends the same to the Assembly.

Mr. Speaker, Alberta has a commitment to consult with aboriginal people when land management and resource development decisions may adversely impact their existing treaty or other constitutional rights. Bill 22 is enabling legislation that fully respects First Nations treaty rights and provides First Nations people an opportunity to be more engaged in the consultation process for their benefit and for the benefit of all Albertans.

First Nations and industry have indicated that there is a lack of funding and capacity for some First Nations to do a proper job on consultation. Bill 22 will ensure that the proper funding is in place to build capacity so First Nations can be fully engaged in the

consultation process. Bill 22 will ensure that the consultation is open and transparent for the benefit of all parties. Overall, this bill would help us to make significant steps forward in Alberta's management of the consultation process and in our duty to consult with First Nations people.

[Motion carried; Bill 22 read a first time]

### Tabling Returns and Reports

**The Speaker:** The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Speaker. I have three tablings today. First of all, I would like to table the appropriate number of copies of a petition which calls on the PC government to protect the rights of injured workers by amending the Workers' Compensation Act. I am tabling 52 signatures today.

The second tabling is a letter to the Premier sent from the president of the Alberta College of Social Workers, raising their organization's opposition to the substantial cuts to the persons with developmental disabilities community access program. The letter points out that in the government's own social policy framework "the principle of inclusion is identified as a fundamental belief of both the government and Albertans." However, cutting the program, which promotes community access and social inclusion for persons with developmental disabilities, is very much contrary to this principle. The concerns voiced in this letter show that this government can't be trusted to protect Alberta's most vulnerable citizens.

The final tabling, Mr. Speaker, relates to documents referred to by the Member for Edmonton-Highlands-Norwood in his question today, and it includes the appropriate number of copies of a list of the member organizations of the Energy Policy Institute of Canada, the organization for which the new chair of REDA, Mr. Protti, is now a lobbyist. It's quite interesting. He was such a good lobbyist that he was actually given the job of overseeing energy development and environmental road bumps in the province. He did a brilliant job for energy. Unfortunately, the minister has failed in an epic way on behalf of the people of all Alberta.

**The Speaker:** The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much, Mr. Speaker. Two tablings today. The first is an e-mail from one of my constituents, Mark Heseltine, who is writing with great passion about the cuts to the 50-year-old music enrichment program. He just feels that if there was something wrong with the program, it would've failed, you know, before, but it's managed to get through 50 years. It is one with an important history, and it does build a civil and richer society.

The second tabling I have is a report created by the Edmonton-Centre constituency office. We have received a number of letters supporting the music enrichment program and asking that it be restored. Rather than tabling all of the letters, I have just produced a report for you with the text of the letter and the names of everyone we've received so far.

Thank you very much, Mr. Speaker.

3:10

**The Speaker:** The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. It's my pleasure today to table the requisite number of copies of a letter I've written to the Member for Calgary-Shaw in response to Question 38, which was accepted as amended in the House a few days ago. Attached to the

letter is the table of that data which he requested. At the same time, the Member for Edmonton-Centre had indicated that there was other information that she would like to have associated to it, and I assume that she will get in touch with my office in written form so I can know precisely what that information is.

**The Speaker:** The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you, Mr. Speaker. I have five copies of a letter from Carolyn Pogue of Calgary, who heads up the child well-being initiative, in response to the minister's new Bill 25, asking the question: what does it actually mean to put children first when 91,000 children, twice the number five years ago, are in poverty, teachers are giving their lunches to children obviously in need, and Inn from the Cold housed last week at their church 23 homeless guests, of which 14 were children?

Thank you, Mr. Speaker.

**The Speaker:** The hon. Deputy Government House Leader.

**Mr. Campbell:** Thank you, Mr. Speaker. On behalf of the Minister of Justice and Solicitor General I have two tablings. The first tabling today is a book authored by Sherri-Lee James and Susan M. Rowe titled *For the Love of My Boys: A Mother's Story of Parent Alienation and Abuse*. Victimization occurs far too often through physical abuse, mental abuse, spousal abuse, and many other ways. It's important that we recognize how destructive abuse can be, not just to victims but society as a whole. I have the appropriate number of copies here to table.

My second tabling on behalf of the minister is the Alberta Justice and Solicitor General victims' services status report, 2011-12. This report indicates that a total of \$13,055,413 was provided to eligible victims of crime by the financial benefits program during this period, and I have the appropriate number of copies to table.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Chestermere-Rocky View.

**Mr. McAllister:** Thank you, Mr. Speaker. I have the appropriate number of copies of a letter that I read last night during debate on Bill 24. I'd like to table those today. It is from one of my constituents, who is a director on the condominium board of Prince of Peace Village near Chestermere. I have brought those today.

Thank you.

**The Speaker:** Let us move on. We have three points of order. The first one was raised at approximately 2:02 or 2:03 by the Government House Leader.

If you would like to proceed with your point of order, we would welcome it.

**Mr. Hancock:** I'd withdraw it, Mr. Speaker. There were so many objectionable things that happened today, I can't remember which one I raised the point of order on.

**The Speaker:** If I read you correctly, Government House Leader, you are withdrawing your point of order. Thank you. I see a nod, so that first point of order is cancelled.

The second point of order was raised at approximately 2:19:30 by the Member for Lac La Biche-St. Paul-Two Hills.

Do you wish to proceed with your point of order?

### Point of Order Anticipation

**Mr. Saskiw:** Thank you, Mr. Speaker. I'll be very brief, and perhaps, you know, this is just an opportunity to clarify it. I rise under 23(e), which is the provision that states that it is not proper to anticipate "contrary to good parliamentary practice, any matter already on the Order Paper or on notice for consideration on that day."

There was a question that referred to subject matter which pertains to Bill 25, which, if you look at the Order Paper, is slated to be discussed today in second reading. I don't want to belabour the point, but it might be an opportunity for clarification.

Thanks.

**The Speaker:** Anyone from the government side?

The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Well, I think I'm the next point of order.

**The Speaker:** Yes, you are.

**Ms Blakeman:** So perhaps rather than having a whole other point of order, I'll just support my colleague here with the citation on anticipation. It's something that I've been increasingly noticing happen, and in my day I was taught not to do that, so I rose to point out that anticipation was happening here. That appears under our Standing Order 23(e). Now, if we have it in our rules, that's the first rule that we follow. If we don't have it and it's silent, then we tend to move up to *Beauchesne's*, in which we find anticipation rules under 512 to 514, or even up to *Erskine May*, pages 327 and 334 to 335, all of them commenting on the same thing. If there is going to be something on the Order Paper, we should not be using question period because there is another opportunity to raise it.

I in fact checked the Order Paper, and indeed on the back page, page 4, right there under Wednesday, May 8: afternoon, Government Bills and Orders, second reading, Bill 25. Then I thought: well, you know, these get out of date really quickly if we move a bit faster. So I pulled the instructions that I received on the proposed order of business for Wednesday, May 8, subject to progress and as per the Order Paper, that is received from the director of legislative affairs, I'm guessing, and indeed: Wednesday, May 8, afternoon, second reading, Bill 25, the Children First Act, moved by the minister for children's services.

Indeed, I know that every member of the government caucus is provided with what they call the blue sheets or whatever, that outline for them exactly what bills are expected to be brought up by the government that day. So the member for Calgary-Cross was more than aware, in the point of order that I was raising, that that was going to be on the Order Paper and, I'm sure, given her seniority in this House, understood the concept of anticipation, that we were going to be discussing it in the afternoon given that the government has clearly got it marked everywhere to be discussed.

If I could just get a bit more comprehension about the concept of anticipation and not have government members using their precious time to raise issues that are, in fact, scheduled to be on the Order Paper later that day, that would be a wonderful thing, Mr. Speaker.

**The Speaker:** Thank you.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. You know, it's interesting because usually this is the point of order that I would be raising on the opposition when they bring up questions relative to a budget that's going to be discussed in estimates later that day, the difference, of course, being that usually when they're raising the issues with respect to budget, they're asking about specific numbers and those sorts of things, which are actually the purview of the questions that should be coming up in estimates.

Now, in today's question the hon. Member for Calgary-Cross was not actually asking things that were directly related to the establishment of a review committee in the bill. The bill actually provides for the establishment – and we'll be debating that later on today, hopefully – of the death review committee. It sets up the purpose of the committee, and it sets up the establishment of the committee and the role of the committee and the mandate and all those sorts of good things. What it doesn't talk about is dating violence, which was the interest that was raised by the hon. member. What it doesn't raise in the bill is the impact on children. Of course, it talks about family violence and intimate partner violence. Well, actually it doesn't reference intimate partner violence, but I referenced that in my speech yesterday.

The hon. member had the opportunity to raise a question and wanted to know about the impact not of what is being established here for the purpose and mandate that's in there but how it might relate to other aspects that are not part of the bill: how children might be affected and how it might be utilized in that area and the area of dating violence, which is a very important topic for Albertans today. Questions that come close – just because the family violence death review committee is in the bill that's being discussed today, it doesn't anticipate. It's a different part of the policy discussion, which the hon. member is certainly entitled to ask.

**The Speaker:** Are there others?

I, too, will be mercifully brief on this, I hope. Standing Order 23(e) is certainly very clear about the definition of anticipation. It says that a member will be called to order if that member "anticipates, contrary to good parliamentary practice, any matter already on the Order Paper or on notice for consideration on that day." Then, of course, it leaves it up to the interpretation, usually, of the Speaker to determine whether or not anticipation has occurred.

3:20

I have the benefit of the Blues as they were. I note that in the first question the hon. Member for Calgary-Cross talked about family violence, about orphans, about a proposed family violence death review committee, homicides, and suicides. The minister responded with comments pertaining to family violence and family violence prevention and aggressors and so on.

In the second question the Member for Calgary-Cross talked about tragedies and partner relationships failing and something to do with dating violence. The minister responded with his sadness at the increasing number of violent incidents, and the debate goes on, talking about bullying and so on.

Then when we get to the final question, we have the Member for Calgary-Cross asking a legitimate question about a strong group of people in the community who are already working hard to prevent family violence, and she tossed a question to the minister as follows: "How is the death review committee going to work with the communities without overlapping their efforts?" Now, up until that point there was no reference whatsoever to anything that's on the Order Paper that I'm aware of although I have to confess that I have not yet had a chance to read thoroughly

the Children First Act, which was tabled yesterday. It's 70 pages long, and I'll be reading it, I guess, tonight. But I didn't see anything out of the ordinary there.

I have cautioned individuals in the House before about anticipation, particularly when we were talking about budget estimates. When departments were up for review for a three-, four-, five-, six-hour period, it would be inappropriate to ask money questions about a department whose estimates were up that evening. I did note that in earlier sessions, which some of us were here for, in 1998, which is one example, Speaker Kowalski, my predecessor, at the time gave quite a speech about this. I'll just read you a couple of sentences from that because it's still what guides me and the Clerk and his table around this matter of anticipation. Here's what Mr. Kowalski said on March 3, 1998, regarding anticipation:

I've indicated time and time again in this House that this chair will provide a wider rather than a narrower interpretation in dealing with subject matters. This chair will give the greatest degree of flexibility to private members when they choose to rise in this particular Assembly. In this case, if the questions would have been of a debating nature and we would have got into a debate on the bill, then the chair would have risen and said that this precludes the opportunity we have in question period. However, in this case, the questions that were directed were framed with words such as: is it government policy? That, in the chair's subjective view, took it out of the realm of debate on a particular bill.

I think, Government House Leader, you raised an interesting point. Typically it would be someone from government raising this matter of anticipation, usually as a reminder to others, but that was not the case today. Two members rose almost simultaneously, Lac La Biche-St. Paul-Two Hills, followed by Edmonton-Centre. They do raise a good point because, at the end of it all, the third question, that I've already talked about, that was asked by Calgary-Cross was responded to by the Government House Leader in the following manner:

Thank you, Mr. Speaker. The family violence death review committee is something that the community and the stakeholders in this area have been asking for for a number of years. We've been working with the community in terms of developing a proposal for a family violence death review committee. If Bill 25 is passed by the Legislature, the community I believe will be very strongly supportive of us implementing what they've asked for.

It was at that point that the two points of order had been raised because some specific reference to a bill that's on the Order Paper was noted.

Nonetheless, I don't see anything having been violated here, and we're going to move on with that clarification.

## Orders of the Day

### Government Bills and Orders

#### Second Reading

#### Bill 25

#### Children First Act

**The Speaker:** The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. It's indeed an honour and a privilege to rise again today, this time to move second reading of Bill 25, the Children First Act.

In doing so, I again would like to acknowledge and thank our Premier for the emphasis that she's placed on early childhood development, early learning, the protection of children, and the

opportunity for each and every child in Alberta to have the opportunity for success, the opportunity to reach potential, the opportunity to aspire to be the best that they can be. I'd like to thank my constituents and the Premier for entrusting me with a leadership role in helping to make that happen for Alberta's children.

I'd also like to acknowledge and thank Marie Whelan and Margo McGee. Marie is with us here today with her daughter Karen, as I introduced. Margo, unfortunately, couldn't be here. They gave me this Children First pin on the day that I was sworn in as Minister of Education in March 2008, a pin that I've worn every day since then as a constant reminder of where our priorities as individuals and as government should lie.

[The Deputy Speaker in the chair]

At meetings people often ask what the pin is about. "Is it an organization or a program?" I'm pleased to respond: "No. It's our agenda. It's what we're about." Marie and Margo have been inspirations as models of loving and caring for children, whatever those children's gifts or attributes might be. It's fitting, then, that this pin and this act that I am moving share the name "Children First" in honour of Marie and Margo and the work that they do and that so many others in our community do to put children first and to make sure that children have the opportunity for success.

There is nothing more precious than a child, and that's why the well-being, safety, security, education, and health of our children are priorities for our Premier and our government. Those priorities are shared by many stakeholders and service delivery partners who've identified opportunities for enhancing the tools, processes, policies, and laws relating to the success of children. Their input is reflected in this act although I must say that this act is not complete. There is much more work to be done.

Two hundred and ten years ago William Wordsworth wrote these words: the child is the father of the man. He was right. In the intervening 22 decades evidence-based research has clearly shown that what we do with, for, and to our children will in great measure determine how they grow up and who they grow up to be as adults. That's why the Children First Act is so important.

The primary responsibility for the raising of children and the right to determine what's best for a child rests with parents. We know that the great majority of children in Alberta live in safe and caring environments, but even the strongest and the most caring of families will sometimes face crisis and challenge and will need help. One of the objectives of this act is to ensure that that help is there when and how it is needed to strengthen families and to protect children.

Unfortunately, not all children in Alberta are safe or cared for properly. Many live in situations of neglect or danger. When a child has been subject to or is at risk of serious harm or injury, time is of the essence. The people who are there to help a child need to work together to provide those wraparound services which understand the challenges of the family and the needs of the child and provide support and understanding.

The Children First Act has a preamble that sets the context, the values, and then provides four essential elements to give action to those values. The first calls for the creation of a children's charter that can be used to establish the principles, priorities, and roles and responsibilities pursuant to which individuals, families, communities, and governments engage and collaborate to ensure that each Albertan child and family has the opportunity to succeed.



The charter will be a living document that will continue to develop as we learn more about what our children need, when they need it, and have more evidence-based research to guide our decisions and direction. It will function as a lens through which programs, policies, and approaches can be evaluated before they are put in place and reviewed to ensure that they are achieving results. It will help to ensure that those who want what is best for our children are not working at crosspurposes and that what is done to solve a problem in one area doesn't create a problem in another area.

The second piece calls for a complete review of policies, programs, and services affecting children and reporting to the Legislature on that review. Child poverty will not be overcome without comprehensive action and focused effort and resources. While many great programs are working for children and families now, we need to ensure that we are deliberate and single-minded in our purpose. That means effective, comprehensive, coordinated, community-owned action guided by laws and policies which are purposely designed to achieve successful outcomes, not merely deal with the symptoms, as important as that work is.

The third provides a mandate for sharing information between parents and active partners in law enforcement, education, health, children's services, and service providers collaborating for the success of the child when dealing with the health, safety, education, or well-being of a child. Additional amendments to the FOIP Act and the Health Information Act will make it clear that a child does not have to be in imminent danger before information can be shared, changing the test to a risk of harm to the health and safety of the child. These provisions will undergo further scrutiny as those acts are reviewed and as we do the comprehensive review of laws relating to children. But we cannot ask police, educators, health professionals, and social workers to collaborate for kids' sake without providing a safe platform for them to share among themselves the necessary information to truly act in the best interests of the success of the child and the family.

3:30

We had with us yesterday Chief Hanson from Calgary, who has been a strong advocate for information sharing, and so many others have let us know over the years that one of the single greatest barriers to success in helping children is the inability of people working in the area to collaborate and share information. It's not that that's prohibited by the acts now, but we've created this climate of defaulting to no, and that's unnecessary and unreasonable.

The fourth key area under this act provides the Alberta Centre for Child, Family and Community Research and the provincial Child and Youth Data Lab with greater access to information. This will enhance their work in analyzing crossprogram trends and make recommendations for improvement. Evidence-based decision-making and longitudinal analysis are extremely important to ensure that government and its partners have the information needed to make the right decisions and to adapt in an informed and meaningful way to change. Good data drives good decisions.

With these four key elements in place the act goes on to deal with some specific changes that our partners advised us on as we consulted about the children's agenda. These specific changes are the beginning, the work that could be accomplished immediately as we embark on the wholesale review through the provisions of this act and the learnings from the results-based budgeting project. The government of Alberta's approach to results-based budgeting will also help to ensure that programs that are designed to help in

the positive development of our children actually produce the outcomes that we expect of them.

The Children First Act calls for changes to the Child, Youth and Family Enhancement Act that will enable qualified, front-line workers to make timely decisions about the children they serve. We ask our staff to use their skills and judgment to help children and families, but then require them to adhere to policies and processes that tie their hands. Well, Mr. Speaker, rules are for when brains run out. We want our staff to be guided by experience, intellect, and the best practice but to put into effect their best efforts to help families achieve successful outcomes.

Consultation on this act revealed that current processes and policies have often prevented a timely or effective response. The provisions of this act will ensure that all who are mandated to act in the best interests of children will have comprehensive, timely, accurate, and valuable information with which to make their decisions.

The changes will also acknowledge the important role of foster parents and kinship care. We have some members of the Alberta Foster Parent Association with us today. We ask Albertans to take children into their families and homes and care for them as their own children, but we stop short of giving them the ability to do just that. In result, too often children in foster care see themselves as an extra, not as part of the family. We want to change that. We want foster parents and kinship parents to act as parents with as much authority as can be appropriately given.

After a year of independent operation as an officer of the Legislature the Child and Youth Advocate has requested changes to his act to further support his mandate. The Child and Youth Advocate Act will be amended at his request to enable the advocate to investigate serious injury or death of a young adult receiving post-18 care and maintenance. A second amendment will allow the advocate to provide information to an appeal panel on behalf of a child.

The government of Alberta believes that raising a child successfully requires a stable family, a caring and engaged community, and the enabling partnership of government. Family violence is one of the great challenges we face in creating a solid foundation for some of Alberta's children. The effect of family violence goes far beyond the family. Those children who experience family violence or who grow up in dysfunctional families are less likely to finish school, more likely to have addictions or other medical problems, less likely to be successful, more likely to end up living on the margins of society.

In many ways we also become what we behold. It's a sad fact that those who grow up in violent families often go on to replicate that violence in their own families. None of us can choose the families that we're born into; however, we can choose the types of families our children are born into if we have the right kind of help. The early intervention and supports that this act is meant to facilitate will help to break the cycle of family violence and help to create a better future both for the children in those families and the children of those children.

This act will amend several other statutes to provide more timely recalculation of support orders under the maintenance enforcement program and the payment recalculation program; to improve the offence provisions of the Child, Youth and Family Enhancement Act, the Drug-endangered Children Act, and the Protection of Sexually Exploited Children Act by removing the term "wilfully" to ensure that those who put children at risk are held accountable regardless of intent or motivation; to allow children under 12 the ability to appeal court orders under the Child, Youth and Family Enhancement Act and guardians to appeal permanent guardianship orders; to allow applications to be

made to the victims of crime fund under the victims restitution act for the funding of counselling services for children who have been sexually exploited or otherwise made the victim of physical or mental harm due to crime.

Amendments will be made to the Protection Against Family Violence Act in two important areas. Family violence protection orders issued in other jurisdictions will be enforceable in Alberta to reduce risk, additional costs, and court appearances for those seeking similar protections that they had elsewhere in Canada and other reciprocal jurisdictions. Mr. Speaker, it means that the police will be able to rely on those family protection orders and help protect partners and children. A family violence death review committee will be established to review all family violence related deaths. The goal will be to identify trends, patterns, risk factors, and gaps in service to make recommendations for systemic change.

Mr. Speaker, death in the situation of family violence, intimate partner violence is a real tragedy, a tragedy for the families, a tragedy for kids that may be left behind, a tragedy for parents and others. But we compound that tragedy if we don't learn from it and understand how we could do better as a community, as a society to protect others from a similar fate.

The Children First Act acknowledges that children are the future of this province and that supporting children in becoming successful adults benefits society as a whole. The government of Alberta recognizes that children are the foundation for Alberta's future. That's why we have Alberta's Promise, dedicated to improving the lives of Alberta's children and youth. It does so by inspiring ideas, actions, and investment between our business, agency, and community partners to help build a brighter future for Alberta's children. Alberta's Promise brings together people, businesses, and not-for-profit organizations passionate about helping kids, and when we do, we keep our promise to Alberta's children and youth. I'm pleased to say that in this act Alberta's Promise will be extended for a further five years.

Mr. Speaker, a committed, cohesive, and caring society is one that puts children first. Through this act Alberta builds on our social policy framework by focusing on children first. Through it we show that our Premier and our government are committed to Alberta's children and that there truly is nothing more precious than a child. Because of this act I will be able to continue to wear my Children First pin proudly and continue to say that children first is our agenda. Alberta's children are Alberta's future.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. minister.

I recognize the hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Well, thank you, Mr. Speaker. It's an honour and privilege for me to stand up and speak to Bill 25, the Children First Act, as the former children's services minister when I was with the government. Before I make any comments on the bill, I want to start off by first acknowledging the unbelievable staff that the minister has in his department. I've just started to read the bill, and if I may, I want to make a comment. You can see the footprint on this bill of every staff that I had the honour and privilege of working previously with when I was the minister.

I want to just make a comment on the minister that's bringing the bill forward because he and I go back a long way. I absolutely want to acknowledge his passion when it comes to protecting children in this province. I could probably go on and on about the fights that we used to have when he was the Justice minister and I was the Solicitor General, all the fights that we used to pick when the Liberal government was there at our federal-provincial-

territorial meetings, and the passion that we both brought forward in regard to representing the province and not only representing our province but representing the children of this particular province.

Having said that, Mr. Speaker, it's exciting to see this bill hit this Legislature floor. It has some 76 pages that I think need to be read through. I know that the minister will be more than willing to answer any questions that we have on this particular piece of legislation. I know in my heart the people that work in that department – and, quite frankly, I'm not afraid to say about the minister, knowing him, that in his heart he will be wearing his pin very proudly when he says “children first” because that's the type of person that he is.

3:40

There are things in this bill that I really like. What was nice to see and refreshing to see in this Bill 25, the Children First Act, is the preamble. The minister alluded to the preamble, and quite frankly, Mr. Speaker, this is the first government bill that I have seen in I don't know how long among bills that the government has tabled in the Legislature lately that has gone back to the preamble. I think preambles are important, especially in pieces of legislation that are affecting people's lives and children's lives on a daily basis.

The minister alluded in his speaking notes to how the bill is broken up in regard to the children's charter. He alluded to the family violence and things like that, but more important to me is how his department and the minister have captured under the preamble some of the statements that I think are important. It talks about:

Whereas the well-being, safety, security, education and health of children are priorities for Albertans;

I think you couldn't say anything more simply yet capture more in what he said in that particular preamble.

He goes on to talk about:

Whereas Albertans recognize that children are the future of the province and that ensuring that every child has the opportunity to become a successful adult will benefit society as a whole;

It goes on to say:

Whereas programs and services for children are most effective when they are provided through a collaborative and multi-disciplinary approach;

It goes on further:

Whereas the Government of Alberta is committed to working with individuals, families, communities, non-governmental organizations and the private sector, as well as with other governments, to support and create opportunities for children;

It continues on, Mr. Speaker.

Whereas sound, evidence based research . . .

And that's one of the things that I'm going to ask the minister about, his comments on the evidence-based research. This is just personal. I sometimes have a problem when we talk about evidence-based research because it depends on who has the evidence-based research. Sometimes I think we get boxed into what evidence-based research you're looking at, Minister. I know you have put a lot of time and energy into this because I know your work ethic, and I'd like to ask you, maybe as we go through the process of the bill, what you're talking about when you talk about:

. . . is critical in the design and development of effective actions to allow, encourage and support successful outcomes for children and families;

When I talk about evidence-based research, you know, just so the minister has an idea where I'm going on this, if you have an alcohol addiction problem, for example, AADAC follows the 12-

step program. As a former drug and alcohol counsellor, that has been around for as long as I can remember, yet we've got some other addiction resources that don't necessarily follow the 12-step program. You might have a 16- or 17-year-old entering a drug and alcohol rehabilitation centre and not necessarily believing in the 12-step drug program, but they may have another program that they follow that could be just as effective as AADAC's 12-step program.

I look around at some of the family violence centres. I'm very involved with Youville women's residence, Discovery House – there are all sorts – and they all follow what they consider a successful model in what they're trying to do when they're trying to get women and children up and successful again. If we're talking about an evidence-based research model, are you using particular evidence from one area, or is it what is most successful? I always hate to see us getting boxed into some evidence-based research that could curtail what is being used successfully somewhere else.

You go on to talk about:

Whereas appropriate sharing of information between individuals and organizations planning or providing programs and services for children is critical to ensuring successful outcomes for children and families;

Well, the minister knows full well how long we have been trying to advocate in regard to the sharing of information. Both he as the Justice minister and I as the former Solicitor General and minister of children's services know how critical it would be to share information if you have a child that's in care. It might be sharing that information if there are some problems with the educational system, sharing some information with the police. So I like that. It's something that I've been advocating for many years. In fact, when I was chair of the safe communities task force, it was one of the recommendations that we put forward, so I'm quite pleased to see the minister include that in his preamble, to make it one of the priorities on where he's going to go on this particular legislation.

Some of the questions that we have about this particular legislation – and I shouldn't use the word “we,” but I personally because on this side of the House everybody, all of my colleagues, may have different questions on different pieces of the legislation, so it's up to them to speak.

We talk about the children's charter. I like the idea of a children's charter. I think that what the minister is trying to do when he talks about how the charter must recognize the following principles – and he's got five principles – captures what Albertans would like to see under a children's charter.

My concern about the charter – and the minister is certainly going to be able to respond back – is that he wants Bill 25 passed, and then he plans on going out and consulting with Albertans over the summer and probably the fall in regard to the children's charter. I'm a little uneasy that we're putting the cart before the horse. If we're putting what we want in the bill and what they want to see under the children's charter and then they want to go out and reach out to Albertans, does that mean that when we come back in the fall, we are going to see amendments brought forward to Bill 25? How are we going to do that? So I have some questions there.

The other thing that I have some concerns about – and I know that his department is listening, and they're going to provide the minister with answers – is that under the children's charter he's got: “the Minister may review the Children's Charter from time to time and amend or repeal and replace it as the Minister considers appropriate.”

Well, one of the things that I have learned in this Legislature, when I was with the government formerly and being on the legislative review committee – I can't even remember what it's called – was that the minister taught me the difference between “may” and “must,” small, little words. One is three letters; the other one is four letters. It's your complimenting day, Minister. The minister took me under his wing when he was the Justice minister and told me in his lawyerly talk, because I'm not a lawyer, how important it is that there is a difference between the words “may” and “must.”

Minister, I know your staff is listening, and I have some questions about the charter, so you can maybe get from them the answers to the questions I have. Under 2(3) you talk about how “the Minister may review the Children's Charter from time to time and amend or repeal and replace it as the Minister considers appropriate.” I guess my question is: why can't we make that a must? People change. Things change in this world. You and I go back a long time, and now you can see what's going on in the social media with all the technology and things like that. I really think that if you were seriously talking about a children's charter and you seriously wanted, as you say, children first and you seriously want to do what is to the benefit of the children, then make a simple change in the wording to “must” regarding the review.

You, as we well know, are in one of these positions where there's no time limit. You could be the Minister of Human Services for the next two years, and a new minister may come in and like the idea of something new in the charter.

3:50

I just think that if we're going to be as bold as to talk about a charter, my understanding – and you can correct me if I'm wrong – is that there is nowhere in North America that we can use as a guide. I've just done a little bit of research in regard to a children's charter. I understand that there are, I think, two cities that have a children's charter, and they are Toronto and Regina. So there is nothing to compare as to who's had a children's charter, what's successful in the children's charter, what needs to be in the children's charter, and what we can do better in the charter? If we're going to be as bold as being the first province in North America – I haven't done a lot of research – then why can't we look at the children's charter and we review it every year?

It goes into that under Review. “The Minister shall conduct a Government-wide review of policies, programs and services affecting children and shall, after concluding the review, lay a report respecting the review before the Legislative Assembly if it is then sitting” or after 15 days. I guess my question on that is: when? Are you look at doing that yearly? Are you looking at doing it every two years? When do you plan on doing the reviewing?

I know that we were in receipt just recently of a letter from the Privacy Commissioner in regard to information sharing for the purpose of providing services. We need to discuss that as a caucus, obviously, after being alerted by the Privacy Commissioner to your act. I personally want to be on record as the former minister of children's services and, if I may, as the Health critic for the Wildrose that I like this. You and I have been advocating this for a long time. I think it's important for information to be shared. I think if there's anything that has to be done, maybe it's an amendment on that particular that may address some of the issues that she has, you know, some of the requirements.

We haven't had the opportunity to talk, obviously. This came to us just very briefly, and I'm sure that you're going to get up and

speeches some of the responses that you had in regard to hearing from the Privacy Commissioner.

You talk about the Child and Youth Advocate Act as amended. As I said, Minister, we just got this bill laid on the table. We're busy trying to take care of other pieces of legislation. There are things that need to be questioned.

Under the Child, Youth and Family Enhancement Act you talk about taking out the director and substituting a child intervention worker. I guess my question is: is the worker the only one making the decision? I have a great deal of faith in the social workers in this province. There is always that small percentage you have a problem with. If there happen to be some problems between the worker and the family, if there is some animosity between the worker and the family, leaving it up to one worker, is there a way that can happen? I was dealing with a situation in my own riding that was a seven-year fight for a family to clear their name. I like the idea of the social worker being able to make the decision because they're trained to be able to make decisions. What recourse has anyone got if we have that sort of problem, if there is a dispute between the family and the worker? Previously the director used to have to do all of that.

Minister, all of these sections in the bill are things that I think need to be done. I think, quite frankly, you and your department have done a good job on this bill. There are so many things in this bill that I like, that I think need to be done.

We talk about foster parents and the unbelievable job that they do to become foster parents. A good friend of mine has fostered, I think, seven children. There are three things that I could not do. I couldn't be a foster parent because I have, I guess, an attachment disorder. I don't like to let go of anything and would be very afraid of having – I'm sure I'd probably have 35 children now. I couldn't be a foster parent or a foster dog parent, if I may say that, because I would probably never give up the dog for that particular reason. What I've learned over the last couple of weeks is that I could not work in a hospice. So there are some things in this life that I'd be more than prepared to tackle.

As I indicated, my friends are foster parents and are 98 per cent successful. They've raised the foster kids. They've come back, and they've celebrated weddings with them and all sorts of things, and that's because of the loving, caring, nurturing comfort that foster parents have provided to these children when they've gone into custody and have been fostered out.

With those brief comments, I am going to sit down because I know there are others that want to work. I think it's going to give us, myself, the opportunity to go home and do some studying, read the bill a little more clearly. I know, Minister, that you're not afraid of an e-mail or a phone call if I have questions. If I may say so, I'm going to be bugging you a little bit just to get some clarification. I also know that the staff in your department would be more than willing to answer any questions.

I want to end by saying good job, Minister. I think we're lucky to have you and the department, and we're lucky to be able to talk about this particular bill. I will probably be wearing one of your pins when this bill passes, so thank you.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Member for Calgary-Mountain View, followed by Edmonton-Strathcona.

**Dr. Swann:** Thank you very much, Mr. Speaker. It's a pleasure to rise to debate Bill 25. Echoing some of the comments of the Member for Calgary-Fish Creek, congratulations to the minister for the diligence and, I guess, commitment to detail. Obviously, he's had big changes in his department over the last year, and

there are significant implications for that in relation to child care, a recognition that there are weaknesses in communication across different departments that deal with children, a recognition of the need for more research-based and evidence-based policy-making and action for the interests of children and their families.

So, yes, a job well done. A job well started, I should say, because I think it's early. It's unfortunate that it's so late in the legislative timetable. It's a tremendously large bill. It means that if we're going to do due diligence, we're going to have to spend some time with this bill, and I'm disappointed that it didn't come earlier or that we don't have more of a chance. I hope that the minister would consider some alternatives if, in fact, our session is drawing to a close, as it appears to be.

There appears to be, again, a question of haste and not enough preparation time for us in this. I would have to ask who was consulted on some of the decisions that are being proposed here, some of which are fairly significant in terms of human rights, in terms of sharing information, in terms of who has the authority to do what under what circumstances. Some questions come up around these issues which are, yeah, very significant and that I certainly would not be happy pushing through without a full discussion, especially since hearing from the Privacy Commissioner, and some sense that this is consistent and not duplicating or not confusing people with the other privacy and information acts that we deal with and that everyone in Alberta deals with.

The other thing that surprised me was to hear from some staff that this totally came out of the blue, that staff in your department had no idea this was coming forward. They had no input, no sense that some of the changes that they see before them have been made with serious implications, some feel, to their authority to make decisions for clients or at least the appearance that the authority to make decisions on behalf of a child might be transferred to a private entity, to a foster parent when in fact the buck stops at the government, at the minister's office, at the Crown, as is indicated in the report, but can be delegated, it appears now, under this new act. So there's confusion there. I can say that there's some significant anxiety among staff, who aren't clear where this is headed and, certainly, why they weren't consulted and given a chance to have some input into this.

4:00

The third area I suppose would be his initiating comments about poverty reduction and the question, I think to quote as accurately as possible, of a community-owned strategy for poverty reduction, which sounds like a code word for downloading the poverty reduction strategy onto the community, instead of saying a shared responsibility for poverty reduction with the community. I believe I heard the minister in his introductory remarks say: a community-owned poverty reduction strategy. I'd like to know how that jibes with a partnership, a collaboration, a sense that we're going to do this together, not download it and then have someone else to hold accountable if the poverty reduction strategy doesn't achieve its goals. I would just appreciate some clarification around that, especially when we've seen it happening in other areas.

With those comments, Mr. Speaker, maybe I'll revert to a second point that I made about authority to make decisions about a child in a particular set of circumstances, maybe a child that is going on a trip, and now the minister wants to ensure that there's a simple, quick way of giving permission for that child to go on a trip without going through a big, long list of individuals to consult with.

This kind of change that I think the minister is suggesting, if I can quote him again, is doing what Albertans want. When did you ask Albertans if they wanted to give the Crown the power to

delegate that authority to either the foster parent or to a private agency? Was that actually discussed in your consultations? Did people actually say that they wanted the Crown to devolve that authority in some instances where they felt it appropriate to the foster parent or to the private agency that's providing child services? It's a question. I don't know the answer. Some of these issues have come up just on first blush in our going through the bill and questions that need to be answered.

Those, I think, Mr. Speaker, identify some of the key concerns that I have at first review. Again, I hope the minister will take them in the spirit in which they were intended to ensure that the children are put first, that the community has indeed a full understanding and that we have a full understanding of the implications of the potential shift of authority from the government jurisdiction to possibly other jurisdictions, that we seriously look at some of the concerns that the Privacy Commissioner has given us that create ambiguity, uncertainty, duplication, in fact, perhaps confusion around who can get access to what information, under what conditions, and with whose permission when already, I thought, as expressed by the Information and Privacy Commissioner, we have a good bill that addresses some of these issues.

Just for the record, the commissioner has recommended – and she has indicated five different concerns about the privacy issues here – that at the very least the bill needs to be amended to include mandatory requirements for privacy impact assessments; a duty to record disclosures, including disclosure by information systems; and a duty to report privacy breaches to the commissioner's office. I take that seriously, and I know the minister does.

I would be interested in hearing some of the discussion around this. I certainly hope that we're not going to ram this through in the next couple of days. This is an important bill, with many implications, many concerns, and I think we all need to be sure that it's going to provide the results that we all want and that children deserve.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available for questions or comments.

Seeing none, I'll recognize the Member for Edmonton-Strathcona, followed by Cardston-Taber-Warner.

**Ms Notley:** Thank you, Mr. Speaker. I'm pleased to be able to rise to speak to Bill 25 in second reading. As has been mentioned a couple of times already, this 72-page piece of legislation was tabled yesterday, and although we did get a briefing last week, this is the first time we've had the opportunity to look at the actual legislation in full. Many of us are scrambling to get a real sense of what it is that the government is trying to achieve here.

Mr. Speaker, when it comes to protecting children in Alberta and when it comes to reducing the experience of child poverty in Alberta, this government has a tendency to overstate its accomplishments, shall we say. I use that particular characterization of their activities in this regard judiciously. I believe that's a judicious description of the way in which the government engages with this particular set of challenges experienced by so many vulnerable Albertans. As a result, it's very important, I believe, for us to look very carefully at what exactly it is that this act is doing. Unfortunately, this is not a government that has earned a tremendous amount of trust when it comes to dealing with these issues.

There are at least four things, perhaps five, that occur to me as being areas that require additional consideration. The first one, which has been mentioned and, frankly, concerns me the greatest,

is the issue of restructuring the ministry so as to essentially take responsibility away from the director of child protection vested in the Crown, which of course is what it always was, and then expand the opportunity to delegate authority to what is referred to as child intervention workers, Mr. Speaker. Now, in our briefing we inquired: well, what is a child intervention worker? We were assured that that would be defined by regulation. That is profoundly concerning to me.

There are two lines of concern with respect to this process. The first is: who is this government going to include in the definition of a child intervention worker? We have on record the Premier saying that she thinks there is the opportunity to contract out the work done in the ministry, that was once children's services, to nonprofits, to charities, to volunteer organizations, and to the private sector. The Premier is on record as saying that she thinks that kind of work can be done there rather than by government workers who are directly accountable to Albertans through this Legislature.

When I'm told that we need to just trust these guys around the issue of who a child intervention worker will be, frankly, Mr. Speaker, I simply can't do that. We have so many examples in this province already where extremely important services provided to a broad range of vulnerable Albertans are consistently deprofessionalized, underpaid, and understaffed in nonprofit, arm's-length organizations across this province. Whether you are talking about the care of the mentally ill, whether you are talking about the care of seniors, whether you are talking about the care of disabled Albertans, whether you are talking about the care of children, in every case this government takes every opportunity it can find to reduce its own staff and to download those responsibilities onto nonprofits, volunteer organizations, and charities, many of whom are struggling to provide the level of qualification and time necessary to do the job that a professional would say represents best practice.

We do that in almost every human services setting in this province, Mr. Speaker, because, so clearly, this is not a priority of this government. Then, of course, strangely, the Premier actually believes we can increase the degree to which we do that. Then we have a social policy framework that talks about the government moving away from being a leader and a funder and a service provider and instead is a convener and a partner. We have that announcement made side by side with a rep from Safeway Inc.

**4:10**

We're talking about reducing poverty. I am absolutely astounded by some of the fundamental presumptions that seem to underlie the direction that this Premier seems to want to take this province when it comes to continuing the job that at this point they have really not done very well at all. Of course, we have a huge gap between rich and poor in this province. We have growing numbers of children living in poverty, and we have growing numbers of people who are homeless, yet we are the richest province in the country. Clearly, we are not doing a very good job. The last thing that I think we should do is take our bad decisions and exacerbate them.

That being said, this ability to delegate these authorities and the responsibility to who knows who is very concerning to me.

**Dr. Swann:** It's dangerous.

**Ms Notley:** It is dangerous indeed, Mr. Chair. I'm very concerned about that.

I am also concerned that what's really going on here is that the government is trying to distance itself from responsibility for what happens when they make one of the most important decisions that government ever makes. Taking a child from their family and putting them somewhere else is a very, very profoundly important decision. It should only be done in limited circumstances, and it should only be done with the greatest level of thought and care and consideration and time and investigation that is dedicated to that process.

Then when that child is taken away, they need to be cared for with the greatest level of skill and time and commitment and resources available because once that child is taken from their family, they are in crisis. Let us be clear. If you take a child from their family, you've created a crisis. You may be pulling them from one crisis, but they are still in crisis.

This idea that this task that we do in this province, Mr. Speaker, can be done by contracted agencies, who then contract out so that we've got people making \$14 an hour and who may or may not have a six-month diploma in child care services and child protection and child intervention, is incredibly disrespectful of the importance of that work and the nature of that work and the sophistication of the work and the skill requirement of that work. I'm very concerned about this, and I need to see what the government contemplates being the recipient of this incredible level of authority that the government takes upon itself.

The other element of that, which, of course, is problematic, is that even where you're downloading that authority onto individual social workers who may even still be amongst that small group of social workers who are still directly employed by this provincial government, the question then becomes: does that social worker have the time and the ability and the authority to do what their professional organization tells them is best practice? The director of child protection can make those decisions, but if the front-line social worker is told to have a caseload that is 40 per cent above what they believe is best practice, then they simply have to do that. Indeed, that is what's been happening for years, Mr. Speaker. How do you then make that person legally responsible for those decisions when they're only able to make decisions about part of the job? That's also a problem.

The next thing I want to talk about, Mr. Speaker, is the issue of the children's charter. Now, we all love the idea of a children's charter, giving children rights and giving them a way to hang onto some rights and maybe bootstrap themselves into some higher quality services than what they might be receiving in this province right now. Unfortunately, what we see in this legislation is extremely vague, and really all it does is that it gives the government and the Premier an opportunity to send out a press release saying: "Look at us. Look at us. We've introduced a children's charter." The word "charter" is so generally well respected that everyone thinks that means good things, but the reality is that the substance of this charter is lacking significantly.

My view, Mr. Speaker, is that in a province that is the wealthiest in the country and in a province that has the wealthiest people in the country and in a province that leaves \$10 billion on the table to give back to the wealthiest people in the country every year, when we're talking about the rights of children who are in the care, whether temporary or permanent custody, of this government, we should be able to write a charter that says at the very least, like the UN charter, that children should always have enough to eat and that children should always have a roof over their head.

The fact of the matter is that right now in this province – in this province – where we are so wealthy and we leave \$10 billion on

the table every year, children who are in the care and custody of this government have no roof over their head and go to the food bank for food. That is shameful. That is shameful, Mr. Speaker. We should write a charter that says that that is prohibited. In this province, where we are so proud of our resource wealth, we should be able to write a charter that says that that won't happen anymore. Until I see that, I frankly can't give the concept of a charter a whole lot of deference.

Now, the third thing that I'd like to talk about, because I'm running out of time very quickly, is the question of information sharing, that's been raised by the Privacy Commissioner although I also had those concerns when I briefly looked at the act yesterday. Now, I understand and respect what the minister is talking about when he talks about the need to be able to share information between silos when it comes, particularly, to ensuring the safety of a child; you know, when you're talking about a teacher being aware of a violent situation or a risk of violence and not being able to tell a social worker or vice versa, those kinds of things, or if a health care worker is aware of those things.

The minister had Sheldon Kennedy standing beside him at his announcement yesterday, and he had police officials standing beside him at the announcement. I have sympathy for that argument. I realize there are privacy concerns, but I have sympathy for that argument. What I don't have sympathy for, Mr. Speaker, is the way this legislation is written because this legislation goes well beyond that. This legislation gives service providers – and we don't know who they are. They may well not be employees of the government. They may well be for-profit daycares – we don't know – or other for-profit child service providers. It could be Walmart, for all we know, if they come up with an after school program. We don't know – we do not know – who the service providers are.

It gives them the ability to share information not only about the kids but about the parents and not when the child is at risk of serious injury or violence or death but simply when, in that person's opinion, the best interests of the child are served by sharing that information. But we don't know if that person, that service provider, is even educated to make such a decision to reach that conclusion. It could be, you know, that someone who is 19 years old and is a camp counsellor has decided that they think it's important to tell the child's teacher in the same town that mom had postpartum depression five years ago and was in the hospital for five months. The minister is looking at me incredulously, but the fact of the matter is that the way your act is written, that could happen. There is nothing in the way your act is written that would stop that from happening.

That is what we need to ensure doesn't happen. That needs to be corrected. The act needs to be corrected. I'm all for sharing information to keep people safe. I am not for allowing the personal details of parents to be shared indiscriminately amongst a group of people, that this government is not even prepared to define, on the basis of opinions that I'm not convinced they are qualified to reach.

4:20

It is a huge thing when you give them the ability to share the medical information, for instance, of parents. It's too much. Particularly when you look at the profile of the families that are impacted by this, we're looking primarily at indigenous and First Nations Albertans and low-income Albertans. These are the people whose privacy rights will be completely eliminated.

The final thing I want to talk about is the issue of the family violence review committee. All I can say there is that it's long overdue. It should have been done a long time ago, and it needs to be more transparent.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available for questions or comments. The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thank you, Mr. Speaker. Thank you to the member and my colleague for bringing up some interesting points and setting sort of another tenor to this discussion. We, in fact, with such a substantive piece of legislation, just can't hold forth with some accolades and then hand it over to the government. You've given me some food for thought.

What I particularly wanted to know more about is this children's charter. I've just been reading it over here again. We only got this thing a couple of days ago, right? [interjection] One day ago, yeah. I'm just wondering what's missing there. I'm having a hard time, you know, looking at this not just as a document that is setting parameters or a frame for this legislation but on a legal basis framework as well. I'm just wondering what we could do to perhaps make this children's charter a little more substantive.

**The Deputy Speaker:** The hon. Member for Edmonton-Strathcona to respond.

**Ms Notley:** Well, thank you very much. You know, as any lawyer will know, sort of the penultimate charter in Canada is the Charter, which is part of our Constitution, and that, of course, actually sets out a number of rights and a number of rights which are enforceable. It's meaningful (a) because it delineates a number of rights and (b) because it's enforceable.

This charter doesn't delineate. Maybe in one area there are a few rights that are delineated, but overall most of what it's talking about is government policy. It's written in a way that it's not enforceable even if it were enforceable, but in fact the charter itself is not presented in the act in a way for it to be enforceable, so really it's being called a charter but is not really a charter.

The other thing is that when you go back, for instance, to Canada's Charter, when Parliament first had discussions about that Charter, there was extensive debate at that time about whether or not that Charter should include reference to economic equality and whether or not people should be protected from discrimination on the basis of poverty. There was extensive discussion at that time about that concept. Now, it was ultimately rejected even though the NDP at the time argued vociferously for it to be included.

But even though it was rejected there, if this was really a charter, Mr. Speaker, we would address those issues in this charter because, again, as I've said, we are talking simply about children, and we are talking about a province that's supposed to be the wealthiest province in the country. We're not talking necessarily about economic equality. We're talking about those basic human rights that the United Nations talks about, which is the right to nutrition, adequate nutrition, and the right to a roof over your head at night. If we really want to talk about a meaningful charter, something that's bold, let's talk about that.

The other thing I wanted to really quickly mention as well is that the family violence review committee as it currently exists is set up just like the child incident review committee. As far as I've seen, I've seen no actual investigation report ever publicly

released by that committee. I suspect that this committee is set up in exactly the same way, and given that we are a province which, unfortunately, has the highest level of domestic violence in the country, we should be ensuring that the organization that reviews these incidents is compelled to report to the public about its investigations and what went wrong.

You can do that, Mr. Speaker, and still protect people's privacy. You absolutely can – I've seen it done before – but it should be done because that's part of the way that we engage the public on this very, very important issue, which is the preponderance of domestic violence in this province. This legislation allows the minister to keep the whole thing behind closed doors and keep it secret for heaven knows how long. That's the last thing that this issue needs in this province. It needs to be very clearly public when these kinds of things occur.

I'm disappointed to see that they've set up the committee, but at the same time they've made it very clear that the committee need not publicly report and, rather, just will do an annual report. Anyone here who has ever read an annual report produced by this government, if they could get through the orange and the blue and the various and sundry message-box language that, coincidentally, equates with election campaigns, if they can get through that stuff, they rarely find a great deal of substantive information. It's disappointing that that is not included in the act as it relates to that piece because otherwise it's a good piece.

**The Deputy Speaker:** Thank you, hon. member.

I recognize the Member for Cardston-Taber-Warner, followed by Edmonton-Calder.

**Mr. Bikman:** Thank you, Mr. Speaker. I certainly hope that I can add to the discussion and share something today that will be of benefit as we consider this very important act about our children, our most precious commodity, our future. We want to ensure that it will be as good as possible. Concerns about abuse and neglect are very serious and have to be taken seriously and need to be addressed properly.

I admire and respect the minister and believe that he truly wants to make Alberta the best possible place for children to be raised. I think this act has some very good parts to it. I think that we always need to exercise caution when we're listening to children report certain things, being sure that we're discreet in our investigation, a thorough investigation, remembering that when we hear only one side of a story, it's like trying to get the news from reading the editorial page. We need both sides or all sides. There may be, obviously, more than just two.

It's very important that we get this act right, with adequate input and open discussion, especially by those of us here in this Legislature, that have been elected to review these kinds of things. It's always a little worrisome to me and a little bit suspect, too, when I get a limited-time offer. I rarely buy a used car from somebody trying to sell me something where I've only got until tonight, you know, at 5 o'clock or whatever to make the deal.

I don't mean to say that you're acting in a suspicious way, Mr. Minister, but after almost 70 years of living, I always want to take a little extra time to look at that. Sometimes I'd rather walk away from that hot deal than take it without having time to do my due diligence. I've been burned seriously at times in my life when I haven't done adequate due diligence. I've been taught by a very wise and successful man that when you think you've done enough due diligence, you're probably only half done.

Of course, we all love children. As you know, I probably feel that way, loving children more than some other people, based on the number that I've had the opportunity to love and be engaged

with as a child rearer, as a parent. I think that one of the things that we need to consider when we are looking at and creating a piece of legislation as important as this one – and we all recognize how important it is – is the foundational question. Will this act strengthen families, or will it undermine them? If so, how will it be good? What are the dangers, and how will we mitigate against them?

I'd like to quote for a moment now rather loosely – I'll be adding to and paraphrasing – from a document that my wife and I have used to help guide us in our responsibilities to raise children to be respectful, with all of the things that we all want our children to have and grow up with. It's from a document called *The Family: A Proclamation to the World*. I'm going to quote some parts word for word, and some parts I've edited to make it appropriate, hopefully, for this situation in our Legislature.

4:30

It starts out. Parents have “a solemn responsibility to love and care for each other and for their children,” a fundamental “duty to rear their children in love and righteousness,” to provide for their physical, social, emotional, mental, and spiritual needs, and to “teach them to love and serve one another . . . and be law-abiding citizens wherever they live.” Mothers and fathers are accountable “for the discharge of these obligations.” Happiness in family life is most likely to be achieved when founded upon sound principles taught in the wisdom literature of the ages. Successful families are “established and maintained on principles of faith, prayer, repentance, forgiveness, respect, love, compassion, work, and wholesome recreational activities.” Parents are obliged to “help one another as equal partners. Disability, death, or other circumstances may necessitate individual adaption. Extended families should lend support when needed.”

When not available, neighbours, friends, churches, and other volunteers ought to assist. Government should always be a last resort, not the first. The disintegration of the family will bring upon individuals, communities, provinces, and nations a repeat of the calamities experienced by all civilizations and societies that have risen and fallen over the ages. As responsible citizens and officers of the government or at least elected representatives of the people we should promote “measures designed to maintain and strengthen the family as the fundamental unit of society.”

Parental rights and responsibilities. There are some things that are best done by parents, wherever possible, and I think this act identifies the primacy of parents' responsibilities and their rights as well. We talk about rights, but we don't talk about responsibilities as often as I think we need to or should. Teaching what a healthy, loving relationship is between parents is an obligation we have where possible and where appropriate. Principles, morals, values, integrity, reliability, trustworthiness, respect, the work ethic, importance of education, service to others, helping those in need, recognizing need, charity, accountability, honour, discernment: many of these lessons are best taught as parents work alongside their children, whether it's planting a garden or mowing a lawn or shoveling a neighbour's sidewalk and then your own, whether it's helping mom or dad make a casserole to take to a needy neighbour. These are things that are best taught at home wherever possible.

My experience with students in the federally funded introduction to trades course that Lethbridge College taught for many years as well as from teaching at two reserves, one in my riding and one right next to my riding, the Kainai reserve, with the headquarters at Stand Off, and the Piikani reserve at Brocket, taught me – well, I was asked to assist there because the college was acknowledged and recognized for doing a good job teaching

their students how to weld and how to overhaul and how to frame and how to wire. Prospective employers or companies were hiring them as apprentices and helping with their education, but where the college was falling down was in some of the basic life skills. I was approached and asked to develop a module to teach that during the first week of their approximately 12-week course. We called it life skills and employability. Society and some parents were neglecting teaching these important principles.

Sometimes parents are overworked. Sometimes parents have two jobs. Circumstances can vary, so there's a tendency for us to want to step in. Sometimes that stepping in is best done by the extended family, by an older sibling, by neighbours and friends. Again, government obviously has a role, but it ought to be as a last resort. You and I have talked about this, Mr. Minister. I'm able to refer to you as you in this sitting.

It's important that children learn the law of the harvest. I've been misquoted as I've tried to refer to that at times, much to my embarrassment. The law of the harvest is the simple principle, that people of the land understand, that if you don't plant in the spring and weed and fertilize and water and nurture, you don't have much harvest in the fall. That's a true principle of life. A farmer learns that you can't take shortcuts.

In the educational system you can take shortcuts. We think that the object is to get an A when, really, the object is to master the material. But is there anybody here who's never crammed for an exam? What's the half-life of crammed knowledge? About 15 minutes after the end of the exam you've forgotten most of it, right? Who wants to be operated on by a doctor who learned how to beat the system and cram for the exams? Not me.

Well, our children need to be taught that, and that's best taught at home. If we're creating programs or creating opportunities for children who are in situations of abuse and neglect, I hope that it would include helping the foster parents to teach some of these basic principles.

I'm married to a woman who grew up in foster homes because her mother and father had problems. Her father died, and her mother suffered because of that, and the children needed to be placed in an orphanage or with other family. My wife is one who was in foster care and experienced conditional love, love that was there only if they liked what you were doing, and if you weren't doing it, then they withdrew their affection. That has created trauma in many people in that situation, trauma that's very hard to address through the efforts of social work. It requires incredible dedication.

I admire our hon. Member for Calgary-Fish Creek for acknowledging the challenge that it is to play that role. Those that do it and do it effectively have my deepest admiration and respect and appreciation. As I said, my wife, Sheila, is one who experienced that, and it's created many challenges that we've needed to address together. I'm grateful for the help that we both received with that. That's part of what happens when government steps in. We want to make sure that they step in where necessary with good guidelines to help that intervention be successful in a way that benefits not just the child but ultimately perhaps the subsequent marriages, work relationships, and parenting responsibilities. It's a big step, and it's very important that it be done right.

I want this bill to succeed. I hope that it will address these issues. I want to support it after it's been thoroughly examined and vetted, after we've been given the chance to assist you and the government, Mr. Minister, in the critical due diligence necessary. I know that you've taken the time and your department has taken the time to get a lot of input and talk to a lot of people. Hopefully, it's included people like me who have successfully parented – I'm



not trying to toot my horn, but by any reasonable standard of success I think that we have managed to do that – or those people that have provided foster care successfully, looking at the ones who have struggled and created more problems than they solved to make sure that the act will address those issues in an effective, compassionate, and tender way, that will produce the result that we desire.

We need to have it clear in our minds what result we are after. We talk about results-based budgeting. We need to make sure that this is a results-based act, that we have the big picture that we're after drilled down to the micro, the individual, and what result we hope it will achieve and make sure that it's going to do that. I submit that this isn't something we can do in 24 or 48 hours or by next week, as much as that might upset the apparent timetable that exists. Once again, we're not buying used cars here. We're affecting people's lives by the things that we do and the decisions that we make. How well crafted this bill ultimately is will depend upon input from all stakeholders, certainly including all of us having the opportunity to address the things that I've mentioned and some that I probably, quite frankly, am not smart enough to think of, at least in the amount of time I've had to consider this.

Anyway, I appreciate it. I appreciate the efforts. As I said, I want to support it. I'm sure that given the honour and integrity of the minister involved and the seriousness and the quality of the staff that he has, these issues will be addressed and the proper time will be taken with a calm and reasoned approach, taking a step back, an arm's length, so that we can have some sober pondering and study.

4:40

I hope that we'll have a chance to consult with our constituents and have a chance, through our researchers and ourselves personally, to do some of our own research into studies, not only opinions, of the best sociologists and child psychologists, the methods used by successful parents, as I mentioned, and the things that are being done in other jurisdictions. We don't have to reinvent the wheel. It's possible that there are some jurisdictions that are addressing this very, very effectively, and we ought to make sure that if they are, we can learn and benefit from the mistakes that they made getting to that degree of perfection or degree of effectiveness, anyway.

Those are some of my concerns. I appreciate the opportunity to share my perspective with you, and I hope that Mr. Minister and the government will take these seriously because I've certainly given from my heart as well as from my experience, and the education that I have has prompted me to share this with you today.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Well, thank you very much, Mr. Speaker. First of all, I want to express my appreciation in listening to the member's comments about this bill. I was wondering if he could provide a little bit of feedback or input regarding the children's charter, which is on page 3 of the bill. It's defined there, and I'm just wondering if the hon. member feels that there's anything missing from that or if he's satisfied with the wording of the charter or what role this charter could and should play in the context of the whole act.

If I may, Mr. Speaker, the second question which I'll tack on to the hon. member is just looking at the fact that a child intervention

worker is not defined in this act anywhere and if that poses any questions to the hon. member or potential concerns or flags. Who is setting that standard? How is that regulated? Who is by definition a child intervention worker?

I look forward to hearing your comments.

**The Deputy Speaker:** The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you. Thank you for the opportunity to respond and for the compliment, to think somebody my age will actually remember what the first question was now, so I'll answer the second question first. The definitions are kind of like the rules, and the minister was, I think, being a little bit flippant and entertaining us with the comment that rules are – how did you put it?

**Mr. Hancock:** For when brains run out.

**Mr. Bikman:** For when brains run out.

Well, I think that rules are like good fences, and good fences make good neighbours, and good clauses and good definitions make good acts. I think that we need to be very careful in any act that we participate in creating – that's assuming that this really is a participatory process – and need to be very, very clear and remove any ambiguity that can possibly exist. It takes good lawyers with good hearts and minds and good research and listening to people like you and me to craft such definitions and such rules and clauses so as to address those things in a clear and defined and limited way. I think that's important, and you've raised an important point. I hope that this is somewhat of an answer or has at least added to our understanding of the issue.

The first question was about the children's charter. Did I remember that correctly? Yippee. All right. As I was reading through this – and I haven't made it all the way through yet, but I will – I circled and starred a couple of issues. I made reference to one of them without making it specifically about the charter. Clause (2)(e) says: "While reinforcing and without in any way derogating from the primary responsibility of parents, guardians and families for their children" and so on. I think it's important that we recognize the paramount role of parents in this, and I'm glad to see that it's addressed. I think that can be strengthened and perhaps should be strengthened. I'm always concerned when a person – and I realize that when we say "minister," we probably mean the ministry and all those people that you'll call upon for support in decision-making. But the next point:

(3) The Minister may review the Children's Charter from time to time and amend or repeal and replace it as the Minister considers appropriate.

Well, I hope that in developing and establishing that children's charter, an awful lot of opportunity to give input and feedback will be given to us, that though it may be crafted and brought to us in a semi-complete or at least a partially prepared form, then we would have a chance to debate it, discuss it, ponder it, and do some more research on it. Maybe we could even be invited to provide some input if this is going to be done over the summer and presented back to us in the fall as part of a complete Bill 25, Children First Act. I think it's important that we do consider that.

There are some things that some of you will think are important to include. There will be some things that others may think ought not be included. That needs to be considered because we need to be very careful in doing this. This will be an historic first, and getting it right will take time. If we consider the long-term impact of what this bill can and will do . . .

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the hon. Member for Edmonton-Calder, followed by Calgary-Shaw.

**Mr. Eggen:** Well, thank you, Mr. Speaker, and thank you to our previous speakers for providing some illumination here on Bill 25, the Children First Act. You know, I've been working through this very substantive piece of legislation both yesterday and today, having to move it to the top of my list because it suddenly appeared in its entirety. I was astonished to see how comprehensive the legislation is, encompassing a number of existing acts and making amendments as well as substantive new legislation on its own. For that, and for the complexity, or the edifice, that's been created here, I certainly do acknowledge the minister and the ministry's hard work in putting this together.

Not to say that I am opposed categorically to all parts of it. Rather, I think in the interests of evidence-based legislation and the application of best practices to looking after children in care in our society and in our province, you know, just at the very least, as the previous speaker from Cardston-Taber-Warner pointed out, we must make sure that we are debating the issues in a substantive bill like this in the fullness of time to ensure that we are moving forward with legislation that we cannot just live with in some sort of compromise but are making changes that will improve the quality of life for children in our province, to ensure that we cover the rights and responsibilities that we have as the state, as the Crown, to reinforce the existing means by which we look after children in this province and also, I think, to reach out and, as I say, use best practices from other jurisdictions to ensure that we perhaps are going further so that we know children in this province are not wanting for nutritional requirements, are not wanting for shelter, are not wanting to fulfill their education needs to the fullness of their ability and that we look to creating the best opportunities for everyone.

You know, when we go back to the first principles of how we look after the youngest in our society, I think that equality comes first to mind. If we're not creating an equal environment in which young people can thrive, then we are setting the template for inequality and for the problems that are just exacerbated as those same children grow up to be in positions of responsibility and to form the framework of our society later on. So equality is something that I think should be the first principle that we aim for in this House in making legislation, particularly here with Bill 25, the Children First Act.

4:50

As far as I can see, Mr. Speaker, just from the beginning this bill is amending, as I said, many other pieces of legislation pertaining to children inside and outside of care. It has the children's charter here, which I'm particularly intrigued about and was seeking some more clarification on. I think it sort of enshrines a government-wide review of policy and programs in regard to children in general and then expands that information sharing so that service providers can share personal information about children, parents and guardians, and other service providers.

Now, I've never sort of been sitting in the Legislature and had a reaction come back so quickly as it did on the last point that I made about this legislation. That came from the Privacy Commissioner. Within hours of this bill being released, we saw that the commissioner was raising some serious concerns about that information sharing.

You know, as I said, we're all just learning about this, but I guess it brings to mind my first concern about this substantive piece of legislation coming towards the end of the spring session

in that: are we being obliged to rush through this? Are we putting ourselves in a position where we will have unforeseen consequences coming from Bill 25 after we leave this House at the end of the spring session?

I think that the Privacy Commissioner has done us a service. I'm just looking for it. Here it is: Commissioner Identifies Privacy Concerns with Bill 25. I'm very happy that this did come out. I'll just summarize some of the concerns that came out in this release.

[Ms Kennedy-Glans in the chair]

Madam Speaker, it becomes you very well. Absolutely. I'm going to stay within the rules even more than I usually do for the balance of my speech.

It says:

Bill 25 erodes individuals' ability to control what happens to their own personal and health information by broadening the ability to share information without consent. The ability to say yes or no to the sharing of one's own information is, fundamentally, what privacy laws are intended to provide – control.

Further, she states:

Individuals will not necessarily know what information has been collected about them, by whom, or for what specific purpose. This is contrary to fundamental privacy principles of transparency, openness and accountability, and reduces individuals' ability to exercise their rights to complain or ask for a review [as well].

Again, I'm talking about unforeseen consequences, Madam Speaker. You know, as I say, this came out within hours of the introduction of this bill, and I think it should raise all our attention here in this House in regard to our responsibility to create good legislation.

The bill as well has some amendments. Statutory authority is now provided to child intervention workers and not the director in the Child, Youth and Family Enhancement Act. You know, I would like to see clarification on that because if you're moving that authority down the line of the people who are responsible for providing children's services, I just want to be assured that that doesn't mean that the Crown or the state is abdicating any sense of control or responsibility, ultimately, for the protection of children in care. Of course, if you're moving it down to the workers, unless you're contracting out that responsibility, you are potentially putting that person into a position of responsibility. Basically, to contract that responsibility out through a payment or so forth or contractual obligation, when, in fact, the ultimate responsibility of a child in care must be under the Crown – any erosion of that responsibility I don't think is in the best interest of anyone, really.

[The Deputy Speaker in the chair]

The amendments in here also seem to expand the ability of the Child and Youth Advocate to give evidence in legal proceedings, allow former guardians of a child now under permanent guardianship to apply for an order to terminate, and then some other issues as well.

Now, I guess there are one or two things that I would like to point out in the brief time that I have here in second reading. I would like to focus more on, again, this idea of providing statutory authority to child intervention workers, the front-line staff, as opposed to the director in the Child, Youth and Family Enhancement Act. In the brief 24 hours that we've had to ask the front-line workers about this, we've received word back that they are very concerned about this.

As far as we can see, this change seems to come from the well-publicized court case in 2009 where the director was found to be

personally in contempt of court. The Hon. Justice Jean Côté in his ruling described the child intervention system as a “complex administrative structure” that according to evidence in law “must exacerbate opacity and the opportunities for deniability.”

Now, the government argued that the judge’s view of this law would necessitate a restructuring of the whole child protection administrative system. So it seems as though Bill 25 is a response to this 2009 case and is, in fact, a restructuring of the whole system. Now the front-line staff will have statutory authority, which formerly was invested in the most senior officials, and it means as well that front-line staff will be held responsible for everything, even though many decisions are made, in fact, by more senior people in the department and front-line staff have no real power to commandeer funds and to make that level of responsible decision.

Our view is that the government is transferring their statutory authority and responsibility for child protection away from the director and to the front-line service providers. And because the Premier has talked about contracting out more services, there is the potential for the government to contract out more to nonprofit agencies, charities, private contracts, private businesses, the responsibility for custodial decisions – right? – thereby contracting out their own liability. The definition of child intervention workers, as my colleague pointed out here previously, does little to prevent this.

We have a problem here, Mr. Speaker, as I said before in summation, where the potential for moving that responsibility away from the Crown, away from the highest level of decision-makers to the front line I think creates confusion and a detrimental sort of opportunity to buy or sell that authority out to a private contractor of child services.

The bill also, Mr. Speaker, seems to make it much easier to share information between service providers, which, as I read before, seems to raise a great deal of concern about privacy.

The bill also seems to allow a new family violence death review committee to submit reports to the minister, one that never will be publicly released and another that will be released when the minister chooses to do so. When we’ve seen many controversial deaths and injury in care, it is really becoming more obvious that the lack of transparency in regard to these things needs to be expanded, not contracted. You know, in our view, this seems to be in this present bill another way to control information that Albertans ultimately deserve to know about.

5:00

Mr. Speaker, in closing, as I said, the bill is substantive and comprehensive. It’s creating new legislation and amending many other pieces as well. First and foremost, I would echo the last speaker’s comments, that we would want to debate this bill in the fullness of time. I expect and suspect that we will do so. I don’t question the intention of the minister and the ministry in working so hard on this bill or on the integrity of care that Alberta will provide for children both in and out of care. At the same time, we need to take time and effort to ensure that we are not, either through intention or inadvertently, compromising the integrity of how we look after children, both inside and outside of care.

You know, when I looked at the first couple of pages, back to this charter – I will speak more on it later – again, there is just so much more room in this part of the document to nail down some of these issues about ensuring equality and social justice and sustainability throughout this document.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. The Member for Edmonton-Strathcona.

**Ms Notley:** Yes. Thank you. My question to the member with respect to this bill. I know that before he recently was re-elected to this House, he had the opportunity to travel all across Alberta on a number of different occasions in his role with Friends of Medicare and to meet with a lot of people that worked in the nonprofit sector and with social agencies who provide care of differing levels to Albertans who are in need, not always children but sometimes children. I’m just wondering if the member can speak to his view about sort of the need to have professional caregivers and intervention workers making major decisions around where a child lives or with whom a child lives and those kinds of things versus what you’ve observed over your time, your travels in terms of the somewhat stretched volunteer and community organizations who are often recruited into providing this kind of service in the absence of any other service being available.

**The Deputy Speaker:** Thank you.

The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Well, thank you, Mr. Speaker, and thanks to my colleague from Edmonton-Strathcona for thinking of that. Quite frankly, as I was looking through this bill, again, not to cast aspersions yet about the intention of how this will actually unfold in reality, I saw a very similar process taking place in our public health care system over this last number of years, where there was a choice being made to contract out different parts of care, including health care that was covered under the Canada Health Act and acute medical services but also the care that includes, I guess, the social work and the housing and the material needs of people that can’t look after themselves.

We saw that unfolding in seniors’ care over this last number of years, and quite frankly, to the member that asked me this question, it has been unfolding in, I think, quite a negative way, unfolding like a slow-moving car crash in lots of ways. We see the increased private contracts going out to deliver public services. You see the redefinition of the language surrounding the care of seniors. It’s the same seniors needing the same care going through the same normal human process that we’ve seen since human beings first started to walk this Earth, yet somehow we’ve seen that they’ve changed the language so that someone moves from long-term care and end-of-life care to continuing care or independent living or whatever it is. It just put a lot of people in a tight spot.

I just don’t want to see that same tendency, that same arc of change taking place in our social services – right? – particularly with children’s care. Hon. member, as you contract these things out, you’re just so much more likely to have a reductive process taking place, where, you know, people are looking for less, not more, and shifting responsibilities around. Ultimately, we know that if a child is in care and a ward of the state, then we need to increase that care and increase the focus of that care with the best professionals that are available and not scrimp and compromise that in any way, shape, or form.

Yes, hon. Member for Edmonton-Strathcona, we look for similarities. Like I said from the outset of my initial speech, we look for best practices and lessons, both good and bad, that we can learn from, paths that we’ve taken before.

As I said and in conclusion, I certainly don’t want to compromise the work that’s gone on here. I can see that the scope of it is substantive. Just in regard to that definition of a child intervention worker, the definition of who is responsible, the

charter that exists in here at the beginning, and a couple of other things, I do have serious concerns that I hope we might clarify here in the next few weeks until June, when we finish with the spring session.

**The Deputy Speaker:** Thank you, hon. member.

I recognize the Member for Calgary-Shaw, followed by Edmonton-Beverly-Clareview.

**Mr. Wilson:** Thank you, Mr. Speaker. I have great pleasure to rise and speak on second reading of Bill 25, the Children First Act. I want to thank the minister for bringing this forward. I do truly believe, as other members previous have noted, that his intent here is pure, to make sure that children in our province are given the best environment in which to grow up and to thrive.

There's a quote that I want to share with the House that I often reflect back on, and that is one that was given to us by the leader of the native American Squamish tribe, Chief Seattle, who said, "We do not inherit the earth from our ancestors; we borrow it from our children." I know that that's more of an environmental lens to look at things through, but I also use that in my day-to-day life as a father. You know, my role here is not just to look at what has been given to me, but it is to make sure that for children and for my son in particular I as a father do everything that I can to make sure that the world he grows up in and becomes a part of is the best one possible for him, Mr. Speaker.

The reality is that our children are our future. It's both how and why we exist and why everything that we do as a society is focused on creating an environment that is favourable for our children to thrive and succeed and go on and lead productive lives in. Many children are blessed with the support of loving families, and unfortunately many also are not. The Ministry of Human Services is in a unique position and is, unfortunately, responsible for dealing with some of the most horrific cases of neglect and abuse. It falls on the minister's shoulders and his staff to come up with the appropriate solutions to minimize those situations when they do happen and to make corrections where they can and, with legislation, to ensure that we minimize these situations.

You know, protecting all children, both in and out of care, is, again, the paramount thing that both parents and foster parents can do, that child service workers and this government can do. It is incumbent upon them to do that, recognizing that it's not just about raising children. It's about raising adults – they are all going to grow up one day – and ensuring that those children, as they grow up, are in a position where they, too, can turn around and restore that and return that favour to their own children and make sure that they provide a safe and stable environment, strong enough to raise children of their own in.

I do believe that there are many positives in this bill. The sharing of information, from what I understand from the Member for Calgary-Fish Creek during her time as the minister for child services, was a major obstacle for that department back then. In listening yesterday to the chief of the Calgary police force, Rick Hanson, at the press conference where the minister unveiled the bill, talk about, you know, when they were doing the debrief, how if they had had certain pieces of information from other stakeholders or other agencies involved that had that information, they would have been able to take corrective action to stop some of the tragedies that we've heard about.

5:10

I do believe that there is plenty of support amongst many of the stakeholders for this bill and for that sharing of information, but I also believe that there is a very good reason why we have an

independent officer of this Legislature in the Information and Privacy Commissioner. Her role is to make sure that we follow the three acts that guide freedom of information, whether it be PIPA or the Health Information Act, and it is somewhat of an alarm when she sends out a press release on the day after this bill has been tabled in the Legislature that flags some pretty major holes in what she sees as issues based on this legislation potentially having, I guess, disagreements with current legislation.

I think that speaks to one of the reasons why the pace in which this bill is being brought forward is unfortunate. It would be much more comfortable for me – I truly want to support this legislation. I do believe that I will ultimately support it, but I would much rather be able to hear from the Information and Privacy Commissioner directly to hear and understand actually what those concerns are and what we can do as legislators and in this bill to make sure that we're still, I guess, finding ways and means for both of these goals, which are, again, the sharing of information in the best interests of children but doing so without impacting and negatively impacting other people's privacy.

It's a welcome change that people in these agencies would no longer have to necessarily fear that they're in violation of these acts and that that sharing of information can happen, but, again, I think that when you get a press release with five very specific notes on it from the very commissioner, who is independent of this Legislature, waving red flags, that is probably something we should pay attention to.

I'm happy to see that the minister has looked to remove the word "wilfully" from the sections of the Child, Youth and Family Enhancement Act, the Protection of Sexually Exploited Children Act, and the Drug-endangered Children Act. It sort of fits our tough-on-crime agenda, the things that we've been talking about here in this House. I like and fully support the minister's position to remove this word that changes the legislation, which essentially would allow that any person who causes a child to be in need of intervention or in need of protection from being sexually exploited or who causes a child to be drug endangered becomes guilty of an offence. For you lawyerly types in the room I'll use your Latin *mens rea*. The removal of that I think will go a long way to help ensure that when these interventions are required, the people responsible for putting these children in danger are held responsible for it.

I'm also happy to see some clarification around the victims of crime fund, Mr. Speaker, and what I would probably call the Little Warriors clause. There has been quite a bit of discussion in this House about that organization and some of the financial support it's requested from the government. I was happy to see that the minister is looking to clarify within this act that for agencies that are trying to protect children – it makes it more clear that this would be an avenue where they could go and apply for funding from the victims of crime fund.

I'm on the Standing Committee on Legislative Offices, as you are, Mr. Speaker. When the Child and Youth Advocate came to see us and discussed with us some of the amendments that he would like to see in the legislation that governs his office and his body, again, I was fully in support of those, as was our committee. I believe we unanimously chose to support him as he came in and was able to express to the committee why he felt that he could use these increased powers.

It's one of those unintended consequences in legislation that sometimes, like this, it may have been passed a little bit too quickly, without the proper due diligence. As a result of that unintended consequence or lack of due diligence, there has been a case or cases that he has been unable to intervene in. He's been unable to testify in a court or basically state his opinion of the

facts. It's had a negative impact on his role, and I'm happy that we're seeing some changes in here as per his request that will allow him to fully advocate, as others across the country in his role have the opportunity to do.

I know that there are members in the Chamber that are quite uncomfortable with allowing our front-line social workers to use their training and empowering them to make decisions without necessarily having to climb the bureaucratic ladder. I can share their concern and hope that the minister does regulate just how much power those individuals will have and the situations in which they will be allowed to exercise that training. I think that speeding up the decision-making process in the child intervention world, in child services, which could also directly impact the ability of the Crown to protect vulnerable children, is a positive step. Again, I would like to express the sense of trepidation that I do have about the degree of power we may be granting them, and I look forward to some fruitful discussion during Committee of the Whole about what exactly the minister's intention is with that.

I think giving foster parents the authority to make day-to-day decisions is another positive step. We have, you know, foster parents who truly – many of them deeply care about these individuals, and they want to be able to give them an environment that is as close to a home as they can possibly know under the circumstances, and this is just one more step that allows for those children who find themselves in that situation to truly have that sense of home and sense of family. I think it's going to make things much easier for the foster parents as well.

I'm happy to see the recognition of interprovincial and interjurisdictional family violence protection orders. It doesn't make a lot of sense to me, Mr. Speaker, that an individual in a neighbouring province or any province for that matter could have a restraining order against someone, they could move to Alberta, and that restraining order is null and void based on the fact that they crossed an imaginary line. I think that this is, again, a positive step forward, and I thank the minister for including it.

The overall intent to protect children, particularly those in harm's way, is admirable, and it should be supported by every party. There are some areas I will need some convincing on. I know that the minister is very passionate about creating his frameworks, and it reminded me during the briefing that we had on this bill of one of the more famous scenes from the movie *Jerry Maguire*, where Tom Cruise walks in at the ends and says: "You complete me." I truly believe that the minister, when thinking about having a new project, a new charter, a new framework to create, felt that this is going to add some completion. I'm saying it in jest and in good fun, Minister, and I hope you can take it that way.

I do sincerely appreciate the offer of the minister to include the opposition party in the creation of the charter, and I take what I see in here as just a general working framework as to what that is going to include. I don't think that it's a bad thing. I do believe that we see some very specific language in here that is a direct result of the social policy framework. It is what Albertans generally told this minister through that process, and I think that they see that in this act.

Another one of the things that I have a bit of a problem with, Mr. Speaker, is around the family violence death review committee reports. I believe that striking the committee is absolutely the right thing to do. I think that there's been a lot of positive that's been seen out of doing this similarly in Ontario. I believe five years ago they implemented something like this. I think it compounds the tragedy if we have a domestic violence situation where a death has occurred, and if we don't actually

learn from it, then shame on us. Again, I believe that it's the right thing to do.

My problem with this and the way in which the wording is in the act is around the three reports. My understanding is that there will be a report that is completely confidential, that has a number of the details that the public does not need to know. A second report will be a public report. And a third report will be an annual report tabled here in the Legislature. My main concern is around that public report and the fact that based on the wording in the act, the minister can withhold that public report if he or she so chooses. I don't think that that's necessarily my definition of public. So, again, I look forward to having that discussion with the minister during the committee process as to what exactly would prevent him from releasing that report.

5:20

It's interesting to see this government, again, who ran on – you know, the leadership of the Premier. When she secured the leadership, she talked about slowing the legislative process down. I understand that a lot of the girth, as it were, of this bill is in consequential amendments, but at the end of the day it's also a very important piece of legislation, and I think the minister can appreciate that. I think it's incumbent upon us to get it right. Because this Earth and what we have here is on loan from our children, I think that it goes without saying that we need to have as a Legislature and as legislators the ability to look at this with more clarity, to get more clarity on what the Information and Privacy Commissioner has flagged for us here today.

With that, Mr. Speaker, I would like to table a notice of amendment in which I would move that

Bill 25, Children First Act, be not now read a second time but that the subject matter of the bill be referred to the Standing Committee on Families and Communities in accordance with Standing Order 74.2.

**The Deputy Speaker:** Thank you. We'll just let that be circulated.

Hon. members, this amendment will be referred to as amendment RA1.

I'll recognize the hon. Member for Calgary-Shaw. You have about a minute and a half left.

**Mr. Wilson:** I will make it quick, then, Mr. Speaker. Thank you.

As suggested earlier, I think that this piece of legislation is so vital that it's a shame not to include everyone in the process. I believe that what we have in the Families and Communities Committee would allow for this bill to be properly dissected, for some public consultation to happen, for all parties to ask our stakeholders to have feedback and to do the due diligence that I know the minister has done himself. I just don't, quite frankly, feel like we're doing our jobs by getting a bill and having less than 24 hours to call stakeholders, to be able to properly look at it, to propose amendments to strengthen it. That being said, I think that rushing significant legislation like this is, quite frankly, an example of how not to govern.

I would ask all members to support this referral motion. Thank you for your consideration.

**The Deputy Speaker:** Thank you, hon. member.

Speaking to the amendment, the hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Is there 29(2)(a) on this?

**The Deputy Speaker:** There is 29(2)(a).

**Mr. Mason:** Okay. Thank you very much. Well, then, I would like to ask the hon. member what types of things he thinks the committee needs to consider. For example, we've received the information from the Privacy Commissioner raising a number of concerns. Do you feel that that is something the committee should consider? Should we hear from the public on this matter? I guess I would note that when this same minister was the Education minister, there was extensive consultation on the Education Act, but this is being fast-tracked very quickly, and it has a broad, broad effect on families and children. Do you feel that the committee should perhaps hold public hearings?

**Mr. Wilson:** Great. I'd like to thank the Member for Edmonton-Highlands-Norwood for the question. To start with one of the items that he flagged, the news release from the Information and Privacy Commissioner, I wholeheartedly believe that we need to have the opportunity to ask her about her opinion. I recognize the fact that the minister has met with her, and they've negotiated extensively around this. I also recognize that many of these concerns are the same roadblocks that the Member for Calgary-Fish Creek ran into when she was minister many years ago.

It doesn't change the fact that I do believe that having the opportunity to gain clarity on what her concerns are and making sure that we do what we can – I mean, she's also kindly put in here that at the very least she has a couple of amendments that she would like to see to the bill. I think that it would be far more productive and far more, I guess, in fashion and more respectful to what we do here to have the opportunity for various parties and various individuals to directly question her on what these concerns are and what we can do to address them and then pass this legislation knowing full well that we can meet both of these ends.

I do also believe that public hearings may be worth while. I don't see any reason why we shouldn't be doing this. If this is, again, such an important piece of legislation and building the children's charter is something that the minister is set on doing, then I think that it's almost incumbent upon us to make sure that we get public input on something along these lines.

Quite frankly, when the minister I believe yesterday suggested that he wanted to get through Committee of the Whole the day after tabling a bill this size, I don't believe that it truly respected the process.

**Mr. Hancock:** I never said that.

**Mr. Wilson:** I'm happy to hear that that process may be changed. Fair enough. I will withdraw that comment. I'm happy to hear that we do not have to go into Committee of the Whole tonight on this bill.

That said, I think that the committees that are struck by this Legislature, the all-party committees, are meant to do that. They are meant to examine legislation, and I think that we should exercise that right.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

There is still time left. The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Great. Thank you very much, Mr. Speaker. I appreciate the hon. member's comments. I wanted to get a little bit of clarification from him. He referred to some members having issue with responsibility for the front-line staff. The hon. member had made a comment that it's front-line social workers, but what needs to be clarified is that in this bill it's talking about child intervention workers, not social workers. Social workers are

trained, have certification, are qualified. There's a licensing body. There's an overseeing body of social workers. Child intervention worker is not defined. It's unclear. We have no idea what the training is. I was just wondering if that affects the hon. member's thoughts or position on this bill bestowing powers and authority to these child intervention workers who could have no qualifications or little or no certification or formal training in this area.

Thank you, Mr. Speaker.

**The Deputy Speaker:** The Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Speaker, and thank you to the member for the question and giving me time to respond. I think that this is just another reason why this needs to go to committee so that everybody can be perfectly clear on what it is that this bill is going to do and what it's going to allow for. I would be very interested, for example, for the College of Social Workers to come and talk to us about what it means to them and other stakeholders who have a complete grasp of what the positive and negative implications could be.

**The Deputy Speaker:** Thank you, hon. member.

Hon. members, we will now have debate on the amendment. I'll recognize the Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Speaker. I am pleased that the hon. Member for Calgary-Shaw has made this amendment. I was waiting for just a moment to see if we were going to get a response from the minister on this, so I'll try and provoke one, then, if I can. I would rather be responding to the hon. minister once I know his position on whether or not this should be referred, but I certainly think it should be. I am very surprised at the haste with which this bill has been put forward. It's part of a bigger picture of haste on a number of bills. I don't know what sort of arrangements the Government House Leader has made with the Official Opposition, but I do know that our request to speak and have time to prepare amendments on other bills has not been responded to by the Government House Leader. I also know that bills have been put through over our objections, and we've not been informed that they were going to be dealt with; for example, Bill 21 last night.

5:30

I want to say that, from our point of view, the degree of co-operation that we're going to afford this government going forward in the last days of this session is going to be extremely limited. We have up until this time found the Government House Leader to conduct himself with integrity in a general sense, but we have found that that has been completely absent in the last few days, and we are very disappointed in those actions. We may be a small caucus, but we're a mighty caucus, Mr. Speaker.

I want to say that I think this particular bill should be referred to committee, as put forward in the motion, and it should be subject to public hearings. This is a bill with broad-reaching implications for families and for children, and there has been very little consultation with respect to this. It's odd to me that the minister, who in previous incarnations, for example as the Education minister with the Education Act, was going to consult till the cows came home, until people were sick of him coming around and knocking at their door: what do you think about my bill? That was the kind of stuff that was happening. It was consultation ad nauseam. In this case, we see a very different story. We see a much different situation, a bill that has many problems, from our perspective.

I know that some of our other colleagues in the Official Opposition don't have problems with the principles of this bill, but we do. We think that it deserves a lot of discussion and that it needs to be debated thoroughly in this House. Opposition parties need time to study it, to do their own consultations with different organizations, to prepare amendments, and so on. Some of those courtesies, indeed I would say rights of opposition parties have been trampled on by this minister acting as the official Government House Leader in the last few days, and we're not prepared to let that happen again. I want to say that this is worrisome legislation. We do need to talk to the public about it. I think there should be public hearings. I think we need to hear from people.

You know, kids matter. The minister loves to wear a little lapel pin. He's got one on right now. It says Children First. Well, this bill doesn't put children first. If this bill really puts children first, it would make sure that we talked to families around the province, that we talked to organizations that deal with children in all sorts of circumstances, including children who come from troubled families and have various sets of challenges.

Now, in the Premier's leadership campaign she stated that she would "require all government departments to conduct detailed program reviews and demonstrate why programs and services cannot be delivered by community-based organizations or the private sector." She further committed "to identify services that can be transferred to community leadership or privatized." Now, Mr. Speaker, we are on record in the areas of health care and education that those are public services, paid for by the taxpayers, and they need to be delivered publicly as well. The same goes double, in our view, for children's services.

What's happened is that the Premier has been targeting supports for the most vulnerable Albertans. Despite all the promises, all the great rhetoric in the campaign, all the promises that were made about eliminating child poverty in five years and so on, we haven't seen a single piece of evidence that this government is actually prepared to do anything about that. In fact, they've made major cuts to the supports of children living in poverty. I think that's shameful, Mr. Speaker, and this government needs to be held accountable on that. They can't run an election promising to eliminate child poverty, then completely ignore it in the throne speech, and then in the first budget after the election make multimillion-dollar cuts to the programs that would help those children.

We've seen the social policy framework and in that case the minister's epic consultation process, which concluded with exactly what the Premier wanted, and that is to download services to communities and private companies. On page 17 of the social policy framework it says that the government will move from its role as a funder to a new role as influencer, convener, and partner. Well, isn't that nice, Mr. Speaker? What nice things to say about the role of the government in dealing with children, particularly children who need help, who are in poverty. If they think that they can be an influencer, convener, and partner and cut supports to children's services and that's going to end child poverty, then they are dreaming in 3-D.

We are in the midst of results-based budgeting, which has tire company and lumber executives reviewing all program dollars on early child development and supports with Albertans with disabilities. We have the Premier's swath of broken promises, including her commitment in 2011 to eliminate child poverty in five years, and we have the Premier's budget, which was an unprecedented attack on Alberta's families and children: no commitments, no follow-through on the promise for full-day kindergarten; cuts to public schools, including elimination of

AISI; cuts to busing; cuts to the education system support; learning resources cut in half; and there's a cut to the Alberta child health benefit.

The STEP program, by which many community organizations are able to deliver services within the community that benefit kids, that benefit families and benefit communities, has been eliminated. We've seen cuts to family supports for children with disabilities and to youth in transition. We've seen major cuts to postsecondary institutions. The biggest cuts of all come to our universities and our colleges. We've seen cuts to income support for learners and health benefits to learners. That's this Premier's record so far, Mr. Speaker, cuts to the important things that people need.

Now we have the Children First Act, that wants to engage in a mandatory review process of all government services and programs for kids in order to streamline and consolidate, all of this without consultation, all of this rammed through in the middle of the night if this minister has his way. It's just more code for this Premier's right-wing agenda of downloading, off-loading, and privatization of the most vital supports for vulnerable Albertans.

You know, you have to wonder where we start with this legislation, and I'm outlining some of those just to illustrate and underline the need for public consultation and to support the motion of referral that's been made.

Here's a serious problem: providing statutory authority for children in care to child intervention workers, the front-line staff, as opposed to the director of child, youth, and family enhancement. This is a serious concern to the workers on the front lines and the stakeholders that we've had a chance to talk to just briefly over the phone. They're very worried about this change.

It stems from a well-publicized court case in 2009 where the director was found personally in contempt of court. The Hon. Mr. Justice Jean Côté in his ruling described the child intervention system as a complex administrative structure and, according to the evidence he saw, "must exacerbate opacity and the opportunities for deniability." The government argued that the judge's view of the law would necessitate restructuring the whole child protection administration, and this bill is a clear response to that case. It is a restructuring of the entire system.

Mr. Speaker, there are lots of other things that I think we could talk about that are bad with this bill, but the point that I want to make is that something so important as the children of our province needs to have legislation, a government, and a minister that care about them. That means talking to Albertans. That means talking to Alberta families.

5:40

There are a wide range of views, and these views are reflected in this Chamber. We don't all have the same view of families or the role of the government in children's lives, but I think that we all benefit from a thorough discussion of those different ideas and different approaches, which hasn't happened with this bill. This is a top-down approach, top-down decision-making that will set in place very specific ways of dealing with children in our province. By not talking to the public, by not listening to the front-line staff, by not listening to families, I think that the minister has done a disservice. I think that the government has done a disservice. It's fine to pass legislation, but I think it's very important as well that the government be held to account for its other decisions, which I've outlined with respect to cuts that existed in the budget, contrasting those with the promises that were made by the Premier in the last election.

I believe that this government has done more to limit debate. The Premier made another promise, Mr. Speaker, in the election,

and that is to recognize and value the role of the opposition. It has done absolutely the opposite since the election. That speaks to the need to have this matter referred to committee to give the opposition as well as government members a chance to participate in the process of shaping the legislation. I think the promise that was made is probably one of the hollowest that I've seen. If the Premier thought she could put opposition members to work in committees and create lots of busy work so that we couldn't do our job as opposition, she's mistaken. The opposition in all parties has been very effective in this session and will continue to be despite the attempts of the government to limit our ability to do our job.

Whether it's limiting debate on the budget or trying to ram through bills in the middle of the night, this government is less democratic and has behaved in a less democratic way than any of the previous governments that I've seen. I mean, it's all the same government, but they like to divide themselves into different governments by leaders so that they don't have to take responsibility for what happened with the last leader.

I've been here for a little while now, Mr. Speaker. I've worked across from three Premiers, and I have to say that this Premier is less open to the opposition, more likely to ram things through, more likely to trample on the rights of the Assembly than either of the other two Premiers with whom I've had the opportunity to work. I've seen a real deterioration in how they present financial information, how they debate the budget. You know, we've seen different rules in different committees for the opposition, limiting the opposition's time to ask questions on the budget, limiting our ability to debate the budget through various nefarious tricks devised by the Government House Leader.

I think that in general we can turn a page, Mr. Speaker. We can turn a page by supporting this motion, by taking substantial pieces of legislation and referring them to committees, taking them out to the public so that the public can get a better sense of what's in the legislation and could respond before we have votes, before we go in the middle of the night and push through important pieces of legislation. I think that that would be an excellent course for us to take.

Thank you for that.

**The Deputy Speaker:** Hon. members, I believe 29(2)(a) will be available after the second speaker. Based on the ruling by Speaker Kowalski, there will be 29(2)(a) available after the second speaker. [interjection] Okay. I've been corrected.

Standing Order 29(2)(a). The Government House Leader did catch my eye. Did you want to speak?

**Mr. Hancock:** No. I want to speak to the motion.

**The Deputy Speaker:** To the motion. Okay.

Standing Order 29(2)(a). The Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. I'll be very brief. Throughout his whole speech I'm not sure if the leader of the New Democratic opposition really had the opportunity to fully articulate how he felt. I am just wondering, with respect to this motion that was put forward by the Member for Calgary-Shaw, if he could actually highlight the main points that he has in favour of this motion. I just want to ask him if he can further elaborate in his articulation of the reasons he's supporting it.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Hon. Member for Edmonton-Highlands-Norwood, just to remind you that this section is intended for brief comments and responses, not to extend debate. Please proceed.

**Mr. Mason:** I didn't know that, Mr. Speaker. That's the first time I've heard that.

Well, let me just quickly say that I think all of us benefit by more democracy rather than less. The government is doing a poor job. If the government is in trouble with voters, if the government is scared, they will want less democracy, and they will want less openness. Every PC government I've ever seen always campaigns on more openness and transparency, yet it gets a little darker every day.

**An Hon. Member:** You need to get your eyes checked.

**Mr. Mason:** Hon. member, through the chair.

In my view, what we need to do is to open up the windows. We need to open up the doors. We need to let the public know what's going on. They need to be able to have input, and they need to have the opportunity to hold the government accountable. I'm confident that if we do that, we'll have better government.

Even with this crew, hon. member, if we had more democracy, more openness and transparency in a real sense rather than just meaningless campaign promises, they could become a better government. I think it's actually possible, and we should try and encourage them to do that, to become a better government by accepting that more openness and transparency is good for them. It's tough medicine for this government, but I think they'd feel better if they'd actually listen to the public once.

Thank you.

**The Deputy Speaker:** Are there others under 29(2)(a)? The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thanks, Mr. Speaker. Thank you to our leader of the New Democrats, the Member for Edmonton-Highlands-Norwood. In the fullness of time, usually when we receive bills, especially substantive bills – I seem to recall from the time that I was here before to now when we had the opportunity to do something very valuable, and that was to get out and consult with stakeholders. I shouldn't doubt that the government did do some of that work when they produced this bill, but I just wanted to ask the member what sorts of stakeholders – if we had some time to actually do this properly, how does that bear fruit to help to create good legislation that benefits the most people? I was just curious.

**Mr. Mason:** Well, thank you very much for that question. I think there is probably a whole slew of organizations that we could be talking to, and many organizations – not-for-profit organizations, community organizations, as well as professional associations – have a very strong, rich experience dealing with children and some of the issues that sometimes face children who are in more challenging circumstances. But I think that just listening to parents, just giving an opportunity for teachers and front-line workers and families to have input to this would be very interesting.

I've represented a part of Edmonton that is a lower income area for over 20 years both on city council and as an MLA, and I've visited some schools in my constituency and some in other areas as well. The struggles that the teachers have. Sometimes kids come in at about 10 o'clock.

5:50

**The Deputy Speaker:** Thank you, hon. member.



I'll recognize the hon. Government House Leader, speaking to the amendment.

**Mr. Hancock:** Thank you, Mr. Speaker. I do want to speak to the amendment. The hon. Member for Edmonton-Highlands-Norwood when he got up indicated that he wanted to be provocative. I had every intention of speaking to the amendment anyway because it does give me an opportunity again to respond to some of the issues that have been raised, but I want to indicate to the House that I don't think it's very appropriate for someone – it's very appropriate for a member to be provocative, and I always enjoy the provocation that comes from the hon. member. I find it offensive when he attacks my integrity. I have always considered . . .

**The Deputy Speaker:** A point of order has been noted at 5:51. I guess we should deal with that now.

Hon. member, do you have a citation for your point of order?

**Mr. Mason:** Standing Order 23(h), (i), and (j).

**The Deputy Speaker:** Proceed, hon. member, to speak to your point of order.

#### Point of Order Scheduling Government Business

**Mr. Mason:** Thank you, Mr. Speaker. Well, you know, I think at this point we need to put on the record that with respect to Bill 21, first of all, we were not told that it would be dealt with last night. It was not in the communication or part of the agreement that was made, okay? So that's the first piece.

The House leader for the New Democrat opposition sent a note to the Government House Leader asking that it not be dealt with. I'm going to allow my House leader now to fill you in on the rest of the details.

**The Deputy Speaker:** Well, hon. member, if I may, I think that's the reason we have an amendment, because the amendment spoke to the whole idea of trying to move this into another place to allow more time. The point you have raised now is suggesting that your caucus did not have the opportunity to deal with this. I really can't see the point of order, hon. member.

I think we're going to proceed. We're going to let the Government House Leader carry on. That's exactly the content of the amendment that we're dealing with, hon. member, with all due respect.

Proceed, hon. Government House Leader.

#### Debate Continued

**Mr. Hancock:** Well, thank you. I do want to get this in while the hon. member is here to hear it. The fact of the matter is that he did challenge my integrity by raising in discussion that they may not have time to have discussions around bills because they're rushed through. Yet Bill 21 was on the Order Paper last night, it was on Projected Government Business, and it was called. The hon. member was here, and if he'd had any objection to the thing proceeding, he could have stood up and said so and did not.

**Mr. Mason:** I sent you a note.

**Mr. Hancock:** It's not on the record that he said that. He sent me a note, but I don't get everything. I don't look at everything because I've got all sorts of things happening. [interjections] Things were happening very quickly.

My point is that there are important things to debate in this bill, and the hon. member chose to attack my integrity rather than bringing forward his vast experience, 15 years in the House, although he didn't even know the rule for raising a point of order.

That being said, this an important bill, and this is a bill that does bear discussion. I am one of those who actually was keen on getting legislative policy committees, now standing committees, into the rules and referring bills to those committees for productive discussion. I'm a member, as I think has been acknowledged, as the hon. member said, that consults bills ad nauseam.

I want to say two things on this particular amendment. First of all, it's a little premature. We're at the debate stage where we're talking about the principles of the bill. Others may disagree with me on this, but I think the principles of the bill are important to debate and pass, and then if we want to refer it to a committee rather than dealing with it in Committee of the Whole here, that's another discussion. As to what should be in the bill and whether certain things are handled in the bill in an appropriate way and those sorts of things, that could possibly be something for discussion before a committee, either in the House or a legislative policy committee. But I think we can come to some agreement as to whether the principles of the bill are the ones we want before we send it to the committee to do that further study. That's one point, and that's why I won't be supporting this amendment.

The second point is with respect to consultation. Two points. First of all, I can assure the House that I spent a considerable amount of time in January, February, and March meeting with stakeholder groups. Not every stakeholder across the province, obviously – and we certainly didn't put up the website that we did on the social policy framework discussion – but we have had considerable discussion with groups that are involved with families. Evidence of that is the some 17 to 25 representatives of many of those groups, not all of them, who are here because they are excited about this bill coming forward. They are excited about what we've been doing. They acknowledged yesterday publicly that what we've put into this bill reflects what they asked us to do.

I didn't go out and say: "I'm going to have a Children First Act. What would you like in it?" I went out and said, "How can we frame a discussion around children in an appropriate way, and what are the things that we could move on immediately to show direction and action while we're continuing the discussion over a longer period of time over the other things we should do?" The review process that's built into the bill provides the opportunity for us to look at everything we're doing and to review everything we're doing.

The FOIP review that was promised in the throne speech will allow a thorough review of the FOIP Act, but there are things we need to do now in the best interest of children. It's been very clear from all of the stakeholders – and the hon. Member for Calgary-Fish Creek acknowledged that we have been trying to do some of this information sharing stuff for a long time. I can say that there have been discussions between our department and the Privacy Commissioner's office, and we made some changes to the wording in the act to try and accommodate the concerns that were being raised by them. I'm disappointed in the news release, to be perfectly frank, because it was my view that we had accommodated all of the issues that were raised. But we can get into that discussion.

I would encourage members to think about the fact that we are having a discussion now, and we will be going out and having discussions about poverty and poverty reduction. I've made that public, and we're going to be doing that. We are going to be talking about the family violence tragedy, and there will be

consultation on that. In fact, virtually every piece that's in here is going to be the subject of some very thorough discussion. But I would suggest that we ought not hold up the good, low-hanging fruit, if I can call it that, that's in this bill, the things that we can do now to make things better now while we discuss the additional things that we can do to make it better. If we've made a mistake in this – and that's quite possible – then we can always come back and fix it with that discussion.

We do need to empower front-end workers, properly qualified, which is why we define them in the bill as child intervention workers, and then put a regulation-making authority as to what the qualifications need to be before a person is delegated the authority to make that front-end decision. That's an important piece because you do need qualified people to make those decisions.

But we do not need the whole of our bureaucracy – and I don't use bureaucracy in a bad way – to be available to slow down processes and the decision-making that needs to be made on a more urgent basis by people who are qualified to do it at the front end of the system. We certainly don't need it to go up the line to the director to determine whether a child should be allowed to go on a field trip for school, particularly if a foster child is in a family with other children and the other children are going to the same

school and dad can sign their forms or mom can sign their forms but can't sign the form for the foster child. How does that make the child feel in the family? We don't need to hold that up. We can start doing that now.

I find it really ironic that those members – I was going to call them the third party, but I think they've been demoted to fourth – would get up day after day saying that we're not taking any action. Then when we take action, they say that we're going too fast, that we've got to slow down, and that we ought to consult some more. That's really ironic. So to attack my integrity, and then be totally inconsistent in their comments and framework about what we should do and how we should do it: that's really ironic.

The hon. Member for Edmonton-Highlands-Norwood has provoked me. I always thought he was an honourable guy and, quite frankly, a friend. Then he gets up and challenges my integrity over stuff that he should know well . . .

**The Deputy Speaker:** I hate to interrupt you, hon. Government House Leader, but it is 6 o'clock. The House stands adjourned until 7:30 tonight.

[The Assembly adjourned at 6 p.m.]





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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Wednesday evening, May 8, 2013

Issue 56e

The Honourable Gene Zwozdesky, Speaker

## Legislative Assembly of Alberta The 28th Legislature

First Session

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## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on Alberta's Economic Future

Chair: Mr. Amery

Deputy Chair: Mr. Fox

Bhardwaj	Olesen
Cao	Pastoor
Donovan	Quadri
Dorward	Rogers
Eggen	Rowe
Hehr	Sarich
Luan	Strankman
McDonald	Xiao

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Khan

Deputy Chair: Mrs. Jablonski

Anderson  
Casey  
Dorward  
Eggen  
Kubinec  
Sandhu  
Sherman

### Select Special Chief Electoral Officer Search Committee

Chair: Mr. Rogers

Deputy Chair: Mr. Quadri

Blakeman	Leskiw
Eggen	McDonald
Goudreau	Saskiw
Lemke	

### Select Special Conflicts of Interest Act Review Committee

Chair: Mr. Allen

Deputy Chair: Mr. Luan

Blakeman	Notley
Dorward	Saskiw
Fenske	Wilson
Johnson, L.	Young
McDonald	

### Standing Committee on Families and Communities

Chair: Mr. Quest

Deputy Chair: Mrs. Forsyth

Brown	Jeneroux
Cusanelli	Leskiw
DeLong	Notley
Fraser	Pedersen
Fritz	Swann
Goudreau	Towle
Jablonski	Wilson
Jansen	Young

### Standing Committee on Legislative Offices

Chair: Mr. Cao

Deputy Chair: Mr. McDonald

Bikman	Leskiw
Blakeman	Quadri
Brown	Rogers
DeLong	Wilson
Eggen	

### Special Standing Committee on Members' Services

Chair: Mr. Zwozdesky

Deputy Chair: Mr. Rogers

Casey	Mason
Forsyth	McDonald
Fraser	Quest
Kennedy-Glans	Sherman
Glans	Smith

### Standing Committee on Private Bills

Chair: Mr. Xiao

Deputy Chair: Ms L. Johnson

Barnes	Jablonski
Bhardwaj	Leskiw
Brown	Notley
Cusanelli	Olesen
DeLong	Rowe
Fox	Strankman
Fritz	Swann
Goudreau	Webber

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Ms Olesen

Deputy Chair: Mr. Lemke

Calahasen	McAllister
Cao	Notley
Casey	Pedersen
Hehr	Rogers
Jansen	Sandhu
Kennedy-Glans	Saskiw
Kubinec	Towle
Luan	Young

### Standing Committee on Public Accounts

Chair: Mr. Anderson

Deputy Chair: Mr. Dorward

Allen	Hehr
Amery	Jeneroux
Anglin	Khan
Bilous	Pastoor
Donovan	Quadri
Fenske	Quest
Goudreau	Sarich
Hale	Stier

### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans

Deputy Chair: Mr. Anglin

Allen	Hale
Barnes	Johnson, L.
Bikman	Khan
Bilous	Kubinec
Blakeman	Lemke
Calahasen	Sandhu
Casey	Stier
Fenske	Webber

## Legislative Assembly of Alberta

7:30 p.m.

Wednesday, May 8, 2013

[The Deputy Speaker in the chair]

**The Deputy Speaker:** Please be seated.

### Government Bills and Orders Second Reading

#### Bill 25 Children First Act

Mr. Wilson moved that the motion for second reading be amended to read that Bill 25, Children First Act, be not now read a second time but that the subject matter of the bill be referred to the Standing Committee on Families and Communities in accordance with Standing Order 74.2.

[Debate adjourned May 8: Mr. Hancock speaking]

**The Deputy Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I believe that when we left, I was in the middle of a bit of a tirade. I don't think I need to repeat it, but I would like to say this. I mean, there's some discussion in this amendment about sending the bill off to the legislative policy committee just to reframe the debate a little bit. I was in the process, I think, of saying that I am a big believer in the legislative policy committees, standing committees, as they're now called. I think there's some very good work that those committees can do, and I think in some circumstances it's great to send a bill from the House.

There are a couple of stages that you can send a bill from the House to the committee. One of them would be after first reading so that you can debate the principles at the committee and come back recommending whether a bill is needed or not, whether or not people agree that the principles that are espoused in the bill should be proceeded with. That's why you would send a bill to committee after first reading or, quite frankly, before you've passed it on a second reading.

But if you agree that the principles of a bill are correct, the principles being in this case the support for children, the concept of a children's charter, the concept of a review, the concept of information sharing in appropriate ways between professionals who are working collaboratively together on the benefit of children, if you believe that the Alberta Centre for Child, Family and Community Research should have access to the data which is necessary to do the research so they can provide information for us with respect to the longitudinal effect of programs on children, if you believe in those principles, then this wouldn't be the time to send the bill to committee because we wouldn't be asking the committee to talk about the principles of the bill. We would agree with those principles.

Now, if there are more principles that people think should be in the bill, if there are things that people think are not covered by that or if they think that the wording is not sufficient, then the next stage of the bill, obviously, is Committee of the Whole. The bill can be sent to a committee after second reading and before Committee of the Whole if you want to look at what's in the bill and whether or not the provisions for creating a children's charter are fulsome enough or the provisions for the review process are fulsome enough, whether the protections around privacy and

information sharing are fulsome enough. All of those things can be dealt with as a result of that.

My point is that this motion should fail on the basis that it's not at the right point. This is at the principle stage of the bill, and I would hope that members in the House would agree in principle with the bill.

The second reason why I wouldn't send it to committee. This speaks to the question that my critic from Calgary-Shaw just shouted across, and that is: would you support it at that stage? The honest answer is: no, I would not. That's because I think we can in committee deal with some of the issues, if we want to, that I've heard so far relative to the children's charter and how the House gets to look at that. I think we can look at some of those things in Committee of the Whole. We don't need a study, and we don't need, quite frankly, further input to deal with some of those particular issues that have come up.

With respect to the privacy issues that have been raised, sometimes we'll just have to agree to disagree. We've done a lot of work, I think, between the department and the Privacy Commissioner's office to try and deal with those issues. But for me the paramount issue here is: do the people working on behalf of children have the opportunity to share information together to achieve it? We saw it with people here yesterday, whether it was the chief of police from Calgary, whether it was the executive director of the Calgary Sheldon Kennedy Child Advocacy Centre, or some of the others. The single biggest problem we have, in my view, with respect to helping kids is the people who don't think they can share information for the benefit of those kids. So no, I don't think that that's a principle that I'm prepared to bend on as the sponsor of the bill, and I don't think this House should bend on it.

I think you can always improve things. Nothing's ever perfect, and quite frankly sometimes things are just wrong, but I don't think the process to improve this bill is by sending it to the committee. I think the process to improve this bill is to pass this bill with whatever amendments we might want around those other pieces. I'm happy to look at amendments if people want to raise them.

I'm very pleased that my critic from the Wildrose Party took the time to come up from Calgary and attend, I thought, a fairly thorough briefing in which I also provided what I would call a table of concordance as to where in the three-column document the pieces fit into the act. In the drafting of the act people called it a 78-page act, but it's very clear that one single amendment, the change from director to child intervention worker, occupies about 60 or maybe 70 of those 78 pages. It's all just changes in various sections of the act. I directed the attention of the opposition critic to the specific sections and the specific columns.

Quite frankly, if the third and fourth parties had cared to attend, they would have got the same thing, a completely open and transparent discussion about what the principles were.

**Ms Notley:** Point of order.

**The Deputy Speaker:** Hon. Member for Edmonton-Strathcona, you've got a point of order. Citation, please.

#### Point of Order Provocative Language

**Ms Notley:** Yes. Standing Order 23(h), (i), and (j). The minister suggested that members of our caucus or that representatives from our caucus, quote, could not care to attend a briefing. In fact, we did send representatives from our caucus, who spent a great deal

of time speaking with the minister and his staff getting the information and providing us with all the information that was available on this bill.

The suggestion by the minister that somehow we don't care about this bill or that we did not engage in the briefing process is exactly the type of language under 23(h), (i), and (j) which is intended to provoke and to create disorder within this House, Mr. Speaker, and also to impute motives. We care a great deal about this bill. We are a very small caucus. We asked our staff to go and get briefed. They got briefed, and I believe that we are quite as well informed as anyone could be who hadn't had the exact piece of legislation given to us. Of course, nobody did until yesterday, all 71 pages, notwithstanding the assurances of the minister that we should just trust him that most of it isn't really that complicated.

So I suggest that the minister should withdraw the comment that suggests or is designed to suggest that we were not caring enough to become informed about the substance of this bill.

**The Deputy Speaker:** The hon. minister, to respond to the point of order.

**Mr. Hancock:** Certainly, Mr. Speaker. I am sorry if I offended the hon. member. I'm actually delighted that she has acknowledged that their researchers had well in advance of the introduction of the bill a very thorough briefing and a full understanding of what was going to be in the bill. I appreciate her putting that on the record. I apologize for saying that she didn't care enough to show up. I'm glad that they at least sent caucus representatives, and I'm glad their researchers thoroughly understood the bill and thoroughly briefed her on the bill before she came to the House.

**The Deputy Speaker:** The minister has apologized, hon. member.

**Mr. Mason:** Why did he say what he said, Mr. Speaker? [interjections]

**The Deputy Speaker:** Hon. members, please. I heard the minister make an apology, and I think that I'm quite willing to accept that apology on behalf of the House and invite the minister to continue.

Thank you.

**Mr. Hancock:** Thank you, Mr. Speaker. I know the point of order is over and I am speaking to the bill, but I heard the leader of the fourth party say, "Why did he say what he said?" Well, I think it is important. You know, we try and alert the opposition as early as possible. There are protocols in the House that say that we can't share a bill before it's tabled in the House. I try and do everything I can to meet that protocol while making sure that opposition members have access to an understanding of bills because we often don't have a great deal of time.

It's been my practice as House leader to try and introduce bills as early as possible so that they can sit during a budget process and then be debated afterwards. We didn't have the luxury of that this session, so I've encouraged all of my colleagues who have bills to make sure that briefings happen, and I think that's important. I think it's important for the opposition critic to actually show up, and I really appreciate the fact that Calgary-Shaw did show up, you know, at a time when it was very inconvenient to him, I'm sure. That I appreciate, and I would have appreciated it if the others had, but I understand that they have other things to do, and they have their caucus researchers. I really

do appreciate an acknowledgement that they were thoroughly briefed on the technical aspects of the bill.

### Debate Continued

**Mr. Hancock:** I just want to go on to say that in preparing this bill, I met with a lot of stakeholders personally. Departmental people did as well, but I personally attended a number of round-tables that we had with stakeholders, including family violence prevention and intervention people, sexual assault centres, child and youth support services, the nonprofit and voluntary sector, police, Alberta Health Services, school boards and educators, information-sharing and protection of privacy people, and people in the mental health field, many of them. I can assure you that over January, February, and March I was doing a lot of that in addition to all the other things we were doing in preparation for understanding what the next steps were.

7:40

One of the next steps that was very clear was that we needed to frame the discussion, which is what the Children First Act does, and that there were some early things that we could do. But this is very clearly the start of a process, not the end of a process, the start of a process which will involve a public discussion about how a children's charter should be framed and what should be in it and then how we bring that back to life.

I have no intention of going home and writing a children's charter. That's not the way I do things. That's not the way we did the social policy framework. That's not the way we did the Education Act. That's not the way we do any of the stuff. We're not going to go home and write this because the benefit of a charter of any sort is in the process used to develop it in which the community gains ownership.

That was one of the other things that was raised, community ownership. A community has to own its own social issues. Government, of course, is a partner in that process, but we're not advocating government's responsibility. We're not farming it out to the private sector. We are working with the community to understand our social issues and help develop solutions for those social issues because they're societal issues. There's no magic wand and there's no pot of money that's going to make them right, and legislation isn't going to make them right. Legislation is a framework that you can do things under. That's what this is.

I would encourage us to pass this legislation now. There will be opportunity – and I'll put it on the record here – to have a fulsome discussion on family violence issues and a renewal of the family violence strategy. There will be opportunity for discussion on child poverty because we have a number of communities that are publishing their reports on child poverty. In the next few weeks, actually, we'll see Calgary publish theirs. We'll see Edmonton publish theirs in the next month or so. I think there are 10 other communities that are developing them, so the work has started on that. We're not starting from scratch.

There's a lot of work, a lot of consultation, a lot of things happening. We promise in this legislation a review of policies, programs, and that would include, in my view, legislation because legislations, after all, are policy. There will be lots of consultation. There will maybe even be some pieces that we will all agree should go to a legislative policy committee, but I would ask that we move ahead with this act if for no other reason than because the NDP opposition thinks that no action has been taken. My gosh, there's been a lot of action, and I think we should continue that action, and we should get this done.

**The Deputy Speaker:** Standing Order 29(2)(a) is available. The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Speaker. Yes, I am on 29(2)(a). I appreciate the minister holding the briefing last week. I understand that he's not mandated to do so. It was a very good discussion, so thank you for that. But I would like to ask the minister. He speaks of the urgency to pass this legislation, and we've been here sitting now for over two months. We delayed the start of session by weeks on end, so I'm wondering if he could address: why wait until the last few days of this session to drop this bill and have debate happen? I would appreciate the minister answering that question as opposed to the Associate Minister of Wellness.

Thank you.

**Mr. Hancock:** I'd be happy to. Despite what people think, legislation doesn't get created overnight. Good legislation certainly doesn't get created overnight. There are times when you can do emergency legislation, but most legislation actually goes through a considerable process.

Now, in this one we started the process, and some of the stuff that's coming into this actually comes from the discussions we had around the social policy framework. Then we had to sort of say: "Okay. Well, what does that mean for our next steps?" Then we took that and went out and talked to all of these stakeholder groups to say: "Did we hear right from what people were saying on the social policy framework discussions? Does this map onto what you're saying we need to do?" One of the big issues – and it's part of that conversation – one of the questions I asked was: if we could bring forward a piece of legislation, what would you want to have in it? That wasn't a promise of legislation. It was saying that that could be one of the tools.

The development process, quite frankly, has been truncated a little bit because in this life you only have so much life, and I've discovered that if you don't get things done in two years, you might be moved to another portfolio. In 15 years in this business I think I'm in my seventh, so there's a little bit of urgency in everything I do these days because, you know, I started an education process which three ministers after me had to finish off, and I don't like to leave my messes around for other people to clean up. I want to get this stuff done.

I think we've talked with people. We've heard back from people that were here in person because they cared about it being introduced. They wanted to support it. They're excited about the information-sharing pieces, even if the Privacy Commissioner is not. They are excited about the things that are in here. Yeah, we could take another month to debate it if the House is around for another month.

I would have dearly loved to have introduced this at the beginning of session, but it wasn't ready. It wasn't done. I do have other duties in terms of a House leader and budget processes and all that sort of thing, so I can't spend all day every day on it, but I try. Yeah, it would have been nice to be able to introduce this earlier, but I just got it done. It got done. We got it through the processes.

We needed then to get caucus approval because we have to do that. I can't bring it by myself. I don't own this bill. This is a government bill, so I have to get approvals. Then having gotten those approvals, I have to get people to draft it, and then we have to make sure that the drafting meets the policy approvals, that process which colleagues who have been in government know a little bit about and can inform you about. So it's not a short process; it's not an easy process.

This is outside the normal bounds in that normally as House leader I ask my colleagues to give me their legislative plans, a three-year plan ahead of time and a one-year plan by last June. This one was not on the one-year plan last June because we were in the social policy framework discussions, and I didn't want to presume what was going to come out of that. What did come out of that is that Albertans think the strongest priority we have in social policy is getting children a good start, and I'm going to follow through on that.

**The Deputy Speaker:** Are there others under 29(2)(a)?

Seeing none, I'll recognize the Member for Edmonton-Strathcona on the amendment.

**Ms Notley:** On the amendment. Thank you, Mr. Speaker. I am pleased to rise to speak to this amendment. I want to thank the Member for Calgary-Shaw for putting forward this amendment because I do believe that it represents a good conciliatory opportunity for us to address in a more fulsome way a number of the very significant policy elements that appear in this legislation, and it gives us an opportunity to understand their consequences and to ensure that we don't go bowling forward simply because the Premier wants to have some deliverable that she can talk about on a campaign trail this summer. As a result, I think that the Member for Calgary-Shaw has come forward with a very good proposal.

That being said, though, Mr. Speaker, I do want to just briefly speak to an issue that arose in the exchange between the Member for Edmonton-Highlands-Norwood and the Government House Leader and just put it on the record in relation to the propensity of this government to move things forward at breakneck speeds and to display an increasing level of disrespect for each of the opposition parties and in particular for the opposition House leaders.

In particular, the Member for Edmonton-Highlands-Norwood brought up the fact that we had anticipated having the opportunity to put in amendments to Bill 21, which is a number of amendments around the ministry of environment related to water monitoring. The House leader suggested in his comments that, in fact, it was always on the Order Paper that Bill 21 would be considered in Committee of the Whole last evening, on Tuesday. I just need to be clear that, first of all, in fact, I have the Order Paper from that day that was printed on Tuesday, May 7, presumably on the advice of the Government House Leader because certainly the opposition gets no input into these things. It states very clearly, simply, that Bill 21 would be in second reading and that it would not be in Committee of the Whole.

Now, Mr. Speaker, in addition to that there has been a practice in this House that every day – typically, depending on the level of functionality, it would be by 9 or 10 o'clock in the morning; as things have become decreasingly functional, it's now more like 11:30 or noon or 12:30 – we get a note from the Government House Leader's office that puts forward the proposed schedule for government business for Orders of the Day for that day. That is something that's a tradition that's been in play as long as I've been House leader, since 2008. Every now and then that might change as a result of negotiations between all House leaders, but it certainly doesn't change without notice to House leaders.

Of course, that proposed order of business also did not suggest that Bill 21 would even be in Committee of the Whole yesterday evening, nor, certainly, did it suggest that it would be voted through. Now, sometimes those things happen accidentally, and indeed those things have happened accidentally.

7:50

**The Deputy Speaker:** Hon. member, the Minister of Human Services has risen on a point of order.

The hon. minister.

**Point of Order  
Scheduling Government Business**

**Mr. Hancock:** Thank you, Mr. Speaker. Under 23(h), (i), and (j) the hon. member is clearly imputing false motives to me as House leader and challenging what I said. Now, we are supposed to be debating the Children First Act, which I think is a very important act. If they want to deal with what happened last night on Bill 21, 21 will come up later tonight, and you can raise all the issues you want on 21 tonight when it comes up.

But the hon. member protests that the Order Paper says that Bill 21 will be in second reading on Tuesday, May 7, “and as per the Order Paper,” which is always there because one of the things we know about this House is that business is fluid and that things happen that you don’t expect to happen. Did I expect that we would move 10 stages of bills yesterday? Absolutely not, but we did, and we went home by about quarter after, 20 after 9. Did I anticipate that happening? No. But here I was, having made a commitment to the Liberal opposition House leader, because she asked, with respect to holding Bill 17 until she could come back at 9 o’clock because she had an amendment she wanted to speak to, and we did that. We had then to desperately find business to fill in.

That’s why it always says on the Order Paper – and the hon. member has been here long enough to know – “as per the Order Paper.” That means that this is our intended business for the day, but it’s fluid. She knows that. She’s seen these circumstances happen before. So to impute that I’m somehow making a commitment in an e-mail, if that’s the case, one of two things can happen. Either we don’t send her an e-mail saying what’s coming up in the day, which I don’t think she’d like, or we will put in that e-mail that she should understand that this is our intended business for the day, but if things change, things change.

I mean, we don’t do that on an intentional basis. I didn’t intentionally rearrange life, but we actually ran out of business last night, Mr. Speaker. We couldn’t get unanimous consent to proceed, to take another step on a stage. We’d made a commitment not to move Bill 24 because somebody wanted to speak to it the next day and made a commitment not to deal with Bill 17, but I hadn’t made any commitment not to deal with Bill 21. Nobody had asked me to make a commitment on Bill 21.

**Mr. Mason:** Point of order, Mr. Speaker.

**Mr. Hancock:** You can’t do a point of order on a point of order. Don’t be silly.

**The Deputy Speaker:** Hon. member, I will rule on the point of order. You’ll have a chance to speak to it if you like.

Proceed.

**Mr. Hancock:** The point is that she’s making allegations against me as House leader which are totally wrong. If she wants to, we can sit down, and I can give her a briefing on how this House works if she hasn’t been around long enough.

**An Hon. Member:** Don’t be patronizing.

**Mr. Hancock:** Well, you’re the one who raised the question of integrity in this House.

Mr. Speaker, I would suggest that we get back to the business of the Children First Act. If the hon. member wants to talk about Bill 21, Bill 21 will come up soon enough.

**The Deputy Speaker:** Thank you.

Hon. Member for Edmonton-Highlands-Norwood, did you wish to speak to the point of order?

**Mr. Mason:** No. I will let my House leader go.

**Ms Notley:** Well, since this point of order has turned into a debate on this particular issue, I’m perfectly happy to go on with that.

There is an Order Paper here for yesterday, which outlines very clearly that as of yesterday Bill 21 was going to be dealt with in second reading. Now, several times the House leader has talked about how he was being so accommodating to the Member for Edmonton-Centre for her ability to come back and debate Bill 17 and put an amendment forward. The critical component, Mr. Speaker, which is fundamental to having this House operate in a remotely productive way, is that she was told that Bill 17 was going to be coming up that night. Now, you know that in general during debate not every member of the House is here at every given time. That is the way it is for the government side, heaven knows, and also for the opposition.

Now, when you take into account, Mr. Speaker, that in this sitting this government has started scheduling committee meetings in the morning over the objection of opposition members, that this government has put night sittings in unnecessarily over the objections of opposition members, that this government has scheduled committee meetings between the afternoon and the evening sitting over the objection of opposition members, for this House leader to suggest that that’s the way it works and that there is no precedent and no history of the House leaders working together to make sure that members are able to be there when their critic areas come up at critical times is absolutely ridiculous. That is the way that it has always been done.

It is particularly necessary to respect the rights of the minority, Mr. Speaker, when you have a small opposition, and they cannot simply be here for 18 hours a day because they can’t trust the House leader to tell them what’s coming up at any given time.

Now, the fact of the matter is that the history has always been that the House leader advises the other House leaders at least on that given day what the schedule is. On this particular day the Order Paper did not say that Bill 21 was coming up in Committee of the Whole. The subsequent e-mail that goes out to all House leaders every morning from his office did not say that it was going to go to Committee of the Whole. It did say that Bill 17 would, which is why the Member for Edmonton-Centre then made arrangements, but it did not say that Bill 21 would. Moreover, the House leader was then contacted by me, and he responded to it. When he still had the time, he was provided a note by the Member for Edmonton-Highlands-Norwood in the midst of debate on Bill 21 in Committee of the Whole, and he still insisted on voting it through.

**Mr. Mason:** He didn’t respond.

**Ms Notley:** He did not.

**Mr. Hancock:** After the fact.

**Ms Notley:** No. It was done while it was still on.

The fact of the matter is, Mr. Speaker, that the House leader can either respect all of the opposition House leaders in this House, or we can have this place descend into acrimony much like we are

doing now, and we can have debates go on much longer than perhaps necessary. It's a decision that needs to be made.

This is not a point of order, Mr. Speaker. The reason I am raising this is simply to recount the history and to recount the practice in this House and to set the record straight. It is under no circumstances a point of order under 23(h), (i), and (j). Simply recounting the facts of a situation is not in any way, shape, or form a breach of 23(h), (i), or (j).

**The Deputy Speaker:** Thank you, hon. member.

Hon. members, it's very obvious that we have a disagreement in the House, whether it's between the House leaders or the different sides of the House. We've heard this throughout the spring sitting about the scheduling of estimates and other schedules and so on. I have a hard time trying to find a point of order here. It's very obvious – and I think both sides can agree – that we do have a disagreement in terms of the scheduling, how the House has been scheduled through the spring. It is my hope that after this session is over, some accommodations that may be more amenable to both sides will be found, that this does not continue into the fall session.

Hon. members, I would encourage both sides of the House to stay on topic. We're discussing an amendment to second reading of Bill 25. If both sides would confine their arguments and the rhetoric to the topic at hand, I'm hoping that we might get out of here at some reasonable time tonight.

I find no point of order, and I would ask that we proceed.

We were on the Member for Edmonton-Strathcona. Please continue, and please try to stay on topic.

#### Debate Continued

**Ms Notley:** Absolutely. Mr. Speaker, I'm very pleased to confine my arguments and, indeed, my rhetoric to the motion around referring Bill 25, and I will do that at this point. Thank you very much.

The motion on Bill 25 is to refer it to committee in order to give us the opportunity to review it in greater detail. Now, the Minister of Human Services said that, well, this is not necessarily the best time for it to be referred to committee because presumably we all agree with the principles underlying this bill. But, Mr. Speaker, I think once you get past the name of Bill 25, we're running into some difficulty with our agreement with the principles. The reason for that is because, as the minister himself said, this bill is one legislative extension from the social policy framework that the minister introduced. I think it was in January or so when he announced it.

8:00

**Mr. Hancock:** February.

**Ms Notley:** February, the minister advises.

This is an extension of that social policy framework. Mr. Speaker, I have to say that we do not agree in principle with the components of that social policy framework. That social policy framework does not talk about economic equality. It does not talk about the meat and the potatoes and the rent required to eliminate child poverty in this wealthy province. What that social policy framework talks about is taking the incredibly historically damaging decisions of, in fact, the Klein government to privatize almost 50 per cent of poverty reduction strategies that were undertaken by the government at that time and downloading them onto the community and downloading them onto volunteers and downloading them onto charities and creating a patchwork, unconnected system.

That is what the government did in the mid-90s. That created huge pain and suffering in the lives of vulnerable Albertans and contributed directly to the massive growth in child poverty that we see in Alberta now. The social policy framework that this minister, with the absolute approval and cheerleading of his Premier, introduced this February is essentially premised on the same model. It's talking about the government becoming a partner and sitting beside private corporations and volunteer groups and nonprofit groups and employers and facilitating their whatever it is that's going to somehow deal with child poverty in Alberta.

Now, Mr. Speaker, we don't think you can deal with child poverty in Alberta, for instance, when the wealthiest people in Alberta pay the least amount of tax in the country and the gap between the wealthy and poor in this province is the largest in the country. When \$10 billion a year is left on the table because we don't want to ask wealthy Albertans to pay their fair share, that is the kind of issue you need to get to to start dealing with real economic equality. This minister instead wants us to adopt an act which flows from a framework which is about getting a bunch of charities together to collaborate in a very unco-ordinated way, with the government being very clear in that document that they want to move away from their role as funder, which means those tax dollars will not go to eliminating child poverty, and we can potentially free up more tax dollars to give even more tax breaks to the wealthiest Albertans and corporations in the province.

The reason I am talking about this, Mr. Speaker, is because this goes to the principle of the bill. Because I have some significant concerns about that principle, I do believe that this is the right time to refer the bill to a committee, not afterwards. That's the first point.

The second point, of course, is that we need to talk about some significant issues that have already been raised. The bill was introduced yesterday, and we already have an officer of this Legislature identifying serious concerns about components of this bill.

Now, it's really interesting, you know, Mr. Speaker. The bill talks about giving service providers almost unfettered access to the private information of children and their parents. I would just like to take a moment to give you the actual reading of who service providers are under this legislation. The organizations include

- (i) a corporation,
  - (ii) an unincorporated association,
  - (iii) a trade union as defined under the Labour Relations Code,
  - (iv) a partnership as defined under the Partnership Act, and
  - (v) an individual acting in a commercial capacity,
- but does not include an individual acting in a personal or domestic capacity.

That is the definition of a service provider which is referred to in this legislation.

What in heaven's name are we doing talking about giving any of those organizations the ability to share the medical information of parents of children at risk if they in whatever capacity decide that it's in the best interests of the child? That is a huge, Orwellian change, and it is outrageous that this government would come to us at this point and ask us to approve the legislation.

I'm just reading from your legislation, Mr. Minister. This is what your legislation says. You may have a different objective. You may have talked about different objectives when you introduced this legislation, but our job is to actually read the legislation and make sure that the language that you're asking us to approve meets your objective, and this does not meet that. That is why this piece of legislation needs to go to a committee so that it can be properly evaluated over the proper amount of time.

We may well have had a briefing a week ago, but we did not have the legislation in front of us. We did not have this definition of service provider in front of us, and that's just one section in 71 pages of the act that I've just had a chance to look at right now. I can't imagine what other little gems we will find with more time, but I can imagine that this issue is so important to Albertans, it is so important to our most vulnerable citizens, it is so important to the children of Alberta that it deserves time and attention. It deserves to be given full debate over time, with genuine consultation in an open and transparent fashion, where we can all see what everybody has to say about the components of this. Passing this in second reading tonight, running it through committee on Monday, and trying to wrap it up on Tuesday does not meet that objective, Mr. Speaker. It is disrespectful to the very people we are suggesting we are here to help and support.

For that reason, I completely support the amendment put forward by the Member for Calgary-Shaw. This piece of legislation requires far more consideration and far more deliberation than this House leader is currently prepared to allow members of this Assembly. I urge all members of this Assembly to support this motion. Do it to put the children first.

**The Deputy Speaker:** Thank you.

Standing Order 29(2)(a) is available. The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thanks, Mr. Speaker. I certainly concur with my colleague. [interjections] I know it's a shock, a horror. Lightning strikes twice. Well, you know, the more you listen, right? She's got a lot of experience and wisdom, for sure, that I've learned from. I have to ask her a question that I think all of you might find interesting. I mean, this is substantive legislation. It's not dissimilar, at least in scope, to the Education Act. I know that was a long and winding road, three ministers and so forth. We don't necessarily need that.

Again, it's this question of conferring with stakeholders that I would like to go back to. I heard the hon. minister talking about some of the examples of people that he met, but something just popped into my head. Why didn't he confer with the Privacy Commissioner, who now comes a few hours later and says that this has serious problems and concerns? Can you think of some other ones that maybe we could talk to besides the Privacy Commissioner that would give us good stakeholder advice that would help to make this legislation something good?

**The Deputy Speaker:** The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Well, thank you, Mr. Speaker. I will say that I haven't yet had the opportunity to confer with all the stakeholders to find out who was consulted and who was not. I have some questions about whether the College of Social Workers has been conferred with about this fundamental change in the relationship between social workers and the statutory authority prescribed under the act and the director and the delegation of that authority to people who are not social workers. I don't know if they have been consulted with, but it would strike me as absolutely mind-bogglingly foolish to have not consulted with the College of Social Workers as they are the professional body that delivers the service which we are now talking about having a different group of people deliver or an expanded group of people deliver.

I would also question whether there was consultation with the union that represents social workers. They, too, have insight in terms of what the work process is and how that is working. You know, you always hear what the managers tell you is happening in the department, and then you talk to the front-line workers or their

representatives, and you find out what's really happening in the department. Were they consulted with? I don't know. Those are people that need to be consulted with. Moreover, even amongst the groups of people that minister says that he's consulted with – he said that he consulted with the Privacy Commissioner, but then the Privacy Commissioner came out with a press release saying: well, I kind of disagree with what's going on here.

**8:10**

The question then becomes: how many of the other organizations might welcome the opportunity to openly discuss some of their supports and misgivings about this legislation? Not everybody is an officer of the Legislature, feeling that they're okay to come out with a press release outlining some of their concerns about the legislation. If one of the people that the minister consulted with then was able within 24 hours to put out a two-page press release outlining her concerns about his act, I worry about what some of those other organizations, which happen to be financially reliant on the government in many cases for operating funds and grants, would say if they were invited to an open forum and asked specific questions about this element of the act or that element of the act and how we can do this better.

If we care enough about this issue, that is why we would do that in an open forum, that is why we'd refer it to the Legislative Offices Committee, and that is why we would have all those consultations in public, on the record, in *Hansard*, so that we could really evaluate whether we're making the best choices here.

You know, the Member for Edmonton-Calder talks about the Education Act history. The minister himself talks about the Education Act history. Now, that was an interesting one because although there were two years of consultation, the consultation was so high level that many people who were involved in much of the consultation were still surprised when they saw the legislation. I actually think that when you're making substantive changes to legislation, there's actually, you know, a big piece where you're really changing how you do the work. There's a lot to be said for taking that legislation and then putting that legislation on the road and consulting on that. That's when people really see what it means. They see what the high-level language and communications spin actually looks like when it comes into law.

**The Deputy Speaker:** Thank you, hon. member.

I recognize the Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Great. Thank you very much, Mr. Speaker. It's my pleasure to rise and speak in favour of this motion for referral. I'll get into some specifics.

I think, you know, part of the issue and why this motion is very, very appropriate is because our democratic process is really contingent upon ensuring that voices are represented, that opinions are expressed, and that we debate and look at all different sides of an issue. I mean, it's interesting that the minister claims that there were many different groups that were consulted. I'm reluctant to use the word "consulted" because of the formal definition of consultation. But they were engaged in a discussion.

The minister, when he rose this evening, talked about how this has been a process going on for I believe he had said a couple of years, a significant amount of time, let's say. I think that that is positive, that any amendments or large changes to an act or to processes need an adequate amount of time in discussion with different stakeholders, both those that are going to be affected directly and indirectly. However, the second piece to that, Mr. Speaker, is ensuring that all Members of this Legislative Assembly, representing the roughly 3.7 million Albertans, have



adequate time to debate, to create amendments, to thoroughly go through legislation or bills before they become legislation.

You know, I'd like to remind the Assembly that this bill is no small bill. There are quite a number of changes being proposed. This was only given to the opposition 24 hours ago or in that area, so it's challenging. All members, I believe, of the Legislative Assembly, both on the government side and the opposition side, want to ensure that they're doing their job to the best of their abilities and have the resources and tools available at their disposal to ensure that they can work to the best of their abilities and serve Albertans in the capacity that we were all put here to do.

It's very challenging to first of all go through a piece of hefty legislation in a very short period of time and to do it justice. Now, I will commend members of my caucus, the NDP caucus, and our staff for the amount of work that they've done in a very short period of time, trying to disseminate this bill and look at the repercussions.

I honestly think, Mr. Speaker, that part of the reason why this motion is so applicable is that I see this as, "If we're going to do something, let's do it right the first time" as opposed to the minister's idea of: "Let's just pass it through haphazardly. It's good enough for the moment. We can always go back to it." I disagree with that line of thinking. You know, when we're affecting the lives of tens of thousands of children, numerous families and workers within Alberta, it's very important that we take the time to debate, to go over, to contemplate, and to go through a bill line by line with our glasses on to scrutinize but also to come up with ways to improve and ensure that the legislation that we're going to pass is really in the best interests of all of those Albertans that it will affect.

You know, I can appreciate the minister feeling that his ministry and likely himself have consulted with quite a number of groups. I'd like to take back that word. They've discussed with quite a few different stakeholders and individuals this bill before it was written. However, I think it's important to note that that opportunity is also one of high priority for opposition parties, that we have the ability and the time as well to discuss and to talk with the front-line workers, families, service providers, and stakeholders that that legislation is going to affect. I think it's important, Mr. Speaker.

I'll just draw a very brief analogy. For the members who have children, I think that if one of their children, for example, was writing a letter to their grandparent, they may write in a certain way and include certain details that are appropriate for their audience, appropriate for their grandparent whereas if they were to write a letter to their close friend, there might be a different use of vernacular. There may be different words that are used, there might be a different tone, and they might reveal different details or tell different stories.

My point is that those folks who have been in discussions with the government may have a bit of a different story or points that they would raise or feel more comfortable raising with nongovernment members of the House. Maybe they're more willing to share certain details with others. My point, Mr. Speaker, is that it's important that all parties in this House have an opportunity to engage with Albertans before legislation is passed through. If the other opposition parties work as diligently as the Alberta New Democrats, then I know that in the very short amount of time that we're given to consult and to discuss poignant issues with all of the different stakeholders, that's a priority. You know, it's important that we do that.

You know, I applaud the Member for Edmonton-Strathcona for raising the issue that different stakeholders need to be consulted. I'm unsure. It's unclear whether the College of Social Workers,

who have a great stake in this bill and piece of legislation, have been thoroughly consulted, if there's been an adequate level of discussion. It's extremely challenging in a very short time frame, less than 24 hours, for opposition parties to try to engage with many of the different groups to get, well, for lack of a better way of putting it, Mr. Speaker, their interpretation of the bill and the effects that it's going to have on their clients, on their staff, on their families, which I think is very important.

8:20

This motion, Mr. Speaker, is very timely in the fact that we want to ensure that a bill goes through due process, that we as members participate in our due diligence to go through and ensure that the intention of a bill is actually going to be carried through according to the wording of the bill. I know that if intentions always equalled words, then we probably would have very little use for lawyers. I think it's important that we're as clear as possible and that the bill outline its consequences, intentional and unintentional, and that we really think things through. I think this motion is extremely timely.

The other thing, Mr. Speaker, that my colleague from Edmonton-Strathcona had spoken of. She was illustrating the point, but I want to use the term. This is something that I taught in social studies when I was teaching high school. You know, we all have a duty to ensure that we're not contributing to tyranny of the majority, and that's to ensure that minority voices are heard and are given the time to raise their point. The challenge that my colleague was illustrating is that when you have a smaller caucus, it's at times challenging to ensure, well, first and foremost, that we participate in all of the discussions. We just want to ensure that legislation and bills are given their adequate amount of time to ensure that we're passing the best legislation possible for Albertans. I mean, really, that's what it comes down to here. We are all representatives of our constituencies, and when we speak, we're not just speaking on behalf of ourselves but the 30,000 to 50,000 Albertans that we represent.

Mr. Speaker, this motion for referral is especially relevant, and I'd like to touch on a couple of points here if I may. You know, first and foremost, for a bill that is, I believe, over 70 pages long, I'm a little dumbfounded as to how a child intervention worker is not defined in this bill. I can tell you that sometimes titles sound wonderful, but we need to dig a little deeper to find out what the criteria are for one to have achieved such a title. Is there a body that is a designator or a creditor of that term? I can appreciate that a child intervention worker does include social workers, for example. However, with social workers there is a body, the College of Social Workers, a licensed body, and any individual cannot just claim that they are one without having the proper credentials.

For myself, Mr. Speaker, it is a little disconcerting, in fact more than a little, that a child intervention worker is not defined. I'm happy to enlighten some of the members in the House if they're unsure what exactly that means. I have worked with organizations who have youth workers on their staff. You know, these folks do some fantastic work. However, there is no governing body. There is no set of accepted standards that qualify a person to be a youth worker. In other words, any person who happens to work with any person who is defined as a youth is essentially a youth worker. That can be problematic because, you know, when we're putting a high level of trust in individuals working especially with minors as well as some of the most vulnerable individuals and citizens in our society, we need to ensure for a myriad of reasons that these folks are qualified, are trusted, have the ability, have the credentials, have the experience to work with youth, with young

people, with children. The fact that this bill refers to that is problematic.

Mr. Speaker, I turn to section (62) and 129.1(1). "A director may designate persons as child intervention workers for the purposes of this Act." That places a significant amount of authority and power in a director, that they can proclaim an individual to be a child intervention worker. I'm not sure about the rest of my colleagues, but I can definitely see some potential issues with that.

Moving from that to another concern that I have and the reason that I'm standing before you, Mr. Speaker, speaking in favour of this motion that was put forward by the Member for Calgary-Shaw as raised earlier in the House, public hearings are, I think, a very effective tool for democratic institutions.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, I would like to thank the awesome Member for Edmonton-Beverly-Clareview for his great speech. He's very awesome. I noticed that he wasn't quite finished, so I'd like him just to have a chance to conclude his remarks.

**Mr. Bilous:** I'd like to thank the hon. Member for Edmonton-Highlands-Norwood. Thank you. I'm sure that you're very interested in hearing more about our democratic processes.

As I was saying, Mr. Speaker, public hearings, I think, are a great way to engage Albertans and our citizens directly, again, to truly live up to this spirit of consultation and ensure that not only are members of our province engaged – and when I say "members," I'm referring to Albertans, our citizens and constituents we represent – but that they're informed, that they're educated, and that they have the ability to share their thoughts and ideas on legislation that this body is thinking of passing.

Mr. Speaker, that brings me full circle back to the point that governments should take their responsibility seriously in ensuring that opposition MLAs and members of this Assembly and, I would say, even nongovernment MLAs have the time to engage with their constituents and to get feedback from their constituents on a bill before it becomes law. I know that the hon. minister has spoken at length about passing this piece of legislation and then worrying about improving it later. However, that's, in my mind, problematic for various reasons.

I mean, the Lord only knows – well, in fact most Albertans know – that this Legislative Assembly doesn't exactly sit the most number of days in a year. In fact, it's quite interesting that we're the opposite. But my point, Mr. Speaker, is that we need to ensure that we follow a process, that we give opposition parties and all MLAs an adequate amount of time to engage with Albertans to get their feedback and their ideas and their comments on legislation before it passes.

8:30

This motion for referral, I think, is not only very timely, but it's very appropriate for this bill. You know, Mr. Speaker, although I am a newer member of this Assembly, I do agree with the Member for Edmonton-Strathcona that it feels, especially this week, that we are moving very quickly through various pieces of legislation. I know that the members that were here on Monday last enjoyed hearing many of my comments and ideas on a myriad of pieces of legislation. It was my great pleasure to do so, and I think it's also one of my responsibilities. I think it's important that members have that time.

You know, there are many other reasons why this motion is very applicable, why it's timely, why I urge members of the Assembly to seriously consider and vote in favour of this motion. We know that this act is going to affect many, many Albertans, from children to families to many of the hard-working Albertans that work with children and families throughout the province. I think it's important that not only do we show them the respect that we want to get this right the first time but that we do get it right the first time, Mr. Speaker.

I think there is absolutely no rush. As the minister has indicated, this has been in process for a significant number of months. So it begs the question, then, Mr. Speaker. If it's already been in process for a number of months, let's take another month or two. Let's take the summer. Let's engage with Albertans and ensure that we are bringing forward the best piece of legislation possible.

**The Deputy Speaker:** Thank you, hon. member.

Hon. members, before I recognize the next speaker, I just want to remind you that the purpose of 29(2)(a) is to make a comment on or get some clarifications on what was said by the previous speaker, not to extend debate.

The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Mr. Speaker. A pleasure to rise and speak to this amendment to Bill 25. I must say that I have a lot of sympathy for this referral amendment. It raises a lot of questions, this bill, a large bill that's been dumped on us in the last day with lots of questions, not least of which from staff who say that it's unprecedented that they have not even been consulted on this major bill. Maybe I'll repeat that in case anybody missed it: a message from staff that it's unprecedented that they within Human Services have never seen this bill in process, have never been consulted. "Unprecedented" was the comment that I've heard from some of the staff, Mr. Minister. They've never seen such a significant bill that has never had any reasonable consultation with the people that are actually going to be implementing it.

There is a real sense, even on this side of the House, that there's a haste to this. Within a couple of days of wanting this passed, he's pushing this into third reading. It's very clear to me that there are some uncertainties about roles and responsibilities and authorities. There are legal implications. There are communications, information, privacy issues. There are serious questions around, as I say and I've said in the media, talk about poverty, about children's development, about putting children first, investing in children and their families. But where's the action?

Over so many decades we have the lowest investment in social supports in this country per capita. I mean, the talk is there: the values, the process, the principles, the consultation. Albertans are tired of this, especially those who are suffering. Where is the action? Where's the money? Put your money where your mouth is.

Once again we're talking about great, great, grand ideas with no money: sorry; we're in a deficit position, but we're going to talk about it, philosophize, and put forward a great document that people are supposed to swallow whole in a couple of days when serious questions have been raised about it.

I myself have raised questions about child labour on farms, on large industrial operations. For 10 years they've been raised, and this minister himself has said: "Yes, yes, yes. It's important. We're looking into it. Children are first. We invest in people in this province. Blah, blah, blah." No action. No action. How can we believe that this big document, without any consultations with us, with the very people that are being affected, and with your own staff, is going anywhere but your own ego? Your own ego.

Mr. Speaker, I think there's a real gap between words and action, between talk and credibility here, decades of talk about child poverty. Where is the action? Children still hungry, children still sleeping in a different church every night in this province, children still on the street, farm labour still depending on Mexican Mennonite kids because there are no standards. This government doesn't have the guts to put in new laws because their main voter base is out there in the rural areas. There's a huge credibility gap. I'm sorry.

This is a wonderful, philosophical, interesting bill to look at and read. It has no substance as far as the people in the front lines are concerned and a lot of questions about whose agenda is being served here. It doesn't look like it's the children of this province that are necessarily being served, apart from large philosophical frameworks and processes and great values and principles.

We have among the highest rates, Mr. Speaker, of mental illness, stress, early childhood mental illness that's not being addressed.

**The Deputy Speaker:** Hon. member, I realize that you probably have some disagreements with parts of the bill and what have you, but if you can try to frame your arguments around the amendment, I think it would help the process. Thank you.

**Dr. Swann:** Very succinctly, Mr. Speaker, that's why it has to go to committee. There is no way we can pass this bill in this House with so little time, so little consultation, so little addressing of the key questions that we have about this bill. It needs thought. It needs consultation. We need to do this right.

It's been said before, and I'm saying that this government lacks credibility. We have lost trust in a government that talks, talks, consults, and puts forward more and more and more paper and wants us to push it through in a very untimely way. There's just no credibility here. This 70-page bill, a couple of days before they want it through, simply begs the same question. Where is your head at if you think this is a democratic process and you want real debate and you want the best bill for the best outcome for staff, for foster parents, for children, for outcomes in this province? Where's your head at if you think you're going to do this in two or three days? It's just not credible.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Standing Order 29(2)(a) is available. The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. I'm wondering if this hon. member would be good enough to acknowledge, as the Member for Edmonton-Strathcona did, that although he wasn't able to show up for a briefing, a very thorough briefing on the bill, the researchers from his caucus did show up and hopefully translated to him what was going to be in the bill, exactly what sections related to the pieces of import, the fact that a substantial amount of the bill is about one amendment, and that's really the child intervention worker having the authority to make decisions on the front line. I wonder if, first of all, he would be able to acknowledge that they didn't just get this bill yesterday as a surprise but that, in fact, they had a thorough briefing on it. He didn't take the time to come, but they did send researchers. Edmonton-Strathcona was good enough to acknowledge that. I hope he would be.

The second thing I would wonder is if he really thinks that we brought together a bill like this without talking to some of the 7,000 people that work in Human Services, if he really actually thinks that. In fact, we've spent the last 18 months bringing together Human Services and talking to front-line workers and

everybody in the department about how a change in service delivery was necessary and how we're responding to what they've asked for, and that is some authority and some respect on the front lines for people who are appropriately trained to make appropriate decisions and not to have to go through the bureaucratic maze to get decisions made all the time on things that are very important to children and things that are very important in terms of the service delivery model.

If he actually thinks that because we didn't take this act, which we couldn't, out to say, "We have a Children First Act, and this is what we're going to do in it," that we didn't actually talk to some of the 7,000 workers, many of whom are social workers, many of whom are members of the union that was mentioned earlier, many of whom are members of the professional organization that was mentioned earlier – he actually thinks we didn't talk to them and that this isn't responsive to what they've been telling us for the last 18 months, the tools that they need? Does he actually think that?

8:40

**The Deputy Speaker:** The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Well, thank you, Mr. Speaker. I appreciate the minister's comments. Do you think I should believe you or the people on the front lines? I've grown very, very distrustful of the comments that come from this government about consultation, for sure. I've certainly experienced a lot of different interpretations of consultation with First Nations, and I've now seen very different interpretations of consultation with your own staff. Some members of the union itself say that they have not seen any dimension of this bill before this week. They were taken completely by surprise.

**Mr. Hancock:** They talked all year.

**Dr. Swann:** Well, okay. They may have talked about principles and values. Where the rubber hits the road is on who gets delegated authority for making tough decisions on children. The question is whether you really respect social workers, whether you really respect front-line workers and allow them to make the decisions and they're going to take the responsibility or you're going to relieve them completely of that responsibility. This ambiguity is clearly causing tremendous consternation.

Mr. Minister, if you had done a proper consultation on this, I don't think the anxiety and the fear would be there and the expression of complete surprise that this is what came out of whatever consultations you may have had. I don't doubt that you're talking all the time, that you're listening to some extent. What has come out of that result is not what people expected in this document is all I can say.

The ambiguity that's there with respect to legal liability, to roles and responsibilities, freedom of information, and whose interests are being protected: obviously, the Privacy Commissioner has deep concerns about that. Frankly, as I've said before, the lack of action of this government, real action, to address children first is so blatant. After 42 years of talk it's pretty hard to believe that this is going to solve the inaction.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Are there others under 29(2)(a)?

Seeing none, I'll recognize the Member for Edmonton-Calder.

**Mr. Eggen:** Well, thank you, Mr. Speaker. I appreciate the opportunity to speak on this amendment most succinctly and in a

very focused manner. I appreciate the Member for Calgary-Shaw bringing this forward. You know, just the process that we see unfolding before us in regard to Bill 25 over these last few hours I think breathes even more life into the importance of this amendment and the necessity of this amendment. Even as we move along here and buy time, so to speak, to have more insight into the bill, we are learning things from hon. members who have thoughtful and intelligent opinions to discuss. It also gives us time for our researchers to do more work. As we speak, we have a battery of researchers in the Annex that are working their fingers off to ensure that we have more information that gives us a better understanding of certain aspects of this bill.

I know that the minister is feeling a little defensive, and that's fair enough. I mean, I guess that's part of the process of bringing forward these bills. But, you know, we're trying to make something that can work, right? We're not trying to destroy constructive engagements and improvements to our Ministry of Human Services. But just the very act of combining all of these ministries together: no one knows better than the minister himself what a giant task that really is. When we try to formalize some aspects of that into law, there's never a better time to actually go through each piece and see where we can make improvements.

As I said just in the last few hours, as we go through more carefully what the Privacy Commissioner has brought forward, again, I think the minister did make some indication that he did speak to the Privacy Commissioner, which is fine. But then for us to get information back, upon careful deliberation, is proof of why this amendment is so relevant and important. There was time for thoughtful consideration, and then we received some very valuable information that we've been deliberating on even further. This is an illustration, Mr. Speaker, of the importance of this amendment to make a referral to spend some more time, considered time, and to work through a committee to build a better bill. For example, this Bill 25 makes it much easier to share information between service providers, and that's what the Privacy Commissioner was bringing forward. Again, in a matter of a few hours we've thought about this one carefully, right?

It tells us a lot. It tells us about the definition of a service provider. On page 2 of the bill, section 1(g), it defines the service provider, talking about it as a department, educational body, police service, organization, right? An organization could be a corporation, an unincorporated association, and so forth.

You know, again, this is a constructive engagement, an example of why we should pass this to committee. It's very similar to the privacy concerns that we've seen around health care and the privatization of health care over these last number of years. Mr. Speaker, if I've learned one thing following that process, analyzing it, and being constructively critical of that process, it's that you cannot mix private and public services together and expect that the information that you're sharing, the private information about individuals, is not put in jeopardy.

What happens, Mr. Speaker, is that when you have people that are serving either as a nonprofit society or organization or as a for-profit corporation, you know, they are trying to run a business. That business necessitates making a profit, turning some advantage from that health care service or, in this case, potentially, that social service. In doing so, that private information on individuals will be traded and potentially bought and sold.

The implications of that are dire. We know that especially with persons in a compromised situation, children in need and so forth, families in crisis – right? – this information is very sensitive. By definition that information is compromised if you're running through a private provider or through a contracting-out

circumstance in terms of dealing with Human Services, children's services in particular.

Again, taking a sober second look at why we should refer this bill to committee, this is a perfect example that we learned through the triangulation between the Privacy Commissioner, through our researchers, and through reflection and debate here right now as we speak. I see no reason why we can't take a sober step back to referring this bill to committee. It's, again, as I said before, a substantive bill that is very much similar to the Education Act and other sort of landmark bills that change the way we deliver services. I really do think, Mr. Speaker, that this is not unreasonable in the least.

We know that there's principle behind people making decisions and creating laws and bills, and we often draw back to ideology. What sort of vision do we have for our society? The application of those visions and ideology, bearing fruit in actual legislation, is what the purpose of this House is.

If we're not looking seriously at the root causes or building into legislation the root causes of child poverty and the root causes of the disruptions in our families that require intervention through social services, then we never really will make substantive change. If we don't look at a way by which to put money and a more reasonable sharing of resources, a modest sharing of resources, to the people of Alberta, then we will always exceed and multiply our rates of child poverty in this province. It doesn't matter how many billions of dollars pass through. If those billions of dollars don't hit the ground to look after the persons most in need, then those numbers of children living in poverty, having to be dealt with through social services, interventions, foster care, crime, school dropout rates, and all the other, will never change. They will only increase.

**8:50**

It's the disparity of wealth in this province that has to be addressed, and we can address it through legislation. We can address it through something like Bill 25, on page 3, in the children's charter. The children's charter made some direct address to equality and social justice. If it spoke about building an edifice that would include the fact that no child should live in poverty and be wanting for food and shelter and clothing and education, then that would build a substantive charter that could anchor Bill 25 and actually address the issues that we see before us today in regard to child poverty.

It was fine and dandy to run on the elimination of child poverty in this province but only if you address it with the money that is required to make a more equal and just society. If you don't do that, then you are being worse than dishonest; you are contributing to the problem. You can write bills that are 72 pages long, or you can write bills that are 5,072 pages long. Nothing will change until we address the root cause of this issue, which is an inequality of wealth.

Thank you.

**The Deputy Speaker:** Standing Order 29(2)(a). The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. I just want to ask the hon. member why it is that he and his colleagues and, it appears, the critic who spoke from the Alberta Liberal caucus always seem to think that nothing is being done unless the budget is being increased significantly? Why do they not understand that sometimes you've got resources invested and that redeploying those resources in a more appropriate way can also achieve results?

I mean, I seem to always be running up against this thing: we're doing nothing because there's not more money being poured in. Sometimes you need to have the frameworks in place. Sometimes you need to have good, solid policies in place. You don't always need to pour money in the top to get results out the bottom. That's one of the things that needs to be understood in this process, that there's a significant amount of investment in social policy in this province. One of the questions we ought to ask is: are we getting the results out of that that we should be getting?

**Mr. Eggen:** Absolutely. I certainly do not preclude the importance of building a framework by which you can ensure that efficiencies are to be had and that people can speak to each other in a reasonable way so that these different ministries can work together in a more constructive way. But there's no way, Mr. Speaker, that those things can be achieved – right? – without having the adequate funds available by which each of the services can do their job, execute their job, and reach down to that same root cause that I described previously.

You cannot bring someone out of poverty, which is the root of so many of the issues that we're talking about – lack of school completion rate, nutrition issues, crime, broken families, and so forth – without the money that is lacking. That's how we define what poverty is. Poverty is the absence of adequate money in order to raise a family and to raise a child here in this province. We know that those numbers aren't going down. They are only going up. And they're going up despite the increase in our economy, the increase in our population, and our position as the wealthiest place producing the healthiest GDP in Canada. Until we address those discrepancies – we cannot feed or clothe or look after people in poverty with words. We have to ensure that those words are backed up by the substance of the money that we have available in this province to ensure that our children are looked after.

We're not talking about something that we probably don't all have some belief in. It's not as though we are butting heads against some ideological forces that would preclude us from looking after people. Sometimes I think we need to just give our heads a shake and look for practical solutions. You can't create something from nothing, nor can you raise a child and a family out of poverty without the very thing that's missing. By definition, poverty is a lack of money available to those people. We're not talking about millions. We're not talking about reaching into the pockets and stealing something from somebody else. We're looking at the resources, the things that we have available to us now to have a reasonable, modest opportunity to raise a family and the security and the health and the peace of mind that comes with those things, right?

We don't disagree. I know we don't. We share a similar first name, and we share a similar job. The minister and I probably feel in our hearts, you know, that we know what's to be done. I'm just pointing out something here that is, I think, the first principle that we should strive to achieve here in the Legislature in the fullness of time through this notice of amendment to refer it to committee and to build something that is complete.

Respectfully, that's my reaction to that. Thank you.

**The Deputy Speaker:** Thank you, hon. member.

The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Speaker.

**The Deputy Speaker:** On 29(2)(a).

**Mr. Mason:** Yes, on 29(2)(a), just a brief comment. Poverty is defined as not enough money to meet the basic needs that a person

needs in life. It is strictly about the amount of money that's available. And I cannot understand how this minister can ask people to come out of poverty without changing their financial circumstances, without ensuring that they actually have more money.

Those kinds of questions, those kinds of rhetorical rejoinders about throwing money at it, are simply ridiculous in this case. If people have two-thirds of the amount of money that they need, then it's important that you make up the other third. That takes money, Mr. Speaker. It happens to be the one problem that you can solve with money.

**The Deputy Speaker:** Thank you, hon. member.

If there are no other speakers, I'll invite the Member for Calgary-Shaw to close debate.

**Mr. Wilson:** Well, thank you, Mr. Speaker, and thank you to the hon. members who have all spoken in support of this. I think that we have touched on a number of reasons why it makes sense for this to be referred to committee. I think there is a lot of fruitful discussion that could happen, and at the end of the day it's only going to strengthen this bill.

I do appreciate the minister standing up and engaging with the reasons why he doesn't feel it's necessary. I do accept that he has put some time into this and that he feels strongly that the bill is where it needs to be. I don't necessarily feel the same level of comfort with him admitting there could be errors, there could be mistakes, there could be omissions, and we can just come back and fix it. I think that with something that is this important, Mr. Speaker, we should get it right the first time.

**The Deputy Speaker:** Hon. member, my mistake. I believe you've spoken already.

We'll call the question, then, on amendment RA1.

[The voice vote indicated that the motion on amendment RA1 lost]

[Several members rose calling for a division. The division bell was rung at 8:58 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Anglin	Hale	Saskiw
Bikman	Kang	Smith
Bilous	Mason	Swann
Eggen	Notley	Wilson
Fox		

**9:10**

Against the motion:

Allen	Griffiths	Luan
Amery	Hancock	McIver
Bhullar	Hughes	Olesen
Brown	Jansen	Olson
Cao	Jeneroux	Quadri
Cusanelli	Johnson, L.	Quest
DeLong	Kennedy-Glans	Rodney
Dorward	Khan	Sarich
Fawcett	Klimchuk	Starke
Fenske	Lemke	Xiao
Fraser		

Totals:	For – 13	Against – 31
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[Motion on amendment to second reading of Bill 25 lost]

**The Deputy Speaker:** Back to the bill. I'll recognize the next speaker, the Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Well, thank you very much, Mr. Speaker. You know, I take very seriously my responsibility to speak to such a comprehensive – well, comprehensive is probably not the right term – such a heavy piece of legislation that's going to affect so many Albertans. I'll launch right into it.

You know, first and foremost, Mr. Speaker, is the question surrounding definitions. I think the choice of diction that is used and the intentional and unintentional consequences of language are, as you know, extremely important and do affect and have effects that are often more far reaching than we initially think. It's for that reason and several others that it is our responsibility to ensure that we choose our wording very carefully, especially when we're drafting legislation, and consider it very methodically and put a significant amount of thought into our intentions.

I'll begin by talking about, again, Mr. Speaker, the definition of child intervention workers. Now, you know, I can appreciate the minister's intention of giving more, as the minister has said, responsibility or authority to child intervention workers. My issue is on that definition. Now, within that category there are folks who are included like social workers, who, again, are licensed, who have a governing body. They have standards. There's certification and criteria that must be met before an individual has the designation of social worker. Yet with the child intervention worker, the terms that are used in this bill are not defined, and that is cause for concern.

As well, Mr. Speaker, it appears that this bill is downloading certain responsibilities onto front-line staff. I think that, you know, most members of the House would agree that there is a reason why some positions have more responsibility, maybe are compensated more than others. It's because they do have more responsibility, more authority. What's interesting is that what was the director's responsibility as far as statutory authority for children in care has now been passed on to front-line workers. Now, although the minister may argue that this means we can expedite a process, whether it's signing waivers or whichever else – and that may have a good intention – we need to look at the possible ramifications that aren't as positive or that are negative by doing this.

Again, it leads me back to my first point, Mr. Speaker, where, you know, if we're giving statutory authority to individuals who may not have the education, the experience, the certification, or the judgment to make such decisions, that's something of grave concern. I mean, when we're talking about, especially, removing children from a home or placing them in care or placing them with a family, that has implications that will go for the whole life of the child and have far-reaching consequences. I mean, the lives that are going to be affected by the changes in this legislation are significant, are monumental, actually. I think it's for those reasons that we as responsible Members of this Legislative Assembly need to take the time to significantly contemplate and evaluate what effects this is going to have. You know, that's one of the first reasons why I have concerns with this.

Next, Mr. Speaker, we're talking about restructuring the entire system. From conversations I've had and my caucus colleagues have had with front-line workers, I'm not sure that's necessarily the route that we need to go. Again, you know, the restructuring that's being proposed in this is riddled with certain problems. The Premier herself talked about contracting out more services, whether it's to private, for-profit agencies or to volunteer organizations, and the challenge with downloading these responsibilities onto these entities is that we're downloading liability or taking it

and putting it into the hands of those individuals who may not have the same – whether we're talking about codes of conduct or we're talking about the same set of ethical standards that they must adhere to. So that's an issue in itself.

I mean, one solution that I'm not sure the minister has contemplated is just looking at our reporting mechanisms within the department and ensuring that the communication that should be happening is happening as opposed to suddenly changing responsibilities, shifting them, downloading them onto folks who maybe shouldn't have those responsibilities or the ability to make certain decisions, who don't have the same qualifications or standards that are acceptable.

Mr. Speaker, another issue is information that is going to be shared. As my caucus colleagues have raised, the fact that the Privacy Commissioner already has listed several issues and concerns that she has with this bill speaks volumes, especially in light of the fact that this bill has only been made public in the last 25 hours. The concern is, again, as the Member for Edmonton-Strathcona so eloquently stated, that there's information that's going to be shared between agencies.

At the onset it sounds like it's a pretty good thing that there's information that's going to be shared. However, when there's information not only about a child in care but about their parents or foster parents that is going to be shared with other organizations, they may not have the same standards. We're sharing it with other service providers, and the concern here is not so much in that term but in the definition of a service provider. Again, my colleagues went through and outlined the different definitions of service provider. It could be anything from a department, an educational body, a police service, or an organization that provides programs or services.

Now, I'm not going to question the intentions of organizations or service providers in the work that they're trying to do. The challenge, Mr. Speaker, is that we do have privacy laws in this province to protect individuals and families and especially children and the most vulnerable. This bill really calls into question those laws and raises grave concerns over who will have access to what information and how it'll be used. Again, you know, the concern isn't with the 9 out of 10 organizations that even if they're given sensitive information will do the right thing and ensure that it's not shared or passed on or taken advantage of.

9:20

The concern, Mr. Speaker, is that we have a duty in this House to ensure that Albertans are protected and that they are not placed in a position of jeopardy or in a position where they could be in jeopardy, and this bill does that. I mean, that on its own is reason enough for the members of this Assembly to send this bill back, to vote it down. Let's write it correctly the first time as opposed to passing legislation which could have far-reaching implications. Let's see here. I mean, I'll come back to this, but passing this bill I think is dangerous and irresponsible.

I want to talk a little bit, Mr. Speaker, about downloading responsibility onto front-line workers. Again, you know, many front-line workers, especially social workers, those folks who work with Alberta's most vulnerable, have ridiculous caseloads. Many of them are overworked and are trying to do the best job that they can. By suddenly thrusting them into a position where they're having to make certain decisions, where they are on the front line – I mean, this is again a reason that there are positions like directors, where they're not dealing with and working with the day to day, where their head is down, and they're working hard. They have the ability to sit back and take in the larger

picture and to weigh their decisions a little more closely and with a little more time.

I'm concerned that there are some workers who because of their caseload, because of their workload, because of the demands that their jobs place on them – that there may be hastily made decisions. Again, when we're talking about deciding whether or not to remove a child from a home, there are innumerable consequences that will come with that decision and will affect a child for the rest of their life.

Mr. Speaker, as you're probably aware, when I taught for six years, I taught at an inner-city school and worked with some of the most vulnerable young people in the province, and I can tell you that many of them had experienced this system. Many of them had been moved from house to house, had been pulled in or out. You know, it makes me just wonder how many of those young people who have experienced the system, now in their 20s, have been consulted on this bill and if they've been talked to as far as the decisions that were made on their behalf, possibly with the best of intentions, but that doesn't negate the fact that some of those decisions might have been incorrect decisions. I'm sure that they would very much love to give their input and feedback on legislation that is going to affect many young people, some of whom come from similar positions and backgrounds.

I'll move on, Mr. Speaker, to the children's charter. Gosh. That sounds wonderful. A children's charter. I'd love to be enthusiastic and to get behind it. However, the first time I went through this bill, I flipped the page after I read the five points in the children's charter, thinking: okay; let's get into this. Then I realized that was it. It was more than a little disappointing. As has been raised by other members in this House, a charter should be and needs to be meaningful and have some substance to it as opposed to some great values and high-level ideologies. This sounds wonderful. What does it do? Is it enforceable? How does this apply to young people? How is this going to ensure their livelihoods and that decisions being made on their behalf are not just wishful or hopeful but that they actually have measurable outcomes or targets and standards to ensure that we are doing what's in the best interest of Alberta's children and youth?

When I look at this charter, there's a lot of fluff and not a lot of content going on here. You know, I can appreciate the minister's thought that the charter will be banged out at a later time. However – I'm sorry – if it's in this bill and it's going to be legislated, let's bang out these details right now. It should be in here. In fact, it's unfortunate that our previous motion was defeated because that would have given an opportunity to define and to clearly articulate this charter, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Yes. The Member for Edmonton-Beverley-Clareview had not actually finished his comments about the charter and a specific comment that he was about to make. I just wanted to hear the very end about, specifically, how he thinks we can improve the language around the charter and how that would make this bill, were it amended, much more effective.

**The Deputy Speaker:** The hon. member.

**Mr. Bilous:** Thank you, Mr. Speaker, and I thank the hon. Member for Edmonton-Strathcona. It's with great pleasure. I mean, you know, I think it's important for members of the opposition to make comments on things that we feel the government has done well and things that we feel haven't been

done well and then to put forward our suggestions in the form of amendments or speak to what should be included.

So it's my pleasure to go back to the issue of the charter. You know, I would love to see in this charter some achievable targets. Let's talk about things like housing. Let's talk about ensuring that children are in safe housing, that there is an adequate amount of housing versus the number of children in this province that are still living in poverty. Let's talk about ensuring that every child has food in their belly and that they are well nourished. This charter, in my opinion, Mr. Speaker, should have tangible targets or actionable items that we will ensure happen to make sure that children are protected.

You know, it's with frustration, Mr. Speaker, that I hear the Premier talk about her commitment to end child poverty, yet we look at the actions. You know the expression: actions speak louder than words. I look at whether this province has moved forward significantly in ending child poverty in this province, and we are a far cry from that. As my colleagues have stated, in a province as wealthy as ours it is quite shameful. I believe the statistic is that around 70,000 children in this province are living in poverty. When we're putting forward legislation, especially legislation that says "children first," we should be addressing these issues. I mean, words are lovely, but you're not going to fill a belly with empty rhetoric or hot air. So I'd like to see the charter be a lot more specific.

The other thing I find interesting, Mr. Speaker, is under the children's charter, subsection (3). The government is passing or would like to pass a piece of legislation that gives the minister some far-reaching powers that I find a little bit concerning, where the minister may from time to time, which is completely ambiguous, amend or repeal or replace the children's charter. Now, on the one hand, because this one doesn't actually have anything of substance, well, then, maybe that's a positive, but at the same time the fact that the charter can be interchanged is a little disconcerting. Like I said, I think it's important that hard targets, actionables are included in this charter.

You know, the other thing that I touched on a little earlier, Mr. Speaker, is again looking at the service provider. What are the qualifications for service providers? What is the training afforded? What is the standard? What body is overseeing a service provider?

**9:30**

The issue that I have, Mr. Speaker, is that, again, if we've got some workers who maybe aren't certified or aren't held up to a certain code and they are of the opinion that either disclosing information to other service providers or removing a child from a home is the best action or idea or solution to a problem, that's problematic. I mean, we need to ensure that workers are supported, but again decisions that could be made in the moment under a high amount of stress when a person is emotional are dangerous.

**The Deputy Speaker:** On the bill, the hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Well, thank you very much, Mr. Speaker. I wasn't actually going to speak at this point, but if there are no other speakers, I will do that. I am prepared to speak to it nevertheless.

I want to take up where my hon. colleague left off, on the children's charter. You know, I don't think there's anything wrong in principle with a children's charter, but I do agree with my colleague from Edmonton-Beverly-Clareview that vague principles are not going to overcome the financial barriers that children have if their parents aren't able to provide them with the

basics of life. It doesn't really address it except in the most indirect and vague way, open to the greatest possible interpretation.

Of course children should be "treated with dignity and respect," but what does that mean, and who interprets that? What does it mean in practice? We don't know.

The "familial, cultural, social and religious heritage is to be recognized and respected." That's good, too.

"That the needs of children are a central focus in the design and delivery of programs and services affecting children": well, they could be designed that way. The programs could be designed that way so that the needs of children are a central focus, but then the government could still cut the funding, as it has done, so what does that really mean, Mr. Speaker?

"Prevention and early intervention are fundamental." We agree with that, too.

It is a good principle and one we agree with that "individuals, families, communities and governments have a shared responsibility for the well-being, safety, security, education and health of children." I'm actually pleasantly surprised that that statement is present here given the dogmatic assertions of many members on both the Official Opposition side and the government side that parental rights are the only thing that counts with respect to children. But the point is that it's just words, Mr. Speaker. It's high-sounding principles, and those principles have not been backed up by action on the part of this government.

This government, of course, talked about ending child poverty in five years in this province in the election. A lot of people liked that. A lot of people voted for them because the Premier said that in the campaign, but then the very first Speech from the Throne omitted all reference to eliminating child poverty. It wasn't even in the Speech from the Throne. It should have been Bill 1, Mr. Speaker, but it was ignored. Then we saw the budget, and there are millions of dollars of cuts to children who are most at risk across a range of programs.

Now, the minister says that only the NDP thinks that you can solve a problem by throwing money at it. Well, Mr. Speaker, we don't believe that you can solve most problems by throwing money at them. That's actually been the practice of this government. Whenever they run into trouble, they've had lots of royalty money to throw at it, and it hasn't produced the results that they claimed it would.

But this is one issue where money does make a difference. If you're going to raise people out of poverty, you have to put more money in their pocket. Now, how can you do that if you are withdrawing as a funder for programs for those children and those families? Who's going to step up, Mr. Speaker? Private companies? I don't know. Can you make it into a business so that they can make money giving money away to poor people? Are underfunded private agencies or not-for-profit agencies going to be able to do it? Are they expecting the municipalities to do it? How is the government planning to resolve the question of children's poverty? We don't know, and the charter doesn't even address it.

It could be strengthened if we had some clear language and clear goals and some clear requirements that have to be there. Now, I know that the charter hasn't been written yet, but these are the principles that it's supposed to include, and I sincerely doubt that when we do see the final charter, it's going to say that the government has a responsibility, legally enforceable in the courts, to make sure that no child lives in poverty in this province. It won't say that, not from this government, Mr. Speaker. It's going to be more words, but it's going to be following this particular set of principles. It will just be more principles, and we know that the

government doesn't stick to them, that it would rather keep taxes low for corporations, maintain the flat tax, maintain some of the lowest royalties in the world than actually fix child poverty.

I wanted to talk a little bit about some of the problems with this act. It provides statutory authority for children in care to child intervention workers. Now, other of my colleagues have talked about the child intervention worker, which is not defined – it's not a profession; it doesn't have standards – as being anybody that calls himself a child intervention worker. It shouldn't be here. It shouldn't be in the act. A completely undefined profession, a completely undefined position in the delivery of programs to children should not be included in an act and should not be given any authority. Only those people who are professionally trained and accountable for their professional behaviour, in our view, should be specified in an act and given authority in an act of this Legislature.

I see this as very closely related to the decision to download responsibility for children's services to underfunded community organizations, including profitable organizations, corporations, companies, and so forth. It is a delegation, it is a downloading, it is an off-loading of responsibility for children. That's what the act is really about, Mr. Speaker, and that's why we take such exception to it. It's part of the social policy framework, that reduces the priority of providing social services for those in need in our society. It reduces it by saying: "It's no longer government's responsibility. We'll toss it down to the community, and we'll let them sort it out. By the way, we're going to cut the funding while we're at it, and we're going to end child poverty in five years." Good luck with that.

The same thing is happening here. Skilled, qualified, caring, compassionate, professional staff are going to be replaced with anyone that a not-for-profit organization wants to call a child intervention worker. So it is, again, a devaluation of the work and the priority that this government gives to children and children's services.

#### 9:40

Now, we said earlier that Bill 25 was a clear response to a particular case in which the ruling was made by Justice Jean Côté, and we think it's a clear response to that 2009 case. It's a restructuring of the entire system. Now front-line staff will have the statutory authority that was formerly vested in the most senior officials. It means that front-line staff, not necessarily qualified, professional staff but front-line staff, will be held responsible for everything even though many decisions are made by more senior people in the department and the front-line staff have no power to access the necessary funds to deal with the cases in front of them. The government is transferring their statutory authority and their responsibility for child protection away from the director to any front-line service provider.

The Premier talked about contracting out more services, and there's certainly lots of potential for that in this bill. There's potential for the government to contract out to for-profit agencies the responsibility for custodial decisions and thereby contract out their own liability, Mr. Speaker. The definition of child intervention workers in section 9(62) does nothing to prevent that, but it's clear that a complete restructuring of the system is not needed. What we think is needed are clear reporting mechanisms within the department.

Secondly, Mr. Speaker, the bill makes it much easier to share information between service providers, which raises immense concerns about privacy, and this issue has been raised by the Privacy Commissioner. First of all, how does the bill define a



service provider? On page 2, section 1, the new Children First Act defines service provider as follows:

- (g) “service provider” means
  - (i) a department;
  - (ii) an educational body as defined in the Freedom of Information and Protection of Privacy Act;
  - (iii) a police service as defined in the Police Act;
  - (iv) an organization as defined in section 1(1)(i) of the Personal Information Protection Act that provides programs or services for children.

If we look at that, we see that under the Personal Information Protection Act

- (i) “organization” includes
  - (i) a corporation,
  - (ii) an unincorporated association,
  - (iii) a trade union . . .
  - (iv) a partnership as defined in the Partnership Act, and
  - (v) an individual acting in a commercial capacity.

So they’re commercializing child poverty, Mr. Speaker. They’re commercializing the care of children and the services that are currently provided by the government.

In short, Mr. Speaker, this bill will permit government agencies not only to share information amongst themselves but the children’s personal information with corporations and individuals acting in a commercial capacity. This is the provision that opens the door to privatization in the child intervention system, exactly what the Premier promised to do when she said that she would review all government services to see which ones can be privatized. Clearly, she thinks that corporations can be allowed to make money off the most vulnerable kids.

In addition, the Privacy Commissioner has stated that she’s very concerned about the privacy implications of Bill 25, and she goes on to say that

Bill 25 erodes individuals’ ability to control what happens to their own personal and health information by broadening the ability to share information without consent. The ability to say yes or no to the sharing of one’s own information is, fundamentally, what privacy laws are intended to provide – control.

Under Bill 25

individuals will not necessarily know what information has been collected about them, by whom, or for what specific purpose. This is contrary to fundamental privacy principles of transparency, openness and accountability, and reduces individuals’ ability to exercise their rights to complain or ask for a review under existing privacy laws.

In effect, Mr. Speaker, what the Privacy Commissioner is saying is that this secretive PC government has introduced legislation that undermines transparency, openness, and accountability.

This is, again, the Privacy Commissioner.

Bill 25 may authorize information sharing with non-profit organizations that are, for the most part, not regulated by privacy legislation and not subject to any independent privacy oversight body.

Bill 25 provides legislative authority for sharing information “for the purposes of enabling or planning for the provision of services or benefits.” This is a very broad purpose that could include any number of activities undertaken by a service provider.

Finally, she says that

Bill 25 authorizes information sharing that in many ways is already permissible under existing . . . privacy laws. The Freedom of Information and Protection of Privacy (FOIP) Act, the Health Information Act (HIA) and the Personal Information Protection Act (PIPA) allow disclosures with the consent of the individual the information is about, or without consent in certain circumstances.

Mr. Speaker, the commissioner has recommended that “Bill 25 should, at the very least, be amended to include: mandatory requirements for privacy impact assessments; a duty to record disclosures . . .”

**The Deputy Speaker:** Standing Order 29(2)(a) is available for questions or comments. The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Yes. I do believe that the member had been making some comments about what he believes the commissioner was putting forward as some proposed changes that would be helpful and would improve this legislation. I’m wondering if he could continue talking to us because I’m curious about his view on what those proposed changes were and whether they would be advisable.

**Mr. Mason:** I thank the hon. member for that question. The commissioner recommends that

Bill 25 should, at the very least, be amended to include: mandatory requirements for privacy impact assessments; a duty to record disclosures, including disclosures via information systems; and a duty to report privacy breaches to the Commissioner’s Office.

That’s what she says.

I want to just conclude, though, Mr. Speaker, and say that there are some basic flaws in this piece of legislation, privacy being one of them, but the degradation, the lowering of priorities of children’s services in this province by dispersing it among not-for-profit and for-profit organizations that don’t have the capacity to deal with it as well as reducing the standards in terms of staffing to an undefined group of front-line service providers and giving them authority for things but without the resources to do the job that they need to are all fatal flaws, in our view, in this piece of legislation.

A children’s charter could be something that would be valuable and useful, but it needs to be really concrete and very specific, and it needs to address real economic issues affecting children. It’s not good enough to have high-sounding principles about how we value children and value their rights to education and so on. We need to have clear and very positive language in a children’s charter that requires government to make sure that child poverty does come to an end. That’s what we think should happen. That’s what voters thought that the government was going to do, but it’s something that needs to be done.

I think we should all reject this bill as it currently stands. We should fix it before we pass it. We’ve seen too many examples of what the minister is saying: let’s pass it; it could be wrong, but we’ll fix it. That’s a very irresponsible approach to take to legislation, Mr. Speaker. Look at Bill 50. Look at what they did with Bill 19. Look at what they did with Bill 36 and what they did with Bill 50. They made a total mess, passed rotten legislation, and then had to go back and fix it. That’s not what Albertans expect of their government. They expect a government that gets it right the first time at least most of the time. But now the minister is saying: “No. That’s our standard way of operating. We’ll pass flawed legislation. If it doesn’t work, we’ll change it.” Not good enough, in my view.

Thank you.

**The Deputy Speaker:** Hon. Government House Leader, did you want to respond under 29(2)(a) as well?

**Mr. Hancock:** Yes. Mr. Speaker, I want to make sure that it’s clear on the record . . .

**Mr. Mason:** He can respond?

**The Deputy Speaker:** Well, he can ask a question. My apologies, hon. member. Question or comment.

**Mr. Hancock:** First of all, Mr. Speaker, I appreciate the opportunity because it is supposed to be a question-or-comment period. It's not supposed to be monopolized by one person talking for five minutes if more people have indicated that they want to speak. We do need to actually enforce that.

The other piece I want to make perfectly clear, that the hon. member should know, is that, first of all, the provision for a children's charter in here is not the children's charter itself, and developing a children's charter or the process of developing a children's charter in itself is a very important process involving Albertans in developing that children's charter. So to suggest that this is not comprehensive enough when the whole process about developing a children's charter is to make it a comprehensive charter is really quite misleading in terms of a reading of the process.

9:50

More importantly, I want to make clear for the record that I did not say that one should pass flawed legislation and fix it later. What I said in response to a comment that was made by Cardston-Taber-Warner is that nothing is ever perfect and that one should never assume it's perfect. One should always be prepared to assess what they do and learn from it, learn from their experiences and do better. That's a far cry from saying that we should start with flawed stuff and fix it later. That's not what I said, and I want to make it clear on the record that it's not what I said because this hon. member is very fond of misinterpreting what I say.

**Mr. Mason:** Can I respond?

**The Deputy Speaker:** Well, somebody has to ask you a question, hon. member.

**Mr. Mason:** I heard a question.

**The Deputy Speaker:** I didn't hear a question, but go ahead, hon. member.

**Mr. Mason:** Thank you very much. I think it's worth while . . .

**The Deputy Speaker:** Thank you, hon. member. That time has expired.

Are there other speakers at this time?

Seeing none, I'll give the minister the chance to close second reading. The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. I would like to have the opportunity not to prolong the debate on this but to say thank you. With all the rhetoric that was happening, there were actually some very wonderful contributions to the discussion, and I thank members for doing that. I mean, we do get carried away sometimes. I, quite frankly, get emotional about this myself. What we need to do in this House is have good debates on good public policy issues.

What we need to do in this House, in my view, is ensure that we take the time to read the legislation and to understand it and respond to it. That does take time. I actually want to apologize that there isn't more time sometimes to introduce a bill and let it sit there long enough for people to actually go out and consult. Most of the time as House Leader that's what I have encouraged, that we get the legislation on the agenda early, we then go off and do the budget, and then when we come back, people have had lots of time to get it out there. But that's not always the case.

This is, I think, important legislation to deal with now. I'm surprised at the speed with which some of the legislation has happened and how quickly we've come to this. Nonetheless, we are where we are. It's important to put everything into a context. This legislation is legislation that people have asked for but not specifically. They didn't say: I want a children first act. Quite frankly, I was surprised when we got to call it the Children First Act, but I'm pleased with that.

What we did over the last 18 months is that we've talked with people inside the department and outside the department. Yes, we have talked with social workers and others in the department about what we could do to make the job better so that they could use their innovation, use their talents, use their abilities at the coal face, so to speak, to actually get the job done. Yes, we need bureaucracy, and yes, we need rules, but we shouldn't design it so that that bureaucracy and those rules get in the way of the outcomes we want to achieve. Rather, enhancing the ability to get to those outcomes: that's what we're striving for. That's what we want to build.

There were a number of comments in second reading about a child intervention worker. Somehow there was a suggestion that just anybody would be designated as a child intervention worker. Well, that's not the case. There's clearly a provision in the act, which the hon. member has obviously read, that they got to because they quoted some of the sections about the ability to designate somebody as a child intervention worker and regulation-making authority that's outlined in regulation of what might constitute a child intervention worker. Obviously, you want to have well-qualified people making these types of decisions. Obviously, you want to do that. Can you write it all in legislation? No, you can't write it all in legislation.

Legislation is very prescriptive, it's very unyielding, it's very unchanging, and it doesn't actually react to the things that you need to do on an ongoing basis when you're dealing with complex issues and people. You can't write rules for every situation that families have or people have. You can't do that. That makes it impossible. What we've built up over time – and I'm not just talking about this government; I'm talking about governments generally. We've built up bureaucracies.

Bureaucracy is not a dirty word. Bureaucracy is a description of what you try to do for equitable access to public resources. How do you make sure that people are treated equitably? You build up structures to do that, but sometimes the structures get overbuilt. Then you put in accountability structures on top of that because you want to be publicly accountable, and you want to be accountable for the public dollar. Then people start adhering to the accountability structures, then the bureaucracy, and pretty soon nothing gets done. Sometimes you have to go back and sweep that away and say: what we actually want to do is achieve the outcomes, and what we actually want to do is empower well-qualified people to make appropriate decisions at appropriate times to achieve those outcomes.

Yes, government has to be accountable. We're not going to delegate that authority willy-nilly. We're going to delegate that authority to people who are qualified to make those decisions, who are reasonably well trained to make those decisions, who have experience in those decisions, and who are working with other well-qualified people in the area. Obviously, that's going to have to happen. There's no way government is just going to pick somebody off the street and say: you do it, and we'll be accountable for your actions. That would be absurd. That's the type of interpretation that the hon. Member for Edmonton-Highlands-Norwood and his colleague from Edmonton-Strathcona would want to put out. Well, that's just an absurdity.

With respect to the privacy issues there are fundamental disagreements sometimes about how much we keep private and how much we share, but one thing should be perfectly clear. There's nothing in this act which is going to allow some unqualified person who has no association with it and is not accountable – in fact, there's nothing in this act which says that it supersedes FOIP. The FOIP Act actually has a provision that says that it's paramount to every other statute. So there's nothing that takes this out of FOIP. Nothing. They're still bound by FOIP.

We're talking about professionals who understand their obligations sharing information with each other with respect to helping a child. That's what we're talking about. Do we want to make sure that in every one of those situations where they're sitting down in a meeting and sharing information, the child has a privacy assessment? With respect, I'd disagree with the Privacy Commissioner on that. That would be more bureaucracy and more rules and binding more things together, which won't work. So I'll have to have a respectful disagreement on that particular point. What we want to do is not throw people's personal information out into the street or put it on the Net. What we want to have are professionals, working together in the best interests of children, being able to share the information that they need to share so that they can protect children who are at risk, so they can assist children and families who are going through difficult times and do it in an appropriate way. That's a very important objective. That's what this act is about. That's what this act will accomplish. Yes, there's a lot more work to do.

I keep hearing from people: you aren't taking any action. Then when you take some action, when you deal with issues that people are saying are the most important barriers to success in terms of them carrying out their jobs, they say: "Oh, you can't do that. You'd better wait." I'm sorry; which is it? Do we take action, or do we wait? I vote for taking action. I hope you will, and I'd ask you to support this in second reading.

[The voice vote indicated that the motion for second reading carried]

[Several members rose calling for a division. The division bell was rung at 9:58 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Allen	Fraser	McIver
Amery	Griffiths	Olesen
Anglin	Hale	Olson
Bhullar	Hancock	Quadri
Bikman	Hughes	Quest
Brown	Jansen	Rodney
Cao	Jeneroux	Sarich
Cusanelli	Johnson, L.	Saskiw
DeLong	Kennedy-Glans	Smith
Dorward	Khan	Starke
Fawcett	Klimchuk	Wilson
Fenske	Lemke	Xiao
Fox	Luan	

10:10

Against the motion:

Bilous	Kang	Notley
Eggen	Mason	
Totals:	For – 38	Against – 5

[Motion carried; Bill 25 read a second time]

## Government Bills and Orders

### Third Reading

#### Bill 21

#### Environmental Protection and Enhancement Amendment Act, 2013

**The Deputy Speaker:** The hon. Member for Calgary-North West.

**Ms Jansen:** Thank you very much, Mr. Speaker. It is indeed my pleasure to rise and move third reading of Bill 21, the Environmental Protection and Enhancement Amendment Act, 2013.

On behalf of my colleague the Minister of Environment and Sustainable Resource Development I would like to thank this House for the support shown for this bill and what it is designed to accomplish. Through second reading and Committee of the Whole we better examined what this act could achieve for Alberta. We discussed the importance of creating a funding mechanism between industry and government to support the joint Canada-Alberta implementation plan for oil sands monitoring. The funding arrangement will enable Alberta to collect, hold, and disburse funds and to continue to implement the joint plan. This funding mechanism is a perfect example of how government and industry can work together on a common goal, and that goal is to promote an open and transparent system for environmental monitoring. The funding proposal was put forward by the Canadian Association of Petroleum Producers and is fully supported by all of the players in the oil sands.

The goal of Environment and Sustainable Resource Development is also full integration of all hazardous waste management systems in the province. With this in mind Bill 21 will remove the requirement for personal identification numbers, or PINs, for hazardous waste management to support implementation of the regulatory enhancement project. The next step is passing Bill 21 so that we can establish a funding mechanism as we move forward on a provincial monitoring system and also fully integrate all hazardous waste management in the province.

Thank you, Mr. Speaker.

**The Deputy Speaker:** The hon. Leader of Her Majesty's Loyal Opposition.

**Ms Smith:** Thank you, Mr. Speaker. Do you know how much time I have?

**The Deputy Speaker:** Ninety minutes.

**Ms Smith:** I do. Well, I was expecting that I was going to be called by my deputy House leader to speak to this around 5 o'clock this afternoon. Being that we've had a few more hours to work on it, I won't use my full 90 minutes, but my comments are going to be more voluminous than I had originally intended. Sorry to the members opposite, but you'll be happy to know that I am speaking in favour of Bill 21.

I will go through a couple of the reasons why I'm in support of Bill 21, the Environmental Protection and Enhancement Amendment Act, 2013. I congratulate the government on being able to work collaboratively with our federal counterparts. I've been watching with great interest as the federal Environment minister and the provincial Environment minister have rolled out joint initiatives over the course of the last year. I think this is a very positive step in the right direction. I think it does show that there is a real appetite on the part of both our federal and provincial counterparts to find ways to be able to improve not only

our environmental monitoring for the sake of that but also to improve our environmental performance for the sake of being able to make the case to our international partners in the United States, to our future international customers around the world that Alberta can develop its resources in a way that has less and less impact on the environment. The first step towards making that international case is, of course, having sound monitoring.

I reflect back on my own leadership campaign. When I decided to run for the Wildrose back in 2009, I had a number of different platform planks. Two of them were energy and environment and the nexus between the two. I have mentioned in this Chamber before that I have coauthored three studies on the environment. This is an area of particular interest for me. One study was on species at risk. Another one was when I was at the Canadian Federation of Independent Business, called *ecoprosperty*. I'll make mention of that one a little bit later. The other was environmental indicators for Canada and the United States. My very first foray into public policy was going at this very important task of looking at what the environmental indicators actually say and looking at our progress, measuring that progress, and seeing how much incredible progress North America and Canada in particular have made on a number of different measures since the first Earth Day, back in the 1970s.

One of the things that you will notice as well with our party in the supporters that we have had and the members who are represented here today is that we have a large number of landowners who support our party. The reason for that is because we recognize and I think landowners as well recognize that landowners have been the original environmentalists, the original stewards of the environment. The incredible amount of work that our landowners have done to be able to steward the resources not only benefits their business but also benefits the environment, increases biodiversity, ensures that we've got sound management practices for not only land but also air and water. I think that you will find that that is an ethic that runs through all Albertans from the north to the south and certainly nowhere more strongly than in our landowner community.

I would say that many of the issues that we have faced over the last number of years, the friction that we've had between our landowner community and our energy industry, have centred around an absence of monitoring or insufficient monitoring. Establishing baseline measures for a whole range of factors, whether it's water quality measures, air quality measures, land-use measures, species at risk measures, is vitally important, I think, to being able to continue to have a very positive working relationship between those who are developing our energy resources and those who are most impacted by it, the surface users and our landowners. I think this is an incredibly important step in the right direction, and I'm looking forward to seeing how it develops.

I was also very interested in reading through the *Hansard* debate on the amendments put forward by my colleague from Rimbey-Rocky Mountain House-Sundre. I was interested to see how that debate unfolded. I would say that I am convinced by the environment minister's arguments on one of the issues that was raised, about whether or not this should have been narrowed to be more specifically on oil sands or whether there was some advantage in having it more broad so that the act gives the authority to the government to establish monitoring on a whole range of environmental indicators.

I have to say that I am persuaded that it is more broad and that that is a good idea because I think that even though oil sands really is the area where we have our most acute challenges in communicating to the world the progress that we're making on the environmental front, the success that we will make in monitoring

oil sands can also lead to success more broadly across all indicators all over Alberta.

I'm glad that there is this greater latitude to be able to bring in monitoring programs not just for the oil sands but also more broadly, and I'll explain a little bit why I feel that way. First of all, I do think that in the oil sands area we have significant opportunities for improvements, significant opportunities to make incredible progress and to develop incredible new technologies that will allow us to be able to develop the resources that have less impact on those three: water, air, and land. As those technologies are developed, they'll be able to not only assist in cleaning up the environment in the rest of the province but also become export technologies for the world. That is something that Alberta is well known for.

Again, it all goes back to being able to monitor. Once you've established the baseline, you can start developing methods to be able to reduce the level of pollutants and impact on the environment and make incredible progress. We've already seen what is happening with our oil sands companies and the work that they're doing collaboratively to be able to eliminate tailings ponds. I think that they will have a breakthrough, and we'll be able to see in very short order how we will be able to eliminate tailings ponds and, in doing so, use that technology for broader environmental cleanup, especially in the area of oil spills, which, as we know, is an increasing issue for us internationally in getting our pipelines approved.

I think as well, on the issue of air quality emissions, that as we start doing more emissions monitoring and more ambient air quality monitoring, we're going to be able to use the progress there to be able to establish new measures and new technologies elsewhere.

Then, of course, the fact that we're going to be able to have less and less impact on the land: we're already seeing that with SAGD operations. These large mining operations have been an incredible source of prosperity for Alberta, but I think we do recognize that moving to different, less invasive, and smaller-footprint development projects also offers us an opportunity to demonstrate to the world that we're developing the resource in a way that has less impact on the environment.

I think that being able to do all of that monitoring up in the oil sands is fantastic. It offers us significant opportunities to be able to make that case to the world. But the reason why I think it's very important for us to make sure that we're taking a very broad approach – and I encourage the minister to be as broad as possible in establishing these programs – is because we have to recognize and be honest about how difficult it is going to be to reduce our oil sands greenhouse gas emissions as we're looking at increasing our oil sands output by double over the next 20 years or so. I think that if you just narrowly focus and just try to continue to have energy intensity targets on oil sands that are unrealistic, we'll never be able to make the case to the world that we're actually going to be able to reduce our overall emissions targets.

**10:20**

I've talked to a number of people who are invested in oil sands, and part of the problem that we face in being able to reduce our greenhouse gas emissions, especially in the area where we have mining, is that as they start mining out further and further, they are having to use more and more trucks. One of the operations that I spoke with is now using twice as many trucks to be able to mine the product and take it to the upgrader so that it can be upgraded and transported to market. It just stands to reason that as these large mining operations end up getting more established, they are actually going to be more energy intensive because of the transportation vehicles that they need to use.

We're also seeing this in the issue of SAGD. As SAGD continues to develop, we're going to see more and more natural gas used to be able to create the steam. The fact of the matter is that in developing these resources, we are going to be using more hydrocarbon fuels, and as a result we are going to see an increase in greenhouse gases. The way we're going to be able to demonstrate to the world that we're going to make meaningful progress on this is if we see displacement technologies in other areas. This is why my colleague from Rimbey-Rocky Mountain House-Sundre has talked so much about how we have opportunity on greening the grid on electricity. It's related.

If we can start moving to other sources of fuel for electricity, whether it's clean coal, whether it's natural gas, whether it's hydroelectricity, that is where we end up with the really genuine offsets for what we know will be the increase in greenhouse gas emissions in the oil sands. I hope that we are able to create through this monitoring program that holistic approach so that we can acknowledge to the world that, yes, we're increasing over here, but look at how much we're dramatically decreasing over here. I think we have a huge, huge opportunity with the potential development of hydroelectric power not only as a source of new, clean, and green power to be able to offset the retiring coal plants but also as a potential replacement for some of that natural gas in Fort McMurray.

I would hope that by doing this monitoring, doing it in a broad base and expanding out what we expect of our industry working collaboratively to achieve as collective goals for Alberta, we will be able to make the case to the international community that we are a responsible producer of energy. We know in this Chamber that we are a responsible producer of energy, and it's just a matter of having the data to be able to support the progress that we're making.

I think that this kind of approach could shift the discussion in Canada and, more importantly, shift the discussion in the United States. I think we also know, looking down at our American friends, that they do want to achieve certain greenhouse gas emissions goals, but if we can get them thinking along the same lines holistically rather than just zeroing in on the one source of greenhouse gas emissions in one province in one industry, as they have been doing, then I think we'll have great success in being able to say that we can achieve our goals together.

We can see an increase in oil sands development, we can be a partner in providing energy security for North America, but we can also achieve a collective reduction in greenhouse gas emissions. The Americans have the same challenge that we do of greening the grid, particularly in retiring some of those heavy-polluting coal-fired electricity plants. They've already made some progress in that, but I think that by taking a holistic approach to monitoring, we will be able to help change the public attitudes in the United States that will help us get pipelines approved, and it will certainly help us open new markets.

Shifting to Europe, I think that our environmental monitoring will have a huge impact on shifting the discussion with our potential European customers in the future. I would say that in looking at some of the efforts of the government over the past number of years, I think that what I've observed the government to do is that they often take measures designed to be able to get media as opposed to get results. With ad campaigns, especially since they've been done in sort of a haphazard way as opposed to an ongoing education campaign, the \$2 billion that was initially set aside for carbon capture and storage – I think we've already seen the failure of that approach, with two of the proponents backing out, saying that they can't make money at it. The \$15-per-tonne carbon levy is, I think, also going in the wrong direction. I'll

talk a little bit more about that because I know my colleague from Rimbey-Rocky Mountain House-Sundre proposed what I thought was an excellent amendment last night. Hopefully, it's something that will be of further discussion between he and the environment minister as we go forward.

Again, getting back to this issue of proper monitoring and establishing proper baselines to show reductions and improvement, I want to talk about some of the really important opportunities that I think Alberta has to be able to shift debate in this regard. When I worked at the Fraser Institute, my boss there, Mike Walker, used to have a phrase. He said: if it matters, measure it. But the most important thing is that you have to be measuring the right things.

One of the problems that we face in Europe is that the OECD does an annual assessment of environmental indicators, but there are a lot of problems with the data. In some cases they're measuring the wrong things, or they're measuring in the wrong way. I'll just give a few examples to explain how I think Alberta, with its new monitoring program, especially broadly defined, could begin to add new data to the mix that might be able to help change the debate in Europe.

For instance, in the OECD measures they do a measure of forestry. The measure that they use, about whether or not a country is overharvesting their environment or underharvesting their environment, is a measure of the amount of cubic feet harvested per capita. Now, per capita measures don't work when you're measuring something like that. On that measure Canada is 27th on the list of 29. Iceland is first on the list. Well, the problem is that Iceland has no trees, so of course they're not going to have a very low mark when it comes to how many trees they're harvesting. A better measure would be: how much harvest is there per hectare of forest that you have? If Canada was measured on that, a meaningful indicator, we would actually go up to sixth on the list, from 27th out of 29.

There are another couple of examples; for instance, fertilizer. If you try to measure fertilizer per capita, as they do in the OECD environmental indicators, Canada is, once again, 25 on a list of 29. Who's number 1? Switzerland. Switzerland has 1 per cent of Canada's cropland. They don't produce a lot of crops, and that's the reason why, when you measure on a per capita measure, Switzerland ends up at the top of the list and we end up down.

What if we measured fertilizer per hectare? Well, then Canada would go up to third, and Switzerland would go all the way down to number 18. The same thing with pesticides. If you actually put it on a proper measure – how much pesticide are you using per hectare? – rather than being 22nd on the list, Canada would be all the way up at fourth place.

But the biggest opportunity is the per capita measures on energy usage. Right now Canada is 27th out of 29 on that measure. Turkey, Mexico, and Portugal are right up at the top. But none of the measures that the OECD uses look at climate, look at geography, look at the existing resource space, look at whether you're an import economy or an export economy, look at what your existing population is. By using this new approach that we have for monitoring, for establishing baselines, for establishing new indicators, I believe that we could change the debate in Europe right now away from looking at what I observe to be flawed measures of environmental indicators that skew against Canada's performance and skew in favour of countries who are part of Europe. I think that Canada and Alberta in particular have a huge opportunity to change the debate. I think that this bill, that dedicates so much money to monitoring, can really lead the way.

I want to just revert back to the report that I worked on when I was at the Fraser Institute, Environmental Indicators for Canada

and the United States. There are a couple of things that I would observe, coming closer to home, about what I found when we were going through that. Again, this was back in 1995-96. What we found at the time was that the data was not great, particularly for water quality monitoring. There were very, very few stations that were set up in rivers across the entire country, let alone in individual provinces, that monitored ambient levels of different pollutants in the water. This, I think, is a good opportunity for Alberta to be able to establish something far more comprehensive, and I think it is one of the areas where we still end up with difficulty being able to get good data.

The other major success story that we found in looking at the data – again, I’m looking at 2012 because they’re still doing their air quality update. The national air pollution surveillance database already monitors the ambient air levels of NO<sub>x</sub>, SO<sub>2</sub>, carbon monoxide, volatile organic compounds, particulate matter, and we have had incredible progress over the last 35 years in reducing all of those ambient levels of air pollutants.

The Fraser Institute did give some recommendations about how we might be able to improve air quality monitoring even further even though we have already made great progress. It does seem in looking at the database that there are places where we have high levels of emissions but we don’t have air quality monitoring stations. That would be one of the holes that I would think through this process we’d be able to fill, identifying areas where we do have emissions and making sure that we’ve got stations in place so that we can do a proper and more thorough level of monitoring.

**10:30**

The other thing that they pointed out is that the national air pollution surveillance database doesn’t include certain other pollutants. Benzenes are not included, and there may be other things to consider adding just so that we can get a more comprehensive measure of what our true air quality is.

In summary, on the first point I think that it is very good that the act remains very broad. I think it’s very good that the environment minister has the latitude to be able to establish a full spectrum of monitoring on air, on water, and on land. I’m really looking forward to watching how this develops. I’ll be watching it with great interest.

The last area that I wanted to make reference to – and this goes to the point that my colleague from Rimbey-Rocky Mountain House-Sundre was raising last night – is the issue of the \$15 per tonne carbon levy that goes into a fund that is managed by the Climate Change and Emissions Management Corporation. I think that my colleague from Rimbey-Rocky Mountain House-Sundre says that this is not a levy-and-spend type of proposal; it’s a levy-and-hoard type of proposal. We already see that the number of dollars that are growing in this fund has gone up to \$235 million that is just sitting there.

I have to say that in looking at the progress report of how the funds are being spent, I would have to question whether or not we’re actually getting any value out of this. I think it served a PR purpose as opposed to a practical purpose, and I think that the numbers really do speak for themselves. It’s quite interesting, as my colleague pointed out, that the levy brings in about \$51 million per year, maybe \$60 million this year, and \$50 million per year just happens to be the amount of money that the government is wanting to commit to doing this monitoring.

The problem with the approach that is being taken by this corporation is that in their two-year progress report they have given out 43 different grants to individual companies. As you know – we’ve said this many times before – we don’t believe government is all that great at picking winners and losers. We

think that that should be done in the private market. But if you’re looking at the measure of performance that this is judging by, to what extent is it actually achieving the government’s objectives of reducing greenhouse gas emissions? I have to say that it’s a pretty paltry performance record. Forty-three different projects. Two years in only two of them are complete, four of them are only 40 per cent complete, 10 of them are between 20 and 40 per cent complete, and the rest, which is well over half of them, have had virtually no progress being made on them.

Meanwhile, this corporation is trumpeting that they may reduce, if all things go according to plan over the next 10 years, eight megatonnes worth of greenhouse gas emissions. Well, our greenhouse gas emissions levels in 2011 were 242 megatonnes, and the federal government has committed Canada to reaching carbon emissions objectives of 18 per cent below 2005 levels by 2020. This approach is not going to get us there. It may have been a useful PR tool at the time it was put forward, but I think that now that we’re a few years in, we’re seeing that it’s not generating what it should.

I think that my colleague from Rimbey-Rocky Mountain House-Sundre was absolutely right. We would get far better value by taking the fund dollars that exist there right now, \$235 million, and investing that in establishing the monitoring for air, land, water, not only for oil sands but throughout the province, and then being able to have this ongoing levy applied to future monitoring efforts. I think it would be a far better use of the dollars that are in that fund, a far better use of the dollars coming in from that levy.

What I would observe as the problem that we have in talking to our international partners, in talking to the international community, and in talking to our future international customers is that they’re not interested in seeing political spin. They’re not interested in seeing flashy proposals that don’t actually accomplish anything. They’re actually interested in seeing real progress, and the only way that we can show real progress is by establishing the benchmark, establishing the baseline, and then watching across all industries the kind of technological improvements that are going to see all of those different measures go in the right direction, which is improvement rather than getting worse.

The other thing I would say is that I know that the members from the NDP opposition party rejected the proposal that my colleague had put forward on the grounds that they believe that the polluter should pay. I think I’d just like to put another proposal, that comes from my own hometown, on the table about how the kind of approach from Member for Rimbey-Rocky Mountain House-Sundre could actually help small municipalities who are trying to do the right thing.

My hometown of High River annexed some land that included the local landfill. They thought: this is great; we’ll be able to invest \$2 million in being able to recover this property. They thought they would be doing something good for the environment, and they thought that they would be doing something good for the community, that they’d turn it into parkland. Well, rather than actually getting accolades for doing that, they’re being punished by the province because the province has now said: “Well, now that you own this and now that you’ve recovered it, we want you to do ambient air quality monitoring for methane at a cost of \$150,000 per year in perpetuity. We don’t really know when that’s actually going to come to an end. This is the first year that we’re doing it.”

I have to tell you that they do feel like they are being punished for having done the right thing, whereas if we had this kind of fund set up that would be looking at how we would monitor methane as a greenhouse gas at a variety of different sites, this is

exactly the kind of thing that High River would be able to apply to to have that air quality monitoring take place, and then they would be rewarded for having taken the right steps in recovering this landfill.

I put that forward as the potential that I see for taking the kind of approach that my colleague had proposed. I think that this would not only benefit my hometown, but I think that there's probably a number of other projects that would be able to apply for these funds so that we can make sure that we have the very best air quality monitoring so that we get the very best results.

The last thing I would say is just on one of the other studies that I coauthored when I was at the CFIB. It was on ecoprosperty. We were measuring the attitudes of small- and medium-sized enterprises and their attitude towards the environment and towards the economy. The thing that I found so heartening and so wonderful is where most small- and medium-sized business owners sat on this issue of where the balance is.

Now, you will always find a certain percentage of folks who say that the economy can be sacrificed because there is no measure that goes too far when the environment is concerned, and you'll have people on the other side that will say that as long as we're making progress on the economy, then there's some sacrifice that happens with the environment. Fortunately, both of those extreme positions are not represented in very large numbers. The vast, vast majority of people – in our study it was 87 per cent of the small- and medium-business owners surveyed – said that we have to have a balance.

We can have a healthy economy and we can have a healthy environment. If you do not make sure that you have a healthy economy, you don't have the dollars generated to be able to invest in the environmental technologies that will allow you to continue to improve, and if you don't have a healthy environment, you don't have an environment in which your business can thrive. I think most Canadians, most Albertans understand that there's an important balance.

I think that the measures that are going to be taken in this act to be able to do the monitoring will let a lot of Albertans be at ease. We're doing really well on a great many indicators of environmental performance. I think the opportunity that we have is to be able to demonstrate just how good a job we are doing compared to our neighbours in other provinces, our neighbours in other energy-rich jurisdictions, and certainly our international customers and partners. To me this is just an absolute opportunity, and I'm glad that the government is going to take advantage of that.

I think if they took the recommendation of my colleague from Rimbey-Rocky Mountain House-Sundre, we would be able to increase the monitoring quickly and get to those goals faster. I hope the government still does consider taking that under advisement, but I certainly will be supporting this bill and voting in favour of it, and I urge others to as well.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. leader.

The hon. Member for Strathmore-Brooks.

**Mr. Hale:** Thank you, Mr. Speaker. I'm glad to rise here today to discuss Bill 21, the Environmental Protection and Enhancement Amendment Act, 2013. I'm cautiously happy to see this government bring this bill forward as it appears to deal with legitimate environmental and industry concerns. Additionally, the bill will help Alberta obtain and maintain the social licence that is essential to continue to develop Alberta's natural resources and to achieve greater economic prosperity. Obtaining this social licence and enhancing the image of the development of our natural

resources across the world have to be serious priorities for this government.

**10:40**

Environmental issues are paramount in the international public debate on the development of fossil fuels and the oil sands. Continuing to improve our environmental record will be a key part of gaining access to new markets and expanding Alberta's economy. We must recognize that improving our environmental record will not be done by one bill. This is a common goal we in this Legislature should share and work together towards.

With that said, I do believe this bill is a step in the right direction. The Wildrose Official Opposition recognizes that the government must play an important role in improving our environmental record and has put forward some environmental ideas I think the government and legislation like this should take seriously. I think it's important to mention that while improving and maintaining our social licence to develop our energy industry is vital, we must not forget that there is nothing more important to individuals than the quality of the air they and their loved ones breathe every second of every day. It is imperative that our province's economic reliance on the production, use, refinement, and sale of hydrocarbons never undermines the right of Albertans to breathe the clean air.

This is why the Wildrose opposition has long advocated for a clean air strategy. Such a strategy could achieve a reduction in pollution and carbon emissions, which would help enhance our image. In order to do this, we must increase the use of clean-coal technology, natural gas, and hydroelectricity generation and move away from heavy carbon emitting coal generation. This would be measurably more efficient in improving our environmental record and reducing greenhouse gases and pollutants that directly affect the health of Albertans – mercury, lead, and other particulate matter – than the government's current strategy of spending billions on carbon capture and storage.

Put simply, improving our air monitoring is the kind of direction Wildrose endorses for meaningful improvements to our environment, so I do support this bill but not without some concerns. It's important to recognize that industry wants to do the right thing. Alberta's resource companies have been at the leading edge of technological development to improve the environmental impact of industry. Since 1990 oil production related emissions have been reduced by almost 40 per cent per barrel, and the technology is only getting better. Industry has not only been improving the technology they use; they've also said that they want to earn that social licence to continue to grow our natural resource industry in an environmentally friendly way.

There are some misconceptions out there that industry doesn't care – for instance, among some of the ill-informed, anti-Alberta, and anti-industry environmentalists, the sort of people this PC government has given film grants to – but these criticisms are not at all accurate. Industry wants to do the right thing and contribute to the economy while ensuring that the environment is safeguarded for future generations and future economic opportunities. Bill 21 provides a window to the future in that it's facilitating economic development in oil sands and helping to ensure that our air is clean, as Albertans expect and deserve.

However, I do have a concern with this bill, and that's relating to the powers the minister is giving himself. This seems to be a refrain every time the government puts forward a bill. The bill seems too broad in who it applies to and in the powers it gives the minister to compel participants to pay. Now, the minister and sponsor insist that this legislation is just going to make the oil

sands monitoring program possible. As to compelling participants to pay, they'll say that the industry has volunteered to pay for this.

Well, first, let's look at the bill as it concerns the oil sands industry. Industry has agreed to pay up to \$50 million for three years, but this bill has no cap on the potential cost to industry, so it could cause uncertainty and put economic competitiveness in jeopardy.

The concerns I have go beyond the fact that it's signing the oil sands companies to a blank cheque. It's the fact that nowhere in this bill does the word "oil sands" appear. Instead, it says that the minister has the power to create any monitoring program for any group and decide without limit how much they have to pay for the monitoring. This appears to be a case where one industry has agreed to pay up to a certain amount for a limited time to set up a monitoring program, but the minister has turned that into the power to make any industry pay for any additional monitoring outside what anyone has agreed is necessary. It again raises questions about this government and whether this is an example of another tax grab that is going to erode the Alberta advantage.

Oil sands players have agreed to the necessity of monitoring to obtain and maintain their social licence. The question now is: now that it has the power to determine the bills to be paid, is this government going to turn this into a punitive tax that can harm the industry and our economy?

The other, bigger question is: who's next? Livestock operations for water monitoring? Coal for air monitoring? These might seem reasonable on their face, but usually the government's role is to set limits and enforce them and set fines for those who violate limits. The oil sands case is one where industry has volunteered to pay for the government's monitoring. That's not the norm. The way this bill is drawn, it looks like the government is trying to make it the norm, and I'm concerned that no other industry seems to know what's being pushed through here. I certainly hope not, but the broadly worded language here could be interpreted that way.

I hope this government can recognize the very serious concerns at play here. We saw what happened with royalties when a centralized government doesn't listen to industry. Some clarity is needed on the government's intentions with Bill 21.

Bill 21 also aims to protect civil servants from actions for damages while enforcing the act. This makes sense. Civil servants working to protect the environment should receive protection from legal liability in carrying out their duties.

Other aspects of the bill are easier to interpret and can be supported. The changes to the hazardous materials law shift authority over hazardous materials so the oil and gas sector only has to deal with a single regulator. The environment department and industry are doing a good job for the most part, but transferring responsibility to the new energy regulator fits the mandate of the new regulator and will hopefully help streamline this aspect of industrial development. We will be watching, however, to ensure that the regulator is adequately regulating the transportation of hazardous materials for those who are exempt from the department of environment's regulations.

Mr. Speaker, in conclusion, I can offer reluctant support for Bill 21 as written. Overall it's an improvement, but the broad language and enhanced ministerial powers are a concern for me as I worry that they may erode the competitiveness of not only the oil sands industry but any other industry in Alberta that the government decides to turn its sights on with a lot less consultation than we see with the oil sands monitoring program.

Mr. Speaker, at this point I would like to adjourn debate.

[Motion to adjourn debate carried]

## Government Bills and Orders

### Second Reading

(continued)

#### Bill 24

#### Statutes Amendment Act, 2013

[Adjourned debate May 7: Mr. Hancock]

**The Deputy Speaker:** The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Mr. Speaker. It's with great pleasure that I rise today to speak to Bill 24, the Statutes Amendment Act. Bill 24 comes in direct response to a ruling that caused immediate issues to arise for managed property bare-land condominiums. This is a complex issue that needs some explanation in this Legislature.

Bare-land condominiums are bare-land units which are created when a condominium plan is registered to subdivide the piece of land on which there is no building. The registration of bare-land condominium plans creates a corporation as well as unit titles. There may or may not be common property, depending on the configuration of the plan and access. Common property, if any, will typically be streets or roadways allowing access to each unit. Managed property means such part or parts of the unit that, by its bylaws, the condominium corporation is to administer, control, manage, maintain, and repair as it would the common property, being improvement to the lands within the boundaries of the units, including the exterior of any buildings, structures, driveways, walkways, lawns, landscapes, and such other parts of the units to be managed, maintained, and repaired by the condominium corporation as provided by its bylaws.

The October judgment has now made it illegal for all bare-land condominium boards in Alberta to precollect funds for managed property improvements or maintenance, meaning that such repairs or maintenance will have to be paid on a pay-as-you-go system. The method being used to deal with the managed properties prior to this judgment was to create a reserve fund, contributed to by condo fees, intended for the long-term plan of maintenance of the property.

This essentially puts the bare-land condo associations back to the pre-2000 method of levying costly and unexpected special assessments on owners rather than using a reserve fund. This decision has created an untenable situation, and virtually every bare-land condo in the province is faced with the same dilemma: a reserve fund that is unusable for the purposes for which it was devised; funds locked in with no equitable way for distribution back to those who created it; also, a situation where a special assessment will be levied against the condo owners each and every time a repair, upgrade, or maintenance is needed. No predictability. No sustainability.

**10:50**

This issue has affected thousands of Alberta condo owners and has tied up millions of dollars of Albertans' funds. Back in March I stood in question period to raise the need for resolution of this issue before the Legislature. I'm happy to say that the Minister of Service Alberta has heard this need and, in discussion with different parties, including myself and other opposition members, has brought forward a solution to fix the issue, which is in need of an immediate fix.

The October ruling was troubling for many bare-land condo boards and owners and had a great impact on the activities of these managed property bare-land condo corporations. Since the ruling it has been hard to measure the chaos, confusion, disrup-



tion, and expense that has been endured by bare-land condo owners. In many cases scheduled maintenance and repairs were cancelled or postponed, which has had the potential of impacting property values if left undone for any length of time. I believe that delaying this legislation would never be found to be acceptable.

With this simple piece of legislation prodded out of the government by an extremely effective opposition, we are correcting a flaw in the condominium act that had placed managed property bare-land condominium boards and management companies in an extremely awkward and vulnerable position. I received an e-mail that highlights exactly why I've been advocating for this change to the condo legislation.

Dear [Member for Lacombe-Ponoka],

After living in various homes around Bermuda and Canada since I started out, we made the decision to move to a condo community, a fifty plus community to be exact, made up of a combination of 34 villas in nine clusters, and 138 apartment units in 3 apartment buildings. We also have an amenity building.

Recently we have been made aware of the situation involving "Bare Land Condominiums". Needless to say we are a little more than concerned at this revelation. When we moved to our present address in 1998, it was our first encounter with a condo situation. We love it, in spite of some quirky people we have come to know.

But what is to be done? It would seem that when the province set up the condo by-laws, they had not seen the unintended consequences when they assembled this over-riding legislation. Personally, as I live in a villa, I am not too interested in being left holding the bag over a conflict that I was never party to. The system we have lived with for the past almost 15 years, has worked very well. There was and always will be a bit of apartment/villa rivalry where one faction sees an advantage that is not real. We have a few people in our complex like that.

Even so, when the facts were looked at, by both sides, and when we set up our own by-laws, we worked around some of the areas that were deemed to be unequal.

What we need from the government is to come to the party, put together a fix that will leave a situation we have all lived with for however many years, intact. We [will] need to go back to that, as a system to live by. Before I retired, I lived as much as possible with the term, KISS System. "Keep it Simple [dot, dot, dot]." I'm sure you have heard it before. It works every time, avoids unnecessary bureaucracy, and usually keeps everyone happy.

The letter is signed Ross.

I am in support of this bill, Mr. Speaker. It keeps it simple. It addresses the issues that I brought before the Legislature. It's retrospective and allows access to funds that condo corporations had precollected prior to this ruling and allows new managed property developments and maintenance going forward.

I would like to quote an Alberta condo owner, Mervin Lee, author of another of the litany of letters I received on this issue. Mr. Lee states: "I trust you will do everything in your power to push this legislation forward as soon as possible to rectify this absurd situation."

Mr. Speaker, although there are many other issues within the condominium act that need to be addressed and resolved and the minister is working on it in consultation with many groups and with the opposition parties, I ask all of the members of this Legislature to support this bill.

It came to my attention that a message was heard by Albertans that opposition was holding up the introduction of this legislation in the Chamber. Well, folks, in this province it is upon the government to introduce government legislation. Although we did

have to wait for the government to bring this bill forward, I have done everything in my power to see that this change for bare-land condos is made quickly to the condominium act. It is my hope that this much-needed legislation will see timely passage.

Please, hon. members, vote in favour of this bill for Alberta's bare-land condo owners.

**The Deputy Speaker:** Thank you.

Standing Order 29(2)(a) is available.

Seeing none, the hon. Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Speaker. I'm also rising in favour of Bill 24, Statutes Amendment Act, sponsored by the Member for Calgary-Greenway. I almost said Montrose. Old habits die hard.

As we all know, there was a court case that found that the condo boards do not have the ability to collect and hence use any funds for the purpose of repairing or replacing anything on the property. This amendment will allow for the monies collected to be spent on appropriate expenses to repair and replace.

It also goes through the Emblems of Alberta Act, the Perpetuities Act, the Surveys Act, and portfolio names.

I'm going to support this, first, because it will protect all the condo owners' investment in their condos. If this doesn't pass, perhaps repairs to the buildings could be put off as there will not be any funds for the repair. On the rationale, condo dwellers will live co-operatively with each other with regard to the common space for their common interest, as it appears, and there needs to be a mechanism to allow for the collection of funds to operate. This amendment will allow that.

This also goes to fix the Emblems of Alberta Act. Currently the entirety of the coat of arms is protected, but portions of it are not. This amendment will designate the ARMS, the shield proper, as an emblem and, therefore, protect it.

Under the Perpetuities Act this amendment will also treat mineral leases differently than the other perpetuities agreements by removing the limitations that the landowners would experience after the lease has been around for 40 years. The landowners will basically not lose the rights that they would normally have over their property.

This also will amend the Surveys Act. The director may become less accountable to the Assembly as they would not necessarily be employed by the minister.

Then the portfolio names. This will also clean up a bunch of acts so that the references are to the correct ministers and departments.

I think this is a good bill overall and will go a long way to addressing the problems that condo owners face. For those reasons, Mr. Speaker, I think I will be supporting this bill, and I congratulate the minister for bringing this bill forward. I hope everybody supports it and we pass it.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, are there other speakers? The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you very much, Mr. Speaker. It's my honour to rise and speak to Bill 24, the Statutes Amendment Act. You know, a couple of things to outline. I think the government here is breaking precedent with past procedures or at least what they've done as far as tradition goes, where a miscellaneous statutes bill is normally introduced only after each amendment included in the bill has been informally approved by all parties. It's quite unfortunate that not all parties have agreed to everything that's included in this act. I've had several conversations with the

Minister of Service Alberta, so I'll get into some details as far as what I was looking to see and what the expectations of the Alberta NDP were.

Regardless, first and foremost, the changes to the bare-land condominium. I've had the opportunity to speak with quite a few different condominium owners, especially folks in bare-land condos, where, as you know, Mr. Speaker, there's very little common property. There are certain promises that are made by the condo corporation that it's going to be maintained. I should back up here. Funds collected would be held in a reserve, as they are in most condominiums, and then those could be used to improve or upgrade common property. Now, what makes bare-land condominiums unique is that there isn't a great deal of that common – in traditional condominiums people own the interiors, and the rest of the grounds are common property whereas in bare-land condos there is very little common property.

11:00

It wasn't until a decision was made where – basically the condo boards could no longer access those funds, so there have been, you know, quite a few bare-land condos within the city and province-wide who unfortunately cannot build up a reserve of funds to address issues when they arise. Because of that, Mr. Speaker, some of these condominium boards have a significant amount of capital that's tied up and that's inaccessible. When they need dollars for large improvements, it's unfortunate that they can't collect for them.

This part of the bill, you know, Mr. Speaker, is very reasonable. Again, there are many condo boards and members that I've spoken with who feel that this is pressing, that this should be dealt with. I do commend the Minister of Service Alberta for wanting to move on this quickly. However, the challenge is that this isn't a tiny piece in this amendment act, in this bill. It's quite significant. Because of that reason, Mr. Speaker, my caucus and myself requested and felt that this warrants its own piece of legislation. This warrants its own bill. This isn't just a tiny, friendly amendment. This is going to impact thousands of Albertans and should be put through the proper process and proper course through the Legislature.

There are other aspects of this bill talking about amendments and perpetuities and surveys. The issue here is that this isn't a short and sweet housekeeping act or piece of legislation or bill. Pardon me, Mr. Speaker, I'm starting to grasp at words here. [interjection] Fear not, my friends. My second, third, and fourth wind will come to me.

Needless to say, this is something that should be broken apart. It's not just, you know, a sweep it under the carpet or shoot it through as quick as possible. For that reason, it makes it extremely difficult to agree to pass this bill forward, and it's unfortunate, Mr. Speaker. I thought the parties were all in agreeance that this would be broken up into various bills just because it does require some more research and definitely more discussion. There are several pieces in here.

As I said, we're looking at the Surveys Act, the change there being that the director of the surveys will no longer be required to be a government employee, which again means, obviously, that the government is looking at contracting this out. That raises the question of: why are we trying to move this out of the government's purview and over to the private sector?

I think, as well, there are changes, as I said, to the Perpetuities Act. I'll just recap here that it will state very clearly that the possibilities of reverter and conditions subsequent section does not apply to mineral leases. Now, although members from the other

side will talk about how this is intended to clarify – you know, what's interesting, Mr. Speaker, is the existing act possibly provides a 40-year bar to landowners' rights to terminate a mineral lease. What's interesting about that is that after 40 years, provided payments are made, there may be no further right to reversionary interest in the leased property. That in itself, in my opinion, deserves some attention and further discussion.

For these reasons, Mr. Speaker, it makes it difficult to support this when really we should be debating and giving due process and due time to each of these elements of this bill.

With that, Mr. Speaker, thank you for the opportunity to rise and speak on this.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the next speaker. The hon. Member for Strathmore-Brooks.

**Mr. Hale:** Thank you, Mr. Speaker. It's my pleasure tonight to rise and speak in favour of Bill 24, the Statutes Amendment Act, 2013. I particularly want to talk about section 3, that amends section 19 of the Perpetuities Act. I had the opportunity to meet with EnCana to discuss section 19. Some of the concerns that were brought up talked about qualified and absolute estates in that land and that qualified estates would have the potential to end if a specific event occurred or if certain conditions were not met. This would happen 40 years after the lease was signed if it was signed after July 1, 1973, so it is very important that we handle this legislation sooner than later as 40 years will be up July 1, 2013. Those are some concerns that were brought to me.

I had the opportunity to meet with the hon. Energy minister, and I think this is a good example of parties working together with industry. I've also contacted the Freehold Owners Association, and they're in support of this. It's nice to see parties and industry and mineral owners working together to ensure that the right thing is done because, you know, approximately 20 per cent of the mines and minerals in Alberta are owned by private persons. The current legislation would have an effect on them, so it's nice to see that we're looking after amending section 19 in the Perpetuities Act.

I'm just going to be short and brief and say that I'm supporting this bill, and hopefully all my other colleagues will as well.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a)?

Are there other speakers? The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Speaker. I'm please to be able to rise to speak to Bill 24 in second reading. As others have indicated, this is a bill which includes provisions to address three issues, one with respect to the bare-land condominium issue, one with respect to the Perpetuities Act, and one with respect to the Surveys Act.

Now, as others have noted – and I would also like to add to that deliberation – this is an act which puts together three separate pieces. Generally speaking, the rule, Mr. Speaker, is that for each issue that the government is trying to address, they have a separate act. For that reason, each act gets the attention of the Legislature that is anticipated as a result of following our general rules of parliamentary procedure. It gives the opportunity for, you know, the level of discussion that those who have put into place those rules of parliamentary procedure have deemed to be reasonable within our democratic system. By putting three pieces together, of course, we cut that opportunity by two-thirds.

11:10

Now, often it will happen, however, that House leaders can all agree that, in fact, the three components are really housekeeping in nature and really don't require the Assembly to turn its attention to them in the way that the authors of our parliamentary system had anticipated and had, in their good judgment, believed to be the appropriate way to approach the issues. So in those cases you have a number of issues all addressed in one act.

In this case, of course, we the House leaders did not agree that these issues were all appropriate for a miscellaneous statutes amendment act. Indeed, I believe I will not be speaking out of turn to say that the Government House Leader also acknowledged that each of these elements probably weren't quite of a miscellaneous statutes nature. Instead what we did was that we just sort of created our own little mini-omnibus here. I guess my concern is that this is not a precedent that I would like to see adopted or utilized very frequently because it significantly limits the opportunity for debate.

I believe it was the House leader – but it may have been another representative of the government – that argued that, well, these three changes, although they are substantive and they are not merely housekeeping in nature, are limited to a very specific and small group of Albertans, so it makes sense to put them all into one bill. I'm not sure that that's really an accurate statement, Mr. Speaker. I think that the Condominium Property Act amendments have the potential to have a rather broad-ranging impact on a number of people, and I think that the number of people that they impact can grow every day. So I just don't know that that is a piece that should have been bundled together with these other items.

Now, that being said, there is no question that the consultations that we've done around the issue of the Condominium Property Act suggest, like all the other speakers that have risen thus far, that this set of changes is changes that pretty much everyone agrees are necessary and represent a responsible reaction to a judicial decision and are in the best interests of the people who they do impact. In this particular case, certainly, it's not something that we disagree with, and indeed we are pleased that this particular change is coming forward. As I said, the concern really is more just around what kind of precedent it sets for other issues in the way it's presented in the legislation.

In terms of the Emblems of Alberta Act, I guess the concern that I have there is, again, really in some ways more of a question. You know, it seems small in nature, but if we get ourselves into a position – and we don't know. What we're basically doing is giving to the government the ability to make regulations about other organizations above and beyond government who can bear the provincial shield or the emblem in their businesses or wherever. I'm a little concerned about what those regulations are going to say and who exactly it is that we're going to be giving the authority to to use that shield and whether that's a responsible use of it.

Of course, because we can't see the regulations, as is always the case with this government, we don't exactly know who it is that we're planning on expanding the permission to to use the emblem of Alberta. The Progressive Conservative Party? I don't know. Maybe. And if they get it, will the NDP, too? Don't know. Are we allowed to right now? Not sure. Again, because so much of it is being delegated to regulatory authority, we just don't know.

There's no question that if this is simply a case of putting into legislation what has already been in practice, then that's fine so that we're simply not penalizing those who have actually for many years been using the emblem with our quiet permission. I don't

know, but again I typically am not keen on seeing legislation change such that we say: well, we had this in legislation, but now we've decided to just give ourselves the authority to deal with it in cabinet meetings, behind closed doors. That certainly is a trend with this government.

The Perpetuities Act. I'm going to take everyone's word on it that this is what all the relevant stakeholders want and that there's nobody that doesn't want this. I have to say that when I see the word "perpetuities," I am immediately pushed back to very, very late nights in law school, much later than this, 4 o'clock in the morning, trying to memorize the rule against perpetuities. Although I can say the phrase "the rule against perpetuities," that's where it stops. I could not for the life of me tell you what that rule is anymore. That's really all I have to say about that. Certainly, I can't engage in a really thoughtful discussion about it because, really, I was able to do it for a brief period of time when I wrote the exam, and then it stopped. People here suggest that it is something that all stakeholders are in support of, and I'm going to take them at their word on that.

The issue with respect to the director of surveys: I am a little concerned about this no longer being an employee under the minister's administration. They will have to be a surveyor, but they are not an employee under the minister's administration. I am a little concerned about that. Surveying is an important task, and the Surveys Act and the context in which the director of surveys works are very important for a full range of issues that affect Albertans every day. I'm not exactly sure why we now need to contract that out as well. It seems to me to be very fundamental to the role of government. It always historically has been fundamental to the role of government. I worry about contracting out that particular task.

We've really had very little debate and very little explanation for why it is that we are being asked to agree to allow that role to be contracted out, presumably to the private sector. Again, with the context being the way it is here, where it's mashed together with a bunch of other changes, we're not entirely sure whether we've had enough of an opportunity to really get at what the government is trying to do with this change. I'm not convinced that we've gotten much of an explanation on that at this point. So we're a little concerned about that.

Section 22: we're talking just about change in name. After that, we have a whole series of changes to portfolio names. Now, that one is housekeeping. That one I could have definitely seen being properly within a miscellaneous statutes act, so we're not going to spend too much time about that.

Now, it looks like we've got the Minister of Transportation taking over some work from the Minister of Infrastructure around control and management of roads within improvement districts. I presume that that's as a result of also changing the roles and responsibilities within those ministries, as is the amendment to the Public Trustee Act.

11:20

So there are a number of changes here. We do not see any reason to be voting against this bill with respect to the substance here, with the exception of the concerns that I've raised around the Surveys Act. That's, of course, what's so frustrating because we're in this position where we know everybody wants the changes to the condominium act, so what we have to do now is decide: do we vote for that? We know that that's probably the most substantive part of this and that that's what people want, but in so doing, we're also supporting this privatization of the director of surveys role in Alberta, and we are also giving free rein to the

government to decide who gets to use the Alberta provincial shield.

Neither of those things are things that we would necessarily agree with without there being a little more justification from the government. Unfortunately, because of the way this bill has been cobbled together in this little mini-omnibus format, we're compelled to vote for those things in order to support the changes to the condominium act. That, of course, is why we suggested at the very outset that we did not want the condominium act changes mushed together with a whole bunch of other pieces of legislation.

That being said, that pretty much outlines our concerns and the issues, certainly, that I have with respect to this piece of legislation. Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a)?

Seeing none, the hon. Member for Edmonton-Calder.

**Mr. Eggen:** Well, thank you, Mr. Speaker. I rise to just make some brief comments in regard to Bill 24, the Statutes Amendment Act, 2013. I have a particular interest in the section that's dealing with condos and the amendment to the Condominium Property Act. Certainly, it's a useful change and revision to allow funds from a capital replacement fund to be able to be spent on repairs and to replace private property in a place that is a bare-land condo. If a condo corporation also is required by bylaw to repair and replace property, they may use the funds collected after the bylaw took effect to do so. Again, I find that to be particularly useful.

You know, I hope that this is a prelude to a more comprehensive set of protections that would ensure that there is a way to address maintenance but to also address deficiencies in condominiums where there is common property either in the actual physical structure or in the surrounding area of a condominium. We just see so many people buying condos with deficiencies in common property and/or drainage of the surrounding area and people left on the hook for those changes that have to be made to buildings and common property in condos. In a way, I took this to be pointing in a direction for further reform in regard to the Condominium Property Act.

I just have in my own constituency so many people that have been hung out to dry with deficient condominium construction and the surrounding landscaping of these places. Our ability to look at and revisit some of the laws that might protect condominium owners when they're purchasing these places and allow us to give more latitude and capacity to protect people against unscrupulous condominium developers I think is something that we would all benefit from both now and in the future.

I was listening briefly to my colleague make some comments in regard to this bill that we're looking at here now just in regard to this idea of pulling together so many different pieces into miscellaneous statutes amendments. You know, while I don't oppose that categorically, as was said before, the existence of the bare-land condominium changes in conjunction with some of these other miscellaneous changes I just find a little bit incongruous. It's more substantive, the part on the condominiums, than some of these other miscellaneous amendments.

I just would caution against the use of omnibus bills. We see bad trends towards omnibus bills both in the United States and in the federal government of Canada, where they're tagging all kinds of major changes together in one bill.

You know, I certainly do support the Condominium Property Act, for example, but am professing my ignorance on some of the other ones here until I look at them. For example, I just wasn't

even aware of section 4 of the Surveys Act. Sometimes we have a tendency to tuck away things that maybe are hidden from clear view in miscellaneous statutes, and I would just like to advise against that categorically if not specifically to this bill that we are talking about now, Bill 24.

You know, those are my brief comments on this. I just wanted to point out that certainly I do support the Condominium Property Act both in substance and as a direction that the government should take to protect the common property of condominium owners in general – I think they deserve our protection here under law – and my reservation about having it tagged to other miscellaneous statutes as it is here this evening.

With that, Mr. Speaker, I think I've exhausted my comments. Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

If there are no other speakers, I'll recognize the Minister of Service Alberta to close debate.

**Mr. Bhullar:** Thank you, Mr. Speaker. That was a very robust dialogue, some a little more entertaining than others.

Given the hour and given the fact that we need to bring relief to condominium owners, I would humbly request that we move forth and vote on this.

[Motion carried; Bill 24 read a second time]

## Government Bills and Orders

### Third Reading

#### Bill 21

#### Environmental Protection and Enhancement Amendment Act, 2013

(continued)

[Adjourned debate May 8: Mr. Hale]

**The Deputy Speaker:** Are there any speakers? The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, this bill is being dealt with without some of the amendments that might have been prepared, and that's unfortunate because I think that the government is not on the right track with this bill.

The people of Alberta, Mr. Speaker, are demanding and have been promised and deserve an arm's-length, independent, transparent, accountable, and scientifically credible environmental monitoring agency to oversee industrial development in the oil sands region. The government has been working on this project for two years, with various reports, committees, and working groups. Currently we have a board that is supposed to be working on the establishment of our new, quote, world-class, unquote, monitoring agency. Albertans are demanding a voice in the development of this new monitoring agency, and they deserve nothing less.

Once the management board has come forward with their recommendations, it should be incumbent upon the government to discuss the merits of the recommendations with the public before deciding on a course of action. This bill essentially starts the process for the new agency by stealth. It allows the minister to develop, quote, facts on the ground before the board has even had a chance to complete its work.

The bill allows the minister to take exclusive control of current monitoring programs and establish new ones, allowing her to

make regulations without limitation concerning their nature and scope. This could have ramifications for which toxins to study, the geographical location, and so on. It will control the funds that are directed to these organizations and the information they produce. The bill does nothing to change the current governance structure of these monitoring programs, meaning that all monitoring is still under the control and veto of the Minister of ESRD. There is nothing here resembling an arm's-length body or independence of any kind.

**11:30**

Through these new regulations the Minister of ESRD after consultation with the federal government will have the power to dictate how \$50 million will be spent on monitoring. That's what has been promised by industry and what this bill sets out to collect by way of mandatory regulations. We do not know how long it will take to establish the new arm's-length monitoring agency. The minister said that it could be up to eight months while committee members said that it could be up to five years.

In the meantime, Mr. Speaker, considerable amounts of money will be spent on the design and implementation of any number of current and new monitoring programs. Money will conceivably be spent on equipment, research, design, mapping, staff training, manuals, and policies. This will create a substantial amount of physical capital and institutional inertia destined for a direction that the minister has the opportunity to set behind closed doors and without any independent oversight in the near future. We don't think that's acceptable. This bill should be scrapped, and the government should redouble its efforts to establish the new independent monitoring agency.

With regard to the section on PINs, personal identification numbers, it should be noted that while the bill will conceivably reduce duplication of documentation when it comes to PINs for toxic materials, the devil will be in the details, Mr. Speaker. The government's change allows it to make regulations and exclude persons from those same regulations. There was no exclusion clause in the past. This is a significant increase in power for this government that we don't feel comfortable affording them.

Regarding the expansion of immunity for damages to all government contractors we need to also be cautious. Many of the contractors that would now be covered by this amendment would be working for the government one day and then working for the oil companies the next day. While there are codes of practice within legislation governing the professions that aim to stem unethical activities, these rules only have the power to revoke the licence of professionals. They cannot provide compensation to anyone who may sustain damages. This section should also be opposed on these grounds.

Mr. Speaker, I want to say that the government is taking far too long to do the right thing and establish an independent environmental monitoring agency. I think in this regard and in other regards as well they've lost the trust and confidence of Albertans. Now they're trying to establish what the facts on the ground are going to look like before the management board is even able to report on what it thinks our independent monitoring agency should look like let alone even setting it up. The government needs to scrap this bill, do the right thing, and meet its promise for a real, independent, accountable, scientifically credible monitoring agency.

It's clear that this government likes working behind closed doors with industry when it comes to the environment. When will this government do the right thing and conduct the extensive consultations that this process deserves with Albertans, with

environmental groups, with First Nations, and with scientists on what this monitoring agency will look like?

Mr. Speaker, I want to say that this particular piece of legislation falls far short of what we believe is necessary with respect to dealing with the oil sands environmental issues. We continue to believe that the government's failure to adequately deal with environmental issues in the oil sands has seriously hampered Alberta's ability to market the products of that industry and has given ammunition to environmental groups that would like to strangle the Alberta petroleum industry and the type of economy that we're trying to develop.

The government is struggling with projects like the Gateway pipeline or the Keystone pipeline largely in part because of its terrible record in the oil sands, something we've been talking about for years and warning the government about, that the biggest risk to future development of oil sands in this province comes from opposition internationally, which is fuelled by the government's dismal record.

When the Premier goes to Washington and New York and tries to tell the Americans that we're cutting edge, that we're doing the very best in the world and so on, you know, it just doesn't ring true, Mr. Speaker, because it isn't really true. The fact of the matter is that when it comes to emissions, downstream water effects, and tailings ponds, all of those issues, this government has not done its job of overseeing strict environmental regulation, including the question of water monitoring, which, as we know, has been a very, very sorry tale.

The government insisted that the company-established water monitoring system was actually providing accurate information and that everything was fine. Of course, leading scientists, including David Schindler, have completely refuted that position and have shown that what the government was supporting with its industry self-monitoring of water was giving meaningless results. And the promise the government has made to establish world-class water monitoring in the Fort McMurray area has still failed to come to pass.

Frankly, Mr. Speaker, it's time the government went away from these kinds of approaches, these half-baked, industry-driven approaches, and actually stepped up and put in place the very best possible system. I think that if that were done, we would be in a lot better position, but I'm not confident that this bill giving so much authority to the minister is going to do that because the record, quite frankly, is that the ministers in this government do their best to be apologists for the industry and do not stand up for environmental quality or for the impact of people downstream from the oil sands.

On that basis, Mr. Speaker, we will not be supporting this bill. It is a further attempt to institute half measures, and we have no confidence, were this bill to be passed, that a proper monitoring system would be put in place. That's the primary reason we urge all hon. members to reject this piece of legislation, send the government back to the drawing board, and have them come back with a proper, systematic, rigorous, and independent monitoring system with respect to pollution caused in the oil sands.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you. I just wanted to ask the member one question. This bill was referred to me in the briefing as enabling legislation as opposed to prescriptive legislation in that it's legislation that the ministry officials feel is the best because it

gives the maximum flexibility for the minister to make changes as she goes. That's why the officials were telling us why enabling legislation is always a better way to go than prescriptive legislation. I'm just wondering if the member, with his years of experience, has any opinions about what that means for the role of the Legislature in the policy that is being addressed through the enabling legislation in question.

11:40

**Mr. Mason:** Thanks very much, hon. member. Well, it's bad. It's very bad. I can say that without reservation. Mr. Speaker, when it comes to the dysfunctional nature of environmental regulation of the industry, I can tell you that this government is an enabler, so it's natural that enabling legislation might in fact be exactly what is needed in this regard. If you want to enable bad activities and dysfunctional environmental activities, then this is the way to go. But if you want really good, solid environmental protection, transparency, and independence, we need to start with something a little different.

Thank you.

**The Deputy Speaker:** Thank you.

Are there others?

I recognize the Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. I rise to speak to Bill 21, the Environmental Protection and Enhancement Amendment Act, 2013, and I reluctantly offer my support for the bill as it appears to be part of an overall effort to obtain and maintain the social licence necessary to continue to develop the Alberta oil sands and to achieve greater economic prosperity.

Environmental issues remain at the forefront of the international public debate around the carbon-intensive development of fossil fuels. Continuing to improve our environmental record will be a key part of gaining access to new markets and expanding Alberta's economy. The rationale of Bill 21 seems to be aimed at accomplishing this as well as to resolve some of the problems with the environmental monitoring the way it is currently done.

Environmental issues are a joint responsibility between the provincial and the federal governments. The joint responsibility led to a bit of a turf war between the federal and provincial governments over environmental monitoring. The solution of the turf war was the creation of the joint Canada-Alberta implementation plan for oil sands monitoring. This created a monitoring system that measures changes to water and air quality as well as changes to biodiversity.

The amendments in Bill 21 create the legal framework for the Minister of Environment and Sustainable Resource Development to implement this. Bill 21 also gives the minister licence to implement any other environmental monitoring plan deemed necessary as well as to charge fees to industry participants for environmental monitoring activities.

Now, I said in the preface that I would offer reluctant support for the bill. As written, Bill 21 leaves many questions unanswered, and further clarity will be needed to ensure this bill meets its objectives and is effective rather than burdensome. This is the best way to ensure that industry can realistically abide by the plan, that it monitors environmental change, and that proper steps will be taken to remedy environmental performance measures when necessary.

One serious issue with Bill 21 is that it enables the minister to implement other monitoring programs, but it does not prescribe reasonable limits on that power, nor does it give any parameters

for what they can charge the industry. On the one hand, it is fiscally prudent to transfer these costs to industry as industry will be the long-term beneficiary of increased economic development with the securing of a social licence in the oil sands development. On the other hand, it could cause some uncertainty in industry if the minister of ESRD is permitted to raise these fees on a whim or if the minister imposes unnecessarily high fees on industry. The potential for a problematic fee structure is present in this bill, and that is unfortunate as this amending act could be the best place to address these future concerns right off the bat instead of waiting for the problems to occur and having to address them after they have already impeded economic development.

It's important to recognize that industry wants to do the right thing here. Industry has been saying that it wants to earn that social licence so it can continue to grow in an environmentally friendly way. There are some misconceptions out there that the industry doesn't care. However, industry wants to do the right thing and contribute to the economy while ensuring that the environment is safeguarded for future generations and future economic opportunities.

So Bill 21 provides a window to the future in that it is facilitating economic development in the oil sands and doing so with an eye on protecting the environment. Bill 21 could be a necessary link to ensuring economic and environmental sustainability, but there's a hole in the bill, and that's how much the minister is going to ask for and whether the minister will increase this amount and whether the minister will implement new programs and require industry to pay these costs, too.

There is no cap on the potential cost to industry, so it could cause uncertainty and put economic competitiveness in jeopardy. This is something to be aware of now so, should it emerge in the future, a quick and decisive action could be taken to mitigate any problems that could occur. Overall, it appears to be in line with this government's view that power should be centralized and the buck stops with the minister.

Will the minister cap the amount she expects industry to pay? Will it remain at the \$50 million current benchmark? Why has this bill been written so broadly that its intentions could be interpreted in a variety of ways? These are some of the very serious questions that remain.

This appears to be a case where industry has agreed to pay for monitoring, but the minister has interpreted that as a carte blanche power to make industry pay for additional monitoring outside what industry has agreed to. It raises questions on the integrity of this government. Whether this is an example of a bait and switch, we don't know, but industry has taken the bait, so to speak, in agreeing to the necessity of monitoring to obtain and maintain its social licence.

The question now is: is this government going to switch and turn this into a punitive tax that could harm the economy? Nobody would want to see that happen – I believe that – but the broadly worded language here could be interpreted in that way. I hope this government can recognize the very serious concerns at play here. Given that industry has been misled before once or twice with serious consequences to our economy, some clarity is needed with this government's intentions with Bill 21.

Other aspects of this bill are easier to interpret and can be easily supported. The changes to the hazardous material law shifts authority of hazardous materials so that the oil and gas sector only has to deal with the single regulator. Industry does a good job for the most part, but transferring responsibility to the new regulator fits the mandate of the new regulator and will hopefully help streamline the aspect of industrial development. However, there has to be caution that nothing falls between the cracks. This bill

opens that possibility and can make that reality, so that needs to be a concern for this government.

Bill 21 also aims to protect civil servants from actions from damages while enforcing the act. This makes sense. A civil servant working to protect the environment should receive protection from legal liability in carrying out their duties.

Mr. Speaker, in conclusion, I offer reluctant support for the bill as written. Overall, it's an improvement, but the broad language and enhanced ministerial powers are a concern for me, as they will undoubtedly be a concern for industry.

With that said, I'd like to add just a few closing words on results. This was brought forward when we talked about the whole reason for monitoring. As the Leader of the Official Opposition brought to this Assembly's attention – there's a weird sound coming out here somewhere.

**An Hon. Member:** It's your voice.

**Mr. Anglin:** Thank you very much.

**Mr. Mason:** It's the government starting to think.

**Mr. Anglin:** That's okay. That's not the weird sound I was talking about. I was talking about the weird sound coming from over there.

**The Deputy Speaker:** Hon. members, I don't know if it's a computer or something, but there is a high-pitched sound. It's gone now.

Proceed, hon. member.

**Mr. Anglin:** Thank you very much, Mr. Speaker. Some of us can hear the weird sounds. Others cannot.

Let's talk about the logic of what we're trying to do. The whole purpose of monitoring is to reduce things like nitrogen oxide, sulphur dioxide, mercury, particulate matter, arsenic, cadmium, lead. It goes on and on. We talk about CO<sub>2</sub> emissions. But what are we doing? Well, we're starting this program to actually monitor. We had an opportunity here recently where a coal-fired plant actually submitted its notice of termination. It did this. I brought this up in estimates, and what I wondered was why this government forced this company to invest \$190 million – that's what it's going to take – to rebuild generators that it issued a termination notice on and forced them to go back online, which may be at the end of this year, when they're due to be retired in only a couple more years away.

11:50

Now, when you look at the amount of pollution that comes out of a coal generator, when you look at the total greenhouse gasses that come out of that coal generator, you have ask yourself: if our goal is to reduce CO<sub>2</sub> emissions, if our goal is to reduce pollution and monitor that, why are we forcing something like a coal plant, Sundance A, which is Sundance 1 and 2, back online when there's no great need for it? We have 14,400 megawatts of capacity of power today. Our average demand is only 8,000 megawatts, so that gives us a cushion of over 6,000 megawatts. That's an incredible sum of electricity, far more cushion than a regular electricity system needs, yet we forced this on them.

Now, what was interesting about it is that I did ask the minister about this, and based on the answers I got, I had to go do some more homework because the issuing of the termination notice is delivered to the power purchase agreement holder, and what I was told is that it's strictly dealing with the power purchase agreement holder. What I found out when I researched it is that the balancing

pool, which is also the AESO, enjoined the power purchase agreement holder in the arbitration suit to force this generator back on. When I look at the balancing pool, that's government. That's an agency that works off government policy.

That's not logical in the sense that we don't need the electricity. Yes, it was a civil matter, but the advantage of meeting our CO<sub>2</sub> objectives, the advantage of lowering the particulate matter of a generator that was clearly at the end of its lifespan, lowering and limiting the amount of oxides, lead, mercury that comes from these plants is absolutely significant.

Here we have a contradiction. We have the government on one side saying: "We're going to take these active measures. We're going to pass this bill for the advantage and for the benefit of our industries." Then, on the other hand, we actually force one industry to invest nearly \$200 million to turn on two rather old and dilapidated generators to fulfill a requirement for only a couple of years. That makes no economic sense to me, and I don't understand that. What we need and where I'm going with this statement is consistency not just in legislation but in policy. That's not consistent policy. It's inconsistent, and it's a contradiction.

There are a number of ways we can achieve our goals. We have the carbon offset system, which has turned into almost a complete disaster. Right now on Alberta agriculture's website it is still there after bringing this up a couple of weeks ago. We have a company called Carbon Merchants. There's a warning notice on that website that says: do not do business with this company. On the ESRD website under the carbon trading system it says: do business with this company. What is going on? Here we have the contradiction still existing.

We need consistency in policy. We need one government agency dealing with another government agency and actually communicating and making sure that there's consistency. One is wrong; one government agency is right. They can't both be correct. That needs to be fixed on a specific level. What needs to really be addressed is consistency in the policy and why we're bringing this type of legislation forward: to help our industry, particularly up in the oil sands, to meet its objectives, to monitor air quality for the whole purpose of showing the world that we are going to meet our targets, that we're going to have a transparent and a verifiable system to show that we are meeting our targets. Why wouldn't we take action to actually meet the targets when that opportunity presents itself? That is a very, very important question that this government has to ask itself, and it needs to take corrective action to make it work.

That's going to take a lot of communication between the various departments. It's not impossible. It can be done. It just takes a little bit of work. That's what I hope this government will undertake.

I will ask my colleagues to support this, not because it's a great bill but because it is heading in the right direction, and that's important.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a)?

Seeing none, I'll recognize the Member for Edmonton-Centre.

**Ms Blakeman:** Well, thanks very much, Mr. Speaker. I just can't tell you all how thrilled I am to come back from my community events and join you all to talk about Bill 21, which I have to say has gone through this House with such speed that it could probably qualify for some sort of European race at this point. Maybe it gets to wear its own little yellow T-shirt through. What do they call it? Yeah, it's a yellow T-shirt. It's actually a bit, you

know, embarrassing when things – oh, don't go there, Laurie. It's late at night, but don't go there.

So I didn't even get a chance to try and do amendments to this act although, to be fair, you'd think from all the hoopla and all the anticipation for Bill 21, the Environmental Protection and Enhancement Amendment Act, 2013, it would be longer than three pages and give a bit more detail. Really, we've just got two sections in here. No, a bit more than that.

The first one is – tah-dah – the ability to create regulations for a new environmental monitoring program. So do we get the program in this bill? Well, no. The minister gets to make regulations off somewhere else, in the dark, one presumes, to put these environmental programs in place, and it's got one of those clauses – you know, I was giving a speech earlier tonight to a group of young people, and I said: "Legislation is actually easy to read. It's always set out in the same way. It starts with definitions. It goes into the sort of meat of the bill, what they're really trying to do with it, and then it kind of breaks it all down." I got them to start reading a bill, and of course it was incredibly convoluted and filled with language that just makes people want to run, and, look, here it is again.

Respecting the participation in an environmental monitoring program monitoring program by a person or class of persons whose actions or activities may cause an effect on the environment, including requiring a person or class of persons to participate in an environmental monitoring program.

A class of persons. So, like, do they have grades? Do they pass or fail on this somehow? Or is it just, you know, a little group of people trotting along together? Hmm. A class of people. Okay.

The most important thing that this all seems to be about according to the Pembina Institute and some of the government speakers already is – tah-dah – that they can have the ability to impose fees on the participants in an environmental monitoring program, which kind of seems obvious to the rest of us, but what it's really about is that, you know, all of the voluntary compliance programs that we've had up till now never quite seem to work because it's so loosey goosey on the voluntary part of it. I don't usually put people to sleep. I'll try to be a bit more lively. Sorry about that.

The voluntary compliance is that it's voluntary. One, they don't have to do it, and two, they can kind of decide how far in they are or how enthusiastic they are or how much money they're going to put in.

**12:00**

This supposedly is going to set that they're all in equally, and that's going to make everybody in the industry happy. That makes sense because these guys are in business to make money, and they don't want to have to step out and spend any more money than anybody else because they want to return a profit back to their shareholders.

Here we have section 2 in the bill, which is modifying section 36.1(c) in the Environmental Protection and Enhancement Act, but it doesn't tell us what kind of fee. You know, is it a percentage of something or just a figure that they picked out of the air or based on somebody's birthday? There's no information in this bill about how they're actually going to do this.

When I'm asked to approve this, you know, you end up with all of those little cliché statements like, well, the devil is in the details, which is sort of a kind way of saying: I have no idea what the government is up to, but they want me to agree to the bill. They just say that they're going to do something, but they don't actually tell us what that is.

Yeah, the minister is going to make regulations to establish, determine, pay, and recover fees. It doesn't tell us what or how or who or why or how much that might be or what it's based on, but they're going to do it somehow.

Late penalties. They're going to put out the circumstances and the extent and how participation is supposed to happen. Again, blah, blah, blah, and you don't really know what they're up to.

Collection, use, disclosure, reporting, or publication of information. Okay.

(h) requiring a department as defined in the Government Organization Act or a Government agency to provide the Minister with a report, record or information relating to environmental monitoring.

Any government agency? Children's services on environmental monitoring?

Deeming that a specific environmental monitoring that is in effect immediately before this act comes into place to be an environmental program for the purposes of a regulation in this section. Really, what this act is saying is: okay; the minister gets to make this up as they go along. Somehow this is all supposed to be fair, and everyone will respect it and do it.

Let's take a step back. How is this really supposed to work? Well, you're supposed to start out by saying: "All right. There are certain limits or targets or something specific that people are to meet or not exceed." That sets the line in the sand or the specific thing that companies are expected to meet. Then you want government to monitor. Why do I want government to monitor? I've got a government and an Official Opposition. Both of them don't want bigger government. They don't want to pay all these civil servants that are going to go out and monitor things. They want somebody else to monitor.

Well, the problem is that we're supposed to have unbiased monitoring. We're supposed to have monitoring that anybody can trust is straightforward. There's no political bias in it. It's absolutely straight across, and everyone can trust that it's true. Well, that hasn't happened so much in Alberta, and I'll come back to that.

Then following the monitoring you want an agency or some sort of method by which we ensure compliance. So when we monitor something and we go, "Whoa, that's way short of where you're supposed to be for your target" or it's way over the limit that's been set here, then there is a mechanism by which you can say, "Now you must meet the expectation," and there's probably a punishment involved or a fine or, you know, 50 lashes or 20 days in the public stocks or something like that as an encouragement or a disincentive for people not to repeat this action.

So that's what's supposed to happen. It's not what happens, but it's what most people would understand as a logical process.

Let me go over what's happened about environmental monitoring in this province. First of all, we had this industry volunteering to do things. We had some smaller groups that were sort of volunteer on the spot groups. I know one of them got really angry with me once and yelled at me in an e-mail about something.

**Mr. Hughes:** It's hard to believe.

**Ms Blakeman:** I know. I know.

None of this monitoring was really getting us anywhere. You know, the opposition critic, the Official Opposition, when it wasn't a sibling of the government – in other words, when the Liberals were the Official Opposition – argued that this wasn't happening, that there wasn't really any monitoring happening.



The government argued back two things. It said: "Well, that wasn't true. There were no violations. It wasn't happening. They were monitoring really well." Or they argued: "Yes. It's there, but it's natural." Right.

Now they're all on the bandwagon of scientific: scientific evidence, evidence-based decision-making. Yeah. That's what got them in trouble. When some scientists actually went and tested, they went: "Yes, indeed, there is a problem. We can now prove that there are pollutants, that it's in the air, that it's in the soil, that it gets into the water." Yes, indeed. They can prove that, you know, it came during certain times of the year and that it was coming from the oil sands. They were able to prove everything, and then the government went: ahem. Long pause. Then they said: "Well, yes. Okay. We never really had a monitoring program. Oops."

Okay. You know, they argue that it's happening, and then they argue that it's natural, and then they admit that, well, okay, they weren't really monitoring. After that came: "But we'll get you a humdinger of a monitoring program. Just wait. We will get you such an amazing monitoring program like you've never seen before."

We're still kind of in that waiting stage because then we get the feds and the province – now, if that isn't something to make your blood run cold, the thought of the Harper Conservatives joining up with this current version of the government – arm in arm, dancing down the yellow brick road together, for environmental monitoring. Yeah. You see what I mean.

Where I've seen this before was in – I think there are a couple of other examples, but the only one I could come up with really quickly was labour. You get the federal government and the provincial government coming together and going: okay; we're going to have a four-corner agreement or a four-post agreement or a four-pillar agreement. It always has to do with upright things; I don't know why. And the feds pass off. They say, "We're going to pool everything; there's no sense in having a provincial job-finding office and a federal job-finding office, so let's pool everything together; we'll combine all of our services and make it easier for the client," who actually is a human being that's looking for a job.

Then the feds kind of step quietly, quietly, quietly back out of the game, and the next time you turn around and look at it – this is a couple of years down the road – it's all been passed off to the province. They've changed legislation to say: okay; well, as long as the province does something and it meets a certain loose criteria the feds have, they're good to go.

Then you look, and the province is starting to step away from some of the programs that they said they were going to support. So when you look at the labour agreements and the labour programs that are running in this province now, you can see how far back everybody stepped. What kind of assistance is actually available to get people up and working in this province? That's what we're moving into with environmental monitoring.

When I look three, five, 10 years down the road, based on the combinations that I've seen up until now, I'd have to say that if the proof of the pudding is in the eating, we've already had this one, and we know where it goes, and it's not where everybody is telling us it's going to go.

**12:10**

Earlier today I talked about the cumulative effects. At one point one of the phases that the previous environmental minister went through with me as his critic was saying: well, it's all going to be about cumulative effects. I remember the budget debate. Everything was about: wait for it; we're all going to get into cumulative

effects. We said: "Okay. How are you going to measure this? What's it going to be? What are you going to combine? What are the targets going to be?" "Well, wait for it. Wait for it." Are we sensing a pattern here? Yes. They're going to come up with a humdinger of one.

Now, I got a note this afternoon from one of the members opposite when I talked about cumulative effects. Actually, to be perfectly honest, Mr. Speaker, I was heckling the minister, and someone in the backbench picked it up and sent me a note saying: well, it's called CEMA, the Cumulative Environmental Management Association, a nonprofit multistakeholder group, which recently released their annual report. [A timer sounded] Oh. Mr. Speaker, that cannot be.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

**Ms Blakeman:** I would hope so.

**The Deputy Speaker:** A question or a comment, hon. Member for Edmonton-Strathcona?

**Ms Notley:** Oh, absolutely. Thank you, Mr. Speaker. Yes. Very interesting comments from the Member for Edmonton-Centre. Interestingly, what this bill essentially enables is not the independent monitoring yet that we've been promised, rather simply having this government be the collector of industry funds, to then distribute them for the most part to the same people that have been doing the monitoring for the last 10 years. There are changes. There are new groups coming on. But certainly some of the people that have been monitoring before, for instance RAMP, will continue to receive money as a result of this bill and will continue to do monitoring. I'm just wondering what insight the Member for Edmonton-Centre has about that prospect.

**The Deputy Speaker:** The hon. member.

**Ms Blakeman:** Well, thank you. You know, what I can say back to the member is that it's part of the same pattern that we've seen before. It's just a circle that starts to come around again. Here we go. We're now going to collect money to fund the same groups that weren't doing the monitoring very well to begin with. When we pointed that out to the government, the government said that, yes, they were, and then when they were criticized more, they said: well, actually, it's naturally occurring. And we start the whole cycle over again.

One of the questions that is not answered for me in the list of regulations that the minister is going to come up with as to how this is going to work – again, Mr. Speaker, you start to wonder: well, how long is it going to take to get this dang thing up and running? Do we have any, you know, process in place right now, or are we just sort of staggering along on the old system, which is going to look a lot like the new system?

Specifically, when you look under the request for the report, the one where I was sort of making fun of the fact that some department that's defined in the Government Organization Act – which makes sense because they keep changing their names and changing what they're responsible for. All right. Yes. We have to go to the Government Organization Act to figure out which government department is responsible.

Then it goes on and talks about: "or a Government agency [that's going] to provide the Minister with a report, record or information," but nowhere in there does it say how often. It doesn't say that they're going to report annually or that they're going to report every three months to the minister. It's just some

sort of a report at some point. Actually, it doesn't even say that. It just says that they'll give a report relating to environmental monitoring. I hope that means that they're actually going to monitor something and report on it. But it could just sort of be a general essay on environmental monitoring, I suppose, because it's not very well defined here.

Finally, the catch-all, wide-open, on-the-range horse galloping into the sunset kind of regulation that this government is so fond of: "respecting any other matter the Minister considers necessary for the establishment and operation of an environmental monitoring program," which, as we know, could turn out to be absolutely nothing or a whole bunch of other stuff. So we're back to this whole idea of how we trust the independence of the monitoring, and that question is not answered here.

This is another one of the government's shell bills, which says: we have been forced into or we think we'd like to or perhaps we'll get around to establishing some kind of rules for how some sort of program is going to work. I don't mean to be nonspecific here, but they're all starting to look the same to me. You could just change the name of the ministry, and it could fit a number of other bills that we've seen because it's just a list the minister can make – rules about this, that, and the next thing – and they're all done through regulations. Indeed, we can end up with the same kind of monitoring agencies, the same monitoring agencies, that have been discredited, wide-open discredited.

The RAMP agency had everybody withdraw from it except for the industry, and I'm not sure that the industry ever reported anything after everybody left. It was totally discredited. It was at about that point that the government finally said: "Well, yes. Okay. We weren't really doing very much monitoring at all." Here we go again on the circle. So it's frustrating.

You know, I hear people talking about social licence now. Oh, God save me. Social licence. Okay. Well, that's basically the black eye. [interjections]

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you very much, Mr. Speaker. I, too, feel the same way as many of the government MLAs. We're sorry that the Member for Edmonton-Centre's time has run out because I was quite enjoying listening to her comment on this bill. [interjections] It sounds like some members are a little more awake now. That's wonderful.

Mr. Speaker, I'm going to start off by just talking a little bit about the pace and speed at which this bill has been moving along. It's like it's on nitro boost or something, the fact that here we are already in third reading of this bill, which, again, is a bill that really does require some significant debate.

**Ms Blakeman:** It's on Red Bull.

**Mr. Bilous:** This is Red Bull on steroids.

I look forward to shedding some light, as some of my colleagues in the Legislature here have, on the baby step forward but more the three steps backwards that this bill is heading in.

First, I just want to talk about probably one of the largest concerns that I have, Mr. Speaker, in regard to this bill, which I feel I should address officially, Bill 21, the Environmental Protection and Enhancement Amendment Act, 2013. I just question, from the title of it, how much it's going to enhance or amend.

[Dr. Brown in the chair]

First and foremost, the bill allows the minister to take exclusive control over monitoring programs and, as well, to establish new ones, which allows her to make regulations without limitations, especially concerning their nature and scope. I mean, this is going to have some serious ramifications; for example, when they're studying different toxins, which toxins they're studying or looking for, where they're going to study, the geographical location, what they're looking for, et cetera.

As well, it's going to control the funds that are directed to the organizations that are doing the monitoring. I'll speak at length on that just to ensure that my colleagues here are clear on those repercussions or at least the repercussions that I see, which other colleagues have pointed out.

Here's the thing, Mr. Speaker. The bill doesn't do anything to change the governance structure of these monitoring programs. You know, my colleagues in the Alberta NDP caucus have talked a little bit about RAMP, and I will come back to that a little bit later. Monitoring is still under the control and the veto of the Minister of ESRD, and that's a concern. Albertans have told me and have told my colleagues that they're looking for an arm's-length body, an independent body to be in charge of monitoring. Unfortunately, this bill does not do that.

**12:20**

You know, the first of three larger arguments that I would like to put forward, Mr. Speaker, is looking at the authority and the power, for lack of a better word, that's going to be in the hands in the minister. Again, we in this Assembly want to ensure that there are limitations, that there are parameters to work within. My colleague from Edmonton-Strathcona talked about enabling legislation, which makes me a little nervous because we're placing an unbelievable amount of faith in our ministers, in the decisions that they're going to make.

Now, granted, you know, I'm sure our current set of ministers are all extremely honourable and trustworthy, but my fear is future ministers. Once we have this legislation, what if they are not as honourable and abuse their position of power? [interjection] The Member for Edmonton-Centre is making me smile here just talking about: if the disgruntled cousin was government, what they would do with some of these powers.

First of all, the bill gives the minister authority to collect money from industry and put it into monitoring agencies, which, you know, at the onset sounds not bad, actually, because of the fact that there has been with this bill an improvement from \$20 million up to \$50 million that industry will be putting towards monitoring. That's sounds wonderful. However, before we start to celebrate and crack the party crackers, we need to look at who is operating these monitoring agencies. Who are they? Who's on the board? How are they being run? How are they monitoring? Who are they beholden to?

Interestingly, when we look at some of these monitoring agencies – and I'll use an example that my colleagues have mentioned. RAMP is a primarily industry-run organization. It's disconcerting, Mr. Speaker. What's interesting is that RAMP for the most part, from all different sides, has proven to be fairly unreliable and not credible.

**Ms Blakeman:** And a crashing disaster. You know that.

**Mr. Bilous:** Okay. You know, I will take those words. Truly, RAMP was a crashing disaster. I really like the sound of that.

[The Deputy Speaker in the chair]

You know, Mr. Speaker, we need monitoring agencies to be arm's length and a significant distance from influence. I want to first of all give kudos to Dr. Schindler, who has been pushing for independent monitoring, one amongst many in the scientific community, saying: "Listen, if we want real monitoring and we want it to be independent and substantial, it cannot be controlled by industry. It cannot be primarily driven by industry." Here's the thing. This government has talked about how much and how well they've done as far as monitoring for a long time, but the reality is that really what's been happening for decades is a failure to monitor. I mean, the only thing that the government was doing successfully was issuing propaganda about how well they were monitoring, which really wasn't necessarily the case.

You look at some areas around the province, especially up north around the Fort Chipewyan area, where government and monitoring agencies for years were saying: "No, no, no. There's nothing wrong with the water, land, or air. It's perfectly fine. No, industry hasn't affected it in the least." Most Albertans with some common sense recognize that that's just blatantly untrue and, frankly, quite impossible.

Thanks go to the scientific community and opposition parties like the Alberta NDP with some help from other parties for pushing for this. We're taking a baby step forward here. Some of the monitoring will be not just controlled by industry.

Here's the thing, Mr. Speaker. The scope of the monitoring, the extent of the monitoring should not be in the hands of a minister. It should be outlined legislatively. It should be debated, discussed, and voted on by members in this House, and it really should be done by an independent panel of scientists, not a single individual, not a minister who can make some sweeping decisions.

Second of all, Mr. Speaker, I'm going to talk a little bit about the elimination of the PIN requirement. It's going to be removed by this bill. I mean, I have more questions than comments when it comes to this, to get a better sense of how this is actually going to affect industry, how it's going to affect monitoring. I have a hard time placing my faith and trust in this government when for decades we've been asked to trust the minister, to trust industry, that they are capable of self-monitoring. You know, it's kind of funny because it'd be like putting a toddler or a little kid into a candy store and saying: you monitor yourself and only eat as much as you think you should. Realistically, the toddler would eat until they got sick. If anything, I think the monitoring has been anything but adequate.

I'm going to move on to the absence of liability – that's part of this bill – and allowing private contractors and consultants to carry out these environmental impact assessments and environmental monitoring. I mean, the issue, Mr. Speaker, is that many of the assessments are done not by employees of the Crown or government employees. They are handed off to private industry's individual contractors, who aren't either held to the same standards or aren't working for the government.

A great example that I can give, Mr. Speaker, is that some of these consultants, because they make their livelihood from contract to contract, are looking for that next contract. Who knows if that next contract is with Shell or Suncor or one of the other large companies, where they don't want to step on the proverbial toes of their future employer. So it begs the question of how impartial or how neutral or unbiased these contractors and their assessments are when they're going through and taking a look at, you know, the impact that developments within the province are having on our land, air, and water.

Mr. Speaker, it's definitely in my purview – and I'll speak on behalf of the Alberta New Democrats – to say that a monitoring

agency that is arm's length, independent should be established, not this piece of legislation as it stands. I'm very nervous about this piece of legislation passing through the House and moving forward and the implications this is going to have not only on all members in the House and our own families and friends and Albertans but on future generations.

12:30

I still have lots of concerns here. You know, the expansion of immunity for damages to all government contractors is a concern. Many of the contractors that would have been covered, like I said, could be working one day in a contracted position for the government, the next day for an oil company. I acknowledged the fact that there are codes of practice within legislation governing professionals to stem unethical activities. You know, these rules only have the power to revoke the licences of professionals, so they can't, for example, provide compensation to any one or group who may sustain damages. That in and of itself is a concern, Mr. Speaker.

A couple of points and questions here, Mr. Speaker. You know, I think part of my concern with this bill is that the government has taken far too long to do the right thing. This bill is full of too many loopholes, and I really urge my colleagues in the House not to support this piece of legislation.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available for question or comment.

Are there any other speakers? Edmonton-Centre, you've spoken already.

**Ms Blakeman:** Yeah, but can't I do 29(2)(a)?

**The Deputy Speaker:** Well, you were kind of slow, hon. member.

**Ms Blakeman:** I have bad knees. I don't even have a brace on.

**The Deputy Speaker:** The hon. Member for Edmonton-Centre.

**Ms Blakeman:** God. It's, like, midnight. I'm getting criticized for not getting up fast enough. Okay. I'm sorry. You see, you get me off track here. You get me on a tangent.

**The Deputy Speaker:** Please proceed, hon. member; 29(2)(a).

**Ms Blakeman:** Yeah. I was picking up on the last thing he was saying. He's not supporting it because why?

**The Deputy Speaker:** The hon. Member for Edmonton-Beverly-Clareview to respond.

**Mr. Bilous:** Thank you, Mr. Speaker. I'd like to thank the Member for Edmonton-Centre. I mean, that was, well, a hard-hitting question. You know what? It's because I have significant questions. Okay. There are a few different questions here. Is it possible that the government wants to get rid of the PIN because it may have an impact on the liability for companies since they no longer have to sign the PIN application saying that they are in compliance with all relevant laws?

My other questions. How will people receiving shipments of hazardous waste for disposal or storage be able to verify that the producer and/or shipper of the hazardous waste are in compliance with all relevant legislation and regulations if they can no longer ask for proof of this verification by way of a PIN? Could this removal of the necessity to have a PIN open the door for fraud and misrepresentation concerning shipment and storage of hazardous wastes?

Is the ministry planning to exclude any person or class of persons from the requirement to produce manifests for the consignment or transportation or acceptance of hazardous materials? If not, why do they give themselves the power to do so?

I'd love for the government to please explain why they're seeking to extend exemption from liability for damages to organizations such as the delegated administrative organizations when these organizations are designed by nature to limit the legal and financial liabilities of the government. These organizations are not under direct control of the government. Should they not be held responsible for their actions?

Previous to some of these amendments exemption from liability for damages was extended to persons who are working on behalf of the government by way of the authority of a regulation. Amendment 6(b) extends this immunity to people who ask to work for the government under section 9 of the Government Organization Act. Section 9 allows for the minister to delegate any powers except to make regulations to anyone without putting such delegation of power into a regulation. It only has to be included in writing. This adds a considerable power to the minister to delegate anyone to do anything for them and then have them excluded of all personal liability. Now, that's a significant increase in the powers the minister has. Why was this necessary, and who would this apply to?

Many contractors that would now be covered by this amendment could be working for the government one day and working for an oil company the next. Again, imagine an important situation where a consultant overlooks aspects of an environmental impact assessment one day and then goes to work for the company that this benefits the next. That's a concern.

You know, Mr. Speaker, this legislation is truly troublesome because it gives the minister too many new powers. The minister has too much power when it comes to designing our new environmental monitoring system when, again, it should be done by an independent, arm's-length body, and it gives the minister too much power when it comes to exempting persons from a requirement to hold a PIN when moving hazardous materials. Finally, it gives the minister too much power when it comes to removing any personal liability for those she may wish to delegate authority to.

Mr. Speaker, there are many reasons why this bill is very troubling. I think that we definitely need to bring forward and create an independent, arm's-length monitoring agency, and we need to monitor and clean up our environment and ensure that we are going about developing our natural resources in this province in a very sustainable and controlled way. Unfortunately, I think this bill, although the title sounds very great, is a far cry from ensuring that our air, land, and water quality are up to where they should be.

**Ms Notley:** I'm moderately pleased to be able to speak to this in third reading because, of course, I'm speaking to it in third reading not having spoken to it in Committee of the Whole. Nonetheless, I am pleased to be able to speak to this in third reading and join with my colleagues in their observations about the speed with which this particular bill is making its way through this Legislature. I particularly liked the description by the Member for Edmonton-Centre about giving this bill its own little T-shirt with racing stripes on it. I thought that was quite cute, and it would be quite appropriate because it really does seem to be racing through at quite an unprecedented speed. We'll get into that into a moment. Number 21 coming down the backstretch very, very quickly.

Anyway, here's the thing with this bill. I'm going to spend a bit of time talking about the bill before I get into what I think we should do with it.

**An Hon. Member:** Looking forward to that.

**Ms Notley:** I won't go there.

This is a bill that basically does three things. It authorizes the mechanism for government to collect money from industry and then funnel that money to various and sundry agencies that are engaging in monitoring right now, most of whom are the same agencies that have been engaging in monitoring for quite some time, but there are some new ones that have been added to the pile – that's for sure – and of course the breadth of that monitoring has increased somewhat.

As previous speakers have already noted, it does also set out the fact that the money that's being collected from industry to go towards monitoring is up to \$50 million. That amounts to about a \$30 million increase because previously, in my understanding, industry was spending roughly \$20 million on RAMP, not to any great effect; nonetheless, they were spending about \$20 million. So that's about a \$30 million increase. You know, it's not a bad thing that we're sort of inching our way towards this process and that we're getting some of that money.

12:40

Anyway, I'll talk a little bit about the problems that are inherent nonetheless in the part of the bill that addresses that issue. The other thing that the bill does, as my colleague from Edmonton-Beverly-Clareview spent some time discussing, is that it eliminates the requirement for agencies and industry players to fill out a PIN form and to certify, essentially, that the hazardous waste materials that they are producing or storing or transferring or delivering have been delineated and described in accordance with the regulation. They no longer have to swear to that through filling out a PIN application. That's the second thing that it does.

The third thing it does is that it removes liability from a number of people, from what are referred to as, I think, DAOs, delegated administrative organizations. It removes liability from those, and some of those have been identified already like the Recycling Council and things like that. It also removes liability, Mr. Speaker, from contractors who might be hired by the government to do some work for the ministry of environment. It extends to those people the same exemption from liability that public servants enjoy. Maybe I'll start there, about why that is a concern for us.

Now, it's different depending on what part of the work the ministry of environment is doing. Depending on what you're talking about, the role of contractors in that work varies from task to task. But I've certainly had people describe to me quite frequently the kind of dynamic where, say, for instance, an industry player of some type, whether it's oil and gas or some other industry player, forestry, maybe gravel pit, whatever, will make an application to move forward with some type of industrial development, and one of the things that has to happen is that they need to provide an environmental impact assessment.

Well, a lot of people, myself included – when I was first elected, when I used to hear about environmental impact assessments, I used to read the legislation and go: "Oh, okay. Well, the ministry has to do an environmental impact assessment before they can approve this project." In fact, then I discovered that, no, actually it's not the ministry that does it. Typically it's a consultant that does it. It's not a staff person. It's not a public servant. Sometimes it might be industry itself that will hire somebody to do an environmental impact assessment, and then

they'll provide that to the ministry. The ministry will go: "Oh, great environmental impact assessment. Okay. Check." And then they're done. So they're not actually sending their own people out in the field to check on whether this environmental impact assessment is correct and sufficiently robust or whatever.

Another kind of example of where you see contractors is where you've got a well where they're closing it off or whatever, and they're finishing production, and they need to get a reclamation certificate in order to release any further liability that they might have for the existence of the well. Again, I always had in my naive little mind this idea of these, you know, great public servants employed by the ministry of environment marching out there and doing a hands-on inspection of that site to make sure that the reclamation certificate was earned and that they'd met all these standards and everything was safe and everything was good.

It was only subsequently that I realized: oh, no, no, no. That's not what's happening. Industry is filling out forms to say: "Yup. We've done everything we need to do to earn this reclamation certificate." Sometimes then a contractor will be asked to go along and review that and sign off on whether or not that reclamation certificate was properly filled out and/or whether it reflects what's actually happening on the ground. But many times, Mr. Speaker, it's not actually public servants that are doing it.

You know, is this maybe just me being: oh, everybody has got to be direct employees of government, and we're ideologically opposed to contracting out? Well, not really. You see, here's the problem. These very same contractors one day might be doing a contract for government, but that contract only lasts a month or two months, and the next day or month or whatever they're doing contracts for industry. They're going back and forth and back and forth. Their bread and butter is often industry. So those are not the folks that we should be relying on necessarily to be providing us with assurances that all the environmental standards and processes have been met.

Now, when I found this out, I said, "Well, this doesn't seem right," and I was told: "But, you know, we can rely on their professional association. Many of them are engineers, so they've got to meet a certain professional standard. So if they cut corners or if they're worried about their next contract or whatever, if they just don't dig as deeply as a public servant might have or whatever, we can always hold them to account because of their professional association." But I've since found out that, in fact, it's not necessarily the case that the professional association has the capacity to engage in a specialized assessment of whether or not this particular specialty of engineers is engaging in best practices. They may not have that ability, they may not have those resources, and that's not really their job.

Then where does that leave us? Well, presumably those people would be worried about their own liability, and they would make sure that they did due diligence so that should they ever be sued, they would be able to use the defence of due diligence. Well, because we're now going to treat them like those same public servants who only work on behalf of the public and do not one day work on behalf of the public and then the next day work on behalf of the industry on the other side of the table, we're going to extend exemption from liability to them. Well, I have some real concerns about this. I mean, I've had concerns about the relationship between these contractors and industry on one hand and this assurance process that should be happening by public servants on the other hand. This bill, I think, has the potential to exacerbate that problem, and that's why I'm concerned about that.

Let's go back to the monitoring. We talked about how that's a bit of an improvement because we're collecting that \$50 million as opposed to the \$20 million that went directly to the monitoring

agency. Well, first of all, as I said before, the agencies that are going to receive that money are for the most part, not entirely but for the most part, the same agencies that were doing the monitoring before, and those are agencies whose work has been reviewed by numerous independent academics and independent people, all of whom have said: "You know what? You know how you've been telling us for the last 20 years that everything is naturally occurring and nothing bad is happening up here and industry is having no impact on the environment? Well, guess what? It's wrong. You weren't sharing all the information with us. You weren't asking all the right questions." Those are the people that this money is going to go to right now.

Now, when the federal and the provincial governments got together with much fanfare several times – they love to have press conferences and put out press releases – and announced the new joint federal-provincial monitoring plan, they did so on the basis of recommendations that came from both the federal and, I believe, also a provincial oversight committee. But in both cases what those reports recommended – and it was fundamental to the recommendations – was that the scope and the nature of the monitoring had to be defined by an independent panel of scientists, and you could not take it away from the independent panel of scientists. Because we had a 20-year record of government not being forthright with the people of this province, we could not have faith in this system unless the people who were designing the monitoring plan were in fact scientists who were independent from government. That was the one piece of that set of recommendations that this government ignored.

Instead, what we have in section 2 of this bill is a long list of authorities that are being given to the minister in her discretion to be the one to establish the scope and the extent and the nature of the monitoring program. That is exactly what the key objective observers said should not happen.

#### 12:50

Now, we're going to be told: "Oh, well, we've got this other monitoring agency that we're in the process of developing, and someday, you know, that may come to fruition. Maybe it will, and maybe it won't. We don't know." But there is no reason why this mechanism here, which is going to be what governs what's going on for the next four or five years, could not in here provide for a role for independent scientists and for a more transparent process for establishing the terms and the parameters of that monitoring process. That could absolutely be provided for in section 2 of this act.

Instead, what is provided for in section 2 of this act is that we should cross our fingers, close our eyes, click our heels, and trust the government. But after 10, 15 years . . . [interjection] Well, I'm glad one person here is excited about that prospect. I hate to break it to you, but with the record on the environment the vast majority of Albertans are not excited about the prospect of once again crossing their fingers, closing their eyes, and trusting the government on this file. You just don't have credibility on this file anymore. There are some files you have credibility on. This is not one of them. It just isn't. Not only does this government not have credibility with Albertans; it doesn't have credibility with the international community anymore either.

All that being said, I've just barely touched on it. There are so many issues that need to be addressed in this bill, and of course we can't do that in third reading. That is why I would like to take a moment, Mr. Speaker, in order to talk about a motion that I would like to introduce at this time. If you'd like, I will take a moment while it's distributed, and then I can discuss it or briefly describe it.

**The Deputy Speaker:** Please. If you'd have it passed out, hon. member.

Hon. Member for Edmonton-Strathcona, you have 34 seconds to read your amendment into the record.

**Ms Notley:** Thank you very much, Mr. Speaker. The motion is that third reading of Bill 21, Environmental Protection and Enhancement Amendment Act, 2013, be amended by deleting all of the words after "that" and substituting the following:

Bill 21, Environmental Protection and Enhancement Amendment Act, 2013, be not now read a third time but that it be recommitted to Committee of the Whole for the purpose of reconsidering sections 2, 3, and 6.

I would like to speak to that in the brief amount of time that I have left. As we already discussed at some length in the House earlier, we've not had an opportunity . . .

**The Deputy Speaker:** Thank you, hon. member.

Speaking to the amendment, the hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker.

**The Deputy Speaker:** And we'll call this amendment RA1.

**Mr. Hancock:** Just say no. Need more be said on this particular amendment?

**The Deputy Speaker:** Are there other speakers? The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, as my colleague was beginning to say, we are proposing that this be committed back to Committee of the Whole. The reason is that – and we've had lots of discussion on this earlier today – we would like to propose amendments to the bill.

I'll be very conciliatory and say that because of misunderstandings surrounding the passage of this bill last night through Committee of the Whole when it wasn't listed as such on the Order Paper, we didn't have an opportunity to make our amendments and had precious little time, quite frankly, even to prepare them. That's why we would like to send this back to Committee of the Whole so that we can re-engage the legislative process with a view to having the entire process, including that not only the government's ideas but the opposition's ideas be incorporated into the discussion.

**Ms Blakeman:** Whoa. That is way too much. And the opposition?

**Mr. Mason:** Well, into the discussion, hon. Member for Edmonton-Centre. I did not say that we expected our ideas to be incorporated into the legislation. That might be too much to ask in this place.

But there are some basic principles, Mr. Speaker, that really ought to be followed in the development of legislation, and those are that all members have a full opportunity at second reading and third reading to debate the bill and to vote on the bill and that also in Committee of the Whole all members of all parties, all caucuses in this Legislature, should have an opportunity to put forward their amendments as a way of improving this bill.

Now, the Government House Leader is fond of saying – whenever anyone dares raise a question about the role of government members in question period, for example, or in estimates debate, he will stand up and grandly opine on the importance of all members, that every member has the same rights as every other member and that you can't possibly discriminate in favour of the opposition in holding the government to account because, of course, government backbenchers are just as committed to holding

the government accountable as are opposition members. Now we're in a position where opposition members were not afforded the time or the courtesy of being able to develop reasonable amendments as a way of doing their job, their duty that they were elected by their voters to perform, to try and improve the legislation.

I can assure you that we want to improve this piece of legislation, and should this motion pass, we will bring that forward. We have lots of really good ideas, but you're going to have to, I'm afraid, pass this motion to refer it back to committee if you want to find out what they are. We want to be positive. We want to be helpful. We want to make sure that the legislation is as good as it possibly can be. That's why we want to commit this back to Committee of the Whole, Mr. Speaker, because we want to work with other parties in this House to strengthen the legislation.

**Ms Blakeman:** Do you mean the Liberals?

**Mr. Mason:** I want to acknowledge the excellent job that the hon. Member for Edmonton-Centre, who is a member of a party which will not be named, has done on this file. [interjection] Yeah, well, there are lots of names for it, hon. member. A lot of them may not be the right one.

Anyway, Mr. Speaker, there's an important principle here, and that is that we need to proceed methodically and at a stately pace through the legislative process in order to make sure that all members of the House in all political parties can have input into the legislation on behalf of the people that elected them. That didn't happen in this case. I'll call it a misunderstanding, but the fact of the matter is that we were unaware that last night the government intended to put this bill through the committee stage. We didn't have our amendments prepared, nor did we, frankly, have enough time to prepare them by last night anyway, and I think everybody should have recognized that. You can't put through important pieces of legislation at such a rapid pace and actually believe that this place is then doing its job. I think that's one of the reasons why we felt it necessary to make the point that we're making now.

1:00

**An Hon. Member:** What point is that?

**Mr. Mason:** The point is that we are not helpless, and we deserve and insist on the respect due us as an opposition party in this House. We need to reflect our constituents, who are not just located in our constituencies. We have people who support our point of view from one end of this province to the other. All of those people want to see their views reflected in the debate here. That may not be the majority position. It may not be incorporated in the legislation, but it is a view, nonetheless, of many, many, Albertans, hundreds of thousands of Albertans, that needs to be reflected in the debate on all the important pieces of legislation that take place in this Assembly. It is, I think, incumbent. It's only fair.

I wish that the Government House Leader had not stood up and briefly said: just vote against it. I think it's a mistake. It's a mistake to reject the opportunity for members in this House and parties in this House to participate in the legislative process. That's what we're here to do. That's our job. That's what we're elected to do. I think that needs to be done.

I think it's important that parties work together in developing legislation. I mean, question period is question period; the political process is the political process. It is designed to be an adversarial process. You just look at the way the place is laid out. It's one side against the other. That's basically in its very nature.

**Ms Blakeman:** Two sword lengths.

**Mr. Mason:** Two sword lengths across, yes.

**Ms Blakeman:** That's saving you.

**Mr. Mason:** Okay. Well, I'm sure the hon. Member for Edmonton-Centre would love to, you know, get up here and voice her views in this place.

It is an important principle, Mr. Speaker, that we need to have a proper committee discussion on this bill. We haven't had it. I came in last night, and things were going through here at lightspeed. I was amazed that there was a lack of debate and so on on so many of the pieces.

**Ms Blakeman:** Why are you surprised? They're the same party.

**Mr. Mason:** Well, the hon. Member for Edmonton-Centre says that they're the same party. I don't think that they're exactly the same party, but I think that in terms of the legislative agenda there's a lot of agreement there.

I still think it's the job of the opposition to slow down the pace of debate so that the public can become aware of what's going on in this place. That's a very important function of the opposition, and when the opposition doesn't do that, we can see what happens. The whole basis of the legislative process is undermined.

I know that the government doesn't like that, and I know that the government members get frustrated, but I think the important thing is that the legislative process ought not proceed too quickly in order to give careful consideration. That's one reason. The other reason is that it provides an opportunity for the public to notice what's happening in this place and to participate with that.

The third reason, Mr. Speaker, is that it allows the opposition party to do its job. Now, the government has the opportunity of knowing well in advance what its legislation is going to look like, and they have the opportunity of consulting before they even draft the legislation, before it's even introduced in the Assembly. The opposition doesn't see it until it's introduced for first reading. But we also have a duty to consult. We have a duty to consult with our constituents, and we have a duty to consult with stakeholders. We have far fewer resources, of course, than a government department does in order to accomplish that, but it's still something that we try to do, and we take that job seriously.

We try to think through who the stakeholders are when we see a piece of legislation and contact them as quickly as we can to try and get some information. Sometimes that process takes a lot longer than we would like, and we're not able to incorporate all of the input from stakeholders that we would like to do, but we try to do that. I think the other opposition parties do the same thing. They try to consult. They try to talk to different stakeholders and get a good sense of what they think so that they are more informed when they debate the bill and can draft amendments in some cases in order to improve the bill. That is something that takes a bit of time. We do have some resources, nowhere near the resources that the government caucus has or the government itself has. We also need time to deploy those resources in order to do a better job on behalf of the people who elected us. That work makes this place more meaningful.

If the opposition isn't able to do its job and the government just pushes through legislation at a very fast speed, it renders this place meaningless, Mr. Speaker. It renders this place pointless. That is something that I don't think most members on the other side really want to see. It requires, then, some patience on their part, some forbearance, some recognition of the role of the opposition in the legislative process. If they're prepared to do that and prepared to

put up with some of the criticisms that they face from the opposition as well as some positive suggestions, then I think we can make this place meaningful and feel much better about the role that we all play here.

What's the point of sitting here and just being rubber stamps? There's no point. I don't think the government members want to see that either. If the government keeps persisting in some of these tactics – and I think particularly about the tactic around the Appropriation Act of setting a fixed amount of time, basically building closure into the standing orders, then adjourning debate on the bill, and then bringing the bill back just before the vote – it means that there's very little opportunity to debate. That's a tactic, Mr. Speaker. Yes, that's a tactic that I think represents an attempt to run roughshod over the principles of parliamentary democracy, including the role of the opposition.

If we don't have proper committee consideration on a bill, Mr. Speaker, we haven't considered the bill properly, and we haven't done our job, and that's why this motion should be approved. We should have a proper Committee of the Whole on Bill 21 because this is an important bill. It's a significant bill. It was in Committee of the Whole for a grand total of 21 minutes. I think we can make that more productive if we, in fact, bring it back.

Mr. Speaker, I want to just emphasize that this is not just about the opposition. This is about the government side and how the two sides complement each other in order to improve the products of this place.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. The hon. Member for Edmonton-Centre?

**Ms Blakeman:** No. I was rising to speak. Look at how fast I did that because I flexed my knees.

**1:10**

**The Deputy Speaker:** Okay. No one under 29(2)(a)?

Then I'll recognize the Member for Edmonton-Centre to speak to the amendment.

**Ms Blakeman:** Thank you. I'll set my ice bag on the floor here.

Thank you very much for doing this, Member for Edmonton-Strathcona. I'm sure that for the people that are new to the Assembly, this must seem like a very strange experience, but there's a reason for it. In Alberta we have an unusual situation where we've had a majority government in place for a very long time. What I've seen is that the government is growing more and more – I was just looking it up, you know, and I felt that the words weren't strong enough. What I really see is hubris. For those that have studied your Greek theatre – anybody? Anybody? Hubris. I bet that you know what it is. Yes, she does. Two people. Excellent. [interjections] All right. Settle down. Settle down. No competition on the hubris. It is about putting yourself above the gods, that you are so fantastic that you put yourself above the gods. Of course, anybody that's studied their Greek tragedy knows what happens when you put yourself above the gods. You come in for a terrible tumble, and they shoot you with thunderbolts and things.

The point is that there is a position, and in this House we're meant to have at least two sides working on something. Opposition is useful because it brings an alternative point of view, hopefully some constructive criticism, and some alternatives. Often I've seen government go back and change what they're doing because something was raised that was, in fact, useful and made it a better bill. But there's less and less respect from the government toward the opposition members.

I know that there's a family dispute, and family disputes are vicious. I mean, nobody fights like your brother or your sister. Nobody. That's a vicious thing. I'm sympathetic to the two sides here that are having a family dispute because I know it's hard on both of you. Nonetheless, you still need . . .

**Ms Notley:** This sounds like therapy.

**Ms Blakeman:** Therapy. Oh, jeez. Yes, I'm sure they could get involved in therapy, and I know that you'll all come back together and get over your family dispute at some point in time. Certainly, that happened with your federal cousins, so it's going to happen sooner or later to you.

You have two other opposition parties in the House, and we're working hard here. I'm not asking for a sympathy play. We do our work, we show up, we do our readings, and we bring forward things that we . . . [interjections] We're thrilled to have you with us, Mr. Speaker.

**The Deputy Speaker:** I listen well, hon. member.

**Ms Blakeman:** Thank you.

It's just wrong to be roaring past Committee of the Whole and taking that opportunity away from the opposition side of this House to even try to be prepared with amendments. You know, we have increased the number of Parliamentary Counsel that we have, and still I think some days I feel bad about what I'm asking them to do in turning around amendments very quickly. By the time we see the bill, it's on the Order Paper for the next day. You're trying to anticipate what you need to be sending through to Parliamentary Counsel as an amendment, and you want to get it right. I don't want to waste the House time. If I agree with the bill, I'll tell you I agree with the bill. If I agree with certain parts of it, I'll tell you that and move on. When I don't agree, I think I have a right to be able to bring up those amendments to try and make it better.

The Minister of Service Alberta is really looking to get on the record, and we're all looking forward to that because I can't hear him when he mumbles. He might as well just get his name on the list and get up and actually speak here. [interjections] I'm sorry. He mumbles?

**An Hon. Member:** He never mumbles.

**Ms Blakeman:** Oh, he doesn't mumble. Okay. There's something happening with my hearing, then.

What happened the other day was disrespectful. In moving so quickly – and I know it was hot on Monday. I did tell you this, didn't I? I told you that when it got to the warmer seasons, the air conditioning in this place takes a while to kick in, and it gets kind of saunalike here. I did warn you. If you look back in *Hansard*, I did. [interjection] Oh, somebody liked it. Well, there you go. But I noticed that other people didn't like it.

All of a sudden there was a big move to get out of this House as fast as possible, so the Government House Leader took advantage of that and plowed through Committee of the Whole.

You are not just allowed to bring forward amendments in Committee of the Whole; you're allowed to examine the bill word by word, clause by clause. That's the point. We're not to do that in second reading, where we're talking about the principle of the bill. You can be admonished for singling out particular sections, actually. You're not to be doing that when you're in third reading because you're to be talking about the anticipated effect of the bill when it comes into play. So the point where we can do that and get into the nitty-gritty of it, say, "Yes, we like this," or "No, we

don't like that," and do the amendments is during Committee of the Whole.

Now, what I've heard the government side say is, "Well, you know, you should put more people on," or "You should expect that these bills can come up at any time; everything that's on the Order Paper is live," which is why you see me hauling around every bill that's still on the Order Paper. It starts to get a bit heavy at a certain point, which means I have to start icing my shoulder, too. [interjection] Yeah. You just keep yours here. I noticed that. I have a set here as well, but I also need the notes that I've made or the research that I've done on it, so I've got to carry around the rest of it.

This is where the hubris comes in, that complete lack of respect for the amount of resources that we're working with. We've got two researchers. I'm assuming that the ND opposition has about the same number. Just trying to process all of the stuff that's coming across our desk and get that stuff through takes a while. It's not going to happen in 24 hours, which is the pace that we have the government moving at now, so it's perfectly appropriate that we use the parliamentary processes to say that you need to go back and do this properly.

Let's face it, kids – not being disrespectful; being fond and affectionate of all of you, of course. That process wouldn't be there if there wasn't a need for it occasionally. All of the parliamentary processes that are available to us always end up allowing the opposition to find our voice or to make our voice heard, and this is one of these opportunities.

Asking for a referral back to Committee of the Whole allows us to get those amendments up. There are a few things that I would do to this if I had the time to do it. I'm sorry; that sounds like I'm going to beat it to death. There are a few amendments that I would make to improve the act. I'm one of the people that keeps beaking off about the need for monitoring in this province, so why wouldn't I try and make a bill like this work?

Some of you will know that one of the Laurie Blakeman memorial speeches – oh, God. I'm sorry. I said my own name, and then I . . .

**The Deputy Speaker:** It's okay, hon. member. You admonished yourself. That's fine.

**Ms Blakeman:** Then I cursed. I'm sorry. It's just not working out for me tonight.

It's the regulations. That's it, the Edmonton-Centre memorial speech on regulations. This is a perfect example of this. All that's in this bill is that the minister can go away and make regulations on everything. There is no transparency with this. We don't get to see the regs until they're done, and then you've got to really dig for them and pay attention because it's not as though they, you know, get tabled in the House.

Indeed, here's a concept. They used to get referred to a committee called the Law and Regulations Committee, and they used to all be reviewed by an all-party committee that looked at the regulations.

**An Hon. Member:** Not in your lifetime.

**1:20**

**Ms Blakeman:** Yes, indeed, it was in my lifetime. It was. It was in my lifetime.

That, actually, is the Gary Dickson memorial speech because he was the one that referred to that most often and taught me about it.

There is an issue about the regs. How many of you know what's going to happen to the regs on this bill? Have you sat on a committee? Do you know what they're going to look like? No.



That's part of the process that has been removed by this government. That committee was completely disbanded and struck off the records in '09, I think. That's part of the problem with this bill.

When I go back and I start going around to all of my different agencies and organizations over the summer and talk about what we did in here, they'll say: well, what's going to happen? I don't know. I can tell that they're going to make a regulation about X, Y, and Z, but I've no idea what that's going to be. You've already heard a number of really good points raised about: why would we be empowering the government to raise an amount of money from the industry to fund the organizations that are already discredited? In particular, I went looking about the RAMP program, and I went looking for the one that gave me hell, and I found them both. The RAMP program was particularly discredited – what was the term I was looking for?

**An Hon. Member:** Useless? Violated?

**Ms Blakeman:** No, no. It was excoriated. It really came in for some very bad press. For a number of reasons it was considered not transparent. It had the majority of . . .

**The Deputy Speaker:** Are you still on the amendment, hon. member?

**Ms Blakeman:** Yeah, on the referral motion.

**The Deputy Speaker:** Thank you.

**Ms Blakeman:** Thank you. Sorry. Just let me find it, and then I'll have it. Oh, yes. All right. God. There are too many amendments on this desk.

It had a number of people on the committee. They could not agree on what was being put forward. It ended up being all industry representatives on the committee. It had no independence and no credibility at the end of it. Actually, the recommendation from a number of organizations is: get rid of it. Yet, what we're looking at here, what I'm hearing – and, again, I can't verify any of it because there's nothing actually written down – is that, in fact, that very organization, RAMP, is going to be one of the groups that continues to get funded.

The second group, the one that was mad at me, I'm pretty sure was the Wood Buffalo Environmental Association. When I looked them up, I could see why they were a little cranky with me. They have a number of things that work as an environmental monitoring agency in that they are transparent. They do publish; they even publish raw data if you really want to crunch the numbers yourself. It is rigorous. It's done by technicians. They're using a recent technology. One of the criticisms of them is that they are limited by the size of the network that they're pulling the information from. I think that's where this organization and I got into a bit of a spitting match before. It's one of the ones that has been chronically underfunded, so it hasn't been able to improve that network in any real way. It's organization based, not sector based. So guess what? That brings us back to the same problem in that the industry members on it significantly outnumber other stakeholders, and it reduces the credibility of the monitoring.

When we're trying to put together a piece of legislation that is about monitoring – I'm sorry, Mr. Speaker, I just have to say this one other thing. When I'm talking about referring backwards to the Committee of the Whole, several times I've seen this government this year do – I don't watch *Glee*, but they keep talking about a mashup, where they put the songs together. It's like different songs that they put together.

**An Hon. Member:** Medley?

**Ms Blakeman:** No. They call it a mashup. Okay, medley. Yeah. That would be our term for it, and we won't talk about what age that might be.

This act is putting together the section that's about environmental monitoring and how they're going to make the regulations and how they're going to get the industry to pay. Then, totally unrelated, it starts talking about the PIN numbers of people that are transporting or storing . . . [Ms Blakeman's speaking time expired] Oh, that cannot be, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available for questions or comments. [interjection] Hon. Member for Edmonton-Centre, your time has expired.

The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Mr. Speaker, thank you very much. I want to thank the Member for Edmonton-Centre for her eloquent – she named her speech there. I can't remember the name that you've given it. Unfortunately, the Member for Edmonton-Centre was cut off mid-sentence, so we are all hanging, dangling in suspense here, and I would like to ask the member if she'd like the opportunity to finish that sentence so we can at least have a complete thought.

**The Deputy Speaker:** The hon. member. [interjections]

**Ms Blakeman:** Yes, you did. You got a number of thoughts. Now, Mr. Speaker, I'm getting a critique of the speeches that I'm doing at 25 after 1. I just so enjoy the positive reinforcement that I get from my colleagues opposite.

What I was saying was that we get this mashup, this medley, of almost unrelated ideas. We're talking about making regulations for monitoring, and then the next part of the bill is about the PIN numbers for the transportation and storage of hazardous waste. I keep going: what has happened here? You know when you get a magazine from the doctor's office and you get into the story or you're reading *Reader's Digest* and you get halfway through the little jokes section, then you go to get the conclusion and the page is missing? That's what it feels like with this bill, that there's a linkage missing or that two different pieces got kind of stuck together, which is another reason why it would be a good idea if we went back to Committee of the Whole and we respected what the opposition brings to this House.

I know you guys have been in power for a long time. I know that you guys over there are thinking you may not be there so much longer. Things aren't going as good as you thought. They're not going as well as you'd want people outside – oh, it got very quiet all of a sudden; isn't that interesting. It's not going quite as well as you thought, and you may not be there for very much longer. I know that I love to threaten you with this, and it is indeed part of my revenge scenarios that I think about when I'm truly angry with you all. You know, for you guys to have to sit over here and experience – thank you for your patience, Mr. Speaker. I know I exasperate you sometimes. For you to sit over here and experience the limitations that have been increasingly placed on the opposition over time by this very same government is a revenge scenario that I really enjoy. You guys would not be happy here.

We have learned to work within it. We've even learned to be cheerful about it, but you should not disrespect us, Government House Leader. You should not disrespect us. We have things to bring to this, and you should not be pre-empting our time off this.

[interjection] Well, this is the other argument. The Government House Leader is now saying that this is my fault.

I'm willing to accept the blame for a number of things, but me saying that I will get back here by a certain time in order to be able to move a bill is not a reasonable excuse for the Government House Leader to bring up a different bill that has not been on the prescribed government business for the day and then allow it to pass through a stage of reading that none of us knew was going to happen and were not able to prepare for. If you wonder why we're all so hot under the collar, that's what happened.

This bill was brought up in Committee of the Whole. We didn't know that was going to happen. We're not able to turn on a dime. We don't have those kinds of resources. We weren't prepared for that. It passed through. We couldn't even bring amendments forward because we hadn't submitted them to Parliamentary Counsel and didn't have them approved. The whole thing spun through Committee of the Whole in 21 minutes. I came back here, and that was it. It had passed. I didn't even get a chance at it. Now we're into Bill 21.

Really, having the Government House Leader say that this is my fault is a bit rich and also disrespectful. Not a good idea.

I'll go back to where I started, which was about hubris. Do not put yourself above the gods.

**Mr. Mason:** We're behind you all the way.

**Ms Blakeman:** Yeah. I'm out there leading this army that is not there.

But that's what it's about. I think this bill could be made into something that's very useful for everybody, but it's not useful now. No disrespect to the sponsor because I know that you're a new member and you're working your way through this. I hope it's been a good experience for you. But this is not . . .

1:30

**Mr. Mason:** What could possibly go wrong?

**Ms Blakeman:** Yeah. What could possibly go wrong? Well, you know, what could go wrong . . .

**The Deputy Speaker:** Thank you, hon. member. Your time has expired.

The hon. Member for Edmonton-Beverly-Clareview on the amendment.

**Mr. Bilous:** Well, thank you very much, Mr. Speaker. It gives me great pleasure to rise, partly to get circulation in my legs. I'm happy to speak to this amendment and to outline some of the merits and the reasons why I urge all members of the Assembly to support this amendment. As has been outlined by my colleagues, there are a significant number of reasons why Bill 21, the Environmental Protection and Enhancement Amendment Act, 2013, needs to be referred back to Committee of the Whole.

Mr. Speaker, I think it's telling when I look at – albeit I'm a newer member in the House here – the number of minutes and the amount of time that we spend on many of the bills in Committee of the Whole. You know, it's interesting and it doesn't do this bill justice that there were around 25 minutes of time spent in Committee of the Whole. It's frustrating because, first and foremost, especially for smaller opposition parties, Committee of the Whole, as you know, is a time when we can bring forward amendments, when we try to improve, ameliorate a bill. I mean, it's got its challenges when a very short amount of time has passed from first reading to when the bill is suddenly fast-forwarded to Committee of the Whole.

I mean, first and foremost, obviously, members need to go through the bill, need to interpret it, and need to consider what's in the bill, the merits of a bill, what needs to be either improved or amended to strengthen the bill or to ensure that we're writing the best possible pieces of legislation before they're passed. And this requires time, Mr. Speaker. Again, you know, the smaller opposition parties have fewer resources, fewer researchers. We, too, take pride in our work and in the amendments that we put forward. It's extremely challenging when there's a very short period of time to try to contact many of the stakeholders and many of the people who are going to be directly or indirectly impacted by the passing of a piece of legislation.

Mr. Speaker, it's not just the amount of time that is physically spent in this Chamber debating a bill at a certain stage that is very important. It's extremely important that there is time outside of the Assembly when members can inform themselves, do the research, and reach out to community members, to various organizations who have, you know, a myriad of experts and individuals who are much more familiar with the subject matter than many of the members pertaining to – you name it – different topics from A to Z that we debate and discuss in this House.

You know, this motion to refer, I think, is extremely fitting for this bill, and I do want to reiterate what the Member for Edmonton-Centre said. I mean, this is nothing to do with the sponsor of the bill or the intention of the bill. It's to do with due process and ensuring that we all live up to the duties and responsibilities that are placed on us.

We all have a duty to consult. We want to make sure that Albertans are included, are represented when we're speaking on behalf of the 3.7 million folks that live in this great province of ours, so it is important to consult, to spend an adequate and appropriate amount of time. Clearly, Mr. Speaker, when we look at when this bill was introduced to the time that we're at today, right now, there has not been a significant or a substantial amount of time given to this bill in this Chamber for us to pass this in good conscience.

Clearly, as was outlined by my colleagues, there was, I would say, a bit of a misunderstanding – I'm being very forgiving to the Government House Leader – in that there is a process that takes place, an agreement, if you will, Mr. Speaker, between the House leaders on the process for ensuring that all members of the Assembly are aware of what's going to be discussed on a given day, which I do acknowledge is a courtesy, to ensure that members can be well informed on what's going to be discussed in the House and to ensure that they and their researchers have an adequate amount of time to prepare, whether that's via amendments or just becoming familiar with the bill.

When I look at the number of pieces of legislation or bills that we have debated this week alone, Mr. Speaker, it is a significant amount of legislation. We've moved very quickly on many of the pieces. You know, this motion to refer back to committee I think is a nice way to gently tap the brakes and to say: let's look at how we can strengthen this bill, how we can improve it to ensure that we get it right the first time.

Earlier this evening we spoke, and there's a difference of opinion between the government side and the opposition side as far as getting it done right the first time versus passing something through just for the sake of getting it done and then worrying about improving it. You know, Mr. Speaker, it makes me think of a great little analogy of a student handing in a first or second draft of an essay, saying, "Well, this is it; this is the finished product," when in reality it's only the first or second draft. It needs revisions. It needs other sets of eyes. It needs to be improved, peer editing, before that final version is presented.

I can tell you that often, you know, once something is handed in, we don't – in putting our best foot forward or in making a first impression, you get one crack at it. I think it's important that we put our best foot forward, that we take the time to review this bill and get input from all parties but as well from as many members of this Assembly as we possibly can, Mr. Speaker. I mean, I think we all have the goal in mind of writing and producing the best possible pieces of legislation, and in order to do that, we need an adequate amount of time. There seems to be a shortage of time.

A point I'd like to make which has to do with this motion to refer, Mr. Speaker: I don't know if you're aware of the number of days that this Assembly sits in a given calendar year, but it's quite surprising. You might be quite surprised when you compare how many days we sit in the Alberta Legislature compared to many of our sister provinces. If you guessed that we are one of the ones who sit the fewest number of days throughout the country . . .

**Ms Blakeman:** They'll argue with that because they count evenings as a full day.

1:40

**Mr. Bilous:** I will qualify that. Thank you, Member for Edmonton-Centre.

However, you know, Mr. Speaker, it's quite interesting when I talk to friends and colleagues outside the Legislature. They're quite surprised as to the hours that we often keep in this Legislature, the hour of the day that we're debating legislation. Friends and constituents will ask: well, why are you debating in the wee hours of the night or into the morning important bills that are going to become legislation, that are going to become law, that are going to affect the lives of all Albertans? If we took more days to sit, to have a proper process and a substantial amount of time to debate legislation, we wouldn't have to be in here at 11 p.m. or 12, 1, 2 in the morning debating legislation. [interjections]

I can hear the hon. members from across the aisle saying that they enjoy it and they like it. Well, I'd like to ask them to look around the Assembly. The challenge with debating important pieces of legislation at this hour of the day is, I think it'd be safe to argue, that most members are not at their sharpest point at 2 in the morning. They're not the most wide awake. It really is taking away from fruitful and valuable debate, Mr. Speaker. The other thing is that there are members, understandably, who have families, who are called away, who can't be here late into the evening.

It just seems to make sense that – debate is important, and if we want to have the best quality of debate on bills before they're passed, then why not sit for more days throughout the calendar year to ensure that we do our bills and the constituents who we represent a service and do them just cause in ensuring that we get all the different perspectives on record, debated, discussed? You know, I think that that's something that's very important.

Mr. Speaker, part of the reason why this needs to be referred back to committee – again, there were few amendments that were put forward in the short 25-minute Committee of the Whole debate on Bill 21. I can tell you that I have significant concerns with the way the bill is currently written. This bill has multiple parts to it, but the biggest problem that I have with it is that, quite simply, the minister of SRD has too much power and authority via this bill. We need to ensure that there are counterbalances and that we're not just bestowing a substantial amount of power to one person or one post or a set of responsibilities.

There is clearly a need for new environment monitoring programs and processes. On that I will agree with the sponsor of this bill. However, giving those powers almost exclusively to the

minister is not the way to go about this. This really should be removed from government to an arm's-length organization that can be impartial.

Again, you know, something that is positive, a small step forward, is the increase in the amount of spending that will be on the monitoring from up to \$50 million. But how we're going about the process of establishing the agencies, of who's on them . . .

**The Deputy Speaker:** Thank you, hon. member. The time has expired.

Standing Order 29(2)(a) is available. I recognize the Member for Calgary-Mackay-Nose Hill.

**Dr. Brown:** A very brief comment, Mr. Speaker. Thank you very much. My comment with respect to this amendment that would send it back to committee is just five words. [Remarks in Latin]

**Ms Notley:** I can't ask him what that meant. Okay. I'd love to, but I don't think I can.

**The Deputy Speaker:** To the Member for Edmonton-Beverly-Clareview.

**An Hon. Member:** That's Latin.

**Ms Notley:** I get that it's Latin. Thank you for that.

I'm just wondering if the Member for Edmonton-Beverly-Clareview could quickly sort of outline some of the specific changes you might want to see if we had had the opportunity to make some amendments.

**Mr. Bilous:** Well, thank you very much. I'll thank the hon. Member for Edmonton-Strathcona as well. I'm not sure if the Member for Calgary-Mackay-Nose Hill was just demonstrating another language or what he was saying. Je peux parler en français. [Remarks in Spanish] Or I can switch into Chinese as well, but I don't know how fruitful the discussion would be.

**Ms Notley:** You speak Chinese, too? Wow.

**Mr. Bilous:** Yes. [Remarks in Mandarin]

To get back to the question from the Member for Edmonton-Strathcona, I think there are a few things that we need to ensure. One is that, you know, when we're talking about strengthening our targets, we need to look at strengthening or putting caps not just on intensity targets, but we need to actually have some hard caps. Unfortunately, on environmental monitoring in Alberta we don't have the best track record, to put it in a very soft way. The Member for Edmonton-Centre is giving me a look. Actually, our track record on environmental monitoring and protecting the environment is quite atrocious. Unless we pick it up, Mr. Speaker, I'm concerned for future generations and the state that the province is going to be in and the direction that we're heading.

I think again, you know, we do need to have a significant amount of monitoring. I'm frustrated by our federal cousins and how they've been shirking their responsibility, passing it on to individual provinces, where again had we strong legislation in this province to ensure not only that industry complies with our regulation and monitoring but that there are enforceable penalties for industry or polluters or those who are not complying with our environmental standards, I think that would be a step in the right direction. I mean, it's kind of ironic, Mr. Speaker, when you have a company that's bringing in \$10 billion of profit per quarter or let's just even say per annum and they're slapped with a hundred thousand dollar fine. Well, it's a joke, quite frankly. There's not much incentive. Again, if punishment is merely a slap on the wrist

for going against legislation, then I think it's not really going to act as a deterrent.

1:50

I think there are two different ways to look at this. We could look at positive reinforcement for companies that are working toward either lowering their pollution levels or coming in under what the targets are. I think the targets need to be reasonable. I think we need to look at what other provinces, other jurisdictions are doing and then to also have, like I said, repercussions for those who aren't going to abide by the law and who aren't going to work toward finding more sustainable approaches and methods of development in whatever industry that may be.

**The Deputy Speaker:** Are there other speakers? The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thank you, Mr. Speaker. I rise to make a few comments in regard to this amendment, that was brought forward by the Member for Edmonton-Strathcona, moving that the motion for third reading of Bill 21, the Environmental Protection and Enhancement Amendment Act, 2013, be amended by deleting all of the words after "that" and substituting the following:

Bill 21, Environmental Protection and Enhancement Amendment Act, 2013, be not now read a third time but that it be recommitted to Committee of the Whole for the purpose of reconsidering sections 2, 3, and 6.

This is actually my first opportunity to speak on Bill 21. I missed the whole rigmarole from yesterday, I guess. I think the big reason to have this amendment, of course, is because of the confusion that did take place yesterday in regard to Bill 21. You know, the fact is that I missed the opportunity to be able to speak to it as a result, so we are looking for some further time and capacity to debate the bill.

[Mr. Amery in the chair]

It's a very reasonable amendment, I think, especially considering sections 2, 3, and 6. It's sort of in the tradition, Mr. Speaker, of this Legislature that House leaders of every party work together in order to schedule things properly. It's no coincidence that we have the House leaders of at least three out of the four parties here tonight because, of course, this is kind of what drove them to this point. So I guess we are making a point here. By doing so, I think that we have to remind ourselves of the democratic tradition in this House and how it functions not just on paper but in a practical sort of way.

Being able to have clear means of communication I think is a perfectly reasonable way to go. When we have variations to the schedule, then even more so we need to communicate properly between the House leaders, and that disseminates down to all 87 members of the Legislature. You know, there's a sense of trust that's associated with that, and when trust is broken, it takes a little while to repair although we are a very trusting bunch, ultimately, and we're willing to look past it because we look to the present and the future more than to the past. Certainly, I know that things will get fixed here in the immediate and long-term future.

In regard to the legislation in general thus necessitating this amendment, you know, we just think that Bill 21 gives the minister too many new powers, and then that really stretches to all aspects of the bill. The minister is being given too much power in regard to designing the new environmental monitoring system when it should be done by an independent body. This bill also gives the minister too much power when it comes to exempting persons from the requirement to hold a PIN when moving hazardous materials. Finally, Mr. Speaker, this bill gives the

minister way too much power when it comes to removing any personal liability for those who may wish to delegate their authority as well.

Mr. Speaker, this amendment is reasonable, and I think it makes its point quite abundantly. I am glad to have had just a few minutes to speak on that, but now my comments have come to a conclusion.

Thank you.

**The Acting Speaker:** Thank you, hon. member.

**Hon. Members:** Question.

[The Deputy Speaker in the chair]

**The Deputy Speaker:** Standing Order 29(2)(a) is available.

Seeing none, are there any other speakers?

The question has been called.

[Motion on amendment to third reading of Bill 21 lost]

**The Deputy Speaker:** Back to the bill. The next speaker. Hon. Member for Edmonton-Calder, you haven't spoken yet.

**Mr. Eggen:** No, I haven't spoken yet, and I will do so very briefly, Mr. Speaker.

In our view, this bill has not had very fair evaluation by the Assembly, and during second reading of this bill the NDP opposition has made it clear that we did want to debate a number of sections of this act. The NDP opposition also indicated to the Government House Leader that we had amendments. Oh, I'm sorry. And the Liberals, too, of course, and the Wildrose. I just got carried away. Thank you very much. I appreciate that. It was very appropriate nonverbal communication. The government did not honour this request. As a result, we weren't permitted to bring up some concerns about the bill.

As I've said before, the bill gives considerable powers to the Minister of Environment and Sustainable Resource Development to design and implement environmental programs in the oil sands, and she could do this with these new powers in this bill without the input of Albertans, First Nations, or the scientific community.

More importantly, this bill flies in the face of the government's commitment to Albertans to establish an independent, arm's-length body to conduct real and credible monitoring in the oil sands. This bill also makes changes, Mr. Speaker, to the current rules around personal identification numbers, which we believe could lead to misunderstanding or even fraud.

Further, this bill extends the immunity from liability for damages to anyone and everyone the minister chooses. This could likely apply to many contractors who will work for the government one day and then for an oil company the next. This has profound implications, Mr. Speaker, for the ability of Albertans to protect themselves and be compensated for nefarious behaviour committed by individuals who have not taken an oath to the government.

On behalf of Albertans we do demand that this bill, in fact, be hoisted so that the government has time to reconsider these mistakes. Albertans are demanding a real and independent monitoring of our important industry. This bill does not achieve this. The opposition from all opposition parties should be allowed to speak on behalf of the thousands of Albertans who, in fact, do oppose this bill. We believe that Albertans, Mr. Speaker, deserve better, so I am choosing to hoist this bill at this time. I have a motion to do so here, the amendment with the appropriate amount of copies with the original on top. If we could just distribute those.

**The Deputy Speaker:** We'll just pause, hon. member, to circulate the amendment. This will be amendment RA2.

You may proceed, hon. member.

**Mr. Eggen:** Thank you, Mr. Speaker. I will for the sake of expediency just read as we're distributing the amendment. I will move that the motion for third reading of Bill 21, Environmental Protection and Enhancement Amendment Act, 2013, be amended by deleting all of the words after "that" and substituting the following:

Bill 21, Environmental Protection and Enhancement Amendment Act, 2013, be not now read a third time but that it be read a third time this day six months hence.

Thank you very much, Mr. Speaker.

2:00

**The Deputy Speaker:** Other speakers to the amendment? The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, I thank the hon. member for moving the hoist, and that does entitle all members to speak again. We could carry this on for a considerable amount of time longer, but I think we have made our point. So I would propose that we vote on the hoist and then vote on third reading of Bill 21.

[Motion on amendment to third reading of Bill 21 lost]

**The Deputy Speaker:** We're back to the bill. Are there any other speakers on the bill?

Seeing none, does the hon. Member for Calgary-North West want to close debate?

**Ms Jansen:** Question.

**The Deputy Speaker:** The question has been called.

[Motion carried; Bill 21 read a third time]

### Government Bills and Orders Committee of the Whole

[Mr. Rogers in the chair]

#### Bill 24 Statutes Amendment Act, 2013

**The Chair:** Are there speakers? The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Well, this is wonderful. Thank you so much for the opportunity to be able to speak to Bill 24 because I along with, I'm sure, many other members of the Assembly do try and get out and do community events and get out from underneath the dome. In fact, I've been engaged in a number of those over the last couple of days, so I haven't been able to be present while this bill was moving through second reading.

This bill is not a record-breaker, but it's a new step, not one that I particularly approve of. No. I disapprove of it absolutely because what this is is another step this government is taking away from democracy and taking away from this Legislative Assembly. This is where people go: "Oh, my goodness. Two o'clock in the morning. What is she going on about?" But that's, in fact, what's happening.

We have had a very long tradition of what's called miscellaneous statutes in this House, and it was an opportunity for the government to make some very minor changes, not on content,

nothing consequential. It was typographical and, you know, name corrections when a bill got changed but never anything big, where it changed the content or the meaning of the bill. The deal was that it went through very fast, it tended to be brought in at the end of a session, and it would go through without debate.

The exchange for that was that the opposition had an opportunity to ask for anything they felt was not fitting within that definition of miscellaneous statutes to be removed and brought forward. Then the government could decide what they wanted to do. Whether they brought it forward as a stand-alone bill or whether they combined it with something else that was on the same theme was up to them. That was the exchange. So the opposition could ask for sections to be pulled out and could dispute that it was, in fact, minor, and the exchange was that when it came before the House, it went through without debate.

The interesting thing that's happened is that over the years a number of the bills have been disputed and, therefore, pulled out. Why? Because they weren't inconsequential. They weren't minor; they were fairly major. In some cases they were completely rescinding bills. There had been a mistake made in the drafting that was a flat-out mistake, and they needed to fix it, but the sponsor was embarrassed to admit that there was a mistake and didn't want it brought forward as a big old bill, so they wanted to slide it through miscellaneous statutes. In some cases way back they actually used to try and slide stuff through, hoping that the opposition wouldn't notice.

There are a number of examples where pieces have been pulled out. I know that when some of the parts of this bill were discussed and it was proposed that certain pieces be included in miscellaneous statutes, I for one had indicated that it wasn't minor. As a result, the Government House Leader or the government – I don't know who – has decided to create a whole new being called the Statutes Amendment Act which does not need the involvement of the opposition. They are not allowed to pull anything from it, but the exchange is that we get to debate it. So we will make sure to take advantage of that and, I hope, proceed with a fulsome debate.

The other piece that's long standing in here is that the speaking time that members have had has been consistently eroded over the last 18 years. Originally there was no limit on speaking times for any member in this Assembly. Then there was a limit of 30 minutes on any given bill and longer if it was an omnibus bill. So if there were more than two acts being changed in a bill, then it got even more time. That was then reduced to 20 minutes of speaking time for a government bill for any member, and then that was reduced to 15 minutes of speaking time for a government bill plus the 29(2)(a) for comments and questions. The speaking time for private members' bills has been reduced from 20 to 10. The total amount of speaking time for any member speaking in this House has been steadily eroded. If you put those things together, it is a taking away. It is an erosion. It is denying the opportunity, particularly for members of the opposition, to be able to contribute to what's going on here.

I know that the really right-wing view of Legislative Assemblies is that they should sit as little as possible, and I've often heard my colleagues across the way express admiration for Texas, which meets once every two years whether they need to or not. I know that some members on the other side were very keen on that idea.

What we have before us with the Statutes Amendment Act is that we're amending the Condominium Property Act, the Emblems of Alberta Act – there's an interesting story behind that one – the Perpetuities Act, the Surveys Act.

Then there's a long section on the updating of portfolio names. I thought the purpose of the government act was to be able to keep track of all of that stuff outside of actually going through and changing the legislation every time, but evidently not, because we're cutting and pasting a number of names and department names with the associated Societies Act, Alberta Housing Act, Animal Health Act, Auditor General Act, Crown's Right of Recovery Act, Health Disciplines Act, Fur Farms Act, Health Facilities Review Committee Act, Health Professions Act, Horse Racing Alberta Act, Hospitals Act, Judicature Act, Municipal Government Act, Notice to the Attorney General Act – boy, I didn't even know about that one – Proceedings Against the Crown Act, Public Trustee Act, Professional and Occupational Associations Registration Act, blah, blah, blah.

2:10

I think there are 15 pages of it where they're adjusting what delegated administrative organizations fit underneath and where "Minister of Justice and Attorney General" turns into "Minister of Justice and Solicitor General," with changes in the way that particular ministry is now referred to. At different places "Justice and Deputy Attorney General" is being replaced with "Deputy Minister of Justice," blah, blah, blah.

What's really coming forward in here? I did ask for and receive some explanation on the Emblems of Alberta Act. I thank the Minister of Culture's assistant for providing me with that information. But my questions are always: why do we need legislation? Why does this have to be handled by bringing it before the Assembly? What was the problem that made it have to come forward before the Assembly? Is it going to be fixed by legislation, is it going to be fixed by this legislation, and who's going to be really unhappy about it? Those were the questions I put forward to the minister's assistant, and in fact he answered them, so a gold star to him.

The Emblems of Alberta Act is being amended to add in the provincial shield of Alberta. The shield is what appears above the Speaker's chair there. It's what we commonly think of as the emblem that goes on the flag, with the wheat field and then the mountains and the sky and St. George's cross on the top. Then there's the actual crest, which is the one that you usually see in gold with the stag and the griffin and all that hoo-ha on either side of it. It, in fact, was not included as an official emblem of Alberta. [interjections]

The government deputy whip has a voice that particularly carries, so if I might be able to invite him to take his discussion outside, that would be very helpful. He talks well but doesn't listen. And there he goes. Okay. Good.

They had not in fact included it. You know the various emblems that we have. In fact, the most debate I've ever seen from government members ever on any bill was on the grass bill. Naming rough fescue as the grass of Alberta got more debate – I heard from more people on the government side than I've ever heard any of the government members debate on any bill before or since.

**Mr. Mason:** Even on the debate on the official rodent, which would be the prairie dog?

**Ms Blakeman:** There is no official rodent, leader of the fourth party. For shame.

But there is the official rock and the official bird and the official mammal and the official fish and the official tree and the official grass, and then there's the tartan. Then it turns out that we did not actually have the shield that was included, making it an official

emblem. What this is really about is – ta-dah – control. It gives the government the ability to . . . [interjections] Everyone is being terribly jolly and having little chats. Now, isn't that nice?

**Mr. Mason:** What about the official song? There was a good debate on that.

**Ms Blakeman:** No, no, no. We are not including any reference to the official song. We are so not including that. No. It's not in here.

So this is to include that and to give the government power to say: you may use this, or you may not use it. It's particularly interesting, given the age of enhanced technology now and digital printing, that lots of people are taking a screenshot of the shield and putting it on their letterhead: businesses, et cetera, et cetera. They don't even know to ask for permission, and frankly at this point they wouldn't have had to because the shield was not included under the act.

The interesting part is that when I said, "Who wants this?" or "What was the problem?" I was told that the Senate had requested the use of the shield for an Alberta Senator, and that's when it was discovered that the province couldn't give permission because they didn't have control over it. That's one of the stories. The other story is that the government was really PO'd that the Wildrose used the shield as part of their campaign literature. That's what really got everybody riled up. We'll let the minister stand up and tell us which one is true, but I suspect it's the Wildrose one because now they're using the official flower. Fingers on your buttons everybody. The official flower of Alberta is the wild rose. That would be an interesting copyright debate, about whether or not they get to use the little flower.

That's the reasoning behind the emblems of Alberta. Of course, they have to go through describing the whole thing and then making sure that they're putting it in as the provincial shield. Then the minister – oh, my God. How many times? They must just cut and paste it into every bill. The minister may make regulations respecting the dot, dot, dot and then fill in the blanks. In this case it's the use and display of it and how people are allowed to copy it, et cetera.

It's a reasonable explanation. Thank you. It was offered to me. Thank you again because, unfortunately, what the Government House Leader supplied to me didn't give me the information about why this was necessary. You know, surprising to all of you, I really don't like to make more legislation than we need to here. Those are always my questions. What's the problem? Do we need legislation to fix it? Is this legislation going to fix it? Who's going to be upset about it? Another way of saying: who benefits, and who doesn't? I'm fine with that.

The other problem that these omnibus bills cause for people like me is that I go: "Okay. I'm fine with that. I'm happy to vote for it." And then I look at something like the Perpetuities Act. You know what? I should be careful about what I say here because I have not read every single word in this. I got the impression that what was happening here was that if someone who owned land leased it to someone for a specified period of time – I'm sorry; this is where I need to do more work – this now gives the lessor the ability, once the specified time has run out, to continue on and actually to go further than they would have been allowed to previously except that it doesn't apply to a mineral lease. Oh, boy. I need to read more on that one. I'm sorry. I'll come back to it. This is Committee of the Whole. Great. I'll read through that one as fast as I can.

The Surveys Act, again, is pretty straightforward. I actually would have let it go through miscellaneous statutes. They seem to be having a heck of a time getting someone to take the job of

director of surveys, so they're actually having to change the act. In order to put somebody in the job, they've changed the description of the job. They're striking out "an employee under the Minister's administration who is" so that it just says that the minister shall designate "a surveyor as the Director of Surveys" rather than it being someone in the minister's own department. I don't know whether it's good or bad that they can't find someone in the minister's own department to take that job. I actually can't comment on that, but it sure does raise a question. I'm okay with the Surveys Act as well, and as I say I would have left that in miscellaneous statutes.

2:20

What I wouldn't have left in miscellaneous statutes is the Condominium Property Act because that's a bigger piece and a bigger change than something pretty minor. It's come about because of a court ruling and also because the state of our condominium act in Alberta is currently less than optimum. It's fairly antiquated, and it's just not covering a lot of the bases that it needs to cover.

Once upon a time – I don't think they do it much anymore; at least they don't do it in the fabulous constituency of Edmonton-Centre – they used to allow what they call bare-land units to be purchased. What's happened is that money was collected from the bare-land condominium owners and put into a fund and then used to fix up the roof or the exterior of the building or whatever. This is most often used in townhouse kind of complexes. A group of bare-land condominium owners took them to court and said: "You don't have a right to do that. We actually own the land. You can't take our money and then use it for that because I own this, and I've got the right to make the decision." And they won.

So now the government quickly had to react to this and change it. They could have brought forward an act. In fact, they did bring forward an act. I don't know why this put the Minister of Service Alberta at the point where he felt he had to work with the Government House Leader to completely eradicate a process that had worked quite well for a number of years and take the opposition out of the mix here. But he wanted to win, and I guess he did. I don't think that's a good thing for democracy, but he certainly knows how to throw his weight around and get what he wants, I must say. So very impressive. He could have just brought it forward as a change to the Condominium Property Act in the same way that he's now sponsoring the Statutes Amendment Act.

I will try and get up to speed really quickly on the piece that I wasn't clear on, which is the Perpetuities Act, and let others speak to this if they wish. [Ms Blakeman's speaking time expired.] My timing is perfect.

**The Chair:** Thank you, hon. member.

I recognize the hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I have but one question on the Perpetuities Act. I'm hoping that the hon. member could answer the question for me. The issue of mineral rights with regard specifically to freehold rights owners is a concern. Like many of the other opposition members, I haven't had time to go into the act in depth. I'm not a big fan of omnibus bills, but I understand why some of these omnibus bills are brought forward. If the hon. member could explain to me how freehold rights are protected within the Perpetuities Act with the transfer of mineral rights, that would go a long way to resolving or allaying some fears that particularly the freehold association might have.

Thank you very much.

**Mr. Hancock:** Well, Mr. Chair, I'll try to address that briefly for the hon. member. Essentially the Perpetuities Act sets out some rules. It's an embodiment, I guess, of the rule against perpetuities, which basically says that you can't have a contract which goes on forever. It has to stop at some point in time. Under the old English common law the rule against perpetuities essentially was, I think with respect to most things . . . [interjection] Sorry?

**Dr. Brown:** Life in being plus 21 years.

**Mr. Hancock:** Yes. So it was life in being plus some years, something like that.

Anyway, there was a rule against perpetuities. Like the hon. Member for Edmonton-Strathcona, it sort of seemed archaic, and I didn't remember the whole thing. We have perpetuated the perpetuities in our Perpetuities Act. What we basically said in the Perpetuities Act is putting some time frames around how long a contract without end can last. In the case of certain properties, including real properties, there's essentially a 40-year limit, and after 40 years there's no reversionary interest. In other words, after 40 years, unless there's something which specifically designates a renewal term or point or something which would break up the lease and allow the owner to reassert their ownership, they would not be able to claim it. It's somewhat akin to what we used to call squatters' rights. If you live on a piece of land over 10 years and nobody claims that you're on their land, they might lose the right to assert their claim. That's what the section of the Perpetuities Act essentially says, that after 40 years you lose your right to assert your claim.

There are a number of mineral leases in the province, private owners who own mineral leases who have entered into contracts with some company to develop those leases, to create performance on those leases, and there may be clauses in those leases which call for a prove-up rent or a continual rent, whether or not they're pumping, to keep the lease alive. If they haven't in those leases taken care of the issue around the Perpetuities Act, there's a question that's been raised as to whether or not they will after 40 years lose their interest. That question was raised in an article in a blog by a University of Calgary law professor. Now, it's not necessarily universally agreed that he's right, but it's raised the issue.

This is important now because the Perpetuities Act is just about 40 years old, so it's been just about 40 years since that rule came into place, and there may be leases out there where, if the professor is right about his interpretation of the law, a mineral owner who has leased their lands and has not taken care of this issue in the lease and is not getting renewal leases and that sort of thing and hasn't exerted their authority as an owner could lose their reversionary interest. In other words, the oil company or whoever took the lease might be able to forestall the owner from asserting their rights again if, in fact, they defaulted under the other terms of the lease. That was not intended in this circumstance.

This has been drawn to attention by somebody who's been teaching perpetuities and discovered a place where he might expound on this concept. I think that out of an abundance of caution it makes sense to protect the mineral owners who perhaps entered into those leases that may or may not have the clauses in there which will ensure that they get to continue to own and assert their ownership rights over that land, over that real property, those mineral rights that they have. We want that to happen, so it's necessary to pass this amendment to the Perpetuities Act to indicate that this 40-year guillotine, if you will, that may cut off their right to assert their ownership interest, doesn't apply to mineral leases that were entered into in that circumstance.

**The Chair:** Are there other speakers?

**Hon. Members:** Question.

**The Chair:** The question has been called.

[The clauses of Bill 24 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? That's carried.

**Mr. Hancock:** I would move that the committee now rise and report.

[Motion carried]

[The Deputy Speaker in the chair]

**The Deputy Speaker:** The hon. Member for Calgary-East.

2:30

**Mr. Amery:** Thank you, Mr. Speaker. [interjections] You want to go home, eh?

Mr. Speaker, the Committee of the Whole has had under consideration a certain bill. The committee reports the following bill: Bill 24.

**The Deputy Speaker:** Does the Assembly concur in the report?

**Hon. Members:** Concur.

**The Deputy Speaker:** Opposed? So ordered.

### Government Motions

#### Adjournment of Spring Session

32. Mr. Hancock moved:

Be it resolved that pursuant to Standing Order 3(9) the 2013 spring sitting of the Assembly shall stand adjourned upon the Government House Leader advising the Assembly that the business for the sitting is concluded.

**The Deputy Speaker:** This motion is not debatable.

[Government Motion 32 carried]

**The Deputy Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. With much reluctance – it appears that we've covered all of the things which we indicated to members of the House would be under discussion for business today – I must move adjournment until 1:30 p.m.

[Motion carried; the Assembly adjourned at 2:31 a.m. on Thursday to 1:30 p.m.]



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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Thursday, May 9, 2013

Issue 56a

The Honourable Gene Zwozdesky, Speaker

## Legislative Assembly of Alberta The 28th Legislature

First Session

Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC), Speaker  
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Official Opposition Whip  
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Bhardwaj, Naresh, Edmonton-Ellerslie (PC)  
Bhullar, Hon. Manmeet Singh, Calgary-Greenway (PC)  
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Fox, Rodney M., Lacombe-Ponoka (W)  
Fraser, Rick, Calgary-South East (PC)  
Fritz, Yvonne, Calgary-Cross (PC)  
Goudreau, Hector G., Dunvegan-Central Peace-Notley (PC)  
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Wilson, Jeff, Calgary-Shaw (W)  
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
Government Whip

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Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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Chair: Mr. Amery

Deputy Chair: Mr. Fox

Bhardwaj	Olesen
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Eggen	Rowe
Hehr	Sarich
Luan	Strankman
McDonald	Xiao

### Standing Committee on the Alberta Heritage Savings Trust Fund

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Deputy Chair: Mrs. Jablonski

Anderson  
Casey  
Dorward  
Eggen  
Kubinec  
Sandhu  
Sherman

### Select Special Chief Electoral Officer Search Committee

Chair: Mr. Rogers

Deputy Chair: Mr. Quadri

Blakeman	Leskiw
Eggen	McDonald
Goudreau	Saskiw
Lemke	

### Select Special Conflicts of Interest Act Review Committee

Chair: Mr. Allen

Deputy Chair: Mr. Luan

Blakeman	Notley
Dorward	Saskiw
Fenske	Wilson
Johnson, L.	Young
McDonald	

### Standing Committee on Families and Communities

Chair: Mr. Quest

Deputy Chair: Mrs. Forsyth

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Cusanelli	Leskiw
DeLong	Notley
Fraser	Pedersen
Fritz	Swann
Goudreau	Towle
Jablonski	Wilson
Jansen	Young

### Standing Committee on Legislative Offices

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Deputy Chair: Mr. McDonald

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Blakeman	Quadri
Brown	Rogers
DeLong	Wilson
Eggen	

### Special Standing Committee on Members' Services

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Deputy Chair: Mr. Rogers

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Forsyth	McDonald
Fraser	Quest
Kennedy-Glans	Sherman
	Smith

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Deputy Chair: Ms L. Johnson

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Bhardwaj	Leskiw
Brown	Notley
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DeLong	Rowe
Fox	Strankman
Fritz	Swann
Goudreau	Webber

### Standing Committee on Privileges and Elections, Standing Orders and Printing

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Deputy Chair: Mr. Lemke

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Cao	Notley
Casey	Pedersen
Hehr	Rogers
Jansen	Sandhu
Kennedy-Glans	Saskiw
Kubinec	Towle
Luan	Young

### Standing Committee on Public Accounts

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Amery	Jeneroux
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Bilous	Kubinec
Blakeman	Lemke
Calahasen	Sandhu
Casey	Stier
Fenske	Webber

## Legislative Assembly of Alberta

1:30 p.m.

Thursday, May 9, 2013

[The Speaker in the chair]

### Prayers

**The Speaker:** Hon. members and guests, let us pray. Dear Lord, our God and author of all wisdom, today we pray for those individuals whose circumstances are less fortunate than our own for it is they who truly need our help. Let us also pray for our friends and families, from whom we have been separated this week in order to fulfill our duties and obligations in this Assembly. Amen.

Please be seated.

### Introduction of Visitors

**The Speaker:** Hon. members, today I'm pleased to recognize two special guests who are seated in my Speaker's gallery. Dr. David Carter was first elected to the Legislative Assembly of Alberta on March 14, 1979, for the constituency of Calgary-Millican. He was subsequently elected as the Member for Calgary-Egmont in 1982, 1986, and 1989. On June 12, 1986, Dr. Carter was elected Speaker of this Assembly and was re-elected to the position on June 1, 1989. Many books on the Legislative Assembly of Alberta were published during his tenure, including some he has written himself, and this Chamber in which we sit today was refurbished and modernized during his tenure to help to celebrate the 75th anniversary of the Legislative Assembly. Welcome, Dr. Carter. [applause]

Hon. members, with Dr. Carter is former Sergeant-at-Arms Oscar Lacombe. Mr. Lacombe commenced his service as Sergeant-at-Arms in 1981 and was the first Métis Sergeant-at-Arms appointed in the province of Alberta and in all of Canada. After his retirement in 1993 he was recognized with the lifetime title of honorary Sergeant-at-Arms. Mr. Lacombe is a highly decorated Korean War veteran. He is also the great-grandnephew of Father Lacombe. Please welcome Mr. Oscar Lacombe. [applause]

### Introduction of Guests

**The Speaker:** Hon. members, let us begin with some school groups. Edmonton-Meadowlark, the hon. leader of the Liberal opposition, I believe you have an intro.

**Dr. Sherman:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of this Assembly a class of elementary students from the Centre for Learning@Home located in my constituency of Edmonton-Meadowlark. Accompanying their class is Samantha Quantz, recreation co-ordinator, and parent helpers. I'd ask Samantha, her students, and parents to please rise and receive the traditional warm welcome of the Assembly.

Thank you.

**The Speaker:** Thank you.

Hon. Member for Medicine Hat, I believe you have a school group.

**Mr. Pedersen:** Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you to all members of the Assembly 65 absolutely brilliant and politically engaged grade 6 students from Crestwood elementary school in Medicine Hat. This is the

school's 24th consecutive yearly visit to this Legislature. Would the students and staff and parents now please rise and receive the traditional warm welcome of this Assembly?

**The Speaker:** Are there any other school groups?

Let us proceed with guests. Hon. Minister of Education, you have some introductions.

**Mr. J. Johnson:** Thank you, Mr. Speaker. It's an honour to rise and introduce to you and through you to members of this Assembly five individuals seated in the Speaker's gallery who are here to help us celebrate World Catholic Education Day. One of the reasons Alberta has such a world-class education system is because it's built on a range of educational choice, and the separate school system is an example of this. The Member for Edmonton-South West will be making a member's statement later this afternoon, but for now I would like to introduce – and I would ask them to stand as I introduce them – the Most Reverend Gerry Pettipas, Archbishop of Grouard-McLennan; the Most Reverend David Motiuk, Bishop of the Ukrainian Catholic Eparchy of Edmonton; the Most Reverend Greg Bittman, Auxiliary Bishop of Edmonton; Mr. Tony Sykora, president of the Alberta Catholic School Trustees' Association; and Mr. Dean Sarnecki, executive director of the Alberta Catholic School Trustees' Association. I'd ask the House to join me in giving them the traditional warm welcome.

**The Speaker:** The hon. Minister of Agriculture and Rural Development.

**Mr. Olson:** Thank you, Mr. Speaker. It's my honour today to introduce to you and through you to members of the Assembly four members of the Royal Canadian Mounted Police Foundation. The RCMP Foundation was formed in 1994, and it supports the voluntary efforts of members from across the country to work in their communities, particularly with youth at risk. Our guests are in Alberta to raise awareness as to what they do and how they raise money. Their community programs support things like child safety, drug awareness, crime prevention, literacy, Internet safety, antibullying, victim assistance programs. They work with the corporate sector, Canadians from all walks of life, and their own members. If they would rise and remain standing as I introduce them, the members are Marie Delorme, foundation board member from Calgary; from Ottawa Mr. Fred Semerjian, foundation president and CEO; RCMP superintendent Greg Peters; and Kelly Ledingham, foundation marketing and program co-ordinator. I know Albertans are grateful for the work that they do, and I ask the House to give them our traditional warm welcome.

**The Speaker:** The hon. Member for Lesser Slave Lake, followed by Calgary-Mountain View.

**Ms Calahasen:** Thank you, Mr. Speaker. What a pleasure it is to introduce to you and through you to members of this Assembly council members and staff from the Northern Alberta Development Council. We had a very interesting session this morning and, as a matter of fact, last night as well. I'm really pleased that they are here today. They are seated in the members' gallery, and I ask that they stand as I call their names. Williard Strebchuck is vice-chair, and he's also from Whitecourt-St. Anne and one of the greatest vice-chairs I've had. Brian Allen, member from Grimshaw, Berwyn, and Fairview: he's also an individual who makes no bones about what his position is. John Brodrick is a member from Manning-High Level. Now, there's an individual who I think always says what he thinks. Ken Noskey, member

from Peavine-High Prairie-Grouard-Sucker Creek-Driftpile First Nation, is another individual who stands strong. Pat O'Neill is a member from St. Paul-Lac La Biche. He's a very staunch member of this august committee. Eva Urlacher, member from Bonnyville-Cold Lake: she's short, but she's mighty.

Mr. Speaker, I also have staff members, and I ask that they stand: Cathy Goulet, executive director; Allen Geary, director of projects and research – and he's in the back there – Audrey DeWit, manager of programs and co-ordination; Chelsea Ferguson, executive assistant to council. These are the backbone of the council and the chair, and I know that we want to say a special thanks to them for all the work they do.

I'd ask this Assembly to give a wonderful group of go-getters a raucous warm welcome from this Assembly.

**The Speaker:** The hon. Member for Calgary-Mountain View, followed by Edmonton-Highlands-Norwood.

**Dr. Swann:** Thank you, Mr. Speaker. An honour and a pleasure for me to introduce Brenda to you and to all Members of the Legislative Assembly. Brenda is the mother of a son totally dependent on PDD supports and is deeply troubled by the cuts both to day programs and group home services, his only opportunity to get out and recreate and find a quality of life. She's also concerned about the inappropriate pressure on her and her son to get him out to work. Brenda is particularly concerned about broken promises of this government that will create more suffering for the most vulnerable in Alberta. Hon. members, she's standing already. Let's give her a warm welcome in the Legislature.

**The Speaker:** The hon. leader of the New Democrat opposition, followed by Lac La Biche-St. Paul-Two Hills.

**Mr. Mason:** Thank you very much, Mr. Speaker. It's my pleasure to rise today to introduce to you and through you my guests Navtej Singh Brar, Nachhattar Singh Mann, and Harpreet Singh Gill. Nachhattar Singh Mann came to Canada at a young age. He's worked hard and has become a successful entrepreneur and small-business owner. He's known for his philanthropy and his community service in the Punjabi community and is the proud father of two children. Navtej Singh Brar belongs to a well-known family back in Punjab. He came to Canada to realize his dreams and is now also a successful small-business owner. Accompanying both of them is Harpreet Singh Gill, the political editor at *Asian Vision*. I would now ask my guests to rise and receive the traditional warm welcome of this Assembly.

1:40

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills, followed by Edmonton-Centre.

**Mr. Saskiw:** Thank you, Mr. Speaker. It is a pleasure to rise and introduce to you and through you to all members of the Assembly a constituent of mine, Pat O'Neill. Pat has experience as a municipal councillor and significant experience in the agricultural and recreational sectors. He's worked with the St. Paul Municipal Seed Cleaning Association as director and chairman of the board. He's a former director of the Alberta development corporation appeal board and was instrumental in developing the St. Paul breeders' co-op. He also has a very strong passion for hockey both as a player and a coach, and he's one that you would want on your side. I'd ask that he rise and that all members give him the traditional warm welcome of the Assembly.

**The Speaker:** Hon. Member for Edmonton-Centre, your first of two introductions, followed by Edmonton-Strathcona.

**Ms Blakeman:** Thank you very much. Mr. Speaker, I'm really delighted to be able to introduce to you and through you to all members of the Assembly a very proud big sister. I'd like to introduce to you Laura Winton, who is sitting in the public gallery. She's here to watch her younger sister, Elizabeth Winton, who is one of our pages. You can just see the pride from Laura for what Liz is doing. Laura has a degree in sociology and a master's degree in library and information studies, both from the University of Alberta. She lives in the fabulous constituency of Edmonton-Centre. I would ask you all to please welcome Laura to the Assembly.

I have a second introduction, Mr. Speaker. I know that the leader of the Liberal opposition is going to do a statement later on women in Alberta and on mothers, so I would to introduce a couple of women. First of all, Louise McBain is a constituent of the fabulous constituency of Edmonton-Centre. Stand up, Louise. Louise is a botanist who, God bless her, ran the labs for the sort of 100 series of biology at the university for a long time and is now retired. She's been a neighbour of mine for over 25 years, a supporter, and a friend. She is a mother to Faye McBain, who will rise beside her mother. Faye is one of those amazing people who can talk to anybody, anywhere, any time, so she's particularly good at sales and swinging deals and making people feel really comfortable. Faye attended Vic school in my riding and was one of those little ballerina people with many costumes and blue eyeshadow. Also with them is another daughter, Amy McBain, who, of course, is the amazing director of communications for the Alberta Liberal caucus.

Thank you very much for coming today.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by Fort Saskatchewan-Vegreville.

**Ms Notley:** Thank you, Mr. Speaker. I have two sets of introductions. First of all, it's a pleasure to introduce to you and through you my guest, Judy Cabral, and her two sons, Jeff and Jaret. Judy is very concerned about the cuts being made by this PC government to PDD services across the province as both Jaret's and Jeff's quality of life depend heavily on these services. Jeff is part of SCAN, a supported community access program which is an adult day program that provides employment support and recreation opportunities, and Jaret receives support from the Elves Special Needs Society. Both of these programs are absolutely crucial in providing Jaret and Jeff with the support they need. I would now like to ask Judy, Jeff, and Jaret to receive the traditional warm welcome of this Assembly.

My second introduction, Mr. Speaker. I'm very pleased to introduce to you and through you to this Assembly my guest, Trudy Grebenstein. Trudy worked for over 35 years as an accountant for Edmonton public schools and is also a long-time labour activist. For almost a decade she served as the president of the Canadian Union of Public Employees, local 3550. In the 2012 election Trudy was a candidate for the Alberta NDP, running in the constituency of Barrhead-Morinville-Westlock, and she is now enjoying a well-deserved retirement with plenty of travel. I would now ask Trudy to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Fort Saskatchewan-Vegreville, followed by Edmonton-Meadowlark.



**Ms Fenske:** Thank you, Mr. Speaker. I would like to introduce two individuals to you today. The first is Ambere Rosborough, who is the executive director of the Edmonton and northern Alberta Crime Stoppers. It is the largest Crime Stoppers organization of its kind in the world. With her today is Mary Lynne Campbell, who many of us will know is the executive director of the Public School Boards' Association, but what we may not know is that she is also a board member of Crime Stoppers. I would ask the House to please provide them with the traditional warm greeting.

**The Speaker:** The hon. leader of the Liberal opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. I have two introductions. It's my pleasure to introduce to you and through you to all members of the Assembly John Buhler, Angeles Espinaco-Virseda, and their son Karsten Buhler-Espinaco. Karsten is a grade 1 German bilingual student at Forest Heights elementary. I met Karsten at Chinese New Year. He has brought along a special guest, Cuddly Dudley, who had to wait with security. Dudley is a penguin puppet that each child in Karsten's class takes home for several days, during which they write about Dudley's adventures, and coming to the Legislature is one of those adventures. I would ask Karsten and his family to rise and receive the traditional warm welcome of the Assembly.

It's also my pleasure to introduce to you and through you four special women in my life. First, my mother, Santosh Sherman. Mom, thank you for giving me the gift of life and three wonderful brothers and for being a loving wife to my late father. Thank you for sewing all of the Edmonton Oilers jerseys when they won all those Stanley Cups. Also with my mother is my mother-in-law, Rita McCrary, who I thank for raising such a loving and nurturing daughter. She also happens to be a constituent of mine, and her daughter is my better half, my much better half, Sharon MacLean, who is also the mother of two beautiful daughters. To all three of you, happy Mother's Day. Last but not least, my pride and joy – it's her first visit to the Legislature – is my daughter, Sameena Sherman. She's a student at the University of Alberta. She got me into politics at the age of 14 when she was one of the youngest delegates at a federal Liberal convention in 2006. I'm here because of her. Thank you. I'd ask them all to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** Are there others? Edmonton-McClung, did you have an intro?

**Mr. Xiao:** Thank you, Mr. Speaker. I would like to introduce to you and through you to the members of the Assembly the parents of Melina Sinclair, one of our current pages. Charlene and Steven Sinclair are here today to observe Melina in her role as a page. My constituents Charlene and Steven have lived in the community of Lymburn for the past 20 years. They enjoy watching question period on TV, but this is their first time watching the session live. I would like to ask them to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** Are there others?

Seeing none, let me just commend members. Today's introductions took an average of 30 to 40 seconds only. They were well done. As a result, we got them all in. I would ask House leaders to perhaps consider that as a possible benchmark for the future.

Thank you, all.

## Members' Statements

**The Speaker:** The hon. Member for Lesser Slave Lake.

### Northern Alberta Development Council Anniversary

**Ms Calahasen:** Thank you, Mr. Speaker. I rise today to pay tribute to an organization that has had a tremendous impact on northern Albertans for the past 50 years. The Northern Alberta Development Council recently celebrated its 50th anniversary, half a century of working to enhance the lives of northern Albertans. In fact, on March 28, 1963, the Northern Alberta Development Council Act was passed. The council was given a mandate to investigate, plan, promote, and co-ordinate practical measures to foster and advance development in northern Alberta. The first chair of the NADC was the hon. Ira McLaughlin, a seven-term MLA, just like myself, from Grande Prairie, who also served in the provincial cabinet.

Mr. Speaker, economic and social development in a region that encompasses 60 per cent of our province but is home to only 9 per cent of our population presents unique challenges. In the past 50 years members of this council have dedicated themselves to encouraging economic development in 207,000 square kilometres of the province's north while also providing a voice for northern communities on issues like industrial development, agriculture, and transportation.

Over time those issues have evolved, and new issues have emerged such as education, health care delivery, economic diversification, and transportation. The NADC has developed and implemented creative, practical solutions to address those challenges over the last 50 years.

1:50

Mr. Speaker, I've had the pleasure of being the minister responsible for this council, and I'm proud to be the current chair of the NADC. Of course, I thank our Premier for that. The one constant in the work of this council throughout its 50-year existence is, of course, people. The passion, commitment, and love for this province demonstrated by NADC members, whom I have also introduced today and who have come to this organization from all walks of life, has generated opportunities while maintaining a vision focused on building healthy and strong communities for future generations.

Mr. Speaker, as chair of the NADC I would like to pay tribute to all of the past chairs and the hard-working council members and staff members over the past 50 years. I wish the Northern Alberta Development Council every success as we begin the next 50 years with a new and energized vision of the north.

## Oral Question Period

**The Speaker:** The Leader of Her Majesty's Loyal Opposition. First main set of questions.

### Generic Drug Pricing

**Ms Smith:** Mr. Speaker, the Health minister has managed to stumble his way into a pretty good news story on pharmaceuticals. It was reported last week that even though 115 drugs went up in price and 535 stayed the same, 2,150 generic drugs have been reduced down to 25 per cent of brand name prices. That's what other provinces are doing, and that's what we've been saying that Alberta should be doing all along. It's true. He even got 80 medicines down to the 18 per cent, and that's pretty good, but what an ordeal to get there: protests, closures, service

interruptions. Will the minister just accept this success and give up his ill-advised fight with pharmacists?

**Mr. Horne:** Well, Mr. Speaker, we're indeed very proud of the fact that generic drug prices have come down in Alberta. Just to complete the hon. member's account of this success for this House, that has resulted in an annualized savings of \$80 million to the taxpayers of this province, a fact she failed to convey. As well, we're continuing to invest in pharmacies and pharmacists across the province. We added \$40 million in additional support to pharmacists recently on top of \$80 million in transitional support over the last few years. As a result pharmacists are now full members of the health care team in this province, and Albertans are paying less for drugs.

**Ms Smith:** Here's the problem, Mr. Speaker. If the minister continues to press ahead for an across-the-board cut to 18 per cent on all generic drugs, it's creating a big mess in the real world that pharmacists operate in, pharmacists like Debbie Boyle. Now, you may remember her. She's been operating the Britannia Pharmacy in the Premier's riding for two decades, and she's been asking for a meeting with her MLA for months, without success, to describe the specific problems the minister's changes are creating. The Premier told the Assembly that she would be glad to meet with Debbie, but she won't. So what's the problem?

**Ms Redford:** Well, in fact, Mr. Speaker, I know for a fact that Ms Boyle has had the opportunity to meet with her MLA, who is the MLA for Calgary-Glenmore, a number of times and has also had the opportunity to meet with a number of people in my office. My understanding is that those are discussions that perhaps Ms Boyle isn't satisfied with, but certainly that constituent has had an opportunity to meet with her MLA. I have certainly met with constituents in my riding, where her pharmacy is located, who do not share the same concerns as Ms Boyle, but I'm certainly glad that she had an opportunity to bring her concerns forward.

**Ms Smith:** I'll table the letter so the Premier can read it, but here is what Debbie wants to explain to the Premier. The drug benefit list keeps on changing, and here's what that means. Suppliers don't have some low-cost drugs available. Other supplies are delayed. Pharmacies risk losing money trying to clear out their old inventory. Procedures for reimbursement involve double and sometimes triple filing, with no compensation for the waste of time. Unless the minister accepts where we're at, the drug list is going to change again radically in August, so the confusion is going to start all over again. Why doesn't the minister see the problem?

**Mr. Horne:** Mr. Speaker, the problem here is that the Leader of the Opposition clearly does not know which side of this issue she is on. This government is on all sides of the issue with respect to lowering generic drug prices in the province, and a sophisticated understanding of the facts would tell any hon. member of this House that they need to be on more than one side of the issue. These changes have resulted in lower generic costs for Albertans. They have resulted in increased support for pharmacists. The hon. member might be interested to know that the drug prices list changes on a regular basis in Alberta, and she might care to take a look and see the history of those prices, especially over the last year.

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition. Second main set of questions.

**Ms Smith:** The minister just doesn't know when to accept victory. Quit while you're ahead.

### Breast Cancer Diagnostic Test

**Ms Smith:** Mr. Speaker, we got some disturbing health news last week from a former political colleague. Sue Huff, the former leader of the Alberta Party, revealed that she has breast cancer. They've caught it early, so there is every reason to be hopeful, and I'm sure that we all wish Sue the very best. It's an appropriate time to raise the issue of a medical test that helps determine if chemotherapy is the appropriate course of treatment for a breast cancer patient. It's called Oncotype DX, and it's been reviewed and recommended by the Alberta breast cancer group and has also been approved for funding in Ontario, Quebec, Newfoundland, Saskatchewan, and Nova Scotia. Why isn't it available here?

**Mr. Horne:** Mr. Speaker, Ms Huff is a very good friend of many members on this side of the House as well, and we certainly wish her the very best with the challenge that she is facing.

Mr. Speaker, we make decisions about the use and listing of drugs in this province based on two things, the results of common drug reviews that are presented to us by CADTH, the Canadian Agency for Drugs and Technologies in Health, and also on the basis of the expert committee in Alberta that takes those recommendations and investigates them further and their appropriateness for use in our province.

**Ms Smith:** Mr. Speaker, up to 30 per cent of breast cancer patients get needless, expensive, and potentially damaging chemotherapy. This test could prevent that, yet the approval is being delayed, and oncologists want to know why. Earlier this year in a letter to AHS Dr. Alexander Paterson, a professor of medicine at the University of Calgary, wrote: "we are beginning to despair at the inordinate time [it takes to make] decisions regarding the well-being of our patients." Oncologists want to know: why is it taking so long to approve this test?

**Mr. Horne:** Well, Mr. Speaker, I don't know if the Leader of the Opposition is applying for the position of manager of the drug plan in Alberta, but I can tell her very, very clearly that this government relies on evidence provided by experts to make such critical decisions. The budget for drug coverage in this province now exceeds \$1.1 billion. We have a very sophisticated process in place, that is used in conjunction with other provinces across the country, to use the best evidence and apply that evidence when making these decisions. They are not political decisions.

**Ms Smith:** Mr. Speaker, the Alberta breast cancer group reviewed this test three years ago. Ontario agreed to cover the cost of Oncotype DX for breast cancer patients also more than three years ago and have reported a success rate of 97 per cent. Here in Alberta the decision seems to be lost in the vast AHS bureaucracy. Patients who have received the terrifying diagnosis of breast cancer need to know the best course of treatment. When will the government stop foot-dragging and fund this important test?

**Mr. Horne:** Mr. Speaker, the hon. member is seriously misguided if she thinks that decisions around the application of specific drugs for specific patients are decisions that are made by politicians. These decisions are made by clinicians on the basis of the appropriateness for a particular patient. They are based on best evidence. That's best practice. That's what high-performing health systems do, and that's what Alberta does.

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition. Third main set of questions.

**Ms Smith:** I'm just asking the minister to look into it. Would you do that, please?

#### Youth Addiction Treatment Services

**Ms Smith:** Mr. Speaker, in 2007 a young man named Taylor Argent, who struggled with a drug addiction, was at a private treatment centre, the central Alberta recovery centre. He had previously received a five-week course of treatment there. He had relapsed and was there to attend AA meetings and see about getting back in. Sometime overnight Taylor drank a lot of antifreeze, and despite the best efforts of medical personnel, he died. A fatality inquiry three years later made a number of recommendations about staff training, standards of care, and government oversight. Have the recommendations been put in place, and is the government providing any funding to help?

**Mr. Horne:** Mr. Speaker, if the hon. member is going to continue to ask specific questions about individual circumstances, she could get her answers a lot more easily by simply approaching my office, unlike the approach that was taken yesterday in response to some other concerns. [interjections] If the hon. member cares to . . . [interjections]

**The Speaker:** Hon. members, the minister is trying to answer a question about a very serious issue. Please. We gave the courtesy of silence to the person asking the question. Let's give some silence so that he can respond.

Continue, Mr. Minister.

**Mr. Horne:** Well, Mr. Speaker, as we've said before, the quality of the answer will depend directly on the quality of the question that's put forward. If this hon. member is truly interested in the welfare of this individual and in the circumstances surrounding this very unfortunate death, she'll forward the particulars to me along with some specific questions, and I will get back to her.

2:00

**Ms Smith:** Mr. Speaker, I was just asking if the recommendations had been put in place.

The Alberta Adolescent Recovery Centre treats 12- to 17-year-olds with addictions. They often have severe addiction issues that other facilities haven't been able to solve. Carly was drinking daily by age 16. She graduated from AARC in 2007 and is now succeeding in university. Keegan was smoking dope in grade 7, drinking in grade 8. He graduated from AARC in 2010, has repaired his relationship with his family, and is pursuing a career in acting. Hundreds of others have been helped by AARC. What's the government's position on supporting successful addiction treatment centres like the Adolescent Recovery Centre?

**Mr. Horne:** Of course, Mr. Speaker, the government's position is that we continue to improve and expand upon the very successful addiction treatment and recovery program we have across the province. We are working to open a new detox facility in Medicine Hat. Plans are under way for other facilities across the province. It's wonderful that the leader will acknowledge so many of the success stories that we hear about each and every day as a result of the addiction treatment services we're able to provide.

**Ms Smith:** Mr. Speaker, of course, when a child gets clean, it's a blessing for the parents. One parent says this: AARC saved our family and our son's life. Most of their funding is private.

AARC's only government funding in the last few years has been a contract for \$323,000 per year, but this year that funding has been cut from \$323,000 to nothing with just 90 days' notice. Wouldn't it be better to treat kids with serious addiction issues rather than waste \$350,000?

**Mr. Horne:** Mr. Speaker, as I said in my answer to the last question, we provide a wide range of addiction treatment services across the province. Alberta Health Services makes decisions about where those services are allocated in response to patient need. They have a budget to do that. They're allocating it appropriately. Again, if the hon. member wants to continue to use question period to ask about specific instances in specific facilities, she can get that information very easily by contacting my office.

**The Speaker:** The hon. leader of the Alberta Liberal opposition.

#### Municipal Sustainability Initiative Funding

**Dr. Sherman:** Thank you, Mr. Speaker. Edmonton's mayor seems convinced that the government promised more money for the downtown arena, and he's right. This Premier did promise to increase MSI funding but has only managed to deliver a fraction of it. She's about half a billion dollars short. Another promise made, another promise broken. As a result, council had to postpone the arena vote, hoping the Premier would find the courage to keep her word. To the Premier. You made a promise to Edmonton. When are you going to keep it?

**Mr. Griffiths:** Mr. Speaker, we made a commitment in the last election and through this budget to continue secure, stable funding to municipalities, knowing full well that they have obligations to build infrastructure for the population increase of about a hundred thousand people per year that we have in this province. We managed to keep that secure, stable funding, the same amount of funding this year as we did last year. Every municipality I've talked to has said that that's a blessing so that they continue to deliver on the services and the infrastructure that people in their communities need.

**Dr. Sherman:** Mr. Speaker, I asked the Premier, not the wannabe Premier.

Today the city of Edmonton, which is starved for funds, had to go cap in hand to the Capital Region Board to secure \$25 million for the downtown arena project that the Premier failed to deliver. Alberta Liberals have been asking this PC government to fund cities as promised and address the gross inequality in tax revenue between municipalities and rural districts and counties. Again to the Premier: if you're not going to keep your MSI promise, when will you find the courage to fix this tax inequality?

**Ms Redford:** Mr. Speaker, today the Minister of Municipal Affairs and I had a very productive meeting with the Capital Region Board, and I was really gratified to hear their thanks to this government for maintaining our support to MSI. Funnily enough, they also gave us complete support with respect to the decisions we've taken to build infrastructure long term in this province. We have made a commitment to local decision-makers that if they want to use infrastructure funds to support infrastructure priorities, we are fully there behind them, but those will be their decisions, and we've been consistent on that for more than two years.

**The Speaker:** The hon. leader.

**Dr. Sherman:** Thank you, Mr. Speaker. While the Minister of Municipal Affairs claims that 87 per cent of Albertans are high-rise condo dwellers who don't carry their weight and his Premier breaks promise after promise to municipalities, cities like Edmonton and Calgary are being forced to come up with creative ways to pay the bills, and while the Premier waits for the smoke to clear from the Katz affair, costs continue to rise. To the Premier. You promised a big-city charter that included granting increased taxation power to the government closest to the people. Why have you not kept your promise to Edmonton and Calgary? Why, Premier?

**Mr. Griffiths:** Mr. Speaker, the cities, the municipalities, small and large, continue to have exceptional funding, the best funding in the entire country to help support the priorities of people in those communities. We continue to work with the two largest cities on the charter that we had promised. It may be a little more complex. That member should be the first to realize that it is not my sole discretion to write it, sign it, and make it happen. It's a partnership between municipalities. We have more work than we thought we needed to do, and it's going to take us through to the fall, but we're going to continue to work on it. It's our commitment that it's a partnership to build a better Alberta.

**The Speaker:** The hon. Leader of the Alberta New Democrat opposition, followed by Calgary-Shaw.

**Mr. Mason:** Thanks very much, Mr. Speaker. Edmontonians don't want their tax dollars to go to hockey billionaires.

#### Alberta Energy Regulator

**Mr. Mason:** Yesterday we asked the Minister of Energy about the PCs' latest industry insider appointment, Gerry Protti. Mr. Protti, aside from being a donor to both the Premier's leadership campaign and the most recent Tory campaign, most recently represented a group of oil and gas companies and lobbyists that donated nearly \$200,000 to the Tories during the last election year. The all-too-cozy relationship between the Tories and their corporate donors is far too obvious with this appointment. Will the Premier step in and direct the Energy minister to find someone neutral and objective for this job?

**Ms Redford:** Well, Mr. Speaker, we as a government are very proud of the fact that we have a close working relationship with business leaders across this province to drive the economy as opposed to this party on the other side, whose federal leader goes down to Washington and claims that what we're doing in Alberta is somehow hurting the environment. When they do that, they hurt the economy. We will continue to work in partnership with industry leaders, with environmental groups, with community stakeholders to put in place a single regulator that allows us to continue to be competitive, to open markets, and to build this economy.

**The Speaker:** The hon. leader.

**Mr. Mason:** Thank you very much, Mr. Speaker. Only a government in power for more than 40 years could say that to disagree with them is to hurt the province.

Not only is Mr. Protti obviously a long-time Tory insider, but he also has a record of misrepresenting the environmental impact of large energy projects. While at EnCana Mr. Protti publicly took a position that drilling over 1,200 wells in a protected wildlife area was a sustainable practice. The regulatory board didn't agree, Mr.

Speaker. Will the Premier take action to remove Mr. Protti and put in someone who can properly balance development and the environment when considering energy developments in Alberta?

**Mr. Hughes:** Mr. Speaker, I've asked for all Albertans, including the hon. member opposite, to be fair about this. What we're building is a world-class, next generation regulator that's going to ensure that we get the right balance between economic development and environmental sustainability and landowner concerns. Actually, we're well on our way to accomplishing that. We've got top, world-class leaders for this organization and the chair of the board. That's the governance board, that we'll be filling out with other world-class leaders as well. We have an exceptional chief executive officer as well, who has broad experience.

**The Speaker:** Hon. members, while I have the floor, let's be careful, again, to not malign individuals who are not here and able to defend themselves.

Calgary-Shaw.

**Mr. Mason:** Mr. Speaker, my second supplemental.

**The Speaker:** You're done. [interjections] Did you have one more?

**Mr. Mason:** Yes.

**The Speaker:** Oh. My apologies, hon. member. I thought you were done.

**Mr. Mason:** Thank you very much, Mr. Speaker. I can understand, given the answers, that we could all get confused.

Leadership, Mr. Speaker, is not this government's strong suit. They would much prefer to appoint Tory friends and insiders to important positions and then claim that their biased chair won't make day-to-day decisions, as is their excuse. That lame excuse doesn't fly. It's obvious that Mr. Protti's role involves setting the overall direction for energy regulation in our province. He's not the right person for the job. Will the Premier prove that she's right for hers, take leadership, and remove Mr. Protti from that position?

2:10

**Ms Redford:** Mr. Speaker, leadership is putting in place a structure that allows us to balance energy development and environmental sustainability and to do that in a way that allows us to be competitive. Once again we see this opposition party leader stand up and malign systems and structures. If anyone actually believed what he said, it would hurt economic growth and development in this province. I expect nothing less from him, and that's all I've got to say.

**The Speaker:** The hon. Member for Calgary-Shaw, followed by Bonnyville-Cold Lake.

#### PDD Funding

**Mr. Wilson:** Thank you, Mr. Speaker. In the alternate reality this PC government operates in, a tax is not a tax, a raise is not a raise, a decision is not a decision, and now we learn that a cut is not a cut. In Calgary last week, despite cutting \$42 million from community access programs, the minister of PDD suggested that he, quote, will not take services away from people that need them. I'm sure the minister can understand the confusion amongst many Albertans. Will the minister please explain how he can possibly

guarantee that everyone who needs support will still receive it after he personally signed off on a \$42 million cut to front-line services?

**Mr. Oberle:** Mr. Speaker, I thank the hon. member for being in Calgary last week and for meeting with many of the concerned citizens there. I imagine that while he was there, he didn't share any discussions about \$2 billion that they would plan to cut out of their budget.

Nonetheless, that member was present when we did estimates, and it's pretty clear, I thought, that my budget went up by 3 and a half million dollars to a total, I believe, of \$694 million. I was also very clear in the budget discussion that we plan to transition from community access services to community engagement services, including employment. I stand by that promise. I also said that people that need services will get services.

**Mr. Wilson:** This is nothing short of a broken promise from a Premier who promised no service cuts.

Minister, given that you continue to insist the \$42 million gap in funding will not take services away from our most vulnerable, are you actually suggesting that there are people in the system today that are receiving services who do not require them?

**Mr. Oberle:** Well, we are currently doing needs assessment, Mr. Speaker, and that could well be an outcome of the needs assessment. We'll have to wait and see. But people that need services will get services. End of story.

**Mr. Wilson:** This minister has insisted that he will fill the \$42 million gap with an additional \$2 million out of his employment budget. Can't the minister see that \$42 million and \$2 million just don't quite add up?

**Mr. Oberle:** Mr. Speaker, I can't say it more clearly. We are going to do a transition from community access supports to supports that provide for inclusion and engagement in the community, including employment supports. We do have budgetary money on the Human Services side for employment supports, and we will focus on employment supports. But I'll say it again. People who need supports will get supports.

#### Online Student Learning Assessment

**Mrs. Leskiw:** Mr. Speaker, I have stood in this House on many occasions to speak about the challenges with the provincial achievement test. As a parent and a former teacher this is an issue that is very dear and near to my heart. Earlier today I participated in the Minister of Education's announcement of the province's new assessments that replace PATs. My question is to the Minister of Education. Can this minister guarantee that the new student assessments will be more focused on student success?

**Mr. J. Johnson:** Mr. Speaker, this member certainly has been a strong advocate for changing the assessment of Alberta students, and I commend her for this. I announced this morning that under the Premier's leadership we are eliminating the PATs and phasing in a new assessment model, the student learning assessments. These new digital assessments will be administered at the start of grades 3, 6, and 9 as just one of the changes, very positive changes. Alberta parents, students, and educators asked for these changes, and under the Premier's leadership we are putting the student at the centre of these efforts.

**Mrs. Leskiw:** To the Minister of Education: how soon can we expect students to start using these new online assessments in the Alberta classrooms?

**Mr. J. Johnson:** Mr. Speaker, soon. This will be the last year for grade 3 PATs. We will be starting pilots for the grade 3s in the fall of 2014, and we will be rolling out pilots for the digital fall student learning assessments: grade 3 in 2014, grade 6 in 2015, and grade 9 in 2016. This comes on the heels of our commitments, the Premier's commitments. Promise made, promise kept.

**Mrs. Leskiw:** Again to the same minister. You sort of answered my last question. We are starting with grade 3, which is a great start, but how long do we really have to wait for changes to occur in grade 6 and grade 9? Hopefully, not as long as we did with the grade 3s.

**Mr. J. Johnson:** No. Mr. Speaker, as I said, these are going to be phased in over three years. That's strictly to make sure that we're doing them right, and it's strictly to make sure that we've got the capacity and we've got the funds. We're going to do this right. The concept has been developed in partnership with the ATA, the Alberta School Councils' Association, the parents, the Alberta School Boards Association. Everyone standing with us today was there when we announced this, a very positive announcement for parents, for teachers, for school boards, but most importantly for students.

#### Health Facilities Infrastructure

**Mrs. Forsyth:** Mr. Speaker, the kitchen at the Foothills hospital, which serves a thousand patients, has been identified as a public health risk. In fact, it is so serious that it has been issued several public health citations. It has mould and asbestos and has been ignored by this government for over six years. Meanwhile this government has somehow come up with \$350 million to get rid of mould and asbestos in the new federal building when building plush new offices for themselves. To the Infrastructure minister: why are the new MLA offices more important than fixing the hospitals?

**Mr. Drysdale:** Mr. Speaker, my department works together with our colleagues from Alberta Health and Alberta Health Services. We have an infrastructure maintenance program. Alberta Health Services brings their requests to Alberta Health, and they send them on to Infrastructure. For anything over \$5 million Infrastructure grants the money; anything under is in the budget in the infrastructure maintenance program. They have money in the budget to fix those.

**Mrs. Forsyth:** It's Alberta Health Services' priority. We FOIPed records from the department.

The MLAs' office building is more important to this government than hospitals. Why, Minister?

**Mr. Drysdale:** Mr. Speaker, our government was elected to build Alberta, and that's just what we're doing. We continue to build public infrastructure that Albertans require to have quality of life. We've got five major hospital projects on the go right now all over Alberta, and we continue to meet the needs that Alberta Health Services and Alberta Health bring to Infrastructure.

**Mrs. Forsyth:** Honestly, Minister, that answer is embarrassing.

Given that mould is also a problem at the Rockyview hospital, why have three mould projects been put on hold? Is the Minister

of Infrastructure using the money to build the private PC rooftop garden on the federal building instead of fixing the mould problems?

**Mr. Drysdale:** Mr. Speaker, I won't go through it again. I just described the process for maintenance. They have money for their maintenance.

Mr. Speaker, this is really rich coming from a party that during estimates – the amendment they made in my estimates when they were debated in this House was to take a million dollars out of maintenance for infrastructure in the province. So I'm not really sure . . .

**The Speaker:** The hon. Member for Stony Plain, followed by Calgary-Buffalo.

### Capital Region Municipal Planning

**Mr. Lemke:** Thank you, Mr. Speaker. Ever since the city of Edmonton refused to support industrial expansion in the Acheson area of Parkland county, the Capital Region Board has experienced noticeable tension. My first question is to the hon. Minister of Municipal Affairs. Given the veto power that large municipalities like Edmonton have, does your ministry plan to review voting rules to help mitigate disputes on the Capital Region Board?

**Mr. Griffiths:** Well, Mr. Speaker, the Premier and I had the pleasure of visiting the Capital Region Board this morning and having a great discussion. We always draw the same conclusion. The Capital Region Board is like a family. They work out solutions together. They have challenges, and sometimes they have arguments or impasses, but I'm proud of the Capital Region Board because of the work that they've done to overcome most of those things and make some tremendous decisions that make the Capital Region Board and the entire capital region a real network, drawing people in from around the world. I know that they can continue to find ways to work together, and they'll continue to do that in the future. If they ever come up with ways to work better and they need my assistance, I'll be there to help them.

2:20

**Mr. Lemke:** To the same minister: given that the city of Edmonton has this veto power with over 70 per cent of the population, how can my constituents and other constituents of Parkland county and Stony Plain be assured that their wishes for growth are seen through?

**Mr. Griffiths:** Mr. Speaker, the Capital Region Board will have some of the same challenges as the country of Canada. You try and balance a population with political regions that are represented. They have a double majority vote type of system. The question suggests that it has to be us versus them. We've always indicated in this department and in this government that there is no us versus them. It's not about one political jurisdiction succeeding and the other one failing. It's about how they're going to work together to make sure all of the capital region and every single person that lives in every one of those municipalities benefits, grows, and is prosperous for an entire generation to come.

**The Speaker:** The hon. member.

**Mr. Lemke:** Thank you, Mr. Speaker. To the same minister: given that the Calgary region has eight governments for 1.2 million people and the capital region has 24 governments for 1.1

million people, do you see a need for a reduction in the amount of government in the CRB?

**Mr. Griffiths:** Well, Mr. Speaker, that's a good question. I know that I've had suggestions from other places that perhaps if some municipalities amalgamated, that would be better. I don't conclude that that would be the way to make it work better. We've seen that 98 per cent of the time all the members of the Capital Region Board come together. They work on trying to come up with a solution together that's good for the entire region. Ninety-eight per cent of the time they make decisions that have constantly made the capital region a draw for people from around the world to move to because they know this is the place to be if you want prosperity.

### Education Funding

**Mr. Hehr:** Talk about conversion on the road to Damascus. Congratulations to the government on cancelling the provincial achievement tests for grades 3, 6, and 9. Parents, teachers, students, and the Alberta Liberals have been calling for this for 25 years, but I guess it's better than spending 40 years in the wilderness like Moses.

Even with this good news there are still big problems in our education system. Due to budget cuts our Calgary high schools will have an average of 38 kids per classroom. To the Minister of Education: does the minister not recognize that this far exceeds the recommendations in the Learning Commission report of a decade ago?

**Mr. J. Johnson:** Mr. Speaker, I'm glad the hon. member agrees with the direction of the government. We've made some incredible announcements this week and last week. Obviously, Calgary was a very happy city when we announced nine capital projects there last week. We've had announcements throughout this week that are transforming the education system, from dual crediting to high school flexibility programs to digital diploma exams to the great announcement today of student learning assessments to modernize the standardized assessments, that are so important. That's something that our Premier promised to do, and now we've delivered.

**Mr. Hehr:** Things are so bad in Edmonton's public system that they're facing a \$53 million shortfall from what they would need just to keep services as they are. Instead, they're going to have to cut educational assistance for special-needs students and have fewer teachers in their classrooms. That means larger class sizes. They've even cut music programs. Is this really what the government promised just one year ago in the election campaign?

**Mr. J. Johnson:** Mr. Speaker, there's no question that this is a tough budget. No one has ever said that it isn't. We've also pointed out that Education is one of those ministries that the Premier has gone out of her way to protect. It's obvious to anyone that actually looks at the budget and compares the different ministries that that's the case. We've gone to great lengths to look elsewhere first to make sure classrooms are not impacted and to make sure that the base instructional grant for every student is going to be the same next year and that every new student coming into the system gets funding. So we've looked at it. We've eliminated administration. We've eliminated some of the funding in maintenance, in transportation, and the AISI programs, that are important things, but they are not instruction in the classroom. We

think that Alberta has the great tools and the funding to deliver fantastic education.

**Mr. Hehr:** Looks like I was getting fed a baloney sandwich for lunch there, Mr. Speaker.

Given the lack of predictable, sustainable funding for our K through 12 system, Edmonton public is considering putting a specialty tax on the next civic election ballot because this government breaks its promises. If this government is too gutless to raise revenue despite all evidence that it's necessary – see comments by Ted Morton if you don't believe me – will this minister return full taxation powers back to the school boards so they can properly do his job?

**Mr. J. Johnson:** Mr. Speaker, school boards do have the ability and they always have had the ability to requisition dollars from their constituents if they go to plebiscites, so the Edmonton public school board is certainly welcome to do that, and if the parents and the citizens of Edmonton wish to do that, then of course they have that local power to do so.

There are other things and other places we can look at. I know that in Edmonton one of the areas is the capital. We've got a tremendous amount of excess capacity in capital in Edmonton. There are 35 schools that are under 50 per cent capacity. There is literally enough space in the Edmonton public school division to fit the entire Edmonton Catholic school division. There are a lot of places to look to make the system more efficient.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by Airdrie.

#### PDD Northeast Region Funding

**Ms Notley:** Thank you, Mr. Speaker. We knew the Premier had broken her promises to Alberta's most vulnerable citizens, but we didn't know the full extent of the damage. Now service providers in the northeast PDD region have been notified of a 40 per cent cut overall, a deeper cut than anyone could have imagined. In the north, at least, this is about far more than day programs. This is about basic life supports. So will the associate minister admit that his terrible cuts are jeopardizing the basic safety and well-being of persons with disabilities in Alberta?

**Mr. Oberle:** Mr. Speaker, the member was present during the estimates, six hours of estimates in front of committee, and during the votes on the budget in this House, so the member is very well aware of what my budget is going forward, and she's well aware that it actually took a 3 and a half million dollar increase. She's also well aware that we were crystal clear that we are going to transition from community access supports to supports that provide better inclusion, better engagement with the community. We are working collaboratively with the providers in the northeast, and we are discussing numbers. Nobody has a contract. Nobody is aware of any cuts. I most certainly will not admit that we are doing anything to jeopardize the health and safety . . .

**The Speaker:** Thank you, hon. minister.

**Ms Notley:** Well, Mr. Speaker, given that there is a memo out there that says that the overall northeast PDD budget of \$23 million has been slashed by \$9 million, not the \$2 million that you suggested would be the case during estimates, and given that service providers have told us that they are going to be forced to cut 24-hour supports, eliminate one-to-one aides, and move people

from group homes into unsupervised apartments in that area, will the minister tell us how his decision to cut 40 per cent of funding to northern Albertans with disabilities is not a complete betrayal of his responsibilities and a dereliction of duty?

**Mr. Oberle:** First of all, I never said any such thing in estimates. I didn't know then and I don't actually know now what the actual regional budget allocation to the northeast PDD will be, Mr. Speaker. I can tell this hon. member that her fearmongering here is not going to be helpful in the discussion. Across this province service provider PDD organizations are in support of what we're going to do. [interjection] I would like to state an answer, hon. member, if you would allow me to. Across this province there are service providers in PDD communities that agree with the transition that we want to go through. The difficulty here is the speed of the transition. I am absolutely sensitive to that, and we're going to try to work with them.

**Ms Notley:** Mr. Speaker, it's not fearmongering when there is documented evidence of what the cuts are.

Now, given that funding to one particular Barrhead PDD service provider is being cut by nearly 50 per cent, putting supports for all 68 individuals under their current care at risk, and given that the CEO of that agency has told us that 65 front-line workers will lose their jobs if this PC government doesn't come to its senses immediately, will the minister admit that he's created utter chaos for disabled Albertans, their families, and front-line staff? Or is he so out of touch that he can't see or won't let himself know what his decisions are doing to people on the ground?

**Mr. Oberle:** Well, I know very well, Mr. Speaker, what impact the spending by my department has on people on the ground because I've been out there listening to the people on the ground, not watching phantom e-mails come over the system. And I will continue to do that. In the next two weeks I'm in 20 communities across this province listening to what Albertans have to say.

I'll say again that the service provider that she indicated does not know exactly what their budget will be. They do not have a contract at this point, and they're dealing with half of the equation. They don't know what other services we are planning to provide. We'll get there.

**The Speaker:** Hon. Member for Edmonton-Strathcona, your point of order was noted at 2:30 during that last exchange.

#### 2:30 Investigations into Commercial Crimes

**Mr. Anderson:** Mr. Speaker, on Tuesday I asked what is being done to address a barrage of alleged real estate scams that have cost roughly 25,000 Albertans over \$2.2 billion. As *Maclean's* magazine put it, Alberta is fast becoming "a wild west for small investors." Yesterday we received a tip from an individual in the RCMP commercial crimes unit stating that they have literally hundreds of such files that warrant a full criminal investigation but haven't the staff needed to do so. To the Finance minister: are you aware of the severe shortage of resources to investigate commercial crimes, and what are you doing to address it?

**Mr. Horner:** Mr. Speaker, the Alberta Securities Commission is performing enforcement activities as we speak. As I mentioned in my answer to the hon. member previously, there are a number of these things that are currently in court. There are a number of things that are being presented to the RCMP. I'm sure the RCMP will be very interested in the tip that the hon. member received.

In 2011 the Alberta Securities Commission completed just over 400 investigations, Mr. Speaker. They do have a very large and robust investigation piece. They imposed over 9 and a half million dollars in administrative penalties. There were six criminal prosecutions and 18 court proceedings that year as well. We are going aggressively after what we can in the process.

**Mr. Anderson:** With respect, Minister, clean out your ears. We're talking about the RCMP, not the ASC. Come on. Listen.

Minister, we were also informed that this shortage of case officers for commercial crimes is a huge problem in the Edmonton Police Service as well. This is, of course, a provincially funded organization. To the minister: how are you planning on ensuring that victims of commercial frauds, including these kinds of real estate scams, get their money returned to them when our police forces lack the resources needed to conduct the necessary investigations?

**Mr. Horner:** Mr. Speaker, I heard him very well. My ears don't need to be cleaned out. Perhaps the hon. member would like to clean out his eyes so that he can read what we put into the budget of Justice and Solicitor General, so that he can see that we're adding prosecutors, and so that he can actually listen to what I have to say.

I'm telling him that a portion of what he's talking about is an Alberta Securities Commission investigation, of which we did 400 last year. They're doing investigations this year as we speak. Not all of them are criminal, and not all of the ones that the hon. member refers to, where Albertans lost their money, are actually on the criminal side. There are many of them that are on the civil side, and we are assisting the investigation.

**Mr. Anderson:** I've never cleaned out my eyes before. I'd welcome some instruction on how to clean one's eyes out. That's interesting.

Minister, given that these 25,000 investors have now formed an organization called the Alberta Investors Protection group and have several proposals this House could implement to help protect Albertans from being victimized by such real estate scams in the future, would the minister be willing to meet with this group as soon as possible to begin that discussion?

**Mr. Horner:** Mr. Speaker, I was simply referring to the Wildrose-coloured glasses that the hon. member likes to look at things through. [interjections] It's Thursday.

Mr. Speaker, I'm not familiar with an invitation to me to meet with the group as yet, and I'd be more than happy to entertain that invitation to meet. My office is always open to those sorts of things, and if the schedule permits, I'd be more than happy to meet with them.

**The Speaker:** The hon. Member for Banff-Cochrane, followed by Drumheller-Stettler.

### Tourism Funding

**Mr. Casey:** Thank you, Mr. Speaker. Alberta is blessed with a vibrant and growing economy supported by many sectors. One of these, tourism, generates \$7.9 billion annually and employs over 139,000 Albertans. To the Minister of Finance: given that tourism is ranked third as an economic driver in Alberta, can the minister explain why there is no reference to tourism in the 2013 fiscal plan economic outlook, yet agriculture, energy, forestry, and others are referenced?

**Mr. Horner:** Mr. Speaker, the hon. member is absolutely correct. Tourism is an extremely important industry to our province. The numbers that he quotes are absolutely accurate. We do have almost an 8 per cent increase in the budget for Tourism, Parks and Recreation over the next three years. The tourism levy brought in over \$70 million last year. It's one of the pillars of Alberta's economy. Like other sectors – financial services, nanotech, ICT – it is a critical piece and is actually found across all sectors of our economy in terms of agriculture, in terms of oil and gas. We do very much understand the importance of tourism.

Obviously, I know the Minister of Tourism, Parks and Recreation will be more than happy to help us out.

**The Speaker:** The hon. member.

**Mr. Casey:** Thank you. To the minister of tourism: given that tourism is one of the fastest growing sectors world-wide, what is being done to ensure that Albertans remain competitive?

**The Speaker:** The hon. minister.

**Dr. Starke:** Well, thank you, Mr. Speaker. To my hon. friend: certainly, representing the constituency of Banff-Cochrane, he certainly is aware of just how critical tourism is to the Alberta economy. Our government understands that, and our government has had a sustainable funding model in place that is, in fact, the envy of all other jurisdictions. It provides for a way to have sustainable, predictable funding going forward to fund not only tourism promotion but, in fact, tourism product development as well. We're proud of that. We're proud of the fact that we talk about that on a regular basis. That plus the fact that Alberta has got the most beautiful landscapes in the world and tourism infrastructure to offer to our visitors: we think we're in a very good position in tourism in this province.

**The Speaker:** The hon. member.

**Mr. Casey:** Thank you. All that said, given that capital is essential to grow any industry, what is being done to attract investment into Alberta's tourism industry?

**Dr. Starke:** Well, Mr. Speaker, I call this a division into specific and nonspecific measures. The specific measures include measures within my ministry to go out and seek and encourage investors from around the world and from around Canada and, indeed, within Alberta to invest in the tourism sector. Beyond that, we have the nonspecific, and that is the positive business environment that we have in this province, the fact that we have a low tax structure, the fact that we have an excellent labour force, the fact that we have infrastructure that is grown and maintained on a regular basis. That's the Alberta advantage that grows not only tourism in this province but all of our industries, indeed, to help the Alberta economy.

**The Speaker:** The hon. Member for Drumheller-Stettler, followed by Edmonton-Gold Bar.

### Acute-care Services in Consort

**Mr. Strankman:** Thank you, Mr. Speaker. In 2011 the government temporarily shut down acute-care beds in Consort because of lack of physician services. The bed closure was only supposed to be temporary, but months turned into years. It looks like another broken government promise. I raised this issue in March, and the Associate Minister of Seniors assured me that the government



would work with the community to get this facility reopened. To the minister: what has been done since March to make sure Consort will get back those acute-care beds they deserve?

**Mr. Horne:** Well, Mr. Speaker, what Alberta Health Services is doing in Consort is what they are doing with many communities across the province that face similar challenges in recruiting physicians. As the hon. member would know, it is a challenge in some communities to provide physicians with sufficient work to interest them in full-time practice and, ideally, full-time residence in those communities. That work will continue as it continues in other parts of the province.

**Mr. Strankman:** Mr. Speaker, given that the reason for the temporary closure was a lack of doctors and given that the people of Consort went out and successfully found these physicians who want to work and live in the community and succeeded where this government has failed, why does the minister continue to stonewall the people and leave them in the dark instead of giving them these acute-care beds?

**Mr. Horne:** Well, Mr. Speaker, the decision around matching physician supply with the ability to open acute-care beds is more complex, of course, than simply the availability of physicians. There are many other support staff that are needed. Of course, there are considerations around quality and safety. I know that this is a priority, as it is in many other communities across the province. We have to do our best to match the services that are required with the resources that are available both in terms of facilities and physicians, and we'll continue to work with the people of Consort.

**Mr. Strankman:** Mr. Minister, will you commit today for the people of Consort to a clear and acute timeline for when these acute-care beds could be reopened?

**Mr. Horne:** Well, Mr. Speaker, what I will do is that I will look into the matter with Alberta Health Services and see if I can get any further update on the status of this. But as the hon. member would understand, there are a number of factors to be considered. It is heartening to hear, as I've heard before, about the willingness and the interest and the hard work of the people in the community to have those acute-care beds open and to have physicians to staff them. We'll continue to work with them to try to make that happen.

2:40

### Support for the Film Industry

**Mr. Dorward:** Mr. Speaker, there has been much discussion in the film industry this week. It was good to see recognition by all parties for support to an industry that contributes to Alberta's cultural persona and to our economy. Looking for progressive and sustainable ways to protect and bolster this industry is worthy of careful consideration. Other provinces, including Ontario, Quebec, and British Columbia, make use of tax credits. Alberta currently doesn't have a film tax credit but instead offers incentives to producers in this sector through the Alberta multimedia development fund. My question is to the Minister of Culture. Why haven't you already made a move to introduce these tax credits to our industry along with the rest of the country?

**The Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. I'm very happy to see the interest in this important sector, but everyone needs to recognize the pros and cons between a film tax credit and the approach that we take. We know that this grant system we have is tailored to fit Alberta's industry, provides up to 30 per cent return on all Alberta production costs, and directly benefits Alberta filmmakers. That's from money spent here in Alberta – creative personnel, film crews, studios, jobs in Alberta – and it's equivalent to a labour-based tax credit of 55 per cent.

**Mr. Dorward:** Minister, don't you want to get out of the business of picking winners and losers? Grants allow you to do that.

**The Speaker:** The hon. minister.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. Let me make it very clear. I certainly do not pick which productions get grants. Grants are based on very specific criteria of the program, and I do not censor any grant application. All applications meeting program criteria are indeed funded. Production grants are not subjective. Grants are based on the amount of money spent in Alberta, not just for labour costs but for any production expenses such as hotels, transportation, construction. It's about buying in Alberta.

**Mr. Dorward:** To the same minister: will your ministry get out there and find some other options for Alberta?

**The Speaker:** The hon. member.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. Let's remember that this grant system was designed with input from the Alberta film, television, and digital media. There's always room for growth and change. Producers tell us what they like about it. They like the quick payout times. They like that the administration to process the application is easy, and its flexibility adjusts to the needs of a production on a set. What I will do is to continue to work with the Alberta Film Advisory Council and other industry members to keep our production alive and well so that jobs stay in Alberta.

**The Speaker:** Thank you.

Thank you, hon. Member for Edmonton-Gold Bar, for demonstrating that supplementary questions can be brought forward without any preamble whatsoever. Bonnyville-Cold Lake had one of two as well. Well done.

In 30 seconds from now we will continue with Members' Statements.

### Members' Statements

(continued)

**The Speaker:** The hon. Member for Edmonton-Meadowlark, followed by Edmonton-South West.

### Affordable Child Care

**Dr. Sherman:** Thank you, Mr. Speaker. Sunday is Mother's Day, one of my favourite days of the year. I think it's great that we set aside an entire day to celebrate and honour the women who have given us so many gifts: the gifts of life, love, and sacrifice on our behalf. On Mother's Day we show our appreciation for these great gifts by giving gifts of our own, but no matter how expensive or heartfelt those gifts, they are small compared to what we have received.

This Mother's Day let's also remember that a price is paid because as a society we do not involve women as full and equal participants in the life of this province. A price is paid because as a society we make it very difficult for women to return to the workplace and reap the same benefits as men. A price is paid because the workplace is missing the intelligence, energy, and creativity of so many great women who would go back to work if only they could afford to.

This is due largely to the shortage of quality, affordable child care spaces close to home or close to work. The result is that when our mothers retire, they have less money even though they can expect to live longer than men. Far too often what happens is that we have a poor senior. Mr. Speaker, this is wrong. Today on behalf of the Alberta Liberals I want to suggest that we give a truly meaningful gift to the mothers of Alberta, quality child care that is affordable to all, \$10 a day child care. It pays for itself in the long run, it is socially just, and in a province as rich and wealthy as Alberta, we certainly have the money to set it up. This would be a truly meaningful Mother's Day gift to Alberta's mothers. Let's give it.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-South West, followed by Banff-Cochrane.

#### World Catholic Education Day

**Mr. Jeneroux:** Thank you, Mr. Speaker. It's a pleasure to rise today and speak about World Catholic Education Day, which is being celebrated world-wide. The Minister of Education had introduced guests earlier this afternoon, and I would like to acknowledge them as well and thank them for joining us here today.

Mr. Speaker, this day is a time for Catholics around the world to take a moment to reflect on the importance of Catholic education and its values of peace, justice, and respect. It's also an opportunity to reflect on how Catholic education has served students and parents over the years. This year's theme, You Will Be My Witness, will be celebrated by Catholic schools, boards, and parishes across Canada.

Mr. Speaker, Alberta's world-class education system is built on a range of educational choices, including separate, public, charter, francophone, and private schools. The availability of choice strengthens our education system and supports the rights of students and parents to have the options that meet the objectives of the School Act. This range of choice continues to bring new ideas and innovative approaches to learning that ultimately benefit all our students and help them to perform amongst the best in Canada and around the world. I'm personally proud of our Catholic education system, including the two schools in my constituency, Monsignor Fee Otterson and Sister Annata Brockman.

I would like to wish everyone a very happy World Catholic Education Day, Mr. Speaker. Thank you to our guests for being here today to celebrate this important day.

**The Speaker:** Thank you.

The hon. Member for Banff-Cochrane, followed by Cardston-Taber-Warner.

#### Tourism Industry

**Mr. Casey:** Thank you, Mr. Speaker. I would like to speak to the Assembly today about an industry that I feel has huge untapped potential and with the appropriate support will become an important driver of economic diversification in Alberta. Tourism

has been and continues to be one of the major economic generators in the province of Alberta. It may surprise hon. members to learn that the tourism industry employs 139,000 Albertans and generates \$7.9 billion annually. Tax revenues to various levels of government amount to \$2.4 billion federally, \$1.17 billion provincially, and \$430 million municipally.

With this huge impact tourism should be regarded as more than a nice-to-have. It needs to be perceived as an essential part of our economy and industry, no different than forestry, agriculture, or manufacturing. In virtually every other industry important to Alberta's economic future incentive programs exist to encourage investment and reinvestment in order to grow and reach the full potential of those sectors. We need to develop similar programs for the tourism industry. If tourism is ever to recognize its true potential as a major economic force in Alberta, then it is important that we as government invest in the development of this industry, as we have with others.

Mr. Speaker, we need to begin to appreciate the value of tourism as an industry essential to Alberta's future. None of this is to suggest that the current minister or past ministers have not done an amazing job keeping this industry alive and vibrant given the tools at its disposal. However, if we want to realize the future potential of tourism, the members of this Assembly must start to treat tourism as an industry, in the same context as we do energy, agriculture, and forestry, and afford it the same opportunity.

Thank you.

**The Speaker:** The hon. Member for Cardston-Taber-Warner, followed by St. Albert.

#### Parent Preschool Program of Southern Alberta

**Mr. Bikman:** Thank you, Mr. Speaker. I rise today to speak about an important matter affecting families in southwestern Alberta. Due to cuts in the Advanced Education budget an important preschool program may be eliminated or severely reduced.

The parent preschool program is nonprofit, operates in seven rural communities, offering 14 classes for young children. It does not have money to pay all staff but has been able to use second-year students from the early childhood education diploma course at Lethbridge College. The program has offered practicum placements for early childhood education students, enabling them to directly apply what they've learned in school. It's a great opportunity for both the students and the parent preschool program. One letter I received from a parent in need of child care stated that she would always choose someone who has experience with children over someone who doesn't.

2:50

It's the kind of hands-on opportunity that can't be equalled sitting in a classroom or through an online course. This is a priority not only for the families that have children in the program but also for the students, who get priceless teaching experience. However, due to the government's fiscal mismanagement the budget cuts may force Lethbridge College to cancel the course. This puts the parent preschool program's existence at serious risk.

Mr. Speaker, the government finds money for all sorts of unnecessary pet projects, whether it's hundreds of millions of dollars for fancy offices or \$350,000 for partisan, party-coloured propaganda. This government is demonstrably unable to set priorities and keep promises. With cuts to postsecondary education it has caused college administrators to slice front-line programs while being forced to keep staff filling out government forms instead. It's time for the government to clean up its act,

balance the books, and stop placing colleges and universities under the knife to make up for its own fiscal follies.

Thank you.

**The Speaker:** The hon. Member for St. Albert.

### International Offices

**Mr. Khan:** Thank you, Mr. Speaker. The world's marketplace is becoming much more competitive, and our government is facing new economic realities. In the wake of these realities, increasing market access and ties with jurisdictions around the globe is at the top of Alberta's list of priorities. We must be well equipped to respond to recent economic and geopolitical shifts. We have a choice to lead internationally and prosper or follow and fall behind.

Over the years Alberta's international offices have become and I know will remain critical to Alberta's continued economic productivity. Whether it's advocacy, trade, or investment, our 10 international offices give Alberta a key edge in an extremely competitive marketplace by having an on-the-ground presence that can quickly tap into policy development that impacts Alberta. For example, our Washington office has been instrumental in helping Alberta overcome the BSE crisis and more recently in helping Alberta's advocacy efforts on market access, specifically the Keystone XL pipeline. The offices also serve to help facilitate important introductions for businesses into a foreign marketplace. Last year alone our offices helped assist 640 Alberta companies as they explored international opportunities.

The Alberta-Korea office has supported a number of Korean heavy-industry companies in establishing their presence in Alberta that saw investment in energy-related projects. The Alberta-Mexico office co-ordinated a mission to Mexico for a delegation that included five Alberta agrifood companies. As a result of this mission, three of these companies started negotiations with local buyers to enter the market. Additionally, the Alberta-Japan office arranged discussions that led to an MOU between an Alberta company and a Japanese company with the Advanced Scientific Technology & Management Research Institute of Kyoto. This allowed for joint research and business collaboration between Alberta and Kyoto nanotech companies and academia.

These examples are merely a snapshot of the vital link Alberta's international offices create between our province and the world. It's a link I know Albertans want to see fortified and a link we're ready to take advantage of.

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

### Presenting Petitions

**The Speaker:** The hon. Member for Sherwood Park.

**Ms Olesen:** Thank you, Mr. Speaker. I rise today to present a petition to the Legislative Assembly brought forth by nursing students from the U of A. This petition was signed by over 200 people from the Sherwood Park and Edmonton areas urging the government "to introduce legislation that will require all drivers and passengers of All-Terrain Vehicles (ATVs) to wear Canadian Standards Association (CSA) approved helmets while operating an ATV."

Thank you.

**The Speaker:** Thank you. Hon. member, can we assume that it was approved as to form by Parliamentary Counsel?

**Ms Olesen:** Yes, it was.

**The Speaker:** Thank you. Let's be reminded to say that at the beginning. It saves the House time.

**Ms Olesen:** I'm sorry. Thank you.

### Notices of Motions

**The Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. It is a great pleasure that I rise on behalf of the Premier to give oral notice of a motion: "Be it resolved that Bill 207, Human Tissue and Organ Donation Amendment Act, 2013, be moved to Government Bills and Orders on the Order Paper."

### Tabling Returns and Reports

**The Speaker:** The hon. Minister of Service Alberta or someone on behalf of.

**Mr. Drysdale:** Thank you, Mr. Speaker. On behalf of my colleague the Minister of Service Alberta today I'm pleased to table five copies of the Alberta vital statistics annual review 2011. This report summarizes all vital events that occurred in Alberta during the 2011 calendar year: live births, marriages, deaths, infant deaths, stillbirths, adoptions, and legal changes of name. Finalizing the report can take up to one year. The data provided by hospitals, municipalities, and other organizations must first be compiled and verified. This report fulfills Service Alberta's mandate under the Vital Statistics Act and provides the public and health care professionals with a resource document of provincial vital events statistics data. After the report has been tabled in the Legislature, Service Alberta sends the report to universities and libraries who have requested copies.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Strathcona on behalf of.

**Ms Notley:** Thank you, Mr. Speaker. I have two tablings today on behalf of the hon. Member for Edmonton-Beverly-Clareview. I'd like to table a letter to the Minister of Human Services sent by a mother raising her concerns about her daughter's future in light of this government's substantial cuts to the persons with developmental disabilities community access program. The letter closes by stating:

I appreciate that we are in difficult . . . times. I ask that more consideration be given to the implementation of the current course of action that has been chosen for people who cannot make decisions for themselves.

The second set of tablings, Mr. Speaker, comes from a community resource worker and is also directed to the Minister of Human Services. It is raising her concerns about this government's cuts to programs serving persons with developmental disabilities, cuts which she believes will bring about transformational changes. The letter closes by stating:

I ask you to reflect on how cutting funding to community access programs might displace many individuals who rely heavily on the support that they receive while attending programs and how it will impact their lives when they are no longer able to attend [these programs].

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre, followed by Edmonton-Centre.

**Mr. Anglin:** Thank you, Mr. Speaker. Either today or at the beginning of next week this House will take up the business of the Aboriginal Consultation Levy Act. I have two documents I want to table today. One is a statement letter from Treaty 6 First Nations given to me by Chief Darren Whitford, and the other is the speaking point letters that the 17 nations of Treaty 6 also sent out with regard to this proposed bill. I have the requisite copies right here.

Thanks.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by Cardston-Taber-Warner.

**Ms Blakeman:** Thank you very much, Mr. Speaker. Actually, the tablings I'm doing today are on behalf of my colleague the Member for Calgary-Buffalo. The first is an e-mail from people actually currently in California, Joni and Brad Stenning, but writing through people in Cochrane, care of Ernie and Marie Evans. They are concerned about the cuts to PDD because their brother, Mark Evans, is cognitively impaired, and they feel that he benefits very much under the programs under community access. So I'll table that.

I also have an e-mail to Calgary-Buffalo from Gary Simpson, which was CCed to me, which is expressing great disappointment in the 56 per cent cut in funding for students taking courses from Alberta Distance Learning, which he feels is defeatist.

The next is to Calgary-Buffalo from Tammy Johnson regarding cutting support programs for people with disabilities. She is a person with a disability working and contributing to the community and appreciates that she's very fortunate in what she's had but doesn't want to see other people subjected to poverty and difficulty.

To Calgary-Buffalo from B. Kerley, also raising concerns about seniors and the proposed pharmacare program. This person is afraid that as seniors they will have to provide for the likelihood of a worst-case scenario. It's quite distressing to her to think that she could be looking at a possible decrease in benefits.

To Calgary-Buffalo from Jason Walker, with concerns about the PDD cutbacks. He has worked with persons with disabilities and is really struggling to understand why those supports would be taken away from individuals like those he's worked with.

3:00

Finally, an e-mail directed to members of the Legislative Assembly from a Ben Graham in Calgary. He has also worked in the field of disability services and is bringing concerns about the proposed cuts affecting services.

Thank you very much, Mr. Speaker.

**The Speaker:** Thank you, hon. members. I'll just interrupt proceedings to acknowledge the Government House Leader given the hour.

**Mr. Hancock:** Thank you, Mr. Speaker. If we might have unanimous consent of the House to extend past 3 o'clock pursuant to the standing orders.

**The Speaker:** Hon. members, the Government House Leader has requested unanimous consent so that we can complete the

Routine. It requires your unanimous consent. Does anyone object to giving it?

[Unanimous consent granted]

**The Speaker:** Let us continue on, then, with Cardston-Taber-Warner, followed by the Minister of Human Services, and then Highwood.

**Mr. Bikman:** Thank you, Mr. Speaker. The law of physics that states that nature abhors a vacuum is also true of human nature. When programs or changes are announced, people without enough sufficient information fill in the blanks. Sometimes they're drawing conclusions, according to the government, that aren't justified. Nevertheless, because of the lack of information regarding PDD and how it's going to impact people, I continue to receive many letters and calls, two examples of which I will table today in addition to the many others I've already tabled.

One is from a concerned mother who describes the help that her son is currently getting and hopes that it will be allowed to continue. She desperately hopes that.

Another is from the principal of Magrath elementary school, commenting about the programs that are currently run by SASH, the Southern Alberta Society for the Handicapped, the good work that they're doing in the school, and the esteem the workers are receiving for being able to do this work from the people that are being helped. I have the requisite number of copies and would like to table them with you today.

**The Speaker:** The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. I'd like to table the requisite number of copies today of two letters which were earlier delivered to the hon. Member for Calgary-Shaw, responding to Written Question 37 and Written Question 39.

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition.

**Ms Smith:** Thank you, Mr. Speaker. I'm a bit backlogged on my tablings. I've got a few from earlier in the week. I had made reference to a letter that I received from Justice Vertes in response to my inquiry about whether or not they could expand the timeline for the inquiry. I just would like to table his response to me with the five copies required.

I also have a tabling of the letter received from the Minister of Health regarding the couple in Crowsnest Pass that were satisfied with the resolution that was proposed and that he's intervened on and that I thanked him for, so five copies of that.

I also have five copies of an e-mail from the owner of Britannia Pharmacy, Debbie Boyle, and some of the concerns that she wanted to express to the government about the impact the pharmacy changes are having on her business.

In addition, I want to file five copies of the letter that was written to Alberta Health Services from Dr. Paterson with regard to the breast cancer test, to be able to determine the course of treatment; five copies of that.

In addition to that, five copies of an article which is in the latest version of one of the docs' magazines about, also, the impact of delaying the decision on the approval of this drug test and the impact it has on patients. Five copies of that as well.

**The Speaker:** Calgary-Fish Creek, did you have a tabling as well?

**Mrs. Forsyth:** Yes, Mr. Speaker. Thank you very much. I am tabling from Alberta Health Services on their priority list the project named Foothills Medical Centre Kitchen Renovation and the urgency with which they have asked this government to remove the asbestos and the length of time that they've been waiting. It also includes several public health citations and the environmental issues. I would hope that the government will pay attention to this.

Thank you.

**The Speaker:** Are there others? The hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Mr. Speaker. I'm tabling on behalf of the hon. Member for Calgary-Shaw an article with regard to his question today, Calgary Crowd Vents about Disability Program Cuts. He referenced it in his question and wanted to make sure you had it.

Thank you.

**The Speaker:** Are there any others? Edmonton-Strathcona, one more tabling.

**Ms Notley:** I'd just like to table the appropriate number of copies of an e-mail that I referred to in my question today to the associate minister of Human Services from the Alberta Council of Disability Services. Within that e-mail it says:

The total NE Regional target reduction is almost \$9 million out of a [full] \$23 million budget, with Agencies reporting cuts ranging from a low of 18% to a high of over 50%, this will translate to about 260 FTE positions in the . . . Region [being lost]. Individual service reductions range from 1% to 75% for July 1.

Thank you, Mr. Speaker.

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following documents were deposited with the office of the Clerk. On behalf of the hon. Mr. Griffiths, Minister of Municipal Affairs, a response to Written Question 4, asked for by Mr. Barnes on December 3, 2012.

Have all the applications to the 2010 Southern Alberta Disaster Recovery Program and the 2010 Spring South Eastern Alberta Disaster Recovery Program been finalized, and how long did it take applicants to receive a first assistance payment once they had provided all required information?

On behalf of the hon. Mr. Horne, Minister of Health, response to Written Question 11, asked for by Mrs. Forsyth on December 3, 2012.

Which physicians, psychiatrists, or pharmacists were consulted on the Creating Connections: Alberta's Addiction and Mental Health Strategy dated September 2011?

On behalf of the hon. Mr. Bhullar, Minister of Service Alberta, response to Written Question 12, asked for by Mr. Fox on December 3, 2012.

What are the criteria for determining the location of new registry offices in Alberta and do the communities of Blackfalds, Chestermere and Redcliff meet these criteria?

Response to Written Question 13, asked for by Mr. Pedersen on December 3, 2012.

What Government of Alberta infrastructure projects are currently scheduled for Medicine Hat, and what are the projected costs and completion dates for each infrastructure project?

**The Speaker:** Hon. members, before we go on with the point of order, I too have a tabling. I rise to table five copies of a memo from the Member for Edmonton-South West, who would like to request early consideration of Bill 203 to proceed to third reading directly after Committee of the Whole on Monday, May 13. Thank you.

Hon. Member for Edmonton-Strathcona, I believe you have the point of order today?

**Mr. Campbell:** Mr. Speaker, on behalf of the Associate Minister for PPD, while the budget is as it was presented in the House, the member is prepared to withdraw his remarks if the member found it offensive or unparliamentary.

**The Speaker:** Thank you.

Hon. Member for Edmonton-Strathcona, I assume you're acknowledging that that is acceptable to you, are you?

**Ms Notley:** That is acceptable to me. Thank you.

**The Speaker:** Thank you very much.

That concludes our Routine for the day.

## Orders of the Day

### Government Bills and Orders Third Reading

#### Bill 24 Statutes Amendment Act, 2013

**The Speaker:** The hon. Minister of Service Alberta, to move third reading of Bill 24.

**Mr. Bhullar:** Thank you very much, Mr. Speaker. It's a privilege to move third reading of this bill. I think we've had a very robust and fascinating discussion on this bill. I enjoy the support that all three parties have offered to this bill; therefore, I move third reading.

**The Speaker:** Are there others? The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. It's an honour here to rise today to speak to third reading on Bill 24. I will be very brief.

What is great about this bill is the work that was done to initiate some of the changes by the Member for Lacombe-Ponoka, particularly on the issues dealing with the condominiums act and the bare-land titles. We've seen in this Legislature in the past year that as the Official Opposition we've driven issues like that. We saw that we advocated on things like parent choice in education. We succeeded in that. We succeeded in home-cooked meals and two showers per week for seniors. We succeeded in getting a faster twinning of highway 63. We succeeded in getting some stronger government expense rules. We succeeded in getting free parking for veterans. We succeeded in getting some transparency on illegal donations. We succeeded in demonstrating the debt that this government is putting on future generations, and we succeeded in poking holes through this government's whole budgetary process. Then recently we succeeded on the film tax credit, getting that motion passed and putting the pressure on the government to actually initiate it.

3:10

Here, again, the Member for Lacombe-Ponoka, through his hard work, through his consultation really pushed forward this issue

that has been lagging for years and years and years. As a result of him working hard, putting the initiative in, demanding answers here in the Legislature, demanding answers from the minister, the minister finally saw the light and put forward this bill which rectified some of the very serious issues that were in the condominium area that created a load of uncertainty in the industry.

Again, this is just another feather in the cap for the Official Opposition. We've succeeded in multiple, multiple changes both in government policy as well as government legislation. Again I have to commend the Member for Lacombe-Ponoka for driving this forward but also the minister for finally reacting to our steadfast work on this to try and get these necessary changes done.

With that, Mr. Speaker, given the bill as a whole, the only issues that you have when you have these types of miscellaneous pieces of legislation: preferably some of those, if they're substantive in their material, should be in some respect kept as stand-alone pieces of legislation. Miscellaneous acts are good for minor changes. You know, the change to the Perpetuities Act may be considered a minor change. Some would consider it material, and if it is material, those types of changes should in fact be put in a separate bill for a separate discussion instead of amalgamating everything into one entire bill.

The other thing that we saw with this bill, Mr. Speaker, was with respect to the Perpetuities Act. There was some concern in terms of the interpretation from a professor from the University of Calgary, Professor Nigel Bankes. What this has done is, I would say, clarify any type of potential misinterpretation that could be formulated at the court level if someone wanted to litigate on this. It's one of these things where that type of amendment as well as the condominiums act amendment may be considered to be material. If they are, let's have those in separate bills so that we could have wholesome debates on it rather than having it in an entire amalgamated act like that.

Other than those minor issues, Mr. Speaker, I will be supporting this bill. Thank you.

**The Speaker:** Thank you.

Are there others? The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Speaker. It's my privilege to rise and speak to Bill 24, the Statutes Amendment Act, 2013. As outlined previously, there has been a precedent in the past among all parties in the House here where the miscellaneous statutes amendment bill is introduced only after each amendment included in the bill has been informally approved by all parties in the House, and in the past if any critic rejected a proposed amendment, it was not included in the bill. At that point, then, the bill proceeded through the House with no or very limited debate because consensus had been reached beforehand.

I feel compelled to get up and speak to this bill because of the different pieces that are put into this. It's unfortunate, but it needs to be noted, Mr. Speaker, that this PC government has broken this precedent. There was not unanimous consent. The Minister of Service Alberta is and was well aware of our concerns, the Alberta NDP's concerns, with including a significant piece to this legislation, speaking specifically about the bare-land condominiums changes.

Now, at the onset, Mr. Speaker, we agree. As the minister well knows, I was in attendance at several condominium meetings throughout the city. I can appreciate the fact that there are many Albertans who are part of bare-land condominiums who have tens of thousands if not hundreds of thousands of dollars that are tied

up, that are inaccessible to the condo boards, stopping them from doing what they need to do, whether it's repairs or to improve their common property, and I do acknowledge the fact that that wasn't an issue until one court case, which occurred a few years ago and set the precedent for these funds. So there is a need for that piece of Bill 24, Mr. Speaker.

However, you know, the concern, again, is the fact that this is really an omnibus bill, where we've got several pieces of legislation that are all thrown into one bill, which, I would argue, Mr. Speaker, detracts from the ability to speak to and give the due attention that the pieces need. Normally the miscellaneous is for more housekeeping types of aspects. Looking at the Perpetuities Act and the Emblems of Alberta Act that are part of it, they do seem to fit within the spirit of this miscellaneous statutes bill.

However, as I've stated regarding the bare-land condominiums, the Alberta New Democrats would have preferred – and we did not provide consent to the Minister of Service Alberta because we wanted to debate this bill on its own. We felt that it's important enough to be its own bill as opposed to clumped together with a few other miscellaneous statutes.

As well, Mr. Speaker, another concern that I have with this bill is the change, or the amended piece, in the Surveys Act. The fact that the director of surveys is no longer required to be a government employee begs the question: why are we contracting this out? I haven't heard any logical or rational explanation from the government as to why this needs to be a private contractor. The position has been filled by a public employee for a significant amount of time. The fact that we're trying to again privatize certain services without any explanation leaves me questioning the logic behind this. I'm not really comfortable with that piece being in this miscellaneous bill.

As I've said, Mr. Speaker, I do agree with the changes that the minister would like to bring to the condominium act. This is something that many Albertans have been pushing for. I can appreciate the fact that the minister is bringing this in now as opposed to waiting for the review of the MGA. I think this will be well received around the province. I know that the minister and I have spoken on numerous occasions, and he knows that my position and the position of the Alberta New Democrats is that this is something Albertans have been calling for. So I applaud the minister for listening to Albertans and responding in a timely fashion and, as well, on that end, respecting the opinions of, I believe, all opposition parties, who agree that this needs to be amended, that this needs to be done not just judiciously but at a very expedient rate. For that reason, I'm satisfied with the minister.

But, as I've said, the fact is that this should have been a stand-alone piece, given its own attention. As I've outlined, Mr. Speaker, there are other elements of this omnibus bill that I'm not comfortable with and where I do not like the amendments proposed.

Thank you, Mr. Speaker.

**The Speaker:** Hon. members, 29(2)(a) is available.

Seeing none, are there any other speakers to this bill at this stage? None?

Do you wish to conclude debate, then, hon. minister?

3:20

**Mr. Bhullar:** Thank you very much, Mr. Speaker. I would like to move that we vote on Bill 24. This is a very important piece of legislation that brings relief to thousands of Albertans living in bare-land condominiums.

This piece of legislation has actually enlightened me a lot about the workings of the House. I have learned that when you go to hon. colleagues and discuss certain ideas with them, sometimes they like to take credit for it. That's okay, Mr. Speaker. That's okay. Why? Because we want to bring results for the people of Alberta. So if other people feel good about work we're doing, that's just fine. If they feel good that we're bringing relief to nearly 40,000 Albertans living in bare-land condominiums, I'm fine with that. There are enough good ideas and great things that the Progressive Conservative government is doing for all members of the House to take credit for the greatness of the PC government. We've gotten results for bare-land condominium owners, we've moved swiftly, and we're doing a complete, comprehensive review of the Condominium Property Act.

At this point I would ask us to vote on this. I thank all members for their very, very positive comments and their support. Thank you very much, Mr. Speaker.

[Motion carried; Bill 24 read a third time]

## Government Bills and Orders Second Reading

### Bill 22 Aboriginal Consultation Levy Act

**The Speaker:** The hon. Minister of Aboriginal Relations.

**Mr. Campbell:** Thank you, Mr. Speaker. I'm pleased to rise today and move second reading of Bill 22, the Aboriginal Consultation Levy Act.

Alberta has a duty to consult with aboriginal people when land management and resource development decisions may adversely impact their existing treaty or other constitutional rights. Bill 22 respects the treaty rights of First Nations people and provides them an opportunity to be more engaged in Alberta's consultation process. The focus of the bill is allowing Aboriginal Relations to implement a mandatory levy that would help First Nations participate in consultation in a meaningful way. The bill also supports alignment with the Alberta energy regulator.

Let me give you an overview of the bill and how it would support an improved, fair, open, and transparent consultation process. The idea for a levy came up during discussions with First Nations and industry as part of the development of the draft consultation policy. Under the bill a levy would be paid by industry proponents for resource development projects and land management activities when there is a duty to consult with First Nations. The levy amounts received from industry proponents would be paid into a fund which would be managed and administered by the government. In fact, government may also pay into the fund for Crown-led projects. Mr. Speaker, revenues from the levy would only be used to support Alberta's consultation initiative. The funds would be redistributed to First Nations so that they have adequate resources to engage in a full and meaningful way in the consultation process. This process provides greater resources to support the consultation capacity of First Nations.

An information disclosure mechanism on financial arrangements between First Nations and industry proponents resulting from consultation would also be set up. This disclosure mechanism would allow Alberta to determine gaps in funding and give us the opportunity to bridge those gaps. Bill 22 requires an annual report summarizing the operation of the fund, including audited financial statements of the fund, to help ensure an open and transparent consultation process.

As Minister of Aboriginal Relations I would also be authorized to require disclosure of information from proponents arising out of the consultation process. While we would protect people's privacy, we would publish aggregated information derived from these arrangements. This would only apply to agreements arising out of the consultation process and would not include other business agreements that industry and First Nations enter into.

In conclusion, First Nations, industry, municipal associations, and other stakeholders have all asked for more clarity and consistency in the current consultation process. This bill will enable us to address their requests in an effort to build stronger and more sustainable First Nations communities.

Thank you, Mr. Speaker.

**The Speaker:** The Leader of Her Majesty's Loyal Opposition.

**Ms Smith:** Thank you, Mr. Speaker. Thanks to the minister for yesterday giving me a briefing on Bill 22 and what it sets out and intends to do. I think there is a potential for us in the Official Opposition to be able to support the general approach being taken in Bill 22, but I have to say that I'm increasingly alarmed by some of the press releases and e-mails and letters I'm getting from First Nations communities over the course of the last couple of hours. As a result, I will be putting forward a motion to refer this to committee so that we can have a full and proper consultation with our First Nations.

I think I misunderstood the nature of the consultation the minister says that he has done with First Nations communities. I have to tell you that I find it quite troubling that in a bill which is called the Aboriginal Consultation Levy Act, there has been virtually no meaningful consultation with any of the First Nations. I am quite happy to read to the minister some of the comments that I am receiving today from Treaty 8 representatives. One, for instance, says that they are shocked to learn about it and that considering the protocol renewal agreement was given a 30-day extension and is up for renewal, Bill 22 breaches the protocol agreement and that the minister met directly with all of the chiefs, but with the introduction of this, it is a slap in the face to the consultation process. Treaty 8 also feels this violates article 33 of the United Nations, that it causes a lot of concern, and chiefs in the area are outraged. The protocol agreement does not acknowledge a government-to-government relationship; it's completely disregarded. That's Treaty 8.

We also have additional alarming comments from Treaty 6, who are also shocked to learn about the introduction of the act. They're claiming that it has completely disregarded constitutionally protected rights by providing no notice to First Nations regarding the legislation, regarding that it was imminent at all, and that it has not consulted with First Nations on the act whatsoever, again, kind of alarming considering the name of this bill is the Aboriginal Consultation Levy Act. Treaty 6 has indicated to the minister that they're opposed to a levy on First Nations consulting. They're also opposed to the requirement to disclose agreements between First Nations and natural resources companies. They claim that the minister has failed to explain how these measures are going to work for First Nations communities and also failed to explain how they will work for the resource sector as a whole, the benefits to either.

Instead, what they are saying is that they want to actually have meaningful consultation. They say that there has been no meaningful consultation on this act whatsoever, and what they fear, by reading through what they have now seen in this act, is that it looks like the minister does not even understand the scope or breadth of the constitutionally protected treaty and aboriginal

rights. They say that it shows that Alberta is demonstrating a complete lack of respect in proceeding without their basic engagement. Now, they have also indicated that they're going to be holding a meeting of Treaty 6 chiefs very soon and that – I'm quoting here – they're going to be considering a co-ordinated and forceful opposition to this act.

Now, it does seem to me that if you're going to try to create a new environment for aboriginal consultation, you would think that the individuals named in that consultation act would be brought fully onboard with what is being proposed. That does not appear to be the case. I have to wonder where the minister was during the Idle No More movements, when highway 2 was shut down. When you actually hear First Nations talking about co-ordinated and forceful opposition, what you're doing is that you're creating a situation where you're going to have more conflict, and you're making things more confrontational as opposed to what this is supposed to be trying to do, which is to resolve the issues that we're facing in resource development.

Let me explain a couple of the reasons why Treaty 6 believes that this has to be pulled back so that we do not end up making a mistake in passing a consultation bill without proper consultation with the stakeholders. There are three main reasons. I had mentioned one of these in my briefing with the minister yesterday, and at the time he didn't seem to indicate that it was a problem, but the Treaty 6 First Nations chiefs think it is real problem. For instance, they believe that the Aboriginal Consultation Levy Act is discriminatory. What they are saying is that the act would require the disclosure of details of First Nations private agreements and relationships with natural resource companies solely on the basis of whether or not they're aboriginal.

Now, of course, we know that there are all kinds of agreements that are being negotiated for access between energy companies and landowners, but the reason this is discriminatory is that it would be saying that only aboriginal agreements have to be subject to disclosure and not nonaboriginal agreements. I have to wonder. How do you get away with putting forward a bill that has one set of rules for disclosure on aboriginal citizens and not the same set of rules on those who are not aboriginal? The other issue, of course, that they're wondering about is: how on earth would this be enforced? How do you enforce the disclosure of these agreements, once again, on one group of individuals and not another?

3:30

They also believe that in this legislation Alberta has overstepped its constitutional authority, that provincial governments do not have the authority under the Constitution to legislate regarding aboriginal identity. There is a section in this act where the minister makes it clear that he would make a determination of who qualifies under this levy proposal and who does not.

What the Treaty 6 chiefs say is that they have an inherent right to govern their own identity and membership. The right is protected by Treaty 6 and the Constitution, and it's acknowledged by the United Nations. They go one step further in their analysis of the bill, saying that it violates the UN Declaration on the Rights of Indigenous Peoples. There are a couple of points I would note here. The United Nations declaration prohibits discrimination against indigenous communities and nations, requires government to consult in good faith on matters that affect their rights, to obtain free, prior, and informed consent before adopting and implementing legislative measures that may affect them.

Well, I can tell you that if I'm getting this kind of feedback from Treaty 6 chiefs and from Treaty 8 chiefs – and I've got a call out to see how Treaty 7 is responding to this – I would say that

that provision has not been met in bringing this bill forward. It also says, as I mentioned before, that indigenous people have the right to determine their own identity in accordance with their customs and traditions. They're wondering why it is that the Alberta government, through this legislation, is choosing to disregard international standards in the treatment of aboriginal people.

I can tell you what the request of the Treaty 6 chiefs is. They're demanding that the government immediately withdraw the proposed Aboriginal Consultation Levy Act from the legislative process and take immediate steps to respect the treaty, aboriginal rights, the Constitution, and the UN Declaration on the Rights of Indigenous Peoples.

I'm framing my comments in this regard because I have to say that I'm a bit taken by surprise that there is such vehement opposition to a bill that is supposed to be designed to improve our relationship with our First Nations people. It's supposed to be designed to ease the way for additional communication, consultation, transparency, openness in regard to our natural resource development. I have to say that it doesn't sound like the minister has done the background work that he needed to do on this bill whatsoever. The notion that we should be proceeding with passing a piece of significant legislation like this in the face of what is quite clear opposition I think would send a terrible message to our First Nations leaders and our First Nations communities.

On the content of the bill itself I think there probably is a way for the minister to be able to salvage this but certainly not by trying to press this through not only in second reading today but then Committee of the Whole amendments, third reading, and proclamation by – when? Tuesday? Is that when the government wants to end session? I mean, how on earth could you pass a substantive piece of legislation like this in the face of the concerns that they have about its constitutional validity as well as in the face of such opposition over the issue of consultation in a matter of a few days without doing a thorough and proper review?

I have to say that I am personally shocked at the difference in the process the minister took in passing the Metis Settlements Amendment Act versus the approach that he is taking with our First Nations community. Those who were here for that debate for the Metis Settlements Amendment Act may remember that I attempted to put forward seven fairly modest and reasonable proposals about how we might be able to actually empower the general council on Métis settlements even more, give them more oversight over the administrator that was receiving new powers. What did the minister say? He said that there wasn't possibly any way any of those amendments could go forward because he wouldn't be comfortable making any decision to make even modest changes to the act without going back and talking to all eight of the representatives from the Métis settlements because it had been a negotiated agreement, because they spent hours and hours, days and days, months and months coming to a deal, and there was no way that he was going to even change one word in what they had come to an agreement on without going back and consulting with them.

Meanwhile, we've got a bill in front of us that fundamentally rewrites the relationship that Alberta has with our First Nations people on the issue of consultation, and Treaty 7 chiefs and Treaty 8 chiefs say: "We didn't even know it was coming. You didn't ask us. We don't agree with the provisions that are in here. We don't think that you can do this." I have to say that I'm a little concerned and confused about how it is we could have two such entirely different approaches to aboriginal peoples in this province. I think both of them should start from the same level of respect. I fail to



understand why it is the minister would not have taken the same approach in developing this piece of legislation to get the First Nations community buy-in that he took when he was developing the Metis Settlements Amendment Act legislation.

Let me go through in a little more detail some of the additional concerns that we have from the perspective of the First Nations community. Here's the thing. Regardless of whether the minister has got some industry buy-in on this, there are two players in developing this legislation. It's not just a matter of passing legislation that the energy sector wants. We know it's important for our public-private partnership with the energy sector for them to be able to develop our resources on our behalf so that we can achieve full value. We know that there was a hole in Bill 2, the act that created the single energy regulator, because it missed this piece of what happens with aboriginal consultation. But that is no excuse to rush through a piece of legislation in the last couple of days of spring session without evidence of proper consultation with the people being impacted by it and, in fact, with a clear indication that there's going to be massive opposition to it if we proceed on it. I think that we've put ourselves in a very dangerous position by thinking that this is the kind of legislation that you can force through without doing the proper amount of consultation.

The concerns that they have in particular are on the issue of the levy itself. I think that there are a number of things that they have raised here. The issue with the levy is that it's supposed to be used to support the aboriginal consultation initiative. I can tell you that the comment by the First Nations community in the document that my colleague from Rimbey-Rocky Mountain House-Sundre tabled earlier today is that "the levy on industry is so vague we can't meaningfully comment on this. No one, except perhaps Alberta, [even] knows how [it's going to] work."

I have to say that I would love to have some confidence, giving enabling legislation to the minister, that he had done some of this initial consultation and groundwork in being able to propose this new type of approach to raising revenue for the purpose of aboriginal consultation. But I have to tell you that when the Treaty 6 chiefs are saying that it's so vague that they have no idea what the minister is talking about, I have to wonder what this levy is going to look like at the end when it ultimately comes out through the process of regulation.

The other thing I would point out from the perspective of the First Nations communities – and I think this is an unfortunate indictment of the government and the approach that they have taken over the last number of years – is:

It is the common and frequent experience of Treaty 6 First Nations that Alberta disregards the requirements of its own Consultation Policy and guidelines whenever those requirements are an inconvenience. Many of Alberta's decisions on consultation have been inconsistent and arbitrary.

Sadly, here we have another example of this. In a piece of legislation that was supposed to be a landmark first step towards creating a new environment and a new relationship with our First Nations community, I have to say, Mr. Speaker, that it looks to me like the minister kind of blew it. I think that that has to be taken under advisement, and I think that as a Legislative Assembly we have to listen to what the stakeholders are telling us.

One of the other things that they're telling us is that the consultation that they're having right now between First Nations and industry is actually working not badly, from their perspective. The way they put it is that it's "working better than consultation with the Crown." What you have is the Crown, the provincial government, inserting itself in a relationship between First Nations and industry at a time when First Nations have lost complete

confidence in their ability to be able to have meaningful negotiation with the province that is now passing this legislation.

3:40

Keep in mind that this is only the first part of what the minister's plan is for a comprehensive framework for aboriginal consultation. If you can't get the first step right, how on earth are you going to be able to get step 2 and step 3 and step 4 and step 5 right? I think that this has been a major misstep, and I think that it is important for us to let the minister know that he's got to do a bit more work on this. So when I put forward a motion later on to put this forward to committee, I would ask for the members to support that.

The new policy, also according to Treaty 6, "is not an honest and accurate representation of the Crown's constitutional duty to consult and accommodate." The notion in the bill that Alberta says the Crown should consult before making decisions is, I think, in the opinion of Treaty 6, at odds with what we have seen in case law being established. What the courts have ruled on this is that it's not just that they should; it's that they've got a constitutional duty to consult. The fact that they have not recognized that through the language that they have used has left the treaty chiefs wondering whether or not the government understands its obligation under section 35 of the Constitution and its limitations under section 35 of the Constitution.

They do acknowledge that First Nations may not have a veto, but the courts have been equally clear that the province cannot act unilaterally, especially in changing fundamentally the relationship that we have with First Nations. So any statement about First Nations having no veto in the policy has to be accompanied by a statement that the Crown cannot act unilaterally and must substantially address the concerns of the First Nations. I think that in this first step we haven't substantially seen the concerns of First Nations being addressed.

We also know that the nature of the consultation cannot be done in a vacuum. The nature of the consultation has to be informed by the particular nature of the treaty rights at issue, and not all treaties are written in the same fashion. Again, that is one of the other concerns that has been put forward.

The recognition in here as well from the treaty chiefs' point of view is that Alberta has to recognize and acknowledge that the ability to take Crown lands for development under the treaty is limited by aboriginal rights to hunt, fish, and trap as before the treaty. My understanding of the resource transfer act makes this quite clear. We have rights to use provincial land. They are lands that are Crown lands under provincial management, but within that context is that if there are unmet treaty obligations and land claims that do end up getting met through negotiation, Alberta has to accommodate with its land base to be able to ensure that we're not violating the rights as they've been determined through negotiation and through the courts. I think the fact that the bill doesn't recognize that is another red flag for the First Nation chiefs in Alberta.

The other issue that they have is the blurred lines between procedural and substantial aspects of consultation. They're quite concerned that it appears to be "left to industry to assess the potential impacts of industry projects on our rights." I mean, we wouldn't be in the situation that we're in today, where we do have conflicts, if the relationship was working perfectly. We do recognize that. But there's a balancing act that has to be done here. There has to be a balance of rights between what industry is allowed to do when we sell mineral leases and what we're required to do in our obligation to First Nations.

Also, I think it's of particular note that one of the things that is a source of frustration for First Nations in consultation is that they don't believe that the government lives up to the standards that they're imposing on First Nations communities. They first of all say that they're "tired of demands from Alberta to respond in 21 days" to the Crown. That's the existing policy, but the province for its part fails to respond to First Nations or does so after months. It's not responding in the same period of time. This is, again, one more indication that the relationship between First Nations and the minister and the government is not at a level where they can proceed with this substantial overhaul of the consultation framework without doing a lot more consultation.

The other issue that I think is important to make note of is that the Treaty 6 First Nations say that there is a minimal amount of requirements set out in one of the court decisions that we've already had about the Crown's duty to consult, principles set out in *Mikisew* as a starting point. I think that that is something we should take under advisement. I do think that that may be something for the second stage. The issue that we have is that we can't even really get to the starting point of talking about what it is that the government is trying to do if we have First Nations communities that haven't been convinced that they know what it is the government is trying to do, that were completely blindsided by a piece of legislation, and clearly are not supportive of the approach that the government is trying to take.

Now, once again, as I say, I think we can probably get to some level of resolution because I support the notion of what the minister is trying to do. What the minister is trying to do is to create more transparency, more openness, more understanding on a broad-base level of what the industry agreements are that are out there, of what the requirements of aboriginal communities are when it comes to the issue of consultation.

I think that by going through and building the capacity in First Nations communities, we'll be able to slowly build that capacity with all of the First Nations communities in the province, which will then, once we've built that capacity, improve the relationship between First Nations and industry in their consultations. But you can't get to that stage if you end up stumbling out of the block and you end up creating a lot of distrust and uncertainty and you don't have buy-in. I think that that is the question that we're facing today, whether or not, by proceeding with a bill that clearly has more work that we need to do on it, we end up setting back the cause that the government is trying to achieve.

I know that industry needs some certainty around here. I know that this is one of the big issues that industry has raised as a piece that is unfinished business in the legislative framework that we have right now. I understand why the minister is interested in being able to have a parallel process going alongside the development of the single regulator. We have said, though, that the timeline that was proposed for establishing the single regulator was too short. We tried to slow that bill down as well, if you recall, Mr. Speaker, because we knew that there were some key, important pieces that needed to have more consultation before they could be implemented.

We think now it's probably more realistic to be looking at a June 2014 timeline for the single regulator to be fully operational. I think that that's a reasonable time frame to be able to consider for this major piece of work, that needs to be accomplished now. You can't make up for years of inaction by trying to cram a hasty response into a couple of days of legislative debate or a couple of weeks or months of trying to cobble something together without the buy-in of the major stakeholders who are going to be a part of this. If this is set up for the benefit of First Nations, they surely

don't realize that, based on the correspondence that we've received today.

I understand that the minister is attempting to set up a fund that will allow for First Nations communities to be able to access those resources so that they could do the proper consultations. I think that there is a way for him to be able to salvage what he's begun, but you can't do that by having the conversation in these walls. You have to do that by going to the First Nations communities and talking to them.

I'll be doing exactly that over the summer. I plan to visit at least 15 to 20 First Nations in the Treaty 6, Treaty 7, and Treaty 8 areas, mostly the Treaty 8 areas, and I have to say that I welcome the opportunity to have this bill to take with me as I go to understand what it is that their concerns are. Then we could come back in the fall, and we would be able to do a more thorough and fully informed debate on an issue that is quite clearly causing concern among our chiefs.

The other option is for us to task the Standing Committee on Resource Stewardship to do this work over the summer. We know that we're not going to be back until – I think the standing orders suggest we're not back until the last Monday in October – October 28. We've got a huge opportunity over the summer to do some of this really important work.

I hope that I've convinced the hon. members of the concerns that are raised by the individuals who are going to be impacted by this, the fact that they want to be engaged. They want to have the discussion. They want to be part of it. I think they're open minded about being able to move forward. The chiefs that I have met with in this province want to be fully participating partners in the prosperity and in the economic growth of Alberta. They want better opportunities for their people. They want to be able to have job opportunities and education opportunities for their people. They want to be able to be contributing members to the Alberta economy. As a result, you've got a lot of goodwill there.

3:50

We have a lot of goodwill there. Let's not blow it by passing a piece of legislation that is misunderstood, that has not been properly consulted on, that is missing elements, that does not fully lay out the mechanisms by which this will work, that potentially violates the constitutional rights of our aboriginal peoples and on its surface appears discriminatory. I don't think that's what we want to be known for in Alberta, bulldozing ahead because we've run out of time and we're feeling a hasty rush on an arbitrary timeline that the government has set, that the government can stretch out so that we can do this right.

We have just seen this so many times. When rights get in the way, the government just bulldozes ahead anyway, and they alienate people. They create problems. What happens after a year or two? Well, then they end up coming back. They say: "Well, gee, maybe we shouldn't have passed that so quickly last time. Let's maybe make some amendments and see if we can get this right." We have an opportunity not to make the same mistake, and in this case the levers and the constitutional protections that our aboriginal people have over their land base, their access to resources, and other aboriginal rights have that much higher a bar.

Perhaps the government felt they could get away with taking draconian actions against private landowners because property rights are not protected in the Charter of Rights and Freedoms, but aboriginal rights, section 35, are protected in the Constitution. I, frankly, think that we end up creating more problems by passing a bill that doesn't have the buy-in, potentially facing a constitutional challenge and then actually derailing the efforts that the government is trying to put in place to provide certainty for our

industry. I think we may end up delaying all of that. The point is that we have to take the time to do this right.

I would like now to put forward an amendment if I may, Mr. Speaker. You'll have to tell me if I'm in order in doing this. I would move that the motion for second reading of Bill 22, Aboriginal Consultation Levy Act, be amended by striking out all of the words after "that" and substituting the following:

Bill 22, Aboriginal Consultation Levy Act, be not now read a second time but that the subject matter of the bill be referred to the Standing Committee on Resource Stewardship in accordance with Standing Order 74.2.

Can I continue to speak to that?

**The Speaker:** Let me have a look.

Hon. members, what we have here is essentially a referral motion by way of a notice of amendment, which is in order.

If you'd like to continue with your reasons behind the notice, please do so.

**Ms Smith:** Thank you, Mr. Speaker. I have to say that it goes to the issue. I sat in on the debate yesterday evening, listening to my colleagues in the NDP opposition talking about their extreme frustration with some of the process issues that they're facing, and I face this as well.

When I met with the minister, we talked about when the timing for this might be, and he did indicate that it was likely to come forward next week on Monday. I thought that would be great because that would have given me an opportunity to be able to consult with First Nations communities. I initially indicated to him when I met with him that, to me, the provisions that he put in the legislation seemed to be reasonable, that they seemed to be something that our caucus might be able to support but that I wanted to consult with First Nations leaders just to be able to ensure that they, too, were onboard with this.

Imagine how surprised I am about how quickly business is moving along, that we had to speak on this today. But I am grateful for the fact that our First Nations communities did take the 24 hours or so in which the bill had been on the paper to go through it with their lawyers and put together a briefing document so that we didn't race ahead and pass this without having some understanding of how the main players were going to be impacted by it.

It goes to the broader point about the process that we're using in this Legislature to pass legislation. It goes to the broader point. The Premier had talked numerous times throughout her campaign about slowing legislation down, giving more time between readings so that you could actually take the time to do it right. This is an opportunity for the Premier and the government to show that they intend to live up to that commitment, to show that they intend to actually make good on that promise and understand that the way that this Legislature often passes legislation is not in the interest of the people that we're trying to serve.

We're all trying to do the best for Albertans, and I recognize the government is, too, but the government doesn't have a monopoly on good ideas. Sometimes the opposition parties have a point or two to raise that ought to be worked into legislation. We're listening to the people as well. We're listening to stakeholders as well. We're getting feedback and e-mails as well. We're making the phone calls, too. When we hear about these kinds of significant concerns, that are being raised by members of the community that are going to be severely impacted by a piece of legislation, hearing that they're going to have a co-ordinated approach to defeating it, we have to take that seriously and bring the temperature down. We have to bring the temperature down by

making sure that we do this right, by making sure we have a process.

If the minister wants to proceed, as I'm suggesting here, with the all-party committee process, I think it will go much more smoothly. We will all hear the same information from the same people at the same time. We will all be able to assess what we're being told by the individuals who are being impacted by this. We can also call in members from the energy sector, from CAPP, from the other large industrial associations who are impacted and who are pressing for legislative change. We would be able to get both sides on the table. All four parties would be able to listen to that.

We would be able in the process to educate every stakeholder about what this legislation is trying to achieve, plus be able to take the time to see what the regulation should be, get some feedback on that. What should the levy look like? How should it be implemented? Is it really right that you've got legislation that applies to one group of individuals on the basis of their race that doesn't apply to others? How do we rectify that? How do we create disclosure? How do we create buy-in for disclosure? I recognize that these are important elements to being able to provide certainty to industry, to the energy sector, but we can't just bulldoze ahead with this kind of legislation.

I'm pleading with the minister now, and I'm pleading with my other colleagues in this Chamber. We have already seen what happens when a relationship with our First Nations communities becomes damaged. The reason I made myself aboriginal critic for our party when I got elected is because I recognized the approach that Premier Ralph Klein took with our First Nations communities. He recognized that it's a relationship, that you have to begin with trust. You have to begin with friendship. Once you begin from those starting points, you could have these kinds of negotiations about tough things that need to be done, but if you already start off saying, "We know better, and we're just going to foist this on you," you're going to end up tearing the relationship, and it will take years and years and years to be able to repair. I'm urging the minister not to make that mistake.

I'm urging the other members of the Assembly to support this motion to put this over to committee. Let's take the time over the summer to debate this, to do this right, to bring it back in the fall and hopefully have all-party support and, more important than that, not just all-party support but energy industry support and the support of treaties 6, 7, and 8 First Nations members as well so that we can make sure that we're able to put forward an aboriginal consultation policy that will be the envy of the country. We already have that with our Métis settlements legislation. It's the envy of the country. Why can't we do things right in developing a new relationship with First Nations on consultation that takes place at the provincial level so that this becomes a model for what other provinces should do? I think the minister has a huge opportunity to be able to do that. I would urge other members to support this motion.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview on the amendment.

**Mr. Bilous:** Yes. Thank you very much, Mr. Speaker. It's my pleasure to rise today and speak in favour of this motion. I would like to thank the Member for Highwood for proposing this referral motion. I think there are numerous reasons, which I plan to outline in detail, as to why Bill 22, the Aboriginal Consultation Levy Act, is problematic and needs to be referred to the Standing Committee on Resource Stewardship, which, I think, is a very applicable and

appropriate choice. Also, I'm excited at the thought because that's one of the committees that I sit on.

I just want to give some reasons as to why this needs to go back. I mean, you know, first and foremost, Mr. Speaker, that if we're drafting legislation in this House that directly affects specific groups of Albertans, they need to be consulted and included. I was extremely surprised to learn from Treaty 6 and Treaty 8 that they were not consulted.

4:00

You know, it frustrates me, Mr. Speaker, because there is a great deal of mistrust in this PC government from all Albertans across the province because of a failure to live up to promises that were made, that are continually being broken. It's quite disheartening. I mean, I've had the opportunity to speak with quite a number of chiefs around the province, including grand chiefs and members of council. You know, the number one thing I'm hearing is that they want to be included. They want a seat at the table. They want to be a part of developing Alberta and moving forward.

When we're looking at rights that deserve to be respected, I mean, first and foremost, treaty rights are at the core of this. You know, the fact that aboriginal groups and leaders that I've spoken with have been asking for meaningful consultation – in fact, there's been clear definitions of what consultation is and what it constitutes – and the fact that they're told that they're going to be a part of something and then they're not, again, promises made by this government that have been continually broken.

So where to begin in detail, Mr. Speaker? You know, I think the biggest flag that I hope the government pays attention to is the fact that this bill has been – I believe first reading was yesterday or maybe two days ago, sometime within the last 24 hours. Sorry. The days and evenings and mornings are blending together. [interjections] Well, you know, I'm being asked by hon. members as to why that is, and that's a great question. We do sit the fewest number of days out of most jurisdictions, and that is a choice made by our PC government. Many Albertans have said: "Why don't you sit more days. Sit in the afternoons. Have adequate time for debate, for opposition to put forward amendments and ideas, as our parliamentary system was designed for."

**Ms Blakeman:** Because that would challenge them.

**Mr. Bilous:** Well, I can appreciate the fact that this government doesn't like to be questioned and likes to run roughshod over many things.

Coming back to this motion, this is a great example of running roughshod over our First Nations and over people that deserve and that have a right to be consulted with and be included. As has been stated, the chiefs from Treaty 8 are not only opposed to this legislation, you know, they are shocked and dismayed at the introduction of this bill. Quite frankly, Mr. Speaker, they were blindsided. I'm still waiting to hear back from other bands and from Treaty 7 to find out their response and reaction to this bill.

Part of the challenge, which I spoke to at great length last night, or this morning, I should say, is the fact that when the government tries to put forward legislation at breakneck speed, it does nobody any service, Mr. Speaker. It doesn't provide the opposition the opportunity to do our job, to thoroughly go through a bill, to draft amendments, and, most importantly, to consult and critically and meaningfully engage with the different groups and people that the legislation is going to be affecting. This is both direct and indirect.

Mr. Speaker, similar to, I'm sure, my colleagues from the other opposition parties, we are all in the midst of trying to talk to the

different leaders in the First Nations communities as quickly as possible because of, you know, how fast this government wants to put through legislation. I'm sure when we reconvene next week, we'll have even more information directly coming from the groups that are going to be affected by this.

Again, Mr. Speaker, this motion to refer – honestly, we're doing the government here a favour by referring this to committee. You know, the government talks about wanting to build trust with First Nations and aboriginal groups. You'd think that after being in government for 40 years, they would have learned a thing or two, but clearly not. It begins with trust. It begins with developing relationships. And trust isn't: hey, we're going to write something up and ram it down your throats, and maybe we'll talk to you once it's already been passed.

By sending this to committee, the Standing Committee on Resource Stewardship, I honestly think it will give an opportunity for that committee, which is an all-party committee, to engage with the different First Nations groups, to invite them to come speak with the committee. It will give time to rewrite this piece of legislation so that it is appropriate and acceptable to our First Nations peoples, whom this is going to be directly affecting.

You know, the other thing, Mr. Speaker, is that this really is a piece of legislation that affects three different bodies, not just the Crown and their relationship with our First Nations peoples. This is also affecting and impacting industry. I find it interesting that Treaty 6 has talked about how the consultation between First Nations and industry is working better than First Nations and the Crown. That tells me that there is a willingness on the end of industry to work with First Nations groups. They want to sit down at the same table and look at ways to include them, to respect their treaty rights, to consult with them. But I find it ironic and somewhat hypocritical that the government can't get it right.

Yet, unfortunately, even after many assurances I've had from the minister and from members of the government that they are consulting and speaking with the different groups, the e-mails and conversations that I've had with different members of Treaty 8 and Treaty 6 clearly show that that is not the case. Again, this is only going to continue to hurt an already damaged relationship between the government and the different bands.

It makes me want to ask the minister, and I will: how can he possibly do something that would imperil that relationship, the relationship that needs to be built on mutual trust, honour of the Crown, you know, and the inviolable treaty rights of First Nations? I mean, there are different aspects of this bill – quite honestly, Mr. Speaker, I think what I've heard and learned in communication with different treaties is that they find parts of this bill quite offensive. The fact that you've got the minister having the power to declare and decide who is aboriginal and who is not seems quite absurd to me, and that issue is from section 2 of this bill. Well, first of all, the province does not have that right, and it could very well be in – what's the word I'm looking for here? – violation of the United Nations Declaration on the Rights of Indigenous Peoples.

4:10

You know, Mr. Speaker, I've been a member of this House for a little over a year and have been advocating that this government adopt and accept the UN Declaration on the Rights of Indigenous Peoples. I know the Alberta New Democrats and, in fact, our federal cousins have adopted that policy officially. That guides us in our decisions, in conversations, in consultations with aboriginal peoples, and I've been a strong advocate. I would love to see, in fact, all parties of the House adopt that document and keep that as

a guiding piece when parties are developing their own policies, especially when the government is drafting legislation.

Other concerns that I have with this bill. You know, there's talk of – well, obviously this is a levies act, so they talk about levying dollars, yet we don't know the costs associated. They are not outlined in the act itself. We don't know the costs associated with administering this act. But there are other concerns. Section 9 provides no way for us to review or question the minister's decisions. Again, this is a blank cheque for the minister to have the power to do what he wants, when he wants. I think there's a danger in that. Section 10(k) allows the cabinet to make regulations exempting a proponent or class of proponents from requirements of all or part of this act and its regulations. Mr. Speaker, it's quite unacceptable to give cabinet the power to let some companies or some proponents avoid paying the consultation levy altogether and base that decision on whatever they choose to.

I'm concerned with the fact that funding for consultations may actually decrease. Some members in the House may not be aware of this, but there are monies that industry does give to some First Nations bands for consultation. I can appreciate the fact that this bill would like to level the playing field so that it's done equitably and for all First Nations bands around the province. That belief or philosophy behind this bill I agree with a hundred per cent. However, it's interesting, Mr. Speaker, because during my briefing with the minister it was discussed that the new levy may collect about \$70 million to go toward First Nations abilities to consult.

Now, that may seem quite significant and good except when one is aware of the fact that that's less than half the current funding for consultations that are currently provided by industry and the government. This could be a step backwards, Mr. Speaker, not a step forwards. You know, I'm not sure what assurances there are. I don't have any assurances at the moment that this is not a means to further reduce funding to First Nations for consultations. I'm not sure if the minister can give me any assurances that that funding won't decrease.

Mr. Speaker, something that troubles me greatly – and I see that I'm going to have to bring this to a close shortly – is that the government's new consultation policy will never be introduced in this House.

**The Speaker:** Hon. members, 29(2)(a) is available.

Seeing none, are there other speakers? The hon. Minister of Energy was next on the list, followed by Rimbey-Rocky Mountain House-Sundre.

**Ms Blakeman:** For 29(2)(a)? That's what I was trying for. I'm sorry. My knees are bad.

**The Speaker:** Okay. Proceed quickly with 29(2)(a), then.

**Ms Blakeman:** I don't have the ice today. I had the ice last night.

Mr. Speaker, the member stopped talking mid-way through his final sentence, so if he could just complete that, I'd appreciate it.

**Mr. Bilous:** Thank you very much, hon. Member for Edmonton-Centre. Thank you, Mr. Speaker. I will conclude shortly here. My biggest concern – no. I have multiple concerns, but one of them is just that I've learned that the consultation policy will never be introduced nor debated in this House. Well, first of all, the PC government believed they could just introduce this policy without attaining agreement from First Nations and without bringing it forward for public debate or giving the opposition the opportunity

to debate that policy, which really will be the guiding policy from here moving forward and likely for some time.

You know, Mr. Speaker, Treaty 6 outlined in a 21-page letter written back in December that they had numerous concerns about the government's proposed consultation policy and unanswered questions regarding that. In April of this year Treaty 6 made additional comments, in fact another 14 pages of comments, on the new draft of the consultation policy.

The grand chief of Treaty 6 wrote that any new policy to disclose agreements between First Nations and industry will result in the rejection of the policy by First Nations, and this is a major – thorn doesn't even cut it as far as a metaphor – issue that many of the First Nations bands have, the fact that this government is trying to force First Nations to make public their agreements with industry, which is problematic and, as the Member for Highwood outlined, is creating two classes of Albertans. You've got the one class, where they don't have to publicly disclose, and then you've got your First Nations groups, that are forced to disclose. That's creating two classes of citizens in this province, Mr. Speaker, and that is extremely problematic.

I'll continue. You know, the grand chief went on to talk about how the Crown has a responsibility and a duty to consult and to have meaningful consultation and accommodation with our First Nations members. If anything, the Crown should be consulting before it drafts any type of legislation or bill, not afterwards and leave it up to the opposition, who are doing their best to engage in conversations with the different treaty chiefs and different chiefs and band councils around the province in an attempt to get feedback, which clearly this government failed to do.

Mr. Speaker, this goes beyond a government shirking its responsibilities to First Nations and First Peoples of this province. I mean, this is beyond neglect. This is a failure to live up to their duties, their responsibilities, and for that reason, again, I think this motion of referral is the right thing to do. It gives us all time in this House to go back and speak with the different First Nations communities. It gives us time to draft amendments, to rethink this bill as it sits, and I strongly encourage all members of this House to support this motion.

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

Hon. members, there are a few seconds left. Is there anyone else under 29(2)(a)? Okay.

Well, I'll take those few seconds very briefly just to review the purpose of 29(2)(a). It says:

Subject to clause (b), following each speech on the items in debate referred to in suborder (1), a period not exceeding 5 minutes shall be made available, if required, to allow Members to ask questions and comment briefly on matters relevant to the speech and to allow responses to each Member's questions and comments.

As such, it should not be viewed as an opportunity for a member to conclude their comments. That is not what the spirit – the spirit – of 29(2)(a) is all about. I know it well because I was here when we created it. So, please, let's just keep that in mind in the future. It's meant to engage us in a healthy discussion back and forth in Q and A style.

The hon. Minister of Energy.

4:20

**Mr. Hughes:** Thank you very much, Mr. Speaker. You know, I'm delighted to have a chance to participate in this discussion today as somebody who has a long history working with First Nations communities. It goes back to the fact that my family had probably almost a century of experience working with First Nations

communities in the ranching business in southern Alberta and with particular families as well. You know, I grew up near Eden Valley reserve. I grew up in the community and went to school with the kids from Eden Valley. I saw the opportunities and the challenges that those kids faced relative to the challenges that other kids faced in our community.

When I got elected in 1988, I actually volunteered to serve on the Aboriginal Affairs Committee in the House of Commons, and I ended up shortly thereafter as the chair. I was very proud of the fact that we accomplished five all-party unanimous reports under that committee over the course of two years, including the report on Oka, which was, as you can imagine, a bit of a challenge. So I come to this topic with some deep experience and deep commitment to building relationships with First Nations communities. I'm happy to shed some light here because some things have been said where it's clear that people don't know what they don't know, and it would be helpful for everybody to know what some of us know.

I'll share with you that there has been a very deep engagement with First Nations communities in this province. Here we are now, one year plus one day since this cabinet was sworn in. The hon. Minister of Aboriginal Relations – and this is on the amendment, to ensure that we're on topic – has worked hard travelling throughout the province to work with First Nations communities to develop those relationships. We know that relationships are not built overnight. They're not built without a great deal of work and time and commitment on the part of all parties.

I have also been part of many discussions as well. Right from what would be an unprecedented meeting of First Nations leadership – all of the chiefs of the 48 First Nations in the province met with the cabinet back in December over the course of a day and a half – I've been in additional meetings since then with all of the First Nations leadership and several others.

This amendment speaks to the fact that a great deal of engagement has already been undertaken, a great deal of work has been undertaken, and referring the subject matter of the bill to a standing committee actually would delay important work that needs to be done. An immense amount of work has been done by the hon. minister and supported by people like me and supported by work with industry as well. All people who are affected by this legislation have been deeply engaged.

You know, First Nations communities are just like every other community. There's a diversity of opinion. I'm sure that members opposite are hearing from some members of the leadership of some First Nations across this province. It would be a shock to me if that was not the case. It should not be a shock that they actually do hear from some leadership in the First Nations communities across the province, as has the minister, I'm sure.

What is important is that we're moving forward in order to ensure that there is a constructive relationship between the First Nations and the government of Alberta and industry, that we create the groundwork to ensure that First Nations have the opportunity to fully and in a constructive way share in the benefits of the wealth that is created by the energy industry in this province, that they continue to be full participants in the leadership and providing leadership in their own communities on their own terms in ways that are constructive for those communities. This bill takes us in that direction. Deferring this bill does not help take us in that direction, Mr. Speaker.

With that, I'd just like to make that small contribution. Thank you.

**The Speaker:** Hon. members, 29(2)(a) is available. The hon. Leader of Her Majesty's Loyal Opposition.

**Ms Smith:** Thank you. I appreciate that the Energy minister has had many meetings and probably some very constructive discussions over the last year and indeed, it seems, in his previous life also. I wonder if he can shed some light, then. It's not just a chief. It is Grand Chief Craig Makinaw, Confederacy of Treaty Six First Nations, who had written this letter expressing extreme concern on behalf of his other member chiefs in that treaty. I just wonder if he could shed some light on why they would have such extreme opposition if indeed what the minister is saying is the case, that there has been sufficient consultation.

**Mr. Hughes:** Well, Mr. Speaker, it would appear that the chief and perhaps other chiefs for whom he may be speaking – I haven't seen the letter, but I believe the suggestion is that he speaks for the group as well or a majority of the tribal council. It would appear that they have a difference of opinion with where this is going or the speed at which it's going or the direction it's going, but that doesn't mean, as I alluded to earlier, that one or two chiefs or a group of chiefs speak for all chiefs. There are 48 First Nations in this province. We need to respect the diversity of those 48 communities.

Just as the nonaboriginal community is immensely diverse, you know, no one political party speaks for all Albertans in a consistent or coherent way, nor should we expect First Nations to speak in a consistent or coherent way. They have alignment of interests, but not always are they aligned in terms of their expression of their ambition for public policy.

**Ms Smith:** I still am a bit confused, though, about why it is that this grand chief would say that they were provided no notice to First Nations that this legislation was imminent and that you have not consulted with First Nations regarding this particular act whatsoever. I mean, I think there's a problem here in trying to reconcile what the minister has said with what we're hearing from the members of this community.

**The Speaker:** Hon. members, 29(2)(a) is available.

**Mr. Campbell:** Mr. Speaker, I can say that I met with the grand chief personally. We met about three weeks ago. He was made aware of this bill. He agreed to this going forward. I explained to him why it had to go forward at this time. One of the situations they had talked about was that they wanted more time on the consultation policy itself for their draft, and I agreed to that, but they said that they understood why this bill would go forward at this time. For the grand chief to say that he wasn't aware, I have an issue with that, but the grand chief and I are meeting tomorrow, and hopefully I can resolve that matter with him tomorrow and the grand chief from Treaty 8.

**Ms Smith:** I also appreciate what the Energy minister had said, that perhaps one chief does not speak for all, but I think that goes to the point of why we actually need to defer this to a committee, to be able to have the broader consultation, to be able to hear from all of the chiefs so that we are actually making sure that we're proceeding. Again, if the Energy minister could clarify how his comment that we do have this diversity in the community and that therefore that means we would consult less seems to wash with what this bill is trying to achieve, which is to have more consultation and more buy-in.

**Mr. Hughes:** Mr. Speaker, the hon. leader would of course not try to impute comments to me that would never come out of my mouth. I would never suggest that because there's greater

diversity, we should consult less. That's an absurd thing to say and irresponsible.

In fact, we have done extensive consultation. Members of industry have done extensive consultation and continue to. I have as the Energy minister. Our Minister of Aboriginal Affairs has been tireless in his commitment to this engagement and the consultation. This is a bold and important initiative that helps serve the interests of all Albertans and, particularly, First Nations communities to help ensure that they are able to participate in a really constructive way with the wealth-creation capacity that this province has.

**The Speaker:** We have about 10 seconds.

**Ms Smith:** I would like to acknowledge that, but I have to say that I think we would have greater certainty that we had broad-based buy-in, as he's claiming, if we actually did the full range of consultation through the course of this summer with this committee.

**The Speaker:** Thank you.

Hon. members, the clock has hit 4:30 p.m., and I am obliged under Standing Order 4(2) to declare the Assembly adjourned until 1:30 p.m. Monday next.

[The Assembly adjourned at 4:30 p.m. to Monday, May 13, at 1:30 p.m.]





## **Bill Status Report for the 28th Legislature - 1st Session (2012-2013)**

**Activity to May 09, 2013**

The Bill sponsor's name is in brackets following the Bill title. If it is a money Bill, (\$) will appear between the title and the sponsor's name. Numbers following each Reading refer to Hansard pages where the text of debates is found; dates for each Reading are in brackets following the page numbers. Bills numbered 1 to 199 are Government Bills. Bills numbered 200 or higher are Private Members' Public Bills. Bills numbered with a "Pr" prefix are Private Bills.

\*An asterisk beside a Bill number indicates an amendment was passed to that Bill; the Committee line shows the precise date of the amendment.

The date a Bill comes into force is indicated in square brackets after the date of Royal Assent. If a Bill comes into force "on proclamation," "with exceptions," or "on various dates," please contact Legislative Counsel, Alberta Justice, for details at (780) 427-2217. The chapter number assigned to the Bill is entered immediately following the date the Bill comes into force. SA indicates Statutes of Alberta; this is followed by the year in which it is included in the statutes, and its chapter number. Please note, Private Bills are not assigned chapter numbers until the conclusion of the Fall Sitings.

### **1\* Workers' Compensation Amendment Act, 2012 (Redford)**

First Reading -- 8 (May 24, 2012 aft., passed)

Second Reading -- 177 (Oct. 23, 2012 eve.), 193-96 (Oct. 23, 2012 eve.), 233 (Oct. 24, 2012 eve., passed)

Committee of the Whole -- 336-39 (Oct. 29, 2012 eve.), 354-71 (Oct. 30, 2012 aft.), 373-80 (Oct. 30, 2012 eve., passed with amendments)

Third Reading -- 476-84 (Nov. 1, 2012 aft., passed on division)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force December 10, 2012; SA 2012 c8]

### **2\* Responsible Energy Development Act (Hughes)**

First Reading -- 207 (Oct. 24, 2012 aft., passed)

Second Reading -- 263 (Oct. 25, 2012 aft.), 424-43 (Oct. 31, 2012 aft.), 445-57 (Oct. 31, 2012 eve.), 526-46 (Nov. 5, 2012 eve., passed)

Committee of the Whole -- 563-71 (Nov. 6, 2012 aft.), 593 (Nov. 6, 2012 eve.), 644-48 (Nov. 7, 2012 aft.), 649-69 (Nov. 7, 2012 eve.), 731-53 (Nov. 19, 2012 eve.), 777-94 (Nov. 20, 2012 aft.), 795-853 (Nov. 20, 2012 eve.), 902-05 (Nov. 20, 2012 eve., passed on division, with amendments)

Third Reading -- 921-41 (Nov. 21, 2012 aft., passed on division)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on proclamation, with exceptions; SA 2012 cR-17.3]

### **3\* Education Act (J. Johnson)**

First Reading -- 155 (Oct. 23, 2012 aft., passed)

Second Reading -- 219-31 (Oct. 24, 2012 aft.), 238 (Oct. 24, 2012 eve., passed)

Committee of the Whole -- 380-407 (Oct. 30, 2012 eve., passed with amendments)

Third Reading -- 669 (Nov. 7, 2012 eve.), 688-94 (Nov. 8, 2012 aft.), 753-63 (Nov. 19, 2012 eve., passed on division)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on proclamation; SA 2012 cE-0.3]

### **4 Public Interest Disclosure (Whistleblower Protection) Act (Scott)**

First Reading -- 352-53 (Oct. 30, 2012 aft., passed)

Second Reading -- 423-24 (Oct. 31, 2012 aft.), 593-614 (Nov. 6, 2012 eve.), 627-44 (Nov. 7, 2012 aft., passed on division)

Committee of the Whole -- 975-80 (Nov. 22, 2012 aft.), 1057-74 (Nov. 27, 2012 aft.), 1075-101 (Nov. 27, 2012 eve.), 1127-137 (Nov. 28, 2012 aft.), 1139-161 (Nov. 28, 2012 eve., passed)

Third Reading -- 1161-166 (Nov. 28, 2012 eve., passed on division)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on proclamation; SA 2012 cP-39.5]

### **5 New Home Buyer Protection Act (Griffiths)**

First Reading -- 261 (Oct. 25, 2012 aft., passed)

Second Reading -- 354 (Oct. 30, 2012 aft.), 457-59 (Oct. 31, 2012 eve., passed)

Committee of the Whole -- 546-49 (Nov. 5, 2012 eve.), 571-83 (Nov. 6, 2012 aft.), 585-93 (Nov. 6, 2012 eve., passed)

Third Reading -- 853-55 (Nov. 20, 2012 eve., passed)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on proclamation; SA 2012 cN-3.2]

### **6 Protection and Compliance Statutes Amendment Act, 2012 (Jeneroux)**

First Reading -- 155 (Oct. 23, 2012 aft., passed)

Second Reading -- 209 (Oct. 24, 2012 aft.), 264 (Oct. 25, 2012 aft., passed)

Committee of the Whole -- 459-62 (Oct. 31, 2012 eve., passed)

Third Reading -- 855-56 (Nov. 20, 2012 eve., passed)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on various dates; SA 2012 c7]

- 7\* Election Accountability Amendment Act, 2012 (Denis)**  
First Reading -- 774 (Nov. 20, 2012 aft., passed)  
Second Reading -- 972-75 (Nov. 22, 2012 aft.), 1015-41 (Nov. 26, 2012 eve., passed)  
Committee of the Whole -- 1166-167 (Nov. 28, 2012 eve.), 1191-92 (Nov. 29, 2012 aft.), 1221-43 (Dec. 3, 2012 eve.), 1261-79 (Dec. 4, 2012 aft.), 1281-1300 (Dec. 4, 2012 eve., passed, with amendments)  
Third Reading -- 1315-37 (Dec. 5, 2012 aft., passed on division)  
Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on various dates; SA 2012 c5]
- 8 Electric Utilities Amendment Act, 2012 (Hughes)**  
First Reading -- 156 (Oct. 23, 2012 aft., passed)  
Second Reading -- 233 (Oct. 24, 2012 eve.), 316-36 (Oct. 29, 2012 eve, passed)  
Committee of the Whole -- 857-902 (Nov. 20, 2012 eve.), 943-53 (Nov. 21, 2012 eve., passed)  
Third Reading -- 953-56 (Nov. 21, 2012 eve., passed)  
Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force December 10, 2012; SA 2012 c6]
- 9 Alberta Corporate Tax Amendment Act, 2012 (\$) (Horner)**  
First Reading -- 156 (Oct. 23, 2012 aft., passed)  
Second Reading -- 209-10 (Oct. 24, 2012 aft.), 272 (Oct. 25, 2012 aft.), 311-16 (Oct. 29, 2012 eve., passed)  
Committee of the Whole -- 462 (Oct. 31, 2012 eve., passed)  
Third Reading -- 856-57 (Nov. 20, 2012 eve., passed)  
Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on various dates, SA 2012 c4]
- 10 Employment Pension Plans Act (Kennedy-Glans)**  
First Reading -- 261 (Oct. 25, 2012 aft., passed)  
Second Reading -- 521-26 (Nov. 5, 2012 eve., passed)  
Committee of the Whole -- 668-69 (Nov. 7, 2012 eve., passed)  
Third Reading -- 857 (Nov. 20, 2012 eve., passed)  
Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on proclamation; SA 2012 cE-8.1]
- 11 Appropriation (Supplementary Supply) Act, 2013 (\$) (Horner)**  
First Reading -- 1424 (Mar. 6, 2013 aft., passed)  
Second Reading -- 1480-86 (Mar. 11, 2013 eve., passed)  
Committee of the Whole -- 1534-41 (Mar. 12, 2013 eve., passed)  
Third Reading -- 1583 (Mar. 13, 2013 aft.), 1559-60 (Mar. 13, 2013 eve., passed)  
Royal Assent -- (Mar. 21, 2013 outside of House sitting) [Comes into force March 21, 2013; SA 2013 c2]
- 12 Fiscal Management Act (\$) (Horner)**  
First Reading -- 1438 (Mar. 7, 2013 aft., passed)  
Second Reading -- 1479-80 (Mar. 11, 2013 eve.), 1560-78 (Mar. 13, 2013 aft.), 1579-83 (Mar. 13, 2013 eve.), 1785-90 (Apr. 11, 2013 aft.), 1877-85 (Apr. 18, 2013 aft., passed)  
Committee of the Whole -- 1967-78 (Apr. 23, 2013 eve), 1981-86 (Apr. 23, 2013 eve, passed), 2007-15 (Apr. 24, 2013 aft.)  
Third Reading -- 2027-35 (Apr. 24, 2013 eve., passed on division)  
Royal Assent -- (Apr. 29, 2013 outside of House sitting) [Comes into force April 29, 2013; SA 2013 cF-14.5]
- 13 Appropriation (Interim Supply) Act, 2013 (\$) (Horner)**  
First Reading -- 1456 (Mar. 11, 2013 aft., passed)  
Second Reading -- 1527-34 (Mar. 12, 2013 eve.), 1556 (Mar. 13, 2013 aft., passed)  
Committee of the Whole -- 1583 (Mar. 13, 2013 eve., passed)  
Third Reading -- 1695-1700 (Mar. 21, 2013 aft.), 1695-1700 (Mar. 21, 2013 aft., passed)  
Royal Assent -- (Mar. 21, 2013 outside of House sitting) [Comes into force March 21, 2013; SA 2013 c1]
- 14 RCMP Health Coverage Statutes Amendment Act, 2013 (VanderBurg)**  
First Reading -- 1690 (Mar. 21, 2013 aft., passed)  
Second Reading -- 1875 (Apr. 18, 2013 aft.), 1925-27 (Apr. 22, 2013 eve., passed)  
Committee of the Whole -- 1966-67 (Apr. 23, 2013 eve., passed)  
Third Reading -- 1986 (Apr. 23, 2013 eve., passed)  
Royal Assent -- (Apr. 29, 2013 outside of House sitting) [Comes into force April 1, 2013; SA 2013 c4]
- 15 Emergency 911 Act (\$) (Weadick)**  
First Reading -- 1762 (Apr. 10, 2013 aft., passed)  
Second Reading -- 1875-76 (Apr. 18, 2013 aft.), 1953-58 (Apr. 23, 2013 aft., passed)  
Committee of the Whole -- 2040 (Apr. 24, 2013 eve., passed)  
Third Reading -- 2130-31 (May 6, 2013 eve., passed)

- 16 Victims Statutes Amendment Act, 2013 (\$) (Denis)**  
First Reading -- 1762-63 (Apr. 10, 2013 aft., passed)  
Second Reading -- 1958-61 (Apr. 23, 2013 aft.), 1963-67 (Apr. 23, 2013 eve., passed)  
Committee of the Whole -- 2040 (Apr. 24, 2013 eve., passed)  
Third Reading -- 2063-65 (Apr. 25, 2013 aft., passed)  
Royal Assent -- (Apr. 29, 2013 outside of House sitting) [Comes into force on proclamation; SA 2013 c5]
- 17 Municipal Government Amendment Act, 2013 (Kubinec)**  
First Reading -- 1779 (Apr. 11, 2013 aft., passed)  
Second Reading -- 2123-25 (May 6, 2013 eve., passed)  
Committee of the Whole -- 2161-64 (May 7, 2013 aft.), 2172-76 (May 7, 2013 eve., passed)  
Third Reading -- 2176 (May 7, 2013 eve., passed)
- 18 Pooled Registered Pension Plans Act (Fawcett)**  
First Reading -- 1873 (Apr. 18, 2013 aft., passed)  
Second Reading -- 2125-30 (May 6, 2013 eve., passed)  
Committee of the Whole -- 2151-57 (May 7, 2013 aft., passed)  
Third Reading -- 2169-71 (May 7, 2013 eve., passed)
- 19 Metis Settlements Amendment Act, 2013 (Campbell)**  
First Reading -- 1803 (Apr. 15, 2013 aft., passed)  
Second Reading -- 1876-77 (Apr. 18, 2013 aft.), 2021-27 (Apr. 24, 2013 eve., passed)  
Committee of the Whole -- 2101-23 (May 6, 2013 eve., passed)  
Third Reading -- 2131-32 (May 6, 2013 eve., passed)
- 20 Appropriation Act, 2013 (\$) (Horner)**  
First Reading -- 1925 (Apr. 22, 2013 eve., passed)  
Second Reading -- 1943-52 (Apr. 23, 2013 aft.), 1978-81 (Apr. 23, 2013 eve., passed)  
Committee of the Whole -- 2015-19 (Apr. 24, 2013 aft.), 2035-39 (Apr. 24, 2013 eve., passed)  
Third Reading -- 2057-63 (Apr. 25, 2013 aft., passed)  
Royal Assent -- (Apr. 29, 2013 outside of House sitting) [Comes into force April 29, 2013; SA 2013 c3]
- 21 Environmental Protection and Enhancement Amendment Act, 2013 (Jansen)**  
First Reading -- 2055 (Apr. 25, 2013 aft., passed)  
Second Reading -- 2123 (May 6, 2013 eve.), 2157-61 (May 7, 2013 aft., passed)  
Committee of the Whole -- 2165-68 (May 7, 2013 eve., passed)  
Third Reading -- 2229-34 (May 8, 2013 eve.), 2238-55 (May 8, 2013 eve., passed)
- 22 Aboriginal Consultation Levy Act (\$) (Campbell)**  
First Reading -- 2191-92 (May 8, 2013 aft., passed)  
Second Reading -- 2275-83 (May 9, 2013 aft., adjourned)
- 23 Tax Statutes Amendment Act, 2013 (Horner)**  
First Reading -- 2080 (May 6, 2013 aft., passed)  
Second Reading -- 2150 (May 7, 2013 aft.), 2165 (May 7, 2013 eve., passed)  
Committee of the Whole -- 2168 (May 7, 2013 eve., passed)  
Third Reading -- 2172 (May 7, 2013 eve., passed)
- 24 Statutes Amendment Act, 2013 (Bhullar)**  
First Reading -- 2080 (May 6, 2013 aft., passed)  
Second Reading -- 2150-51 (May 7, 2013 aft.), 2171-72 (May 7, 2013 eve.), 2157-61 (May 7, 2013 eve.), 2234-38 (May 8, 2013 eve., passed)  
Committee of the Whole -- 2255-58 (May 8, 2013 eve., passed)  
Third Reading -- 2273-75 (May 9, 2013 aft., passed)
- 25 Children First Act (\$) (Hancock)**  
First Reading -- 2145 (May 7, 2013 aft., passed)  
Second Reading -- 2194-2212 (May 8, 2013 aft.), 2213-29 (May 8, 2013 eve., passed on division)

- 201\* Scrap Metal Dealers and Recyclers Identification Act (Quest)**  
First Reading -- 92 (May 30, 2012 aft., passed)  
Second Reading -- 291-301 (Oct. 29, 2012 aft., passed)  
Committee of the Whole -- 716-22 (Nov. 19, 2012 aft.), 1725-26 (Apr. 8, 2013 aft., passed with amendments)  
Third Reading -- 1726-27 (Apr. 8, 2013 aft., passed)  
Royal Assent -- (Apr. 29, 2013 outside of House sitting) [Comes into force on proclamation; SA 2013 cS-3.5]
- 202 Public Lands (Grasslands Preservation) Amendment Act, 2012 (Brown)**  
First Reading -- 130 (May 31, 2012 aft., passed)  
Second Reading -- 501-13 (Nov. 5, 2012 aft.), 1723-25 (Apr. 8, 2013 aft., defeated on division)
- 203 Employment Standards (Compassionate Care Leave) Amendment Act, 2012 (Jeneroux)**  
First Reading -- 473 (Nov. 1, 2012 aft., passed)  
Second Reading -- 1900 (Apr. 22, 2013 aft., passed)
- 204 Irlen Syndrome Testing Act (Jablonski)**  
First Reading -- 968 (Nov. 22, 2012 aft., passed)  
Second Reading -- 1912 (Apr. 22, 2013 aft., referred to Standing Committee on Families and Communities)
- 205 Fisheries (Alberta) Amendment Act, 2012 (Calahasen)**  
First Reading -- 1117 (Nov. 28, 2012 aft., passed)  
Second Reading -- 1913 (Apr. 22, 2013 aft., referred to Standing Committee on Resource Stewardship)
- 206 Tobacco Reduction (Flavoured Tobacco Products) Amendment Act, 2012 (Fraser)**  
First Reading -- 1350-51 (Dec. 6, 2012 aft., passed)
- 207 Human Tissue and Organ Donation Amendment Act, 2013 (Webber)**  
First Reading -- 1690 (Mar. 21, 2013 aft., passed)
- 208 Seniors' Advocate Act (Towle)**  
First Reading -- 1315 (Dec. 5, 2012 aft., passed)
- Pr1 Church of Jesus Christ of Latter-day Saints in Canada Act (Dorward)**  
First Reading -- 1999 (Apr. 24, 2013 aft., passed)
- Pr2 Wild Rose Agricultural Producers Amendment Act, 2013 (McDonald)**  
First Reading -- 1999 (Apr. 24, 2013 aft., passed)

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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Monday afternoon, May 13, 2013

Issue 57

The Honourable Gene Zwozdesky, Speaker

## Legislative Assembly of Alberta The 28th Legislature

First Session

Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC), Speaker  
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Bhullar, Hon. Manmeet Singh, Calgary-Greenway (PC)  
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Blakeman, Laurie, Edmonton-Centre (AL),  
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Calahasen, Pearl, Lesser Slave Lake (PC)  
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Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
Government Whip

### Party standings:

Progressive Conservative: 61

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

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Teresa Woo-Paw	Associate Minister of International and Intergovernmental Relations

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on Alberta's Economic Future

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Deputy Chair: Mr. Fox

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Donovan	Quadri
Dorward	Rogers
Eggen	Rowe
Hehr	Sarich
Luan	Strankman
McDonald	Xiao

### Standing Committee on the Alberta Heritage Savings Trust Fund

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Deputy Chair: Mrs. Jablonski

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Casey  
Dorward  
Eggen  
Kubinec  
Sandhu  
Sherman

### Select Special Chief Electoral Officer Search Committee

Chair: Mr. Rogers

Deputy Chair: Mr. Quadri

Blakeman	Leskiw
Eggen	McDonald
Goudreau	Saskiw
Lemke	

### Select Special Conflicts of Interest Act Review Committee

Chair: Mr. Allen

Deputy Chair: Mr. Luan

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Dorward	Saskiw
Fenske	Wilson
Johnson, L.	Young
McDonald	

### Standing Committee on Families and Communities

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Deputy Chair: Mrs. Forsyth

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Cusanelli	Leskiw
DeLong	Notley
Fraser	Pedersen
Fritz	Swann
Goudreau	Towle
Jablonski	Wilson
Jansen	Young

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### Special Standing Committee on Members' Services

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Forsyth	McDonald
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Kennedy-Glans	Sherman
Glans	Smith

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Deputy Chair: Ms L. Johnson

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Bhardwaj	Leskiw
Brown	Notley
Cusanelli	Olesen
DeLong	Rowe
Fox	Strankman
Fritz	Swann
Goudreau	Webber

### Standing Committee on Privileges and Elections, Standing Orders and Printing

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Cao	Notley
Casey	Pedersen
Hehr	Rogers
Jansen	Sandhu
Kennedy-Glans	Saskiw
Kubinec	Towle
Luan	Young

### Standing Committee on Public Accounts

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Amery	Jeneroux
Anglin	Khan
Bilous	Pastoor
Donovan	Quadri
Fenske	Quest
Goudreau	Sarich
Hale	Stier

### Standing Committee on Resource Stewardship

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Deputy Chair: Mr. Anglin

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Barnes	Johnson, L.
Bikman	Khan
Bilous	Kubinec
Blakeman	Lemke
Calahasen	Sandhu
Casey	Stier
Fenske	Webber

## Legislative Assembly of Alberta

1:30 p.m.

Monday, May 13, 2013

[The Speaker in the chair]

### Prayers

**The Speaker:** Hon. members, ladies and gentlemen, let us pray. Let us pray for those who hunger not but for food alone but also for purity, sanctity, and the pursuit of justice for all. Amen.

Ladies and gentlemen, please remain standing now for the singing of our national anthem, led by M. Paul Lorieau. Please join in in the language of your choice.

### Hon. Members:

O Canada, our home and native land!  
True patriot love in all thy sons command.  
With glowing hearts we see thee rise,  
The True North strong and free!  
From far and wide, O Canada,  
We stand on guard for thee.  
God keep our land glorious and free!  
O Canada, we stand on guard for thee.  
O Canada, we stand on guard for thee.

**The Speaker:** Thank you very much.  
Please be seated.

### Introduction of Guests

**The Speaker:** Hon. members, we have several school groups here today. Let's begin with the Minister of Human Services, followed by the Minister of Culture.

**Mr. Hancock:** Thank you, Mr. Speaker. It is my pleasure to rise today on behalf of the Member for Edmonton-Rutherford, the Minister of Health, to introduce to you and through you to all members of this Assembly a group of 15 students from Duggan elementary school in the constituency of Edmonton-Rutherford. They're seated in the public gallery. Accompanying the students is their teacher, Ms Roxanne Hamly, and educational assistant Laurie Grabia. I would ask that the students, their teacher, and the educational assistant please rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Minister of Culture, followed by Stony Plain.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. Today I'm very happy to rise to introduce to you and through you to this Assembly a group of 21 bright young minds from Brightview elementary school, located in my constituency of Edmonton-Glenora. This past Friday I visited their classroom, and their questions were absolutely fantastic. They're here today with their teachers, Mr. Tyson Mastel and Mrs. Joanne Landmark. I would like them to stand and receive the warm welcome of this Assembly.

**The Speaker:** The hon. Member for Stony Plain.

**Mr. Lemke:** Thank you, Mr. Speaker. It's my privilege today to stand and recognize a group of students from Muir Lake school in my constituency of Stony Plain. They're here all week participating in the School at the Legislature program. They're accompanied by their teacher, Debbie Wayken, educational assistant Denise Gibbons, and one of the parents, Fiona Majeau.

Please rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** Are there other school groups?

Let us move on, then, to other guests. The hon. Associate Minister of International and Intergovernmental Relations.

**Ms Woo-Paw:** Thank you, Mr. Speaker. It is indeed my honour and pleasure to introduce to you and through you to all members of the Assembly the first half of the visiting members of the Ethno-Cultural Council of Calgary. With us today from the council are those from the Vietnamese, Chinese, Ethiopian, Jamaican, Sudanese, Filipino, East Indian, and Somali-Canadian communities. I believe the first half of the group is seated in the public gallery. I would like to ask members of the Assembly to join me in giving them the traditional warm welcome of the Assembly.

**The Speaker:** The hon. leader of the Liberal opposition, followed by the Minister of Culture.

**Dr. Sherman:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all the members of the Assembly nine volunteers and students from Project Adult Literacy Society, otherwise known as PALS. Low literacy rates are a significant problem facing Alberta. Did you know that 1 in 3 adults do not have literacy skills and 1 in 2 have low-level math skills? PALS is a community-based literacy program that addresses the learning needs of adults with low-level literacy and math skills. Their mission is changing lives through literacy, and I commend them for their work. I would ask them to please rise as I read their names: Trish Derkach, Marilyn Shannon, Shirley Sandul, Monica Das, Adam Rupp, Quentin Broadwood, Dorothy Lane, Luiting Hudson, and Ali Elhag. I ask all members to give them the traditional warm welcome of the Assembly.

Thank you.

**The Speaker:** The hon. Minister of Culture, followed by Lac La Biche-St. Paul-Two Hills.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. I'm also very pleased to rise and introduce to you and through you to this Assembly some professionals from Alberta's film industry. We have here today industry experts who are representatives from the Alberta Media Production Industries Association. I'd ask that they rise as I call their names: the board of directors president, Joe Novak; the vice-president north, Connie Edwards; director Tom Cox; and last but not least, the executive director for AMPIA, Bill Evans. I'd like to thank you for coming today and for all the excellent work you do with Alberta Culture and AMPIA. I would ask that my colleagues provide you with the warm welcome of this Assembly.

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills, followed by Edmonton-Riverview.

**Mr. Saskiw:** Thank you, Mr. Speaker. It's my pleasure to rise to introduce to you and through you to all members of the Assembly four pharmacists who have come to Edmonton today to urge the government to halt the changes in pharmacy without proper consideration and due diligence. They are armed with a petition with over 25,000 signatures – this is just part of it – that we'll be introducing later today and throughout the week. The pharmacists are Al Hodgins, Rita Lyster, Kit Poon, and Jody Shkrobot, who is also the former head of the Canadian Pharmacists Association. I'd

ask that these hard-working pharmacists please rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Riverview, followed by Calgary-Foothills.

**Mr. Young:** Thank you, Mr. Speaker. It is my pleasure to rise today to introduce to you and through you to all members of the Assembly Mr. Ibrahim Cin, Junaid Zumrutpynar, and Malik Muradov, who are here today to help us recognize and celebrate Turkish culture. They are seated in your gallery. Along with them I'd also like to introduce 43 members who are seated in the public gallery and 12 that are seated in the members' gallery, who are all here to celebrate Turkish culture. I'd ask that they please rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Calgary-Foothills, followed by Lesser Slave Lake.

**Mr. Webber:** Well, thank you, Mr. Speaker. I'd like to introduce to you and through you to all members of the Assembly three guests from Neerlandia, Alberta, which is near Barrhead. They are seated in the members' gallery, and I'd ask that they stand: Mr. Wes Werkman and his wife, Gloria Werkman, and their beautiful five-year-old daughter, Saige Werkman. Saige Werkman at the age of six months had a heart transplant at the U of A Stollery hospital here in Edmonton. She is now five years old. She is a beautiful young lady, and she is ready to take on the world. I had a lovely meeting with them today. They are in strong support of my bill, Bill 207, the Human Tissue and Organ Donation Amendment Act, which will come up for second reading tomorrow. I thank the three of you for coming out. Please give them the warm welcome of the Assembly.

1:40

**Ms Calahasen:** Mr. Speaker, I'm so pleased to introduce to you and through you to the members of this Assembly a group of very hard-working elected individuals. The municipal district of Lesser Slave River reeve and council members are here and were very instrumental in the fire recovery process in their area. I'm sure they didn't get elected thinking that they'd have to deal with the devastation of the century, but they did and in a collaborative and positive way. They are seated in the members' gallery, and I'd ask that they rise as I call their names: Reeve Denny Garratt, Darcie Acton, Jeff Commins, Murray Kerik, Darren Fulmore, Brian Rosche, and Robert Esau. I'd ask this Assembly to give them a warm, warm welcome.

**The Speaker:** Are there others?

Seeing none, let's proceed elsewhere.

### Members' Statements

**The Speaker:** The hon. Member for Lesser Slave Lake, followed by the Leader of the Official Opposition.

### Thank-you Letter from MD of Lesser Slave River

**Ms Calahasen:** Thank you, Mr. Speaker. In May 2011 the town of Slave Lake and the Sawridge First Nation and communities within the municipal district of Lesser Slave River were subjected to major wildfires. In this time of crisis and need this government stepped up and provided much-needed support for the people and communities of Lesser Slave River.

I've been asked by the municipal district of Lesser Slave River to read their letter thanking the Premier and the government of Alberta for all they did during these difficult times.

Dear Premier and Government of Alberta,

On behalf of the Council, staff and residents of the MD of Lesser Slave River, I would like to personally extend our sincere thanks to those that helped us the most in our time of need, the Alberta Government.

In our battle against the natural disaster that shook our community – the 2011 wildfires – the Alberta Government was a tower of strength. When the extent of our fires became apparent, our residents' safety was quickly placed above all else and resources committed to assist with rescue and disaster relief missions. This wasn't politics, this was real leadership.

I have to say, and this is something every elected official and every resident of Alberta should know: if you're in trouble and you don't have any idea how to start solving it, you couldn't live in a better province. We could not have fought the fires, brought our people back, developed interim accommodation and begun to rebuild our communities without the huge contribution made by the Alberta government. We were provided with people, materials, logistical support, and of course, funding. I don't think any other province or state in North America could have done it as well, and as quickly. I can't begin to express how grateful we are.

And even today, the Alberta Government continues to be a tremendous support. The funding that was given to help with ongoing infrastructure and social recovery is what has carried us through. It allowed us to develop a strong partnership with the Town of Slave Lake and Sawridge First Nation and helped us get our region back on our feet and to make it better than before.

To that end, I'm pleased to say that we are now moving forward. In what will be the two-year anniversary of the event, I believe our region has recovered. We are now safer, stronger and more resilient, and this is a result of your support.

Again, thank you for your thoughtfulness and generosity, and for the significant role you played in helping our community heal.

Sincerely,

Denny Garratt, reeve of the MD of Lesser Slave River, and council members

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition, followed by Grande Prairie-Smoky.

### Generic Drug Pricing

**Ms Smith:** Thank you, Mr. Speaker. The problems around generic drug pricing just aren't going away, and now everyday Albertans are getting fed up.

Earlier today we introduced Jody Shkrobot to the media. He's also seated here in the gallery this afternoon. Jody is a pharmacist from here in Edmonton and also served a term as president of the Canadian Pharmacists Association in 2011-2012. He is here to present a petition to the Legislature with 25,000 signatures on it urging the government to ditch its across-the-board plan to force pharmacists to sell generic drugs at 18 per cent of brand name prices.

For months Wildrose has joined advocacy groups and pharmacists in sounding the alarm over what these centralized price controls will mean for patients. We argued that by forcing pharmacists to sell a product at such an unreasonably low rate across the board, government was risking the viability of pharmacies and ultimately the availability of medicines for Alberta patients. We said it would result in drug shortages and price spikes as drug companies struggle and in some cases outright refuse to co-operate with a plan that they weren't consulted on.

Not surprisingly, the government said that we were fearmongering. But here we are today, and less than 2 per cent of generic drugs are selling at the government's desired rate of 18 per cent below brand name prices. In fact, Mr. Speaker, more drugs have increased in price than have achieved the 18 per cent target.

The reality is that drug companies are trying. They've managed to bring down most drug prices to 25 per cent of brand name prices, a good solution for patients and a workable model for pharmacists, but this minister is insistent that 25 per cent isn't good enough. He is steamrolling ahead with his 18 per cent, at-all-costs approach. This is a bankrupt business model that is putting patients at risk. If this minister won't listen to us, maybe he'll listen to the 25,000 people who are telling him to listen up.

**The Speaker:** The hon. Member for Grande Prairie-Smoky, followed by Fort McMurray-Wood Buffalo.

### County of Grande Prairie Sports Complex

**Mr. McDonald:** Thank you, Mr. Speaker. I want to rise today in order to highlight one of the largest construction projects that the county of Grande Prairie has ever undertaken, its first sports complex. The County of Grande Prairie Sportsplex opened its doors on January 2, 2013, and has been extremely well received by all of the constituents and the surrounding communities. Boasting twin NHL-size ice rinks, an indoor soccer pitch, the largest north of Calgary, and a high-tech running track plus workout facilities, this project provides the region's residents with a state-of-the-art facility to train our future sports athletes.

Moreover, the Sportsplex boosts the local economy and showcases the region as being a world-class training destination that will attract sports tourism. The facility is expected to welcome over 500,000 guests a year, including myself. When finished, it will span over 176,000 square feet, and because of its architecture and its situation close to a major highway, it will be accessible to all potential users.

In order to complete the project, funds from the county's reserves were used as well as the MSI program from the province. Our government's commitment to building Alberta through fostering the growth of families and communities is clearly evident with the County of Grande Prairie Sportsplex.

No Albertan should be prevented from being able to pursue fitness and lead a healthy lifestyle. Mr. Speaker, community facilities like the Sportsplex allow all Albertans to access the supports to live active and healthy lives, and that is why I am proud to be a part of a government that promotes this.

Thank you.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo, followed by Edmonton-Gold Bar.

### Fort McMurray Field Trip by Garneau Students

**Mr. Allen:** Thank you, Mr. Speaker. It's a pleasure to rise in the House today to take this opportunity to recognize 21 grade 6 students from Garneau school in Edmonton who headed up to Fort McMurray in the first week of May to learn about oil sands development and the responsibilities of the various levels of government. Most impressive was that this trip was solely on the students' initiative, and they enthusiastically undertook a significant fundraising effort in order to achieve that goal.

Garneau school is in the constituency of Edmonton-Strathcona, and I've had the opportunity to communicate to the member how impressed I was with these young men and women. They asked some very intelligent questions about the region during a Q and A

session. I was joined by Mayor Melissa Blake of the regional municipality of Wood Buffalo, and we were both put on the hot seat. We were grilled on a range of topics from climate change, oil sands protests, highway 63 safety, protection of animals, to environmental footprint. Perhaps the most interesting question asked was about how we would deal with the negative media attention on Fort McMurray and the oil sands. As many of you know, it's been a bone of contention for many of our residents. More often than not Fort McMurray gets painted with a single stroke, a very narrow-minded, one-sided view of the region that neglects to tell the stories of the real community.

Towards the end of our session Mayor Blake asked the students if the trip was different than what they had expected, and many hands shot up. One student thought that it would all be polluted and smelly and gross but came here, saw the clear blue sky, and was completely blown away. Family-friendly spaces, art, and extracurricular activities were some of the other comments made.

Our community leaders in Fort McMurray have held many conversations to try and change this perception of us, and it's been a tough challenge. Yet from this one visit these students have kept an open mind and formed an opinion based on what they saw, not just what they heard.

I have to thank those students for their interest and for the incredibly enlightening Q and A session. Our children are our future, and I feel at ease knowing that these intelligent young men and women will be our future generation.

Thank you, Mr. Speaker.

### Oral Question Period

**The Speaker:** Hon. members, we'll finish off Members' Statements shortly, but in the meantime let's go on with Oral Question Period, starting with the Leader of Her Majesty's Loyal Opposition.

1:50

### Health Facilities Infrastructure

**Ms Smith:** Mr. Speaker, on Saturday I attended the Sikh parade in Calgary celebrating Vaisakhi. They had 40,000 people there and fed most of them out of the temple kitchen, which had undergone a recent \$500,000 renovation. It got me thinking about another kitchen renovation, the one we've been asking about at Calgary's Foothills hospital. Now, I've done some checking around on other hospital kitchen replacements. There's one in Delaware for about \$7 million. In Atlanta for \$30 million they're getting an entire new floor plus new beds, a new patient recovery area, and a new kitchen. So how in the world – and I ask this question to the Infrastructure minister – can the kitchen at the Foothills cost \$32 million?

**Mr. Drysdale:** Well, Mr. Speaker, we continue to invest in health infrastructure right across this province. AHS's multiyear capital plan is submitted to government on a yearly basis, listing AHS's top 10 priorities for their budget cycle. We receive many priorities from all government departments and take each one seriously and determine what projects go forward. We can't build every project that everybody asks for – and I'm sure the opposition would be the same way – so we determine the priorities. They put in the list, and that's what we build.

**The Speaker:** The hon. leader.

**Ms Smith:** Thank you, Mr. Speaker. This is in AHS's top 10 priorities.

Mr. Speaker, here are some more: a kitchen renovation at St. Joseph's hospital in Syracuse, \$6 million; the kitchen at the University of Michigan hospital, \$8.5 million. Thirty-two million dollars is a staggering amount for a kitchen even in a specialized setting like the Foothills hospital. We know they've been asking for years for a kitchen replacement, yet the request gets rejected over and over again. If it's because it's too expensive, maybe someone can call the folks down in Syracuse and Delaware and get them to help us put together a cheaper plan so that we can actually get a new kitchen built at the Foothills.

**Mr. Drysdale:** Mr. Speaker, as I said, Alberta Health Services puts their priorities to Alberta Health, and they bring it to Infrastructure. This priority has not been brought to Infrastructure yet. It hasn't made it through the process, but that doesn't mean it won't be in this year's cycle. May 31 is the deadline to bring the projects forward, and it may show up this year.

**Ms Smith:** Mr. Speaker, this has been one of their priorities since 2010.

This is the kind of thing that points to the need for a public prioritized project list like the Wildrose has been advocating for all infrastructure needs. The way this government operates, there is no criteria, no list, no priority, no information. If your project gets approved, they put it on a list. If the projects don't get approved, well, you don't know why. They don't know when. They don't know if. When will the government stop playing politics with infrastructure and publish a public prioritized list of projects?

**Mr. Drysdale:** Mr. Speaker, as I've said many times, the approved capital projects are on our website. Those are the projects that'll be built in the next three years. I'm not going to speculate five and 10 years down the road. It would be irresponsible because people's priorities change.

It's quite interesting, Mr. Speaker. Our capital project budget is much larger than the opposition's would be. I don't know how they would get this project done with a reduced budget.

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition. Second main set of questions.

**Ms Smith:** It's got mould and asbestos in the kitchen, Mr. Speaker.

### Restructuring of PDD Services

**Ms Smith:** Mr. Speaker, this government is undertaking a massive restructuring of services to persons with developmental disabilities, and understandably the families affected are nervous about what the changes will mean and how their loved ones will be impacted. The minister attempts to smooth things over with calm reassurances, but it rings hollow because the minister's only answer to all of the specific questions we've been asking is in essence: trust me; it'll be fine. To the Premier: assuming there is a plan, how can such sweeping changes affecting so many vulnerable Albertans be so poorly communicated and so badly managed?

**Mr. Oberle:** Well, Mr. Speaker, I don't agree with the premise of the member's question. Actually, they are well communicated. This is the implementation year of changes that have been going on and were agreed to six, seven years ago with the service providers, the families, the agencies, PDD, everybody else. So here we are. Yes, there are some nervous parents out there. There are some nervous caregivers out there. I'm travelling the province.

I'm in 20 communities in the next two weeks. We're working through our issues. I can only say again that if you need care, it will be there. If you need services, they will be there.

**Ms Smith:** Mr. Speaker, letters have gone out to a number of organizations who provide PDD services that they may not be funded anymore effective July 1. A lot of organizations are in smaller centres, where resources and alternatives are scarce. Does the minister have other organizations lined up to take over these critical services for PDD clients as of July 2?

**Mr. Oberle:** Mr. Speaker, in the interests of openness and honesty we have talked about potential worst-case-scenario numbers with some of the providers, and some of them are nervous. We do not think we're going to lose any providers. I was just in the northeast today talking to service providers. We don't think we're going to lose any. We're going to achieve contracts, and this will be fine.

**Ms Smith:** I guess the answer to that was no, Mr. Speaker.

The minister thinks that his promise that everyone who needs services will get services is going to satisfy clients and families and staff, but it won't. He's travelling the province soon, as he mentioned, in another example of after-the-fact consultation, but isn't it a better idea to get it right before implementing sweeping changes rather than going around the province on a PDD apology tour?

**Mr. Oberle:** Mr. Speaker, the hon. member is, in fact, right. We have different ideas of what consultation is. We're out there talking about the facts. They're out there talking about conjecture.

**The Speaker:** The hon. leader. Third main set of questions.

**Ms Smith:** We'd love to have some facts if only the minister would provide them.

### Severance Payments to Premier's Office Staff

**Ms Smith:** Mr. Speaker, the Premier has boasted about her government raising the bar on accountability and transparency, but that's just in a speech. In real life they are secretive, closed, reticent, and cryptic. Take the issue of staff severance. The Premier changes staff quite regularly, we've noticed, and the departing staff get nice packages, more than \$2 million so far. These severance and employment arrangements have been made public by her predecessors, but the Premier is hiding behind what she claims are privacy concerns. The Privacy Commissioner has already ruled that such arrangements must be disclosed. Will the Premier comply?

**Mr. Scott:** Mr. Speaker, under the leadership of our Premier this government is delivering unprecedented transparency. We delivered an expense disclosure policy that is the gold standard in Canada. We delivered whistle-blower legislation. This is a government that is not only talking about transparency; it is delivering transparency.

**Ms Smith:** In that case, Mr. Speaker, I look forward to the minister tabling the documents detailing the severances.

I asked about this issue in Executive Council estimates. I wanted the Premier to give us a separate line item that stated the costs and the details of who got let go and at what cost. The Premier said no at the time, but in recent media interviews she agreed to do it next year. Why is the Premier so reluctant to provide a full accounting of these kinds of expenses? How bad is it?

**Mr. Scott:** Mr. Speaker, on this side of the House we have a respect for independent processes. There is an independent Privacy Commissioner. That is the proper process for requests like this to be dealt with. That's exactly where it is, and that's the right process to follow.

**Ms Smith:** The Privacy Commissioner gave permission. They should just release it.

Mr. Speaker, the Premier's office has a pretty large staff, especially on the communications side. There's been a lot of turnover there already, but the school kids communication blunder followed by the junk mail in PC Party colours suggests that there might be more severance ahead. Will the Premier comply with the previous Privacy Commissioner's rulings and release the information about who is getting what?

**Mr. Lukaszuk:** Mr. Speaker, the only severances I see forthcoming would be about 17 after the next election. [interjections]

Let me tell you this, Mr. Speaker. It's been a tradition not only of this government but, I imagine, all governments in this country that when a FOIP request comes in, those decisions are not political. They're never made by politicians. Information that is requested, if appropriate, is released. Please put in a specific request, and if it is appropriate according to our FOIP legislation, it shall be released.

**The Speaker:** Thank you.

The hon. leader of the Alberta Liberal opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. Today we learned that the Premier's office has spent a whopping \$2.1 million on severance payments in the past three years with absolutely no details regarding the exorbitant expense. That's a lot of money, guys. Secrecy, waste, and golden handshakes: hallmarks of this Conservative government that continue despite the new leader. To the Premier: how big are these payments, and why won't you reveal how many people received these severance payments?

2:00

**Mr. Lukaszuk:** Mr. Speaker, this member has been in the Legislature long enough to know how FOIP processes work. When any member of the public, media, or the opposition puts in a request, that request is reviewed by FOIP officers, and if it's appropriate, if it doesn't breach any laws, that information is routinely released. As a matter of fact, they probably cost taxpayers more than any member of our Premier's office in putting in FOIPs. They know how the process works. I'm not sure what that question is all about.

**Dr. Sherman:** Mr. Speaker, I've been in the Legislature long enough to see these guys waste a lot of taxpayer money; in fact, \$586,000 in Premier's office expense severance payments in the last year alone. That's more than twice the \$220,000 in funding required to keep the music enrichment program at Victoria school of the arts alive. The fact that the Premier is trying to conceal information about the cost of high turnover in her office at a time when so many programs are being cut is simply outrageous. Premier, why are golden handshakes for former staffers more important to your government than this popular and valuable music program and other programs important to Albertans?

**Mr. Lukaszuk:** Mr. Speaker, like with any employer, there is a rotation of staff. When there are contractual obligations, those obligations are paid. That happens in the private sector. It happens in the public sector. We treat our employees properly. However, if

that particular member has any questions relevant to any settlements, if they are within the scope of legislation, if we are able to release them, we obviously will. The fact is that individuals who work for the government of Alberta expect some of their information to be kept private, but whatever is available for release will be released.

**Dr. Sherman:** Mr. Speaker, it's a generally accepted principle in the public and private sector that high turnover is a result of either bad employees or a bad boss. To the Premier: which is it? Will you please fix the problem? It's costing us a lot of money.

**Mr. Lukaszuk:** Well, Mr. Speaker, I have to tell you that we pride ourselves on all the employees. I know that accusations often fall from the opposition, accusing employees of the government of Alberta, Alberta Health Services, and others, who work really hard every day and make great decisions and deliver great services for Albertans. But perhaps some of them don't like to work in a caustic environment like this, as caused by the opposition, so they move on, perhaps into the private sector. This government will always defend our employees. They're doing a fine job.

**The Speaker:** The hon. leader of the New Democrat opposition, followed by Innisfail-Sylvan Lake.

**Mr. Mason:** Thank you very much, Mr. Speaker. The Premier's office has spent more than \$2 million on severance since 2010. In the Premier's first year in office alone that number was nearly \$1.3 million. Whether it's bad judgment in hiring staff in the first place or bad management once she's hired them, it doesn't matter. What matters is that this Premier obviously expects Albertans to pay for her office's outrageous severance costs without explaining who this money is going to and why. My question is to the Premier. Why won't you release the details of the outrageous severance costs of your office?

**Mr. Lukaszuk:** Well, Mr. Speaker, it's good to know that all three opposition parties read the same newspaper. That's really good research. But that member in particular should know that if he has any questions relevant to remuneration, terms of employment, or any information relevant to the government of Alberta, there is a very transparent FOIP process. As a matter of fact, it was recently known to be the golden standard of Canadian FOIP processes. Put in a request. Ask for specific information. Don't throw spaghetti against the wall and hope that something sticks. Be specific. You shall receive the answers.

**Mr. Mason:** Well, Mr. Speaker, we're not throwing spaghetti, but there are some meatballs involved here, I think.

This Premier's office has become a very expensive revolving door. With severance payments like this, obviously not all is well in the Premier's office. Only this government would force the opposition to go through an expensive, time-consuming process under FOIP legislation to get public information and then blame the opposition for the costs. Albertans deserve to know whose severance they're paying for and why. Will you release this information without a FOIP process, and if not, why not?

**Mr. Lukaszuk:** What this member is actually asking in other terms is: will you bypass the law and release information here simply because I'm politically grandstanding? The answer is no. If there is any particular information that you want access to that pertains to Albertans, employees of the government of Alberta,

fine Albertans – individuals' privacy must be protected, must be secured – put in a proper request. You shall receive the answers.

**Mr. Mason:** Mr. Speaker, is the Deputy Premier telling us that if the government releases information that's not covered by FOIP that should be publicly disclosed and has been routinely publicly disclosed in the past, the government is breaking the law?

**Mr. Lukaszuk:** No, Mr. Speaker, that's not what I'm saying at all. What I'm saying is that – thank you for underlining the fact that this information is routinely released. The reason it is routinely released is because proper FOIP requests are being put in. If you put in a proper FOIP request – again, just like you said earlier, routinely that information is released – it shall be released to you as well.

#### Bathing Protocols for Persons in Care

**Mrs. Towle:** Mr. Speaker, there's another government failure affecting seniors in care. You'll recall that the government finally agreed with the opposition that one bath per week was unconscionable and implemented a two-bath-per-week policy for all seniors in care. That was the promise, but the reality is very different. Seniors in care are not getting two baths a week, and they're lucky to even get one bath per week. Minister, help me understand how this works. You're the minister, your government made the promise of two baths per week, yet it's still not happening. How can this be interpreted as anything other than another broken promise?

**Mr. VanderBurg:** Well, thank you for the question. Mr. Speaker, I find it interesting from this member that she, too, like I and every member here, wants the best that we can do for our seniors in this province. The bathing issue was brought to the table. We responded, and we said that over time this would be resolved. The bathing issue was defined as baths, showers, sponge baths, full bed baths and would follow the care plan that was given by professionals and families that were consulted with.

**Mrs. Towle:** Wow. What a very disappointing answer. They're not even getting two baths a week, two showers a week, two sponge baths, however you want to do it.

Given that recently in a facility in central Alberta a senior was forced to go an entire week without a bath after having an accident because one of the two bath team members called in sick and given that this means the senior didn't get a bath that week at all, does the government honestly think that it's acceptable for a senior to sit in their own mess for more than a week after promising two baths a week?

**Mr. VanderBurg:** Mr. Speaker, the only thing that's acceptable is the best possible care that our seniors and our loved ones can get in our facilities across this province. We have caring, loving people that take care of our seniors. We have policies in place to make sure that the seniors get that care. I can assure you there's not a week that goes by that I don't travel to a seniors' facility, that I don't question staff, that I don't question residents, that I don't question families, and that I don't get questions and concerns, too. I have to tell you that nowhere else in this country do seniors get the quality care that they deserve as in Alberta.

**Mrs. Towle:** Let's be clear. These questions are coming from all over Alberta, and they're taking care of their loved ones, and those front-line staff workers are taking care of their loved ones. Given that we all agree that two baths a week in a seniors' facility is not

a luxury and given that this government made a promise of two baths per week and seniors are barely even getting one, how can the minister expect anyone to believe this claim that no one cares more about seniors than the Premier?

**The Speaker:** The hon. associate minister.

**Mr. VanderBurg:** Well, thank you again. Not to politicize this issue – this issue is very, very serious, and it's about the care of our loved ones in our facilities – but I will strive to do everything I can to the last breath in my body to make sure that the seniors in this province get only the best care possible, Mr. Speaker.

**The Speaker:** The hon. Member for Banff-Cochrane, followed by Chestermere-Rocky View.

#### Market Access for Alberta Products

**Mr. Casey:** Thank you, Mr. Speaker. Building market access to ensure we get fair value for our natural resources is economic job one for this government. However, there are small and medium-sized businesses and agricultural producers throughout this province who rely on more diverse markets for their products. My question is to the Minister of International and Intergovernmental Relations. What are you doing to support the needs of these business owners?

2:10

**The Speaker:** The hon. minister.

**Mr. Dallas:** Well, thank you, Mr. Speaker. The member is correct. When we speak about bolstering markets, we're talking about a broad range of products and services available to businesses right throughout Alberta. There are several departments, including my own, that can provide services to small and medium-sized businesses, whether they're in the agricultural community, manufacturing, technology, a number of different areas. Of course, they can utilize our trade offices internationally to support that. Last year 640 businesses did just that.

**The Speaker:** The hon. member.

**Mr. Casey:** Thank you. Given that information and access to these services is often difficult to find, what is the minister doing to ensure services are available to small-business owners?

**Mr. Dallas:** Well, Mr. Speaker, I recently had the privilege of visiting around Alberta to 10 different communities, talking with small and medium-sized businesses, community economic developers, community leaders about the opportunities and about what government can do to help them get ready to export. These communities learned more about the services that the Alberta government provides. As well, we provided an overview of international trade opportunities, a presentation on Alberta's economic picture, and, of course, took a look at services that were available.

**Mr. Casey:** To the same minister: given that we're in competition with other regions and countries in the world, what is his department doing to break into markets like India and China, where a rapidly growing middle class clearly needs the food and energy Alberta can supply?

**Mr. Dallas:** Well, Mr. Speaker, the member is right. We are in a very competitive global economy. Of course, the timing of the question is perfect as our Premier's vision is that we need a more focused, strategic process for the province's international



relations. Very soon we'll be introducing a renewed international strategy, and of course we'll make sure that we're working towards common goals and making the most of our opportunities in these new markets.

**The Speaker:** The hon. Member for Chestermere-Rocky View, followed by Calgary-South East.

### Postsecondary Education Program Eliminations

**Mr. McAllister:** Mr. Speaker, thank you. Last month in response to a question about program cuts at Alberta colleges and universities the minister of advanced education said that no program would be eliminated without his approval. Well, we are starting to see the impact being felt in postsecondary institutions from cuts. A quick count shows five institutions have released their planned program cuts, and that would result in 28 programs being cut or curtailed. We need clarity for students trying to plan their future and for postsecondary institutions trying to set their year's agenda. Will the minister be signing off on these cuts, yes or no?

**Mr. Lukaszuk:** Mr. Speaker, last week that member scheduled a meeting with me in my office to sit down and talk about those things. He simply didn't show up. It's unfortunate because I would have had the time to explain it to him.

However, the process remains the same. Colleges and universities will be sending forward a list of programs that they're planning to eliminate, and then the department and my office inclusively will be reviewing that list and making sure that programs that are eliminated are ones that can otherwise be reasonably delivered to students in a different fashion or ones that are simply not subscribed to by many students.

**Mr. Anderson:** Point of order.

**The Speaker:** Hon. Member for Airdrie, your point of order at 2:13:30 has been noted.

Proceed with the second question.

**Mr. McAllister:** Mr. Speaker, I assure you that if I had scheduled a meeting, I would have been at it. I did try and do a meeting when the budget was announced. The minister was on a beach at the time if you'll recall.

Mr. Speaker, given that many of these potential cuts involve courses that train for positions in desperately needed front-line services such as licensed practical nursing, health care aides, and pharmacy technicians how can the minister say that this is good for students, much less the province, when there is a workers' shortage in many of these occupations in Alberta?

**Mr. Lukaszuk:** Well, Mr. Speaker, the Member for Cardston-Taber-Warner, on the other hand, did show up for that meeting. We both waited for that member. He did find out that we will be looking at programs from the vantage point of: what was the level of enrolment? We will be looking at whether these programs can be delivered otherwise, through different institutions. But at the end of the day there will be some difficult decisions to be made, and we will be making them in view of what's best for the student.

**Mr. McAllister:** That gets us to the heart of the matter, what's best for the student, Mr. Speaker.

Given that we are losing programs in practical nursing, engineering, disability studies, aging studies, prenatal and neonatal nursing, sign language, health care, just to name a few, and given that we still haven't seen a cut list from three other colleges and

five universities, including the University of Alberta and the University of Calgary, aren't you concerned, Minister, that your quest to find savings is hurting students and, in turn, the Alberta economy?

**Mr. Lukaszuk:** Mr. Speaker, I can't be more clear. No programs have been lost. The review hasn't happened.

This is rather rich coming from the Wildrose Party, that wanted us to cut deeper and more drastically. Imagine what programs would actually definitely be eliminated if we listened to their budget. But what's more interesting is that advanced education doesn't even appear in their budget document, so that member has very little credibility to speak about cuts in education.

**The Speaker:** The hon. Member for Calgary-South East, followed by Calgary-Mountain View.

### Road Construction Safety

**Mr. Fraser:** Thank you, Mr. Speaker. It's a pleasure to rise today. Alberta is a beautiful place, and it's definitely beautiful in the summertime. All Albertans are out and about and planning their summer and getting ready for a summer vacation. You know what? This province is facing a lot of growth, a hundred thousand people a year. To the Minister of Transportation. We expect our roads and bridges to take us where we want safely and securely, but, you know, the people that actually build this province, the Albertans on the road doing that work: what are we doing to keep them safe, Minister?

**The Speaker:** The hon. Minister of Transportation.

**Mr. McIver:** Thank you, Mr. Speaker. Public safety is one of the Premier's priorities. This morning I had the privilege of launching the Partners in Road Construction Safety annual event. That's very important because most years there are a thousand incidences of collisions in actual construction areas. We've got Albertans out there working to make the roads safer, to make them more efficient both for our economy and for our quality of life. We work with partnerships. One of the most important partnerships is with the drivers on Alberta roads.

**Mr. Fraser:** Mr. Speaker, given that I've been a paramedic and I've gone to those scenes where people have been working on the roads and have been fatally hurt, can the minister explain to this House and to all Albertans how they can be part of the traffic safety solution?

**Mr. McIver:** Well, Mr. Speaker, you know, we get to talk about this all the time, and it's important that we do because it's an important topic. I guess one thing that I would say to Alberta drivers is: hang up the phone. That's a good start. I would say: pay attention. When you're in construction areas, just obey the flag people. Actually, it's sad that I'm saying this out loud and that I have to, but the fact remains that a certain number of Albertans actually don't do that. Because of that, some of our workers get killed, get injured. We're not asking; we're demanding. Through the Justice minister we'll ask the police to go out and write as many tickets as we can because our workers deserve no less.

**Mr. Fraser:** Mr. Speaker, everything starts with a plan, and as Albertans get out there to plan their summer holidays, can the minister tell me how Albertans can go online and find out where road construction is taking place so they can plan effectively?

**The Speaker:** The hon. minister.

**Mr. McIver:** Well, thanks, Mr. Speaker. You know, one of the things that we do is that we ask drivers, when they can, particularly if they're going to be in a time crunch, to do a little research to find out what's going on. We recommend that they go to the website 511.alberta.ca. They'll find orange pylons on the map there that tell them where construction sites are. They'll get road conditions. In fact, some Albertans are catching on. Since we launched this program, there have been more than 33 million web hits, more than 250,000 phone calls, 10,000 Twitter followers. We would encourage all Albertans, particularly during the summer season with lots of construction, to do that.

**The Speaker:** The hon. Member for Calgary-Mountain View, followed by Edmonton-Beverly-Clareview.

### All-terrain Vehicle Safety

**Dr. Swann:** Thank you, Mr. Speaker. A year ago the Minister of Transportation said that he would carefully examine the costs and benefits of mandatory helmet use for all-terrain vehicle use in Alberta. An average of 14 deaths occur every year in Alberta, including children. The Canadian Paediatric Society and the Alberta Centre for Injury Control & Research have proven that helmets save lives, reduce severe injury, and reduce health costs. They, along with 84 per cent of Albertans in this government's own survey in 2008, said that they want mandatory helmets. To the minister: why does the government continue to drag its feet on this basic public health issue?

**The Speaker:** The hon. Transportation minister.

2:20

**Mr. McIver:** Well, Mr. Speaker, I thank the member for the question, and I know it's coming from an honest place from him. I actually have done what I said to the hon. member. I've looked into this. But also on the same survey 93 per cent of the respondents said that it's the responsibility of parents, adults, and guardians to ensure their children use helmets. Nonetheless, we are not finished doing our research. We are going down this road. We're going to try to make a decision that's in the best interests of all Albertans, and when we do, we will most certainly announce it to this House and to all Albertans.

**The Speaker:** The hon. member.

**Dr. Swann:** Thank you, Mr. Speaker. Back to the minister: what information exactly is the minister looking for to make this decision?

**Mr. McIver:** Mr. Speaker, I understand the member's impatience, but it's important we get this right. I would also say that while this is about public safety, I'm a motorcycle rider, and one thing I can tell you is that already this year we've heard of several deaths of motorcycle riders. You have to wear a helmet to ride a motorcycle in this province. I only say that to indicate the fact that helmets will not solve all the deaths. They are a piece of public safety equipment, and they're important. But we have an education program. We encourage parents and responsible adults to behave properly, and that's the number one thing, but we'll do the research on the others still.

**Dr. Swann:** Well, it's a puzzle to me, Mr. Speaker, what extra research the minister is looking for unless it's political. This is a life-saving measure. We're talking about children dying every year. What is a life worth, Mr. Minister?

**Mr. McIver:** Mr. Speaker, you know, there are two things Albertans that want to be safe can rely on, for adults their own common sense and for children their parents. Helmets are something we are looking at, but no one should think that it's any kind of magic elixir, a silver bullet. A lot of the deaths on ATVs are from crushing injuries, where the vehicle rolls over on top of them. Helmets in many cases won't stop this. Nonetheless, the hon. member has a legitimate concern. We're legitimately going through the process, and when we get finished going through the process, as I said earlier, we will announce it to Albertans and to this House.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview, followed by Lac La Biche-St. Paul-Two Hills.

### Aboriginal Consultations

**Mr. Bilous:** Thank you, Mr. Speaker. This PC government failed to consult with First Nations while developing legislation about a consultation levy with First Nations. The irony of this is so overwhelming that even the most trusting and optimistic observers are rolling their eyes. To the Minister of Aboriginal Relations: can you tell this House and First Nations why, when developing legislation regarding consultation with First Nations, they failed to consult First Nations?

**Mr. Campbell:** Well, Mr. Speaker, I won't talk about the levy because it's being debated before the House right now, but I can tell you that in the last year I've spent all my time on the landscape visiting with First Nations communities, meeting with Métis settlements, talking to chiefs and communities. I can tell you that one of the Premier's mandates to me is to make sure that we put a proper consultation process in place that deals with the socioeconomic problems that our First Nations face in this province and this country. I can say to you that we will continue to consult with First Nations, and we will make sure we have programs and the educational tools in place to make sure First Nations have a proper place at the table.

**Mr. Bilous:** Mr. Speaker, given that on Friday the Minister of Aboriginal Relations told this Assembly that this PC government had consulted with treaties 6 and 8 and given that treaties 6 and 8 stated that they were not consulted on this government's newest policy affecting a First Nations consultation levy, is the minister calling treaties 6 and 8 liars?

**The Speaker:** Let's be careful with our words, hon. members.

Minister, would you wish to dignify that with an answer?

**Mr. Campbell:** Well, Mr. Speaker, I can say to you that I have consulted with Treaty 7, Treaty 8, and Treaty 6 at the grand chief level. I can tell you that we've talked about the levy. I can tell you that we've talked about the levy within our technicians' meetings with the three different treaty organizations. We've talked to the chiefs about the levy. If there is any issue, there might be some misinformation between the meetings between the technicians and the chiefs. But I can tell you that since we've started this consultation process, we've been very clear with the First Nations about the levy, and we've been very clear to industry about the levy.

Thank you, Mr. Speaker.

**Mr. Bilous:** Mr. Speaker, that's not what they're telling the opposition.

Given that for years this PC government has refused to treat First Nations as equal partners or to engage them in meaningful consultation and given that First Nations are fed up with being ignored and patronized by this government, to the same minister: when will this government end its hypocritical and dishonest relationship with First Nations and finally treat them as equal partners?

**The Speaker:** The hon. minister.

**Mr. Campbell:** Thank you, Mr. Speaker. I don't like the word "dishonest," and I think maybe the member should be careful with some of the words he uses in his questioning.

I will say this. We have a very healthy relationship with the First Nations in this province, and we continue to build that relationship. I can tell you that our Premier and her cabinet met with the First Nations on December 1 of last year. I can tell you that I've visited now 30 First Nations communities in this province. I can tell you that the respect and the trust is growing, and we will continue to work with our First Nations partners to make sure they have a seat at the table and that we solve the socioeconomic problems that they're facing today.

Thank you, Mr. Speaker.

### Generic Drug Pricing

**Mr. Saskiw:** This government's centralized price controls on generic drugs has backfired. Albertans have been hit in the pocketbook with dramatic price spikes for some medications, and the program has failed to meet its targets. Today Jody Shkrobot, an Edmonton pharmacist and the former president of the Canadian Pharmacists Association, is speaking out. He has brought a petition to the Legislature with more than 25,000 signatures on it urging the government to reconsider this risky scheme. To the associate minister of Health: if you won't listen to pharmacists, will you at least listen to the 25,000 everyday Albertans who are begging you to back down?

**Mr. VanderBurg:** Thank you, Mr. Speaker, and thank you for the comments. To the people that have come here today to watch this question, I want to tell you that we will strive to reduce drug prices for all Albertans. We believe that there is an opportunity for some cost savings for all Albertans in this venture. We know that in our first month of drug price reductions Albertans have seen savings and will continue to.

**The Speaker:** The hon. member.

**Mr. Saskiw:** Thank you, Mr. Speaker. To the associate minister of Health: given that pharmacists are trying to co-operate with your reckless plan, will you stop forcing this bankrupt business model on pharmacies that is needlessly putting patients at risk? Please answer the question.

**Mr. VanderBurg:** Mr. Speaker, I think the member is trying to get to the point that there are reported drug shortages. Through this plan there will be absolutely no drugs that will be delisted when there's not an alternative in place.

Maybe the member would like to come out to Whitecourt for the opening of the new drugstore that we have in our community. There are still business opportunities that our druggists see and our pharmacists see. They are valued members of our communities. They are valued businesspeople. I've heard from many of them that there's an opportunity with the drug price reduction.

**The Speaker:** The hon. member.

**Mr. Saskiw:** Thank you, Mr. Speaker. Again to the associate minister of Health: given that your reckless and centralized plan is causing administrative nightmares for pharmacists with constant and unpredictable changes to the drug list, will you hit the brakes on this plan, replace it with something workable for pharmacists, and for a change ensure affordable and accessible medicine for all Albertans? Please answer the question, sir.

**Mr. VanderBurg:** Thank you to the member for the question. I think that, like his leader, we do agree, when pharmacists aren't in the audience, that savings for Albertans are very, very important. We know that overall drug prices have come down and will continue to come down. This is very, very important. We think that there are savings of up to \$90 million of Alberta taxpayers' hard-earned money. We respect that.

**The Speaker:** The hon. Member for Edmonton-Gold Bar, followed by Rimbey-Rocky Mountain House-Sundre.

### Inquiries into Violation of Legislation

**Mr. Dorward:** Thank you, Mr. Speaker. My questions today are for the Minister of Justice and Solicitor General. The Election Act and the Conflicts of Interest Act lay out a process whereby an investigation can be launched into specific violations of the legislation. How is it that anyone in Alberta can make accusations against another Albertan when the sole purpose may be to besmirch their name?

**The Speaker:** The hon. Minister of Justice.

**Mr. Denis:** Thank you very much, Mr. Speaker. Both the elections legislation and the conflicts of interest legislation allow for the findings to be posted online. The purpose of the legislation, again, is to ensure that we have an independent authority deciding these. It's not to run people's names through the mud. At the end of the day if that's been done, anybody in the Assembly who has done this inadvertently or advertently should just simply go and apologize.

**Mr. Dorward:** Mr. Speaker, is there a mechanism to offload the costs of an investigation, especially if it's found to be more of a witch hunt than an investigation?

**Mr. Denis:** Well, Mr. Speaker, I definitely agree that there have been witch hunts in this area as well. Unfortunately, an unintended consequence here is that they are paid for by the taxpayer. These are offices that are funded by the taxpayer. The least the individuals could do is to simply go and apologize. I'm not suggesting that they resign, but we need an apology.

**Mr. Dorward:** Mr. Speaker, if government money is involved, how do we prevent this leakage of government dollars to frivolous claims?

2:30

**Mr. Denis:** Well, Mr. Speaker, there actually is a screening process, in which case the independent authority here, be it the conflict-of-interest commissioner or people at Elections Alberta, can actually punt claims, and it has happened before. Realistically, again, I think that every person in this Chamber should act honourably and not submit frivolous or vexatious claims. Let's let the process work itself independently.

Thank you.

**The Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre, followed by Edmonton-Riverview.

### Nordegg Wildfire

**Mr. Anglin:** Thank you, Mr. Speaker. Last Thursday residents in the hamlet of Nordegg were put on a one-hour evacuation notice due to an out-of-control forest fire. From Thursday through Friday no updates appeared on the ESRD website. Given the immediate danger why wasn't the ESRD website updated with current information in a timely fashion?

**The Speaker:** The hon. Minister of Environment and Sustainable Resource Development.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. We were working very carefully with the community, with the reeve, and the council to make sure that they had all the resources that they needed. Job one for us is to make sure that the citizens are protected, that we get the fires under control, and that we do everything we can to help the rural and urban municipalities get the situation under control. Then we make sure that everyone else is notified. They have done an excellent job: our wildfire teams, all emergency people, and both municipalities.

**Mr. Anglin:** I'm not talking about the wildfire teams.

Given that on Saturday afternoon residents were told that the fire had been contained and less than an hour later a notice of evacuation was posted on the website, can the minister explain why residents that voluntarily left their homes were directed back into harm's way?

**Mrs. McQueen:** Well, this just speaks to how little this member understands the situation. We cannot control Mother Nature. Although we may want to, we don't have control. We worked with the community to make sure all the systems were in place in the event the winds changed. We thought the winds would change; they did change. I was there last evening, Mr. Speaker. I was at the EOC, at the evacuation centre, and at the SRD building, making sure that they had everything they needed in place. That community and the people that worked and are continuing to work on that situation are doing an outstanding job. Shame on this member for not commending them for that.

**Mr. Anglin:** Shame on you for putting my friends in harm's way.

Knowing the lessons we learned from the Slave Lake fire of a couple of years ago, can the minister explain how the residents that do not have telephones, cellphones, Internet, or Twitter get information under these emergency conditions?

**Mrs. McQueen:** Well, Mr. Speaker, shame on him for that comment.

The county has worked extremely hard, as have SRD and the emergency management system, to make sure that all of those constituents and residents were taken care of. The Red Cross was there last evening, and if the member had stopped in, he might have seen that. They have done an outstanding job working over the four days so that in the event – and unfortunately that was the event that happened yesterday – that we had to evacuate, everybody, first and foremost, was taking care of the people and their pets and making sure that they were safe.

**The Speaker:** The hon. Member for Edmonton-Riverview, followed by Medicine Hat.

### Postsecondary Institutions Land-use Regulation

**Mr. Young:** Thank you, Mr. Speaker. Under the Post-secondary Learning Act there are three Alberta universities – Lethbridge, Calgary, Alberta – that have an exemption from local planning processes. The associated land-use regulation lays out that primarily commercial development is not exempt. The regulation also outlines consultation requirements. To the Deputy Premier, Minister of Enterprise and Advanced Education: with the expiry of the land-use regulation, will you commit to a consultation process with the communities and municipalities about potential changes to the regulation?

**Mr. Lukaszuk:** Well, Mr. Speaker, the short answer is yes, most definitely. But I have to qualify it with the fact that the existing regulation actually has worked quite well in most areas of the province, and I imagine that universities and neighbours of our fine universities have done very well by each other. There have been situations where from time to time there was a conflict, as often occurs when a new development takes place, where perhaps some additional consultation would have helped. We will review this regulation because at the end of the day we want our communities to be welcoming of universities and for both of them to work together.

**The Speaker:** The hon. member.

**Mr. Young:** Thank you, Mr. Speaker. There's been a lot of disagreement about what consultation is. Will the minister provide clarification on what constitutes consultation under the current regulation? Is it simply providing information after the fact about what has been decided, or is it involving the stakeholders in the process?

**Mr. Lukaszuk:** Well, Mr. Speaker, at the end of the day, we want to make sure that the consultation is meaningful and that input from both parties – the developer, in this case the university, and the neighbours – is taken into consideration and also provides the basis for how land will be developed. We expect universities, much like we expect any developer in the province of Alberta, to engage with their potential future neighbours because at the end of the day they will have to live side by side for many, many years to come.

**Mr. Young:** What are the timelines for this consultation, and will you commit to working with the community organizations South Campus Neighbourhood Coalition and Preserve Garneau, that were formed in direct response to this exemption, when you're conducting this review of the regulation?

**Mr. Lukaszuk:** Mr. Speaker, as with all consultations, we will open them to the general public, and those who are interested will be more than welcome to participate. So if there are groups – and I know there are some – who are organized around particular developments, they will have ample opportunity to provide us input. Also, the universities and other neighbours will be giving us information that will be required to draft the new regulation.

**The Speaker:** The hon. Member for Medicine Hat, followed by Fort Saskatchewan-Vegreville.

### Restructuring of PDD Services

*(continued)*

**Mr. Pedersen:** Thank you, Mr. Speaker. This government's cuts to day programs for vulnerable Albertans are causing fear and

confusion. A resident in my constituency doesn't know what she's going to do with her adult son after these cuts take effect. He has Down syndrome, diabetes, and celiac disease, and he wants to enter the workforce but simply can't without the added supports from the front-line groups that are being cut. The PDD minister's cross-your-fingers-and-hope-for-the-best approach is a failure of leadership. Will the minister admit that he has botched this service transition, delay the July 1 deadline, and make sure that Albertans' fears are addressed?

**Mr. Oberle:** Mr. Speaker, I think I pretty clearly signalled that we're out there working with the service providers, talking to them. We're talking to families as well. I understand the concerns that are out there. We believed that we could achieve a July 1 deadline, and in some respects I still believe that, but I also said pretty clearly in here and out there that we need to work together with the service providers. I clearly get that transition is an issue, and I'm working on it.

**Mr. Pedersen:** Mr. Speaker, given that the minister was practically booed out of a recent meeting in Calgary because he couldn't provide essential details of his transition plan, can he now fill us in on where he is taking these programs, or is he just making it up as he goes along?

**Mr. Oberle:** I was not practically booed out of a meeting in Calgary, Mr. Speaker, and I don't recall accidentally wandering into a Wildrose meeting, so I'm not sure what the member is talking about.

**Mr. Pedersen:** Mr. Speaker, given that this minister's best response to the pending July 1 changes is "We'll see how the transition goes," does the minister not realize that his own lack of confidence and planning is causing a world of distress and worry for affected Albertans?

**Mr. Oberle:** I absolutely do realize that, and I think I just said that a minute ago, Mr. Speaker. I absolutely do realize the concerns that are out there, and we're working to address them. I've talked to a heck of a lot more people than that hon. member has, and I will continue to do that. We're going to work with the people.

**The Speaker:** The hon. Member for Fort Saskatchewan-Vegreville, followed by Lacombe-Ponoka.

### Farmers' Markets

**Ms Fenske:** Thank you, Mr. Speaker. Albertans are very proud of our agricultural industry and the innovation of our producers in developing markets for their locally grown products. I and my family alike enjoy going to the popular Alberta farmers' markets, but a good business case needs good metrics. My question is to the Minister of Agriculture and Rural Development. Can you give us an indication of the economic value of farmers' markets?

**The Speaker:** The hon. minister.

**Mr. Olson:** Well, thank you, Mr. Speaker, and thank you to the member for the question. The farmers' markets, as I'm sure we are all aware because we observe it, are becoming more and more popular. Just even in the last number of years they've actually tripled in their value. Since 2004 they've tripled in size to about \$724 million worth of business, and \$600 million of that is for locally grown produce, locally made products, so obviously it's something that Albertans value greatly.

**The Speaker:** The hon. member.

**Ms Fenske:** Thank you, Mr. Speaker. Again to the same minister: given that this sector of the agricultural economy has such a huge impact, what is the ministry doing to further develop and promote farmers' markets?

**Mr. Olson:** Well, Mr. Speaker, we're supporting farmers' markets in a number of ways. We provide advice and support through my department. We also have been undertaking a study just to see what other types of initiatives, what other types of options might be appropriate. We're looking at things like farm retail and agricultural box programs, specialty restaurants, those types of things. My understanding is that the study is complete, and we're now looking at these options and seeing how we might be able to help. But it's certain that the regional exhibitions and other community groups that are running these are seeing just an explosion of interest.

2:40

**The Speaker:** The hon. member.

**Ms Fenske:** Thank you, Mr. Speaker. It's my understanding that Albertans within the urban centres are able to visit farmers' markets throughout the year. In your study will we be able to see what will assist in creating these farmers' markets in the winter in the rural areas as well?

**Mr. Olson:** Well, Mr. Speaker, it would make sense that in the rural areas, where the produce is coming from, it should be available in the winter. I'm sure that that will happen; it already is happening. I know from my own experience. This is something that's growing. We're seeing more and more markets opening. Just for the May long weekend, now, we'll see a lot of them opening. There are 130 authorized farmers' markets. Many of them are now operating year-round. They're certainly working year-round. If somebody wants to know where they can find a farmer's market, there is a website. It's called [www.sunnygirl.ca](http://www.sunnygirl.ca), all small case.

**The Speaker:** Thank you.

Hon. members, through your good co-operation 102 questions and answers were delivered today. That is a proud moment for all of you.

Secondly, the point of order enunciated by Airdrie at 2:13:30 has been withdrawn by the member himself, so there will be no point of order later.

Before we go back to Members' Statements, might we have your consent to revert briefly to introductions at this time? Is anyone opposed to that?

[Unanimous consent granted]

### Introduction of Guests

(continued)

**The Speaker:** The hon. Associate Minister of Services for Persons with Disabilities.

**Mr. Oberle:** Thank you, Mr. Speaker. I'm very pleased to rise today and introduce to you and through you two members of the WCB that are visiting us today, Janet Welch and Laurie Dobbs. Janet Welch is the manager of government relations with the WCB. With her is Laurie Dobbs, one of the three government relations advisors. Janet and her team have many years of experience. Janet has been with the organization 16 years. Laurie

has 23 years of experience. Obviously, they both started when they were 12. They take pride in their role of assisting all MLAs with WCB inquiries. I'd ask them both to stand and receive the traditional warm welcome of the Assembly.

**The Speaker:** Thank you.

Are there others?

If not, then in 22 seconds from now we will resume Members' Statements, and we'll start with Edmonton-Gold Bar, followed by Calgary-McCall.

### Members' Statements

*(continued)*

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

#### Skills Canada Alberta Competition

**Mr. Dorward:** Thank you, Mr. Speaker. I'm really excited about an event that's taking place this week. I'd like to recognize the competitors, their families, certainly the sponsors always, the volunteers, and the organizers of the 2013 provincial Skills competition. It's taking place Wednesday and Thursday this week. The nearly 700 competitors from across the province are competing in more than 40 trades and technology events from website development and robotics to culinary arts and cabinetmaking.

These competitions are high school and postsecondary related, mostly students who have demonstrated exceptional skill, determination, and commitment. They know that a career in the skilled trades is a great choice and wanted to put the knowledge and expertise they've gained to the ultimate test. They're gathering at the Edmonton Expo Centre at Northlands in the hopes of achieving goals that they have set for themselves. I welcome all to drop in. For some this could mean earning an opportunity to represent Team Alberta at the national Skills competition in Vancouver next month.

The provincial Skills competition is a wonderful showcase of the value and importance of the skilled trades and technology in our province. It speaks highly to the calibre of Alberta's youth, our schools and postsecondary institutions, and the strength of the province's apprenticeship and industry training system.

Through this competition young people have an opportunity to build on the skills they've learned through initiatives like the registered apprenticeship program, career and technology studies, dual credit programs, and technical training in our postsecondary institutions. They are learning leadership, teamwork, problem-solving skills. This will help them prepare for future careers as skilled trades professionals, business owners, managers, teachers, and instructors.

Once again I'd like to offer good luck to all the competitors and my sincerest thanks to Skills Canada Alberta, the volunteers who are working so hard to make this happen, and to the many sponsors of the competition.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-McCall.

#### Asian Heritage Month

**Mr. Kang:** Thank you, Mr. Speaker. May is Asian Heritage Month, a time to celebrate the contributions of immigrants from dozens of countries in Asia who have been choosing to make Canada their home for more than a hundred years. We are a nation of immigrants, and Canada is richer for the many rich contribu-

tions of the Asian community in areas such as business, science, engineering, and the arts.

One of the reasons immigrants have been able to enjoy such success in this country is that governments have helped by providing opportunities for newcomers to move to Canada in the first place and by providing ESL and settlement services, Mr. Speaker. Unfortunately, we are seeing governments at the federal and provincial levels move away from these good policies. The federal government has made it more difficult for people to become permanent residents, but they have allowed an increase in temporary foreign workers, men and women who are often exploited.

Alberta Liberals want to see more permanent residents, Mr. Speaker. If somebody is good enough to work here, he or she is good enough to settle here. We also want to see an increase in ESL funding so that all newcomers can gain the language skills they need to integrate into their new communities and to reach their full potential. I'm an immigrant myself, and I know how important these programs are.

Mr. Speaker, Asian Heritage Month is a great time to remember the contributions of immigrants and their children to this great country. Let us strengthen the programs which help to make that happen so that new immigrants can build on the contributions of those who came before them.

Thank you, Mr. Speaker.

#### Presenting Petitions

**The Speaker:** Hon. members, I think I have a couple of indications here of petitions to be presented. If there are petitions to be presented, could you please ensure that among the first words you use are these, that "this petition has been approved as to form by Parliamentary Counsel," and then go on.

The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thank you, Mr. Speaker. I would like to present a petition, with the appropriate number of copies, with 1,560 signatures and approved by Parliamentary Counsel. The petition demands that government keep the Michener Centre "open for the vulnerable Albertans with severe developmental disabilities who have called Michener home for decades, which would allow them to live out their lives with peace, dignity and stability." This petition shows how this particular broken promise is out of touch with the priorities of people at Michener Centre.

Thank you very much.

**The Speaker:** Hon. member, has that been approved as to form by Parliamentary Counsel? That's what I was asking.

**Mr. Eggen:** Yeah, it sure has.

**The Speaker:** It has?

**Mr. Eggen:** I did say that as well.

**The Speaker:** Okay. Thank you.

Calgary-McCall, let's try your version.

**Mr. Kang:** Thank you, Mr. Speaker. I rise today to present a petition to the Legislative Assembly brought forth by concerned Alberta pharmacists and their patients. This petition has been approved as to form by Parliamentary Counsel. This petition was signed by thousands of people from across Alberta urging the government to "implement policy that will ensure that the access

to and quality of the services currently provided by community pharmacies and pharmacists in Alberta is preserved.”

Thank you, Mr. Speaker.

**The Speaker:** Are there others? The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. With your leave, I have two petitions that have been reviewed and approved by Parliamentary Counsel. I rise today to table a petition, this chunk of it, that has been signed by over 12,000 Albertans. It reads:

We, the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government of Alberta to implement policy that will ensure that the access to and quality of the services . . . provided by community pharmacies and pharmacists in Alberta is preserved.

That’s one of them.

The second petition I have, that has also been approved, simply maintains the same statement, but at the end there’s a slight difference. It states that the policy be maintained rather than preserved.

2:50

The third petition that I have is a petition that was collected in the constituency of Drumheller-Stettler and states:

We, the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government of Alberta to implement policy that will ensure that the access to and quality of the services currently provided by community pharmacies and pharmacists in Alberta is preserved.

There are 1,173 signatures from that particular constituency.

I have a final petition that is, I believe, from the constituency of Banff-Cochrane, and there are a bunch of signatures from Lethbridge as well. It also states that they want the current policies to be preserved.

I think the number of these signatures from all across Alberta demonstrates the need for the government to reconsider its ill-advised approach.

Thank you, Mr. Speaker.

**The Speaker:** Are there others? The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Speaker. This petition has been approved as to form, and it is to the Legislative Assembly of Alberta in the Legislature assembled:

We, the undersigned residents of Alberta, petition the [Alberta] Legislative Assembly to keep Michener Centre in Red Deer open for the vulnerable Albertans with severe developmental disabilities who have called Michener home for decades, which would allow them to live out their lives with peace, dignity and stability.

I have the requisite number of copies with 1,560 signatures each.

Thank you.

**The Speaker:** Hon. Member for Lac La Biche-St. Paul-Two Hills, can we assume that your petitions were all approved as to form?

**Mr. Saskiw:** Yes. Every single one of them. Thank you.

**The Speaker:** Every one? Thank you.  
Are there others?

Hon. members, just before we proceed on with the next section, could I beg your indulgence to return briefly to Presenting Reports by Standing and Special Committees? Yes? Thank you.

The hon. Member for Edmonton-McClung.

## Presenting Reports by Standing and Special Committees

**Mr. Xiao:** Thank you, Mr. Speaker. The Standing Committee on Private Bills has had certain bills under consideration and wishes to report as follows. The committee recommends that Bill Pr. 1, Church of Jesus Christ of Latter-day Saints in Canada Act, proceed in the Assembly with amendments and that Bill Pr. 2, Wild Rose Agricultural Producers Amendment Act, 2013, proceed in the Assembly with amendments. As part of this report I will be tabling five copies of the recommended amendments to Bill Pr. 1 and Bill Pr. 2. I request the concurrence of the Assembly in these recommendations.

Thank you.

**The Speaker:** Hon. members, the member who has just spoken has requested concurrence in the report he just read. Those of you who concur, please say aye.

**Hon. Members:** Aye.

**The Speaker:** Those who do not, please say no. So ordered and so carried.

## Notices of Motions

**The Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I rise today to give oral notice of the introduction of Bill 26, the Assurance for Students Act.

I would also give oral notice of a second motion.

Be it resolved that pursuant to Standing Order 77(2), Bill 26, Assurance for Students Act, may be advanced two or more stages in one day and that if Bill 26 has not yet been introduced, then immediately following the passage of this motion, the Assembly shall revert to Introduction of Bills for the introduction of Bill 26, Assurance for Students Act.

## Tabling Returns and Reports

**The Speaker:** The hon. Minister of Culture, followed by the Associate Minister of Services for Persons with Disabilities.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. I rise today to table the appropriate numbers of copies of a letter sent to the *Edmonton Journal* and *Calgary Herald*, that was printed today. The letter was written by Bill Evans, the executive director of Alberta Media Production Industries Association, AMPIA, who was introduced earlier. It is a response to an article printed in the *Journal* and the *Herald* on May 8 titled Film Tax Credit Earns All-party Support. This letter is intended to clear up some inaccuracies that AMPIA found within that article, and I believe it will bring some clarity and understanding to recent discussions in this House regarding tax credits for the film industry.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Associate Minister of Services for Persons with Disabilities.

**Mr. Oberle:** Thank you, Mr. Speaker. I’m very excited today to rise and table some important information about worker safety in our province. The WCB runs a partnership in injury reduction, PIR, program in concert with Alberta Human Services, industry partners, safety associations, employers, and labour groups. PIR

offers premium incentives to registered employers who obtain a certificate of recognition, and those employers can earn rebates of up to 20 per cent by reducing the number and impact of workplace injuries.

Mr. Speaker, I'm pleased to have two tablings in regard to this initiative. First is a list of 37 award winners, who were invited to luncheon banquets in Edmonton and Calgary.

The second is a list of over 9,000 employers who received rebates in WCB premiums. Mr. Speaker, those over 9,000 employers will be sharing over \$89 million in PIR refunds this year. My personal thanks from this government to those great employers out there.

**The Speaker:** The hon. Member for Edmonton-Calder, followed by the Deputy Premier.

**Mr. Eggen:** Thank you, Mr. Speaker. Today I'd like to table a letter sent to the Minister of Human Services from a woman who has provided quality community access programs to adults living with developmental disabilities in Lethbridge for more than 25 years. She is very concerned about this government's cuts and believes they will bring about a negative quality of life to those who access her programs.

Thank you.

**Mr. Lukaszuk:** Mr. Speaker, a few minutes ago during question period the Member for Chestermere-Rocky View misled the House and advised that he never had a meeting scheduled in my office and de facto insinuated that I am misleading the House. Here is a letter sent from the Member for Chestermere-Rocky View's office indicating that he is happy to meet with me on the 7th of May at 9 o'clock in the morning. The Member for Cardston-Taber-Warner had shown up for that meeting; the Member for Chestermere-Rocky View had not.

**The Speaker:** Are there others? The hon. Member for Edmonton Centre, followed by Lacombe-Ponoka.

**Ms Blakeman:** Thank you very much, Mr. Speaker. I have a tabling here that is around the Michener Centre, put together by the friends of Michener Centre. It's done in the form of a petition, but it's not in order to be presented to the House as a petition. They are asking the Legislative Assembly to

keep Michener Centre in Red Deer open for the vulnerable Albertans with severe development disabilities who have called Michener home for decades, which would allow them to live out their lives with peace, dignity and stability.

I'm tabling the requisite five copies of that.

Thank you, Mr. Speaker.

**The Speaker:** Thank you.  
Lacombe-Ponoka, please.

**Mr. Fox:** Thank you, Mr. Speaker. I rise today to table three e-mails that my office received. Two letters I quoted from last week when we were speaking on the bare-land condo issue. The third e-mail I received this morning from Anne Murgg about the impending closure of the Michener Centre. She states that closing Michener Centre is "the worst thing this government can do . . . Closing Michener center will be devastating to the people that have called this home." I have the requisite number of copies.

**The Speaker:** Thank you.

Are there others? Hon. Member for Lesser Slave Lake, did you have a tabling?

**Ms Calahasen:** Yes, I've got a tabling, Mr. Speaker. This is five copies of the letter I read on behalf of the MD of Lesser Slave River in my member's statement earlier today, for any individual to be able to have access to this wonderful, wonderful thank you.

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following documents were deposited with the office of the Clerk. On behalf of the hon. Mr. Lukaszuk, Deputy Premier and Minister of Enterprise and Advanced Education, pursuant to the Agrology Profession Act the Alberta Institute of Agrologists' 67th annual general meeting report, dated March 26, 2013; pursuant to the Architects Act the Alberta Association of Architects' 2012 annual report; pursuant to the Engineering and Geoscience Professions Act the Association of Professional Engineers and Geoscientists of Alberta's 2012 annual report; pursuant to the Regulated Forestry Profession Act the College of Alberta Professional Forest Technologists' 2012 annual report.

**The Speaker:** Hon. members, that concludes the Routine for today. Let us move on.

3:00

### Orders of the Day

#### Public Bills and Orders Other than Government Bills and Orders Committee of the Whole

[Mr. Rogers in the chair]

**The Chair:** I call the Committee of the Whole to order.

#### Bill 203

#### Employment Standards (Compassionate Care Leave) Amendment Act, 2012

**The Chair:** The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thank you, Mr. Chair. It is an honour and privilege for me to speak to Bill 203, the Employment Standards (Compassionate Care Leave) Amendment Act, 2012, which has been brought forward by the Member for Edmonton-South West. I must say that I want to give the member some incredible kudos on his bill, and I'm so thrilled to hear that he's brought this forward.

Bill 203 would amend the current Employment Standards Code to include provisions for up to eight weeks of unpaid compassionate care leave for workers who are charged with the task of having to care for a dying loved one in their final days.

Mr. Chair, I recognize the value of this bill because I've recently faced this gruelling task. When you're facing a task like this, you are in a somewhat difficult position, where you think: I can't believe this situation is happening to me. Words alone cannot express how much I appreciated the opportunity to be able to spend some quality time with my mom. It gave us the opportunity to laugh. It gave us the opportunity to cry. It gave us the opportunity to share the good times and the bad times, and yes, the unbelievable opportunity to say goodbye. I can't even imagine not having this opportunity, and it saddens me in so many ways that people don't have the opportunity or the time to spend with their loved ones.

I spent six weeks between the hospital and the hospice, and there's no monetary value that could ever be placed on this. The unique experience that I had in the hospice is something that I'll never forget. Watching people come to visit with their loved ones



touched me in so many ways. The idea of being able to party in your room, bring the family pet for a visit, the opportunity to visit whenever you wanted, whether it was day or night, means so much to families.

This bill will recognize the compassionate side that is so important not only for the loved one as they face their dying days, but it also allows a family member to spend the quality time that is so much needed. The mental stress, the guilt one feels at not being able to be with their loved one is something that doesn't go away after that loved one passes on.

We as a society respect each other's human dignity in birth, in life, and in death. It is fundamental to who we are as people. Work is measurable – it is something we do – but as I indicated, the final moments with a loved one are something that you never get back. I support Bill 203 because it promotes an agreeable level of human decency and affords peace of mind for all Albertans who have to go down this terrible road.

As they say, death is simply a fact of life, and the death of a loved one is something everyone will have to deal with at one time or another. The incredible ability to be there as they make their way into the next journey of their life is something I will never forget, and I want to thank the member from the bottom of my heart for bringing this bill forward.

**The Chair:** Thank you, hon. member.

I recognize the hon. Member for Edmonton-South West.

**Mr. Jeneroux:** Thank you very much, Mr. Chair, and thank you to the hon. Member for Calgary-Fish Creek for sharing her personal story today. It's a pleasure to rise during the Committee of the Whole debate on Bill 203 Employment Standards (Compassionate Care Leave) Amendment Act, 2012. I would like to thank my colleagues from both sides of the House for sharing their thoughts, comments, and support over the course of second reading. I would also like to thank organizations like the Canadian Cancer Society and Pilgrims Hospice, who are here in the gallery today, and other stakeholders across Alberta who have endorsed this bill as beneficial to all Albertans.

First, I would like to quickly review the key components of Bill 203. This bill was created to improve the lives of Albertans. It was designed to allow individuals the opportunity to provide care for terminally ill loved ones without having to doubt their job security.

This bill is highly important and timely in what it provides for Albertans. All hon. members are aware that this bill would make Alberta the last province to include a provision for compassionate care leave in its employment standards legislation. However, the structure and content of this bill is similar to that of existing provisions for other types of leave such as maternity and reservist leave.

I would like to briefly discuss section 1, which reads, "The Employment Standards Code is amended by this Act." This section highlights the Employment Standards Code as the proper piece of legislation under which to address the issue of compassionate caregiving.

Mr. Chair, stakeholder consultations have made clear that end-of-life scenarios resulting from severe illness, advanced age, or other causes are greatly impactful on the family. As such, it is not surprising to find that those who have entered a palliative state prefer and often require care in their own homes and, moreover, care and comfort that is provided by loved ones.

Clearly, in order to make this type of care available to those who need it, the question of caregivers' employment must be addressed. While it is well and good that many employers see fit

to grant their employees this type of leave to care for loved ones, no standardized piece of legislation is yet in place to guarantee consistency in this regard. Thus, section 1 of the bill directs the amendment that would facilitate this province-wide consistency to the piece of legislation that protects the rights of employees in the province. No individual can adequately fulfill the substantial burdens and responsibilities of compassionate caregiving and job retention when it's a constant worry. As such, it is under the purview of employment and employment standards that compassionate caregivers must be protected, much like those requiring maternity leave, for instance.

Mr. Chair, I'd like to discuss division 7.2. This is a section that defines compassionate care leave and, importantly, who is eligible to claim for it. This definition is given in what would become section 53.9 of the Employment Standards Code. It is under this section of the bill that individuals entitled to take compassionate care leave are identified and defined. Perhaps most important among these is defining what constitutes a primary caregiver and a family member. Section 53.9 would define a family member in relation to an employee as a spouse or common-law partner, the employee's child or parent, as well as a child or parent of the employee, spouse, or common-law partner. The final part of the definition of family member also includes "any other person who is a member of a class of persons designated in the regulations for the purpose of this definition." This section defines primary caregiver as, "an individual who has primary responsibility for providing care or support to a seriously ill family member for that family."

Bill 203 could go a long way in helping family members acting as primary caregivers to ill loved ones to perform that role while also retaining gainful employment. Clearly, Mr. Chair, Bill 203 provides great benefits to Albertans. It could impact our lives on many different levels. It is essential that we as government and as elected members of this Assembly continue to address the importance of compassionate caregiving to our society as a whole, to our families and communities, and to our health care system.

Alberta is already the best place to live and work in the world. Bill 203 would only enhance that. As I said at the beginning of my remarks, what Bill 203 proposes has the potential to make all the difference in the world.

Mr. Chair, I look forward to the committee debate on Bill 203. Thank you.

**The Chair:** Thank you, hon. member.

I'll recognize the Member for Edmonton-Calder.

**Mr. Eggen:** Thank you, Mr. Chair. I rise with some interest and pleasure to speak to Bill 203. I believe it's my first opportunity to do so, and I'd like to thank the hon. Member for Edmonton-South West for bringing this forward. I think that there's a lot of good to be had here, and we would like to offer some suggestions to perhaps make it even better.

**3:10**

Under current federal legislation, Mr. Chair, workers are entitled to take up to eight weeks of leave within a six-month period to care for a relative who is at risk of passing on. The leave is unpaid, so workers can apply for employment insurance, right? However, it's up to the province to ensure that workers still have a job waiting for them when their leave is over. In every other province provincial legislation guarantees your position when you are taking compassionate care leave. Saskatchewan has 16 weeks of protected leave, Quebec has 12, and British Columbia eight weeks.

I think we are correcting an obvious problem that needs to be adjusted here, and I'm glad that we are finally doing so. I would like to offer my first amendment, then, in regard to this bill if I could pass that forward.

**The Chair:** We'll circulate it. Maybe just pause for half a minute. Proceed, hon. member.

**Mr. Eggen:** Thank you, Mr. Chair.

**The Chair:** We'll call this amendment A1, hon. member.

**Mr. Eggen:** Yes. Now known as amendment A1, I'm presenting this on behalf of my colleague for Edmonton-Strathcona. She is moving that Bill 203, Employment Standards (Compassionate Care Leave) Amendment Act, 2012, be amended in section 6 as follows.

Part A, in the proposed section 53.9 strikes out subsection (2) and substitutes the following:

(2) Subject to subsections (3) to (7), an employee is entitled to compassionate care leave of up to 8 weeks to provide care or support to a seriously ill family member if the employee is the primary care-giver.

Part B, in the proposed section 53.9 strikes out subsection (6) and substitutes the following:

(6) An employee may take up to 8 periods of compassionate care leave totalling no more than 8 weeks, but any subsequent period of leave must end no later than 26 weeks after the first period of leave began.

The Member for Edmonton-Strathcona worked in conjunction with the Canadian Cancer Society to craft this amendment, and I would like to as well express my thanks to the public policy analysts and legal researchers at the Canadian Cancer Society who worked with the Alberta New Democrat caucus to ensure that this amendment would be brought forward today. I do hope that members of all parties in this House will see fit to support these very reasonable changes.

As I read into the *Hansard* already, the first section removes any reference to an employee having completed at least 52 consecutive weeks with an employer. The second part allows employees to take up to eight compassionate care leaves totalling no more than eight weeks within half a year. This amendment, Mr. Chair, is designed to ensure that all Albertans can take compassionate care leave and at the right time that they need to.

Part A of this amendment removes that reference to employees having the service of one year. This amendment will ensure that compassionate care leave is accessible to all employees regardless of how long they have been with their current employer. It should be noted that the threshold to qualify for EI care benefits is 600 hours of work in the previous 52 weeks, which need not have been with the same employer. Thus, under Bill 203 as it's currently written, if they changed jobs in the last year, Albertans could have enough hours to apply for EI compassionate but still not have the protection of this bill because they didn't have the 52 consecutive weeks with a current employer. This amendment resolves that problem, Mr. Chair.

Section B recognizes that two instalments of compassionate care leave are not, in fact, practical. EI compassionate care benefits can be taken in instalments as short as one week, with no maximum of instalments, to an eight-week maximum ceiling. Thus, EI compassionate care benefits are flexible enough to be taken in up to eight one-week instalments, but Bill 203 as it's currently written would not provide that job protection to Albertans who need to break their leave into more than two instalments.

As we are all aware, caregivers are often needed most when their loved ones are undergoing radiation or other treatments with severe side effects such as nausea and, of course, pain. Individual treatment schedules can vary considerably. Based on the needs of the patient, requiring caregivers to schedule their leave in no more than two instalments would make it difficult or even impossible for some people to be there when they're needed the most. Alberta's Employment Standards Code as well should allow compassionate care leave to be broken up into as many as eight one-week instalments within the 26-week benefits period.

Again, I would like to thank the Canadian Cancer Society for working with us, the Alberta New Democrats, to bring this amendment to the floor of the House. I would urge all members to give their support to this amendment.

Thank you.

**The Chair:** Thank you.

The hon. Deputy Government House Leader.

**Mr. Denis:** Thank you very much, Mr. Chair. I'm just rising to request unanimous consent of the House that all divisions today up until the adjournment this evening be on a one-minute bell.

**The Chair:** Hon. Deputy Government House Leader, in anticipation of your request I did do a little bit of checking, and it turns out that our rules require that the standing orders can only be waived in the House. Since we're in committee, unfortunately, I can't put that question.

**Mr. Denis:** You learn something new every day, Mr. Chair.

**The Chair:** Thank you, sir.

I will then recognize the next speaker. Speaking on the amendment, the hon. Member for Edmonton-South West.

**Mr. Jeneroux:** Thank you, Mr. Chair. Thank you to the hon. members for Edmonton-Strathcona and Edmonton-Calder for bringing forward this amendment. It's almost like we were anticipating something like this as I have speaking notes ready to go.

Section 53.9(6) currently reads: "An employee may take up to 2 periods of compassionate care leave totalling no more than 8 weeks, but any second period of leave must end no later than 26 weeks after the first period of leave began." Mr. Chair, the period of leave as currently defined under Bill 203 was determined through careful consideration and consultation. It should be noted that a maximum leave of eight weeks is the standard time frame allotted by most other jurisdictions, with a few exceptions as noted by the Member for Edmonton-Calder. Thus, as it currently reads, Bill 203 is consistent with similar standards of compassionate care leave legislation, including those at the federal level.

As it impacts caregivers and others affected by this legislation, a careful account had to be taken to balance the needs of caregivers with fairness to employers. Mr. Chair, as important as it is to ensure that caregivers are given everything they need in order to fulfill their roles in supporting their loved ones, they're not the only people who are impacted by this legislation. The needs of employers and small businesses must also be considered. This is why section 53.9(6) defines both a limit on leave length and the window of opportunity within which leave can be taken.

Consultations revealed that any terminal illness will likely run its course within a period of 26 weeks. This is why 26 weeks was chosen as a reasonable time frame within which to take compassionate care leave to care for a terminally ill loved one. Accordingly, Mr. Chair, section 53.9(3) states that a physician's

note that an employee would present to his or her employer would indicate that the ill family member is at “significant risk of death within the 26 weeks.” The eight-week period was decided upon as a reasonable length of time that balances a caregiver’s needs with those of his or her employer, who, understandably, cannot always afford the luxury of losing employees for indefinite periods of time. This is especially the case with employers in smaller businesses.

Compassionate caregiving is a multifaceted and impactful topic, and it affects many people both directly and indirectly. This is why Bill 203 was designed in a manner that protects and takes into account the diverse range of people that can and will be affected by it. This is why I feel that the length of the period of leave as currently laid out in the bill is reasonable and appropriate.

Thank you, Mr. Chair.

3:20

**The Chair:** Are there other speakers on amendment A1?

Seeing none, I’ll call the question.

[Motion on amendment A1 lost]

**The Chair:** Back to the main bill. I recognize the Member for Strathcona-Sherwood Park.

**Mr. Quest:** Well, thank you, Mr. Chair. I’m pleased to see the hon. Member for Edmonton-South West’s bill reach Committee of the Whole before time runs out this session. I think this piece of legislation is incredibly pertinent to the situations that many of our constituents find themselves in today. When we have an aging problem, we know that finding solutions to meet the needs of and to care for this demographic is important to improving the overall quality and availability of health care in Alberta, but we also know that we have to balance this need with the reality of employers and what they have to face, especially those running smaller operations.

As a former employer I want to speak to how section 53.9(6) achieves this balance. Subsection (6) reads as follows: “An employee may take up to 2 periods of compassionate care leave totalling no more than 8 weeks, but any second period of leave must end no later than 26 weeks after the first period of leave began.” In short, employees must confine their eight weeks of leave to a 26-week period. This section relates to section 53.9(3)(a), which requires the employee to provide a certificate from a physician stating that “a family member of the employee has a serious medical condition with a significant risk of death within 26 weeks.”

It’s my understanding that this 26-week period was borrowed from and is, therefore, consistent with that which we see in other provinces in Canada. British Columbia, Manitoba, and Ontario all use this 26-week time frame. Saskatchewan, on the other hand, allows an employee to take the leave within a 52-week period. Mind you, Saskatchewan also allots double the amount of time an employee is allowed to take as leave. It’s 16 weeks.

When we’re looking at the 26-week time period, we have to look at the practicality of this legislation for employers. It seems to me that an employee needing to take off eight weeks intermittently would create a lot of uncertainty for the employer, knowing that oftentimes leave is requested at the last minute, without much notice, in this circumstance because illness is unpredictable. I think that insisting upon a 26-week time period would help mitigate the uncertainty caused by an employee’s absence. This allows the employer to know that it’s only for 26 weeks that this uncertainty exists and that after that, they would regain the full commitment of the employee who was on leave. It provides a

degree of certainty for the employer, knowing that necessary arrangements to deal with the shortage of the employee need to be made but only for a six-month period. From the perspective of an employer allowing the eight weeks to be taken during, say, a 52-week period does leave things too open ended. So I think this 26-week time period mitigates any unfair disadvantage or inconvenience for employers.

I also think that to remain consistent with other parts of the legislation, it makes sense to maintain the 26-week time period. To recall, subsection (3)(a) states that the family member must have “a serious medical condition with a significant risk of death” within the 26-week period. It also makes sense that the employee taking leave must use it within this 26-week period; otherwise, time taken off would no longer be to provide compassionate care. Time taken off beyond the 26-week period would have to be categorized as something else such as time off for grief. To reiterate, this 26-week time period makes sense to me.

I support this legislation as a whole, and I would like to commend the hon. member for taking into consideration the various aspects of compassionate care leave that would impact the employer and the employee. This 26-week time period is an example of the balance this legislation strikes between practicality and sympathy. It’s consistent with other jurisdictions and found to be effective and workable, and I see no reason why Alberta cannot offer the same.

Thank you for the opportunity to share my comments. I look forward to the rest of the debate and urge all of my colleagues to support this bill. Thank you, Mr. Chair.

**The Chair:** Thank you, hon. member.

I’m going to recognize the hon. Deputy Government House Leader. Hon. Deputy Government House Leader, I did some research since we last spoke. Your motion to shorten the bells for the rest of the afternoon would not be in order, but a motion to shorten the bells for committee would be. Any subsequent motion for the House would have to be done once we’re back in the Legislature. So if you’re willing to make a motion to shorten the bells for the duration of committee, I would entertain it.

**Mr. Denis:** Thank you very much, Mr. Chair. I would ask for unanimous consent of all members to shorten any bells in Committee of the Whole to one minute.

[Unanimous consent granted]

**The Chair:** I recognize the next speaker, the hon. Member for Calgary-McCall, followed by Edmonton-Calder.

**Mr. Kang:** Thank you, Mr. Chair. It’s a great pleasure for me to speak on Bill 203, Employment Standards (Compassionate Care Leave) Amendment Act, 2012. I also have a personal experience as my mom passed away in November. I know how hard it is for a family working and trying to take care of a loved one at the same time. I have first-hand experience. You know, we were lucky because we’ve got a big family, so many family members were out there to be with my mom. Somebody was always there to look after her. Those 26 weeks: you know, a doctor can give a note that a person is going to go in two weeks or three weeks, but sometimes it goes on forever. In my mom’s case it was a long time.

Definitely this is a very good bill. It’s very timely and needed. This will help a long way for the families who take care of their loved ones in their last days. This will allow more time for the families to be together with their loved ones, you know, to share their laughs and to probably share their grief and all of that.

I just have, you know, one concern here. We have taken a long time to amend this code. In that time, many citizens, presumably mostly women, have had to suffer the financial difficulties that arise from the government dragging their feet on this. My only concern is that 52 weeks is long compared to maybe other jurisdictions. What if a child becomes very ill on the employee's 51st week of work? Perhaps a three-month period of time may be in order as this is the typical time it takes to decide the employee's suitability for retention by a company. So, I mean, that's a little sticking point there.

I think other than that, Mr. Chair, I want to congratulate the Member for Edmonton-South West for bringing this bill. This will finally help the families who are in need of this.

With that, Mr. Chair, I will be supporting this bill. Any shortcomings probably can be straightened out later on if not now. I think we should do it right the first time so that we don't have to go back to the bill again.

Thank you, Mr. Chair.

**The Chair:** Thank you, hon. member.

I'll recognize the Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Mr. Chair. It's an honour and a privilege to rise once again to support Bill 203, the Employment Standards (Compassionate Care Leave) Amendment Act, 2012. Many people know and have heard probably one too many times the story of our family and the difference it made for my mom to be able to stay with my brother at all times. Unfortunately, she was not able to take advantage of the kind of leave that this bill would give to many employees across Alberta. I know that she would have appreciated the opportunity to have been given leave to spend 24 hours a day with her son while he passed versus just any other minute that she possibly had.

Interestingly enough, this weekend our family lost our grandma. Our family took care of our grandma. My husband's family took care of our grandma every day. They're farmers. And while this leave doesn't extend to them, I saw first-hand the value that you get when family members have the opportunity to spend time and take care of their loved ones in their home. I was very fortunate that my husband's grandma was taken care of by my wonderful mother-in-law, who every day would go over and make sure that she was well fed, dressed, you know, bathed, all of those things, so that she was able to live independently on the farm with her son and his family, being my father-in-law. And she appreciated that.

3:30

She did not want to go into a facility. She did not want to be cared for. What that showed to us in our family was the value that family members bring to the table when they're taking care of someone. Although we're one of the last provinces to adopt a law such as this, we know that across this province, as many times as we're able to make sure that we're out there taking care of our loved ones without fear of losing our job, without fear of losing our seniority, without fear of having any negative retribution for us just for doing the right thing, it's always a better day for Albertans when we can do that.

Especially, I think the timelines of this bill are incredibly important. As a small-business owner myself I can appreciate the Member for Strathcona-Sherwood Park's comments about how this is a delicate balance and a good balance between the needs of the employee, who we're looking out for here, but also the needs of the employer, that it's not a cost to the employer, that there is a way to be compassionate, that it actually can be seen as a benefit

for employers to be offering this kind of leave to employees as well.

We've seen it at the federal level. They're implementing this type of bill. Now we're following suit, which I think is a very positive step. I applaud the Member for Edmonton-South West for all of his hard work on this bill, I applaud the member for bringing forward a bill that all parties can support, and I also applaud the member for his hard work and his diligence in explaining to Albertans and explaining to members of this House the value and the compassion that a bill like this will provide to all Albertans.

I thank him for this bill. I will support this bill, and I encourage every member of the House to do so.

**The Chair:** Thank you, hon. member.

I'll recognize the Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Mr. Chair. I'm pleased to stand today to speak again in support of Bill 203, which will extend compassionate care to so many hard-working Albertans. As we know, this bill will expand the ability for people to take leave from their employment. This leave must be certified by a physician, and there are still reasonable limitations to this. It's a good bill. It provides leave for those who wish or need to take care of dying family members. It provides them with the job security they need.

As we know, Alberta is the last province to adopt this protection for workers, and this is a good step forward. If someone takes compassionate care leave, they keep their job, they keep their benefits, they keep their level of pay, and they keep their seniority. I think we can all agree these are good things.

There are some downsides to the bill, as there are with almost everything we do. I wish to raise them although I don't think these outweigh the positives that will come from this bill. First, it doesn't go nearly as far as the Wildrose palliative care proposal, which would provide EI-style coverage for family members caring for their loved ones.

Second, this bill has some severe repercussions potentially for small businesses. When an employee leaves for up to eight weeks, it can leave a gaping hole in a small organization and cause headaches and bottlenecks for them. However, I think there are very few small-business owners who would not be willing to grant compassionate care leave. They've probably been doing it now already.

Overall, Mr. Chair, I'm glad to rise and speak in support of the bill. This expansion of compassionate care leave for hard-working Albertans is overdue, and with the passage of the bill, we'll become the last province to ensure job security while Albertans are caring for their loved ones. It will reduce worry and hardship for people that are already under an immense amount of stress and will no longer force Albertans to choose between their families and their jobs.

With that, I look forward to voting in favour of this bill. I appreciate it being brought forward, and I look forward to it becoming law. Thank you.

**The Chair:** Thank you, hon. member.

If there are no other speakers, I'll call the question on the bill.

Are you ready for the question?

**Hon. Members:** Question.

[The clauses of Bill 203 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? That's carried.

Hon. Government House Leader, do you wish to make a motion?

**Mr. Hancock:** Thank you, Mr. Chairman. Yes. I would move that the committee rise and report Bill 203.

[Motion carried]

[The Deputy Speaker in the chair]

**The Deputy Speaker:** I'll recognize the hon. Member for Lethbridge-East.

**Ms Pastoor:** Thank you, Mr. Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bill: Bill 203. I wish to table copies of an amendment considered by the Committee of the Whole on this date for the official records of the Assembly.

**The Deputy Speaker:** Does the Assembly concur in the report?

**Hon. Members:** Concur.

**The Deputy Speaker:** Opposed? So ordered.

**Public Bills and Orders Other than  
Government Bills and Orders  
Third Reading**

**Bill 203  
Employment Standards (Compassionate Care Leave)  
Amendment Act, 2012**

**The Deputy Speaker:** The hon. Member for Edmonton-South West.

**Mr. Jeneroux:** Thank you, Mr. Speaker. I'd like to move it for third reading.

**The Deputy Speaker:** Any other speakers?  
Seeing none, I'll call the question.

[Motion carried; Bill 203 read a third time]

**Public Bills and Orders Other than  
Government Bills and Orders  
Second Reading**

**Bill 206  
Tobacco Reduction (Flavoured Tobacco Products)  
Amendment Act, 2012**

**The Deputy Speaker:** The hon. Member for Calgary-South East.

**Mr. Fraser:** Thank you, Mr. Speaker. I'm pleased to rise today and present Bill 206, the Tobacco Reduction (Flavoured Tobacco Products) Amendment Act, 2012.

Typically we go off some of the notes that have been prepared for us. I think people know that quite often I like to speak from my heart. You know, yesterday I was running in south Fish Creek park, and as I was running, I was remembering my mother, seeing as how it was Mother's Day. A few years back, in late 2009, roughly, my mother passed away. She passed away after she battled cancer. Being a paramedic, I've never seen anybody have to battle cancer in such a, I guess, disheartening way.

From being her son, I mean, it went from receiving the call one day – again, having some strained relationships with my mother over the years, as she left us when we were younger, as we started to repair, I guess, our adult relationship, to have her call me was kind of out of the blue. I knew immediately when she called that something wasn't right. I heard it in her voice. This is a lady that I know, the person who taught me how to fight, in fact, Mr. Speaker, the person who taught me how to get down in the ditches and work your fingers to the bone, and the person that, unquestionably, while not to perfection, taught me how to be tough.

Mr. Speaker, at a very young age my mother started smoking. And there's no doubt, with my health background experience, that it was the smoking that killed her. It was the tobacco and the chemicals and everything that took her life all too soon and never gave us the opportunity to actually build our relationship as adults, for me as an adult to understand some of the pain that she might have gone through that made her make the decision to leave us at a very young age.

So, Mr. Speaker, when asked to take over and sponsor this bill, it was an easy thing for me because it essentially speaks to how we are marketing tobacco products to our children. Essentially, what this is going to do is that it is going to take away the opportunity for children to make a poor choice, to be able to afford cheap cigarettes, those flavoured cigarettes.

3:40

I guess, Mr. Speaker, when we think about it, when we think about confectionery or we think about candy, we think about tasty treats and things. We think about *Willy Wonka & the Chocolate Factory*. I mean, it becomes very clear that when we talk about confectionery and candy products, when we think about cherry or strawberry or chocolate flavouring and all these things, we think about kids. We think about a happy time. Instead, what we've seen is that the people who produce these types of products are duping our children into becoming addicted or making a choice based on a false premise. Again, you know, part of the reason why I ran and why I'm sure everybody in this room ran was to help our children to make better decisions and not be duped into decisions that could ultimately shorten their lives or shorten their ability to enjoy life to its fullest.

Mr. Speaker, you know what? I don't believe for one second there's one person here in this House or anywhere else – and in some of the tobacco groups that have actually come and talked to me about this bill, not one of them smokes. Not one of them uses those products. So we know. It is not condemning those who smoke or anything else, but this is to curb the appeal of these products that ultimately kill our loved ones. They kill our mothers, our fathers, our aunts, our uncles, and other people that we've known throughout the years.

Mr. Speaker, I won't continue to talk. People know I like to talk, but with something as important as this, I hope that all members of this House support this bill as part of a tobacco reduction campaign within this government to protect the people that we love.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Before I recognize the hon. Member for Calgary-Fish Creek, the Deputy Government House Leader.

**Mr. Denis:** Thank you very much, Mr. Speaker. I'd rise again to ask for unanimous consent of the House for one-minute bells during this afternoon.

**The Deputy Speaker:** Having heard the motion by the Deputy Government House Leader, I'll ask one question. Is anyone opposed to the motion?

[Unanimous consent granted]

**The Deputy Speaker:** The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Well, thank you, Mr. Speaker. I'm pleased to rise to speak to Bill 206, the Tobacco Reduction (Flavoured Tobacco Products) Amendment Act, 2012, brought forward by the Member for Calgary-South East. I'm yet again surprised and somewhat pleased, if I may say, to see that we have a preamble in a bill – I think it's the second one I've seen. I can't comment so much on private members' bills, but I know that when I was speaking to the government bill, the Children First Act, it was the first time in a long time I've seen these whereases in the preamble. I always find them quite interesting and quite enlightening. You know, they're what you call the guts of the bill.

I want to read into the record what the Member for Calgary-South East has brought forward. It talks about:

Whereas the popularity of flavoured tobacco among youth is increasing their risk of developing a dangerous and lasting addiction to tobacco products;

Whereas other jurisdictions have recognized the need to restrict the sale of certain tobacco products that are designed to attract young persons; and

Whereas there is a need in Alberta to curb consumption of tobacco products among youth by restricting the sale of flavoured tobacco.

It goes on to:

Therefore Her Majesty, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows . . .

Then we go through the legislation.

Mr. Speaker, I am proud to be able to stand up in this Legislature and support the bill from the Member for Calgary-South East. I know that that may surprise some people. As members of the opposition we're always supposed to be against what the government does. You know, we're never against complimenting the government if they bring forward something that we like.

I had spoken in favour of the Children First Act from the Member for Edmonton-Whitemud because I thought, initially looking at the bill, it was a solid piece of legislation. I mentioned in my speaking notes when I first got up to speak to the bill in second reading that I liked what was contained in the bill and that I would like to take the weekend to look over the bill and then, you know, listen to what people have to say, which is the role of any MLA in this Legislature. We're now seeing amendments come forward.

I have to say that I like what is contained in this bill, and I think the member has captured a lot of good things in this bill. Having said that, we all know that when a bill is going through the processes of government, somebody always comes up with a better idea, and sometimes they have some suggestions for the bill. I think when we're in second reading – and I can't imagine this bill going through the entire process in this Legislative Assembly – it'll give people the opportunity to digest what's contained in Bill 206, including myself and all members of the Assembly. Then they can go home, and they can get some feedback if this is what needs to be contained in the bill.

You know, the reason I say that is that we had the scrap metal bill introduced into the Legislature sometime ago and passed a couple of weeks ago, I guess, but I can't even remember how

many amendments had been brought forward to strengthen that particular bill and make it a better bill. I'm hoping that as we proceed through the summer, we will be able to have time for some of the people out there to take a look at the bill and say: well, gee; this needs to be done to strengthen this bill.

Interestingly enough, Mr. Speaker, I have a long history on this smoking issue. It goes back to 1993 – and there you go, aging yourself again – after attending a policy conference with the PCs and getting into quite the debate with one of the advocates against smoking. I notice that he's up in the gallery, Mr. Les Hagen. He and I had quite the debate way back when about smoking. I had all of this in my mind about people's freedom to choose, the rights of individuals, and all of those things. Sometimes in life you get a rude awakening. Sometimes there are people that are a lot smarter than you are and a lot more knowledgeable than you are on some issues. I went home as this new MLA thinking I knew everything about anything, and I decided that I wasn't as smart as I thought I was in regard to smoking.

So now we're on Bill 206 on the flavoured tobacco, and for all members of the opposition and, I'm sure, all members of the Assembly it's been a very, very busy time with us being in the Legislature, and as members of the opposition we have to do a lot of research on a lot of bills that hit this Legislature floor. As everybody knows, I had to take some time off when I was spending some time with my mom as she was so sick. So I have to admit that I haven't done a lot of research on this particular bill, but in the couple of hours that I've had, I've pulled out some interesting articles in regard to flavoured tobacco. I have to say that I was quite taken aback in regard to the articles that I did find on the number of children or youth, if you may call them that – I guess they're called youth at this particular age – that have taken up this flavoured tobacco.

I pulled an article out of the *Journal* – and it's interesting because Mr. Hagen is up there, and I guess it was a press conference that he attended – in regard to stats. One of the stats that I found enlightening was that of Alberta students surveyed who said they used tobacco, 64 per cent were consuming some kind of flavoured product. That ranked ahead of the national average, which was 59 per cent. I love to brag about Alberta, but I certainly don't think we should claim bragging rights on flavoured tobacco products.

The survey found that the most popular product was flavoured cigarillos that come in a container that looks like lip gloss and cost about \$2. Well, Mr. Speaker, I have to tell you that I'm not up on flavoured tobacco, and I'm not up on cigarillo information. I wasn't even aware, to be very honest with you, that they had flavoured tobacco or flavoured cigarillos other than Colts, which have been around forever. I forget what flavour it comes in, but it's been around for a long, long time. But I was quite startled to see that we had all of these wonderful flavours. My kids are grown, so I'm not dealing with those teenage years that some of the members in this Assembly probably are. I guess I have to be a little more open minded and a little more observant of what's happening.

Alberta students also ranked ahead of the national standard in consumption of menthol cigarettes. I didn't even know they still made menthol cigarettes. I was raised in the era of du Maurier, Player's. All of these things are starting to – spit tobacco. This one is interesting: water-pipe tobacco. I hadn't even heard of such a thing.

3:50

What is interesting is the flavours that these come in. One of the articles that I pulled off the Internet said that they have the same

flavours as they have in ice cream. I found that quite fascinating. Flavoured additives are used to mask negative attributes of smoking such as flavour, unpleasant odour, and packaging aroma. All of these things are something that we don't normally like about smoking.

I'm one of those ex-smokers, but I'm not one of those smokers that go around shaking my finger at everybody. I just know that it's very addictive. I'll fall off, and then I'll climb back on the horse, and then I'll fall off, and then I'm back on the horse. There isn't one thing I personally like about smoking. Not one thing. It doesn't relax me. It doesn't calm me down. It doesn't make me feel any better about myself. It's that incredible nicotine and that incredible addiction that this nasty, nasty habit gives to people.

Flavoured tobacco makes inhaling the products seem easier and makes the smoke milder. Studies have shown that flavoured tobacco is popular with minors, which I talked about, particularly in the form of cigarillos. Cigarillos are small cigars that resemble a cigarette in look and feel and are packaged to look like candy, lipstick, and/or markers.

With that, Mr. Speaker, I will sit down and tell the hon. member that I will be supporting his bill.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the next speaker, the Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Speaker. I'm honoured to rise to speak to Bill 206, the Tobacco Reduction (Flavoured Tobacco Products) Amendment Act, 2012, and I congratulate the Member for Calgary-South East for bringing this bill forward.

Cancer is an issue all over the world, and Punjab back home is one of those belts. Lots of people are suffering from cancer, but that's a different kind of cancer. Anything we can do for people to stay away from tobacco products will help us, you know, save money in productivity and health care. This bill will do that, especially curbing young folks, maybe, from trying these products.

The general purpose of this bill is to limit the introduction of tobacco to young Albertans so as to attempt to avoid addiction to tobacco early in life. This bill also prohibits the sale of all flavoured tobacco products in Alberta, and all delivery methods, including water pipes, are covered under this new legislation, so whatever wasn't covered before, Mr. Speaker. This act will amend the Tobacco Reduction Act.

In 2011 Health Canada revised the Tobacco Act to reduce tobacco marketing to youth. The legislation was developed to protect youth from tobacco industry marketing practices, and this didn't apply to water pipes. Quebec prohibits the use of water-pipe smoking regardless of whether the product contains tobacco or not. The city of Vancouver has a bylaw, too, that prohibits the use of water pipes in public places, Mr. Speaker. Two water-pipe shop owners in Vancouver have tried to challenge that, but, you know, we will see.

Flavour additives are used to mask the negative attributes of smoking such as flavour, unpleasant odour, and packaging aromas. Flavoured tobacco makes inhaling the products seem easier and makes the smoke feel milder. Two common flavours, licorice and cocoa, have been found to produce carcinogens when burned.

Studies have shown that flavoured tobacco is popular with minors, particularly in the form of cigarillos. Cigarillos are small cigars that resemble a cigarette in look and feel and are packaged to look like candy, lipstick, and/or markers. These harmful products come in flavours that appeal to children such as fruit, candy, and even ice cream flavours. Because cigarillos are rolled

in tobacco leaves rather than paper, they are exempt from regulations that require health warnings and restrictions on packaging sizes. Cigarillos are easily affordable for minors as they are available as singles for less than \$2 at a convenience store. Only 2 per cent of adult smokers use flavoured tobacco.

A study done by the University of Waterloo, a youth smoking survey between 2006-07, has shown that 35 per cent of Canadian youth have tried cigarillos. Health Canada stats show that unit sales of cigarillos skyrocketed to more than 80 million units in 2006. They were just 50,000 units five years earlier. The 2007 Canadian Tobacco Use Monitoring Survey revealed that 30 per cent of teen smokers between ages 15 and 19 have used flavoured cigarillos in the past 20 days and that most use this product exclusively. The survey also revealed that 60 per cent of all cigarillo users were teens between the ages of 15 and 19. This bill will go a long way, Mr. Speaker, to curbing those teens from getting hooked on nicotine.

Water-pipe smoking is another delivery method of flavoured tobacco in Alberta, Mr. Speaker. In February 2012 the chief medical officer of health issued a report regarding water-pipe use in Alberta. "A typical waterpipe session lasts between 45 to 60 minutes. [In that] time, a waterpipe user can inhale the smoke equivalent of 100 cigarettes." That's lots of cigarettes to be having in 45 to 60 minutes.

A recent study also found that 38 per cent of North American college students had reported using a water pipe at least once. It was found that 23 per cent of young adults in a Montreal sample had used a water pipe in the previous year. The 2008 Alberta Youth Experience Survey found that 10 per cent of students between grades 7 and 12 had used a water pipe.

Water-pipe smoking in Alberta, Mr. Speaker, appears to be increasing, and businesses in Alberta are not required to have additional licences to offer water pipes to their customers. There are currently about 30 businesses offering water pipes in this province. Allowing water-pipe smoking in restaurants and bars reinforces the myth that water-pipe smoking is less harmful than cigarettes. This bill, I think, will curb water-pipe smoking, too, in Alberta.

There was a bill by the leader of the Alberta Liberals to have smoke-free vehicles. That bill has not been proclaimed, Mr. Speaker. You know, I think it would be a good idea to proclaim that bill after we pass this bill. I mean, any efforts to make Alberta smoke free and to keep tobacco products out of the hands of kids would help our economy for a long time to come. It will help the health of Albertans, it will save money on health care, and it will help our youth.

I will be supporting this bill. Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you hon. member.

I recognize the Member for Edmonton-Calder, followed by Sherwood Park.

**Mr. Eggen:** Well, thank you, Mr. Speaker. I just want to lend my support to Bill 206, the Tobacco Reduction (Flavoured Tobacco Products) Amendment Act, 2012. I think this is a good bill that will help us to curb youth smoking.

4:00

We want to aim at certain types of flavoured tobacco using regulation. I think that it's worth while pointing out, though, Mr. Speaker, that this is not a ban on all flavoured tobacco, which was called for by the campaign for a smoke-free Alberta. This is kind of a slightly smaller version of what I think was asked for by a coalition as well, which included the Alberta Public Health

Association, the Canadian Cancer Society, the Heart and Stroke Foundation, and the Lung Association as well. Plenty of research shows that youth are using the flavoured products, as was outlined by previous speakers, and there are lots of these flavoured products that have been around for quite a long time.

You know, it's the marketing and the way that these new products are perhaps being packaged as well that I think are a concern for all of us. We see that there is an exemption for menthol cigarettes, and that, I guess, is really a flavour when you think about it.

I know that there is some limitation here to what we have on this particular bill, but you've got to measure one thing against the other, Mr. Speaker, and on the whole Alberta New Democrats do support Bill 206. Thank you very much.

**The Deputy Speaker:** Thank you, hon. member.

I recognize the Member for Sherwood Park, followed by Innisfail-Sylvan Lake.

**Ms Olesen:** Thank you, Mr. Speaker. It's an honour to rise today to speak to Bill 206, Tobacco Reduction (Flavoured Tobacco Products) Amendment Act, 2013. This bill is yet another step toward a tobacco-free future in Alberta, and I'm so very proud to be part of this process. When I was mayor of Strathcona county, we passed the first nonsmoking bylaw in Alberta.

This fits nicely into Alberta's tobacco reduction strategy. I want to speak about the strategy because it frames Bill 206 within the context of other tobacco reduction initiatives. Alberta's strategy is a framework to guide to the development of initiatives within the province and decisions around policy. Since the introduction of the Alberta tobacco reduction strategy in 2002, tobacco use in Alberta has declined significantly. While that's very good news, Mr. Speaker, there is a worrisome upswing in youth smoking rates after years of reductions, and nearly 1 in 5 Albertans continues to use tobacco.

Alberta's new tobacco reduction strategy, Creating Tobacco-free Futures, builds on the momentum of the last 10 years and sets out a framework for tackling the challenges still in front of us. It's a commitment to taking steps to help people quit using tobacco, reduce harmful second-hand smoke exposure, and make tobacco products less enticing for youth. This strategy is about practical and effective initiatives, Mr. Speaker. Some of them are directions to look at into the future; others will be implemented in the short term. In particular, this strategy targets young Albertans, pregnant women, and at-risk populations. It calls for and supports action by government, health care providers, stakeholders, educators, and communities because we all need to work towards creating a tobacco-free future.

Since the Alberta tobacco reduction strategy was introduced in 2002, Alberta has achieved significant reductions in tobacco use. Smoking rates for Albertans 15 and over have fallen from 25 per cent to 19 per cent. The reduction in youth smoking was particularly encouraging. The smoking rate for youth aged 15 to 19 dropped from 24 per cent to 17 per cent. Despite this decrease, however, the 17 per cent marks an increase in youth smoking compared to the previous year, when the smoking rate was only 12 per cent. This increase illustrates that we must focus on youth going forward. Because we know that flavoured tobacco can be a gateway for youth to use other tobacco products, Bill 206 is an important step in line with this government's focus on tobacco reduction in youth.

Alberta's Prevention of Youth Tobacco Use Act prohibits youth from possessing, smoking, or consuming tobacco products in public places. Alberta has also introduced strong anticontriband

legislation and enforcement measures. Over the past 10 years Alberta has made significant tax increases to make tobacco products less affordable and has also implemented a tobacco reduction school strategy. The school-based and postsecondary tobacco reduction framework uses a comprehensive school-health approach that targets children in key transitional grades. This includes the development of wellness-related school curricula that acknowledge the stresses students face, especially in times of transition such as the move from junior high to high school.

Youth and young adults are engaged in tobacco, tobacco-like products, and smokeless tobacco prevention through consideration of initiatives such as supporting the expansion of evidence-informed peer leadership programs province-wide and developing and implementing youth and young adult engagement campaigns using successful campaigns in other jurisdictions as templates.

Mr. Speaker, other successes have occurred at the community level, where bylaws have been implemented to further protect Albertans from second-hand smoke. In addition, community grants have made it possible for local communities to develop and implement tobacco control initiatives. Alberta has also implemented comprehensive tobacco cessation services, including a telephone counselling line, a web-based service, and group cessation counselling.

While Alberta was markedly more smoke free in 2012 than in 2002, it's critical that tobacco reduction remains a focus. That's why Alberta has developed a new strategy. Initiatives and policies relevant to this strategy will be examined for implementation over the next 10 years.

In the short term, however, there are some significant steps that can be taken. This strategy has launched a series of important initiatives and will continue to do so over the next two years to kick-start another decade of successful reductions in tobacco use. It is anticipated that they will be funded through monies already targeted towards tobacco reduction. Any request for additional funds, should they be necessary, will become part of future budget approval processes.

The priority initiatives focusing on youth in the first three years include the development and implementation of a social marketing public awareness campaign to address the harms associated with tobacco; expansion of school-based programs, with a focus on reducing tobacco use; development and implementation of a youth engagement campaign and expansion of peer leadership programs; and expansion of community supports to enhance protective factors and reduce risk factors known to influence tobacco use.

To ensure that Alberta stays at the leading edge of tobacco reduction, this government is developing a comprehensive research and evaluation framework to measure the impacts of initiatives under the strategy.

Mr. Speaker, these early initiatives will continue the momentum of actions taken over the last 10 years and help set the groundwork for other initiatives contemplated under the 10-year time frame. As well, the strategy will adopt a phased implementation, with initiatives being introduced over the next 10 years. Phase 1 initiatives are planned to commence between 2012 and 2015, phase 2 initiatives are planned to commence between 2015 and 2018, and phase 3 initiatives are planned to commence between 2018 and 2022.

Test teams consisting of tobacco control stakeholders from across Alberta will be established to guide the implementation of the initiatives. When we look at this larger context of Alberta's tobacco reduction strategy, Bill 206 just makes sense. I think it is our duty to do whatever we can to reduce opportunities for youth to access and enjoy tobacco use. This is a critical component to prevention.



As such, I am proud to be supporting Bill 206 and trust that it will work well with this government's other tobacco reduction initiatives. Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

I recognize the Member for Innisfail-Sylvan Lake, followed by Edmonton-Ellerslie.

**Mrs. Towle:** Thank you, Mr. Speaker. It's an honour to rise to speak to Bill 206, the tobacco reduction amendment act, which I will be supporting today.

As the daughter of a father who smoked his whole life, I came from that traditional family back in the day when both mom and dad smoked. You came home from school, and you had the blue haze in the house. That was acceptable. Then we went out to the patio, and the blue haze just kind of came along with that. That was acceptable. I even grew up in a time when they smoked in the office, they smoked at the town office, and they even smoked at the doctor's office at that point in time. But times have changed, and this tobacco reduction amendment act would amend the Tobacco Reduction Act to make the sale of tobacco products with certain flavouring agents illegal in Alberta.

Now, I'll be the first one to stand here and say that my dad didn't get cancer from flavoured tobacco. He got it from a good, old-fashioned cigarette. He smoked his whole life. My mom has smoked since she was 11 years old. Luckily, I never took up the habit, but my brother, who is now gone, took up the habit. In my family all three of them smoked, and I did not. The end result was that my mom has had cancer twice, and my dad had throat cancer, which has now resulted in him breathing through a hole in his throat.

4:10

I can tell you that my dad was diagnosed with throat cancer at the age of 18. My dad is a very important man in my life, of course. He went from being a very strong, self-employed oil field person to a person who could no longer have a job because he now had a hole in his throat, and he no longer qualified to go on any rig site. He now coughs and breathes through the hole in his throat. It's difficult for him to be outside when there's dust. It's difficult for him, really, to be anywhere around smells and all of that. I've watched over the last 20 years the impact it had on him. He's been very fortunate that he was diagnosed with this terminal disease, and he's still here 20 years later. I have called him other names for that because I think he's stubborn. He'll probably be here for a hundred years, and I'm happy that he will be, but his smoking habits certainly didn't help him with that.

That was from a regular-flavoured cigarette, just a regular cigarette. Now they're introducing a whole different methodology with cigarettes. When you go into a convenience store today, it's astounding how many new smoking and tobacco products are available. They're sold in neon packages. They're flavoured to appeal to nontraditional tobacco users. I've been in those stores. You know, I have an 11-year-old, who sees the pretty colours and that sort of thing, but then when you tell her it's tobacco, luckily it's been pounded into her head about the problems with smoking.

Needless to say, the tobacco industry is evolving to match antismoking efforts across the globe. This is nothing new. Tobacco companies have always known their survival depends on there always being another generation of smokers who are ready to replace the current generation. In the '80s advertising firm R.J. Reynolds came up with the concept of Joe Camel. We all know Joe Camel. He was the cool, animated mascot for Camel cigarettes. Back then the regulations surrounding cigarette

advertising were very relaxed. In '91 the *Journal of the American Medical Association* did a study that found that as many young people could identify Joe Camel as they could Mickey Mouse. Since then, though, antismoking groups have worked very hard and have made great strides in denormalizing tobacco use in general society. Health agencies have reiterated the risks and costs associated with smoking in public.

I can tell you that I'm one of those people that hounds my mom every day about why she still smokes and why she wants to walk 50 metres from the nearest door to have her cigarette. Governments have taken steps to ban smoking indoors and in areas vulnerable to citizens. Yes, we've come a long way, to cite another past cigarette campaign, but major problems remain.

While the overall rates of smoking are on the decline, rates of smoking in young people have remained constant and disproportionately represent the overall number of people who smoke. In 2011 8.3 per cent of 15- to 19-year-olds and 24 per cent of 20- to 24-year-olds self-identified as smokers. About 64 per cent of high school age smokers said that they smoked flavoured brands. While these numbers are about on par with the national average, I think it's important to note that Alberta represents 40 per cent of the total smokeless tobacco market, with flavoured brands leading the way.

You could go as far as to characterize these neon flavoured brands as a starter or gateway tobacco product because they start our young people on a life-long battle with addiction that's costly for the individual and for society. Smokeless tobacco products like chewing tobacco create an even greater risk component to the smoking problem as just one can of snuff contains as much tobacco as 60 cigarettes. This makes chewing tobacco significantly more addictive than smoking regular cigarettes.

While tobacco products may be changing, the fact remains that tobacco use is the leading preventable reason for premature death in Alberta. The relationship between tobacco and cancer has been well established. This year alone more than 2,000 Albertans will be diagnosed with lung cancer, and 1,500 of them will die from their disease. More than 4 out of 5 lung cancers can be attributed directly to smoking. Old habits die hard, but they can be stopped before they start.

Bill 206 is necessary because, I believe, the government has failed to deliver on previous smoking reduction promises like a ban on smoking in cars and a ban on flavoured tobacco products as well as other goals that they've listed in their 2012 strategy for tobacco reduction.

Now, we know that protecting young people from harm is important, and this is no different. We know young people can be susceptible to this kind of clever marketing, and it is up to us as legislators and, more importantly, adults to take real action on this issue.

I know that many people will make the argument: well, if we really want to ban tobacco use in our youth, then just have more enforcement. I am one hundred per cent in favour of more enforcement of exactly that law. Stores should be heavily penalized for selling tobacco to young people. A person who's selling the tobacco even should be heavily penalized. We need to make sure that if we're going to have laws in place, we're actually enforcing those laws because that's where the fundamental problem is. But in the absence of that, which is what we have right now – right now the government isn't enforcing those laws – we need to make sure that we're not encouraging them even further by adding to the problem with flavoured tobacco.

I can tell you that I already know that there are going to be some in my caucus who are not in agreement with me. That's the wonderful advantage of free votes that we have in the Wildrose,

and I'm excited to see that. But we all have different life experiences. My different life experience is that I lived with cancer – I saw what it did to our family directly – and I'm opposed to smoking. I think we should do everything we can to reduce the effects of smoking and do everything we can to encourage people to quit smoking if they want to, and I don't see that we do enough there. But I'm a hundred per cent opposed to doing anything that promotes smoking, that actually encourages people to take up smoking, but that goes even further, that actually encourages our young people to take up smoking.

Nine provinces have provincial legislation in place to curb tobacco sales to minors. Alberta is the only remaining place without such legislation. The alarming number of young people who smoke is evidence. Current federal legislation that bars the furnishing of tobacco to minors in public is not enough to beat this problem. We need creative efforts from provincial legislators if we're going to get serious about curbing smoking in our youth. Reducing the prevalence of smoking through real legislative efforts will result long term in a healthier population and a reduction of smoking rates, which, in turn, reduces health care costs for the province and, additionally, costs to the taxpayer.

In 2000 the government passed the Prevention of Youth Tobacco Use Act. It was updated in 2004. It's a perfect example of what I mean when I say that current legislation doesn't do enough to protect our young people from tobacco companies. Essentially, the act prevents youth from possessing or smoking tobacco in a public place. I think all members can agree that this policy actually fails our youth. I personally know of many, many youth who have the ability to smoke or have access to cigarettes, to purchase cigarettes, and that shouldn't happen. So if we're actually going to do our part here, then we'd better make sure we put in legislation that we can actually enforce. If we're not going to enforce the nonselling of tobacco products to minors, then we'd better make sure that we start enforcing the rules on the tobacco companies to make sure they're not encouraging minors to start.

Last month we wore daffodil pins as we recognized Cancer Awareness Month, and we showed our support for the ongoing fight against cancer. We honoured the long and life-altering road to recovery that cancer patients in this province are on. I'm going to show my support by doing my part to prevent our young people from picking up that first cigarette. Starting our children off on the road to a tobacco-free lifestyle is one of the greatest gifts we can give them.

**The Deputy Speaker:** Thank you, hon. member.

The Member for Edmonton-Ellerslie, followed by Rimbey-Rocky Mountain House-Sundre.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. It's a pleasure to rise to speak to Bill 206, the Tobacco Reduction (Flavoured Tobacco Products) Amendment Act, 2012, introduced by the hon. Member for Calgary-South East. I would like to thank the hon. member for his efforts on this bill. Bill 206 focuses on an important issue, reducing tobacco use, and, most importantly, reducing tobacco use among young people and first-time users.

Mr. Speaker, tobacco use is one of the most preventable causes of death in Canada. Smoking not only affects the health of those who smoke but also of those who inhale second-hand smoke. Our government works very hard to promote healthy living through several tobacco legislations by regulating underage access to tobacco and prohibiting smoking in many public places. Our government has the responsibility to ensure that the youth of this province are raised in a healthy environment and that they are able

to make healthy choices. Education combined with strict tobacco regulation is necessary for achieving this goal.

**4:20**

The government of Alberta has authority under the Constitution Act, 1867, to prohibit the sale and to regulate advertisement of tobacco products. Bill 206, which would expand our current Tobacco Reduction Act to include prohibition of flavoured tobacco, would fall in line with our government's mandate of preventing youth smoking. As such, this would help Albertans lead healthier lives and, in effect, reduce smoking-related diseases.

Alberta has always played an active role in regulating the sale of tobacco products. Bill 206 aims to reduce the allure of tobacco products to persons under the age of 18 by prohibiting the sale of flavoured tobacco products. Historically, flavoured tobacco has been used as a way to mask the harsh flavour of tobacco. Tobacco companies have been inserting additives into tobacco products for a long time in order to make their products less harsh and more flavourful. For young people and first-time smokers flavoured tobacco products could be a tempting choice. Bill 206 would ban the sale of flavoured tobacco products within Alberta, making tobacco products less attractive to our youth. Doing so would align with the government of Alberta's strategies for reducing tobacco use.

Mr. Speaker, over the years our government has put in continuous effort to limit tobacco use. We have legislation in place that prohibits tobacco in public places, in front of doorways, and near air intake vents. The consumption of tobacco products by those less than 18 years of age is always prohibited by law.

Despite the government's efforts and intentions to reduce tobacco use, the reality is that there is still underage tobacco use. In 1999 tobacco use among youth aged 15 to 19 was 26 per cent. As outlined in Alberta's tobacco reduction strategy, which is the province's overarching plan to reduce tobacco consumption, our target was to reduce this age group's smoking rate to 9 per cent or less by 2011-2012. I'm happy to note that our tobacco reduction strategy is working, and there is a decrease in tobacco use in Alberta, Mr. Speaker. In 2011 the rate of smoking among those 15 to 18 years of age was 8.3 per cent.

On April 1, 2003, the Prevention of Youth Tobacco Use Act came into force through proclamation. It was created in order to recognize the Legislative Assembly of Alberta's responsibility to promote the health of young people by restricting their access to tobacco products. On January 1, 2008, the Tobacco Reduction Act came into effect. At first it made smoking in public places illegal. Then the second phase of the act prohibited the advertisement and display of tobacco products. Many Albertans can remember seeing cigarette displays in many retail establishments, but that was no longer the case as of July 1, 2008.

Since 2009 the province has banned the sale of tobacco products at pharmacies, health facilities, and postsecondary institutions. Additionally, Mr. Speaker, last year the Legislature passed the Tobacco Reduction (Protection of Children in Vehicles) Amendment Act, 2012, which banned smoking in vehicles when minors are present.

Our province's antitobacco legislation has shown the commitment of this government in fighting tobacco use. As such, Bill 206 would move Alberta forward in combating tobacco use. However, there are still pending issues that are yet to be answered by this bill. Although Bill 206 could enhance the current Alberta tobacco reduction strategy, its actual effectiveness should be carefully evaluated. Our current tobacco legislation already dictates that the sale of flavoured tobacco products to minors is illegal, yet there is still a significant percentage of minors who smoke.

Some might argue that the enforcement of existing laws is more important than implementing new legislation and amendments. Making sure that we actually prohibit minors from consuming tobacco products should take precedence over banning certain products.

Flavoured tobacco products, as attractive as they might be for young people, also have a market among adults. For many Middle Easterners and Europeans flavoured tobacco use is cultural and traditional. Prohibiting the sale of flavoured tobacco could be seen as an infringement on such cultural practices. Although the province has a legal role in regulating the sale of tobacco products, we also need to respect all stakeholders' opinions in this input. Mr. Speaker, I agree fully with this bill's intent of helping the fight against underage tobacco use, but any decision we make could potentially affect other adult users, not just the youth.

Nonetheless, the Bill 206 objective is in line with the government's tobacco reduction strategy, and I want to thank the hon. member for his efforts in bringing this bill forward. I fully support this legislation.

Thank you very much, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

I recognize the Member for Rimbey-Rocky Mountain House-Sundre, followed by Edmonton-Gold Bar.

**Mr. Anglin:** Thank you, Mr. Speaker. This is an honourable intention by the member, to bring this bill forward, but I will not support the bill. I will not support it on a number of grounds. I want to point out that I don't smoke, and I've never smoked. I don't chew – and I've never chewed – tobacco. I also lost a parent to smoking, so I am definitely sympathetic to anyone who has gone through those experiences.

But there comes a point in time. Where do we stop government's authority? I just want to point out that this bill says, "No person shall sell or offer to sell a tobacco product that contains a flavouring agent." When you look up what a flavouring agent is, it's over a thousand molecular agents. I know the example is, "Let's get rid of cherry-flavoured tobacco, peach-flavoured tobacco" and that type of flavouring. But that's not what the law says is flavouring agents, and that can be interpreted in many different ways.

Now, is this in line with the government's objective? I don't deny that. It's an honourable objective, to reduce the amount of tobacco use in our society, to keep children from using it. But our laws are many, and they are prohibitive in the sense that it's illegal to sell tobacco products to youth. Yet Alberta has a terrible record on its sales to minors ratio. Nothing in this bill is taking care of or even addressing that issue. There's absolutely no reason why our rate of selling tobacco to youth should exceed that of other provinces.

Ironically, one of the things that we're missing here is: what is the damage of tobacco? When you look at the addictive agent, nicotine, there's nothing about reducing the amount of nicotine. As a matter of fact, tobacco companies have been accused in the past of raising that level and basically increasing the addictiveness of the tobacco that they're selling. The other issue is all the carcinogens, the various agents that are in the cigarettes. There's nothing to restrict that or control that. What we're going to control are the flavouring agents.

So we have a conundrum here. What we're attempting to do, although admirable, is actually, in my view, breaching this line of the nanny state, trying to do something where I do not see that we're going to make very many gains, but we will restrict just various flavours of products.

Now, the typical thing that jumps to mind when people discuss this issue is the flavoured cigarettes, but there's a tremendous number of people that chew flavoured tobacco. Many youth do. Again, it's illegal. They're not supposed to sell tobacco products to youth.

4:30

How do we take care of this public health hazard in the sense of reducing tobacco use? Well, nobody is proposing making this health hazard illegal. The health hazard is there; it's present. We know it. It is the nicotine, it is the carcinogenic agents within the cigarettes, within the tobacco that cause the problems that we deal with in our health system, but nobody is going down that road. What we're saying is that we're just going to ban flavoured products, but there's no real definition of what flavoured products out of the thousands of molecular agents that are considered flavouring agents.

Where does this reach? This isn't clear. It won't be clear until we see what the regulations look like. But will it achieve the desired outcome that it professes, which is the goal, and actually reduce usage? I will tell you that I come from an era when children – I don't think they're any different today. They want to be grown up so fast. When they see movie actors that are their heroes or the ones they want to emulate, particularly when they're smoking, that's what they look to do. I think there are some parental issues here. I notice it in my own communities, the parents that do not mind their 12-year-olds and 10-year-olds smoking. Those 12-year-olds and 10-year-olds smoke. I'm very fortunate. Neither of my children use any tobacco products, but neither did my wife or myself.

My opposition here is strictly on the strength of what we're trying to do as a government, that we will go after flavour but we will ignore the real stuff that actually harms. We basically, by our own silence, admit that we cannot go after reduction in nicotine, that we cannot go after reduction in the carcinogenic agents in the cigarettes that actually cause the harm, so we go after the flavour. To me, it's one of those issues where we avoid the real issue and think that we're going to reduce the harm.

It's an overreaching of the power of the state, in my view. I told my members that I can't support it for that reason, as troubling as it is, because I do believe that this is an extremely harmful product. I do not argue with the member's statements on its health effects. It goes along the same line as what the mayor of New York did a couple of months ago: banned a certain size of soft drink. Now, the idea was that it would reduce the amount of soft drink that people would consume, but the fact is that they would maybe buy two or three soft drinks versus one very large one. Again, should the power of government extend that far? That's how I view this. It's admirable, it is on track, and I understand why the member would bring it forward, but it doesn't actually address the real issue, which is the agents within the tobacco that cause such significant harm to our health.

With that, I will not be supporting this bill. Thank you.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the hon. Member for Edmonton-Gold Bar.

**Mr. Dorward:** Thank you, Mr. Speaker. Now that both of my parents have passed away, I can confess that I did start smoking in grade 8 behind the frosty bar across from Donnan junior high school. Fortunately, I ended smoking after the first one. I had never ever been attracted to smoking or other things at the time, actually. Fortunately, back in those days they didn't have flavoured tobacco. I'm very concerned about that. I also have

travelled for years up to Nunavut and into the Arctic and have seen the effects of tobacco in the northern communities and, you know, feel compassion for the individuals who are affected by tobacco.

I think it's a good bill, and I'm pleased to rise to support it. My intention today, Mr. Speaker, is to go over some of the legislative scenarios that have happened in the province of Alberta and federally relative to tobacco.

The aim of the bill, of course, as we've heard, is to prohibit the sale of flavoured tobacco products such as cigarettes, cigarillos, and smokeless tobacco. This would be done with the goal of eliminating the temptation of tobacco for persons less than 18 years of age. I believe we all recognize that the issue of underage tobacco use is one that we need to take seriously and with all due consideration. Antitobacco legislation is one way in which the fight to protect youth from tobacco use has been carried out. Therefore, when discussing antitobacco legislation, it's prudent to take a careful look at the history. As I said, I will go through that history now.

In Canada early efforts to prohibit tobacco use came about in the late 19th century. Antitobacco movements were at the time joined together with temperance and prohibition movements. Tobacco use was seen as a moral issue akin to drinking and gambling. Legislative controls can be traced back to 1903 and a free vote resolution in the House of Commons that did support a full ban, Mr. Speaker – a full ban – on tobacco products. The private member's bill that followed three weeks later failed to entrench this resolution in law as it was withdrawn on a technicality. In 1904 the same resolution was passed through the House, but it failed to receive the proper approval before the end of that particular parliamentary session.

Successful antitobacco legislation was later passed in 1908. The Tobacco Restraint Act prohibited the sale of tobacco to persons under the age of 16. Those caught selling tobacco to those under the legal age were fined \$10 for the first offence, quite a sum at the time, \$25 for the second, and \$100 for the third and subsequent offences. Persons under 16 were not permitted to smoke or chew tobacco and faced fines from \$1 to \$4 for noncompliance.

The next wave of dramatic antitobacco legislation came about in 1986 and 1987, with the introduction of bills C-204 and C-51. I remember them well. Bill C-204, the Non-smokers' Health Act, was a private member's bill introduced in the House of Commons in October 1986 which proposed to reduce smoking in federally regulated workplaces as well as on planes, trains, and boats. Prior to that time I remember being, well, on all of those – planes, trains, boats, and buses – and having wafts of smoke come towards you. Mr. Speaker, you may have experienced that as well yourself.

Bill C-51 was introduced later, in April 1987, as a government bill rather than a private member's bill, and it quickly garnered a high public profile. Bill C-51, called the Tobacco Products Control Act, sought to ban tobacco advertising and sponsorships and to require health warnings on all tobacco products. Both bills met with significant industry resistance before finally passing through the House.

The federal government attempted to tackle the issue of flavoured tobacco in 2009 with an act to amend the Tobacco Act, Cracking Down on Tobacco Marketing Aimed at Youth Act, 2009, which went into force in 2010. The act outlines three measures designed to reduce marketing towards children: firstly, that no person shall sell cigarettes or cigarillos except in a package that contains at least 20 cigarettes or cigarillos; secondly, that no manufacturer or retailer shall sell a cigar without a health warning label regardless of the number of cigars being sold; and thirdly, that no manufacturer or retailer shall sell cigarettes or cigarillos

that include a flavouring agent other than sugar, tobacco, or tobacco extracts.

Unfortunately, Mr. Speaker, these measures displayed only very limited effectiveness in achieving their goals. Tobacco companies simply responded by slightly altering their products such that their cigarillos were branded cigars, for example. These and other innovations effectively allowed tobacco manufacturers and distributors to circumvent sale, packaging, and flavour restrictions. Thus, at the federal level the struggle to regulate tobacco has been an arduous battle.

However, Alberta has also tackled the issue here in the province. On January 1, 2008, the Tobacco Reduction Act came into effect. It was an amendment to the Smoke-free Places Act. The goal of this act was to reduce the prevalence of tobacco use within Alberta. To accomplish this goal, the act put into place some restrictions that would gradually be placed on tobacco use over a period of time. The primary target of the Tobacco Reduction Act was the elimination of second-hand smoke in public places. To accomplish this, the act made smoking in public places illegal effective January 1, 2008. Fines ranged between \$1,000 and \$5,000 for individuals and much more for businesses, up to \$100,000 for violators.

4:40

On July 1, 2008, the second phase of the Tobacco Reduction Act came into effect. This phase targeted the advertising of tobacco products. It stated that retailers were no longer allowed to advertise in any way the sale of any tobacco products. This restriction on advertising also included point-of-sale displays such as the wall of cigarettes often seen in corner stores.

The final phase came into effect on January 1, 2009. That phase stipulated that tobacco products may not be sold by pharmacies, health facilities, and postsecondary institutions.

Just recently, Mr. Speaker, in 2012, this Legislature passed the Tobacco Reduction (Protection of Children in Vehicles) Amendment Act, 2012, which banned smoking in vehicles with minors present. This government has pledged to proclaim the act as part of an update to the Alberta tobacco reduction strategy.

The government has also taken legislative action to protect youth specifically, Mr. Speaker. The Prevention of Youth Tobacco Use Act came into force through proclamation on April 1, 2003. The act was created with the recognition that the Legislature of Alberta has a responsibility to promote the health of young people by restricting their access to tobacco products. In fact, the act states that no person under the age of 18 years may possess or consume tobacco products in a public place. Punishment for violation included a fine of not more than \$100. In addition to the fine placed on the unlawful tobacco user, peace officers may seize the tobacco products.

As we can see, Mr. Speaker, both Canada and Alberta have a long history of working to curb tobacco use and abuse not just in adults but in the populations of youth and minors. Let's carry on that trend. Combined with the Alberta tobacco reduction strategy, we're well on our way towards a future in which smoking tobacco products is on the decline. Ideally, it would be nonexistent.

Thus, I thank the hon. Member for Calgary-South East for sponsoring this bill. It is a good bill. I'm thankful to be able to stand before you and speak to it. I believe that the conversation that we're having today will go down in history as reducing this evil of tobacco to nil for youth.

Thank you very much, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

I recognize the Member for St. Albert.

**Mr. Khan:** Thank you, Mr. Speaker. It's an honour to rise today to speak to Bill 206, Tobacco Reduction (Flavoured Tobacco Products) Amendment Act, 2012, being brought forward by the hon. Member for Calgary-South East. I would like to thank him for taking on such an admirable cause, especially one that affects the lives of many of our province's youth. I would also like to thank him for sharing his personal story and let him know how touched I am by his words and by the courage of his leadership. As a father of a young family myself, much like the Member for Calgary-South East, I'm very pleased and honoured to stand in support of my hon. friend's bill.

Many of us in the House know about the damaging effects that smoking has on our health, especially the high incidences of cancer-related deaths of millions of people around the world. Smoking-related death is the most preventable type of death in Canada. Smoking is known to cause a multitude of respiratory illnesses and diseases, namely cancer. Mr. Speaker, because of smoking's connections to preventable death and disease, proactive measures have been taken in order to protect the well-being and health of our families and our communities. Legislation has been implemented in order to dissuade tobacco use and promote the health and well-being of our citizens.

It's hard to believe that it was only during the mid-80s that antitobacco legislation first restricted smoking in federally regulated workplaces. As the hon. Member for Edmonton-Gold Bar spoke quite eloquently about, this included planes, trains, and boats with the introduction of bills C-204 and C-51. I think most of us in the Legislature today are old enough to remember the lunacy of the smoking and nonsmoking sections of airplanes.

I cannot imagine going into a public space such as the supermarket, the post office, or a shopping mall and having my lungs unwillingly filled with second-hand smoke. This, Mr. Speaker, is something that I do not take for granted. I'm grateful that the health of our citizens is being protected, and I'm grateful for those who came before us to enact these laws. Overwhelmingly studies have shown that inhaling second-hand smoke has tragic consequences and has proven to be as lethal a killer as actively smoking tobacco itself.

Since the federal government began cracking down on smoking, our province's rate of tobacco use has decreased from 26 per cent to 17.7 per cent of our population, this occurring between 1999 and 2011. Furthermore, Mr. Speaker, youth tobacco use among those aged 15 to 19 has also significantly dropped, from 26 per cent to an astonishing 3.3 per cent between 1999 and 2011. As the father of a 15-year-old I'm grateful for this decrease. As the numbers indicate, putting these regulations in place has had a significant effect on the decline of underage smoking in Alberta, in Canada as a whole. Although 3.3 per cent is a drastic change from 26, it is 3.3 per cent too much.

The Tobacco Reduction Act, which became law on January 1, 2008, as an amendment to the Smoke-free Places Act, helps strengthen antitobacco laws. The main objective of this act, Mr. Speaker, was to eliminate the exposure to second-hand smoke in public places and, more importantly, to protect the health of our citizens. The act outlines several provisions regarding smoking and how tobacco products were advertised. Some might take it for granted now, but this act prohibited smoking in all public places and workplaces, and for that, we should all be thankful. The act also banned retail displays, the marketing and promotion of tobacco products, and barred the sale of tobacco products from all health care facilities, public postsecondary campuses, pharmacies, and stores housing pharmacies. Banning smoking in public places meant that nonsmokers no longer had to fear that they were

somehow putting their lives in undue jeopardy because of second-hand smoke exposure.

Mr. Speaker, several tobacco products were specifically targeted in the act. These included cigarettes, cigars, cigarillos, pipe tobacco, and specialty tobacco such as chewing tobacco, snoose, and snuff. Any person who contravenes the act may be subject to fines ranging from \$1,000 to \$5,000. Businesses that contravene the act face fines ranging from \$10,000 up to \$100,000.

Mr. Speaker, after this act was put in place, you could hear a sigh of relief throughout the province as families could now go to any public place without fear of exposing their young children to the dangerous chemicals contained in second-hand cigarette smoke. More importantly, all nonsmokers could rest assured that their lungs were not unduly being filled with second-hand smoke and that their health was not being threatened. Health Canada estimates that there are at least 800 deaths per year that are related to second-hand smoke. Many of these individuals die from lung cancer and heart disease brought on by second-hand smoke.

There are over 4,000 chemicals contained in tobacco smoke, and more than 70 are known to initiate or promote cancer. Mr. Speaker, these chemicals, known as carcinogens, are agents that increase the risk of cancer. They are widely known to harm one's cardiovascular system as nicotine increases the demand for oxygen by increasing heart rates, making one's heart work harder than normal. Prolonged effects of smoking can lead to stroke, heart disease, and, of course, cancer. Nicotine may also increase the buildup of deposits in the arterial linings, which impairs blood flow.

Mr. Speaker, Health Canada also deduced that the average age most smokers start smoking is 15 and that daily smokers consume an average of 16.2 cigarettes per day. After a lifetime of day-to-day smoking, I cannot even begin to imagine the adverse effects this would have on one's system, let alone the increased risk of heart disease and cancer. Of course, we don't have to imagine since studies have shown time and time again the negative effects that prolonged smoking has on one's body.

In terms of lung cancer related cases Health Canada estimates that there are between 14,500 and 18,200 new cases every year. Alberta Health Services states that over 47,000 people die from smoking every year in Canada, with an estimated 3,400 being Albertans. Furthermore, costs related to smoking-related illness in Canada total around \$4.4 billion. Imagine how many schools and health centres we could build by saving on that money.

**4:50**

Given that there are so many second-hand smoke related Canadian deaths in any given year as well as billions spent on health care due to smoke-related disease, it makes sense that our province would actively promote decreased tobacco use, particularly amongst our youth. The Tobacco Reduction Act's ban on tobacco displays, for example, has helped reduce the prevalence of tobacco use in teenagers, who may be swayed by manipulative advertisements that glamorize smoking. As a result, Mr. Speaker, fewer of our children will be exposed to and have to experience smoking-related diseases or have their right to live in a smoke-free environment infringed upon.

Mr. Speaker, the intent of Bill 206 is commendable as it may help in the battle against smoking-related diseases, and I am interested in hearing the rest of this debate. Once again, I would like to thank the hon. Member for Calgary-South East for bringing this bill before the House.

Mr. Speaker, I would ask that we now call the motion to close debate and take the vote. Thank you.

**The Deputy Speaker:** Thank you, hon. member.

If there are no other speakers, I'll invite the Member for Calgary-South East to close debate.

**Mr. Fraser:** Thank you, Mr. Speaker. It's pretty clear, from what we've heard today, that based on the facts, based on the emotion, based on personal experience, smoking is bad. I guess we could put it into terms when I talked about: the aim of this bill was to prohibit the sale of flavoured tobacco products in cigarettes, cigarillos, and the smokeless tobacco. Again, I'll reference the Willy Wonka factor. When we talk about *Willy Wonka & the Chocolate Factory*, we think of a happy time, our kids, and we think about confectionary and candy. We don't think about tobacco. We don't think about the adverse effects. I guess that if Willy Wonka and the Oompa-Loompas were to put it their way, they'd say: oompa oompa, doompadee-doo; I've got some news for you; smoking is bad for you.

I guess, as we move forward, like I said, the evidence is there from a clinical and medical perspective, but it's also there from a social perspective. Again, this has nothing to do with admonishing those people who do smoke. Colleagues and friends and family, we simply wish you would quit because we love you, and for our kids that we held in our arms with their soft skin and their coos and babbles, we want to do everything to protect them from the temptation of something that will not perhaps one day kill them, but it's just a matter of when it will, when they'll get the bad effects of smoking.

Mr. Speaker, in short, it's the right thing to do for all members. We all know – we all know – in this House that we need to ban these products from our kids. I urge every member of this House to vote in favour of this bill, protect our children, and do what's right.

Thank you, Mr. Speaker.

[Motion carried; Bill 206 read a second time]

**The Deputy Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. In light of the clock I'd move that we call it 5 o'clock and move on to Motions Other than Government Motions.

[Motion carried]

### Motions Other than Government Motions

**The Deputy Speaker:** The hon. Member for Barrhead-Morinville-Westlock.

#### Enhanced Viability of Rural Communities

511. Ms Kubinec moved:

Be it resolved that the Legislative Assembly urge the government to complete a report, to be tabled in the Assembly, which examines various strategies utilized around the world that enhance the viability of rural communities and to help retain rural families.

**Ms Kubinec:** Thank you, Mr. Speaker. I am pleased to rise today and open debate on Motion 511. I am proposing this motion because I believe that communities and families are the lifeblood that sustains rural communities. Motion 511 simply urges the government to explore rural retention initiatives and strategies used in other areas of the world.

To me, exploring options to support rural life means looking at supports and legislative tools for both existing and future possibil-

ities of further innovation. Many rural communities see their youth flock to urban centres, be it for education, employment, or entertainment. Mr. Speaker, this is a troubling trend for many rural families and communities.

I believe that young people can make a fruitful life for themselves and their families in rural Alberta, and we have examples in my own family who have done just that. But there are various obstacles that face other families. The lack of options for child care and concern that children may not receive the same educational or extracurricular opportunities as those in urban centres are recurring themes when I speak to my constituents.

I want to tell you a little bit about the Alberta Distance Learning Centre, which is a shining example of a success story on that education front where they've done amazing work to make sure that education is well taken care of.

Addressing some of these concerns is a recent initiative that has caught my attention. It's called the return to rural. It is a community economic development project aimed at attracting and retaining early- and mid-career families to and in rural Alberta. Their guiding philosophy is the idea that by blending technology and youth, it is possible to create an environment in which rural is a viable choice for youth to live their dream life. Their strategy leverages the Internet, social media, and advances in communication technology to connect, engage, and match young people with the opportunities that are now available in rural Alberta. This is a great initiative, and as a government I think it is our duty to support what such individuals and entrepreneurs are doing to further explore options that can make rural life more viable for young families.

Now, as we will hear from the Minister of Agriculture and Rural Development, this government is already doing a lot to promote and support a sustainable rural Alberta. In no way does this motion assume that good work isn't already being done, but I think we can greatly benefit from broadening our research horizons to include other areas of the world. Australia, for example, has done a lot of work to support its rural communities, and my thought is: why shouldn't we look at Australia to see if there's anything that they are doing successfully that we can do here?

Sharing information is key to the development of best practices. That's why, in the drafting of the Alberta rural development strategy, other jurisdictions were looked at in order to determine how we can best support our rural communities. My understanding, however, is that this interjurisdictional scan was limited to North America. Many strategies and individuals in North America have seen great successes, including in my son's community, where they have successfully developed and implemented a model for a rural child care centre in Manitoba. They identified a need, they knew what they had to do, they worked with the government, they fundraised, and they opened a 24-space child care centre.

I think we are missing out on a great deal if we don't investigate success stories from other areas of the world when crafting legislation and policies to create our own success stories. I believe that by doing this, the government can further contribute to rural retention and sustainability, two things which are very important to my constituents and indeed to many Albertans.

Whatever the outcome here today, the debate and awareness surrounding this motion will be valuable. I hope the debate will help inform current efforts to improve the sustainability and viability of rural communities.

Mr. Speaker, I believe this government is already doing much to support rural families and municipalities, but I believe that a government must not stop at trying to improve our province every

day. To solve this issue will require leadership from both the government here in Edmonton and from our municipal government partners. I urge all hon. members to follow this debate with interest and consider fully the advantages of studying potential solutions found in other countries around the world.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

I recognize the Member for Edmonton-Calder and then Little Bow.

5:00

**Mr. Eggen:** Thank you, Mr. Speaker. I rise here today, and the Alberta New Democrats certainly are in full support of Motion 511. I would thank the member for bringing it forward. It's very important that we do support our local and rural communities as strongly as possible. There are a number of very difficult problems that you have to deal with through regulation and through guidance from different levels of government. The natural process that we see not just in Alberta but in other provinces around the country and, indeed, around the world is urbanization, right? To mitigate against that, it's important that we do face this problem and work with it actively here in bodies such as this Alberta Legislature.

I think that if we can build a report that can be commissioned to highlight some of the issues that our rural areas are facing today, that would be good. You know, we want to look at areas in particular such as the shortage of doctors and nurses and health care professionals and the time-worn infrastructure of those health services around rural Alberta. At the end of March 2013 we saw there were 8,399 physicians registered – and this was a decrease of only .6 per cent from the last quarter and an increase of 4.7 per cent from last year – and 366 specialists. In the rural areas is where we are seeing movement, considerable negative movement in this area. Studies have shown that doctor shortages impact the economy of rural communities. Physician shortages lead to increased absenteeism for employers and employees that have to look for medical services elsewhere. Doctor shortages, Mr. Speaker, also make it harder for small-town businesses to recruit people.

The government seems to have a strategy to centralize certain medical services to the detriment of rural and smaller centres. We saw the lab testing, for example, go from rural hospitals to larger municipalities, which, again, erodes the jobs and the capacity for smaller centres to look after themselves. Just today we were highlighting that very thing with Wainwright, Westlock, and Vermilion losing their central microbiology and hemoglobin analysis to Edmonton. We can regulate and fight back against these kinds of centralization processes if we choose to do so here in this Legislature.

For example – and this is a perfect one because it's happening here today – if rural hospitals lose that lab capacity, the first problem is that we do put patient safety into compromise, right? We saw it also for other tests in the last few years. For example, the Westlock hospital has an orthopedic surgery and a stroke centre. They do lots of blood tests there, and they do very good work looking for infections after surgery and so forth. Those blood and test fluids are going straight to an incubator, and then they finish them off straight away, often on the same day. These tests are important to many aspects of medical services, and they include letting the doctors know if surgery recipients are suffering from infections and so forth and what can be done, let's say, with a stroke victim, right? So moving those central services to Edmonton not only puts those things in jeopardy but also fights against this idea of making our rural and smaller communities stronger.

Another issue that I just want to bring forward quickly here, Mr. Speaker, is in regard to the loss of family farms here in the province of Alberta. You know, we've lost many jobs in the agricultural sector over the years, and we do see some provinces, in particular Nova Scotia, making an active investment back into promoting family farms since 2009 – indeed, they're the only province that has seen an increase as opposed to losses like everybody else – investing in things like local food campaigns, providing funds for farmers' markets, and extensive supports to new farmers. The Nova Scotia government also set a goal – right? – an active goal of 20 per cent for locally grown food products being bought and sold and eaten by Nova Scotians by 2020. We could use these kinds of best practices from other jurisdictions. The hon. member mentioned Australia. I'm mentioning Nova Scotia for actively promoting local economy growth and, in this case, agriculture in our rural areas.

I think we know that events such as the BSE crisis that we saw were particularly hard on our rural areas, and it's important that we fight back to support our beef producers. For example, when the prices plummeted, we didn't see the money going back into family farms; rather, they tended to be scooped up by corporate agribusinesses. It's really important that we don't let that sort of thing happen again and that we mitigate against losses that can happen in the beef industry but also for other commodities as well, other grain commodities and so forth.

Further, the access to water, I think, is a new concern for people living in rural communities, to good, quality drinking water as well as water for agriculture and industry. As we move to water markets, in some areas we see, you know, the potential for rural development to be sidetracked or to be distorted as some people may get left out in the cold or left high and dry, so to speak, without water permits.

Other things that we need to mitigate against, Mr. Speaker, include free trade deals that we have with other countries. Those are all well and good for certain industries, but it's important that you protect certain indigenous, vital, essential industries, our agriculture products being one of them. Making investments into AgriStability, for example, and AgriInvest are very important. The money has been taken out of those systems and those subsidies, and I'm quite concerned about that.

Finally, Mr. Speaker, you know, lots of people are concerned about land rights in Alberta. Bill 24, the Carbon Capture and Storage Statutes Amendment Act, 2010, declared that all pore space under the ground belongs to the government. Bill 36, the Alberta Land Stewardship Act, divides the province into land-use regions but allows as well the cabinet to extinguish existing rights held under licences, permits, leases, and approvals. Finally, Bill 50, the Electric Statutes Amendment Act, 2009, was used to force through transmission infrastructure to the detriment of individual landowners. Again, these are sort of cumulative things that make it more difficult for the integrity of rural development to proceed in a reasonable sort of way.

I think we just need to allow more control to regions to make their decisions over important things such as health care and education, for municipalities to have greater autonomy in their ability to develop their municipal areas and expand as they see fit, expanding health care clinics and attracting professionals to the rural areas, working with rural school boards to attract teachers, making sure that we have access to high-speed Internet throughout the rural areas, increasing and expanding and ensuring bus service to rural communities, Mr. Speaker, improving the monitoring and management of our watersheds, and ensuring that everyone has access to good, quality water for their own domestic consumption and for agriculture and industry.

I think a buy-Alberta-local initiative would help considerably, making sure that we stand up for individual farmers' rights in regard to their ability to sell their products, particularly seed, not extinguishing property rights without fair compensation, as I said before, and protecting Alberta's farmland to ensure continued accessibility to Albertan families to promote and to pursue agriculture, especially in the immediate vicinity of rural areas.

So, Mr. Speaker, I'm very happy to support this motion and to speak on these issues. Thank you.

**The Deputy Speaker:** Thank you, hon. member.

I recognize the Member for Little Bow, followed by the hon. minister of agriculture.

5:10

**Mr. Donovan:** Thank you, Mr. Speaker. It's a great pleasure to stand up today and speak to Motion 511. I think the Member for Barrhead-Morinville-Westlock has brought forward a very good motion here for the government to work on to promote rural Alberta. Being an MLA from a rural riding and an active farmer myself, I think it's key to keep rural Alberta thriving, and it's a key point to how this province is going to maintain where it's at and how to move forward. The Member for Edmonton-Calder brought up a couple of good things which I had later on in my speech here.

I think some of the key things we need to remember are rural jobs, rural growth, and economic security. I think that's needed in this province to be able to move forward. As we've identified with the bitumen bubble and energy, Alberta is very reliant on our income off Alberta energy, being oil and gas, and we need to look at the other large renewable resource we have in this province, which is agriculture. Now, of course, I'm a pretty strong advocate of that, and I'm always happy to see that our Minister of Agriculture and Rural Development is also a strong advocate of that and has promoted it through numerous things. I always give kudos where they're due.

One of the positives I saw during constituency week. I was in Vauxhall at the graduation of the school there, and I think there were about 50 to 60 kids that graduated. Now, when I graduated from high school, I was going to farm. My dad had a stroke when I was 17, and I knew through grade 12 that I was going to take over the family farm, so I knew naturally that I was going to farm. There was not another soul in High River at Senator Riley school out of the 120 kids that graduated that said that they were interested in agriculture and were going to go on to it.

Now, when I was in Vauxhall at the end of the constituency week, about 25 per cent of the kids got up and talked about how they were going to go to school in an agriculture-related thing and that their plan after three years was to return to the family farm. I was just glowing after that because you never hear that when you go to a school anymore. We have so many years of kids – you heard parents talk about it. “We're going to get our kids educated and get them off this farm so they can go make a real living.” I think now people have started to figure out, you know, that we have to feed the world. Numerous things I've been to: we're going to have 9 billion people to feed by 2050. That goes back to agriculture in rural Alberta and how we have to keep rural communities vibrant and sustainable. So to be glowing about that was an understatement.

I'm very happy. My stepson is 18, and he has rented a half section this year. Last year he rented a quarter, and this year he's rented a half, so he's involved in agriculture. He grew up in an urban situation. He had no desire, but you have to show them that

there's a possibility and teach them the bonuses of being in rural Alberta.

So to me, when I was in Vauxhall, that was just an absolute great moment in my life, to sit there and listen to kids talk about how they want to be part of rural Alberta and move back. They want to go to school in the urban centres, whether it be Lethbridge or Calgary or Edmonton, and get their basis, their college or university. And it's needed because it's a business now. Agriculture used to be, you know, that if you pail fed 200 head of cows, you could kind of get yourself out of any problem in the winter. That's probably why a lot of kids decided they didn't want to farm. It was because of all the hard manual labour to it. Being an active farmer is a lot more book smarts now. You can make more money by hedging and things like that as far as marketing and managing.

**Mr. Hale:** Triple-A farming.

**Mr. Donovan:** Yeah, triple-A farming. It's not quite that easy, Member for Strathmore-Brooks, but it's very close.

I think one of the big things – and Edmonton-Calder touched on it – is rural doctor retention, to keep rural doctors in our hospitals. Now, I was lucky enough, when I was on county council, to be on the retention committee for that. That's a key thing because when people look to retire or age in place, they're looking at towns to see: are they going to be able to have all the facilities they need there? If you don't have the doctors staying around for that, you've got a huge problem because it's hard to age in place if you're not going to be able to get the care and level of care that you need.

I think that's something that this province has to work on. I know they've struck a committee on a couple of things that they need to identify on that. I think that's something we really need to push, and I'd promote for our Health minister to look at how we keep doctors in rural Alberta. We have so many people now that are going through medical school and want to be a specialist on knees, hips, elbows – pick your item – cardiologists, but nobody wants to be a family physician anymore, and that's something that we truly need. We need family physicians. How are we going to encourage them to stay in rural Alberta?

Now, one of the things I find is that when people get out there – the two family doctors I know in Vulcan, for instance, I don't think ever planned on making Vulcan their home for life and raising their kids there, but once they got out there and found the small-town values, that it was a nice place to raise your kids and it had a lot of bonuses, then they became comfortable in staying there. Now they promote it, and they're very strong advocates. I appreciate that both of the doctors have been there for a number of years.

Things have changed a little bit on that because not everybody wants to be a doctor till they're 85 like it once used to be in the small towns. I mean, you always had your doctor. He was the doctor when you were born and when your parents were born. You start wondering if, you know, they're keeping up on everything. But I think doctor retention is key.

One of the things that I think we need to look forward on is the fact of aging in place. Now, I got christened last summer with a closure in Carmangay, which I think everybody in here heard about. If you didn't, I can give you a quick refresher on it. That's one of the things we had on aging in place and what kept rural Alberta vibrant.

Now, through the FOIP process, which the Deputy Premier talked of earlier today during question period and how well we use it as opposition – I almost wish I hadn't FOIPed that whole thing



because I was a little bit sick after reading it, about how AHS knew the deadlines, knew the dates they were closing the facility, and that they put in there, through the FOIP information that we got: don't let that out, whatever you do; they don't need to know we're closing that in September. They actually went along, and it seemed like there was a whole process of: "Oh, we truly do care. We're going to come in and see what's wrong with that facility. Maybe there's a problem with it." And they knew right at the beginning that they were going to close it. I'm a pretty honest person. If you don't want to keep a place open, just say: "It's closing September 10. Get over it, and move on."

We put on tons of miles. We did tons of tours. But, I mean, the beauty of FOIP is that we got to sit there and go through it and find out that it was known right at the beginning when their closing date was. There were memos that were sent around in AHS saying: "Make sure you don't put the date on it. We don't need that date on there. They're really going to fight once they know that there's a drop-dead date to it." We went around and heard from the Minister of Health at the time that there was no deadline. There's no deadline. Now, whether he wasn't privy to the information that was going around AHS, I don't know, but we're now finding out the facts afterwards.

I guess it goes back to rural Alberta and how to keep things going. Let the aging-in-place facilities still be there. That was pretty disheartening to see.

Now I'd like to move forward from that as it's gone now. So how to move forward. I think we've got to sit here and touch on the great things we have in rural Alberta. We have great schools. The Member for Barrhead-Morinville-Westlock brought up about distance learning and stuff like that. That's key. We talked about Australia. I was lucky that in previous years, before I was married and had any kids, I went to Australia for six weeks and toured around. One of the big things they have in Australia is distance learning. Kids stay at home. There are vast areas out there. For one family at the one cattle station their driveway was 35 miles. Nobody else lived out there. Their driveway was 35 miles. I mean, you sit and put that in perspective, how scarce the population is in some of the rural areas. But the reason they keep functioning and keep going is because they supply the distance learning out there. It's key, and it works.

That's something I had hoped that we could keep on in Alberta, the education in rural schools. You know, there are some colleagues from different parties who touch on whether they should be private or public or what we do from there, and that's a different debate for a different day. But I think the key is that we've got to keep focusing on rural jobs, rural growth, and rural security. Security ties back into knowing that you have hospitals, knowing that you have good education, and knowing that you have businesses that can thrive in your smaller communities.

Like most families when they move to an urban centre, one of the things they look at is recreation. I've been a strong advocate for that. Now, how to juggle it all is always a challenge, how to keep recreation plausible and financially secure in the smaller centres so that people have all of those things.

High-speed Internet is one thing. I mean, I'll give the government credit for over the years putting in the high-speed Internet line and that to all of the communities. That's been key. People have been able to keep up. I think everybody in here had snail mail, going over the telephone lines with Internet then. You were pretty happy if you could download something in a half-hour or 45 minutes. I remember that you used to sit and click, and you'd walk away and, you know, half hour, an hour later – poof – your file was there, and you thought: "Wow. This is technology. Look how fast this stuff moves." I mean, now if we don't get

something downloaded on our phone in five seconds, we're a little chippy.

But I'm in support of this motion. Thank you.

**The Deputy Speaker:** Thank you, hon. member.

I recognize the hon. Minister of Agriculture and Rural Development.

5:20

**Mr. Olson:** Thank you, Mr. Speaker. I'm very pleased to say a few words today regarding Motion 511, which urges the government to complete a report that examines various strategies used around the world to enhance the viability of rural communities and to help retain rural families. I want to, first of all, though, thank the hon. member for Barrhead-Morinville-Westlock for bringing this matter forward. I feel that we don't often enough speak about issues relating to rural Alberta and agriculture, so I want to thank her for creating this platform, this opportunity for us to have a discussion.

Like her, I'm from rural Alberta as many members here are, and we are passionate about issues relating to rural Alberta. When I was first appointed, about a year ago, to this ministry, the Premier gave me a mandate which included raising the profile of agriculture and rural Alberta. I fairly quickly realized that this is not the type of thing that any one government department can do because it involves so many aspects of a person's life, as has already been mentioned by some of the hon. members: health care, transportation, tourism, municipal affairs, education, and so on. It really does take a broad, government-wide approach, I think, to move the yardsticks, and that's certainly what we're about here.

I want to speak a little bit about the importance of rural Alberta and the rural Alberta economy to the province. There was a report issued by the Conference Board of Canada in 2012, so just recently, talking about the economic footprint of the rural Alberta economy. The numbers are very impressive. It's a \$79 billion a year impact, the rural economy, to this province. That includes \$1.3 billion in provincial tax. So it's very important for us.

We continue as a government and in my department to invest in initiatives that support rural communities. I am going to take a few minutes to talk about some of them because I think it bears repeating. There may be some things that not everybody knows about. There are the obvious things, the obvious grassroots supports to things like ag societies and also agricultural service boards, who provide support for agriculture around the province and to rural municipalities. In terms of the ag societies we have 294 agricultural societies; 284 of them are what we call primary, or local, ag societies. So that's the smaller ag societies. Then we have the regionals, which include those in some of the medium-sized cities around the province or at least centred there. Then we have the two large ag societies, Edmonton Northlands and the Calgary Stampede.

All of these organizations are very strongly driven by volunteers. If it were not for those volunteers, the activities of these societies would be greatly, greatly curtailed. They provide support for important events in communities, everything from rodeos and things like that to farm safety seminars and everything in between. They also provide great infrastructure support. They manage and maintain community halls, curling rinks, hockey rinks, and the types of facilities you see in rural communities that are multi-use facilities. We talk a lot these days about infrastructure and the importance of multi-use facilities. Well, community halls get used for everything that happens in a community, including provincial elections, federal elections, even in some

cases, I would suggest, church meetings, and anything that is of importance to people in that community.

We also have a program called the agricultural initiatives program in my department that supports infrastructure and activities. It's a grant program that we're very proud of and that has done great work, is of great assistance in communities. I can think of a couple of recent examples just kind of off the top of my head. A week or two ago I was in Medicine Hat and was able to present a cheque to the Medicine Hat Exhibition & Stampede for \$73,800. What's interesting is the variety of things that that money was going to be used for, everything from a new waterline to graveling the parking lot to equipment in the kitchen. On that same trip when I was down there, I was able to present the Duchess Ag Society with a cheque for \$75,000 for their new ice plant.

The hon. Member for Little Bow mentioned that we also support rural utilities, and I am proud to say that we have been supporting and continue to support gas co-ops, rural electrification co-ops. We also have been supporting the final mile rural community program, which is creating Internet infrastructure around the province and in remote areas of the province. That's very important because it has been quite properly pointed out by other speakers that for rural Alberta to be on an even playing field with the urban areas and with other parts of the world, they need to have access. They need to have the ability to communicate, as everybody else does, by Internet. It could be farmers checking out crop prices and weather reports. There are all kinds of uses that this infrastructure is good for in terms of a rural economy.

A few weeks ago I was up in DeBolt at the 40th anniversary of the East Smoky Gas Co-op. One of the very interesting things I learned there, besides, again, the great volunteer support that has made that co-op successful, was the story about the entrepreneurial spirit of those people in terms of creating Internet capacity and coupling it with the activities of the gas co-op, piggybacking one on the other and really bringing some much-needed capacity to their community.

We also have made a major investment in rural Alberta and rural Alberta development by way of the rural Alberta development fund. Now, I know that this motion is about doing a study. Studies have happened before. There's been lots of discussion about how we do rural development, how we support rural Alberta. The rural Alberta development fund was created in 2006 and that flowed out of a previous report. The fund was an investment of \$100 million that went into 85 different projects. The idea of that fund was to identify creative projects that could serve as good examples for other communities so that people across the province could benefit from innovative initiatives.

I want to give just a couple of examples of some of the interesting things that were done arising out of that. One that's very immediate for us and one of the most recent grants out of that program is the \$3.5 million that is going to the Alberta Peloton Association for the upcoming tour of Alberta, which a lot of us have been hearing about. It's going to happen September 3 to 8. Now, this is something that is going to create world-wide attention for Alberta. It's a wonderful opportunity for us to showcase what we have here in Alberta, and in rural Alberta it's going to create economic development. It's certainly a wonderful tourism tool, and it's also encouraging wellness just by way of the physical activity in the sport that we are showcasing. Coupled with that, I know our Ministry of Culture has also been working very hard to make sure it's a festival so that communities celebrate the event as it passes through their area.

Another initiative that flows out of the rural Alberta development fund is the \$970,000 which was awarded several years ago to the FarmOn Foundation from Bashaw, which is not

too far from where I live. These are innovative people who are focused on young farmers and people who need help with ideas as to how they can get into the business. It involves social learning. It involves web learning. Their website address is farmon.com. [Mr. Olson's speaking time expired.] I have so much more. I'm sorry.

5:30

**The Deputy Speaker:** Thank you, hon. minister.

I'll recognize the hon. Minister of Aboriginal Relations.

**Mr. Campbell:** Well, thank you, Mr. Speaker. It's a pleasure to get up and support the Member for Barrhead-Morinville-Westlock and the motion that she's brought forward about rural communities and the importance and viability of them. I just want to comment on the remarks from the minister of agriculture about other reports being done. You know, we have done other reports. This is important, but I think it's also important that we do do some action.

Mr. Speaker, you know, Alberta is a pretty diverse province, and a strong economy is presenting many challenges for rural Alberta communities. I want to talk a little bit about West Yellowhead. I want to talk a little bit about the north, and I want to talk a little bit about aboriginal communities and how they tie into the rural landscape.

In West Yellowhead the attraction and retention of professionals like lawyers, accountants, and doctors is proving to be difficult. While the professionals may like the community, their families prefer larger centres, where there are more options for things like shopping, culture, and recreation. Mr. Speaker, I can speak personally to that because my family doctor came to Hinton, stayed for about a year and a half, and his wife said, "We just can't live there anymore," and they got up, and they left and left me without a doctor.

**Mrs. McQueen:** Was it you?

**Mr. Campbell:** It wasn't me. It was the fact that there were no piano lessons.

In one community in my constituency there is a huge demand for lawyers but only a few practising. Again, in fact, one lawyer who was recently practising had so much demand for his services he often worked seven days a week, leaving no time for his family. He ended up leaving the job for a larger centre to allow him some time with his family and a more balanced lifestyle. This is creating even more demand on those that remain in the community, and the same challenges occur with our doctors and our other professionals. I can say, Mr. Speaker, that in the town of Hinton two doctors, Dr. Caffaro and Dr. Armstrong, are two very competent individuals who lead the rural strategy for doctors in this province and do a very good job and actually bring a lot of young people into my riding, and some of them actually stay, which is great for the people there.

In West Yellowhead, you know, housing is an important issue. Again, in a lot of rural communities demand for rental units throughout the province is causing some concerns. In my riding, where the communities are doing quite well and the forest industry, coal mining, oil, and gas are all doing very well, rates are anywhere from a thousand to \$1,600 a month and basically zero vacancy. In West Yellowhead, Mr. Speaker, we actually put up four affordable housing projects in the last four years, I think to the tune of about 180 units. We still have a waiting list for those.

Even though our government has provided approximately \$1 billion to create 22,000 affordable housing spaces and actually used that money to work with industry to create even more money to provide more housing spaces, it's still creating some real issues

for us, and it's really difficult for families to find affordable housing within our rising economy, especially out in rural Alberta. So as we try to attract young professionals, when they come into Hinton, for example, or Edson, there's just no place for them to live. All of the communities suffer because of that.

Mr. Speaker, rural communities face some very significant challenges in our growing economy, and of course in my riding our communities all face similar issues dealing with growth and increased infrastructure demands. We need to look at best practices and ideas from other jurisdictions so we can continue to build on our successes.

Mr. Speaker, I would be remiss if I didn't talk about aboriginal issues as it relates to Alberta's rural development. As chair of the NADC for four years, you know, it was hard to differentiate between aboriginal and nonaboriginal people as we looked at the challenges that are faced in the north.

I just want to bring up some excerpts from the 2010 progress report from Alberta's rural development strategy. They talked about strategic partnerships between aboriginal organizations, industry, and governments to enhance aboriginal participation in the economy. Again, you could just use any word. Instead of aboriginal groups you could just talk about people.

Aboriginal Economic Partnerships provide Aboriginal communities and organizations with funding and advisory support to build capacity leading to employment and business development opportunities in the Alberta economy.

Providing... [funding] for capacity development... improving educational attainment and employment opportunities...

For example, we do that with the six Métis nations regions, which cover large areas of rural parts of the province, especially the north.

Develop an Aboriginal Wellness Strategy that outlines activities and initiatives to improve the health status and well-being of Aboriginal people...

Promote Aboriginal heritage by collaborating with communities on heritage preservation and renewing exhibits.

Again, Head-Smashed-In Buffalo Jump is an example.

Mr. Speaker, looking at mobile diabetes screening initiatives, making sure that people within northern communities have the ability to have themselves tested through

portable testing equipment to screen for diabetes and its complications. The team also does health promotion/diabetes education... where possible [and] encourages linkages with local health care providers. To date, 25 unique communities have been visited... many of them a number of times...

Through the Learning Clicks Program, ambassadors visit rural junior and senior high schools and communities across the province to motivate both youth and adults to pursue further education and training and to assist potential learners in how to navigate the Campus Alberta system. The program has developed unique strategies in partnership with community leaders to engage Aboriginal students on and off reserve...

Numerous supports for teachers to northern Alberta are available. They include the Supporting Beginning Teachers Program.

I know that through the NADC we've set up the northern teachers' bursary program, where we pay for the third and fourth years for northern students to get their degree and then go and practise in the north for a period of time, and that's worked very well.

Mr. Speaker, I want to leave you with some excerpts from Alberta's rural development strategy 2005 report, *A Place to Grow*. The following actions were to be taken on a priority basis to begin implementation of this comprehensive new strategy for rural Alberta. The objectives were to

Ensure that Aboriginal Albertans participate fully in rural development opportunities across the province.

Some of the priority actions were to

Facilitate strengthened relationships [between] Aboriginal, federal, provincial and local governments, industry and other interested parties to enhance the participation of Aboriginal people in the continuing development of rural economies and communities.

Fully implement the First Nations, Métis and Inuit Policy Framework developed jointly by Aboriginal people and the provincial government...

Expand opportunities for Aboriginal youth to become involved in 4H programs designed and adapted specifically for aboriginal youth.

Implement the First Nations Training to Employment Partnership program.

Develop and implement a First Nations Economic Participation Strategy.

Work on priority actions identified in this new Rural Development Strategy will begin immediately. In future years, the provincial government will rely on the advice provided through the new Rural Citizens' Voice to adapt and modify the strategy to meet changing needs.

Mr. Speaker, I think this last comment says it all.

*A Place to Grow* is not designed to be the solution to every challenge in rural Alberta but to act as a catalyst for action in communities across the province – actions that will sustain a rural way of life that was vital to our past and is just as vital to the future of our province.

I think the member's motion sums that up, and I'm more than happy to support her on her motion.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. minister.

The hon. Member for Cypress-Medicine Hat.

**Mr. Barnes:** Thank you, Mr. Speaker. My constituency of Cypress-Medicine Hat has a large rural component, so I rise to speak briefly to Motion 511, which urges "the government to complete a report, to be tabled in the Assembly, which examines various strategies utilized around the world that enhance the viability of rural communities and to help retain rural families."

It is a fact of life that many Albertans move from rural areas to urban areas and tend to stay there. Anything that can be done to enhance the viability of rural communities, to help people remain in their rural community is certainly worth looking at.

Another fact of life is that this government says one thing and does another. They have not yet learned that their actions speak louder than words. The words in this motion sound great. Who would not support examining different strategies that would enhance the viability of our rural communities? But I want to take a few minutes to take a look at the actions of this government and how these actions have impacted our rural communities. I do so because I believe a strong provincial and rural economy is based on property rights, stable electricity costs, and a minimum of government interference. Repealing bills 36, 24, and 19, as others have mentioned, would be a great place to start. The illogical idea of high capital investment in these industries and uncertain property rights is no doubt going to lead to more problems in the rural area.

Also, in the last election the Premier promised stable, predictable funding of a 2 per cent yearly increase to school boards, but the action taken in the budget was to significantly reduce funding for education. Recent budgets have decreased funding to Prairie Rose school division in my constituency by an incredible approximately \$2.8 million. This type of severe funding cut to the front

line of education makes it extremely difficult, especially in rural areas. In fact, in the past five years Prairie Rose school division has had to close five schools, rural schools, a very difficult problem, especially where you need some for growth. The government talks about the importance of rural education, but again look at the action taken in the budget: nothing – nothing – to help rural schools, everything to make their job a lot harder. The hardest hit will be the students in the rural areas.

5:40

Our province is desperately short of family doctors – and again this is even more prevalent in rural communities – yet at the same time spaces at the U of C medical school recently dropped to 155 for new entrants, the lowest in five years. This is going to contribute significantly to the shortage we already have – how could it not? – at a time when the province is growing. What actions did the government take? They've been in an all-out war with Alberta's physicians, and the budget also significantly reduced funding to postsecondary institutions.

No one in my constituency has forgotten about Bill 50, the legislation that gave cabinet the power to say that transmission lines were critical infrastructure without a public needs assessment. As a result, Albertans are paying billions for four transmission lines when there's no proof that these lines are needed. The Bill 50 lines will raise the costs of electric bills for every Albertan, and in rural areas, where costs are higher, it is rural Albertans who will be hit the hardest.

Infrastructure that's actually critical infrastructure such as roads is another area in which the government is failing rural Albertans. Albertans don't know what rhyme or reason the government uses to determine which projects to undertake. In Cypress-Medicine Hat the government announced that 40 kilometres of highway 61 would be reworked, repaved, and widened. Twenty kilometres of that work was completed, and the work stopped with no explanation. The project was deleted, dropped from Alberta Transportation's tentative project list. This is an important roadway in our area and a dangerous road. Again, actions speak louder than words. The government promised 40 kilometres of maintenance; work was only done on 20. People take notice of that, Mr. Speaker. In a commodity-based province the ability to move our grain, livestock, oil, gas, and timber around safely and efficiently is paramount.

Many of my rural constituents have also expressed frustration with the government's AgriStability program. The administrative red tape for this program is overwhelming, the forms are unclear, and many people actually have to spend more on professional fees to navigate the program than they receive from the program. Huge improvements can be made here.

If Motion 511 passes and the government does in fact complete a report about strategies in other parts of the world that might work for rural Alberta, I urge the government not to sit on the report and to release the report to the Legislature within 30 days of the completion of the study. I also hope but will not cross my fingers that the government will not spend thousands of taxpayer dollars on outside consultations for such a report when there are qualified people already within the public sector who would better perform this task. Better yet, just go have a real consultation with rural Albertans and ask them what they would think.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Member for Strathmore-Brooks, followed by Dunvegan-Central Peace-Notley.

**Mr. Hale:** Thank you, Mr. Speaker. I'm happy to rise and talk about Motion 511. I do agree that we need to continue to look at ways to make rural Alberta viable, sustainable. I think the best thing is that instead of looking around the world, we need to continue to look at home. You know, we have some very, very great entrepreneurs in our own backyards, people that are trying to improve the sustainability and viability of rural Alberta. I find it funny that the government is putting this motion forward to get this study going when, on the other hand, they're taking so much away from rural Alberta.

A great example of that is the pharmacies. Since they came out with this pharmacy plan, I've had over a dozen rural pharmacists come to me and say: "We may have to shut our doors. We will not be able to keep the staff we have." They're going to lay people off. This is coming from the pharmacists. I'm not making any of this up. You've heard day after day after day in question period that we're being contacted by pharmacists that are in trouble and going to be in trouble. That's a fact.

You know, the doctors in our rural communities: it's tough to get doctors to stay. We don't have as much to offer as a big city. It's totally different living in a rural community. The people that live in these communities do great work, and they do great things to keep these doctors and the nurses and the health care staff, but it's tough when we see Carmangay closing and in Strathmore they're closing 25 beds in the hospital. That community has grown. From when that hospital was built, in 1985 – I think they had about 3,500 people there – it's grown to over 13,000 and, then, even more if you count all the rural areas around it. The hospital is getting cut in half. You know, the lab is the same size as when it started, but the population has drastically increased.

They need more doctors in Strathmore, they need more doctors in Bassano, and they need more doctors in Brooks. It's getting tougher and tougher to attract these doctors. I got a letter from a doctor in Brooks that came from South Africa. He said that he has colleagues that would like to come over, but with the contracts and the workloads and everything that they have to go through, why would he want to come to a rural hospital when he can go to a big-city hospital and pick his shifts and live his life?

We had a doctor from South Africa come in, our doctor in Bassano, a good friend of mine. You know, he stayed there for I think it was a couple of years, and he's actually given his notice. As of July 1 he's leaving. So now we're going to have one doctor on staff in Bassano. He's going to have to cover the whole hospital now by himself. I mean, we have to keep working with associations like RPAP, you know, whatever we can do to get these doctors and professionals we need to continue to do it.

Another huge issue in rural Alberta is the pheasant release program. We heard that from Red Deer-North. She put forward petitions. We had the pheasant hatchery in Brooks. It turned out thousands of pheasants a year. They're not the exact figures, but there was a study done, and it was about \$3 million that that pheasant release program brought into southern Alberta, about \$10 million provincially. Now they're looking at getting the birds from out of the country, from the States.

We talk about rural sustainability and things we can do to improve rural Alberta, yet we're cutting things, programs that actually bring money in and keep it viable. You know, that's an issue that needs to be looked at. What can we do, what do we need to do to grow our own pheasants and get all these hunters to come up from out of province and out of the country and bring money into our communities?

Agriculture is a huge, huge part of rural Alberta, and as the Member for Little Bow mentioned, our population is increasing. We're going to have to continue to produce more food, and it's

getting tougher with the property rights laws that came in. Why should someone who has been on that land for that many years have to take direction from a government? They know how to run it. They know how to do everything better than the people up here telling them how to do it.

There are some very, very good examples of programs that are going on to improve attraction to rural Alberta. A very good example is our Bassano school. At the end of January they were the first school in Canada to implement the health, recreation, and human services program using a high-fidelity patient simulator, the first high school in Canada to do this. This is going to allow community partners through the hospital to come in and start showing these children, our students, how the medical industry works. You know, they can work on a simulated patient that does everything that a live person will do. That's a great thing to attract students into the medical profession. It's a great tool for the community to use. Newell Further Ed is an adult education association in town that helps educate adults. You know, they put on courses in first aid, CPR. Those different courses will be able to use the simulator, so that's a great attraction.

5:50

**The Deputy Speaker:** I hesitate to interrupt you, hon. member, but Standing Order 8(3) provides for up to five minutes for the sponsor of a motion other than a government motion to close debate.

I would now invite the hon. Member for Barrhead-Morinville-Westlock to close debate on Motion 511.

**Ms Kubinec:** Thank you, Mr. Speaker. The goal of Motion 511 is to promote rural retention and sustainability in Alberta. We've heard here today that the Minister of Agriculture and Rural Development has spearheaded a lot of work in this regard already – I wish he could have finished telling us all the wonderful things that have gone on already – but my constituents are still concerned

and want us to broaden our research horizons by looking into what other countries are doing to promote rural regions.

I know that in my own community of Westlock there's a lot of concern right now with the discussion of the removal of some lab services. We are concerned because it will affect jobs in our community. Families have been attracted to Westlock because of the amazing reputation of our hospital. Our RPAP committee recently put on a skills competition day for lab, medical, and physio students to come to see what we have to offer in Westlock, in rural Alberta. The students were very, very impressed with what they saw.

Mr. Speaker, Motion 511 simply urges the government to explore the various strategies used around the world that enhance the viability of rural communities. I value and respect my colleagues' comments regarding this motion, particularly my colleague from Little Bow. In our family we could see that our sons wanted to farm quite early on. We implemented what we called the four-year rule. "You have to go away for four years. You can come back and work in the summer. There might be an opportunity for you when you come back if you choose to." They all went away, and they got engineering degrees, an ag degree. One went to Olds College. They are all now proud farmers who are making a living at doing that job.

I would like to thank everyone who participated on this motion today and urge all members to vote in support. Thank you.

**The Deputy Speaker:** Thank you, hon. member.

[Motion Other than Government Motion 511 carried]

**The Deputy Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I was slow to rise because I thought people might want to have a standing vote there.

Seeing the hour, I would move that we adjourn until 7:30 p.m.

[Motion carried; the Assembly adjourned at 5:53 p.m.]









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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Monday evening, May 13, 2013

Issue 58e

The Honourable Gene Zwozdesky, Speaker

## Legislative Assembly of Alberta The 28th Legislature

First Session

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Wildrose: 17

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## Legislative Assembly of Alberta

7:30 p.m.

Monday, May 13, 2013

[The Deputy Speaker in the chair]

**The Deputy Speaker:** Please be seated.

The hon. Deputy Government House Leader.

**Mr. Denis:** Thank you. After some consultation with the opposition, I'd like to make a motion that all bells this evening be one minute.

**The Deputy Speaker:** The hon. Deputy Government House Leader has moved that any division bells tonight be one minute in duration. This requires unanimous consent, so I'll ask one question. Is anyone opposed?

[Unanimous consent denied]

**The Deputy Speaker:** We'll proceed as usual.

### Government Bills and Orders Second Reading

#### Bill 22 Aboriginal Consultation Levy Act

Ms Smith moved that the motion for second reading be amended to read that Bill 22, Aboriginal Consultation Levy Act, be not now read a second time but that the subject matter of the bill be referred to the Standing Committee on Resource Stewardship in accordance with Standing Order 74.2.

[Debate adjourned May 9]

**The Deputy Speaker:** Additional speakers? The hon. member.

**Mr. Anglin:** A point of clarification. Are we not dealing with a motion to defer? Is that how we adjourned this?

**The Deputy Speaker:** This is the referral motion. I'm sorry. Hon. members, we are dealing with referral motion RF1.

I'm looking for other speakers. The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. On this motion to defer, I listened to the hon. members last week when they talked about consulting with the various bands. Unfortunately, that's not the information we're getting back. That's just the way it is.

The Confederacy of Treaty Six writes – this is an interesting point. I know you can mock this, but this is the chief of Treaty 6. He quotes the minister, his May 9 statement in this House:

I can say that I met with the grand chief personally. We met about three weeks ago. He was made aware of this bill. He agreed to this going forward.

What the chief writes back is:

This above statement is false on all accounts. The meeting that took place was a dinner meeting and the mention of a levy was made as a casual statement, there was no indication of Bill 22 or that the Alberta Government had any law drafted.

So we have a difference. We have a difference of opinion on consultation. The government is saying that it consulted. The people that they claim to have consulted with are saying that they didn't consult.

Clearly, that alone is enough that this government should take that in caution, that you cannot claim consultation has taken place when one party to the process is claiming that it did not,

particularly in such a short period of time. That's important because an amount of the feedback that we got dealing with this bill, dealing with this issue, clearly shows an incredible amount of confusion and objection to what these various bands and treaty nations have now come to know as Bill 22. This motion to defer is a logical step. It only makes sense so that we can clear up this so-called confusion of whether or not consultation took place.

I would like to add that the bill should have been brought forward with pretty much an agreement of the First Nation bands. There should have been not just consultation in the sense of what landowners have become accustomed to, but because these people are separate nations – this is an intergovernmental relationship – there should have been something in the order of a memorandum of understanding, an agreement in principle before the act was actually brought forward. That is a logical process that would normally take place.

With that, the minister could then have a rightful claim to having consulted, but right now that's in dispute, and it shouldn't be. With the feedback that we've gotten from the Treaty 6 First Nations, from Treaty 7, particularly Chief Weaselhead, from the Blood Tribe, and many others who have now written us over that very short period of time since this was introduced, by all accounts they were not aware of this, so clearly there was a miscommunication.

Now, I do not dispute that the minister is under the impression he consulted, but what I dispute is that consultation has actually taken place when one party is saying that it did not. That's a dispute that needs to be resolved. That's a dispute where we cannot move forward with that not having come to some sort of conclusion. To take this process and refer this back to a committee so that the various parties can come in and be part of a process before this moves forward seems only logical to me and seems like the right course of action.

There's just one other question that the minister didn't answer or didn't give information for; hence, the question: is there a rush for this? What's the rush? If I understood him correctly, he said that this was years in the making. It's understandable if it was years in the making. What's not understandable is the various First Nations saying that they were not consulted. But if it was years in the making, what's the rush right now to put this through and pass this before we go home for the summer? Why not just put this out to the committee so there is ample time to do what is necessary to make sure all the parties are onboard?

Clearly, the government wants this act – that's why they brought it forward – but where are the other parties? That's the most important point. There are two sides to this agreement. In business deals I don't know how you get a business deal unless both parties agree to it and are willing to be a signatory to some sort of agreement. That's not here. That's not present.

With that, I would ask that the members of this House defer this bill and support this motion to defer it. Thank you very much.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the next speaker, the hon. Member for Calgary-Mountain View, on the amendment.

**Dr. Swann:** Thank you very much, Mr. Speaker. It's an honour to stand and speak to the amendment on Bill 22, which has, I think, caught many people by surprise, particularly perhaps the government and the minister who promoted the bill. It certainly wasn't part of the briefing that I received from the minister.

It sounded like there had been full agreement on this bill, but within the few days that we've had since the bill was tabled, we're

already having a tremendous response from First Nations, particularly leadership, as was indicated, and not just contact but real frustration, real anger, a real sense of being betrayed because decisions that were made were not discussed in some of these consultations. It may well be that principles and values and some ideas around a levy, some ideas around the ministerial powers, the delegation in some cases of powers to the provincial level that have had some federal credibility are new for some of these issues for the provincial authority.

7:40

But, more particularly, I think section 8 and the disclosure of negotiations and financial information between the First Nation and the corporation are quite unique. The First Nations are not shy about pointing out that when corporations make this negotiation with private landowners, they're not required to make it public. They are offended by the fact that we would treat them differently from other stakeholders in this instance. In the context of this bill section 8 is a key barrier to any support First Nations can give. I'm now talking primarily about Treaty 8 and Treaty 6, which are in this area of the province. I haven't heard exact details from Treaty 7 in the south but a very strong reaction from Treaty 6 and Treaty 8.

Section 15 of the Charter, dealing with the equality of rights, again raises the question of why there's a double standard here. Why has this government placed responsibility on First Nations and their relationship with corporations that they don't put on other organizations, landowners, and interested parties?

Another detail is the possibility that even once these negotiations are concluded, they could be FOIPed. That, again, violates some of the basic market principles of Alberta, that private industry and the private sector are not subject to FOIP. There's a real sense that this government and this minister have lost connection to the basic rights of First Nations. I'm curious why in some cases the government of Alberta, who has not traditionally been involved in this way, has now become an intermediary and in some ways is downloading its responsibility for funding and for proper consultation to the First Nations and the industry. Therefore, it is not only downloading the costs but is downloading the conflict that may arise and the resolution of the same.

One has to wonder what the motivation is behind this and why there is such haste when clearly these are contentious issues, important issues to First Nations and have not had the full discussion that they need.

Mr. Speaker, I cannot but support this amendment and motion. I would very much hope that the government would see the wisdom of this in terms of developing a stronger relationship with First Nations, extending the time that may be necessary for further consultation, and getting this right the first time. This will have implications not only in the First Nations community but across Alberta if we can't find a respectful, inclusive, common approach to this critical issue of an industry-First Nations relationship.

We on this side also will be recommending some amendments at an appropriate time. At this time I would support the amendment.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.  
Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Speaker. I rise to support the motion that the Aboriginal Consultation Levy Act, Bill 22, not

be read a second time at this time but referred to the Standing Committee on Resource Stewardship, and thereupon, I would hope, they would hear interested groups make their presentations.

Mr. Speaker, Bill 22 begins with a preamble, and it says:

Whereas the Crown is committed to consulting with First Nations and other identified aboriginal groups in respect of provincial regulated activities that might adversely [affect] their exercise of treaty rights.

It goes on to say:

Whereas the Crown is committed to consulting with First Nations and other identified aboriginal groups in respect of provincial . . . activities that might [affect] traditional uses of land.

Then it goes on to say, "Whereas it is desirable to assist First Nations and other . . . aboriginal groups" that participate in consultations and so on and so on and so on.

Mr. Speaker, this is a situation where the irony is overwhelming, where, in fact, a government bill that starts with all kinds of fine words about consulting with aboriginal groups was not consulted on with those very same groups in the development of this legislation, and they are now opposed to this bill. They're strongly opposed to it, and they're denying that the consultation claimed by the minister ever took place. I wonder what kind of bill of goods he's trying to sell us when he baldly makes the statement that consultation has occurred and that First Nations are onside with this particular piece of legislation.

Well, we find that they're not. We've done some consultation. The chiefs of Treaty 8 are not only opposed to the legislation; they're shocked and dismayed. They've gone on to say that this violates the intent of the protocol agreement on government-to-government relations and that it's been breached at the very time that negotiations are going on with regard to the renewal of the protocol arrangement.

Mr. Speaker, there are a number of reasons – and we can get into this – why Treaty 8 and others oppose this bill, but I just want to deal with the fact that the ministers claim they've consulted, and they're categorically stating that they have not been consulted. On Monday – I guess it's still Monday, that is today – they issued a release in which they state that the Treaty 8 First Nations of Alberta fully opposes Bill 22 in its entirety. Now, we didn't get that information from the minister when he introduced this bill. We heard from him that everybody was happy and had been consulted. I want to say that Treaty 8, particularly Grand Chief Twinn, has gone on to say, "We will not support this bill and continue our opposition of it until proper consultation is conducted with the First Nations of Treaty 8."

Now, Treaty 6 has said that there was a meeting of the chiefs of Treaty 6 ten days ago. They said:

There was zero indication that any levy would be placed into law, nor was it mentioned that the law would arrive five days later. In this respect, the Chiefs of Treaty Six feel that the Alberta Government is once again moving forward with their own agenda and ignoring the recommendations and terms of First Nations leaders.

Mr. Speaker, you contrast that with the statement made the day before, on the 9th, by the minister, who said, "I can say that I met with the grand chief personally. We met about three weeks ago. He was made aware of this bill. He agreed to this going forward." That statement

is false on all accounts. The meeting that took place was a dinner meeting and the mention of a levy was made as a casual statement, there was no indication of Bill 22 or that the Alberta Government had any law drafted.

Simply notifying First Nations or any other group does not count as consultation. You can tell them what you're doing. That doesn't mean that you're actually consulting with them.



You know, I can't understand, and I can't believe that we're going to debate a bill that talks in its first principles about the duty to consult First Nations and other aboriginal groups and they weren't even consulted on this bill. What is it besides words, then, Mr. Speaker? Why should anybody place any confidence or hope in anything this government says when this kind of situation can happen?

So I think it's very important that we refer this bill back to committee, and I would hope that the committee would then invite submissions from concerned organizations and individuals, including First Nations, so that all members on all sides of the House can hear first-hand the views of First Nations with respect to this piece of legislation.

This is yet another sorry act of betrayal in a long, long line of acts of betrayal, Mr. Speaker, and I think that to pass this bill at this stage would be not only a serious mistake but an insult to First Nations. I urge all hon. members to support this motion and refer it back to committee for further study.

Thank you.

7:50

**The Deputy Speaker:** Thank you hon. member.

Standing Order 29(2)(a) is available.

Before I recognize the next speaker, may we revert briefly to Introduction of Guests?

[Unanimous consent granted]

### Introduction of Guests

**The Deputy Speaker:** The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Mr. Speaker. It's a great honour tonight to stand and introduce to the House and to you three leaders of First Nations organizations that are here specifically because they're deeply concerned about Bill 22 and the flaws in Bill 22. I'll ask them to stand as I introduce them, and we'll recognize them collectively after. Assembly of First Nations Regional Chief Cameron Alexis; Chief Ahnassay of Dene Tha', specifically deeply concerned about the lack of an appeal process in section 9, which I commented on in my comments; and Mr. Rob Houle, who is executive assistant and the acting grand chief liaison for Treaty 6, representing Grand Chief Craig Makinaw tonight. The main message from Treaty 6 is that at no point was the Aboriginal Consultation Levy Act agreed to, contrary to the minister's comments on May 9, and at no time was the content of the bill discussed with Treaty 6 chiefs.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Hon. Member for Edmonton-Beverly-Clareview, did you have an introduction as well?

**Mr. Bilous:** I do, Mr. Speaker.

**The Deputy Speaker:** Please proceed.

**Mr. Bilous:** Thank you. It gives me great pleasure to introduce to you and through you to all members of the Assembly several of our guests. First, the grand chief of Lesser Slave Lake regional council. She's also the chief of Driftpile First Nation. She is strongly opposed to Bill 22 and is here to show her opposition to this bill and that it needs to be rescinded. As well, the AFN regional chief, Cameron Alexis. There are other chiefs, council members, and treaty representatives from Treaty 6 and Treaty 8. I

would ask all of our guests to please rise and receive the warm welcome of this Assembly.

## Government Bills and Orders Second Reading

### Bill 22 Aboriginal Consultation Levy Act (continued)

**The Deputy Speaker:** Are there other speakers to the amendment? Seeing none, I'll call the question.

[The voice vote indicated that the motion on the amendment to second reading lost]

[Several members rose calling for a division. The division bell was rung at 7:53 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Anderson	Bilous	Smith
Anglin	Donovan	Swann
Barnes	Hale	Towle
Bikman	Mason	Wilson

Against the motion:

Allen	Hughes	Olesen
Bhardwaj	Jeneroux	Pastoor
Casey	Johnson, J.	Quadri
Dallas	Johnson, L.	Quest
Denis	Khan	Rodney
Dorward	Klimchuk	Sandhu
Drysdale	Kubinec	Sarich
Fenske	Leskiw	Scott
Fraser	McIver	VanderBurg
Goudreau	McQueen	Woo-Paw
Hancock	Oberle	Xiao

Totals: For – 12 Against – 33

[Motion on amendment to second reading of Bill 22 lost]

**The Deputy Speaker:** We'll go back to the main motion.

The next speaker, the hon. Member for Strathmore-Brooks.

**Mr. Hale:** Thank you, Mr. Speaker. It's a pleasure to rise and speak to Bill 22. It's too bad that we just got defeated on the motion that our hon. leader from Highwood put forward, trying to refer this bill to the Standing Committee on Resource Stewardship so that we could take more time and consult with First Nations and aboriginals and industry to get it right. As that has passed, we will now carry on.

I'd like to begin by saying that I was pretty happy with how this bill initially came forward. I believe that the minister did work with our leader and our caucus to give us a briefing on the bill, and I do respect some of the bill's broader intentions. The Crown has a commitment to consult with First Nations and other aboriginal groups about potentially regulated activities that may adversely affect their treaty rights or traditional uses of land. Companies who want to proceed with energy or other forms of development are obligated to carry out any consultation under the direction of the Crown.

This act seeks to direct resources towards First Nations to support their participation in consultation. It does so with the creation

of a levy to fund consultation with First Nation communities regarding developments that might adversely impact traditional uses of land. Mr. Speaker, the creation of this levy is a matter which industry and aboriginal groups and First Nations could support. It would help both sides streamline development and positively affect this province.

However, this PC government has brought forward a bill plagued with problems. The first problem is that this bill hasn't adequately been consulted on with industry or First Nations. Bob Small of Treaty 6 said that none of the First Nations of this treaty had been consulted, and similar concerns were heard from Treaty 8. Only this PC government could put a major consultation bill like this forward without actually consulting with stakeholders.

The bill not only lacks consultations with First Nations and aboriginal groups, but it also lacks consultation with industry. I've been hearing from people in industry that were not consulted, and this bill doesn't help alleviate problems that can occur during development on First Nations and aboriginal lands. Industry has asked for more clarity and consistency in the current consultation process. If this bill provided that, I would be happy to support it, but Bill 22, especially with First Nations and major stakeholders speaking out against it, only adds more confusion to an already convoluted process.

Additionally, stakeholders are asking if the levy will take the place of consultation fees that are already being paid out. Mr. Speaker, industry is already paying similar fees to First Nation and aboriginal groups. For example, I spoke to a person in industry who already pays when they are looking at developing on or around aboriginal or First Nations land. These fees vary, but they're often dictated by what sort of project they are doing and how big that project is.

For example, a company may pay \$500 a well, and for five wells that's \$2,500. That money is given directly to the aboriginal or First Nation groups in that region. Will that money stop with the passage of Bill 22, or will it continue and industry have to pay more fees and experience more red tape to get through? I'd be curious to hear the minister's thoughts on this.

Finally, for this bill to be responsible legislation, the levy should be calculated on the basis of the magnitude of the project, the duration of the impact, and the certainty of the impact, but in the bill these details have been left to the regulations. This, like Bill 21, leaves too much power in the hands of the minister, and one has to ask: why is this necessary? Including that the levy should be calculated due to the parameters around the project, the duration of the impact, and the certainty of the impact would allow for the levy to be fair every time, but this bill ignores that concern entirely. Bill 22 is putting more power in the hands of the minister to make decisions as opposed to outlining the limits of authority in the law.

Also, will this levy be capped? At this time there are no restrictions or indication of the potential costs to industry. This causes uncertainty in industry and First Nations. This is not what Alberta needs. This PC government has failed to consult with industry as well as First Nations and aboriginal groups. What we have is a bill plagued with problems.

In closing, Mr. Speaker, we have to do better for industry, and we have to do better for First Nations and other aboriginal groups in this province. This bill fails to deliver an aboriginal consultation levy that stakeholders can agree on, and I implore the government to do the right thing and rethink this act.

Thank you.

8:10

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, the next speaker, the hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Mr. Speaker. I'd like to begin my comments on Bill 22 with two letters, one from a senior official with Treaty 8 and the other from Treaty 6. The first, then, from Greg Posein, communications co-ordinator with Treaty 8:

Bill 22, the Aboriginal Consultation Levy Act, is set to go before the Alberta legislature today and is being met with strong opposition by the Alberta First Nations of Treaty No. 8.

Grand chief of Treaty 8 First Nations of Alberta, Roland Twinn, states "We oppose this new legislation, created without meaningful and proper consultation and view it as a continuation of a paternalistic attitude that our Nations have struggled against for decades."

The new bill, according to an Alberta Government announcement, "is aimed at strengthening the First Nations consultation process to ensure that it is appropriate and meaningful. It is important First Nations have the capacity and funding available to do a proper job on consultation and that is what this legislation is about."

This, however, is not sitting well with Treaty 8 . . . First Nations, "This bill does nothing to ensure the consultation process is appropriate and meaningful. It is instead creating a consultation levy fund that has the potential to impact Treaty Rights and our ability to consult, it is more likely to hinder than to enhance," says Grand Chief Twinn.

In particular, two sections of the bill are causing the most concern. Section 8 of the new act deals with private industry providing copies of agreements they have with First Nations, to which the Grand Chief responds "Private companies and their agreements, are not subject to public scrutiny. Any private company, First Nation owned or otherwise, is answerable only to their board of directors. This legislation is attempting to change the way business has always been conducted in Canada for one specific segment of the business community. This action could be taken as discriminatory."

The other section causing concern deals with the Minister's authority to make final decisions that are not subject to review. "By removing First Nation's ability to appeal you deny them a measure of justice. Why shouldn't First Nations have access to legal recourse against government? Does this also apply to industry, if they have concerns as well? The issue becomes one of administrative fairness, if no one can appeal one man's decision we are entering dangerous territory. This new authoritarian stance is alarming to say the least," states Grand Chief Twinn.

"We will not support this bill and continue our opposition of it until proper consultation is conducted with the First Nations of Treaty 8 . . ." finishes the Grand Chief.

A second letter, Mr. Speaker, I think is important to put into the record.

[Dear Minister Campbell, with reference to Bill 22, the Aboriginal Consultation Levy Act] We were shocked to learn about the introduction of the proposed Aboriginal Consultation Levy Act . . . in the Alberta Legislature. The Government of Alberta has completely disregarded our constitutionally protected rights by providing no notice to First Nations that this legislation was imminent and has not consulted with First Nations regarding the Act whatsoever.

To the limited extent that First Nations have had any opportunity to date to discuss the proposed new Consultation Policy with you and other government representatives, the Confederacy of Treaty Six First Nations has been clear that we

are opposed to a levy on First Nation consultation and any requirement to disclose agreements between First Nations and natural resource companies. Alberta has failed to explain how such measures will work or benefit First Nations, or the resource sector. Instead, your government has introduced the Act in the face of those concerns, before a meaningful consultation process on the proposed new Consultation Policy has completed, and before any consultation about the Act whatsoever. Your government's decision to introduce this legislation makes it abundantly clear to us that you do not understand the scope or breadth of our constitutionally protected Treaty and Aboriginal rights. Of even equal concern is the complete lack of respect Alberta is demonstrating by proceeding in this manner without our engagement.

We will be holding a meeting of the Treaty Six Chiefs as soon as possible to review the proposed Aboriginal Consultation Levy Act and provide further detailed comments, and to consider a coordinated and forceful opposition to the Act. Our initial concerns are set out below.

I'll simply itemize the headings, Mr. Speaker, in the interests of time. Number 1, the Aboriginal Consultation Levy Act is discriminatory. Number 2, Alberta has overstepped its constitutional authority. Number 3, the legislation violates the UN declaration on the rights of indigenous people. This letter is signed: sincerely, Grand Chief Craig Makinaw.

Well, clearly, Mr. Speaker, this government has to take a second look at this in the interests of long-term, sustainable, healthy, constructive relationships with First Nations. There's a clear indication here that there's been a breakdown. At the same time, many of us in the initial presentation of this bill heard from the minister that consultations were followed by agreement by First Nations that this was an important contribution to the First Nations themselves. There's a very serious disconnect here that I think needs to be addressed, the main elements of which have been discussed.

This government has now this evening refused to accept a referral of this act to a committee that would present a reasonable review of it, provide the research, do the extra consultations if needed, and come back with what could be an acceptable bill for First Nations. It's clear that there's an unwillingness in this government to actually embrace the principles and values that they talk so much about in this House of democratic process, full consultation, accommodation of interests, and a willingness to actually build a long-standing relationship based on trust, on saying what you mean, meaning what you say, and then following through on that decision.

These are critical times in Canada for First Nations. We've seen a federal Conservative government bring into power two omnibus bills which take away unilaterally the rights and responsibilities of First Nations, shift responsibility for waterways and fisheries to the provincial government without negotiation, and take away some treaty rights from First Nations with respect to private ownership of land and the sale of land on reserves. It's clear, I think, that both levels of government, provincial and federal, Alberta and their federal cousins, are looking for shortcuts. They are consolidating more and more power unto themselves, making arbitrary decisions, talking about legitimate process, talking about consultation, talking about the meaning of democracy, and demonstrating something very different.

I think we're all going to suffer if we don't find a respectful common ground to work with our First Nations. We have a legacy of over 150 years in which we have done such damage to our relationship with First Nations that we are now seeing tremendous costs both in terms of human suffering and human potential and, obviously, costs to the systems that are dealing with the fallout –

mental health issues and criminal justice issues – because we haven't got it right. We haven't listened. We haven't respected due process and given at least the most critical elements of these relationships due attention, time, and a process that not only allows for decisions to be made in the short term and the longer term in terms of economic well-being, social well-being, environmental security, and social stability but allows a healing process to occur between the dominant society, shall I say, in Canada and our First Nations and within First Nations themselves. They're interconnected.

**8:20**

The healing process that has to happen between First Nations and mainstream Canadian society has to be given a priority. Everything we do in relation to decision-making around First Nations has to be seen through a screen of a tremendous amount of damage and harm done because of failure of process, failure to integrate some of what we understood to be human rights, justice, due process, recompense for damage done. We have failed to see the opportunity that should be there for all of us. We're all treaty people. I'm sure many of us have heard this over and over again. We are all treaty people. Our forefathers signed the treaties. Our First Nations signed the treaties. That makes us all part of treaties that have to be in some way made to work. They're not working now.

I would submit that this bill, Bill 22, has the danger of adding more fuel to the fire of the Idle No More movement, for example, which so vehemently rejected the omnibus bills of Prime Minister Harper in the last year and are now going to gather new fuel in Alberta around a bill that is clearly not representing what First Nations understood it to be, if they understood the bill at all, if they were given the opportunity to see the bill. They were told they were consulted. They do not feel that they have been meaningfully consulted and that this does not represent their interests.

I hope the minister will take this under advisement and that the members opposite will see the wisdom of simply delaying this, at the very least, and throwing it out if they honestly respect our relationship with First Nations and want to see a more constructive, healthy relationship going forward. We will be bringing forward recommendations and amendments, as I indicated, at a future time.

We certainly support the changes that the First Nations themselves are saying need to be made. Without very, very substantial change there is no willingness to support this bill by First Nations, and therefore there should be no willingness to support this bill in this House.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member. You've quoted extensively from two letters. I assume you'll be tabling those tomorrow. Thank you.

Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the next speaker, the hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you very much, Mr. Speaker. I know that we reverted already to introductions, but I just want to state for the record that there are also representatives here from Treaty 7. I apologize for omitting them in my initial introduction.

The reason I stand, Mr. Speaker, is to speak strongly in opposition to Bill 22 and to urge this government and all members to completely withdraw Bill 22. I will outline all of the reasons. You know, I think it's very important to note, first and foremost,

the number of guests that we have joining us this evening. The reason that they are here tonight is to let their presence be known, that they are strongly opposed to this bill. Members from all three treaties find this bill to be quite offensive and completely disrespectful.

I think it's necessary for members, especially government members, to get a better understanding of the word "consultation." It's been stated this week by the various treaty representatives that notification is not consultation. The term "consultation" I think has been thrown around too loosely in this House and elsewhere. You know, the minister requesting a meeting with a band or with a chief or a grand chief to talk to them about either what's coming up or to ask them for some input is not necessarily consultation.

Consultation and meaningful consultation is, first of all, acknowledging that the people at the table are equal partners and have an equal voice and are there to give and to receive. It's not one way – this is what we're doing, and you need to accept it – and then let's call that consultation.

You know, I find it quite disturbing, Mr. Speaker, that this government loves to throw around words like "accountability" and "transparency" and "honesty," yet I don't know if in the last 42 years there's been a more opaque and, you know, unaccountable government representing the province. The fact is that in 42 years of being in power, they still do not know how to hold meaningful consultations, how to have a conversation, how to treat other orders of government as that, as an order of government, and respect governance and procedures as opposed to ramming through this government's own agenda.

Despite the fact that in this House the minister has stated that representatives from all three treaties were consulted on Bill 22, it's clearly not the case. The fact of the matter is that there were some conversations over the last few months. I've been told that rarely did the levy come up. This was more of a concept that was batted around last fall, Mr. Speaker. I appreciate the fact that there are some First Nations groups that are struggling to be able to consult with industry on all the proposed projects. When travelling up north, I spoke with different chiefs who said that sometimes they have up to 60 different projects they're trying to consult on with very minimal resources, which just seems absurd.

I can appreciate the spirit of wanting to have a level playing field for all 48 First Nations within the province. However, first and foremost, the process which the government went through to arrive at this bill did not involve consultation in the least. In fact, as other colleagues in the House have stated, many chiefs were shocked, were blindsided by the fact that this levy was introduced and, beyond that, the fact that it's riddled with problems, Mr. Speaker.

First and foremost, as I've stated, this bill needs to be pulled completely. I mean, we talk about a trust, and the government talks about building the relationship with First Nations. Well, I'll tell you this much, Mr. Speaker. This is a giant step backwards in the relationship building with the First Nations, introducing an act which they were not consulted on, were not informed of.

Mr. Speaker, there have been several press releases that have gone out in the last five days from different organizations explaining the issues and the problems with this legislation. You know, the fact that in this legislation First Nations bands will be forced to disclose their agreements with industry seems discriminatory at the outset. It seems completely absurd, considering that if there was a bill that was passed where, you know, negotiations between landowners and industry had to be completely disclosed – well, guess what? – many people throughout the province would be up in arms, and that would never pass. So why this government feels they can impose a discriminatory clause in a bill on First

Nations peoples is beyond me. I can't get my head around that, and I think it's safe to say that neither can many different representatives from the treaties.

I think as well, Mr. Speaker, that the fact that any decision that the government and the minister make cannot be appealed, cannot be overturned – there is no process to appeal that decision – seems to go counter to all of the laws that we have governing us not just in the province but also in Canada, that there is a process to appeal decisions. I mean, correct me if I'm wrong, but I believe that's part of the reason we have a Supreme Court of Canada and how decisions can continue to go up the chain. The fact that that has been completely taken away – that's a right that First Nations deserve to have and is completely pulled with this bill – is, well, not only just offensive. I would think that that even calls into question constitutional rights that treaties have.

8:30

As well, Mr. Speaker, you know, the fact is that different treaties have been putting forward consultation policy papers to the government. For example, Treaty 6 has been issuing papers since 2009, helping the government by saying: these are the things that should be included in your consultation policy. I guess I shouldn't find it surprising at all, but if you wanted to guess how many of those recommendations have been included in the government's proposed consultation documents or policies, you guessed it right if your guess was zero.

It's ridiculous that the government wants to bring forward legislation or a policy this fall on consultation, yet in a bill that they have tabled this spring, Mr. Speaker, they failed to consult. I don't know if the irony is lost on some of the members in this House, but it's pretty thick to me.

Mr. Speaker, another issue with Bill 22 and why I can't support it is, again, the fact that in this bill the government wants to have the right to decide which groups are classified or deemed as aboriginal and which are not. I think, first of all, that this government has no jurisdiction in that determination whatsoever.

You know, in addition to that, I think it's shameful that the province has not committed to respect the UN declaration on the rights of indigenous peoples, Mr. Speaker. I mean, this is a very important document that I urge the government to adopt. In fact, there is a party in this House that has adopted the UN declaration on the rights of indigenous peoples and included it in all of the decisions that we make. Yes, the Alberta NDP has fully adopted that document and has created an aboriginal policy framework that guides all of our decisions to ensure that any decision or policy that is made by the Alberta NDP is done in consultation, in discussion with First Nations groups, not done behind closed doors and served to them, on the one hand, saying, "Oh, no; you were consulted in this," when clearly they were not.

I know another issue with this bill is the fact that it gives cabinet sweeping powers to let some companies avoid paying the levy, so you've got it as up to the minister's discretion who the levy is applied to. Again, any time we give the minister or cabinet sweeping powers, there is the potential, whether it's now or in the future, Mr. Speaker, for a person in that position to abuse that authority and power. Clearly, there is no reason that I've been given – I'll ask the minister to enlighten me – on why that clause is a part of this bill.

What else can I talk about, Mr. Speaker? I mean, the fact that it's – I guess that was section 10(k) that exempts a class or a proponent from paying the levy.

Mr. Speaker, there are other issues I have with this. In a briefing meeting, not a consultation but a briefing meeting – I feel I need to clarify that for all members of this House – the minister indicated that at the moment some industry does provide some compensation

to some First Nations to help them to be able to consult on proposed projects. There are some dollars from the government and from industry that are going to some First Nations.

Now, again, I appreciate that the spirit of the bill is to ensure that all 48 First Nations have access to funding to be able to complete or participate in consultation. However, what's interesting is that the dollar amount the minister gave me was around \$150 million right now per year that is going out, whereas – again, neither of these numbers are actually in the bill – the minister informed me that they were thinking the levy would be around \$70 million. I'm no math wizard, Mr. Speaker, but it sounds like we're going backwards as far as ensuring that different First Nations have the resources to be able to consult with industry and make informed decisions.

Another issue with this is that there is no stipulation, there is no minimum, there is no mention of the amount that the levy will be in the proposed Aboriginal Consultation Levy Act. It seems like that's a pretty big piece of information missing from a bill that this government would like members of this House to pass. That's just one more issue that I have with this bill.

Mr. Speaker, I think it's time that action follows words. I know I'm a newer member to this House, but I'm already growing tired of the government's promise to consult and talk about consultation yet failure to act on those words. You know, the attitude that this government has had toward First Nations, as an outside observer, has been one that is completely paternalistic. It's one where, if anything, it's a relationship that is not on an equal playing field. I completely understand and am sympathetic with why so many First Nations in Alberta are completely frustrated with this government. They've been calling on the government for meaningful consultation. The government can't get it through its proverbial thick head.

You know, it's interesting, Mr. Speaker, that the government has written a consultation matrix, yet the representatives, chiefs, and councils that I've spoken with have had no input on the consultation matrix, and we've got regulations that are going to be imposed on First Nations, including within this matrix a time period of up to 21 days, which begs the question: where did that come from? That clearly was not negotiated. That was not discussed. Again, that's another example of the government imposing its will. What is it based on?

Mr. Speaker, it's no surprise that this government every day is losing . . .

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. On 29(2)(a), hon. Leader of the Opposition.

**Ms Smith:** Yes. I wonder if the hon. Member for Edmonton-Beverly-Clareview can talk about the issues that he is hearing raised from those he's been consulting with. Is the issue that the bands and the chiefs are affronted by the lack of consultation and they do believe that there can actually through consultation be some kind of meeting of the minds where we can come together with something that will work for the First Nations as well as the energy sector as well as the government? Or is it his view, having spoken, that this bill cannot be amended? Is it possible to amend this bill and make it work on a go-forward, or is it his view from talking with members of the First Nations communities that, really, it should just be scrapped so they can go back to the drawing board?

**The Deputy Speaker:** Thank you.

The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Speaker. I thank the hon. Member for Highwood for those two questions. I'll do my best to address them both. First and foremost, the greatest concern that I'm hearing – I mean, there are several, and it's difficult to number them or prioritize them, but it all boils down to the fact that there was a lack of consultation and there was a lack of engaging in meaningful dialogue with the very groups that this bill is going to impact and govern through the aboriginal consultation levy. I think the greatest frustration is not only that the different First Nations were blindsided by this levy – again, there was talk of an idea, a concept, of a levy last fall but very little mention since then. I have not met one representative from any band who said: "Yes. We knew the government was going to introduce a levy in this spring sitting that's going to govern and really affect how First Nations govern themselves in regard to working with industry."

8:40

I find it really interesting that there are some First Nations that feel they have a better relationship with industry, that industry of their own accord is going out and consulting with different First Nations better and on their own initiative. You know, when you compare that to the fact that the government isn't and the duty that the Crown has – there have actually been three Supreme Court case rulings, Mr. Speaker. One of them that I find is – well, all three are worth mentioning. It was many years ago. When we look at Treaty 6, they were very clear when they submitted a policy paper in 2009 that the Mikisew set out minimal requirements of the Crown's duty to consult in the treaty context and that the consultation policy has to contain the principles that the Mikisew set out as a starting point. At the moment the policy, the levy, does not include any of these provisions. I'll be happy to table this document tomorrow.

To answer the hon. member's second question, "Can this bill be fixed?" honestly, the only expression that's coming to my mind, Mr. Speaker, is that this bill is holier than the Pope. I'm not sure if we can fix such a flawed piece of legislation. To be honest, what I'm hearing from different representatives is that this bill should be pulled in its entirety. Even though the opposition is going to bring forward amendments and attempt to improve this as much as possible, the fact of the matter remains the same, that First Nations bands were not consulted on this bill. Therefore, if the government wants to do the right thing, it needs to throw this bill out, go back to the different First Nations representatives, and have a meaningful discussion on what a levy bill would look like. Until that happens, I cannot support this bill at all and will continue to speak in opposition and to be a voice that actually is speaking with and on behalf of our First Nations sisters and brothers.

Thank you very much, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Are there others?

Before I recognize the next speaker, might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

### Introduction of Guests (reversion)

**The Deputy Speaker:** The hon. Leader of the Official Opposition.

**Ms Smith:** Thank you, Mr. Speaker. I do have a comprehensive list of all of the individuals from treaties 6, 7, and 8 who joined us here this evening. I know that the hon. members from Edmonton-

Beverly-Clareview and Calgary-Mountain View had also introduced some, so there are going to be a couple of repeats here, but I did want to make sure that everybody who was in the gallery has been acknowledged this evening. We have Brenda Joly, Claudine Buffalo, Rose Laboucan, Regina Crowchild, Victor Horseman, Josh Alexis, Norine Saddleback, Terry Littlechild, Laurelle White, Kevin Ahkimmachie, Denny Bellerose, Tricia Lee Crowchild, Braiden Crane, Cassandra Crane, Joseph Jobin, James Ahnassay, Monica Onespot, Nelson Littlechild, Scott Bull, Pamela Bull, and Jeanne Crowchild. Please rise and receive the traditional warm welcome of our Chamber. Thank you so much for being here this evening.

Thank you, Mr. Speaker.

## Government Bills and Orders Second Reading

### Bill 22 Aboriginal Consultation Levy Act (continued)

**The Deputy Speaker:** I'll recognize the Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Speaker. I'm pleased to stand and speak to second reading of Bill 22. Well, the government has offended many, many groups, especially since the budget came down. There are children who have special needs, teachers, health care professionals, trade unionists, people who live in the Michener Centre and their families. The list goes on and on. It seems like they left one group out that they hadn't offended yet, so they're making a special effort to come back and make sure they get everybody. I can't think of something that is more likely to antagonize and to worsen relationships with First Nations than how the government has gone about this bill, how they have failed to consult and then claimed that they've consulted. I think that's outrageous, Mr. Speaker. I know we have rules in this House about what you can say about what other people have done, but I think the minister has done a real disservice not only to First Nations but to this House by attempting to lead us to believe that, in fact, proper consultation has occurred when it clearly has not.

Then I think there's the lack of understanding of basic principles that should apply to our relationships with First Nations, which is not the same relationship we might have with a community group, for example, or something like that or some multicultural group. It is between equals, as it were. The First Nations have signed treaties, as have we, at the level of the Crown, the level of federal government. I think the lack of understanding or appreciation or even caring about that principle of equality is what's fundamentally undermining the relationships with First Nations and undermining this piece of legislation.

The Alberta NDP has developed a policy for indigenous peoples under the leadership of one of our bright young leaders, Mr. Cardinal, and I want to read the preamble of the NDP indigenous peoples policy. It says:

The Province of Alberta was founded on the traditional lands of Indigenous peoples that predate confederation. Treaty No. 6, Treaty No. 7, and Treaty No. 8 with the Crown allowed for the opening and development of these lands to the benefit of Albertans. Since 1905, the people of Alberta have prospered from this unique relationship with Indigenous peoples. Indigenous peoples, however, have not prospered equitably and have had, and continue to have, their Aboriginal/Indigenous rights, legal rights, and human rights violated. Through the

efforts of assimilation and dispossession, these violations have directly contributed to the disparity in health, poverty, social justice, cultural survival, and self-government. It is, therefore, the ethical responsibility of the Alberta New Democratic Party . . . and the duty of the provincial government to ensure that all the rights of Indigenous peoples, as found in the treaties and other legal agreements, and their basic human rights and dignity are upheld and maintained in the honor of the people of Alberta.

The following policy statements are built with former and updated policies from the former policy section "Aboriginal Affairs, Section Q" of the Alberta New Democrats Policy Manual 2008 and the 2007 UN Declaration on the Rights of Indigenous Peoples. These policies are meant to apply equally to women and men. As well, the Alberta NDP recognizes and celebrates the unique relationship between the Indigenous peoples in Canada and the Crown and provinces. This therefore, will set the foundation for policies in the Alberta NDP and for a NDP Government in Alberta.

Mr. Speaker, that is the appropriate cornerstone, I believe, for an effective policy between the government of Alberta and First Nations. Our policy is based on the declaration on the rights of indigenous peoples by the United Nations, and it's something that I believe should be recognized by the government of Alberta.

Instead, I think we see many features of this act that fundamentally are in opposition to those principles. For example, according to a submission by Treaty 8 First Nations

this bill does nothing to ensure that the consultation process is appropriate and meaningful. It is instead creating a consultation levy fund that has the potential to impact treaty rights and their ability to consult, it is more likely to hinder than enhance.

In particular, two sections of the bill are causing the most concern. Section 8 of the new act deals with private industry providing copies of agreements they have with First Nations, to which the grand chief of Treaty 8 responds:

Private companies and their agreements, are not subject to public scrutiny. Any private company, First Nation owned or otherwise, is answerable only to their board of directors. This legislation is attempting to change the way business has always been conducted in Canada for one specific segment of the business community. This action could be taken as discriminatory.

**8:50**

The other section causing concern deals with the minister's authority to make final decisions which are not subject to review.

"By removing First Nation's ability to appeal you deny them a measurement of justice. Why shouldn't First Nations have access to legal recourse against government? Does this also apply to industry, if they have concerns as well? The issue becomes one of administrative fairness, if no one can appeal one man's decision we are entering dangerous territory. This new authoritarian stance is alarming to say the least," says Grand Chief Twinn.

He goes on to say:

"We will not support the bill and continue our opposition of it until proper consultation is conducted with the First Nations of Treaty 8."

Now, there is another aspect, and I think Treaty 6 talks about that, Mr. Speaker. It says:

With its legislative approach, it appears as though the Government of Alberta is moving forward with the notion that, as stated in their Consultation Policy Paper (2013), Alberta has the constitutional right to manage and develop provincial Crown lands and natural resources in the province to benefit all Albertans and to take up land for such purposes.

This statement alone has been widely contested and continues to be questioned to this date as many First Nations view the natural resources transfer agreement as illegal and invalid. But I want to stress that Treaty 6 also goes on to say:

Any terms of sharing resource revenue must be negotiated together with First Nations, not simply imposed in a unilateral and colonial fashion through a minuscule levy.

Continuing with the colonial approach, the Aboriginal Consultation Levy Act grants the power of determining who is an Aboriginal to the Minister of Aboriginal Relations. Not since the Constitution Repatriation has the definition of Aboriginal been approached, a definition that was largely contested, yet Alberta feels obligated to grant themselves the ability to create their own definition. First Nations have prior to contact defined themselves through their inherent right to self-determination, and continue to express this right through the enactment of First Nations laws. Alberta does not have the right or ability to define Aboriginal groups, nor were they transferred this ability.

The United Nations Declaration on the Rights of Indigenous Peoples . . . states that [First Nations] have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.

Mr. Speaker, it's clear that the consultation couldn't possibly have occurred because the principles being followed by First Nations and by the government are contradictory, and they could hardly have arrived at a satisfactory agreement.

Now, I want to talk just a little bit about the ability of the minister to recognize aboriginal groups. I'm old enough to remember a conflict that occurred 20, 25 years ago in the province of Alberta over resource development with the Lubicon Cree. When the Lubicon Cree could not be brought to an agreement, there was an attempt, and I think a largely successful one, at least according to some accounts, on the part of the federal government to divide it into two groups. It was the traditional colonial approach of divide and conquer. I suggest to you that the minister's ability to define what is an aboriginal group that the government will deal with does in fact give the minister the power to create and to divide aboriginal groups as a way of advancing the government's agenda. I think it's a dangerous component of this legislation and one of the main reasons why I think we should be rejecting this piece of legislation.

Mr. Speaker, all in all, I think the government has failed badly on this piece of legislation. It's clear that First Nations reject it. It's clear that First Nations reject the minister's claim that they were consulted with, and the very fact that it's an act that talks about consultation but was reached without consultation I think is a fatal flaw which fundamentally undermines the government's credibility in this piece of legislation.

I believe this Assembly should reject this piece of legislation. I'm very surprised, frankly, that the government is forging ahead with it given the opposition that we have seen already. But I've given them political advice before, and they don't take the political advice. They just keep going down and down and down in public opinion. So I guess I'll just keep giving them advice, then, because they do the opposite. I think the government, just from its own point of view, its own self-interest, is making a terrible mistake by pushing ahead with this bill, against the opposition and First Nations in this province.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you.

Standing Order 29(2)(a)? The hon. Leader of the Official Opposition.

**Ms Smith:** Thank you, Mr. Speaker. I don't always listen to the hon. leader of the NDP opposition's advice, but sometimes I do, and I think his advice is quite valuable. I'm curious about what his . . . [interjection] Well, he did a training video with us during our first year in office, where he taught us how to be in opposition, so I did appreciate that advice.

But I would be interested in his advice on this point, on what approach his party would take to fill this consultation gap. It sounds like his party has done quite a bit of consultation or development of policy. If his party could start from scratch, what would they do to repair the relationship with First Nations so that you could actually move to a point where you could develop a consultation bill that would have buy-in? What would be the steps that he would take over the summer that he would provide to the government as advice for how they could repair the damage they're causing?

**The Deputy Speaker:** Thank you, hon. leader.

The hon. member.

**Mr. Mason:** Thank you very much, Mr. Speaker, and thank you very much to the Leader of the Official Opposition for the question. I think the first thing that has to be done is to realize that First Nations are nations who have reached treaty agreements with the federal government acting on behalf of all Canadians and that they need to be dealt with accordingly. The treaty arrangements are not with the provincial government but, nevertheless, affect how the provincial government needs to conduct itself.

They have attempted to establish a protocol that I think is seriously flawed, but I think the first thing to do, Mr. Speaker, with respect to this legislation and other pieces of legislation is to sit down and negotiate with First Nations and recognize that we ought not be proceeding unilaterally in any matter without first attempting to get an agreement with the First Nations, which means actually giving them all of the information about what you're doing and what you're planning to do and why you're doing it and waiting carefully for their response and thoughtfully considering it and incorporating it where possible. If the government approached it in this fashion, I think that we could not only repair the relationship between the government and First Nations but actually improve the lives of First Nations people. That doesn't seem to be on the government's radar either.

**The Deputy Speaker:** Are there others?

I'll recognize the next speaker, the hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. The green slips are flying around tonight as people are reading from various letters, and I suspect we're reading from some of the same letters. I have five in front of me.

There's no way this bill can be fixed unless these people that have come here on a Tuesday night agree to what's being put into this bill.

**Mr. Bikman:** Monday night.

**Mr. Anglin:** Monday night. It might as well be Tuesday night. We're going to be here tomorrow night doing the same thing.

To force this bill through at this hour, at this time, makes no sense given the facts of the matter. We were told that consultation took place. It did not take place. The people are here. Nobody comes to this Legislature at this hour to sit upstairs and watch us in the evening because they have nothing better to do. They're

here because this is a problem. Some of you can joke about it, but this is extremely serious. You have not consulted.

You've done this to the landowners. You've done this with Bill 36, you've done this with Bill 50, you've done this with Bill 19, and you still don't believe it. You sit there and you think: we consulted because we said so. Well, that's just not true. You didn't do it, and you can't convince these people who showed up here today that you did. There's something wrong here. Unless they buy into this bill, this is a bad bill. You've got to satisfy them. You don't have to satisfy us, but you have to satisfy them, and you're not taking that step. Just saying that you've consulted does not make it so.

9:00

We have a bill here, and in my view, it's incredible when you think about it. If I came into this Legislature and said that anybody of Chinese descent had to disclose their agreements with an oil or gas company, that would be called racist. If I said that all Asian people had to disclose their agreements with oil and gas companies, that would be considered racist. What we've done in this bill is said that because somebody declares themselves to be aboriginal, they have to disclose this, and that's good. Where do you come off thinking that that's good? How do you... [interjection] Member for Edmonton-Gold Bar, you can mock me all you'd like, but go tell these people right to their face.

**Mr. Dorward:** Point of order.

**The Deputy Speaker:** There's a point of order.

Hon. member, a citation when you raise a point of order.

**Mr. Dorward:** Standing Order 23(h), (i), and (j).

**The Deputy Speaker:** Okay. Would you state your reasons for the point of order, hon. member?

#### Point of Order

##### Allegations against a Member

**Mr. Dorward:** Yes. Thank you, Mr. Speaker. Standing Order 23(i) says, "imputes false or unavowed motives to another Member." I was speaking to the good member here. I was not addressing the other member; I was listening to the other member.

**The Deputy Speaker:** Speaking to the point of order, hon. member.

**Mr. Anglin:** Clearly, I realize this might be a difference of opinion on the facts of the matter. But what remains is that when you get the mumbling from the other side, whether it's coherent or not, it appears to be heckling. I will tell you and will make my case that that member has been fairly consistent in making comments in this House, so for me to make a determination based on the mumbling, I would consider that to be heckling. Now, if he was speaking to another member so loudly that we all heard it, well, that might be a different issue.

Clearly, I would say that what we have here is a difference of opinion on the facts. I'll await your ruling.

**The Deputy Speaker:** Well, thank you, hon. member. I think I've heard from both members that you agree that we have a difference of opinion, so I will find that there's no point of order.

However, I would remind all members that when another member has the floor, you're courteous. If you're speaking maybe in a very quiet voice, you can allow the next member, whoever that member might be, to have the floor so that he or she may be

able to express themselves, and the rest of us, particularly yours truly, are able to hear that member.

So no point of order. Proceed with your comments on the bill, hon. member.

#### Debate Continued

**Mr. Anglin:** Thank you, Mr. Speaker. I'd like to at this time introduce a notice of amendment, a motion. I have the requisite copies right here.

**The Deputy Speaker:** Thank you. Please circulate that, hon. member. We'll stop the clock until a copy gets to the table. We'll let you proceed in just a moment.

Hon. members, this motion that we have before us is, in effect, a hoist. This will be amendment H1.

Proceed, hon. member.

**Mr. Anglin:** Thank you, Mr. Speaker. I move that the motion for second reading of Bill 22, Aboriginal Consultation Levy Act, be amended by striking out all of the words after "that" and substituting the following:

Bill 22, Aboriginal Consultation Levy Act, be not now read a second time but that it be read a second time this day six months hence.

Now, this gives us an opportunity here to deal with the very people that showed up tonight to listen. I don't know if this bill can be fixed. I don't know if we need to scrap the entire bill and start over or if we can actually get a consensus so that we can fix this bill. But I do know this. The answer is with the people who came here to watch. They're the ones that have to be consulted. They're the ones that have to come to an agreement. They're the ones that have to have input to say: this is how you fix it. If they say that it can't be fixed, then we have to and we are compelled to listen to them. That's what consultation is.

I will tell you that this government has a strange sense of what consultation means. I like to always say that consultation is what takes place when I sit down with my wife. I know exactly when I've reached a limit, and it goes no further than that. I've lost the battle. She has an absolute say: we are not doing that, Joe. That's consultation. I have consultation at the kitchen table.

Going to meet people and saying later that you talked to them and that that was consultation: that's just not true, just telling somebody something, saying that now we've consulted. Consultation is a communication amongst equals, where people have respect for each other and have the ability to say no, to say: "I do not agree with that, and I will not agree with that. Hence, it will not be an agreement."

We don't have an agreement here. What we have is a government that is saying: "We consulted; hence, we're going to put this bill through. Oh, by the way, based on your race, you have to tell me now what the agreement was that you entered into." I'm not sure that's going to stand up, and I hope it never stands up in this country because that's not what we're about.

The other thing that is offensive – and we've seen it in bill after bill after bill – is where the ministry has concentrated its power, and they've done so in this bill, where the minister's decision is both final and binding. How does anyone come to an agreement? That's something that I do with my son. I go into consultation with my son, and then I say: "No. This is the way it's going to be. It's final, and it's binding." But, realistically, it's not consultation. That's parental guidance. Hence, the paternal aspect of this bill. It's ugly. It's ugly, and it's wrong. It discredits this House, and it discredits this government. They're better than this.



All we're asking here is one thing. There's no rush. Delay this for six months. Consult. Meet with these various bands. Meet with the various treaties and talk to them. Get input, listen to them, and talk to them one on one. That's all.

Now, I would love to hear from some of the people here who claim to be very ardent defenders of aboriginal rights, but they're not here tonight. I wonder why, and I suspect why. That's interesting because this is the issue tonight. This is ground zero for whether or not we're going to abuse an agreement on this consultation process, where somebody is saying, "We've done this," when it's clear now, without any hesitation, that we have not consulted. We are looking at three major treaty areas that have come out and basically said: "This is wrong. You did not consult with us even though you're saying that." Not only that, but point by point by point they have looked at this fairly small act and said: we do not agree to these points.

We need someone from the other side to get up and defend it. We need them to tell these people who have come here to watch us tonight why this is a good bill, why they should accept it even though they say that they've not been consulted. We haven't had that answer yet, and I think the people up there deserve that kind of respect if we say that we respect them. They deserve it. This is an issue that is haunting this government. It haunted this government with the land rights issues, with the bills that have diminished and degraded property rights of different property owners.

I like to quote a friend of mine who is a member of the Montana band. When I was arguing against Bill 36, he said: Joe, we've been dealing with this stuff for 600 years. He didn't put it quite in that language. He said: welcome to my hell. I think he had a lot to say about that. We've talked so far in this Legislature about, historically, some people's connections going back a hundred years. That was not the greatest of times in dealing with any aboriginal issues, any First Nations issues. I would tell you that one thing for sure is that the white man has been consistent. Here we are with another bill. We've not talked. We've not consulted. What we've told the First Nations people that showed up is: yes, we have. That doesn't make sense.

9:10

It's time to do what's right. It's time to start changing the way this government is acting. Slow it down, listen, get involved, and consult. It's got to go beyond mere words. It has to be action, and that action is sitting down at the table with these bands, with the chiefs, with the people and negotiating what is going to be a fair and accurate agreement so that we can go forward with this act.

That's why I'm asking for just a six-month delay. I'm asking for all members here to support this motion. Let's start getting this right. Let's start treating these people with respect.

Thank you very much, Mr. Speaker.

**The Deputy Speaker:** Thank you.  
Standing Order 29(2)(a)?

**Mr. Fraser:** Mr. Speaker, there's a lot of phrasing over there depending on where you're aiming that. A lot of people on this side have worked with First Nations, some of the bands that are here tonight, have been with them in their best moments and some of their worst moments. So I caution the member, when he talks about what we think about and what we care about, to understand that we do care about the outcomes on these First Nations lands and what happens to their people ultimately. Do you ever take into consideration the work that was done beforehand with the people

and where we came from and what we've been doing for people before we even got into government?

**The Deputy Speaker:** The hon. member.

**Mr. Anglin:** Thank you, Mr. Speaker. Not only do I take it into consideration, but what I really take into consideration is the action. Not the words, the action. Your action tonight in how you vote is what's going to speak loudest to these people who are watching you. You can say what you want to say, you can speak what you want to speak, but the only thing that matters tonight is how you vote. They're here to watch how you vote. It's the action that means more than the words. That's where this government has gone off the rails continuously. It's not the words that have been bad; it's the fact that the words go this way and the actions go that way. They're going in two different directions. They used to call it a forked tongue, but it's still two different directions. It goes way back.

Thank you very much.

**The Deputy Speaker:** Are there others on 29(2)(a)?

Seeing none, the next speaker on the amendment, the hon. Leader of the Official Opposition.

**Ms Smith:** Thank you, Mr. Speaker. I rise to support the amendment to hoist this bill, which would allow it to come back sometime in mid-November, after a summer of consultation. There are several reasons why I would ask the hon. members to also support this amendment to slow this bill down. What we've seen in this Assembly is really a tale of two bills. I just find remarkable the different approach that the minister took towards the Metis Settlements Amendment Act versus the approach that he is taking with this Aboriginal Consultation Levy Act.

Let's remember what happened the day that he introduced the Metis Settlements Amendment Act. He had all eight of the settlement chairs standing in the gallery. He introduced every single one of them. Every single one of them by their presence here demonstrated that they supported the process that the minister went through to get the amendments in that legislation. We had confidence in this Chamber that when he said that he had done his consultation, he had done his due diligence, that he had lived up to that because they were here supporting exactly what he had said.

It went even further than that. When we made amendments to try to change some of the wording to even strengthen the general council's administrative oversight role, the minister told us that because they had done such extensive negotiation and consultation, he would not feel comfortable changing even one word in the amendment act without going back and negotiating on every single word to make sure that he had the agreement of the eight settlement chairs.

In addition, in the Metis Settlements Act, in the bill, not just the amendment act but in the bill, it says – it's enshrined right there in the legislation – that if the minister wants to make any legislative changes to the wording in the Metis Settlements Act, he has to give 45 days' written notice to the settlement chairs, and he has to receive written feedback on any of those regulatory changes before he can go ahead and make those changes. That's the level of due diligence, of consultation, of buy-in, and of respect that the minister showed to our Métis settlement leaders. That's why it is so perplexing that he would take such a fundamentally different approach in putting forward the Aboriginal Consultation Levy Act.

It's quite clear that had the minister done what he had said he had done, which was proper consultation, what we would have expected to see and what the hon. members opposite should have

demanding to see was that the grand chief of Treaty 6, Chief Craig Makinaw; the grand chief of Treaty 7, Charles Weasel Head; and the grand chief of Treaty 8, Chief Roland Twinn, would have been standing in the gallery demonstrating that they had been consulted thoroughly, that they were standing here representing all of the bands, all of the chiefs who are in their treaty areas and providing that affirmation that the minister had done his due diligence.

I would even go one step further. Had the minister done appropriate consultation, not only would those three grand chiefs be here, but we would have had representation from CAPP, the Canadian petroleum association, from IOSA, the In Situ Oil Sands Alliance, other pipeline groups, other oil and gas industry groups because this is impacting both sides. We've talked this evening about how First Nations don't feel consulted, but I can tell you that many industry representatives, many industry groups, when they look at this legislation, have got a lot of questions as well. They have a lot of unanswered questions that they feel that they need to have further consultation on.

The fact that the minister did not have representation from either First Nations or from industry groups when he brought forward this legislation should have been a clear indication that this bill is rushed, that there isn't due diligence, and that it should be delayed and deferred until the proper consultation can be done.

Other speakers have made reference this evening to the various press releases and letters that we have received, but I have to tell you that this is the best headline that I have read in a long time, from Treaty 8 First Nations of Alberta: *New Consultation Bill To Strengthen Consultation Created without Consultation*. That is the way in which Treaty 8 is summarizing what they observe to see in this legislation, and for that reason we have to hoist this bill so proper consultation can be done.

We have been speaking with a number of First Nations community leaders and legal counsel and getting some of their concerns about the legislation, and I will read into the record why I think we have this great divide in the way the government looks at their due diligence on consultation and why we, the members opposite, look at it quite differently. I think what the government calls consultation is actually notification. Notification means a formal notifying or informing; an act or instance of notifying, making known, or giving notice; a written or printed notice, announcement, or warning. What consultation is is the act or process of consulting, a conference at which advice is given or views are exchanged. We have seen numerous examples of one-way so-called consultation on the part of this government. This is not consultation. It's notification.

Having dinner with a chief and telling them what you're going to do in a casual discussion over dinner is not consultation. That may satisfy what the minister thinks of as notification and due diligence, but I can tell you that it is not the process that our First Nations leaders expect. It's certainly not the process that he went through with the Métis settlement chairmen, and I think that this is a fundamental difference between the approach that the governing party would take versus the approach that you would see the members in the opposition Wildrose take.

#### 9:20

Let me go through the fundamental problems in this bill, which is why it should be withdrawn and not simply amended. It starts right at the preamble, when the preamble talks about:

Proponents of provincial regulated activities must, at the direction of the Crown, carry out any required Crown consultation with First Nations and other identified aboriginal groups in respect of those provincial regulated activities.

The reading that First Nations community members read into this: they believe that this has a diminished view of treaty and

aboriginal rights. They believe that what is happening is that the province remains substantively responsible for consultation, and they're abdicating their role under the Constitution by attempting to delegate this away in the course of the preamble.

That's not the only problem that is identified with this bill and why it should be hoisted so that there can be proper consultation. In section 1 it talks about:

- (d) "First Nation" means a band, as defined in the Indian Act (Canada), with reserve land in Alberta.

The fundamental problem that we have here is that in Alberta there are bands who are not considered Indian Act bands for the purpose of this legislation. My understanding is that we have at least three bands who fall into this category. The Lubicon is probably the most known example of a band that does not have a defined territory under the Indian Act.

Another problem with the act is the definition of a proponent.

- (h) "proponent" means a person who undertakes a provincial regulated activity, but does not include . . .
- (iii) a municipality as defined in the Municipal Government Act.

The question is being asked: why is it that a municipality would be excluded from consideration under this legislation? We have heard stories, for instance, of municipalities undertaking development activity without consulting with neighbouring First Nations and of the kind of impact that has on traditional hunting, trapping, and fishing territory as a result. So there is a grave concern that there hasn't been full thought or discussion to the exclusion of municipalities as one of the proponents.

There is also a problem with section 1(2): "Nothing in this Act is to be construed as creating a trust in favour of a First Nation or other identified aboriginal group." We are hearing the exact opposite. What First Nations are telling us is that they actually should be setting up this fund as a trust so that all of the monies that go into it are held in trust for the purpose specifically identified in this legislation. Not setting it up that way is one of the things that has raised a flag for First Nations leaders.

The other section that First Nations say has to be removed entirely is section 2, the identification of aboriginal groups. It says, "The Minister may by order identify aboriginal groups for the purposes of this Act." Now, other speakers have spoken to this, but Alberta does not have the constitutional authority to identify or define what aboriginal communities are. It's an overreach of their constitutional authority, and it's offensive language for First Nations members who have read the legislation.

The other part of the problem is in section 3. In section 3 we talk about the payment of the consultation levy, but once again, oddly enough, in a piece of legislation that's supposed to be about aboriginal consultation, it doesn't mention the duty to consult. The duty to consult: when they are talking about the amount of consultation levy to be paid, when they are talking as well about how the consultation levy is going to be defined, the fact of the matter is that that should include also a duty to consult, to make sure that First Nations are included in that process. It doesn't. Under section 3 we have another problem. Again, this is another section where First Nations say that the provision that it be held in trust should be underscored.

On the issue of the annual report, section 7, it talks about having an annual report with certain factors to it, but once again First Nations are saying that they need to seek input into what that annual report should include. We've heard some suggestions about what should be in that annual report, but the fact of the matter is that this legislation has been written without regard in many sections to including the First Nations in being able to define some of those parameters.

Section 8 is the really problematic section. My colleague from Rimbey-Rocky Mountain House-Sundre was the one who spoke about it at length in his hoisting motion. The notion that we would have a piece of legislation requiring disclosure for one group of people on the basis of race is raising the hackles of so many First Nations members. If you look at all of the letters that we've received from treaties 6, 7, 8, the press releases that they have done, it is this aspect of discriminatory legislation that they find the most outrageous.

Section 8 goes through and talks about the minister making regulations specifically for aboriginal agreements that require the disclosure of "third party personal information, records and other documents, including copies of agreements relating to consultation capacity and other benefits" pertaining to the issue being raised here with this consultation levy. That is one of the issues that First Nations have, and they say that that section in its entirety should be eliminated.

We have to realize what we're trying to do with this piece of legislation. The government has put forward in its business plan the idea of creating a geomapping of the entire province so that industry leaders and First Nations are properly consulted when activity and drilling takes place on lands that are outside of the defined reserve areas. If that's the information that we're trying to collect, then the bill should be written with that in mind. It should not be written to be a catch-all for all types of information, financial and otherwise, from a specific group of people and miss the main point, the main point being getting the geomapping data that we want. Section 8 needs to be eliminated because it is completely offside of what we're hearing from industry, that they actually need to be able to have a proper consultation policy with respect to First Nations.

Section 9 is another one that we are hearing should also be repealed completely, that "a decision of the Minister under this Act is final and binding and not subject to review." Mr. Speaker, I have to tell you that this, again, is offside of what we see in the Metis Settlements Act. In the Metis Settlements Act they talk about any decision being made being subject to appeal in the Court of Appeal after the proper process has been undertaken. The fact that that would be written into the Metis Settlements Act and not written into this legislation is quite clearly an oversight and also something that has created a great deal of concern among First Nations. They believe that section should be eliminated.

The other issue, of course, is that throughout there has to be a built-in acknowledgement of and commitment to consultation with First Nations about the development of the regulations that are anticipated in section 10. You read section 10, and there is sweeping power given to the Lieutenant Governor in Council to make regulations on a whole range of issues, yet it doesn't talk about the absolute need to be able to consult, the demand to consult with First Nations in developing those regulations. Once again, as I've already mentioned, this is offside of the approach that we've taken under the Metis Settlements Act, where any change in regulation impacting the rights of Métis has to be given 45 days' notice plus an opportunity for a written submission, and there has to be some meaningful response on the part of the ministry to address the concerns that they have heard.

In closing, Mr. Speaker, I would ask others to support this motion to hoist. As you can see, we in the Wildrose as well as the members of the other two opposition parties are in alignment. We're hearing the same voices. We're hearing the same feedback. I'm not quite sure why government members aren't hearing what we are hearing.

Let me just maybe speak in terms that the government can understand. We know that the Premier has a leadership review

coming up in November. If we hoist this bill and they do the proper due diligence over the summer, it will come back sometime in mid-November. Rather than fighting First Nations communities all through the summer camping trip, the Premier could actually do some consultation over the course of the summer, come back with a win a week before that critical leadership review, and have something she could take to her members. If she won't listen to what we're saying this evening about the imperative of negotiating in good faith with the First Nations for the sake of it, maybe she'll do it for the sake of her own political skin.

I have to tell you, Mr. Speaker, that we are very worried about what will happen if this bill barrels ahead without actually having the proper consultation, without having the proper buy-in. We believe the repercussions will be very serious. We do not want to see chaos in this matter. We want to see an agreement with First Nations, an agreement with industry that we can all feel good about supporting. At the moment we certainly can't feel good about supporting it. I have to say that because they have created so much damage already with First Nations communities, we would say that the only way to repair is a complete retreat, a mea culpa, to say: "Whoops. We're sorry. We were wrong. We shouldn't have barrelled ahead with this. We thought we'd done our due diligence. We now recognize that we haven't, and we're going to take the time to do this right."

With that, Mr. Speaker, I would ask other members to support this hoist motion.

9:30

**The Deputy Speaker:** Thank you, hon. leader.

Standing Order 29(2)(a) is available. The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Yes. Hon. Leader of the Official Opposition, in terms of saying that you've made a mistake: what would Ralph have done?

**Ms Smith:** I have to tell you, Mr. Speaker, that I did have this conversation today. One of the things that has been raised with me again and again is that Mr. Klein took a very different approach with our First Nations communities. He understood that the very first step you have to take is you have to build a relationship because when you build the relationship, you establish trust. You establish credibility so that when you have to make these kinds of changes, you've already begun from a position where both sides at the negotiating table believe the best about each other.

The problem is that since Mr. Klein left office, this is a relationship that has been allowed to deteriorate. You can't just allow a relationship to atrophy over the course of seven years and then have a couple of dinner meetings, come back with a massive piece of legislation, and think you've somehow earned the credibility and trust and built the relationship enough to be able to pass this kind of legislation without any serious ramifications. I think that's where the government has erred.

I recognize that the minister is doing his very best to build relationships, but I have to tell you that if the minister continues on and passes this legislation in the face of all of the opposition, then he will demonstrate that he actually hasn't learned anything. He will be sending a message to the First Nations communities that it's just window dressing, that it's just smoke and mirrors, that it's not meaningful, that he is not really listening to what they have to say. I have to tell you that if he was going to take meaningful consultation and do this bill right, he would have done it in exactly the same way that he did with the Métis settlements. I'm not quite sure why the government has taken so seriously its

obligation to negotiate with Métis and seems to be so cavalier about its obligation to negotiate with First Nations.

What I would observe from having been a student of history, looking at the record of Mr. Klein, who had an immense amount of respect for First Nations communities, an immense amount of friendship and loyalty within that community – and it went both ways – is that I think this is the kind of legislation that must have First Nations feeling like they've been completely blindsided. I can't imagine that this is the kind of approach that a prior incarnation of this government would have taken. I, quite frankly, think that they have an opportunity to not make a mistake. That's what we're trying to do here, trying to prevent them from going down a path which we know is mistaken.

We know that there is the possibility to take the same kind of approach that the minister has demonstrated he can take – he has done it before with other aboriginal leaders – and just walk through one by one, getting the commitment, getting the agreement, and making sure that the provisions of this legislation are in alignment with what First Nations see to be the interests of their community.

I think that there is a solution here, but you don't start a consultation process that is going to expand much more broadly than the provisions of this legislation by failing to consult on the first step; you only make step two and step three and step four and step five harder. But if you go back and you do step one right and you develop those relationships and you develop that attitude of trust between the parties, then it makes the other steps that much easier to follow.

I would hope that if they're not going to listen to us and they're not going to listen to the Liberal opposition and they're not going to listen to the NDP opposition, they might just look at their history books and ask what Ralph would do. I think they would take a quite different approach.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Are there others under 29(2)(a)?

Seeing none, I'll recognize the next speaker, the Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Well, thank you very much, Mr. Speaker. I rise to speak strongly in favour of this motion, of this hoist. I mean, I won't mince words. I hope that the hoist delays this by six months and that this bill dies on the Order Paper, and that's just because, again, I don't think there is anything with the best of intentions that all of the opposition parties collectively can do to salvage this bill or to make amends for the lack and failure of this government to consult with First Nations bands around the province. I want to go through specifically and outline, if I may, each of the points that I've taken issue with in this bill, on advisement from various representatives of treaties 6, 7, and 8, hopefully to show the government members, who I know are listening intently, exactly why this bill is so flawed.

Section 1(1)(d), first of all, is the interpretation of the act, and the bill defines First Nation. According to the bill "First Nation" means a band, as defined in the Indian Act (Canada), with reserve land in Alberta." Now, I've been instructed that many First Nations take exception to referencing the Indian Act this way. First and foremost, they see themselves as having a right of self-government with respect to their own identity and membership. This is also problematic as First Nations have a legal existence in common law quite apart from the Indian Act. Indeed, treaties were concluded in Alberta prior to many First Nations being Indian bands under the Indian Act, which is problematic in and of itself. Further, there are at least three First Nations in Alberta that the

Crown currently consults with that are not Indian Act bands. Alberta has agreed that they have section 35 rights and must be consulted. Where do they fit in in the bill as it's currently worded, Mr. Speaker?

Section 2 needs to be removed completely, entirely. Alberta does not have the constitutional authority to identify, which is another way of saying to define, aboriginal communities. Mr. Speaker, this is an exclusive federal authority under section 91(24) of the Constitution Act of 1867 and is an infringement of the rights of First Nations and Métis communities to self-determine their own identity.

Moving on, Mr. Speaker, section 3(3) should be added to say: the minister acknowledges the duty to consult with First Nations regarding the development of regulations and commits to doing so.

On section 4, as one of the other members said this evening, Mr. Speaker, the funds that are collected in and through this levy act should be held in trust for the exclusive benefit and use of First Nations and Métis communities for the specified purpose of consultation and not taken back into general revenues and spent frivolously, as often we have seen this government do.

In section 7 the minister should commit to consulting with First Nations about the annual report and seek input on the report. This should be detailed in the bill, Mr. Speaker, to ensure that the government does it and does it in a very regular and methodical way as opposed to on the whim of whoever happens to be the minister at the time.

Section 8, Mr. Speaker, is an extremely problematic section in this bill. According to First Nations this section needs to be taken out entirely. First Nations do not accept the forced disclosure of agreements, and I'll go into some specifics here. First of all, it's unnecessary in terms of accountability. New federal legislation already puts onerous financial disclosure requirements on First Nation governments, and industry is bound by anticorruption legislation and sections of the Criminal Code prohibiting the bribery of public officials. Industry often references these things in agreements with First Nations.

This is also a blatant violation of the United Nations declaration of indigenous rights and section 15 of the Canadian Charter of Rights and Freedoms. Other landowners and people do not have to disclose their agreements with industry, so why do aboriginal people have to disclose? I think it's quite clear that this government feels: well, they have to because they are aboriginal. I feel that's completely wrong and discriminatory, Mr. Speaker, in addition to being legally and morally repugnant.

On section 9 decisions of the minister under this act should absolutely not be considered final and should be subject to a review or appeal process. Again, all Canadians and Albertans have the ability to appeal and to have a decision heard for further review. The fact that this bill takes away that right, Mr. Speaker, is quite simply wrong. Section 9 also needs to be completely deleted from this bill.

**9:40**

There should be a built in acknowledgment and a commitment to consultation with First Nations about the development of regulations that are anticipated under section 10. In section 10 there needs to be a clear statement that the levy is intended only to pay for the costs of consultation processes with First Nations regarding resource projects, and the statement should indicate that funds cannot be construed as compensation for infringements of treaty and aboriginal rights or accommodation. I mean, that's something that's separate. Again, there needs to be fines laid out, Mr. Speaker, should industry fail to pay the appropriate levy.

You know, there are other concerns. As I mentioned, Mr. Speaker, we have no idea how much money is going to be collected for the levy in this bill. Section 3(2) states that the levy amounts will be determined by regulations. I find that dangerous. I also find it extremely difficult for the government to expect members of this Assembly to agree and vote in favour of a bill regarding levies for consultation, yet we have no idea what those levies will be. As I've stated, one concern is that the levy that may be collected, as the minister indicated to me in a conversation, is around \$70 million. However, that's less than half of the current funding for consultations provided by industry and government today. I mean, how and why we would support a levy that goes in the wrong direction and takes us back a step is beyond me.

Another question: what assurances are there that this isn't a means to further reducing funds to First Nations for consultations? Are there any assurances that the funding will not decrease?

Again, as I've stated, we've seen and colleagues in the House here have talked about and cited letters and press releases from all three treaties. In recent meetings with Treaty 8, they've indicated that Bill 22 was never mentioned. You know, the introduction of this legislation undermines the government-to-government relationship between First Nations and the government of Alberta. I find it interesting that in a press release that came out today, Treaty 8 has stated very succinctly and clearly that they fully oppose Bill 22 in its entirety. What else can I say, Mr. Speaker?

As well, I think it's worth noting that on May 9, 2013, the Minister of Aboriginal Relations stated in the House – and this is from *Hansard* – “I can say that I met with the grand chief personally.” He's talking about Grand Chief Makinaw of Treaty 6. “We met about three weeks ago. He was made aware of this bill. He agreed to [it] going forward.” Mr. Speaker, there are no two ways about this. All indications and communications I've had with Treaty 6 are that the above statement is completely false on all accounts. The meeting that took place was a dinner meeting. There was a mention of the levy, and it was made as a casual statement. There was no indication of Bill 22 or that the Alberta government already had this bill drafted.

Time after time the proof is that this government is continuing to break the trust between First Nations and the Crown and has shirked their responsibilities, their duty to consult. For these reasons, Mr. Speaker, I strongly support this hoist motion.

Again, Mr. Speaker, I want to thank all of our guests from treaties 6, 7, and 8 for sitting in the House this evening at this hour to make their presence and their minds known to this government, that they strongly oppose this bill. To them I say: hai, hai.

**The Deputy Speaker:** Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Mr. Speaker. I'll be brief. The statements have been made and remade – and I hope the government is getting it – that there is serious opposition to this. This isn't spurious. This isn't grandstanding. This is a serious commitment to trying to rebuild something that is rapidly breaking again. There's an opportunity here to build a healthy relationship with First Nations by reviewing this particular bill, coming together, talking about it, looking at some of the problems, sorting through them one by one, and coming back to this House with something that First Nations can believe in, something that they can feel encouraged by, that builds trust, that builds a sense of them having some control over their future and the well-being of their economy, their social and environmental well-being.

There is a risk that this bill will reinforce a long history of paternalism, disrespect, and a lack of meaningful consultation and

accommodation. Alberta took a leadership role in about 2005, when they brought forward one of the first provincial consultation bills. Since then, we have fallen, I guess, both in terms of implementing it and showing First Nations as well as all Albertans that this is a very critical process that has to be followed and seen to be followed, experienced to be followed in its authenticity by First Nations people themselves.

At best, what we're going to see if this bill goes through is a loss of trust, a wrangling, an ongoing frustration. At worst, I see a lawsuit coming against this government and against this bill. Clearly, these First Nation chiefs are saying that this is not acceptable. This is what I would call an honourable out for the government. It's an honourable way to say: “We may have made a mistake. We want to review this. We want to put it on hold. We want to see what can be done, if anything, to resurrect this in the interest of First Nations and our collective relationship to avoid serious breakdown over the coming months and years. We want to take a time out, for want of a better word, and think about what the real implications of this bill are and hear from the people most affected.”

I'm hoping that the government will heed this. It's no disrespect to the government to say: let's pause and review this. Obviously, a serious reaction. Obviously, serious implications for them. We perhaps can do better. It isn't a huge loss for government to say: we may have to review this; we must review this, in fact.

The process was poor. That was clearly indicated. The outcome is also poor from the respect of the leadership of First Nations here. Perhaps not deliberate, but that's the outcome. The initial hope and respect in the original process that was designated seems to have fallen by the wayside, and we have to acknowledge that the current recommendations in this bill, the current law and changes it would bring about will potentially damage relationships for decades if this is allowed to be pushed through.

The government is quite capable of pushing it through. We all know that. You have the majority; you can do whatever you wish. We are trying to open up, I think, the possibility of a win-win for the people of Alberta and the First Nations by pausing, taking a few months, and reflecting on what the First Nations are really trying to tell us. The paramount importance here is to build trust, to foster healing, to develop a working relationship that can go forward with real positive energy.

I hope people in the House will seriously consider this, and I hope, in fact, that we will support this hoist. Thanks, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the next speaker, the Member for Little Bow, followed by Cardston-Taber-Warner.

**Mr. Donovan:** Thank you, Mr. Speaker. I'll be brief in speaking to the amendment to hoist this. It's just come down to trust and relationships. Unfortunately, it looks like we've had quite a hiccup in it. It's pretty basic. The right thing to do is to let this sit for six months, try to go back, try to have the proper consultation and deliberation with the First Nations people. It's simple. It's accountability. It's respect. It's teamwork, honesty, and straight communication.

I'd ask the members from all sides of the House to support this motion, this amendment to hoist it, to let it have six months so we can actually have some proper deliberations. Thank you, Mr. Speaker.

9:50

**The Deputy Speaker:** Standing Order 29(2)(a).

Seeing none, the Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Mr. Speaker. It's with a little trepidation that I stand to speak on this issue. I tend to be a little pedantic sometimes. When you get to be my age, you've had a lot of experience in a number of different things, and you think you maybe know something that somebody else a little younger than you perhaps needs to learn and could benefit from learning from others' experiences and mistakes rather than making them all themselves.

There is a little principle that has guided me well and helped me in situations like this. It takes a lot of courage and humility to say: "Oops. Maybe we got a little carried away here. Maybe we moved a little too fast. Maybe we didn't have the understanding we thought we had." That takes courage. You have to be very self-aware and have a good self-image, too, to be able to say that. All of us who are married have had some experience with that, so we should be a little bit practised in doing it. I submit that this is a very important time to do it given the seriousness of the potential fallout from forcing through a bill that is not really fully accepted by all the parties involved, the two parties, I suppose you could say.

The principle is, "Seek first to understand, then to be understood." If the First Nations people, represented by some who are here tonight, really felt like we understood, that this government understood what their concerns were, had listened, prepared – and when you listen seeking to understand, you're prepared to change your mind and change your opinion. That takes courage and self-confidence and humility, recognizing that you really want to be able to see this situation from the other person's point of view or the other side's point of view, again recognizing that everyone acts rationally, from their own point of view.

So what is their rationale? Clearly, the minister thought he had an understanding or an agreement, that he had consulted, but the definition of consultation appears to be different, as has been pointed out numerous times tonight. The letters that have been written and quoted from freely give clear indication that that understanding hasn't occurred. You may think you understand them, government, but they don't feel like you do. Until they feel that confidence, until you're prepared to listen so intently and sincerely that you'll change your opinion and your approach, they'll never have that confidence. You'll never be able to rebuild that trust.

I hope that you will accept and vote in favour of this amendment that's been suggested, this delay of second reading, so that you can try and build these bridges, build these paths, these pedways, these ways to walk, and, to use the old phrase, walk in their moccasins, see life from their point of view, see this issue of this relationship that's been described by them as more paternalism and seen and sensed by them as being presumptive. I'm not sure that I'm capable of seeing things from their point of view yet, but I want to. I want to try to. I have in my riding the largest reserve in Canada, I believe, centred at Stand Off, the Kainai reserve. I want to make sure that I understand and can represent them properly, and I believe I am right now by speaking in favour of this amendment, which will delay a presumptive action and prevent the fallout that will come from that.

This government has been in power for a long time, and sometimes that can lead to the mistaken sense of ruling by divine authority. I don't think that the finger of any divine being has reached down and etched in stone on the top of a mountain that this is the way that we should deal with the situation, the challenges, the problems that may exist in the current system of negotiation. I think that this needs to be revisited in a fashion that allows time to occur so that we can give some sober second thought, so that we really can go back and say: "Oops. Sorry. I

kind of got ahead of myself. What concerns do you have? What can we do to help strengthen this act so that it truly represents you and the oil producers and the explorers and all the others that the Leader of the Opposition referred to a few moments ago, so that all sides are considered?" If you don't bring all sides to the table or at least visit with them one at a time until they feel understood, you're not going to have buy-in.

You've got the power to force this through, but is that really going to give you the result that you want? I don't think that it will. I think this is another example of: ready, fire, aim. I think we need to go back and do some aiming to make sure we're targeting, focusing on the issues that are really important to our friends, the First Nations people, show them the respect that they deserve because they really do deserve it. In the end, by admitting that we haven't done it correctly, I think that we will be able to approach them again then and really, truly have a consultation that will produce the result that we desire.

I hope that you'll give serious consideration to the words of counsel from an old-timer like me. Of course, I've just been quoting Stephen Covey when I say, "Seek first to understand, then to be understood." There's my bona fides for suggesting that that's a pretty good approach to government, a pretty good approach to management, a pretty good approach to marriage and to child raising, too.

I recommend that we give sober second thought. Let's put this off for six months. There's no rush to get this through before we form the government. You've got almost three years.

**The Deputy Speaker:** Thank you.

Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much, Mr. Speaker. I'm very pleased to be able to join this discussion on the motion to hoist the bill for a period of six months to allow for a new approach to what is being proposed in Bill 22, the Aboriginal Consultation Levy Act. Many people have spoken very well on what's going on here. I'm not going to repeat their words, but I will definitely put my vote behind them.

I will say that I am more cynical and less hopeful than some of the people that have spoken before me because I'm a process person, and what I see is a repeated process that's used by this government. It's what happens when you've been in power too long. Every time they try something new and they get away with it – the world doesn't end, the sky doesn't fall, and there aren't thousands of people outside in protest – they go: "Okay. Well, it's all right, then." It then becomes part of their regular process. I am quite concerned at the number of times I see this government go for dinner or coffee with somebody or have a casual chat and in the course of that mention a couple of things that they might be working on at some point. Then we come into this Chamber and find out that it's a bill or a motion and it's done, that everybody over there knew that and it's going to go through. It's going to go through because the government has a honkin' big majority.

If I could ask the good people that have joined us in the gallery to please remember that this is what happens when you give someone that large a majority. They just ram stuff through. Please remember that at the next election. To anybody that's watching these proceedings at home or following online: please remember that. This is what it comes down to. So when you're wondering at the next election, "What difference does it make?" this is the difference. I see a government that no longer really cares whether people protested.

We've got a bill coming in tomorrow that is going to override a process that the government itself had in place about how a teacher's contract is going to be ratified. The process said: if one school board objects, that's it; the whole thing stops, and you go back. Well, guess what? One school board objected; actually, many school boards objected. Now they are going to override it by bringing in a bill that – I'm guessing; I haven't seen it – I imagine is going to say: well, we're just going to take it that everybody agreed and put it through.

[Ms Pastoor in the chair]

10:00

Welcome, Madam Speaker.

That's what this government has come to believe, that they know everything, that they're always right, and if someone disagrees with them, well, then they're just wrong or stupid or misled in some way, shape, or form. That's what we've come to in this province, and I think that's what's wrong.

People who raise a dissenting voice, who object to what the government is doing, who bring forward an alternative or criticize the government in any way, shape, or form are, one, demeaned personally; two, their issue is trivialized; and, three, the whole thing is dismissed out of hand. "It's not really a problem. It's no big deal." They're going to do it anyway. That's the situation that we've come to.

Unless we see a huge push-back from the people that are involved in this, I think the government is just going to go ahead. They're going to pass second. They're going to pass committee tonight, probably in the middle of the night, and tomorrow they're going to pass third, and it'll be done. The fact that people really objected, the fact that people felt that they had been – I don't know if deceived is too strong a word. Yeah. People are kind of going: yeah; it's on that level. Okay. Not heard, certainly. Not consulted, certainly. We've all heard that. That has become a *modus operandi* of this government.

I am not happy to be standing here and talking about the government in this way. I wish I could say many other more positive things, but I can't because what I've watched here, particularly in this spring sitting, does not back up any optimism that I see from anybody in this Chamber. The proof of the pudding is in the eating, and we've been eating a lot of antidemocratic puddings from this government.

Thank you very much.

**The Acting Speaker:** Standing Order 29(2)(a) is available.

Seeing none, I would call on the Member for Chestermere-Airdrie.

**Mr. Anderson:** Just Airdrie now.

**The Acting Speaker:** Airdrie.

**Mr. Anderson:** The growing metropolis of Airdrie.

I'm going to very briefly speak in support of this motion, and I think that it's important that I get on the record with regard to this on behalf of my constituents. I like the intent of this bill. The intent is good. Obviously, it is to improve the consultative process between our First Nations, our aboriginal populations, and the government and also between our aboriginal and First Nations people, the government, and industry, which is important. This has to be done, and it's good. It's good intent.

[The Deputy Speaker in the chair]

The problem is in the delivery method. You cannot entitle a bill the Aboriginal Consultation Levy Act, use that word "consultation" in the title, then pretend throughout the process that you've consulted with the First Nations on this, and then the day that it's being debated in the House, we find that virtually no aboriginal group in Alberta supports the bill and not only doesn't support it but doesn't feel consulted on it. It's a slap in the face.

This is the type of legislating that ruins relationships. It will no doubt ruin many relationships between the governing party and our First Nations citizens, but it'll do much more damage than just that. If that was the issue, well, then, okay. Big deal, right? If they lose a few political points, well, that's not the end of the world. But the problem is that it will do much more damage than just that. It will damage the long-term relationship that our aboriginal friends and citizens and neighbours have with the province as a whole, with the people of Alberta as a whole, which, of course, they are a part of, with the population as a whole, with industry, with industry moving forward in not just the oil sands but across the province.

Mr. Speaker, we cannot pass this bill right now until it's done right. That's the thing. There's just too much of a history in this government of rushing legislation through without proper consultation. It causes a lot of damage, and in this case it's going to cause a lot of damage in the relationships. It's going to cause suspicion unnecessarily between our aboriginal groups and industry as well as government. There's no need for that.

So why don't we table this legislation? Let's wait six months. Let's have proper consultation. Let's have the Minister of Aboriginal Affairs and the Premier and other interested parties go around and make sure they get this right. Then as we move forward, I think that we could come back here in six months and have a very good, solid piece of legislation that could certainly win the support of this opposition party and, I would suspect, the other two opposition parties although I won't speak for them, obviously.

I think that you have a chance to have a very bipartisan if not multipartisan agreement on this, but most importantly, Mr. Speaker, it'll be a piece of legislation that our aboriginal communities, our aboriginal First Nations can get behind, support, and feel good about and improve the relationship long term, moving forward, rather than setting us back because we wanted to rush through this without properly consulting them.

I don't for a minute claim to know all about the aboriginal culture. We all have friends, of course, who we're close with who are members of First Nations and so forth. I don't pretend to understand it fully, but what I do know from my friends and constituents who are from aboriginal communities is that consultation and dialogue and respect, mutual respect in conversation, are critical in that culture. They are critical to having any kind of enduring, long-term relationship of trust and to have progress on many numbers of fronts. By taking the short cut, by ramming this through without that buy-in, we're doing a lot of damage here long term. It's going to take years and probably a new government in some form to undo that damage, and it will take a long time to undo that damage. That's not in anybody's best interests: the government, the opposition, anybody, certainly not the aboriginal, First Nations' best interests either.

With that, I hope that we would really consider delaying this bill. Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. The hon. Member for Cypress-Medicine Hat, 29(2)(a).

**Mr. Barnes:** Yeah. Thank you, Mr. Speaker. I would like to ask the hon. Member for Airdrie: I'm listening to everybody, and obviously it's a total failure for the government again to properly consult, but I'm curious as to the hon. Member for Airdrie's opinion. If our hoist motion was successful, what would the onus be on the government to consult?

I recall sitting in the Cypress Centre in Medicine Hat about eight or 10 months ago. There were 260, 270-some landowners there all totally in agreement, totally in agreement to the point that the Stantec moderator walked to the middle of the room and said something like: we've heard you all; we've heard you loud and clear; repeal Bill 36. Amazingly enough, the next day in the paper: oh, my goodness. One person in Lethbridge said something like "Don't repeal the bill; don't start all over," compared to what the 260 people had said. It was a waste of our time that night for all 260 of us.

I also now have a constituent who just received a letter from the AUC about two industrial lines going in their area. The letter appears to have been mailed on the 2nd, received on the 6th. The meeting is the eighth. That is called consultation? I don't think so for two seconds. I also know the case with some of the government tours that have gone around, where the forums and the direction appear to be so predecided that it doesn't seem to be a fair process.

So if the Member for Airdrie doesn't mind, I'd appreciate hearing his opinions. During the six-month period, if the hoist was successful, what onus would be on the government to consult?

**10:10**

**Mr. Anderson:** That's a good question. I don't think there's an onus per se that would come out of the consultation. I just think the right solution would come out of the consultation. It would allow the government to craft a piece of legislation that our aboriginal First Nations community can get behind and can agree with and will allow industry to participate in as well. That's important, too. There are three partners in this relationship. I think without that proper consultation we're doing a real disservice long term to the relationship of trust between government and aboriginal peoples in this province and also to industry and economic development in this province.

Look. We spend a lot of time in here talking about going to the United States and going to different countries to promote our oil and gas development. We spend a lot of time in that regard. However, what good is it to build a pipeline to the United States if we can't even take care of business at home and make sure that we have buy-in from our First Nations and that slowdowns and other things that can come about by not properly involving our First Nations on their treaty lands and so forth are taken care of? We have to take care of home base first, and this is home base. If we don't get this right, you know, there's not going to be much oil to put in the pipelines if we can't develop it at the pace that is needed. That takes proper consultation and a relationship of trust that endures.

I hope that answers your question.

**The Deputy Speaker:** Are there others under 29(2)(a)?

Seeing none, I recognize the Member for Edmonton-Strathcona, followed by Strathmore-Brooks.

**Ms Notley:** Thank you very much, Mr. Speaker. I'm pleased to be able to rise to speak in favour of this motion. I want to start by thanking the member for introducing this motion. I think the point of it, which is to simply end the progress of this bill and to invite a situation where everybody can get back to the table in the

respectful and meaningful consultative process that I think some people are talking about and others expect, is a good thing, so I appreciate the member bringing it forward.

I will be relatively brief. Our aboriginal affairs critic, the Member for Edmonton-Beverly-Clareview, has spoken on this bill quite a bit and has outlined in some detail, as have others, the significant concerns that have been raised with respect to the components of this bill at this point. I mean, we have had a number of people here today, representatives from various treaties, who are here to listen to the debate. I think it is worth a comment to just make sure that everyone over on that side understands that their presence here and their listening to the debate itself does not amount to consultation. It does appear as though there is that kind of misapprehension over on that side. Simply having somebody hear about your plans does not mean that they're onside. I do appreciate that when you've been in charge for 40 years, you start to think that that's what consensus looks like, but it's really not what it looks like.

I think that things would be improved a great deal were the government to actually go to the table and sit down and speak in great detail about the various components of this bill. Notwithstanding some of the concerns I've heard about what the total amount of funds collected will be as a result of this bill in relation to the total amount of funds directed to consultation right now – there's some concern raised that this might actually result in a net decrease in funds that go to support consultation capacity building. But assuming that that's not the case for the moment, I mean, I think this bill was theoretically put together with a view to achieving good things. Unfortunately, it was done in a way that did not achieve good things.

Of course, the irony is that, you know, here you've got a consultation levy act, and you failed to consult. I mean, really, Mr. Speaker, you know, who does that? Really. Who does that? The Member for Edmonton-Highlands-Norwood previously made a comment: you know, only this Premier could turn a school construction announcement into a political embarrassment. And apparently only this government can turn a consultation act into a failure to consult. I mean, it really does surprise one, the degree to which they're able to stumble on their own boot toes or something.

Anyway, that being the case, there are a number of important areas that previous speakers have outlined. There's the issue of sort of the combined effect of section 1(1)(d) and section 2, which effectively appears in the minds of the drafters of the bill to negate the common-law rights which indigenous peoples in Canada have won, at least partially, through our judicial system. So that is obviously a problem, and their counsel is pointing out that that is a problem. That's something that needs to be addressed.

Also, there are concerns, of course, around the issue of whether or not this bill could be more clear about the positive obligation to consult. I mean, we're talking about consultation levies, but should there be a positive obligation to consult within the bill itself, not exactly on the consultation policy? When you consider that there's all this work going on on consultation policy – and that is not going to come before this Legislature, apparently – one would want to see somewhere in legislation a positive obligation to consult, and perhaps the bare minimum parameters of what that consultation would look like would be set out in legislation. At this point it doesn't appear to exist anywhere. So that is a concern, especially when you see some of the work being done by the federal Conservatives to undermine and generally undercut their obligations to consult with and in many different ways demonstrate a meaningful respect for First Nations in our country. It's



unfortunate that there's not a positive obligation to consult that's outlined in here.

There, of course, are other elements of this bill. One would have expected that there was a statement that it's not the minister that decides this but that in consultation with First Nations and indigenous people certain parameters would be put in place and certain standards would be put in place. That, too, is missing from this legislation.

Finally, we also, of course, see that lovely piece that, you know, we find in many different pieces of legislation, where we say that the minister is godlike and therefore shall not be subject to judicial review. Again, I'm not quite sure why we need to go that far in this legislation. Why do we have to do that? Why can't we have legislation that would allow for a review of the government's actions in the same way we would in many other cases?

Those are just a few of the difficulties that we see in this legislation. Now, we again have heard the minister and other representatives of government suggest: no, no; we did consult on this. I'm sure the minister was not intentionally trying to mislead people. I'm sure he believed they were in the same room – they were talking – and clearly the minister thought that was adequate, but it's also equally clear that many of the peoples who are impacted directly by this legislation do not agree that they were consulted. Given the very singular purpose of this legislation, which is to facilitate capacity for consultation efforts, it truly is quite mind boggling that we wouldn't start this piece of legislation on the right footing and that it would itself not reflect the outcome of a positive, mutual exchange of ideas and decisions that ultimately led to consensus between two equal parties around this process.

If this simple piece of legislation cannot even reflect or create or be founded on consensus – they really are relatively simple, the tasks that are outlined in this legislation, Mr. Speaker. This is not a broad, complex thing. It's one piece that this legislation is looking for. If this simple piece cannot be founded on consensus that arises from meaningful, substantive, genuine consultation, then how is the rest of the process going to flow? I mean, it does not lay out a particularly optimistic map of the future.

I join with many of my opposition colleagues from all three parties to respectfully request that the members of the government really give some serious consideration to going back to the drawing board, re-establishing that relationship, having the kinds of conversation that you need to have. There was a time when this Premier could not walk through a door or flip her hair without saying the word “conversation.” It really ruined the use of that word for me for a real long period of time.

**10:20**

**Ms Blakeman:** Now it's collaboration.

**Ms Notley:** Now it's collaboration.

You know, she talked so endlessly about the need to have a conversation with Albertans. I would suggest that she ought to have a conversation with the representatives who are here tonight and with other representatives who have outlined their very serious and real concerns about this piece of legislation. Then when there is consensus, we can come back into this House in the fall, and with everybody onside we can all happily vote through this piece of legislation and celebrate the fact that Alberta's First Nations and indigenous peoples have achieved, in conjunction with this government, a piece of legislation that's going to work for everybody.

It is with that in mind, Mr. Speaker, that I urge all members of this House to support the motion that we are debating at this time. Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, the Member for Strathmore-Brooks.

**Mr. Hale:** Thank you, Mr. Speaker. It's my pleasure to rise and speak in favour of this notice of amendment to delay this second reading for six months. I think what it boils down to is: who is this bill for? It's for industry, and it's for First Nations and aboriginal groups. Well, obviously, we saw by the letters we received that treaties 6, 7, and 8 are not in favour of this, and that's who this bill is for. Why in anybody's mind would you think, “Let's carry on and go ahead” when they're saying no? They don't want it. I mean, if you don't like the message, you don't have to shoot the messenger. We're just relaying the message, hoping that we can get it through that: look, they are not happy.

What it boils down to on part 2 is respect, pride, and honour. Those are three of the biggest values that I've come to know in my relationships with First Nations. I've grown up with many individuals from the Siksika reserve. My family has lived in that area for a hundred years. It started with my great-grandfather. My grandfather, my father, and myself: we have generations of First Nations that have been our friends. It's great to see. My kids, you know, have good friends that are friends of my friends and my father's and my grandfather's. It's a great thing.

They have such pride, and it comes down to respect. We must show them the respect they deserve. I was fortunate enough to be asked to be an honorary pallbearer at a funeral on the reserve a few years ago. It was an amazing honour for me to be asked to come out there and take part in this funeral. When you experience a ceremony like that, you see how much pride and honour and respect they have.

If we continue on with this bill that takes that respect away from them, that's something that we cannot do and should not be allowed to do. I urge the government: put your pride in your pocket, think about who this affects, and vote for the good of the bill.

Thank you.

**The Deputy Speaker:** Standing Order 29(2)(a) is available.

Seeing none, the hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. There have been a number of speeches tonight with respect to the hoist amendment. That's the type of amendment that was put in place. I think it's necessary just to make it very clear. I know some members of the opposition who've been here a long time understand that when they're saying that it will come back in six months, it will not if the hoist amendment is passed. In fact, a hoist amendment by parliamentary practice and procedure is one which is actually a hoist, so what it means is that the bill leaves the Order Paper and never comes back. A number of speeches have propounded this fiction that by approving this amendment, people would have the opportunity to go out for six months and have consultations and come back when, in fact, the net effect of passing the amendment is to defeat the bill. Therefore, I would have to say that I cannot support the amendment, and I would encourage members not to support the amendment because that would be a defeat of the bill.

Now, why should the bill go ahead? Well, there are a number of reasons. First of all, there were a number of points that were raised that I think need to be dealt with. The Member for Edmonton-Beverly-Clareview was concerned about the definition of First Nation, and I understand that concern because I had that concern. I might say that I've had a particular interest in this area for a long time. I grew up in two communities which essentially were

aboriginal communities: Hazelton, which is where my tie comes from, actually, by happenstance today, from the Gitksan Nation in the Hazelton area in northern B.C., and then Fort Vermilion, where the Tallcree Nation lives, very close to the First Nation at Little Red River.

I acted for First Nations when I was in private practice, and then my first portfolio in government was intergovernmental and – actually, we changed the name of the portfolio from federal and intergovernmental affairs to intergovernmental and aboriginal affairs to respect the fact that the approach taken by this government was a government-to-government approach with respect to First Nations matters.

The definition that's in this act is perhaps problematic, but the reality is that it's the legal definition that's used federally and provincially across the country. While one might want to start a motion or movement to try and change that definition in all of the acts to a better or more profound definition, that is, in fact, how you describe a First Nation in law today, and it makes sense for another act coming in to maintain that consistency until somebody can get the federal government, which has responsibility anyway, to change the definition to a more modern definition.

"Identified aboriginal group" has been raised – that's definition 1(1)(f) – and then section 2, "the Minister may by order identify aboriginal groups." Well, the Member for Edmonton-Beverly-Clareview himself gave the answer to the question, and that is that there are a number of aboriginal people in the province who are not necessarily identified by having reserve lands; the Lubicon, as an example.

The settlement that has just most recently happened is at Peerless Trout, where it hasn't actually been completed and put into effect yet; therefore, they are without land so do not fall into the traditional definition that's in the act. Therefore, you have to have a mechanism to have other identified aboriginal groups who are entitled in our practice of government-to-government relations to be engaged with in consultation with respect to developments that might happen with respect to natural resources and other things, both in their traditional land areas and in areas that may be designated for reserve when those settlements are completed. So that piece makes sense.

The third piece, the payment of the consultation levy, is actually what this act is all about. This act isn't an abrogation of the right to consultation. It's not a statement about the aboriginal consultation process. That process, as every member of the House knows, has been the subject of ongoing discussion about what appropriate consultation process and procedure should be established. What this act merely does is say that those people who are applying to do development with respect to lands which might affect the rights of a First Nation, either with respect to their reserve lands or traditional lands, need to be part of the consultation process, and because they're the ones that are proposing the development, they're the ones that ought to pay.

I would think the members of the Wildrose Party at least might agree that a user-pay process is in order for people who are proposing to do a development – they're the ones who should pay the levy – and that that levy should be available to assist First Nations with respect to capacity development to be able to be part of a meaningful consultation process. That's all this act really does. It doesn't set out what the consultation process is or should be. That is the subject of consultation with First Nations and under discussion and has been under discussion for a considerable period of time. I'm not sure when that will come to fruition, but I'm sure it will.

10:30

The establishment of the consultation levy fund, the establishment of the right to a levy to a so-called developer or, as this act describes them, a proponent, and then the right to invest those funds, the right to add to those funds from government funds or through public funds, through monies from a supply vote, a vote appropriated for the purpose of the fund – the hon. Member for Edmonton-Beverly-Clareview, again, was talking about a number. I don't know where he got his number. But it's very clear that the consultation fund can be made up of both the levies to the proponents and additional monies that may be added to it.

Then payments from the funds. "The minister may make payments from the Fund." That's section 6. That's very clear. I mean, that's what happens, actually, now all the time. Every time there's a consultation – and I've been familiar with this over the 15, 16 years I've been involved – there is a request for monies to provide capacity so that people can engage in meaningful consultation. There has to be a process for that. Someone has to do that, and in this case it's the minister because those funds are actually in the hands of government to manage on behalf of the public of Alberta.

Then there are provisions for reporting.

There's been a lot said about the collection of information and records, et cetera. Now, when we do development in this province, we require developers, people who want to pursue mineral leases or pursue oil and gas leases, to provide certain information about what they're doing, and that information goes into the ERCB or to the appropriate place within Energy or Environment, and that information is used with respect to making decisions. Sometimes that information is public, and sometimes because of economic rights that the proponents might have, that's private.

By the same token, when you're talking about a consultation levy and you need to know what monies have already been paid and what agreements have already been put in place with respect to that, let's be very clear. That section limits the request for that information to agreements relating to consultation capacity and other benefits pertaining to provincially regulated activities. It's very clearly limited to the same things that you would demand of an oil and gas company if they wanted to go in and do a development.

Those pieces are all very straightforward. They have really nothing to do with the aboriginal consultation policy, how much consultation needs to be had, what constitutes appropriate consultation. It is about, simply, a levy to proponents to put into a fund so that funds can be provided from time to time to First Nations who need resources to assist them in developing capacity so they can engage in the appropriate consultation. That's simply what it is.

The minister's decision is final, is binding. Well, what decisions can the minister make under this act? Good question.

**Mr. Mason:** Who's a First Nation?

**Mr. Hancock:** Well, not who's a First Nation – that's already defined by the act – but who are other aboriginal groups that are not included? Yes, somebody has to actually determine who fits into that category, so that's one determination. That does not, however, in any way limit a person's ability to take whatever action they might have before appropriate bodies, including the provincial government or the courts, if they believe that they should be consulted with respect to the development. It's simply a question of: who fits into this category of whom we will be funding out of the development levy fund for consultation processes? That's essentially the limit to the decisions that the minister might make.

I guess the other one would be the amount of the levy. The interest of who might appeal that would be the person asked to pay the levy, but that's not something which should be a concern that would be raised by a First Nation because that's not an issue that they're being asked to pay.

Mr. Speaker, I'm very interested, obviously, in the issues that have been raised and in the rationale why some of the First Nations may or may not feel that they were appropriately consulted with respect to the act. I know the minister has very clearly indicated and I know that personally he's had a number of discussions with First Nations about the consultation policy but also about how we might do a better job of ensuring that funds were available for the development of capacity so that the proper consultation processes can be engaged in. That's all this act does.

I would suggest that if anybody supports an amendment to make this act go away, what we will end up with is a continuation of the current situation, which is private arrangements between oil and gas companies or other proponents with First Nations which are not necessarily in the interests of the people who are supported by the First Nations, the First Nations themselves, and that are not open and transparent processes with respect to the support of consultation as required at law in this country and as recognized by this government, the requirement to consult.

This is actually a step forward. This is an important part of the process. It's not the be-all and end-all. If there are deficiencies in it – I don't particularly see any deficiencies in it – that can be part of the ongoing consultation process with respect to how aboriginal consultation is undertaken.

One thing I know for certain, Mr. Speaker, and that is that the appropriate, sustainable development in this province is absolutely necessary. It happens in areas, to a great extent, that affect people who need to be consulted, and when they need to be consulted, they need to be able to have an equity in the consultation processes, which means that they have to have access to resources which allow them to be at the same table with the same kind of information and research and processes that the proponents have. This act helps balance the playing field for them, and it's a very important piece of the process.

I would encourage all members to defeat the amendment. Then, of course, it being a hoist amendment, we would move on immediately to the vote, and I would ask them to support the vote for Bill 22 in second reading.

**The Deputy Speaker:** Thank you, hon. Government House Leader.

Standing Order 29(2)(a). The Member for Edmonton-Centre to speak on the amendment.

**Ms Blakeman:** Yes, please.

**The Deputy Speaker:** Proceed.

**Ms Blakeman:** What an excellent suggestion, Mr. Speaker. Thank you so much. Under 29(2)(a) I would like to point out to the government that they, of course, are in control of the agenda. Although a hoist is, generally speaking, accepted as being the disposal of a bill and that you're postponing it for three to six months, for the benefit of anybody that's listening, generally the sessions were shorter than that. So if you said that you were going to postpone it for six months, you were actually saying: after we're all gone. It was a way of getting rid of a bill, most generally used, by the way, by the government to get rid of private members' bills. Certainly, this government has only passed hoist amendments on their backbenchers' bills.

In fact, the government can bring forward a bill at any time, can it not, Mr. Government House Leader? They can either bring this bill back under a different number or name in the fall as per the six-month hoist, or they could next week bring forward another bill that is exactly this bill with a different name and number. The agenda is always in the hands of the government, and they may bring forward any bill they want at any time. To say that this bill is gone forever is not accurate. It's gone forever as Bill 22, but the government can bring back the content and intent of this bill at any time. Is that not correct, Mr. Government House Leader?

**The Deputy Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. No, in fact, it's not correct. Parliamentary Counsel would also look at a bill, and if the bill that comes back is exactly the form and content of the bill that's there and it's already been defeated once in that session, it's not likely to be allowed as a bill to come back.

Now, there are ways you can get around that, and certainly one can draft things in different ways to bring a thing back. No question that the government can bring another bill forward, but there's also another parliamentary practice in the parliamentary system, and that is that if you defeat a government bill, you may in fact defeat a government. It may not be around to bring it back if this bill was hoisted because, in essence, it's the defeat of the bill.

**The Deputy Speaker:** Are there other speakers on the amendment?

Seeing none, I'll call the question.

[Motion on amendment to second reading of Bill 22 lost]

**The Deputy Speaker:** The hoist amendment having been defeated, I'll call the question on second reading of Bill 22, the Aboriginal Consultation Levy Act.

[The voice vote indicated that the motion for second reading carried]

[Several members rose calling for a division. The division bell was rung at 10:40 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Allen	Hancock	Olesen
Bhardwaj	Hughes	Pastoor
Campbell	Jeneroux	Quadri
Casey	Johnson, J.	Quest
Dallas	Johnson, L.	Rodney
Denis	Khan	Sarich
Dorward	Klimchuk	Scott
Drysdale	Kubinec	VanderBurg
Fawcett	Leskiw	Webber
Fenske	McIver	Woo-Paw
Fraser	McQueen	Xiao
Goudreau	Oberle	Young

Against the motion:

Anderson	Blakeman	Smith
Anglin	Donovan	Swann
Barnes	Hale	Towle
Bikman	Mason	Wilson
Bilous	Notley	

Totals:	For – 36	Against – 14
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[Motion carried; Bill 22 read a second time]

### Government Bills and Orders Committee of the Whole

[Mr. Rogers in the chair]

**The Chair:** Hon. members, I'd like to call the Committee of the Whole to order.

#### Bill 25 Children First Act

**The Chair:** Comments from the Member for Edmonton-Strathcona.

**Ms Notley:** Thank you very much, Mr. Chair. It's my pleasure to rise at the very outset of this Committee of the Whole and under the authority of *Beauchesne* 684, on page 204 of the sixth edition, I'd like to bring forward a motion proposing an instruction to this Committee of the Whole.

Mr. Chair, if I could briefly explain to you the motion I'm proposing and the authority upon which I make the argument that it's in order at this point. The motion reads as follows:

Be it resolved that this committee requests the Assembly to issue an instruction to the committee to summon the Information and Privacy Commissioner – an independent Officer of this Legislature – and receive evidence as to the likely effects of the measures proposed in Bill 25, Children First Act.

**The Chair:** You can speak to your motion, please, hon. member.

**Ms Notley:** Thank you, Mr. Chair. What I will do first is begin by speaking to why it is my view that this motion is in order. As members are well aware, this is a rare and somewhat extraordinary motion that I'm bringing forward, and I'm doing it only after careful consideration and research. However, I do so for several reasons.

First, we have under consideration an important and substantial piece of legislation, the Children First Act, which makes considerable changes involving statutory authority and information sharing with respect to children, parents, and front-line staff.

Secondly, an independent officer of this Legislature, who reports only to this Legislature, has raised serious questions and concerns about the impact of this legislation, concerns which were immediately and publicly dismissed by the sponsor of this bill, the Minister of Human Services.

Thirdly, the government has refused to refer this bill to a legislative policy committee, where members would have been able to hear from a variety of witnesses, including those who support the legislation, those who have raised concerns and questions, and those who see opportunities to strengthen and clarify the legislation. It is, of course, common practice to hear from witnesses at meetings of the legislative policy committees, and I regret that this government has not seen fit to allow members to hear from such witnesses with respect to Bill 25.

Fourthly, due to the government's unwillingness to refer this bill to a legislative policy committee and coupled with the serious concerns raised not only by stakeholders but specifically by an independent officer of this Legislature, I see no alternative, then, to bringing forward this motion, which asks that this committee, the Committee of the Whole, take the steps necessary to hear testimony from and pose questions to the Information and Privacy Commissioner.

Now, as I said, this is a rare motion, and I want to take a few moments to outline the practice and precedent surrounding both instructions to committees as well as the appearance of witnesses during Committee of the Whole. *Beauchesne's* section 681, on page 203, outlines the practice of issuing instructions, which is what this type of motion happens to involve. An instruction is defined as "a motion empowering a committee to do something which it could not otherwise do, or to direct it to do something which it might otherwise not do." As members know, hearing from witnesses is something that the Committee of the Whole, in the absence of this instruction, would otherwise not likely do.

However, to pose such a motion is certainly not common practice either, but merely because a motion is rare does not mean that it is out of order. Indeed, there is precedent for this practice within our parliamentary tradition and within provincial Legislatures across the country. There are a wide variety of practices across the country.

In British Columbia there are no explicit rules in their Standing Orders regarding the calling of witnesses at the Committee of the Whole stage. Standing Order 72(1) in British Columbia states, however: "Witnesses may be summoned to attend before any Committee of the House upon a motion to that effect being passed by the Committee." However, there is not an instance of a witness being called during Committee of the Whole.

Manitoba, Saskatchewan, Ontario, Nova Scotia, and New Brunswick also do not have specific rules that govern witnesses in relation to the Committee of the Whole. However, the Principal Clerk of the Saskatchewan Legislative Assembly tells us that on April 14, 1997, the chairman of the Board of Directors of the Regina general hospital was summoned to the bar of the Chamber to respond to questions posed by the committee.

In Quebec *La procédure parlementaire du Québec* does speak to this specific issue. Indeed, from 1992 to date there have been at least 15 occasions where witnesses have appeared before the full committee.

Both the Northwest Territories and Nunavut have specific standing rules for their Assembly which allow for Committees of the Whole to hear witnesses.

At the federal level witnesses have also been called during Committee of the Whole in both Houses notwithstanding that their Standing Orders are silent on the issue. In his 2005 text entitled *Taking It to the Hill: The Complete Guide to Appearing Before Parliamentary Committees* David McInnes writes on page 38 that witnesses can be called before the Committee of the Whole, although it is not usually a practice in the House, and will actually sit in the Chamber to take questions.

The calling of private-sector witnesses is not that common. For instance, it occurred in December 1997 during consideration of the back-to-work legislation to end the postal strike. In *House of Commons Procedure and Practice*, second edition, 2009, on page 925, in footnote 74 it states:

In 2007, exceptionally, and by Special Order of the House, a group of approximately 10 witnesses was admitted to the floor of the House for a sitting of a Committee of the Whole, in order to answer questions from Members who were considering emergency legislation related to the resumption of the operation of a nuclear reactor at Chalk River. . . . During the sitting in Committee of the Whole, the witnesses were seated near the Table of the House and some were given the opportunity to make statements.

11:00

I've also found evidence that witnesses are able to appear before Committee of the Whole in the Senate. Indeed, on February 18, 1999, the Privacy Commissioner of Canada was called before

the Senate during Committee of the Whole. I feel that it's appropriate to quote from his comments at that particular time. He said:

I must start by saying that this is quite a thrill. It is an extraordinary occasion for us. This is the first time I have been called to appear before a Committee of the Whole of either House.

In my early days as a press gallery reporter here, about 40 years ago, appearances of witnesses before committees of the whole house were quite commonplace. It is now somewhat out of fashion, which is too bad.

He goes on later to say:

If today's session represents the beginning of a revival of the process of Committee of the Whole, forgive me for attaching some special distinction to my appearance. I hope this does become true – at least for that small band of people who are known as officers of Parliament. That is, the half dozen or so of us whose appointment alone in the entire federal establishment requires a vote of approval by both Houses of Parliament and who answer to no ministry whatsoever but only to Parliament and who make our reports directly to the Speakers of both Houses.

Indeed, Mr. Chair, that is what my motion here tonight will endeavour to allow. We as the committee of the whole Assembly will call upon one of our officers of the Legislature, the Information and Privacy Commissioner, to hear fully the serious concerns she's raised with respect to Bill 25 and to clarify the nature of the consultation that the minister claims has occurred with her office.

Now, in my comments thus far I have concentrated on other Assemblies throughout the country and also on the federal Parliament. I am, however, very pleased to say that there is indeed precedent for this motion within this very House. This month, in fact, marks 30 years since a similar motion was introduced by the then member for Edmonton-Norwood. On May 31, 1983, he rose at the outset of the Committee of the Whole's consideration of Bill 44 to move that the committee request the Assembly "to issue an instruction to the committee to summon expert witnesses and receive evidence as to the likely effects of the measures proposed in Bill 44, Labour Statutes Amendment Act."

Thirty years ago this member, who would go on to lead the New Democrat Official Opposition, saw fit to introduce this motion because the PC government of the day was committed to the "mistake of hurrying," to use his words as recorded in *Hansard*. Today this PC government is intent on doing the very same thing while ignoring the serious concerns raised publicly by an independent officer of the Legislature.

I've addressed the procedural issues pertaining to whether this motion is in order, but I'd like to briefly speak to the substantive issues if I could. First of all, the Children First Act was introduced on Tuesday, May 7. On Wednesday, May 8, just one day later, the Information and Privacy Commissioner released a statement in which she stated that

Bill 25 erodes individuals' ability to control what happens to their own personal and health information by broadening the ability to share information without consent. The ability to say yes or no to the sharing of one's own information is, fundamentally, what privacy laws are intended to provide – control.

She goes on to say later:

Individuals will not necessarily know what information has been collected about them, by whom, or for what specific purpose. This is contrary to fundamental privacy principles of transparency, openness and accountability, and reduces individuals' ability to exercise their rights to complain or ask for a review under existing privacy laws.

She then says:

Bill 25 may authorize information sharing with non-profit organizations that are, for the most part, not regulated by privacy legislation and not subject to any independent privacy oversight body.

She says:

Bill 25 provides legislative authority for sharing information "for the purposes of enabling or planning for the provision of services or benefits." This is a very broad purpose that could include any number of activities undertaken by a service provider.

In short, she says:

Bill 25 is a legislated solution to an education and awareness problem... [which] increases the overall complexity of Alberta's legislated privacy framework.

She concluded by recommending that Bill 25 at the very least be amended.

Now, in response to these serious concerns raised by this independent officer of the Legislature, the Minister of Human Services stated on May 8 in this Assembly that consultations occurred throughout January, February, and March. He also said, and I quote from *Hansard*:

The FOIP review that was promised in the throne speech will allow a thorough review of the FOIP Act, but there are things we need to do now in the best interest of children. It's been very clear from all of the stakeholders.

He went on to say:

I can say that there have been discussions between our department and the Privacy Commissioner's office, and we made some changes to the wording in the act to try and accommodate the concerns that were being raised by them. I'm disappointed in the news release, to be perfectly frank, because it was my view that we had accommodated all of the issues that were raised. But we can get into that discussion.

Now, that's interesting. It does sound a lot like what we heard from the previous minister about consultations with First Nations. Anyway, the parallel just occurred to me.

The reason it is of value to have the Privacy Commissioner come here, Mr. Chair, is because the Privacy Commissioner reports to and through this Assembly. It is an unfortunate situation that we are in now, where the Privacy Commissioner outlines some very significant, fundamental concerns with this piece of legislation, and meanwhile the minister tells us that he thinks that those issues have been accommodated through conversations that he had and consultations that he had separate from this Assembly.

Now, getting away for the moment from the whole issue of the relationship between an officer of the Legislature and the minister and whether or not the Assembly can have a role in that, the fact of the matter is that the clearest way to address this problem is to have the commissioner come here and speak to all of us who appointed her into that position and to answer questions from all of us here about her concerns. She oversees a body of law in a way which, with the exception of, you know, five other pieces of legislation, is unique to all other law that we pass in this Legislature. She does so, Mr. Chair, because we as an Assembly have identified that the issues over which she has jurisdiction are so important that they must be addressed in totality through this Assembly. It is rare for a Privacy Commissioner to even begin to comment on legislation in a public way.

Really, the way it needs to be done is here in this setting, with the benefit of all members of this Assembly having the opportunity to exercise their rights as members of this Assembly to question this independent officer on her opinions about this piece of legislation. We have seen fit, Mr. Chair, to elevate her jurisdiction in a way that is different from many other pieces of legislation such that she's accountable to this Assembly. So this

committee, then, is the right place for her to come to answer questions about the very serious and significant concerns that she has raised.

Now, I understand that the minister has since had some discussions and is potentially even considering making some small changes. I'm not sure. But it may be there, and that's good. Again, because this commissioner is an officer of this Legislature and of this Assembly, we should have the benefit of having her input on the efficacy of those changes should they come forward in Committee of the Whole as well as the detailed concerns that her expertise drives her to raise with respect to this legislation.

I suggest that we should, as a result, invite the Information and Privacy Commissioner to join us for this discussion so as to clarify the difference of opinions regarding the impacts of this legislation as well as the difference of facts between the minister's statements, where he said that he thought he was consulting, and what the Privacy Commissioner was actually recommending.

It bears repeating that an independent officer of the Legislature reports not to the minister but to the Assembly. If the minister does not accept clear recommendations made by that officer, I think it is the duty and responsibility of this Assembly and each and every member of this Assembly, exercising their rights as individual members of this Assembly, not as members of caucuses but each member of this Assembly, to fully understand what our commissioner is saying. If this minister thought a few changes to the wording would satisfy the commissioner, it is clear that he was mistaken.

In conclusion, Mr. Chair, this motion will allow us to clarify this situation, to hear from the Information and Privacy Commissioner, and to proceed with a full resolution of this issue on this very important piece of legislation, which has a significant impact on the privacy and transparency rights of all citizens in Alberta.

Thank you.

**11:10**

**The Chair:** Thank you, hon. member.

Hon. members, the chair has concerns about the propriety of this motion, but I'm prepared to hear from one speaker from each caucus before ruling. With that, I'll recognize the Member for Airdrie, followed by Edmonton-Centre, and then, I suspect, the minister.

The hon. Member for Airdrie.

**Mr. Anderson:** Well, thank you, Mr. Chair. This is certainly a rare motion that is being done, but I think it is not without merit. I think that the arguments were very clearly stated by the Member for Edmonton-Strathcona. This is why, once again, we in this party supported a referral motion during second reading on Bill 25, in order to try to get this into a policy committee during the recess so that we could go through this bill and make sure that any issues were taken care of. What the Privacy Commissioner has done here is really – I mean, I haven't been here long enough to say it's unprecedented, but I've never seen this during my time here.

As I looked at the Privacy Commissioner's concerns, some of her concerns I think are valid. A couple of them I tend to actually disagree with. I think that there's a balance that has to be put forward between keeping people's information completely private and then, on the other hand, making sure that there's enough information sharing that's going on to make sure that children are being protected in the system. I think there is a balance there. Sometimes we have to give a little on one end in order to get what we're looking for on the other.

That said, good decisions on this bill with regard to the recommendations given by the Privacy Commissioner will be – it would be a much better exercise or a much better way of doing things here if we took the time to go over those recommendations by the Privacy Commissioner and have him come forward and answer questions.

**Some Hon. Members:** Her.

**Mr. Anderson:** Her. Sorry. My bad. Have her come forward and answer those questions.

I think that that's very important. As opposition members and as government members voting on this, I think we'd all like to understand a little bit where the Privacy Commissioner is coming from on several of her recommendations. I think that that can only be done if we hear from the Privacy Commissioner in detail. I have many questions that I'd like to ask her concerning this bill to see where the right balance is.

That's not to say, again, that I agree with everything that's been recommended, although I do agree with some. Maybe my view would change one way or the other depending on what her testimony is concerning this bill. Without knowing that testimony, it's very difficult to feel that I'm getting all the information that I need in order to make a properly informed decision on this bill. I mean, this bill has already been rushed through as is in very short order.

Generally speaking, it's a good bill. It's a bill that I support in principle. I think that it has parts in it that I'm unsure of, and I think that Albertans and others would be unsure of certain parts of it as well. I think that for the Assembly to do its job properly, we need to hear from the Privacy Commissioner specifically regarding the unprecedented recommendations that she gave while this bill was in second reading. That's really unprecedented in my time here. Possibly it's been done before, but certainly I've never seen it.

I think that in order to do our jobs, Mr. Chair, we need to hear from the Privacy Commissioner, and this would be the opportunity to do that. So I support the motion.

**The Chair:** Thank you, hon. member.

The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you. Mr. Chairman, can I just clarify that you wanted us to argue the propriety of considering this motion before the committee?

**The Chair:** In favour or against the motion.

**Ms Blakeman:** In favour or against. Okay.

**The Chair:** Specifically to the motion.

**Ms Blakeman:** Okay. I'll do both, then. Thanks.

First, I want to argue that this motion is in order. Our standing orders make it clear that we as an Assembly are in control of our own business. We can proceed as we wish. Thus, you witness a number of times a request for unanimous consent, and if it's given, we can do things that normally wouldn't be done here. We can revert to an order of business and introduce a bill, for example, when we've already passed through the Routine and would not be allowed to do that regularly. So if we agree that we're going to do something, we can do it. If we're really doing something unusual, it would take unanimous consent.

In this case this is a motion that's brought before us for consideration, and we can ask that that instruction be given to the

Assembly to follow through on this. Namely, the instruction is that we want the Privacy Commissioner to appear before us, whether at the bar or at the table, to answer our questions and talk about what effect it is that she sees following from this bill. That's how our standing orders address this. They don't specifically talk about instructions.

When I go a layer up to *Beauchesne*, 683, 684, and 687 all speak to this specifically. So does 681, but the Member for Edmonton-Strathcona has already dealt with that. Rules 682 and 683 talk about a permissive instruction and a mandatory instruction. The permissive instruction is more ordinary, and it gives the committee authority to do something that it wouldn't usually do. In this case that would be to ask the Assembly to bring the Privacy Commissioner forward.

Now, we're still in control of our own business here, and the House, in fact, can look at the recommendation from the committee and say, "Nah; no thanks," but the instruction can be given. Or there can be a mandatory instruction that says, "The House will do this," that is defining the course of action that the committee will follow.

*Beauchesne* 684 talks about when it has to be done, and in fact the member did comply with that. "The time for moving an Instruction is immediately after the committal of the bill." She has done that. It's been committed to the committee. "The Instruction should not be given while the bill is still in the possession of the House," in other words, during second reading, "but rather after it has come into the possession of the committee." So her timing is bang on with that one. She's done it exactly right. And if the bill has been partly considered at all, it can't entertain an instruction.

Finally, 687, which, just for reference for the members that are here, is when an instruction is considered inadmissible. "No Instruction is permissible which is irrelevant, foreign, contradictory or superfluous to the contents of the bill." I would argue that none of those inadmissible prohibitions can be called in this case. In fact, this is very much a bill that is dealing with privacy and control of information. The Freedom of Information and Protection of Privacy Act, the Health Information Act, and the Personal Information Protection Act, which are the three different acts that this House has passed that deal with collection, use, and disclosure of personal information and health information by government, by health custodians, and by the private sector, are all addressed and named in this bill, so it is very relevant to what we are doing. I don't know how you could make an argument that it's contradictory.

The minister sponsoring the bill has said that he did consult the Privacy Commissioner in doing this, but clearly the Privacy Commissioner felt compelled to issue a press release that outlined her concerns with it. So this is all very much in play, and I think I would urge this committee to follow and, indeed, to approve this motion.

Finally, there are references to it in chapter 16, page 752, of the *House of Commons Procedure and Practice* mostly noting that federal process doesn't use this very much because they don't, as we do, go immediately from second into Committee of the Whole. We do, so it is in order to do that in the way that we, particularly, conduct our business. So as far as parliamentary process is concerned, I would argue that the member has met all of the criteria.

11:20

This is a difficult bill. We're trying to accomplish two things. It is trying to balance the provision of services to children against collection, use, and disclosure of a child's, a parent's, or a guardian's personal information, and achieving that balance is

difficult. You will hear later tonight arguments about how the government has achieved it or believes they've achieved it and how others believe they've not achieved it. So the usefulness of the Privacy Commissioner, I would argue, is integral to what we are trying to do with Bill 25.

I won't take any more time, but I think this is important. It's a great opportunity for us to be able to hear how we should be seeking to make this balance and getting the information, indeed, from the expert that we as an Assembly have hired to be an expert for us in these matters.

Thank you very much, Mr. Chairman.

**The Chair:** Thank you, hon. member.

The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Chairman. I would, first of all, like to congratulate the Member for Edmonton-Strathcona on reaching into the arcane back volumes of *Parliamentary Procedure and Practice* to find a process that hasn't been used in this House in my 16 years and, as I think the hon. member admitted, hasn't been seen for 30 years and bringing it forward. I like that. It's very inventive and resourceful. However, it's totally unnecessary and inappropriate, so I would encourage you and the House to reject this particular motion for instruction.

This House has operated very well over the years examining bills on a clause-by-clause basis in committee to determine the policy under which the province should operate. Once the policy is created, the officers of the Legislature are there to implement that policy and, yes, to give advice to us and to the Legislature, not to the government, on that policy. It is entirely appropriate for government to consult with leg. officers when they're dealing with policy issues to make sure that they have the full benefit of that advice in drafting legislation, and from time to time I think it's appropriate, certainly, for the Leg. Offices Committee to hear from officers of the Legislature as to what they believe should happen in policy.

But legislation that's being brought forward and discussed and passed in this House is the purview of the Legislature, not the purview of the officers, so I would suggest that bringing an officer before the House in this particular circumstance, while it might be interesting and even useful in terms of information, is not a step that I think we should take lightly and not a step that I think is either necessary or desirable in this particular instance.

The issues that are before the House with respect to this bill are relatively straightforward, and there's a balance that needs to be struck. That balance needs to be struck between how we allow and encourage professionals working in the education system, the police and justice system, the children's services system, and the health system to work together for the benefit of children.

We've seen in this province in the not-too-recent past, certainly not as long as 30 years ago, tragic circumstances whereby children have been failed by us as a province and a society because we didn't share information appropriately; we didn't handle the circumstances. I would suggest that the members opposite, particularly the Member for Edmonton-Strathcona, would be the first to leap to her feet to excoriate government for failing children in those circumstances, yet the real failure is that people are not in a position to share information among themselves.

We're not talking about tossing information out on the street. We're not talking about people who don't know and understand the importance of information. We're talking about professionals working together in the best interests of the child. That is a policy decision that needs to be made. Let there be no mistake; there is a clear decision that needs to be made as to how far privacy rules

should go and when the best interest of the child needs to take precedence. Yes, it's very difficult in legislation to come up with a line. At some point in time you do have to provide for judgment calls, and it is our view and certainly my view that that judgment call from time to time has to be put in the hands of the professionals who are working in the best interest of the child and the family.

While it would be interesting to hear from the Privacy Commissioner with respect to privacy policy, I think there would be an opportunity to do that as the FOIP Act is reviewed and as the Health Information Act is reviewed and as PIPA is reviewed and as PIPEDA is reviewed and all those overarching acts which set the overarching privacy policy in this province. Certainly it would be appropriate to hear in that circumstance. In this circumstance what this bill does is try to set a standard which allows for the sharing of personal information with respect to children, when it's in their best interest, between professionals who are working together as a team in that child's interest. That's what this act does.

There's a clear distinction. It's a policy decision, and it's not a policy decision which we need to bring the Privacy Commissioner in to tell us about because we clearly understand. I don't think there's any question where the Privacy Commissioner stands on this particular issue, and there's certainly no question where I stand on this particular issue. What we really need to know tonight is where the Legislature stands on this particular issue.

**The Chair:** Thank you, hon. minister.

#### **Chair's Ruling Motion Out of Order**

**The Chair:** Hon. members, the Member for Edmonton-Strathcona has proposed that a motion resolving that the Committee of the Whole request that the Assembly issue an instruction to the committee to summon witnesses to appear before it, namely the Privacy Commissioner. I'm prepared to rule on the admissibility of such a motion pursuant to Standing Order 48.

I'd first mention that a similar motion was moved in the Legislative Assembly of Alberta on May 31, 1983. On that date a member of the ND opposition moved as follows:

Be it resolved that this committee requests the Assembly to issue an instruction to the committee to summon expert witnesses and receive evidence as to the likely effects of the measures proposed in Bill 44, Labour Statutes Amendment Act, 1983.

It should also be noted that the admissibility of the motion was not ruled on, and the motion was moved and, after debate, defeated. *Alberta Hansard*, May 31, 1983, at pages 1267 to 1278.

Since 1983 the procedures and practices of the Assembly have evolved. With the introduction of policy committees first, the policy field committees, and currently the legislative policy committees, members of this Assembly have the opportunity to move a motion referring a bill to a policy committee pursuant to Standing Order 74.2 or Standing Order 78.2. It is upon referral that the committee may hold public hearings and hear from expert witnesses on a bill.

Bill 25 was in fact the subject of a motion for a referral last week. On May 8, 2013, the Member for Calgary-Shaw moved that Bill 25, the Children First Act, be referred to the Standing Committee on Families and Communities. This motion was subsequently defeated.

Currently both the Standing Committee on Resource Stewardship, Bill 205, and the Standing Committee on Families

and Communities, Bill 204, have bills referred to them by the Assembly.

I would also like to call the attention of the Committee of the Whole to an instance in which the federal House of Commons dealt with the matter of admitting witnesses to appear before the Committee of the Whole. The incident is referenced in note 74 on page 925 of *House of Commons Procedure and Practice*, second edition, which describes how "exceptionally, and by Special Order of the House" on December 11, 2007, "a group of approximately 10 witnesses was admitted to the floor of the House for a sitting of a Committee of the Whole." It should be noted, however, that the witnesses were admitted by special order of the House, which was agreed to by unanimous consent and not through a request from the Committee of the Whole to the House to issue an instruction to the committee. House of Commons *Journals*, December 11, 2007, at pages 295-296. Therefore, while the House of Commons heard witnesses in Committee of the Whole, it did not follow the process that is proposed in this motion tonight.

Accordingly, pursuant to Standing Order 48 the motion proposed by the Member for Edmonton-Strathcona is ruled out of order.

#### **Debate Continued**

**The Chair:** We will now move back to the consideration of Bill 25. The hon. Member for Calgary-Shaw.

**11:30**

**Mr. Wilson:** Thank you, Mr. Chairman. I'm quite impressed that you were able to put that together on the fly there. Very well done.

It's great to stand up for the first time after being back in here for four hours and, you know, at 11:30 make a speech about some potential amendments to Bill 25, the Children First Act. I want to make it clear that I do appreciate the Minister of Human Services' intention, I guess, throughout the process. It started before the bill was tabled in this House, when he had a briefing with me and some staff of all parties and really went through the bill and made it very easy for us to engage and ask some questions, which we certainly did take advantage of at that time.

You know, we did have a couple of concerns. Some of those we brought forward during second reading. I also was encouraged by the sharing of some potential amendments that we had brought forward to the minister, and I'm also very encouraged that it appears at first glance that he may be ready to accept some of our amendments. With that, I will speak to the areas in which I am going to propose an amendment, Mr. Chair.

The first one is around the children's charter. As much as we do, I guess, in theory accept what it is that the children's charter is all about, what we originally had a big concern with . . .

**The Chair:** Hon. member, are you moving an amendment?

**Mr. Wilson:** I will be eventually, yes.

**The Chair:** Oh, I see. I thought you were ready.

**Mr. Wilson:** Would you like me to move that first?

**The Chair:** I'm asking for clarification, hon. member.

**Mr. Wilson:** Well, it's up to you. If it pleases the chair, I am more than happy at this time to table an amendment.

**The Chair:** Well, are you ready to speak to your amendment, or did you want to speak prior to your amendment?



**Mr. Wilson:** Well, in Committee of the Whole – I may be incorrect – I’m pretty much allowed to speak to . . .

**The Chair:** You have 20 minutes, hon. member, so you can speak and then move the amendment. I’m just clarifying what your intentions are.

**Mr. Wilson:** Thank you for the interruption. I appreciate it very much. I will still table the amendment at the behest of the chair.

**The Chair:** Thank you.

**An Hon. Member:** Good luck.

**Mr. Wilson:** Thank you. I appreciate your well wishes of luck. Are you a betting man?

**The Chair:** Carry on, hon. member.

**Mr. Wilson:** Thank you, Chair. I will do just that.

The amendment itself has two parts, that you will see, and the first part is about the children’s charter. We were concerned with section 2(3), which gives the minister the right to review and amend and repeal and replace the charter at any time that he considers appropriate. The children’s charter is indeed an ambitious project that will have a lot to say about how the Alberta government approaches children’s programs, and we certainly did not want to take that lightly and do not want to take it lightly. Our overall sense as a caucus was that this just gives the minister a bit too much power and discretion over the actual wording of the charter and the imposition of it.

Because it’s a document that will be providing oversight and guidance for all children’s programs and services, any changes to it, we felt, should be considered by the Legislature as a whole, Mr. Chair. We would prefer that the charter come back to the Legislature as something that would require approval because it is such a wide-reaching document, or it will be eventually. When the children’s charter is ready, we do believe that it should be passed by the Legislative Assembly and then used to give formal direction to programs and services. We also feel that any, I guess, amendments to it, changes, or repealing of the children’s charter should also come back to the Legislative Assembly for consideration.

That covers one part of the amendment that was tabled, Mr. Chair.

The second part speaks to some of the privacy concerns that were raised by the Information and Privacy Commissioner in her press release that came out the day that the bill was debated in second reading. It is specifically a follow-up in section 4(4), which would read that a service provider or custodian must in accordance with the procedures set out in the regulations maintain as a record information about a disclosure. Now, obviously, there are concerns about information sharing that’s going to be going on, but we do believe that it is in the best interest of children to essentially make sure that the information that can be shared is done so in a way that it’s still recorded. We do believe that the minister has got the best intentions for children and putting children first and not the fear that they’re going to be in violation of one of the three acts.

Bill 25 expands the power for educators, police, government agencies, and service providers to share information so that children at risk can be taken out of dangerous situations without waiting for the danger to be so serious or harmful. It is a good change, but we need to remember that this will affect some privacy laws. The amendment does not affect their new ability to share information, but it does at least require that when the

agencies share information, they must keep a record of the disclosure. The main concern is that it is inevitable that some of the people with access to private information will abuse that power or make mistakes that affect people, and without a record of disclosure, concerned citizens will have a barrier to going back and finding out what was released about them. We think that this is a very reasonable requirement, one that the Privacy Commissioner has asked for as a minimum requirement in her press release.

With that, Mr. Chairman, I will happily sit down and move that . . .

**The Chair:** Amendment A1.

**Mr. Wilson:** . . . amendment A1 be accepted by this House. Thank you.

**The Chair:** Thank you, hon. member.

Speaking to the amendment, the hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Chair. I have had the opportunity to discuss a number of potential amendments with the hon. member. We are obviously not able to agree on everything, but there are a couple of things which do make sense. I would suggest that this amendment embodies two of them. The fact that when we do a children’s charter, it is important that the House sees it: I think this amendment allows it to be laid before the House for discussion and with respect to any repeal or replacement as well. That particular amendment adds, I think, to the bill, and I would encourage support of it.

The second, section B, with respect to the procedures set out in regulations, maintaining records, it should be clear that this act does not exempt itself from the provisions of FOIP or the Health Information Act. Those acts still remain paramount. The whole issue around how data is collected, how information is collected is still subject to the controls set out in those acts. One of the things that could be clarified is that a service provider or custodian, in accordance with the procedures set out with the regulations, should maintain a record about disclosure of information under this section. That’s good practice. That would be expected of service providers, that they would do that.

One of the reasons why we suggest it in accordance with the regulations, of course, is that you have different types of service providers. For example, you have educators. They might operate in a slightly different way than other service providers in terms of the comprehensive nature of health records or the comprehensive nature of children’s services records. I think this is a good compromise of that particular discussion.

Then, of course, section C provides for the regulation-making authority to set out those procedures.

I would encourage the House to support this amendment.

**The Chair:** On the amendment the hon. Member for Airdrie.

**11:40**

**Mr. Anderson:** Thank you, Mr. Chair. I want to congratulate the Member for Calgary-Shaw but also the minister and say that this is probably the first good experience I’ve seen where something substantive has been introduced into a bill by an opposition member. It was just a matter of having a good conversation in advance of tonight. I really appreciate that the minister was willing to work with this hon. member on bringing this amendment forward and not playing any of the games that can be played in those circumstances, where the government can bring an

amendment forward and borrow the idea, so to speak. I just think that's a good example. I think a lot of the other ministers would do well to follow that example. It's just good parliamentary practice, and it's about respect. It shows a willingness to work with the other side, and we see that far too little.

Now, obviously, we still would have liked to have seen this entire bill referred to committee. We've made that argument several times. We still think it needs more time; however, obviously, we've lost the vote on referring it to a standing policy committee out of session.

The second best solution is to propose some amendments and get those on the table. He's right; there are a couple of other amendments. There's one other amendment we'll be bringing forward. But the rest that we had put forward the minister was willing to talk through and discuss, and we're here today.

I specifically am very gratified by the first one there: in section 2 by adding the following after subsection (3):

- (4) The Children's Charter and any amendment or repeal and replacement of the Children's Charter require the approval of the Legislative Assembly.

That is very important to me personally and to my constituents.

One of the things I promised myself when I became a member in 2008 for the first time was that I would always stand up for the rights of families and particularly the rights of children and parents. I find that in today's society sometimes it's just too easy to forget the important role that parents play in the development of their children and in the oversight of their children and in developing and raising a healthy, functioning child and helping them become a highly functioning and contributing adult.

I think there's far too much emphasis on a lot of, you know, programs and engineering and things like that and not enough emphasis given to the role that parents have with regard to raising their children and making sure they get the best possible chance in life because there really is no replacement. There really is no replacement. There is no program. There is nothing that can replace the power and the effectiveness of a loving mom and dad raising their children. That goes for whether it's an adoptive parent, whether it's a guardian or two guardians that treat that child like one of their own.

You look at every independent analysis that has ever been done on social ills that children fall into in their teens and even earlier than their teens sometimes, unfortunately, and into adulthood. The empirical evidence is just unquestionable that when there is a stable and loving family unit in place, it just makes all the difference in the world to children. That is not in any way to undermine the heroic efforts of our single parents, of our foster parents, grandparents that step in when sometimes things don't work out the way that people had hoped when they had their child in the first place. That's part of life. Those heroes that come in and raise those children in incredibly difficult circumstances and that, frankly, against the odds, raise wonderful children are just as amazing. What would we do without them as well?

Still, we should always remember that it really is the family unit that has just done so, so much for our society, and we need to make sure that that's why taking custody away from parents, taking away the rights of parents needs to be the last resort, needs to be the absolute last resort. But when they have derogated their responsibility and denigrated it, frankly, by not acting as they should, then that's when the state, the government, however you want to say it, needs to step in and make that child a ward and make sure that child is safe.

Generally speaking, statistics aren't very good when that happens for that child. We hope that it works out. We hope and pray that it works out for that child. It's so unfair to him or her in

those cases. It makes your heart break. You know, I think of my own adopted sister, whom my parents adopted from a girls' orphanage in China. It shatters your heart to think about what happens to the majority of those little girls in those situations. It's a last resort, but it's something that needs to be done, and there is a role for government in those hopefully rare cases. They're becoming more common, unfortunately, but that's the case.

That's why I support this amendment and why I am happy to see that the children's charter, the final charter after the consultation process is done by the minister, will be brought back to the House for final verification because I think this is very important. Children's charters are not common documents around the world. Obviously, there are some children's rights enumerated in the UN declaration of human rights. There are also parental rights in the UN declaration of human rights and some other things in there. But this will be a rather new thing, and I commend the Minister of Human Services for putting this on the table because I think it is important.

There is no one more precious in our society than our children. They're our future, and they just make us all better, you know, because just the touch, having a hug from your son or daughter or nephew or niece or whoever, and seeing the innocence and wonder in their eyes when you take them out to the mountains or, frankly, into your backyard to look at spiders: whatever it is, they make us all better. They make us all better human beings. They're so innocent that they sometimes don't know when they've fallen into danger, so it's good that we are going to recognize that might is not right and that children have rights as well as adults. I think that that's very important, to recognize that they have rights and even in some cases, I would say, special rights.

I wanted to read into the record why I'm supporting this motion. Obviously, the privacy concerns are a piece as well, but I'm not going to spend much time on that other than to say that I'm going to assume that by this amendment, when information is disclosed and shared, if somebody wants to go and figure out what was shared about them, they'll be able to find that out immediately. I think that's important, and I think that's what this amendment is supposed to be doing.

11:50

I would like to read the principles that the children's charter must recognize and why I support the idea that's happening here.

The Children's Charter must recognize the following principles:

- (a) that all children are to be treated with dignity and respect regardless of their circumstances;
- (b) that a child's familial, cultural, social and religious heritage is to be recognized and respected;

That is a very key clause in there.

- (c) that the needs of children are a central focus in the design and delivery of programs and services affecting children;

Of course.

- (d) that prevention and early intervention are fundamental in addressing social challenges affecting children;

As a parent of an autistic child I can testify that that is completely accurate. Early intervention is absolutely critical when it comes to helping children who have issues that they're dealing with and challenges that they're dealing with reach their full attainment.

- (e) while reinforcing . . .

And this is very important. I'd like to strengthen this, and we'll be bringing an amendment further on about this, but it's getting there.

. . . and without in any way derogating from the primary responsibility of parents, guardians and families for their children, that individuals, families, communities and governments have a shared responsibility for the well-being, safety, security, education and health of children.

I would like to see that strengthened a little bit because I think it's more than just a primary responsibility that parents have; it's paramount. It's not absolute, but it is something just below absolute. It is paramount, not primary. Primary to me says 51 per cent. It's not accurate, frankly. Parents should always have the primary and paramount responsibility for their children.

Those are the principles, and that's why I am supporting the idea of a children's charter. These are sound principles. But sometimes you can put sound principles and the end result into a charter, and all of a sudden you can flip a few words around, and it might have a meaning that, frankly, wasn't exactly in line with what people think of when they read certain principles. That's why this amendment will bring it back. When the final charter is done after the consultation period is finished – and I would hope that the minister would include the opposition in that consultative process somehow so we could give our input as well – it could come back here, and we can approve it as a body, as the people's elected representatives, and if there are changes and so forth, we can approve those changes. Something like this shouldn't just be given to the minister of the day, whether it be this minister or any future minister, to just come and change the children's charter however they feel.

So I support it. I thank the minister for working with our side on this and showing that some things can be nonpartisan. I wholeheartedly support this amendment and would encourage all members of this House to do the same.

**The Chair:** Thank you, hon. member.

I recognize the hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much, Mr. Chair. Well, I'm happy to support this amendment except for the regulation part, but, you know. In fact, I have a motion in front of me that I was going to propose that is essentially the same thing. I would've gone a bit further. But let me do this in order.

First of all, the first section, section A, amending section 2 in the bill following subsection (3) so that the minister can review the bill, but if he is going to propose an amendment, or repeal, or something else in here, he would have to bring it back to the Assembly. You know, no surprise, but I've talked a lot in this House about how what's done in the House should be undone or changed in the House. It should be brought back here. I would have said that any piece of legislation where major pieces are being changed should be brought back to this House.

But the current and the previous governments got into the habit of creating bills in which the essential principle was laid out, and then all other changes henceforth were to be done by regulations as the minister saw fit. So I'm very pleased to see that this would bring the bill back before this House if there was any desire to amend, repeal, or replace the children's charter in the legislation, absolutely what I constantly advocate should happen.

Section B is amending section 4 by adding a subsection (4), which would set out that "a service provider or custodian" – a service provider is going to be somebody that's covered under FOIP or PIPA, and a custodian is going to be someone that's operating under the Health Information Act – "shall, in accordance with the procedures set out in the regulations," which proves the point I just made, "maintain records about the disclosure of information under this section."

Now, remember that personal information is always in three stages. It's always collection, use, and disclosure. The second piece that you want to remember about that is with consent or without consent. Those are the major pieces that you're always trying to consider. It always has to be dealt with in three stages:

collecting the information, using the information, disclosing the information.

I would have gone further in my amendment, which does exactly the same thing. It's amending section 4 and adding after subsection (3) a subsection (4). I would have said that a service provider must protect a child's personal information and health information by making reasonable security arrangements against such risks as unauthorized access, collection, use, disclosure, or destruction. I'm a bit pickier. I'm a bit more militant about protection of privacy. What I was proposing and what, I guess, I'm not proposing anymore – so this becomes good one-sided recycled paper – was a bit more stringent.

But if the government is willing to accept this – and I'll just remind everybody following along at home that the government doesn't usually accept this kind of stuff. Sometimes you're working under the principle that it's better than a kick in the ass with a frozen boot, and I'm going to accept this as a result. It's a new Laurie Blakeman standard that I'm introducing into the House tonight, but it's a worthy standard, and I'm going to use it in this particular instance.

The final section is amending section 6, which is the regulation section and once again giving the government carte blanche to come up with all kinds of regulations to put section 4, the previous one, in place. Uh. I really wish the government wouldn't do this, but I don't seem to be able to wean them off this addiction to empowering themselves through legislation to be able to do whatever they want through regulation. It's harder to find. It's harder to understand when it's coming out. There are a bunch of other problems about it. But using the new standard of better than a kick in the ass with a frozen boot, I am going to support even the regulation part just to make it happen.

I'm happy to support the Member for Calgary-Shaw for bringing it forward and for negotiating this successfully with the government. I would have been a bit tougher than you, but that's okay. We're going to accept this and be happy. Given that, folks, you should be happy, too, and accept this amendment. It's the best advice I can give you.

Thank you very much.

**The Chair:** Thank you.

Are there others? The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Well, thank you, Mr. Chair. I'm pleased to rise to speak to what I suspect is the first of a number of amendments this evening. I guess, to sort of start with this, I think that we can all agree on one thing, that we all care very deeply about ensuring the best for children in Alberta. There are times when I'm a little bit cynical about that, but I do believe that most everybody in this House actually does want to achieve the best for children in Alberta.

**12:00**

I also, however, believe that that's almost the point at which opinions begin to diverge. We have some very profound differences in opinion on how one goes about doing that, and I'll be the first to say that my view of how you go about achieving the best for children in Alberta differs largely from both the government as well as the Official Opposition in many respects. As we talk about the particular elements of this bill over the course of the next few hours and the many amendments that we will be putting forward on it, we will have the opportunity to at least delineate and discuss in more detail and refine some of those sort of profound differences and the way in which they are reflected through each section of the act.

I just need to put out there that, really, there are some fairly deeply felt value-based differences of opinion that certainly exist, as I say, between our NDP caucus and the government caucus and the Official Opposition caucus. Certainly, some elements of that will be found because we're going to be making some amendments to subsection (2) of the children's charter to add to the principles that we would like to see being considered by the government in their copious consultation over the course of the next little while with respect to the charter.

That being said, the very minor sort of amendments that we see reflected in this first proposed amendment that have been accepted by the government certainly don't strike us as being something that we would vote against. I don't know that they go very far towards fixing those fundamental value-based differences in terms of how we go about really, truly protecting children in Alberta. I don't think they go very far in that regard, but they certainly don't hurt, and it gives us an opportunity to raise this issue and discuss this issue again in this Legislature. Quite frankly, the more opportunities we have to talk about how we go about best protecting and ensuring the best interests of children in Alberta in this Assembly, the better. That is good. Certainly, I'm happy to support Section A of this amendment.

Now, in terms of Section B I have a question, which I'm happy to direct to either the mover, the Member for Calgary-Shaw, or to the minister, who responded to say that the government would be accepting this amendment. That's the amendment that outlines that the service provider or custodian would maintain records about the disclosure of information that occurs in that section. I have a genuine question. In doing that, does that mean, then, that the person whose information was disclosed would have access to that record, and they would have a right to see the record of how their personal information or health information was disclosed? I'm getting a bit of a negative nod from the Member for Calgary-Shaw. I don't know if the minister wants to weigh in to clarify whether that is true or not. I think, of course, that's what's really important.

I mean, we'll talk in greater detail about how some of this at this point can go sideways, but, you know, I'm going to create a picture of somebody whose rights I'm going to be trying to protect over the course of the discussion tonight about balancing privacy against the need to keep children safe. Think for a moment, then, about a 14-year-old girl who is temporarily in the custody or care of the government, shall we say, who has an abortion. Because the criteria is best interests and because it's so broadly described, it's very possible that that information might be the exact kind of information that is transferred from a service provider to a service provider if they believe it's in her best interest for that information to be transferred.

I worry about that girl living in a small town and it being transferred from an educator to somebody that provides after school care although I guess a 14-year-old wouldn't be dealing with after school care, so that's probably not a concern, but somebody that perhaps provides some counselling services through a nonprofit in the small community, that kind of thing. I worry about that being transferred, and I wonder what right that 14-year-old girl will have to go to those various service providers and find out when or what information was disclosed, particularly if she's making a decision, if she's deliberating on whether or not she should continue to live in that town of 2,500 people or whether she needs to move somewhere else because of, you know, the way things are in towns of 2,500 people. I can speak as someone who grew up in a town of 2,500 people. These things happen quite regularly, that this kind of information just gets out there, right?

My question is: can that 14-year-old girl check with that service provider to see what information was disclosed? Let's say it was a counsellor at a school talking with somebody that's providing after school outreach for a child at risk, for instance, that kind of thing, some kind of programming that way. Can she check to see what's been disclosed? I'm hearing no from two opposition members. I'm happy to have the minister tell me if I'm incorrect. It says: in accordance with the regulations. Typically when you talk about a record of disclosure – I can't remember if it's implied that people have access to that record of disclosure or if needs to be stated.

Anyway, that's my question, and I shall leave my comments on this particular amendment to those questions and those introductory comments and look for an answer.

**The Chair:** Other speakers on the amendment? The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Chairman. I'd be happy to weigh in on that. The answer to that really lies in what an individual's rights are to access their information under FOIP and under the Health Information Act. This does not derogate from those rights. In fact, if a person is entitled to ask for that information, which they are under FOIP, for example, if it's not readily disclosed to them, there's a process by which they can request it, and they would be entitled to such information. They'd be entitled to under that.

Now, my experience is that you can apply to get your information. I know of certain circumstances with respect to Human Services, for example, where people have asked for and received their information. Sometimes it's a question of a disclosure of the information directly without the FOIP process. In some cases there have been issues, and it's only come to my attention after they've complained to me in writing because I don't see the FOIP processes. So there is both a direct request approach and a FOIP approach which can be used to access information. Those apply in this circumstance as well.

With respect to the disclosure provision the approach here is to ensure that appropriate records are maintained, but it should be very clear that this act does not give professionals acting in the best interests of the child the opportunity to disclose any information they want to disclose. There has to be purpose, and they can be held accountable to the purpose. The issue is really one that, yes, there may be a question of some level of trust, if you will, about what's appropriate to disclose, but there are provisions later on in the act which say that you can't disclose information, for example to a parent, if the child says no.

In those circumstances it's quite appropriate. There would be circumstances where if the child that you're talking about, for example, had some severe emotional issues surrounding the pregnancy and the abortion, it might be quite appropriate for discreet disclosure of information among the necessary professionals, not a wide dissemination of the information among all of them but a discreet dissemination among the professionals that were involved in that particular interest on behalf of the child. Other than that, if that wasn't the case, then there would be no reason for anybody to have that child's personal information, and there would be no reason to disclose.

**12:10**

**Ms Notley:** I do appreciate the minister engaging in this conversation.

There are a couple of issues there that I would raise when I deal with other amendments. He talks about severe emotional issues,

and I think that there are ways of getting at that with more refined language than the best-interests-of-the-child language that he's currently using, but we'll talk about that later.

The thing I want to clarify, though. The minister talked about how a child has the ability to get access to their information, but that's not really what we're talking about. What we want the child to be able to do is to get access to who else has their information. It's not a question of them getting access to their file. We understand that they all still have the ability to do that. What they want is to have access to who knows, who else has access to their file. That's the question.

Now, are you telling me that that is naturally part of their personal information? Currently the service provider wouldn't necessarily be covered by FOIP because they are contract. They'd be under PIPA. Under PIPA, I think, there's a difference around access to the actual information versus access to the record of the disclosure of the information. That's actually information about the actions of the service provider versus information about the actual person. Do you see what I mean? I just would like to get that clarified.

**Mr. Hancock:** It's certainly my understanding – and I've had some experience in this with respect to people requesting access to their information, including who their information was shared with – that that is an actual extension of the question of accessing information about themselves. In fact, that's the reason why this amendment is important. If it's available, it ought to be part of the sharing, and it ought to be shareable.

Now, the question as to which service provider and which act. If it's a service provider who's doing business under contract with the government, then they come under the regulations for the government, so they are bound by that process, and we ensure that that happens.

I'm quite confident that, in fact, people would have access to not only the record of their personal information but if they request it, who that information has been shared with if, in fact, this type of regulation is in place or without this type of regulation if, in fact, they've practised good practice and they actually did record as we're asking them to do.

**The Chair:** The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much for recognizing me, Mr. Chair. This is why we should have had the Privacy Commissioner be able to appear before us. It is this kind of discussion, in which nobody is quite sure. I would argue with the minister that his interpretation of this is not accurate. One, the information has been collected without somebody's consent. When you're a child, you've got no rights. In particular, in this act the information is being collected about them without their consent, so they don't know who has it to start with, never mind who talks to somebody else about it. Secondly, the principles of transparency and accountability that would usually accompany personal information and privacy are also not in this act, so we're hard-pressed to find out what got shared with what other service providers.

Now, I'm supporting this act because it does at least require that records are maintained about who else got told. But I think that there is a question about whether who else got told is going to be part of the information that someone could access. Let's remember that a child cannot access this. Until you're over 18, you can't get this stuff. If the 17-and-a-half-year-old, this imaginary girl that we've dreamed up that had an abortion at 14, wants to consider staying in that town or that school or a number of other possibilities, she cannot find out who else knows because she's a child.

Until she's over 18, she can't try to access that information. Then when she's over 18, she's going to be struggling here into where the paramountcy is and between which service providers.

That's the other thing that's getting interesting here. Is this a service provider that is included under FOIP, which means that they're a public service provider and they're contracted by the government, or are they a not-for-profit or a private business, which is subcontracted or contracted directly by the government? They're covered under two different acts, and the service providers are covered under different acts. So whether they're able to access that information as an adult – you are supposed to be able under all of the acts to look at your record and ask for corrections to the record and have a review done if you wish.

Now, no surprise to anyone, I have an amendment coming that's going to do that. In the meantime, given that the minister will actually accept a strengthening, I'm going to urge the members to approve what's before us in amendment A1, put forward by the Member for Calgary-Shaw, because it is better than a kick in the ass with a frozen boot.

Yeah. That is the problem that we are struggling with here. How do we actually figure this out? You know what? In the end run it's going to end up coming before that very same office of the Privacy Commissioner. If there is a complaint at some point in time or a court battle about this, it's going to end up coming before that Privacy Commissioner to be decided.

That's just a bit of a shout-out to the member for trying to get the Privacy Commissioner in front of us in which we could have asked those questions but also just a little small admonition to not let us miss the opportunity to strengthen it a little bit and for me to argue with the Government House Leader and the supporter of the bill, of course, about privacy information.

Thank you very much, Mr. Chair.

**The Chair:** Are there others on the amendment?

Seeing none, I'll call the question.

[Motion on amendment A1 carried]

**The Chair:** Now back to the bill. Hon. Member for Edmonton-Centre, I believe you have circulated an amendment.

**Ms Blakeman:** No. I have one at the table, and I will get to it.

**The Chair:** You will get to it. Okay. Carry on, then.

**Ms Blakeman:** Thank you very much, Mr. Chair. Congratulations, Calgary-Shaw.

I didn't get an opportunity to speak to this bill at second, but I have a lot to say in committee. I know that there is good intent from the government, but this is where ideology comes into conflict with good intent, I think. I understand that what the government is trying to achieve is a more fluid transition from a child in protection or a child that is classified as a person with developmental disabilities and is accessing services under that, transitioning from 17 years, 364 days to one more day. Now they're 18, and they're going to graduate out of that child place and move into adulthood and into a different set of requirements and privileges and rights and responsibilities. And we have been trying to get that better.

I, in fact, brought a woman into the gallery and asked a question on her behalf to the then minister of children's services, saying: good heavens; I mean, what on earth change or difference was there in her son, who is developmentally delayed, between him being 17 years, 364 days and the next day, when he turned 18? She literally had to take him through new doctors' appointments,

pass a number of new tests and criteria, in order to prove that, in fact, he had not miraculously recovered overnight and could now be classified as not a person with a developmental disability. I brought that person forward and into the House. You know, I'm partly responsible for this because I pushed hard that we should be able to deal with this. That involves some kind of co-operation between, I would have said, government departments.

**12:20**

Where I am having more trouble is with this very loose definition of "service provider," which is just about anybody, to be perfectly honest. The service provider is detailed in the definitions section, which, for those of you following along at home, is always the beginning section in a bill. You get the preamble, and then you get the definitions so that we all know what we're talking about. In the definitions section, which is section 1, of course:

- (g) "service provider" means
  - (i) a department,
  - (ii) an educational body as defined in the Freedom of Information and Protection of Privacy Act;
  - (iii) a police service as defined in the Police Act;
  - (iv) an organization as defined in section 1(1)(i) of the Personal Information Protection Act that provides programs or services for children.

That's it. That's a service provider. That's very wide. If we have these organizations that you find in subsection 1(g)(iv), if they're contracting additional resources, let me put it that way, it can get even further out. Part of what this act is doing is moving the decision-making, the responsibility, and the authority out to those front-line workers.

I understand where the impetus comes from, but I think we need to be more cautious than the government has been because we have less ability to define things for those front-line service providers. You know, how is a police officer going to look at this as compared to a social worker as compared to a benefits worker as compared to a daycare person? You start to see how different people in the front line are going to interpret certain things differently, and this can be the same child. So I'm very hesitant about the change that is going from the director making the decisions, things like on page 7, amending the Child, Youth and Family Enhancement Act. Then it goes through that incredibly valuable metric called a whack of other bills, changing essentially the same thing. Every time it strikes out a "director" as being the decision-maker and substitutes "child intervention worker."

And then the next one: "child intervention worker" means a person designated under section 129.1 as a child intervention worker." And it keeps going that way, you know, on kinship care provider, again striking out "a director." Sometimes it moves to the Crown; sometimes it moves to the front-line worker. Again, in section 12 on page 11 it's doing the same thing, striking out "the director" and substituting "a child intervention worker." That's when I start to get a little worried.

But sometimes, Mr. Chair, magic happens, and we had a little bit of magic happen. So if I could get the amendment that I'm going to propose distributed, that would be a helpful thing.

**The Chair:** This will be A2, hon. member.

**Ms Blakeman:** This would be amendment A2.

**The Chair:** Proceed, hon. member.

**Ms Blakeman:** Thanks very much. This amendment has two sections. The first is under section 1(g), which coincidentally I just talked about. It's the definition of a service provider. What is

being proposed here – and I've had co-operation and collaboration from the government, all those good C-words. Section 1(g) currently reads:

- (iv) an organization as defined in section 1(1)(i) of the Personal Information Protection Act that provides programs or services for children,

which you know that I objected to on the grounds that that really means that it's a step farther out from government. It's not necessarily a public agency. It could be a private agency.

This is going to replace that, so the definition would now say that a service provider means: all of the other clauses. Then you get to

- (iv) an individual or organization that provides programs or services for children under an agreement with a public body . . .

Very important.

. . . as defined in the Freedom of Information and Protection of Privacy Act.

Then under the criteria of better than a kick in the ass with a frozen boot is the next amendment, which would be

- (v) any other individual or organization provided for in the regulations.

I'm going to be happy about that, Mr. Chair, and we're going to recommend that everybody else be happy about it because it is allowing that we're talking primarily about people inside the public sphere; in other words, not privatized.

The second section is amending section 6, which is the regulations section, and adding on to it:

- (a.1) respecting individuals or organizations for the purpose of section . . .

Stay with me.

. . . 1(g)(v),

which is the one we just put in there.

I am urging people to support this. It does give us a service provider definition that is oriented towards a public contract, which is one of the things I'm worrying about. It does allow for that flow of information that the government is looking for, but I continue to be quite concerned – I will talk about this in some other amendments but won't take up a lot of your time on this one – that we have in place that penultimate responsibility and liability of the government to protect that information about that child and to collect the least amount of it and use the least amount of it in providing services to the child.

I agree the services need a better flow of information. I really would prefer that the flow of information stay in the public sector, meaning government, which also covers municipal governments, for example. So I'm much happier about this. I think it goes a long way towards achieving the balance that we're talking about here between privacy of personal information and provision of services to kids with some of the silos that have been built up.

Let me just leave it at that and say that this is a good amendment. There's been collaboration and consultation between the government and myself, and I am bringing forward this amendment under my name because I think it's worth doing. So I urge everyone to support this amendment. I think it makes the bill stronger.

Thank you.

**The Chair:** Thank you, hon. member.

I recognize the Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Chairman. I again would encourage members to support this amendment. There was some concern raised. In fact, the Privacy Commissioner in her comments raised concerns with respect to information sharing

with nonprofit organizations. While it's clear that under the social policy framework and under discussion about social policy it's absolutely necessary that we have not-for-profit and NGOs assisting with social issues and that there are circumstances in which some of them provide services with respect to children, it's necessary in those circumstances that they be inside the tent and part of that discussion.

12:30

I think – and our legal people agree – that this could tighten up the definition a little bit and perhaps deal with some of those issues of concerns that, quite frankly, we believed were quite low risk, but I think it's appropriate to provide that assurance.

I appreciate the hon. member stepping a little bit outside her normal comfort level and adopting a definition which does provide for some flexibility in terms of the any other individuals or organizations piece and then the regulations that need to support that. I think that I would want to acknowledge that the hon. member has come some way to accept the need or the requirement for that piece in it. Hopefully, we've worked together to achieve a more substantive definition that can achieve some of those goals.

**The Chair:** Thank you.

Are there others?

Seeing none, I'll call the question on amendment A2.

[Motion on amendment A2 carried]

**The Chair:** Now back to the bill. The hon. Member for Airdrie.

**Mr. Anderson:** Thank you. I would like to distribute an amendment. I would like to propose the amendment – well, I'll let you name the amendment there.

**The Chair:** Sure. We'll call that A3, hon. member. I would suggest you start to speak to it while they distribute. You're moving this on behalf of the hon. Member for Lac La Biche-St. Paul-Two Hills?

**Mr. Anderson:** Oh, yeah. Sorry. I move this on behalf of the hon. Member for Lac La Biche-St. Paul-Two Hills.

**The Chair:** Okay. Carry on.

**Mr. Anderson:** The amendment states – I'm just going to flip to it real quick. Section 2(2)(e) references the children's charter and the following principles that the children's charter must recognize. It goes through those principles, and in (e) it says:

While reinforcing and without in any way derogating from the primary responsibility of parents, guardians and families for their children, that individuals, families, communities and governments have a shared responsibility for the well-being, safety, security, education and health of children,

Replacing "primary responsibility" in that sentence with "paramount responsibility" would mean that while reinforcing without any way derogating from the paramount responsibility of parents, guardians, and families for their children, individuals, families, communities, and governments have a shared responsibility for the well-being, safety, security, education, and health of children.

I'm proposing this for several reasons. The first is that – and I know that this is somewhat about semantics, and I understand that – I think that it is important that there be a recognition of the roles and responsibility of parents, guardians, and families for their children.

I think that "primary" is too trite a word to use in this case. Primary to me, I think, is like a 50 plus one. It's saying that, yeah,

parents have the primary responsibility, you know, for their children and families and so forth, for their well-being, safety, security, education, and health. It's the primary responsibility, but it's not really indicative of, I think, what is the actual fact, which is that parents, families, guardians, and so forth actually have, in my view, much higher than a 51 per cent or a 60 per cent responsibility for their children. They really are the paramount caretakers of their children and have the paramount responsibility. They don't have the absolute responsibility.

There are some things that the state clearly needs to provide, and we talked about some of those issues earlier. For example, where there's abuse, the parent can't say: well, too bad; it's my kid. Obviously, that would be deplorable, and in those circumstances that's when children's services would come in and take the child and put them in protective care and so forth. There are other examples of situations where the state would have a role in the well-being, safety, security, education, and health of children. Providing access to immunizations, providing rules regarding children's safety, having to be in a car seat until a certain age or weight and so forth: all these different things are out there.

The state certainly does have a role, but it is not a primary role, and I wouldn't even call it a secondary role. It's a role that comes about in most cases, in the case of taking the child, in a very limited, kind of last resort, if things break down type of situation. I think that by using the word "paramount" instead – again, it's not saying absolute; it's just saying that we really hope that parents will take full responsibility or as much responsibility as possible for the well-being, safety, security, education, and health of their children.

I think it's important to let parents know and to signal to parents and guardians and families that that is the expectation. The expectation is that they will be there for their children, that they will be there to protect them. To do that is their paramount role as parents. It's more than just a primary responsibility. It just doesn't seem like enough.

I think that a lot of folks – I remember that during the Education Act there were some things in there that rubbed parents the wrong way, and a lot of parents felt the need to really make it clear that theirs was a paramount responsibility for what their children learned, their health, their safety, their security, and so forth. In that case it was education, of course, what their children were taught and that parents should have the paramount responsibility or ability to decide that. In this case it's the responsibility for the well-being, safety, security, education, and health of their children.

I think it's a reasonable compromise. I don't think it ties the government's hands in any way, shape, or form. I think that if I said "absolute responsibility" or if it said "the only responsibility" or, you know, had something to that effect, there would be reason to not put that in there, because parents absolutely should not have an absolute right to their children. There are clearly exceptions, and we've talked about those. But I think it needs to be more than primary.

I think it needs to be clearly enumerated here so that when the children's charter comes out, we don't get into this situation where parents are feeling uncomfortable because there is some wiggle room for the state to say: "You know what? We think we know what vaccines the children must take for their health, and we're going to supersede what a parent might feel about a certain vaccine, et cetera, that they might not be comfortable with, whether it be for health or religious grounds. Because the health of the child is at risk here, we're going to use this clause and say that although it's primary, it's a shared responsibility, and the state has

essentially just as much say in the matter, we're going to pass this law." I think that that would be unacceptable, and I think that it's important. There are many examples, and we can go through a hundred such examples, but I won't bore everybody.

I think using that language would set not just the right message to parents on their rights regarding their children but also that they have that responsibility and that that's not a responsibility to be taken lightly, that we as a province expect our parents to do their job, which is to raise their children and make sure that they're healthy, well educated, and safe and secure. I hope that members will support this amendment.

12:40

**The Chair:** The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Chairman. I hope that my next words won't take away all the goodwill that was addressed by the hon. member earlier in the evening, but I have to encourage the House not to adopt this amendment. It's not that one doesn't agree with a lot of the sentiment that was expressed about the role of parents and the obligation of parents to their children and the role of parents in making appropriate determinations for their children and, in fact, that the state or the community should not, ought not interfere with the proper raising of children by families. It's not the government's job to become the parent to all children, nor is it society's job to become the parent to all children, but there is a role, and I think the hon. member expressed it.

When children are being abused, when children are being neglected, when there are problems, then there is a role for society and there is a role for the community, and that role is usually expressed through their governments and in this case through the Child, Youth and Family Enhancement Act, for example, which provides a role to intercede, first of all, to support the family so the family can be stronger and fulfill their obligation to their children and then, secondly, if that is not successful and the child is at risk, to apprehend or to intercede on a temporary and then, if necessary, on a permanent basis. I think that's a well-recognized role for government and for society.

Now, the problem with what the hon. member says is with respect to the word "paramount," which has legal connotations. The question then becomes: if the parent has the paramount right, is there any opportunity for government or community to intercede? I would argue that the term "paramount at law" provides an overarching right which cannot be interfered with. It's the paramount right.

That is actually not the case. It's not the case that parents in our society have the paramount right against all other rights. In fact, the child's right to safety and health does come ahead of the parent's right to parent their child. You know, the right of the child to safety, to be free from sexual interference from a parent or others, a right to be cared for: those rights do come ahead, and those rights can sometimes be exercised by someone on behalf of the child other than the parent in appropriate circumstances.

No one, I don't think, would disagree with the concept that in our society we believe very strongly in the family. We believe very strongly in the role of parents. We believe very strongly that parents should and do have the responsibility to raise their children, and that should be interfered with only in the most serious of cases. But to say that it's a paramount right at law puts in — with the people I have consulted with respect to the drafting of this act, we tried to choose words that would clearly give that concept of the primary responsibility of the parent without disassembling the rest of the laws which allow for intercession on behalf of a child when that intercession is necessary.

Sometimes there's a judgment call involved in that, and that's why we have time frames and processes and courts and other things, because sometimes there's disagreement as to whether it's an appropriate intercession or not. But there has to be that opportunity, and saying "paramount" would suggest at law, in my view, that there is not that duty on behalf of others to ensure that the child's rights are appropriately upheld.

**The Chair:** The hon. Member for Edmonton-Centre on the amendment.

**Ms Blakeman:** Thanks very much, Mr. Chairman. There is a problem with this, and this is why clarity in drafting legislation is so important. For an average person who looked this up, you actually do get definitions that are very close, so you need to know that it's the legal definition that tends to get referred to in legislation. If you look at "primary" in the dictionary — and I'm using the *Oxford* dictionary, the world's most trusted dictionary — it says that primary is "of chief importance," "principal," "earliest in time or order," "not . . . caused by, or based on anything else." Then it goes into a number of other, lesser definitions. When you look at "paramount," it says: "more important than anything else," "supreme," "having supreme power."

So which is it, primary or paramount? Well, we know that the law looks at paramount, and we talk about paramountcy clauses in bills, which means that this particular clause or this bill takes precedence, is more important, and covers any other bill. That's the first thing, the clarity of the language. We know that parliamentary process refers to the court language that's been defined, and in this case paramount is more important, takes a higher ranking.

You know, this act is not about great community parenting. For the most part this act is about situations where the government has to step in as the parent. It does say that the government has the ability and the right and the paramount right to step in where a parent or a guardian has failed. So I would argue that parents don't have paramountcy, and the fact that the government can step in over top of what the parent wants where there are cases of abuse is proof of that.

Now, this actually occurs under the section that's talking about the children's charter, which is a sort of more open, huggy, kissy, kind of everything-is-going-to-be-wonderful clause in this bill, and it is recognizing the following principles, so I think the Member for Airdrie was right to bring the amendment forward under this particular clause. It is saying that, you know, kids are supposed to be treated with dignity and respect, that their family and culture and social and religious heritage are supposed to be respected. The needs of the kids are to be the focus. Prevention and early intervention are fundamental. Thank you for that and for recognizing that.

Then it goes into this clause that the amendment is about.

- (e) while reinforcing and without in any way derogating from the primary responsibility of parents, guardians and families for their children, that individuals, families, communities and governments have a shared responsibility for the well-being, safety, security, education and health of children.

Then we go into the reviewing. The minister can review the charter, and with the amendment that's already passed about to amend or repeal, it has to come back before the Assembly.

I think we can be pretty much agreed that this is anticipating where that section has failed, so it has to allow the government to step in and have paramountcy in order to do the work it needs to do, where we have parents or guardians that have failed children.



I'm going to leave it at that because I'm just going to dig myself into a really deep hole if I go any further.

Thank you very much for the opportunity to speak to this.

**The Chair:** Are there other speakers on amendment A3? The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Yes. Thank you, Mr. Chair. I'm pleased as well to rise to speak to this amendment. The Member for Airdrie raises some interesting issues that, of course, have been debated in this House before in different contexts, have been debated in this House previously with respect to the Education Act, have been debated in this House in other settings as well.

I think a lot of the points have already been made, so I won't go on for great length, but I think it is absolutely true that this act does deal for all intents and purposes primarily with those cases where the family is at risk and is in some form of crisis. That's typically where this act would actually begin to apply. It's to be read, of course, in conjunction with the Child, Youth and Family Enhancement Act, which lays out the responsibilities and the duties of the government.

12:50

That Child, Youth and Family Enhancement Act actually was renamed – I don't know – seven or eight or nine years ago, something like that, to specifically add to the notion that we need to enhance families. We do understand and agree to some extent with what the Member for Airdrie is saying, that the family is the best place for a child to reside and to be raised and to receive all the resources and supports they require throughout life. The idea of that act, of course, is that the government needs to actually support the families that are in crisis in order to give them the tools necessary to provide the basic care needs of their children. That being said, it's not always the case that that happens, and most often that doesn't happen as a result of poverty and illness. That's going to be sort of the short version of things. That's why it doesn't happen.

Sometimes there are other reasons it doesn't happen, though. I think some members of this Assembly were at the different Daughters Day commemorations that have risen over the course of the last year, year and a half. You know, in that case there's a particular group of parents that are quite open about the fact that there are some families out there that do not treat their daughters in the way that we would expect under our laws and, in fact, quite specifically prohibit them from getting an education, prohibit them from basic rights that we would expect would flow as a matter of course to anybody living in this province. In a case like that, for instance, I'm not convinced that I believe that the beliefs that generate those kinds of decisions, which are so hurtful to the daughters, ought to be given paramountcy.

Of course, I used sort of the most benign example, where basically girls are told that they can't go to school, but in fact they also become subjected to violence from family members where they're perceived to be engaged in simple socializing with people outside of a certain set of parameters. That's an example where it's not actually a health issue or a poverty issue; it is actually another issue which is in play. Clearly, those young girls deserve our support, and they deserve our attention. So there are examples out there where parents do not necessarily make decisions which are in the best interests of the child, and it's not just about, you know, different kinds of medical treatments, vaccines/no vaccines, gluten free/gluten, vegetarian/meat, sugar/no sugar. Yada, yada, yada.

I mean, I was saying to somebody that this is one of the problems with the whole definition of the best interests of the child. You can go to any mothers' group and sit down for half an hour, and you will be exposed to much chatter about three or four different very strongly held views about what is or is not in the best interests of those particular children: the types of toys they play with, whether the little boys are allowed to dress up as girls if they want to, whether they should go to school or not go to school, whether they should go to a private school or a nonprivate school, whether the parents should engage, get active in their socializing or whether they should just let it happen on its own.

Theories just abound out there, and parents love to talk about them because they care about their kids. So they research, and they develop opinions, and they talk to each other. Best interests means a whole bunch of different things. In that kind of setting, of course, the decisions of the parent should always be the first decisions that are in play, and they should be the primary decisions, but if those decisions move to a point where the child is being put at risk in some fashion, then I think there we need to allow for the fact that other players need to come in.

You know, there's that long-standing phrase out there which, of course, I've relied on to a great, great extent over the last four years: it takes a community to raise a child. Of course, once I got elected, I went around, and I would say to everybody: "Hello, people. It takes a community to raise my child, and I expect you people to roll up your sleeves and chip in because I'm busy." A number of times I had other parents from my children's classes phoning me and saying, "By the way, your kids didn't have lunch today," or "You forgot to pack lunch," or "You might want to know that there's this talent show tomorrow, and they probably lost the notification on the way home," that kind of stuff. [interjection] Absolutely.

I rely a lot on the wonderful community in which I reside to ensure that my children are generally kept on the straight and narrow and manage to make it to school and stay healthy and all that good stuff, so I do believe that there is a role for community to make sure that children are safe and cared for. Of course, just to be clear, I'm being somewhat facetious. I think my children are still safe even if the community wasn't there.

Nonetheless, that being said, the value is there that we are all a community, and we should, I hope, all look after and care for our children and each other's children if we ever believe that they are truly at risk. I think that's reflected in the language as it currently exists, so in this particular piece I'm quite satisfied with that and would not suggest that we make any changes.

Thank you.

**The Chair:** Thank you.

Are there others?

Seeing none, I'll call the question on amendment A3.

[Motion on amendment A3 lost]

**The Chair:** Back to the bill. The Member for Edmonton-Strathcona.

**Ms Notley:** Thank you very much. I am pleased to rise and to talk a little bit about other elements of this bill and some changes that I will be talking about in a moment through some proposed amendments.

Now, when this bill was first introduced, we were told that it essentially deals with three things, I believe. The idea was that it would enhance communication between service providers. That was sort of one of the big themes. Another big theme was that we were going to deal with the issue of a family violence review

committee, and we were going to deal with those issues. The third thing was that we were going to do a little bit of restructuring inside the ministry in order to make sure that those poor foster parents who could never sign permission slips would have the ability to do that.

What I'd like to talk about is whether or not the changes that are proposed in this piece of legislation are in fact the best changes that are necessary to achieve this end of allowing foster parents to sign permission slips. In fact, what it really is doing is it's fundamentally restructuring the way this ministry does its business. Mr. Chair, I am quite concerned that what this is actually doing is laying the groundwork for a fundamental shift in the way this government approaches the task of child protection.

As I said earlier when I rose to speak to one of the first amendments, I think we all agree that we want to protect children, and we want to do a good job for children. But I also think that there are some profound and fundamental value-based differences in how we think that should be done. One of the examples of that relates to this issue of this restructuring that the government is proposing.

I'm going to start simply by having my amendment distributed, and then I will speak to the amendment, and we can discuss that.

**The Chair:** This will be amendment A4, hon. members.

Hon. member, you may speak to your amendment.

**1:00**

**Ms Notley:** Thank you. What this amendment would do is make a number of changes. It essentially strikes out section 7, parts of section 9, parts of section 10, section 11, parts of section 12, section 17, parts of section 20, parts of section 21, and section 24. In essence, what this amendment is geared to do is to simply undo the change that the government is proposing to its delegated authority, who holds authority ultimately for major decisions that are made under the Child, Youth and Family Enhancement Act.

What the government is proposing to do is to remove what I think the courts have referred to as residual authority from the director of child protection. As things exist now, the director of child protection can delegate authority to child intervention workers, but as a result of some previous judicial consideration, there have been clear indications that the courts believe that authority cannot be fully delegated and that what happens is that the director retains a form of residual authority and, as a result, responsibility.

We saw the decision of the Court of Queen's Bench in October of 2009, the Ouellet decision, which held the director in contempt of court for not complying expediently with a court order. Now, it's of value to review a little bit about what happened here because, just to be clear, it's not that the state of affairs that was described in the Ouellet decision is a state of affairs that we think should necessarily exist. That state of affairs was itself rather damning of the government and of the organization within children's services. The difficulty is that, in our view, the solution that exists in the Children First Act is not the right solution.

To begin, let me just review a little bit about what the judge said about the status quo as it exists now in the ministry. It was first of all concluded that there was a fundamental confusion between how lawyers in Alberta Justice were interpreting the existing legislation, the director's statutory authority, and the practice of delegating authority to front-line workers. That was contrasted with the Court of Appeal's interpretation of the legislation.

It also revealed an administrative structure within the department that was not suited, really, to the existing statutory authority in the legislation. Mr. Justice Côté ruled that the director's ability

to delegate authority to staff below him did not remove his original powers and authority. He went on to comment on what he characterized as the "extremely convoluted and puzzling [administrative] structure" of the child protection system in Alberta and that "the complex administrative structure suggested by the evidence tendered here must exacerbate opacity and the opportunities for deniability."

Then it's interesting. The lawyer for the then director of child protection said that, well, if Mr. Justice's interpretation was to stand, it would "necessitate restructuring the whole child protection [system]."

Anyway, the real solution to the problem identified in the Ouellet case was not to completely reorganize the legislated authority within the system but, rather, I would argue, to establish proper internal information-sharing and reporting systems, which is what I would suggest we should do rather than delegating all this authority to child intervention workers, of course, whose qualifications and, indeed, employment relationship with the government are completely up to the minister to define at some point in the future.

Now, this provision represents a fundamental change to the way this work is done in the child protection system. It's interesting because last week the minister suggested that he had consulted at great length with everybody that might possibly be interested in this legislation. Since that time, we have heard from, first of all, the Alberta Union of Provincial Employees, who represents the child intervention workers who would actually be the recipients of this delegated authority. They, of course, have raised very serious concerns about this. They have also said that they were never consulted, so that's the first thing.

In addition, the other group of people that would be substantially affected by this is the College of Social Workers, the licensing body, the professional body. They, too, were shocked. They knew nothing about this bill; they had no idea that it was coming. So not only were they not consulted in the meaningful world of consulted; they weren't even given a heads-up in the government's world of consulted. There was just nothing. It wasn't until we phoned them, you know, or people started phoning them and saying: well, what do you think about this? They had no idea what people were even talking about, so this is really significant.

Now, the concern that has been raised, Mr. Chair, by both the AUPE and the College of Social Workers is that what's going on right now in this ministry is not a status which is going to facilitate effective delegation to these child intervention workers without creating a whole bunch of problems. Basically, what we're hearing is that within the ministry itself there is a turnover amongst child intervention workers, that over 50 per cent of them have been hired in the last two years alone. So the turnover is quite remarkable within the ministry.

The second thing we're hearing is that the majority of them are not actually social workers and/or members of the professional body.

The third thing that we're hearing is that almost all of them are feeling like they are under a tremendous amount of stress and that their workload, their caseload, is completely out of control and that they have been unsuccessful at getting this government to deal with their caseloads. They also state that a high percentage of staff is off on medical leave due to stress.

This is the group of people to whom the government wants to delegate all authority for child protection decisions. Let's just talk a little bit, Mr. Chair, about what these decisions mean. These are not little decisions, like the minister would like to have you believe, about who can go on a field trip. No. These are decisions

about whether someone is or is not a biological parent. These are decisions about whether a child can or cannot continue to reside in their family unit. These are decisions that go to the very heart – I mean, I haven't had the chance to do the research on this, but this goes to section 7 rights, I would say it suggests, like life and liberty.

You do not break up families on a whim. You do not remove children from their parents on a whim. These are really important, tough decisions. Quite frankly, they should be made by professionals, and they should be made within a context where the people who have the actual authority to marshal the resources to ensure that these decisions are made wisely and cautiously and carefully share responsibility for these decisions. You cannot, Mr. Chair, delegate decisions of this magnitude to people who have been working for the ministry for less than two years, who may or may not have a six-month diploma in child intervention, and ask those people to make decisions about whether a child can or cannot live with their family. These are hugely impactful decisions, and they cannot be taken lightly.

This proposed change under Bill 25 sets up a situation where these decisions will be forced to be taken lightly. The very people who do have the authority to marshal the resources, to make sure that these decisions can be made in the context of the best practice, the best research, the best resources are being let off the hook in terms of the authority and the responsibility. That, Mr. Chair, is a fundamental problem.

**1:10**

Now, the second issue that is at the heart of this is that this legislation as it currently is written allows the minister the authority to designate as child intervention workers people who are not even directly employed by the ministry. Then we've got these huge life and liberty decisions, whether a parent can keep their child or whether their child will be taken away from them, being made by people who are not even directly employed by the government but are contracted agencies. Mr. Chair, that, to me, is a breach of a very fundamental trust.

Going back, in fact, to the points that were just made by the Member for Airdrie, we do all understand that the integrity of the family unit is truly important, and you don't mess with that without really having a strong sense of what you're doing and why. Frankly, I don't think you should ever be allowed to mess with that without a whole bunch of credentials standing behind you. Even then, it's something that needs to be reviewed and reviewed and reviewed. This legislation allows anybody to make that decision. Now, the minister will say, "Oh, it doesn't mean anybody. You can trust me. I'll make sure it's not just anybody." But, then again, this is a minister whose child intervention workers, half of them, have been hired in the last two years because the turnover within his ministry is so great.

So I don't think that the record of this government is one into which we can put our faith to let this government decide how much education the person has that makes those decisions, how long they've been with the ministry, to know whether or not they should make those decisions, whether or not they're even employed by the ministry or whether they're employed by a service provider or whether that service provider is even a volunteer group. It is not clear. All of those options are available to the minister under this legislation.

It's not that I am sitting here solely because I want to be here at whatever hour we are at now, at 10 after 1 in the morning. You know, as much as the Minister of Energy loves to talk about some members of the opposition occupying the grassy knoll, the fact of the matter is that the map to the grassy knoll is very clearly laid

out in the social policy framework that was introduced by the minister. The social policy framework says very clearly: government wants to get out of service provision, government wants to get out of funding, government wants to be a convenor, and it wants to be a facilitator, whatever that means.

I am very concerned that they are simply going to delegate this authority, this fundamental authority that goes to the very liberties and rights of the family unit. I do think the integrity of the family unit may well have been considered by the courts under section 7. I'm not entirely sure. But it really, to me, potentially bumps up against constitutional rights. In any event, that authority is one which should be exercised with the greatest of care and the greatest of caution, and this legislation gives the minister the authority to throw caution and care to the wind. Maybe this minister won't throw caution and care to the wind, but there's no reason to believe that the next one won't throw caution and care to the wind.

The other thing I just do want to point out is that the minister argued that this whole set of amendments and changes was because we have these poor foster parents out there who can't send their kids on field trips. I am assured by a multiplicity of social workers that, in fact, they can. They maybe can't send their foster kid out of the province, and they may not be able to arbitrarily authorize the ability for the foster kid to go on a ski trip if the cost is 500 bucks or something, but that's a different issue. Those are resource issues. Frankly, it's not like the foster parent gets to write themselves a cheque. "Oh, you know what? My foster kid has extra expenses this month, so I'm going to write myself a cheque for an extra thousand dollars."

Just to be very clear, the money part of it is not going anywhere. That decision rests very clearly still with the Crown. It's just the responsibility for the outcome of not having the amount of the money that the person to whom the authority is delegated has to deal with. They don't get to deal with whether they've got the resources. The minister says the resources are irrelevant to child protection and child care. I disagree profoundly, very deeply. That is the wrong view of the issue. We'll get into that later in some of our other amendments.

That being said, foster parents can sign permission forms, so this set of changes is not just about foster parents not being able to sign permission forms. Even in the case of the foster parents who have to get approval to spend more money for an expensive field trip or the foster parents who have to get approval to send their foster kids out of the province, that could be changed without fundamentally restructuring the way we deliver child protection in this province.

You know, you might even have been able to talk me into thinking this was a good idea if we'd had this in committee and I had a bunch of people come to me who had been consulted, who are front-line workers, who do care about this issue, to give me the examples of why this is necessary. But we don't have that. We know the front-line workers haven't been consulted. We know the social workers haven't been consulted. We haven't had an opportunity to get a really thorough understanding of why this incredibly major restructuring is going ahead.

For that reason, what this amendment does is that it just says: "No. Don't do that. We're not doing that yet. We don't know enough about it. This is far too impactful." Frankly, if the minister wants to engage in major restructuring, then he should actually consult with the people who are affected by it, which is his staff, and he should do that in a transparent fashion so the rest of Albertans can see what those front-line workers have to say about it.

I urge everybody to vote in favour of this amendment so that we can ensure that we move with the caution and the care that is

necessary to deal with these very, very traumatic situations, where a child must be separated from their family, in as responsible a way as possible. Unfortunately, I'm afraid that under the act as it is being proposed, we cannot be assured that that's what we're going to get.

Thank you.

**The Chair:** The hon. minister.

**Mr. Hancock:** Thank you, Mr. Chair. It will come as no surprise to anyone that I would encourage the House to reject this amendment. It goes to the very root of what we're talking about here. It's the height of absurdity to suggest that people haven't been consulted when the union which represents the front-line workers very clearly in their news release says, "Frontline workers in Children's Services have been asking for many of these changes." That's what the AUPE news release says. Now, it goes on to talk about some of their concerns with respect to operationalizing those changes in terms of workloads and other things, but they very clearly acknowledge in their news release that front-line workers have been asking for these changes. So to suggest that they haven't talked, haven't been listened to over the last 18 months is absolutely absurd.

To suggest that the government would willy-nilly delegate authority to people who are unqualified to exercise that authority while very clearly retaining responsibility in terms of accountability, in terms of any legal liability is absolutely absurd. Why would you delegate to somebody an authority and retain the responsibility and then give that authority to people who weren't qualified to exercise it? That doesn't make any sense at all.

The fears that the hon. member raises are absolutely unfounded. In the act it very clearly indicates that it will be child intervention workers. Child intervention workers will be defined, and the parameters of who can exercise that authority as a child intervention worker will be very clearly defined by regulation. Nobody in their right mind would delegate authority to people who weren't qualified to exercise that authority and then say: "Make all the decisions you want. I'll accept all the responsibility." That would be absurd.

What we're trying to do is to create a system where people who are appropriately trained, who have the appropriate skill sets can make the appropriate decisions in the best interests of children on a timely basis and on a nimble basis and, of course, working together as teams, as they do now.

Now, the Member for Calgary-Mountain View said earlier in a discussion I had with him: well, many of these authorities are delegated now; there are the forms. He showed me the forms. That's absolutely right. I mean, a lot of this stuff is already delegated from the director to front-line workers to make certain decisions. But as I think the hon. member herself pointed out, the system is quite complex, the ability of people to understand the system is less than easy, and there are many reasons why we should actually make this a much more straightforward process. That's exactly what this act tries to do. I would suggest that all of the issues raised by the hon. member, while I believe they are raised in good faith – the fact of the matter is that we have far too many children in care. We have far too many children who can't get out of care and find permanent placements. We have a far too high representation of aboriginal children in the child welfare system.

1:20

There are a number of things which we need to deal with, and we can deal with that if we systematically go through and look at

the causation piece, how we can strengthen families better, how we can make decisions to intervene with families rather than having to write a whole set of rules and checklists and those sorts of pieces when in lots of cases it's a common-sense piece where someone appropriately skilled can make that decision and do it. But let there be no mistake. The Crown is still responsible, and we aren't going to give away the authority to make those decisions to someone who is not going to do that in a careful, considered way, backed up with the experience and education that they need and supported by a strong team.

**Ms Blakeman:** Okay. Now we're getting into the fun of it. My thanks to the Member for Edmonton-Strathcona. You know, she's really got ovaries, because she nailed it. That is what's wrong, in my opinion, with this bill. [interjection] Yes. You should all aspire to this.

We don't know what an intervention worker is. In fact, in this act on page 7 under section 9(1), which is amending the Child, Youth and Family Enhancement Act, it does reference: "child intervention worker" means a person designated under section 129.1 as a child intervention worker."

I said: yay, a real definition. So I've pulled the Child, Youth and Family Enhancement Act, and here's what it says under section 129:

129(1) The Minister shall designate one or more individuals as directors for the purposes of this Act and the Protection of Sexually Exploited Children Act.

Hmm. Okay. Not giving me what I was looking for.

(1.1) An individual designated under subsection (1) must have the qualifications required by the regulations.

Okay. What would that be?

(2) A director or a director's delegate when acting under section 19, 45, 46 or 48 has the powers of a peace officer.

And then the third section is repealed.

So we still don't know, without looking at some regulations, which I don't have access to even in this Assembly, what a child intervention worker is.

Now, I take the point from the minister that they wouldn't just walk onto the street and appoint someone walking by as a child intervention worker. Yes, I believe that. I think that's true. But by going through the process that I see the government going through, we don't have a definition of who this is.

This may well be a very logical minister who is going to follow through on this, but this becomes legislation, which transcends the lifetime of any minister. We have no idea what the next minister is going to do, and believe me, I've sat through some – I'm trying to be careful with my language here – really interesting choices for people as minister and, you know, some interesting expressions from people in the government caucus about how children should be treated.

I'm reminded of one member of the backbench who really thought that child prostitutes should just be spanked and that that would bring them under control because, really, they just needed a firm hand. That was a firmly held belief by someone, and I'm sure they were advocating for that kind of definition in their caucus. So when we do – and it has a double meaning; indeed, it does. I'll just leave that with all of you.

But this is why we need that kind of certainty that we get out of definitions. Who is this supposed to be? We actually don't have a definition here, but it is in regulations, which can be changed at any time by the minister through an OC or a ministerial order. Even then, without us knowing this, that definition that exists now under a well-meaning minister could be changed to something else under someone who decides to take it in a different direction and

also believes that they are well meaning and doing the best that they can. We have no professional scope outlined here, we have no standards, we have no licensing, and we have no discipline.

Now, most of you will be aware that professions in Alberta are determined under a number of different pieces of legislation; for example, the Health Professions Act, which sets out that you have to have a college, that sets out things like standards and monitoring and compliance and appeal process and a disciplinary process. Then you also have an association side, which represents the actual members. We're not getting this here. It's not available in this act. It's not available in the referencing clause of this act either. So we don't know who's supposed to be included. I'm assuming the minister has left it this loose because he wants to be able to appoint a police officer or a social worker or a daycare operator or a benefits worker or an addictions counsellor or a health professional as the child intervention worker of the day in a given circumstance. I think it's, one, too wide open; two, dangerous; and three, not stable enough.

Several people have referred to the social policy framework that the minister has been working on with the blessing and, I understand, the support of the Premier. I've been tracking this social policy framework from the side, and indeed a whole bunch of people are really excited about this and really feel that the minister is interested, that there is a blessing upon it from the Premier's office that it is going to drive forward.

But I look at the kind of work that these people usually do, like the Edmonton Social Planning Council, the – oh, I'm going to get in trouble here – reduce poverty now action group. There's another one out of Calgary called movements, I think. There are Boys and Girls clubs and just a whole bunch of agencies that have been involved with this. They all believe that this is being done for the best, but I wonder if they have been able to read this act and understand the implications and how that's going to affect what they're saying. For example, when we say to reduce child poverty by five years – I'm sorry; is that it? – how is that going to affect a group like the one that's run by Joe Ceci, the end poverty now action group? I think that what he believes are the right things to do are not what is contained inside this bill and the directions that the – I'm sorry if I'm boring the chair, but it's my job, and I'm going to do it. [interjection] Yeah. Exactly.

I also think that there are reasons that we have rules and procedures in place. You know, a lot of people complain about: "Oh, those bureaucrats. Why can't they make an exception for me? Why do they insist that everybody has got to follow these stupid rules?" "Well," I say to them, "because we have a bureaucracy that is going to deliver government programs and services in a way that is fair, that they do treat everybody the same, that they do use the same criteria every time, that, well, I hope that they don't have a disproportionate effect on one group of people over another group of people. That is the point, that everybody does get access to the same resources and programs through that system that makes it fair and balanced and stable and consistent and all of those things.

1:30

I don't see any of that in this act. I don't see the framework that sets that stuff out, nor do I see any referencing of that. So when I look at what the Member for Edmonton-Strathcona has proposed here, I actually think she's right because she has gone through and systematically removed every time that child intervention worker is referenced in this new legislation, has struck it out. We're going back to the point where the director is completely responsible, and we don't have this unnamed, undefined, no rules, no procedure child intervention worker. I know where the minister is trying to

go. I understand where the community is trying to go. I understand why everybody is so excited about this. I just don't think this undefined child intervention worker is the way to go, and I have not heard that from the community.

Now, I will immediately say that these are not the groups that I tend to navigate through on a regular basis. The arts, yes. Absolutely. You know, privacy folks and seniors and condos. There are lots of other places and issues that I am well versed on. I'll admit that I don't spend a lot of time in social services except through my office, and then we do an enormous amount of work trying to connect our constituents to the resources that are there. I am just quite concerned about the lack of things that can be pinned down in this act. It's deliberate on the part of the minister to leave it that, for want of a better word, loosey-goosey at this point in time. But it does mean that you can treat people in a different way, you can have different sets of rules, and you can have people that are working with different professional scopes or who perhaps don't have access to a disciplinary body.

Who is in charge? You know, if a child intervention worker does not perform as they are supposed to, where do you go? Who do you complain to? What is the system? What is the process that we use? Now, currently you would know what to do. You would go to the College of Social Workers. They have a system in place. They can tell you about it. It's on the website. Look it up. Go and do it. What the heck do you do here? I have no idea, nor do I know how to find out. If I can't figure that out, what are people that are in the community supposed to be doing to figure out what's going on with their children and how they access stuff?

I think it's well intentioned but not well thought out. For that reason, I will certainly support the member's amendment to remove all of the references to a child intervention worker. I appreciate the opportunity to speak to it.

Thank you, Mr. Chair.

**The Chair:** Thank you, hon. member.

The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you very much, Mr. Chair. I rise to speak in favour of this amendment, and I'll try to be fairly concise in my reasons behind that. You know, first and foremost, the New Democrat opposition has some concerns about the downloading of the statutory authority to front-line staff. I can tell you that as Bill 25 is currently written, it's going to transfer that statutory authority for children in care from senior officials, directors, who likely, one would hope, have achieved their position because of previous experience exercising judgment, their qualifications, their professional criteria, et cetera, to front-line workers, who are defined in the act as child intervention workers. I should rephrase that. They're not defined; they're actually quite ill defined in the act as it stands at the moment.

You know, the concern is that because it is not detailed in this bill, it's extremely difficult with this one piece to support this bill, Mr. Chair. That fact of the matter is that there are some folks who have professional certification, professional qualifications who will fit under this designation of child intervention worker. However, there are others who have been working in the ministry for under two years, and reasons for that range from the level of burnout that many front-line workers face to massive caseloads. In some parts of the province caseloads for some social workers are up to 50 clients, which is absolutely absurd considering that some of them are extremely high needs, require much attention and time, and are quite demanding of the workers that work with them. Because of that there is quite a high turnover within the ministry.

Now, under this bill you've got front-line workers who don't have the experience, who may not have the training, the qualifications to make decisions which, quite frankly, Mr. Chair, are going to impact and affect the lives of children, of young people, and of their families for the rest of their lives. I'm not comfortable passing that authority on to some front-line workers who are either inexperienced, new to the job, or who may not have the judgment or the experience to be able to make these decisions. I mean, this is part of the reason we have a working structure, a hierarchy, where there's different authority and decision-making authorities as you go up the chain. To download that onto folks who may not have the qualifications is scary.

As my colleague from Edmonton-Strathcona outlined, there was a court case. What's interesting is that, you know, the outcome really wasn't that there needs to be a complete reorganization but that, instead, there really should be an establishment of internal sharing and reporting systems as a solution, not rewriting, redefining some of the front-line staff that work with some of our most vulnerable citizens, Mr. Chair.

I was quite surprised – actually, to be honest, Mr. Chair, I wasn't quite surprised that again the government failed to consult some of the people who are directly working with these young people. As we debated earlier this evening, the word "consultation" just seems to fly over the heads of this government.

The Alberta College of Social Workers, who represent many of the front-line workers, was surprised, was completely caught off guard. The fact that they weren't consulted – you know, I think it's worth mentioning that despite the fact that members of the government on the opposite side of the House may think that some of us in opposition like to get up and just oppose things for the sake of opposing, they need to keep in mind that we are constantly in communication with different groups and organizations and individuals who are going to be affected by legislation that we pass in this House, Mr. Chair. Although the government likes to provide lip service to that, the folks that we've been speaking with – again, from the Alberta College of Social Workers to front-line workers of AUPE and many social workers within the province – were not consulted, were not asked.

Again, it's interesting that the conversation is similar for Bill 25 here as it was for Bill 22, and that is that negotiation is not consultation. One-way conversations are not dialogues.

**Ms Notley:** Notification is not consultation.

1:40

**Mr. Bilous:** Thank you, Member for Edmonton-Strathcona. Notification is not consultation.

This amendment, Mr. Chair, at least is looking at improving this one piece within the bill.

I mean, another concern that I have that fits with this is, again, you know, the government moving to contract workers as opposed to workers within their ministry, so moving toward privatization of the work that's being done, again, with some of our most vulnerable citizens, which is cause for great concern.

As well, Mr. Chair, it's not good enough to just delegate responsibility and authority to front-line workers or a new set of workers without ensuring or providing as well adequate resources for them to do their job and to do their job effectively.

Again, I'll sum up by saying that a real issue I have, Mr. Chair, is the lack of a definition of child intervention worker. You know, for myself it's not good enough to leave this in the hands of the cabinet minister or the cabinet to define a child intervention worker as they see fit. The qualifications for child intervention workers will be established by cabinet through regulations. We have no

idea as members of this Assembly what that will look like. Again, the tremendous authority that is going to be bestowed upon the child intervention workers is a cause for concern for some of those that will be designated child intervention workers.

I've mentioned before, Mr. Chair, where I've had the opportunity to work with various organizations that have a classification of workers that they call youth workers. Now, these are individuals who care greatly about their job and what they're doing and the clients they serve. The concern is that there is no standard or qualification for a person to be designated a youth worker. In other words, a person could walk in off the street having never worked with any youth whatsoever and suddenly have the title of youth worker.

Well, you know, to give them the authority to be able to make decisions, monumental decisions, as in whether a child stays with a family or is removed or put into care or taken out of care, in my mind, is just absolutely absurd, to give that authority to just any individual who may be moved into a position when we have no idea what that criteria is, what the standards are. This is why professional organizations like the Alberta College of Social Workers exist. There is a standard and a set of criteria for one to have that designation from the Alberta College of Social Workers.

Mr. Chair, you know, this amendment does respond to concerns that have been raised by front-line workers that have communicated directly with myself, with my colleagues, and the Alberta New Democrats. It's a solution that, again, is the tip of the iceberg. I'm sure that my colleague and I will speak to other areas that we would propose to amend, but I would urge all members of the Assembly to vote in favour of this amendment and to take a step in the right direction.

Thank you, Mr. Chair.

**The Chair:** Thank you, hon. member.

The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you. I'll be very brief. The minister chose to reference one or two lines from the press release that was put out by the AUPE on Friday. I just thought I would complete the reference. The minister had said the first part:

Frontline workers in Children's Services have been asking for many of these changes, but only if staffing levels are increased. We are carrying huge caseloads, with some employees carrying 24 to 30 files, and as many as 50 in some regions. The old standards ranged from 12 to 17 files per worker.

Further on in the press release:

Adding these new responsibilities will burn out skilled people and drive them out of the system, leaving at risk children without appropriate protection.

This, of course, is from within a system that, as I've said, we've already identified as having 50 per cent of their staff hired within the last two years.

This is another quote:

"I'm equally concerned that without defining who qualifies as a 'child intervention worker,' the Act gives 'child intervention workers' the powers of a peace officer, the ability to determine who a child's biological father is, and the power to remove children from abusive homes," said Cooray.

AUPE's concerns have been increased by the government's move to cut costs and examine what services can be privatized as part of "results-based budgeting."

I just thought it would be helpful to the debate to have the full context of the AUPE press release read into the record, just to reinforce the fact that they're not happy. I can certainly give my own indication that in contacting them on I believe it was

Wednesday, they had not yet read the act, and they hadn't known it was coming.

Again, I think we need to rethink how we use the word "consult." It is one of those C-words, as you know – converse, collaborate, consult – that hasn't made the message box yet, clearly, but perhaps it ought to have. Maybe we should give some thought to what it actually means.

I urge all members to vote in favour of this amendment. Thank you.

**The Chair:** Are there others?

Seeing none, I'll call the question on amendment A4.

[Motion on amendment A4 lost]

**The Chair:** Back to the main bill. The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much. I'll try to start moving this along. Those of you on the other side, if you want to lobby your House leader to adjourn the proceedings and resume all of this tomorrow, you certainly have the power to do that, but other than that, I have eight or seven amendments to go, plus whatever everybody else has got, so a long night. Once again the government has put us in a position of dealing with really complicated, long-serving legislation in the middle of the night. Again, that has to do entirely with the government's choice about when we sit. If I called for adjournment right now, I wouldn't have the majority to do it, so that's on your side, guys. If you wish to do that, go right ahead. I will happily come back tomorrow and continue.

In the meantime I will move amendment A5, which, I believe, is in your possession.

**The Chair:** Amendment A5, hon. member. If we can have that distributed. Thank you.

You might as well start speaking to it, hon. member. [interjection]

**Ms Blakeman:** Oh, someone is already starting to move against it. Well, it's nice to know that there's a good give-and-take of debate and ideas in this Assembly. Not.

This amendment is section 5.1, which appears on page 4 of the bill and is under the title Information-sharing for Research Purposes, and it's talking about the anonymous health information that they're collecting. I'll read it into the record.

5.1 Nothing in this Act absolves or limits in any way, the Crown's liability and responsibility for children and their protection even when a service or function is delegated, contracted out or otherwise performed by an entity other than the Crown.

Now, you've already had assurances from the minister responsible for this act that, of course, they still have responsibility and liability, and that's part of the trust-me clause that is always a subheading of this government. In fact, I don't trust them, so that's why I asked for this amendment or helped to prepare it, to be clear that nothing else in this act absolves the Crown's liability and responsibility for children in their protection.

1:50

The concepts of responsibility and authority are really important here. You cannot ask someone to be responsible for completing a task unless they have the authority to do it, which is why we have so many delegating authorities and the power to do that is written in our legislation all over the place. It says, you know, that the Crown can delegate to this particular group to do something. Just imagine if somebody asked you to be responsible for taking on a

task but then didn't give you the authority, didn't give you the resourcing, didn't give you any kind of instructions or criteria on how to do this or how well you're supposed to do it. You can imagine how impossible that task becomes.

I did this because I wanted to make sure that it was clear in this act – and no one could pretend otherwise now or in the future – that by contracting it out, the Crown's liability and responsibility for these kids wasn't somehow absolved or removed. I think that is the direction we're moving in. There seems to be a willingness from the community to take on more officially, if I can put it that way, the delivery of service, and in some cases, frankly, they deliver it better and cheaper than the government does. I think that the argument that's following there is that, well, then, they might as well do it officially. But I think that it's important that that ultimate liability and responsibility remain with the Crown.

Now, we've already heard the argument. The Ouellet case, when it was argued, said: "Ha, ha. Nice try, but you're not getting out from underneath that one. The director of children's services is responsible." We've seen in other parts of this bill that the government is trying to change it from the director to a child intervention worker, thereby pushing that responsibility further out onto those undefined front-line child intervention workers.

There are too many missing pieces in this act. There's too much that's being undefined and left loose, and this causes me great concern, particularly when the primary objective behind this bill has to do with information sharing and a loosening of the protection around information.

Let me remind everybody that children don't have rights. Except for the one exception that's written into this bill, they have no ability to withhold their consent to have any of this personal information or health information collected from them or from their guardian. In some cases the information can be collected about the parent and about the guardian and shared as well as information about the child. You know, we're tending to gloss over that part of this bill, and to me that's really important. If you can't control your personal information, we don't really have meaningful privacy laws in this province.

I'm concerned that even kids don't get to be asked and that they don't get to give or withhold their consent that this information be taken. Furthermore, they don't know what information has been taken. We've already talked about the fact that they won't be able to find out who has the information, but at this point they don't even get to find out what information is being held by organizations, and that is contrary to the fundamental principles of privacy protection.

I have brought forward this amendment in an attempt to try and solidify where the responsibility and liability remain and to be clear that that's where they remain. I hope that answers any questions anybody has. If you have any more, stand up and ask them, and I'm happy to get up and respond to you. That's the intent behind this legislation, to provide clarity and consistency about who is ultimately responsible. Where does the buck stop, and who's ultimately liable for those decisions? That cannot be delegated to these child intervention workers and even further contracted out, possibly to the private sector.

Thank you very much, Mr. Chair.

**The Chair:** Thank you, hon. member.

The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Chair. It goes without saying that I would suggest people not support this amendment. Obviously, the Crown is liable for its actions. People who work for the Crown:

the Crown is vicariously liable for their actions, and you can't contract out of your liability.

**Ms Notley:** Well, yes. I mean, I find that somewhat helpful from the minister, but the Member for Edmonton-Centre just stated: well, then you shouldn't object to this amendment. Really, I agree with the Member for Edmonton-Centre that we should be clear. There's no question that in the Ouellet decision the whole question of what is delegated and what remains residual was, in fact, the crux of that legal decision. At the time there was confusion and argument, legitimate legal argument, about whether the authority and the responsibility were fully delegated or whether residual authority remained with the Crown or the directors such that they were accountable.

I think that what we're getting at here – I mean, I remain concerned that authority, even a part of the authority, you know, 50 per cent, is being delegated or might be delegated to someone who could potentially under this bill not be working for the government, not be a member of the profession. The other issue becomes, certainly, as the minister himself has stated: "Hey, if we continue to have residual authority and residual responsibility and residual liability, then you can trust us that we won't delegate it out to the dog walker. We'll make sure that the people that get the delegated authority are qualified to do it." That issue was one that was subject to a fair amount of legal discussion.

Then the question becomes: where in the act does it state that ultimately the Crown retains liability and responsibility? If the minister is saying that we don't need to say it because it just is, then why would we object to putting in this section? I'm not quite sure. If everyone agrees that ultimate liability and ultimate responsibility continue to remain with the Crown and if the minister cannot point to a section in this act that clearly states that now, why would anyone object to including this amendment and passing this amendment? Then we're all on the same page, and we all agree to the same thing, and we want to make sure it all happens.

If, on the other hand, there isn't a place in the act where we can point to that residual liability and responsibility remaining with the Crown even after they've delegated, then presumably because we all want to make sure that happens, this would be a lovely addition, and we can all thank the Member for Edmonton-Centre for bringing it forward. If we can't point to it in the act yet we still suggest that we shouldn't be voting in favour of this, then that just raises the flag. Well, what really is the status with respect to residual liability and responsibility?

I think that there can be nothing but grand consensus achieved by us all voting in favour of this amendment. I urge my consensus-seeking colleagues throughout this building to vote in favour of this amendment.

**The Chair:** Are there others?

Seeing none, I'll call the question on the amendment.

[Motion on amendment A5 lost]

**The Chair:** Back to the main bill. The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Well, thank you very much, Mr. Chair. I have, to nobody's surprise, another amendment that I would like to put forward on this bill. I shall retain one copy for myself and ask if we can distribute the remainder of them.

2:00

**The Chair:** You can start speaking to amendment A6, hon. member.

**Ms Notley:** Thank you. This is, yes, A6. What this amendment proposes to do is to substantially amend section 2(2), the principles that should be recognized in the children's charter. Now, as many of you who, I know, are listening aptly to this debate will recall, earlier on in the evening I started talking about sort of the points at which our views diverge around the best way to protect and ensure the best interests of children. This is one of the things that I was talking about.

[Mr. Khan in the chair]

Let me just start out. I appreciate that section 2(2) in the bill as it currently exists is simply a statement of the principles that need to be recognized as a bare minimum in the charter once it is consulted on and everybody gets to have their input in terms of what is included in the charter. So this is just a statement of principles. Given this government's, you know, record just in the last 48 hours in terms of consultation and taking what they hear in consultation and putting it into legislation, I figure there is some value to perhaps articulating a little bit more definition in terms of the principles that need to be included in this.

In short, although this is somewhat lengthy, let me just say that all of this language comes from, with one or two exceptions, components of the UN convention on the rights of the child. It basically can be broken down into three sections. It's either talking about the obligation of the government or the right of the child to three things, which go above and beyond that which was included in the list provided by the minister in the current draft of the act.

Here are the three things. The first one – and this goes right to the heart of one of the disagreements between the NDP caucus and the Progressive Conservative caucus – is the notion that you cannot separate the economic well-being of a child from their best interests. There are certain economic resources that must be dedicated to a child if we are going to get rid of poverty and if we are going to ensure their best interests. One of the components of this revised set of principles that need to be included in the charter is the notion of a child having a right to good nutrition, three meals a day, and a roof over their head. I know; I sound like a communist here.

**Ms Blakeman:** You radical.

**Ms Notley:** I sound radical.

Here we are in Alberta. You know, everyone loves to brag about how we're the wealthiest jurisdiction in Canada, which is one of the wealthiest countries in the world, yet I'm betting that some people over there, although I'm sure they will certainly at the end of the day approve my amendment, are wondering: oh, do we want to legislate a child's right to a roof over their head and food on their table? As things exist right now, children in Alberta do not have a right to a roof over their head or food on their table, and this government is quite reticent to suggest that they have a right to a roof over their head or food on their table. But the language in this charter is about the government having an obligation to provide and the child having a right to demand, in essence, a roof over their head and food on their table. It's not written exactly that way, but that's basically what we're talking about. That's the first component of our revision.

The second component of our revision relates to the right of special-needs children in Alberta, and that's something that was not identified in the principles that exist in the current draft of section 2(2). In my view, in some areas, when it comes to children with disabilities in Alberta, we have actually led the way every now and then on a couple of things, but generally speaking, we've



lost the edge in that regard, and we're falling behind. Certainly, when it comes to our education system, we know that we are no longer truly giving meaning to the right of special-needs children to equality.

[Mr. Rogers in the chair]

As anyone here who's studied the notion of equality to any degree knows, equality does not mean being treated equally. Equality means ensuring that every person has their opportunities maximized to the degree possible and understanding that that sometimes requires different treatment. It may well be that child A and child B can both score 90 per cent on their diploma exam in grade 12, but it may well be that child A needed a whole different path to get to that 90 per cent on that diploma exam by grade 12. Treating child A the same as child B will not result in both kids getting that 90 per cent on that diploma exam by the end of grade 12. If child A is the child with special needs, then they have a right to have the support that is necessary to get them to that 90 per cent on the diploma exam if such a strategy exists.

Again, this is in the context of a province which is arguably the wealthiest province in the country in one of the wealthiest countries in the world. This notion of ensuring that special-needs children in Alberta will be given whatever supports are necessary to equalize and maximize their opportunity is one which I think is a little bold, but it's also one for which the principle should drive elements of the definition of the charter.

The third overall principle that this amendment includes is the principle that no charter is of any value if it is not enforceable. You know, we had a health charter that preceded the election a couple of years ago. There was lots of self-congratulatory back-patting and loads of press conferences and even more press releases and lots of tweets and all of that kind of stuff that the government likes to do when they think they've done something they deserve some credit for. That was all around the patient bill of rights – I think that is what they called it – or maybe it was the patient charter. I can't remember. Really, all it was was a preamble to the legislation and had literally no effect, no impact, no enforceability, no legal impact, no legal effect of any type. It was just an opportunity for the government to give itself some good press.

Now, I don't want the government to fall victim to the same type of cynical analysis which essentially made people think that, really, there was nothing to that and that it was just a lot of hot air. I want this charter to mean something. But the only way this charter can mean something, Mr. Chair, is if the charter is enforceable through some mechanism. Otherwise, it's just a big press release, and it is meaningless.

**2:10**

The third sort of component that is included in our revised list of principles that need to be reflected in the charter is the notion that whatever charter is ultimately constructed through the preleadership vote consultations that the Premier is going to undertake must be enforceable, and they must be enforceable by a child as well as their guardian. If you don't make it enforceable, not only that which the minister is proposing but also that which I am proposing, then it is nothing but hot air. None of it is meaningful if it's not ultimately enforceable.

That's the shortest summary of what we've added now. I think we've probably doubled the number of clauses. The minister had (a) to (e), and we've now added (f) through (o). That's quite a bit. But if you look at it from those terms, understanding that essentially what we're doing is that we are addressing those three issues – economic security both as a right of the child and the

obligation of the government, the right of special-needs children both as a right of the child and the obligation of the government, and the injection or the introduction of the notion of enforceability into the charter – that's essentially what this rather wordy set of additions amounts to.

As I say, we didn't just pull all of this out of our ear. We sat down. We read through the UN convention on the rights of the child. We looked at submissions that had been provided to us by advocates who are attempting to eliminate child poverty. We looked at research that had been done on this issue. We looked at what it looked like in other jurisdictions. That's where we came to this idea of including some of these elements.

Now, as I think I briefly touched on when we talked about this in second reading, you know, again, this is not new stuff. In I guess it was 1980, 1981, when there was a lot of debate going on about the Charter of Rights and Freedoms, which I believe was voted in in 1982 if I'm not incorrect, even then there was talk about including a section on the right to economic equality, the right to have a document that allows people to insist upon minimum levels of poverty. Again, if we can't do it in Canada, where can we? If we can't do it for children, who can we do it for? I don't know. This is something that has been discussed in Assemblies and parliaments in the past. It's not a ridiculous idea. It's an idea that really goes to substantive equality, substantive antipoverty issues.

The minister has said, particularly in a debate with the Member for Edmonton-Highlands-Norwood, that the NDP caucus believes that all you have to do is just throw money at something, that, really, the way to fix a problem is to be creative and collaborative and consultative and have conversations and be innovative and also engage in a bit of, you know, review of your programming and yada, yada, yada. I have nothing against innovation or collaboration or review of programming to maximize innovation and all that other great corporate buzzwordspeak. All of that's good, and sometimes it's actually meaningful and substantive in and of itself, but you can't create something from nothing.

The fact of the matter is that we are the only province that has a limited or nonexistent school lunch program. We have families that are living in utter and dire poverty, where it is simply not mathematically possible to provide adequate levels of food to children. We have homeless children in my riding. We have children in the care of this government seeking temporary shelter at the emergency shelter, seeking shelter and living in the ravine three blocks from my house. I mean, that's what's happening right now in this province. I think it deserves debate, and I think it deserves fulsome discussion by more than just two or three members of this House, quite frankly.

I am frustrated that we are having this conversation at 2:15 in the morning. Very frustrated. Here we are talking about principles that should be included in a charter. Here we are raising the issue of whether we can talk about economic fairness and prosperity and equality in a children's charter, and we are compelled to have this discussion at 2:15 in the morning. Yet the government tries to tell us that children come first. I don't know. You know, I really think that if this bill mattered and if the issues that are touched on by this bill mattered to this government, we would be having this debate in the light of day at a time when Albertans could hear the conversation and weigh in on it.

One other thing. Yeah. Sorry. There was one other piece in it that I think I accidentally overlooked when I talked about sort of the three global things. The other thing that we added to this, again, that comes from article 32(1) of the UN convention on the rights of the child is the idea that all children have a right to be protected from work that is hazardous, interferes with their education, or

harms their physical, mental, and social development. That's from article 32(1) of the UN convention on the rights of the child.

Of course, as you know, Mr. Chairman, in this province we allow the youngest workers in the country, so sort of the laxest protection as a result, and, of course, we refuse to do any kind of protective measures or legislation around farm workers. You know, you would think that clause (h) would simply be something that would be reserved for Bangladesh and places like that. Indeed, we do need to sometimes remind ourselves that children have a right, as I say, to be protected from work that is hazardous and interferes with their education.

I'm just checking to make sure that I've spoken to all elements of it even if I did not go through a clause-by-clause analysis of it. I think the final one that I will just briefly highlight is clause (g). That one just talks about the right of children to be protected from all forms of exploitation that is prejudicial to any aspect of their welfare. This is based on article 36 of the UN convention, and it's a broad and encompassing principle that no child should be exploited in any way – no sexual exploitation, no economic exploitation – and recognition that childhood is a time of life that should allow all children to learn and develop their potential, their world views, and their skills, and it should also be a time of play. I don't anticipate disagreement from members on that.

I really urge you to take a look through what is in here. I don't know that there's anything in there that is easy to dispute or to suggest that it should not be included. Yes, it's a little bit more prescriptive than what existed before. Again, given that consultation is somewhat of a bit of an evolving concept in this province, shall we say, I thought that there was some value to be added by specifically stipulating these elements. I'm not sure that there's anything in here that would generate a lot of controversy. There's very little in there that should attract any kind of objection because, really, we're talking about children having a high-quality public education, being healthy, being warm, being well fed, not being exploited, having a roof over their heads, not living in poverty, and then giving them the ability to enforce that. I don't think that's that revolutionary.

I hope people will give some really due consideration to accepting this amendment and offering just a little bit more of a fulsome description of what could be included in a children's charter if we were to really embrace the notion of making some major change soon.

2:20

**The Chair:** Thank you, hon. member.

Hon. minister, if you care to respond.

**Mr. Hancock:** I would again encourage members to say no. It's really ironic. The hon. member has spent most of the evening berating us for not consulting and then tries to write the charter herself without any opportunity for Albertans to engage. What the hon. member really ought to understand is that the power of a charter, the power of a social policy framework comes from the public being involved in the discussion and owning it, not in writing it ourselves. All of us can sit down and write policy documents. At least, those of us that have engaged in this process for a long time can sit down and write these things ourselves. That's not the point. The point is to have the public engaged in the discussion and to own the result, and that results in effective public policy and effective results. So let's not write the whole charter into the act. Let's let the public get engaged in the discussion of what should be involved in a charter.

**The Chair:** The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks. Well, that was a really interesting comment from the minister. I'm speaking to amendment A6 here, which is striking out section 2 and substituting a number of other requirements for the charter. It's really interesting that the minister just said: well, you know, it's about the people having input into it. I'm not sure where that actually appears under his part of the charter. It says that the minister would establish this charter to guide the government and the departments in the development of these policies, programs, and services affecting children and guiding collaboration. So where does everybody else get to have their say on what goes into this?

Then it says that "the Children's Charter must recognize the following," goes through the clauses that we're all fairly familiar with now, ending with the part about how the minister can review and the new amendment that if anything is going to be amended, repealed, or replaced, it has to come back to the Legislature. Where exactly is the collaboration piece that he's talking about, that the development is going to be done and owned by the public? I don't see that in here.

**Mr. Hancock:** That's because we don't write everything into the act.

**Ms Blakeman:** The minister is telling me that you don't write everything into the act, but you would think that if that was a key piece of it, you would've written it into the act. He's saying no, so although he says that the purpose of this is to do that, years from now, when somebody is actually reading what's here, it's not there. So this only lasts as long as the minister happens to be in charge of the department, and then someone else can have a different unwritten expectation of it.

I think the only thing I want to point out about the amendment brought forward by the Member for Edmonton-Strathcona is that there's not an expectation – I hope there's not an expectation – that the principles she's set out are to be delivered exclusively by government, because I don't think they should be. I agree that she has a good argument in that the resourcing of this is important. It's mostly going to come from government, but I think there's also an opportunity for it to come from other places. It shouldn't necessarily be mandated to come from other places, but I wouldn't preclude it.

I think we have to be clear that it's not only the government that has – oh, yeah. Where she expected the government to do something, she said it; for example, "(b) that the Government of Alberta has a duty to provide funding for support programs to ensure that no child lives in poverty." She's spelled out where she expects the government to take the main responsibility for that, and the rest of it is a shared responsibility, as we've all said, between the community and individuals and agencies and other levels of government.

She's absolutely right to put an enforcement clause in. As we know, the enforcement of our Charter of Rights and Freedoms has undergone a number of tests, and the ability of the courts to interpret what's there and then to enforce it is very important. In fact, this government has had a number of interpretations enforced upon them. They had to bring through legislation and correct what they were doing. So it's important to recognize that.

The one other point that I just want to make here is that we need to remember that children do not exist – you know, we all talk about how this is all about the community and the neighbours and all the public and all of that stuff, but children are not Cabbage Patch dolls. They don't exist separately from the families that they're in. So when we talk about children not living in poverty, we have to remember that that means families are not living in

poverty. That does connect to other departments like his colleague's, now the minister of advanced education, who managed to put through a two-tiered minimum wage system that means anyone that's working in a restaurant that's serving alcohol now gets to work under a lesser minimum wage. These things connect.

I mean, how those parents manage to make enough money to lift themselves out of poverty so their child is not in poverty is a bit of a sticky wicket when we have other levels of government that seem to be consistently engaged in a Walmart economy to drive down the wages of a number of other sectors and seem to constantly be inventing a way to have people with less training get paid less to do more or less the same thing. We've seen that in health care, in policing, in corrections. Those are the examples I can think of at this time, but I am certain there are other ones.

I'm willing to support this as long as it's clear that we don't expect the government to do all of it. I really appreciate the enforcement clause.

Thank you very much.

**The Chair:** Are there others? The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you very much, Mr. Chair. I rise in hopeful optimism that all members of this Assembly will see the value in increasing, strengthening the principles of the currently written children's charter and, as well, see the value of the enforcement mechanism that my colleague the Member for Edmonton-Strathcona spoke of.

I find interesting some of the minister's comments. I mean, first and foremost, these are principles. This amendment is expanding on the principles of the rights of a child based on the UN convention on the rights of the child, which, for the members who are unaware, Canada signed on May 28, 1990, and was ratified on December 13, 1991. These are principles and a guiding document that should be guiding all legislation when we're looking at anything that affects children.

I would ask the minister if, therefore, in speaking against this amendment, he feels that children shouldn't have access to high-quality public education or proper housing or be protected from all forms of exploitation or be protected from working in hazardous situations or doing any work that could be hazardous – protecting the rights of all children, including and especially children with disabilities, and ensuring that they have the right to a high quality life and also have access to equitable opportunities. You know, clearly, that was a rhetorical question. I'm sure the minister would say that, yes, he does believe that children have all of those rights.

Let's put that in legislation. I mean, again, these are guiding principles. Yes, it's clear that this isn't the actual charter, if I can use that term. This is talking about the principles of the charter. This isn't the charter, itself. Sorry, Mr. Chair. That's what I was trying to say here. At this hour I might be a little tongue tied.

You know, I think that it's important that we expand on this list and that it's very inclusive. Again, I think, as the Member for Edmonton-Strathcona pointed out, creating a children's charter is a very interesting idea. It is somewhat unique. I think that we as members of the Assembly of Alberta have a real opportunity to create in this legislation principles of a charter that are detailed enough to ensure that they cover at least in principle all of the different rights that children are entitled to and that we wish to protect.

2:30

I think it's extremely appropriate that the Member for Edmonton-Strathcona's amendment is based in large part on the

UN convention on the rights of the child. You know, I think most members would agree that we're trying to increase the robustness of these principles and that as parents and lawmakers we want to ensure that the rights of the most vulnerable are protected. As the Member for Edmonton-Strathcona pointed out, we're talking about equitable opportunities and talking about ensuring that our children are cared for in all senses of the word.

Mr. Chair, I don't need to go on much longer other than to say that the principles in this amendment are merely an expansion, a clarification of what is currently written in the bill. Again, as the minister has said, these principles are not the charter itself, but they will help to guide and inform the creation of the charter. I think it's very useful in the creation of the charter to ensure that all of these principles are at the forefront when the charter is created and written.

My hope is that these expanded-upon principles will contribute to creating a charter that meaningfully reflects and embodies our aspirations and the rights of Alberta's children. I will urge all members of the Assembly to pass this amendment.

Thank you, Mr. Chair.

**The Chair:** Okay. Are there others?

Seeing none, I'll call the question on amendment A6.

[Motion on amendment A6 lost]

**The Chair:** Back to the bill. The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much. I have another amendment at the table, which I'll ask to have distributed. There is a change to be approved to be read in by the chairman. Specifically, the numbers now have changed as a consequence of an earlier passage of an amendment. I was looking to amend section 4. It's still in section 4, but we would be inserting it following subsection (4), and that would make this subsection (5). While you're still getting this passed out, I'm going to launch into this.

**The Chair:** Hon. members, for the record this next amendment will be A7. I do concur with the comments made by the Member for Edmonton-Centre that relative to an earlier amendment that was accepted, "following after subsection (3)" has been changed to reference (4), and where it says (4), that has been changed to reference (5).

**Ms Blakeman:** Yeah. Thanks very much, Mr. Chair. I'm trying to put back into the bill or to clarify some privacy protection for children. Specifically, this amendment is saying:

- (5) A child whose personal or health information is collected or shared by a service provider or custodian has the right as a child or when the person becomes an adult to
  - (a) know what information has been collected about them,
  - (b) be able to request corrections to that information, and
  - (c) ask for a review by the Information and Privacy Commissioner.

Now, these are very standard clauses that exist in all of our privacy legislation: FOIP, the Freedom of Information and Protection of Privacy Act; HIA, the Health Information Act; and PIPA, which is the Personal Information Protection Act.

The concept that you have the right to look at your own records and to ask for corrections if the information is wrong or incorrect in some way or missing and to ask for a review of that by the Privacy Commissioner is integral to the concept of protection of personal information. It's not in this bill. I think that the inclusion of this amendment in no way negates the direction that the minis-

ter and the government are trying to go in; that is, for more information sharing. This is not stopping any of that. It's just saying that the person has a right to look at the information, that they have a right to ask for corrections to it, and they have a right to a review by the Privacy Commissioner. Very standard. There's nothing scary about this. I think it's important.

Again, the ability of the child or the adult that the child becomes to ask to look at the information about them that's been collected, used, and disclosed by the government is, I think, a basic right. I am upheld in that belief by the Privacy Commissioner, who in her release commented specifically about that.

I'm asking that the members opposite support this amendment. As I said, this is nothing unusual. It's not stopping the government from proceeding in the direction they want to go with the Children First Act. It just makes sure that someone that is covered under this act gets a chance to look at the information that's been held on them, to correct it, and to get a review by the Privacy Commissioner.

I'll just remind everybody that the last time I looked, the verifiable information, the amount of information held by different sources under privacy law which is inaccurate or can't be verified can be up to 40 per cent. You say: "Holy mackerel, how could anybody possibly have 40 per cent of the information wrong?" Well, actually, it's not hard. You know, files get added or attached to somebody else's name, so you literally have the wrong information attached to your file. In some cases the government has allowed information that wasn't factual and verified to be incorporated into databases, and if that information is picked up, then you have something that isn't a fact, for example. It's someone's observation or someone's opinion that is now in somebody's record, yet they don't know that that's been said about them.

I think we can all think back to job applications we've had where we went in and thought we aced the interview, and then we didn't get it. More than that, there seems to be something out there about your work product or the way you perform that you can't quite get your finger on. You never get a chance to go back and find out what the heck was said about you after you left that room that's having such an influence on how you're proceeding through the rest of your life.

So very straightforward, very simple, privacy based, not interfering with what the government is trying to do. I hope you can all support that.

Thank you.

**The Chair:** Thank you, hon. member.

The Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Chairman. This is a surplusage. FOIP is paramount. The provisions that the hon. member referenced with respect to access in FOIP are there. This is unnecessary and would enhance people's belief that this act is a stand-alone act and does not fall within the information and privacy generic, if you will. I would urge you to not support this.

2:40

**Ms Notley:** Well, again, I'm just looking for a bit of clarification from two people in the room who I think know a fair amount about what they're talking about, the minister but also the Member for Edmonton-Centre, who really does know the privacy legislation like the back of her hand. I've seen her go through it, and there are more stickies in her books than there are papers. There are, like, three stickies per page sometimes. It's really quite neat.

Anyway, she does know a lot, and she's saying that the difficulty is that under the current legislation children don't actually have the rights that adults would have and the protections that adults would have through FOIP or HIA or PIPA. Then the minister is saying that they do, so I am confused. I'm just wondering. Maybe the Member for Edmonton-Centre could just clarify that, that children don't have that right. In some cases children are living on their own at 14, 15, 16; as we know, even children in government care, of course, are often asked to just live on their own at that age. What are their rights? They should have a right to know what's been said about them, to whom, and where and when. Maybe you could just clarify that for us, Member for Edmonton-Centre.

**Ms Blakeman:** Well, I'm sure somebody can augment this, but it's my understanding that children are not autonomous decision-makers until they hit 16, at which point they can get a driver's licence, they can be authorized by various government benefit programs to live on their own and to receive benefits, to make decisions about, you know, whom they associate with and even where they go to school. Prior to that, kids don't have that decision-making power, that control over their own life. That's my concern with this.

The minister keeps saying: "Oh, it's okay. It's all covered by FOIP." Then we have a number of things here, I would argue, that are not covered by FOIP. Certainly, it's not clear by looking in the act that it's covered by FOIP. I previously tried to put forward a fairly innocuous amendment that said that notwithstanding anything else or just for further clarification, this is the way it is, and they were not willing to pass it, which makes me a little suspicious of why they would have such hesitation in doing that. If it's no big problem, then why can't they put it in the act?

I continue to have those fears, and I think they're justified given the concerns that have been brought forward by the Privacy Commissioner, in which she outlines that it's eroding "individuals' ability to control what happens to their own personal and health information by broadening the ability to share information without consent," which is part of what I'm addressing here. I mean, if in the way the information is being collected, you cannot go and see it and correct it yourself, there's a problem. She goes on to talk about how they won't know what information has been collected about them. We heard earlier that they don't even know who will have collected it or have information about them and for what purpose.

So that's contrary to the concepts, the principles of privacy information. It reduces the individual's ability to exercise their right to complain or to ask for a review under existing privacy laws. There's another example of where the Privacy Commissioner is saying that this is eroding something that is under existing privacy laws. I say: then man up, admit that that is what's happening, and allow these clarifications to go into the act. It's not going to cause you any trouble. It's not that big a deal, and it's not going to hamper the direction that the government wants to go with this.

That's all I need to say about this except for one more point here. The Privacy Commissioner also notes that "Bill 25 authorizes information sharing that in many ways is already permissible under existing Alberta privacy laws." Well, then you shouldn't have to permit a wider use of it. Those uses are always accompanied by consent being sought and given. The cases where you can do something with someone's personal information without their consent are very specific both under health information and under FOIP and PIPA. So I would argue that this is exactly the kind of clause that should be put into Bill 25.

Thank you.

**The Chair:** Are there others?

Seeing none, I'll call the question on amendment A7.

[Motion on amendment A7 lost]

**The Chair:** Back to the main bill. The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Well, thank you very much, Mr. Chair. I am now going to go back a little bit to the issue of to whom we are now delegating all of this new authority and talk a little bit about that and take another shot at trying to find a way to fix what's going on in this legislation. Now, as you may recall, I started by proposing a number of deletions that would have essentially stopped this act from restructuring the way authority is delegated and to whom it's delegated and the nature of its delegation and extent of its delegation as it currently exists, stop this new act from changing it from the way it was before. We talked about the reasons for why I would recommend that that happen. Unfortunately, the majority of members voted against that.

Now what I've got, then, is a proposed amendment that will put some parameters on the unrestricted authority that is now being delegated through Bill 25. In particular, the minister has suggested that it was absurd – I think “absurd” was the word he used – to suggest that the government would ever delegate authority for things like whether a child gets to stay with their family, whether a mother gets to keep custody of her child or father gets to keep custody of his child, those kinds of major life and liberty kinds of decisions. It would be absurd to suggest that the government would ever delegate that authority to anyone who is not eminently qualified to make those decisions.

**The Chair:** Hon. member, could you officially move amendment A8, which will be this next one?

**Ms Notley:** I could do that.

**The Chair:** If you would, that would be wonderful.

**Ms Notley:** There we go.

In order to just ensure that that absurdity never happens and to test the absurdity, I guess, I have the following motion. The motion is that Bill 25, Children First Act, be amended in section 9 by striking out subsection (62) and adding the following is added after section 129:

Child intervention workers

129.1(1) A director may designate social workers as child intervention workers for the purpose of this Act.

(2) An individual designated under subsection (1) must be an employee of the Government of Alberta and a regulated member of the Alberta College of Social Workers in accordance with Schedule 27 of the Health Professions Act.

(3) Where a child is in the custody of the Crown or the Crown is a guardian of a child, a child intervention worker may exercise all the powers and perform all the duties and functions of the Crown as custodian or guardian of the child.

(4) A child intervention worker when acting under section 19, 45, 46 or 48 has the powers of a peace officer.

It essentially carries on everything that the bill purports to do, but rather than simply using child intervention workers who can be defined some day in the future by the minister through regulation and who can work somewhere – we don't know where – what this amendment would do is that it would ensure against the absurdity which the minister assures us would never occur. Just in case someday someone else took over and they didn't really think it was quite as absurd as this minister does that we would consider

delegating this major authority to someone who was less than qualified to make these decisions, and should a new minister come along who did not think it was absurd to delegate this major authority to a provider who was not directly employed by the government, then we would have this amendment that would ensure that that absurdity would never actually occur.

2:50

Now, we know that there are a number of service providers who are currently contracted to the government to do child support and child protection and child enhancement work. We know that that's happening already. Not only are nonprofit agencies doing that work; there are actually already for-profit agencies that are doing that work in Alberta. It's a very disturbing trend, let me just say. It also, in fact, increases the patchwork nature of this service provision, it results in a general suppression of wages, and it enhances the disconnection and the lack of communication that the minister is decrying and suggesting that this bill would correct.

That being said, the way it exists right now is that it is child intervention workers who are employed by the ministry who ultimately have to sign off on things like kid goes home to parents or, more importantly, kid is no longer allowed to live with parents. Those kinds of major decisions are still signed off on by a direct employee of the government. There may be an indirect employee – a contractor, a service provider, a corporation, a volunteer organization – that's providing front-line care and support services, but those major custodial decisions still must be signed off on by somebody who is qualified to make those decisions.

Under this new act that would no longer be the case. My proposal is that even though we have restructured the residual liability and responsibility of the director under this changed act, we would still ensure that these fundamental custodial, life and liberty sorts of decisions are not made by someone who is not directly employed by the government and is also a member of the College of Social Workers because then we can assume that they have that minimum level of professional responsibility. It's not only the education that gets you into the College of Social Workers but also the code of conduct and the self-monitoring that comes from being part of a profession and adhering to a professional code. We know that we have that extra protection in there to make sure that these major, major decisions are not being made frivolously or thoughtlessly or in the best intentions but with not the best of resources at their disposal.

This amendment is just another effort to simply limit the parameters of who a child intervention worker is for the purposes of the delegation of authority under the act, and it's fairly clear. It results in good decision-making. The minister tells us that we should trust him to make these good decisions, but as we've often said, often legislation lives long past the minister of the day. This amendment would ensure that good decision-making is injected into the process whereby we are identifying who can make these family-changing, monumental decisions in the lives of children at risk in this province.

I urge all members of this Assembly to embrace this amendment and then approve of this amendment and vote in favour of this amendment so that good decision-making can live past the tenure of the current cabinet and be assured to continue well past it into whatever cabinet might in fact follow on their heels.

Thank you.

**The Chair:** Other speakers to the amendment? The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you very much, Mr. Speaker. I rise to speak in favour of this amendment. I just want to say to all members of the House that, you know, the purpose of these amendments is really to strengthen the bill and strengthen the legislation and, again, to ensure that we've got perspectives represented through this House not only from all parties in this House but from all Albertans.

This amendment speaks specifically and directly to concerns that not only Alberta's NDP opposition have with this bill. Other members from other parties have spoken about a concern with a lack of a specific definition for child intervention worker. This amendment clarifies that, provides parameters around who is defined as a child intervention worker to ensure that there are standards that are met for a person to have that designation. As it's currently worded in the bill, a director can designate a person as a child intervention worker as long as they have qualifications required by the regulations. However, again, that doesn't provide enough assurance for all members of the House to support this bill.

Again, Mr. Chair, I, my colleague from Edmonton-Strathcona, and our other colleagues from the Alberta NDP have consulted with many front-line workers, many of them staff from AUPE local 6, who at the moment have no idea what qualifications are going to be included in the cabinet regulations.

The government is asking us to pass a bill where there is no definition for child intervention worker and to have that faith and trust in the cabinet that they will come up with an acceptable set of parameters for that. Well, you know, Mr. Chair, unfortunately, my faith in the government's decisions and in consultations with Albertans that are affected directly by legislation, including, especially, staff who are going to be exercising powers as outlined in this bill – it really does need to be clarified.

This amendment, Mr. Chair, outlines the parameters by which a child intervention worker will be defined as a social worker who works for the government of Alberta and is a member of the Alberta College of Social Workers. I think that by having these parameters set, Albertans, families, children, children in care will have the assurance and the knowledge that the workers who are going to have new authority and powers designated to them have the proper credentials, the certification, the backing. They can be assured because there are the two different bodies that are overlooking their certification, their professional qualifications, especially that they have experience in exercising their judgment and making decisions that, again, are – significant is an understatement. I mean, we're talking about decisions not just about signing off on permission slips; we're talking about decisions on whether or not a child remains with a family or a child goes into care in a foster home or in a group home.

I mean, this has significant lifelong impacts, so we feel it necessary that if the government wishes to have support from parties other than its own, there are provisions in this bill that will give us the assurances that children will be looked after and cared for by professionals and not just some omnibus definition of a child intervention worker. No one at this point is aware of what that means or what that doesn't mean.

For those reasons, Mr. Chair, I strongly advise all members of this Assembly to support this amendment. Thank you.

**The Chair:** Are there other speakers?

Seeing none, I'll call the question.

[Motion on amendment A8 lost]

**The Chair:** We're back to the main bill.

Member for Edmonton-Centre, I believe you have another amendment.

**Ms Blakeman:** Yup. This would be amendment A9?

**The Chair:** This will be A9, hon. member. You may start speaking to the amendment.

**Ms Blakeman:** Thank you.

**The Chair:** We'll have to make some changes on this because of the sections as well.

**Ms Blakeman:** The change was already done, and I did photocopy the changed number.

3:00

**The Chair:** Just for the record, hon. member, you are referencing subsection (3), which has now become (4), and then subsection (4), which has become (5) based on the changes.

**Ms Blakeman:** True. They're subsections of section 4 . . .

**The Chair:** That's it.

**Ms Blakeman:** . . . based on an amendment that's already been passed here.

This is another privacy-based clause that I would like to see accepted and worked into the bill. Specifically, under section 4, which is the information sharing section, appearing on page 4, under the new amendment section, which is now (4), I'm proposing that we have a subsection (5) that says: "A service provider must notify the Information and Privacy Commissioner immediately if a child's personal information or health information in its possession is lost, stolen or accessed by unauthorized persons."

Again, I think it needs to be spelled out in the act that that is the expectation for a service provider. I'm sure the minister will stand up and say: we're running under the rules, and this is covered under the existing rules. Hmm. Not exactly. That's why I want it in the act, where you can read it, and it's clear to anybody that if you're a service provider under the definition in this act and you are aware that your organization or an individual that you're working with, whatever their particular affiliation or designation is, if that information has been lost or stolen or accessed by someone that shouldn't be accessing it – which we know is the major problem in privacy breaches, by the way. It's not computer glitches or software problems. That's not where it happens. It actually is human beings that know the act and decide that they're going to breach it. That's where the big problems happen. Unfortunate but true. It's deliberate human action, which is why I've been very careful to say "accessed by unauthorized persons."

You know, folks, this is somebody's life. It's bad enough that we will have collected this information without their consent. But to not be willing to immediately report it if it has been lost or stolen or authorized by someone that shouldn't, a service provider, I think really weakens the act. I want this to be clear. I want anybody that reads the act to be able to see it without having to hunt for the associated regulations or to have to go to another act to be able to look it up. I want it in this act so people understand that that's the deal.

I ask you to support this. This is where I'm going to cut it off. It's a good amendment. I ask for support.

**The Chair:** Thank you, hon. member.

Are there any other speakers to this amendment? The Member for Edmonton-Strathcona.

**Ms Notley:** I will simply rise to say that we support this amendment based on the numerous statements of concern, that have been reviewed already many times tonight, that were put forward by the officer of the Legislature who has been assigned responsibility for overseeing privacy and transparency rights and obligations in the province. Obviously, she has a number of concerns, and I believe that this amendment is geared towards getting at some of those concerns. I'm disappointed at the lack of real responsiveness to such an important set of representations on this piece of legislation. Certainly, allowing this amendment would go some small distance towards fixing that flaw.

Thank you.

**The Chair:** Thank you, hon. member.

Are there others? The Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Chair. I'll make this quick. I want to thank the Member for Edmonton-Centre for bringing forward this amendment. It seems like not just a reasonable amendment – and I'm actually surprised that this isn't already in the bill – but it only provides more accountability. I am just trying to put myself in the shoes of a person whose information has gotten lost. I think it's crucial that our Information and Privacy Commissioner is immediately notified if it's lost, stolen, or accessed by unauthorized persons.

It seems that this is just a very logical, fail-safe mechanism that should be included in this bill, so I strongly urge all members to support this amendment.

**The Chair:** Are there others?

Seeing none, I'll call the question on amendment A9.

[Motion on amendment A9 lost]

**The Chair:** Back to the bill. The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Well, thank you. This is fun. Okay. I now have an amendment that also deals with the issues around information sharing for purposes of providing services and the concerns that have been raised around that. I will just give the original and several copies for distribution to the table and representatives thereof and speak to this amendment.

**The Chair:** This will be amendment A10, hon. member.

**Ms Notley:** Yes. This amendment would be made to section 4 of the act. The point of this amendment would be to essentially change the criteria under which all these service providers can freely share information with one another. As things exist now, in the current bill it says that for the purposes of enabling or planning for the provision of services, a service provider may collect and use personal information about the child or the parent or the guardian and also health information about the child, and for the purposes of enabling or planning for the provision of services, a service provider may disclose health information and also personal information of the child or the parent “if, in the opinion of the service provider or custodian . . . the disclosure is in the best interests of the child.”

What we are doing is proposing to change this section so that rather than the criteria for this information being shared be that it's in the best interests of the child, instead the criteria would be: “if, in the opinion of the service provider or custodian making the disclosure, the disclosure will serve the physical or mental health and safety of the child.” So the idea here is to close the criteria a

little bit, limit it. Okay? We're all here talking about how we want to protect our kids, particularly the kids that are at risk. We want to protect their safety. We want to protect their health, both mental and physical.

This criteria – this safety and this mental health and physical health – is a standard which already exists to some extent in the Health Information Act as well as in FOIP and PIPA, but you definitely see it in the Health Information Act. Instead of it being a case where you've got somebody saying, “Oh, in the best interests of the child it makes sense for me to share this information with this service provider and that service provider and whoever else,” we're actually focusing on the safety of the child or the mental or physical health of the child.

The reason for that, Mr. Chair, is that it's even more important now that the government has so dismissively rejected our proposals for improvement. What you've got right now is “the best interests of the child,” but, of course, we have no idea who it is that will be making that judgment call. Who's going to be making the judgment call about what's in the best interest of the child? Well, it may not be a professional. It may not be anyone bound by a code of conduct. It may not be anyone who's a direct employee of the government. We don't know. For all we know, it could actually be, you know, a very junior worker with a two-month diploma who's employed by a religious service organization. We don't know who it will be that is making that decision about sharing information.

3:10

My belief of what is in the best interests of a child may well be and almost definitely is not the same as everybody else's belief of what is in the best interests of the child. I don't mean to say that everybody has one view and I alone have a different one. I believe that if you put 10 of us in a room with a little bit more sleep and some coffee and we sat around and had a nice chat about what we thought was in the best interests of the child, we'd probably come up, amongst the 10 of us, with five different ideas of what that means.

Now, usually that's not a problem if the people interpreting and applying that particular phrase are professionals who have experience and accountability and a professional code of conduct and a great deal of education to make that call. But if, instead, that's not who it is that's making that judgment, if it is, in fact, someone with a two-month certificate who's not even directly employed by the government that is making that call, well, then we have a problem. Then we have pretty much open season on sharing information about the child, about the parent, about the guardian, and we've got that information being shared amongst a number of organizations who are service providers.

We know that when a child is in care, they come into contact with a whole schwa of service providers. They really do. It's interesting to just read the very tragic circumstances that were delineated in the decision around Bosco Homes on Friday, the judicial decision where, among other things – say what you will about the ultimate decision of the judge about guilt or innocence – there was quite a description of the many different service providers and agencies that came into contact with that young man over the course of, I think, a month or two months. It was crazy, the number of organizations. It was really quite something. So if you've got that many organizations that have access to information simply because somebody thinks it's in the best interests of the child, then you're running all over the place trying to chase down information about the child.

We're mostly talking about the child tonight, but I think it's also important to talk about the parent and the guardian because

we also are giving an unprecedented ability for the service provider to share personal information about the parent or the guardian. That, too, is troubling, very troubling, Mr. Chair, because you could well have a situation where, you know, the parent had postpartum depression six months after giving birth to the child, a very serious form of it, and somebody comes along who thinks that the best interests of the child are reflected in that child not being cared for by that mother in that situation. Then that piece of information could well follow the child and the mother from service provider to service provider to service provider for years because there's really no limit on it. So it becomes very difficult.

One of the things that we need to understand here, Mr. Chair, is that, you know, the sad fact of the matter is that the parents and the guardians who are typically impacted by this legislation tend to be low income, tend to be indigenous, tend to be marginalized. Not always. Of course, there are always exceptions, but, generally speaking, there is a much higher proportion of people who are impacted by this legislation who are in other ways already marginalized by a number of systemic factors within society, and now we're going to further marginalize them by significantly undercutting their rights to privacy and their right to control their own information. I do want to go back to this. It seems like we're all being very complainey, you know, and I guess we are because there are some fundamental difficulties with respect to this legislation.

On the flip side, I mean, I do share the belief that where a child is at risk or where anybody like a reasonable, common-sense person thinks there's a possibility that a child's health, mental or physical, is at risk or their safety is at risk that – you know what? – you've got to do whatever you can to make sure that that child is safe. You do. If sharing information that you have could help ensure that safety and protection, well, then you've got to do it. I am not fighting against that part of it. I really am not.

I do believe the Privacy Commissioner when she says that a lot of the barriers can be solved by education because, quite frankly, I've seen it myself. Enough people go to a de facto sort of fallback position that: "Oh. We can't do that. FOIP won't let us." And then you really unpack it, and you go: "Well, actually, no. That's not true. FOIP doesn't prevent you from disclosing that information, not at all. Here is what the rules are. You can absolutely do it." Indeed, this government has a tendency to say, "We can't release this information because of FOIP," when in fact if you unpack it, no, of course you can. You just have to remove the identifying information.

You can absolutely release that information. People have a tendency to overrely on it, and sometimes it's for political reasons, as with this government, but sometimes it's from being overly cautious and not being well educated about the application of the FOIP Act. So I do believe the commissioner is quite correct when she says that a lot of the problems can be resolved through education.

That being said, if we want to say that maybe it just won't work fast enough, then I can even support a certain amount of enhanced information sharing if the parameters are better defined. But as things stand now, with the parameters simply being Joe Anybody's definition of best interests of the child, well, then those parameters are virtually nonexistent. It means that under almost any circumstances you can share that information. That's just not good enough because we are so significantly trampling on the rights of that child and so significantly trampling on the rights of that parent.

When you combine it with the fact that this government has steadfastly refused to put in parameters around who's making

these decisions around best interests, not accepting our proposal to have it be a social worker, not accepting our proposal to have it be a direct employee of the government, not accepting any of those efforts at remediating the problems in this bill, then what we need to do is to close the gate by limiting the circumstances under which that information can be shared. That's what this amendment proposes to do. It proposes to identify health, mental or physical, and safety of the child. That's where information can be shared but not simply best interests.

I mean, there are wonderful, caring organizations out there that do very, very good work, but there are also organizations out there that, for instance, because of their sort of foundational principles, would say that disclosing for the purpose of counselling against, say, an abortion is in the best interests of the child, notwithstanding the fact that that's not what the child, who at that point has the right to make the decision, would say. So that's one example.

Another example is, you know, if the child has an STD, whether that is something that needs to be disclosed. This whole concept of value judgments starts to be injected into best interests of the child, and it's not tempered by a professionalized understanding of the best interests of the child or an interpretation of the best interests of the child which is circumscribed by a professional code of conduct.

3:20

This would fix that. It's a little bit awkward. It's not my first choice for how to fix it. But it's another effort to fix it and to close the gate somewhat. The gate is still open, but it's not wide open. You can still get through it, but you've got to line up to get through it. You can't all run through it. One horse at a time, maybe a skinny horse, can get through the gate as opposed to, you know, 10 horses across can run through that gate.

That's what we're trying to do. I urge members of this House to consider that and, again, to consider the disproportionate impact that this change to privacy legislation has on certain marginalized members of our society and the need to balance that and to keep in mind that we don't need to pile on in terms of the systemic inequities which they are compelled to shoulder every day.

I hope you will give some due consideration to this amendment. Thank you.

**The Chair:** The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much. The one thing that I hope is included in this is that the purpose of the information sharing is not just for the physical or mental health and safety of the child. I think the other piece that needs to be recognized is that there is service provision for culture for kids, for recreation, for economic reasons. There are a wide variety of reasons why information would be shared in order to provide a service. The services aren't only just about physical or mental health or the safety of the child. You've been quite specific there, so I'm hoping that that's included. I guess I'm giving you the opportunity to explain that.

For example, the city of Edmonton ran a pilot project that was, I believe, wildly successful. They heard about this from the States, which always really baffles me. It was a project in which they ran three different groups. The first group was provided with nothing extra, the second group was provided with limited access to recreational facilities and cultural facilities, and the third group was provided with wide access to those two. Then they tracked to see whether that improved the family dynamics, the quality of life, whether the kids were healthier or better socialized. In fact, it turned out that the group that had the access fully provided was far



better off, demonstrably far better off. All of the metrics worked there.

There's an example of something where, yeah, you could argue that it was for their physical well-being, but the culture component usually wouldn't be included in that, and it made such a difference in the families' outlooks. The specific piece of this was that it was for single-parent families. It made, really, a remarkable difference in their mental health and social interactions with their community, their state of stress or depression, all of those things that we find happen so often with people that are in stressed economic circumstances. A really successful program. I just wanted to make sure that programs like that could be enabled under the amendment that the Member for Edmonton-Strathcona is moving.

**The Chair:** Are there others? The Member for Edmonton-Strathcona.

**Ms Notley:** Well, yeah. I just want to rise to answer the question. Unfortunately, I think I might be a little bit disappointing in it. The amendment talks about, "For the purposes of enabling or planning for the provision of services or benefits to a child," and it talks about collecting and using this information. Then it goes on to say, "For the purposes of enabling or planning for the provision of services or benefits to a child," they can disclose, but the disclosure is limited because the disclosure is just "if, in the opinion of the service provider or custodian making the disclosure, the disclosure will serve the physical or mental health and safety of the child." You're quite right. That does limit the interagency sharing of information for some of those broader, softer, for lack of a better characterization, services that are provided.

The reason we're talking here more about issues around health and safety is because that was really the rationale that was provided to us by the minister at the outset. I mean, the minister was quite successful at convincing sort of key opinion leaders out there that this was a good act because he brought in not one but two law enforcement people to say that this is really about preventing these horrible tragedies and making sure that information the police had could be shared with the doctor, could be shared with the social worker, could be shared with the teacher. It was really about these horrible tragedies, and it wasn't about just sort of that more generalized service provision.

I think the way to deal with the information-sharing problems around service provision is to not have this ridiculously patch-worked, fractured system of service provision. That aside, that was the rationale that was provided, and probably the minister's most convincing validators were those who were in the field of preventing crimes against children. Those were the most convincing validators that the minister was able to bring forward. And they are convincing. That's why I'm trying to have this amendment line up with those validators so that we are focusing on preventing crimes against children and ensuring the safety of children but that the information sharing doesn't go beyond those limited things because then you get into the potential of the balance shifting the wrong way.

I mean, you want rational service delivery that is premised on the best information possible, but that has to be balanced against the privacy concerns of both the child and the parent. I think one of the ways to balance that effectively is to limit the degree of interagency delivery and, instead, to not sort of have 14 different little contractors providing all of these different little services for one person.

In the absence of that balancing mechanism, the way I would balance it is that you look at the circumstances in which the information is shared. If you're simply sharing for best interest, then I

think that the sharing is weighted too much and the rights of the child and the family to privacy lose. I would only start to pick at those rights in the interest of the child's safety and their health rather than, you know, their ability to participate in a recreational program or something.

That's why the language does actually limit it because I worry about the sort of unfettered sharing between agencies. There you go. That's my rationale.

**The Chair:** Thank you.

Are there others? The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Chair. I rise to speak strongly in favour of this amendment. I think, you know, there's always a danger when the Assembly looks at passing legislation where concepts and terms are left undefined or are vague or ambiguous or unclear or all of the above. I would argue that the way the bill is written at the moment, referencing "in the best interests of the child," can be quite problematic because one person's definition of best interests and another person's can be quite different. What would cause one child intervention worker, if I can use the term as laid out in this bill, versus another – you might have two different front-line workers with totally different experiences, different qualifications, different education, different backgrounds. One may be day 2 on the job; another may be day 2,000 on the job. Unnecessary information or sensitive information may be disclosed, may have a harmful effect. In that moment the front-line worker may believe they're doing what is in the best interests of the child, yet there may be some serious and far-reaching harmful consequences because of that.

This amendment, Mr. Chair, seeks to clarify that and to ensure that there is a more specific definition that can be applied and that will be used, not just on reasonable grounds. Again, the backstop here is that disclosure will avert or minimize a danger to the health and safety of any person. I think, you know, that part is extremely important.

3:30

A reason why I think the hon. minister and all members of the Assembly should be able to accept this amendment and, if anything, to accept it in the form of a friendly amendment, is that the wording conforms to an act that was already brought in by this government, section 35 of the Health Information Act. This specific wording is just a continuation of applying consistency as far as defining what is in the best interests of the child.

I mean, my concern, Mr. Chair, is that, again, we're leaving this open to judgments. There are times when I believe all of us as being human beings have made poor decisions, poor judgment calls, and this clarification, this amendment, just seeks to cut down on the possibilities of that happening. Again, I would argue that none of our front-line workers are going to be making decisions, that they are consciously aware of, with the intention that it's going to bring harm to a child or to a family, but this cuts down on the possibility of that happening.

You know, Mr. Chair, I'm going to reference a dark mark on Canada's history. What the concern for the best interests of the child made me think of was that when we go back in history – and, sadly, we don't have to go that far back – once upon a time it was commonplace and the norm to pull children out of their homes and to put them not just into foster care. Especially when we look at the history of our aboriginal peoples in this country, the reserve system was built on the concept of what was in the best interests of children, and they would literally be ripped from

families and communities by people that were carrying out orders on behalf of the government but doing it in the best interests of the child.

I'm sure, Mr. Chair, that if you talked to folks who were carrying out their orders and removing aboriginal children from their parents, their families, their communities, they would tell you that in good conscience they were acting in the best interests, in their opinion, of the children. Today many people still do and will for some time feel the effects of Canada's reserve system, where children were ripped from their families. Again, the fact of the matter is that I don't think that leaving in the phraseology of "in the best interests of the child" is actually going to serve the best interests of the child.

This amendment will cut down on the chances of children being removed from their homes or decisions being made which, again, in the moment may seem like the right decisions, may seem like they would benefit but down the road may turn out to do quite the opposite, Mr. Chair. Making sure that we have a clear definition within this act by laying out the fact that it'll either avert or minimize danger to the health or safety of any person I think is not only reasonable, but it safeguards more so than the currently written bill against potential harm that could come either immediately or down the road to some of our most vulnerable Albertans.

For these reasons, Mr. Chair, I would strongly urge all members of the Assembly to vote in favour of this amendment. Thank you.

**The Chair:** Thank you, hon. member.

Are there others?

Seeing none, I'll call the question.

[Motion on amendment A10 lost]

**The Chair:** Back to the bill. The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much. I have another amendment at the table, which I would ask you to distribute. That would make this amendment . . .

**The Chair:** A11.

**Ms Blakeman:** . . . A11. Thank you very much.

While we're waiting for that to be distributed, I can make you all a little bit happier by telling you that I won't be able to move one of my amendments because it has substantially been covered in the amendment that was called A1. [some applause] I knew that was going to brighten somebody's day.

The amendment that is currently being proposed is to add a new section following section 5, so this would be numbered 5.1, which says that

- (1) A special committee of the Legislative Assembly must begin a review of this Act within one year of the coming into force of this Act, and must submit to the Legislative Assembly, within one year after beginning the review, . . .

So they've got a year to start and a year to finish.

. . . a report that includes any amendments recommended by the committee.

- (2) As part of its review, the committee must consider the impact of the information sharing provisions of this Act on privacy.

We have done this in the past with the other privacy-related bills. FOIP, HIA, and PIPA all came in for – I don't know. Let me be careful here. FOIP for sure came in for a two-year review and then a five and then a 10. The other ones, I think, may have just come up at the five-year mark. I chose one year here because of

the number of concerns that have been raised by members not of the government. The government has refuted all of these, not well, I would argue, but, you know.

I am asking that this review be considered. I think it's important to be able to track with some kind of metrics how well this act is performing and if it is meeting the expectations that people had or if some of the concerns that were raised have in fact come true.

This is not an unusual request. As I said, we've done it, I think with longer review periods, but we've done it with all of the other privacy acts except for FOIP, which had a shorter review period in the beginning, and then it went into a five-year and then a 10-year review period.

That's the amendment. Those are the reasons behind it. I hope I can get the support of a majority of the members in the Assembly.

**The Chair:** Are there other speakers to amendment A11?

Seeing none, I'll call the question.

[Motion on amendment A11 lost]

**Ms Notley:** Oh, it's a joy to get up again. Okay. You'll be happy to know that this is my last amendment, anyway, but I certainly make every intention to stick it out for the whole debate and to engage as much as I possibly can in all other amendments that might be coming forward because there are important things that we are discussing here.

This amendment relates to an element of this bill that has not yet received a great deal of attention in our discussions this evening. In particular, I'm talking about that part of the bill that focuses on reviews of I believe it is called domestic violence.

3:40

**The Chair:** This will be amendment A12, hon. member.

**Ms Notley:** Yes, A12. I'm just looking for the section right now. What it attempts to do is to amend section 19(6) by striking out the proposed section 18 and substituting the following:

- 18(1) On completing a review, the Committee shall prepare a written report that must contain
  - (a) its findings respecting the incident that is the subject of the review, and
  - (b) its advice and recommendations for legislative, regulatory and policy changes.
- (2) The findings of the Committee must not include any findings of legal responsibility or any conclusion of law.
- (3) Upon completion, the Committee shall make its report public.
- (4) The Committee's report must not disclose the name of, or any identifying information about, the individual whose death is the subject of the review or any other individual involved in the death.

This basically deals with family violence death reviews.

Now, generally speaking, this part of the bill is a good thing. It's one of those things where you sort of say: better late than never. We are one of the few jurisdictions that doesn't have this mechanism at this point, so it's good that this is coming forward, and I congratulate the minister on moving forward on this.

As many people have already stated in discussing this part of the legislation, it's much needed because Alberta enjoys the unfortunate distinction of having the highest domestic violence rate in the country. Now, that, of course, will probably not be remotely ameliorated by this committee review. Well, I won't say remotely. This committee and its review and its report, should they be used appropriately, ought to be able to assist in reducing the incidence of domestic violence, so it's helpful that way.

Now, there are other things that need to be done as well, of course. We need to provide more support for women's shelters. We need to provide more support for mental health services in Alberta. We have probably the worst record in the country in terms of our provision of mental health services, and that does relate to the incidence of domestic violence in Alberta along with treatment for drug and alcohol addiction because often you'll find that domestic violence occurs in conjunction with untreated drug and alcohol addiction. That is another area where we fall down, unfortunately, quite significantly in this province.

Of course, I am at this point, as you can imagine, doing a little bit of stream of consciousness in my discussion of these issues. Nonetheless, earlier tonight the Families and Communities Committee, one of the legislative policy committees, the existence of which, unfortunately, precluded the opportunity to have our Privacy Commissioner come and speak to us and answer some questions for us tonight, at one point was engaging in some reasonably effective work, some preliminary work in assessing the state of mental health service provision in Alberta. Just even on that preliminary basis we quickly became aware of the degree to which this province falls far behind in that area. Certainly, this is inextricably linked to the high frequency that we have in this province of domestic violence cases.

That being said, certainly one piece to the puzzle is to evaluate what's going on and to identify the kinds of things that can be done differently. There is no question that there are some things that can be done differently with a minimum of cost simply by enhancing communication and enhancing education sensitivity of law enforcement officials.

Back in the day, when I served as a ministerial adviser in the Attorney General's office in B.C., we actually launched – this was back in the mid-90s – a series of initiatives designed to enhance the sensitivity and the capacity, shall we say, of our law enforcement agencies to properly address issues of domestic violence and to ensure that there was intervention before these things accelerated to the point of tragedy. I'm talking about a series of amendments that relate to part 2, which you can find on page 58 of the bill.

We did engage in a lot of those initiatives. From the perspective of being in the minister's office, I was certainly able to become very aware of how, really, these tragedies could have been avoided and weren't because of lack of education on the part of law enforcement officials and a lack of education and sensitivity on the part of Crown officials. We had two or three horrible family tragedies, where, you know, it was not only a spouse but also the children who were victims in that case. It became clear that there had been repeated attempts on the part of the victims or relatives of the victims to secure intervention from law enforcement officials, and it just didn't happen.

It became increasingly clear to us that there needed to be some major changes in the way law enforcement officials responded to and dealt with domestic disturbance complaints and domestic violence and protection orders and all those kinds of things that are associated with that. There's no question that work could be done successfully by sharing that information and holding the government – and we were the government at that time – accountable for the decisions that were made by law enforcement officials in the course leading up to these tragedies.

I think that this panel, then, is a good thing. The difficulty that we have, however, is that this panel will only do its work effectively if the decision-makers are also held accountable. We can have a committee review what went wrong, and then that committee can present its report to the cabinet, but if there's no other mechanism for holding the minister and/or the cabinet

accountable for those elements that went wrong, then we cannot be sure that the appropriate changes will be made because it will be subject to a whole number of internal considerations which typically govern decision-making processes in cabinet.

What we are looking to do through this amendment is simply to change the obligations with respect to making these fatality reviews public. That's all. We're just asking for the act to be written such that it is not simply a function of ministerial discretion whether or not these committee reports will be made public. As it exists right now, the minister will make the publicly releasable version of the report public at a time and in a form and manner the minister considers appropriate. That gives the minister unfettered discretion on the release of that report.

You know, I don't know why we would treat this kind of review differently than, say, the way we would treat a fatality inquiry or a judicial inquiry. Why would we somehow allow the minister the ability to keep this secret when other fatality inquiries and judicial inquiries must be made public? That makes no sense to me, Mr. Chair. If we really care about the incidence of domestic violence in this province and the prevalence of it and the growth of it and if we are really interested in keeping ourselves accountable not only as government but as a community as a whole, keeping ourselves accountable to take the steps necessary to reduce this shameful statistic, if we really care about that, then the first step is to make sure that that information is always made public. There is no good reason for not making it public as a matter of course in the same way you would a fatality inquiry, in the same way you would a judicial inquiry.

**3:50**

This sort of almost gratuitous discretion that the minister is insisting on keeping to himself to control when and how this information is released is unnecessary, and it is the symptom of a government that has simply been in charge for way, way, way too long. This is the symptom of a government that uses secrecy as probably one of its fundamental ideological principles. It has actually evolved to the point that if you were to describe the Conservative Party ideology, one of its central tenets would be secrecy. There's no other reason for keeping a report like this quiet. It should just as a matter of course be made public, and there's simply no justification for it not being public.

I urge members of this House to accept this amendment and to make whole what is otherwise a very positive change in the act. This part of the act is a good part of the act, but it really undercuts itself if the minister gets to hold onto it quietly, secretly in his back pocket for however long. Why would you want to undercut what is otherwise a very good set of changes contained in this part of the act? I don't understand why you would. I don't understand why you wouldn't treat it the same way you would other types of inquiries and, in so doing, give yourself something substantive about which you can really congratulate yourselves.

Thank you.

**The Chair:** Are there others? The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you very much, Mr. Chair. I'm rising to speak in favour of this amendment. It's interesting that, again, the family violence death review committee is supposed to prepare a written report with its findings about a particular incident under investigation as well as its advice and recommendations to the minister. The concern with the bill as it currently reads is that that report will never be made public. It's going to remain a secret, as

are far too many other areas that this government likes to do. I mean, this seems to be the typical course.

The challenge of the question, Mr. Chair, is why there needs to be a publicly releasable report, or one that the government or the minister feels could be shared with the public, and one that's going to remain secretive and private for the government. As the Member for Edmonton-Strathcona explained so well, this report should really function in the same way as a fatality report, where it is made public, especially when we're looking at the issues surrounding family violence. This is a very serious issue. As the Member for Edmonton-Strathcona has shared with the Assembly, the number of family violence incidents and victims in Alberta is disproportionately high, is actually alarmingly high. You know, this is an issue that not only is very serious but that cannot be kept a secret or in the backrooms or under wraps.

Mr. Chair, when a death occurs due to domestic violence, the committee's recommendations and findings must be made public. We need to have a debate that is in the light of day, that is public in order to be able to not only address the issue of family violence but in order to be able to cut down on the future incidence of this. I think it's important to note – and members on all sides of the House will be keenly interested in the fact – that this amendment maintains the provisions that no identifying information is released, so there will be the protection of identities.

You know, Mr. Chair, this amendment really does strike a balance and, I would argue, a proper balance, keeping personal information confidential yet allowing recommendations and debate for policy changes, legislative changes to be made public for all Albertans so that we can get the full participation of Albertans throughout the province.

I disagree with the way the bill is currently written, Mr. Chair, that the minister has, you know, a privileged prerogative or has the ability to pick and choose what measures, if any, he would like to implement or that will be made public. The issue is that reports should not remain behind closed doors, behind locked doors, and if we truly want to address the issue and seriousness of family violence and domestic abuse, then reports made by the review committee should be made public, should make their way to the public sphere, should be debated and deliberated publicly as opposed to having two different versions of a report, one that remains secretive and classified and one that is made available to the public.

This amendment, Mr. Chair, gets to the heart of the matter and does strike a balance between keeping personal information private and respecting that yet at the same time ensuring that reports are made public for public disclosure and debate.

Thank you, Mr. Chair.

**The Chair:** Are there others on amendment A12?

Seeing none, I'll call the question.

[Motion on amendment A12 lost]

**The Chair:** The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you. There's another amendment at the table to be distributed, and that would be amendment . . .

**The Chair:** A13.

**Ms Blakeman:** I will move that onto the floor now.

I realize that there's a great deal of unhappiness in the backbenches. I can hear somebody muttering about the time and expense, but I do remind you all that it is the choice of government to be here at this time. You could adjourn at any time.

I'm more than happy to come back and do this during the day tomorrow. [interjections] Oh, that got a reaction. Well, that woke everybody up.

**The Chair:** Proceed to speak to your amendment, hon. member, please.

**Ms Blakeman:** Thank you very much.

Well, you know, in talking about the amendment, we're talking about what time we're here. I would far prefer to do this during the day, and we were scheduled to come back and work until June 6. But it appears the government has only two bills left, maybe three, and for some reason they're making us do this all in the middle of the night, which doesn't need to happen. It's not me that's keeping you here; it is the majority government that's keeping you here. I'll just remind you all of that.

Amendment A13 is a for-greater-certainty amendment. I have tried to get a similar one passed. Essentially, what this is doing is adding in after section 5(3):

(4) For greater certainty, if a provision of this Act is inconsistent or in conflict with a provision of the Freedom of Information and Protection of Privacy Act, the Personal Information Protection Act or the Health Information Act, the provision in those Acts prevails to the extent of the conflict or inconsistency.

In other words, if we have deliberately or by commission or omission created a situation where it would appear that the originating acts do not prevail, this act will make it clear that they do. Again, this is going back to all of the hard work and the many nights in here by your predecessors to make sure that we had the tightest freedom of information act, Health Information Act, and Personal Information Protection Act that we could possibly have.

Then to bring in another act that references them but does not step up to the plate at the same level is (a) disheartening and (b) does not respect the work of your colleagues that came before you.

4:00

This is not changing anything the minister is trying to do. This is not degrading it in any way, shape, or form. It's just saying that if there are any inconsistencies between the protection of privacies that would exist under the current three acts and Bill 25, the Children First Act, the protection of privacy acts prevail. Nothing difficult about this, pretty straightforward, and, again, I think, part of what we were warned about in the notice from the Privacy Commissioner. I hope there's support for this. There certainly should be. I do urge everyone to support amendment A13.

Thank you.

**The Chair:** Thank you, hon. member.

Are there any other speakers to amendment A13?

Seeing none, I'll call the question.

[Motion on amendment A13 lost]

**The Chair:** The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much. If I could get this picked up. Sorry about that. I've been delivering them to the table so that you didn't have to do the 50-yard dash here.

Mr. Chairman, this would be amendment A14, that I'm moving onto the floor at this time.

**The Chair:** Amendment A14, hon. member. That's correct.

**Ms Blakeman:** There have been a couple of attempts tonight. There's great unease about the phrase "best interests of the child."

I do not feel that it is clearly enough defined although it's a common phrase, I'll admit. I would prefer to see something more along the lines of what I am presenting in amendment A14, and that is to strike out wherever and specifically in section 4 "in the best interests of the child" and substitute with "reasonable" in subsection (2) and in subsection (3)(b) and by adding the following after subsection (3):

(4) The standard to be applied under this Act in determining whether the disclosure of personal or health information is reasonable or unreasonable is what a reasonable person would consider appropriate in the circumstances."

It's how I often judge what we're doing in some of the committees that we sit on or some of the proposals that come before the House.

**The Chair:** Hon. member, if I may interrupt you for a minute, due to the passage of A1 we need to make an adjustment as well. In clause (c) it should read, then, "after subsection (4)" instead of (3). Then (4) should read (5) under (c). We're referencing the passage of A1 for the record.

**Ms Blakeman:** Right. Thank you very much, Mr. Chairman.

**The Chair:** If you would continue to speak to that, that would be just fine. Please proceed.

**Ms Blakeman:** Thank you very much. Right. That's okay.

You know, it's why I always sit across from the window, so I can look out the window and see people going by and going: how would I explain what we're trying to do here to that person? Does this make sense? Can I explain it to them? Do I think they would agree with what we were trying to do? I remember one time we were giving people raises. I said, "What is your justification for this?" and a person said, "Well, I think they're a good guy." I looked out the window, and I thought: how would I explain that to this person walking by, that I can see walking through the Legislature Grounds? "Yeah. We just gave someone a bonus of" – I don't know what it was; it was tens of thousands of dollars – "\$20,000 or \$30,000, you know, your annual salary, to someone as a bonus because they were a good guy." It helps me to focus on whether what we're doing makes sense or not.

What I'm trying to do here is to say: can we not use a recognized legal test of reasonableness? I actually, with the help of Parliamentary Counsel – I'm sorry; credit where credit is due – pulled this description of reasonableness out of the PIPA Act to be all the more useful to us here and to know that, in fact, the description and the test had passed the House previously. That's what I'm trying to do, put a test in place that is based on these changes in section 4, on reasonableness rather than on whether it's in the best interests of the child.

To put it in context for you, very quickly, this is following under information sharing for purposes of providing services. This is around "a service provider may collect and use either or both of the following" and, again, personal information. Subsection (2) talks about provision of benefits. We get down to the new section that we're adding in, which actually defines that the standard is whether disclosure of personal or health information is reasonable based on what a reasonable person would consider.

I am hoping that this will receive the approval and support of the House, and I ask you to please do so. Thank you.

**The Chair:** Thank you, hon. member.

Are there any other speakers to amendment A14?

Seeing none, I'll call the question.

[Motion on amendment A14 lost]

**The Chair:** Back to the main bill. Have we exhausted all speakers?

If that's the case, then, are you ready for the question on the bill?

**Hon. Members:** Question.

[The remaining clauses of Bill 25 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? That's carried.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chairman. With great pleasure I'd move that the committee rise and report Bill 25.

[Motion carried]

[The Deputy Speaker in the chair]

**Mr. Khan:** Mr. Speaker, the Committee of the Whole has had under consideration a certain bill. The committee reports the following bill with some amendments: Bill 25. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

**The Deputy Speaker:** Does the Assembly concur in the report?

**Hon. Members:** Concur.

**The Deputy Speaker:** Opposed? So ordered.

### Government Motions

33. Mr. Hancock moved:

Be it resolved that Bill 207, Human Tissue and Organ Donation Amendment Act, 2013, be moved to Government Bills and Orders on the Order Paper.

**The Deputy Speaker:** The hon. Government House leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I hesitate to trouble people with this motion tonight, but we hope to be debating it tomorrow in second reading and can only do so if it's actually moved to the Order Paper so that we can accomplish that. It is an important bill. It's a bill which I think there's a general agreement on that it should move forward, and we want to get it moving forward so that we can deal with this very important topic. I'd ask everybody to pass this motion with alacrity.

4:10

**The Deputy Speaker:** Thank you.

Are there other speakers?

Did you want to close debate? We'll consider it closed.

[Government Motion 33 carried]

**The Deputy Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. It would seem that the hour has come when we should probably adjourn until 1:30 p.m. today, and I would so move.

[Motion carried; the Assembly adjourned at 4:11 a.m. on Tuesday to 1:30 p.m.]









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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Tuesday afternoon, May 14, 2013

Issue 58a

The Honourable Gene Zwozdesky, Speaker

## Legislative Assembly of Alberta The 28th Legislature

First Session

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## Legislative Assembly of Alberta

1:30 p.m.

Tuesday, May 14, 2013

[The Speaker in the chair]

### Prayers

**The Speaker:** Let us pray. Dear Lord, help us to find the strength we need to fulfill our many duties unto those who gave us the privilege to serve them, and help us to be ever so humble in that service. Amen.

Please be seated.

### Introduction of Visitors

**The Speaker:** The hon. Member for Calgary-Foothills.

**Mr. Webber:** Thank you, Mr. Speaker. I am very, very proud to introduce to you and through you to all members of the Assembly two individuals seated in your Speaker's gallery. The first is my dad, my father. Yup, my dad, Dr. Neil Webber, and he's from Calgary. My dad is the past MLA for Calgary-Bow and a past Alberta cabinet minister here in the province, serving for 15 years right here in the Assembly. He served under the leaderships of Premier Peter Lougheed and Premier Donald Getty. His numerous cabinet portfolios included associate minister of telephones and utilities, minister of social services, Minister of Education, and Minister of Energy. He is currently founder and president of Webber Academy.

Accompanying my father, Mr. Speaker, is my sister Barbara, also from Calgary. I'd ask that she stand. She is a retired 27-year undercover police officer and sergeant here at the Edmonton Police Service and in B.C. at the Saanich Police Department.

Both my father and my sister have been such a huge influence on my life, Mr. Speaker, and I'm truly blessed to have such wonderful role models. I'd ask that they both stand one more time and receive the warm welcome of the Assembly.

### Introduction of Guests

**The Speaker:** Let us carry on with school groups, starting with Calgary-Varsity.

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. It is my honour to rise today and introduce to you and through you to all members of this Assembly 175 grade 9 students from St. Jean Brebeuf junior high school in the Brentwood community in the constituency of Calgary-Varsity. Accompanying this group are several teachers and parents: Ms Allison McDougall, Kaitlin Van Geel, Marie Sondergaard, Kerry Higgins, Kyle Hagan, Sara Paisley, Alex Ball, Lisa Varner. The parents include Marc Verones, Cheri Gray, Lili Bunce, Rita Thibodeau, Delia Dasilva, Antonia Lanza, and Karen O'Connor. I invite all the students, their teachers, and parents to rise so that we can respect and honour them.

Thank you.

**The Speaker:** Are there other school groups?

Seeing none, let us move on. The hon. Premier.

**Ms Redford:** Well, thank you, Mr. Speaker. It's my pleasure to introduce to you and through you today three of the 14 participants in the 2013 Alberta student ministerial internship program. These particular interns have been assigned within my office here at the Legislature, and I'm delighted to have them in the House

today. First, I'd like to introduce Marc LeBlanc. Marc will be working in my communications office over the summer. He graduated from the Waterloo School of Planning in 2011 and last year served as executive director of the U of A food bank. This fall Marc will begin his master's of science in local economic development at the London School of Economics. He brings with him an array of international work experience in just the last couple of years, following placements across Canada, the United States, France, and Belgium.

Next, Mr. Speaker, it's my pleasure to introduce Hamreet Sekhon. Hamreet will be working in my office, assisting with day-to-day operations and policy development. She graduated from the University of Lethbridge's public health promotion and policy program in 2013 and has described as one of her most rewarding and humbling experiences when she participated in a four-week global field study in Malawi that centred on both HIV and malaria prevention for youth living in rural and urban areas across Malawi. Today is Hamreet's birthday.

Finally, Mr. Speaker, it's my pleasure to introduce Katherine Perron. Katherine will be spending the summer working in my tours and scheduling unit. She is currently attending the University of Alberta as a third-year international business student, focusing on European studies and the French language. Katherine ultimately hopes to develop her career in the field of international government relations.

I'm thrilled to welcome these interns to the Legislature today. I hope that their summer will be both educational and productive and that they will be able to have particular exposure to political dialogue and to the executive branch of our government. They are seated in the members' gallery. I would ask them to stand and receive the warm welcome of the Assembly.

**The Speaker:** The hon. Deputy Premier, followed by the Leader of Her Majesty's Opposition.

**Mr. Lukaszuk:** Well, thank you, Mr. Speaker. I, too, would like to introduce to you and through you to members of our House a young man who will be a very important part of my team in my office. Dylan Hanwell is a political science student at the University of Alberta and will be entering his third year of political science. He is originally from Pigeon Lake and came to Edmonton two years ago. Dylan is involved in student governance at the University of Alberta. For the summer Dylan will be working as an intern in my office. He will have the opportunity to learn more about Alberta's postsecondary education system and how government supports it and about the opportunities that present themselves in Campus Alberta. Please join me in welcoming Dylan to our House.

**Ms Smith:** Mr. Speaker, it is my pleasure to introduce to you and through you some remarkable members of Alberta's First Nations. They've come here today to watch us deal with serious and important matters regarding constitutionally required aboriginal consultations. I'll call their names, and as they rise, I would ask all members to give them the traditional warm greetings of this House. Please bear with me. I've got 22 names to introduce: Brian Lee, who is the acting chief of Ermineskin tribe; along with Daniel Wildcat; Dennis Whitebear; Sam Minde, who is also with the Ermineskin tribe; Bob Small with the Treaty 6 Confederacy; Regional Chief Cameron Alexis, Treaty 6 Confederacy; Chief Casey Bird, Paul First Nation; Chief James Jackson, Whitefish (Goodfish) Lake First Nation; Rob Houle, with the Treaty 6 Confederacy; Marilyn Buffalo, Samson Cree Nation; Kevin Ahkimmachie; as well as Freida Cardinal and Victor Horseman

from Treaty 8. We also have Chief Rose Laboucan from Driftpile First Nation; Herb Arcand from Alexander First Nation; Phyllis Whitford from the O'Chiese First Nation; Chief Brad Rabbit from Montana First Nation; Chief Russell Threefingers from the Louis Bull Tribe; as well as Josh Alexis, Caroline O'Driscoll, Edwin Paul, and Lorraine White. Thank you so much for being here. Please give them the warm welcome.

**The Speaker:** The hon. Minister of Human Services, followed by the leader of the Liberal opposition.

**Mr. Hancock:** Thank you, Mr. Speaker. It gives me great pleasure to introduce to you and through you to members of the House my friend and constituent from Edmonton-Whitemud, Barb Esdale. Barb is the co-chair of Alberta Donates Life Coalition, a group of several health organizations and individual advocates from around the province who have come together to encourage the government of Alberta to co-ordinate organ donation, create an organ donor public awareness campaign, and create an intent-to-donate registry for the citizens of Alberta. I should also note that Barb held a career in Alberta Education for some 30 years. Barb is here today in support of and to observe the discussion of the private member's bill that's now on the government agenda, Bill 207, and to observe second reading of Bill 207. She's seated in the members' gallery. I'd ask that she please rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. leader of the Alberta Liberal opposition.

1:40

**Dr. Sherman:** Thank you, Mr. Speaker. Today I have two introductions. It's my pleasure to introduce to you and through you to all members of this Assembly Maxine Cook. Maxine is here advocating against the hundred-kilometre radius policy regarding the placement of seniors. She's concerned that seniors are separated from their spouses, family, and community at a time when they are at their most vulnerable. These are the people who built this province, and it's unconscionable that we are denying them the best care we can give. We must ensure that they have adequate space, professional public care, and are kept with their spouses within distance of their family. I would ask Maxine to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** Your second introduction.

**Dr. Sherman:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of this Assembly Mr. In-Young Chang, who immigrated to Canada 40 years ago with his family from Seoul, South Korea. He's a retired businessman, a Vietnam war veteran, and he served in the famed Tiger division from South Korea on the allied side of the forces. He's a past president of the Canada Korea Business Association. In 2006 he became the recipient of the highest honour for a civilian from South Korea, the order of the Republic of South Korea, for the work he did over the years in facilitating improved relations between Canada and South Korea. In 1990 he was asked by Premier Gary Filmon to run as an MLA in Winnipeg, but he preferred to serve in other ways instead. He is joined here today by his family: his loving wife, Susan; his son, Dr. Jason Chang; Jason's loving wife, Dr. Alanna Chang; and their two-year-old daughter, Amelia. Hon. members, it's Asian Heritage Month. Please help me welcome a proud Asian-Canadian who has helped build this country.

Thank you.

**The Speaker:** The hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you very much, Mr. Speaker. I'm pleased to rise today to introduce to you and through you to all members of the Assembly Mr. Shami Sandhu. Mr. Sandhu is the current chair of the Edmonton Police Commission, a position he's held since 2009. In addition, he presently serves as the chair of the Alberta Association of Police Governance. Over almost 20 years he's been a tireless volunteer community member here in Edmonton.

With him today is Mrs. Kyla Knight. Mrs. Knight is a realtor in Edmonton with Re/Max River City and an active community volunteer, supporting the Stollery hospital foundation, the Children's Miracle Network, and Little Warriors.

I would ask them both to please rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Minister of International and Intergovernmental Relations.

**Mr. Dallas:** Thank you, Mr. Speaker. I have two introductions today. First, it's my honour to introduce to you and through you to all members of the Assembly our ministerial intern Mariel Aramburu. She recently completed her studies at McGill University, where she majored in political science and international development. She has spent summers with the world food program in Panama and working on inter-American policy in Washington, DC. Mariel comes to us from Calgary and is very excited to be working with IIR and looks forward to gaining a deeper perspective into government. I'd ask Mariel to rise and receive the warm welcome of our Assembly.

Mr. Speaker, it's with mixed emotions that I do my second introduction. I'm pleased to introduce to you and through you to all members our IIR press secretary, Mark Cooper. Mark will be leaving us next week to work with industry in Calgary. Mark has served the people of Alberta through the government of Alberta for 13 years, working in nine departments for eight ministers. I can tell you that he has been of terrific service and support to the work that we do in our ministry. Mark, please rise, take a bow, and receive the warm welcome of the Assembly.

**The Speaker:** The hon. Member for Calgary-Mountain View, followed by the Associate Minister of Wellness.

**Dr. Swann:** Thank you, Mr. Speaker. It's a great honour and privilege for me to stand and introduce to you and through you to the House Sandi Kaser. Sandi is a hard-working Alberta accountant, who is finding it very difficult to continue her work. This is because Sandi is one of many on the wait-list for completely new corneas. The wait-list is three years long. Sandi is concerned about transplant wait times for Albertans while her ability to work, her quality of life, and her freedom to go about everyday activities deteriorates. She's excited about the changes to Bill 207, Human Tissue and Organ Donation Amendment Act, 2013, and hopes this will encourage people to donate their organs and tissue to those in need. Please stand, Sandi, and we'll give you a warm welcome from the Legislature.

**The Speaker:** The hon. associate minister.

**Mr. Rodney:** Thank you so much, Mr. Speaker. It is a great honour to introduce two representatives from one of Canada's most respected charities, the Canadian National Institute for the Blind. Since 1918 the CNIB has been dedicated to independence and self-determination for Canadians with vision loss, and their work is critical considering the sobering statistics. Seventy-five



per cent of vision loss is avoidable, yet another Canadian loses their vision every 12 minutes. Thankfully, the CNIB passionately provides community-based support and knowledge, and along with consumer organizations, they ensure that Canadians who are blind or are partially sighted have the confidence and skills and opportunities to fully participate in life.

With us today during Vision Health Month is John McDonald. You might recognize his name. He's the former publisher of the *Edmonton Journal* and CNIB's new executive director for not only Alberta but also the Northwest Territories. His list of accomplishments is a long one, and he looks forward to applying those experiences to ensure that blind and partially sighted Albertans receive the services they need.

I've been looking forward to this introduction for a while, Mr. Speaker. With us today is the incomparable Diane Bergeron, national director of government relations and advocacy. Diane is joined by her beautiful guide dog, Lucy. Lucy is a working dog. Along with working for the CNIB and volunteering for numerous organizations, Diane is a truly inspirational athlete. As a matter of fact, July 7 will be a magical day. Diane will be participating in the Great White North Half Ironman as the only blind participant. Yes, Diane is that amazing.

John and Diane are in the public gallery. I'd ask all members to join me in offering the warm welcome of this Assembly.

**The Speaker:** The hon. Member for Stony Plain.

**Mr. Lemke:** Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you to all members of this Assembly a fellow Rotarian and good friend, Michael Kuzek. He's accompanied by our rotary club's exchange student from France, Sixtine. Please rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Drumheller-Stettler.

**Mr. Strankman:** Thank you, Mr. Speaker. I'd like to introduce to you and through you Mr. Paul Nemetchek, who through his involvement in the Wildrose has become a close friend of mine. We share a deep commitment to church and a passion for aviation. I'd ask him now to stand and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Associate Minister of International and Intergovernmental Relations.

**Ms Woo-Paw:** Thank you, Mr. Speaker. It is indeed my honour and pleasure to introduce to you and to all members of the Assembly – would you please stand as I mention your presence – members of the Singing Strings orchestra and their conductor, Petar Dundjerski. These young people gave us one of the most beautiful renditions of *O Canada* and the famous Chinese piece *Jasmine Flower* today.

Also with us today is the organizer for the orchestra and the luncheon that we enjoyed today, Mr. David Tam, and his beautiful family; chef and TV personality, Miles Quon; our *O Canada* soloist, Atiya Datoo; and the dancer who led us through the energetic Bollywood dance this afternoon in the rotunda, Anjana Babbbar.

Last but not least is Catrina Foldessy, my summer co-op student at my Calgary constituency office.

I want to thank all of you for coming to spend your time with us today and for helping to celebrate Asian Heritage Month. I would ask members of the House to join me in giving the traditional warm welcome.

**The Speaker:** The hon. Member for Edmonton-South West, followed by Calgary-Foothills. If we're quick, we should be able to squeeze them in.

**Mr. Jeneroux:** Great. I'll be quick, Mr. Speaker. I'd like to introduce to you and through you Leigh Allard. Leigh is the president of the Alberta-Northwest Territories Lung Association, a constituent of Edmonton-South West, and also a strong supporter of both my bill, compassionate care leave, and my friend the hon. Member for Calgary-Foothills' bill, Bill 207, Human Tissue and Organ Donation Amendment Act, 2013. I'd ask Leigh to please rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Calgary-Foothills.

1:50

**Mr. Webber:** Well, thank you, Mr. Speaker. I'll try to be quick. I am pleased to introduce to you and through you 16 individuals seated in the members' gallery who are here today in support of my Bill 207, the Human Tissue and Organ Donation Amendment Act, 2013. I'd ask that they stand as I read their names. From the University of Alberta hospital are transplant surgeons Dr. Norman Kneteman, Dr. Lori West, and Dr. Atul Humar. I don't know if he made it today or not. We have the executive of the Alberta Donates Life Coalition, Nancy MacDonald. We have a co-chair of the Alberta Donates Life Coalition, who was introduced earlier. Barb Esdale is here. Another co-chair of the Alberta Donates Life Coalition, Sharon Marcus, is here as well. Sharon's son Ben Kanee is here today and is a kidney recipient. We've got Tony White, a liver recipient; Kim O'Reilly, a lung recipient. We've got Flavia Robles and Tammy Fifield from the Kidney Foundation of Canada and Rachelle Sandy from the Canadian Liver Foundation. Leigh Allard, who was introduced early, from the Alberta Lung Association is here as well.

Also in attendance as supporters of Bill 207 are Candace Webber from Calgary, who just happens to be my wonderful sister-in-law; and her mother, Eunice Hogan, from Edmonton.

I thank you all sincerely for your support here today, and I'd ask that we give them the warm welcome. Thank you.

**The Speaker:** Hon. members, the clock requires us to move on to Oral Question Period. I know you know this, but let's be reminded that the House sat until 4:10 a.m. Therefore, I would ask for your patience with each other as we go through this next 50 minutes.

### Oral Question Period

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition. First main set of questions.

### Breast Cancer Diagnostic Test

**Ms Smith:** Mr. Speaker, Angelina Jolie, the film actress, has brought the issue of breast cancer front and centre with a column she wrote today in the *New York Times*. She revealed she took the drastic step of undergoing a preventative double mastectomy because she was at extreme risk for a very aggressive form of breast cancer. Many other young women are facing these kinds of dire decisions as they decide the best course of treatment. The Oncotype DX cancer test, that I mentioned to the minister last week, is a test that helps determine which treatment is the best for a breast cancer patient. Can the minister tell us when Alberta women might expect a decision on this test?

**The Speaker:** The hon. minister.

**Mr. Horne:** Well, thank you very much, Mr. Speaker. The Oncotype DX test is very useful technology and, as the hon. member noted last week, has been adopted by some provinces in Canada. As is the case in Alberta, we have a health technology assessment process for new technologies. This is a very important test. I've asked my department to expedite the review process, exercising, of course, the due diligence that's required, and we will come forward with a decision as soon as possible.

**The Speaker:** The hon. leader.

**Ms Smith:** Thank you, Mr. Speaker. I'm glad to hear that. I did meet with some members of a group called Rethink Breast Cancer in my office earlier today. They're focused on breast cancer education and advocacy for young women, and that's why the timely approval of the Oncotype DX cancer test is so important. It's a test that can prevent needless chemotherapy. Now, the test has been approved and recommended by the Alberta breast cancer group and five other provinces. Will the minister tell us when he thinks we might get a decision on when this would be covered in Alberta?

**Mr. Horne:** Well, Mr. Speaker, as we reviewed in an answer I gave to a similar question last week, the process of assessing health technologies for adoption in Alberta is a rigorous one. It's evidence based, and it is one that does not involve politicians exercising judgment. We'll take the appropriate time to review this test as quickly as possible. There are many new technologies that are available on a monthly basis that could be introduced in the health care system here or across the country. We'll look at the evidence, and we'll make a decision as quickly as we can.

**The Speaker:** The hon. leader.

**Ms Smith:** Thank you, Mr. Speaker. One of the women I met with today told of her experience with chemotherapy. Her mother was diagnosed with breast cancer at age 31 and died at age 39, and she received her diagnosis at age 33. As a result of her chemo treatment, she went through early menopause, and it has ended her chance to have children. That's a real-life story of the negative effects of chemotherapy. It is exactly the type of outcome that the Oncotype DX test can prevent. Isn't the quick approval of a proven test that can reduce negative health consequences while saving millions of dollars something that Alberta should be doing right away?

**Mr. Horne:** Well, Mr. Speaker, the appropriate review process involves an examination of evidence, including experts within my department but also broadly, in our universities and in other centres of research. It also involves looking at the basis for similar decisions by other jurisdictions. I'm sure the hon. member would not want to suggest to this House that any of us as elected people should be solely determining whether or not new technologies are made available. They must be safe, they must be accessible, and they must demonstrate the results that they're alleged to demonstrate. In the case of Oncotype DX the results do appear very promising to lay people. We'll wait for the experts.

**The Speaker:** Thank you.

The hon. leader. Second main set of questions.

**Ms Smith:** Thank you, Mr. Speaker. It's been three years. I hope I don't have to ask this question again in the fall.

### Severance Payments to Premier's Office Staff

**Ms Smith:** Mr. Speaker, there are problems the Premier is facing that strain her claims of exemplary government accountability and transparency. Staff severance packages are way out of whack, more than \$2 million over the last three years in the Premier's office. Her predecessors made these kinds of severance and employment contracts public, but this Premier continues to hide them, raising even more questions about how things operate in her office. The Privacy Commissioner has previously ruled that such arrangements must be disclosed. When will the Premier comply?

**Mr. Scott:** Mr. Speaker, under this Premier's leadership this government has delivered unprecedented transparency. [interjections] That's exactly what this Premier has promised to deliver, and that's exactly what we're doing. There is an independent process, and that independent process should be followed. That's exactly where this issue lies.

**Ms Smith:** Mr. Speaker, that \$2 million covers the severance for 18 employees – that's the information we managed to squeeze out of the Premier's office – but that's an average of about \$115,000 per employee. Now, it's one outrage for the Premier to hire a bunch of staff with six-figure salaries, but can she explain why she's signing off on contracts with six-figure severance packages?

**Mr. Scott:** Mr. Speaker, as I said, we have unprecedented transparency. We have an expense disclosure policy. We have taken steps to disclose more information, that is unprecedented in this province. [interjections] We are providing incredible access, but we also have processes that should be followed. We have processes that should not be politically interfered with, and I think you should join me in respecting the autonomy and the independence of those processes. We have a Freedom of Information and Protection of Privacy Act, and that should be respected. The act itself says that it should be independent. That's what you should respect. [interjections]

**The Speaker:** Hon. members, I've asked for your patience and your respect. People asking questions have the right to ask them. People answering them have the right to answer them. I would ask you to please give them the floor when they are recognized to do either of the two.

The hon. leader.

**Ms Smith:** Thank you, Mr. Speaker. If the Premier is going to make the AT and T minister answer the question, she could at least brief him so that he could give us proper information.

If the Premier gives you the heave-ho, you either get a golden handshake or you get a soft landing somewhere in the administration. Just in the last year nearly \$600,000 went to departing employees, many of whom had worked in the Premier's office for just a few months. Doesn't the Premier agree that she needs to be transparent and accountable to Alberta taxpayers about how she rewards the people she fires?

**Ms Redford:** Mr. Speaker, it's very interesting to me in this House that we're having two debates going on right now, both with respect to the Freedom of Information and Protection of Privacy Act. I remind this House that there are two parts to that act. One is freedom of information, and one is privacy. I find it ridiculous that when we're having a debate around the children first legislation that we have the opposition say that we can't breach privacy, but when they want to score political points, it's okay.

**The Speaker:** The hon. leader for your third main set of questions.

**Ms Smith:** As the Premier knows, the Privacy Commissioner has already ruled on this issue of disclosing the severance packages.

#### Member for Edmonton-Manning

**Ms Smith:** Mr. Speaker, when a member of this Assembly faces allegations of wrongdoing, all of us are affected. The Member for Edmonton-Manning faces a very serious allegation today and deserves the opportunity to clear his name and restore his reputation. To that end, we have asked the Premier to take the appropriate steps and appoint an independent prosecutor to examine the evidence. The matter goes beyond the Conflicts of Interest Act and beyond the mandate of the Ethics Commissioner. It's a question of illegality that requires a proper investigation. Does the Premier agree?

**The Speaker:** Hon. members, I have been advised that this matter is under investigation by the Ethics Commissioner, so let's be very, very careful about any further questions in this regard.

Government House Leader, if you wish to comment in light of what I've just said, I invite you to do so.

**Mr. Hancock:** Thank you, Mr. Speaker. It is a matter involving a private member. The private member has done the honourable thing and asked the Ethics Commissioner to investigate. He's also indicated to the Premier and to me as House leader and to the caucus whip that he will be recusing himself from caucus during the process of that investigation so as not to interfere with government progress and government business. He has done the honourable thing. I think we should respect that. We should also respect the fact that this is a private matter with the member. It's a matter that, allegedly, is before the courts, and it is an allegation still.

2:00

**Ms Smith:** Mr. Speaker, this is not about an ethics inquiry. There are two very different accounts of events that need to be examined. On the one hand, there is a sworn affidavit, signed by the member, claiming he was in India looking after a family issue during the time in question, but there are Legislative Assembly filings that place the member in Calgary at the same time attending meetings on behalf of the government. They can't both be true. The maximum penalty for swearing a false affidavit is 14 years. Again, will the Premier agree to order an independent prosecutor to investigate the matter?

**Mr. Hancock:** The allegations the hon. member raised are with respect to an affidavit that was filed in a court proceeding. That's the best place for anybody to determine whether the affidavit is correct or not. If the process that's undertaken there determines there's a problem with an affidavit that's filed in that process, they're the ones to make the appropriate recommendation.

**The Speaker:** Let's be very careful going down this line much further, hon. member. I'll invite your final question.

**Ms Smith:** Mr. Speaker, it's small comfort that the member has stepped down from government caucus and asked the Ethics Commissioner to look into possible violations. Other, larger questions remain. Why does existing legislation allow for such information about an MLA's business practices to go unreported, and why does it take an expensive FOIP request or a tip to the media to expose it?

**Mr. Hancock:** Mr. Speaker, these are allegations, and they are allegations being appropriately investigated at the request of the member.

**The Speaker:** The hon. leader of the Alberta Liberal opposition.

#### Support for Palliative Care

**Dr. Sherman:** Thank you, Mr. Speaker. Yesterday I pointed out that the \$586,000 that the Premier's office paid out in severance in the last year alone would be better spent on programs important to Albertans. A great example and one this government is decimating is palliative home care in Calgary. Twenty-four part-time registered nurses are being laid off, equivalent to seven full-time positions, for an alleged saving of \$490,000. To the Premier: why are your ex-staffers more deserving of public funds than dying Albertans and their families?

**Mr. Horne:** Well, Mr. Speaker, if the hon. member wants to talk about home care, we're very, very interested in talking about home care. The fact of the matter is that home-care staff across the Calgary region are being redeployed in an effort by Alberta Health Services to deliver better care and better outcomes to patients. There has been an increase in the number of licensed practical nurses involved in that program. Discussions are under way with the United Nurses of Alberta and AHS as to how to redeploy the balance. Patient care is not affected by this change.

**Dr. Sherman:** Mr. Speaker, you understand how important this issue is. When you were Health minister, you visited my dying father in his dying days at home.

This House passed the compassionate care bill yesterday, and I commend the Member for Edmonton-South West for introducing that important act. Unfortunately, however, this Premier's inhumane cuts to palliative home care in Calgary have greatly diminished his achievement. This government is withdrawing essential support from dying Albertans and their family members. Premier, beyond the cold calculations of accounting, how do you think cutting palliative care supports makes any sense?

**Mr. Horne:** Mr. Speaker, that is a gross exaggeration, a misrepresentation of the facts in this case. The hon. member has no interest in talking about policy with respect to home care. What he is very good at is apparently picking up an article in the media today and commenting on some staff redeployment decisions that have been made by Alberta Health Services.

Mr. Speaker, as I've said, these changes will not affect patient care. AHS has a responsibility to deploy staff across the system in the most appropriate way to ensure that we have better care, better outcomes for our population, and better value for taxpayer dollars.

**Dr. Sherman:** Mr. Speaker, I don't know when this guy became a health care expert when we've got doctors and nurses that will tell you differently.

According to the United Nurses of Alberta these cruel cuts will result in only one registered nurse being on standby after hours. If that nurse gets called out to give comfort and care to another Albertan in his or her final moments, families will be forced to call 911, Mr. Speaker. Patients will end up in the ER, and they will die in a cold hallway. Premier, you may think you're saving \$490,000, but I'll tell you that it costs a heck of a lot more when you end up in the hospital in acute care. If for no other reason, Premier, will you just please cancel these heartless cuts for humane reasons?

**Ms Redford:** Mr. Speaker, I am not at all surprised to hear the leader of this party stand up and make these wild allegations. This seems to be what he does every single year. It is not appropriate to make any suggestions that are going to allow people to feel afraid or not have confidence in the public health care system. We have Alberta Health Services, which is in place to make the decisions with respect to how to ensure that we have the most effective patient care. That is their job, and we have confidence that they are doing it well and not impacting patient care.

**The Speaker:** The hon. leader of the New Democrat opposition.

**Member for Edmonton-Manning**  
(continued)

**Mr. Mason:** Thank you very much, Mr. Speaker. The Member for Edmonton-Manning is facing some very serious allegations. The member has apparently announced that he will withdraw from the PC caucus for the present and has referred the matter to the Ethics Commissioner. My question is to the Premier. In the interests of maintaining public confidence in this government, will she clarify the member's status and tell the Assembly what actions she is prepared to take to rectify this situation?

**Mr. Hancock:** Mr. Speaker, as has already been clarified in the House, the hon. member has himself asked the Ethics Commissioner to do the investigation and clear his name. He has himself indicated that he has withdrawn from caucus and from government activities during the course of that investigation. I would remind the hon. member that these are allegations with respect to a matter which is before the courts. The courts themselves will determine whether or not the affidavit is in an appropriate form or not. There's no better place than a judge to make that determination.

**The Speaker:** Hon. members, I think we have had this clarified now four times. If you have some new angle there that is within the rules and guidelines, let's hear what it is.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, the Member for Edmonton-Manning signed an affidavit stating that he was out of the country when, according to documents that I will table later, he was in the province attending committee meetings of the government. Under section 131 of the Criminal Code signing a false affidavit is perjury, a criminal act. It is not an ethics matter for the Ethics Commissioner; it's a matter for the police. To the Premier: will she ask the police to initiate an investigation into whether or not there was a violation of the Criminal Code by the member, and if not, why not?

**Mr. Hancock:** Asked, Mr. Speaker, and answered.

**The Speaker:** Final question.

**Mr. Mason:** Thank you very much, Mr. Speaker. The government certainly has not answered that question at all.

Albertans have a right to expect the highest ethical standards from their elected officials. Instead, Mr. Speaker, we're getting the counsel for the defence here and not straight answers. In order to restore public confidence with the government and the Assembly, will the Premier immediately ask the police to investigate whether or not the Member for Edmonton-Manning violated the Criminal Code by committing perjury, and if not, why not?

**Mr. Hancock:** Mr. Speaker, there are two essential elements. One is the question with respect to filings to the Ethics Commissioner,

and the Ethics Commissioner has been asked to investigate by the member. The other is with respect to an affidavit that is part of a court proceeding, and the best place to determine the veracity of that affidavit and whether there's any issue with respect to that affidavit is within that court proceeding. If there's an issue with it, that will be referred by the courts. If there's no issue found in that proceeding, one would assume it should end there.

**Conflicts-of-interest Legislation**

**Mr. Saskiw:** Mr. Speaker, this government's facade of accountability can't seem to hold together for very long before yet another investigation has to be called. Ethics scandals and complete ignorance of right and wrong have all become hallmarks of this PC government, of what has become known as the PC culture of corruption. It undermines the confidence Albertans have in all of us elected individuals. With the review into the Conflicts of Interest Act currently under way, will the Justice minister commit to cleaning up this loose legislation?

**Mr. Denis:** Mr. Speaker, as many people have said before me today, we have independent processes that this government has established that work. We have a Conflicts of Interest Act. We have an Election Act, that we have brought in ourselves, that allows unparalleled transparency, as the Associate Minister of AT and T had indicated. I think that this member – I know he is very well trained in the law – should get behind this and realize that Alberta is a leader in this area.

2:10

**Mr. Saskiw:** Given that neither the conflicts legislation or the office of the Ethics Commissioner caught these alleged indiscretions, will the Justice minister admit that it is now time to reform the law, or is he scared that more skeletons are going to keep falling out of the closet?

**Mr. Denis:** Well, Mr. Speaker, again, there actually is a conflicts-of-interest review going on right now, and I welcome that member to make his own submissions. This is fully independent, again, of any political interference.

**The Speaker:** The hon. member.

**Mr. Saskiw:** Thank you, Mr. Speaker. Given that we've now seen former cabinet minister Evan Berger sail right through the conflicts-of-interest legislation and that this Premier has promised to raise the bar on transparency, does this Justice minister agree with me that if he continues to just sit there and do nothing about this legislation, all Albertans are going to lose any confidence they had left in this government?

**Mr. Denis:** Mr. Speaker, again, it saddens me the lack of respect that this member has for the independent processes of this Legislature, which have been proven to work time and time again.

**The Speaker:** The hon. Member for Sherwood Park, followed by Chestermere-Rocky View.

**Domestic Violence**

**Ms Olesen:** Thank you, Mr. Speaker. Instances of domestic violence in Alberta are unacceptably high and stretch across all demographic groups. This isn't just a big-city problem. It stretches to rural Alberta and all types of communities across this entire province. My questions are to the Minister of Justice and Solicitor General. Where can our abused women go to get help?

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you very much, Mr. Speaker. Domestic violence is more than a social problem. It actually attacks people where they should be the safest, in their home. I often encourage people to go and report it. If you feel that there is domestic violence, please go and report it to the local police or RCMP. I've met with many women, and they often say to me: "Well, why didn't anybody report it? The neighbours heard something. They didn't report something." We all have to be vigilant in getting rid of domestic violence in Alberta.

**Ms Olesen:** To the same minister: what are you doing to combat domestic violence?

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you very much, Mr. Speaker. As I mentioned, this is an issue that Alberta Justice takes very seriously. We've funded 21 projects since '08, totalling \$15.7 million. This includes the integrated domestic violence treatment program in Leduc, the Airdrie and District Victims Assistance Society, the Connect family and sexual abuse network, and Taking Shelter with Literacy. We simply could not combat this problem if it wasn't for these community-based partners.

**The Speaker:** The hon. member.

**Ms Olesen:** Thank you. Lastly, if you think a friend or neighbour is a victim of domestic violence, how do you go about reporting it?

**Mr. Denis:** Well, Mr. Speaker, first, I would indicate that you can call the family violence information line at 310.1818. There is information and service available in 170 languages. I also would be remiss if I didn't mention that I don't think this is just an issue for one gender or the other. This is an issue for everybody. I think that in many cases men have to stand up, report it, and create an example for the next generation.

#### Labour Negotiations with Teachers

**Mr. McAllister:** Mr. Speaker, on March 15 this government rolled out the red carpet in Calgary to proclaim it had finally reached an agreement with teachers. The problem is that they spiked the football before they got to the end zone. Here we are nearly two months later, and we still don't have a deal. The supposed agreement reached in March in reality wasn't an agreement, so now we're going to have to legislate one. To the Education minister. We all want what's best for kids, and we all want stability in the education system. How did it come to this?

**Mr. J. Johnson:** Mr. Question, this is a very good... [interjections] Mr. Speaker, you know, it's been a long couple of days already.

Mr. Speaker, that's actually a very good question. You know, the announcement in March was a great milestone. It was a great announcement, but it was announced as a tentative deal, and that deal needed to go out and be ratified by 62 ATA locals and 62 school boards, which is a huge task and why we've been working so hard with the ATA and the ASBA and all school boards for the last two months.

**Mr. McAllister:** Mr. Speaker, I will give the Education minister some credit. I know he's had some very long days and nights of late.

Given that Alberta school boards, though, saw the supposed agreement for the very first time on the same day that the Premier and the Education minister, as I said, rolled out the red carpet and gathered the TV cameras around to announce a deal in Calgary, doesn't the minister see that the way he went about this process was all wrong and that he should have involved the 62 school boards of elected officials from the beginning?

**Mr. J. Johnson:** Mr. Speaker, this is a concern that's come up, and I'm happy to clarify. The school boards have been involved from day one. This has been a three-year process. This has not been a two-month process. It's spanned three ministers. These negotiations were stalled and started several times. What I can tell you is that the deal that was presented to the ASBA and the ATA in March is substantively the same as the deal that was presented to both those bodies February 20. Their input helped build that.

**Mr. McAllister:** Again to the Education minister. Given the clumsy handling of this file from broken-down negotiations to premature celebrations of victory to potentially proposed contracts and given that there are more than a few boards who say that they've signed out of pressure and feel like they were bullied, I'll ask the Education minister: what are we going to do to fix this problem going forward so we don't wind up in this situation again?

**Mr. J. Johnson:** You know, Mr. Speaker, another good question. It is a clumsy situation, and it's a clumsy situation because we realize that for the sake of our kids the best thing for the education system is to have a province-wide deal and to have long-term deals. In order to do that, the province has to have a seat at the table. We don't have a bargaining structure that permits that, so for the last three years we've been the moderator, the facilitator, the meat in the sandwich, trying to get a deal done. Now that we're there – and we are there, and I want to give credit to the ATA and the ASBA – we need to also work together going forward to build a new bargaining structure that's right for Alberta.

**The Speaker:** The hon. Member for Dunvegan-Central Peace-Notley, followed by Calgary-McCall.

#### Openness and Transparency in Government

**Mr. Goudreau:** Thank you, Mr. Speaker. This government made a commitment to increase the transparency and accountability of government operations. However, there is still criticism about this government's information-sharing record, and that criticism continues. To the Associate Minister of Accountability, Transparency and Transformation: what steps is this government taking to follow through on its commitments to Albertans?

**Mr. Scott:** I'd like to thank the member for the question. Under this Premier's leadership, as I said previously, we're delivering unprecedented transparency. We have an excellent record of responding to FOIP requests. In the year 2011-2012 we received approximately 4,200 FOIP requests. Ninety per cent of those FOIP requests were responded to within 30 days. We're building upon a very strong foundation of transparency. [interjections] The other side doesn't enjoy listening to the good work that this government is doing. They stand there heckling half the time. [interjections] They should be listening to the good work that this government

...

**The Speaker:** Hon. members. Edmonton-Centre, please. Whoever has the floor has just as much right to it as you do when you rise, and I'll stand up and defend you as well if I need to. Please, show some respect.

The hon. member. Second question.

**Mr. Goudreau:** Thank you, Mr. Speaker. Many constituents, including some in my constituency of Dunvegan-Central Peace-Notley, who work with freedom of information requests are getting bogged down with requests and process. What is the government doing to make information more readily available?

**Mr. Scott:** Our Premier committed to doing a review of the Freedom of Information and Protection of Privacy Act, and that's exactly the work that we're going to undertake. Our commitment to openness and transparency has been demonstrated. We have what's been described by the Canadian Taxpayers Federation as the gold standard for an expense disclosure policy. I'll just give you the quote. "This new website and disclosure policy makes Alberta the gold-standard for expense transparency and an example for the rest of Canada to follow." That's a good foundation to build upon, Mr. Speaker.

**Mr. Goudreau:** Mr. Speaker, to the same minister. He talks about a foundation to build upon and suggests potential changes. When can we expect to see some of those changes?

**Mr. Scott:** Mr. Speaker, our work has already been under way. As I said, we've done one of the most comprehensive and well-regarded expense disclosure policies in Canada. We've done whistle-blower legislation. Our work to review FOIP is under way. In addition to that, we already disclose a lot of material. We have ministerial office expenses that are being disclosed. We have aircraft manifests that are being disclosed. Workplace fatality and injury records are disclosed. Alberta has an excellent record of being accountable and transparent. Our Premier has committed to building upon it, and that's exactly what we're going to do and deliver.

**The Speaker:** The hon. Member for Calgary-McCall, followed by Edmonton-Calder.

#### FOIP Legislation Review

**Mr. Kang:** Thank you, Mr. Speaker. Yesterday and even today this PC government is grandstanding about the strengths of Alberta's FOIP legislation, but let's not forget that in her mandate letter to the Associate Minister of Accountability, Transparency and Transformation the Premier called on him to review the FOIP Act and recommend changes. To the minister. Either the minister failed to complete this review, or he has refused to make it public. Which is it, Mr. Minister?

2:20

**Mr. Scott:** I'd like to thank the member for the question. We are delivering a review of that act. That work is already under way. We're going to be doing a very comprehensive review. On this side of the House we want to make sure that we're engaging all Albertans. It's going to be a thorough review. I would encourage anybody in Alberta, even members of the opposition: if you have a point that you want to make, if you have input, we're going to take that into account in building an even better freedom of information and protection of privacy law.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. To the same minister: given that a 2012 freedom of information audit conducted by the newspapers of Canada gave Alberta a failing grade, saying that while FOIP requests are processed quickly, too little information is given out, and the same report questions the high level of fees associated with these requests, have you studied this, and what are you doing to pass next year's test?

**Mr. Scott:** Thanks again for the question. That's exactly why our Premier has shown leadership on this issue. During this process she is committed to making sure that the Freedom of Information and Protection of Privacy Act is reviewed, and that's exactly what we're going to be doing. There are challenges among many of the laws in Alberta. We have a good foundation that we're going to build upon, and we're going to do a very thorough consultation. I would encourage you and anyone who has concerns about the law to get engaged in the consultation. We want to make sure that every Albertan has an opportunity. At the same time, we're going to make sure that freedom of information is balanced with privacy.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you. There should be a legislative review, not behind closed doors, Mr. Speaker.

My final question is to the same minister. Given that the Premier's mandate letter also called on him to develop transparency legislation, is this something we will see in the future, or is it just smoke and mirrors?

**Mr. Scott:** Thank you for the question. It's definitely not smoke and mirrors. The only smoke and mirrors I see is coming from the opposition.

We are delivering an open and transparent government, and that's exactly what we're going to continue doing. As I said, we made a commitment to review the Freedom of Information and Protection of Privacy Act, and that's exactly what we're going to do. It's not going to be behind closed doors. Every Albertan is going to have an opportunity to get engaged.

**The Speaker:** The hon. Member for Edmonton-Calder, followed by Rimbey-Rocky Mountain House-Sundre.

#### Labour Negotiations with Teachers

(continued)

**Mr. Eggen:** Thank you, Mr. Speaker. By using legislation to force a contract on teachers and school boards, this government has lost sight of what is best for education in this province. It's no coincidence that the two teachers' locals that rejected the government's proposal, Elk Island and St. Albert, have a front-row seat to witness the tremendous growth in the economy of Alberta while they, the teachers, are forced to take an effective 10 per cent cut in wages over three years. To the minister. The money is there if we had the will to make it so. We saw the doctors get theirs and plenty more. Why is this government unwilling to provide a fair deal for teachers?

**Mr. J. Johnson:** Mr. Speaker, I think this is a very fair deal, and we worked very hard on it. I'm not the only one that thinks it's a fair deal or thought this was a fair deal. Listen to this. This is from the *Calgary Herald* of March 15. "This is the time and place to make a deal . . . The teachers have given several years of zeros in exchange for improving classroom conditions and considering the austerity budget that this government has, it would be foolish (for them) not to make a deal here and now. The time is right." Guess

who said that? It was the member opposite, from Edmonton-Calder. [interjections]

**The Speaker:** Hon. members, enough of the interjections. Let's carry on with the second question.

**Mr. Eggen:** Well, given that this Education budget has removed hundreds of millions of dollars from schools, which results in larger class sizes, teacher layoffs, and program cuts, I ask the minister: how is it even remotely possible to believe that any assurance to improve working conditions for teachers is anything but just another empty, broken promise?

**Mr. J. Johnson:** Mr. Speaker, I think we're going to have a chance to debate that at length here this day because those things are actually written into the agreement. That is one of the main things that the ATA wanted to see move forward. We helped facilitate that, and the SBA embraced that.

**Mr. Eggen:** Well, Mr. Speaker, given that using legislation to force an agreement makes a mockery of collective bargaining, undermines the authority of democratically elected trustees, reduces the integrity of the teaching profession, and punctuates this government's attack on public education in general, why won't this government restore funding before we see long-term, irreparable damage to our public education system?

**Mr. J. Johnson:** Mr. Speaker, the member talks about democracy. What is he going to say to those 60 ATA locals that voted in favour of this? Are they going to be overridden by two ATA locals that voted against it? He talks about the integrity of the teaching profession. What about the integrity of the 97 per cent of teachers that voted for this deal? Are they going to be held hostage because we've got a broken bargaining structure?

**The Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre, followed by Barrhead-Morinville-Westlock.

### Wholesale Electricity Market Pricing

**Mr. Anglin:** Thank you, Mr. Speaker. This government's handling of the electricity market is hurting small and medium-sized businesses as prices soar. The Market Surveillance Administrator's own study finds that a small oligarchy of generators is the primary cause for the price spikes in electricity. Will the minister admit that there is a small group of companies controlling the market, or will he state here and now that the Market Surveillance Administrator's findings are wrong?

**Mr. Hughes:** Mr. Speaker, one of the joys of responding to questions from that hon. member is the fact that he's able to take points of data from here and points of data from there and connect a completely illogical connection.

Mr. Speaker, the answer today is that electricity prices – I don't know; the regulated rate option average for May was 7 cents. This is hardly skyrocketing prices for electricity.

**An Hon. Member:** Try again, Joe.

**Mr. Anglin:** Try facts again, too.

Given that five major companies own 70 per cent of the electricity generation in the province and these companies can legally withhold electricity from the market to elevate the price, can the minister explain how these five major companies compete to serve more than 3 and a half million Albertans?

**Mr. Hughes:** Well, just to keep the hon. member up to date, it's 3.8 million Albertans. Actually, 3.8 million Albertans represents approximately 20 per cent of the consumption, and a whole industrial base represents 80 per cent of the consumption of electricity in this province, Mr. Speaker. That is a very competitive market, and the Market Surveillance Administrator is one of the watchdogs that's in place to ensure that there is fair and in-the-public-interest competition amongst all players in the supply . . .

**The Speaker:** The hon. member.

**Mr. Anglin:** Thank you, Mr. Speaker. They're the ones that are saying that the market is being organized here.

Given that this month's electricity prices are on pace to set an all-time high and given that a committee of MLAs appointed to review the retail market will not be reviewing the wholesale market, will the minister commit to reviewing the circumstances that are contributing to the price spikes in the wholesale electricity market?

**Mr. Hughes:** Mr. Speaker, once again, unconnected facts trying to connect unconnectable dots. I would just point out that the regulated option average year to date for all providers is 7.85 cents per kilowatt hour. This is not evidence of a growing increase in prices. The hon. member is trying to frighten people with evidence that is unconnected to what people pay for electricity.

**The Speaker:** The hon. Member for Barrhead-Morinville-Westlock, followed by Lacombe-Ponoka.

### Westlock Health Care Centre Laboratory Services

**Ms Kubinec:** Thank you, Mr. Speaker. I have heard from many constituents with regard to the Alberta Health Services decision to remove microbiology, immunochemistry, and other testing from Westlock health care centre laboratory. This decision is a concern for two reasons. The most important one is patient care, and the second is the effect the associated job losses will have on the local community. To the Minister of Health: what impact will this decision have on patient care in my constituency?

**Mr. Horne:** Well, Mr. Speaker, I thank the hon. member for the question and certainly commend her for advocating on behalf of her constituents. The answer to the question regarding patients is that they will not see any change in their care, and physicians won't see any changes in the way that they order lab services in Westlock. A collection of tests will still be done locally, and in most cases specimens will be processed on the same day. Alberta Health Services is consolidating lab services across the province. This involves the redeployment of lab centres. We can expect to see more of this as time progresses.

**The Speaker:** The hon. member.

**Ms Kubinec:** Thank you, Mr. Speaker. To the same minister: given that, like many other rural community hospitals, Westlock health care centre is a major employer and helps keep the local economy strong, how will AHS address the fact that 5.15 jobs will be lost in this area?

2:30

**Mr. Horne:** Well, there is no doubt that in small communities across Alberta our health system does provide some very important job opportunities. There will be changes as we work to improve access to patient care and in this case lab services. There will be changes in job programs and services, but these will be

done, of course, ensuring that patient care remains a priority. As much as possible, Mr. Speaker, the staff reductions are managed through attrition and, of course, within the guidelines of the Health Sciences Association of Alberta collective agreement.

**The Speaker:** The hon. member.

**Ms Kubinec:** Thank you, Mr. Speaker. Again to the Minister of Health. As late as last night the town of Westlock council put forth a motion to ask for a six-month moratorium on the decision to move the lab services until the medical and lab staff have been consulted and are part of the solution. Would this be possible?

**Mr. Horne:** Well, Mr. Speaker, unfortunately, it is not possible. The changes I've explained are about consolidating services to make the best use of our health care dollars to provide high-quality and sustainable lab services for Albertans. While I certainly empathize with the member and I empathize with the members of the council of the town of Westlock, I'm sure they will understand that Alberta Health Services is striving to keep everyone whose position is affected working within the organization and that these reductions may be managed as much as possible through attrition.

Thank you.

#### Postsecondary Education Program Funding

**Mr. Fox:** Mr. Speaker, the minister of advanced education has done a good job jeopardizing the future of our province. Because of his heavy-handed cuts to front-line education 32 workers at Red Deer College will be out of a job, much-needed programs will be lost, and our students will be forced to go elsewhere to find the education that they need. Minister, you can only bury your head in the sand for so long. How does the minister's heavy-handed cuts to education fit the government's plan to build Alberta?

**Mr. Lukaszuk:** Mr. Speaker, they're basing their opinions on assumptions. One, we know for a fact that programs can't be eliminated in this province until the minister reviews the proposals and decides to sign off on them. That is based on what is best for students, what is available for students, and what alternatives are available for students. If there are administrative positions that are being eliminated within colleges, I appreciate the fact that schools are making difficult decisions. They have budgetary realities to live with, just like we do. One thing I can tell him. If they had to live with their budget, they'd be firing many, many more people.

**The Speaker:** The hon. member.

**Mr. Fox:** Thank you, Mr. Speaker. To the same minister: given that your budget is cutting programs at Red Deer College such as pharmacy technician, early learning and child care, health care aide, and automotive service technician and given that Alberta already has a worker shortage in many of these areas, how can this government claim to be building this province yet shortchanging Albertans on the skilled professionals we need for our future?

**Mr. Lukaszuk:** This government has made a commitment to advanced education by increasing advanced education's budget to the degree of 49 per cent over the last 10 years. Now, that shows real commitment, and the commitment is to work consistently with schools and with presidents and with chairs, Mr. Speaker, unlike the opposition. They choose to be NDP on certain days when they want to protect programs, but then they want to be an ultra right-wing party when they want to cut budgets. Our schools

know what they're dealing with, and we have a very good relationship with those schools.

**Mr. Fox:** Well, Mr. Speaker, we aren't the party that is introducing politburo-style programming on our universities.

Given that the president of Red Deer College said that this minister has created the most difficult experience that faculty and staff have ever had to go through and given that despite this government's pleas to the contrary times really are pretty good here in Alberta, why is this minister cutting the legs out from underneath our students and our postsecondary institutions while at the same time claiming that this government is building for the future?

**Mr. Lukaszuk:** I didn't quite hear the question. He lost me at politburo. Let me tell you, if I may, what we are doing right now. We're working with all presidents and all chairs throughout Campus Alberta. We're making sure that administrative efficiencies are found. We're making sure that a variety of programs exist for students to choose from. We're making sure that if there are any programs that are eliminated, those programs will be otherwise available to our students. We're making sure that we prepare our students for the opportunities and careers that exist and will exist in our province in the future.

**The Speaker:** The hon. Member for Calgary-Currie, followed by Cypress-Medicine Hat.

#### Condominium Property Act Consultation

**Ms Cusanelli:** Thank you, Mr. Speaker. In the inner-city riding of Calgary-Currie we're growing upward, not necessarily outward. Calgary-Currie constituents continue to seek clarity and certainty that will protect owners who need repairs and maintenance of managed property. While it seems the bare-land condominium amendment will help bare-land condominium owners, I ask the Minister of Service Alberta: now that the bare-land condominium amendment has been passed, exactly how will the bare-land condo owners be protected by the Condominium Property Act?

**The Speaker:** The hon. Minister of Service Alberta.

**Mr. Bhullar:** Thank you very much, Mr. Speaker. I want to thank this member for her advocacy on this issue. She's brought up issues relating to condominium owners repeatedly, and she's also helped facilitate discussion at a local level with many, many condominium owners, something I hope others will actually engage in, having real conversation, dialogue, and real ideas. We've had about 5,000 responses to our condominium consultation, and now we're compiling all of that information to see how best we're able to bring forward changes that further continue to protect Alberta condominium owners.

**The Speaker:** The hon. member.

**Ms Cusanelli:** Thank you, Mr. Speaker. To the same minister: given that boards rely on condominium managers for day-to-day operations and maintenance and advice on issues dealing with legislation and their bylaws, what kind of safeguards will ensure that managers meet specific standards that are going to instill trust in bare-land condo owners?

**The Speaker:** The hon. minister.

**Mr. Bhullar:** Thank you, Mr. Speaker. Based on early indications from the results of the consultation, it appears that a great majority



of Albertans are very much inclined to support the notion of having further regulation or licensing of condominium property managers just because their role is so significant. This is something that we're looking to pursue. I would invite all members of this Assembly, before they stand up and take credit for our ideas, to actually put forward some ideas. Maybe they'll do that this time around.

**Ms Cusanelli:** Again to the same minister . . . [interjections]

**The Speaker:** You have the floor, Calgary-Currie. Carry on.

**Ms Cusanelli:** Thank you, Mr. Speaker. Again to the same minister: given that owners, as has happened in my constituency, are often forced to give up their disputes with condominium boards rather than force a drawn-out and costly court battle, what is the other recourse that can be taken to help boards and owners resolve disputes effectively?

**The Speaker:** The hon. minister.

**Mr. Bhullar:** Thank you, Mr. Speaker. I would like to thank members of the opposition for pointing out how youthful I am and how vibrant I am. I very much appreciate it. [interjections] Much appreciated. Very vibrant. Thank you, Member for Airdrie, for also repeating that.

The fact is, Mr. Speaker, that just as I think sometimes in this House you have to play the role of mediator in disputes and you have to play the role of finding resolutions to disputes that often take place, I feel that we need to find a similar role for condominium owners. We would in fact be one of the first provinces to come out with this. We're looking at what the best ways are to protect condo owners, and we actually deliver results, not just press releases.

#### Funding for Hospital Infrastructure

**Mr. Barnes:** This government continues to ignore critical health care infrastructure priorities. Alberta Health Services has identified an obstetrical department redevelopment as an immediate need in Red Deer in its 2011 capital submission. This project is required in order to meet existing demand due to higher-than-expected birth rates and significant population growth. The provision of a dedicated C-section operating room would relieve pressure on the main surgical unit. To the Minister of Infrastructure: what is this government waiting for?

**Mr. Drysdale:** Well, Mr. Speaker, I've explained in this House quite a few times that we work with colleagues from Health and other departments, and we build the priorities that they bring forward to us. We have a very aggressive build in our capital projects going forward. We've got \$5.2 billion this year, and we've got \$15 billion over the next three years, but every day in this House the opposition brings forward their pet projects. Apparently, they don't think \$5.2 billion is enough money to be spending. I think they want us to spend more, and in order to do that, we've got to borrow.

**Mr. Barnes:** Given that Alberta Health Services considers this an immediate need because, quote, there is no access to an operating room for an emergency C-section, which presents a high patient-safety risk, will the Minister of Health explain to residents of Red Deer and area why this government is delaying this project and putting mothers and newborns at risk?

2:40

**Mr. Horne:** Well, Mr. Speaker, my colleague the hon. Minister of Infrastructure makes a good point. Of that \$5.2 billion in the provincial capital plan, \$2.1 billion is allocated for Health. I'd further agree with him that it's an open question as to what the opposition thinks is an appropriate amount. What I can tell the hon. member is that this is one of several high-priority projects for Alberta Health Services. We have worked with AHS consistently to try to approach these projects in order of priority need. It's interesting. When the hon. member doesn't agree that his constituency's project is the top priority, we get these sorts of questions.

**Mr. Barnes:** It's about priorities again, Mr. Speaker.

Given that the government failed to acknowledge the immediate need for this project and given that we only became aware of this pressing need through yet another FOIP request, will the Minister of Infrastructure finally commit to releasing the government's list of infrastructure projects by priority so Albertans will know when they are getting their projects, and once and for all, will he be open and transparent and stop being so secretive and political?

**Mr. Drysdale:** Well, Mr. Speaker, I don't know how many times I have to say it in the House. Our priority list is our projects that are approved. There's \$5.2 billion approved this year. That list is on the website. Obviously, that's not enough. If they want us to borrow more and build more, stand up and say that.

**The Speaker:** The hon. Member for Calgary-Hawkwood, followed by Calgary-Mountain View.

#### Small-business Assistance

**Mr. Luan:** Thank you, Mr. Speaker. Small business can be a powerful engine, an opportunity for economic growth. As is the case in Alberta, small businesses account for 96 per cent of all businesses, 27 per cent of our GDP, and 36 per cent of employment in the province. The success of small business depends on many factors, including financial incentives offered by government and by lending institutions. Our neighbour to the south, the United States, employs legislative measures that guarantee that a certain percentage of government contracts are awarded to small business. My questions are to the Minister of Enterprise and Advanced Education. Is this measure something that we have considered here in Alberta, and if not, why not?

**Mr. Lukaszuk:** Well, Mr. Speaker, in Alberta we pride ourselves as government on having an open procurement process. There are no preferential bids being extended to any particular size of business. As long as government requirements relevant to whatever product it is that is being procured are met and as long as we get it at the lowest possible price within the right time parameters, that is the business that gets the order. We do appreciate that small businesses are very important, and that is why this government continuously strives to develop a climate for small businesses to thrive in.

**The Speaker:** The hon. member.

**Mr. Luan:** Thank you, Mr. Speaker. Again to the same minister: what other programs and incentives does Alberta have so that we can maintain a thriving small-business environment?

**Mr. Lukaszuk:** Mr. Speaker, there are a number of them, too many to list right now. Business Link is one that definitely comes

to mind, that assists small businesses in cutting through some administrative processes that they have to go through. Another one is a recently opened up website on alberta.ca where you will find, for example, all the regulations listed. You can review regulations, see the expiry dates of regulations, and see which regulations pertain to your business. There's a great deal of assistance to small businesses not only during the start-up phase of a business but as they continue to prosper.

**The Speaker:** The hon. member.

**Mr. Luan:** Thank you, Mr. Speaker. My last question: how much financial support does Budget 2013 provide for small business, and is this a change from previous years?

**Mr. Lukaszuk:** Well, Mr. Speaker, we continue to fund the services that I mentioned. There are a number of them. Some are delivered directly by government; some are delivered indirectly. We will continue to make sure that in this province we develop a climate within which small businesses can start and can thrive in the future. We will definitely not create any preferential treatment for any particular genre or size of businesses, but we want to make sure that they have ready access to information and that our administrative regulatory system is not a burden to growth.

**The Speaker:** Hon. members, just before we go to Ministerial Statements, could we have your permission and unanimous consent to revert briefly to the Introduction of Guests? Does anyone oppose that request?

[Unanimous consent granted]

### Introduction of Guests (continued)

**The Speaker:** We'll have the Minister of Education, followed by the Member for Lac La Biche-St. Paul-Two Hills.

**Mr. J. Johnson:** Thank you, Mr. Speaker. It's a pleasure to rise and introduce to you and through you to members several members in the gallery that we have joining us here today from the education community, some stakeholders that were in the building to get briefed on what we're going to do with the legislation with the education settlement here. They're here to see first reading. The stakeholders include – and I believe we've got them all up there – Jacquie Hansen, president of the Alberta School Boards Association; Dean Sarnecki from the Alberta Catholic School Trustees' Association; Joan Carr, metro director of the College of Alberta School Superintendents; Kath Rhyason, the executive director of CASS as well; Jeanne Fontaine, the president of the Association of School Business Officials of Alberta; and I believe that's Mary Lynne Campbell, the executive director from the Public School Boards' Association. If I've missed others, I apologize. I think we can give them the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. It is my absolute pleasure to rise and introduce to you and through you to all members of the Assembly Mr. Brian Storseth, Member of Parliament for Westlock-St. Paul and all-around defender of personal liberty.

First elected to Parliament in 2006, Mr. Storseth currently sits on the Standing Committee on Agriculture and Agri-food and the Standing Committee on Veterans Affairs. Another key aspect of

his portfolio is his chairing of the mining caucus. His work on eliminating the federal hate speech provision is, I am sure, encouraging the Premier and Justice minister as they look to make good on their word to repeal Alberta's hate speech, or hurt feelings, provision.

He is known in Ottawa and across Canada as a true tough-on-crime Conservative with a strong record of standing up for Canadians under the leadership of Prime Minister Harper. I'd ask that Mr. Storseth please rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** Hon. members, the Government House Leader has caught my attention.

**Mr. Hancock:** Thank you, Mr. Speaker. In anticipation of Ministerial Statements and other matters, might we ask for unanimous consent now to extend the clock past 3 o'clock to complete the Routine.

**The Speaker:** Hon. members, you've heard the request for unanimous consent. Does anyone object to giving that unanimous consent?

[Unanimous consent granted]

**The Speaker:** Hon. members, once again today we had 102 questions and answers in spite of a few testy moments, which is a good indication that we're moving toward allowing as many people who want to ask questions to get up and ask them and for answers to be given. I want to particularly commend Sherwood Park today for not having any preamble whatsoever to her questions. It's a good lesson for others to learn. Yesterday's shining example was Edmonton-Gold Bar. So, obviously, the two of you are doing very well, seated where you are.

Let us move on, then.

### Ministerial Statements

**The Speaker:** The Associate Minister of Services for Persons with Disabilities.

### Transitioning Services for PDD Clients

**Mr. Oberle:** Thank you, Mr. Speaker. I rise today to inform this House and Albertans of the situation we face in our efforts to provide supports to persons with disabilities. We're all beginning to hear from parents or guardians who believe they will see significant cuts in services for their loved ones. They believe that service reductions are driven by the resources available within the disabilities supports budget. This is evident in questions asked in this House, in concerns expressed by my colleagues, in the communities I visit, and in the letters and e-mails I receive.

Mr. Speaker, we're not adjusting services to individuals because of fiscal capacity identified in the budget, though clearly we have signalled that we intend to change the form and the purpose of the supports we provide. Changes in service levels, increased or reduced, will happen as a result of the fact that we are able to assess need, and we're going to allocate services based on need.

We're currently doing assessments of need for all of the individuals we support based upon the supports intensity scale, or SIS, as it's called. Those assessments show that there are a number of individuals whose support levels are greater than their measured need would indicate. I do not mean for a second, Mr. Speaker, to make light of their circumstances or to indicate that

they do not require any support, but I do mean to highlight that there are people who get supports beyond what is needed.

Mr. Speaker, the system identifies the needs of individuals on a scale of 1 to 7, with category 1 identifying those with low support needs and category 7 indicating that extraordinary behaviour supports are needed. We're finding that a number of individuals who are currently receiving significant supports do not appear to have the needs that such support levels would indicate. Many of them fall within category 1.

**2:50**

Among those, Mr. Speaker, who fall within category 1, we are currently providing an alarming range of services, from one individual who receives \$114 per year in supports to one individual who receives just under \$300,000 per year in supports. This clearly underlines the fact that for some individuals the supports are currently allocated based on reasons other than need. I cannot support such a model because it's not defensible or sustainable. People who need services have to get services, but we cannot provide services beyond need.

Added to this reality, Mr. Speaker, is the fact that there are certainly real transitions identified in the budget. We intend to move from an emphasis on community access supports to an emphasis on supports that provide for inclusion and engagement in the community. As a result, service providers who offer supports are hearing that they could face contract impacts, sometimes significant ones, as we move to renew contracts. We are working collaboratively with service providers, so some of them have seen potential dollar figure impacts that are indeed very significant. These service providers are concerned, and they have expressed their concerns to parents. They have suggested that they may not be able to offer certain supports in the future, and that heightens the anxiety. I understand these concerns, and there is actually another side to this story, which I will discuss shortly.

First, I wish to further underline the scope of the supports situation. This has to be dealt with because I need to ensure that we provide supports to people who need them and that the system is sustainable. Consider this. Based on information from Statistics Canada, there are about 430,000 Albertans who have some form of disability, something that serves as a barrier. About 100,000 of those rely on natural and community supports, or they have found ways to engage and belong without assistance. They get no support, and they do not request any.

But there are about 330,000 people who have a range of more moderate to severe disabilities, who may have barriers to employment or community engagement, Mr. Speaker. Three hundred and thirty thousand. Our current disability services funding provides support for 25,000 people, or less than 10 per cent of that population. Some of that population may not need support – that's true – but many do and actually are currently asking for it, yet they are often excluded from the system because of their inability to access programs or because of entrance barriers like the IQ test. This is not the right or the responsible way to provide services.

The right thing to do is to provide supports based on need. That need first has to be fairly and impartially determined by conducting a scientific, internationally recognized assessment, which is what SIS is, Mr. Speaker. SIS does not fully consider the individual's circumstances, and because of this it cannot be used as a sole determinant of funding, but it is a credible measure of need. We will use SIS and factors like personal circumstances to determine service allocation.

The supports have to be considered on the basis of need, but they also have to be provided with compassion to people who we clearly understand are vulnerable. We will do so, Mr. Speaker,

and ensure that there are appeal mechanisms for assessments and for service decisions.

I do need now to talk about the other side of the story, that I referenced earlier, Mr. Speaker, when I talked about the impacts to service providers. At this point the providers have not actually seen a new contract. They do not know what impacts they face. When we implement the changes to the community access supports, there will indeed be impacts, but they will not be as severe as has been suggested. We are now working at the individual provider level. We are working on a way to ensure that the impacts to a provider are more manageable during this transition. To accomplish this, we will access supports from the budget in Human Services, and we may yet require additional support, which I will seek if necessary. This is going to be difficult, but at this stage I believe this goal can be accomplished.

Moving forward, we will continue our transition from community access supports toward supports that provide more engagement and inclusion in the community. Service providers who wish to contribute to this transition will find ample ways to do so, Mr. Speaker. In fact, we could not do this without them. This transition will ensure that persons with disabilities who can work, who want to work, including volunteer work, will have the supports in place to help them do so. We recognize that there are people who cannot benefit from such supports, who require community access supports as their only way to engage the community. The supports will be there for those that need them.

Mr. Speaker, that is the situation and the work we need to undertake. We have much to do, not the least of which is to finish the SIS assessments. This must be done in order to determine need going forward and to begin the work of allocating services based on that need. This will be difficult – and I signal that now – but we will transition this in a caring and compassionate way. We will not begin by withdrawing services. We will begin by having conversations with families and guardians and together finding a solution.

Mr. Speaker, I have described the difficult structural issues we face today and the significant amount of work that needs to be done. I am confident that we can make the changes we need, and I'm going to drive hard to do so because in the coming years the goal is to make further transitions. In the coming years I would like to remove the artificial barriers that currently exist at ages 18 and 65, transitions that disrupt lives while often adding no value to supports. I would like to remove the IQ test that prevents so many individuals from accessing supports that would allow them to pursue their goals.

Mr. Speaker, I have been mandated by the Premier to provide services and supports to all persons with disabilities through a system that provides for supports based on need, that provides a continuum of supports as people age and change, and that provides supports in a compassionate manner. I am also mandated to ensure that the support system is open, transparent, measurable, and accountable, and it has to be sustainable. I am honoured to take that task on, and with the partnership of an incredible group of dedicated individuals in the department this will be done.

I make that promise, and I am prepared to be measured by it. I will make one more although I've already made this one. If you need services, you will get services. End of story, Mr. Speaker.

**The Speaker:** Hon. members, I did receive a few notes. There is no set time limit that I'm aware of for ministerial statements. The tradition is typically observed as being about five minutes. This one went on for about 11 minutes, so you might want to visit that, hon. members. It's all very serious stuff, so we allowed it to go on. Please, let's keep that in mind for future reference.

The hon. Member for Airdrie.

**Mr. Anderson:** Mr. Speaker, a point of clarification under section 13 of the standing orders. I would just like to know for future reference how much time the opposition will have to give responses. If it's a five-minute statement, do we get five minutes to respond?

**The Speaker:** Thank you. I'm sorry. It doesn't work that way, hon. member, but I will clarify this a little bit further, just at the end of this.

Let's just move on and hear the statement from Calgary-Shaw in response.

**Mr. Wilson:** Thank you, Mr. Speaker. Thank you, Minister, for attempting to clarify what your planned reforms to PDD funding will mean. Unfortunately, I don't believe this statement provided any clarity at all, and it's an unfortunate reality that the minister felt that he needed to deliver this ministerial statement at all.

The minister's remarks must be understood in the context of the fear and anxiety many Alberta PDD families have over the impending July 1 transition of services. For months this minister has pushed the transition on those who receive PDD supports from the province with precious little in the way of detail on how it will go. Understandably, Mr. Speaker, this is causing tremendous worry for families of vulnerable individuals who have come to rely on these supports. In many cases these supports are what allowed them to thrive. I can't tell you how many Albertans I've talked to who are terrified of what this government's ill-defined transition plan will mean for their loved ones or how many front-line employees would gladly forgo their so-called wage increases to ensure that those they care for daily do not have their supports cut.

While attempting to reform the system to serve clients better is a worthy pursuit, doing so with blinders on, as this government is doing, is a recipe for disaster. Mr. Speaker, this minister talks about the ongoing assessments based on the supports intensity scale – an interview based on hypothetical scenarios – and how those outcomes will determine what supports an individual receives.

3:00

To illustrate just how badly this transition has been handled, PDD families were promised the exact opposite. They were told the SIS assessments would not determine funding for supports. They were assured the SIS was simply a pilot project. My own parents, who help care for my sister, who receives PDD support, were told exactly that. Now here they are along with thousands of other PDD families and caregivers awaiting the results of an interview and finding out which number between 1 and 7 they will be assigned to determine which supports they will get. [interjections] Minister, you are reducing people's lives to a number between 1 and 7, and for some unexplainable reason, you don't see a problem with that.

Mr. Speaker, this PDD transition is simply following in the footsteps of so many PC policy failures. It has been underconsulted, poorly communicated, and rushed ahead despite warnings and red flags from everyone impacted. It is government knows best at its worst, and this time it's hitting our most vulnerable.

I along with many Albertans was hoping to hear something more substantive from the minister today. I was hoping for some long-promised clarity and solid evidence that supports will not be lost, as the minister so often likes to remind us. Instead, I suppose Albertans will just simply have to take his word for it. But given what this government's word has meant of late, I'm sure you can forgive them for being a little skeptical.

Thank you.

**The Speaker:** Hon. members, ministerial statements and responses to ministerial statements are similar to private members' statements. It's not customary to heckle each other during them, and it's certainly not customary to interrupt them when they're being delivered. If we could please remember that, that would be helpful.

Secondly, I've received a request from the third and fourth parties to join in this discussion and to offer their brief comments. That requires unanimous consent.

[Unanimous consent granted]

**The Speaker:** The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thanks very much, Mr. Speaker. It has become a recurring theme with this government to act first and deal with unanticipated effects as they arise, from dramatic health care changes to an adequate seniors care policy to First Nations policy and now to persons with developmental disabilities. Decisions are made without proper research, consulting, and review of best practices.

Then a critical piece, Mr. Speaker, examining the process of change, change that will minimize the pain of change. This government is now trying to placate PDD clients, their families, and service providers with half-truths and assurances that everyone will be better transitioning to a new needs-based service delivery model with a "greater focus on achieving positive outcomes." I ask you: positive for PDD clients and their families or positive for this province's bottom line? Why can we not in 2013 learn from the boom-bust nature of our economy and provide stable, sustainable support for essential human and government services?

Our most vulnerable have been speaking out loudly and clearly for decades. They are fearful because of this government's erratic and inadequate supports. They are jaded because they have faced a chronic shortage of service. They are tired of not being consulted. They are angry when not having their concerns heard and acted upon. The Alberta Association for Community Living, Alberta Council of Disability Services, and Alberta Disability Workers Association have all joined together against these rapid and dramatic changes.

Make no mistake; this new service delivery model will negatively impact PDD clients and their families in real ways, ways that the rest of us have no understanding of. The least our government can do is ensure stable and dependable funding, proper consultation, and careful, thoughtful implementation of change to improve care for all vulnerable people. Persons with developmental disabilities deserve the very best we can give, and they're not getting it, Mr. Speaker.

Thank you.

**The Speaker:** The hon. House leader for the New Democratic opposition.

**Ms Notley:** Thank you, Mr. Speaker. I appreciate that the minister has taken the time to try and offer additional information to explain the rationale behind his draconian cuts to services for people with development disabilities. However, his statement is profoundly disappointing.

First of all, he refers to the supports intensity scale as somehow demonstrating that a whole bunch of people are receiving services that they don't need. However, I must remind members of this Assembly that over two years ago when I first raised the impact of the SIS, I was assured by at least one and possibly two different ministers that this new assessment tool would not be used to cut services to people who currently receive them. I was also assured

that the limits imposed by IQ tests would be removed at the same time that the SIS was implemented.

It is now very clear that these assurances amount to yet another broken promise by this PC government. Indeed, this government started by cutting services. They did so when they chose to take at least \$42 million out of the budget for PDD. Let us be very clear, Mr. Speaker. The minister continuously tries to confuse the issue by suggesting that because his overall budget went up ever so slightly, he is not reducing services. This is simply not accurate. His budget went up for two reasons. First, he needed to fund his partially kept promise to increase salaries for front-line workers. Second, he needed to find \$10 million extra to fund his arbitrary decision to close Michener Centre.

Once those two new expenses are factored out, his ministry actually lost money, a lot of money, and this money is coming at the expense of community access support. The notion that you can somehow increase community inclusion through employment while cutting half the money that would assist in this revised focus is ludicrous, Mr. Speaker, and the minister knows it.

In addition, the minister suggests that another rationale for cutting this community access by almost half is that there are a whole bunch of other disabled Albertans who do not receive funding through PDD. Now, this is absolutely true. But if this was actually an issue about redistributing the resources more equally among a larger number of eligible Albertans, then the money would not have come out of the system. It would not have been cut. Indeed, if equal access to resources was really the issue, Mr. Speaker, funding for PDD would be increasing, not decreasing. Yet it did decrease by at least \$42 million.

As I stated last week, in some areas it looks like the cuts may be even greater than was initially predicted. The Alberta Council of Disability Services said that the total cuts to the northeast region are close to \$9 million out of a total budget of \$23 million. If these cuts were just to community access, the number would have been closer to \$2 million. Instead of just having a 40 per cent cut to community access, the northeast is facing a 40 per cent cut to their whole budget. These cuts mean that not only will Albertans with disabilities in the northeast region lose support to attend community programs but many will lose essential services. Some high-needs individuals will be losing necessary one-on-one staff support, and others will lose residential care or overnight staff support as organizations lay off nearly half of their staff.

These are draconian. The government needs to do the right thing. They need to restore trust and funding . . .

**The Speaker:** Thank you, hon. member.

### **Speaker's Ruling Ministerial Statements**

**The Speaker:** I want to provide just a little bit of clarification to what's just occurred here regarding Ministerial Statements. I want to refer you, first of all, to *House of Commons Procedure and Practice*, starting on page 443, where under Guidelines it reads the following.

During "Statements by Ministers", Ministers are expected to make brief and factual statements on government policy or announcements of national interest. Members speaking on behalf of parties recognized by the House are normally the ones who speak in response to a Minister's statement. However, with the unanimous consent of the House, independent Members have been allowed to respond. In responding to the statement, Members are not permitted to engage in debate or ask questions of the Minister. The length of each response may not exceed the length of the Minister's statement; Members who exceed this

length are interrupted by the Speaker. The rules provide no explicit limitation of time allotted to the Minister or the overall time to be taken for these proceedings, although the duration of the proceedings can be limited at the discretion of the Chair.

It goes on, and then it closes by saying:

It is customary as a courtesy for Ministers to advise opposition critics in advance of their intention to make a statement in the House. However, should no such warning be given, custom does not prohibit a Minister from making a statement.

Now, that's according to the guidelines of *House of Commons Procedure and Practice*.

**3:10**

However, it has been a long-standing tradition in this House for the many, many years that I as Speaker can remember, both as a minister and a private member, that ministers typically, when they request to give a minister's statement, deliver it in that sort of five- or six-minute time frame as a rule. Then the lead critic for the Official Opposition has usually delivered a response within a convention of three minutes. That's been the understanding. Then if there are third and fourth parties in the House, they can certainly request unanimous consent to deliver what has usually amounted to about a one-minute response.

Now, there are variations to that. Sometimes it's two minutes and so on. But in having observed this over the years, many of them are delivered in one minute. When you add all of that up – five minutes on the part of a minister, three minutes on behalf of the Official Opposition, and then one to two minutes or thereabouts for third and fourth parties – it comes to about 10 or 12 minutes, not 20 or 21 minutes, as we've seen today.

Again, it's a very sensitive issue, but typically when ministers get up to speak on issues, they're always sensitive and important issues, and they're just as important to opposition members. Nonetheless, I would ask you to please try and abide by the long-standing tradition of the House, which is somewhere in the neighbourhood of the minutes that I've just given, and as chair I will do my best to try and enforce that going forward.

**The Speaker:** The leader of the New Democrat opposition.

### **Point of Order Explanation of Speaker's Ruling**

**Mr. Mason:** Yes. Under Standing Order 13(2) I would like to request an explanation. Given that the minister was allowed to go on for 11 minutes without interference from the chair, my first question is: why, then, was the member from the fourth party cut off when she had not even reached half that length of time? I don't know the exact time, but it certainly wasn't 11 minutes.

Secondly, with respect to the time limits that you've just indicated, could we see some citations or precedents for that so that we could know where that came from?

**The Speaker:** Well, with respect to the first question, hon. member, I've already addressed that. The minister who delivered the statement was here when I first commented on it, and I'm sure that he will read what I just said now, when I spoke for a second time on the matter.

Now, there is no hard-and-fast rule that says that a minister can only speak for this many minutes. We don't have a rule like that, hon. member, and everyone here knows that. Similarly, when the Official Opposition rises to speak, it's a matter of convention, usually, that it has been a three-minute response, but there's nothing in our standing orders dictating that either. Then when we get to the third and fourth parties, who wanted unanimous consent

to speak today, there's nothing in the rules that says that it has to be one minute or two minutes or three minutes. But the general rule overarching all of that is that none of the responses from the opposition should exceed three minutes, and that's why the bell rang when the Member for Edmonton-Strathcona was speaking.

This is another area that House leaders might want to address. I've read to you the citation that I had from *House of Commons Procedure and Practice*. If you followed that one, then equal time would be given to opposition members. If the minister here speaks for 10 minutes, then you might be welcome to speak for 10 minutes as well. But the convention of this House has been to limit opposition comments to three minutes. That has been the long-standing practice.

As such, that matter is now clarified and closed. But I do invite the House leaders to again address a number of these housekeeping issues.

Thank you.

**Ms Notley:** Pursuant to 13(2) one very quick follow-up question. You talked about the different conventions, and you talked about how there had been a breach of conventions by different parties. It had always been my understanding that there was another convention, that decisions are to be distributed equally. I'm just curious as to why the remedy of cutting off a speaker was not applied equally to all speakers who may have breached . . .

**The Speaker:** It does, hon. member. I've already clarified that. Sit down, please.

I've already clarified that, hon. member. Now I've invited you as a House leader to meet with other House leaders and the Government House Leader and talk about that. If you want to put in place a rule with specific time limits, then I invite you to do that. Otherwise, I've read you the citation that I have been following, and that closes the matter. If you wish to raise it again in your own ways, then please do so. Otherwise, I will enforce it as has been the convention of the House.

### Members' Statements

**The Speaker:** The hon. Member for Edmonton-South West for a member's statement, followed by Chestermere-Rocky View.

### Significance of Postsecondary Institutions

**Mr. Jeneroux:** Well, thank you, Mr. Speaker. I'd like to stand today in the House and express my passion and support for postsecondary institutions within our province. Fortunately for Alberta, we are home to a number of first-rate institutions of higher education, some of which are internationally renowned.

There are countless ways in which our halls of learning benefit us. The University of Alberta, my alma mater, for instance, is home to a number of first-rate programs, including the Alberta School of Business, that continue to lead the world in ground-breaking research and in producing some of the most highly trained professionals in the world. The Faculty of Engineering, for example, is able to claim a good deal of credit for the prosperity of our oil and gas industry and is helping to lead the way in finding innovative ways of limiting our environmental footprint.

No less important is the intrinsic value to be drawn from pursuing an education for its own sake. It's no mystery that an educated citizenry is a thoughtful, active, and engaged citizenry. That is precisely what our province needs going forward and growing forward. We have cultivated some of the best professors and continue to attract experts from around the globe. However,

Mr. Speaker, sometimes we need to adapt, enhance, and grow to ensure we continue to have world-class postsecondary choice. This is why I'm confident that by fostering the growth of our postsecondary institutions and encouraging Albertans to take advantage of opportunities to develop their skills, talents, and minds, we contribute to ensuring a strong and vibrant future for Alberta.

We have a strong tradition of world-class education, cutting-edge research, and strong graduation rates. Because of this, I am very excited about our province's future in postsecondary education, and I'm confident that this tradition of excellence will continue for many years to come.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Chestermere-Rocky View, followed by Calgary-Bow.

### Labour Negotiations with Teachers

**Mr. McAllister:** Thank you, Mr. Speaker, for all you do.

It looks like we are finally on the verge of a teacher deal in the great province of Alberta. Now, this is good, and I know that every Member of this Legislative Assembly would agree with that. Certainly, every parent wants what's best for our kids and labour stability in education. How we got to this point, though, Mr. Speaker: this is a serious issue. You see, March 15 the government held a press conference to announce a much-needed victory. The problem is that they really were spiking the football before they were in the end zone.

There are 62 elected school boards in Alberta, and they did not see that contract proposal until the day the government announced it. No wonder there is push-back from boards. They are elected officials, and they are a valuable partner in public education. As such, they ought to be part of the process. They are right to have raised this issue. Now, nearly all of them have signed on the dotted line at this point but many of them begrudgingly so. I have spoken to many of them. Many of them are saying that they are scared of possible ramifications if they did not. That's not exactly cultivating a good relationship going forward.

Now, teachers will be taking a wage freeze for three years. I applaud their commitment to the province of Alberta for doing so. There was initially some resistance on that front, and seeing as the government did not campaign on that, I think we can understand why. They waited until after the election to announce it, not to mention the fact that they wouldn't be honouring their promise of predictable, long-term, stable funding.

The minister says that the bargaining process is broken, and on that point I think he might be right. But what he failed to point out is that his government created this bargaining process. When it comes to accepting responsibility and being accountable for your actions, a former teacher of mine used to remind me and other students of this, and I think it applies. If the shoe fits, wear it. We might have a deal, but as much as the minister owns it, he has to own what has happened up to this point as well.

**The Speaker:** The hon. Member for Calgary-Bow, followed by Edmonton-Highlands-Norwood.

### Tartan Day

**Ms DeLong:** Thank you very much, Mr. Speaker. Today I rise to recognize that April 6 was Tartan Day. Tartan Day celebrates people of Scottish heritage. It brings attention to their accomplishments and contributions to sports, science, technology, and the economy of Alberta.

On April 6, 1320, the declaration of Arbroath was signed, and thus Scotland was declared an independent and sovereign state. The declaration urged acceptance to the Pope not to take the English claim on Scotland seriously, and thus Scotland's freedom was recognized.

3:20

Here in Canada the Scottish influence on our democracy is clear. Alberta was settled by pioneering Scots like North West Mounted Police Colonel Macleod and Colonel Irvine. Also of Scottish descent were our first Prime Minister, John A. Macdonald, and Alberta's first Premier, Alexander Rutherford, as were both the first mayors of Calgary and of Edmonton.

In light of these significant past contributions made by the Scots to the present-day province of Alberta, I hope all members will join me in paying a belated tribute to Tartan Day, celebrated on April 6.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Highlands-Norwood.

### Cuts to Health Care Services

**Mr. Mason:** Thank you very much, Mr. Speaker. This morning we heard that half of the palliative home-care nurses in Calgary are being laid off. This means that services for people needing end-of-life care in Calgary will be drastically affected. It's a direct hit to the quality of care that we give to the elderly and the sick in this province. There will only be one nurse on call in the evening for all Calgary patients.

These cuts are just the latest in a series of layoffs and service cutbacks to health care in our province. There are layoffs or impending layoffs in community care, speech pathology, interpretation services, and laboratory services. All of these cuts belie the Premier's campaign promise that there would be no service cuts. Mr. Speaker, Albertans who need health care deserve much better than this. The government has been trying to sell Albertans on their claim that the effects of this budget on crucial services like health care and education will be minimal. That's simply untrue.

The loss of 40 jobs in Calgary for palliative care nurses is the drastic result of this government's broken-promise budget, and it takes comfort and quality of life away from dying Albertans. Cutting laboratory services in Westlock, Vermilion, and Wainwright is another broken promise, leading to reduced services for rural Albertans. Because of increased wait times for blood test results, stroke patients might be sent to Edmonton in an ambulance for treatment.

This PC government is cutting health care for Albertans instead of asking the wealthiest Albertans to pay their fair share in taxes. This government is taking care away from the elderly and the sick. Albertans were promised more, Mr. Speaker, and Albertans deserve better. It's clear the only way that they're going to get it is to elect an NDP government.

Thank you, Mr. Speaker.

**The Speaker:** Hon. members, unless my notes are incorrect, we have two more members to speak, but I only show one at the moment. That's Calgary-Shaw. Is there a second member? There isn't? Okay.

Let's go on with Calgary-Shaw as the final speaker for today, then.

### Trust in Government

**Mr. Wilson:** Thank you, Mr. Speaker. As we wind down this spring session, mercifully for the members opposite, Albertans are learning that there is even more scandal and incompetence plaguing this PC government than anyone could have originally thought. We've seen promise after promise broken and scandal after scandal unfold. This government's credibility has been taking a beating and with it their approval rating.

But with everything we've seen in the last two months, I have to ask: is it any wonder? Is it any wonder Albertans don't trust this PC government to manage their finances when they've plunged Alberta back into debt after promising to balance the books? Is it any wonder Albertans don't trust this PC government to administer justice in a timely manner when the system they have created has delayed court cases involving serious crimes for so long that the accused is able to walk free? Is it any wonder Albertans don't trust this PC government to manage their education when they've delivered some of the most heavy-handed cuts to the postsecondary system Alberta has ever seen after promising not to balance the budget on the backs of students?

Is it any wonder Albertans don't trust this PC government to manage their health care when they lost the support of doctors, nurses, pharmacists, caregivers, and have allowed health bureaucrats to make off with millions and millions of taxpayer dollars in undeserved bonuses? Is it any wonder Albertans don't trust this PC government to uphold the principles of good ethics when the Premier herself refuses to release information about millions of dollars paid out to insiders after promising to restore transparency to her office?

Broken promises, Mr. Speaker. This isn't rumour or imagination or fearmongering. These are facts, and this is just how bad it's gotten. This is not what Albertans voted for in 2012, and if this PC government won't hold itself to account, I look forward to Albertans showing them what accountability looks like in 2016.

Thank you.

### Presenting Petitions

**The Speaker:** Hon. Member for Edmonton-Calder, do you have a petition to present?

**Mr. Eggen:** Yes, I do. Thank you, Mr. Speaker. I would like to table the appropriate number of copies of a petition that calls on the government to increase postsecondary funding rather than drastic cuts to colleges and universities. I have a tabling of 1,377 signatures today.

Thank you.

### Notices of Motions

**The Speaker:** Minister of Justice, did you have a notice of motion?

**Mr. Denis:** Yes.

**The Speaker:** Please proceed.

**Mr. Denis:** Thank you, sir. I rise today to give oral notice of the following government motion:

Be it resolved that when further consideration of Bill 22, the Aboriginal Consultation Levy Act, being a money bill, is resumed, not more than one hour shall be allotted to any further consideration of the bill in Committee of the Whole, at which

time every question necessary for the disposal of the bill at this stage shall be put forthwith.

### Introduction of Bills

**The Speaker:** The hon. Minister of Education.

#### Bill 26 Assurance for Students Act

**Mr. J. Johnson:** Yes, Mr. Speaker. I rise today to introduce Bill 26, the Assurance for Students Act.

This legislation will make the framework agreement that this government presented to the Alberta Teachers' Association and the Alberta School Boards Association earlier this year, which was presented after two years of negotiations and which has since overwhelmingly been supported, binding on all school boards, the Alberta Teachers' Association, the Alberta School Boards Association, the Crown, and the Minister of Education.

Mr. Speaker, when I say overwhelming support, I mean it. Over 96 per cent of Alberta teacher locals voted to ratify, and all but one of our 62 school boards supported the agreement. However, the current framework, because of our bargaining structure, requires unanimous support to proceed. Therefore, in the interests of Alberta's 600,000 students and their parents as well as the vast majority of school boards and teachers across the province who supported the agreement, we are introducing the Assurance for Students Act. This agreement is good for kids, and that has to be our number one priority.

With that, I move first reading of Bill 26 and ask the Assembly to support it.

Thank you.

[Motion carried; Bill 26 read a first time]

### Tabling Returns and Reports

**The Speaker:** Hon. members, we have several tablings of returns and reports today, so I'll ask you to please be brief.

Let's have a demonstration by Edmonton-Calder on how that works. You have some tablings today?

**Mr. Eggen:** Yes, I do, and I'm glad to be an example of a good example, Mr. Speaker.

I have the appropriate number of copies of a tabling. It's like a petition, but it's done in their own way, 1,560 signatures demanding the government keep the Michener Centre open to vulnerable Albertans. This is one of many, many piles of these that I have to table.

The second one, I have the appropriate number of copies of a CBC news investigation with supporting documents outlining the allegations against the MLA for Edmonton-Manning.

Thank you.

**The Speaker:** Is that it, Edmonton-Calder? Just those two?

**Mr. Eggen:** Yes. That's correct.

**The Speaker:** I had you listed for four or five.

Let us move on, then, to Calgary-McCall, followed by Edmonton-Centre.

**Mr. Kang:** Thank you, Mr. Speaker. I'd like to table five requisite copies of National Freedom of Information Audit 2012, which I mentioned in the questions I asked during question period.

I've got one more here. I'm tabling the appropriate number of copies of the press release issued by the United Nurses of Alberta regarding the layoffs of palliative care nurses. Heather Smith, the Alberta UNA president, has written a letter to the Alberta Health Services president and CEO, Chris Eagle, requesting an immediate itemization of all the upcoming layoffs and other anticipated changes due to these staffing changes.

I also have five copies of petitions asking the Alberta government to keep Michener Centre open. It's done in such a way, Mr. Speaker, that it has been signed by thousands of Albertans. The Michener Centre has been a home to vulnerable Albertans with severe developmental disabilities for decades. This document shows the support from Albertans across the province. They want to keep the Michener Center open.

Thank you.

3:30

**The Speaker:** Thank you.

Edmonton-Centre, followed by Rimbey-Rocky Mountain House-Sundre, followed by Cardston-Taber-Warner.

**Ms Blakeman:** Thank you very much. Three tablings today, Mr. Speaker. The first is from a constituent, Tyler Stephenson, a PhD candidate in chemical and materials engineering, who writes to express his concern over government cutbacks to education. He is a born-and-bred Albertan. His family is the second generation to run a cattle ranch in High River. He wants to point out that the lack of government funding for education is directly affecting his research progress and that he is an individual who falls well into the category of people the government wants working for them. This wise investment is going off the rails. That's the first one.

The second one is a report from the fabulous Edmonton-Centre constituency office with a copy of an Internet mailing campaign to councillors and MLAs in support of the city of Edmonton's upcoming application for a municipal sustainability initiative grant for Edmonton's downtown development. I received 96 e-mails, and I will table my report. You will notice it's not every one of the letters.

The second report from the fabulous Edmonton-Centre constituency office is an Internet letter that is supporting the Downtown Vibrancy Coalition to fund the arena project and kick-start \$3 billion in public and private investment. Those e-mails were signed and sent by 1,317 people as of yesterday. I will table copies of that letter and the names of people who sent them.

Thank you.

**The Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. I have the requisite copies here of a report prepared for the Alberta Market Surveillance Administrator. Specifically, I refer to page 26 in the report and the five major generators controlling the market.

Mr. Speaker, the second report I have is a snapshot from the Power Pool of Alberta of the price of electricity yesterday, May 13, at noon. What's important about this is that it gives the average price for the last 24 hours as \$258 a megawatt. Yesterday's average at noontime was \$234 a megawatt. The seven-day average is running at \$210 a megawatt. The 30-day average is \$225 a megawatt, which equates to roughly just above 25 cents a kilowatt hour real-time price. The difference between myself and the minister – and I don't know if the minister realized it – was that the price he was quoting was 60 to 90 days old in real time.



**The Speaker:** The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Mr. Speaker. This actually was a petition, so if it's inappropriate to table it, I'll do it tomorrow.

**The Speaker:** If it is a petition and it's been vetted as to form past Parliamentary Counsel, then it can be tabled tomorrow during petitions. Thank you.

Are there other tablings? Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Speaker. I'll make this very quick. The petition that I attempted to put forward on the table yesterday was not to form, so I will table it now. It is 1,560 signatures put together by those who were protesting the closure of the Michener Centre. The requisite copies are here.

Thank you.

**The Speaker:** Are there other tablings?

Hon. members, I don't show any points of order, so let us move on.

### Orders of the Day Government Motions

**The Speaker:** The hon. Government House Leader.

34. Mr. Hancock moved:

Be it resolved that:

- A. Pursuant to Standing Order 77(2) Bill 26, Assurance for Students Act, may be advanced two or more stages in one day;
- B. If Bill 26 has not yet been introduced, then immediately following the passage of this motion the Assembly shall revert to Introduction of Bills for the introduction of Bill 26, Assurance for Students Act.

**Mr. Hancock:** Thank you, Mr. Speaker. This is an important consideration today. We've seen Bill 26 introduced today for first reading. The Minister of Education had indicated to the House previously, I think during the introduction, that the confirmation of the agreement by all parties was due yesterday, that when the deadline passed at 3 o'clock yesterday, all parties but one school board and two ATA locals had agreed to assent to the agreement, to affirm the agreement.

This bill essentially puts in place that agreement that well over 95 per cent of teachers and well over 95 per cent of school boards agreed to. It's important and timely that it be dealt with quickly. The agreement fails if it's not assented to by all parties. It's important that this bill, which puts that agreement into place, be dealt with by the House expeditiously; therefore, we would request the consent of the House to pass this motion and allow Bill 26 to proceed to second reading today.

**The Speaker:** Are there other speakers? The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thank you, Mr. Speaker. You know, I'm not feeling particularly good about this motion. We have the time available to us to go through this bill in the normal sort of way. We have plenty of time here this week. It's not as though suddenly everything will dissolve and be gone if we just use the time normally, as we do with any other bill. I think that we don't see this sort of legislation forcing agreements very often. Since I've had this in my hand from just a moment ago or so, I think it's only fair to all parties considering this legislation, including here in this

Chamber, that we just move through the bill as we normally do with any other bill.

Thank you.

**The Speaker:** Thank you.

Standing Order 29(2)(a) is available.

Seeing none, are there other speakers?

Seeing none, to close debate?

**Hon. Members:** Question.

**The Speaker:** I am sorry. Chestermere-Rocky View, did you wish to speak?

**Mr. McAllister:** Yeah. I may be confused, which happens from time to time, so I beg your forgiveness. For clarity I thought we were putting forth a motion to go to second reading. Is this actually second reading?

**The Speaker:** This is not a bill, hon. member. This is a motion, and it is debatable. If you wish to speak to it, then I would welcome you to speak to it. The question has been called, however.

**Mr. McAllister:** No.

[Government Motion 34 carried]

### Government Bills and Orders Second Reading

#### Bill 207 Human Tissue and Organ Donation Amendment Act, 2013

**The Speaker:** The hon. Member for Calgary-Foothills.

**Mr. Webber:** Thank you, Mr. Speaker. I am pleased to rise today to move second reading of Bill 207, the Human Tissue and Organ Donation Amendment Act, 2013.

Mr. Speaker, over a year and a half ago I met a wonderful lady at a dinner party. Karen is her name. During our conversation I was told that her liver was slowly failing and that she would eventually require a liver transplant. Without significant improvements to our human donation procurement system and transplantation infrastructure here in Alberta, the likelihood of Karen receiving a liver is slim; in fact, slim to none.

The enlightenment that evening at dinner, Mr. Speaker, about the dire condition of our organ procurement system here in Alberta begs to ask a number of questions, questions of why. Why are there currently 4,000 Albertans on kidney dialysis at a cost of \$60,000 a year per patient? Why do we currently have 672 patients on our most urgent transplant waiting list? Why is it that over the past five years 214 Albertans have died waiting for organs? Why is it that only 8 per cent of people who are donor candidates coming through the emergency room doors actually made it to the donor process?

3:40

Mr. Speaker, I have a quote from Dr. James Shapiro, who is a U of A transplant surgeon. He said in an e-mail, and I quote: the liver waiting list is almost the worst I've known it in 18 years as a transplant surgeon here in Alberta, and our patients die by the day while waiting. Those lucky ones that get transplants are often close to and sometimes almost through death's door, not the perfect time to transplant. The organ donor rates in Alberta are now close to the worst in the country when they used to be one of

the best. This is disgraceful, especially since Alberta has truly flagship programs in all organ systems. We have to be better at organ donation. We need the infrastructure at each and every hospital in Alberta. If a life cannot be saved by maximal medical means, organ donations should be seen as the highest next priority. Unquote.

Mr. Speaker, I along with Karen's good friends and everyone up here in our members' gallery that was introduced earlier have taken on the challenge of doing whatever we can to lobby whomever we can to give Karen and her family hope and to give hope to the thousands of other Albertans who are battling life-threatening organ failures.

I've talked about the issue of organ donation here in the Assembly on many occasions, sounding like a broken record to a number of you, I'm sure. I've had a number of members' statements, numerous questions to the hon. minister, and many presentations to caucus and to committee. There have also been many attempts made in the past here in the Assembly to improve our human organ procurement system. Back in April of 2000, for example, the hon. Member for Calgary-Fish Creek chaired the Alberta Advisory Committee on Organ and Tissue Donation and Transplantation. It is a wonderful piece of work. I know that Dr. Norman Kneteman was a member of this committee as well. I thank you and the doctor for such wonderful work here back in 2000, yet it was put on the shelf until I dusted it off. It has been a huge resource for me, so thank you, hon. member.

In 2004 a past MLA, Mr. Ron Liepert, who was a private member at the time, brought forward a private member's bill regarding the opt-out clause with respect to organ donation rather than the opt-in. It didn't go too far, Mr. Speaker. The current Edmonton-Manning MLA just last year, in 2011, passed a private member's bill. It was Bill 201, the Health Insurance Premiums (Health Card Donor Declaration) Amendment Act, 2011, allowing individuals who wished to donate organs upon death to sign the back of their Alberta health cards. Great work, and I applaud the member, but Bill 207 will significantly expand on that initiative.

Two weeks ago, as we all know, Mr. Speaker, I introduced a private member's bill, Bill 207, and now, thankfully, it has been converted to a government bill. So I thank all of my government colleagues, and I thank the hon. minister and the Premier for their support in converting this to a government bill, hoping that it will expedite the process of getting this bill through. I want to thank opposition members as well, my opposition colleagues, for their support. I assume I have their support. I guess I will find out here sooner rather than later.

But I especially want to thank the many people in the transplant community – the Dr. Knetemans, the Dr. Lori Wests, the Dr. Atul Humars out there, Dr. James Shapiro, of course – for the wonderful work that they do at the University of Alberta hospital, and all of the patients that I've interviewed. I've interviewed a number of patients waiting for the gift of life. It's heart wrenching, Mr. Speaker. I've talked to many organ recipients as well, on a happier note, Mr. Robert Sallows being one of them. I've introduced him here in the Assembly, a young fellow who had a double-lung and heart transplant, a good friend of mine. I want to thank all of the people and organizations who have provided me with valuable information, guidance, and advice on this bill.

Mr. Speaker, as I indicated in first reading, Bill 207 deals with the establishment of a corporation in Alberta to be known as the Alberta organ and tissue donation agency. The agency's objectives would be to plan, promote, co-ordinate, and support all activities relating to the donation of human organs and tissues for transplant here in Alberta, including activities relating to education and research in connection with the donation of organs and tissues.

The Alberta organ and tissue donation agency would co-ordinate and support the work of designated hospitals, specifically ICUs and emergency rooms, around the province in connection with donation and transplant and also manage the procurement, the distribution, and the delivery of organs and tissues. The agency would be responsible for the managing of waiting lists and establishing a system to fairly allocate the organs and tissues that are available and establishing and managing an Alberta electronic donation registry and creating a robust awareness campaign around that registry.

Other jurisdictions, Mr. Speaker, such as British Columbia, Nova Scotia, Manitoba, and Ontario all have registries. Ontario's Trillium Gift of Life is the only government agency that we have for organ procurement here in Canada, and it should be a template for us here in Alberta. There has been a dramatic increase in organ and tissue donation in Ontario since its establishment.

Finally, Mr. Speaker, I propose in the bill that Alberta drivers have the option to express on their drivers' licences their willingness to donate upon death.

Mr. Speaker, there are many, many people, including myself, who are extremely passionate about improving the donation rate of human organs here in this province. Not only do we need to get this bill passed here in the Assembly but to move forward and establish this agency. We must act now. Our government is acting now, and I thank the hon. member again, the Minister of Health, for all his work. I look forward to the debate on this bill.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Well, Mr. Speaker, thank you. It is indeed a pleasure to stand up again on the importance of human tissue and organ donation. I want to thank the Member for Calgary-Foothills. I have a huge amount of respect for this particular member. As a former member of the government I have learned to listen to this particular member because he's very passionate and stands up for what he believes in. What's bothersome to me – and the Member for Calgary-Foothills alluded to it in his speaking notes – is: why, why, and why all of these things that he wants to bring forward haven't been done?

Well, Mr. Speaker, let me give you a lesson, a little trip down memory lane. In 1999 I brought forward a private member's bill. The member alluded to it. From there the Premier of the day, Premier Klein, asked me to chair a committee. A Framework for Action: A Coordinated and Integrated Organ and Tissue Donation and Transplant System for Alberta was the report of the Alberta Advisory Committee on Organ and Tissue Donation and Transplantation. The member alluded to this, and he spoke about the good doctor up in the gallery and the many, many people that spent hundreds of hours with me on this particular report. It was a framework for action and what needs to be done to improve organ donation and transplant and all the things that had to be done to make organ donation successful.

I honestly sometimes don't know what the government does with reports. I think they have a separate building somewhere in this province where they take all these reports. If they like them, they go to one place, and if they don't like them or they want to do something with them later, they go into this building that nobody knows about and they collect dust. The Member for Calgary-Foothills alluded to the dust that he probably had to wipe off on this report.

3:50

Then we had a bill come forward with the hon. Member for Calgary-West, I believe, a former minister of Energy and Education, who's not a member anymore. That was former member Mr. Liepert, and he was sitting at that particular time as a private member.

We had another bill on organ donation that actually was well read in the Assembly, and it was called the Human Tissue and Organ Donation Act. We've spent a couple of hours, research has, and I want to give credit to my researcher James Johnson, who has worked his little buns off to collect some of this material and provide us with some information. That was the next report.

Then we came in with Bill 201, the Health Insurance Premiums (Health Card Donor Declaration) Amendment Act, 2011, from the Member for Edmonton-Manning. Vigorous debate again. Vigorous acceptance in this Assembly. That was April 29, 2011.

Now it is 14 years later, and we're still having the same debate, once again with what started off as the private member's bill called Bill 207, the Human Tissue and Organ Donation Amendment Act, 2013, from the Member for Calgary-Foothills. We've recently been notified that we've changed it to a government bill. Well, thank the Lord for that. Maybe, just maybe, we'll get some action in regard to the government realizing the importance of organ donation and transplantation.

All of us in this Assembly can talk about people we've met who were waiting for organ donation. I had a cousin – notice I said had – who was waiting for a double transplant, and she's no longer with us. It was just that one unfortunate circumstance where to be a recipient of the transplant, someone else had to be able to donate. We've heard thousands of stories in regard to thousands of people who are waiting for organ donation and transplant, and we have heard hundreds of stories about those lucky enough to receive a transplant.

I recall watching the news a few weeks ago in regard to a very tragic incident. Out of that tragic, tragic incident six lucky Albertans are here today because they were recipients in an incident where the family thought – and I don't exactly know the details on this – about the wishes of that particular individual. It comes to mind that the parents at a very, very difficult time decided that they were going to donate the organs so someone else could enjoy them.

I guess for me – it's May 14, 2013; fourteen years later we're still talking about this – I would like to have some reassurance from the Minister of Health on when he's going to proclaim this and give this bill royal assent. We've all seen how long bills can sit without receiving royal assent. I know the Member for Calgary-Foothills very well and alluded to the fact that I like him very much. I have a deep respect for him, and I actually trust him. I do honestly believe that he's going to be a little bit of a pit bull in regard to making sure that the Minister of Health gets this bill through the process so that it receives royal assent.

I have looked at this bill, and I think it captures some of the things. I'm going to continue to work with the Member for Calgary-Foothills to make sure that this bill doesn't get caught up in the bureaucracy of Alberta Health Services and does what it's intended to do, set up an organ donation line.

It's interesting. I found it absolutely fascinating today as I was doing a brief amount of research. I went to the Alberta Health Services website, pressed a button, and I ended up at the Canadian Transplant Association, I think it was, or the CST, whatever that is. I'm thinking: well, why am I going there when I'm trying to check on something that's happening in Alberta? So there are

many, many things that obviously need to be fixed in regard to what the web page shows for just Alberta alone.

Mr. Speaker, I am not going to spend a lot of time on this bill because I have spent thousands of hours standing up on this both as a member of the government and as a member of the opposition. I have absolutely pages and pages and pages of *Hansard* from when I've spoken in support of organ and transplant donation starting back from 1998, for goodness' sake. I could read into the record some of the things from when I introduced this bill on March 18, 1998, and it goes all the way through to what I said on April 11, 2011, on this organ and transplant issue. I don't need to tell anybody in this Assembly and, for that matter, any doctors and people that work in this how I support this bill.

I am going to leave the members of this Assembly with the same words that I said in 1998 and again in – I don't know; it just goes on and on – 2011. "Don't take your organs to heaven; heaven knows we need them down here."

**The Speaker:** The hon. Minister of Health.

**Mr. Horne:** Thank you very much, Mr. Speaker. It's both a privilege and an honour for me to stand and speak today in support of Bill 207. Of course, my first duty and a pleasure this afternoon is to thank the hon. Member for Calgary-Foothills for his leadership in bringing this bill forward. There are many other people to thank, and I hope to get to that through the course of these brief remarks. This legislation is of vital importance in Alberta for many reasons that have already been stated. It has my support as Minister of Health and the support of many people directly affected by the need for organ and tissue transplants in Alberta.

I note that you, Mr. Speaker, and this Assembly welcomed a host of public supporters in the members' gallery when Bill 207 was introduced for first reading. Physicians in this province were among those who first showed their support, including a transplant cardiologist at the Stollery children's hospital. Among those who came to support Bill 207 were people who received or were here on behalf of people who have received hearts, kidneys, livers, and lungs. Some have been living with these donated organs for more than 20 years. They're raising families, they're running businesses, they're holding down jobs, and they're contributing in huge ways to leading their communities. Most importantly, they are advocating for an increased focus and allocation of resources to support organ and tissue donation in this province. For that I most humbly thank them.

One supporter was a willing kidney donor known to everyone in this House. These people were here on their own initiative, and many were here as representatives for their organizations. I want to name them once again, Mr. Speaker: the Canadian Liver Foundation, the Canadian Transplant Association, Goodhearts Mentoring, the Alberta Transplant Association, and the Alberta Donates Life Coalition.

I think the question before us, Mr. Speaker, is: what would bring so many people from across Alberta to the members' gallery to show their support for Bill 207? It's because they know first-hand that organ and tissue donation is a life-saving gift that they want others to benefit from. It's because they know first-hand that these gifts of life are also gifts of health and they are gifts of service back to their own communities. That means these gifts of organs and tissues benefit all of the people of our province.

So many people came to show their support because this bill will establish a long-awaited Alberta organ and tissue donation agency. That agency would become the Alberta leader in plan-

ning, promoting, co-ordinating, and supporting activities relating to organ and tissue donation. It would manage the procurement, the distribution, and the co-ordination of delivery of organs and tissues. It would co-ordinate and support the work of designated facilities in connection with donations, and it would be responsible for managing wait-lists for transplants that will oversee a fair allocation of available organs and tissues.

4:00

Mr. Speaker, as has been stated by many members in this House and most recently by the hon. member opposite, there are many colleagues in this Assembly, present and past, who have advocated for further work and emphasis on organ and tissue donation in our society. I'm pleased to join my colleague in acknowledging the hon. Member for Edmonton-Manning and, most particularly, acknowledging the hon. Member for Calgary-Fish Creek, who began leadership on this issue long before I and others had the opportunity to serve in this House. Most importantly, I thank the hon. Member for Calgary-Foothills for having the willingness to bring this issue to a head, so to speak, in our province, to challenge us in our thinking not only about the mechanics of organ and tissue donation, the need for an online registry, but the need for a very real and substantive discussion in our society about a critically important issue that we have ignored for too long.

On the public awareness front the new agency under the leadership of the Ministry of Health will educate the public on matters related to organ and tissue donation and help others to provide education. It will provide valuable advice both to me and to any future Minister of Health on this very important issue.

I know that advocates, Mr. Speaker, have long been asking for an Alberta organ and tissue donation registry. The new agency, that I mentioned earlier, would manage such a consent-to-donate registry that would establish information-sharing agreements with relevant agencies in Alberta and beyond our borders and conform to legislation consistent with Alberta's Freedom of Information and Protection of Privacy Act.

Mr. Speaker, with respect to the online registry, which is something that we hope to have up and running very soon after the hopeful passage and proclamation of this bill, there are many opportunities to build upon successes that already exist in Alberta. We were the first in Canada to have an electronic health record, Alberta Netcare. We are among the first to have and will soon be announcing further enhancements to the personal health portal, which is the portal that allows Albertans to receive information about health and health care and very soon will allow them to view information about their own health.

Both of these vehicles are going to be absolutely critical in our ability to make Albertans' intent to donate easier to register, to do so online, and to hopefully have that information linked to their electronic health record so that at the time of need the intent to donate and the other relevant consents that are required can be more easily accessed by our health care professionals. By making it easier for people to register their intent to donate and by raising awareness of the need, we can dramatically increase organ and tissue donations across the province.

Mr. Speaker, I think the statistics in our province bear repeating, and I hope Albertans will take note. The province's decreased organ donation rate was 16 to 17 donors per million population from 1995 until 2005. By 2011, for reasons that I think we need to discuss in the course of debate on this bill, the rate had dropped to 5 to 7 donors per million population. This compares to 16.3 donors per million population in Ontario and to 11.8 donors per million in British Columbia in 2011.

Mr. Speaker, I know and I believe that most members of this House will also know and will attest that Albertans would be well served by an agency dedicated to increasing organ and tissue donations to help others locate and receive the organs and tissues they need to live healthy and productive lives. Through public education Alberta's innovative tissue and organ donation agency will have a positive and profound impact on provincial and national donor rates that will help save lives. By supporting research, it will establish Alberta as a leader in transplant medicine.

Bill 207 makes all of that possible, Mr. Speaker, but what it also does in a very significant way – again, my thanks to the hon. Member for Calgary-Foothills for his leadership – is that it serves as a call to action for all of us in this House and all us who are citizens of this province to set the stage to increase those organ and tissue donation rates, to dedicate public resources to better sourcing and supply of organs and tissues, and, most of all, to appeal to what I think is a very real sense of responsibility on the part of Albertans to use their gifts to help make life and quality of life possible for more and more of us in the future.

With that, Mr. Speaker, I conclude my remarks on second reading. I again thank the hon. Member for Calgary-Foothills for his leadership and for the expected support I hope we will receive from all members of this House.

Thank you, Mr. Speaker.

**The Speaker:** Standing order 29(2)(a) is available, hon. members.

Seeing no one under 29(2)(a), let us move on to Edmonton-Caldor.

**Mr. Eggen:** Well, thank you, Mr. Speaker. I rise with some interest in being able to speak to and support Bill 207, Human Tissue and Organ Donation Amendment Act, 2013. I'm very pleased that we have some forward movement on this important issue here, and I certainly appreciate the Member for Calgary-Foothills doing this work. Good for him.

Now, we know and I think it's been said that across the country organ donation rates have been flat and that particularly in Alberta it's been really on the decline and low. We have reason, I think, to make some amendments to increase this process that we have here in the province. The registry I think is something that the experts have been looking for for a long time, so this is welcome news. We believe that the new agency would be beneficial in helping to co-ordinate activities as well as to raise public awareness, making sure as well, though, Mr. Speaker, that the agency is run in an open and transparent manner and run by experts that would have to be arm's length from the political side of things.

As I go through the bill, I think that, again, there's a great deal of detail that is good. It makes it, I think, to be mandatory for adults to be asked whether or not they will be donors. This is an important thing when you are seeking or renewing an operator's licence. Of course, there are quite a lot of people that don't have a driver's licence, so I was hoping that maybe this provision could in fact extend to everyone who gets photographic identification, not just a driver's licence. The photo ID looks very similar to the driver's licence, so we could probably extend it to that.

Another question I wanted to ask about was providing valid consent through an online registry, that it is not signed by witnessing. I don't understand how this might work. Right now, today, Mr. Speaker, you sign the back of your donor card, right? Living transplants require an additional signature from the donor before any procedure. Deceased donors must have the next of kin sign off. I don't know if the bill actually changes this process or

not. I just wanted to maybe put that into the mix to see if we are streamlining or improving that aspect of the process.

As well, just to put it out there, the organization or the co-ordination of this thing: I'm just wondering if it's going to be subject to performance measures. I'm also curious to know how much this new agency might cost. Those are, I guess, my four or five questions that I'll put to you. In the next 24 hours or so we can work through them.

Again, as I say, Alberta New Democrats certainly support an expanded registry that will allow us to meet the needs of donors and to meet the needs of transplant patients. I think this is an awesome step in the right direction.

Thank you.

**The Speaker:** Standing order 29(2)(a) is available.

Seeing no one under 29(2)(a), let us move on, then, to the Minister of Infrastructure, followed by Calgary-Mountain View, followed by Innisfail-Sylvan Lake.

4:10

**Mr. Drysdale:** Thank you, Mr. Speaker. I would first like to thank the hon. Member for Calgary-Foothills for putting this bill forward. It's about time, and good on you for all your hard work.

This bill aims to increase the rate of organ and tissue donation in the province, a commendable goal. This goal is even more vital when we compare Alberta's and Canada's organ and tissue donation rate to the rest of the world. In 2001 Canada's donation rate was 3.5 donors per million. In 2010 the rate had increased marginally to 13.9 donors per million. Despite a continued need, the rate barely changed over the course of a decade.

These rates are not in line with other developed nations. Spain, for example, recorded 32.1 donors per million in 2010. This is a huge shift from 14.3 per million in 1989. Spain's performance shows that progress is possible and that Canada's low performance is not beyond repair.

One of the reasons the Spanish experience has been more successful is because of the switch to opting-out standards of organ donations instead of opting in, but what is more important for Alberta is their expertise in engaging the public, promoting organ and tissue donation, and designing systems to allow for society-wide tracking of consent of donors. Canada's performance lags despite efforts such as the national organ donor week, which was established by federal law in 1997.

Mr. Speaker, this bill aims to establish an Alberta organ and tissue donation agency, superseding current regional efforts to co-ordinate and encourage organ donation. Having a province-wide body to encourage more donors to sign up could help find efficiencies and expand partnerships to encourage organ donation. These centrally co-ordinated promotions could lead to more engagement with potential donors with a similar amount of expended resources.

This ties in to what I view as the more significant portion of this bill, the creation of the Alberta organ and tissue donation registry. This registry aims to simplify the registration of people's consent for organ and tissue donation. In my mind, this would be a great way to ensure that potential donors' wishes are respected. At the very least it's an excellent step forward from our current system of endorsing the back of our Alberta health care card, which many don't realize is there or simply forget. With the establishment of this registry amazing things become possible.

On a personal note, Mr. Speaker, I know first-hand how many amazing things can happen when organ donation is considered. On July 3, 2001, my son Troy was removed from life support after suffering brain damage from a dirt bike accident six days earlier.

Yes, he was wearing the best helmet money could buy. Also, the health care system in this province is second to none. Not once in that week did we as a family ever think he wasn't getting the best care possible thanks to the U of A hospital. Also, the air medevac worked very well in this province.

While many tough decisions had to be made that week, one decision that came without hesitation was to donate Troy's organs. My family is very close. We knew that should anything happen to one of us, giving the gift of life through organ donation would be a given. My son was all about giving. He was training to be a firefighter and dedicated his life to helping others. That's why when we faced the question about donating his organs, my wife, daughter, and I did not hesitate. Because of our family's decision Troy dramatically changed and altered 28 lives for the better. Yes, 28.

We know that a single mom raising a 10-year-old boy on her own received one of his kidneys. Before she received the kidney, she had to go to the hospital for dialysis, bringing her son with her each day. Since her kidney transplant she no longer needs dialysis. Even more importantly, we know that our family has played a part in giving her child his childhood back.

A man in Saskatchewan received Troy's heart, giving him the gift to watch his grandchildren play soccer. One of the first joint liver-pancreas transplants in western Canada was performed using Troy's organs.

If I can leave you with one message today, it would be this. Talking to your family about organ donation is critical. There are many misconceptions about what it involves, but the more you talk, the more you learn. Should what happened to our family ever happen to you or your family, your decision will be automatic. Deciding to be an organ donor is the first big step. Telling your family is the next. Making organ donation top of mind will help it become a more popular choice for all Albertans.

That said, I was pleased to see the section of this bill where the question of opting in as an organ donor would be asked when registering or renewing your driver's licence. I believe the registry and the requirement for stating a preference would greatly increase the awareness of organ and tissue donation along with the opt-in rate. The more people we have donating organs, the more people who can have a chance at life.

What we need is a clear call for action such as, "The next time you renew your licence, give the gift of life" or something similar. Alberta should realize rate gains over the renewal cycle of a driver's licence. I have no doubt that the Alberta organ and tissue donation agency and the Alberta organ and tissue donation registry would be a powerful combination to increase Alberta's organ and tissue donation rates. By reminding Albertans of their important choice about becoming organ donors, there would be increased discussions in families about donation preferences, making end-of-life decisions just a little bit easier.

I miss Troy, but I am grateful for the legacy he left behind. I know that our loss was not for nothing. There are many families who have benefited because of what happened and because of the decision our family made, but I can say for sure, Mr. Speaker, that organ donation is the right thing to do. Weeks and months later I would still think about the recipients, and a smile would come to my face.

Mr. Speaker, I see many benefits to be found in this bill, and I would like to again thank the Member for Calgary-Foothills for bringing this bill forward. I will be voting in support of this bill, and I encourage my colleagues to vote in favour as well.

Thank you, Mr. Speaker. [Standing ovation]

**The Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available, technically. I think the standing ovation that you just received speaks well to 29(2)(a).

Let us move on. The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Mr. Speaker. It's an honour to stand and speak to this important bill, Bill 207, Human Tissue and Organ Donation Amendment Act, 2013. My thanks to the Member for Calgary-Foothills for his leadership on this and his tenacity, hard work.

This is going to make the right choice the easier choice. In health we always talk about trying to make the healthy choice the easier choice as a way of changing human behaviour. This is one aspect of human behaviour that hasn't necessarily been tapped appropriately to ensure that we get the most donations, the most awareness, the most support, and the most contributions for this important medical service, that has really revolutionized a lot of health care in the developed world in the last few decades.

4:20

The identification of a new agency, the Alberta organ and tissue donation agency; the importance of co-ordinating and supporting donation organizations that are already out there; educating the public; managing, delivering, and encouraging the use of the online registry; monitoring and measuring the system; and performing other functions are absolutely critical to a kind of cradle-to-grave, if I can use those terms, system that identifies individuals, identifies recipients in a timely way, and makes these organs accessible and healthy in the timely transport and transplant. It's critically important, and I hope this will bring Alberta into a new age relative to the rest of the world, the developed world at least.

Having said that and saying that I fully support this bill, I can't help but take the opportunity, Mr. Speaker, to talk about opportunity costs in the health care system and what a difficult challenge this minister has, this government has, all of us have in deciding where health care dollars should go. When so much of what we see in our society is preventable, it's impossible to overlook the fact that we are continuing to pour more and more money into end-stage problems, crises, accidents after they happen. We continue to spend less than 4 per cent of our health budget on prevention, health promotion, and opportunities to reduce the impact. Obviously, we have to address the whole continuum of illness and injury.

I guess I have to say, once again, that we are challenged as a government to recognize there are opportunity costs to investing more and more and more into the issues after the problem has developed. There's no increase in prevention programs in this province. I am aware that roughly 5 per cent of our population consumes close to over 50 per cent of the health care costs. There's a tremendous opportunity for prevention. Whether it's in heart disease, cancer prevention, injury prevention, there are tremendous opportunities that are not being tapped and are hardly being discussed in this Legislature. Maybe they're discussed, but no money follows.

The kind of commitment that I see here, which is laudable for transplant, we also need to see and hear in relation to prevention. The world standards in prevention, which we see in some of the Scandinavian countries and even in some of the developing countries where they recognize they don't have the money for these expensive technologies and important interventions, really should give us pause to look at how much we could be doing in primary prevention in relation to injuries, whether they're injuries

in the home, injuries in the community, sports injuries, motor vehicle injuries, or recreation vehicle injuries.

It takes leadership, and it takes investment. Still in 2013 we spend less than 4 per cent of our massive health care budget on prevention. That should give us serious pause. This is an opportunity, as we look at end-of-life issues and the tremendous expense associated with some of these important but very costly interventions in people's lives, to think also about earlier stages of well-being, community supports for people, psychological supports, mental illness, and some of the opportunities for early interventions in childhood and school that return hugely on human productivity, human well-being, and costs to the health care system.

It's just a reminder, as we debate this very important bill, to acknowledge that we talk about prevention a lot, but we don't do a lot about prevention. In some cases kidney disease and kidney transplants could be prevented if we had better management of high blood pressure, of chronic kidney infections, of some of the chronic conditions that need to be identified through a primary care office and then closely monitored through a primary care office. It's ultimately much less suffering, much less cost, and much greater human potential. Whether it's heart disease, injury, cancer, or infectious diseases with vaccinations, we know that prevention is a tremendous investment.

I just want as a matter of process to remind us all that it's not enough to talk about prevention. We have to start investing some of our multibillion-dollar health care budget in prevention, or we will never deal with the load of demands and possible options that we are increasingly allowed to use. We have the finances and the technology and the science to do so.

Thank you, Mr. Speaker.

**The Speaker:** Hon. members, 29(2)(a) is available.

Seeing none, let us move on to Innisfail-Sylvan Lake, then.

**Mrs. Towle:** Thank you, Mr. Speaker. I want to start off by saying thank you so much to the Member for Calgary-Foothills, I believe it is, for bringing this bill forward, Bill 207, Human Tissue and Organ Donation Amendment Act, 2013. I know that it's been a long process. I was actually surprised to learn, when I was speaking with the hon. Member for Calgary-Fish Creek, exactly how long that process has taken. She brought it to my attention that she had worked on this bill or a similar bill in 1998 and again in 2011. As we all know, she has been a very active advocate for health. I appreciate the efforts that the Member for Calgary-Foothills has done and the attention and the awareness that you've brought to organ and tissue donation. I also appreciate how dedicated you've been to the process of bringing this forward, and I thank you for that.

I also would like to take a moment to thank the government. I know it doesn't happen often from this side – I know – but Wildrosers always give credit where credit is due. I thank the government for making this a government bill. The reality of it was that when we saw that it was a private member's bill, many of us in our caucus thought it should be a government bill. I'm glad that the government was able to see that that was the right thing to do and were able to kick it up to where it should have been and actually pass it in this session.

I applaud the government for doing the right thing. I applaud the Member for Calgary-Foothills for making it happen. I applaud every single PC member for supporting this bill – I'm assuming it's all of you – and doing the right thing for Albertans. I'm more than willing to give credit where credit is due, and I think today is

one of those days. Thank you very much to each and every one of you.

I'd also like to go even further to say to the Member for Grande Prairie-Wapiti that what you were just speaking to was incredibly moving, and I thank you for putting a human face on this issue. We stand in the House many times and talk about our personal stories. I'm probably one of the worst offenders for that, and I do it because I wear my heart on my sleeve when it comes to that. To hear your story, I think you really put into perspective exactly why we need to have this discussion with our families. Not any one of us in this House is expecting to go home today and have something happen and have to make that decision. I applaud you and your family. My heart is with you and your family. I thank you for putting a human face to this issue so that we can all understand it better. Thank you very much.

I want to talk a little bit about what this legislation means to us. This legislation will allow Alberta to take a leadership position in organ donation throughout Canada as only Ontario, B.C., and Manitoba have online registries. I'm actually quite excited to see this option come forward as I myself am a donor. I choose to be a donor on the back of my Alberta health care card. I think it's great that the online registry allows us to go in and make a conscious choice, have that choice be noted, and actually allows us to say what we want to happen with our own personal body.

In Alberta there remain several issues with organ donation. We know as of today there are 25 to 40 Albertans who lose their lives every year waiting for organ donations. Now, I have to admit that I personally have not been touched by that situation of waiting for an organ donation. However, I do know members of my own riding, who are constituents, who have brought to my attention their wait period. I know a member of my riding who passed away three years ago. He awaited a heart transplant, received the heart transplant, and unfortunately six months later it was not successful. He passed away. However, his two-year wait for the heart was a very dramatic and very traumatic time for him and his family, so I'm aware of the situation as that goes through.

4:30

We know that over the past five years the numbers are heartbreaking in that there have been about 214 people who have lost their lives waiting for a donation. I can only imagine what it must be like to be that person who's waiting for the call to say, "I have a heart for you; I have eyes for you," you know, whichever. Equally I can only imagine what it must be like to have to make that decision. I can't imagine having to sit with my spouse, if that's my son or daughter or my mom and dad, and having say to somebody else that I know that this can help X number of people. That's why I think it is so important to hear the story of the Member for Grande Prairie-Wapiti and to talk about how difficult that decision was but also talk about all the positive outcomes and to know that as he proceeds through life, he knows that the life of his son lives on in others and all of the good that his son was able to bring to so many other families.

Alberta has the longest wait-list in Canada for cornea transplants. We know that there were about 800 people on that organ donation wait-list in 2011. It would be exciting to see that this online registry would be able to reduce that wait-list. I can only think of the joy it would bring to someone who couldn't see today to then have a cornea transplant and actually be able to see the world in vivid colour like so many of us take for granted.

We also know that the cost to our health care system of having patients wait for organ donations can be extraordinary. The Canadian Institute for Health Information, or CIHI, estimates that the cost of kidney dialysis can be up to \$60,000 per year. Now,

that's just the cost of dialysis. We know that those costs could increase, of course, if they get sick, the longer they wait, all of that. We also know that for many people who are waiting on the wait-list, their health deteriorates. You start off thinking you can get the organ donation, and by the time the organ becomes available, you may or may not be a candidate anymore. That devastation or that triumph for the family would have roller coaster emotions and be very difficult for each and every person in that family.

If we compare the costs of all of these health treatments, the cost of setting up a hundred thousand dollar registry is really quite negligible. You know, a hundred thousand dollars in today's terms is very little money, and if that amount of money can help people get off the registry wait-list and help people to become healthier and more vibrant Albertans and Canadians as a whole, then it's a good investment of our money. It's also the right thing to do.

We can make a difference. I think we heard stories like that today. We heard the hon. Member for Calgary-Foothills, who talked about what propelled him to come to this stage and why this is so important to him. We've heard the Member for Calgary-Fish Creek, who's been advocating for a very similar registry for years. We heard the hon. Minister of Health stand up and speak to this legislation, and I have to say that I applaud him for doing that because I think it's very important when the Health minister takes a personal interest in a health bill, essentially, and basically endorses it. That ensures that Albertans know this is a priority for this government and has the power to actually take it forward and enforce it and provide a solution to many, many Albertans. I'm excited to see what a difference this will make.

It was interesting as I listened to the conversations that we're having in the House today that, you know, we're all very much on the same page. However, I did find it interesting to hear that less than 5 per cent of people donate, and I think a lot of that is just noneducation. I can understand why people fear donation. Not very much is known about it. They worry that there is some sort of other reason that you might want their organs, and I think they worry about harvesting organs, those kinds of things. But that's really not the case here. This legislation really allows people who want that choice to make their choice known and to register to do so.

I can tell you that in my own household we're torn on this decision. When I went back to my constituents about this bill, it was interesting because the majority of my constituents were very much in favour of this bill, and I support it as well. However, my husband does not. My husband does not agree with organ donation, and I'm an organ donor, so that led to a very interesting debate in the home.

**Mr. Wilson:** Who won?

**Mrs. Towle:** Well, I will win. I haven't won yet, but I will, and the registry will help me do that.

What I found very interesting was that when I was talking to my husband about this issue and when I was talking to other family members who maybe don't share my enthusiasm for the registry, what I understood and what I realized was that it was really just a nonunderstanding of exactly what this registry was going to do, and there was a fear. There was a fear that for some reason, in some way, somehow that my life, should I be in an accident, or the lives of our children, should they be in an accident of some sort, may be propelled to end early because of organ donation needs. When we had this robust discussion, I basically, you know, put it down to: that's just not the way the system works.

I don't think there's a physician out there who's pushing someone to pass away so they can harvest the organs and get you out of the box sort of thing. My experience with physicians and my experience with front-line caregivers is that they're incredibly sensitive and incredibly aware of the needs of the family during these very, very difficult times. I think they do everything they can to make sure that our wishes are known and that that pressure is not there. But if you do choose to be an organ donor, there are certain timelines. There's a reality there.

It was a very good discussion. Since we were having it, I looped in our 11-year-old at the same time. I figured, you know, I might as well gang up on my husband. As I said, I will get my way at some point. I expressed very clearly to my 11-year-old my wishes and what that meant. It was interesting because she absolutely, one hundred per cent agreed with me and is now working on her dad to support your bill. So I think the fact that we're even having this discussion in households is a huge step forward. I don't know that we were having it before this bill came forward, so thank you.

The other part of that is that I can tell you that when my brother was diagnosed with Huntington's, we went through that discussion with both my mom and dad, but mostly my mom. It was a difficult discussion to have with a mom about a 32-year-old man. The discussion was: how could we help other people given Ron's tragedy and his diagnosis? I can tell you that the information that came to us was great. It was very positive. It was very clinical. My brother had never explicitly said that he wanted to donate his organs, but I knew that once he was diagnosed with Huntington's, he wanted to donate parts of his body for research, which is integral to part of finding a cure. So we went through the process of trying to do that, and we were not able to just because of the nature of his disease. It didn't leave anything for donation, unfortunately. But it was a good exercise for us to go through. It was a traumatic exercise, but it was by our choice, so I think that that was helpful.

I'm glad to see that probably going forward, with the existence of this registry, that direction will be made much more clear to family members. There's one huge advantage to this registry, and that advantage is that your wishes can be made clear. Your wishes can be stated explicitly, that you want to do it. You attach it to your driver's licence, and there's no question. You know, this can be divisive in some families, so that would be very, very positive.

Another positive part of this legislation is that by asking Albertans if they want to join the registry, when they apply for the registry, they can take a proactive step in doing most of the workload to solve the issue of organ donations. They can literally have a one-stop area where they can go. Nobody has to wonder where their health care card is. Nobody has to wonder if this is by choice. They're able to do it at one stop. When they renew their driver's licence, it's a simple: would you like to be a donor or not? Yes or no? If they're not sure, then it's a simple: well, I need to go home and have this chat with my husband or my family. I think that that is very, very positive.

Also, I think with the fact that it's done through the driver's licence, you know it's their consent. It's not what someone else is pushing or what someone else's agenda is. It's their consent. They're making a very clear statement of what they want.

4:40

The only caution I have about this bill is that I hope the government is able to look at other provinces who are already doing this registry and are doing it for a very efficient cost. We know that B.C., for example, is doing it for approximately \$350,000 a year. I only caution you to please be aware so that this doesn't necessarily balloon into a huge bureaucracy. It can easily be

managed. Other provinces are managing it. As I understand it, U of A and Foothills, I think, do offer this service already, so I hope that this government will consult with those who are already doing this.

Thank you.

**The Speaker:** Hon. members, 29(2)(a) is available.

Seeing none, the last speaker that I have on the list is from Calgary-Mackay-Nose Hill. The hon. member.

**Dr. Brown:** Well, thank you, Mr. Speaker. I just want to say a few words in support of the bill. I think the notion of the organ registry is a great step forward, but I do want to say that it's not the whole answer. If we really are serious in this House about increasing organ donor rates, we need to go to the next step, and that is presumed consent.

[Ms Pastoor in the chair]

The Minister of Infrastructure mentioned the example of Spain. Spain is one of those jurisdictions that found a marked increase in their organ donor rates when they went to a system of presumed consent. Now, what is presumed consent? Presumed consent is when you're presumed to consent to the donation of your organs after you pass away. That would not take away anyone's individual rights or the freedom to not have your organs donated or to the disposition of your body in whatever manner you saw fit, but it would greatly increase the rates.

There is empirical data that shows that presumed consent will increase organ donor rates by anywhere from 25 to 30 per cent. I just want to mention, Madam Speaker, if I could, some of the countries that already have presumed consent laws. They include Australia, Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Greece, Hungary, Israel, Italy, Latvia, Luxembourg, Norway, Poland, Portugal, Slovak Republic, Slovenia, Spain, Sweden, and Turkey. So this is not a shot in the dark. It's not something that is unknown in other parts of the world.

I would say that if this Legislature at some point wants to take a bold and progressive step towards increasing organ donation rates that we ought to consider bringing in legislation for presumed consent.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you. We have 29(2)(a) available.

Are there any other speakers? Calgary-McCall.

**Mr. Kang:** Thank you, Madam Speaker. It's a great pleasure to speak on Bill 207, the Human Tissue and Organ Donation Amendment Act, 2013, and I want to congratulate the Member for Calgary-Foothills for bringing this private member's bill.

The Member for Calgary-Mackay-Nose Hill was talking about presumed consent, I believe. You know, I think is a great bill. It's a step in the right direction, and I think we can expand upon this bill. We had a bill like this from the Member for Edmonton-Manning before, so this is a further extension of that. This bill will amend the Human Tissue and Organ Donation Act, 2006.

[The Speaker in the chair]

To donate an organ or tissue, one must currently contact the AHS facility in Edmonton or Calgary to start the process and the paperwork. This new agency, the Alberta organ and tissue donation agency, would be created and would report to the Minister of Health. The LG can make regulations regarding the online registry; the information that may be included; its collection, use,



and disclosure; the collection of registry information by Alberta registry agents; and the location of the sticker on one's driver's licence.

As we know, according to the Canadian Institute for Health Information, in 2011 there were 324 Albertans who were waiting for a kidney transplant, 94 people who were waiting for a liver transplant, and 57 more who needed either a single- or double-lung transplant. Another 17 Albertans needed a heart transplant. I know a friend who has been waiting for six years for a liver transplant.

I think that with this bill, you know, there's more education needed. We have to educate more families, more people, more family members. I think that if we could educate more people on this, there would be more people willing to donate. This bill is a good bill. I think this bill will encourage at least, you know, discussion in the family household. I definitely will be talking to my family members when I go back, and we always do this. Some of my friends have already donated for medical research. There's already a dialogue going on that lives can be saved by donating organs. I think the education part is lacking in this. Definitely, this bill will increase the number of donors in Alberta, and it will definitely increase the number of donors which will save lives. No doubt about that.

There are potential privacy issues, you know, with this bill. Every Albertan would be asked at the issuance or the renewal of an operator's licence whether they would like to be a donor. This could cause undue stress and maybe embarrass someone signing up. If people are educated, they will be prepared for this question when they go to renew their licence, and they will be more willing to put their check mark on that. While section 12 of the Human Tissue and Organ Donation Act provides confidentiality of the information collected, the Privacy Commissioner is not included in the wording of the act or this bill. Most of the information in the registry would be governed by regulation, not by legislation, so there are some privacy concerns here. I think education will be the key in succeeding to get more people to become organ donors.

I congratulate the member for bringing this bill forward. It will definitely help increase the number of donors, and it will definitely, you know, go a long way towards saving more lives, Mr. Speaker. I will be wholeheartedly supporting this bill.

Thank you, Mr. Speaker.

**The Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Are there any other speakers?

Would you like to close debate, hon. Member for Calgary-Foothills?

**Mr. Webber:** Thank you, Mr. Speaker. Thank you, all. I thank everyone here for participating today in second reading of this Bill 207. I especially want to thank the Member for Grande Prairie-Wapiti for his heartfelt speech right from the heart. There were some good points made here this afternoon, and I look forward to discussing them in Committee of the Whole. Until then, I would ask to call the question.

**The Speaker:** Thank you.

[Motion carried unanimously; Bill 207 read a second time]

## Bill 26 Assurance for Students Act

**The Speaker:** The hon. Minister of Education.

**Mr. J. Johnson:** Thank you, Mr. Speaker. I rise this evening to move second reading of Bill 26, the Assurance for Students Act.

This legislation reflects the importance that we as government and as a province place on our education system. It also represents almost three years of hard work by the Alberta School Boards Association, the Alberta Teachers' Association, and many folks inside my ministry. I want to particularly thank Jacquie Hansen, the president of the Alberta School Boards Association, and Carol Henderson, the president of the Alberta Teachers' Association, for their tireless efforts on behalf of their respective members and on behalf of kids and Albertans, and I thank the staff in my department, that have worked so hard on this.

While we would all have preferred not to have to legislate this, I'm very pleased with the overwhelming support that the framework agreement has received to this date nonetheless.

4:50

Mr. Speaker, 60 of 62 ATA locals along with the provincial ATA executive support the framework agreement that this legislation puts in place. Those locals represent 95 per cent of our teachers across the province, and all but one school board support the agreement. That's 61 of our 62 boards. They support it not because it's the best, the greatest deal ever drafted or because it's perfect or because they don't have reservations with it. They support it because it's good for kids, and they realize that they're not just voting for themselves. They're also voting for all Alberta students. I want to thank them for taking that broad perspective.

This deal offers stability for Alberta families and assurance that school will go on without disruption. It offers cost certainty for school boards, who are doing a great job facing very difficult budgets. It offers workload solutions for our teachers. But most of all it allows all of us – teachers, trustees, government, and parents – the opportunity to focus our efforts for the next four years on making education better for Alberta's kids. Long-term, province-wide labour peace with our teachers has served this province extremely well over the last five years, and this legislation will ensure we continue to benefit from that stability.

We've been able to do a great deal of amazing work in that time. We've been able through Inspiring Ed and through Setting the Direction and Speak Out and other initiatives to reach out and talk to thousands of Albertans and help paint a vision, a picture of what we want this education system to look like well into the future. It was those conversations that led to the development of the new Education Act, that passed in the House last year. It was those conversations that led to the exciting five announcements that we had last week, making some significant changes in our system, taking one of the strongest education systems in the English-speaking world and making it even better, Mr. Speaker. Together with the labour stability that this bill gives us, we'll be able to do even more.

Now that I've outlined where this legislation will allow us to go, let me take a quick moment to step back and remind you where we've come from. Since 2010 the government has been working on a new province-wide deal that would be in the best interests of teachers, school boards, and, most importantly, Alberta's 600,000 students and their parents, and I want to commend the previous two ministers, now the Minister of Human Services and the Deputy Premier, who also worked diligently on these negotiations.

Over that time, Mr. Speaker, our government has made a number of offers to the ATA and to the school boards, offers we believed would have ensured stability in the system and be beneficial. As all of us here know, those several offers were turned down, and work behind the scenes continued to try to get a deal.

For almost three years work continued. We met with the ATA. We met with the ASBA. We met with both of them together. I met with each individual school board, all 62, to hear about what needed to be in place for them for a deal.

All of that work and collective effort went into the offer presented on March 17 of this year, and in spite of reports to the contrary, we presented that framework, that offer on the same day to the Alberta School Boards Association Board of Directors and the Alberta Teachers' Association provincial executive. While the provincial ATA supported the agreement, the ASBA eventually asked for it to go to all boards for consideration. I respect that decision, and that's exactly what we did.

For the last two months, while the provincial ATA took the agreement to their members, my ministry has been working very diligently with boards to get the support needed to make the proposed agreement a reality. As I have said before, I firmly believe that the framework agreement is in the best interest of teachers, school boards, students, and their parents. The agreement would see compensation for Alberta's 40,000 teachers frozen for three years, one of which has almost passed since the end of the previous agreement. That pay freeze will be followed by an increase of 2 per cent in the 2015-16 school year and a one-time lump-sum payment to be funded by government in that same year. This will ensure the cost stability the education system needs in order to focus on students in the classroom, and it also gives school boards certainty on the funding that they need from the province.

Even with three zeros this agreement maintains Alberta's teachers as the best paid among all Canadian provinces, but as the ATA is quick to point out, salary has never been the issue for the teachers this round. Teachers have been concerned about workload, and that's also a central aspect to the agreement this legislation puts in place. The framework agreement requires a school board without hours of instruction restriction in its collective agreement to take steps to bring the number of hours a teacher spends in front of students closer to a provincial threshold of 907 hours per school year. For about 60 per cent of Alberta's teachers this is already in place, so that won't be an issue. It will be a challenge for some of our smaller rural boards – and I recognize that – which is why we allowed time to reach the goal and ways for our small rural schools to be excluded where appropriate.

We're also looking at workload in other ways. We've committed to conduct an internal review in addition to a third-party study that will look at how teacher workloads can be adjusted in the context of the 21st century. Similar reviews will be carried out by each of Alberta's school boards, and the result of these workload reviews will be an improved educational experience for both Alberta teachers and, most importantly, their students.

We've been working hard to get this agreement for the better part of three years. Going back to the drawing board now is simply not an option. Our students, their parents, and, indeed, all parties in the education community simply cannot wait any longer. We must take the necessary steps to ensure and protect the sustainability of our world-class education system. Albertans want the education system to continue to meet the needs of a new generation of learners and bring the vision of Inspiring Education to life, and that can only happen in a stable labour environment. Therefore, in the interests of Alberta's 600,000 students and, like I said, their parents and teachers across the province, I am seeking the support of the Legislature for the Assurance for Students Act.

This legislation will make the framework agreement binding on all school boards, the ATA, the Alberta School Boards Association, the Crown, and the Minister of Education, and this includes the 61 school boards and 60 ATA locals who have

already ratified it as well as the one board and the two locals that did not. Again, Mr. Speaker, I accept that this legislation is by no means an ideal way of concluding labour relations or negotiations, but as Education minister I must put the needs of our students first, and this proposed legislation provides for an outcome that is as close as possible to the actual framework agreement with a couple of minor changes.

The legislation allows for more than one exceptions committee rather than only one three-member committee should they be needed. This is to allow for more quick and efficient decision-making by these important committees and for them to represent both metro and rural perspectives. This is a concern I heard from boards when I met with them to discuss the agreement, and it's a reasonable change, a minor change that will ensure faster decisions and not change the spirit of the agreement.

The legislation also changes the role of the ASBA slightly. While the insight and perspective the ASBA provided over the last several years was invaluable, it became clear that they want us to work more directly with their boards when it comes to labour agreements. That doesn't diminish the critical role they play at all. It simply recognizes and respects their wish to allow local boards to consider what's best for them. I'll remind you, Mr. Speaker, that in this case all but one board decided to support the agreement.

Bill 26 removes the requirements for the ASBA to formally approve the ministerial order about teacher workload, something that has effectively already been done by the acceptance by 61 of the 62 school boards of that memo within the framework over the last several weeks. It also allows me to develop a ministerial order to clarify the role of their organization but only within the context of this agreement should that be needed. Otherwise, the legislation merely implements the deal already agreed to by the provincial executive council of the Alberta Teachers' Association and ratified by 95 per cent of ATA bargaining units and 61 of our 62 school boards. With that much support, it is inappropriate, would not be fair, and shortchanges our students for one board or two locals to obstruct an agreement that has been overwhelmingly approved by so many.

I've said many times, Mr. Speaker, that the bargaining process needs to be fixed – and it does – but I'm not about to do that today without consultation and without those involved: the school boards, the ATA, and, of course, parents. The role of school boards has evolved, and I want to make sure that whatever bargaining structure Alberta may put in place recognizes and respects the critical role that they play and the role the province plays, but for today we need to move forward, and we need to get this deal done. We need to safeguard the education of Alberta kids in a stable and supportive learning environment and help ensure we live within our means, especially given these challenging financial times.

The Assurance for Students Act will help ensure Alberta's education system remains among the best in the world. It will ensure that our teachers, school boards, and government can focus on realizing the vision set out for us by Albertans in Inspiring Education. I sincerely hope that my colleagues in the Legislature will join me in supporting this important piece of legislation.

Thank you, Mr. Speaker.

5:00

**The Speaker:** The hon. Member for Chestermere-Rocky View.

**Mr. McAllister:** Mr. Speaker, thank you. It is a pleasure for me to rise and support Bill 26. I will also say that I have been happy that the Education minister has extended an invitation to work with

members from all caucuses through this process. We were able to meet again last night in his office, which has to be half a dozen times, formal or informal, that we've been able to have those discussions. I'm grateful for that.

A deal with teachers has been, as the minister just communicated, a very long time coming. As the education advocate for the Official Opposition in Alberta, as a parent, and as an Albertan I recognize that labour stability in the classroom for teachers is certainly the best thing for our kids, and I'm grateful for that. Having to legislate the deal is not ideal, and I believe it does require some discussion so that we don't wind up here again.

We are, at least on paper, as the minister just pointed out, I believe, at 96 per cent buy-in or close to that when it comes to the ATA locals, and one board has not signed on. It is a big board, it should be noted. I think they represent 20 per cent or so of the students in the province. We did get to that point – that is all very good – but there has been very strong resistance from more than just a few boards along the way. In fact, some have said that they are only signing on here and supporting it because they're concerned about ramifications if they do not. Some of the discussions that have been had – you know, could boards potentially be amalgamated, or could boards be dissolved? – give you the impression that there are legitimate concerns, and that may have forced some to the table.

Now, initially there was a lot of backlash from boards, and a lot of that had to do with the bargaining process or lack thereof. I think everybody in this Legislature recognizes that there needs to be some improvement on that front. Mr. Speaker, the point that we do need to address also is perhaps: what has caused this to go the last few months to the degree that it has? You see, the government celebrated this deal before it was actually done. The truth is that at the time government really needed a win. We all see the headlines. We all know what's going on, and most Albertans do as well. They pulled out all the bells and whistles in front of the TV cameras to make it known, but they didn't have agreement from a very important organization, and that was the Alberta School Boards Association, the very respected and influential provincial association of locally elected school boards.

The ASBA is, I think, one of if not the leading voice advocating for public education in Alberta. Now, why didn't the government have the ASBA support? Well, it's because they haven't proposed that latest version, that contract, to the boards to review. I know that they did involve the ASBA throughout the two-plus years of negotiating. That was the sticking point from the boards on I believe it was the 15th of March. I would ask the 87 members in here to reach out to your boards when you go home on break. I think you'll find that the messaging you get is different from what we see publicly. I don't blame them for that. It's tough to be critical of the process when you're a school board.

They saw the deal for the first time the morning the government was presenting it to Albertans as a done deal, at least this particular offer. Now, put yourself in the shoes of your locally elected trustee for a moment and consider this. The government, who should be working with you in public education and, I believe, for the most part does a very good job of it – remember that as a trustee in their shoes you are elected – is announcing a deal that you haven't seen or has not been presented officially to you, much less discussed or voted on, to accept. Now, for clarity, the ASBA president had seen the deal a couple of days before but was told that it was embargoed. It was brought to the ASBA board of directors on Thursday. The board saw it Friday morning. Again, that's the day the celebratory announcement was held.

Now, I've heard from more than one trustee on this front, and I completely understand how they would feel. Imagine that your

constituents, that have elected you, in seeing this grandiose press conference, are calling you and asking you questions about it, and you're saying: we haven't had time to review it as a board; I'm not sure we really support it. Up until that point I believe there was great communication. I don't know if somebody just got entirely frustrated with the process and said: look, we've got the ATA onside; we're going to move this along. But bypassing that step was not wise.

The system might be flawed, but what the minister did with this timeline was flawed. If elected officials hadn't seen it until that Friday morning – and that's the day that the press conference was called – I think we can understand why trustees are feeling the way that they are and boards are feeling the way they are. They needed time to see it. They are elected officials. I don't think it's a shocker that the ASBA, to my recollection – I can always be corrected – was not at that press conference on that morning.

All that said, as I said off the top, I am supporting this deal, this legislation today. I've recommended that to my caucus. You know, everybody has a free vote over here, but I'm confident that they will. From a fiscal sense the government did get some things right, a lot right. Teachers are taking a zero per cent increase, as the Minister of Education just said, for three years. Now, if I'm a teacher, I'm probably not doing cartwheels over that, but given the rate of pay and the rate this province is taking on debt, it is the responsible thing to do.

Here again, in my view, the government itself created a problem in negotiating by building up false expectations. You see, before the election – remember the election campaign – there was no talk from the governing party about freezing salaries. They were going to do everything for public education. They were providing predictable, long-term, stable funding for school boards. If it was said once, it was said a hundred times in this Legislature and out on the campaign trail. Predictable, long-term, stable funding for school boards: it was basically a campaign promise.

Now, there was a party that did say: wages would have to be frozen. There was a leader that was honest about that with Albertans and said: because of the fiscal reality, we would have to look at a wage freeze. I proudly sit right behind that leader, who is not here presently.

**Mrs. Towle:** You can't say that.

**Mr. McAllister:** I can't say that, and I should not have said that.

Mr. Speaker, my colleagues and I knocked on doors and were honest with those that we talked to, and this was not an easy subject to broach. Generally, it was people at the doors that would broach it, frankly: "Hey, we heard about this wage freeze. What do you think of this? I mean, wait a second. This is my livelihood."

I remember a call I received, in fact, from a teacher who I knew was supporting me, or at least I believed she was because her husband was working on my campaign team, a great friend of mine, a guy I grew up with in Medicine Hat a long time ago. His wife said to me: "Bruce, you know, this was being discussed today in the staff room, and there are a lot of people looking the other direction because of this. This is not something that most people are approving of at this time." Now, granted, things have changed a lot, but this was during the election campaign. You know, I believe I got her vote anyway. But the point I raise is just that it was a difficult conversation to have. I think we looked at the fiscal reality and saw where we were going – I know we did – and were honest about it. When I talked to people at the doors and they asked about it, whether I kept their vote or not, I was honest on

what our leader proposed, and that was what we would have to do with wages.

Now, you wonder why there was more push-back on the teacher deal, and you wonder why it took so long to get here – you can make an argument for times changing; I've heard that so often in here – but effectively you said one thing and did another on this front, and that's frustrating. This same staff room has since had the discussion. Whether they view what I say or what the Minister of Education says as verbatim – well, actually, I don't think they view either as verbatim. What I have heard from that staff room is that they were appreciative that I was honest because that teacher went back to them and told them that, yes, I did support and agree with that discussion raised by my leader to freeze the wages. But you didn't campaign on the wage freezes for teachers, and we did, and I feel it's important to make that note.

5:10

As for the bargaining system itself, well, if we're two and a half years in getting a deal done and all these countless meetings – yeah, I think it is broken. If the shoe fits, as I said earlier today, wear it because it is the government that created this bargaining system and the changes that have been made along the way and the discussions that are held in the backrooms. Everybody in the education circle knows what has happened. I would say to the Education minister and I have said to him to his face several times that I appreciate the work that he has done on this file, but it doesn't absolve him from the fact that his government has created a mess when it comes to these negotiations. The bargaining structure, Mr. Speaker, is what the party made it. Now, the majority of boards might be supporting it. Whether they are holding their noses to a degree is debatable. I believe some of them are.

I've just gone through Bill 26 here and, obviously, was aware of much of the content from others beforehand, and I would just make a note that there are people raising concerns about the exception committees on the autonomy front. I would ask the minister, going forward, to be aware of those if he isn't already. Board members wonder if, depending on how this all plays out, the locally elected boards will wind up with less autonomy. Clearly, they won't be happy with that. The minister has spoken several times about maintaining the autonomy of the locally elected official, so I hope, you know, he honours that, and clearly we'll be watching that going forward.

The capping of hours, I know, is very challenging for several boards also. We don't want to back any schools, particularly smaller schools, into the corner with this agreement.

Now, I don't pretend for one second that negotiating a deal with tens of thousands of teachers or at least their bargaining units and 62 school boards can be easy. I know that it has not been, but I do stand today as the critic/advocate for the Official Opposition in Alberta to say that I am thrilled that we have finally gotten to this point, although it's not ideal, for sure, that we have to legislate.

I, like my colleagues, want what's best in the classroom for our kids, so, you know, I'll be recommending that we support it. I appreciate the time to speak to it today.

**The Speaker:** The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thank you, Mr. Speaker, and thanks for the opportunity to speak to Bill 26, the Assurance for Students Act. You know, I must say that I haven't been in this situation before, where a bill has been brought forward like this, obviously in response to ongoing developments in labour negotiations. It's not a back-to-work order because, of course, the people are not on strike, but it

is a legislated agreement for teachers here in the province of Alberta.

I have been reflecting on this considerably for some time, and it's not any great ease or straightforwardness initially that would cause my concern with this. Of course, first and foremost, we want the smooth operation of our public education system and the ongoing, continuous functioning of our education system. You know, I know first-hand, having been a teacher for more than 20 years and having been involved in a labour dispute before, how difficult that is and how contentious and fractious it can be, so really it's the last thing that I would want anywhere any time.

However, I think that on a point of principle and reasoned reflection, I'm finding a great deal of difficulty with this bill and for this body to be legislating the agreement instead of using the procedures of collective bargaining and so forth that we have in place between the school boards and the teachers.

You know, I know that Albertans, Mr. Speaker, are concerned about education and about how things have been going recently in our public education system. This budget is like a slow-moving train wreck, really. I'm getting almost by the hour these new layoffs and program cuts. People are starting to see the actual effects in schools around the budget that is now just being implemented and will continue to be unfolding into the fall.

You know, these are negative effects on the classroom, Mr. Speaker. Some of the effects that we expect to see are that class sizes will increase, right? Teachers are already getting notifications of being laid off. It is often young teachers that are getting these notifications, which I find particularly troublesome because, of course, if we're not renewing our profession, then it makes it difficult to move forward.

I went back to teaching part time, and I was very surprised and gratified to see this new generation of teachers, these young teachers, that are very well trained and very astute and tuned into their profession. You know, the idea of having opportunities for them in the future being compromised with a budget such as we see here today, Mr. Speaker, really, really bothers me a great deal. I just don't believe that that's necessary. We can do something considerably better.

With the budget cuts and with the things that I just mentioned, really, it's not just a bad deal for teachers, but it's a bad deal for students as well because you end up with larger class sizes and special needs and extra attention having to be compromised somehow as well. That is another unfortunate result, Mr. Speaker.

Now, of course, the whole budget and this deal are predicated on the idea that we don't have sufficient money to support our public education system, as we had been doing moving forward, and cannot support the teachers with modest increases to meet the cost of living, increases that we all experience living in the province of Alberta. You know, of course, I think most Albertans find that to be a false premise because as we look all around us in the province, we see our economy growing considerably. We see our population growing. So public services, especially education, have to keep pace with those natural expansions, right? If we don't do so, then you are running the risk of compromising the quality of education that you can deliver to our children from kindergarten to grade 12 but to postsecondary as well. You know, I find that a difficult starting point. It's a starting point where I begin to doubt the necessity for Bill 26.

I guess another issue that I want to bring forward is this idea of negotiating and using a collective bargaining process and then pulling away from that in sort of a very arbitrary manner. Yes, it's true. Almost all school boards did come around to a version of this, as did most of the locals, right? It just tells me that there must be a way by which we could push this through without having to

use the legislation to bring it back. When you do use legislation, it's not just this one thing, this one time, but it's a categorical mechanism to use only, I think, in extreme circumstances.

5:20

The circumstance that we're in here today doesn't seem to warrant that extreme thing, where we are legislating a deal for teachers. You know, imposing a deal on teachers is an affront not just to the teachers but to the basic rights of unionized workers here in Alberta, to collective bargaining. By legislating a deal in this fashion, the government is compromising the collective bargaining process in this province not just for teachers but for all sorts of other workers as well and, I think, probably using this as a tool, quite an aggressive tool, saying: "Oh, well, you know, if you don't take what we are selling, then you can see what happened to the teachers. We will legislate you back. If you don't take a zero, this is the way it works."

It's not just this one circumstance here with the teachers' agreement, but it applies to a whole range of workers that will be going into negotiations over these next two years. You know, we're in negotiations for over two years with this particular deal. By legislating a deal, with all of this work that we did in the past, the right for teachers being struck through collective bargaining has essentially evaporated. It's not something that we take lightly. I know that there's always that tension between the employer and the workers in this regard, and I recognize that that tension is not going away. But you can't expect that if you remove the collective bargaining process and you use legislative actions to secure deals, there will not be a push-back. There will be.

You know, you talk about this idea: "Oh, well, everybody signed up to it. Everybody is good with it." I don't know about that. As I said, I had to reflect on this carefully over time and come to a personal decision that I could live with in regard to this deal. Discussing it with our New Democrat caucus, we came to the same solution. It's not as though we're making a categorical thing here. It's a question of: what's the right thing to do at the right time?

I don't deny that the minister has worked very hard in these last weeks and months. I've watched him, and as the New Democrat critic for Education I've certainly had a good relationship with the minister. I recognize how he and his staff as well have functioned with some earnest faith in trying to come up with something.

What I'm saying is that there are larger issues at question here, that I think can't just be taken aside or compromised for this one particular circumstance and so forth. I hope that people do recognize that and recognize the value and the role of constructive criticism from other viewpoints that can hopefully give us guideposts for the future because we're not just doing this for now. Whenever we do something in this Legislature, we set a precedent for how the future will unfold. I just want to, you know, let it be known that legislating and dissolving collective agreement processes is not necessarily something that we would accept now or in the future.

I guess a measure of the tepid response to the way everything has gone down is that the Alberta Teachers Association was looking for a deal, but the president said that he, referring to the Minister of Education here today, had to do this in order to keep the deal alive. "We will accept it, but it's not our preferred solution." It's not exactly a wildly enthusiastic response. I think that the ATA is trying to predicate their position with the fact that they are very concerned about how budget cuts are affecting the quality of education here in the province.

We look at, for example, this idea of trying to negotiate better working conditions for teachers. Well, as I said in my questions

earlier this afternoon, if we have these other cuts rolling through, then even the best of intentions in trying to improve working conditions are undermined by the larger class sizes and so forth that we'll see in these coming weeks and months as this budget unfolds.

You know, as I say, perhaps more emphatically when we're in question period but still the same here today, if we can restore the funding to the levels that we had even last year, look for an investment in wages that meets the cost of living for teachers here and other education workers in the province, and make an investment that's commensurate with the increase in our economy and in our population, then we will do well. We have a very, very good education system here in this province that is internationally recognized. It is producing high-quality students and a high degree of professionalism from the classroom right through to the school boards and, I believe, to the ministry as well. I just refuse to stand by and sort of say, when anything compromises that, that I will not speak and push back or provide some constructive criticism.

Mr. Speaker, I do have a motion that I would like to bring forward here now. It's a notice that the motion for second reading of Bill 26, Assurance for Students Act, be amended by deleting all of the words after "that" and substituting the following:

Bill 26, Assurance for Students Act, be not now read a second time but that the subject matter of the bill be referred to the Standing Committee on Families and Communities in accordance with Standing Order 74.2.

I have the appropriate copies here, including the original.

**The Speaker:** Thank you, hon. member. If you'll just circulate those to the page and if the page would bring us a copy up here, please. Thank you.

Hon. members, while the pages distribute the bill – please carry on distributing, pages – I will just note for the record here that this is a notice of amendment on Bill 26, Assurance for Students Act, and it has been read into the record. Essentially, it's a referral amendment.

If there are any speakers to this, I would entertain them now. The hon. member.

**Mr. Eggen:** Okay. Sure. Thank you. This referral, of course, is looking to put the bill to the committee. You know, I just think it's an overall demonstration. Again, we're seeing time limits effectively put onto Bill 26. We've had another procedural thing, where we're allowed to have more than one reading of a bill in a day with Bill 26. I just put this referral as a way for us to just pause and remind ourselves that we're not in such a big rush here, right? It's not as though there's a strike on or whatever. It's a normal procedure.

It's been a long time coming, but as we move through trying to create something that people can live with and find resolution with for teachers and school boards and the government and the people of Alberta all together, collectively, I don't think that rushing it is necessarily part of that whole equation, right? Haste makes waste and all that. Mr. Speaker, I'm just trying to be the voice of some caution here so that we can maybe take a breath or two and think about what exactly is best for education here in the province.

You know, I know that there are a lot of different opinions out there, and I know that the opinion is evolving on this bill and on exactly where we're going with it, so I just want to make sure that the people of Alberta know, too, that we're not jamming something through here that was not in the best interests of our students and of Alberta education in general. If people can read this over carefully and think about it and perhaps think about accepting it, I would be very grateful.

**The Speaker:** Standing Order 29(2)(a) is available. Calgary-McCall under 29(2)(a).

**Mr. Kang:** My question is to the member. How is it going to help the students if we refer it to the committee? How is referring this to the Standing Committee on Families and Communities going to be helpful to the teachers or to the boards or to the students?

5:30

**Mr. Eggen:** Well, sure. That's great. I think part of what we've seen in the last few days and weeks – you know, I've thought about this carefully, right? It is not as though the schools are not functioning now. They are, right? The schools are functioning, and teachers are teaching, and the schools are moving ahead. If we take a bit more time to try to work something out here and perhaps put the money in that's necessary to in fact meet the limits of school class sizes and so forth and have a sober second look at the budget cuts that have taken place in the last few weeks, that are slowly unfolding, then, in fact, we might just find a way by which we can improve the situation that we are in now.

You know, sometimes we all rush around with this idea that, well, kids come first, and this is all in the best interests of the students and all that. Okay. Well, yeah. Absolutely. That's why I'm putting this forward here today, right? If something doesn't happen in the next 48 hours in regard to Bill 26, the sky will not fall – right? – the schools will carry on teaching, and, in fact, maybe people can take a little breath of fresh air and not think that they're being steamrolled down the highway here with something that's not in the best interests of students.

Thank you.

**The Speaker:** Are there others under Standing Order 29(2)(a)? Seeing none, are there any other speakers to the amendment?

**Hon. Members:** Question.

**The Speaker:** Question has been called.

[Motion on amendment to second reading of Bill 26 lost]

**The Speaker:** We're back to the bill. Are there any other speakers to the bill? Calgary-McCall, did you wish to speak to the bill?

**Mr. Kang:** Thank you, Mr. Speaker.

**The Speaker:** All right. Proceed.

**Mr. Kang:** I'm also glad to speak on Bill 26, the Assurance for Students Act, Mr. Speaker, although we were hopeful that the teachers' deal would be signed and, you know, we would move on, and life will be smooth after that. Sixty-one of the 62 school boards signed on, but one didn't, and two of the teachers' unions also didn't sign the deal. At stake is long-time peace in the classroom. The budget cuts surely would affect maybe the whole process, and school class sizes are going to be large. Because the population is growing, that's going to strain the resources of the school boards.

The school boards were concerned about the hidden costs that may come up. Two of the unions were also a little reluctant to sign on, and the school boards were a little reluctant, but they signed the deal. Six hundred thousand students right across the province will be affected if the deal is not signed.

Majority rules, and the majority of the boards have signed onto the deal and the majority of the unions have signed on. Although nobody likes a legislated settlement, I'm worried about what kind of precedent this bill is going to set for future negotiations, you

know, if they fall apart. I think we should have a little more time to discuss this bill. I think we're just rushing through it. You know, the sky will not fall if the deal is not signed today.

We will be supporting this bill, but there should be more scrutiny and discussion on the bill.

Thank you, Mr. Speaker.

**The Speaker:** Standing Order 29(2)(a) is available.

Seeing none, are there any other speakers to Bill 26?

**Hon. Members:** Question.

**The Speaker:** There are no other speakers, and question has been called.

[Motion carried; Bill 26 read a second time]

## Government Bills and Orders Third Reading

### Bill 25 Children First Act

**The Speaker:** The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. It is with great pleasure that I rise to move third reading of the Children First Act. I believe this to be a very important piece of legislation for this House in this spring session, carrying out some of the promises made by our Premier and our government with respect to putting a focus on early childhood development, putting a focus on children in poverty, putting a focus on ensuring that children get a good start. This bill is, of course, not the be-all and the end-all on that. It's just a good start or a good continuation, I guess, of the progress that's been made.

Through the results-based budgeting process we are examining everything that we're doing to determine that we're getting the most effective result and that we're achieving outcomes. That's an important process. But, Mr. Speaker, I think it's also very important to make sure that we take steps that people out there in the community have been telling us are necessary steps, and one of those is fundamental in this bill. We spent a lot of time talking about it last night, but it is absolutely fundamental, and that is the provision which makes it clear that professionals who are working together in the best interests of children to help children overcome barriers to success, to protect children at risk, to protect children in harm's way, to assist with the safety, education, and health of a child, can actually get together at the same table and share their information in the best interests of that child.

I think it's very clear that that's not licence to put the information out on the street or to the public, that privacy is important, but so is the appropriate sharing of information. We have very strong privacy legislation in this province, and as a result, we've developed a culture which defaults to no. That's not right for our children. That's not right for the kids of Alberta. This act goes a long way to set the proper stage for the collaboration of agencies.

There's no better example of that, Mr. Speaker, than the Sheldon Kennedy Child Advocacy Centre in Calgary, where the community came together and worked with government agencies. So we have the co-location of the Calgary city police, Human Services, and a number of agencies. They're located on the same floor of the building. There's a place there where children can be brought in. There's a play area for them. They can be comfortable. There are interview rooms so that they can be interviewed in the case of children who have been the subject of sexual assault or

other physical harm. They can be interviewed once. They don't have to tell their story over and over again. They don't have to be revictimized. The counsellors are co-located. The information is there.

They can only do their work appropriately if they are allowed to share information, so they have been strong advocates. The Calgary chief of police was here when the bill was introduced, and his response I think said it all. He said: thank you for listening to us and for responding to what we've been asking for. The Member for Calgary-Fish Creek indicated that when she was Solicitor General and I was Minister of Justice, we heard over and over again people saying: we need to be able to collaborate for the kids' sake; we need to be able to come together and share the information appropriately. That's what's happening.

I can tell you, Mr. Speaker, that my wife has been an educator for 35 years. She's been the principal of a high school in Edmonton for the last four years and previous to that principal of a junior high in Edmonton for seven years and previous to that occupied a number of other leadership and teaching positions with the Edmonton public school board. I can tell you that every single year she has come home throughout the year with issues with respect to children: children who are at risk for suicide; children who have attempted suicide; children who have been abused in some way; children who have challenges and barriers to success; alcohol and drug addictions, either themselves or their families; issues with respect to mental health relative to coming out of depression as the result of a loss of a loved one or a family breakdown or some other situation. There are challenges out there for our children, and there are challenges for the people who want to serve our children.

Our educators are at the forefront of that. They're in the position where they get to see it on a day-to-day basis and have a relationship with children and understand when there's a change in a child's life. They can identify that change, and they can understand that the child needs some assistance.

5:40

What they don't have are the resources to be able to actually provide that assistance on an ongoing basis. They need to reach out to a child care worker or to someone in the health system or sometimes even someone in the police system, and they need to be able to communicate what's happening and communicate with those other people in our community who are working with them to be there for the children.

This act is a great leap forward, in my view, in that particular area, but it does more. It provides for the development of a children's charter so that we can actually be focused on the things that we need to do when we're developing policy to understand what's in the best interests of children and how we can make children's lives better so that they can grow up to be successful citizens and contribute back to the community like members here. The review provision suggests that we should look at all of our legislation and policies so that we put that focus on it to say: what do we need to do to remove barriers to success, and what can we add to help achieve success?

Particularly, the information-sharing piece with respect to the research side, information sharing for research purposes. A number of years ago Iris Evans, the minister at the time with children's services, was instrumental in setting up the Alberta Centre for Child, Family and Community Research for the purposes of facilitating research with respect to children and setting up a child and youth data lab so that we could take the information that we have, anonymized data that we have, and use it for research purposes to help us drive understanding, drive

longitudinal analyses of the effectiveness of programs and those sorts of things. Then, through our privacy legislation, we essentially shut them out of the very data that they needed to be able to do that research. This act will open that door and make it much easier to do that.

Mr. Speaker, in my experience we've had very good and desirable goals, but as a result of those goals, we've developed a protocol-writing business in this province, where if you wanted to share information with a data lab, you had to have the lawyers working. There's nothing wrong with lawyers; lawyers do a great job. But I don't think we need a protocol-writing industry to write protocols on how we should share information between government departments and between departments and agencies in appropriate circumstances.

When I was in Education, we celebrated the fact that we finally developed a protocol agreement for information sharing with respect to children in care between children's services and Education. When a child was apprehended and was in the custody of the Crown, we needed to be able to talk with Education, the department, and the school boards where that child was and share information about the child. It took us three years to develop a protocol agreement to do that. People who were doing that were doing their work. They were doing their job. They were operating within the parameters that we gave them, and it took them three years to do that.

This act will change that. This act will make it possible for those things to happen on a timely basis, for people to understand that they can work together to share the information, that we can share the information appropriately with the child and youth data lab and the research centre, and that we can learn from our information and help drive better decision-making.

There are many other aspects in this act, Mr. Speaker. I won't go through them all because we have discussed them. Setting up the family violence death review committee, a very important step so that we can learn from the tragedy. The only greater tragedy than death from family violence and intimate partner violence is if we don't learn from that to see if we can do a better job.

Why does that belong in the Children First Act? Well, we know that family violence is cyclical, that often people who are perpetrators of family violence were victims of family violence in their own lives. We know that children in poverty often live in families where there is family violence. All of these social issues are connected, and if we deal with these social issues, we can deal with the issues of child poverty, we can get children into school and properly educated so that they, too, can become successful citizens, whatever success might mean to them because every child has different gifts. That's the key. It's to have every child be able to maximize their personal potential, maximize their gifts.

There are other parts of this act that are key to protecting children. Just lowering the bar a little bit so that instead of there having to be an imminent danger to the health or safety of a person before you can disclose information, a risk of harm for that child would be the bar. Why should we wait until a child is teetering on the edge of a cliff before we reach out to save them? Why should it have to be that imminent harm? Well, this act changes that, Mr. Speaker.

There are many other aspects that I could go into here, but I think it's been good work. I know there have been suggestions that we needed more time and more thoughtful analysis and all that. Mr. Speaker, we could always take more time, and we will have more time.

We will have time over the next six months and perhaps even longer to work together to collaboratively develop the children's charter. We will have time over the next six months to a year to

collaboratively work together to review programs, policies, and legislation relative to children and come back and visit that. We will have time over the next little while to work on a poverty reduction strategy with respect to children and families. We will have time over the next six months to talk about family violence and renewal of the family violence strategy. We will have time over the next six months to a year to work on the early childhood development initiative, which we're pleased to lead with Health and with Education in this government. There are lots of things on our table. We do not need to take more time for stuff that we can do now.

Mr. Speaker, I'd ask that we pass this bill in third reading and get on with the job.

**The Speaker:** The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Speaker. I appreciate the opportunity to rise and speak to this in third reading. I will be brief. I do believe that this bill, inasmuch as it is quite large, is going to be a lot of positive steps forward for the children of this province. I'd like to thank and congratulate the minister for bringing this forward and, you know, finding ourselves where we are with it today.

I think it is rather aptly named as well, Children First Act. I know the minister likes to point out and remind us why he wears the pin on his lapel, and I think that it's quite nice that this bill does actually put children first in the sense that there was a time prior to this bill being passed – it obviously hasn't yet but will be probably shortly – where protection of information sometimes came first, before the protection or the safety of a child. I think that this recognizes that that is not necessarily the way it should be, that we as a society should be doing absolutely everything that we can to protect our children at any given time, and there are a number of areas where that happens in this bill.

I would also like to thank the minister, Mr. Speaker, for the way in which he conducted his ministry's business around presenting this bill. We as opposition parties were invited to sit down with him and go through a briefing. It is obviously a fairly thick piece of legislation. He was open to questions; he was open to answering our questions. To be quite frank, if I may, throughout the process of dealing with amendments and potential amendments, I think we saw two amendments pass from two different opposition parties, and that's the first bill that we can say that we've had that happen in the 28th Legislature.

I think that perhaps some of the other ministers across the way might like to look to the Minister of Human Services as a bit of an example as to how to pass legislation and how to do it in a way that makes opposition feel as though they're valued in the process as opposed to stonewalled. I truly do feel . . .

**An Hon. Member:** Valued?

**Mr. Wilson:** Perhaps. There are others noticing that as well.

That being said, I think that it allowed us to truly strengthen the bill in a couple of ways and to collaborate with the government, and I think that we'll walk out of here thinking that it's a bit of a win-win on passing this bill through third reading.

I look forward to the consultations around the children's charter – I know that the minister has also suggested that opposition will be invited to the table during that process – and bringing it back to the House as a separate piece or a separate motion and debating it as a group again, as it should be done, in the fall or whenever the minister is ready for that.

That being said, I'm proud to have played a role in this, a small role, as it were, Mr. Speaker.

**Mr. McAllister:** A bit part.

**Mr. Wilson:** Yes, a bit part.

I'm very happy to see this pass. As a father, as a legislator, as a public servant I do believe that the province is better with this legislation than it would have been without it.

Thank you.

**The Speaker:** Are there others? The hon. Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Speaker. I would also like to speak on Bill 25, the Children First Act. I have seen the minister wearing the pin I think as far back as I can remember. We all agree that he's got the best interests of kids at heart. It would be great if there were some poverty reduction programs in place so that the kids that go to school don't go to school hungry.

5:50

Sure, there has been much debate on the bill, and the minister is promising a lot more for the children's charter. You know, in the next six months he will be doing a whole lot to maybe improve on this bill. But this bill is a first step in the right direction, and I hope we can work together to strengthen this bill further.

There were some privacy concerns raised by the Privacy Commissioner. I hope those concerns will be addressed in the near future. Somehow they have to be addressed to make it a perfect bill.

Thank you, Mr. Speaker.

**The Speaker:** Standing Order 29(2)(a) is available.

Seeing none, are there any other speakers?

**Hon. Members:** Question.

**The Speaker:** The question has now been called.

[Motion carried unanimously; Bill 25 read a third time]

## Private Bills Second Reading

### Bill Pr. 1 Church of Jesus Christ of Latter-day Saints in Canada Act

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. Dorward:** Thank you, Mr. Speaker. It's an honour for me to rise and move second reading of Bill Pr. 1, the Church of Jesus Christ of Latter-day Saints in Canada Act.

This bill is administrative in nature, and my comments for the most part will reflect that. However, a bit of historical context will allow the Assembly to better understand the need for the bill. The Church of Jesus Christ of Latter-day Saints, colloquially referred to as the Mormon or LDS church, is a global hierarchical Christian denomination with nearly 15 million members world-wide. There's no paid clergy. All those that serve in the church serve as volunteers and have regular jobs and responsibilities in communities and families and homes.

Mr. Speaker, church members first settled in southern Alberta in 1887. They brought with them an understanding of farming in dry climate and how to use irrigation properly. They built strong communities, taught the love of family. Today the church has over 182,000 members in Canada, including approximately 77,000 in Alberta. The church currently has 208 congregations in Alberta.



In 1897 church members successfully petitioned the Legislative Assembly of the Northwest Territories for an ordinance incorporating the church's Cardston Stake under the name the President and High Council of the Alberta Stake of Zion. This ordinance was among the earliest charters granted a church in the Northwest Territories.

In 1927 church members successfully petitioned the Parliament in Ottawa for a private act incorporating the church's Lethbridge Stake under the name the President of the Lethbridge Stake. This private act was replaced by a further private act of Parliament in 1981.

In 1951 church members successfully petitioned the Legislative Assembly of Alberta for a private act incorporating the church's Taylor Stake, now the Raymond Stake, under the name the President and High Council of the Taylor Stake of Zion.

The church presently operates in Canada through a trust formed in 1968. The executive trustees of this trust are the presidents of the church's six stakes in Calgary. A stake, by the way, Mr. Speaker, is a collection of seven to 10 congregations. The trust is a registered charity with the Canada Revenue Agency. The church, as I said, does not have a paid clergy at the congregational or stake level. Rather, such clergy or volunteers have careers in various fields. The senior stake president of the six Calgary stakes, the petitioner who has brought forward this bill, is Dr. Stephen Miller, an orthopaedic surgeon.

The church also has a social service agency, LDS Family Services of Canada, and a for-profit ranching company called Deseret Ranches of Alberta. The current structure as described is unwieldy and cumbersome. It causes a great undue burden to volunteers to do all of the administrative work. The best way to simplify the church's Canadian legal structure and the purpose of this bill is to incorporate the trust in Alberta and amalgamate into

that the corporation of the three existing incorporated stakes, as mentioned.

This simplification, which is made possible in the case of the President of the Lethbridge Stake by the recent Canada Not-for-profit Corporations Act, requires that a private bill be enacted by the Legislative Assembly. The private bill includes provisions suggested by Legislative Counsel to address registration and financial transparency issues and by Service Alberta's registry branch, who have met with the Private Bills Committee of the Assembly. At this time I'd like to thank both Legislative Counsel and Service Alberta for their assistance, Mr. Speaker.

With that, I'd call the question on second reading of Bill Pr. 1, the Church of Jesus Christ of Latter-day Saints in Canada Act.

**The Speaker:** Are there other speakers?

The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Merely a formality, Mr. Speaker. What he said I support. And I'll sit down.

**The Speaker:** Thank you, hon. member.

Are there others?

**Hon. Members:** Question.

**The Speaker:** Seeing none, the question has been called.

[Motion carried unanimously; Bill Pr. 1 read a second time]

**The Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Mr. Speaker, in light of the hour I'd move that we adjourn until 7:30 p.m.

[Motion carried; the Assembly adjourned at 5:56 p.m.]







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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Tuesday evening, May 14, 2013

Issue 59e

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta**  
**The 28th Legislature**

First Session

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## Legislative Assembly of Alberta

7:30 p.m.

Tuesday, May 14, 2013

[The Deputy Speaker in the chair]

**The Deputy Speaker:** Please be seated.

The hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Mr. Speaker. I'm just asking if we could ask for one-minute bells for the duration.

**The Deputy Speaker:** I take it, hon. member, that you're asking for unanimous consent that for the duration of the night for the House and Committee of the Whole we would have one-minute bells?

**Mr. Donovan:** That's how I was trying to roll that out. I just had a little supper still in my mouth.

**The Deputy Speaker:** Having heard the motion by the hon. Member for Little Bow, I'll ask one question. Is anyone opposed?

[Unanimous consent granted]

### Private Bills Second Reading

#### Bill Pr. 2 Wild Rose Agricultural Producers Amendment Act, 2013

**The Deputy Speaker:** The hon. Member for Calgary-Glenmore on behalf of the Member for Grande Prairie-Smoky.

**Ms L. Johnson:** Thank you, Mr. Speaker. On behalf of the hon. Member for Grande Prairie-Smoky I move second reading of Bill Pr. 2, Wild Rose Agricultural Producers Amendment Act, 2013.

Mr. Speaker, Wild Rose Agricultural Producers is Alberta's biggest producer-funded general farm organization made up of farmers and ranchers who provide expert advice on the agricultural industry in our province. Key initiatives of the organization include striving to generate and maintain sustainable farm income levels, establishing stringent fair trade practices, improving the social and economic viability of our rural communities, and being a beacon of information for producers regarding current farm practices. Additionally, Wild Rose Agricultural Producers strives to offer our farmers important information on farm labour issues, farm safety initiatives, environmental issues, and taxation issues. The organization is available as a reference point for our farmers to utilize in order to obtain accurate information on innovative farming practices. The overarching goal of the organization is to provide a voice for Alberta's farmers at all key operational levels.

Mr. Speaker, the main intent of Bill Pr. 2 is to simply change the organization's name from Wild Rose Agricultural Producers to the Alberta Federation of Agriculture. The word "federation" implies strength in numbers and cohesion. It also exemplifies the strong, overarching vision of the organization; namely, the sustainability of our province's thriving agricultural sector. As we all know, our agriculture sector is an ever-evolving industry that demands long hours and intense physical labour.

More than ever I am realizing that this is a strong sector, playing a key role in the diversification of our economy as the government continues to build Alberta. As we all know, the success of this industry is also tied to a number of unpredictable

and sometimes volatile factors such as shifts in weather. However, through the sharing of best practices passed down from generation to generation, our farmers are able to adapt and consistently deliver the high quality of products our province is known for both on the domestic and international stage. This is also a goal the Wild Rose Agricultural Producers aims to foster and pass down to future generations.

That is why I ask on behalf of my colleague that all hon. colleagues pass Bill Pr. 2. Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Are there other speakers? The hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Mr. Speaker. I'm rising in favour of this bill. It would definitely clear up some confusion sometimes between the Wild Rose Agricultural Producers and the Wildrose Party.

**Ms Blakeman:** You're serious?

**Mr. Donovan:** Yes, I am.

I went to their AGM last year. They are a strong agricultural group. It always does add some confusion. With an up-and-coming party that's probably going to take over one day, it'd be sure nice to get the names cleared up. I thank everyone for the support on that.

[Motion carried; Bill Pr. 2 read a second time]

### Government Bills and Orders Committee of the Whole

[Mr. Rogers in the chair]

**The Chair:** I'll call the Committee of the Whole to order.

#### Bill 22 Aboriginal Consultation Levy Act

**The Chair:** Are there comments to be offered?

**An Hon. Member:** Question.

**Mr. Saskiw:** That was very, very hopeful, and I wouldn't put it past him.

It's an honour to speak here in Committee of the Whole with respect to Bill 22, Aboriginal Consultation Levy Act. What's happening here, of course, though, at least what's been indicated by a bunch of reserves as well as treaty members from treaties 6, 7, and 8, is an indication that there has been absolutely no consultation on this by the Aboriginal Relations minister.

Before we get into the substance of the bill, I think it's imperative to look at what processes transpired here. With the Metis Settlements Amendment Act, 2013, there was obviously extensive consultation with the settlements throughout Alberta. They got agreement among the respective partners in that field. There was just an extensive amount of consultation. If you look at the flip side, the Aboriginal Relations minister has apparently, according to the sources at least, rushed Bill 22 and hasn't fleshed out the act.

I think if you look at an act, you can really tell that there hasn't been enough work done on it, that there hasn't been enough consultation in advance, when you see how thin the act is, but with respect to regulations that come thereafter, the act gives the minister an extensive, broad range of powers to do almost anything he wishes to do.

What he's asking us here today is to somehow pass a piece of legislation for which the key stakeholders that will be affected by this legislation have been indicating that they have not been consulted. They're asking us here in this Legislature today to give the minister extensive powers, powers to make regulations on essentially any topic within this bill. I don't think Albertans would want to give such an extensive amount of power to a minister no matter how well intentioned he may well be – or she. There could be a shuffle. You never know. There may be after this one. Someone's vying for this portfolio.

You know, this is one of these things, Mr. Chair. We have a process where you do extensive consultations with individuals and stakeholders in advance of putting forward a piece of legislation. Instead what the stakeholders are saying right now is that this piece of legislation was put forward, and now the minister wants to pass a law and then consult after the fact and then make a bunch of regulations based on that new consultation. It's backwards. You know, it's unfortunate because it looks like the minister did a good job with respect to consulting on the Métis amendment act but has completely failed in this consultative process.

Mr. Chair, what we would have liked to see here, of course – and this was done in second reading – is that because this bill is so poorly drafted, hasn't contemplated very much of anything other than the statement of, you know, a framework and a few other enactments of it, rather than trying to go through Committee of the Whole, rather than making a series of amendments trying to breathe some semblance of reasonableness into this piece of legislation, trying to take something that's so bad but with a series of amendments trying to make it better, our caucus had suggested that this be referred to a committee, a committee that over the summer could do the proper consultation, could listen, get feedback, and then put forward the amendments in an amendment bill afterwards.

7:40

Unfortunately, Mr. Chair, it looks like this minister wants to ram this bill through. We just got this bill late last week. Again, stakeholders from across the province were unequivocal that they did not feel that they were consulted, that they were, to quote some of them, blindsided by this piece of legislation, but here we are tonight with this legislation put before us. Somehow we want to make this work, this little bill with about five pages where all the power is in regulations. Look how thin this is. It's almost like this was an afterthought. After no consultation: let's just put something together before we head off for the summer.

Instead of doing that, why don't we refer this to a committee so that they can do the consultation so you can flesh out this piece of legislation rather than put everything in regulations? If you actually look, Mr. Chair, at the regulations that this minister can make orders on, they are basically on everything. It's hard to see many pieces of legislation that just put everything into regulation. It's completely improper in terms of the legislative process to not flesh out some of the key, core principles right in the enabling legislation itself.

So, Mr. Chair, I would hope that the minister would reconsider, not proceed with this now, do the proper consultation, consult with stakeholders, make some substantive amendments to this. Even if we were able to pass all the amendments that we could on this bill, the bill is just in such poor form that it would be very difficult to make it palatable to us. Let's hope that he would listen to some of the amendments, you know, at least hear them out, and we hope that he would accept some of them.

Thank you, Mr. Chair.

**The Chair:** The hon. Leader of the Official Opposition.

**Ms Smith:** Thank you, Mr. Chair. I concur with the Member for Lac La Biche-St. Paul-Two Hills in wondering whether or not this bill can be amended and saved. I highly doubt it. I know that the minister has been busily doing last-minute consultations and meetings with various treaty chiefs, hoping to salvage the legislation, and, I think, hoping at the last minute to try to get some buy-in on it, all of the work that he should have been doing up until introducing it. But we're going to try to do his work for him and try to propose some of the amendments that we have heard the members of the different treaties bring forward as very serious concerns that they have.

I don't think that's going to go far enough, quite frankly, Mr. Chair. I think that the only way for the minister to actually re-establish the relationship with First Nations that he's so badly damaging is for him to refer this to committee, take the summer to do the consultation and make sure that it comes back with some of the major issues that they're addressing revised in the legislation so that we can actually move forward with something that we know has buy-in not only from First Nations but also from industry.

That being said, because we're in Committee of the Whole, I'll play ball. I'll go ahead and put forward amendments. I would have liked to have been able to have the opportunity, as I did in the Metis Settlements Amendment Act, 2013, to provide them to the minister in advance. With the great rush that we are going through, having just had second reading on Monday and now being in a process where we have to go through Committee of the Whole, I have great respect for Parliamentary Counsel, who has been madly rushing to try to put the amendments together.

I will have seven or eight amendments. I have four of them here this evening, but they'll be coming as we go. I would have liked to go through the amendments one at a time in the order of the bill, but that's just not quite the way Parliamentary Counsel has been able to deliver them to me. No criticism whatsoever on my part to Parliamentary Counsel, but I think the government ought to recognize the kind of stress and pressure they're putting on our legislative staff in trying to ram this through and not being able to give them the proper amount of time to be able to put the amendments together. I do thank them for the incredible work that they are doing in trying to accommodate the government's rushed time schedule.

The issues that I'm going to attempt to address fall into a number of broad categories. I had heard about 13 different areas of concern with this bill from the First Nations chiefs that we consulted with and their legal counsel. I'm not proposing amendments to address all of them. In some cases it was difficult for us to put forward language that would be able to adequately address their concerns. So for the members of the First Nations communities who are here this evening, understand that it is an imperfect process. We're dealing with a bad piece of legislation, a flawed piece of legislation. We're doing our best to try to address the concerns that they have raised with us, but I think it is an imperfect process and certainly not the one that we would have followed if we were government.

Issues that the First Nations raised in the last couple of days, just to remind the minister. They're very concerned that the preamble presents a diminished view of treaty and aboriginal rights. I'm going to try to put forward an amendment that will address that. They're also concerned about the potential that Alberta is abdicating its role in the Constitution on consultation. They don't like the way in which the Indian Act references the definitions for what a band or First Nations ought to be. They

don't like the fact that the minister gives himself the power to determine aboriginal groups for the purposes of the act. We're hoping to address some of that.

They are concerned as well about the issue of whether or not these funds should be held in trust. They're concerned as well, they're telling us, about the use to which the funds will be put, making sure that they are for the exclusive use and benefit of the process. We're going to address that. They also want more consultation built into the provisions in the legislation, and we've got an amendment that will address that as well. They're also very concerned about the discriminatory nature of a section of the act which seems to indicate that agreements for First Nations are going to be subject to disclosure, which is not the case for nonaboriginal landowners who have similar agreements with the energy companies, so making sure that we're getting the kind of information that First Nations were told the minister was setting out to collect in the first place.

With that in mind, I will table my first amendment. I'll be happy to give some time while this is circulated.

**The Chair:** Just give us half a minute, and then I'll let you speak to it.

**Ms Smith:** Thank you.

**The Chair:** This will be referred to as amendment A1.  
Please proceed, hon. leader.

**Ms Smith:** Under this amendment I would move that Bill 22, the Aboriginal Consultation Levy Act, be amended in section 7(1) by adding "as well as a list of the recipients of the grants for each project" after "audited financial statements of the Fund." I'll just direct you to the section under question. The section under question is the annual report, and this section reads: "The Minister shall, as soon as possible after the end of each fiscal year, prepare a report that summarizes the operation of the Fund during the preceding fiscal year and includes the audited financial statements of the Fund." That is where we would add "as well as a list of the recipients of the grants for each project."

Now, the legal counsel for the First Nations communities that we spoke with indicated that what they would prefer to see is for the government to actually consult with them on what the contents of the annual report ought to be. But in the absence of the government being willing to do a full consultation with our aboriginal communities to find out what it is they do want in the report, at the very least we believe that having a list of the recipients of the grants for each project provides a certain level of transparency so that we can understand and know the kind of progress that the government is making in being able to do its mapping of the different claims in different communities.

We also need to make sure that we have an opportunity to have that information shared. I would note – and I'll be making reference to this in other points throughout the debate this evening – that one of the government's main goals in the minister's business plan was to have a "coordinated approach to Aboriginal consultation and land claims [which] enhances resource development certainty."

7:50

The issue that the minister had described in estimates when we were talking about this was that the kind of information that he was attempting to collect was information that would lead to "the development of GeoData maps with First Nations' input to help guide decisions related to consultation on resource development

projects, facilitate more consistent notification for consultation, and help satisfy the Crown's duty to consult." If the government was going to achieve that goal, certainly being able to have an enduring, ongoing record of the types of groups that had been consulted as well as those who had received grants to be able to do some of this mapping, some of this traditional land-use planning or land-use claims in the different overlapping areas of different aboriginal groups – having a reporting function so that we can have that information publicly available would also indicate to various industry players where some of this work had already been done.

I think part of the issue that the minister is facing is that there's a lot of this information being gathered in a bunch of different places. There's no central place for it to be collected. There's not a lot of sharing back and forth. By being able to amend the act in the way that we're proposing, having the list of recipients of the grants for each project, we think that this would facilitate the government's and the minister's achievement of goal 2, being able to move along with the geodata mapping function that he's identified as one of the principal goals for his ministry over not only this year but also over the next three or four years.

I do encourage other members to speak to this amendment. I do encourage others to support this amendment. We think that this will be one of the many amendments that would improve and give greater clarity to what it is the minister is trying to accomplish with this act.

With that, Mr. Chair, I'd be happy to hear from others.

**The Chair:** Are there other speakers? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I'm going to rise to defend this amendment and ask my colleagues to support it. In particular, I just had an opportunity to speak to members of the O'Chiese band, who happen to occupy lands northwest of Rocky Mountain House. In my short tenure as an MLA I've come to know Chief Darren Whitford, and I've gained a lot of respect for him and for his leadership and for some of the work that that band does for its people.

It's disturbing that they weren't consulted whatsoever. They were shocked to find out that this bill has come forward. They feel that they've been deceived. We have a government that even till today will not listen to the people who have shown up in opposition to this bill. We're railroading this bill through.

We have an amendment here now that at least asks for a list of the recipients that receive a grant of the fees that are going to be charged so that we have some sort of accountability. But I want to make one note here. The O'Chiese own their own pipeline company. They own their own industry companies dealing in the oil patch. The question that they have never received an answer to is: will their industry companies be charged a fee according to this act? As I read this act, I don't know. If they are working on their own lands, do they get charged a fee to consult with themselves? I guess it's a little akin to the way this government has been consulting lately; it doesn't really mean a whole heck of a lot. It's just a question that's never been answered, and they deserve that right to have that answer.

I don't understand why this government has continued to push this. What's the rush? What's the rush that this has to be done now, tonight, and voted on tonight and then again tomorrow night in third reading? Nobody has explained to me the mandate that this has to be done now. Why could we not take the time, even take something like this amendment and go back to all the First Nations to get some input and say: "Listen. The opposition is

willing to put in this amendment. Would that suffice? Would that make it better?"

We've not had the opportunity. As a matter of fact, this thing has been rushed so fast that we can't even submit these amendments in the order that we wanted to because the legal counsel here has been just overworked and pushed to try to keep up with this time limit. That is a signal that tells us that something is wrong. There's absolutely no rush. To have to go through this so that we cannot do this in an orderly fashion, so that we cannot consult properly and get everybody involved that this is going to directly affect: that's a shame.

I don't know how you go back and speak to the people that have come here on a Tuesday night now. They had no idea this was coming forward. They didn't know, and they made it clear that they didn't know. How do you look them in the eye and say: "We're going to push this through regardless. Oh, by the way, this is a consultation bill." That doesn't make sense. That's not logical, and you can't sell it. So why are we doing it to these people?

It gets to the point where you've got some serious questions in here. As we look at this amendment, I notice one thing that it's missing. It doesn't list any race. Curious, because when we look at the bill, it says that if you're aboriginal, you have to divulge your private contract with a private company, but it doesn't say that if you're white, you have to do that. It doesn't say that if you're Chinese, you have to do that. You can laugh over there, but the people up there are taking it seriously. They're taking it seriously. I'm not sure that's going to stand up constitutionally, and I will tell you that nothing would satisfy me more than to have the Supreme Court of Canada shoot down this law for just that very reason.

I think this is a serious matter. I think these people deserve better, and they deserve to be consulted on each and every amendment that comes forward, and we don't have the time to even do that.

Thank you very much.

**The Chair:** Are there other speakers? The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much, Mr. Chair. I rise in support of this amendment. It seems very reasonable. We always seem to have to pull this information out of the government. I'm thinking back to the lottery grants. You know, for a long time that was sort of a big mystery, and now we've managed to get them, first of all, to publish it. We could get it if we asked, and then they finally put it on the website. You think: what's the big deal? Why do they need to hang on to this information? What do they think is so secret about it?

This is perfectly reasonable and is actually an amendment that helps the government as they attempt to stumble down the road to more transparency and accountability. I have to admit that they haven't done very well on that. Therefore, I think it's very kind of the Wildrose caucus to help them in their transparency attempts by proposing an amendment that would require them to make available a list of the recipients of the grants for each project under the annual reports section of Bill 22.

In addition to that, the next section talks about that the report has to be tabled in the Legislature if it's sitting, and if it's not, within 15 days after the commencement of the sitting, which, of course, makes it available to everyone – the opposition, the media, the public, whomever – because it's now publicly available.

It's perfectly reasonable, enhances transparency of the act, shouldn't cause anybody any harm at all. I definitely support it. Thank you.

**The Chair:** The hon. Minister of Aboriginal Relations.

8:00

**Mr. Campbell:** Well, thank you, Mr. Chair. You know, I don't know where to start on this.

**Mr. Anglin:** Consulting.

**Mr. Campbell:** Well, we have been consulting, Member. I've spent the last eight months on the ground when I wasn't in here. I've visited 30 communities now. I'm visiting some more. I just received some more invitations. I've visited the eight Métis settlements. So I'm on the ground, Member, and I am listening to what's going on.

You know, we've heard lots of talk about consultation. Let's put this bill into perspective. This is a money bill, period. This gives the government the ability to collect funds from industry. That's the only reason this bill is here. This isn't about the consultation process in the broad sense. This isn't talking about the consultation office. This isn't talking about the consultation matrix. We haven't even had the chance to sit down with First Nations and talk about the regulations or how we're going to collect the levy. This just gives us the ability to do that. I've made a commitment to all the First Nations chiefs that we will sit down and talk about the regulations with industry at the table, about how much money we're going to collect, how that money will be distributed, and moving forward from there.

You know, the reason that this bill is here and the reason that we do consult is because the courts have been very clear about treaty rights and that we have a duty as a Crown to consult when it impacts on their treaty rights and impacts on traditional land use. That's what we're doing, and that's what the consultation is about. To say that we're ramming anything through, I disagree. I've spent eight months talking about this.

**Mr. Mason:** To whom?

**Mr. Campbell:** To everybody. I've attended four Assembly of Treaty Chiefs meetings and talked about consultation. I've had a number of different meetings with industry and technicians from First Nations talking about consultation and what it will look like. As we move through the process, I'll table some comments later from my speeches and the dates in which I talked about this.

Mr. Chair, again, one of the conversations that we had is that First Nations are very wary about divulging their information. That's one of the reasons that we did what we did with 7(1), to leave it that we will provide an aggregate amount of the monies coming out of the fund going to First Nations because the chiefs have made it very clear that they aren't comfortable divulging the monies that are coming in.

Again, the question that you asked about whether they have to pay a levy on their own land: it's the first I've heard of that, Member, but I will get you an answer. I will suggest that, in my mind anyway, I can't see the O'Chiese oil company paying to do work on the O'Chiese reserve, but I'll get an answer for you on that very quickly.

I will not be supporting the amendment, Mr. Chair.

**The Chair:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you very much, Minister, for getting up and at least saying that you now will go look for that answer because

that's the question that I was told was asked more than once. Now we have it on the record, and I hope you will get back to the O'Chiese as soon as you possibly can on how that works.

I will say this. This is not just a money bill. I know what you're telling me, but when I look in here, it says that the decision of the minister is final. That's it. No appeal beyond that. That's how it's taken. That's how that wording is read, and as long as that wording is there, that's offensive in many regards.

I will read one thing to the hon. minister.

**Mr. Dorward:** On the amendment.

**Mr. Anglin:** Mr. Chair, do I have to get heckled again by the Member for Edmonton-Gold Bar? I mean, that's a bit ridiculous. We've got people here willing to listen, and I will tell you . . . [interjections]

**The Chair:** Hon. members, the hon. member has the floor. Please proceed.

**Mr. Anglin:** Thank you very much.

The entire Confederacy of Treaty Six First Nations: "At the outset . . . we again express concern that Alberta has declined to engage the Confederacy of Treaty No. 6 Nations and our member First Nations in a meaningful fashion." That's a significant statement from the people that are involved on the other side of what you're saying, that you've consulted. That, to me, is fundamentally wrong. I just don't get it. You're telling me, and I want to believe you, but the people have shown up tonight. The people showed up last night. When you have an entire treaty nation here and you have other chiefs from the other treaties coming in saying that they have not been consulted, that they are completely opposed to this, that are talking about constitutional rights, something has gone wrong. Something has definitely gone wrong. To me, it's so easy for you to fix, and you have not yet explained to me what the rush is.

When I say that this is being pushed or this is being railroaded, what I'm looking for is: why the time frame now? You've already mentioned you're going to meet with them. I think that's great. That's absolutely great. If you have that plan to meet with them, then what you can do is table this thing, cancel this bill, go meet with them, get the buy-in, and then bring a law back that they agree on. That's the way to do it. That's consultation, not passing this law first and then going out and telling them what we just did to them. That's a terrible thing.

Thank you very much.

**The Chair:** Are there other speakers?

Seeing none, I'll call the question on the amendment.

[The voice vote indicated that the motion on amendment A1 lost]

[Several members rose calling for a division. The division bell was rung at 8:05 p.m.]

[One minute having elapsed, the committee divided]

[Mr. Rogers in the chair]

For the motion:

Anglin	Fox	Saskiw
Bilous	Hale	Smith
Blakeman	Mason	Stier
Donovan	McAllister	Towle

**8:10**

Against the motion:

Allen	Fawcett	Lukaszuk
Amery	Fenske	McQueen
Brown	Griffiths	Oberle
Campbell	Jansen	Olesen
Cao	Jeneroux	Olson
Casey	Johnson, L.	Pastoor
Dallas	Kennedy-Glans	Quest
Denis	Khan	Scott
Dorward	Kubinec	VanderBurg
Drysdale	Leskiw	Woo-Paw

Totals:	For – 12	Against – 30
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[Motion on amendment A1 lost]

**The Chair:** Back to the bill. The hon. Leader of the Official Opposition.

**Ms Smith:** Thank you, Mr. Chair. I think we have to remember what it is that we're trying to accomplish with this legislation, and this is why I mentioned the issue of the geodata map goal that the government has set. Part of the issue that we're facing is that those lands that are not covered by defined reserve areas have multiple traditional uses for multiple different bands. So when drilling activity takes places in those areas that are outside the reserve areas, there are multiple bands who have to be consulted and who have to make sure that their rights to hunt, fish, gather, and other traditional uses are not impacted.

The problem is that we do not have comprehensive information on this, and when you look at the minister's performance measure, in '11-12 they had zero per cent of this mapping done. The target in 2013-14 is to get 30 per cent of the mapping done. The target in '14-15 is to get 60 per cent of it done. The target in '15-16 is to get 90 per cent of it done. If this is the data that the government needs to collect to be able to facilitate resource development and activity on Crown lands, then let's be specific about this being the data that the government is going to collect in legislation.

With that in mind, this is the set-up to my next amendment, Mr. Chair, which is going to be an amendment to section 8.

**The Chair:** Please send me the original.

**Ms Smith:** I'd be happy to send you my copy.

As this is being circulated, let me just tell you the feedback that we are getting from First Nations legal counsel. Section 8 has to go entirely. Keep in mind that this is bolded and underlined in the document I have before me. First Nations have broadly panned this entire section and will not accept the forced disclosure of agreements. In their view, it is unnecessary in terms of accountability because new federal legislation already puts new onerous financial disclosure requirements on First Nations governments and industry.

They also say that it is a blatant violation of the UN declaration of indigenous rights and section 15 of the Charter. Other landowners and individuals who are nonaboriginal do not have to disclose their agreements with industry, so why would someone who is aboriginal have to disclose their agreement just because they are aboriginal? It is discriminatory, it probably would not stand up to a Charter challenge, and it is the reason why I've suggested this additional amendment, that would remove the existing section 8 and replace it.

**The Chair:** Hon. leader, I believe that's been circulated to everyone now.

Hon. members, we will refer to this amendment as A2.

Please proceed.

**Ms Smith:** I move that Bill 22, the Aboriginal Consultation Levy Act, be amended by striking out section 8 and substituting the following:

8 The Minister may, in accordance with the regulations, require a proponent to provide the Minister with information related to aboriginal traditional land use studies for one or both of the following purposes:

- (a) to assist in determining the amount of funds to be provided to First Nations and other identified aboriginal groups;
- (b) to plan and facilitate any required Crown consultation in respect of regulated provincial activities that are occurring in the areas under development.

As you can see, this new replacement for section 8 would negate subsection (2) in the existing legislative proposal and negate subsection (3) as well.

I think this is important because this is why the minister's so-called consultation is such a mismatch with what we've seen in the actual legislation. In the minister's consultation I think he gave the impression to First Nations communities that they would be having a very narrow amount of information that was going to be gathered. In fact, I look at the government's draft report, the Corporate Guidelines for First Nations Consultation Activities, an April 2, 2013, document. This is where they were out there consulting with First Nations communities, saying that the kind of reporting and data that they were going to be collecting was all related to consultation records.

The proponent [would be] required to compile their consultation record as directed by the consultation office, detailing the activities that occurred as part of the consultation, and provide it to the consultation office and the First Nation. The consultation office [would then] use this record to assess the adequacy of consultation. The consultation office may also ask the First Nation to provide their consultation records.

May also ask the First Nation to provide their consultation records.

If the consultation is considered inadequate, the proponent will be given further direction on what is required. The consultation office will manage the consultation process and conduct the final assessment of adequacy.

Once the consultation is considered adequate, the consultation office will inform First Nations, project proponents, the appropriate regulatory bodies, and (if different from the project proponent) the consulting party of the result of its assessment.

The entire act is supposed to be centred around determining the adequacy of the consultation so that proponents know whether or not they have gone forward and done their due diligence. The only records that the government has said that they want to collect and have been out consulting with First Nations on and saying that they're going to collect are related to determining the adequacy of consultation.

Now, that is not what the legislation as it has been presented by the minister actually says. The legislation as presented by the minister is much more broad than that. It says:

8(1) The Minister may, in accordance with the regulations, require a proponent to provide the Minister with information, including third party personal information, records and other documents, including copies of agreements relating to consultation capacity and other benefits pertaining to provincial regulated activities, for one or both the following purposes.

That is the reason why First Nations are feeling blindsided by this legislation. The intention of what the government says that they want to create out of this consultation office, the information they have told them that they want to gather is much more narrowly defined than what the minister has put into this section of the legislation.

If landowners who are nonaboriginal are not required to deliver to the government by mandate all of the agreements that they have with an energy company, we can't be asking for aboriginal communities to be providing an excessive amount of information that others are not required to.

This is why I have proposed an amendment that narrows the scope of the information that the government would be collecting. The information the government needs to collect is information related to traditional aboriginal land-use studies. That's what we need to understand. We need to understand where it is that traditional land uses have been taking place by different nations so that we can ensure that the consultation to be able to determine those areas and to determine the adequacy is reimbursed to those nations and other identified groups and also to be able to plan and facilitate Crown consultation in respect to all of the provincially regulated activities that are taking place on that.

The language that is being used in the current act is not only discriminatory but is way too broad. As a result, they have to have all of these additional addendums to it.

- (2) Where any information, record or document provided by a proponent to the Minister . . . is subject to any kind of confidence or is supplied, explicitly or implicitly, in confidence, the providing of that information, record or document does not waive or negate any confidence attached to the information, record or document, and the confidence continues for all purposes.

And then, of course:

- (3) Notwithstanding . . . the Minister may publish in aggregate form any information collected under this Act.

Well, you don't need to have those two sections qualifying the first section if you actually narrowed the scope of the information that was going to be collected in the first place.

I think what has happened here is that the government is giving itself a wide latitude to collect pretty well whatever it wants. It's soft comfort to First Nations communities that the government says, "Well, we'll consult after the fact, and we'll put it together in regulations; just trust us because the consultation will come later," when the consultation didn't come in the initial drafting of this legislation to begin with.

**8:20**

This is why the trust is breaking down between the minister and First Nations communities. As we say, it's not too late for him to be able to change course and do a fundamental redraft on some of the language in this legislation, but barring that, I would hope that other members would see that part of what we're doing here is trying to make the legislation and the scope of the information collected nondiscriminatory and also more palatable to the First Nations so that we can actually move forward with trying to get some kind of legislation passed that is not going to cause an uproar in our First Nations communities.

With that, I would ask for other members to weigh in. I hope that I can get their support for this amendment.

Thank you, Mr. Chair.

**The Chair:** Thank you, hon. member.

The Member for Rimbey-Rocky Mountain House-Sundre.



**Mr. Anglin:** Thank you, Mr. Chair. I rise in support of this amendment, and I ask my colleagues to support it also. What this amendment does is that it puts parameters around what information would be required and for what reason. It removes this broad authority to just say that we can collect pretty much any type of information with regard to their agreement or their contract.

I just want to read a statement from the numerous letters that have appeared and have been tabled in this Legislature in the last couple of days: other landowners and people don't have to disclose their agreements with industry, so why aboriginal people; is it just because they're aboriginal? It's a very interesting question, and it was written because of the frustration with this section. To amend it at least to a limit and to put parameters on the information that the minister could require is a step in the right direction.

I will support the leader of my party for bringing this amendment forward, but I will state categorically that this does not go far enough. It does not go far enough. The aboriginal people and the First Nations treaties and the First Nations within those and the bands within that have not been consulted, in my view. They've said so, and I take their word on that. Until they're consulted, there's no value in this bill. There's only trouble ahead. It's not good for industry, it's not good for relations with First Nations, yet we're forcing it through. What we can do is to at least try to take a step in the right direction. I will tell you that this is not a step that I think anyone can be absolutely proud of. We need to consult. Bottom line: we need to pull this bill. We need to sit down with First Nations. We need to have an agreement with them in principle. They are a separate and distinct people. They are proud, and they have their own nation. This is government to government.

You shake your head no, Deputy Premier, but it's true. It's true by treaty; it's true by the Constitution. That's what's going wrong here. They need to be negotiated with as if they are an equal, not something less. That's really what is the problem here all along. We need to stand up and do what's right, and it's just a simple process. Negotiate first. Come to an agreement first. Bring the law after you have a full consensus. Nothing less is any good. That is just where we are at right now.

Thank you very much. I ask my colleagues to rise and support this.

**The Chair:** The hon. Minister of Aboriginal Relations.

**Mr. Campbell:** Well, thank you, Mr. Chair. Let me start off by saying that there is no intent in the broadest scope to intrude on the constitutional rights of self-government. We understand that First Nations have self-government. We understand the government-to-government relationship.

Mr. Chair, what this does is give us the ability to check with proponents that are paying money into consultation, and we're just talking about consultation, the adequacy of consultation. We're not talking about impact benefit agreements. We're not talking about economic opportunities. We're talking about the consultation piece itself.

You know, the member brought up about mapping and about our targets. Right now a large amount of money goes into First Nations to do mapping. The fact is that they won't share that information right now, so we have to work to get that done.

The other thing is on traditional land use. Again, the member talked about that there are various First Nations that have traditional land uses that overlap. Actually, a couple of chiefs said

to me: you know, we'd like to be able to sit down and see if we can work that out because we understand the issues it causes.

Mr. Chair, this does not infringe on any rights of the First Nations people. You know, I'm getting a little tired of the member across the way continuing to say that we don't care about aboriginal people and that we don't consult and we don't meet. As I've said, I've spent the last eight months on the ground visiting First Nations people, and we've talked about a number of different issues. I mean, I made it very clear to First Nations people that sometimes we're going to agree to disagree. There are some things that I'm not going to be able to deliver that they want, but that's not going to stop us from moving forward and working in the right direction.

You know, I give my colleagues and the ministers from different departments full kudos for opening their doors to sit down with First Nations and talk about a broad scope of issues from water to education to economic opportunities to health care to housing to children in care to domestic violence to opportunities for aboriginal women.

Mr. Chair, I'd be quite happy to sit and talk about the intent of this legislation, but I am getting a little tired of hearing the patronizing remarks from the member across the way that this government does not believe in aboriginal rights.

**The Chair:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you very much, Mr. Chair. I hope you're getting tired. I hope you're all getting tired. I hope that when you leave here tonight you're sick and tired because they can't come down here and tell you how sick and tired they are. They don't have a voice. This is your job. I understand you, and I'm not picking on you as an individual, but what I'm saying is that you're missing the point.

They don't come here on a Tuesday night because they've got nothing better to do. There are a lot of better things to do. They're here because they're upset and they're concerned. This bill is going forward. You say that you're consulting. We saw all the chiefs that came here yesterday. We heard from the various chiefs, and we got all this contradictory information, and what you're telling us is: don't listen to the contradictory information. Well, then we're going to have to agree to disagree because we are listening to this. That's what consultation is. You reach out and you communicate and you find out that – wait a minute – there isn't an agreement here. There are a lot of people upset, and they haven't been consulted, and they've got significant issues in dealing with this.

Again we're back to the question I asked, and I'll ask it again. Hopefully, you'll get sick and tired of it. What's the rush? Why do we have to push this through now? You said that you have appointments to meet with them. Let's get rid of this bill. Meet with them, come to an agreement, then come back here when those people agree on the bill.

**Mr. Lukaszuk:** Mr. Chairman, I have to tell you that the rhetoric that I'm hearing in this Chamber right now is somewhat disturbing and really disappointing. If these members of the Wildrose from across the way would have chosen to avail themselves of just a little bit of information, just ask the minister . . . [interjection] And now they won't let me talk.

Just ask the minister for the information: how many bands and First Nations peoples has he met over the last number of months? I can tell you, Mr. Chairman, that if there is one cabinet minister

that has been on the road virtually 24/7, it is the Minister of Aboriginal Relations.

**Mr. Saskiw:** How many? Tell us how many.

**The Chair:** I think he's trying to do that, hon. member, if you'd let him. Thank you.

Please proceed, Deputy Premier.

**Mr. Lukaszuk:** Thank you, Mr. Chairman. There are a number of issues that come up in this Chamber from ministry to ministry . . . [interjection] Mr. Chairman, would you please advise this member that I would like to talk, and maybe he will give me an opportunity to talk.

**Mr. Saskiw:** Sure.

**The Chair:** Proceed.

**Mr. Lukaszuk:** Thank you, Mr. Chairman. There are a number of issues that this government is dealing with relevant to situations arising with our First Nations. I know that from economic development to education to advanced education to health care there is amazing work going on between this government and leaders of our First Nations and rank-and-file community members both on reserves and in urban communities. I don't see this passion and excitement on the other side of the House to contribute and to support that and to work with that.

Here, Mr. Chairman, what we're seeing is an opportunity to wrap themselves in this political veil of being very supportive of First Nations rights and simply trying to exploit what they perceive is a wedge issue. It isn't, Mr. Chairman, because leaders of First Nations have been consulted and will continue to be consulted and always have been. [interjection] That member will not stop, will he, Mr. Chairman?

**The Chair:** I'm sure he will, hon. Deputy Premier.

**Mr. Lukaszuk:** If there is a government in this land, Mr. Chair, in Canada, that has a great relationship with our First Nations, it's the government of Alberta. Historically our Premiers – Premier Klein, Premier Getty, Premier Stelmach, and now Premier Redford – have had phenomenal relationships with our First Nations. Why? Because we always work together, we always collaborate, and we always consult. That history simply is undeniable.

8:30

Mr. Chairman, to stand up and to profess to be the righteous defenders of aboriginal rights when they know that this bill, as a matter of fact, is designed to assist First Nations in the long run with economic development on reserves, with elevating First Nations – if he knew the fact that this particular minister wants nothing more than to make sure that our First Nations reach equity in this country and enjoy any and all benefits that every other Canadian enjoys, if he knew that this minister is working right now with leaders in aboriginal communities on education, making sure that children on reserves receive the same funding for education, if he knew of all this work, maybe he would actually support this minister in the work that he's doing as opposed to trying to politicize the issue.

You know, Mr. Chairman, in this country we have 150 years of politicizing native issues, and this is where we have ended up. This minister is trying to take leadership, as a matter of fact, and not politicize the aboriginal community, do the right thing for

them as Canadians because they are just as Canadian as anybody else. But this is what you get. You get exactly what has been happening in this country for the last 150 years, the politicizing of issues, trying to use aboriginal communities for wedge issues to score cheap political points. We won't stand for that. We will be working with our aboriginal communities, and we will make sure that they get to benefit from the same privileges and rights like every one of us in this province does despite the rhetoric and the patronizing comments that we hear from the opposition.

Thank you.

**The Chair:** Thank you, Deputy Premier.

The hon. Member for Edmonton-Highlands-Norwood, followed by Edmonton-Centre. [interjections]

Hon. Member for Lac La Biche-St. Paul-Two Hills, please. Let someone else have the floor. Thank you.

Member for Edmonton-Highlands-Norwood, please proceed.

**Mr. Mason:** That speech from the hon. minister, the Deputy Premier, I think, deserves a response. His job apparently in the government is to pour oil on troubled waters, but I think what he does is that he usually pours gasoline on troubled waters and then throws a match down.

I just want to make a few points. First of all, it's the words of the First Nations leadership itself that we have been using and quoting in this debate. It's their statements that they don't support the bill and that they feel they have not been consulted with that form the basis of the opposition of all three opposition parties, Mr. Chairman. That's the first point. So to try and make statements about how the opposition is trying to make use of First Nations to score cheap political points is a nonstarter. It's just not there.

Then there is the question about politicization of these issues. The government has been using this a lot lately whenever the opposition raises a concern among people, for example, who haven't got proper treatment in health care or others. They say: "The opposition is politicizing the issue. Just bring it to us, and we'll deal with it." Mr. Chairman, that's very disingenuous. Those issues are very political because when the government decides that they are going to continue major tax breaks for corporations, keep some of the lowest royalties in the world, maintain a flat tax that gives huge tax savings to the wealthiest Albertans, and at the same time cut programs that needy and vulnerable Albertans depend on, that's political.

That's a political decision, that you're favouring the rich and the wealthy in our society at the expense of lower income and middle-class families and people who are vulnerable. That's a very political debate. We take the opposite view. We think that it's in fact the people who are most in need that deserve the most help from the government, not those that already have the most wealth. That's a political debate. So to say that there are no politics here or we should avoid politics is absolutely ridiculous.

It's more ridiculous when you apply it to aboriginal issues because it's been the politics of aboriginal issues by patronizing and colonial governments both at the provincial and the federal level that have driven many of the issues that we are still trying to sort out today. It's the politics of aboriginal issues, hon. member, that is at the root of all of these issues. To say that we're trying to politicize it is ridiculous. It is politicized. It's politicized by you. It's politicized by First Nations. It's politicized by the opposition parties. It is a political issue. So to say it's political is like saying, you know, that there's sunshine. It's just a ridiculous statement.

**The Chair:** The hon. Member for Edmonton-Centre, followed by Rimbey-Rocky Mountain House-Sundre.

**Ms Blakeman:** Thanks very much, Mr. Chair. You know, I have to say that I really appreciate the government's current track record of a scandal a day and offering the opportunity to the opposition parties to be able to offer our alternatives up in response to their scandal a day. It's really nice of you to offer us that. We appreciate it because you're just putting it in our laps every day. I wonder what the scandal will be tomorrow.

**The Chair:** On the amendment, hon. member, please.

**Ms Blakeman:** Oh, Mr. Chair, I'm sorry. On the amendment, which would be amendment . . .

**The Chair:** A2.

**Ms Blakeman:** Okay. Good. Thank you very much.

This issue of: it's not political. Of course it's political. It's also specifically discriminatory. I'm sorry. I probably didn't need to use both of those words in the same sentence. But the gist of this bill is to be able to collect information on aboriginal interests in the oil and gas sector and publish their participation and their interest, but there is no attempt to publish anyone else's, so it is very specifically directed at publicizing what they're doing and how much. That is very much to the benefit of the current oil and gas industry because they get to find out what's being proposed on aboriginal land, and nobody else has to say anything or bring any information forward.

To say that it's, you know, not political is a ridiculous statement, and knowing this member, it's probably done in great fun to give us all an opportunity to stand up and extend the evening. I know he takes a childish delight in that, and we're all duly on our feet around it, so it worked. Indeed, we have him giggling right along with us.

The other part of this is that concept of consultation. You know, I believe that the minister was out there. I've worked with him for a while, and I have some respect for him, but . . . [interjection] Yeah. That was a compliment.

**Mr. Mason:** That's the best you're going to get in here.

**Ms Blakeman:** Yeah. Probably.

I think that this government's understanding and acceptance of a definition or a standard, let me say, for a consultation is different than what many others would do. I've negotiated with various ministers on various subjects and the Government House Leader many, many times, and what I find is that a couple of things happen. Either a concept or an idea or a plan is mentioned very briefly in passing in a social situation. It's interesting to hear it, and you maybe give a little bit of a reaction but not much because you didn't really have it fully explained. It was just in passing. You move on and, you know, finish your smart snacks, and on you go to the next event. Then you come into the House or go into a committee or whatever it is and find out that this little idea that was just mentioned in passing has become a full-fledged bill or motion or a plan that is being implemented by the government, and you think: "Whoa. Whoa. Whoa. That is not what I would have called consultation."

I've also been in negotiations where we got right down to the nitty-gritty of it. Every word counted. Interestingly enough, I reviewed every single version of it word by word because I would find that deals that had been made previously disappeared, and the wording got changed back to what it was before. Now, maybe this was an oversight. Maybe people were tired. Maybe people weren't wearing the correct glasses and they missed the fact that there was a change to it. I don't know. All I know is that a number of times

when I would go back and review the deal word by word, I would find that in fact it had reverted back, and all that work was gone. If I hadn't read it word by word, I would have missed the fact that that was now gone, and I had to say: "No, no, no. Remember? We had this agreement. It needs to go back in again, and this is the wording that we agreed upon." "Oh, right." So it was a very slow process and a very thorough process to move that kind of thing along, and admittedly not very many people are as directed towards the minutiae of this kind of thing as I am.

**8:40**

Those are two ways that one group of people like the minister would believe that he had reasonably raised this issue and had talked about it and for people on the other side of this to believe that they'd never heard it. It's quite possible for those two conflicting points of view to be absolutely true in this case.

But I think that this government has become so used to implementing in a hurry what they believe is the right thing to do, and they used to talk about it in their caucus, I know. I'm not so sure that's happening now. Based on some of the things that have happened, I am sure that the backbenchers would not have allowed this to happen. Let me assume that, you know, they've talked about some things; their staff has been working on it for quite a long time; things have been presented.

You know, there's a whole process in government where there are all kinds of initials for it. There's a request for a decision, and there's a request for information and all these different processes where it keeps coming back before them, so as far as they're concerned, they've looked at this issue – what? – four, five, six times by the time it spits out the other end of the pipeline and is a bill or a motion or a committee understanding or whatever. They think they've done it a lot but, in fact, for the people on the receiving end they may have heard it once or twice without understanding the weight of the issue that that discussion about, "Well, we'd like to follow up on this," and "We're thinking of implementing such and such," actually has in a cocktail setting or a social setting or a dinner or a coffee or even just passing in the hallways. That actually carries a lot of weight, and people need to know that and pay attention and follow through.

It took me a while. I got had a couple of times but good before I figured out that that kind of minutia is necessary and that kind of follow-up and that kind of ear for the slightest change in tone or wording. I think that is what's happened here. This government has reached a point where they believe themselves omnipotent. I spoke once about the hubris that is experienced and demonstrated by members of this government, that they are above the gods, that they are so amazing and all knowing that they don't have to use the usual processes that man, humans, need to use. I think that's part of what's happened here. We've certainly seen that demonstrated in this sitting. [interjection] Thanks.

How have we seen that? Well, you know, we have, for example, a deal with teachers. There is a process in place, and it says that if everybody doesn't vote for it, then it's kaput. That happens, and government says: "No, no, no. We won't accept that. We're going to bring through legislation and, more than that, we're going to do more than one stage in a day." That is a big deal, Mr. Chair. There's a reason why our standing orders and all the other parliamentary books say that you can't do more than one stage in a day. It's to allow the public to hear what's going on, the media to hear what's going on, people to give input, opposition to think about it and research it. You know, there's a good reason for why that kind of thing happens. To truncate that, to squish it all together in the timing and to run it through in a day or less than a day is really a dramatic step. So there's one example of what's

going on: we are above criticism; we are above having to use the standard processes.

When we're talking about consultation with a group of people, this is what's happened. The government is so used to acting that way that they have put themselves above what everyone else, what a reasonable person and the reasonable person test would consider adequate consultation. I believe this minister did go out. I believe he did meet with people and pitch these ideas, and he probably does have speeches of where he talked to people. But that nitty-gritty of saying: "Okay. Everybody good with this?" – you know, I'm a bit pushy. What I do is say: "You have to look me in the eye. We're going to have to communicate that this is what we're understanding this to be." If that doesn't happen, it's easy to have somebody that believes that a deal is had when it's not, that something's been agreed to or that wording has slightly changed this time around that actually changes the whole thing.

As we know in this Assembly, a word like "may" versus "shall" is a big deal. Three letters; five letters: you wouldn't think much of a difference, right? But the difference in importance in legislation between, you know, the government shall do something and the government may do something is a huge difference, so the wording is really important.

Gee, it's just so much fun sitting at night with the Deputy Premier, who just gets everybody all fired up.

I'm sure I'm near the end of my 20 minutes. That was a wonderful opportunity. Thank you so much. I am speaking in support of the amendment that is proposed.

Thank you.

**The Chair:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Chair. I'd ask for unanimous permission to briefly revert to introductions.

[Unanimous consent granted]

### Introduction of Guests

**The Chair:** Proceed, hon. Leader of the Official Opposition.

**Ms Smith:** Thank you, Mr. Chair. I'd like to introduce to you and through you some members of our First Nations communities. Chief Herb Arcand from Alexander First Nation is the acting grand chief of the Confederacy of Treaty 6, which is 35 miles northwest of Edmonton. He would like to welcome everyone to Treaty 6 territory. He also wanted us to indicate that the minister has never visited to discuss this bill with the Alexander First Nation, so he's just wanting to correct the record there. Also in the gallery we have Edwin Paul from Alexander First Nation; Donna Ahkimmachie and Kevin Ahkimmachie from Treaty 8; Phyllis Whitford, proxy for O'Chiese; Cherish Cardinal from Bigstone and Frieda Cardinal from Bigstone; and Shannon Pastion from the Dene First Nation. Please rise and receive the traditional warm welcome of this Assembly. Thank you for being here.

**The Chair:** Thank you.

### Bill 22 Aboriginal Consultation Levy Act (continued)

**The Chair:** I'll recognize the hon. Member for Edmonton-Beverly-Clareview, followed by Rimbey-Rocky Mountain House-Sundre.

**Mr. Bilous:** Thank you, Mr. Chair. I rise to speak in favour of this motion that's put forward, and I'd like to clarify a couple of things for the Deputy Premier and for other members as well. You know, it's very important to recognize the fact that much of the information that the opposition has been sharing over the last 48 hours regarding Bill 22 has been coming directly from direct correspondence – letters, e-mails, phone calls – and face-to-face meetings with members from all three treaties and from First Nations communities.

I think it's interesting that the Deputy Premier in his own words had talked about the work that the Minister of Aboriginal Relations has done and the number of groups that he's met with. I'm not going to try to argue that in the least, Mr. Chair. I know that the minister has met with many different aboriginal groups and many different First Nations chiefs and councils, but I do need to clarify for the record that meeting with a group or an individual is not consultation. One of the frustrations that I'm hearing from members of the First Nations communities is that the term "consultation" is being thrown around, I think in some contexts incorrectly and improperly.

There has been context established, or I'll say a precedence established. There have been different cases that have gone before the Supreme Court. I know yesterday I had talked a little bit about the Mikisew and their court case, so there has been discussion around consultation. There clearly are different interpretations of that term. I just wanted to clarify what I'm hearing from many representatives of the different treaties. Part of their frustration with this bill and why there has been so much outrage about Bill 22 is because of the lack of consultation on it. The intention of this bill was mentioned in passing in meetings, not in a sit-down, back-and-forth consultation as far as the government proposing bringing forward a levy.

8:50

Now, the intention of this levy to allow an equal playing field for all First Nations throughout the province to be able to have the capacity to consult I agree with, and I don't think there are any bands that would disagree with that. But the process by which the minister and this government went about drafting this bill, without proper and meaningful consultation with different First Nations bands, is quite simply, Mr. Chair, disrespectful.

I know some of the members from the government side have talked about the intent. The reason I rise to speak in support of amendment A2 is because with what we pass in this House, Mr. Chairman, it's extremely important that we're conscientious of every word that is being either approved or disapproved. Although a bill, an amendment may have the intention of doing well or bringing about positive consequences, there are sometimes unintentional consequences that come about and that especially come about when we use ambiguous or vague language or don't have proper definitions or very defined definitions.

This motion narrows the gap in section 8 of this bill. As some of the hon. members have said, this is a section that has been the most or one of the most contentious sections for several treaties. I just want to get into that a little bit and maybe shed some light for some of the members across the way as to why this is so offensive. I mean, first and foremost, you know, requiring First Nations to publicly share or disclose sensitive documents, agreements between industry and First Nations: first of all, as other members have said, in no other context, in no other group are they required to disclose this kind of information, and it really begs the question as to if this section was either intended or not intended to be discriminatory.

The fact of the matter, Mr. Chair, is that agreements between landowners and industry are private. That's between industry and landowners. They are not required to disclose this information. The fact that in this bill there is a section requiring First Nations to disclose this is ridiculous. As other members have quoted, you know, yesterday there was a press release put out by Treaty 8 where Grand Chief Roland Twinn had talked about how private companies and their agreements are not subject to public scrutiny. So this section can be interpreted as discriminatory. As mentioned yesterday, First Nations will not accept this section as it is written.

I mean, again, when we talk about accountability, it's unnecessary. First of all, there is federal legislation that puts onerous financial disclosure requirements on First Nations governments, and industry as well is bound by anticorruption legislation – okay? – in sections of the Criminal Code which prohibit the bribery of public officials. The point of this is that in the eyes of different First Nations bands this section 8 of Bill 22 is a blatant violation of the UN declaration on the rights of indigenous peoples and of section 15 of the Canadian Charter of Rights and Freedoms. Other groups do not have to disclose this information. Why is it that aboriginal groups have to disclose this information? For that reason and many others, Mr. Chair, I'm opposed to Bill 22 in its entirety.

However, speaking to the amendment, this does attempt to plug one of the many gaping holes in this piece of legislation, I do think, and I urge all members of this Assembly to vote in favour of this.

You know, the last point I'd like to make, Mr. Chair, is that I think there are many people around the province that may disagree with the hon. Deputy Premier when he speaks about how the Crown, or the province of Alberta, has this fantastic relationship with First Nations communities. That's something to aspire to, but I think we're far from that. I do think it's worth mentioning for those who maybe weren't aware that both yesterday evening and this evening we have guests, representatives from different First Nations communities who are here to make their presence known, that they are completely opposed to this bill.

There have been numerous press releases – many of them, I believe, have been tabled in this House – where we have grand chiefs, chiefs, and councils all speaking in opposition to this bill primarily because of the lack of consultation. If the Deputy Premier thinks that's how you build a great relationship, that you draft a piece of legislation and you ram it down someone's throat and you try to push it through this House as quickly as possible, then it's no wonder there are so many frustrated and discouraged members of First Nations communities, you know, who feel patronized by this government and do not agree with the Deputy Premier's sentiment that they have a great relationship.

A great relationship starts with trust. It starts with, well, building trust and having a conversation, a conversation or multiple conversations which lead to consultation, where they are equal partners with an equal voice at the table. From everything that I've been told in communicating with different community members, that has not been the case. There have been discussions, but discussions and notification is not consultation.

Hopefully, that clarifies a little bit for members of the House.

I will conclude by saying that I strongly urge all members to support this amendment.

**The Chair:** Thank you, hon. member.

The Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I am so grateful that the Deputy Premier has chosen to enter this debate. I think the last

time I debated him, I didn't. He ran out. [interjections] Oh, that was Sylvan Lake. I'm sorry. [interjections] Oh. Correct me, please.

**The Chair:** Are you on the amendment, hon. member?

**Mr. Anglin:** I'm going to speak to the amendment. But I want to say something here. Isn't it ironic that a bunch of white men down here are talking about what's good for aboriginal people? That just doesn't make sense. That's almost a comedy in the making.

The consultation process has to be engaged with the First Nations. The Deputy Premier asked: how many First Nations people did I meet with? Well, I did. I went out, and I met more than a few times with the O'Chiese band. I brought the Leader of the Opposition with me once. We had a great meeting. I've gone to the Sunchild more times than I can count. I know various people individually, and I have met them in an official capacity. The reason I'm here speaking today is because they've come to me to bring their concerns because you have not listened to them. That's why they'll come.

Clearly, what we have here is an amendment coming forward dealing with an issue that requires exactly what the Deputy Premier has sort of hinted at, so I would like him to respond. He asked the question: do I know how many bands the hon. minister has met with to discuss this bill? The answer is: I don't, and neither do the people up there. Please, somebody tell me. Give me a list of every band that you met with that agreed to this so you brought this forward. Please give us the list. Then we'll go check that list. I think that's reasonable. Then we'll find out.

**9:00**

We had Treaty 6 here. We have Treaty 8. We have Treaty 7. We've got bands represented from all around the province who say that they have not been consulted. Let's get right down to the bare facts, and let's find out. If the hon. Deputy Premier will divulge who has been consulted and who has agreed, let's create the list – it's a little bit like our infrastructure list – let's go check on it, and let's find out if it's real. You know what? That's not hard to do.

The people that this most affects are not here on this floor to discuss it, and they're upset, and that's why they're here to watch in, probably, frustration. They have a lot to say. It shouldn't be between us. It should be between the minister and them. That's where it belongs right now, and that's where it should stay right now until there's an agreement.

Thank you.

**The Chair:** Are there other speakers on the amendment? The hon. leader.

**Ms Smith:** Thank you, Mr. Chair. Just jumping off the point that the hon. Member for Rimbey-Rocky Mountain House-Sundre put forward, I think that the Deputy Premier has offered us a very good opportunity to ask the minister to table exactly what the Member for Rimbey-Rocky Mountain House-Sundre and the Deputy Premier himself have asked for, which is the full list of those who were consulted with, the full documentation that showed that the minister has put on the table all of the different aspects of this bill as well as the letters of support for the approach that he's taking, in particular in section 8.

I think that that the Treaty 8 First Nations of Alberta press release has been read into the record several times, but it's worth noting again. I will mention the others that I have here. Grand Chief of Treaty 8 First Nations of Alberta Roland Twinn states:

"We oppose this new legislation, created without meaningful and proper consultation and view it as a continuation of the paternalistic attitude that our Nations have struggled against for decades."

The new bill, according to an Alberta Government announcement, is "aimed at strengthening the First Nations consultation . . ."

But according to First Nations

"this bill does nothing to ensure the consultation process is appropriate and meaningful. It is instead creating a consultation levy fund that has the potential to impact Treaty Rights and our ability to consult, it is more likely to hinder than enhance."

I'll be happy to table this tomorrow. That is just from Chief Twinn.

We also have a letter from the Samson Cree Nation, authored by Chief Marvin Yellowbird, which goes on to say:

As Chief of the Samson Cree Nation, both I and my Council are shocked today to learn about the introduction of the Aboriginal Consultation Levy Act in the Alberta Legislature. The Government of Alberta provided no notice to First Nations that the legislation was imminent and has failed to meaningfully consult with First Nations regarding this legislation. Indeed, Samson has been absolutely clear in our discussions with [the minister] personally about the proposed new Consultation Policy that Samson Cree Nation is opposed to a levy on First Nation consultation and a proposed requirement to disclose agreements between First Nations and the natural resource companies. Alberta has been less than clear as to how such measures and such a mechanism will work or benefit Samson Cree Nation or the resource sector. [The minister's] government's approach to this legislation clarifies one thing only – [they] simply do not care what Samson Cree Nation has to say about consultation.

It goes on to say that they would request that he attend a meeting of Treaty 6 chiefs as soon as possible to review the act. They want to provide a thorough response, but their initial concerns are very serious. They're around the nature of what this amendment proposes, that we have to modify section 8 so that we take away the discriminatory element and so that we also take away the aspect of them having to disclose their agreements. That is Chief Marvin Yellowbird's.

I also have a letter here from Chief Charles Weasel Head of the Blood Tribe, and in it he states:

I recently learned about the introduction of the proposed Aboriginal Consultation Levy Act . . . in the Alberta Legislature. The Government of Alberta . . . has completely disregarded our constitutionally protected rights by providing no notice to First Nations that this legislation was imminent and has not consulted with First Nations regarding the act whatsoever.

To the limited extent that First Nations have had any opportunity to date to discuss the proposed new Consultation Policy with [the minister] and other government representatives, Treaty 7 First Nations have been clear that we are opposed to a levy on First Nation consultation and any requirement to disclose agreements between First Nations and natural resource companies. Alberta has failed to explain how such measures will work or benefit First Nations, or the resource sector. Instead, [the minister's] government has introduced the Act in the face of those concerns, before a meaningful consultation process on the proposed new Consultation Policy has completed, and before any consultation about the Act whatsoever. [The minister's] government's decision to introduce this legislation makes it clear to us that you do not understand the scope or breadth of our constitutionally protected Treaty and Aboriginal rights or the Crown's duty to consult and accommodate. Of even equal concern is the complete lack of

respect Alberta is demonstrating by proceeding in this manner without our engagement.

Then, of course, they go on to – guess what? – identify this exact section that we're talking about right now because it's discriminatory and it goes too far asking for the disclosure agreement.

So I am quite interested in hearing the minister respond to this, to the challenge by the Deputy Premier, and to the request of the Member for Rimbey-Rocky Mountain House-Sundre. I have visited the Beaver Lake Cree Nation, Siksika Nation, Fort McKay, Blood reserve, Piikani, Suncild, O'Chiese, Enoch, Tsuu T'ina. I've been to Sturgeon Lake Cree, where I met with Horse Lake and Duncan's First Nation, I've been to the Assembly of Treaty Chiefs and addressed them, I've been to the Treaty 7 office, and I've also addressed the Piikani education conference.

In all of those opportunities to meet with First Nations, none of them mentioned that the minister was consulting with them on this levy, on this act, and the provisions therein. They talked about education. I'm glad the minister is considering looking at Jordan's principle and funding every student in this province to the same level regardless of whether they live on-reserve or off-reserve. I have suggested that many times before in the times that we have been on conference panels together, and I think that that would be a positive first step.

But the fact of the matter is that just because I went and met and had wonderful conversations and tours of schools and participated in powwows at these different events, that does not replace meaningful consultation on a bill like this. I don't think the minister can pretend that because he went and had dinners and maybe casually notified people this might be coming, that in some way replaces meaningful consultation.

With that in mind, I would love the minister to respond to this. What nations have written to him saying that they are in support of this bill, in particular section 8, the one that we're trying to amend through this legislation?

I'd also like to know: since he has said that he has done such consultation, surely there's a written record. Surely there are letters back and forth with different First Nations identifying the elements of this bill coming, identifying that it was coming altogether, identifying some of the different provisions that are going to be built into the act, describing what section 8 was going to mean and the impact it was going to have on First Nations. If the minister, as he claims, has been travelling around consulting about this, surely there has to be some kind of written record of the discussions that went back and forth because that is what consultation is all about. It's an exchange of ideas where you can come to a conclusion. It's not just casually notifying somebody in passing when you happen to visit their reserve.

I do hope that the minister would be able to provide some clarity on that because when he first spoke to the amendment that I was proposing here, his interpretation of what he is trying to do doesn't seem to be that far apart from what I'm saying that this amendment should do. The problem is that what he is telling First Nations he's intending to do is not what is written in the text of the legislation that he put forward in this Assembly. The text of the legislation that he put forward in this Assembly is discriminatory, probably would not hold up under a Charter challenge, and proposes to put additional restrictions and disclosure requirements on aboriginal citizens that he is not putting on nonaboriginal citizens.

If he is actually in agreement that he wants to abridge the information collection in the way that I've described, he should be speaking in favour of the amendment. It would send a strong message to the First Nations members who are here this evening,

to the First Nations members who have written to us, to the 50 First Nations members that I've introduced over the last couple of days. I note that the minister hasn't introduced anyone into this Legislature in the last few days who is in support of his bill. How unlike the approach that was taken when he was doing his consultation on the Metis Settlements Amendment Act, 2013, which is something that the members opposite should keep in mind.

I would like for him to respond and explain why it is he feels he has support to go ahead and put forward legislation with this amendment in here, with this provision in here, and who exactly he has the support of in the First Nations community.

Thank you, Mr. Chair.

9:10

**The Chair:** Hon. leader, you read exclusively from a letter. I would ask that you table that letter tomorrow at the appropriate time. Thank you.

Also, hon. members, might I remind you that there's quite a bit of latitude during Committee of the Whole, but if at all possible would you please try to stay to the amendment? I anticipate we have a number of amendments to go through tonight, so it would be helpful if members got up and spoke to the amendment.

We are dealing with amendment A2, and if there are no more speakers, I will call the question.

[The voice vote indicated that the motion on amendment A2 lost]

[Several members rose calling for a division. The division bell was rung at 9:11 p.m.]

[One minute having elapsed, the committee divided]

[Mr. Rogers in the chair]

For the motion:

Anglin	Fox	Saskiw
Bilous	Hale	Smith
Blakeman	Mason	Stier
Donovan	McAllister	Towle
Engen		

Against the motion:

Allen	Fenske	McQueen
Amery	Griffiths	Oberle
Brown	Jansen	Olesen
Campbell	Jeneroux	Olson
Cao	Johnson, L.	Pastoor
Casey	Kennedy-Glans	Quest
Dallas	Khan	Scott
Denis	Kubinec	VanderBurg
Dorward	Leskiw	Woo-Paw
Drysdale	Lukaszuk	Young
Fawcett		

Totals:	For – 13	Against – 31
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[Motion on amendment A2 lost]

**The Chair:** Now back to the bill. The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Well, thank you very much, Mr. Chair. I do have amendments to propose, but I just want to say for the record that I'm hesitant to put forward amendments to this bill because it is so flawed. On Friday, May 10, I joined with many of the chiefs and the treaty chiefs in calling for the minister to withdraw this bill altogether, so after careful consideration I am putting forward this

evening two amendments to this bill but really need to emphasize the fact that I think, regardless of how many amendments the opposition may put forward in an attempt to improve this legislation, it's an impossible mission. For that reason, this bill really should be withdrawn.

You know, Mr. Chair, the other reasons that are more pragmatic on why I hesitate to put forward amendments: it's clear to me that this government is not listening to First Nations. As has been identified, there have been numerous letters and press releases from chiefs, from grand chiefs, from representatives from the treaties who are all opposed to this bill. With the fact that there's been such a disregard that this government has shown First Nations by, again, failing to acknowledge their concerns, their disgust – I guess that is the word I'm going to use – for this legislation I really think is salt in the wounds, so to speak. I mean, again, the government loves to talk about the relationship that they want to build or have built with First Nations communities. The reality is that this piece of legislation is working counter to that and is dismantling that relationship.

You know, Mr. Chair, by not withdrawing this legislation, I feel – and I'm sure that there are many that agree – that the minister and this government have lost the confidence of people whose interests they should be promoting and protecting. So the amendments that I bring forward today should not be construed as indicating my support for this legislation nor my endorsement of the process that this minister has taken. I vehemently oppose the manner in which this legislation was drafted without consultation as well as the problematic wording of many sections, as I've spoken to in second reading and as I will continue to bring to the attention of members of this Assembly.

The amendments that I'm proposing here, Mr. Chair, merely attempt to compel this minister to speak directly to just two of many sections in this bill, the two sections that have been vocally rejected by First Nations. You know, adopting and accepting these amendments is the least that the minister can do and far less that what he ought to do.

With that being said, Mr. Chair, I'd like to bring forward my first amendment.

9:20

**The Chair:** Okay. Hon. member, we will treat that as amendment A3. I hope that you are sending me the original. Thank you.

Proceed, hon. member.

**Mr. Bilous:** Okay. Thank you, Mr. Chair. I'll begin by reading the amendment into the record. I move that Bill 22, the Aboriginal Consultation Levy Act, be amended in section 4 by striking out subsection (3) and substituting the following:

(3) The Minister may only use the Fund for the following purposes:

- (a) to pay all of the costs incurred by First Nations and identified aboriginal groups with respect to consultation;
  - (b) to make grants in accordance with the regulations to First Nations and identified aboriginal groups to assist them in developing capacity to participate fully in all required Crown consultations in respect of provincial regulated activities; and
  - (c) to pay the costs of administering this Act.
- (4) The Consultation Levy Fund, and grants made from therein, cannot under any circumstance be construed as accommodation or compensation for infringements of Treaty or aboriginal rights.

Mr. Chair, this amendment is very important. First of all, the fund is to be used to pay all of the costs incurred by First Nations

and Métis communities during consultation as well as, and extremely importantly, to develop consultation capacity to enable these communities to participate fully in consultations. My hope here is that the levy charged by the government will need to be adequate to actually cover the full costs incurred by First Nations in preparation for and during consultation.

In subsection (4), Mr. Chair, I indicate importantly that none of these funds can be construed as accommodation with respect to consultation or as compensation for infringement upon treaty or aboriginal rights. It's very important that if there is an infringement on either treaty or aboriginal rights, there is a penalty, that that is paid. This original levy fund is not to be confused with any penalties that could be incurred for failure to properly consult or an infringement upon inherent treaty rights and aboriginal rights.

You know, Mr. Chair, I do hope that this amendment makes it into the bill. This is providing further clarification and ensuring that there is no confusion over monies that are put into increasing consultation capacity but not, I guess, removing – on the off chance that there is an infringement on aboriginal rights or treaty rights, the original levy is not used twice and used as a way to pay those fines. That needs to be separate and distinct.

Mr. Chair, the courts have been very, very clear, as I've said earlier tonight. There have been a few cases that have gone all the way to the Supreme Court. Consultation should be coupled with accommodation. The government needs to be clear in this bill that funds provided from the consultation levy will not be considered part of accommodation or compensation under any circumstances. I mean, if consultation is to be meaningful, it needs to also have accommodation where, again, industry and the government are open and willing to not only receive suggestions, concerns, and ideas from First Nations but to accept them, adopt them, and ensure that they are included in policy, in agreements. Again, this is a two-way conversation.

As was stated numerous times over the last week, notification is not consultation. You know, for the benefit of members of this Assembly an example of notification would be when ministers provide briefing notes to a bill to opposition members before it's tabled in the House. That would be an example of notification. It's a one-way conversation, information passing from the minister to the member. That is not consultation. There is not input from the member back to the minister on what should be included in the bill or how it could be improved or offering different points of view.

Consultation is extremely important. This amendment speaks to the spirit of this bill, which, as I've stated, is quite flawed. However, the intention of ensuring that all First Nations have the ability to consult and have the capacity to consult with industry on proposed projects: when it comes to the funds and how they're going to be distributed, it's very important, Mr. Chair, that we outline these specifics and that there are no shortcuts to ensuring that First Nations have the full capacity.

In conclusion, Mr. Chair, this recommendation, this amendment I'd like to share with the Assembly, and I'm pleased to say that I've got full support of the First Nations and legal counsel for two of the treaties that support this amendment, that wholeheartedly endorse this amendment and feel that this needs to be in this bill. I ask members and the minister to seriously consider this amendment. As I've said, this has full endorsement from the First Nations communities that I've been in touch with over the last three days, but importantly the legal counsel for two of the treaties wholeheartedly endorse this.

I do want, in conclusion, Mr. Chair, to express my appreciation to the legal counsel as well as to the First Nations chiefs I've been

able to speak with in the last few days, including the grand chiefs, for their input on trying to improve legislation. I mean, their opinion is that it be withdrawn altogether, but I appreciate their counsel and their advice, and I urge all members of this Assembly to support this amendment.

Thank you, Mr. Chair. Hai, hai.

**The Chair:** The hon. Leader of the Official Opposition.

**Ms Smith:** Thank you, Mr. Chair. I rise in support of this amendment. I guess it's a good indication to the minister of just how little he has to go to meet First Nations partway. If you look at the amendment that's being proposed, two of the provisions are pretty well identical to what's existing in the legislation right now. But to provide the certainty that First Nations communities need, there's a new (a) that would "pay all of the costs incurred by First Nations and identified aboriginal groups with respect to consultation."

I think the Member for Edmonton-Beverly-Clareview has sort of peeled back the veil on what some of the concerns are in First Nations communities when talking about the number of dollars estimated currently for consultation versus the number of dollars likely to be raised through this levy and the difference between the two.

As the member has indicated in this Assembly, \$150 million is the estimate currently going to First Nations for the purpose of consultation, and the proposal as he's described it in his conversations with the minister is that this levy would only generate \$70 million. What that would seem to indicate is that this is actually a way of carving out \$80 million worth of legitimate consultation fees that First Nations have come to rely on to be able to determine their rights on their traditional lands. I think that what this does is that it gives that disclosure and that assurance that this is not a mechanism to be able to shortchange First Nations communities relative to what they're currently getting under the status quo.

The second part, adding a new (4): "The Consultation Levy Fund, and grants made from therein, cannot under any circumstance be construed as accommodation or compensation for infringements of Treaty or aboriginal rights." I think the language that's been put into the preamble has given First Nations concerns that the government is trying to somehow dodge the constitutional protections that they have or dodge their requirement to do proper consultation. I think what this does is that it demonstrates and reaffirms that this is a parallel process and in no way has any bearing or any infringement upon the rights as they exist under the Constitution, as they exist under treaty, and as they may in future be enumerated through various sources of litigation.

I think this is a very important amendment. I think it goes a long way towards addressing the concerns of First Nations communities.

**9:30**

It's kind of interesting that with all of the busyness of a member from a party with four MLAs – we certainly know how busy that can be when you have a party of four MLAs – the hon. member found time to sit down with the chiefs, to talk with them about how the bill might be able to be improved, to come up with language, to put forward an amendment, and to be able to get an endorsement from them. It wouldn't have been that hard for the minister to do exactly the same thing. He's had the same amount of time over the last few days. He doesn't like any of our amendments. It would have been nice for him to propose a few of his own.



But in the absence of seeing any amending language to address the concerns of our First Nations chiefs and communities, I think that the Member for Edmonton-Beverly-Clareview has done a pretty good job here, and in so doing, this amendment deserves the support of the Assembly. I encourage the minister to at least pass one of these amendments this evening to demonstrate that he is listening to First Nations chiefs, that he is going to go forward with an attitude of accommodation, genuine consultation. I think this would be a very good place to start.

Thank you, Mr. Chair.

**The Chair:** Are there other speakers? The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Yes. Thanks very much, Mr. Chairman. I rise to speak in favour of this amendment because I think that it strengthens what's a very, very weak bill. It may still be so weak as to not deserve the support of the Assembly, but I think it is important that we talk about this. Subsection (3) in the amendment will indicate that the fund is to be used to pay all of the costs incurred by First Nations and Métis communities during consultation as well as to develop consultation capacity to enable these communities to participate fully in consultation. Now, the problem with the bill as it's drafted is that there can be an arbitrary decision about how much is fair to pay First Nations costs relative to consultation, not something in their control and not necessarily related to their actual costs or their legitimate costs. This just turns that around and says that the First Nations and other identified aboriginal groups will have their costs of consultation covered. Also, I think that if there were any charges, for example, against the applicant, it would prevent this fund from being used to cover those costs. They would have to pay out of their own pocket.

I think that on balance this strengthens the act and shifts the balance in this one area in favour of First Nations and other recognized aboriginal groups in terms of ensuring that if we're going to have this fund and it is to pay the costs for consultation, it covers all of those costs and not just a small portion arbitrarily determined by someone else. That's the basis of the amendment, and that's why I think all members should support it.

Thank you very much, Mr. Chairman.

**The Chair:** Are there other speakers? The hon. minister, followed by the Member for Edmonton-Centre.

**Mr. Campbell:** Well, thank you, Mr. Chairman. I'll start backwards on the bill, on subsection (4), that the consultation levy and grants made therein cannot under any circumstance be construed as accommodation or compensation. The bill is very clear. This consultation fund is for adequacy, for consultations, so it won't be used for accommodation or compensation or infringement of treaty rights or aboriginal rights. Again, the duty of the Crown to look after accommodation and mitigation will be taken. That will be done between the Crown and First Nations.

Also, Mr. Chairman, the whole concept of this bill was to make sure that there's proper money in the fund for consultation. One of the things that both industry and First Nations have identified very early on in the process is that a number of the First Nations did not have the capacity to do a proper job of consultation. What this bill does is allow them to have the money from the fund so they can build up their capacity and do a proper job so that we as a Crown have met our obligations in consulting with First Nations in an adequate manner in areas which infringe on their treaty rights or their traditional land use.

Mr. Chairman, everything that the member is asking for is in the bill already. I will not be supporting this amendment. Thank you.

**Ms Blakeman:** Thanks for that clarification from the minister. I'm glad he's still engaged in answering questions tonight. He's setting a good example for his colleagues. I hope they'll learn to follow him. That would be a change in direction.

It seems to me that the issue here is adequacy. Again, as I often caution everybody here, the specificity of the language is very important, and when the minister says "adequacy" – I should have looked it up in a dictionary before I got up; I'm sorry, Mr. Chairman, because I'm going to kind of wing the definition – it strikes me that there's a difference and perhaps quite a monetary difference between adequacy and an adequate amount of money determined by the government in putting together a consultation versus the actual costs. I think that's where the division is happening here. I mean, I've certainly watched a number of times where the government has determined: this is the amount of money that is going to be handed over for a given service. Often it has nothing to do with the cost of the service. It's just that the government has decided that they're going to get X amount, percentage, and that's what they get.

You know, I'm thinking back to some of the requests from health regions for keeping their ability to provide health services, and it would be – oh, bless you. Thank you.

Sorry. I've just had the dictionary sent to me. Once again, the *Oxford* dictionary, 10th edition, the world's most trusted dictionary, Mr. Chair. Only the best for this Assembly. The definition of adequate is "satisfactory or acceptable."

**Mr. Mason:** The minimum required.

**Ms Blakeman:** Yeah. My colleague is saying, "The minimum required." It is a little kind of underwhelming that it would say that. Adequate I think is the problem here. It would not indicate that full costs would be covered.

I note that the minister talked about capacity and capacity building, but I talk about capacity building for public institutions all the time, and mostly I'm talking about it because what this government grants is not even adequate; never mind the full freight on any given program. The fact that the government is determining the amount makes me a little uneasy because I just have not experienced this government – as I said, they don't tend to actually research how much it is. They tend to determine an amount. That's what's in their budget. That's how much they've decided it's going to be, and there's no connection to reality there.

If some of the chiefs have agreed to stand behind this, I'm willing to go there and support the amendment as well because I think this puts us on the other end of that spectrum in that it is to pay all the costs incurred by First Nations and identified aboriginal groups with respect to consultation. Clearly, we are talking about the consultation in section 4, which is under the subheading of Establishment of Consultation Levy Fund. Section 3 is the one that says: here's how we're going to pay for this. The two existing sections in subsection (3) are still there. It's just been added to say that this means all the costs identified with respect to consultation will be paid. It certainly clarifies things, doesn't it?

Thank you.

**The Chair:** Are there other speakers to amendment A3? The Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you very much, Mr. Chair. I just wanted to echo a couple of the really important points, and I'll make this brief. As the legislation is currently written, I appreciate, first of

all, the hon. minister for getting up and addressing some of the concerns that we've outlined in the amendment. I do truly appreciate that.

9:40

I think that this amendment was done in consultation – and, actually, there is the accurate use of the word – with two out of the three legal counsel for the treaties. I can tell you, Mr. Chair, that I can appreciate that in the minister's mind the bill already addresses the points raised in this amendment. However, if that was the case, then legal counsel for two of the three treaties would not have been in consultation and dialogue and communication with us as far as drafting this amendment and speaking very strongly in favour of having this amendment and this clarification.

I think, Mr. Chair, something that's really important is that the amount that the levy is going to be will be determined afterwards. For the members who don't know this, the actual amount of the levy is not indicated in the bill, which is something that I spoke to in second reading as far as one of the issues I had with this. However, if the decision for the levy is whatever the amount – okay; we can use anything as an example – yet the cost of meaningful consultation with industry and giving the First Nations band the capacity to consult fully on a potential or proposed project turns out to be more than the amount that is issued in the levy, what is the recourse? What is the response for the band? Well, it's: you're going to have to put in the rest.

We feel and many of the First Nations feel that that capacity fund should be there regardless – I mean, some projects are quite complex; some are going to take more time – to ensure that First Nations have adequate, have sufficient, have enough funds and capacity to participate meaningfully in this consultation. This amendment speaks to that the fund is going to pay for all of the costs incurred for the First Nations and Métis communities to have that consultation capacity. I think that is a really important part of this amendment, and I strongly urge members to support this.

As I stated earlier, Mr. Chair, the fact that legal counsel for two out of the three treaties have wholeheartedly endorsed this amendment – and as I've said, in fact they've helped us and helped me draft this amendment – speaks to the heart of this bill, which is based on the premise of consultation. Again, we've indicated that clearly the government failed to do that, but in this amendment there was a meaningful conversation and back-and-forth. If we want to respect the wishes, the mind, and the opinion of those who this levy is purporting to help and to represent, then I think that if we want to do the right and respectful thing, it's to include an amendment that they wholeheartedly approve.

Thank you, Mr. Chair.

**The Chair:** Thank you, hon. member.

Are there other speakers to amendment A3?

If not, I'll call the question.

[The voice vote indicated that the motion on amendment A3 lost]

[Several members rose calling for a division. The division bell was rung at 9:44 p.m.]

[One minute having elapsed, the committee divided]

[Mr. Rogers in the chair]

For the motion:

Anglin	Fox	Saskiw
Bilous	Hale	Smith
Blakeman	Mason	Stier
Eggen	McAllister	Towle

Against the motion:

Allen	Fawcett	McQueen
Amery	Fenske	Oberle
Brown	Jansen	Olesen
Campbell	Jeneroux	Olson
Cao	Johnson, L.	Pastoor
Casey	Kennedy-Glans	Quest
Dallas	Khan	Scott
Denis	Kubinec	VanderBurg
Donovan	Leskiw	Woo-Paw
Dorward	Lukaszuk	Young
Drysdale		

Totals: For – 12 Against – 31

[Motion on amendment A3 lost]

**The Chair:** Back to the bill. The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you very much, Mr. Chair. I've got the requisite number of copies of my next amendment. I'll wait for them to be distributed.

**The Chair:** If you'll circulate those, please, and make sure we've got the original. Thank you.

Hon. member, we'll refer to this as amendment A4. Please proceed.

**Mr. Bilous:** Thank you, Mr. Chair. I'll just begin by reading this into the record. I move that Bill 22, the Aboriginal Consultation Levy Act, be amended in section 10 as follows:

Part A strikes out clause (d) and substitutes the following:

- (d) respecting the amount or the method of determining the amount of a consultation levy in consultation with First Nations and other identified aboriginal groups, including, without limitation, regulations
- (i) prescribing factors on the basis of which a consultation levy is determined,
- (ii) respecting any formula, ratio or percentage to be used to calculate a consultation levy, and
- (iii) establishing different consultation levies for different types of provincial regulated activities.

Part B strikes out clause (k).

9:50

Mr. Chair, I'll break this into two sections as I speak to this A and B. I'm proposing two changes to section 10, which deals with cabinet regulations regarding the consultation levy. In clause (d) I propose to add a stipulation requiring that these regulations be created only after negotiations with First Nations. First and foremost, as it's currently written, it is a decision that will be made by cabinet without necessarily including or consulting with First Nations, which again seems to be the method that this government is using with First Nations. There isn't consultation. The government makes a decision and then pushes it through and forces First Nations to accept legislation that affects them. This government feels that if they say that they're consulting over and over enough, somehow that will make it true.

The first part of the amendment ensures that First Nations are included as full partners in determining the amount and the method of collecting the consultation levy. That's very important, Mr. Chair, because it is the First Nations groups who know better than anyone what they will require in order to fully participate and have the capacity to consult with industry on projects. They need to be recognized as full partners and to have a seat at that table.

These negotiations are really the first step towards creating that capacity and building the capacity, which, interestingly, the minister claims as one of the objectives of this legislation, so at the onset this amendment fits very well with what the minister is already saying.

The other thing, Mr. Chair, is that if we want to build First Nations capacity for consultation, then we need to include them from the beginning, from the first step. This also speaks not only to this amendment but why in second reading I spoke to the fact that this bill should be withdrawn altogether. There's a due process. There's the right way to do something, and then there's the way this government chooses to do things. The right way is to have conversations and meaningful consultation with First Nations groups right from the onset, from step 1, from day 1.

Unfortunately, that hasn't been the case for this bill despite what the minister says. I know that the minister is a very honest person. However, I've got the minister's word versus a couple of grand chiefs, several chiefs, and members of different First Nations bands all saying that they were not consulted on this levy act. You know, Mr. Chair, because there have been so many of them coming independently speaking to all opposition parties, I believe them when they say: "We have not been consulted. We have not been included in the drafting of this legislation." It's critical that they are included and a partner from the onset. This part of the amendment, Mr. Chair, will ensure that they are part of that discussion on how much the levy will be and, again, will ensure that they are in a position to be able to consult.

The other point, as I've indicated on numerous occasions in the last few days, is that during my briefing with the minister his documents suggested that around \$70 million will be collected as part of this levy, which is woefully inadequate. You know, I've been told by the minister that industry currently provides First Nations a figure around \$150 million to \$200 million per year to support consultation efforts, and there is a small amount that the government kicks in as well.

Mr. Chair, as you can see, if the current amount is somewhere between \$150 million and \$200 million that is provided for First Nations to have the capacity to consult and this government is looking at a levy of around \$70 million, we're looking at less than half of the current amount going toward supporting the capacity for First Nations to consult. Well, that isn't going to be enough. That's half of what is currently given to support First Nations today.

Again, these numbers should not be artificially picked. They shouldn't be picked out of the sky. They shouldn't be decided by just the government or just the cabinet or just industry. This really should be a partnership, and First Nations should be at the table indicating what they need in order to do the job that they want to do.

Secondly, Mr. Chair, this amendment strikes out clause (k). Clause (k) currently allows cabinet to create regulations exempting a proponent or class of proponents from requirements of all or part of this act and regulations. I mean, the way that we see it in consultation with several First Nations, this is seen as nothing more than a loophole. This is a way for this PC government to pick winners and losers, to decide which companies, which members in industry will pay a consultation levy and which will be exempt from that levy. You know, our position is that no proponent of a development project should be exempted from paying the consultation levy. Again, this creates an unequal playing field that means that some will have to pay the levy where others are exempted.

Further to that, it's up to cabinet to make that decision. Well, based on what? Based on personal relationships? Based on the

nature or the scope of the project? I mean, it is beyond my grasp to see why the government and the minister would put this clause, this loophole in this piece of legislation.

All industries that are proposing projects that affect First Nation lands – their air, their water – that are on their lands should be paying this consultation capacity levy. There shouldn't be any exemptions or situations where industry does not have to pay. It makes me believe, because we don't have an answer from the minister, that, you know, if a company is large enough, they get a free pass from this government. I mean, maybe the minister will enlighten us as to why this clause is in here.

Mr. Chair, this amendment really speaks to those two different aspects. We're ensuring that First Nations are an equal partner from step 1 at the table in discussions with how much the levy will be and to ensure that it's adequate for that First Nation, for that project to have the capacity to consult and, number two, to close this loophole so that industry or certain members of industry can get away without paying it while other members of industry pay it.

I will strongly urge all members of the Assembly to support this amendment.

**The Chair:** Thank you, hon. member.

Are there other speakers? The hon. Leader of the Official Opposition.

**Ms Smith:** Thank you, Mr. Chair. I think that this amendment was a nice pairing with the previous amendment, that it aims to get at this issue of ensuring that aboriginal communities are not left worse off under this new centralized approach to managing the consultation process that the Crown is inserting itself into versus what the current status quo is. Although this would have been a better amendment had the first one that the hon. Member for Edmonton-Beverly-Clareview proposed passed, I think that this goes at least part of the way towards achieving what he is attempting to. If we start putting in some more of this language about how First Nations and other identified aboriginal groups will be consulted before these decisions are made, that would put a lot of individuals who have raised some of the concerns at ease that they will have some control over how these levies are established.

**10:00**

These are substantial dollars that we're talking about, as the Member for Edmonton-Beverly-Clareview has pointed out, and there's the potential that half as many dollars will flow through for the purpose of covering the consultation costs under the minister's new proposed plan than under the current plan. I think that the member is quite right to also point out that striking clause (k) is essential to making sure that there isn't quiet, behind-the-scenes lobbying that takes place to be either on the list or off the list.

With the idea that the minister would have sole discretion to exempt a proponent or class of proponents from the requirement of all or part of this act in the regulations, I guess people are wondering: what exactly does that mean? I suppose what it could mean in the case of the Member for Rimbey-Rocky Mountain House-Sundre is that the O'Chiese Nation, who have their own company, might be exempted under the regulations. But who knows? Maybe it means that there are certain energy companies that would be exempted under the regulations.

This is the problem when bills come forward that are not fully consulted on, where you can't go to the First Nation and you can't go to industry and say, "What do you think the minister means by that?" because the minister hasn't been clear about what he means by that. The regulation gives way too much latitude without

clarity. We're trying to seek some clarity. I think that we get that clarity by ensuring that a consultation levy with all of these different factors would not pass unless First Nations and other aboriginal groups were in favour of it and also by striking out the clause that seems to allow for a very arbitrary and unilateral and singular exempting on the part of the minister without any additional parameters or description around that.

I would urge other hon. members to support this amendment. Thank you, Mr. Chairman.

**The Chair:** The hon. Member for Strathmore-Brooks.

**Mr. Hale:** Yes. Thank you, Mr. Chair. I, too, would like to rise and speak in favour of this amendment. You know, the energy companies that I've talked to regarding this bill don't know exactly what the levy is going to be. They said: "Right now we have deals already made with the First Nations and aboriginal groups that we deal with. We know when we talk to them, depending on the scope of the project, how much we're going to pay." If it's a single well, you know, they know what it's going to cost. They know how much time it's going to take to do the proper consultations and make sure everybody is on the same board. If it's a larger project, many wells and lots of accesses and many pipeline routes, they know how long it's going to take. Right now they don't have much certainty in this bill and in how much this levy is going to be. I think there needs to be something more than just leaving it up to the minister to decide.

You know, speaking on Bill 2, when we were doing that last fall, the hon. Energy minister said: just trust me; it's going to be fine. Well, this comes down to the same thing. The hon. minister, I'm sure, will say that they're going to make it fair. But then that leads to clause (k). Again, that takes the fairness out of it because they're going to have that opportunity to determine which oil companies pay and which ones don't. It should be something straight across the board.

If they start on the same page, everybody knows where they're at. If the aboriginal groups and First Nations are included right from the start in determining the levy and the amount of the levy that the oil companies pay, the oil companies know; the aboriginal groups know. Everybody starts on the same page. You can make the process a lot smoother.

The other problem that we see coming is the fees that they already pay to the First Nations and the aboriginal groups when they're doing their consultations now. Will they continue? You know, will they still have to pay those fees, or will those fees be cancelled and this new levy take the place of that? That's a question that I've been asked.

They say, you know: we don't know; we don't know how much it's going to cost us. It's pretty tough to do business when you don't know how much it's going to cost. It needs to be set out specifically in this bill what the charges are going to be. It can't be left up to the whim of the minister or the cabinet to make these changes whenever they want to and include some oil companies and exclude some. It's got to be right across the board, so I think taking that section (k) out will help that.

You know, there are lots of different aboriginal groups, and I know that some of the lands that they have claimed may have more value or mean more to them than others. Those are some of the factors that are going to have to be taken into account. There are going to be more aboriginal groups that have different claims within that geomapping to worry about. But I think that to leave it up to the regulations and to have this much uncertainty for the aboriginal groups and the First Nations and for the oil companies and the gas companies is too much indecision. I think there needs

to be more consultation and getting the feedback from the oil companies and the First Nations groups to determine what they each think is fair. Sit down at the table and decide from the start, before we rush through and pass this legislation.

I urge my colleagues on both sides of the floor to support this amendment. Thank you.

**The Chair:** Are there others? The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Chairman. Well, just very briefly, the concern, I think, is twofold, and that is to ensure that adequate funds are available. The documents we received from the minister indicated that about \$70 million would be collected as part of this levy. That's not enough. I think that two or three times as much might be required in order to provide for adequate consultation. I think that we need to include First Nations as full partners in determining the amount and method of collecting the consultation levy. That's the first piece.

Secondly, clause (k) is struck out by this amendment. It allows the cabinet to exempt "a proponent or class of proponents from the requirements of all or part of this Act and the regulations." I think it's nothing more than a loophole, Mr. Chairman. I don't believe that large energy corporations, our natural resources corporations, should get a free pass or should have the opportunity of a free pass from this government. Striking out section (k) is important.

On that basis, I urge all members to support this amendment.

**The Chair:** Are there other speakers to the amendment?

Seeing none, I'll call the question.

[The voice vote indicated that the motion on amendment A4 lost]

[Several members rose calling for a division. The division bell was rung at 10:09 p.m.]

[One minute having elapsed, the committee divided]

[Mr. Rogers in the chair]

For the motion:

Anglin	Fox	Smith
Bilous	Hale	Stier
Blakeman	Mason	Towle
Eggen	Saskiw	

Against the motion:

Allen	Fawcett	McQueen
Amery	Fenske	Oberle
Brown	Fraser	Olesen
Campbell	Jansen	Olson
Cao	Jeneroux	Pastoor
Casey	Johnson, L.	Quest
Dallas	Kennedy-Glans	Scott
Denis	Kubinec	VanderBurg
Dorward	Leskiw	Woo-Paw
Drysdale	Lukaszuk	Young

Totals:	For – 11	Against – 30
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[Motion on amendment A4 lost]

**The Chair:** Back to the main bill. The hon. Leader of the Official Opposition.

**Ms Smith:** Thank you, Mr. Chair. I've got six amendments here. I'm not sure how quickly we'll move through them. I did put forward what I thought was the most substantive amendment, but

there are still, I think, some other ways in which I think this bill can be improved. I wouldn't mind just circulating this copy of the amendment that I'll be putting forward.

**The Chair:** That will be referred to as amendment A5, hon. leader.

**Ms Smith:** Thank you.

Now that I've got all of my amendments, I think I'll try to deal with them in the order of the bill as well, just to make it a little more straightforward in how we're dealing with them. This will have us going back to section 1 in the subsections on definitions. I would like to move that Bill 22, Aboriginal Consultation Levy Act, be amended as follows.

Part A strikes out clause (f) in section 1(1) and substitutes the following:

(f) "identified aboriginal group" means "aboriginal peoples of Canada," as defined in section 35(2) of the Constitution Act, 1982, in the province of Alberta.

Part B strikes out section 2, which would be the identification of aboriginal groups: "The Minister may by order identify aboriginal groups for the purposes of this Act."

If you go back and look at the concerns that were raised by Treaty 6, Treaty 8, and Treaty 7, one of the concerns that they have is that the minister is apparently granting himself the power to be able to define what an aboriginal group would be. I think we've got some perfectly good definitions in legislation already not only in the Indian Act, which is referenced in one part of the legislation already, but also in the Constitution. It seems to me that part of what the concern is in the minister wanting to give himself the power of doing this identification is that we do have bands in Alberta that don't have reserve land.

Nonetheless, at the federal level, looking at the accommodation of these two provisions not only in the Indian Act but also looking at the Constitution Act would provide a full listing of all of the bands that are normally resident in Alberta, including the Lubicon, which is the one that has been referenced several times in the course of the debate. I understand there may be as many as five bands that have outstanding land claims and are in the process of potentially negotiating territorial reserve arrangements. I don't think that you need to give a new power to the Minister of Aboriginal Affairs in Alberta when you've got pieces of legislation that already cover this off.

What this amendment would also do is solve a problem for the minister of having to come back and amend this legislation later. As he's developing his new relationship with Métis settlements, at some point he's going to have to deal with this issue of consultation with Métis and the rights that they would have in Crown land areas as well. By using this broader definition going back to the Constitution, not only would that, I think, give some certainty to the First Nations that the government truly does understand that there is a special status given to our aboriginal peoples under the Constitution, but it would also broaden it out to include other aboriginal peoples; namely, the Métis and as well those nations that are not included under the restricted definition under (d).

Under (d) it says that "First Nation" means a band as defined in the Indian Act with reserve land in Alberta. That, I think, is why the minister felt he needed to bring forward (f), where he gives himself the power to identify aboriginal groups. Unfortunately, this is just not going over well in our First Nations communities.

I'll just read into the record what we hear not only from Treaty 7 and Treaty 6 but also from Treaty 8, the concern that they have about Alberta overstepping its constitutional authority.

The proposed legislation would empower the Minister to determine who is and who is not Aboriginal for the purpose of consultation about Treaty rights. It is well established in law that Provincial governments do not have the authority under the Constitution to legislate regarding Aboriginal identity. The constitutionality of the Act is questionable given the division of powers under the Constitution. Further, since time immemorial, First Nations have had an inherent right to govern our own identity and membership. This right is protected by Treaty Six and the Constitution, and acknowledged by the United Nations as noted below.

Then they go on to make clear the section in the United Nations where indigenous people have a right to determine their own identity in accordance with their customs and traditions. I think that this amendment would get at what it is the minister is attempting to address, which is the issue of First Nations that don't actually have a land base as yet relative to the land claim negotiations happening at the federal level.

The reason why I bring this one forward in particular is because I did go onto the government of Canada website, Aboriginal Affairs and Northern Development, where it talks about First Nations of Alberta, Treaty 6, Treaty 7, and Treaty 8. I would note that the Lubicon are actually listed as a nation under the parameters that I just described. Looking at the constitutional mandate as well as the Indian Act legislation, the Lubicon Lake Indian Nation, with no reserve, is identified by the federal government as a nation with standing.

**10:20**

I think the minister would remove one of the challenges to the legislation on constitutional grounds if he was to make the amendment in these two sections, as I've indicated, to ensure that we continue to have the Indian Act and the Constitution apply as the prevailing law in determining First Nations identity rather than taking it upon himself to grant a new authority to the minister here in Alberta, which probably is not in compliance with some of the Supreme Court decisions as well as some of the development of law as well as the development of convention in Canada with regard to First Nations. I would ask others to support this amendment so that we can hopefully make some progress on improving this bill.

Thank you, Mr. Chair.

**The Chair:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I rise in support of this motion, and I would hope that the minister would give consideration to it. What it does is just put parameters around the definition to make it consistent. It does take a little bit of flexibility away from the ministerial authority, but it gives consistency to the definition. I would hope that the hon. member would think about that and support this motion.

Thank you very much.

**The Chair:** Are there others? The hon. Minister of Aboriginal Relations.

**Mr. Campbell:** Mr. Chair, thank you very much. I think it's important to clear up a few things. First of all, this act does not empower the minister to deal with aboriginal identity. What this does is allow the minister to identify the aboriginal groups with which the government of Alberta has a duty to consult and those that are receiving capacity funding.

As the member stated, I think we have five groups in the province that, while they've been deemed First Nations, don't

have land claims right now. What this does is give the minister the ability to consult with those groups, make sure they have capacity funding, especially for the groups, Mr. Chair, that are having their land surveyed right now.

A prime example is Peerless Trout. They've been identified as First Nations. The federal government right now is in the process of surveying their lands. In talking to them, it's going to take two and a half years, Mr. Chair, before the federal government makes a decision on the boundaries of that reserve, so it's important that we have the ability to say to Peerless Trout: you are involved in the consultation. As a matter of fact, I'll even go one step further. I talked to the First Nations and got their approval so that Peerless Trout is now in the First Nations development fund. Under the current fund rules they aren't allowed to be in there because they aren't recognized as a First Nation and have a reserve base, so we're doing that.

This is what this is about, and this is all this is about.

Also, Mr. Chair, it gives us the ability – and it says: all aboriginal people. So we're talking Métis. We're talking Métis settlements. We're talking Inuit. We're talking First Nations.

Mr. Chair, I'm quite happy that the legislation is the way it is, and I won't be supporting the amendment.

**The Chair:** Thank you, hon. minister.

Are there others?

I'll call the question on amendment A5.

[The voice vote indicated that the motion on amendment A5 lost]

[Several members rose calling for a division. The division bell was rung at 10:23 p.m.]

[One minute having elapsed, the committee divided]

[Mr. Rogers in the chair]

For the motion:

Anglin	Hale	Smith
Blakeman	Mason	Stier
Eggen	Saskiw	Towle
Fox		

Against the motion:

Allen	Fawcett	Lukaszuk
Amery	Fenske	McQueen
Brown	Fraser	Oberle
Campbell	Griffiths	Olesen
Cao	Jansen	Olson
Casey	Jeneroux	Pastoor
Dallas	Johnson, L.	Quest
DeLong	Kennedy-Glans	Scott
Denis	Khan	VanderBurg
Dorward	Kubinec	Woo-Paw
Drysdale	Leskiw	Young

Totals:	For – 10	Against – 33
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[Motion on amendment A5 lost]

**The Chair:** Now back to the main bill. The hon. Leader of the Official Opposition.

**Ms Smith:** Thank you, Mr. Chair. I will move the next amendment.

**The Chair:** We'll refer to this one as A6, hon. leader.

**Ms Smith:** Okay. Thank you.

**The Chair:** If you'll circulate that, please. I look forward to the original.

**Ms Smith:** I would like to move that Bill 22, the Aboriginal Consultation Levy Act, be amended in section 1 by striking out subsection (2). Subsection (2) currently reads: "Nothing in this Act is to be construed as creating a trust in favour of a First Nation or other identified aboriginal group."

I'll tell you the concern that has been raised and the concern that I have about keeping this provision in there. This would allow the government to make these levies on industry, put them in a fund, and then if for some reason the fund was dissolved, those dollars could go into general revenues. We believe that they actually should be creating a trust for these dollars. They're being collected for a particular purpose, and there would be one of two things that could be done if they were collected and held in trust. If for some reason the fund was dissolved, then it would make a requirement that the funds actually be used for the purpose for which they were collected, which is to aid in First Nations consultation, or presumably the government could also make the decision to return them to the industry proponents who paid them. If there were additional dollars left in the fund that were not needed for that purpose, that would imply an overtaxation on the part of industry.

I think that industry needs to have some certainty that this levy is not going to be used as some source of an additional revenue-generating tool, especially if we end up seeing an increase in drilling activities after the rates are set that end up increasing the amount of dollars coming into the fund that go far in excess of what is required for the aboriginal consultation provisions that this act is supposed to be enabling. You don't want to create a situation where the government can just siphon off the funds into general revenue.

**10:30**

So by eliminating subsection (2), it would give the opportunity for it to be treated as a trust. I think that explicitly saying that it isn't a trust would make certain First Nations concerned about what the true intention of the fund would be. I know it would make industry concerned about whether or not the number of dollars that are being generated would be put towards the use to which it is supposed to be ascribed under this legislation.

I would ask other members to support the amendment.

**The Chair:** Are there other speakers to the amendment? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I rise in support of this amendment. The ability to have a trust is an issue that was brought to us by numerous First Nation groups. That was one of the very issues that they sort of zoomed in on when they had their first look at the bill.

Again, I would ask that the minister at least consider this. I realize that we probably don't stand a chance of getting any votes on that side in support of the motion, but you never know. As we get late into the night, someone might have a change of heart. But I will say that a number of First Nations have recommended it.

Thank you very much.

**The Chair:** Are there other speakers?

Seeing none, I'll call the question.

[The voice vote indicated that the motion on amendment A6 lost]

[Several members rose calling for a division. The division bell was rung at 10:32 p.m.]

[One minute having elapsed, the committee divided]

[Mr. Rogers in the chair]

For the motion:

Anglin	Hale	Smith
Blakeman	Mason	Stier
Eggen	Saskiw	Towle
Fox		

Against the motion:

Allen	Fawcett	McQueen
Amery	Fenske	Oberle
Brown	Fraser	Olesen
Campbell	Jansen	Olson
Cao	Johnson, L.	Pastoor
Casey	Kennedy-Glans	Quest
Dallas	Khan	Scott
DeLong	Kubinec	VanderBurg
Denis	Leskiw	Woo-Paw
Dorward	Lukaszuk	Young
Drysdale		

Totals:	For – 10	Against – 31
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[Motion on amendment A6 lost]

**The Chair:** Now back to the main bill. The hon. Leader of the Official Opposition.

**Ms Smith:** Thank you, Mr. Chair. I will circulate another amendment.

**The Chair:** We'll refer to that one as amendment A7.

**Ms Smith:** Thank you, Mr. Chair. This goes back to the amendment prior to the one that we just debated. I think that if, as the minister declared, this indeed does not confer on him any additional rights to define aboriginal identity, what would satisfy some of the concerns of our First Nations chiefs is to make that doubly clear through this amendment.

So I am moving that Bill 22, Aboriginal Consultation Levy Act, be amended by renumbering section 2 as section 2(1) and adding the following after subsection (1):

(2) For greater certainty, a Minister's order identifying an aboriginal group under subsection (1) does not constitute recognition for any purpose beyond the scope of this Act nor shall it be interpreted as bestowing any other rights or benefits.

I think this is important because it affirms what the minister has told this Assembly about what the intention is of this particular amendment. But I think with the fact that it seemed to be unclear to First Nations legal counsel, who had a look at that, it requires the greater certainty and the greater clarity of saying that it does only apply to this act and that it does not confer any additional rights or benefits.

The concern, I think, that the First Nations have, especially in the way the preamble is written, is that the provincial minister is foisting upon them an act which has not been consulted upon with apparently new powers, apparently new provisions. I think, the minister's assurances aside, that because there has not been adequate consultation, it is creating a lot of uncertainty. We know that this is only one part of a broader approach to aboriginal consultation.

I think it's important, to set the stage right now, that the minister recognize that he does not have an equivalent role in being able to do this identification that you might see at the federal level under the Indian Act or the Constitution, that you would not see given to First Nations themselves under the

recognition of their inherent rights. I think that the language that has been used here lacks clarity, and that is the reason why it has been identified by First Nations as something that seemingly violates the UN declaration on the rights of indigenous peoples but, more importantly, oversteps constitutional authority.

I think that to be able to ensure that the minister stays within his bounds as provided by that subsection, as he declares that he would like to do, we need to have the additional certainty about what the scope of that ability to identify aboriginal groups actually means. For that reason we're proposing subsection (2), and I'd ask other hon. members to support it.

Thank you, Mr. Chair.

10:40

**The Chair:** Thank you.

Are there other speakers? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I rise in support of this amendment. Based on some of the comments the minister made earlier, it is consistent with exactly what he was saying, with what he proposed to do or his understanding of what has been written in this bill. All this amendment does now is to clarify that. It makes it consistent with the intentions of exactly what the minister said that he wants to do. As far as I'm concerned, when I look at this, this amendment just puts into the legislation exactly what the minister says are the intentions. So I would hope that the other side would just support this, and we could give the bill some clarity.

Thank you very much.

**The Chair:** Are there other speakers? The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Yeah, I agree. This is a really clean clarification on what we have in the act. Clearly, what is written here has led to a number of people interpreting this legislation differently. Interestingly, as much as my colleagues opposite loathe what they call judge-made law, they create the opportunity for a lot of it because when you create unclear legislation and people argue about the meaning of it, inevitably you end up in court, which is the ultimate decider. If we haven't given clear guidance through the legislation that we have approved, then the courts make the decision, their best decision, on what they think it was intended to mean. So if we write legislation that's difficult to understand or is vague or uses language that can be misunderstood, we're going to create that kind of problem for ourselves and, frankly, eventually for the taxpayers. This does provide greater clarity, and I would urge the minister to seriously consider this one.

It does look at section 2, which gets renumbered. It says, "The Minister may by order identify aboriginal groups for the purposes of this Act." Now, that's a clause that has created a lot of controversy here. The minister claims that, "No, this is just so that we can decide who's in and who's out for the consultations," which leads to a whole other conversation here. But he's had to stand and say: "No, no, no. This is what I mean by this." Well, as helpful as *Hansard* is as it can be used later to provide some clarification, it's really better if we put it in the bill. That's what's available online and through the Queen's Printer when you actually go to get something. You don't necessarily get the *Hansard* comments.

So this one is actually going to help the minister in what he's trying to do, if I understand correctly what he's trying to do, because it does clearly say that it doesn't constitute recognition for any purpose beyond what's absolutely in here. It doesn't bestow any other rights or benefits. You know, the one other thing I would have added in there would be punishments and with-

holdings. You've got the good here, but you don't have the bad. I'm being incredibly picky. That's the only other thing I would have added to it. But I hope the minister does consider this one because I think it's going to help him.

Thank you.

**The Chair:** Are there other speakers?

Seeing none, I'll call the question.

[The voice vote indicated that the motion on amendment A7 lost]

[Several members rose calling for a division. The division bell was rung at 10:45 p.m.]

[One minute having elapsed, the committee divided]

[Mr. Rogers in the chair]

For the motion:

Anglin	Hale	Smith
Blakeman	Mason	Stier
Eggen	Saskiw	Towle
Fox		

Against the motion:

Allen	Fawcett	McQueen
Amery	Fenske	Oberle
Campbell	Jansen	Olesen
Cao	Jeneroux	Olson
Casey	Johnson, L.	Pastoor
Dallas	Kennedy-Glans	Quest
DeLong	Khan	Scott
Denis	Kubinec	VanderBurg
Dorward	Leskiw	Woo-Paw
Drysdale	Lukaszuk	Young

Totals:	For – 10	Against – 30
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[Motion on amendment A7 lost]

**The Chair:** Back to the main bill. The hon. Leader of the Official Opposition.

**Ms Smith:** Thank you, Mr. Chair. Three more to go, so why don't I just start?

**The Chair:** This will be amendment A8, if you'd circulate it.

**Ms Smith:** Perfect. Happy to circulate it.

**The Chair:** I appreciate that.

Please go ahead, hon. leader.

**10:50**

**Ms Smith:** Thank you, Mr. Chair. Now, it has been said in this Chamber that I'm not a lawyer, so I will be calling on my colleague from Lac La Biche-St. Paul-Two Hills, maybe even the hon. Member for Calgary-Acadia to lend a hand and offer his observation on this next amendment.

I am going to move that Bill 22, the Aboriginal Consultation Levy Act, be amended by striking out section 9. Section 9 is also another area that has caused great concern for First Nations. It's that the minister's decision is binding. What it currently says is: "A decision of the Minister under this Act is final and binding and not subject to review."

Now, I had considered proposing different language because it's quite interesting if you compare the decisions that are written under the Metis Settlements Act with this decision. Under the Metis Settlements Act if there's a decision that comes out of the

appeals tribunal, it actually is subject to appeal to the Court of Appeal after seeking appropriate leave. I find it fascinating that the minister would have such different provisions in law, recognizing that there is another level of appeal in his dealings with Métis but then completely trying to deny an avenue of appeal with First Nations.

Now, I don't know how the minister thought that he could actually get away with this because my understanding of Bill 36 and the manner in which Bill 36, the Alberta Land Stewardship Act, was written that allowed the government to be able to shield itself from an appeal process was that they described any of the acts that were coming out of the process as being a matter of policy. I think that was the key language and the signal to the court that any of the Land Stewardship Act agreements under the land-use framework could not then be appealed to the court, so they set up a separate type of appeal process under the minister's oversight that would allow them to skirt around the provisions and requirements of going to a court of law.

Now, the question of whether or not this would stand up to scrutiny is, I think, an open question. Again, I'll ask my colleague from Lac La Biche-St. Paul-Two Hills to comment on that. The point of the matter is that I have a suspicion that this would not be something that would stand up, that if there was a legal appeal, it would be allowed to the Court of Appeal. Just by stating this in the legislation doesn't make it so. But I can tell you what has happened by stating it in legislation. It's like waving a red flag before a bull. Our Member for Strathmore-Brooks will have to correct me if I've used the wrong terminology there.

The point is that what you see is that you have the First Nations wondering why it is that the government, a provincial government, would confer upon itself the right to make decisions and then shield themselves from any type of legal challenge. I don't think that's been the experience of our First Nations because, once again, they do have constitutional rights that go above and beyond what landowners in this province have and what leaseholders in this province have under section 35 of the Constitution.

I know that when rights get in the way of the government and they look at them as being pesky, they try to pass legislation to find some way of skirting around them and undermining them because property rights aren't included in the Charter of Rights and Freedoms. Unfortunately for the government, First Nations have a higher bar that they have to reach. I think that by trying to pass legislation that might take away from aboriginal rights, that might take away from their ability to appeal, and then just declaring it in legislation – I'm sorry – I have a hard time believing that would actually stand up in court. If it won't stand up in court, why don't we just take it out of there? If it's one of these things that is an aggravation for our First Nations communities, why not just take it out of there? That's what this amendment proposes to do.

With that, I hope that my colleague from Lac La Biche-St. Paul-Two Hills will be able to shed some light on whether or not this section as it's currently written is something that would be final and binding and not subject to review. If there are any other lawyers in the Assembly who would like to comment on that, I would be delighted to hear from them. In any case, I do hope that they are in support of it.

Thank you, Mr. Chair.

**The Chair:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I stand in support of this motion, and I ask my colleagues to support this motion. The thing



that probably set off a lot of the First Nations that I had the chance to speak to was this particular provision where “A decision of the Minister under this Act is final and binding and not subject to review.” That has appeared in a number of acts dealing with landowner issues, and here it appears in this act. It is just as offensive under each and every act that it has appeared in.

The allegation that the cabinet has been consolidating power more and more to itself is based on this very principle. I don’t understand the value. Our whole democratic process is founded upon due process. A minister cannot always be right. There need to be the appealable processes in place, however they’re constructed. That gives what I view as legitimacy to the effect of any act, any piece of legislation.

With that, I support this amendment, and I ask my colleagues to support this amendment, too.

**The Chair:** Are there other speakers to the amendment? The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Chair. What has become evident is that you definitely don’t need to be lawyer, as demonstrated by the Leader of the Official Opposition, to thoroughly understand the details of a privative clause, and that’s what section 9 is. It is a privative clause that states: “A decision of the Minister under this Act is final and binding and not subject to review.”

What is very clear here, though, is that any decision made by the minister that is outside of his jurisdiction or on a question of law would clearly be appealable, so I’m not sure why the minister put this forward. Maybe it’s that he’s unaware of the legislation, of the laws that govern our democracy, and the court decisions from the judiciary on this. If it’s a question of jurisdiction, it would clearly be appealable, so if he acted outside of his jurisdiction in this act, it would be appealable in court. For him to put this privative clause in here I think is a continuation of what this government does. Bill 36 is a perfect example, where they created the broadest worded privative clause that most lawyers have ever seen. That was confirmed by various independent third-party groups that had assessed Bill 36.

Here’s another patent example of it. You know what? A provision like this may not matter if the bill itself was exhaustive and really went through all the decisions a minister could make, if it went through every different permutation of everything. What’s particularly problematic here is that the minister can make decisions under the regulations. If you look at section 10, it’s subsections (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (l), (m), (n), (o), almost three entire pages on regulations that this minister can make, and now those are not subject to any review. The minister, by making this – I don’t know what to call this act. I won’t demean it that badly, but for him to put forward an act that has eight sections with most of the sections themselves being 10 words long and then putting everything else in regulations, it’s like he had to rush this bill through. He had to rush it through. He’s got this bill that doesn’t delineate any specification on anything and then puts everything in regulations. Then because of this privative clause those regulations are not subject to review.

Mr. Chair, what we see again is a very poorly worded piece of legislation. The minister is obviously rushing this through for some reason. Perhaps it’s because, you know, they’ve put forward a single regulator here, and he needs to have something that matches up with what was Bill 2. This is why we should actually be going back, putting this to committee, and reviewing this legislation in detail so that all the decisions that are put forward for regulations, from (a) through (o), aren’t decided by the

minister but are actually properly put forward in the enabling legislation.

Mr. Chair, this privative clause would not be binding. The minister should know that. He should have proper counsel. I’d like to hear from him. Does he actually know that this is not binding? If it isn’t binding, why doesn’t he just accept our amendment to repeal it?

Thank you, Mr. Chair.

**The Chair:** Thank you, hon. member.

The hon. Member for Edmonton-Centre.

**11:00**

**Ms Blakeman:** Thank you very much. You know, that jumped right out at me when I read this bill. I’m not a lawyer, but I’ve looked at a lot of legislation, and it’s unusual not to have an appeal or a review process as part of a decision-making bill. Perhaps this is also part of that pattern of this government that I am noticing, their autocratic ways of determining that this is what they want, and that’s it, and that’s the way it’s going to be, and tough luck to anyone that doesn’t like it. But this I found very unusual, and I think it’s going to cause them trouble. I think that it’s quite likely to be challenged.

Now, I was listening with half an ear, I’ll admit, to the lawyer talk, but it does strike me that taxpayers could be funding the government’s defence of this particular clause if they get taken to court. I really get annoyed when we go into legislation and the government passes it knowing that it’s going to get challenged, and it does, and then the taxpayer has to fund the government’s defending itself. It just really bugs me because it’s pretty clear that this should not be in there. This amendment takes it out, which it should do.

I think it’s fine to have something in there that lays out a review process or lays out an appeal process, so I would certainly support something being in there. But I can’t support the sort of autocratic decision-making that is done, you know, that the decision of the minister under this act – and under anything in the act. It’s not even narrowing it to this choice or that decision or this particular section. It’s everything. “A decision of the Minister under this Act is final and binding and not subject to review.” Uh-uh. No. I don’t think that’s right.

I thank the member for bringing it forward, and I urge all of my colleagues in the House to support it. Thank you very much.

**The Chair:** Are there other speakers? The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Chair. On a very important section of the act, which essentially makes the minister’s decision on regulations binding and not subject to review, it would hopefully be appropriate for the minister to give some type of rationale for why there is this privative clause. It’s quite frankly shocking that he would just sit there on this very important provision and not say anything.

**The Chair:** Thank you, hon. member.

Are there other speakers?

**Mr. Campbell:** Well, Mr. Chair, I think that again they’re taking the bill out of context. When it says that, you know, the minister has the right, I mean, this is about the levy fund. So, yes, you have to pay into the levy fund. Industry can’t appeal that. If they’re doing work on the ground and if consultation is needed, then they have to do that.

Again, this is also for the part of the act, Mr. Chair, where we talk about other aboriginal groups that don't meet the requirement because they haven't got their land yet. The minister makes the determination that they have to be consulted with. Industry can't challenge that.

Mr. Chair, when we look at the part of the act where we're talking about the disclosure, if the minister asks for the documents to be disclosed, again, that's not appealable. It's for transparency and making sure that the money is going into the right aspect of the consultation process. Then they will comply with that, and we'll make sure the department is aware of that and the First Nations are aware of that.

Mr. Chair, again, this is a very small act. As they said, it's five pages. All it does is that it sets up the levy.

**Ms Blakeman:** It causes big problems.

**Mr. Campbell:** Well, you know, I appreciate that, but in talking to our legal counsel and in talking to our department and going through our legislative review, we found that this was appropriate, and we'll move forward.

**Mr. Saskiw:** I won't belabour the point, but the minister's explanation here: the regulations state that he can prescribe "a person or class of persons for the purposes" of the act. That's not appealable. He can prescribe or describe "an activity as a provincial regulated activity." That's not appealable in this act. He can pass a regulation respecting the amount or the method for determining the consultation. That's not appealable. All of these different powers that are set out in section 10 of the regulations are not appealable. That's because this bill is rushed – completely rushed – so you had to put everything in regulations.

Again, when I go and consult with First Nations, the four reserves in my area, I'm going to give them the answer that, you know, this was just rushed through, and that's why the minister is given these massively broad powers.

Thank you, Mr. Chair.

**The Chair:** Are there others?

Seeing none, I'll call the question.

[The voice vote indicated that the motion on amendment A8 lost]

[Several members rose calling for a division. The division bell was rung at 11:06 p.m.]

[One minute having elapsed, the committee divided]

[Mr. Rogers in the chair]

For the motion:

Anglin	Hale	Smith
Blakeman	Mason	Stier
Eggen	McAllister	Towle
Fox	Saskiw	

**The Sergeant-at-Arms:** Order!

Against the motion:

Allen	Fawcett	Oberle
Amery	Fenske	Olesen
Brown	Hughes	Olson
Campbell	Jansen	Pastoor
Cao	Johnson, L.	Quadri
Casey	Kennedy-Glans	Quest
DeLong	Khan	Scott

Denis	Kubinec	VanderBurg
Dorward	Lukaszuk	Woo-Paw
Drysdale	McQueen	Young
Totals:	For – 11	Against – 30

[Motion on amendment A8 lost]

**11:10**

**The Chair:** Back to the bill.

**Mr. Mason:** Point of order.

**The Chair:** Hon. Member for Edmonton-Highlands-Norwood, you are rising on a point of order?

**Point of Order**

**Maintaining Order in the Assembly**

**Mr. Mason:** Yes. I am looking for the citation, but it's going to take me a moment. I want to raise the question on keeping order in the Chamber. The Sergeant-at-Arms just called order in the Assembly. It is my understanding that it is the chair's and the Speaker's responsibility to keep order within the Chamber, and it is the Sergeant-at-Arm's responsibility to keep order outside, in the galleries. I would like a ruling from you, Mr. Chair.

**The Chair:** Hon. member, you are correct. It is my role to keep order in the Chamber. During the vote members are required to stay in their places. The Sergeant-at-Arms did call the one member that attempted to walk out during the vote. I believe that's quite in order. I can't quite find the standing order myself quickly. You couldn't either. But that is my ruling, sir.

The hon. Leader of the Official Opposition to speak to the bill.

### Debate Continued

**Ms Smith:** Thank you, Mr. Chair. You know, I have another amendment underneath my papers that I haven't addressed.

**The Chair:** This will be amendment A9, hon. leader.

**Ms Smith:** Yes. It goes back to the first part of the bill, but it's probably worth while to discuss it now that we have a very broad interpretation of what the minister's powers are.

**The Chair:** You may speak to the amendment, hon. leader.

**Ms Smith:** Thank you, Mr. Chair. I think it again goes to trying to provide some clarity as well as trying to provide some boundaries or fences around some of the ministerial powers. I think the concern with the ministerial decision being binding, final, not subject to review causes us to have to go back to the interpretation and definitions in the act, in particular under section 1(1)(j)(viii). I move that Bill 22, Aboriginal Consultation Levy Act, be amended in section 1(1)(j) by striking out subclause (viii), "any enactment prescribed by the regulations for the purposes of this clause."

I think part of the issue that we face is that, again, we're giving the power to the minister to prescribe a great many parts of how this bill is going to work without bringing it back to the Legislature. It does seem to me that (j) does talk about the specific enactments, and it goes through and enumerates them: Environmental Protection and Enhancement Act, the Forests Act, the Historical Resources Act, parts of the Mines and Minerals Act, the Public Lands Act, the Water Act, and a regulation under an enactment referred to in the subclauses. But this is a fairly broad

provision: any enactment prescribed by the regulations for the purposes of this clause.

It does seem to me that if the minister is going to prescribe regulations for any enactment and then put it into the regulations, he should actually come back to the Legislature and enumerate it in the course of the legislation. Otherwise, I suppose we have to question why it is that he's bothering to enumerate anything under this section at all. Why can't he just give himself powers to make any regulations respecting any enactment at any time that might ever impact aboriginal issues? I'm taking it to the ridiculous to kind of make a point. If the minister is going to give himself such broad powers, then it does kind of render the rest of this section a bit useless. If the section actually matters and he is trying to actually prescribe in legislation the powers that he is giving to himself in regulation, they do need to be prescribed in some way.

I would hope that other members would support this amendment. If the minister has other acts that he wants to change in regulation, I would say that he should come back and fix his bill. He should come back and fix it through legislation so it's very clear to First Nations communities what it is that is actually going to be amended by this section rather than leaving it to the sole discretion of the minister, which, as has been pointed out by the Member for Lac La Biche-St. Paul-Two Hills, then no longer is subject to any level of appeal, is final and binding and not subject to review. I think that is why it requires the minister to have extra clarity in how the regulations and the enactments will apply, especially when it comes to such an important issue as First Nations consultation. I hope others will support this amendment.

Thank you, Mr. Chair.

**The Chair:** Thank you, hon. leader.

The Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I rise to support this motion. Not to be redundant, it's just the broad scope of the statement "any enactment prescribed by the regulations for the purposes of this clause," when the parameters are already set under section (j), (i) through (vii). Being consistent here, this is just about putting some sort of parameters around the authority that the minister has given this act and limiting the broad scope and keeping it more focused on what the intent of the act is.

With that, I support this amendment, and I ask my colleagues to support it also.

**The Chair:** Are there other speakers to the amendment?

Seeing none, I'll call the question.

[The voice vote indicated that amendment A9 lost]

[Several members rose calling for a division. The division bell was rung at 11:16 p.m.]

[One minute having elapsed, the committee divided]

[Mr. Rogers in the chair]

For the motion:

Anglin	Fox	Saskiw
Blakeman	Hale	Smith
Donovan	Mason	Stier
Eggen	McAllister	Towle

11:20

Against the motion:

Allen	Fawcett	Oberle
Amery	Fenske	Olesen

Brown	Hughes	Olson
Campbell	Jansen	Quadri
Cao	Johnson, L.	Quest
Casey	Kennedy-Glans	Scott
DeLong	Khan	VanderBurg
Denis	Kubinec	Woo-Paw
Dorward	Lukaszuk	Xiao
Drysdale	McQueen	Young

Totals:	For – 12	Against – 30
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[Motion on amendment A9 lost]

**The Chair:** Back to the main bill. The hon. Leader of the Official Opposition.

**Ms Smith:** Thank you, Mr. Chair. I will hand out the next amendment. We're down to our last two. Saving the best for last, Mr. Chair.

**The Chair:** This will be amendment A10, hon. members.

Please proceed, hon. leader.

**Ms Smith:** Thank you, Mr. Chair. This is a little complicated, but let me read through it. I would like to move that

Bill 22, Aboriginal Consultation Levy Act, be amended in section 10

- (a) by renumbering it as section 10(1);
- (b) in subsection (1)(d) by adding "Subject to subsection (2)," before "respecting the amount";
- (c) by adding the following after subsection (1):

And this would be a new subsection.

- (2) Prior to any regulation made pursuant to subsection (1)(d), the Crown must negotiate the amount among First Nations and identified aboriginal groups and industry representatives.

Let me explain what this amendment would do. First of all, if you're looking at the regulations, what would happen is that under subsection (d) it would now read:

- (d) subject to subsection (2), respecting the amount or the method of determining the amount of a consultation levy, including, without limitation, regulations

and so forth. Then subsection (2) would mean that anything related to

- (i) prescribing the factors on the basis of which a consultation levy is determined,
- (ii) respecting any formula, ratio or percentage to be used to calculate a consultation levy, and
- (iii) establishing different consultation levies for different types of provincial regulated activities

would be subject to the provision that the Crown has to negotiate the amount among First Nations and identified aboriginal groups as defined in the act as well as industry representatives.

This is similar to an amendment that was brought forward by the hon. Member for Edmonton-Beverly-Clareview, with the difference being that industry is also a stakeholder in the determination of what these levies would be. The hon. Member for Edmonton-Beverly-Clareview had put forward a motion looking at how important it was to consult with First Nations. But, as we've heard from the hon. Member for Strathmore-Brooks, he's hearing from industry representatives some grave concerns about how this levy is going to be calculated, how it's going to be applied, and what the overall amount would be. It's important that we recognize that there really are two stakeholders that are going to be covered by this act, neither of which have been sufficiently consulted with, neither of which have had sufficient input.

Giving blanket power to the minister with, "Just trust us. We'll work it out on the golf course, or we'll work it out over dinner" I

don't think is going to cut it. It's certainly not cutting it with First Nations members, and it certainly won't cut it with industry groups. Consultation means that you actually sit in a formal environment exchanging ideas, going over them. I read that definition into the record earlier. I think the casual manner in which the minister thinks these kinds of things can be resolved needs some greater clarity around it, which is the reason why we're proposing that we would add this subsection, so that not only would he be obligated to negotiate and actually meaningfully consult with First Nations, which is quite clear that he's not done at this point, but meaningfully consult with industry representatives as well.

I would ask hon. members to support this amendment so that we can improve this bill.

**The Chair:** Are there other speakers? The Member for Strathmore-Brooks.

**Mr. Hale:** Yes. I'd like to rise to speak in favour of this amendment. As our hon. leader just mentioned, it's imperative that industry has a say in this levy, seeing as they're the ones who ultimately are going to be paying these fees into this fund. You know, it's only fair to give them some certainty and give them a voice on this levy that they will ultimately be paying themselves. I think that it's something that the hon. Energy minister, being such a strong advocate for industry, would grasp wholeheartedly, including industry.

**Ms Blakeman:** Now there's a bromance thing happening.

**Mr. Hale:** I won't bring that comment up.

I think, you know, we definitely have to include industry in this bill, and this is a very good way to allow industry to have a say in the fees that they will ultimately be paying.

I urge all my colleagues to support this amendment.

**The Chair:** Thank you, hon. member.

Are there others? The hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you, Mr. Chair. I want to thank the hon. Leader of the Opposition for this amendment. That being said, I've just done some quick research. Knowledge of aboriginal law was never my specialty, but I do know that there is an inherent obligation to negotiate. Therefore, it is my view that this amendment is redundant, and I will not be supporting it.

**The Chair:** Thank you.

The hon. Member for Rimbeey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I understand what the hon. minister said, but it isn't about the redundancy. There's a lot of redundancy built in through various laws. It's also about clarity. One of the main complaints that has come from many of the First Nations groups is about the whole issue of clarity. The obligation to consult is clear. It's been spoken about here on the floor of this Assembly. Yet the argument that consultation is not taking place has been put forth not just by members here in opposition but by many of the First Nations that have shown up. When you look at this amendment and just dismiss it, saying that it's redundant because of another act, what's not clear in this act is the mandate that consultation takes place.

I will say, hon. member, that I can cite a number of acts, the Electric Utilities Act being one, that have a number of points where you can say that there's redundancy built in, but the point is

that it also gives clarity to the various sections to make sure that the bill stays consistent. That, to me, is all that this does here. It says exactly what this minister says that he's going to do. It keeps consistency within the flow of the bill, that First Nations, the people who are directly and adversely affected by any negative decisions that come out of this bill, have some sort of certainty in the clarity that they will be consulted. Just saying it to be so does not necessarily give the confidence. Pointing to another section does not necessarily give confidence. You can make the argument that it's redundant, but you can also make the argument that this gives clarity. It doesn't hurt or take away from the powers of the minister whatsoever. That's important.

I would argue to support this amendment. I'd ask my colleagues to support this amendment. It will ease the frustration and the anxiety that many of the First Nations have about this piece of legislation.

Thank you.

**Ms Blakeman:** This one isn't sitting right with me because it's essentially instructing the government to negotiate with the proponents around the fee that's supposed to be paid. I thought that earlier we had been arguing that the amount that was required for the consultation should be the amount that's paid. We, in fact, had a standing vote on that. This, I think, runs counter to that in that it is saying that the industry representatives or, in the language of the bill, the proponents, should be part of this negotiation. I don't think they should. They're being charged a fee for something specific.

This one isn't sitting right with me. I'm happy to hear more arguments. I don't know that it's redundant, as the Minister of Justice and Solicitor General has said, but I don't think it brings clarity. I think it muddies the water.

Thank you.

11:30

**The Chair:** Thank you, hon. member.

The hon. Leader of the Official Opposition.

**Ms Smith:** Thank you, Mr. Chair. I think we have to remember the context that we're talking about, this whole framework for this new approach. Right now industry is already paying for consultation. They're paying fees that amount to about \$150 million a year. What is happening now is that the government is inserting itself in negotiations that have been going on privately between industry and First Nations. If you look at what the First Nations say, they say that that's actually been working pretty well for them.

We've been talking a lot this evening about making sure that First Nations rights are protected. I think that the hon. Member for Edmonton-Beverly-Clareview argued that very well, about wanting to make sure that First Nations don't end up getting shortchanged by moving to this centralized process of managing consultation, but on the same token we're hearing from industry that they don't want to get gouged. The minister refused to accept the amendment about the money being held in trust, which means that they've created an environment where they actually can overcharge industry, siphon money off into general revenues. We certainly know that they're looking forward to other avenues to be able to get more money for general revenues.

What we're wanting to do is create some balance. We know that First Nations need to be negotiated with and need to be included in establishing the levy to make sure that they're able to maintain the same number of dollars that were coming to them under the private agreements they were negotiating with industry, but on the

same token we don't want to give government the latitude to set those rates so high that it goes over and above what the First Nations may be able to negotiate on their own. We don't know what will happen because the minister has granted himself *carte blanche* power to change the regulations on a whim without being subject to any appeal or any restrictions, so it may well be that it's implemented at one level but then maybe ends up generating more revenues than they actually need to support the consultation process.

I think in the interest of fairness, because we are interfering with this legislation in private negotiations that, by the proponents' and the First Nations' testimony, have been working relatively well or at least certainly better than the Crown relationship has been, we owe it to both parties to make sure that when we establish what the new levies are going to be, we talk to both parties who are party to the existing agreements.

I hope that clarifies for the Member for Edmonton-Centre.

**The Chair:** Thank you, hon. leader.

The hon. leader of the ND opposition.

**Mr. Mason:** Well, I share the misgivings of the hon. Member for Edmonton-Centre on this one. In my view, such a negotiation would be fraught with problems. It's a three-way negotiation, and it's not determined on the need of the First Nations to do the things that they need to do. It's some kind of a deal struck where you saw off somewhere in the middle. I know how a lot of the negotiations would go with the government involved. The government would not side with First Nations in most cases, and it would be a 2 to 1 situation.

I can't see this working and think that it's not up to the Crown to negotiate with oil companies or resource companies about how much they're going to pay. It's to determine it objectively based on submissions that First Nations may make, and then the proponent, if they wish to proceed with the project, just pays.

So I'm not prepared to support this particular amendment.

**The Chair:** The hon. Member for Strathmore-Brooks.

**Mr. Hale:** Thank you, Mr. Chair. I respectfully disagree with both of the other opposition parties. I think that we have to remember who is paying this fee. It's the energy industry that's paying this fee. They should have a say in the fee that they are paying, and to say that it's redundant, I think, is maybe a little bit of a misstatement. I'm sure that the energy companies who are going to be paying these fees and who are right now paying these fees on their own, when this bill comes into effect, will then have to be paying a different type of fee to a fund. Is it going to take the place of the fee that they're already paying? They're concerned, you know, about the dollars going out.

In any business we know that it's all about making a profit. If they're not going to be able to have a say in what's going out, that's not good business. There are many of us sitting here that are and were business owners, and the bottom line is, you know, you've got to watch what you're putting out and, hopefully, you take in more than you put out. I think it's very imperative that these oil companies have a say. You know, for a government to sit there and tell these oil companies, "Okay. You know what? Glad to have you in the province, but here's another fee that you're going to have to pay" without giving them any sort of consultation process – this can't be a dictatorship where you're dictating to these oil companies and gas companies and pipeline companies how much they're going to have to pay. They have to have a say in this whole procedure or it causes uncertainty.

As we see in this bill, the minister can make changes at any time and can decide how much the fee is going to be. That goes back to the uncertainty if they don't know from one year to the next or one month to the next or in a specific time how much they're going to pay. It's pretty tough to do your books and take on bigger projects if you're leaving it up to the whim of the government to decide on your behalf how much is coming off your bottom line.

So I do support this amendment. I hope that that maybe changes some minds. I doubt it, but . . .

**The Chair:** Are there others?

**Mr. Mason:** I just want to indicate that the documents we got indicated that the minister thought that about \$70 million would be collected as part of the levy, but at present we understand – I think the Leader of the Official Opposition used these numbers, too – that industry is currently paying between \$150 million and \$200 million on consultation as it goes. I don't see how this is going to be completely onerous for industry if in fact the government has in mind a substantially lower amount of money. I hope that that is adequate. I doubt that it would be. I think it will remain the main point.

It's not that we want to gouge industry or allow the gouging of industry by others, but I also think . . . [interjection]

**Ms Blakeman:** Sorry. Keep going. You don't want to gouge.

**The Chair:** Please proceed, hon. member.

**Mr. Mason:** That's quite a concession on my part. I hope you know that.

**Ms Blakeman:** And it was delightful.

**Mr. Mason:** Okay.

I think the process envisaged in this amendment would disadvantage the First Nations significantly and would mean that they would have to negotiate short of what they actually needed for consultation and would thereby undermine the intention of the act. So I'm not going to support it.

**The Chair:** Thank you, hon. member.

The hon. minister.

**Mr. Campbell:** Thank you, Mr. Chair. I won't support this amendment for some of the reasons that the member talked about but for some other reasons also. First of all, I think it's important to understand that the Supreme Court has set a very high benchmark for consultation in this country, and as a provincial government we have to meet that standard. I can also say to you that in talking to First Nations and industry, the reason I worked through this whole process in the first place is that both First Nations and industry said they were not happy with the consultation process that was presently in place.

Also, Mr. Chair, I think it's also fair to say that this process has been going on for three years now. To suggest that we're rushing anything through – we've been at this process for three years and ministers before me.

Mr. Chair, I've talked to industry, and industry is worried about two things. They're worried about certainty, and they're worried about timeliness. They understand that they are on a world stage. So when you talk about our natural gas and our oil industry, they understand that they have an obligation to look after the landscape and treat the First Nations in a proper manner because the rest of

the world is watching. If it's Husky or Esso or Total, people are watching to see how they treat First Nations. That's why this consultation process is important. Industry gets that, and industry wants to do the right thing.

11:40

As I said before, we will sit down with industry and First Nations. We will talk about the levy, about what makes sense. Does it make sense, for example, for the levy to go project by project, or does it make sense that First Nations get so much money on a yearly basis? Even if we took \$70 million, that's \$3.5 million per First Nation in this province. That's a lot of money.

Now, again, some nations are different than other nations in the sense that, for example, with the nations that are involved in the oil sands, of course, you know, the consultation obligation is a lot more intense. The footprint is a lot bigger. So it's different than going and doing a gravel pit down in your riding, Member for Strathmore-Brooks, for example. Okay?

We are very conscious of industry's concerns. I've spent as much time with industry as I have with First Nations. I've met with CAPP. I've met with the Alberta Forest Products Association. I've met with the Coal Association of Canada. I've met with the geophysicists. I've met with the seismic guys. I've met with the pipeline guys. This isn't just oil and gas or just energy; this is all industry in the province.

I've met with the AAMD and C. I've met with the AUMA because they're neighbours in this process, especially out in your areas, out in the counties. You know, the reserves border the counties. In lots of cases we have very good neighbours, and they have a very good relationship working forward.

You know, I understand the depth and the complexities that we have to deal with on the landscape. I can say to you that we have spent as much time with industry as we have with First Nations, and I can say to you that I am very comfortable that industry wants to do the right thing. We'll get this process up and running, and I'm confident that at the end of the day we'll be doing the right things for all Albertans in this province moving forward.

**The Chair:** The Leader of the Opposition.

**Ms Smith:** Thank you, Mr. Chair. To answer the issue raised by the hon. Member for Edmonton-Highlands-Norwood, I think that the issue that we're seeing industry raise is that they're worried that the \$70 million is not a replacement for the \$150 million, but it's in addition to the \$150 million. What they have observed in the industry is a number of different additional charges that came through in the course of the budget, and they're just now really beginning to grapple with the kind of impact that it's going to have. If you're not part of the consultation and you've got a government setting up a whole new bureaucracy and bureaucratic structure and you still end up having to pay the \$150 million in consultation fees in addition to \$70 million to support the government consultation process, that is, I think, what the industry is concerned about and why it is they want to part of it.

I recognize the concerns raised by the Member for Edmonton-Beverly-Clareview, that it might be perceived the other way, that it's actually going to see fewer dollars flow through to First Nations, which is why we think it needs to be entrenched in the legislation that the government is going to consult with both parties so that we have some certainty around it.

I'll just give one example. We haven't had an opportunity, unfortunately, to talk about this in the Legislature. This is an example, again, of how the government can make dramatic changes when they give themselves the power under regulation,

where it gets no scrutiny by the Legislature and is just placed on industry and comes as a complete surprise. The licensee liability rating is just one example.

My father works for a company called Midlake oil, and . . . [interjections]

**The Chair:** Can we keep the noise down, please? The Leader of the Opposition has the floor.

**Ms Smith:** The government went through and changed the licensee liability rating unilaterally. For the next three years this small oil and gas company is now being charged an extra \$2 million, that they're going to have to pay, because of the unilateral changes to the fee structure related to the licensee liability rating. This is the kind of thing that the industry is being hit with from all different sides, and it's the reason why they don't have trust in the government.

The minister says: "Just trust me; we'll figure it out. Trust me; we'll negotiate. Trust me; we're going to consult." The record, unfortunately, has not been very good so far of the industry getting proper consultation. They seem to consult at this sort of high level, sort of like the second reading level of consultation. "Do you support the concept of what we're going to do?" You can get all kinds of folks in agreement on the concept of what you're trying to do. I think even First Nations and energy companies would agree with the concept of this bill. Even we agree with the concept of what the bill is trying to do.

The problem is that if you're sloppy in the way the legislation is written and you give too much unilateral power to a minister to make decisions without oversight and without appeal and without requiring them to do an appropriate level of consultation with the parties who are all going to be impacted by it, you end up with a bad outcome. That's what we're worried about. That's why I again would urge members to support this amendment so that we can put some fences around this. The minister says that he wants to do this; he claims that he will do it. Well, if he's going to do it, then he shouldn't be so concerned about it actually being written into the letter of the legislation that he's actually mandated to do it. I think that's what the Assembly should support.

Thank you, Mr. Chair.

**The Chair:** Thank you, hon. leader.

Are there other speakers? The Member for Strathmore-Brooks.

**Mr. Hale:** Yeah. Back to the industry, I do believe that the hon. Minister of Aboriginal Relations has consulted with industry and that industry does get it. You know, they get Bill 2, the single regulator. They want that. I'm sure that they want some certainty dealing with the aboriginal peoples, but I think they want a voice in that certainty to ensure that they're being heard fairly and on a level playing field. The hon. Leader of the Opposition mentioned the LLR program. Well, industry now also is paying to fund the regulator. Where before the government in their budget funded the ERCB, now that funding is going directly to the energy industry.

It's all fine and good to say that, you know, industry will be consulted, and we'll take into account their ideas and their feelings – they all have feelings – and get some input from them. But I think it goes back to the legislation. If it's actually in there, in the legislation, then we know it's certain that it's going to happen. Just to say that we will do it is a lot different than actually having it written in law. Certainty is a big deal in all of our industries in Alberta and especially in the oil industry. Dealing with this bill would go a long way to show certainty and give them some clarity.

Thank you.

**The Chair:** Thank you.

Are there other speakers?

Seeing none, I'll call the question on amendment A10.

[The voice vote indicated that the motion on amendment A10 lost]

[Several members rose calling for a division. The division bell was rung at 11:47 p.m.]

[One minute having elapsed, the committee divided]

[Mr. Rogers in the chair]

For the motion:

Anglin	Hale	Smith
Donovan	McAllister	Stier
Fox	Saskiw	Towle

**11:50**

Against the motion:

Allen	Fawcett	Mason
Amery	Fenske	Oberle
Blakeman	Hughes	Olesen
Brown	Jansen	Olson
Campbell	Jeneroux	Quadri
Cao	Johnson, L.	Quest
Casey	Kennedy-Glans	Scott
Denis	Khan	VanderBurg
Dorward	Kubinec	Xiao
Drysdale	Lukaszuk	Young
Eggen		

Totals:	For – 9	Against – 31
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[Motion on amendment A10 lost]

**The Chair:** Back to the bill. The hon. leader.

**Ms Smith:** Thank you, Mr. Chair. This is the last amendment that I'll be putting forward this evening.

**The Chair:** This will be referred to as A11. Hon. leader, if you would send the copies around and send me the original, please.

Proceed, hon. leader.

**Ms Smith:** Thank you, Mr. Chair. I would like the minister to consider this like a get-out-of-jail-free amendment because if he passes this amendment, I think this will go a long way towards correcting some of the errors that were made in the hasty drafting of this legislation.

Let me start by actually commending the government on having taken this exact approach in their Metis Settlements Act, of which they're so very proud. The Metis Settlements Act is actually model legislation for other jurisdictions on how the province has managed to carve out a nation-to-nation, respectful, other order of government relationship with Métis while also respecting their rights under the Constitution. One of the linchpins as to why that relationship works goes to the process that the minister used when he was making amendments to the Metis Settlements Act through the Metis Settlements Amendment Act, 2013, and the fact that he had all of the chairmen of the Métis settlements here in support of the bill and the fact that he did not feel comfortable changing one word without proper consultation with the Métis leaders.

I think that he should be mindful of the reason why he has that level of trust and support. It's, I think, in large part due to language in the Metis Settlements Act that is very, very similar to the kind of language that I'm now going to propose that we pass

and put into this legislation and, indeed, any legislation that deals with aboriginal consultation.

This is new ground for the province, to be legislating in this area of aboriginal consultation. There have been legal judgments that have given them the latitude to be able to do this. But why do it wrong when you can do it right? Why do it wrong this time when you did it right before? Why not build on some of the things that worked in the Metis Settlements Act and bring those same provisions into this and other subsequent legislation so that we can start on fresh, solid footing with First Nations communities in developing this new relationship?

With that context, I move that Bill 22, the Aboriginal Consultation Levy Act, be amended by adding the following after section 10:

10.1 Before introducing an amendment in the Assembly or making a regulation under section 10, the Minister must

- (a) provide First Nations and other identified aboriginal groups with notice in writing and a copy of the proposed regulation or amendment as the case may be, and
- (b) give due consideration to written suggestions about the regulation or amendment that are received from the First Nations and identified aboriginal groups within 45 days of the notice.

If the minister goes and has a look at his own Metis Settlements Act, he will see that this type of language is paralleled in that legislation, so that if there are any regulations that are passed that affect Métis under that act, they would give 45 days' notice plus they would give written notification of the regulations plus they would give due consideration to the input asked from First Nations.

I like the 45-day window. It's double the amount of time that the government is currently allowing for First Nations consultation, but it seems to work. Obviously, since they just did a major overhaul and major review of the Metis Settlements Act, if there was a problem with this 45-day provision, they would have already amended it in that legislation. Obviously, it's been tested in the 20-year relationship that the government has had, and it is something that has been demonstrated to actually create the foundation for a collaborative relationship, which is what I think they want to build with our First Nations communities.

It would seem to me very odd, I think, if our First Nations communities actually saw that there was more due consideration written into legislation for Métis than they're able to enjoy under legislation that impacts their rights because the Constitution section 35 acknowledges aboriginal rights for all aboriginal peoples, not just First Nation, not just Métis, but Inuit as well. We can't have legislation that is creating an unlevel playing field in what the expectation and duty of consultation is when regulations change.

As the Member for Lac La Biche-St. Paul-Two Hills pointed out, the minister has given himself more sections of latitude to be able to make regulations than we have sections under the act. We have sections for regulations going all the way from (a) down to (o), and the minister claims that all of this is going to be duly consulted, all of this is going to have First Nations input. Well, because we have seen that his first step into this area with this bill has not had adequate consultation, I just think that taking the trust-us approach is not going to work for the minister this time.

I think he can avoid a lot of misery over the summer and I think he can avoid having to go around the province putting out fires if he passes this provision, that makes it very clear that he's not just going to make regulations willy-nilly, that there is going to be a proper process. It's time limited, so that gives the certainty to the

industry that they're seeking. It's not that regulations are going to be out there being consulted upon forever. There's a provision in here that it would be time limited to 45 days, which is a reasonable amount of time to be able to get the input. It puts it on parity with the treatment that we have and the respect that we have for our Métis communities, and I think it could go a long way towards helping the minister make amends in some of the areas that have obviously been lacking through these last few days, as we have heard from so many chiefs.

This is a bit of a catch-all because it would apply to the vast bulk of the bill, the last half of the bill. The amendments that got voted down by the government I think would have improved the bill greatly, but if nothing else, if there are no other amendments to pass, this is the one, I think, that would give the First Nations communities the certainty they need. It would give industry the certainty that they need as well that things would be progressing along the time frame that the Minister of Energy wants, to be able to have it work in collaboration with his new single regulator. I just think that if you don't pass this amendment, I guess I would just have to wonder about the due diligence involved in passing this massive amount of new regulations.

I think that because we've heard the minister speak in such a casual way about what he thinks consultation looks like and we've heard from the First Nations communities that they don't think that the kind of consultation and casual way in which the minister has consulted are actually cutting it, we need to formalize this process. This is an amendment that would formalize the vast, vast majority of the rule-making that the minister wants to enable himself to do under this act.

12:00

I would urge other hon. members to support it so that we all can leave for the summer, go to our First Nations communities, say that we did our best to make sure that this legislation lives up to the spirit of what is intended in the Constitution, and have some confidence that the minister is actually going to undertake to do exactly what he said he was going to do and make sure that our First Nations consultation process gets off to a good start. There's no point in starting off a brand new relationship with a rocky start. I think this would go a long way towards making some of those amends, and I ask members to support it.

Thank you, Mr. Chair.

**The Chair:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. There are a couple of key words in this amendment that make it a valid amendment to support: in part 10.1(a), to provide notice in writing, and in part 10.1(b), "give due consideration to written suggestions . . . within 45 days of the notice," a very short form of reading the amendment. It makes sense. It provides clarity. It provides consistency with everything this government says that it intends to do.

With that, I do encourage my colleagues to support it and members across the aisle to look at this with an open mind and look at or at least consider the clarity. I'm seeing some shaking of some heads. To heck with the open minds. Maybe look at it with a tired mind, and give some consideration to why it makes sense to show First Nations that by putting this in, it gives them a little bit of confidence that you will do what you said you've always wanted to do.

With that, I thank my hon. leader for putting forth this amendment, and I ask my colleagues to support it. Thank you very much.

**The Chair:** Are there others to speak to this amendment?

Seeing none, I'll call the question.

[The voice vote indicated that the motion on amendment A11 lost]

[Several members rose calling for a division. The division bell was rung at 12:02 a.m.]

[One minute having elapsed, the committee divided]

[Mr. Rogers in the chair]

For the motion:

Anglin	Eggen	Saskiw
Blakeman	Hale	Smith
Donovan	McAllister	Towle

Against the motion:

Allen	Fenske	Oberle
Amery	Hughes	Olesen
Brown	Jansen	Olson
Campbell	Jeneroux	Quadri
Cao	Johnson, L.	Quest
Casey	Kennedy-Glans	Scott
Denis	Khan	VanderBurg
Dorward	Kubinec	Xiao
Drysdale	Lukaszuk	Young
Fawcett		

Totals:	For – 9	Against – 28
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[Motion on amendment A11 lost]

**The Chair:** Back to the bill.

**Hon. Members:** Question.

[The clauses of Bill 22 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? That's carried.

## Bill 26 Assurance for Students Act

**The Chair:** The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much, Mr. Chairman. Given the pace that this bill is going through, I thought I'd better take the opportunity to speak in Committee of the Whole because I may not get another one. I do appreciate the opportunity to do that.

Bill 26. Hmm. You see, I get to the title, and I just don't like this bill. Assurance for Students Act is one of those kind of spin-the-language titles that we get from this government. I would have called it the Whack the Teachers Bill. [interjection] Yeah. I know. It just doesn't strike me as being assurance for anybody in particular. I know that, you know, we're seeing the family divisions close here. We've got the Wildrose and the Conservatives in agreement on how to work with a collective bargaining process. I understand that, and I don't agree with you on that one.

How did we get into this position? We have the government, who wants to get a long-term agreement with teachers around compensation, workload – I'm just flipping through the different sections of it – professional development, lieu days, pilot projects, maintenance of collective agreement, teacher instruction time, et



cetera. I believe this document is available. Well, I certainly got hold of it, so I'm assuming it's been tabled.

You know, this government doesn't seem to really like collective bargaining and unions very much. It strikes me that they've almost picked fights with people, and part of the intended or unintended consequences of Bill 26 is to warn everybody else that's in a collective bargaining position from a public union to watch out, or they're going to get whacked, too. As funny as the Minister of Aboriginal Affairs and the Justice minister think my subtitle is, I think it's pretty accurate.

12:10

This government always wants to drive down wages, which I don't understand. I would have thought that we wanted to be closing the income gap between the really, really rich in this province and everybody else, yet I consistently see choices made by the government to drive down the earnings of regular working folks here. The determination to continually create underclasses or subclasses of workers that do more or less the same work but with a lot less training and for a lot less money: and we've seen that turn up in a number of different sectors, from health care to corrections and policing to social work and other sectors beyond that.

I keep thinking: doesn't the government do better – oh, maybe that's the trick. I was going to say: doesn't the government do better if a lot of people are working and earning a reasonable salary? Then they make more money from income tax. But you know what? That might be the problem. The government doesn't really bring as much in from income tax as it should because it's subsidizing itself with oil and gas revenues. Tsk, tsk, tsk. Shouldn't be doing that.

We have a situation where the government offered an agreement to both the school boards and the bargaining units of the Alberta Teachers' Association. I'm really interested in the ratification of the framework agreement that appears toward the end, part F.

3. This Framework Agreement is conditional on the ratification of this Framework Agreement by May 13, 2013 by all School Jurisdictions listed in Appendix A and their respective Association Bargaining Units.

Okay. That's the set-up.

One would assume that the government is looking for unanimity from everyone, that they're all going to agree to this so that they don't have to deal with exceptions except that they spend an extraordinary amount of time in this agreement talking about an exceptions committee, about how if you really can't afford this, they'll try and help you.

We do have, I think, three different groups – we've got the Calgary board of education, which is one of the ASBA groups, and two bargaining units that I'm aware of – that have voted against the agreement. Now, this is where government language and kind of Trixie Belden stuff starts to happen. Sorry. I'm using somebody else's phrase there. But it is that kind of tricky language. In the preamble, which is not enforceable and actually doesn't appear in the statute after the bill has been ratified, one of the whereas partway in says, "Whereas a significant majority of ATA Bargaining Units voted in favour of ratifying the Framework Agreement." The next one: "Whereas a significant majority of the members of the ASBA voted in favour of ratifying the Framework Agreement," and then it goes on.

I'm thinking: yeah; not really true. By a simple majority? Correct. But if we look at the effect of the Calgary board of education not agreeing to this, that's a very large percentage of people that are not agreeing. It is not taking into consideration

and, I think, not being honest – in other words, being devious – about the consideration of the size of the Calgary board of education, the size of the budget for the Calgary board of education, the number of staff that are affected, the population that's served. It's a solid 30 per cent. Twenty per cent of the students in the province are affected by the Calgary board of education, and I believe 30 to 35 per cent of, you know, total budget, total staff, total population, and all the rest of those considerations is right in that area there. So no. I'm just not buying this simple majority stuff. It makes it all sound too – I believe that it's not recognizing the complexity of it but also the reasons behind it.

I have to commend the Calgary board of education, which is not known for being a pink-tie-wearing, radical group of people. They're pretty conservative. Yeah. Well, you know, you are on that side. [interjection] Okay. They're pretty conservative, and they're not – oh, not pink. No. [interjection]

**Mr. Anglin:** They just cheered the election in B.C.

**Ms Blakeman:** Those are not Liberals. They're Conservatives in disguise. Sorry.

**The Chair:** If we could just stay on the bill, hon. member. Thank you. I'd really appreciate it.

**Ms Blakeman:** Okay. They have goaded me, Mr. Chair, into talking about the results of the B.C. election. A number of people here are quite overjoyed that the Liberals have won. I, too, would be overjoyed, but, honestly, they're not Liberals; they're Conservatives. So we have both the Conservatives and the Wildrose rejoicing because the Conservatives have won in B.C. Having clarified that, I'll move on. Thank you very much, Mr. Chair.

I want to commend the Calgary board of education, who, I will point out again, are not exactly radical people, for stepping out and saying, "No, we will not sign this" because of, I think, two reasons that I've been able to find backup for. One is that the amount of money is not nailed down about how much reducing the teachers' workload is actually going to cost and what it's specifically meant to be. You know, I think they're right to not sign an agreement in which that is left up to the future. Secondly, once again the government is forcing a group of people into accepting an agreement which includes increases for staff that are built in as a result of a collective bargaining process or grid increases or, you know, whatever the agreement is that's in place, but the government is clearly not providing the money that goes with it.

Now, this government collects education property taxes, which in my time in this Assembly used to be requisitioned by the school board for how much money they needed. The government collected it and handed it over to the various school boards, and off they went. Then the government in their wisdom under Premier Klein said: "No, no. There's too much discrepancy. We've got rich schools and poor schools in Alberta. We will redistribute the money."

So the government started to collect all of the education property tax and supposedly redistributed it. You know what? It wasn't even set aside in a separate fund. It just went straight into general revenue. So it got a little hard to track there about how much redistribution was actually happening. It wasn't kept in a separate account at all. So we have the government now collecting Education's money and then kind of doling it out to them again, you know, like good little children or bad little children, in which

case they probably didn't get the amount of money they were hoping for.

Now we have government agreeing to salary increases and what's under the workload. The teachers are requesting a workload reduction with no price tag on it, but the school boards are expected to pick up the tab, whatever it is. I think the Calgary board of education was right in saying no. I'm going to respect the collective bargaining process on the teachers' side, but – okay; they agreed to it. I'll stay out of that one. Stay out of it, Laurie.

In their own agreement they say that everybody has to decide, or it's off. Well, everybody didn't decide, so the effect of that has been for the government to bring in a bill and put it through very quickly. Again, I'm going to point out a pattern that I see with this government. They leave the big, heavy-duty, tough, controversial bills to the last couple of days, bring them in, use all kinds of obscure clauses, and use their majority to move the bills through very quickly.

**12:20**

You know, for people to be able to respond to this bill, for the public to respond, even the other people that are involved in it, boy, you'd have to be right on top of it and put everything else on your desk aside in order to be able to concentrate on responding to this because it's going through quickly. It came into the Assembly yesterday or today, and there was a special motion to allow it that is rarely used. I can't remember that section ever being used before. It's section 77(2), I think, that allows the government to move a bill through more than one stage in a day.

Standing Order 77(1) says, "Every Bill shall receive 3 separate readings on different days before being passed." That's the rule we operate under. Now, here's the exception. Government always gets to win because, one, they've got a majority, but, two, they have the responsibility of making sure stuff actually moves along and gets done, so they always get the bias in their favour from parliamentary process. But they need to respect the fact that that's built in there for them and not abuse it. I would argue this is abuse of it.

Standing Order 77(2) says:

On urgent or extraordinary occasions . . .

Okay. So is what's happening here urgent or extraordinary? I'm going to say no to both of those, but I'll come back to that.

. . . a Bill may receive second and third reading or advance 2 or more stages in one day.

For people following along at home, a stage of a bill is the reading, so it's first, second, and third. Committee of the Whole is not a stage. So on any given day you can have the government move a bill through, say, second and Committee of the Whole or Committee of the Whole and third. That's fine. That can happen with nothing special happening. But to move it from first to second and now to committee in one day is extraordinary. That's what's extraordinary about this, not the fact that the government believes that the events that have led to this bill are extraordinary and need to be addressed in this manner.

Urgent. I fail to see how this is urgent, that it's so urgent that it has to go through in essentially a day and a half. You know, third reading for an opposition the size that we have is just a matter of time. If everybody speaks once, and that's what they're allowed to do, then you're just counting down the time. Each one gets 15 minutes. At a certain point you've run through the 25 of us, and that's it. It's done. It's just a matter of waiting. You don't have to do anything extra, although I'll bet the government does.

What is the all-hellfire-burning hurry here? We're supposed to be in session until June 6. Well, I think that's a fantasy. I bet we're going to be out of here before Thursday. More specifically, what is the all-hellfire-burning hurry in Bill 26? You know, we've got a

new school year that's happening in September. Once again, the government gets to set very short timelines for people that they're dealing with, but they get to spend years on stuff. We just had Bill 22, where Treaty 6, I think, pointed out that in one of their agreements the government took eight months to respond to a framework that they had put forward, but the government imposed a 30-day response on that same group. We're seeing that here. The government gets all of the time that it wants, but there's a very short period of time for the group to respond.

I don't think this is urgent. Yes, we're looking for stability for teachers. Yes, we're looking for stability. Yeah, yeah, yeah. Well, you know, this is not civil unrest. We're not at war. We don't have any kind of crisis happening here. What's the big hurry? Why can't the government go back and deal with this? Clearly, there is a problem. You can try and minimize it by using simple majorities. Fine. That's just disguising the fact there's a problem, and I think it should be addressed.

I don't like the fact that the government is disrespecting a group of people who are trying to stick to their budget. I've looked through the budget documents of the Calgary board of education. They're saying: "That's it. We're using up all of our reserves. We're pinching pennies everywhere. We've reduced the administrative budget." They can't go any lower or they won't have any administration, never mind librarians or anything else useful in a school, yet they keep putting requirements on the school that will make use of those same administrative staff that they're not allowed to have now.

Extraordinary. Well, this government has a long record of really bad relationships with public unions, so what's extraordinary about this one? I mean, when was it – 10 days ago, a week ago? – that they were in a big battle with the correctional officers? Before that it was with the teachers. None of this is extraordinary for this government. They just don't like working people. They certainly don't like collective bargaining. They don't like unions. This is not an extraordinary happening with this bill, and I am really unhappy about the government using this process to force this through.

Now, having said that, I have to admit that I am at odds with the Liberal critic who is in charge of this portfolio. But, you know, I'm the one here tonight, and more than half of this is showing up.

**An Hon. Member:** Free votes.

**Ms Blakeman:** Yeah. Actually, our caucus does a lot of free votes.

But I want to put on the record, so that I don't dis my colleague the Member for Calgary-Buffalo, who is our chosen critic for Education, that he has come out in favour of this bill. He is speaking in favour of stability. He's willing to go forward on that. I'm the one that showed up, so that's how I'm going to be voting.

Thank you.

**The Chair:** Are there any other speakers?

**Hon. Members:** Question.

**The Chair:** Question has been called.

[The clauses of Bill 26 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? That's carried.

**Private Bills  
Committee of the Whole**

**Bill Pr. 2  
Wild Rose Agricultural Producers  
Amendment Act, 2013**

**The Chair:** The hon. Member for Calgary-Glenmore.

**Ms L. Johnson:** My apologies. I have an amendment to the bill.

**The Chair:** I thought you might, hon. member. If you'll just take a minute, hon. member, we'll circulate the amendment.

**Ms L. Johnson:** My apologies to the House. The table officers are circulating the amendment now.

**The Chair:** The amendment is coming around. Hon. member, would you speak to the amendment, please.

**12:30**

**Ms L. Johnson:** I move that Bill Pr. 2, Wild Rose Agricultural Producers Amendment Act, 2013, be amended as follows:

The following is added after section 7. Section 8, section 18 is repealed and the following is substituted:

Filings with Registrar of Corporations

18(1) The Business Corporations Act and the Companies Act shall not apply to this corporation except the disclosure and filing obligations set forth in this section.

(2) Within 30 days of the coming into force of this Act, the corporation shall file with the Registrar of Corporations

- (a) a list of the directors and officers of the corporation and their addresses,
- (b) a notice of the address of its registered office, and
- (c) a copy of its bylaws.

(3) Commencing January 1, 2014, the corporation shall, once in each calendar year, file with the Registrar a copy of its annual financial statements.

(4) Within 30 days after a change is made to any of the items outlined in subsection (2), the corporation shall file with the Registrar a notice setting out the change.

**The Chair:** Hon. members, this is amendment A1.

Any questions or comments on the amendment? The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Yes. Why? Why doesn't this organization under the Wild Rose Agricultural Producers Amendment Act have to adhere to the requirements of the Business Corporations Act and the Companies Act? I'd like to know why it's set aside or exempted if you can tell us that.

I mean, clearly, you're still trying to address what is usually required by the Business Corporations Act and/or the Companies Act if you're looking for part 9, I'm assuming, the filing of who is in charge with the directors and officers and their addresses, where important documents are kept, a copy of its constitution and bylaws, and then the requirement that henceforth they have to file that information once a year or, well, update if it changes 30 days after any change is done. All the regular stuff is in here.

Why don't you want it to come under either one of those? I'm assuming it's also not coming under the Societies Act. Do you want to answer that for me?

**The Chair:** Are there any other questions or comments?

**Hon. Members:** Question.

**The Chair:** Seeing none, the question has been called.

[Motion on amendment A1 carried]

**The Chair:** On the bill.

**Hon. Members:** Question.

**The Chair:** The question has been called.

[The remaining clauses of Bill Pr. 2 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? That is carried.

**Bill Pr. 1  
Church of Jesus Christ  
of Latter-day Saints in Canada Act**

**The Chair:** The hon. Member for Edmonton-Gold Bar.

**Mr. Dorward:** Thank you, Mr. Chair. This bill was reviewed by the Standing Committee on Private Bills, and the committee recommended that the bill proceed with some amendments. I move that Bill Pr. 1, Church of Jesus Christ of Latter-day Saints in Canada Act, be amended as follows. I understand the chair has copies to distribute.

**The Chair:** They're coming around in just a moment, hon. members. This will be amendment A1.

**Mr. Dorward:** Mr. Chair, may I proceed?

**The Chair:** Please proceed, hon. member.

**Mr. Dorward:** Thank you. There are three parts to this amendment, all as a result of discussions with Service Alberta, all agreed to by the proponents and by the committee.

The first one is that section 15 is struck. There was no need to have section 15, the liabilities section. It's replaced with a new section, which previously was dealt with in section 19, which is also struck. Section 15 now deals with dissolution and is a little bit more elaborate than the information that was in section 19 previously. However, it lines up quite well with the situation in the Business Corporations Act of Alberta. I've dealt with two, then. Section 15 is struck, the new dissolution wording is there, and section 19 is struck.

The other one. Service Alberta didn't like the words "for greater certainty, upon" at the start of section 18. Therefore, we have changed that and substituted just the word "upon" rather than "for greater certainty, upon."

Mr. Chair, those are the amendments.

**The Chair:** Speakers to the amendment?

Seeing none, I'll call the question.

[Motion on amendment A1 carried]

**The Chair:** Now back to the bill as amended.

**Hon. Members:** Question.

**The Chair:** The question has been called.

[The remaining clauses of Bill Pr. 1 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? That is carried.

The hon. Deputy Government House Leader.

**Mr. Campbell:** Mr. Chair, I'd move that the committee rise and report.

[Motion carried]

[The Deputy Speaker in the chair]

**The Deputy Speaker:** The hon. Member for Calgary-East.

**Mr. Amery:** Thank you, Mr. Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bills: Bill 22, Bill 26. The committee reports the following bills with some amendments: Bill Pr. 1, Bill Pr. 2. I wish to table copies of all amendments considered by Committee of the Whole on this date for the official records of the Assembly.

**The Deputy Speaker:** Does the House concur in the report?

**Hon. Members:** Concur.

**The Deputy Speaker:** Opposed? That is carried.

The hon. Deputy Government House Leader.

**Mr. Campbell:** Thank you, Mr. Speaker. Seeing the time, I'd say that we adjourn until 1:30 tomorrow afternoon.

[Motion carried; the Assembly adjourned at 12:38 a.m. on Wednesday to 1:30 p.m.]

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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Wednesday afternoon, May 15, 2013

Issue 59a

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta**  
**The 28th Legislature**

First Session

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Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

Independent: 1

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Eggen  
Kubinec  
Sandhu  
Sherman

### Select Special Chief Electoral Officer Search Committee

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Deputy Chair: Mr. Quadri

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Eggen	McDonald
Goudreau	Saskiw
Lemke	

### Select Special Conflicts of Interest Act Review Committee

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Fenske	Wilson
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## Legislative Assembly of Alberta

1:30 p.m.

Wednesday, May 15, 2013

[The Speaker in the chair]

### Prayers

**The Speaker:** Hon. members, let us pray. As we bow our heads in solemn reverence, let us reflect on what it truly means to put the needs of others ahead of our own. Amen.

Please be seated.

### Introduction of Guests

**The Speaker:** Hon. members, we have a record number of guests to be introduced today. I'm going to ask you to please be as brief as you can.

Let us start with the Minister of Human Services, followed by Infrastructure.

**Mr. Hancock:** Thank you, Mr. Speaker. It is indeed a pleasure for me today to introduce to you and through you to all members of the Assembly a bright and enthusiastic group of 44 grade 6 students from Brander Gardens elementary school, located in my constituency of Edmonton-Whitemud. Accompanying the students is their teacher, Natalie Gago-Esteves, and I might say that Ms Esteves has been in this Legislature with grade 6 students every year over the last at least six years that I can think of. She's also accompanied by Mme Tracey Loehr. The group of students had participated in the School at the Legislature program earlier this year, and they're seated in both the members' gallery and the public gallery. I'd ask them now to rise and receive the traditional warm greeting of this Assembly.

**The Speaker:** The hon. Minister of Infrastructure, followed by Edmonton-Highlands-Norwood.

**Mr. Drysdale:** Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to all members of the Assembly on behalf of the hon. Minister of Agriculture and Rural Development a group of 18 bright grade 6 students from Sparling elementary school, located in Camrose. They've enjoyed a tour of the building and later will be taking part in a game called Race for the Ridings!, which will test their knowledge of what they have learned here today. The students are accompanied by teachers and parents. I would now ask that they all rise and receive the warm welcome of this Assembly.

**The Speaker:** The hon. leader of the New Democrat opposition.

**Mr. Mason:** Thank you very much, Mr. Speaker. It's my pleasure to rise today and introduce to you and through you to all members of this Assembly Kathryn Westlund, a constituent of Edmonton-Highlands-Norwood and a resident of the Highlands neighbourhood. For over four years Kathryn has been facing numerous obstacles with her WCB claim and the subsequent appeals process involved with that claim. Kathryn became so frustrated with the current process that she took it on herself to initiate a petition, which I'll be tabling later today. I would ask Kathryn to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** Are there other school groups? None?

If it's okay with you, hon. members, I'd like to take a moment to do an introduction right now, and that is to introduce to you

someone who is very special to this Assembly because she is the Editor of *Alberta Hansard*, which, as you know, is our official minute book. Now, this particular individual knows all the ins and out and all the in-betweens that go on with the words that shape our speeches after we've said them or at least think we've said them. She has been with us in this capacity for 38 amazing years, which is an exceptional achievement in any individual's career, and throughout her career she has distinguished herself with the excellence, efficiency, and quality of our *Hansard*.

She has shown dedication and passion for this document, and she has worked to advance her career since commencing as a sessional editor till taking on her current role of managing editor. It is no small feat to publish this document, that we get and that the public gets within 24 hours of every sitting of this Assembly. It's in large part due to her perseverance, her dedication, and her incredible drive. Unfortunately for us, she will be retiring at the end of this session. I would ask all of you to please rise and join me in thanking Liz Sim. Thank you so much, Liz. [Standing ovation]

Thank you, hon. members, and thank you, Liz, for your outstanding service.

The hon. Member for St. Albert.

**Mr. Khan:** Thank you, Mr. Speaker. I would like to introduce to you and through you to all members of the Assembly Denise Baillie. Some of you may recognize Denise as she's often at the front steps of the Legislature, raising awareness of her battle with multiple sclerosis. I first met Denise on a cold afternoon last fall when I stopped to talk to her on the steps of the Legislature and learned her story. As of April 30 Denise's message of struggle with MS has turned into a success story after receiving Dr. Zamboni's chronic cerebrospinal venous insufficiency treatment, CCSVI. In her words, this one-hour angioplasty treatment performed in California "took [me] from wanting a wheelchair to wanting a bicycle; from depending on government disability payments to wanting to go back to work and pay taxes again."

Denise is a strong candidate for the CCSVI treatment and has recently been appointed president of CCSVI Alberta. She urges our government to allow this procedure to be performed here in Alberta. When I spoke with Denise the week before she went to California to receive her CCSVI treatment, she could barely stand without the support of her walker. I would now ask Denise to rise and perform a jumping jack while she receives the traditional warm welcome of this Assembly.

**The Speaker:** Did you have a second introduction?

**Mr. Khan:** I have one additional after that, sir.

**The Speaker:** Okay.

**Mr. Khan:** Thank you, Mr. Speaker. Today I am pleased to introduce to you and through you to all members of the Assembly St. Albert constituents Murray Barker and his wife of 45 years, Arlene Barker. Murray is a retired police superintendent with Edmonton Police Service, having served 35 dedicated years with the police force. His retirement was forced upon him due to multiple sclerosis. If it were not for this debilitating disease, Murray would still probably be chasing the bad guys right now.

Murray regularly stops into the St. Albert constituency office to keep us up to date on issues regarding St. Albert, the MS community, and various social issues as they arise. Murray volunteers for several organizations in St. Albert. He's a past nominee for St. Albert's volunteer citizen of the year and also received an award from the Minister of Justice and Solicitor General for his work with youth justice. I also had the honour of hosting Murray last

year at St. Albert's Art Walk and had the privilege of having Murray's photography and sculptures in my office. I would now ask that Murray and Arlene, who are seated in the members' gallery, rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** And your third and final introduction.

**Mr. Khan:** Thank you, Mr. Speaker. As well, for my final introduction today I am pleased to introduce to you and through you to all members of the Assembly St. Albert residents Ross and Irene Boyes, who came to speak with me in my constituency office just last fall, seeking assistance in helping them find weekend respite care for their son Bryan Boyes. Bryan is their adult child, who is developmentally delayed and blind. Bryan is cared for by his parents in their home. Bryan attends Winnifred Stewart during the weekdays but is unable to find respite aid on the weekends due to shortages in staffing availability. As any hard-working parents deserve, Mr. and Mrs. Boyes are seeking small breaks and have not had an easy time to find help. I appreciate their advocacy for all Albertan families who face this challenge. I would now ask that Mr. and Mrs. Boyes, who are seated in the members' gallery, rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** Thank you.

The hon. Member for Leduc-Beaumont and Deputy Speaker.

**Mr. Rogers:** Thank you, Mr. Speaker. The annual Historica Fair provides an opportunity for students from schools in the surrounding area to present projects celebrating Canada's heritage. In 2007 the Legislative Assembly, through your office, initiated an award to recognize Historica Fair participants who demonstrate outstanding achievement in celebrating an aspect of Canadian parliamentary democracy, governance, or political history, with a special focus on Alberta.

It is my pleasure, Mr. Speaker, to introduce this year's award winner, Libby Langenhahn. She's a grade 5 student at Vital Grandin Catholic elementary in St. Albert. Libby's project explored the many contributions of Alberta's Famous Five. Libby's project displayed her in-depth knowledge of the Famous Five, and she was able to use a comic that she produced herself to give context to their accomplishments. Way to go, Libby. Libby is with her mother, Heather Langenhahn; her father, Robert Langenhahn; and her grandfather, William Thompson. They are seated in your gallery, and I'd ask them to rise and receive the congratulations and the warm welcome of the Assembly.

1:40

**The Speaker:** The hon. Minister of Health.

**Mr. Horne:** Thank you very much, Mr. Speaker. May 15 is Breathing Matters day here at the Legislature. Today we work to raise awareness for approximately 600,000 Albertans who suffer from respiratory diseases such as asthma and lung cancer. In recognition of this, we have some very special guests that have joined us today from the Lung Association as well as other citizens who have a vested interest in respiratory health. They are seated in the members' gallery, and I'd ask that each guest rise as I state their name.

First, Leigh Allard, president and CEO of the Lung Association; Kate Hurlburt, volunteer chair of the board of directors for the Lung Association; Dr. Mohit Bhutani, representing the health care professionals dedicated to respiratory wellness; Julie Lavergne, who is accompanied by her daughter Naomi, an asthma sufferer;

Janis Seville, director of health initiatives for the Lung Association in the province of Alberta and the Northwest Territories; Nina Snyder, a dedicated caregiver that assists her mother, who suffers from an antirespiring deficiency; Darlene Gallant, whose husband has idiopathic pulmonary fibrosis, and she is here on his behalf to generate awareness for this condition; and last but certainly not least, Rick Curren. Mr. Curren copes each day with chronic obstructive pulmonary disease and is a tremendous advocate for lung health in our province.

Mr. Speaker, on behalf of the House I'd like to thank our guests for the work that they do every day on behalf of lung health in our province and ask my colleagues to join in providing our traditional warm welcome.

**The Speaker:** The hon. Minister of Culture.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. Today I rise to introduce to you and through you to all members of the Assembly two wonderful ambassadors of Alberta culture from the Art Gallery of Alberta. Kristy Triner is the newly appointed curator of the AGA, and I'm sure we'll see some bright work from her in the future. With her is Catherine Crowston, who is the gallery's executive director and key curator, whose goal of putting well-appreciated effort into showcasing the AGA's permanent collection is certainly praiseworthy. I'd ask both of them to rise and receive the Assembly's traditional warm welcome.

**The Speaker:** The hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Mr. Speaker. I'd like to introduce to you and through you to all Members of this Legislative Assembly some guests of mine in the gallery. They're here today to raise their concerns regarding the government's plan to close Michener Centre and the continued, devastating cuts to PDD services. They're upset that the government has broken their promise, and they have brought with them thousands of signatures, which I'll be tabling in the House today. Here today are Jenna Baynes, Lee Kvern, Jody Kvern, Russell Clark, Andrea Benoit, Angela Pala, Lorraine Strand, and Christine Yargeau-Becker. I thank each of them for their advocacy and ask that my hon. colleagues provide them with the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview, followed by the leader of the Liberal opposition.

**Mr. Bilous:** Merci, M. le Président. J'aimerais vous présenter, à vous et à tous les membres de l'Assemblée, Mylene Coderre-Proulx. Elle est détentrice d'une maîtrise en politiques internationales à l'Université du Québec à Montréal ainsi que d'un baccalauréat en études internationales de l'Université de Montréal. Ses recherches portent sur les thèmes relatifs aux politiques d'immigration, à l'intégration et aux droits des immigrants. Participante au programme d'échange interprovincial Québec-Alberta, elle intégrera le caucus du NPD en tant qu'assistante de recherches et de mobilisation. J'aimerais maintenant inviter Mylene à se lever pour être accueillie chaleureusement par l'Assemblée.

[Translation] Thank you, Mr. Speaker. It is my pleasure to rise today to introduce to you and through you Mylene Coderre-Proulx. Mylene has a master's degree in international politics from the Université du Québec in Montreal and an undergraduate diploma of international studies from the University of Montreal. Her fields of research are related to immigration policies, integration, and the rights of immigrants and refugees.

Mylene is here in Edmonton as part of the Quebec-Alberta employment exchange program, and she will intern with the NDP caucus as a research and outreach assistant. I would now like to ask Mylene to rise and receive the traditional warm welcome of the Assembly. [As submitted]

**The Speaker:** The member did kindly provide an English version of what he just read in French.

Let us move on to the leader of the Liberal opposition, followed by the Minister of International and Intergovernmental Relations.

**Dr. Sherman:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of this Assembly two young filmmakers, Akash Sherman and Tim Choy. Akash is my son, and it's his first visit to the Legislature. Akash and Tim are friends who produced award-winning short films that were featured at the Edmonton International Film Festival, *A Teaching Game* and *For Them, For You*. Their latest adventure, *Uprising*, is a movie trailer they produced for CineCoup's nation-wide \$1 million competition. They made it to the final 10 of 90 entrants and are now the last remaining Alberta team. I encourage all members to help support *Uprising* by sharing on Facebook or tweeting [cinecoup.com/uprisingmovie](http://cinecoup.com/uprisingmovie) so Albertans can vote for *Uprising* and support local Alberta talent. I would ask Akash and Tim to rise and please receive the warm welcome of the Assembly.

Thank you.

**The Speaker:** The hon. Minister of International and Intergovernmental Relations.

**Mr. Dallas:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you two gentlemen from my constituency, John Harms and Graham Schofield. John Harms was hired as the CEO and general manager of Westerner Park in Red Deer in 1996, with the responsibility of overseeing the day-to-day operations of the organization. During his tenure at Westerner Park they have seen accomplishments such as the construction of the Harvest Centre, the naming of the Enmax Centrium, the Westerner campground, the expansion of the equine show and stabling areas, and the recent expansion in the Enmax Centrium. Since arriving in Red Deer, he's also become involved in the community by volunteering for organizations such as United Way of Central Alberta, Crime Stoppers, the board of directors of STARS, and the board of governors of Red Deer College.

Mr. Speaker, Graham Schofield is a lifetime Albertan, growing up in Edmonton, spending a decade in Calgary, and the last eight years in Red Deer. Until the last couple of years Graham spent his career in print media, most recently as the publisher of the *Red Deer Express*. He now works for Stantec Consulting, managing their regional marketing presence in Alberta and the northern territories. Graham's wife, Lori, is an actor and a teacher. They have two young children: Connor, nine, and Zoe, six.

Mr. Speaker, my guests are seated in the members' gallery. I'd like to invite them to please stand and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by Edmonton-Ellerslie.

**Ms Notley:** Thank you, Mr. Speaker. It's my pleasure to rise today to introduce to you and through you my guests Erin Waite, Jayne Myatt, and Beverly Hills. Erin, Jayne, and Beverly are part of a group of hundreds of Albertans who have come here today from all over the province to protest this government's cruel cuts

to PDD services. These are services which are in place to protect some of the most vulnerable citizens of our province by giving them the support they need to lead happy and successful lives. The fact that the government of one of the wealthiest parts of the world would even consider cutting such services is incomprehensible. I would now like to ask Erin and Jayne and Beverly to stand and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Ellerslie, followed by Red Deer-North.

**Mr. Bhardwaj:** Well, thank you very much, Mr. Speaker. It is an honour for me to rise today to introduce to you and through you seven guests seated in your gallery. Mr. Krishan Chawla, a good friend of mine and a constituent of yours, is a very active member of the Council of India Societies, past president of the Hindu Society of Alberta, and is involved in many other different organizations. He had a distinguished career for 36 years working for Alberta agriculture. In 2000 he was awarded the Premier's award of excellence for his involvement with the special crop product program. He's joined here today by his nephew Saket Batra and his wife, Richa, and son Aanava. Also visiting today are his niece Rinku and her husband, Vikas, with their son Arayan. They just landed here from Mumbai yesterday. They're probably still jet lagged. I ask my guests – they've risen – to please accept the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Red-Deer North.

**Mrs. Jablonski:** Thank you, Mr. Speaker. It gives me great pleasure to introduce to you and through you to the members of this Assembly Karen Burnand, who is here today for the constituency engagement program. Karen was born and raised in central Alberta and has lived in Red Deer for the past 20 years. She is currently employed by the county of Red Deer as an accredited property assessor. Karen plays an active role in her community, where she volunteers with various organizations and councils. She is the chair of the Piper Creek seniors' housing foundation, the president of the central Alberta zone of the Senior Citizens' Housing Association, and a member of the Premier's Council on Alberta's Promise. I thank Karen for all she does for our community and look forward to working with her for many years to come. Karen is in the members' gallery, and I ask that she please rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** Hon. members, the clock requires us to move on to the next phase of our Routine. There are 13 more individuals who have introductions to do, and we'll do them after QP.

1:50

### Oral Question Period

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition. First main set of questions.

### Review of FOIP and Conflicts-of-interest Legislation

**Ms Smith:** Mr. Speaker, we ask some tough questions as part of our official duties of holding this government to account. Ministers point us to independent officers and processes to get answers. We ask for all the health expenses. They tell us: do a FOIP request. We ask about infrastructure priorities: do a FOIP request. We ask about staff severance: do a FOIP request. Yet often those requests are met with delays, redactions, omissions, court fights, and hefty charges. They claim that they have the gold

standard for openness and accountability, so will the Premier raise the bar and be a little more forthcoming with information?

**Mr. Lukaszuk:** Well, Mr. Speaker, the member obviously doesn't like the rules of the Assembly, but the opposition is a part of making up the rules. The fact is that as government we have to keep a balance of releasing information, making it available, which is very important, but also protecting private or proprietary information, which has to be protected. To do that, those decisions are not political. There are experts in every department that review a request and release the information that is available, that can be released. Those are the rules by which we have lived for a long time, and they seem to be working very well.

**Ms Smith:** Here's the problem, Mr. Speaker. The government tells us to use the FOIP process, but then they complain that it costs too much money and takes too much time to process our requests, so things have to be fixed, quite obviously. If the Premier wants to live up to her promise of raising the bar on openness and accountability, will she agree to our demand for a full, public, open, transparent, complete, comprehensive, and meaningful review of the FOIP legislation?

**Mr. Lukaszuk:** Mr. Speaker, yes, there are costs involved when we receive requests for information. Often entire departments stop what they're doing, and they pull out information to make it available, so there are costs involved; there's no doubt about it. But it's the right thing to do. Sharing information that can be shared is the right thing to do. Yes, there will be a review of FOIP. All political parties will be involved. Stakeholders, Albertans will be involved. We will do a thorough review of FOIP and see how we can make it work for Albertans even better.

**The Speaker:** The hon. leader.

**Ms Smith:** Thank you, Mr. Speaker. The events swirling around the Member for Edmonton-Manning point out some serious failings in the conflicts-of-interest legislation, too. The Ethics Commissioner has no ability to offer complete information about assets or liabilities or other important information. These loopholes need to be closed. Will the Premier agree to a full, public, open, transparent, complete, comprehensive, and meaningful review of the conflicts-of-interest legislation and not just a cosmetic rewrite?

**The Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. The Conflicts of Interest Act provides for reviews. The reviews of the Ethics Commissioner's office are available through the Leg. Offices process if there are issues. If at any time there are identified deficiencies with respect to the process, that's available for Leg. Offices to raise. It's available for the Ethics Commissioner's office to raise. In fact, we discussed a number of years ago the completeness of the reporting process. There's a balance to be made between the privacy of individual members in terms of what the report says and the public's interest in knowing.

**The Speaker:** The hon. leader for her second main set of questions.

**Ms Smith:** Thank you, Mr. Speaker. Thank you for that answer, hon. House leader.

### Supports for Couples Aging in Place

**Ms Smith:** Mr. Speaker, the government claims to be supporting Alberta's seniors, but they're not. They have failed to keep their promise of two baths a week. There are cases of abuse and neglect that get overlooked. We keep hearing about devastating cuts to front-line workers in seniors' homes and the ridiculous hundred-kilometre rule. Moving people as much as a hundred kilometres from their families was supposed to be a temporary measure in response to the H1N1 crisis four years ago. That crisis has long passed, but the rule that creates divorce by nursing home remains. When will it end?

**Mr. Horne:** Mr. Speaker, we've been over this ground many times before during this session. As the hon. member knows, the hundred-kilometre policy is a response to what we believe is a temporary situation involving scarcity of continuing care beds in the province. Unfortunately, in some cases that involves couples who need different levels of care at the same point in time. The hon. member also knows that in a discussion at Public Accounts this morning, the chief executive officer of Alberta Health Services talked about their work today to review that rule and to end that policy as quickly as possible.

**Ms Smith:** Mr. Speaker, the minister has stepped in personally before when Alberta Health Services policy has threatened to split up couples, but he can't step in personally every single time it happens. They need to change the policy. Now, I acknowledge that AHS CEO Chris Eagle told the Public Accounts Committee this morning that they are having some second thoughts about this horrible policy. Rather than just another feeble defence of the hundred-kilometre rule, why doesn't the minister just end it?

**Mr. Horne:** Well, Mr. Speaker, what is feeble is a question that completely ignores the fact that we are in the fastest growing province in the country. We have growing numbers of seniors who need care, both home care and facility-based care, and we are actually better off than most of the country in terms of our capacity to build those additional spaces, a thousand per year. This is an unfortunate policy that has had to be in place in response to the situation today. Obviously, none of us in this House want that situation for any of our constituents, and we're taking the appropriate steps to end it.

**Ms Smith:** Mr. Speaker, the number of seniors is increasing, yet the number of beds available is decreasing. It doesn't make sense.

The Wildrose opposition has had to fight for more seniors' baths, for better seniors' meals, for more front-line workers, for a sensible drug policy, even for veterans' hospital parking, and now we have to fight for an end to divorce by nursing home. This government has ministers for health, for wellness, for disabilities, for seniors and still can't seem to manage to get this right. The minister's claim that no one cares more about seniors than the Premier: that's just nonsense, isn't it?

**Mr. Horne:** Oh, I'm sorry, Mr. Speaker. That was a question? I'll answer it. I'll answer it by reminding this House and the hon. Leader of the Official Opposition that this government is on track to build a thousand continuing care spaces per year, a rate that far exceeds any other jurisdiction in this country, and all of those beds are capable of housing residents requiring all care needs from supportive living right through to long-term care.

**The Speaker:** The hon. leader. Third main set of questions.

**Ms Smith:** Well, the minister will get another question about that a little bit later, Mr. Speaker.

### Restructuring of PDD Services

**Ms Smith:** The minister responsible for persons with developmental disabilities spent a long time in the Assembly yesterday attempting to reassure everyone that his planned changes to the delivery of services will work, but it is another government failure, evidenced today by the big protest rally outside. The Alberta Association for Community Living, Alberta Council of Disability Services, and Alberta Disability Workers Association represent almost everyone who's involved in PDD. They are joining together to ask the minister to stop. Why won't he listen to the voices of the people who are most affected?

**Mr. Oberle:** Actually, Mr. Speaker, I've met with all of those organizations, and I met with individuals out there today. I'm going to continue to do so and to meet with people. I made it clear in my statement yesterday. I made it clear out there in the province. We clearly understand there's an issue with transition and an issue with the overall funding. As I did make clear in my statement yesterday, I'm working on that.

**Ms Smith:** Mr. Speaker, the organizations I mentioned represent PDD clients, families, service providers, and support staff. They point out that this is the largest cut ever imposed on people with developmental disabilities in Alberta's history. They also point out that PDD funding reductions are based on an arbitrary formula that will impact the lives of thousands of vulnerable Albertans. We've made the same arguments for months. When will the minister listen and do something about it?

**Mr. Oberle:** As I said, Mr. Speaker, I am listening. First of all, as I explained in my statement yesterday, people perceive cuts because they're looking at the disability services envelope. They're not looking at the other side . . . [interjections] Could I finish my answer? Thank you. If they were aware of what supports are available on the Human Services side of the budget and my commitment to ask . . . [interjections] Well, they don't want to listen to the answer, so I won't give it to them.

**Ms Smith:** Mr. Speaker, the drastic changes could lead to a PDD crisis. The families are warning the minister. The clients are warning the minister. The workers are warning the minister. The agencies who deliver the services are warning the minister. The opposition is warning the minister. He ignores us all just to placate the Treasury Board and their misplaced priorities. When will he do his job and stand up for the needs of Alberta's most vulnerable?

2:00

**Mr. Oberle:** Mr. Speaker, that is exactly what I'm attempting to do, and in order to do that, you have to get down there and listen. Now, I didn't see any of the opposition members doing that today. They were at the microphone, pandering and telling people how they're going to be all things to all people. You've got to get down on the ground and listen to people. That's what I've been doing and I will continue to do.

I'm in 20 communities over the next two weeks. The meetings are on the Internet. I invite people to come out and talk with us. We'll do this as much as we can over the coming weeks and months, Mr. Speaker.

**The Speaker:** Hon. Member for Edmonton-Highlands-Norwood, you rose on a point of order at 2 o'clock and so did Lac La Biche-St. Paul-Two Hills, so we have two points of order raised between 2:00 and 2:01. They will be addressed later.

Let us move on to the leader of the Alberta Liberal opposition.

### Supports for Vulnerable Albertans

**Dr. Sherman:** Thank you, Mr. Speaker. Last election the Premier campaigned by promising honest and transparent government, that she would listen to Albertans, and, of course, no service cuts. Promises made, promises broken. To the Premier: how does starving programs that help persons with developmental disabilities and patients requiring palliative care meet your promise of no service cuts?

**Mr. Oberle:** Mr. Speaker, I think the question is to me. I'm not aware of a specific case. I'm not sure I know what the member is talking about, if he'd care to enlighten me. I would caution him, of course, about talking about any individual's health care situation.

**The Speaker:** Let's move on, then. Maybe we'll get it in the supplemental.

**Dr. Sherman:** Mr. Speaker, it's the minister's \$42 million cut to his program.

It's beyond ridiculous for this government to pretend that they have not cut services to persons with developmental disabilities and those requiring palliative care. They're not fooling anybody, Mr. Speaker, except themselves. What they are doing is hurting a lot of vulnerable people. These are not expenses to be cut. These are real people that need real help. To the Premier or whoever wants to answer the question: will you please look up from your spreadsheet and realize that persons with developmental disabilities and patients requiring palliative care are not line items?

**Mr. Oberle:** Mr. Speaker, I have been clear, and I will continue to say that if you need services in our province, you're going to get services. For that hon. member to lump palliative care and persons with developmental disabilities services together doesn't really make sense to me. If he's got an individual case that he would like to make some progress on, then I invite him to do so in the proper way.

**Dr. Sherman:** Mr. Speaker, this government missed math class. They promised no service cuts. They cut funding, cut staff, and then they say that they're not cutting services. So many groups, including doctors, nurses, postsecondary students, staff and faculty, corrections officers, municipal leaders, and now First Nations have all voiced concerns over this Conservative government's heavy-handed approach and lack of consultation. To the Premier and yet again any other minister: how can Albertans view this as anything else but an abuse of your majority to bully into submission anyone who doesn't agree with you?

**Mr. Lukaszuk:** Mr. Speaker, this government and this Premier have always been very clear that we will deliver the services that we have been entrusted with, and we are doing that just very well, thank you. But we have also been very clear that we will be very prudent with Albertans' finances, and we are doing that just as well. We will not have the opposition lecture us on what they would do because every day they change the tone and they want to be everything to everyone all the time. As government we actually have to make decisions and be accountable for them.

**The Speaker:** The hon. leader of the New Democrat opposition, followed by Calgary-Fish Creek.

#### **Member for Edmonton-Manning**

**Mr. Mason:** Thanks very much, Mr. Speaker. The most sacred responsibility of government is to uphold the law and ensure that the law is enforced. There's clear evidence, which was tabled in the Assembly yesterday, that a member of this Assembly may have signed a false affidavit, which, if true, would constitute a criminal offence. Will this Premier fulfill her responsibilities and request a police investigation of this matter, and if not, why not?

**Mr. Hancock:** Mr. Speaker, allegations are just that. We dealt with this question yesterday. The member himself has referred the issue to the Ethics Commissioner for investigation to clear his name. He's recused himself from caucus and government. He's done the honourable thing.

The affidavit that was filed was filed in a civil lawsuit presumably, and the judge will be able to determine whether or not the affidavit has veracity. If there's an issue with that, I assume it'll be dealt with in the appropriate way. Simply making wild allegations and then requesting government do something about them is not the way we do justice in this province.

**The Speaker:** The hon. leader.

**Mr. Mason:** Thank you very much, Mr. Speaker. This government is attempting to dodge its responsibilities and leave it up to the judge in a civil matter whether or not there should be an investigation into a potential criminal matter. They are not wild allegations. The evidence was tabled in this House yesterday.

During her leadership campaign the Premier said that regaining trust is critical if Alberta's political system is to stay healthy, but getting there requires more than platitudes and promises. How can Albertans trust a government that doesn't do what it says and instead just leaves people with platitudes and promises?

**Mr. Hancock:** The way it works, Mr. Speaker, is that we respect the law, we respect the process, and we do not make wild allegations to drag the political process into the mud every time we think it will make political gain.

**The Speaker:** The hon. leader.

**Mr. Mason:** I'm good.

#### **Restructuring of PDD Services**

*(continued)*

**Mrs. Forsyth:** Mr. Speaker, this out-of-touch government continues to target our most vulnerable people. The Association for Community Living, the Council of Disability Services, and the Disability Workers Association are all calling the minister's \$42 million cut to PDD the largest in Alberta history. Worse yet, they are warning that these dramatic cuts will throw the community into chaos and crisis. All the while the minister has the audacity to insist these cuts will not impact services. Minister, how can you possibly guarantee that these vulnerable Albertans won't lose services as a result of these shameful cuts?

**Mr. Oberle:** Mr. Speaker, I think I need to ask the member to revisit the fact that the disabilities services envelope has not been cut; it's whole. In fact, it increased by 3 and a half million dollars. In addition to that, I identified in my speech yesterday that there are additional resources on the Human Services side of the ledger

in employment supports, and I also indicated – pretty clearly, I thought – that if there's additional support needed, I will seek that support. I am not going to cut services to individuals who need them. End of story.

**Mrs. Forsyth:** Given that the PDD community is disputing the minister's claim that these cuts will lead to more effective services, in fact, Minister, warning that these cuts will set positive changes in the system back, and I'll quote, further than ever, how can this government possibly excuse trying to find savings off the backs of our most vulnerable Albertans? Why are you doing this, Minister?

**Mr. Oberle:** I also made it abundantly clear, I thought, yesterday that I'm not looking to seek cost savings, Mr. Speaker. I'm looking to improve a system that is in need of improvement. We can do better, and we're going to do better.

**Mrs. Forsyth:** Given that the Premier gave a mandate to the minister asking that he continue to provide support to Albertans in a compassionate and caring manner, can the minister explain how leaving staff, family, and Albertans with developmental disabilities meets his definition of compassionate care?

**Mr. Oberle:** I think there was a clause missing in that question, Mr. Speaker. It didn't quite make sense to me.

As I said, I have been out there in communities across this province, 20 more communities in the next two weeks. I'm out talking to people. I'm understanding what their situations are. There is fear and anxiety out there. I freely admit that. I said that yesterday. We're dealing with it. We will have new contracts in place, and we will continue. If you need services, you will get services. End of story.

**The Speaker:** The hon. Member for Edmonton-Riverview, followed by Innisfail-Sylvan Lake.

#### **Market Access for Alberta Products**

**Mr. Young:** Thank you, Mr. Speaker. Alberta is blessed with manufacturers and producers of products and resources for export. In order to be successful, we need to be able to sell those products in a global marketplace. The success of the Alberta economy supports schools, roads, hospitals, and all the government programs that continue to make Alberta the best place to live, work, and play. To the Minister of International and Intergovernmental Relations. We know that protectionist firewall politics don't work. What is the government's actual plan to ensure Alberta products get to market?

**2:10**

**The Speaker:** The hon. minister.

**Mr. Dallas:** Well, thanks, Mr. Speaker, and to the hon. member, thanks for the question. Job one for this government and especially for my ministry is getting products to market, getting a fair price. That's why later in this week I'll be announcing our renewed international strategy. We have a choice. We can assertively seize new and important global opportunities, or we can look back and let other competing countries eat our lunch. We're going to go for it.

**The Speaker:** The hon. member.

**Mr. Young:** Thank you, Mr. Speaker. Given that this is so important, will a strategy document, regardless of how good it is,



really be enough, or will the minister commit to taking action now to get the job done?

**Mr. Dallas:** Well, as I mentioned, Mr. Speaker, this is a renewed strategy, and under the leadership of our Premier our government has been looking outward right from day one. The Premier has travelled to Washington four times to advocate for Keystone, our Finance minister is in Hong Kong right now working on attracting investment and opening up new opportunities for Alberta companies. Next week, of course, the agriculture minister will be opening up new doors for our farmers and ranchers in Kazakhstan. Our renewed international strategy will help co-ordinate our efforts as a government and as a province to ensure we're succeeding globally.

**The Speaker:** The hon. member.

**Mr. Young:** Thank you, Mr. Speaker. My final question to the same minister: given the election results last night in B.C. how will this government work with the Clark government to build on successes we've had in the western provinces in eliminating trade barriers and find ways to open up global markets?

**The Speaker:** The hon. minister.

**Mr. Dallas:** Thank you, Mr. Speaker. First, let me start by congratulating Premier Clark and the party as well as all the candidates that put their names forward. [interjections] It was an exciting election to watch, and I guess we'll reserve judgment on the polling.

Alberta and B.C. have a proud history of co-operation through the New West Partnership, and I only see that getting stronger. To succeed globally, we must work together domestically. [interjections] We'll try to reach out to our neighbours like B.C. and have productive conversations about where we can go in new global markets.

**The Speaker:** Hon. members, let's keep the side conversations down to whispers. If you must converse, then leave the Chamber, please.

Let's move on. Innisfail-Sylvan Lake, followed by Edmonton-South West.

### Long-term Care for Seniors

**Mrs. Towle:** Thank you, Mr. Speaker. Today we had a stunning admission at Public Accounts Committee. AHS admitted that there are absolutely no plans in place to create any more long-term care nursing beds. Yet in the PC Party 2012 election brochure this government promised to increase long-term care, not continuing care, spaces by a thousand a year. Even more shocking is the FOIP of the AHS capital submission, which shows the government is gutting up to 1,700 long-term care beds over the next five years. How can this minister continue to tell Albertans they have a plan for long-term care when clearly they do not?

**Mr. Horne:** Well, Mr. Speaker, the Premier of this province has kept her promise to add a thousand spaces a year. What the hon. member continues to ignore is that all of the new spaces that are open in Alberta are built to the B2 building standard, which is capable of accommodating all levels of care, from supportive living right up to long-term care.

**Mrs. Towle:** No long-term care spaces.

Given that it is clear that this government is not adding any new long-term care beds and they're not meeting the demand in

continuing care and given that this government continues to make promises it has no intention of keeping, when will the minister finally admit that you are failing Albertans and you are failing seniors in care?

**Mr. Horne:** Mr. Speaker, what this government will proudly admit is that we are exercising the leadership necessary to provide for all needs for seniors across the province, from independent living and home care right through to long-term care.

The obvious difference between us is philosophy, a philosophy opposite that is rooted in the 1960s and '70s model of warehousing seniors in traditional nursing homes as compared to our philosophy today which supports aging in place as needs change, Mr. Speaker.

**The Speaker:** Point of order noted from Lac La Biche-St. Paul-Two Hills at 2:14 p.m.

Third and final question, Innisfail-Sylvan Lake.

**Mrs. Towle:** Given that today in Public Accounts Committee the AHS CEO, Chris Eagle, agreed that the divorce-by-nursing-home hundred-kilometre rule should be reviewed and given that Dr. Eagle himself acknowledged the devastating impact that this rule has after a simple three-minute conversation, why does this government continue to ignore what has been brought before you day after day after day?

**Mr. Horne:** Well, Mr. Speaker, I think the hon. member gives herself a little too much credit. [interjections] The debate in Public Accounts should have served as an education to the hon. member about the very good work that is going on in this province to provide for the needs of seniors.

We've dealt with the question of beds. All beds are built to accommodate long-term care. We spent the session talking about many other services that are made available. Alberta Health Services has shown that as soon as it is able to, it will eliminate the hundred-kilometre rule.

**The Speaker:** Thank you.

Too many conversations going on across the bow here and too many interjections and too many rude interruptions of each other. Show some respect for each other, even for your own colleagues in your own caucus. It would be helpful.

Edmonton-South West, followed by Calgary-Mountain View.

### Skilled Labour Shortage

**Mr. Jeneroux:** Well, thank you, Mr. Speaker. Alberta's unemployment rate is currently 4.4 per cent, and we have skills shortages in a number of areas. Employers in southwest Edmonton have indicated to me and many other members in this House that the lack of skilled labour is the biggest challenge they face. Our own government projections indicate a labour shortage of 114,000 workers by 2021, and this is affecting our future economic potential. With these pressures it's clear to see that the workforce concerns of Alberta's businesspeople are being ignored. Now in the tone of the Member for Edmonton-Meadowlark: why, Deputy Premier? Why?

**Mr. Lukaszuk:** With friends like these, Mr. Speaker, I don't need enemies.

Mr. Speaker, there is truly one dark cloud that's hanging over our Canadian economy. It's the shortage of labour. We all agree throughout Canada that we have to make sure that we maximize on the skills that are available in our province, so jobs for

Albertans first, for Canadians second, and then relying on the outside workforce if we have to. That's what we'll be focusing on, making sure that our young students graduate with skills that are compatible with the economy of Canada.

**The Speaker:** The hon. member.

**Mr. Jeneroux:** Thank you, Mr. Speaker. To the same minister: given that in my constituency I have a number of new immigrants who are eagerly looking for work and there are a number of young mothers and fathers looking to get back into the workforce, what specifically is our government doing to address labour challenges? What, Deputy Premier? What?

**Mr. Lukaszuk:** Mr. Speaker, having anyone in any province who is not maximizing on their skills and not contributing to the maximum of their capacity is definitely a loss. So making sure that they are certified, that their skills are recognized in this province and in this country is a priority, and we're working with immigrant groups on that. Making sure that support services through the Ministry of Human Services exist for families so that mothers and single parents can go to work is also very important. At the end of the day, with such low unemployment, we have to make sure that every person works to the maximum of their capacity.

**Mr. Jeneroux:** To the same minister. If employers cannot find Albertans or Canadians, they'll hire from abroad. Where can employees go to find the assistance available? Where, Deputy Premier? Where?

**Mr. Lukaszuk:** Well, let me tell you, Mr. Speaker. The Minister of Human Services has 59 Alberta Works offices throughout the province. They're very accessible. Now there are also websites available where employers list positions that are available to employees. Matching employees with compatible skills is something that's very important. Focusing on our aboriginal community, persons with disabilities, single parents, and those who are often underemployed is very important. But go onto the website, look at Alberta Works, and you will find additional information and resources.

**The Speaker:** The hon. Member for Calgary-Mountain View, followed by Edmonton-Strathcona.

#### **Restructuring of PDD Services** (continued)

**Dr. Swann:** Thank you very much, Mr. Speaker. Today hundreds of people from across the province with the greatest of life challenges, with courage and sacrifice came to the Legislature to demonstrate their opposition to what this government is doing to persons with disabilities. The government's agenda to cut \$42 million from their services risks health and safety and is poorly planned according to those who happen to know: the individuals themselves and their families and caregivers. This government is compounding its own financial mismanagement with mismanagement of our most vulnerable Albertans. To the minister: how does this not make a mockery of your much-touted social policy framework of putting people first, being proactive, showing dignity, collaborating?

**The Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. The social policy framework is a very important document, not only a document

from government but from the community, developed through the community. It's important that we address all issues with dignity and compassion and respect, and the hon. associate minister is doing exactly that, working with persons with disabilities and their families to ensure that the services that they need will be there and that they will have what they need to participate in an inclusive way in our society. The fact that we're changing some processes with respect to the community access program and moving to a better model is demonstration of exactly that dignity and respect.

2:20

**Dr. Swann:** Mr. Speaker, an organization called SKILLS Society Edmonton must eliminate \$200,000 per month starting July 1. Will the minister tell us how he would accomplish this without risking the health and safety of his clients?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Well, thank you, Mr. Speaker. The fact of the matter is that there are a number of service delivery organizations across the province, and some of them are going to have to change the way they deliver services, from the community access services they provide now to the support services that are necessary to ensure true inclusion of their clients in society. If they cannot make those changes, other organizations will pick up the changes. The focus is not on the organizations. The focus is on the Albertans who need the services and ensuring that they get the services they need to be truly included in a truly inclusive society.

**Dr. Swann:** Well, it's clear to most of us in Alberta that this government hasn't really planned this change well. It's too short. It's too drastic. Will the minister assure this House that he will delay the implementation of these draconian changes?

**Mr. Oberle:** Mr. Speaker, there is clearly some fear and anxiety out there. I talked yesterday in my statement about it. Some organizations like the SKILLS organization that he raised are fearful of the money that they see inside the PDD envelope. They're not looking at money that is outside of that envelope in the Human Services budget. As I said yesterday, if I need additional support, I'll get it. I'm out talking to people across this province. I said yesterday that it's crystal clear that people are concerned about the transition. Not what we're doing but how we're doing it and how fast we're doing it really is the problem. They're concerned about funding. I'm working on both of those. We will do a funding transition . . .

**The Speaker:** Thank you, hon. minister.

The hon. Member for Edmonton-Strathcona, followed by Little Bow.

#### **Support for Vulnerable Albertans** (continued)

**Ms. Notley:** Thank you, Mr. Speaker. The NDP has made a list of the top 10 ways in which this PC government has broken their promise to Albertans with disabilities. Ten, cut basic income supports of up to \$280 per month to disabled seniors; nine, cut the disability service program at MRU; eight, double the wait time for AISH; seven, terminate Alberta's only American Sign Language program; six, cut 20 per cent of speech pathologists in Edmonton schools. To the minister in charge of standing up for disabled Albertans: why is this PC government so intent on making Alberta's most vulnerable citizens pay the price of its fiscal incompetence?

**Mr. Oberle:** Well, Mr. Speaker, that top 10 list might have a spot on *David Letterman*, where people appreciate comedy and fiction. The fact of the matter is that this government cares about vulnerable people in our society. I laid out a plan, in fact a few years' plan, about the transformations that are needed in this ministry. We'll make sure that if you need service, you will get service in our province.

**Ms Notley:** Well, Mr. Speaker, in this province you can either laugh or you can cry.

Given that the fifth way this government is hurting Albertans with disabilities is through a \$180 million cut from pharmacy benefits that will see the sickest and most disabled seniors pay the most and given the fourth way is through a 20 per cent cut to addictions and mental health funding and the third way is through the elimination of almost half of Calgary's palliative home-care nurses, why won't this government stop making Alberta's sick and disabled a target of their cuts?

**Mr. Horne:** Mr. Speaker, as the hon. member knows, this province has a very proud record of supporting vulnerable people across society, including seniors, including people with addictions and mental health issues, including many others. To reduce the discussion about such important matters to, for lack of a better term, a top 10 line of questioning does not do justice either to the people involved or to the policy challenges that are in front of us.

**Ms Notley:** Well, lip service doesn't give justice either.

Given that the number two way this government has let down people with disabilities is by closing the Michener Centre despite promising families that they would not and given that the number one attack on Alberta's citizens with disabilities is a \$60 million cut from programs that secure the safety and quality of life for Alberta's citizens with the most severe disabilities, why won't this government admit that in at least 10 different ways their so-called tough choices are always made at the expense of Alberta's most vulnerable citizens?

**Mr. Oberle:** Well, there's a good example right there, Mr. Speaker. The party in question here has been lobbying for years that we can do better with community living and more inclusive, more engaging ways of addressing the needs of disabled people in our province, and now they're going to protest that we're closing the Michener Centre. In fact, that is an implementation of a body of research and best practices developed in Alberta and across North America, and we're going to continue with it because it's the right thing to do.

**The Speaker:** The hon. Member for Little Bow, followed by St. Albert.

#### Michener Centre Closure

**Mr. Donovan:** Thank you, Mr. Speaker. Secrecy and deception are becoming two recognizable traits in this government's continuing care plan. Last year Albertans watched as AHS executives tried to secretly close the Carmangay centre. That's not all. Through FOIP we have learned that AHS wanted to withhold the actual final closure date of the Carmangay centre. The Health minister said that he learned from the mistakes of that closure in Carmangay, but it doesn't look like it to me. To the Health minister: why is this practice of secrecy and miscommunication being allowed to continue with the closure of the Michener Centre?

**Mr. Horne:** Mr. Speaker, the hon. member well knows – we've had extensive discussions in this House – that the situation surrounding the Carmangay centre and its closure most certainly could have been handled better in terms of relationships with the community and the residents and the staff. We've said that. Alberta Health Services has acknowledged that. They've taken appropriate steps to work better with communities and residents and staff in the future, and that's as it should be.

**Mr. Donovan:** Mr. Speaker, given that yesterday the junior minister of AT and T stated in this House the government's record of "unprecedented transparency" and something about a gold standard, will this junior minister take the last part of his title seriously and actually take steps to transform the way this government communicates information to all Albertans, especially the ones under their care?

**Mr. Scott:** Mr. Speaker, what I can say is that the opposition needs to spend more time listening to and looking at what this government is delivering. We are delivering unprecedented transparency. We have delivered the gold standard in expense disclosure, we are reviewing FOIP, and we've developed whistleblower legislation. That is delivering transparency.

The only thing that I'm seeing delivered from the other side is unprecedented hypocrisy. That's what I'm seeing delivered from the other side.

**Mr. Donovan:** Mr. Speaker, the name-calling is hurting me.

Given that this government has offered no insight on how they came to the decision to close the Michener Centre and given that they've blindsided all those that are involved, will the junior minister of AT and T stop with his gold star rhetoric and raise the bar on transparency by releasing the list of further closures that are going to affect all of the people and staff so that everyone can be prepared?

**Mr. Oberle:** Mr. Speaker, there was no secrecy involved with the Michener Centre. If we could all just brush aside the political rhetoric for a while and just focus on the facts . . . [interjections] Apparently not. If we could just focus on the fact that we're talking about the care of some very vulnerable people in our province. We're taking this step because we know we can do better, and we're going to do better. That's why we're doing it.

**The Speaker:** The hon. Member for St. Albert, followed by Strathmore-Brooks.

#### Respite Care

**Mr. Khan:** Thank you, Mr. Speaker. Retired constituents in St. Albert have identified concerns about caring for loved ones that not only adversely affect the quality of life for seniors but also PDD adults. A retired couple from St. Albert, Ross and Irene Boyes, have a 41-year-old son named Bryan. Bryan is developmentally delayed and blind and has always lived at home with his loving parents. The Boyes have searched for weekend respite care for Bryan, and although they've found agencies that provide respite services, the agency waiting lists are long, and they are finding that care is not actually readily available. My first question is to the Associate Minister of Services for Persons with Disabilities. How is respite care administered for seniors with adult PDD children, who may have an increased need for relief in their homes?

**The Speaker:** The hon. associate minister.

**Mr. Oberle:** Well, thank you for the question, Mr. Speaker, and my thanks to the family that came in today. My hat goes off to people that provide care for their loved ones in their home. I know that circumstances are difficult. This is actually one of the reasons why the SIS assessment by itself isn't a good predictor of funding and supports necessary. There are circumstances around an individual.

Our PDD program does provide for respite care. I don't know if the individuals have actually spoken to the CEO of the PDD network. I invite them to do so immediately or to provide their details. I will work with the MLA on resolving the situation.

2:30

**Mr. Khan:** Thank you, Mr. Speaker. To the same minister. We hear that staff retention in agencies offering respite care is very hard to maintain due to low wages and challenging work for respite staff. Minister, are we adequately supporting the agencies to hire an appropriate number of qualified employees?

**Mr. Oberle:** Mr. Speaker, the disability services network out there is probably one of the keys to providing services going forward. We have some 20,000 people providing care in this province, just unbelievably dedicated and qualified staff. That's why we moved this year to offer a 10 per cent wage increase across the board, last year a one-time bonus. We're going to continue to bring their salaries up to parity. We're also working on a workforce alliance to talk about education levels and recruitment and retention tools so that we have a stable workforce going forward.

**The Speaker:** The hon. member.

**Mr. Khan:** Thank you, Mr. Speaker. My last question to the same minister: does your ministry recognize the many families in this predicament who may not have other supports in place, and if so, is there any specific action the government is taking to put plans for proper relief in place for aging parents of adult PDD children?

**The Speaker:** The hon. minister.

**Mr. Oberle:** Yes. That's an excellent question, Mr. Speaker, and I thank the MLA for it and, again, the family for coming in today. This is exactly why personal conversations are needed around SIS assessments, so that we can understand what personal circumstances are and allocate resources appropriately. I will take this particular case up with the department and the PDD staff. I certainly invite the family to do so with the CEO and with their MLA. We'll do everything we can in this particular case, but on the broader question it's a very valid one, and I will look at it.

**The Speaker:** The hon. Member for Strathmore-Brooks, followed by Strathcona-Sherwood Park.

#### **PDD Community Access Funding**

**Mr. Hale:** Thank you, Mr. Speaker. This government cannot be trusted to care for persons with developmental disabilities. In Strathmore-Brooks the Newell Community Action Group provides a variety of excellent learning opportunities with the community access grant, which are now at risk due to this government's callous restructuring of PDD programming. Some of the programs that may be discontinued include cooking classes, computer training as well as reading, writing, and math. When will this government acknowledge that they are shortchanging our most vulnerable by slashing programs that provide crucial learning opportunities for persons with developmental disabilities?

**Mr. Oberle:** We're doing no such thing, Mr. Speaker. We're transforming a PDD system that will allow people to be fully engaged in their community through employment or other opportunities, volunteer work, whatever else. We want to improve the services that we give, not slash them. The hon. member is wrong.

**Mr. Hale:** Given that this government continues to downplay the significance of these cuts, will the associate minister for PDD explain how this government has somehow determined that reading, writing, and math instruction as well as cooking, volunteering, occupational development, and other community access programs aren't important?

**Mr. Oberle:** I don't believe I ever said any such thing, Mr. Speaker. If the hon. member has some specific examples of programs that are being cut, I would be more than willing to talk to him about it. What I did say yesterday – and it holds true today – is that no service provider out there has a new contract and is aware of any specific cuts. There's a lot of fear and anxiety. We're moving to calm that. We're going to provide services that people need, that improve their quality of life. We're going to continue to do that.

**Mr. Hale:** I have received many letters from PDD clients upset about these cuts. As one person states, quote: I feel very upset for what you guys did to us; I feel very upset; I feel it's not fair to us; you should try to walk in our shoes and see how it feels. Given that earlier today the minister suggested that if he has to go back and request more money, he will, can he please outline exactly how much more money he will be asking for to fulfill his promise that if you need the service, you will get it?

**Mr. Oberle:** Mr. Speaker, as I said in my statement yesterday, no individual has been informed that they're getting any cuts to their services either. There is a lot of fear and anxiety out there. If the hon. member is truly concerned about the welfare of any particular individual, then why doesn't he forward that letter to my office, and together we can work on a resolution to it? It does no good to talk about it on the floor of the House.

**The Speaker:** The hon. Member for Strathcona-Sherwood Park, followed by Cypress-Medicine Hat.

#### **Underground Electricity Transmission Lines**

**Mr. Quest:** Well, thank you, Mr. Speaker. My questions are for the Minister of Energy. We hear a lot of myths from the opposition about power transmission costs in Alberta, so if we could get some facts. Will the minister provide the actual cost estimate of a 20-kilometre portion of the 500-kV dual circuit heartland transmission line installed underground through Strathcona county versus the cost of an above ground line?

**The Speaker:** The hon. minister.

**Mr. Hughes:** Thank you, Mr. Speaker. We all know that the heartland project is a key piece of infrastructure for the underpinning of the economy in this province. The Alberta Utilities Commission estimates the construction of the line to be about \$9.5 million per kilometre for the existing construction. If that were to be an underground solution, it would be \$16 million per kilometre, which is like 70 per cent more. We are determined to protect the interests of consumers in Alberta and keep the costs of this kind of infrastructure down because all Albertans pay for that infrastructure.

**Mr. Quest:** My first supplementary. To the same minister: what would that cost all Albertans? What's the cost difference, and how would that impact Alberta ratepayers?

**Mr. Hughes:** Well, Mr. Speaker, you know, we've given the Alberta Utilities Commission more teeth in order to ensure that proponents, the operators who are building these facilities, have to justify every single dollar that they spend on these transmission lines. That's new. That's a new initiative of this government. Under the leadership of Premier Alison Redford we're working hard to ensure that consumers are protected throughout the piece.

**The Speaker:** The hon. member.

**Mr. Quest:** All right. Thank you, Mr. Speaker. My second supplemental. To the same minister: does the technology exist today to construct a 500-kV dual circuit underground line reliable enough to ensure the same level of reliability as an above ground line?

**Mr. Hughes:** Well, Mr. Speaker, unlike some, I'm no expert, but it would appear that the work that was done by the Alberta Utilities Commission found that underground cable would actually not be more reliable than an overhead line, especially in winter. There are technical issues related to this. This is something that was clearly looked into at the time of the approval of the heartland line. You know, all Albertans rely upon the system so that when they turn on the switch, the lights go on. All Albertans rely upon that, and they have good reason to.

#### Notice of Power Line Development Public Meeting

**Mr. Barnes:** Mr. Speaker, before the Premier was the Premier, she promised to restore citizen engagement in public affairs and improve the way all branches of government work. Things sure change quickly. The Alberta Utilities Commission, a branch of government, recently notified people in Cypress-Medicine Hat about an information session being held regarding two power lines. The letter of notification was dated May 1, postmarked May 2. My constituents got the letter on May 7, and the meeting was May 8. Does the government really think that one day's notice for a public meeting is open, transparent, and accountable?

**Mr. Hughes:** Mr. Speaker, I'd certainly be happy to take that case under advisement. Clearly, the Alberta Utilities Commission is an independent agency, quasi-judicial in its nature, ensuring that it conducts its responsibilities as it should according to the policy established by the government. I'm happy to look into the individual case.

**Mr. Barnes:** Mr. Speaker, the government may not be concerned, but my constituents certainly are.

Given that my constituents only had one day's notice for the meeting and given that one of my constituents who was able to attend the meeting said that the AUC did not provide the attendees with a very good understanding of the opportunities for participation in the review process, people are beginning to wonder: why doesn't the government want Albertans to participate in the review of power line developments? Is this your idea of a gold standard?

**Mr. Hughes:** Well, Mr. Speaker, I'm actually concerned that Albertans have an opportunity to participate fully in a process. For that reason, I'd be very pleased to take the specific example and look into it and ensure that the process works according to the way it should. You know, there are rules in place, there are practices in

place that are designed to protect the interests of landowners, of those who would be affected by developments, and they should be followed appropriately. In most cases they are, but if there are exceptions, I'm happy to look into that on behalf of Albertans.

**Mr. Barnes:** Thank you, Mr. Minister. I will follow up.

Given that my constituent was told to get a lawyer if she wanted her transmission line concerns heard, is the government worried that we are going to run out of lawyers if every Albertan upset with this government is told to get one?

2:40

**Mr. Hughes:** You know, Mr. Speaker, it would be very unusual for me to express a concern about running out of lawyers.

In the original intent of the earlier questions and the original intent of my response to that, I look forward to receiving specific information from the hon. member and working on behalf of those constituents as well as all Albertans.

**The Speaker:** Hon. members, the time for QP has expired.

#### Introduction of Guests

(continued)

**The Speaker:** We'll carry on with Introduction of Guests, starting with the Associate Minister of International and Intergovernmental Relations.

**Ms Woo-Paw:** Thank you, Mr. Speaker. I rise today to introduce to you and to members of this Assembly Mr. Qiang Lin and Gord DeJong, who are seated in the members' gallery. Qiang and Gord run a business known as Siwin, which is presently located in Leduc. They are moving to a new value-added processing facility in Edmonton this October. Siwin provides meal solutions made from top-quality Canadian ingredients to Alberta stores right now as they gear up for export markets. This company currently employs 14 Albertan workers, and it was established with support from the Alberta Livestock and Meat Agency, the government of Alberta, and foreign investments. I would like to also acknowledge their contribution to yesterday's Asian Heritage Month celebrations. I would ask the members to join me and give them the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Calder, followed by the Associate Minister of AT and T.

**Mr. Eggen:** Well, thank you, Mr. Speaker. I'm very pleased to introduce to you and through you to the Assembly my guest and constituent, Said Ammar. Said is a chemical engineering graduate from the University of Alberta, and he's also an active volunteer in various community organizations: six years with the Druze Association of Edmonton, including a stint as vice-president of programs, also assisting in organizations such as the World Lebanese Cultural Union Society and other organizations around Edmonton and the province. I would ask him, please, to stand and receive the warm traditional Assembly greetings.

Thank you.

**The Speaker:** The hon. Associate Minister of Accountability, Transparency and Transformation, followed by Calgary-Glenmore.

**Mr. Scott:** Thank you very much, Mr. Speaker. I'm pleased to introduce to you and through you to all members of the Assembly our ministerial intern, George Huang. George joins us for the summer from the University of Calgary, where he is currently studying law. I'm sure he's very excited by the discussions here

today about lawyers. George spends his extracurricular time providing legal aid to clients through the university student legal assistance program. He plays rugby, soccer, and fencing and is also fluent in Mandarin. I'm very pleased to have him as part of my team this summer, and I'd ask him to rise and receive the warm traditional welcome of this House.

**The Speaker:** The hon. Member for Calgary-Glenmore, followed by Calgary-Mountain View.

**Ms L. Johnson:** Thank you, Mr. Speaker. I am humbled today to introduce to you and through you to the Legislature two-thirds of my office staff, individuals who are a significant part of my success as an MLA. First, Carrie McKay has two daughters and a stepson. She is an active community volunteer in Parkland county and was an energetic member of the re-election campaign of our colleague the MLA for Spruce Grove-St. Albert. Carrie is a legislative assistant for the MLA for Calgary-Hawkwood and myself. She runs our calendars, prepares our documents for meetings, and is the calm centre in our Annex offices. To quote my colleague: Carrie is a fabulous, calm, and resourceful assistant, a joy to work with. Please stand, Carrie.

My second introduction is Devon Dinsdale. Devon is graduating from Mount Royal University with a bachelor of arts in policy studies and is a resident of Calgary-Glenmore. Devon brings research experience and analytical skills to my Calgary office. He is also a pilot and a wilderness guide and ski instructor. Each day I ask what he finds fascinating, and he always has a challenging question or observation regarding how this world is different from the textbooks and classroom scenarios in school. Devon, please rise and receive the traditional warm welcome of the Legislature.

**The Speaker:** The hon. Member for Calgary-Mountain View, followed by Lac La Biche-St. Paul-Two Hills.

**Dr. Swann:** Thanks, Mr. Speaker. It's my pleasure to introduce to you and through you to the rest of the members Nancy Dick and John Ressler\* from the disability action hall, Ryan Geake from the Calgary Scope Society, and Donna Dunn from disability studies at Mount Royal University, here today to support the protest occurring on the steps of the Legislature and add their voices to calls for this government to reverse its devastating cuts to PDD services. These organizations have had their budgets slashed along with PDDs. The cuts will prevent these organizations from delivering vital front-line services to the developmentally disabled. I'd ask them to rise and receive the welcome of the Legislature.

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills, followed by Edmonton-Gold Bar.

**Mr. Saskiw:** Thank you, Mr. Speaker. It is my absolute pleasure to rise and introduce to you and through you to all members of the Assembly Mr. David Orlecki from Two Hills. I appreciate him taking the time today to come to the Legislature. After meeting with him last week, he told me he wanted to come and visit for the first time to see what really happens here as well as to take in the tour of this beautiful building. Mr. Orlecki works as a construction co-ordinator and has been active in the Lions Club and the fish and game association of Two Hills. I'd ask Mr. Orlecki to please rise and receive the traditional warm welcome of the Assembly.

**Mr. Dorward:** Mr. Speaker, it's my honour to introduce to you and through you to the Assembly a friend of mine, Ms Darlene Gallant. Darlene is here with the Lung Association for Breathing

Matters day, representing idiopathic pulmonary fibrosis, an incurable disease. The only option is a lung transplant. Bill 207 recognizes the importance of organ and tissue donation, and this registry is very important for all Albertans. Darlene's husband, David, was on the lung transplant list for two and a half years, but unfortunately he passed away before receiving a transplant. I would ask that Darlene rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Decore, followed by Calgary-Currie.

**Mrs. Sarich:** Thank you, Mr. Speaker. It is an honour and pleasure to rise today to introduce to you and through you to all members of the Assembly representatives of the Filipino Senior Citizens Association, which celebrates 30 years of accomplishments and ongoing contributions within the Filipino community in our capital city. Today I have nine guests seated in the members' gallery, and I would ask them to please rise as I mention their names: Mrs. Joyce Dizon, current president; Mrs. Nenita Gallardo, board member; Mrs. Nellie Naval, board member; Mrs. Lucy Manuntag, business manager; Mrs. Lucy Sagun, member, recently celebrating her 95th birthday; Mr. Ted Dizon, member; Mr. Pol Naval, member; Mr. Cesar Manuntag, member; and Mrs. Eloisa Lau, long-time friend and supporter of seniors. Heartfelt thanks and appreciation to all my guests for adding immeasurably to the Filipino community, our city, province, and country. I would now ask that we provide them the traditional warm welcome of the Assembly.

Thank you.

**The Speaker:** Just before we go to Calgary-Currie, do I understand that the leader of the New Democrats' guests have not arrived? Similarly, Calgary-Shaw, your guests have not arrived?

We'll go to Calgary-Currie, followed by Fort Saskatchewan-Vegreville.

**Ms Cusanelli:** Thank you, Mr. Speaker. I rise today to introduce to you and through you Dr. Mark Anselmo from Calgary. Dr. Anselmo is the section chief of respiratory medicine at the Calgary Children's hospital. I had the honour and privilege to serve as principal to his wonderful children, Emily, Sean, and Daniel, when I was at St. Michael school. I would like to thank Dr. Anselmo for all of his hard work today in promoting Breathing Matters day at the Legislature. I'd now ask Dr. Anselmo to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Fort Saskatchewan-Vegreville, followed by Sherwood Park.

**Ms Fenske:** Thank you, Mr. Speaker. I have two introductions. My first is to introduce to you and through you to all members of the Assembly Michele Ford, who is seated in the public gallery. Michele is here to raise awareness about food allergies in Alberta schools. She's a strong advocate for anaphylaxis awareness and is also a mother of a child who suffers from this severe condition. Those of you who follow on Twitter will see that her Twitter handle is @albertaadvocate. I would ask that she rise and that we provide her with the traditional warm greeting of this Assembly.

2:50

Mr. Speaker, I would like us to recognize today the constituents from Fort Saskatchewan-Vegreville who were here through question period. They are three constituents of my riding that have provided the riding with a great deal of support through their

\*This spelling could not be verified at the time of publication.

many community activities. Tom and Mae Adamyk are from St. Michael, active in the agricultural society, and Mae is also the vice-chair of the Lamont health centre. With them today is Hazel Anaka from Andrew, Alberta. I'd like to recognize Hazel for her work on a new event, Babas and Borscht, which will be on August 24 to 25 in Andrew. I would like us to recognize their attendance here today.

**The Speaker:** The hon. Member for Sherwood Park, followed by Edmonton-South West.

**Ms Olesen:** Thank you, Mr. Speaker. I would like to introduce to you and through you to all members of the Assembly four constituents of mine who were with us today during question period. First, we have Gordon Swityk, who is a mechanical engineer who retired from Sherritt International. He's the director of infrastructure for the Edmonton Radial Railway Society and operates the streetcars going over the High Level Bridge. Also, we have Doug Sklar, who is a valued member of our community and is a retired professional forester living in Sherwood Park. We have Robert Parks. He's the president of the Sherwood Park PC association and a long-time volunteer in our community and was a key volunteer in my provincial campaign. Tom Lo is also a Sherwood Park resident, who is the owner of T and T mechanical. He's been actively involved in democracy since he moved here from China in 1977, being involved in every single provincial election. He was nominated and won volunteer of the year by PC Alberta last year. If you could please join me in welcoming them today.

**The Speaker:** The hon. Member for Edmonton-South West, followed by the Minister of Justice.

**Mr. Jeneroux:** Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to all members of the Assembly my young friend Amy Peng. Amy was an applicant for MLA for a Day last week, but due to an exam and other school work, Amy had to regretfully decline the opportunity. However, we just couldn't keep her away. I'm looking forward to the opportunity to meet with Amy after this. As for her application she is more than qualified to be MLA for a Day. I'd ask that Amy and her guests seated in the members' gallery today please rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you very much, Mr. Speaker. Before I proceed with my introduction, I just wanted to ask the House through you for unanimous consent to waive rule 7(7) and continue the Routine past 3 p.m.

**The Speaker:** Hon. members, the Deputy Government House Leader has requested unanimous consent for us to move on beyond 3 o'clock to conclude the Routine if it becomes necessary. If anyone is opposed to that motion for unanimous consent, please say so now.

[Unanimous consent granted]

**The Speaker:** Now, on with your introduction.

**Mr. Denis:** Thank you very much, Mr. Speaker. One thing I've often said is that one thing Alberta needs is more lawyers, and I'm very pleased to introduce to you and through you an aspiring one, Matthew Glass. Matthew was born in Toronto, raised in Edmonton, and is currently attending law school at the University of

Ottawa. Matthew will be working out of my Edmonton office this summer on stakeholder meetings, policy analysis, and event planning. We're very happy to have him along this summer, and in addition to asking for the traditional warm welcome of this Assembly, please wish him a belated happy birthday from last Friday.

**The Speaker:** Are there others?

Well, that's good because that set a record. I think well over 30 people were introduced today.

## Members' Statements

**The Speaker:** Hon. members, we have the Leader of the Official Opposition, followed by Edmonton-Calder.

## Wildrose Sessional Retrospective

**Ms Smith:** Thank you, Mr. Speaker. Another session is just about in the books, and for the members opposite it can't end soon enough. When the last bell rings, they'll hit the highway faster than you can say Mayo Clinic, and who can blame them? Day after day of waste, scandal, incompetence, and broken promises. It's been another ugly session from a government that can't seem to do anything right. In fact, I'd say that the only thing more daunting than facing another day in the Legislature is having to go home to their constituents to answer for it all.

Let's review, shall we? After a debt-free decade thanks to the leadership and courage of Premier Ralph Klein, this Premier took us back to the 1980s, back to the days of structural deficits and crushing debt. With the back-in-debt budget Albertans will be on the hook for \$17 billion of debt by the time the next election rolls around, with no plan to pay it back.

On we go to the never-ending stream of health care executive expense scandals. During the session we learned AHS brass had dinged taxpayers for everything from personal life coaches to self-help seminars to private health treatment in the United States.

Still going. Delays in the court system led to accused violent criminals walking free and brave victims like Dani Polsom without the justice they deserved.

Not done yet. AHS decided a good way to save money was to axe discounted parking for our war heroes. When confronted, they wondered aloud: what did these veterans ever do to deserve special treatment? Shameful.

Onward. We saw elder abuse cases; political donation loopholes; a pharmacy debacle; bungled consultations with First Nations; near weekly protests, including another one today to protest cuts to programs for persons with development disabilities; and more millions of dollars for PC insiders, this time for failed staffers in the Premier's office.

All of this in the last two months, Mr. Speaker. We don't envy you, hon. members opposite. This is a lot to answer for. Enjoy your summer.

**The Speaker:** The hon. Member for Edmonton-Calder, followed by Calgary-Varsity.

## New Democrat Sessional Retrospective

**Mr. Eggen:** Thank you, Mr. Speaker. Once again the session has been rife with broken promises from this PC government. They broke their promises to provide stable and predictable funding for education, health care, and postsecondary institutions. Alberta's school boards and teachers are left with a bad deal that will leave them with ballooning class sizes, fewer students with the opportu-

nity as well to participate in extracurricular activities because of this government's budget cuts and broken promises. The PCs cut \$147 million from postsecondary education. Students across the province will lose opportunities to take programs such as nursing, office administration, disability studies and will end up paying for these PC government broken promises with increased noninstructional fees.

Across the province vital health care services for Albertans are being cut. Half of the palliative care home-care nurses in Calgary, for example, have been laid off, and laboratory services in rural communities have been slashed.

The Alberta New Democrats have been holding the government to account for all of these broken promises as they tried to push through important legislation at breakneck speed. Meanwhile the Official Opposition has given this government a free pass at the end of this session. Mr. Speaker, because there is little difference between this government's policy and the ideology of those of the Official Opposition, there's very little that the Wildrose can really disagree with in this government's policy agenda. Both the government and the Official Opposition, for example, supported undercutting collective bargaining by legislating the teachers' deal. They both have no problem with legislation that violates the privacy rights of vulnerable children.

New Democrats are proud of working hard in this session, standing up for today's Alberta families, for students, for seniors, for Albertans with disabilities, and workers.

Thank you.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by Fort Saskatchewan-Vegreville.

### Innovation in Alberta

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. On a more positive note, reconnecting science to society has a deeper purpose than developing the next marketable technology. It's about creating the kind of society we want to create, a society in which there is optimism, confidence, and purpose. Scientists need to know why they are doing science, and society needs to know why it supports them.

Mr. Speaker, this wisdom from quantum physicist Neil Turok, director of the Perimeter Institute in Waterloo, Ontario, funded by Research in Motion, reinforces the virtuous circle between pure science and industrial innovation, and that learning is well appreciated in my constituency of Calgary-Varsity, home to corporate R and D, the University of Calgary, and a vibrant research park.

Here's a sampling of the innovation lineup in Calgary-Varsity. U of C's research is multidisciplinary and often done in partnership with companies or fellow institutions, and the outcomes are impressive. For example, in the health care field researchers have discovered a plant-based insulin that is a fraction of the cost of today's current price and a new painkiller more effective than morphine.

Innovate Calgary is a partnership between Calgary Technologies, the city of Calgary incubator, and the University of Calgary to support tech start-ups and commercialization of research.

Alberta Innovates: Tech Futures, a government initiative, also partners with the U of C and others to focus and advance innovation; for example, supporting nanoresearch into new storage for wind and solar electricity.

There are smaller players, too. CETAC-West, championed by innovation guru Joe Lukacs, serves as a hub for 70-plus small and medium enterprises annually, including, for example, Brooks-

based TCB Welding, that develops and manufactures a cleaner and more efficient alternative to conventional pumpjacks.

Corporations can also lead the research. N-Solv Corporation, a private company, utilized funding from the Climate Change Emission Management Corporation to develop a pilot for an in-situ gravity draining process that utilizes warm solvent vapour as its working fluid in lieu of water.

Thank you.

**The Speaker:** Thank you.

The hon. Member for Fort Saskatchewan-Vegreville, followed by Edmonton-Decore.

3:00

### Food Allergy Awareness Month

**Ms Fenske:** Thank you, Mr. Speaker. May is Food Allergy Awareness Month. More than 50 per cent of Canadians know someone with a known food allergy. It's not just all about peanut butter. There are currently 170 foods that are known to cause allergic reactions. However, nine foods are responsible for about 90 per cent of allergic reactions. These allergic reactions can occur at any given age. Anaphylaxis is the most severe form of allergic reaction and can cause death. I personally have watched a member of my family have to deal with an anaphylactic reaction. You feel totally helpless as you watch someone struggle to speak and to breathe. Seeing a child suffer through this type of reaction would be far worse, and anyone who works with children should know and be aware of this serious condition.

Awareness and support of the community are key to keeping our children safe. Allergy and anaphylaxis information and response resources are part of our School Boards Association policies, but despite the policy advisory of school employees to receive training to recognize signs of an anaphylactic reaction and how to administer an EpiPen, many have not received the appropriate training, training that takes less than an hour.

I encourage you not to ignore early symptoms, especially if you've had a reaction in the past. Always take a possible reaction seriously and act quickly, and remember that not every reaction will always look the same.

Visiting with us here today is a strong advocate for awareness and training for our educators, Michele Ford, a mother I had the opportunity to introduce earlier. She is the mother of a child who lives with anaphylaxis. If your child has a food allergy, you should seek proper medical attention and be very aware.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Decore, followed by Cardston-Taber-Warner.

### Filipino Senior Citizens Association Anniversary

**Mrs. Sarich:** Thank you, Mr. Speaker. It's an honour and a privilege for me to rise today to commemorate the 30th anniversary milestone and ongoing contributions of the Filipino Senior Citizens Association of Edmonton, also known as FSCA. The establishment of the Filipino Senior Citizens Association was inspired by many individuals, including Mrs. Tekla Beltran, Mrs. Lucy Sagun, Mrs. Annie Dioquino, and Mr. Maxima Corpus, to name a few. Also, through the instrumental assistance of numerous Filipino seniors the FSCA became a registered not-for-profit organization on February 19, 1982.

With admiration and sincere appreciation the *raison d'être* of FSCA of Edmonton encourages Filipino seniors to help one another, enjoy each other's company, and maintain goodwill and togetherness between and amongst themselves. Mr. Speaker, the



association's officers and members are known for their humbleness, personal warmth, and strong leadership in support of the tireless dedication to their operations and the inherent betterment of its members.

Special highlights of formidable accomplishments which galvanize and provide meaning to the FSCA include hosting a special citizenship court at the provincial museum and receiving a citation for outstanding community service; one of their marquee events, organizing annual FSCA Valentine Queen of Hearts and Miss Little Queen events; and celebrating Pabasa during the Lenten season, which is part of Filipino culture and tradition, for all to appreciate.

Mr. Speaker, the Alberta spirit, essence, and history of the FSCA with pride is based upon the shared volunteer effort and commitment of the present and past members. My heartfelt thanks and congratulations to all those helping hands who have given so generously to build and strengthen the long-standing success of the FSCA. Congratulations and best wishes for 30 years of continued accomplishments. Mabuhay. Maraming salamat po.

Thank you.

**The Speaker:** The hon. Member for Cardston-Taber-Warner.

### Support for Small Business

**Mr. Bikman:** Thank you, Mr. Speaker. I got a letter this week from a business owner who got a government grant. He told me he thought subsidies were a good use of government money. He used his grant to grow his business, employing a dozen people, accessing local inputs to produce items otherwise unavailable in Alberta. And he invited me to visit his operation.

I thanked him for the invitation and pointed out that government does not have any money of its own. Although it was a grant and, therefore, free money for him, it nonetheless came from the taxes of profitable businesses and regular taxpayers. I told him I was pleased to hear that his business is growing and prospering. I wrote: if it's because your products are meeting a large enough need in a cost-effective way, then you'll continue to succeed, and if you do, I hope you'll choose to repay the grant from your profits.

The economic principle here is that for government to have money to grant, it has to take it from successful businesses and hard-working taxpayers. I've lost contracts to subsidized competitors who used my own taxes to underbid me. My employees and I were not amused.

Governments do not create wealth. Too often they overtax and misallocate it. Government's job is to create a stable environment in which businesses can prosper, free from overregulation and unnecessary red tape. I applaud the government for resisting suggestions from the less economically enlightened left wing in this House about progressive income tax. I encourage you to go further and eliminate corporate welfare all together. Have faith in the free market, reduce red tape, and then stand back and watch the economy grow under a renewed Alberta advantage. But I know you won't. That's why we'll be trading places in 2016.

### Presenting Petitions

**The Speaker:** The hon. Member for Chestermere-Rocky View.

**Mr. McAllister:** Mr. Speaker, thank you. I rise to table a petition that has been vetted, reviewed, and approved by Parliamentary Counsel as to form. This petition has been signed by 1,600-plus people from Chestermere and area who are seeing their property

taxes go up by 53 per cent this year. The petitioners are asking the government to please phase in this increase in the property tax over a period of four years or more to lessen the financial impact on them. The petition was put together by a member of my community. His name is Pete Tindal. He's a great advocate. He didn't even have to go door to door to get 1,600-plus signatures.

If you would indulge me with one more point, Mr. Speaker, the frustration for the people of Chestermere is that although being told in here over and over again that it would be phased in, they are still getting 53 per cent this year, so they have risen up and put together a petition.

**The Speaker:** Thank you.

### Tabling Returns and Reports

**The Speaker:** The hon. Minister of Human Services, followed by Edmonton-Centre.

**Mr. Hancock:** Thank you, Mr. Speaker. You need only look at Alberta's schools, communities, families, and playgrounds to see Alberta's promise, our children and youth. We live in a dynamic province with a young population and strive to give young people every opportunity to be successful. Alberta's Promise and its many business, nonprofit agencies, and community partners across the province seek to support children and youth to realize their potential. Alberta's Promise 2012 annual report incorporates the following information: program mandate and activities; messages from our Premier, from myself, from vice-chairs Bernie Kollman and Sue Riddell Rose, and from Ruth Copot, Alberta's Promise executive director; and the Premier's Council membership and board listing. I'm pleased to table the 2012 annual report for Alberta's Promise and would ask all members of the Assembly to stay tuned for further messages about Alberta's Promise and its impact on our province.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by Edmonton-Beverly-Clareview.

**Ms Blakeman:** Thank you very much, Mr. Speaker. Well, I forgot to table this. It's a petition, but it is not in order to be presented, so we're tabling it. I forgot to do it yesterday, and no fewer than four people have reminded me, so here I go.

This is signed by people from Taber, other places in southern Alberta, Calgary, Grassy Lake – oh, my goodness, all over Alberta. They are asking that

the Legislative Assembly urge the Government of Alberta to refrain from reallocating the estimated \$42 million from the Persons with Developmental Disabilities Community Access Program into other government budgets as it will create substantial financial and personal hardships for both clients and service providers.

I am tabling this on behalf of my colleague the Member for Calgary-Buffalo. I'm sorry; I can't even tell you how many people have signed this, probably close to a thousand.

Thank you.

3:10

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview, followed by Lac La Biche-St. Paul-Two Hills.

**Mr. Bilous:** Thank you very much, Mr. Speaker. With your indulgence I have three tablings today. I'd like to table another letter sent to Premier Redford from a concerned worker who provides community disability services to adults living with developmental disabilities in Lethbridge. This is the first tabling.

As well, Mr. Speaker, I have the appropriate number of copies of a petition which calls on the government to increase post-secondary funding rather than imposing devastating cuts on college and universities. There are 1,377 signatures in this tabling.

My third tabling is the appropriate number of copies of a petition which calls on the PC government to protect the rights of injured workers by amending the Workers' Compensation Act. There are 113 signatures on this.

I apologize, Mr. Speaker. I actually have a fourth tabling. This is a letter sent to the Minister of Human Services from a community disability services provider for adults living with developmental disabilities. They are extremely concerned about the cuts to PDD.

Thank you, Mr. Speaker.

**The Speaker:** Just a reminder that it's a longstanding tradition to not refer to members by their private names, which I believe you did in your first tabling.

Let's move on to Lac La Biche-St. Paul-Two Hills, followed by Innisfail-Sylvan Lake.

**Mr. Saskiw:** Well, thank you, Mr. Speaker. I have two tablings with the requisite copies. The first is a document that's been signed by hundreds and hundreds of people from Elk Point. They're asking Alberta Health Services to stop the closure of the acute care beds in their facility and requesting that "the Health Centre be restored to full capacity with 12 acute care beds in full operation and Emergency Services open 24 hours 7 days per week." This has been a very stressful time for the people in that area, and I'm going to continue to advocate on that.

The second tabling is a petition from the same area, Elk Point, again with hundreds and hundreds of names signed onto it. These people are upset with the pharmacy services.

Two big issues in the Elk Point area: obviously, some of the decisions made by this government aren't going over well there. Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Innisfail-Sylvan Lake, followed by Strathmore-Brooks.

**Mrs. Towle:** Thank you, Mr. Speaker. I actually have two different tablings today. The first tabling is over 3,700 people, Friends of Michener, who have signed to show that they are not happy with the closure of Michener Centre, and they have also forwarded all of these to Minister Oberle – sorry; the minister of PDD's office. They have also gone as far as to have a total petition of, I believe, over 18,000. So that'll be coming his way.

The second tabling is the two documents I referred to today in my question. The first document is the Progressive Conservative Party of Alberta election platform 2012, page 9, where it says, "A new PC government will increase the number of long-term care spaces" not continuing care, "by 1,000 per year." That's very clearly stated in their platform. The second document is the FOIPed copy of Alberta Health Services, which we're required to do because the government doesn't give us any information. We did that, and it is the Alberta Health Services detailed capital submission for seniors' care facilities across Alberta. It gives the zones, and it shows a reduction in long-term care spaces of just under 1,700.

They're all there.

**The Speaker:** Thank you, hon. member, and just a cautionary note to you as well that it is not appropriate to refer to ministers by their proper names.

Let us move on to Strathmore-Brooks, followed by Edmonton-Gold Bar.

**Mr. Hale:** Thank you, Mr. Speaker. I have two tablings today with the requisite number of copies. The first is a letter from Pat Whyte, who is the Newell Community Action Group executive director. She explains in her letter her concerns for the excellent programs that they support through the community access and day programs. I would like to table that.

Also, I would like to table the requisite number of copies of 12 letters I received from clients with the Newell Community Action Group in Brooks. I would strongly urge the minister to read these letters. They're very heartfelt, and they get right to the point.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. Dorward:** Thank you, Mr. Speaker. I'd like to table 88 postcards of the My Face, My Place campaign asking the minister to reverse the cuts to PDD.

Thank you, Mr. Speaker.

## Statement by the Speaker

### Page Recognition

**The Speaker:** Hon. members, if I could have your attention, please, for a special tribute that I wish to do on your behalf. Each year we are served in this Assembly by some very dedicated young people who have qualified to be our pages. The role of a page, as we would all know, is an extremely honourable one and one that these pages take very seriously and deliver to the utmost of their abilities. However, there comes a time when some of them move on, to be replaced by others.

Before I invite the Deputy Speaker to make a presentation, I want to read you a letter, dated today, addressed to me on your behalf from the retiring pages. It reads as follows:

Mr. Speaker,

As Session once again comes to a close, we face the regrettable reality that some of us will not be returning as Pages in the fall. In our capacity as Pages, we have had front-row seats to the legislative process and, we would like to think, have left our own humble footprints in Alberta's history. For this wonderful opportunity, we would like to express our sincerest gratitude.

We would like to thank you, Mr. Speaker, the Table Officers, the Sergeant-at-Arms, the LASS, the lovely ladies in 315 and 412 and all the staff of the Legislative Assembly Office for making our service to the Assembly memorable. We must also thank all of the Members of the Legislative Assembly, without whom, our role in the Chamber would not exist. Additionally, we would like to congratulate both the newly elected Members and you, Mr. Speaker on an admirable first year of service in your new roles.

We entered the Page Programme as ordinary high school students, each with our own preconceived notions about politics.

Hear, hear.

However, we all leave with a broader understanding of the human side of politicians and those who support them. We have come to know real people with real gifts, flaws, and quirks. By observing them, we have had the opportunity to see that it is quite possible for real people to do great things with their lives, and stand as an inspiration for ourselves to aim higher than we might have previously thought possible. Even when nothing else our time here was entertaining; perhaps it is a pity that Question Period is not broadcast during prime time.

For over a century, the laughter and footstep of Pages have crisscrossed through this building, and we truly are honored to have been able to participate in the history of the Alberta Legislature. If every citizen of this province was as informed as we are now, parliamentary democracy in Alberta would certainly be better served. It is now our duty to use our knowledge of the political process to improve society in whatever path we each choose.

Farewell, and don't forget us.

Yours sincerely,

Ellen McClure, Donald Ademaj, James Bonnell, Ann Dang,  
Claire Edwards, Gabby Peter and Lizzie Winton

Let's give them a round of applause.

And now for our *pièce de résistance*, a special presentation on our collective behalves by the Deputy Speaker.

**Mr. Rogers:** Well, thank you, Mr. Speaker. Certainly, I too want to thank our pages for that wonderful tribute to us.

Hon. members, it is with regret that we say goodbye to seven of our hard-working pages at the end of this session. They are Ellen McClure, the head page, Donald Ademaj, James Bonnell, Ann Dang, Claire Edwards, Gabriella Peter, and Elizabeth Winton. I ask you to join me in recognizing the efforts of our diligent pages, who daily show patience and understanding, and believe me, Mr. Speaker, they do need a lot of patience with our many demands. They carry out their tasks with attention to duty, including some very late nights of work with us, as recent as last night.

On behalf of all members each departing page is given a token of our appreciation. These gifts are from the personal contribution of every member of our Assembly. Along with the gifts are our best wishes. We are honoured to have our pages work with us in the Legislature to serve Albertans.

I now ask our Deputy Chair of Committees to hand a gift to our head page, Ellen McClure, who is representing all the retiring pages. Ellen, in turn, will present each of the rest of the retiring pages with their gifts from us later.

Mr. Speaker, I might want to add that some of them were sobbing as you read that letter. They are genuinely pleased and touched by their service with us, and we are touched by them. Ellen, thank you so much. God bless you.

3:20

**The Speaker:** Thank you.

Hon. pages, you will go down in history as the class of 2012-2013, but for us you'll go down as class, period.

What better way to follow, then, with points of order? I can't think of anything better.

On a serious note, the hon. Member for Edmonton-Highlands-Norwood, the leader of the New Democrat opposition, rose on a point of order, so we'll recognize him or someone on his behalf at this time.

#### **Point of Order Factual Accuracy**

**Mr. Bilous:** Thank you, Mr. Speaker. I'm rising on a point of order in reference to Standing Order 23(h), (i), (j). The comment that was made by the associate minister was clearly intended to create disorder in this House and, quite frankly, was untrue.

First and foremost, I and the members of the Alberta NDP caucus have been having ongoing conversations with organizations, with caregivers, and with people with developmental disabilities for years, Mr. Speaker.

In addition to that, the hon. associate minister made a claim that we were not present at the rally that took place outside, where the

Member for Edmonton-Strathcona, the Member for Edmonton-Calder, and myself were in attendance at the PDD rally, speaking with many of the participants, many representatives of organizations, many family members, and adults with developmental disabilities themselves. I'll also add that there were members from all the opposition parties at this rally.

Therefore, Mr. Speaker, I'd like to ask the associate minister to withdraw his incorrect, false, and offensive comments.

**The Speaker:** Hon. members, there's another point of order on this same point, I believe, from Lac La Biche-St. Paul-Two Hills. Let's hear the Member for Lac La Biche-St. Paul-Two Hills on this same point. We'll deal with the two points of order together, and then we'll recognize the hon. associate minister.

**Mr. Saskiw:** Very briefly, for my second point of order, I will withdraw that one. I'd like to just speak to this one here.

Again, I rise today in accordance with Standing Order 23(h), (i), (j). Often in this Legislature we have a different opinion, or we have different interpretations of facts. What the associate minister of PDD did here, though, was make a statement that was completely and utterly untrue. Whether that was deliberate or not, the consequences are the same, and that's what gives rise to this point of order.

His comments were with respect to attendance at rallies with respect to PDD, and I think it's categorically true that members from our caucus – Calgary-Shaw, Medicine Hat, the Leader of the Official Opposition as well as members of other caucuses, I believe, the Member for Edmonton-Beverly-Clareview and perhaps others from his caucus – did attend that. What is clear is that we are listening. This is a very serious issue. Cuts to PDD are very, very serious.

One aspect I would like to mention, though, is that there is a precedent in this House that we are not to refer to the absence or presence of a member in this Assembly. Along that same principle, although it's not a hard-and-fast rule, I think this should be applied here, that the member should not be speaking about the absence or presence of an individual at a certain event outside, particularly when it's completely untrue.

Thank you, Mr. Speaker.

**Mr. Oberle:** Mr. Speaker, I'm somewhat amused that I'm being called on a question of order that something I've said offends sensibilities in the House, creates, in fact, disorder, in part by the hon. member, who interrupted me so much that I had to not deliver an answer today.

Nonetheless, Mr. Speaker, I would point out that I didn't say that the hon. members opposite weren't present at the rally. I said that I did not see them in the crowd talking to individuals, and that is actually the truth. I did not see them. However, I endeavour not to create disorder in this House. I endeavour to uphold its fine traditions. I withdraw any offending remark unreservedly.

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

The associate minister has withdrawn his comments, and it will be noted as such. We'll move on, then.

The last point of order has been withdrawn voluntarily by the Member for Lac La Biche-St. Paul-Two Hills just a few moments ago.

That concludes our Routine for today, including points of order. I think we are now able to move on.

**Orders of the Day**  
**Government Bills and Orders**  
**Third Reading**

**Bill 26**  
**Assurance for Students Act**

**The Speaker:** The hon. Minister of Education.

**Mr. J. Johnson:** Thank you, Mr. Speaker. I'm pleased to rise today and move third and final reading of Bill 26, the Assurance for Students Act.

This legislation is necessary to ensure that schoolchildren and their families can count on stability in classrooms across the province. The Assurance for Students Act will allow the education system to put its focus back where it belongs, on the student.

I'm proud that this legislation puts students first, but I am disappointed that it has come to this. Legislation is by no means an ideal way to deal with labour negotiations. However, with 61 of 62 school boards supporting the framework agreement and 60 of 62 ATA locals, representing 95 per cent of Alberta's teachers, we simply cannot let a small minority prevent this agreement from going forward. It's time to do what's right for kids and refocus our efforts on bringing the vision of Inspiring Education to life. Therefore, I hope all members will join me in supporting this extremely important piece of legislation.

Thank you.

**The Speaker:** The hon. Member for Chestermere-Rocky View.

**Mr. McAllister:** Mr. Speaker, thank you, and thank you to the minister for his work on this bill. I spoke to it at length in a previous reading, and I give it our full blessing, from myself and from our caucus. As the Official Opposition Education critic and as a parent we all want to see, you know, what's best in the classroom.

But I do think it's pertinent to touch on an issue from the Alberta School Boards Association. I would like to, if I could, read a letter into the record from the president of the Alberta School Boards Association, which is a public letter now, outlining the frustrations from the 62 elected boards in the province of Alberta and how we got here. This is from Jacquie Hansen.

What I am hearing from most school boards is that they are relieved these torturous labour talks are behind us. As evidenced by the local votes, most school boards decided the promise of four years of labour peace and a clear idea about what teacher salary costs will be for the next four years made this deal acceptable.

I must stress, that even as school boards signed on to this deal, they expressed concerns about the structural changes the deal makes to decision-making processes with regards to teacher assignments, classrooms, schools and jurisdictions. We don't know the details of the role the exceptions committees will play in overseeing principals' and superintendents' local decisions. We know that moving to the 907 hour limit for all teachers will be a costly proposal for some school boards.

As this process winds down, I must say the path these talks took – through all their iterations – is not a journey school boards or our association would willingly follow again. At many junctures – including this proposed legislation – democratic rights were trampled. There was undue intervention in local discussions and school board decisions. Certainly, having the minister of education meet in the final days with school boards to seek reversal of their decisions was most unusual.

We have taken some time to review the legislation and have these observations:

1. First, we are relieved that, with a key exception, Bill 26 reflects the intent and language of the Framework Agreement. This was important because teacher locals and school boards based their decisions about the Framework Agreement on that language. Significant changes in the language of the legislation would have been very problematic.
2. We are deeply concerned the government has excluded school boards, who are the employers, from finalizing a central component of the Framework Agreement: the wording of the Ministerial Order. Through this legislation, the provincial government has given the union – the Alberta Teachers' Association – the ability to "veto" the final wording of this Ministerial Order. School boards – through the ASBA – will not have the same influence on the outcome. We will be "consulted". Therefore, under this legislation, the government will negotiate directly with the union – without the employers – school boards at the table to finalize this important document which outlines teacher working conditions.
3. We have heard a great deal from the minister of education about his dismay that not all teacher locals and not all school boards accepted this deal. And this made Bill 26 necessary for moving forward. The reality is the minister of education himself set the requirement that all 62 school board and all 62 teacher locals ratify this deal. From the outset our association urged the minister not to impose this artificial requirement on such an important decision. Our view is that this put unnecessary pressure on the process and local decision-makers. We had suggested a process whereby boards and teacher locals would "opt-in" to an agreement. To have the minister criticize the process – of his own making – is curious.
4. Finally – and this is something we totally agree with the minister on. We need a new bargaining system in this province. We look forward to working with him on this. In 2003, the Alberta Government's Learning Commission came to the same conclusion – and recommended the government change the bargaining structure.

That was 10 years ago.

No action was taken. In 2005, based on the Learning Commission's recommendation, the Alberta School Boards Association proposed a specific bargaining model to the government... Again no action was taken. In 2008, the ASBA's Fair Bargaining for a Better Future report... also called for a change to the bargaining structure in Alberta. Again no action. I respectfully suggest that the minister of education take a look at these reports using the Learning Commission's 10-year-old document as a starting point.

That letter, again, is from Jacquie Hansen, the president of the Alberta School Boards Association, which represents the 62 elected school boards in this province, the boards that we as members should be consulting with and discussing what's going on in our schools. Many of us do. I would recommend to all of us regardless of what party we sit with that when we leave for our break, we take the time to meet with our school boards, hear what they're learning in our schools and what they're recommending. Clearly, they have some suggestions going forward.

I'd like to end on a positive, Mr. Speaker. With the relationship that I have with the Minister of Education, I can express my views and disagreements with him respectfully. I believe he worked very hard on this deal, and he inherited some of this. I would be willing to work with him in any capacity to work toward a better process in the future. I'm happy for our kids and, as I said, honoured to be the Official Opposition Education critic and see this legislation pass.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you very much, Mr. Speaker. I will be brief in my comments on this bill. I've not had an opportunity yet to speak to it. Just a few points.

First of all, I along with my colleagues in the NDP caucus will be voting against this bill, and there are several different reasons for that. I want, of course, to make it very clear that that vote is still within the context of our belief that it is important to establish certainty and stability within our K to 12 education sector. The way to establish that certainty and stability is for this government to keep its promise to maintain certainty and stability within the K to 12 education sector.

For instance, there were certain three-year funding commitments made by this government that would have ensured both teachers and school boards were in the position to negotiate a fair agreement that met the needs of both sides. The reason that that became more of a difficulty, of course, was that this government, immediately upon getting elected, broke its promise with respect to K to 12 education funding and immediately threw the whole system into a crisis. This is the product of a fundamental broken promise. That's the first thing, Mr. Speaker.

The second thing about this bill, which is very offensive to me, is that, of course, it is being brought basically as an emergency. We're ramming it through, and we're imposing time limits and closure on this bill. Now, there is no emergency right now, just to be very clear. There's not a work stoppage in place right now. That's normally the context in which the government uses this kind of heavy-handed approach. The emergency that is in place right now is that if we were to simply respect this Assembly and respect the rules of the parliamentary process, the emergency that this government is trying to avoid is that they would be asked to be in the House a bit longer.

We all know how that creates a crisis in their minds because the last thing they appear to want is to be in this Assembly openly and transparently debating in a fulsome way each and every element of their legislative proposals. That apparently is the emergency that has pushed us into this situation, where the government is, I would suggest, misusing the rules of the House to ram through this bill. So just in principle it's really difficult to support such a mechanism and a precedent like this being set.

Now, the third reason why I am concerned about this bill, of course, is that it fundamentally undermines the authority of locally elected bodies and the ability of locally elected bodies to exercise their authority as contemplated under their legislation and under the overall system of legislation that governs K to 12 education.

We have one school board, for instance – granted, it's only one school board, but it's a school board that represents 20 per cent of students in the province – that voted against this. We had the Edmonton public school board, which did in fact vote in favour. By all means, you know, it was a close vote, but it did vote in favour, so the government is certainly entitled to rely on that vote. Nonetheless, they were very reluctant in that choice because they were concerned about how this highlights a structural problem

with respect to the delivery of K to 12 education in this province, where the school boards are asked to take the blame for everything that goes wrong but are not given the authority to make decisions about their own funding.

This is sort of a long-standing problem, which really flies in the face of the respect for local democracy and direct democracy and those who get involved in running for school trustee in an effort to reflect the desires of the parents and the children and the families in their electoral districts. This runs against that.

Of course, we know that once you take into account inflation and you take into account the increase in the number of students, effectively our school boards are being asked to wrestle with cuts, so they're trying to wrestle with those at the same time that they're having terms and conditions imposed upon them. It disrespects their authority, and it also puts them into a rather untenable position.

The final reason, Mr. Speaker, that I will be voting against this bill is because it fundamentally assaults the principle of collective bargaining. Now, I appreciate that this government doesn't have a tremendous amount of respect for that and that we have labour legislation in this province that relates to many public-sector workers, which flies in the face of the International Labour Organization's conventions on basic human rights. Indeed, this government and this province have been cited repeatedly by the International Labour Organization, a subsidiary of the United Nations, for their breach of the United Nations convention with respect to the rights of working people by bringing in legislation that negates and rejects the value of collective bargaining. Obviously, when the government legislates an agreement over the objections of a bargaining agent and in this case two bargaining agents, it is disrespecting the fundamental principle around the importance of collective bargaining.

This does actually relate back to the best interests of our children, Mr. Speaker. If our kids are going to thrive, the teachers who work with them day in and day out need to be respected, and they have chosen to be part of a bargaining unit which has the right to collectively bargain on the terms and conditions of employment. Quite frankly, telling teachers that they need to go for the next four years without a pay raise is, in my view, disrespectful to them and to the work that they do.

3:40

You know, the minister would like to say that the majority of teachers agreed with this deal. That may well be the case, but here's the thing, Mr. Speaker. The ATA, as is its right, voted on a ratification process. The ratification process that they voted on was one where each local got a say. The ATA itself has put the ratification process into place and has said: this is how we are going to make sure we respect the democratic rights of each of the members that we represent. It requires every local to endorse the agreement. As you know, every local did not endorse this agreement. This flies in the face of the democratic process by which the ATA has established how it will ratify or not ratify. This agreement was not ratified by the ATA by the terms of its own process.

In short, then, this bill represents the tromping over of a number of significant rights and responsibilities of the parties here. This is happening (a) because the government broke its promise on education funding and (b) because this government is in crisis. We're in the Legislature right now, and they don't like to be here. That is an unfortunate abuse of this process, and we cannot support it.

Thank you, Mr. Speaker.

**The Speaker:** Hon. members, 29(2)(a) is available.

Seeing none, we'll go to the hon. Member for Calgary-Mountain View, followed by the leader of the New Democrat opposition.

**Dr. Swann:** Thank you, Mr. Speaker. It's my first opportunity to speak to Bill 26, Assurance for Students Act. Notwithstanding some of the comments from the hon. Member for Edmonton-Strathcona I think there are pressing issues in the education system, and after this length of discussion, debate, and negotiation we do require action. However, there was concern expressed by one of the ATA members with section 2(2), which reads as follows. I hope the minister can give a little clarity before we move to the vote.

- (2) In addition to the modifications referred to in subsection (1), the Minister may, by order, make further modifications to the Framework Agreement with respect to the role of the ASBA under Parts C and E of the Framework Agreement.

This is seen by the association to be quite ambiguous. Can the minister comment on what the intent of this section is, what the implications are, and could he clarify whether or not this could be a means for cutting out the Alberta School Boards Association from further negotiations? This is, I think, a reasonable request since there is some ambiguity in that section.

Otherwise, Mr. Speaker, we will be supporting this bill. Thank you.

**The Speaker:** Hon. members, 29(2)(a) is available.

**Mr. J. Johnson:** Mr. Speaker, I want to take the opportunity to answer that question – it's a good question – and maybe throw it back at the member. There are a couple of exceptions to the framework agreement in this legislation, and they relate to the role of the ASBA. There is no intention to change the role of the ASBA or do anything beyond just getting this legislation across the finish line. This is just a logistics piece, just for this agreement, so it won't affect their broader roles. There's no intention to do that. It really has to do with the ability to turn around and get decisions from the ASBA in a timely manner.

The ministerial order was sent to both the ASBA and the ATA some weeks ago, after we helped build it with the three groups. We have approval back from the ATA already. We were not able to get approval back from the ASBA because they need to wait to get approvals from all of their members. Obviously, all of their members didn't approve it. We adjusted the language so that no one would have a veto on this bill going forward. We are going to consult with the ASBA on the MO, but the ATA has the ability to approve it. That's not meant to differentiate between the two in terms of their authority on this. It's just the logistics. The ATA has already approved it, and the ASBA cannot get us approval in time to get this bill through. We don't want to leave them with a veto.

I'm sure that the member would want us to make sure that no one has a veto after this and that there's nothing that's going to hold up the bill any further. That's why there might be an occasion to adjust the role of the ASBA in this if they have difficulty agreeing on who their representatives would be on the exceptions committee. They've proven that they want to listen to their members. Often their members don't entirely agree or come to a unanimous agreement. In the event that that happens again, we will have the ability to just alter their role so that we can make an appointment, someone representing the ASBA on the exceptions committee. But it's very small. It's not intended to injure or affect the role of the ASBA going forward.

**The Speaker:** Are there others under 29(2)(a)?

Seeing none, let's go on to the hon. leader of the New Democratic opposition on the main bill, third reading.

**Mr. Mason:** Thank you very much, Mr. Speaker. I'm glad to have the opportunity to stand up and speak to Bill 26, the Assurance for Students Act. I want to say a few things just about how this has been done. First of all, the government passed a motion that this was a very urgent matter; therefore, we could shorten the debate and the discussion. Admittedly, it has still been over two days, but the only urgency on the government's part is wanting to get out of here by the weekend and not have to come back next week. I just wanted to say that I thought that that was not a sufficient degree of urgency to invoke that particular standing order.

As well, of course, the government used the same false conception of urgency to impose closure with respect to this bill right off the bat. From that point of view, I think it's distasteful how the government has dealt with this particular piece of legislation, but it's more distasteful to me how they've dealt with our education system and the resulting issues around an agreement with teachers going forward.

The question that I have, Mr. Speaker, is why teachers were put in the position of having to accept a deal that gave them no pay increases for three consecutive years. Why should teachers have to accept no raises when everybody else gets raises, when the cost of living continues to rise? There's no compelling reason in terms of their work why they should have to accept a deal where, given increases in the cost of living over the next three years, they're going to be handed essentially an 8 to 10 per cent reduction in their buying power. That's what this deal really is, a reduction in the salaries of our teachers.

Now, teachers in Alberta are well compensated. Most jobs in Alberta are well compensated compared to the rest of the country. But it gets back to the question of why this deal has now been imposed by the government over the objection of many teachers. My colleague from Edmonton-Strathcona has outlined the fact that the ATA has its own process for ratification, and the deal that was negotiated has, by those terms and conditions, not been ratified. It has failed to be ratified by the ATA, and that's why the government is imposing the deal through legislation, a very bad thing to do in principle and in general, Mr. Speaker.

I want to come back to the question of why teachers have to take an 8 to 10 per cent reduction in their real salaries over the next three years. Why? Well, Mr. Speaker, the reason is that the government has not managed the finances of the province well enough, and they have a resulting shortfall in revenue. They blamed it, of course, on the so-called bitumen bubble, which has been widely, I think, discredited by those who are knowledgeable. But the government's own management now has to be paid for by teachers. That's what this deal really means. They have to take less money because the government can't manage its finances and hasn't planned adequately for the future and hasn't ensured that there are stable revenue sources to pay for the program spending in our province and has depended far too much on volatile royalty revenue from oil and natural gas.

How is that the teachers' fault, Mr. Speaker? How is that the responsibility of teachers, and why should teachers and others in our province have to pay for this government's incompetence? That's the question. That's the question on the minds of many teachers.

3:50

Lots of teachers did vote for this deal because they felt they had no choice, but even here in Edmonton, where the deal was ratified,

40 per cent of teachers voted against it. The school board in Calgary voted against it. In other parts of the province the deal has been rejected. Where the deal has been passed even though teachers felt they had no choice, there's always been a sizable number of teachers who are angry about the deal and voted against it, and I think rightly so, Mr. Speaker.

The point that I want to make is that teachers, like others in this province, are expected to take less because this government can't get its financial act together. This government will not reverse the flat tax. This government will not reverse major cuts to corporate income tax. This government will not change its policy of charging some of the lowest royalties in the entire world. So the rest of us have to pay and pay and pay. Mr. Speaker, that's wrong.

I don't think Albertans with developmental disabilities should have to pay. I don't think postsecondary students should have to pay. I don't think people should be laid off in the health care system. I don't think our seniors should have to pay. I think that this government needs to sort out its financial affairs and put the finances of this province on a firm, sustainable footing. Despite many warning and many urgings from us as well as their own people and their own experts, they have refused and failed to do that year after year after year, so teachers have to pay, and that's wrong, Mr. Speaker. Teachers shouldn't have to pay.

That's why we're opposing this bill. It's bad for teachers. We think it's bad for schools. We think it's ultimately bad for students. We think that the bill is absolutely misnamed, called assurance for students.

What we need is the government and the school boards and the teachers to go back to the bargaining table and arrive at a fair and equitable deal for our teachers that ensures that kids get the best-quality education and ensures that teachers don't fall behind increases in the cost of living through no fault of their own. I think it's shameful, Mr. Speaker, that this government expects teachers and others, including people with disabilities and students and health care professionals, to pay the price for its financial incompetence.

I don't think Albertans should accept it. They may feel in many cases that they have no choice, but they are very, very right to be angry about it. They're very right to be angry at this government, which misled them in the election about its intentions, which misled them about its financial situation, and then after the election turned around and attacked the very people who had supported it in its bid to be re-elected. I think it's shameful, Mr. Speaker. I don't think it's acceptable.

For that reason, our caucus is opposed to this legislation because they are asking teachers, students, and others to pay the price of their mistakes, of their errors, and because of the fact that they favour the wealthy and the corporations in this province at the expense of the rest of us. It's a shame, Mr. Speaker.

Thank you.

**The Speaker:** Hon. members, 29(2)(a) is available.

Seeing none, are there other speakers? Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you very much, Mr. Speaker. I rise to speak in strong opposition to Bill 26, the Assurance for Students Act, in third reading. Before I launch into the bill, it's important to note that legislation like this passing through the Assembly at breakneck speeds, often in the wee hours of the night, as opposed to giving legislation the proper due process and time that should be allocated for a proper and thorough debate – I mean, that in itself, I think, is the first black eye for this government.

Mr. Speaker, this bill quite simply is awful. It's terrible for a lot of reasons, which I will go through. First and foremost, this bill is a complete and open attack on not just teachers in this province; this is a bill that attacks all working people in Alberta. The fact that you've got a deal that's being imposed via legislation on teachers is an affront to the basic rights of unionized workers in Alberta and their rights to collective bargaining. You know, I can appreciate that the government has been trying to negotiate a deal for two years, but this is not the answer, where if you don't get the result that you're looking for, you turn around and just end up bullying the other side into accepting your terms.

You know, Mr. Speaker, this piece of legislation definitely flies in the face of teachers. On the one hand, the government often talks about how we are the wealthiest jurisdiction in North America, how we are very fortunate with our abundance of natural resources, how our economy is growing, and how things are looking up and looking well for the province, yet because of a mismanagement of funds and a failure to collect revenues through royalties, a progressive tax system to stop the corporate welfare that this government is insistent upon, it's professionals like teachers who have to bear the burden and pay the cost.

Mr. Speaker, I mean, it's important to know that this isn't just about teachers. I find it quite offensive, actually, when the minister stands up and says: this is for students, and students are first. To be honest, I think this bill is more like: students first over the cliff. If the government respected students and parents and families and wanted to ensure that they had the best quality of education and access to that education, then they would put their money where their mouth is.

When we have, you know, class sizes that are going to be growing and that continue to grow, Albertans are tired of this government saying one thing out of one side of their mouth and then another out of the other, with their actions altogether quite opposite. Class sizes are continuing to rise. With the cuts that this government has imposed and is imposing on education and our education system, there is going to be a rise in class sizes.

In addition to that, Mr. Speaker, it's a compounded effect. Just the other day I was at one of my schools in northeast Edmonton, and their special-needs teachers are losing their positions as of June of this year, and they will not be back in the fall. I can't tell you what a disadvantage that's going to place on not only students with special needs; we're talking about students where English may be their second language or third language. We're talking about students who need additional help and supports, who are now going to be thrown into a classroom with 25 to 35 other students and one teacher trying to juggle everything that teachers have to do in a classroom today.

It's going to have far-reaching effects. That's another issue that I have with this bill and with many government decisions, their lack of long-term vision and planning. For example, jamming too many students into a classroom with not enough supports is going to have an impact on those students for the rest of their lives. Again, to this government, in their mind, it's probably penny wise but pound foolish as far as the long-term well-being of students, parents, and families.

Mr. Speaker, another reason that the Alberta NDP opposes this bill is that it undermines the authority of locally elected school boards. You've got an example here where there were some school boards that voted against this deal, and as opposed to the government respecting their wishes and decisions, they just decide to bring forward legislation and railroad or hammer all teachers everywhere.

Now, the minister will love to get up and wax about how the majority of school boards have accepted this offer. You know, the

devil is in the details, and what we don't know and probably won't know is how exactly the minister and this government convinced some of the school boards that this was their best option.

It's clear, Mr. Speaker, that there were boards that initially voted against this deal, so the response from the government is: we'll have another vote just in case you change your mind, in case you didn't quite vote the way that you really wanted to.

4:00

Meanwhile meetings were going on behind closed doors in the backroom. We don't know what was said or what wasn't said or what was implied, but we do know that this government has a history of at times bullying. What we don't know is if school boards were put into that position. This PC government doesn't approve or like the way they voted, so they decide to have a second vote, where suddenly some boards did come onboard.

Mr. Speaker, an important point is that not all the boards voted in favour of this deal. It's concerning that the response to the deal is for the government to then bring in legislation and force it upon all teachers and professionals within this province. I fail to see how this is an emergency. The government, again, tries to paint the picture that we had to ram through this piece of legislation. I completely disagree. There are many teachers that I've spoken with who feel that this deal is unfair and awful. I find it quite hypocritical that the government offers some deals for some professionals and offers the teachers 0, 0, 0 and a meagre amount in the end. Really, when we look at the cost of living, inflation, and how it's rising year to year, by the time this deal comes to an end, it really will be a 10 per cent cut to teachers, which is completely unacceptable.

Mr. Speaker, this is a bad deal for teachers. This is a bad deal for Albertans. This sets a very harmful precedent that, again, this government has no concerns, no qualms about riding roughshod over the collective bargaining rights of our professional organizations of Alberta workers. Quite honestly, that's just wrong. The government should have done the right thing, respected the decision by boards. It's irrelevant if it's 90 per cent of school boards and ATA locals or if it's 1 per cent. The point is that it was a deal that was not accepted by all of those that are going to be affected, and they should have gone back to the bargaining table.

Mr. Speaker, the fact of the matter is that our teachers and our students, our children and our families should not have to bear the burden of the fiscal mismanagement of this government, which is clear to all Albertans. Again, when we look at our economy today and we look at the state of the province and the fact that the government has passed this austerity cuts budget, Albertans are shaking their heads in disbelief and, quite honestly, are fearful of the future, of when the province does dip into a recession, of what that budget is going to look like if they're facing cuts today, when Alberta is in a period of growth.

Clearly, that illustrates there's been a party in power for too long that no longer knows how to manage resources or ensure that we are taking care of our students, our seniors, our most vulnerable Albertans. They shouldn't have to pay the price for the mistakes, failed planning, and poor management that this government continues to demonstrate.

Mr. Speaker, for these reasons, I am vehemently opposed to Bill 26. I think it's offensive to all working people, especially to professionals, that put their heart and soul into their careers and their jobs to ensure that our children and students are given the best and most opportunities that they can. The reality is that they need the resources to do their job and to do their job well. It puts them in a very, very awkward and binding position when you pull

out the resources from under them, when you knock the supports out from under them, and when you don't value them by, first of all, respecting their rights and, second of all, by valuing them through the salaries and benefits that they earn. You know, money is only one indicator of value in our society. However, you know, this clearly shows that this PC government does not value the work that teachers and support workers do in this province.

For these reasons, Mr. Speaker, I cannot support this bill and will ask all members to vote this bill down. Thank you.

**The Speaker:** Hon. members, 29(2)(a) is available.

Seeing no one under 29(2)(a), other speakers?

The hon. Minister of Education to close debate?

**Mr. J. Johnson:** No. Just the question, Mr. Speaker.

**The Speaker:** Thank you.

[The voice vote indicated that the motion for third reading carried]

[Several members rose calling for a division. The division bell was rung at 4:07 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Speaker in the chair]

For the motion:

Amery	Fraser	McDonald
Anglin	Fritz	McIver
Barnes	Goudreau	Oberle
Bhardwaj	Hale	Pastoor
Bhullar	Horne	Quadri
Bikman	Jablonski	Quest
Brown	Jansen	Rowe
Calahasen	Johnson, J.	Sarich
Campbell	Johnson, L.	Scott
Cao	Kennedy-Glans	Smith
Cusanelli	Khan	Swann
Donovan	Klimchuk	Towle
Dorward	Lemke	Webber
Fawcett	Luan	Wilson
Fenske	McAllister	

Against the motion:

Bilous	Mason	Notley
Eggen		

Totals: For – 44 Against – 4

[Motion carried; Bill 26 read a third time]

4:20

## Bill 22

### Aboriginal Consultation Levy Act

**The Speaker:** The hon. Minister of Aboriginal Relations.

**Mr. Campbell:** Thank you, Mr. Speaker. Before I start on the bill, I'd ask for consent that we go to one-minute bells for the rest of the afternoon.

**The Speaker:** Hon. members, unanimous consent has been requested to reduce the division time between the ringing of the bells to one minute, which means that the bells will ring for one minute, there will be silence for one minute, and then they will ring again for one minute, so it's essentially a three-minute interval. Does anyone oppose that particular request?

[Unanimous consent granted]



**Mr. Campbell:** Thank you, Mr. Speaker. It's my pleasure to rise today and move third reading of Bill 22, the Aboriginal Consultation Levy Act. Last night, as I was sitting on the couch at about 3 in the morning contemplating life in general, realizing all the doors I knocked on to have this wonderful job, I was thinking about the bill. You know, I've spent my whole life in labour relations. While the opposition talks about the unions, I'm a proud union member, have been and always will be, just for the record. I'm a member of the United Mine Workers of America. Our motto was: tough enough to chew nails, stupid enough to want to.

I've been involved in a number of change processes and dealt with people, worked for people, you know, cared about people's interests. Mr. Speaker, lots of times when you do things, it's on intuition, or it's a gut reaction. Your gut says that it's the right thing to do. In the year that I've been in this ministry and the year that I've spent out in the landscape talking to First Nations, talking to industry, talking to other stakeholders, I can honestly say that this is the right thing to do. I've thought about this. We had a robust discussion in second reading. We had a robust discussion in Committee of the Whole.

When I look at what's going on out in the landscape and I look at the challenge that First Nations people face in this province, this bill will bring balance to the consultation process and provide First Nations the adequacy that they so need and so deserve to do a proper consultation when we talk about treaty rights and we talk about traditional land use. Mr. Speaker, our focus is on a consultation policy that respects First Nations treaty rights and provides them an opportunity to be more engaged in the consultation process for their benefit and for the benefit of all Albertans.

Bill 22 supports the consultation process by allowing legislation to create a mandatory levy that would help First Nations participate in meaningful consultation. The idea for the levy came up during discussions with First Nations and industry as part of the development of the consultation policy. Revenues from the levy would only be used to support Alberta's consultation initiative. This is enabling legislation, Mr. Speaker – and that's all it is – which will allow us to develop regulations to enact the levy. First Nations and industry will be involved in the creation of those regulations. The idea of supporting increased First Nation consultation capacity through a levy has been discussed extensively with First Nations and industry over the last little while. Both First Nations and industry have told us that, in their view, the current capacity funding levels from Alberta are inadequate to enable First Nations to carry out their consultation obligations.

Mr. Speaker, the concept of the industry levy was first introduced in October 2012 in a discussion paper on First Nations consultation. I invited all Alberta chiefs to meet on the discussion paper on November 19, 2012, and received written feedback from them on December 15. On February 1, 2013, I met with chiefs, industry, and municipalities to provide a summary of what we heard from the meetings and written feedback and outlined changes that Alberta plans to make based on that feedback. The responses we received from First Nations and the stakeholders on this along with other concepts introduced in the discussion paper guided the development of Bill 22.

Senior ministry staff met with professional staff of First Nations and stakeholders on April 18, 19, and 22, 2013. I hosted leadership meetings with First Nations and stakeholders on April 29 and 30, 2013, where the industry levy was further discussed. At these meetings I indicated that enabling legislation will be needed for the increased capacity funding to become a reality.

At the multiparty leadership meetings I committed the government of Alberta to developing the details of the size of the levy fund, the manner in which the funding is distributed, and the manner in which the levy is assigned through a formal process involving both First Nations and industry. Whatever the final amount of the levy, it will be based on providing First Nations with a reasonable level of capacity to assist them to engage in the consultation process.

Mr. Speaker, I agree that there is still a need for substantial engagement with First Nations and stakeholders on a number of matters related to consultation, including the development of the proposed consultation office, the industry levy, and the consultation process matrix. However, this initiative is the result of years of dialogue and information exchange between the government of Alberta, First Nations, and affected stakeholders, extending all the way back to the development and implementation of a 2005 policy and subsequent guidelines. As a matter of fact, the previous three ministers before me have all been involved in developing a new consultation policy.

Mr. Speaker, Alberta is trying to achieve a system that supports First Nations people and sustains communities. This consultation process is one initiative aimed to support those efforts. This is innovative, groundbreaking legislation that puts Alberta at the forefront of First Nations consultation in Canada.

Saying that, Mr. Speaker, I would ask all members to support this legislation, and let's move forward and make sure that we have a proper consultation process in place and the capacity to make sure that First Nations can do a proper job in dealing with industry and stakeholders on this landscape.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition.

**Ms Smith:** Thank you, Mr. Speaker. I rise to speak against Bill 22, the Aboriginal Consultation Levy Act, not because I don't support the intent of what the minister is trying to do. I respect that the minister means well and is trying to move the relationship with industry and First Nations and the provincial government to a different level moving forward.

I have watched with interest over the last number of years as the government has forged new relationships with aboriginal communities on education in particular and found ways to attempt to bring aboriginal communities into greater involvement in the Alberta economy. I think that the government has done some good work in that regard. I know that the previous employment and immigration ministry was one where they looked at ways in which we could continue to engage traditionally underrepresented communities in the broader economy, and aboriginal communities were one community that was identified.

As I've travelled the province, the range of development that we do see on First Nations has been shocking to me. Some are quite well developed. Some have their own businesses. Some have active engagement and employment in aboriginal businesses. On others the conditions, I think, would be described as poverty level. I think we all know that, so I understand what the government and the minister are attempting to do.

That being said, I don't think that you start into a new relationship with our aboriginal peoples or First Nations in particular on a consultation process that doesn't include adequate consultation – and I will talk about that in a minute – because while I appreciate that the minister is meeting with many First Nations, he is not talking with them in the way that they wanted to be engaged on this particular bill. On this particular bill what they

were asking for was a direct conversation on the contents of the bill itself. That is the kind of consultation that they were looking for.

The government does this a lot. They think that because they have high-level discussions about matters of principle, about what ought to be done, that replaces genuine consultation on the actual detail and legal clauses in a bill after it's been introduced. I know the minister understands the difference between the two. I know this because he took such a different approach with the Metis Settlements Amendment Act, 2013. He took a very different approach in making sure he had buy-in from the members of those settlements and making sure that there was absolute buy-in on every word that was put into that legislation, to the point that he was unwilling to make even a single wording change when that came through.

I know he knows that there is a difference between talking on a high level about a concept versus doing a clause-by-clause agreement and buy-in with legal representatives from every community to make sure that they're onboard. So I don't accept that the minister actually did that in this case, and I think it's part of the reason why he is facing such a backlash on this bill.

I think the broader problem that we have is that this goes against the commitment that the Premier had made about having a different process to approve legislation. Before the Premier was Premier, she seemed to understand that rushing bills through the different stages so quickly was leading to bad and sloppy legislation, was leading to an absence of proper and thorough stakeholder consultation, and I had anticipated that we would see a different type of legislative session this time around. Instead, I have to say, it seems that it's actually far worse.

Now, I understand that we can't get unanimous stakeholder buy-in on virtually any issue, and I wouldn't have expected the minister necessarily to get unanimous buy-in, but it would have been nice if he had introduced one stakeholder in the Legislature who agreed with the approach that he was taking in this legislation. We introduced nearly 50 people in the Legislature who didn't.

We introduced press releases from Treaty 8. We introduced letters from chiefs of Treaty 6 and Treaty 7 indicating their serious reservations with the bill. If the minister had even just introduced a handful of stakeholders so that we could have some confidence that anyone in any aboriginal band supported the position that he was taking, we might be able to acknowledge that he was making these decisions from a basis of informed consent. Unfortunately, we did not see one – not one – stakeholder come and be introduced in the Legislature who supported the government's bill. I think that's important when you're talking about consultation with aboriginals.

4:30

Forcing a bill through, or ramming it through, as others have said, is not relationship-building. If I've learned anything in my time as aboriginal critic, it's the absolute, crucial nature of the relationship in being able to build trust between First Nations and the provincial government. The relationship is key. Once you have the relationship and you've established trust, then you can move forward with some of those difficult negotiations. I think that the minister, unfortunately, has set his relationship back. I think he may have. I take him at his word that he's developed some very good relationships in First Nations communities, but I don't know why he would be willing to sacrifice that rather than take the steps to do it right. It's counterproductive to pass this legislation today.

We are trying to help the minister. We have tried at every stage since the introduction of this act to slow it down and to bring

forward amendments that would improve the bill. I think it's worth looking at just how quickly this legislation has moved through the process. Now, I can't say with certainty that this is the fastest movement of a bill through its various readings. I think Bill 26 might get that honour, but it has got to be a close second. We had it read into the record last Wednesday, first reading. Second reading we began on Thursday, so just 24 hours later, and carried over to Monday evening. Committee of the Whole, Tuesday night: we were all here until 1 o'clock in the morning. Here we are on third reading on Wednesday, less than a week after seeing this legislation for the first time.

It is now going to be the law of the land, fundamentally changing the relationship that the province has with our First Nations communities, serving the Crown in all of the relationships that our aboriginal communities have with industry. It's a phenomenally intrusive piece of legislation to have just been sprung on everybody, with essentially six days' worth of review. The government was so committed to passing this without due diligence and proper consultation that they served notice that they would be prepared to invoke closure if the Committee of the Whole process went on too long. I think that that also sends a pretty bad message to our First Nations communities, who we're trying so hard to build a new relationship with.

As I say, we did try to help. We put forward at different stages different ways that we could have slowed this bill down. We suggested a referral motion so that we could have put the bill forward to the Resource Stewardship Committee. They could have gone through and had the consultation over the summer with industry and with First Nations so that we could come back with a better bill in the fall when we return to session.

When that failed, we proposed a hoist, which would have done the same thing. Bringing this bill back after six months of review, in the middle of November, would have been another opportunity for the minister to take the time to take this bill out, consult with First Nations and industry, and get it right.

Then, of course, we went through the committee process last evening. Several of us were here, as the minister was as well, until quite late in the morning getting through those amendments. The amendments that I put forward were aimed at addressing the kinds of issues that the minister is going to hear now that he's going to go out on his after-the-fact consultation once this bill becomes law. The nature of the amendments that I brought forward had come directly from my consultations with First Nations and their legal counsel over the four or five days that we had to be able to try to put together a response to a bill that we had never seen before. The minister certainly didn't consult with the opposition other than the day before the legislation was introduced, so I was just as surprised by the contents of it as were many of our First Nations communities.

That being said, we attempted to do our due diligence so that we could bring those concerns forward. We proposed amendments that would have put more structure on the annual report to include a list of projects that were funded out of the fund. We would have turned the fund into a trust by eliminating one of the sections so that the dollars that were collected had to be held for the purposes for which they were collected and couldn't be used as general revenues at some future point. We attempted, along with supporting a motion by the NDP opposition, to build in a process to establish the levy with First Nations consultation so that the minister doesn't have the latitude to do that unilaterally. We attempted to put forward another amendment to mandate First Nations and industry consultation to be able to establish that levy.

We've heard both sides. We've heard that First Nations are concerned that what the government is actually trying to do is cut

in half the amount of compensation they get for aboriginal consultation. We've also heard from industry that they're concerned that not only are they going to have to pay the same amount of consultation they've always paid but that this levy is going to be in addition to that. We believe that it was vitally important for us to put in the letter of the legislation an obligation on the minister to consult with First Nations and with industry.

We would have put forward a change to one of the sections that would have ensured that there was an appeal process. The fact that there's a section in there that says that none of the decisions are subject to appeal, that the decisions are final – we think that wouldn't stand up in court. Removing that section would allow for some certainty that there would be an appeal to the Court of Appeal.

The three provisions that we put forward that we felt the minister really missed out on passing – he really could have improved the legislation and really addressed the concerns that were brought forward by Treaties 6, 7, and 8 if he had accepted our amendments to change one of the powers he has given himself to define what an aboriginal group or organization would be. We tried to argue that he should resort to the definitions that are in the Indian Act and the Canadian Constitution. That one failed.

We also attempted to address the issue under section 8 of the act, which provides for a broad range of information collection, including the agreements that aboriginal communities sign with industry, on the grounds that have been raised again and again, that it is a discriminatory clause. Nonaboriginal landowners don't have to disclose their agreement, yet now we have legislation before us in third reading, that we will be passing into law, that would enshrine discrimination, enshrine a different treatment of First Nations and aboriginal communities in their agreements with energy companies that is not defined for anybody else. That, I think, was the biggest red flag for the First Nations communities we spoke with.

I think that we did attempt in the last amendment I put forward to address the broader issue of the powers that the minister has given himself to pass regulations on a whole range of different issues. It's fine to do that as long as there's an obligation to go back to First Nations to ensure that they were consulted in a meaningful way on any changes or additions to regulation or any changes or amendments to the legislation. I'm still not sure why the minister wouldn't have accepted this amendment because it's language that is already in the Metis Settlements Act.

It's a practice that the government has already taken in dealing with Métis nations. Any change to a regulation requires a 45-day notification period, requires written notice and a written response and due consideration on the part of the minister before passing it into law. It seems to me that the best way to start out with a new relationship with First Nations is to model it after a successful relationship with Métis. I don't know why the government chose not to pass that amendment and failed to do that. I think it would have actually gone a long way towards getting buy-in on the part of the communities.

I guess the worry that I see from our First Nations members is that they look at what the government has done in this legislation – many of them were here in the gallery listening to hours and hours of debate – and they've got to be scratching their head wondering: well, the minister says he's going to consult with us, but why is it that at every single opportunity to affirm that through the opposition amendments that were put forward, he denied every single opportunity to write it into the legislation, to obligate his ministry to do that? That's the question I think our First Nations friends are asking themselves. I think that the minister has set himself up for failure, quite frankly, with such an ambitious

project to change our entire consultation process around resource development. Such a major misstep right out of the gate is going to just make it that much more difficult.

4:40

I do want to alert the minister to a couple of studies, that I hope he will read over the summer break. They just came out. They're by the Macdonald-Laurier Institute, and they're part of their series on Aboriginal Canada and the Natural Resource Economy. They just came out this week. The first one is called *New Beginnings: How Canada's Natural Resource Wealth Could Re-shape Relations with Aboriginal People*. It's by Ken Coates and Brian Lee Crowley. There is also *Canada and the First Nations: Cooperation or Conflict?* That's by Douglas Bland.

Now, I haven't had a chance to read both of these studies. It would've been nice to have been able to read them before we passed this major piece of legislation, but being that there are going to be additional amendments and additional legislation coming forward along these lines, I think it's worth it for the minister and anyone else who will be debating and considering this bill to read the work that has been done by these academics.

Let me give you the Coles Notes of what it is they would observe in the new relationship that is beginning to form across the entire country in a government-to-government relationship with First Nations. One of the things they point out is that there is this perception that aboriginal communities and many individuals are unalterably opposed to resource development in their traditional territories, but a large number, they say, probably a majority, are open to resource development provided that they are involved from the outset in the decision-making processes and the development processes on mutually acceptable terms. So there is a win here for the government. There's a win here for industry and First Nations.

My experience in travelling and meeting with many chiefs has been that the number one issue that they're concerned about is ensuring that their people have access to education and their people have access to training and their people have access to opportunity in the form of jobs, not only jobs at companies but also jobs that they might create for themselves as entrepreneurs.

That being said, if we get the relationship right – this is again being written by Ken Coates and Brian Lee Crowley – natural resource wealth can unlock a brilliant future for aboriginal and nonaboriginal Canadians together. Given their newly recognized legal and political power and authority, however, aboriginal people can and will be a powerful obstacle to any development that does not respect their interests, their histories, and their cultures.

I think the minister needs to take this under advisement. The fact of how this bill came forward, the fact that we have so many First Nations now activated and concerned I think is a setback to what the minister has aspired to do in the province. I think it's a setback for our industry here.

I am going to do my best to continue to travel and consult around the province. In fact, the minister in some ways has made my job a little bit easier. Ever since the bill was introduced and we started speaking on it, my office has been flooded with invitations for me to come and visit First Nations so that I can hear about their concerns on this and other issues. I suppose I should be grateful that he's angered the First Nations so much that they are reaching out to me so that I can be a voice for their concerns in the Legislature. I take that role seriously as Aboriginal Relations critic, and I intend to do that on this and other issues.

That being said, I would have preferred to be able to stand here today and speak in support of this bill. I wish I'd had confidence

that the minister had gone through the same process of due diligence that he had on the previous piece of legislation. I wish I'd been receiving calls and e-mails and a flood of faxes from aboriginal communities and chiefs that were in support of the bill, but I'm sorry to report that that has not been the case. In fact, it's been the exact opposite.

I think there is still an opportunity for the minister to do the right thing today. I believe the hon. Member for Rimbey-Rocky Mountain House-Sundre is going to give them one last chance through a hoist motion to push this off for another six months to do the proper due diligence, to do the proper consultation. I hope that the minister takes the opposition up on this one last opportunity to get it right.

I know what I'm going to be doing this summer. I do have some concerns about what might happen over the summer if First Nations communities do feel like this bill has in some way abridged or violated the traditional aboriginal rights that are acknowledged under the Constitution. I certainly wouldn't want to see the entire effort that the minister is embarking on derail because a piece of sloppy legislation was passed that overreaches the authority of the provincial government and doesn't have buy-in from the key stakeholder in it. That's why if it does end up going to a vote, I will certainly be voting against it.

But when the hoist motion comes forward, I would encourage hon. members, including the government and the minister, to vote in favour of that so that we can take the time to get this bill right.

Thank you, Mr. Speaker.

**The Speaker:** Thank you, hon. member.

Are there other speakers? The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Mr. Speaker. Well, we've had a lot of debate on this issue and some emotional responses, especially from the subjects of this bill, which is intended to benefit First Nations.

On the surface it has some plausible and some positive dimensions to it. Certainly, consultations with First Nations have been fraught with challenges, not only from the point of view of funding appropriate resources so that First Nations can do their due diligence as they would like to and have the expertise and the resources to do so but also in the context of the complexity of many development projects that would benefit from expert advice and an opportunity for First Nations to examine very clearly the risks and benefits of various development projects and how they might affect not only their livelihoods but their environment, any social impacts, any employment opportunities, any resource-sharing agreements that are possible and that may be missed without appropriate resources to do the reviews and really carefully examine what is in the best interests of the First Nations community in a particular case.

Having said that, it was no little surprise to me to see in some aspects of this bill both some discrimination with respect to disclosure and some conflict over the lack of any due process, I guess I would say, based on what the First Nations, almost to a band, have said is the case. It may be that at some level this government feels they have consulted, that they have discussed these issues. But there is a critical dimension of, I guess, consultation that perhaps this government hasn't learned yet, and that is to examine an implementation process before they implement such that those being impacted can raise legitimate points of concerns, raise alarms, and iron those out to the extent possible.

I mean, these are fairly major considerations when First Nations are able to say, "This clearly violates basic, consistent human

rights," to require disclosure, for example, when that disclosure isn't required elsewhere. It's a fairly basic decision to get through, that there's no appeal to the minister's decision. It's a fairly basic discussion to have that some elements of this bill will damage the relationship between First Nations and industry, let alone the relationship between First Nations and government.

I was quite shocked, as I think many were, that the strength of the reaction to this was such that it makes it impossible for us to feel that this will be a positive, constructive, long-term, sustainable relationship that we're setting off on here. I hope the minister will consider the possibility that a delay of some kind, further negotiations, anything that we can do to address at least those key concerns, would serve the interests of all of us as Albertans, First Nations, certainly, and this government in its attempts, I think sincere attempts, to build constructive relationships with First Nations.

4:50

I see trouble on the horizon, and I think this could be a critical piece for First Nations in Alberta, in particular right after the federal omnibus bills have offended so many across the country. This could be a critical turning point for more unrest in our province, more justification, I guess I would say, for actions, either legal or otherwise, among First Nations communities that this is heavy handed and that this is paternalistic and that this is not respecting their rights, particularly as Nations.

The minister is a reasonable man. I think and I hope that he will take this under advisement and look at any possible opportunity to delay the passage of this bill. By all means, bring it forward again in a different form in the fall after we've had a little more time, a little more consultation with First Nations. This could be a saving grace for both the government and First Nations if we do our due diligence and take a step back. I think there's a lot of evidence that we are going to set back relations with First Nations many years, and I don't think any of us want to do that.

I guess the question for the minister is whether, having put so much effort and so much blood, sweat, and perhaps tears into this, we pause for a bit and ensure that we have the best bill possible, that we have the trust of First Nations, that we have the best opportunity for an ongoing, sustainable relationship that's seen to be not only on paper but as experienced by First Nations to be respectful of due process. I gather from virtually every leadership that we've heard from that it hasn't been experienced in that way.

I cannot support the bill. I do feel that we should reconsider the question again of delaying, referring, consulting further on the bill, and not in any partisan way but in the best interests of our First Nations people primarily.

With that, I'll take my seat, Mr. Speaker.

**The Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is now available.

Seeing no one under that section, do we have any other speakers? The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you very much, Mr. Speaker. This is my last opportunity to speak to Bill 22 in this House, a bill which exemplifies how out of touch this PC government is, a bill that will and has destroyed almost all trust between First Nations governments and this minister. You know, I don't understand how the minister can lose the confidence of all First Nations and councils within our province yet still retain the confidence of this Premier. The minister's job is to foster strong government-to-government relationships based on mutual trust and the honour of the Crown. This bill does the opposite of that on both accounts.

Before I get into specifics, Mr. Speaker, I just want to acknowledge, first of all, that our Legislative Assembly sits on Treaty 6 ground.

There are, as we speak, more letters that are coming in and submissions from different First Nations on their opposition to Bill 22. I mean, I've been very public as have the Alberta NDP in our calls for this bill to be completely withdrawn. You know, the only solution that is going to satisfy the Alberta NDP and most First Nations from treaties 6, 7, and 8 is if this bill is taken off the Order Paper and completely thrown out.

Mr. Speaker, it's interesting that Bill 22 is only seven pages long yet is completely riddled with problems. Almost every section is unsupportable. Even in the preamble the government presents a diminished view of the treaty and aboriginal rights, rights which need to be clarified, that were not extinguished by the signing of the treaties. Instead, they're protected by the treaties and should be protected by the honour of the Crown.

Section 1(1) defines First Nations, Mr. Speaker, with the reference to the Indian Act, which many First Nations find offensive. It also does not accommodate the First Nations who aren't listed under that and who have reserve lands within the province.

Subsection (2) prohibits the creating of a trust in favour of a First Nation, and this is utterly ridiculous. Under section 26(3) of the Interpretation Act singular meanings also imply plural meanings. Therefore, the government is expressly saying that this fund will not be used for the exclusive benefit of all First Nations and aboriginal groups. If the intention of this act and this aboriginal consultation levy is to secure funds to increase the capacity for First Nations to participate in consultation, then all of those monies should be exclusively for that use, Mr. Speaker.

Section 3 tells us that the consultation levy will be decided behind closed doors, in the secrecy of cabinet confidentiality. It will not be determined through negotiations with the very people that it directly affects.

Section 4 tells us by omission that administrative penalties and outstanding interest charges on unpaid levies will not go back into the levy fund to support First Nations capacity building but could in fact go into government general revenues and be spent frivolously.

Section 8 is extremely offensive. According to legal counsel for Treaty 6 this section should be removed entirely. It's unnecessary in terms of accountability, as I spelled out in second reading and during many of the late-night debates of Committee of the Whole, and it imposes information-sharing requirements upon aboriginal peoples that, again, are not imposed on nonaboriginal peoples. Again, all members of this House should be equally offended by this. You've got one set of rules for one group of people based on race, and you've got another set of rules for other people.

Again, an example that I've said a few times, Mr. Speaker, is that if this type of bill was forced upon landowners, they would balk at it, that they must disclose their private agreements between industry and themselves. So how this is possibly included in a bill that forces aboriginal peoples to disclose is ridiculous. It's also in violation of the UN declaration on indigenous rights, and according to some First Nations they feel this is in violation of the Constitution and of the Canadian Charter. You know, it's kind of ironic because it's the kind of clause or section that human rights lawyers should know and should be aware of and should be opposed to. I'll leave it at that.

Section 9 is a blank cheque to the minister to do whatever he wants because the decisions are final – he has total power and complete authority – and are not subject to review. Last time I checked, we still lived in a democracy, Mr. Speaker. You know, it's antidemocratic, and it's unacceptable.

Section 10 is another example of a blank cheque that this bill will give to cabinet and reserves the powers, including the amount of the levy. Again, we're debating a bill that is supposed to garner resources to help facilitate an increased capacity for First Nations to consult, yet the amounts that will be levied are not included in the very bill that this government would like this Assembly to pass. That makes absolutely no sense to me, Mr. Speaker.

Furthermore, some of those that are in industry already do provide some financial assistance to certain First Nations bands to help with their capacity to consult.

5:00

That figure, given to me by the minister himself, was somewhere around \$150 million per year. The amount that the government is intending to levy is somewhere around \$70 million. Although the levy act has the intention of providing resources for First Nations to increase their capacity to consult on projects, it's actually going to be or likely to be far less than what is currently going to some of the First Nations around the province, which is ridiculous.

Mr. Speaker, one of those blank cheques that cabinet is going to get, not only the amount of the levy but how it's going to be collected, how the grants are going to be made, whether or not there will even be administrative penalties, raises the point that there is no enforcement mechanism in this piece of legislation. If a proponent refuses to pay a levy or decides not to pay a levy, there might not be any consequences. As well, cabinet reserves the right to exempt any proponent or industry or an entire class of proponents from paying the levy. To me, that's a giant loophole, where this PC government gets to choose which proponents or companies pay the levies and which do not, which does not sound like it's a very fair or equitable system at all.

Mr. Speaker, we have no assurances whatsoever in this bill as it is currently written that consultation funding, like I'd said, will not decrease, which poses quite a significant problem, considering that the minister is touting how beneficial this bill will be.

Mr. Speaker, over the past week we've seen a massive public outcry from different First Nations across the province, from all three treaties. As soon as Bill 22 was tabled, Treaty 8 expressed its shock and dismay. They told us that the bill was never mentioned at their ongoing meetings, including a meeting on May 3, 2013, with the minister.

Grand Chief Roland Twinn had written in a letter, that's already been tabled to the Assembly over the last few days, that they oppose the new legislation because there was no meaningful and proper consultation. They view it as a continuation of the paternalistic attitude that this government has toward First Nations and that they've struggled against. Treaty 8 feels that this legislation is more likely to hinder than to help, and the minister's complete power that is granted to him under this bill is an alarming, authoritarian stance that denies the principles of justice, fairness, and equality.

Treaty 6, Mr. Speaker, echoed these concerns, saying that legislation came equally as a shock to them. In a letter signed by Grand Chief Craig Makinaw, which, again, was tabled in this House, he wrote that at a meeting with the chiefs of Treaty 6 on May 3 there was zero indication that any levy would be placed into law, nor was it mentioned that that law would arrive five days later. In this respect, many of the chiefs of Treaty 6 feel that the Alberta government is moving ahead on their own agenda and ignoring the recommendations and the voices of First Nations peoples in Alberta. The grand chief had said in that letter: why trust Alberta now? First Nations will reject and resist this policy.

Mr. Speaker, this bill is deeply flawed, and the problems are quite substantive. Before I go through those, I just want to mention as well that a couple of letters that have gone out recently from the Onion Lake Cree Nation, by Chief Wallace Fox, talk about and mention how there's been no meaningful consultation that has taken place with the Onion Lake Cree Nation on this proposed legislation.

There are a couple of documents that they have made public, Mr. Speaker, and I strongly urge the minister to read these documents if he hasn't yet. The concerns that Onion Lake Cree Nation have are that they've not been considered as equal partners, and they ask, "Where is the meaningful mechanism to reconcile outstanding Treaty obligations and the Honour of the Crown?" They comment on the matrix that this government has developed and how they have their own protocols and processes on consultation and how, with several of the treaties, they have put forward consultation papers, their own consultation policy, if you will, that has been continually ignored and rejected by this government.

I'll read this one line from the letter, that I'll have to wait until our next day to table, Mr. Speaker. "The Onion Lake Cree Nation strongly opposes the perceived jurisdiction that the province of Alberta and the State of Canada has over lands and resources in our Treaty and Traditional Territories."

Mr. Speaker, I'll talk about at least three of the fundamental problems with the process that led to this bill, and part of the major thrust of my opposition to this bill is the process by which this bill was written. First of all, democracy demands that when legislation is being drafted and considered, the people who will be directly affected should have the adequate opportunity to be consulted, to provide feedback, to have input on legislation that will directly affect those people. Responsible government should also be responsive government. In this session the Premier has shown that she is not responsive to First Nations or to students or to seniors or to persons with developmental disabilities, and she's refused to hear the call of these people, of these groups, and of the opposition to rethink her budget.

Secondly, aboriginal relations, Mr. Speaker, involve government-to-government relations. First Nations are not subordinate to the minister nor to any government. They are equal partners and should be treated in that fashion. By failing to consult with First Nation chiefs and councils, the minister has really violated the protocol agreement and imperilled the relationship between the government of Alberta and First Nations.

As the minister sits down to renew the protocol agreement . . .

**The Speaker:** Hon. members, 29(2)(a) is available. The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Speaker. I would be very pleased to hear what the Member for Edmonton-Beverly-Clareview thinks should happen when the minister sits down to deal with the protocol.

**Mr. Bilous:** Thank you, Member for Edmonton-Strathcona. To answer that question, first of all, the minister needs to engage in meaningful consultation with the various First Nations and to treat them as equals and to have more than just meetings or discussions.

Further to that, the different treaties and several First Nations have put forward year after year, going back to, I'm sure, long before 2006 – I know that there are letters from Treaty 6 – what they would like included in consultation, their idea of how consultation should unfold. In conversations with Treaty 6 I know that their proposals have been continuously rejected by this government.

Mr. Speaker, you know, another reason why this bill should be completely withdrawn is that I and other members of this Assembly have made and proposed amendments in Committee of the Whole that were done in consultation with First Nations that this PC government chose to reject and voted down.

5:10

I called specifically for ensuring that the consultation levy fund is large enough to cover all costs associated with consultation as well as capacity building. I called for a firm statement that the levy funds will never be considered accommodation or compensation for infringements upon treaty rights. I called for negotiations between First Nations and the government to determine the amount of the levy as opposed to being unilaterally decided by this PC government. I called for the removal of the clause exempting proponents from paying the levy, and I supported other good amendments that were brought forward by other members of this House.

Mr. Speaker, in summary, I strongly urge all members of the Assembly to oppose this bill in its third reading as many Albertans, many First Nations representatives and leaders have very vocally opposed this bill in its entirety. This bill goes against the will of the very people that it was written to help. If we want to respect First Nations, if we want to respect the will of the First Nations leaders, chiefs, and grand chiefs, then this bill should not see the light of day. It should not pass through third reading. It is our responsibility to listen to and respect the voices of those we are elected to represent.

Thank you very much, Mr. Speaker.

**The Speaker:** Hon. members, anyone else under 29(2)(a)?

Seeing none, then let us move on. Are there any other speakers? Edmonton-Strathcona.

**Ms Notley:** Thank you very much, Mr. Speaker. Much to everyone's disbelief, I will attempt to be brief on this issue. [interjections] I will try. We'll see how it goes. I'll just take a look at my watch here.

I want to begin by thanking the Member for Edmonton-Beverly-Clareview for his very detailed consideration and outline of the elements of this piece of legislation with which we have great difficulty, so I won't bother to repeat them on a clause-by-clause basis.

I think that, fundamentally, the reason that many members or all members, I suspect, of the opposition are voting against this bill goes to one critical issue, and that is that the very people with whom the government hopes to consult through the work being done by this bill do not agree with the bill. You know, we're going to embark on a whole process for coming up with a consultation policy, and then presumably at some point we're actually going to start using that consultation policy and start developing a more positive, collaborative relationship with First Nations in Alberta.

To start out that process with a piece of legislation that the First Nations leadership does not agree with is, in my view, a really ill-advised strategy, and it's an ill-advised decision. I think that the minister, you know, had some good intentions with respect to this, and obviously what we need to do is ensure that we do fund adequately the capacity of First Nations to engage in a meaningful form of consultation. I'm not convinced that this legislation actually deals with ensuring a minimum amount of financial support to facilitate meaningful consultation.

The fact of the matter is that the minister began his comments in third reading by outlining all the various and sundry meetings that he's had with representatives of First Nations groups, including

the chiefs. The fact of the matter is that just because you have a meeting, just because you're all in the same room together does not mean that you've engaged in consultation. This is a theme that we've seen with this government. They seem to think that by telling people what's going to happen, they've consulted or, conversely, that by saying something like, "We are going to work together to make Albertans move forward," somehow talking about that kind of high-level statement amounts to consultation.

The fact of the matter is that we should have more faith in Alberta citizens, all Alberta citizens, and in this particular case we should have more faith in First Nations in that they want to know the particulars of what the government is considering. They want to know what the bill says. They want to know the details of what the government is planning to do. That is consultation as well, listening to what they think about those details.

If you simply go into a room and make some broad, general comment, a statement of principle, how can you possibly expect the people with whom you are consulting to give you wise and informed feedback on the direction you're heading in? You aren't giving them the details about the map. You're not giving them details about where you're going, so by definition the product is almost doomed to failure. It's almost impossible to imagine something on which there will be consensus.

Given the ironic nature of this, that a bill to facilitate consultation was devised without consultation, and given that this is a first step towards what I hope will be greater, more meaningful consultation and growth and positive relationships between First Nations government and our government, I think that it is wisest for this Assembly to vote against this bill so that the government can go back to the table, actually consult with First Nations grand chiefs and their representatives, and then bring forward a bill in the fall on which there is consensus. I don't think that is such a huge challenge. I do think that will bode well for everything that follows, and I think that would be the wisest course of action.

Thank you, Mr. Speaker.

**The Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing no one, are there any other speakers? One final speaker. The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. I think all the points that needed to be made have been made, but I will give a summary of the points that I want to make sure I leave the minister with. Before I do that, I have an amendment that I would like to submit to the chair.

**The Speaker:** Hon. member, while it's being distributed, why don't you just describe the amendment briefly and then carry on. Is that agreeable to the House?

**Mr. Anglin:** Mr. Speaker, I move that the motion for third reading of Bill 22, Aboriginal Consultation Levy Act, be amended by striking out all the words after "that" and substituting the following:

Bill 22, Aboriginal Consultation Levy Act, be not now read a third time but that it be read a third time this day six months hence.

**The Speaker:** Thank you, hon. member. The net effect of this is actually a hoist amendment.

**Mr. Anglin:** That's right.

**The Speaker:** It will propel an immediate answer to the motion you've moved and then an immediate call on third reading for the bill itself.

**Mr. Anglin:** Thank you, Mr. Speaker. Trying to be as efficient as possible, then, I would like to just speak a little bit on, really, a few main points that we try to impress upon the minister.

First, this is a consultation act that now suffers from the allegation of lack of consultation. It's ironic, but it does. I understand exactly what the minister said, and I really do appreciate the fact that you did mention the number of times that you met with First Nations. I do not doubt that one bit. What I have confusion about is the number of First Nations that came here and said that they were not consulted. That's the issue. I think every speaker now has sort of communicated that.

It's funny because you see that in a number of areas with this government, and we actually saw that even in question period today. It's consistent with this. We had a little discussion on transmission lines, and the member brought up a comparison that I made a few weeks ago. When you look at that on the surface, how that information is conveyed, I made a comparison of apples versus apples. The hon. member compared a double-circuit AC direct buried line versus a single-circuit unidirectional HVDC: two different technologies, much different costs, and different capacities. The hon. minister really didn't know the difference, but that's okay. That would come out in consultation, but we didn't have consultation on that either.

5:20

These are the things that consultation is important for. That's where you get down to the nitty-gritty. What should have happened – and I believe this wholeheartedly – is that once the minister saw all of the treaties show up here, all of the nations represented over the last couple of days, it should have been a caution to step back and at least admit that one side in the conversation doesn't agree with the other side. It should have given some caution or pause to step back and say: I have to renegotiate or negotiate. But does it matter whether it's a second negotiation or not?

The fact is that we do not have buy-in. That is so important whenever we bring legislation forward. We do this for industry. We did this for teachers. We talked about it at length for teachers. With the legislation we just brought, we did have buy-in from a great many school boards. Sometimes it's tough to get 100 per cent buy-in. The Minister of Education might validate that. I understand the Minister of Aboriginal Relations may not be able to get 100 per cent buy-in, but you should be able to get some buy-in. We couldn't find it. I mean, we couldn't find it. What we saw were representatives here who said that consultation did not take place. It's absolutely important that we take that under consideration.

There were a couple of other points that many of the First Nations, if not all of them, mentioned when they came here. Under section 8 of the act they referred to that as discriminatory. Now, the ministry used some colourful language today: being tough as nails and stupid enough to chew them. I've never been guilty of using that saying before, but I've been guilty of using colourful language. The fact is that in the language of the bill, when one side uses the word "discriminatory," that should stop and make people pay attention. Whether it's right or wrong is not the issue. The fact that one side in the conversation is making that allegation: that's the point right there. Deal with that issue. That should take place between the ministry and the First Nations, not

on this floor between the party in power and the opposition parties. That didn't happen.

Then, of course, section 9 of the bill. Many of the First Nations that showed up here just didn't like the wording, that the minister's decisions are "final and binding," and there's no appeal there in their eyes. Now, I'm not going to argue the legal necessities of how to appeal and how not to appeal. The point is that they had problems with that wording. You did not have buy-in as a government from these First Nations that came here. That's the issue that you need to take a look at.

This motion that I brought, Mr. Speaker, just gives time to the hon. minister to do exactly as he says he intends to do, which is to go back out and to meet and to discuss. As I stated earlier, I don't see the rush. I've not heard an argument why this has to be now at this point in time, so I see no problem in going back and meeting with First Nations. Maybe the bill comes back exactly as it is written – that's a possibility – but with First Nations' buy-in. That, to me, would then – certainly, I think it would; I will not presume to speak for any member of my party – get some support over here. We would like to see that buy-in from First Nations.

With that, Mr. Speaker, I will conclude and let others speak to the motion. I hope they support it.

**The Speaker:** Thank you, hon. member.

I have Lesser Slave Lake next on the list, followed by Edmonton-Beverly-Clareview.

**Ms Calahasen:** Thank you, Mr. Speaker. This is my first opportunity to speak on this bill, and I want to make a few points, which I think are very important from a number of perspectives.

First of all, I have 11 First Nations in my constituency, with approximately 15 reserves. A lot of industrial activity has occurred in the backyard of these First Nations and reserves with no involvement, no dollars, nothing going to the communities for many years.

I just want to give a little history. When I was first elected, the elders from Loon River and Woodland Cree called me as their MLA to come and talk to them. They said to me, "We need you to address the concerns with all the activity that has been happening in our area with little or no respect for our culture or our lifestyle. The industry is running over our traplines" and, in their words, "raping and pillaging our land." They told me, Mr. Speaker, that they said: "We have to honour the treaties and what they stand for. They were put in place to protect the food, medicines, water, and way of life." We must do what we can to ensure those promises are protected for future generations. They said: "If they can only come and consult with us, that will provide us a way for our people to move into the future for all people's sake."

Mr. Speaker, these elders were not as eloquent as some of the people on the other side nor on this side, but they knew what they wanted. They knew that if they didn't get what needed to be done in terms of respect for their lifestyle and their livelihood, from that day forward they would never see a future for their people. They wanted to be consulted where it affected their lives, their lifestyle, and their treaties. That had not been done, and they prayed we'd do something. These were elders, far different from elected officials but with the same intent in terms of wanting something.

When I became the Minister of Aboriginal Relations in 1999, not only were there court challenges being brought to my attention to address the Supreme Court decisions, mostly the Haida, Taku, but the elders and the First Nation leaders pushed to have a consultation process. That consultation was developed. Did we do it right? Sometimes we did. Sometimes we missed the mark, but in most cases, Mr. Speaker, we wanted to do something that not only

the elders were talking about in terms of their lifestyle, but we wanted to do something so that they could also benefit from what was happening in this province. They wanted to be part of the Alberta advantage, and that, to me, was the most important part of making sure that our children can also have a future and a bright future in this province.

We thought it was co-operation with First Nations. However, we also experienced the same issue the minister is facing today. Not all First Nations agree with what consultation means, and there are a lot of different views in terms of what that could be. Some people believe that there are different types of consultation: the good neighbour consultation, the good government consultation, and, of course, the legal consultation. When you do all three and achieve what you want to achieve, which is to make it better for the people of the First Nations communities, sometimes those three don't really mesh together, nor do all First Nations agree that a process needs to be developed for collecting dollars or on how they are to be distributed.

I'll give you an example, Mr. Speaker. When I was asked at the time by the then Premier, Premier Klein, to be the chairperson of negotiating a First Nations gaming policy, that was also a huge concern because they also wanted to be part of what was happening in this province. We negotiated a position, and that has provided the First Nations with many dollars to be able to see their economic position become better.

Like those elders, Mr. Speaker, I believe we need to do something. We cannot sit around and do nothing because the same thing that happened prior to 1999 will continue to be. We need to see some movement in some areas. Yes, we're not perfect, and nothing is perfect. However, I believe – I strongly believe – we have to trust something in order for us to be able to see the lives of people get better.

So respect for the aboriginal people, or, as I call them, the original peoples, of this country. Their lifestyle and their treaties should be recognized and respected. Of course, in my constituency I have some First Nations who are deeply concerned about not being consulted, and I have been on visits to my constituency with the minister. He's visited a lot of First Nations communities. Yes, he spoke of consultation. He spoke of economic possibilities. Yes, he spoke of this issue as well. Yes, most want to have some ongoing dollars coming into their coffers because as the opposition leader indicated, there are many, many First Nations that do not have the ability to survive and to help their people have a good quality of life.

5:30

We still have a lot of work to do, and I know it never finishes. However, this bill will provide First Nations with some ability to have dollars to improve First Nations lives and quality of life. I trust this minister, and I trust that he will do the right thing, that he will ensure that First Nations have the dollars to be viable and to also have the same quality of life that all of us enjoy here. I am sure – and I trust this minister – that he will do the right thing to ensure continued dialogue with First Nations because without continued dialogue, Mr. Speaker, nothing will happen. I know that this minister will continue to do that.

I trust and I know that this minister will do the right thing to ensure that my elders' dreams of being part of this community, part of this province, of making sure that their rights are not trampled upon will continue to be carried out by this minister. I know that this bill will give us this opportunity to be able to ensure that they can access the funds so that they, too, can enjoy gasification, so that they can enjoy paving on their roads, so that they can have schools that their children can be educated in, so



that they will be able to see all sorts of wonderful things happen that my elders have asked for in the past.

Thank you.

**The Speaker:** Hon. members, 29(2)(a) is available.

Seeing none, are there any other speakers to the amendment? Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you very much, Mr. Speaker. I just want to say that I appreciate the Member for Lesser Slave Lake standing up to speak on this bill. No one is disputing the intention of the bill to increase and ensure that all First Nations have the capacity for consultation with industry. Ensuring that different First Nations have the capacity and resources for consultation with industry I think is very important. However, the number one concern with this bill and why I'm supporting the motion to throw this bill out and part of what makes this so ironic is that the First Nations were not consulted on a bill to develop a consultation levy. That is one of the largest problems with this bill.

The other part, as I've outlined before, Mr. Speaker, I'll outline again. I'm going to keep my comments brief. I think it's important to speak about this hoist in this last reading and to talk about the consultation policy because this is not just the last opportunity to speak to this piece of legislation; it's also the only opportunity that members are going to have in this House to talk about the First Nations consultation policy, that the minister is planning on creating without debate from this Assembly.

Mr. Speaker, the government is creating a consultation office that will conduct and assess the adequacy of all consultations in the future. It's establishing arbitrary timelines that have not been developed in collaboration with First Nations and has refused to incorporate the recommendations that First Nations have made in written documents going back at least three years. Consultation policies cannot simply be created by one order of government that thinks it's in charge. They must be negotiated collectively, collaboratively until consensus is reached.

You know, a comment for the minister. Some chiefs have been waiting for three years to hear a response from the minister regarding their submissions on consultation. Mr. Speaker, this government decided a long time ago what it wanted to do and is now forcing its intentions upon First Nations.

This government had a choice to make and made it. It could have worked collaboratively. It could have chosen to sit down with First Nations at the onset of the drafting of this bill but chose not to. It chose to proceed in a manner which many First Nations have identified as disrespectful, offensive, and paternalistic. It has broken its promises to First Nations peoples, and it has fundamentally broken its promise to First Nations governments.

Mr. Speaker, in contrast to what this government has done, an NDP government would immediately recognize the UN declaration on the rights of indigenous peoples and ensure that all government policies comply with the declaration. We would recognize that this province is founded on traditional lands and that a meaningful relationship between Alberta and First Nations requires a true government-to-government relationship with all chiefs and councils. We'd recognize that meaningful consultation requires accommodation, and we would take meaningful steps to ensure that Alberta's wealth benefits the very people whose traditional rights are most affected by resource development.

Mr. Speaker, it is therefore impossible for me and my colleagues in the NDP caucus to support this bill. We do support this motion to throw this bill out.

Thank you very much, Mr. Speaker. Hai, hai.

**The Speaker:** Hon. members, 29(2)(a) is available.  
Are there any other speakers, then?

**Hon. Members:** Question.

**The Speaker:** Question has been called.

[The voice vote indicated that the motion on the amendment to third reading lost]

[Several members rose calling for a division. The division bell was rung at 5:37 p.m.]

[One minute having elapsed, the Assembly divided]

[The Speaker in the chair]

For the motion:

Anglin	Eggen	Saskiw
Barnes	McAllister	Smith
Bikman	Notley	Swann
Bilous	Pedersen	Towle
Donovan	Rowe	Wilson

5:40

Against the motion:

Amery	Fraser	McDonald
Bhardwaj	Fritz	McIver
Bhullar	Goudreau	Oberle
Brown	Horne	Pastoor
Calahasen	Jansen	Quadri
Campbell	Johnson, J.	Quest
Cao	Johnson, L.	Sarich
Casey	Kennedy-Glans	Scott
Cusanelli	Khan	VanderBurg
Dorward	Klimchuk	Webber
Fawcett	Lemke	Woo-Paw
Fenske	Luan	Xiao

Totals: For – 15 Against – 36

[Motion on amendment to third reading of Bill 22 lost]

**The Speaker:** Hon. members, in accordance with tradition we now are compelled to move directly to the vote on third reading of Bill 22.

[The voice vote indicated that the motion for third reading carried]

[Several members rose calling for a division. The division bell was rung at 5:43 p.m.]

[One minute having elapsed, the Assembly divided]

[The Speaker in the chair]

For the motion:

Amery	Fraser	McDonald
Bhardwaj	Fritz	McIver
Bhullar	Goudreau	Oberle
Brown	Horne	Pastoor
Calahasen	Jansen	Quadri
Campbell	Johnson, J.	Quest
Cao	Johnson, L.	Sarich
Casey	Kennedy-Glans	Scott
Cusanelli	Khan	VanderBurg
Dorward	Klimchuk	Webber
Fawcett	Lemke	Woo-Paw
Fenske	Luan	Xiao

Against the motion:

Anglin	Eggen	Saskiw
Barnes	McAllister	Smith
Bikman	Notley	Swann
Bilous	Pedersen	Towle
Donovan	Rowe	Wilson
Totals:	For – 36	Against – 15

[Motion carried; Bill 22 read a third time]

### **Private Bills Third Reading**

#### **Bill Pr. 1**

#### **Church of Jesus Christ of Latter-day Saints in Canada Act**

**Mr. Dorward:** Mr. Speaker, I move third reading of Bill Pr. 1, Church of Jesus Christ of Latter-day Saints in Canada Act.

**The Speaker:** Are there any other speakers to this bill?

**Mr. Bikman:** I'm happy to rise in support of the bill.

**The Speaker:** I guess that says it all.  
Are there any other speakers?  
The hon. member to close debate?

**Mr. Dorward:** Question.

**The Speaker:** The question has been called.

[Motion carried unanimously; Bill Pr. 1 read a third time]

#### **Bill Pr. 2**

#### **Wild Rose Agricultural Producers Amendment Act, 2013**

**Mr. McDonald:** Mr. Speaker, I move third reading of Bill Pr. 2, Wild Rose Agricultural Producers Amendment Act, 2013.

**The Speaker:** Are there others?

**Ms Smith:** Mr. Speaker, I just want to put on the record a bit of reservation about this bill. I do feel like our party is in some way responsible for the fact that this organization may be wishing to change its name. I know that when CBC had the *Wild Rose*

*Country* noon hour show, one of the reasons they changed to CBC at noon was because they didn't want anybody being confused by the Wildrose name. I see that there's a danger of a potential trend here. I know that there's a Wild Rose Foundation. There are the Wildrose Liquor stores. We actually appreciate the extra advertising. We certainly wouldn't want this to be the slippery slope towards the government changing the licence plates from Wild Rose Country or changing all of the signs coming into Alberta that say Wild Rose Country. So while I do support this act, I do want to just put on the record my reservation and hope that this isn't the beginning of a much broader trend.

Thank you, Mr. Speaker.

**The Speaker:** Are there other speakers?

Seeing none, Grande Prairie-Smoky to close debate. You do not wish to?

**Hon. Members:** Question.

**The Speaker:** The question has been called.

[Motion carried unanimously; Bill Pr. 2 read a third time]

**The Speaker:** The hon. Deputy Government House Leader.

5:50

**Mr. Campbell:** Thank you, Mr. Speaker. I'd like to advise the House that with the government business for the spring session now being completed, we stand adjourned pursuant to Government Motion 32.

**The Speaker:** Hon. members, pursuant to Government Motion 32, agreed to on May 8, 2013, and the sessional calendar published in January of this year, the House will now stand adjourned until Monday, October 28, 2013, unless circumstances require otherwise.

Might I just say on behalf of myself and the Deputy Speaker and the Deputy Chair of Committees that it has been a very interesting spring session. To those of you who extended as much cooperation as you possibly could, we are very grateful, and I want to say thank you.

Finally, it's the best time of the year in Alberta. Let's get out there and enjoy it to the fullest. We'll see you in October.

[The Assembly adjourned at 5:51 p.m. pursuant to Government Motion 32]

## **Bill Status Report for the 28th Legislature - 1st Session (2012-2013)**

**Activity to May 15, 2013**

The Bill sponsor's name is in brackets following the Bill title. If it is a money Bill, (\$) will appear between the title and the sponsor's name. Numbers following each Reading refer to Hansard pages where the text of debates is found; dates for each Reading are in brackets following the page numbers. Bills numbered 1 to 199 are Government Bills. Bills numbered 200 or higher are Private Members' Public Bills. Bills numbered with a "Pr" prefix are Private Bills.

\*An asterisk beside a Bill number indicates an amendment was passed to that Bill; the Committee line shows the precise date of the amendment.

The date a Bill comes into force is indicated in square brackets after the date of Royal Assent. If a Bill comes into force "on proclamation," "with exceptions," or "on various dates," please contact Legislative Counsel, Alberta Justice, for details at (780) 427-2217. The chapter number assigned to the Bill is entered immediately following the date the Bill comes into force. SA indicates Statutes of Alberta; this is followed by the year in which it is included in the statutes, and its chapter number. Please note, Private Bills are not assigned chapter numbers until the conclusion of the Fall Sitzings.

### **1\* Workers' Compensation Amendment Act, 2012 (Redford)**

First Reading -- 8 (May 24, 2012 aft., passed)

Second Reading -- 177 (Oct. 23, 2012 eve.), 193-96 (Oct. 23, 2012 eve.), 233 (Oct. 24, 2012 eve., passed)

Committee of the Whole -- 336-39 (Oct. 29, 2012 eve.), 354-71 (Oct. 30, 2012 aft.), 373-80 (Oct. 30, 2012 eve., passed with amendments)

Third Reading -- 476-84 (Nov. 1, 2012 aft., passed on division)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force December 10, 2012; SA 2012 c8]

### **2\* Responsible Energy Development Act (Hughes)**

First Reading -- 207 (Oct. 24, 2012 aft., passed)

Second Reading -- 263 (Oct. 25, 2012 aft.), 424-43 (Oct. 31, 2012 aft.), 445-57 (Oct. 31, 2012 eve.), 526-46 (Nov. 5, 2012 eve., passed)

Committee of the Whole -- 563-71 (Nov. 6, 2012 aft.), 593 (Nov. 6, 2012 eve.), 644-48 (Nov. 7, 2012 aft.), 649-69 (Nov. 7, 2012 eve.), 731-53 (Nov. 19, 2012 eve.), 777-94 (Nov. 20, 2012 aft.), 795-853 (Nov. 20, 2012 eve.), 902-05 (Nov. 20, 2012 eve., passed on division, with amendments)

Third Reading -- 921-41 (Nov. 21, 2012 aft., passed on division)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on proclamation, with exceptions; SA 2012 cR-17.3]

### **3\* Education Act (J. Johnson)**

First Reading -- 155 (Oct. 23, 2012 aft., passed)

Second Reading -- 219-31 (Oct. 24, 2012 aft.), 238 (Oct. 24, 2012 eve., passed)

Committee of the Whole -- 380-407 (Oct. 30, 2012 eve., passed with amendments)

Third Reading -- 669 (Nov. 7, 2012 eve.), 688-94 (Nov. 8, 2012 aft.), 753-63 (Nov. 19, 2012 eve., passed on division)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on proclamation; SA 2012 cE-0.3]

### **4 Public Interest Disclosure (Whistleblower Protection) Act (Scott)**

First Reading -- 352-53 (Oct. 30, 2012 aft., passed)

Second Reading -- 423-24 (Oct. 31, 2012 aft.), 593-614 (Nov. 6, 2012 eve.), 627-44 (Nov. 7, 2012 aft., passed on division)

Committee of the Whole -- 975-80 (Nov. 22, 2012 aft.), 1057-74 (Nov. 27, 2012 aft.), 1075-101 (Nov. 27, 2012 eve.), 1127-137 (Nov. 28, 2012 aft.), 1139-161 (Nov. 28, 2012 eve., passed)

Third Reading -- 1161-166 (Nov. 28, 2012 eve., passed on division)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on proclamation; SA 2012 cP-39.5]

### **5 New Home Buyer Protection Act (Griffiths)**

First Reading -- 261 (Oct. 25, 2012 aft., passed)

Second Reading -- 354 (Oct. 30, 2012 aft.), 457-59 (Oct. 31, 2012 eve., passed)

Committee of the Whole -- 546-49 (Nov. 5, 2012 eve.), 571-83 (Nov. 6, 2012 aft.), 585-93 (Nov. 6, 2012 eve., passed)

Third Reading -- 853-55 (Nov. 20, 2012 eve., passed)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on proclamation; SA 2012 cN-3.2]

### **6 Protection and Compliance Statutes Amendment Act, 2012 (Jeneroux)**

First Reading -- 155 (Oct. 23, 2012 aft., passed)

Second Reading -- 209 (Oct. 24, 2012 aft.), 264 (Oct. 25, 2012 aft., passed)

Committee of the Whole -- 459-62 (Oct. 31, 2012 eve., passed)

Third Reading -- 855-56 (Nov. 20, 2012 eve., passed)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on various dates; SA 2012 c7]

**7\* Election Accountability Amendment Act, 2012 (Denis)**

First Reading -- 774 (Nov. 20, 2012 aft., passed)

Second Reading -- 972-75 (Nov. 22, 2012 aft.), 1015-41 (Nov. 26, 2012 eve., passed)

Committee of the Whole -- 1166-167 (Nov. 28, 2012 eve.), 1191-92 (Nov. 29, 2012 aft.), 1221-43 (Dec. 3, 2012 eve.), 1261-79 (Dec. 4, 2012 aft.), 1281-1300 (Dec. 4, 2012 eve., passed, with amendments)

Third Reading -- 1315-37 (Dec. 5, 2012 aft., passed on division)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on various dates; SA 2012 c5]

**8 Electric Utilities Amendment Act, 2012 (Hughes)**

First Reading -- 156 (Oct. 23, 2012 aft., passed)

Second Reading -- 233 (Oct. 24, 2012 eve.), 316-36 (Oct. 29, 2012 eve., passed)

Committee of the Whole -- 857-902 (Nov. 20, 2012 eve.), 943-53 (Nov. 21, 2012 eve., passed)

Third Reading -- 953-56 (Nov. 21, 2012 eve., passed)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force December 10, 2012; SA 2012 c6]

**9 Alberta Corporate Tax Amendment Act, 2012 (\$) (Horner)**

First Reading -- 156 (Oct. 23, 2012 aft., passed)

Second Reading -- 209-10 (Oct. 24, 2012 aft.), 272 (Oct. 25, 2012 aft.), 311-16 (Oct. 29, 2012 eve., passed)

Committee of the Whole -- 462 (Oct. 31, 2012 eve., passed)

Third Reading -- 856-57 (Nov. 20, 2012 eve., passed)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on various dates, SA 2012 c4]

**10 Employment Pension Plans Act (Kennedy-Glans)**

First Reading -- 261 (Oct. 25, 2012 aft., passed)

Second Reading -- 521-26 (Nov. 5, 2012 eve., passed)

Committee of the Whole -- 668-69 (Nov. 7, 2012 eve., passed)

Third Reading -- 857 (Nov. 20, 2012 eve., passed)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on proclamation; SA 2012 cE-8.1]

**11 Appropriation (Supplementary Supply) Act, 2013 (\$) (Horner)**

First Reading -- 1424 (Mar. 6, 2013 aft., passed)

Second Reading -- 1480-86 (Mar. 11, 2013 eve., passed)

Committee of the Whole -- 1534-41 (Mar. 12, 2013 eve., passed)

Third Reading -- 1583 (Mar. 13, 2013 aft.), 1559-60 (Mar. 13, 2013 eve., passed)

Royal Assent -- (Mar. 21, 2013 outside of House sitting) [Comes into force March 21, 2013; SA 2013 c2]

**12 Fiscal Management Act (\$) (Horner)**

First Reading -- 1438 (Mar. 7, 2013 aft., passed)

Second Reading -- 1479-80 (Mar. 11, 2013 eve.), 1560-78 (Mar. 13, 2013 aft.), 1579-83 (Mar. 13, 2013 eve.), 1785-90 (Apr. 11, 2013 aft.), 1877-85 (Apr. 18, 2013 aft., passed)

Committee of the Whole -- 1967-78 (Apr. 23, 2013 eve.), 1981-86 (Apr. 23, 2013 eve., passed), 2007-15 (Apr. 24, 2013 aft.)

Third Reading -- 2027-35 (Apr. 24, 2013 eve., passed on division)

Royal Assent -- (Apr. 29, 2013 outside of House sitting) [Comes into force April 29, 2013; SA 2013 cF-14.5]

**13 Appropriation (Interim Supply) Act, 2013 (\$) (Horner)**

First Reading -- 1456 (Mar. 11, 2013 aft., passed)

Second Reading -- 1527-34 (Mar. 12, 2013 eve.), 1556 (Mar. 13, 2013 aft., passed)

Committee of the Whole -- 1583 (Mar. 13, 2013 eve., passed)

Third Reading -- 1695-1700 (Mar. 21, 2013 aft.), 1695-1700 (Mar. 21, 2013 aft., passed)

Royal Assent -- (Mar. 21, 2013 outside of House sitting) [Comes into force March 21, 2013; SA 2013 c1]

**14 RCMP Health Coverage Statutes Amendment Act, 2013 (VanderBurg)**

First Reading -- 1690 (Mar. 21, 2013 aft., passed)

Second Reading -- 1875 (Apr. 18, 2013 aft.), 1925-27 (Apr. 22, 2013 eve., passed)

Committee of the Whole -- 1966-67 (Apr. 23, 2013 eve., passed)

Third Reading -- 1986 (Apr. 23, 2013 eve., passed)

Royal Assent -- (Apr. 29, 2013 outside of House sitting) [Comes into force April 1, 2013; SA 2013 c4]

**15 Emergency 911 Act (\$) (Weadick)**

First Reading -- 1762 (Apr. 10, 2013 aft., passed)

Second Reading -- 1875-76 (Apr. 18, 2013 aft.), 1953-58 (Apr. 23, 2013 aft., passed)

Committee of the Whole -- 2040 (Apr. 24, 2013 eve., passed)

Third Reading -- 2130-31 (May 6, 2013 eve., passed)

- 16 Victims Statutes Amendment Act, 2013 (\$) (Denis)**  
First Reading -- 1762-63 (Apr. 10, 2013 aft., passed)  
Second Reading -- 1958-61 (Apr. 23, 2013 aft.), 1963-67 (Apr. 23, 2013 eve., passed)  
Committee of the Whole -- 2040 (Apr. 24, 2013 eve., passed)  
Third Reading -- 2063-65 (Apr. 25, 2013 aft., passed)  
Royal Assent -- (Apr. 29, 2013 outside of House sitting) [Comes into force on proclamation; SA 2013 c5]
- 17 Municipal Government Amendment Act, 2013 (Kubinec)**  
First Reading -- 1779 (Apr. 11, 2013 aft., passed)  
Second Reading -- 2123-25 (May 6, 2013 eve., passed)  
Committee of the Whole -- 2161-64 (May 7, 2013 aft.), 2172-76 (May 7, 2013 eve., passed)  
Third Reading -- 2176 (May 7, 2013 eve., passed)
- 18 Pooled Registered Pension Plans Act (Fawcett)**  
First Reading -- 1873 (Apr. 18, 2013 aft., passed)  
Second Reading -- 2125-30 (May 6, 2013 eve., passed)  
Committee of the Whole -- 2151-57 (May 7, 2013 aft., passed)  
Third Reading -- 2169-71 (May 7, 2013 eve., passed)
- 19 Metis Settlements Amendment Act, 2013 (Campbell)**  
First Reading -- 1803 (Apr. 15, 2013 aft., passed)  
Second Reading -- 1876-77 (Apr. 18, 2013 aft.), 2021-27 (Apr. 24, 2013 eve., passed)  
Committee of the Whole -- 2101-23 (May 6, 2013 eve., passed)  
Third Reading -- 2131-32 (May 6, 2013 eve., passed)
- 20 Appropriation Act, 2013 (\$) (Horner)**  
First Reading -- 1925 (Apr. 22, 2013 eve., passed)  
Second Reading -- 1943-52 (Apr. 23, 2013 aft.), 1978-81 (Apr. 23, 2013 eve., passed)  
Committee of the Whole -- 2015-19 (Apr. 24, 2013 aft.), 2035-39 (Apr. 24, 2013 eve., passed)  
Third Reading -- 2057-63 (Apr. 25, 2013 aft., passed)  
Royal Assent -- (Apr. 29, 2013 outside of House sitting) [Comes into force April 29, 2013; SA 2013 c3]
- 21 Environmental Protection and Enhancement Amendment Act, 2013 (Jansen)**  
First Reading -- 2055 (Apr. 25, 2013 aft., passed)  
Second Reading -- 2123 (May 6, 2013 eve.), 2157-61 (May 7, 2013 aft., passed)  
Committee of the Whole -- 2165-68 (May 7, 2013 eve., passed)  
Third Reading -- 2229-34 (May 8, 2013 eve.), 2238-55 (May 8, 2013 eve., passed)
- 22 Aboriginal Consultation Levy Act (\$) (Campbell)**  
First Reading -- 2191-92 (May 8, 2013 aft., passed)  
Second Reading -- 2275-83 (May 9, 2013 aft.), 2321-342 (May 13, 2013 eve., passed)  
Committee of the Whole -- 2413-442 (May 14, 2013 eve., passed)  
Third Reading -- 2468-478 (May 15, 2013 aft., passed)
- 23 Tax Statutes Amendment Act, 2013 (Horner)**  
First Reading -- 2080 (May 6, 2013 aft., passed)  
Second Reading -- 2150 (May 7, 2013 aft.), 2165 (May 7, 2013 eve., passed)  
Committee of the Whole -- 2168 (May 7, 2013 eve., passed)  
Third Reading -- 2172 (May 7, 2013 eve., passed)
- 24 Statutes Amendment Act, 2013 (Bhullar)**  
First Reading -- 2080 (May 6, 2013 aft., passed)  
Second Reading -- 2150-51 (May 7, 2013 aft.), 2171-72 (May 7, 2013 eve.), 2157-61 (May 7, 2013 eve.), 2234-38 (May 8, 2013 eve., passed)  
Committee of the Whole -- 2255-58 (May 8, 2013 eve., passed)  
Third Reading -- 2273-75 (May 9, 2013 aft., passed)
- 25\* Children First Act (\$) (Hancock)**  
First Reading -- 2145 (May 7, 2013 aft., passed)  
Second Reading -- 2194-2212 (May 8, 2013 aft.), 2213-29 (May 8, 2013 eve., passed on division)  
Committee of the Whole -- 2342-375 (May 13, 2013 eve., passed with amendments)  
Third Reading -- 2408-410 (May 14, 2013 aft., passed)

- 26 Assurance for Students Act (J. Johnson)**  
 First Reading -- 2394 (May 14, 2013 aft., passed)  
 Second Reading -- 2403-408 (May 14, 2013 aft., passed)  
 Committee of the Whole -- 2442-444 (May 14, 2013 eve., passed)  
 Third Reading -- 2464-468 (May 15, 2013 aft., passed)
- 201\* Scrap Metal Dealers and Recyclers Identification Act (Quest)**  
 First Reading -- 92 (May 30, 2012 aft., passed)  
 Second Reading -- 291-301 (Oct. 29, 2012 aft., passed)  
 Committee of the Whole -- 716-22 (Nov. 19, 2012 aft.), 1725-26 (Apr. 8, 2013 aft., passed with amendments)  
 Third Reading -- 1726-27 (Apr. 8, 2013 aft., passed)  
 Royal Assent -- (Apr. 29, 2013 outside of House sitting) [Comes into force on proclamation; SA 2013 cS-3.5]
- 202 Public Lands (Grasslands Preservation) Amendment Act, 2012 (Brown)**  
 First Reading -- 130 (May 31, 2012 aft., passed)  
 Second Reading -- 501-13 (Nov. 5, 2012 aft.), 1723-25 (Apr. 8, 2013 aft., defeated on division)
- 203 Employment Standards (Compassionate Care Leave) Amendment Act, 2012 (Jeneroux)**  
 First Reading -- 473 (Nov. 1, 2012 aft., passed)  
 Second Reading -- 1900 (Apr. 22, 2013 aft., passed)  
 Committee of the Whole -- 2298-303 (May 13, 2013 aft., passed)  
 Third Reading -- 2303 (May 13, 2013 aft., passed)
- 204 Irlen Syndrome Testing Act (Jablonski)**  
 First Reading -- 968 (Nov. 22, 2012 aft., passed)  
 Second Reading -- 1912 (Apr. 22, 2013 aft., referred to Standing Committee on Families and Communities)
- 205 Fisheries (Alberta) Amendment Act, 2012 (Calahasen)**  
 First Reading -- 1117 (Nov. 28, 2012 aft., passed)  
 Second Reading -- 1913 (Apr. 22, 2013 aft., referred to Standing Committee on Resource Stewardship)
- 206 Tobacco Reduction (Flavoured Tobacco Products) Amendment Act, 2012 (Fraser)**  
 First Reading -- 1350-51 (Dec. 6, 2012 aft., passed)  
 Second Reading -- 2303-312 (May 13, 2013 aft., passed)
- 207 Human Tissue and Organ Donation Amendment Act, 2013 (Webber)**  
 First Reading -- 1690 (Mar. 21, 2013 aft., passed)  
 Second Reading -- 2395-403 (May 14, 2013 aft., passed)
- 208 Seniors' Advocate Act (Towle)**  
 First Reading -- 1315 (Dec. 5, 2012 aft., passed)
- Pr1\* Church of Jesus Christ of Latter-day Saints in Canada Act (Dorward)**  
 First Reading -- 1999 (Apr. 24, 2013 aft., passed)  
 Second Reading -- 2410-411 (May 14, 2013 aft., passed)  
 Committee of the Whole -- 2445-446 (May 14, 2013 eve., passed with amendments)  
 Third Reading -- 2478 (May 15, 2013 aft., passed)
- Pr2\* Wild Rose Agricultural Producers Amendment Act, 2013 (McDonald)**  
 First Reading -- 1999 (Apr. 24, 2013 aft., passed)  
 Second Reading -- 2413 (May 14, 2013 eve., passed)  
 Committee of the Whole -- 2445 (May 14, 2013 eve., passed with amendments)  
 Third Reading -- 2478 (May 15, 2013 aft., passed)







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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Monday, October 28, 2013

Issue 60

The Honourable Gene Zwozdesky, Speaker

## Legislative Assembly of Alberta The 28th Legislature

First Session

Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC), Speaker  
Rogers, George, Leduc-Beaumont (PC), Deputy Speaker and Chair of Committees  
Jablonski, Mary Anne, Red Deer-North (PC), Deputy Chair of Committees

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Bhardwaj, Naresh, Edmonton-Ellerslie (PC)  
Bhullar, Hon. Manmeet Singh, Calgary-Greenway (PC)  
Bikman, Gary, Cardston-Taber-Warner (W)  
Bilous, Deron, Edmonton-Beverly-Clareview (ND)  
Blakeman, Laurie, Edmonton-Centre (AL),  
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Calahasen, Pearl, Lesser Slave Lake (PC)  
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Casey, Ron, Banff-Cochrane (PC)  
Cusanelli, Christine, Calgary-Currie (PC)  
Dallas, Hon. Cal, Red Deer-South (PC)  
DeLong, Alana, Calgary-Bow (PC)  
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Dorward, David C., Edmonton-Gold Bar (PC),  
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Fenske, Jacquie, Fort Saskatchewan-Vegreville (PC)  
Forsyth, Heather, Calgary-Fish Creek (W)  
Fox, Rodney M., Lacombe-Ponoka (W)  
Fraser, Hon. Rick, Calgary-South East (PC)  
Fritz, Yvonne, Calgary-Cross (PC)  
Goudreau, Hector G., Dunvegan-Central Peace-Notley (PC)  
Griffiths, Hon. Doug, Battle River-Wainwright (PC)  
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Jeneroux, Matt, Edmonton-South West (PC)  
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Wilson, Jeff, Calgary-Shaw (W)  
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
    Government Whip

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Progressive Conservative: 59

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

Independent: 2

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### Standing Committee on Alberta's Economic Future

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Deputy Chair: Mr. Fox

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Cao	Pastoor
Donovan	Quadri
Dorward	Rogers
Eggen	Rowe
Hehr	Sarich
Luan	Strankman
McDonald	Xiao

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Khan

Deputy Chair: Mrs. Jablonski

Anderson  
Casey  
Dorward  
Eggen  
Kubinec  
Sandhu  
Sherman

### Select Special Chief Electoral Officer Search Committee

Chair: Mr. Rogers

Deputy Chair: Mr. Quadri

Blakeman	Leskiw
Eggen	McDonald
Goudreau	Saskiw
Lemke	

### Select Special Conflicts of Interest Act Review Committee

Chair: Vacant

Deputy Chair: Mr. Luan

Blakeman	Notley
Dorward	Saskiw
Fenske	Wilson
Johnson, L.	Young
McDonald	

### Standing Committee on Families and Communities

Chair: Mr. Quest

Deputy Chair: Mrs. Forsyth

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Cusanelli	Leskiw
DeLong	Notley
Fraser	Pedersen
Fritz	Swann
Goudreau	Towle
Jablonski	Wilson
Jansen	Young

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Deputy Chair: Mr. McDonald

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Blakeman	Quadri
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Eggen	

### Special Standing Committee on Members' Services

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Deputy Chair: Mr. Rogers

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Forsyth	McDonald
Fraser	Quest
Kennedy-	Sherman
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### Standing Committee on Private Bills

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Deputy Chair: Ms L. Johnson

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Bhardwaj	Leskiw
Brown	Notley
Cusanelli	Olesen
DeLong	Rowe
Fox	Strankman
Fritz	Swann
Goudreau	Webber

### Standing Committee on Privileges and Elections, Standing Orders and Printing

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Cao	Notley
Casey	Pedersen
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Kennedy-Glans	Saskiw
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### Standing Committee on Public Accounts

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Deputy Chair: Mr. Dorward

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Anglin	Khan
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### Standing Committee on Resource Stewardship

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Bilous	Kubinec
Blakeman	Lemke
Calahasen	Sandhu
Casey	Stier
Fenske	Webber
Hale	Vacant

## Legislative Assembly of Alberta

1:30 p.m.

Monday, October 28, 2013

[The Speaker in the chair]

### Prayers

**The Speaker:** Hon. members, welcome back.

Let us pray. Holy Creator, as we begin the fourth sitting of the First Session of the 28th Legislature, we thank You for guiding us safely back to the sanctity of this Chamber. We also pray for Your guidance in fulfilling our duties for the enduring benefit of all Albertans. Let us be reminded that we have all pledged to faithfully serve the citizens we humbly represent and to do it to the best of our abilities and that we have also pledged to do it in a manner respectful to each other and to those whom we serve. Amen.

Hon. members, as is our custom, we pay tribute on our first day to members and former members of this Assembly who have passed away since we last met.

**Mr. Edwin Albert Oman**  
August 31, 1930, to September 19, 2013

**The Speaker:** Mr. Ed Oman served this Assembly as the Member for Calgary-North Hill for two terms from 1979 to 1986. He served on many boards and committees during his career, including the Calgary Police Commission, the Calgary Exhibition & Stampede Board, and the Federation of Canadian Municipalities. He was also involved in various Calgary Olympic initiatives. Mr. Oman earned a master of divinity degree and subsequently served as minister of the covenant church for 17 years. For 13 of those years he was also director of the church choir. His long public service as a pastor, Calgary city alderman, and MLA demonstrated his commitment to making the world a better place.

Unfortunately we were unable to confirm the attendance today of anyone from Mr. Oman's family. However, our condolences and our thoughts and prayers are with them at this time.

**Mr. Richard Arthur Miller**  
July 23, 1960, to October 26, 2013

**The Speaker:** It is also with sadness that I inform you that this past Saturday Mr. Rick Miller passed away after a long illness. Mr. Miller served as the Member for Edmonton-Rutherford from 2004 until 2008. He was very passionate about representing his constituency and worked hard to ensure that he was available for all Albertans. He was an active volunteer and worked in a long-established family business. He was a sports enthusiast but really excelled as a master-rated hang glider. His personable character made him a very popular choice amongst his colleagues here in the Legislature as well as outside.

An additional tribute will be offered for Mr. Miller on November 4, 2013, at the request of his family since none of them were available to attend today given that they are at their heaviest time of bereavement with the sudden passing of Mr. Miller on Saturday past.

**Mr. Paul Joseph Lorieau**  
June 29, 1942, to July 2, 2013

**The Speaker:** In addition, I wish to acknowledge the passing of another important person who graced our Assembly with his

presence on a regular basis every Monday or every start-up day, as the case may have required. Mr. Paul Joseph Lorieau, who led this Assembly in the singing of *O Canada*, passed away on July 2, 2013, at the age of 71. Born in Legal, Alberta, he established a successful optical business on the University of Alberta campus. He was best known for his stirring renditions of the national anthems at Edmonton Oilers hockey games, where he first sang the national anthem to the crowd 30 years ago, and then in this Chamber only 15 years ago, on January 27, 1998. From February 2000 until May of this year Mr. Lorieau began our sitting with a very inspirational rendition of *O Canada*. He instilled great patriotic pride in our Assembly, and his powerful tenor voice reminded all members of the reason we serve in this Assembly, to make this country and this province the best place we possibly can. As you know, he sang his last *O Canada* at the all-party MLA hockey game in Leduc just a few short months ago and joined us also for the Speaker's Cup.

I had the great privilege of knowing him then and of remembering him now along with his family members who are in the gallery. They are standing now: Danielle Lorieau-Peruch, daughter; Ilyan Peruch, son-in-law; Matteo Lorieau-Peruch, nine-year-old grandson; Alexa Lorieau-Peruch, seven-year-old granddaughter; Camille Lorieau, daughter; Jocelyne Lorieau, daughter; Mark Georgetti, eight-year-old grandson; Lisa Lorieau, daughter; Daniel Ferguson, son-in-law; Alyssa Anne Knoop, granddaughter; Brianna Marie Knoop, granddaughter.

Hon. members, ladies and gentlemen, in a moment of silent prayer I ask you to remember Mr. Oman, Mr. Miller, and Mr. Lorieau as you may have known them. And as you reflect on this special gift that Mr. Lorieau gave – and it's addressed and personally autographed to all members of this Assembly – please reflect deeply.

Rest eternal grant unto them, O Lord, and let perpetual light shine upon them forever. Amen.

Please remain standing for the singing of *O Canada*, led by our very own Colleen Vogel, a member of our Legislative Assembly staff.

### Hon. Members:

O Canada, our home and native land!  
True patriot love in all thy sons command.  
With glowing hearts we see thee rise,  
The True North strong and free!  
From far and wide, O Canada,  
We stand on guard for thee.  
God keep our land glorious and free!  
O Canada, we stand on guard for thee.  
O Canada, we stand on guard for thee.

**The Speaker:** Thank you very much, hon. members. Thank you, Ms Vogel.

Please be seated.

### Introduction of Visitors

**The Speaker:** The hon. Minister of Aboriginal Relations.

**Mr. Campbell:** Thank you, Mr. Speaker. I rise to introduce to you and through you to all members of the Assembly Treaty 8 First Nations of Alberta Grand Chief Richard Kappo, who is seated in your gallery. Grand Chief Kappo was first elected as chief of Sturgeon Lake Cree Nation in 2004 and was named grand chief of Treaty 8 this summer. I can tell you that Grand Chief Kappo has been a very strong advocate of not only Sturgeon Lake Cree Nation but all Treaty 8 First Nations in Alberta. I've spent many

days in Treaty 8 territory and last month, Mr. Speaker, visited Tallcree, Little Red River, and Little Buffalo. Today in the House I'm honoured to be wearing moccasins that were given to me by an elder from Beaver Lake First Nation. I look forward to our continued work and dialogue together with Grand Chief Kappo and all Treaty 8 First Nations. I'd ask that Grand Chief Richard Kappo rise and receive the traditional warm welcome of this Assembly.

1:40

### Introduction of Guests

**The Speaker:** Hon. members, we have a large number of guest groups and individuals to be introduced. Please keep your introductions as brief as possible. Let us begin with school groups.

The hon. Member for Edmonton-Gold Bar.

**Mr. Dorward:** Thank you, Mr. Speaker. It's indeed a pleasure for me to rise and introduce to you and through you to all members of the Assembly two groups of students above us and behind me. Seated in the gallery are 30 grade 5/6 students along with their teacher, Don Douglas, and assistants from Waverley school in Kenilworth, who just completed a tour of the Legislature Building. Also above us in the members' gallery are 35 grade 6 students from my alma mater, Avonmore elementary school, accompanied by their teacher, May Louise Moskuwich, and assistants who are here today and all week at the School at the Legislature. If both of these groups could please rise and receive the warm welcome of the Assembly.

**The Speaker:** The hon. Member for Airdrie.

**Mr. Anderson:** Thank you, Mr. Speaker. I'd like to introduce to you and through you to all members of this Assembly roughly 50 grade 9 students from George McDougall high school in Airdrie, a school that I attended back when it was still a junior high, in the early 1990s. I'd like their teachers and parent assistants to stand as their names are called: my good friend Mr. Scott Sharun, Mr. Erick Fisk, Mrs. Linda Stadnyk, and Mrs. Kathy Ritcher. If all of the students could please rise and receive the warm welcome of this Assembly.

**The Speaker:** Are there other school groups?

If not, let us move on, then, to the hon. Minister of Municipal Affairs.

**Mr. Griffiths:** Thank you very much, Mr. Speaker. It's an honour for me today to rise and introduce to you and through you to all members of this Assembly an individual whose leadership has been instrumental in our response to the southern Alberta floods. Mr. Colin Lloyd is the managing director of the Alberta Emergency Management Agency. Colin has been at my side from the very first day of the floods and every day since, providing advice and guidance as we visited the flood-affected areas to ensure that we made decisions that would benefit Albertans in the near term and in the long term. He's here on behalf of his team, that is still working very hard at this very moment helping Albertans get back on their feet and rebuild their homes and their lives. He's also here to represent the public service, some very dedicated members that worked around the clock and continue to do so to assist flood victims and help in our recovery efforts. I'd ask Mr. Colin Lloyd to rise on behalf of himself and all of them to receive the warm welcome and thank you of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Riverview.

**Mr. Young:** Thank you, Mr. Speaker. It's my pleasure to rise today to introduce to you and through you to all members of the Assembly a group from the Public School Boards' Association of Alberta, Mary Lynne Campbell and Patty Ditttrick. They are seated in the members' gallery, and I would ask the guests to please rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. leader of the Liberal opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of this Assembly three laboratory technologists: Joan Card, Shawna Gawreluck, and Annette Tennison. I met with these three front-line health professionals the other day to discuss the risks of privatizing laboratory testing. The experience of previous privatization of Alberta labs in the mid-90s compromised openness and accountability and efficiency of lab testing; thus, at times putting patient safety at risk. I would like to thank them for their service to Albertans each and every day. I'd ask them to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Speaker. It's my pleasure to rise today to introduce to you and through you my guests, who are members of the Kids Not Cuts coalition. Kids Not Cuts is a province-wide coalition of support staff working in our K to 12 education system. They represent staffing positions such as library technicians, special-needs teaching assistants, aboriginal liaison workers, facility operators, educational assistants, and custodians. Members of the coalition who are here today include Mike Scott, Don Boucher, Jody Carey, Gloria Lepine, Carol Chapman, Leanne LaRocque, Lee-Ann Kalen, Rick Klimchuk, Wilma Ellenburgh, Patricia Paulsen, Ishani Weera, Olav Rokne, and Ruth Shymka. They're here because they're extremely concerned about what is happening in our educational system as a result of last year's spring budgets. Please join me in giving them the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Mill Woods.

**Mr. Quadri:** Thank you, Mr. Speaker. Welcome back, everyone. It's indeed my honour and pleasure to rise today to introduce to you and to all members of this Assembly a very dear friend who is visiting me from London, England, Andrea Lestar. I would ask her to please rise and receive the warm traditional welcome of this Assembly.

**The Speaker:** Hon. Member for Calgary-Fort, your guests will be here after 2 p.m., I am told. We'll address them then.

**Mr. Cao:** They are here, Mr. Speaker.

**The Speaker:** They are here now? Please proceed, Calgary-Fort.

**Mr. Cao:** Well, thank you, Mr. Speaker. I'm very pleased to introduce to you and through you to all members of the Assembly two distinguished gentlemen from our Calgary-Fort constituency, Bob Gray and Gary Vegelis. Bob is president of our Calgary-Fort PC Association and senator of the Aboriginal Friendship Centre of Calgary. Formerly, Bob was also an RCMP officer, vice-president of Dominion Command of the Royal Canadian Legion, and a manager with the city of Calgary. Gary is the vice-president of our Calgary-Fort PC Association and a former board member of the Alberta Construction Safety Association. Both of these gentlemen have contributed greatly to the constituency in many ways and



brighten our lives with their wonderful humour. It's thanks to the leadership of these two gentlemen and the friendship of these two persons that I have had the privilege of serving the constituency in five elections so far.

Thank you.

**The Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. It's my pleasure to rise today and introduce to you and through you to all members of the Legislature the newly elected leader of the Alberta Party, Greg Clark. Greg is deeply involved in his community and serves on numerous boards and committees both locally and provincially. I would also like to introduce to you Greg's assistant, Evan Galbraith. I ask you both to please rise now and receive the warm traditional welcome of this Assembly.

**The Speaker:** The hon. Associate Minister of Accountability, Transparency and Transformation.

**Mr. Scott:** Thank you very much, Mr. Speaker. I'm very pleased to introduce to you and through you two very good friends of mine, Sharon and Peter Clarkson, former residents of Fort McMurray. Sharon is a very active community member. She was a school board trustee and a municipal councillor. Peter is a very active volunteer, and he's an amateur sports coach. Peter and Sharon are seated in the members' gallery, and I'd like them to rise and for all members to give them the traditional warm welcome of the House.

**The Speaker:** The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to all Members of the Legislative Assembly Guy Smith, the president of the Alberta Union of Provincial Employees. The AUPE represents over 80,000 workers in Alberta, and their members have been on the front lines of this government's broken promises for better health care, for supports for the vulnerable in places like Michener Centre, and for stable, predictable funding for our schools and our universities. I would ask that Mr. Smith rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** Hon. members, we still have three more introductions to do, and we'll have to hold that for a moment because the clock dictates that we shall start Oral Question Period momentarily.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. Given it's the first day back, I wonder if I might ask for unanimous consent of the House to extend the Routine to continue introductions and Ministerial Statements and then to extend past 3 p.m. so that we can complete the Routine.

**The Speaker:** Hon. members, the request is in order. It requires unanimous consent, in which case we would finish off three more introductions briefly and proceed on with Ministerial Statements.

[Unanimous consent granted]

**The Speaker:** Hearing no objections, let us continue, then, with the hon. Member for Chestermere-Rocky View with your introduction.

**Mr. McAllister:** Mr. Speaker, thank you. I'm happy to rise today and introduce to you and through you to all members of the Assembly – and I would like to ask them to rise as I introduce them – four students at the University of Alberta. They are Michael Stuart, Mark Jacka, Jeremy Gray, and Ross Hamilton. While working toward their various degrees, they're also taking the time to get involved in politics and the issues that matter to Albertans. They are members of the Wildrose campus club at the U of A. I know that regardless of our political stripes in here, we'll be thrilled to see young people taking the initiative to get involved in things that matter to Albertans. I would ask you all to join me in giving them the traditional welcome of this Assembly.

1:50

**The Speaker:** The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Mr. Speaker. A pleasure to introduce to you and through you to all members of the Assembly Agnieszka Frankiw and Keith Banner. Agnieszka is a laboratory technologist in Edmonton; Keith Banner a concerned citizen. Both want to see the province avoid a repeat of the costly and destructive privatization of health care laboratory services in Edmonton. I would ask them to rise and receive the warm welcome of the Legislature.

**The Speaker:** Hon. Member for Olds-Didsbury-Three Hills, your guests are not here yet? Thank you.

## Ministerial Statements

**The Speaker:** The hon. Premier.

### Flood in Southern Alberta

**Ms Redford:** Well, thank you, Mr. Speaker. As we begin the fall session today, it's my privilege to rise to update Albertans on the work that their government is doing to help communities recover and rebuild. Only four months ago Alberta endured the worst natural disaster to ever hit our province. Tens of thousands of Albertans in dozens of communities were deeply affected, including four people who lost their lives. Critical pieces of public infrastructure, including hospitals, bridges, schools, highways, and roads, were damaged, and thousands of homes and businesses were damaged or completely destroyed.

But if anything matched the fury of the waters, it was the courage and the compassion of Albertans themselves. The people of this province responded in an incredible fashion by opening their homes, their hearts, and their wallets to each other: friends, neighbours, and strangers, Mr. Speaker. They showed the world what Albertans are made of. In the face of flood waters they were resilient.

Within the first hours of the rainfall we mobilized the government's full capabilities to help, and I'm tremendously proud of how fast we were able to move in getting assistance to those in need. Within four days of the flood we allocated \$1 million in relief funding. Nearly \$170 million in preliminary assistance has gone to municipalities and to First Nations to allow them to begin rebuilding. Seventy million dollars in immediate aid went to over 40,000 people forced from their homes, and we are providing temporary housing to 1,300 Albertans who can't yet return.

Almost a thousand kilometres of provincial roads were washed out or damaged. Fully 87 per cent have been reopened, Mr. Speaker. All health facilities and services displaced by the flooding have been restored. While more than 80 schools were shut down, all but three opened their doors in time to start the

school year. Schools matter to families. Temporary classrooms are in place, and they're in the process of opening for the 950 students at those three schools. Our government has also opened dedicated disaster recovery offices in southern Alberta, helping victims to get their claims processed quickly so that they can make decisions, have information, and rebuild.

We've held dozens of information sessions in flood-stricken neighbourhoods so that Albertans can understand what they're eligible for, and government employees have been going door to door to make sure that people are aware of the supports that are available. Total costs arising from the floods, including those to insurance and the government, will be more than \$6 billion. The federal government is working closely with us, and Ottawa will be covering some of those disaster recovery expenses with us.

I know that there are families that are making decisions about their future. I know that not everyone is through the disaster recovery application process, but our government is moving as fast as we possibly can on the biggest disaster recovery program that Alberta has ever seen. We will continue to be there for families and for communities, as I've said from day one, Mr. Speaker, and we will continue to be responsible to taxpayers to make sure that the dollars that we do spend are being spent properly.

We're working hard to prepare for the next disaster by developing layers of readiness that are focused on people, the environment, reconstruction, and the economy, and we will introduce legislation in this sitting to ensure that Albertans and our communities are safer than ever from floods. Additionally, we expect to announce major erosion control programs on vulnerable rivers. We've hired two engineering firms to assess proposals for flood mitigation and to identify the best options. When we get the answers we need, we will be acting.

Protecting Albertans is our highest priority, and the lessons that we learned from the floods will ensure that we're able to help Albertans keep their property and their homes safe. Healing will take years. Much work remains. Our government will be there with communities and with families every step of the way. Physical rebuilding, health rebuilding, a commitment to mental health response: that's what matters to us because it matters to Albertans.

I want to make it clear that our leadership for this recovery effort will not deter us from building and rebuilding Alberta for every Albertan. We will meet the challenges that come from explosive growth head-on, from infrastructure investment to market access to growing our savings for the future. We've created a building Alberta plan that will address these challenges, and we will meet that plan, Mr. Speaker. Quite simply, Albertans' quality of life demands nothing less. [applause]

**The Speaker:** The hon. Leader of the Official Opposition.

**Ms Smith:** Thank you, Mr. Speaker. Thank you, Premier, for that statement. There is no doubt that serious questions remain about how the flood response was handled and what we can do better in the future, but now is not the time for that. Now is a time for recognition and a time for mourning, a time to recognize the incredible efforts that we witnessed from first responders, public servants, service groups, and volunteers. In the immediate aftermath of the floods we saw true heroism unfold in how police, fire, and paramedic services got Albertans out of harm's way.

In the days and weeks that followed, Alberta's true character shone brighter than ever before. The Mission Possible teams deployed thousands of volunteers into our neighbourhoods,

including 16,000 into High River alone, mucking out basements and helping families clean up. Local officials worked tirelessly to rebuild roads, sewage canals, and stormwater areas; Mormon Helping Hands with 8,500 volunteers; Samaritan's Purse with thousands more; Siksika pet rescuers; little girls selling lemonade on their front lawns to raise money to give to Red Cross.

I'd also like to recognize the Red Cross for their work giving comfort at the evacuation centres, and I'd like to thank Human Services ministry staff for giving compassionate and timely support to flood victims when they needed it most. Alberta stepped up in a way we had never seen, each example affirming to the rest of the country and the rest of the world the excellence of our people and the resiliency of our spirit.

But it's also a time to mourn. Five Albertans lost their lives in the June floods. Let me tell you about three of them. Jacqui Brocklebank was 33. She had cerebral palsy and died after taking a cab to a friend's house to warn her about the flood. That was just down the street from my house. Amber Rancourt was 35. She died after being swept away by rushing flood waters while her husband attempted to get their horse to safety. Rob Nelson was 42. He died from injuries sustained when his ATV rolled over while he was checking his neighbours' homes for flood damage. Two others, an 83-year-old woman and a 52-year-old man, also died. While we celebrate the tales of bravery and heroism and while we embark on a rebuilding process that will take years, let us never forget those who perished and the broken family members and loved ones that they left behind.

While devastating and tragic, I believe that the 2013 floods will ultimately be remembered as a moment in time where Albertans showed the world who we are. We are compassionate, we are courageous, and we are confident that our best days, despite this terrible tragedy, are still ahead.

Thank you.

2:00

**The Speaker:** Hon. members, I'm going to anticipate that the House leader from the Liberal side wishes to seek unanimous consent for their caucus to provide a brief statement. Am I anticipating correctly?

**Ms Blakeman:** You indeed are.

**The Speaker:** I expect the same is being motioned my way by the leader of the New Democratic opposition.

So let me ask one question, unanimous consent being required. Does anyone object to allowing comments to be made on this important subject from the Liberal caucus and from the New Democratic caucus? If so, please say so now.

[Unanimous consent granted]

**The Speaker:** Hearing no objection, let us proceed, with the Liberal caucus starting. The hon. leader.

**Dr. Sherman:** Thank you, Mr. Speaker, for this opportunity to respond to the Premier. We had one of the most devastating disasters in this country's history, and the true character of the people of this province and the people of this country shone through as neighbour helped neighbour in need. It took everyone's effort in this province to get through this very difficult time, and I was amazed at how that parade in Calgary went on. When the going got tough, Albertans got going.

Mr. Speaker, I'm going to start by doing something that doesn't happen often enough in the House. I'm going to give the government credit for doing a good job. The government's

emergency response in the immediate aftermath of the flood was very good. I'm happy to give the government credit for that. The emergency plan was solid and executed well, and Albertans got back to their lives regularly. Please, everyone, give the government credit for this.

Mr. Speaker, one reason it's so rare for opposition leaders and MLAs to give the government credit for doing a good job is because it doesn't happen nearly enough in this province. Too often the government falls down on the job and fails Albertans, and a prime example of this comes in the area of flood mitigation. The flood in June wasn't the first disaster of its kind in Alberta. We all remember the devastating floods of 2005, and certainly there have been other floods in the province's history. Given this, one might think the government would have taken steps to mitigate future flooding after 2005, but of course we know they did not. This government completely failed in its duty to protect the province from future flooding, even leaving millions and millions of federal dollars on the table.

While the initial response to the flood was excellent, I can't help but think that the damage caused by the flood was worse than it needed to be. Given this government's record when it comes to broken promises, secret dealings, and mismanagement, I have serious concerns about what we will see moving forward when it comes to the vital work of flood recovery and reconstruction. I look forward to working with the government to get this done right.

Thank you, Mr. Speaker.

**The Speaker:** The hon. leader of the New Democratic opposition.

**Mr. Mason:** Thank you very much, Mr. Speaker. On behalf of myself and the entire NDP caucus I offer my sincere condolences to all of those affected by June's flooding. In the immediate days following the flooding, Albertans came together to help one another alongside our hard-working first responders and service providers. It was inspiring for all Albertans and especially comforting for those in southern Alberta, and we commend all of those hard-working Albertans for their generosity of spirit and outstanding, ongoing efforts. I am so impressed and so proud to be an Albertan. I witnessed the very same spirit after the Slave Lake fire, and I know that Albertans in times of need do come together and help.

Unfortunately, Mr. Speaker, the planning to mitigate the flood damage fell short. The government ignored its own report following the 2006 floods, and they did not apply for federal funding for flood mitigation. It isn't fair to ask Albertans to pay for the negligence of this government; nevertheless, Albertans are on the hook for billions of dollars. When I was in High River, I met small-business owners who had lost their life's work and renters with nowhere to go.

We must do better to make sure that our response now and our planning for the future take these people into account. Albertans need a comprehensive strategy to help them plan for their homes, families, and businesses in the event of other disasters. The NDP opposition will give its support for government measures to accomplish this goal.

Thank you, Mr. Speaker.

### Statement by the Speaker

#### Oral Question Period and Members' Statements Speaker Rotation

**The Speaker:** Hon. members, before we proceed with the Routine and question period, I would like to make a brief statement about

the rotation of oral questions and members' statements. This statement is further to my recent memorandum dated and sent to each of you on October 18 of this year, which included the projected sitting days calendar for the fall sitting.

As you are all well aware, there have been changes to caucus membership over the last number of months, and the Member for Edmonton-Manning and the Member for Fort McMurray-Wood Buffalo are both now sitting as independent members. Although the first change occurred on May 14, when the Assembly was in fact sitting, this was only one day prior to the House concluding the spring sitting, so there was little or no opportunity to make a statement regarding the rotation at that time.

At the outset, however, I would like to point out to all members that the change in caucus membership will not alter the rotation of questions for today or tomorrow, which, as indicated on the calendar, are so-called days 2 and 3 of the rotation sequence.

In reviewing the rotation for question period, I noted that the current House standings are somewhat similar to those that existed in both February 2011 and February 2012, where there was one independent member and one member of the Alberta Party. It is my view that the current rotation should parallel these circumstances, which would result in each independent member having one question every four days. Accordingly, the Member for Edmonton-Manning will be entitled to a question this Wednesday, should he wish to take it, since that will be day 4, and the Member for Fort McMurray-Wood Buffalo will be entitled to a question this coming Thursday, should he wish to take it, since that will be day 1.

In other words, given that today is day 2 in the rotation, this means that one independent member will have a question on day 4 and the second independent member will have a question on day 1, which follows day 4. As was the case in 2011 and 2012, the independent members will be entitled to the sixth question slot on each of these days, a slot which occurs after all four caucuses have had the opportunity to ask at least one question during slots 1, 2, 3, 4, 5.

With respect to the rotation for members' statements, this has also been modified to provide for one statement for each independent member every two weeks. This was reflected on the projected sitting days calendar that I sent you last week.

Hon. members, we're off to a very good start with some wonderful statements. Let's see if we can continue on that high level and that high plane.

### Oral Question Period

**The Speaker:** Hon. member, question period has been called. Did you have some urgent matter?

**Ms Blakeman:** I did, but I guess you didn't see me before question period was called. I'll just send it in written form for you.

**The Speaker:** Okay. Let us proceed with the hon. Leader of her Majesty's Loyal Opposition.

### Health Care Wait Times

**Ms Smith:** Mr. Speaker, today the Fraser Institute issued its latest report on health care wait times across Canada. Despite spending more than \$17 billion, the total time a patient waits for health care is now at an all-time high in Alberta. From the time their family doctor recommends treatment to when they actually get a procedure, Albertans have never waited longer. It is a scathing indictment of the government and its failure to put patients first.

To the Premier: when will her government start providing timely access to health care for Albertans?

**Ms Redford:** Well, Mr. Speaker, I am so proud of the work that our Health minister has done this summer with respect to managing health care. This is a minister who has secured a seven-year deal for sustainable health care spending with doctors, he's lowered the cost of generic drugs so that Albertans can get access to medication, and he's driven the need for change at Alberta Health Services, bringing our vice-presidents from 75 down to 10. We will continue to ensure that we are providing effective health care for Albertans in a timely fashion, the best health care in the country.

**Ms Smith:** Maybe the Premier didn't hear the question. Waits have never been longer, and the fact remains that far too many Albertans are waiting far too long for health care. According to the report, over the past three years this government has made no progress on cutting wait times for how long it takes patients to get in to see a specialist. In fact, last year alone this one measure increased 24 per cent. To the Premier: when will her government give Albertans timely access to the health care they need when they need it?

2:10

**Mr. Horne:** Well, Mr. Speaker, our government uses the Canadian Institute for Health Information, the nationally recognized measurement body for health care system performance in this country, to analyze our own wait times and to benchmark ourselves against others. I'm not sure where the hon. member is getting her information, but I'm very happy to tell the House that we've achieved a 9 per cent reduction in hip surgery wait times, a 16 per cent reduction in knee replacement wait times, 22 per cent lower wait times in cataract surgery, 10 per cent in bypass, and as of last week we've taken the waiting time for cornea transplants in this province from three years to three months.

**Ms Smith:** I'll table the report, Mr. Speaker, but they're not even meeting their own wait time targets. Our Wildrose wait time guarantee offers an affordable and practical approach to cut wait times across the board within a publicly funded health care system, and it would do so by increasing the number of patients who can access the out-of-province fund. [interjections] Will the Premier commit today to showing that she cares about the long delays faced by Alberta patients and implement our wait time guarantee?

**Mr. Horne:** Well, Mr. Speaker, it's very interesting that the Official Opposition would present itself as a government whose answer to reducing wait times in our vastly growing province is to export health care to other jurisdictions. [interjections] That's not what this government stands for. This government recognizes that we are the province with the best funded public health care system in the country. In fact, we exceed many developed countries in terms of our per capita funding. We have measurable success in many areas, and we continue to deliver quality health care and to support front-line workers in their efforts to reduce wait times.

**The Speaker:** No interjections, please. That's the only warning I'll give.

The hon. Member for Highwood, Leader of the Official Opposition.

### Flood Recovery Contracts

**Ms Smith:** Mr. Speaker, we're going to have a lot of questions about the flood for the Premier over the next several weeks, and I have three to start with that have had the most impact on those dealing with the flood. Hundreds of students are waiting for portables because the government awarded a sole source \$19 million contract to a company called Enzo Developments and they haven't met a single one of their deadlines to deliver. How is it that a company that has never built school portables was handed this contract, and is the Premier happy with their performance?

**Ms Redford:** Well, Mr. Speaker, as I said in my statement earlier, there are some incredible challenges that we face as a province, and I think all leaders in this House stood up and talked about the fact that we had to make and did make exceptional decisions to ensure that we could enhance people's quality of life and give them certainty. I want to congratulate our Minister of Education for the hard work that he and his department did over the summer. As we said, there were over 80 schools that were impacted, and only three didn't open, because we took bold decisions. So I congratulate the minister on that. I'm pleased to know that students will be getting back into schools tomorrow in High River, and that's good news.

**Ms Smith:** I can see the Premier doesn't want to defend that contract, so how about this one? The government awarded another, larger \$45 million sole source contract to a company called Tervita to help the town clean up flooded public areas but also to do some work on High River homes. In the process dozens of other companies that could have also helped speed up the recovery process were shut out of the work. Can the Premier tell us: how is it that Tervita was selected to do this work alone, and is she happy with their performance?

**Mr. Griffiths:** Mr. Speaker, in the first few weeks of the disaster we knew we had to make a lot of very immediate decisions, and we dealt with the situation as best we could. Some of the decisions were based on limited information, but we tried to make sure that we made quick decisions and that we had companies in place to help with clean up and such like that. Tervita demonstrated in our quick analysis the most capacity, the best background. It was very evident, clearly, at the Calgary Stampede the incredible work that they did to clean that up in such short order, and that's why they were awarded the contract.

**Ms Smith:** Mr. Speaker, I think we're seeing a pattern here. This government has also awarded a sole source contract for the administration of disaster recovery payouts to a company called LandLink. This contract has itself been a disaster. KPMG found all sorts of deficiencies in their handling of the disaster recovery program for the 2010 Medicine Hat floods. Many of those victims still have not had their claims dealt with. Can the Premier tell us why LandLink still has this contract, or is she happy with their performance?

**Mr. Griffiths:** Mr. Speaker, LandLink has had that contract for 17 years. They've delivered some exceptional services to Albertans, and every time we find ourselves in a disaster where LandLink has provided those services, we do an evaluation so that we and LandLink and every other municipality can work on providing better services to the people that they serve. They continue to improve. But the point to note about every one of those contracts is that this was the most unprecedented disaster we have ever seen

and the largest in Canadian history. We're bound to make a couple of mistakes, but the fact that we have responded so quickly and so soundly to so many Albertans in 30 communities means that we've done an exceptional job.

**The Speaker:** Hon. members, it was refreshing to hear three good questions with three good answers without interjection. Thank you. Keep it up.

Let me move on. Third main set of questions. The hon. Leader of Her Majesty's Loyal Opposition.

### Provincial Debt

**Ms Smith:** In Medicine Hat earlier this month the Premier said this about debt: it's not debt; it's hope. So let's take some of the Premier's other quotes and sub in hope for debt to see if that sentence makes sense. First: Alberta does not have hope, and we will not incur hope. Then there's this: we cannot come out of the current fiscal situation with hope. And a PC campaign ad: Albertans want to know that we're not going to have hope. To the Premier: if debt is hope, when can we once again expect to be debt free?

**Ms Redford:** You know what, Mr. Speaker? There are incredibly important issues that we need to talk about in this House, and it's a shame that the opposition won't take them seriously. I stand by what I said. What we build in Alberta by putting in place infrastructure is schools and roads and health care facilities that matter to the quality of life for Albertans. We have a plan to build Alberta, to rebuild Alberta. We are committed to that, and that is what matters to Albertans, not this.

**Ms Smith:** The Premier saw it was so ridiculous. She has since changed her tune a bit, now saying, and I quote: we don't have debt in this province; we have infrastructure in this province. Well, Alberta was debt free for nearly 10 years, and in that time capital spending hit record levels. If debt is now infrastructure instead of hope, how does the Premier explain all those schools and hospitals and roads that were built when Alberta didn't have a penny of outstanding debt?

**Ms Redford:** You know, Mr. Speaker, this is an exciting year for Alberta. You will have heard that we are over 4 million people now. The one thing that Albertans told us in the last election was to keep building infrastructure. The opposition can go back to the days where they talk about infrastructure being built and no debt, but you know, we had an infrastructure deficit. We didn't have enough schools. We didn't have enough hospitals. We weren't investing in communities, and that's what we're doing today.

**Ms Smith:** While the Premier's team struggles to come up with new metaphors for debt, here are the cold, hard facts. We will have at least \$17 billion worth of debt by the time of the next election. At the current repayment rate it will take more than 80 years to pay back all of that debt, and in that time Albertans are going to have to pay \$25 billion in interest payments just to keep the creditors off our backs. Will the Premier stop the spin, look Albertans square in the eye, and just admit it? Debt is debt.

**The Speaker:** The hon. President of Treasury Board.

**Mr. Horner:** Well, thank you, Mr. Speaker. It's nice to see that nothing has changed in their policy on that basis. There are a number of other policies that have changed, but that one hasn't.

It's interesting, Mr. Speaker, that the sophistication of the financial analysis that's over there doesn't match any of the sophistication of the Albertans that I saw and talked to around this province in 14 open houses this year, where I asked them the question: should we be borrowing for the life of the assets for your school, for your hospital, and your road? The resounding answer: yes; build it.

**The Speaker:** The hon. Member for Edmonton-Meadowlark, leader of the Liberal opposition, followed by Edmonton-Highlands-Norwood.

2:20

### Minister of Municipal Affairs

**Dr. Sherman:** Thank you, Mr. Speaker. Toronto, Montreal, Vancouver: all three have big-city charters which give them the autonomy and powers they need to meet their unique challenges. Meanwhile Edmonton and Calgary do not. Municipal elections have just been held, and I'm reminded of the fact that the Municipal Affairs minister has not met his commitment to get these charters done. To the Premier: are you satisfied with the fact that your minister has failed to keep this important promise?

**Ms Redford:** Mr. Speaker, it was wonderful on Saturday morning in this building to sit down with Mayor Iveson and Mayor Nenshi to talk about the importance of building our cities. In fact, one of the things we talked about – I'm surprised the hon. member didn't see it in the news – is the fact that both mayors are very excited that we are very close to completing those charters. In fact, one of the things that Mayor Iveson asked for – and I just spoke to him today at the chamber of commerce – was some time to work with his new, young council to make sure that we're ready to proceed with the charters. We're very excited about that, and we're glad to have kept the commitment.

**The Speaker:** The hon. member.

**Dr. Sherman:** Thank you, Mr. Speaker. To the Premier: given that the minister called the mayor of Calgary a puffed-up peacock and dismissed millions of Edmontonians and Calgarians as latte-sipping condo dwellers, aren't you at least a little bit concerned that your Minister of Municipal Affairs doesn't seem to be very fond of the majority of Albertans that he's supposed to be helping?

**Ms Redford:** Wow, Mr. Speaker. I've got to tell you: I don't know where this member has been for the past six months, but I've seen a Minister of Municipal Affairs and emergency response who has demonstrated very clearly how much he cares about Albertans, and he has demonstrated that in Calgary, in High River, in Medicine Hat, in Fort McMurray, and also in a lot of areas that perhaps were not impacted by flood. We know that every single Albertan matters. We know that we can work with municipal councils and large cities to get this done, and we will.

**Dr. Sherman:** Mr. Speaker, "wow" is what we said when he called them latte-sipping condo dwellers in the big cities and when he referred to the mayor of Calgary with those derogatory terms.

To the Premier: given that the mayor of Calgary has expressed a very low opinion of how your minister is handling big-city charters and given that columnists of the *Calgary Herald* have called for that same minister to be assigned a new portfolio, will you finally admit that he is not fit for the job?

**Ms Redford:** Mr. Speaker, I don't think it's going to be a surprise to anyone in Alberta that the columnists at the *Calgary Herald* probably are not the people that I listen to for advice for this government. I listen to the people of Alberta, who 18 months ago elected this government to manage the important affairs of the province. I'll tell you that on Saturday morning, even well before I had the opportunity to sit down with both mayors, Mayor Nenshi and I travelled together at 6 o'clock in the morning from Calgary. We had a very good talk with respect to how we will work together, how mayors and the municipal government minister will work together, and it's going to be fine.

**The Speaker:** The hon. Member for Edmonton-Highlands-Norwood, the leader of the New Democrat opposition.

### Flood Mitigation

**Mr. Mason:** Thank you very much, Mr. Speaker. Tragically, after the floods this June, Albertans now know what it takes to get this PC government to act, a natural disaster that's projected to cost billions of dollars. They not only ignored the advice of their own report following the floods in 2006, but they didn't even bother to apply for millions in federal funding that would have covered some of the costs of flood mitigation. My question is to the Premier. Why not?

**Mr. Griffiths:** Mr. Speaker, it's a misnomer to suggest that we didn't follow the recommendations of the Groeneveld flood mitigation report. In fact, all of the recommendations were implemented or a majority followed except for two. We're going to be tabling legislation to deal with those. We spent \$82 million in the last few years, helping with mitigation. In fact, we have several communities that said that that investment that the province made in partnership with municipalities helped save their communities. The fact is that that program was opened up at the very last minute to other jurisdictions like Alberta, and we weren't prepared to meet the criteria of that program, but I just met with the federal minister in the last couple of months, and we're continuing to advocate for a national disaster mitigation program so that we can serve Alberta's communities.

**The Speaker:** The hon. member.

**Mr. Mason:** Thanks very much, Mr. Speaker. While there were short timelines involved in that getting that money, Alberta was the only one that didn't get it.

This government's own report on the 2006 flood was only released this year. Just one of its common-sense recommendations was that the province prohibit development on flood plains, but the government failed to take action on this obvious measure and put thousands of Albertan homes and families at risk. To the Premier: why?

**Mr. Griffiths:** Mr. Speaker, all I can say is that when I became minister, the Premier and I discussed the report and released it as soon as we were aware that it hadn't been released so that all Albertans could see it. We did discuss – and it happened to coincide with this flood event – the two recommendations dealing with preventing development in the floodway. As I said, I don't want to pre-empt the discussion that's going to happen today or the legislation that I'm going to introduce, so the member should just wait a little bit longer, and he'll be happy.

**The Speaker:** The hon. member.

**Mr. Mason:** Thanks very much, Mr. Speaker. Well, the Premier is taking a page from the Prime Minister on how to answer questions.

This government didn't implement recommendations to provide up-to-date flood maps and a registry so that potential homebuyers could avoid risking catastrophic loss. To the Premier: why not?

**Mr. Griffiths:** In fact, Mr. Speaker, we have implemented that recommendation. I'm sure that the Minister of Environment and Sustainable Resource Development may want to supplement, but we've worked with municipalities to update that information. The fact is that most of those maps are incredibly accurate. The floodways and the flood fringes in those zones don't change year to year. They change after substantial events like we saw in High River. We're updating our maps as we proceed.

**The Speaker:** Thank you.

Hon. members, that concludes the leaders asking their questions. We're now going to proceed with question 6. I would remind you of the ruling I made earlier, and that was that the issue of supplementary questions is a good one. We all know that there should be no preamble that precedes them. I'll be clamping down on that starting today, and you are hereby reminded to review your questions, those of you who have questions coming up, to try and follow suit. We will allow a little bit of it, but I don't want it to get carried away. I have almost 20 people on the speaking roster who have questions, all of them just as important as your own.

Let's go. Lac La Biche-St. Paul-Two Hills.

### Ethics Investigations

**Mr. Saskiw:** Thank you, Mr. Speaker. Albertans can't trust this PC government after scandal upon scandal. Instead of beefing up legislation to keep MLAs in line, PC MLAs are more interested in protecting the government family. They brush off disturbing rulings by the Ethics Commissioner that absolve PC MLAs of fundamentally unethical conduct. Can the current chair of the Conflicts of Interest Act committee, the Member for Fort McMurray-Wood Buffalo, who's in charge of ethics, let us know if the replacement of the Ethics Commissioner is on the committee's agenda?

**Ms Redford:** Well, Mr. Speaker, I think . . .

**Mr. Saskiw:** Point of order, Mr. Speaker.

**Ms Redford:** I think, Mr. Speaker, that it's going to be very important for the committee work of this House to happen. One of the things that I find rather ironic is that we seem to be in this political era that whenever the opposition likes the Ethics Commissioner's decision, they support the Ethics Commissioner. Whenever they don't like the Ethics Commissioner's decision, they don't support him. Some inconsistency, perhaps not a surprise from the opposition. No doubt the work of this House will continue. Important committee work will happen. I'm sure that the minister will be very happy to answer the question in the supplemental.

**The Speaker:** Hon. member, your point of order has been noted at 2:27.

**Mr. Saskiw:** Thank you, Mr. Speaker. Given that the Premier is currently under investigation by the Ethics Commissioner, can someone from the government please give Albertans an answer as to why PC MLAs voted to maintain the Alberta-only gag order

that restricts us as MLAs from asking questions in question period about the Premier's ongoing ethics investigation. What does she have to hide?

**The Speaker:** Hon. members, I think I've commented on this before. Hon. Government House Leader, if you wish to, answer the question. You're certainly not obliged to because there is an investigation that was referred to. That investigation is under way. So I'll leave it to your discretion.

**Mr. Hancock:** Well, Mr. Speaker, rather than raising a point of order, I was simply going to answer the question by saying that that hon. member should know, particularly as he is a deputy House leader who was looking for more resources to fund him in that position, that it's entirely inappropriate to ask a question in the House about the activity of a committee of the House.

**The Speaker:** The hon. member.

**Mr. Saskiw:** Thank you, Mr. Speaker. Given that an MLA has been found to be in direct violation of the Conflicts of Interest Act legislation six times and lobbied on an issue that would benefit him personally, is it not clear that this piece of junk ethics legislation only serves to protect the Premier and her own MLAs?

**The Speaker:** Hon. Government House Leader, if you wish to comment. I may have a comment after this.

**Mr. Hancock:** Mr. Speaker, what this hon. member ought to know and realize is that the Ethics Commissioner is an officer of the Assembly, and when there are issues with respect to the Conflicts of Interest Act, this officer of the Legislative Assembly does an appropriate investigation, comes to conclusions, and makes recommendations with respect to carrying out those conclusions. That's exactly what happened with respect to this case in the report that I assume you will table today. It's not in the mouths of us as legislators to come back at the end of the day and say that the Ethics Commissioner should be overruled in his determination. That's why we have independent officers of the Legislature.

**The Speaker:** Thank you.

#### **Speaker's Ruling Parliamentary Language**

**The Speaker:** Hon. members, let me just remind you of a little peace, order, decorum, and respect not only for ourselves but also for the laws that govern this province. I just don't find it appropriate to refer to a piece of legislation that has come before this Assembly, been debated, as a piece of junk.

2:30

**Mr. Saskiw:** We can't question legislation?

**The Speaker:** Hon. member, please. I have the floor. I didn't interrupt you, and I don't expect you to interrupt me. Am I clear? Am I clear, sir? Yes? Thank you.

Now, please be reminded that there are legislative pieces that come before you. There are motions, there are bills that each one of you as members brings forward, and none of them are to be considered or referred to as a piece of junk. I will not tolerate that. So clean up your act, hon. member. Clean up your act, hon. member, or we will deal with the consequences of your not doing so. I'm not in a good mood on this point just now, as you can probably tell.

Hon. Member for Airdrie, you rose on a point of order at 2:32, and it has been noted.

Let us move on. Calgary-Glenmore.

#### **Government Policies**

**Ms L. Johnson:** Thank you, Mr. Speaker. While the party across the way was busy this weekend revisiting issues the rest of the world decided 25 years ago, Premier, you had a busy week focusing on the issues that matter to Albertans. Can you update us on what else was accomplished in your meeting with the mayors of Calgary and Edmonton?

**Ms Redford:** Well, Mr. Speaker, it was a very important meeting because, of course, we see a new mayor in Edmonton, and there's a real buzz in Edmonton right now about Mayor Iveson and some of the very exciting work that we're going to be able to do together with respect to building community. There's no doubt that as we move forward and we take a look at things such as public transit, ring roads, infrastructure, partnerships on social policy issues, the social policy framework, this will be very important.

In addition to that, I am very excited to talk to both mayors about working on trade missions together to make sure that we're telling Alberta's story and continuing to open new markets, Mr. Speaker.

**The Speaker:** The hon. member.

**Ms L. Johnson:** Thank you. Premier, you were also focusing on building for the future and announced the tentative agreement on the Calgary ring road. What does this agreement mean for all of Alberta?

**Ms Redford:** Well, Mr. Speaker, when I was a community volunteer living in Lakeview, I remember sitting with people talking about the dream of having a highway that would allow traffic to travel from northern Alberta to southern Alberta with no traffic lights and no interruptions. Of course, the ring roads that have been put in place are an important part of that.

When I ran in 2008, Mr. Speaker, I made a commitment to my constituents that we would pursue the ring road and try to get it done. The southwest ring road in Calgary: the agreement with Tsuu T'ina allows us to complete the Calgary ring road. We're completing the Edmonton ring road. That's infrastructure that matters to the future of this province.

**The Speaker:** The hon. member.

**Ms L. Johnson:** Thank you, Mr. Speaker. As well, this week Premier Wynne has pledged her support to you and our government on the Canadian energy strategy. Can you outline the impact on Alberta?

**Ms Redford:** Well, Mr. Speaker, I had the opportunity on Friday morning to meet with Premier Wynne, and we talked about a number of issues. But as soon as we sat down, the first thing that she talked about was the importance of the Canadian energy strategy because it allows us all as Canadians to understand and talk about how we benefit from Alberta's incredible economic growth.

The second thing she said, Mr. Speaker, is that by understanding a Canadian energy strategy, it makes it easy for her to talk to people in Ontario about why the Energy East pipeline

matters. She's committed to it. That's good for Alberta, Ontario, and Canada.

**The Speaker:** Thank you.

The hon. Member for Chestermere-Rocky View, followed by Edmonton-McClung.

**Mr. McAllister:** Thank you, Mr. Speaker. I'll try and strike a balance in between the last two presenters.

### School Construction

**Mr. McAllister:** You know, I might be partial, but to me one of the most important things that government can do is build schools for our kids, and that's why it's so troubling to hear today that the province is not going to deliver on a promise to build 19 schools within three years because of a contract agreement. Now, let's remember that the government already reneged on the election promise to build 50 and renovate 70 during this term. We are in desperate need of schools for our kids. To the Minister of Infrastructure: how in the world did this happen, and can government not find a way to prioritize the building of schools?

**Mr. Drysdale:** Mr. Speaker, our government knows how important it is to build schools for our children and for our families in this province. It's very important, and we will deliver on these promises. The member is saying that we've reneged. We haven't reneged on anything. We will build 50 new schools and modernize 70. This P3 contract is not done. We've saved a lot of money for the province of Alberta by building P3s, and I will not apologize for that.

**Mr. McAllister:** Forgive me for not being convinced.

Mr. Speaker, our schools are bursting at the seams. Many of them look like modular factories, when you can find the modulars, that is. Given that and given that if these commitments are not met, we're going to have an incredibly large list of communities that will be unable to provide classrooms for our kids, I'll ask the Education minister: can you not work with your Infrastructure minister and government to make sure that government delivers on the promises that it makes to Albertans?

**Mr. J. Johnson:** Mr. Speaker, we are delivering on the promises we made to Albertans, and our Infrastructure minister is a big part of that. His department and my ministry are doing incredible work. As of right now there are about a hundred projects that have either just been completed or are under way and announced in this province. That's going to give us an incredible increased capacity in terms of desks and capacity for our students. Obviously, this tendering situation is not ideal, but as the minister said, he's able to move forward, and we're still going to be able to announce 50 new schools and 70 modernizations and even more on that.

**Mr. McAllister:** Mr. Speaker, our kids are in hallways, they're on stages, they are in gymnasiums, and they are in community halls. Again to the Minister of Infrastructure: given the obvious problem here, couldn't the government spend less time putting up signs all over the province telling everybody what it intends on doing and then taking pictures in front of them and maybe more time walking the walk and building the schools that the kids in this province so desperately need?

**Mr. Lukaszuk:** Mr. Speaker, in answering this question, I'll strongly recommend that this member pick up his leader's speech of this morning and try to correlate his request for additional

schools, for additional trailers with her promise of not having any more debt and extinguishing Albertans' debt. You can't have both. This government has made a promise to deliver, to build for the growth in this province, to provide children with classrooms, to provide seniors with housing, to provide patients with hospital space, not based on the notes from the leader of extinguishing hope and not building anymore and not to incur any debt, as she tends to call it. Get your story straight.

**The Speaker:** Hon. Member for Airdrie, your point of order at 2:38 has been noted.

Let us move on. Keep the preambles to those sups as short as you can. As I indicated earlier, I appreciate your co-operation.

Edmonton-McClung, followed by Edmonton-Centre.

### Postsecondary Education Funding

**Mr. Xiao:** Thank you, Mr. Speaker. Recent budget changes at the University of Alberta have some of my constituents worried that the quality of education will be adversely affected and will further impact the quality of postsecondary education in our province. My question is to the Minister of Enterprise and Advanced Education. How can I assure my constituents that this budget change will not affect the quality of the University of Alberta's excellent student education, that Albertans have come to expect?

**The Speaker:** The hon. Deputy Premier.

**Mr. Lukaszuk:** Well, thank you, Mr. Speaker. I would suggest to the member that first he assure his constituents that in Campus Alberta we have very committed chairs, very committed boards, and definitely very committed presidents and administrators to deal with whatever budgetary situation they are faced with in a manner that least affects the students. Actually, all of them deserve our gratitude for doing just so. They have made very difficult decisions in view of the budget, just like this government had to make some very difficult decisions, but being very student focused.

**Mr. Xiao:** To the same minister: given that as a result of the budget shortfall the University of Alberta suspended 20 arts programs this fall, why was there such an overwhelming amount of arts programs suspended versus other programs?

**Mr. Lukaszuk:** Well, Mr. Speaker, all schools have made decisions based on their priorities, based on enrolment, based on participation. No matter what the budget is, every year new programs get put on, and old ones get eliminated. That simply happens.

I have to assure you of one thing, Mr. Speaker. This government knows the importance of arts. We know that if we are to grow, if we are to attract high-calibre Albertans, and if we are to retain Albertans in this province, we not only need a strong economy, but we need the quality of life that we get through culture and in arts.

2:40

**Mr. Xiao:** Again, Mr. Speaker, to the same minister: given that recent reports have top-tier executive salaries at the postsecondary institutions reaching upward of \$500,000 plus, are there any plans to review executive pay at universities?

**Mr. Lukaszuk:** Mr. Speaker, I have been meeting with chairs of all postsecondary schools, not only in groups at the table, but I have actually travelled to most if not all of the schools and met with them individually. My message to them has been always very



clear. We are dealing with a very difficult financial situation, and in view of some of the unprecedented drop in revenue and the disaster expenditures, we have taken very difficult but necessary steps, and I expect those chairs to make similar decisions.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by Edmonton-Beverly-Clareview.

### Municipal Charters

**Ms Blakeman:** Thanks very much, Mr. Speaker. To the Minister of Municipal Affairs: is the reason the minister has reneged on or postponed or perhaps misplaced his promise and that of the Premier for city charters for both Edmonton and Calgary because it could affect the province's taxation powers? In the end, is this all about keeping the cities starved for resources and under the government's thumb?

**Mr. Griffiths:** Mr. Speaker, in fact, I would have to admit that the flood pushed us a little bit behind on the work on the civic charters, but the work on the charter is a three-way partnership. It's not up to just the Minister of Municipal Affairs to impose a charter. We're working on a collective three-way agreement. We got very, very close before the municipal election because we restarted the discussions about a month ago, but the mayor of Edmonton at that time said that he thought it was a prerogative of the new mayor and council to sign on it. So we have most of the work completed and carry on from there.

**Ms Blakeman:** Oh. Well, a change in tune. Thanks very much, Mr. Minister.

Given that he was talking about not big-city charters but civic charters a month ago and that the cities have been consistent in talking about big-city charters, can he explain why he's insisted on dumping these cities of hundreds of thousands of people in the same pot with towns and villages? I know he likes to talk about going to 343 of them, but do you not recognize the difference, or is this an attempt to minimize their influence on the life of the province?

**Mr. Griffiths:** Mr. Speaker, in fact, I completely recognize the difference, but I also respect every single one of the 349 municipalities in this province. To say that they're big-city charters leaves out Lethbridge and Medicine Hat and Red Deer and other municipalities which also might want to assume new responsibilities to serve their citizens, which is why – I don't care what they call them; I refer to it as a civic charter – it's going to be a charter about the new, invigorated relationship between our municipalities and this province.

**Ms Blakeman:** Well, given that both cities elected young, progressive, popular mayors and popularity is really attractive, why doesn't the minister just ride on their coattails and bring in the big-city charter they campaigned for? Go ahead.

**Mr. Griffiths:** Mr. Speaker, I see it's comedy hour already on the first day.

Mr. Speaker, given the fact that the minister himself and the mayors are all young, we're going to sit down, as I've said already, and start from an agreement that's 95 per cent in place and continue to work there to make sure that we have something in place that other municipalities will be able to adopt and work towards if they want to so that every single level of government in this province is able to best serve their municipalities. Period.

### Education Funding

**Mr. Bilous:** Mr. Speaker, students, support staff, and teachers across the province came back to schools and classrooms this fall and immediately felt the effects of this government's broken promises to education. You can't put 11,000 more kids into a system while slashing \$14.5 million from the Education budget without negative consequences. Simply put, more students with fewer dollars equals less learning. To the Education minister: why won't the minister admit that this PC government's cuts are hurting kids, support staff, and teachers?

**Mr. J. Johnson:** Mr. Speaker, what I will admit is that this member needs to do better homework. If you look at the budget, I'm not sure where this \$14 million cut comes from. As a matter of fact, I've got the budget in front of me, and the estimates for 2013-14 are \$6.13 million, up from \$6.085 million, and that's just the operations. If you include the incremental enrolment and the promise that we have to fund those incremental students in the system and the capital, there's approximately \$300 million more in the budget this year than there was last year. I don't know how the math works over there, but in anybody's books that's an increase, not a cut.

**Mr. Bilous:** Promise made, promise broken.

Mr. Speaker, given that a typical classroom today is not only larger but is made up of an increasing number of students with special needs, including behavioural issues – there are English language learners and many others – and given that 500 positions were cut out of the education system due to this PC government's broken-promises budget, when will the minister realize that this government's short-sighted budget cuts to education have failed Alberta students?

**Mr. J. Johnson:** Mr. Speaker, this certainly is a challenging budget, and school boards are going to have challenges with any budget. Obviously, one of the things people look at is class size, but I would agree with the member that one of the things we look at very closely – and it is one the more important things going forward – is the quality of the teacher in the classroom and the supports they have and what we're putting toward inclusion. That's another area of the budget that we increased this last year. I know this is his first day in question period as the Education critic, but if he did his homework, he would know that the class size initiative and the special-needs funding both went up last year.

**Mr. Bilous:** Mr. Speaker, given that there was already a funding shortfall prior to Budget 2013, it's simply misleading to say that per-student funding is enough to make up for that shortfall. To the Minister of Education: are Alberta's staff, teachers, and kids really such a low priority for this PC government?

**Mr. J. Johnson:** Mr. Speaker, you know, he may not be a math teacher, but he does know the answer to that question. Through Inspiring Ed and other things we've shown and we have proven that we're putting kids first, and we're investing an incredible amount of money into education, more than any other province or jurisdiction virtually in North America.

Now, we can be very proud of our system. Coming back from OECD meetings with 43 other Education ministers from across the globe, we learned that Canada scored extremely well on some of the international tests that were done over the last decade and Alberta scored top of all of the Canadian jurisdictions in all three categories.

**The Speaker:** The hon. Member for Calgary-Fish Creek, followed by Edmonton-Riverview.

### **Health Care Wait Times** (continued)

**Mrs. Forsyth:** Thank you, Mr. Speaker. The Wildrose cares about patients who are suffering with long wait times in our province, but no matter who this government puts in charge, things are just not getting better. The problem isn't new. It has existed for years, and this government has been told over and over and over. We can only be thankful for the heroic work of our health care professionals, who are keeping our health care system together. Can the Minister of Health tell Albertans why he is failing to put a stop to growing wait times, leaving Albertans to suffer?

**Mr. Horne:** Well, Mr. Speaker, this government takes the issue of wait times very seriously. In answer to the earlier question asked by the hon. Leader of the Official Opposition, I talked about some of our successes in reducing hip and knee surgery wait times, in reducing cataract surgeries, in reducing the wait for bypass surgeries. There is much work to be done right across the country, including here in Alberta. The answers to this in many cases are found in innovation. If we look to central assessment and central intake of patients as we are doing in the case of hip and knee surgery, we see amazing results, and the hon. member is right to credit front-line workers for its success.

**The Speaker:** The hon. member.

**Mrs. Forsyth:** Thank you. Given that this is impacting real people and that they expect real answers and that today's report shows that Albertans are waiting an astonishing 128 weeks for cornea transplants while people in Nova Scotia only have to wait 24 weeks, will the minister explain why he waited until last Friday, to do a press release, to buy more transplant tissues while Albertans have been left suffering?

**Mr. Horne:** Mr. Speaker, I am delighted that the hon. member recognizes the initiative that has been undertaken to reduce waiting times for cornea transplants. As the hon. member probably knows, there is a growing demand for this procedure. It's often conducted in connection with cataract surgery. Last week we showed that Alberta once again leads the country. Our plan to import additional cornea tissue from B.C. and the United States will allow us to do an additional 500 surgeries between now and Christmas and reduce the waiting time from three years in the past to three months.

2:50

**Mrs. Forsyth:** Minister, you should have done it earlier.

You know what is extreme, Mr. Speaker? Albertans waiting three weeks for a pacemaker when the Canadian average is three and a half days. Why, Minister? Why?

**Mr. Horne:** Mr. Speaker, what is extreme is the notion put forward earlier this afternoon in question period by the Leader of the Official Opposition that the solution to reducing wait times in our province should be to send patients outside of our jurisdiction and perhaps outside of the country, for all we know, in order to receive services that are here and available in Alberta. We are leading the country in terms of innovation to reduce waiting times in many, many areas. It's a testament to the innovation and hard work of front-line staff in Alberta Health Services, and I thank them for it.

**The Speaker:** The hon. Member for Edmonton-Riverview, followed by Livingstone-MacLeod.

### **Firearm Collection by Emergency Responders**

**Mr. Young:** Thank you, Mr. Speaker. This summer saw an unprecedented flood and an equally unprecedented response: our front-line responders of emergency management, police, fire, EMS, utility companies, and the Red Cross, to name a few, as well as the individual Albertans that helped out in heroic ways. Some of the front-line responders, the men and women of the RCMP, have been unfairly accused of inappropriately seizing firearms from homes. To the Minister of Justice and Solicitor General: were the men and women of the RCMP that were dealing with the emergency response directed in any way to search for firearms?

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you very much, Mr. Speaker. I'm sure this member, being a former staff sergeant with the Edmonton Police Service, knows full well that police do not take orders from politicians in Alberta or anywhere else in the country. To answer his question, there was no such order from my office or anyone in this government. I would refer him to section 117.04(2) of the federal Criminal Code and section 19 of the Emergency Management Act, both of which give the authority for police officers to enter businesses or private homes to save lives and protect property. We owe a debt of gratitude to all of our first responders.

**Mr. Young:** To the minister: when did you first hear about the seizure of firearms, and what was your response?

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you very much, Mr. Speaker. I was there first-hand, and I saw cars floating everywhere. I saw absolute destruction everywhere. One of the first things I did was go to the RCMP detachment on June 26. On June 27 I sent a letter to Deputy Commissioner Dale McGowan, which I will table later today, confirming that law-abiding firearms owners' rights would be respected just like this government has done for the last 20 years.

**Mr. Young:** Are the firearms that were seized for safekeeping going to be returned to their owners?

**Mr. Denis:** Well, Mr. Speaker, my department has advised me today that approximately 95 per cent of the firearms that were stored actually have been returned. It's over 500 that have been collected and returned. On top of that, the RCMP executed 600 rooftop rescues and saved 650 pets. This government is proud to stand up for the RCMP, unlike the Leader of the Opposition, who didn't even thank the RCMP today in her statement.

**The Speaker:** The hon. Member for Livingstone-MacLeod, followed by Cypress-Medicine Hat.

### **Emergency Medical Service Response Times**

**Mr. Stier:** Thank you, Mr. Speaker. Southern Alberta is in a crisis due to shortages. Rural ambulance wait times are often up to 45 minutes after years of tinkering with this by government, and it is putting residents at risk. For a farmer who collapses in his field, a gardener experiencing sudden chest pain, or a senior in a facility a

half hour truly means the difference between life and death. To the Minister of Health: what are you doing to address this unacceptable government failure within Alberta's ambulance system?

**Mr. Horne:** Well, Mr. Speaker, a few years ago the government made a policy decision, and in my view it is completely in line with what Albertans expect. We recognize the fact that EMS is health care. We have a proud tradition of some EMS services continuing today to be offered by municipalities across the province, but we recognize that for many Albertans the front door to the health system is often that emergency medical services worker that responds to them when they're in need. As the hon. member knows, we've taken initiatives to centralize dispatch across the province. We continue to work with municipalities on other measures to improve the service.

**The Speaker:** The hon. member.

**Mr. Stier:** Well, thank you, Mr. Speaker. Given that more than 14 reeves and mayors from across rural Alberta wrote the minister a letter, which I'll be tabling, by the way, here in a few minutes, requesting that he reconsider plans to consolidate ambulance services, can the minister say now whether or not he plans on finally meeting with these community leaders and working with them, not against them, to fix these EMS wait times?

**Mr. Horne:** Mr. Speaker, I know the letter very well, and if the hon. member has studied the letter, he will also know that the majority of mayors who signed it have already consolidated their local dispatch service with the Alberta Health Services central dispatch system. We continue to work with municipalities in the case of cities such as Red Deer and Lethbridge. We're working very closely with elected officials there to time the consolidation of dispatch in a way that will be streamlined and seamless from the point of view of people who use the service. This is a vast improvement in Canada in the delivery of EMS, and we continue to see it through.

**The Speaker:** The hon. member.

**Mr. Stier:** Thank you, Mr. Speaker. Well, I'm not sure if that's exactly true, but given that Albertans' lives depend on immediate response times, can the minister explain how centralizing ambulance services to Alberta's two major cities serves our rural municipalities better, or is this due to become just another failed policy on this minister's record?

**Mr. Horne:** Mr. Speaker, the initiative is around the centralization of the dispatch function, not all of the EMS services. As the hon. member will know, there are multiple areas in the province still today – they are dwindling in number – where the dispatch services cannot be looked at and managed on a provincial basis. The result – and it might be the case in the hon. member's own constituency – is that entire areas of the province appear dark when it comes to organization and deployment of emergency medical services resources. This is an issue the hon. member should be concerned about because it will result in his ambulances being available to people when he needs them most.

**The Speaker:** Thank you.

Hon. Member for Airdrie, you rose on a point of order during the minister's first answer, at 2:55, and it was noted.

Calgary-Hawwood, followed by Cypress-Medicine Hat.

## Trade with China

**Mr. Luan:** Thank you, Mr. Speaker. Alberta's strong trade relationship with China continues to grow. Last month our Premier went on a 12-day trade mission to China, which is the third visit since she became Premier. As globalization continues, countries will inevitably become interconnected and also, in the meantime, compete to access emerging markets like China. My question is to the Minister of International and Intergovernmental Relations. What was the outcome of those trips that we made, and can you comment specifically on how we are attracting Chinese foreign investment?

**The Speaker:** The hon. minister.

**Mr. Dallas:** Well, thank you, Mr. Speaker. A pillar of the building Alberta plan, a top priority for the government is opening up new markets. It's about realizing fair prices, and it's about getting optimum access for our products and services. The Premier's recent mission to China really introduced potential investors and buyers to opportunities that exist right here in Alberta, and it provided support to those businesses and investors that grows their business.

**Mr. Luan:** Given the subsequent trip, where I think the Minister of Energy went to China and signed an agreement with the President of China, Mr. Xi Jinping, my question to the same minister is: what's the significance of this agreement?

**Mr. Dallas:** Well, Mr. Speaker, energy security is a key driver for Chinese energy policy. This historic agreement, signed by my colleague the Minister of Energy, recognizes that there are mutual benefits and opportunities in energy collaboration to work on. In particular, that framework allows for co-operation on policy and regulatory best practices in unconventional resource development, collaboration on integrated resource management, sharing of knowledge on carbon capture and storage, and the implementation of a technical series for our industry leaders.

**Mr. Luan:** My last supplemental question to the same minister. Given all those opportunities we have for working with China, can you help us to understand: will those opportunities translate into any tangible gains for Alberta?

**Mr. Dallas:** Yes. Mr. Speaker, these opportunities are very significant. I mean, Asia is expected to account for around 60 per cent of global middle-class consumption by 2030. Our plan is to capitalize on this opportunity. It's part of our renewed international strategy. We'll work closely with partners in the region, we'll identify and advance areas of mutual interest, we'll develop strategic relationships, and we'll address barriers to diversification for world markets.

3:00

**The Speaker:** Thank you.

Hon. Member for Airdrie, you actually rose on a point of order in response to the second response given by the Minister of Justice, not the one by the Minister of Health, and I've been informed of that, so that has been corrected. Thank you very much.

## Members' Statements

**The Speaker:** The hon. Member for Edmonton-South West.

### Official Opposition and Government Policies

**Mr. Jeneroux:** Thank you, Mr. Speaker. Let me take you back. We all remember the debacle that was Coke classic. It was supposed to be an improvement on the original Coke, but it was widely rejected by consumers because it was a pale imitation of the real thing. The Official Opposition has now embarked on their own new-Coke debacle, having added heaping doses of artificial sweetener to try to make their extreme policies more politically palatable.

Mr. Speaker, they claim to believe in climate change. They claim to believe in equality. They claim to believe in all sorts of things, but these are not the same claims they have made in the past. These are not even the same claims they made last Thursday. It's just fake sweetness to mask the bitter taste of intolerance and extremism.

While they claim all these things, Mr. Speaker, this government actually believes in climate change. We believe in equality. We believe in dignity and human rights, and we believe in building Alberta. We believe in making this Alberta the best place to live for the 4 million Albertans of today and the million more who will make this province their home in the next decade.

They want to pretend they're progressive conservatives, Mr. Speaker, but they're not. They are new Coke. They're still the same old party. They're still extreme and intolerant. As new Coke was full of empty calories, the party across the way is full of empty promises. Albertans deserve better.

#### Speaker's Ruling Members' Statements

**The Speaker:** Hon. members, there's a long-standing tradition in this House that we do not interrupt members when they're giving a private member's statement. Now, over 20 years, believe me, I've heard many private members' statements, and some have been humorous, some have been poisonous, some have been off the wall, and some have actually been right on topic. I would ask again, House leaders: please review this matter. I ignored two or three people who were thinking of raising a point of order during this last exchange, and I would ask also that all of you review the courtesy of not interrupting another member when he or she is giving a private member's statement.

In the end, I would ask all of you to please review your private members' statements and be careful of no personal attacks, no personality attacks, and so on. I'm not saying that one was. I'm just saying: please, let's review this. We're off to a reasonably good day given one or two little faltering. Let's please try and stay at the highest level possible here, I ask, please.

Let us move on, then, to the hon. Member for Airdrie.

### Official Opposition Policies

**Mr. Anderson:** Mr. Speaker, this past weekend our Wildrose caucus attended our party's AGM in Red Deer to discuss and debate policy. We passed policies on fiscal responsibility, government transparency, funding for students with special needs, protection for seniors and the vulnerable, and lowering our province's emissions, just to name a few. We also rescinded several policies that were confusing and outdated. Our entire membership and caucus also unanimously passed a powerful statement affirming what we've always believed, that all men and women are and must be treated as equal by their government regardless of who they are or where they come from.

I'd also like to thank the minister of sightseeing and five-star hotels for attending our AGM and affirming for all Albertans how utterly terrified this PC government is of losing power in 2016. Well done, sir, and well done, Mr. Baranski, wherever you are. The PCs will continue to use fearmongering and smear tactics to attack the Wildrose because that's all they've got left, but as we've seen in federal politics, the fear card doesn't work more than once. Eventually people just stop believing you, and when they do, they'll look at your record, and your record stinks. It's a record of debt and deficits. It's a record of scandal and ethical failures. It's a record of cuts to the vulnerable and pay raises for MLAs and golden handshakes for your buddies. It's a record of bullying, intimidation, and of total, utter incompetence. It's a record that will come to an end in 2016.

The Wildrose is ready to lead. We are ready to balance the budget, end the days of debt. We are ready to clean out and disinfect these halls of cronyism and backroom dealing. We are ready to empower local communities to govern themselves, to axe corporate subsidies and executive perks for government and health executives, and to instead spend tax dollars on what matters: caring for the vulnerable and the sick, educating our children, and building core infrastructure. The Wildrose is here to give Alberta back to Albertans, Mr. Speaker, and we aren't going anywhere until that happens.

**The Speaker:** The hon. Member for Banff-Cochrane.

### Flood Recovery

**Mr. Casey:** Thank you, Mr. Speaker. The events of June 20 changed the lives of thousands of Albertans and the ways we think about ourselves, our community, and our government. It was a terrifying example of the powers of nature and has resulted in a renewed appreciation and respect for the watersheds in which we live.

In my constituency of Banff-Cochrane the communities of Canmore, Exshaw, Lac des Arcs, Benchlands, and Bragg Creek all sustained significant damage. As well, much of the infrastructure in Kananaskis Country was destroyed, and businesses like TransAlta, Lafarge, and Sunshine Village sustained millions of dollars of damage, not to mention the hundreds of small businesses that were affected by the flooding.

Mr. Speaker, the common thread among all affected communities was the strength, resilience, and compassion of otherwise ordinary Albertans that stepped to the aid of their neighbours and their communities, many without a thought to their own personal risk. They are truly heroes, each and every one, in their own right. We all have the right to be very proud as Albertans for the way in which we have dealt with this disaster.

The government has demonstrated amazing leadership from the first minutes of this disaster, and the co-operation and responsiveness of all ministries is greatly appreciated by everyone affected. I would like to personally thank, though, Associate Minister Fawcett and his staff, who have worked tirelessly for our communities.

Mr. Speaker, when we elect our leaders, we do so on the basis of those qualities that we associate with leadership – strength, integrity, knowledge, and so on – but seldom do we ever really have an opportunity to see if those qualities translate into a leader. We are indeed fortunate in Alberta that the leadership qualities we saw in Premier Redford two years ago did in fact lead to the emergence of a compassionate, strong, and insightful leader at a time when we needed one the most. To the Premier: thank you.

**The Speaker:** Remember, hon. members, that we do not use first names or surnames in the Assembly. I know you all know that, but it's just a reminder.

Let us move on, then, to Calgary-Glenmore, followed by Calgary-Fort.

### Calgary Southwest Ring Road

**Ms L. Johnson:** Thank you, Mr. Speaker. On October 25, 2013, an important announcement was made by the Premier and the Minister of Transportation, and that was the tentative agreement between the province of Alberta and the Tsuu T'ina Nation regarding the southwest portion of the Calgary ring road. This road has been shown in transportation plans for over 60 years and has been and will continue to be a major concern to my constituents for, you see, the southwest ring road path runs parallel to the entire west boundary of my constituency. A north-south roadway between Anderson Road and Glenmore Trail has long been considered, and the announcement indicates to residents of Cedarbrae, Oakridge, and Lakeview that the section of 37th Street west of their homes will not be part of the road. I want to sincerely thank the residents of Calgary-Glenmore who have kept this issue front and centre for many years. This is a first step, and I will continue to work with them to make this road a reality.

3:10

Unfortunately, the plan does mean that several important buildings such as the Sarcee Seven Chiefs Sportsplex, the Chief Joseph Big Plume Building, the Tsuu T'ina Nation Culture Museum, and the Buffalo Run Golf Course along with several houses will have to be moved. These buildings are homes, employment places, and recreational centres for nation residents and Calgarians. To quote Chief Whitney: my heart, my compassion goes to the residents who will have to relocate and accommodate this project.

Completing the Calgary ring road is an investment in building Alberta, and it will bring benefits for the safety, prosperity, and success of Calgarians, the Tsuu T'ina, and all Albertans as it will dramatically improve traffic flows in, through, and around the Calgary region. My heartfelt appreciation to the Premier, the Minister of Transportation, Chief Whitney, and the people of Tsuu T'ina, who have been working together to achieve this agreement. I would also like to acknowledge the city of Calgary for their support of the project. Thank you, colleagues, for this is another example of promises made, promises kept.

**The Speaker:** The hon. Member for Calgary-Fort.

### Calgary Zoo Flood Recovery

**Mr. Cao:** Well, thank you, Mr. Speaker. Last spring everyone witnessed damaging, devastating images of flooding in southern Alberta. Communities along the Bow and Elbow rivers in my constituency were hit but through their own strength made a quick recovery.

Today I wish to talk about the Calgary Zoo, one of the areas totally hit by the flood. Many vulnerable and extremely frightened animals were impacted at the zoo as the flood waters rose. Zoo employees risked their lives countless times through chest-deep water to ensure animals were safely evacuated. Unfortunately, several animals perished during the flood, including many tropical fish and a peacock.

I had the opportunity to visit the mud-covered zoo right after the water had receded and the cleanup got started. In addition to the animals' displacement and loss of life, the estimated financial cost

to the zoo was \$60 million, including \$50 million in damages and \$10 million in lost revenue.

Now, several months later, the Calgary Zoo is closer to getting back on its feet thanks to the hard work of the zoo employees, volunteers, and many ordinary Calgarians. Within a month's time all employees, volunteers, and sponsors will see their months of hard work come to fruition. The Calgary Zoo is scheduled to reopen on November 28. I'm proud to live in a city where generosity runs high and where citizens demonstrate so much tenacity in getting the city back on its feet. Because of their hard work the Calgary Zoo once again will prosper and be restored to its place as the best in the province and the best zoo in the world.

Our thanks go to the Calgary Zoo leadership, led by Dr. Clément Lanthier, and many dedicated staff and volunteers and donors. Alberta is simply the place for people with the spirit to achieve.

**The Speaker:** Thank you.

The hon. Member for Edmonton-Centre.

### Mr. Richard Arthur Miller

**Ms Blakeman:** Thank you very much, Mr. Speaker. I rise today to remember Rick Miller, who died of prostate cancer on Saturday at the age of 53. [applause] Thank you. Rick served as MLA for Edmonton-Rutherford from 2004 to '08 and as finance critic and caucus whip for the Liberals. Later he worked as chief of staff for the official Liberal caucus.

In addition to his public life, Rick was a committed Rotarian, always volunteering time for projects. He was a successful owner of a family business, Alberta Stamp and Marking, and an avid hang-glider. He was proud of his family and brought his kids to the Legislature and to political functions whenever he could. He had a great extended family and somehow managed to spend time with them and carry out all of his caucus, constituency, and party duties.

It was Rick's tireless work – sorry, fellas – not the Wildrose's, which uncovered the donations from the municipalities to the governing party, resulting in the warlords of Alberta series of releases. Rick was an honourable politician, who preserved the integrity of our democratic institutions. He was easy to work with no matter which side of the House you were on. He brought a steady, practical, and warm presence to whatever he did.

I have two favourite Assembly stories about Rick. In the spring of 2005 Reverend Abbott, then the Member for Drayton Valley-Calmor, described a federal MP, Belinda Stronach, as whoring herself out for power. The next day Rick used his private member's statement to talk about how important it was for everyone, but especially men, to mentor and encourage young women to participate fully in democratic society. He was clearly thinking about his own daughter, but I was struck by how forward thinking and positive Rick's response to Reverend Abbott's terrible comments was.

Rick loved being a politician and was fond of saying: "We have the best job in the world. We get paid to try and overthrow the government."

But one last quote. Rick was once accused of falling asleep in this Chamber. When questioned, he retorted that he wasn't sleeping; he was merely resting.

Thank you.

**The Speaker:** Thank you, hon. member, and may he continue his rest in peace.

May we revert to the introduction of visitors?

[Unanimous consent granted]

## Introduction of Visitors

(continued)

**The Speaker:** The hon. Minister of Environment and Sustainable Resource Development.

**Mrs. McQueen:** Well, thank you very much, Mr. Speaker. It's a real pleasure for me to rise today to introduce to you and through you to all members of this Assembly guests that we have here in the gallery today from the Alberta Environmental Monitoring Management Board, that are seated in our members' gallery. I am so proud to introduce them here as part of this monumental day. I would like to recognize the outstanding work these individuals have put forward in the legislation that I'll table later on this afternoon.

We have joining us Dr. Gregory Taylor from the University of Alberta. I also want to congratulate Dr. Taylor on receiving the outstanding contribution to the Alberta science and technology community award this weekend, including a \$10,000 prize. Congratulations to Dr. Howard Tennant, our chair of our advisory board; Dr. Arlene Ponting, CEO of the science Alberta foundation; Dr. Ron Wallace, a former board member of Wildlife Habitat Canada and former executive director of the Northwest Territories Water Board; Mr. Doug Tupper, who is the former assistant deputy minister in the department of environment; Mr. Paul Clark, a board member of the National Research Council Canada and the Alberta Science and Research Authority; and Mr. Neil McCrank, who is with us here as well, a former ERCB CEO.

Special thank you to two of our outstanding staff with Alberta Environment and Sustainable Resource Development, our CEO and the CEO of monitoring, Ernie Hui, and someone who is very dear to our hearts, who couldn't join us here today but is in our thoughts and prayers, Mr. Bob Barraclough, the ADM of monitoring transition.

I want to thank all of you for the outstanding work. What we table today is from the efforts of you and so many people, so thank you very much for being with us here today. Please, if you can, rise and receive the traditional warm welcome of this Assembly.

## Presenting Reports by Standing and Special Committees

**The Speaker:** The hon. Member for Strathcona-Sherwood Park.

**Mr. Quest:** Thank you, Mr. Speaker. As chair of the Standing Committee on Families and Communities I'm pleased to table copies of the committee's report on Bill 204, the Irlen Syndrome Testing Act, sponsored by the hon. Member for Red Deer-North and referred to the committee on April 22, 2013.

I'd like to acknowledge the support provided by the staff of the Legislative Assembly Office. A sincere appreciation is also extended to the organizations and individuals who contributed written submissions and made oral presentations as part of our review of the process. I'd also like to thank my fellow committee members, representing all parties in the Assembly, who worked together to ensure that a thorough, co-operative review was done of this bill.

Mr. Speaker, the report includes the committee's recommendations to the ministries of Education and Health to ensure that children throughout Alberta who suffer from visual challenges are accommodated appropriately so they may reach their full

academic potential. The report also includes the committee's recommendation that Bill 204 not proceed.

I request the concurrence of the Assembly with respect to the report on Bill 204, the Irlen Syndrome Testing Act.

Thank you, Mr. Speaker.

3:20

**The Speaker:** The hon. Member for Red Deer-North.

**Mrs. Jablonski:** Thank you, Mr. Speaker. Pursuant to Standing Order 78.4(b) I stand to speak to the concurrence motion regarding the referral of Bill 204.

## Speaker's Ruling

### Debate on Private Members' Public Bills

**The Speaker:** Hon. member, I hesitate to interrupt, but I must because we have a very unique situation that has arisen here on which I need to make a few brief comments.

As members have just heard, the chair of the Standing Committee on Families and Communities has just presented a report from that committee on Bill 204, known as the Irlen Syndrome Testing Act. The chair moved that the Assembly concur in that report. This follows the usual practice when this type of committee reports on a bill that has been referred to it by this Assembly. The unique part here, however, is that motions for concurrence from this type of committee have not been debated in the past once they have been presented and a motion for concurrence has been uttered.

At this time the Assembly is still considering items in the daily Routine, which is not the usual time for debating motions. In fact, Standing Order 2 states in part that "In all contingencies unprovided for, the question shall be decided by the Speaker," and it continues on. In this case the committee's report concerns a private member's public bill. Therefore, it would be inappropriate in the chair's view to ask the Government House Leader and other members to find time to schedule a debate on the motion for concurrence during government business since it is a private member's public bill.

Accordingly, it also seems to me that the more logical time to debate this motion for concurrence or otherwise is during the item known as Public Bills and Orders Other than Government Bills and Orders. This item of business, as you all know, occurs on Monday afternoons, which means that our Assembly will have an opportunity to debate this motion further, in fact, today, this afternoon to be exact, immediately after the items of business called Written Questions and Motions for Returns. My understanding is that there is only one written question for consideration today, which means that we should have ample time for the said debate to carry on.

Furthermore and in keeping with the time limits for private members' public bills found in Standing Order 29(3), members who wish to participate in the debate on the concurrence motion will be limited to 10 minutes each in their speaking time. The mover of the motion will of course have five minutes to close debate thereafter. As I've said, there should be lots of time to do that this afternoon. At least, we hope so.

So thank you for your attention and providing me with this opportunity to provide some direction on this unique situation. As always, I am interested in any comments that you might have regarding what I've just said, in particular from the House leaders but also from members in general, outside of the proceedings of

the Assembly in this regard. If you wish to write to me, please let me know.

Thank you.

### **Presenting Reports by Standing and Special Committees** (continued)

**The Speaker:** The hon. Member for Calgary-Varsity.

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. As chair of the Standing Committee on Resource Stewardship I'm pleased to table copies of a report on Bill 205, Fisheries (Alberta) Amendment Act, 2012, sponsored by the hon. Member for Lesser Slave Lake and referred to the committee on April 22, 2013.

I'd be remiss if I didn't acknowledge the Legislative Assembly Office staff for their always excellent work on this report, and I'd also like to thank the presenters from the Ministry of Environment and Sustainable Resource Development for their presentation and subsequent written submission to the committee on the issues raised on this bill. Finally, I'd like to thank my fellow committee members for their ongoing dedication to all matters examined by our committee and for their endorsement of a very practical solution here.

Mr. Speaker, the report recommends that the committee shall request an annual update from Alberta Environment and Sustainable Resource Development for up to three years on the department's commercial fishing consultation practices, including any recommendations for improvement. The report also includes the committee's recommendation that the bill not proceed.

I request the concurrence of the Assembly with respect to the report on Bill 205, Fisheries (Alberta) Amendment Act, 2012.

Thank you, Mr. Speaker.

**Ms Calahasen:** I also want to rise today to speak under Standing Order 78.4(b), to talk about this, to debate this.

**The Speaker:** Thank you, hon. member. As I just indicated to the Member for Red Deer-North and to all members, the most appropriate time for the debate on this matter and other such committee motions for concurrence would be this afternoon once we get to that stage. It'll take place prior to 5 o'clock. That having been said, we'll proceed on that basis.

### **Notices of Motions**

**The Speaker:** Hon. Member for Edmonton-Calder, you have a notice of motion?

**Mr. Eggen:** Yes. Thanks, Mr. Speaker. Pursuant to Standing Order 30 and after providing your office with the appropriate notice this morning, I wish to inform you that on the completion of the daily Routine I move to adjourn the ordinary business of the Assembly to hold an emergency debate on a matter of urgent public importance; namely, the negative impacts on patient care and safety resulting from Alberta Health Services' decision in June 2013 to significantly reduce the number of home-care providers in Edmonton and in Calgary by cancelling contracts with existing providers.

Thank you, Mr. Speaker.

### **Introduction of Bills**

**The Speaker:** The hon. Minister of Municipal Affairs.

### **Bill 27**

#### **Flood Recovery and Reconstruction Act**

**Mr. Griffiths:** Thank you very much, Mr. Speaker. I request leave to introduce Bill 27, the Flood Recovery and Reconstruction Act. The intent of this legislation is to improve the safety of Albertans and help municipalities develop stronger and more resilient communities. The act will help address challenges stemming from the recent and unprecedented flooding in several ways. It will protect potential buyers of properties in flood hazard areas by giving the government authority to place notices on land titles that indicate whether a property is eligible for disaster assistance in the event of another flood. It will also help to reduce and prevent the building within floodways. It will make flood mitigation funding available for funding applicants by establishing authority for this funding under the Emergency Management Act as a standard item of disaster recovery programs and give us the option to extend the duration of a provincial state of emergency from 14 to 28 days without having to return to the Legislature, thereby reducing the amount of time government officials spend on administrative and legislative tasks during an emergency so we can focus on the task at hand.

Mr. Speaker, I look forward to speaking more about the benefits of this legislation in the days and weeks to come. I'm confident that this will result in enhanced safety for all Albertans and Alberta communities. I'm proud to table Bill 27, the Flood Recovery and Reconstruction Act, and move that this bill be read for the first time.

[Motion carried; Bill 27 read a first time]

**The Speaker:** Hon. Minister of Municipal Affairs, you have another bill?

### **Bill 28**

#### **Modernizing Regional Governance Act**

**Mr. Griffiths:** Thank you very much, Mr. Speaker. I'm also pleased to introduce Bill 28, the Modernizing Regional Governance Act, which involves amendments to the Municipal Government Act, commonly referred to as the MGA. The amendments will formally legislate the Capital Region Board and enable the creation of other growth-management boards in Alberta. The Capital Region Board is a 24-member intermunicipal organization responsible for co-ordinating development between municipal jurisdictions, including land-use planning, interregional transit planning, and land, air, and water considerations, for integration into plans. These amendments will result in a more proactive approach to managing development in high-growth areas of our province. I look forward in the weeks and months ahead to debating this bill as we move forward.

Thank you very much, Mr. Speaker.

[Motion carried; Bill 28 read a first time]

**The Speaker:** The hon. Minister of Health.

### **Bill 29**

#### **Pharmacy and Drug Amendment Act, 2013**

**Mr. Horne:** Thank you very much, Mr. Speaker. I request leave to introduce Bill 29, the Pharmacy and Drug Amendment Act, 2013. Bill 29 would ensure that Alberta's drug list is accurate and enforceable and reflects changes at Health Canada as they move to an online prescription drug list that will be easier for Alberta's

pharmacists to access and understand. This amendment to the Pharmacy and Drug Act will replace all references to schedule F with references to the prescription drug list which takes effect this December. As such, these amendments are administrative in nature, and I request the support of the House for first reading.

[Motion carried; Bill 29 read a first time]

**The Speaker:** The hon. Minister of Environment and Sustainable Resource Development.

3:30

### **Bill 31 Protecting Alberta's Environment Act**

**Mrs. McQueen:** Well, thank you, Mr. Speaker. I request leave to introduce Bill 31, the Protecting Alberta's Environment Act. This being a money bill, His Honour the Honourable the Lieutenant Governor, having been informed of the contents of this bill, recommends the same to the Assembly.

Bill 31 will establish the Alberta environmental monitoring, evaluation, and reporting agency. It will be the first of its kind in Canada and will fundamentally change the way Alberta's environment is monitored. This arm's-length, open, and transparent public agency will lead environmental monitoring in Alberta. Its focus will be on sound science, a comprehensive, co-ordinated monitoring and reporting of land, air, water, and biodiversity, beginning in the oil sands area. The work of this agency will provide the best possible data that will be used to make the best possible decisions when it comes to responsible development of the province's natural resources.

This bill also creates a science advisory panel, that will oversee the scientific work of the agency to ensure integrity is maintained. This is yet another step, Mr. Speaker, that this government has taken to demonstrate to Albertans and to the world that we are committed to environmental stewardship and responsible resource development.

Again, Mr. Speaker, I am so grateful to my guests that are in the House today for all the excellent work and advice they have given to provide for this bill.

Thank you, Mr. Speaker.

[Motion carried; Bill 31 read a first time]

### **Tabling Returns and Reports**

**The Speaker:** Hon. Member for Edmonton-Centre, do you have a tabling?

**Ms Blakeman:** I do indeed, Mr. Speaker. I have two tablings today, both of them, interestingly, on the same subject. The first is an e-mail that I received from Garrick Burrton over the summer, who wanted to bring to my attention and asked me to work toward a change in legislation regarding the number of properties that are available for rent that would allow people to have small pets. He notes that given the amount of academic literature supporting companion animal benefits, "having animals available for renters will improve the lives and health of a sizeable percentage of Albertans."

The second e-mail is also from a constituent, Diana Sully. She brings the same argument forward but specific to seniors and is trying to get people to support her and others in the ability of seniors to be renting or having affordable units to live in that would allow them to keep a small pet.

Thank you.

**The Speaker:** The hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you very much, Mr. Speaker. I have two tablings for you today, five copies of each. The first one is a letter that I wrote to Dale McGowan, the deputy commissioner of RCMP K Division, on June 27 asking to confirm that the firearms in High River were stored and not confiscated or seized.

The second item was the response on June 28, indicating, among other things, that these items are temporarily stored by the RCMP in anticipation of their safe return to lawful owners.

Thank you very much, Mr. Speaker.

**The Speaker:** Thank you.

Livingstone-Macleod, did you have a tabling?

**Mr. Stier:** Yes. Thank you, Mr. Speaker. I'm just going to table today five copies of the letter I made reference to earlier from the city of Lethbridge with regard to the request to reconsider the decision to consolidate ambulance dispatch services.

Thank you.

**The Speaker:** Are there others? The hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Mr. Speaker. On behalf of the hon. Member for Highwood I'd like to table today Studies in Health Policy dated October 2013 and entitled Waiting Your Turn: Wait Times for Health Care in Canada, 2013 Report, that she referred to in her questions with regard to wait times.

**The Speaker:** Are there others? The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Yes. On behalf of the hon. Member for Edmonton-Beverly-Clareview I'd like to table the appropriate number of copies of a letter sent to Mr. Johnson by Frank Bruseker, president of ATA local 38. Mr. Bruseker's letter raises alarming concerns about teacher burnout in Calgary public schools due to larger class sizes that they're experiencing this year, a direct result of the cuts to Education. This letter was sent on September 27, 2013, yet a month later, till this date, Mr. Bruseker has yet to receive a response to these concerns.

Thank you.

**The Speaker:** Are there others?

If not, then I will take the liberty to also make three tablings, with the requisite number of copies being provided in each case. First, a letter, dated August 29, from the hon. Member for Fort McMurray-Wood Buffalo indicating his resignation from the following three committees: the Standing Committee on Public Accounts, the Standing Committee on Resource Stewardship, and the Select Special Conflicts of Interest Act Review Committee.

Secondly, pursuant to the Legislative Assembly Act I would like to table with members copies of Members' Services Committee Order 07/13, entitled Members' Allowances Amendment Order (No. 27), dealing with members' temporary residence allowance, deemed effective September 1, 2013.

Thirdly, two reports, dated October 16, 2013, from the office of the Ethics Commissioner regarding the hon. Member for Edmonton-Manning which, as required, were made public and distributed to members on the same day received, which was October 16, 2013.

Let's deal with the points of order. I think we have four.

The first point of order that I have was from the hon. Member for Lac La Biche-St. Paul-Two Hills. Would you like to proceed, sir?



## Point of Order Questions to Committee Chairmen

**Mr. Saskiw:** Well, thank you, Mr. Speaker. I rise according to Standing Order 23(1), a relatively rarely used section in the standing orders. It relates to introducing any matter in debate that offends practices and precedents in this Assembly. Actually, this was with respect to a question that was asked to a chair of a current committee, and that's the Conflicts of Interest Act Review Committee. Subsequently the Premier, or the government in a sense, answered it. According to *House of Commons Procedure and Practice* it states that "questions seeking information about the schedule and agenda of committees may be directed to Chairs of committees." I had asked a question with respect to the agenda of the Conflicts of Interest Act Review Committee.

In addition to that, Mr. Speaker, I would refer you to a ruling dated May 1, 1997, as well as a ruling on April 24, 1997, which highlight the ability of members in this Assembly to ask questions to chairs of respective committees provided that the scope is limited to procedural matters such as agendas and other procedural issues. Specifically, it states that

questions may be put to members who chair statutorily created boards, committees, or commissions but must relate directly to their responsibilities as an executive of that body. Once again, [obviously the chairs] cannot speak for the government, so questions of policy must go to a member of Executive Council.

3:40

In this circumstance, Mr. Speaker, I had asked a question directly to a chair with respect to an agenda of the committee, and in this instance the Premier interrupted, which is contrary to the practices and precedents of this Assembly, as is outlined both in *House of Commons Procedure and Practice* as well as the rulings of this Assembly. I'm not 100 per cent certain what the effective remedy is here, but I guess just a reiteration that we are allowed to ask chairs of committees and that subsequently we can ask this question again and that it not be answered by the government but, rather, the respective chair.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. Well, the hon. member knows that what he was trying to do with his question was to get up to some mischief. He knows that the chair of that committee has tendered a letter of resignation and that there's a motion on the Order Paper, which will be dealt with tomorrow, with respect to changing membership on committees.

He also knows, if he reads the sections that he referred to, that the footnote on page 506, footnote 90, indicates that the Speaker may recognize whomever rises to answer the question. In fact, the only person who rose to answer the question was the Premier, and it was quite within her purview to do so, recognizing the mischief that the hon. member was up to. Subsequently I rose to answer the follow-up question and indicated that it's not actually the normal practice of this House, notwithstanding *House of Commons Procedure and Practice*, to actually ask questions of the chairs of committees because there is a forum for those questions to be asked with respect to the agenda, and that is in the committees.

The question that was asked was actually bordering on a question of whether or not – in fact, I think the preamble to the question indicated some discussion about the proceedings in the committee. In fact, the question that the Premier responded to, as I recall, dealt more with what members of the committee had done

or not done in the committee, which is clearly outside appropriate question processes.

**The Speaker:** This is a relatively straightforward matter, and we can clarify it very quickly, I believe. In actual fact, you are both right to an extent. I note on page 506 that questions can be posed to a committee chair, as was explained by the Member for Lac La Biche-St. Paul-Two Hills, and it gives examples of what may or may not be appropriate in that regard. I'll just note that for the record.

However, there is also a notation in *House of Commons Procedure and Practice* on page 506, which I might refer you all to, where under footnote 90 it states the following:

See also *Debates*, February 8, 2008, p. 2834 where a question was addressed to the Chair of a standing committee who [in that case] was an opposition Member. During one Question Period in 2008, opposition Members twice addressed questions to the Chair of a standing committee and the Government House Leader responded. The following day, the Liberal House Leader rose on a point of order and asked the Speaker if someone other than the Chair of a committee could respond to a question concerning the agenda of a committee. The Speaker advised that his role is to "take a look at those who are standing to answer and choose who is going to answer". He indicated that he had recognized the Government House Leader because he was the only Member rising to respond (*Debates*, February 7, 2008, p. 2743; February 8, 2008, pp. 2835-7).

As such, there is no point of order there, but it's a good point of clarification. Thank you to both members for participating in that exchange.

Let's go on to the second point of order. I believe it was raised by the Member for Airdrie.

## Point of Order Explanation of Speaker's Ruling

**Mr. Anderson:** Thank you, Mr. Speaker. This is referring to section 13(2) of the standing orders. I understand completely, as is your purview and as is appropriate, that you are trying to keep honour and decorum in this House, and good on you for doing so. I'm referring in this instance to the Member for Lac La Biche-St. Paul-Two Hills, who referred to a piece of government legislation that's currently in place as a "piece of junk." I've looked through *Beauchesne's*, the Standing Orders. I cannot find anywhere where criticizing a piece of government legislation, referring to it as a piece of junk, is out of order. I just would like to understand. Please instruct us on how we as members can criticize legislation of the government appropriately. If we want to refer to it as incorrect or junk, I think that's our purview, and I don't see any precedent in the orders or any book that says that we can't refer to government legislation as a piece of junk.

**The Speaker:** Thank you. I'm more than happy to instruct in this regard. I'm going to take a few minutes to do this, and I hope I will have everyone's rapt attention. The part that caught my attention was when the Member for Lac La Biche-St. Paul-Two Hills said – I could stand corrected if the Blues come out differently in *Hansard*, but here's what I have from the Blues from the Member for Lac La Biche-St. Paul-Two Hills. He says:

Thank you, Mr. Speaker. Given that an MLA has been found to be in direct violation of the Conflicts of Interest Act legislation six times and lobbied on an issue that would benefit him personally, is it not clear that this piece of junk ethics legislation only serves to protect the Premier and her own MLAs?

Now, the words uttered one day in a particular context may or may not be parliamentary. They may or may not be unparliamentary. It depends on things I have reminded you of before and I'm going to be very happy to remind you all of yet again.

I'm going to go to *House of Commons Procedure and Practice*, page 618, line 2, where it says some wonderful things. With respect to the title, Unparliamentary Language, where this is found, line 2 talks about "offensive, provocative or threatening language" and so on. Let me quote to you that passage.

The proceedings of the House are based on a long-standing tradition of respect for the integrity of all Members. Thus, the use of offensive, provocative or threatening language in the House is strictly forbidden.

It goes on to talk about personal attacks, which was not the case here.

However, it then goes on in the second paragraph to say:

If language used in debate appears questionable to the Speaker, he or she will intervene.

And it goes on to say:

However, the Speaker may address a matter of unparliamentary language at once if he or she believes the matter to be sufficiently serious to merit immediate attention,

which I certainly did.

Normally, the matter is dealt with at the conclusion of Question Period. Since the Speaker must rule on the basis of the context in which the language was used, points of order raised in regard to questionable language must be raised as soon as possible after the alleged irregularity has occurred.

Let me go on to page 619, where it further states:

In dealing with unparliamentary language, the Speaker takes into account the tone, manner and intention of the Member speaking; the person to whom the words at issue were directed; the degree of provocation; and, most importantly, whether or not the remarks created disorder in the Chamber. Thus, language deemed unparliamentary one day may not necessarily be deemed unparliamentary the following day.

And it goes on to talk a little bit more about that.

Now, I indicated very shortly thereafter that I thought, hon. members, that the use of the term "junk legislation" was offensive to the proprieties of this House, would be offensive if it was used against any one of the members of government or opposition; it matters not one iota to me. It is offensive. I found it to be rude, inappropriate. It did cause some disorder, and now it's causing us to take up additional time.

3:50

So I would ask all hon. members, not just this one – I know you spend time crafting your questions; you don't oftentimes stand in here and wing them – to please review what you're saying and, furthermore, the manner and the tone and the timbre with which you intend to deliver it and the intention behind it. You may disagree with legislation. You may disagree with the ethics report. You may disagree with your own colleagues or your own caucus. That's up to you. But how you do it, and when you bring it into this House, for heaven's sake, let us all strive to present it in a manner that does not violate the tradition for which we were all standing here a year and a half ago and pledging we would uphold.

In my view, operating within the confines of what I just read to you from House of Commons procedure, I interjected on that basis. I will not stand here and allow that kind of disorder and disruption to be created in reference to anyone's particular bill or motion. It's simply inappropriate. As such, I hope that clarifies that matter, and I hope we won't see a repeat of that.

Let us move on to item 3. It is a point of order. I think it was the hon. Member for Airdrie.

### Point of Order

#### Factual Accuracy

**Mr. Anderson:** Thank you, Mr. Speaker. I refer to Standing Order 23(h), (i), and (j), specifically the first of two. The first one is regarding the comments by the Deputy Premier – is he the Deputy Premier still? Yeah, I think he might be. Who knows, eh? The Deputy Premier commented that the Wildrose is proposing that we don't build anything anymore. Again, I guess maybe this is a point of clarification.

It's certainly not a truthful statement. We obviously have tabled a plan in this Legislature. Our 10-year capital plan said that if in government this year we would spend just over \$4 billion on infrastructure, which is roughly a billion dollars less than the government over there. Indeed, it would be correct to say that we would spend a billion dollars less on infrastructure this year, but to say that we would spend nothing, of course, is untrue.

Would you like me to move to the second one, too, and get them over with in one shot?

**The Speaker:** Well, let's deal with this one and see where it goes.

**Mr. Anderson:** I would ask him to withdraw that. Thank you.

**Mr. Lukaszuk:** Thank you, Mr. Speaker. I won't preamble my comments with snide remarks like the Member for Airdrie has.

You can rewrite your policies, but you cannot change your personality or your character. I have merely pointed out to the member the contrast and the juxtaposition between the rather eloquent speech delivered by the leader of the Wildrose in which she tried to equate hope to debt and how she firmly believes that this government should not be borrowing money, should not be leveraging money, should not be entering into alternative financing arrangements on construction of schools. [interjection] As you can see, Mr. Speaker, my interpretation is correct because they are applauding that.

We shouldn't be doing any of that. We shouldn't then by de facto be building all the schools that we're building. We shouldn't by de facto be building all the seniors' homes that we're building. We shouldn't by de facto, Mr. Speaker, be building all the hospitals that we're building. We shouldn't be building laboratories, university buildings – and the list goes on and on – to the extent that we're building. We all know and Albertans are quite astute in knowing that if we were to build only what we can pay for, cash up front, like they would like us to do, we would be building merely a fraction of what it is that Albertans want us to build.

Mr. Speaker, we know that they want us to build schools for kids today, not in 30 years, hospitals for patients today, not in 30 years, and seniors' homes for our seniors while they are still alive, not for the next generation of seniors. So the juxtaposition between the leader's speech and then the whole list of requests for additional infrastructure was so stark that it would be difficult for one not to point that out. I have nothing to apologize for and nothing to withdraw.

Thank you.

**The Speaker:** Thank you.

I don't see any others who wish to speak, so let me comment on this matter. I believe the hon. Member for Airdrie was correct when he started out by saying this may be a point of clarification.

Having reviewed the Blues, unless I'm missing something, I would certainly agree with you in the surmising that you did.

In fact, the Deputy Premier in response to a question at approximately 2:37 or 2:38 this afternoon, a question posed by I think it was Chestermere-Rocky View, according to the Blues said the following:

Mr. Speaker, in answering this question, I'll strongly recommend that this member pick up his leader's speech of this morning and try to correlate his request for additional schools, for additional trailers with her promise of not having any more debt and extinguishing Albertans' debt. You can't have both. This government has made a promise to deliver, to build for the growth in this province, to provide children with classrooms, to provide seniors with housing, to provide patients with hospital space, not based on the notes from the leader of extinguishing hope and not building anymore and not to incur any debt, as she tends to call it. Get your story straight.

He stopped there, and the point of order was thereafter issued.

I think that we would all understand that there are oftentimes different interpretations of what we all say or what we all mean and what we all do. This would be one of those cases in my opinion. I believe both sides have had a chance to clarify their comments, and undoubtedly there may be further opportunities coming up shortly. So I do not find there to be a point of order this time, but it is a good point of clarification.

Point 4. The hon. Member for Airdrie.

#### Point of Order

##### Factual Accuracy

**Mr. Anderson:** Also 23(h), (i), and (j), Mr. Speaker, referring to the Justice minister's inaccurate comment that the Leader of the Official Opposition in her comments in her response to the Premier's ministerial statement about the floods did not thank the police. That is inaccurate. She did. It's clearly in the statement, third paragraph, fifth or sixth word. So, sorry, you're going to have to withdraw that because you've misled the House in that regard.

**Mr. Denis:** Mr. Speaker, misleading the House is a very serious allegation. I know this member in his vast legal practice knows this. First off, I refer you to *Beauchesne's* 319, which indicates that promptness is necessary in making a point of order. This point of order was not made until the next group of questions.

More importantly, my comment was that the Leader of the Opposition didn't say RCMP. She did not. She referenced first responders, she referenced police, and that's great. I'm very happy that she is onside with everyone because that's not a partisan issue. But she didn't say the RCMP. My point was that the RCMP deserve our thanks. People may want to run and hide from things that they have said or haven't said, but I bring this up to you, an old legal maxim, Mr. Speaker: truth is an absolute defence. If I misheard – I don't think I did because I've talked to four other members, and they did not hear the word "RCMP." I'd be very happy if she had said RCMP because we do owe them a debt of gratitude.

**The Speaker:** Is there anybody else on this point?

Well, this is an interesting notation here. I believe that there's an issue here about the facts which aren't all at the Speaker's disposal, so in fact this may wind up being a matter of a dispute between two members or two caucuses or two parties or whatever you want to call it with regard to the facts. But there's an interesting twist here, and the twist is that you may or may not make a comment on what someone did or didn't say. The twist is

that it's a little bit unusual in that sometimes you can say something by saying a member didn't say something. You can infer something, and I think that's sort of at the heart of what is being driven at here by the Member for Airdrie.

Let me go into what was said here by the hon. Minister of Justice and Solicitor General at 2:52, who was responding to a question, I believe, from Livingstone-Macleod who had asked – was it Livingstone-Macleod? I don't have the question, but I do have the answer which prompted the point of order. The Minister of Justice said this.

Well, Mr. Speaker, my department has advised me today that approximately 95 per cent of the firearms that were stored actually have been returned. It's over 500 that have been collected and returned. On top of that, the RCMP executed 600 rooftop rescues and saved 650 pets. This government is proud to stand up for the RCMP, unlike the Leader of the Opposition, who didn't even thank the RCMP today in her statement.

On reflection, one would look at this and perhaps some will read into it that someone doesn't like the RCMP, which I'm sure is not the case.

4:00

I could go on and explain more. But I think we need to be very careful about such statements, and I say this in this instance to the Minister of Justice. What a member does not say doesn't necessarily and shouldn't necessarily lead us to the conclusion by innuendo or otherwise that that person doesn't support what was intended. We all have limited speaking times in this House, we all are bound by those rules, and sometimes you can't just cover every single point or thank every single person that you would like to. I would like to feel, think, and believe that that is what the Leader of the Official Opposition might have had in mind. I don't know what she had in mind, but I would like to think that that was probably the case.

Let's leave that as a point of clarification for today, but let us all be reminded to again be very careful, particularly when you're winging a question or winging an answer or winging a point in debate. We can sometimes get caught up with ourselves. All of us have done it, and if you haven't yet, I assure you that before your term is done, you probably will as well.

So let's be very careful, and on that note let's conclude this issue and move on.

#### Request for Emergency Debate

**The Speaker:** Hon. members, we have a Standing Order 30, and I'm going to ask the Member for Edmonton-Calder to please lead off in that regard. Remember, we're now talking about the urgency.

#### Home Care Services

**Mr. Eggen:** Yes. Thank you, Mr. Speaker. I think the motion has been circulated. It reads, in essence, as follows:

Be it resolved that the ordinary business of the Legislative Assembly be adjourned to discuss a matter of urgent public importance; namely, the negative impacts on patient care and safety resulting from Alberta Health Services' decision in June 2013 to significantly reduce the number of home-care providers in Edmonton and Calgary by cancelling contracts with existing providers and awarding multimillion-dollar, multiyear contracts to for-profit corporations.

So, Mr. Speaker, I will argue the urgency of this situation, the fact that this is the first and only opportunity to debate, the fact of the genuine nature of the emergency, the fact that this is a concern

throughout the province, that this SO 30 is in the public interest, that it is a very specific question, that it talks about administrative competence, and that it will hopefully be the general wish of this House to debate further this afternoon.

On the first point of urgency, Mr. Speaker, this is in reference to Standing Orders 30(1) and 30(7) as well as from *House of Commons Procedure and Practice* from page 689, from *Beauchesne's* paragraph 390, and from the *Hansard* of your own words on March 14 of this year talking about the fundamental question of urgency.

Mr. Speaker, we know that the ramifications and the repercussions for patient care and safety continue to be felt to this day from this decision to corporatize our home care here in the Edmonton area especially. This initial decision may have been taken on May 31, but new impacts have unfolded every month since, right up to this present day. The latest development of note was the fact that one of these corporate contract holders, Revera, gave up part of their contract in southwest Edmonton because they could not meet patient needs. I would suggest that Revera at least had the guts to realize and to know that their contract was untenable. Probably many others of these corporate contracts are untenable, too.

A matter of urgent debate today are the negative impacts on patient care and safety as a result of the series of decisions taken by this government and various corporations. Mr. Speaker, this is the first and only opportunity to debate this. Again, I'm referring to *House of Commons Procedure and Practice* page 693 and *Beauchesne's* paragraph 387. We all know that this House did adjourn on May 15 and that no item on the agenda now is to deal with this issue. The Order Paper does not contain a government bill, a member's bill, or a motion to address this issue. Question period, I think, is clearly not a place to permit a fulsome and substantive debate on this very important concern. An emergency motion thus is the only mechanism that I see available.

Further to that, the fact is that this is a genuine emergency, as referenced by Standing Order 30(7)(a) and *House of Commons Procedure and Practice* on pages 689, 693, and 695, which I think clearly open up the idea that this is a genuine emergency for over 6,000 home-care clients in Edmonton and in Calgary who transitioned from one provider to another provider over the past several months. They have experienced – and we all have had examples of this come to our constituency offices and to the minister's office – missed and delayed visits, disruption in care and routine, and disruption in the relationship with the care provider, which is very considerable. The fact is that they've now ended up with staff without experience or knowledge of the specific needs of home-care patients. In fact, Mr. Speaker, companies readily admit that they could not meet the needs of the patients and the requirements of the contract. I find this very disturbing to hear from the corporate side as well.

It's an emergency for staff in regard to underpay and overwork. Hundreds have been forced to leave their employment with nonprofit co-operatives and work to gain employment with non-unionized corporate providers. This is in fact an emergency for families as well. They can't count on the system to deliver the care that their loved ones need, and many have had to step in and provide care themselves or through the family, causing great inconvenience and compromising the health of patients.

Mr. Speaker, this is a concern throughout Alberta, as referenced in *House of Commons Procedure and Practice* pages 690 and 694. Certainly, this is taking place in Edmonton, it's taking place in Strathcona, in Calgary. And I would venture to say that the fact that there's an intention to expand the same failed model of corporatization of home care in the Lethbridge and Medicine Hat

areas also, I think, adds to the urgency of this debate, that in fact we need to put a stop or some modification to this immediately.

Mr. Speaker, this emergency submission of mine is certainly in the public interest, as referenced from *Beauchesne's* 389 and 390, just talking about the public interest demands that we address patient concern about care and safety, of which this is self-evident. The Health minister himself has called this whole thing a failure, yet we've not done anything to address that failure. Days go by, and people are still in the same compromised situations. New revelations are appearing every month about problems with care. If we don't take the time to debate what is happening in the home-care system, the public interest does in fact suffer.

We also must maintain the legitimacy of this Assembly, Mr. Speaker, and not do a disservice to the authority of this institution that provides public health care to Albertans. We cannot neglect our duty as representatives to debate and reflect on this most important issue of the day.

I have, of course, referenced this into a very specific question, as stated in *Beauchesne's* paragraph 387 and in the description of a SO 30 as well. I'm stating a specific question, which is in essence the negative impact on patient care and safety right here and right now.

4:10

A couple of final things, Mr. Speaker, in regard to administrative competence. This government is responsible for our public health system and must be held accountable. We cannot defer or put layers of excuses between that responsibility, and giving these corporate contracts away does not diminish that responsibility. As well, this debate is necessary to achieve a better understanding of what went wrong, where mistakes were made, so that we might be able to minimize negative impacts and, as I say, to seek better resolution in the future, when we might seek modification of home care in Lethbridge and Medicine Hat and other places in the province.

Finally, number eight, that there is a general wish for debate in this House. I trust that we might find that wish amongst a majority of members here today. Certainly, many of us have had to deal with this. In my experience there's been an unprecedented amount of anecdotal evidence that would suggest that our home care in the Edmonton area is in a state of failure. We have many, many, many people not getting the care that they had before. I think this opens the door to more private home care, which I suspect is part of the reason that this did in fact happen in the first place. When you have somebody you look after and you need to care for and that has to happen tomorrow, not next month or in February, when the Health Quality Council comes through, then you just buy that service.

I think that Albertans expect better, that we need public delivery of our home care, and that we do not need to wait another four months for another inquiry. The last inquiry did not satisfy any of the immediate concerns that I have here today, and I think it's the duty and the responsibility of this House to deal with this this afternoon.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Minister of Health.

**Mr. Horne:** Thank you very much, Mr. Speaker. I appreciate the opportunity to rise and to speak to the motion under Standing Order 30. After consideration of the arguments I'm going to present, my request will be that you not allow this motion to proceed, and there are a number of reasons for that. Of course, I will attempt to confine my comments specifically to the question

of urgency that you pointed out prior to the motion being introduced.

Mr. Speaker, first of all, I would draw hon. members' attention to the motion itself. I would assume that for a motion of this nature to be considered, it needs to be factually correct in order to meet the test of being considered an urgent issue of public interest.

The motion refers in its last sentence to

the negative impacts on patient care and safety resulting from Alberta Health Services' decision in June 2013 to significantly reduce the number of home-care providers in Edmonton and Calgary by cancelling contracts with existing providers and awarding multimillion-dollar, multiyear contracts to for-profit corporations.

Mr. Speaker, in the first instance, the hon. member proposing the motion has stated something that is not an accurate representation of the facts. The contracts that preceded the ones that are in place today were in fact not cancelled by Alberta Health Services. These were contracts that expired. They were term-limited contracts, as are many of the contracts that Alberta Health Services enters into in order to provide us with health care services. In fact, these contracts expired some time ago, and it was as long ago as February 2013 that Alberta Health Services issued a request for proposals to which all of the previous providers were free to apply and new providers who had not provided home-care services up to that point in time were also free to apply.

Mr. Speaker, what's referred to here as a deliberate action to cancel the provision of home-care services by certain providers is not that. In fact, the events that took place follow the normal course of business in Alberta Health Services in the delivery of care. So I would offer that as a first argument as to some of the factual inaccuracies contained in the motion.

Secondly, Mr. Speaker, I'd respectfully point out that the motion implies, at least as I read it, that contracts were awarded to for-profit corporations solely and for the first time. Of course, many hon. members will be aware that Alberta through its service delivery model has worked collaboratively and entered into contracts with public providers, not-for-profit providers, and for-profit providers for the provision not only of home-care services but many other services that we offer in our health care system.

To attempt to make part of the argument for an urgent debate the basis that, at least, as I said, in my reading of this, we are somehow newly entering into contracts with for-profit providers for the provision of home care is factually inaccurate. Those two points taken together, Mr. Speaker, would provide me with a basis to respectfully ask in the first instance that this motion not be allowed to proceed.

Mr. Speaker, the other evidence that was presented by the hon. member: I take issue with a number of those arguments as well as they pertain to the urgency, the request for this debate on a matter of urgency, and specifically with respect to the argument presented that this House has not had an opportunity and will not have another opportunity to debate this issue.

As I just pointed out, Mr. Speaker, the previous contracts for home-care services that were held by Alberta Health Services with a number of providers expired sometime ago. The expiration of those contracts prompted the issuance of a request for proposal. That is a public process as are all procurement processes that are undertaken by Alberta Health Services or by government itself. The fact was well known as long ago as February of 2013 that those contracts had expired, that there would be an RFP process, and that in all possibility home-care providers could change, could be realigned.

As we all know, and as the hon. member pointed out in his remarks, AHS was clear that there were two goals with respect to

the RFP process. There was an objective to reduce the total number of providers in Alberta. Secondly, and I think most importantly, the other goal of the RFP process was to ensure a more consistent level of service across the province to all citizens.

Mr. Speaker, the fact that this was not a cancellation of contracts, that it was in fact a normal business process, that it was a public process and the fact that the hon. member and all other members of this House either were aware that or had the ability to be aware that former home-care contracts had expired gave everyone in this House the opportunity to raise questions about that process. Whether the concern was, as it appears to be on the part of the hon. member, with the provision of these services by for-profit providers or whether the concern was with other aspects of the RFP or the delivery of home care generally, the opportunity to present those arguments existed as long ago as February 2013.

As well, Mr. Speaker, since that time we had the opportunity as members to talk about health care issues, including home care, in the spring session of this House. Members had the opportunity to raise questions if they were concerned with the procurement practices. There were opportunities in Public Accounts, where both Alberta Health Services and my department appear on a regular basis, and, of course, up to the end of the spring session. So to suggest in any way that there was not an opportunity for this matter to be considered earlier is simply not accurate.

Finally, Mr. Speaker – and I'll be very brief on this – again sticking to the question of urgency, the hon. member in his remarks implied that none of the concerns since contracts have been awarded have in fact been addressed and that that contributes to the emergency nature of the debate which he's requesting. As most of us, I think, are aware, Janet Davidson, at the time the official administrator of Alberta Health Services, conducted an extensive review of the RFP process. Alberta Health Services made her report public. The conclusions of the report are perhaps not germane to the question of urgency, Mr. Speaker, but there was a very thorough and a very publicly visible exercise to review the RFP process. I'll note that it did result in some changes to the awarding of contracts, changes that were inspired by the desire to maintain the highest possible level of quality.

4:20

Again, to the hon. member's comments most recently about the decision of one of the providers to reduce the number of home-care clients that that provider would serve, Mr. Speaker, that situation was well publicized. The process was not an emergency as the hon. member would suggest. In fact, I don't remember at any time describing the entire exercise as a failure. What we did discuss at length and in the public realm was the work that was done by both AHS and this particular provider to identify areas where it may not be able to deliver the level of quality that is expected.

Mr. Speaker, the last thing I'd point to is again on the question of urgency. The hon. member is citing patient safety and quality and his concerns about those as the basis for an emergency debate. If the hon. member doesn't know – and I'm sure most would agree that he should know it – in fact, Alberta's continuing care health service standards apply to the provision of all home-care services in our province. Whether the contract is with a private provider, a for-profit provider, or a public provider, the standards are the same for all.

As he mentioned, I've asked the Health Quality Council not to conduct a review of the contracts for private providers but to review and to make recommendations to update the quality assurance framework for home care in this province. That report is coming in February. But by no means, Mr. Speaker, does the

existence of that review suggest at all that patient safety and quality of home care are in question in this province.

For those reasons, Mr. Speaker, I would respectfully submit that this motion, first of all, factually does not represent accurately the circumstances surrounding the provision of home care in this province and, secondly, that it does not meet the required test of urgency nor does it answer the fact that there have been ample opportunities for members of this House to debate this issue in multiple forums as long ago as February 2013.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Innisfail-Sylvan Lake, followed by the Member for Calgary-Mountain View.

**Mrs. Towle:** Thank you, Mr. Speaker. Thank you to the Member for Edmonton-Calder for bringing this emergency motion forward. Under Standing Order 30(7) there are six conditions a motion must meet. Clauses (b) through (f) are pretty straightforward. As far as I can tell, there is no debate on whether this motion meets them. It does. It comes down only to meeting the first requirement; namely, that “the matter proposed for discussion must relate to a genuine emergency, calling for immediate and urgent consideration.” As I will explain, the failure to deliver care that has arisen by the government’s decision has already generated an emergency that this House must address urgently.

When people receive home-care services, it’s not because they simply want them. People receive home care because, quite frankly, they’re not able to provide their own services in their own home by themselves. So when stories emerge of missed appointments, it’s not just a bad-news day; it’s a failure to provide the necessities of life. This government was warned repeatedly that centralizing so many home-care providers in such a short period of time was not just unwise but, frankly, was dangerous. Sadly, the government did not heed this warning, and some of the most vulnerable people in our province are now paying that price.

Mr. Speaker, this is an emergency requiring immediate debate because the government’s actions are seriously endangering people. They may try to say that the problems are limited to one single home-care provider, but the stories that I’m about to tell you show that that’s simply not the case. The Minister of Health would have us believe that this was limited to one company by the name of Revera; however, that’s not realistic because we’ve seen story after story about We Care, CBI, and many others.

On October 10, 2013, the Health minister stated that he regrets the inconvenience caused by service disruptions to 300 home-care patients in Edmonton. In Edmonton the system failed, said the Minister of Health, adding that Alberta Health Services’ apology earlier that day for the disruptions was appropriate and that he holds them responsible. One has to wonder what Alberta Health Services was doing in all of these conversations they were having if they couldn’t see this coming down the track.

If we go even further, we know the story of the Edmonton woman who was left alone on the floor of her seniors’ residence for nine hours after her home-care worker did not show up. She’s 87 and has lung cancer and failing eyesight. Her health care worker was from CBI Home Health. Over the Labour Day weekend she failed to show. That 87-year-old woman was on the floor. She yelled a few times, she couldn’t move, and she didn’t know what she was going to do. Her family, her friends checked on her the next day. Her daughter said: when I saw my mother on the floor all soiled, I started to cry because I thought how undignified it was for this poor lady to have to be in her soiled clothing all that time. One would say that if that doesn’t sound to you like it’s an urgent need or an emergency, then I wonder what

is. This woman’s experience illustrates that the province’s process of selecting a new agency to provide home care earlier this year was flawed right from the start.

I know the Health minister would have us believe that everybody had lots of time and everybody participated. However, even their own report, that was posted by AHS, showed that agencies competing for home-care contracts complained about a lack of transparency in the selection process. If the Health minister would have us believe that these companies all had fair access but the companies are telling you that there was a lack of transparency in the process, then clearly this was not an open and transparent process. Now we have a very serious and dangerous problem facing our vulnerable Albertans in this province. Even AHS spokesperson Carol Anderson said that missed visits by home-care providers are an issue.

Mr. Speaker, Cam Tait, who many of us know, from Creekside co-op was told by the Premier that these issues would be addressed many months ago. He blogged about some of the shocking and the extremely sad situations that home-care patients were forced into. One of the things he said was that “more than 30 people scheduled for home care services in Leduc did not have their shifts covered” just in September. And that was from We Care. The situation at the Leduc centre was posted online. Previous staff at We Care said that this never used to be a problem, but because of the shift to the way the government wanted to go, forcing them to take on so many clients in so little time, they did not have enough staff.

One of their regular clients recently went an entire weekend without getting help for a bowel routine. Now, I don’t know if many of you know what a bowel routine is, and I’m sure not going to go into too much detail because it’s not very pretty, but as somebody who was a caregiver, I can tell you that my brother had a bowel routine, and when you go a whole weekend without having somebody assist you with removing necessary bodily fluids from your skin, from your body, that is an emergency, and that is urgent.

Mr. Tait goes on to say:

“Because she went all weekend without [a bowel routine] she became very incontinent in her bed and she was deeply embarrassed. Poor woman.”

The blog goes on about:

the mental anguish of people with disability being uncertain of personal care attendants not coming. Wondering if you will get help or not can grind a person down. It can dampen one’s confidence to live in the community . . . independently. The sad thing here is the provincial government is not paying much respect to personal care attendants.

It goes on to say:

“AHS needs to understand the rights of the ones who are disabled and or elderly. I help people with their daily living. I hope I give them dignity and self-respect . . . People that are going through issues, whether it’s having a hard time growing old and all the complications that go with it. Or, ones suffering from disabilities and all the things they go through in a daily manner” [deserve respect].

Now, Mr. Speaker, the Health minister tells us that there was a review done on this exact issue way back in July. He mentioned Janet Davidson, who did that review. One can only imagine that either the review was done inadequately, or it wasn’t done at all. These care providers have been telling this government, have been telling opposition, have been writing letters, and have been in the media saying that the problems with home care are rampant and that going from 35 providers to 10 providers was going to be dangerous and cause serious issues for people receiving that care.

Mr. Speaker, these people cannot afford to wait for the government to come back with yet another report on home-care services next year. They cannot afford to have another six months of missed appointments. They cannot afford to spend one minute, one hour, one day, or one weekend sitting in their own waste. These are vulnerable Albertans not getting the care they need from the government.

4:30

Now, I understand that the Minister of Health doesn't want to talk about this. I understand that the Minister of Health finds this conversation a bit uncomfortable. I also understand that even the Minister of Health knows that in Edmonton especially and in Calgary this process is failing Albertans and putting them in a dangerous situation. I would suggest to all members of this House that it's not an Edmonton or Calgary issue, folks. It's going to happen in Red Deer, Medicine Hat, Lethbridge, Balzac, Innisfail, Trochu, Fort McMurray, and many other places across this province.

It is the agenda of this government to roll out centralized home care. Many of your constituents may just be calling you and explaining to you that their home-care worker did not show up to give them a bath for a month. We thought a bath a week was terrible. Imagine going without a bath for a month.

When you sit there and you actually put it into perspective, there is absolutely no harm in having this debate today. If anything, we would be doing our jobs today as legislators to understand that any time we leave a vulnerable Albertan laying on the floor and we don't address it in this House at the first opportunity – that is our job. That's why our constituents put us here, and it's our job to fight for every single Albertan in this province who can't be heard. I implore each and every one of you to put the party lines aside and have an emergency debate on home care.

Thank you.

**The Speaker:** The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you, Mr. Speaker. I, too, rise in support of this motion for emergency debate on home care services and how they have been co-opted by an agenda that is driven largely by ideology and by a budget problem that this government has gotten itself into. It's hard to view this in any other way when so much has happened since the deficit budget was tabled in this House. Indeed, there has not been adequate discussion and debate in this House on the progressive privatization of our health care system by stealth.

This government reassured the entire electorate before the last election that they had no interest in privatizing health care. That is exactly what they've been doing for the last year and a half. Not only are there now boutique clinics for those who can afford special treatment, but there's private wait-list insurance. No, you can't jump the queue in Alberta, but you can pay \$50 a month and go to Vancouver and jump their queue or go to Toronto and jump their queue. This is privatization and queue-jumping by stealth, and this government has taken no initiative. It has obviously had this agenda since Ralph Klein was here. I've watched it evolve over 12 years.

There is no hiding the fact that it's time to have a public debate about why this government continues to privatize health care without acknowledging it and without public debate. These two values of the Progressive Conservative Party, none of them overtly expressed – one based on support for private, two-tiered health care and the second based on the terror of showing

themselves to have a budget deficit and an unwillingness to look at a fair tax system in this province – have left them with no options. They're simply going ahead and privatizing our health care system under our noses, and it's taking this kind of underhanded approach to make it impossible for Albertans or even the Legislature to have an honest debate about where the health care system is going.

Is it urgent, Mr. Speaker, to debate home care? Well, it depends on where you sit. Where the minister sits, there's nothing urgent about home care. He sits in a very comfortable spot as Minister of Health in his own home, in his own community. Is it urgent for many people in this Legislature? No, it's not urgent for any of us unless we have loved ones that are being dismissed, not visited appropriately, not getting the quality of care they deserve, and not identified as appropriate for home care at all because of the shortage of home-care services. It depends on where you stand, whether this is urgent or not.

We are progressively losing the public health care system that we have all supported over decades in this country, and this government is leading the charge in Canada to privatize our health care right under our noses. No, it's not violating the letter of the Canada Health Act; it's violating the very fundamental spirit of the Canada Health Act.

Mr. Speaker, the privatization of home care that has significantly happened over this past year is consistent with now the move to privatize laboratories after a totally failed experiment in the '90s, in which the government had to buy back the laboratories in Calgary, Calgary Lab Services, because they were losing 30 per cent – 30 per cent – more on lab service than they had before. So we spent millions and millions buying back the lab service after a failed experiment in privatization in Calgary. Now they're doing it in Edmonton and saying: "No, no. We're not privatizing anything." This is all about smoke and mirrors, Mr. Speaker.

Private home care will do several things to home care. It will weaken the standards, notwithstanding this minister's last-minute appeal to the Health Quality Council to ensure that we have those standards in home care. Where is the monitoring? Where is the enforcement in our long-term care centres now? Now he's going to add another layer, ostensibly, of monitoring and enforcement of standards in home care. We already hear stories of people, especially new Canadians, being taken off the street and trained in the homes of people to do the home-care services without appropriate standards, without appropriate care, and in many cases with serious consequences such that either the families themselves step in and boot out the home-care service or they somehow endure half the quality in home-care services that they need.

It means a high turnover rate in home-care staff. It means less income for home-care staff. We've already heard many who are not getting travel expenses as a result of this new privatization. Their salaries are decreased. Their security, their pension funds, all kinds of benefits that were there before are now in question. This is going to create another level of instability in a health system that is longing for some stability, longing for some commitment, longing for leadership, and they're not getting it from this minister. It's one after the other of chaos, poor decisions, reversal of decisions, firing and hiring.

It's clear that this government doesn't know where it's going in health care, and the health care professionals tell me on a daily basis that the morale is continuing to slide into the basement. This is unacceptable. If there's ever a time to debate our creeping privatizing, now overt privatization, it's here in this House now. Have the courage, Mr. Minister, to stand up here and defend what you're doing in the health care system today.

The quality, the access, and the affordability of our health care system all have been shown in studies to be worsening under a private-option health care. What do insurance companies do for health care? Tell me, do you see any benefits by adding a middle man between the patient and the doctor? How do we deal with double-dipping, doctors who bill both the public and the private system? How do we deal with cherry-picking, companies that decide, "Oh, we won't take you because you're too complicated; you're going to cost too much"? I don't see any ability to deal with that.

I think we need to stand up and have this debate and ensure that we don't make another botched-up job of change in this province when there's already so much demoralization in the health care system with all the changes that continue to be made. Show some consistency, some leadership, and have the courage to debate these issues.

With a high turnover in home care we're going to get a progressive loss in quality of care in home care. When you have many people that are coming in and out of home care because they're not happy with the work, they're dissatisfied with the quality they can give, they're rushing around from place to place, not getting the appropriate financial support or moral support – in many cases I know the home-care providers of the past. They're largely a voluntary organization. They support one another. They're there because they love their work, they care for people, and they want to be consistently there, week after week, month after month, especially in the last years of life for these people. You're going to disrupt all of that again.

Surely you can see what a cost this is, not a monetary cost. I'm talking about a human cost and a spiritual cost. This is another example of a government that simply does not know where it's going in health care, except that it wants to privatize, and it wants to balance its budget.

It's time to debate, Mr. Speaker.

4:40

**The Speaker:** Are there others? Calgary-Fort, your side has already spoken, but if you have something very brief that's different from what we've heard, please proceed quickly.

**Mr. Cao:** Thank you, Mr. Speaker. I just want to join in here on the notion of emergency and the opportunity to debate. In fact, every day we have about a hundred Albertans become seniors, and planning ahead, we know that there are about half a million seniors today, but in 20 years it will be 1 million. So these data have been collected, and we have planned to address that. Of those half a million Albertans today 100,000 receive assistance and care in the comfort of their own homes. Personally, I have visited the care centres. In fact, the Associate Minister of Seniors was with me in my riding, and we visited a few seniors' homes with home care. We found that this thing is working as it is.

The population is increasing, and I note that since 2009 the funding for home care has increased by 33 per cent. We are now spending \$507 million, more than half a billion dollars, I should say, to ensure that Albertans receive the best care possible in their own home.

Now, I just want to emphasize that those are the efforts that our government is doing, and it's going well out there. Also, AHS has an organization that provides health care, and to me everything is going – of course, there are problems, cases, individual issues, accidents. It happens, but to me that's part of the operational. We look at the big picture. Things are moving, I feel, and my constituents acknowledge that when I visit newly built home care.

Thank you very much.

**The Speaker:** I think we're going to have to stop there and deal with this matter. Oh, where to begin. Hon. members, this is a very difficult issue as much for the chair as it is for all of you, including everyone who has already spoken. Nonetheless, Standing Order 30 does provide that "the Member may briefly state the arguments in favour of the request for leave and the Speaker may allow such debate as he . . . considers relevant to the question of urgency" and that it is the role of the chair to "rule on whether or not the request for leave is in order."

The most awkward thing about a Standing Order 30, regardless of the subject matter, is to understand the term "urgency." The term "urgency" as we use it in normal day-to-day parlance is completely different than the way it is used here under Standing Order 30. I have wrestled with this for two decades. Let me just remind you of what *Beauchesne's Parliamentary Rules & Forms*, sixth edition, says on page 113, and this is in the context of motions to adjourn the House under Standing Order 52 to discuss an important matter. In this instance for Standing Order 52 you can substitute our local Assembly's Standing Order 30. I'll quote *Beauchesne* 390.

'Urgency' within this rule does not apply to the matter itself, but means 'urgency of debate', when the ordinary opportunities provided by the rules of the House do not permit the subject to be brought on early enough and the public interest demands that discussion take place immediately.

That, ladies and gentlemen, is as succinct a definition of urgency with respect to Standing Order 30 as we can find for you right at this moment. I would ask you to reflect on it because it's a difficult one for people who are not in this Assembly and have not experienced this kind of debate to fully grasp and understand. There's no question in anyone's mind in this Assembly – and certainly there's no question in the Speaker's mind either – whether or not home care is important or, for that matter, that any aspect of health care delivery is important. Clearly, it is.

In any event, I have listened carefully and very attentively to comments made by the five members who spoke in request to this request for leave to adjourn the ordinary business of the Assembly. I am prepared to rule, as a result, on whether the request for leave for this motion to proceed is in order under Standing Order 30. The Member for Edmonton-Calder did meet the requirement of providing at least two hours' notice to the Speaker's office. He provided the required notice at 10:38 a.m. today. His motion reads as follows.

Pursuant to Standing Order 30 be it resolved that the ordinary business of the Legislative Assembly be adjourned to discuss a matter of urgent public importance; namely, the negative impacts on patient care and safety resulting from Alberta Health Services' decision in June 2013 to significantly reduce the number of home care providers in Edmonton and Calgary by cancelling contracts with existing providers and awarding multimillion-dollar, multiyear contracts to for-profit corporations.

Now, I'm not going to comment on the wording used in the motion. That is up to the member to explain, and he has done so. However, members will recall that the relevant parliamentary authorities on this subject are also included in *House of Commons Procedure and Practice* on pages 689 through 696. I've already cited the *Beauchesne* reference.

Now, in listening to the hon. member who proposed the motion and to others who commented on it, I'm sure you would all agree that I did allow considerable latitude. Members who have been here for several SO 30s know that I and previous Speakers have interjected very quickly on matters that strayed from the points about urgency of debate. Today, however, I allowed a little bit more to go on because I recognize how serious the issue is, I



recognize that this is our first day back, but I also recognize that when this issue arose, some immediate action was in fact taken.

Now, I listened very attentively to all the speakers. In fact, the hon. Member for Edmonton-Calder rose at approximately 4:02 and concluded his remarks just before 4:13. Then the Minister of Health spoke from the government side from 4:13 to approximately 4:23. Coincidentally, the Member for Innisfail-Sylvan Lake rose at 4:23 and spoke until 4:33. Quadruply coincidentally, the Member for Calgary-Mountain View rose at 4:33 and spoke until approximately 4:43. So we've had 10, 20, 30, 40 good minutes, which were then augmented with two or three minutes from Calgary-Fort, and a number of important points were made even though they weren't necessarily germane to the issue of urgency as defined by *Beauchesne* and HOC, *House of Commons Procedure and Practice*. But I did let points get said and get made so that we would get the full grasp and gravity from all four parties of the importance of this matter.

Now, before the question as to whether this motion should proceed to be put to the Assembly, I have to determine where the motion meets the requirements of Standing Order 30(7)(a), which requires that "the matter proposed for discussion [is related] to a genuine emergency, calling for immediate and urgent consideration." As I've said, there's no question that the matter, the issue, is important and, in the mind of anyone who spoke on either side of it, constitutes some form of genuine emergent response or emergency action.

4:50

Hon. members, I want to go on briefly and just acknowledge that I have been there, and I have seen home care delivered to patients in need during my time in a particular portfolio. I know where you are all coming from because I have been there and I have seen it. I know how serious the families take this matter when one of their members winds up in a position of being, to quote the Member for Innisfail-Sylvan Lake, soiled all weekend, or words to that effect. Obviously it's serious to sit in your own waste for any seconds or minutes of time. It's awkward, uncomfortable, and ought to be corrected as quickly as possible.

I also noted other comments by the Member for Calgary-Mountain View, whom I did let go on a little further than I would normally have let go on on this portion. He was into turnover rates and salaries and pension funds and creeping privatization and so on. Nonetheless, in fairness to that member and his caucus I allowed that to go on so that those comments could be on the record, which, as I had said earlier, was probably more what all of you were after at the very minimum.

I also was keen on the comments made by the hon. Minister of Health, wherein he indicated that the contracts were not cancelled, they were term-limited, they expired some time ago, an RFP was issued, there were, perhaps, some factual inaccuracies, but most importantly, that the Alberta Health Services folks and their new head, which I think he mentioned was Janet Davidson, was doing their utmost to review this and have already taken some very specific action. Clearly, it has caught the attention of the upper echelon in Alberta Health Services, and that's a very good thing.

I want to reiterate that I take this as a very serious matter. I know all of you do, too, because it affects and it impacts literally thousands of Albertans. I don't have the latest number at hand, but I would venture to guess that it's 40,000 or 50,000 or thereabouts, perhaps even more. So the gravity of the situation is certainly not lost on me.

Now, I want to also point out for members here that if I were to allow the debate to proceed for the remainder of the day, it would not culminate in a decision by this Assembly. It might point out a

direction for some people who want to take it, but it does not culminate in a decision in and of itself, so please be reminded of that.

Finally, I'll just state that while I would be very prepared to allow the debate to take place for the remaining hour, we've had about 45 minutes of what I would call debate already. All four parties are on record now stating what they wish to state and what they feel about this matter, and as such I will not rule in favour of the leave to have an emergency debate for the remaining hour.

That concludes that matter, and I would ask for your understanding and your rereview of everything that I just said so that you will be able to guide yourselves accordingly. Thank you.

Hon. members, just before we start the formal proceedings for Orders of the Day, the hon. Associate Minister of Recovery and Reconstruction for High River wishes to make a comment.

I'll recognize you, sir.

**Mr. Fraser:** Thank you, Mr. Speaker. At this time I would like to request unanimous consent of the Assembly to transfer the sponsorship of Bill 206, Tobacco Reduction (Flavoured Tobacco Products) Amendment Act, 2012, to my colleague the hon. Member for Calgary-Currie.

**The Speaker:** Hon. members, the hon. minister has requested unanimous consent of the Assembly.

[Unanimous consent granted]

**The Speaker:** Excellent. We didn't hear any objection to that, so we can proceed with your request.

Thank you, hon. members, for that understanding. That has been granted. The Order Paper will now show the name of the new sponsor for this bill, and the bill will be reprinted.

## Orders of the Day

### Written Questions

[The Clerk read the following written question, which had been accepted]

### Legal Actions against the Ministry of Energy

Q41. Mr. Bikman:

What are the amounts for which the Crown has settled legal actions for each fiscal year commencing April 1, 2008, and ending March 31, 2012, where the Minister or Ministry of Energy is the defendant, and what were the causes of action in those legal actions?

**The Speaker:** Hon. members, we're now on private members' bills, so let us continue on with the hon. Member for Red Deer-North with respect to the concurrence motion.

**Mrs. Jablonski:** Mr. Speaker, I know that according to the clock it's two minutes to 5. I have a 10-minute response to the concurrence motion. As well, a few other speakers will speak to it. I would ask, because I don't see any point in speaking for one minute, that we move directly to our private member's motion today rather than just speaking for a minute and then coming back to it, sir.

**The Speaker:** I think that would be acceptable. Hon. member, you were asking for unanimous consent? I didn't hear that.

**Mrs. Jablonski:** Yes, Mr. Speaker.

**The Speaker:** Could you please rephrase your unanimous consent motion in its totality, then, just so we're clear?

**Mrs. Jablonski:** Mr. Speaker, as it is one minute to 5, I am requesting unanimous consent to move directly to our motion for today.

**The Speaker:** Hon. members, the Member for Red Deer-North has requested your unanimous consent, as uttered.

[Unanimous consent granted]

**The Speaker:** I don't believe I hear any objections, so that has been granted.

The hon. Member for Calgary-Hawkwood.

**Mr. Luan:** Thank you, Mr. Speaker. Before I begin, I do have 10 guests sitting in the members' gallery. If I could ask your permission to introduce them to the House.

**The Speaker:** Hon. members, the member for Calgary-Hawkwood has requested that we revert to Introduction of Guests.

[Unanimous consent granted]

**The Speaker:** Please proceed with your introduction, and as soon as you're finished, go on with your motion.

### Introduction of Guests

(reversion)

**Mr. Luan:** Thank you, Mr. Speaker. Thanks to my House colleagues. It is my honour to rise to introduce you to 10 guests that are sitting in the members' gallery. They're representing members throughout the province who have under two umbrella organizations provided guidance to heritage language education in our province.

The first on the list is the Southern Alberta Heritage Language Association, or SAHLA. The next one is the International and Heritage Languages Association of Alberta, IHLA. Mr. Speaker, I would ask them to stand as I mention their name to be recognized, and we'll hold our applause until the end, when I finish introducing them.

[Mrs. Jablonski in the chair]

I have Mr. Michael Embaie, president of SAHLA; Vinay Dey, a member of SAHLA; Amina Ofleh, principal of one of the schools and also a member of SAHLA; Steven Lim, a member of SAHLA; Michael Gretton, co-ordinator of SAHLA; Josephine Pallard, president of IHLA; Leticia Cables, a member of IHLA; Vida Dreh,\* a member of SAHLA; Chandra Weerasinghe, a member of SAHLA; and John Gatliak,\* a member of SAHLA. I thank you so much for travelling to this corner of the province on very short notice to come to support the motion we are just about to begin.

Members of the House, if I can ask you to give them the traditional warm welcome. Thank you.

### 5:00 Motions Other than Government Motions

#### Heritage Language Schooling

513. Mr. Luan moved:

Be it resolved that the Legislative Assembly urge the government to promote and assist heritage language schooling in collaboration with local school board authorities to provide adequate access to school facilities.

**Mr. Luan:** Madam Speaker, I'm pleased to rise today to open debate on Motion 513. I'm proposing this motion in order to bring attention to the issues that heritage language schools face and how

the government can assist in promoting collaboration between heritage language schools and local school boards.

Just to give you a bit of a background, Madam Speaker, heritage language schools provide an extracurricular education environment, typically held on weekends, to individuals who wish to learn another language and increase cultural competency. These schools operate throughout the province at a community level and represent many different ethnicities.

There are two major umbrella organizations, as introduced to you earlier, SAHLA and IHLA. Both of them are nonprofit organizations. SAHLA is based in southern Alberta, and they represent over 38 different languages throughout the southern part of our province. IHLA is their counterpart. They provide guidance to critical elements in language education and represent the northern part of Alberta. Together they represent over 80 language schools across Alberta, with 12,000 students currently enrolled.

Here are some examples of language schools. The Chinese Academy in Calgary is the largest language school in Alberta. It has been in operation since 1997 and has over 1,900 students. The Russian school in Edmonton, Erudite, is an accredited heritage language private school which was founded in September 2003 and is dedicated to preserving and promoting Russian language and culture in our multicultural society. Finally, there is Gabriela Mistral Latin American School in Edmonton, which is committed to preserving the Spanish language and Latin American culture. Those are just some examples. The instruction those schools provide not only helps preserve their culture and their language but also helps open many doors for students as they either continue their education or enter into the workforce.

Madam Speaker, with all those students and the fantastic work they're doing, both SAHLA and IHLA believe there's a need for affordable rent rates for class space at weekend schools, and there need to be some resolutions to accommodate schools so that they can access school facilities. For your information, just to give you background, in Calgary in 2011 the heritage language schools paid \$67 per hour to rent a classroom on the weekend. If I sum up the total of all the language schools across the province, they provide thousands to tens of thousands of dollars for classroom rentals in order to provide educational service.

Another challenge that the heritage language schools commonly face is that they feel like they are being treated as, if I can use their terminology, secondary citizens. What this implies is that they have not been given the proper recognition that heritage language is in the domain of education. They're often referred to and mixed together with recreational groups. When they rent facilities, they are subject to all kinds of conditions, and one of the conditions is very ironic when you think of a thousand students renting schools on the weekend. If they move a table or mark something on a keyboard and on Monday the regular school gets agitated about that, if they receive three such complaints, then their lease is voided.

I personally have been involved in one of these incidents. One of the schools in Calgary has been there over 10 years, but just because of the change to a new principal, who was receiving those administrative concerns and headaches, that principal simply decided: we're not going to renew this school. Immediately thousands of students who had been using that school for weekend language education found themselves having no school. That was a time, I remember, when many of them were voicing this concern. Why are the public facilities, that they pay for in taxes, treated so differently? For instance, if for the same school Monday to Friday there is a change or closure, it normally has about six to nine months of procedures where you consult with parents and the

\*This spelling could not be verified at the time of publication.

community and you do a transition in that regard, not on a whim like this one, where you could decide at any moment.

Because of all of these issues, many heritage language schools are run inconsistently, with an unstable learning environment, which creates unfavourable outcomes for language programs. As a result, this may diminish the quality of education and limit students' opportunities to learn an additional language.

Just for your information, I did a quick comparison through our research staff that compared: is this just an isolated issue, or is this across the jurisdictions? I learned that internationally many countries have created specific heritage language or, as they call it, international language legislation. Australia leads the world. They have developed very distinctive national policy for international language education, targeting emerging economies such as China and India. They simply believe that by educating their kids in those languages that emerging countries need, it will give their children added competitiveness to succeed in the global economy. In Canada, nationally, Ontario, Quebec, B.C., and Manitoba have all established similar legislation. Alberta somehow is falling behind.

With those challenges, Madam Speaker, I believe opportunities exist ahead of us. Alberta is the fastest growing province. As we just learned, it reached over 4 million in population this year. We also have very rapidly changing demographics in our province. I just reviewed the 2011 StatsCan stats. I want to share a few with you very quickly. Today 1 in 5 Canadians is a visible minority, or roughly 19 per cent of the population. One in 5 Albertans is a visible minority. One in 4 Edmontonians, or 25 per cent of Edmontonians, are a visible minority, and – listen to this – 1 in 3 Calgarians are a visible minority.

Mr. Speaker, I remember that about seven years ago I was struck by one of the statements made by the Calgary police chief. She said at the time that 50 years ago 1 in 50 was a visible minority in Calgary, today 1 in 5. This was seven years ago. I followed her speech. I compared to the 2011 stats. We changed. From 1 in 5 seven years ago it's now 1 in 3 in Calgary. Clearly, there is a trend, and the trend continues. The diversification of Alberta is becoming a new reality in today's society.

Here I want to close by saying: what's the impact? What's the significance of me bringing this up and talking about this? Madam Speaker, I believe that we have the opportunity today to create favourable conditions for generations of Albertans to benefit from gaining a competitive edge in today's global economy. This includes that our kids will have multiple benefits for individual growth and cultural competency and have the ability to develop and maintain increased competency in listening to, speaking, reading, and writing another language.

5:10

This will also help them strengthen their cognitive development through knowledge of an additional language, help them build a bridge between Canadian and heritage cultures, and the list goes on. There's a long list of research establishing the cognitive and developmental benefits for children to have that.

More than that, I think we as a province have the opportunity to set a standard for language education in a consistent and stable learning environment, to recognize language education as a critical component of Alberta education, not just another recreational or cultural activity, and to develop a unique Alberta model that will have market-driven, cost-sharing, and joint services provided for Albertans.

I invite hon. members to have a vigorous debate and support this motion.

**The Acting Speaker:** Thank you, hon. member.

The Member for Chestermere-Rocky View.

**Mr. McAllister:** Thank you, Madam Speaker. Good to see you back in the big chair.

I am going to rise today and speak to this motion, the motion put forward by the Member for Calgary-Hawwood. To the member: I appreciate you bringing it forward. The member and I both sit on the Intercultural Dialogue Institute, one of the committees in Calgary trying to promote diversity and greater language use. I would be thrilled to do anything I could to support it. I do have some questions, and I'll get to them as I roll through it.

A special welcome to the guests today. I think we'd all like to see more of our kids and adults in Alberta speaking as many languages as we could. We'd all be better off.

The motion, as I read it, from the Member for Calgary-Hawwood:

Be it resolved that the Legislative Assembly urge the government to promote and assist heritage language schooling in collaboration with local school board authorities to provide adequate access to school facilities.

On the surface of it it certainly sounds like a terrific idea for all concerned. I think everybody in here approved the motion from the Member for Calgary-South East, now the associate minister for flood recovery, on November 19 which urged the government

to construct new school facilities in collaboration with municipalities, school boards, and other stakeholders which would function as schools during the day but have the ability to offset [some of those] operational expenses by partnering with compatible public and private enterprises such as but not limited to,

as we discussed at the time,

libraries, daycares, and recreational facilities.

I am fully, as I said, supportive of the concept that a school facility should be a community hub. It seems like it's gotten much more complicated over the years, and I think there are reasons for that. If we all think back to when we were younger, you know, things were much different. I know that we span a few different generations in here. I suppose it's changed. [interjection] I'm not assigning an age shot to anybody, Member for Edmonton-Gold Bar, at all. I think we all recognize that it seems a little bit more complicated these days to make these things work, and there are some reasons for that, and I'd like to ask the member about them and see what stakeholders have had to say.

In many growing communities like mine, for instance, in Chestermere-Rocky View we badly need these community hubs so that organizations like the one the member speaks of can succeed and offer programs, a place for communities to gather. I think it also would be wise of me to point out that this already happens in many of our constituencies. Whether it's a church group or a community meeting place, many jurisdictions do this well already.

Heritage language schools in Alberta, as the Member for Calgary-Hawwood says, provide an important service to our communities, our education system. They do provide that support to a cultural or linguistic group, which is needed. They ensure that children, youth, adults can learn another language, sometimes more than one. It might not otherwise be available to them at school, and I think that's an important thing to point out. Heritage language schools I believe to be an asset. As a government, as a member of the opposition, whatever we are, I think we should be doing all we can to remove any barriers that might be stopping them from operating and offering their services to Albertans.

From this perspective, as I said, I'm certainly inclined to support this motion. I would like to hear from the member first

about a couple of questions that I do have. I think the Member for Calgary-Hawkwood did address a couple of them, and I'll get to those in a second.

We've heard today in the media and elsewhere about some of the problems that can come up by using the P3 approach to building schools, and I'll raise a legitimate point that applies to this member's motion today without going on a tangent which would be political in nature because my view differs from the government's on the issue of P3s. This point is relevant, Madam Speaker. It is more difficult – and you'll hear that from stakeholders and those boards and schools – for community groups to access P3s than it is for those from the traditional model. There are other rules in place.

Because they're maintained by other companies, you're not allowed to change the way things are. They don't want to see those facilities damaged or changed in any way, so it's become more complicated, it seems, to make those schools hubs for the community, and I think that's something we need to address going forward. The first batch, as I said, under the P3 model in this province did have some issues when it came to outside access groups. So I hope that we're able to address those, for both the member and the other groups that would like to use them.

Now, I did contact the member, I should mention, a few weeks ago – I didn't directly, but a research team did – to try to get some more information from him about the motion. Before I assign blame to him for not responding, I'll give him a chance to maybe let me know, but we did send a couple of e-mails, so I could have asked him a couple of these questions, Madam Speaker, beforehand.

I would like to know from a stakeholder perspective: do the school boards or school administrators have any issues with your motion? I'm sure the member has reached out to them. Are there any maintenance or liability questions that the boards might have? The maintenance and liability is another snag that we run into with the P3s. How will the government work with school boards to increase access to these school facilities?

You know, the more kids we have speaking more languages, the better off we're going to be, as the member points out. The more education we can provide, the more barriers we can remove to make that happen. I think it's a super idea. I'd just like the member to be able to address some of those questions, and I look forward to hearing his responses.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

The Minister of International and Intergovernmental Relations.

**Mr. Dallas:** Thank you, Madam Speaker. It's my honour to rise today to debate Motion 513, which discusses the future of heritage language schools in Alberta. I'd like to begin by thanking my colleague the hon. Member for Calgary-Hawkwood for bringing forward this motion.

Madam Speaker, as it stands today, heritage language schools in Alberta face many barriers to success which may inhibit their sustainability and their future, and through Motion 513 the hon. member has identified this hindrance as an unnecessary complication that he wishes to be addressed by this Legislature.

Madam Speaker, as we continue to build Alberta and open new markets abroad, it's hard to ignore that we are living in an increasingly globalized civilization and economy. Building lasting and favourable relationships with trading partners overseas: this is a key aspect to securing access to important markets. A part of building these relationships is developing a higher level of cultural

competence, including linguistic competence. This knowledge is supported by the very existence of heritage language schools.

Madam Speaker, this government has made a commitment to ensuring that our valuable resources get to market. Obtaining full market value prices for our resources ensures that Albertans are getting what's fair for our food and technology as well as for our energy products. This often means working with partners from the European Union to China or even to South Korea. Living in the reality of a globalized economy works to benefit all Albertans as well as our trading partners abroad.

**5:20**

Building these relationships also benefits the labour market right here in Alberta. Having more and more Albertans proficient in multiple languages also enhances the labour market. Albertans who take on multiple languages open their opportunities, whether it is for employment here or throughout the world.

Madam Speaker, given that Alberta is the best place in Canada to do business, our province has attracted much interest from business partners around the world. After all, exposing ourselves to another language not only builds understanding and expanded knowledge but fosters great friendships as well.

Heritage language schooling provides extracurricular educational opportunities to individuals who wish to learn another language and increase cultural competence.

Madam Speaker, Canada as a whole is a home to a plethora of different languages. This language diversity is illustrated by the more than 200 languages that were reported as a home language or mother tongue in 2011 according to reports from Statistics Canada. Nearly 6.6 million persons reported speaking a language other than English or French at home, and 20 per cent of the Canadian population speak another language at home. For 6.4 million Canadians this additional language was an immigrant language, meaning this language's presence is due to their family's relocating to Canada. Between 2006 and 2011 some immigrant languages have seen their numbers grow by more than 30 per cent and Mandarin, specifically, by more than 50 per cent.

Heritage language schooling, like the Southern Alberta Heritage Language Association, plays an important role in the development of many of these languages. For several decades these schools have helped hundreds of thousands of children and adults learn another language. Madam Speaker, language and cultural competency are instrumental to how we develop our strategic relationships and open new markets for Albertans.

Assisting heritage language schooling through the proposed Motion 513 could remove some of the barriers to success that these programs face. In doing so, Albertans could be more readily exposed to new opportunities to obtain cultural competency skills and even learn multiple languages.

I'd like to thank the hon. member for bringing this motion before the House for debate. Given the endless opportunities that multilingualism presents in developing relationships and opening new markets, I will be supporting this motion, and I encourage all of my colleagues to do the same.

Thank you, Madam Speaker.

**The Acting Speaker:** The hon. Member for Fort Saskatchewan-Vegreville.

**Ms Fenske:** Thank you, Madam Speaker. It's an honour for me to rise today to speak to Motion 513, the goal of which is to promote and assist heritage language schooling in collaboration with local school authorities. I would like to thank and congratulate the hon.

Member for Calgary-Hawkwood for bringing forward his very first motion in this House.

My experience as a mother with respect to second languages has been that it has given my children an opportunity beyond what some others may have had. No longer do our children have to exist and perform and live in Alberta, but they're children of the globe. So the more that we can give them the opportunities to learn second languages and third languages – I think that that should be encouraged in any way, shape, or form.

When my children were going into school, I certainly looked at having German as a language that they could learn. However, there was a huge obstacle to that with respect to transportation, so we chose French, but from that I certainly understand how obstacles can come in the way of ensuring that our children are as prepared as they can be for the future. Madam Speaker, language schools are confronted with a number of obstacles that can impede their success and inhibit their sustainability. The intent of this motion is to recognize the systemic problems that impair the ability of heritage language schools to run efficiently.

Madam Speaker, a heritage language school provides an extracurricular learning activity typically held on weekends for individuals who wish to learn another language and increase cultural awareness. Such schools operate throughout the province at the community level and represent many ethnicities. I think that it goes without saying that proficiency in more than one language and familiarity with a range of cultural practices are definitely assets in the global economy that we find ourselves in today, as I had mentioned earlier for my children.

Aside from the obvious economic benefits there are other practical advantages as well. We should not understate the importance of language schools and the learning they foster in promoting cultural awareness and cultivating an educated society. This is perhaps one of the most fundamental reasons for nurturing language education. At the end of the day, Madam Speaker, an investment in language education is an investment in families and communities. As Albertans we are fortunate to live in a land of rich diversity. We are privileged to be able to keep ties with our heritage and to pass on values, customs, and stories to our children.

Because Alberta is such an attractive place to work, live, and raise a family, we continue to be very appealing to immigrants who are new to Canada. With this steady influx of immigrants comes an increase in linguistic and cultural diversity. Thus, learning languages, while useful for international business and travel, is increasingly handy for everyday life right here at home in Alberta.

Learning French makes sense because, after all, Canada is an officially bilingual country. Learning French helps us to keep in mind the interconnectedness of this country despite its vast size and the sense of regionalism that that can instill. However, other than French we are blessed with opportunities to learn a multitude of languages. Languages such as Mandarin, Cantonese, Japanese, Korean, Hindi, German, and Spanish are also highly relevant.

One of the many advantages of studying other languages and becoming fluent in them is the intellectual and mental benefit. Madam Speaker, there is scientific evidence as well to suggest that bilingual activity makes us smarter. It can have a surprisingly powerful impact on the brain, improving cognitive skills not related to language development and even helping to prevent dementia. It used to be assumed that bilingualism was a hindrance to cognitive development, as it was thought that thinking in two languages would be mutually obstructive. However, it has since been shown that this actually improves cognition by training the brain to essentially multitask and synthesize more diverse

information at once. Because of this, bilingualism helps to improve problem-solving skills.

Madam Speaker, this indicates that learning languages enables us to develop our ability to assess our environment in greater detail, which in turn allows us to be more adaptable. The advantages these types of practical skills give us are wide ranging and especially relevant in a dynamic and ever-changing society like our own.

So, Madam Speaker, as far as furthering educational as well as cultural goals, promoting language education is a win-win. Thankfully, the current standing of language education in Alberta is quite robust. As we can see, language is an important component of our society, and language education deserves to be taken seriously. As such, it is good to reassess what is currently in place, to streamline the delivery of that type of education to Albertans. Given the importance of heritage language schools in maintaining culture and promoting an educated society, I will be supporting this motion.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

The Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Madam Speaker. I'm pleased to rise to support this motion. It's an important one that is often lost in the complexity of our society and the focus on economic development. It's an awesome opportunity for us to strengthen the new Canadians, their capacity to connect, to communicate. Purely in health care we need all kinds of people to help translate issues relating to health care and health care needs, instructions, pharmaceutical programs, prescriptions. Obviously, we need these folks in all aspects of our economic development. They're going to be a huge driver for us.

5:30

In fact, I won't say too much more about this because I haven't seen enough of the motion yet to know a lot of the implications of it, but I look forward to this motion becoming a bill so that we ensure that we are funding and supporting, sustainably and in a stable fashion, the kinds of educational opportunities, the institutions that are needed, the sustainability that's needed year to year. It's an opportunity to show these folks that we're serious about the long-term commitment here to their psychological well-being, their intellectual well-being, their connection to other Canadians, the community-building aspects that happen around this whole activity as well as the cultural exchange that can happen when we actually can communicate better and understand and respect each other.

It looks like a wonderful opportunity to raise the level of awareness of this Legislature about this underfunded and relatively neglected area, that is only going to increase, and we need to make a serious commitment long term to this if we're all going to be successful, especially these new Canadians.

Thank you for bringing it forward. I look forward to seeing a bill in the not-too-distant future so that we can really strengthen our commitment to this sector.

**The Acting Speaker:** Thank you, hon. member.

The Member for St. Albert.

**Mr. Khan:** Thank you, Madam Speaker. I'm pleased to rise today and join the debate on Motion 513, proposed by the hon. Member for Calgary-Hawkwood. I, too, wish to join my colleague and congratulate the hon. Member for Calgary-Hawkwood for his first motion and stellar work on this important issue.

As has been mentioned, this motion asks us to promote and assist heritage language schooling in collaboration with local school board authorities. Motion 513 also seeks to draw our attention to the need for adequate access to school facilities for heritage language school programs. Madam Speaker, as evidenced by our government's Building Alberta plan, we are committed to ensuring the best possible quality of education for our children. By building Alberta in this way, by investing in new schools, and by investing in our teachers, we are laying the groundwork for a brighter future. Our Building Alberta plan is working to construct greater opportunities for those who will one day come to inherit our province. It is for this reason that I offer my support for Motion 513.

As we urge our government to consider the benefits of heritage language school programs, it is helpful to examine what other jurisdictions have done and the strategies they employ towards language education. Ontario's international language program is particularly useful as a case study in this regard. This provincially mandated academic program has been offered by the continuing education department of the Ottawa-Carleton district school board since 1990.

The continuing education department offers the international languages program at both the elementary and secondary school levels. The elementary program offers language instruction in 39 different languages and involves 17 elementary schools. The program is eligible to all children who attend elementary school in Ontario. The secondary school program offers instruction for credit in 17 languages and is hosted by three secondary schools. The program is open to all students and adults, and the courses here are offered from grade 9 through grade 12. Currently there are over 5,000 students registered in this program. These numbers, Madam Speaker, lend important affirmation to the potential success that similar heritage language programs could have here in Alberta.

In terms of how Ontario came to legislate these international language programs, there are a couple of developments that are particularly enlightening with respect to our discussion here today. Before I highlight these developments, Madam Speaker, allow me to mention briefly that in 1993 the government of Ontario changed the terminology they used, when they moved from the phrase "heritage languages" to "international languages." I mention this only so we're not confused by the terms "heritage" and "international" in our discussion. For our purposes let's assume that both terms are interchangeable.

The Ontario Ministry of Education first enacted legislation that governed the offering of heritage language programs in elementary schools in 1989. Later, in 1991, this same ministry created the resource guide on heritage languages. The guide's aim was to assist boards in working with heritage language personnel and local communities to introduce language programs that met the specific needs of the schools and their students. The guide provided direction on delivery models, roles and responsibilities, program development, learning environments, and learning resources.

Madam Speaker, Ontario's work on international language programs recognizes the benefits and opportunities that such programs can offer. As has been mentioned already, languages open our society to a greater competitive advantage in the world market. The opportunity to learn another language or languages strengthens cognitive development. It allows us to meet and understand our neighbours, and it can prepare us for the responsibilities of being a productive member of our local, national, and international communities.

I believe Motion 513 has potential to offer another step in the right direction for assuming more of this important responsibility. Ontario's initiative, along with defining the value of language-learning opportunities, also sets parameters on the roles and responsibilities of those involved in the administration and delivery of these language programs. These roles include principal supervision and the appointment of an education officer, who develops, plans, budgets, co-ordinates, and monitors program activities. Other defined roles include site administrators, instructors, teachers, and also community representatives. More recently, in 2011, new policies brought in quota requirements which, once met, mandated that boards must establish the requested program. That program must also be offered for the entire school year as long as the quota stays intact.

Madam Speaker, language education offers us further opportunity to not only build bridges between Canadian and other cultures but to reveal and reinforce existing bridges already in us. It offers our children and their children the chance to learn and develop a robust understanding, a more empathetic understanding of one another. We can learn from Ontario's example. This is why I'm in support of Motion 513. It would continue to help us build a stronger, more resilient Alberta for future generations.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

The Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Madam Speaker. I'm pleased to be able to rise and speak in support of this motion although with a bit of a cautionary component to my support.

In principle, I want to say that I and, I think, all members of my caucus support the growth of heritage and international language instruction programs, and we certainly support the growth of opportunities for people who are members of minority language communities to be able to gain access to useful and effective heritage language programs. I think the reason we support that is really for many of the reasons that have already been outlined by many of the speakers, not only in terms of increasing sort of the diversity and the levels of understanding and the employability and the competitiveness of our citizens, our citizens here in Alberta, but also, you know, for all the various and sundry learning outcomes which are improved by having someone participate successfully in heritage language or international language learning programs.

For that reason, I fully support the idea that's being brought here to the Legislature. I will say, as one of the previous speakers did point out, that the motion is a little vague right now. There are a couple of cautionary points that I would like to make. Even though I fully, fully support the idea of promoting these programs, I would like to outline some of the conditions which I think need to be in place.

First of all, if these programs are going to be supported through public resources and public support, then they need to be delivered in a nonprofit setting. One of the things I note from the motion is that that is not clear. For me, that's really important. As you know, our caucus is steadfastly opposed to private schooling and particularly steadfastly opposed to public dollars supporting private schooling. We're happy for people to choose to go to private schools, but if they do so, that should be their financial choice and not that of other taxpayers. That same thing applies generally to the notion of allocating public resources to what is otherwise a private, for-profit effort.

Of course, as much as heritage language instruction is something that I think should be done within the public context, I think

that we need to be mindful of the fact that when that starts to move into heritage language and also religious instruction, we can run into some challenges. We need to be mindful because it's not an entirely uncomplicated issue, and the issue has arisen in other contexts, so we need to be aware of that.

Again, though, I think that there is tremendous opportunity to open the door for greater commitments and obligations on the part of our public system for promoting and increasing access to heritage language instruction. I was reading one paper online as other people were speaking because I was trying to get myself up to speed on this, and I saw one author talk about linguistic imperialism that occurs when you have only one or two languages that everybody uses, and then the other languages and the communities and cultures associated with those other languages suffer as a result. I think that it's important to do everything that we can to work against that trend and to promote genuine diversity.

5:40

The only other thing that I would suggest as something that we would need to be conscious of, of course, is that we are currently in a situation where we are profoundly shortchanging our school boards. We are asking them to do a great number of things for a great number of people with an ever-reducing pot, and a huge array of demands is being put on how they are going to use that pot, particularly as it relates to capital construction and the allocation of their capital resources within communities. Those demands are being put on them already by this government, often as part of other policies which, potentially, the school boards don't support as they respond to the demands and the requests of their communities.

All I would suggest is that we not put ourselves in the position where, for instance, we're saying to school boards that their extra space is going to be counted against them. They're not allowed to actually lease that extra space at market rate, and then they have to give it to someone at a low rate. The government has decided who that someone will be, and then they turn around and use the fact that there's that extra space against the school, and the school doesn't get the benefit of that use being calculated into the value of that school to the community, to the neighbourhood, to the overall process of community development.

What I think needs to be happening is that whatever effort is ultimately directed to this strategy be done truly in consultation with the school boards and with a view to understanding the somewhat untenable position that this government has put many school boards in with respect to their space, the quality of the space, the degree to which it needs maintenance, and then the costs associated with making that space available to the community. I think school boards want to do that, but it's not enough for the government to say: oh, yeah, you've got to make sure you pay all this extra staff, and you've got to do all this extra work on this building to ensure that the community has access, but we're not going to give you an extra dollar for it. That's the kind of thing that we have got to make sure we don't do more of because, of course, we're already making demands which are pretty unreasonable in many cases.

That being said, though, those are particular issues, and those are the cautionary issues, but they are merely cautionary because, as I say, I do support the promotion and support of more access to heritage and international language programs within Alberta and within the public system or at the very least on a nonprofit basis, where no additional funds are being asked from the people who would access those programs and being paired with government funds. That's, of course, an opportunity to increase the proliferation

of public funding of private schools, which, I would argue, is a bad thing. But I think we can achieve this educational objective while preserving the integrity of our public school system, and with those points in mind I support the motion made by the hon. member.

**The Acting Speaker:** Thank you, hon. member.

The hon. Minister of Education.

**Mr. J. Johnson:** Thank you, Madam Speaker. I welcome the opportunity to rise and make a few comments about this motion. The first thing I'd like to say is to just commend the Member for Calgary-Hawkwood for the work that he's done on this and to navigate it through. I know it's seen a couple of different iterations, and he took a lot of feedback from many different people and worked with people in this community and his colleagues, and I think he deserves a lot of credit for the passion he's shown here.

There are others, too, that have been very supportive of heritage language schools, and I think of the MLA for Calgary-Northern Hills and the MLA for Calgary-Greenway and several others of our caucus who have helped push this to the fore. If nothing else, I think they've done a great job of raising the profile on how important the heritage language schools are and the great work that the heritage language school organizations are doing right across the province.

You know, as I read this and as I listen and talk with the member, it really is about collaboration and trying to work between the department and these organizations and the school boards to make sure that these organizations have proper access to facilities. There's nothing wrong with that, of course. We should be doing that on a daily basis anyway. I want to say that Education does support the heritage language schools, and these schools offer credits in courses in language and cultural programs. We also provide funding to support community heritage language programs. Most of these are through the funding that goes for the credits. These language schools are encouraged to investigate opportunities not only with the local school boards but also with community organizations and other partners in order to support their programming. It doesn't need to be just schools that they operate out of.

You know, one of the things we heard many times through Inspiring Ed is that Albertans are challenging us to get out of the schooling business and into the education business. Our focus is really on breaking down the barriers, blurring the lines between K to 12 and postsecondary and industry, and also blurring the lines between the school and the community so that we're bringing the community into the school and taking the school out into the community and so that those learning opportunities are relevant for those kids and aren't just tied to the traditional rules of: it has to be delivered between the hours of 9 to 3 or inside those four walls or in some cases by a certificated teacher. We'll be pushing the envelope of who can actually instruct our kids because if it's putting students first and it's about their experience and about learning, then the hours of 9 to 3 and those four walls can't be a barrier to that. Embracing the work that the heritage language schools and others are doing is important.

Part of that is happening already, and I don't want to leave the impression that schools and school boards are not doing this today. It may be that we can always get better. They do it today, and they do it typically on a cost-recovery basis, and sometimes there are issues with access, but we encourage the schools because they're paid for by the taxpayer, and there's one taxpayer. Their objective is learning, so if we can make those facilities open and usable and welcoming for other members of the community, other

groups, and other learning experiences, we want to see that happen. But we don't expect school boards to just do that for free all the time. They have costs that they need to recover, whether it's custodial costs or whether it's to have somebody on-site or whether it's some of the insurance. I know that typically they don't recover the costs for the utilities and a lot of those things for the after-hours use.

We do want to see them as hubs of the community. We do want to see them used as much as possible, not just by heritage language schools, as important as they are, but by any other groups that want to use that infrastructure that's been paid for by the taxpayer. You know, the member opposite raised a good point. One thing we don't provide today is lease support for private schools, so if these opportunities are being given to for-profit private schools, we just always have to be careful about setting precedents where we're going to pay for their capital or pay for their leases, which is something we don't do as a policy decision in this province even though private schools do an incredible amount of good work.

I just commend the member, and I don't think there's anything wrong with this motion. It takes us further down a path we're already heading. We need to continue to collaborate, and it's never a bad thing to collaborate.

**The Acting Speaker:** Thank you, hon. minister.

Are there any more members who wish to speak on the motion? Seeing none, I would go to Standing Order 8(3), which provides for up to five minutes for the sponsor of the motion to close debate. I invite the hon. Member for Calgary-Hawkwood to close debate on Motion 513.

**Mr. Luan:** Thank you, Madam Speaker. I want to thank the hon. members in the House for your input, suggestions, and questions. It is very helpful for me to learn all the aspects of this issue, but I'm also very humbled to get a sense that the support across the floor has been very strong to set a motion to give some direction and support to this very important issue in our province.

I wanted to acknowledge that the motion we're talking about today is really high level. It's just emphasizing that language education is important. We need to work in collaboration with school boards, and we need to take the maximum opportunity to promote and encourage the development of heritage language schools.

**5:50**

I heard many, many specific references to how we go about that and so on and so forth. Unfortunately, this motion won't go into that much detail, but I do take your advice wholeheartedly. I do remember that I have a private member opportunity. I may bring this up again. By then, those specific issues will be dealt with at that level.

I want to thank you again for your support and for participating in this debate. Thank you so much for sharing your thoughts. I want to remind hon. members that what we're discussing today has a very long influence in our province because you are giving a direction as to how we approach this issue. You are giving some support in terms of how we promote this, how we work together on this, and for that I want to thank you so much. I want to remind you that this is not something small. You are touching the lives of 1 in 5 Albertans and beyond. For that reason, I thank you once again. I urge you to support this motion and get it passed.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

[Motion Other than Government Motion 513 carried]

**The Acting Speaker:** The hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you very much, Madam Speaker. Given the lateness of the hour I would move that we call it 6 o'clock.

[Motion carried; the Assembly adjourned at 5:52 p.m. to Tuesday at 1:30 p.m.]



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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Tuesday afternoon, October 29, 2013

Issue 61

The Honourable Gene Zwozdesky, Speaker

## Legislative Assembly of Alberta The 28th Legislature

First Session

Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC), Speaker  
Rogers, George, Leduc-Beaumont (PC), Deputy Speaker and Chair of Committees  
Jablonski, Mary Anne, Red Deer-North (PC), Deputy Chair of Committees

Allen, Mike, Fort McMurray-Wood Buffalo (Ind)  
Amery, Moe, Calgary-East (PC)  
Anderson, Rob, Airdrie (W),  
    Official Opposition House Leader  
Anglin, Joe, Rimbey-Rocky Mountain House-Sundre (W),  
    Official Opposition Whip  
Barnes, Drew, Cypress-Medicine Hat (W)  
Bhardwaj, Naresh, Edmonton-Ellerslie (PC)  
Bhullar, Hon. Manmeet Singh, Calgary-Greenway (PC)  
Bikman, Gary, Cardston-Taber-Warner (W)  
Bilous, Deron, Edmonton-Beverly-Clareview (ND)  
Blakeman, Laurie, Edmonton-Centre (AL),  
    Liberal Opposition House Leader  
Brown, Dr. Neil, QC, Calgary-Mackay-Nose Hill (PC)  
Calahasen, Pearl, Lesser Slave Lake (PC)  
Campbell, Hon. Robin, West Yellowhead (PC),  
    Deputy Government House Leader  
Cao, Wayne C.N., Calgary-Fort (PC)  
Casey, Ron, Banff-Cochrane (PC)  
Cusanelli, Christine, Calgary-Currie (PC)  
Dallas, Hon. Cal, Red Deer-South (PC)  
DeLong, Alana, Calgary-Bow (PC)  
Denis, Hon. Jonathan, QC, Calgary-Acadia (PC),  
    Deputy Government House Leader  
Donovan, Ian, Little Bow (W)  
Dorward, David C., Edmonton-Gold Bar (PC),  
    Deputy Government Whip  
Drysedale, Hon. Wayne, Grande Prairie-Wapiti (PC)  
Eggen, David, Edmonton-Calder (ND),  
    New Democrat Opposition Whip  
Fawcett, Hon. Kyle, Calgary-Klein (PC)  
Fenske, Jacquie, Fort Saskatchewan-Vegreville (PC)  
Forsyth, Heather, Calgary-Fish Creek (W)  
Fox, Rodney M., Lacombe-Ponoka (W)  
Fraser, Hon. Rick, Calgary-South East (PC)  
Fritz, Yvonne, Calgary-Cross (PC)  
Goudreau, Hector G., Dunvegan-Central Peace-Notley (PC)  
Griffiths, Hon. Doug, Battle River-Wainwright (PC)  
Hale, Jason W., Strathmore-Brooks (W)  
Hancock, Hon. Dave, QC, Edmonton-Whitemud (PC),  
    Government House Leader  
Hehr, Kent, Calgary-Buffalo (AL)  
Horne, Hon. Fred, Edmonton-Rutherford (PC)  
Horner, Hon. Doug, Spruce Grove-St. Albert (PC)  
Hughes, Hon. Ken, Calgary-West (PC)  
Jansen, Hon. Sandra, Calgary-North West (PC)  
Jeneroux, Matt, Edmonton-South West (PC)  
Johnson, Hon. Jeff, Athabasca-Sturgeon-Redwater (PC)  
Johnson, Linda, Calgary-Glenmore (PC)  
Kang, Darshan S., Calgary-McCall (AL),  
    Liberal Opposition Whip

Kennedy-Glans, Donna, Calgary-Varsity (PC)  
Khan, Stephen, St. Albert (PC)  
Klimchuk, Hon. Heather, Edmonton-Glenora (PC)  
Kubinec, Maureen, Barrhead-Morinville-Westlock (PC)  
Lemke, Ken, Stony Plain (PC)  
Leskiw, Genia, Bonnyville-Cold Lake (PC)  
Luan, Jason, Calgary-Hawkwood (PC)  
Lukaszuk, Hon. Thomas A., Edmonton-Castle Downs (PC)  
Mason, Brian, Edmonton-Highlands-Norwood (ND),  
    Leader of the New Democrat Opposition  
McAllister, Bruce, Chestermere-Rocky View (W)  
McDonald, Everett, Grande Prairie-Smoky (PC)  
McIver, Hon. Ric, Calgary-Hays (PC),  
    Deputy Government House Leader  
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Notley, Rachel, Edmonton-Strathcona (ND),  
    New Democrat Opposition House Leader  
Oberle, Hon. Frank, Peace River (PC)  
Olesen, Cathy, Sherwood Park (PC)  
Olson, Hon. Verlyn, QC, Wetaskiwin-Camrose (PC)  
Pastoor, Bridget Brennan, Lethbridge-East (PC)  
Pedersen, Blake, Medicine Hat (W)  
Quadri, Sohail, Edmonton-Mill Woods (PC)  
Quest, Dave, Strathcona-Sherwood Park (PC)  
Redford, Hon. Alison M., QC, Calgary-Elbow (PC),  
    Premier  
Rodney, Hon. Dave, Calgary-Lougheed (PC)  
Rowe, Bruce, Olds-Didsbury-Three Hills (W)  
Sandhu, Peter, Edmonton-Manning (Ind)  
Sarich, Janice, Edmonton-Decore (PC)  
Saskiw, Shayne, Lac La Biche-St. Paul-Two Hills (W),  
    Official Opposition Deputy House Leader  
Scott, Hon. Donald, QC, Fort McMurray-Conklin (PC)  
Sherman, Dr. Raj, Edmonton-Meadowlark (AL),  
    Leader of the Liberal Opposition  
Smith, Danielle, Highwood (W),  
    Leader of the Official Opposition  
Starke, Hon. Dr. Richard, Vermilion-Lloydminster (PC)  
Stier, Pat, Livingstone-Macleod (W)  
Strankman, Rick, Drumheller-Stettler (W)  
Swann, Dr. David, Calgary-Mountain View (AL)  
Towle, Kerry, Innisfail-Sylvan Lake (W),  
    Official Opposition Deputy Whip  
VanderBurg, Hon. George, Whitecourt-St. Anne (PC)  
Weadick, Hon. Greg, Lethbridge-West (PC)  
Webber, Len, Calgary-Foothills (PC)  
Wilson, Jeff, Calgary-Shaw (W)  
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
    Government Whip

### Party standings:

Progressive Conservative: 59      Wildrose: 17      Alberta Liberal: 5      New Democrat: 4      Independent: 2

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		Janet Schwegel, Managing Editor of <i>Alberta Hansard</i>

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Manmeet Singh Bhullar	Minister of Service Alberta
Robin Campbell	Minister of Aboriginal Relations
Cal Dallas	Minister of International and Intergovernmental Relations
Jonathan Denis	Minister of Justice and Solicitor General
Wayne Drysdale	Minister of Infrastructure
Kyle Fawcett	Associate Minister of Regional Recovery and Reconstruction for Southwest Alberta
Rick Fraser	Associate Minister of Regional Recovery and Reconstruction for High River
Doug Griffiths	Minister of Municipal Affairs
Dave Hancock	Minister of Human Services
Fred Horne	Minister of Health
Doug Horner	President of Treasury Board and Minister of Finance
Ken Hughes	Minister of Energy
Sandra Jansen	Associate Minister of Family and Community Safety
Jeff Johnson	Minister of Education
Heather Klimchuk	Minister of Culture
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Frank Oberle	Associate Minister of Services for Persons with Disabilities
Verlyn Olson	Minister of Agriculture and Rural Development
Dave Rodney	Associate Minister of Wellness
Donald Scott	Associate Minister of Accountability, Transparency and Transformation
Richard Starke	Minister of Tourism, Parks and Recreation
George VanderBurg	Associate Minister of Seniors
Greg Weadick	Associate Minister of Regional Recovery and Reconstruction for Southeast Alberta
Teresa Woo-Paw	Associate Minister of International and Intergovernmental Relations

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on Alberta's Economic Future

Chair: Mr. Amery

Deputy Chair: Mr. Fox

Bhardwaj	Olesen
Cao	Pastoor
Donovan	Quadri
Dorward	Rogers
Eggen	Rowe
Hehr	Sarich
Luan	Strankman
McDonald	Xiao

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Khan

Deputy Chair: Mrs. Jablonski

Amery	Eggen
Anderson	Kubinec
Casey	Sherman
Dorward	

### Select Special Chief Electoral Officer Search Committee

Chair: Mr. Rogers

Deputy Chair: Mr. Quadri

Blakeman	Leskiw
Eggen	McDonald
Goudreau	Saskiw
Lemke	

### Select Special Conflicts of Interest Act Review Committee

Chair: Vacant

Deputy Chair: Mr. Luan

Blakeman	Notley
Dorward	Saskiw
Fenske	Wilson
Johnson, L.	Young
McDonald	

### Standing Committee on Families and Communities

Chair: Mr. Quest

Deputy Chair: Mrs. Forsyth

Brown	Jeneroux
Cusanelli	Leskiw
DeLong	Notley
Fraser	Pedersen
Fritz	Swann
Goudreau	Towle
Jablonski	Wilson
Jansen	Young

### Standing Committee on Legislative Offices

Chair: Mr. Cao

Deputy Chair: Mr. McDonald

Bikman	Leskiw
Blakeman	Quadri
Brown	Rogers
DeLong	Wilson
Eggen	

### Special Standing Committee on Members' Services

Chair: Mr. Zwozdesky

Deputy Chair: Mr. Young

Casey	Mason
Forsyth	McDonald
Fritz	Quest
Kennedy-	Sherman
Glans	Smith

### Standing Committee on Private Bills

Chair: Mr. Xiao

Deputy Chair: Ms L. Johnson

Allen	Goudreau
Barnes	Jablonski
Bhardwaj	Leskiw
Brown	Notley
Cusanelli	Olesen
DeLong	Rowe
Fox	Strankman
Fritz	Swann

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Ms Olesen

Deputy Chair: Mr. Lemke

Calahasen	Luan
Cao	McAllister
Casey	Notley
Fritz	Pedersen
Goudreau	Rogers
Hehr	Saskiw
Kennedy-Glans	Towle
Kubinec	Young

### Standing Committee on Public Accounts

Chair: Mr. Anderson

Deputy Chair: Mr. Dorward

Amery	Khan
Anglin	Luan
Bilous	Pastoor
Donovan	Quadri
Fenske	Quest
Hale	Sarich
Hehr	Stier
Jeneroux	Webber

### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans

Deputy Chair: Mr. Anglin

Barnes	Johnson, L.
Bikman	Khan
Bilous	Kubinec
Blakeman	Lemke
Calahasen	Sandhu
Casey	Stier
Fenske	Webber
Hale	Vacant

## Legislative Assembly of Alberta

1:30 p.m.

Tuesday, October 29, 2013

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon.

Let us pray. Dear God, help us to remember our purpose and our mission as servants of the people who elected us. Help us in our duties and obligations and in the discharge of our authorities, both inside and beyond the walls of this hallowed Assembly. Amen.

Please be seated.

### Introduction of Guests

**The Speaker:** Hon. members, in a moment we'll begin with school groups, but could I please remind all of you to keep your introductions as short as possible. We have approximately 20 to do today, and some of us are getting a bit long in our intros, so, please, let's keep them short and to the point. I'm sure folks will understand.

We'll begin with school groups and the hon. Member for Edmonton-Riverview.

**Mr. Young:** Thank you, Mr. Speaker. It is my pleasure to rise and introduce to you and through you to all members of the Assembly a group of students from l'école Notre-Dame. They're here with Mr. Paulin Larochelle. If I could get them to stand and receive the traditional warm welcome of the Assembly.

**The Speaker:** Thank you.

The hon. Member for Airdrie.

**Mr. Anderson:** Thank you, Mr. Speaker. I'd like to introduce to you and through you to all members of this Assembly 60 outstanding students from George McDougall high school in Airdrie. They're here with us today learning about democracy and what goes on in this House, and I'm sure they're going to have a real earful today and will enjoy it. I'd like them to stand as well as their teacher, a former classmate and a friend of mine, Mrs. Devon Sawby, who's with them, and their parent assistants: Ms Stacey Carefoot, Ms Leona Esau, Ms Shannon Mauro, Mr. Earl Hubley – hi, Earl – and Mrs. Nicole Angelozzi. I hope I said that right. If we could all give them a warm welcome, that'd be great.

**The Speaker:** The hon. Member for Fort Saskatchewan-Vegreville.

**Ms Fenske:** Thank you, Mr. Speaker. It is a pleasure for me to rise and introduce to you and through you students from Mundare elementary school. They are here with their teacher, Adrienne Mills, and parents Jaime Burghardt, who has just been re-elected to council, Robin DeJong Jarvis, and Jo-Ann Pawliuk. These students attended School at the Legislature from October 18 to 22 and are back with us again today. If I could ask us to give them the warm greetings of the Legislature.

**The Speaker:** The hon. Member for Edmonton-Gold Bar.

**Mr. Dorward:** Thank you, Mr. Speaker. It's my privilege to introduce you to 32 students and teachers, including Ms Sech, from St. Gabriel School, which is about three blocks from my community. They'll be joining us at 2 o'clock.

Thank you.

**The Speaker:** Are there other school groups?

If not, let us proceed with other guests. The Minister of Education.

**Mr. J. Johnson:** Thank you, Mr. Speaker. It's truly an honour to rise and introduce to you and through you to all members of this Assembly a very special guest and a former colleague of ours. There are many words to describe this gentleman. A few that come to mind are passionate, enthusiastic, loyal, fun, never boring, and definitely a friend, but not reserved; that's for sure. Luke Ouellette served this province very well for many years as an MLA and most recently as our Minister of Transportation. I know question period was definitely one of his favourite times. When we heard, "My question is to the Minister of Transportation," we all knew we were in for an exciting exchange, and we knew that his communications director would be glued to the TV as well. Some could argue that the province's theme in the tourism ads, Remember to Breathe, was inspired by Luke. [interjection] He's already standing, I see, and I think he deserves another great round of applause from you.

**The Speaker:** The hon. Deputy Premier.

**Mr. Lukaszuk:** Thank you, Mr. Speaker. I can't beat that introduction.

To you and through you to all members of this Legislature I would like to introduce three individuals from Alberta Innovates: Bio Solutions. Alberta Innovates: Bio Solutions is a research agency funded by the government of Alberta through our ministry, Enterprise and Advanced Education. It is part of the Alberta Innovates group and has a mandate to invest in science and innovation. With us today seated in the public gallery are board chair Art Froehlich, chief executive officer Dr. Stan Blade, and communications director Marie Cusack. I'd ask them to stand and receive the warm welcome of this Assembly.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Highlands-Norwood and leader of the ND opposition.

**Mr. Mason:** Thank you very much, Mr. Speaker. Today I'm very pleased to introduce to you and through you to this Assembly my guests from the Alberta Union of Provincial Employees local 54, representing roughly 7,000 workers in the health care sector. My guests work with lab services as AHS employees and are here today because they're extremely concerned with the PC government's plan to privatize lab services in Edmonton. I would ask my guests to rise as I call their names and receive the traditional warm welcome of the Assembly: Lyn Morrison, Tasha Quaghebeur, Sharlene Mitchell, Karen Dietrich, and Jennifer Sainte.

**The Speaker:** The Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. It is indeed an honour for me today to rise and introduce to you and through you to members of the Assembly guests who are in the Legislature Building today to celebrate for the first time in this Assembly Diwali, the festival of lights. Seated in your gallery today from the Hindu Society of Alberta is a very dear friend of mine, a very personal friend but also the president of the Hindu Society, Amar Bhasin, and his wife, Monika. I might add that Amar and Monika are constituents of Edmonton-Whitemud. Accompanying them was to be the society priest, Acharaya Shivshankar Dwivedi. Amar and Monika, please rise and receive the traditional warm welcome of the House.

A second introduction, Mr. Speaker. It's an honour again to introduce to you and through you to members of the Assembly guests from the Maha Ganapathy temple. The temple is actually in Twin Brooks, which was in the beautiful constituency of Edmonton-Whitemud but has now transferred jurisdiction over to Edmonton-South West. I have the honour and privilege of introducing president Dr. Sutha Suthaker and Mr. Yogasundaram from the temple. I've had a long association with this temple. It's a wonderful organization with wonderful people, and I was very sorry that the temple is no longer in my constituency, but I still consider them to be honorary constituents of Edmonton-Whitemud. They are seated in the members' gallery and are standing now, and I would ask that we give them the traditional warm welcome of the House.

**The Speaker:** The hon. Minister of Service Alberta, followed by the Member for Airdrie.

**Mr. Bhullar:** Thank you very much, Mr. Speaker. It's also my pleasure to introduce to you and through you members of the Hindu Society of Calgary that have joined us today for this historic Diwali event. I'll start with the president, none other than Mrs. Neena Obhrai, who also happens to be the spouse of Mr. Deepak Obhrai, the Member of Parliament for Calgary East. Accompanying Mrs. Obhrai is Mr. Jitender Sharma, a long-time family friend; Mr. and Mrs. Arora; and Mrs. Brij Bala. I'd ask them all to stand and receive the warm welcome of this Assembly.

**The Speaker:** The hon. Member for Airdrie, followed by the Minister of Tourism, Parks and Recreation.

**Mr. Anderson:** Thank you, Mr. Speaker. I'd like to introduce to you and through you to all members of this Assembly a wonderful advocate for health in our province, Mrs. Nicole Angelozzi, and her sons Jesse and Jacob. Nicole has been a great advocate of passing and proclaiming the Member for Calgary-Lougheed's private member's bill from a while back that prohibited smoking in cars with children. She really feels that this is something that needs to be proclaimed into law and hopes that the government will do so very quickly as it is affecting children today. I would ask them all to stand and please receive the warm applause of this Assembly.

1:40

**Dr. Starke:** Mr. Speaker, it is a great pleasure for me to introduce to you and through you to all members of the Assembly two very dear friends of mine from the constituency of Vermilion-Lloydminster, Greg and Laurie Hnatuk, that are today seated just above me. Greg and Laurie have been friends for a long, long time. They sit behind me every Sunday in church, which is better than in front of me because then they'd have to listen to me sing. Greg is here because of his long-standing support for Bill 207, the tissue and organ transplant act. He himself was a kidney transplant recipient just before Christmas of 2011 and is doing very, very well, and we're very pleased to have him here. I ask them to rise and receive the traditional warm welcome of the House.

**The Speaker:** The hon. Associate Minister of Wellness, followed by the Member for Edmonton-Ellerslie.

**Mr. Rodney:** Well, thank you very much, Mr. Speaker. Later today it's my honour to table the 2012-2013 annual report for the Alberta College of Occupational Therapists. In the meantime, it's my pleasure to introduce two of their fine, fine representatives. This past Sunday, October 27, was the fourth annual World

Occupational Therapy Day. Since 2010 it's become an important date in the occupational therapy calendar to promote and celebrate the profession internationally. Occupational therapists do invaluable work in helping people whose ability to function in everyday life is disrupted by physical illness or injury, by developmental problems, the aging process, mental illness, or emotional problems. The college has the important task of regulating the profession of occupational therapy in the province of Alberta and ensuring that Albertans receive competent, ethical occupational therapy services from the 1,500 professionals employed in the field.

Joining us today are the incoming president, Mrs. Gina Kroetsch, and the college's registrar, Dr. Maggie Fulford. They are seated in the member's gallery, and I would ask our guests to rise and invite all of our members to provide them with the warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Ellerslie, followed by Calgary-Foothills.

**Mr. Bhardwaj:** Well, thank you very much, Mr. Speaker. It is indeed my honour and privilege to rise today to introduce to you and through you some wonderful individuals who are here today to witness a very historic day in this province, where we're celebrating Diwali in the Alberta Legislature for the first time. Representing the Bhartiya Cultural Society of Alberta is their president, Dharmender Sharma; his wife, Subhash Rani Sharma; and their priest, Pandit Pankaj Dixit. May I ask my guests to please rise and receive the traditional warm welcome.

Mr. Speaker, for my second introduction I have representing the Garvi Gujarat Association of Canada president Ashok Patel. Representing the Alberta Gujarati Association is Ashvin Bilimoria and his wife, Mrs. Bilimoria. May I ask them to please rise and receive the traditional warm welcome.

Mr. Speaker, for my final introduction I have two young ladies, youth from the community. First is Priyanka Chandan, who explained the significance of Diwali, and of course joining her is Kanika Bhatara, who did the translation from Sanskrit to English all by herself. May I ask them to please rise and receive the traditional warm welcome.

**The Speaker:** The hon. Member for Calgary-Foothills, followed by Lacombe-Ponoka.

**Mr. Webber:** Well, thank you, Mr. Speaker. I would like to introduce to you and through you to all members of the Assembly 15 individuals who are here in support of Bill 207, the Human Tissue and Organ Donation Amendment Act, 2013, which will go into Committee of the Whole this afternoon. I would ask that they stand as I read out their names: Barb Esdale, who is the co-chair of the Alberta Donates Life Coalition and also the wife of a double lung recipient; Leigh Allard, who is the executive director of the Lung Association; Dr. Lori West, who is a professor of pediatrics, surgery, and immunology and the research director at the Alberta transplant institute. Hi, Lori. Nancy MacDonald is the executive director of the Alberta Donates Life Coalition and was a huge resource for me in the work on Bill 207. Sharon Marcus is the co-chair of the Alberta Donates Life Coalition and the mother of a son with a kidney transplant. Tammy Fifield is the program director of the Kidney Foundation of Canada and a kidney transplant recipient herself. Dr. Greg Powell and Linda Powell are Calgary advocates, and they have been a huge, huge resource for me as well. Dr. Powell is also the founder of STARS air ambulance here in the province of Alberta, and he is currently waiting for a liver transplant. Karen Korchinski is an advocate and



is also waiting for a liver transplant. She is the lovely lady who introduced me to this community of transplantation and donation and enlightened me on what was going on, and I thank her for enlightening me throughout this process. Dr. Patricia Campbell is a professor of medicine and director of the HLA laboratory. Her specialty is in transplant nephrology. I hope I pronounced that right. Chantal Lacroix is a recent kidney recipient, and Ryan Davis donated that kidney to Chantal, a live donor. Jung-Suk Ryu is the communications manager for the CNIB, Marc Workman is the national manager of the CNIB, and Audry Martyn is a volunteer at the CNIB and a cornea transplant recipient.

Sorry for taking so long, Mr. Speaker. I'd ask that all of them stand and that we give them the warm welcome of the Assembly.

**The Speaker:** Thank you.

The hon. Member for Lacombe-Ponoka, followed by Edmonton-South West.

**Mr. Fox:** Thank you, Mr. Speaker. It's an honour today to rise and introduce to you and through you to all members of the Assembly my friends and outspoken advocates, Murray McRae and Melodie Helm. They are both here today to support Bill 207, the Human Tissue and Organ Donation Amendment Act, 2013. I'd like to also honour them for the very important work that they have done and continue to do in the founding, organizing, and operation of the Annual Bionic Golf Tournament at Gull Lake to raise money and, more importantly, awareness about the need for organ donation in Alberta. Please rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-South West, followed by Edmonton-Mill Woods.

**Mr. Jeneroux:** Thank you, Mr. Speaker. I'm very pleased to introduce to you and through you to all members of this Assembly guests that have joined us today in the public gallery to show their support for Bill 207, brought forward in this House by my friend the hon. Member for Calgary-Foothills. All of our guests today are great advocates of Bill 207 as they've lived first-hand the difference this bill will make. I introduce Mr. Tony White, who lives in Twin Brooks, which I'll take the opportunity to remind the hon. Member for Edmonton-Whitemud is in my constituency of Edmonton-South West, and has been a strong advocate for this bill and has received a liver transplant; Mike Cunningham, a double lung recipient; Ingrid Rose, whose son is waiting for a kidney transplant; and Jill Comeau, a recipient of a cornea. Thank you for being here today.

I would ask them to please rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** Hon. members, I beg your indulgence to conclude with three more, starting with Edmonton-Mill Woods, followed by Edmonton-Decore, and then the Minister of Justice and Solicitor General.

**Mr. Quadri:** Thank you, Mr. Speaker. It is indeed my honour and my pleasure to rise today and introduce to you the wonderful people who have witnessed this very historical day in the history of this province, that we celebrate Diwali for the first time. I'd like to introduce to you the Sri Sri Radha Govindaji Vedic Temple president, Bala Krishna Das, who's also a leading petrochemical engineer in the province of Alberta, joined by Priest Sudama Gopa Das. I would ask them to please rise and receive the warm traditional welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Decore.

1:50

**Mrs. Sarich:** Thank you, Mr. Speaker. It's an honour and a privilege for me to rise today to introduce to you and through you to all Members of the Legislative Assembly 10 representatives from the Chinese Freemasons Society of Canada, here in celebration of their 150-year history in our great country. My guests are seated in the members' gallery. I would ask them to please rise as I mention their names. Mr. Howie Mah, president, Chinese Freemasons Society Edmonton chapter; Mr. Wing Jock Lee, executive director, Chinese Freemasons Society Edmonton chapter; Mr. Bill Mah, executive director, Chinese Freemasons Society Edmonton chapter; Mr. Sein Mah, executive director, Chinese Freemasons Society Edmonton chapter; Mr. Wing Jong, secretary, Chinese Freemasons Society Edmonton chapter; Mr. Chuck Ming Chow, treasurer, Chinese Freemasons Society Edmonton chapter; Mr. Gary Hui, president, Jin Wah Sing Musical Society; Mr. Henry Fung, president, Hung Mun Athletic Club; Mr. Ken Kwong, chairman, Dart Coon club; Mrs. Barbara Fung, public relations.

With regret, Mr. Speaker, Mr. Lap Check Kwong, former national chairman, Chinese Freemasons Society of Canada, and Mrs. May Kwong, chairman, Chinese Freemasons Society women's recreation club, could not be with us today.

I would now ask the Assembly to join me and honour my guests with the traditional welcome.

**The Speaker:** Hon. Member for Edmonton-Riverview and Minister of Transportation, your guests are not here yet, so let us conclude with the Minister of Justice.

**Mr. Denis:** Thank you very much, Mr. Speaker. It's with high honour and great distinction that I rise to introduce to you and through you to all members of the Assembly two extraordinary Albertans, Sheldon Kennedy and Bonnie Johnston. These individuals were instrumental in the establishment and the continued operation of the Sheldon Kennedy Child Advocacy Centre in Calgary. This government is grateful for the work that they and their staff and volunteers do. The centre provides a level of care to support the children of abuse that is unparalleled. I have visited this facility numerous times, and I can say that it is nothing short of world class. It also has raised the profile of child abuse in the Calgary community and across the province. I ask that both of them please rise and receive the warm welcome of this Assembly.

**The Speaker:** Hon. Member for Edmonton-Riverview, 30 seconds. I understand your guests just arrived.

**Mr. Young:** Yes. It's my pleasure to rise and introduce to you and through you to all members of the Assembly the three newest members to join government caucus research and communications. Mr. Speaker, these bright and intelligent young adults have joined our team and are extremely excited for their first session here at the Legislature. Our newest research and communications team members consist of Adrienne South, Krysten Bachmier, and Keith Gacek. If they could just stand and receive the traditional welcome of the Assembly.

**The Speaker:** Thank you, hon. members. We are three minutes over our time period here, so please review *Hansard* and see where we can tighten up our intros for tomorrow. Nothing at anyone in particular but just, all of you, review it.

## Oral Question Period

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition for your first set of questions.

### Health Care Wait Times

**Ms Smith:** Mr. Speaker, yesterday in defending the government's record on wait times, the Health minister bragged about the supposed progress being made in waits for four procedures: cataract, hip surgeries, knee replacements, and urgent coronary bypasses. Now, I am certain that the minister knows the unpleasant facts about these wait times, and I find it hard to believe that anybody, let alone the Health minister, could confuse them with progress. To the minister. Last chance. Is he really proud of the government's record of wait times on these procedures?

**Mr. Horne:** Well, Mr. Speaker, quite frankly, it matters not to me what the hon. member believes or not. What are the facts? The fact is that we are the fastest growing province in the country. We grow by over a hundred thousand people a year. We're over 4 million today. We have, obviously, the fastest growing health system in the country. As I mentioned yesterday, over the last three years we've seen hip surgery wait times down by 9 per cent, knee surgeries down by 9 per cent, 700 additional cataract surgeries, and wait times for those down by 22 per cent. I could go on. The record is clear. Our health system is working for Albertans, and we are continuing to make improvements.

**Ms Smith:** Mr. Speaker, here are the real facts on wait times. Cataract surgery: target 25 weeks, current wait 30 weeks. Hip surgery: target 22 weeks, current wait 37 weeks. Knee replacement: target 28 weeks, current wait 43 weeks. Urgent coronary bypass: target 6 weeks, current wait 23 weeks. This is a dismal record. This is this minister's record. What is his explanation for this unprecedented failure to treat patients?

**Mr. Horne:** Mr. Speaker, these sorts of challenges in elective surgeries can be found across the country. Patients are waiting longer, I think, than all health ministers in the country would like to see, but they are very high-demand procedures, and they're influenced by the growth of our population and the aging of our population. The fact that we're seeing steady improvement in Alberta and the fact that this member can go home tonight and tell her constituents that wait times for cornea transplants in this province are going from three years to three months is something I think she should boast about.

**Ms Smith:** It's a record that's simply not good enough.

Yesterday the minister expressed shock at the Wildrose wait time guarantee, saying that it would be extreme to allow patients on the wait-list to get treatment and then get paid back out of the out-of-province fund. Well, maybe the minister can help me understand this. Why does he think allowing people to get the care they need when they need it is extreme but forcing people to wait six months for an urgent coronary bypass is not extreme?

**Ms Redford:** I was so pleased yesterday to see the Leader of the Opposition actually stand by a policy that she talked about in the last election. I'll tell you, Mr. Speaker, that 18 months ago, when Albertans were asked whether or not they wanted to have a two-tier health system or thought that the solution to fixing health care was to privatize health care, they resoundingly said no.

Wait times are certainly improving. We continue to make drastic improvements, Mr. Speaker. We will continue to do that because that's how you build a publicly funded health care system that Albertans can trust.

**Ms Smith:** I don't think that's a leader who should be talking about changing policies every day.

### Flood Mitigation

**Ms Smith:** Mr. Speaker, we are now less than eight months away from the next flood season, so I'm going to repeat a question that I asked on March 21, three months before the flood. Maybe now the Minister of Municipal Affairs will have some appreciation of why I asked it. I asked this. Former MLA George Groeneveld's flood mitigation report called for a plan to help 66 communities that are at risk of flooding. When will the government provide a detailed, comprehensive priority list of flood mitigation plans so that I can tell High River where they stand on that list?

**Ms Redford:** It has been absolutely incredible in the last four months to see communities come together and talk about how to deal with what was not only unprecedented in terms of volume but also in terms of pathways for flooding. You may know, Mr. Speaker, that approximately a month ago there was a symposium in Calgary that was convened with the minister and the chair of our task force and all of the ministers that are responsible for rebuilding flood-affected areas to talk about exactly that. I did say in my comments yesterday that we have a plan, we've contracted engineers, that work is being done now, and we are listening to Albertans because that's how you build a plan that people can trust.

**Ms Smith:** In fact, Mr. Speaker, this government has let communities down.

There are a variety of possible mitigation projects across 66 communities identified in the Groeneveld flood mitigation report. To the minister: how many of these communities have had their flood mitigation projects approved and completed, and how many of those 66 communities are at a lower flood risk today than they were in 2005, when the report was issued? That's eight full years ago.

**Mr. Griffiths:** Well, Mr. Speaker, that sounds more like a written question. I don't have those details on hand, but I can tell the member that out of the over \$300 million that the Groeneveld report recommended, \$82 million of it has been done.

I can tell them something else, too. The member might want to go to her community of High River and explain to them how she's going to do any of that or support their schools or support rebuilding the community when they're going to cut \$5 billion out of our infrastructure plan.

**Ms Smith:** They had to spend \$350 million to renovate MLA offices. We certainly would've been able to get it done.

The minister is clearly not on top of his file, but he can reassure Albertans by undertaking a simple task. The minister must instruct his department to immediately create a detailed list of the mitigation projects for the 66 communities at risk in Alberta, which includes the nature of the project, the cost, and the expected completion date. When can we expect him to table that list in this Assembly?

2:00

**Mr. Griffiths:** Mr. Speaker, it's been well recognized that disasters are a shared responsibility. The federal government has even recognized that they contribute a significant amount of the money to rebuilding communities. So we need a co-ordinated plan between municipalities, the province, and the federal government to share the responsibility on mitigating disasters before they happen. I met with the federal minister. We've talked about it several times on the phone. He agrees completely that we need to work on a co-ordinated national strategy. We've got the Groeneveld report. We're going to be announcing things through the fall as we do our engineering analysis on those plans. So stay tuned. It's coming.

**The Speaker:** Hon. leader, your third and final set of questions.

#### **Premier's Office Staff Compensation and Severance Payments**

**Ms Smith:** Mr. Speaker, despite clear and direct instruction the Premier continues to fight tooth and nail to hide information related to severance and compensation for key members of her political team. The office of the Information and Privacy Commissioner stated in its report, quote: the confidential nature of remuneration is not a given for individuals who hold key positions in the Premier's office. Unquote. Now, I'm not a lawyer, but these instructions seem pretty clear to me. So why does the Premier continue to hide the details of her staff's severance and compensation from Alberta taxpayers?

**Ms Redford:** We're doing exactly the opposite. We're committed to transparency, Mr. Speaker. We have made a commitment to put in place not ad hoc release but a full system, which is very similar to what we've done with respect to government MLA expenses. I remind the opposition that they still don't disclose their expenses. We will continue to do better every single day. We've made that commitment to Albertans, and we'll stand by it.

**Ms Smith:** Mr. Speaker, in a speech in August of 2012 the Premier said, and I quote, if what we're doing doesn't pass the highest level of scrutiny, then we shouldn't be doing it. I can only assume that the Premier must define accountability and transparency differently than every other Albertan. Albertans expect their Premier to follow the law and obey the directions of the office of the Information and Privacy Commissioner. So will she release the details of her staff's severance and compensation today?

**Mr. Scott:** Mr. Speaker, under the leadership of this Premier Alberta is delivering unprecedented transparency. Under the leadership of this Premier we brought in an expense disclosure policy that is the gold standard across . . . [interjections] Under the leadership of this Premier we are continuing to lead Alberta and all of Canada. The Premier is not stopping there. She has instructed me to bring forward a new policy on salary and severance disclosure. That's what we're going to do.

**The Speaker:** As viewers and other participants can see, there's a lot of love in the room today. Let's just try and contain it a bit so we can hear the questions and the answers.

The hon. leader. Final question.

**Ms Smith:** Well, Mr. Speaker, that's the gold standard of spin.

We know from media reports and Twitter that her ex-chief of staff claimed he was paid \$130,000 in severance after being on the job for a mere six months. Then she rushed him out the door of the

Premier's office and into her PC Party campaign war room. Since her office continues to hide the full details of the contract, can the Premier confirm today that the \$130,000 payment he received was the only payment he received when he left?

**Mr. Scott:** Mr. Speaker, as I said, we're continuing to lead Alberta in expense disclosure. We're going to be leading all of Canada with the processes we're undertaking in open and transparent government. [interjections]

**The Speaker:** I'm going to allow the hon. associate minister to start all over, and I will continue giving him the floor until you allow him the proper 30 seconds to respond. Is that clear?

Hon. minister, please take your first 30 seconds.

**Mr. Scott:** Thank you very much, Mr. Speaker. As I said, under the leadership of this Premier we are delivering an open and transparent government. We're going to continue to deliver that. The Premier has instructed me to bring forward a new policy to do with severance and salary disclosure. We're going to be doing that by the end of the year. We've already done an expense disclosure policy, which is the gold standard. We're going to continue leading for Albertans.

What I would appreciate – if you're going to have X employees who are part of the Wildrose caucus, if you're hiring employees, then I would like to know: what are those employees making? If people run for the Wildrose caucus and are hired by you, what are you paying them?

**The Speaker:** Thank you.

The hon. Member for Edmonton-Meadowlark, leader of the Liberal opposition.

#### **Minister of Municipal Affairs**

**Dr. Sherman:** Mr. Speaker, Happy Diwali.

The Premier promised big-city charters when she ran for leader. She promised big-city charters when she ran during the election. Her Minister of Municipal Affairs signed an MOU with Edmonton and Calgary committing to introducing legislation on big-city charters in the spring of 2013. Yesterday, however, her minister told this House he couldn't keep his promise because of the flood. To the Premier: do you condone your minister using Alberta's worst ever natural disaster as an excuse for your latest broken promise?

**Ms Redford:** Mr. Speaker, I don't know where the hon. member was yesterday. I think I did update the House on the fantastic meeting that we had with the mayors of Edmonton and Calgary on Saturday morning where we actually talked about the fact that we're making great progress on the charter. The mayor of Edmonton has asked for some time to work on their perspective on this with his council, which we're happy to give him. We'll keep moving forward because it is the right thing to do. We did make the commitment, and we're keeping it.

**Dr. Sherman:** Mr. Speaker, given that our urban Premier repeatedly promised big-city charters, it's interesting to note that her rural Minister of Municipal Affairs repeatedly talks about civic charters, which would treat Calgary like Carstairs and Edmonton like Edson. To the Premier: whose vision for municipal relations will prevail, yours or your minister's?

**Ms Redford:** Mr. Speaker, the vision of this government is a vision which is a commitment to communities and to big cities to

make sure that we're putting in place relationships that respect their autonomy and ensure that they can be leaders in our province. There is no difference between my perspective and the perspective of our Minister of Municipal Affairs, just as there is no difference with anyone else on this bench. We want communities to thrive, and I'd appreciate it if that leader did not try to split people up in this province.

**Dr. Sherman:** Mr. Speaker, the question is about the Premier keeping her word and not breaking her promises. Maybe the minister isn't challenging the Premier's leadership but is simply confused given that he keeps talking about the Municipal Government Act when we ask him about big-city charters. To the Premier: is this like Calgary's mayor said, that your minister "really hasn't been a part of the conversation." Well, perhaps that explains your meeting the mayors on your own.

A sup question: does this mean that you're actually taking over the file?

**Ms Redford:** Mr. Speaker, there's incredible work that we do together as leaders in this province. I am very happy to meet with mayors throughout this province. I've met with Mayor Nenshi, I've met with Mayor Iveson, and I've met with mayors in Lethbridge, Medicine Hat, and Red Deer. What we do every day is work to build those partnerships to ensure that we can provide the support because mayors and councils need to give the direction. I don't know what this hon. member is talking about or what he's trying to suggest, but I'll tell you that we have a clear plan to move forward to build Alberta, to support families and communities, and to respect leadership across this province, and that's what we'll do.

**The Speaker:** The hon. Member for Edmonton-Highlands.

### Medical Laboratory Services

**Mr. Mason:** Thank you very much, Mr. Speaker. This morning I released a letter from 16 pathologists at the University of Alberta hospital raising serious concerns about this PC government's massive privatization of lab services in Edmonton, including their independence and the, quote, widespread use of public dollars for private gain. Most importantly, they're worried about timeliness and quality of patient care should lab services be privatized. They are very serious concerns. The government continues to privatize health care and to risk the health of Alberta families. To the Premier: why?

**Ms Redford:** Well, Mr. Speaker, this hon. member's characterization is absolutely ridiculous. I am so proud of this Health minister. He's done incredible work in the past four months to ensure that we have patient safety and effective acute and long-term care as well as primary care and preventative care. That's an integrated health system.

It's unfortunate that this hon. member, if he has those concerns, would suggest to anyone that they should be afraid. We want to make sure that patient safety is honoured. We want to make sure that patients are protected, and that's why this Health minister will make the right decisions in consultation with professionals to actually improve the health care system.

2:10

**Mr. Mason:** Mr. Speaker, I will quote from the letter signed by 16 pathologists, many of them professors at the university medical school. They are concerned that this will "impair timely patient care in an acute setting, and reduce patient safety along with

overall quality of care." The Premier has characterized this as scare tactics on my part, but I have a question for her. Why is the government not taking this seriously?

**Ms Redford:** Mr. Speaker, that's a ridiculous characterization. Those concerns which those professionals may have are exactly the same concerns that this minister will have and that this government will have when a decision is taken about whether or not to do what this member suggests is already happening. It isn't. Of course we will listen to professionals. We're not going to create any uncertainty. We're going to move forward and build this province, respond to people that need help, ensure that that happens. I have every confidence that this minister will do exactly that.

**The Speaker:** The hon. leader.

**Mr. Mason:** Thank you, Mr. Speaker. In response to an earlier question from the Leader of the Official Opposition the Premier said that Albertans in the last election had rejected private health care, yet AHS is now planning to privatize medical lab services in the Edmonton region with a \$3 billion contract to one private operator. Can the Premier explain the difference between her words and her actions?

**Ms Redford:** Mr. Speaker, 18 months ago this government, this Progressive Conservative government, said that we stood by the fact that we believed in a public health care system. We will continue to do that. That is what Albertans rely on. They can have confidence in that commitment. We do not change our minds from Monday to Friday. We are not committed to ideology that would actually allow us to make decisions that didn't make a lot of sense. We will ensure that we have a publicly funded health care system that ensures patient safety and delivers services to Albertans.

**The Speaker:** Hon. members, that concludes the first five spots for the leaders, who are allowed preambles according to my ruling. Please, if you have questions coming up after this, curtail your preambles to any of the supplementaries to give all 15 others who have questions a chance to speak.

### Provincial Fiscal Policy

**Mr. Anderson:** Mr. Speaker, a new study released last week reported that annual deficits have cratered Alberta's net financial assets by 65 per cent in just six years. That's a \$22 billion loss. If my financial planners lost 65 per cent of my financial assets in six years, well, I'd fire them and ban them from ever being able to touch my money again. Since Albertans won't have the opportunity to fire this Premier or Finance minister until 2016, minister, is the plan to entirely evaporate our financial assets by then, or is this just another part of your government's new debt is hope strategy?

**Mr. Horner:** Well, I had an opportunity to review some of the literature that the hon. member is referring to. It's a Fraser report that talks about a reduction in our net financial assets. But what the hon. member is not telling Albertans in his preamble is what that reduction was. Let's have a look, Mr. Speaker. Five billion of that reduction was the increase in unfunded liability for pensions. You know what? This government is addressing that. Ten billion dollars of that difference was assets that we put into the ground, things like the Calgary south hospital, which evidently they now don't want us to build with cash because then that changes the net financial assets of the province. The hon. member obviously doesn't understand the financial statements.

**Mr. Anderson:** Mr. Speaker, we can build what we need without robbing our kids blind.

Minister, can you please show me in any campaign document or government statement prior to the last election where you or your Premier promised Albertans that by 2016 the Alberta government would be \$17 billion in debt, would have spent the entire sustainability fund, would have lost all of our net financial assets, and would not even have balanced the consolidated budget once. I must have missed that campaign commercial. Point it out for us so that I can take a look.

**Mr. Horner:** You know, Mr. Speaker, what Albertans understand is that a good way to build your future is to invest in your home. They also understand that in most cases you take out a mortgage to make that investment and you create net assets through the equity. They also know that savings are important, and they've told us. The Wildrose Alliance obviously does not know how to read a financial balance sheet, because if you take the cash to build an asset, you reduce your net financial assets. That's exactly what they're talking about doing in their \$5 billion-a-year capital plan. I hope that they'll come clean with Albertans and tell us how many teachers, how many nurses, how many hospitals they are going to close to pay for \$5 billion.

**Mr. Anderson:** Yeah, it is hope, Mr. Speaker.

Now, Mr. Speaker, I am not saying that this government's handling of our finances is akin to a piece of junk. I would never say that. But my question is this. If this kind of financial planning isn't a piece of junk, then what the heck is it?

**Mr. Horner:** Well, Mr. Speaker, let's look at the record. The Alberta Chambers of Commerce endorses our plan. The Alberta Enterprise Group endorses our financial plan. All three of our rating agencies that give us that triple-A credit rating endorse our financial plan. The Auditor General has talked about the value-for-money calculation. If I'm making 8 per cent in my savings and I'm borrowing at 3 per cent, even the hon. member should be able to understand that kind of math. The strongest economy in North America, the most jobs created, the most people coming to the province: we must be doing something right.

**The Speaker:** You know, there's an interesting section in some of our practices and procedures, some of the books, that says that you shouldn't do indirectly what's not allowed directly. Let's all be reminded of that – shall we? – given the episode that occurred yesterday.

Let us move on to Calgary-Bow, followed by Cypress-Medicine Hat. Please curtail your preambles to your sups.

#### **Flood-related Insurance Claims**

**Ms DeLong:** Thank you very much, Mr. Speaker. It's been more than four months since severe flooding ravaged much of southern Alberta, and many Albertans, including some of my constituents, lost everything. Understandably, these Albertans are anxious to begin rebuilding their lives. My question is to the Minister of Municipal Affairs. Why are Albertans affected by the flood finding it so difficult to get answers from their insurance companies?

**The Speaker:** The hon. minister.

**Mr. Griffiths:** Thank you very much, Mr. Speaker. The flooding in June was devastating for a lot of families, and we want to help every single one of them rebuild as quickly as possible. We, in fact, have already processed thousands of the DRP applications

and provided support. But the member is right. Close to 2,500 of the 9,000 applications are delayed because the homeowners haven't received definitive answers from their insurance companies. We need that information, too, so that we can do the DRP applications. We continue to work with the insurance companies to make sure that they work very quickly to help service their clients, and we'll continue to push them to do that.

**The Speaker:** The hon. member.

**Ms DeLong:** Thank you very much, Mr. Speaker. My first supplemental is to the same minister. What are you doing to help advance these files and get dollars into the hands of flood-affected Albertans?

**Mr. Griffiths:** Well, Mr. Speaker, we reached out to the insurance industry in the early days of the recovery because we knew we needed to work together to get the job done. We need to work hand in hand in order to make sure that we service clients. In some cases we had insurance companies like TD Meloche that did an exceptional job of aligning their system with ours. We have other insurance companies that haven't quite done that, and we're continuing to encourage them. We've actually streamlined our disaster recovery program application process substantially, and we continue to encourage the insurance companies to do the same thing so that they can serve their clients very well.

**The Speaker:** The hon. member.

**Ms DeLong:** Thank you, Mr. Speaker. My last question is to the President of Treasury Board and Minister of Finance. Is there anything government can do to force insurance companies to move faster?

**Mr. Horner:** Well, Mr. Speaker, in conjunction with the Minister of Municipal Affairs, as he mentioned, we have been in touch with the insurance companies. This Premier stood up for Albertans when some of the insurance companies initially refused to honour some of their policies. We will continue to do that. We'll stay in communication with the insurance industry. We know that they are committed to moving forward. But let me be clear. We expect all companies to honour their contractual obligations to Albertans, and we expect them to do it soon.

**The Speaker:** The hon. Member for Cypress-Medicine Hat, followed by Lesser Slave Lake.

2:20

#### **School Construction Financing**

**Mr. Barnes:** Thank you, Mr. Speaker. This week Albertans learned that the PC government will be unable to deliver on its promise to build 19 schools. After all the cheerleading for returning into debt and after all the political hay that was made about supposedly building Alberta, this government can't get the job done. To the Minister of Infrastructure: isn't it time to reconsider this government's preoccupation with debt-financed P3s, admit the procurement model is flawed, and go back to the traditional procurement so our children don't have to be in crowded classrooms?

**Mr. Drysdale:** Mr. Speaker, again, I don't know where this member gets his information from, but nothing that he said is close to the truth. Our Premier and this government are committed to building Alberta by investing in infrastructure, ensuring that Alberta families and communities have the quality of life they deserve now and in the future, and we're going to do that by

building schools. We fully intend to build the schools that the Premier said we were going to. I don't know where he's getting that from.

**The Speaker:** The hon. member.

**Mr. Barnes:** Thank you again, Mr. Speaker. Given that the Auditor General has said that the Alberta government has overstated its savings on P3s, will the Minister of Infrastructure admit that the practice of paying out losing bidders and awarding the winner an exclusive contract rather than letting our very reliable small and medium-sized companies bid on single schools just does not work? Please admit it.

**Mr. Drysdale:** Mr. Speaker, to date we've saved over \$2.2 billion by using P3 models, and I'm not going to apologize for saving the Alberta taxpayers' dollars and getting good value for money.

**Mr. Barnes:** Mr. Speaker, to the Finance minister: given that the P3 procurement method isn't getting the job done on these 19 schools, will the government admit that P3s are just a way to hide the debt from our kids and our grandkids?

**Mr. Horner:** Well, it's interesting that this question would come from that hon. member because this fall I was actually in his community, and he attended one of our open houses for the budget consultations. You know what? We asked the question of the people in that room: if we are going to build the infrastructure, do you want us to continue using alternative methods of financing, which include P3s, which include debt financing, which include sometimes cash? Overwhelmingly in the room, in his constituency, Mr. Speaker, they said: yes, build it because we're growing. We are growing far faster than you could ever accommodate on a pay-as-you-go system. They should know that.

**The Speaker:** The hon. Member for Lesser Slave Lake, followed by the Member for Calgary-Buffalo.

#### Northland School Division

**Ms Calahasen:** Thank you, Mr. Speaker. On October 21, 2013, many citizens had the opportunity to vote for their preferred candidates for municipal governments and school boards. This was not the case in Northland school division. Yet section 10(3) of the Northland School Division Act stipulates that "members of the board [shall] hold office for 3 years and shall remain in office until the organizational meeting of the board following the next ensuing election of local school board committees" arises. My question is to the Minister of Education. As elections were held for local school board committees, why is section 10(3) not being enacted to have a corporate board for constituents of Northland school division? Is it because they're predominantly aboriginal people?

**Mr. J. Johnson:** Mr. Speaker, all Alberta students deserve a quality education that prepares them for their future, and the students in Northland school division are no exception. Now, that being said, I do want to commend the member from Lesser Slave River. [interjection] She's an incredible advocate for the aboriginal students in our province and for her constituents, and I thank her for the question.

Mr. Speaker, we're going to continue to ensure this school division continues to make progress on the 48 recommendations that came forward from the inquiry report. We've got an official

trustee who was appointed and will be in place until we can change some legislation to put a proper board in.

**The Speaker:** The hon. member.

**Ms Calahasen:** Thank you, Mr. Speaker. If I didn't love that minister so much, I'd throw my moccasin at him.

To the same minister: given that these communities have been patient and understanding in addressing the educational issues of their children, their patience and understanding are running out. When can they have a board of trustees in place?

**Mr. J. Johnson:** Mr. Speaker, I do regret the delay, and I appreciate their patience. It isn't about rushing to get the job done. It's about trying to make sure that we're working to get the job done right. In order to meet the requirements that came forward in the inquiry report and from the engagement team – and there are 48 of them – we do need to change legislation. We haven't had the opportunity to do that yet but hope to do that in the year to come. I do want to underscore, though, that there have been many improvements made already in the work that's taken place with the official trustee, including the development of a literacy strategy, full-day kindergarten, and a dramatic reduction in complaints from parents and community.

**The Speaker:** The hon. member.

**Ms Calahasen:** Mr. Speaker, thank you very much. Given that the release from the Northland inquiry team had been already done and we had the Northland Community Engagement Team, which was represented by a lot of people within that community who expended a lot of energy and a lot of blood, sweat, and tears, can you tell me when we can expect the release of that Northland Community Engagement Team report?

**Mr. J. Johnson:** I hope very soon, Mr. Speaker. As a matter of fact, it's on my desk as we speak. You know, one of the reasons this thing has taken a little bit longer than we hoped is because of a lot of great work that's been done through the MOU, that has been led and championed by our Minister of Aboriginal Relations. There have been some great advancements and great developments made with the treaty chiefs right around the province, and this folds into that work. I don't want anyone to think that there haven't been great strides made. It's just that the legislation isn't ready which would have allowed us to put a proper board in place. But for many of the 48 recommendations we've got action. Like the other examples I just gave, there's some good work happening there with your community.

#### School Construction

**Mr. Hehr:** The Premier promised stable funding for our public education. She promised to build 50 new schools and modernize 70 more. She also promised that there would be no service cuts. Broken promises is what the Premier has delivered to the children of Alberta. The government has yet to build a single school in its mandate in two years. Today we see 51,000 more kids crammed into the schools, with 2,000 fewer teachers than three years ago. To the Minister of Education: despite the spin cycle, will you admit that Alberta schoolchildren are facing a steep and unprecedented service cut?

**Dr. Sherman:** Good question.

**Mr. J. Johnson:** Mr. Speaker, it is a good question, but the answer is: absolutely not. We've got one of the best education systems in

the entire globe, and international tests prove that. That's not being changed now with the current actions that we've had to take, the difficult actions with the budget. But let's be clear. The education budget is one of the very few budget lines in this government that was protected and actually increased, so let's not let Albertans believe or perpetuate myths that there were actually cuts to the education budget.

Now, does that mean any particular school or any particular school board has the same amount of money to work with this year as they did last? Quite possibly not. But this Premier has been focused on building Alberta and keeping our promises. We look at the \$107 million that she put back into the system. We look at the Education Act, the ATA deal. We look at the removal of PATs. Those are promises made and promises kept.

**Mr. Hehr:** It is unconscionable that the Minister of Infrastructure has not yet started the building of these new schools instead of messing around with P3 schemes. Will the minister get on with the business of building schools in neighbourhoods where kids live and acquire the financing to start building these schools tomorrow?

**Mr. Drysdale:** Well, Mr. Speaker, I don't know where this member has been, but I've been to all kinds of school openings in the last year and half. I don't know how he can say that in only a year and a half, less than halfway through the term, we're not going to get this done. I'll guarantee you we'll get our 50 schools built and our 70 modernizations. I've been to lots of ribbon cuttings and grand openings of schools already this year.

**Mr. Hehr:** Just to bring the minister up to speed, those were schools promised by Premier Stelmach, not by Premier Redford, so let's get on the same page.

Anyway, given that that answer does not satisfy me, how come it's taken you virtually two years to get an answer on P3 proposals? Why haven't you been out there building these schools instead of sending out proposals?

**Mr. Drysdale:** Well, for one, Mr. Speaker, we haven't been elected two years yet, and for another, we made our first announcements of 30 schools this spring. You don't announce a school one day and start building it the next. The planning and all of the design and research has to go into that.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by Cardston-Taber-Warner.

### Postsecondary Education Funding

**Ms Notley:** Thank you, Mr. Speaker. Seven months after this government took a hatchet to our colleges and universities, the casualties are mounting. Every day we hear about opportunities for Alberta students stolen by a government that appears genuinely hostile to higher education. To the minister of advanced education: can you explain to those Albertans who care about their education and that of their children why they should ever again trust a Premier who promised them a 2 per cent increase and then gave them a 7 per cent cut?

2:30

**Mr. Lukaszuk:** Mr. Speaker, because they know that our Premier will make difficult decisions when difficult decisions need to be made, they know that this Premier and this government have a history of commitment to advanced education and, frankly, K to 12 education as well, they know that this government has invested

more than 40 per cent in increases in education over the last 10 years, they know that Alberta advanced education is one of the highest funded advanced education systems in Canada, and they know that they're getting world-class education in this province from kindergarten till whenever they choose to stop educating themselves.

**Ms Notley:** Well, Mr. Speaker, given that these government cuts have eliminated at least 2,000 postsecondary spaces for Alberta students since April and given that at least 61 college and university programs have been cut in the same period, why won't the minister admit that his anti-education, pro knuckle-dragging plan is going to drive Alberta learners out of the province and cripple our potential for decades to come?

**Mr. Lukaszuk:** Well, it's refreshing to know that at least another party in this House believes in evolution. That is really good. They must have had a convention last week.

Mr. Speaker, they also know that when difficult decisions are made by government, those are not decisions of choice, but they are simply decisions that the government has to make in view of changing financial situations. They know that they have chairs and presidents in those schools who are committed to students' education and also have had to make difficult decisions during that time. But let's be honest with our students. Programs are eliminated every year even when budgets go up. That's how our institutions stay current and deliver world-class education.

**Ms Notley:** Well, Mr. Speaker, given that this government's cuts have shut down over 2,000 student spaces across the province while at the same time the U of A is forced to contemplate increasing spaces for international, high-paying applicants to raise dollars, why won't the minister commit to making space available for every willing Alberta student instead of slamming the door on them and converting our colleges and universities into international fundraising machines?

**Mr. Lukaszuk:** Mr. Speaker, that clearly shows that this member knows nothing about advanced education. International students are not raising money for our postsecondary institutions. As a matter of fact, their tuition is set in such a way that it simply covers the cost of educating international students in our schools. Why do we do it? Because it gives a richer educational experience to our Alberta students on campuses, having different world view perspectives on campus, and it also opens markets because those individuals go back to their home countries and do business with our province.

**The Speaker:** The hon. Member for Cardston-Taber-Warner, followed by Calgary-Fort.

### Rural Emergency Medical Services

**Mr. Bikman:** Thank you, Mr. Speaker. Rural Albertans continue to be upset about their ambulance situation, producing more calls, letters, and visits than any other issue. They're hurt, disappointed, and angry. I've met with several, and the colourful language that they used would be inappropriate in this Chamber. The volunteer system worked. Care was provided in a timely, cost-effective way. Lives were saved. Communities were strengthened as neighbours and friends pitched in to help one another. The system wasn't broken, but the AHS fix is. To the minister: when will you admit the mistake and restore common sense to the rural system?

**Mr. Horne:** Well, Mr. Speaker, I certainly respect the hon. member for bringing forward the concerns of his constituents, but I can tell you that what we are interested in is a state-of-the-art EMS system that is part of health care. That involves planning for growth, it involves planning to make sure that we have the best in equipment, and it involves as well, as the hon. member points out, preserving partnerships with municipalities, including fire departments and first responders. We are doing all of those things. The consolidation of dispatch services in the province will help move that forward.

**Mr. Bikman:** Mr. Speaker, given the current inefficient, ineffective rural ambulance service being provided as a result of AHS's heavy-handed meddling, people outside the cities may face dangerously long wait times for needed assistance. Will the minister tell us how and when he intends to correct this?

**Mr. Horne:** Mr. Speaker, we have more ground ambulance resources today throughout the province than we had when the original policy decision was made to make EMS part of health care. It is vitally important that all dispatch services in the province are consolidated in the three major centres that have been identified. That's what allows dispatchers to see all of the ambulance resources in the province, and when an ambulance is called out of the home community, it allows that ambulance to be repatriated to the home community as quickly as possible.

**Mr. Bikman:** If only, Mr. Speaker.

Given that many Albertans live and work significant distances from hospitals and that, thanks to the dysfunctional rules of centralized dispatching, often their ambulances are away on non life-threatening transfers, will the minister please listen to their concerns and make the reasonable changes they're calling for?

**Mr. Horne:** Well, Mr. Speaker, we will continue to work with all municipalities in the province to optimize EMS services for all Albertans, but the days of the 1950s and '60s and '70s, where we can have literally dozens of dispatch services across the province and expect to operate a first-rate EMS system that functions as part of health care, are over. There are five dispatch services alone between Edmonton and Calgary along highway 2, and in many cases in the past those ambulances have not been known to one another. This is progress in health care. It involves partnership and co-operation, and I look forward to the hon. member's co-operation with that.

**The Speaker:** The hon. Member for Calgary-Fort, followed by Innisfail-Sylvan Lake.

#### Assistance for Calgary Flood Victims

**Mr. Cao:** Well, thank you, Mr. Speaker. This past June we all witnessed the disastrous flooding in southern Alberta. It affected some areas in my constituency, and my thanks go to the first responders: the RCMP, the military personnel, and many caring volunteers. In Calgary tens of thousands of people were displaced from their homes in the downtown core. Even now there are some still displaced. My question to the Minister of Municipal Affairs: what efforts are being made to help those people who remain displaced?

**The Speaker:** The hon. minister.

**Mr. Griffiths:** Thank you, Mr. Speaker. Our government is dedicated to making sure that Calgary residents and residents from

every single community that were displaced by the floods have a safe, comfortable place to stay while they either repair their home or they rebuild. Residents in Calgary in particular have the option to go to the Great Plains new temporary housing community. It can accommodate up to 700 people right now, and we don't anticipate that we're going to need more than that. Residents simply need to register with the Calgary Housing Company by November 30, and they'll be located in that residence, or they can make their own housing arrangements, and some of those costs will be eligible for DRP assistance.

**The Speaker:** The hon. member.

**Mr. Cao:** Well, thank you, Mr. Speaker. To the same minister: what sort of relief is being provided for residents whose insurance did not cover the flood damage?

**Mr. Griffiths:** Well, Mr. Speaker, as I said before, we received more than 2,200 applications from Calgarians alone out of the 9,000 that we received from across the province. Approximately 1,600 home evaluations have been done. We have 700 payments, give or take a couple, that have been issued, which is \$4.3 million worth of advance cheques that have gone to Calgarians alone to help them in the rebuilding or the repairing process.

Mr. Speaker, I can't even list in an hour all of the things that we have done over the last four months to help people. We have had information sessions in Calgary where people can go find out about DRP, about the rebuilding process, about the housing accommodations, about the standards they need to repair their homes so that they know what they can do going forward.

**The Speaker:** The hon. member.

**Mr. Cao:** Thank you, Mr. Speaker. Again to the same minister: what forms of assistance are being provided to small businesses that were badly affected by the flood?

**Mr. Griffiths:** Mr. Speaker, our disaster recovery program initially only applied to businesses of between one and 20 employees. We made a very strategic and immediate decision that we needed to expand that to cover 21 to 50 employees as well because many of those are small businesses that were heavily impacted by the flood. We had 2,200 disaster recovery applications from Calgary, and 374 of those were for small businesses. We know that it doesn't matter what the size of the community is. We needed to create some sort of program to assist small businesses and make sure that they got back on their feet as quickly as possible because they are a foundation of many of our communities.

**The Speaker:** The hon. Member for Innisfail-Sylvan Lake, followed by Banff-Cochrane.

#### School Construction Priorities

**Mrs. Towle:** Thank you, Mr. Speaker. Schools are bursting all over the province, and the schools in my area are no different. Sylvan Lake has grown by 17 per cent in the last two years. Two elementary schools are at 120 per cent capacity, the library moved to the hallway, and there is no longer a music class. [interjections] The public school board has identified an elementary school for Sylvan Lake as their top priority. No one is asking to jump the queue. However, they are asking for a timeline of when they can expect some relief. [interjections] Will the Minister of Infrastructure tell Sylvan Lake where my community is on the priority list?



2:40

**The Speaker:** Hon. members on the government side, I had trouble hearing that question. I'm sure some others did, too. Then, of course, you baited the hon. Member for Airdrie to chime in, and then that baited someone else over here to chime in. Please, we're not doing too badly this afternoon. Let's not run into the ditch here.

Hon. member, I hope someone got your question. Who was it to?

**Mrs. Towle:** The Minister of Infrastructure.

**The Speaker:** Minister of Infrastructure, did you get enough to respond? Please.

**Mr. Drysdale:** I think so.

Well, Mr. Speaker, as I've said before, they asked for a priority list. Our list is our capital plan. It's on our website. Everybody can see. It tells you all the schools that are going to be built in the next three years. The plan is there. If the school is on the list, that's where it is.

**Mrs. Towle:** Mr. Speaker, unfortunately, that isn't even remotely what I asked for, and I assume that my constituents in Innisfail-Sylvan Lake deserve the same respect as everyone else's.

Given that in the Red Deer Catholic school system kids from Innisfail are being bused to Red Deer, with an hour-and-a-half bus ride just to get to the classroom, doesn't the minister agree that families have been patient long enough and deserve to know where their communities are on the priority list?

**Mr. J. Johnson:** Mr. Speaker, the member brings up a good point. We've got incredible growth pressures all over the province, so I know there are many families and many communities wondering where they are on the list and when we might announce new schools. What I can tell those constituents of the members and those Albertans is that they elected the right Premier. We're going to continue building this province. We've got a commitment to announce 50 new schools and 70 modernizations, and we're well on our way. You're going to see some more schools announced by the end of this calendar year, in the next month or so, and those will be primarily modernizations. Then you're going to see another round of new schools in the spring. I think many communities will be very happy, and they deserve these schools.

**Mrs. Towle:** Mr. Speaker, it's my understanding that nobody gets feedback unless they're selected, and since we know that across the province communities from north to south all submit their capital lists, which are public information, why does this PC government continue to hide their list from parents, teachers, school boards, and communities and prevent them from doing proper planning for all Albertans?

**Mr. J. Johnson:** Mr. Speaker, the only secret lists in here are the secret lists the opposition have, all the infrastructure projects they've promised to cut, and they won't tell us. In addition, of course, they also announced here recently that 30 per cent of the schools we're building we shouldn't be building. Well, I would sure like that feedback so we can build that into our capital plans and take that under consideration.

Mr. Speaker, we work closely with the school boards. They build their capital priorities. They send them in to us. We work with Infrastructure and try to prioritize those across the province, which is not an easy job and something we take very seriously. Once we make those decisions in co-operation with Infrastructure

and those school boards, they become public, and they're part of the capital plan.

**The Speaker:** The hon. Member for Banff-Cochrane, followed by Little Bow.

### Flood Recovery Contracts

**Mr. Casey:** Thank you, Mr. Speaker. There have been thousands of files processed through the DRP by LandLink, the contractor responsible for administering the program. However, there is confusion around the role and relationship of LandLink to the government. To the Minister of Municipal Affairs: since LandLink has had a multiyear contract with the province, can the minister confirm that a competitive process to award this contract and to renew this contract was followed?

**The Speaker:** The hon. minister.

**Mr. Griffiths:** Yes, Mr. Speaker. LandLink has been contracted as a service provider for the disaster recovery program since 1995. Actually, the contract has gone out to tender several times: in 2003, in 2005, and again in 2008. In 2012 it went out, and again they were one of two vendors to apply to the request for information. We've always used it as a competitive process and will continue to do so.

**Mr. Casey:** To the same minister: can the minister confirm how much LandLink has been paid to date and on what basis compensation is determined?

**Mr. Griffiths:** Mr. Speaker, LandLink gets paid for actual expenses at an hourly rate for their various levels of staff. The contract has actually given the government very good value over the last 17 years. Because LandLink's costs are eligible under the federal program, we've actually gotten reimbursed from the federal government for half the contract for LandLink, which has saved taxpayers of this province \$21.7 million, so we've gotten incredible value for that. On top of that, LandLink's administration amounts to 11 per cent of the total costs. The Insurance Bureau of Canada says that insurance companies look to 25 to 30 per cent of it as administration costs. That's good value. We're getting exceptional value.

**Mr. Casey:** To the same minister: when dealing with the public, are LandLink employees required to identify themselves as such and to correspond on LandLink letterhead?

**Mr. Griffiths:** I know, Mr. Speaker. I saw the same column the individual did, that made some wild accusations about what LandLink was doing. Because LandLink is a contracted service and it communicates with applicants, it can't use its own letterhead. It needs to use Municipal Affairs' letterhead so that applicants aren't confused with who they're dealing with. At the bottom of every single letter it identifies LandLink as a contractor to Municipal Affairs, so it serves very well to make sure that there's no confusion with applicants.

**The Speaker:** Thank you.

Hon. members, just before we go on with the Routine, I want to specifically commend Calgary-Bow and Calgary-Fort and Banff-Cochrane for no preambles whatsoever to their questions. I also want to commend Cypress-Medicine Hat and Cardston-Taber-Warner for doing their best to keep the "given" part to a minimum. Well done.

Might we just briefly revert to Introduction of Guests? Someone sent me a note here saying that they had a guest who had just arrived, and it was Edmonton-Decore.

[Unanimous consent granted]

### Introduction of Guests

(continued)

**The Speaker:** Please proceed, then.

**Mrs. Sarich:** Thank you, Mr. Speaker. I have two introductions if you don't mind. It is an honour and privilege for me to rise again today to introduce to you and through you to all members of the Assembly two very special representatives who attended today's Diwali festival of lights celebration here at the Alberta Legislature. They include Mr. Jay Kumar, president, Fiji Sanatan Society of Alberta, and Mr. Anil Raju, vice-president, Fiji Sanatan Society of Alberta. I would ask that they receive the traditional warm welcome of the Assembly.

**The Speaker:** Thank you, hon. member. You have a second introduction?

**Mrs. Sarich:** Yes. Thank you, Mr. Speaker, and thank you for your indulgence. It is an honour and privilege to rise again to introduce to you and through you two incredible representatives who also attended today's Diwali festival of lights celebration at the Alberta Legislature, the inaugural celebration. We have Mr. Jim Ishwari Prasad, president of Fiji Multicultural Centre, and Mr. Rajesh Bali, member, Sanatan, Fiji Multicultural Centre. I ask that they also receive the traditional warm welcome of the Assembly.

Thank you.

**The Speaker:** Thank you.

Hon. members, in 20 seconds we will continue with Members' Statements, starting with Edmonton-Decore.

### Members' Statements

**The Speaker:** The hon. Member for Edmonton-Decore, followed by Calgary-Fish Creek.

#### Chinese Freemasons of Canada Sesquicentennial

**Mrs. Sarich:** Thank you, Mr. Speaker. It is my honour and privilege to rise today as this year marks the Chinese Freemasons of Canada 150th anniversary. Established before Canada was recognized as a nation, the Chinese Freemasons, also known historically as the Hongmen or Vast Family society, are today a successful not-for-profit international organization. Benevolent societies such as the Chinese Freemasons formed an important foundation within early Chinese Canadian communities. The first chapters of the Chinese Freemasons in Canada were formed in the 1870s in British Columbia at Quesnel, adjacent to the goldfields of Barkerville, and in Victoria at their point of entry. Services to its members included mutual aid and support, the celebration of traditional annual Chinese festivals and ceremonies, charity events, and fundraising efforts for their members' funerals.

Notably, the early settlement history of pioneer Chinese immigrant labourers and merchants to Canada also includes the first Chee Kung Tong building of the Hongmen society at Barkerville. This building is unique for it represents the society's architectural wooden structures during the gold rush period and today is recognized as a national historic site in Canada. It truly is a

celebration of Chinese Canadian history, culture, and traditions, providing a valuable visual representation of how pioneer Chinese immigrants lived in the 1870s.

I would like to congratulate the Chinese Freemasons of Canada for their organization's century and a half of leadership and commitment to supporting the Chinese communities across Canada. Through their long-standing efforts the Freemasons of Canada have thrived, without question, Mr. Speaker, and have made a significant contribution to society. Their past, present, and future history is immeasurably valuable to our communities, province, and great country. I wish them continued success.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Fish Creek, followed by Grande Prairie-Smoky.

2:50

#### Service Dogs

**Mrs. Forsyth:** Thank you, Mr. Speaker. Yesterday I introduced members of the House and the public to my hearing aid service dog, Quill. For those who weren't aware, I have been suffering from hearing loss over the last several years. My hearing loss gave me the opportunity to speak with the wonderful people from the Lions Foundation of Canada. Their mission is to provide service dogs to assist Canadians with medical or physical disabilities. Success story after success story lets us know that they are not just giving people a service but a new lifelong friend.

For myself that has certainly been the case. Quill has been with me every day since May and is currently trained on eight different sounds, like my phone, the doorbell, and tells me when someone is talking to me by lifting his paws and taking me to the sound. Since then we have developed an intense emotional bond. He's always at my side, loyal and, with some long days of debate ahead here at the Legislature, a tireless worker.

With Quill at my side today it's hard not to think about Quanto, the Edmonton Police Service dog who was cruelly stabbed while serving the great people of this city. Our officers did not just lose a dog that day, but they lost a faithful, loyal friend. This is why I am so thankful that the Prime Minister and our federal friends are putting forward Quanto's law to protect service dogs. I think we can all agree that these faithful and loyal dogs deserve better protection and that those that harm or kill them, quite frankly, deserve to be treated severely for their horrendous crimes.

I'd like to thank all members of the House for their support of Quill. I promise he will be on his best behaviour, and if you can, please take a moment to visit or donate to the Lions Foundation of Canada and help promote the amazing work they do, and please support Quanto's law.

Thank you.

**The Speaker:** Thank you, and a special welcome to Quill. He was particularly well behaved yesterday, we noted, and it was a pleasure for me to work with you on this file and to authorize and approve it. It's a historic first not only for us, ladies and gentlemen, but it's also likely a historic first right across the nation and perhaps even in the Commonwealth for this particular type of service hearing dog. Good on you, hon. member.

All right. Let's move on, then, to Grande Prairie-Smoky, followed by Calgary-Currie.

#### Tourism Framework

**Mr. McDonald:** Thank you, Mr. Speaker. As everyone who lives here knows, Alberta is undoubtedly one of the most breathtaking

places on earth, as vast as it is varied in landscape and experiences. We have so much to offer travellers: the iconic Rocky Mountains, the alluring badlands, peaceful prairies, placid lakes, a diverse cultural history, and urban and rural areas.

Tourism has a huge potential to diversify our economy and build Alberta. Today we introduced the new Alberta tourism framework. Our goal is to grow the province's tourism industry from generating \$7.8 billion in annual expenditures to over \$10.3 billion by 2020. The Alberta tourism framework will maximize the potential of tourism and create jobs and investment in communities across our province. Having a common plan to guide all the players in the tourism industry will help to make a stronger impact in a very competitive marketplace and attract even more visitors to showcase Alberta to even more potential residents and visitors.

The Alberta tourism framework sets out clear, specific targets and takes a new approach to building a stronger and more unified tourism industry. It's about better alignment between all sectors of this industry, focusing on what travellers want and expect. Collaboration among all players in the tourism industry is key to expanding a sector that currently generates \$1.15 billion in tax revenue and employs over 130,000 people. This is Alberta's first-ever long-term tourism plan that brings all the players together, and I applaud the efforts of all involved in taking this sustainable industry forward to a new level that will benefit all Albertans everywhere.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Currie, followed by Edmonton-Ellerslie.

#### Calgary Society for Persons with Disabilities

**Ms Cusanelli:** Thank you, Mr. Speaker. I'm truly honoured to rise today and bring attention to an organization that I've developed a strong connection to in Calgary-Currie. The Calgary Society for Persons with Disabilities is a nonprofit organization that helps individuals with disabilities reach their full potential by providing unique residential services in Calgary and the surrounding areas.

Mr. Speaker, clients of the Calgary Society for Persons with Disabilities and, indeed, all persons with developmental disabilities live in a world that often seems not made for them. What is often taken for granted by the average person is a challenge to those who must overcome a disability. There is a simple message that I wish to convey today in the House. I will be tabling CSPD's annual report as a symbol and example of the challenges that exist for the disabled that we cannot begin to immediately conceive of. A simple staple placed through the centre of the report will undoubtedly illustrate to my colleagues that the world we take for granted is a very different place for those with developmental disabilities.

Mr. Speaker, I look forward to the day when we fully embrace the spirit and possibilities that persons with disabilities can teach us. I wholeheartedly know that we are moving in this direction through the delivery of a solid social policy framework that is going to reshape the current governance model for PDD and a new generation of persons with disabilities so they may live in a world that sees them as able contributors within our own unique communities.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Ellerslie, followed by Strathmore-Brooks.

#### Diwali

**Mr. Bhardwaj:** Well, thank you very much, Mr. Speaker. I'm pleased to rise today to extend warm greetings on this historic day as we celebrate Diwali for the first time in the history of this province and to recognize the outstanding organizations that assisted in the successful celebration that was held here today.

Diwali is India's biggest and most important festival of the year. The festival gets its name from the row of clay lamps that are lit outside the homes to symbolize the inner light that protects them from spiritual darkness. Diwali originated as a harvest festival that marked the last harvest of the year before winter.

India was an agricultural society where people would seek the divine blessing of Lakshmi, the goddess of wealth, as they closed their accounting books and prayed for success at the outset of a new fiscal year. Today this practice extends to businesses all over the Indian subcontinent, which mark the day after Diwali as the first day of the new fiscal year.

Diwali is celebrated with families gathering, glittering clay lamps, festive fireworks, strings of electric lights, bonfires, flowers, sharing of sweets, and worship. Over the centuries Diwali has become a national festival that is enjoyed by most Indians, regardless of faith, for different reasons.

Mr. Speaker, Diwali is celebrated over five days. On the first day the homes and businesses are cleaned. Of course, on the main day of the festival families gather together to pray, enjoy a meal together, and watch the spectacular fireworks. This is the first day of the new year as well, when friends and relatives visit with gifts and best wishes for the season. On the last day family members visit one another and welcome each other into their homes to share a very lavish meal.

As we celebrate Diwali, the festival of lights, I'm reminded of how fortunate we are to live in a province where all citizens are able and encouraged to celebrate their heritage. I'm so proud to live in a province that has welcomed people from all over the world and provided the kind of opportunities that many can only dream about.

Thank you very much, Mr. Speaker.

**The Speaker:** Thank you.

The Government House Leader has caught my attention. Please.

**Mr. Hancock:** Thank you, Mr. Speaker. Indeed, today was a magnificent day celebrating Diwali and the visitors that came with it, but that will require that we ask for unanimous consent to extend Routine past 3 p.m.

**The Speaker:** Hon. members, the Government House Leader has requested your unanimous consent to proceed with the Routine so we can conclude it. That means going beyond 3 o'clock.

[Unanimous consent granted]

**The Speaker:** Let us continue, then, and hear a statement from the hon. Member for Strathmore-Brooks.

#### XL Foods Inc.

**Mr. Hale:** Thank you, Mr. Speaker. Over a year ago an unfortunate event shook the community of Brooks and all of Alberta when contamination was linked to a beef processing plant. As we all know, the plant shut down temporarily, and questions were raised about the safety of the beef industry. Now, over a year later, we can look back and take stock of what happened.

The community of Brooks did so last month at the Alberta beef celebration. It was a great day full of community spirit, celebration, and – you guessed it – Alberta beef. The challenging events of last year's temporary plant closure brought out the best in the community as people came together to provide assistance where needed and worked hard to get the plant back online with a renewed commitment to food safety.

3:00

Since the plant reopened, Brooks has fully restored its reputation as a producer of the world's greatest beef products, thanks in large part to the work of the new ownership and its hard-working employees. These past months have seen renewed energy in ensuring that the strongest food safety measures in Canada are enforced. Alberta beef is more than just a world-class product. It is more than a staple of the Alberta economy. It is part of our culture and heritage, as it will be for generations to come. We must never forget the events that unfolded in Brooks, and we must ensure vigilance in protecting such an important part of our economy and culture.

I would like to take this opportunity to recognize all the hard work that went into this beef celebration. The city of Brooks, the County of Newell, Eastern irrigation district, JBS Food Canada, Bow Slope Shipping Association, ABP, local 4-H clubs, and many, many other industries and stakeholders all pitched in to help this event become a success. I would also like to say thank you to all of Alberta's agricultural producers for your commitment and perseverance through good times and bad, for playing your role in providing not only Alberta but all the world with quality food products.

**The Speaker:** Hon. members, just before I recognize the Member for Airdrie for his notice, might we revert briefly, with your consent, to Introduction of Guests?

[Unanimous consent granted]

### Introduction of Guests

*(continued)*

**The Speaker:** The hon. Minister of Transportation.

**Mr. McIver:** Thank you. I'm pleased to rise today and introduce to you and through you to all Members of the Legislative Assembly Ms Karen Lloyd and Ms Jillian Miller Drysdale. Ms Lloyd and Ms Miller Drysdale have been working tirelessly to promote traffic safety in their community. Through their work with the Calgary Association of Parents and School Councils they have organized and promoted school traffic safety week in September, reminding both children and parents to be aware and stay safe on their back-to-school commutes. Mr. Speaker, we share a common goal of keeping our roads and our children safe. That's why later today I will introduce a bill in the House that will give municipalities the authority to set local rules for playground zones, allowing municipalities to align school zones and playground zones. Ms Lloyd and Ms Miller Drysdale are seated in the members' gallery, and I'd ask that they please rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** Did you have a second one, hon. Minister of Transportation?

**Mr. McIver:** Mr. Speaker, I do. I'm pleased to introduce to you and through you to all members the traffic safety services staff who have dedicated countless hours to the bill I will introduce

today. I will ask each of them to rise as I introduce them: Mr. Alan Thomas, Ms Colleen Delany, Mr. Michael Selig, Ms Marlaina Klaver, Ms Mychele Joyes. I'm very proud of the work that they have done, and I'd ask that they receive the traditional warm welcome of the Assembly.

**The Speaker:** Thank you, hon. members.

### Notices of Motions

**The Speaker:** Notices of Motions has been called, and I'm going to recognize the hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you Mr. Speaker. On behalf of the Member for Airdrie I rise today in accordance with Standing Order 15(2) giving notice of my intention to raise a question of privilege today, and I do have the requisite copies of the notice to provide to members of the Assembly.

### Introduction of Bills

**The Speaker:** The hon. Minister of Transportation.

#### Bill 32

#### Enhancing Safety on Alberta Roads Act

**Mr. McIver:** Thank you, Mr. Speaker. I request leave to introduce Bill 32, the Enhancing Safety on Alberta Roads Act, which amends the Traffic Safety Act and the Highways Development and Protection Act.

This bill will increase safety on Alberta roads by granting municipalities the authority to set times that playground zones are in effect; by granting the minister the authority to designate lane usage on all provincial highways; by making administrative and housekeeping amendments to ensure consistency, to align with the federal Criminal Code legislation, and to strengthen and clarify Alberta's legislation.

[Motion carried; Bill 32 read a first time]

### Tabling Returns and Reports

**The Speaker:** The hon. Member for Calgary-Currie, followed by the Minister of International and Intergovernmental Relations.

**Ms Cusanelli:** Thank you, Mr. Speaker. I would like to table the appropriate number of copies of this year's annual report from the Calgary Society for Persons with Disabilities. A copy of this has been made available to all members today, and I encourage them to look at this document as an example from my member's statement today.

**The Speaker:** Hon. Minister of International and Intergovernmental Relations, your first of two, I understand.

**Mr. Dallas:** Thank you, Mr. Speaker. I do have two documents to table. I'm pleased, first, to table five copies of the written responses to several questions during consideration of the International and Intergovernmental Relations main estimates on April 17, 2013.

I'd also like to table five copies of the Asia Advisory Council annual report 2012-2013, submitted on June 27, 2013.

Thank you.

**The Speaker:** The hon. Minister of Human Services for your first of two, followed by Calgary-Foothills.

**Mr. Hancock:** Thank you, Mr. Speaker. On behalf of my colleague the President of Treasury Board and Minister of Finance I'd like to table in the House today the requisite number of copies of a letter to the leader of the Liberal opposition in response to Written Question 22. I understand the original was provided to him earlier.

I'd also take the opportunity, Mr. Speaker, to table on behalf of the President of Treasury Board and Minister of Finance again the requisite number of copies of the Alberta Securities Commission 2013 annual report. The annual report, called *We're Here Because*, reflects ASC's mandate, which is to protect investors, foster the integrity of the Alberta capital market, and contribute to the success of Canada's securities regulatory system. In 2013 the ASC continued to improve the effectiveness of its enforcement activities, including 772 investigations, issuing 111 cease trade orders, and leveling stronger sanctions against offenders. Court appearances tripled in 2013. The ASC can impose administrative penalties up to a million dollars and can also pursue offenders in Provincial Court, seeking jail terms up to five years and fines up to \$5 million. The ASC continues to issue investor alerts and provide investor education materials through its website and weekly radio shows. In tabling the report, I'd like to take the opportunity to express appreciation for the commission and the important work it does on behalf of Albertans.

**The Speaker:** Thank you.

The hon. Member for Calgary-Foothills, followed by the leader of the New Democratic opposition.

**Mr. Webber:** Thank you, Mr. Speaker. I rise today to table the appropriate number of copies of 67 of hundreds of e-mails. I ran out of photocopy ink, so I can only post 67 to table. They're all in support of Bill 207, urging the government to pass the bill and to establish a well-funded, accountable provincial agency immediately here in the province.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Highlands-Norwood, leader of the New Democratic opposition.

**Mr. Mason:** Can you come back to me, Mr. Speaker?

**The Speaker:** Why don't I come back to you, hon. member, after we listen to the tablings from the Associate Minister of Wellness.

**Mr. Rodney:** Well, thank you very much, Mr. Speaker. On behalf of our hon. Minister of Health it's my pleasure to table the requisite number of copies of the 2012-2013 Alberta College of Occupational Therapists annual report. The college has over 1,500 members within the province of Alberta, and their primary role is to enable clients to fulfill their needs and purposes, interact with their environment, look after themselves, enjoy life, and contribute to the social and economic fabric of their community. The college also exists so that Albertans will continue to receive competent, ethical occupational therapy services. This report outlines their activities in the past year and illustrates the outstanding work that they do to promote the health of Albertans.

Thank you, Mr. Speaker.

**The Speaker:** Hon. Member for Edmonton-Highlands-Norwood, are you ready with yours now? Please proceed.

3:10

**Mr. Mason:** Sure. Thanks very much, Mr. Speaker. I have two tablings. First, a letter that I referred to in question period today, dated October 9, 2013, from 16 faculty members in the department of laboratory medicine and pathology at the University of

Alberta hospital. They have very serious concerns about the planned privatization of lab services in Edmonton. So that's the first one.

The second is a letter being sent to the Minister of Health and to Dr. Cowell, expressing important concerns about the planned privatization of hospital-based medical laboratory services in the region. The letter says in part: "I am concerned that centralizing all medical lab services in a private, for-profit facility will be less efficient, more expensive, and provide inferior service than the current hospital-based labs." This is part of a letter campaign that has been arriving at my office during the past week and has been copied in hundreds of letters that we've received.

Thank you very much, Mr. Speaker.

**The Speaker:** Thank you.

I have the hon. Member for Fort McMurray-Wood Buffalo, followed by Calgary-Mountain View, and wrapping up with Edmonton-Strathcona.

**Mr. Allen:** Thank you, Mr. Speaker. I rise today to table the requisite number of copies of an *Edmonton Journal* article dated August 26, 2013, entitled *Province to OK Fort McMurray, Drumheller Floodway Development*. During an interview at that time the Minister of Municipal Affairs said: "We need to put measures in place to protect the community, but it would be fiscally unreasonable to move entire urban areas or not allow future development." I thank the minister for providing Fort McMurray residents much-needed property protection while acknowledging that the community of Fort McMurray needs to redevelop its lower townsite in order to facilitate growth.

Thank you.

**The Speaker:** The hon. member for Calgary-Mountain View, followed by Edmonton-Strathcona, and also Lac La Biche-St. Paul-Two Hills.

**Dr. Swann:** Thank you, Mr. Speaker. I have four tablings today, the first on behalf of the leader of the Liberal opposition. It's a memorandum of understanding between the government of Alberta, the city of Calgary, and the city of Edmonton, dated June 2012, with a commitment to deliverables in a year, signed by the two mayors and the Minister of Municipal Affairs.

The second, related, is an article from *Metro News* entitled *Big Cities or All Cities: Nenshi and Griffiths Square Off Again over City Charters*.

The third is entitled *Municipal Government Act Review*, submitted recommendations from the Alberta Urban Municipalities Association, where they recommend the following three principles: first, local governments are open, responsive, and accountable to their citizens; two, the respective roles and responsibilities of provincial and municipal orders of government must be clear and appropriate; and three, local governments have predictable, diverse, and sustainable revenue sources to deliver programs, services, and infrastructure.

The fourth tabling, Mr. Speaker, on behalf of our Member for Calgary-McCall is a report from the Law Society with respect to the government of Alberta's review of the Alberta land titles system in its results-based budgeting process in which they're very clear about rejecting the privatization of land titles, stating that land titles should remain "a government owned and operated model" to avoid the dangers that have been experienced elsewhere across the world with privatization.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Speaker. I don't have the Blues in front of me, but this afternoon in question period the Minister of Enterprise and Advanced Education stated something to the effect that international students were not revenue generating for universities and colleges, and I think he actually went on from there to suggest that I did not know anything about advanced education for having suggested that. The minister is mistaken on both counts, and I am tabling the requisite number of copies of the University of Alberta Action Plan: Budget Presentation to General Faculties Council dated October 28, 2013. Slide 16 states that the U of A's plan for generating new net revenue includes – and it's at the top of the list, in fact – increased enrolment of international students. That slide show was prepared by the acting provost and vice-president academic and the vice-president of finance and administration. I presume they know something about advanced education. I certainly hope that the minister might consider responding to that error in question period tomorrow.

Thank you.

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. I have three tablings. The first is a copy of a news release from the *Sherwood Park News* dated Tuesday, October 29, at 11:45, with a picture of the Minister of Transportation as well as the Member for Strathcona-Sherwood Park, outlining a media announcement of Bill 32 as well as the speech that the minister had given. I have the requisite copies of that.

The second tabling is a copy of a sign that was affixed publicly that states, "Enhancing Safety on Alberta Roads (Bill 32)," which was displayed apparently this morning prior to the introduction of that bill.

The third tabling is another press release, dated October 29, 2013, which outlines the Minister of Transportation's views on Bill 32, again, prior to the bill being introduced here in the Legislature.

Thank you, Mr. Speaker.

**The Speaker:** Hon. members, tomorrow I'll make a brief statement with respect to tablings, and it also will apply to petitions and how we need to keep brevity in mind for both. No reflection on anyone in particular today, but it's just another part of the process that sometimes gets a little bit lengthy, and we ought to revisit what the rules surrounding the purpose of those tablings and petitions are really all about. Thank you.

We have, I think, an historic moment, no points of order.

**An Hon. Member:** The day is not over yet.

**The Speaker:** The day is not over yet; I may have spoken too soon. Hopefully not.

However, we will proceed with the arguments in favour of or not regarding a point of privilege. The hon. Member for Lac La Biche-St. Paul-Two Hills.

#### Privilege

#### Obstructing a Member in Performance of Duty

**Mr. Saskiw:** Thank you, Mr. Speaker. I stand here on behalf of the Member for Airdrie under Standing Order 15(2). Of course, Mr. Speaker, you have said on many occasions as well as the Government House Leader that points of privilege are very serious matters. Any time you raise a question of privilege or contempt, it is a serious matter and must be addressed seriously.

The notice that has been provided states that the Member for Airdrie believes that

as a result of the government's public advertising of a bill not yet presented to this Legislature, the government deliberately prevented the Members of the Legislative Assembly from fulfilling their duty and, as such, breached the rights of the Members of the Legislative Assembly and thereby committed a contempt.

I'll briefly outline the facts as I see them or as we have them here and then provide argument based on precedent both in Canada and here in Alberta.

I tabled documents earlier today. We had seen a sign, obviously in the orange and blue colours, displayed publicly outlining Bill 32. We've seen press releases and public statements outlining the details of Bill 32. We know, of course, that Bill 32 was on the Order Paper yesterday, Mr. Speaker, and it was not yet introduced until earlier today.

My first precedent goes to *Erskine May*, 22nd edition, on page 108. It describes that

any act or omission which obstructs or impedes either House of Parliament in the performance of its functions, or which obstructs or impedes any Member or officer of such House in the discharge of his duty, or which has a tendency, directly or indirectly, to produce such results may be treated as a contempt even though there is no precedent of the offence.

We have a very detailed precedent here that is pretty much bang in line with the facts in this case. It was actually an argument made by Dr. Pannu here in this Legislature – he was a member of the New Democratic opposition – on March 4, 2003. In it he made many arguments to the Speaker at the time, Speaker Kowalski, and referred to different submissions and referred to a situation in the federal Legislature where the then Member of Parliament Vic Toews had made an argument on the fact that the government at that time had released details of a bill that was not yet introduced in that Legislature but was on the Order Paper.

In the submission – just indulge me, if you will – is the ruling that the federal Speaker provided in that case.

The House recognizes that when complex or technical documents are to be presented in this Chamber, media briefings are highly useful. They [must] ensure that the public receives information that is both timely and accurate concerning business before the House.

... However, with respect to material to be placed before parliament, the House must take precedence. Once a bill has been placed on notice, whether it has been presented in a different form to a different session of parliament has no bearing and the bill is considered a new matter.

3:20

The Speaker then went on to state, in finding a contempt:

Thus, the issue of denying to members information that they need to do their work has been the key consideration for the Chair in reviewing this particular question of privilege. To deny to members information concerning business that is about to come before the House, while at the same time providing such information to media that will likely be questioning members about that very business, is a situation this chair cannot condone.

The House of Commons Speaker continued.

Even if no documents were given out at that briefing, as the hon. government House leader has assured the House, it is undisputed that confidential information about the bill was provided. While it may have been the intention to embargo that information as an essential safeguard of the rights of this House, the evidence would indicate that no effective embargo occurred.

I will state that in this situation the complete opposite happened. There was not only no embargo; the minister held the press

conference giving detail on this bill which was not provided to you, Mr. Speaker, in this Assembly, was not introduced to you.

Of course, we need to find a *prima facie* case of privilege, and there's a threshold. I'll refer the Speaker to Joseph Maingot, who stated at page 221 in his work *Parliamentary Privilege in Canada*, second edition:

While the Speaker may find that a *prima facie* case of privilege exists and give the matter precedence in debate, it is the House alone that decides whether a breach of privilege or a contempt has occurred, for only the House has the power to commit or punish [such] contempt.

Then Speaker Kowalski stated, in summarizing and looking at all the different precedents, that in essence Speaker Milliken found that once a bill is on notice, media briefings are not allowed. I'll state that again. Once a bill is on notice – in this case Bill 32 was on notice yesterday – media briefings are not allowed. Speaker Kowalski quoted from Speaker Milliken's ruling:

The convention of the confidentiality of bills on notice is necessary, not only so that members themselves may be well informed, but also because of the pre-eminent role which the House plays and must play in the legislative affairs of the nation.

He then goes on to state that, of course, that was a federal precedent and that it need not necessarily apply to an Alberta Legislature. In that case, in the federal situation, the minister apologized while still noting that, of course, he had not provided written materials to the media.

Speaker Kowalski then stated that "the role of the chair cannot be to lessen the dignity and respect of this [Legislative] Assembly or its members." He stated that he agreed entirely with Speaker Milliken's ruling when he states:

To deny to members information concerning business that is about to come before the House . . .

in this case Bill 32,

. . . while at the same time providing information to media that will likely be questioning members about that business, is a situation that the Chair cannot condone.

Speaker Kowalski then referred to the final paragraph of the House of Commons standing committee report, which states:

The rights of the House and its Members in this role are central to our constitutional and democratic government. This case should serve as a warning that our House will insist on the full recognition of its constitutional function and historical privileges across the full spectrum of government.

Speaker Kowalski then stated:

Accordingly, the department briefing provided to the media concerning [then] Bill 19 when the bill was on notice but before it was introduced constitutes a *prima facie* case of privilege as it offends the dignity and authority of this Assembly . . . Strictly speaking, this constitutes a *prima facie* contempt of the Assembly, although it is treated in the same way as a breach of privilege.

Mr. Speaker, once this notice was provided, we saw some communications that the minister had offered to provide a technical briefing to, you know, one member of the Official Opposition and perhaps members of the other opposition parties. Some were able to get a technical briefing in such a short time frame. Others, I understand, weren't able to get the technical briefing.

Mr. Speaker, this is a very clear case. We have a minister here who is providing technical details of a bill that has not yet been introduced to this Assembly. It's an absolute disrespect to every single Member of this Legislative Assembly. He went to the media, provided these details. Of course, the media is calling opposition members. Constituents are calling opposition members and other members of the Assembly. Well, we don't know what's

in the bill because it hasn't yet been introduced. That is a complete disrespect for this House. Speaker Kowalski was unequivocal in this regard. He noted that materials – documents themselves, the bill itself – may not have been provided to the media, but technical details and details surrounding the bill in that case were in fact provided.

Again, I will just close with what I would call the leading precedent on this exact situation. The facts mirror themselves identically.

To deny to members information concerning business that is about to come before the House, while at the same time providing such information to media that will likely be questioning members about that business, is a situation the Chair cannot condone.

In Speaker Kowalski's situation he had provided the member of the New Democratic Party the opportunity to put forward a motion, but at that time the minister, rather than going through the formal process of a motion to a committee, just apologized for his actions, and that was deemed sufficient in that case. I would suggest that that is the remedy in this case that should be followed.

Thank you, Mr. Speaker.

**The Speaker:** I have two members who rose at the same time. Hon. Government House Leader, would you like to hear from Edmonton-Strathcona first? I think she was motioning in her direction to rise.

Edmonton-Strathcona, will you proceed, please.

**Ms Notley:** Well, thank you very much, Mr. Speaker. I rise to speak in favour of this motion, that we find that there is a *prima facie* breach of privilege today that was raised by the Member for Lac La Biche-St. Paul-Two Hills. The member went through some of the key points in terms some of the authorities that we adhere to in this House, but I'd like to just highlight a couple of them because I'm not sure if they were exactly the same ones that I would have used.

*House of Commons Procedure and Practice* at page 82 talks about contempt and what amounts to contempt of the House.

Any action which, though not a breach of a specific privilege, tends to obstruct or impede the House in the performance of its functions; obstructs or impedes any Member or officer of the House in the discharge of their duties;

And then here's the key piece, Mr. Speaker:

or is an offence against the authority or dignity of the House.

I would go on to page 85.

By far, most of the cases of privilege raised in the House relate to matters of contempt.

Maingot's *Parliamentary Privilege in Canada*, second edition, talks about the meaning of privilege. It talks about at page 14 and page 225 that

contempt of Parliament may be more aptly described as an offence against the authority of the House.

Those are sort of two things that I think are really quite critical to this issue, Mr. Speaker. It comes down to the authority of this House and the respect with which we treat it. Now, it's interesting. The Member for Edmonton-Calder and I were discussing this issue earlier today. He pointed out that there was a great deal of discussion yesterday from the Speaker's chair around the need to respect the authority of this House as it relates to the back and forth between members, and the chair himself was talking about respecting the authority of this House.

But, Mr. Speaker, I would suggest to you that the actions of the minister with respect to the process around which this bill has been introduced and members have been briefed and the media has been briefed and signs have gone up on highways actually

offend the authority of this House in a way that all members of this House should be very, very concerned with.

3:30

Now, there are two things that have happened that raise the concerns of certainly members in our caucus. One is the fact that there are apparently billboards out there that have been put up with nonpartisan, we presume, public funds advertising Bill 32 and talking about the impact of Bill 32 and how this highway is the result of Bill 32. That's the first thing, and then the second thing is that we have a minister meeting with the media this morning at, I believe, around 9 to talk to them about what was in the bill.

Mr. Speaker, that is a problem for two reasons. First of all, the Member for Lac La Biche-St. Paul-Two Hills talked about the precedent that was set by the former Member for Edmonton-Strathcona, my predecessor, Dr. Pannu, and of course in that one we talk about what happens when the media is briefed before members of the Assembly. Now, it may well be that the Government House Leader is going to argue that that wasn't a briefing; that was a press conference. But you know what? Here's the thing. What's happened recently is that the government has decided to very actively ensure that members of the opposition are kept in the dark about when press conferences are.

So not only did we not get briefed on this bill, but we also are now in a position where we are having to deal with active efforts on the part of ministers to keep us from going to media events that other members of the public or at least the media are aware of. We didn't even get the opportunity to learn about the details of the bill at the same time as the media, which is something that's kind of happened in the past, but that practice is now done, too, because the government has decided that it's going to send out press releases and media notices without letting all members of the Assembly know that that is happening. That's another issue that I believe you'll be hearing about in the future. So that's the first thing.

The second thing, Mr. Speaker, is that putting nonpartisan public dollars into telling Albertans that Bill 32 has passed before we have even seen it let alone debated it doesn't quite follow the precedent that was set by Dr. Pannu, but that in and of itself is a profound affront to the authority of this Assembly. Either bills get debated and amended in this Assembly on the basis of democratic representation and reasonable debate, or they don't. And either you insist that this government respect this Assembly, understanding that that's the way the situation and the processes are supposed to work in this Assembly, or you don't.

For this government to use government funds to go out there and talk about a bill as though it has been passed before members of this Assembly have even seen it let alone exercised their democratic right and, indeed, the democratic right of all Albertans through their members to have input on the bill and to put forward amendments to the bill and ultimately to vote on the bill is a fundamental breach of the privilege of each and every member of this Assembly, even members of the government caucus, because as much as they may have had an opportunity in caucus to talk about the details of this bill, they have an obligation to their constituents as well to come into this House and to participate and to debate and to cast their votes accordingly.

The fact that there is an assumption that it's a done deal and that Ministry of Transportation dollars can go to throw up signs on the highways saying, "Yay, look at us; Bill 32 is a done deal" before this House has even seen it is an affront to the authority of this House and, as such, amounts to contempt under the precedents

and therefore amounts to breach of privilege. I hope you will find that that has occurred in this case.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. Well, I think that both of the hon. members who have spoken have taken it just a tad too far. There's no question that the House has to own its own work and that bills are the property of the House and members are entitled to see bills before anyone else sees those bills once they're put on notice. I think that is a time-honoured tradition of the House and one that this government has followed rigorously.

What we also have done, though, Mr. Speaker, is talked with the public about what they can anticipate: where government is going, what government is doing, what government is proposing. Governments actually get elected to govern, and then they come into the House to get approval for legislation and approval for the spending. But governments are elected to govern, and they are expected to go out and talk to the public about what they're doing.

Now, obviously, with respect to legislation coming before the House, there are essentially two stages. One is the conceptual stage. We often talk in public about legislation that will be coming before the House in a conceptual way, what's going to be in the legislation. It was not unusual – well, maybe this year it would be unusual – in previous years for the Government House Leader to put out a session news release ahead of session and list all the bills that were coming before the House with a brief description of what's in those bills. That is a perfectly time-honoured tradition of this House, and I think that in every House that kind of communication happens.

In fact, that did not happen for this fall session, and I got nothing but grief for that from some people. In fact, the Premier was speaking at a chamber of commerce luncheon on Monday, and who should show up but the leader of the New Democratic Party to decry the fact that the Premier was not telling them what bills were going to be on the agenda.

The fact of the matter is that the government caucus does see bills before they come to the House, not in their final printed form but in terms of the concept, in terms of what we call a three-column document or a document which talks about the concept of the bill.

In fact, Mr. Speaker, also a time-honoured tradition in this Assembly, at least in the period of time that I've been Government House Leader, is encouragement to ministers or to bill sponsors to brief their opposition critics with respect to the concepts and content of a bill, not to share the bill, not to share any drafting of a bill but to share the concepts and content of a bill in terms of that process so that they can be properly prepared because quite often the sessions are such that you put a bill on and you expect to be able to debate it, yet it can be fairly complex. It is not done in every circumstance, but it's certainly something that I encourage and something that I understand the Minister of Transportation took some pains to do, to brief the opposition critics with respect to the content of the bill, not the details, not by providing documents, not by even referring to those documents but by discussing the content.

In fact, there is nothing inherently wrong with advising the public as to what's coming before the House. Now, if you look at the specifics of this case, the news release that was put out, the copy that I have in front of me starts after the headline with the words: "If passed, the Enhancing Safety on Alberta Roads Act will let municipalities set local rules." If passed. It doesn't give the specifics or the details. It doesn't have the content of the bill. It



doesn't share that either formally or informally. It basically says that we're going to bring a bill in this afternoon, it's going to be the Enhancing Safety on Alberta Roads Act, and it's going to do these sorts of things. It's a conceptual piece, as you might expect in a news release. There are not any details that would be too exciting for anybody that was familiar at all with the concept and certainly wouldn't be exciting to any opposition member who availed themselves of the opportunity for the prebrief.

Mr. Speaker, there's a distinction here that's very important, the distinction that the House owns the bill and that no draft of a bill is shared with anybody but the House first. There's also a very important side to it, which is that public discussion of matters that are going to come before the House is very important, letting the public know what impact a bill might have because in every member doing their job in this House, there's another aspect to it. It's not just reading the bill and coming here and debating it. Every member's ability to do their job is enhanced by the fact that the public knows what we're going to be talking about.

We try to maintain a very tight time frame, where by the time you've finalized what you're going to be bringing to the House and after you've heard all the input that goes into developing a bill and all the processes that go into developing a piece of legislation, you then let the public know generically what's going to be before the House so that if they're interested, they can contact their member, raise their issues, and be ready to discuss with any member of the House what's in the bill. They can't do that unless they know what's going on.

3:40

So I would think the Minister of Transportation should be applauded, actually, for getting out there and raising in public that this bill is being introduced. It's likely going to be debated maybe as early as tomorrow in second reading, and the public should know about it.

Now, in terms of the details of the bill, in terms of printed copies of the bill, whether the actual document has been shared or not: of course he didn't share any of that. What he did was that he went out to the public and said that they should be aware of the fact that the Legislature is going to have a bill. It's going to be about enhancing traffic safety, and this is what it's about. It's about time zones in playgrounds. It's about reversible lanes. It's about aligning with the federal impaired driving legislation. That's what it's about, and if you're interested in that, you should contact a member of the government or a member of the opposition or somebody to let them know what you think so that they can properly engage in debate, having been informed.

This is a very big distinction, sharing the concepts of what it is we're going to do and sharing the details, which are owned by the House. The Minister of Transportation shared the concepts quite appropriately to make the public aware of what was going on, and I think the members of the opposition should applaud him for that because it makes their job easier. People now who don't think they're going to like it will know that they should call right away so that the opposition can be informed of their view and raise it in debate.

**The Speaker:** Are there others? The hon. leader of the New Democrat opposition.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, since the hon. Government House Leader has mentioned me in his comments, I feel compelled to rise and just make a couple of comments. First of all, with respect to my attendance at the Premier's speech yesterday at the chamber of commerce I think

that is entirely consistent with the position that we're taking here in supporting the hon. Wildrose House leader's motion of privilege. Specifically, the fact that a member of this Assembly has to buy a ticket to attend a chamber of commerce luncheon to hear a speech from the Premier about her plans for the session and her plans for the province for the coming period of time is, I think, a travesty. It shows real contempt for this Assembly. It says, quite frankly, that she is accountable to a business audience to a degree much higher than her accountability to the public of Alberta as represented by this House. I think it's entirely consistent with the point of privilege we are faced with today.

There's a point I want to correct the hon. Government House Leader on. His defence was that the minister had offered a briefing in a general sense to the opposition. We had two scheduled meetings for that briefing yesterday, and on both occasions no one from the minister's office showed up. We rescheduled it an hour later, and again they didn't show up. We finally had a briefing less than an hour ago, Mr. Speaker, on this particular bill. So I just want to correct the Government House Leader. Since he based his defence on the fact that opposition parties are provided with a briefing, I think it's important to note that we were unable to obtain a briefing prior to the introduction of this bill. I think that that's very significant.

Thank you.

**The Speaker:** The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thanks, Mr. Speaker. I am pleased to rise on the point of privilege that the hon. member has brought forward to the Legislature. I've listened very intently to this point of privilege, and I find it very interesting, especially from the Member for Edmonton-Whitemud, who I had the honour and privilege to actually sit with when I was with the government. It's funny how things change within the government in regard to that what was then is not so much now for a government that talks about their openness, accountability, and transparency.

I have been trying to think from my 20 years when I was with the PC government when and if or where we ever did any of the things about putting bills forward. I'm going to challenge the House leader on the other side to show me when this change came, that all of a sudden we're talking about bills and debating bills before they're even introduced in the Legislature, and we have this big, splashy press conference. I know that when he was the Justice minister and I was the Solicitor General, we were very conscientious about allowing all members in the Legislature the privilege of sharing the bills at the same time. I don't recall – and I will challenge the House leader and, for that matter, the government to show when this new procedure changed. From what I recall, it seemed to have changed about the time that the Member for Calgary-Elbow became the Premier. I would assume – and I will stand up publicly in this House and apologize if I'm wrong on my assumption – that it changed probably when she became the Premier of the province.

I am going to be brief, and I'm going to ask you – and I know that you have all sorts of resources, Mr. Speaker, and very good resources as your table officers sitting around this Legislature – to check and find out when this changed. The House leader talked about the fact that they've always done this and it's always been a practice. I honestly, honestly cannot remember in the 20 years when I was with the government that this was occurring. I could be wrong. I hope that when you're making your decision in the Legislature, you will track back when this practice started. Hopefully, you have the ability to say: "Look. We talk about openness, we talk about transparency, and we talk about democracy,

and the Premier campaigned on how she was going to change things and do things differently in the Legislature, that she was going to have all of these all-party committees.”

I look forward to your ruling. I honestly think that, truly, if we really want to make a difference in this province, then things have to change, and how we table our bills in this Legislature is part and parcel of that. I can tell you that I spent, as I indicated earlier, a long time in the government. I can share with you what has happened since I left this government because of some of the things that were happening in 2010. The amount of work that opposition members have to do to get ready for a bill – and when you have a minister of the Crown go out in the morning and make all of these announcements, it’s truly, quite frankly, disturbing.

So I will look forward to your ruling, Mr. Speaker.

**The Speaker:** The hon. Minister of Transportation.

**Mr. McIver:** Thank you, Mr. Speaker, I appreciate the opportunity to rise and speak this afternoon. I think that there are a few remarks that need to be corrected here and clarified, certainly. I think that the hon. Government House Leader was quite succinct and quite accurate when he talked about the fact that the media release that went out started with the words “if passed,” no assumption that this House didn’t have the power to make the decision, none whatsoever.

On the remarks that I gave this morning, early on in the remarks there was a phrase to the effect: only if the Legislative Assembly agrees with us and lets this happen.

Mr. Speaker, I hear protests from the leader of the NDP that there wasn’t an opportunity to be briefed, but we briefed the critic from the Official Opposition in a meeting room. With him we went through clause by clause by clause, and the critic had staff with him who made notes and was able to ask questions. We answered all of the questions that they asked. It’s a little disingenuous for the Official Opposition to suggest at this point that they were kept in the dark. Quite the opposite is the truth. In fact, they made a point of saying that the bill itself has to be first introduced in the House. It’s interesting that the critic from the Official Opposition actually asked for a copy of it and was refused. Just an interesting point, Mr. Speaker.

Right after I met with the critic from the Official Opposition, we met with the critic from the Liberal party and again, same thing, clause by clause. They got to ask questions; they had people there to take notes. Again, asked for a copy of the legislation, and none was provided.

Right after that was scheduled the meeting with the NDP. They weren’t there. We tried to reschedule. I hear from the leader of the NDP that they tried to reschedule an hour later. Mr. Speaker, honestly, my understanding is that they couldn’t make the meeting.

3:50

**Ms Notley:** Point of order.

**Mr. McIver:** I hear a different version of that. Mr. Speaker, I could even acknowledge that as a potential misunderstanding.

**The Speaker:** Hon. minister, did somebody rise on a point of order here? Was that Edmonton-Strathcona?

**Ms Notley:** Yes, Mr. Speaker. I rose on a point of order.

**The Speaker:** Citation?

## Point of Order Factual Accuracy

**Ms Notley:** Standing Order 23(h), (i), and (j). The minister is relaying a set of facts which are not accurate, and it is bringing our statements into disrepute. That’s unfortunate. As the Member for Edmonton-Highlands-Norwood said, our staff showed up at 5:30 and again at 6:30 yesterday. After contacting this minister’s office in the middle of last week trying to get a briefing, the time that was first offered to us was 5:30 yesterday afternoon. When they didn’t show up where they were supposed to be, then we tried again at 6:30. Once again, it was still not offered. The briefing that we received finally, when his staff showed up, was well after the bill was introduced and well after the press conference. That needs to be clarified, Mr. Speaker. I don’t know why that happened, but there were two good-faith attempts that did not occur. The minister knows that, and he knew that when he went ahead with the press conference.

**The Speaker:** Thank you.

Hon. members, this frequently happens. We get a difference of opinion on what happened here and what happened there. The NDs have just clarified their position. I think the minister has indicated his. Could I just ask the two of you to work this out amongst your two caucuses and not take up our time here? It’s on the record now who did what from their various perspectives. I’m not going to get into the middle of this. It’s a good point of clarification. Let’s let the minister conclude his comments, and if this needs revisiting, hon. Member for Edmonton-Strathcona, I surely will revisit it.

In the meantime, hon. Minister of Transportation, you might wish to respond to that during your comments.

**Mr. McIver:** Thank you, Mr. Speaker. You know, I’m going to really try to be kind to the member opposite that raised the point of order. As you rightly said, we have a difference of opinion here. The fact is that the Official Opposition met with me and were fully briefed. The Liberal critic met with me and my staff and was fully briefed. We offered the same process to the NDP, and somehow we failed to connect. I can assure you that we made efforts to do that. I will take the member at her word that they attempted to meet with us. I can assure you that we sincerely meant to meet with them, too, and I think that there’s pretty good evidence of that by the fact that we were successful in meeting with the other two parties immediately before the time that that was to occur.

**The Speaker:** Thank you. I think that sufficiently clarifies that matter.

Lac La Biche-St. Paul-Two Hills, you had something to add?

**Mr. Saskiw:** I’d like to briefly close on my argument.

**The Speaker:** I haven’t recognized you yet, but I will shortly.

## Debate Continued

**The Speaker:** Are there any others who wish to chime in briefly on the point of privilege under SO 15? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. As the Member for Rimbey-Rocky Mountain House-Sundre I’ll be brief and just basically use your words from earlier on another issue. Basically, what our hon. ministers have said is to circumvent what I think is

the issue here, which is this breach. We ought not do indirectly what we are not supposed to do directly. The idea of putting a disclaimer on these announcements or the idea of putting a disclaimer before the press still violates the rules. In other words, they circumvented the rules of this House, and that was actually disrespectful, in my view, of what has gone on here. I just want to say that I don't buy the idea that the Official Opposition was briefed somehow and that settles that and it's done.

I'm going to tell you that it's sort of a game. I got briefed on the environmental bill that is before this House, but I was unable to make it because there wasn't enough of a time frame given. I understand why some of these ministries do that. I understand that you push it as close to the timetable as you possibly can, but unfortunately our schedules don't always allow for that. We try to do it in good faith. That's the best we can do. We can try to do it in good faith, but this government is in control of that timetable, and they have the ability to actually allow enough time. In this case they could have tabled this bill in time, or they could have briefed. They had that choice. They are in full control of that, and in this case they didn't live up to their responsibility.

Thank you very much.

**The Speaker:** I believe that concludes our speakers list with the exception of the Member for Cypress-Medicine Hat. Briefly.

**Mr. Barnes:** Thank you, Mr. Speaker. I just want to add my two cents, and that's basically that when it was mentioned by the Minister of Transportation that I asked for a copy of the bill, first of all, I don't remember that, and secondly, I don't see how it's relevant. When his office staff asked me for the appointment, which, I believe, was on Saturday afternoon, I accepted the time that was suggested, between 4:30 and 6:30 on Monday. I appreciated that the minister and his staff were there and gave, you know, an idea of what was coming up on the bill. In that discussion I may have asked for some paperwork, but again I don't feel that my part in that is relevant to this bigger issue.

Thank you.

**The Speaker:** Thank you.

Hon. members, a lot of different comments have been made here, and names of other members of the House have been raised, and that prompted them to get up to speak. Now we have Innisfail-Sylvan Lake wishing to chime in, and I'm going to allow that briefly, but before I do, Lac La Biche-St. Paul-Two Hills, it is not normal for us to revert to the mover of the motion in this particular case. I thought you were rising on the point of order.

Innisfail-Sylvan Lake, do you wish to briefly chime in as well?

**Mrs. Towle:** Mine is very brief, Mr. Speaker. One of the things I do want to bring to the House's attention is that the sign, which we will table a copy of, actually does not state that parliamentary approval is coming. It does not say that it's to be tabled. It actually says, "Alberta Government, Building Alberta: Enhancing Safety on Alberta Roads (Bill 32), Honourable Alison Redford, Premier." This sign was already placed out in the public before coming to be tabled in this House. So, clearly, that is absolutely false, and clearly we have a right to stand up and talk about that. If the hon. minister would like to retract that, that'd be super.

This was also tweeted six times by the press secretary for the hon. Minister of Transportation. Also, the speech in Sherwood Park had many, many, many details, details that we were not aware of here as the Official Opposition.

Also, the hon. Minister of Human Services' speech today was the same as a speech on March 4, 2003, when the Speaker actually ruled against him and ruled in favour of the person who brought

forward the action. I would just like to bring the Speaker's attention to that as well.

**The Speaker:** Well, it's been an interesting 45 minutes on hearing the points for and against the subject at hand. Let me just remind everyone here that a point of privilege under Standing Order 15 is actually the most serious charge that one MLA from this Assembly may bring forward against another. If you're not familiar with it, I encourage you all to look at page 10 of our Standing Orders, where it talks about "a breach of the rights of the Assembly or of the parliamentary rights of any Member" and how that constitutes a point of privilege.

There are at least two major issues that need exploring here, the first of which is whether or not there was leakage of the actual bill and, if so, in what form. The second is the issue of the alleged advertisements that may or may not have occurred and what they might have concerned and, in that general context, what, if any, details that are directly out of the bill may or may not have surfaced and, if so, in what form.

Then we get into a lot of other issues with respect to comments that were made by various members who just spoke pertaining to whether a breach occurred regarding any of the above or what might subsequently follow. Was there any contempt in that regard? Several citation comments were made by a couple of the speakers, including some from *Erskine May*, including some from *Maingot*, and perhaps elsewhere, and I took about five pages of notes in that respect.

4:00

There was also a comment made about media briefings. I will review what we consider to be a media briefing and see if we have a definition that pertains to that, notwithstanding what was said about the previous Speaker's ruling and also what context that all occurred in.

Did some folks receive a technical briefing or not is another matter that I'm going to review in the *Hansard*, that is being recorded as we speak. I know that no one would like to take away the concept of briefings by ministers with and for members of the opposition, especially the official critics. That's a very important point, so there are some grey areas here that need attention if nothing else.

Others talked about the authorities of the House. I want to review those comments carefully.

Other members mentioned issues pertaining to billboards and other forms of advertising. I want to take a look at that as well.

There were comments made about three-column documents and in what forms they appeared, all be they not in final form, not even in draft form, but I want to review the comments that have been made in that respect as well. The idea of sharing concepts and sharing details and sharing briefings is a very serious matter when we're dealing with bills that are to come forward to this House.

I'll just wrap up by saying that the comments made by all of you warrant a further study. I was hoping that they wouldn't, frankly, so we could move on, but I do find myself in the unique position of having to spend a little bit of time, at least tonight, perhaps more time tomorrow, reviewing this because of the nature of it and because of previous precedents and the context within which they all arose. There were federal examples given, there were provincial examples given, and the list goes on.

With that in mind, I will review all of *Hansard*, including what other facts and details I can get my hands on, working with individuals under my employ directly to come back with a further update and a ruling on this as soon as I possibly can, and I would

hope that would be tomorrow. We'll leave the matter there until that time.

### **Orders of the Day**

#### **Government Bills and Orders**

##### **Second Reading**

##### **Bill 29**

##### **Pharmacy and Drug Amendment Act, 2013**

**The Speaker:** The hon. Minister of Health.

**Mr. Horne:** Thank you very much, Mr. Speaker. Today I rise to move second reading of the Pharmacy and Drug Amendment Act, 2013.

On June 19 the federal government announced that amendments to their Food and Drugs Act as well as the food and drug regulations would take effect on December 19. The amendments allow the federal Minister of Health to create an online prescription drug list, which will be easier to access and be updated more frequently. The prescription drug list will replace the current list found in schedule F of the federal legislation. Mr. Speaker, there is no policy change to our scheduling of drugs with these amendments, and there is also no cost to the government.

Mr. Speaker, those are my comments on second reading, and I would move that we adjourn debate at this time.

[Motion to adjourn debate carried]

#### **Public Bills and Orders Other than Government Bills and Orders Committee of the Whole**

[Mr. Rogers in the chair]

**The Chair:** Hon. members, I'd like to call the Committee of the Whole to order.

##### **Bill 207**

##### **Human Tissue and Organ Donation Amendment Act, 2013**

**The Chair:** Are there any questions or amendments to be offered with respect to the bill at this time? The hon. Member for Calgary-Foothills.

**Mr. Webber:** Yes. Thank you very much, Mr. Chairman. It is with great pleasure that I finally rise for discussion here in Committee of the Whole of Bill 207, the Human Tissue and Organ Donation Amendment Act, 2013. Now, as many of you know, this bill started out its life as a private member's bill and was adopted as a government bill during the spring session. I have to praise thanks to the hon. Member for Dunvegan-Central Peace-Notley for allowing me to take over his private member's position in order for it to come up for debate.

I also would like to thank the overwhelming support of third-party stakeholders, many of whom are up in the members' gallery and the public gallery here today; the government members for supporting this wholeheartedly through the process; and also the opposition members as well for their overwhelming support of Bill 207.

Mr. Chairman, Bill 207 takes action to improve Alberta's organ and tissue donation rates. Now, the intent of the legislation is to establish a provincial organ and tissue donation agency and an online consent-to-donate registry as well as to increase public

awareness and education about donation in Alberta. Consultation on the implementation of the bill occurred all of September and October. I led this committee as chair of the Alberta provincial advisory group for organ and tissue donation. It consisted of many transplant doctors in Alberta and critical care doctors. It included nurses, liver and kidney foundation representatives, and, of course, many community advocates as well.

Mr. Chairman, during second reading a number of colleagues around the room here stood up and spoke, and I would like to just address some of the comments that were made; in particular, the Member for Edmonton-Calder, who had some very good points that he came up with, that I took under serious consideration. One of them was that many Albertans don't have drivers' licences. Of course, drivers' licenses are part of the bill, where I hope to have registries ask people who are applying for their driver's licence or are renewing their driver's licence whether or not they intend to donate their organs and tissues. The hon. Member for Edmonton-Calder raised the issue that many Albertans do not drive, and there is a huge number of them that we have to also tap into, so I will be putting forward an amendment later on regarding this.

Also, some other points that he brought up. Does and can the family trump the consent wishes of a deceased? Currently, yes, they can, which is unfortunate, but I do hope that with this agency and this consent that we are asking Albertans for that they will go out and talk to their family members and express their deep wishes of wanting to donate their organs and tissues so that families don't trump the wishes of their deceased loved ones.

He also talked about performance measures and monitoring. Of course, that certainly will be a part of the bill and the agency once it comes into operation.

**4:10**

Then he brought up the issue of costs. What might this cost be? That is a very good question, hon. member. All I can say is that the Trillium Gift of Life Network that operates in Ontario right now, a wonderful, wonderful agency, has certainly increased their donations considerably since this agency has been in operation. The cost to run the Trillium Gift of Life in Ontario is budgeted at \$21 million a year, but that \$21 million includes 21 hospitals around the province ready on a moment's notice when the opportunity of potential organ procurement arises. The staff there are trained in all 21 hospitals, and they are basically ready to go on a moment's notice. Really, hon. member, this agency will save lives, so I don't particularly care what this will cost. It will save lives, so that is what is important.

The hon. Member for Calgary-Mountain View expressed some issues here as well. I appreciate you speaking in second reading, hon. member. You talked about opportunity costs and prevention programs, very good points. Absolutely, of course, it is important for the Alberta government to implement prevention programs so that individuals, you know, take precautions in order to limit injuries from sports. Those are the things that you talked about. I don't know how that really fits in with the organ and tissue donation agency, but perhaps you can comment on that later.

Also, hon. Member for Innisfail-Sylvan Lake, thank you for your comments during second reading. You talked a bit about cornea transplants and the long list of people in Alberta waiting for these cornea transplants. Of course, the hon. Minister of Health just made an announcement a couple of days ago regarding cornea transplants and how we are going to bring down that list considerably through bringing in corneas from elsewhere.

You talked a bit about your brother Ron as well, which was very moving, hon. member, and you talked about how he could not donate his organs and tissues at the time of his death. I know

exactly how you feel. My dear wife, who passed away a few years ago, told me three days before she passed that she was very sad that she could not donate her organs because of the cancer that had been inflicted upon her body. I will never forget that. That has stuck with me today and is one of the main reasons why I am up here now pushing this bill. So I feel for you as well.

Also, hon. Member for Calgary-Mackay-Nose Hill, I appreciate your very good comments regarding presumed consent and the fact that other countries around the world, Spain in particular – and you mentioned many others, 25 to 26 other countries around the world – have presumed consent so that when an individual passes away, they are automatically presumed to be donors unless indicated otherwise. You had wished that at some point our government would take a bold step and move toward presumed consent, and I'm hoping perhaps someday we can go there. Of course, I'm more concerned right now about getting this agency up and running, getting it going, and perhaps down the road being able to talk in this room here again with regard to presumed consent. But note well taken, and I would say that I would agree with you as well on that matter. So thank you.

Of course, the hon. Member for Calgary-McCall also stood up and talked about the education aspect of this bill and that we need to get out there and educate Albertans regarding organ donation. Absolutely, hon. member. I thank you for your contribution in second reading.

I especially would like to thank the hon. Member for Grande Prairie-Wapiti, who shared the story of his son Troy and how he shared his gift of life with many, many people in the province of Alberta and other provinces as well, I understand. Hon. member, my heartfelt thank you to you for sharing your wonderful gift with us.

Now, Mr. Chairman, the Alberta provincial advisory group for organ and tissue donation that met this summer: we met with many stakeholders, both external and internal. We had sessions in Edmonton, Calgary, and within the government. There were numerous themes that were heard during the consultation process and a number of amendments that were suggested to us in this bill, and I will be sharing some amendments here. I'm hoping that we can discuss the amendments here in the near future, but right now I just would like to talk about the consultation process and this committee that met over the summer. Overall, there was strong support for the creation of a provincial structure and a single voice related to organ and tissue donation.

Now, regarding the creation of an agency to co-ordinate organ and tissue donation activities in Alberta, we heard that a single provincial structure will help to co-ordinate access to donated tissue and organs across Alberta and result in more effective and streamlined processes, that resource allocation would be improved with a separate designated sustainable funding stream, and that having the agency directly linked to the Minister of Health and accountable to government is key to the success of this agency. We also heard that building on what works and past consultation is very important and that key purposes for the agency are co-ordination, support, education, oversight, monitoring, measurement, and accountability. We also heard that the agency should support and research the best practices around the country and around the world.

Regarding the creation of an online consent-to-donate registry we heard a lot from this committee. We heard that sustained efforts in building and maintaining public awareness is key to success. We heard that the ease of registering is essential. We heard that the ease of consent retrieval is important to health care providers and that governance and management of processes and

legalities are key considerations and that integration of Service Alberta's online portal was strongly recommended.

I do have to thank the hon. Minister of Service Alberta and his staff as well for participating in this and for the wonderful co-ordination and co-operation they gave to us during these consultation periods. Thank you sincerely.

We also heard that if Alberta Registries is the preferred option for collection of consent, fees for services will need to be addressed as well and that there are numerous resources and supports that can provide assistance in identifying lessons learned and implementing best practices in registry development.

Now, Mr. Chairman, there are a number of amendments that I would like to bring forth here, amendments that were talked about during our sessions this fall with the provincial advisory group, so I would ask that we issue the amendments. I hope that they're out there to be issued. Okay. I guess I will do that first.

**The Chair:** Sure. Hon. member, we'll just pause and have the pages distribute the amendment and catch a breather, and then we'll ask you to speak to the amendment.

**Mr. Webber:** Sure.

4:20

**The Chair:** Thank you.

For the record, hon. members, since this is the first amendment to this bill, we will call this amendment A1.

Hon. member, you make speak to the amendment.

**Mr. Webber:** All right. Thank you, Mr. Chairman. Just a point of clarification here. There are seven proposed amendments to this bill, and there are – I won't say that there are housekeeping changes, but there are changes. Do I include all amendments in one? Do I talk about them all right now?

**The Chair:** It is considered one amendment, hon. member, which would include all the changes that you are proposing unless you're telling me there are others. If these are all the changes that you are proposing contained in these two pages, then combined they are considered one amendment, A1, so you can proceed to speak to the entire list.

Thank you.

**Mr. Webber:** Thank you. Excellent, Mr. Chairman. I will try to do that in a way that you will understand because it is a little bit confusing here right now.

Anyway, currently in Bill 207, Mr. Chair, when an adult applies to a registry to obtain a driver's licence, they will be asked whether or not they want to consent to donate their tissue, organs to the health care system. Now, the proposed amendment in section 4.2(1) of the bill will include this question being asked for both operators' licences and identification cards for people without a licence. That was brought to my attention, of course, again, by the hon. Member for Edmonton-Calder. This amendment is important because this bill right now focuses mainly on drivers, and as such it excludes over 180,000 identification card holders who may wish to donate their tissue and organs. The amendment to 4.2(1) is one change that we would like to make there.

Now, the proposed amendment to section 4.2(2)(a) will make a slight wording change to enable consent information provided at the registry office to be transmitted to the online consent-to-donate registry. Now, since there is no need to have the agency involved to transmit this information, the words "Alberta Organ and Tissue Donation Agency for inclusion in the" will be removed, if that

makes any sense. So it will read that the information be transmitted “to the online registry.”

Okay. Current wording in section 4.2(2)(b) of Bill 207 suggests that we affix a sticker on the operator’s licence to indicate a person has provided consent to donate. Now, the amendment that I’d like to make here would allow for the printing of a code or symbol rather than a sticker on the licence so that printing would be attached to the driver’s licence or the ID card, indicating consent to donate. These changes are necessary because there are a range of problems with stickers, as we probably know, including that anything not laser engraved onto a card will eventually wear out or peel off or get damaged, so we are suggesting an amendment there to have it laser engraved onto the licence rather than a sticker.

Also, the current wording in section 12.1(2)(b) says that one of the purposes of the agency is to “educate the public and increase awareness about donation in Alberta.” The amendment being proposed is to replace the words with the following: “educate the public and health care community and increase their awareness respecting tissue, organ and body donation.” The goal with this change is to establish outreach programs and comprehensive communication campaigns to increase awareness about donation, not only to the public but to the health care community as well. That is another amendment.

One final amendment is to section 12.1(2)(c), the words “manage, deliver and encourage use of the online registry.” That will be substituted with wording like “support, encourage and oversee the use of the online registry.” Now, the intent of that amendment, Mr. Chair, is to be clear that while the oversight, support, and accountability of the registry rests with the agency, the management and delivery of the registry may be better served by utilizing existing resources within government such as Service Alberta or the Department of Health. [Mr. Webber’s speaking time expired]

**The Chair:** Thank you, hon. member.

**Mr. Webber:** Well, actually, Mr. Chair, I’ve got one more amendment. Can I speak on that, or is my time up?

**The Chair:** Sure. Would you just go ahead and finish your point, then, hon. member?

**Mr. Webber:** Okay. Thank you.

One other amendment, section 4.2(1), that refers to an adult providing his or her written consent, will be removed to be consistent with terminology throughout the act. We only use the term “consent,” not “written consent.”

Also, section 4.1, changing the term “individuals” to “adults.” The term “individuals” is not used in the act, so this change will also ensure language consistency between the bill and the act.

Again, those are the seven amendments. I know that they’re rather confusing, but perhaps we can talk about that.

Thank you, Mr. Chair.

**The Chair:** Thank you, hon. member.

Hon. Member for Calgary-Fish Creek, you have a clarification you’re asking for?

**Mrs. Forsyth:** Yes. Thank you, Mr. Chair, and thank you to the hon. Member for Calgary-Foothills. Of course, I don’t need to tell him about how much I support this bill.

**The Chair:** Hon. member, are you asking for a clarification, or are you speaking to the bill?

**Mrs. Forsyth:** I will get to that in just a second.

**The Chair:** Okay. Thank you.

**Mrs. Forsyth:** I guess what I’m asking this member – and I think it’s important – is about the fact that he’s asked to have these amendments done all at once. You’ve agreed, and it’s on one sheet of paper. I’m wondering if the member could be kind enough to start breaking these down into A1, A2, A3. The reason I say that is that we’re scrambling trying to figure this out. With one of the amendments that he’s proposing, we have a similar amendment, which then makes for some confusion. Is it a subamendment or something like that? If we could just start with, you know, where he’s talking about where section 3 is amended and vote on that, get down to the next one. He’s changed 4.2 considerably, and we’re trying to absorb all that.

Then we go to section (b), which is really – I’m trying to learn this very quickly – one of the places where we would like to propose an amendment if we can. Then it gets quite confusing because he’s included the health care community in that amendment, which I think is key to increasing awareness. Could we maybe ask the member if he’s prepared to do that and then start debating each amendment separately?

**The Chair:** Okay. Hon. member, you’ve heard the request.

**Mr. Webber:** Thank you, hon. member. I know this is quite confusing. I knew that it would be better if we were to break down each section and talk about that. Absolutely. Let’s do that. Let’s start with the first amendment.

**The Chair:** Hon. member, if you’re amenable to that, just so we can give other members a chance to speak to your proposals, my suggestion would be that the first portion would become A1A and then A1B. Then under section B – I’ll get to you in just a minute, hon. Government House Leader.

Just to be clear, then, a clarification for the Member for Calgary-Fish Creek. If we broke this into section A as a subamendment and then section B as another subamendment, would that deal with your concerns? Then I’ll find out if that’s amendable to the member.

4:30

**Mrs. Forsyth:** Well, Mr. Chair, I’m going to have to get some advice, obviously, from my House leader and from the table officers because the amendment that we will be proposing is under section 6, which I think possibly. . .

**The Chair:** That’s referenced under B.

**Mrs. Forsyth:** We’re actually going to amend 12.1 by striking out – I really would like to get some clarification.

**The Chair:** Just to be clear, then, hon. member, it sounds to me that what you’re requesting – and again, I’ll clarify if this works with the sponsor – is that section A could be subamendment A1A, and then the portion that’s labelled B would be A1B. We would deal with them in two parts.

Hon. Government House Leader, did you want to chime in before I went back to the Member for Calgary-Foothills?

**Mr. Hancock:** Well, I think you’ve finally got to it, Mr. Chairman. There are really two amendments here or two pieces to it. It’s one amendment but two pieces: section A, which amends section 3, and section B, which amends section 6. You can split them into two. I know the House is quite keen to deal with this bill, and

from what I hear from the Member for Calgary-Fish Creek, she's got a subamendment to B. You don't actually need to split it to do that. You just move the subamendment to section B. If you want to split them, it's A and B.

**The Chair:** It's just A and B. That's the proposal at this point.

The hon. Member for Calgary-Foothills.

**Mr. Webber:** All right, Mr. Chair.

**The Chair:** To be clear, then, the proposal is that you would split this into A1A and A1B, to be voted in two pieces.

**Mr. Webber:** All right.

**The Chair:** You can live with that?

**Mr. Webber:** I can live with that, Mr. Chair, absolutely, whatever can bring clarification to the room here.

**The Chair:** Wonderful. Thank you.

I'll recognize the next speaker, then. The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Mr. Chair. It's my honour to rise today and speak to Bill 207. As I said earlier, in the gallery today are two of my friends and constituents, Murray McRae and Melodie Helm. Years ago Murray was diagnosed with a rare degenerative eye condition called keratoconus. This condition causes changes to the structure and curvature of the cornea that often result in a substantial vision loss, streaking, and sensitivity to light. This condition can affect one or both of the eyes. If the condition afflicts both eyes, the deterioration in vision will eventually take away the patient's ability to do everyday things like read a book or drive a car. In 25 per cent of the cases a cornea transplant is eventually needed. Murray found himself among this 25 per cent. Murray needed a transplant in both eyes. Murray has since had cornea transplants in both eyes but does require a second transplant in his left eye. He is told that his turn is imminent, but to reach this point, Murray has had to wait five years.

He knows first-hand what the gift of an organ donation can mean. It is thought that at any point there are around 400 people on a waiting list for some kind of organ or tissue transplant here in the province. It is also known that a person who decides to donate their tissue and organs upon their death has enough usable tissue and organs to save up to 40 lives.

Bill 207 truly means the difference between life and death for many Albertans. For others Bill 207 means the difference between two vastly different qualities of life. As legislators we owe it to Albertans to create the highest quality of life possible for our constituents, and when facing a health crisis, Bill 207 goes a long to make sure that that dream of those constituents becomes a reality.

The barrier in Alberta has often been the absence of a registry system that potential donors can sign up for and make their intentions known while they're still in good health. Murray and Melodie have initiated a golf tournament in central Alberta called the Bionic Golf Tournament in support of human organ and tissue transplants. It began in 2011 and has grown each of the three years since its inception. All of the money raised goes directly to the HOPE program, which stands for human organ procurement and exchange, based out of the University of Alberta hospital.

Organ donation is an issue that doesn't land on many people's radar until it affects them or someone close to them. We need to take a cue from people who have been affected by organ donation

and who have been loud and clear over the years like Murray and Melodie and support Bill 207, which aims to create a simple, easy, online registry for organ donation. The donor card system simply creates too much room for error. What if the donor has forgotten to sign his card? What if the donor is not carrying his card at the time of death? Personally, I carry my legion card, and I have signed the organ donation portion on the back, but what happens if this isn't on me when I pass away?

Bill 207 solves these issues and others, and it seems to me that anyone who desires to be an organ donor in death will be successful. This is a simple and doable task which will save and improve lives here in the province. Opportunities for organ donation are relatively rare, and the impact is life-saving. Given the opportunity I'm confident that an unprecedented number of Albertans will answer the noble call to be an organ donor. If 10 people can save 40 lives, imagine the impact of 20 donors, 100 donors, or a thousand donors. The possibilities are truly endless. That is why I'm here supporting Bill 207.

Mr. Chair, I'd like to finish by asking all members of this Assembly, my colleagues, to support this bill so that we can truly make a difference in the lives of Albertans. Thank you.

**The Chair:** Thank you, hon. member.

I'll recognize the Member for Fort McMurray-Wood Buffalo.

**Mr. Allen:** Thank you very much, Mr. Chair. It's my pleasure to also rise to support Bill 207. First of all, I'd like to start by taking the opportunity to thank and commend the Member for Calgary-Foothills on his hard work and diligence in bringing this important piece of legislation forward. Every year thousands of Albertans and their loved ones wait anxiously on the list for just any kind of word of a possible transplant, and I believe this crucial piece of legislation will help increase organ and tissue donations and decrease preventable deaths. In addition to that, it's brought a lot more awareness to it. How many people do you talk to that, as soon as you bring it up, have not even signed the back of their driver's licence or given much consideration as to whether or not they would be a donor?

Section 7 is the most important part of the act as it makes it mandatory that the medical practitioner consider and document the medical suitability of the deceased person's tissue or organs for transplantation to waiting patients. This will create accountability and ensure full compliance with the Human Tissue and Organ Donation Act of 2006. Over the last couple of years waitlists have increased. I've heard from my constituents that standards and guidelines for medical practitioners would greatly help in the decisions regarding suitability for donations.

Again, I thank the member for providing his leadership in introducing Bill 207. Mr. Chair, earlier we heard the Speaker mention that there seemed to be a lot of love in this room. I'm feeling a lot of love on this bill, and all members are very supportive of it. I urge everyone in the Assembly, government members and opposition members, to support this bill and for the government to move immediately to royal assent and proclamation.

Thank you.

**The Chair:** Thank you, hon. member.

Are there others that wish to speak? The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Mr. Chair. I, too, commend the member for this important advance in medical care for people who have no other option. I will reiterate just a little bit of my comments from before. For the record, there are quite a number

of, I guess, chronic illnesses associated with organ failure that are preventable: infectious diseases of the liver, for example; smoking and lung failure; some of the workplace diseases, particularly farmer's lung and coal miner's lung. Some of these that eventually require transplants for organ failure are preventable. Some of the injuries that can occur are associated with active sports. If proper instructions and prevention measures are in place, if education is in place, some of the injured organs can obviously be affected. Perhaps the most common one where lifestyle factors contribute is heart disease, an obvious one. We're seeing dietary and lifestyle choices affecting arterial and cardiac function.

4:40

We could be doing so much more than we are in this province, where only 3 per cent of our budget goes into prevention programs, including education. There's a tremendous opportunity here to not only reduce the ongoing health care costs but the need for transplant if we actually implemented some of what we could do in prevention programming from conception: mothers' immunizations, for example, mothers' nutrition, and then lifestyle choices affecting various of the offspring organs.

I want to put a pitch in again for leadership on prevention in this province, where we spend \$17 billion patching people up after they break down. Most developed countries are investing much more than 3 per cent of their health budget into prevention programming. We can do more. We must do more. Our health care system will thank us, our population will thank us, and we'll have a quality of family life and community life that will be unparalleled.

Having said that, only one question hasn't been entirely clear to me or discussed, and that is revoking consent. It's not entirely clear to me how one changes one's mind about the decision at one point committed to, and I hope there's a fairly straightforward mechanism for addressing a change of mind, a change of heart, if people have given consent and then decide to revoke that consent. Apart from that I also applaud the work together with Service Alberta and the importance of making this as easy and painless as possible, but again there have to be some checks and balances in order to allow people to change their mind at some point if they decide that for whatever reason they are not comfortable or can't follow through on the commitment of organs that they previously made.

Having said that, I don't think anyone would vote against this important, systematic, evidence-based, and thoughtful approach to both registering and ensuring that the whole health care system is geared to the very complex IT registry issues, communications issues, rapid response issues that have to be involved in these critical life-and-death issues, that are matters of minutes at the time of an accident or injury or an unexpected death. Everything has to be in order or we just lose tremendous opportunities for this life-saving measure.

Again, this caucus will be supporting this bill, and I look forward to rapid proclamation of the bill as well so that things can move forward on an active basis within the health care system.

Thank you.

**The Chair:** Thank you, hon. member.

Are there other comments on the amendment? The hon. Member for Strathmore-Brooks.

**Mr. Hale:** Thank you, Mr. Chair. I would also like to commend the member for putting forward this bill. I've heard a lot of great comments from him regarding this bill, and I realize the passion that he has with this bill, and I think it's great. From our conver-

sations around the room, I don't see anybody who would be opposed to this.

I know that in my small town I had a young gentleman who had some really significant heart changes and waited for years to try to find a new heart. Actually, it came a little bit late. He ended up passing away, but if there would have been access to a heart across the province or across the country, a little bit more access, it hopefully would have helped the situation. I also know another gentleman – I believe he's from Medicine Hat – that had a double lung transplant. We hear some good stories, and we hear too many bad stories about not being able to have access to organs that could have been donated. I think it's, you know, great to see, and it's something that will help everybody in Alberta and, hopefully, across the country. I can speak for myself, and I'm in full support of this member's bill. Hopefully, we can get it passed and totally completed and get it out into the public so everybody can start benefiting from it.

Thank you.

**The Chair:** Thank you.

The hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Mr. Chair. I actually have a few questions that I'm looking to be clarified by the hon. member. The first question that I have is: what is the process if a registry owner does not necessarily believe in this bill and chooses not to comply? I have that question.

With the Alberta health care card, for those of us who signed the back of our Alberta health care card as a donor, when we go to the hospital and present our Alberta health care card, is there the potential for those people who self-declare to be added to the registry at some point in time? Are you considering that, or is that further down the road?

A third question. A lot of us maybe don't carry our actual Alberta health care card, where you actually declare that you're a donor, but we do carry the plastic hospital card. I know that in my region we still have the plastic hospital card, so you don't actually have to carry your Alberta health care card. I'm just wondering: if the government decides to implement this bill, would there be the ability to self-declare somehow at the hospital and to be added to the registry or on the back of that card or something that would improve your chances of getting more people onto the registry?

I would like to speak to this bill, but I'm just wondering if you can answer those questions first.

**The Chair:** Thank you.

The hon. Member for Calgary-Foothills.

**Mr. Webber:** All right. Well, thank you, hon. member, for those questions. Again, I apologize for the amendments. I maybe was not that clear, but I think that if we do go through each and every amendment, we should be able to get through this without pain.

With regard to your questions, hon. Member for Innisfail-Sylvan Lake, for most of the details that will occur with the registry, those decisions will be made after this bill is passed, and the consultation period will then come and continue on.

This bill is the first step. Once the agency is implemented, then we're going to bring back the health care communities. The committee that I sat on over the summer: many of those members will come back, and we'll discuss the details that you're asking about with regard to registry owners. If they don't agree with wanting to participate: that's a very good question. That is something that will have to be talked about in the future, down the road.



Health care cards added to the registry: absolutely. It is difficult to determine who has signed the back of the cards until they show their cards. I personally think that signing the back of the health care card will sort of phase out and that individuals will go directly to the registry to indicate their intent and their consent to donate. That's what I would like to see because, basically, I think that signing the back of health care cards is prehistoric, and we need to move to a better system than that. Likewise with hospital cards. There are many venues that we can go to and tap into individuals to ask them whether or not they want to be organ and tissue donors. This is just the start, the identification cards and the drivers' licences. Perhaps down the road we can implement other ways of asking individuals whether they want to be donors or not.

This is an evolving agency. It's going to take time to evolve, to have it run smoothly. It's going to take time, and it's going to take steps. Right now I'm more concerned about passing this bill so that we can implement this agency, and then they can start to delve into the details.

Thank you for those questions.

**The Chair:** Thank you.

The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thanks, Mr. Chair. I'm pleased to rise and speak on this bill, including, I believe, amendment A1A. I need to get some clarification from the hon. member. I understand this because, like he, I'm anxious to get it passed. I, as he is well aware, brought forward a private member's bill. It went to the committee, and then another private member's bill came from, I believe, two or three other members from the government in regard to organ donation.

4:50

I truly, truly think we have wasted so much time, when this bill could have been proclaimed five years ago. I would love to think how many organs could have been donated while the government sits on this. Now, there have been – what? – four, to my knowledge, private members' bills that have been passed on this in particular that are stuck in limbo somewhere. For me and, I'm sure, for this member it's quite frustrating because I know how passionate he is.

The questions that we're asking and trying to get some clarification on are on the comments that you've been making since we've been debating this bill, for the last hour or so, questions that the online registry team or group, I guess, if you want to call it that, is going to be dealing with when these questions come to them. The Member for Innisfail-Sylvan Lake talked about: what if you have a registry that for religious reasons or whatever reasons refuses to do that? How are you going to deal with that? That is a very important question.

You talk about the Alberta health care card. I signed my health care card – I don't know – umpteen million years ago. I've been an organ donor probably longer than some of these people that are in the House, which is embarrassing for me to say. What about the FOIP legislation? Has anybody checked with the FOIP commissioner in regard to the privacy issue of the health care cards? Is she aware of the situation, and is she onside with it? There have been, quite frankly, many, many, Albertans that have signed their Alberta health care card and are assuming that that health card is going to be their permission to donate their organs and who may not even think about registering online.

One of the amendments that we're going to talk about later: you talk about if the person doesn't drive and that you've made an amendment with regard to the identification card. Fine. Some

people get identification cards. What about talking to the family doctor and initiating the family doctor's having some sort of a discussion in regard to signing up on the online registry? The government has mentioned in this Legislature before about how they are educating the health care professionals in regard to immunization. Why can't we look at that?

Member, you know, we are going to be supporting your amendments. We're like you. If this bill goes through the House today and we get to Committee of the Whole this afternoon and you get into third reading tonight, then you're on your way to proclamation, which I think is great. I guess, for me, that when you talked about the cost and you said that you didn't care what it costs, I agree with you. I mean, \$21 million in the budget that we're seeing that this government has is peanuts, quite frankly. The cost to the system, as up front as it may seem, is going to be down the road a lot less.

I mean, I had a cousin that waited for a double transplant, who ended up in the hospital for months and months and months waiting for a donation and, unfortunately, didn't get it. I'm dealing with a friend right now, a very, very, very close friend of mine, that has got a 1 per cent chance of survival. He's in the Foothills at this particular time. He knows it's his time. We've talked. But I don't know, as much as I love his family, if they've even considered the idea of approaching him in regard to organ donation. You get into that fine line of seeing your dad lying on a bed and looking pretty good. He's now given a 1 per cent chance of survival, and he's made the decision in his life that he wants to move into the palliative care program. Then again, whose responsibility is it to approach him to see if he's got some organs or, for that matter, some tissue?

There are so many things. My concern, quite frankly, to the Member for Calgary-Foothills, is: is this bill, once it's been proclaimed, going to spend all of its time where the other bills are that have been proclaimed that have never been passed into law? The government can do this huge news release and say: Bill 207, the Human Tissue and Organ Donation Amendment Act, 2013, has passed through the Legislature. And it sits and sits and sits because it's never gotten royal assent. I'm sure, knowing you as well as I do, of how diligent you will be in forcing your government to have the LG in and get it done and then follow through with your agency in getting all of the i's dotted and the t's crossed. So you can say by the end of the year, which would be virtually impossible, to my knowledge, because you've got lots to do, hopefully by the middle of next year, that this agency is up and running, that it's got its dollars, and that it's making progress. When we come back into session, you can sit back and tell us the progress of what has happened with all of the hard work that has been put into this bill for many years.

I'm going to suggest, if I may, that we start on amendment A1A and call the question, and as we get down to A1B, which the Member for Innisfail-Sylvan Lake has some questions on, we're going to be providing a subamendment – sorry; I have to sign the subamendment – to make your bill stronger, obviously, so that we can move forward on this and get on to some of the more contentious or more questionable pieces on A1B. Then we can get to section B, where we want to propose a subamendment so that we can get this through the House as quickly as possible.

**The Chair:** Thank you.

Are there other speakers? The hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you. First of all, I want to thank the hon. member for bringing this bill forward. Most of us spoke to this bill

in second reading, and it was very passionate. I have to say that when I knew this bill was coming up today, I went back and read what I had said then, and while that all still stands today, I am still so incredibly moved by what the Member for Grande Prairie-Wapiti had to say.

Over the summer, when I was meeting with constituents, I shared parts of your story when people said that they weren't sure about why they would make this decision. I shared your whole story with my husband. As many of you know, I spoke in this House before about my husband being one of those people who are fearful of this bill. He was moved by your story. It was interesting. He said that one of the things that he hoped never to have to do is to be in the position that you were in. But he was also moved that you were so selfless to actually take that position and save so many other people.

While I'm sure he won't admit it, I'm pretty sure I've changed, and I think that even in those comments that day I said that I would win, and I did, so it was a good day. One of the things that he mentioned to me about that conversation on the discussion: at which point do you have it, and how do you alleviate fears that are legitimate fears? I've always been a donor, just like the Member for Calgary-Fish Creek. I've been a donor since the time I turned 18. From the minute I got an Alberta health care card, I signed it. I liked it at one point in time when I thought the drivers' licences would have that on there as well. I had said to my husband at that point in time that when and if that ever happens to me or to someone I know very closely, he's going to probably have to help me or make that decision himself, and I hoped that he would honour my wishes.

Before your story came to him, one of the things that he mentioned was the fear, the legitimate fear for some, that organ donation really means a quicker death. I think that most of us understand that that's not the case. My experience with health care professionals, physicians, and having been an employee of David Thompson health region for a long time is that our health care professionals are not trying to quicken death or hasten death in any way, shape, or form. What they're trying to do is take the best of a bad situation and ensure that those who are waiting on a very long list get the organs that they so desperately need so that no more have to die than is absolutely necessary. In every occasion, as I understand it, they go out of their way to ensure that the organ donation is at the absolute last point.

5:00

I think the story that you shared with us identified that in such a personal way. I also think that that experience you had and that you shared so eloquently with us and so personally with us also showed us that it's a very scary decision to have to make but that between yourself, your family, and health care professionals you at this point in time are comfortable with that decision and know that it was the best decision possible for yourself and your family. I appreciate your helping to educate us and helping to educate all Albertans on exactly what this process was like. Thank you for that.

About eight years ago a friend of ours went through a heart transplant, and I have to admit I didn't have a true appreciation for what that was like. He was mid-60s, he'd had heart disease for a long, long time, and stayed on a transplant list for a long, long time. You know, he went through periods of ups and downs, where he was told he could get a heart transplant, then he was told he didn't qualify. He'd get close to getting a transplant, and then he'd get sick and get pulled off the list. I remember him expressing supreme frustration with that process. There was no ability for him to push people to any registry. There was no ability to share

with people what needed to be done. Eventually he did get his heart transplant in his mid-60s and, sadly, only lived six months, but I can tell you that those six months for him were life-saving because he'd spent a good five years at least with severe heart disease and was struggling quite a bit.

His family expressed many times that they had wished that there was somewhere they could go where each and every one of them could register, where each and every one of them could make their wishes known very clearly and very succinctly: I want to be a donor. I think that that's what this registry does. This registry allows everybody to self-declare. It allows you to walk up and actually say: I choose this. It allows you to open up a frank discussion with your family about why you're choosing to donate your organs and how you choose that process.

My constituency assistant also confided in me in the last couple of weeks that her grandfather is on the transplant list. Unfortunately, he's been told that he will not receive an organ at all because of his advanced age. And while he knows that, she is a strong advocate for organ donation. She walks every year in the hundred-kilometre walk, and she's been doing that for, you know, five or six years. I applaud her. I sat with her. It's a very emotional journey for anybody who's going through this process. She also expressed support for this bill and also hoped that I would support it and hopes that everybody in this House passes this bill.

I'd like to just take a moment to read a letter that I received today from a constituent about your bill. She has asked for me specifically to read it in the House and to let you know of her support. She says: "My husband and I are business owners and leaders in our community. We are heavily involved in volunteerism in our community and surrounding area. Among various groups we volunteer, and I have been with the victims services unit with our local RCMP detachment for the last four years. We understand our duty to serve, and we take this seriously as do all of our five adult children, who've spent countless hours keeping our community running. I am 51 years old, and I am currently in end-stage renal disease due to an autosomal dominant genetic disorder. I will start dialysis soon, but unfortunately my health care team has assured me that I will not live long enough to reach the top of the transplant list. I cannot believe this is happening to me. Please support Bill 207. Myself and my family need your help."

The time to act is now. Albertans need a Provincially coordinated Organ and Tissue Donation Agency that is well funded and accountable.

Bill 207 brings hope to thousands of families and friends touched by the need for organ and tissue donation. I urge the Government of Alberta to pass Bill 207 and put their full weight behind implementing an Organ and Tissue Donation Agency.

An organ and tissue donation agency will:

- Create a well-funded, accountable provincial agency to manage all aspects of the donation process across the province
- Establish ongoing provincial public awareness campaigns [and]
- Establish an electronic Consent to Donate registry.

In just this past year, 72 Albertans needlessly died for their gift of life. On average, 1 Albertan dies about every 5 days waiting for an organ to become available. Of the top 12 countries ranked for organ donation, Canada sits at 10th. While once the leader in organ donation in Canada, Alberta now has the lowest rate of organ donation in Canada.

In the world, I think she means.

We can do better.

Organ donation not only saves lives, it returns critically ill individuals to active and productive members of our communities.

We need action! Please put your full weight of support behind passing and implementing Bill 207.

I couldn't have said it better myself. Clearly, this is somebody who is absolutely in the stages and on the list. I don't know what I would do if my children or my husband were told: this is your outcome, and I can do nothing to help you.

The only other thing that I would add to what she has so eloquently said in this letter is that it's one thing to pass a bill, one thing to say that we all agree in this House today or tomorrow, whenever this happens, that this bill is right for Alberta. It's one thing for all of us to stand up and talk in support of this bill. It's a whole other thing to stand up and actually proclaim this bill. We sit so few days in this Legislature, and Bill 207, Human Tissue and Organ Donation Amendment Act, 2013, deserves the full weight of every single member in this House to see it proclaimed quickly. Even with all of the business on the table it would seem to me that Bill 207 should have no problem not only being accepted by this House, not only being supported by all of our members but also being proclaimed in a relatively short period of time.

We know the government has the power to move bills through. We've seen it before. We know the government has the power to absolutely do it in an amazing amount of time. Today the government has the support, I believe, of all the opposition parties for this bill. There is the ability today or tomorrow or fairly quickly to pass this bill, and then there's the absolute ability for the Premier of this province to stand up and do the right thing and proclaim it immediately after it is passed.

Thank you.

**Some Hon. Members:** Question.

**The Chair:** The question has been called on amendment A1A.

[Motion on amendment A1A carried]

**The Chair:** We're now debating A1B. The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** I believe we have a subamendment to that.

**Mrs. Forsyth:** No. That's on section B.

**The Chair:** We're now on B, hon. member. Would you like to speak to B? The hon. Member for Calgary-Fish Creek on subamendment A1B.

**Mrs. Forsyth:** This is B on this side, too?

**The Chair:** That's correct.

**Mrs. Forsyth:** Oh, good. Okay. Sorry. Yes, Mr. Speaker, we would like to propose a subamendment if we can, please. You've seen us back and forth with the Member for Calgary-Foothills to make sure that we're all on the same page. I have the subamendment. I would like to have it passed around if I may.

**The Chair:** Okay. If you would send the original to me and have the others sent around, please. Thank you. We'll ask the pages to distribute them. Maybe just pause for a minute, hon. member, while we get those circulated so that others can see what we're talking about.

You can speak to the amendment, hon. Member for Calgary-Fish Creek.

5:10

**Mrs. Forsyth:** Thank you, Mr. Chair. I'm pleased to move subamendment – what are we? A3?

**The Chair:** A1B-SA1.

**Mrs. Forsyth:** I didn't hear that, but I'm pleased to move subamendment A1B. Under "Section 6 is amended in the proposed section 12.1(2)," the member originally had been striking out clauses (b) and (c) and substituting the following. The current amendment reads: "(b) educate the public and health care community and increase their awareness respecting tissue, organ and body donation." In the subamendment that we're proposing, first of all, we're going to strike out "and increase their awareness respecting tissue, organ and body donation," substituting "and work with health professionals and their respective organizations to increase awareness about human tissue and organ donation in Alberta."

I have spoken to the Member for Calgary-Foothills, and we're both passionate about it. I truly appreciate what he was talking about when I went over and talked to him about the health care community because he was looking at the agencies and the cancer boards and things like that that are out there. I was concerned about our health care professionals, which are doctors and nurses and all of the health care professionals that do such a good job on a daily basis. We've both come to an agreement, so I'm going to ask everybody in the Assembly to accept that subamendment.

**The Chair:** The Member for Calgary-Foothills.

**Mr. Webber:** Thank you, Mr. Chair. I don't have any issues with this amendment to the amendment, hon. member. I guess I originally was concerned with the fact that you are not including the health care community, which I had in my amendment here, but when I read this, it says "and work with health professionals and their respective organizations," and to me that basically is the health care community. I don't have any issues with your amendment to the amendment, and I would support that.

Thank you.

**Mrs. Forsyth:** I appreciate what the hon. member is saying. I think probably as a member of the government – and we've read it into *Hansard* that we've both made it very, very clear that we want the health care communities to be consulted as well as our health care professionals. I know full well that this member is probably – I would hope that the Premier appoints him to the advisory committee in some major role so that he can carry forward the issues that have been raised in this Legislature. I have no doubt that will help.

I'm not sure if anyone else wants to speak. If not, I'd like to call the question.

**The Chair:** The question, then, has been called, hon. members, on subamendment A1B-SA1 as proposed by the Member for Calgary-Fish Creek.

[Motion on subamendment A1B-SA1 carried]

**The Chair:** Now we will vote on amendment A1B as amended.

**Some Hon. Members:** Question.

[Motion on amendment A1B carried]

**The Chair:** The hon. Government House Leader, please.

**Mr. Hancock:** Thank you, Mr. Chairman. Given the time and the couple of pieces of work that still need to be done, I regretfully have to move that the committee rise and report progress and beg leave to sit again.

[Motion carried]

[The Deputy Speaker in the chair]

**The Deputy Speaker:** The hon. Member for Calgary-East.

**Mr. Amery:** Thank you, Mr. Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bills with some amendments: Bill 207. I wish to table copies of the amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

**The Deputy Speaker:** Thank you.  
Does the Assembly concur in the report?

**Hon. Members:** Concur.

**The Deputy Speaker:** Opposed? That is carried. So ordered.

### Government Motions

**The Deputy Speaker:** The hon. Government House Leader.

#### Evening Sitings

37. Mr. Hancock moved:  
Be it resolved that pursuant to Standing Order 4(1) the Assembly shall meet on Monday, Tuesday, and Wednesday evenings for consideration of government business for the duration of the 2013 fall sitting unless on motion by the Government House Leader made before 6 p.m., which may be made orally and without notice, the Assembly is adjourned to the following sitting day.

**Mr. Hancock:** Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. Government House Leader.  
This motion is not debatable.

[Government Motion 37 carried]

**The Deputy Speaker:** The hon. Government House Leader.

#### Committee Membership Changes

38. Mr. Hancock moved:  
Be it resolved that the following changes to
- (a) the Standing Committee on the Alberta Heritage Savings Trust Fund be approved: that Mr. Amery replace Mr. Sandhu;
  - (b) the Standing Committee on Private Bills be approved: that Mr. Allen replace Mr. Webber;
  - (c) the Standing Committee on Privileges and Elections, Standing Orders and Printing be approved: that Mr. Goudreau replace hon. Ms Jansen, that Mrs. Fritz replace Mr. Sandhu;
  - (d) the Standing Committee on Public Accounts be approved: that Mr. Webber replace Mr. Allen, that Mr. Luan replace Mr. Goudreau;
  - (e) the Special Standing Committee on Members' Services be approved: that Mr. Young replace Mr.

Rogers, that Mr. Young replace Mr. Rogers as deputy chair, that Mrs. Fritz replace hon. Mr. Fraser.

**Mr. Hancock:** Thank you, Mr. Speaker. There have been a number of appointments to cabinet, et cetera, so there's some need to change some of the standing committees of the House.

**The Deputy Speaker:** Thank you, hon. Government House Leader.  
Hon. members, this motion is not debatable.

[Government Motion 38 carried]

**The Deputy Speaker:** The hon. Government House Leader.

#### Committee Membership Changes

39. Mr. Hancock moved:  
Be it resolved that the following changes to
- (a) the Standing Committee on Families and Communities be approved: that Mr. Allen replace hon. Mr. Fraser, that Mr. Khan replace Mr. Goudreau, that Ms Calahasen replace hon. Ms Jansen;
  - (b) the Standing Committee on Resource Stewardship be approved: that Mr. Goudreau replace Mr. Allen;
  - (c) the Select Special Conflicts of Interest Act Review Committee be approved: that Mr. Luan replace Mr. Allen as chair, that Mr. Dorward replace Mr. Luan as deputy chair, that Ms Kubinec replace Mr. Allen.

**Mr. Hancock:** Thank you, Mr. Speaker. I would move Government Motion 39 in the same vein, that some changes need to be made, in this case to the standing committees of the House.

Now, Mr. Speaker, I understand that there are amendments that are going to be proposed to that. They'll be moved by the deputy whip. They're at the table, so if the deputy whip has one in hand, he'll know it. There are just some late changes that were to be made, but otherwise I would ask that the House approve these changes to the special standing committees of the House.

**The Deputy Speaker:** Thank you, hon. Government House Leader.  
This motion is debatable. I'll just have those circulated, and then we'll deal with the changes as proposed.

5:20

**Mr. Dorward:** Regarding Government Motion 39, I move Government Motion 39 be amended as follows, that, number one, clause (a) is struck out and the following is substituted:

- (a) the Standing Committee on Families and Communities be approved: that Mr. Khan replace hon. Mr. Fraser, Mr. Xiao replace hon. Ms Jansen.

And, two, clause (b) is struck out.

**The Deputy Speaker:** All right.

The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. It's an honour to rise today to speak to Government Motion 39. I'm really referring to subclause (c), which states that Luan would replace Allen – I'm reading from here; I don't think that violates our code or whatever – Dorward replaces Luan as deputy chair, and then Kubinec replaces Allen on the Select Special Conflicts of Interest Act Review Committee.

What I take exception to is the fact that – we have these all-party committees. Obviously, the government members dominate those committees. They're able to push forward every single piece of legislation or amendment to legislation they so choose. I'm on this particular committee where all the government MLAs are

voting one way. It seems that there isn't much process in terms of having opposing viewpoints.

We've seen other committees such as the Public Accounts Committee, for example, which is chaired by an opposition member, the Member for Airdrie. That committee in particular has been working very well. You know, it allows a little bit of a balance. Of course, government members will still have the ultimate authority. They still have the majority of members on that particular committee, the Public Accounts Committee, but having an opposition presence, either in the chair or the deputy chair position on these committees, allows for a little bit of balancing. We see this in other jurisdictions, whether it be provincial Legislatures or parliament.

I'm going to suggest that this is a type of balance that's needed. We've seen a government, that's been in power for over 42 years, that likes to cut the corners in terms of having free debate and the opposition questioning their decisions. I think this is another example. Having a committee that deals with ethics but not having any type of opposition member either in the chair or the deputy chair position, I think, hinders the ability of this particular committee to go ahead and do its work. I question the reason – we're dealing with a subamendment right now, I believe – why this government won't simply alter its position on these committee positions, put an opposition member as a chair or deputy chair, and see how it works.

It's worked for the Public Accounts Committee. I think they get a lot of good work done. It's very thorough. There are various experts that come and present to the committee. The chair of that committee, I think, gets along quite well with the deputy chair, who is in fact a member of government. It's a good to-and-fro discussion in that particular committee. Why can't we have that same type of robust discussion and debate in the ethics legislation?

This specific committee, the Select Special Conflicts of Interest Act Review Committee, is dealing with ethics. We've seen again and again various ethics violations. The Ethics Commissioner has found violations in his most recent ruling. We see that the Premier herself is under a direct investigation by the Ethics Commissioner. In those circumstances one would suggest that there should be at least some level of neutrality there, and I think that neutrality would be done by having a member of the opposition be either the chair or deputy chair of that particular committee.

When you look at the amendments, for example, that were put forward on that particular committee – I believe there were several or perhaps dozens of amendments that were recommended to be made to the legislation, that were put forward by the opposition – virtually every single one was voted down. Obviously, the government members have the majority on that, so that's their prerogative to do that. They do as they please on that committee.

What's the big deal of having either the chair or deputy chair, which is primarily just a function of creating agendas, ensuring that individuals have the ability to participate in the committee meetings, those types of what I would call rudimentary aspects of committee work – I think that this government's ignoring of precedents in other jurisdictions, that actually have opposition members as chairs of particular committees, is quite telling. I think it's telling of a government that's been in power for 42 years, a government that's arrogant about the role and responsibility of the Official Opposition and other members, and I think that by the continuation of not instituting a particular precedent, that's done in other jurisdictions, it's really demeaning the role of opposition MLAs.

I see that there are, obviously, other amendments that have been put forward on different committees, but I would like to focus

primarily on clause (c). The reason I'm focusing on that particular clause is because it's dealing with ethics legislation, and the role of that committee is actually to put forward recommendations for the act. I used a very interesting term of what that act is in its current state.

**Mr. Hancock:** Point of order.

**The Deputy Speaker:** The hon. Government House Leader.

#### **Point of Order Relevance**

**Mr. Hancock:** Yes. On several occasions I understand the hon. member to indicate that he wants to speak to clause (c), but we're actually speaking to a subamendment that deals with clauses (a) and (b). It does not deal with clause (c), so that would perhaps be better reserved for another portion of the debate.

**The Deputy Speaker:** Thank you, hon. Government House Leader.

Hon. member, if you'd keep your comments to the clauses that we're debating on this amendment. You can come back to (c) later.

#### **Debate Continued**

**Mr. Saskiw:** Sure. Just with respect to the particular amendment that was put forward – I guess it's signed by the Member for Edmonton-Riverview – obviously, we just received this amendment tonight here and have had limited time to review it. Of course, we'd like to see these type of amendments come forward in advance. This isn't government legislation. Why aren't amendments given to the opposition in advance? We saw this, actually, even with the previous bill, Bill 207. It would have been nice just to see them in advance so we can analyze the particular amendment, make sure that it's in accordance with what we believe in, but instead we get these types of amendments at the last minute. This government has known, perhaps, what it was going to do on this particular amendment for some time now, but instead we get this last-second amendment on a government motion, and these motions are very important.

I think, you know, the Standing Committee on Families and Communities, which is outlined in this subamendment that was put forward by the Member for Edmonton-Riverview and actually, I believe, moved by the Member for Edmonton-Gold Bar, this particular committee, is very important. Obviously, they do a lot of good work. My understanding is that they've met on regular occasions throughout the summer. I was part of this committee for a short period of time. We'd like to know what the reason and rationale for these particular changes is. We'd have liked to see this in advance to know how these particular individuals are going to benefit that committee because, of course, these committees benefit all Albertans.

When you look at the Standing Committee on Families and Communities, this particular amendment replaces two hon. members. We'd like to see this in advance so we could weigh the costs and benefits of these types of replacements to see what backgrounds and knowledge bases those individuals have in terms of applying their skills to a particular committee.

5:30

In addition, it looks like they've decided to strike out clause (b). Clause (b), in the original government motion, states that Goudreau is replacing Allen on the Standing Committee on Resource Stewardship. Actually, in this instance I'd have to agree with

clause (b) being struck out. I think the member for Fort McMurray-Wood Buffalo, you know, is obviously from Fort McMurray, has a particular skill set in resources, and has a knowledge base in those areas. On that particular subamendment subsection (2) states that clause (b) is to be struck out. I agree with that subamendment to the main amendment because I think that particular member, being from the north, being from the oil sands region, would have that knowledge base on resource stewardship.

I understand that there may have been a reason. It would be nice to know what the rationale for the change was. The original motion had Goudreau replacing Allen, so it would be nice to know what the rationale was for maintaining the status quo. What was the reason for replacing him to begin with? If he was doing his job on the Standing Committee on Resource Stewardship, what was the impetus for the government to put this replacement forward? What was the impetus for reversing it? But, you know, overall I do agree that clause (b) should be struck out.

Going back to clause (a), on the Standing Committee on Families and Communities, it would be interesting to see what the rationale from the Government House Leader is in terms of why these particular individuals are more suited to perform the role on the Standing Committee on Families and Communities. It looks like, just from the names on this replacement, perhaps it's because the two individuals who are being replaced are now in cabinet or are assistant ministers. You know, we have a minister for everything in this government. I think 48 per cent of the PC MLAs are in cabinet. It's kind of a unique situation in Canada when you have so many cabinet ministers and so many titles.

It seems that because of all of these different, new titles that are coming up, these individuals that are being replaced were elevated there, and now members of government who are not in cabinet are in fact replacing those individuals. I'm guessing that's the reason these changes are being made. It would be interesting to know why the government felt these two particular individuals had the requisite skill set to deal with the Standing Committee on Families and Communities. What are their backgrounds? What's the rationale for these changes?

These committees are important. They do a lot of good work. You know, unlike the Legislature, where individuals don't come to provide their expertise, these types of committees can call in experts from all across the country to look at best practices, to ensure that we here in Alberta are adhering to those best practices. So we think these committees are vitally important, and we think the composition of these committees is important as well.

Mr. Speaker, while I do support subsection (2), which has clause (b) being struck out, I'm a little uncertain about clause (a) being struck out and substituted for something else. I don't necessarily know the skill set of these individuals, and I'd like to know more from the Government House Leader about why these particular individuals would be best suited for this committee.

Thank you, Mr. Speaker.

**The Deputy Speaker:** And we'll ask the Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I'm pleased to speak to the subamendment. Obviously, after a great deal of thinking about it, the hon. member realized that members of cabinet are not usually appointed to committees, although they sometimes are, and there's no reason why they can't be. Obviously, the reason those two members are being replaced is because they have been appointed to cabinet.

I find it interesting that the hon. member would make such comments about their appointments given that the people that he's

talking about were appointed as associate ministers for flood recovery, a very, very important aspect of what's happened in Alberta over the last four months, and that he would be critical of the idea that there be cabinet ministers appointed specifically to deal with southwestern Alberta and southeastern Alberta and the High River area to actually focus on the issues and be on the ground there. I find that very surprising.

When he's talking about the number of cabinet ministers and the reason why these particular members have been appointed to cabinet – or one of them. The other one was appointed to cabinet to be an associate minister in the Human Services department to focus specifically on the issues of sexual violence against children and the trafficking of human beings, an appointment that the Premier made which I think was quite remarkable actually, the only one in Canada, to really show that focus and put that focus on the full spectrum of violence, particularly against children, the full spectrum from bullying right to sexual violence. That's a remarkable thing.

But all of that I say just in response to what the hon. member raised about not understanding why we're replacing them. It isn't actually that normal for us to debate the membership of committees in this House. Normally we pass them because our time-honoured tradition is that we ask the opposition to nominate the people that they want to nominate for committees, and we put them in the motion, and we put the people from the government caucus that we want to have on the committees, and the committees are in proportional representation to the membership.

Having said all of that, I understand that there may be a technical issue with the amendment. Therefore, it would be prudent to move that we adjourn debate at this particular moment and move on to Bill 31 so that we can accommodate the Member for Edmonton-Strathcona, who would like to speak to that before we adjourn at 6 o'clock.

**The Deputy Speaker:** Hon. Government House Leader, you're moving that we adjourn debate on this motion?

**Mr. Hancock:** Yes.

[Motion to adjourn debate carried]

## Government Bills and Orders

### Second Reading

(continued)

#### Bill 31

#### Protecting Alberta's Environment Act

**Mrs. McQueen:** Thank you. Mr. Speaker, I'm pleased to rise today to move second reading of Bill 31, Protecting Alberta's Environment Act. This being a money bill, His Honour the Honourable the Lieutenant Governor, having been informed of the contents of this bill, recommends the same to the Assembly.

Essentially, Mr. Speaker, Bill 31 establishes the Alberta environmental monitoring, evaluation and reporting agency, more commonly called AEMERA. This will be the voice of authority when it comes to monitoring and reporting on the conditions of Alberta's environment.

In Alberta's true pioneering fashion, this arm's-length organization will be the first of its kind in Canada. Bill 31 lays the foundation for how this agency will operate: its powers, duties, and functions. It will be governed by a board of directors and led by a CEO. There will also be a science advisory panel within the agency. Their purpose is to ensure AEMERA's programs, practices, and procedures are credible and scientifically sound.

As most members in this House know, there is always increasing demand for development of our energy resources, and its effect on the environment is very real. This has resulted in increased international scrutiny on natural resource development in the province, especially in the oil sands region. To help boost confidence in the provincial monitoring system and to reassure all of our consumers here and abroad, Alberta remains committed to sustainable resource management.

Mr. Speaker, a lot of hard work has gone into the creation of this agency. This all began in 2011 with the report entitled *A World Class Environmental Monitoring Evaluation and Reporting System for Alberta: the Report of the Alberta Environmental Monitoring Panel*. We took quick action to work on the recommendations from the report, and over the last year government has made several announcements regarding the move to an integrated resource management system and enhanced environmental monitoring.

In February of 2012 the governments of Canada and Alberta moved forward on the joint Canada-Alberta implementation plan for oil sands monitoring.

In March of 2012 a group of experts was asked to provide government detailed advice on establishing a province-wide comprehensive environmental monitoring system. The group submitted its report to government in June of 2012, and the primary recommendation was to create an arm's-length agency to oversee environmental monitoring across the province, beginning in the oil sands region.

In October 2012 our government accepted all of the recommendations of the report. An independent board was created to immediately begin work to set up the new system and agency. The team of scientific, academic, and business experts has done an excellent job in giving us recommendations to create an organization that will oversee an improved monitoring system, a system that includes looking at analyzing and reporting on air, water, land, and biodiversity; hence, Bill 31 and the creation of AEMERA.

5:40

This agency will be a significant part of Alberta's integrated resource management framework. Initially the agency will begin its work in the oil sands region and will assume responsibility on behalf of the government for the joint Alberta-Canada monitoring program. While it will initially begin its work with a focus on the oil sands, eventually this agency will look at the entire province. With science at its core the information AEMERA will provide will be credible, relevant, and focused.

To be clear, AEMERA has no regulatory or enforcement role. As the very name suggests, their mandate is to monitor, to evaluate, and to report. They are a data-producing agency, data that is vital to the official decision-making process when it comes to natural resource development projects. This very same information will be provided to the public. Open and easy access to information allows people to form their own opinions and to ask questions. Alberta has nothing to hide and much to gain from informed discussions on these issues. In fact, we encourage debate so people can better understand resource development, including oil sands industry performance and oversight.

Mr. Speaker, it is important to realize that the work of AEMERA will not replace any required monitoring and reporting by companies. Industry will still be required to do this under Alberta's stringent regulations. AEMERA's work on cumulative effects monitoring will complement the required work of the companies.

Mr. Speaker, establishing the agency is another step by this government to assure future generations from here and around the world that Alberta will continue to enjoy its natural resources for work, for development, and for enjoyment. This is yet another step that this government has taken and our Premier has taken to demonstrate to Albertans and the world that we are committed to environmental stewardship and responsible resource development.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. minister.

I'll recognize the hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Speaker. Well, I am pleased to be able to rise to begin debate on Bill 31. You know, there's no question that the objective of the bill, as stated by the minister, is something that probably most of us in this Assembly can agree on. My concern, having reviewed the bill in some detail, is that the agency which the minister is proposing to set up, at least as one can contemplate it under the legislation that we have before us, is not, unfortunately, the vehicle through which we're going to be able to achieve these objectives.

I think probably the best way to go about this is to go back a few years and review some of the history. It was interesting that the minister chose to start the history from the spring of 2011. I choose to go back a little bit further. I was first elected in 2008. I won't go past that. I could actually go back 25 years. There was a time, in fact, when I remember my father in this House raising concerns about air quality and water quality in the oil sands in the early '70s and being assured in a very sort of patronizing way that everything was just okely-dokely.

Fast-forward to 2008, 2009, and the early part of 2010. I, too, would occasionally get up in this House and ask this government and representatives of this government and typically the minister of environment about concerns that were being raised repeatedly by members of the community in and around the lower Athabasca region about the safety of the industrial activity there and its impact on the air, land, and water upon which they all relied.

Repeatedly I was again reassured with the greatest of confidence and the occasional bit of a patronizing tone that everything was just fine up there and that if I just was a little bit smarter and knew my portfolio a little bit more, I would understand that, you know, tar and toxins that were found in the water were naturally occurring, and it's just because I didn't understand oil and gas enough to know that, in fact, it was all safe and it was all natural and everything was unfolding exactly the way it should be. I remember being assured of that repeatedly. You know, if you get condescendingly told that you don't know what you're talking about enough times, you notice that that's being said. You might not think I hear that, but I do hear it.

That being said, though, thank goodness that people far more credible than me finally weighed in on the debate, and I refer in particular, of course, to that eminent personality, Dr. David Schindler, someone to whom all Albertans owe a tremendous debt. In August of 2010 he released his long-awaited report, a report, interestingly, that was not terribly funded by local funders, into the state of industrial impact on the air, land, and water in and around the lower Athabasca region. Because he was such a pre-eminent person, everyone had to listen. His report concluded, of course, that, no, it was not all naturally occurring and that, in fact, significant and notable damage to the air, land, and water, to a level that was a risk for both plants and animals and people, was in fact occurring in the lower Athabasca region.

Now, as a result of that, everyone started scurrying to take some more looks at that, and a couple of months later the royal

conservatory of scientists, I believe, a Canadian consortium of leading scientists on the matter, put out a report which mostly focused on how the monitoring process that had been in place at that point, one that we all referred to as RAMP, had failed abysmally to provide any real guidance or information that was of value to scientists on whether or not industrial activity in the lower Athabasca region was negatively impacting the air, land, and water in that area.

So that report came out, and then at that point the government had to scurry some more, and they actually, probably for the first and perhaps the only time in this process, went directly to some scientists and set up a committee. It was a water monitoring committee. They reviewed the findings of the royal conservatory and also Dr. Schindler's findings, and they concluded that, yeah, indeed, there was, in fact, a fair amount of damage. There was evidence of non-naturally occurring toxins in the air, land, and water in and around the lower Athabasca region. I believe it was that report, not the royal conservatory's, but I might be getting the two confused.

The other thing that I found profoundly important to this discussion in particular was that they said: you know, we just don't really know how government could ever have assured Albertans that there was no negative impact by industry on the lower Athabasca region's air, land, and water, because, quite honestly, there is no data on it, and no one ever actually asked the right questions. It made me think: jeez, I go back to two years ago, and I didn't apparently know anything about anything when I asked those questions, but the ministers knew everything about everything, and they could completely assure us that nothing bad was happening. Then, lo and behold, we find out that the very scientists and the very staff in whom all of us have been putting our public trust hadn't even asked the darn question.

I think it's really important for us to understand that this is the history that then led to the government's need to create this agency. It is, unfortunately, a history of a broken trust, a broken trust with the people who live in and around that community, a broken trust with the rest of Albertans, who are concerned about preserving the integrity of our environment, and, quite frankly, a broken trust with industry as well. That was one of a number of things that continue to contribute to the undermining of our industry's credibility on the international stage. Let me just say very clearly here that our industry's credibility on the international stage, our so-called social licence – I know that's the new term that everyone wants to talk about – is not something you earn by putting out press releases and going through the motions. That's something you earn by doing what you say you will do and actually providing the details for how that will happen.

5:50

That's where I come to a little bit of a problem with this legislation. I'm afraid this legislation really looks more like we're going through the motions. It looks a little bit more like a public-relations exercise, and there are guarantees that are absent from this legislation.

[Mr. Casey in the chair]

Now, I will say, with no disrespect to the current minister – it's not by any means a personal thing – that based on the history of this government on this file as well as on any other file, when it comes to balancing the public interest around ensuring and preserving the integrity and the safety of our air, land, and water, around ensuring and preserving the opportunity for our indigenous communities and all other community members to participate in a fulsome way, where their voice is equal to that of industry, when

it comes to ensuring that and balancing that against the right of industry to develop as fast as humanly possible, the fact of the matter is that this government has never achieved a proper balance. They have yet to achieve a proper balance.

For the government to then come into this Assembly and bring to us a piece of legislation that essentially can be wrapped up with two words, trust us – trust us; here are the most skeletal, bare bones of a piece of legislation; we're not going to tell you who's going to be appointed, we're not going to tell you the criteria for who will be appointed, we're not going to specify scientific standards, and we are going to make sure that almost every critical element of this agent's functioning remains under the thumb of the minister; trust us – that, Mr. Speaker, cannot work given the deplorable record of this government on this file.

[The Deputy Speaker in the chair]

When all of this stuff first came out, everybody came together and said: we need independent scientific review. Key people said to me: scientific review. But this agency doesn't give us scientific review. It gives us a whole schwaack of people who aren't criminals. I'm happy to hear that. I believe the absence of a criminal offence is criteria in this legislation. That's pleasing, but I could have seen a little more detail, Mr. Speaker.

We've got a bunch of folks who very likely, based on past behaviours, will be friends and insiders of this Tory government and/or industry, and those people will then appoint a scientific panel. As far as we know, we don't have any idea what a scientific panel means. Who is qualified to be a scientist? Whether they're a scientist of physics but are now working in their retirement as a consultant for CAPP – well, I guess that could be a scientific panel member. You know, you think I'm being facetious, but if you look at the history of this government and who they appoint to these things, if anything, that's not a facetious statement; that's a prediction. That's what many people would put money on.

You know, we look at some of the things that have happened just most recently. Even in the process of trying to establish an independent group of people to oversee the establishment of this monitoring agency, this government went off and appointed a fellow, Bruce Carson, who had a blatant conflict of interest in his position and, of course, was very much attached to the oil and gas industry. Of course, he had to ultimately resign. Even on this very one, their go-to place was to appoint somebody who really had no credibility on the environmental file but did have a lot to gain personally for his industry and had a long relationship with the oil and gas industry.

More broadly, we have the spectre of the Alberta Energy Regulator. Even though it comes under the Ministry of Energy, we know that essentially that is the go-to environmental protection agency for all that has to do with oil and gas and energy production in this province. Who is the chair of that? Well, honestly, I would have a year and a half ago thought it was facetious to say: hey, they're going to appoint the past chair of the Canadian Association of Petroleum Producers to chair this environmental regulatory agency. Not facetious anymore, Mr. Speaker. Uh-uh. In fact, that's the record.

Then: well, don't worry too much about the fact that that's who the chair is because our CEO is a former deputy minister. Great. Well, here's what a recent judge had to say about the record of that former deputy minister.

It is difficult to envision a more direct apprehension of bias unless it is the Premier of Quebec telling the Quebec Liquor Commission to revoke a restaurateur's liquor licence because the proprietor of the restaurant is a Jehovah's Witness as happened in *Roncarelli v Duplessis*,



which, as most lawyers in this building – and there are a few of us – know, is a textbook law school case for bad governance and bias. That's what a judge recently used to compare the actions of the ministry of environment with respect to meeting its commitments to ensure fair and open and impartial hearing processes on development appeals under the ministry of environment under the leadership of the current CEO of the Alberta Energy Regulator, appointed by this ministry.

Once again, I think that members of the opposition and members of the public can be forgiven for being a little nervous around the legislation referred to as: trust me; I'll appoint good people. Quite frankly, the record just isn't there. Quite to the contrary, the record is there for a very, very different way for this to go.

Now, there are other difficulties within this legislation that we will get into in more detail. I think we're up to about 10 or 11 amendments in our office that we propose to make in order to try and bring it into the realm of an agency which Albertans and others can trust and rely on. As things stand now, we're concerned as well about the delay which has occurred up to now and the fact that we have really no explanation from the minister for how this will be funded for any work outside of the lower Athabasca region.

I can only think back again to – you know, it's a darn good thing that I only got elected in 2008. You know, I'm getting to that age where I like to go: well, back in the day. At this point I can only go back to 2008, but I believe that was when the land-use framework was introduced to much applause and all that stuff. You know what? I think we've got – what? – one full framework with a whole bunch of extra things to be filled in and one draft framework and, I believe, six others that remain undone. Why? Because there is no funding for it. So I'm a little worried.

The minister is shaking her head, but I actually remember her predecessor saying to me: well, we're just going to have to accept that it's going to take longer to get these land-use frameworks done because I don't have the money to do the work. So it's not done yet. It was introduced in 2008, and, just to be clear, it's not done yet five years later. I'm a little worried that the same fate awaits this monitoring agency and that, in fact, this agency will be set up and will ride the coattails of the federal agency. It will not have the independence that most stakeholders need to see in order to believe that there is some credibility to it and that with all the work that is desperately needed to be done outside of the lower Athabasca region, we'll still be here talking about it five years from now, wondering when it's going to get started.

There are other points, and I won't get into them now. The one other thing I must say in second reading is that at this point there is no provision in this act for inclusion of the indigenous community at any level in terms of being a representative, as being acknowledged as needing to be part of this. More than any other group, they have been subjected to the government's refusal to apply open and transparent science to what they've been experiencing for decades. They deserve to be recognized in this legislation and have a role recognized in this legislation. So do others, but I think I'm about to run out of time, so I want to make sure that that is referenced.

I look forward to having greater debate, and I hope that the minister will seriously consider our 10-plus amendments, which are coming her way. Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Hon. members, it's 6 o'clock. The House stands adjourned until 7:30 tonight.

[The Assembly adjourned at 6 p.m.]







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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Tuesday evening, October 29, 2013

Issue 62e

The Honourable Gene Zwozdesky, Speaker

## Legislative Assembly of Alberta The 28th Legislature

First Session

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Calahasen, Pearl, Lesser Slave Lake (PC)  
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    Deputy Government House Leader  
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Casey, Ron, Banff-Cochrane (PC)  
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Eggen, David, Edmonton-Calder (ND),  
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Fritz, Yvonne, Calgary-Cross (PC)  
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Kang, Darshan S., Calgary-McCall (AL),  
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Wilson, Jeff, Calgary-Shaw (W)  
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
    Government Whip

### Party standings:

Progressive Conservative: 59

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

Independent: 2

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Teresa Woo-Paw	Associate Minister of International and Intergovernmental Relations

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### Standing Committee on Alberta's Economic Future

Chair: Mr. Amery

Deputy Chair: Mr. Fox

Bhardwaj	Olesen
Cao	Pastoor
Donovan	Quadri
Dorward	Rogers
Eggen	Rowe
Hehr	Sarich
Luan	Strankman
McDonald	Xiao

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Khan

Deputy Chair: Mrs. Jablonski

Amery	Eggen
Anderson	Kubinec
Casey	Sherman
Dorward	

### Select Special Chief Electoral Officer Search Committee

Chair: Mr. Rogers

Deputy Chair: Mr. Quadri

Blakeman	Leskiw
Eggen	McDonald
Goudreau	Saskiw
Lemke	

### Select Special Conflicts of Interest Act Review Committee

Chair: Vacant

Deputy Chair: Mr. Luan

Blakeman	Notley
Dorward	Saskiw
Fenske	Wilson
Johnson, L.	Young
McDonald	

### Standing Committee on Families and Communities

Chair: Mr. Quest

Deputy Chair: Mrs. Forsyth

Brown	Jeneroux
Cusanelli	Leskiw
DeLong	Notley
Fraser	Pedersen
Fritz	Swann
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### Standing Committee on Legislative Offices

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Blakeman	Quadri
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### Special Standing Committee on Members' Services

Chair: Mr. Zwozdesky

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### Standing Committee on Private Bills

Chair: Mr. Xiao

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### Standing Committee on Privileges and Elections, Standing Orders and Printing

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Anglin	Luan
Bilous	Pastoor
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Chair: Ms Kennedy-Glans

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Bilous	Kubinec
Blakeman	Lemke
Calahasen	Sandhu
Casey	Stier
Fenske	Webber
Hale	Vacant

## Legislative Assembly of Alberta

7:30 p.m.

Tuesday, October 29, 2013

[The Deputy Speaker in the chair]

**The Deputy Speaker:** Please be seated.

### Government Bills and Orders

#### Second Reading

##### Bill 27

#### Flood Recovery and Reconstruction Act

**The Deputy Speaker:** The hon. Minister of Municipal Affairs.

**Mr. Griffiths:** Thank you very much, Mr. Speaker. It's a pleasure for me to rise today to move second reading of Bill 27, the Flood Recovery and Reconstruction Act.

This act includes four amendments to the Municipal Government Act as well as three amendments to the Emergency Management Act. These amendments will help us build a safer Alberta by enshrining policy decisions made during the government's response to the 2013 floods. They're practical, forward-looking measures that will support the largest recovery effort in Alberta's history, and they will help Alberta better respond to emergencies in the future.

The amendments to the MGA will help improve public safety in a number of ways. The first will permanently enact a provision created under the regulation earlier this year to temporarily exempt municipalities from the requirements of the MGA when they are facing an emergency. We used this tool, Mr. Speaker, during the June floods so community leaders could focus on public safety instead of administrative encumbrances. It was an effective and practical way to support our partners.

The other three amendments to the MGA focus on floodway development in particular. Allowing development of floodways, areas where flooding has deeper, faster, and more destructive water flows, cannot be permitted anymore, Mr. Speaker. Floodway development is a threat to the public, to property, and at the same time is an unacceptable liability for taxpayers. This is why the government is proposing to restrict new development in floodways to limit damage and risks to public safety posed by future floods.

While it is imperative that we restrict new development on floodways, we must also ensure this policy is fair and reasonable. To this end, we are proposing an amendment that will honour the investment and choices made by current owners of floodway properties. This amendment will permit owners of existing floodway properties to replace existing buildings with new buildings intended for the same use.

Finally, we need to account for the special circumstances of those municipalities with significant development already in a floodway such as Fort McMurray or Drumheller. For these municipalities it would be impractical – frankly, impossible – and unnecessary to restrict floodway development. This proposed amendment gives this legislation a reasonable amount of flexibility for municipalities in these unique and particular situations.

This brings me now to the three amendments to the Emergency Management Act. The Emergency Management Act is the blueprint which guided the municipal and provincial emergency response to the flood. It is the document which gave this government the authority to provide financial assistance to thousands of Albertans devastated by this disaster this summer. It

is the law by which emergency officials in communities across southern Alberta were able to make life-and-limb decisions with confidence to protect life, property, and environment as floodwaters rose.

The value of the Emergency Management Act cannot be overstated, and today we have three amendments that will make it even more effective. The first proposed amendment will give the government the authority to provide flood mitigation funding. As we undertake the largest recovery effort this country has ever seen, Mr. Speaker, finding innovative and cost-effective ways to mitigate flood damage is more important than ever before. This amendment will help us do just that. It will allow the government to fully implement the province's policy to provide communities and individuals with mitigation funding today and tomorrow. Albertans will be able to rest assured that this valuable source of assistance to families and communities with flood damage will be available for future disaster recovery programs related to floods. This amendment also reflects our responsibility to taxpayers and will help the government leverage federal cost-sharing opportunities.

Just over four months ago we saw the dangers of living in flood hazard areas and the devastation left by the flood. This second amendment to the Emergency Management Act will help all Albertans understand the risks of living in flood hazard areas. It will protect potential buyers of properties in flood hazard areas by giving the government the authority to place caveats on land titles that indicate whether the property is eligible for disaster assistance in the event of another flood. These caveats will give potential buyers of a home in a flood fringe or floodway the information they need before purchasing a flood-affected home as well as current owners so they can best decide how to rebuild after the floods. Only properties in a floodway or flood fringe that are rebuilt or repaired using disaster recovery program assistance will have a caveat put on their land titles.

I've already spoken about flood mitigation and how this government is helping individuals and communities build smarter with an eye to reducing damage from future floods. We are giving owners of flood fringe properties the ability to have their caveat removed by putting the minimum flood mitigation measures in place. This means that any current or future owner of a flood fringe property that has been mitigated can rest assured that they will be eligible for future disaster recovery program assistance in the future. The caveats placed on floodway properties, however, are permanent, but the province has given owners of these properties the option to relocate out of the floodway, Mr. Speaker.

The third and final amendment to the Emergency Management Act will extend the duration of a provincial state of emergency from 14 days up to 28 days, when it will expire or, if necessary, be renewed. Currently a provincial state of emergency can only be renewed by a resolution of the Legislative Assembly. This is neither practical nor sensible to do when a disaster is in progress, and government leaders from both levels of government are engaged in supporting the emergency response. Extending the duration of a provincial state of emergency will allow the government to focus on public safety during those rare, rare circumstances when the province uses this tool or when a disaster occurs when the Legislature is not sitting. This amendment does not, however, change the fact that a resolution of the Legislative Assembly will be required to renew a provincial state of emergency beyond the 28 days.

This change gives our province stronger protection against future floods and future disasters and will help ensure our families and communities are well protected. We can't stop a future flood, Mr. Speaker, no matter what some people say, but we can make

sure we're as prepared as possible because there is no such thing as flood-proofing, but there is being prepared for the next flood. It's all part of our government's efforts to build Alberta to ensure a strong quality of life for us all. I look forward to further debate of this important legislation that will enhance and ensure the safety and security of all Albertans.

Mr. Speaker, at this time I move to adjourn debate.

**The Deputy Speaker:** Thank you.

[Motion to adjourn debate carried]

### Bill 28

#### Modernizing Regional Governance Act

**The Deputy Speaker:** The hon. Minister of Municipal Affairs.

**Mr. Griffiths:** Thank you very much, Mr. Speaker. I'm pleased to rise again and particularly pleased to rise today to speak to Bill 28, the Modernizing Regional Governance Act, which amends the Municipal Government Act. The act provides the framework for the local governments in Alberta to operate.

Now let me outline, please, briefly the proposed amendments. First, the Capital Region Board was established in 2008 by a regulation under the Municipal Government Act. This legislation would elevate the creation of growth management plans such as the Capital Region Board into the act. It would also confirm the purpose, structure, and membership of the Capital Region Board and validate all actions and decisions made by the Capital Region Board.

As well, Bill 28 would validate 15 other regulations made under the section 603 regulation provision within the MGA. These amendments to the MGA follow through on our commitments to regional collaboration and strong regional governance, and their time has come, Mr. Speaker.

With that, I move to adjourn debate. Thank you.

[Motion to adjourn debate carried]

7:40

### Bill 29

#### Pharmacy and Drug Amendment Act, 2013

[Adjourned debate October 29: Mr. Horne]

**The Deputy Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills, followed by Edmonton-Calder.

**Mr. Saskiw:** Thank you, Mr. Speaker. It's an honour here tonight to rise on Bill 29, the Pharmacy and Drug Amendment Act, 2013. This appears to be more of an administrative bill that's necessary to comply with changes to the Food and Drugs Act in Ottawa. As Ottawa regulates prescription drugs, changes to this law necessitate a corresponding change to Alberta's Pharmacy and Drug Act.

But I think we need to step back a little bit and review the devastation that was inflicted upon Albertans by the Minister of Health's what we called Fred-icare plan. What we saw was a big revolt by pharmacists across Alberta, particularly in rural Alberta, where individuals in the pharmacy industry were very concerned with the drastic changes that were made. They signed a petition. Thousands of Albertans signed those petitions complaining about the unilateral decision made by the Health minister to inflict damage upon our pharmacy industry.

One of the main aspects of their concerns was the lack of consultation. I'm hoping that with Bill 29 the Minister of Health has in fact learned some lessons from his time dealing with the changes that he made to the pharmacy industry. Some of the

biggest issues that were pertinent as a result of his changes were, of course, higher prices to those individuals that required prescription drugs. A lot of those individuals, of course, were seniors who are on fixed incomes and were devastated by a lot of the changes that were made.

The second big change was a shortage or a lack of drugs available due to the changes that were made. Again and again here in question period we'd ask questions to the Minister of Health about why these drugs were triple or quadruple the price prior to the changes he implemented. We asked why some drugs that were previously available were no longer available, and he still did not have any answers.

The other aspect that was an issue at least in my area was the fact that due to the changes made by the Minister of Health, a lot of the rural pharmacists in my area didn't know whether or not they could provide services to my constituents. Obviously, pharmacists are an integral component of our health care system, and the fact that they expressed concern – who would have thought pharmacists would be marching on the Legislature? Only this government could rile up those types of individuals.

We've seen subsequent to these changes not only the potential for rural pharmacists to close down their shops, but also just at a minimum we've seen reductions in services. So, of course, previously where the pharmacists would provide specific services to seniors in my constituency, now, due to these changes implemented by the Minister of Health, in many cases they no longer have the capacity to provide those services to our seniors. That was a very, very important issue in my area. It was detrimental to the health care that was provided to Albertans.

Of course, going back to Bill 29, there were changes that were made federally as part of the Jobs, Growth and Long-term Prosperity Act, 2012, which was Bill C-38, which received royal assent on June 29, 2012. The government had amended the Food and Drugs Act to give the Minister of Health certain powers, which included the power to establish a list that set out prescription drugs. In summary, I believe that this bill is intended to comply with the changes that were made federally and get in line with the federal legislation. In short, Ottawa changed its laws, so now, as a result of those changes, we have to, too.

So we believe that, you know, it's possible for the Health minister to modify the approved drug list without a specific legislative amendment. Oftentimes ministers give themselves extraordinary powers in a regulation-making capacity, but in this case the minister apparently felt that it was necessary to modify this approved drug list with a legislative amendment.

In summary, Mr. Speaker, we very much oppose the backhanded, lack-of-consultation approach that the Minister of Health took with respect to the overall impact on pharmacy and prescription drugs here in Alberta. This act itself is primarily an administrative bill. It deals with the changes that were made in Ottawa and ensures that our legislation adequately corresponds to the changes that the federal Minister of Health put forward in the Jobs, Growth and Long-term Prosperity Act, which is Bill C-38, which received royal assent mid-last year. You know, it was very, very frustrating to deal with the Minister of Health about his changes to the prescription drugs. In this case it seems like the intent of this bill is just to correspond with the Ottawa legislation. That seems to be an overall good intent, and we look forward to the Committee of the Whole to potentially put forward subsequent amendments.

Thank you, Mr. Speaker.

**The Deputy Speaker:** The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Well, thank you, Mr. Speaker. I appreciate the opportunity to speak on Bill 29, Pharmacy and Drug Amendment Act, 2013. You know, when I saw this on the Order Paper and heard about the intention of this government to have pharmacy and drug on the table, I initially was getting quite excited and feeling optimistic. There are so many problems with the pharmacy situation here in the province of Alberta right now in regard to seniors' pharmacy, in regard to affordability of drugs and the dispensation of drugs. As the Health critic for the Alberta New Democrats I have dealt quite a lot with the unstable landscape that pharmacy exists under here in Alberta at this time.

I thought cautiously optimistically that the Health minister was bringing in something to resolve some of these issues, but in fact the scope of this bill is quite narrow. It's certainly necessary. It helps to harmonize the provincial statutes with a new change in regard to the drug regulations federally here in Canada. I guess that's pretty much all it does. Certainly, I see no reason to stand in the way of it, but also I just do want to remind all of us here in the Legislature of the responsibility that we have to continue to reform our overall pharmacy position here in the province of Alberta.

We have a public health system here in the province, but we don't have a harmonized public pharmacy system in place. You can see it's almost a textbook case, Mr. Speaker, where we can learn about the inefficiencies and problems associated with mixing private and public delivery and dispensation of health care in the way that we see our pharmacy system here in the province right now. We can certainly not only improve health outcomes through better coverage and more affordable coverage and fewer incidences of people not taking the drugs that they require as prescribed by their doctors, but we could save considerable money if we did have an integrated pharmacare plan for all residents of Alberta.

7:50

I would venture to say as well that the third part of any comprehensive public health initiative is that it provides that much more safety and security for the residents of Alberta by knowing that they can have access to top-quality pharmaceutical prescription medicine that their doctors prescribe when they need it for themselves and for their family.

So I challenge, certainly, the Health minister to especially start in the place where the most uncertainty and anxiety does exist here, Mr. Speaker, in regard to pharmacy, and that's in regard to seniors' pharmacy. I know that there have been at least two attempts to have more of a user-pay private-style pharmacy system for seniors here in this province, and both times the government has backed down on that.

I just learned, actually, today, because I was away in southern Alberta, that again the seniors' pharmaceutical strategy has been postponed here in the province of Alberta, hopefully indefinitely. While we have to fight and defend what public pharmacy system we do have for seniors in this province, I think our energies could be better served by actually strengthening the public dispensation of prescription drugs to seniors and ensuring that it always stays universal and affordable and employing best practices through bulk purchasing and so forth.

That being said, Mr. Speaker, in regard to specifically Bill 29, we know that this update is sort of harmonizing with the federal government's listing of prescription drugs, and this act will now refer to a prescription drug list rather than the old schedule F that was used previously. This bill brings the Alberta Pharmacy and Drug Act into compliance with federal changes, which is good. The federal changes mean that a list of prescription drugs may

now be changed by the federal Minister of Health rather than requiring a full regulatory procedure.

I would venture to say as well, Mr. Speaker, that this is a signal that we're seeing federally that the other jurisdictions, provinces and territories as well as the federal government across Canada, are interested in a more comprehensive pharmacare plan for this country. I think it's well advised for us to put in place more features such as this and be braver about the features we put in place to ensure that we can take full advantage of a comprehensive publicly delivered pharmacare plan here in this province as well. Of course, a national pharmacare plan would be ideal because you are employing the benefits of bulk purchasing and so forth, which can really save a lot of money.

I think that as we move forward – I don't see the minister, the sponsor, here today, but I would like to ask him some questions, so I will leave it at that for now. I'm happy to see that at least the word "pharmacy" is appearing on our Order Paper and that we carry on with the good work to ensure that we have a public pharmacare program in place here in the province of Alberta in short order.

Thank you.

**The Deputy Speaker:** Thank you. Hon. member, just a reminder that we don't refer to the presence or absence of any member. I'm sure that was an oversight.

Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the Member for Edmonton-Centre, followed by Cardston-Taber-Warner.

**Ms Blakeman:** Thanks very much, Mr. Speaker. I'm just rereading *Hansard* to grab the comments that were made by the Minister of Health when he introduced this bill. It appears to be clear from his four sentences of introduction to the bill – I guess we should congratulate him on his brevity, but it didn't give a lot of additional information – that this is just lining up the provincial legislation with the federal legislation and that there is no policy change to Alberta's scheduling of drugs and no cost to the government. Fair enough. You know, there are always pluses and minuses with this. My understanding of this – sorry; I don't have a medical background, so I hope I'm not misunderstanding this. Let me back up a bit.

The Canada Health Act sets out what is covered for public health care in Canada, and the delivery of that health care is done by the provinces. When that original Tommy Douglas act was brought to fruition, there were a couple of things that didn't make it into the bill. The Canada Health Act is several evolutions later. Nonetheless, a couple of things didn't make it into the bill. The big ones were pharmaceuticals, drug coverage, dentistry, and there's one other. It might be new technology, which is why we always kind of struggle with those MRIs, and there's now one that starts with a C, and all the new technology that we get. Of course, those are also the fastest rising cost points in the health care system – what a surprise – I think largely because they aren't being delivered through the public system with as tight control as when we're having to pay for it through insurance.

Pharmaceuticals are outside of the Canada Health Act, and as a result each province can decide how they're going to handle that, which drugs they're going to pay for. So we can end up with this, to outsiders, very convoluted process, where the feds will okay a drug, but really what they're doing is saying: we believe it passes the scrutiny of the food and drug administration act, so we'll put it on our list saying that it's gone through X number of tests and supposedly won't harm anyone. I put "supposedly" in there just

as, you know, a cautionary tale. Then each province can decide whether they're going to cover the cost of that drug or not.

Now, I know that when the Member for Edmonton-Whitemud was Health minister and I was his critic, he had explained that the government's policy on this was that they would cover new drugs that were transformative. That may still be the policy. I'm not sure. It was under him.

We often receive letters from constituents saying: "Please, my friend or my spouse or my child will get better with this drug or will have their life prolonged or it will lead them to a recovery. Why is the province not covering the cost of the drug?" The answer is: because it's either not gone through that blue-ribbon expert panel to say, "Yes, this provincial government will cover the cost of it under the pharmaceutical scheme that they have here in Alberta," or it's possible that it's gone through that committee, and the committee said, "No, we're not going to cover it." That's hard for people to understand from the outside, the process. It is an expert committee, and I think they did that so that politicians couldn't get in there and push it around so that, you know, I could get the drug that I wanted for my constituent and be a hero to all, or perhaps someone else could stop my people from getting drugs. I don't know.

Then we have the whole situation about how we have people in Alberta pay for drugs. A lot of this comes to the feet of this government. When I look at the legislation and the brief comments that were made, it appears that the federal government is giving us a plus and a minus. This government's fondness for putting in what was having to pass through the House of Commons and in this case the Legislative Assembly can now be done not even through regulations but through the ministerial yes or no, which makes me very uncomfortable.

We've got the federal government saying that, well, the minister can now put a drug list online and may change it whenever he wants. Well, okay. That should give some of us hope that the minister could add drugs that we would like to see added or maybe faster. But it also means that they could take drugs off as they choose. The provincial government has now lined itself up with and recognized that online list of drugs, so we're now paddling in the same direction. We're recognizing that that list is the list that has the drugs that are allowed for sale in Canada.

8:00

As you can tell, I'm very cautious about having a minister being able to add or take away from a list by not using a regulation, which, although it doesn't have scrutiny, at least is running through some kind of a process, one would hope. We are now going to follow that and accept whatever turns up or doesn't turn up on that list. I think there's cause for caution there. I understand, you know, the brotherly relationship, sisterly relationship, sibling relationship – let me try that – between this government and the federal government, coming from the same family, if I may say, and reacting to things often in the same manner. It is giving me some caution.

However, like many of the bills that we are dealing with in this session, this is a very brief bill. It's actually two pages long, and that's stretching it because they put the clauses on different pages just to spread it out, I guess.

My concern around anything to do with drugs on and off lists and the scope of what the pharmacies are doing for us in distributing those drugs is the sale of health practices or the encouragement of the purchasing of health commingled with a genuine wellness function.

We have done some very good things with pharmacies, I believe, in that we allowed them to refill prescriptions without

necessarily having the doctor's renewal permission – and this is given a close working relationship between a pharmacy and somebody coming in – and it's expected that the pharmacy then relates back to the doctor in fairly good time. We also have allowed them to give injections, for example, which, given some of the massive health disasters, if we could call it that, like SARS, seems like a pretty good idea. All of a sudden you don't just have doctors and nurses that can give injections for vaccinations, for example; you've got every pharmacist in Alberta. Those are very good access points. I think that was a good idea.

Where I have a bit of problem is where those wellness initiatives commingle with sales. It just gets a little too close for me. For example, pharmacists have lists of people they could directly mail if they wanted to and say: we notice – what's your constituency?

**Mr. Donovan:** Little Bow.

**Ms Blakeman:** Little Bow. If the Member for Little Bow got a note from his pharmacist saying, "You know, we noticed that you've been taking some blood pressure medication" – by the way, I've no idea if the Member for Little Bow is taking any kind of medication at all. I'm just picking on him. But they say: you know, we noticed that you're taking blood pressure medication, so why don't you come on in, and we'll give you a free blood pressure test, and we'll give you advice. Of course, the advice is, "Well, you should maybe consider buying a home blood pressure kit," which of course isn't covered under health care. It'd be out of pocket. But he's a little nervous. He's serving his constituents of Little Bow. He doesn't want to end up in the hospital or something, so: well, yeah; okay. He doesn't really want to spend the money, but he talks himself into it, that he should buy this extra thing, this extra blood pressure monitor. Good.

See, there's a commingling of a good wellness practice – taking your blood pressure, checking it – and the sale of something. With the pharmacy's ability to know who needs what health benefit or who needs what sort of wellness advice, this is where we don't cover anything. This kind of practice can easily take place and can certainly influence people, who all want to be healthy and certainly want to feel good. Thank you very much, Member for Little Bow, for using you as an example. If we needed to do something about pharmacies and drug prescriptions, there's a place we could do something about it.

The second place we could do something positive about drug purchase and distribution and what's on what list the Member for Edmonton-Calder has already talked about. That is a federal or interprovincial or national – honestly, I really don't care what you call it – pharmacare program, where we would be able to participate in larger bulk buying, where we could have agreements, a seamless system, for approving the drugs for safety and approving the drugs for payment in that federal-provincial exchange.

I think there's much that we could do there, and I don't know what the holdup is here. I don't know why we can't get this. It sure makes sense to a lot of Albertans. Sometimes I think it's just the health ministers that get in a little twist there and just don't want to co-operate – I don't know – or they're all trying to pick on the federal government and get more. I don't know and – you know what? – I don't care. I just really want them to work on this. So there's another thing the government could do around pharmaceuticals if they really wanted to do something.

The last thing is the seniors' drug insurance plan, that has now come up once two Health ministers ago, which was, if I may say, a flaming disaster. I took that plan, that seniors would have to buy into an insurance plan that was income tested on a monthly

premium basis to be able to have a prescription drug plan, and I talked to a lot of seniors over the summer of whatever that was, 2007 or something, 2006. Oh, no, that can't be right. Oh, they're all kind of blurring together. Anyway, they had lots of very simple questions, and I wrote those questions to the Minister of Health and said, "Okay; answer these questions if you're going to put this plan into play," and he couldn't. They couldn't. I reminded them and added new questions a couple of months later from other seniors' groups I'd met with. They still couldn't answer it. Eventually they admitted that it had been, one of those euphemistic words, put on the back burner or postponed or something or something, which, you know, is good. Admit that that was a flaming disaster and walk away from it.

Now, we heard that it was coming back. They were going to try it again. So I just wonder how many rounds we have to go. I'm reminded of a boxing match, and the government gets up there and kind of keeps punching these seniors with a kidney blow, and seniors kind of stagger around and then manage to stand back up again, and then you all go back to corners, and then they come at it again. So, you know, please, please, don't do that plan. I really don't think it's a very good one.

But please try and do some positive things around health care for seniors, and it would help if you weren't quite so hysterical about the effect that the baby boom generation is going to have on health care spending in the future. That does seem to be driving a lot of choices this government is making about health care and seniors at this point, I think, to try to stem the flow of the baby boomer bulge, which is coming.

So there are three very positive things that the government could do with pharmaceuticals if they chose to do something positive with pharmaceuticals. [Ms Blakeman's speaking time expired] Oh, well, thank you very much.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. In some of your comments you mentioned an extraordinary power to amend lists. We've seen this current Minister of Health fumble a lot of different files. Is there anything in here that you are concerned about in terms of the Alberta Minister of Health's power, or do you believe that the change to this legislation is more in line with giving the federal minister more power and us just copying what the federal minister has done? I'm not sure if I got that right or not. But if you could explain your concerns with the lists a little bit more, I'd appreciate it.

8:10

**Ms Blakeman:** Well, my understanding of the list – being in a smaller opposition party, each person is carrying a number of portfolios, as actually, I think, all of us are in opposition are right now, and you've got to divide the workload. So I was not in the briefing for Bill 29, and I did start by asking forgiveness from the Assembly if I somehow was misreading this bill, having just read the comments from the minister in introducing it and in reading the bill itself, because I don't have any briefing notes on this.

In the reading of those two things it appears that what the federal minister is going to be doing is moving from a list that was under regulation – I'm always assured by my hon. colleagues opposite that there is a process that goes along with making the regulations that support a bill. I sure hope that's happening, but that's what they tell me. So I felt that there was a bit more comfort there in how drugs got on and off the list, and off the list, partic-

ularly, is what people are concerned about. They're receiving some kind of a drug, and the government says: we're not going to give it to you anymore; we're taking it off the list. You can imagine how that's going to affect your health.

Now, as I understand it, the federal government's list is about the safety of the drug, essentially. The provincial list is about whether we're going to pay for it or not. So on and off the provincial list is whether we're going to pay; federally it's whether or not it's safe. Hey, we've made mistakes, especially when we look at secondary uses of drugs, which comes up fairly frequently. The testing is not as vigorous in the testing of secondary uses of drugs. Vioxx is one of the ones I can remember, that originally started to do one thing and then was used a lot for a secondary use – anybody remember? – and it turned out to kill people when you used it for the secondary use. So, oops, they took it off the list at that point. I would have said that they should have done more vigorous testing on the secondary use of the same drug.

My caution here is that it's not going through a regulation process. It appears to be an online registry of drugs, and the minister can through their own motion move drugs on and off that list. I'm sure that there are advisers in the department and yada, yada, blah, blah, blah, but it still is the minister on his own motion moving drugs on and off a list rather than going through a regulatory process, so that was why I raised that concern.

Thank you.

**The Deputy Speaker:** Are there others? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. I was wondering, member, as you were describing the bill here: on an economic level you made this comparison to the hypothetical pharmacare federally, and you talked about the possibility of saving on a bulk buying program. I'm curious. As we're dealing with this prescription drug program, we've had a number of issues over the past several months. Would there be other benefits to expanding this to a much larger system? Or are the benefits better other than just the economics, access to different pharmaceuticals, and particularly dealing with our seniors and those with low income?

**The Deputy Speaker:** The hon. member.

**Ms Blakeman:** Thanks. Well, there's lots of literature out there about the benefits of a universal or national or federal or interprovincial pharmacare program beyond the economic, you know, purchasing of drugs in bulk and therefore getting a lesser price. Let's face it. The feds were able to buy Cipro, or Ontario maybe was able to buy Cipro for less money.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Hon. members, before I recognize the next speaker, might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

### Introduction of Guests

**The Deputy Speaker:** The hon. Member for Edmonton-Manning.

**Mr. Sandhu:** Thank you, Mr. Speaker and all the members, for allowing my introduction. It's my pleasure to rise today to introduce to you and through you to all members of this Assembly my constituency manager, Ms Felicia Dewar. She has been working for my constituency for six months. She's very intelligent, hard working, and community oriented. She lives in my

riding, Edmonton-Manning. She raised about a hundred thousand dollars for the Brintnell park playground society. Felicia is seated in the public gallery. I ask Felicia to rise and receive the warm welcome of this Assembly. Thank you.

**The Deputy Speaker:** The hon. Member for Calgary-Varsity.

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. On your behalf I would like to introduce all members of the Assembly to the 831 Black Knights air cadet squadron from Leduc, your hometown. They are seated in the public gallery. Would you rise, and we will recognize you.

**The Deputy Speaker:** Thank you, hon. member.

Hon. members, might I remind you that it is forbidden to take pictures in the Assembly during the proceedings. Pictures are only taken in the Assembly by permission of the Speaker, and members are usually given a courtesy notice.

Thank you.

## Government Bills and Orders Second Reading

### Bill 29

### Pharmacy and Drug Amendment Act, 2013

*(continued)*

**The Deputy Speaker:** The next speaker, the hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Mr. Speaker. It's an honour to be here, of course, representing the people of Cardston-Taber-Warner and to work on their behalf and to speak for them at this time on Bill 29, Pharmacy and Drug Amendment Act, 2013. I realize, of course, that this act is an attempt to align our laws and the circumstances, rules, and regulations surrounding medications with the federal changes that have just been made.

I want to thank the Minister of Health for his heavy-handed and unilateral changes to the compensation available to the pharmacists of Alberta. It's had the unintended consequence, I'm sure, of galvanizing them in their united support for the Official Opposition, so we thank you for that, and we want to let you know that we're doing our best to take advantage of that and represent them well.

A petition of over 25,000 names was presented to the minister, I believe, indicating the concern and displeasure at this unilateral action and some of the fears that some have for the viability of their business, for their jobs if they're employed by pharmacists, and by the patients, of course, particularly in rural areas, for the viability of the pharmacy and their ability to go there and receive that personalized care and attention. It's our fear and theirs that if this current government continues with this trend, which we know will only be for another two or two and a half years, it could have the impact of putting some heretofore very viable businesses into bankruptcy or forcing them to close. That would be sad, sad for them and, of course, sad for their patients.

I was one of those who participated in the rally and listened to the pharmacists who marched here. I don't think pharmacists are normally identified as the kind of people that participate in these kinds of protest rallies and marches – it's the antithesis of their nature, I would suspect – but I've never seen so many people upset. In fact, of all of the things that have come across my desk or onto my computer through e-mail or phone calls that I've received or requests to meet with me, only the situation with rural ambulances rivals the anger and frustration and disappointment,

quite frankly, that has been experienced and expressed by our pharmacists.

I think it's shabby treatment, and I think the government ought to be ashamed of itself. We know, of course, that whenever we fix the cost or adjust unilaterally the cost of something, we eventually ration the supply or reduce the availability and create shortages, and with medication this can result in health risks, complications, and even death.

I hope the minister will consider the pharmacists' concerns that were expressed in the petition and the many calls, I'm sure, that he received and also, I'm sure, that you yourselves on the government side of the House have received, too. I realize that you're not allowed to speak about that in public, but I certainly hope that in caucus you've been very vocal in sharing the concerns that have been brought to you, as I'm sure they have been. We know certainly that they have been brought to us.

**8:20**

I would wonder how the Health minister would feel if he were to be treated by a doctor who didn't bother to analyze, didn't listen to him as he explained his pains or complaints or the problems that he was having, who just didn't bother to even ask him, didn't order tests, didn't bother investigating thoroughly before diagnosing that his heart needed to be removed. That's how the pharmacists feel. Nobody asked them how they felt about this, how they'd feel about a 75 per cent reduction in the amount of money they could mark up the generic medication that they'd been prescribing. That 75 per cent reduction happened without much consultation and happened over a period of five years, actually four years. That's pretty shocking. I don't know very many businesses that could suffer that kind of a change without it having a serious impact on their ability to serve their customers.

Of course, this government continues to demonstrate that it's out of touch with the realities of economics and business when it decides that cuts should be made on the front lines, where the services are being delivered and administered, where the patients, or the customers if you will, are being cared for. No business would survive if it let its overhead get bloated in the way that the Health department's has and cut into its ability to serve its customers. Patients suffer. Those front-line caregivers suffer. They're frustrated, and they're overworked, and I think the system only works as well as it does because of their commitment, the way they care. But we care, too, as a party, and we hope that this minister will re-evaluate the changes that he unilaterally forced upon the pharmacists and their patients, their clients, and reconsider the drastic cuts that he made.

Thank you very much.

**The Deputy Speaker:** Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you very much, Mr. Speaker. It's my pleasure to rise this evening and speak at second reading of Bill 29, the Pharmacy and Drug Amendment Act, 2013.

Again, as the hon. Member for Edmonton-Centre pointed out, this is a fairly thin bill, but I do agree that its intent and purposes are quite valuable as far as harmonizing federal legislation with provincial legislation, which I do think is a positive step.

I would like to briefly speak about what's not included in this bill when we're talking about health care or pharmacare, the possibilities that we have before us in this province, and, if anything, to recommend to the hon. members on the opposite side of the House to seriously contemplate Alberta being a trendsetter



and being at the forefront of introducing a pharmacare plan that would be comprehensive and ensure that all Albertans have the coverage that they need and to do it in a way that is very cost-effective.

I think that when we talk about a pharmacare plan, first of all it's going to improve access for Albertans. There are many Albertans who don't have a plan or coverage, and when somebody gets sick or an illness comes up, it can be very, very damaging not only to a person's health but also to their bank account to get them the appropriate pharmaceuticals that they need. Improving access ensures that all Albertans have access to medication when they need it.

As well, it provides a sense of security for folks. I mean, this isn't a plan that's necessarily tied to a job or tied to a particular employment. Therefore, for either entrepreneurs or business owners or folks that are going out there taking risks by maybe leaving a more secure job to pursue a business, it would give them the security and confidence to know that they still have access to a pharmaceutical plan that will ensure that should they need medication, they can get it.

As well, as my colleague the Member for Edmonton-Calder pointed out, I think that when we look at a pharmaceutical plan, maybe on a larger scale, especially looking nationally, dollars can be saved through bulk purchases. I think that even within the province of Alberta there would be great savings that could be passed on to consumers, to Albertans, especially our most vulnerable, our seniors who are living on fixed incomes. You take those savings and stretch them out across the country, and that number is magnified significantly.

I think, again, looking at that as an economy of scale, that would be a benefit or an incentive, one would think, for the health care ministers across the country to get together and put their heads together as far as coming up with a plan that could save Canadians many, many dollars and, again, improve their access to care and their quality of care.

The other thing that a pharmaceutical plan could do and would do because it would be regulated is that it would ensure the safety of Albertans out there, protecting Albertans from the possibility of being overprescribed medication. It would provide another safety net or oversight on that.

I think, Mr. Speaker, that there are lots of positive reasons why we should look at and why I encourage the members on the opposite side of the House to look at introducing a pharmacare strategy that would benefit all Albertans regardless of income or age or ability or disability and encourage the minister to work with his counterparts across the country to expand this to more of a federal plan, which I think would have significant benefits for all Albertans.

You know, just to touch on this as well, I can tell you, Mr. Speaker, that there are quite a few seniors in my constituency and, I would imagine, throughout the province who are concerned about what may happen in the future as far as costs of medication and drugs going up. Again, these are folks living on fixed incomes.

As well, a concern that I've been hearing very loudly lately is the concern for more and more services or medications being delisted, that were once covered that will no longer be covered. I think that's a real valid concern to have, Mr. Speaker. I mean, we can go through, you know, the timeline of five years ago, 10 years ago, and there are a number of different drugs that are no longer covered, and for some families that has left them in a bit of a situation. I want to take the time to share those concerns because it would have fit quite nicely with this bill, again looking at expanding the bill to a larger strategy.

Lastly, Mr. Speaker, I just wanted to get on the record a couple of questions that I have surrounding this bill that there will be an opportunity in Committee of the Whole to have a bit of a dialogue on with the minister. I'm curious to know what the impact will be on Albertans' prescription drug coverage and if there will be an impact. From the outset or at least from my view in looking at Bill 29 at the moment, it doesn't seem to be, but I would love to get the minister on record as far as if there will be an impact for Albertans and as well if there are going to be any costs imposed on the government or on Albertans, on either of the two groups. Those are a couple of questions that I'll definitely put to the minister.

In conclusion, Mr. Speaker, I do support and will support this bill moving forward. Again, I wish that it was a little more comprehensive. At least, I hope that through the discussions on Bill 29 we will have a bit of a dialogue in this House about a provincial or an interprovincial health care pharmaceutical strategy.

With that, I will take my seat. Thank you, Mr. Speaker.

8:30

**The Deputy Speaker:** Standing Order 29(2)(a) is available. The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. I know that in the Legislature a lot of us debated the impacts that the Minister of Health's decision had on rural pharmacies. We saw, obviously, that a lot of pharmacists came to the Legislature, rallied. Many of the pharmacists there were from small towns or municipalities and knew that because of the changes they had limited opportunity to recoup revenue. They're not like a big store in the city where they can recoup revenue through other streams of revenue. I'm wondering whether or not the member can provide us with some insight into whether or not the same issues or concerns were brought forward to him in his capacity as a member in the Edmonton area. Did pharmacists in either your area or the Edmonton area approach you and put forward any concerns?

Thank you, Mr. Speaker.

**The Deputy Speaker:** The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Speaker. I thank the hon. member for his question. My answer is yes. Thank you for raising that point, the difference between the smaller pharmacies in rural Alberta and the larger ones in the metropolitan areas. I agree – and concerns did come forward – that there is a discrepancy in revenue streams, in what the smaller pharmacies in rural areas can do versus those in the larger cities.

I think that the point is that this bill could have addressed some of those discrepancies. I know that there are many small pharmacies throughout the province that have been affected and will continue to be affected. This would have provided an opportunity to address those discrepancies and to level the playing field for pharmacies throughout the province. We have gotten feedback from pharmacies within my constituency, in Beverly-Clareview. I have spoken with a small pharmacy owner, and I know that the Alberta NDP has been contacted by pharmacies throughout the province.

I want to thank the hon. Member for Lac La Biche-St. Paul-Two Hills for his question. I think, again, that something else to think about for all members of this House, especially the government, when we go into Committee of the Whole and debate this is looking at all the different aspects or angles or issues that could

have been addressed in a more comprehensive bill. This would have been the time and place to do it.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you.

Are there others? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. I was wondering if the member could answer pretty much the same question I had asked the other member, coming from an urban representation, on the whole idea of this harmonization between the provincial and the federal, which I think is a good idea. If the program was expanded, what are the benefits beyond just the economics as far as providing service and quality of care, in particular for seniors on a fixed income in an urban area?

**The Deputy Speaker:** The hon. member.

**Mr. Bilous:** Thank you, Mr. Speaker. I'll thank the hon. member for his question. Again, I'm going to try to come up with answers or reasons on the spot here. I think that there are a few. I mean, in addition to the economic benefits of it, you've also got benefits of oversight. You've got benefits of the delivery or the dispensation of pharmaceuticals throughout the province to ensure that, again, whether you're living in Small Town, Alberta, rural Alberta, or you're living in one of the larger cities, you have the same timely access to those drugs and medications as everyone. Again, you're leveling the playing field for Albertans throughout the province.

I think I will come back to the hon. member with a more complete answer when I put a little more thought into this.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Member for Medicine Hat.

**Mr. Pedersen:** Thank you, Mr. Speaker. I rise today to just raise a few points as well about Bill 29. Essentially, as we all understand, it's mostly an administrative bill, and it's being done to line up the changes that have been brought on by the changes in the federal government bill, C-38. Previously you needed a regulatory amendment to give a drug prescription status change, and this is going to simplify that in the process, which is, in a way, a good thing as long as the power is used well. I think we can all agree that that'll be beneficial.

In short, though, again, it's really aligning ourselves with the changes on the federal side. So we had to make a change. That raises a question for me. If Bill C-38 had not been passed, would we even be talking or debating this bill in this House? I think there's an opportunity here that has been lost, that we could have used this bill here in this House to actually make some positive changes to the Pharmacy and Drug Act.

You know, dispensing fees haven't increased for pharmacists and pharmacies for many, many years. I know that there have been some preliminary discussions about doing some increases, but the amount that's being proposed, Mr. Speaker, is nowhere near what pharmacists think they should receive for the work that they do. Especially when you take into consideration, again, the number of years that it's been since an increase and you factor in inflation, it just doesn't make a whole lot of sense. What happens is that because pharmacists are reliant on the dispensing fees and the markup on the products they sell, that has a direct impact on their profitability.

Most of the pharmacies that are being directly impacted to the biggest extent are the small pharmacies. Typically those are small businesses. You may have a one-store operation. You may have

an ownership that is inclusive of two stores, three stores, maybe a few more, but again you're usually dealing in a lot of cases with small business. Unfortunately, not dealing with the pressures of small business having their fees controlled by government regulations, we are, again, hindering the ability for small business to actually prosper out there, possibly grow, to increase their ability to improve on their services and better perform to meet the needs of the patients, which is the overall requirement and desire of pharmacists.

The services that have been added to the pharmacy service structure have not even come close to recovering the difference between what their revenue was and what they've lost. Unfortunately, as much as some people think, you know, of going to their pharmacist to get their shot, to have their blood pressure checked, to have their medication reviewed, pharmacists are doing a lot of that for no charge. Or they were. Now they're being told that maybe they should charge. I'm not sure how that's going to be dealt with by Alberta Health Services as well as how the general public will feel going into a place for information that they used to get for free and now they're going to be faced with talking to somebody, maybe not even their pharmacist, and having to sign paperwork, go through forms, and find out all of a sudden that that free service is no longer free, that there is a charge. You know, it could have a negative impact on that as well.

Pharmacists are the gatekeepers to me and to a lot of doctors and a lot of patients. They are that intermediary person who does the medication review to make sure that if that individual is maybe seeing more than one doctor – possibly they have a family doctor, maybe they see different doctors at walk-ins, or maybe they don't have a doctor and have to go to emergency. When they go to their pharmacist, there's an opportunity for the pharmacist to actually review their medication history, and it's their job to make sure that there is no contraindication between medications.

You know, a lot of times individuals will go in to see their doctor, and if they don't disclose all the medications they're on or don't remember all the medications they're on, a prescription could be issued and there could be some huge, huge negative effects by the drugs that they take if they do not work well together. Pharmacists are, like I said, the gatekeeper there. They are that line of defence between the patient and the doctor to make sure that what the doctor is prescribing for them actually is going to benefit them and not put their health in jeopardy.

**8:40**

Mr. Speaker, pharmacists are working longer and harder, and that's no different than any other front-line service in the health industry. They're caring workers, and they're doing this because, number one, this is what they want to do. This is what they got into the business for. They feel that they have something really positive to offer the patients, and I think that's critical. You need to be there for the right reasons. You don't want them to be there just to build a very viable business and something that they're going to basically get rich off. At the same time, they are a business, and they do have to be profitable. If they're not, they will not be there. In some cases pharmacists have had to let staff go. They've had to reduce the hours of staff. They've had to cut benefits. They've had to cut hours. They've had to work longer themselves.

As a small-business person myself in the past I know that as the owner, when things do get tough, you have to take on more of that role yourself. They're doing that. At the same time, this is going backwards. In a time when pharmacists are urgently needed in the health care system, you certainly do not want to put more pressure on this group of individuals to put more hours in, add stress to

their lives, and basically, you know, have a negative impact on their lives as well.

You know, I think the worst outcome that could happen is that if there aren't positive changes made, the pharmacies will close. That would be a sad thing. You would actually lose a service to your patient. Where that patient would go to get that service from that point on is unknown. That's, again, something that could have been dealt with in this bill.

Mr. Speaker, the government had proposed to save \$90 million by reducing the generic drug price from 35 per cent to 18 per cent. Unfortunately, that price for generics has decreased from 75 per cent to 18 per cent since 2009, and that does have a direct impact on pharmacies, who make a small markup on what the cost is. Again, that is also an issue. As a small-business owner you're actually dictated to as to what your markup can be and the requirement you have as a pharmacy owner as to the drugs you need to carry. Some drugs are not very expensive. Some drugs are very expensive, and to have a small markup on these drugs is a detriment to their ability to perform their service.

I had one pharmacist send me a letter. Basically, his concern was to the Minister of Health, and he was saying:

Due to the government's announcement in Budget 2013, and the effects it will have [on] the pharmacy profession, I regret to advise you that we will be forced to close one of our locations in Medicine Hat. The staff at our Medical Arts location has tried their best to replace the severe funding cuts imposed by the government with services offered in the Pharmacy New Practice Framework, but there is no way they can come close to replacing the current revenue reductions and with the next cuts their fate is sealed.

On April 11 all their locations joined other pharmacists in Alberta by closing for two hours so that they could answer questions that customers had about the changes to the pharmacy plan and the negative impacts that the government's actions would have.

They will be informed of how the government's actions have caused one of our locations to close and how availability, accessibility, and service may be affected at all pharmacies in the province. We will also have a petition available for them to sign, that will be presented to the Legislature."

That was from Joe Hansen, a pharmacist actually in Medicine Hat.

We did, actually, out of Medicine Hat have about a hundred and fifty of those letters presented to us at our office, and I was able to table them in the Legislature.

In closing, Mr. Speaker, really because it is a housekeeping bill – and that's the disappointing part – there's not much here to oppose or support, which, again, is a lost opportunity, in my mind. Supporting empty legislation is easy although not beneficial overall.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Standing Order 29(2)(a) is available. The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. Some of the comments that the hon. member talked about and I found quite interesting are about the fact that we could have used this piece of legislation to actually make things better rather than have it as a relatively purely administrative amendment to the existing legislation. You know, some of the things that the Wildrose had suggested after the Health minister plowed through with major decisions that were to impact our health care system and the price for generic drugs, some of the solutions we came up with, included the ability to extend the washout period to 90 days to allow for the full recovery of costs on inventory, to identify what drug shortages could occur with the changes and modify the pricing structure to ensure all

patients could continue to receive the drugs they needed without interruption, to extend the prescription transition allowance for at least two years to allow an adequate period of time to move to the new funding model for pharmacy, and to negotiate in good faith with pharmacists to reach a long-term solution that would ensure the viability of local pharmacists, that puts patients first. The last solution, the idea of negotiating in good faith with our pharmacists, I thought, of course, would go without saying.

It's unfortunate that this bill does not in fact deal with the underlying problems that were created by the Health minister last year. All it's doing is corresponding with a change to some federal legislation and applying it here provincially. The hon. member talked about how we could potentially come up with solutions in this legislation. Why not, Mr. Speaker, have a bill, a substantive bill, to fix the problems, not some bill that's, you know, two pages long with two sections? Why not have a substantive bill that would actually fix some of the problems that were created by the Health minister last year? Some of those problems, of course, included the effect on local pharmacists. It was estimated that the average pharmacy would lose thousands and thousands of dollars if the time period for selling off existing inventory was not extended.

We know from talking to pharmacists that they were not consulted in good faith, that the Health minister refused to discuss his changes with them. That kind of unilateral decision-making process never works. There should be a consultation process. Weigh all sides. Talk to different interested parties to ensure that we come up with the best solutions. You know, the hon. member talked about having this bill be more substantive and actually effect change in this province. Instead, what we end up with is a two-page bill with four sections, and one of them is a coming-into-force section, which says that this bill is going to come into force December 19 of this year. That's what this bill is. Rather than having a detailed, substantive change to our legislation so that we could actually fix the problems that were created by the Health minister himself, instead he's just coming forward with a rather minor bill that's not going to actually fix things.

Mr. Speaker, my question to the hon. member. You know, the Wildrose came up with a four-point plan to fix the changes that the Health minister put forward. I guess my question is whether or not he believes that when legislation comes forward, it should actually be substantive and actually fix major problems in this province rather than be just a minor amendment.

Thank you, Mr. Speaker.

8:50

**The Deputy Speaker:** The hon. Member for Medicine Hat.

**Mr. Pedersen:** Thank you, Mr. Speaker, I appreciate the question from the member.

Pharmacy is a highly regulated industry, and I think that's one of the things that could have been addressed in this bill. As was mentioned, we suggested a 90-day washout period. Because there is so low a margin in the inventory that pharmacists carry, the idea was to stretch that out so that they had the ability to take existing inventory, that it's up to them to stock and pay for – they own that inventory – and to give them 90 days to sell that out the door.

**The Deputy Speaker:** Thank you, hon. member. The time has expired.

I'll recognize the Member for Rimbey-Rocky Mountain House-Sundry.

**Mr. Anglin:** Thank you, Mr. Speaker. It's been a long road to get to this point with this bill. It is disappointing that it's just a house-

keeping bill that harmonizes our federal rules and regulations with the provincial, because it could have done so much more, as you've heard from some of the other speakers.

I had to kind of chuckle when one of the members brought the example of the Minister of Health having his heart removed. I think it's a good thing to note tonight that hopefully, if the Human Tissue and Organ Donation Amendment Act passes, we'll have something there that can help the minister out and have that transplant done on time. That would be good. The problem is getting him the proper medication and getting it in a timely fashion and making sure that it is the right medication.

I will tell you this. The road here was extremely disappointing. The rural pharmacists, unlike ever before, united and then had to not just lobby this government but had to protest to be heard. That's extremely unusual. They're not that class of people that is generally considered activist by any stretch of the imagination. As a matter of fact, in many ways it's the first time I've ever seen pharmacists actually political. They're usually taking care of business in health care, and in my communities – and I say communities because when I look at my riding that I represent, if I count not just the incorporated communities but those hamlets and summer villages, I have 37 of those.

People who live even in the hamlets consider that their town, their community. All these communities, all these smaller ones, come to the incorporated towns like Rimbey, Rocky Mountain House, Sundry, Eckville. This is where they come to get their pharmaceutical drugs. The pharmacist isn't just the pharmacist. They are a vital part of the community that keeps the community not just operating, but it is also a social part of the community. It's where a lot of our seniors do meet. A lot of the townspeople do meet in these pharmacies, and a lot of information is passed back and forth. There's a lot going on, and the need for our seniors to have these pharmacies is not just essential in our community, but it's life affecting.

So I was somewhat puzzled when this first came to rise. I say "rise" because the questions came initially to my office. I started to look at what the minister was proposing, and the next thing you know, I had pharmacists knocking on the door, and I had meetings with pharmacists. We became friends, and we got to know each other by first name. As they laid out all the inconsistencies, what I discovered is that the minister said he consulted, which is usually the case – I understand that – but clearly there was something missing because all of the pharmacists were saying that they weren't being consulted.

There was, as we would describe in this Chamber, a different interpretation of the facts. The reality is that when you have one party in a discussion saying that they're not being consulted, I think there's an incredible weight that has to go to that party, the weight of what they're saying, that something is missing here. So even if the minister thought he was consulting, certainly when hundreds and then thousands of pharmacists spoke up, it had to have been a clue that something was desperately wrong with the consultation process. Desperately. That's what we heard all across the spectrum.

It became emotional because many of these pharmacists really saw where they were going to be closing their doors, and what they couldn't find was that venue to be heard. They saw the disruption that was going to happen in these communities if they had to close their doors. That's significant. There are certain pieces of infrastructure in every community that make that community alive and active.

Everybody knows we need schools. I might even ask for one in this speech. Everybody needs schools because that's where the young families come. That's where they locate to. You need

medical facilities, either the hospital or the doctors' clinics, because that's where the seniors need to go. That helps your community grow. It used to be that you had to have a post office. That was absolutely essential although Internet now has interfered, but our post office is still quite active.

There are certain infrastructure components to every community that help the community grow. One of those is the pharmacy, without a doubt. That's part of our medical care system and plays a very important role, and the pharmacists themselves play a very important role in our community as trusted servants of our health care system in many ways. Certainly, I would put our pharmacists on the same level as our doctors in dispensing medical advice or consultation dealing with their specialty, which is prescription drugs, and the seniors and other residents in our communities have come to value that tremendously. To have them under this pressure of thinking that they were going to end up closing their doors or relocating elsewhere, which would leave our community without a pharmacy, was extremely distressful, to say the least.

It took every effort, not just from opposition parties but from various communities. We had the pharmacists that did sign the petition, but we had mayors that came forward and said: "Hey, wait a minute. Our pharmacists have spoken to us. We need this settled. We need someone to pay attention to the problem." We couldn't get that. We couldn't get that for the longest time. That's not just unfortunate; that's unreasonable. That shouldn't happen.

Fast-forward to today. We have a harmonizing bill for prescription drugs that sort of aligns us with the federal legislation. But what more does it do? That's something that I think is an opportunity that's missed, but the nice part is that this government is the master of its own destiny. It can change this. It can submit another bill. It certainly has the power to correct it. It also has the power to improve it. I would argue that what we need to do with this bill is improve it, and we can improve it in a number of different ways.

Yes, we can come forward with amendments to improve it, or we can actually come forward with another bill and look to make some changes. I for one wouldn't even necessarily say that we have to rush to do that. I would like to see the consultation process actually listen to the pharmacists, find out what is important in each and every community for how best to dispense these services, what drugs are really needed and required, how to save money. I don't know anyone that can tell you better how to save money than those front-line workers. Certainly that's what these pharmacists are. They are front-line workers.

From where I sat, where I am in this House today, when I heard the pharmacists' issues, their problems coming to this point, one of the things that I noticed is all the people who stepped up, stepped up under the mantra of: "We care. We care enough about our seniors that we will go to bat for you. We care enough about our communities that we're going to fight to keep our pharmacists." It is that caring that, I think, provided the energy to continue. You may remember that during question period it got quite passionate sometimes. It certainly did when some of the pharmacists showed up, and to have people in the medical frocks up in the gallery is a very unusual sight for this Assembly. It shouldn't happen when we get right down to it, but it did.

**9:00**

What we can do is improve. I would suggest to this government that they undertake that exercise and look at the programs dealing with our pharmacies, look at not just the drugs that are on the list but at what we can do better to improve.

I would argue that there are numerous opportunities not just to improve the services but to save costs. I would like to think – and

I say this with some confidence – that all the members on the government side would love to save costs, too. That's the reasonable thing to do. If we can look at a program and come up with a better program that provides a better service at a lower cost, why wouldn't we support it? The opportunity is there.

That is one of the side benefits of the disruption that happened this last spring. When these pharmacists did come forward, there were a number of different suggestions on how to make the whole system better. I'm not sure anyone heard that. It's certainly something that this government can continue to move down the road on and say: hey, wait a minute; let's pull this back a little bit. I'm not saying we don't pass this bill – I'm going to be voting for this bill – but we can do better. We can actually make this better. All we have to do is get those stakeholders who are really in the know and start looking pragmatically at those suggestions and see what we can do better, see how we can save costs, and see how we can increase these services to these communities.

I will tell you that there may be differences between the urban communities and the rural communities, particularly when you deal with the number of issues, but it seems to me that there are a lot of similarities with this issue. There are a tremendous amount of similarities. We ought to be able to find mechanisms and programs that we can apply to both the major urban centres, the smaller cities, and, of course, those smaller towns. There's nothing wrong with being flexible, making whatever necessary changes you have to make to make each more efficient. That's how we make a system that works, where we can have a discussion or at least the pride that we care about what we're giving to our communities, we care about what we're doing for our seniors, we care about each other, and we care about the health services that we provide all of our citizens.

This bill falls short, but it's the right step in the right direction. No one should be satisfied with just this bill. We should be satisfied going further and taking this to a different level, a better level of providing services to our communities, to our seniors, to the people of low income, and making this a viable health care service to all of our communities.

With that, I will thank the Health minister for finally coming around, and I wish him well in consulting more in the future. I would hope he would do a lot more consulting. I would hope Alberta Health Services would consult to a greater degree so we can better provide our services for health care at a lower cost. As some of the other members have stated earlier, the opportunity is there. There are a number of different ways that we can do this. It's just having the courage to move forward and having the open mind to listen and be willing to act on those suggestions. These pharmacists have the ability to actually provide those suggestions. It is more of a collaborative effort, but it starts by listening.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. Just a reminder that it allows for brief comments or questions to the member.

**Mr. Saskiw:** Sure. Thank you, Mr. Speaker. My question relates to the process. Here in Alberta we sit the fewest number of days in the Legislature. Bills are introduced, and then immediately we go into evening sittings, you know, one day after a bill is introduced. You have opposition parties who have to do extensive research on many, many bills. My question to the hon. member is: would it not be better to extend the number of days we sit in the Legislature, make sure that there's sufficient time and resources to thoroughly go through the bills rather than going immediately into evening sittings?

Thank you, Mr. Speaker.

**The Deputy Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. Actually, to answer the question, it is most definitely, yes. Let me explain. It makes sense, and here is a perfect example in this bill. We received the bill. The problem I have is that I can't get a hold of my pharmacist right away. For me to travel from the north end of my riding to the south end takes me just about one hour and 45 minutes, and that's doing 110 K. For me to get to the various pharmacies and speak to the pharmacists – I can call, but you can imagine that they're very busy people, too. So trying to get their input in the short amount of time that a bill is introduced before it ends up in second reading and Committee of the Whole, I don't even have enough opportunity to allow them – they're not lawmakers, but the fact is that they want to have some input. So as they read the bill, they have a learning curve to go through. Reading legislation is not what they do. They want to know how it actually applies to the services they provide.

My ability to consult with my own constituents, these professionals who are highly educated, is somewhat limited because of the schedule we keep in this House. It does not allow for proper research. It varies from bill to bill. Some bills allow us a little bit of time. Some bills – and I think we discussed one earlier – don't allow any time for any type of research or consultation. That was earlier today. On something like this, when you're dealing with a health care service, you're dealing with the pharmacists, who are an important component in the daily lives, particularly, of – and I'll relate to my own experience with the seniors of my communities. This is significant, and there's no time to actually get their input to find out how it's going to affect these seniors, how it's going to affect the care and the services that these pharmacists provide to these seniors.

What we end up doing is hoping we get it right. We look for language that will maybe jump out at us on some of this legislation, but if it doesn't necessarily just sort of jump off the pages at us, it's easy to miss something. A professional who is actually a front-line provider could make suggestions like: wait a minute; this is something you need to dig deeper in.

We look at this, and we say that it aligns or harmonizes the prescription drug program with the federal changes, and we take that in good faith, but I did get a hold of one of the pharmacists by phone, and he just didn't have time to take a look at it. He needed time to call the pharmacy association because that's where they get their information from. Again, the pharmacists like to talk amongst themselves. We do know that we have a large organization in this province that represents the pharmaceutical industry. But also in my local area we have a number of pharmacists who unite together in little enclaves, I'll call them, where they deal with the local issues, they share information, as professionals do, and they help keep the information flowing.

Again, here we are. We have a bill. We're into evening sittings, and this is a very short session in many ways, as the schedule indicates. We need time to consult. It's interesting that we have to take the minister's word that he consulted. We don't know that. We just have to take his word because we can't even hear from the other side that have met with the minister or the minister's staff to actually have some input.

It does make it difficult, but that difficulty does not have to exist. We sit the shortest, I think, of most every government in Canada. I'm not sure if there's anyone that sits shorter than us. This legislation is no less important. I will tell you that this government takes great pride in talking about how fast we're growing, how well we're doing in comparison to other areas, but

on a governance level the speed at which we move legislation through is a recipe for mistakes. I think we've seen that in a number of pieces of legislation, and that's why we end up with a lot of amended bills, because we don't take time to discuss it, and then once they become law, we end up having to hear from people who need changes.

9:10

**The Deputy Speaker:** Thank you, hon. member.

Are there other speakers to second reading?

Seeing none, I'll call the question.

[Motion carried; Bill 29 read a second time]

### **Bill 31 Protecting Alberta's Environment Act**

[Debate adjourned October 29]

**The Deputy Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** I think I'll go after.

**The Deputy Speaker:** I'll recognize the hon. Member for Edmonton-Centre, followed by the Member for Rimbey-Rocky Mountain House-Sundre.

**Ms Blakeman:** Thank you very much, Mr. Speaker, and my thanks to the critic for the Official Opposition for letting me jump in front here. Bill 31: so much anticipation, so little product. Let's just review here what we're trying to do in Alberta and those important words around what we're doing with our industry and our environment, climate change. We're supposed to be producing and having the government put incentives and disincentives where needed in place so that we have less CO<sub>2</sub> being produced. Every time the government trumpets that they're going to be doing something wonderful, I have hopes. I am the eternal optimist. I have hopes that we are going to see a great leap forward in how the government deals with increasing amounts of CO<sub>2</sub> and corresponding toxins that go into our air, earth, and water.

Just a few general comments to start in second reading debate for Bill 31, Protecting Alberta's Environment Act. One, where's the less pollution stuff? Where is the "We're going to try and hit a reduction to 2005 pollution levels by 2020"? Hello? We seem to have forgotten that that's what we were all trying to do.

Another general point is conservation of the use of water. There's nothing here that would deal with that in particular.

All of this is to say that, yes, this bill is setting up an agency. But there are so many other things that the government needs to have done at the same time or in advance of this. It's very frustrating to watch the government repeat a pattern over and over again. We saw it in health, we've seen it in children's services, and now we're seeing it in the environment. That is that pattern of tinkering with the administration of the delivery of a service but not actually improving the delivery of a service.

What was the problem we were having in Alberta? The problem was that we couldn't tell how much were polluting. We couldn't tell how much CO<sub>2</sub> was being released into the air or what kind of toxins were going onto the land or into the water. Why? Well, because our monitoring was a little shaky. Every time we raised this, the government duly got up – God bless them – and trotted out the same story about how bitumen occurs naturally in the Athabasca River. Well, that's true. It does, but it had nothing to do with the province's lack of strength in monitoring anything in this province. Eventually the government did admit that, well, no, they

actually didn't have a world-class monitoring system, but they were going to get one. I suppose this agency is part of that promise.

But, you know, it's not. It's tinkering with the administration of this, but I don't see where it's actually strengthening the monitoring program that we have to be able to tell what the cumulative effects are, which is the other area that this government has just totally tanked on.

I remember back in the old days, before the 2012 election and the 2008 election. You know, I was questioning the then minister, who was the Member for Medicine Hat, who's plowing along trying to justify what the government was doing. They were terrible at monitoring, and they just kept trotting out the same bad stories, and we got no better delivery of service. For any of the agencies that we were funding or that we did have set up – there were those WAP, water advisory panels – the funding on them was getting to be less and less every year. So we weren't doing a better job; we were doing a worse job every year.

The other pattern I see this government involved in – and now we see it specifically in this – is that they really don't want to talk to too many people. They like to be able to have one group that they can talk to, give a direction to, and walk away. The idea that they have to go out and talk to a whole bunch of little groups or a whole bunch of not-for-profits or a whole bunch of agencies: they really don't like that. If we could just get everybody in a box and talk to one person or one agency, that would be terrific. I'm seeing some of that pattern coming through in Bill 31.

The last general statement is around devolving government responsibility and then a question about authority to other agencies. Boy. I saw it in the first term I was here, with the delegated administrative organizations. I'm now going back and looking at those organizations with a very critical eye, and frankly, they're coming up short, and the government that's responsible for them is coming up short. There are a number of other agencies which we've just examined through the Conflicts of Interest Act review, and they've come up short.

Overall the government tends to set up agencies it devolves responsibilities to and then step back. And when you ask a question in question period and say – and for years they did this. You'd say: well, you know, Minister, tell us why Capital health made this decision. The minister would put up his hands in horror and say: "I have no idea. That was done by Capital health. Go ask them." Well, come on. Of course the government is ultimately responsible. They're funding the health system. They are constitutionally required to do so. So don't hold your hands up in mock horror and tell me to go and ask somebody else. Ultimately, the Minister of Health was responsible or the Minister of Children's Services, in this case the Minister of Environment. So we have once more devolved a responsibility that the government wasn't doing very well.

Maybe this is their attempt to do it better. I don't know. Devolve it out to another agency. And, boy, the first time the minister stands up and says, "Don't ask me that question; go and ask" – wait a minute; let me get it right – "the Alberta environment monitoring evaluation and reporting agency because they make the decisions on that," I will leap to my feet and scream in horror in this House. I really will. The Speaker is looking alarmed that I might actually do that. But, you know, honestly, how many times are we going to put up with that before we call the government on it? I'm calling you on it now. Please don't do that.

Now, let me talk specifics about this bill. By the way, I had the strangest briefing. This government's concept of briefing is sliding toward oblivion, if I might put it that way, Mr. Speaker. I mean, I had a letter from the Minister of Municipal Affairs that seemed to

stand for a briefing, and I thought: well, that's nice, but I could've just read the bill. For this one, where I got a briefing for Bill 31, they sent a bureaucrat who really knew what he was talking about and two young men. There was no three-column document. There was no paper at all. I said: "Why is this so difficult? Give me the paper, at least something to write on, for God's sake." Oh. Well, no, no. No, that wasn't available. Hey? You don't have three-column documents anymore? When did that start? I'm pretty sure they did.

9:20

You know, there have been a number of other dissolutions, the slow eroding of the concept of these briefings to the opposition members, and, well, I wouldn't forecast anything dire, but you never know what will happen when government defaults on its agreement.

Let me talk specifically about the problems and omissions and strange things that I find in this bill. One, there are no timelines. There's no reference to a timeline. So when they say that they're going to report, it doesn't say when they're going to report. What? You know, they and the minister are supposed to decide on when the reporting is going to happen. Well, later on it does talk about an annual report, but are we to take it that everything they do comes out in an annual report and that's it? Is there no immediate reporting? Is there no quarterly reporting? They're supposed to be monitoring. They're telling us this information is going to be readily available. Well, I asked. It's not open data, so it's not that readily available, and there's no timeline. Big omission.

Secondly – and I'm just running through in order here – there is no criteria for the board appointments. As I asked the briefing staff, do you not require people to have something to do with the monitoring of toxins or pollution or whatever we want to call it in Alberta on this agency? Well, no. I said: so you could have seven ballerinas and an engineer appointed to this board? They said: well, yes. Really? You know, we probably need to fix that, and I will bring an amendment forward on that one when we get to Committee of the Whole. So no criteria for who gets appointed to this board.

Now, the government may stand up and say: oh, yes, but that's under what we used to call agencies, boards, and commissions. There's now another acronym called APAGA, I think, which does say that you're supposed to appoint people to the board that are qualified to sit on it. But reading this legislation, what do they expect? Who are they saying is qualified? Nothing is laid out here, so there's no criteria for that. Big omission.

There are all kinds of powers that are being granted, but then they can put limits on it. It says – let me just double-check that – in section 7 that they can grant powers to the CEO and the chair, but that will be done later, and we don't know what they are. Later it says that, well, they can put limitations on things. That's a push me, pull me. We'll give you powers later. We won't tell you right now. But we can also put limits on things. I expect that is meant to be that they can put limits at any point in time, but you know, it's not incredibly clear.

Okay. Some strange things in here. They empower this agency to borrow money. Why? Why would this agency, that's doing monitoring, that is guaranteed to get \$50 million a year from the industry – why on earth are they empowering this agency to borrow money? For what purpose? That I would really like to know because very few other agencies get to borrow money. Municipalities do, but they've got a limit on it. This doesn't even say there's a limit on the amount they can borrow. So that's very curious.

Then in the next section it says that we can decide to provide departmental assistance to the agency, which is quite common with these devolved agencies. They'll be assigned a department that will process their cheques and help with their human resources and that kind of thing. They act as an administrative arm for them. That's very common. But, gee, you can borrow money, but we'll also give you money to help run your organization, and you get the \$50 million guaranteed for the oil sands, by the way, or that area only, and you can borrow money. What?

They can also acquire real property. Now, why is an agency being empowered to acquire real property? I'd like the answer to that one, too. They can borrow, they can also get assistance from the government, and they can acquire real property. Why? Why would an agency like this need to be able to acquire real property? That is not a standard clause in the typical, you know, agency, board, or commission language.

The criteria for the scientific advisory panel. Again, it says nowhere in here that they have to be scientists or they have to be recognized by their professional group or they have to be peer published or anything that designates that a science advisory council actually has to have scientists on it. I have chem 31. I could be on this committee. That's insane. I mean, not the thought of me being on the committee or the thought of me passing chem 31, which I did. But, truly, where's the criteria for this? I expected very high standards given the hullabaloo we've had about this agency, and we get exactly no criteria for who is to be appointed to a scientific panel. What are you thinking?

They're also indemnified in a way that I don't recall seeing in other legislation. If it's there, please show it to me. Generally there's a clause that says that if the staff is doing what they're supposed to be doing, you can't sue them for doing their regular job. But this is going way past that. You know, it's an entire section. They can indemnify a present or former director. Why former? So somebody can't sue them after the fact? Well, they should be covered under the original indemnification. Why are you indemnifying former directors or agencies? They're indemnifying people who act at the request of the agency, employees or former employees, heirs, and legal representatives of these people. What? And this is for everything.

**The Deputy Speaker:** Thank you, hon. member.

**Ms Blakeman:** Oh, I didn't even get through my list.

**The Deputy Speaker:** I'll recognize the Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. Last weekend the Wildrose Party met down in Red Deer, and we passed a couple of policy suggestions. One was that we would reduce greenhouse gases by advancing, implementing, and co-operating on technology, research, conservation, and alternative renewable energy sources. The other was to ensure that Alberta's goals and objectives were on par with the national and international greenhouse gas and air pollution protocols and standards. Now, we did that because we listened to Albertans.

Here we are today dealing with a bill called the Protecting Alberta's Environment Act, but it doesn't do that. It doesn't add any more protections whatsoever to the environmental laws that we have today. It's actually a misnomer to call it a protection act because there's nothing about the bill that protects. What it does is that it creates an agency, again, an independent agency, something akin to Alberta Health Services. And how'd that work out? Well, it didn't work out too good, and we're constantly having a problem, where we're trying to fix our health care as a result.

We have a unique situation in this province. We are an oil and gas province. Some people say we are a carbon extraction province. There's no question that we are a resource extraction province, and we're amazingly wealthy in our resources. Nobody denies that. What we want to do is deal with that issue of resource extraction, our nonrenewable resource, but we want to do it in the most responsible environmental way that we possibly can.

Now, that's not just common sense. I mean, it is common sense, but it's more than that. It's good for our industry when we do it responsibly. I know all the members here have had a chance to consult with some of the industry members. They have to do certain things to show their customers that they're responsible because that's what their customers want. So here we are trying to build pipelines, trying to get our resources to market, and what we're hearing is that our customers on the other end want to see some steps taken to protect and improve the environment, and that's really important.

9:30

Over and over our government tells us what a wonderful job they've been doing, but here we are now with another massive change. When I had an opportunity to call some of my industry contacts, one of the first things that had jumped off the page at me – and I'll leave the name anonymous for fear of any retribution for the individual. [interjections] Oh, please, please, don't heckle and say that there's never been retribution in this province. The reality is that people need to protect their jobs and not be critical of the government or the company they work for. There is a little bit of logic to that.

What is absolutely important is: why don't we have a program where we get some sort of 100 per cent goal as our target that we would be transparent and we would be forthright in the programs that we undertake to improve our monitoring of the environment, to improve the protection of the environment? I mean, let's take a look at some of the problems that have existed. The minister is quick to say how wonderful things are, but just dealing with the issue of greenhouse gases, I don't think there's a member in this House that doesn't think we need to reduce this. I know industry is absolutely on board a hundred per cent. They know we need to reduce greenhouse gases. They want to. They want to for our customers.

We had an absolutely great opportunity that presents itself to our economy, where a company decides to turn off two coal generators. They issue the notice of termination, and the government intervenes and forces them to invest nearly a hundred million dollars to turn them back on, and they will only stay on for a couple of years. We don't even require them to adhere to newer technologies because what we're asking them to do is just turn on what they've turned off. That doesn't make sense. It doesn't make sense because what that does is that it keeps sulfur dioxide, nitrogen oxides, and fine particulate matter, mercury, never mind the greenhouse gases. We had an opportunity to get ahead of the curve, and the government reversed what industry was trying to do. I don't understand that. It didn't make sense, but it is.

In the meantime, what we have is Alberta saying that we want to reduce greenhouse gases, but our actual greenhouse gases have increased 46 per cent since 1990. We haven't done a good job of it.

There are other issues surrounding the environment where we've done a very poor job, and I don't get why. Nothing in this bill shows us that we're going to do anything about it. One of them is groundwater mapping. We haven't done any groundwater mapping, and for years we've been asking about groundwater

mapping. The interesting thing about groundwater mapping is that our industry has done it for us. Every time they drill, they're mapping the groundwater. They collect the data, but it's all proprietary, so the government doesn't get that data. I don't understand the philosophy behind that because it's readily available. We could do that easily by regulation and protect the proprietary interests of the various companies. What the government needs to know is what's happening to those aquifers. There's nothing in this bill that says that this is going to be protected.

The enforcement action of Alberta environment in reality has been nonexistent. The Bilozer family in the minister's own riding is a perfect example. She knows who I'm talking about. The Bilozer family had their property, their quarter section, basically polluted by Imperial Oil. Now, that's not in question. There have been four environmental enforcement orders issued over the last 20 years against Imperial Oil. Imperial Oil doesn't debate this. They admit it. They've admitted it before. The problem is that there has been no enforcement. Nobody has actually tried to make Imperial Oil clean it up, and no one understands why.

I had a chance to talk to our new single Energy Regulator, a nice man, very competent. When I brought up this one example of where it's not a disputable item – we know the pollution took place, we know the company has admitted it has taken place, we know there have been four enforcements orders, yet nothing has ever happened – the new Energy Regulator, the new CEO, said that he was quite familiar with the case and that's one of the problems of Alberta environment, that there's very little in the form of enforcement. We could have put something in this bill where we could help people like this, but we didn't.

There's nothing in this legislation that deals with the issue of disturbed lands when it comes to reclamation. By the minister's own calculations there are roughly 51,000 hectares in this province of disturbed lands that will require reclamation at some point in time. According to the mine financial security program guide the ministry says that it will cost about \$75,000 per hectare to reclaim this land. Now, that's just an estimate out of the ministry, but if you do the math, with the amount of money that the ministry has collected as security, we are about \$56,000 short per hectare, or roughly \$400 million short, of what we need to reclaim this land. And there's nothing in the legislation that actually addresses this issue.

One of our major pipeline companies was just found the other day – of 125 pumping stations in this province, 117 of them are in noncompliance with the National Energy Board and our current environmental regulations. That's unacceptable. That's absolutely unacceptable. So what's being done to bring them into compliance? How they got that many out of compliance is another question.

CNRL has been ordered – I'm sorry. Up in the Cold Lake region their Primrose oil sands project: it's burping out of the ground – it's a great way to describe it – and everyone is caught trying to figure out what happened. Well, actually, when you talk to some of the geologists who want to talk off record, they say that they've known since 2009 that this could be a problem because the caprock, the layer that is supposed to be above where you frack, was not, I'm going to say, consistent. So it is on the same venue as the BP issue down in the Gulf. There were people prior to that disaster down there that had warned that it was not going right out on that oil rig. One of the drill rig operators basically told his wife that he thought he might die on this rig the way they were operating, and sure enough he did. We have that same situation dealing with CNRL. There are geologists up there to whom this is not a surprise that this has happened.



The thing is that when you protect the environment – what our industry wants, what the public wants are clear, concise environmental laws that are enforceable and consistent, that everyone understands and everyone can go by. We don't have that, and this was an opportunity to have that.

What we're creating is this separate agency, an arm's-length agency. But we know this government doesn't do that with arm's-length agencies. They haven't demonstrated that yet. I'll try to keep an open mind that this government will demonstrate it with this one, but I'm not expecting it. I watched what happened with Alberta Health Services. There's no arm's length there. I watched what happened with the old EUB and with the AUC when Bill 50 was brought forward. There was no arm's length. The government intervened.

Now all of a sudden we're talking about being transparent, we're talking about making the data public. Yet we have Justice Marceau calling what this government did a direct apprehension of bias, when they disallowed participants, intervenors, the opportunity to participate in a hearing. Now, if that was the first one, maybe we could understand it, but it's not. It's a continuation of a number of rulings, EUB versus Lavesta being another one in 2009, where the government was found guilty of the apprehension of bias.

We have a track record of cover-up and bias in the whole process, and there's nothing in the bill that says that we're going to address that issue. If we're going to prove to the international market that we're responsible, that we're going to do what's right, I don't think we can any longer say that words are good enough. We have to show it by action. There has to be something, not just the legislation, but the legislation has to be able to have some teeth to it, where it's enforceable and it's fair and it's just. This doesn't say that. What is says is that we will create this independent board. We know we're going to finance it up to a certain point, but we have no idea what's going to happen in the future because there's no financing mechanism for it.

9:40

The crazy part is that there are no qualifications or criteria, as was pointed out, on who can be on this board. That doesn't make sense. That doesn't make sense at all. If you appoint political friends, they're still going to have to hire experts to understand what the heck is going on. So we'll balloon the agency, and we'll add more money, and we'll hire more people, but is it going to do anything that we can't do now? There's nothing in this bill that says that we're going to do anything different. That's what's missing.

It's interesting. We're constantly hit with this news. It gives us a black eye environmentally, particularly in the international markets. Now we know about the mercury levels in the birds' eggs near Lake Athabasca, and this is by the joint oil sands monitoring agency, which, by the way, goes away when we pass this bill. There's going to be something taking its place. That's significant when that mercury level rises. We need to understand. I'm not saying that that's coming from any particular place, but what I am saying is that that is telling us something is wrong, and we need to discover why that is happening. So where in this bill does it say anything about how we're going to change to investigate and to come to the solutions for protecting our environment?

These are the indicators, and I just listed a few here. There are quite a few that just continue all the time in Alberta. In my view, some of it is avoidable. One of the things in maritime law is that it says that there are no such things as accidents. They're not accidents because they're preventable. What they do in maritime law is try to find out how to prevent . . .

**The Deputy Speaker:** Thank you, hon. member.  
Standing Order 29(2)(a).

**Ms Blakeman:** One of the concerns that I have with this bill is the section that allows this new agency to write its own conflict of interest laws, which does seem like a tiny conflict of interest, by the way, to write its own conflict of interest laws or regulations to abide by. Again, having sat on the recent Conflicts of Interest Act Review Committee, what's become apparent is that there's a complete hodgepodge of conflict of interest rules that govern these agencies. In a number of cases they are allowed to go by their own rules or by the rules that appear under APEGGA or under the government employee standards rules, and none of them are as strong as what appears in the Conflicts of Interest Act. And I have criticized that act for not being strong enough.

Does the member have anything to comment on around the conflict of interest regulations, given that this agency will be, you know, moving in a circle that can very much engender all kinds of conflict of interest in the oil and gas sector? They're handling potentially a lot of money, and what they do is going to apply to a very wide area and have a wide influence or application. Could the member comment on that?

**The Deputy Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker, and thank you to the member for asking. I think that's problematic, and I'll tell you why. The industry absolutely needs a level of confidence that the agency is independent and that it's credible. Perception of credibility is not what we believe or may want to believe. It's what their customers absolutely expect. What I worry about in that one section is that it will allow certain industry members who may have a conflict to be on these boards. I will tell you that they may be good and just and kind people, but that conflict is enough to upset the whole apple cart if the perception is that there's bias that's been placed into the system.

I think that's sometimes where we hurt ourselves, either intentionally or unintentionally, when we allow these things to happen. We have the ability to correct that during the amendments. I hope the government will listen to that because this isn't just about, you know, one section of our economy. This is about all of Alberta.

There's another piece in there that I thought was kind of strange. Many boards, many government agencies indemnify the members, the employees from a number of different actions and protections but never for criminal. If you commit a crime and you are a criminal, then usually that's where you get cut loose, and you suffer the criminal justice system. That's what you do. I notice that in this act there is an indemnification clause for also criminal action. I don't know why they put that in, and hopefully the minister can explain that. I don't see where we need to protect somebody from criminal action. In other words, if they commit a criminal action and it's proven to be such, then let them suffer the criminal justice system. That's why we have it. With everything else the indemnification seems to make sense to me, but that one just jumped off the page, and I'm not sure why.

With those two provisions, the whole conflict of interest and then the "If you commit a crime, we can indemnify you," I'm not sure how that actually works, to be perfectly honest. I scratched my head on that. We have a Justice minister, who may want to comment on how that would happen. How do you indemnify somebody from criminal activity? I don't think it overrules the criminal justice codes, but someone more qualified than me can

answer that question. But I don't think we even want to attempt that. That's what's not logical to me. There are many parts of this bill that I think we could clean up – and those are two areas that are significant – to give some integrity and credibility to the whole process.

Again, I would like to support the bill. I won't call it junk. That's not appropriate, and I don't plan on it. But I will tell you this. It's hollow. It doesn't do anything that we can't do now. It doesn't add any protection. I don't see where it brings any more confidence to the system at all. It's interesting that industry . . .

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the hon. Associate Minister of Accountability, Transparency and Transformation.

**Mr. Scott:** Thank you, Mr. Speaker. It is a pleasure to rise to speak in favour of Bill 31, Protecting Alberta's Environment Act. Bill 31 will establish the Alberta environmental monitoring, evaluation, and reporting agency, the first of its kind in Canada. This legislation is a vital component in this government's commitment to environmental stewardship. It is one of many initiatives and programs our government has put in place to show the world that we are balancing our economic interests with responsible resource development and ensuring that our environment is front and centre.

Last year the government implemented the lower Athabasca regional plan, the first regional plan in Alberta, a regional plan, by the way, which has caught the attention of many countries around the world. They are interested in what we're doing and are actively seeking more information about the regional planning process.

Through regional planning Alberta is moving to a more efficient and effective management system, a system that considers the cumulative effects of all activities. Our government is committed to managing the cumulative effects of development on air, water, land, and biodiversity. This allows us to understand the effects of multiple development pressures, assess risk, and work in a collaborative manner to improve the integration of economic, environmental, and social considerations.

Regional plans adopt the cumulative effects approach, managing the impacts of existing and new activities. It is based on our understating of environmental risks and socioeconomic values and provides valuable insight in setting environmental objectives and then managing those objectives. The new monitoring agency is a cornerstone of those considerations.

Bill 31 is enabling legislation that sets out AEMERA's purpose, identifies key activities it will undertake, and describes its powers. It establishes AEMERA as a provincial corporation governed by a board of directors, operated by a CEO, and accountable to the Minister of Environment and Sustainable Resource Development. As an arm's-length agency, AEMERA brings its independence into being by determining the scientific basis for monitoring and reporting the results of the monitoring. It is the science and reporting that is independent. A science advisory panel, comprised of internationally recognized environmental scientists, will ensure AEMERA's work is based on scientifically sound practices. This group of experts will make recommendations to government on how to best design independent, effective, and scientific oversight of the enhanced monitoring program.

9:50

Independent oversight for monitoring was one of the recommendations put forward in the provincial monitoring panel's

report from 2011. Alberta has always stood behind this recommendation with one hundred per cent commitment. By seeking advice from some of the world's best and brightest, we will find workable and achievable options to build an independent oversight process that is designed to succeed and built to last. We will use the findings as a springboard for further progress on cutting-edge environmental monitoring across the province.

The work of this agency will begin in the oil sands region and eventually will spread to become a province-wide monitoring agency. Once created, the agency will assume duties for the joint Canada-Alberta monitoring program. It will work closely with officials from Environment and Sustainable Resource Development and our partners at the federal level to ensure the success of the joint monitoring program.

Mr. Speaker, Bill 31 is a major piece of environmental legislation. It shows that Alberta and Canada are taking the environmental responsibilities seriously. Establishment of a world-class, independent, science-based monitoring agency demonstrates that commitment. As we continue to build Alberta, initiatives such as this are vital to securing market access to our products and showing the world that we are leading the way. As we move into debate on this bill, I encourage its support. This is important legislation for all Albertans and demonstrates our hard work toward meeting our goals.

Thank you for this opportunity.

**The Deputy Speaker:** Thank you, hon. minister.

Under 29(2)(a), the hon. Member for Edmonton-Centre, followed by Rimbey-Rocky Mountain House-Sundre.

**Ms Blakeman:** Thanks very much, Minister. I'm sure your colleague is grateful for your support. I have a couple of questions for you. You referenced cumulative effects a number of times. Has the department been able to settle on a definition of cumulative effects that can be used to measure what you're actually looking for?

A second question. It appears that the government is trying to set up a business model for this agency, especially when it's endowing it with borrowing powers, ability to buy real property, and it starts out with a CEO. I just would like confirmation that this actually will be a public, not-for-profit agency and not some sort of private company.

Finally, if he could explain why there are noneligibility clauses in who is eligible for appointment. Why, in particular, are people that have had the status of bankruptcy ineligible for the board as well as anyone who has been convicted of an indictable offence? Those aren't common clauses in set-ups for NGOs or government agencies, and I'm particularly interested in why you are excluding anyone who's had a bankruptcy proceeding.

Thank you.

**Mr. Scott:** Thank you for the questions, and we will address those questions during Committee of the Whole.

**The Deputy Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. I suspect that answer may be a long time coming.

To the hon. minister, thank you for getting up, particularly since the responsibility is for transparency and accountability. Since the government's decision to exclude a think tank from the processes dealing with the oil sands is what Justice Marceau called "direct apprehension of bias" – and he used some fairly scathing language in his decision – where in the bill, hon. minister, is there any

section or words that will prevent that from happening or assure industry or our customers internationally that we will be open and transparent?

**The Deputy Speaker:** The hon. minister.

**Mr. Scott:** Thank you, Mr. Speaker. Once again, we'll address those issues during Committee of the Whole.

**The Deputy Speaker:** Are there others?

Seeing none, I'll recognize the hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thank you, Mr. Speaker. I rise with a great deal of interest to make some opening comments on Bill 31, Protecting Alberta's Environment Act. You know, looking at the intention of this bill as described by the minister – to establish a new agency, to make this evaluation and reporting available to the public in an open manner, with scientific data and so forth – really there is very little to criticize in those intentions. Certainly, these are intentions that have been very clearly laid out by individual citizens, by the energy industry here in Alberta and internationally, by interest groups, by opposition parties for many, many years. Those words certainly are something that we all aspire to.

However, Mr. Speaker, as well there are certain undermining elements to this act in the way in which this agency would be set up that make it less than ideal and that, I would suggest, in fact undermine those very principles that are described in the summary and as were described by the minister when she introduced this bill.

It's always very difficult to just ascribe certain objectives and ideals if you do not support those ideals with a framework that will allow this new agency to actually monitor the environment and to report independently and to have that capacity and that independence enshrined in legislation. That, I think, is the short version of the heart of the problem with this bill.

Certainly, it's not unsalvageable. I've already heard from a number of speakers here this evening that they're looking to make amendments that would perhaps satisfy the independence of this monitoring agency. I would suggest that we will be working on a similar amendment, too. If I could just describe in very broad terms what's missing here and what I think becomes obvious to people that will listen to this debate – and many, many thousands and millions of people have some vested interest in this debate and the proper construction of this legislation – what is missing and essential to making an independent environmental agency work is independence, that very word “independence,” and not having it reporting through the ministry as a regular body but reporting as an independent body.

That independence, if we can reach back to the essence of how our judicial system works, is the same sort of thing. You wouldn't think of interfering in a court and its proceedings and its dispensing of law, so I think we could use that same model to create an environmental monitoring agency here in the province of Alberta. We would reach that similar standard of integrity that our judicial system enjoys with its independence here, both in the province of Alberta and in Canada in general, and in other countries around the world.

I guess that that, as a short version, is what I would see as being the solution to Bill 31. As it stands, as it is functioning through the ministry, there is just a basic problem of credibility that will undermine the effectiveness of this agency. We need scientifically sound, independent data about our environment to make correct decisions as we balance resource production with our long-term

health and the long-term sustainability of our energy industry. We need that credibility to export our energy products throughout North America and throughout the world.

We create some constructions that might be able to convince us here in Alberta about the environmental soundness of our energy policy, but if that doesn't wash and if it's not credible or it's not believed internationally, then we're really undermining the very industry, the golden goose, so to speak, that drives our economy. We're not fooling anybody, really, but ourselves in the end. The integrity of this environmental agency is absolutely paramount to make it function, and I think we have the potential to do that by amending and strengthening the independence of this agency in this bill.

We do take major issue with this government's suggestion that the way to do it is as it stands on the page, right? As we've seen with this government's recent handling, say as a parallel situation, with Alberta Health Services, if we're not forced to absolutely maintain independence, we have a tendency to end up with the wrong people at the job, and things just turn out worse than we originally had intended.

**10:00**

This bill, as I say, provides all the authority to the minister to appoint board members, and none of the guidelines are necessary to make sure that these people reflect the interests of all Albertans but rather how the ministry wants to make those choices.

[Ms Calahasen in the chair]

And so, Mr. – Madam Speaker. Nice to see you there, very nice.

There are so many examples that I can give through the history. I only have to go back as far as the PC appointment of Bruce Carson – right? – made to review this very topic, and then he had to resign for lobbying which was going against the position that he was appointed to.

I mean, this is just one example, right? It's not just simply that government-appointed boards get to run the show, but they also get to appoint the people that would review these boards, too. So, I mean, this just creates a miasma of confusion, I think. Just imagine trying to . . .

**Ms Blakeman:** That's nice: miasma. That's very nice.

**Mr. Eggen:** Yeah. Thank you.

Imagine getting to pick the person that does your evaluation. That's the correlation that I see, right? So, of course, the result is predetermined, somewhat like the Azerbaijani elections. Inadvertently the results were leaked the day before the actual election took place. Similarly, these evaluations that we would do with this board can be prewritten and predetermined very easily through this flawed process.

[The Deputy Speaker in the chair]

Let's maybe give the benefit of the doubt, that you do pick people, that they do have the right board picked with the right people at this time.

I would like to put forward other questions here, Mr. Speaker. For example, where is the commitment to properly fund this agency? As an independent board you need to use public money to ensure that the results and the choices are not tainted by funding from anywhere but the public interest.

Also, Mr. Speaker, there's an ability for industry contribution in the lower Athabasca region in terms of the monitoring, but I'm confused and need to have clarification on what happens when we go beyond that area.

Also, Mr. Speaker, if this board goes to the minister and says that we need more money to do our job, what would their response be? What provisions do we have specifically in place to ensure that the funding is adequate and that they have the capacity to do the job that they are responsible for?

Also, why are we not entering into a debate on this legislation, then, with a clear picture of what the funding model will be? It undermines any good words and thoughts that we might put forward here in this Chamber, Mr. Speaker, if we are debating something that is not going to have the teeth and the capacity to actually carry out a very expensive and sometimes complex job. If we are just painting a lovely picture with words but actually not giving it substance and teeth, then that is not helpful.

The legislation talks about cost recovery, as far as I can see, here in this bill. I'm just wondering how they might be going about that, if this government is considering a tax of some sort, a carbon tax, as reports leading up to this bill have recommended, if there are other ways by which we can have cost recovery. I'm just curious to know where this is going.

I think these are answers that should be in place a long time before this bill actually makes it to this stage, where we are debating it in the House. Otherwise, it's very thin on the ground and, I would suggest, not entirely well crafted.

Even then, I think the minister seems to want to have control of how often this agency gets to report to the public, so when they talk about raw data and public access, there's no guarantee it comes out that way in the wash. Again, this whole idea of the ministry controlling the data: even if it's not being changed and/or edited or limited, then you still have the public perception that it could have been or might be in the future, and that undermines the credibility of this agency.

I think, Mr. Speaker, we have the opportunity here to be real leaders in environmental monitoring. But I think what appears to be happening here – and, please, I would love to be proven wrong on this. I really do expect and know that this is the time and place where if we put in a proper environmental agency and give it true independence, we will take a giant leap forward in being able to create a sustainable and reasonable agency to give credibility to our energy industry. But if it's just another political ploy, if it doesn't have the substance that I've just discussed here in a framework, then certainly I'm not prepared to support any version of this, with amendments or not.

I guess we've learned already from what we've heard from the briefing of the bill that the intention of this bill is to end quibbling and debate about data. This is certainly how this agency will be used in the future. They approve a board who then appoints and reviews scientists. Any arm's-length or independent argument has to be attacked at this point. It's clearly an attempt to have control, then, of what the data and the endgame will actually be regarding the environment. We've seen problems with this already. We've seen a very cavalier approach to who gets to even present at environmental hearings recently. You know, that doesn't bode well for how this agency might be structured and/or controlled in the future.

Overwhelming concerns in looking at this bill should be, I think, Mr. Speaker, whether the independence is anything close to that and how selective the release of data will actually be. People will be watching this very closely, and I certainly will expect that not just Albertans but Canadians and internationally will, I think, judge us not on the words of this bill but the actions that will accompany it, as they should. Certainly, no one knows better than all of us here in this Legislature what is at stake in regard to the integrity and the ability for us to market our energy products around the world. We travel the world to advocate for selling our energy products. I think we need to get the most value from those energy products. I think

we certainly need to be processing them through various secondary industries. But we will be hampered at every stage along the way, from investment to marketing to that final sale, if we're not providing an honest and sincere environmental framework with an independent environmental monitoring agency that can give the real data and the truth about the state of our environment here in Alberta and the state of our various emissions.

With that, Mr. Speaker, I would like to move to adjourn debate on this.

**The Deputy Speaker:** Thank you. The hon. Member for Edmonton-Calder has moved to adjourn debate.

[Motion to adjourn debate carried]

## 10:10 Government Bills and Orders Committee of the Whole

[Mr. Rogers in the chair]

### Bill 207 Human Tissue and Organ Donation Amendment Act, 2013

**Hon. Members:** Question.

[The remaining clauses of Bill 207 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? That is carried.  
The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chair. I must say that I appreciate the alacrity with which the House dealt with that matter, and I move that the committee now rise and report Bill 207.

[Motion carried]

[The Deputy Speaker in the chair]

**The Deputy Speaker:** The hon. Member for Calgary-Varsity.

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. The Committee of the Whole has had under consideration a certain bill. The committee reports the following bill with some amendments: Bill 207. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of this Assembly.

**The Deputy Speaker:** Thank you, hon. member.  
Does the House concur in this report?

**Hon. Members:** Concur.

**The Deputy Speaker:** Opposed? So ordered.

## Government Bills and Orders Third Reading Bill 207 Human Tissue and Organ Donation Amendment Act, 2013

**The Deputy Speaker:** The hon. Member for Medicine Hat.

**Mr. Pedersen:** Thank you, Mr. Speaker. I'm proud to stand today in support of Bill 207, the Human Tissue and Organ Donation Amendment Act, 2013, presented by the Member for Calgary-Foothills. Unfortunately, there are few positive numbers and statistics to work with, only that Alberta has the dubious distinction of being the lowest rated participant in Canada for donating organs. Past governments have failed organ donors and organ recipients by not placing a higher importance on this issue as a whole, and those are losses that can never be recovered, no matter the money or efforts thrown at it now.

This registration process needs to make registering to donate your organs as simple as possible should something detrimental happen to an individual. The last thing anyone needs in a time of crisis, of family loss, or in a time where quick decision-making is required is a process that is cumbersome and prolonged and that adds more anguish to an already difficult situation. The will of the organ donor needs to be easily identified and respected so that should there be an opportunity to save a life or multiple lives through the loss of another person's life, this wish is followed through.

Out of all the bills presented and tabled to date since this session began, this is a bill that has no political agenda, so I encourage all members from all parties to support this bill and make sure that it is passed and enacted so that it actually does benefit people in need as soon as possible. Just think about how many people might have been given an extra lease on life had this bill been enacted at any point in the past. The numbers would be staggering, I'm sure. Imagine how many people might still be here today, maybe even somebody sitting in this Legislature who was fortunate to receive a donated organ to allow them to continue living.

A constituent of mine, JoAnn Olson, lost her son, Wade Strong. Wade passed away on July 28 while waiting for a liver transplant. She would really appreciate it if everyone could support Bill 207. Even more poignant is that today would have been Wade's 40th birthday.

When the regulations are being developed for Bill 207, I do hope that those doing this will also review how people are screened for organs and that the requirements put on them are not onerous. For the individual above there was an unnecessary requirement to attend a course, and I ask for your approval to share with you an excerpt from the letter that he shared with our office. I can't confirm any of the information provided, but when a person is facing a life-or-death situation, I'm sure they have probably exhausted any and all options available to them and simply want a chance at life without needless rules and regulations that make the opportunity much more difficult.

Unfortunately, I never did have the chance to meet Wade Strong. He sent this e-mail to our office on July 24, 2013, and as mentioned, he passed away July 28, 2013, four days later.

Hello, All,

I live on a farm . . . in the county of Rocky View . . . I am desperate for any help that can be given, as I have only seen a specialist 2 times for a total of 30 mins in 8 mths since they told me I have 2 years to live. I am getting sicker and have paid all my own expenses to try and get myself the best possible shot. I have passed all other health testing and I did finish 1 AADAC course and during the second one I was half finished and was hospitalized and almost died from a stomach infection. I am willing to do anything to finish whatever course is needed but I have to be in the Foothills [hospital] every Thursday to drain excess fluids. They didn't even give me credit for the first half of the course. Today I was told and not in a nice way . . ."

**The Deputy Speaker:** If I may, my apologies, but procedurally we didn't have the sponsor of the bill move third reading. We should have that done, and then I'll allow you to continue immediately after. If you'll just rest for a moment, I'll recognize the member for Calgary-Foothills to move third reading of Bill 207.

**Mr. Webber:** All right. Well, thank you, Mr. Speaker. I am very pleased to stand here today in third reading of Bill 207, Human Tissue and Organ Donation Amendment Act, 2013.

Mr. Speaker, we are all now very well aware that Alberta does lag behind other provinces in donation rates for organs and tissues. Bill 207 will take action to improve Alberta's rates. It's not just about organs and tissues. It's about creating hope, hope for Albertans. The actions in the bill will give hope to families, especially those on waiting lists. Bill 207 takes aggressive action to increase donation rates in Alberta. It will mean that more people will receive the life-changing transplant that they need, and it will improve many other Albertans' healthy way of life. But ultimately it's about saving lives.

I thank the hundreds of Albertans who have expressed their support for this bill, who have written to me, called me, e-mailed me, and I thank all those in the transplant community who have helped me with this initiative, the many that are so passionate about improving our organ and donation system here in Alberta. I especially want to thank each and every one of you in this Assembly who have supported me on this front and who have supported this unanimously. I will stop there and just say thank you, all, and God bless you all.

Thank you.

**The Deputy Speaker:** And move third reading, hon. member.

**Mr. Webber:** Oh. Okay. I'd like to move third reading.

I understand, Mr. Speaker, that we have a couple of other people that would like to speak on this, though.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Member for Medicine Hat to finish from where he left off.

10:20

**Mr. Pedersen:** Thank you, Mr. Speaker. Sorry for jumping the gun there. If you would indulge me I'd like to start back on the letter, if that's all right.

Unfortunately, I never had the chance to meet Wade Strong. He sent this e-mail to our office on July 24, 2013, and as mentioned, he passed away on July 28, 2013.

Hello, All,

I live on a farm . . . in the county of Rocky View . . . I am desperate for any help that can be given, as I have only seen a specialist 2 times for a total of 30 mins in 8 mths since they told me I have 2 years to live. I am getting sicker and have paid all my own expenses to try and get myself the best possible shot. I have passed all other health testing and I did finish 1 AADAC course and during the second one I was half finished and was hospitalized and almost died from a stomach infection. I am willing to do anything to finish whatever course is needed but I have to be in the Foothills [hospital] every Thursday to drain excess fluids. They didn't even give me credit for the first half of the course. Today I was told and not in a nice way from [a government bureaucrat] to take the full course or die. And on top of this they hadn't even booked me into Edmonton to get on the list which I now find out is 4 more mths of waiting. I am shocked with AHS. The care and mistakes that have been made make Sudan look like a better place to have this happen.

Anyway look forward to moving forward as myself and my family would like to see me turn 40. A liver transplant in a foreign country is about [\$100,000 to \$300,000] in the States and I figure AHS has spent 1 Million [dollars] on me, and we have accomplished nothing while I have gotten sicker.

Thank you.

Wade Strong.

I hope everyone listened closely to this plea for help, this plea for compassion and understanding, this plea to simply be given a chance at life. Let's all make sure the intent of Bill 207 is followed through when the regulations are developed. What we all don't need is another bill that had great intentions that was changed, watered down, or regulated into ineffective or inefficient legislation. Let's make sure the process is effective and efficient and that energy resources being expended get concentrated on the service and not the service provider.

In closing, Mr. Speaker, if there is anything we can do today to give people like Wade a second chance at life, then we must do it.

God bless you, Wade Strong. God bless you, JoAnn Olson, in the loss of your son.

**The Deputy Speaker:** I'll recognize the hon. Member for Edmonton-Centre, followed by Rimbey-Rocky Mountain House-Sundre.

**Ms Blakeman:** Thanks very much, Mr. Speaker. I can't imagine who wouldn't be supportive of this bill, and I'm going to give credit for repeated tries. I think there have been three attempts to create a successful and positive organ donation program in Alberta. There are times when I am greatly annoyed by government's persistence in trying to do stupid legislation, but I have to commend them for their perseverance in bringing this forward repeatedly and trying to get people on board with it.

I do support the legislation. I know that my whole caucus did. The educational piece always seems like a bit of an add-on, but I was listening to the radio the other day, and a doctor was describing how he was working with the family and the time had come to say, "You need to think about organ donation," and the family said, "Yes, yes." The doctor reiterated that the person had a living will and had indicated that it was on their card. They'd indicated it. Then when they came back with the forms for the family to sign, they went: "Oh, no, no. We can't sign that." So it is always a matter of both as much incentive and encouragement and rules that we can put in place to try and get people to think about this and to take a positive step, but it is also the follow-up with the

families because it does all go off the rails if in the very end they won't give permission on the spot.

So my commendation to the government for pursuing this and to the member, in particular, for pursuing it. This is a very positive step, and I'm very pleased to see the government taking it.

**The Deputy Speaker:** The Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker.

**The Deputy Speaker:** Oh, sorry. My apologies. Standing Order 29(2)(a) is available after that last speech.

Seeing none, then I will recognize the Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. I'd like to congratulate and thank the hon. member. I've heard a lot about the history of this, and quite honestly I've learned a lot about organ transplant. I was quite impressed with the number of letters that I got on this bill and the amount of concern that I think citizens had right across all of Alberta. It is always a pleasure when we can be part of something where we actually do good, where we actually can see how we affect the quality of life and can improve it for others.

I'm proud to be part of this moment, and I want to congratulate you for allowing me to be part of that. Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Are there others?

Seeing none, I'll call the question.

[Motion carried; Bill 207 read a third time]

**The Deputy Speaker:** That motion is carried unanimously. [applause]

I'll recognize the hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. It's a good day to be alive. I think on that very positive note it would be a very good time for us to go home and reflect on the work that's happened today and come back tomorrow to do more good work for the people of Alberta. So I'd move that we adjourn until tomorrow at 1:30.

[Motion carried; the Assembly adjourned at 10:27 p.m. to Wednesday at 1:30 p.m.]







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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Wednesday afternoon, October 30, 2013

Issue 62a

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta**  
**The 28th Legislature**

First Session

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Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
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## Legislative Assembly of Alberta

1:30 p.m.

Wednesday, October 30, 2013

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon.

Let us pray. Author of all wisdom, knowledge, and understanding, we ask for your guidance in order that truth and justice may prevail in all our deliberations, in all our judgments, and in all the decisions that we are pledged to make on behalf of the constituents we are privileged to serve and represent. Amen.

Please be seated.

### Introduction of Visitors

**The Speaker:** I see we have some visitors. The hon. Minister of International and Intergovernmental Relations.

**Mr. Dallas:** Thank you very much, Mr. Speaker. I rise to introduce to you and through you to the members of this Assembly our esteemed guests: Mr. Quang Dung Tran, who is the consul general of the Socialist Republic of Vietnam in Vancouver; and Ms Phuong Anh Pham, who is the consul. Alberta's relationship with Vietnam is rich and multi-faceted with annual exports to Vietnam averaging \$35.7 million between 2008 and 2012; 25,000 Albertans of Vietnamese descent contributing to our cultural heritage, shared values, and vibrant economy; and agreements in place to advance co-operation and vocational training, labour mobility, trade, and agriculture-related training and research. This year marks the 40th anniversary of diplomatic relations between Canada and Vietnam, a milestone in our friendship. Our esteemed guests are sitting in the Speaker's gallery, and I'd now ask that they rise and receive the warm traditional welcome of this House.

### Statement by the Speaker

#### Brevity

**The Speaker:** Hon. members, further to my comments in the House yesterday regarding introductions and tabling returns and reports, I want to ask members to be particularly observant, if you would, please, of the following guidelines as we continue with the fall sitting.

With respect to introductions please be reminded that members who are introducing visitors or guests should limit themselves to briefly stating the names and the relevant facts about the individuals being introduced. Keep in mind that this should normally not take more than 30 seconds. We do tend to allow a little bit longer time for visitors who are official visitors to the province, and these introductions, of course, should be as nonpartisan as you can possibly make them. In fact, there are other Legislatures such as in Ontario where they only allow five minutes total for any introductions of anyone. You can imagine where that would put us if we were to try to stick to a rule like that. Frequently our introductions stretch into 15 minutes.

With respect to the tabling of returns and reports if we look at how Ottawa and other places like that apply this function, there are very rigid conventions that govern this aspect as to what may be tabled and also by whom things might be tabled. We in Alberta are very generous in our tablings with respect to the leniency we offer to all of you, but I wouldn't want us to get too carried away.

The same would pertain to petitions. This is not a time to make political statements as such. Be short, be brief, to the point, and we will obviously have good success in that respect.

Let us move on.

### Introduction of Guests

**The Speaker:** The first group is school groups. Let's start with the Minister of International and Intergovernmental Relations.

**Mr. Dallas:** Thank you, Mr. Speaker. It's an honour to introduce to you and through you to the members of the Assembly a group of grade 6 students from the Greystone Centennial middle school in the Finance minister's constituency of Spruce Grove-St. Albert. They are accompanied by Mrs. Trish Spink, Mr. Bruce Colody, Mrs. Kayla Doering, Mr. Dale Johnston, Miss Richardson, Mrs. Lindsay Thornhill, Mrs. Shauna Sak, Mrs. Gale Sulier, Mrs. Shelley Quenneville, Mrs. Marnie Hebert, Ms Ceone Fournier, and Ms Leanne Tobert. They are seated in both the public and members' galleries this afternoon, and I would ask them to rise and receive the warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much, Mr. Speaker. As you know, I'm immensely proud of my fabulous constituency of Edmonton-Centre, and one of the reasons is that we've got a number of educational opportunities and programs. We have some guests from one of those programs with us in the public gallery today. The program is called Careers in Transition. I believe there are four participants in the program here today, and they're led by their teacher/group leader, Mr. Allan Carlson. I would ask them all to please rise and receive the warm welcome of the Assembly.

**The Speaker:** Are there other school groups?

Seeing none, let us move on to the Deputy Premier for your introduction, please.

**Mr. Lukaszuk:** Well, thank you, Mr. Speaker. In the spirit of collaboration I will keep it down to five minutes. I rise today to introduce to you and through you to members of this Assembly a fantastic postsecondary institution leader. Three years ago Dr. Elizabeth Cannon was appointed the eighth president and vice-chancellor of the University of Calgary. Dr. Cannon is a passionate voice for higher education in our province, someone whose advice I definitely value a great deal, and a phenomenal role model for women in engineering, being an engineer herself. Accompanying Dr. Cannon today is John Alho, associate vice-president for government and community engagement. Again, a very valuable member of the U of C team. I'm happy to welcome them here to the Legislature today. I had a brief meeting with them earlier, and I hope that they will enjoy the proceedings of question period. I would ask them to rise and receive your welcome.

Thank you.

**The Speaker:** The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. It is indeed a pleasure and an honour today to rise in the House and introduce to you and through you to all members of the Assembly some very, very special people. I will be joined later by my colleague the associate minister with another introduction. Today we're introducing Bill 30, the Building Families and Communities Act, and in doing so, we want to say thank you to the chairs of the CFSAs, the child and family services authorities, and the chairs of the PDD Boards.

I would like to introduce some of the chairs, not all of the chairs but most of the chairs, of the CFSA boards across the province who are here with us today and ask the House to say thank you in a very special way for the service they have provided. They are dedicated to serving their communities by working tirelessly to address issues and needs that affect the lives of vulnerable children and families. I'd ask them to rise as I mention their names. From the southwestern Alberta CFSA we have Sharon Holtman and Tom Wickersham. Kathy Cooper joins us from the southeast region. John Phillips is here from the Calgary and area region and Christine Moore from the central Alberta region. East-central is represented by Shelly Pewapsonias – I promised her I'd say it right – and Iris Larson. Louise Charach joins us from the Edmonton and area region, and Audrey Franklin is here from the north-central Alberta CFSA. From the northwest region we have Karen Egge and Wendy Goulet. Tracy Czuy McKinnon joins us from the northeast region.

Also with us, Mr. Speaker, from the Department of Human Services are two representatives of the many people in Human Services that have been involved in this process, Harriet Switzer and Tracy Wyrstiuk. They're in the public gallery.

I'd ask that they all rise and receive the traditional warm welcome and thank you of the Assembly.

**The Speaker:** The hon. Associate Minister of Services for Persons with Disabilities.

**Mr. Oberle:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of the Assembly four representatives from our persons with developmental disabilities boards. We have six PDD regions in the province, which you would be well aware of, all served by dedicated boards who are committed to helping Albertans with developmental disabilities live rewarding lives in their community. Today Jill Bushrod is joining us from the central region, Blair Lundy from the Edmonton region, the northeast region is represented by Glenn Hennig, and Jane Manning is here from northwest PDD. To them and through them to all of the board members and staff back in the regions I offer my sincerest thanks, and I'd ask that the House join me in offering the traditional warm welcome.

1:40

**The Speaker:** The hon. Associate Minister of International and Intergovernmental Relations, followed by Edmonton-Strathcona.

**Ms Woo-Paw:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through to all members of the Assembly six participants in the 2013 Shanghai scholarship council exchange program with the University of Alberta. Nineteen of the brightest professors from 19 different universities in Shanghai were selected to participate in this program, representing a range of fields such as engineering, music, and political science. They have spent three months with various faculties at the U of A, learning Canadian teaching styles as well as exchanging ideas on how to best facilitate research flows between these education institutions. They are seated in the public gallery, and I would like to ask that they please rise as I call their names: Ms Liyuan Xing, Ms Ping Miao, Ms Zhonghong Yan, Ms Hong Zhang, Ms Yan Wang, Ms Dongjie Niu. I ask all members to please join me in giving them the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by Calgary-Glenmore.

**Ms Notley:** Thank you, Mr. Speaker. Today I am very pleased to introduce to you and through you to this Assembly my guests from the Coalition for Action on Post-Secondary Education. They are here today to voice their opposition to this PC government's harmful cuts to postsecondary education in Alberta, and they bring with them over a thousand letters from Albertans concerned about cuts to postsecondary. The letters, students, staff, and faculty at the U of A speak about the detailed impacts the cuts have on the university, and they are calling on the government to restore funding so that all Albertans may reap the benefits of postsecondary education and academic research in the province. I would now ask that my guests rise as I call their names: William Anselmi, Brent Bellamy, Micah Cooper, Derriett Mason, and Carolyn Sale. I ask that the Assembly join me in giving them their traditional warm welcome.

**The Speaker:** The hon. Member for Calgary-Glenmore, followed by Red Deer-North.

**Ms L. Johnson:** Thank you, Mr. Speaker. I rise today to introduce to you and through you to all members of the Assembly a resident of Calgary-Glenmore, Daryl Leinweber. Daryl was born and raised in Calgary, where he is currently the executive director of the Calgary Minor Soccer Association. Daryl is a passionate advocate of volunteerism and has also shared his time and energy with Scouts Canada and various hockey schools involving NHL coaches and players on the Tsuu T'ina reserve. Daryl has received numerous national and provincial volunteer awards, including the gold-level Duke of Edinburgh award, the Alberta centennial medal for community engagement, and the Alberta Soccer Association special recognition award, to name a few. I would now ask Daryl to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Red Deer-North, followed by the Associate Minister of Regional Recovery and Reconstruction for Southwest Alberta.

**Mrs. Jablonski:** Mr. Speaker, today I have the distinct privilege of introducing to you and through you to the members of this House a very good friend and a great citizen. Christine Moore is here today as the co-chair for the central Alberta CFSA. She is the past chairperson for the Red Deer Catholic school board and has just been elected to her first term as municipal councillor for the county of Red Deer. Christine is the producer and director for the annual Celebrity Dance-Off, which is Red Deer's very successful version of *Dancing with the Stars*. Having emigrated to Canada from England with her husband, David, over 20 years ago, they have three wonderful children and feel very fortunate to live in Canada and especially in Alberta. I would say that we are even more fortunate to have her among us. Christine is in the members' gallery, and I would ask her to rise and accept the warm traditional welcome of the Assembly.

**Mr. Fawcett:** Mr. Speaker, it's an honour to rise today to introduce to you and through you two individuals. The first one is Mr. Drew Brown. Drew is an executive director of Saint Jude's Health Management Institute, a small volunteer-driven registered charity helping people in Calgary and area reach their potential by connecting them to resources. He and his volunteer group provide case management, system navigation, community collaboration, and advocacy for Saint Jude's clients. He's also the chair of the family sector of the action committee on housing and homelessness, and he's been a very good friend for a long time of the Minister of Justice and Solicitor General.



The second individual I want to introduce to you, Mr. Speaker, and to the rest of the Assembly is a gentleman who is a fourth-year political science student at the University of Calgary, who is doing a co-op term in my office as a ministerial intern. He came on as I was posted as associate minister of recovery and reconstruction, so he's been travelling around between two communities in the southwest portion of the province, even giving me the occasional break behind the wheel, Mr. Speaker.

I know that you said that this is supposed to be nonpartisan, so I will say that these individuals were instrumental in my political endeavours and in allowing me to be in this House as well. So if I could get both of them to stand up and receive the traditional warm welcome of the Assembly.

## Members' Statements

### Local Decision-making

**Ms Smith:** Mr. Speaker, we know this PC government just doesn't care about local autonomy. The evidence is overwhelming. We've seen it in land-use bills that extinguish landowner rights, we've seen it with the elimination of local health authorities, concentrating power in a giant bureaucracy, and we've seen it in the countless examples of government ministers and staff bullying and intimidating locally elected representatives. Their brazen contempt and disregard for local decision-makers is, quite frankly, astonishing.

But in this session they are taking it to a new low. Bill 28, the Modernizing Regional Governance Act, might be the most heavy-handed, draconian, and regressive piece of municipal legislation ever conceived in this Assembly. As it is currently written, it will strip away whatever semblance of local autonomy we have left. Essentially, it gives provincially appointed planning boards complete and total control over the planning activities of municipalities. Municipalities won't be able to make a bylaw, pass a resolution, enter into an agreement, or undertake a public work improvement, structure, or other thing if it disagrees with the decisions of these planning boards. Participation and co-operation with these overlord boards is mandatory. Municipalities that don't submit to them will face stiff fines; their senior managers will face jail time. Plans approved by the overlord boards will be in full compliance with another draconian piece of legislation, the Alberta Land Stewardship Act, and will override any municipal planning strategies currently in place.

On top of it all, Mr. Speaker, they're rolling it out without consultation at a time when newly elected municipal officials are just being sworn into office. Before some new mayors, reeves, and councillors have even set up their offices, this government is fundamentally and unilaterally changing how they will do the jobs they were elected to do.

It's sneaky, it's offensive, and it's just plain wrong. Mr. Speaker, if this government was looking to pick a fight, they've picked one. The Wildrose Official Opposition will fight tooth and nail against this legislation.

**The Speaker:** Hon. members, the Speaker was struggling to hear parts of that member's statement, so please let's be respectful of each other while these members' statements are being delivered.

### Government Accountability

**Mr. Mason:** Mr. Speaker, Albertans and other Canadians are increasingly dismayed and disgusted by a federal government and a Prime Minister that trample not only on our democratic traditions but also on principles of transparency, openness, and

honesty. Secrecy has replaced openness. Spin has replaced truth. Cynicism has replaced integrity.

While the Senate expense scandal has brought these sordid practices into sharp focus, Canadians were already too familiar with the antidemocratic doctrine of Harperism. But Harperism is not limited to the federal Conservative government in Ottawa. It is alive and well right here in Alberta. Under this Premier Harperism has taken root in our province. Secrecy, disregard for the law, contempt for the people's elected representatives, and the sacrifice of anyone who has become a political liability are hallmarks not only of Stephen Harper but also of this Premier.

When the Privacy Commissioner ruled that the PCs had to release information about severance packages paid to the Premier's office staff, the Premier simply said that she would not comply. Then when a judge ruled that the government's secret policy of barring environmental groups from hearings on oil sands projects violated the law, the Premier's government announced that they would simply disregard the ruling.

Instead of outlining her government's plans before the elected representatives of the people of Alberta in a throne speech, this Premier chose to do it at an \$85-a-plate lunch at the Chamber of Commerce. The symbolism could not be more clear. This Premier chooses to be accountable to the business community, not to the people of Alberta.

Mr. Speaker, we don't have to go to Ottawa to see Harperism at work. This Premier and her office are master practitioners in ignoring judges and privacy commissioners alike, keeping major government policy secret, and throwing former friends and allies under the bus when it suits her. This Premier presides over the most secretive government in Canada, and Albertans deserve much, much better.

Thank you, Mr. Speaker.

1:50

### Oral Question Period

**The Speaker:** Hon. members, I'm going to begin with the Leader of Her Majesty's Official Opposition. However, we had a computer malfunction in my office, and I don't have a list of other questioners today. Hopefully, that'll be rectified soon, and I will get a copy of that delivered to me at the dais as quickly as possible. Meanwhile, let us begin.

### Regional Governance

**Ms Smith:** Mr. Speaker, this government seems to be completely in love with top-down processes, centralization, and one-way, you-listen-to-me consultations. This week we have learned that they wish to completely overhaul regional governance and create unelected municipal overlords that will strip away local autonomy and independence from our municipalities. Now, my question is not about the bill. It's about the consultation process. To the Premier: which municipalities told her that they wanted PC government appointees controlling their affairs?

**Ms Redford:** Well, actually, Mr. Speaker, no one did, because that's not what this legislation does. We work very hard, as you know, with mayors of communities across this province, evidenced by the work that we do with AUMA, AAMD and C, certainly the work that this incredible Minister of Municipal Affairs has done in the past six months. We look to the Capital Region Board, the Calgary Regional Partnership, and communities to ensure that we are working in partnership. In fact, the Leader of the Opposition is absolutely right. This will change the relationship between municipalities and the provincial government for the better because we

have modern communities with strong leaders that want to build Alberta, just like us.

**Ms Smith:** Mr. Speaker, the mayors we're talking to have gone ballistic.

This government seems determined to enshrine these municipal overlords in record time. As near as we can tell, the AUMA, the AAMD and C, and no municipalities were consulted on these boards, and the government wants them established and enshrined into legislation by next week. Why is the Premier in such a hurry to place PC government appointees in charge over locally elected officials?

**Mr. Griffiths:** Mr. Speaker, I've had to contact a lot of mayors, too, just to undo the myths and rumours and, actually, quite frankly, frightening language that this member uses. In 2007 the Working Together group put together the regulations for the Capital Region Board. This legislation that we're introducing, which is what they're talking about, is a mirror image of that. Nothing has changed. We're simply putting in legislation what we were already doing in regulation to support the Capital Region Board in doing the good work it's doing for the region.

**Ms Smith:** The problem is, Mr. Speaker, that this legislation doesn't just apply to the capital region. In fact, these new municipal overlords will have incredible powers over locally elected officials. Mayors and reeves who don't kowtow to the province's overlord appointees could face jail time and five-figure personal fines. When the Premier was consulting on this idea, can she tell us which mayors and reeves suggested that they be jailed or fined for not going along with the government's edicts?

**Mr. Griffiths:** Here we go, Mr. Speaker. They're specifically referring to the legislation that's coming forward. I can once again say that the Doug Radke-led report that formed the Capital Region Board to begin with created this regulation. What we're talking about now is an exact mirror image. Our own regulations under 603 say that it can only be regulation for a few years and then it has to move into legislation. That's what we're doing. These members not only work to make sure that municipal councillors are terrified and afraid, but I have countless examples of where they bully and intimidate and attack publicly for building libraries, for making decisions about airports. We will not take decisions or information from them about how to work with municipalities.

**The Speaker:** Hon. leader, your second main set of questions.

**Ms Smith:** Thank you, Mr. Speaker. The hon. minister's phone is going to be ringing off the hook.

#### **Severance Payments to Premier's Office Staff**

**Ms Smith:** Mr. Speaker, yesterday I asked a direct question of the Premier regarding severance for her former chief of staff, specifically, if the \$130,000 payment was the only payment he received from her office upon his departure. Instead of answering a direct question, the Premier stayed true to form and avoided providing any useful information whatsoever. So to the Premier once again: was \$130,000 as a payment to her ex-chief of staff the only payment he received when he left her office?

**Ms Redford:** Mr. Speaker, in fact, that is not what the Leader of the Opposition did yesterday. She made wild allegations that were unfounded. We are absolutely committed to full transparency for all of our senior staff. We're putting that policy in place. It will be

very clear, it will be comprehensive, and it will be something that Albertans can trust. That will be our answer when we release all of that information.

**Ms Smith:** Mr. Speaker, because the Premier refuses to confirm that the \$130,000 was the only payment, Albertans are left with the strong suspicion that the total number was, in fact, a lot higher. We see a pattern with this government: a revolving door for its staff, particularly at the highest levels, followed by millions of dollars in severance payouts. Will the Premier commit today to releasing full and detailed severance information for all of the political staff that have fled her office since she became Premier?

**Ms Redford:** Well, Mr. Speaker, we made that commitment two weeks ago. We're putting that system in place. I'm sorry if the hon. member has concerns, but I know that we're confident in the work that we will do. If there is any reason that Albertans have those questions, it's because this leader stands up day after day producing stunts, does not contribute to a discussion that builds this province or gives anyone confidence in that future, and that's what we should be talking about in this House.

**Ms Smith:** The reason I ask every day, Mr. Speaker, is because the Premier refuses to answer the question every single day.

The whole affair is hard to swallow for everyday Alberta families, who work hard and pay their taxes. They want to see their tax dollars spent on programs to help those who need it most, not gold-plated severance packages for political staffers. Does the Premier recognize how her actions have damaged the people's trust in her and her government, and will she commit to finally ending the practice of solid gold severances?

**Ms Redford:** Mr. Speaker, in fact, as we said, we're going to provide all of the information in terms of a comprehensive package with respect to existing contracts, previous contracts, and contracts for the future. That is what Albertans want, and that's what we're going to give them.

But I'll tell you, Mr. Speaker, this is a government that is committed to building Alberta, to investing in families and communities as opposed to the opposition, who would take \$5 billion out of the operating budget this year. So it's rather ironic for the Leader of the Opposition to stand up and talk about wanting more money invested in programs for Albertans when she wants to cut \$5 billion out of the budget.

**The Speaker:** The hon. Member for Chestermere-Rocky View.

#### **Flood-related School Construction**

**Mr. McAllister:** Mr. Speaker, parents are getting tired of this government playing politics with our kids. Today we learn that the government is going to spend \$1.1 million on a new temporary gym in the Premier's riding when an underused gym is right next door. Now, that brings the price tag of this temporary school project to more than \$5 million when simply busing these kids to a school 12 minutes away would make much more sense. Taxpayers are again scratching their heads. To the Premier. This decision pits kids, communities, and parents against each other, and you know that. Why did your government do this?

**Ms Redford:** Actually, Mr. Speaker, the only person I've heard today doing that is the hon. member. We faced a tragedy on the 20th of June, and individuals across this province were affected. We made a commitment to work with communities in partnership to identify their needs and to make sure that we were supporting

them so that as families and communities we could rebuild and get back to normal as soon as possible. It shouldn't be a news flash to this member that building schools and communities is exactly what we need to do. We have ministers who've been working closely with community leaders in High River and Calgary, doing the work that needs to be done, and I'm very proud of how they're rebuilding Alberta.

**Mr. McAllister:** Mr. Speaker, given that we have a desperate need for schools, modulars, and modernizations from one end of this great province to the other, we need this Premier to explain to all these people on the list that are waiting for these projects: how can you spend more than \$5 million on an unnecessary temporary school gym and school while leaving so many others scrambling for your mercy and spare change?

2:00

**Mr. J. Johnson:** Mr. Speaker, it would be very interesting to hear what the parents in Calgary would like to say to that response, when he tells them that their facilities are unnecessary after this flood. The reality is that when this flood hit, our Premier acted immediately. We went out to school boards and said: "What do you need? What do you need for your students? We don't care who their MLA is. We don't care how wealthy they are. We don't care what colour they are. What do they need to be ready for school in September?" Those school boards and those communities came back to us and told us what they needed, and we're delivering it.

**Mr. McAllister:** I think we can dispute that.

Given that students in High River have to take gym classes in banquet halls and in school fields outside of the schools as they wait for portables, after broken promises and missed deadlines yet again from this government, Premier, is it right to direct more than \$5 million to this project in your own riding, when a much better and smarter alternative exists, while flood-affected families in High River are quite literally left out in the cold? It sure looks like you're playing favourites.

**Mr. J. Johnson:** Mr. Speaker, that's great drama, but it's just short on facts. The one I've got to correct is with respect to his claims about High River. You know, I would recommend that the member actually talk to some of the school boards. This flood is four months old, and they wait until today to bring it up? Let me give you the quote that went from Christ the Redeemer school board to the *Herald* yesterday in response to that claim about gym space. "Our PE situation improves dramatically as we have access to the Notre Dame gym which was phased for early completion and available now. We didn't need a temporary structure as the gym is available and far superior." Well, unfortunately, the *Herald* chose not to report that.

**The Speaker:** The hon. leader of the Alberta Liberal opposition.

### Health Care Wait Times

**Dr. Sherman:** Thank you, Mr. Speaker. The Wildrose refer to the Fraser Institute report on health wait times while the Health minister takes comfort in the CIHI report. Well, I like to look at AHS reports. Unfortunately, however, AHS's latest quarterly performance report due at the end of September has yet to be released. To the Premier: what is the expected wait time for the wait times report?

**Ms Redford:** You know, Mr. Speaker, as the hon. minister has said in this House in the last week, we're absolutely committed to building a public health care system that improves the quality of life of Albertans. [interjections] Over the past year and a half the work that we've been able to do to shorten wait times has been very important, and I'm very proud of the work that the front-line workers have done in Alberta Health Services to ensure that that happens. As our minister says, we will always strive to do better – we have seen constant improvement – and that is what we will continue to do.

I will just take a moment to say: can we please keep some of this in perspective? Let's keep in perspective the fact that if we're really honest with ourselves, Albertans tell us that they get care when they need it and they have confidence in the health care system. [interjections] So let's keep it in perspective, Mr. Speaker.

**The Speaker:** Let's also keep in perspective some of the rules. There are just too many interjections going on.

Let's go. Your first supplemental, hon. leader.

**Dr. Sherman:** Mr. Speaker, the Premier needs to exercise the art of listening. The question was: where's the report?

Well, Mr. Speaker, results in five major wait time categories were rather consistent in the previous four AHS reports. For example: hip surgery, failed; knee surgery, failed; cardiac surgery, failed; seniors in hospitals waiting for long-term care, failed; emergency wait times – you guessed it – failed. To the Premier: I imagine you wouldn't want to be embarrassed heading into your leadership review. [interjections] Is that why this report is being delayed?

**Mr. VanderBurg:** Mr. Speaker, it's evident what the facts may bring. [interjections] I'll read out some of the recent facts on wait times in Alberta, including a 9 per cent reduction in hip surgery wait times, a 15 per cent reduction in knee replacements, a 22 per cent reduction in cataract surgeries, 10 per cent for bypass surgeries, and being set to reduce cornea replacement wait times from three years to 14 weeks. Facts.

**Dr. Sherman:** Mr. Speaker, the fact is that we are spending \$5 billion more today compared to five years ago – the population has only gone up 11 per cent – and we're failing.

Speaking of wait times, according to the most recent EMS performance measures 50 per cent of the time in Edmonton when Albertans call 911, ambulances arrive late in life-threatening emergency cases. This is in Edmonton. Can you imagine how bad it is in Grande Prairie or Fort Mac? To the Premier: why should the odds of an ambulance arriving on time when your life is in danger be about the same as winning a coin toss, 50-50?

**Mr. VanderBurg:** Again, Mr. Speaker, it's been very clear ever since I've been an MLA that we've invested more in health care than any other province across this country, and ever since that point we've grown in our population and demands have increased. [interjections] I'm very, very proud in rural Alberta – I live in rural Alberta – of the care that we get from our professionals in health services. [interjections] And we continue to increase those investments in health care as we speak.

**The Speaker:** Hon. members, if you continue with these interjections, I'm going to stand and allow whomever is asking the question or giving the answer additional time, which means two or three or four people will drop off the list. I know you don't want that. So, please, let's tighten things up.

The leader of the New Democratic opposition.

### Medical Laboratory Services

**Mr. Mason:** Thanks very much, Mr. Speaker. Yesterday the Premier responded to my question about the privatization of medical lab services by saying, and I quote: it isn't happening. But it is. This Alberta Health Services document, which I will table, proves it. To the Premier. Her answer yesterday is contradicted by the facts. Will she now confirm that AHS is indeed going ahead with a \$3 billion contract to a single corporation to privatize lab services in Edmonton?

**Ms Redford:** Mr. Speaker, I will absolutely confirm that we are going to consider everything we can to make health care more effective, and there is not a chance that we are going to exclude any option. I find it incredible that this member is so concerned about sole sourcing contracts or one-person monopolies when the only thing that their party believes in is nothing but fully funded public health care that is only delivered in some of the ways that are most connected to the traditional, old-fashioned public health care system. We can look to new models, we can ensure public safety, and we can make sure that we continue to build a health care system that Albertans have confidence in regardless of what this member says.

**The Speaker:** The hon. New Democratic leader.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, if you know how the Premier puts things, that answer I'm going to take as a definite yes. And it's certainly true that the NDP is in support of public health care, unlike this government.

AHS employees have been told that three corporations have been prequalified to bid for this contract. One of those corporations, LabCorp of the United States, had to repay \$187 million for billing U.S. Medicare for unnecessary blood tests and another 49 and a half million dollars to the state of California because of false claims to the state's medicaid program. Are these the people you want running our health system?

**Ms Redford:** Mr. Speaker, I think that if those companies, that I know nothing about, did something wrong, they should pay back the money.

**Mr. Mason:** Oh, and so should Mike Duffy.

Mr. Speaker, I think the Premier is too clever by half because the question is: is this government prepared to award a \$3 billion contract to a corporation with this kind of track record?

**Ms Redford:** Mr. Speaker, the fact that this hon. member is suggesting that this government would do that is ridiculous. We know that we want to make sure that we provide and contract and support the best possible services for patient safety regardless of what they are. We are committed to public health care. We promised Albertans that we would continue to improve health care, that we would fund health care publicly, that people could have confidence in it, and that is what they can trust.

**The Speaker:** Thank you, hon. members. Let's keep the preambles hereafter out of the supplementaries.

I'm sorry. You had one more question?

**Mr. Mason:** I do. Actually, I have several, but I probably can only have one.

Mr. Speaker, the Premier claims . . .

**The Speaker:** Oh, no. Hang on. My counting was correct. We have you down as one main and two sups. Okay. Apology accepted. Thank you.

Let's move on, then, to the hon. Member for Edmonton-Manning, followed by Highwood.

### School Construction Priorities

**Mr. Sandhu:** Mr. Speaker, my first question is to the Minister of Education. We won this last election with the promise to build and modernize schools for our children. I'm so thankful to see the momentum and progress being made to build 50 new schools and upgrade 70 schools in our beautiful province. These promises have helped put the people's trust in me and this government. Right now northeast Edmonton is one of the fastest growing communities within our capital city. Therefore, my question is this: when can Edmonton-Manning expect to see new schools being built?

2:10

**Mr. J. Johnson:** Mr. Speaker, it's a good question. It's a question many communities around the province are asking. I commend the member for being a strong advocate for his community. I would encourage him to work with his local school board because one of the most important things is to make sure that the schools that are important to his constituents are on the capital list of the local school boards which they submit to us. They redid those over the last year, and they sent those in to us in about the June, July timeframe. Our capital planning group has been working on what the priorities across the province are. We're a little bit behind because there have been a lot of demands over the summer, as you can well imagine, on that capital planning group.

**Mr. Sandhu:** My second question is also to the same minister. Given that Dr. Donald Massey school was full as soon as it opened in 2010 and only two of the four requested modulars were received last year, when can we expect to receive the other two modulars? They are so badly needed for my riding.

**Mr. J. Johnson:** Mr. Speaker, we've got real demands for modulars all over the province. We have a budget to deliver about 40 a year. We got requests last year for about 400, so we upped the budgets. We were able to deliver about a hundred. To give you a sense, these things take between six and eight months to put together and build and deliver. Many of the modulars that were ordered back in April are still not delivered yet to schools around the province.

Now, those hundred don't include the 54 that we ordered very quickly for the floods. I can say that all of those 54 are on-site, and we already have 400 kids in those 54. We're well on our way to accommodating the flood victims, but we need to do more work for the rest of the province.

**Mr. Sandhu:** To the same minister. We have old schools like Father Leo Green that need to be updated. When can we expect to see this happen for my riding?

**Mr. J. Johnson:** Mr. Speaker, I'd say, "Stay tuned," and I'd remind the member to make sure that he's working with his local school board to make sure that that's a priority for them and that that's on their capital list as well.

We did announce 28 new schools and two modernizations in the spring. We anticipate announcing a long list of modernizations here by the end of the calendar year and then another list of new schools in the new year. We're working on those lists right now.

I'm very grateful that we've got a Premier who's building the province by investing in families and communities. Those 50 new schools and 70 modernizations are going to go a long way towards that.

**The Speaker:** The hon. Member for Highwood, followed by Calgary-East.

### Health Care Wait Times (continued)

**Ms Smith:** Thank you, Mr. Speaker. The Health minister just keeps on digging himself a bigger hole on health care wait times. Yesterday after a miserable attempt at spinning his government's dismal record on wait times, the minister trotted out the excuses. He argued that every province in Canada is having trouble with wait times, so it should come as no surprise that Alberta is, too. Now, again, I cannot fathom that the Health minister wouldn't know the real facts. The question I have is: is he going to stick to his excuses, or does he again need to be told the facts?

**Mr. VanderBurg:** Well, Mr. Speaker, I will not apologize for the improvements that we've made in wait times. The facts are: 9 per cent reduction in hip surgeries, 15 per cent reduction in knee replacements, 22 per cent reduction in cataract surgeries, 10 per cent reduction in bypass surgeries, and set to reduce cornea replacement wait times from three years to 14 weeks.

**Ms Smith:** More excuses, Mr. Speaker. Why am I not surprised? Here again are the real facts. Hip replacement waits: Ontario, 192 days; B.C., 216 days; Alberta, 245 days. Cataract surgery: Ontario, 128 days; B.C., 148 days; Alberta, 209 days. Bypass surgery: Saskatchewan, 19 days; Alberta, 84 days. That is the worst in the country. To the minister: what's his excuse?

**Mr. VanderBurg:** Mr. Speaker, it's clear that 24 months ago Albertans decided whose facts to take to the Legislature, and I'll stand by that.

**Ms Smith:** Well, Mr. Speaker, with example after example of ridiculous wait times, I am sure the minister is starting to see why we need the Wildrose patient wait time guarantee. It's pretty simple. If you're on a wait-list past what is medically recommended, you get treated using Alberta's out-of-province fund. Will the minister agree today to stop the pain and suffering caused by his government's excessive wait times and implement our wait time guarantee?

**Mr. VanderBurg:** Mr. Speaker, what I will commit to is further streamlining our system so we improve access to wait times and improve health care for all Albertans. Four million Albertans expect the best out of this system, and so does this government.

**The Speaker:** The hon. Member for Calgary-East, followed by Calgary-Shaw.

### Calgary Southwest Ring Road

**Mr. Amery:** Well, thank you, Mr. Speaker. Last week we found out that the government had an agreement with the Tsuu T'ina Nation that would allow for the building of the southwest portion of Calgary's ring road. Media reports have suggested that there are still some potential hurdles to overcome. Could the Minister of Transportation please inform this House what these hurdles are and when all of this is to be completed?

**The Speaker:** The hon. minister.

**Mr. McIver:** Well, thank you, Mr. Speaker. Currently we're in a seven-day appeal period. Following that, we hope to get a date, and we hope by the end of November to sign the agreement. After that, we will continue to work with the Tsuu T'ina Nation and the federal government to complete the processes necessary under the government of Canada for the land transfer so that we can move forward. Once all the processes are complete, of course, we'll begin construction, but we'll try not to waste that time. In the meantime planning, engineering, design work will be undertaken because we know this is a piece of infrastructure that's important to the Tsuu T'ina, the city of Calgary, and all of Alberta, and it's part of this Premier's mandate to build Alberta.

**The Speaker:** The hon. member.

**Mr. Amery:** Thank you, Mr. Speaker. The Tsuu T'ina had the opportunity to review the entire agreement before voting. When do Albertans get to see the agreement and have their say on it?

**The Speaker:** The hon. minister.

**Mr. McIver:** Mr. Speaker, I thank you for that. To the hon. member: Albertans had their say last year at the election. They had one of their says, but they're not finished having their say. The agreements and the maps are posted on the Alberta Transportation website, and they were posted there last Friday, which was the first day that we could actually say that we had an agreement because that's the day the chief announced that the members of the band had voted in favour. At that point and only at that point did we have an agreement. We'll continue to share information with Albertans. I have to say that the southwest ring road is a big priority, and we intend to get to . . .

**The Speaker:** The hon. member.

**Mr. Amery:** Thank you, Mr. Speaker. My last question is to the same minister. Can the minister tell this House what is going to happen to the Weaselhead natural area as a result of this road being built through it?

**The Speaker:** The hon. minister.

**Mr. McIver:** Thanks, Mr. Speaker. We are currently completing an agreement with the city of Calgary to obtain a corner of the Weaselhead park in order to facilitate the building of the southwest part of the ring road. Additionally, we'll be relocating a utility high-pressure gas line and overhead electrical lines. In other words, we're taking those out of the Weaselhead area, which we think will make it better and benefit that area.

The ring road is a good investment. We're building Alberta, and under the Premier's leadership we will make transportation better for the Tsuu T'ina, Calgarians, and all Albertans.

**The Speaker:** The hon. Member for Calgary-Shaw, followed by Edmonton-Centre.

### PDD Supports Intensity Scale Assessments

**Mr. Wilson:** Thank you, Mr. Speaker. In the spring of 2013 this government was under fire for its cuts to the PDD system. The associate minister of PDD toured the province and heard first-hand about the fear, the mistrust that this government created by poorly communicating its plan to transform the delivery of services to vulnerable Albertans. Barely a week went by without a

protest here at the Legislature or in front of the Premier's office. One of the major problems was the rolling out and administration of the supports intensity scale, or SIS. Can the minister tell the House today how many SIS assessments have been completed?

**Mr. Oberle:** Mr. Speaker, as of about a little over a week ago we were at 75 per cent. I would think that we're at about 80 per cent right at the moment.

**The Speaker:** The hon. member.

**Mr. Wilson:** Thank you, Mr. Speaker. Now, I would never suggest that this minister intentionally misled the House, but given that on May 7 of this year, in a response to a very similar question that I asked him, he said, "Over 80 per cent of the PDD clients in Alberta have had an assessment already," how could this minister be so out of touch with the numbers in his own portfolio?

**Mr. Oberle:** Let's make sure we're talking about the same numbers, Mr. Speaker. As the hon. member would know because he attended some of the sessions, we committed to do a number of reassessments, and that's what we're doing. That's why we're at the current number, and that's the correct number today.

2:20

**Mr. Wilson:** Facts are facts, Mr. Speaker. Given that six months ago the number was over 80 per cent and according to a report that this minister just referred to, that was issued just days ago, which notes that it's only 77 per cent, how is it possible that after months of hard work and additional hires in the PDD system to complete this assessment, the actual completion rate went down?

**Mr. Oberle:** Mr. Speaker, I think I just shared the numbers as they stand today, as I understand them today. I guess they're getting their numbers from the same place that they got their health care waiting list numbers. He can take it from me what the numbers are.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by Edmonton-Calder.

### Environmental Protection

**Ms Blakeman:** Thanks very much, Mr. Speaker. This government is in trouble. More and more people in and out of Alberta are rejecting the Premier's sunny op-eds about reducing greenhouse gases as having little relation to the truth and, instead, are pointing to the snaillike approach to achieving environmental protection. In the Cold Lake area CNRL's Primrose in situ site is weeping bitumen out of the ground. It took weeks to detect the leak, weeks more to even fess up, and they can't staunch it. To the minister of the environment: does the minister now acknowledge that thorough and accelerated groundwater mapping would have allowed us to know now faster that Primrose had contaminated our water?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. I'm happy to say that when the incident happened at Primrose, not only was the Alberta Energy Regulator on the scene right away but also the Minister of Energy and myself to make sure that we were on the scene to see what was happening. We continue to do the groundwater mapping in this province. That's important for us. We've been doing that. This incident is under control. We have

been on the scene to make sure that CNRL is responsible and are moving forward to the cleanup of this issue.

**Ms Blakeman:** It took three weeks to even put out a media release.

Does the government or industry have any idea or, better yet, any science on how many other times this leakage or this type of leakage has occurred, especially given the extreme remoteness of exploration and steam-injection sites?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. We take the regulatory process in this province through the Alberta Energy Regulator and through ESRD extremely seriously, and that's why we were on-site right away to make sure, the regulator, the Energy minister, and the environment minister.

As well, Mr. Speaker, we made sure that an environmental protection order was put in place so that we could take care of the habitat, take care of the water that was there. We have been on this file from day one, and we will continue to be on this file to make sure that the cleanup happens and that the environment is protected.

**Ms Blakeman:** Would the minister care to comment on the science from the federal emissions trends report which indicates that Alberta won't meet its climate change targets and is actually set to steadily increase greenhouse gas emissions at the same that we have a Premier writing op-eds saying that we have reduced them and that our environmental record is better than it is? Where's the science on that?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker. I'd be very happy to answer this question. We have reduced greenhouse gas emissions. About 40 million tonnes of greenhouse gases have been reduced since 2007 levels. We have reduced per barrel greenhouse gases by 26 per cent. You show me anywhere else that has reduced emissions per barrel like Alberta has done.

**The Speaker:** The hon. Member for Edmonton-Calder, followed by Little Bow.

### Seniors' Drug Coverage

**Mr. Eggen:** Thank you, Mr. Speaker. A universal seniors' pharmacare plan would improve public health, save public money, and provide peace of mind for all. The Alberta New Democrat caucus knows this to be true. Alberta seniors know this, too, and together we are prepared to fight for what's right. Twice now this PC government has tried to attack these goals, and twice we have fought back and delayed a deeply flawed PC seniors' pharmacy scheme. To the Associate Minister of Seniors: when will your government stop threatening Alberta seniors with private insurance, extra-billing, and means testing and start building a universal pharmacare program?

**Mr. VanderBurg:** Mr. Speaker, I thank the member for the question. Nobody knows, other than the seniors in this province, that there are programs like no other across this country for seniors in Alberta. Whether it's the seniors' benefit program, the special-needs program, the optical program, the dental program, there are no other programs across Canada that are even close to what we offer in Alberta. We'll continue to make those investments when it's the right time with the right approach.

**Mr. Eggen:** Well, that's very interesting, Mr. Speaker.

Given that this government said that they would take \$180 million out of seniors' pharmacy and given that the only way you could make that money up is by taking that money out of seniors' pockets, will this minister now tell Albertans that this government will go back to the drawing board so that they will not gouge seniors with extra-billing, expensive insurance, and hidden costs?

**Mr. VanderBurg:** Mr. Speaker, all of the time all of the programs that we have in this province are geared to low-income and vulnerable Albertans. We'll continue to make sure that all vulnerable citizens regardless of age are protected under any plan going forward. There's no concrete pharmaceutical plan in place as of yet. That discussion will happen with the Health minister when it's the right time.

**Mr. Eggen:** Well, given that all of this uncertainty is making it very difficult for people to plan for retirement and given that private, for-profit drug lobbyists such as Hal Danchilla have been circling around this place like sharks ever since government planned to make seniors pay more for their prescriptions through means testing, will this minister please let us know when this government will park their private ideology at the door and start building a universal pharmacare program that we all can count on?

**Mr. VanderBurg:** Mr. Speaker, the Health minister has made it very clear that about 20 per cent of Albertans have no health coverage at all for pharmaceuticals. The intention of all of our programs is to make sure that the vulnerable, low-income Albertans are always covered.

**Mr. Eggen:** Everyone should be covered.

**Mr. VanderBurg:** Mr. Speaker, I said that all Albertans that are vulnerable and low income will always be covered with the programs that we offer.

Thank you.

### Crop Insurance for Flood Damage

**Mr. Donovan:** Mr. Speaker, the horrific June floods brought out the best in Albertans. First responders, community members, and friends and families banded together to help one another during these most trying times. The aftermath of this tragedy has been far reaching, but I've spoken to many Albertans who feel this government has ignored some of their concerns. One of these individuals is Jeff Callahan. Jeff is a hard-working farmer whose land was used to pump flood water out of High River. While he understands that this was a necessary measure to save homes, he has now been denied crop insurance coverage. To the minister of agriculture: what is being done to ensure that farmers are being fairly compensated for flood damages?

**Mr. Olson:** Mr. Speaker, I'd like to thank the hon. member for the question. There's no doubt that rural Albertans and people in the agricultural industry were greatly affected by this. Having said that, we were also lucky because it was a great crop year in many ways. I know that when I have flown down over southern Alberta, it's been pointed out to me that when you look at the irrigation area, you can't tell the difference between the area where the pivot is and the corner areas because of the great moisture we've had. Really, it's been a good year for crops.

This is a question about insurance coverage. AFSC has been very active and aggressive in addressing concerns by people such as . . .

**The Speaker:** The hon. member.

**Mr. Donovan:** Thank you, Mr. Speaker. I've seen pictures of his combine stuck in the overwet areas, which I understand are needed. Why has this government been unwilling to help this farmer with his problems on this? Could we not do a spot claim? It could be a hail or fire claim.

**Mr. Olson:** Mr. Speaker, the hon. member has raised this issue with me before, and I have spoken to AFSC about it. My understanding is that he does have insurance coverage, and I think that's one of the principles of what we're talking about. When we're rebuilding in the aftermath of this flood, the first place you look to is insurance. He does have insurance coverage, maybe not the kind of coverage he would have preferred, but he had bought coverage, and AFSC is perfectly willing to support him with the coverage that he has.

**Mr. Donovan:** Mr. Speaker, I'm a farmer, and I understand how the coverage works. The problem with that is that it's taking out his whole average. His average has been built up. He loses 20 per cent of his farm, and he gets no money because he had such a great crop on the rest. How are you going to help these farmers and other farmers in the area that need the help from the flood damage?

**Mr. Olson:** Well, Mr. Speaker, I guess that's where we get to a discussion about disaster recovery. The disaster recovery program is meant to step in where there is no insurance. We've been very aggressive in addressing issues where people don't have any insurance coverage at all. Where people do have insurance coverage, that's the first place that we rely on. The hon. member, as I said, has raised this issue with me before, and I'm perfectly happy to continue the discussion with him.

### 2:30 Flood-related School Construction (continued)

**Mr. Dorward:** Mr. Speaker, I'm not done with the Sprung structure issue. This morning the *Calgary Herald* reported that the Minister of Education made the decision to build the Sprung gymnasium structure for students from the Premier's riding who were displaced by the floods. To the Minister of Education: was this decision made because the students of the school are located in a richer area with strong political ties, and were you playing favourites with provincial money?

**Mr. J. Johnson:** Mr. Speaker, as I've said before, we don't play politics with our students. We've put students first through this whole ordeal, and it's unfortunate that some would pit neighbour against neighbour during this. I'm proud to say that we've got a Premier that has been along the lines of Alberta's culture, which is that we take care of our neighbours.

Now, in this situation, Mr. Speaker, I think it's important for folks to know that the local school boards and the local communities are making these decisions on what the proposals are for solutions, and they're bringing those to us. We're responding to those. We've told them through this flood: whatever you need, we'll be there; we want those kids in school in September, and we're there to support those kids.

**The Speaker:** Thank you.

**Mr. Dorward:** Mr. Speaker, to the associate minister for recovery and reconstruction of High River. I thought of the High River

students as they were mentioned in the previous question. They were maybe led to believe that they were the priority. Why aren't those kids provided with the same opportunity and access to this Sprung structure?

**The Speaker:** The hon. associate minister.

**Mr. Fraser:** Thank you, Mr. Speaker. What we saw in June was an unprecedented disaster. Through this family-focused leadership of our Premier we've seen unprecedented leadership. Right now in High River we have 400 kids in 26 modulars, with 16 more on the way. We've seen a hundred thousand people evacuated from this disaster, and we have 90 per cent of those people back in their homes.

Speaking of Sprung structures, in the town of High River we have approximately \$3.6 million worth of those structures aiding the town in a library, a town structure, including a downtown business core, bringing businesses back online. This Premier has led by example with purpose for people.

**Mr. Dorward:** Mr. Speaker, the referenced article talked about \$1.1 million being an insane amount of taxpayer money. The Canadian Taxpayers Federation said that. To the Minister of Infrastructure: why are we spending so much money on one structure when that money could be used to do a lot of school work in the province?

**Mr. Drysdale:** Well, Mr. Speaker, we've been committed to rebuild these communities and these schools, and we've done that. Our capital plan still stands. These flood rebuilding projects are coming out of the DRP, and our original capital plans to build schools across this province still stand. It didn't affect the schools anywhere else in this province. We're committed to building 50 new schools and modernizing 70, and that's just what we're going to do.

**The Speaker:** The hon. Member for Medicine Hat, followed by Dunvegan-Central Peace-Notley.

#### Disaster Recovery Program

**Mr. Pedersen:** Thank you, Mr. Speaker. Since the June flooding that devastated parts of southern Alberta, the disaster relief this PC government promised to all impacted Albertans has fallen short. Charles Hazzard, for instance, a constituent of mine, watched his house being torn down with no DRP document in hand on the same day the Minister of Municipal Affairs was in Medicine Hat for a photo op. To the minister: why does he care more about photo ops than fulfilling the Premier's promise to provide disaster relief to every Albertan that needs it?

**Mr. Griffiths:** Mr. Speaker, I don't go anywhere for photo ops, but it so happens that where I go, cameras show up and take pictures and the media wants interviews. That's just the way it works.

Quite frankly, there are 30 communities that have been devastated. There are over 9,000 people that made applications for the disaster recovery program. This is not just an unprecedented disaster in Alberta. This is the largest disaster the nation of Canada has ever seen, and our response has been recognized as second to none globally. We'll continue to work to serve every single person, including the Hazzards, to make sure their families are rebuilt.

**Mr. Pedersen:** Mr. Speaker, given that there are many Albertans in similar dire circumstances as Charles Hazzard waiting patiently

on the province for their disaster relief to arrive, how can the minister expect Alberta flood victims to move forward with their lives, not knowing how or when the aid his government promised will come?

**Mr. Griffiths:** Mr. Speaker, we have, I think, 10 times more people on the ground working with these folks who have had some tremendous devastating losses. We're incredibly sympathetic to the losses they have. I would highly recommend that instead of this member parading people's names and their experiences and their challenges, he actually refer them forward. I can't give him an update on the Hazzards, but I know that their file is being resolved as we speak.

**Mr. Pedersen:** Mr. Speaker, given that this PC government promised relief to all Albertans affected by this summer's flood, will this minister demonstrate that he cares enough about these victims by committing today to give written assurances to all Albertans affected by this disaster stating when and how their DRP relief will come in so that they can move on with their lives and plan their futures?

**Mr. Griffiths:** Here's the rub, Mr. Speaker. Instead of actually helping with resolving the cases, this member is going to parade individual cases through here. What he's asking is for us to take the several hundred people that are working on individual files and have them all stop the DRP process and write letters to everyone saying that we'll resolve it. Our folks, our hard-working, dedicated civil servants, are working around the clock to resolve every single one of these issues, and that's our commitment right here in the House.

**The Speaker:** The hon. Member for Dunvegan-Central Peace-Notley, followed by Rimbey-Rocky Mountain House-Sundre.

#### Country of Origin Labelling

**Mr. Goudreau:** Thank you, Mr. Speaker. As you know, there have been some very real and ongoing concerns being raised regarding mandatory country of origin labelling, or MCOOL for short. The U.S. has enacted legislation that unfairly discriminates against Canadian producers and is impeding their ability to compete, costing Canadians, Albertans, and a lot of my constituents hundreds of millions of dollars. Beef being shipped to the U.S. must be labelled as such, but beef shipped out of the U.S. is not required to be. All of my questions are to the Minister of Agriculture and Rural Development. What is the status of the talks regarding resolving the issue?

**Mr. Olson:** Mr. Speaker, thank you to the member for the question. As the biggest producer of beef in Canada and, I think, the third- or fourth-biggest pork producer this is a matter of great frustration for our producers, probably costing us over a billion, \$1.2 billion per year in lost revenue. We've been working on this with our other provincial colleagues and with the federal government. Of course, the federal government has the lead on this because it is a trade issue, but we have at least six resolutions being passed by state legislators in support of our position on this.

**The Speaker:** The hon. member.

**Mr. Goudreau:** Thank you, Mr. Speaker. Given that the World Trade Organization has confirmed that these rules discriminate against Canadian producers, what timelines do we have for a resolution to this matter?



**Mr. Olson:** Well, Mr. Speaker, that's a question that we're all asking, and again it speaks to our frustration. The World Trade Organization at least twice over the last couple of years has ruled in our favour, saying that the U.S. is offside in terms of their NAFTA obligations. We have and Minister Ritz has with our support and the support of other provinces given the Americans a list of how we would intend to retaliate in terms of the commodities that we would be focusing on, and I have actually personally handed the list to some state agriculture secretaries. We don't know how long it will take, though.

**The Speaker:** The hon. member.

**Mr. Goudreau:** Thank you, Mr. Speaker. To the same minister: what are other actions that this government is taking to ensure that all Canadian and American jurisdictions are aware of these issues and to help producers work towards a more equitable solution?

**Mr. Olson:** Mr. Speaker, the Premier has been very decisive on this and has certainly mandated me and my department to be aggressive in putting our position forward. We've actually taken the lead. For example, this weekend I'm going to be heading to Chicago with Minister Ritz and with the ministers from Saskatchewan and Manitoba to meet with a group of American packers. These are people who are very sympathetic to our position because they're being hurt by these same rules, and we're trying to drum up support there.

**The Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre, followed by Edmonton-Ellerslie.

#### Environmental Regulatory Process

**Mr. Anglin:** Thank you, Mr. Speaker. Alberta Environment adopted a secret policy that denied aboriginal environmental groups the right to participate in our regulatory hearing processes. Ironically, an internal memo warned that this secret policy could open the door for more extremist groups to participate and cause unnecessary legal actions. Why would this government adopt a secret policy that would deny legitimate groups and encourage more extremist groups to participate in our regulatory hearing processes?

2:40

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. This government has a very open process. The policies are very open on who has access with regard to standing at hearings with regard to the regulatory process, and those are followed. Quite frankly, since I've become the minister of environment, I have opened all the doors to make sure that all voices are heard in this province and that we have the opportunity to have everybody heard.

**Mr. Anglin:** Contrary to a court decision.

Given that Justice Marceau lambasted this government's secret policy and ruled it a violation of natural justice, how can this government say that it cares about Alberta's reputation when they can't even comply with their own laws?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. Unlike the hon. member across the way, who wants to live in the past from a 2009 report, this government is moving forward. We have created a process under the new Alberta Energy Regulator so that for those

that do not have standing and do not have the ability on specific cases, they have a policy management office so that their voices can be heard on all areas. We are improving that regulatory process, and we are proud of that.

**The Speaker:** The hon. member.

**Mr. Anglin:** Thank you, Mr. Speaker. It's a 2013 court decision.

Now, given that this is the second time in four years that this government has been found guilty of delaying and tainting a hearing process with bias, why should industry or our international customers, the ones we're so desperately trying to impress, trust this government?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you Mr. Speaker. Not only can industry and Albertans trust this government, but this province of Alberta and Albertans elected us because they do trust this government. We have a solid regulatory process that has policies and procedures in place so that our directors can make decisions about the regulatory process, and we've created a new Alberta Energy Regulator, that is transparent and open, so that everyone's voice can be heard.

**The Speaker:** Hon. members, I deeply regret that I am not able to award any specific kudos today for no preambles to supplementals. However, I will give the given-this, given-that award to Edmonton-Calder. We'll give him that.

In 30 seconds from now we will continue with private members' statements.

#### Members' Statements

(continued)

#### PDD Community Boards

**Ms Kubinec:** Mr. Speaker, as we heard earlier, the Human Services minister and the Associate Minister of Services for Persons with Disabilities have invited some special guests from our child and family services authorities and the persons with developmental disabilities boards. I want to acknowledge the very important work of these boards and what they have accomplished over the years.

These board members have dedicated themselves to their respective organizations, fulfilling their roles with passion and commitment. The board members from the 10 regional child and family services authorities come from all walks of life and have focused their work on supporting some of the most vulnerable and youngest members of our society. The board members from the six PDD regions are to be recognized for their enduring leadership and support of adult Albertans with developmental disabilities, helping them to be part of their communities and live as independently as they can. I had the privilege of working with one of our board chairs in the northeast region PDD board.

With their experience and community networks these boards recognized that with the establishment of the ministry, more could be done to strengthen relationships and connect with communities. From collaborative discussions and workshops to involvement with stakeholder engagement, the board members have provided guidance and momentum to support change that's consistent with the direction outlined in Alberta's social policy framework. Designed by and for Albertans, the framework served as a road map for communities, governments, businesses, nonprofits, and families to work together to address social issues. More than

31,000 Albertans participated in developing this framework, and many of the CFSA and PDD board members facilitated community conversations in their regions. All of these collective efforts helped lay the groundwork for our new family and community engagement councils that the Human Services minister is proposing.

On behalf of my colleagues in government I wish to extend a thank you to these board members for their commitment to their communities, to Albertans, and most importantly to those they supported and served.

**The Speaker:** The hon. Member for Lesser Slave Lake, are you ready?

#### **Peerless Lake Centenarian**

**Ms Calahasen:** I am ready, Mr. Speaker. There are places in the world that have been identified as a place to come from because most of these people have become close to being centenarians or are centenarians. People who come from these areas are healthy, active, and lucid individuals even in their later years. I'm so lucky to have some communities in northern Alberta whose citizens have reached centenary status. It is time to enshrine these communities in the same vein as others around the world.

Today, specifically, I would like to speak about one individual who recently turned 106 years old. According to official records Mr. George Noskiye was born in Chipewyan Lake on August 20, 1907, and lived most of his life in Peerless Lake. In fact, as of today Mr. Noskiye is the only centenarian elder in the area who has reached 106. He has lived a lifestyle many of us can only imagine, always providing for and supporting his large family as a trapper, a fisherman, and a hunter until three years ago, when at the age of 103 Mr. Noskiye moved into Manoir du Lac seniors' facility in McLennan after living alone and making sure that he was able to still provide for his family.

This is no indication that he has in any way slowed down. I attended his birthday party with his large family, where he was still talking about the things he has seen and continues to see. His fascination with modern-day life is intriguing. Although needing help to walk and move about, he is very lucid and, in fact, still joking about life.

He can look back on his life's journey with pride and accomplishment, which can also serve as an inspiration for future generations of Albertans, especially in communities like Peerless Lake. I wish Mr. Noskiye continued good health, to live longer, and to enjoy the pampering he's getting because he deserves it. I would like to say this in Cree to him: Kahmiyo pimatsin. [As submitted]

**The Speaker:** The hon. Member for Calgary-Currie, followed by Cypress-Medicine Hat.

#### **Calgary Christian School**

**Ms Cusanelli:** Thank you, Mr. Speaker. Today I rise in commemoration of the Calgary Christian School, which is celebrating its 50th anniversary. Since 1963 the Calgary Christian School has offered a well-rounded curriculum that incorporates the teachings of the Bible in every facet of study in order to nurture and strengthen students' spirituality. Currently the school has more than 825 students and offers classes for kids from preschool to grade 12. There are over 100 denominations represented at the

school, enabling students to express their spirituality in an inclusively diverse learning environment.

Over the years Calgary Christian School has also been involved in countless philanthropic activities that help teach its students the importance of aiding those less fortunate than themselves. For instance, in June of this year its grade 6 class spearheaded the blessings bags project, with the goal of collecting, in order to provide for the homeless, a bag filled with everyday essentials such as socks, toothbrushes, granola bars, and a number of other useful items. A total of \$947 was raised by these incredibly remarkable children, and 72 bags were donated to 72 very grateful citizens.

Next year from March 24 to April 2 students will embark on a much-anticipated trip to Belize that will place a strong emphasis on faith-based service work. This trip will give students the chance to spread their goodwill and collaborate with other spiritually faithful students from another country.

Again, I would like to congratulate the Calgary Christian School for its 50th year and thank its students and families for being amazing spiritual leaders.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Cypress-Medicine Hat.

#### **2:50 Unmanned Aerial Systems Industry in Southern Alberta**

**Mr. Barnes:** Thank you, Mr. Speaker. There are two things that I truly appreciate about Cypress-Medicine Hat and Forty Mile county, the scenery of the big, blue prairie sky and the entrepreneurial spirit of our people. There's something in the works in the community of Foremost that has managed to blend a bit of both.

The Canadian Centre for Unmanned Vehicle Systems is helping to propose the establishment of airspace in the county for piloting and testing unmanned aerial systems. The opportunity of such a project speaks for itself. The unmanned aerial systems industry is rapidly evolving, and in terms of the potential for growth and investment the sky, quite literally, is the limit. The amount of business and organizations who either could use or already do use unmanned aerial vehicles is substantial and growing. We're talking of supporting police operations or eliminating risk to human life in search and rescue operations. We're talking of monitoring of pipelines or using unmanned aircraft to fight forest fires.

Other jurisdictions across the globe have already recognized the investment opportunities of unmanned vehicle systems and have acted on it. The Foremost UAS range for systems training has many of the existing requirements in place to see it become truly a global leader. The plan is to establish a thousand nautical miles of airspace so that investors and organizations from across the world can take to the southern Alberta skies.

Cypress-Medicine Hat has unfortunately been facing some struggles that most other areas in our province do not. A lot of it routes back to the questionable interference of this provincial government in 2008. Cypress-Medicine Hat's population was once growing; now it's not. Much of the blame can be placed on the natural gas royalty review, where a lot of the companies warned that they would have to stop setting up shop there if the changes went through. So there is one word of advice I could give the government here today regarding the UAS industry in southern Alberta: don't get in the way. Let's support this growing, entrepreneurial people.

Thank you.

## Presenting Petitions

**The Speaker:** The hon. Member for Red Deer-North.

**Mrs. Jablonski:** Thank you, Mr. Speaker, the first petition that I'm presenting is signed by my constituents and requests that the Legislative Assembly urge the government to increase funding for care for the elderly.

The second petition that I am presenting from my constituents requests that the government reassess how funding is provided for seniors in long-term care so that enough qualified staff can be hired.

## Introduction of Bills

**The Speaker:** The hon. Minister of Human Services.

### Bill 30 Building Families and Communities Act

**Mr. Hancock:** Thank you, Mr. Speaker. Today it gives me great pleasure to rise to beg leave to introduce Bill 30, the Building Families and Communities Act. Bill 30 is an act which will accomplish a number of things. The Premier put together the Ministry of Human Services almost exactly two years ago to bring together all of the organizations in government that work with the human condition. We have 10 child and family services authorities boards, six PDD boards as well as six regions for Alberta Works, and we're bringing them all together. This act will create child and community engagement councils across the province, which will provide board governance and bring governance structures and engagement under the social policy framework to the Human Services area and provide assurance.

In doing so, we will disestablish the child and family services authorities and PDD boards, which have served us so well over the years. I want to take again the opportunity to thank the chairs of the CFSA and PDD boards who are with us today and through them the members of their boards both present and past because we have had very, very good service. We're actually growing off their shoulders in terms of the work that's being done, so we really appreciate that work. The efforts of the boards were actually engaged to make these changes. I want to particularly thank Louise Charach and Jeff Nish, co-chairs of a CFSA board and a PDD board together, who brought in a governance report on which this bill is based.

It's an excellent bill, Mr. Speaker, and I'd ask the House to support it in first reading.

[Motion carried; Bill 30 read a first time]

**Mr. Hancock:** I'm reminded, Mr. Speaker, that I should have mentioned that it's a money bill, and His Honour the Lieutenant Governor has provided his approval.

**The Speaker:** Thank you for that addendum.

## Tabling Returns and Reports

**The Speaker:** Hon. members, we have several here. Let's begin with Red Deer-North, followed by Edmonton-Calder and Calgary-Buffalo.

**Mrs. Jablonski:** Thank you, Mr. Speaker. Today I am tabling five copies each of documents signed by 114 constituents requesting that the government of Alberta increase funding for care for the elderly.

The second set of tablings: I am presenting also five copies each of documents signed by 71 constituents asking the government to reassess how funding is provided for seniors in long-term care so that enough qualified staff can be hired.

**The Speaker:** The hon. Member for Edmonton-Calder. You have two, I understand.

**Mr. Eggen:** Yes, Mr. Speaker. Actually, I have three. I will be very brief. The first tabling I have is signatures from an online petition calling on the government to reverse their harmful cuts to postsecondary education. The petition reads, "The PCs promised better funding for post-secondary education. But instead, they delivered a 7% cut to . . . universities and colleges."

The second tabling that I have, Mr. Speaker, is in regard to lab privatization, and I would like to table the appropriate number of copies of an op-ed piece published in this morning's *Edmonton Journal* entitled For-profit Hospital Labs Simply Don't Work. The author specializes in health policy at Carleton University and points to several times in the past where we've gone down this same road and all of the problems that have been caused.

The third tabling, Mr. Speaker, I have this afternoon is in regard to the lab privatization. Yesterday, when the leader of the New Democrat opposition questioned the Premier about her government's privatization of lab testing in Edmonton, the Premier said:

Those concerns which those professionals may have are exactly the same concerns that this minister will have and that this government will have when a decision is taken about whether or not to do what this member [is suggesting] is already happening. It isn't.

My goodness.

I would like to table a document from Alberta Health Services entitled The Future of Laboratory Services Delivery. Clearly, this government has made a decision to privatize lab services in Edmonton, and the rest of it's all just a moot, window-dressing point.

Thank you.

**The Speaker:** The hon. Member for Calgary-Buffalo, followed by Edmonton-Centre and Rimbey-Rocky Mountain House-Sundre.

**Mr. Hehr:** Thank you very much, Mr. Speaker. As you're aware, we lost a great man in Mr. Rick Miller, former MLA in this House, last weekend. I'm just bringing a notice that was posted in the *Herald* today of some of Rick's lifelong passions and journey as well as that a service will be held at Hosanna Lutheran church on Friday, November 1, at 1 o'clock p.m., and a public celebration of Rick's life will be held on November 15 at the Delta Edmonton South between 1:30 and 5 o'clock p.m.

Thank you very much.

**The Speaker:** Hon. Member for Edmonton-Centre, I understand you have four.

**Ms Blakeman:** Yes, I think so. Thanks very much, Mr. Speaker. I'm tabling a report that my office has developed, that is giving the body of a letter that we've received from a number of individuals regarding public service pensions. We received letters from it looks like maybe 20 different people. I've listed their names as part of the report, and they are asking the government not to change the pension arrangements that currently exist.

The second tabling is from constituents Frank and Donna Horvath, the appropriate number of copies. They are very concerned about home care. They note that "by shifting patients to their homes from hospitals and then privatizing Home Care,

government is diminishing the benefits of the Canada Health Act, [and it] can be watered down at any time.”

An e-mail from Kaitlyn Dziwenka regarding education budget concerns, very concerned that this fine system is being compromised and asking for ongoing and stable funding.

**The Speaker:** Hon. member, I hesitate to interrupt, but the Government House Leader has caught my attention regarding the clock, and we're not quite finished our Routine.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I would hesitate to interrupt the hon. Member for Edmonton-Centre mid-flow, but I would ask for unanimous consent so that she can continue.

**The Speaker:** Unanimous consent has been requested in order to complete our Routine.

[Unanimous consent granted]

**The Speaker:** Hearing no objections, hon. Member for Edmonton-Centre, please continue.

3:00

**Ms Blakeman:** Thanks very much. An additional letter on education from Dan Scratch notes the importance of investing in children's education and, again, asks to please “provide stable, predictable and adequate funding.”

Finally, Mr. Speaker, from the University of Alberta Press, a letter from Linda D. Cameron, who is very concerned about “the consequences of rapid and wholesale shifting to eFormats for school textbooks.” She notes that “nothing in the world of technology is a sure bet, [but] ink on paper which is permanent” and that the costs of getting readers can be a barrier.

Thank you very much.

**The Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre, followed by the Minister of Education from Calgary-Shaw.

**Mr. Anglin:** Thank you, Mr. Speaker. I rise with the five requisite copies of the Court of Queen's Bench decision, dated October 2013, wherein the Alberta government was found guilty of the apprehension of bias.

**The Speaker:** The hon. Minister of Education.

**Mr. J. Johnson:** Thank you, Mr. Speaker. I rise to table the appropriate number of copies of an e-mail which I quoted from here earlier, which is a question from the *Calgary Herald* to Christ the Redeemer school division asking if they were offered Sprung structure for temporary gym space. The response from the superintendent from Christ the Redeemer school division to the *Herald* was that they don't need a temporary structure as they have gym space available and “far superior.” These are the quotes I talked about in question period and the quotes that the *Herald* chose not to print.

**The Speaker:** The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Speaker. I have two tablings today in response to the minister's request for where I received my information for my question. The first is the requisite number of copies of *Hansard* from May 7, where the minister for PDD clearly states: “Over 80 per cent of the PDD clients in Alberta have had an assessment already. We will be through most of them before July 1 and the rest of them very shortly thereafter.”

A second tabling is the requisite number of copies of an Alberta Human Services document titled Transforming the PDD Program, where on page 8 the third bullet reads: “As of October 1, 2013 approximately 77% of individuals have been assessed using the Supports Intensity Scale.”

Thank you.

**The Speaker:** Are there others?

Seeing none, Mr. Clerk, allow me to make a brief tabling myself. Hon members, I'm very, very pleased to table with you five copies of a brochure produced by the Legislative Assembly of Alberta entitled Page Biographies, Legislative Assembly of Alberta: 28th Legislature, Fourth Sitting of the First Session, Fall 2013. It will show you that we have seven new pages who are working with us and have joined us for the first time just this past Monday. Of those seven, whom you will meet in due course, three are on duty today. I want to specifically begin by recognizing them. Devyn Godziuk. Where is Devyn? Oh, here you are. Devyn is a St. Albert student in grade 11 at Bellerose high school; Joely Bragg, a Paul Kane school grade 10 student from St. Albert; and Kylie Kwok, a Paul Kane grade 10 student, also from St. Albert.

In addition, we will also meet in the next days to come Laura Bryan, who is a grade 12 student at St. Peter the Apostle high school in St. Albert; Jenna Geldart, who is a grade 12 student at Archbishop MacDonald high school in Edmonton-McClung; Tianna Groeneveld, who is a grade 11 student at the Vermilion outreach school in the Vermilion-Lloydminster constituency; and Christina Luo, who is from Edmonton-Whitemud and at Lillian Osborne, where she is in grade 11.

Hon. members, I know it goes without saying, but your indulgence in the patience that sometimes is required to indoctrinate these new members will be greatly appreciated not only by them but also by me.

Thank you and welcome to our new pages. Good luck and Godspeed, as they say.

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following documents were deposited with the office of the Clerk. On behalf of the hon. Mr. Campbell, Minister of Aboriginal Relations, pursuant to the Northern Alberta Development Council Act the Northern Alberta Development Council 2012-2103 annual report.

On behalf of the hon. Mr. Johnson, Minister of Education, responses to questions raised by Mr. McAllister, hon. Member for Chestermere-Rocky View; Mrs. Forsyth, hon. Member for Calgary-Fish Creek; Mr. Pedersen, hon. Member for Medicine Hat, on March 19 and 20, 2013, the Department of Education main estimates debate.

On behalf of the hon. Mr. Horne, Minister of Health, response to Written Question 23, asked for by Dr. Swann on March 11, 2013:

What is the percentage of new graduates from registered nursing programs in Alberta post-secondary institutions who gained employment with Alberta Health Services in each of the fiscal years 2008/2009 to 2011/2012?

**The Speaker:** Thank you.

Hon. members, that's two days in a row that we have managed to escape any points of order. Congratulations. Well done. [interjection]

Hon. Member for Airdrie, you almost had me there.

I'm not yet prepared to rule on the point of privilege that was brought forward yesterday. I will do my best to try and have that

ruling ready for you tomorrow. Meanwhile let us proceed with Orders of the Day.

## Orders of the Day

### Government Bills and Orders

#### Second Reading

#### Bill 32

#### Enhancing Safety on Alberta Roads Act

**The Speaker:** The hon. Minister of Transportation.

**Mr. McIver:** Thank you, Mr. Speaker. It's a pleasure to rise today and move second reading of Bill 32, the Enhancing Safety on Alberta Roads Act.

It amends two acts, the Traffic Safety Act and the Highways Development and Protection Act. The amendments brought forward in the Enhancing Safety on Alberta Roads Act include granting municipalities the authority to set the times when reduced speed limits in playground zones are in effect, granting the minister the authority to designate lane usage on all provincial highways, and administrative and housekeeping amendments to the Traffic Safety Act and the Highways Development and Protection Act to align with the Criminal Code of Canada and to strengthen and clarify Alberta's legislation pertaining to traffic safety in highway administration.

To provide members with some background, the Traffic Safety Act received royal assent on May 19, 1999. It was proclaimed in force in May 2003; however, most sections of the act were drafted years earlier.

As part of an ongoing process to ensure that legislation is up to date and reflects the priorities of government, we continually reviewed legislation and, combined with input from stakeholders and Albertans, formed the basis of the legislation we are discussing today.

Bill 32, the Enhancing Safety on Alberta Roads Act, strengthens both the Traffic Safety Act and the Highways Development and Protection Act, making our highways safer by managing traffic flow and ensuring our children are safe near schools and playgrounds. The Traffic Safety Act amendments are also connected to two strategic priorities of the government of Alberta, building Alberta and expanding markets.

I'd like now to provide members with more detail about the two major amendments I've just spoken of, including their rationale and their connection to the government's strategic priorities. The first item I'd like to speak about is playground zones. All members can agree that we want our children to be safe at school and in playgrounds. As you know, these areas are busy places, with the real possibility that children could dart out onto roadways or be unaware of traffic. Under the Traffic Safety Act municipalities have the ability to increase or decrease the school zone time periods that are laid out in the use of highway and rules of the road regulation provided that they post the new times. However, the TSA does not grant municipalities the ability to alter the time period for playground zones. The speed limit for playground zones in Alberta is 30 kilometres per hour beginning at 8:30 a.m. and ending one hour after sunset every day of the week.

The amendment to the TSA, section 107, would grant municipalities the authority to adjust these playground zone time periods to meet the unique needs of their communities and to better address safety concerns. For example, municipalities could choose to harmonize the time periods for playground zones and school zones, ensuring consistency and clarity for drivers.

This legislation also addresses safety concerns arising from the fact that many children are on grounds adjacent to roads designated as playground zones before 8:30 a.m., when the playground's own speed limit reduction starts. Since municipalities are in the best position to understand the unique needs of those communities, it makes sense to extend their authority to allow them to adjust playground zone time periods.

Municipalities have indicated through their regular interaction with Alberta Transportation and, more recently, at the Alberta Association of Municipal Districts and Counties convention that they strongly support being granted the ability to modify playground zone times.

3:10

We've also heard from parents and Albertans that enhancements are required to make these zones safer based on the needs of the community. This legislation would still require municipalities to post the new times the playground zone is in effect, and Albertans would still know these times. If passed, this change would go into effect on August 1, 2014, giving municipalities the necessary time to consider changes to playground zone time periods as part of their traffic safety planning.

These proposed amendments show that our government has faith in the decision-making authority of municipalities and that this legislation will help them to address safety needs in their communities. I encourage members to support this amendment.

I'd also like to speak about the amendment related to designating highway lane usage. Alberta's 31,000 kilometres of provincial highway are more than asphalt, bridges, and interchanges. They are an interconnected network that help Albertans get to and from work or school and move products to and from market. Ensuring that provincial highways operate safely and efficiently is a priority for this government, and we're always looking to do better by continuously improving the management of our highways and by being open to ideas and suggestions from Albertans, municipalities, and stakeholders.

One of the key components of an efficient highway network is dealing with traffic flow. As members know, a variety of vehicles use provincial highways, including passenger vehicles, commercial vehicles, buses, and slow-moving vehicles. To accommodate the variety of vehicles and ensure that traffic moves safely and efficiently, we are looking at how we can improve traffic flow.

Under the Traffic Safety Act Alberta municipalities have the authority to designate the use of lanes on municipal roads. This is an important advantage because it allows municipalities to accommodate their unique transportation needs. The Alberta government, however, does not have the same ability for provincial highways. Currently any restriction on a provincial highway applies to all traffic across the whole width of the highway. To improve traffic flow and safety, changes could be proposed that would allow designations on single lanes or that only apply to one type of vehicle. Other jurisdictions, including Ontario, the U.S., and Australia, have designated lane usage to improve the flow of traffic, enhance safety, and reduce driver frustration which comes from slower moving vehicles using the left traffic lane.

This amendment will ensure that the Minister of Transportation has the ability to designate use of lanes on provincial highways. Under this legislation Alberta Transportation could designate traffic lanes or shoulder lanes on provincial highways as priority lanes for buses and high-occupancy vehicles. Traffic lanes could also be designated for truck routes. This could help improve safety on highways such as 63 or 43, where large items are being moved

to the oil sands or other resource-related projects in northern Alberta.

Where there are specific requests for lane designations, these will be reviewed on a case-by-case basis. Alberta Transportation will work with municipalities to deal with their unique traffic flow projects and maximize the use of existing highway infrastructure. The ability to designate lanes on provincial highways could result in improved traffic flow, decreased collisions, and reduced driver frustration.

Mr. Speaker, all Albertans benefit from a safe and efficient transportation system that enables market access, supports a strong economy, and serves a growing population. This amendment helps to ensure our provincial highways are functioning at their best so Albertans can count on them when they need them.

Finally, Mr. Speaker, the Enhancing Safety on Alberta Roads Act will make administrative and housekeeping amendments to sections 1 through 4 and to section 8 of the Traffic Safety Act and to sections 1, 38, and 51 of the Highways Development and Protection Act.

I'd like to speak about the administrative and housekeeping amendments to the Traffic Safety Act. In 2008 new offences were added to Canada's Criminal Code, including causing bodily harm or death while operating a motor vehicle with a blood-alcohol content higher than .08 and causing bodily harm or death to another person while operating a motor vehicle while having refused to provide a breath or blood sample.

It's important to note that Alberta had already enhanced its impaired driving laws in 2012, when the Traffic Safety Amendment Act, 2011, came into force. This law enhanced Alberta's impaired driving sanctions by substituting a set of escalating penalties for the previous 24-hour suspension, lengthening other periods of suspension and seizure, and mandating education and monitoring. By amending the TSA to align with the Criminal Code, Alberta is ensuring its traffic safety legislation is strong, clear, and free of technical loopholes.

Amendments to the Highways Development and Protection Act will clarify wording pertaining to the closure of provincial highways, with a road plan and liability concerning the obstruction of or damage to a highway. These amendments will help to strengthen and clarify the legislation that keeps our provincial highway network operating safely and efficiently.

I'd like to conclude my remarks by saying that the Enhancing Safety on Alberta Roads Act is more than just changes to legislation. It will have a real impact on the everyday lives of Albertans. It will make school and playground zones clearer for drivers and safer for children, and it will maximize the efficiency of our vast provincial highway network so that people and goods can move smoothly throughout the province.

Mr. Speaker, it is my sincere hope that all members will join me in supporting this important piece of legislation. At this time I would now move to adjourn debate.

[Motion to adjourn debate carried]

### Bill 27

#### Flood Recovery and Reconstruction Act

[Adjourned debate October 29: Mr. Griffiths]

**The Speaker:** Hon. Member for Edmonton-Centre, you're the only one I see at the moment, so carry on.

**Ms Blakeman:** Thank you very much, Mr. Speaker. I'm pleased to get this opportunity to speak in second reading to the proposed Bill 27, Flood Recovery and Reconstruction Act. Now, clearly,

this bill has a bit of history behind it because many of the things that are in this act were in fact put into place by the government during the floods in southern Alberta this spring and summer. This is a little bit after the fact, but at least they've brought it before the House, which I always appreciate.

But I am uneasy about the amount of additional power, the extended scope of the power that the government is granting to itself. I don't believe it's an exaggeration to make this analogy, but it is, to me, akin to giving itself the War Measures Act to deal with something that really doesn't require that. I mean, this is a very wide scope of power that the government is taking. There is no appeal that is allowed for any of the decisions that are made, no sassing back from those municipalities, not to this government. The language that's used is very aggressive, maybe, or almost hostile.

I have a couple of observations and then a few questions. I'm wondering what the criteria is that the government is using when it sets out things like section 615. I don't want to be too specific here, but when we look at, you know, if there's a disaster or an emergency in a particular municipal authority, then the minister can go ahead and modify provisions of the Municipal Government Act, which covers every municipality in the province. It's the law; it's God. It's what they all are created under. All they need is a disaster, and they can change one or more of the provisions in the Municipal Government Act as it applies to that authority. They can exempt the authority from other requirements or provide them with specific authority in addition to what they already have.

Now, I know that there's some history behind those particular clauses, and maybe I can get the minister or one of his designates to explain that a little more carefully. I do want to know what the criteria are for making those decisions. What is taken into account by the minister in order to implement those powers? There's absolutely nothing in this bill, which is – wait for it – four pages long. But, seriously, with the weight of the powers that are being granted in this bill, it's about four tonnes. I'd like to know what the criteria are. What is their checklist that they are going to use for deciding this allocation of powers and changing of regs under the act?

I look at page 3, that whole definition of floodways. I think what this is is the discussion that municipalities should not be allowed to build things in flood plains – that is the language that I've heard; this is using "floodway" – that the provincial government has got to clamp down and stop municipalities from doing that. Okay. I've certainly read that kind of commentary in the media around what happened this summer.

3:20

It does indicate under the relevant section in the bill that the Lieutenant Governor in Council "may" make these regulations. In other sections it's "must" make the regulations. This is "may." But I do note, everybody, that this is cabinet. This is not the Legislature. Nobody has to come back and talk to anyone. There's no consultation required under this. Cabinet can just go ahead and start doing this.

This would be regulations

controlling, regulating or prohibiting any use or development of land that is located in a floodway within a municipal authority, including,

And I love this.

without limitation,

Yowza. That's a lot of power: without limitation.

regulations specifying the types of developments that are authorized in a floodway.

Wow. Without limitation. Just imagine. You know, that's like an all-you-can-eat buffet forever, without limitations.

It goes on. You can exempt a municipal authority from the application of the act or anything. You can modify or suspend it. You can define the meaning of floodway. Given that so much rides on this whole concept of floodway, how can you pass an act that depends so much on the meaning of floodway, which you don't have in the act? I guess they're going to develop it later under a regulation. So we're being asked in this House to pass a bill that depends a lot on the definition of floodway, but we don't have a definition of floodway. They're going to make it up later.

Are you sensing the gap in logic here? There's a bit of a jump. Somebody had a little bit of a stumble and jumped onto the next page maybe? I would say that that's a fairly gaping hole. I was quite interested in the principle of this bill. I'm still open to supporting it. But, honestly, you want me to pass something in which you guys are going to figure out the definition of it later? You're giving yourself a whole bunch of powers without limitation to do stuff, to change sections of the Municipal Government Act, and you'll decide what that means and the definition of it later. You know, I don't think I trust this government enough to just give you that blank cheque. No.

I would like to know how you're going to facilitate this process of defining the floodway definition after we've already passed the act. How does that affect communities that already have existing and thriving residences or venues in what I guess could be defined as a floodway? How do you know? How do you have any certainty about whether you should build a garage, whether you should expand your store? You have no idea. When you look in the Municipal Government Act, you go: "Okay. I may or may not be in a floodway. I don't know what the definition of that is because the government is going to make it up later. I would like to do some improvements, but I don't know if can do that because I don't know what the criteria of it are and if I'm actually defined as being in a floodway."

You guys make it really hard to support you sometimes, like, unnecessarily difficult. You went through this whole thing this summer. You did a fairly good job. Lots of people have said that. But, honestly, you really make it hard to support this when I look at a bill that gives you power without limitations, the ability to change the Municipal Government Act – modifying provisions, exempting, adding in without limitation – and no definition of who this applies to. You've got a bit of 'splainin' to do, if I can put it that way. I want that definition, definitely. I really want to underline the kind of uncertainty that you're creating here.

You've done this before, just to remind you. I am not a pompom-waving fan of property rights – I'm not; that's no surprise – but this is very akin to the bill that the government passed which would allow them to indicate to a landowner that they were going to expropriate or use their land at some point in the future and that therefore they were allowed to make no modifications to the buildings or to the land site. Somebody in the Wildrose is going to tell me the number of the bill that was. [interjections] It's bills 19, 24, 36. Okay. It's a whole group of them.

That's exactly what you did then. You essentially created huge uncertainty for people by saying: "You're in a right-of-way. We're likely going to build – whatever – a highway, transmission towers, a high-speed rail link between Edmonton and Calgary or something." You gave yourself the power to indicate to people: "We're going to take that land eventually. We don't know when that is, but you can't change anything because we don't want to pay you for any improvements you make to your land."

If my rural colleague from Strathmore-Brooks wanted to – I'm trying to remember what kind of farming he does. Dairy?

**Mr. Hale:** Cow-calf.

**Ms Blakeman:** Sorry. Cow-calf. Oh, that's right.

If he wants to build another barn or, you know, put up a pivot, great. He was in a total morass of undefined territory because he didn't know that he was probably not going to be allowed to do it, and not only for his generation but for his two sons. We have no idea when the government was actually going to do something with this man's land. So you see how much uncertainty it creates for people in the future to say: "Well, at some point we're going to do something with this, so hang on. You can't do any improvements to it."

When I say to you that there are already a number of municipalities that have communities that I would think would fall under – it would make sense to me that it would fall under it – a definition of floodway except that you didn't define it, you create uncertainty for them because they can't tell what's going to happen by way of future development.

There's also very little timing of the integration of this except – oh, I've read too many bills lately. I'm sorry; I might be making a mistake. I'm pretty sure this bill did not have any timing for when these regs would be put in. You know, that's a bit of a problem, too, Mr. Speaker. The government sort of failed to take into consideration a number of reports that were created for them both by members of the Assembly but also by private agencies that were hired to give them advice on flood mitigation and they didn't take it. Given the timing, I'd like a bit more certainty from the government on that.

So we've got wide powers, in some cases with no limitations. It's binding. We have cabinet making these decisions – sorry for the cliché – behind closed doors. We have uncertainty around definitions. We have no criteria. We have no appeal. Gee whiz, this is looking a lot like a centralization of provincial power over local power. Now, I can be wrong. Not often, but I can be. I'm pretty sure this government has a whole bunch of press releases about how they want to restore more local decision-making power and that they prefer that local decisions are made. I'm sure I've heard the Premier up here talking vigorously about how local bodies should be making those decisions. But how, when this is clearly centralizing power in the hands of the government?

I think this bill was designed for a good reason, and I think it was designed based on experiences that they had over the summer in trying to deal with the disasters and how they were stymied in some cases from doing good, effective, timely work because of the way the act was written. Fair enough, you know. Then you should have a piece of legislation in front of this Assembly.

**3:30**

But I really want to hear from you why you need such an expansion of your scope of powers, why you're not giving us any criteria, and why you're not giving us any appeal mechanism. What do they have to do? Take you to court? Well, come on, you guys. I mean, this is becoming a bit of a habit with you, where you force smaller bodies, smaller local authorities, to take you to court. And you know what? The courts increasingly are siding with the other people, not with you. That's another bill we'll talk about soon, I'm sure.

Thank you for the opportunity to put some of those questions out and to give some initial feedback. I would really like to support this bill, but I need some very clear information about the choices the government has made in this bill, and I would like

some backup documentation that's going to show me how you're not going to abuse the power – immense power – that you've given yourself. You know, there has to be a balance there. The constitution recognizes that balance. They give a great deal of power, and then they put limitations on it. I'm not seeing this bill put limitations on the powers that this provincial government is giving itself. So that's what I want to hear from you.

Thank you very much for the opportunity to speak.

**The Speaker:** Hon. members, the Member for Olds-Didsbury-Three Hills caught my attention and then Edmonton-Calder, but since we didn't have the Official Opposition reply first – we're straight into the Member for Edmonton-Centre – 29(2)(a) is not available yet, until the third speaker. Some people had sent a question up in that regard, so I'm just clarifying it. Thank you.

Let's go on to Olds-Didsbury-Three Hills, followed by Edmonton-Calder.

**Mr. Rowe:** Thank you, Mr. Speaker. Bill 27, Flood Recovery and Reconstruction Act, is mostly about flood recovery, mitigation, and reconstruction, but it also contains a power grab by the Minister of Municipal Affairs and the cabinet, which may or may not be warranted. Many of the powers granted are reasonable in principle, such as determining what mitigation measures should be done and how they will be reimbursed, filing caveats on floodway properties that have received DRP and conditional caveats on flood fringe, determining what is in a floodway and what development can be allowed, and exempting certain municipalities from floodway regulations.

Given, however, that they are basing it on faulty maps or not taking future mitigation into account, communities and individuals might be treated very unfairly if regulations are adopted before sorting these things out.

Section 2 of the bill is particularly troubling. It proposes giving this sweeping power to the minister to trump the MGA entirely if there appears to be an emergency: (a) municipalities can have parts of the MGA modified, (b) communities can be exempted from parts of the MGA, and (c) communities can be given powers beyond the MGA. After looking at this, I find it very hard to come to the conclusion that these types of powers are necessary. I'll need some explanation on those before I can put my full support behind this bill.

Also, there is a proposal to extend provincial control of local state of emergency from 14 to 28 days. Twenty-eight days would still not have made much of a difference in High River. Probably, closer to 49 or 50 days would have been much better. Just a suggestion: why not let the local authority decide if it wants to extend the period every seven days or every 14 days on a continuing basis until the municipality felt that the emergency was over?

Bill 27 adds powers to the cabinet and the minister with respect to defining those floodways, controlling regulation and prohibiting development in floodways, exempting municipalities from the definition, and forcing municipalities to amend those bylaws with no compensation for costs in that whole process. Bill 27 also lengthens the state of that emergency period and provides that framework for a funding reimbursement, so that may be looked after.

I can support this bill, but I'm going to demand explanations for section 2 and will be proposing an amendment to that 14- to 28-day period. Emergency powers are needed by municipalities and the minister to handle a disaster effectively. It also gives a chance for more clarity on the funding and the reimbursement for mitigation measures.

Floodway development has been going on for far too long. We know the 2005 flood brought out a report that was mostly dealing with flood maps and so on. That sat on a shelf for the last eight years. Caveats can assure that taxpayers won't be unnecessarily on the hook again for rebuilding in floodways. The floodway situations can vary by a sizable amount across the province in different areas, so one size shouldn't fit all. These powers are being given to a government using old maps and not taking those future mitigations into account.

As I mentioned, 28 days is not long enough in a case like High River, so we need to let municipalities be a part of this process. As I said, extending that every 14 days might be a better approach.

Allowing the cabinet to designate what is and isn't a floodway and to which town's floodway the rules apply allows this PC government potentially to benefit PC government friends and family by allowing developments on lands that should be floodways or to punish others. The minister has unrestricted powers in a perceived emergency to entirely suspend or even create powers beyond the Municipal Government Act for a municipality, intrusion and work creation without compensation in municipal planning departments. Properties with caveats will be devalued, and the process must be managed fairly.

In closing, I just want to say that I really want to support this bill. I think it's a valuable tool for municipalities to use in the future. But we've got to be careful with this. It has to be done right. If we can have these issues addressed, I can give my full support to this bill.

Thank you very much.

**The Speaker:** Hon. members, 29(2)(a) is available.

Seeing no one, let us move on, then, to Edmonton-Calder, followed by Calgary-Buffalo.

**Mr. Eggen:** Well, thank you, Mr. Speaker. I'm certainly interested in making a few introductory comments in regard to Bill 27, Flood Recovery and Reconstruction Act. This is, I think, a very important piece of legislation. Its time has come to be addressed here in the Legislature. It's unfortunate that we had to have such a major disaster to help focus our energy to work on floodway measures – for example, not building in floodways – and to have adequate emergency and restitution provisions built into legislation in the event of this sort of disaster.

Certainly, we've heard already lots of speeches and information as to the scale and the unprecedented scope of the floods in June, and I certainly had a personal experience by travelling both to Calgary a few short days after the flood and to High River later in the summer. Working from High River backwards, I was absolutely shocked to see the scale and the scope of the damage in the town of High River. The whole downtown was severely damaged and will be difficult to, I think, rehabilitate to its former state. I think a majority of all the buildings in the town of High River suffered some or extensive damage as well. So I think it's first and foremost a tribute to the people of High River, that had the resilience and the sense of community to bind together and to work to rebuild their community.

I had a tour with one of the town councillors, and he gave me lots of time and valuable information about just how well the community was responding. Alberta first responders, including the police, construction and town workers, the military: it was just all manner of remarkable integration of so many resources. I was overwhelmed to see just how effective it really was in those first few days.



3:40

In Calgary, again, the same sort of thing: it was almost like it was hard to recognize it as the same city in those immediate areas where people just mobilized and put aside all other things to help neighbourhoods such as Elbow Park and Rideau – those are the areas I was at – Sunnyside as well, downtown close to Chinatown. It was quite remarkable. We had a team of very ambitious volunteers working with me to help muck out basements and to just do whatever work was necessary.

It's a time for us all, I think, to reflect on the value of the things that we own together and the true value of community when we do suffer this kind of material damage. The material items that we have sometimes are really not worth much of anything once they get wet. Lord knows, I re-evaluated my own basement and realized just how much junk we really do accumulate here in our society with stuff, and once it gets wet it's not worth anything at all. The true value, we learned, clearly was in the value of people and community and family that pulled together and still are doing so today.

So we know and I think all Albertans affected by the flood know that we will try hard to ensure that we both seek restitution for people who have suffered flood damage and try to improve the situation so we can mitigate this sort of thing happening again. I guess all of us probably have that intention in our hearts here in this Legislature. How we decide to do that in the best, most effective way possible, I think, is our responsibility here now, to have an open debate on this, including entertaining the possibility of amendments to the Flood Recovery and Reconstruction Act. I think there are lots of good areas in this bill, but I think there are other things that we could improve on, certainly.

My understanding from reading this over the last day or so is that municipalities will no longer be allowed to approve new developments in floodways, which is a good thing. Additional funding will be available to homeowners for flood mitigation measures, which, again, is very helpful. Provincial states of emergency will be extended, and notices will be placed on land titles of properties in flood areas. Property owners in the so-called flood fringe areas will be having to have a notice removed from their land title by putting minimum flood mitigation measures into place. Properties in a floodway will then have a permanent notice placed on their properties. These are quite wide-ranging amendments and provisions, but built within them, I would suggest, Mr. Speaker, are some problems that I would like to suggest we could sort out through some amendments to this particular bill.

As the previous speaker pointed out, you know, we all want to support something like this, but we have to ensure that we're doing it right and we're not adding new, onerous powers or too much power to this Legislature when, of course, we have another very important on-the-ground level of government, which are the municipalities and municipal districts, which do know their areas and have intelligent contributions to make in the event of a disaster such as this.

As well, just before I talk about the bill more specifically here, we can expect that this sort of thing can happen again. It's important for us to not use this once-in-a-lifetime language, because these sorts of extreme weather events are happening more often, not just here in Alberta but around North America and across the world as well, due to climate change. We know that it just creates more variations in how we expect the weather to behave, so we do need to expect that this sort of flooding can and might and will in fact happen again sooner rather than later.

For example, I was just speaking with some other hon. members yesterday from southern Alberta, a very interesting conversation,

talking about that very large storm which sort of hung over Canmore and into the Banff area. If it happened to swing another 130 kilometres more towards the Bow summit area and that whole catchment area around Lake Louise, we would have had that much more rain all captured into that drainage area and funnelled down – there's only one way for the water to go – in through the Bow valley. For example, the city of Canmore would have been affected exponentially more than it had and downstream as well. So we were fortunate. It's hard to imagine, considering the scope of the damage. I'm just bringing up this point to illustrate how unstable these whole situations can be and how things can go from bad to worse.

I think one of the biggest problems that I have in regard to the floodways is that this legislation seems to be – and correct me if I'm wrong – relying still on the same outdated flood maps, which really did not help prevent the catastrophic losses in June 2013. We still don't have any concrete information on how they will update these problematic flood maps. We've had the mayor of Calgary and other municipalities complaining about how they were not particularly consulted on these flood maps either.

Again, going backwards to forwards here is useful because we don't want to repeat the same mistakes twice. But we did have fairly comprehensive reports that would suggest that we should have restricted floodway building many years ago and thus could have saved millions of dollars on this flood of June 2013 if we had not continued to build on floodways. I know that this is a difficult decision to make, but the reason that this Legislature was built in the first place was to make these kinds of difficult decisions and to recognize that we are responsible if we sign off, let's say, Crown land to an area that's prone to flooding and then, in fact, that whole area or part of it gets damaged. Then, you know, we've not done due diligence here at this level to protect property and to protect human life and assets as such.

A number of experts, Mr. Speaker, and studies show that the damage that was sustained in 2013 could have been greatly reduced if we did in fact implement the recommendations from several earlier reports and kept more and better updated maps. There have been engineering reports done as far back as 1973 by a Montreal engineering company, in 1983 by Alberta Environment, and then in 2006, which we all know about, with Mr. Groeneveld's report that have been used by experts since to argue that a flood of this magnitude was very predictable and not really that rare.

We can look back to earlier history of what was the town of Calgary from the 1880s and then the turn of the last century, when similar floods had taken place. In fact, the big growth period of the city of Calgary seemed to be an interlude in what otherwise were quite regular substantial floods from the Bow and Elbow rivers into the Calgary area. Also, there was a 2010 flood report that Calgary would suffer more frequent and severe floods. That was quite a substantial report by Golder Associates and consultants to provide emergency response and flood mapping.

So it's not as though we didn't know. I mean, I guess that is becoming obvious in this session. You know, we're not just relying on the past, but that's the only way by which we can learn to mitigate problems in the future, isn't it?

We heard from John Pomeroy, the Canadian research chair in water resources and climate change and professor at the University of Saskatchewan. He also said that the integrated weather and water prediction models needed to give better warning but also to assist in planning for future flood plains, safer reservoir management, and better forest and agricultural management for long-term flood and drought mitigation.

Mr. Speaker, we can look at the watershed not just from the immediate area around a place like High River or Medicine Hat or

Drumheller or Calgary but right from the top of the watershed, from the mountains, right? The importance of protecting watersheds and forested areas right up to the Continental Divide is just as important as the berms and byways that we can perhaps provide to pass water around our cities.

3:50

For example, the Castle region, which we have been debating for a number of years, is an obvious place where rivers are starting – right? – on the Continental Divide. The ability and the capacity of the forest and the watershed in the mountain and foothill regions act as a delay and a mitigating factor to flooding of downstream areas from the Castle region. That's just one example, but it's a very good one. We have the South Saskatchewan planning thing before us now, which we could use to protect the Castle in a comprehensive way, not just the rocks and the ice at the very tops of the mountains, and mitigate future flood damage by creating a wildland provincial park in the Castle, for example.

I see this bill as being quite sweeping, and it certainly has some capacity to do some good. The amendment to the Emergency Management Act: I think I need more clarification on that. I know that we put more power into hands when emergencies are declared, but I think that we need to define that more clearly in this bill. This bill is going to be looked at by a lot of people, literally millions of people who were affected by the floods in the spring, and we need to ensure that people can feel confident moving forward.

Another area that I would seek clarification on, which I will in the due course of time, is around these provisions that are going to go onto land titles. I'm just not sure how people can be compensated for that. Of course, when you're looking for someone to purchase a piece of property that might be in a flood fringe zone or in an actual flood area and there's some sort of caveat or written letter on that land title, I'm really not sure whether or not lending agencies like banks or credit unions would actually give someone a mortgage to buy a property like that, that has such an onerous provision on it.

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

Hon. members, 29(2)(a) is now available.

Seeing no one, let us move on, then, to Calgary-Buffalo.

**Mr. Hehr:** Well, thank you, Mr. Speaker. As always, it's a pleasure to comment on the issues of the day, and I see that opportunity before me in discussing Bill 27, Flood Recovery and Reconstruction Act. There is no doubt that what has transpired over the course of the last six months has exposed some weaknesses that we have had not only in legislation in dealing with our proposed flood mitigation strategy but also in the tools that we had in our toolbox to deal with the appropriate measures of rebuilding communities. It looks like the minister is going to attempt to do something on that front. I applaud the minister for taking this action.

I do have concerns that they do appear to be rather broad and sweeping and vast in their scope, the powers that he is seeking, and there are very few parameters in which they will be used or by which they can be limited in their use. For instance, just to point it out – and I will come back to it – the entire act, which is four pages long, appears to introduce a new terminology into the way we understand flooding. We appear to base everything in this act on the definition of a floodway. Right now, by my reading of the act, there is no working definition of floodway. If you look at what we have done, our provincial mapping systems and civic

mapping systems are based so far on a terminology, that I can see, of flood fringe and floodway.

When I see the introduction of a brand new term that the minister is going to be relying on – and he's going to derive a great deal of power from this term, and there's no working definition of that term – which is “floodway,” in the legislation, it causes me a great deal of concern that we do not have that definition here. It makes it very difficult to evaluate the scope and the breadth and the depth of what the minister is seeking. How much land will this impact? How many communities will this impact? What is the impact on local decision-makers and their ability to respond to the needs of their citizens? I believe that was covered pretty extensively by the Member for Edmonton-Centre, but I'll come back to discuss that as well.

If we look at what transpired in southern Alberta with the flood, there is no doubt that it was an event of epic proportions. The minister is correct when he points out that this was probably the largest disaster that has struck not only this province but this country in a great many years. You see that not only by the destruction of lives but personal property. The ongoing efforts to try to, I guess, not only assuage people's concerns today but assuage them going forward are evident in that bill. I think that on that front this government needs to work on how it's going to mitigate damages in the future.

I will applaud them on some of those discussions that are going on. There was a conference down in Calgary that suggested to me that the government is taking upscale mitigation seriously. There are proposals before the government. They've said that they are going to explore all options on how to mitigate damage. That means reducing to the greatest extent possible the amount of damage that is going to occur to our cities in southern Alberta and, hopefully, to other jurisdictions in this province as a result of a flood or a disaster situation.

Not to bring up old wounds, but why not? We often do it in the Legislature. Why not do that now? We didn't do as good a job as we could have in mitigating damages, and that was fairly evident when some of the revelations came about that we did not implement what has become known as the 2006 Groeneveld report and that we continued to build on flood zones, I think they were called at that point in time, when there was a clear recommendation for communities and a clear direction for the minister to act in this regard. It appears that that action is going to be taken now, but there is some question as to whether we didn't implement that to its greatest extent. I don't believe we did act on it to its greatest extent, and that's what it behooves us to do.

I'm encouraged that the government will look at all plans available to mitigate damage. There are some suggestions out there that with an investment of – it might sound like a lot – close to a billion dollars much of this damage can be averted in the future from Calgary and outlying areas. If that can be done with that price tag, although steep, I would seriously urge the government to implement such a policy.

4:00

If you look at the damage this has caused not only to families and communities but to the public purse as a result, the costs are astronomical. Some estimates are about \$6 billion. If we look at investing that money under the guise that it's going to prevent this future damage, the money spent is going to be well suited in the future. I'm glad to hear that that is going on, and I would suggest that the government needs to look at all options to protect families and communities in that regard.

You know, if we look at the historical rain patterns or flooding events that occurred here in Alberta, it should have been predicted

as a certainty that this flood was going to attend. If you look at rainfall patterns that occurred in the 1929 flood, with a flood of that magnitude the entire downtown Calgary would have suffered significantly more damage than what has transpired. So in some instances, looking at historical flood information that was available, we can consider ourselves lucky, if you can believe that, Mr. Speaker, with what transpired this time.

With that information, I think we've also got to recognize that despite whatever flood mitigation the government decides to go with – like I said, I would encourage them to go bold in this regard – I'm of the belief that future flooding is going to occur, whether it be Calgary, southern Alberta, or other outlying jurisdictions. In my view, we need to protect against that eventuality, and it's not going to be able to all be solved in mitigation strategies.

What has to be done to protect both families and communities as well as the public purse is to develop a comprehensive disaster/flood insurance program. If you look at other jurisdictions around the world, primarily Europe following the 2003 floods, which devastated families and communities as well as the public purse, they implemented such a strategy. What this does is that it allows for mandatory coverage to allow people to rebuild their lives, but it also protects the government purse from the eventual run that will happen there. People pay a risk-adjusted premium according to the area they live in and contribute to the eventuality of the need for insurance.

Now, of course, you're going to get some people saying that they will never need that insurance, but I think never is a long time. Look, no one saw Slave Lake burning to the ground years ago. No one could foresee Mrs. O'Leary's cow kicking over the lantern in Chicago years ago to burn that city down or some eventual disaster that could happen in Fort McMurray. Should it be necessary to rebuild that city, hopefully we will have the wherewithal to be able to afford such an endeavour, and flood insurance is the way to do it.

I will look at this bill more closely as, like I said, it gives the minister a wide swath of power. We need to understand what a floodway is and how much power and what scope this new definition being introduced into the lexicon is going to bring. That does concern me, and it does concern our future ability to, I guess, limit the decision-making power of government, should we wish to, in this avenue. Once this power is given with no real definition of floodway in place, in my view, it could serve as a recipe for failure.

In any event, those are my initial comments, Mr. Speaker. I will look at the bill even more closely than I have. I think it has potential to do a lot of good and potential to smooth out the way our provincial government deals with disasters in the future and allow for us to develop the tools and capacity to effectively deal with situations like these, that are going to occur again.

On that note, I'll leave that as food for thought for the minister and future thought on how to mitigate damages, both on the upstream side of things as well as on flood insurance, and hopefully we'll hear some comments in this regard going forward in this province.

Thank you, Mr. Speaker.

**The Speaker:** Hon. members, 29(2)(a) is available for anyone who wishes. Cardston-Taber-Warner under 29(2)(a).

**Mr. Bikman:** Thank you, Mr. Speaker. Our study of human nature throughout history, of course, teaches us that there's a fine line between granting power and ensuring acceptable use of it. In a real emergency our first concern, naturally, is for the safety of people, then their pets, property, and public infrastructure. Heroic

efforts are required, and heroes always seem to be found who will rise to the occasion, setting their own self-interest aside and serving the real, immediate needs of neighbours and friends and sometimes perfect strangers. Some are volunteers. Some are public employees as first responders. Naturally, we're grateful to all of them. But sometimes absolute power may convey a sense of self-righteous overzealousness. How would you, hon. member, recommend that this act could avoid that?

**Mr. Hehr:** Well, I'm not the critic for this area. Nevertheless, I think we do need a working definition of floodway. That, to me, seems to be a starting position. To be fair, I don't have a working definition of floodway. I do also understand, though, that the government had to act before legislation was in place to implement a full response to this flood. Much of the stuff that they did during this flood was not found in our enabling legislation, and this goes some way to rectifying that, and at least we're having that discussion now.

If you look at ways to eliminate that power, you've got to look at what a floodway is. You have to develop comprehensive maps as to what a floodway is and where it is and where it will apply, both in southern Alberta and northern Alberta and the like. I don't sense this as being ready to make that call; hence, the minister wants to leave that for a date to be named later. The trouble is whether we get to that date. That is the trouble. Does this all go to regulation and that's the last we see of it?

You just read 693.1(1):

- (a) controlling, regulating or prohibiting any use or development of land that is located in a floodway within a municipal authority, including, without limitation, regulations specifying the types of developments that are authorized in a floodway.

The term "without limitation" tends to give me a great deal of concern, and that is primarily because I don't have a working definition of floodway. I don't have a lot of the background tools, and I don't know if they've been developed yet. Whether we can get to that working definition – I hope we can, and maybe the minister is going to insert one or flesh that out for us. That would be a beginning point.

I'm sure our critic in this area will have many more amendments to follow to try and limit some of the concerns that you've brought up in your question to me as well as what other speakers have brought up both before and, I'm sure, after.

4:10

**The Speaker:** Anyone else under 29(2)(a)?

Seeing no one, let us move on to Innisfail-Sylvan Lake, followed by Livingstone-Macleod.

**Mrs. Towle:** Thank you, Mr. Speaker. First of all, I rise to discuss Bill 27, Flood Recovery and Reconstruction Act, but before I go there, I just want to talk about some of the positives of what I think this act is actually trying to achieve. We all know that the floods were extremely devastating in the southern part of our province. We know Calgary and High River, and we know the many stories that came from there but also from Medicine Hat, Bragg Creek, Cochrane, and even from my own riding of Innisfail-Sylvan Lake. If I'm missing any of them, I apologize.

We know that a lot of front-line people, volunteers, community workers, people who owned homes, people who didn't own homes, and everybody available in Alberta put their hearts and minds behind everybody affected by the flood and set out to do a lot of hard work. I know that a lot of people came out to Calgary, High River, and all the surrounding areas to help people clean out their homes, remove their belongings, remove all the debris, the

mud and the muck and everything else that came along with it, to ensure that everybody could try and get back to some sort of sense of normal as soon as possible.

[Mrs. Jablonski in the chair]

I remember the day that our team went there as well. We walked into homes that had water all the way up to the floor joists and further, and everything in their basements was ruined, and many, many people were so saddened by the loss of all their memories. It was a difficult time for me to go there as someone who wasn't necessarily personally affected by the flood. To watch so many people in such devastation, when we were driving down the roads, it almost seemed like the world had stopped. Everything had just stopped for a moment in time. The roads were clear, the cars were buried, and the debris was everywhere. We know that so many communities were actually fully blocked off.

I appreciate all of the hard work that everybody put in to make sure that we got back to normal as soon as possible, and some are still doing that, especially in communities like High River. We certainly saw, you know, the Alberta spirit come out in all of the efforts that they made with the Calgary Stampede. Who honestly would have thought at the time the Calgary Stampede was affected that we really could still put on the greatest show on Earth in such a little period of time? I have to admit that when we went to one evening of the Stampede, I stood in awe as I watched life go on there for a moment and everybody being able to take just one day and celebrate exactly the Alberta spirit.

I do have some concerns with this bill, but before I go there, I want to acknowledge all of the hard work that has been done on the bill.

**An Hon. Member:** Thank you.

**Mrs. Towle:** We always acknowledge all of the hard work that's done on many of these bills. Keep in mind that the Wildrose supported 70 per cent of your bills in the last session. But it is our job to offer any opportunity for amendment to make any bill better, just the same as it's every MLA's job in this House to offer any amendment to make any bill better.

Bill 27 is mostly about flood recovery and the flood mitigation system and how that is developed, how that's appropriated, and how we define and deal with what flood mitigation is, what a floodway is, what the reconstruction plan is. My concern with it – I'll go into that a little bit later – is around the powers that the bill gives. It is very important that every municipality has the ability in an emergency to be able to do exactly what they need to do to make sure people are kept safe, and there's no question that in events where the municipality is overwhelmed or not able to do that, the provincial powers need to be able to step in and need to be able to do their part.

We also know that on many, many occasions there are not enough resources within the municipality to maybe do the right things, make the right decisions, or enough expertise to be able to do that, so for that reason, they may call on the provincial resources to ensure that they're able to keep their residents safe. Of course, that's very, very important.

There are a few things here that are very positive. I mean, one of things that they talk about is that Bill 27 lengthens the state of emergency period, and certainly there seems to be a lot of arguments for why that might be needed, and that is not necessarily a negative. There's a lot of conversation about flood zones and floodways and how we put caveats on titles and how we make sure that people are properly compensated for exactly what they need to do.

So with all of that in mind and all of the hard work that has gone into this bill, I think there's an opportunity for us to help it be a better bill that serves all Albertans. One of the things that I think we could start with is – obviously, we have the Groeneveld report from 2006. What's interesting about the Groeneveld report from 2006 is that it actually mirrors very closely a report from 2002. So it seems to me that the first question I have is: in creating this Bill 27, what was the consultation process between the report from 2002 going into the report of 2007 from Mr. Groeneveld? Who at that time was the MLA for High River and had experienced substantial flooding in the past? And 2013 was certainly unprecedented flooding.

In Mr. Groeneveld's report he makes several recommendations, but many of them are very similar to what is being recommended in here. However, this bill, unfortunately, doesn't go far enough. Mr. Groeneveld's report is several pages long, yet this bill is really only three pages long. It seems to me that we can do a little bit better on defining what we need to have done and how far it needs to go.

One of the things that Mr. Groeneveld's report identified right away was that you need to co-ordinate the completion of the flood maps. The maps need to be accurate, and they need to be updated. Now, we've heard time and time again a lot of criticism over the current flood maps. Many people say that some of them are from 1993. Some of them are from 1995. Some of them are newer, and that's fantastic. The question is: what is the process for updating those flood maps when it's needed?

One of the things that I know even in my own riding we experienced is that on the west side of my riding we have the Red Deer River, and over the last 10 years the Red Deer River has changed the way it flows dramatically and in a lot of cases has eroded a lot of the banks and actually has shifted quite a bit further to either the north or the west from where it was originally on the flood map. I sat with the Red Deer county EMO, and she walked me through the changes. Then I went and spent two days, actually, with councillors, and they drove me through so I could actually see exactly what had happened to where we are now.

They actually have overlays for every year from aerials. They started with 1995, I believe. I could be wrong on the date, and I apologize if I am, but it was in the 1993-95 zone. They started with that flood map, and in that flood map, yes, everything looks relatively proper. It looks like the river flows in a fairly decent, logical way. Then every year after that they have an overlay of normal erosion.

But what happened in 2005 in my riding was pretty significant. We had a massive flood. After 2005 and through that flood the flood maps actually changed dramatically. They actually changed course, and they moved several hundred feet from where the original stream of the river used to go to where it appears to be today. It's interesting because when we went on the drive out there, you could see where the river used to flow through, which is now all full of rock and silt and debris. Now the river has changed course and actually has come and eroded the banks and in many, many places is actually eroding the banks to the point that the county is very, very concerned about significant road damage and whether or not the actual roads will be able to hold the load of what is travelling on them.

That same area is designated just DRP. It's not a floodway. It's not a flood zone. It's not anything, yet every single year since 2005 the residences in that area flood. Now, no one expects everybody to be able to update everything every single year, but a lot of our municipalities are doing good work. They're investing in their communities, and they're investing in their residents. They're watching this, and they have the expertise to offer to the

government to say: "We've done a lot of this historical data. We have it all in place, and we can tell you exactly which communities and which person is consistently going to DRP funding because they get significantly flooded every single year."

4:20

When we look at the overlays from 2005 onwards to 2010, the significant damage that was done to county roads, to Crown land, and to personal residences has got to be costing us just a horrendous amount of money. Now, in 2013 the flood that affected several residents in my riding actually took out many of the roads they identified within the last five to eight years that structurally could be considered at risk. At least eight different county roads in my area were either completely wiped out or so significantly damaged that they could not actually be driven on.

The other part of that is that the roads that were wiped out or significantly damaged – it was almost like you could see year after year after year and could pinpoint exactly which road that would be and, in turn, which residents would be affected, which residents might get completely flooded, and which person may or may not lose their home.

Had we had accurate maps, in my area anyway – and I know this is what we're hearing across the province – many of these people might be redesignated for whatever type of funding that is coming from the relief funding that we have right now. What we have right now are people who possibly should be in a floodway or a flood zone but aren't and those who possibly were but because the river shifted so dramatically shouldn't be in a floodway or flood zone and are no longer dedicated for flood rebuilding, DRP funding, however you want to do it.

The importance of having accurate maps cannot be stated enough. There is no question that if we start at a point of inaccuracy, everything we do as we go forward will cause more and more problems. I'll give you a prime example. We have a stretch of area around a county road where those people, when they bought the property, were not designated in a floodway, not designated in a flood zone, never ever flooded in their lives. When they went to build a shop on their property, they did everything right. They went and sat with the county because they wanted to be aware of the river, which was fairly close to them, and the county identified to them: "You know, you could be at risk of flooding. I know you don't know that, but you could be at risk of flooding just because of the way the river now flows."

The county worked with them to create flood mitigation issues so that they didn't get flooded. That was a fantastic opportunity for the county to do that and offer that expertise to the landowner. However, not everybody does that. Many people will be buying property or selling property in areas where they have no idea – no idea – if they're in a floodway or a flood zone or in a DRP area. That needs to be fixed before we can really go forward.

We have to talk about accuracy. We have to talk about doing it right the first time and then making sure that we take that information and then take the value of the reports and the significant work that has been done in 2002 and 2005 and by the experts who saw the flooding in 2013 and make sure everybody is at the table to offer their advice.

The other part of that is that when we take a look at the section in the Emergency Management Act, under (2) it says "Section 6 is amended by adding the following after clause (c)," and (c.2) says:

Respecting the filing and removal of caveats against titles to land in a flood fringe or floodway, as those terms are defined in the regulations, for which funding has been provided pursuant to a disaster recovery program administered under the regulations.

As a real estate broker and as a landowner and a homeowner I would have great concern with this part of it. The reason I have concern is that if I'm wrongly designated in a floodway or a flood zone, am I going to be able to sell my property? If I'm not wrongly designated in a floodway or flood zone and I get flooded, will I be sued by anybody who buys the property after me, especially if my municipality can identify specifically that this actually should have been in a flood zone or floodway or designated differently and has evidence of that? Could the new homeowner come back and sue me personally because I didn't declare? Even further, I wonder if we're putting real estate agents all over the place at risk.

Thank you.

**The Acting Speaker:** Thank you.

We now have 29(2)(a) if anybody would like to comment. The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Speaker. My question does concern the whole issue dealing with caveats on land titles and property titles and the implications that they would cause or may cause if they were both properly and improperly applied to the title. To the member: I just would like your comments, based on your background dealing in real estate, on what that could possibly do not just to the homeowner but to the landowner or to the potential buyer.

**Mrs. Towle:** Thank you, hon. Member for Rimbey-Rocky Mountain House-Sundre. As a real estate broker, I mean, it is getting harder and harder and harder to sell or buy property. We know the rules around lending are much more strict than they've ever been. If you want to sell a farmer an acreage anymore, you have to do an environmental impact statement, those kinds of things, and on that statement you actually declare and you actually state that you know that this property is as you say it is and that the environmental impacts have all been looked at. This legislation here does not say that we actually are starting at a point of accuracy.

So as a landowner I state that I'm not aware of any fuel tanks being stored on the property, that I'm not aware of any massive disposal of manure, those kinds of things. I have to state that. I have no doubt that if I sold my property and the person buying it had the ability to prove that I could have known or should have known that my property gets flooded regularly even though I may be outside of a floodway or a flood zone, all because the mapping is not correct – I would be concerned about the ability for me to sell my house and how long after they could sue me.

I would alternatively be very concerned that we're putting professionals at risk by not giving them a clear place to start. Real estate agents already put their whole profession on the line every time they walk a client through the contract. They're expected to know every item of the contract. They're expected to advise their client how to properly sell, how to properly disclose. If you're saying to real estate agents, "You don't have to disclose because this is not in a floodway or in a flood zone," yet the very next year they are able to provide evidence from the local municipality that says, "Well, actually, it should have been, but we didn't update our maps," I would be highly suspicious of whether or not a judge would consider that. I'm not saying they would or they wouldn't.

I guess what I'm asking is: why would we put anybody in the position where they have the potential to reverse all of the hard work we do in here in creating legislation only because we didn't start at a point of accuracy? I'm not condemning this bill. I just think it is so, so, so important that we start with proper flood maps

that are actually accurate and not input some of these measures right now until we have that point. Some of the clauses in here certainly could go forward, but some of them need to protect homeowners, some of them need to protect the person who is selling, and we also need to protect the profession that's helping everyday Albertans go through that process. Then we need to protect the actual viability of these kinds of legislation so that they're not challenged in courts of law and putting all Albertans at risk.

Thank you.

**The Acting Speaker:** We have a minute and 23 seconds left. The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you. We've all seen a Fram filter, those of us who are old enough to remember: \$10, pay me now; or overhauling an engine, pay me later 3,000 bucks or something. This bill doesn't appear to make any reference to prevention and the great return that we would have seen and realized if preventative measures had been taken, as the Groeneveld report recommended. Do you have any feelings about that? Should this bill be addressing that? Should this be included now or under a separate act?

**The Acting Speaker:** Forty-four seconds, hon. member.

4:30

**Mrs. Towle:** Thank you. I absolutely do. I think the Groeneveld report, when you read it, is very in-depth, and it's a very good report. I don't think we need to rush through and talk about caveats on title until we actually get the accuracy of the maps. Mr. Groeneveld put in a lot of work, with a lot of consultation with municipalities, with stakeholders, with the government, and with experts that identified that the accuracy of the maps is key. He talked about that you need to have urban flood risk areas, that you need to have rural flood risk areas, and that you need to make sure that a map maintenance program is implemented. This is somebody who has done the hard work for you. Let's take a look at that and see how we make it better, and let's make sure that 2013 is better.

**The Acting Speaker:** Thank you, hon. member.  
The Member for Livingstone-Macleod.

**Mr. Stier:** Thank you, Madam Speaker. [interjection] Yes, it is God's country, hon. member.

Thank you for giving me the opportunity to speak to this bill this afternoon. It's one that's dear to my heart. I thought I'd just give some of the members a little background on myself in this regard before we start. I've spent a lot of time dealing with this matter over my life.

The fact is that I've lived along the Bow River and the Pine Creek all my life. We moved down there on the south side of the city in the late '50s. I've seen flooding almost yearly along the Bow River and the Pine Creek. It's been something that happens almost every year to some degree or another. Sometimes it's more drastic than what it has been in the past year, or it may be something that is absolutely horrendous the following year. You can never know what's going to happen. I've witnessed virtually all forms of incidents. I've even had to rescue people, including my own grandparents once from our farmyard, when we had to go and get a boat and drive right across the front of the yard to get them out of the building. That was back in the '60s, when we didn't have a lot of the new technologies we have today. Certainly, that was quite a horrendous situation, to say the least.

Later on, during my experience as a councillor from '04 to '07, I went and endured the '05 flood throughout the MD of Foothills. We had an awful lot of creeks and rivers and stream beds go crazy there. It flooded through the town of Okotoks, flooded through behind our office in High River, and it made a horrendous mess out of so many properties across so many landscapes. It was unbelievable. If you've been through the MD of Foothills at all, around Turner Valley, Black Diamond, Millarville, that is definitely God's country, and there certainly are an awful lot of watercourses, streams, natural drainage areas that come along and inflict their wrath upon landowners all the time there. It's certainly not an unusual situation when you're on council to receive calls at all times of the morning in the month of June regarding flooding. I can assure you.

I'm somewhat familiar, therefore, with some of things that are available to municipalities in terms of their emergency measures and the emergency orders they get and some of the procedures they have to follow. I remember driving around and around in some of the public works vehicles we had, looking at all of the different emergency situations we had: washed-out bridges, washed-out roads. You name it; we had it. Certainly, these things are occurring across Alberta in the spring. Now that I'm a provincial MLA, I have an even broader perspective on how fast the Good One up above can come along and cause us troubles when we have flooding issues.

I've also participated in some of those years in several hearings regarding flood mitigation, and I can recall on several occasions receiving many reports in the MD office in High River and looking over some of these kinds of measures they hoped to take and looking at all the different solutions in those days that they came up with that were never enacted. You know, it was at that time that I was serving on the board for the hon. Member for Highwood, Mr. Groeneveld, who put together the report that has been mentioned earlier here today, and I can tell you that I cannot describe enough how frustrated that fellow was when his report, that they spent so many days and weeks and hours on, had to be shelved due to the decision of the government of the day. It was unbelievable. We had a community that was at risk then. It was at risk for many years, but it continued to be at risk because of that action, in my opinion.

This summer for me – I had an awful lot of involvement in the flood. As a matter of fact, of all things, on the night of the flood, on July 19, I was in a meeting in Lundbreck, and it had been pouring for several hours. I drove across highway 3 to get to Lethbridge, of all places, because the next morning, out of pure coincidence, I was attending the Old Man River basin council's meeting about watersheds, their annual meeting. I went across highway 3 in one of the worst rainstorms I've ever been in. I got to the hotel in Lethbridge at about 3 in the morning. As a matter of fact, the next morning I saw the member there who is responsible for transparency. He drove through those floods, too, I believe, that night.

Anyway, to make it short, I was at the meeting for only a brief period of time, and my cellphone started ringing like mad early in the morning of July 20. I was summoned back to Black Diamond-Turner Valley because we'd had a pipeline rupture up there due to the flooding. While I'd known that there was flooding, I did not know the extent of the problem until I arrived up around Turner Valley-Black Diamond about 11 o'clock in the morning. We had the biggest ripping river event I've seen in my experience in Turner Valley-Black Diamond, and I've seen quite a few, but I have never seen logs and trees ripping down the sides of that gorge and just flattening everything that it engulfed. The trash is still there today, in fact. If you go over to Turner Valley-Black

Diamond and you look along the riverbank, you'll see crap laying everywhere. It is absolutely shocking, just shocking.

Later on, after that, I worked actually that evening for the MD of Foothills emergency operations centre for many hours, helping out with phone calls and so on there. We had people that day that we had to fly out of the Millarville area by helicopter because the Threepoint Creek had changed its course and gone flying across the middle of someone's field and isolated some people. They actually had to stand on the cab of their tractor, which was in the middle of the stream bed suddenly now. That was the highest point that they could find to get winched out. There were some unbelievable events this summer to deal with. We also had flooding in Livingstone-Macleod and a number of other areas, including Fort Macleod, down into Blairmore and at the Crowsnest Pass and many of the tributaries all the way along the eastern slopes. It was quite something to see.

In the meantime I had the occasion to work with some of the members on the other side, the ministers and so on. I had the occasion to work with some of their people and staff in ESRD, and I have to say that those are amazing people. They lent a hand when it needed to be lent. I have to say that they are wonderful. I've gotten to know those people more, and I have more appreciation for them as I get a chance to speak to them. I also had chances to interact with Minister McQueen, Minister Griffiths, Minister Hughes, and Minister Fawcett.

**Mrs. Towle:** No names.

**Mr. Stier:** Oh, I'm sorry. My apologies. Anyway, I apologize for my error, Madam Speaker.

To go further, all of these things were what we did to help the people of Alberta, and I think it was great to get all of this accomplished as fast as we could and try to get this done.

However, the new bill we have today seems a little thin. I was looking at it, and I can remember one of these meetings last year when one of our members went through the bill, and it didn't seem to have a lot of pages. Again, I see the same thing. It seems to me that we have a fairly dramatic event and a fairly complicated set of situations that we're discussing here, yet we don't seem to have a lot of detail. Recognizing that this is a process that we have to follow through and recognizing that there will be regulations, I suspect, to do with this, it just seems to me that it's a little thin.

You know, I recognize that it brings into play some of the things that we've been talking about all this summer, during the many meetings I attended on the DRP programs and so on, but these are enormous changes that will have enormous impact on peoples' lives, how they will be affected with their land values, all kinds of different things. Throughout the summer we have been talking, as some of the other members have tonight, about how we're going to actually proceed with these. The data that we're using: is it actually the data that we need to make to make these decisions?

4:40

Is it not correct that we need to be very careful here and not go down the wrong path? I know, from a little bit of an engineering background that I sometimes think I have, that we know we can't go ahead and proceed in a roughshod fashion. We have to ensure that this is the right set of measures to take. You know, it seems a little bit scary to me to go along with some of these ideas that we have, including what's here about the Emergency Management Act, without having some of this other information.

I had expressed earlier, by the way, too, in a similar vein with the cut-off for people to actually have their applications in – I was

worried, in a similar light, about that because we're cutting off at the end of this month coming for people to be able to put in their applications, and it's an enormous decision for people. They need as much time as possible. I wonder why we have to have that cut-off. We have sometimes up to two years for some flood recovery programs to be phased out. Why are we cutting it off just a few short months afterwards? I don't understand it.

I think that the changes here in this bill are a little vague. I'm really hoping that we could consider receiving some more information with regard to potential regulations that might be coming up. Much as I'd like to, I'd rather see a detailed plan. That's me. I like details. I'm one of those details guys. I can't support this as it is, but I'm very interested to participate in the debate as it proceeds.

With that, I'll end my comments. Madam Speaker, thank you very much.

**The Acting Speaker:** Thank you, hon. member.

We have 29(2)(a). The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Madam Speaker, and thank you, hon. member, for your very touching, moving comments in the tribute that you paid and the acknowledgement you gave to those who worked so hard to help so many and for your own efforts in that regard. As always, you're a gentleman and someone who I look up to and admire. I really appreciate your thoughts. We didn't have enough time with the previous speaker, your thoughts on the priorities with regard to preventive measures that ought to be taken. Could you respond to that?

**Mr. Stier:** Well, thank you, hon. member. Right from the start, when I have been involved with flooding, we have seen in my lifetime so many different rivers and stream beds change. In that experience I have seen where different municipalities have taken measures several times to do flood mitigation, whether it be dredging or armouring or replacing different pathways and so on like in urban areas and so forth.

Yet I guess it was this year that it was brought to light that we were probably doing that without looking at the real basic data that we need to base our decisions upon, and that would be the new elevations that happen every time that a flood occurs, the new changes of the watercourses, the deposits of gravel that are enormous. I wish I could show you all of the slides from behind my house of how that river has looked in the past versus what I see now. It's absolutely incredible. I've never seen a river look like that before.

My main theory is to go back to basic data, hon. member, start with that, work it up from there, and then look at not just one remedy. We have to look in most cases at several remedies for each location. I know that there's not just one answer to these things. Sometimes it could be a retention pond. Sometimes it could be an accumulation pond. It could be dredging. Sometimes it could be a spillway or a diversion like we're seeing might be proposed in High River. But my ideas would be based upon getting the data first, looking at all the possibilities, and then having stakeholder meetings and ensuring we're going about it in a very logical, linear fashion.

Thank you, Madam Speaker.

**The Acting Speaker:** Are there any others?

The hon. Minister of Human Services and Government House Leader.

**Mr. Hancock:** Thank you, Madam Speaker. This has been a wonderful afternoon of discussion, but I am conscious of the fact that the Member for Edmonton-Centre would like to speak on Bill

28 before the afternoon is over, so I would move that we adjourn debate on this bill at this time.

[Motion to adjourn debate carried]

### **Bill 28 Modernizing Regional Governance Act**

[Adjourned debate October 29: Mr. Griffiths]

**The Acting Speaker:** The hon. Member for Airdrie.

**Mr. Anderson:** No. Go ahead.

**The Acting Speaker:** The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you. Thank you very much to the Government House Leader and to my colleagues in the Wildrose. Gee, I'm feeling kind of special. I do appreciate the opportunity to speak in second reading to Bill 28, Modernizing Regional Governance Act. Okay. This is definitely something that a number of regions in the province have been asking for and waiting for, and in my opinion the idea of a growth management organization or board or agency is an excellent way of dealing with this. It signals an optimism in Alberta. It gives us a working model from which to make arrangements about growth and to develop some dispute resolution mechanisms.

Just for people that aren't aware of what's happening here, you know, we end up with a city or a town that ends up with a number of others that sort of start to cluster around the edge of it. In the case of Edmonton we have places like Sherwood Park and Fort Saskatchewan but also the municipal districts and the counties that are out there like Strathcona county and Parkland county. We've got the town of Devon. We have St. Albert. So how do we develop a mechanism by which Edmonton can talk to those different groups about what kind of growth is going to happen and, even more interestingly, talk about shared services like bus connections or, you know, buses that are going to bring people from those centres into Edmonton and back out again?

There's lots of opportunity there for co-operation, for growth, for great planning, but you can also see where the disputes happen. You know, we're talking a lot in Edmonton and particularly through the last municipal election about how important it is for us to stop urban sprawl, to quit building new developments further and further out both because it's using valuable arable land out there – and why would we keep doing that if we've got great soil that we should use for planting, growing things? – but also because it's much more expensive in the infrastructure for cities to support constantly building new places on the edges of their cities. We need to have more people living in the cities that we've already built, increased density, multifamily units, townhouses, those kinds of things.

Well, that's great, but what do you do if you've decided that as a city or as a town, for example, and then the group next to you decides: well, hey, ho, let's have a bunch of acreages, have a little development on the edge of your border. Well, that's exactly what you didn't want, yet the people next door are now doing it, and you have no say about how they're going to manage that.

I've got to love it when you get people that want to live in the country – I'm going to get in trouble here – because of the peace and quiet and they love the country lifestyle and then the first thing they do is start complaining when the farmer is harvesting, because they don't like the noise of the combine and the dust from taking the crop off. You think: what did you think was going to happen when you were next to farmland?

**4:50**

So you can again see how the conflict starts to happen because those acreage owners are contacting their representatives who are going: okay; let me talk to the people that are in the municipal district or the county about if there's a rule about how late you can run combines. You know, in the cities we have noise bylaws. You can't do anything after 10 o'clock or before 7 in the morning. I kind of doubt those apply when you get into these outer reaches. There are lots of possibilities there. Great idea.

We actually used to have a similar body until the then member for Lloydminster, who was minister of many things but was certainly Dr. Destruction, as he was fondly called, disbanded them all. We've gone for quite a period of time without any kind of formal communication and planning venue. So lots of good reasons to have this bill.

Now, why are people so unhappy with this? If I could just take a quick stab at this, Madam Speaker, I think what has gone wrong here and certainly where I am very, very unhappy is in section 4, which is this validation of regulations. Now, we came to this place in time, having the bill in front of us now compared to last session or two sessions from now, I suspect because the government is in court being sued by one of the surrounding counties, Parkland, and there's a second one that I can't remember. Maybe it's already been resolved through the court process. What they were doing was saying that the regulation really didn't have effect; therefore, any decisions made by the regional board were null and void, so nothing should happen to Parkland.

Now we get a bill that says: "despite any decision of a court to the contrary made before or after the coming into force of this section," and then it goes through and basically says that whatever we've done under the regulation or under this act "is validated and declared for all purposes to have been validly made as of the date on which the regulation was made." Not only is it that we don't care what the court says – we're going to put it into legislation, and then it's going to be what we want in the legislation – but we're also going to backdate it to when the regulation was in place. Yowza. Talk about the powers of God. Like, holy mackerel. They can turn back time and all kinds of things. It's really amazing, Madam Speaker.

I thought: hmm, all right; maybe I'm just not getting the word "valid." So I looked it up, and it says: "executed in compliance with the law . . . legally or officially acceptable." Hmm. So really what this is is a notwithstanding clause. Oh, it went very quiet in here when I said that. My goodness.

**Mr. Donovan:** You can hear the crickets.

**Ms Blakeman:** Yep. Essentially that is what it is. It's saying that notwithstanding that this matter is before the courts and is being decided, we are going to decide and backdate it. What was in Harry Potter, where the gal had a time thing that went backwards? Time changer? Time machine? Something. Obviously not Harry Potter fans in here. Okay. But the time went backwards, and she was able to do stuff in the past – it's a perfect example, actually – that ran parallel to what's happening in the future. It's an excellent example of what the government is trying to do here.

I know the government thinks that it's all-powerful, but honestly you cannot turn back time. You just can't, and you really, really, must not give yourself notwithstanding clauses. You really must not do that. I would have been very keen to support this legislation, but I will not support something that is putting in a notwithstanding clause without a fair shake for other people. You know, I'm just not going to support it because it's putting itself above and beyond the law. It's saying: it doesn't matter what the



court says; we say that it's going to be this, and that's what it's going to be. No, no, no. There's a reason why we have a separation of the judicial branch, the Executive Council, and the legislative arm. There's a reason why, and we're supposed to respect each one of those and work with them in a respectful partnership. This is not doing that. This is stomping on a court decision and saying: it doesn't matter what it says; we're going to go backwards in time and make it all like it's the way we want it.

You know, I've talked about hubris a couple of times in this Assembly, which was a Greek term for humans that put themselves above the Gods, that thought they were so special and wonderful that they were equivalent to or even better than the Gods. You know, every time I use this example on you guys, I'm right, because the Gods come down and . . . [interjections] Oh, yeah. Hmm. That is a bit of personal hubris, isn't it? Every time I say this – and I say it carefully. I don't use it often. I don't abuse it. The Gods would come down and smite. They would smite the humans, right? This government, you're going to get smote, I tell ya, because you cannot play around with this stuff. You've probably had legal advisors who've told you what you wanted to hear, and you've gone ahead with it, but this is not right by any stretch of the imagination. That's the first little problem that I have with this.

It continues to go on and give itself all kinds of additional powers here, that they can go backwards and validate things. They can say that anything in a regulation that's referred to is validated and declared for all purposes to have been validly done. Wow. Even though you broke a law back here, we're now going to go back and say that you didn't break a law. It was okay what you did. Yikes. It also allows that the minister's approval of the capital regional growth plan is validated and declared for all purposes to have been validly approved. My goodness, they're fond of that word. I wonder if it's important to them. Yes, I think it is. It continues to be valid as if it had been approved under a certain section, and it goes on about how transitional regional evaluation frameworks are also validated, et cetera, et cetera. I think that's a major problem that you have here.

I know that the minister was bewildered at the scrum on the way into the Assembly today. What was the problem? Opposition members always want things not in regulation. They want it in the legislation, and now they're going to put it in the legislation, so why is everybody upset? Well, gosh, guys. I mean, look at some of the stuff you've done in here. You're trying to turn back time. You're making things valid because you say so, not because of the way the courts rule.

Then you get into some things a little further on that I'm sure other people are going to raise. You actually make it so that if some poor county employee or municipal employee doesn't do something – and there are no limits placed on that – literally, anything that is required in writing by the growth management board of the chief elected official of a municipality, they must provide that information that the growth management board requires. The only limitation that's placed on that is that it can't be subject to any type of legal privilege. Any information – any information – that that management board asks for that is not already protected under a solicitor-client privilege must be provided. Whoa. There are no other limitations on this.

Once again, we see a government that rather than devolving, as they say – I'm just at the point now where if the government says "transparent," I can feel this huge black cloud of obfuscation descending, because when they say it, it means exactly the opposite. It means that they're going to do totally the opposite thing. When they say accountable, it means no accountability. When they say transparent, darkness.

Here we now have this, where they're talking about throwing people in jail for not providing this information. I mean, truly? I know that the minister said: "What are you upset about? That was in the other version of the act, and we're just repeating it here. What's the big deal?" Well, I would say: what on earth did you have it in the other act for, that you would require an employee to provide any information to a municipal growth board without limitation except on solicitor-client privilege, and if they don't do it and are found guilty, then they're liable for a personal fine of \$10,000 or to be thrown in jail for a year? Really? I mean, come on. That just seems a bit – I don't know – over the top. What's that phrase? Jumping the shark. I think we might have a little jumping-the-shark moment here in this bill.

5:00

**Mr. Donovan:** Never heard that one.

**Ms Blakeman:** Oh, come on, you guys. Do you not watch *Happy Days*? The Fonz? They did a program where they went to the beach, and the Fonz surfboarded over a shark. It was just way too much. It was just not believable. So everything now is referred to as jumping the shark. Gee, you guys.

This bill jumps the shark in that: you're going to do that to an employee? So people are using words like "draconian" and "medieval" and "feudal" and all of those kinds of things. And you know what? They're right. Because that is what this is. This was supposed to be a co-operation bill. This was supposed to be something we were all looking forward to for regional planning purposes. How this government manages to take that good idea and turn it into something that is . . .

**Mr. Bilous:** Evil.

**Ms Blakeman:** Oh. Evil. I'm hearing "evil" from behind me.

But you do start thinking: man, are they going to put them on one of those wheels where they turn them around and stretch them? I mean, for heaven's sake, give the guy or the woman a break. Information must be provided, section 708.17(1). Good Lord. I think you've got a problem with this bill.

You know, I really feel for the Government House Leader, who thought that this was going to be clear sailing. Although he did warn us all that we may be sitting here for longer than we thought, so maybe he did see this one coming. But this bill can't go like this. It just can't, not when we have a government that is knowingly refusing to abide by the decision of a court and is putting itself ahead of that, where we have clauses that insist that people hand over any information without context, without limitation to that short of client-solicitor privilege.

Then we get into the growth management boards, which, as I said, I think should be a good idea. But you need to look carefully at language and at section headings when you look at bills. In division 1, the establishment and operation of growth management boards, the first section is must-dos, and then there is a whole "may" section, so they may do this. The must-dos are the Lieutenant Governor in Council. Once again it's cabinet. It's not the Assembly. It's not an all-party committee. It's not the backbenchers. I mean, goodness, can you not give your backbenchers some credit here, please? It's:

The Lieutenant Governor in Council, . . . which is cabinet

. . . on the recommendation of the Minister, may establish a growth management board by regulation.

You know, why can't the local authorities decide they want to do this and ask the Lieutenant Governor in Council or the minister to

do it? But no. The minister is going to say this, and it's going to happen. The regulation establishing this board must

- (a) specify the name of the . . . board,
- (b) designate the municipalities that are members . . .

God forbid if you're in that region and you don't want to be part of this. Tough bananas. The minister and the cabinet are going to decide that you're in, whether you like it or not. And they must

- (c) designate all or part of the land lying within the boundaries of the participating municipalities . . .

as what the growth is.

So that's the stuff that must happen. I think there are all kinds of reasons about, you know, why this seems just a bit over the top, why there's not more consultation with the municipalities that you're supposed to be dealing with.

Then we get into the "may" section, and that's actually a very long one because it talks about how they may appoint people to represent the participating municipalities. Well, how nice. Seeing as they're now all part of this growth management board, it would be really nice if they did have representatives on the board, but that's not necessary because the government "may" deal with it. They may appoint the chair and an interim chair. They may establish voting rights of participating municipalities. How lovely that they might do that.

**Mr. Anderson:** Make it voluntary. Make it voluntary.

**The Acting Speaker:** Hon. Member for Airdrie.

**Ms Blakeman:** Oh, that's fine. He's exercised about it. That's fine, Madam Speaker.

So we're talking about: may establish voting rights, may do the mandate. You know, this is stuff that they should have been doing. This is what the municipalities and the MDs and counties need to be negotiating betwixt themselves, not having it overlaid by some sort of feudal overlord who is going to say: this is what you're going to have to deal with.

I know that these municipalities don't always get along. We have in this Assembly an expert in making the city of Edmonton really cranky, and she did it for a long time. You know, there can be disputes on these things, and sometimes the government gets pulled in to sort of try and settle the dispute between the feuding municipalities. But, Madam Chairperson, that is more about a dispute resolution mechanism than it is about the cabinet coming in and saying: you're going to do it the way we tell you to. This is showing once again that this government doesn't respect municipalities. It still sees them as the children of the province, and that is so wrong.

Thank you.

**The Acting Speaker:** Thank you, hon. member.

I'm sorry. There is no 29(2)(a) with the hon. member's presentation. It will be after the next speaker. So, hon. Member for Airdrie, you are next in line.

The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Rowe:** Thank you, Madam Chair. When I first saw this bill, I knew I'd be speaking to it, being the Municipal Affairs critic, and it is mind-numbingly dumb. I know I'm not supposed to say that about bills. We got admonished in the House the other day for referring to another type of bill. Anyway, I'll try and be nice about this.

Bill 28, the Modernizing Regional Governance Act, is a very, very seriously flawed piece of legislation. It tramples local autonomy totally, it pits municipalities against municipalities, and it concentrates even more power with the provincial government. I

am thoroughly disappointed that this government has introduced something so heavy handed and, yes, even draconian. This is not a walk softly and carry a big stick type of legislation. This is legislation that wears big boots and carries a baseball bat.

I'd like to go back to autonomy for just a few minutes. I was 11 years a municipal politician and 11 years on the AUMA board of directors, and I've never seen anything like this. As a municipal politician I was used to being looked upon by the provincial government as a lower form of governance. We were children that needed to be guided and steered and controlled but never anything like this. As an AUMA board member many years ago I was co-chair of an urban-rural cost-sharing task force, and we dealt with these kinds of issues and municipalities learning to share cost control and a number of things. We worked on that report for two and a half years, and we made some really good recommendations out of that. We consulted with other municipalities. Today that report, as far as I know, is sitting on a shelf somewhere with about eight or nine years of dust on it. I'm suggesting that that may have helped with this bill in some form, but it probably wasn't even looked at.

The act was put through without any consultation whatsoever, and it establishes the province's authority to force municipalities to enter into regional planning boards and imposes strict controls on such bodies. My question to the minister would be: why on earth did you not consult with municipalities before doing this? And I mean true consultation, not a dog-and-pony information session like we had with the land bills: 50, 36, 24, and 19. I attended some of those, and that's just what they were. They were telling you what they were doing. There wasn't true consultation, and that's what's needed here before this goes any further.

**5:10**

The penalties for municipalities that don't co-operate with the imposed planning boards are severe, including, believe it or not, stiff fines and jail time. Jail time in today's day and age for senior officials: I thought I woke up and we had lost six or seven decades of time and we were back in the Second World War and had lost the war. I mean, come on. Jail time for municipal officials for not supplying information. Good grief.

I don't think that forcing municipalities into centralized models of governance is the best way to make any friends, and it sure as heck isn't throwing them in jail. This seems to be just the latest chapter in a long line of laws and policies that concentrate power in the hands of the province at the expense of locally elected governments.

How on earth do we expect the public at large to view this or expect existing municipal politicians to run for office again? Why would you bother? Why on earth would you bother trying to assume responsibility for your community? It's beyond me.

**Mr. Wilson:** A week after the election.

**Mr. Rowe:** A week after the election. A very good point. And a month or six weeks away from both conventions. I'll give you a warning right now, members of the government. When you go to those conventions, you're going to be held accountable for this piece of legislation.

Having been a mayor of an Alberta municipality, I'll tell you that if I was still the mayor – I don't know – I would be hopping mad if I saw this trying to be rammed down our throats. I'm already hopping mad, and I'm just an MLA. But I sure don't want to be part of a government that does this to municipalities or to the people of Alberta.

Bill 28 might be the most heavy-handed piece of municipal legislation that has ever been conceived in this Assembly. I would challenge anybody to question that. My colleagues and I agree that if it passes as it is, it will essentially strip away what local autonomy municipal governments have left. Under the act regional planning boards would have to align their objectives with the province's regional plans. Municipalities could not undertake planning initiatives, public works, or pass bylaws that don't comply with the provincially adopted boards, who will report to the minister.

I think it's appropriate at this time in my comments that I refer to the bill itself, especially section 708.02, where the government will have the power to designate the municipalities that are the members of the growth management board. Whether you want to be or not, you're it, you're in, and no opt-out clause is allowed. Then to top that off, they have the power to appoint the persons to represent the participating municipalities. Take careful note. It does not say that those people shall be the elected officials from those municipalities. It could be PC friends that they owe a favour to. It could be anybody. How on earth can you represent a municipality that you're not an elected official in? It makes no sense. Then to top that off, they get to appoint the chair of that board. Again, it doesn't have to be an elected municipal official of that area.

Then this one is really – they get to determine the voting rights of the participating municipalities. Does that mean that municipality A gets 10 votes or 100 votes on a board, and a little small community or a county only gets one? Where's the democracy in that?

I don't know any municipalities that are speaking out in favour of this legislation, not that there have been any consultations, not that many of them didn't find out about this until yesterday or even knew about it.

With regard to the government's relationship with municipalities this is blatantly opaque and goes against any sort of transparent relationship that the government might be preaching. They're all about accountability. They're all about transparency. Not here.

As a closing thought, I just want to know what municipalities are saying about this first, before the government pushes this bill through. Unless I'm missing something, this looks like it'll have serious consequences for decision-makers at the local level. I strongly urge that we slow down on this one and talk about some of the negative things that could come out of it.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

We now have 29(2)(a) if anybody would like to respond. The hon. Member for Airdrie.

**Mr. Anderson:** I'd like the hon. member, who was mayor of Beiseker and at one time a member of the CRP, the Calgary Regional Partnership, if I'm not mistaken – hon. member, I believe your town withdrew from the CRP or wasn't a part of it for whatever reason, because it didn't fit their needs. I'd like you to kind of expound on this voluntary aspect. Why on earth would this government give a power for a minister to be able to force a municipality to join a regional planning board without their permission, without their buy-in? Why would they do that, and how can that possibly be effective?

**Mr. Rowe:** Thank you, hon. member. Just for clarification's sake, we were not a member of the Calgary regional plan. We investigated joining it. We were asked to get involved in it, as the

community just south of us had, the town of Irricana. We looked at it, and to be perfectly frank, we didn't see any value in it. We didn't see what that board could offer us that we couldn't already do ourselves. We already had our own planning group. We already made our own decisions regarding development and business and so on. So we just didn't see any value in it.

I'm all for regional collaboration, voluntary regional collaboration. Many of us in the province and many municipalities are doing it now. When I did my northern tour and talked to municipalities – the town of Valleyview has a great relationship with the county. That county gives each community in the county \$2 million a year: it's yours to do with as you like. That's true collaboration and true co-operation between municipalities. But when you force someone into an agreement, it just doesn't work. This is a democracy. It has to be voluntary.

Thank you.

**The Acting Speaker:** Thank you.

The hon. Member for Calgary-Mackay-Nose Hill.

**Dr. Brown:** Thank you, Madam Speaker. I would just ask the hon. Member for Olds-Didsbury-Three Hills if he would not concede that in view of the sprawling developments that are happening around the major cities in Alberta, there needs to be some changes made in terms of planning, regional planning. He talks about collaboration, but when collaboration turns into a competition for tax revenues and intense developments are happening around those cities, it seems like there is a desperate need for some sort of an overall regional planning document.

We used to have that, as the member would probably remember. We threw the baby out with the bathwater, though, at some point in time and did away with the regional planning authorities. Would he not concede that given the way that Alberta is growing and the growth around our major cities, we do need some sort of an integration of planning to plan for the future for things like transportation and utility corridors? The intense development that's happening around there may be completely inconsistent with what we want to do in the future.

5:20

**Mr. Rowe:** Thank you for the question. It is a good one. I fully agree that regional co-operation has to happen, but there's a limit to just where the authority should be able to take that. If you get people around a table and you just talk out issues, generally they'll work themselves out. The minute you dictate something, that "you shall," people's backs get up. They're elected officials. They have the right to represent their municipality and their constituents or people the way they see fit, not the way someone else sees fit. You can't say to one community: "You can develop, but you can't. You can bring industry into your municipality; you can't." How do you think that's right? You have to be co-operative. You have to share things.

That's where you get back to the voting issue. When one community has a veto power over another, it's never going to work. It's just never going to work. You've got to bring reasonable people to a table and come to a reasonable agreement on development, on industry, on business. You're right. It has to happen, but it can't happen like this. It can't happen under the thumb of a government that pushes this kind of legislation.

**The Acting Speaker:** Thank you, hon. member.

The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you very much, Madam Speaker. I rise this afternoon to speak to Bill 28, Modernizing Regional Governance

Act. At the outset I just want to share with members of the House that this government is continuing to set new precedents or ignore parliamentary courtesies, shall we say. My staff members repeatedly tried to set up a meeting with the Minister of Municipal Affairs' office, phoned and e-mailed numerous times, and received no response whatsoever regarding this bill other than a two-page letter that was sent at 2:44 p.m. the day that the minister introduced this bill. There is a history of courtesy that is extended to the opposition parties to give them a little bit of notice before a bill is introduced, and clearly this just shows the level of respect that the minister has for the opposition.

I'll continue on that path, really, because in a few short hours I've spoken with a few different mayors and representatives from around the province of Alberta about this bill, and I can tell you, Madam Speaker, that first and foremost, the major issue and concern is that again this government is, I guess, being consistent with their lack of consultation, as they often do when they bring forward pieces of legislation that involve our aboriginal communities. Here in this piece of legislation, to my knowledge, neither the AUMA or AAMD and C, including municipalities within the province of Alberta, were consulted on this bill. This bill has caught many Albertans flat footed and off guard, which is one of the main concerns that has been shared with me.

Madam Speaker, there are numerous issues that I have with this bill, but I want to make my position clear. First of all, the concept of a regional growth plan is absolutely necessary. I do think that, you know, in our province there are many municipalities, and in order to move forward, to develop in a sustainable, smart method or path, we need municipalities to work together. Doing some regional planning absolutely makes sense, and I'll talk a little bit about what that should entail.

But I can tell you at the outset that this bill does not do that whatsoever. You know, railroading a bill through and imposing how municipalities govern and their ability to govern, first of all, is not just disgracing democracy; what it shows is this government's true attitude towards municipalities and municipal governments. As opposed to treating them as an order of government and partners at a table, this government continues to bring forward legislation that treats municipalities like little kids and treats them in a very, very paternalistic method.

The regional growth plan: a great idea, especially when we're looking at sharing resources, when we're looking at transportation, transportation corridors, when we're looking at how we bring utilities to different parts of the province as well as growing and expanding in the best way possible. I am in favour of a regional growth plan, but it needs to be based on a spirit of co-operation, of equal partnership.

My view – and this comes from my teaching background – is that you get a much better response if you treat people with respect and try to use positive reinforcements to get, maybe, the behaviour you're looking for as opposed to running around with a big wooden stick and, you know, intimidating and threatening students. So this is very similar. As opposed to working with municipalities and providing incentives for regions to work together more collaboratively, this government has chosen the route of the heavy-handed approach, and literally if they don't like what municipalities are saying, then they're going to just force them to do whatever they will.

I'm going to go through Bill 28. There's much to go through here, and there are many, many problems with it. I mean, you know, to summarize this bill in a sentence, it's giving sweeping powers to the minister and cabinet, which are going to actually not just take away from the authority of municipalities, but it will

actually inhibit elected officials from doing their job. I'll go through and explain how and where.

The concept of the growth management board is a board that's going to be established. Now, this board, one may ask: "How is it chosen? How is it selected?" It's not municipalities that voluntarily choose to participate. It is imposed. They are told that they must participate, and they have no choice in that matter. So I find it really ironic in the bill when it talks about participating municipalities to give the impression that, hey, they volunteered. No. They were more volun-told or ordered to participate.

You know, once the municipalities are selected to participate – the cabinet has sweeping powers to designate the municipalities that are participating but also whom the municipalities would like to represent them. A reminder to most members: yes, there are other regional growth boards that exist, or there is a Capital Region Board, but one of the major differences is that the municipalities in that board choose whom they're going to send as their representative. They're not being told who will represent them, which, again, gives the minister the opportunity to cherry-pick and decide: "Hey, you know what? If there's an outspoken counsellor or mayor that has a different vision from my own and what I want to see in this province, how it grows, then they're not going to have a voice at the table, and I'll choose someone who has a more friendly view to my own."

Again, I mean, the appointment of persons to represent the participating municipalities: the minister has sweeping powers to determine the voting rights. Again, depending on how they want to weigh a certain vote or decision, that's at the minister's discretion or at the cabinet's discretion.

In addition, the minister and the cabinet have the ability to outline the power, duties, and functions of this regional growth board. I mean, really, this board is going to be a hand-picked group of municipalities that has no say in it whatsoever. They're told who will represent them, who'll be at the table.

5:30

They've also taken away the powers of autonomy in the sense that this board will be hand-picked, told what to do. They're given a growth plan to write, which is really just a rubber-stamp exercise because in this growth plan they'll be given their objectives, the contents, timeline, form, effect, process. All of that will be told to them. Really, they'll write up a document that is already pre-written, rubber-stamp it, and give it back. Madam Speaker, it's unbelievable how this bill has completely ignored and will ignore the autonomy of local municipalities and their ability to govern and to make laws that obviously affect the citizens in their municipalities.

Moving on to, well, the annual report. I mean, that's another issue. When they do produce an annual report, is it made public? By now anyone who's spent any amount of time in this Chamber knows that rarely do reports go public. They always get reported to the minister. This one, again, is reported to the minister, not given out to the public at all.

Another flaw with this current bill, Madam Speaker, is that any municipalities that are participating in one of these regional boards will not be able to undertake any public work, improvement, or structure; make a bylaw or pass a resolution; enter into a municipal agreement; or adopt a statutory plan. So most of the powers that municipal governments have will be taken away from them if they are participating in this regional board. Again, the irony here is that they have no choice as to whether or not they can participate in this board. They are being forced to by the minister and by this government.

Madam Speaker, this bill is, as others have mentioned – I mean, draconian is a great word – heavy-handed. It's a bill that this government often takes the same approach on in that there is no consultation, there is no input given from municipalities or the major organizations representing municipalities – AAMD and C and AUMA – as far as their input on this.

Now, you know, the minister I'm sure in due time will get up and speak to the need for regional growth plans and municipalities working together in co-operation and in consultation with each other. I mean, that first part, yes, I agree a hundred per cent. But the method to encourage municipalities to work together is not through forced legislation where you strip them of their authority and power and, basically, put a bunch of puppets into these boards to make decisions on behalf of municipalities. I encourage the other side of the House to read the act. I'm not even sure if the minister understands the scope and power that this bill will give him and this government and, again, strip from municipalities.

Just flipping through my notes here, Madam Speaker, again, it's frustrating to see the approach that this government is taking on Bill 28. I can tell you that, like I said, there are lots of alarm bells that are going off around the province about this bill. Different organizations, municipalities are scrambling to go through it to try to interpret and understand the broad, sweeping powers that this bill has. You know, in some conversations I've had, some elected officials think that maybe the government is trying to address very specific issues in certain regions and is taking a very broad-stroke approach to trying to solve that problem.

My concerns are that we're really taking away the autonomy and powers of municipal governments by this government deciding who participates, how they participate, who represents them, what they can and cannot do, the authority that they have, and in all of this, those decisions can be trumped by the minister. The minister can step in at any point in time and force municipalities to partake in this.

As the hon. Member for Olds-Didsbury-Three Hills brought up, a very valid concern is the clause that deals with – let me just find it here, Madam Speaker. It talks about the consequences, if I may, as far as information that must be provided. If a member contravenes this subsection, they can be hauled off to jail for a year and fined personally up to \$10,000. I can tell you that there are many Albertans that are clearly shocked that this clause exists, that this government is bringing in something like this through legislation in a bill.

Again, I mean, in the face of the fact that we just had municipal elections throughout the province, there have been elected officials that I've spoken with who have said: you know, had I been told this was going to come through two weeks after I was elected, I might have thought twice about running for election now that I can be hauled off to jail.

**The Acting Speaker:** Thank you, hon. member.

We have 29(2)(a). Are there any members who would like to comment using the five minutes?

The hon. Member for Little Bow, not on 29(2)(a).

**Mr. Donovan:** I'll pass it on.

**The Acting Speaker:** Okay. The hon. Member for Airdrie.

**Mr. Anderson:** Thank you, Madam Speaker. Where do you start with a bill like this, you know? This is one of those bills that you just get up – I thought we were going to have a nice, friendly fall session. A little bit of housekeeping. We're going to get the Premier through her leadership, which we all want. And then this gets pulled.

**An Hon. Member:** You're not so convinced.

**Mr. Anderson:** That's right. We're not as convinced.

You know, I just don't understand this bill. It's one thing to empower. If this bill was an empowerment bill, if it was a bill that empowered local municipalities to voluntarily come together and work together on some regional co-operation issues – mass transit, transportation issues, affordable housing issues, shared recreational facilities, all kinds of possible co-operative issues – that empowered local communities to come together and co-operate, then it would be a good bill. It would be a good bill. But that's not what this bill does. This bill is a piece of junk. [interjection] That's right. It's not the law yet, so it's a piece of junk. This bill is an embarrassment. That's what this bill is. It's an embarrassment to any party that claims at all that they are committed to protecting the local autonomy of municipalities in this province. It's an embarrassment.

I don't understand, for example, if you're going to bring a bill like this in, why would you have a clause in the bill that makes it nonvoluntary? Why would you specifically point out that the minister can choose whatever municipality he wants to be included in one of these regional board areas? There's no say by the regional municipality. It doesn't say "may." It's not voluntary. He may choose, and that municipality is then bound. Why would you do that? Why not make it optional for these municipalities so that there could be co-operation, so that people don't feel like they have a gun to their head, metaphorically speaking, when they're making decisions about their own autonomy?

5:40

**Mr. Griffiths:** Which sections says that?

**Mr. Anderson:** Which section says it? It's good to know that the Minister of Municipal Affairs has not read his bill. That's great to know.

It says specifically in 708.02(2)(b):

(2) The regulation establishing a growth management board must . . .

(b) designate the municipalities that are members of the growth management board.

That's your decision, sir. You will make that decision. That's what it says. Read your bill. I know you have no training in this area of reading bills, but now you can do it. That's where it is.

**The Acting Speaker:** Hon. member, through the chair, please.

**Mr. Anderson:** It's unbelievable. It's not voluntary. No matter what he says. He can say that he's going to consult, that he's going to ask his municipalities if they want to be involved in it or not. He can say that, but that's not what the bill says. It's not voluntary. He gets to choose. He will decide. The minister and the Executive Council, by extension the Premier. That's what it says. I don't understand why this minister would open up this can of worms like this. There's no reason for it. It's so disrespectful to what municipalities that are trying to co-operate are doing.

Now, I'm not going to sit here and speak about the Capital Region Board, because that's not my area. I've heard lots of things, some good and some not so good, so I'm going to leave that to other folks to speak about. But I am going to talk about this bill as it affects my area in Airdrie.

**Mr. Hancock:** Which it doesn't.

**Mr. Anderson:** Which it doesn't. According to the Minister of Human Services this doesn't affect anybody.

Why even have the bill, then, if it doesn't affect anybody? Why have the bill? If you've already done it in regulations and you're worried about getting sued by Parkland county, why would you pass a bill in order to take care of a legal dispute with one county? It's insane. That's not what this bill does. It's much broader than that. That's not what good governments do. They don't respond to a lawsuit by Parkland county with a piece of legislation that changes fundamentally the way that municipalities are governed in this province. It makes no sense.

The other issue, the one that I want to talk more about, is the issue of consultation. How can you pass a piece of legislation this massive knowing the problems, knowing the challenges that occurred with the Capital Region Board, knowing that there are some concerns there at the very least, and then take it and say: now we're going to enable the minister to, on a whim, unilaterally create these boards all across wherever he wants, include whoever he wants in them, and we're just going to create this mechanism for that to happen? Why do that?

If you feel the need to force regionalization on people, at least have the guts to say which area you're going to regionalize in this Legislature. At least come here with a bill that says you're going to do it. Don't pass a piece of enabling legislation that enables you to do it whenever you want without having to come back to this House. Just one day we wake up, and: "Oh, look. Regionalization has been legislated in the Calgary region. That's awesome. Too bad we don't have any say on it." They can do that once this bill is passed. They will have total power to do whatever they want when it comes to deciding the regional governance in this province without having to be accountable for it once this is done.

There was absolutely no consultation on this. None. We know that. We phoned the Calgary mayor's office. We phoned the Edmonton mayor's office. I would note that the Edmonton mayor today has said that he's okay with it, and that leads to another problem. I guarantee you that this legislation will pit communities, particularly our two biggest cities, against their neighbours, and that is bad government. That should never be the case. There should be voluntary co-operation because we want to co-operate, not forced co-operation. And that is what's going to go on here. It's wrong.

Now, I'm going to move that the motion for second reading of Bill 28, Modernizing Regional Governance Act, be amended by deleting all of the words after "that" and substituting the following:

Bill 28, Modernizing Regional Governance Act, be not now read a second time because the Assembly is of the view that the bill will severely undermine local autonomy and that further input is necessary from the public, municipal officials, the Alberta Urban Municipalities Association, and the Alberta Association of Municipal Districts and Counties.

I'd like to send this out. You need the original, don't you?

**The Acting Speaker:** I think that you're all aware that we're pausing just for a moment while we get a copy of the motion to each member in the House.

Hon. member, if you would like to continue, you have six minutes.

**Mr. Anderson:** Thank you, Madam Chair. The copies that you have in front of you will show what the amendment says again. One of the most offensive parts of this entire bill is the fact that no consultation has been done. This bill clearly has impact on the city of Edmonton and its surrounding communities. We know for a fact that they were not consulted about this bill. This bill has the opportunity to greatly affect, has the possibility of fundamentally

affecting in a very personal way the city of Calgary and, obviously, the city of Airdrie, the town of Chestermere, the town of Cochrane, Okotoks, High River, you name it, in the Calgary region. None of them – none of them – were consulted about this. Some of the biggest advocates of the CRP, including my own mayor, Mayor Peter Brown, were completely blindsided by this. So it's not that they're against regional planning, and they're not against regional co-operation. They're okay with that. They were completely blindsided by this bill.

Of course, you just have to wonder about the timing as well. Why wait till one week after the municipal elections, which happen once every four years now, to all of a sudden throw this out there? Why wasn't this released prior? Why wasn't there a consultation process prior so that this could have been debated in our communities over the last year or couple of months to see what the mayors' and councillors' positions are on these things? But no. One week after the election, bang, here it is. It makes no sense to people. Why would you do this without any consultation?

I don't know – obviously, I can't speak for the Assembly on the speed of this – how fast this is going to go through, but if we do pass it within the next couple of weeks, if that's forced through closure or any other parliamentary technique on the other side, it will be passed before the AUMA and the AAMD and C have the opportunity to debate it at their conferences. It'll be law by the time it gets to those conferences. They barely have any time to even prepare to debate something of this magnitude, but they won't even have the chance because it'll be the law.

Why would you do this, minister? Why? Why not let the people know what you're going to do so that you can get the bill right? Why just dump it in everyone's lap?

5:50

I heard on the radio today the minister say: "Oh, well, nothing's changed. This was just in the regulations." Well, we went and looked at the regulations. Lots of changes, lots of fundamental changes from the regulations. It is not just putting the regulations into law. It's much broader than that. We'll get to that in Committee of the Whole, one by one. It'll be a slow and painful process, but we need to go through that. It is very different from the regulations. It affects not just the capital region, as I said, but all regions. Once it's passed, the minister will be able to do whatever he wants with regard to regional governance in this province without any check or balance from this House.

And if you're going to fundamentally change – I mean, take a look at this. It's amazing.

708.12(1) Despite any other enactment, no participating municipality shall take any of the following actions that conflict or are inconsistent with a growth plan:

- (a) undertake a public work, improvement, structure or other thing;
- (b) adopt a statutory plan;
- (c) make a bylaw or pass a resolution;
- (d) enter into a municipal agreement.

In other words, the municipality can't wipe their nose – they cannot wipe their nose, frankly – without its complying with the growth plan. The growth plan will be determined – we all hope in consultation, but she sure doesn't have to consult – by the cabinet and the government and this minister. If you're going to change something that fundamental, you would think that you might want to ask our thousands of elected municipal officials around the province about it and get their opinion on it, ask them: "Is this going too far? Is this really necessary?"

You would think that by making it nonvoluntary, by giving, as I read earlier, the minister the power to, if you look at 2(b) under 708.02,

- (b) designate the municipalities that are members of the growth management board, and
- (c) designate all or part of the land lying within the boundaries of the participating municipalities as the growth region for the growth management board,

it would be run by the AAMD and C – obviously, its members would be affected greatly – as well as the AUMA. You would think that Calgary would be consulted and Airdrie and Cochrane and Okotoks and High River and Chestermere. You'd think that Parkland county would be consulted and Sherwood Park and Leduc.

Of course, does this just affect Calgary region and Edmonton region? The answer is no. It affects Fort McMurray. They're a growing, bustling city. They're going to have all kinds of regional growth issues in the years going forward. It affects the Lethbridge region and Medicine Hat region.

**An Hon. Member:** Red Deer.

**Mr. Anderson:** Obviously, the Red Deer region. Grande Prairie, possibly.

This has huge effects long term. Why would we not consult with the municipalities on something this large? It's not right.

**The Acting Speaker:** The hon. Member for Airdrie has introduced a reasoned amendment. Are there any other members who would like to speak to the amendment?

Before we have another speaker, we do have 29(2)(a) if there is anybody who would like to comment or ask the Member for Airdrie on this amendment. The hon. Member for Strathmore-Brooks.

**Mr. Hale:** Thank you, Madam Speaker. You've been talking about consultation. When an effect like this is going to come on municipalities – we just saw the elections coming forward, and many of the councillors have changed, and many of the mayors have changed. Would that not have been a good opportunity for outgoing mayors, incoming mayors to have this sort of a discussion with their communities during that election process? You know, they should have the time before to prepare for their elections. This is something that's going to be greatly effected across the whole province. I'd like to hear your comments on some more of that consultation and what it meant for the elections and possibly before and after.

**Mr. Anderson:** Thank you for that, hon. member. You know, it's so true. We have a new mayor in Edmonton, who seems like a very bright individual.

**An Hon. Member:** He supports this.

**Mr. Anderson:** Yeah, he supports this. That's absolutely right. You're hitting again on one of the problems, which is that many of the outlying communities are not going to support it, and the two big cities' mayors may support it. I don't know. I can't speak for Mayor Nenshi, obviously. He hasn't commented on it yet. It's going to pit communities against each other. That's one of the biggest problems with this whole thing, and it's so unnecessary to do it that way, so divisive. It always has to be divisive. My way or the highway. That's not the way to do it.

Anyway, we have a new mayor in Edmonton, obviously. He seems like a very bright individual. He's going to obviously be putting together his staff and all that sort of thing, and a week later he has to deal with this piece of legislation. Obviously, we have several new councillors in Calgary, several new councillors in the city of Edmonton, and we know that the mayor doesn't speak for those councillors. They all have their independent views on what should happen.

Then you get outside of Edmonton and Calgary, and there's been even more turnover. There's a new mayor in Red Deer. I haven't gone over . . . [interjection] Pardon me? [interjection] Oh, that's right. She hasn't even had a chance to look at this.

You can go right through. We have several new councillors on our local Airdrie city council as well as in Rocky View. They're just getting their feet wet on this stuff. They have not seen this before. We've got to make sure that they have an opportunity to look at it. Not just look at it. I mean, we've been phoning some of the councillors from our ridings, and they're saying the same thing. I'll read a letter in Committee of the Whole about what one said about it. They're saying: "Look. I can't even understand. This is the first bill I've ever read." They need time to be able to analyze this. That means getting the right staff and making sure they get time for a report. All those things have to happen.

Folks, wake up over there. Wake up. You don't just shove stuff like this through. It's undemocratic. Consult with these communities first. Get their input, and then you can come with a piece of legislation that empowers communities, after you've consulted with them. There are examples of times when ministers across the way have done the proper consultation and have gotten it pretty close to right, if not a hundred per cent right. Then we have other times, whether it's land-use bills or this bill, where you don't do any consultation, and you have an unmitigated disaster on your hands. I'm trying to warn you here. You're going to get plastered on this. It's going to be very divisive, and it doesn't need to be.

Do the consultation. One of the things I guarantee they'll tell you is: please make it voluntary. Don't force it on us.

**The Acting Speaker:** I hesitate to interrupt the hon. member, but it is now 6 o'clock, and we will be adjourned until 7:30 this evening.

[The Assembly adjourned at 6 p.m.]













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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Wednesday evening, October 30, 2013

Issue 63e

The Honourable Gene Zwozdesky, Speaker

## Legislative Assembly of Alberta The 28th Legislature

First Session

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## Legislative Assembly of Alberta

7:30 p.m.

Wednesday, October 30, 2013

[Mrs. Jablonski in the chair]

**The Acting Speaker:** Please be seated.

### Government Bills and Orders Second Reading

#### Bill 28 Modernizing Regional Governance Act

Mr. Anderson moved that the motion for second reading be amended to read that Bill 28, Modernizing Regional Governance Act, be not now read a second time because the Assembly is of the view that the bill will severely undermine local autonomy and that further input is necessary from the public, municipal officials, the Alberta Urban Municipalities Association, and the Alberta Association of Municipal Districts and Counties.

[Debate adjourned October 30]

**The Acting Speaker:** We were speaking to RA1, and RA stands for reasoned amendment. It doesn't stand for the name of the sponsor of the amendment.

Hon. Member for Airdrie, your time was up.

**Mr. Anderson:** It was up? The whole thing? I had so much to say.

**The Acting Speaker:** Thank you very much.  
The hon. Minister of Municipal Affairs.

**Mr. Griffiths:** Thank you very much, Madam Speaker. I got it right the first time. Let's hope I do it right all the way through. I have, just to be correct, 10 minutes?

**The Acting Speaker:** Fifteen.

**Mr. Griffiths:** Fifteen. Okay. Thank you very much, Madam Speaker. I'm still going to be as concise as I can be.

I think the biggest challenge for genuine – and I mean genuine – leadership, people who are really trying to do the best in politics, was best summarized by a quote from Winston Churchill. That quote says, “A lie gets halfway around the world before the truth [gets] its pants on.” I always thought that was very telling. It's not just a lie but misinformation as well that can travel faster than getting out the facts. I am pleased to be able to stand up today and talk about some of the facts.

To start, I want to talk about section 603 of the MGA because that, Madam Speaker, is the regulation that has, I guess, generated this piece of legislation. That legislation specifically authorizes the minister to pass any regulation that's not within the rest of the act to deal with a situation that needs to be dealt with. But it specifically says in that section that that regulation can only exist for two years, and then it is supposed to expire or be moved to legislation.

Now, the Capital Region Board was one of those 18 regulations made under section 603, but it existed for more than two years. In fact, it existed for six years, and the reason that it existed for six years is because the Capital Region Board itself is an incredible enterprise: all those municipalities coming together, working on a growth plan, working on their management to make sure that they have the proper land-use strategy in place so that when people move here, they feel like they live in an environment that's going to be successful, not haphazard. We wanted to make sure we got it

right. We wanted to make sure that we had six years to let it evolve, and now we have the Capital Region Board, which is an exceptional example of success to other municipalities of regional collaboration and co-operation.

We realized that it was time to start to move that regulation over to legislation. We began the work very early, but we had a scenario that evolved that made us have to speed up the process. Now, I'll come back to that in a moment. First, I would like to run through some of the misinformation that seems to have gotten halfway around the world ahead of the facts.

First, the Member for Airdrie had talked about on page 5 of the bill the section that reads 708.02. He read it. It says:

- (1) The Lieutenant Governor in Council, on the recommendation of the Minister, may establish a growth management board by regulation.
- (2) The regulation establishing a growth management board must
  - (a) specify the name of the growth management board,
  - (b) designate the municipalities that are members of the growth management board,

which he had pointed out was horrible and awful,

- (c) designate all or part of the land lying within the boundaries of the participating municipalities.

And this was such horrible legislation. Such horrible legislation. Interestingly enough – and it cites it in the legislation – these growth management boards are intended to operate like commissions.

We've had service commissions in this province, Madam Speaker, for 17 years, since the MGA was created, and I'd just like to compare. Section 602.02 says:

- (1) The Lieutenant Governor in Council, on the recommendation of the Minister, may establish regional services commissions by regulation.

Now, this member, the Member for Airdrie, had suggested that I had this arbitrary authority to create them wherever I wanted.

It also says:

- (2) The regulation establishing a commission must
  - (a) specify the commission's name;

Exactly like we have in the legislation.

- (b) identify the municipal authorities that are the members of this commission.

This is on commissions, on water commissions and waste commissions. This has been existing for 17 years, and it's identical, Madam Speaker. It's identical. How is this draconian, yet for 17 years this has worked incredibly well for municipalities that are working on water commissions and now waste commissions, partnering their municipalities together?

The second piece of misinformation the member pointed out was about fines, on page 11 of the current bill. The member had pointed out how horrible – horrible – the fines were that we were going to levy arbitrarily – I anticipate that that is what his assertion was – against municipalities. It says at 708.17:

- (2) A person who contravenes subsection (1) is guilty of an offence and liable to a fine of \$10 000 or to imprisonment for a term of not more than one year, or to both a fine and imprisonment.

Such draconian measures, Madam Speaker. Yet the regulation that has existed for six years for the Capital Region Board says in section 24:

- (2) A person who contravenes subsection (1) is guilty of an offence and liable to a fine of \$10 000 or to imprisonment for a term of not more than one year, or to both a fine and imprisonment.

But it's not done, Madam Speaker. [interjections] It's not done.

**The Acting Speaker:** Hon. members, the hon. minister has the floor.

**Mr. Griffiths:** Madam Speaker, that's not even done.

In the MGA, the Municipal Government Act, which has existed for 17 years, it says under 566(1) that

a person who is found guilty of an offence under this Act is liable to a fine of not more than \$10 000 or to imprisonment for not more than one year, or to both a fine and imprisonment.

So draconian.

Madam Speaker, the whole point of this is to make sure that you prepare for the worst, but we have never levied a fine or a jail sentence for anybody. You have to have a punishment for the worst possible event. Thankfully, our municipal councillors all work very well together. We've never had to levy a punishment.

The third point. The member went through the legislation and said that on page 5 it reads – and it's so draconian, Madam Speaker – under 708.02:

(3) The regulation establishing a growth management board may deal with one or more of the following matters:

And this is horrible.

(a) the appointment of persons to represent the participating municipalities.

It's horrible. Unfortunately, it's two paragraphs away, so he probably didn't notice it.

Under 708.04 it says:

Each participating municipality must, in accordance with the regulation establishing the growth management board of which the participating municipality is a member, appoint a person to represent the participating municipality on the growth management board.

The municipality appoints the person, not me. But the member has managed to spread incredible misinformation about that, or maybe he just didn't read two paragraphs ahead, where the facts are.

Finally, Madam Speaker, the challenge that we had was that there was a court case, that came up very quickly, that challenged the section 603 regulations because some of them existed longer than two years, as they were intended to. It was deliberately done to make sure that we got them right before we embedded them in legislation. That court case put at risk the Capital Region Board and all of the great work it did because it could have disappeared like that overnight.

But it's not just that, Madam Speaker. It put all 18 of the section 603 regulations at risk for the Alberta Central East Water Corporation, which could have disappeared overnight; the Chestermere Utilities corporation, which would have disappeared overnight; the Peace Regional Waste Management Company – I've been to Peace River, and I know how proud they are of that system, that corporation, and it would have been terrible if it disappeared or was put at risk because of that – the New Water Ltd. company; the Capital Region Board, that I mentioned; Aqueduct Utilities Corporation; the Newell Regional Services Corporation; Aquatera Utilities, all put at risk because of that court case.

That's why, through all this, we evaluated what we were going to do and realized that we were taking the regulations and making them legislation, just as we'd always intended, without changing it any way significantly that would have impacted municipalities. It gives us, me, no new powers. Frankly, Madam Speaker, I could have under the section 603 regulations created anything that I wanted to anyway. This puts it in legislation so that everyone is aware of what's going on, and it has to come before this House if there are changes.

7:40

It had to be done to protect these municipalities. Once every single municipality in this province understands the reason and rationale for doing this and is aware that there is nothing to be

afraid of but that it is a tool, if a bunch of municipalities, just like a water commission, just like a waste commission, decide they want to come together and have a large regional planning board so that they can plan for growth – quite frankly, we're looking at a million people moving here in the next 10 years still – if they want to get together and plan it so it's done smartly, Madam Speaker, they can come to me and ask for it. We'll work through this, just like we do with water commissions, just like we do with waste commissions. They will realize, when they see all of this, that the fearmongering and misinformation that's gone on has wasted a lot of time, and they'll get back to work.

Thank you.

**The Acting Speaker:** We have 29(2)(a) for five minutes available at this time.

**Mr. Anderson:** Madam Speaker, it's always great to hear the intellectual powerhouse that is the Member for Battle River-Wainwright. He never ceases to amaze all of us. Let's give him a hand. Clearly, we should not question this individual for any of the public statements that's he's made in his life.

You specifically pointed to the regulation and said that this is the regulation that establishes commissions in this province, water commissions and so forth. I would ask: do you not see a difference between a water commission and a regional planning board that has the ability to set the rules with regard to whether a community can develop, how they can develop, what resolutions they can pass, what bylaws they can pass? I'm sorry. I'm not understanding your point here. You're saying that because there are regulations in this province that allow you to establish water commissions and commissions like that, somehow you have always been able under that regulation to establish governance boards that oversee regional areas. Well, let's go through it.

**The Acting Speaker:** Hon. member, through the chair, please.

**Mr. Anderson:** I'm just saying: you were always able to approve an area or a board that can decide the voting rights of participating municipalities, mandate the growth of the management board, that they can determine the contents of a growth plan, the timelines for completing a growth plan, the form of a growth plan, the effect of a growth plan, that they can overrule bylaws, that they can overrule resolutions, that they can go to Queen's Bench if there's any municipality that passes a bylaw that doesn't conform with the growth plan, that they can go get an order to stop that? You're actually telling us that you already had that power because you can form a commission, a water commission or something to that effect? Honestly?

Well, why do you need the legislation, then? You're saying: oh, because it expires in two years. Why wouldn't you just apply it to the Capital Region Board if that's all that you were worried about? Why are you passing a regulation that applies to every region in this province and every municipality in this province? Why, sir, did you not do any consultation with any municipality, with the AAMD and C or the AUMA? You did none of these things. [interjection] But he's not changing anything. Then why are we passing the bill, genius? Genius Minister of Transportation, stick to building roads.

**Speaker's Ruling**  
**Addressing the Chair**

**The Acting Speaker:** Hon. member, I have to make a statement. [interjection] Hon. member, when the Speaker stands, you sit.

When I say, "Through the Speaker," it means you have to speak to whomever you're directing your . . .

**Mr. Anderson:** They're yapping over there.

**The Acting Speaker:** I'm talking about the minister. You're talking to me, so you need to use the third person, not: you, you, you.

**Mr. Anderson:** Fair enough.

**The Acting Speaker:** Please remember that.

Hon. minister, there's a minute and 40 seconds left.

### Debate Continued

**Mr. Griffiths:** Thank you, Madam Speaker. Let's see. I'm actually reading from the regulation, not from this legislation that existed previously.

(19)(1) The council of a participating municipality shall amend every statutory plan and bylaw as necessary to conform with the Capital Region Growth Plan . . .

(2) If the council of a participating municipality fails to amend a statutory plan or bylaw in accordance with subsection (1), the statutory . . . bylaw is deemed to be invalid.

Everything in here is in the legislation, and everything in the legislation is in here. Nothing has changed. I already explained that the reason why we needed to do this was because this eminent court case that appeared this summer was putting everything at risk in a matter of two weeks tops, when a judgment came down that could have made all of it, not just the capital region board but everything else, invalid.

Our notion when we crafted this was that if there were another group of municipalities that wanted to come forward and have a regional growth management board, why would we deny them the option? It would be as though we put in Aquatera Utilities as having the only water commission in the province. We created the ability to have waste commissions, water commissions, and now regional growth planning boards so the municipalities could decide if they want to come together, either voluntarily like they've done in Calgary, which will remain that way as long as they want it to, or in Edmonton, which has worked very well for six years. They're going to get to decide their option, Madam Speaker. That's the way it's going to work.

Nothing in here, as I've proven, gives me the authority to do anything I didn't have the authority to do before. It makes sure that it's in legislation so that the 18 groups that have done exceptional work over the years can continue to do so.

**The Acting Speaker:** We are on RA1. Are there other speakers to the amendment? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Speaker. Contrary to my colleagues here in the Official Opposition, I actually want to thank the minister for bringing this forward because I'm running on this in the next election. It will get me elected – thank you very much – and I'm very happy for it. You can giggle and you can mock, but I am going to win this debate out in the rural halls, and any one of you who wants to challenge me in a debate in a rural hall, I'm happy to have that. [interjections] Well, let's talk about that. Let's talk about stealing of land because the member wants to bring it up. It's quite interesting. Despite any decision of a court, regardless of the court's decision to the contrary or made before or after this comes into force – to heck with the court. We're overriding the court.

What happened to due process of law? We have seen this in bill after bill recently from this government. It's why we have 17 members, and it's why we're going to be the next government. It's because of these things that they're passing. They don't understand it, but they will understand it in the future. They're not listening. They're angry, but they're not listening to what's going on out in the public. It's a denial of what's happening, and that's why this amendment should pass. We need to consult. We need to have this debate at the AUMA with municipal councillors. We need to have this debate at the AAMD and C so these county councils, these municipal councils can actually hear and see and decide for themselves.

It is absolutely amazing to me. There are various sections in here. One in particular talks about the Expropriations Act. I can quote it, but I'll have to look it up. Somebody can look it up for me. It says that the Expropriations Act, in effect, does not apply. We went down this road once before. We did it with the Land Assembly Project Area Act, also known as Bill 19. This government denied it was in there. They said that the Expropriations Act will apply if we take your land. It was right in there, and I remember it because I knew that bill so well. It was section 19 of that bill.

Now, what this government did eventually was that it removed that. It removed that because of all the noise out in the public. They denied it was in there, but they eventually amended the act. But it took all that noise before this government would react. There's going to be noise on this bill. I do not expect this government to act, but they should at least try to hear it. Hopefully they would listen, but they haven't done that. What's a real tragedy is the bill. The tragedy is that nobody is against planning, and nobody is against these regional plans, but as the member had said earlier, you have to do it by collaboration. [interjections] You have to do it by co-operation. It is extremely important. [interjections] I will address you as long as I can see you. That's important.

7:50

When it's thrown at people, that "if you do not do this, there are penalties. We will make the decision and, oh, by the way, now you have to act on our decision. You have to change," that is denigrating the democratic process. That is not democratic in any way, shape, or form if you believe in the democratic process. That's what's really extremely important here. It's not the premise of having regional commissions, and it's not the premise of planning. I don't think anyone here is opposed to planning, but when it's my plan and you have no input, that's not planning. That's dictating.

If you have a board that's been appointed, an unelected board, dictating to an elected official, there are issues there that I would hope the members on the other side would at least recognize, that that's not going to fly. These councillors, these newly elected mayors in all of these rural communities that are going to be directly affected and those that see the potential to be affected are not going to like this. They can call it disinformation. They can call it lies. They can call it whatever negative name they want. But if it's in writing, it's in writing, and that's what it is.

When you look at the fine and the jail term that they bring up, this bill says that the Alberta Land Stewardship Act supersedes it. What does that bill say? It says right in there that a minister can issue an enforcement order as if it's a judgment of the Queen's Bench. And now you have penalty associated with that. So how does that work? Some of the lawyers would have to get up and scratch their heads and figure out how that would actually come to be should a minister issue an enforcement order where it actually

has a penalty or a jail term as if it were the judgment of the Queen's Bench. That was also in Bill 19, that this government did not believe – but only after a lot of noise from outside did they remove it. They removed it from Bill 19, but they left it in the Land Stewardship Act, and here we are now with an associated – when we take these regulations and we bring them into legislation, that act reigns supreme. This penalty now is there, a \$10,000 fine with the jail term.

The question is: can the minister, then, bring these two together and actually make that enforcement order? It looks like he can. Is that legal? Well, according to the laws, if passed, it would be. Now, that's a real question that people need to ask themselves: is that what the intent was? I don't believe that's what the intent of this government was. I would like to think that this government wanted to keep due process of law, but you don't even have to get to all the provisions the minister said or even talked about. You only have to go to the very first page, page 2, where it starts, and it says that contrary to "any decision of a court" before or after this bill comes into force and the courts no longer matter. That's wrong. That's wrong. That needs to be changed. And that's not found in any other regulation in the MGA. I challenge the minister to find that, where a court has no say in the matter.

We have separation of powers. That's important. We like to think that legislation gets passed without any mistakes, but we know it happens. That's why we have amending bills. Or situations change. Courts rule on these bills, but when we start not allowing the courts to actually rule for our constitutional rights, that's a deadly trail, a deadly path to head down that nobody wants to go down. We cannot be passing laws that say: this law supersedes whatever a court will determine. That's wrong.

I will not say that even if the law was perfect, if another law contradicted, then the court needs to rule. Good. Then we come back to the Legislature and we make whatever changes need to be made so these laws work in conjunction with each other. But the fact that we would just say that there could be mistakes between legislations and that a court's ruling doesn't matter: that's wrong. That's not what this society was founded on. We haven't even gotten to the rest of the bill. There are a lot of offences in here, but that offence jumps right off the page.

I tell you, there are municipal councillors in this room. There are former municipal councillors, and their independence, to me, is paramount. They need a certain amount of authority to have jurisdiction that is democratic over their own area. That is where democracy, I think, works the best, at the local level. We seem to lose touch with it as we go up to the provincial and then to federal. But it's at the local level, where the local mayor, who walks down the street and hears it every day about the sidewalks and the sewers, if they don't take care of the job, gets voted out. That's where democracy works the best, and that's where it responds quite well.

There's a good phrase, and I think I heard this from Mayor Nenshi, but I'm not going to quote him because I don't know if he took it from someone else: if your federal government were to just disappear today, how long would it take us to notice it? If the provincial government just disappeared today, how long would it take to notice it? It's subjective, but the reality, Madam Speaker, is that if your local government disappeared, you'd miss it within a day as the sewers backed up, as the water stopped working, and as the snow removal didn't occur. You would notice that right away.

We know how important the local government is, and what this bill has done is taken away much of their jurisdiction, much of their authority. And that's wrong. That's wrong. That democratic process has to be respected, and it should be maintained. It should reign, in my view, supreme on certain matters, those matters being

all the municipal bylaws, the municipal planning. If you want to create a regional plan, you create a regional plan that has the co-operation of those municipalities, that has the buy-in of those municipalities. The fact is that if it's a very bad regional plan, then they're not going to buy into it. But if it's a good regional plan, then as a provincial government creating a planning board, you'll be able to sell it to these municipalities. That's the democratic process, and that's why this motion should pass.

Thank you very much.

**The Acting Speaker:** Thank you, hon. member.

We have 29(2)(a) for anyone who would like to comment or question the member.

Seeing none, we'll move to the next person on the list, Edmonton-Strathcona.

**Ms Notley:** Thank you very much, Madam Speaker. I'm pleased to be able to rise to speak to this, and I hope that the minister is listening because, in fact, as much as I appreciated him sailing in here on his white horse named Indignation and then sort of going into a full rant, it would have been helpful to have been able to have a more reasoned and perhaps calmer exchange of ideas and questions because while he raises some interesting points, the fact of the matter is that there are still some very serious concerns that exist around this legislation, notwithstanding the impassioned and indignant rant that we were subjected to. Don't get me wrong. I have a lot of respect for the occasional impassioned and indignant rant, I think it's fair to say. It would be a bit hypocritical for me to go after that. That being said, there are actually some reasonable questions that need to be asked here.

Now, first of all, the minister has all day long been saying that this piece of legislation is "a mirror" of the regulation that enables the Capital Region Board. It is not "a mirror image" of the regulation that enables the Capital Region Board. That needs to be pointed out. There are critical areas in which it is not a mirror image. Those people out there who think that they're supporting Bill 28 because they think that the Capital Region Board regulation is a good thing – you know, I think the Capital Region Board regulation has many good things in it, too. I'm not opposed to the Capital Region Board regulation. What I am opposed to is this piece of legislation, which has some significant changes to it. It looks to me, just listening to the very rushed and impassioned defence of this legislation, that perhaps what we're dealing with here is a piece of legislation that was drafted perhaps a little bit quickly and a little bit reactively and without enough consultation because we have a piece of legislation that has some distinct differences in it from the Capital Region Board regulation.

The first thing, of course, is that the regulation itself that continuously is compared to this piece of legislation is itself the product of negotiation between municipalities whereas this piece of legislation is not. That becomes clear when you look at certain provisions of this legislation. So let's go over them, with a little bit less anger than the minister did, on a point-by-point basis.

**8:00**

Let's talk, first of all, about the process through which the members of the Capital Region Board get to be on that board versus the way they would find themselves on the management growth board under this piece of legislation. Now, the minister suggests: well, you know, yeah, 708.02 says that the minister has the authority to do many things, including making regulations about the appointment of members to the growth board. But then he sort of dismissively says, "Oh, well, we didn't look at 708.04," because that says that, in fact, the municipality has to appoint their

members to the growth board. In fact, what it says is that it has to appoint them to the growth board in accordance with the regulation that the government has just made about the appointment to the growth board. So there's no limit on the criteria for who is appointed to that growth board that is included in the regulation that the government has the authority to make under 708.02.

The fact of the matter is that the government can significantly limit the discretion and the ability and the authority of the municipality in terms of who they would appoint pursuant to 708.04, and that's a reasonable interpretation of those two sections read together. Now, perhaps in his anger the minister didn't have a chance to sort of consider that possibility in looking at those two sections together, but the fact of the matter is that that's the way many people would read those.

The next thing is that the Capital Region Board regulation section 4(1), I believe, also states that the representatives who are on that Capital Region Board themselves select the chair of the Capital Region Board, yet in 708.02(3)(b) of the new legislation what we actually see is that the minister may appoint the chair. Now, maybe they'll do that in consultation. We don't know. The government is simply giving itself authority to do it. That is a significant difference, difference 3.

Difference 4. The Capital Region Board regulation lays out some very laudable objectives that the Capital Region Board must work to achieve. Let me just say that I support those objectives, and I applaud the municipalities who participated in that negotiating process to come up with those objectives. They include the issues of environmental planning and regional land use and regional transit and mapping strategies and ensuring collaboration on social and affordable housing. These are all things that, you know, as a New Democrat I'm all thumbs-up about. But, you see, that's in the regulation; that's not in the act. In the act it's just the minister who may choose the objectives that, you know, depending on what kind of mood he's in – you know, let's face it; his moods change from day to day. I think we've seen that. Depending on what kind of mood he's in, the objectives may also change.

Again, what you need to do is actually have a piece of legislation that has been through some really substantive consultation with not just the Capital Region Board but with others so that we can maybe set some criteria and some limits on the types of objectives that the minister might impose. That is difference 4.

Difference 5. The Capital Region Board regulation says: thou shalt have a complaint resolution process. The act says: if the minister wants to, there may be a complaint resolution process; we don't really know what it's going to look like. Again, a significant difference.

Finally, today I was informed that – you know, the minister said: no, no, no, none of this stuff will come into play unless the municipalities request it. You know what? I went through this legislation, and maybe I missed it. If the minister were willing to answer me on that issue, I'd be happy to hear the answer, but I can't find anything in this legislation that says that this growth board is triggered by the request of the participating municipalities. Quite the opposite. What I see is that the minister may just do it whenever. I think the most defining criteria there for when it would happen is: whenever.

I think it is misleading to Albertans to suggest that this is merely a mirror image of the Capital Region Board regulation because it is not. It enables the Capital Region Board regulation. Absolutely. That is true. But it also enables a whole bunch of other stuff, and it doesn't enable those other things because they are the product of genuine and effective negotiations between the affected municipalities. It doesn't even suggest that there needs to

be a consultation with the affected municipalities. Rather, it enables whatever the minister wants it to enable, and that is the problem with this legislation. If you want this legislation to go through, you need to put some limits on what the minister's authorities are.

Quite frankly, if you get to the point where what you really are asking for here is the authority to deal with some regions of the province where the municipalities are just not working well together and in certain cases you are going to exercise the authority to bang some heads together to get some resolutions, fine. Be honest about that. Say that that's what you're going for, and let's have that debate here in this Legislature. But don't suggest that this is simply pro forma, evergreening legislation to replicate the Capital Region Board regulation, because it's not. It came through a different process, and it does not include critical components of it, and it expands greatly the authority of the minister to do a whole bunch of other things.

That's where this legislation gets into trouble, and that's where in a calmer exchange I think there could be value to cleaning up the legislation, putting in criteria and standards that get the government to where it wants to go, but at the same time does not making the minister king of the world for a week. That's kind of what you're doing here. You're asking municipalities across the province to put their faith in the minister without there being any provision in here for negotiation with the municipalities or having them sign off or even, you know, that horrible, waffly consultation language. None of that's in here right now.

As I say, I think the Capital Region Board regulation was for the most part a success although perhaps they could use some more authority. There might be strong arguments on that side of the argument, quite frankly. But the fact of the matter is that that's not what this legislation gets us. This legislation gets us that plus 25 other things that we cannot predict, and that's the problem with it.

I don't think it helps the argument at all to talk about, you know, lies travelling around the world while people are changing their pants. I think that, quite frankly, it's a lot more helpful to actually look at the legislation, look at what it says, look at what you're comparing it to, look at whether your legislation is achieving the objective that you're telling Albertans you want it to, and if it doesn't do that, then you sit down, and you have a reasonable conversation about how to get it to where you want it to be. I would suggest that that is why this motion should be successful, because that latter action, that reasonable conversation, figuring out how to get this legislation to where you want it to be, has not yet happened. Until it does, this motion needs to succeed.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

We have 29(2)(a). The Member for Airdrie.

**Mr. Anderson:** A question to the hon. member: if we wanted to put in statute the Capital Region Board regulation, if we wanted to turn that into a statute and legislate it, which, apparently, most of the players on that board, although not all, would like, why wouldn't we just call this the Capital Region Board act and put it into statute? Why do you think the government would, instead of just doing that because of this little running out of regulation time issue that they're having, expand it to take the entire province, so now they no longer have to come here in the future and do this? They can just regulate a board now. They can establish a board by just saying, "It is so," and they'll never have to come back here to do that. Do you have any comments on that? Isn't it kind of weird that they wouldn't just put the Capital Region Board act in place,

that just affected that? Why the expansion all across this great province of ours?

8:10

**Ms Notley:** Well, thank you for that question. You know, if you were in a province where the government appreciated the opportunity to come into the Assembly and democratically debate critical policy changes with people that have been elected by all Albertans as opposed to just a minority of Albertans, then you would think it was weird. In this province you don't really think it's weird because, in fact, this is the way this government has been going for years and years. I mean, I'm just waiting for the act that comes in and says: the minister may make regulations about anything at all, ever. Then that will be the act, and we will debate it probably about 4 o'clock in the morning, and then they'll bring closure, and then we'll be done. And it'll be another three years before we . . .

**Mr. Anderson:** But it was always like that.

**Ms Notley:** Exactly. This is that kind of thing. Somebody is scurrying around, writing up that act as we speak. [interjections] Tomorrow, I'm told. We could see it tomorrow.

In any event, the member makes a good point. Well, I think the minister talked a little bit about some implications for some other bodies, but it would have been possible to bring in this legislation to deal with the specific bodies that they want to by identifying those bodies. Conversely, if they want to expand the opportunity across the province for replication of the Capital Region Board process, then that's fine, too, but then you put in place provisions for that to happen that include fundamental protections. The municipalities want in. The municipalities are definitely choosing who participates. The municipalities have sign-off. Negotiation has to occur. These are the kinds of things that would be components of that legislation.

If you think at the end of the day that you need to be concerned about, "Well, municipalities may never agree," you might actually even give yourself the authority to push them a little bit. But presumably you would start with: they need to sit down, they need to agree, they need to work amongst themselves, yada, yada, yada. What we've got instead is: the minister may do whatever the heck he wants on this issue. That is where we run into problems with this legislation.

I think we are dealing with some new issues, new ones that are coming up every day. In Alberta we never thought that we'd run into towns running into each other. You know, we're a rural province, and we think of ourselves that way. But the fact of the matter is that we are coming up with density and population growth issues that we're unused to. So when we deal with those, we should talk about it here because we're the ones who have the authority for dealing with that, and it should be discussed in this Assembly. It should not be discussed in the minister's office if he's having a good day and not in a bad mood.

**The Acting Speaker:** Thank you, hon. member.

Thirty-five seconds left under 29(2)(a).

**Mr. Anderson:** So what you're saying is that under this act it actually wouldn't be voluntary. If the minister decided that, say, Airdrie or Chestermere had to be in that plan, in this regional board plan, they wouldn't have a choice under this regulation. Is that what this act says?

**Ms Notley:** Well, indeed, the minister suggests that this would only apply if they wanted it to, but, you see, there's nothing in the

act that says that. You know, one would expect the act would say something along the lines of "upon request," but it's not there.

**The Acting Speaker:** Thank you, hon. members.

We have the hon. Associate Minister of Regional Recovery and Reconstruction for Southwest Alberta, followed by Little Bow.

**An Hon. Member:** Say that three times real fast.

**Mr. Fawcett:** It's a tough one.

Madam Speaker, I just want to stand up and voice my opposition to this particular amendment. I'll get to it, but I do want to chat briefly about the reality that we face today here in Alberta. The metropolitan area of Edmonton is 1.15 million people. The metropolitan area of Calgary is 1.2 million people. That's a considerable number of people, and that doesn't include the surrounding communities, all of which use and utilize the services and the public infrastructure that are part of these metropolitan areas. We expect that growth to increase substantially over the next decade.

The thing that is a bit frustrating, listening to this debate, and a bit frustrating with this motion is that I could understand if this was a debate about the particular policy of putting in growth management boards. But, as we've quite clearly heard from the minister, this is actually to deal with a legal technicality to keep the capital region growth management board intact and to keep them doing the good work that they're doing in dealing with those growth challenges for the region here, Madam Speaker.

I can't let it go without saying. The Member for Rimbey-Rocky Mountain House-Sundre talked about going out and campaigning on this particular issue, and what I would say is: go for it. In the next election this government is going to be talking about the Alberta that we have today, dealing with the growth pressures that we have today because we have people coming here that want to come here for the quality of life and the prosperity and the economic freedom that we enjoy. If they want to go out and have a debate about what we need to do to deal with the Alberta that we're facing today and the realities of our challenges and opportunities and they want to go out and talk about Alberta circa 1970, then go ahead. I know who's going to win that election. So let's go have that debate around growth management boards and regional planning at election time. Bring it on. I know that in the two large cities, if that's what the election came down to, my seat would be very, very safe, Madam Speaker.

But that's neither here nor there because that's not what this bill really deals with. This bill deals with a technical legality where we're required to put this under a different regulation rather than in section 603 in the Municipal Government Act so it can legally stand as the government's policy, which we've had in place for close to six years, Madam Speaker. That's what this bill is really about, and that's why I just simply cannot support this motion.

Finally, Madam Speaker, and then I'll sit down, the opposition constantly, constantly begs us to put stuff in the legislation rather than regulation. That's what we're doing right here. We're taking it out of the regulation, putting it in the legislation, and I would think – I would think – that we could get the whole support of the Legislature for that reason alone, considering that that regulation has existed for six years. Let's go have the policy debate in the next election.

**The Acting Speaker:** Thank you, hon. member.

Under 29(2)(a), the hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thanks. I'm going to be brief. I'd just like to ask the minister in his discussions with the mayor of Edmonton and,



being from Calgary, his discussions with the mayor of Calgary what exactly he's told them about the legislation. I'd be interested to know that.

**Mr. Fawcett:** Thank you, hon. member. Certainly, I've had very casual conversations with the mayor of Calgary. I've not yet talked to the new mayor of Edmonton, and I don't know when I'll get the chance. I'm sure he's a busy guy getting caught up on his new duties. But I do know that I have had casual conversations with the mayor and many of the aldermen in the city of Calgary who are very, very supportive of regional collaboration and growth management boards.

Now, is Calgary different than Edmonton? Certainly. Is this regulation going to apply to Calgary? Not that I'm aware of at this point. We want Calgary to come up with their own particular solution with their neighbouring communities.

Those are the conversations. I can tell you that the aldermen in my particular area and the mayor of the city of Calgary are very supportive of us looking at different collaboration models to allow their neighbours and them to work together for the betterment of their citizens, for the betterment of taxpayers, for the betterment of communities.

**The Acting Speaker:** Thank you.

Do you have a short comment, hon. Member for Calgary-Fish Creek?

**Mrs. Forsyth:** Yes. You know what, Madam Speaker? I appreciate what the hon. member is saying. I honestly do. As a Calgary MLA I appreciate the fact that he's had a short conversation with the mayor of Calgary, and I appreciate the fact that he's had conversations with the aldermen. I guess what's concerning me is that the people I've talked to have said that they haven't seen the legislation, they haven't had an opportunity to even read the legislation, and they haven't had an opportunity to even be consulted on the legislation. I just look forward to further conversation with him.

**The Acting Speaker:** Thank you.

The hon. member.

8:20

**Mr. Fawcett:** Thank you, Madam Speaker. The truth is that, actually, this piece of legislation has nothing to do with Calgary. The minister, again, has explained why the need of this legislation has come up. It's definitely in response to a court issue, and this is going to allow what has currently existed in the capital region moving forward. If the city of Calgary eventually wants to become part of this legislation and they have some concerns about it, then we can address that back in the Legislature at that point. Remember, hon. member, members of the opposition are always complaining that once we create regulation, we can't bring it back into the Legislature, and the minister can just keep doing what we're doing. If the city of Calgary, when they get to this point, if they want this, decide that they want to do it but they require some changes, certainly the minister is going to engage them in that conversation and be very much open to that.

**The Acting Speaker:** Thank you.

The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thanks very much, Madam Speaker. Well, the minister of a name that I can't remember has said that the opposition is always trying to get the government to take things out of regulation and put it into the act. But as I look at the act, it's

a piece of legislation for the creation of regulations so quite contrary to what the minister has said. For example, under the growth management board section in division 1, "The Lieutenant Governor in Council, on the recommendation of the Minister, may establish a growth management board by regulation," then the regulation must do this, then the regulation that, then the regulation that. I just can't understand how the minister would allege that this was a way of getting rid of regulations when, in fact, it's just designed to create more.

**The Acting Speaker:** Hon. member, there's one minute left.

**Mr. Fawcett:** Yeah. You know, that's a very interesting question, Madam Speaker. What I would say is that there are, I guess, various levels of what goes into regulation, what level of detail goes into legislation, what level of detail goes in regulation. Certainly, what we've done here is take what is wholly in a regulation right now under section 603 and put it into legislation.

Of course, in any legislation there is regulation-making authority that will drill down into some of those policies. But in the overall aspect of what we're doing with this particular policy area, there is more in regulation because of this particular bill than there was previously under the regulation in section 603. While you might not like the complete, I guess, picture of that or the complete package of that, it's certainly a lot better than having that whole thing existing completely in regulation.

**The Acting Speaker:** Thank you, hon. member.

On RA1, the hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Madam Speaker. I guess I'm speaking in favour of motion RA1 just because of a couple of things. With my colleague that was just speaking there we had some conversation earlier that it's been in the books for six years and we're just making it law and all that. Just because something has been in something for six years doesn't mean it's right. It doesn't mean that because that's the way it was laid out for the Capital Region Board, that's the best thing we should do with it, and that's how we should roll along with it, because people change. I'm pretty grassroots on letting the local people have their decisions on what they do.

Unfortunately, what this bill does – and this is why I'm in favour of the motion that's before us for the amendment to it – is that it's basically going to make your MDs and counties land banks for your larger areas. Now, I understand growth, and I understand what we're doing with growth. I understand my previous colleague just went on a slight rant about how it has nothing to do with Calgary, yet it does because with the Calgary Regional Partnership there were people that were involved in that that really didn't find it worked that good, people that went in with good intentions when it started.

I remember going to Calgary when the previous MLA from Lac La Biche-St. Paul-Two Hills was the Minister of Municipal Affairs, and that was back when our previous Calgary mayor Mr. Bronconnier was in at the time. Some definite decisions on how MSI funding was going to be done caused a lot of stress around the table. As that all got along, everybody was allowed their little pieces of what they were going to be able to do to make MSI funding work. At the time, though, everybody wanted to be in on the Calgary Regional Partnership because it looked like it was going to be a great idea on how to grow and how to work with everybody. The problem is that you get veto votes and things like that where things weren't working out well. So great intentions when it started, but then everything goes a little sideways. Then

you sit there, and you get: as long as it works for one party, it doesn't work for another.

The MD of Foothills and the town of Okotoks have also run into these issues of planning. Now, this goes back to where if you put everybody in a room and you tell them they have to do something, it doesn't go over as well as when you ask them to do something. It's just a good rule of thumb that if you ask somebody to do something, it goes much smoother; if you tell them to do it, you get everybody's arms up a little bit.

I mean, the minister was very passionate in his speech, which is good. That's a good sign to have. One of the qualities in him that I kind of like is that he does get his gears in, and he wants to let you know what he's thinking about it. It's not a bad thing. I get that it was in policy, section 708.17(1), about telling the officials in a municipality that they have to be part of something, and if they don't, there's a fine. This is usually where things go awry. When you put in legislation that says that we're going fine you or you could go to jail for not more than a year, which is nice – you don't want to miss two Christmases – those are the things that scare people. It's a natural reaction people have. When they see that they're going to have legislation like that put in, you're going to have people panic a little bit. I guess that with all these questions this is why I think the motion has some merit to it.

The addition to it is if you put yourself in the other set of shoes. For instance, say the federal government came along and told us: well, we've kind of been doing this for a little while, but we want you and B.C. to work together to do a pipeline out to the coast. I think it's got some great merit yet a downside if they put the rules in of B.C. getting a veto vote. Kind of hard to negotiate with somebody when you're not sure how you're going to be able to work with them because not everybody is on the same playing field. That's where, I think, the questions come in with this. This goes back to consultation, and I understand, in laying out a bill and stuff like that, where the problems can come in of trying to get the communication out there.

I appreciate the Associate Minister of Finance, and now he's got recovery, the three Rs in the southwest. Good work on it. You're doing a good job of it. But you sit there and you talk with everybody on it, and the problem is that when you do these things and you lay it out, you get everybody in a fight. So then it's the whole question of how you get the conversation back around the table. You're going to have your larger urban centres that have more pull than some of the rural ones that are around them, and the planning to go forward on that can be quite a challenge because you just make the centres around the urban areas land banks. You're just telling them: you have to do this. Maybe in the Edmonton regional plan, the Capital Region Board – I remember its first inception when I was on council. It wasn't the smoothest thing rolling at the time, but it worked along, and it got things going and progressed.

What worries me is that it's like everything. It starts off with a good idea. We're kind of fixing a problem that's obviously shown up there. But once you do that, you put a Band-Aid solution on the problem, and you end up having to do a lot of other ones. I guess one of the ones that worries me is when you sit there and you look at how something started six years ago, and it might have had a great idea to it, and we're trying to solve that. I wouldn't want to be in the minister's shoes when you've got municipalities fighting and wanting to fight over planning. I've seen it myself where everybody wants to have the growth in their area, but they don't want somebody else to have it, and some places want to have less growth.

When you put everybody in a room and you tell them that they have to be on a regional management board – this is, I guess,

where I'd want some clarification on the original bill. But on the motion itself I think it plays it out as just to scrap the process. It scares people when they don't have the opportunity to debate the process of it. So I guess that's something I'd like to see come forward, whether it be some time on it to go out and talk to the AAMD and C and AUMA and get their input on how to do things because in best intentions of putting this into a bill and making it law, which has been working for six years for one capital region, it does panic people a little bit when it has to be thrown in. Why does it have to be done?

I guess the questions I raise and wonder about is if that's a positive thing to have done. That's where the amendment to this motion, I guess, lays it out as: do we need to do it right away? Is this something that could be shelved for a little while to get some input from new councillors? I don't know what the full rollover was, but it was probably 35 per cent, 30 per cent new councillors municipally on the AAMD and C side that need to get this stuff figured out.

8:30

I think collaboration does work well. I think we've seen it. But forced collaboration never does work well. I've seen it in quite a few of the municipalities in my riding alone, where five, 10 years ago they wouldn't talk to each other over stuff. Now they're doing regional waterlines together such as the minister talked about. But it's the process of how you get them into that room together rather than forcing them in. Have a decent conversation on how we work together on it and come up with some actual solutions rather than making it law. You tie your hands to some things when you make a bill; you have to do it this way instead of letting people try to figure out how they could do it.

I'll leave it at that on the amendment. That's why I'd be supporting it. I think that until it gets rolled out and actually talked about with other people, it needs to be shelved for a while.

**The Acting Speaker:** Thank you.

We have 29(2)(a). Anyone wishing to speak to this hon. member?

Seeing none, I would ask: are there any other members who would like to speak on the amendment? The hon. Member for Cypress-Medicine Hat.

**Mr. Barnes:** Thank you, Madam Speaker. I appreciate the chance to rise and talk in favour of the motion. The hon. Member for Airdrie has moved that the motion for second reading of Bill 28, Modernizing Regional Governance Act, be amended by deleting all of the words after "that" and substituting the following:

Bill 28, Modernizing Regional Governance Act, be not now read a second time because the Assembly is of the view that the bill will severely undermine local autonomy and that further input is necessary from the public, municipal officials, the Alberta Urban Municipalities Association, and the Alberta Association of Municipal Districts and Counties.

I'm in favour of the amendment, a good amendment. Consultation is important any time. I actually think the Premier ran for the PC leadership on increasing the level of consultation – consultation from all Albertans, consultation from our municipality reps, involvement from the opposition – and ran on some other ideas, too, for making this House more effective, with more time for bills, more time for amendments from the opposition, more time to take a long, hard look at these things. Life is full of unintended consequences, full of broader implications, and I think that nothing is more true of that than legislation – of course, I'm very, very pleased to hear that there are 4 million Albertans right now – an implication that could not

only affect all 4 million of us but future generations for years and years to come.

I'm a bit surprised by the notes that our excellent research team has prepared. What I'm understanding is that we're back to the top-down, government knows best: we're going to impose these regulations because we're in a hurry or because we need to get it a certain way or our way. Our researchers have pointed out that if we look back 19 years, to a time when major changes were last made to the Municipal Government Act, the intent at the time was to emphasize the jurisdictional autonomy of municipalities, totally the opposite of what it appears that we're doing now, and to increase their freedom to operate. This created a legislative framework where elected local officials actually had the power to make decisions in the best interests of residents and in turn be accountable for those decisions to those residents.

As the hon. Member for Rimbey-Rocky Mountain House-Sundre pointed out, many, many hard-working municipal officials, hard-working municipal employees are responsible for so many of the basic daily things that make it so our lives can function, make it so we can get our kids to school, make it so our businesses can prosper and provide wealth and jobs and all those things, things that we need for daily life to make Alberta strong, to make Alberta better. The Associate Minister of Finance mentioned that: oh, it's not like 1970 because we're 4 million people now, and it's growing. Well, like the pants around the world story, I don't think people have changed. I think people, in 1970 or now, want to be involved, want to have local autonomy, want to have their local reps have their opportunity. They don't want top-down government.

It's interesting. Medicine Hat: 61,000 people, brand new mayor, a very, very capable man with two terms on council. Redcliff: seven, eight miles away from us, brand new mayor, a very capable man. I wonder what they think of this legislation. I wonder if they've seen it. I wonder if they've had the chance to consult. I wonder if they've had the chance to put their feedback into it. Both jurisdictions have several new council people, and I wonder if a day, day and a half is enough for them. I would say that the same is true for Bow Island and Foremost and Forty Mile county and Cypress county. The hon. Member for Little Bow I think said 35 per cent turnover.

**Mr. Donovan:** Ballpark.

**Mr. Barnes:** Ballpark?

**Mr. Donovan:** The minister would know, but yes.

**Mr. Barnes:** Okay. Well, Little Bow, I think that's very accurate for the six or seven municipalities in my district. It's approximately 35 per cent turnover. In Cypress county we have a brand new 25-year-old. He looks like a very sharp young man. I wonder what his thoughts will be on this.

The consultation thing is interesting. Why it's so important to go back and give a sober second thought to the hon. Member for Airdrie's amendment: to get these people involved. The Premier, when she wanted to be Premier, when she wanted to be the PC leader, said that she was going to do this. Is part of the reasoning behind this to align the regions with the land stewardship plans, this proposed draconian bill and the measures it takes with the \$10,000 fine or imprisonment for a year for refusing? My goodness. If it was just a mirror change, why in the world wouldn't we take that out? I understand several municipalities have hired lobbyists to help with other issues, and here we are in a situation where if we are aligning regions with the land stewardship plan, here we go again.

I want to talk a little bit about the difference in consultation. Keith Wilson and other independent people went very much around the south prior to the last election, and I'm going to guess that his crowds were somewhere in the vicinity of 250. If we compare that to the consultation that I've seen when the Progressive Conservative government arrives in Cypress-Medicine Hat – I think you guys know how big your crowds were. I think we can just say that there's no comparison in the level of consultation, in the difference in the numbers that independent people who, again, as the Member for Rimbey-Rocky Mountain House-Sundre pointed out, put parts of the law on the wall and clearly say what it says, the difference in the number of people it got out, the difference in the impact it had on the crowd.

I guess as maybe a last thought, during the last election and at a lot of these town hall meetings – I had several myself in the nomination process for the Wildrose and during the campaign – many, many rural people would come to me, and they would say things like: "Drew, with these property rights, this ranch, this is my sixth generation. How are we going to help the people in the cities understand how important property rights are to us? How are we going to help people in the city understand the importance of property rights? How are they going to understand that this will affect them, too?" Guys, I'm thinking that's Bill 28.

Thank you.

**The Acting Speaker:** Thank you, hon. member.

Before we go to 29(2)(a), the hon. Minister of Environment and Sustainable Resource Development has requested unanimous consent to revert to introductions.

[Unanimous consent granted]

## Introduction of Guests

**The Acting Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Madam Speaker, and to the Assembly as well. Tonight it's a real pleasure. Joining us in the members' gallery, we have a number of members representing the Potato Growers of Alberta. We had the opportunity to meet with some of the folks from Chops and Crops earlier this evening. I want to thank you for joining us in the Assembly. We have with us John Bareman, Jeremy Carter, Rob Van Roessel, Jake Schutter, Louis Ypma, Wayne Groot, and Albert Ypma. If you'd please rise and receive the traditional warm welcome of the Assembly.

**The Acting Speaker:** Thank you.

8:40

## Government Bills and Orders

### Second Reading

#### Bill 28

#### Modernizing Regional Governance Act

(continued)

**The Acting Speaker:** Now we'll revert to 29(2)(a) with the Member for Cypress-Medicine Hat. Is there someone who would like to comment? The hon. Member for Airdrie.

**Mr. Anderson:** Thank you. To the member. Consulting with every community out there can be difficult, Madam Speaker, obviously. So two of the organizations that we have in place in this province, of course, that have the research capacity and the contacts and so forth to kind of suss out these bills and take a look at them and pick them apart and so forth to make sure that they're good for their membership are the AAMD and C and AUMA. Do

you think it would have been a good idea for this minister to perhaps have consulted those groups on this bill to see if there was anything that they found alarming – I don't know – say, prior to introducing it?

**The Acting Speaker:** Thank you, hon. member.

**Mr. Barnes:** Thank you for the question, hon. Member for Airdrie. Absolutely, it would have been a fantastic idea, and I understand there are conventions coming up. I understand that the hon. minister wouldn't have had to wait more than 17 or 18 days, and he could have talked to all of them or most of them, again, especially these newer individuals. It's so nice, Madam Speaker, to see a lot of these new people get involved in the process and put their names forward to be councillors or mayors or whatever. It's rewarding to see that a lot of them were successful, and I trust that a lot of them enjoyed the process, but part of the process is being involved in what's going on, being part of Alberta, having control over your destiny, having control over your economy, having control over your property rights.

Thank you for the question.

**Mr. Anderson:** So I don't get it. Do you think that if you had the conferences, the conventions, coming right up in the next couple of weeks and we still have the sitting left after those conventions, wouldn't it have made more sense just to – I don't know – talk to the AAMD and C and AUMA prior to that and then let them have the bill in draft form, a draft of it, or the main . . . [interjections]

**The Acting Speaker:** Continue. The Member for Airdrie has the floor.

**Mr. Anderson:** You're a good example to us all, deputy whip. You are.

Wouldn't it be a good idea to allow them to have the information of what they were considering beforehand and then, during the conference, talk to the AUMA and the AAMD and C about the bill? Wouldn't that make a little more sense? Then they could have given feedback, and then they could have come back to the Leg. with a bill that had feedback and consultation with, at the very least, those two large and well-respected organizations in Alberta. Do you think that might have been a good idea?

**Mr. Barnes:** Yeah. That sounds like a great idea. Or perhaps a great big sign right at the front door when they come in saying, "Brought to you by the Premier of Alberta," with all these rules, would have been a better way to do it. Of course, we could have maybe paid a teacher or something for that instead. I don't know.

You know, I'm back to my very, very first point. When the Premier wanted to be Premier, she said that she was going to do it differently: she was going to consult, she was going to listen to the opposition, she was going to have more time on these laws. I mean, I don't see that happening.

You know, I guess it's one thing to leave us out. We have researchers; we're all working hard at it. But a lot of these councillors end up being involved in this part of the process as future MLAs. A lot of these guys have great backgrounds, and we're leaving a lot of their brainpower on the table without using it. I don't know. This is a very expensive process not to make it as best as we can, in my opinion. I'm thinking that in the two conferences, was there 347 municipalities? Most of them would be there. It would be a great way, a great chance to talk to them all. You know, from reeves to mayors to councilmen maybe there's one more good idea out there.

**The Acting Speaker:** Thank you, hon. member. There are 10 seconds left.

**Mr. Anderson:** Are you saying that there's something other than the brainpower of this minister in the province? Seriously? Hon. member, that's just unacceptable.

**The Acting Speaker:** Thank you, hon. member.  
The Member for Banff-Cochrane.

**Mr. Casey:** Thank you, Madam Speaker. I wasn't going to speak to this because, of course, we're approaching midnight. Anyway, sorry, but I can't help myself. I've got a little bit of background in all of this, too, having spent most of the last 15 years of my life in municipal politics and certainly 10 of it with the Calgary Regional Partnership. So I understand some of this, what's going on.

There are a couple of things I do not understand at all. That's the shock that people seem to have that the province has authority over municipalities. There seems to be some righteous indignation that the province actually has authority over municipalities, but the truth is that that's the case. That's the way it has always been. There's nothing new here. I spent a great deal of my time during those years in municipal politics buried in the Municipal Government Act because in our municipality we had particular challenges, and we had to push the Municipal Government Act and, in fact, find places that we could allow the things we needed to do within the latitude that was given to us by that act. So I fully understand and everyone in this room should fully understand that as a municipality you work within the act.

That said, commissions are there. They have been there. This is just a commission of a different name, and that's the end of the story. Nobody went randomly across the province and said, "By the way, you have to have a waste management commission," but we formed a waste management commission collectively with our neighbours. Nobody said that we had to get together as municipalities and form a regional transportation commission, which was the first one developed in the province. Thank God we didn't have to consult with every other municipality in the province to find out if it was okay to do something the first time. We did it, and it's working great. So commissions are there. They've always been there.

The ability of the minister to do everything that he's suggesting or that everyone seems to be shocked that they have the right to do within this act is already there. No one's going to force a county somewhere to join into this. That's not what this is about. But if the county wants to get together with their neighbours and with their urban neighbours and form a growth management commission because they have specific issues that they need to deal with on their own terms, this gives them the latitude to do it. This is good news.

This is not something that we've had the ability to do before, apart from going individually to the minister and begging him to create regulations that allow us to do something. This is an enabling piece of legislation that allows municipalities from one side of this province to the other to get together and plan their futures and deal with their own particular issues on their own particular ground. If that's taking away somebody's rights, then I'm missing the picture in this, and I must have missed the last decade or so of my life. This is good news. There's nothing in this but good news.

I'm not saying that the structure of the Capital Region Board is perfect. I don't know because I don't know enough detail about their circumstance. I can tell you with all honesty that the Calgary Regional Partnership's plan is as good as they can get it collabora-

tively. Is it perfect? No. Are they still working with their neighbours to try to bring them into a collaborative process? Absolutely. So no one is forcing this on Calgary. Nobody is forcing this on a municipality.

This is a piece of legislation that allows you to plan your future. I understand that the opposition is paranoid about planning. I understand that. I understand they're paranoid about regional planning because, God knows, we wouldn't want to know what our future looked like. Why would we want to do that? Let's just leave it random like it's been. You know, 1950 was a good year. Actually, it was '51. Sorry; I digressed.

8:50

To the point, Madam Speaker, this is a piece of good-news legislation. It has every opportunity to allow us to move forward as a province, as municipalities. As far as going out and running this by every municipality in the country, well, they're already familiar. Anybody that is in the municipal world is familiar with commissions, knows what this is about. There's nothing to consult on here.

Thank you, Madam Speaker.

**The Acting Speaker:** Standing Order 29(2)(a). The hon. Member for Airdrie.

**Mr. Anderson:** Hon. member, you said that no one would ever use this to force people to remain or stay in or bring them into a regional plan. I'm just reading an article out of the *St. Albert Gazette* of July 12, 2013, which is reporting, of course, as you probably well know, that the town of Redwater has asked the province to leave the Capital Region Board, and then the Capital Region Board got together and voted to not allow Redwater to leave the board. Now, I'm understanding that that's still in your office, that you're still considering that or you've ruled on that. I'm not sure. Maybe you could update us. Would that be an example of a municipality being able to voluntarily leave these regional boards? That seems like they don't really have the choice unless the minister says yes or no to that.

**Mr. Casey:** To be honest, I don't know the details of the Capital Region Board. Like I said earlier, I don't know the details around that, but what this legislation allows you to do is to build structure around that. So if you decide that you can't leave, well, then that's the structure you've decided as a party when you set it up. It's no different than a waste management commission. We set up a commission; you're in. You don't get to just walk out the door because you'd commit. That's the structure. Each one in the case of a commission is set up by bylaw. You set up your bylaws, you set up your regulations around it, and you live within it. If that's what the Capital Region Board's bylaws or regulations say, well, live with it. You signed in. You're part of it.

**The Acting Speaker:** The hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Madam Speaker. I appreciate the member's background in municipal politics. I've also spent a couple of years on that side of the floor. The intermunicipal development plans, which a lot of places have – when I was on county council in Vulcan for 16 years, we had one with other adjoining municipalities, whether it be the town, the villages, or other MDs beside us. I guess I'd ask your thoughts. Do you think those don't work? I got confused there.

**Mr. Casey:** I think that intermunicipal plans are a great part of any planning exercise. They can form an early foundation for

something. If you want to form a regional growth management board, intermunicipal development plans are the foundational building block for that.

The one problem we have in the province is that you have two neighbours over here that have an intermunicipal development plan, and then you've got other neighbours over here that don't because there's no legislation that requires you to have intermunicipal development plans. It says that you may develop. If I had a magic wand and I could wave it, I would say that if you actually required intermunicipal development plans, that would help us overall in the province to plan our province better. It doesn't negate the fact that by having a series of municipalities that have intermunicipal development plans, they can't come together. They've already got the foundational building blocks on which to build a regional plan that suits their particular circumstance, that deals with their issues, whether it's water or housing or industry. Whatever it is, it allows them to collectively do what they can't likely do individually. Good news.

**The Acting Speaker:** The hon. Member for Airdrie. One minute left.

**Mr. Anderson:** So there were municipalities prior to the formation of the Capital Region Board, of course, that couldn't get along and didn't want to be part of what was being proposed, so they were forced to come together. Now at least one member can't get out without the approval of the minister. How is that okay in that sense, but then how does that jibe with your saying that the municipalities in and around Calgary, if this was forced on them, would have the ability to leave of their own volition?

It seems to me that with the Capital Region Board plan that's not what's going on. It seems to me that member municipalities can't just leave. It just seems to me that we're just kind of setting this up. We've done it in Edmonton. If they can't get along in the Calgary region, if they can't agree to a voting structure or whatever or density requirements, et cetera, we're just going to force them to work together, and then they're going to have to get the minister's permission to leave. Are you saying that that won't happen in this case? I'd feel good if you did. Is that what you're saying? Maybe the minister can answer that when he has a chance.

**The Acting Speaker:** Thank you, hon. member.

Are there any other members who wish to speak to RA1? The hon. Member for Livingstone-Macleod.

**Mr. Stier:** Thank you, Madam Speaker. I'd like to take a little slash at this if I could. First of all, I'd like to say that I'm glad that the Member for Airdrie was so adamantly opposed to this and was going to bring this amendment through to not allow the second reading of this. It's based upon a great argument, where he believes it will severely undermine local autonomy, and we need further input from public officials, AUMA, and AAMD and C. It seems like an automatic idea that should have been done in the first place, and obviously from what we're hearing today, it has not.

I'd just like to take a few minutes to go back in time if I could. There's been a lot of great information shared here today, and I'm going to share a little bit of mine with you again if I could. If we look back to the planning system of the '80s and '90s, we had regional planning. We had a Calgary regional planning board. I'll focus on Calgary because that's the area that I'm most familiar with. We had an awful lot of conflict in those days. We had areas in the transitional zones outside of Calgary that had an awful lot of development, and we had a lot of businesses wishing to move there. We wanted to have growth. We tried to work with our neighbours to the north in the city, and we established a greenbelt

around the area of Calgary that stretched out for many miles. In that greenbelt area we had the opportunity to have discussions with our neighbours. But unfortunately with the regional plan, they had the Calgary regional planning board; it was weighted such that they had the largest amount of power. Obviously, therefore, we had an awful lot of difficulties in getting any of our developments pushed through because as often as not the city wanted to control the land outside their boundaries. They essentially wanted to freeze all the lands for their future needs and, therefore, perhaps drive a wedge into negotiations for annexation. This did not work.

In the early '90s the Municipal Government Act was revised, and regional planning and the Calgary regional planning board were thrown out and for a valid reason, because it was a stumbling block for individual municipalities to have local autonomy, to be able to make their own decisions. Since 1997 and up until just recently municipalities have had that autonomy. They've been able to make their own decisions, other than the capital region, which I can't speak to as well, and it has worked fairly well. There have been intermunicipal committees that have been set up between most municipalities, and they have been able to grow and work together, design roads, talk about regional water systems, et cetera, with absolutely, most of all, a great understanding of what each other needs. It's done quite well.

Could it have been tweaked a little bit? Sure, as everything can be tweaked a little bit more and improved as we go along. That's what legislation is all about, and that's what an amendment is about, like we're dealing with right now. But we also have an appeal process and a Municipal Government Board that works with that and an arbitration process, and if it still falls down, we have the Court of Queen's Bench. This system has worked reasonably well, as I've said, and it is something that has always included a lot of consultation, and it's included a lot of collaboration and some very good development, if you ask me, around the two major cities, from what I can see.

9:00

During that time, too, we had the cities try to understand how they could grow out – they were massively being accused of urban sprawl – and they decided that this was something they couldn't negotiate between each other. They thought that perhaps they needed a heavier hand. When they started complaining to the provincial government – and this is my experience – at the same time there were a lot of environmental issues going on in the province. So the Calgary Regional Partnership was formed, and in the Calgary area 17 members decided that it would be good to talk about how we could all co-operate better.

But there was opposition to this because part of the Calgary Regional Partnership's policies included an awful lot of problems where the major city was going to be trying to impose areas that could not be developed unless they were developed at a very high density. It also included an awful lot of information pertaining to how the governance rules would be set up, and that veto vote was included in that whole system. Obviously, there was a lot of opposition by certain municipalities to that. Most specifically, the rural municipalities were very concerned because, of course, the city wanted to use the rural municipalities as a land bank. They wanted to impose huge areas called blue blobs, and I had a large number of people, including the current Minister of Infrastructure, arguing with me on a municipal committee about that very topic.

Anyway, to go further, there were a lot of open houses, and there were a lot of public meetings about that. Municipalities put out warnings to the residents that this was going to be a problem. Hundreds of people attended many of these open houses, and there

was a real roar over these land sterilizations and the governance model. But they did not include at that time nor did they ever mention that they were going to be creating a board that was going to be controlling everyone and forcing everyone. It was a voluntary thing. In that regard, because of all of these situations, four rural municipalities bowed out because they immediately saw problems, including, by the way – isn't it interesting? – the MD of Bighorn, where Banff-Cochrane happens to be located. They didn't want to be part of that. They were a little worried.

**An Hon. Member:** Really?

**Mr. Stier:** Yes. It was interesting. It also included the MD of Foothills, the MD of Rocky View, and the MD of Wheatland, but the MD of Bighorn bowed out almost immediately. They were really worried about returning to regional planning.

Anyway, after that, of course, we had the land-use framework, and the previous Member for Foothills-Rockyview was a big proponent of that. He was going to divide the area into seven regions and go to regional plans, basing them on watersheds, and he talked about how – and they eventually implemented the changes to the Municipal Government Act so that the compliance would be there under section 570. These compliance rules more or less said that municipalities, once the regional plan was in effect, would have to comply. So those rules are already there, and we have them in the MGA today.

Most recently we have the draft for the South Saskatchewan plan now upon us in the area. Again, in none of these documents, whether it be the land-use framework or the South Saskatchewan regional plan or the regional advisory council's recommendations to the government for the South Saskatchewan regional plan, was there any mention of a new growth management board. It was never there. It wasn't put in there. So no one was ever aware of it.

It seems that the introduction of this bill is totally inconsistent, therefore, with the whole system that has been put in place over the past five or six years. Why is this going on?

Think, too, though, that at the same time we have the Calgary Regional Partnership and an awful lot of arguing between the three remaining rural municipalities that don't want to agree with the regional planning concept that the Calgary Regional Partnership has been presented in the Calgary metropolitan plan. Think, too, how it's been said by some that the city of Calgary has wished and hoped that the current government would impose their participation in this plan and require them to join this plan. Perhaps, therefore, one can understand why this bill comes up, Bill 28, to give someone the authority should the Calgary Regional Partnership become one of these boards to then impose their wishes on these folks that don't want to be in this plan. It seems to me that this is a logical way, if this is put together, that the minister could do that because it has been passed as legislation.

I think that because these various municipalities involved in this ongoing dispute over the past few years want to settle this once and for all, he's found himself, perhaps, a tool that he can use, and he wants us to join in and impose this on those people through this legislation. I don't think it's right. They have not been consulted. The AAMD and C has not been consulted. In fact, they wrote a report two years ago. I believe it was in 2011. Regional collaboration. Forced regional collaboration, in fact. They're dead against it, and here we are looking at it now.

Madam Speaker, I'm wanting to support this motion. I think that this has to be done in this fashion. We have to suspend reading this for a second time, and then we have to take the time to go out there and get the consultations done with these other

people like the municipal parties that I've mentioned, whether they be the local councils, rural, the towns, the cities, the villages, the councils from there. We need to get the input from the AUMA, the Alberta Urban Municipalities Association as well.

So I support this. I'm very much in favour of this motion. Thank you very much.

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a). The hon. Member for Airdrie.

**Mr. Anderson:** Thank you, Madam Speaker. I just want to ask the member. I think some people think that if somebody is not in favour of this bill that they're somehow against voluntary regional co-operation as opposed to forced regional government. I was wondering if he could explain the difference between voluntary regional co-operation and forced regional government. Is there any difference between the two, and which one do you support?

**Mr. Stier:** Thank you, hon. member, for the question. It's a good one. Over the years I've participated throughout southern Alberta in various co-operative meetings and associations, including the Foothills-Little Bow association, which I've seen many members here attend as well. There has been a history in southern Alberta for many, many years of regional co-operation, regional collaboration, even with the city of Calgary, and it has worked, I think, in a very good way. Certainly, I have said that it could be tweaked, but I think we've all thought of regional planning over the years. We've all thought about how we could do things better, but certainly it has always been from a voluntary situation that's been well addressed in our intermunicipal meetings and our regional meetings that we've already had. If there's one thing to say, it's that I'm always proud to see some of the developments we see as we drive along our major highways and how nice they look.

These transition areas out of large urban centres are just that. They are transition areas. It's normal for every city. Whether you go through the States or out to eastern Canada, you see this kind of thing happening all of the time. Density does start to happen. The population does grow. It's a normal set of circumstances, and I think we've done it fairly well for now. I think we can continue on that same basis. We can tweak the system that we've got without trying to impose this kind of legislation.

Thank you.

9:10

**Mr. Anderson:** I seem to recall back in – you know, it's funny. That side accuses this side of sometimes going back to decades ago or something like that. I know you would never do that.

**Ms Calahasen:** Nineteen fifty.

**Mr. Anderson:** The 1950s. That's right. I wasn't born in the 1950s. Many of you were, but I wasn't there, so I can't speak to that.

But what I would like to ask is that back in the 1970s there were municipal regional planning commissions. Why do you think we're going back to that model when, clearly, it didn't work out too well? That forced regional co-operation as opposed to voluntary regional co-operation: any thoughts on that?

**Mr. Stier:** Thank you for the question, member. I think that what we've seen in this government over the years is a cyclic type of symptom that they seem to have of going back in time and looking again at things that they used to do and thinking: "Well, this isn't working. Maybe we'll go back and try it again. It didn't work

back in the '80s and '90s, but we're going to try that again because we need to try to find an answer to these wars we're currently having. Perhaps we'll fire that thing up again and let everybody try it again and see if that's going to work."

Maybe they're going to look at other parts of our legislative process that haven't worked before. Maybe they're going to start changing, perhaps like they are in the example of education, where they got rid of the school boards, and now they're looking that maybe they're going to have to get some better types of control there. We're always talking about returning to local control and local autonomy. Maybe they're going to go back to that, hopefully.

Maybe they're going to be looking at the health system, for goodness sake. Maybe they're going to figure out some answers to the rural ambulance situation that, by the way, a few years ago, '04-05, used to work pretty good. We had good rural ambulance systems then. We didn't have a lot of problems with whole areas being without coverage because some ambulance was going somewhere else on a minor transfer problem.

Now they're going back to all of these mistakes of the past. I think this could be a symptom of the government, and I think we need to get that fixed.

**The Acting Speaker:** Thank you, hon. member.

Is there anyone else who would like to speak? I would like to call the hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Madam Speaker. I'm pleased to get up and speak to this motion. I'd like to begin by talking a little bit about the claim of the minister that this is simply "a mirror image" of the capital regional plan and that it is, in fact, based on the Radke report, that was used to form the Capital Region Board. He said, "I can once again say that the Doug Radke-led report that formed the Capital Region Board to begin with created this regulation. What we're talking about now is an exact mirror image." But it's not an exact mirror image, and there are a number of different things.

Now, in the Radke report I would submit that he rejects the approach that has been established by this piece of legislation. Specifically it says – and I'll quote at some length here – in a section called Top Down Planning:

A second governance model is one proposed by the City of Edmonton which would have the Province do the detailed planning for all the major facets of land use control and other matters affecting the region. The Province would simply hand the completed plan over to a board to "implement", leaving member municipalities with little or no influence over what is contained in the plan. This proposal suggests a straight "double majority" form of voting to make decisions, although it is again unclear why a voting structure would be required [at all] when all meaningful decision making would be the responsibility of the Province.

It goes on to say:

This approach goes too far in removing the ability of member municipalities to influence and affect their own destiny. While the preservation of complete local authority and autonomy at all costs is inappropriate for the good of the entire region, local circumstances deserve recognition in the decision-making process. The transfer of most planning and decision-making responsibility to the Province, including decisions that will affect the City of Edmonton, implies that the City does not believe that working with its regional partners, in the absence of provincial direction, will lead to effective decisions. It also assumes the Province is better equipped to make local decisions than locally elected officials, which seems unsupportable in the light of the philosophy of the Municipal Government Act.

Now, Madam Speaker, I will make a suggestion that this approach of top-down planning that I've just read from the Radke report itself is in fact encompassed in Bill 28, and at the very least there's a very strong potential for this approach to be incorporated into the existing Bill 28.

Going a little further, I think there are some significant differences between the regional plan regulation and what's contained in this proposed piece of legislation. For example, currently under the Capital Region Board the municipalities will choose their own representatives from amongst elected councillors. In the legislation with a growth management board the cabinet may deal with the appointment of persons to represent the participating municipalities. Not only that, but cabinet may also appoint nonvoting members to represent the public or other interests in the growth region.

With the Capital Region Board, the board elects its own chair. In this legislation the cabinet may appoint the chair.

In the Capital Region Board regulation they can advise and make recommendations to the minister regarding the capital region growth plan. In the legislation the cabinet may determine the objectives, contents, timelines, forms, and effect of a growth plan, and cabinet may also address or do "any other matter or thing."

Under the Capital Region Board regulation the annual report is submitted to the minister and must be tabled in the Assembly. Under this act there is an annual report to the minister but no requirement to table it in the Assembly.

The Capital Region Board regulation outlines four components that must be included in any capital region growth plan: one, a regional land-use plan, including environmental policies and density of development; two, a regional intermunicipal transit network plan, including provision of services for persons with disabilities; three, co-ordination of mapping information; and four, a plan for social and affordable housing. In the act the cabinet may determine the objectives, contents, timelines, form, and effect of any growth plan, with no specifics as to what that has to include.

Finally, the Capital Region Board regulation contains a complaints resolution process. The act gives the minister the power. He may make a complaints resolution process by regulation.

Madam Speaker, there are significant differences. It is not a mirror image unless it's one of those kinds of funny mirrors that you get at the fair – right? – where you stand and you're short or you're wide. That's the kind of mirror image that this piece of legislation actually is.

Now, what's the problem? Obviously, there are growth pressures and conflicts between municipalities that have abutted each other in, particularly, the Edmonton region but also in a growing way in the Calgary region, and there may be some other ones. Those need to be addressed. But you would think that they need to be addressed more directly than by a piece of legislation that doesn't identify the specific issues or areas that need some resolution but, rather, gives broad powers to the minister to establish growth boards and to constrain the exercise of municipal autonomy.

Now, one of the hon. members that was speaking – and I'm sorry. I forget his constituency.

**The Acting Speaker:** Banff-Cochrane.

**Mr. Mason:** Banff-Cochrane was speaking, and he said that people get offended that provinces have authority over municipalities. I want to digress a little bit about that, Madam Speaker, because I've just met with the directors of the AAMD and C and

will be attending the AUMA conference. I certainly as a municipal councillor in Edmonton participated in the AUMA and served for a number of years on the board of directors of the Federation of Canadian Municipalities, including chairing a committee, a task force, on the role of municipal governments.

Now, it's true under the Constitution that municipalities fall under provincial jurisdiction, but there is a strong move on the part of municipalities across the country for greater autonomy and recognition of municipalities as an order of government and that they not be treated as children of the province, that they actually be treated with respect and as much as possible as equals.

It's this sort of spirit that is driving, I think, the demand for the big cities to have charters that will give them that autonomy and will insulate them from arbitrary actions of the provincial government. That's something that I've supported since I've been a municipal politician, a municipal councillor for four terms, and something that I continue to support today. We need to give more autonomy and independence to our municipal governments, not less.

**9:20**

Now, this particular piece of legislation provides ample opportunity for any government to take that away, to interfere in it to a lesser degree or to an enormous degree, and the assurances that we get from the minister and from the government of, "Oh, that's not our intention" are cold comfort, quite frankly. They trust themselves a lot more than we trust them, and I think they trust themselves a lot more than many municipal governments do. It's not power that I am comfortable handing over to the government. Why? Well, Madam Speaker, I've seen in my time here that the government, when it runs up against obstacles, including the exercise of democratic governance, against its plans for the province and its plans for growth can be quite heavy handed in overriding those sorts of decisions.

I'm speaking now about the power line debacle with the Energy Resources Conservation Board. Well, they were spying on people, and it resulted in their whole decision-making process being overturned by the courts. The response of the province was to bring in Bill 19, Bill 36, and Bill 50, that gave the cabinet the power to override the regulatory decisions and override the rights of individual landowners and other affected individuals as well as environmental groups from having serious input into whether or not the power lines in this case were necessary, whether they were the right size and the right cost, whether they were in the right place, and what purposes they might be used for. The government tabled that legislation in order to push through, over the objections of a regulatory process that was already existing in law, their plans.

I think that people that are concerned about what use this government may make of Bill 28 are very, very correctly concerned. They should be very concerned that the government will actually use some of this power despite the assurances this evening by the Minister of Municipal Affairs. It's very possible that this government may override municipalities in order to push forward its growth agenda. In other words, if a municipality doesn't want to participate in the government's plan to build Alberta the way the government wants to build Alberta, then they may find that their authority has been neutralized by the government through the use of regulation that is enabled under this act. I think that we should be very cautious in handing more power to this government to overrule elected officials.

I know that there are difficulties, and I know that the major cities of Edmonton and Calgary need to have some issues resolved with some of the surrounding municipalities, but this is in many



ways using a piledriver to kill a flea. It is not restricted to resolving those particular sets of issues in those particular municipal regions of our province. Instead, it's very extensive, open ended, and gives broad power that can be exercised without restraint in almost any way within the municipal sphere, and that, I think, is why this legislation goes too far.

It brings me to my last point. We've been in contact with municipal organizations just today in the province, and there is a clear indication that, with the possible exception of Edmonton and Calgary, other municipalities and municipal organizations have not been consulted about this. This is an old story. It's getting kind of tired, I think, Madam Speaker, that the government brings in significant and often draconian legislation without any consultation with its partners. Then it turns around and uses the same old rhetoric about consultation, openness, transparency, and all of that, but in practice it's quite the opposite. This is another example of the government bringing in a significant piece of legislation without consulting municipalities.

I really do think that we should support this amendment because this particular piece of legislation is, at best, premature and most likely goes way too far, and there is not enough constraint on the power of the minister and the government contained in this legislation.

Finally, Madam Speaker, there is no preamble, there's no statement in the legislation which would define the intention of the use of this power. If it is in order to co-ordinate between municipalities and to make sure that they are all represented in the decision-making and that their autonomy and their internal democracy are respected, then the act should say so. It should say for what purpose this power exists so that we can then evaluate whether or not it's being used for the intent that it is allegedly being created for.

Those are the reasons why I don't like this piece of legislation as it now stands and why I think we should support the amendment. Frankly, Madam Speaker, this is more of the same from this government, more top-down, opaque, and closed approaches to decision-making based on just raw power.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

Under 29(2)(a), the hon. Member for Airdrie.

**Mr. Anderson:** I'd like to ask the hon. member about the effect of this legislation on the relationship between our big municipalities, Edmonton and Calgary, which, of course, we support, and the surrounding communities, and I mean that from this perspective. It is a tricky relationship because there are sometimes different competing interests, of course. Do you think a piece of legislation like this could be interpreted by some surrounding communities, especially in the Calgary framework, as essentially a bit of, shall we say, a gun to the head in that if they don't play ball, if they don't comply with the wishes of one partner, they could be penalized, that the government is going to swoop in and impose this board on them?

Even if that's not the case at all and the city, the city of Calgary in that example, has any interest in doing that, don't you think that having this out there is only going to create divisiveness as opposed to if you left it voluntary and they came together and good things are happening on a voluntary basis? Wouldn't that be a better way to encourage them to work together rather than holding this thing over their head and kind of causing those surrounding municipalities, whether it's rational or irrational or founded or unfounded, to fear their larger neighbours?

**Mr. Mason:** Well, I don't take exactly that perspective, hon. member. I think that with respect to growth where a major city is surrounded by other urban municipalities, there needs to be some resolution, and it may in fact require the government to play a role in pushing the municipalities towards some sort of agreement. My problem is that it's not limited to that. There's no defined reason for this legislation that's actually in the legislation, just what the minister says, and it can be used anywhere.

My fear is that it will be hijacked. It's being brought in and being sold as being a way to try and resolve some of the metropolitan, urban development issues that are taking place in the two largest cities, but it can be used to support the government's growth agenda, to stop municipalities from interfering with industrial development, with power lines, with nuclear plants, with, you know, whatever it is. I see it as very much a companion piece to bills 19, 36, and 50. It's the same sort of approach, and it's that open-ended power that I think is of concern.

9:30

I don't take the same view, perhaps, that you do, hon. member, about just giving complete autonomy to smaller surrounding municipalities so that they can resist any kind of change that they don't like. I think the government does have a role in supporting all municipalities to come to an agreement that supports the orderly growth of the large cities, so that might be a difference. But it's the other uses to which this could be put that – you know the old saying: power tends to corrupt; absolute power corrupts absolutely.

**The Acting Speaker:** Thank you, hon. member.

There's one minute left in 29(2)(a).

Seeing no others, I would recognize the hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you very much, Madam Speaker. I have listened intently to much of the debate that has gone on here tonight and really have felt it quite useful, hearing from many members who have served on city councils and municipal councils and hearing their perspective on planning and how relationships work with regional planning boards as well as with the province to come to, I guess, an understanding of what is going on in this bill, and I've been appreciative of everyone's comments to this point.

I've come to accept the members of the fourth party's characterization, when they went through the legislation and compared what the old regulation was trying to do and the powers it limited the government to as well as the new powers that are being subscribed in this bill. To me, the arguments presented made sense. That this is a far-reaching, for lack of a better term, power grab that the province can use to influence a whole bunch of situations going on throughout the province, whether that be in Calgary, whether that be in Edmonton, whether that be otherwise, to influence the planning process and the relationships as they currently exist is to me quite clear.

It is being brought in under the guise of dealing with a certain incident coming out of the Capital Region Board and the like, but it has far-reaching effects on many of our land-use framework agreements, on our regional partnership agreements, on actual civic planning departments throughout this province. That rings true to me, and I believe we should be highly concerned about what this bill is trying to do.

There is no doubt – it's common knowledge – that there is a great deal of frustration by members of the Capital Region Board and, in fact, members of the Calgary Regional Partnership and that negotiations have stalled in many cases in this respect. I don't

think it's a secret either that many people would like to see these issues resolved and would like to see a consensus emerge one way or another as to what those regions are going to go forward with, what plans they're going to make, and there may be disparate groups on these boards who may be holding back plans. I am not a member of those boards, but at least I hear enough rumours and innuendo and talk from people to understand that that is happening. I believe that the minister probably, if you asked him point-blank, without reporters around and the like, would admit that it's become quite frustrating to him and that it's probably holding back the process of what needs to be done.

I, too, like the hon. Member for Edmonton-Highlands-Norwood, believe that the province may have a role to play in assisting the parties to come to a consensus of what their regional planning boards must do, and given that, this current bill is attempting to achieve just that without saying what it's doing, okay? In my view this bill, if passed in its current form, will allow the minister to take part in building a consensus, something that I do not necessarily disagree with. I believe it has to happen. I believe that negotiations have stalled in many places. It is imperative for the government, probably, to play a role in this process.

With that being said, it should be laid out clearly in the legislation that that is the purpose of this bill, that that is what we are trying to do here. That, to me, is not evident by the powers the minister is asking for, the way we're going about asking for it, and the like. In my view, if there was a suggestion of having a preamble for it, a suggestion around moving our regional planning boards to be somewhat different than they are now, somewhat more reflective of the population needs of the entire jurisdiction, or some set formula, I believe that would be more open and transparent.

I believe we're going down this path that's going to allow us to do top-down planning in virtually any circumstance where the government, the cabinet feels free to do so instead of outlining clearly what you're going to do in your legislation or putting fences around it, i.e. putting fences around how you're going to bring about consensus on these regional planning boards. I think that would be more fair, more honest, and probably accomplish the task, at least with a clearer understanding of what the goals of the legislation are.

That to me has rung down as what this legislation is trying to do. The minister would like to see the in-fighting at the boards stop, some regional consensus or ability to form regional consensus be at his disposal, and he should be doing it in a more transparent fashion than what is dressed up in this bill if that is his goal. I started by saying: I think that is his goal.

That's the conclusion I'm at, so I will support this amendment given that it is time to sort of have an open, honest debate of what we're trying to achieve in this legislation. The minister is not going to get consensus on this. People are going to scream bloody murder in certain jurisdictions, that this is the worst thing in the world, okay? But at the same point in time if he believes that this is truly a better direction for planning in this province and that he's going to get buy-in from enough jurisdictions that it makes sense in the long run, we should try to go down that path first. I'll be voting for the amendment.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a). The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Well, thank you, Madam Speaker. My question is simply this. I mean, you know, we both have ridings in large

cities. I can be quite easily convinced of the value that some of the planning disasters that have been occurring over the course of the last couple of decades at least, but certainly the last 10 years, arise in part from the inability of municipalities to come together, that that issue does need to be addressed. There are a lot of unfortunate decisions that are emanating from the inability of those conflicts to be properly addressed. So I agree with that.

9:40

But I guess my concern is, you know, that we have a government that has been observed on occasion to assert its power in ways that are less functional. We actually have that history as it relates to this government's relationship with municipal politicians and municipalities across the province, particularly leading up to the last election. We had quite a bit of new information pop out around this government's relationship with municipalities. Say, for instance, a particular municipality or particular municipal leaders chose to speak out publicly against a public policy or policy direction of the provincial government that related to, say, industry or maybe nuclear development or, you know, a whole bunch of different possibilities.

**Mr. Mason:** Social policy.

**Ms Notley:** Social policy even, you know. Maybe they spoke out against the closure of their postsecondary institution or the significant limitation or attack on their postsecondary institution, for instance. Is there anything in this legislation that would restrict the minister from using the broad power that exists in it right now, as far as you can tell, from saying: "You know what? I think we might need to impose a growth board in your area if we don't get some more co-operation from you guys on a regular basis." Do you see any limit on that capacity in the legislation as it's currently written?

**Mr. Hehr:** The member poses a question that leads me down a garden path. The thing is that I don't see any limits prescribed to what the minister can use this power for or the various scenarios or things that could be utilized by this power that we're placing in his hands and in the hands of cabinet. When that happens, we all know that although that may not be – and I doubt it is – the current intention of the government to use this particular piece of legislation in that fashion; nevertheless, it's on the books for a few years. A certain situation comes up: "Hey, don't we have the ability to do this? Of course, there it is."

That's why I think some of the suggestions about taking this in a more open and transparent fashion to what the true aims are, trying to have the province play a role in the consensus building to move regions along when they're at an impasse would be better. We could set out a framework in the preamble and certain various consultation processes, when they need to appoint ministers or people to the board in all these certain instances that were outlined in the hon. member's speech, a whole layer of transparency to it and process to it that will ensure the regions had every opportunity to contribute prior to the province laying the hammer down.

That, to me, would be the wise move and best in the long run for how this system is going to evolve. I think it would probably be the fair way to do it because as it's written right now, it can lead to a whole host of circumstances and events that this legislation can be used for that may not even be contemplated at this time.

Thank you, Madam Speaker.

**The Acting Speaker:** The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** How much time?

**The Acting Speaker:** Eighteen seconds.

**Mr. Mason:** Okay. Well, I'll be quick. We've seen this government use its power to bully people that have disagreed with it publicly. We've seen, for example, the former Education minister Lyle Oberg send in the auditors when the public school board in Edmonton objected to the cuts. We've seen the minister . . .

**The Acting Speaker:** Thank you, hon. member.

Are there any others who wish to speak to RA1? The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Rowe:** Thank you, Madam Speaker. I'm pleased to rise to speak in favour of this amendment. Before I make some comments on that, though – I wish the Member for Banff-Cochrane was still here because I didn't get a chance to ask him a couple of questions that I think would have been pertinent under 29(2)(a). He was, rightly so, proud of his waste commission, that was formed. I wanted to ask the member: how many municipalities were initially interested in that, and how many eventually signed on to it? If there was a difference, I wonder why that difference was. But I think it's important to note that that was strictly voluntary participation amongst municipalities. That, I would strongly suspect, is the reason for its success. I just wanted to make that point.

To go back to the amendment itself, I think what comes to mind is an old saying: when you're riding a dead horse, it's best just to get off it and walk for a bit. I think we need to take a step back and walk into this and not ride what could be a dead horse into it.

I go back to when the Member for Calgary-Mackay-Nose Hill questioned me on my earlier statements. We talked about getting people to the table for negotiations in a collaborative manner. You can drag someone to a negotiation table or a bargaining table. You can drag them there kicking and screaming, you can make them sit there, but your chances of walking out of that room with any consensus at all are about zero to zero. I doubt that you could even agree on what soup to order for dinner. Voluntary participation in these regional governance models, to me that's key. I applaud the government for trying to put a bill together to make these kinds of things happen, but you can't force it. You have to let it happen naturally.

Giving proper consultation to both of the municipal organizations I think is key here to getting buy-in, however the bill ends up being shaped, especially with our two municipal associations, who are very well respected across the province. Not giving them any say in this or any chance to consult in a proper way is just wrong.

This government has done this before with, as was mentioned before, all our property rights bills, all our land-use bills, and it came back to bite them. When I speak of consultation, I mean true consultation, sitting down at the table with them and discussing it and listening to what they're hearing. That's key. With other bills that I just mentioned, there was no proper consultation. It was information sessions. I went to them. All that happened was that your suggestions were written on a board. There was no feedback from anybody. The one that I was at, there were no fewer than three ministers and two MLAs. They never said a word the whole evening. That's not consultation. We need to sit at a table and talk this out and find a solution to this problem with this hammer type of legislation.

With that, thank you for the opportunity to speak again, and I strongly urge that we accept this amendment.

**The Acting Speaker:** Thank you, hon. member.  
Standing Order 29(2)(a)?

**Mr. Mason:** Thanks very much. I just wanted to finish my thought, Madam Speaker. That is: is there any risk that the government will use the broad powers in this legislation for purposes that they say that they don't intend?

I think we can look at some of the history. I was talking about the Education minister Lyle Oberg, who, when the public school board in Edmonton refused to go along with his direction and his budget, sent in the auditors in an attempt to intimidate them. Of course, they didn't find anything. More recently the Minister of Enterprise and Advanced Education tried the same sort of trick with the University of Alberta. Of course, let's not forget the existing Minister of Municipal Affairs, who, when the AUMA president contradicted and criticized the government, organized a boycott of their MLA breakfast by the Tory government and was only forced at the last minute to reverse that. It was a clear attempt by this current minister to intimidate a legitimate municipal official discharging her duty as her organization's policy directed.

This government has shown repeatedly that it is perfectly capable of misusing its power in order to try to force people and organizations and municipalities and school boards and universities and so on into line with what the government wants. It's not something, in my view, that we should trust this government with.

Thank you, Madam Speaker.

9:50

**The Acting Speaker:** Thank you, hon. member.

Are there any others on 29(2)(a)? The hon. Minister of Municipal Affairs. There are three minutes left.

**Mr. Griffiths:** Thank you very much. I know the hon. member has some extensive municipal experience, so I just wanted to run a scenario by and get the opinion of that member. There's a group of municipalities that come together, and they want to work on a project together. It's a commission. They're working on water, waste management. They want to work on something around regional development because the population of this province is growing so fast, and they want to make sure that they're not doing industrial development by an environmentally sensitive area or beside a school or putting recreation in the wrong place. They want to work on a co-ordinated regional plan.

What venue, what tool, would they have in place to do it to make sure that once they all come together – say there's 20 of them – and want to come up with a co-ordinated plan, every single week somebody doesn't say, "Well, now I'm mad. I'm leaving. Oh, I want back in. Now I'm mad. I'm leaving," so that there's some authority there? You know, their bylaws can't impact and make other municipalities do anything. If they come together and want some sort of authority that holds them together in a partnership so that they don't get pulled back and forth by the whims of whoever is in charge that week, whoever had a bad day and decides they want to pull out, what tool would there be to help make sure that they can work on focusing on building a strong region together in partnership and not just focusing on where some municipal boundaries have been drawn? They actually deliberately want a partnership and they want some authority behind it. Where else would they go?

**Mr. Rowe:** I understand what the minister is saying, and it all sounds wonderful except that democratic agreement is the best policy in a democratic society. In order for it to be a true democratic process, there must be voluntary participation, not

mandated decisions. That's the key. That's the key to getting reasonable people to the table. That's my answer.

**The Acting Speaker:** Thank you, hon. member.  
Are there any others? [interjection]

**Mr. Rowe:** Excuse me. It does happen. This waste commission of the Member for Banff-Cochrane is a perfect example of it working.

**The Acting Speaker:** Thank you, hon. member.  
Are there any others who wish to speak on 29(2)(a)? There are 40 seconds left.

**Mr. Anglin:** Forty seconds. I was going to ask the member if he would give an example of the compromise.

**Mr. Rowe:** Well, I just did, Madam Speaker.

**The Acting Speaker:** Thank you.  
Hon. member, we see that you're flashing the Boston Red Sox sweater. That must mean they won the championship.

**Mr. Anglin:** Six to one.

**The Acting Speaker:** Six to one. Thank you. Everybody can rest in peace.  
Are there any other members who wish to speak on RA1?  
Seeing none, we'll call the question.

[The voice vote indicated that the motion on the amendment to second reading lost]

[Several members rose calling for a division. The division bell was rung at 9:54 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[Mrs. Jablonski in the chair]

For the motion:

Anderson	Donovan	Notley
Anglin	Hehr	Rowe
Barnes	Mason	Stier

Against the motion:

Bhullar	Horner	Oberle
Brown	Jansen	Olesen
Calahasen	Jeneroux	Pastoor
Cao	Johnson, L.	Quest
Casey	Kennedy-Glans	Rodney
Dallas	Khan	Sarich
Dorward	Klimchuk	Scott
Fawcett	Kubinec	Starke
Fenske	Lemke	Webber
Fritz	McDonald	Woo-Paw
Griffiths	McIver	Xiao
Hancock	McQueen	

Totals:	For – 9	Against – 35
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[Motion on amendment to second reading of Bill 28 lost]

**The Acting Speaker:** We're back to debate on the bill in second reading, Bill 28. Are there any other members who wish to speak in second reading? The hon. Member for Cypress-Medicine Hat.

**Mr. Barnes:** Thank you, Madam Speaker. We'll get things sorted out here. Three-plus hours of the debate on an excellent amend-

ment that unfortunately didn't pass by a score of 9 to 35. The Cardinals didn't win the World Series either; they lost 6 to 1. But some interesting words I heard to describe it: top-down, heavy-handed, draconian, not a mirror image, dead horse – I think that was my favourite – no limits, mandated, no trust. I heard the word "trust" used a lot.

It makes me wonder why again the government wants to look at a centralization policy. We saw the reaction to Bill 36. Jeez. We've seen the reaction to the centralization of health care, whether it's 89 VPs or 75 or 10. I read somewhere that Ford Motor Company only has 37 in the whole world, so it surprises me that AHS had 89. Centralization obviously has failed there. We look at huge, huge severance payouts. Was it \$2.1 million for the five that were just let go? So it's surprising again that this government wants to go down such a path.

I spoke earlier about the amendment, and I spoke earlier about why I thought it was a good amendment and why it was a good idea to talk with some of these new council people, talk to some of the new mayors, talk to some of the established people. As some of the people have shown around the room on both sides, there's a lot of good experience right in this room that pertains to their civic experience and their municipal experience, and a lot of that could be put to use.

Then I was looking at some of the cons on this Bill 28, and perhaps it explains why we don't want to consult. I understand the AAMDC published a paper against forced regionalization. They are already unhappy with the current partnerships, and this puts power completely in the partnerships and the Minister of Municipal Affairs, so consultation may have only reinforced that. Obviously, it may have found a solution to some of these problems and found a solution to getting more and more people involved in the democratic process and building Alberta, making Alberta.

#### 10:10

There's independence also taken away from the municipalities and put into the hands of provincial government. This bill seems to create another level of government, like we need more red tape and bureaucracy, like we need more of those situations, especially the top-down, heavy-handed, and mandated ones as opposed to the ideas we heard from people involved, grassroots, a leader leading from the bottom up instead of from the top down.

I understand there's also already an alternative dispute mechanism that exists under the MGA, so a law that has more seems to make no sense to me. A growth management board is just seen by many as another level of bureaucracy. I understand the AAMDC president, Bob Barss, said: "Municipalities have a justifiable concern when elected councils no longer have the power to govern as granted by the Municipal Government Act." Everything I've read and heard from many of my colleagues is that Bill 28 seems to do that.

The AAMDC went so far as to outline 10 principles for co-operative regionalization. Voluntary participation is number one. Number two, partners define the region. The participating municipalities determine which municipalities will be part of the regional partnership. Political autonomy: municipalities remain independent in their ability to make decisions in the best interest of their municipality. That should remain intact according to many, many of our local representatives. Nonhierarchical governance: the regional structure does not create another level of government. Voting equity is number five. Each municipality has one equal vote, I guess, regardless of the size or the population.

Consensus decision-making: major decisions that require a vote are approached on the basis of reaching a consensus. Consensus-

building, again, the opposite of the words that I heard so often, no limits, draconian, heavy-handed, top-down, dead horse. User-pay cost sharing. Regional transparency: the operation and governance of the regional entity is easily observable and understood. Accountability of individual municipalities: when a municipality chooses to become a member of a regional service partnership, the individual municipality is accountable to its community for the value of that service. Opting out of the programs: we heard a lot about opting out, not opting out. It should be grassroots. One of the AAMDC board principles, their last principle, is that when a municipality is a member of a regional service partnership and the partnership addresses more than one service, each partner has the ability to opt out of one or more of the service delivery programs.

I spoke earlier about the last amendment and how I was concerned about the unintended consequences. I've heard that Bill 28 is just supposed to apply to the Capital Region, but people on both sides of the floor talked about a lot, lot broader implications than that. I felt it was important that we did consult with stakeholders, municipalities and those people, but obviously we lost that motion, so I, too, Madam Speaker, would like to propose an amendment.

**The Acting Speaker:** We'll pause for a moment while we distribute the paper on the amendment.

Hon. members, this will be known as a referral amendment. I think that we can go ahead and proceed.

We need you to read the amendment for us, hon. member.

**Mr. Barnes:** Okay. Thank you, Madam Speaker. I move that the motion for second reading of Bill 28, Modernizing Regional Governance Act, be amended by striking out all of the words after "that" and substituting the following:

Bill 28, Modernizing Regional Governance Act, be not now read a second time but that the subject matter of the bill be referred to the Standing Committee on Resource Stewardship in accordance with Standing Order 74.2.

**The Acting Speaker:** You have another six minutes and 36 seconds if you'd like to discuss the amendment.

**Mr. Barnes:** Okay. Thank you again, Madam Speaker. I'm back to what I said the very, very first time, about 8 o'clock or so, and that was that when the Premier wanted to be Premier, she said that she was going to listen to the opposition, that she was going to take more time with legislation, that she was going to engage stakeholders, that it was going to be a consultative government. Well, unfortunately, based on that, we shouldn't have lost the first amendment, but we did.

Maybe this is a step that the government and the PC MLAs can accept. Of course, PC MLAs hold the majority on the Standing Committee on Resource Stewardship, so ultimately they will have the final say. But sort of like in the federal arena, where there are continual standing committees and bills always going to them, we all have the opportunity to make the laws better for all 4 million Albertans for future generations. This would be a great chance for us to take a long, hard look at this. This would be a great opportunity for us to, you know, look at some of these bills that, again, a lot of my colleagues described with tremendously strong words: draconian and heavy handed. I presume we could even have some experts in, and we could have some of these councillors in that were unfortunately missed or bypassed and have an opportunity to hear from some of them and what some of their stakeholders have to say.

The Standing Committee on Resource Stewardship is . . .

**An Hon. Member:** A great standing committee.

**Mr. Barnes:** A great standing committee. We're in the middle of looking at the natural gas industry and what the implications are for it in the province long term. Of course, look at the unforeseen things there, and look at the amazing way that that has changed. Possibly the committee could have a chance to reflect on this bill and to make it better.

Again, you know, we took a look at so many of these things that just don't seem to be consistent in a way that engages everyday Albertans – people that raise their families here, people that live their lives here, people that pay their taxes here – in a way that makes them feel that they're part of the day-to-day operations of the province and have real input into making this better.

You know, I'm back to how this compares to and how this collides or intersects with ALSA, the Alberta Land Stewardship Act. It seems to be part and parcel of how those regional plans are done and how that is all going to come. I'm back to a meeting of 160 people in the Cypress Centre in Cypress-Medicine Hat, where at the end of the day the person from Stantec, that was a moderator that day, walked to the mike and, as she had promised, said, "I'm going to listen, and I'm going to at the end of the day relate exactly what I heard." She walked to the mike, and she said: "I heard you loud and clear. Repeal Bill 36."

10:20

I mention that, again, because we spent a lot of time going around the province. We spent a lot of time talking about that. We spent a lot of time hearing how we were wrong on it. More than just the 17 of us or all the other opposition members, many, many thousands of Albertans didn't like that law. As they discovered more and more about it, they didn't like the process, the regional planning, the top-down planning. You know, there are still meetings going on today as the South Saskatchewan regional plan comes out. Between that and health care, they are easily the two top things that people call me with and say that they are very, very concerned with the government about.

I don't know. I just think I'll speak on behalf of the amendment again. Let's try to make this law as good as we can. This is a committee where the PCs have the majority. At the end of the day, you'll have final say, but it will give us the chance to sit across from each other, engage each other in a way that will make this the best for Alberta that we can.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

We have 29(2)(a). Are there any members who would like to comment or question, not have a speech of their own but to comment or question?

Seeing none, we'll ask if there are any members who would like to address this amendment that we have at this time. The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thanks very much, Madam Speaker. We think that given the concerns that we've already outlined with respect to this bill, this motion would be a good idea and that we should refer it to the Standing Committee on Resource Stewardship in accordance with Standing Order 74.2 to allow more conversations and to allow more input.

Thank you.

**The Acting Speaker:** Thank you, hon. member.

Under 29(2)(a), the hon. Member for Cypress-Medicine Hat.

**Mr. Barnes:** Yes, please. If I could ask the hon. member, please, who he thinks we maybe should invite to come and have an opportunity to talk to the Resource Stewardship Committee. I'd like to hear what kind of input we may expect to hear, especially from some of the smaller municipalities that are close to some of the bigger ones and maybe from some of our new councillors, who have just been elected.

Thank you.

**Mr. Mason:** I believe the hon. member answered his own question, Madam Speaker. Thank you.

**The Acting Speaker:** Thank you.

Any other members under 29(2)(a)?

Seeing none, are there any other members who would speak to the referral amendment? The hon. Member for Livingstone-Macleod.

**Mr. Stier:** Yes. Thank you, Madam Speaker. I think this is a very worthwhile amendment to have presented here this evening. As we've talked about this tonight, I think most of us have heard from almost everyone about this, and it seems that there's an awful lot of consensus in the room, especially from the opposition side here, of course, with respect to the amount of consultation that may or may not have taken place in this process. I must say that it's surprising to me that we are dealing with something of such a vast nature, that is so important, that was just given to us yesterday. It has provided us very little time for serious study. I mean, it has vast implications.

The Municipal Government Act, as I've looked over it over the years, has got an awful lot of sections to it, and while we're not looking at all the sections in the act, the planning process in Alberta is immense, and it is detailed. It is very important to have a thorough, thorough review of these things before decisions are made, especially on some kind of legislation like this.

Earlier on this evening I mentioned a lot of history to do with the different ways we've gone about planning over the years, and it seems surprising to me that we're reverting back to some of the things that we found were just not working before. I need to drag you back through there just for a few moments if I could because this is not the first time we've tried to experience the pitfalls of regional planning.

Regional planning was something we had to drag ourselves through in the '70s, '80s, and '90s, as I've said before, and they threw it out with the new Municipal Government Act in '97. Why did we do that? Obviously, there must have been a reason, and I'm sure it had a lot to do with the failure of the Calgary regional planning board in being successful as an independent board to try to make decisions on these matters.

By sending this to the committee which was mentioned, the Resource Stewardship Committee – by the way, that's one that I serve on, and I've had the pleasure to experience how thorough we can reflect on many matters by inviting various groups and stakeholders in to provide us with the details that we certainly do need, I think, in this consideration. As we move forward with this type of a process, it also occurs to me that we have to keep in mind what's going on here. We have the Calgary Regional Partnership under question. They've been fighting for the past few years with respect to their memberships. We've had two or three municipalities, including Bighorn, who backed out earlier, as I had mentioned, and never want to be considered again, from what I can understand. I don't hear anything about them in this regard. Certainly, these things are contentious issues, and a review of this sort of thing seems well in order.

The types of boards that might come up in the future are another issue, but I'm certainly worried mostly about the Calgary partnership because they're already established. With this type of document here, this could give the minister power to impose this plan upon some of the members that may not wish to be there. That's one thing I'm really worried about.

Madam Speaker, with that, I'll conclude my remarks. I would like to say that I'm very much in favour of having this be given a very good review, and I think this idea to put it to the Resource Stewardship Committee is a good one.

Thank you very much.

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a)?

Seeing no members who wish to speak, are there any other members who wish to speak to the referral amendment? The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you, Madam Speaker. I'll be brief. I, too, will be in favour of referring this to the Standing Committee on Resource Stewardship for many of the reasons given thus far in debate on both the last amendment and this one.

Thank you very much.

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a)?

Seeing no members wishing to speak under 29(2)(a), the hon. Member for Olds-Didsbury-Three Hills.

**Mr. Rowe:** Thank you, Madam Speaker. I, too, will try and be brief on this. I'm disappointed, obviously, that the previous motion wasn't carried. I think this is a good meeting place for the two sides. It's a very good option. It gives all parties representation on the Standing Committee on Resource Stewardship, and it gives that committee the chance to, as the introducing member mentioned, bring people to the committee and do presentations from various groups: AUMA, AAMD and C, and so on. Let's hear their side of the story. Let's hear what their concerns are. Maybe we can use that information to address what I still think is a bill that needs a lot of work. We've heard all of the arguments in the lead-in to this, so, as I said, I won't belabour it. I won't delay this. I really strongly believe that this is a halfway point. That's what democracy is all about: getting together, coming to a consensus, and moving forward. This is a chance to do that, so I urge you to support this.

Thank you.

**The Acting Speaker:** Thank you, hon. member.

Are there any members who wish to speak under 29(2)(a)?

Speaking to the motion, the referral amendment, the hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Speaker. I rise to speak in support of this amendment. I do so because with the debate that's taken place here tonight, it is clear that there is what I suppose this House would refer to as a different interpretation of facts. The reality is that there are a lot of contentious points that we disagree on.

**10:30**

Regardless of what is used to describe it from either side of the House, there needs to be more debate on this bill. We need to look at the various provisions and look for what we call the greatest strength of a democracy, the compromise, to find the language that these municipalities can live with.

As was stated earlier, the idea of planning commissions, regional boards is not something I've heard anyone say they wouldn't support, but to force this on municipalities in a very heavy-handed way creates a scenario that is just not acceptable to many of these communities that are directly affected and those that see where they could be affected by this. That's where it's offensive. That's where these various communities are looking at this, and they don't like the heavy-handed application of what they see can happen from the passing of this bill.

The hon. Member for Olds-Didsbury-Three Hills talked about it. It is the strength of our democratic system, where we may not always get what we want, but we move forward, and if you move in a collaborative fashion, if you move democratically to get things done, it may be slow, but it works. The proof of how it works is where we are today in Canada, in a free society, a democratic society. We cannot turn the clock back to where we get two parties together or four parties together but one party or three parties actually have no leverage of negotiation. In order to have that ability to negotiate, there has to be equality. There has to be the ability to say no in order to make the process work.

The flip side of that is that when you force somebody into this, when you actually force this regional board together, this committee together and you don't have co-operation, somebody is going to work to undercut this. Somebody is going to work to make sure it doesn't work. I don't see the value in that.

It's not a perfect world, but it is certainly a system that has shown some tremendous value. Some of the committees and the boards that the members across the aisle have spoken about all worked under a system where it was voluntary, where it was democratic. There were disagreements that had to be resolved. There were some boards that worked extremely well. Others did not because either personalities or differences, whatever, interfered with that board working. But there are processes to go through to resolve that, and those processes work. I would say that they work better than the heavy hand of legislation that says: "You will do it this way, and, oh, by the way, if there is a mistake, if somebody can point to the legislation and say that they want to take this to court, it doesn't matter what the court ruling is. This will stand. If there was a regulation previously or if it's made after this comes into force, it doesn't matter what the court says. This stands." That's not right.

One of the greatest strengths of our democracy is the processes that we design so we can figure out how to come to these compromises to make these systems work. The question is: what's the rush? As the member said, it all falls apart if we don't pass this today, but that contradicts the other members who say that there's nothing new in this. You can't have it both ways. So if it's all the same regulations that existed before except that you're putting them into legislation, it doesn't make sense, then, why we have to rush to pass this. There's not logic there.

If we take this and we bring this to committee and we have the ability to debate this and bring people in to give testimony, to provide input, and maybe point out some parts of this bill that we're not looking at yet, maybe they will support the government. If they came in and had an opportunity to be informed, a reasonable opportunity to be informed, that's the key.

One of the members of cabinet across the way mentioned something about speaking to Calgary, but what he didn't say was: did he really talk to the mayor about this bill? We know that that didn't happen because we gave the mayor's office a call to find out if they knew about it, and they actually told us: we haven't had time.

There was a section in legislation in the ERCB act quite a while ago that's been repealed, but it said that people were allowed a

reasonable opportunity to learn the facts. I submit that that's a logical and a very pragmatic way of looking at legislation. What we have here is a way to do that, which is a reasonable opportunity to learn the facts, to bring in municipalities, to bring in representatives of the AUMA, of the AAMD and C, and allow them to have some input after they had a reasonable opportunity to learn the facts. Now we'll have something to discuss. But that's missing. That hasn't happened.

All too often these bills come forward without that reasonable opportunity. What that actually becomes is an opportunity for a mistake. It becomes an opportunity sometimes for misinterpretation, as some would allege, but it becomes an opportunity to get something wrong. I would submit that this is too important to get wrong. Yes, we can come back in the legislation and amend it, but that's another whole process. Why would we do it when we can get it right now? Put the effort in now, spend the time now. Get it right so that it is a valuable tool, so we could have regional boards, so we can have an opportunity to make these things function well. That, I say, is the value that we can bring to this piece of legislation if we put this into committee and make the committee do its job, to get that input, to have that debate before we bring it back to this Assembly.

No one here has really presented what I would say is a legitimate argument of the need to rush this through. It's just not there, not on the arguments that we're giving today. If the minister wants to point to the section of the original regulations where the whole system is going to fail if we don't pass this legislation, I'd like to hear that. I'd like to see that. Where is that? What is it that is so important that we just couldn't amend regulation to make sure that didn't happen, and we can take the time to pass this bill. We can amend regulation quite easily, so I'm not sure what it is in regulation that's interfering. By bringing this in front of a committee, we can look at how those regulations have been working and how that is going to be different when this legislation gets passed.

As the members have stated earlier, there's nothing new in this bill. I find that difficult to believe, not with what I'm reading. But if it's true, then there's no rush here. There's no critical need, no urgent need to run this thing through tonight and get this passed within a matter of time before any of these new councils – and we've got all sorts of new councils. Lots of them. Lots of new councillors. They have no idea this is coming, have not been informed. They have not been consulted. It would be a great opportunity to bring them to the committee room to let them have input, let them hear the evidence, let them evaluate it because they are the ones that are most directly affected.

It would give the large-city mayors an opportunity to present. If it is true that they are in support of this, let them say so. But they haven't read it yet. They haven't even had the time. It's so critical that all parties involved on these regional boards feel that they have equal weight to participate, that they have an equal part in not just the makeup of the board but in the jurisdiction of the board. That component, that import into this legislation, right now is missing. There's a presumption in many ways that certain mayors are going to support this, but I wonder if they have any idea what they're supporting. I wonder if they've even had the opportunity to read it, or do they just get a phone call from someone who says, "Hey, this is good; you should support it"? Well, that would be just as misleading as some of the allegations that have been flying around this room.

**10:40**

It takes time, particularly for any new mayor, to educate himself or herself to not only their duties but to the implications of

legislation that in some cases is significantly going to affect their jurisdictional responsibilities. I wonder if they know that. I wonder if they have any idea of what's coming their way once this passes.

Some may find that initially it looks like a good idea, but that wouldn't be the first time with any piece of legislation or with any scenario where something looked pretty good, but as you got into it, you realized that it wasn't as good as it was proposed. There are a lot of things in there that nobody thought about before they enacted the law. That is not something that is foreign to any Parliament or any Legislature. It has happened consistently, and it happens more often when legislation is rushed through the process versus when legislation that is well vetted and the various stakeholders have an opportunity to look at it.

So I would like at least one of the members in government to explain why these communities and why the stakeholders can't have some sort of process or some sort of input before we pass this, before we railroad this bill through at such speed that people have no knowledge of what's going on or how it's going to directly affect them or how it's going to impose upon their jurisdictional authorities as what they see now. And that's important because the appointees are not elected. The bill specifically states that elected officials will have to concede to whatever decisions are made. Our parliamentary system of governance is not conditioned to have elected people subjected to the dictates of the appointed. That's not the way our democracy works.

So there is lots of room for changes, lots of room for reviews, and we have the ability and the opportunity before us right now to do that, provided we refer this to committee and set an opportunity to actually do some serious debate and some serious review and see what comes of it. That's what our whole democratic system is based on. So I don't know why we're not doing it that way. I don't know why we're not taking the opportunity.

It's interesting. I haven't heard anyone say, "Here's who we consulted," and come out with a list of who had input into this bill. We're just told that it's good, but when we read it, we don't see good in it. We see problems, and we see problems that could be significant in various scenarios. So it's really important that we resolve those problems or at least vet those problems so we have an understanding of what the mindset was of the ministry when it developed this writing, what they were thinking, and hear input from various parties that see some negative impacts as a direct result, something that we have not talked about here tonight.

**The Acting Speaker:** Thank you, hon. member.

We now have five minutes under Standing Order 29(2)(a). The hon. Member for Airdrie.

**Mr. Anderson:** Thank you. I just want to understand what the member feels is the point of our all-party committees. I just find that we never really send substantive legislation to the policy committees. It's very rare, anyway, that we ever send legislation to these policy committees. They're set up for this type of thing. They're set up to examine these bills that could be quite controversial if they're not handled properly and give an opportunity for outside folks to come in and give feedback, affected stakeholders and so forth, so that a bill can be presented that is a piece of legislative art rather than a piece of junk. I would really like to hear the member's views on what he thinks the point of these all-party committees is if we're not going to use them to examine and improve bills exactly like this one, Madam Speaker.

**The Acting Speaker:** The hon. member.

**Mr. Anglin:** Thank you, Madam Speaker. It's interesting because one of the policy committees I'm on has probably one of the best chairwomen in this House. As you can probably see, I'm looking for some support to get this in front of committee. I don't know if that's going to work, but I'll give it a try anyways. We're getting desperate.

I will tell you this. It is important, though. The committees are effective in many ways. They suffer the criticism of being told they're not effective, but the fact is that we do have situations in the committee where we don't necessarily follow party lines. I would say to the hon. member that I am supporting her on a particular bill. It will probably fail. It's just the two of us, and that's it. No one else is joining us, but maybe someone will jump in.

But it shows you that the committees can work in a bipartisan fashion, and when that happens, that's democracy at work. That's how it's supposed to work, and that's the argument for why this should go in front of committee. That makes sense. It gives time for input. It gives time for expertise. It gives time to look at it through a different lens and make sure that we get it right, and I think that's important. I would hope that's important to this government, that you always want to get it right. Why waste time coming back to correct a flaw that presents itself that is critical?

There is something else that was said, and maybe it needs to be explored. If there was a court case coming forward that was going to kill everything – I think that's how it was described – do we change the law in anticipation of what a court ruling will be? That's an odd scenario for me. That's hard for me to fathom in many ways. I know there are enough lawyers in here that know that you can't predict the court's outcome. You just can't. However a judge or a jury rules, that's how they rule. Strong cases have lost, and weak cases have won. Nobody knows. So do we always jump in front of a court to change legislation? That doesn't make sense. We would have to respond to a court's decision and maybe act upon it, but I don't think we should be anticipating it.

What we should be doing is being pragmatic and logical and allowing the time that is required, which is a reasonable opportunity to learn the facts. If the hon. minister wants the public to support this bill, I think the only way that that can actually be achieved is by allowing the public a reasonable opportunity to learn the facts. That's how it's done. By putting this to committee, we can make that happen. That just seems to make sense. This seems to be a very good motion and a very logical way to advance this bill. If the bill is so good, then it will withstand the committee without any changes. It will withstand the committee without any recommendations.

**The Acting Speaker:** Thank you, hon. member.

Are there any other members who wish to speak on the referral amendment? The hon. Member for Airdrie.

**Mr. Anderson:** Thank you very much, Madam Speaker. All right. Well, I'd like to speak in favour of this motion, which reads that "Bill 28, Modernizing Regional Governance Act, be not now read a second time but that the subject matter of the bill be referred to the Standing Committee on Resource Stewardship in accordance with Standing Order 74.2." I think this is a very good motion, and I'm going to support it. I think it's very good. It's a good piece of work.

**10:50**

Again, this goes back to what we talked about earlier. We just heard a very eloquent, passionate speech from the Minister of Municipal Affairs earlier in the evening saying how this is a mirror image. Now, of course, we've had several speeches since



then. Our friends in the NDP did a very effective job, in particular, of laying out how this is not a mirror image of the regulation whatsoever. It's very different in many different areas and certainly is broader in scope with who it covers. But if there's nothing to fear, as the minister says, then why are we blasting through this tonight and staying here till now, 11 o'clock? We've been here since 3 this afternoon, essentially, most of it on this bill.

**An Hon. Member:** One o'clock.

**Mr. Anderson:** Well, since 3 debating bills, right?

We've been here for – I don't know – a little less than seven hours, six and a half hours, and they feel the need to continue to blast this thing through tonight and not consult and not refer it to a committee. When governments act this way, when they're trying to blast something through like this, that means they know that they've got a problem. That's why they do this. If they didn't think it was a problem, they wouldn't be acting like this. Clearly, they know. The letters are starting to come, and I'm getting CCs from the mayors of places not just like Airdrie but places like St. Albert, places like Chestermere, like, obviously, Rocky View. These places are starting to get the legislation, they're starting to analyze it, and they're not liking what they're seeing.

If we're not going to just kibosh this, as we obviously voted down a reasoned amendment recently that I put in there, why would we not refer this to the committee now so that they could do their work, call in these individuals, and the minister could use this opportunity to educate us wanderers? You know, he could take this opportunity to help us understand why we're wrong and help the municipalities out there and the AUMA and the AAMD and C and whoever else to understand why they need not fear. Then there can be this thing that's called feedback, where the AAMD and C and AUMA and municipal councillors give input verbally in advance of something being passed. It's a remarkable concept, one that works very well in most cases.

Why are we sitting here at 11 o'clock at night still debating this bill when we know full well, Madam Speaker, that we have not heard from the AUMA on it, we have not heard from the AAMD and C? We've heard from one mayor, none of the councillors. None of the councils have even had a chance to meet to talk about this yet. Got lots of feedback from multiple mayors, multiple councillors that they don't like what they're seeing. We've got one mayor in favour so far and, like, 30 really worried.

So why are we insisting on blasting this through right now? Won't that harm the other side? I don't understand why they don't see the political problem with this.

**Mr. Mason:** They're just trying to do you a favour politically.

**Mr. Anderson:** That's what it must be. It is a favour. We do this every time. They wonder why we won 17 seats. How can this group of – I mean, look over here.

**Mr. Mason:** I do wonder that.

**Mr. Anderson:** Exactly.

How can this group over here sit with 17 seats? You know, they're accused of being the most extreme, crazy people, and somehow they've got 17 seats in here. Did you ever think that it had to do with your handling of bills like Bill 50 and Bill 36 and Bill 19, to name a few? It's because you keep doing these legislative things that are offensive to people, that people just want to have feedback on. You push them through, and people get mad because they weren't asked and it affects their lives. Then they

wonder: "Why on earth are they mad at us? How did this party go from zero four years ago to 17 here? How does that happen?"

It's because you're not doing this. You're not referring these bills, these ideas to these committees, to the people that matter, to the stakeholders. It's one thing to get in a room with nine people, 10 people and talk about a budget that's coming up. Okay. Fine. Great. Do that. That's not a real consultation process when we're talking about something like this. A consultation would say: "Look. This is what we're thinking of doing. Okay. We haven't put it in legislation yet, but these are the points we're thinking of doing in this act that we're bringing up. Now, give us input on it: good, bad, or indifferent. What do you think?"

Then they come back, and the stakeholders give you the input. Some of it's going to be malarkey, and you don't need to listen to it because some of it's just probably not relevant, but a lot of it will be relevant. A lot of it will be well thought out and studied, the feedback. Then you get to incorporate that, and then those people feel: "Man. The government listened to me. They actually incorporated or listened to my view. If they didn't incorporate it, they listened, and they gave me a reasonable reason why it couldn't be in there."

That's why we do this. It is so much in the government's best interest to do it that way, yet they do it the other way, and I don't get it. Really, I should just be, like, cheerleading this and saying: this is awesome because this is going to be electorally wonderful for the party that I'm with. But, of course, we've all taken an oath in here, and it's our responsibility to do what's right for the people of Alberta. In our case, we feel that what's right is to fight for local autonomy, to fight for the people who sent us here, who said: "You know what? These guys are getting too powerful, too arrogant. They're passing stuff without asking, that we don't want. They're consolidating power in smaller and smaller groups." They want us to fight on this issue, so we're going to do so.

Let's play this out. What if we refer this, and the AUMA and the AAMD and C come back and they say: "This is great. This is what we always wanted, this bill. We were waiting for this bill. Thank goodness it's come." Then the government can say: "Look. It's validation. Let's go forward with it." Then they don't have to worry. They can say: "Oh, the Wildrose. They're saying that they're sticking up for municipalities, but all the municipalities are saying that they love this bill." Why not do that? Why not wait until the councils out there have had a chance to meet, the AAMD and C in two weeks' time here has a chance to meet and discuss and comment on this, the AUMA gets a chance to meet in two and a half, three weeks and discuss and comment on this?

Why are we pushing this through right now, in the middle of the night, 11 o'clock? Probably, we'll be here till late tonight, the morning possibly. What's the point of this? We have debated this a lot, and there's no doubt that we're trying to find a way to give some time to these councils and the AUMA and the AAMD and C to get together and digest this because they haven't had time. This amendment would allow them that time. It would give them an opportunity to come before the committee, to study the bill in advance, to have all their thoughts fleshed out on it, come to the committee, comment on the committee. All of you former municipal councillors out there: how can you not like that? Minister of environment: how can you not like that, right? You were mayor before, weren't you? Mayor of Drayton Valley, right? Yeah. Wouldn't you like them to come and talk to you about it or just give you a little bit of a heads-up?

**The Acting Speaker:** Hon. member, through the chair.

**Mr. Anderson:** Absolutely. Wouldn't she like that, Madam Speaker. I think she'd love it. I think she would find that really polite and thoughtful. Come to her as mayor of Drayton Valley, and say: "This is what we're thinking of doing. What do you think there, Mayor?" "Well, this is what I think." You know, that is what the democratic process is supposed to include, and that's the step that keeps getting missed. As long as you keep missing that step, you're just helping us electorally and damaging yourselves, and there's no reason for it. It's bad strategy, and it's also bad legislation. If you just switch it up a little bit, you could be the heroes, walk away happy. Then everyone is happy because it's good legislation, and it does what people want it to do.

11:00

The other reason it needs to be referred to committee is because of the actual flaws in the bill, not just because of the lack of consultation but the actual flaws that are in the bill, and there are a lot of them. As has been pointed out, this makes it very clear that the government has the power, and the minister made it very clear in his comments just a few moments ago that a group that's already in one of these boards and so forth like the Edmonton one shouldn't be able to leave by themselves voluntarily, that they shouldn't be able to go, that if they've agreed to go in, they shouldn't be able to get out.

Well, see, that's the problem. What if it doesn't work for that community anymore? What if they got in under some pretenses, but all of a sudden it got changed? If we use that same language, you know, if you switch it up a little bit, it's kind of like democracy, right? "Once they vote in a PC government, why should they ever be able to vote them out? You know, what's the point? We voted for them once. We voted for them 10 times. Why should we ever have to vote them out?" You still hold the elections. You still ask the people if it's okay. It's called self-determination and democracy and all those wonderful things.

So why is it not okay to let the duly elected representatives of Redwater and Parkland county and Airdrie and High River, if they change their minds and say, "You know what? This isn't working for us anymore. We'd love to be a part of this, but our people are telling us that they don't want to be a part of this anymore" then back out? Why is that so horrible? Why is that so wrong? If we treated democracy like that, well, I guess that would be a dictatorship.

The problem is that the attitude should be that we should make sure in the legislation that this is entirely voluntary, that it's made very clear that a municipality has the right, may join this. The minister said: does that make sense? Say: yeah, you may join. That's okay. I like that. But they cannot prohibit, and they cannot say that you must join and that once you're in, you can't come out. That's not democratic. It's offensive, it's wrong, and it doesn't make sense with democratic principles.

You can't force people to get along. They need to get along because they want to get along. Most communities will choose to get along. They don't want to fight. The CRP regional planning and so forth: that's great, fantastic; make it voluntary. Why are we forcing people to co-operate? That's not co-operation. That's forced compliance. There's a big difference between voluntary co-operation and forced compliance, and that's what this bill enables the minister to do. He may say: oh, I'd never do that. Well, great. What about the next one? What about another group that comes in? You're still giving yourself the power to do something, and that's what's not right here.

I would urge very strongly our friends across the way to think about that and to refer this to committee. It is a good committee. I used to sit on it. I don't anymore, unfortunately, but it's a very

good committee. The chair is very capable. The chair is solid, and I think she'd do a real good job making sure that we got this right, getting the right people in front of her. I hope that you can consider that, and I hope that we can slow this process down, at the very least, going forward and give the stakeholders at least a week or two to give their input. That would be the best way to go forward.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you.

Standing Order 29(2)(a). The hon. Member for Cypress-Medicine Hat.

**Mr. Barnes:** Thank you, Madam Speaker. I'd like to ask the hon. member how long he thinks the committee would need, if we're so granted, to have a chance to review this and if, in addition to the amendment, there are any legislative changes that he especially would like to see us concentrate on.

**Mr. Anderson:** Oh, man, these puffball questions are awesome. We're not used to them over on this side. It's pretty fun. [interjections] I never asked a puffball. You can go back and check the record. Never a puffball.

How much time? I don't know. I don't think it would take that long. I mean, you're not talking about necessarily having every municipality come forward. You obviously give every municipality a chance to give a written submission, and then that should go to the members of the board, and they should be able to read those submissions as they come forward. I'm sure most municipalities will probably want to submit something. That's probably 300, 350 letters. Who knows?

You go through those, and then you have, obviously, the big cities come in, the mid-size cities, the areas, the cities and towns around the large cities who are probably going to be the most impacted by this – you're talking about 20 or 30 municipalities there – then, obviously, the AAMD and C and the AUMA. You get them to come up. You probably want to talk to a few other folks, talk to probably some folks in other jurisdictions that have gone through this process of regional governance models and what the best models are and so forth.

It would take some time, for sure, but you could definitely roll it out by next year. I don't see any reason why you couldn't introduce this legislation again next spring, put it directly into committee, have recommendations ready to go for the fall, and out you go.

One of the things that I think would be interesting is if we did this on a more regular basis. I know that our party would love to, if we're lucky enough in 2016 to form the government, practise that type of thing on major bills that might be controversial and say: "You know what? Instead of just forcing this through, let's put this in the committee through spring and summer, arrive at a good solution, and reform the bill to make sure that it's coming out perfect or close to perfect." It's never going to be perfect but closer to perfect. Then pass the rest of it in the fall.

That's what we would suggest that we do. I remember having that discussion with the House leader right after the last election, and the Premier was talking about how all these policy committees were going to be doing great work on bills and blah, blah, blah. Of course, it never happened. It's been the total opposite in a lot of ways. One of the things that he mentioned was: "Yeah, that's the process that we should start looking more towards. I know the Premier wants to do that." Well, here's another opportunity. There have been a lot of opportunities on a lot of pieces of legislation, and here is yet another one.

There are maybe one or two other bills that might be substantive enough to qualify for this, but really I think that for this session this is probably the biggest one. It would probably be just one or two a session that would have to be referred to committees. You're not talking about referring every bill, just bills like this one, that are controversial and that are complicated and that affect large groups of people. Then it gives them a chance, of course, to see the legislation because it will have gone through first and second reading. In the committee they'll have a chance to see the actual legislation and go forward from there.

Again it's a great tool in the toolbox if we would just use it. It's very democratic, and it's going to lead to much, much, much better legislation. I hope that we would think about using it.

**The Acting Speaker:** Hon. members, we have 47 seconds left under 29(2)(a).

Seeing none, are there any other speakers on the referral amendment? The hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Madam Speaker. One of the points on this. Talking about how committees work and whatnot and what we do with committees – and it's nice with all party because we can actually get quite a bit out of it – I was fortunate enough back in June to go to Ottawa for the 10th Canadian parliamentarians' seminar. It was quite interesting because I think there were about 18 or 19 different countries at it, with different processes of what they do all over. Some committees actually have the minister sit on the committee, which seems a little unique in places.

**An Hon. Member:** It's called a junket.

**Mr. Donovan:** No. Actually, I paid for it myself, but thank you for that. If you want to go through, by all means check out my records. I paid for mine and my wife's flight there and back because I'm a little bit of a fiscal conservative. We can get into that another day, any time. I'm more than happy to play.

**11:10**

It was kind of interesting to hear the different processes in different countries in the Commonwealth, how they go about coming up with laws, changing laws, and bringing up things through the process. It was quite interesting because they talked about being a parliamentarian and how to get things done and how to work collaboratively with everybody in a room and stuff like that and how things were done through committee, which I found quite interesting. I think that we have a great system here, especially in our Legislature, of being able to put things to committee. I think this is probably one of the key ones where it could go forward in that and be discussed at a committee level, where everybody could at least have some input on it. Now, I understand, you know, why we would be putting it to committee. On Bill 28 some of the challenges are on jurisdiction and stuff.

When I was on county council in Vulcan, we had a skydiving group going through that were diehard skydivers, dialed into it – great – until they started doing it out at a location where they hadn't gone through any process to get a development permit from the county to do their business. Again, thinking that we knew more than everyone else, we went through the process of trying to fight them because of their development permit. Now, the catch was that they were using a registered runway for their planes to load up and take off and throw people out of it – hopefully, the parachutes open – and let them go. That was fine.

Of course, the neighbours were getting pleasantly unhappy with the process because planes were taking off at early hours in the morning, and there were quite a few people out there. So our

planning process thought: "Well, this isn't good. They don't have a development permit." But as we went through the process and went to the point of getting legal counsel and everything else to shut them down, we found out that it doesn't fall under our jurisdiction. It was federal jurisdiction because it was aviation. They trump the provincial process on it. So we were sitting there, and there wasn't a whole lot we could do about it.

Now, you spin it forward a couple more years. I think we're sitting in a situation in Parkland county, the same situation. They put up an airport, and Parkland county gets excited, and rightfully so, because a development permit wasn't taken through the process of the Municipal Government Act. That's how a process is done. Again, they're sitting there and lost a court case to it also.

You sit here and wonder, you know, about the process. It's fine when it works, but then all of a sudden when there's somebody higher up the food chain that tells you that your process doesn't really matter, everybody gets their nose out of joint pretty good. You think that locally you'd have the best jurisdiction and the best planning process to go through it to come up with what's right for everybody.

Now, this motion to forward it to the Standing Committee on Resource Stewardship I think has some merit to it. It gives some time where people can actually go out and do their homework on what we're trying to accomplish with this bill. Now, I appreciate that the Minister of Municipal Affairs has a mandate, trying to get some things to go through. It's back to the rushed process. I'm not sure why we feel that it needs to be rushed through or why there's a certain deadline on it. As we've said, it's been working for six years with the capital region plan.

You know, with the process of that, you sit there and wonder: what's the rush on it? I'd rather make good legislation and have good bills go through than sit and try to rush it through. I'm not saying that any of the bills are bad that go through this government. I think that quite a few of them have good merit to them. The point is: do you want to rush legislation through just to get so many pieces through without having the consultation with the people it affects?

Now, as I say, there are lots of former elected municipal councillors, whether it be in villages or towns or MDs or counties, in this House, which I think brings some background. Lots of people have sat around lots of municipal planning commission meetings and decided the fate of what should be done and what goes on in different planning levels if you have a regional plan or if you have a municipal plan with another jurisdiction around you. The point is that it's collaboration. When you do those things, you always have an open house. You always sit there, and you lay it out. There's actually the process through the MGA of how many days you have to advertise it ahead of time so that people can actually go out, advertise it in their local papers, talk to the people it affects, and actually sit there and have the time to work with people so they can actually get their input.

Now, again, this is one of the things I think on this bill – we have two municipal conventions coming up, the AAMD and C and the AUMA. I think these are great places to be a trade fair for this, so instead of telling them what they're going to get, ask them. Sit there and show it to them and say: these are the reasons, which the minister was very passionate about, why it needs to be done ASAP. I think you take out the emotional side of it and just say: what are we actually gaining out of this, and why is there the drop-dead deadline to it?

You know, I understand we need to pass legislation in this House, and there are bills that need to be passed. But the timelines on them now: if they're deemed an emergency such as a flood, which we've dealt with, those ones are understandable. But this

one, honestly, is a paper trail. We're catching up on a couple of things that, obviously, the province got caught on that they found when they did their regional plan and capital regional plan and stuff like that.

I know there are those in here that were part of the capital regional planning process. It's like everything. There are some highs and lows to them. I mean, you're not always going to sit around the table and sing *Kumbaya* with each other on how things are, but at the end of the day I think you can sit down and figure out what needs to be accomplished and why it needs to be accomplished. It's generally for the best for everyone. You're always going to have some ego and power that gets dialed into it, but that's part of the game, I guess.

I think that at the end of the day, though, we've come a long way from 1950 or '51, whenever the Member for Banff-Cochrane was born, from what was going on in that era of things being done. I think we've become a lot more collaborative, in all honesty, between all the municipalities. I know that in my years on it it went a huge step from when I first got elected, when I was 19, in 1995, to now. I mean, it's huge circles of – I think people look a lot more globally and can identify the things that need to be done in order to make a better Alberta.

Again, to push people into a room in a short time and tell them that this is what's going to happen instead of asking them I think goes back to why, you know, sending it to the Standing Committee on Resource Stewardship would be a positive move. I mean, I think the chair and the deputy chair on that committee are both very capable people. The people on the committee are obviously good. They've been appointed by their different parties. The Member for Cypress-Medicine Hat is another keen soul there. [interjection] I said you as the deputy, didn't I? I covered that.

You know, I think it's a process, and it goes back to, again, when I went on my trip to Ottawa – which I paid for myself, so it's not to be considered as a junket. The point is that we learned quite a bit on that about different ways that go on in different parts of the world that still fall under the Commonwealth process of how government is done, which was quite interesting. I mean, I came out of that and was quite appreciative of how we do things here. I think it was in Bangladesh where they said that the ministers get to sit in on the committee meetings, and they're actually committee members on it, which is quite convoluted, I guess. That would be the understatement. If you're asking a minister questions and they get to be on the committee that decides what the questions are, it's kind of a foregone conclusion how the answers could turn out on that.

I think that in democracy we have a good system here. In doing that, we don't want to rush the system and lose the point of the process. I know it's not always the most fun thing to do, and it's definitely not the most splashy or liveliest, you know: the best part of this job is sitting around going through the process and having the debate. But I think it's what we need to do. To jam something in and ram it through just because we think we need to get the process rolling isn't being good parliamentarians.

11:20

At the end of the day what I think most of our elected people, our constituents, expect from us is making good decisions with the information that we have in front of us. I'm a fan of doing it myself as long as the information is given to us so that we can actually go out and have consultation with our constituents and with the affected people. To me, that ties into our municipalities, whether they be our urban friends or our rural friends. We need to be able to have the conversation with them and show them the

information that's coming out in some of these bills, because at the end of the day that's who it is affecting.

We talked earlier about some of the subsections, 708.17(1), (2), (3). I asked the Minister of Municipal Affairs about that, you know: do we really need that in there? He said: well, it's been in there for 17 years. We've never used it. It's in the capital regional plan also for six years. Again, it's never been used. So just to calm the fears of people, maybe remove it. It drops the guard down for people. I understand that you're going to have people that push the process otherwise, so you have to have, I guess, a reason or a rationale to have some kind of a penalty at the end. It just seems to me that a year in jail might not be the most fun trip, and \$10,000 most of us would probably stop to pick up. If you're fined that, you'd probably take it as quite a hit overall in life. Or both. I mean, there's the two-for-one deal there, which I don't think most people would be overly happy with.

It's those kinds of things where I think we sit down and talk with our municipal friends and say: "Here's our end goal. We need to get to point B, and we're here. Are there any means or ways where we could actually probably work together and come up with a common solution, come up with some good ideas?" You know, put good people in rooms together, and then you're going to have some good ideas come together. Again, it's a process, and the one thing I struggle with is to put something through without proper and due process.

The minister talked earlier of people jumping in and out of some of these plans and some other collaborative works, and the Member for Banff-Cochrane brought up the Calgary Regional Partnership and how well it worked. There are different people that obviously didn't feel the same way about it. During that time in 2008, when I was a reeve in the county of Vulcan, one of the things we did bring up was to join the Calgary Regional Partnership. Looking back, thank goodness they didn't take us. But at the time it looked like it was a good idea to collaboratively work together. You know, when the MD of Bighorn pulled out of the CRP, their rationale was that they thought it was more of an urban planning process. So for the rural people it was kind of hard to sit there and say: we want to be part of a plan that really doesn't affect us.

The central planning ideas. I guess the process on some of these, I think, really needs to be looked at. One of the things that makes me wonder about it is when we bring our First Nations friends into it because they fall under a different jurisdiction, which was one of the things in the Calgary Regional Partnership that didn't bode well for the MD of Bighorn, for instance. If you want to put a regional water line or rail line or sewer line or power line through the First Nations, it falls under a different jurisdiction. So in order to put some of these plans together, we have to make sure that we all work together. And that ties back to my aviation story and the county of Vulcan. You have federal jurisdiction and provincial.

**The Acting Speaker:** Thank you, hon. member.

**Mr. Donovan:** I was just getting to the good stuff.

**The Acting Speaker:** Standing Order 29(2)(a)?

**Mr. Anderson:** The hon. member referred to the good stuff. I'd like to know what that good stuff is.

**Mr. Donovan:** Well, where to start? The question is that it's fine when you're on top of who gets to decide what the rules are, but there's always that level of government a little higher. You know, on a municipal council you have your MDs, counties, your coun-

cillors there. Then you go provincially. Then you have your federal ones. The federal government tells the province what rules they shall be running by and what jurisdiction shall go from there. Then you have the UN, who comes up with some different ideas, but it affects all of us, I guess, because, for instance, as a farmer there's a new European Union agreement for agriculture, which Canada signed, which I think is good overall for Alberta agriculture and as an Alberta agricultural producer.

Now, if I was dairy producer in this province, I might not think exactly the same because they didn't maybe – it's a challenge trying to balance it all out with everybody. That's a perfect one we could sit down to as the good stuff, as my friend from Airdrie had asked about as there is a collaborative program. Say that you were the agricultural producers in this province and you were some of the ones that, you know, had the feedlots or you were a cow-calf operator or if you're in the dairy industry: supply and demand. They've put a lot of money and invested a lot of time into that, but then you go out and make an agreement with Europe and you say: "Okay. For the general masses this does work, but there are going to be a select few that it doesn't work for. How are they going to be compensated or dealt with?"

So you take that back down into a provincial process, where you have towns, MDs, and counties trying to collaborate together and come up with some good ideas for how to make the province better, how to plan better. But if you push them into a room and you tell them something is going to happen, most people don't do well with it. If you ask people, you usually get a way better process and get better feedback from people, but to tell people how to do stuff just generally doesn't work well. I could ask for help on that side on how to tell people to do stuff – cue the crickets, and there we go – but it just doesn't go over well. It's the collaboration. It's trying to work together to ask people how to do stuff instead of telling them.

I think it's going out to the people that this affects the most, and that's our municipalities, whether they be urban or rural, and letting them have a chance to look at this. Most of them haven't even been sworn in. Some of them are being sworn in this week. You know, it's awfully unfair to ask some municipalities that have over 50 per cent turnover what their thoughts are on this and they don't get sworn in until tomorrow, for instance, or next week for some of them. The question is: how do you fairly tell somebody that? It would be like us having over 50 per cent new people elected in this last election and then coming in on the first day and saying, "Here are some bills that are going to affect you for the next four years or whatever your mandate is," and you didn't really have a whole lot of time to figure it out or learn it.

To me, it's not democracy, and it goes back to: are we politicians or parliamentarians? I think we should be parliamentarians. I think we should be here to make good laws and good bills and pass it forward so that we can make the province a better place to be rather than politicizing whether it's going to work or not work or if we have a one-off in Parkland county that's caused a flag to go up or a different situation in different parts of the province.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

There are 40 seconds left under 29(2)(a). Would anyone else like to comment or question?

Seeing none, are there any other members who wish to speak on the referral amendment from the Member for Cypress-Medicine Hat?

Seeing none, I'll call the question.

[The voice vote indicated that the motion on the amendment to second reading lost]

[Several members rose calling for a division. The division bell was rung at 11:29 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[Mrs. Jablonski in the chair]

For the motion:

Anderson	Donovan	Rowe
Anglin	Mason	Stier
Barnes	Notley	

**11:40**

Against the motion:

Bhullar	Horner	McQueen
Brown	Jansen	Oberle
Calahasen	Jeneroux	Olesen
Cao	Johnson, L.	Pastoor
Casey	Kennedy-Glans	Quest
Dallas	Khan	Rodney
Dorward	Klimchuk	Sarich
Fawcett	Kubinec	Scott
Fenske	Lemke	Webber
Fritz	McDonald	Woo-Paw
Griffiths	McIver	Xiao
Hancock		

Totals:	For – 8	Against – 34
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[Motion on amendment to second reading of Bill 28 lost]

**The Acting Speaker:** We are back to debating Bill 28 in second reading.

The hon. Member for Livingstone-Macleod.

**Mr. Stier:** Thank you, Madam Speaker. We're back to debating the bill once again. I'm going to take a few minutes to go over some important points that I was hoping to get more clear in my earlier presentations. Now I've got another moment to take a second shot at it.

Madam Speaker, this set of motions that we . . . [interjections]

**The Acting Speaker:** Hon. members, Livingstone-Macleod has the floor.

**Mr. Stier:** Madam Speaker, at this moment in time it's a little bit noisy, but I'm going to try to speak over it. We've spent some time talking about some great motions that the House chose not to support, and I thought those were worthwhile things to suggest. Going to the Resource Stewardship Committee, I thought, was really a great idea. We could have really studied it in detail. I guess we have to look at where we've been before on this sort of stuff and where we can see some faults with what we've got presented before us.

Back before we were faced with this situation, we were working with a different type of planning system, as I'd mentioned earlier, and many times tonight we've heard about how things were done back in the '50s. Well, I'm going to take us to the '70s and '80s and '90s, when we had regional planning before. I had the occasion in my background to work with the Calgary regional planning board in those days, as I've said earlier. This was a system that caused a lot of dispute between municipalities and, quite frankly, was problematic.

Eventually, as we worked with that system and they put a greenbelt around the outside of the city to try to look at how they could develop land in the transition areas, they ran into more and more types of conflict. As these things would arise, it was proven that the type of system that they had designed was faulty. Eventually they created a new Municipal Government Act because of that set of conflicts, and they went ahead and started putting together some new land-use policies called the Alberta land-use policies back in those days. They ensured that during that process those land-use policies were reflected in the creation of local municipal development plans. The local municipal development plans were therefore a reflection of government policy.

As the system became something that was worked with on a more detailed basis, they found that it was important to have more negotiations between municipalities, and they created inter-municipal committee systems. These, I think, work quite well, and we've been working with those for the past number of years. As I said earlier, there have been times when that system probably could have been tweaked, but it certainly was something that I thought was a great way for municipalities to collaborate with each other and resolve their differences and proceed along with good development in regions. It was easy to do regional planning with these intermunicipal systems, and it still is relatively easy as long as the people will get together and have these meetings on a regular basis and have good agendas that plan forward for the future.

As most of the members here will know, there's also the appeal process when some of these negotiations don't always go as smoothly as they could and an arbitration process that can be utilized as well as, of course, if a last resort has to be looked at, the Queen's Bench.

As I said earlier, too, again, the times were changing and during the later portions of that year we saw annexation difficulties. Whether it was in Grande Prairie or Red Deer and Red Deer county or some of the other areas south around Calgary with the MDs of Foothills and Rocky View, there were an awful lot of days and weeks and months spent in tough negotiations to try to get annexation proposals resolved.

As I might have mentioned earlier, too, as well, environmental issues were being pressed upon us in those days, back in the late '90s. Around I think it was '98 or '99 – I'm not sure which; someone might be able to correct me – the Calgary Regional Partnership was an idea that was floated amongst municipalities, and members were invited to attend. I myself actually attended several of the Calgary Regional Partnership meetings, and I saw a few people that are in here tonight at some of those. It was a good idea, I think, to be able to try to organize a bunch of volunteer municipalities to decide how, perhaps, we could more easily collaborate with each other on how we could go forward. I think it was an extension of the intermunicipal committee process.

Yet as they went along, it was evident that there was also an agenda there that was being presented by the major component, which would have been the city of Calgary, to try to influence how development would go forward in the future in the transition areas around the city boundaries. In fact, they tried to impose some new ideas that were not well received by rural landowners nor by their rural council.

I can remember many, many times when we went to public open houses and we went to a lot of various stakeholder meetings, and there was a lot of fury in the room, with 150 to 200 people at it complaining about the intentions of the city at the time to try to control land outside and propose agreements that they wanted to push, where various tracts of land to the south, particularly, and to the north of the city would be agreed to be

frozen in time. We liked to say, actually, sterilized. They would do that by demanding that if there were to be developments out in those areas, they would have to be developed at least 10 to 12 units per hectare.

**11:50**

It was a stark reality that was put upon the landowners that they were not prepared to accept, so those areas became noted by most, because they were blue on the map, as blue blobs of concern.

With that being the case, there was so much concern, there was so much notoriety that two or three of the municipalities decided to back out of the regional partnership because they could not fairly see that these types of ideas were something that were in the greater interest of their residents.

Later on, as this became an issue, the previous minister for SRD, I believe, and also the member for Foothills-Rocky View decided that it was time to put together a new type of endeavour, and it was called eventually the land-use framework. In that endeavour it was suggested at the time that we return to regional planning, that was faulty before. I'd like to point out, as I did earlier, that the regional planning was sufficiently faulty that the government of the day, in the '90s, which was of the same political affiliation as today, decided to throw out central planning as a bad idea.

**An Hon. Member:** It was a big mistake.

**Mr. Stier:** Not a big mistake. It was the right decision.

At that time back then, when they threw it out, they gave back autonomy to the local municipalities, and they gave them tools upon which they could develop and be creative and explore their own ways for growth and economic development. These are important things that are the very foundation of every municipality today, and I think that was a great decision.

So why are we now looking at returning to even a tougher – tougher – regional planning concept? It makes no sense to me when your government decided to throw that system out many years ago. Of course, we know all the other things that were related to the land-use framework that were proposed by the members of the day: the Bill 36 controversies and worries about property rights and compensation for changes in land use that were caused by government takings and the loss of local autonomy. We know how all that worked out. A lot of us are here today because of that very sequence of events.

We wound up, therefore, at the end of the day, as all things do pass along, with seven regions based on watersheds and regional planning here again, and regional advisory councils have been put into place to put these plans together. The MGA was amended in many ways to accommodate this whole new system. The draft South Saskatchewan plan is now upon us in the south. What we're working with is going to be supposedly used to guide our way in the future.

Throughout all of these documents, whether it was the land-use framework or whether it was the regional advisory council report or whether it was the MGA itself where it was amended or the draft plan that we're now working with, this new regional planning board was not mentioned. This new idea that we're dealing with today was not in the cards. It makes me wonder how we can be embarking upon the draft South Saskatchewan plan right now and all the consultations that we're going about. The thing was only released a couple of weeks ago, and this new idea wasn't even mentioned. It wasn't even referred to in any regard. How can we be doing this, therefore, in a proper way? It doesn't make sense to me.

If we've looked at all of that, it doesn't seem to be that it's consistent with the balance of the documents that I've just mentioned, so you have to wonder why someone would do this. It seems to me evident from the past news reports we've had and the past indications throughout the last local election that there was a lot of controversy having to do with the Calgary Regional Partnership and the Calgary metropolitan plan and the withdrawal of many municipalities, including Bighorn, the MD of Foothills, Rocky View, and Wheatland, to the degree that there was a lot of worry that it would not go forward. On the Calgary Regional Partnership people even came up to Edmonton to speak to the opposition to get their view on things, and that was a lively meeting, I can assure you.

Nonetheless, we're at a point now where we're trying to introduce a whole new level of decision-making into the system here. It almost looks to me as if this has been created to take the Calgary Regional Partnership, which is a volunteer board, which has had some members drop out of it, and make it into a stronger authority that could with this set of rules cause this very organization to be compelled to make all of these members comply no matter whether they want to be there or not. That's what this seems to look like to me.

With this being the case and with the facts coming up where the larger associations for municipalities have obviously not been consulted, I cannot support this whole system. This does not make good sense. It does not follow through step by step and make a good long-range system to go with.

Madam Speaker, I would like to therefore conclude that this type of forced regionalization is not what we need in Alberta. It is not something that our municipal councils want. It is not what our residents expect of us. They expect to be consulted. They expect to have participation. So then I would like just to say that I cannot support this, and I hope that others will see the light and act likewise.

Thank you very much.

**The Acting Speaker:** Thank you.

We have Standing Order 29(2)(a), five minutes for comments or questions on the preceding presentation.

Seeing no members, are there any other members that wish to speak on Bill 28 in second reading? The hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Madam Speaker. I know my last stand-up part was riveting for most because I've heard back on some of the comment containers back so far.

I'm getting up to speak, I guess, not necessarily against the bill. It's the way the process has happened on it. Again, something I've stumbled over since I've been here, whether we're parliamentarians or politicians and what mandate we're pushing, one of the things with this bill is that it goes back to being able to let the people have the proper input on it. That's one of my questions. Are the affected people going to be able to have the proper input to it? As soon as you start making any changes to the regulations with the Municipal Government Act – and I understand there's got to be some closure to it and whatnot. So I get the process of the means and why things are done, but it's the process of how it's being done.

You know, the Minister of Municipal Affairs brought up a very good point when he was talking earlier about people jumping in and out, whether something works, whether it be a regional water line or the CRP or whatever, and how they jump back and forth, understanding that it can be harder to plan that way. But I think people should always have the right to change their mind on what

they're doing. If there's a process that's been involved and it wasn't working right, you should always have the right to step back and say: jeez, that's not working for us. We usually see that municipally in a change of council. We've seen quite a few different times where I think constituents feel that their elected representatives, whether it be a councillor or a mayor or an MLA, aren't doing their job to represent what their constituents' needs are. They voluntarily take them out in the election process, which involves whether or not they're going to have their job again.

Now, in saying that, I think it's pretty fair to say that people should have the right to do it. The Member for Banff-Cochrane had brought up the CRP before, you know. I guess I'd like to know his views on why it was okay for the MD of Bighorn to step out of that partnership. The question is: I think everybody should have the right to do what you want. I mean, we have members like the Member for Edmonton-Gold Bar, who has quite a background in everything. I think he believes in democracy, and he believes that people would be able to talk mindlessly while somebody else is trying to give a presentation and disrupt the House a little bit. But that's okay. That's all fair. I think that's how the process works. It's, you know, the process of how to let people have their input on something.

**12:00**

Now, the Minister of Finance brought up a very interesting conversation while we were on break there, waiting for the bells, about schools and schooling – and this goes back to school boards and stuff like that – and I know that he's just riveted on the end of his chair by some more of my thoughts on how the process works. This goes back to Bill 28, how the process works.

I guess this was back when counties and MDs – well, actually, counties had the school boards in them because that's what made them a county. A municipal district only dealt with municipal issues, and the school boards were separate. That's why we had counties and then the MD of Foothills, for instance, versus the county of Vulcan. The county of Vulcan took care of the education as well as the municipal issues, and the MD of Foothills, for instance, only took care of municipal issues. They had a separate school board.

Now, in saying that, if you didn't agree with, for instance, Vulcan county, where you're going to school, how they were closing some of the smaller schools and centralizing, so to speak, at the time, you didn't have a lot of choices. Now, from my farm in Mossleigh, where I'm still at – and I've had the same land location and phone number for 37 great years, wouldn't change it; a great place to live – you had to go to Vulcan, which was 45 K away, which wasn't in our trading circle, so to speak. My parents went to High River way more often. So in order to go to Blackie school, you got the school boards fighting.

Now, we talk about how people work together and how to come to different arrangements to make something work and have a solution. We came to a dead end on that, where the school boards – Foothills wanted to be paid for the busing, and Vulcan county said: no, we're not doing that. In the process of doing that – being Catholic, we got to have the option of having a separate school board – they started up four-by-fours. Anybody that happened to be in the old school board days knew that that was a way that you could come up, and if you had enough people sign a petition, through democracy you could do that. My dad ended up being the chairman of the separate school board there, the Catholic school board, so we could fund the kids to be able to take the bus and let our tax money follow where the children went.

Now, to me, that goes back to democracy. If there's a process and a means and a way, you should be able to implement it. It

doesn't mean you have to agree totally with how the system was being worked, but you have your option if you take the time, and the way to do it is to go through it and to make the situation work for you and find the solution. Our solution when I was going to school – I know the Minister of Finance will be excited to know that that's how we ended up being able to take the kids from our area and go to Blackie and then go to High River, for instance, for high school. That's how we funded it because we set up the separate school district.

Now, most people probably wouldn't have gone through the process of doing it, but my dad was probably even more stubborn than me, which is hard to fathom.

**An Hon. Member:** No.

**Mr. Donovan:** I know. I know it would be very hard for somebody who's climbed the heights that you have from Calgary-Lougheed, but it is possible. There are people more stubborn out there, you know, and I appreciate that.

But the process is there, and if you take away the process for people to have the right to do something, that's where we've lost. You should always have the right to be part of a board or not. I leave that with the Minister of Municipal Affairs.

I can understand some of the challenges he would have on some of these pipelines and different associations and committees, how things are done, where people go in and out, but it's still the process, that you should be allowed to do because if you don't – I would have tortured my teachers in Vulcan for numerous years, where they didn't need that, through high school. Instead, I got to go through the process of Blackie and High River, where I was a much more fun-filled student, that was willing to learn through the process there, because we had the choice. It wasn't an easy choice. It was a process that took quite a bit of time to get through, but it still gives you the option. When you take that option away from people, it's a challenge.

Again, back to Bill 28. When you don't give it to the people that it affects so that they can understand what the situation is, I think you're truly cutting democracy short on it. This goes back to: are we parliamentarians, or are we politicians? If we're politicians, we're kissing the babies, and we're trying to make whatever work so we can all get elected the next time, but if we're parliamentarians, we're actually here to make good law and good legislation. I'm not saying that this total bill would have challenges.

**Mr. Hancock:** And really good parliamentarians don't repeat themselves over and over again.

**Mr. Donovan:** Well, I'm learning from some of the best across the floor. I do truly appreciate how things can be done. It's been good. I do appreciate the history that's obviously on that side of the floor.

The process is on Bill 28. If we don't let the people that it affects, which I feel are the municipal councils, have some input into it, I think we're shorting them. You know, I think that when the associate minister that used to be – I don't know if he still has finance under the title of recovery. No? You got that yanked on you? That's a tough one. So you're just recovery of southern Alberta and something else. I mean, the Minister of Finance is doing a great job. I don't know why he needed a winger. You know, that's some great work, you guys, to trim down your ministries. Oh, wait a second. You didn't trim down your ministries; you added some more. But that's okay.

**An Hon. Member:** Relevance.

**Mr. Donovan:** Well, we could get into relevance in the back there, but we won't do that.

The process here is that we're not letting the people that this affects have the opportunity to talk to it. So we need to sit here, give them the opportunity to do it, and let them go with it. When we cut them short, it's the process. It goes down to process. I guess I'll probably be one of the bitter people on the front line one day complaining at 5 or 10 after 12 on a lovely morning, hanging out with colleagues, about how process should work.

I mean, there's a great person right there from Edmonton-Gold Bar talking about process. You know, when people want you elected, they elect you. Now, when you ran as mayor, they didn't elect you. That's process. They didn't think it was the right guy. So you moved through it, but you appreciate it because you put your name forward to be an MLA, and you've won that because the people of your area of Edmonton-Gold Bar think you're the right person for it. That's process. There's nothing wrong with that. That's how the process works. If you don't succeed the first time, try again. Perseverance worked for that gentleman. It's an honour to have him as a colleague in here, because he does add quite a few things. I mean, the Minister of Transportation is another guy, too, a person that has tried and hasn't maybe won the first time, but they try again. There's nothing wrong with that. That's what we are in this province, people that sometimes get knocked down. You pick yourself back up, and you try again. But if you didn't have the process there, you wouldn't be able to do it again.

**Mr. Hancock:** Some people are just trying.

**Mr. Donovan:** Yeah. You know, there's always that angle, too. We could go into a whole process of what trying could or couldn't be. I don't think that, you know, the thousands of people that are watching this online right now would be up for that right now. They'd way rather read it in *Hansard*.

**An Hon. Member:** The thousands.

**Mr. Donovan:** Yeah. The thousands upon thousands.

One of the things that I see in here is process. Again, I think we've cut ourselves short on process. Honestly, if there's a timeline here to have this passed, if the minister says that it has been done by November 30, 2013 – and I know there are some relative reasons why it needs to be expedited so fast. We went six years with the process with Edmonton capital area planning. We've been 16 years in the MGA or 19 years since it was done last. If there's a drop-dead date on it, then that's understandable, but otherwise to push something in and not get the actual proper input from people I think is a challenge. We're cutting our ratepayers short, our constituents short, and, I think, the process short.

I mean, to me, I think that would be something that would be an amenable process for everybody, something that would be a situation that we could all look at and think is a good, solid solution to take back to our MDs and counties and our urban friends also and let them look at it and see if there's anything they could add to it and have a consultation process, which the ministers do on all kinds of different levels when we're providing other bills. We go out. The South Saskatchewan regional plan: I mean, there's no drop-dead date on it. A great job was done by our Minister of Environment and Sustainable Resource Development of going out and having the process with people.

**Mrs. McQueen:** I'll remind you of that.



12:10

**Mr. Donovan:** The process you did a great job on, Minister, the process. But you've gone out and done it. You went out there, you've given people the opportunity to add their input, have focus groups, do those kinds of things, and that's what we need to do.

That's my biggest gripe against this government right now, the pushing of some stuff without letting people have the proper due process. If you don't have the process, you have nothing, and then we just become pork-barrel politicians that wander around aimlessly to things instead of being parliamentarians, where you're supposed to make good legislation, prove what needs to be done for the province, and do it in a form and a way that people appreciate because they feel they're part of it, that they actually have some input into it.

Those are my thoughts on the bill, and I think I'd be willing to look at it down the road if we could have an actual consultation process with the people it affects rather than trying to tick it done by next week before everybody heads out.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

We have five minutes for 29(2)(a) if there's anybody who would have a comment or question on the preceding speech.

Seeing no members, are there any other members who wish to speak in second reading on Bill 28? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Speaker. It was interesting to actually hear the Member for Little Bow talk about the perseverance of some of the members across the aisle. I'm wearing my Red Sox shirt underneath my suit jacket; 95 years in waiting is perseverance. So I commend the members across the way.

The minister commented on the bill in a number of different ways. He talked on different levels. What was interesting – and I've seen this before with legislation in this Assembly – was that they will take wording from previous legislation, bring it in, and then say: "There have been no changes here. This is the same wording from previous legislation, or it is the wording right out of regulation." So I was trying to figure out why the bill was coming forward and why now.

In listening to the hon. minister talk about the world crashing down because of a pending court case, what I realized is that it all comes around process. I had to dig out some data here to really kind of figure out what was happening, but basically what we had was one participant, the Capital Region Board, that didn't think it was being treated fairly. They thought what was happening was a violation of democratic principles, and they were upset. What they wanted was quite interesting. They had hoped that the Minister of Municipal Affairs would actually step in and make some changes. Little did they know that the changes that were going to be made were: whatever a court says is obsolete. That's what will happen when this is passed.

It's interesting. That's not what the complainants want. What they wanted was a process to appeal. That's what was missing. They didn't like what was happening on the Capital Region Board, they didn't like the way they were being bullied, and what they wanted was a process to appeal. Rather than having the section of the law that says, "Despite any decision of a court to the contrary made before or after the coming into force of this [legislation]," had the ministry only provided some sort of appeal process that satisfied the plaintiff, we could have avoided a court case.

Now, I don't know what that would have been, but we're here today because of that very situation. I would venture to say – I

haven't researched all of the regulations. Again, we don't get to see this until they – we might be lucky to get briefed, but then the bill is tabled. Once the bill is tabled, we get to read it. Here we are tonight, having had just barely 24, 36 hours, whatever it is, from when this bill was tabled. Then we listen to the hon. member tell us why this is coming forward, and hearing that, what we realize is that the bill wasn't actually necessary. There are other mechanisms available to the hon. minister to resolve this issue.

Now, clearly, the problem was, coming to this point, the lack of democratic process. Where is that corrected in the bill? It's not. So the problem still exists. We haven't corrected the problem. We're still faced with a situation where I think everybody agrees that we want these regional boards, we want regional planning, but if we haven't corrected the democratic process, we still have the same problem, that we're carrying forward. I don't know how that will ever play out even with this legislation. I'm sure there were lawyers that said that what we're about to pass is constitutional, but in the end that will be decided by the Supreme Court and not, certainly, this legal advice. It can still be tested, I suppose, at the Supreme Court level, whether or not the legislation is constitutional. I would hope it was checked for that, but I don't know what the rights of municipalities are. I've always concerned myself with the rights of individuals, but corporations are people, and municipalities have the status of a person under many legal jargons, so I assume that it's somewhat equal. It'll be interesting to see how it all plays out.

It's interesting. The problem that was first exposed was the lack of democracy, the lack of democratic process, and the remedy that was sought was to go to the ministry and ask for some sort of appeal process when one of the participants on the board felt that they were either being bullied or being treated unfairly, whatever the complaint was, that there would be some sort of appeal process where they could seek a remedy. Nowhere in this bill do we address that problem or that issue. I have to tell you that I think that complicates matters more, when you then draft a bill that says that the way we're going to do this is that your complaint has no validity whatsoever. I don't think the problem goes away with that, so we didn't fix a thing. We should. That's the key. We should fix it.

We recognize where the problem is, and when I look at what was said from the elected officials who brought this problem out into the public, they even offered some guidelines as to what would satisfy them. Yet we didn't respond as a Legislature that way. The government didn't respond, at least nothing out in the public that I can research and find, to constructively resolve this issue.

Understanding the comments that these various participants made, there was a mechanism here. We could have solved some problems under the existing legislation, under the existing act. All they were looking for was the democratic process. All they were looking for was to be treated fairly and to have some sort of appeal process where they could have been heard, where their concerns could have been heard. I don't think anybody wants anything less than that.

We don't have it in the legislation, and that's a shame. Where does it go from here? What happens from this point? Does this go to the Supreme Court, and then we're back here talking about this again? It is a possibility. It's very much a possibility. I won't venture what the legal argument will be other than the fact that they would somehow look at this legislation and say: "The problem still exists. This is unconstitutional. We deserve the right to a democratic process." It'd be interesting to see what goes on and whether they want to go down that track. I don't understand why we can't just address the problem even in this legislation,

why we can't fix this bill to make it so the communities had some sort of democratic process.

With that, what I'd like to do, Madam Speaker, is give notice of an amendment and move that the motion for second reading of Bill 28, Modernizing Regional Governance Act, be amended by deleting all the words after "that" and substituting the following: "Bill 28, Modernizing Regional Governance Act, be not now read a second time but that it be read a second time this day six months hence." I have the requisite copies here. That's the original.

12:20

**The Acting Speaker:** Thank you, hon. member. We'll pause for a moment while we distribute the amendment.

Hon. member, would you please carry on?

**Mr. Anglin:** I'm ready to go. I'm always ready to go.

**The Acting Speaker:** You have five minutes left.

**Mr. Anglin:** Doesn't the clock start over again on the motion?

**Mr. Anderson:** Good try.

**Mr. Anglin:** I always give it a good try. I give it my best.

Saying that, it's interesting that – well, actually, it's not interesting. It's a shame. It's a shame that the litigants had what I think is a valid argument, and they offered up the possibility of solutions without having to go to court. I think they laid it out pretty good for the ministry to step in and say: "Okay. How are we going to resolve this? How are we going to create a system where the stakeholders feel that the process is fair? How can we fix this?"

Now, I don't know if the minister is willing to respond to this. But did they do this? Did they actually consult out there, looking at this particular problem, to avoid bringing legislation forward and say: how can we fix the existing process without having to go to court so that these stakeholders, these participants on these boards feel that they were part of a democratic process and could have their concerns heard in a fair and just manner? I think the comments that the litigants gave publicly clearly show that both sides were acting in good faith. They weren't looking to go to court.

I would argue that it appears that the government dropped the ball. It appears that where there was an opportunity for leadership, the government didn't show up. What it did is come here with a piece of legislation without even consulting with those affected. The problem is that the legislation now affects the entire province, not just where this problem first surfaced. That is tragic, in a way, because this problem isn't going away. It's just a matter of where it's going to pop up again.

These participants on these boards have to have a venue where they have an opportunity to bring an appeal forward, whether it's through the ministry, whether it's through a separate process, where they can bring their concerns and feel that they've gone through a just process, whether they agree with the decision or not. What normally happens with people or organizations that go in front of either a court or a board that is independent and objective is that if they feel that their arguments have been heard and the decision was made in a fair process, it is a little bit easier to live with the outcome. Where people get frustrated and organizations get frustrated is when the rules are rigged, that you don't even get a fair process. That's what's happening here.

With the regional boards, that we would like, and for regional planning that I think most people would agree with – planning is good, but dictating is bad. Dictating is not planning. Not having

input in the outcome of something that's going to directly affect you is extremely frustrating to these members that find themselves in this situation.

So what are we going to do? Well, I think the best thing to do is to approve this motion and get out into the public and consult. What we can actually do, if we put a lot of work into it, is maybe not even have the need for passing this legislation. There are other ways to fix this under the existing act, under the existing regulations. We do not have to mandate it or dictate it to the various regional boards.

I'm not sure where it's going to end up because as the Speaker knows, in the city of Red Deer, particularly out by Gasoline Alley, the tension sometimes can rise pretty high, but they need to be able to resolve that democratically. When the government steps in or any board steps in and forces the issue, I think that makes it more difficult. I think the animosity grows, and I don't think it goes away. I don't think that's good for our democracy.

Again, we don't always get what we want. We don't always get the outcome that we first set out to get, but if we have a democratic process and we allow what I say is and what is commonly referred to as the greatest strength of a democracy, the ability to compromise, those compromise solutions generally are far more acceptable than one side winning all and the other side being the loser.

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a). The hon. Member for Airdrie.

**Mr. Anderson:** Yeah. I'd just like to ask the hon. member: when it comes to this hoist amendment, is this the best way to go about this? Would he have been happier if, instead of a hoist amendment, we were able to possibly refer this to a committee? Perhaps, instead of referring it to a committee, we could just drop the bill for now and go back and have some public consultation on it. Would that have been a wiser decision? Particularly the referral motion: I think that might have been a really good idea. I just wanted to hear what his thoughts are on it.

**The Acting Speaker:** Thank you, hon. member.

**Mr. Anglin:** Actually, that's a great question. The committee would have been a very good process, and it might have led to a good outcome. But what I discovered when doing my research, as I was scrambling when the minister explained the reasons why, was that there was opportunity for solutions right from the beginning. Now, I don't know what steps or what measures the ministry took to explore any of those solutions.

Clearly, after reading some of the comments made by the litigants, the court was the last thing they were hoping for, and I can tell you right now that this legislation was not something that certainly one of the litigants was even thinking about. There was absolutely no compromise there whatsoever.

I would say that, probably, referring it to a committee was a better way to go, but of all the processes here, the one that jumps out at me is what the litigants were looking for. They were looking for a solution that was nonlegislative, and it appears that there was a solution available that was nonlegislative. We might have needed to amend the Municipal Government Act; maybe we didn't need to. What they were looking for was a process, that they could bring their concerns through an appeal process once the regional board had made a decision. Under most circumstances when dealing with most boards and commissions, there are appeal processes and checks and balances in many ways. We don't generally allow that final arbiter to be, you know, a nonelected official. I know we do this in our zoning and our development

boards with the municipalities and even with our local taxes. If you don't like the way they assessed you, there is an appeal process to go through where we double-check and make sure that we're equitable and we're fair. Now, people may not like the outcome, but we have the process there that makes it work.

**12:30**

That question just brings to mind all the possibilities that I do not think have been explored. Certainly, the possibility of going to the committee was rejected, and I don't understand that. I think that if we brought in the Capital Region Board and brought in Parkland county and heard their concerns and found out that what they were really looking to do was to make a process that was more democratic and more fair, we probably could have found that using the regulatory method with an order in council and just made a few changes that were acceptable to both sides. Maybe that would have worked for every place around the province as they created regional boards.

What's happened is that rather than doing something logical or pragmatic to actually address the problem, we've come out with a bill that has brought over much of the regulation, but it's very heavy handed in the sense that it just nullifies any type of court involvement. Again, I still wonder about the constitutionality of that. Even a murderer has a right to appeal. Why shouldn't a community who's law abiding, who just doesn't like what the regional board is doing, have a right to appeal so that we have a second look at whatever decision is being made.

It's a matter of all citizens being treated equally, and due process of law should not discriminate with a law-abiding community or a law-abiding citizen. We have due process of law in the Criminal Code.

**The Acting Speaker:** Thank you, hon. member.

Are there any others who wish to speak on the notice of amendment by the Member for Rimbey-Rocky Mountain House-Sundre? The hon. Member for Livingstone-MacLeod.

**Mr. Stier:** Thank you again, Madam Speaker. I'd like to speak just for a few moments if I could on this motion to allow for this to not be read a second time but that it be read a second time six months from now. I think that that fits very nicely with the ideas that I had earlier, when I talked about some of things that have happened in the past with this process of planning.

I can recall many, many times having gone through the planning process and sat in hearings and public meetings over various matters where there have been all kinds of people who normally would not get involved in some of these situations but would come out when the gravity of the matter was to such an extent that it finally piqued their interest, and they realized what might be a very important issue that might affect them greatly.

As an example, when we used to see some of these hearings regarding the Calgary Regional Partnership – I mentioned that earlier on – there were a lot of people who finally realized that this was a very dramatic situation, and it had to be reviewed. It had to be brought to the public's eye in a very, very public way so that they could have a chance to talk to their representatives and the various facilitators and ensure that those people knew exactly what they felt about some of these dramatic changes that they were facing.

In a similar vein, if we were to look at this situation here, as has been suggested by the hon. Member for Rimbey-Rocky Mountain House-Sundre, this would give us sufficient time. Just like with the South Saskatchewan regional plan and the regional advisory councils' plans, this sort of thing could be taken out to the public.

Open houses could be arranged, and various speakers could be brought in to proceed with a proper diagnosis and analysis of this and go from area to area throughout Alberta and ensure that people were entirely enlightened as to what they were being faced with. It's obvious from our circulations in the past few days – and I shouldn't say the past few days – in the past few hours that key municipalities have had changes in their councils. Some of the people there have no idea what these changes to their municipal development plans could be. People don't have the background sometimes in planning to know what kinds of situations would befall them.

I really would like to encourage all the members to give this idea a shot, just like with the South Saskatchewan regional plan. I mean, when it comes down to it, right now we're looking at in southern Alberta a major set of open houses and public meetings for that document anyway, but that document, as I said earlier, doesn't contain any of these ideas that are presented here. It's totally missing this. So what are we going to do? Are we going to have all these meetings on the South Saskatchewan plan and then drop the bombshell later on: "Oh, by the way, we're going to have this new thing called this regional planning board put into the equation. We forgot to tell you about that, but I guess we'll just go ahead and have that come out anyway, and we'll deal with it then." Well, that doesn't really make sense, and it doesn't follow the process that I've seen in the past.

Madam Speaker, I think that the time is now. We have the opportunity here to take another whack at this and do a proper consultation. There are going to be two major meetings coming up here in the next three to four weeks with the major associations that involve our municipalities, the AUMA and the AAMD and C. This would fit in with the timelines that we're talking about, and I think this is a great idea.

With that, I'll conclude my remarks and let someone else have a go at this motion we have. Thank you.

**The Acting Speaker:** Thank you, hon. member.

We still have Standing Order 29(2)(a).

Seeing no members wishing to speak under that, are there any other speakers to the hoist amendment? The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Rowe:** Thank you, Madam Speaker. We're obviously disappointed in the last two amendments that didn't go through, but we'll give this one a try. Earlier the minister asked me for examples of boards and commissions and so on that work without this umbrella around it, without the necessity of this bill. I gave one example that the Member for Banff-Cochrane was so proud of and rightly so.

I also had the privilege of sitting on the Kneehill water commission, which, apart from the funding of that commission, is working very well. There are seven different municipalities on it, both urban and rural, that got together in 1999 or 2000 and formed a commission to supply water to seven different municipalities. There were none of these – and I'll use the word – draconian measures to force agreement and force that regional system. It was just that seven municipalities came together and realized a need, and we got it done. It's still operating today. We've probably got the highest water rates in Alberta, but we have water.

**12:40**

Another example of a board that I think works extremely well – and I had the privilege of sitting on that board for 11 years – is the AUMA board. I remember in 2001, when I first went on that board as a brand new municipal politician. Obviously, a very steep

learning curve. In fact, the learning curve was much like this. It was a vertical ladder. After two or three meetings I was really amazed at the different demographics, the different people that were on that board. They came from all walks of life. They came from all sizes of municipalities, from summer villages to the cities of Calgary and Edmonton. It was just amazing how well that worked, and I think that's because we all wanted to be there. We all had a deep interest in making that board function properly, and we went from just an urban municipality association to a corporation where we offered services like insurance and so on to municipalities. That same board grew that business into an over \$200 million corporation in about five or six years, and it's still operating.

Those are some co-operative regional examples that we can learn from and that are, again, voluntary. I can't stress that word enough. I really think that this amendment can give us that second chance to take a look at this. We can step back, allow the AUMA board and the AAMD and C board to evaluate this and get back with some true consultation.

I've been over all the other points many, many times this evening, it seems. Many times. I won't belabour the point much longer. It's just that this is key. This is key to the future of Alberta. It's key to the way that Alberta is governed over the next however long, so I would urge you to support this. Let's take a step back, let's take another look at this, and let's get it done right.

Thank you, Madam Speaker.

**The Acting Speaker:** Standing Order 29(2)(a). The hon. Minister of Municipal Affairs.

**Mr. Griffiths:** Well, Madam Speaker, I had a couple of questions for the member. He addressed the issue about water commissions and being part of the Kneehill water commission, but I think he was inaccurate. It was formed voluntarily – it was – at the request of the minister. It was the minister before me who passed an order so that that Kneehill commission could exist.

But I think he may have given the wrong impression. I'm sure he knows the fact that all the members of that Kneehill commission can't just vote as an individual one to say: I'm leaving. He knows the consequences of that would be that the water rates for every single member of the commission would go up, and that's why, when they asked the minister to create the commission, which is under rules that look exactly like the regional growth boards, there is a clause in there that says that they can't just walk out. It would be tantamount, actually, to all the provinces signing on to Confederation and then deciding after four years, when you have an election: I don't want to be in anymore. Then after the next four years another party comes in: I want to be in. You don't get an organization like that.

I'm wondering if the member would like to address that and talk about the Kneehill water commission and how the fact that they're all in it together, that there has to be a partnership, that they've signed up and now are obliged to be together unless they all agree to disband is part of what makes it a strong structure. That's exactly what would make the regional growth boards a strong structure, by making sure that once they decide – they decide – they want in, they collectively are the only ones that can decide they're going to disband. If any individual could leave alone, without consultation with the rest of the group, it wouldn't be a group, and it would fall apart. I wonder if he'd like to address that.

**Mr. Rowe:** Thank you for the question. The minister is partially right. We are a group now. We are under contract with the provincial government. We are under contract with ACFA, the Alberta

Capital Finance Authority. There's a contract to pay a bill, and we're aware of that. But I will again remind the minister that we all went into that system voluntarily. We all sat around a table, and we signed that agreement initially to get it started and run it. But there is an out, and I was very, very tempted to take that out two years ago. That out is that we are committed to making those payments on the debenture. That's a contract.

We were not obligated to buy the water. Two years ago, when the village ran a \$400,000 water deficit in one year – and we operate on about a \$2.2 million budget for the year; a \$400,000 deficit is not easy to swallow – we couldn't see an end to it. We were going to restart our wells and make our debenture payment, and we would have been a lot better off as a village. That was an option open to us. That wouldn't be an option open in this system. The difference was that we went into it voluntarily again. We weren't forced into that system. Those are the differences.

**Mr. Griffiths:** I wonder, since we ran through this already, that the guidelines for setting up a commission are the same as the guidelines for setting up a regional growth board, where he thinks the involuntary nature of this comes from since it's the same process for setting up and the same obligation to each other.

**Mr. Rowe:** Correct me if I'm wrong, Minister, but in the bill – and I'm sorry; I put it away now – the minister or the authority delegates who will be on that board. There's no opt-out clause even at the beginning. You're told that you're going to be a part of this regional board. Period. That's the difference.

**Mr. Griffiths:** I'll ask him again, and I'll read the section. The regulation states that he'll "identify the municipal authorities that are members of the commission." Sorry. That's the stuff under commissions, that says the exact same thing as the regional boards. The wording is the same. The language is the same. The intent, Madam Speaker, is the same. Show me where it says something different, that it's mandatory.

**Mr. Rowe:** Under 708.02:

- (2) The regulation establishing a growth management board must . . .
  - (b) designate the municipalities that are members of the growth management board.

That tells me that they must designate. Must.

**The Acting Speaker:** Thank you, hon. member.

The hon. Member for Little Bow on the hoist amendment for Bill 28.

**Mr. Donovan:** Thank you, Madam Speaker. I'm actually not going to speak in favour of the hoist just for a couple of reasons. I think six months is too long. I honestly think this is something that literally a month would give quite a bit of time for people to actually go out, have an open consultation on the process, which I talked about a little bit earlier, to have that process to be able to talk with the municipalities that it affects, the AAMD and C, and the AUMA. We have two conventions coming up where we can pretty well hit all of those parties, do some consultations, you know, some round-table discussions with them. So that's why I'm not going to speak in favour of the hoist. I think six months is too long. I think that's past the point of getting something done.

In all honesty, I think that within a month – again, I don't know the timeline in your ministry for why it needs to have a drop-dead date to it because I haven't gotten all the true information out of it or what the background is to it. I'm assuming you didn't just wake up here a couple of weeks ago and decide that this would be

something fun to bring up and that we could hang out until 1 in the morning one night together just for good times. But that's the process now.

Madam Speaker, are we in committee, or are we supposed to be in our chairs? I don't know.

**The Acting Speaker:** We are not in committee.

**Mr. Donovan:** I was just wondering. The deputy whip is wandering aimlessly.

**The Acting Speaker:** I think he's just going to his chair right now.

**Mr. Donovan:** Thank you.

**The Acting Speaker:** Deputy whip, you are returning to your chair?

**Mr. Donovan:** Sorry. I just wanted to know how the process worked.

This goes back to the process, how things should be done or shouldn't be done, and this goes back to why I honestly think a month is more than adequate. I guess I'd ask the minister if that's something that's plausible or doable from his side. I think six months drags out the process and, honestly, defeats the use of trying to get something done. I think this goes back to what I started before supertime in conversation about what goes on.

Bueller? Anyone? [interjections]

12:50

**The Acting Speaker:** We're listening. Go ahead.

**Mr. Donovan:** Well, it's hard to hear over conversations.

**An Hon. Member:** It's that process thing.

**Mr. Donovan:** It is. Well, I just wondered how it works. People are wandering aimlessly.

The point is that if we could have a month where we could have people be able to take it out to their constituents, to their municipal people, and get some feedback on it, I'd be fine with that. That's why I cannot vote in favour of the hoist, because I think that's dragging the process out too long. I think just a month would be adequate, say, by the end of – I think the AUMA convention wraps up on November 21 or something. That gives us the next week afterwards. We could talk about it after we've heard from some of the delegates, again, that are new. Then it's back to process to be able to go out and have some round-table discussions.

I know the minister isn't trying to hide anything or jam anything through here. It's just the process of showing people what's out there, and it's back to the people it affects, which goes back to the people that we represent. That's my thought on that. That's why I guess I'll be voting against the hoist amendment. It's too long. I think a month would be adequate, but again that would be a process that the minister would have to be in agreement with and go along with or explain why it needs to be pushed through at a fast rate. Then we can try to figure out how to explain that to our constituents and to our municipal people, that we're working with all the time.

Those are just my thoughts. I'll leave it at that.

**The Acting Speaker:** Thank you, hon. member.

We have Standing Order 29(2)(a). Would anyone would like to comment?

Seeing none, are there any other members that would like to speak to the amendment? The hon. Member for Cypress-Medicine Hat.

**Mr. Barnes:** Thank you once again, Madam Speaker. I appreciate the chance to rise and talk for a few more minutes about Bill 28, Modernizing Regional Governance Act. Unlike the Member for Little Bow, I'm going to speak in favour of the hoist motion.

Mr. Anglin to move that the motion for second reading of Bill 28, Modernizing Regional Governance Act, be amended by deleting all the words after "that" and substituting the following:

Bill 28, Modernizing Regional Governance Act, be not now read a second time but that it be read a second time this day six months hence.

Well, obviously, there are a few reasons for supporting the hoist motion. Six months might be too long; it might be too short. But the other idea was putting it to a standing committee that would have given us a chance for a second thought, a chance for some meaningful interaction, a chance for inviting several stakeholders and several people that could have improved this bill. We all know that half an hour ago that didn't work.

Our first motion was:

Bill 28, Modernizing Regional Government Act, be not now read a second time because the Assembly is of the view that the bill will severely undermine local autonomy and that further input is necessary from the public, municipal officials, the Alberta Urban Municipalities Association, and the Alberta Association of Municipal Districts and Counties.

That was the first one that didn't pass and, obviously, the basis or the reason behind the next two, to try to get some time or a mechanism to be able to get some of these key stakeholders, some of these key people involved. The hon. Member for Rimbey-Rocky Mountain House-Sundre thought six months was good. That will certainly give us ample time.

Another side benefit of having it back in here in six months is I think that it's only something like 39 or 40 days a year that we're actually sitting here. This would give us an opportunity to get together and do some things, Madam Speaker, like to potentially have some other bills go to some of these committees, to potentially go a bit slower on some of the legislation, to potentially have a chance to talk about some economic development ideas, some further participatory democracy ideas. It's an interesting thought. Maybe these things, with some time period for people to review them and to give them a second thought, may work.

My constituency has been running through my mind as this goes through. I represent the south about 22 or 24 per cent of Medicine Hat, far, far from the majority. The biggest municipality peoplewise in my constituency is Redcliff. Redcliff is a great community of almost 6,000 people, lots of long-term residents, a great greenhouse industry, a great small-business industry. It also has a lot of development going on in the last little while, that they've been able to attract and make grow.

I remember, though, about 20 years ago a vote in Redcliff as to whether or not they wanted to join Medicine Hat. Part of the reason it lost was because the Redcliff people liked their identity, liked their small-town feeling, and felt that as the smaller community in that partnership they would lose a lot of their identity, a lot of their autonomy, a lot of their opportunity to set the direction that they wanted to set.

Then about 20 or 25 miles west we have Bow Island. I'm going to bet you right now that this year Bow Island is the only community of the three where the population is actually increasing. Bow Island is a nice little town of about 2,300 people and is maybe just far enough away, you know, at 30, 35 miles, to

be outside the focus of how this growth management board would work.

But I wonder about the interaction between Medicine Hat and Redcliff as some of my colleagues have mentioned the ability for the Minister of Municipal Affairs to make things happen, the lack of what appears to be a clear voluntary procedure and how that would impact 6,000 people who a short time ago voted, clearly, for their independence. What has to be and is important for all of Alberta – for example, when the flood hit, Medicine Hat was severely hit again. The people of Redcliff were a short time after. Both communities greatly helped each other, so certainly a strong, strong willingness to work together.

One of the things that's running through my mind about both of these last two motions, the hoist and the one about putting it to the Standing Committee on Resource Stewardship, is that obviously, you know, in the hour and a half that I've been reading this, there's been a lot of uncertainty. Wouldn't a hoist period, a committee period enable us to get it out clearer, to get it out better, to get it to where everyone understands it better, where all 87 of us have a better chance to make it right? It's not like we don't make mistakes.

I talked about the royalty review in my member's statement today. Yeah, I know the price of natural gas has changed. But in 2008 the oil and gas companies in Medicine Hat, especially service companies, clearly told the PC government: change the royalty review or we will move; we will do business elsewhere. It was the start of the exodus of oil and gas companies, service companies from our area to Estevan, to northern B.C. in Fort St. John, and to the Bakken field in North Dakota. A royalty review. Then if I remember the information right, I believe the PC government backed up on it 11 or 13 times. It was certainly a mistake that perhaps with a recommendation to a committee or a hoist or consulting with more stakeholders might have avoided.

Bill 50 and then this Bill 8 that we did a year ago showed again that the first way that was done wasn't the best way, although it accomplished what somebody wanted to accomplish. The final Bill 8 showed: we're not going to do it that way again, so we must've made a mistake. Perhaps if we'd had a hoist, perhaps if we'd had a recommendation to a committee, it may not have happened. History will prove the fate of that to all Alberta ratepayers and Alberta taxpayers. We'll see where our electricity industry ends up, if it ends up truly serving us as it should or if it ends up costing us all quality of life.

1:00

I think Bill 36 was the same. Wasn't it Bill 10 that changed it a bit, changed some of the ideas? It didn't come out perfect that time either, guys. Perhaps a hoist or perhaps a committee referral would have solved that problem although, of course, my opposition to that one is the top-down central planning, which brings us back to Bill 28.

You know, I had numerous town halls in the year before the election and talked to many, many property owners and many, many, many farmers, and the quote I said earlier tonight was that many of them would come to me and say: how are we going to get the people in the cities to understand how important property rights are, how big an effect this could have on us? As I said earlier, it looks like that will be Bill 28.

The last two concerns I have. Again, it clearly states in here the overreaching of ALSA. On page 7, section 708.06, compliance with ALSA regional plans:

In carrying out its functions and in exercising its jurisdiction under this Part and other enactments, a growth management

board must act in accordance with any applicable ALSA regional plans.

Again, it ties in real tight with what your government has done with central planning, with planning that has been opposed by so many, and, as so many people on this side have alluded to tonight, may have been the large part of 440,000 votes for Alberta's opposition party.

The other part, that \$10,000 fine and the year in prison. As the hon. Member for Little Bow said, at least it's not two Christmases somebody would miss. But I wonder how a CEO of a municipality with that hanging over his head – it seems extraordinary to me. It seems amazing. I think I heard earlier that it was in the old act, but it's never been implemented. Why the heck don't we take it out? Maybe that's an amendment that over the 30 days of the hoist we could certainly analyze, amongst some other good ones.

Again, the top-down, the words that I mentioned before from, you know, the mandate, the no limits, draconian, heavy-handed: they seem to be very, very similar words to what I heard in many, many town halls about Bill 36, Bill 19, and Bill 24, and it looks like we are going down that road again. Without a hoist period, it will be interesting to see what the voters in this province decide to do.

Madam Speaker, thank you very much.

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a), anyone?

Are there any more members who wish to speak on the hoist amendment? The hon. Member for Airdrie.

**Mr. Anderson:** Thank you, Madam Speaker. I would like to stand and support this motion that Bill 28 be not read a second time but, instead, be read a second time this day six months hence. I think that's a great idea. It will give us a lot of time. I think it might take more than a month. I mean, maybe if you came every day for a month, then we might be able to get through it, but I do think that it might take a little longer than that anyway.

I'm a little surprised at what I heard from the minister just a few minutes ago. I'll go back and look at the *Hansard*, but he seemed to compare the idea of regional planning boards, once they're formed and the membership in regional planning boards and the importance of unity within these regional planning boards, to that of Confederation, saying that it is just as important. Just like you can't leave Confederation on a whim, you shouldn't be able as a community to leave a regional planning board on a whim. I guess some people might say: gee, I don't think we quite would compare our country and the unity of our country to a regional planning board. Some people might say that that's kind of weird. So I just wanted to ask the minister if he could please clarify that weirdness for us.

The other piece is this whole idea of this act using the same language, the mirror language that he talks about. That's not true. There are many differences between the two, and we've gone through some of them. We haven't gone through all of them. One of the main ones, of course, is that this act applies right across Alberta. It's an enabling piece of legislation. It enables the minister and the Premier of council to set up these regional boards anywhere they want across the province and mandate who's going to be a part of them.

The regulations that the minister refers to actually only deal with the Capital Region Board. That's all they deal with. So if he wanted to fix that because he's run out of time – there's a two-year clause where he's got to turn the regulations into law or else they expire or whatever – then just pass a bill that has to do with the Capital Region Board. If that board wants to stay together – it

sounds like there are a couple of municipalities that don't – pass legislation that just deals with that. There's no reason to spread this out into something else, to say that we're not going to enable this to happen all over the place.

He's been saying that if people want to come to him and ask, "Oh, please; we'd like to form a board; can you please put this together for us?" he can use the MGA right now to do that like we did with the capital board. Okay. Fine. So why are we passing a piece of legislation, enabling legislation, that allows him to form permanent regional planning boards without having to come here anymore, without any kind of say from the people in that area? He can form them. It's very clear. He can put whoever he wants on the board with regard to membership of the municipalities. He can choose the municipality. He can choose what area it's going to encompass. He doesn't need to ask. So it is not voluntary at all.

I just do not understand why. If he wanted to fix this problem he's having with Parkland county, which, by the way, is a good example of why having this mandatory, confining, forced regional governance doesn't work – Parkland county wants to do something else. They say: "Look, we like this, but we really do need this park. We need it. This is important to us. That's what we're going to do." So the capital board says: "No. We can't do that." For whatever reason it doesn't comply with their plan. Parkland county says, "Well, that doesn't work for us," and they lose. Too bad. The board wins, and they have to comply with whatever the board has said. That's exactly what we're trying to guard against here.

We're saying that municipalities should be autonomous, that they can co-operate and should co-operate. We can dangle carrots in front of them to co-operate, but by forcing them to co-operate, I think that's fundamentally undemocratic, unjust, dictatorial, heavy-handed, and many other adjectives in the English language that are not synonymous with democracy.

**I:10**

So I would suggest to the minister: again, don't get too in love with this idea. I find it amazing, being from a rural area, as he is, with rural constituents and small towns, medium-sized towns, larger towns that are in his area – you know, it probably doesn't affect towns in his area just yet, but it may one day. Who knows? I mean, Edmonton is a bustling, growing city. It might start spreading. Who knows how far it'll go out there? Take a look at some of those huge cities in the United States. Who knows? Maybe we'll be that size one day. The point is that this stuff might not come home to roost now. It's easy for that member to say: "Oh, well, this doesn't really affect my constituents, so what the heck." But this is very personal to a lot of people in this Legislature that are trying to represent their constituents.

I wasn't consulted on this. None of my colleagues were consulted on this. Shouldn't we as elected representatives be consulted on something like this, that would affect our constituents in this manner? I just think it's disappointing that we're here at this hour debating the same bill when we still haven't heard from the AUMA, still haven't heard from the AAMD and C, still haven't heard any official word from any of the councils. They haven't even had a chance to meet yet. They're scrambling around. I'm getting texts, sending them copies of the bill all over the place. And here we are making an informed decision about whether we should let this bill pass second reading; in other words, approve the intention of the bill although we don't even know what the intention of the bill is because there's no preamble as to its intention. So we don't even really know what that is.

So that's where we're at. This is legislative sausage-making at its absolute worst. This is why people are cynical about governments and politicians in general. They come in and act like they know everything. They make decisions from their little ivory tower that affect people, real people down there among the towns and cities. They don't think about: "You know what? Maybe I should take some time and actually listen first before I pass something like this because it might affect people." It might affect people, and it might affect people not in a good way.

We want regional planning. We really do. It's a good idea. But let's use carrots. Let's not use sticks. Let's not use force and intimidation and hold this over their head and say, "Co-operate or else," because what happens in that scenario is that the little guy or the medium-sized guy gets quashed in that situation, and their rights are taken, and their autonomy is taken. That's what this will do if it is passed because eventually this will be used. There's no doubt it will be used again, and it'll be used to probably force people to, quote, unquote, co-operate instead of letting them voluntarily come together to create a better region for themselves. I think that's tragic, and it's wrong and very frustrating to see. If it does pass – I think I speak for all of us on this side – we look forward to one day making sure that that is repealed.

I would also challenge the minister to confirm right now – I mean, he's right there. He's going to have the chance in 29(2)(a) to say it if he would like. He can speak to it, too, I think. Confirm for this House and possibly put in writing, I would hope, but certainly confirm – it'll be in *Hansard* – that you do not plan in any way, shape, or form to use this act, once it's passed, to force the members of the CRP or members around the Calgary region to enter into this forced arrangement under one of these planning boards. Say it right there. Then, you know, at least for the next two years we can take some solace in that in the area of the world that I come from. Hopefully, he can say that, and then we can have that promise on paper, and hopefully that'll stick, at least for a little while. I think he would alleviate a lot of people's fears or at least some people's fears if he said that.

Now, of course, one day he won't be the minister of that portfolio, so even if he says it, that could change down the road. But I would like to know that any membership in this type of arrangement is going to be entirely voluntary both on the way in and, if the municipality wants it, on the way out. I think that's a fair request to make, especially given the very short timeframe, the lack of consultation, and the fact that we are having to pass this within probably a week. People would like to know. I certainly know that my council, definitely my mayor, have been on Twitter and Facebook all night on this stuff. They would like to know, and they would like to know from this minister.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a)?

Seeing no members wishing to speak under 29(2)(a), the hon. Minister of Municipal Affairs.

**Mr. Griffiths:** Well, I appreciate that, Madam Speaker. I just have a few remarks I'd like to add. I think that up front I've been very, very clear. In fact, I've been very clear in every speech I've ever made discussing the subject matter that I never have any intention of forcing municipalities together. I'm not going to stand around and let them not work together, but I'm not going to force them together. I'm going to find some way to make them realize that working together makes us all stronger and better in the long run. That's what this is about.

There are three things I wanted to clarify. First, the comment from the member, my critic, about forcing municipalities in. This is what every single member who is opposed to this has been citing every single time in justification for claiming that I'm going to force municipalities together. It's in the act, section 708.02(1). "The Lieutenant Governor in Council, on the recommendation of the Minister, may establish a growth management board by regulation." I just want to point out once again that in the MGA, which is 17 years old, under Establishing Commissions, 602.02(1) says the exact same words: "The Lieutenant Governor in Council, on the recommendation of the Minister, may establish regional services commissions by regulation."

Then they cite in the act section 708.02(2): "The regulation establishing a growth management board must." In the MGA, 17 years old, under section 602.02(2) it says, "The regulation establishing a commission must." It has the same criteria, specifying the name, specifying the members. There's absolutely nothing in this that says that I will compel them, any more than it does in the commission, which is completely voluntary. The idea is that it has to be done in regulation, and that's all the regulation says.

The second point I wanted to clarify because it was a new piece of information that I thought was very unfortunately presented by the Member for Rimbey-Rocky Mountain House-Sundre saying that the issue with one of the municipalities in the Capital Region Board was that they had no avenue for appeal. Actually, Madam Speaker, there is no avenue for appeal because it's not a court of law. But they do have an avenue when there are disputes. It's right there in section 25(1) of the old regulation, which is now put in the legislation, and it clarifies very specifically the process for complaints, disagreements.

- (2) On receipt of a complaint . . . [the Board] shall attempt to resolve the complaint informally with the . . . municipality.

Second step:

- (3) If a complaint cannot be resolved . . . [it shall] refer the matter to mediation.

Mediation. Now, just imagine, Madam Speaker, that you've got, say, an MLA and a municipality, a town, that can't get along. Do you appeal it to the courts, or do you bring in a mediator? They know you bring in a mediator. They have experience with that with one of their own members. It's meant to be a relationship between equals. You don't appeal it to the courts because there's been no law broken. It's a disagreement. After the mediation they can refer it under the Arbitration Act to be arbitrated. So it's disingenuous to claim that there is no avenue for appeal for anyone on the Capital Region Board.

The third one, Madam Speaker, is the consultation. Now, I'm not quite sure how I gave the wrong impression, and if it was me, I apologize. We don't have two years to consult. We don't even have six months. The court process started late this summer. It was already going through the process. A hearing was made, and a decision was coming in a matter of days. This had to be resolved very quickly, or we had 18 different organizations – water commissions, waste commissions, and the Capital Region Board – that could cease to exist on the spot in a matter of days. We don't have time for consultation. The Member for Airdrie said that our actions affect people. I know. But inaction was going to affect a lot of municipalities, too, in this case and render some very good work completely gone.

1:20

Sometimes, Madam Speaker, leadership isn't just about consulting. It's knowing that when something has to be done, it gets done. That's what leadership is about, making decisions. I

have full intention, as I've always said – I've always said – that if we manage to make some mistake, then we'll fix it.

Frankly, I will not have 18 great organizations put at risk because of accusations that are completely inaccurate and misinterpretations of the bill. I've clarified every single one, and I'll do it through Committee of the Whole, and I'll do it through third reading. I will answer every phone call from every municipality, and I will explain to every single one of them how this is no different than the regulation we had before, how this is an empowering document to allow them to work together, just like 17 years ago, when commissions were created so that they could have water commissions and waste commissions. It allows them the opportunity to form formal relationships so that they make sure they can get the job done to serve their constituency.

Madam Speaker, I am fully confident in this bill. I look forward to carrying on the discussion with municipalities and finding other ways that they can formalize relationships and continue to work together so that we can all, whether at the municipal level or the provincial level, ensure that we serve Albertans today and for the tremendous growth that we're going to have going into the future.

**The Acting Speaker:** Standing Order 29(2)(a). The hon. Member for Airdrie.

**Mr. Anderson:** Okay. Minister, you say that nothing in the document compels these municipalities to join this board, and you cite the MGA and the fact that it talks about service commissions and that it's the exact same language and so forth.

Minister, a service commission is not the same as a growth board. They're different. If they were the same, then you wouldn't need to pass legislation. This is different. It's a growth board that has extreme powers to do virtually – well, we can go through it again – a lot of different things that a service commission can't do. If a service commission could do it, you wouldn't call them regional growth management boards. It's not the same entity that you're talking about here. These are not service commissions. That's got to be clarified, or else you just leave it at service commissions and use that part of the act to do what you want to do with it.

The other piece. Why on earth would you wait if you were going to lose 18 public commissions of some kind if we don't pass this in the next week? Fair enough. How on earth did your ministry drop the ball that badly that you were at the point where we have one week to pass a bill or you're going to lose 18 different public commissions? How is that not rife with incompetence? That's what it's come to? We've got to pass this, or else we lose 18 commissions? Good grief. That's the way to do it. Talk about putting a gun to our head to pass a piece of legislation. Unreal. It's either that or the whole thing on the capital board falls apart because all of these commissions expire.

That should never happen. If there was that problem coming up, that should have been detected a lot longer than one week before it occurs. So we have to do that. [interjection] If that's good process, Member, then you and I obviously have a very different idea of what competence is because that's not competence, and that's not process. That's stupidity by the department. That should have been found out, and I'm sure we'll want to look at that further tomorrow in question period and in other places. That's an unacceptable answer, that we have to pass legislation in the short time frame that we have or all hell breaks loose and we lose all these commissions and everything else. That's ridiculous.

It does explain, thankfully, finally at 1:30, why we are here at 1:30 and why the government felt the need that this had to be passed and has to be passed in the next seven days or something. That's not an acceptable excuse. I look forward to hearing from



this member today, tonight, and tomorrow on why he would allow it to go this late without it being taken care of.

**Mr. Griffiths:** Thank you very much. Madam Speaker, very easy to explain. As I suggested already, this summer the court filing was made. We wanted to see what happened through the court process. The arguments were made, the case was being made so we could make sure that we could address it appropriately. The case only got resolved two weeks ago, so we explored what sort of options were available. The decision is supposed to come down within the next couple of weeks, and that's where the timeline was. We didn't want to rush out and come up with a solution until we'd heard all of the arguments and the reasons why that municipality had some challenges and what they thought were the solutions. This is what we came up with. So that's how we wound up in this process. It's not, as he suggested, stupidity, which, I think, quite frankly, is an unparliamentary word. It's simply trying to work within the process and the letter of the law to make sure that we got it done right and still heard as many people as possible.

The issue about the commissions and the growth management board. He's absolutely right. Actually, he's absolutely right. They are not the same thing. Commissions have worked incredibly well for water, for waste water, for transportation. They're set up all over the province. There are ways for municipalities to come together for a partnership, but some of them are looking for stronger partnerships to cover more areas, realizing that their municipal boundaries are just an artificial boundary that was created.

They want to find ways because they know that the growth challenges that we're going to have – the populations that are going to move here, the industry, the commercial activity, the competition for recreation, making sure that we protect the environment – are competing at a greater and greater rate, all of it combined, and they wanted to make sure. They've asked if, instead of simply a commission, they could come together with a stronger tool that would allow them to capture more while still holding the principles of what a commission operates on, that they come together willingly, they form a partnership, and they have a bond together.

That's what we've done, Madam Speaker, and I'm proud to stand behind it.

**The Acting Speaker:** Are there any more members who wish to speak on the hoist amendment?

Seeing none, we will go to the vote.

[Motion on amendment to second reading of Bill 28 lost]

**The Acting Speaker:** All right. Hon. members, we're going to move on. For those who may not have faced a hoist amendment before, once a hoist amendment is brought to the floor of the House and is defeated, you move directly to the vote for second reading. So there is no more debate in second reading. We move directly to the vote for second reading.

[The voice vote indicated that the motion for second reading carried]

[Several members rose calling for a division. The division bell was rung at 1:28 a.m.]

[Ten minutes having elapsed, the Assembly divided]

[Mrs. Jablonski in the chair]

For the motion:

Bhullar	Hancock	McIver
Brown	Horner	McQueen
Calahasen	Jansen	Oberle
Cao	Jeneroux	Pastoor
Casey	Johnson, L.	Rodney
Dallas	Kennedy-Glans	Sarich
Dorward	Khan	Scott
Fawcett	Klimchuk	Webber
Fritz	Kubinec	Woo-Paw
Griffiths	McDonald	Xiao

**1:40**

Against the motion:

Anderson	Barnes	Rowe
Anglin	Donovan	Stier

Totals:	For – 30	Against – 6
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[Motion carried; Bill 28 read a second time]

**The Acting Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Madam Speaker. I would move that we adjourn until 1:30 p.m.

[Motion carried; the Assembly adjourned at 1:41 a.m. on Thursday to 1:30 p.m.]







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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Thursday, October 31, 2013

Issue 63a

The Honourable Gene Zwozdesky, Speaker

## Legislative Assembly of Alberta The 28th Legislature

First Session

Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC), Speaker  
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Jablonski, Mary Anne, Red Deer-North (PC), Deputy Chair of Committees

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Amery, Moe, Calgary-East (PC)  
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Anglin, Joe, Rimbey-Rocky Mountain House-Sundre (W),  
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Bhardwaj, Naresh, Edmonton-Ellerslie (PC)  
Bhullar, Hon. Manmeet Singh, Calgary-Greenway (PC)  
Bikman, Gary, Cardston-Taber-Warner (W)  
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Cusanelli, Christine, Calgary-Currie (PC)  
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Forsyth, Heather, Calgary-Fish Creek (W)  
Fox, Rodney M., Lacombe-Ponoka (W)  
Fraser, Hon. Rick, Calgary-South East (PC)  
Fritz, Yvonne, Calgary-Cross (PC)  
Goudreau, Hector G., Dunvegan-Central Peace-Notley (PC)  
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Xiao, David H., Edmonton-McClung (PC)  
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Eggen	McDonald
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## Legislative Assembly of Alberta

1:30 p.m.

Thursday, October 31, 2013

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon.

Let us pray. O gracious God, as we begin our proceedings for another day, let us be reminded of the efforts put forward by those who came before us, and let us be ever mindful that the decisions we make today will bear impact on those who come tomorrow. Amen.

Please be seated.

### Introduction of Guests

**The Speaker:** Let us begin with school groups and the hon. Member for Calgary-East.

**Mr. Amery:** Thank you, Mr. Speaker. It is my pleasure to rise today and introduce to you and through you to all members of the Assembly 80 students from Father Lacombe high school, located in the beautiful constituency of Calgary-East. Father Lacombe high school is the most diverse school in the Calgary Catholic system. Father Lacombe high school houses students from 32 different countries and is home to about 37 different languages. You can call it the headquarters of the United Nations. The students are accompanied by Dr. Adriana Bejko, Mr. Matt Bouwmeester, Mrs. Joanne Smith, Catherine Taylor, and Ms Liesel Borisenko. They are seated in both galleries. I would ask them to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** Are there other school groups?

Seeing none, let us proceed with the introduction of guests. Please be reminded to be as brief as we can because we have a number to do today. The Hon. Deputy Premier.

**Mr. Lukaszuk:** Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you to all members of our Assembly a group of staff from the Alberta government Public Affairs Bureau. These particular PAB members will be touring our Legislature Building today. These are dedicated public servants who are contributing greatly to the building Alberta plan. I'm thrilled to welcome these individuals into the Legislature today. I'd ask them to rise as I call out their name: Mr. Alex Serafico, Ms Rhonda Lothammer, Mrs. Allison Hansen, Ms Holly Gray, Ms Jayn Villetard, Ms Mary-Lea Crawford, Ms Jennifer Dagsvik, Ms Jamie White, Ms Mindy Jacobs, Ms Sabra Mahmood Saleh. Welcome to you all.

**The Speaker:** The hon. Member for Stony Plain.

**Mr. Lemke:** Thank you, Mr. Speaker. It is my pleasure to rise today and introduce to you and through you to the rest of the House two wonderful community organizers of the Blueberry bluegrass festival: Norm Sliter, president of the Blueberry bluegrass festival; and Bill Donlevy, director of fundraising for the festival. It is truly a pleasure to have the festival in my constituency, as you know, and I urge all members to come out to the festival next summer. They are currently seated in the members' gallery, and I'd ask that they rise now and receive the customary warm welcome of this Assembly.

**The Speaker:** The hon. Associate Minister of International and Governmental Relations.

**Ms Woo-Paw:** Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you to all members of this Assembly Mr. George Dong. Mr. Dong has had a long and vibrant career in reporting and broadcasting with the CBC, BBC, and Omni TV. Through his coverage of Alberta for Radio Canada International's Chinese section, broadcast in Mandarin to China for over 10 years, he has helped share and promote Alberta's story abroad. He is also the co-author of the recently published novel about Morris Cohen, *General Two-Gun Ma Kun: Dr. Sun Yat-sen's Jewish Body Guard*. Cohen was an Edmontonian, and Dr. Sun Yat-sen is regarded as the father of modern China. George's book is adding a colourful chapter to the Alberta story. He is seated in the members' gallery today, and I would ask him to please rise and receive the traditional warm welcome of this House.

**Mrs. Jablonski:** Mr. Speaker, it's my privilege today to introduce to you and through you to the members of this Assembly Dr. Charles Boulet from Lethbridge, Alberta. Dr. Boulet is an optometrist with a specialty practice in visual rehabilitation and development for children falling through the educational cracks due to visual impediments. Dr. Boulet supports the premise of Bill 204 and believes that we need to start paying attention to children's vision needs. He has defined a standard for comprehensive vision exams for children and believes, along with his research partners, that these exams should be mandatory as untreated visual impediments in children are costing millions each year to Education, Justice, Health, and social services. Dr. Boulet is in the members' gallery, and I would ask him to stand to receive the warm traditional welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Decore, followed by the leader for the Liberal opposition.

**Mrs. Sarich:** Thank you, Mr. Speaker. It is an honour and privilege for me to rise today to introduce to you and through you nine guests here in recognition of St. Michael's Health Group Millennium Pavilion's 25th anniversary. My guests represent the dedicated and caring management and staff as well as residents from Millennium Pavilion. They are seated in the members' gallery, and I would ask that they please rise as I mention their name. We have with us this afternoon Ms Michelle Rose, manager, Millennium Pavilion; Mrs. Charlotte Tria, supervisor, Millennium Pavilion; Mrs. Janet Nichiporik, recreation activity convener; Mrs. Helen Guglich, resident; Mr. Con Popescul, resident; Mr. Roy Bruce, resident; Mrs. Lena Pukalo, resident; and Mrs. Caroline Onyskiw, resident. They had to have the handiwork of their driver, Ms Catherine Gallinger. Also, there were three that could not make it this afternoon to join us: Mrs. Mary Chrapko, Mr. James Rudnitski, and Mr. Andrew Archibald. I would now ask that the Assembly please join me in honouring them with a warm welcome.

Thank you.

**The Speaker:** The hon. leader of the Liberal opposition, followed by the Member for Edmonton-Gold Bar.

**Dr. Sherman:** Thank you, Mr. Speaker. It's my honour to introduce to you and through you to all members of this Assembly Laurie Thiesen. Laurie is a lab technologist who I met the other day when we discussed the risks of privatizing laboratory testing. The experience of privatization of Alberta labs in the mid-90s compromised openness, accountability, and efficiency of lab

testing and at times put patients' lives at risk, not to mention costing Alberta millions of dollars. I'd like to thank Laurie for her service to Albertans and her courage in coming here to the Legislature to ask the Premier and cabinet not to make this decision. I'd ask her to please rise and receive the traditional warm welcome of the Assembly.

**Mr. Dorward:** Mr. Speaker, this is a big day in the life of Marjorie Thompson. It's indeed a pleasure for me today to introduce to you and through you to all members of the Assembly Miss Thompson, from my constituency of Edmonton-Gold Bar, who has been selected as the winner of the individual leadership award, which was announced at the PDD provincial community leadership awards ceremony on October 16. Marjorie is a member of the Self Advocacy Federation and Albertans Advocating for Change Together. She works for the Gateway Association as a surveyor for the My Life Personal Outcomes Index and is a valued, committed, and adaptable employee who fosters great teamwork. Marjorie is joined here in the gallery by her fiancé, Kenneth. Kenneth and Marjorie, please stand and receive the welcome of the House.

**The Speaker:** The hon. Member for Calgary-Currie, followed by the hon. Member for Edmonton-Strathcona.

1:40

**Ms Cusanelli:** Thank you, Mr. Speaker. I have a very special visitor to introduce to you and through you today. My uncle Régis Deschênes is sitting in the members' gallery and is visiting from Ottawa to help me in arranging my mother's palliative care. I would like to thank him from the bottom of my heart for his assistance in helping to ensure that my mom remains comfortably at home. Please join me in offering him the customary warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by St. Albert.

**Ms Notley:** Thank you, Mr. Speaker. It's my pleasure to rise today to introduce to you and through you my guests Marie Renaud and Raymond Nkorerimana. They are both part of the Lo-Se-Ca Foundation, a nonprofit organization that provides award-winning residential and day supports to adults with developmental disabilities. Their programs are in place for some of the most vulnerable citizens of our province, and they give them the support they need to live happy, healthy, and successful lives. Lo-Se-Ca was recently awarded the Prime Minister's award for the prairie region in the category of social innovation for their work. I'm very pleased to have them here as my guests.

I can say, Mr. Speaker, on a personal note that in the last year that I've come to know Marie Renaud, I have observed a strength of will and a courage of convictions which is rare and admirable. I can say that I've learned a great deal from her, and I believe that many in this House can, too.

I would ask them now to stand and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for St. Albert, followed by Edmonton-Whitemud.

**Mr. Khan:** Thank you, Mr. Speaker. I have two introductions if I may. I, too, would like to welcome some incredibly special guests. I'm so pleased to introduce to you and through you Marie Renaud, François Busque, Raymond Nkorerimana, and Ron Bourret, who are all from the Lo-Se-Ca Foundation, as the Member for

Edmonton-Strathcona so articulately introduced. They are such a worthy organization that I wanted to just build on that remarkable introduction. The Lo-Se-Ca Foundation, under the leadership of Executive Director Marie Renaud, is an amazing organization from my constituency of St. Albert. As a group they work tirelessly to improve the lives of individuals with developmental disabilities, connecting them to the community while promoting involvement and independence. As a not-for-profit organization they help foster a thriving and inclusive and such an important part of our community in St. Albert. Lo-Se-Ca stands for love, service, and care. I've had the pleasure of spending a lot of time with Marie and her team, and I want to assure you that I've witnessed first-hand how they take this motto so very seriously.

Mr. Speaker, I think Marie and Raymond are in the members' gallery, and François and Ron must be behind me. I'd like them to rise now and receive the warm welcome of the Assembly.

**The Speaker:** Do you have a second introduction, hon. member?

**Mr. Khan:** Mr. Speaker, I'm so pleased today to rise and introduce to you and through you to my colleagues in the House two very special and remarkable ladies who it would be safe to say that I would be lost without. The first is Eileen Hofmann. Eileen is the constituency manager in my office in St. Albert. I'm only half joking when I say that over the past year and a half Eileen has been helping to train me to be a good MLA. Eileen is an exceptional resource for our entire community in St. Albert, and I'm grateful for her work and so very pleased to call her a colleague.

The next person, Mr. Speaker, is my other boss, the real boss, my wife, RaeLynn. She is the mother of my two children, the love of my life, and my best friend. The single greatest accomplishment of my life was convincing RaeLynn that she should marry me 21 years ago.

I'd ask both of my bosses now to rise and receive the warm welcome of my colleagues.

**The Speaker:** The hon. Member for Edmonton-Whitemud and Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I'm not sure that I can follow that, but I do want to introduce to you and through you to all members of the Assembly someone who will be very familiar to all members, I believe, Mr. Don Newman, CM, award-winning journalist and broadcaster, joined by his wife, Shannon Day, visiting us from Ottawa. Ms. Day some may remember. The Minister of Culture may have actually been here with her when she was a correspondence writer in Premier Lougheed's office. I'm pleased to welcome both Mr. Newman and Ms. Day to the Assembly today as they visit Alberta to promote Mr. Newman's memoir, *Welcome to the Broadcast*. They're seated in the members' gallery, and I would ask them to rise and receive the traditional warm welcome of our Assembly.

### Members' Statements

**The Speaker:** The hon. Member for Edmonton-Decore, followed by Rimbey-Rocky Mountain House-Sundre.

### St. Michael's Health Group Millennium Pavilion

**Mrs. Sarich:** Thank you, Mr. Speaker. It's an honour and privilege to rise today to help commemorate St. Michael's Health Group Millennium Pavilion on their 25 years of providing compassionate, supportive long-term care in Edmonton.

St. Michael's Health Group has a proud, agile, and visionary history, which began in 1976. It is coupled with strong stewardship, which encompasses people, programs, services, and facilities that continue to be valued as partners in our province's health care system.

Twenty-five years ago, Mr. Speaker, this organization responded to the ongoing realities of our aging population and with the support of the government opened Millennium Pavilion Seniors' Lodge, which offered independent apartment-style supportive housing for the elderly.

Over the years Millennium Pavilion has established a widely acknowledged culture of success, which is a determinant of an effective organization. Truly, they have a reputation for creating an environment of acceptance for all residents and their families, which honours their life history, supports their personal strengths and challenges, and maintains their dignity in a comfortable, safe, and homelike environment.

Features of their blueprint for success include taking the perspective of the residents by developing individualized and responsive health care plans and the provision of recreation programs that value independence and choice in an environment that promotes social involvement.

Mr. Speaker, I would like to offer my heartfelt congratulations and sincere appreciation to all those from the past, present, and into the future who will and have contributed to the unparalleled success of St. Michael's Millennium Pavilion's 25 years of dedicated, loving care and exemplary service to their residents. Heartfelt thanks for adding immeasurably to our city, province, and country and very special best wishes in the years to come.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition.

#### Minister of Municipal Affairs

**Ms Smith:** Thank you, Mr. Speaker. Another day, another ghastly performance by this Premier's Municipal Affairs minister. Just yesterday he was telling Albertans that the opposition was fear-mongering for raising the very valid concerns of municipalities across the province over Bill 28, concerns that it would strip away their autonomy and put them firmly under his thumb, under penalty of incarceration. He said that the language we used was frightening and that he needed to do work to undo the myths and rumours.

Well, it's beginning to look like the only frightening thing the Premier and her minister had to deal with last night was the furious backlash from mayors and reeves over this legislation. This morning the Premier announced that she will indeed consult with all municipalities and that local autonomy will be protected. Mr. Speaker, this is a victory for democracy, for local autonomy, and for all Albertans.

We can't help but notice, however, that this particular minister hasn't exactly endeared himself to his counterparts. He has all but torpedoed the province's relationship with Mayor Nenshi, and if the Premier hadn't stepped in this morning, he would have done the same with nearly everybody else. Here's a bit of free advice for the Premier: keep him away from Mayor Iveson. You want to preserve that relationship.

Mr. Speaker, this minister's erratic performance aside, I'd like to commend the Premier for coming around and doing the right thing. It is not often that common sense triumphs on the government benches, and we're all about credit where it's due. To the Premier: we are humbled and honoured that she has come around

to our way of thinking. It's a welcome change, and I hope we see more of it. [interjections]

**The Speaker:** Hon. members, I realize there has been a bit of a private joke that just occurred. Good for you. Let's hope that the rest of the day stays just as friendly.

1:50

#### Oral Question Period

**The Speaker:** Let us begin question period. The hon. Leader of Her Majesty's Loyal Opposition. Your first main set.

#### Regional Governance

**Ms Smith:** Mr. Speaker, at 1:30 in the morning today the Minister of Municipal Affairs arrogantly told us that we had to rush through Bill 28 or every good thing about regional co-operation would come to an untimely end. A few hours ago the Premier's caucus caused her to come to her senses and slow down this train wreck of a bill that destroys municipal autonomy. Now, after two days of trying to convince Albertans that the three opposition parties were wrong and that the mayors all loved this bill, the truth has won out. To the Premier: how is it that this train got so far off its track?

**Ms Redford:** Mr. Speaker, in fact, the only reason that this could be characterized that way, of course, is because of the comments made yesterday by the hon. Leader of the Opposition.

I want to talk about a couple of real successes in this province, Mr. Speaker, things like the Shirley McClellan Regional Water Services Commission, the Mountain View Regional Water Services Commission, the Bow Valley Waste Management Commission. These are all examples of municipal leaders that have come together in partnership to ensure the viability of rural Alberta. I had the opportunity this summer throughout the province, in places like Vauxhall and Edson, to see other examples of this.

This legislation is an evolution with respect to how to ensure that we do better, Mr. Speaker. We're looking forward to working with the AUMA and the AAMD and C to continue to do just that. [interjections]

**The Speaker:** Please, no more interjections. I hate to interrupt.

Hon. leader, your first sup.

**Ms Smith:** That's precisely the problem, Mr. Speaker. This legislation fails to meet any of the Alberta Association of Municipal Districts and Counties' seven principles on regional governance. It isn't voluntary, it doesn't allow the partners to define the region, it kills autonomy, it's hierarchical, it doesn't have voting equity, it doesn't use consensus, and it is not a user-pay approach to problems. Will the Premier assure this Assembly that this new bill will incorporate all of these principles?

**The Speaker:** The hon. minister.

**Mr. Griffiths:** Thank you very much, Mr. Speaker. In fact, the situation that I explained last night was why the bill was introduced without prior consultation about what the specifics of the bill were. Now that the bill has been introduced, we have the opportunity to consult with the AAMD and C and the AUMA and the other municipalities in order to ensure that they see line by line what the intention of the bill is. They will discover that their assertions that it doesn't meet the seven criteria are completely invalid and wrong. We'll make sure that everyone is onside when we pass this bill.

**Ms Smith:** Mr. Speaker, this legislation also fails to accommodate the Alberta Urban Municipalities Association's three principles of regional governance. It is not open, responsive, or accountable. It does not respect that the roles and responsibilities of municipal and provincial governments are different, and it does not envision a system where regional governance partners achieve a consensus of how things get paid for. To the Premier: will she assure this Assembly that the revised bill will accommodate these principles into the act?

**Mr. Griffiths:** Well, Mr. Speaker, we had a great debate about this last night. I actually went through and I read the legislation that covers how it's created and how it's accountable, and I compared it to the service commissions that currently exist in the MGA and demonstrated that it's the exact same wording. When we're done going through this consultation, it will represent everything that the AAMD and C, the AUMA, and this government stand for on planning, collaboration, and organization to make sure that we all, regardless of the level of government, serve Albertans to the best of our ability.

**The Speaker:** The hon. Leader of the Official Opposition. Second main set of questions.

#### Severance Payments to Premier's Office Staff

**Ms Smith:** Mr. Speaker, the Premier's silence on details about the severance package paid to her former chief of staff is deafening. He claims that after just six months on the job, he received \$130,000 in severance pay. We've asked the Premier to confirm this number. She won't, which is bizarre because if it's true, you'd kind of think that she would. I'd like to give her another chance. To the Premier: does the \$130,000 payment to her former chief of staff represent the total sum of compensation that he received upon leaving her office? Yes or no?

**Ms Redford:** Well, Mr. Speaker, as I said yesterday, we've made a commitment to put in place a policy for full transparency with respect to severance going past, currently, and in the future. I was very pleased today to see the Canadian Taxpayers Federation endorse that approach. We're going to keep our commitment.

**Ms Smith:** Mr. Speaker, it's fitting that it's Halloween because the mystery continues. I will let Albertans come to their own conclusion based on that non answer.

But switching gears a little bit, to what extent was the Premier herself involved in negotiating the mysterious severance package that she keeps on hiding the details of?

**Ms Redford:** I wasn't.

**The Speaker:** The hon. leader. Final sup.

**Ms Smith:** Mr. Speaker, she keeps saying that she's going to release the information. Albertans want to know when. Why not now? Why not come clean, end the confusion, answer the questions, and release the severance details today? I think we all know why: November 22. To the Premier: will she release the details of her former chief of staff's total severance package before her members render their verdict on her leadership on November 22?

**The Speaker:** The hon. Minister of Service Alberta.

**Mr. Bhullar:** Thank you very much, Mr. Speaker. This is all really amusing, coming from the party whose idea of transparency

is *Extreme Makeover*, Wildrose edition. Lock them up in a room for a weekend, and they will make themselves over, put on a new set of makeup, and call themselves accountable, transparent, and equitable. That's not the way things work on this side of the House. We are developing Canadian leading strategies and policies to be the most transparent in all of our proceedings.

**Ms Smith:** Well, Mr. Speaker, we're going to keep on asking until we get the answer.

#### Breast Cancer Diagnosis

**Ms Smith:** In May of this year I asked the Health minister about a medical test that helps determine if chemotherapy is the appropriate course of treatment for a breast cancer patient. It's called Oncotype DX. It has been reviewed and recommended by the Alberta breast cancer group and approved for funding in Ontario, Quebec, Newfoundland, Saskatchewan, and Nova Scotia but not in Alberta. I asked the minister why it wasn't available here. Now, the minister has had almost six months to review this file. Why has he not approved Oncotype DX for use in Alberta?

**Mr. Horne:** Well, Mr. Speaker, as I said in response when this question was asked before, we are going through the health technologies assessment process with respect to this test. As the hon. member should know if she doesn't know already, the simple existence of a new technology does not mean it is automatically appropriate for all patients. Unlike the opposition, we rely on the evidence and we rely on the advice of clinical experts to determine not only if we offer a specific test in our province but to whom and under what conditions it will be provided. That's a responsible way to operate a health care system, and that's the way we do it on this side of the House.

**Ms Smith:** Mr. Speaker, let's talk about what the medical experts say. Up to 30 per cent of breast cancer patients get needless, expensive, and potentially damaging chemotherapy. This test could prevent that. In May I quoted a professor of medicine at the University of Calgary who stated: "We are beginning to despair at the inordinate time [it takes to make] decisions regarding the well-being of our patients." Well, it's six months later. Why can't this minister make a decision?

**Mr. Horne:** Well, Mr. Speaker, the hon. member can quote all of the advocates she wants for this particular type of test. I'm sure any one of us in the House could think of other technologies and other drugs and services that are available. We have a formal health technology assessment process in this province. We co-operate with other provinces in reviewing the evidence. We are very close to completing the evaluation for this particular test, and we will make it available on the conditions that are appropriate for Albertans.

**Ms Smith:** It has already been recommended by the Alberta breast cancer group. I'll remind the minister that Ontario agreed to cover the cost of Oncotype DX for breast cancer patients more than three years ago, and they've reported a success rate of 97 per cent. Patients who have received the terrifying diagnosis of breast cancer need to know what is the best course of treatment. Doesn't the minister care that his foot-dragging is causing needless stress and suffering?

**Mr. Horne:** Well, Mr. Speaker, I guess we're into an area here of revisiting questions that have been asked and answered in the past. As the hon. member will know, there are rules and there are

procedures around the assessment of new tests, of new drugs, of other things that we offer in a publicly funded health care system. I think what people would like to know is: if this test is approved and if other technologies are approved in the future, how would they expect an opposition-led policy that would purport to remove \$5 billion from the budget of this province to pay for the very things they're advocating for for their own constituents?

**The Speaker:** The hon. Member for Edmonton-Centre.

### Municipal Charters

**Ms Blakeman:** Thanks very much, Mr. Speaker. The Minister of Municipal Affairs says that he's disappointed with others who reference a big-city charter. Well, the Liberals have been talking about it since '08. The Premier clearly understands what a big-city charter is and why it's needed. The mayors of Edmonton and Calgary clearly understand what big-city charters are and why they're needed. To the Minister of Municipal Affairs: why is it that everyone but the Minister of Municipal Affairs is clear about big-city charters' intent and necessity?

2:00

**Mr. Griffiths:** Mr. Speaker, round and round we go. I have travelled all over this province, and I can tell you that everybody is interested in making sure that the province and the municipalities have the perfect relationship for the folks that we mean to govern. I just got off the phone, actually, and I can say that I talked to a mid-sized town mayor who expressed a lot of interest in what the charter would do and whether or not they could participate. Here we're focused on what the charter is and how it can govern the relationship between the municipalities and the province to serve our clients. They are strictly worried about the name, which is sorry for everybody else.

**The Speaker:** The hon. member.

**Ms Blakeman:** Thanks. To the same minister. Can the minister explain why he keeps blaming the summer floods for putting him behind on big-city charters, but the timelines on the memorandum of understanding says that the enacting legislation was to have been presented to the Legislature by spring of 2013, well before the floods?

**Mr. Griffiths:** Mr. Speaker, I have said many, many times before in this House – it's funny how they've asked six questions and four of them are about the name of the charter and not about anything with any content. The charter is a relationship between the municipalities and the province. It's funny how they want a charter but they want the province to dictate what it's going to be. This is a discussion between the municipalities, and I can't force it to come faster. It's going to be a good discussion. Then, of course, it didn't happen in the timelines we anticipated, and we did fall a few months behind, but we're close to being done, I anticipate. Even the mayor of Edmonton has asked for just a little more time to review what we've done so far so that we can carry on.

**The Speaker:** The hon. member.

**Ms Blakeman:** Thanks very much, Mr. Speaker. Given that Mayor Nenshi of Calgary says that the minister hasn't really been part of the conversation on big-city charters, can the minister tell us: did he get moved off the file? Yes or no?

**Mr. Griffiths:** Well, Mr. Speaker, I have a lot of files, and I know that we have quite a few people in the department who are policy

experts. My understanding is that there were policy experts from that city and policy experts from this city and policy experts from my department who worked on a lot of the details. I didn't work on it every day because I have a lot of files, including housing and the libraries and emergency management and all the rest of the municipalities, so I wasn't there every day. I doubt the other two mayors were either. We have experts that work on that and work on the day-to-day negotiations, and that's the simple fact.

**The Speaker:** The hon. Leader of the New Democrat Opposition.

### Private Health Services Delivery

**Mr. Mason:** Thank you very much, Mr. Speaker. On Tuesday, when I asked about a plan to privatize lab services in Alberta, the Premier said this: "18 months ago this government, this Progressive Conservative government, said that... we believed in a public health care system... We do not change our minds from Monday to Friday." Yesterday the Premier mocked the NDP for our commitment to public health care, saying that her government would, "not... exclude any option," meaning, of course, privatization. To the Premier: why did you change your mind from Tuesday to Wednesday?

**Ms Redford:** Mr. Speaker, this is a government that is committed to building Alberta, supporting families and communities, and supporting public health care. We are very proud of the fact that we had candidates in every constituency in the last election that were consistent with respect to that perspective. We are going to provide the best options possible in a public health care system for people to ensure patient safety. This is wordsmithing. It's word-spinning. It's not even worthy of the discussion that we need to have about how to create a better health care system for Albertans.

**Mr. Mason:** Well, I'm just quoting the words. They've already been smithed, Mr. Speaker.

This Premier claims to have been elected to protect public health care, but her government is doing the opposite. They're going ahead with an unprecedented privatization of home care, and they're planning to give \$3 billion of public money to a private lab services company. When the Premier says public, she means private. Black is white. It's also Harpersesque. Why won't this Premier give Albertans a straight answer on her plans to privatize medical lab services in this province?

**Mr. Horne:** Mr. Speaker, let's be very clear. There is only one plan, and that plan is to strengthen and broaden the scope of services that we offer Albertans as part of our publicly funded health care system. The hon. member is wordsmithing. If his argument is to hold any merit, he should be holding forth about physicians in this province. They are, in fact, private businesses. He should be talking to us about the 30 per cent of health care that's delivered in this country that is delivered through the private sector. This is about where the money comes from. It is not about the mechanism for the delivery of care.

**Mr. Mason:** Talk about wordsmithing, Mr. Speaker.

On Tuesday the Premier said that privatization of lab services isn't happening. On Wednesday she more or less admitted that it was. On Tuesday the Premier said that she was elected to protect public health care. On Wednesday she criticized the NDP for our commitment to fully funded public health care. Mr. Speaker, it's now Thursday. Will the real Alison Redford please stand up? [interjections]

**The Speaker:** Hon. members, as we all know, anyone from the front bench is eligible to rise and answer the question.

Give it your best shot, Mr. Minister.

**Mr. Horne:** Well, thank you, Mr. Speaker. It is, after all, Halloween.

Mr. Speaker, I'm delighted to answer the question once again. Let's face facts. The hon. member's use of the term "privatization" apparently, in his world, means the use of any private provider to deliver any publicly funded health care service. The fact is that 30 per cent of health care services in this country are delivered with the assistance of private providers. We have many successful examples, and much capacity in our health care system, including surgery, is provided by private partners. Quality standards are the same for all.

**The Speaker:** Thank you.

Hon. members, the first five spots reserved for leaders' questions have expired, and I would now appreciate little or no preamble to supplementary questions here on in.

Let's begin with Fort McMurray-Wood Buffalo.

### Highway 63

**Mr. Allen:** Thank you, Mr. Speaker. Highway and bridge construction through Fort McMurray is ongoing. One of the biggest irritants for my constituents in Wood Buffalo is the seemingly random timing by contractors. In the past month there have been repeated instances where contractors failed to provide proper notice to the public on lane closures, failed to provide adequate signage, and failed to meet deadlines. This is especially difficult during extended rush hours in the morning and evening and on shift-change days, Thursday and Sunday. The issue came to a head earlier this month when a maintenance crew closed one lane of highway 63 until 7 p.m. To the Minister of Transportation: have the contractors been penalized for these infractions? What is he doing to stop these massive delays?

**Mr. McIver:** Mr. Speaker, the hon. member is right to talk about the frustrations of some residents of Wood Buffalo. Alberta Transportation has more than \$700 million in construction projects under way there. This means that there will be construction delays. We've clearly defined restrictions for our contractors in the area for when lane closures are not permitted, and the incident that the member refers to was a violation of these restrictions. We have and will continue to issue penalties to contractors who violate their contractual obligations. The short-term pains we hope will lead to long-term gains, but in the meantime I appreciate the hon. member bringing up those shortfalls.

**The Speaker:** Hon. member, first sup.

**Mr. Allen:** Thank you. To the same minister: what is the minister doing about the constant traffic nightmares on and around Confederation Way and Thickwood Boulevard and the interchanges as residents of my constituency are stuck in traffic for an hour or more waiting for these interchanges to be fully functional?

**The Speaker:** The hon. minister.

**Mr. McIver:** Thanks, Mr. Speaker. We have made considerable progress in the hon. member's area, but I can tell you that a second lane on the eastbound and southbound ramps at both Thickwood and Confederation have opened. Just this morning we

opened a third northbound lane on 63, between Morrison Street and Thickwood Boulevard. I've already heard that this is helping. There are more lane openings planned in the upcoming weeks, and we've expanded the restricted hours for our contractors to stay away from those rush hours because that seems to be one of the biggest problems. So we'll keep listening, and we'll keep making improvements, and I appreciate the hon. member drawing these legitimate concerns to our attention.

**Mr. Allen:** To the same minister. As this is close to my heart, I'm curious to know how the Alberta government is progressing with the implementation of my report recommendations and its commitment to have the twinning of Highway 63 completed by 2016.

**Mr. McIver:** Well, Mr. Speaker, I'm happy to report that we're on track to finish highway 63 by the end of 2016, something that certainly the Official Opposition would never have funded. You know what? In June 2012 we had issued seven contracts covering 136 kilometres of work worth more than \$400 million. Construction will include safety rest areas, pullouts, passing and climbing lanes, and we've also taken many steps to make the road safer. This is a long journey. There's a lot of work to be done in the Fort McMurray-Wood Buffalo area, but we understand it's needed. When people ask for it, it's legitimate, and this government will continue to build Alberta and get these and other projects completed.

2:10

### Regional Governance

(continued)

**Mr. Anderson:** Mr. Speaker, at 2 a.m. our Wildrose caucus was tired but united. We knew we had to do all we could to delay Bill 28 until our elected municipal officials were given the opportunity to provide feedback on a very poorly drafted piece of legislation. Today, despite this Municipal Affairs minister yesterday calling us fearmongers and liars and all kinds of names, the Premier made an abrupt U-turn and has embarked on a process that I hope results in a much better piece of legislation. To the minister: can you please employ a more collaborative approach in the future when passing legislation affecting our municipalities.

**Mr. Griffiths:** Mr. Speaker, I really appreciate the puffball question. For the two years that I've been Minister of Municipal Affairs, I've been to every AUMA and every AAMD and C meeting, I've been to regional and zone meetings all around this province, I have gone from one end of the province to the other meeting with individual municipalities, and my door is always open. Our consultations don't just go on for a period before we introduce legislation; they go on before, they go on during, they go on after, they go on every single day so we can make sure it's always done right.

**Mr. Anderson:** Well, it wasn't this time, Mr. Speaker.

Mr. Speaker, given that at roughly 1:30 this morning this minister claimed that the Assembly had to push forward and pass this legislation within days in order to avoid losing the Capital Region Board and 18 related organizations and given that this is now relevant because the Premier has announced that passage of this bill will be delayed, will the minister immediately table the court order or other documentation that he relied upon when he said that we must pass this legislation within days, or these dire, awful consequences would result? We have a right as members to understand why you made that claim and if it was true or not.



**Mr. Griffiths:** Mr. Speaker, I suggested that the discussion was about whether or not there was consultation that preceded the introduction of the bill, which there wasn't because there was a court case going on, which is why it was introduced without consultation. We still await a court decision that could be a couple of weeks away and that could have some very serious consequences. But we're going to continue to proceed with consultation so that every single municipality gets their input and makes sure that they know that most of the stuff that they said is completely unfounded and inaccurate. Then they'll know that this is the right legislation with perhaps a few tweaks that they might suggest.

**Mr. Anderson:** Perhaps a few tweaks. Okay. All right.

To the minister. Given that Airdrie's elected municipal officials have made it clear, as have most other communities, that they want any participation in a regional planning board to be entirely voluntary, both on the way in and, if it doesn't work for them anymore, on the way out, will you commit today that when you bring back your revised, or tweaked, bill, it will protect local autonomy by making membership in regional boards absolutely voluntary? Yes or no?

**Mr. Griffiths:** Mr. Speaker, I said several times last night that I have always said that I will work with municipalities to try and come up with a solution. I would not force them into something, but letting them not work together is not going to help make sure that we build strong regions to accomplish all of the growth and accommodate all of the growth that's coming into this province.

I find it very ironic, Mr. Speaker, that earlier in the week they criticized the Minister of Transportation for talking about legislation they had at the time. Now they criticize us because we didn't talk about it, and we're going to consult after. It must be awful to be the opposition and constantly be so depressed and critical of everything that you never get to see the light of day.

**The Speaker:** The hon. Member for Red Deer-North, followed by Calgary-Shaw.

#### Vision Assessments for Schoolchildren

**Mrs. Jablonski:** Thank you. Mr. Speaker, recently the University of Lethbridge detailed the impacts that visual impediments to learning have on a child's education. Dr. Boulet, here in the gallery today, points out in his report that less than 15 per cent of students have their vision tested comprehensively despite the fact that 80 per cent of learning is dependent on vision. Overlooked vision problems are often misdiagnosed as learning disabilities or behavioural problems. My first question is to the Minister of Education. What measures are currently in place within our school system to ensure that comprehensive visual testing is available for our children?

**Mr. J. Johnson:** Thank you, Mr. Speaker. The first thing I'd like to say is that I want to commend this member about how passionate she's been on this particular subject and how she's raised the profile of the Irlen situation even though her bill may not have turned out exactly with the support she'd have liked.

I want to say that identifying students that have special needs with respect to education as early as possible is obviously very important. In our province the school boards have the responsibility and the flexibility to determine the most appropriate ways to provide students those supports. They come in a number of different ways. One of them is in the Eye See . . . Eye Learn program, which kindergarten students can access.

**The Speaker:** The hon. member.

**Mrs. Jablonski:** Thank you, Mr. Speaker. My second question is for the hon. Minister of Health. Minister, given the low rate of student comprehensive vision testing, should the Eye See . . . Eye Learn initiative, just mentioned by our Minister of Education, be re-evaluated to ensure that testing is mandatory for children of school age?

**Mr. Horne:** Well, Mr. Speaker, like my colleague the hon. Minister of Education, I also want to congratulate the Member for Red Deer-North for her advocacy in this area.

Mr. Speaker, those decisions, again, would be made on the basis of evidence. I think that in our government, under the leadership of our Premier, we have an excellent record of standing up for the importance of early screening, whether we're talking about hearing or vision or any other sensory function that is absolutely critical to learning. We always need to be looking for opportunities to expand our ability to identify children who are at risk and who are in need of support and to provide that as early as possible.

**The Speaker:** The hon. member.

**Mrs. Jablonski:** Thank you. My third question, again to the hon. Minister of Health: do you see a need for a more comprehensive screening protocol to detect a wider range of vision problems, helping to manage vision, academic, and health outcomes and ultimately improving long-term costs in our health and education systems?

**Mr. Horne:** Well, Mr. Speaker, the answer to that is a resounding yes. As I was just mentioning in response to the last question, things like the maternal child health initiative as part of our early childhood development strategy and other work under way in my ministry are aimed at exactly the objective that the hon. member is talking about. The way that a health care system helps support learning and other developmental opportunities for children and youth is through screening, is by identifying those issues early and then by tailoring programs and services to provide the necessary intervention to help that child.

I thank the hon. member for the question.

**The Speaker:** The hon. Member for Calgary-Shaw, followed by Calgary-Buffalo.

#### Women's Shelters

**Mr. Wilson:** Thank you, Mr. Speaker. This PC government ran on an agenda of strengthening families and communities. They even introduced a bill this week called the Building Families and Communities Act. It all sounds so nice. The reality is that we have a social system that fails thousands of women each year who are routinely turned away from emergency shelters. The Premier's response is to paper over the cracks and appoint a new minister. There is a shortage of beds for women fleeing violence, prostitution, sexual exploitation, and human trafficking. To the Associate Minister of Family and Community Safety: what is your ministry doing about it?

**Ms. Jansen:** I would like to thank the member, Mr. Speaker, for that question, my first in the House as Associate Minister of Family and Community Safety. I think the very fact that I'm standing here as Associate Minister of Family and Community Safety shows our Premier's dedication to these important issues. I ask you to join with me. Any time you have suggestions or

thoughts on how to improve the lives of our most vulnerable citizens in this province, pass them along to me.

Thank you, Mr. Speaker.

**Mr. Wilson:** Actions are louder than words, Mr. Speaker.

Considering that the WIN III shelter is merely days away from closing its doors permanently, services a unique demographic of women in a culturally sensitive fashion, is the only one of its kind in Alberta, and has a very high success rate, to the same minister: what further criteria would this shelter possibly need to meet in order to receive funding from your ministry?

**The Speaker:** The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. Well, the budget aspect actually is in Human Services because we all work together in that area. But I want to assure this hon. member and members of the House that when the federal grant for the WIN III shelter was cut in June, they approached us, and we've been working with them ever since. We lined them up with Homeward Trust to make an application for ongoing funding, and they received approval from Homeward Trust for that ongoing funding. They're working together now on the conditions of that funding. Why they determined that they should make a public announcement of closing their doors in the midst of that process is beyond me.

2:20

**Mr. Wilson:** Well, perhaps this minister can enlighten the House as to why the province only funds a limited number of beds at emergency shelters despite the fact that many shelters have the additional space and resources to assist women in need. Yet these brave women are turned away by the thousands every single year. Do you just not care?

**Mr. Hancock:** The hon. member knows that under the leadership of this Premier this government has provided a great deal of care and understanding, compassion, and resources for sexual violence issues, for protection of women escaping sexual violence, for the announcement of the family violence death review committee process. All of those things are in place so that we can reduce family violence, prevent family violence, and assist those people who are victims of family violence.

The hon. member will also know, because his party wants to cut \$5 billion from the budget, that the allocation of scarce resources is always the most difficult job in government. We try to do that to make sure that we make the most effective use of the public resources.

### Disaster Recovery and Mitigation

**Mr. Hehr:** The recent flood is said to be the most costly natural disaster in Canadian history. Unfortunately, the government has provided no pragmatic solutions for funding future disaster events. Other jurisdictions the world over have moved on to solutions to not only minimize damage from future flooding but also protect the public purse at the same time. To the Minister of Municipal Affairs, I have heard many troubling stories from my constituents in navigating the DRP and the subsequent appeal process. Will the minister commit to making the appeal process transparent and accessible to all Albertans?

**The Speaker:** The hon. minister.

**Mr. Griffiths:** Thank you very much, Mr. Speaker. I'm incredibly proud of the DRP program that the province of Alberta has offered to those in need. It's one of the most progressive, one of the most

streamlined that the entire country has ever seen. In fact, I've heard other jurisdictions say that they would like to model theirs after ours.

Mr. Speaker, our appeal process is also very transparent. It's right on the website now. It allows those who feel like they have not got what is due them ample opportunity to file a very simple appeal and to have it evaluated through a quasi-judicial, independent third party like the Municipal Government Board so that we can make sure that everyone is getting exactly what is owed to them.

**Mr. Hehr:** To the Deputy Premier, I understand the government is currently compiling engineering reports and studies to prevent future flood damage. Once a consensus emerges as the best way forward, how does this government plan on funding upstream mitigation to protect Calgary and other jurisdictions from future flooding? Are you just going to add another billion to the debt column?

**Mr. Griffiths:** Mr. Speaker, I have met with the federal government several times along with my other provincial counterparts, and we have constantly pushed the point that our disaster recovery programs are shared with the federal government when it becomes a large disaster. They could be eligible for up to 90 per cent of the cost as long as we make sure that we turn in all of our numbers appropriately. We've indicated to them that it's their and our responsibility along with municipalities to try to prevent these disasters. It's much more feasible to invest in prevention than it is to pick up after the disaster. They've indicated that they're working on a program. We're going to continue to put pressure on them across the country to make sure that we're working on mitigation together.

**Mr. Hehr:** Given the cost to the public purse for the flood recovery, estimates as high as \$6 billion, and given that Stephen Harper's Conservatives have no interest in national programs, will this government commit to what has emerged as international best practices and implement a provincial disaster insurance program to protect families and communities and the public purse at the same time as a result that there's going to be inevitable flooding and natural disasters occurring in the future?

**Mr. Griffiths:** Mr. Speaker, all of these questions are very good and very legitimate. I want to thank the member for them. We've discussed that same issue with our provincial counterparts and with the federal government. Every other jurisdiction out of the G-7 or the G-8 that has done that has done it at a national level. Frankly, most people who would be optional to buy flood insurance is a small group, which makes the cost astronomical. We have continued to talk to the federal government and encourage them to sit down at the table with us as partners to talk about what we could do for a national flood insurance program, and we await those continued discussions.

**The Speaker:** The hon. Member for Edmonton-Calder, followed by Calgary-Fish Creek.

### Pension Plans

**Mr. Eggen:** Thank you, Mr. Speaker. Consumer debt levels in Alberta are rising, and the majority of workers do not have income security after retirement. However, this PC government continues to oppose attempts to expand the Canada pension plan even when it's obvious that a stable pension plan for all Albertans is long overdue. To the Associate Minister of Finance: why is this

government resisting the security, value, and good old-fashioned common sense that an expanded Canada pension plan would afford, or is it still burdened by firewall sentiments that still lurk back somewhere in the PC government?

**Mr. Dallas:** Well, Mr. Speaker, the Alberta government is committed to increasing retirement savings for all Albertans. That's why we passed the legislation this year that allowed for pooled registered pension plans as a way to help Albertans working in the private sector to access pension plans. There is dialogue happening in other provinces across this country that we're engaged in, and we'll continue to engage in those discussions regarding CPP.

**Mr. Eggen:** Mr. Speaker, given that this government should lead by example by administering public service pensions so that other employers can follow, does the minister actually think that it's fair to change the rules in the middle of the game, making workers pay more, receive less pension, and work more years to access the retirement money which is actually theirs to begin with?

**Mr. Dallas:** Mr. Speaker, I know what Albertans expect, and what they expect is for us to participate in and administer a program that's sustainable for the long term. The generation of workers that will be coming to retirement have a right to expect that they will be able to receive a sustainable pension going into the future. Prudent action today means a sustainable future for Albertans, and that's the way we wrote it.

**Mr. Eggen:** Well, given that private pension schemes and RSPs have been paying diminishing returns for more than a decade now and that public pensions are now weakened by this government – not the supergenerous severance packages for senior bureaucrats, mind you – when will this government sober up, let down their firewall, and start living up to the pension responsibilities that they have as a government?

**Mr. Dallas:** Mr. Speaker, this government has met those responsibilities, will continue to meet those responsibilities, and continues to look towards the future.

**The Speaker:** The hon. Member for Calgary-Fish Creek, followed by Edmonton-Ellerslie.

#### Whistle-blower Protection for Health Professionals

**Mrs. Forsyth:** Thank you, Mr. Speaker. Doctors are seeking protection against a broken health care system. This time last year the Minister of Accountability, Transparency and Transformation said that the new whistle-blower legislation will cover health care professionals and set a gold standard. Justice Vertes disagrees and has recommended expanding whistle-blower protection to include physicians. Will the minister explain when this government will bring forward legislation to protect doctors and front-line professionals from bullying and intimidation?

**Mr. Scott:** Mr. Speaker, I'm very proud of the whistle-blower legislation we brought forward. It does protect many classes of people. One of the difficulties I have when I listen to the questions from the opposition is that they do not read the legislation before they ask questions. I would encourage them to do that. They will find the answers in the legislation.

**Mrs. Forsyth:** Mr. Speaker, I'm speechless that this minister doesn't even know his own legislation. Totally speechless.

Given that this is just another good example of a government that doesn't listen, as this minister knew from the start that doctors

were not protected under his own gold standard whistle-blower legislation, can he please explain to Albertans why doctors, who are trying to protect our patients, were kept off the list?

**Mr. Scott:** Mr. Speaker, one of the difficulties whenever we're asked questions is that I don't think they've done their proper research. They need to start doing the research before they ask questions. There are medical professionals that are covered under the whistle-blower legislation. Our whistle-blower legislation permits any report to be made to the Public Interest Commissioner. I would encourage them not to present false accusations in this House, not to fearmonger but to do their research, look at the legislation, and then they're going to find their answers.

**Mrs. Forsyth:** Mr. Speaker, quite frankly, this is embarrassing.

Given that Justice Vertes said in his report that

advocating within the health care system for . . . patients is a basic function of a physician [and that] physicians also have a responsibility to "consider the well-being of society in matters affecting health,"

will the minister please commit today to bringing in further legislation in this fall session that protects doctors?

2:30

**Mr. Scott:** Just to assist the member, I'm going to read a couple of the sections of the act under schedule 2.

- (c) "Medical staff" means a physician appointed by a public entity designated under section 2 of Schedule 1, to admit, attend or treat, or who utilizes the resources of the public entity in respect of, patients;
- (d) "Professional staff" means a health practitioner, other than a physician, who is regulated under a health profession statute.

So they are covered. [interjections] They are covered. You need to start doing your research. Do your research before you ask questions in the House. [interjections]

**The Speaker:** Shall I just stand here for the remaining eight minutes? I could barely hear what that last answer really was and how it concluded, and while I'm inclined to give the associate minister the floor again to start over, I will move on today.

Let's go to Edmonton-Ellerslie, followed by Cypress-Medicine Hat. And, please, keep your interjections absolutely down.

#### School Class Sizes

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. My constituency of Edmonton-Ellerslie has seen significant growth in the last year, with an average of four children per family. With this exponential growth we are seeing even larger school class sizes, where in some instances we have over 70 students and three teachers in one classroom. My questions are to the Minister of Education. Given that Alberta's population will continue to grow, what measures are in place to mitigate the foreseeable growth and address ballooning class sizes?

**Mr. J. Johnson:** Mr. Speaker, thanks to this Premier we're investing in communities and families in a number of different ways, and it's nice to hear this example from the member. I know we have infrastructure challenges, but it's great to see the innovative and collaborative approach that the teachers are taking, with three teachers team teaching in a class of 70.

Some of the things that we're doing, obviously, in the capital plan: the commitment to 50 new and 70 modernizations and the investment in modular classrooms that we've got. We've got a hundred of those rolling out, up from our typical 40 a year. Of the

54 additional ones that we're putting in the flood-affected zones, that we'll be able to use in subsequent years, we've got 400 students in those classrooms already.

The other thing that we've done is that we've listened to parents and Albertans and teachers who've told us: take as much money out of the system and the administrative and the corporate side as you can, and get it in the classroom. So we've actually increased the funding for inclusion and small class size initiatives and things like that.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. To the same minister: given that we're seeing such large class sizes, what can your ministry do to ensure that quality of education is not compromised right across the province?

**Mr. J. Johnson:** It's a very good question, Mr. Speaker. Obviously, he noted one example. We have large class sizes across the province for different reasons, some because of the class or the way it's taught, some because of infrastructure, and some because we have a lot of students and pressures on enrolment that way. But it's really important to note that when we're looking at quality of education and the success of the student, the size of the class is not the most important thing to track or to try to affect. Obviously, the engagement of the parent is the most important, but second to that is the quality of teaching. We've got a task force out talking to teachers and Albertans about what we can do to make sure teachers have the supports they need and that we have the assurances that we need to have great teachers in the classroom.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you, Mr. Speaker. To the same minister: given the fiscal realities we're currently facing, what can your ministry do to ease the heavy loads of teachers who feel very stressed out right now?

**Mr. J. Johnson:** Another good question, Mr. Speaker, and I know that as a former teacher it's close to this member's heart. That's one of the reasons why we wanted to make sure he was on the task force for teaching excellence. This is one of the things that we're asking them to talk to teachers about: are they getting the proper training and resources and supports they need?

Also, we're doing formal things. We've got some things in the teachers' agreement that are having us do actual formal studies with the ATA and school boards across the province. In addition to that, we're doing informal work with teachers, trying to find out with school boards what we can strip out of the tasks that they have today to make sure they're focused in the classroom on making our kids have the best learning experience possible.

**The Speaker:** The hon. Member for Cypress-Medicine Hat, followed by Calgary-Currie.

### Flood Mitigation

**Mr. Barnes:** Thank you, Mr. Speaker. I've seen first-hand two Alberta floods in the last three years. I don't think any of us can truly empathize with a mom and dad who just lost the home they raised their kids in or the rooms where bedtime stories were read. The saddest pages in this real-life story are those that tell us that this tragedy was made so much worse by the lack of preparation of this government. The government has a crucial mandate to keep

Alberta families safe, and they botched it continually, ignoring a flood mitigation report. What does this government say to people who've lost their homes, knowing that billions of dollars of devastation could have been prevented with just a little foresight?

**Mr. Griffiths:** Mr. Speaker, you know what? We know that flood mitigation is the responsibility of municipalities, the province, and the federal government because it costs us all. It costs families the most, so we constantly work on that. The report the member refers to: every recommendation was done or in process except for two, and this legislation that we've introduced in the House this week is going to address those last two issues. It's very important that we keep in mind that we all do our best to try and prevent disasters, but we also have to expend resources when disasters occur. You can't prevent them all, but we continue to work invariably. I can tell you one thing: the \$5 billion they would cut out of the budget would mean no mitigation whatsoever for anybody.

**The Speaker:** The hon. member.

**Mr. Barnes:** Thank you, Mr. Speaker. Given that in 2010 the PC MLA who chaired the flood mitigation committee and report said, quote, unfortunately, when the next one happens, which it will eventually, people are going to say, "What about the flood report? Why didn't we do anything?" how can the Minister of Municipal Affairs still continue to brush off taking responsibility for his lack of action?

**Mr. Griffiths:** Mr. Speaker, I take full responsibility for every bit of action we've done, including the \$82 million that we've invested in the last few years in flood mitigation, which several communities have said saved them. Now, we haven't spent the \$300 million that was recommended in the report, but we constantly have challenges between people who say that we need to spend money in health care, people who say that kids need schools. It's a constant challenge on where you're going to put resources, and we do our best.

But I'll guarantee you that the cuts that they suggest will do nothing to help build education or health care or do anything to protect people, to mitigate against the next flood. We will, Mr. Speaker.

**Mr. Barnes:** Mr. Speaker, given that constituents in southern Alberta are still waiting on flood claims from both 2013 and as far back as 2010 and their families are still facing financial hardships, what is this government going to do to ensure that the 2013 flood victims get their claims so they can stop relying on our local food banks?

**Mr. Griffiths:** Mr. Speaker, from the 2010 claim, the member knows full well because he asked me in a written question, there were 2,433 claims from that flood. There are five outstanding residential claims. That means we're doing an exceptional job. Perhaps the member would want to consider that maybe there are exceptional circumstances. Our job is also to make sure that we do not have abuse of taxpayers' dollars, that people are paid the fair amount, not more and not less but the proper amount to help them rebuild. There are only five outstanding cases in over 2,400. To me, that speaks of excellence.

**The Speaker:** The hon. Member for Calgary-Currie, followed by Livingstone-Macleod.

### After School Programs

**Ms Cusanelli:** Thank you, Mr. Speaker. Suburban constituencies built on the fringes of Calgary may envision new schools, hospitals, and state-of-the-art recreational facilities for young families. On the other hand, Calgary-Currie is an inner-city constituency whose neighbourhoods are mature and well-established. I have spent my time working hands on in Calgary-Currie, and I have learned a great deal about the area that I've been blessed to serve. My constituents are asking for assistance in building community hubs, complete with after school programs for their children. My question is to our Minister of Tourism, Parks and Recreation. What is our province's position on the development of after school programs?

**The Speaker:** The hon. minister.

**Dr. Starke:** Mr. Speaker, thank you for the question. I'd like to acknowledge this hon. member's tireless advocacy on behalf of her constituents on this issue. We know that high-quality after school programs that are recreation based can have a positive impact on society, that they will build communities, and that they can actually help us to deal with a lot of our societal challenges, things like childhood obesity and the tendency for young people to get involved with high-risk activities like gangs and criminals. Our government is very much committed to developing and exploring a province-wide after school strategy for recreation.

2:40

**Ms Cusanelli:** Mr. Speaker, will the minister please inform the House exactly where we are currently in terms of responding to this commitment?

**Dr. Starke:** Well, Mr. Speaker, after school recreation is part of our overall investing in families and communities strategy, and it fits very well with the social policy framework as well as the Active Alberta policy, which was placed forward by my portfolio. Tourism, Parks and Recreation is continuing to work with stakeholder groups across the province. In fact, just this past weekend I met with stakeholders at a meeting of the Alberta Recreation and Parks Association, and this coming weekend I'm going to be in Red Deer at the Alberta sport plan consultation, in which we will be working with community groups that deliver these programs in order to provide the kinds of benefits that we need in our society during the after school period.

**Ms Cusanelli:** Mr. Speaker, my last question to the same minister: in what way is your ministry demonstrating its commitment to program development and funding for after school programs to offer our children a positive outlet in their communities during those critical hours after school?

**Dr. Starke:** Well, Mr. Speaker, once again, certainly, the after school programs that exist right now are excellent ones, and we want those to be expanded. We are continuing to work with the municipalities, with the community groups, with the provincial sport organizations that deliver these programs, and we acknowledge their benefit to the young people. We're continuing with our consultations as we move forward towards the development of a province-wide after school recreation strategy.

**The Speaker:** Thank you.

Hon. members, that concludes question period. Your point of order, Member for Airdrie, at 2:37 p.m. has been noted. There were numerous attempts to not use preambles to supplementaries today, including Calgary-Currie who did a good job as well. I'll

just say thank you to all of you for allowing at least 15 times six, 90 questions and answers to be raised today.

In 30 seconds from now I will resume with Members' Statements.

### Members' Statements

(continued)

**The Speaker:** The hon. Member for Dunvegan-Central Peace-Notley, followed by Calgary-Varsity.

### Official Opposition and Government Policies

**Mr. Goudreau:** Thank you, Mr. Speaker. Tonight children across our country and many other countries of the world will dress up in costumes, mask their true identities, and parade from door to door promising tricks unless they get their treats. Opposition chose to get into the Halloween spirit early, constructing a new disguise this past weekend to hide their true identity in hopes of scoring more support from Albertans.

This week my colleagues and I have proven our commitment to building Alberta through the introduction of several key pieces of legislation, protecting Albertan ideals that the opposition do not support despite their new mild-rose appearance. That legislation includes Protecting Alberta's Environment Act. This is important, Mr. Speaker, because we know and have known for years now that climate change and protecting our environment for future generations is a priority that all Albertans share. We accepted the facts of climate change years ago and have made significant progress in ensuring that our greenhouse gasses are reduced. Finally this weekend the opposition declared that they, too, now believe in climate change, Mr. Speaker.

Unfortunately, even children at Halloween know that under the mask they wear today, they are still the same party they were yesterday. Every day we are working to keep our commitments to Albertans and lead a results-based government. Meanwhile the opposition is spending their time trying to fool Albertans by disguising themselves as Progressive Conservatives. Maybe next year they'll choose to dress up as Liberals.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by Stony-Plain.

### Natural Gas Production Review

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. Until quite recently natural gas was the financial backbone of Alberta. It's a recent phenomenon that oil yields more income than gas for Albertans. Technical improvements and the acceleration of drilling activity in the United States and Canada have led to an oversupply of natural gas across the North American market. In 2012-13 natural gas and by-product revenue was \$954 million, or approximately 2.5 per cent, of government revenues here in Alberta.

To address these challenges, the all-party Standing Committee on Resource Stewardship, a quite wonderful committee, I might add, has undertaken a review of natural gas in Alberta specifically to ask the following questions. What is a sensible, feasible way to encourage the operation of personal and commercial vehicles on natural gas? How can we encourage value-add of natural gas liquids in the province of Alberta? How can we encourage the use of natural gas for industrial use in Alberta, for cogen in the oil sands, to displace diesel in remote communities? What are the best strategies for Alberta's natural gas producers to access tidewater and the global LNG market?

Thus far we've explored the economic feasibility of enhancing Alberta's natural gas competitiveness with energy think tanks, engineers, and economists. We've learned about the real-world experience of Bison Transport and their partners Shell and Westport Innovations in implementing the first LNG green trucking corridor in Canada between Calgary and Edmonton. We've also heard from TransCanada Pipelines and Petronas, partners in one of the largest LNG projects here in western Canada. This week we heard from EnCana and MEG Energy.

We plan to hear many points of view over the next few months and to return to this Legislature with ideas about stewardship of one of Albertans' resources, natural gas.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Stony Plain, followed by Calgary-Mackay-Nose Hill.

### Blueberry Bluegrass Festival

**Mr. Lemke:** Thank you, Mr. Speaker. I rise today to recognize the outstanding Blueberry bluegrass festival, one of the largest in Canada, which takes place every August in my constituency of Stony Plain. Since 1985 well-known bluegrass artists and enthusiasts have been gathering in Stony Plain to experience the best bluegrass from around the world. Although the music is what draws fans back to Stony Plain exhibition grounds every August, it is the local artisans, the on-site Myhre's Music store, and the availability of the musicians that make the festival truly unique. This year artists like Ricky Skaggs, the Whites, the Boxcars, and Junior Sisk & Ramblers Choice took the stage for the three-day festival.

I read a review that simply sums up, I think, what the bluegrass festival intends, and this I've taken from one of their postings.

This is the first time attending and I'm so glad that I did. I purchased tickets for my parents to attend as well, as they enjoyed the weekend as much as I did.

This event is not only relaxing and enjoyable but the entertainers . . . were outstanding. There was not one act that was disappointing at all. The best part was that everyone attending was friendly and there was no alcohol on site which meant that you did not have to put up with a bunch of rowdy drunks – everyone was there for the music.

I will definitely be attending again, and highly recommend others to attend as you won't be disappointed.

Mr. Speaker, it is the dedicated volunteers of all ages that make this bluegrass festival one of the largest in Canada, and I am thankful for their hard work year after year. It's truly the music and the volunteers that make this even better.

Thank you very much, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Mackay-Nose Hill.

### War of 1812

**Dr. Brown:** Thank you, Mr. Speaker. Two hundred years ago an event of great significance was firmly embedded in the fabric of Canada's history. It came to be known as the War of 1812, and it lasted for three years, from 1812 to 1815. The Napoleonic Wars were raging in Europe, and Britain was forced to implement restrictive trade measures, including the imposition of quarantines on ships which traded with the French. Additionally, the impressment of British subjects on American ships by British naval forces was resented by the U.S.

On June 18, 1812, U.S. President James Madison signed a declaration of war against Britain, and the conflict began, bringing

the automatic involvement of British colonies, including Canada. The United States made plans to invade and conquer Canada, and President Madison was quoted as saying that the conquest of Canada would be a mere matter of marching. Little did he know. The War of 1812 showed the bravery, tenacity, and unwavering spirit of British and Canadian troops, anglophone and francophone, and First Nations allies, who, often outnumbered in battle, succeeded in staving off American invasion.

This Remembrance Day, November 11, 2013, marks the 200th anniversary of the Battle of Crysler's Farm, the decisive land battle of that war, where Anglo-Canadian troops and Mohawk warriors successfully thwarted an American attack which would have led to the capture of Montreal and likely the loss of Canada.

As a result of defeating the American invasion, our nation evolved into the proud, independent, and democratic nation-state of Canada, inheriting the unequaled model of British parliamentary government. Two hundred years on we Canadians continue to remember and to be inspired by the bravery and untiring dedication of those who came together to repel the invaders and who stood firmly in defence of the Crown and of Canada.

2:50

### Speaker's Ruling Members' Statements

**The Speaker:** Hon. members, just before we go to Tabling Returns and Reports, I've received a few notes here, again regarding the latitudes and liberties we seem to allow each other and/or take when we're doing private members' statements. Now, I didn't hear some of the private members' statements as clearly as I would have liked to. I was engulfed with a flurry of notes. I will review the *Hansard*, however, very shortly. I'm going to remind all of you again to please use your private members' statements much more cautiously perhaps than has been the case in some that we've heard recently, including one today.

I do apologize to the members that I didn't hear closely enough what the issue was today, but I assure you I will review *Hansard*, and then we will definitely have to do something about it because it's a special privilege given, where we do not interrupt, and we do not allow points of order to be raised. So the only opportunity is for the Speaker to rise and make comment, and I am doing that now. I'm begging your indulgence to please proceed at a higher level of decorum with both your words, your gestures, your thoughts, and your actions during private members' statements, and that will elevate the overall debate and discussion in this House.

Thank you.

### Tabling Returns and Reports

**The Speaker:** Let me go on to a tabling from Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Speaker. I'd like to table more copies of a petition calling on this PC government to reverse their plans for cuts to the community access programs for persons with developmental disabilities and to properly support some of Alberta's most vulnerable citizens. Today I'm tabling 615 more signatures from the communities of Fort McMurray, Lethbridge, Lacombe, Camrose, Sherwood Park, Red Deer, Edmonton, and Calgary.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Calder, followed by Edmonton-Centre.

**Mr. Eggen:** Well, thank you, Mr. Speaker. I have the appropriate number of copies of a letter that was written by the Canadian Life and Health Insurance Association, asking 12 questions about their income-based seniors' pharmacare plan. We know that this government's plan to eliminate universal seniors' drug coverage is opposed by Alberta seniors and the NDP, so I'm hoping that these questions in the letter are answered in due course.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by Cardston-Taber-Warner.

**Ms Blakeman:** Thank you very much, Mr. Speaker. I have one tabling today from Chris Ford, who actually addresses the Premier first and is writing of his disappointment about the relationship between the government and their unionized workers. He references the prison guards' situation from last summer. He makes the point that "the actions of all levels of government involved . . . dramatically undermine the security and safety of all workers in Alberta" and that they should be demonstrating, although they're not, that workers "have the right, responsibility, and legal requirement to refuse unsafe work."

Thank you.

**The Speaker:** The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Mr. Speaker. I have a constituent and a student of government, Miles Pavka, who has come up with what he thinks is a better way to designate voting areas. He asked me to share his suggestions with the government. I have the requisite copies of that.

In addition, I have Mr. Burnell Bennett, a farmer who farms in the MD of Taber. He owns the land of his farm, which is in the MD, but he lives in town. He feels that he should be able to vote in the MD where his farmland is, that he owns, and where he pays property taxes. I have copies of that.

Thank you.

**The Speaker:** Are there others?

If not, hon. members, allow me to please make a tabling, with the requisite number of copies, of a letter from the Member for Calgary-Currie requesting early consideration of Bill 206, the Tobacco Reduction (Flavoured Tobacco Products) Amendment Act, 2012, at Committee of the Whole on Monday, November 4, 2013.

Hon. members, I have one point of order that was raised by the hon. Member for Airdrie. Would you like to proceed with your point of order or withdraw it? You're motioning to withdraw it? Go ahead.

### Point of Order

#### Factual Accuracy

**Mr. Anderson:** I will. Sure. Why not? It's 23(h), (i), and (j) that I refer to, Mr. Speaker. The member across specifically said that we would cut \$5 billion out of their budget. Of course, this is not the case. Our capital budget, that we released, clearly says that the amount is \$4 billion that we would spend on infrastructure. The government is spending a little over \$5 billion. That is a difference of about a billion dollars. I know they just keep on saying these things, but it's just not accurate. I think it gives rise to – well, clearly, it casts aspersions and says that we have false motives,

and it makes accusations that are not true. Obviously, I understand that the other side will probably say that that's just a disagreement – fair enough – but I think it's important to get that on the record.

**The Speaker:** Thank you.

Does someone wish to rise from the government side?

**Mr. Fawcett:** I just want to make a comment that it's kind of hard to tell over on this side as to how much money exactly they would cut out of the budget. I think they should clarify it because they've quite honestly said that had they been in government, they would limit spending to inflation plus population growth. If you look at that over the years and what that would be and where the budget would be, it would actually be way more than \$5 billion less in government spending today than it would be afterwards.

**The Speaker:** Thank you.

Hon. members, this is clearly a dispute as to some facts and positions by the various caucuses. Both are now on record for I don't know how many times this now marks, at least half a dozen, I should think, if we look back at *Hansard*. Hopefully, we can get over and past this and move on.

As such, that concludes this point of order with no point of order.

### Privilege

#### Obstructing a Member in Performance of Duty

**The Speaker:** While I have the floor, hon. members, I wish to comment on the point of privilege that was raised two days ago. I've given this matter considerable review, and I'm prepared to now rule on the purported question of privilege raised by the hon. Member for Lac La Biche-St. Paul-Two Hills two days ago in this Assembly.

The purported question of privilege concerns information that was released about Bill 32, the Enhancing Safety on Alberta Roads Act, prior to its introduction in this Assembly and the advertising that occurred with respect to that same bill. In fact, the bill was on notice and was printed in the early Order Paper that was published last Friday. That notice, is what I'm saying, was printed. It was subsequently introduced in this Assembly during the afternoon session of October 29.

At the outset I wish to note that the parliamentary requirements found in Standing Order 15(2) for bringing this purported question of privilege were met since notice was received in my office at 11:24 a.m. on October 29, 2013. In short, this matter was raised at the earliest opportunity, and I was advised at least two hours prior to the commencement of that day's sitting.

Several points were outlined by the Member for Lac La Biche-St. Paul-Two Hills when he spoke on October 29 in this Assembly. Those points are in our recorded *Hansard* proceedings on page 2528, wherein he said, amongst many other things, the following:

We had seen a sign, obviously in the orange and blue colours, displayed publicly outlining Bill 32. We've seen press releases and public statements outlining the details of Bill 32. We know, of course, that Bill 32 was on the Order Paper yesterday, Mr. Speaker, and it was not yet introduced until earlier today.

During the item called Tabling Returns and Reports in our daily Routine, that same member tabled three documents related to his purported question of privilege, and they are listed as sessional papers 1001/2012-13, 1002/2012-13, and 1003/2012-13. The first document is an article from the October 29, 2013, *Sherwood Park News* entitled Bill for Playground Zones Announced. The second document is a picture of a coloured sign on what appears to be a

wire fence which contains the words Building Alberta: Enhancing Safety on Alberta Roads (Bill 32). The third document, entitled School and Playground Zones Could Soon Be Harmonized, appears to be an article of some sort, but no publication name and no source is immediately evident on the tabling. I have reviewed all of those documents very carefully.

3:00

In his notice of his purported question of privilege, which he read into the record two days ago in this Assembly and which is recorded at page 2528 of our *Alberta Hansard*, the Member for Lac La Biche-St. Paul-Two Hills alleged that “the government deliberately prevented the Members of the Legislative Assembly from fulfilling their duty and, as such, breached the rights of the Members of the Legislative Assembly and thereby committed a contempt.” The chair interprets this statement to suggest that this member’s ability to perform his duties was violated by the government’s actions with respect to what occurred surrounding Bill 32 prior to its introduction in this House.

The Member for Lac La Biche-St. Paul-Two Hills and the Member for Edmonton-Strathcona both indicated that this matter could be characterized as a form of contempt. In a ruling that I made on May 29, 2012, about which I’ll say more shortly, I cited the definition of contempt as found on page 82 of *House of Commons Procedure and Practice*, second edition. That definition, just to remind you all, reads as follows:

It is important to distinguish between a “breach of privilege” and “contempt of Parliament”. Any disregard of or attack on the rights, powers and immunities of the House and its Members, either by an outside person or body, or by a Member of the House, is referred to as a “breach of privilege” and is punishable by the House. There are, however, other affronts against the dignity and authority of Parliament which may not fall within one of the specifically defined privileges. Thus, the House also claims the right to punish, as a contempt, any action which, though not a breach of a specific privilege, tends to obstruct or impede the House in the performance of its functions; obstructs or impedes any Member or officer of the House in the discharge of their duties; or is an offence against the authority or dignity of the House, such as disobedience of its legitimate commands or libels upon itself, its Members, or its officers.

Of course, much of the discussion two days ago focused on former Speaker Kowalski’s finding of March 5, 2003, wherein he did find a prima facie case of privilege when the government held a technical briefing on a bill that was on the Order Paper but had not yet been introduced. That ruling is found on pages 303, 304, and 305 of *Alberta Hansard* for that day. It was a ruling, I should add, that followed closely the ruling of Speaker Milliken in the Canadian House of Commons on March 19, 2001, concerning a detailed briefing on a bill which was on notice but had not yet been introduced in Parliament in Ottawa. Speaker Milliken found that there was a prima facie question of privilege in that case. Both of these aforementioned rulings were raised and commented on extensively by members in this Assembly two days ago. For everybody’s reference, Speaker Milliken’s ruling is discussed on page 85 of the *House of Commons Procedure and Practice*, second edition.

Of course, as part of my review since Tuesday I also noted that no one mentioned a later ruling, made only 17 months ago in this Assembly, concerning the same subject. In fact, it was my first ruling on a question of privilege, and it was delivered here on May 29, 2012. It can be found on pages 58 and 59 of *Alberta Hansard* for that day. In that case the Member for Edmonton-Strathcona raised a similar purported question of privilege concerning Bill 1. She alleged that information about that bill was provided to the

media prior to the bill’s introduction in this Assembly, thereby constituting, in her opinion, a contempt of the Assembly. An added element in that application was that opposition staff were denied entry to the press conference at which the information was provided.

At that time and after a very thorough review of the facts and evidence available I concluded that there was not a prima facie question of privilege. However, I also stressed “the importance of ensuring that members are the first to see proposed legislation in its final form before a bill is disclosed to outside parties.” That quote appears on page 58 of *Alberta Hansard* from May 29, 2012, and the key point there is “in its final form.” At that time and as also with the case before us today there was no factual basis to actually conclude that explicit and verbatim details or provisions of the bill were disclosed. Accordingly, it was held that the member’s ability to perform her functions in that instance had not been impeded.

I would like to point out that not every statement about a bill that is on notice will automatically lead to and qualify for a prima facie case of privilege. In fact, Speaker Milliken came to this same conclusion in a November 5, 2009, ruling concerning comments made by a federal minister at a press conference. In that particular case, it was held and noted that the minister had not disclosed details of a bill yet to be introduced since he had only discussed in broad terms the policy initiative proposed in the bill. Similarly, Speaker Milliken found that there was no impact on a member’s ability to perform his or her duty in a parliamentary ruling that he made on March 22, 2011, which can be found at page 9113 of *House of Commons Debates* for that day.

Turning to the case before us today, there is no allegation and, indeed, there is no proof that the actual bill, Bill 32, in its final form was provided to the media or to any outside entity prior to its introduction in this Assembly two days ago, and neither was any evidence found in that respect.

Now, with respect to the advertising aspect of this situation it is difficult to conclude on the basis of a picture of one sign that the government had disregarded the Assembly’s role in passing legislation. The fact that the sign refers to Bill 32 rather than the specific name of the act could be taken as a further indication that the minister was not treating the proposals as a fait accompli. The Minister of Transportation did note that the news release issued by the government was prefaced with the words “if passed.” However, that news release was not tabled.

Accordingly, the chair does not find that there is a sufficient factual basis to find that the actions of the minister constitute a contempt of this Assembly. In other words, the physical letter of the law has not been broken, but, I submit, the spirit of the law has been negatively affected. In the chair’s view, this matter should not have even arisen in the first place. The rulings of previous Speakers as well as my own ruling regarding similar matters clearly stand for the proposition that the Assembly is entitled to be the first to know the detailed contents of a bill in its final form after it has been placed on notice.

Although the activities of the government in this case did not amount to a prima facie question of privilege, I want to caution all members to remember this. If there are future briefings when a bill is on notice in this Assembly, it will likely not be long before a different result and a different ruling ensues. Furthermore, in my view, any prior advertising about the nature of a bill must be undertaken very, very cautiously, if it is undertaken at all, so as to not create any impression that the contents of the bill are already law when the Assembly has not even seen the bill yet, much less debated it and passed it. In this respect, members may wish to examine the decision of the Ontario Speaker in 1997 when the



government of the day advertised a certain bill as if it had already been passed. In this respect, please visit Ontario *Hansard* of January 22, 1997, at pages 6441 through 6443.

3:10

Finally, I would ask that ministers, in particular, review the commitments made in previous years, notably in 2003 and last year on May 28, about not disclosing the final-form contents of bills on notice, about embargoed briefings, and about ensuring that opposition caucuses are briefed.

The chair does not want to create an impression that the restriction on providing information about bills on notice has been reduced. I merely wish to note that, whether by design or accident, the information provided by the member raising the question of privilege did not meet the standard necessary for a finding of a *prima facie* question of privilege in the case before us today.

Your Speaker and this entire Assembly would no doubt be highly comforted if the Government House Leader or someone on the government side was able to provide even greater assurance that the role and authorities of this Assembly will continue to be strictly respected and that the priority of members to be the first to learn of the final contents of any bills when they are placed on notice will also be respected.

By following this expectation, members will not be put in the awkward position of feeling that they were being denied information that has been provided to others. If one is wondering about which principles apply to a situation like this in the future, one can look to former Speaker Kowalski's March 5, 2003, ruling at page 304 of *Alberta Hansard*, where he quotes Speaker Milliken's 2001 ruling in relation to the federal context, which should not be too hard to translate into the Alberta context.

The convention of the confidentiality of bills on notice is necessary, not only so that members themselves may be well informed, but also because of the pre-eminent role which the House plays and must play in the legislative affairs of the nation.

The chair sincerely hopes that we will not have to visit or revisit this issue again in the near future. This case is now closed.

## Orders of the Day

### Government Bills and Orders Second Reading

#### Bill 31

#### Protecting Alberta's Environment Act

[Adjourned debate October 29: Mr. Eggen]

**The Speaker:** The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Well, thank you, Mr. Speaker. I presume, then, that I still have some time left to speak. I think that my adjournment and the time sort of corresponded to each other. I think I timed it so well.

**The Speaker:** Hon. member, forgive me. I've just been given notice by the table that your time has actually expired for this bill. My apologies for not having noted that.

Is there anyone else who wishes to speak to this bill? Hon. Member for Cardston-Taber-Warner, you have the floor, sir.

**Mr. Bikman:** Thank you, Mr. Speaker. Coming from rural Alberta, just 80 minutes from the beautiful Waterton park, I have to tell you how much I love nature and love the environment that we live in. We live in a beautiful province, a beautiful part of the world, and we're very blessed. Of course, with blessings comes

noblesse oblige, an obligation to be good stewards, to use what we have in an appropriate way and to take care of it not just for ourselves to enjoy but also to make sure that it's there for future generations.

When I read the title of this bill, Protecting Alberta's Environment Act, I was excited. I want to protect the environment, and I want to do all that I can on behalf of my constituents to see that they and their families and children and children's children will be able to enjoy it, too. As I read the bill, I became concerned. I'm not sure that it's going to do what the title gives us hope might happen. A few points, not in any specific order, I don't suppose. I want to know how the bill is arm's length if the government and the cabinet are doing the appointing of the various members, the chair, the science advisory board. I don't see any mention in there about what the qualifications or the requirements will be for people who might be considered to serve on there.

Being somewhat cynical after all these years of living, I wonder if one of the qualifications might be: is he or she a card-carrying PC party member? Have they met the donation threshold? Are they members of the PC family? Are they failed incumbents? Are they retired MLAs or persons with other embarrassing photos or recordings of people in positions to make decisions? Tongue in cheek there. What about screening? Will they be screened with regard to voting records, bank balances, donation history, party campaign workers? I don't know; it doesn't say.

But you can understand, given past performance, why I might tend to be a little suspicious. When it comes to recruiting staff to man, to person, I suppose – to be PC – this new agency, will current department employees be given the opportunity to apply? What will be the cost of transferring those benefits? Will they be transferred? Will these employees be exposed to any sort of loss, a loss of security, a loss of benefits? That's been raised to me, so I share it here today. Will the agency charge for its services, and how will those charges be determined? Will they be mandated or given the requirement to raise revenue to sustain themselves? Where will the money come from to pay for this agency? How will its performance be measured?

All people in business and dealing with others realize how important it is to have clear expectations when it comes to hiring somebody or when it comes to creating a new agency like this. Will there be mutually agreed upon desired results? When I say mutually agreed upon desired results, I mean the government will have expectations, the citizens will have expectations of what this new agency might be able to do to protect the environment. Certainly, our trading partners have expectations. I believe that it's the very existence and the higher profile that these expectations have now taken over the last year or two that is prompting the development of the Protecting Alberta's Environment Act.

I think by name we would expect and we would probably hope that our trading partners, the citizens would expect that it's going to do just that, protect the environment. But we need to have clear targets. We need to understand what our trading partners expect of us in clear terms and what we're going to then be able to do to meet those expectations, because we need the pipelines. We're landlocked. We're dependent upon an ability to get our resources and our goods to market, and those who are purchasing them or contemplating purchasing them want to know that these resources are being developed and being commercialized in an environmentally friendly way.

What targets will there be? Will the stakeholders have some say in the development of these targets? What bonuses will be paid to these new employees in this new bureaucracy for reaching 40 per cent of their targets? Will it be 95,000 bucks? What will the consequences be for failure to meet targets? A raise? How will

this new agency improve current behaviour by each stakeholder group?

The citizens: we each have an obligation to be good stewards in that little area that we can impact. Businesses and industry, those that are often accused of being the biggest polluters or rapers of the environment or whatever you want to call it: what standards will they be expected to achieve? We have standards now, and it seems part of the problem may be that those standards aren't being enforced when violations are identified.

3:20

[The Deputy Speaker in the chair]

I think the reality is that we know that we have to demonstrate actual reductions in genuine, real, man-made causes of climate change. Our customers and our nation and customer nations demand it. We can't afford another costly example of industry-subsidized spin like Shell Oil, for example, a company with more money than God, receiving over \$700 million of taxpayer money to use unproven technology in an attempt to give the appearance that we are doing something about greenhouse gases. Seven hundred million is over twice what it would have cost to do all the Groeneveld recommendations, an act, had those things been done, that would have saved lives and several billion taxpayer dollars for remediation. In fact, if you're wondering where we might come up with the \$5 billion that we would cut, well, there's \$4.7 million right there. We would have spent \$300 million and saved perhaps \$5 billion. Seems like a pretty good return on investment.

We must be good stewards of our government. We owe it to ourselves. We owe it to future generations and to meet existing and prospective customers' expectations, as I've said. We can do it. I just don't see how this agency will actually help.

Thank you.

**The Deputy Speaker:** Standing Order 29(2)(a) is available. The hon. Member for Calgary-Mackay-Nose Hill.

**Dr. Brown:** Thank you very much, Mr. Speaker. I would just like to ask the hon. Member for Cardston-Taber-Warner – he's indicating that he didn't think the use of funds was entirely appropriate for the carbon capture and storage. I wonder if he could make a comment regarding the efficacy, as he sees it, on the program which the Alberta government undertakes with respect to agricultural producers. I understand the hon. member has some experience in that field, and I wondered about the, you know, zero-till and the min-till rebates that we're giving for carbon reduction. Can you comment on whether or not you think that is a good approach to reducing carbon dioxide emissions?

**The Deputy Speaker:** The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you. Thank you for the question. I'm not sure that I'm fully capable to answer it, but that's never stopped the other side, so I'll give it a shot, too. I know from some research that we have done within our caucus that some of the sale of carbon whatever-it's-called hasn't actually taken place, that some of those companies that have sold those credits haven't actually been able to deliver on them, so that's certainly money that's been wasted. There hasn't been a reciprocating or a matching benefit for the money that was spent, so I don't think that's been a good use, but certainly things that encourage more efficient use of the resources and the consuming of fewer hydrocarbons, for example, would be beneficial.

**The Deputy Speaker:** Are there others under 29(2)(a)? The hon. Member for Drumheller-Stettler.

**Mr. Strankman:** I'd like to direct my questions also to the hon. member here. It talks in here about the agency being governed by a board of directors consisting of five to 10 appointed by cabinet. With your life experiences, hon. member, I'd like to see if you have concerns in that regard.

Also, it talks about the creation of a science advisory panel but no credentials that may be accrued to those appointees. I was wondering if you could just expound on your feelings in that regard.

**Mr. Bikman:** Thank you for that question, too. Of course, anything that increases the size of bureaucracy is a cause for concern. In terms of the credentialing that might be required of those that would sit on the science advisory board, we would hope that they would have some sort of scientific background or experience. I would certainly hope that we're not going to appoint and pay for 10 advisory board members who are then going to have to commission a study done by scientists. I think that would be dysfunctional. That's a concern. Maybe that will evolve if we have the faith to pass this, but at this point it would have to be an act of faith, and I'm not prepared to grant that.

**The Deputy Speaker:** Are there others? The hon. Minister of Transportation.

**Mr. McIver:** Well, thanks, Mr. Speaker. In the hon. member's remarks he suggested – he said, “tongue in cheek.” Nonetheless, he suggested that some people that get appointed to provincial committees might have done so through having pictures suggesting extortion or blackmail, and I'm wondering whether the hon. member would like to apologize to those Albertans that might feel besmirched by those remarks.

**Mr. Anderson:** Point of order.

**The Deputy Speaker:** The hon. Member for Airdrie has raised a point of order. Citation, hon. member?

#### Point of Order Imputing Motives

**Mr. Anderson:** The citation is 23 (h), (i), and (j): “imputes false or unavowed motives to another Member.” This member never said what this minister has suggested. He gave a little tongue in cheek on the issue, but he never made the accusation that that member's talking about. The member needs to maybe take himself a little less seriously. I think that would probably be a good start. I know he's terrified of losing his seat in the next election, but he should just tone it down a little bit.

**The Deputy Speaker:** Hon. member, you seem to be looking for clarification. Maybe the Minister of Transportation might offer one.

**Mr. McIver:** Well, no. Actually, Mr. Speaker, I stand by what I said. I was asking a question. I don't have the Blues in front of me because it's too soon. He did actually make remarks about people being appointed to provincial committees, and he did actually say that one of the reasons might be something to effect of – I'm sure I don't have the exact words – that they might have a picture of someone. I will let those words stand by themselves, and I ask the hon. member whether he feels like he maybe owes an apology to

some of those people that have been appointed to committees after suggesting that that might be the reason they got appointed.

**The Deputy Speaker:** Are there others on the point of order? The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Certainly. I certainly didn't use the words that you ascribed to me, nor did I intend to. To any of those who haven't been appointed because of photos and recordings, I apologize.

**The Deputy Speaker:** Hon. members, I think I've heard an apology based on a clarification from the minister. I think we've dealt with this matter enough, and I would just ask you to be careful with your language. It is Thursday afternoon. I know we're anxious to get home, but certainly in the heat of this debate I would ask you to be careful with your language.

#### Debate Continued

**The Deputy Speaker:** With that, under 29(2)(a) we still have some time left. Is there anyone else under 29(2)(a)?

Hon. minister, did you get an answer to your question regardless of the points that were raised earlier?

**Mr. McIver:** Mr. Speaker, I did. I think, as you said, it was an apology, and if the hon. member . . .

**Mr. Anderson:** Point of order, Mr. Speaker.

**The Deputy Speaker:** You have another point of order?

#### Point of Order Clarification

**Mr. Anderson:** I'm sorry, but he already asked his question, which was answered, so it therefore goes to another member who has a question under 29(2)(a). Those are the rules of this House.

**The Deputy Speaker:** With all due respect, hon. member, you raised a point of order in the middle of his question. The member responded to that, and I didn't hear the full amount of his question. I wondered if he had a complete answer to his question. If he has, he would say so. If he hasn't, I'm expecting that he's going to indicate that. Do you have a citation for your point of order?

**Mr. Anderson:** Standing Order 13(2), point of clarification. You've clarified. Thank you.

**The Deputy Speaker:** Thank you.

Hon. minister, you were trying to get an answer to another point.

**Mr. McIver:** No. Thank you, Mr. Speaker. I heard the further remarks that the member made, and if that's what qualifies as an apology after the previous remarks and the hon. member wants to leave it on the permanent record in *Hansard*, then I think that speaks for itself, and it speaks for the hon. member all by itself.

**The Deputy Speaker:** Thank you.

#### Debate Continued

**The Deputy Speaker:** Are there others under 29(2)(a)? We still have some time left. The hon. Member for Airdrie.

**Mr. Anderson:** I'd like to ask the member: what are some of the things that he would think would be more successful methods for reducing greenhouse gases in our province, ways that would possibly help our population to be more energy efficient, to save more money personally, and also have the corollary effect of reducing greenhouse gases other than this carbon capture and storage scheme that the government has put forward?

3:30

**Mr. Bikman:** Thank you. An excellent question worth answering.

**An Hon. Member:** Take your time.

**Mr. Bikman:** I will indeed. In fact, I'll speak slowly and loudly.

There is a management principle that says that you don't inspect in quality; you design it in. You don't measure a system until you've got a system in place.

**The Deputy Speaker:** Thank you for that response, hon. member.

Member for Edmonton-Beverly-Clareview, did I catch your eye that you wanted to speak?

**Mr. Bilous:** I'm happy to speak after this hon. member.

**The Deputy Speaker:** You hope to speak after this member. Then I will recognize the Member for Strathmore-Brooks.

**Mr. Hale:** Thank you, Mr. Speaker. I will watch my tongue. I rise today to speak to Bill 31, Protecting Alberta's Environment Act. I have not yet made up my mind if I will oppose or support this bill. I do have some questions that I would like clarified as we go through this process. I guess the biggest one is about the name of the bill, Protecting Alberta's Environment Act. When I look through the bill, you know, it says that the purposes of the agency are to obtain credible and relevant scientific data and other information and, in carrying out these purposes, to co-ordinate and conduct environmental monitoring, to collect, store, analyze, and evaluate environmental monitoring data, to report, and to make the data and related evaluations publicly available. It goes on and on, explaining not so much about protection but just about data relevant to our environment.

I don't think there's anybody in this House that will say that the environment isn't important. Personally, around my house and our ranch we do everything we possibly can to protect the environment. You know, we recycle all of our papers and plastics and bottles. We have our diesel tanks and our gas tanks, and we make sure that we're very careful not to spill anything. I have irrigation. When we're putting out cattle oilers, we make sure that they're not too close to the drainage canal so that nothing will get in the water. I have lots of friends who are actually fencing off dugouts so that their cattle don't go in the dugout and contaminate the water with their excretions. Everybody, from urban people to rural people, is very concerned about the environment.

We look at the automobile industry – you know, they're going to greener vehicles – and everything that industry is doing also.

You know, when I was a drilling consultant, we would take 10 days from spud to release to drill a well at the start of this project. Three to four years later we were doing spud to release in four days. That has a huge impact on the environment. We're burning less fuel. We're emitting less fumes out of our stacks. We're drilling more efficiently. We're completing wells more efficiently. We're working with other service companies to make sure that they're more efficient.

In the Resource Stewardship Committee we met with EnCana, who has natural gas vehicles, and they're talking about moving

their whole fleet to natural gas as much as they can. Different trucking companies are moving their whole fleets. It's costing them a lot of money right now to change their big diesel engines in their semis over to natural gas burning engines. You know, that's a commitment that they're doing to try to help the environment.

With the bill there's not a lot of talk about protection. You know, who's going to enforce the laws on the environment? We need to know who's going to call the shots. Who's going to ensure that when this data comes out, it's going to be enforced? Now I guess it'll be the Energy Regulator for anything to do with the energy industry.

I'm not just a drilling consultant and a rancher and an MLA. I'm actually a scientist myself. I went to SAIT and got a diploma in chemical technology and worked at MagChem in the chemistry lab there also. We took some heat from Alberta Environment. You know, the process that we were doing . . .

**Mr. Anderson:** There's more to you than meets the eye.

**Mr. Hale:** There is more to me than meets the eye.

You know, we had the big reactors. We were taking magnesite, and that was mined. They'd bring it in, and the whole process would turn it to magnesium, which was supposed to be better for the environment. Anywhere aluminum was used, they were going to use magnesium. Engine blocks, pop can lids: those were all going to be magnesium. But in the process we had some huge environmental concerns. We had these reactors with smoke stacks that were coming out. Every day they would bring us bags of the emissions, and we would test them in the morning, and we would test them at night to make sure that they were within those regulations. So there was monitoring going on. Alberta Environment at that time did the enforcing. We had to make sure we were within those limits. Any of the byproducts that were produced they'd bring into our lab, and we'd test them. We did find some stuff that was a little bit scary that we were producing. There have been checks and balances all along that have made sure that everybody puts the concerns of the environment first.

With the creation of this new board, I just have some concerns about who's going to be monitoring the board. Who's going to ensure that all this data that comes out is going to be looked at and enforced?

Another concern is the payment. Right now we know that, you know, there is, I believe, \$50 million that's getting paid through the oil sands project. When that runs out in 2015, then who pays for it? Does it go to all of the industry? Does it come out of the taxpayers? What's going to be added on to us as Albertans to cover the cost of this?

When talking about the cost, it talks about the powers of the agency. "If a Chief Executive Officer is appointed, the board shall determine the compensation to be paid to the Chief Executive Officer." Well, who's going to be the watchdog on what this board is paying out to the CEOs? What are they going to get for pensions and severances, and who's going to govern what they're getting paid?

It talks about the powers of the agency.

The Agency may, if authorized by a resolution of the board, borrow money

(a) by credit card, overdraft or unsecured line of credit.

Again, who regulates the amount that they can spend? You know, are they going to get total free rein: if you think you need it, go ahead and buy it? That's a huge concern to me. Now, the Auditor General, I'm sure, would be one of the watchdogs, but his reports

come out after the fact. It takes a while till he does his audits, and we need someone to hold this group accountable.

Employees. Will the environment minister's office now and all the employees at Alberta Environment be transitioned over to this? Will they be sent to work for this new board, that can hire employees as its needs to? Will they get paid to go to the board and then not get paid through Alberta Environment, or is Alberta Environment paying, and then any expense that they incur for working for this board they would be reimbursed for also? Are they going to be getting paid from two different directions?

I guess it just comes down a lot to accountability. Will Alberta Environment be holding them to account? Will the new regulator be holding them to account? How are they going to split those duties of what they're monitoring? Are they going to be monitoring the watersheds? Are they going to be monitoring the cities, with their environmental impacts? They're going to be monitoring the oilfields – we know that for sure – the oil sands, all the natural gas facilities.

3:40

There's not a lot of clarification there about who's going to be looking after what and who's going to be enforcing what. That's something that I would really have liked to have seen in this legislation. I know we heard it. When we were debating Bill 2, the Energy minister assured me. He said: trust me that that will be put in the regulations. Well, I guess we're waiting for the regulations to come out to see how everything is going to be split up and what the duties and the tasks are for each division. We think the catchphrase now in the energy industry, as we try to access new markets and ship our products outside of Alberta, is social licence. My concern is that this is just a way of fulfilling that social licence without any meaning. Knowing the hon. environment minister, I'm sure that she does have a plan. I hope she has a plan.

Is this just all about catering to acquire our social licence, to get our products to new markets, to get these pipelines built? If we had more substantial information in this bill, it would allow us to draw our conclusions and see, you know, what exactly we are doing. Who's going to be regulating this? Who's going to be protecting it, not just monitoring and providing data? We need significant answers.

I'll reiterate that everybody is, you know, worried about the environment. We see in our small town of Bassano, where I'm from, that they've gone to the recycled garbage containers that people pull out to their front yards now. We see collaboration between two of those small towns. Instead of each little town having its own garbage truck burning lots of fuel, they go together, and they can buy one more fuel-efficient truck and service both communities. So there is co-operation.

I know the hon. Minister of Municipal Affairs has mentioned the regional co-operation. I do know that he knows my area, Strathmore-Brooks, and that they co-operate fully. There's some good co-operation going on down there.

Getting back to the environmental part, you know, there are just some questions I would like answered, as we carry this on, so I can fully understand the mandate of this bill and who's going to be doing the enforcement and keeping tabs on the people that are hired here. I look forward to having further discussions with the hon. minister of the environment.

Thank you.

**The Deputy Speaker:** Standing order 29(2)(a) is available. The hon. Member for Medicine Hat.

**Mr. Pedersen:** Thank you, Mr. Speaker. How interesting: a mad scientist from Strathmore-Brooks. When you were talking about that, when you were working as a scientist, were you self-monitoring, or was that something that you were doing under regulation of the government, or was that something that the company did on its own, something that the company thought was important?

**Mr. Hale:** Actually, they mentioned self-medicating. I can tell you and I was going to say that we did make our own alcohol. It was the purest form that you could make. It was a lab procedure. We had to do it.

**Mr. Anderson:** You had no choice.

**Mr. Hale:** We had no choice. It was something we had to do.

**Mr. Anderson:** I didn't say that you had to drink it, though.

**Mr. Hale:** No. We just had to make it.

Getting back to the hon. member's question, we were regulated by Alberta Environment. We had to send in our data of what we found all the time. Specifically with the air monitoring, we would take our samples from the stacks out of our six big reactors, and we would test it. I, as someone that was testing it, would run it through our machines, and if it came back with levels that were too high – there was a lot of chlorine. We did use chlorine in the process. When we would take the magnesite, they would heat it up, and they would mix it with chlorine. They would kind of melt it, and then the magnesium would float, you know, separate, from the unwanted materials. So there was a lot of exhaust coming out of it.

Our job was to ensure that the exhaust that came out of it wasn't over these limits. We would report our findings to Alberta Environment. I wasn't part of that reporting procedure. I would just give the gentlemen or the ladies the data, and then they would take that data and do with it what they would. But I do know that we did get shut down a couple of times by Alberta Environment because our emissions weren't what they were supposed to be, so we would have to shut down, and then we'd go through the process and make sure that we were putting in the right amount of chlorine and that the whole reaction was taking place in the most environmentally responsible way.

When I talked about some of the discharge that we got out of our system that they would bring to us that they weren't quite sure about, that too was something that we had to report. Anything out of the norm: report to Alberta Environment. We had storage water sites that were onsite there. Any of our coolant water would go into these storage ponds. All that had to be retested before we could pump it down the disposal wells.

The interesting fact – and I did ask my boss this question one day. I said: "Well, if we're mining this magnesite out" – I believe it was in the Banff-Canmore area, somewhere out there – "and then trucking it in, why are we trucking it to the facility? Why didn't we build the facility closer to the product?" The answer is that our disposal wells, where we would pump the water down after it was tested and met all of Alberta Environment's requirements – we pumped it down into a saline water source way down in the ground like a disposal well. That's where the water that was coming out of this whole process best fit, to that water source in the ground. Instead of trucking all the water that was going to be disposed of, the brackish water that went into that same water, it was easier to truck the raw material to the facility. Then we would make sure that all of our tests were completed.

It was a process that started over in England, actually. They started with one small reactor and had the process working great, and then they brought it over to Alberta, and we set it up and went from one small reactor to six big reactors. If you walked into that facility, there were pipes. It was an engineer's nightmare. I mean, there were pipes all over. It was quite the process, I'll tell you. It was quite the process, but we learned a lot. We learned that maybe going from one small reactor to six huge ones wasn't the best step to take, and it was a government-funded project. There were some partners in it, and it was looking real good for industry.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Member for Edmonton-Beverly-Clareview, followed by Drumheller-Stettler.

**Mr. Bilous:** That was 29(2)(a), I believe.

**The Deputy Speaker:** Oh, 29(2)(a) is over, hon. member.

**Mr. Bilous:** Okay. Thank you, Mr. Speaker. I rise today to speak to the second reading of Bill 31, Protecting Alberta's Environment Act. You know, this is a very interesting bill. I think that at the outset I'd like to say that Alberta's NDP has been calling for legislated monitoring to occur, so I'm pleased to see to an extent that the environment minister and this government are finally coming to their senses and listening to the Alberta NDP in this regard. But I'll temper my congratulations a little bit because of some questions that I have and how I'm a little cautious of the bill as it's written now.

To start, Mr. Speaker, Alberta definitely needs scientifically sound, independent data about our environment to make the right decisions to balance the resource production with the long-term health and sustainability of this province. On that point, I think we're in sync with the government there, and again we're glad they finally caught up with us.

3:50

We have a few suggestions for this bill, and there are a couple of concerns that I have, Mr. Speaker. First of all, we've been calling for an independent body, a body that's arm's length from the government, to be able to make decisions that are completely free from political interference or any kind of interference. The challenge with this bill at the moment, with the way it's written, is that it's not going to be an independent, arm's-length body making these decisions. We're relying on the minister to appoint people to this process or to this agency who will then select the scientists to participate. The secondary challenge with that is: based on which credentials are these scientists going to be selected? How can Albertans be certain that they are independent, free thinking, and not influenced whatsoever by the very board that selected them?

This speaks to the problem of appointments, to begin with, in any capacity. When you don't have an independent arm's length, a distance between government and a body that they're selecting, questions arise, questions about judgment. Again, if we're trying to put forward legislation that will in fact monitor and protect our environment, then we need some distance. There are some examples I'll give.

Look at the government's recent handling of Alberta Health Services. If this government isn't forced to colour between the lines, then they appoint the wrong people for the job. The caution here is that the bill provides authority to the minister to appoint board members, and we want to make sure that the people that are on this board represent all Albertans and not simply PC interests or friends or friends of friends.

Again, we have an example here. Back in 2011, when a PC appointment was made to review this very topic, he had to resign in disgrace for unethical lobbying. This government has a track record of making some judgment errors. If we want to put the environment at the top of the list as a priority, then we need to put safeguards in place. Imagine, Mr. Speaker, if you had the opportunity to pick the person that gives your workplace evaluation. Is that completely free from bias? I'm not so sure.

A few questions. Let's say, for example, that the government did hypothetically appoint the right people. Where's the commitment from this government to properly fund this agency? If this board goes to the minister and says, "We need more money to do our job," what will the response be? Will they be given the dollars? Why are we entering into a debate on this legislation without a clear picture of what the funding model will be for this agency? The truth is that the devil is always in the details, and this is the place where it should be debated, in front of all Albertans, with all 87 members so that we have the opportunity to truly represent our constituents and reflect their interests, concerns, and ideas.

Mr. Speaker, the legislation mentions cost recovery. Is this government considering a carbon tax on Albertans, as reports leading up to the bill recommend? These are answers that need to be in place before we move forward with legislation.

The other cause for concern is that the minister will be controlling and wants to control how often the agency gets to report to the public. Again, you know, they talk about raw data and public access and transparency. I mean, there's no guarantee that that's going to happen and that we're going to get the answers.

You know, Mr. Speaker, we have a chance here to be real leaders in environmental monitoring and to be first class and put Alberta at the forefront, so I really hope that the minister will be open to amendments that not only our party but the opposition parties are going to put forward to improve this bill to ensure that there is accountability, that we are making the best decisions on behalf of Albertans, that disclosure comes to Albertans in the public before it's filtered through the ministry, and I look forward to the dialogue that we're going to have in Committee of the Whole.

Mr. Speaker, with that, I'd like to table a reasonable amendment to this bill.

**Mr. Eggen:** Reasoned. Both reasoned and reasonable.

**Mr. Bilous:** Well, it is. It is reasonable and reasoned.

I'm moving this on behalf of the Member for Edmonton-Highlands-Norwood. I move that the motion for second reading of Bill 31 . . .

**The Deputy Speaker:** Hon. member, would you please send the original to the table if you haven't already done so?

**Mr. Bilous:** The original is with . . .

**The Deputy Speaker:** So it's coming?

**Mr. Bilous:** Yes.

**The Deputy Speaker:** Wonderful. Thank you.

**Mr. Bilous:** Shall I continue?

**The Deputy Speaker:** No. Just pause, and let that be distributed.  
Hon. member, please proceed.

**Mr. Bilous:** Thank you, Mr. Speaker. I'm moving this on behalf of the Member for Edmonton-Highlands-Norwood. I move that the motion for second reading of Bill 31, Protecting Alberta's Environment Act, be amended by deleting all the words after "that" and substituting the following:

Bill 31, Protecting Alberta's Environment Act, be not now read a second time because the Legislative Assembly believes that the bill fails to provide for unbiased, effective, and accountable independent monitoring in a comprehensive manner, which includes consultation with the full range of affected groups.

**The Deputy Speaker:** Thank you.

Speaking to the motion, is there a response from the government side? No? Okay.

The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Okay. Great. Thank you, Mr. Speaker. We reflected on Bill 31, Protecting Alberta's Environment Act, and you've heard our critic and myself and now the hon. Member for Edmonton-Beverly-Clareview make some comments on this. We thought long and hard about this bill, and certainly, as I said from the outset, the intention of the bill as described by the minister of environment when she introduced this is certainly honourable and looking down the same path that we might aspire to as well.

But there are just a couple of issues around, I think, independence and effectiveness of this potential act. We think we should take it back and just sort out a couple of things and then bring it back forward with these changes.

4:00

The first issue that I question is the effectiveness of the environmental monitoring as a whole and the new agency in particular without plans for adequate or stable funding. How can this agency conduct its operations, Mr. Speaker, and its plan for the future without that provision for public money to continue on?

It is not an inexpensive endeavour to start this agency, nor do we expect it to be, but we certainly don't want it to become some sort of corporate adjunct to the energy industry. The essence of and not just the actual independence of this agency is key, but also the perception of that independence I think is really important, too. If it's not there, like I said the other night, then we lose not just the effectiveness of the agency but that perception that we want to cultivate, both in North America and around the world, that we are dealing with our environmental issues here in Alberta in an effective and just sort of manner. Right? That's very important. I think that if we pulled back a bit and fixed that, that would be a good idea.

Second of all, we know that industry really wants this agency. We've heard from industry and we've heard from the government as well on this issue. This idea of partly funding it through the corporations: how could that be really independent, right? I think that, yes, they can indirectly fund it. They can indirectly fund it by paying the corporate taxes and the individual taxes for those highest earners, that are long overdue through our revenue system, just like everybody else pays their dues. Yes, I'm paying a little bit, too. The hon. members for Edmonton-Beverly-Clareview and Edmonton-Centre will pay a bit, too. We'll all chip in through our taxes to pay for an independent agency that doesn't have those corporate ties. Sounds like a good idea to me. That's how we run lots of other things. For example, our justice system runs like that. That's pretty basic. If we could parallel this agency with our justice system, I think we'd be all the better for it.

Further to this independence and transparency of the agency, the agency being seemingly still dependent on ESRD and government for allocating funding based on some unknown plan

or formula: really, again, how could they, Mr. Speaker, be seen as moving forward? As well, no legislative requirements for how or when this data will be released to the public: I have a big problem with that. I mean, they could pump out all the good data in the world, but if it's filtered through the minister's office, as judicious and, you know, impartial as she might be, then still there is that perception. Folks, part of the currency we're dealing with here with this agency is the perception of independence. It's very important.

This legislation as well contains no qualifications for appointment to the board or the science advisory panel and does not even contain any guarantees of representation from certain groups such as First Nations and scientific experts, you know, or the nature of what or who the scientific experts on this board will be. We've heard this many times already before. I won't elaborate on that, but it's patently obvious, Mr. Speaker, that if you're not getting the best and representative people from affected areas, then you're undermining your credibility. How representative or comprehensive can this panel be when there are no requirements for appointment?

This PC government has a pattern of biased decision-making, Mr. Speaker, and murky reporting, I think, and without proper standards, qualifications, and safeguards very specifically registered in this legislation, this agency will just go down in confusion, as we have seen from a long history in the past. We've talked about the Marceau decision. That was embarrassing; it really was. It didn't seem as though the government even blinked on their decision to ignore that judicial decision in regard to excluding the Pembina Institute. I just really found that to be quite beyond the pale.

Another issue that I would just like to bring forward, then, please, is that I think it's really important for the scope of this agency to be commensurate with resources that are allocated to it. So, once again, commit to providing that stable funding. I think that above all else, this successful monitoring agency cannot subvert its purpose within the IRMS in pursuit of its function. Basically, it's saying that this is a public relations exercise, I think, more than anything. I don't know. I don't want it to be, nor do I want to believe that it would be so, but if this new agency is amenable in its place within IRMS rather than actually serving the function and gathering the reporting of the environmental data, then, Mr. Speaker, I have to wonder: what level of effectiveness are we really looking at here?

Another noted purpose, according to what I've heard here, is that this new agency is to manage the perception that the government's role as owner, manager, regulator, and developer and as the main beneficiary leads to conflicts of interest; in other words, public relations rather than actually monitoring.

You know, we are the owners of this resource, and we are the regulator, too. It's incumbent upon us to provide this agency, certainly – I've said that from the outset – but if it's not providing that independent function, then we're only shortchanging ourselves. It's like you're an enabler for bad behaviour – right? – or for potentially questionable results coming out monitoring the very land, air, water, and energy resource and the humans that live in that area and then shortchanging that monitoring process. You can fool some of the people some of the time, but when you're trying to fool yourself – right? – or set up a process by which you can fool yourself, then that's just, you know, aberrant. It's unacceptable behaviour.

I think another concern that we had from our briefing on this bill that is fairly important is the independence of this agency. The report is also talking about: support from other agencies and industry will depend on the agency publishing more good news than bad. Again, what's the function here? Public relations

overfunction and PCs appointing PCs and regulating PC activity and so forth and on and on?

I think a reasoned amendment is perfectly acceptable at this point. I'm glad that we decided to do this. It's not as though we're taking down the very sort of essence or the larger purpose in having an independent environmental agency through some sort of bill, but with this particular one here, I think, there are just too many bumpy problems along the way to read it further here at this time, Mr. Speaker.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

The Member for Rimbey-Rocky Mountain House-Sundre, followed by the Member for Edmonton-Centre.

**Mr. Anglin:** Thank you, Mr. Speaker. I rise in support of this motion, and I would hope the hon. members across the way would at least give it consideration. As I stated earlier, I think the intent of this bill was good, but the bill itself is hollow. It doesn't even live up to the title. It doesn't protect the environment or add any more protection to the environment. Even the announcement. The Premier was very proud of making the announcement: we are going to upload data on reporting. Well, that sounds all well and good, but that's what the oil sands monitoring group was supposed to do when we made that announcement just a couple of years ago. How far along has that happened? It hasn't happened at all.

What we're missing in this bill is substance. It's just not there. It does create this agency, but beyond that, we know very little in the sense of: what are the various aspects? That needs to be determined to have good legislation. How is this going to work? How is it going to be funded? The problem with the bill is that it says: environmental protection. What I was hoping for was that there would be not just monitoring but some sort of teeth to our environmental protection so that we can actually say that we're doing something.

4:10

I want to just highlight some examples of what we're not doing or that what we're doing doesn't follow what we're saying. This government claims to have reduced greenhouse gases, but that does not correlate to or even support what independent findings have found, that our greenhouse gases have actually increased significantly.

Now, I know where the ministry gets its figures from when it says that it's reduced, but that's playing with the numbers. If you look at the totality of what we've done as a province, it is not something to be proud of. It is something that says that we need a lot of work. When employees of Alberta Environment say, "We have good environmental laws," there's substance to that. If you have a good speed limit, but nobody is enforcing it, how good are these speed limits? The enforcement part of our environmental laws is lacking, and it's lacking significantly. I'll make some examples of that.

The Biloyer family, who is located in the minister's own riding, is a classic example of lack of enforcement. We have a situation where Imperial Oil actually polluted their land. It's not being questioned. Imperial Oil basically admits it. There have been either three or four enforcement orders over the last 20 years issued to tell Imperial Oil to clean it up, to settle this issue, and that has not been done. That's a case of just lack of justice, in many ways, on an environmental scale.

What we were hoping for in bringing this forward is that, yes, we're going to do some monitoring, but we still haven't seen the substance of the monitoring in the bill as far as how these

regulations will be. It's full of promises, but beyond the promises there are no real technical details connecting the dots on how we're going to get the job done. Even with the reporting, there's no time frame for how the reporting is going to be done. I commend the minister for the passion for monitoring and collecting the data – that is important – but what good is the data if we don't act upon that, or what good is the data if we manipulate the data to show something that is sort of contrary to what the raw data is proving? There needs to be not just independence, but there needs to be credibility to this system that we're going to create.

I want to draw your attention to something called the carbon credits or the carbon offset system because that's a classic example of where we've gone wrong with our legislation. You start off with a program that looks good, that sounds good, that you take out to the international market and say, "Hey, lookit, we are doing this," but when you get into the substance of it, you find out that we're not doing it. When you look at the auditing of the system, it's not transparent, and the lack of transparency equates to lack of credibility. We have the whole system of bioplants for biofuel, and we find out from even the Auditor General that it appears that it's increasing greenhouse gases, not reducing greenhouse gases. Well, that's \$160 million going in the wrong direction.

Now, on the other side, the agricultural carbon offset system: we can't get credible evidence to find out if it's working. What we can find out is that on Alberta Agriculture's website it says: farmers, please don't do business with this company. But on Alberta Environment's website it says that they're doing business as usual. Here we have a contradiction in government, and that was still there the last time I looked. That hasn't been removed. We get the same businesspeople starting up these carbon credit offset companies, going out to sort of offset what we believe are greenhouse gases, but what we find out is that we can't measure it because that information is not available. Here we have a government that says that it wants to make the information available, but its actions are the complete contradiction of what it's proposing or claiming to say that it does. Time and time again we find these contradictions.

The hon. minister talks about groundwater mapping. Wow. That's long overdue. That is long overdue. We've been crying for groundwater mapping for a long, long time, and it has yet to happen. We hear that it is happening, but we don't see the data, and that's really important. It is extremely important that we understand whether our aquifers are regenerating the way they're supposed to. Are they not regenerating? You know, what is the status? What is the baseline data? Even though we can map, if we map without baseline data, we don't know what we're doing or where we're going. It's the baseline data that serves as the compass, and we don't have that.

Again, we have the contradiction with what's now ESRD in that it proclaims to have good rules and regulations – and for the most part I could agree with many of the employees that it does – but if we don't enforce these rules or make these regulations live in the sense that we're actually going to bring those to force, then what good is it? That's the problem.

I'll give you a couple of examples where we've really gone wrong. We have the Guide to the Mine Financial Security Program, where what we estimate is that it's going to cost about \$75,000 per hectare to reclaim land. We know, because this is readily available from the provincial records, that the ministry claims there's about 50,000 hectares of land in this province that are subject to reclamation at some point in time. Now, companies are supposed

to put security aside to make sure that we can do that. You know as well as I do and all the members over here know as well as I do that if a company goes out of business and we don't take that security, we don't have that security. We're not likely to get that money if they're gone.

So what do we have? Well, if it's going to cost about \$75,000 per hectare, what we look at is what the government is currently holding, which is about \$18,000 per hectare. That's \$56,000 per hectare short of what we need. And given the fact that it's 51,000 hectares that we're talking about, we're looking at basically, you know, a little under half a billion dollars short to do our reclamation. That's what we should probably have in security. We don't have that.

The security of that is akin to what we're dealing with with carbon credits. We're claiming that we're incorporating practices that actually help us reduce greenhouse gases. What we find is that we have audits, but we're not allowed, even as an opposition member, to see what these reverification audits are. I have been asking for that information for over six months, and I've still not gotten that information. And I don't understand why.

We don't want to know any proprietary information. We want to know who's done what as far as the protocols and what the audits have told us. Everything is audited, so we want to know if these protocols, these deals actually did what they said they were going to do. That's all we want to know. There's a lot of grey area in there and a whole lot of questions, but what we don't have is any transparency, and what we don't have is any credibility to the system, so much so that internationally, the California market being one, they do not want to even explore the opportunities for carbon credits in the province of Alberta. That is a huge statement.

One of the big things about this monitoring program that is supposed to be the highlight of this bill is to improve our international credibility. That's the key. That is the key. If we don't improve that, we're not going to be able to convince these markets that we're doing what we say we're going to do. It doesn't matter what the members over there say. The fact is that you have to convince the markets. Those are the people. The markets are the ones that tell us whether or not we're credible. They're holding up our pipelines. They're holding up other projects as a result of our reputation. We're getting a black eye, left and right. What we're saying is that we're doing great things, but meanwhile up at Primrose we still have bitumen bubbling out of the ground, burping out of the ground. Geologists have basically come forward and said: this is not something we didn't expect.

4:20

Now, they don't come out publicly. They can't. They have jobs that they are afraid to lose if they come out publicly. But we have reports from as far back as 2009 that said that that was a highly risky project, and it's a shame for Alberta Environment to move along on that knowing that. We should have looked at this a little bit further on the caprock to make sure that if they did these types of projects, we wouldn't have these types of accidents. Those are the preventative measures that Alberta Environment can bring to the table, and there's nothing in this bill that says that we're going to be able to do this.

So if we have the monitoring of our environment, as this proclaims to have, what I see here is that we're going to have a board with no criteria or qualifications for who can be on it, even on the scientific board. It doesn't lay out any criteria on how to create this scientific board, some sort of checks and balances. It creates an arm's-length agency that's not going to be arm's length,



because the minister will have the control at various points within the legislation to make sure that the minister can do what the minister needs to do politically.

Now, I don't say that as a criticism. I say that as: that's exactly how the bill is reading. It is not arm's length; it's going to give the appearance. And I'm sure the minister or the government will state that it will be arm's length, but as you read the bill, the minister will have the power to interject at any point in time. It is, in effect, an AHS of environment. The AHS has not worked out well for Alberta Health either, so I'm not sure that this is going to work out very well for Alberta Environment. So calling it arm's length is a little bit deceptive.

There are things in here – and I was hoping the Justice minister might comment on it. I had asked if the hon. member would, and maybe he will at some point in time because it is significant. We have an indemnification clause where there's a notwithstanding clause, and that is very common for all boards, that when they act in good faith, they are protected. That's something that we put in legislation. That's something that we put in many different nonprofit organizations. It's always there.

But in this act it brings forth an indemnification against criminal activity. That doesn't make sense to me. It talks about it in good faith. Someone needs to explain to me a criminal activity that has been committed in good faith because I don't know of one that's been committed in good faith. You know, I'm sorry. But if you need money for health care, you're not allowed to rob a bank, although that might be considered good faith. You can't commit a crime because of ignorance. The law just doesn't allow for that. So how the heck do we have an indemnification clause for a criminal activity? I don't get that. I'm happy to have someone explain that, but it just doesn't make sense to me.

**The Deputy Speaker:** Thank you, hon. member.  
I recognize the Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much, Mr. Speaker. I appreciate the opportunity for six minutes. Thank you very much to the Member for Edmonton-Beverly-Clareview for bringing forward the reasoned amendment. It's worthwhile at this point in the debate on this bill to pause and see the context that this bill is in and if we really want to pursue it. According to the amendment the bill "fails to provide for unbiased, effective, and accountable independent monitoring in a comprehensive manner, which includes consultation with the full range of affected groups."

What I see happening is that we have a gap, a big question mark around this legislation for three things: credibility of this government on environmental issues; action that's been taken on environmental issues; and trust, which is essentially credibility going forward. Do we actually believe that in the future the government is going to follow through on something? I think this is where this government is in serious trouble.

We know that we have a bad reputation outside of the province and even, increasingly, inside of the province and particularly overseas. Having been fortunate enough to be able to travel to Europe almost annually now in the last half-dozen years, I guess six or seven years, boy, it's a different world over there. Totally different attitude towards things. They just don't buy it. They

don't buy the lovely language that this government has learned to use and the spin. They don't buy it. They have serious questions. In Germany, in particular, their population is committed to reducing, conserving. You know, a whole different way of doing things.

When I look at credibility issues here, I think there are a number of places where there's a lack of credibility. One is around monitoring, period. I had the minister of the environment stand in this House repeatedly – not the current one; the previous one – and tell me that oh, yes, we had the best monitoring in the world, and blah, blah, blah. This went on for years, and then eventually government said, when it was proven enough times that they were not monitoring adequately, that, yes, although bitumen did appear – it came seeping out into the Athabasca River – that was not the cause of the pollution in northern Alberta; it was, in fact, what was being produced as a result of production in the oil sands.

It created a lack of credibility there, and the government did have to admit that, yes, they weren't very good at monitoring. Then what we got was: "We're going to be better. We promise you we're going to come out with some good stuff." So this is the good stuff. Well, is it good enough? Is this what we really want as Albertans as the big step forward from this government on environmental protection issues?

Well, you know, we had RAMP. That got completely discredited mostly because the industrial participants, who were mostly paid workers, overwhelmed the volunteer-based First Nations and aboriginal representation and NGO representation on the committee, so it was discredited. We've had a lot of self-monitoring in this province, which again ends up being discredited, although I think in some cases that's not, in fact, fair to the industry, who was trying to do a good job. We also have a lot of voluntary measures that are in place. Well, yeah. If it was voluntary, sure, we could have 50 per cent representation in this House for women. Well, that's not happening. You know, sometimes you have to have mandatory requirements, and I think we're way past that in Alberta.

We need baselines. This government still has not accelerated baseline groundwater mapping. You know, we've got a long way to go on credibility. The metrics that the government uses often measure the wrong thing in the wrong place at the wrong time, and then turn around and say to people in Turner Valley who are looking at the Sheep River: "Nope. Sorry. No problem here." Well, the Turner Valley gas plant was so polluted that they had to tell women who were pregnant not to step off the sidewalks because they couldn't walk on the soil. Yet somehow this is not getting into the river that is right next to it. Come on. I mean, that's a lack of credibility.

We've got things like board appointments where – I mean, just the Alberta regulator. Hmm. Yes. Okay. But he came from CAPP. How are we supposed to believe he's independent.

**The Deputy Speaker:** Hon. member, I know you're waxing eloquently, but it is 4:30, and the House does stand adjourned until 1:30 p.m. on Monday.

[The Assembly adjourned at 4:30 p.m. to Monday at 1:30 p.m.]



## **Bill Status Report for the 28th Legislature - 1st Session (2012-2013)**

**Activity to October 31, 2013**

The Bill sponsor's name is in brackets following the Bill title. If it is a money Bill, (\$) will appear between the title and the sponsor's name. Numbers following each Reading refer to Hansard pages where the text of debates is found; dates for each Reading are in brackets following the page numbers. Bills numbered 1 to 199 are Government Bills. Bills numbered 200 or higher are Private Members' Public Bills. Bills numbered with a "Pr" prefix are Private Bills.

\*An asterisk beside a Bill number indicates an amendment was passed to that Bill; the Committee line shows the precise date of the amendment.

The date a Bill comes into force is indicated in square brackets after the date of Royal Assent. If a Bill comes into force "on proclamation," "with exceptions," or "on various dates," please contact Legislative Counsel, Alberta Justice, for details at (780) 427-2217. The chapter number assigned to the Bill is entered immediately following the date the Bill comes into force. SA indicates Statutes of Alberta; this is followed by the year in which it is included in the statutes, and its chapter number. Please note, Private Bills are not assigned chapter numbers until the conclusion of the Fall Sitzings.

### **1\* Workers' Compensation Amendment Act, 2012 (Redford)**

First Reading -- 8 (May 24, 2012 aft., passed)

Second Reading -- 177 (Oct. 23, 2012 eve.), 193-96 (Oct. 23, 2012 eve.), 233 (Oct. 24, 2012 eve., passed)

Committee of the Whole -- 336-39 (Oct. 29, 2012 eve.), 354-71 (Oct. 30, 2012 aft.), 373-80 (Oct. 30, 2012 eve., passed with amendments)

Third Reading -- 476-84 (Nov. 1, 2012 aft., passed on division)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force December 10, 2012; SA 2012 c8]

### **2\* Responsible Energy Development Act (Hughes)**

First Reading -- 207 (Oct. 24, 2012 aft., passed)

Second Reading -- 263 (Oct. 25, 2012 aft.), 424-43 (Oct. 31, 2012 aft.), 445-57 (Oct. 31, 2012 eve.), 526-46 (Nov. 5, 2012 eve., passed)

Committee of the Whole -- 563-71 (Nov. 6, 2012 aft.), 593 (Nov. 6, 2012 eve.), 644-48 (Nov. 7, 2012 aft.), 649-69 (Nov. 7, 2012 eve.), 731-53 (Nov. 19, 2012 eve.), 777-94 (Nov. 20, 2012 aft.), 795-853 (Nov. 20, 2012 eve.), 902-05 (Nov. 20, 2012 eve., passed on division, with amendments)

Third Reading -- 921-41 (Nov. 21, 2012 aft., passed on division)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on proclamation, with exceptions; SA 2012 cR-17.3]

### **3\* Education Act (J. Johnson)**

First Reading -- 155 (Oct. 23, 2012 aft., passed)

Second Reading -- 219-31 (Oct. 24, 2012 aft.), 238 (Oct. 24, 2012 eve., passed)

Committee of the Whole -- 380-407 (Oct. 30, 2012 eve., passed with amendments)

Third Reading -- 669 (Nov. 7, 2012 eve.), 688-94 (Nov. 8, 2012 aft.), 753-63 (Nov. 19, 2012 eve., passed on division)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on proclamation; SA 2012 cE-0.3]

### **4 Public Interest Disclosure (Whistleblower Protection) Act (Scott)**

First Reading -- 352-53 (Oct. 30, 2012 aft., passed)

Second Reading -- 423-24 (Oct. 31, 2012 aft.), 593-614 (Nov. 6, 2012 eve.), 627-44 (Nov. 7, 2012 aft., passed on division)

Committee of the Whole -- 975-80 (Nov. 22, 2012 aft.), 1057-74 (Nov. 27, 2012 aft.), 1075-101 (Nov. 27, 2012 eve.), 1127-137 (Nov. 28, 2012 aft.), 1139-161 (Nov. 28, 2012 eve., passed)

Third Reading -- 1161-166 (Nov. 28, 2012 eve., passed on division)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on proclamation; SA 2012 cP-39.5]

### **5 New Home Buyer Protection Act (Griffiths)**

First Reading -- 261 (Oct. 25, 2012 aft., passed)

Second Reading -- 354 (Oct. 30, 2012 aft.), 457-59 (Oct. 31, 2012 eve., passed)

Committee of the Whole -- 546-49 (Nov. 5, 2012 eve.), 571-83 (Nov. 6, 2012 aft.), 585-93 (Nov. 6, 2012 eve., passed)

Third Reading -- 853-55 (Nov. 20, 2012 eve., passed)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on proclamation; SA 2012 cN-3.2]

### **6 Protection and Compliance Statutes Amendment Act, 2012 (Jeneroux)**

First Reading -- 155 (Oct. 23, 2012 aft., passed)

Second Reading -- 209 (Oct. 24, 2012 aft.), 264 (Oct. 25, 2012 aft., passed)

Committee of the Whole -- 459-62 (Oct. 31, 2012 eve., passed)

Third Reading -- 855-56 (Nov. 20, 2012 eve., passed)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on various dates; SA 2012 c7]

- 7\* Election Accountability Amendment Act, 2012 (Denis)**  
First Reading -- 774 (Nov. 20, 2012 aft., passed)  
Second Reading -- 972-75 (Nov. 22, 2012 aft.), 1015-41 (Nov. 26, 2012 eve., passed)  
Committee of the Whole -- 1166-167 (Nov. 28, 2012 eve.), 1191-92 (Nov. 29, 2012 aft.), 1221-43 (Dec. 3, 2012 eve.), 1261-79 (Dec. 4, 2012 aft.), 1281-1300 (Dec. 4, 2012 eve., passed, with amendments)  
Third Reading -- 1315-37 (Dec. 5, 2012 aft., passed on division)  
Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on various dates; SA 2012 c5]
- 8 Electric Utilities Amendment Act, 2012 (Hughes)**  
First Reading -- 156 (Oct. 23, 2012 aft., passed)  
Second Reading -- 233 (Oct. 24, 2012 eve.), 316-36 (Oct. 29, 2012 eve., passed)  
Committee of the Whole -- 857-902 (Nov. 20, 2012 eve.), 943-53 (Nov. 21, 2012 eve., passed)  
Third Reading -- 953-56 (Nov. 21, 2012 eve., passed)  
Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force December 10, 2012; SA 2012 c6]
- 9 Alberta Corporate Tax Amendment Act, 2012 (\$) (Horner)**  
First Reading -- 156 (Oct. 23, 2012 aft., passed)  
Second Reading -- 209-10 (Oct. 24, 2012 aft.), 272 (Oct. 25, 2012 aft.), 311-16 (Oct. 29, 2012 eve., passed)  
Committee of the Whole -- 462 (Oct. 31, 2012 eve., passed)  
Third Reading -- 856-57 (Nov. 20, 2012 eve., passed)  
Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on various dates, SA 2012 c4]
- 10 Employment Pension Plans Act (Kennedy-Glans)**  
First Reading -- 261 (Oct. 25, 2012 aft., passed)  
Second Reading -- 521-26 (Nov. 5, 2012 eve., passed)  
Committee of the Whole -- 668-69 (Nov. 7, 2012 eve., passed)  
Third Reading -- 857 (Nov. 20, 2012 eve., passed)  
Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on proclamation; SA 2012 cE-8.1]
- 11 Appropriation (Supplementary Supply) Act, 2013 (\$) (Horner)**  
First Reading -- 1424 (Mar. 6, 2013 aft., passed)  
Second Reading -- 1480-86 (Mar. 11, 2013 eve., passed)  
Committee of the Whole -- 1534-41 (Mar. 12, 2013 eve., passed)  
Third Reading -- 1583 (Mar. 13, 2013 aft.), 1559-60 (Mar. 13, 2013 eve., passed)  
Royal Assent -- (Mar. 21, 2013 outside of House sitting) [Comes into force March 21, 2013; SA 2013 c2]
- 12 Fiscal Management Act (\$) (Horner)**  
First Reading -- 1438 (Mar. 7, 2013 aft., passed)  
Second Reading -- 1479-80 (Mar. 11, 2013 eve.), 1560-78 (Mar. 13, 2013 aft.), 1579-83 (Mar. 13, 2013 eve.), 1785-90 (Apr. 11, 2013 aft.), 1877-85 (Apr. 18, 2013 aft., passed)  
Committee of the Whole -- 1967-78 (Apr. 23, 2013 eve.), 1981-86 (Apr. 23, 2013 eve., passed), 2007-15 (Apr. 24, 2013 aft.)  
Third Reading -- 2027-35 (Apr. 24, 2013 eve., passed on division)  
Royal Assent -- (Apr. 29, 2013 outside of House sitting) [Comes into force April 29, 2013; SA 2013 cF-14.5]
- 13 Appropriation (Interim Supply) Act, 2013 (\$) (Horner)**  
First Reading -- 1456 (Mar. 11, 2013 aft., passed)  
Second Reading -- 1527-34 (Mar. 12, 2013 eve.), 1556 (Mar. 13, 2013 aft., passed)  
Committee of the Whole -- 1583 (Mar. 13, 2013 eve., passed)  
Third Reading -- 1695-1700 (Mar. 21, 2013 aft.), 1695-1700 (Mar. 21, 2013 aft., passed)  
Royal Assent -- (Mar. 21, 2013 outside of House sitting) [Comes into force March 21, 2013; SA 2013 c1]
- 14 RCMP Health Coverage Statutes Amendment Act, 2013 (VanderBurg)**  
First Reading -- 1690 (Mar. 21, 2013 aft., passed)  
Second Reading -- 1875 (Apr. 18, 2013 aft.), 1925-27 (Apr. 22, 2013 eve., passed)  
Committee of the Whole -- 1966-67 (Apr. 23, 2013 eve., passed)  
Third Reading -- 1986 (Apr. 23, 2013 eve., passed)  
Royal Assent -- (Apr. 29, 2013 outside of House sitting) [Comes into force April 1, 2013; SA 2013 c4]
- 15 Emergency 911 Act (\$) (Weadick)**  
First Reading -- 1762 (Apr. 10, 2013 aft., passed)  
Second Reading -- 1875-76 (Apr. 18, 2013 aft.), 1953-58 (Apr. 23, 2013 aft., passed)  
Committee of the Whole -- 2040 (Apr. 24, 2013 eve., passed)  
Third Reading -- 2130-31 (May 6, 2013 eve., passed)  
Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force on proclamation; SA 2013 cE-7.5]

**16 Victims Statutes Amendment Act, 2013 (\$) (Denis)**

First Reading -- 1762-63 (Apr. 10, 2013 aft., passed)

Second Reading -- 1958-61 (Apr. 23, 2013 aft.), 1963-67 (Apr. 23, 2013 eve., passed)

Committee of the Whole -- 2040 (Apr. 24, 2013 eve., passed)

Third Reading -- 2063-65 (Apr. 25, 2013 aft., passed)

Royal Assent -- (Apr. 29, 2013 outside of House sitting) [Comes into force on proclamation; SA 2013 c5]

**17 Municipal Government Amendment Act, 2013 (Kubinec)**

First Reading -- 1779 (Apr. 11, 2013 aft., passed)

Second Reading -- 2123-25 (May 6, 2013 eve., passed)

Committee of the Whole -- 2161-64 (May 7, 2013 aft.), 2172-76 (May 7, 2013 eve., passed)

Third Reading -- 2176 (May 7, 2013 eve., passed)

Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force May 27, 2013; SA 2013 c9]

**18 Pooled Registered Pension Plans Act (Fawcett)**

First Reading -- 1873 (Apr. 18, 2013 aft., passed)

Second Reading -- 2125-30 (May 6, 2013 eve., passed)

Committee of the Whole -- 2151-57 (May 7, 2013 aft., passed)

Third Reading -- 2169-71 (May 7, 2013 eve., passed)

Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force on proclamation; SA 2013 cP-18.5]

**19 Metis Settlements Amendment Act, 2013 (Campbell)**

First Reading -- 1803 (Apr. 15, 2013 aft., passed)

Second Reading -- 1876-77 (Apr. 18, 2013 aft.), 2021-27 (Apr. 24, 2013 eve., passed)

Committee of the Whole -- 2101-23 (May 6, 2013 eve., passed)

Third Reading -- 2131-32 (May 6, 2013 eve., passed)

Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force May 27, 2013; SA 2013 c8]

**20 Appropriation Act, 2013 (\$) (Horner)**

First Reading -- 1925 (Apr. 22, 2013 eve., passed)

Second Reading -- 1943-52 (Apr. 23, 2013 aft.), 1978-81 (Apr. 23, 2013 eve., passed)

Committee of the Whole -- 2015-19 (Apr. 24, 2013 aft.), 2035-39 (Apr. 24, 2013 eve., passed)

Third Reading -- 2057-63 (Apr. 25, 2013 aft., passed)

Royal Assent -- (Apr. 29, 2013 outside of House sitting) [Comes into force April 29, 2013; SA 2013 c3]

**21 Environmental Protection and Enhancement Amendment Act, 2013 (Jansen)**

First Reading -- 2055 (Apr. 25, 2013 aft., passed)

Second Reading -- 2123 (May 6, 2013 eve.), 2157-61 (May 7, 2013 aft., passed)

Committee of the Whole -- 2165-68 (May 7, 2013 eve., passed)

Third Reading -- 2229-34 (May 8, 2013 eve.), 2238-55 (May 8, 2013 eve., passed)

Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force on proclamation; SA 2013 c7]

**22 Aboriginal Consultation Levy Act (\$) (Campbell)**

First Reading -- 2191-92 (May 8, 2013 aft., passed)

Second Reading -- 2275-83 (May 9, 2013 aft.), 2321-342 (May 13, 2013 eve., passed)

Committee of the Whole -- 2413-442 (May 14, 2013 eve., passed)

Third Reading -- 2468-478 (May 15, 2013 aft., passed)

Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force on proclamation; SA 2013; cA-1.2]

**23 Tax Statutes Amendment Act, 2013 (Horner)**

First Reading -- 2080 (May 6, 2013 aft., passed)

Second Reading -- 2150 (May 7, 2013 aft.), 2165 (May 7, 2013 eve., passed)

Committee of the Whole -- 2168 (May 7, 2013 eve., passed)

Third Reading -- 2172 (May 7, 2013 eve., passed)

Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force May 27, 2013, with exceptions; SA 2013 c11]

**24 Statutes Amendment Act, 2013 (Bhullar)**

First Reading -- 2080 (May 6, 2013 aft., passed)

Second Reading -- 2150-51 (May 7, 2013 aft.), 2171-72 (May 7, 2013 eve.), 2157-61 (May 7, 2013 eve.), 2234-38 (May 8, 2013 eve., passed)

Committee of the Whole -- 2255-58 (May 8, 2013 eve., passed)

Third Reading -- 2273-75 (May 9, 2013 aft., passed)

Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force May 27, 2013, with exceptions; SA 2013 c10]

- 25\* Children First Act (\$) (Hancock)**  
First Reading -- 2145 (May 7, 2013 aft., passed)  
Second Reading -- 2194-2212 (May 8, 2013 aft.), 2213-29 (May 8, 2013 eve., passed on division)  
Committee of the Whole -- 2342-375 (May 13, 2013 eve., passed with amendments)  
Third Reading -- 2408-410 (May 14, 2013 aft., passed)  
Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force on proclamation; SA 2013 cC-12.5]
- 26 Assurance for Students Act (J. Johnson)**  
First Reading -- 2394 (May 14, 2013 aft., passed)  
Second Reading -- 2403-408 (May 14, 2013 aft., passed)  
Committee of the Whole -- 2442-444 (May 14, 2013 eve., passed)  
Third Reading -- 2464-468 (May 15, 2013 aft., passed)  
Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force May 27, 2013; SA 2013 cA-44.8]
- 27 Flood Recovery and Reconstruction Act (Griffiths)**  
First Reading -- 2495 (Oct. 28, 2013 aft., passed)  
Second Reading -- 2549-50 (Oct. 29, 2013 eve.), 2584-94 (Oct. 30, 2013 aft., adjourned)
- 28 Modernizing Regional Governance Act (Griffiths)**  
First Reading -- 2495 (Oct. 28, 2013 aft., passed)  
Second Reading -- 2550 (Oct. 29, 2013 eve.), 2594-601 (Oct. 30, 2013 aft.), 2603-641 (Oct. 30, 2013 eve., passed)
- 29 Pharmacy and Drug Amendment Act, 2013 (Horne)**  
First Reading -- 2495-6 (Oct. 28, 2013 aft., passed)  
Second Reading -- 2534 (Oct. 29, 2013 aft.), 2550-60 (Oct. 29, 2013 eve., passed)
- 30 Building Families and Communities Act (\$) (Hancock)**  
First Reading -- 2581 (Oct. 30, 2013 aft., passed)
- 31 Protecting Alberta's Environment Act (\$) (McQueen)**  
First Reading -- 2496 (Oct. 28, 2013 aft., passed)  
Second Reading -- 2544-7 (Oct. 29, 2013 aft.), 2560-6 (Oct. 29, 2013 eve.), 2657-65 (Oct. 31, 2013 aft., adjourned)
- 32 Enhancing Safety on Alberta Roads Act (McIver)**  
First Reading -- 2526 (Oct. 29, 2013 aft., passed)  
Second Reading -- 2583-4 (Oct. 30, 2013 aft., adjourned)
- 201\* Scrap Metal Dealers and Recyclers Identification Act (Quest)**  
First Reading -- 92 (May 30, 2012 aft., passed)  
Second Reading -- 291-301 (Oct. 29, 2012 aft., passed)  
Committee of the Whole -- 716-22 (Nov. 19, 2012 aft.), 1725-26 (Apr. 8, 2013 aft., passed with amendments)  
Third Reading -- 1726-27 (Apr. 8, 2013 aft., passed)  
Royal Assent -- (Apr. 29, 2013 outside of House sitting) [Comes into force on proclamation; SA 2013 cS-3.5]
- 202 Public Lands (Grasslands Preservation) Amendment Act, 2012 (Brown)**  
First Reading -- 130 (May 31, 2012 aft., passed)  
Second Reading -- 501-13 (Nov. 5, 2012 aft.), 1723-25 (Apr. 8, 2013 aft., defeated on division)
- 203 Employment Standards (Compassionate Care Leave) Amendment Act, 2012 (Jeneroux)**  
First Reading -- 473 (Nov. 1, 2012 aft., passed)  
Second Reading -- 1900 (Apr. 22, 2013 aft., passed)  
Committee of the Whole -- 2298-303 (May 13, 2013 aft., passed)  
Third Reading -- 2303 (May 13, 2013 aft., passed)  
Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force on proclamation; SA 2013 c6]
- 204 Irlen Syndrome Testing Act (Jablonski)**  
First Reading -- 968 (Nov. 22, 2012 aft., passed), 1912 (Apr. 22, 2013 aft., referred to Standing Committee on Families and Communities), (Oct. 28, 2013 aft., motion to concur in report, adjourned)
- 205 Fisheries (Alberta) Amendment Act, 2012 (Calahasen)**  
First Reading -- 1117 (Nov. 28, 2012 aft., passed), 1913 (Apr. 22, 2013 aft., referred to Standing Committee on Resource Stewardship), (Oct. 28, 2013 aft., motion to concur in report, adjourned)

- 206 Tobacco Reduction (Flavoured Tobacco Products) Amendment Act, 2012 (Cusanelli)**  
First Reading -- 1350-51 (Dec. 6, 2012 aft., passed)  
Second Reading -- 2303-312 (May 13, 2013 aft., passed)
- 207\* Human Tissue and Organ Donation Amendment Act, 2013 (Webber)**  
First Reading -- 1690 (Mar. 21, 2013 aft., passed), 2375 (May 13, 2013 eve., moved to Government Bills and Orders)  
Second Reading -- 2395-403 (May 14, 2013 aft., passed)  
Committee of the Whole -- 2534-44 (Oct. 29, 2013 aft.), 2566-8 (Oct. 29, 2013 eve., passed with amendments)  
Third Reading -- (Oct. 29, 2013 eve., passed)
- 208 Seniors' Advocate Act (Towle)**  
First Reading -- 1315 (Dec. 5, 2012 aft., passed)
- Pr1\* Church of Jesus Christ of Latter-day Saints in Canada Act (Dorward)**  
First Reading -- 1999 (Apr. 24, 2013 aft., passed)  
Second Reading -- 2410-411 (May 14, 2013 aft., passed)  
Committee of the Whole -- 2445-446 (May 14, 2013 eve., passed with amendments)  
Third Reading -- 2478 (May 15, 2013 aft., passed)  
Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force May 27, 2013]
- Pr2\* Wild Rose Agricultural Producers Amendment Act, 2013 (McDonald)**  
First Reading -- 1999 (Apr. 24, 2013 aft., passed)  
Second Reading -- 2413 (May 14, 2013 eve, passed)  
Committee of the Whole -- 2445 (May 14, 2013 eve., passed with amendments)  
Third Reading -- 2478 (May 15, 2013 aft., passed)  
Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force May 27, 2013]





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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Monday afternoon, November 4, 2013

Issue 64

The Honourable Gene Zwozdesky, Speaker

## Legislative Assembly of Alberta The 28th Legislature

First Session

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Progressive Conservative: 59      Wildrose: 17      Alberta Liberal: 5      New Democrat: 4      Independent: 2

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Alison Redford	Premier, President of Executive Council
Thomas Lukaszuk	Deputy Premier, Minister of Enterprise and Advanced Education, Ministerial Liaison to the Canadian Forces
Manmeet Singh Bhullar	Minister of Service Alberta
Robin Campbell	Minister of Aboriginal Relations
Cal Dallas	Minister of International and Intergovernmental Relations
Jonathan Denis	Minister of Justice and Solicitor General
Wayne Drysdale	Minister of Infrastructure
Kyle Fawcett	Associate Minister of Regional Recovery and Reconstruction for Southwest Alberta
Rick Fraser	Associate Minister of Regional Recovery and Reconstruction for High River
Doug Griffiths	Minister of Municipal Affairs
Dave Hancock	Minister of Human Services
Fred Horne	Minister of Health
Doug Horner	President of Treasury Board and Minister of Finance
Ken Hughes	Minister of Energy
Sandra Jansen	Associate Minister of Family and Community Safety
Jeff Johnson	Minister of Education
Heather Klimchuk	Minister of Culture
Ric McIver	Minister of Transportation
Diana McQueen	Minister of Environment and Sustainable Resource Development
Frank Oberle	Associate Minister of Services for Persons with Disabilities
Verlyn Olson	Minister of Agriculture and Rural Development
Dave Rodney	Associate Minister of Wellness
Donald Scott	Associate Minister of Accountability, Transparency and Transformation
Richard Starke	Minister of Tourism, Parks and Recreation
George VanderBurg	Associate Minister of Seniors
Greg Weadick	Associate Minister of Regional Recovery and Reconstruction for Southeast Alberta
Teresa Woo-Paw	Associate Minister of International and Intergovernmental Relations

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on Alberta's Economic Future

Chair: Mr. Amery

Deputy Chair: Mr. Fox

Bhardwaj	Olesen
Cao	Pastoor
Donovan	Quadri
Dorward	Rogers
Eggen	Rowe
Hehr	Sarich
Luan	Strankman
McDonald	Xiao

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Khan

Deputy Chair: Mrs. Jablonski

Amery	Eggen
Anderson	Kubinec
Casey	Sherman
Dorward	

### Select Special Chief Electoral Officer Search Committee

Chair: Mr. Rogers

Deputy Chair: Mr. Quadri

Blakeman	Leskiw
Eggen	McDonald
Goudreau	Saskiw
Lemke	

### Select Special Conflicts of Interest Act Review Committee

Chair: Vacant

Deputy Chair: Mr. Luan

Blakeman	Notley
Dorward	Saskiw
Fenske	Wilson
Johnson, L.	Young
McDonald	

### Standing Committee on Families and Communities

Chair: Mr. Quest

Deputy Chair: Mrs. Forsyth

Brown	Jeneroux
Cusanelli	Leskiw
DeLong	Notley
Fraser	Pedersen
Fritz	Swann
Goudreau	Towle
Jablonski	Wilson
Jansen	Young

### Standing Committee on Legislative Offices

Chair: Mr. Cao

Deputy Chair: Mr. McDonald

Bikman	Leskiw
Blakeman	Quadri
Brown	Rogers
DeLong	Wilson
Eggen	

### Special Standing Committee on Members' Services

Chair: Mr. Zwozdesky

Deputy Chair: Mr. Young

Casey	Mason
Forsyth	McDonald
Fritz	Quest
Kennedy-	Sherman
Glans	Smith

### Standing Committee on Private Bills

Chair: Mr. Xiao

Deputy Chair: Ms L. Johnson

Allen	Goudreau
Barnes	Jablonski
Bhardwaj	Leskiw
Brown	Notley
Cusanelli	Olesen
DeLong	Rowe
Fox	Strankman
Fritz	Swann

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Ms Olesen

Deputy Chair: Mr. Lemke

Calahasen	Luan
Cao	McAllister
Casey	Notley
Fritz	Pedersen
Goudreau	Rogers
Hehr	Saskiw
Kennedy-Glans	Towle
Kubinec	Young

### Standing Committee on Public Accounts

Chair: Mr. Anderson

Deputy Chair: Mr. Dorward

Amery	Khan
Anglin	Luan
Bilous	Pastoor
Donovan	Quadri
Fenske	Quest
Hale	Sarich
Hehr	Stier
Jeneroux	Webber

### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans

Deputy Chair: Mr. Anglin

Barnes	Johnson, L.
Bikman	Khan
Bilous	Kubinec
Blakeman	Lemke
Calahasen	Sandhu
Casey	Stier
Fenske	Webber
Hale	Vacant

## Legislative Assembly of Alberta

1:30 p.m.

Monday, November 4, 2013

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon, everyone.

Let us pray. Dear Lord and Great Creator, we ask that You provide us with strength and determination but also with compassion and understanding as we carry out our duties to serve all Albertans and those who visit us in this great province that we so proudly call our home. Amen.

Hon. members, please remain standing for the singing of *O Canada* in our Assembly, led today, as it was last week, by one of our LAO staff, Colleen Vogel. Thank you so much.

### Hon. Members:

O Canada, our home and native land!  
True patriot love in all thy sons command.  
With glowing hearts we see thee rise,  
The True North strong and free!  
From far and wide, O Canada,  
We stand on guard for thee.  
God keep our land glorious and free!  
O Canada, we stand on guard for thee.  
O Canada, we stand on guard for thee.

**The Speaker:** Thank you, Colleen.

Thank you, hon. members. Please be seated.

### Introduction of Visitors

**The Speaker:** The hon. Member for Edmonton-Meadowlark and leader of the Liberal opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. I rise to introduce to you and through you to all members of this Assembly Rick Miller's family: his wife, Lois Jonsson-Miller; his two children Chris and Kim Miller; his daughter-in-law Jordyn Miller; and his grandson, Gracin Miller.

Rick was an important member of our Liberal family, serving as party president, our caucus chief of staff, and MLA for Edmonton-Meadowlark. Rick was well known as a generous Rotarian, a friend to many, and an avid lover of Alberta's outdoors as he soared with the eagles in his hang-glider. Rick was much more than that to his family. He was a devoted son, husband, loving father, brother, uncle, and caring grandfather to Gracin.

Almost a year ago I introduced Rick in this Assembly as he openly championed the fight against prostate cancer. On the past Friday Rick joined his daughter Nicole in heaven.

A public celebration of Rick's life will be held on November 15 at the Delta Edmonton South, and his family would like all of us to attend.

On behalf of the Alberta Liberal family and the Alberta Legislature family I would like to thank his family for sharing Rick with us. He was a gift to us all. I would ask his family to rise and receive the traditional warm welcome of the Assembly. [Standing ovation]

**The Speaker:** Hon. members, allow me to also extend a sincere welcome to Lois and her family. Thank you so much for coming today so that we could pay a second and additional tribute to a wonderful human being who graced this Assembly and worked

hard for Albertans just a few short years ago. Please know that this is an additional tribute to the official one, that we did last Monday, when we held a moment of silence in his honour and the flags on our building were lowered to half-mast in his honour. May God be with you.

### Introduction of Guests

**The Speaker:** Hon. Member for Fort Saskatchewan-Vegreville, your first introduction.

**Ms Fenske:** Thank you Mr. Speaker. It is my pleasure to introduce to you and through you to the members of the Assembly Mr. Gary Stead, who is seated in your gallery. He is a councillor for the village of Chipman, a position he has held now for 28 and a half years. He has just been re-elected to that position. If you would please join with me – I'll ask Gary to rise – and give him the traditional warm greeting of the House.

**The Speaker:** Welcome.

Let us proceed with school groups, beginning with your second introduction, Fort Saskatchewan-Vegreville.

**Ms Fenske:** Thank you, Mr. Speaker. It is a pleasure to introduce to you and through you members of the Fort Saskatchewan Homeschool Group, who are seated in the members' general gallery. They have been with us here today to tour the Legislature, and I would ask that the Assembly give them the warm greeting of this Assembly, please.

**Mr. Dorward:** Mr. Speaker, a mere four blocks from my childhood home is St. James Catholic elementary school, and they're here today to join with us and receive greetings of the Assembly. Mrs. Kristie Falk, their teacher, is a notable teacher, and they're accompanied by Ms Evans and Mrs. Said. Please, if we could acknowledge St. James today and give them the warm reception of the Assembly.

**The Speaker:** Are there other school groups?

Then let us proceed with other guests, beginning with the Minister of Health.

**Mr. Horne:** Thank you very much, Mr. Speaker. It's my pleasure to rise today and introduce to you and through you to all members of the Assembly Lindsay Bowthorpe and Michael Arget, future physicians and medical leaders in our province. Lindsay and Michael both chair the political advocacy committee for their respective medical school associations at the University of Alberta and the University of Calgary.

For the past five years U of A and U of C medical students have come to the Legislature to meet with MLAs to discuss issues of importance to them and to their future. This year's topic of discussion, chosen by the students, is the prevention of youth smoking and the use of flavoured tobacco. Mr. Speaker, I met with all 50 of these medical students this morning. I can report to the House that our health care system is in very good hands with their leadership in the future.

I now ask that Ms Bowthorpe and Mr. Arget and their colleagues as well rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The Minister of Aboriginal Relations, followed by Edmonton-Decore.

**Mr. Campbell:** Thank you, Mr. Speaker. It's my pleasure to rise today and introduce to you and through you to all members of the

Assembly a group of inspiring women whom we are honoured to have hosted in a working session this morning on the establishment of a First Nations women's council on economic security. Some of these outstanding women were not able to stay today, but to those that are here, please rise when I say your name so you can be recognized: Angela Grier, councillor of Piikani Nation; Barb Wendt, councillor of Beaver Nation; Koren Lightning-Earle, councillor of the Samson Cree Nation; Andrea Pritchard Kennedy with Mount Royal College; Anna Wowchuk, Women Building Futures; Brenda Joly, director of the Confederacy of Treaty Six First Nations; Effie Anderson with Kapawe'no First Nation; Grace Auger with Eagle Law; Margo Pariseau with the Institute for the Advancement of Aboriginal Women; and Nicole Bouchier, a consultant with the Bouchier Group. Joining them is Tracy Balash, who works in my office as an ADM and is the aboriginal women's initiative and research lead on this.

I'd also like to acknowledge the Member for Calgary-Varsity, who has taken a lead in establishing this council and who is working with Aboriginal Relations and these women on this very important issue. I'd ask that they please receive the customary warm welcome of this Assembly.

**Mrs. Sarich:** Mr. Speaker, it's my honour and privilege to rise today to introduce to you and through you to all members of the Assembly eight representatives from the Canadian Council of Muslim Women, Edmonton chapter, here today in celebration of the 75th anniversary of the establishment of Canada's first place of Muslim prayer, the Al-Rashid mosque. This historic building is now located in Fort Edmonton Park and continues to play a vital role in the prayer and community life of Edmonton's Muslim community.

1:40

Mr. Speaker, my guests are seated in the members' gallery, and I would ask them to please rise as I mention their names. We have this afternoon Ms Soraya Zaki Hafez, president, Canadian Council of Muslim Women, Edmonton chapter; Dr. Zohra Husaini, project director, Canadian Council of Muslim Women, Edmonton chapter; Mrs. Maria Syed, treasurer, Canadian Council of Muslim Women, Edmonton chapter; Ms Sahar Deeb, project director, Canadian Islamic Centre, and member of the Canadian Council of Muslim Women, Edmonton chapter; Mrs. Nasim Kherani, member, Canadian Council of Muslim Women, Edmonton chapter; Ms Sara Javed, member, Canadian Council of Muslim Women, Edmonton chapter; Ms Fatiyeh Hazimeh Muwais, member, Canadian Council of Muslim Women, Edmonton chapter; and Ms Yasmeen Nizam, member, Canadian Council of Muslim Women, Edmonton chapter. I would now ask that the Assembly provide them the traditional warm welcome.

**The Speaker:** The hon. Member for Edmonton-Gold Bar, followed by Calgary-Hawthwood.

**Mr. Dorward:** Mr. Speaker, my other guest is not here.

**The Speaker:** The hon. Member for Calgary-Hawthwood, followed by Grande Prairie-Smoky.

**Mr. Luan:** Thank you, Mr. Speaker. I'm pleased to rise today to introduce to you and through you to all members of the Assembly a group of hard-working, committed people representing the Arbour Lake Community Association and the Arbour Lake Residents Association.

Later, in my member's statement, you will hear me talking about the Arbour Lake community being recognized as the best

neighbourhood in Calgary through *Avenue* magazine. Mr. Speaker, I want to attribute a large part of that achievement to the leadership and the dedication of service from those people that made it happen.

Before I introduce my guests, I would ask that when I mention their name, they please stand to be recognized. They are sitting in the public gallery: Mrs. Marianne Hollingsworth, president of the community association; Mr. Ken Jones, board member of the residents' association; Cassandra Lehti and Carlo Villarreal, who are staff members of the residents' association; and Mr. Craig Somers. Let me share a few lines about Craig. During my campaign trail I heard so many stories about this guy named Craig and how he transformed the community as a volunteer board member and the GM. The first time I met with him, for sure that passion showed through. Thank you. The last one is my fabulous assistant, Maria Somers. I would like to ask my colleagues here to give them the traditional warm welcome of this House.

**The Speaker:** The hon. Member for Grande Prairie-Smoky, followed by Fort Saskatchewan-Vegreville.

**Mr. McDonald:** Mr. Speaker, I am pleased to introduce to you and through you the director of district 4, the northern region of the Alberta Association of Municipal Districts and Counties, Mr. Tom Burton. Elected to the MD of Greenview council in 2001, Tom has served on a variety of boards and committees. Tom is also a registered emergency medical responder and is a very active volunteer in his community. I'd ask that Tom rise and receive the traditional welcome of the House.

**The Speaker:** Hon. Member for Fort Saskatchewan-Vegreville, I understand your guests are not here yet, so let us proceed.

## Members' Statements

**The Speaker:** The hon. Member for Edmonton-Decore, followed by Calgary-Shaw.

### Al-Rashid Mosque

**Mrs. Sarich:** Mr. Speaker, it's my honour and privilege to rise today to help commemorate the 75th anniversary of Canada's first mosque, the Al-Rashid mosque.

Since the beginning of the 20th century the first Muslim pioneers who migrated to the Canadian prairies and to Edmonton came from Syria and Lebanon. As they became contributing citizens to life in Alberta and Edmonton as fur traders, ranchers, and shopkeepers, they began to think about a place for congregational prayer, and the idea of building a permanent mosque came into focus. While the founding pioneers list both men and women, it was Muslim women who catalyzed the fundraising effort to build the Al-Rashid mosque.

Through the leadership of Hilwi Hamdon, the prairie Muslim women of Edmonton met with Mayor John W. Fry with the hope of securing land in the city's north area to build the mosque. The scale of their ambition and of all the founding families was immense. Their efforts resulted in the official opening of the Al-Rashid mosque on December 12, 1938, at 102nd Street and 108th Avenue in Edmonton.

Mr. Speaker, I am mindful of the hardships borne by these courageous women and others as this endeavour was embarked upon during a time known as the Great Depression. We are very fortunate that in 1992 the Al-Rashid mosque became an historical site and was relocated to Fort Edmonton Park.

On September 19, 2013, the Canadian Council of Muslim Women, Edmonton chapter, and yours truly along with many



others celebrated the steadfast efforts and persevering spirit of the founding pioneers and the long-standing success of the Al-Rashid mosque.

Congratulations to the enormous leadership of all those involved in the Muslim community and, in particular, the Canadian Council of Muslim Women, Edmonton chapter. The Al-Rashid mosque's place in the history of our city, province, and great country is immeasurable.

Praise to God as the Al-Rashid mosque is remembered for shaping the future of Muslim cultural importance, sacred traditions, and spiritual meaning.

Thank you, Mr. Speaker.

### Betty Anne Gagnon

**Mr. Wilson:** Mr. Speaker, today I would like the Assembly to reflect on the life of Betty Anne Gagnon. Many of you will be familiar with Betty Anne's story as her caregivers were sentenced to 20 months in jail on Friday for failing to provide the necessities of life.

This tragic tale begins in 2005, when PDD placement in a group home ended and a new placement had to be found for her. Authorities decided to place Betty Anne under the care of her sister and her husband. The caregivers hoped they could get some support from PDD, but their applications for programming and transportation for Betty Anne were denied in 2007, so they received nothing other than her monthly AISH benefit. The caregivers looked for help again in 2009, around the same time that their lives became entangled with employment, mental health, and drug problems. Her sister indicated in February of that year she could no longer cope and requested a new placement. PDD advised her she would have to wait for up to a year.

A placement was found in July 2009, but due to a bureaucratic error the caregivers never received the notice. It seems the unfortunate events that followed could have been prevented had PDD done its due diligence and ensured the caregivers were made aware of the placement opportunity. Instead, they closed her file.

As the situation deteriorated, the caregivers put Betty Anne in a makeshift jail cell in the garage, which had nails pointing inward and upward to discourage her from getting out, a toilet with Kitty Litter, and a tether cuff strap that was affixed to the wall. She was often placed in a fenced dog run or locked in the basement. In November of that year Betty Anne was locked in an unheated bus with no running water or toilet 24/7. Betty Anne died on November 20, 2009, at the age of 48. She was five foot two and weighed a mere 65 pounds at the time of her death.

The tragic story of Betty Anne is a wake-up call for the provincial government and all Albertans. Betty Anne's mistreatment and abuse could have been prevented by responding to the repeated pleas for help. I implore this government to take concrete steps to ensure that Betty Anne's horrendous torture and death mean something. Fix this system in her name, and ensure a tragedy of this magnitude never happens again.

Thank you.

**The Speaker:** The hon. Member for Fort Saskatchewan-Vegreville, followed by Calgary-Hawwood.

### Chipman Centennial

**Ms Fenske:** Thank you, Mr. Speaker. The village of Chipman is located in the geographical centre of the constituency of Fort Saskatchewan-Vegreville, the constituency I am proud to represent. This year Chipman celebrated its 100th anniversary. Settlers came

to the area in 1892. In 1905 the Canadian Northern Railway arrived, and a townsite was surveyed. Then in 1913 Chipman became the best little village in Alberta, named after Clarence Campbell Chipman, secretary to Sir Charles Tupper, commissioner of the railway.

Chipman's history is marked with several significant and tragic events. In World War I a local reserve unit, the 19th Alberta Dragoons, saw five local boys die in action. In 1931 a disastrous fire destroyed an entire commercial block on Main Street. In 1960 17 young people from Chipman lost their lives on their way to school in the Lamont school bus-train tragedy.

Despite these tragic events the existence of Chipman today is what it is. We had a celebration this summer, and it's a testament to the community and its leaders. The centennial committee, led by Mayor Jim Palmer, Toni Nygren, and Pat Tomkow, brought over 1,500 people to this small village. A car show featuring a vehicle from every year for almost the past 100 years, a tent covering the entire block of Main Street, the Chipman Players, the agricultural society, the Lions Club, the historical society, and even the Emeralds, local men who originally came from Chipman, all ensured we had a weekend to remember. The MLA for Edmonton-Decore and I were pleased and felt very privileged to be included in a celebration of a community that honoured the past and lives the present. If you haven't yet been to Coyote Country, it's time to go.

It's celebrations like these that make me proud as an Albertan. Happy 100th birthday, Chipman.

1:50

### Oral Question Period

**The Speaker:** The Leader of Her Majesty's Loyal Opposition. First main set of questions.

### Minister of Municipal Affairs

**Ms Smith:** Mr. Speaker, on October 9 the Minister of Municipal Affairs was at a speaking engagement in Prince Edward Island. He said something there that we find pretty astonishing. He told his audience that Alberta's energy sector, quote, sucks the life out of every other aspect of Alberta, unquote. Now, as the Premier knows, we've always supported her initiatives to promote Alberta's energy sector, but it appears that one of her ministers doesn't. Does the Premier think it is acceptable for this minister to leave the province and be out there trashing our most important industry?

**Ms Redford:** Well, Mr. Speaker, I'm very proud of the fact that this government for 41 years has done everything it can to support energy in this province and that it continues to do that. We work very hard to ensure that that happens, and I'll ensure that as we move forward, we continue to do that because, of course, we are our best ambassadors. I'm just going to speculate that there might perhaps be another side to this story, which may very well be something that the Leader of the Official Opposition might want to take into account, ensuring she has all of the information before she asks the question. I'm sure that the minister will provide us with that perspective.

**Ms Smith:** Mr. Speaker, we're making the video available so that everyone can see the context. We think it is simply appalling that one of the Premier's most trusted ministers would so openly attack our energy sector by saying that it sucks the life out of every other aspect of Alberta when he thought the cameras weren't rolling. Given the Premier's attempts to sell her national energy strategy,

does she feel that the minister's comments help or hinder her efforts?

**Mr. Griffiths:** Mr. Speaker, I was fully aware that the cameras were rolling. That's why I made the comments that I did. The discussion was about what you do in a hot economy, not just what you do when your economy is faltering. I was very cautionary in saying that having success has challenges, too, because it can draw energy out of other sectors of the economy and other parts of the province. When there is success, it could have its challenges just as well as if there isn't. It is on live video. I challenge anyone to go watch it and identify what the actual comments are, not what the misquotes are.

**Ms Smith:** Mr. Speaker, while on the east coast the minister could have used the opportunity to promote the Energy East pipeline, a vital project for Alberta's economy. Instead, he took the opportunity to attack the very sector that he should have been standing up for on his trip. To the Premier: why was the minister out there saying that the energy sector sucks the life out of every other aspect of Alberta instead of promoting the very many national benefits of the Energy East pipeline?

**Ms Redford:** Well, Mr. Speaker, I know perfectly well that on this side of the House we understand the importance of a Canadian energy strategy, we understand the importance of our industry, and we also understand that it's important for us to put in place frank, honest discussions about how we build communities across this province to ensure that energy and communities can survive in partnership. That is what this minister does. In fact, that is one of the reasons that we now have the opportunity to work with municipalities on Bill 28, to make sure that continues to happen.

**The Speaker:** The hon. leader for her second main question.

**Ms Smith:** Mr. Speaker, still on that subject, the Minister of Municipal Affairs told the audience that the energy industry sucks the life out of every aspect of Alberta while standing in front of a huge blow-up picture of his book. Indeed, the reason he was in P.E.I. was to promote his book. Not only was the minister trashing us to an eastern Canadian audience; he was also doing so in an attempt to increase his book sales. Can the Premier assure Albertans that no taxpayer dollars were spent on getting this minister to and from his promotional speaking gig?

**Mr. Griffiths:** Mr. Speaker, there isn't a day that goes by where they don't try and smear somebody's reputation. The fact is that I was invited by the Georgetown Conference because of the book that I'd written. It was entirely paid for by them or by myself, the expenses. Nothing was incurred by this province. It was entirely done to talk to and promote the idea about regional collaboration and rural communities and how to fire them up. I will never as long as it's my own personal time pass up an opportunity to help ensure other communities are successful across this country.

**Ms Smith:** Mr. Speaker, last week this minister told the Assembly: everywhere I go, cameras show up. Well, he certainly got that right. As this minister surely knows, it is against the rules for any MLA to use his position to further his own private interests. This government may not recognize the term, but it's called a conflict of interest. Is the Premier comfortable that one of her ministers is out there moonlighting on the private speaking circuit with the likes of Justin Trudeau?

**Mr. Griffiths:** Another day, another smear, Mr. Speaker. I had discussed this issue with the Ethics Commissioner. I received absolutely no personal profit from this whatsoever. Simply, the expenses were paid by the Georgetown Conference so that I could come and talk about the book. In fact, I insisted that there be no mention of any politics involved whatsoever. It was simply my perspective on rural development and community building, which is what I was there to speak about.

**Ms Smith:** Mr. Speaker, the minister's behaviour over the last few weeks has been, well, to shorten one of his more colourful phrases, embarrassing. Not only is he burning bridges with municipalities; he's now burning bridges on the Premier's file. With his insulting attacks on our most important industry, this minister is undermining all of her work at expanding markets for our energy products. To the Premier: will she do us all a favour and just let this minister focus full-time on selling his book rather than selling out Albertans?

**Ms Redford:** Mr. Speaker, as I said in my first comments, I'm not going to stand in this House and listen to that Leader of the Opposition characterize this hon. minister, who is doing work to build community not only in Alberta but across the country, and I'm not going to take this hon. member's word for her characterization or quote as to what the minister did or did not say. As I understood the minister's response, he said that he was quite proud of the fact that the video is there, that if anything was actually looked at in context, it would tell a very different story. I would suggest that the hon. leader consider that before she carries on with this.

**The Speaker:** The hon. Leader of the Opposition. Your third and final main set of questions.

#### Whistle-blower Protection for Health Professionals

**Ms Smith:** Mr. Speaker, the Premier should also have been embarrassed by the performance of her Minister of Accountability, Transparency and Transformation last Thursday. He was asked a very simple question about including doctors under our whistle-blower act. Now, I'm not a lawyer, but the Premier is, and so is Justice Vertes. Come to think of it, so is this minister. Justice Vertes stated quite clearly in his report that we need to change the law to protect doctors. The minister seems oblivious to that. Will the Premier instruct her minister to bring in the changes that Justice Vertes recommended and actually protect doctors in Alberta?

**Mr. Horne:** Mr. Speaker, as the hon. member knows or should know, the current legislation, that was passed under the leadership of my colleague, does protect doctors who are in a contract relationship with Alberta Health Services. Justice Vertes in his report commented on the group of doctors who have no contractual relationship to provide services to Alberta Health Services and are in private practice. In response we said that we would welcome the opportunity to study that and accepted that recommendation in principle. That's what we're doing now.

**Ms Smith:** Mr. Speaker, on Thursday the minister said that there are medical professionals that are covered under the whistle-blower legislation except that he must have known that the medical professionals are only protected if they are employees of the government and that most doctors, as the Minister of Health has just reminded us, are not employees of the government and,

therefore, are not protected. To the Premier: does the minister not understand his own legislation, or is he trying to mislead Albertans?

**Mr. Horne:** Mr. Speaker, what is misleading is this hon. member's contention that somehow health care workers in Alberta are not comprehensively protected by this legislation. This legislation protects workers who work for agencies that contract to Alberta Health Services, organizations like Covenant Health. It protects the vast majority of physicians in this province who do work under a privileging arrangement with a hospital or with another program operated by Alberta Health Services. There is some considerable work to be done in figuring out how to apply this legislation to physicians who have no such formal relationship with the public health system, and that's the work that we're engaged in.

2:00

**Ms Smith:** Mr. Speaker, this legislation protects the government, not health professionals.

In October of last year the minister gave an interview where he clearly acknowledged that doctors would not be protected from reprisals if they brought forward a complaint against the government. Justice Vertes made fixing this his second recommendation. The government has said that it accepts all of Justice Vertes' recommendations. When will the government introduce legislation to include all health care professionals, including physicians, under the whistle-blower protection act?

**Ms Redford:** Mr. Speaker, I'm not really surprised that we're only into day 5 of this session and we're already seeing the hon. member stand up and make these false connections that just don't make sense to Albertans. Every single person who works in the health care system in Alberta that has any connection to government or receives any money from the public purse is protected under this legislation. [interjections] Now, that's actually plain language, and that's plain because it applies to doctors, to nurses, and to health care workers. The only people, Mr. Speaker, that are not included are private physicians. The minister has said that we are reviewing this. These are complicated issues, and they will be dealt with.

**The Speaker:** Please, let's keep the interjections down, or today I will ask whoever is speaking to continue on with their answers if necessary.

Let's go to the leader of the Alberta Liberal opposition.

### Government Spending

**Dr. Sherman:** Thank you, Mr. Speaker. In my hand I'm holding a FOIP which goes into great detail about fancy new furniture for the office of the minister of advanced education at a cost of more than \$10,000 to taxpayers while this government was inflicting the worst cuts to postsecondary education in decades. I guess that when the minister talks about tough times, he's only talking about tough times for students, families, faculty, and staff, not for himself. To the minister of advanced education: how do you justify pleading poverty to our colleges and universities when there's clearly no lack of funds to refurbish your office?

**Mr. Lukaszuk:** Mr. Speaker, we have the honour and pleasure of serving in a building that is now over 100 years old, and as this member knows, furniture in offices gets replaced routinely. I'm sure his constituency offices and others have received new furniture. The fact is that we have staff. The furniture was for staff that work in our office. They work long hours, and they need to

have furniture that is safe and appropriate, much like any constituency office, that many of them have benefited from.

**Dr. Sherman:** Mr. Speaker, seriously, probably one of the most troubling e-mails contained in the FOIP said that the minister of advanced education was "having far too much fun" rearranging all his new furniture. This is at the same time that faculty and staff were losing their jobs and students were being told that their programs were being cancelled. To the minister of advanced education: are you not concerned in the least that refurbishing your office with luxury furniture at the same time that you're threatening to audit universities' expenses may be a bit hypocritical?

**Mr. Lukaszuk:** Well, I'm glad, Mr. Speaker, that the opposition is keeping their eye on the ball and that they're addressing important Alberta issues. Whoever wrote that obviously has never seen me having fun because rearranging furniture wouldn't be part of that. If he finds that furniture from IKEA is extravagant for government employees in a building that is 100 years old and with furniture that has not been ergonomic, not sufficient for staff to work in, let him say so.

**Dr. Sherman:** Mr. Speaker, the minister here had to have a cabinet restained to match the other piece of furniture.

Mr. Speaker, during last year's election the Premier told post-secondary students that she had walked in their shoes. Next thing you know she's giving her bitumen sham speech and making the most brutal cutbacks in decades, completely unnecessary given the fact that this government reported a \$722 million surplus in the last fiscal quarterly update. To the Premier: since you say that you've walked in the shoes of our students, how do you think they feel now that you have betrayed them?

**Ms Redford:** Well, Mr. Speaker, here's the reason that we're the government and they're where they are. Six billion dollars is not a sham. It's the entire education budget for the province of Alberta. It was a serious issue that we had to deal with. It was not the choice that we wanted to make, but we had to make decisions to ensure that we could live within our means and continue to keep systems working. That's exactly what we did. We've had incredible co-operation from postsecondary institutions, and we will consider taking every step we can to ensure that students get excellent access to education.

**The Speaker:** The hon. Member for Edmonton-Calder.

### Medical Laboratory Services

**Mr. Eggen:** Thank you, Mr. Speaker. This PC government is running in circles on health care. While the Premier wants to implement her Harper-style conservative agenda, the NDP and health professionals are fighting back. We stood up against the PCs with this half-baked scheme to privatize lab services. This weekend they pulled it off the table. Now, apparently, it's back on as of this afternoon. To the Health minister: why won't you admit that your plan to give \$3 billion to private lab companies with rotten records of defrauding the public purse was a bad idea from the start?

**Mr. Horne:** Well, Mr. Speaker, with all due respect, I think the hon. member vastly overestimates his own influence. The fact of the matter is that on this side of the House we are committed to providing state-of-the-art lab services for the residents of Edmonton and northern Alberta for the long term. The comments that were made by the acting chief executive officer of AHS on Friday

reflect a commitment to consultation, as it should be, not in terms of what we are doing but how we are going to do it. We will deliver on the best possible lab services for residents of the northern part of the province. We have a plan to do that. Nothing has changed.

**Mr. Eggen:** Well, that's interesting, Mr. Speaker, given that this government only bothers to consult after public outrage and given that this same minister just said outside these walls right now that he would go full steam ahead on this privatization scheme and consult at the same time.

Health professionals know that this is a bad idea. Albertans who value public health care know that this is a dangerous idea. What could possibly happen between then and now that could make this corporate giveaway actually resemble a good idea?

**Mr. Horne:** Mr. Speaker, what Albertans know is that making important decisions about the health care system based on political ideology is not what they want. What they want is for the government to plan for the long term, to plan for the future, to recognize things like the fact that in 2015 existing lab space that is available to us in Edmonton will no longer be available, to recognize the fact that demand is growing by 6 per cent a year, and to put a solid, responsible plan in place with partners as appropriate to deliver the best quality lab services we can. That's what's happening now. That's what will continue to happen.

**Mr. Eggen:** Well, Mr. Speaker, you can't have it both ways. Either you're going to listen to what front-line professionals think or you're going to steamroll straight on through and listen to no one at all. You can't do both. So why won't this minister stand down and listen to the people who actually deliver lab services and know that your private lab scheme is bound to fail, cost Albertans more money, and hurt patients?

**Mr. Horne:** Well, Mr. Speaker, what I know is that the vast majority of pathologists in this province, in fact, support the move to a state-of-the-art facility to serve Edmonton and northern Alberta for the future. There are over 90 pathologists that work with Alberta Health Services. Because of the consultation that AHS has done with them, with other employees, and with other partners, we know that there is an orderly approach to the implementation of this initiative. What that member should be concerned with is whether his constituents have access to all of the lab services that should be available to them on a timely basis. That's what we're planning for. He's welcome to get onboard at any time.

**The Speaker:** Hon. members, that completes the first five spots which are allocated for opposition leaders' questions including preambles to supplementary questions, so please curtail your preambles here on forward.

Let's go with Calgary-Shaw, followed by Edmonton-South West.

#### Betty Anne Gagnon

**Mr. Wilson:** Thank you, Mr. Speaker. I would like to take this opportunity to again reflect on the tragic death of Betty Anne Gagnon. Betty Anne died due to the negligence of her caregivers, who were convicted of failing to provide the necessities of life. The sentencing judge characterized the treatment of Betty Anne as callous and cruel and noted that the convicted pair engaged in atrocious activities. The convicted caregivers sought and were repeatedly denied help from this province. To the Minister of Human Services: what is the ministry doing about it?

**The Speaker:** The hon. Associate Minister of Services for Persons with Disabilities.

**Mr. Oberle:** Well, thank you, Mr. Speaker. I'd like to take this opportunity to agree with that hon. member that the death of Betty Anne Gagnon was indeed tragic, a horrific event. I am not going to comment on the facts of the matter or any reaction to them right now. The court case is still open. You'll know that the appeal period has not expired yet. Following that, there will be a fatality inquiry. I will agree again with the member and say that we will have to respond to make sure that this can never happen again.

2:10

**The Speaker:** Could we clarify? Is this matter still sub judice, then? Can anybody here? So let's be very careful.

The hon. member.

**Mr. Wilson:** Thank you, Mr. Speaker. Given that the convicted caregivers looked to the province for help on several occasions and their being turned away repeatedly contributed to the horrendous treatment she received, including being tethered inside a cage, can the minister advise the Assembly if the caseworker who managed this file is still an employee of the government of Alberta?

**The Speaker:** Hon. members, please be careful with your question and the answer on a file that may be sub judice.

I don't know if the Minister of Justice wishes to clarify this matter before we proceed any further. Could you take the floor, hon. minister, for a moment?

**Mr. Denis:** Thank you, Mr. Speaker. I'm pleased to advise this House that the judgment did come down last week, but the appeal period has not yet lapsed, and I'm not aware of whether or not the Crown intends to appeal.

**The Speaker:** All right. The hon. associate minister.

**Mr. Oberle:** Mr. Speaker, to that I would add that as these are matters, of course, before a court, I cannot comment on them and won't.

**Mr. Wilson:** Well, Mr. Speaker, given that the caregivers, again, repeatedly asked for help and when a few phone calls and a letter went unanswered, the case was closed, how is it possible that no one in the PDD system followed up on this file, allowing the tragedy of Betty Anne's death to occur?

**The Speaker:** You drew a fine line here.

Perhaps the Minister of Human Services can clarify things for us.

**Mr. Hancock:** Thank you, Mr. Speaker. I think the most important thing to say to the House today is that the only thing that would be more tragic than the death of Betty Anne Gagnon is to not learn from it, to not examine deeply what happened, why it happened, and what could have been done about it. I can assure the public of Alberta that that's exactly what has been done and what will be done. There will be a fatality inquiry in which all of that can become part of the public discussion. That can't happen until the appeal period has expired and the fatality inquiry is in place. I can assure the public that we are going to learn and have learned from this tragic situation. The Alberta public can know that we will make sure that every Albertan has the opportunity to be protected and that these sorts of circumstances should not be

happening. Every Albertan should be alert to it, and we will be alert to it.

**The Speaker:** The hon. Member for Edmonton-South West, followed by Calgary-Fish Creek.

### School Construction

**Mr. Jeneroux:** Well, thank you, Mr. Speaker. I've said it before, but despite this spring's earlier announcements of more schools, my constituency continues to experience unprecedented growth. I stood here last fall asking the Minister of Education, the Minister of Infrastructure, and the President of the Treasury Board, and I'll keep asking till we get our schools. Some quick stats: Johnny Bright public school had to move grades 8 and 9 out last year due to growth; Monsignor Fee Ottersson school, which doesn't have a playground yet, is experiencing increasing kindergarten pressures like we've never seen; and Bessie Nichols' enrolment shot through the roof this year and desperately needs portables. To the Minister of Education: when will we as parents start to see the measures in the form of bricks and mortar in the communities where our schools need to be?

**Mr. J. Johnson:** Mr. Speaker, I know this member has been a great advocate. He's been quite persistent on this file. Some might say he's so persistent that he'd give a woodpecker a headache. But I welcome that, and I welcome his advocacy for his community. I know that he was pleased when we announced the new K to 6 school in the spring and when we cut the ribbon on the Bessie Nichols school last year. All I can say is that in the next three years we're going to create about 23,000 new spaces for students by investing about \$2 billion in schools. Thanks to this Premier the government is going to keep building Alberta, and these schools will be a part of that.

**Mr. Jeneroux:** Well, expect a chronic headache, Mr. Minister.

I want to start with a thank you for the new school in the Southbrook community. Unfortunately, it's only one of at least three more needed in Edmonton-South West. To the Minister of Infrastructure: when can we find the resources to add more elementary schools, more junior high schools, and more high schools in Edmonton to keep up with this unprecedented rate of growth?

**The Speaker:** The hon. minister.

**Mr. Drysdale:** Thank you, Mr. Speaker. I, too, would like to thank this member for his unwavering commitment to his community. As you know, Alberta is the fastest growing of all provinces in Canada, and this rapid growth causes a number of challenges, not the least of which is the increased demand for school spaces. I can tell you that this government knows how important new schools are to Alberta families and communities. Budget 2013 provides \$503 million over the next three years for 50 new schools.

**The Speaker:** You had one more supplemental? Proceed with your last one.

**Mr. Jeneroux:** Right. Thank you, Mr. Speaker. Back to the Minister of Education: given that we don't need to be rocket scientists to know that our K to 9 kids will be off to high school in a few years and given that we don't expect this growth to slow down any time soon, when our children become teenagers, what high school do you expect them to go to?

**Mr. J. Johnson:** Mr. Speaker, the member is absolutely right. These enrolment pressures that they have in southwest Edmonton we've got all over the province. We do have a big bubble coming in in the primary grades, which is going to move on through to high schools, obviously. We are investing in the bricks and mortar, but the other thing we've got to do is make sure we use our assets properly. There are in the neighbourhood of 50,000 empty seats in the Edmonton region right now. So these are challenges. We need to work with the community and the school boards. But I can tell you that we're also changing the way that we deliver high school. In the future, when those kids get to high school, there are going to be things like delinking time from the time they sit in the class to when they get their credits. There's dual crediting going on. There'll be digital diploma exams so kids can learn at any pace, at any place, at any time. All these things are going to factor in to what high school looks like.

**The Speaker:** Thank you.

The hon. Member for Calgary-Fish Creek, followed by Calgary-Glenmore

### Medical Laboratory Services (continued)

**Mrs. Forsyth:** Thank you, Mr. Speaker. Albertans are tired of watching this government mismanage our health care system. First, there was the centralization of home-care services, that saw our seniors suffer as the government shook the system upside down. Now the government has been caught dead in its tracks trying to centralize lab services despite pathologists warning that it will result in patients waiting longer for care. Considering this government's record on long wait times for patients, can the Health minister explain why this government bulldozed ahead with this plan before listening to the experts?

**Mr. Horne:** Well, Mr. Speaker, as I was very pleased to state in answer to an earlier question, I consulted with Alberta Health Services today, and I was reassured to know that the overwhelming majority of the 90 pathologists who work in that organization do support state-of-the-art lab services for their constituents. I can only wonder why this hon. member apparently does not.

**The Speaker:** The hon. member.

**Mrs. Forsyth:** Thank you, Mr. Speaker. Since CEO Duncan Campbell took the time to tweet that they will now be holding consultation with physicians and staff after public backlash, can the Health minister tell us why you didn't listen or consult with the pathologists first?

**Mr. Horne:** Well, Mr. Speaker, the hon. member has her information wrong again. Consultations on this initiative have been going on for quite some time, and that is perhaps part of the reason that the opposition raised this matter first when the House reconvened last week. We have absolutely no problem talking about the importance of this initiative, about the fact that it's a plan to ensure that we can keep up with the 6 per cent per year growth in lab tests, about the fact that it's a plan that will make sure that all of the newest and most sophisticated lab tests will be available to residents of the northern part of the province. This is what responsible governments do, and this is how we move forward to a high-performing health care system.

**Mrs. Forsyth:** Well, Mr. Speaker, we've heard that story before. There has been no consultation on home care. There has been no consultation on EMS dispatch, no consultation on pharmacy, no consultation on front-line care workers, and it goes on and on. Minister, if you've consulted with pathologists, please table it and tell us who you consulted with.

**Mr. Horne:** Well, Mr. Speaker, this hon. member loves to talk about consultation until the point that the majority of people disagree with her and with her party. The fact of the matter is that I spent the better part of two years as Minister of Health consulting with Albertans about initiatives in all these areas, initiatives that have led to significant improvements in our health care system, that have resulted in some changes to decisions that have kept home-care providers intact for residents of congregate living facilities, in initiatives that will result in state-of-the-art ground ambulance dispatch for every region of this province. There are many examples of this government working in partnership with Albertans and providers to improve health care.

**The Speaker:** The hon. Member for Calgary-Glenmore, followed by Calgary-Buffalo.

### Calgary Seniors

**Ms L. Johnson:** Thank you, Mr. Speaker. My constituency of Calgary-Glenmore is home to many seniors. In fact, about 20 per cent of my constituents are seniors, those individuals that have built Alberta and are deserving of our continued care and support. At my town hall a few weeks ago constituents asked for assurances that health care supports that allow seniors to stay in their homes will be available to them. My question is for the Minister of Health. Can the minister provide details specific to Calgary on the plan to assist seniors to stay in their homes?

2:20

**The Speaker:** The hon. minister.

**Mr. Horne:** Well, thank you, Mr. Speaker. Thank you to the hon. member for the question. I must congratulate her. Over 20 per cent of people in her constituency are seniors, and she's certainly a champion in our caucus for seniors' issues. In the hon. member's constituency the biggest program is home care, which helped nearly 109,000 seniors, people with disabilities, and others stay in their homes last year, including 32,000 people in the Calgary region. There are many other supports like the seniors' property tax deferral program, the seniors' benefit, special needs assistance program, and others that are assisting to keep seniors at home as long as possible.

**Ms L. Johnson:** Thank you, Minister. Given that many of these same seniors will move to long-term care, what assurances can I give my constituents that sufficient beds will be available close to their homes, their friends, and their support networks?

**Mr. Horne:** Well, Mr. Speaker, the hon. member can give great assurance to her constituents. Under the leadership of the hon. Associate Minister of Seniors, I'm happy to tell the House that there are over 6,300 continuing care spaces in Calgary, representing nearly 30 per cent of the provincial total, including 557 in the hon. member's constituency. At the moment we have in process 692 new supportive living spaces in Calgary through the affordable supportive living initiative, which we announced during Seniors' Week in June. There are many other improve-

ments and supports for seniors to assist them to live independently that are in play across the province, particularly in Calgary.

**The Speaker:** The hon. member.

**Ms L. Johnson:** Thank you. Again, to the same minister: because my office regularly receives calls about the challenges families face as seniors are moved from home to hospital to seniors' care and to palliative care, can the minister provide details on how his department is working to make the processes for those transitions easier for families?

**Mr. Horne:** Well, Mr. Speaker, the hon. member and I have talked about this issue, and it is something that requires our attention as the number of people who are going to be transitioning between different levels of care increases. There are a number of initiatives in place like the destination home program, which provides support for enhanced home care for seniors who are able to move home from hospital to move sooner with the appropriate support. We are working with all the operators in the continuing care system to identify areas in the transition between levels of care that could be made smoother. Obviously, the role of case management, the role of home care, and the informal role that families play in providing these supports are key to doing better in this area.

### Public-sector Pension Plans

**Mr. Hehr:** Continuing this government's assault on the middle class, the Minister of Finance made good on the threat he made in Budget 2013 to propose sweeping changes to four of the province's public-sector pension plans. I'm not sure if the minister knows this. Increasingly Albertans are finding it difficult to retire, and changing these public-sector plans will just ensure more seniors living in strife in this province. To the minister: why are you so eager to irreparably harm the retirement security of tens of thousands of hard-working middle-income Albertans?

**Mr. Horner:** Mr. Speaker, I don't think it's any huge secret to recognize that the demographics of our province, our country are changing. We have a lot more people living a lot longer than they ever were when these plans were put together. What we have today is a situation where we have a seven and a half billion dollar unfunded liability amongst these four plans. We have subsidized early retirement benefits that are no longer relevant to the type of workforce that we're trying to maintain and to keep. Incenting people to retire early is not exactly ensuring that we're going to have long-term pension plans for everyone in the system. What we're doing is ensuring that that plan is there for them when they are going to retire.

**Mr. Hehr:** Given that these public-sector plans have plans in place to deal with the unfunded liability and put these modest public pension plans back on solid footing, why is the minister being disingenuous in saying that these changes are necessary when the decision being made is simply a policy choice dedicated to further dismantling the middle class?

**Mr. Horner:** You know, Mr. Speaker, what we're talking about are the public-sector pension plans. We're not talking about all Albertans here. We're talking about public-sector plans. The idea that he refers to, that they gave us recommendations, was: "Wait. Let's see if interest rates rise. Let's see if our investments return better. Let's hope that it gets better in the future." That's not a plan. What we have put forward are some reasonable amendments

to the plans, some reasonable changes to the benefits. As well, we've changed the governance so that in the future if the plans do as well as the hon. member thinks they will, they could put these benefits back in if the plans could afford it.

**Mr. Hehr:** Well, given that a large number of Albertans have faithfully and dutifully served their province with the expectation of receiving a modest pension in retirement, where's the fairness in changing the rules mid-game?

**Mr. Horner:** Mr. Speaker, the fairness is that I want them to actually get the promise that was set out in the first place. If we continue along this path, contribution rates by those very individuals that the hon. member is talking about would rise so high that they would have a lot less going in their pockets today even though it wouldn't ensure that the pension benefits they're hoping for in the future would be there. Mr. Speaker, these are reasonable amendments to ensure that the promises made to all of our public sector are going to be kept and the pension that they need and want is going to be there in the future.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by Livingstone-MacLeod.

#### Athabasca River Containment Pond Spill

**Ms Notley:** Thank you, Mr. Speaker. Five days ago one billion litres of coal waste water spilled into the Athabasca River. This PC government responded by assuring Albertans that the water is made up of "clay and organic matter." In the interests of cutting through PC spin, let's review the actual contents of the one billion litres of coal waste flowing down the Athabasca River today: arsenic, ammonium nitrate based explosives, mercury, and a dog's breakfast of other known carcinogens. This crisis threatens the health of Albertans along the Athabasca. To the minister of environment: why won't you be honest with them about that?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. Quite frankly, we are being honest with Albertans, and how we responded was that we were quickly on the scene with many different ministries, opening up a provincial operations centre as well, taking this situation very seriously, making sure that the water was sampled right away. Right now the early indications are that there are no health risks to humans, but we are asking municipalities not to draw water until we have further analysis done. We are taking this very, very seriously.

**Ms Notley:** Well, Mr. Speaker, given that when B.C. experienced a coal containment pond leak near the Similkameen, the government issued clear instructions for the public not to come into contact with the water at all, and given that the B.C. contamination was 65,000 litres compared to our spill of one billion litres, to the same minister: why has your government been negligently silent so that most Albertans had to wait five days for a press release that finally warned of the risk to the public from this spill?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. Again, we reacted right away. On our website right away we put up a notification to ensure that people were aware of the situation. We made sure that all the municipalities in the area were aware. Myself and my deputy minister visited the site with the local MLA and the mayor and reeve of Whitecourt to make sure that people were aware. All

notification was given. I don't know where this member gets her information from because every day we made sure that there was an update. We were on this file right from the start and continue to be.

**Ms Notley:** Well, given that I, like most Albertans, can only read the press releases – and they didn't say what you said they did – and given that the PC government's weekend response to the media was actually, "Don't worry; almost nobody drinks the water from the Athabasca River anyway," is this the new normal for environmental monitoring from this PC government, "Cool your jets. It's all good. It's only a billion litres of waste water containing arsenic, mercury, and lead"?

**Mrs. McQueen:** Mr. Speaker, we made sure that all of the municipalities were notified. Those municipalities are not drawing water off there, but we wanted to make sure that they had the information so that Albertans were made aware. We did make sure the information was there because we want to be overcautious, and so far there's no fish or wildlife mortality. The water is not affecting human health, and we have been on top of this from day one. Human health is our first priority and first concern, and that's what we took care of from day one on this issue.

**The Speaker:** The hon. Member for Livingstone-MacLeod, followed by Calgary-Varsity.

#### Emergency Medical Services

**Mr. Stier:** Thank you, Mr. Speaker. After years of tinkering, this Health minister has all but broken our rural ambulance system. Interfacility transfers are leaving entire corridors of our province vulnerable and underserved while scarce EMS resources are juggled from region to region for nonemergency calls. This means long wait times, stress and confusion for front-line workers, who are forced to do more with less, and undue suffering for patients. This is a disgrace. To the Minister of Health: how are you going to fix the system you broke?

2:30

**Mr. Horne:** Well, Mr. Speaker, there was a question similar to this one last week, and the answer is what we have already done. This answer is the consolidation of ground ambulance dispatch services across this province. That system will ensure that ambulances that are called across their home border in order to assist with an emergency or an interfacility transfer can be easily identified and repatriated to their home community. We need the small number of remaining municipalities to work with us to complete the consolidation process so this sort of situation doesn't occur.

**The Speaker:** The hon. member.

**Mr. Stier:** Thank you again, Mr. Speaker. Given that the rural ambulance system seemed to work better before this minister and his bureaucrats got their hands on it, does this minister not realize that flexing scarce ambulance resources from region to region on nonemergency calls and leaving vast areas of our province without immediate service has caused major problems for rural Alberta, or does he just not care?

**Mr. Horne:** Mr. Speaker, I have met with many elected officials from rural communities across the province, as have many of my own colleagues who are from rural constituencies themselves, to discuss these issues. What the municipalities are telling us is not to turn the clock back to 1950 or 1960 or 1970 but to work with

them to ensure that the latest in technology and that the most current resources are available to their communities as they are in cities and larger centres. This initiative is about one thing, and that is making EMS part of health care.

**Mr. Stier:** Well, I don't think that's quite true, again, Mr. Speaker.

Given that last week this Health minister said that the current ambulance system was "completely in line with what Albertans expect" and that wait times in some regions of the province are averaging as high as 45 minutes or longer, will the minister finally own up to his mistake and admit his failed flex dispatch vision is putting patients at risk, or should Albertans just expect more of the same from this tone-deaf PC government?

**Mr. Horne:** Mr. Speaker, this government initiated a review of ground ambulance services by the Health Quality Council, an evidence-based review which looked at the elements that would create a system that would provide the best possible quality of services to all Albertans regardless of whether they live in a rural or an urban community. We make decisions based on that evidence. We work collaboratively with partners to implement decisions. We have a few municipalities still working with us to complete the changes, but in the areas where they have taken effect, they are working. I invite the hon. member to consider that.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by Medicine Hat.

#### Natural Gas Industry

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. Alberta's natural gas business is undergoing phenomenal change. It's been turned upside down by increased production of shale gas at a remarkable pace. Many gas producers in Alberta struggle to reorient in a world of persistently low natural gas prices. To the Deputy Premier and Minister of Enterprise and Advanced Ed: what is your ministry doing to address this competitiveness challenge for gas producers in the province of Alberta?

**The Speaker:** The hon. minister.

**Mr. Lukaszuk:** Well, thank you, Mr. Speaker. A very important question for our industry. We know that the price of the commodity has been at a record low for quite some time right now, but we also know that through proper policy changes and the encouragement and attraction of investment we could turn our gas industry into a value-added gas industry that is not as dependent on the basic price of the commodity but actually on the price of the value-added product. So one of the things that we are doing now is working with industry to develop a value-added industry.

**Ms Kennedy-Glans:** To the same minister: in that policy how are you recommending we leverage the natural gas experience and resources of Albertans, the facilities, the existing infrastructure, and the know-how?

**Mr. Lukaszuk:** Well, Mr. Speaker, we definitely in the province have the talent – there's no doubt about it – within the industry and our postsecondary institutions. We definitely have the infrastructure that is needed. What we need is more trans-Canadian infrastructure to get product to markets. But we already have some examples of success. Recently I was at a Methanex plant, where they're looking at upgrading gas into significantly higher value, producing fertilizer and other products. That is what we can be great at, and that is what we're working on.

**Ms Kennedy-Glans:** Again to the Deputy Premier: what is your ministry doing in conjunction with the natural gas industry to ensure that the industry gets through this period of challenge?

**Mr. Lukaszuk:** Well, Mr. Speaker, we're working on attracting venture capital because it takes a great deal of money to convert current plants into value-added plants. Our Premier and our Minister of International and Intergovernmental Relations are working on making sure that we have the markets abroad for selling those value-added products. Most importantly, we have to have the pipelines, and we have to have the means of transportation to deliver those value-added products to other parts of the world. That is what all of us are working on as a team.

**The Speaker:** The hon. Member for Medicine Hat, followed by Barrhead-Morinville-Westlock.

#### Disaster Recovery Program Claims

**Mr. Pedersen:** Thank you, Mr. Speaker. During the June floods in Medicine Hat I witnessed extraordinary Albertans who were more selfless and courageous than I could ever imagine possible. It was truly inspiring as they spent their days sandbagging, helping neighbours, and opening their homes to strangers. The flood damage cannot be rectified quickly, but the government has an obligation to make sure DRP funding reaches Albertans who qualify in a timely manner. To the Minister of Municipal Affairs: why has some assistance taken so long to get to victims like those in Medicine Hat?

**Mr. Griffiths:** Mr. Speaker, I've mentioned this before. Talking about the 2010 floods, we had thousands of people who made DRP claims, and all but five residential claims have been resolved. In those five claims there are some extenuating circumstances. I won't get into them, but I can assure the member that our job is to ensure that the dollars we spend are spent wisely and people get the fair amount but not more than what they request.

**Mr. Pedersen:** Mr. Speaker, given that the Premier promised to look after the flood victims and given that after four months of waiting many Albertans with legitimate claims tell me that funding through DRP is wrapped up in too much red tape, will the minister commit to streamlining the process for the victims of Medicine Hat and those around the province?

**Mr. Griffiths:** Mr. Speaker, we make the commitment every day to streamline the process as much as possible. In all 30 communities that experienced significant floods this June, I can already say that just last week we found another step in the process that we could mitigate against, and we did so in conjunction with the federal government, which also has very strict criteria to make sure we account for every single taxpayer dollar.

**The Speaker:** The hon. member.

**Mr. Pedersen:** Thank you, Mr. Speaker. Given that the biggest complaint with DRP funding is that the full claim cannot be paid until the insurance portion has been settled, will the minister agree today to review outstanding cases and request DRP take the lead to work collaboratively with the victims and their insurance companies to resolve these claims? Why can't they work together, Minister?

**Mr. Griffiths:** Mr. Speaker, we have some incredible, hard-working staff at Municipal Affairs working on the DRP program, and I'm proud of the work that they've done. In fact, the Minister



of Finance and I just had a great conversation with all of the insurance companies that operate and are involved in this flood to indicate to them that our process has been streamlined and that we encourage them to streamline their process. We came up with some very new and very vigorous ideas on how we could continue to make sure we work together because we all serve the same client, and that's those who were affected by this flood and deserve justice. We will continue to advocate for them.

**The Speaker:** The hon. Member for Barrhead-Morinville-Westlock, followed by Airdrie.

### Highway 2 Cardiff Road Interchange

**Ms Kubinec:** Thank you, Mr. Speaker. One of the biggest concerns in my constituency is the safety issue at the Cardiff intersection just south of Morinville. An overpass was slated to be built. The land was acquired, and some of the preliminary work was completed. When the necessary 2013 budget was passed, the Cardiff overpass had to be taken off the three-year Alberta Transportation construction program. I fully support the need to live within our means, so that's not the issue. The issue is the safety concern. My constituents continue to be very concerned about safety at this corner. To the Minister of Transportation. The degree of collision problems is approximately eight crashes per year, 50 per cent being injury-type . . . [interjections]

**The Speaker:** Hon. members, the chair is here. Who wishes to respond to this? The Minister of Transportation.

**Mr. McIver:** Thank you, Mr. Speaker. I thank the hon. member. I know that this issue is something she's been very diligent in addressing with my office. She's right to be impatient. We have been looking at a number of options. I think quite soon we'll be able to take some of those options to the good people near the Cardiff corner to look at what there is. In the meantime I would be remiss if I didn't say that safety is a two-way street. The government has our role, and we need to do it, but we also need to remind drivers to obey the rules of the road to make sure that safety does take place.

2:40

**The Speaker:** The hon. member. First supplemental.

**Ms Kubinec:** Thank you, Mr. Speaker. To the same minister: can the mayors of Sturgeon and the town of Morinville, both of them being brand new – congratulations to them – look forward to a meeting with you and your department staff as soon as possible to deal with this very important issue?

**Mr. McIver:** Mr. Speaker, of course they can. As the hon. member knows, we routinely meet with municipalities from across Alberta, and it is very valuable for us because then we get our best advice on what the priorities of Albertans are at the local level. That helps us with the advice from the hon. member to gauge what part of building Alberta under the Premier's direction would be of the most benefit to Albertans.

**The Speaker:** The hon. member.

**Ms Kubinec:** Thank you, Mr. Speaker. Again to the same minister. I'm just wondering if you could give us some sense of time. Would it be possible to do any work in the winter?

**Mr. McIver:** Well, Mr. Speaker, I can't answer that in detail, but I can say to the hon. member that when we meet with the municipal

leaders in the area and when we decide on what the right solution is, we won't waste time. We will get busy at our first opportunity in making a difference because, as the hon. member rightly points out, this is a safety issue and one that needs to be addressed. I can assure her that she can count on my co-operation and Alberta Transportation's.

**The Speaker:** Hon. members, the time for question period has expired. In 25 seconds from now we will continue with Members' Statements, beginning with Calgary-Hawkwood, then Edmonton-McClung, then Calgary-Mountain View.

### Members' Statements

(continued)

**The Speaker:** The hon. Member for Calgary-Hawkwood, followed by Edmonton-McClung.

### Arbour Lake Community

**Mr. Luan:** Thank you, Mr. Speaker. As the MLA for Calgary-Hawkwood I am proud to share that this summer the Calgary edition of *Avenue* magazine named a community in my constituency, Arbour Lake, as the best community in the city. *Avenue* magazine's ranking included such things as an eight-month-long online poll that asked Calgarians to complete a survey about qualities they most value in a neighbourhood. Additional information such as housing prices and the number of restaurants and retail outlets for each neighbourhood is also added to the data.

Anyone who has had the opportunity to visit Arbour Lake probably knows why Arbour Lake is deserving of the best community title. The lake itself is the focal point of the community and brings people together for a wide variety of activities, including stand-up paddleboard and fishing derbies. Arbour Lake is also home to excellent medical facilities, including family medicine, dentistry, chiropractic, and diagnostic imaging clinics.

Aside from the excellent physical setting I cannot emphasize enough that the most outstanding quality of Arbour Lake is its highly engaged community of citizens. Residents of Arbour Lake enjoy a sense of pride, a sense of belonging, and a sense of ownership. This is in part due to the great work that is done by the staff and volunteers of the Arbour Lake Community Association and the residents' association.

As I mentioned earlier, Mr. Speaker, some of the leaders are here today sitting in the gallery. I would like to take this opportunity to thank them for their dedication and service to the people of Arbour Lake. I would also like to take the opportunity to thank residents and the businesses of Arbour Lake for making your community one of the best in the city.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-McClung, followed by Calgary-Mountain View.

### Country of Origin Labelling

**Mr. Xiao:** Thank you, Mr. Speaker. I rise today to share with you Alberta's ongoing advocacy efforts opposing the United States' country of origin labelling rules, also known as COOL. The rules require that meat derived from animals born, reared, or slaughtered outside the United States must be labelled to indicate the country or countries involved.

COOL has resulted in extra tracking and segregation costs for Canadian hogs and cattle exported to the U.S. Alberta's position and Canada's position, which is backed by the World Trade

Organization, is that COOL is an unfair trade measure that does not protect consumers. It hurts the livestock industry on both sides of the border by imposing hundreds of millions of dollars in unnecessary costs.

We have been working closely with the federal government to pursue a fair resolution to this trade issue as part of our efforts to build Alberta by enhancing market access to our agriculture resources. Alberta's agriculture minister and I were in Kansas City in September and met with U.S. state legislators to rally support to change COOL. Mr. Speaker, we were pleased that the group passed a resolution acknowledging COOL's negative economic impact and calling on the U.S. Congress to reconsider. To date eight such resolutions have been passed in various forums of U.S. decision-makers.

This week our agriculture minister is in Chicago with Canadian officials and other provincial agriculture ministers to meet with the U.S. meat-packing industry to build additional support and momentum for change.

Mr. Speaker, Alberta continues to stand up for its livestock industry, and Alberta will continue to push hard until this issue is resolved.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Mountain View.

#### Private Delivery of Health Care Services

**Dr. Swann:** Thank you, Mr. Speaker. Two-tiered health care is here. This government's ideology supporting private, two-tier funding and delivery of health care continues against the will of Albertans and despite their fiasco with the Health Resource Centre three years ago in Calgary. Small wonder there's a high level of distrust associated with both this PC government agenda and their mismanagement. Many sick and suffering Albertans are understandably looking to an ever-increasing number of private options. The overriding concern here must be preserving universal access to publicly delivered care.

Alberta Health Services has failed to achieve even their low benchmarks for wait times in testing, EMS response times, emergency room access, surgery, and access to long-term care. Delay translates into higher costs of health care, with complications every day.

Rather than focusing on stabilizing the system and strengthening prevention, primary care, home care, and long-term care – real solutions – the PCs have turned to increasing the depth and breadth of privatization à la Bill 11, the third way, and the rebranded 2010 Alberta Health Act, that is still not proclaimed. Two-tiered health care is already a fact in Alberta. Individuals with separate insurance or sufficient funds can avail themselves of services provided by a range of private diagnostic, wellness, and surgical clinics.

Obviously, the situation raises ethical concerns. How do we stop the loss of physicians into the more attractive private-care options? What are the mechanisms to prevent physicians billing both patients and Alberta Health, worsening our wait times? The draft guidelines from the College of Physicians & Surgeons are welcome, and they would make it illegal to reject patients in boutique clinics on the basis of their inability to pay a fee. The college is also looking at restricting faster access to public wait-lists based on private imaging. Private wait-list insurance is now available for a monthly premium. Who knew that queue-jumping is perfectly legal in another province, just not in your own?

As this government lurches from crisis to crisis in health care, few Albertans have confidence that this government can manage these issues to benefit all Albertans.

Thank you, Mr. Speaker.

#### Presenting Petitions

**The Speaker:** The hon. Member for Red Deer-North.

**Mrs. Jablonski:** Thank you, Mr. Speaker. Today I'm presenting two petitions. In the first petition there are 1,645 signatures of Albertans who request that the Legislature urge the government to take steps to "ensure the preservation and enhancement of the Pheasant Release Program." When adding these signatures to the other petitions that I presented in the spring, there are about 3,500 Albertans requesting support for the pheasant release program.

The second petition, signed by 188 Albertans, requests that the Legislature urge the government to "introduce a Bill to preserve Albertans' 65-year investment in the Pheasant rearing, release and hunting" program through a number of relevant departments and by providing "a fair share of province-wide lottery profits."

2:50

#### Introduction of Bills

**The Speaker:** The President of Treasury Board and Minister of Finance.

#### Bill 35

##### Financial Administration Amendment Act, 2013

**Mr. Horner:** Thank you, Mr. Speaker. I'm pleased to rise today to introduce Bill 35, the Financial Administration Amendment Act, 2013.

Bill 35 makes several minor amendments to the Financial Administration Act, which ensures the sound financial management of government. The key amendment proposed under Bill 35 is needed for government to effectively manage appropriations for capital projects that span fiscal years. Other proposed changes are primarily technical and administrative in nature and will help the government manage its day-to-day business. Alberta is one of the most fiscally responsible jurisdictions, and Bill 35 will not change that.

Thank you, Mr. Speaker.

[Motion carried; Bill 35 read a first time]

**The Speaker:** The hon. Member for Edmonton-Mill Woods.

#### Bill 40

##### Settlement of International Investment Disputes Act

**Mr. Quadri:** Thank you, Mr. Speaker. I request leave to introduce Bill 40, the Settlement of International Investment Disputes Act.

This legislation will implement the convention on the settlement of investment disputes between states and nationals of other states, commonly known as the ICSID convention. In today's competitive global economy it is increasingly important for Alberta to offer a special market that interests international investors and supporters. The convention promotes international investment by offering an effective regime for mutual resolution of investment disputes.

To date about 150 countries have ratified the convention. The federal government announced on November 1 that it has formally

ratified the convention to ensure the implementation of the convention in all of Canada, and the federal government is encouraging all the provinces and territories to integrate their own implementation legislation.

Moving forward with the implementation of the ICSID convention is a positive step to create certainty for investments both in Alberta and abroad, sustaining success and prosperity for all Albertans now and in the generations to come.

Thank you, Mr. Speaker.

[Motion carried; Bill 40 read a first time]

**The Speaker:** Are there any others?

The hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you very much, Mr. Speaker. I'd move that that last bill be added to Government Bills and Orders.

[Motion carried]

### Tabling Returns and Reports

**The Speaker:** The hon. Member for Calgary-Fort.

**Mr. Cao:** Well, thank you, Mr. Speaker. As chair of the Standing Committee on Legislative Offices and in accordance with section 19(5) of the Auditor General Act I would like to table five copies of the report titled Report of the Auditor General of Alberta October 2013. Copies of this report will be distributed momentarily.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo, followed by Edmonton-Centre.

**Mr. Allen:** Thank you, Mr. Speaker. I rise today to table the requisite number of copies of four newspaper articles heralding last week's achievement of Fort McMurray being designated by the Canada Border Services Agency as a port of entry. This is a great boost for the regional municipality of Wood Buffalo. YMM has now been notified that the status has been established effective October 7, 2013. This announcement means that long-term planning for more international and U.S. transporter, passenger, and air cargo services can continue.

I proudly table these articles on behalf of my constituents.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by Edmonton-Meadowlark and Calgary-Mountain View.

**Ms Blakeman:** Thanks very much, Mr. Speaker. First, I'll do a tabling on behalf of the Leader of the Official Opposition.

**An Hon. Member:** The Leader of the Official Opposition?

**Ms Blakeman:** Oh. I'm sorry. Too many years. Sorry. The leader of the third-party opposition.

This is the FOIP that he referred to in his question regarding new furniture purchase, design consultation, and many, many e-mails back and forth about the finishes and where it was all going to go for the Deputy Premier and minister of advanced education.

The second tabling is from my office, the fabulous constituency of Edmonton-Centre. We have a report of letters that we received from concerned citizens who wrote to us with regard to changes in the land titles office. That's Sharon Murphy, Trevor Zimmerman, Robert Lavoie, Donna Sheplawy, Chantelle Kossakowski, and Rosellina Giardino. I've given the text of the typical letter.

Thank you very much.

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following document was deposited with the office of the Clerk: on behalf of the hon. Mr. Griffiths, Minister of Municipal Affairs, responses to questions raised by Mr. Rowe, hon. Member for Olds-Didsbury-Three Hills; Mr. Donovan, hon. Member for Little Bow; and Ms Blakeman, hon. Member for Edmonton-Centre, on April 17, 2013, Department of Municipal Affairs main estimates debate.

### Tabling Returns and Reports

(continued)

**The Speaker:** Hon. members, I'm just going to revert to a tabling from Cardston-Taber-Warner, whose request I overlooked inadvertently.

Cardston-Taber-Warner, please proceed with your three tablings.

**Mr. Bikman:** Thank you, Mr. Speaker. I won't take that personally. I know how busy you are.

I wish to table a document that was e-mailed to me from a very concerned constituent, Sharon, and her husband, Darrel Unger. They've got property that AltaLink transmission lines are potentially proposed to go across. They're trying to sell their home and are unable to because of the uncertainty of where the lines will be. Prospective purchasers have withdrawn offers. That will be number one.

Number two is a letter from John Leahy, a constituent from the Taber area, who advises:

At present, if there is an oil and gas facility . . . on your property, the MD or County assesses and bills the oil company . . .

The property taxes on their facilities are paid by the oil company.

However, if there is a wind turbine or substation on your property, the MD or County adds the value of the facilities to the landowners assessment and [then] bills the landowner for his taxes.

He thinks this is an inequity that needs to be addressed.

The third is from a registry office in rural Alberta in a small town, Milk River. Gail Matlock operates Matlock Registries, where very important services are provided to rural Alberta. She's concerned about the changes that are being proposed, details of which they don't have now, but she thinks the changes being proposed may threaten the survivability of their business.

Thank you.

**The Speaker:** Thank you.

Hon. members, pursuant to Standing Order 7(7) the daily Routine is now concluded, and we can move on.

### Orders of the Day

#### Public Bills and Orders Other than Government Bills and Orders

#### Motion to Concur in the Report from the Standing Committee on Families and Communities

#### Bill 204

#### Irlen Syndrome Testing Act

[Debate adjourned October 28: Mrs. Jablonski speaking]

**The Speaker:** The hon. Member for Red Deer-North.

**Mrs. Jablonski:** Thank you, Mr. Speaker. Today I stand to speak to the concurrence motion regarding the referral of Bill 204, the

Irlen Syndrome Testing Act, to the Standing Committee on Families and Communities. Respectfully, I would like to speak against concurrence in the report on Bill 204.

In many ways I'm grateful that Bill 204 underwent this very important part of the legislative process. I've discovered, as demonstrated in new research from the University of Lethbridge by Dr. Noëlla Piquette and Dr. Charles Boulet, that if not caught early, children's vision problems may be mistaken for learning disabilities. Mr. Speaker, did you know that fewer than 15 per cent of children have their vision tested before they start school? Testing vision is a critical component of helping children achieve success in school because you need to read to succeed.

3:00

As detailed in the final report, the Standing Committee on Families and Communities received 75 written submissions from interested citizens, concerned medical professionals, and experts: 50 in support and 25 not in support. I also received dozens of e-mails and letters of support that were not submitted to the committee, and I know that a number of my colleagues also support this bill.

Mr. Speaker, the report from the committee recommends that the bill not proceed to second reading in the House. Although I very much respect this decision and the concerns of my colleagues in this Legislature, I believe that we owe it to the children of our province to do everything we can to ensure their success in the classroom. Irlen syndrome is a perceptual problem associated with the brain's ability to process images. In many cases individuals with Irlen's see a printed page differently although they don't realize that they do. Such distortions include words or letters which appear to move, swirl, and shimmer. This can prevent many people and children from reading effectively, efficiently, or even at all. What is most detrimental about Irlen syndrome is that academic and work performance, behaviour, attention span, and the ability to concentrate are negatively affected by this condition.

Scientific research is finally catching up to the hundreds of thousands of people around the world who know that this condition is very real and that it causes unnecessary suffering, stress, and academic difficulties for many Albertans.

The huge impact of this condition was evident in the number of citizens who submitted written submissions to the standing committee. As detailed in the final report on Bill 204, six invited parties made oral presentations before the committee, and approximately 50 observers from rural and urban centres in Alberta were present to show their support for the proposed legislation. We also conducted a video conference in committee with Dr. Sandra Tosta from California to detail the latest studies and findings about visual stress, or Irlen's.

[The Deputy Speaker in the chair]

Visual perception plays a crucial role in school success and is very much an area of ongoing study. In fact, just last week Dr. Charles Boulet, a developmental optometrist researching at the University of Lethbridge, along with Dr. Noëlla Piquette released an important paper regarding the impact of visual impediments on childhood learning. Dr. Boulet also submitted a written response as part of the committee review process. Recently published in the journal *Optometry & Visual Performance*, this paper asserted that visual impediments to learning, or VIL, which includes visual stress, or Irlen's, are often missed or overlooked in common sight screenings. As a result, this leads to difficulties with reading, memory, emotional awareness, and impulse control in children.

Mr. Speaker, fewer than 15 per cent of children have their vision tested comprehensively despite the fact that 80 per cent of

learning is dependent on vision. Dr. Piquette even goes as far as asserting that this lack of appropriate VIL detection and management combined with compulsory participation in a visually taxing education model for 12 years or more may well constitute an implicit neglect of children's health and basic human rights.

Current models of visual screening allow many significant problems to pass through as false negatives. Mr. Speaker, I believe that Bill 204 is a start to addressing possible gaps in the system when it comes to visual screening. I very much believe that we need a protocol in place that detects a wider range of learning-related vision problems. We already have processes in place like the Eye See . . . Eye Learn program, which offers complimentary examinations and free glasses to kindergarten children, and the government of Alberta pays for eye exams until age 18. It has been shown that if vision is adequately managed from an early age, academic and health problems are greatly improved. Ultimately, this could lead to a reduced long-term cost in education and in health.

If Bill 204 were referred back to the House for second reading debate, it would be debated in its current form. That means that the suggested amendments that I brought before the committee, which I believe would have improved the bill by addressing the stakeholder concerns raised in the written submissions and public hearings, would not be considered until Committee of the Whole debate. One of these concerns raised during the committee process was that many professionals perceive the use of the name "Irlen" as a proprietary name. In response to this, I propose changing the title of the bill to the Visual Stress Testing Act and removing "Irlen" from the contents of the legislation altogether. This way many other visual impediments to learning would be encompassed under the broader umbrella of visual stress in which Irlen's is included.

Some medical professionals, including representatives from the AMA and the Alberta College of Optometrists, were concerned that Bill 204 was too prescriptive and that much of the research surrounding Irlen syndrome was inconclusive. They're behind in the research.

Over the extent of this process I have been able to bring needed awareness to an issue within our communities, an issue which is not only important to me but to the many Albertans who have been aided by coloured, filtered Irlen lenses. Many children who were once unjustifiably labelled by their peers as stupid, as classroom disruptors, and as lazy simply because they have difficulty focusing on class assignments as they cannot read have been aided thanks to the Irlen Institute.

Mr. Speaker, I brought this bill before the Assembly to raise awareness about Irlen syndrome as well as visual stress. I've heard over and over again from teachers, students, and parents: "Why wasn't I told about this sooner? Why didn't my doctor tell me about this? What can be done to change this for other families?" The most critical and heart-wrenching question of all is: where would my child be today if I had been made aware of this earlier?

By speaking against concurrence in the report on Bill 204, I hope to once again raise the profile and awareness surrounding visual impediments to learning. Allowing Bill 204 to continue in second reading debate and later in Committee of the Whole would enable appropriate amendments to be made, ensuring that this bill is properly crafted, including many of the valuable comments and insights that my colleagues have provided over this review process. Mr. Speaker, I'm only asking that Bill 204 be allowed to be debated in second reading so that everyone can see its benefits and so that it can be amended and implemented.

I'd like to thank all of my colleagues from the Standing Committee on Families and Communities for their time, their patience, and their understanding in reviewing Bill 204. Mr.

Speaker, I think one of the best things we can do for our children in this province is to make sure that their vision is tested adequately and that we provide the tools for success, because you need to read to succeed.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Are there others? The hon. Member for Calgary-Mackay-Nose Hill.

**Dr. Brown:** Thank you, Mr. Speaker. I rise to speak in favour of concurring with the recommendations of the Standing Committee on Families and Communities in the matter of Bill 204. At the outset I would like to say that I know how much time and dedication my friend and colleague the hon. Member for Red Deer-North has invested. She's done an excellent job of creating awareness about eyesight issues, and I would like to commend her for her dedication and her hard work.

As much as I would like to support the hon. member in her endeavours, however, as someone with a science background I've got to listen carefully to the objections and evidence presented to the committee by the scientists and the professionals in the field, whom we in Alberta have entrusted with safeguarding the interests of their professions and those of the public, and that would include the Alberta College of Optometrists, the Alberta Medical Association, the College of Physicians & Surgeons.

Mr. Speaker, we as legislators cannot always say that we know better than the experts, especially when it comes to issues of treatment of medical issues. We have an obligation to listen to the experts whom we recognize in their fields of expertise. Accordingly, I support the committee's decision that Bill 204 not proceed. The College of Physicians & Surgeons of Alberta had two issues with the proposed legislation: first, the propriety of screening for any type of condition in this setting; and secondly, the scientific validity of screening, testing, and treating what is known as Irlen syndrome.

The Alberta College of Optometrists gave several reasons for not recommending that Irlen syndrome screening or testing proceed, including the fact that the screening would take place "by a screener that is 'certified' by the Irlen Corporation," which is "not regulated by any provincial or Federal legislation."

Secondly, the college states that validated and independent investigations do not support the claims made by the Irlen Corporation or its sponsored researchers.

Thirdly, the college states that the cost of an Irlen screening is about five times the cost of more complete eye exams by an optometrist or ophthalmologist.

3:10

The submission of the Alberta Medical Association, which consulted with physicians in its sections of pediatrics and ophthalmology, strongly opposes the content of Bill 204 and also disputes the claims that Irlen Syndrome is a legitimate vision disorder. It also cited reputable professional organizations in the United States, including the American Academy of Pediatrics, the American association of pediatric ophthalmology, the American Academy of Ophthalmology, the American Association of Certified Orthoptists. In a joint statement all of these organizations said: "Diagnostic and treatment approaches [for dyslexia] that lack scientific evidence of efficacy, including eye exercises, behavioral vision therapy, or special [colored] filters or lenses, are not endorsed . . . [or] recommended.

Accordingly, the Alberta Medical Association "urges the government to withdraw this bill." Dr. Ian MacDonald from the

AMA section of ophthalmology presented compelling reasons as to why recognizing the legitimacy of Irlen syndrome would be problematic. Dr. MacDonald stated that the validity of published materials supporting the prescription of tinted lenses to counteract reading impairment had shown "serious flaws in their methods," also citing inconsistencies in their results.

AMA's senior medical adviser, Dr. Mittelsteadt, also reiterated their position stating that "based on the scientific evidence . . . we cannot support Bill 204," citing several reasons. Dr. Mittelsteadt claimed that enshrining Irlen syndrome within legislation when there is not enough evidence to either recognize that it is a definitive diagnosis or recognize that the treatment for this syndrome is efficacious would not be advisable and may put undue pressure on school boards.

Mr. Speaker, I'd like to thank the hon. member for her passionate efforts in regard to improving the lives of children across Alberta. While the intent behind Bill 204 is admirable; namely, to assess and help children with reading difficulties, I have to rely on the best evidence of those whom we in Alberta recognize as the leaders in and the spokespersons for their professions. For these reasons, I speak in favour of concurrence of the final report of the Standing Committee on Families and Communities on Bill 204, which recommended that Bill 204 not proceed, and I urge my colleagues to do the same.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Member for Lesser Slave Lake.

**Ms Calahasen:** Thank you, Mr. Speaker. It is indeed an honour for me to rise today in this Assembly to speak against concurrence in the report on Bill 204, the Irlen Syndrome Testing Act, brought forth by the hon. Member for Red Deer-North. To begin, I would like to acknowledge the hon. member for bringing this issue to our attention. Her passion for literacy and her attempt to enhance the education of our youth is to be commended. I'm glad this issue has garnered attention in this House. As educators I hope that by raising awareness of Irlen syndrome, we can indirectly assist those who may suffer from it and other learning impairments.

Irlen syndrome is also known as scotopic sensitivity syndrome, or visual stress, and is a condition which adversely affects the literacy skills of children and adults. In many cases it causes the distortion of words and numbers, inhibiting reading ability and math skills. In my view, when you can improve the lives of children and people so that they can live a better life, that is an important mission.

Mr. Speaker, our education system in this province is its greatest institution. It equips our students with the skills they need in order to be successful in postsecondary schooling and, of course, in their chosen career. Our province is fortunate to have one of the greatest education systems in the world, with some of the best teachers and the brightest minds. Together this bodes well for our future labour force and the economic prosperity of our province.

Bill 204 attempts to supplement our education system in a rather unique way, by establishing a screening process for students who display symptoms of Irlen syndrome. School systems would be required to have certified screeners available and to provide testing upon parental consent and after it is suggested by an educator. The screener would be able to determine the severity of the condition and in some cases provide coloured overlays, which could alleviate the symptoms. In more severe cases the screener may recommend further testing by an Irlen diagnostician who, in turn, could prescribe coloured lenses for glasses. This treatment method for many appears to be successful and helps to minimize the symptoms of Irlen syndrome.

Bill 204 represents an opportunity to maximize the learning potential of our youth who struggle with Irlen syndrome. It is very unfortunate and sad that some people have spent their entire lives with this problem and were not aware of it until later on in adult years. As we have heard from the Member for Red Deer-North, the Standing Committee on Families and Communities received written submissions from approximately 50 individuals who had experienced this first-hand. Mr. Speaker, by identifying this condition at an early age, we could enhance the lifestyle of many Albertans, making their educational and professional experiences more fulfilling.

I certainly agree with the underlying premise of this legislation, but in saying this, we should consider expanding this bill's scope to include other learning impairments and also consider carrying out additional research regarding Irlen syndrome. This is something that the hon. member proposed as a possible recommendation to the committee. Through this legislative process my colleague wished to expand Bill 204 to encompass visual stress, which includes Irlen syndrome.

Currently there are many learning impairments which exist and adversely affect one's educational experience, and of course these impairments include auditory processing disorder, visual processing disorder, dyscalculia, dyslexia, and dysgraphia, to name a few. It is important that we assist those who suffer from these learning impairments. Mr. Speaker, most students with such learning disabilities are just as smart as everyone else, and they should be afforded the same opportunities as fellow students.

In order to achieve this, however, they need the necessary resources and specific teaching methods which are tailored to their learning styles. It is important that we do everything that we can to provide children with the supports to have a successful education and develop the foundations necessary to continue that education. Literacy plays a crucial role in that, and that is why I'm speaking today against concurrence with the report on Bill 204, which recommended that the bill not proceed in this Legislature.

Many children who do not get proper support may develop a negative self-image and fall into destructive habits, which are a disservice to themselves and in some cases the community as a whole. To expand upon my last point, it has been noted that 60 per cent of America's prison inmates are illiterate and that 85 per cent of juvenile offenders have reading problems. Given that there appears to be a relationship between illiteracy and deviant behaviour, it is important that we do all we can to assist those who struggle with learning complications.

To this end, Bill 204 helps achieve this, but in further discussion of this legislation I believe some important points should also be addressed. For one, given that this condition was discussed in the '80s, conducting more research concerning this issue may be beneficial in many respects. It may give us answers to crucial questions such as why the condition exists, how it originates, and who it is most likely to affect. A fulsome approach to testing will help enhance the quality of life for many Albertans and assist them with their learning difficulties.

Mr. Speaker, in closing, I would like to thank the hon. Member for Red Deer-North for proposing the legislation. I know she is going to get a lot of questions and concerns raised about dollars and cents, but sometimes we have to look at humanity and not necessarily always at all the costs. I believe she is skimming the surface of a potentially large problem that is preventing our youth from achieving all they can accomplish academically.

I am speaking against concurrence for Bill 204 as I believe it is crucial that we assist our most vulnerable children by helping

them attain their dreams and achieve their greatest potential through education without barriers.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Are there others? I'll recognize the Member for Bonnyville-Cold Lake.

**Mrs. Leskiw:** Thank you, Mr. Speaker. It is an honour for me to rise today in this Assembly to speak against concurrence with the report on Bill 204, Irlen Syndrome Testing Act, brought forth by the hon. Member for Red Deer-North.

Firstly, I'd like to thank the hon. member for generating awareness about this condition and being the voice for literacy in our province. I know I can speak on behalf of all my colleagues when I say that the welfare of our children and youth is a top priority for all of us, and a proposal which could enhance their quality of life always deserves attention in this House.

Mr. Speaker, our children represent our future and are very valuable components of our society. In time they will be bestowed with the responsibility of carrying the great legacy of our province forward, helping to improve upon the work of the past generations, who have made Alberta one of the greatest places to work, live, and raise a family. As such, a piece of legislation which could affect their well-being is always of interest to me.

3:20

Mr. Speaker, I had the privilege of being a member of the Standing Committee on Families and Communities as it reviewed the proposed legislation. We've heard from many concerned stakeholders, medical professionals as well as individuals who suffer from Irlen syndrome. After these hearings the committee recommended in its report on Bill 204 that the proposed legislation not proceed.

Mr. Speaker, as we all know, in today's society literacy is the key to success. As is the case, and as a former teacher myself I'm glad this condition has been brought to my attention. In saying this, I am pleased to speak to the Irlen Syndrome Testing Act. This syndrome allegedly has many side effects, but most importantly it appears to inhibit one's ability to read properly. This occurs because of word distortion as people who have visual stress or even Irlen syndrome appear to view written text differently. In effect, this causes sufferers a level of discomfort and personal embarrassment as it appears as though they are incapable of reading and learning at the same pace as their peers. In addition to this, sufferers may exhibit a short attention span, and as a result they're often misdiagnosed with having ADHD and other attention-related disorders. Sometimes it can lead to an unwarranted use of prescription drugs such as Ritalin.

Mr. Speaker, Helen Irlen, a psychologist and Cornell University graduate, has developed a method which helps individuals suffering from Irlen syndrome. The procedure involves prescribing customized coloured lenses and overlays to individuals suffering from its effects. This is done by certified Irlen screeners and diagnosticians. Some of these screeners also presented before the committee as part of the public hearing.

Mr. Speaker, some scientific studies have shown this method to be quite effective as reading comprehension has improved drastically among children. On the other hand, some associations such as the American Optometric Association believe that more research should be done to investigate the effect that lenses have on reading performance. Associations here in Alberta like the Alberta College of Optometrists, who presented before the committee, also strongly oppose this testing on similar grounds.

Nevertheless, whatever the position of various organizations may be, if the potential to help a child exists, I believe the means by which it is achieved should be examined.

Mr. Speaker, although the committee recommended that the bill not proceed, I believe that Bill 204 has the potential of assisting children suffering from visual stress. It attempts to achieve this in two ways. Firstly, it seeks to ensure that educators are aware of symptoms of visual stress, which includes Irlen syndrome. This will enable teachers to identify sufferers and to communicate to parents what potential problems could be.

Secondly, Bill 204 seeks to set up a screening process within the education system to test children who teachers believe are suffering from this condition. Thereafter, sufferers could be prescribed coloured lenses to help improve reading ability, which in turn also likely increases overall school success.

Mr. Speaker, literacy is the key to providing our children with a promising future. We all benefit from a well-educated society, and this bill could help supplement the outstanding education system which we have established in this province already. It could act as a proactive piece of legislation which would be unparalleled in its uniqueness across this great country.

This being said, regardless of the outcome of this bill, regardless of findings of the report on Bill 204 I believe that by discussing this matter today, we are doing something proactive and beneficial for many children. We are generating an awareness of this issue. I also believe that by bringing this bill before the Standing Committee on Families and Communities, even more awareness has been generated. For this, I am very grateful. I would be willing to bet that few members in this House, if any, had ever heard of Irlen syndrome before this. By continuing to educate ourselves today and having a proactive conversation, we are expanding our knowledge base, whereby we can make a difference. I'm sure many of us have nephews, nieces, and family members who have difficulty with reading and writing, which adversely affects their schooling.

Mr. Speaker, in my estimation, it would certainly not hurt to discuss Irlen syndrome with them, and it's quite possible that they haven't even heard of it. In doing so, we could positively affect the life of a child or an adult, helping him or her to succeed in school, work, and literacy. Such action does not require a bill or a motion. It requires self-awareness and good intention, and this is something I believe we can all do to assist those who may be struggling with school. It is a small yet considerable action that can change the life of a person. In generating awareness, a ripple effect can be created, providing a possible solution to the educational struggle of many children and occupational difficulties of adults.

Mr. Speaker, as detailed in the report, I recommend: do further research into "the nature of visual conditions that require testing." In doing so, we will have a better idea of the fundamental questions which may exist relating to the nature of visual stress.

Mr. Speaker, I do not discount the potential effects of this syndrome or question its existence or how many children could be affected by it. I think that in referring Bill 204 to the Standing Committee on Families and Communities, my colleagues have realized gaps in the proposed legislation. She's eager to address them. However, if this bill does not make it to second reading, she will not have the opportunity to do that. For this reason, I'm speaking against concurrence with the final report on Bill 204.

Mr. Speaker, I would like to thank the hon. member for bringing this condition not only to my attention but for being an advocate for children across our province. For that she should be commended. This bill has already achieved a lot in terms of

generating awareness. I believe it has provided us knowledge to make a difference in the community.

Thank you, Mr. Speaker. I hope all of you support it.

**The Deputy Speaker:** Thank you, hon. member.

Hon. members, if I could just ask you to keep the side conversations down while another member has the floor, please, it would be appreciated.

I'll recognize the Member for Calgary-Bow.

**Ms DeLong:** Thank you very much, Mr. Speaker. I just wanted to say a few words. This bill was referred to a committee, and the reason, I believe, that it was referred to a committee was so that we could have a really in-depth look at the issue, which is what we did. We did spend many, many hours on this – reading the materials, attending the meetings – so in respect to this process I do believe we should all support it.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

I recognize the Member for Strathcona-Sherwood Park.

**Mr. Quest:** Well, thank you, Mr. Speaker. I, too, would like to recognize and thank the Member for Red Deer-North for all the work that she's done in raising awareness and educating us all about Irlen syndrome. Thank you.

Mr. Speaker, Bill 204 was referred to the Standing Committee on Families and Communities in the spring. As the Member for Calgary-Bow has just said, we went through a lengthy process and discussion. There were 75 written submissions and six oral presentations. We heard from the Canadian Association of Irlen Professionals, Dr. Sharon Vaselenak, and the Irlen Institute, who supported it. We also heard from the Alberta College of Optometrists. The Alberta Medical Association, as the Member for Calgary-Mackay-Nose Hill has pointed out, had some serious questions about the science. We also heard from the Alberta School Boards Association, who along with the departments of Health and Education in our recommendations want to do more for these kids and are recognizing Irlen syndrome and what it means to these children and their families and their progress.

I think the Alberta School Boards Association said it best, that we don't need a law for this to happen. I think everybody understands that we need to work towards doing better for these kids and that we will work towards doing better for these kids.

In light of that, the committee did spend many hours on this, with lengthy consultation, lengthy discussion, lengthy deliberation over this. We did come to the conclusion to report back to this Legislature with those recommendations, including that the bill, Bill 204, not proceed. So as chair of the committee I would urge all hon. members to concur in the report of the committee, and I would like to move to close debate.

3:30

**The Deputy Speaker:** Thank you, hon. member.

The chair of the Standing Committee on Families and Communities has requested concurrence in the report on Bill 204. Does the Assembly concur in the report?

**Some Hon. Members:** Concur.

**The Deputy Speaker:** Opposed?

**Some Hon. Members:** No.

**The Deputy Speaker:** That is carried.

**Motion to Concur in the Report  
from the Standing Committee  
on Resource Stewardship**

**Bill 205  
Fisheries (Alberta) Amendment Act, 2012**

[Debate adjourned October 28: Ms Calahasen speaking]

**The Deputy Speaker:** The hon. Member for Lesser Slave Lake.

**Ms Calahasen:** Mr. Speaker, thank you. I rise today to speak against the concurrence motion for Bill 205 as proposed by the Standing Committee on Resource Stewardship. I'd like to thank all colleagues on the committee who supported Bill 205 and also to bring attention to my commercial fishermen's plight. I want to say a special thank you. With respect, I do oppose the motion, of course, for Bill 205 to not proceed because I truly believe that Bill 205, the Fisheries (Alberta) Amendment Act, would provide a formal mechanism by which concerned stakeholders could contribute to the determination of commercial fishing quotas each year as well as have the decisions posted so all can see and better understand the rationale for the decisions made. It was this bill that came about for my commercial fishermen to get resolution to concerns they have had with processes within ESRD's fisheries department.

Mr. Speaker, residents of northern Alberta, particularly in Lesser Slave Lake, also have a vested interest in the prosperity of this industry, and because these communities and their residents are directly affected, I felt that this topic deserved important consideration. This bill would give the industry an additional tool in continuing development of a viable commercial fishing industry, thereby contributing more to the provincial economy. With the requirement of published departmental reports online outlining consultations, this bill will strengthen governmental transparency and access to information in Alberta, a goal of our government.

This would contribute consistency and transparency across the province with a range of decisions made about fishing quotas and the processes that lead to their implementation. The rubric proposed by Bill 205 would require that the Department of Environment and Sustainable Resource Development involve commercial fishermen in any change to the fishing quotas for the upcoming fishing season like any other industry. Bill 205 proposes that by submitting a request, fishermen will also be able to initiate the consultation process themselves as they see fit. Consultations with Albertans are of great importance to this government, and this bill would provide the opportunity to demonstrate that meaningful consultation with stakeholders would occur.

This is one of the reasons why I have a difficult time supporting that recommendation by the Resource Stewardship Committee to not proceed with the bill. The consultation process proposed by this bill is intended to ensure that stakeholder concerns are seriously considered and addressed. I know that Alberta fisheries regulations give authority to the Ministry of Environment and Sustainable Resource Development to manage three-quarters of the province, and as such, the director of the fisheries management branch has the authority to determine and alter quotas, closing times for lakes, and any other limits placed on fisheries.

Mr. Speaker, section 13.1 of the regulation requires that the director give notice to all persons affected by any changes made to closing times, fishing quotas, or limits on size and weight of fish. While it is a requirement that commercial fishermen be made aware of changes to the industry that impact their livelihoods, there is currently no legislative requirement that government

consult with commercial fishermen when determining quotas, nor is there a requirement to post these decisions or to explain why this is done. Concurring in the recommendations made by this committee report would continue this flawed process.

This bill would expand and formalize the existing consultation process and law under the Fisheries (Alberta) Act, and over the past year the government has held numerous consultations on issues that are important to Albertans. The feedback that we have received for many topics has been invaluable in helping us to make the informed decisions about changes Albertans want us to make. Bill 205 seeks not only to bring this type of dialogue to the fishing industry but to enshrine it in legislation. As a supporter of meaningful consultations I believe that stakeholders in the fishing industry should be consulted on quota decisions and that this information should be made transparent to all Albertans.

Through sponsoring this legislation, I believe that informal mechanisms are insufficient and that commercial fisheries and stakeholders would be better served by a legislative, formalized consultation process. Therefore, it is imperative that the legislative option be thoroughly scrutinized. What is certain is that we owe it to the Albertans who make their living in the commercial fishing industry to ensure that they're able to sustain themselves in the fairest and most efficient way possible.

Once again, Mr. Speaker, I understand and appreciate the process being recommended by the Standing Committee on Resource Stewardship on Bill 205, and I know that this minister will move mountains to see good things happen for my constituents. But, as we all know, ministers change, and that's the other reason. If it's legislated, I know it's a little harder to change. I believe my commercial fishermen need to be heard throughout the whole process, and I ask that this Legislature consider moving this forward.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Are there other speakers? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. I rise to oppose this motion from the committee. It's quite interesting. In the committee, which I was part of, we heard the reasons presented, particularly by ESRD, on why they didn't want this bill to go forward, why they didn't agree with making consultation mandatory, and I have to tell you quite honestly that there was no logic to their argument, in my view. What was very clear – and the minutes of the meeting actually support this – was that where the government consulted, the process worked. Where they didn't consult, it didn't work. In effect, where they were not consulting was in dealing with Métis and aboriginal peoples, and that was disconcerting to me.

I will tell you this. The consequence – and I am not making any allegation here whatsoever – of the failure to have consistent consultation is, in effect, racist if it affects just one certain race or certain aboriginal people. That's not intentional on their part – I want to make that absolutely clear – but that's the outcome.

When the bill was brought forward, what it said was that we're just going to make consultation mandatory all across the spectrum. The ministry agrees that when they consult, it works. When they don't consult, the process fails, and what is absolutely clear from the evidence provided is that they are failing to consult, particularly when dealing with Métis and First Nations people. That's a problem, and it needs to be corrected. By making it a legislative mandate, we clean up our problem. The ESRD does exactly what it needs to do and what it says that it wants to do, which is consult.



Now, the thing that gets me on this thing is that I understand why the committee made its recommendation. I heard the arguments. But for this Assembly not to allow the member to bring that bill forward so it at least could be debated in this Assembly and let it suffer whatever outcome it will go through – at least allow the process. Allow it to be heard. That's why I stand and join this member in opposing this motion.

Thank you very much.

**The Deputy Speaker:** Thank you, hon. member.

I recognize the Member for Red Deer-North.

**Mrs. Jablonski:** Thank you, Mr. Speaker. I'm pleased to rise today to speak against this concurrence motion for the report on Bill 205. Like the sponsor of this bill, the hon. Member for Lesser Slave Lake, I reject concurring in the recommendation from the committee report on Bill 205 put forward by the Standing Committee on Resource Stewardship, which recommends to the Assembly that the bill not proceed. I commend the hon. Member for Lesser Slave Lake for bringing this issue to the attention of this House. Bill 205 would provide a formal mechanism for fishermen to contribute to the determination of commercial fishing quotas each year. It would give them the opportunity to be involved in an open, transparent decision-making process that affects their industry.

Mr. Speaker, this could be a positive step in the right direction because commercial fishing is an important component in the ecological management of Alberta's water resources. Commercial fisheries in fresh waters and oceans are important parts of Canadian lifestyle and the economy. Each year the industry employs over 50,000 people, and it supports many families and communities. Because Alberta has fewer lakes and rivers than other provinces, sustainable management of our freshwater resource is vital.

3:40

Mr. Speaker, fishing can have a considerable influence on the environment. In order to manage our resources responsibly and create a healthy and viable ecosystem for Albertans, we need to examine the roles of commercial fisheries. Bill 205 would mandate a consultation process whereby commercial fishermen would have an opportunity to be involved in decisions that affect their industry.

Mr. Speaker, residents in northern Alberta, particularly in Lesser Slave Lake, have a vested interest in the prosperity of this industry, and because these communities and their residents are directly affected, they need to be assured of a transparent and accountable process, a gold standard. This bill would give the industry an additional tool in continuing development of a viable commercial fishing industry, thereby contributing more to the provincial economy. This would contribute to consistency and transparency across the range of fishing quotas and the processes that led to their implementation.

The criteria proposed by Bill 205 would require that the Department of Environment and Sustainable Resource Development inform commercial fishermen of changes to the fishing quotas for the upcoming fishing season. Concurring with the recommendation from the committee report on Bill 205 would mean that the Department of Environment and Sustainable Resource Development would continue to operate under the nonobligatory procedures that are currently in place. This is in line with existing regulations.

In order to understand the significance of this bill, the importance of the commercial fishing industry in northern Alberta needs to be examined. Alberta's commercial fishermen harvest fish from

a limited number of lakes throughout the province. Fish that are commercially caught in the province are sold to markets in Alberta and North America via a tightly controlled and well-regulated process. Fish populations are regulated through controlled harvesting as well as seasonal and area closures. Species such as lake whitefish are targeted in order to minimize the catch of nontarget fish such as walleye and lake trout. In addition, commercial fishermen require a licence to operate in the province. At present no new commercial fishing licences are available. As a result, commercial fishermen purchase licences from fishermen who are retiring. Commercial fishing in Alberta primarily revolves around gillnet fishing, which involves stringing out vertical panels of netting in the water, thus entrapping fish that swim into its path.

Approximately 2 million kilograms of fish contributed slightly over \$3 million to local economies from 1999 and 2000 statistics. Compared to other provinces, however, Alberta has a relatively low number of fish-bearing lakes, with an approximate total of 1,100. Saskatchewan has an estimated 94,000 fish-bearing lakes, Manitoba has 110,000, while Ontario has 250,000. Compare that to Alberta's 1,100.

Mr. Speaker, since a high proportion of Alberta's population lives in central and southern Alberta, fish resources in the surrounding areas are depleted more rapidly than in the northern parts, which have much less of the human population but much more of Alberta's fish-bearing waters. Since Bill 205 focuses on the development of a transparent and accountable process for fishermen in the commercial fishing industry in northern Alberta, it may give the industry a much-needed push by highlighting opportunities that exist there. Unfortunately, concurring in the committee's report's recommendation on Bill 205 will rob fishermen of an accountability mechanism.

Northern Alberta's boreal forest contains the vast majority of lakes in the province. These lakes include game fish such as yellow perch, northern pike, walleye, lake whitefish, Arctic grayling, and lake trout. Given that the majority of Alberta's fish-bearing lakes are located in the northern part of the province, it may be reasonable to promote commercial fishing efforts there. Northern Alberta contains 60 per cent of Alberta's landmass and approximately 9.5 per cent of our province's total population. This poses several challenges to the area as there is an ongoing need to diversify the region's economic portfolio.

Estimates suggest that the northern regional economy of our province has contributed to approximately 17 per cent of our GDP, or \$41 billion. About 56 per cent of this comes from the mining, oil, and gas sectors. Other contributors include construction, agriculture, transportation, and warehousing. Because there is an extremely strong focus on resource extraction, the economy is more open to market volatility than economies with a more varied economic profile.

Mr. Speaker, Bill 205 falls in line with this agenda by promoting an open, transparent, and accountable process that helps fishermen contribute to a sustainable economic initiative for northern Alberta. Alberta's northern region is home to world-class natural landscapes that boast majestic forests and lakes. This is why in 2004 an estimated 1.5 million people visited the region, contributing around \$350 million to local economies. Given that most of Alberta's fish-bearing lakes are located in the northern part of our province and given that there is a need to create increased economic opportunities in that area, it may be beneficial to promote commercial fishing as a viable industry. A more robust commercial fishing industry could enable local fishermen to find suitable markets for their fare while infusing the local economy.

Bill 205 helps to ensure that fishermen are given an opportunity to take part in an open, transparent, and accountable process to help that local economy prosper. However, Mr. Speaker, ensuring fishermen are given the opportunity to take part in a transparent process involves rejecting, concurring in the recommendations from the committee report on Bill 205 put forward by the Legislative Policy Committee on Resource Stewardship, which recommends to the Assembly that the bill not proceed. I'm encouraging all members to rethink that process and to support that the bill do proceed.

I would like to thank the hon. Member for Lesser Slave Lake for bringing this bill before the House for debate. Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Are there others before I ask the committee chair to close debate? Seeing none, I'll invite the hon. Member for Calgary-Varsity.

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. As chair of the Standing Committee on Resource Stewardship I am very happy to speak to this bill. The hon. Member for Lesser Slave Lake has shown exemplary concern for the people in her constituency and, I think, for commercial fishermen in general. She's raised awareness of this issue for several years, culminating – I'm sure not finally culminating – in the review that was conducted by this standing committee.

We spent a long time in the committee reviewing the legislation that exists and the enforcement mechanisms and the practices. We asked the Ministry of Environment and Sustainable Resource Development to come before our committee and explain their practices across the province and in particular in the community that was affected in Lesser Slave Lake. We also asked for written submissions on practices from this same group. We invited constituents of Lesser Slave Lake to make their presentations, and they were able to do so very capably through this member.

Mr. Speaker, it would be wonderful if every time one of us had an issue like this that was of burning concern in our constituency, we could have specific legislation moved forward to address those issues. That would be a utopian environment for all of us, but that's just not practical. That was the conclusion of this committee. We felt that by bringing awareness to this issue in practice through enforcement of the regulations to the ministry and then by continuing to invite this ministry to our committee for the next three years – once, twice, whatever is required – to explain their practices, we were certainly putting them on notice that we cared about this, that we were expecting open and transparent procedures, and that we would be watching. We on the committee all felt, with few exceptions, that that was a reasonable practice and an effective use of government resources.

On that basis I continue to recommend that the bill not proceed and request the concurrence of the Assembly with respect to the report that was tabled on Bill 205.

However, I can't sit down before I make note of the comments by the Member for Rimbey-Rocky Mountain House-Sundre. To suggest that this decision was based on racism is preposterous and hugely offensive.

3:50

**Mr. Saskiw:** Point of order.

**The Deputy Speaker:** A point of order has been raised by the Member for Lac La Biche-St. Paul-Two Hills. Please proceed.

## Point of Order Factual Accuracy

**Mr. Saskiw:** Thank you, Mr. Speaker. I think it's vitally important in this Legislature that other members don't make false allegations, so I'm here under 23(h), (i), and (j). What happens when someone makes false allegations against another member is that it brings down the reputation amongst all of our members. What was very clear . . . [interjections] Do I speak to him or to you?

**The Deputy Speaker:** You speak to me, hon. member. There's no one else here.

**Mr. Saskiw:** Okay. Thank you. I wasn't sure. You know, he was yelling there.

Mr. Speaker, it denigrates the overall reputation of all members. We heard the comments from the Member for Rimbey-Rocky Mountain House-Sundre. He made it clear, very, very clear, that he never suggested in one aspect whatsoever that any members of the committee were racist or anything like that in any regard, and to suggest that he did so is, quite frankly, outstanding. We in this Legislature would never make those types of allegations. Those types of allegations are very serious.

It is very clear, if you look at *Hansard* in this particular instance, that the Member for Rimbey-Rocky Mountain House-Sundre in no instance whatsoever said that any of the committee members were racist. What he did identify is that this bill may have particular aspects or implications for certain different groups. I know that in my area I have four First Nations reserves; I have two Métis settlements. Of course, this legislation may impact those individuals on a different basis than other individuals. That was what was said in his statement. For this member to suggest that the Member for Rimbey-Rocky Mountain House-Sundre was in any way indicating that members of the committee were racist is beyond reproach, and I would suggest that you withdraw that comment.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

I'll invite the Deputy Government House Leader to respond.

**Mr. Denis:** Thank you very much, Mr. Speaker. I've been listening intently this afternoon, and I think it's without question that the Member for Rimbey-Rocky Mountain House-Sundre did mention – the recollection that I have is that he said that it was racist to only go to talk to one group of people that a particular piece of legislation impacted. The Member for Calgary-Varsity, I recall, had mentioned the word "racist" again as coming from that particular member. Now, I don't know what the Member for Rimbey-Rocky Mountain House-Sundre's intent was, but I don't find it much different from what the Member for Calgary-Varsity said. In any event, I don't have the Blues in front of me, and I would suggest perhaps that if you were not inclined to throw this point of order out, we take a look at the Blues and look at it at a subsequent juncture for re-examination.

**The Deputy Speaker:** Okay. Thank you, hon. Deputy Government House Leader.

The Member for Rimbey-Rocky Mountain House-Sundre, briefly.

**Mr. Anglin:** Briefly, I want to be absolutely clear on this, and the record will make this absolutely clear. I said, "I am not making any allegation . . . whatsoever" about racism. What I did say is

that when something inadvertently singles out a certain class of people – and I believe I said: inadvertently – it has the effect of being racist, unfortunately. That doesn't mean that anyone is doing something deliberately. We have these situations that do happen, and that was the point I was trying to make.

Now, the member over there can shake his head, but what happened in that committee meeting was that there was one zone that was affected more than any other zone, and that zone is highly populated by Métis and aboriginal peoples. You can't get around that. What I was trying to say is that when that happens inadvertently, the effect is that it can be racist. That is not thrown out as any type of denigration to the decision or to the intent of the decision, but it is the effect of it. It's different to standing up and saying that I said that the decision was made because of racism. That's not what I was saying. I even used the word "inadvertently," and I said that I was "not making any allegation . . . whatsoever."

**An Hon. Member:** You're not helping yourself, Joe.

**Mr. Anglin:** I'm helping myself.

**The Deputy Speaker:** Thank you, hon. member.

Member for Calgary-Varsity, did you just want to clarify? I don't expect that in any of your words you would have intentionally called on anyone in such a manner. Did you want to just offer a couple of brief comments before you get back into your remarks? Then I'll rule.

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. It is very harmful to all of us who are politicians when people extrapolate and make suggestions like the suggestion that was made, that by not consulting in a way that was comfortable for this particular member, we are denying access to consultation to certain categories of people. We were focused on the issues raised by the Member for Lesser Slave Lake for a particular community. We looked at all of the commercial fishermen in that community. That was the focus of our review.

When I heard what was said by the Member for Rimbey-Rocky Mountain House-Sundre, as the chair of that committee – and he is the co-chair – I found it very misleading and troubling. I think that if my children were listening to this – and I certainly hope they're not – they would come to the conclusion that we as a committee had done something that was discriminatory. That's what I was trying to communicate, and I take offence at that suggestion.

**The Deputy Speaker:** Hon. members, I've listened to arguments both ways. I think we have got a word here that was used, and I think it was used in an attempt to convey a point. I heard arguments from both sides stating that it was not intended to be specific to anyone. I guess what I'm hearing is maybe just a difference in terms of how the term was used. I did not hear – and I don't have the benefit of the Blues either – anything that was directed at any individual by any of the speakers, so I'm going to accept this as just a point of clarification. I don't find a point of order. I would just ask us all to be very careful, particularly when we use language that certainly can have the opportunity to cause hurt in any way, that we be very careful with those words. With that, I find no point of order.

Hon. Member for Calgary-Varsity, I invite you to finish your comments, and then we'll continue with the proceedings.

Thank you.

## Debate Continued

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. I would like to conclude by again thanking the Member for Lesser Slave Lake for her work on behalf of her constituents. She certainly has an undertaking from the full committee to make sure that this question stays on the radar of Environment and Sustainable Resource Development.

On that basis I request the concurrence of the Assembly with respect to the report on Bill 205, Fisheries (Alberta) Amendment Act, 2012.

Finally, I'd like to make note that we have a Resource Stewardship Committee meeting this evening, and I am sure that we will be very kind to one another.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Hon. members, the chair of the Standing Committee on Resource Stewardship has requested concurrence on the report on Bill 205. Does the Assembly concur in the report?

**Some Hon. Members:** Concur.

**The Deputy Speaker:** Opposed?

**Some Hon. Members:** No.

**The Deputy Speaker:** That is carried.

## Public Bills and Orders Other than Government Bills and Orders Committee of the Whole

[Mr. Rogers in the chair]

**The Chair:** Hon. members, I'll call the Committee of the Whole to order.

4:00

### Bill 206 Tobacco Reduction (Flavoured Tobacco Products) Amendment Act, 2012

**The Chair:** I would invite the Member for Calgary-Currie to speak.

**Ms Cusanelli:** Thank you, Mr. Chairman. I move an amendment to Bill 206, the Tobacco Reduction (Flavoured Tobacco Products) Amendment Act, 2012.

**The Chair:** I'd ask the pages to distribute the amendment. If you'd pause for a moment while that's being distributed. For the record, hon. member, we will label this amendment A1.

Please proceed, hon. member.

**Ms Cusanelli:** Thank you very much, Mr. Chair. It is a pleasure to rise and open Committee of the Whole debate on Bill 206, the Tobacco Reduction (Flavoured Tobacco Products) Amendment Act, 2012. I would like to thank my colleagues from both sides of the House for bringing forth their perspectives on this very important topic during second reading. I would also like to acknowledge and thank the hon. Member for Vermilion-Lloydminster for bringing forward Bill 206 as well as the hon. Member for Calgary-South East for sponsoring Bill 206 during second reading. Others have also had an impact on the development of this bill, and they include the Member for Calgary-Acadia and the Member for Calgary-Lougheed. I thank

them as well for their contributions, which have been aimed at protecting the health and well-being of our youth here in Alberta.

Firstly, I would like to quickly review key areas of Bill 206. Bill 206 proposes to enhance the Tobacco Reduction Act by prohibiting the sale of flavoured tobacco products. This amendment will protect our children from the temptation to engage in tobacco use. In my career as a principal I watched over the security and welfare of my students as though they were my own kids, and I will continue to do the same here in this Legislature. The health and welfare of our youth is our responsibility. By prohibiting the sale of flavoured tobacco products – peach, cherry, vanilla, berry, apple, citrus, chocolate, watermelon, which really belong in a package of Jolly Ranchers – when we do this, we will say no to the temptation faced by 14-year-olds in our province that lures them into trying an addictive substance by masking the harshness of tobacco. Fourteen, by the way, is the average age of our youth who begin or first try smoking.

As a province, taking necessary steps to prevent and reduce tobacco use among young Albertans will change our abysmal statistics. One stat in particular shows Alberta as having the highest rate of spit tobacco use in Canada. Most of these products are flavoured. Moreover, in 2011 Alberta experienced a 13 per cent increase in the sale of smokeless tobacco. The top selling? Flavoured products.

To be clear, Bill 206 is about our youth. It is about a bill that has the strength to protect our young people from the harmful effects of tobacco. We know the enormous burden tobacco use has on our health care system. Tobacco use continues to lead the pack as being the primary cause of preventable disease and death in Alberta. It is time we take back the reins and amend the Tobacco Reduction Act to prohibit someone from selling or offering to sell flavoured tobacco products. Mr. Chair, reducing the appeal of cigarettes by getting rid of flavoured tobacco products would help protect the health of our province's children, who may be more inclined to try smoking because of the flavour.

Bill 206 falls in line with many jurisdictions regarding the reduction of youth tobacco use. For instance, the federal government introduced an act to amend the Tobacco Act, which added provision 10(2), excluding the sale of tobacco products that include flavouring agents. Our neighbours to the west in B.C. passed the Tobacco Control Act, which forbids the sale of tobacco products that contain flavouring agents that were intended to modify or mask the unpleasant taste of the product alone.

The inclusion of section 7.4 in Bill 206 would align this legislation with what has already been implemented in federal and provincial jurisdictions and strengthened to prevent continued use of characterized flavours in tobacco products. Again, section 7.4(1)(a), (b), and (c) do just that by saying:

In this section, “flavoured tobacco product” means a tobacco product that

- (a) has a characterizing flavour,
- (b) is represented as being flavoured, or
- (c) is designated under the regulations as a flavoured tobacco product.

Mr. Chair, by amending the Tobacco Reduction Act and adding this provision, the act would be strengthened, making it harder for tobacco companies to target our children. The pith and substance of Bill 206 is about taking action to prevent and reduce tobacco use among youth by prohibiting the sale of flavoured tobacco products. We need this amendment to strengthen the enforcement of this regulation to ensure the protection of Alberta's youth from a market that portrays tobacco as fun, sexy, appealing when in

actuality it's enticing a new generation of youth into addiction to tobacco products that have lifelong serious health results.

The preamble of Bill 206 further details the reasons for amending the Tobacco Reduction Act, and I would like to highlight it. The preamble statement reads, “Whereas the popularity of flavoured tobacco among youth is increasing their risk of developing a dangerous and lasting addiction to tobacco products.” This section of the preamble outlines why Bill 206 is being proposed: because our province's youth are at a high risk of developing unhealthy addictions because of how tobacco is being marketed.

Our government has implemented several initiatives aimed at reducing underage smoking, which would help build a safer and healthier Alberta. For instance, in November 2012 Alberta Health released its strategy to prevent and reduce tobacco use entitled *Creating Tobacco-free Futures*. One statistic that could be attributed to this initiative was a decrease in youth smoking. When the tobacco reduction strategy was introduced in 2002, the rate of smoking in youth aged 15 to 19 dropped from 24 to 17 per cent by 2010. However, while this drop is significant, the 2010 figure pales in comparison to the rate from 2009, which was at 12 per cent.

Again, the inclusion of the preamble statement in Bill 206 is intended to highlight the growing popularity of flavoured tobacco products and the danger they represent to our youth. The subsequent preamble wording contained in Bill 206 reads:

Whereas other jurisdictions have recognized the need to restrict the sale of certain tobacco products that are designed to attract young persons; and

Whereas there is a need in Alberta to curb consumption of tobacco products among youth by restricting the sale of flavoured tobacco.

Mr. Chair, while the first part of the preamble highlighted the popularity of flavoured tobacco use among youth and its risks, the rest of the preamble equally has important points to highlight. The preamble wording points out that similar legislation has been implemented in other jurisdictions in order to restrict the sale of certain tobacco products that appeal to youth. While we value the precedent set in other jurisdictions, it is important to note that this legislation we're passing aligns with previous legislation found in other jurisdictions. The latter part of the preamble outlines the overlying initiative proposed in the legislation by emphasizing the need to reduce underage smoking by restricting the sale of flavoured tobacco.

Mr. Chair, the preamble's wording serves to further stress the necessity of the provisions proposed in Bill 206 such as section 7.4. Depending on what's being proposed, some legislation may not include any preamble at all. However, in the case of Bill 206 the preamble is necessary and serves as an introduction to the bill's overarching proposals to reduce the occurrence of underage smoking and highlight flavoured tobacco's major role in contributing to youth smoking.

#### 4:10

Next, Mr. Chair, I would like to discuss why it is relevant to amend section 8(2) by striking out “7.2 or 7.3” and substituting “7.2, 7.3, or 7.4.” Section 8(2) is the provision that outlines the punishments for individuals who break the law the first, second, or subsequent times. This section must be amended to include section 7.4 in order to apply the same punitive measures to those who sell flavoured tobacco. It is merely a formality that needs to be incorporated for the sake of consistency. Section 8(2) states that

a person who contravenes section 6, 7, 7.1, 7.2, or 7.3 is guilty of an offence and liable

- (a) for a first offence, to a fine of not more than \$10 000, and
- (b) for a 2nd or subsequent offence, to a fine of not more than \$100 000.

Again, it's important to amend section 8(2) by adding 7.4 after 7.3, being the new provision that deals with prohibiting the sale of flavoured tobacco, in order to explicitly outline the monetary consequences of breaking this law.

Mr. Chair, I firmly believe that Bill 206 will have a tremendous effect on our government's commitment to reducing and, hopefully, eradicating the rate of youth smoking here in Alberta.

**The Chair:** Thank you, hon. member.

I'll recognize the Member for Edmonton-Calder.

**Mrs. Forsyth:** I thought it was the Official Opposition first.

**The Chair:** Hon. member, your House leader indicated that that was the way to go.

The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thank you, Mr. Chair. I appreciate the opportunity to rise and speak on this amendment, the reason being, hon. Member for Calgary-Fish Creek, that I have, in fact, a subamendment that I would like to distribute and include on this particular amendment. So if I could just pass the original on.

**The Chair:** Hon. member, you are proposing a subamendment?

**Mr. Eggen:** Yes, sir.

**The Chair:** Okay. We'll label that subamendment SA1 for the record. Would you please have that distributed? We'll pause for a moment, and I'll come back to you.

**Mr. Eggen:** Thank you.

**The Chair:** Proceed, hon. member.

**Mr. Eggen:** Okay. Thank you, Mr. Chair. Again, we are, in general, very appreciative of this bill and thank you very much for bringing it forward. We also are appreciative of the amendment that was brought forward just now. Parliamentary Counsel very kindly synthesized your amendment and my amendment and came out with these three other provisions that I think will help to finish the deal on this bill. This would be a great example of co-operation in the House, where we are doing this together and creating something that can categorically change the way this flavoured tobacco is marketed here in the province of Alberta and reduce the incidence of smoking and the incidence of young people taking it up and becoming addicted to smoking as well.

I'm going to go backwards through my amendments a little bit here because subsection (5), I think, is a very important issue, and that is talking about menthol. Menthol is a flavouring of tobacco. There are no two ways about it. It's impossible to differentiate between menthol, let's say, or cherry or any other flavours that are put into tobacco products. As I did research on this, Mr. Chair, I found out that the infusion of menthol into cigarettes is much more insidious than just a marketing ploy or a way by which they try to entice nonsmokers to smoking by adding flavour, candy flavour or whatever.

In fact, there is a medical thing that menthol actually does, which is to open the lung passages to increase the interaction of the smoke, including the nicotine, into the bloodstream. So you're literally adding an agent that makes cigarettes more addictive.

Even further to that, Mr. Chairman – this is all quite a revelation to me; I'm sure it is to many of you as well – elements of menthol are put into almost all cigarettes at different levels to increase this expansion phenomenon, which, as I say, increases the nicotine absorption into the bloodstream and makes the cigarettes more addictive.

So, really, that's what we are aiming at here in the first place, to somehow restrict people's first use of cigarettes and to decrease the addictive components of this practice. Menthol – very interesting – is not just a flavour to make it seem like you're having some sort of candy or food product but is actually a chemical that increases the addictiveness of cigarettes. That, I think, is well worth being a part of Bill 206, and I'm just so happy to be part of this co-operative process by which we can do this.

The other sections of my subamendment, Mr. Chairman, are regarding the prohibition on sales of tobacco products. I really believe that the ability to exempt a class of cigarettes could result in a huge unintended exemption, which underlines the purpose of this act, in general. So with my other two subsections,

(3) The authorization of a flavoured tobacco product by regulation must be made on an individual basis rather than by class, [and]

(4) No person shall advertise or promote the characterizing flavours of a flavoured tobacco product,

I guess we really want to make sure that we are limiting the advertising potential of the cigarettes to be sort of placed in the marketplace, in the shop, as it were, and keep all the tobacco products in one place, behind the counter, behind the walls that we have already legislated here in this House. I see in my constituency, on an anecdotal basis, lots of sales of individual cigarillos and flavourless tobacco and so forth, and it's being sold almost as a different product in a much different way than regular packets of cigarettes are regulated to be sold.

So, Mr. Chair, I really believe that, globally, Bill 206 is a great step in the right direction, and I applaud everyone for doing this. With one part of the amendment which we just saw this afternoon coming from the government side coupled with my subamendments here, we will build something that we can all be proud of and actually reduce smoking rates, increase health outcomes, and put money back in the pockets of people who otherwise would spend it on tobacco.

Thank you.

**The Chair:** Are there other speakers? Speaking to the subamendment, the hon. Member for Calgary-Currie.

**Ms Cusanelli:** Thank you, Mr. Chair. To the hon. member. First off, I want to thank him for his proposed amendments here. One question I do have for him, though, is if he could please give a definition of exactly what he believes "made on an individual basis rather than by class" to be and specifically "by class." I'm not sure I understand.

**The Chair:** The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Yes. Thank you. I think what we're trying to get around here is that we can pick off new products that might be brought out. Obviously, this is a very insidious thing. It's a moving target, and the marketers of tobacco products will shift into new areas and new types of products. I believe this is looking to mitigate against that, to have an open-ended part of perhaps new products that might come out that might not be covered by a class definition of the tobacco products in our regulations.

4:20

**The Chair:** The hon. Member for Lac La Biche-St. Paul-Two Hills, followed by Calgary-Mackay-Nose Hill.

**Mr. Saskiw:** Thank you, Mr. Chairman. I'm pleased to rise and speak on Bill 206 as well as the amendment, Bill 206 being the flavoured tobacco reduction act. The bill, very simply, will prohibit the sale of tobacco products and flavouring agents that are listed in the regulations. This is very broad language, something which I'll speak about in a moment.

Let's look at why this bill is being proposed in the Legislature. Advocates of this bill argue a number of points. We all know them: youth are subjected to irresistible advertising schemes of tobacco companies; flavoured tobacco is destroying the health of our youth; tobacco use is bad; therefore, we must protect our children from such harm.

There are a number of other jurisdictions in Canada and around the world which have established prohibitions on flavoured tobacco products. For example, Saskatchewan, Ontario, and New Brunswick have all passed legislation prohibiting flavoured tobacco products from being sold. But here's the interesting thing. None of these provinces – Saskatchewan, Ontario, and New Brunswick – have allowed these laws to come into force. The reason is because the federal government passed and enacted in 2009 a ban on flavoured tobacco products which is much more effective and targeted than any of the laws these provinces were going to enact.

Now, we hear that youth in Alberta are getting their hands on flavoured tobacco products. I'm curious to know exactly how these youth are getting their hands on the tobacco. Maybe there are MLAs here who know that in Alberta there's no provincial penalty for a retail store selling tobacco to someone underage. Maybe there are MLAs here who know that there isn't even a minimum age in Alberta for purchasing tobacco. Maybe there are MLAs here who know that the federal government does not put a lot of resources into enforcing the federal provisions prohibiting youth access to tobacco.

An example. Let's say that there's a kid who is walking home from school, and he makes a detour to go buy some flavoured tobacco products. He walks into his home, and his mother sees him with these flavoured tobacco products. She asks him: where did you get that? If he says, "From the corner store," under Alberta law there's basically nothing she can do to hold the retailer accountable. That is a shame, that is a problem, and that is what we as legislators should address.

I am fully aware that Alberta has a possession law, where no one under the age of 18 can possess tobacco. Let's examine that law for a moment. While other Canadian provinces are aware of the issue of youth tobacco consumption, they have typically instituted a minimum age for purchasing, not a minimum age for possession. Under current Alberta law police officers can search a youth and, if they find tobacco, can charge that youth with a possession offence, for which they will likely pay a fine.

What if the PCs really cared about the root problem of youth tobacco consumption, youth access to tobacco? This bill today would include a minimum age for purchasing tobacco. This puts the pressure on retailers. This targets them, not kids.

There is a lack of enforcement federally on tobacco consumption among youth, and if the province wants to do something about it . . .

**Dr. Brown:** Point of order.

**Mr. Saskiw:** I'll refer to the amendment in a second if you want.

#### **Point of Order Relevance**

**Dr. Brown:** We're talking about the subamendment, if I'm not mistaken, at this juncture, are we not?

**The Chair:** Yes, we're on the subamendment. So you're suggesting relevance, hon. member?

**Dr. Brown:** Well, I would ask him if he's speaking to the subamendment.

**The Chair:** Okay. Hon. member, to the subamendment.

**Mr. Saskiw:** Yes, I'm speaking to the subamendment.

**The Chair:** Okay. Thank you.

#### **Debate Continued**

**Mr. Saskiw:** There's a lack of enforcement federally on tobacco consumption among youth, and if the province wants to do something about it, we need real action, not a bad law, to fill the gap on youth access to tobacco. We need real laws that target tobacco retailers, who currently don't have anything to fear from the provincial government if they sell to youth. I know that there's a lot of criticism of the federal ban on flavoured tobacco products due to the ease with which the tobacco industry bypass the prohibitions with small changes to their product lines. I'm sure the federal government is well aware of these problems and is addressing them in short order. The purpose of their bill has been circumvented in some cases, and they will find a remedy for it. It is not our job, however, to pass a bad law to try to fill the gap. These subamendments, in particular, don't do anything further in that regard.

We need to recognize that the federal government has already established its capacity to legislate in this area. Why is this government not interested in actually trying to fix the problem of youth access to tobacco? Why is this government more concerned with putting a poorly fitting Band-Aid solution on the problem? I'm opposed to children having access to things they shouldn't have, things like alcohol, drugs, vehicles, tobacco, firearms, unsupervised use of prescription medication, and so on. This law attempts to totally ban flavoured tobacco in Alberta and keep it out of the hands of kids, when the real problem is actually youth access. None of these subamendments actually deal with that. We need to know how they are getting their hands on the tobacco now.

Now, there are other jurisdictions which take a different approach and ban all flavoured tobacco products except those listed in regulations, usually menthol and mint products. Again, the technique used to identify these products is the characterizing flavours. I think that was an amendment that the hon. member had put forward, and we were happy to see that.

Let's look at the practical side of things. What kind of consumption of flavoured tobacco is there in Alberta among youth? Let's remember that youth are not typically wealthy, so cheaper products are more appealing. This is the very reason why the federal government prohibits the sale of small or single flavoured tobacco products. It is way cheaper to buy one of those than it is a full pack of cigars or a tin of chew. How many kids are out there consuming flavoured tobacco today? We need to know

the demographics. We need to know if there is a difference between different forms of tobacco consumption without assuming all forms should be treated equally. These are questions that need to be answered, and I hope that the subsequent subamendments will deal with those.

Something else we should look at in amendments is the weight factor. Any tobacco product that includes a larger mass of tobacco is going to be expensive. This bill, for example, would prohibit the sale of flavoured tobacco sold in bulk weight. There aren't many kids, to my knowledge, purchasing bulk tobacco products. They don't typically operate that way. Usually, it's a small cigar or snub-type cigarillo. It's cheap. If we were to ban flavoured tobacco products to keep them out of the hands of kids, why don't we include a weight factor in this bill?

While this government claims to be open and progressive, there's a virtual vacuum of cultural sensitivity in these amendments. How often has one government or another created a law without first contemplating the implications for cultural and religious groups. Tobacco use, even flavoured tobacco use, is widespread amongst many cultures and religions, especially among the cultural and religious practices of First Nations and Métis in Alberta. My constituency has a significant number of First Nations and Métis people, and many are very concerned with the government's lack of consultation and care.

Canada is supposed to be inclusive and a safe environment for all, but this government is creating a precedent for making snap decisions on culturally significant issues. I do not see these addressed in the subamendments. Has the government even considered how they will respond to the many immigrant groups and cultural groups in Alberta who use tobacco products as part of their traditional activities? This is just another example of poor planning and irresponsibly meagre cultural awareness.

There are many products adults choose to consume or use every day. Things like alcohol, tobacco, firearms, and vehicles are used responsibly by adults every day. They make choices about how and what they specifically want to consume: a beer or a vodka, a cigar or a cigarette, a rifle or a shotgun, a car or an SUV. Adults who are rational, responsible, intelligent human beings don't for the most part give any of these items to their kids because they know that would probably cause their kids harm. Does it happen once in a while? I'm sure it does. Does it happen with some things more than others? I'm sure it does. Are we also contemplating bans on flavoured alcohol or a ban on brightly coloured firearms or a ban on colourful compact cars? Are kids more attracted to these items than others? Maybe.

There is absolutely no reason why we can't fix the real problem of youth access to things which are dangerous for them to have in their possession. The measures in Bill 206 and these amendments are irresponsible and offensive to the freedom and personal responsibility that we as adult Albertans enjoy in every other capacity of life. We can make these changes without going too far. Going too far, in my opinion, is irresponsible. This government is here to protect the vulnerable and to protect the general health and welfare of the people of Alberta. This government is not here, in my opinion, to dictate to responsible adults what they can and cannot consume simply because this government is either incapable or unwilling to fix the fundamental problems with this legal and regulatory framework when it comes to youth access to flavoured tobacco products.

Thank you, Mr. Chairman.

4:30

**The Chair:** Thank you, hon. member.

I recognize the Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you very much, Mr. Chair. I wanted to raise just a couple of points on this subamendment. I wanted to thank the Member for Edmonton-Calder for this amendment. For a couple of reasons I'm not going to be supporting it. It talks about under subsection (3) "the authorization of a flavoured tobacco product by regulation." Again, that seems to go against the actual intent of the bill, and that's to create a regulatory framework.

One of the comments that the Member for Lac La Biche-St. Paul-Two Hills had just made was that the federal law was largely ineffective. Why? Because the industry was able to just provide minor tweaks to their product labels, and that is exactly what this framework would ward against. We'd be creating a regulation so that we could respond to that in the event that that does happen in the sale of these products in Alberta.

Subsection (4), to me, seems to be a little bit redundant, saying that "no person shall advertise or promote the characterizing flavours of a . . . tobacco product." Well, Mr. Chair, if we're getting rid of flavours, I guess there's nothing to advertise or promote.

Subsection (5), dealing with menthol: I think, again, that can be dealt with by regulation.

With no disrespect to the Member for Edmonton-Calder, I think it would be in the best interests of this private member's bill to vote this particular subamendment down.

Thank you.

**The Chair:** Thank you, hon. minister.

The hon. Member for Calgary-Mackay-Nose Hill.

**Dr. Brown:** Thank you, Mr. Chairman. I would like to speak to the subamendment. First of all, on section (3) I'd ask the Member for Edmonton-Calder: by making it an individual regulatory change that is required to mandate, you know, an individual decision on authorization of flavoured tobacco, would that not in fact entail a more cumbersome process because regulations, of course, have to be made by the Lieutenant Governor in Council? It would seem to me much more preferable to have a blanket prohibition in general on the flavoured tobacco products by class rather than having to make an individual decision on each of them and requiring a separate regulatory imposition by the Lieutenant Governor in Council.

Secondly, on subsection (4), as the Minister of Justice and Solicitor General has just alluded to, I cannot see why we would need a prohibition on advertising and promoting, you know, the flavours of a flavoured tobacco product if you cannot sell it. I mean, who would want to advertise something that is prohibited? It would seem to me completely counterproductive and redundant.

**The Chair:** Thank you.

I recognize the Member for Calgary-Mountain View.

**Dr. Swann:** Well, thank you, Mr. Chairman. A privilege to speak to this subamendment to the bill prohibiting flavoured tobacco products.

**The Chair:** Are you speaking to the subamendment, hon. member?

**Dr. Swann:** To subamendment SA1.

**The Chair:** Thank you.

**Dr. Swann:** The subamendment would, I think, make our job a lot easier in terms of identifying individual elements that may not be even created yet and prove to be another attraction. It's very clear that flavourings and aromas are hugely attractive for young

people. Colourings, flavourings, aromas have increased the number of young people using tobacco in all forms. This subamendment, I think, would make the job easier in terms of not having to go back and deal with some new chemical that has been identified as a new flavouring, a new aroma, or a new colouring that creates more attraction.

Quite apart from trying to anticipate every possible variation, this subamendment would make it easier to enforce what we're trying to enforce, which is no flavourings, no additives, no colourings, no making these more attractive than the tobacco itself is. Therefore, it definitely should include menthol. There's no question that menthol is the primary ingredient that is helping young people and older people maintain the addiction. It's identified as a very clear contributor to the uptake and the maintenance of tobacco use.

We will be supporting the subamendment, Mr. Chairman.

**The Chair:** Are there others to speak to subamendment SA1? The hon. Member for Calgary-Bow.

**Ms DeLong:** Well, thank you very much, Mr. Chairman. I just wanted to say a few words about this. Having never been a smoker but having watched people really suffer when they have been trying to quit, it's something that really touches my heart in terms of those poor people out there who want to stop smoking and are having trouble.

This bill was actually addressed to our young people. This was really for our young people. It really is an important bill. In terms of this subamendment I think the thoughts towards it are good. I think that his intentions are very good when it comes to (3), that "the authorization . . . must be made on an individual basis," but it actually adds to the government's workload and becomes very cumbersome. Everybody who has the newest flavour will then be approaching the government: please, please, please let ours through. It would be sort of a never-ending thing coming at us, essentially just wasting time. We really do want to stop those flavoured products getting out to our young people, so I think that (3) is well meaning but cumbersome.

Subsection (4), the advertising: I think it's been covered quite well, that as long as it's something that cannot be sold in Alberta, then banning the advertising doesn't really make any difference.

The last one is one where I'm, again, really conflicted, because there are so many people that I know that are just addicted, just totally addicted. They would love to get off tobacco, and they've tried again and again and again to do that. Of those people, some of them do smoke menthol cigarettes. It's just sort of what they do. We would love to be able to help them to quit cigarettes altogether, but banning the menthol that they smoke won't actually help them to quit smoking, as much as I would very much like to be able to help them.

For these reasons, I think that we should reject this subamendment. Thank you.

**The Chair:** The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Well, thank you, Mr. Speaker. I have been attempting to sort of look at this subamendment and the amendment and the initial act and the initial proposal, which amends other amendments, and it's been confusing to me.

This is what our subamendment is attempting to do. It's doing three things. First of all, there is a provision in the bill as it currently exists which gives the government the ability to exempt from the prohibition, which would be included in the general regulation authorized under this act. As it's currently written, what

could happen is that lobbyists, of which we know there are many, many, many . . .

**Dr. Swann:** Twenty-four.

**Ms Notley:** There are at least 24 lobbyists.

. . . could approach the government and say: you know, we know you've got this regulation prohibiting flavoured tobacco, but we'd like you to exempt our particular type of flavoured tobacco from the prohibition.

What this amendment would do is that it would say, if for some reason the government capitulates to any one of these 24 lobbyists, that they do not exempt the tobacco as a class, that they simply exempt it as one individual type, the point being to limit the opportunity for exemptions on the prohibition to be applied going forward. That's really important because as I've said, there are a whole bunch of folks making a lot of money doing nothing but lobbying this government all the time. That's what this is designed to do, to limit the opportunity for exemptions to the prohibition on the sale of flavoured tobacco products. That's what number one is.

4:40

Now, number two, the reason that we're putting in this section saying, "No person shall advertise or promote the characterizing flavours of a flavoured tobacco product" is because, the way that this bill is currently written, with its current enabling legislation, it is absolutely foreseeable that some flavoured products will still be allowed to be sold while other flavoured products will be banned. What this amendment attempts to do is that if at some point the government decides to succumb to one of the 24 lobbyists out there and allow for a certain subset of flavoured tobacco to be exempt from the prohibition on sale, no matter what no one should ever be able to advertise this flavoured product. So that's what we're getting to with subset 2 of this amendment. That's the point that we're trying to achieve there.

Then, of course, the third thing, as has been discussed in some detail, is that, notwithstanding the rationale or lack thereof of the most recent member speaking, menthol should be banned, full stop, the end, just like other flavoured tobaccos, because it also appeals more to youth, and it also enhances the opportunity for the addictive chemicals to make it into the bloodstream and to achieve the purpose for which it is designed, which is to enhance addiction.

I speak from much personal experience, having been a pack-a-day smoker for 17 years of my life, starting at 16 with – you guessed it – menthol cigarettes. As much as I still crave cigarettes now, even 15 years after having quit, I will say that I never crave menthol. But that is, nonetheless, how I got into it in the first place, and that's what it was designed to do.

Anyway, the point is that all three components of this subamendment are designed to (a) limit the opportunity for exemptions to the prohibition on flavoured products, (b) to ensure that, notwithstanding any exemptions, advertisement is banned in all cases, and (c) to ensure that menthol in particular is subject to the prohibition on the sale of flavoured products.

That is what we are attempting to do. It is an attempt to strengthen the bill. It is an attempt to tighten to linkage between this bill and the stated objective of this bill, which is to limit the sale and purchase of flavoured products in the province of Alberta because we know that it is one of the singularly most effective ways to get young people to smoke. Given that we have amongst the highest numbers of young smokers in Alberta and we have fewer prohibition mechanisms in place than other provinces and



we are not meeting our goals in terms of reducing the number of teenagers who are smoking, that is why I think we can all agree that the objective is a good one. But that objective will be met most effectively by folks on the other side accepting this subamendment, all done in good faith in an attempt to make this act work as effectively as possible.

I hope that explanation clears up some of the confusion that was laid out by a couple of the members opposite, including the current Solicitor General. It read a little bit confusingly, but that's what the actual outcome of this subamendment is.

Thank you.

**The Chair:** Are there others?

Seeing none, we'll call the question on subamendment SA1.

[Motion on subamendment SA1 lost]

**The Chair:** We'll go back to amendment A1. Speaking on amendment A1, the hon. Minister of Health.

**Mr. Horne:** Mr. Chair, just some very brief comments in response to amendment A1 to Bill 206. First of all, I would like to join others in commending the hon. member sponsoring the bill and the members that preceded her. In the case of this amendment, I think it can best be described as a refinement of something that I think people on all sides of the House had expressed support for when this bill was debated previously, that being an opportunity to establish and maintain a strong regulatory framework to restrict the sale of flavoured tobacco.

As the hon. member who spoke earlier indicated, Mr. Chair, the term "characterizing flavour" presents an opportunity to really close a loophole in what might otherwise be available if, in fact, the bill were to be passed with the original restrictions based on the term "flavoured tobacco." "Characterizing flavour," Mr. Chair, gives us an opportunity to be ahead of the marketplace as new products are developed and marketed, to be able to be responsive to changes in nomenclature that manufacturers might envision in order to get around this bill should it be passed, really to lead the country, if I can say, in the most aggressive legislation possible to identify and to target products as they come to market or, ideally, before they come to market, and to have an impact before those decisions are made by companies and prevent even the most initial exposure of youth across the province to these products, which are very dangerous and which are very enticing, as has been described earlier.

Mr. Chair, that is the intent of the amendment, as has been mentioned, and I certainly support it. It's to strengthen the bill. It is to provide a greater degree of flexibility in the application of the regulatory framework that would be established under Bill 206. I think we've heard a lot of support from all sides of the House for being as aggressive as we possibly can be, and I would urge all members of the House to support amendment A1.

Thank you.

**The Chair:** Thank you, hon. minister.

Are there others? The Member for Little Bow, followed by Calgary-Mountain View.

**Mr. Donovan:** Thank you, Mr. Chairman. I just want to ask the mover of this amendment, the Member for Calgary-Currie, why they wouldn't be doing menthol in it. I'm just going over some statistics from the U.S. that show that that's the highest thing that comes across and the fact that they didn't ban the menthol either, I guess. If we're going to lead the way on it, why wouldn't the bill on this talk about menthol?

**The Chair:** The hon. Member for Calgary-Currie to respond.

**Ms Cusanelli:** Thank you very much for the question. While we know that there are statistics that would show the detriment of menthol cigarettes and the enticement that they project out there to our young people, at this point we feel that we can best attend to and deal with this part of the problem through regulations, so that would be the answer there.

**The Chair:** Thank you.

The Member for Calgary-Mountain View.

**Dr. Swann:** Thank you, Mr. Chairman. I guess I have to emphasize the same point. We've got 3,400 people dying every year in this province from tobacco. They start, many of them, as children. Menthol is a part of the reason they start, and the fact that you're not including that is a serious, I think, omission, either by accident or deliberately. Having looked at the website for the lobbyists' registry and seeing 24 lobbyists who have met with this government over the last couple of months, I believe that part of the reason it's being exempted is because of the lobbyists, and that's a shame, really.

This government is putting itself forward as wanting to be serious about reducing tobacco uptake in children. That has to include menthol. Thirty-eight per cent of young people use mentholated, menthol-flavoured tobacco products. We have something like 40,000 youth and children using tobacco products in this province. This is a set-up for a huge health care problem in the future, and if we're really serious about this, I hope you'll reconsider this and make very specific, very explicit the commitment to menthol.

I've no problem with the rest of these amendments that you've included here, but without menthol you are weakening this bill to the point where you are, in essence, kowtowing to the industry. People like Hal Danchilla, a long-time Tory who has been lobbying this government on many different things and has been included in your lobbyists' registry and is now lobbying probably in relation to potential lost revenue by tobacco companies who sell mentholated products, are the big winners here. I hope you're going to take this seriously and accept an amendment in relation specifically to menthol.

Thank you.

**The Chair:** Thank you, hon. member.

**Ms Cusanelli:** I want to thank the member from across the way for his comments, and I think I would add to that, you know, my belief. When we are introducing these amendments here, section 7.4(1)(a) is specifically talking about characterizing flavour. It is my belief that there is definitely an appetite to have a look at all of the flavours, and in my view, if we are looking at, specifically, menthol or adding it into a list, we're going to have to have a list that includes everything on it in order for people not to find a loophole to get around it.

In my view, again, if we are talking about flavoured tobacco products that have characterizing flavours, my belief is that those will include mint, wintergreen, et cetera. Thank you.

4:50

**The Chair:** Are there others? The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you. I noticed that you, again, exempted the term "menthol." Was that deliberate, or are you actually serious about trying to make sure menthol is in the regulations or

whatever? There's no guarantee that menthol will be included if the lobbyists are successful.

**Mr. Denis:** Mr. Chair, I just wanted to offer some general comments to this particular amendment. I am going to be supporting this bill. I wanted to just get into a few of the issues that have been raised today. The whole issue of flavoured tobacco came to me in 2009, when I carried a similar bill. Unfortunately, it didn't get to see the light of day because it was low on the actual list.

This bill, Mr. Chair, is not about restricting adult choice. I was actually visited today by three medical students, who talked to me about this and indicated to me that the average age that children start, when they start chewing tobacco, is 10 years old, and it's 16 when they smoke. Of course, the legal age is 18. There's no legal capacity for an individual, even now under the current framework, to purchase these products.

The intent is to prohibit the sale of flavoured tobacco products in our province in order to reduce the rates of youth smoking. I'll give you an example. Section 7.4 of the bill: "No person shall sell or offer to sell a tobacco product that contains a flavouring agent prohibited by the regulations." This does not contain any criminal element, which is clearly in the federal purview.

As well, no person shall sell or offer to sell a tobacco product that contains a characterizing flavour prohibited by the regulations. That's something that the Minister of Health has talked about here, that this creates a regulatory framework. So if, for example, "wintergreen" then becomes "spearmint green" or then becomes "greener green," we need that regulatory framework so that we can make a quick decision on these particular items. Mr. Chair, as I mentioned, the marketing of these products can be creative, and that's why we need this regulatory framework.

Mr. Chair, I am a lifelong nonsmoker, nonchewer, never consumed any tobacco, but I also have had many friends and some people in my family who have had much difficulty trying to quit. I can imagine that when some of these individuals . . . [interjection] I'm not so sure what they're heckling over here, what I'm hearing these days. Maybe he wants to push some tobacco at me – I'm not quite sure – but no; thank you. As an asthmatic I'm going to pass, thank you, Member for Chestermere-Rocky View.

Of course, a lot of people these days will talk about demonization of businesses. Well, Mr. Chair, we don't want to demonize any business here. In fact, the directors of any company, whether public or private, whether tobacco or any other company, have a fiduciary duty, rather the highest duty at law, to generate the highest amount of profit for their shareholders. That's their duty. But the check on this is when the government can step in and when we see something happening that is not quite right, and that's what flavoured tobacco presents to me today.

Let me just ask you this, Mr. Chair. Appletini: is that a flavour that appeals to an adult? Bubble gum: is that marketed at someone like me, who is 38 years old? Probably not. Cotton candy: is that marketed at someone like the Minister of Health, who is a couple of years older than me? Is that marketed at him? None of this is marketed at adults. This is being marketed at children, and we have the highest duty owed to anyone to protect those who have no legal capacity to choose, those who cannot help themselves.

Mr. Chair, I will conclude my remarks there.

**The Chair:** Hon. members, I hate to interrupt, but under Standing Order 8(6) at 4:55 p.m. the chair shall interrupt the committee and immediately rise and report without the question being put.

[The Deputy Speaker in the chair]

**The Deputy Speaker:** Hon. Deputy Government House Leader, it is three minutes to 5. I'm wondering if you would seek a motion for the House to call it 5 o'clock, that we would move to the next order of business. I'm just wondering.

**Mr. Denis:** Mr. Speaker, I would move that we call it 5 o'clock, and we can proceed with the motion that's on your Order Paper.

[Motion carried]

## Motions Other than Government Motions

**The Deputy Speaker:** The hon. Member for Edmonton-McClung.

### Capital Region River Valley Park

514. Mr. Xiao moved:

Be it resolved that the Legislative Assembly urge the government to continue its commitment to the creation of a world-class capital region river valley park by working with the city of Edmonton to implement its ribbon of green concept plan, which would connect all of the river valley parks into a single, continuous, protected park.

**Mr. Xiao:** Thank you, Mr. Speaker. I'm pleased to rise today and open debate on Motion 514. I'm proposing this motion because I believe that the creation of a world-class river valley park would further boost our already thriving tourism industry in our beautiful province. When one thinks of a world-class, cosmopolitan city, one often thinks of the many attractions a specific place has to offer, those unique sights that differentiate it from other cities.

For instance, Mr. Speaker, New York City, as we all know, is home to the beautiful outdoor oasis known as Central Park, where millions visit year after year to admire and take advantage of one of the world's most famous examples of a green urban space. You know, every time I was in New York, I tried to spare a few hours to enjoy the sights and sounds in that beautiful park. In Paris the Luxembourg Gardens are renowned for their impeccable landscaping and magnificent array of flora, that is surrounded by an assortment of even more impressive modern and classic art pieces. If a city's infrastructure represents a skeleton, one could say that the parks are representative of its heart, helping to bring life to those who inhabit it.

With Motion 514 I urge the government to continue its support in the creation of an innovative capital region river valley park. The government's continued support of this green initiative would promote and foster a collaborative environment and establish a shared sense of pride between the capital region and the surrounding municipalities.

Mr. Speaker, Alberta's tourism sector is a fruitful and a dynamic industry that generates over \$7.8 billion annually in total visitor spending. Moreover, \$1.15 billion in tax revenues is generated and infused into our economy, which helps our province employ approximately 139,000 dedicated individuals. Every year millions of tourists visit our province, and who can blame them? In fact, in 2011 over 35 million tourists travelled to Alberta. It is common to hear a multitude of different languages – German, Chinese, French, Spanish, Punjabi, Hindi, Korean, just to name a few – when visiting one of our many stunning provincial parks. Visitors come here to experience an inspiring landscape that is rich with towering mountains, vibrant prairie fields, and crystal clear, gorgeous, blue waters, something that we and millions of Albertans are blessed enough to enjoy with just a few hours' drive.

5:00

Mr. Speaker, Motion 514 does not only urge the government to continue implementing such visionary plans but to build on our province's strong tourism sector. Again, I believe supporting the ongoing efforts to create a widely recognizable capital region river valley park is another facet that would help increase the province's already world-renowned profile as a first-rate and dynamic tourist destination.

Not many people know that Edmonton's North Saskatchewan River valley is the largest stretch of urban parkland in North America. The river valley measures an impressive 7,400 hectares and encompasses 22 major parks and over 150 kilometres of trails, which can be enjoyed by Albertans of all ages looking to take in majestic forest landscapes in a metropolitan city.

In 1996 the River Valley Alliance was formed by seven municipalities bordering the capital region's North Saskatchewan River. These municipalities included the town of Devon, Parkland county, Leduc county, Edmonton, Strathcona county, Sturgeon county, and the city of Fort Saskatchewan. In 2008, seeking feedback for this vision, the River Valley Alliance conducted widespread consultations with the public and various key stakeholders. The alliance did this in order to seek out all of the necessary voices that would ensure the creation of a unique park that would be accessible and speak to all Albertans. Shortly after consultations ended, Mr. Speaker, the River Valley Alliance released its plan of action, giving readers background information on the river valley as well as presenting their vision of a unique park.

Mr. Speaker, one of the underlying intentions of Motion 514 is to promote a green space that can be enjoyed by future generations in our province and from around the world. Additionally, by supporting the River Valley Alliance's efforts, our most treasured wildlife can continue to inhabit the many hectares of vegetation and the wetlands that they all call home. In addition to land preservation, parks have a very positive impact on the health and wellness of individuals since urban parks are more easily accessible to those looking to experience the splendour of the outdoors without having to travel too far. Parks also strengthen community spirit by providing an engaging outdoor space that individuals of all ages and all socioeconomic backgrounds can enjoy.

Mr. Speaker, these are just a few of the benefits that a world-class capital region river valley park would provide to our people. Our government recognized the importance of this initiative and contributed \$50 million to help implement the first phase in 2008 along with an additional \$30 million contribution by the government of Canada. In November 2012 the River Valley Alliance began a \$90 million capital project, with our government contributing a further \$30 million. Thirty million dollars also came from the federal government's building Canada fund, with another \$30 million from the participating six municipalities.

This is truly a testament of how much our government believes in the vision of creating a strong natural space while recognizing the potential economic and health benefits that result with this implementation. This is why, Mr. Speaker, I am proposing Motion 514. I believe that this initiative promotes a strong intergovernmental and collaborative approach which will allow future generations to enjoy a natural space that has been matured and maintained by those who came before them.

Mr. Speaker, I urge all hon. members in this House to take great interest in this debate and consider fully the advantages of this initiative proposed by Motion 514. Thank you.

**The Deputy Speaker:** Thank you, hon. member.

The hon. Member for Drumheller-Stettler.

**Mr. Strankman:** Thank you, Mr. Speaker. I, too, would like to say a few words on the motion presented by the Member for Edmonton-McClung. [interjection] I am hoping that I won't put others to sleep while I make this presentation.

I just want to comment that this is a visionary project brought forward by the member. It's been in play for quite some time, since 1990. The formal plan was brought forward in 1992 in the Edmonton area. It was a capital project, and I have some concerns that capital projects, then, require operating capital to continue. Nevertheless, it's a visionary project that needs to be brought forward and discussed in this Assembly. The project preserves Edmonton's nature in the river valley, and as a farmer I take great pride in that. With our ongoing concerns regarding the environment and the future of our communities, it's significant that these types of projects be brought forward.

To that end, I do have some concerns with the jurisdictions involving the riparian areas that are being brought forward. I've seen a map of the potential development of the area. There may be concerns, not unlike what was exhibited this summer, in floodway areas. So I wish to bring awareness of that forward to the Assembly.

River valley access has been controversial, in my understanding, in the Edmonton area. The project was postponed as a result of a gondola being suggested from Jasper Avenue to the river's edge. Now, that may be controversial, and it may be an obstacle that could or could not be overcome by the development. That may only allude to the ongoing operational costs that may follow a significant investment. Some citizens may believe that their money may be spent better with priorities of infrastructure, being sidewalks and roads. That alludes to some of the controversy that comes forward with these types of things.

The concerns, reverting back to the riparian areas and the floodway issues, potentially are of concern to myself because of the potential for significant investments. Like, they talk about boat launches and docks. Some of those may be in areas that could at some unforeseen time be subject to flooding or damage, which would be a negative to that. I'd simply like to express my concerns about ongoing operation costs and see that this is brought forward to the Assembly.

**The Deputy Speaker:** Thank you.

Are there others? The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Rowe:** Thank you, Mr. Speaker. Since becoming an MLA, I've had the opportunity to spend a lot more time in Edmonton than I used to. I think that the ribbon of green project is truly unique, and I wish the city the best in continuing this project. This project preserves nature in Edmonton's river valley system. It's a point of pride for Edmontonians that crosses all political lines. As a temporary resident of this city, seeing all of the greenery is always a welcome sight.

Municipalities should be empowered to spend money allotted to them as they please, which is happening with this particular project. The province should always be a willing and supportive partner to municipalities. If a community can identify what is needed or wanted, they should be given the flexibility to do so. Of course, infrastructure money should always first be directed to core infrastructure and operating services that a community would have.

5:10

I would also like to use this time to express my support for a policy change related to the motion made by the hon. member. The Wildrose 10-10 plan would give 10 per cent of provincial revenue directly to municipalities. With budget surpluses, another 10 per cent of each surplus would also be given to the towns, the cities, and the counties. The people on the ground making local decisions know better than the province does when it comes to prioritizing their own community needs, and our 10-10 plan reflects that very viewpoint. I would encourage the member's next motion to be one that supports all worthwhile municipal undertakings by simply supporting the Wildrose 10-10 plan. A little plug there, a big plug.

Assuming this is a project that Edmontonians still want to see, I will support this motion in the hopes that municipalities continue to receive the funding and flexibility they should. We all know the value of beautifying a city, because it beautifies our lives in general. Green spaces are an asset to any community, and the river valley as it currently exists is beautiful. There's no question. It's one of the best in the province. Seeing it made even better: you can't help but support that.

Thank you, Mr. Speaker.

**The Deputy Speaker:** The hon. Member for Edmonton-Riverview.

**Mr. Young:** Thank you, Mr. Speaker. It is an honour for me to rise today to speak to Motion 514, the goal of which is to support the River Valley Alliance and continued implementation of the ribbon of green concept plan. Ultimately, the aim is to create a world-class capital region river valley park. I would like to thank the hon. Member for Edmonton-McClung for bringing forward this motion to the House today. In fact, the constituency of Edmonton-McClung is a short canoe ride, a single-track bike ride, or an enjoyable hike along the river valley away from my own. I admire his unwavering dedication to promoting this government commitment to establishing a world-class capital region river valley park.

The river valley in the capital region essentially follows a patchwork of bike trails, parks, bridges, off-leash areas, horse trails, picnic areas. There's a rowing club, a zoo, and an abundance of wildlife that make up the area as part of the Trans Canada Trail. This plan would connect all the river valley parks into a single, continuous protected park. Promoting ongoing efforts to create an integrated river valley park would help raise the capital region's global profile as another large urban park that has done so much in cities such as Vancouver and New York.

Also, there are several benefits attached to helping create green outdoor spaces such as increased exercise, increased tourism, and the preservation of wildlife habitat. Indeed, Mr. Speaker, the River Valley Alliance plan for action highlights a number of these benefits. These range from the social to the economic to the environmental. Even better, these benefits that accrue from the plan fall in line with this government's initiative in tourism and in supporting families and communities.

Mr. Speaker, we heard earlier that the River Valley Alliance, or the RVA, was initiated by Mayor Bill Smith and formed in 1996 by seven municipalities bordering the capital region's North Saskatchewan River: the town of Devon, Parkland county, Leduc county, the city of Edmonton, Strathcona county, Sturgeon county, and Fort Saskatchewan. The RVA was incorporated as a not-for-profit company under part 9 of the Companies Act of Alberta on March 5 of 2003 and released its conceptual plan of action in 2008 after extensive public and stakeholder consultations. It has raised more than \$80 million to implement

this first initiative within the plan. Of that, \$50 million is from the Alberta government and \$30 million from the government of Canada. This will be supplemented by \$30 million of funding from shareholder municipalities. Some projects were completed by 2012, with an additional \$90 million allocated to 2012 to 2016 capital projects.

Mr. Speaker, in November 2012 the River Valley Alliance began a \$90 million capital project that will improve public access to the North Saskatchewan River at the river valley and add new trail features to existing infrastructure in what is North America's longest metropolitan park system. The capital project's 13 initiatives will add a total of 74 kilometres of new recreational trails across six municipalities, six docks or boat launches, and a new Edmonton footbridge, among others. The RVA's plan would contribute greatly to affirming the capital region's status as truly world-class.

The river valley is potentially one of the region's greatest assets, particularly in terms of attracting tourists to the area. Cities with large, well-maintained, and well-equipped parks invariably mark themselves as a tourist destination. If someone is going to Vancouver, Stanley Park is a must-see. In New York it's Central Park; in London it's Hyde Park. Well, I'm telling you right now that you haven't seen anything until you've been to the river valley and experienced the capital region. There are similar sentiments for many other cities with notable parks. I think the wonders that a park system can do for attracting visitors and developing a good reputation speak for themselves.

Besides encouraging people to visit Alberta's capital region, residents of the seven municipalities made frequent use of these facilities, made memories, and enjoyed on a daily basis the beautiful scenery the river valley has to offer. Whether this is on the valley's numerous running trails or walking paths, you'll often see neighbours, friends, and people going for lunchtime walks.

The suggestion of cutting tourism funding is not the vision we need. This government, the one Albertans elected to build Alberta, supports growing the tourism industry of this province. This motion reflects the recognition of this need and is in line with the government's plan to strengthen Alberta's tourism.

Again, I would like to thank the hon. member for bringing this motion forward. I look forward to hearing the rest of the debate.

Thank you, Mr. Speaker, and I look forward to seeing you on the trail.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Member for Chestermere-Rocky View, followed by Sherwood Park.

**Mr. McAllister:** Mr. Speaker, thank you. I, too, would like to thank the Member for Edmonton-McClung for bringing this forward and the Member for Edmonton-Riverview for that passionate speech backing the suggestions.

You know, I think we all know and appreciate the world-class river valley that we have to celebrate here in Edmonton. Mr. Speaker, when my wife and I first started spending time here after the election and were looking for a place to stay, one of our discussions as we drove around Edmonton was: let's, obviously, try and get close to the Legislature, but let's try to appreciate all the beauty the city has to offer with the pathways, with the parks, and along the river. She suggested I bring a tent, and I said: that's probably not a bad idea, but I'll look for a condo instead. I'm kidding, and of course it didn't – I'm kind of used to that when you don't have much attention or attention span, for that matter.

I think whatever community you're in will celebrate a good pathway system and have a commitment to it. I love the fact that

the province and the city of Edmonton have worked collaboratively in the past and are again going in that direction. I think we can all think that wherever we've been, we've probably seen pathways enhance life for families and for communities. I can think of several examples, having been fortunate enough over the years to travel around the country some in my previous occupation.

You know, Victoria: it's well known that the Galloping Goose trail is one that is used by so many people in Victoria and area. Right now, Mr. Speaker, in Chestermere-Rocky View, thanks to some provincial support, we have a wonderful pathway system being put into place that enables members of the community to walk and enjoy the lake in Chestermere and get around and stay healthy. Calgary, well known, obviously: the pathway system and the parks downtown along the Bow. In fact, what many people don't know is that you can access that trail system from as far out as Chestermere. So they're tremendous in building community and getting people out, and I think they should be encouraged and supported.

The member's motion, specifically:

Be it resolved that the Legislative Assembly urge the government to continue its commitment to the creation of a world-class capital region river valley park by working with the city of Edmonton . . .

Again, on that note, I just am appreciative that the groups are working together.

I'm not sure what the overall cost commitment will be at the end of this. I know there's been some controversy throughout it, and obviously we need to establish what our wants and needs are and make responsible decisions. I think that at some point somebody had suggested – and maybe I'd ask the member for clarity on it – a gondola, I believe, that was not very well supported. I think it was sort of akin to the \$25 million pedestrian bridge in Calgary that received so much controversy when it was built, people suggesting that maybe it was a little excessive and the money might have been better spent elsewhere. So that doesn't seem to be on the table. I'm happy to hear that.

5:20

I think healthy communities are a terrific thing, and we have much to celebrate here in Edmonton. It is a beautiful city. This would only enhance all of what we have to offer. I think that for tourists coming to Edmonton, it's a great chance to get around and see what there is and enjoy it in all of its splendour. I think the Member for Olds-Didsbury-Three Hills behind me mentioned the 10-10 plan that we've talked about before from our Wildrose Party, that would see more monies go to municipalities for things like this, so obviously I'd be remiss if I didn't mention that I think that makes perfect sense and that we would love to see that money go to municipalities so they can enhance projects like this. [interjections] I can see that's spurred some debate, and it shouldn't take anything away from the fact, Mr. Speaker, that I stand here in support of what the Member for Edmonton-McClung has brought forward.

I'm just suggesting that going forward, we might look at ways that we can concretely allow communities to plan, long-term planning, so they know what's coming, so they know what money they're going to be getting from the province, and so they can commit that to areas that will enhance tourism, will enhance the city, and will enhance the lives of families and communities. We all want healthier communities.

Again, I thank the Member for Edmonton-McClung for bringing it forward, and anything that's better for the city of

Edmonton that's financially responsible we would certainly encourage as a healthier choice. So thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

I recognize the Member for Sherwood Park.

**Ms Olesen:** Thank you, Mr. Speaker. It's my honour to rise today and participate in debate on Motion 514, brought forth by the hon. Member for Edmonton-McClung. I'd like to commend the hon. member for his unwavering dedication to fostering the growth and development of this province's green spaces, which truly enhances the lives of Alberta's families and communities who enjoy these spaces on a daily basis.

Mr. Speaker, before I read Motion 514, I'd like to announce my pride in the municipal sustainability funds that we offer to municipalities on an ongoing basis so they can plan for their budgets.

Mr. Speaker, Motion 514 reads:

be it resolved that the Legislative Assembly urge the government to continue its commitment to the creation of a world-class capital region river valley park by working with the city of Edmonton to implement its ribbon of green concept plan, which would connect all of the river valley parks into a single, continuous, protected park.

The ribbon of green concept plan consists of five basic principles: conservation, recreation, development, trails, and education. We're really striving for a balance. Conceptualized in 1990, the plan aimed to bring Edmonton on par with many other urban centres like Vancouver and New York City, home to Stanley Park and Central Park respectively. The ribbon of green concept plan would extend the urban park to include the entire length of the river valley and ravine system. Further, the plan would divide the park into three land-management zones: preservation, conservation, and extensive use.

Mr. Speaker, the plan represents a balance between making the valley accessible for public use and protecting the natural landscape and wildlife areas. If implemented, the green ribbon would further develop five major parks: Big Island, Terwillegar, Twin Brooks, Buena Vista, and Hermitage. The Terwillegar park area, for example, would be developed into a water-based, nature-oriented park, which would create a natural preserve area and establish the area's viable ecology by using existing and restored resources. This area would link to adjacent neighbourhoods via two pedestrian bridges, encouraging residents to explore and enjoy the natural habitat surrounding them. Finally, the plan proposes a continuous trail system, including the construction of eight river crossing bridges and an eventual link to adjacent municipalities.

Mr. Speaker, not only does this plan connect communities within the capital region municipality, but it will eventually encompass communities outside of that. As a matter of fact, as mayor of Strathcona county I was privileged to be a shareholder on the River Valley Alliance, a very dedicated organization of capital region municipalities that support the ribbon of green plan. This is an initiative that could work to build Alberta's park system to compare with other jurisdictions from around the world. When the ribbon of green plan was first thought of in 1990, five basic principles were chosen to represent the initiatives overall concept. Conservation, recreation, development, trails, and education are all things central to the success of the proposed project.

In regard to conservation the plan would ensure that a major portion of the river valley will remain in a natural state and that certain areas of habitat will be highly protected, ensuring the existence of native vegetation and wildlife communities. In order to balance recreational enjoyment of our outdoors with the

importance of conservation, the plan would ensure that recreation activities are compatible with the protection of existing natural areas and must require the valley's natural setting.

Trails are also essential to the green ribbon concept plan. I know that when one drives along River Valley Road, no matter the season, there are many people running, biking, and enjoying the shared pathways. I do believe I've seen the hon. Member for Riverview out on the trail passing by in the evenings, in the afternoons, and on the weekends.

Another important aspect of this concept is education. Programs will be incorporated into the plan's concept to increase the awareness of natural and human history as well as encourage an environmentally responsible attitude toward the valley and promote respect for other users.

Mr. Speaker, sometimes we forget that right here in the capital region there are 97 kilometres of biking, hiking, skiing, walking, and snowshoeing trails that run through the city and along the banks and edges of the North Saskatchewan. In the *National Post's* best of summer in August 2003, Edmonton's river valley was named the longest interlinked recreation area of parkland in North America.

Mr. Speaker, Motion 514 balances respect for the natural habitat while encouraging citizens to partake in and enjoy the pristine river valley right here at our back door. More parks and green space for Albertans to enjoy means an even better quality of life for our active families and communities. In November 2012 our government demonstrated its commitment to the well-being of Albertans, families, and communities when it provided funding to support the River Valley Alliance.

I would again like to acknowledge the hon. Member for Edmonton-McClung for bringing forth this motion. I'll look forward to hearing the rest of the debate, and I encourage my colleagues in this House to participate.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

I recognize the Member for Rimbey-Rocky Mountain House-Sundre, followed by Edmonton-South West.

**Mr. Anglin:** Thank you, Mr. Speaker. I rise in support of this motion, and I want to thank the member for bringing this motion forward. I hope that this government would not just make this a promise or just a vision but make it a goal to make this a world-class river valley park system not just on par with something like Central Park but something even better. It has that potential.

Now, I will say that although the town I come from is not part of the capital region plan or anything else, we do come to Edmonton. My family does on a regular basis, and we use the amenities. We use the park system, and we recognize the value. It's not a value just restricted to the capital region. It is an Alberta value, and it can be a Canadian value that is beyond the expectation of what some other cities have done. I think we have the potential to do some great things here.

So I would like to tell the member that not only can I thank him for bringing it forward, but under a Wildrose government, particularly with the 10-10 plan, we would make sure there was stable funding so we could continue the development. The beauty is, as I do know that this government will pass this because the Official Opposition supports it, that a Wildrose government would make sure that this still carries forward into future years, so there will be no interruptions with the development of this world-class park system.

Thank you very much, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

I recognize the Member for Edmonton-South West.

**Mr. Jeneroux:** Yeah. Thank you, Mr. Speaker. I just wanted to stand here and offer resounding support for my colleague from Edmonton-McClung for this particular motion.

I'm blessed to have in my constituency this natural habitat that is the river valley. It follows along the golf course. There are running paths through it. I've yet to see the Member for Edmonton-Riverview run through there, but I'm sure I will at some point.

I think the key thing I wanted to bring up was how this is going to promote green space for future generations. I'd just like to say that I spent a lot of time as a kid living in the Capilano area, which is now in the constituency of Edmonton-Gold Bar, and going and running through there and biking through the river valley and also spending a lot of time just playing there with my friends. Those are fond memories that I look back on, and I hope that my girls will be able to go and experience the exact same thing that I did. We were able to go and frolic in the water, if you will. [interjections] Yeah. It's bringing back great memories.

**Mr. Anderson:** Who doesn't like a good frolic?

5:30

**Mr. Jeneroux:** That's true, hon. Member for Airdrie. Who doesn't like a good frolic?

Then the other point I just wanted to bring up is the support from the community that this particular motion has had. This all came, from my understanding, from when a number of years ago the city of Edmonton got a proposal to build a gravel pit within the area. I believe it's one of the largest petitions this Legislature has ever seen, the amount of support that came from the community to keep this a natural habitat. I often encourage constituents, when they come to me and say, "This is what's happening in our area," to come up with an alternative. Let's not just say no for the sake of no. Let's say: "We're going to do this in the area. We're going to enhance the area like this." This is exactly what this group did, and they should be commended for that. I think the hon. Member for Edmonton-McClung – he'll correct me if I'm wrong – was very instrumental in helping them, assisting them through the process to get it here on the Legislature floor.

In a kind of summation of my comments here, Mr. Speaker, I believe we can protect, we can enhance, and we can preserve this Edmonton river valley. Thank you.

**The Deputy Speaker:** Thank you, hon. member.

I recognize the Member for Cypress-Medicine Hat.

**Mr. Barnes:** Thank you, Mr. Speaker. I, too, rise in support of Motion 514 and thank the Member for Edmonton-McClung for bringing it.

Be it resolved that the Legislative Assembly urge the government to continue its commitment to the creation of a world-class capital region river valley park by working with the city of Edmonton to implement its ribbon of green concept plan, which would connect all of the river valley parks into a single, continuous, protected park.

There is absolutely no doubt how gorgeous the river valley is. There's no doubt about the trees and the scenery and the opportunities for recreation that it offers.

Mr. Speaker, I remember in my university years here playing on a very beautiful municipal golf course down there time and time again. It was tons of fun. Of course, I know that golf is close to your heart from a match we played this summer, that I very much enjoyed.

I want to bring it to Medicine Hat, where I live, and Cypress-Medicine Hat, which I represent. Medicine Hat has miles and miles of trails through the entire city. Through our parks, through our coulees, in between our houses we have many, many greenbelts, finger parks they are called, in several different areas. How popular they make our city; how much they get used. I live close to one, and when I have a chance to walk my dog down there or go through there, there are always countless people using the parks, communicating, socializing, getting exercise, the very things that so much of our society nowadays seems to lack.

In conjunction with what some of the other members of the Assembly have said, how other significant cities have significant attractions like Central Park or Stanley Park in Vancouver, the river valley park here is as gorgeous as it can be. That, coupled with this kind of thing, could make it all the more accessible for all of us, and I rise in support for that reason.

I also, though, resoundingly support what the Member for Olds-Didsbury-Three Hills said about our 10-10 plan and the extra flexibility that it will give to all municipalities to put the money where they want, the amount of money that they'll save not having to be shovel ready, not having to fill out application forms and engineering forms and have these extensive people on the payroll, just hoping that they can get some money from a provincial government someday. The 10-10 plan would be automatic: automatically 10 per cent of provincial revenues, automatically 10 per cent of potential surpluses.

**An Hon. Member:** Automatically \$400 million less.

**The Deputy Speaker:** Hon. member, the Member for Cypress-Medicine Hat has the floor. Thank you.

Please carry on, hon. member.

**Mr. Barnes:** I feel the need to point out that in this government's capital plan . . . [interjection] Thank you, Member for Airdrie. If I remember the government's capital plan correctly, two years from now I think your capital spending is the same as ours, never mind the debt you're going to leave our kids and our grandkids. So thank you very much, hon. Member for Vermilion-Lloydminster.

Mr. Speaker, thank you very, very much for the opportunity to have the floor.

**The Deputy Speaker:** Thank you, hon. member.

I recognize the hon. Member for Edmonton-Gold Bar.

**Mr. Dorward:** Well, thank you, Mr. Speaker. Please put me on the list of those who love this motion. I'm glad to be able to speak to it. My family has had a long-time association with the North Saskatchewan River, particularly in the Edmonton area.

**Mr. Rodney:** Did you frolic?

**Mr. Dorward:** I have never frolicked in the river. Full information there.

I with my brother and father founded a trail called the Waskahegan hiking trail in 1967. In 1968 my brother and I hiked that trail. We hiked about 165 miles of that trail. It starts in the river valley. I've fished in the river for goldeye, and I've been many times in a canoe going down the river.

This whole concept of a trail, Mr. Speaker, is one that's been around for a long time. It was first proposed by an architect, indeed, in 1907, I believe. As an extension of what Peter Lougheed did the year after I got married, which is 39 years ago,

the whole trail system expanded, and it certainly makes sense to go all the way from Devon to Fort Saskatchewan.

In my area, in Gold Bar, there's a monument. There's a plaque, and on that plaque it reads the following:

Capital City Recreation Park . . .

On April 26, 1974, Premier Peter Lougheed and the sixteen Edmonton Members of the Legislative Assembly of the Province of Alberta announced the approval of the "Capital City Recreation Park" for the City of Edmonton. This unique urban park plan, estimated to cost in excess of 35 million dollars . . .

Now, that's interesting; contrast that with the cost we're faced with today.

. . . was initiated and developed by the Government of Alberta with input from the City of Edmonton.

The main features of this unique Park, a cooperative enterprise between the City of Edmonton and the Alberta government, include:

- A series of new provincial and city parks and recreation areas involving over 3000 acres of land on either side of a 16 kilometer stretch of the North Saskatchewan River, commencing at the High Level Bridge and terminating two kilometers north of the Beverly Bridge and including the Legislature area
- A Natural Resources Science Centre depicting the growth of Alberta's natural resources
- A series of six pedestrian and bicycle river and highway crossings, strategically located along the river and connected to approximately 46 kilometers of foot paths, bicycle trails, observation posts, park bench areas and horticultural displays throughout the 16 kilometer stretch of the river valley
- Several man-made lakes in river parks and the possible creation of a river valley lake by placing a weir across the North Saskatchewan River to permit recreation sports events.
- A "Water Conservation Area" encompassing a minimum 240 meter set-back from each shore-line of the river with appropriate bank protection, terrain and landscape long the river.

This Park is our vision of a good quality of life to be enjoyed by the people of Edmonton and by their children.

Peter Lougheed, Premier.

Then, Mr. Speaker, in 1979 I was blessed to be able to work for a company in Calgary which at the time did a tremendous amount of the initial work in Kananaskis park. Kananaskis park, of course, is world renowned for its attractiveness in terms of individuals being able to go and enjoy the great outdoors, as they will be able to do when, with the help of this motion, the government devotes the resources to the project.

In 1980 I was blessed, being involved in that same company, to be involved in all the tree planting that took place in this very capital city park, so I watched the expansion of the asphalt trail system that was done that year and all of the planting that took place.

I'm very much in favour of pushing this project forward with great expediency to be able to see it become a place where people will come from all over and have it as a central feature, indeed, of our capital city.

Thank you, Mr. Speaker.

#### Speaker's Ruling

#### Tabling Cited Documents

**The Deputy Speaker:** Thank you. Hon. member, I noticed you quoted extensively from a document. Our rules state that you should table that document, so I'm just cautioning you that in the

future I don't think you might want to table your iPad. Just a reminder that if you're going to quote extensively from something, the rules require that you table that typical document. So just a reminder for the future.

### Debate Continued

**The Deputy Speaker:** I'll recognize the Member for Lacombe-Ponoka, followed by Calgary-Mackay-Nose Hill.

5:40

**Mr. Fox:** Thank you, Mr. Speaker. I rise today in support of this motion because of the years of experience I've had walking trails and enjoying the scenery here in Edmonton. My hometown, Whitecourt, had a wonderful campground just north of there called Carson-Pegasus. I had a fantastic time there wandering up and down the trails as my family would camp at the Carson-Pegasus. When I moved to Red Deer – for any of you who have been to Red Deer, Red Deer actually has quite an extensive trail network within the city – I would spend hours with my friend Lyle rollerblading up and down the trails there, enjoying the scenery along the river.

You know, here in Edmonton you have the same opportunity. I used to come to regionals here for the Summer Swimming Association. When we were done with the swim meet, what would we do? We would leave the Kinsmen centre, down on the riverbank here, and we would wander around the trails. We'd come across the river. We'd go down through the parkways. You know, it was quite beautiful, and it was quite entrancing. As a child you actually get the opportunity to look around and see what beauty there is within our natural habitats, and they can exist within the city here. That's why motions like Motion 514 are so vitally important to the province and to the city. I mean, it's wonderful that the capital region river valley parkway has been working with the government and, hopefully, will continue to work with the government on this.

Now, you know, I'd like to give a little shout-out here to the Wildrose 10-10 plan as well. I mean, can you imagine a better program, where the province would actually share its revenue on an annual basis so that communities knew what was coming and could plan accordingly so that they didn't have to go cap in hand every year or every couple of years or after every election and wonder: are we going to get this funding for – I don't know – this parkway? They shouldn't have to come cap in hand. We shouldn't have to be worried about whether or not some of the members have been frolicking in the parkway and would actually like to see these projects put forward.

I mean, let's put together a comprehensive plan so that municipalities can proactively plan in the future for more of these types of projects. It's an absolutely wonderful plan that would enhance a municipality's ability to create more of these spaces. They could actually use the dollars when they wanted to use them on the projects they needed to use them on rather than having to come back to you, the government, every single time for a grant.

With the Wildrose 10-10 plan we'd actually give 10 per cent of provincial revenue directly to municipalities. With a budget surplus another 10 per cent of that surplus would be given to towns, cities, and communities so that we could further enhance the lives of people not only here in Edmonton but in Red Deer, in Lacombe, in Ponoka, in Blackfalds, in Medicine Hat, in Fort McMurray.

**An Hon. Member:** In Altario.

**Mr. Fox:** In Altario. You know, that's an area of the province we don't hear about very often here in this Legislature, and we should hear about it more. I actually get to travel through Altario fairly often when I'm on my way to Manitoba. There are some very interesting trails and features out that way that maybe don't get the attention that they deserve. You pass through coulees on the way. There are no trails there either.

Maybe we should be putting forward a plan so those counties and municipalities can use funds when they need to and on what they want to, again, rather than coming cap in hand to you, the provincial government, and having to beg for motions like Motion 514 to improve the city for the citizens of Alberta.

You know, the one thing that is nice about this project is that it is preserving nature in Edmonton's river valley system. It is a point of pride for Edmontonians, and it is a point of pride across political lines. I have had the opportunity, since being elected, to wander through some of those trail systems, too. They really are beautiful. To connect them all together is a wonderful project. Out in Lacombe this summer we just connected to the Trans Canada Trail. We had a wonderful ceremony just outside the Lacombe research station. It's a beautiful trail that kind of winds its way through the Lacombe research station and through the park system that's there as well. It connects us with Blackfalds and with Red Deer, and it connects the trail systems in those communities. Within the next two years we're actually going to see it connect to Ponoka as well.

It's wonderful that there are groups of people that are coming together to ask for motions like Motion 514 so that trail systems can be connected and Albertans can enjoy the beauty that exists in nature within the cities here in this province.

I thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

The hon. Member for Calgary-Mackay-Nose Hill.

**Dr. Brown:** Thank you very much, Mr. Speaker. I am also in favour of the motion brought by my colleague from Edmonton-McClung. I think it's a very forward-looking motion. The Edmonton river valley, obviously, is a beautiful asset for the city of Edmonton and for the whole province.

I think that one thing we don't do enough of is that long-range planning for the future. We have a province right now which has just passed 4 million in population. Two-thirds of that population lives in our two largest cities. It is really imperative for those people that live in urban settings like Calgary and Edmonton that we set aside areas where they can enjoy the environment and the natural areas as well as recreational facilities.

I would like to point out that we had a similar situation in the city of Calgary, where some foresighted individuals in 1980 created Nose Hill park, which is in my riding of Calgary-Mackay-Nose Hill. It's one of the largest urban parks in all of North America. That area was slated for residential development. It is now used by tens of thousands of people on a weekly basis. It's a tremendous asset for the city of Calgary.

Another one that we created was the Glenbow Ranch, which is right on the urban fringe of the city of Calgary. The government of Alberta had the foresight about seven or eight years ago to set aside that land and for that purpose set \$40 million aside to purchase that piece of property.

That's the type of thing that we need to do more of. We have growing cities, large metropolitan areas which need to have those recreational assets. I think this is a very foresighted motion, and I urge all my colleagues to support it.



**The Deputy Speaker:** Thank you, hon. member.

Are there others? The hon. Member for Stony Plain, or are you calling the question?

**Mr. Lemke:** I'll call the question.

**The Deputy Speaker:** Okay. However, hon. members, I have four minutes left before the mover is allowed five minutes to close. If you want to speak to it, you can. If not, I can recognize another member.

**Mr. Lemke:** I'll speak to it, then.

**The Deputy Speaker:** The hon. Member for Stony Plain.

**Mr. Lemke:** Thank you very much, Mr. Speaker. It's my honour to rise today to continue debate on Motion 514, brought forth by the hon. Member for Edmonton-McClung. As my colleagues have previously mentioned, Motion 514 looks for continued support for the creation of a world-class capital region river valley park in Edmonton. Promoting ongoing efforts to create an integrated river valley park could help raise our capital region's global profile. Representing my constituents here at the Legislature, I have had the privilege of being surrounded by the picturesque Edmonton river valley. We really do have access to its paths and bridges almost right at our doorstep.

Mr. Speaker, history shows just how society has valued green spaces and park places. From the early 18th century the importance of beautiful, landscaped gardens and green spaces has informed art, history books, paintings, and various other visual mediums. Travellers would come from across Europe to visit what many considered to be landscape works of art. In fact, many of these green spaces inspired the artwork of world-renowned artists and painters just as the artists' own paintings often inspired the landscaping of other gardens across Europe.

Many of the world's most renowned parks and green spaces exist in Europe today as a result of that. In Barcelona the construction of Park Güell began in 1900. This site was originally prepared by celebrated artist Antonio Gaudi in order to display and showcase his urban planning concerns. The creator's vivid imagination is revealed in the different elements that amaze its visitors. Park Güell has become a destination for new and seasoned travellers from around the world.

Central Park in New York City is another world-renowned green space that has become a destination for the city's residents and visitors alike. After seeing a rapid decline in the care and maintenance of this space, many public and private entities have worked together to return it to its former splendour as America's first and foremost major urban public space. Since beginning its restoration, Central Park has once again become a destination for visitors in a bustling metropolitan centre.

5:50

Another world-class park a little closer to home here in Alberta is Stanley Park in Vancouver. As Vancouver's first park, with its ever-blooming gardens, pristine coastal areas, and roughly 500,000 cedar, fir, and hemlock trees, Stanley Park has continued to live up to its green-space designation for over 120 years. Mr. Speaker, Stanley Park has become a must-see tourist destination for those visiting Vancouver. Like our capital region green space, Stanley Park offers a tranquil oasis and a perfect escape right within a busy city centre.

Right here in Edmonton and its surrounding area there are 22 major parks with over 150 kilometres of trails suitable for walks, bike rides, picnics, snowshoeing, cross-country skiing, and more.

The very size of our park is something to rival the likes of even Stanley Park. For this reason, it is important that we take advantage of the expansive green space we have at our doorstep. Promoting a single, integrated, protected parks system and working with the city of Edmonton to implement its ribbon of green concept plan could see Edmonton and all of Alberta come to the forefront of travel destinations for international visitors.

Of course, when considering support for this initiative, it is important that we continue to consult the views of the surrounding municipalities. At the time these plans were initially envisioned, the fiscal environment was quite different. Since then, we have been through one of the worst global economic downturns, and many jurisdictions have yet to recover. That is why we must ensure that all of the members of the River Valley Alliance are still onboard with this project and that their needs and priorities are fully respected. This is especially pertinent given the recent municipal elections, which have seen many changes in councils and boards across the province.

That being said, having an integrated parks system right here in our capital region would increase the province's reputation as a tourist destination across the world, and I will be voting in support of it.

**The Deputy Speaker:** Thank you, hon. member. I hesitate to interrupt you, but under Standing Order 8(3), which provides for up to five minutes for the sponsor of a motion other than a government motion to close debate, I would invite the hon. Member for Edmonton-McClung to close debate on Motion 514.

**Mr. Xiao:** I would love to. Thank you, Mr. Speaker. Motion 514 proposes to continue supporting the creation of a world-class capital region river valley park. The overarching theme that I would like to highlight with this motion is the spirit of collaboration. The fundamental principle that holds communities together and promotes an unwavering sense of unity is collaboration. Again, the River Valley Alliance involves the co-operative efforts of seven unique and proud municipalities that were brought together in their efforts to create a vibrant and dynamic outdoor space that all Albertans can enjoy.

Motion 514 highlights the intergovernmental efforts that have benefited from the support of all three levels of government: municipal, provincial, and federal. Alberta is blessed to house the largest stretch of city parkland in North America, and I believe that in time it will become one of the world's most recognizable city spaces.

Mr. Speaker, by creating an urban outdoor space that is accessible to everyone, this allows individuals from across our great province to appreciate its treasures. World-class parks are defining characteristics that add to the attractiveness of any cosmopolitan city, cities such as New York, Paris, Barcelona, and also, like my colleague from Edmonton-Riverview mentioned, Hyde Park in London. No one can argue with the health and economic benefits that such outdoor spaces provide to both citizens and tourists alike.

Mr. Speaker, in concluding the debate on Motion 514, I would like to urge all members to take time to go out and enjoy our great river valley, truly a sublime gift from nature. When you do, try not to forget the hard work and effort and the time that has been invested in creating such a wonderful space.

Again, I would like to thank all of my colleagues that have participated in this debate on Motion 514. I urge all members to vote in favour of this motion.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

[Motion Other than Government Motion 514 carried]

**The Deputy Speaker:** Hon. members, we had an omission earlier. It's my fault. We did not receive the report from the Committee of the Whole. I would seek your unanimous consent that we receive that report now. Are any opposed?

[Unanimous consent granted]

**The Deputy Speaker:** The hon. Member for Calgary-Varsity.

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. The words just came to me. The Committee of the Whole has had under consideration certain bills and reports progress on Bill 206. I wish

to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

**The Deputy Speaker:** Thank you, hon. member.  
Does the House concur in the report?

**Hon. Members:** Concur.

**The Deputy Speaker:** Opposed? That's carried.  
The hon. Deputy Government House Leader.

**Mr. Denis:** Thank you, Mr. Speaker. I would move that the House stand adjourned until 7:30 this evening.

[Motion carried; the Assembly adjourned at 5:57 p.m.]





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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Monday evening, November 4, 2013

Issue 65e

The Honourable Gene Zwozdesky, Speaker

## Legislative Assembly of Alberta The 28th Legislature

First Session

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Verlyn Olson	Minister of Agriculture and Rural Development
Dave Rodney	Associate Minister of Wellness
Donald Scott	Associate Minister of Accountability, Transparency and Transformation
Richard Starke	Minister of Tourism, Parks and Recreation
George VanderBurg	Associate Minister of Seniors
Greg Weadick	Associate Minister of Regional Recovery and Reconstruction for Southeast Alberta
Teresa Woo-Paw	Associate Minister of International and Intergovernmental Relations

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on Alberta's Economic Future

Chair: Mr. Amery

Deputy Chair: Mr. Fox

Bhardwaj	Olesen
Cao	Pastoor
Donovan	Quadri
Dorward	Rogers
Eggen	Rowe
Hehr	Sarich
Luan	Strankman
McDonald	Xiao

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Khan

Deputy Chair: Mrs. Jablonski

Amery	Eggen
Anderson	Kubinec
Casey	Sherman
Dorward	

### Select Special Chief Electoral Officer Search Committee

Chair: Mr. Rogers

Deputy Chair: Mr. Quadri

Blakeman	Leskiw
Eggen	McDonald
Goudreau	Saskiw
Lemke	

### Select Special Conflicts of Interest Act Review Committee

Chair: Mr. Luan

Deputy Chair: Mr. Dorward

Blakeman	Notley
Fenske	Saskiw
Johnson, L.	Wilson
Kubinec	Young
McDonald	

### Standing Committee on Families and Communities

Chair: Mr. Quest

Deputy Chair: Mrs. Forsyth

Brown	Leskiw
Cusanelli	Notley
DeLong	Pedersen
Fritz	Swann
Goudreau	Towle
Jablonski	Wilson
Jeneroux	Xiao
Khan	Young

### Standing Committee on Legislative Offices

Chair: Mr. Cao

Deputy Chair: Mr. McDonald

Bikman	Leskiw
Blakeman	Quadri
Brown	Rogers
DeLong	Wilson
Eggen	

### Special Standing Committee on Members' Services

Chair: Mr. Zwozdesky

Deputy Chair: Mr. Young

Casey	Mason
Forsyth	McDonald
Fritz	Quest
Kennedy-Glans	Sherman
	Smith

### Standing Committee on Private Bills

Chair: Mr. Xiao

Deputy Chair: Ms L. Johnson

Allen	Goudreau
Barnes	Jablonski
Bhardwaj	Leskiw
Brown	Notley
Cusanelli	Olesen
DeLong	Rowe
Fox	Strankman
Fritz	Swann

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Ms Olesen

Deputy Chair: Mr. Lemke

Calahasen	Luan
Cao	McAllister
Casey	Notley
Fritz	Pedersen
Goudreau	Rogers
Hehr	Saskiw
Kennedy-Glans	Towle
Kubinec	Young

### Standing Committee on Public Accounts

Chair: Mr. Anderson

Deputy Chair: Mr. Dorward

Amery	Khan
Anglin	Luan
Bilous	Pastoor
Donovan	Quadri
Fenske	Quest
Hale	Sarich
Hehr	Stier
Jeneroux	Webber

### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans

Deputy Chair: Mr. Anglin

Allen	Hale
Barnes	Johnson, L.
Bikman	Khan
Bilous	Kubinec
Blakeman	Lemke
Calahasen	Sandhu
Casey	Stier
Fenske	Webber

## Legislative Assembly of Alberta

7:30 p.m.

Monday, November 4, 2013

[Mrs. Jablonski in the chair]

**The Acting Speaker:** Good evening. Please be seated.

Before we begin, I've been asked to seek unanimous consent to revert to introductions as we have guests in the gallery.

[Unanimous consent granted]

### Introduction of Guests

**The Acting Speaker:** The hon. Member for Edmonton-Mill Woods.

**Mr. Quadri:** Thank you, Madam Speaker. It is indeed my honour and privilege to rise today and introduce to you and through you to all members of this Assembly some wonderful friends of this community. They keep coming in. As you know, today we celebrated Eid al-Adha, and they are here to join this wonderful Assembly, to see how democracy works and how we celebrate different occasions. As I say your name, please rise and receive the traditional warm welcome of this Assembly. If I forget somebody's name, please forgive me. I'm going to start with Amer Allam, then Kashif Allam, Nawesh Perwar, Hamiz Khan, Ibram Saheb, Omar Abdullah, Sami Allam, Nushat Ali Akter, Mr. Saed and sister Kishwa Rani, and Shani Allam. Please give them the traditional warm welcome of this Assembly.

**The Acting Speaker:** The hon. Member for Calgary-East.

**Mr. Amery:** Thank you, Madam Speaker. The hon. Member for Edmonton-Mill Woods introduced his Edmonton friends and guests. I would like to introduce my Calgary guests, starting with our senior imam from Calgary, who recited this beautiful sura from the Quran, Jamal Hammoud and his wife, Rola Hammoud; Dr. Talib Muhammed; my brother Ali Amery; and the president of the Muslim Council of Calgary, Mr. Sohail Merhi; accompanied by my legislative assistant, Zack Ziolkowski. I would ask them to rise and receive the traditional warm welcome of the Assembly.

Thank you, Madam Speaker.

### Government Motions

#### Committee Membership Changes

39. Mr. Hancock moved:

Be it resolved that the following changes to

- (a) the Standing Committee on Families and Communities be approved: that Mr. Allen replace hon. Mr. Fraser, that Mr. Khan replace Mr. Goudreau, that Ms Calahasen replace hon. Ms Jansen;
- (b) the Standing Committee on Resource Stewardship be approved: that Mr. Goudreau replace Mr. Allen;
- (c) the Select Special Conflicts of Interest Act Review Committee be approved: that Mr. Luan replace Mr. Allen as chair, that Mr. Dorward replace Mr. Luan as deputy chair, that Ms Kubinec replace Mr. Allen.

Mr. Dorward moved on behalf of Mr. Young that the motion be amended as follows.

- (a) clause (a) is struck out and the following is substituted:

the Standing Committee on Families and Communities be approved: that Mr. Khan replace hon. Mr. Fraser, that Mr. Xiao replace hon. Ms Jansen;

- (b) clause (b) is struck out.

[Adjourned debate on amendment October 29: Mr. Hancock]

**Mr. Campbell:** Madam Speaker, on behalf of the Government House Leader, I want to move that amendment A1 to Government Motion 39 be amended by striking out clause (b) and substituting the following:

- (b) the Standing Committee on Resource Stewardship be approved: that Mr. Allen fill the vacant position.

**The Acting Speaker:** Thank you.

Are we distributing that motion now? Okay. If you'd like to go ahead.

Once everybody has a copy of the amendment, then we'll call the question if there are no speakers.

This will be known as subamendment SA1. Are there any members who would like to speak to SA1?

Seeing none, I'll call the question.

[Motion on subamendment SA1 carried]

**The Acting Speaker:** The hon. Minister of Aboriginal Relations.

**Mr. Campbell:** Well, thank you, Madam Speaker. On behalf of Mr. Young I want to move that Government Motion 39 be amended as follows. Number one, clause (a) is struck out and the following is substituted:

- (a) the Standing Committee on Families and Communities be approved: that Mr. Khan replace hon. Mr. Fraser, that Mr. Xiao replace hon. Ms Jansen.

And, two, that clause (b) is struck out.

**The Acting Speaker:** Thank you.

It looks like we've already voted on that. No? It's been moved. Okay. You have a copy of it from last time. Are there any members who wish to speak on that motion?

Seeing none, I'll call the question.

[Motion on amendment A1 carried]

**The Acting Speaker:** The hon. Minister of Aboriginal Relations.

**Mr. Campbell:** Thank you, Madam Speaker. I would ask that we move Government Motion 39 with the changes that have been voted on tonight.

**The Acting Speaker:** Are there any members wishing to speak to that?

[Government Motion 39 as amended carried]

### Government Bills and Orders Second Reading

#### Bill 31

#### Protecting Alberta's Environment Act

Mr. Bilous moved on behalf of Mr. Mason that the motion for second reading be amended to read that Bill 31, Protecting Alberta's Environment Act, be not now read a second time because the Legislative Assembly believes that the bill fails to provide for unbiased, effective, and accountable independent

monitoring in a comprehensive manner, which includes consultation with the full range of affected groups.

[Debate adjourned on the amendment October 31: Ms Blakeman speaking]

**The Acting Speaker:** The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much. I'm very pleased to be able to stand and complete my time in speaking to the referral amendment, which is moved by the hon. leader of the fourth party, the Member for Edmonton-Highlands-Norwood, proposing that all the words after "that" be removed and that the bill be not read a second time because the Legislative Assembly believes that the bill fails to provide for unbiased, effective, and accountable independent monitoring in a comprehensive manner, which includes consultation with the full range of affected groups. That is a reasoned amendment, and that's the one that's still live. Okay.

When I had first started speaking, I'd said that, really, the acceptance of this whole bill is a question of credibility for the government, a measurement of the action that they've taken and trust going forward. I had run through quite a long list, three pages' worth in my notes, of where there had been credibility gaps with the performance of this government in environmental monitoring. I'd mentioned that, you know, we'd had that whole time where the government kept insisting it was the best monitoring program until that was completely disproved, and they had to admit it themselves. Then they started to develop another world-class one, part of which is included in this bill.

Credibility problems. With the RAMP program, with self-monitoring, with the whole concept of voluntary rather than mandatory monitoring, the lack of an accelerated groundwater mapping program, the industry is looking for certainty, and they cannot get it. Problems with the metrics of how, when, and where we measured various things; credibility problems with board appointments, who tended to be overwhelmingly friends of the government and not necessarily people with the qualifications; problems with conflict of interest; credibility around cumulative effects: again, we're still looking to a baseline. An interesting study was produced by Kevin Timoney in July of 2013, where he followed up on infractions on environmental orders and found that the follow-up was abysmal. So credibility problems there.

7:40

When we look into action, you know, what kind of action has been taken? Can we say that we really think this government has been active on this? My answer to that is no. They haven't been strong on taking action on the environmental file. I would say that they've been weak or have not taken advantage of opportunities to be vigorous. For example, we've had an extension on the coal-fired power plants in Alberta. They're allowed to operate for longer. There has been no incentive to shut them down faster and to move on to some other kind of fuel for running those power plants. The coal-fired generating plants are our single biggest emission issue under CO<sub>2</sub> at this point. The oil sands are our fastest growing problem, but coal use right now is the biggest problem.

Our carbon price is based on emission intensity, not on actual emissions and change in actual emissions. Someone explained that one to me as being on a diet. If you'd actually lost 10 pounds, well, that's 10 pounds, but if you're going to look at the amount of weight that you've lost as a percentage of your total weight, it looks much more impressive than it actually is. That's what we're doing here. We've had very weak support for alternative energy,

and over my time I've heard the most amazing excuses for the lack of support for alternative energy development.

The government keeps talking about the concept of balance, but we don't have a balance right now. We actually have a long way to go to achieve balance between industrial development and the environment. For example, we just appointed as the Alberta regulator a person that used to work for the Canadian Association of Petroleum Producers. Just a tad biased there. You know, even if we believed it here in Alberta, it sure isn't getting credibility and any kind of traction outside of the province. Again, problems with action not taken and credibility.

Weak, weak action on wildlife protection. I mean, for any kind of a wildlife corridor these animals will look like they're on drugs trying to follow what's possible to get through.

We've had repeatedly reduced funding on things like the water advisory panels, we've had repeated problems with enforcement, and, of course, we've just had our own Auditor General repeating his request that the government be able to show that it has made any progress whatsoever on climate change and meeting its targets because he has not been able to detect any proof of that given what the government is doing. So there's a lack of credibility, a lack of action taken.

Going forward, do we have trust? Well, can we see a larger plan in place with this agency as a piece of that plan? I can see where this agency fits into the plan, but the government has lost credibility with me that I can trust them to move ahead in any kind of vigorous way, that I can trust that they're actually going to reduce emissions, that they're going to work on the coal, you know, do something active and vigorous, muscular action, with coal-fired electricity plants, that any of these many things that I have already noted are actually going to get done.

I've been extremely fortunate to be able to travel outside of the province and outside of the country. Boy, when you do, you sure get a clear look back at the lack of credibility that we have. Where other populations, particularly in the European Common Market, are in their thinking, how they look at things like the development of bike lanes and mass transit and recycling and biomass and what they will accept from their government and how far they push their government to do things, they are light years ahead of us. So I can see why we're having trouble getting people outside of Canada to believe that the government is taking any kind of vigorous action because it's nothing compared to what's going on in other places.

I agree with this reasoned amendment. I think we have a problem here. As I've pointed out, this particular legislation has just about as many flaws as it has good points. I really wanted this to succeed. Don't misunderstand that I'm always looking for the government to fail on this. I want them to succeed. I live in Alberta. I want to have a wealthy province. I want to be doing well. I want to have international trade agreements. I want us to be reaping the benefits of living in a wealthy, wealthy province, to have wonderful schools, fabulous advanced education, amazing funding for arts and culture. I mean, there's so much opportunity in this province; it's just flowing over. I get right ticked off when I see that being jeopardized because of things like this.

You know, saying that we're going to have a panel and then saying that there are no qualifications and no specifications as to who gets appointed to the panel, and then to say that there's going to be a scientific panel but no instructions that the people on the scientific panel have a scientific background: oh, come on; how do you think that's going to read somewhere else or even here? We've raised a number of points already just in debate in second on what is lacking here.

So I support this reasoned amendment. I think we've got a long way to go on this bill. I will bring forward some amendments to strengthen it, and I hope that by working together, we are able to wrestle this bill into something that we can all be proud of and support.

Thank you very much, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

Is there anyone else wishing to speak? The hon. Member for Chestermere-Rocky View.

**Mr. McAllister:** Thank you, Madam Speaker. I think I will support what the member from the fabulous constituency of Edmonton-Centre has brought forward. The first thing that I think we need to do is look at the name of this bill: Protecting Alberta's Environment Act. I just wonder what we're defending or guarding in this case, looking at the legislation itself, because that is what to protect implies, to defend or to guard. It seems more like monitoring when you look through it, and that is good. That is something the government needs to be doing. I certainly do support that because we're getting a bad reputation for what we do here when it comes to monitoring our environment.

I think it's worth pointing out, Madam Speaker, that an Alberta judge has recently accused the Alberta government of bias and gross unfairness in banning environmental groups from participating in a public oil sands hearing. It's been discussed at length in here. So when a bill like this is proposed, people are naturally skeptical when that is the track record in the last little while with the Alberta government. In fact – and I'm referring to OSEC, the Oil Sands Environmental Coalition, that was banned – the Alberta Court of Queen's Bench declared that ban illegal, and then the judge had some pretty scathing things to say about it.

To the member's motion, it does make sense to slow it down, I think, and talk about it at another level to make sure that we've got it right. When we don't want to hear from the other side, we do nothing but create problems for ourselves down the road. I think Bill 28 is a classic example of that. I don't think it's unreasonable to suggest that we do solicit a little more feedback and make sure that the proper stakeholders are consulted and we're able to have the conversations in here that we ought to be having. The judge in this case that I'm referring to, with what the province had to say or did on the environmental file, compared that to the authoritarian regime of Maurice Duplessis in Quebec during the 1950s. There is somebody else here – I forget who it was now – that made reference to this the other night when we were discussing this bill. The judge said: it is difficult to envision a more direct apprehension of bias unless it is the Premier of Quebec telling the Quebec Liquor Commission to revoke a restaurateur's liquor licence because the proprietor is a Jehovah's Witness, as happened in Roncarelli versus Duplessis.

To the member's point, it does warrant revisiting and more time. If that's what a judge fears we're doing with the Alberta environment file, then I think you understand where the member is coming from.

An arm's-length agency is good if it is, indeed, an arm's-length agency. Everybody has great cause to question whether or not that will be the case, in an open and transparent manner, because sometimes the government suggests that's exactly what's going on and we know that it isn't. All we have to do is think of the events of earlier this session when we were talking about Bill 28. Obviously, the government wants you to believe that everybody's been consulted and there is no problem with what they're putting forward. That is not the case, and you have to convince them of it,

only to have them backtrack at the end and say: "You know what? We're getting so much feedback from the community that this is what we should have done initially."

7:50

That's a frustrating thing for anybody. Whether you've been here, like the member who raised the amendment has, for a couple of terms or whether you're one of the newer members like myself, I think you see that the point of opposition is to raise appropriate dialogue and points that need to be considered, and it is nice when the government will consider them without staying up until 2 in the morning to be convinced.

It is to be independent of government. We have to make sure that this is the case. I would applaud the fact that, reading through the bill, eventually it's going to get to a point where all the information on the projects in Alberta are posted online for all to see. The question that I would have is: is that written in stone, that all of the information on all of the projects will be posted online, or will it be by selection? In other words, if there is something going on that doesn't paint the government in a good light, will that be kept from that website? That would not be the intent if we're going to be open and transparent about it.

Protecting Alberta's Environment Act is one thing; protecting Alberta's environment and the Alberta government's reputation act is an entirely different thing. I'll wait for some more speakers on it tonight, but I applaud the member for bringing an amendment forward. I think it's in the best interest of improving what we're putting forward so that we can be good stewards of the land, develop economically and responsibly, and do what we ought to be doing as the government. We have international partners that expect nothing but the best from us, and we should change the reputation that, unfortunately, the government has been a part of developing for the province of Alberta. I'm hopeful that we are able to do that through this bill.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

We have 29(2)(a) if there is anybody who would like to comment or question the hon. member.

Seeing none, I'll ask if there are any more members who wish to speak on RA1.

**Hon. Members:** Question.

[Motion on amendment to second reading of Bill 31 lost]

**The Acting Speaker:** We'll go back to debate on second reading. Are there any members who wish to speak to Bill 31 in second reading?

Seeing none, would the hon. minister of environment like to close?

**Hon. Members:** Question.

[Motion carried; Bill 31 read a second time]

**The Acting Speaker:** The hon. Deputy Government House Leader.

**Mr. Campbell:** We would appreciate it if we could go to Bill 29, Pharmacy and Drug Amendment Act, in Committee of the Whole.

## Government Bills and Orders Committee of the Whole

[Mrs. Jablonski in the chair]

**The Deputy Chair:** I'd like to call the committee to order.

**Bill 29**  
**Pharmacy and Drug Amendment Act, 2013**

**The Deputy Chair:** Are there any members who wish to speak to this bill in Committee of the Whole?

Seeing none, we'll call the question.

**Hon. Members:** Question.

[The clauses of Bill 29 agreed to]

[Title and preamble agreed to]

**The Deputy Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? It's carried.

Hon. Deputy Government House Leader, shall we have the committee rise and report?

**Mr. Campbell:** Yes. Madam Chair, I move that the committee rise and report.

[Motion carried]

[Mrs. Jablonski in the chair]

**The Acting Speaker:** The hon. Member for Calgary-Varsity.

**Ms Kennedy-Glans:** Madam Speaker, the Committee of the Whole has had under consideration Bill 29. The committee reports the following bill: Bill 29.

**The Acting Speaker:** Thank you, hon. member.

Does the Assembly concur in the report?

**Hon. Members:** Concur.

**The Acting Speaker:** Opposed? So ordered.

**Government Bills and Orders**  
**Second Reading**  
*(continued)*

**Bill 27**  
**Flood Recovery and Reconstruction Act**

[Adjourned debate October 30: Mr. Hancock]

**The Acting Speaker:** Are there any members who wish to speak on Bill 27? The hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Madam Speaker. We can talk about process again, but I think I well indulged everybody on that the other night on what I thought of process. I do appreciate the government listening.

As I understand it, Bill 27 amends the Emergency Management Act to allow regulations to fund and how to fund to mitigate potential flood damages. One of the things in the bill allows for placement or removal of caveats on properties on flood fringes or floodways. I agree with part of that. The only problem I guess I'd caution the government on or like them to look into, at least, is to update the flood mapping so we have current flood mapping for what we're doing on that. In the last three floods I've seen, from 1995, 2005, and last summer, a lot of the rivers have changed direction, flows, everything else, which does change.

**8:00**

**An Hon. Member:** They change direction?

**Mr. Donovan:** Where they're flowing. They're still going in the same direction, I guess. Thank you, Statler. Every once in a while you keep me on the game. I appreciate that. The point is that it's definitely changed the location of the water and where it happens to be going in different years.

The declaration of passing the state of emergency from 14 to 28 days, I think, probably has some merit to it as we ran into that in this last flood. We ran into problems there, so that should do that.

One of the things in this bill that I do like: it gives powers to the municipality to handle the emergencies and the relief. In one of my counties that I represent as MLA, Vulcan county did a spectacular job of being able to help during the flooding around the Wyndham park area when the flood hit. They stepped up; they did lots of road work. Volker Stevin did a great job also of blocking off roads, sitting out there staffing the blockades there. I think people went above and beyond on that. Communication was also good from the county of Vulcan and also the county of Lethbridge, who didn't have as much flooding per se but had the chance of flooding where they were going to open up some dams to let the cubic metres per second get out of a dam.

Luckily, they didn't have to open them up to the state where they were going to do some road damage, which again gets into some things, I guess, which we need to address sometime with Environment, allowing how much flow goes in and out of a water reservoir. I know that right now policy from Alberta Environment states that they cannot let more out of the reservoir than what's coming into the reservoir. I think that at some point we could work on that. Maybe it's a policy change that the minister might want to look at for down the road when we know there's a large flood coming, to be able to let some of the water out earlier. It's just something, I think, that would help out quite a few people.

I think that this bill also cleans up some of the claim mechanisms for the municipalities to be reimbursed after the natural disasters hit. In 2005 or 1995, or I guess both, but in 2005 for sure, Vulcan county had a couple of bridges go out. As well, this last flood had some bridges go out. Some of the challenges are to be able to replace those in a timely fashion. I know that the MD of Willow Creek – and that would have been back in 2005 also, in that flood – had numerous roads where the bridges went out, and being able to get the funding and the okay on that became a challenge for them.

One of the things I do question in this bill is giving it to cabinet to decide where development can be. Some of that worries me a little bit if they haven't seen the exact flow of where water goes and how it may have changed a little bit on high and low marks, with different spots in the rivers washing out compared to other times. I wonder whether that should be a locally made decision or not. Again, I see on the AAMD and C convention that there is talk of whether the Minister of Municipal Affairs is going to open up the MGA again. I think it's been about 19 years since it was last done. This is also going to be modified in the MGA, so I guess making sure that this carried on in the new MGA as it's looked at and redone and with some of the things added to it, I think this could be a good time to also add a couple of other things in the MGA that need to be updated.

I think, in all honesty, this bill has a lot of merit, and I'd probably be supporting it with a couple of things that I'd like added to it. So I'll leave it at that.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a). Are there any who would like to speak to him about that? The hon. Member for Drumheller-Stettler on 29(2)(a).

**Mr. Strankman:** Yes, Madam Speaker. I'd just like to ask the Member for Little Bow: he kind of glossed over the concerns about caveats, and I, too, in Drumheller have some concerns about floodway mapping and caveats, so I was wondering if he could just reiterate a little bit his concerns about those descriptions.

**Mr. Donovan:** Thank you for the question. My concern is that when you're starting to put that on, some towns have done some mitigating for flooding and have put a caveat on some of the titles. To me, for the towns that have already done the mitigation, it is a challenge in there. In some of the towns with the old flood mapping that has been done – I mean, for instance, in Vulcan county, where the floods went down through Wyndham park there, none of that is mapped still. So I guess I'd be concerned with being able to put the caveat on some of the titles. For instance, the town of Okotoks put quite a bit of money into flood mitigation last time, which proved very good this time, so they've done the right steps to take the caveat off. My opinion as a farmer on it: you'd hate to put a caveat on a title that is on an old flood map.

The biggest thing in my vision of that is to make sure that the flood mapping is up to date before we push through the caveats on the different homes because that could change some different areas, and if the flood mitigation that goes through that they actually do, with the flood symposium that they brought forward in Calgary, which I think has quite a bit of merit, it would change quite a few different things on what would be considered in the flood plain or the flood fringe.

**The Acting Speaker:** On 29(2)(a).

**Ms Blakeman:** One of the things that I noted in Bill 27 is that a great deal rides on the definition of floodway, yet the definition of floodway will be decided after the bill is passed under section (3) of the bill, modifying section 693.1(1) of the original MGA. Can you comment on the fact that we're doing something for a definition that we don't have yet?

Secondly, what's your opinion on the caveats being placed or the lack of definitude around neighbourhoods that already exist, communities that already exist in those flood plains? Can you explain why the act is not giving us a better definition of how that's supposed to proceed?

**Mr. Donovan:** It's like rehearsal for when we become a minister at some point. This is great.

First off, for the floodway and the mapping on that and doing it ahead of time, I give the government that they have to start somewhere on it. My thing is that I'd still like to see new flood maps so the floodway, flood fringe – I guess the question is where the caveats are on that. The parts of town that you asked about, High River for instance, where some developments are considered in the floodway or the flood fringe and whether the caveat is on it: some of that also goes back to the flood mitigation standard or what they're doing. I guess that as a property owner I wouldn't want a caveat put on my house if we've mitigated the damages that could be done the next time by totally diverting the water channel around or making sure that there's proper drainage from there so it couldn't flood again. I'd hate to put a caveat on a title that, to me, has shown that they've done the mitigation that should be done.

I guess I'm not going to say that I know the exact answer to this because depending on which city you're in – I know Calgary has some different challenges where the Elbow goes through. But I'm the most familiar with High River and with different communities in High River. For instance, probably the worst flooding was on the east side of town because there's no way for it to drain. Nobody ever saw the water going over there. So to put a caveat on those houses – they weren't even in the flood fringe or floodway, and it just happened to be the way the water backed into it. It became a basin. It would be pretty hard for anybody to tell that that would have happened until the events did happen. I went to high school in High River. It would have been the last place I would ever have thought of flooding. That's why, I think, people bought out there. They thought they were away from the river. They weren't near the golf course. They weren't along there. I worry a little bit about putting caveats on areas in town that could have got flooded without anybody knowing it was going to happen.

8:10

**The Acting Speaker:** Thank you, hon. member.

We have a number of speakers on Bill 27, the Flood Recovery and Reconstruction Act. The hon. Associate Minister of Regional Recovery and Reconstruction for Southwest Alberta, followed by the hon. Member for Rimbey-Rocky Mountain House-Sundre.

The hon. minister.

**Ms Blakeman:** There's a minister for recovery?

**Mr. Fawcett:** That there is.

Thank you, Madam Speaker. It's an honour to rise and speak to this particular bill, Bill 27, the Flood Recovery and Reconstruction Act, as a minister that has been very much involved in this from about 24 to 48 hours after the floods subsided. I do want to talk briefly about some of the stuff that's in this bill, particularly the policies that this bill is enacting around developments in floodways. I appreciate the last exchange, and I think that's good debate, but I do want to clarify a few things.

First of all, this bill provides regulation-making authority to the minister to restrict development in what's called a floodway. This is very distinct from what is the flood fringe. In fact, so much of what we heard in the aftermath of the flood – we talked about flood plains or flood hazards or all sorts of nomenclature that is good for public debate, but when it comes down to making policy decisions, what's in this particular bill, it actually just clouds the fact. What we do as a province is flood mapping, and I guess you could call the whole thing a sort of flood hazard.

There are two particular areas that we're really concerned about as a province within that flood hazard. One is a floodway and one is the flood fringe. What defines the floodway is that it's a particularly scientific way of looking at what happens during a flood event and how the water reacts. In a floodway, Madam Speaker, what you have is water that flows at a particularly high rate, at a particularly high volume, and there's a channel that it's usually geared towards. The water flows at such a high rate and such a high volume that it is very destructive. It will take out man-made structures, and the reason why we're bringing this forward and why our policy is to restrict any future development in those areas is twofold, and this is something that I wanted to bring up as part of this bill because I'm not sure this is widely understood.

The first thing is the obvious, the financial liability that exists when you have structures that are destroyed during a flood event: a house – we saw many of the pictures of houses floating down the river – other physical structures. Those were typically in the floodway, and like I

said, that's typically defined by waters that flow fast enough and strong enough that they'll destroy structures, and that's, you know, certainly financially damaging when you have to repair a whole structure instead of just maybe mopping up, cleaning up, and fixing a bit of drywall. So the financial liability is huge in this particular area, and I think most Albertans understand that.

The second part about the floodway, Madam Speaker, is that when you do have houses or structures move in a flood event, it becomes a public safety issue. We have first responders that are operating, trying to save life and limb, as they like to say, in a flood event, whether it's rescuing people, animals, trying to protect other infrastructure, and what you have is the potential of these structures now floating down the stream at them at a very high rate in the river because the water's flowing that way. This policy doesn't just make sense for limiting future financial liabilities; it's actually a public safety issue as well. That's a piece that actually gets lost in the debate around this particular policy.

The last thing I just want to touch on is that this is based off flood mapping, Madam Speaker, and those decisions we based off the maps that exist today, and there's no doubt that some of those maps need to be changed. One of the things that we need to remember is that those maps are mapped to a 1-in-100-year standard, and that's very important to remember. I know most people are concerned. They're confused. They're saying, "Well, it doesn't make sense. How come I got flooded but I'm not in a floodway or flood fringe?" and vice versa. The big challenge is that obviously, with many of the flood events that happened this past June in this province, much of it was actually over and above the 100-year standard. That's why you would have water in places that might not be mapped. It's over a 1-in-100-year standard.

Finally, Madam Speaker, the one thing about flood mapping that I think everybody should recognize is that in a flood event many, many different things happen, and they're happening on a very fast and rapid basis. It's very hard to predict, scientifically or nonscientifically, things that will happen during this event. Much of it is, frankly, man-made. A great example is Heart Creek in the hamlet of Lac des Arcs in the MD of Bighorn. What had happened was that the creek was flooding and was going one way, and a whole bunch debris came up against a guy's fence, clogged the fence, and redirected it a completely different way. Well, that might have been the natural way the creek wanted to go, but it ended up going a completely different way because of that fence sort of acting like a dam. That's something that is very difficult to predict ahead of time, and it's why some of these things are very unpredictable.

What we need to do is realize that what we're trying to do is not give an exact prediction of what's going to happen during a flood event but create a policy tool for planning. That's what flood mapping is about. It's a tool for planning. It's a tool for allowing us to identify some of these things like restricting development in floodways, those types of things, that are in this bill for us to make sure that we're better prepared for next time and that we look at challenges such as future financial liability and possible public safety issues.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. minister.

Standing Order 29(2)(a)? The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much to this – I'm sorry. I didn't know you were a minister now. I totally missed that. Thank you very much for getting up to say what you said, but I am still curious how we were supposed to know that from what's available in this bill, where in section 693.1(1) it's telling us that those definitions of floodways will come from the Lieutenant Governor

in Council, who may make these regulations, and that includes under (d): "defining, or respecting the meaning of, 'floodway' for the purposes of this section and the regulations made under this subsection." How, exactly, were we supposed to understand what you just told us, telling us all that we should understand it, when, in fact, the regulations haven't been made yet but will be made upon the passage of the bill? Do you see what I mean? We've got the cart before the horse here a little bit. So I'm asking how people were supposed to understand that.

Secondly, where you have communities that are already built in 1-in-100-year flood plains, there's total uncertainty for them here. We don't know whether there's going to be a caveat placed on their property. They were already allowed to develop under the blessing of the municipality of the time, so I don't know if it's possible to mitigate at this point. What are they supposed to do? Get higher? I don't know. Are you supposed to prop them up and stick another foundation under them? What's reasonable here? The bill is nothing but uncertain. I can't go back to the people that are asking me this question and answer it for them because there's nothing in the bill that tells me what they're going to do except for things like

controlling, regulating or prohibiting any use or development of land that is located in a floodway,

undefined, I'll note,

within a municipal authority, including, without limitation, regulations specifying the types of developments that are authorized in a floodway.

Okay. Fair enough. What am I supposed to tell these people? They're already there. They were blessed by the then municipality to be there. What are they supposed to do in the future? Do they always have this uncertainty hanging over them that at any point the government can decide to control, regulate, or prohibit because they're already in a flood plain? What are they supposed to do? There's no certainty for them. There's no certainty now, and there's no certainty in the future for them. So could you answer that?

**Mr. Fawcett:** Yeah. I'm glad that this hon. member has got caught up over the last year and a half. It's been that long since I've been an associate minister over here, Madam Speaker.

What I do want to say is that this, to restrict or prohibit development in floodways, in any policy that the government wants to bring in will be specifically in regard to any new or future developments. Those developments in place will be allowed to remain in place. We've been quite clear on what our policy intent is going to be, Madam Speaker, and that is that if you live in a floodway, you certainly will have access to the disaster recovery program for, one, a flood event, and if you are impacted by a flood, you will then have an option to go to the disaster recovery program and get your eligible recovery assistance through the program or work with the government through our floodway buyout program to get you moved out. That's all that this is doing.

8:20

Again, I don't know where this member has been, Madam Speaker, for the last – I don't know – four months, but we've been quite clear on these policies. We've been talking about it. We've been trying to make these policies in a timely manner so that people that have been impacted can make a decision. That's always a big challenge. You probably know that it takes a while to, you know, make sure you have all of your i's dotted and your t's crossed when it comes to making sound public policy. In the case of flood recovery that's always a challenge. How do you make sure that all of those details are taken care of while providing timely information to people?



That's something that we've tried to deal with over the last four months, and I believe that through that process – it has been a bit of an iterative process – we've come up with some very strong policies that are very much in line with the Groeneweld report that was done after the 2005 floods. We think that this is the right thing to do. This bill is going to allow us to do that, and it's pretty clear, Madam Speaker.

**The Acting Speaker:** There are four seconds left.

**Ms Blakeman:** Yeah. It's about as clear as mud. Where exactly are these policies written down? I am one of the few people that pays attention in this House.

**The Acting Speaker:** Hon. member, thank you.

The next speaker is the hon. Member for Rimbey-Rocky Mountain House-Sundre, and following him will be Edmonton-Beverly-Clareview, then Chestermere-Rocky View.

**Mr. Anglin:** Thank you, Madam Speaker. To the hon. minister. I know you've been a minister under a different title. You've now got a new title. Maybe you've doubled down. I want to make one comment before I even begin. I would disagree with the comment that the minister made about how much of this being man-made. It's called rain, and none of that is man-made, as much as I know. I will tell you that it's about volume and the speed of volume. The science behind it can actually project quite accurately based on the volume and the speed of the volume what a flood plain would be and what would be damaged or at least how to expand within that flood plain. That's not even new science; that's science that's been around a long time.

Now, the thing that bothers me about this is the definition. That's actually quite incredible. I had to actually go back because for quite a long time a floodway was the channel of the river and always has been, but it looks like we're going to change that now. I don't know why, but we're going to change that. It's going to be a different definition. That's all well and good. You can do that. A flood plain was the high water mark based on the speed and the volume of water coming down, and that could easily be mapped according to how much water was considered and the speed that it came down based on the floodway. So these definitions can possibly change as we add to the flood fringe, and we really don't know what they are just yet.

But I do know one thing. The mapping is not good. It needs to be updated. In the town of Sundre alone the river has moved over a mile from the original flood mapping that had taken place some years past, so now the riverbed has actually moved over a complete mile – and I mean almost exactly a mile – to the channel it once ran through back in 1954. So it changed the whole dynamics.

Now, this act is called the Flood Recovery and Reconstruction Act, but there's nothing in there that talks about spurs, berms, dredging, and dams, some things that are really constructive in how we're going to deal with these floodways and these flood fringes. In the management of future floods these are the tools that we have at our disposal, and they've been proven to work for centuries. It is something that the engineers engineer and we would apply. That would save significantly the amount of damage, whether it's a 100-year or 500-year flood, depending on how we engineer and how we plan for future floods. Now, there's nothing in here that really even leads to that.

The other thing is dealing with the issue of the cost that would be incurred by people who are living in these floodways or flood fringes, as they're also identified. What if you're there now with property? What is the process? Clearly, people are not going to all

agree on what this government offers for financial contribution, financial relief, whatever it is, whatever it's called. Some of these investments these people have made are significant. What is the process if the government comes in and says, "Now we're going to throw a caveat onto your title. Oh, by the way, the value of that land, the value of that property just dropped"?

What happens if we now put in the retaining dams or the retaining ponds or retaining lakes, whatever you want to call it, and we change the whole mapping of how we're managing floods going into the future? Do these caveats get removed? Under what conditions do they get removed? This is all part of the process that is empty. It's not here, and there's no mention of how to go about it. Again, there are some real issues here.

There are a number of other things that were never addressed. The hon. Minister of Justice did make mention of this, I believe, last week. In dealing with this type of emergency – the beginning of the bill talks about it when it talks about amending the Emergency Management Act. We've now learned yet again – and I learned when the hon. minister tabled a letter both from himself and from the deputy commissioner – that they didn't seize property. They were just doing search and rescue. Now, that's an interesting argument once again.

We've been around and around with the RCMP on that. There are some RCMP officers that are extremely upset. The RCMP detachment from Rocky Mountain House was dispatched down to High River during that flood. They're quite upset with what went on. We still don't have answers dealing with this. Alberta has some of the most experienced and qualified search and rescue people, who were not employed to do search and rescue. They were standing on the sidelines, waiting to be called, waiting to come in, yet I'm being told now that it was the RCMP that did it. It doesn't make sense. It doesn't make sense under this. The RCMP in one example knocked on the door, found a gentleman, and told him it was a mandatory evacuation. He left with the RCMP. The RCMP actually helped him secure his home. Only when he came back did he find out they kicked in the door. So the whole search and rescue concept doesn't make sense to me, and it certainly doesn't make sense to that gentleman.

There's nothing in the bill talking about these emergency powers. The bill says very little in detail about anything. It's just a "trust me" piece of legislation. But I will say this. Under the Emergency Management Act the RCMP does not have the ability to act on their own. It's not there. It's not in the act. The act specifically states that "if the Minister acquires or utilizes" property – it goes on; blah, blah, blah – in the end the government has to compensate for taking private property.

Now, where that comes from, the typical example given, is that if there's a forest fire and you have a bulldozer there available to be used to help suppress that fire, we'll talk compensation later, but we can take your property and use that to help suppress that fire. It doesn't matter.

The minister still has the ability to have that power, and that minister delegates that power to the RCMP. In order to do that, there needs to be a declaration, which there was in this case, and there needs to be a plan, and the minister has to file the plan. We haven't seen that plan. This bill says nothing to correct what went on down there. It's interesting because Sundre, like High River, is one of those amazingly high-risk areas for flooding. We've known this. We've known this for years. The 2005 flood proved it. Sundre went through another flood in 2010, and we escaped. I shouldn't say we escaped. We didn't have home damages, just a few relative to Calgary and High River. But the fact is that we had significant road damage, we had significant bridge damage, and the whole community was evacuated at one point. We just got

lucky. We just got lucky because the amount of rain that we got was just right at its peak before the river started to subside. That's all we got, lucky.

8:30

We're still waiting for flood mitigation. We're still waiting for measures, even on the whole recovery, and there's nothing in this bill that shows residents or the community of Sundre that this will help. It's not there. The mayor of that community, the reeve of the county are still struggling with this government to make sure that they do not fall victim this coming spring, which is usually the one that really causes the great consternation, the spring rains and the winter runoff, like any other community that's prone to flooding.

What is disturbing is the way that the search and rescue occurred. When I had a chance to interview and talk to the people who are involved in Alberta Search and Rescue, the first thing I asked them is – for decades, if not even longer, it was a standard practice of anybody doing search and rescue, whether it was police or whether it was Search and Rescue people, that if somebody refused to leave in a mandatory evacuation, you offer to take and save the life of their pet, and if you do that, you have a better chance of having them concede to giving you their pet. So you can save the life of their pet, and then they will follow their pet. That's standard practice.

Ironically or coincidentally or unfortunately, that didn't happen down in High River. It was just the opposite. They told people that they had to leave but to leave their pets behind. So they violated one of the very basic principles of search and rescue on how to get people out of a mandatory evacuation area, and then it went south from there.

The idea that they kicked in doors for search and rescue just doesn't hold water. It doesn't. No pun intended. But the fact is that they kicked in three doors to one home, and the lady said: "The first door got you in. Why did you have to kick in the other two?" It didn't make sense. It didn't make sense at all.

This idea that they were securing weapons. Boy, I tell you, that one is tough to believe. It's tough to believe that they just so-called stumbled upon it, given the testimony in the High River area of what happened.

Now, that didn't happen anywhere else. It didn't happen in Sundre. Sundre was evacuated. We had RCMP on guard there. I know parts of Calgary were evacuated. That's clear. Why it happened the way it happened in High River has never been explained satisfactorily to those people. I have to tell you that when the RCMP approach me saying that they are concerned because they don't like what happened – now, they did their duty. I want to be very clear. I have the greatest respect for the RCMP and the officers and their integrity. They did their duty, but someone well above them did not.

Somebody in a position – and it always comes down to one person. Legislation says it comes down to the minister. We don't know who the one person is who actually made that decision, but we know one thing: the plan was never tabled. We haven't seen the plan, but the law says that the minister has to file a plan. We haven't seen that. Rather than the letters, I would like to see where the plan was made public because the law says it should be made public. I will tell you that the same is approved for the feds.

Now, if you listen to the example given, the minister would have us believe that the RCMP made the decision. But when I asked the RCMP, "Does the RCMP have the authority to tell the army what to do?" they answered, completely honestly that, no, they do not. So the army was there. Who told the army to kick in doors? Somebody else other than the RCMP had to instruct the army. The authority has to come back to somebody.

I tell you this. I understand the laws well enough. The army cannot just sit on an army base one day and say: "Hey, they're having a disaster down in High River. Let's go." They don't. Somebody has to tell them.

There's a process. Under no circumstances in a democratic society – and ours is no different – does the civil authority allow the RCMP or the army to act arbitrarily, even under conditions of war. The Prime Minister is always in charge. In a natural disaster civil authority is always in charge, and it comes back to the minister. Clearly, something is missing. Somebody is passing the buck. It's not addressed in this bill, and it needs to be addressed. That was a tragedy down there. It went south. It is a terrible tragedy that lots of people suffered, and the excuses given are not adding up.

If it was a search and rescue, what I don't understand is: why didn't they just go ask the people with the keys to the homes? They were up the road at the evacuation centre. At least 80 per cent, 90 per cent of the information could have gleaned from the evacuees. Anyone who was missing from that, now you have cause to go on that search. But to save time and labour, just talk to the people who have congregated, who are waiting to get back in. Find out who's who, where the addresses were, and you could have saved a lot of time on the search and rescue. That wasn't done. Again, it doesn't add up.

You know, the RCMP that approached me made note of that. They said that if they were doing a search and rescue – because that's what good police work is. You go to the obvious and make sure you just start checking off those things that are so easily identifiable. There was nothing wrong with going up to the evac centre and saying: "Who lives where? Is there anyone left behind?" That would have given them the majority of the accounted-for residents. Again, that would have narrowed it down to where they really needed to look. They didn't have to go through kicking in 1,800 doors to 1,800 homes.

**The Acting Speaker:** Are there any members who would like to comment or question under Standing Order 29(2)(a)? The hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Madam Speaker. I guess I'll end up tabling this letter. I wrote a letter to the Alberta Property Rights Advocate asking exactly what the member had been talking about, and it came back – my understanding from the people in the area is that the army actually never did do any of the search and rescue stuff. They were there to help, but they never did actually enter any of the buildings. This is right from Deputy Commissioner McGowan. "It should be clear that we did not take operational direction from any elected officials or public service employees to enter in private homes and remove personal property."

I think it needs to be clarified from their side. I have no reason to doubt the Property Rights Advocate on where he got his information. My understanding is that this was done through that. I guess, what's your thought – you had been a previous peace officer at one time in your jurisdiction – on whether you would have done the same thing if it had been put to you as an employee working as a peace officer, if you would have taken the direction from your commander or if you would have sat and had a second sober thought on it?

**Mr. Anglin:** Well, certainly, any military or paramilitary take their instructions and orders from their commander. They always do. Short of something that's so egregious that it violates their code of conduct, they would do that.

The member is correct in what he stated about the army. But the fact is that the army was there assisting the RCMP, and this testimony does contradict what that letter says. Now, that doesn't say it happened or didn't happen, but we know the army was there. We know they were assisting the RCMP. To say that we're taking property out of homes to secure it is an odd statement considering that that property was in locked homes in a flooded area – a moat, so to speak – guarded by the RCMP and guarded by the army. There was nothing more secure in all of Canada at that moment in time. So it made no sense to break into the homes.

There is a discovery going on right now, which is important. We need those findings. But I will tell you that the testimony coming from the good citizens of High River – many of them leave a lot of questions yet to be answered. They contradict both letters that have been tabled. They contradict what the hon. member just said about the Property Rights Advocate. Clearly, there needs to be a finding.

8:40

As I mentioned earlier, the RCMP approached me at Rocky Mountain House, and they were quite concerned because they didn't like what they were doing. They thought something was amiss, and at that time I said – of course, now it is being investigated, which is a good thing. But the fact is that it troubled them to the point that I was approached, and they said: "You guys need to look into this. This isn't right." And you know what? From what I can see, what I hear, and what I'm reading, clearly, there are more questions than there are answers. We have an opportunity in this bill to sort of lay out a little bit how we would deal with these issues, but there's nothing mentioned here. There's nothing mentioned here on how to prevent this from happening again.

When you talk about a flood recovery act, the damage done at High River by people who probably didn't have to do that damage is significant, and that's something that is absolutely avoidable. There's nothing in here about how to avoid it. Let's not forget that the RCMP said originally that they weren't going to pay for this, and the government originally said that they weren't going to pay for the damage, but the legislation clearly says that the minister has to compensate. So that would normally fall right on the government.

Now we've got all these questions. Did someone act outside their jurisdiction? Or if they were inside their jurisdiction, who made the decision to kick in that many doors? It's not logical. It's not logical, what was going on there. They could have done – it's such an easy job, finding all those people in those evac centres and eliminating many of the homes by identifying the people who were there and where their homes were. Was anyone left behind? Was anything left behind? They could have done that easily, and that would have saved them lots of time so they could have concentrated resources on what they could not account for. That's usually the case in any type of disaster zone. I think there was an evac centre in Nanton. There were various evac centres. That information was readily available.

There was a lady that did go public and say: why didn't you just come ask for my keys?

**The Acting Speaker:** Thank you, hon. member. That's the end of 29(2)(a).

Our next member who wishes to speak is Edmonton-Beverly-Clareview, followed by Chestermere-Rocky View.

**Mr. Bilous:** Thank you very much, Madam Speaker. I rise to speak to Bill 27, the Flood Recovery and Reconstruction Act, and

there are a few points that I would like to make. I mean, the first one is that I think the one thing this government does very well is come up with names for their bills. Unfortunately, that's usually where the good part stops. For example, the Flood Recovery and Reconstruction Act sounds wonderful, but it's thin. It's thin, and it's long overdue. So I'll speak to a few different things on this bill.

First and foremost, this bill, as many others that we've seen in the last 12 months – as opposed to ensuring that there is oversight and an arm's-length body that is making decisions, more and more in these bills cabinet ministers are being granted sweeping powers, sweeping authority to make decisions, which is a real cause for concern. Madam Speaker, again, concentrating too much power in the hands of a few actually works against our democratic process and ensures that should we have, maybe not now but in the future, a minister that decides that they want to wave their wand or run their ministry like a puppet show, well, they've got the authority to do that.

So that's a real cause for concern. It's not only in this bill, Madam Speaker, but in numerous other bills that we've seen. They are bills that are enabling the government to make decisions without consulting Albertans, without consulting experts. And that's very different, I've been told by my colleagues, from many of the bills in the past that were more prescriptive bills, legislation that addressed or dealt with specific issues and concerns, not ones that give carte blanche to the government.

Madam Speaker, this PC government has consistently been using language that, you know, this flood that we saw was unprecedented and one in a thousand years. I have a real cause for concern with that kind of language making it sound like it can't happen again. I mean, the irony here is that we've heard cabinet ministers, either of today or before, make comments about: we've had a natural disaster; we're going to be good now for the next number of years. You would think that any time that a natural disaster occurs, there would be a will to address it and preventative measures to ensure that if it does occur, we mitigate damage and minimize.

We'll walk through at least Alberta's history of floods here in a moment. It really makes one scratch one's head. There were clear indications that a flood like this was going to happen again. The government had reports, had documents from years past that they chose to ignore and to sit on. Honestly, Madam Speaker, what really is causing alarm is: why does it have to take a tragedy for this government get off its laurels and do something about it? Many Albertans are asking this question.

Madam Speaker, it's very dangerous to talk about an event like this one as once in a thousand years or once in a lifetime because it's contrary to reports going back as far as the 1983 flood hazard survey, which the PCs commissioned themselves. Going back even further, in 1973 there was a Montreal engineering report. As well, three years ago there was a hydrology study of the Bow and the Elbow rivers. Again, what we see from all of these reports that are commissioned is that this government has a process which goes: something happens as an incident, a report is commissioned, they sit on the report for years and years, finally release it, and then nothing happens. It's a process that leads to nowhere any time soon or where it needs to go.

Here we are, for example, with this bill, Bill 27, and it leaves out many crucial details, okay? The language is very, very vague, and again the government is asking for this House to approve a bill which gives the minister powers which we don't even know because they aren't defined. There isn't oversight. There isn't a limitation on those powers, such as other bills that were tabled in the last couple of weeks.

A major concern that many members of this house have brought up, Madam Speaker, is the fact that there's a lack of a desire of the government to define or tell us how they're defining floodways or flood fringe. Those crucial points are really what's at the heart of this bill or what should be at the heart of it. Let's keep in mind that this government ignored the 2006 recommendation to institute a continual map maintenance program, and instead they opted for a whenever-appropriate or "when we get around to it" model. That clearly wasn't maintained when appropriate.

Again, High River, for example, is a tragic example of this, and I'll get into that in a moment, Madam Speaker. I actually had a tour with the hon. Member for Highwood through High River after the flood, and I was really shocked to learn that the areas that got hit the hardest were areas that were not designated flood fringe zones. They were zones that never should have seen a drop of water.

Again, the irony of this is trying to pass legislation when we don't have all of the information. The opposition, the Alberta NDP, has been calling for an update on the flood maps for years now, which would have provided this government with more information to be able to mitigate some of the damage. The other thing that we helped bring to Albertans' attention was the fact that this PC government was the only government out of four provinces that failed to access federal dollars for flood mitigation.

8:50

You know, the minister says: "Well, the window was really short. There was only a two-month window. The restrictions were too tight." It really shows a lack of competency in this government when the governments of B.C., Saskatchewan, and Manitoba could all figure out how to apply for that funding, and they received federal dollars for flood mitigation. So Albertans are clearly disappointed that there was a pool of money that was left on the table. Was it negligence? Was it incompetence? These are questions that Albertans are asking.

Let's see here. As I've said, Madam Speaker, the government asks for us to trust them, to trust that they are going to do the right thing even though that commitment is, well, basically an empty, empty promise. I mean, as we've seen over and over again, there are promises made by this government and repeatedly broken. You know, it's challenging. It's kind of almost funny that the government says: "No, no, no. This time we're actually going to do something about this. Trust us just one more time even though we've continually fallen down when it comes to the issue of mitigating against floods, of being prepared, of looking forward, of being proactive." I think one of the issues that I'm hearing from folks around the province is the fact that, again, this government has to be dragged kicking and screaming or be pushed by all of the opposition to move on anything that is going to be proactive, preventative.

You know, in the short time that I've been a member in this House, Madam Speaker, I've seen a lot of knee-jerk reactions from this government, I've seen a lot of closing the barn door after the horses have escaped, and I've seen a lot of Band-Aids placed onto gaping wounds in the hopes that it'll stem the problem.

Unfortunately, what we could have and should have is a much more comprehensive bill. We need to look at a few different things, Madam Speaker. Let me just bring up what some of the other folks are saying. There are many experts who have weighed in on the issue of flood mapping and floodways. Let's see here. There are many studies that show that the damage that was sustained this year, 2013, could have been greatly reduced if this government had implemented recommendations from several earlier reports and had more updated flood maps. Again, as I

mentioned before, reports done in 1973 by Montreal engineering, in '83 by Alberta Environment, and in 2005 have been used by experts since to argue that a flood of the magnitude that we saw this year was predictable and not that rare. There was also a 2010 report that warned that Calgary would suffer more frequent and more severe floods. The report cost \$80,000 and was prepared by Golder Associates consultants in Calgary to guide emergency response planning and flood mapping.

Experts made many other recommendations. John Pomeroy, a Canada research chair in water resources and climate change who also is a professor at the University of Saskatchewan, says that integrated weather and water prediction models between the feds, the province, municipalities, municipal organizations, and even possibly universities need to give better warning but also assist in planning for future flood plains, safer reservoir management, and better forest and agricultural management for a long-term flood and drought mitigation plan and to have that concerted effort.

Let's see here, Madam Speaker. What's interesting is that it appears, yet again, that this PC government is looking out for their friends first and foremost while many Albertans are and have been suffering the consequences of this flood. The government did not restrict development in the flood zones despite the recommendation which came from several reports. They've also backtracked on their initial statement to restrict development, which initially sounded like they were envisioning a total prohibition, which is actually what the experts recommended.

In addition, there are Albertans and many people that feel that the government's response has been politically motivated. There are particular areas, particular groups, that are getting more responsive, more comprehensive relief, while other areas are not. I can tell you that there are many folks in High River who are feeling that way.

We have other experts, like Professor Ed Watt from Queen's, a civil engineer, telling us that we should be keeping the people from the water, not trying to keep the water from the people. Now, in some places, obviously, we can't help it. Obviously we're not going to be uprooting thousands and thousands of people from their homes, so we have to work around that. But what we can do at the very minimum, moving forward, Madam Speaker, is to ensure that no building on floodways will happen. Unfortunately, this piece of legislation stops short of that.

The other thing is that it says that the government gets to decide what happens and where it happens, which, again, is extremely dangerous when you've got a political party with the ability or with the temptation to make decisions that are politically charged and politically motivated as opposed to making decisions that are in the best interest of all Albertans.

**The Acting Speaker:** Thank you, hon. member.

Under Standing Order 29(2)(a) are there any members who wish to comment on or question the hon. member's presentation?

**Ms Blakeman:** I'm sorry. I was paying attention, but I kind of missed the very last bit of what the member said, so if he wouldn't mind just completing his thought process for the last section that he was talking about in his remarks.

Thank you.

**Mr. Bilous:** Thank you, hon. Member for Edmonton-Centre. I'll try to be brief, but as my students all knew when I used to teach English, when I'd say that, they'd all laugh and grab a chair.

Again, some big concerns here. It leaves all the power with the government. The concern is that the government has been ignoring previous reports, ignoring calls for mitigation.

You know what? I'm going to try to condense this very simply. We need updated flood maps in order to, first of all, understand how the landscape in Alberta, the weather, climate change have affected floodways. Coming up with legislation before first having an understanding of the landscape is putting the cart before the horse. Again, all opposition parties have been calling for the maps to be updated. All we've heard is excuse after excuse as to why they're not.

Once the maps are updated and consultation – this government does not understand that term although they love to use it – happens with different orders of government but also with different organizations and scientists who know better ideas than any of us in here about how to mitigate and how to move forward, we also need to understand that if we continue to build in places that are very likely to be flooded, then what are we asking for? And I'm talking about new places.

9:00

There are a bunch of questions, actually, that I do have for the bill sponsor, and we'll see if I can get through them fairly quickly. Considering that the government is planning to restrict development in floodways and designate where these zones will be, how does the government plan to ensure the maps and the information used to do so are up to date and accurate this time, unlike this past June? How will the minister plan to use existing reports, like those done by the sources I've mentioned in '73, '83, 2005, and 2010, or commission updated reports to assist in forming regulations which will determine flood zones and floodways and the appropriate uses of lands which may be at risk for future flooding?

Experts made several other recommendations for programs and plans to be put in place to better manage water resources, which would allow for better prediction, forecasting, and ongoing management. What other measures will the government pursue to prevent such huge losses besides restricting some development and providing some after-the-fact funding?

Madam Speaker, I think that the intention of this bill is good. I think it needs to be beefed up a little bit; it's a little thin. I think there needs to be more definition. There needs to be a bit of a curb on the powers that are being awarded to the minister.

I'm looking forward to discussion and debate in Committee of the Whole, and hopefully we can improve this bill and move forward and do everything within our power to ensure that we mitigate and prevent as much as possible damage from happening in future floods and future tragedies.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you.

There are still 58 seconds under Standing Order 29(2)(a). Are there any members wishing to speak?

Seeing none, I will recognize the hon. Member for Chestermere-Rocky View.

**Mr. McAllister:** Thank you, Madam Speaker. I don't see any reason to run the clock with my comments, and if I do, I will expect to be appropriately heckled. I would say, on that note, that with Bill 28, you know, you're getting to learn the process in here. Obviously, we did run the clock at every opportunity because we were passionately opposed to what was taking place.

I think that, in general, with this bill I would say to the associate minister of recovery and reconstruction for southwest Alberta and also to the Member for High River: I saw them everywhere during this crisis. Many of us were everywhere, too. I generally support in principle what's going on here. Obviously, I will leave the

critics on this side to go through it with a fine-tooth comb and also check with some of the stakeholders and the people of Redwood Meadows, which was heavily affected, as the minister well knows, in my constituency to see if there are amendments coming forward, and there very well may be.

Anything that better prepares and protects Albertans from what we went through this summer is a good thing. The tales that were told, the heartache that we saw first-hand travelling around, people losing their homes, you know, the history, their memories, stories of heroism: it was remarkable. I firmly believe that's what we're trying to do and what government is trying to do with this bill.

I believe the 2006 flood report has been mentioned several times, and when it is mentioned, it's either "It didn't matter what we would have done; everything would have been the same" from many members of the government, or from many members over here it's: if you would have done what you should have done, none of this would have happened. I would suggest that the reality is somewhere in the middle. There were certainly steps that should have and could have been taken to lessen the load of the flood that we went through. That said, we all acknowledge and ought to recognize that this was an extremely rare event of an unbelievable proportion and amount of water in a record amount of time at the levels that it was flowing. We would have had a mess in places regardless. Would it have been as much? That is up for debate.

I want to mention, Madam Speaker, as I talk about this bill and my tentative, likely, support for it with possible amendments, the story of Redwood Meadows. Madam Speaker, I don't know if you're familiar with where Redwood Meadows is as a community, but just to set the scene for you and anybody that cares to listen, Redwood Meadows is the true good-news story of this flood. Redwood Meadows is a community on the Tsuu T'ina First Nation. It's about 25 K or so just west of Calgary. It would be all of maybe three, four, or five kilometres from Bragg Creek, and somehow that community managed to avoid the utter devastation that just kilometres down the Elbow River was inflicted when it burst its banks in Bragg Creek, where homes literally floated down that river. Somehow in Redwood Meadows they managed to avoid that.

I think their story does need to be told as we look forward to approving and supporting this bill so that they're not in that situation again. If this happens again before what needs to be done is done in Redwood Meadows, they will not have the same luck or grace because the berm was significantly damaged in Redwood Meadows.

The mayor of that community, a man by the name of John Welsh; the fire chief, Chief Rob Evans; the rest of the council of the Tsuu T'ina First Nation; volunteers from the community and outside the community gathered and worked round the clock. They hauled I don't know how many loads of pit run nonstop. I believe they dropped 1,400 or 1,500 of those giant cement blocks on the berm. Somehow they managed to hold the water back. As the fire chief put it to me, at 2 o'clock in the morning they actually bugged out of the community from the fire hall. They went through the streets of the entire town and said: "We've got to go. The berm is breached. We're going to lose the town." So they went to the fire hall, they got all the equipment, they loaded everything up, and they left. By a miracle – somebody came back at 6 a.m. – the work that they had done by working round the clock was just enough, and it held.

Redwood Meadows is a true success story, and I think it can be attributed to all of the work that everybody did. I know there were areas in Calgary where people really worked hard as well. I don't want to take anything away from that. I'm just awfully proud of

the people in Redwood Meadows, that came through to save that town.

The reason we have to make sure that this bill goes through, with proper amendments if need be, is so that communities like that aren't at risk again. There are 351 homes in that community. Here's what's happened. The river has changed course on the north end, furthest from Bragg Creek. The river changed course, and now they're vulnerable. If this berm is breached again, they will lose their community. You know, I'll ask the minister to speak to it as we go along. I know this isn't the forum where we can go back and forth a little bit, but I'm sure he's aware of the file.

If in Redwood Meadows that river isn't pushed back to its initial place, to where it normally would have flowed, what's going to happen next time is that they're going to lose the community. It will be a \$2 million to \$5 million investment probably to fix that berm as opposed to 351 homes and \$150 million, \$175 million, \$200 million literally going down the drain if the work is not done. I guess I'm just passionately speaking for that community as we look at this bill and hoping that we do the proper flood mapping and that the mitigation infrastructure is put in place so that they don't suffer, you know, an even worse fate going ahead.

I said when I started that I wouldn't take all of the allotted time. I think far too often we think we need to speak until the bell rings, and that's not necessarily the case. The main points that I want to make here are that I attended many of those flood sessions with the associate minister, both he and the minister, in many areas that weren't in my riding. I did that because I don't think there was a more important story in the province of Alberta in quite some time.

You know, we're paid to know what's going on and how people are affected by it. I felt it was important to go and see what the government was doing. They had a million questions coming at them, some of them very legitimate, tough questions and some not so much. People were in a very emotional state, as you can appreciate, during those times. In Black Diamond, Turner Valley, Redwood Meadows, Bragg Creek, and High River people that lost their homes were justifiably right to ask tough questions, and those two ministers came and answered most of them from the sessions that I attended.

**9:10**

I'm wrapping by saying, you know – hoping that going forward we establish that the mapping is outdated in Alberta and we do the right thing and update it so that we're not in this situation again, that we put the proper mitigation infrastructure in place so that communities like Redwood Meadows, Bragg Creek, and everyone else that was affected are protected down the road. I think that anything that we can do, again, to protect Albertans and better prepare for a disaster like this: that's why we're here. So I hope that we can work together on it going forward. I'll look forward to supporting the bill, to any amendments that may come from this side of the House and my party once we've had a little more time to look at it.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

Are there any members who wish to speak to Standing Order 29(2)(a)?

Seeing none, are there any other members who wish to speak in second reading to Bill 27? The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Allen:** I'll be very brief. Madam Speaker, thank you for the opportunity. I honestly wasn't going to speak to this bill at all because I thought that this was nothing more than a piece of housekeeping that needed to be done because of some items that were found that needed to be cleaned up during recent flooding here. But I think it's important to note just a couple of things. I mean, when we read this, the bill is just talking about amending the Emergency Management Act and the Municipal Government Act in order to clean up the jurisdictions of authority where they belong. I believe that's truly with the municipalities in most cases for response.

Madam Speaker, I can tell you from personal experience that Wood Buffalo was one of the first areas that was hit by flooding early in June, and I was on the ground to deal with it, as was the hon. Member for Fort McMurray-Conklin, to see the effects and to see some of the devastation. I can honestly say that I have never seen a stronger response or a more appropriate response to any kind of disaster than I saw from this current government, and that is to be commended.

As an example, we had a situation pending where we had the side of a hill about to collapse and cause additional flooding, and it was one quick phone call to the Minister of Environment and Sustainable Resource Development that led to a telephone conference about 15 minutes later, and we had the correct and the proper authorities in place very shortly thereafter. That type of response was very helpful. But really where the work happened was in the municipality.

Madam Speaker, I think what happens is that as we get into levels of government, we become less and less nimble, and for us to burden down a bill like this with all kinds of detail is going to make us even less nimble when it comes time to dealing with another potential flood or another emergency.

Flood mapping. I think it's important for people to know that there is GIS data available online for anyone to view at any time, which was last revised on August 9, 2013, and it's actually very accurate data. But really it's the municipalities that are dealing with their own land-use jurisdiction there.

So I would encourage my colleagues to, instead of developing amendments for this act, actually perhaps look at motions to add that type of detail to the regulations. This bill is really only allowing for regulation to be developed to get into that level of detail, and that's really where that conversation belongs. If we continue to burden it down, we will not be able to respond as well as we did in this particular disaster.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

Are there any members that wish to speak to 29(2)(a)?

Seeing none, are there any members who wish to speak in second reading to Bill 27?

**Hon. Members:** Question.

**The Acting Speaker:** The question has been called.

[Motion carried; Bill 27 read a second time]

**The Acting Speaker:** The hon. Minister for Aboriginal Relations.

**Mr. Campbell:** Thank you, Madam Speaker. Seeing that it's about a quarter after 9 and we've made pretty good progress, I would move that we adjourn the House until 1:30 tomorrow afternoon.

[Motion carried; the Assembly adjourned at 9:16 p.m. to Tuesday at 1:30 p.m.]







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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Tuesday afternoon, November 5, 2013

Issue 65a

The Honourable Gene Zwozdesky, Speaker

## Legislative Assembly of Alberta The 28th Legislature

First Session

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## Legislative Assembly of Alberta

1:30 p.m.

Tuesday, November 5, 2013

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon.

Let us pray. Dear Lord, be with us always to oversee our words and our actions and to keep us on the path of providence as we strive to fulfill our duties on behalf of those we serve. For this we pray. Amen.

Please be seated.

### Introduction of Guests

**The Speaker:** Let us begin the day with introductions of school groups.

Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Mr. Speaker. I would like to introduce to you and through you the students of the Innisfail middle school. They are here today despite the treacherous roads to come and watch our Legislature at work. There are 90 students here today from Innisfail middle school along with their teachers: Jill Neilson, Tom Stones, Cody Pivert, and a teacher that actually taught me, Mr. John Pierzchalski. I hope you enjoy your time at the Legislature. I ask all of my hon. colleagues to welcome them today.

**The Speaker:** Are there other school groups? None?

Then let us proceed with our other guests, starting with the Minister of Aboriginal Relations.

**Mr. Campbell:** Well, thank you, Mr. Speaker. It's my pleasure to rise today and introduce to you and through you to all members of the Assembly a group of inspiring Métis women who have spent the morning at the Legislature working on the establishment of a Métis women's council on economic security. Some of these outstanding women were not able to stay today. To those that are here, please rise when I say your name so you can be recognized. Audrey Poitras, president of the Métis Nation of Alberta Association; Loretta Calliou, secretary, Métis Settlements General Council; Sherry Cunningham, treasurer of the Métis Settlements General Council; Dr. Marie Delorme with the Imagination Group of companies and recent recipient of the 2014 Indspire award in the category of business and commerce; Rachel Venne with the Institute for Advancement of Aboriginal Women; Michelle Dennis with Suncor Energy; Brenda Holder with Mahikan Trails; Hope Henderson with Mount Royal University; Sandra Sutter with the Circle for Aboriginal Relations; and Lisa Haggerty, Hinton Friendship Centre.

I'd also like to recognize some aboriginal staff that have been providing support on the establishment of the councils, including Linda Lindstrand, Kristina Midbo, and Fran Hyndman. I'd ask that the members please give them the customary warm welcome of this Assembly.

**The Speaker:** The hon. Minister of Health.

**Mr. Horne:** Thank you very much, Mr. Speaker. It's a pleasure for me today to introduce to you and through you to all members of the Assembly Donna Wilson and Margaret Ward-Jack, the president-elect and director of communications and government relations respectively for the College and Association of Registered

Nurses of Alberta. Donna and Margaret are here today to support the tabling of the college's annual report, which will occur today. On behalf of all Albertans I'd like to take this opportunity to say how proud and humbled we are to have such a dedicated nursing workforce here to assist all of us when we're in need. I'd ask Donna and Margaret to please rise and receive the traditional warm welcome.

**The Speaker:** The Deputy Premier.

**Mr. Lukaszuk:** Well, thank you, Mr. Speaker. Through you to the entire Legislative Assembly I would like to introduce a group of very hard-working individuals from the Ministry of Enterprise and Advanced Education, today for their first time touring the Alberta Legislature. I will ask them to rise as I'm calling out their names if I may, please. They are Mrs. Krista Semchyshyn, Crystal Lough, Deidre Goral, Nicole Rioux, Maria Ahmad, Malik Khoja, Brianna Aukema, and Paul Uchacz. I would like to thank them for the work that they do day in, day out for Albertans. May they receive your warm welcome.

Thank you.

**The Speaker:** The hon. leader of the Alberta Liberal opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. I'd like to introduce a number of concerned citizens: Summer Ebinger, Leonard and June O'Donnell, Fay Schutz, Barb Neill, Liz Hedegaard, Andy Mik, Mandy Kenworthy, Joe Koopmans, and Jetske Koning. They're here from the Anti-Aerodrome Cooperative, a group of concerned citizens opposed to the ongoing development of an airport in Sandhills, Parkland county. When Parkland county sued to prevent this airport, the court's response was that the issue was outside its jurisdiction. This lack of clear oversight means the airport is being developed without proper environmental assessments, community impact evaluation, and adherence to safety standards. I thank the Minister of International and Intergovernmental Relations for agreeing to meet these good citizens. I would ask them to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Minister of Transportation.

**Mr. McIver:** Thank you, Mr. Speaker. I'm pleased to rise today and introduce to you and through you to all Members of the Legislative Assembly two interns at Alberta Transportation who are taking a tour of the Legislature today as part of their orientation: Ms Caitlyn Pyra and Ms Kelly Foisy. They're here today with Alberta Transportation staff, Mr. Justin Coulombe and Mr. Michael Selig, who have kindly taken the time to educate them on the fun that can be found here in the House. I hope their experience of watching question period entertains and encourages them. I would invite them now to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The Associate Minister of Services for Persons with Disabilities.

**Mr. Oberle:** Thank you, Mr. Speaker. It is my pleasure and honour today to introduce to you and through you to all members of the Assembly members of the Premier's Council on the Status of Persons with Disabilities. This council works tirelessly to improve the lives of persons with disabilities by engaging the disability community and advising government on issues that affect people with disabilities in Alberta. We've just appointed seven new members of the council, and today we're introducing some amendments to the governing legislation. Council members

who were able to join us today are Ms Carmen Wyton, Ms Betty Lou Benson, and Mr. Bryce Clarke, and Bryce today is accompanied by Miriam Jardeleza, an assistant.

As well, we have ministry staff today: Tracy Wyrstiuik, assistant deputy minister, planning and quality assurance; Brenda Lee Doyle, assistant deputy minister of disability services; and Shawn Ewasiuk, who is a director of the Premier's Council on the Status of Persons with Disabilities. I hope the whole House would join me in giving them the warm traditional welcome.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by the Associate Minister of Wellness.

**Ms Notley:** Thank you very much, Mr. Speaker. Today I have the pleasure of introducing to you and through you to this Assembly our social work placement student helping out in my constituency office, Evelyn Mupedziswa. Evelyn is originally from Zimbabwe and is a first-year social work student at MacEwan University. She aspires to work with children when finished school, preferably in a neonatal unit. Evelyn is accompanied by Heather Fernhout, my constituency office manager, who has been capably managing all the issues in my office for just a little over a year. I know that Heather is very pleased to be here today with Evelyn and very pleased for her help in our office. I ask the Assembly to join me in giving them our traditional warm welcome.

**The Speaker:** The Associate Minister of Wellness, followed by Edmonton-Calder.

**Mr. Rodney:** Thank you, Mr. Speaker. It's a pleasure to introduce three representatives of the Alberta rodeo swap to stop initiative. Their team is a partnership between the Alberta and Northwest Territories Lung Association; McNeil Consumer Healthcare, a division of Johnson & Johnson; the Canadian Cancer Society; Action on Smoking and Health; and Miss Rodeo Canada. These groups have combined their forces at rodeos over the summer months to interact with over 7,000 Albertans and will be on hand this weekend at the CFR to raise awareness of the available resources to quit smoking and chewing tobacco. The initiative includes the distribution of quit programs freely available in the province of Alberta as well as offering up nicotine replacement therapy in exchange for cigarettes, chew, and loose tobacco. Joining us today are Kristin Matthews of the Alberta and Northwest Territories Lung Association; Angeline Webb of the Canadian Cancer Society; and Les Hagen with Action on Smoking and Health. They are seated in the public gallery, and I'd ask our guests to rise to receive the warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Calder, followed by the Minister of Environment and Sustainable Resource Development.

**Mr. Eggen:** Well, thanks, Mr. Speaker. I would like to introduce to you and through you to members of the Assembly, Jennifer Po, who is a social work student taking a placement in my constituency office. I'm very pleased to have her there, and I know that she will have a long career helping and assisting and advocating for vulnerable Albertans.

I also would like to introduce my constituency manager, Lyndsey Henderson, who is here this afternoon to watch the proceedings. I'd ask them both to rise and receive a very warm and extended greeting from the hon. members.

**1:40**

**The Speaker:** The hon. Minister of Environment and Sustainable Resource Development, followed by Calgary-Mountain View.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. It's a pleasure for me to rise to introduce to you and through you to all members of the Assembly a great friend of this House and of this province. We have here joining us today from the AFPA Brady Whittaker. I want to recognize Brady for the outstanding work he does at AFPA advocating for the forestry industry. In addition to that, he's been doing work providing advice to the Asia Advisory Council. Brady, if you would please rise so we could give you the traditional warm welcome of the House.

**The Speaker:** The hon. Member for Calgary-Mountain View, followed by Edmonton-Beverly-Clareview.

**Dr. Swann:** Thanks very much, Mr. Speaker. It's a real pleasure for me to introduce to you and through you to the House three laboratory technologists: Cynthia Duchesneau, Sharon Hebert, and Joan Card. These front-line health workers are concerned that the attempt to privatize the laboratory services is going ahead without proper planning and without including all laboratory staff in the planning. I'd ask them to stand and receive the warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview, followed by Fort Saskatchewan-Vegreville.

**Mr. Bilous:** Thank you, Mr. Speaker. Today I have the pleasure of introducing to you and through you to the Assembly Alyssa Strohschein. Alyssa is a first-year social work student at MacEwan University and is doing her social work placement in my constituency office. She is passionate about making a difference in the lives of others, especially at-risk youth. She is a volunteer at the Mustard Seed's Personal Assistance Centre, and she is active in student life at MacEwan University, where she is the president of her World University Service of Canada committee. I am very pleased to have Alyssa doing her placement in my office, and I'd now like to ask her to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Fort Saskatchewan-Vegreville.

**Ms Fenske:** Thank you, Mr. Speaker. It is my pleasure today to introduce to you and through you to the members of the Assembly three people from the constituency of Fort Saskatchewan-Vegreville: Lana, Carmelita, and Gabriella Santana, who are seated in the members' gallery. Lana has been instrumental in ensuring that our Culture Days in Fort Saskatchewan have grown from a potluck picnic to a very exciting event, and her daughters have followed along in their role as volunteers. They are standing right now in the members' gallery, and I ask that the Assembly join me in welcoming them.

### Members' Statements

**The Speaker:** The hon. Member for Calgary-Bow, followed by Olds-Didsbury-Three Hills.

### Pacific NorthWest Economic Region

**Ms DeLong:** Thank you very much, Mr. Speaker. I am honoured to lead Alberta's delegation at the Pacific NorthWest Economic Region, known as PNWER. This group brings together legislative,



government, and private-sector leaders from throughout Alberta, B.C., Saskatchewan, Yukon, and the Northwest Territories as well as the U.S. states of Oregon, Idaho, Montana, Alaska, and Washington. Our membership in PNWER and my position within it has given Alberta an opportunity to meet with key legislators and policy-makers on important regional issues. Topics of ongoing discussion include trade issues, energy regulation and management, transportation of goods and products, and economic growth in the Pacific Northwest.

PNWER is another example of how this government is seeking to build new opportunities, foster new relationships, and increase market access for Alberta goods. As an organization PNWER seeks to build stronger economic links, improve access, facilitate trade, and defuse potential regional problems through dialogue.

I'm pleased to tell you that Alberta will be playing host to our PNWER colleagues next week. We will host PNWER's annual Economic Leadership Forum and leadership academy in the breathtaking natural beauty of Banff. This forum will provide an opportunity for public- and private-sector leaders to carry out in-depth discussions on subjects affecting our regional economy. Our PNWER partners have been our allies, ensuring that there is a clear understanding of the responsible energy development under way in Alberta and the benefit of an energy sector in North America. I look forward to continuing Alberta's leadership role in this important organization.

Thank you very much, Mr. Speaker.

**The Speaker:** The hon. Member for Olds-Didsbury-Three Hills, followed by Grande Prairie-Smoky.

#### Rural Emergency Medical Services

**Mr. Rowe:** Thank you, Mr. Speaker. It is with great regret that I have to stand today and deliver this member's statement. This PC government has run roughshod over our rural ambulance system and is putting Albertans at risk.

In my riding of Olds-Didsbury-Three Hills we had a system that worked. Care was provided in a timely, effective way, lives were saved, and our community was better off for it. We always had an ambulance on call 24/7 and a backup just in case. In 2010, however, we were forced to hand over our Kneehill Ambulance Service to AHS on the promise that their new vision for centralized ambulance dispatch would offer better, faster coverage for our community.

Well, we were sold snake oil, Mr. Speaker. Like many communities across Alberta we now find ourselves vulnerable and grossly underserved. Ambulance wait times have skyrocketed, averaging as high as 45 minutes. This government just doesn't get it. In 2007 Kneehill offered medically equipped vehicles to do nonemergency transfers. It worked great. It saved time, money, and freed up EMS resources.

Again in 2010 the province bought our medical units in their plan to centralize emergency services. Under the flex dispatch system we often find ourselves without any ambulance service at all as a handful of units are flexed from region to region on nonemergency interfacility calls. This PC government's continued mismanagement of our health care system is again putting the lives of Albertans at risk. The flex dispatch system is a crime against rural Alberta, and this government has to nerve to say that it's what Albertans expect. They brag about building Alberta, but they sent the demolition crew out on this file. Rural Albertans see the glaring problems with ambulances today.

**The Speaker:** The hon. Member for Grande Prairie-Smoky, followed by Edmonton-Mill Woods.

#### Municipal Elections 2013

**Mr. McDonald:** Thank you, Mr. Speaker. I rise today to commend and praise all of the candidates that bravely put their names forward during the recent municipal elections, held across our province in October. In Grande Prairie alone there were 25 candidates who entered various races: two for mayor, 16 for eight council seats, and seven for five public school seats.

As all members in this House can attest, deciding to serve one's community through public office is something that takes unwavering dedication and commitment; however, it also instills one with a sense of great pride. For several months candidates prepared campaigns, put up countless signs, and knocked on thousands of doors with the hopes of getting their message across on key issues that affect their communities.

Of course, I would like to recognize all of the volunteers who donated their time as well in the effort to support their candidate, helping to engage and compel citizens to exercise their very important right to vote.

The recent municipal election also reminded me of the first time that I ran for public office. I, like the many other candidates who put their names forward, had a calling to serve the public with a vision to help better the lives in my community.

If I could humbly offer one piece of advice to those who have been newly elected, it would be to never forget that we are privileged to serve our communities and that the decisions we make will have profound effects on the lives of others.

Thank you.

1:50

#### Oral Question Period

**The Speaker:** The Leader of Her Majesty's Loyal Opposition for your first main set of questions.

#### Flood Mitigation

**Ms Smith:** Thank you, Mr. Speaker. My questions are to the Minister of Municipal Affairs. High River was one of the most impacted communities in this summer's floods. Everyone in High River knows that the flood maps that the province is using are 20 years out of date and do not reflect any mitigation that has occurred over the last two decades or any of the new mitigation that the province and the town will undertake. Does the minister realize that asking residents to make rushed, life-changing decisions based on outdated maps is unfair, uncaring, and just plain bad policy?

**Mr. Griffiths:** Well, Mr. Speaker, those maps that exist all across the province are not made willy-nilly or simply by somebody with a pen. They're made based on sound science, with people who have expertise in how these maps get made and the way the water flows. There are occurrences where riverbanks can wash away and some of those maps can be nuanced a bit, but there are no dramatic changes in many of the circumstances where there are communities. The floodway is the floodway, and the flood fringe is still the flood fringe. Mitigation and planning going forward are very important. We continue to work with the communities, all of them, not just High River, to make sure that they have sound planning to secure their future going forward.

**Ms Smith:** Mr. Speaker, just saying it doesn't make it so. It's a complete mismatch.

There's a community in High River called Beachwood. It sustained flood damage but was one of the first communities to be restored because it had good flood mitigation. The province has

declared that Beachwood is in the floodway, and they want it gone. The town and the residents want Beachwood to stay. The first act of the new town council was to vote for money to improve the flood mitigation around Beachwood. Will the minister order updated flood maps that take into account these mitigation steps so that Beachwood does not disappear off the map?

**Mr. Griffiths:** Mr. Speaker, we have talked about having updated flood maps, and we're working through a process with communities. But the map right now indicates very clearly that that particular community is in the floodway, and it may very well, after we continue to work on the flood maps, prove that the mitigation they did was what caused further flooding downtown. This is not an isolated event. We have to make sure that what we do does not compound a problem in another part of town or for another town downstream. That's why we continue to work with the communities to make sure that we get it right and to make sure that those communities will be prosperous over the long term.

**Ms Smith:** Mr. Speaker, that's exactly why they need new maps before they bring in the legislation

Another High River community called Hampton Hills has the opposite problem. The flood maps say that Hampton Hills is safe, but everyone knows that it was flooded for the longest period of time. To ensure that it doesn't flood, the simple solution is to build a berm to protect the community. The government so far has refused to commit to any mitigation plans to protect Hampton Hills. Meanwhile the developer is ready to rebuild the area, but he's being told that he cannot redevelop unless he can prove that the area will not flood again. Will the minister commit to taking steps on mitigation so that Hampton Hills can be rebuilt?

**Mr. Griffiths:** Mr. Speaker, it's amazing how the opposition finds the ability to suck and blow every single day. They want the municipalities to be respected and for us to not interfere. This municipality, her municipality, High River, has imposed a restriction on the developer to make sure that the community is safe. Now the member is suggesting that we should override that municipality's decision. We respect the municipality's decision. We'll continue to work with the community of High River and any others impacted by the flooding to make sure that they have long-term plans. As partners we're going to work to mitigate so that they can continue to grow in the future.

**The Speaker:** Hon. leader, your second main set of questions.

**Ms Smith:** Mr. Speaker, we need new flood maps and flood mitigation infrastructure first.

#### Information Requests on Deputy Premier

**Ms Smith:** The Deputy Premier seems to be having trouble with access to information requests lately. The freedom of information and privacy commissioner reported yesterday that the Deputy Premier bullied, threatened, and intimidated a journalist for having the nerve to file an access to information request on him. He ridiculed him publicly on Twitter and has even called the journalist's boss. This kind of behaviour is absolutely deplorable for someone in his position. To the Deputy Premier: what does he have to say for himself?

**Mr. Lukaszuk:** Well, Mr. Speaker, I'm actually glad that this hon. member asked this question because it is time that some of the facts surface. This is a situation where a reporter has FOIPed very personal information, particularly asked for correspondence

between myself and my wife, has obtained pictures of my children, and has on Twitter published the licence plate, description of the vehicle that my wife drives, and my home address. That was simply unacceptable, and that's where I and every member should draw the line.

**Mr. Anderson:** Point of order.

**The Speaker:** A point of order has been noted at 1:55.

**Mr. Anderson:** Control yourself.

#### Speaker's Ruling Decorum

**The Speaker:** Hon. members, we should all be reminded . . . [interjections] Hon. members. [interjections] Hon. members. [interjections] Hon. Member for Airdrie and hon. Deputy Premier, if you want to have a chat outside, that's up to you, but in here we have many other people on the list. We'll just let things cool down, and then we'll go on with them.

While I'm up, let me just remind you that the role of question period is to hold the government to account on government policies, government services, government orders, government business, and so on. That is the true nature and purpose of question period. Dare I have to remind you all again?

Now, hon. Leader of the Official Opposition, if you have a question to do with one of the aforementioned items, I encourage you to go ahead with it, and if not, we're going to go to your third main set of questions. First supplementary.

#### Information Requests on Deputy Premier (continued)

**Ms Smith:** Mr. Speaker, the Deputy Premier knows that that is private information that would never be disclosed.

This is what the Information and Privacy Commissioner said in her order. She said that the Deputy Premier's very public threats to this journalist were "disparaging" and "could have had a chilling effect" on others seeking information from the government. To the Premier: how does her Deputy Premier's unprofessional conduct help to raise the bar on transparency and accountability?

**Mr. Lukaszuk:** Mr. Speaker, in this country and in this province we have a long-standing tradition that any matters of policy are subject to scrutiny both by opposition and by media, but when personal information relevant to one's residence, relevant to description of vehicles, licence plates, and pictures of children come into play, that is simply unacceptable. Not as a politician but as a parent I have the role to defend my family, and I always will.

**Ms Smith:** Mr. Speaker, we all know that kind of information would be blacked out and not be released.

This is the same minister who refused to control huge spending increases in his own political office while he delivered blindsided cuts to postsecondary institutions, and it's the same minister who dinged taxpayers for an \$11,000 office makeover at the same time, complete with a \$4,600 table and a special request for walnut finishing. To the Deputy Premier: is the reason that he obstructs information requests and attacks applicants because they reveal just a little bit too much about his out-of-touch priorities?

**Mr. Lukaszuk:** Well, I wish, Mr. Speaker, that that member did some research. As a matter of fact, this reporter did release on Twitter my address, the description of my wife's vehicle, licence

plate, not the pictures of the children. That is what I found very, very inappropriate, and that would be the understatement of the year.

**The Speaker:** The hon. Member for Calgary-Shaw.

#### Minister of Municipal Affairs

**Mr. Wilson:** Thank you, Mr. Speaker. Today you are going to hear ideas; I want you to listen; I want you to talk about what we can do going forward; let's get to work: that's what the Minister of Municipal Affairs said in a prerecorded video to concerned Albertans attending last month's flood symposium. Getting to work on flood mitigation is important, but for this minister there are higher priorities like flying across the country to promote his book and take shots at our energy industry. To the Minister of Book Sales – I'm sorry – I mean, Municipal Affairs: why are book-signings a higher priority to you than the flood symposium?

**Mr. Griffiths:** Mr. Speaker, it's just symptomatic of this opposition and the drive-by smears. I wrote that book because I've been dedicated to building stronger communities for all four terms that I've been in office. Every single proceed from any speech and from the book go – my best friend passed away just about four years ago. His two sons are a little older than mine. Every single dime goes to that trust fund. I do everything I can to help make sure those boys have opportunities since their father passed away. Their accusations are abhorrent.

**Mr. Wilson:** Mr. Speaker, the trust fund is admirable; there's no question. But considering that the flood symposium was promoted as experts, community representatives, and Albertans coming together to generate and discuss ideas around flood mitigation, how did this minister find his book tour more important than listening to what those experts had to say?

**Mr. Griffiths:** Fortunately, Mr. Speaker, it was recorded, so I could watch what was said at that symposium. It was simply a matter of fact that four months ago I had made the commitment to go and speak. There were hundreds of people coming, and I was the keynote speaker. It was a matter of three weeks by the time we got ready and organized for the symposium, and it was simply a matter of a clash of schedules. But I've watched everything online and got all the value out of it and continue to discuss and meet with communities about what we're going to do with mitigation going forward.

2:00

**Mr. Wilson:** Mr. Speaker, seeing as Alberta's own ethics legislation states that members are expected to arrange their private affairs in a way that promotes public trust and confidence, can the minister tell this House how he thinks he can command the trust of Albertans when he decides to go on a vanity tour across the country instead of being right here on Alberta soil, leading the recovery of the largest disaster in Canadian history? You are the minister responsible. Where are your priorities?

#### Speaker's Ruling Decorum

**The Speaker:** Hon. members, you know, asking questions and holding the government to account is a fundamental of the democratic system that makes it all work for all of us, and when you're crossing over a little bit more into what you can perhaps

view as attacks on a person's character or on the character of another colleague . . . [interjections]

Hon. members, I have the floor. If you wish to speak out of turn, I will ask you to leave. It's as simple as that. I didn't interrupt you, and I don't expect you to interrupt me. Is that clear? Thank you.

So, please, let us review the questions that we might have on the rest of the order for today and ensure that we're at a level that befits the decorum and civility of this House. I ask that of you in honour of the fine tradition for which this House and all of its proceedings and all of its instruments stand. Surely, we can aspire to something higher.

Let us have an answer if you wish, hon. minister.

#### Minister of Municipal Affairs (continued)

**Mr. Griffiths:** Thank you, Mr. Speaker. It was not a vanity tour. I have worked to help communities, anybody that will ask, and I do think that it's not just Alberta that's in for building stronger communities; it's the entire country. I had made the commitment to go, so I followed through on that commitment. I've never met a single, solitary person now except that member who questioned my commitment to helping us get through the largest disaster this province has ever seen. In fact, he could ask my wife and kids, who barely saw me for months because I was in every single community working day and night on that. I'm committed to making sure we get through this.

**The Speaker:** The hon. Member for Edmonton-Meadowlark, the leader of the Liberal opposition.

#### Health Care Wait Times

**Dr. Sherman:** Thank you, Mr. Speaker. On a positive note I'd like to begin by congratulating the Minister of Health on setting a new record. The AHS first quarterly performance report, essentially a wait times report, is now 65 days late. The previous record was 63 days, when another AHS wait times report was delayed until after the 2012 provincial election. To the Minister of Health: congratulations on your accomplishment. Now could you please tell us how much longer we must wait for the wait times report?

**Mr. Horne:** Well, Mr. Speaker, I think what the hon. member is referring to is the quarterly performance report that AHS provides. As I've said in answers to previous questions, we are in the process of reviewing the performance indicators for our health care system. The official administrator is working on that with senior staff now within the organization. We'll continue, as we do on a regular basis, to make information available about the very good performance of this health care system to all Albertans.

**Dr. Sherman:** Mr. Speaker, the deadline for this report was September 1.

As I mentioned, the last time we waited this long for an AHS wait times report was before the last election, and that report was pretty bad. No wonder they didn't want more voters to see it. Now, lo and behold, the Premier's leadership review is coming up, and the wait time report is nowhere to be seen. It must be pretty embarrassing. To the Minister of Health: did the Premier ask you to delay this report until after the leadership review, or did you do it simply on your own initiative?

**Mr. Horne:** Well, Mr. Speaker, I suppose it's refreshing to know that the hon. member can count, and it's perhaps not surprising to note that his fascination with conspiracy theories appears to know

no bounds. We've said very clearly and we did so again in the organization of the senior management of AHS that we were looking very carefully at performance indicators in our system. We want to make sure that it is not late, that it is something that is provided routinely, and that when the statistics are ready, they will be provided. But I want the hon. member to know that our commitment is to reviewing the indicators to make sure that they're relevant to Albertans, to make sure that they report accurately on performance, and, most importantly, to make sure that the performance of this health system cannot be distorted by the opposition.

**Dr. Sherman:** Mr. Speaker, Dr. Eagle used to have that report within seven to 14 days. No conspiracies here, just incompetence.

The reason we need the darn report is because we're heading into flu season here. We need to know where to make adjustments in the system, and that's why these reports are important. The managers and medical professionals need timely access to this information. You would know this, Mr. Speaker, because you got these reports out on time when you were minister. They need to plan to get Albertans the timely access to care they desperately need. To the minister once again: will you please just release the quarterly reports on a quarterly basis on time?

**The Speaker:** The hon. minister.

**Mr. Horne:** Well, thank you very much, Mr. Speaker. If the hon. member is interested in performance statistics on the health care system, I'd be happy to indulge him on this day or any day in this House. The volumes for hip and knee surgeries during the past three years saw more than 1,800 additional surgeries performed. Hip surgery wait times – and these figures are readily available on the AHS website – went from 39 weeks to 36 weeks, a decrease of 9 per cent. Knee surgery wait times have decreased by 15 per cent. We can turn . . . [interjections]

#### **Speaker's Ruling Interrupting a Member**

**The Speaker:** Hon. members, I'm going to ask the hon. minister to start right from the beginning. The interjections are uncalled for. I've warned you about this before, and I just don't appreciate them. I wonder what people who are in the rest of the Assembly here think about them as well. You know they don't get picked up on television, they don't get picked up on radio, but they do interrupt the ebb and flow of the House.

Now, hon. minister, you have 10 seconds left to finish your answer.

#### **Health Care Wait Times (continued)**

**Mr. Horne:** Well, Mr. Speaker, thank you for the opportunity. What I'll say and continue to say to hon. members of this House is that our health system is working hard to improve performance. We lead in several areas in health care across Canada. We are also coping with the fastest growing population in the country. We'll continue to bring that good news to Albertans.

**The Speaker:** The hon. Member for Edmonton-Highlands-Norwood.

#### **Pipeline Framework Agreement with British Columbia**

**Mr. Mason:** Thanks very much, Mr. Speaker. Well, apparently the Premier and her B.C. counterpart have reached an agreement on petroleum pipelines from Alberta to the Pacific. [interjections] Okay. Bully for them. We know this PC government supports the proposed Northern Gateway pipeline, that would export unprocessed bitumen and the jobs that go with them to China. Alberta needs pipelines, but this government plans to use them to export our jobs. To the Premier: will your government commit to prevent unprocessed bitumen from being exported on any new pipelines that are built under this agreement and if not, why not?

**Mr. Lukaszuk:** Well, Mr. Speaker, there is an opposition that would blow out a candle just to prove that it's dark. Today is a phenomenal day for Canada, where we have two Premiers agreeing on economic development, agreeing on principles of their individual provinces, agreeing that what is good for B.C. is good for Alberta and is good for the rest of Canada, agreeing that we can create jobs and get fair market prices for our goods, agreeing that we can build terminals in British Columbia and create jobs, agreeing that we can support the rest of Canada based on our natural resources in the west. How is this bad news?

**The Speaker:** The hon. leader.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, exporting jobs is not good news, Mr. Deputy Premier.

The agreement allows British Columbia to negotiate with industry on appropriate economic benefits and confirms that Alberta's royalties are not on the table, but our royalty framework allows oil companies to deduct transportation costs from royalties. Royalties are calculated based on net revenue. B.C.'s share will come out of Alberta's royalties. To the Premier: will she guarantee that costs incurred as a result of B.C.'s share will not be deducted from Alberta's royalties, and how will she do it?

**Mr. Dallas:** Mr. Speaker, this is indeed a landmark day for the provinces of Alberta and British Columbia. The framework agreement that's been achieved today, the essence of which is British Columbia joining the Canadian energy strategy, really underlines our Premier's vision for a province that reaches outward as a global energy leader, creating new enterprise, new jobs, new economic activity, and a new future for Albertans.

2:10

**Mr. Mason:** Blah, blah, blah, Mr. Speaker. The question was, "How do you keep B.C. from getting Alberta's royalties?" and he had no answer whatsoever.

We support properly inspected and secure pipelines to get our products to market, but pipelines create very few long-term jobs. The Northern Gateway will only create 217. Upgrading the bitumen here would create thousands of good-paying, permanent jobs. Why does this government support pipelines that shift investment and jobs to the United States and China?

**Mr. Dallas:** Mr. Speaker, here's what Albertans supported in the last election. Here's what Albertans realize today. The vision that it takes to recognize the opportunities of receiving access to full market value for our products, defending Alberta's privileges and rights in terms of our ability to develop our energy, keeping our royalty and taxes here: all of these things have been achieved today.

**The Speaker:** That completes the first five spots, where preambles have been extended. Now let's start with Calgary-Fish Creek. No preambles to supplementaries, please.

### Government Accountability

**Mrs. Forsyth:** Thank you, Mr. Speaker. Another Auditor General's report and more news about how this government is failing Albertans. Yesterday the Auditor General said that he can't make recommendations on how to improve accountability as a whole because he doesn't know who to follow up with. He even said that there is an accountability vacuum. This is a shocking statement considering this government keeps telling Albertans that they are raising the bar on accountability. To the Minister of Accountability, Transparency and Transformation: if the Auditor General doesn't know who to report to, then what is this minister going to do to fix it?

**Mr. Horner:** We're very proud of our commitment to the improved accountability and transparency across this government. In fact, the audit committee, which I co-chair with individuals from the private sector, is directly in touch with the Auditor General. I want to actually quote something from the Auditor General's report for you, Mr. Speaker, and that is on page 6. The Auditor General states:

The fact that none of our auditor's reports on financial statements contained a reservation of opinion means that Albertans can be sure they are receiving high quality information from the government on the province's actual financial performance.

The Auditor General is quite clear that Albertans are getting the right information.

**Mrs. Forsyth:** Well, Mr. Speaker, that's just one part. Let's ask the Minister of – what's his name again? – Accountability, Transparency and Transformation to see if he can get this question without embarrassing himself. Given the Auditor General's scathing review of the government's lack of accountability does the minister just not want to be accountable to Albertans for what's really going on?

**Mr. Scott:** Mr. Speaker, I'm very proud of this government's record on accountability. Under our Premier's leadership we are delivering unprecedented accountability and transparency. Let me give a quote that Michael Smyth, a columnist from the province of British Columbia, said about our record. "The warts-and-all Alberta disclosure system has been operating for a few months now and has been hailed by freedom-of-information advocates as Canada's new gold standard for openness." [interjections]

**The Speaker:** Hon. members, the Grey Cup is about three weeks away. Let's save our cheers for them. They really don't belong here in the House, neither from the opposition members nor from the government side. Outbursts like that just aren't needed, not at all.

Supplementary, please.

**Mrs. Forsyth:** Well, Mr. Speaker, I just love when this minister gets up. Foot, mouth, foot, mouth. It's amazing.

To the Health minister: if you can't assure Albertans about the basics of sterilization of medical devices, food safety, and people simply washing their hands, how do you expect Albertans to be confident in how you're running the health care system?

**Mr. Horne:** Well, Mr. Speaker, the Auditor General was careful in his remarks yesterday to indicate that his findings do not in any way bring into question patient safety and quality of care in our

health care system. What he did say – and I agree with him – was that a 66 per cent compliance rate for our hand hygiene policy across the province is unacceptable. We saw some improvement over the last year, about 20 per cent, but there is certainly a long way to go, and I welcome the Auditor General's recommendations about how to increase compliance and accountability on that point.

**The Speaker:** The hon. Member for Calgary-Hawkwood, followed by Little Bow.

### Postsecondary Education Funding

**Mr. Luan:** Thank you, Mr. Speaker, for the opportunity to ask a few hard questions that are policy related. This has been a challenging year for postsecondary education in Alberta. Revenue predictions have been reviewed, and postsecondary institutions have had to look inward to re-evaluate their goals and priorities as operating funds have been reduced. My question is to the Minister of Enterprise and Advanced Education. How can you explain that today Mount Royal University announced that they are using \$85.8 million of government funding to build a brand new library? Where's the money coming from?

**The Speaker:** The hon. Deputy Premier.

**Mr. Lukaszuk:** Thank you, Mr. Speaker. Well, no doubt, this budget was a difficult budget for all postsecondary institutions. I have been very clear that this was a budget of necessity and that it wasn't such for any other reason. In the meantime, as this province is growing by a hundred thousand people every year and we know that our health care system and agriculture and environment and energy economies will develop on knowledge, we have to continue building Alberta, and that means providing our students with spaces that are second to none.

**Mr. Luan:** To the same minister. In August you and the Premier announced \$200 million for the NAIT centre for applied technologies, in October another \$142 million for the University of Calgary for their engineering school, and now \$85.8 million for Mount Royal. How is this possible under the current budget that we have to live within our means?

**Mr. Lukaszuk:** Well, I have a phenomenal Finance minister, number one, hon. member. That certainly helps the situation. Also, Mr. Speaker, Albertans understand the difference between an operating budget, which means an every year commitment for the cost of operating schools and salaries and all that, but they also understand that in the meantime you have to build buildings, and those are one-time expenditures. Our Finance minister makes sure that we have these two budgets taken care of, and even though we had a tighter year, shall we say, from a financial perspective, on the operating side we are not losing our focus on infrastructure because we will need this in the future.

**The Speaker:** The hon. member.

**Mr. Luan:** Thank you. So that was one time. Let's see where this one is coming from. This last spring Mount Royal University announced that it had to suspend programs because of budget cuts. Shouldn't we prioritize classroom space, Mr. Speaker?

**The Speaker:** Hon. member, let's cut the preambles down and just go straight to the questions if we could from here on in. We're about 14 minutes behind where we should be at this point. Your last question, then, please.

**Mr. Luan:** My question is: shouldn't we prioritize classroom space over all those infrastructure projects?

**Mr. Lukaszuk:** Well, yes, Mr. Speaker. Easy for you to say. Those are very difficult decisions that schools had to make at the school level. Indeed, they have eliminated some programs. They have done what they could to minimize the impact on students. They have targeted courses that have historically low enrolment. We will do what we can as government to reinvest in advanced education because we know that that is a priority for Albertans, but in the meantime we have to provide Alberta's universities, colleges, and technical schools with the necessary learning space, and libraries would be at the top of that list.

**The Speaker:** The hon. Member for Little Bow, followed by Calgary-Mackay-Nose Hill.

#### Disaster Recovery for Small Business

**Mr. Donovan:** Thank you, Mr. Speaker. Two weeks ago this government pledged \$81 million to fix the parks in southern Alberta due to the flood damage. One of these parks was Wyndham provincial park, near Carseland in my riding. Steve and Karyn Farthing own what was the Parkside store and are feeling that the government has left them out in the fact that they do not get 20 per cent of their income off the store; therefore, they're ineligible for DRP funding. To the Associate Minister of Regional Recovery and Reconstruction for Southeast Alberta: would he please explain why this government is investing \$81 million into parks but ignoring the amenities and the businesses that make these parks popular?

**The Speaker:** The hon. associate minister.

**Mr. Weadick:** Well, thank you, Mr. Speaker. I appreciate the Member for Little Bow bringing this question. I also appreciate the hard work that he's done over the past three months during this very difficult time, working with my office to support flood victims in his constituency. The DRP program for small businesses is very specific, but I can give this member some good news as well. I understand that today the DRP office was in discussions with the owners of the Parkside store, and under the program there's an opportunity for reassessment, which will be happening for them.

2:20

**The Speaker:** The hon. member.

**Mr. Donovan:** Well, thank you, Mr. Speaker. I feel like somebody is trying to date me. I'm happily married, Minister.

To the Minister of Tourism, Parks and Recreation: given that Steve and Karyn both work full-time, would you also be in support of helping them rebuild their store?

**Dr. Starke:** Well, Mr. Speaker, two weeks ago, as the hon. member points out, I was very proud to announce that this government will be investing \$81 million in the reconstruction of the parks that are part of our provincial system, that are one of the great, cherished parts of our overall provincial way of life. That \$81 million will be invested in places like Fish Creek provincial park and Kananaskis Country and, indeed, in Wyndham-Carseland provincial park. These spaces are very special to Albertans, they're important to Albertans, and I'm very proud as parks minister to have been able to make that announcement.

**Mr. Donovan:** Thank you, Mr. Minister.

I'll go back to my friend from Lethbridge. Would you like me to help establish a meeting between the two ministers and the Farthings so that we can make sure they get their DRP money they are deserving of?

**The Speaker:** The hon. associate minister.

**Mr. Weadick:** Well, thank you, Mr. Speaker. Again, the federal DRP program has very specific guidelines, and we operate within those guidelines. But we've also created other programs for small business because this government is committed to building small business, rebuilding small business in this province, especially after the flood. We've put together programs that support interest payments that small businesses might have during this difficult time and loan support, working with banks so that small businesses can re-establish themselves. We're going to work both through the DRP process and through other programs that this Premier has put in place to help small business through this difficult time.

**The Speaker:** The hon. Member for Calgary-Mackay-Nose Hill, followed by Calgary-Mountain View.

#### Leaseholder Compensation for Calgary Land Acquisition

**Dr. Brown:** Thank you, Mr. Speaker. People in my constituency and all Calgarians are pleased to hear news of the tentative deal to acquire land from the Tsuu T'ina Nation to build the southwest portion of the ring road. I understand that provincial lands will be transferred to the Tsuu T'ina Nation as part of that compensation. My questions are for the Minister of Environment and Sustainable Resource Development. What provisions are being made to terminate the Crown leases on the lands that are to be transferred to the Tsuu T'ina?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Mr. Speaker, and I thank the hon. member for the question. This certainly is a very important project for Albertans and certainly Calgarians, one we've been working very hard on. We commend the Minister of Transportation and all those who have been involved with this. We know that there will be some impacts for leaseholders, but we are committed to ensuring that fair compensation to those landowners will happen. Current leaseholders will be compensated for their respective leases, and the compensation will be fair.

**Dr. Brown:** What sort of monetary compensation will be paid to the lessees, and will that compensation be calculated based on their actual losses up to the end of the current 10-year lease period?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker. Again, we want to make sure that the compensation is fair to those land users that will be affected. The assessments are currently being updated to determine the value of the leases, and negotiations will begin with each of the leaseholders.

**Dr. Brown:** Will those calculations be based upon the number of years up to the termination of the current lease?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you again, Mr. Speaker. The compensation will be, as it always is, directly negotiated with each of the individual leaseholders, and we are committed, again, to making sure that

the compensation is fair and the process is fair in this case and in all cases as we move forward with regard to any of these kinds of negotiations.

**The Speaker:** The hon. Member for Calgary-Mountain View, followed by Edmonton-Strathcona.

### Hospital-based Services

**Dr. Swann:** Thank you, Mr. Speaker. The Auditor General has once again identified a lack of basic oversight and accountability in the health care system, in this case related to infection prevention programs. Alberta Health Services' own data show no improvement in hospital-acquired infection rates in the last three years. To the minister: when will you meet your commitment to reduce the number of people who get sick from infections when they come into hospitals?

**Mr. Horne:** Well, Mr. Speaker, as a physician I'm sure the hon. member would agree with me that we, in fact, have some of the lowest rates of infection for specific organisms in our province's hospitals. What the Auditor General said is that we have an opportunity with a provincial delivery system to improve our surveillance and improve our compliance rates with standards that we ourselves set, very aggressive standards that also meet the requirements of national accreditation bodies. I couldn't agree more that in areas like hand hygiene we need to drastically improve performance, and we look to the leadership of physicians and other health professionals to help us do that.

**Dr. Swann:** Given that we have significant hospital overcrowding, including emergency rooms, increasing the risk of life-threatening infections for already sick people, will you admit your failure to achieve your own goal of 85 per cent occupancy in our major institutions?

**Mr. Horne:** Mr. Speaker, we have one of the highest rates of acute-care beds per capita in the country. We also live in a province that is growing by the size of the city of Red Deer every year. I think that Alberta Health Services staff do an amazing job of coping with the challenges of a growing province, a growing population, and a growing health care system. It's very clear from the Auditor General's report that we need to do a better job in terms of monitoring and reporting, on meeting the standards that we ourselves set, but meet those standards we will.

**Dr. Swann:** Well, the minister likes to comment on the number of acute-care beds; the problem is that they're not staffed, Mr. Minister. Given that hospitals are almost all over one hundred per cent capacity, with people in corridors and crammed into wards, what plans do you have to deal with the surge of patients during the upcoming flu epidemic?

**Mr. Horne:** Well, Mr. Speaker, again, I certainly hope that as a physician the hon. member is encouraging his constituents and all Albertans to get the flu shot this year. As the hon. member knows, we have a less than acceptable rate of immunization in this province. As the hon. member also knows, we have very busy hospitals across the province. They are very well staffed. They are staffed by people who are caring and well-trained individuals committed to the care of their patients. I'd suggest to the hon. member that he might want to stand up once in a while in support of those workers and commend their work to the rest of the province.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by Airdrie.

### Athabasca River Containment Pond Spill

**Ms Notley:** Thank you, Mr. Speaker. As a 60-kilometre-long glob of toxic coal waste floats down the Athabasca, towns are turning off their water intake. Meanwhile the Mackenzie basin waits, with no similar ability to divert the arrival of this massive toxic threat. Yet this PC government still insists on keeping this disaster on the down low with limited public statements and still less up-to-date information. To the minister of environment: why won't you take responsibility, stop trying to hide the issue, and start providing all Albertans with a regular and daily briefing?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. I thank the hon. member for the question so that I can once again reiterate to the House that this ministry was notified of the incident when it happened, about 8 p.m. on October 31. Downstream communities were notified within hours, early on November 1, hon. member, not five days later as inaccurately stated now and before. Each day we have updated that, both ourselves as ESRD and also as the Alberta Energy Regulator. We have made sure that not only have we put notifications out but that we have talked to each one of the communities because number one for us is public health and safety.

**Ms Notley:** I'm talking about all Albertans.

Now, given that this PC government keeps information about how often dam inspections occur secret, information about how the inspections turn out secret, and information about company emergency response and cleanup secret, why won't the minister come clean on the Obed spill and tell Albertans when this dam was last inspected, what the results of the inspection were, and what the government is going to do to minimize the massive environmental damage that this breach will and has already caused?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker. Well, we have made sure that all of the testing was happening right away, within the first day of the incident happening. On November 1 we made sure that the samples were taken right away and continue to be taken, with the company as well taking samples. Our job one was to make sure that no communities were withdrawing water until we had samples and health safety done. That has been confirmed.

We took the mayor of Woodlands county and the mayor of Whitecourt – and I'd like to say, Mr. Speaker, a quote from the mayor of Whitecourt: the province and Sherritt Coal have both been very evident in getting all of the departments on board, ensuring that any community downstream were notified; it hasn't had an impact on our community.

**The Speaker:** Thank you.

**Ms Notley:** Well, interestingly, not one of those tests has been released publicly yet.

Now, given that adherence to the Canadian dam safety standards are not mandated in Alberta, as they are in many other provinces, and given that the Obed breach is possibly the largest single tailings containment breach in the history of this country, will the minister commit today to reviewing dam safety across the

province, releasing the results publicly, and specifically legislating standards in order to protect all Albertans from the cost of its inaction up to now?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. As soon as the health results were made available, we released those on Monday to make sure that they were released to the public. Our job is to make sure that the health and safety of Albertans is first and foremost. There were no health issues with regard to Albertans, no health issues so far to date that we know of with regard to fish and wildlife. We have made this public. Maybe the hon. member should actually look at the public documents.

## 2:30 Energy Technology Expenditures

**Mr. Anderson:** Mr. Speaker, the Wildrose strategy for a greener Alberta involves empowering individuals to take personal responsibility for reducing their own environmental footprint. This government's light up Alberta program gave energy retailers an opportunity to pay homeowners, municipalities, and small businesses 15 cents a kilowatt hour to put power back on the grid. Great idea. This provided incentive for folks to install solar panels and windmills in their homes and businesses. To the minister: if you're trying to improve Alberta's reputation with world leaders, why would you axe a program like this?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. We've got many great programs that are happening in Alberta, and that was one of many programs that we're looking at. As well, we're looking at: how do we reduce the amount of GHGs that we have in the province? How do we make sure, through the Climate Change and Emissions Management Corp., that we get the best bang for our buck? We have many projects that are out there. That is one of many, but there are many more. With regard to our carbon capture and storage, that will actually achieve 70 per cent of our reductions. We are making sure that we're doing the small things, but we are focused on the big things that will reduce our emissions.

**Mr. Anderson:** That program no longer exists, Minister.

Mr. Speaker, given that this government has chosen to grant Shell Canada over \$800 million to pump their industrial emissions underground and given that most folks believe that a successful company like Shell should probably pay to clean up after itself and given that the light up Alberta program costs a mere 1 per cent of what this government spends on carbon capture subsidies, wouldn't it make more fiscal sense to keep the light up Alberta program and dump your \$2 billion CCS boondoggle?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. I'm very happy to answer this question. Perhaps this member might want to talk to others around the world about the importance of CCS to the global economy. We look at Europe and what they're trying to do with regard to CCS. We look at the United States, the President, the amount of money that the President has put forward, a billion dollars. We look at the federal government. Carbon capture and storage is one of the technologies that will be unleashed that will reduce emissions globally. In fact, in Alberta, with the kind of geology that we have, through enhanced oil recovery we will actually see a large return on our investment.

**Mr. Anderson:** Mr. Speaker, the CCS program has done nothing to open Keystone or Gateway or anything else. It's a failed \$2 billion PR disaster.

Mr. Speaker, given that many consumers like my constituent Larry Koper, small energy retailers, municipalities, and small businesses made large investments in energy efficiency upgrades based on the premise that they would be able to recoup their costs through the light up Alberta program, why did you pull the plug on these folks by axing the program without even a lick of consultation? How is that fair to them, Minister?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. I'm actually going to go back to the hon. member's numbers. His numbers are inaccurate with regard to CCS. It's actually \$1.4 billion. Those are the kinds of projects, when you look globally, that people are looking to Alberta as a leader. We have spent a lot of time talking, whether it be in the United States, in Canada, in Europe, and in China. When we look at the different discussions with regard to CCS, that is what is going to make sure that we're going to see real reductions, and the globe is looking to us to unleash technology so we can actually share with the entire world.

**The Speaker:** The hon. Member for Sherwood Park, followed by Innisfail-Sylvan Lake.

## Justice System Delays

**Ms Olesen:** Thank you, Mr. Speaker. There is an old legal principle that justice delayed is justice denied, yet delays in the administration of justice are a problem right across this country. Court cases are dragging on for years, allowing for witnesses to move or recollections to fade. Delays jeopardize justice. There is a report, *Injecting a Sense of Urgency*, about delivering justice in serious and violent crimes. It identifies delays as the main problem. My first question is to the hon. Minister of Justice and Solicitor General. What steps have you taken to apply this report's recommendations to help expedite the effective administration of justice in Alberta?

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you very much, Mr. Speaker. The report was an excellent report. It was authored by an ADM in my department – his name is Greg Lepp – and I'd almost even call it the gold standard. It talks about the expansion of court case management offices, something that's happening right now, and also the increased use of direct indictments. The use of direct indictments has already saved 10 weeks of court time in provincial court this year.

**The Speaker:** The hon. member.

**Ms Olesen:** Thank you. To the same minister. I recognize the independence of the judiciary and the distinct responsibilities within the court system that limit government capacity to direct change. What levers or additional steps can your ministry apply to influence change to reduce delays within the courts?

**Mr. Denis:** Well, Mr. Speaker, again, under the Constitution there is a shared responsibility for justice between the provinces and the federal government. I met with federal Justice minister Peter MacKay just this Friday in Calgary, and one of the things that we discussed was the elimination or the curtailment of preliminary inquiries. Disclosures have already happened under the



Stinchcombe case since 1991, and preliminary inquiries waste 23.8 weeks of actual time in each case. That's something that we are continuing to push, and it's something that I will push in a couple of weeks in Whitehorse at the federal Justice ministers' meeting.

**Ms Olesen:** To the same minister: what are the next steps in the implementation of the new approach to delivering justice in Alberta?

**Mr. Denis:** Mr. Speaker, I think that this is a moving target we need to look at, not just every year but every month. This is a continuing priority in our department. I've mentioned preliminary inquiries before, but there are also other items that we're looking at on a continual basis such as small claims court reform or, on the longer term even, traffic court reform that will save delays in other areas of our justice system.

**The Speaker:** The hon. Member for Innisfail-Sylvan Lake, followed by Stony Plain.

### Continuing and Long-term Care

**Mrs. Towle:** Thank you, Mr. Speaker. In the 2012 election the Premier promised that she would open 1,000 long-term care nursing beds. However, the Minister of Health seems to think that these beds are the same as continuing care or assisted living. Vulnerable Albertans who need long-term care nursing are being forced either into lower levels of care or back into hospitals. With the government now planning to close 2,000 long-term care nursing beds by 2016, where does the Associate Minister of Seniors propose vulnerable Albertans needing 24-hour long-term nursing care go?

**The Speaker:** The hon. associate minister.

**Mr. VanderBurg:** Thank you, Mr. Speaker. Thank you for the question. There's no doubt that there are capacity issues across this province. The demographic change that we're feeling today and are about to feel is going to keep pressure on us, and that's why this government is committed to building a thousand new units for seniors each and every year. Whether it's in Rocky Mountain House or whether it's in Okotoks or whether it's in Crossfield or whether it's in Lacombe, your colleagues are proud to stand beside me when we're opening these facilities.

**Mrs. Towle:** Those are not long-term care beds, Mr. Speaker.

Given that yesterday the Member for Calgary-Glenmore asked the Health minister a question directly about seniors moving into long-term care and the Health minister was not willing or able to answer that question, can the Associate Minister of Seniors stand up in the House and explain the difference between long-term care nursing beds and continuing care beds?

**Mr. VanderBurg:** Well, I can, and anytime the member would like a lesson on continuing care, she can come over and visit. The fact of the matter is that appropriate care be given to residents. Whether they're someone with disabilities or are seniors, we need to make sure that they receive the appropriate care in the appropriate place and as close to home as possible.

**Mrs. Towle:** Mr. Speaker, clearly the Associate Minister of Seniors should know the difference between long-term care nursing beds and continuing care beds. Given that he clearly doesn't, can someone in the government please explain to the House what the difference is between long-term care nursing beds

and continuing care beds? They're funded separately. Please explain so that everyone knows what the difference is.

**Mr. VanderBurg:** Mr. Speaker, it seems like the student is trying to give the teacher a little bit of a quiz here. I'm going to tell you that any time the member wants to walk in my shoes and come with me to some continuing care facilities, to some long-term care facilities, to some dementia care facilities, she's sure welcome to join me. Your other colleagues sure do, and they're very interested in learning about this.

**The Speaker:** The hon. Member for Stony Plain, followed by Livingstone-Macleod.

### Rail Transportation Safety

**Mr. Lemke:** Thank you, Mr. Speaker. Last month there was a rail line accident in my constituency. People were forced from their homes and given the uncertainty of this situation were, plainly put, scared: scared for their health, scared for their families, and scared for their homes. My question is to the Minister of Transportation. What is our government doing to ensure that disasters like this do not happen again?

**The Speaker:** The hon. minister.

2:40

**Mr. McIver:** Thanks, Mr. Speaker. This is an important issue and timely right now. I want the hon. member to know that we have been taking action on this.

For example, after the Lac-Mégantic event there already were recommendations that came out, and we have acted on all of those to adjust where appropriate the Alberta standards, Mr. Speaker. We've started taking action, and it hasn't stopped there. We have people on the ground right now looking at the incident that occurred just a couple of days ago.

**Mr. Lemke:** My first supplemental, Mr. Speaker: will this same minister commit to a process of finding that federal, provincial, and private industries can communicate in a timely manner what is being transported on these lines to ensure the safety of our communities?

**Mr. McIver:** Well, Mr. Speaker, I'd like the hon. member to know I have been in touch with my colleagues, the other Transportation ministers. The federal minister has committed to ongoing communication sharing with me and the other provincial Transportation ministers. We won't let up. The railroads would say – and I'm not taking issue with it – that more than 99.997 per cent of the cars get there safely. But as long as collisions happen, as long as Albertans are at risk, and as long as we can take action in partnership with our federal partners and the railroads, we will do so.

**Mr. Lemke:** Mr. Speaker, my last question for the same minister: what is being done to ensure that companies like CN are being held accountable to our citizens?

**Mr. McIver:** Well, Mr. Speaker, I'm guessing the hon. member is referring to the incident going on right now. As I mentioned in some of my earlier remarks, we have people on the ground. We are investigating what happened there, and if there are shortfalls that need to be addressed, we will be doing that. The hon. member is going to have to be a little more patient because we want to act based on facts and evidence rather than conjecture. I would say to

the hon. member that that will be a pretty short time period from now, in my estimation.

### Statement by the Speaker

#### Brevity

**The Speaker:** Hon. members, that concludes question period for today. For tomorrow could I ask all of you after question 5 to please cut out your preambles? Today we had some who went on quite long with their preambles. I noted some of them. There were others that were very short. I would extend kudos to Calgary-Mackay-Nose Hill for a very succinct question and to the minister who answered very succinctly as well, as a result of which we had a few more members come on. But 21 questions and answers were still to be asked, and they were left at the altar, so to speak. So, please, let's try to abide by that tomorrow after question 5.

Just before we go back to Members' Statements in a moment, might we have unanimous consent to revert briefly to one introduction? Does anybody object to that?

[Unanimous consent granted]

### Introduction of Guests

*(continued)*

**The Speaker:** The hon. Member for Edmonton-Ellerslie, your introduction, please.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. It's an honour for me to rise today to introduce to you and through you some wonderful people visiting us from India. Colonel Harpal Singh Pannu is here with Chifali Pannu. Joining them today are some of my good friends: Pardoma Singh Gill, Arminder Singh Bhatra, and Dajinder Paul.\* May I ask them to please rise and receive the traditional warm welcome.

**The Speaker:** Hon. members, in 25 seconds we will resume Members' Statements, beginning with Edmonton-Mill Woods.

### Members' Statements

*(continued)*

**The Speaker:** The hon. Member for Edmonton-Mill Woods, followed by Banff-Cochrane.

#### Alberta Immigrant Nominee Program

**Mr. Quadri:** Thank you, Mr. Speaker. Today I would like to raise awareness of the recent changes to our Alberta immigrant nominee program. This is an excellent economic immigration program, jointly operated by the governments of Alberta and Canada. It supports Alberta's economic growth by attracting and retaining work-ready immigrants to our province.

As you know, Mr. Speaker, Alberta's robust economy creates tremendous demand for skilled workers in many fields. Alberta has the highest growth rate in the country, creating more than 77,000 jobs between August 2012 and August 2013. In order for our province to prosper now and in the future, we need to find the right people with the right skills at the right time to fill those positions.

While our priority is to ensure that Albertans and Canadians are hired first, we still need immigration to address long-term labour

needs. Alberta employers have asked us to help address their labour shortages. We listened, and we are taking action.

Over the summer changes to the program were made so that workers who are already living here and contributing to our province will have more opportunities to become permanent residents. Mr. Speaker, these changes will expand the eligible range of occupations, give more people an opportunity to directly apply to the program, and help ensure that we retain workers in occupations that are in high demand. We are helping employers find the workers they need, and we are helping more hard-working newcomers get closer to achieving their dream of becoming a Canadian citizen.

We encourage all members of this House to please share this information with their constituents, some of whom may be eligible for the nomination. I want to mention that some of these changes are temporary, with an application closing date of November 28. Please go online for more information. The website address is AlbertaCanada.com/AINP.

Mr. Speaker, we need good people to help us build Alberta, and that includes Albertans, Canadians, and skilled people from around the world.

Thank you.

**The Speaker:** The hon. Member for Banff-Cochrane, followed by Strathmore-Brooks.

#### South Saskatchewan Regional Plan

**Mr. Casey:** Thank you, Mr. Speaker. The South Saskatchewan regional plan includes the South Saskatchewan River basin, the Milk River basin, and the Alberta portion of the Cypress Hills. This is an area of 83,764 square kilometres, which represents 12.6 per cent of Alberta's land base. Located within the boundaries are 15 MDs, five cities, 29 towns, 23 villages, two summer villages, and seven First Nations, with a population of 1.6 million people, or 45 per cent of Alberta's population.

The SSRP will utilize a cumulative effects management approach to balance economic development opportunities and social and environmental considerations. It will clearly define desired outcomes and establish monitoring, evaluation, and reporting commitments to assess progress, and, possibly most important, it will provide guidance to provincial and local decision-makers regarding land-use management for the region.

Municipal planning and development decisions will remain the jurisdiction of the local authorities as they always have; however, municipal statutory plans will have to align with the regional plan in order to achieve the desired outcomes of the region. Planning in isolation without due consideration of the impacts of decisions on neighbours and other stakeholders in the region will be a thing of the past.

Mr. Speaker, there are several areas of the draft SSRP that are of interest to the constituents of Banff-Cochrane. Over the next few weeks I will be meeting with stakeholders to ensure that they have an opportunity to provide their input on the plan as all Albertans do. Beginning today through November 28 stakeholder workshops and public information sessions will be held in 21 communities across the planning area on the draft plan, or residents can fill out the workbook online at [www.landuse.alberta.ca](http://www.landuse.alberta.ca).

Mr. Speaker, I would encourage everyone to engage their constituents to provide input needed to complete this valuable planning process. Thank you.

**The Speaker:** The hon. Member for Strathmore-Brooks.

\*These spellings could not be verified at the time of publication.

### Pipeline Safety

**Mr. Hale:** Thank you, Mr. Speaker. Recently Canadians were reminded of the crucial importance of pipeline integrity, no thanks to the government's pipeline safety review released this summer. While Albertans know the value of pipeline integrity for economic prosperity and the environment, the report demonstrated the government's utter lack of seriousness in assessing the need to improve pipeline safety with concrete measures to step up our game in enforcement. The report failed to even look at the enforcement of regulations and did not address shortcomings in reporting and monitoring procedures. The report failed to address several available examples of recent spills and did not take any lessons from these mistakes to improve safety going forward.

Albertans were left wondering why the government commissioned the report at all. It's great that the report recognized that we have regulations, but – hold your applause – the existence of regulations was never the question. While the report makes recommendations going forward, it does nothing to address the integrity of our 400,000-and-some kilometres of existing pipelines.

Integrity should be an important idea for the government. Well, let's not look to the government, whose Municipal Affairs minister says one thing to Albertans and then tells another audience that our oil industry sucks the life out of every other aspect of Alberta. That's not integrity.

Neither did the review add to pipeline integrity or offer an honest look into the critical challenges facing our industry. Enforcement is critical for Alberta to prove that it is leading the way in pipeline integrity. Whether it's the east-to-west pipeline, the Keystone XL pipeline, or western pipelines, demonstrating to our customers our steadfast and unwavering dedication to pipeline integrity in the face of ever-expanding production is critical to our economic future.

Our customers want to know that our regulations are being enforced. It's not good enough just to have regulations. Thankfully, the Auditor General has agreed to my request for a review on reporting, monitoring, and enforcement procedures of the Alberta Energy Regulator.

2:50

### Introduction of Bills

**The Speaker:** The hon. Associate Minister of Services for Persons with Disabilities.

#### Bill 41

#### Premier's Council on the Status of Persons with Disabilities Amendment Act, 2013

**Mr. Oberle:** Mr. Speaker, I rise today to introduce Bill 41, the Premier's Council on the Status of Persons with Disabilities Amendment Act, 2013.

If passed, this bill will give the council a more strategic and influential role in government policy and in program development. It is intended to rejuvenate and reinvigorate the council, and it speaks to the value this government places on the Premier's Council on the Status of Persons with Disabilities.

Mr. Speaker, I offer my sincerest thanks to the council for the great work they do in improving the lives of Albertans with disabilities. It is absolutely humbling to interact with such people, and I eagerly look forward to the coming year. Thank you to the council.

[Motion carried; Bill 41 read a first time]

**The Speaker:** The hon. Deputy Premier.

#### Bill 43

#### Alberta Economic Development Authority Amendment Act, 2013

**Mr. Lukaszuk:** Well, thank you, Mr. Speaker. I request leave to introduce Bill 43, the Alberta Economic Development Authority Amendment Act, 2013.

Bill 43 will renew the legislation and create a new governance model for the Alberta Economic Development Authority. The authority, established in 1994, has been a valuable adviser to the Premier and cabinet on issues affecting the Alberta economy. The proposed amendments to the act will be the first substantive changes to the legislation since its inception.

Thank you, Mr. Speaker.

[Motion carried; Bill 43 read a first time]

### Tabling Returns and Reports

**The Speaker:** The hon. President of Treasury Board and Minister of Finance.

**Mr. Horner:** Thank you, Mr. Speaker. I'm tabling today the appropriate number of copies of the Alberta Gaming and Liquor Commission annual report 2012-2013 and Charitable Gaming in Review 2012-2013. Over the course of the year the AGLC has met its mandate in ensuring that the province's gaming and liquor industries operate effectively, with integrity, and in a socially responsible manner. During 2012-13 the AGLC saw an increase in gaming and liquor revenue from the previous year. More than \$716 million was earned from liquor operations. In addition, almost 1 and a half billion dollars in gaming revenue went into the Alberta lottery fund. This money benefits all Albertans by supporting numerous community initiatives. I'd also note, Mr. Speaker, that Alberta charities raised nearly \$330 million through charitable gaming activities in the same period.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Minister of Health.

**Mr. Horne:** Thank you very much, Mr. Speaker. I'm pleased to rise today to table the requisite number of copies of the College and Association of Registered Nurses of Alberta annual report 2011-2012. The college is the professional and regulatory body for over 33,000 registered nurses in Alberta. Its mandate is to protect the public by ensuring that Albertans receive effective, safe, and ethical care by the registered nurses of our province.

Thank you, Mr. Speaker.

**The Speaker:** The Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you very much, Mr. Speaker. I have two tablings today, the first of which is a letter from myself to the Hon. Peter MacKay, the Minister of Justice federally, dated August 26. It talks about the victims of crime, a victims' bill of rights, and some of the things that Alberta would like to see in this victims' bill of rights. I'll pass that to the page.

Secondly, one of my favourite topics, Mr. Speaker, lawyers, is the 2011 annual accountability report from the Law Society of Alberta, which, of course, is a self-governing body.

**The Speaker:** The hon. Minister of Culture.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. I rise today to table the appropriate number of copies of annual reports for the Alberta

Foundation for the Arts, the Alberta Historical Resources Foundation, and the Wild Rose Foundation.

Thank you.

**The Speaker:** Are there others? Hon. Member for Edmonton-Gold Bar, did you have a tabling?

**Mr. Dorward:** Yes, Mr. Speaker. I'm tabling the wording on a plaque in the Gold Bar area called the Capital City Recreation Park Announcement.

**The Speaker:** Thank you.

Hon. members, we have one point of order, and I do have the benefit of the Blues. Just before we get into it – I'm interested to hear what the point of order is – I would remind all members that sometimes in this Assembly the cut and thrust of debate results in some bantering across the aisle and that those comments are rarely picked up in *Hansard*. So we have nothing to go on if that's what the subject of this is.

Let's hear what the point of order is, Airdrie.

### Point of Order

#### Remarks off the Record

#### Gestures

**Mr. Anderson:** Mr. Speaker, thank you. I rise on a point of order which I think is very serious, and I would ask that you hear the argument fully. We do actually have several witnesses to what occurred. I refer to Standing Order 23, particularly (j), the use of "abusive or insulting language of a nature likely to create disorder," and (l), "introduces any matter in debate that offends the practices and precedents of the Assembly," but specifically (j), as well as O'Brien's *House of Commons Procedure and Practice*, particularly chapter 3, and I'll get to the specific citations as we go.

The issue in question is that after the Leader of the Official Opposition asked a question of the Deputy Premier, which you have in the Blues, the Deputy Premier stood up and answered that question in a very emotional way. We won't go into the veracity of what was said in his statement. That can be done at a different time. After he sat down, this member, the Deputy Premier, leaned over his desk very clearly to members on this side of the aisle, motioned to the opposition leader in this manner with both hands, saying, quote: bring it on; you want this; bring it on; bring it on, shouting it across the aisle in that way.

Now, I understand that this member was emotional when he was giving his answer. I understand that, but I want to turn to chapter 3, page 82, of *House of Commons Procedure and Practice*, where it very clearly states:

Thus, the House also claims the right to punish, as a contempt, any action which, though not a breach of a specific privilege, tends to obstruct or impede the House in the performance of its functions; obstructs or impedes any Member or officer of the House in the discharge of their duties; or is an offence against the authority or dignity of the House, such as disobedience of its legitimate commands or libels upon itself, its Members, or its officers.

On page 83 it gives an example of that, of what contempt might look like, and one of those things is "assaulting, threatening, obstructing or intimidating a Member or officer of the House in the discharge of their duties."

Further, on page 84: "assaulting, threatening or disadvantaging a Member, or a former Member, on account of the Member's conduct in Parliament."

That is clearly a reference that in this Legislature, Mr. Speaker, we need to be able to come in here and do our job, speak to these things, and physical intimidation should never be a part of or a response to somebody's conduct in this Legislature. I think we can all agree with that. I think we don't want to devolve into some of these other parliaments that we see around the world where people are physically coming over the boards, so to speak, to engage each other physically. This isn't a hockey game.

**The Speaker:** Hon. member, I'm trying to follow your argument in *House of Commons* under pages 82 and 83, and I believe you're quoting from privilege versus contempt. Are you intending to raise a point of privilege here?

**Mr. Anderson:** Well, Mr. Speaker, it would be my intention to . . .

**The Speaker:** I'm not going to get into a discussion with you right this moment, hon. member. I'm simply asking you to clarify because what we're looking for is a point of order with regard to other procedures in the House.

3:00

**Mr. Anderson:** First of all I also quoted the standing order, and maybe we can proceed on the standing order. But if there's no apology given, I will proceed on a point of privilege tomorrow. Absolutely.

With regard to, "uses abusive or insulting language of a nature likely to create disorder," Mr. Speaker, I know that this member can be emotional, as can we all be in this Legislature. I would suggest, though, that when we come into this Legislature, we should do so free from being physically intimidated. What happened there was over the line. Everybody on this side – well, most people on this side – saw it. I won't say everybody, of course. There are people that are willing to say it, and certainly the Leader of the Opposition clearly deserves more respect than that.

I would note, too, that this member was obviously very upset with the fact that this dealt with his family, as would any of us be in this situation. But that doesn't change the fact that you cannot lean over the benches and physically motion to the person to come over and say: bring it on; bring it on; you want this; you want this. We can't have that in our Legislature. If that's the case, it's going to continue on and just elevate itself over and over again.

So I'd ask that he apologize for the comment, that he clarify and make sure that he will not do that again, and hopefully we can move on respectfully.

**The Speaker:** Someone from the government side? The Deputy Premier.

**Mr. Lukaszuk:** Well, thank you, Mr. Speaker. In a sense I'm glad that this member raised a point of order or privilege, whatever it is that you deem it to be. This is one of those occasions where I don't have to cite *Beauchesne*, I don't have to cite our standing orders, but I will simply cite common human decency based on which I imagine you should make this ruling.

Mr. Speaker, this member – and I'm referring to the leader of the Wildrose opposition – is not a new member. She's been here for a while, she's well read on the news, she is very active on Twitter, and I know that research monitors Twitter very carefully. I know and you know that this matter was widely published in mainstream media when the occurrence took place, so there is no way that members of the opposition can say that they were not aware of what the context of this matter was. It was clear. It was published. Everybody knows about it.

In case you don't remember, Mr. Speaker, let me refresh your memory. A reporter from our beloved, taxpayer-funded CBC had decided, based on what he believed were tips given to him, that my wife and I and my wife and my office, in particular, apparently, allegedly, according to him, were having inappropriate exchanges via e-mail. In order to follow up on what exchanges by e-mail I have between my wife and myself or my office may have, he has decided to FOIP any and all exchanges between my office, myself, and my wife. Since my wife and I don't practice e-mailing back and forth with each other, all I believe they found were a couple of calendar entries wondering whether she would be attending an event with me or not and pictures of my children, because they were doing something particularly cute at a moment at home, and she sent me a picture of the children.

Now, that put me in a very difficult position, Mr. Speaker. If you don't release it and you black it all out, then the accusation is that you're hiding something. What was in those pictures? What is it that you blacked out? If you do, you end up releasing pictures of your children, which we had been successful, up until that point in time, in keeping very private. We, unfortunately, having not many choices, have decided to release that information – that is, the office has decided to release that information – even though perhaps it was outside of the scope of FOIP.

While that was happening, Mr. Speaker, that very same reporter had also run checks on motor vehicle registration and land titles and on Twitter started releasing my home address and the whereabouts of my house, the description of the vehicles that we drive, the licence plates of the vehicles that we drive. As a result of that – and that is all well-known information that that member knew about – my personal home had to be re-alarmed, RCMP had to do security checks, my wife had to carry a personal alarm system on her, windows in my vehicles had to be tinted, and schools for my children had to be advised of extra caution and extra release of information strategies just to keep them safe and outside of the scope of someone because, as you know, we expose ourselves in public life to a variety of activities. As a result, CBC has seen the wisdom, and they demanded that their reporter remove that information off Twitter. But you know that once it's out, it's out, and you can't put that back in the bag.

This member knew that, and she had the audacity to raise that and question my transparency and my office's willingness to release information. Mr. Speaker, I would never interfere in the release of information, as we haven't in this case. As a matter of fact, we went beyond that point, and we released information that was outside of FOIP so as not to leave ourselves open to questioning what perhaps could have been in the stuff that was blacked out. But this member had the audacity to go there.

So I will not apologize for saying, "Bring it on; bring it on; you want to go, let's go; if you want to go down that path, let's go," because no member in this House should expose his family or children to this kind of garbage. While this was happening – and you know, Mr. Speaker, not everything is caught on cameras – the Leader of the Opposition was smirking away and having a jolly good time because she knew, she knew, that this was going to aggravate me. That's what it was really all about.

We are in public service, Mr. Speaker. You can accuse me of anything you want – I chose to run for office – but you leave families alone.

**The Speaker:** I'll recognize one more speaker from the Alberta Liberals on this point. Please, briefly.

**Ms Blakeman:** Thanks very much, Mr. Speaker. This is a contemporary problem for us because we have so much electronic

information that comes and goes now. I will admit that I have not read Twitter and the other things that are available. My problem with this is how we balance being open and accountable, elected politicians with someone seeking very personal information.

In Canada we're pretty lucky. The media doesn't interfere in our lives too much. But what we have in this House is a threat against – there are two threats here, maybe that's the best way to put it. One is the threat against the Deputy Premier's family, which is unacceptable under any circumstances, but the second is the threat, verbal and by gesture, that was made in this House to another member. Neither are acceptable, and I urge the Speaker to carefully consider whether excusing the member for using a gesture, which is a threat and is forbidden in every parliamentary book I can find . . .

**An Hon. Member:** Especially to a woman.

**Ms Blakeman:** Well, whether that threat is to a woman or a man, in this day and age I hope that wouldn't matter quite so much, but it still does matter, certainly, as far as weight and how much damage a particular assault can do to someone.

Please, Mr. Speaker, keep in mind that although this member was unquestionably provoked, this reaction should not be allowed in this House to anyone, by anyone. I understand the grief this has caused him – no question – but you cannot allow a member to threaten a member in this House verbally or with a gesture or right-out assault.

Thank you.

**The Speaker:** Hon. members, I have two more requests for commenting, and I'm going to honour them if they are exceptionally brief. I'll begin with Innisfail-Sylvan Lake, then the Minister of Justice, and I hope that will conclude it. Please be brief, or I will have to interrupt you.

The hon. Member for Innisfail-Sylvan Lake.

3:10

**Mrs. Towle:** Thank you, Mr. Speaker, and I will keep my comments brief. I can appreciate where the Deputy Premier is coming from – as a mom I would not want to be in that position – and I can also appreciate that having personal information on Twitter about any one of us has got to be something that's very aggravating. However, the question that was posed to the government had nothing to do with personal information. It had to do with a FOIP request and his response to that in terms of bullying and intimidation of the journalist by going through his boss. I want to make that very, very clear.

We can't assume to know what the Leader of the Official Opposition may or may not have known previous to asking the question. The question was a legitimate question on the role of the Deputy Premier and how they deal with FOIP, the access to FOIP and the information that comes from FOIP, and his actions that he took once the FOIP was received. I am completely sympathetic to his position, and I'm completely sympathetic to his emotional response.

The other part I just wanted to say really quickly – and the hon. member from the Liberal side didn't go there – is that there's a reason why women don't go into politics. At no point in time should anyone in this House – anyone – feel . . .

**The Speaker:** Hon. member, thank you.

I don't mind hearing one good defence or one good allegation substantiated, if you like, by one member from each party, but then we get into an all-afternoon discussion on this. I have two

more members over here now. I'm just going to have to stop it right here. I did say the hon. minister would have a brief comment.

Now, hon. Member for Innisfail-Sylvan Lake, I assume you have concluded your remarks or you're about to.

**Mrs. Towle:** Not really, no, Mr. Speaker.

**The Speaker:** I'll give you another 30 seconds, and that will be it, okay? This is not a discussion with the chair. I just indicated earlier that I would recognize you if you were brief, and I'm going to recognize the Minister of Justice to be equally brief, and that's it. I'm well aware of what was said. I have the Blues right here, and I will rule on it momentarily. So, please, wrap up your comments in 30 seconds.

**Mrs. Towle:** I was just going to finish my sentence, Mr. Speaker. All I was saying is that we would not tolerate this kind of behaviour on the school ground. We shouldn't tolerate it in here. I'm just asking you to use that in your decision-making as well.

**The Speaker:** Hon. member, that's a very interesting comment you just made. I may have to use it in future rulings. Very, very well said. Thank you for that. I'm glad I let you go on.

The hon. Minister of Justice.

**Mr. Denis:** Thank you very much, Mr. Speaker. I will endeavour to be very brief. One of the things from your past rulings that you've talked about is a reference to *Beauchesne's* and the fact that the Speaker has the authority to accept two varying versions of the same group of facts. [interjections] I sit here, and I honestly didn't see – again, I'm going to ignore the boos over on that side. I can hardly even hear myself. I would suggest that this is a matter that, depending on where you were sitting, you may have had different items. I don't suggest that the Member for Airdrie has made any fallacious items, but at the same time I don't think that the Deputy Premier has either.

**The Speaker:** All right. I think we've had ample opportunity for people from at least three different parties to clarify their views on this matter. Let me indicate what I have before me and upon which I have to make a ruling here momentarily. At approximately 1:53 this afternoon, right near the beginning of question period, the hon. Leader of Her Majesty's Loyal Opposition rose and asked the following question with a preamble, according to the Blues:

The Deputy Premier seems to be having trouble with access to information requests lately. The freedom of information and privacy commissioner reported yesterday that the Deputy Premier bullied, threatened, and intimidated a journalist for having the nerve to file an access to information request on him. He ridiculed him publicly on Twitter and has even called the journalist's boss. This kind of behaviour is absolutely deplorable for someone in his position. To the Deputy Premier: what does he have to say for himself?

That's the end of that first question and preamble.

The Deputy Premier then rose and said:

Well, Mr. Speaker, I'm actually glad that this hon. member asked this question because it is time that some of the facts surface. This is a situation where a reporter has FOIPed very personal information, particularly asked for correspondence between myself and my wife, has obtained pictures of my children, and has on Twitter published the licence plate, description of the vehicle that my wife drives, and my home address. That was simply unacceptable, and that's where I and every member should draw the line.

Immediately thereafter, according to the Blues, the Member for Airdrie rose on a point of order. Now, having heard the arguments

from Airdrie in particular, it doesn't appear that the point of order was necessarily specific to anything that was said and recorded in *Hansard*. Rather, it was to do with some subsequent discussion across the aisle that perhaps he and the Deputy Premier had or perhaps something that happened between the Deputy Premier and the Leader of Her Majesty's Loyal Opposition.

I'll start with the issue of the gestures. Hon. members will know that seldom does a debate of any kind go on in this House, particularly during question period, where gestures of some form or another are not evident. Now, sometimes those gestures get picked up on television. They certainly don't get picked up on radio or in the newspaper. Shaking fingers, shrugging shoulders, throwing your hands up in the air are all gestures.

Now, if I were to rise every time I saw one of these gestures, you can appreciate that I would be on my feet a lot more than I already am. However, one must draw the line where gestures might seem to be or appear to be of a threatening nature, as Airdrie just pointed out. I did not see that specific gesture, but I want to turn to part 2 of what is also not recorded in *Hansard*, and that was a comment that I heard made. I did not hear the Deputy Premier say, "Bring it on; bring it on" or whatever it is alleged that he said, and neither does *Hansard*, according to the Blues, illustrate it. But I did hear I believe it was Airdrie asking someone to step out and to discuss this matter. That might have been an inappropriate thing to have said, but it's not on *Hansard* either, okay? [interjections]

Now, please, hon. members, don't argue with me. I have fairly good ears for the first few rows, okay? I'm just telling you now that neither the gestures that we saw or heard, if they, in fact, occurred, nor the statements that were made are appropriate behaviour for this House. Neither one. There is a point of difference, and I can appreciate that this was an emotionally charged item.

Now, after the Deputy Premier offered his explanation, we ought to accept that as being how he saw the situation since he was personally involved in it. None of the rest of us were. There's a long-standing tradition in this House where we accept the view of another member. We accept it. We may not like it. We may not agree with it. We can even rise and challenge it if we so wish, but our first duty is to accept another member at his or her word.

The hon. Member for Edmonton-Centre stated an interesting thing in this regard as well. I don't have her exact quote, but I wrote down as quickly as I could: how do you balance accountability with legitimate requests for information? I believe she meant about government business, policies, and programs, and then she went on to comment further. That's a very good question, but I think we should all draw the line when it comes to issues to do with our personal lives, issues to do with our families, issues to do with our children.

Those of you who know some of the members in this House know that we're talking about children who in some cases can't even speak yet for themselves. They are that young. So you have to put yourself into the position of how you would feel if someone were to raise that kind of a personal attack or whatever it might seem to be on you or your family members. I think we would all agree on that.

Seeking information in the first part of the question is all good. After it has been clarified, you probably should take note at that point and realize that there's a time to sort of stop, if the answer has been given and you are taking someone at their word, or to go back and do more research and come back with a new approach the next day. Sometimes the 24-hour rule is very good to follow. There are ample examples in the books of tradition that guide us, and I've cited them before – I'm not going to take the time to cite them again – where references are made as to what is appropriate

and inappropriate, words to be used and actions to be seen in our Houses.

3:20

I'll conclude just by referencing a couple of points here in this respect which I think are relevant. In my form of *Beauchesne's*, sixth edition, on page 143 it indicates the following under article 486:

Remarks which do not appear on the public record and are therefore private conversations not heard by the Chair do not invite the intervention of the Speaker, although Members have apologized for hurtful remarks uttered in such circumstances.

Now, I heard some comments. I didn't hear the entire conversation, okay? So let that be one reminder.

Secondly, with respect to unparliamentary language, from *House of Commons Procedure and Practice* on page 618 let me quote this:

If the Speaker did not hear the word(s) in question, or if there is a dispute as to what words were actually used, the Chair may set the matter aside pending a review of the record and, if necessary, return to the House at a later time with a ruling. The Speaker has also ruled that if the Chair did not hear the offensive word or phrase and if the offensive language was not recorded in the *Debates*, the Chair cannot be expected to rule in the absence of a reliable record.

We have no reliable record of the gestures or of the entire conversation that may have been part and parcel of those gestures, but I will accept both sides of the discussion in this respect as clarifications on this matter.

I would put a request before you as well to please, please remember that there's a fine line that always occurs when you're talking about the integrity of another member and you bring into it issues of personality or issues that are personal about him or her and their family members. Please remember that, hon. members, so that we can move forward at a much higher level of discussion and debate going forward.

That concludes this matter. There is no point of order.

We will now continue.

## Orders of the Day

### Government Bills and Orders

#### Second Reading

#### Bill 35

#### Financial Administration Amendment Act, 2013

**The Speaker:** The hon. President of Treasury Board and Minister of Finance.

**Mr. Horner:** Thank you, Mr. Speaker. I appreciate the wise words that you provided us with this afternoon.

I am pleased to rise today to move second reading of Bill 35, the Financial Administration Amendment Act, 2013.

Bill 35 makes several amendments to the act that are needed to help government carry out its day-to-day business and continue to effectively manage the capital projects which we have undertaken. More specifically, an amendment is required to clarify which parts of the supply votes are eligible for capital carry-over to the following fiscal year. There are also a number of other minor changes to other parts of the act, and I'll get to those other amendments in a minute. For now I would like to focus on the capital carry-over provisions.

As you know, all appropriations are the responsibility of the Legislative Assembly. The Legislative Assembly has delegated limited authority to Treasury Board to address smaller issues

related to these appropriations, including the capital carry-over. Each year government allocates a certain amount of money to each capital project. Many of these projects take several years to complete. Sometimes there are factors that can change the pace at which that money is spent such as construction delays or reprofiling, so we need the capacity to carry over the funding to the next fiscal year. This capital carry-over is a long-standing and valuable fiscal tool that enables efficient management of government capital projects. By eliminating the need to go back to the Legislature for approval to carry over funds that have already been voted in, the capital carry-over ensures approved projects are not further delayed by the processing of a ministry's funding approval.

Why do we need an amendment? Budget 2013 changed the supply vote names and structure. The current definition of a capital carry-over in the act does not correspond to the structure and wording in the 2013-14 capital supply votes. The amended definition makes it clear that Treasury Board retains the power it had before to carry over capital investments in 2014-15 and in future years.

Second, under the new supply vote structure capital grants to other bodies are now part of that capital vote. The amendment makes it clear that capital grants to a third party such as a university or a municipality cannot be carried forward. Only money for government-owned capital projects can be carried forward.

Moving on to the other proposed amendments I mentioned earlier, these will make a number of technical and administrative changes to help government carry out its day-to-day business. They include aligning references related to the debt-servicing limit between the Financial Administration Act and the Fiscal Management Act. For example, the Fiscal Management Act repealed section 62 of the Financial Administration Act, but section 64 of the FAA still references section 62.

Clarifying the government's authority to issue uncertified securities as part of its borrowing program, section 65(1). Uncertificated securities are registered and tracked in an electronic book, but no paper record is issued. This reduces transaction costs and increases efficiency. Using this form of security will not impact the accounting and reporting of Alberta's borrowing activities, and the clarification applies only to securities issued by the government. Legal counsel has advised that this is something government can do already but recommended an amendment to make it clear.

Providing needed flexibility related to self-insurance coverage and services provided by the government's risk management fund. This amendment provides needed flexibility to the minister in entering into agreements and making arrangements for the provision of coverage and services. This eliminates the need for an individual participant such as a public official to sign an agreement when doing so would be impractical or otherwise undesirable. For example, public officials funded through a government department could be covered by the risk management fund under the department's risk management agreement rather than under a separate agreement for each official.

Four, clarifying the restrictions on incorporating provincial corporations. The current provisions in sections 80(1) and (2) pose technical difficulties due to the timing of when a corporation becomes a provincial corporation. The amendments will clarify the necessity of obtaining Lieutenant Governor in Council approval before turning a corporation into a provincial corporation.

Fifth, permitting tailored government oversight of borrowing by provincial corporations such as the Alberta Capital Finance Authority or postsecondary institutions. Section 81(1) relates to

provincial corporations that issue debt securities. This section says that only the Minister of Finance may negotiate and determine the loan terms. The amended section allows provincial corporations who have the power to borrow to directly negotiate loan terms where the Minister of Finance considers it appropriate and subject to direction or conditions imposed by the minister. For example, where a postsecondary institution requires modest short-term financing, it may be appropriate to allow the institution to participate in negotiating the loan.

As you can see, the proposed changes are housekeeping in nature, technical and administrative changes that serve to provide clarity, improve the day-to-day operation of government, and continue to effectively manage our government capital projects. I do recommend moving these administrative changes forward so that government can continue those operations in a more efficient manner, and I ask all members of the Legislature to support this bill.

Thank you, Mr. Speaker. I now move to adjourn debate on Bill 35.

[Motion to adjourn debate carried]

#### Bill 40

#### Settlement of International Investment Disputes Act

**The Speaker:** The hon. Member for Edmonton-Mill Woods.

**Mr. Quadri:** Thank you, Mr. Speaker. I'm pleased to rise today to move second reading of Bill 40, Settlement of International Investment Disputes Act.

If passed, this act will support the implementation of the convention on the settlement of investment disputes between states and the nationals of other states. The convention is an international treaty that establishes the International Centre for Settlement of Investment Disputes, or ICSID, and Bill 40 will implement the ICSID convention in Alberta. The ICSID is an organization devoted to the resolution of international investment disputes between states and the nationals of other states through arbitration and conciliation.

Canada signed the ICSID convention on December 15, 2006, and announced formally on November 1 that it had ratified the convention, and it will come into force on December 1. Provinces and territories have been encouraged to pass their own legislation implementing the ICSID convention within their jurisdictions to ensure the comprehensive implementation of the convention across Canada.

When the ICSID convention comes into force in Alberta, investors abroad in any of the 150 countries that have already ratified the ICSID may have recourse to ICSID to resolve disputes raised with the country in which they are doing business. The ICSID convention itself as a procedure is not involved with any substantive policy change or new obligation regarding foreign investors. Rather, it provides the rules and infrastructure for the foreign investor to address the case of a breach in a trade or investment agreement.

3:30

As part of building Alberta, we have worked hard to promote Alberta abroad and facilitate the free flow of international investment to Alberta and to help Alberta businesses succeed overseas. Promoting fair trade rules and equal treatment for our businesses must go hand in hand with efficient dispute resolution mechanisms that allow our investors to pursue a fair treatment of compensation.

Thank you, Mr. Speaker. I now move to adjourn debate on Bill 40.

[Motion to adjourn debate carried]

### Government Bills and Orders Committee of the Whole

[Mrs. Jablonski in the chair]

**The Deputy Chair:** I'd like to call Committee of the Whole to order.

#### Bill 27

#### Flood Recovery and Reconstruction Act

**The Deputy Chair:** Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Madam Chair. I'm pleased today to rise to speak to Bill 27 at Committee of the Whole. Of course, Bill 27 is an act that was put forward by the Minister of Municipal Affairs on the flood recovery and reconstruction. We see that as this Premier is heading on to her very important date of November 22, in advance of that she decided to make a whole bunch of new ministerial positions. I believe we have the highest ratio in Alberta in terms of ministerial positions to MLAs, and part of that she justified as a result of Bill 27 and the need to have some reconstruction in the flood-ravaged zones.

Madam Chair, I believe that the devil is in the details in this bill. I know that a few of our members spoke up in second reading and gave their cautious approval in terms of the overall intent of this legislation, but in Committee of the Whole our job is to go through the nitty-gritty details and ensure that any unintended consequences of the legislation are adequately addressed through debate here in the Legislature or through substantive legislative amendments that we put forward. I know that many of my other caucus members want to speak to this bill and go through it at least generally. Eventually we'll go through some of our amendments at a later point, but I think at this stage we will start the discussion process in Committee of the Whole.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

**Ms Blakeman:** I think there were some directions included in the previous speaker's comments, but I'm not in his caucus, so I'm not taking his direction. Sorry. I have a number of amendments that I have prepared to try and amend this bill. Just let me say at the beginning that I and my caucus don't have any objection to trying to increase flood mitigation attempts or legislation that would enable that. I have no interest in trying to stop the government from trying to help with disaster relief – and, please, don't anyone over there try and cast it as this because it's not – but there are some things that I have concerns about in the bill.

The primary one, Madam Chair, is the unfettered, enormous scope of power that is allocated to the minister. As I said when I first spoke to this bill, it is almost on the level of the War Measures Act. I mean, almost any power is allocated here. I listened carefully to the member for Calgary-Klein, who is now the Associate Minister of Regional Recovery and Reconstruction for Southwest Alberta. My goodness. I know he was some offended by the fact that I hadn't quite cottoned on to his new ministry, but to tell you the truth, he hadn't really risen off the page and done anything that



I would take notice of, so I apologize for offending him by not knowing that he was now an hon. minister.

In his talking he went on quite a bit about, "Well, what do you mean? We gave all people all kinds of information," and I questioned him again because it seemed to me that what he was saying was that we did press releases and we did media releases. Indeed, the member has been kind enough to send me over – I'm not sure how to describe this – a chunk, a wad, a mittful, no, not quite, a third of a mittful of their press releases, in which he is saying that policies that have been announced on floodways and flood fringes are covered. I almost wrote him a note back saying, "Really? This is how you communicate vital policy during a time of emergency, with press releases?" Are people still getting their *Calgary Herald* delivery when they're homeless? Is it being delivered somewhere that they can pick it up? Are they walking around with their televisions getting the television report about this? I was taken aback that this seemed to be the only way that they were getting information across.

Now, as I went through this, there are some very good back-grounders that were attached that go into a level of detail that I would expect to see from a government policy that is affecting so many people. It's written down where they go, what they need to have, and all of that, but the press releases themselves I don't feel are an adequate way of getting information across, particularly if they're the sole way of getting information across because for the most part they were, well, government media releases, Madam Chair, and this government has not been shy about talking about the fact that their media releases are now politicized, that they have press secretaries on staff that make these political messages. That's what in these.

I am surprised if this is the only thing. Perhaps I'm mistaken, and there was something else. I don't live in southern Alberta. Maybe there was another way of getting that information across. I just wanted to follow up and put that on the record.

3:40

We have an act that is trying to deal with moving forward on how to do it better next time, which I'm encouraged by. I believe that we should be trying to do that. The government has been pummelled enough with the fact that they ignored not one but two reports previous to the floods actually happening this summer, which did give them some fairly straightforward direction on things they needed to do. Very few of the recommendations were taken up.

I think this is another place where politics head-butts with policy. Once you've done the flood and moved on, you know, everybody's attention has moved away from it. It's a little harder to convince people, to convince Treasury Board that they need to be plowing fairly large amounts of money into flood mitigation after the 2005 or the 2010 floods in southern Alberta. I understand that. Still, when we look back on it, I'm sure that if you asked those homeowners now that lost homes or pets or farm stock, they would say, "You should've spent the money; you should've been firmer about getting this done" so that they didn't have the losses that they did. That is a criticism that I continue to level against the government. I continue to be alarmed by the amount of power that's been claimed in this legislation.

The first amendment that I would like to put on the floor – and I recognize that other members just want to speak generally, but perhaps you can do that through my amendment, and I'll just get this on the floor – in particular is around the use of the land in the floodways in what I see as a very ad hoc manner. That amendment would be here. I will pass it to a page, making sure I leave the

signed copy on the front. I occasionally have a habit of not doing that.

**The Deputy Chair:** Hon. member, we will pause for a moment while we distribute the copies of the amendment.

We'll just wait one moment for the front row.

Okay. I think that the majority of them have a copy now. Would you like to proceed, hon. member.

**Ms Blakeman:** Thank you. The pages as usual are doing a marvellous job of getting the amendments out. Thank you for the help.

This is where it always gets a bit crazy for people following along at home because you have the amending bill, and then that's amending the original legislation. So you end up with two sets of numbers you're playing around with here. This amendment is amending section 2(3), which in itself is amending the proposed section 693.1(1), which is an insert section that is talking about development in floodways.

As you know from my previous remarks, Madam Chair, I had a lot of problems with the fact that "floodway" was not clearly defined. You've heard a number of people here speak about how the flood maps were not up to date. The flood itself has changed the course of the river. It actually changed the courses of rivers or creeks while the flooding was going on. I've heard from people, my own constituents, who were saying: well, where do we get that definitive definition of floodway? It caused quite a bit of consternation for people.

What I have done here is propose that we strike out clause (c), which is the clause that says – sorry. Let me go back to the top. "The Lieutenant Governor in Council may make regulations." Once again, that's cabinet. It happens off in some special room that we don't get to see. But the Lieutenant Governor in Council may make regulations, and section (c) says, "modifying or suspending the application or operation of any provision of this Act for the purposes of giving effect to this section."

That's a very wide scope, and that's a heck of a lot of power. I am proposing that that section be struck out of this amending act, Bill 27, Flood Recovery and Reconstruction Act. I think we need to curb the enthusiasm of what various ministers and governments and cabinets may wish to do in the future. That is what we're trying to do with this bill, look to the future and at what can be done now to make next time less harmful or to stop a next time.

I know that others can go in detail into the problems with that definition of floodway and the flood maps and how up to date they are and a number of other things, and I will let them do that, but I do hope that I can get support from everyone here for this amendment, which would be amendment A1.

Thank you, everyone, for bearing with me on this. I ask for your support of the amendment.

**The Deputy Chair:** Hon. members, this will be known as amendment A1.

Are there any others who wish to speak on the amendment?

Seeing none, I'll call the question.

[Motion on amendment A1 lost]

**The Deputy Chair:** We'll continue with the debate in Committee of the Whole. Are there any other members who wish to speak?

I'll recognize the Member for Livingstone-Macleod.

**Mr. Stier:** Thank you, Madam Chairman. Good afternoon to everybody. It's my opportunity here at this time to speak to Bill 27, Flood Recovery and Reconstruction Act, and we have a few

points to raise with regard to the bill itself. We are proposing amendments to this, and hopefully they'll be coming forward shortly.

Just a few things. I want to go back in time a little bit for myself. For those members that may not be aware, I have lived along the Bow River all of my life on our property just south of Calgary, and I've seen an awful lot of flooding in my time and experienced various states of flooding from the late '50s right through until the current day. Every year it's a different situation that we're faced with and a different impact in a different location, as we all know. Certainly, there's been an awful lot of talk in the past few months since we had the most recent event, especially in southern Alberta, where I'm from, regarding flooding and the damages that are caused by flooding and what we can do to protect homeowners' interests and so on.

This act seems to be an act that they are going to try to push through to, I guess, put into legislation what they were trying to do this summer with caveats and so on and so forth. Many of these solutions are things that a lot of people probably wouldn't be that much against, I suppose, but certainly there are some things, I think, that need quite a bit of review.

**3:50**

It seems that this bill, particularly, Bill 27, has got an awful lot of power grab by the minister in what is written here. Many of these things may or may not be warranted, in our view. Many of the powers granted seem to include what the mitigation measures done should be and how they should be reimbursed for those measures. It seems to talk about powers granted for the filing of caveats on floodway properties that have received DRP and conditional caveats on flood fringes. It talks a lot about determining what is a floodway and what development can be allowed in a floodway and what cannot. It talks about exempting certain municipalities from floodway regulations. Yet they are basing a lot of this type of legislation that they want to put through, as we've heard earlier today from the member from the glorious riding of Edmonton-Centre.

**Ms Blakeman:** Fabulous.

**Mr. Stier:** Fabulous.

They're basing the actions they intend to take on faulty maps. They're not taking future mitigation into account. Therefore, communities and individuals might be treated very unfairly if regulations are adopted before sorting that out. I can't tell you how often I've seen that very situation, where flooding has taken place, gravel deposits are laid everywhere, the new flood event comes along the following year, and like a billiard table, Oldman River comes along and knocks the heck out of another area.

So how can we base what we are going to be doing in terms of mitigation? How can we base what we're doing in terms of these caveats that are being proposed without having the actual data for what the current situation is in any location along one of these stream beds? Well, we can't. We have to have the correct data. There are just no two ways about it.

Certainly, we need to look at what is contained in this new bill and look particularly in terms of items under 693.1(1), as an example, development in floodways, and review what is in there and try to understand how we can take some of the actions that are listed there without having flood data.

Certainly, I know, after looking at the information that was displayed at the flood symposium, that some areas certainly have had a relook, and they have flown some lidar aircraft over and tried to get some more data, but certainly we need to ensure that if

we're going to get the data, we can make use of it. It doesn't mention anything about recent mapping in here, and I think that's something we need to do.

As well, I'd like to talk a little bit about some of the sweeping power that the minister seems to want to have here, to override the MGA entirely if there appears to be an emergency. In 615.1, on page 2, it talks about how they're going to give sweeping power there. Municipalities can have parts of the MGA modified, municipalities can be exempted from parts of the MGA, and municipalities can be given powers beyond the MGA. We have to be looking at that and wondering: why is all of that necessary? How and in what situation will it be necessary?

As well, there's a proposal to extend the provincial control of the local state of emergency from 14 to 28 days; 28 days would still not make that much of a difference in places like High River. We're reviewing this and looking at perhaps suggesting modifications to that. Who is going to make those decisions, and why not let the local authority decide if that is what it needs? So we certainly have some comments that we are going to raise about that.

Bill 27 adds powers to the cabinet and the minister with respect to defining floodways; controlling, regulating, and prohibiting development in floodways; exempting municipalities from the definition; and forcing municipalities to amend their land-use bylaws because of all this. It also lengthens the state of the emergency period and provides a framework for funding reimbursement.

So we're just thinking that these powers, giving the government that kind of control, using old maps, and not taking future mitigation into account is just not the way that we should be looking at this.

I would, therefore, like to now consider the balance of my little presentation if I could here, ladies and gentlemen. Allowing the cabinet to designate what is and isn't a floodway and looking at that without considering or getting input from the local municipality and the emergency personnel there, again, doesn't seem to be the way to go. We need to ensure that they are involved in all steps. This perceived unrestricted power that the minister is going to have seems to be an awful lot of power without a lot of forethought.

We're going to be having a couple of other speakers on this, I think, in the next few moments. With that, I'm going to be concluding my remarks, Madam Chairman, giving up my time at this moment. Thank you.

**The Deputy Chair:** Thank you, hon. member.

I'd like to recognize the Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much, Madam Chair. The next amendment to this bill I'd like to put on the floor has already been sent to the table.

**The Deputy Chair:** Hon. member, we'll recognize this as amendment A2, and we'll pause for a moment while we distribute the copies of the amendment to the members.

Hon. member, you may proceed.

**Ms Blakeman:** Thanks very much, Madam Chair. This second amendment that I'm doing is actually attempting to modify the same section. On page 3 of the bill section 2(3) is modifying and actually inserting a new section, 693.1(1), and under that (d): "defining, or respecting the meaning of, 'floodway' for the purposes of this section and the regulations made under this subsection."

Now, this was the one I found very odd because a floodway is not defined in the definition section, which is what I would usually expect to see in a bill. Following the preamble in a bill, generally speaking, you get the definitions so everyone is clear on what you're talking about when you see those words used in the rest of the bill, and that didn't happen in this amending bill.

Then you get to this part, section 2(3), which is inserting this whole new piece in which they say that they are going to define it under regs, and I just found the timing of this really odd because we're supposed to pass a bill in which the definition that we need to understand what's being talked about in the bill is going to come later under regulations, and we don't know when or who's doing them or when we're going to see them or anything. I think this also creates a great deal of uncertainty for people that are already living in homes with floodways. Now, I know that in other parts, it does say that this will not affect people that are already in certain flood plains. Given the uncertainty around the definitions and the timing around this, I think it's more important that we pull this out of regs. We should have a very clear definition of this before. I'm very unhappy with the ad hoc nature of it. I think there should be an agreed-upon definition, perhaps as part of this bill.

4:00

I'm sure the government can bring in government amendments in the same way that they have gone to the effort of defining disaster and emergency in the front section. There you have it. Right in the very beginning of this bill, the first couple of sections, they define disaster, and they define emergency. They really should have defined floodway in there and not left it for later in the bill to be done under regs in a very ad hoc way, because it really allows them to change what they're doing and change it more than once.

That's what I've done with this particular amendment, and I would ask for the support of the House on this amendment. Thank you.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members that wish to speak on amendment A2? The hon. Member for Drumheller-Stettler.

**Mr. Strankman:** Thanks, Madam Chairwoman. I'd like to speak to this amendment from the member from fabulous Edmonton-Centre. In the constituency of Drumheller-Stettler we had a different situation this year with the nonevent of the flood that took place in Drumheller. Because there had been mitigation that took place, as a result of that mitigation the events of the flooding of this season in Drumheller were not as, if I could use the bold word, sexy in relation to the media's reporting on the nonevent in Drumheller.

My concern is that the floodway mapping and the flood-fringe mapping are not necessarily accurate as a result of some of the mitigation that takes place. We had heard a member opposite talk about the issues of a simple fence being put in the way of the flood waters or a berm being put in the way of the flood waters, and as the water rises in an irregular occurrence like we had this summer, the floodway can be changed or significantly altered. This is an ongoing situation that needs to be addressed and rectified so that accurate mapping is done.

I have concerns that maybe in the past process of the floodway mapping it may have been someone using a Crayola crayon for designating that floodway. Now, the members opposite and the government say that this was done with great accuracy, but the people on the ground, the people in the areas feel that that was not accurate. My counterpart in Rimbey-Rocky Mountain House-

Sundre made mention that the river channel had actually changed itself by one mile, so that's a significant change to the flood pattern of the river. Therefore, there needs to be accurate mapping to accurately designate the floodway.

I will relinquish my position here to others who may wish to speak on this matter.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Madam Chair. I'm pleased to be able to rise and speak on this occasion to the amendment on Bill 27, Flood Recovery and Reconstruction Act. The amendment proposes deleting clause (d): "Defining, or respecting the meaning of, 'floodway' for the purposes of this section and the regulations made under this subsection." We all know that to have effective legislation, its intent needs to be clear, including the definitions of the terms that we use. This doesn't seem to be the case.

We applaud the government's efforts to hurry up and get proper legislation in as a result of the problems that have been created because of the flood. There have been tragic problems, as it turns out, and we're very concerned about them, of course. It's often the case that government tends to react. There is a Latin phrase, *post bellum auxilium*, which was used in ancient times to describe politicians and generals who would hear warnings of danger and refuse to provide troops, and then upon hearing that their posts had been attacked and overrun by the enemy, they would angrily and publicly gather troops and send them. The troops would arrive at empty battlefields too late to do anything, which should have been obvious since the politicians didn't even send them to the battles until they were over.

We're concerned about actions that are reactions to things that could have been prevented in the first place. We had ample warning because the government in its previous iterations in 2006 had the foresight to say: let's analyze what's happened and see what can be done to prevent it and see what needs to be done now to rectify this. Some of that rectification hasn't happened, unfortunately. Much of it remains undone to this day. As a result, we see the very expensive remediation efforts that are required. Every time an event occurs, then we try to hurry up and put things in place to correct what's already happened rather than prevent what may happen in the future. That's what makes events surprising. They keep relying on experts' best attempts to predict and forecast, but they're reacting after the fact.

Nassim Nicholas Taleb wrote that intelligence analysts and economists fail to forecast most major world change because these events are unpredictable. Well, I submit that the weather also can be unpredictable and that probabilities are not scientifically measurable. This is one of the real weaknesses of most modern governments, and it seems to be true of our own. Governments focus on prediction. Then when they are surprised, they blame the experts for not forecasting effectively, and they rally to create regulations and policies designed to anticipate and prevent events that have already happened. What they don't do is create what Taleb calls real resilience, or the ability to withstand surprises.

We act like we're surprised in a community that has had a history of the river overflowing its banks. We knew it could be done. This wasn't new ground. We weren't being asked to reinvent the wheel. There were things that could be done and should have been done but weren't done, and now we're reaping the consequence of that as taxpayers in Alberta.

This legislation needs to occur, but we want to make sure that it's done in the right way, and this amendment that has been proposed and those that will be coming forward fit in precisely

with what the opposition's job is, which is to oppose inappropriate legislation, to propose amendments that will strengthen the legislation, and help it achieve its stated purpose. This doesn't seem to be complete in terms of doing that. I hope that we will consider these amendments and the strength that they will bring to the bill, the real meaning that they will provide the bill, and help it achieve its desired purpose.

With that, I will sit down and give up the floor to someone else.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak to amendment A2 at this time? The hon. Member for Livingstone-Macleod.

**Mr. Stier:** Well, thank you, Madam Chairman. It's my pleasure to speak here at length a little bit longer on some of the facts that I missed earlier when I was speaking with respect to the flooding situation this summer. Also, I have an amendment that I'm going to be entering into the fray as well.

Ladies and gentlemen and members, I just wanted to talk a little bit more about what has happened in the past few months that brings us here today with the situation that we're in, where we're looking over a new act and amendments to the Emergency Management Act and the MGA to finally respond to the flooding difficulties we've had over the past number of years and decades.

I can tell you, from my own perspective, that in my riding I had flooding in the communities of Turner Valley, Black Diamond, Millarville, Priddis, all the areas up in the north. We had more flooding than we've ever seen in some of those areas, as a matter of fact. We've had an awful lot of flooding in my regions further to the south, including the Crowsnest Pass and down into Fort Macleod and to some of the other regions in the deep south off the Oldman reservoir. It certainly affected us all in a very dramatic way in the south of the province.

Nonetheless, we're going to be looking at an amendment here, Madam Chairman, and I'm going to be talking about that.

4:10

**The Deputy Chair:** Hon. member, excuse me. I hate to interrupt, but we are speaking on amendment A2, so we have to finish the discussion on A2.

**Mr. Stier:** My apologies. I thought we were finished.

**The Deputy Chair:** That's okay. Do you have anything else you'd like to say about A2?

**Mr. Stier:** No. I'm fine. Thank you.

**The Deputy Chair:** Thank you, hon. member.

Are there any others who would like to speak on amendment A2 to Bill 27?

Seeing none, I'll call the question.

[Motion on amendment A2 lost]

**The Deputy Chair:** Now we're back to Committee of the Whole on Bill 27.

You'd like to speak in Committee of the Whole, hon. member? The hon. Member for Livingstone-Macleod.

**Mr. Stier:** Thank you, Madam Chairman. My apologies for my earlier faults.

Anyway, I would like to introduce an amendment myself with respect to this act, and I have sufficient copies here. I'll have these ready for the page.

**The Deputy Chair:** This will be known as amendment A3, and we'll pause for a moment while we have the copies distributed to the members.

Hon. member, if you would like to proceed with amendment A3.

**Mr. Stier:** Yes. Thank you, Madam Chairman. What we've got here is an amendment to section 1(2) on page 1 of the act. It's regarding the Emergency Management Act, and I'll just read that if I may: to move that Bill 27, Flood Recovery and Reconstruction Act, be amended in section 1(2) in the proposed clause (c.1)(i) by adding "which must be based on flood fringe and floodway area maps updated after the most recent flood event" after "reimbursement of costs."

Once again, we're back into our arguments that we've been providing throughout the summer on this matter, and we're talking about how the decisions for mitigation and for planning in the future, for reimbursements for damage, et cetera, et cetera, must be based on up-to-date mapping. There was a lot of talk in the past few months about whether this mapping is up to date and necessary and so on and so forth, and I can tell you, as I alluded to earlier, having lived along a river all of my life, rivers change almost every year to some degree or another. This is a very, very, very crucial part of this planning matter, and this amendment will, I think, address that very situation.

It's critical that we have these new maps so we can establish the new floodways and the flood-fringe areas. How can we do otherwise? The change in the rivers and the flows in the landscape are changing these on an annual basis, and it's just critical that we have this. There are man-made developments, often as not, along bridges, berms, et cetera, that have to be taken into account, and these things are altered every year. Whether there's been armouring along the banks and so on and so forth in the past, these have to be taken into account.

We're just not confident that the floodway information that they have currently in most of these areas is adequate at this time. We think that we need to have factored into this equation some of the most up-to-date and reliable information we can so we can ensure that if someone has property in a floodway or a flood fringe, they are not going to be judged inappropriately in their situations. We have had, as I've said, in some of these towns in my area a dramatic amount of change and a dramatic amount of damage. Of course, in the city of Calgary we had enormous amounts of damage.

Madam Chairman, with that, I'd like to have members speak to this. I'm looking for support as much as possible if we can. I think this is the right way to go and the only way to go to ensure that we're treating people fairly and we have the good data that we need to do so.

Thank you very much.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak on amendment A3? The hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Madam Chair. I'm pleased to support this amendment today that the hon. Member for Livingstone-Macleod is referencing here. It can't be said enough times how important it is to have the flood maps actually correct before we start going through this process. The Minister of Municipal Affairs, you know, stated today that he's working hard to do that. It seemed that he was willing to have that discussion about how important those flood maps really are. But we know that if we start right now by discussing what a flood fringe is, a flood zone, what that looks like, then we're starting off in the wrong place.

We're starting off in a place of error rather than starting off in a place where it's correct.

The reality of it is that so many of our areas were affected dramatically by this flood. As we know, this was one in a hundred years or one in a thousand years. I mean, it was just so dramatic and so, so devastating to so many areas. We also know that it has changed paths. We heard the Leader of the Official Opposition and Member for Highwood today talk about how Hampton Hills was not in a floodway or a flood zone at all but was one of the areas that was completely flooded for a very long time. We also know that the area of Beachwood, which she referenced, was flooded but for a different reason. Again, the municipality is trying to work with them to bring it back to normal.

**The Deputy Chair:** Hon. member, I hesitate to interrupt. Hon. members, the noise level is getting a little greater than it should be. Can you please have respect for the person speaking? If you have to have a louder conversation, could you take it outside? Thanks very much.

Please continue.

**Mrs. Towle:** Thank you, Madam Chair. I think also that what is important about this amendment is that it reads:

Mr. Stier to move that Bill 27, Flood Recovery and Reconstruction Act, be amended in section 1(2) in the proposed clause (c.1)(i) by adding "which must be based on flood fringe and floodway area maps updated after the most recent flood event" after "reimbursement of costs."

That's important because we need to talk about those costs and the reality of them, and we need to make sure that we're doing everything in our power to make sure that those flood maps are accurate, they're appropriate, and they're actually reflective of exactly what has happened. And we need to make sure that it happens after – after – the reimbursement of costs.

I look forward to hearing from other members in the House with regard to this amendment or even members from the government side and how they feel about the amendment.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

Is there anyone else who wishes to speak on amendment A3? The hon. Member for Cardston-Taber-Warner.

4:20

**Mr. Bikman:** Thank you, Madam Chair. Again, it's my privilege to speak to help us create the best possible legislation that will serve our constituents in these affected areas and areas that haven't yet been affected but that may in the future suffer the impacts that the flooded areas this past summer endured. We certainly don't want that to happen. I can't imagine that anybody would dispute the critical nature of having accurate data about the floodways, the flood plains, and appropriate, current, and up-to-date flood mapping. We can't make good decisions without that, and we're talking about making very important decisions, decisions that will impact many, many lives and many people's investments. It's incumbent upon us in this Legislature as MLAs to make the best possible decisions.

To do that, we need to see that this legislation is complete and it's accurate and includes clauses that will require the effort and expense to get it right the first time. As we can see from the costs that we're now facing to do it over again, it would have been cheaper to do it right the first time. I think that there's a proverb from the Middle East that talks about building not on sandy soil but on solid rock, on a good foundation. Well, it's the same for legislation. The decisions that will flow out of this legislation will

only be as good as the foundation principles that we enshrine right now into the legislation.

I believe that the hon. Member for Livingstone-Macleod has brought up a very valid point, that we must insist that the appropriate floodway mapping exists and is being used to make critical and important decisions that will have a serious influence and impact on many decisions going forward, not just where we build or where we invest or where we can remain but perhaps even used to of course prevent future costly events that will result in loss of property or, perhaps even as has occurred in the recent past, the tragic loss of five lives.

I'm sure that people, particularly young children but many people, are fragile emotionally when they lose their valuables. Many memories were lost in this flood. Many photos and other things that are keepsakes, reminders, memorabilia from special events that have occurred in their lives were lost. Naturally, the government wants to help avoid this tragedy, but again we can't knee-jerk in our haste to do this. We need to make sure that we take the time to soberly do the right things.

I hope that you will give very serious consideration to the benefit that this amendment, this friendly amendment, brings; the impact and the benefit that it will have on the investments that people make; the decisions about where to live that they will make; and their ability to preserve the value of their investments and preserve their quality of life. This is an important amendment. It's not frivolous. It's not presented to extend debate. It's made with the sincerest belief that it will strengthen the government's attempt to create good legislation that will serve us for many years into the future. Again, that must be done, must be based on sound science, on the soundest of accuracy, the updated nature, the current nature, the accuracy of the flood mapping.

With that, I'll allow other people to express their support for this.

**The Deputy Chair:** Thank you, hon. member.

Are there any others who wish to speak on amendment A3? The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Rowe:** Thank you, Madam Chair, and thank you to my colleagues. I'm pleased to stand and speak in support of this amendment. It seems to me that we're putting the horse before the cart here. How we can possibly move forward without current, up-to-date mapping and defined areas is hard to fathom, actually.

If I could, I would like to just go back to the 2005 flood event that happened and a report that came out in 2006 regarding that event. I believe there were 18 points in that report, and I think that 15 of those points – I'm pretty sure the number was 15 – were specifically related to flood mapping, and absolutely nothing was done until now. We still don't have current, up-to-date flood mapping so that we can make the kinds of decisions that are going to affect many, many homeowners.

I think what needs to be stated here, and it hasn't been yet, is that we're talking about the average Albertan's biggest investment they will ever make in their life: their home. And we're messing with that, folks. We're messing with it severely. We need to be very, very careful how this is handled. To even think of putting caveats on homes when we don't have any current flood mapping is absurd, in my opinion. It's not fair to those people who have been displaced and hurt enough in this latest incident.

I found the mitigation meeting in Calgary to be very interesting. To be honest, kudos to those who put those ideas forward on mitigation. They're very well done. They make a lot of sense. Some of them are a little over the top like the tunnel under the city of Calgary. But, hey, engineers say that it can be done and it will

work, so let's just get off our butts and do it. Let's make this happen.

After that event I spoke with – I hope I get this right – the associate minister of recovery and reconstruction for High River. I think he's going to have to get a bigger business card. My concern with this mitigation information that we received at that meeting was that it made so much sense that now people are going to step back and say: "Well, gee. If they do all this, maybe I can rebuild where I am, and I'll be all right after that. Or do I take the money and run?" Now, those people are going to have to make that decision, or at least make an application by November 30. My question would be: what's the hurry? If we're going to put these mitigation measures in place, why are we pushing these people to make decisions that could be life-altering for them? I think we really need to rethink that November 30 date.

To get back to this particular amendment, it makes a lot of sense. Again, let's take a step back. Let's look at what we're doing. Let's make the right decisions at the right time for these people who have been displaced and are at their wits' end right now.

With that, I'll pass off to one of my colleagues or someone else. Thank you very much.

**The Deputy Chair:** Thank you, hon. member.

**Mr. Pedersen:** Madam Chair, I appreciate the opportunity to stand and speak in favour of this amendment. Being from Medicine Hat, obviously floods in Alberta always tend to have a huge impact on us in the south, especially when we're the last major city that sits on the South Saskatchewan River. It doesn't really matter which part of the foothills or the Rockies in the southern part of Alberta the water falls or if the moisture comes from snow; we get the accumulated effect of all that water coming down the river. So it's important that we actually do look at what is a floodway and what that definition looks like after the most recent flood events took place.

It's also important to know that Medicine Hat, because we're last, has been faced with a number of floods over the past number of years. We don't have the luxury of waiting, and it's a bit of a quandary for us. We do know that we need to have some mitigation efforts done upstream because whatever happens upstream is going to have an effect on what happens to the water flow downstream. Again, because we can't wait, we have to take measures into our own hands.

There are some things that have been mentioned in and around Medicine Hat and at the flood symposium. One of those things is dam management and water management through those companies, whether they be private companies, large corporations, or something owned by a landowner. There has to be some co-ordination between all of these people to show that there is a concerted and cumulative effect of people working together for the safety of those downstream. I think that's one of the things that we all have to understand. What happens above, you know, in the upstream areas, has an impact downstream. We need to be aware that what we do could have a negative impact downstream. We're definitely evidence of that.

**4:30**

Dam management is one of the things that has been mentioned quite heavily in Medicine Hat. We have concerns that maybe there is not a whole lot of communication between all dam owners and operators, so hopefully that's part and parcel of deciding, you know, how we move forward here.

Also, off-site storage. When you're talking about controlling water, identifying floodways and how you're going to move

forward with that, there are huge opportunities to work along the South Saskatchewan River itself to divert water into off-site storage. What would happen is that water would be diverted from the river and go into these off-site storage areas. As that allows water to exit from the river, it reduces the volume and the speed of flow. Then as the water level and flow reduce in the river, there would be a reverse flow back from the off-site storage, allowing it to flow back into the river. You'd have this easing effect which would help reduce the damaging effects that would actually impact Medicine Hat.

There are other areas that you can work with as well with diversion tactics. There are opportunities to actually divert water to other areas. Sometimes maybe that would be taking water into areas that would flood easily. It might take a little bit of groundwork and engineering, but in terms of identifying what floodway and flood fringe are, you would find low spots, you would find areas that are easily manipulated through groundwork, and you could use the natural topography of the area around the river to actually reduce the effects of water coming downstream. That's an important fact as well.

In Medicine Hat I know that there has been quite a bit of debate amongst locals as well as city council members past and those currently elected to the new council. Again, because we are the last major city, we get the water flow that comes down through all of the rivers and tributaries in the upstream area, and if mitigation isn't done upstream, if floodways and flood fringes aren't properly identified upstream, it doesn't matter; the water comes to us anyway. So we're dealt the tough decision: do we actually take action now to protect ourselves before mitigation is done upstream? It's to the point now that after many, many floods after many, many years we do have to.

Every time we get flooded, the damage seems to be worse, the cost of recovery seems to be greater, and it's a huge inconvenience for individuals. We had to displace about 20 per cent of our city during this last flood. It impacted about 3,000 homes and 10,000 people. If we had some mitigation efforts in place, we might have been able to reduce that or even eliminate the need to have people evacuate and, you know, upset their homes and their lives and cause upheaval.

So we're looking at doing berms and dikes, and the discussion around that in the floodway is: do you do permanent, or do you do temporary? We've had proposals on both, and that is going to be one of the decisions that our city council is going to have to undertake. Where do they want to put their money? Do they want to go permanent? Do they want to go temporary, something that's going to be removable? Or can they build something permanent into the infrastructure around the river? They can do walking pathways. They can set it up for infrastructure so that you can actually develop it commercially. You could do cafeterias and coffee shops. So there are opportunities to take this infrastructure and turn it into, actually, a bit of a money-making venture.

The problem that we face in Medicine Hat is waiting for these decisions to be made on: what is a floodway and a flood plain and a flood fringe? We do not have the ability to wait much longer. That's where we're going to be headed, down that path, in Medicine Hat with some tough council decisions. It is imperative that we have this good groundwork done so that we know what we're dealing with upstream the next time we have a flood.

Thank you very much.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Calgary-Shaw on amendment A3.

**Mr. Wilson:** Yes. Thank you, Madam Chair. I appreciate the opportunity to rise in support of this amendment. I believe that this amendment really is a critical piece to this bill. Quite frankly, I'm a little surprised that the government hasn't offered a single reaction, positive or otherwise, to this amendment.

You know, we're talking about the largest natural disaster in Canadian history. We're talking about putting caveats on homes, and we're doing it in a way that seems to be, to use some of the words that have been used in question period by our colleagues across, willy-nilly with the flood maps. Some of them haven't been updated in 20 years. Everyone who recognizes the science around the engineering of flood maps knows that a flood map will change or a river will change after a flood event, yet we're asking people to accept the consequences of flood maps that are decades old, that weren't updated after '97, that weren't updated after 2005, and that haven't been updated after this most recent event. It defies logic, Madam Chair, that we would be asking Albertans to consent to these laws as they are currently written, without understanding that we're going to be dealing with maps that are changing.

Moving forward, if we have another flood event, one would think, one would hope that we would be in a position where we could turn to Alberta taxpayers and say: we're going to update the maps again before we come around and tell you whether or not you're now going to be in a floodway or a flood fringe or if you're going to be covered or if you're not or if this is a one-time-only deal for you. It doesn't make much sense.

This amendment will ensure that decisions are based on current flood mapping. Again, we see not even a response coming from the government side around this. I would ask the members opposite to just merely consider that you were one of the individuals who owned property along these flood fringes and these floodways and that these maps hadn't been updated and you were being told one way or the other that if you were going to receive DRP funding, that this would be your one-and-only chance and that you would have a caveat placed on your land title based on a map that may or may not even be accurate anymore. Does that not seem just a tad ridiculous to anyone opposite?

This is a pretty big deal for most people. One would think that, if anything, anything at all, you'd just want to get it right. Apparently, that doesn't seem to be the case. We just want to get it passed. I don't know really what to say, Madam Chair. I kind of throw up my hands. We don't even have anyone from Municipal Affairs who seems to want to even address this. You know, I congratulate the side opposite for being passionate and caring about bills that are important to Albertans.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

Is there anyone else that wishes to speak on amendment A3?

**Mr. Mason:** I'm happy to speak to amendment A3. A3 is very simple. It says that you have to have up-to-date flood maps. That means updating them after every flood. Courses of rivers change. Banks erode. You know, the situation changes. I think that had this been done before, which was recommended in 2006 in the report of a former member of the House, George Groeneveld, after similar floods, we would have had to pay far less in terms of compensation – obviously, you can't prevent these kinds of floods from happening even if you spend billions of dollars on flood mitigation with dams and weirs and bypasses and giant sewers and all of that engineering approach to this – and we would have had far less suffering on the part of people.

4:40

I was on a tour of High River a few weeks ago. I was there on the day that it flooded as well, although I obviously didn't stay very long. I was amazed at how much damage is still there to be cleaned up and that hundreds of people are still living in what you would have to call a camp at the old magnesium plant just outside of town.

There were good recommendations in former Member Groeneveld's report: that there should be updated maps, that they should be made accessible to the public, and that limitations on development in flood plains should be imposed. The government, of course, ignored all of those things. They have some flood maps, but they're only updating them very slowly, and nothing changed in terms of the rate of updating after that report. Basically, they ignored the report, and I think that Albertans have paid a price and the public treasury has paid a price.

I think this is an excellent amendment. Frankly, it's common sense. It requires the government to do its job. Maybe the government doesn't want to be required to do its job, but I think Albertans would like the government to do its job. Based on recent experience I think that the government would be wise to do its job and to pass an amendment to a bill that requires it to do its job; otherwise, what are they doing there? I think it's as simple as that, Madam Chair.

I would urge all of my colleagues to support this excellent amendment, that I think just makes very, very good sense. I wish that this amendment, or this change to the act, had been in place before the last flood because I think a lot of people would have suffered a lot less financially and emotionally as well.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

Is there anyone else wishing to speak on amendment A3? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Chair. You actually looked in the other direction. That was pretty good. It threw me right off. I rise in support of this amendment. What I don't understand – I get the sense that the government is not supportive; I haven't heard anyone support it. The amendment requires that we base this on the flood fringe and floodway area maps updated after the most recent flood, and that's significant.

Now, a member just mentioned briefly to me that a floodway doesn't change much, but I can tell you, depending on your definition of floodway, that on the upriver side of Sundre the floodway has actually moved over a mile. So I can tell you that has changed a lot and that that has significantly changed the way the next flood is going to happen. It's significant in many aspects. What's missing here are not just the communities. We seem to be focused on the communities because, of course, that's where the damage would be calculated. But we have to be looking at the flood mapping upriver in a preventative way.

I'm going to give an example. Without any documentation to prove otherwise, we know that there is logging going on up in the mountains, particularly just outside of the Banff national park area. Those are the headwaters of the Red Deer River. Now, what we know about that logging is that it is significant up in that high country. The last flood – actually, it was the second-to-last flood, which was barely a year ago, so it would have been the 2012 flood in Sundre. The speed and volume of the water that came down in such a short period of time was what caused that pipe to break. It actually gouged out a new channel, deep enough to compromise an existing pipeline, and as many members would remember, we had an oil leak into the Red Deer River.

Now, what we know about that is that the runoff is normally absorbed into the forest or into the watershed. With the watershed disturbed, that water goes into the river faster; it goes into the channels faster. This is not science. This is straight physics in many ways. But with the volume of water that came down the Red Deer River, the speed at which the river rose and settled was significant. It was a record pace, and it caused a tremendous amount of damage.

So if we're mapping and we make accurate maps, we can better deal with the situation. What this is actually saying is that we're going to require that the mapping be accurate. That's a very simple way to describe this amendment. In other words, we're going to require that we use updated maps. That's logical. That makes sense. I haven't heard anything from the other side about why this would be a bad amendment. What is bad about having accurate flood maps? What is bad about updating the flood maps? We have to update them continuously.

One part of flood mitigation is the maintenance of flood mitigation, which is that we will need to dredge channels, we will need to construct berms, and we will need to construct spurs. That's all part of flood mitigation. The flood mitigation measures that we want to undertake may not necessarily happen right at the community level. It might be more beneficial, if we had accurate mapping, to put that flood mitigation further upriver. That might have the better cost-effectiveness of putting flood mitigation procedures in, and they might actually be more effective in preventing floods.

Of course, as you've heard from some of the people who have a lot of expertise in real estate, the whole concept of putting on caveats needs to be based on accurate flood mapping data. What happens if there is no caveat now, but then we discover there's going to be because we didn't have accurate flood mapping and things changed? How does compensation take place then for the investor, the homeowner, the property owner, whatever person that is investing or buying? There's nothing really listed out here for how we're going to deal with these issues, particularly if it's the direct result of inaccurate mapping. That's the key. That's the clue, that it would be the direct result of inaccurate mapping. So it seems logical that we would require accurate flood mapping. It only seems to make sense.

I can't see a downside in amending Bill 27, the Flood Recovery and Reconstruction Act, to make sure that we have accurate mapping, that it is required by statute, by law, that we do this, that we implement it. It gives, I guess, some credibility to the whole process when we require that.

So I definitely support the motion. We want the whole flood mitigation process to work, and the foundation for it to work has to be based on accurate mapping. No matter what argument you make on this bill, it all circles back to having accurate mapping. And that mapping is never permanent; it always has to be updated.

I'll be quite honest. If I'm going to be critical of the amendment: maybe not every flood because sometimes that doesn't necessarily cause a map to need to be updated. Just a high-water season can create a situation where you'd need to update the maps. There are other circumstances that happen, particularly when you get into what I call these flood plains. Actually, west of Sundre you might as well call it a gravel delta. It's extremely wide. One tree drops, and the channel of the river changes, and it grinds out a new channel without a flood even taking place.

4:50

Clearly, there are situations where the whole flood plain is now altered. We have situations where man-made alterations take place with the extraction of gravel. We have a lot of gravel pits in our

area. Once they start in this process, if all of a sudden the river moves over, boom, you now have a change in your flood mapping, and you did this without a flood. You did this without a flood. It changed the actual channel. It doesn't take long for a river to carve another channel. If you don't believe that, I will take anyone up the Red Deer River and show you how it happens, because the signs are over the place.

We know this exists. What it tells us is that the accuracy of the mapping is absolutely critical to getting the job done right. That's all it is. It's absolutely critical.

With that, I support this motion, and I'd ask members to at least keep an open mind and support this motion and vote for it.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Madam Chair. You know, again I want to echo the thoughts of my colleague from Rimbey-Rocky Mountain House-Sundre. I would just implore that, if no one else, at least the Member for Calgary-Bow has something to say about this; at least the Member for Banff-Cochrane must have something to say about this; at least the members from Fort McMurray must have something to say about this. This directly impacts your constituents. They voted to put you here so that you would be their voice. You have an opportunity to use it. Allow me to challenge you to do just that.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Banff-Cochrane.

**Mr. Casey:** Thank you, Madam Chairman. By the way, I was standing when you jumped up. Just so you know that it was you that cut me off so that I couldn't speak. Anyway, that's fine. I accept your apology.

I really won't take a lot of time here. I won't bother to give you my version of armchair expert. I think we've heard enough of that this afternoon anyway. What I will talk to is the amendment. I know it's out of character, but I will talk to the amendment. First of all, this applies to all of Alberta, not just southern Alberta, not just the affected areas. What is the most recent flood event that we're going to base our mapping on? The one in Fort McMurray? The one next year that's somewhere else? I mean, it's a ridiculous amendment. The most recent flood event. What is that? It's like saying: the most recent time that the wind blew. Where?

The next part is under (2)(c.1)(i), that talks about "prescribing or describing the measures to be taken to reduce or mitigate potential flood hazards." Okay. That's all it's talking to, a regulation that enables you to prescribe and describe measures to be taken to reduce mitigation potential. So if you want to do something around floodways and floodway mapping, this is absolutely the wrong place to do it.

The second part here under (ii) talks to "governing the procedures applicable to and the proof required for the reimbursement of costs." In fact, if you were going to propose an amendment like this, that's where it should be.

To me the amendment is worded wrong, and it's being recommended to be put in the wrong place. Therefore, I won't support it because it has no basis for support.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Rimbey-Rocky Mountain House-Sundre.



**Mr. Anglin:** Thank you, Madam Chair. This is the right place for this amendment, and it actually makes sense. I'm not sure there's a wrong place for this amendment, to be perfectly honest. The idea of accurate mapping applies everywhere across the bill. I'm not sure there's any bad spot to require accurate mapping.

But I will tell you that where it talks about prescribing and describing measures to be taken, that's the key. Measures to be taken based upon what? Accurate mapping. You can actually put "accurate mapping" or "updated mapping" in a number of different places in the bill, and it works absolutely fantastic in that sense on the applicability of getting the job done. That's absolutely essential, I think, to any type of flood mitigation process. As I stated earlier, understanding how to deal with or actually putting into effect what you want to do to mitigate future floods, to mitigate flood damage has to rely upon accurate data at all times. The problem with rivers is that they are a living ecosystem that does change. That does change.

It changes in the hon. member's riding. The community that he comes from has grown so fast and so quick. I remember going through that community – it seems like not too long ago – and just watching the buildings go up and how fast it grew. That changed that whole – just that one little microcosm of that river. Of course, we did see the damage from that because when that river came through this time, it washed out the backyards. Now it did tremendous damage. Those photos are readily available to show all of that. They were all part of this massive 2013 flood.

Clearly, dealing with rivers is not a simple task. I don't want to leave that interpretation out here. It can be complicated, and it can be tremendously expensive, but it still all comes back to accurate mapping.

As I said earlier, it may not be based on just the last flood because a flood by definition is not necessarily just high water, and a flood by definition is not the spring runoff. Anyone who understands rivers knows that you get this one simple – and Sundre is a perfect example, with the Red Deer River. I understand that river well, so I can use that as the example. One tree causes a natural dam, changes the direction of the flow, the direction of the current, which begins to carve a new channel. You have to understand that. And I call it a gravel delta for no other reason than it's about 20 miles wide. It's not one mile wide or a hundred yards wide. That river over the centuries has moved considerably and over just the last two years has moved over a mile.

Now, the difference over the centuries is that now we have millions and millions if not billions of dollars of capital and real estate investments and businesses that are now within range of these natural rivers. Without accurate mapping, how do we accurately deal with the problems at hand and put the proper flood mitigation measures in?

One of the things that I've been involved with in my community of Sundre is that we know we need berms and spurs. We, or at least a good part of the community, would like a dam somewhere where there is a place where we could retain water in a high runoff time. That is something that is not unanimous by any stretch of the imagination. There are others that do not want that. They don't want dams. But the fact is that it is part of the flood mitigation process.

The other thing is that they need maintenance. At different places along the river, as the gravel fills up the floodway or channel, you need to dredge that. That has to be dredged on a regular basis, whether it's once a year, twice a year, once every five years, whatever the science behind it dictates. It has to be done, and that would be a part of your mapping because your

mapping would also take into consideration the quantity of water and the speed of the flow, and that's significant.

Again, I would ask members to support this motion. This is a good spot, and there are multiple spots that require accurate mapping. Thank you very much.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Calgary-Bow.

**Ms DeLong:** Thank you very much, Madam Chair. I just wanted to say a few words. Essentially, there are two kinds of mitigation. There is the mitigation that is done to a house as it's being rebuilt. Now, this kind of mitigation is the kind of mitigation that you need done right away. The reason you need it done right away is because people are otherwise holding up their plans for their house, for their rebuilding, for what they would be doing with the whole decision-making in their private life. So it's really important that we move fast on this piece of it.

5:00

We could wait two years, three years to remap all of the rivers in southern Alberta, and we would be holding up these people in terms of how they mitigate their house. To have to wait for the new maps each time to be able to rebuild people's lives is just not reasonable. It just won't work. So that's why it's important that we move forward with the old maps.

On the other hand, there are also major mitigation projects. Those mitigation projects are ones that will be based on solid, recent research, recent analysis of the whole river. Those projects are projects that can be based upon the whole river and where that river has changed or might change in the future. So that kind of decision-making can be made over a little bit longer term, but to be able to stop – to stop – all of this rebuilding of people's homes while we wait for the rivers to be remapped is just not what the people, at least in my constituency, would like.

Thank you very much.

**The Deputy Chair:** Thank you, hon. member.

**Mr. Anderson:** Madam Chair, may I move, with the House's consent, that if there is a division, we shorten the bells to one minute?

**The Deputy Chair:** The hon. member has moved that we shorten the time between the bells to one minute.

[Unanimous consent denied]

**The Deputy Chair:** The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Madam Chair. Again, I just want to respond to my hon. colleagues across, and I appreciate them standing up and at least having their voice. I may not necessarily agree with what they said, but I do respect them for having the courage to stand up and speak for their constituents.

I disagree with what the hon. Member for Calgary-Bow suggested, that by updating the flood maps, we would be withholding or stopping or delaying any of the rebuilding that's currently going on. I think that's, quite frankly, a rather erroneous assertion. What this is about is making sure that the constituents that are in Calgary-Bow along the Bow River are being asked whether or not they want a caveat placed on their title if they accept disaster relief funding or that, at least, if they're going to have to make that choice by the end of November, they do it based on up-to-date, correct information based on the most recent flood.

To the Member for Banff-Cochrane: I have a couple of suggestions. One, this government has no problem defining things in regulation, so if you want a definition for a flood event, throw it in regulation. If you want to talk about what a flood event means, perhaps go knock on some doors in Cochrane, and when a creek comes ripping through their backyard, see if that qualifies as a flood event or not. I would suggest that your constituents in both Cochrane and Exshaw would strongly agree that that is, in fact, a flood event and that perhaps if they're being asked to make a similar choice as to whether or not they're going to accept funding, they would like to at least have the proper maps.

But if you don't believe that that's the way that this should be done, then that's great. I invite you to stand up and, you know, vote against this amendment. It'll be yourselves that will have to defend it to the constituents that you represent. That's the way this works. Again, I appreciate you having the courage to stand up and speak to your convictions or what you at least believe that your constituents want, and I thank you for at least engaging in the debate, which is more than I can say for anyone else, including members who are actually associate ministers of this file.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Allen:** Well, thank you, Madam Chair, and I'd like to start by thanking the hon. Member for Calgary-Shaw for acknowledging to the Legislative Assembly the importance of my riding of Fort McMurray-Wood Buffalo. Perhaps because he was absent last night, he may have just missed that I did stand up and speak to this bill.

Regarding this particular amendment, I appreciate the member bringing this amendment forward. I can understand the premise around what he's trying to achieve here; however, I'm still a big believer that this particular bill is a housekeeping bill which is intended to bring amendments to both the emergency act and the Municipal Government Act, and the place for these types of amendments and place for detail is going to be in the regulations themselves.

I believe that to bring this down as far as having a flood fringe based on most recent flood events – I'm no expert in flood mapping or what water levels are or even municipal land development itself, Madam Chair, but I am aware that they have two major terms, and they are the 40-year flood event and a 100-year flood event. This year's in Fort McMurray was determined to be a 100-year flood event. Our municipality in their development standards does have levels established in the flood zone that determine what is a 40-year and what is a 100-year.

I still believe that for us to have detail that is across the board, throughout the province, would be inappropriate. Leave that type of jurisdiction where it belongs, and that is with the municipalities and the emergency management folks that work for future floods. Future floods cannot always necessarily be based on what a recent flood was. I don't believe we'll have another flood like that for another 100 years.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Calgary-Bow.

**Ms DeLong:** Thank you very much, Madam Chair. I just wanted to make sure that we didn't leave with that little piece of misinformation out there. November 30 is the time when people have to get their application in for the first time.

**Mr. Wilson:** They have to make a decision.

**Ms DeLong:** No, they don't have to make a decision. That is not true. They have to get that first application in and that application – even after they get a cheque, they are still not committed. They can even cash that cheque, and they are still not committed. They still have time to even cash that cheque and then pay the government back. The decision for actually doing this is way out there, okay? I know that there is some pressure on that November 30 for people to get their application in, and that is pretty scary for them because they think that they have to make that decision, but they don't. All they have to do is get that application in, and then they can decide after that. Once, finally, the DRP has responded to them and they've gotten all of the information, at that point they can make that decision, or still they can even put it off. But that decision point for them is not November 30. They've just got to get that application in. It doesn't even have to be complete. They don't have to have all of their insurance and all of that in. They've just got to get it in.

Thank you.

**The Deputy Chair:** Thank you.

The hon. Member for Edmonton-Highlands-Norwood.

5:10

**Mr. Mason:** Thank you very much, Madam Chair. I just wanted to respond very briefly to some of the comments I heard from the hon. Member for Banff-Cochrane, specifically that the amendment was not worthy of support because you can never decide what a flood event is. Well, Madam Chair, I think that doesn't make any sense to me. There obviously has to be a practical interpretation put on the wording if this becomes part of legislation as there has to be for all legislation. I can just off the top of my head provide a definition, and that is: any flood event that actually changes the floodable area, that changes the map needs to be mapped promptly.

We didn't have good maps for this flood, and many people bought homes and invested in areas that were very, very much in the way of flooding because of it, because things had changed. What the hon. member is saying, as I interpret it, is that we just don't have any reason to update our maps. That flies completely in the face of the disaster that we've just gone through. We need to update our maps whenever the flooding area is changed as a result of a natural event.

I think the implication of what he's suggesting is that we can continue to do what we've done. I mean, nobody has compelled the government to update flood maps, so they haven't updated flood maps. I'd like to ask the hon. member: how's that working for your constituents so far?

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Madam Chair. Don't sound so excited. First off, I just want to take an opportunity to correct an earlier statement as I was addressing the Member for Banff-Cochrane. It was the town of Canmore that I was referring to, not Cochrane, that had the river racing through their backyards.

To the Member for Calgary-Bow: again, I appreciate your comments about the November 30 deadline. I would challenge you, then, on a comment that you made earlier, which was that this had to be done right away because we have deadlines and we can't stop the process. If DRP has to receive just an application by November 30 and then they're going to make decisions after the fact, wouldn't it be nice for your constituents to just have accurate

flood maps when their decision point had to come, when that had to be made?

I see that you're not paying attention, and I don't much expect a response, but I just do believe that it would be incumbent upon this government to ensure that those flood maps are correct because they are asking hundreds . . .

**The Deputy Chair:** Hon. member, the last reference you made is not acceptable. Please refrain . . .

**Mr. Wilson:** Oh. I withdraw. I am sorry if saying that she wasn't paying attention is inappropriate. I'm happy to withdraw that comment.

**The Deputy Chair:** Thank you. [interjections]

Hon. members, the Member for Calgary-Shaw has the floor. He withdrew his comment.

You may proceed.

**Mr. Wilson:** Thank you. Again, I was not meaning to offend the precedents of this House. That was not my intention. I do apologize.

I would just like to, again, ask the member if she would respond. What was the rush that you were referring to earlier around getting this legislation passed if the application has to be in by November 30 and then decision points are following after? Why not have those accurate flood maps for the time in which the decision needs to be made?

Thank you.

**The Deputy Chair:** Thank you, hon. member.

Is there anyone else that wishes to speak?

**Ms DeLong:** I just wanted to let you know that doing the flood mapping is actually a major effort, okay? Essentially, you've got to take data points all the way across the river, and you've got to do it for hundreds of miles. It's major work that needs to be done, and it's not something that can be done in essentially a few months in regard to mitigating people's houses.

The other thing is that we need to always be working forward rather than back, and whatever is the real state right now is what people are making their decisions on when it comes to buying a new house or building a new house. Those kinds of decisions are based on: from here forward.

Now, anybody who is buying a house in Alberta now knows that there has been a flood, that the rivers have moved, so there is some sort of sensitivity out in the public right now to this. They do know that the rivers need to be remapped, and, yes, it does need to be done as soon as possible. You won't get any argument from me in terms of getting it done, but in terms of getting the money out to the people and their being able to make those decisions as to how they're going to move forward with their lives, that's got to be based on data that's already there. It's got to be based on the maps that are already there, rather than the new maps that will be developed.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

Is there anyone else wishing to speak on amendment A3? The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Madam Chair. Final question. Member for Calgary-Bow, if you accept that the data is currently wrong, based on your last statement that the rivers and the floodways

have changed, why are you suggesting that we do not remap these floodways?

**Ms DeLong:** It isn't that the maps were wrong; it's that the rivers change, okay? The rivers change. The thing is that those flood lines were pretty well exactly right. It's only my part of the river that I know. For that part of the river those maps were pretty well exactly right, within inches. Okay? This flood event was not a hundred-year flood. Simply that. It was not a hundred-year flood. It was much more than a hundred-year flood. Yes, it did flood, and yes, there was a floodway, but the bottom line is that we just need to move ahead. We don't need to move back to find out what the map used to be. All we need to do is move ahead. So we use the current data; we move ahead with the current data. In the meantime, yes – absolutely yes – those rivers need to be re-evaluated and redrawn. They have changed. We are very aware of that. We are working on that.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak on amendment A3? The hon. Member for Airdrie.

**Mr. Anderson:** So what you're saying is that the maps that are currently in existence right now were not wrong. It's just that the flooded river changed. Therefore, we need to go forward with the information that we have at our disposal and create new maps that reflect that change. Is that what's being said here?

**The Deputy Chair:** Thank you, hon. member.

Are there any others who wish to speak on amendment A3? The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Madam Chair. I thought I made myself clear when I spoke earlier, but clearly everybody has their own point of view.

I must counsel and encourage that this isn't Jonestown. Don't drink the Kool-Aid. It isn't Reverend Jones that's telling you to do that. You've got to listen and think independently. You've got to realize that we're operating from a paradigm that does not reflect reality. Who here would go on a trip with an outdated map? Who here would take a map and say, "I have to get somewhere with this map, but I'm in Calgary and I'm trying to use a map of Edmonton." You won't get there. We're arguing from a paradigm that makes absolutely no sense at all. You can't make decisions going forward with an old map that's going to lead you back the same old way. Keep doing the same things and expect different results: that's one definition of insanity. I know that you're not insane. I know that you're bright people.

**Mr. Denis:** Thanks for that.

**Mr. Bikman:** Well, I had to let you know that I realize it, evidence occasionally to the contrary and all too frequently, I might add.

This is a chance to do the right thing, to start from the right point, to build what needs to be done. "Mitigate" is the right word. We want to reduce the expense going forward of having this happen again. The fact that it has happened again several times without the proper steps being taken is an indication that we ain't learning from the past, so we're repeating it. Don't let us repeat that. Have the courage to stand. Represent your constituents. Represent the taxpayers of Alberta by seeing that this is done properly. We have the opportunity. Seize the day. Carpe diem. Let's do the right thing.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Chair. The first point I want to make to the hon. member from Calgary is that this is not just Calgary. This applies provincially. I will say that the community of Sundre since 2005 has had three 100-year floods. This idea that it's a hundred-year flood seems to have lost its significance if we're having three hundred-year floods in a five-year period. That doesn't make sense.

5:20

Clearly, there are some issues here, but it doesn't take away from the fact that accurate mapping is absolutely essential. To say that in one area it didn't change but by an inch but I can show that in another area it's changed by more than a mile – and that's mapped locally – that's significant. Where else has it changed, particularly in the headwaters? We can't just focus on where people want to put their homes because what happens in the headwaters is going to affect what's going to happen downriver. As the members for Medicine-Hat and Drumheller-Stettler have already said, they're further downriver. It is all about the entire basin, from the headwaters right to where it leaves the province, heading either to the Arctic or – well, it's always to the Arctic, I guess, on my side of the province.

Thank you very much.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak on amendment A3 to Bill 27, Flood Recovery and Reconstruction Act? The hon. Member for Little Bow. [interjections]

**Mr. Donovan:** I know. It was so close.

Thank you, Madam Chair. When I went to the flood symposium, this did come up. From my years on municipal council it was always considered a 1-in-100-year flood or a 1-in-300-year flood. Then it was brought up there that it's a 1 per cent chance in 100 times. Could somebody on that side confirm that that's maybe the new lingo we should use? Instead of 1 in 100 years, it should be a 1 per cent chance in 100 times. I think that needs to be clarified because everybody keeps tying it to 1 in 100 years or 1 in 300 years. That's just something I wouldn't mind having clarified from that side if anybody over there happened to have the correct answer.

Thank you.

**The Deputy Chair:** Are there any other members who wish to speak on amendment A3?

Seeing none, I'll call the question.

[The voice vote indicated that the motion on amendment A3 lost]

[Several members rose calling for a division. The division bell was rung at 5:22 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[Mrs. Jablonski in the chair]

For the motion:

Anderson	Mason	Stier
Anglin	Notley	Strankman
Bikman	Pedersen	Towle
Blakeman	Rowe	Wilson
Donovan	Saskiw	

Against the motion:

Allen	Fraser	Oberle
Amery	Fritz	Olesen
Bhardwaj	Horne	Pastoor
Bhullar	Horner	Quadri
Brown	Jansen	Quest
Calahasen	Jeneroux	Rodney
Campbell	Kennedy-Glans	Sarich
Cao	Klimchuk	Scott
Casey	Kubinec	Weadick
Cusanelli	Lemke	Webber
DeLong	Leskiw	Woo-Paw
Denis	Lukaszuk	Xiao
Dorward	McQueen	
Totals:	For – 14	Against – 38

[Motion on amendment A3 lost]

**The Deputy Chair:** The hon. Deputy Government House Leader.

**Mr. Denis:** Thank you very much, Madam Chair. At this point I'd move to adjourn debate on Bill 27.

[Motion to adjourn debate carried]

**The Deputy Chair:** Shall progress on Bill 27, Flood Recovery and Reconstruction Act, be reported when the committee rises? Are you agreed?

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? Carried.

### Bill 31

#### Protecting Alberta's Environment Act

**The Deputy Chair:** Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Minister for Environment and Sustainable Resource Development.

**Mrs. McQueen:** Well, thank you, Madam Chair. I certainly appreciate the opportunity to rise in Committee of the Whole on Bill 31, Protecting Alberta's Environment Act. I had the opportunity to listen throughout second reading debate with much interest and have appreciated the supportive comments and questions from many in the House.

Madam Chair, Bill 31 has also received support other than in the House from some of Alberta's environmental experts. For example, Dr. Schindler recently commented that he is optimistic that this legislation will work and happy to certainly see it moving forward. Dr. Howard Tennant, chair of the Environmental Monitoring Management Board, has also been quoted as saying: "The agency is the right step forward towards ensuring that science-based and science-led monitoring of the environment – air, land, water and bio-diversity is taking place."

We know how essential it is, Madam Chair, to have an arm's-length environmental monitoring agency to ensure that this important work remains open, transparent, and based on science and facts. That's what Albertans have told us, and that's why we have worked hard to get this done right.

I am pleased to rise and address some of the questions and concerns that have arisen regarding the legislation during second reading. Many comments regarding Bill 31 have touched on social licence. Social licence is an extremely important factor in the sustainable development of our province's resources because it's about the trust of the people of Alberta. In fact, it's one of the

reasons that we are establishing this arm's-length, science-based monitoring agency. It's an honest effort to be open and transparent with Albertans, and I emphasize again that this agency will be based on science. This is why this agency will be arm's length, because this government values science in its environmental monitoring and decision-making.

However, the Alberta environmental monitoring, evaluation, and reporting agency, AEMERA, is far from this government's only means of monitoring the effect of development on Alberta's landscape. Enhanced environmental monitoring of the oil sands area has already begun with the joint oil sands monitoring program, where industry has been paying up to \$50 million per year since 2012. In addition, we have launched a web-based data portal to support the joint plan. The portal provides members of the scientific community, stakeholders, and the public timely access to data and information collected from the joint oil sands monitoring program.

Another topic that was brought up by several members opposite was the supposed lack of information regarding how the Protecting Alberta's Environment Act will, for instance, reduce pollution levels. Madam Chair, this is not the intent of this legislation. This act's sole purpose is the establishment of an arm's-length monitoring agency. Data and information collected by the agency will be used to enable the development of evidence-based policy that will protect our environment, and that same data will be available to the public or any group that wants to use it.

5:40

Contrary to some of the comments made during second reading, AEMERA will be open and transparent. AEMERA will use water and technology platforms and concepts to share data and information with Albertans. It will provide data and information that is unbiased by government. Everything will be released, even if it means that government hasn't met an outcome or needs to take action. AEMERA will regularly and openly provide data and information through a variety of mechanisms in a variety of formats. Mechanisms could include AEMERA's website and published reports. The data and information could include streamlining near real-time data, specific data sets, and information bulletins, to name a few, and these will be made publicly available.

AEMERA is far from the government's first or only program monitoring our environment. Extensive monitoring already exists in Alberta, but this new agency will enhance the way it is done by making it integrated and co-ordinated, accessible and transparent, and under scientific oversight. In the past monitoring occurred in isolation. The new system will integrate monitoring of air, land, water, and biodiversity so that interactions can be better understood. Monitoring will also be integrated spatially so that the effects within a region can be determined. This is an improvement and an enhancement of our existing monitoring programs, and it will be an extremely beneficial addition to Alberta's efforts to develop resources in a sustainable and environmentally responsible manner.

This legislation does not define goals or targets because this legislation is about establishing an agency that provides data and information. This legislation will enable Alberta's integrated resource management system, or IRMS, which is about ensuring that we understand the impact that growth has on our communities, our environment, and on each other as a whole. This environmental monitoring system is the foundation of our integrated resource management framework. As a participant of the IRMS, AEMERA will monitor according to the outcomes established for the IRMS. Enforcement will continue to be under the purview of the Alberta Energy Regulator and ESRD. ESRD

and the regulator will make use of the credible data and information provided by AEMERA, and all parties will work cooperatively to ensure the protection of Alberta's environment.

Another question raised in second reading was funding. While funding was not specifically addressed in AEMERA's legislation, recent amendments to EPEA in the spring session allowed the minister of the day to establish environmental monitoring programs and assess fees for their support. A regulation is being developed that will establish a monitoring program, the joint oil sands monitoring program agreed to with Environment Canada, and allow assessment of fees for its support. This will collect the \$50 million that the oil sands industry agreed to pay to support regional ambient environmental monitoring. The monitoring activities will be funded by industry, but industry is not doing the collection of data, evaluation, or reporting. This will all be done by the agency.

As well, government currently invests millions of dollars in environmental monitoring in Alberta. This annual investment will be transferred to AEMERA to support ongoing monitoring, evaluation, and reporting across Alberta. As regional plans are developed and additional ambient environmental monitoring needs are identified, it may be appropriate to establish monitoring programs for other regions of the province and potentially assess fees for their support.

Concerns were also raised regarding the involvement of aboriginal communities in this legislation. We are committed to engaging with aboriginal communities regarding how they want to participate with us on environmental monitoring initiatives. Their participation will be an important part of the success of this initiative. Our desired long-term outcome is a strategic working relationship between the monitoring agency and First Nations and Métis organizations, from which monitoring plans can be strengthened by both involving aboriginal communities and applying their traditional knowledge. There are three main objectives to the relationships: to create awareness and understanding of monitoring programs amongst aboriginal groups, to achieve informed participation on monitoring advisory committees, and to integrate aboriginal priorities and concerns, including traditional knowledge, into monitoring programs.

Finally, I want to address the most commonly raised question by members with regard to the Protecting Alberta's Environment Act: who will be on the agency's board? Opposition members are concerned that there will be political bias in these appointments, so I want to be clear about the criteria that I as Minister of Environment and Sustainable Resource Development will use in determining AEMERA's board. Considerations will include a solid understanding of environmental issues in Alberta within an international context; familiarity with the work and recommendations of the Alberta environmental monitoring program and the Alberta Environmental Monitoring Working Group; expertise in environmental science; commitment to continuous improvement; organizational governance; financial management; resource development; communications; aboriginal and community engagement in and implementation of community-based TEK programs; appropriate geographic representation; provincial and regional diversity; and certainly previous board experience.

I also want to be clear about who will not be considered and why. Often legislation establishing provincial corporations is silent on criteria that might make someone not eligible to be a member of a board of directors. It is often left to the discretion of those initially establishing the corporation and then to subsequent boards to define the criteria. However, in the spirit of this legislation, we want to be as transparent as possible. In order to clearly establish the arm's-length nature of this organization, it is important to

include clauses that prevent public servants and elected officials from being appointed to the board.

I also want to be clear about the makeup of the science advisory panel. The science advisory panel will be made up of recognized environmental science experts who have made major impacts in the field of their expertise. The scope of their work is to critically review the scientific basis and components of the monitoring system for which AEMERA is responsible.

Madam Chair, establishing the agency is another step by this government to assure future generations from here and around the world that Alberta will continue to enjoy its natural resources for work, for development, and for enjoyment. This is yet another step that this government has taken and that our Premier has taken to demonstrate to Albertans and to the world that we are committed to environmental stewardship and responsible resource development.

I certainly appreciate the questions that have been raised during second reading, and I look forward to more debate as we move into Committee of the Whole.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you.

Are there any other members wishing to speak on Bill 31, Protecting Alberta's Environment Act? The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much, Madam Chair, and my thanks to the deputy House leader, the Minister of Justice, and also to the Member for Rimbey-Rocky Mountain House-Sundre for allowing me to queue-jump, so to speak.

I do have an amendment, which is at the table. If I could ask that that be passed out, and while that's happening, I'll address a few of the comments that the minister just made.

First, I'd like to thank her for actually coming into the Assembly and addressing the concerns that were raised. That's not always common practice, and I do appreciate her doing that. There are a number of things that she mentioned that, in fact, aren't in the bill, so as we start to address the amendments that are coming, I'll ask her to keep in mind that, in large part, that's why the amendments are coming. Although she says that she will use certain criteria to appoint people to the board and to the science board, nothing holds the current minister or any successive ministers to doing that. It's not in the legislation. She can change her mind, and anybody else isn't held to it. I am going to bring forward an amendment – and the chairperson will signal me when appropriate – that is essentially setting out criteria to ensure that the people on the science board are scientists.

One other thing I would like to address is the money. Now, we're not allowed to do amendments that cause the government to spend money, so you won't see any of those amendments, but it is a question for us. We've been told repeatedly that the \$50 million coming from the industry is for the oil sands sector. In response to my question during the briefing I was told that the money that is currently being used for SRD monitoring – that would be \$51,272,000 under environmental monitoring – would be used for monitoring in the rest of the province. I've just heard the minister say something different, so I look forward to clarification on that.

Now, may I proceed with the amendment?

**The Deputy Chair:** Yes, please proceed with the amendment. This is known as amendment A1 to Bill 31, Protecting Alberta's Environment Act.

**Ms Blakeman:** Thank you very much. Essentially, this is amending section 18 of the bill, which appears on page 8, around the

science advisory panel. As it stands now, all that the legislation says, therefore all that the government is obligated to do, is that the agency would "appoint a Science Advisory Panel, consisting of not more than 8 members" and that the science panel's mandate is to "review the scientific basis" and that the agency may set expenses. That's not good enough for me. I think it's really important that we have scientists on a science panel.

5:50

My amendment is adding to section 18 by saying:

(4) The Science Advisory Panel shall be composed of members qualified in the field of environmental science, designated by the board of directors, taking into account the scientific experience required by the Science Advisory Panel to assist the Agency in its areas of activity.

More than that, I think it's really important – and I ask it of every committee that I sit on – that anyone is able to find out how a committee or a panel arrived at its decision. Therefore, any documents and, in fact, the advice itself or the recommendations should appear on public websites, so the second part of the amendment says:

(5) The advice of the Science Advisory Panel shall be published immediately on the Agency's public website.

The wording for the first section I took directly out of the EU environmental monitoring committee and the wording for setting it up, which uses that same language about being qualified in the field and that they will bring the scientific experience that will be required by the board to fulfill its mandate. It's very careful wording that has been chosen there, and I think it will serve the government well.

It's very hard for me to sell this bill to anyone in the community when they say, "Well, who's on the science panel?" and you say, "Oh, any old person." That's what it says. It just has to be eight people. Now, I understand that the minister has said that she's going to make sure that they actually have a science background. Good for her, but once again it has to be in the legislation. She can change her mind. Her successors can change their minds or never adhere to it. It needs to be in the legislation that scientists are on the science advisory panel. I don't think I can put that any more plainly or strongly.

I shared my amendments with the minister and with the Government House Leader last week, so this is no surprise to her. I did ask that it be taken to caucus and asked for caucus's support. I don't do that very often, so I hope it was worth the effort to do so.

I will let others speak to this, but this is one of the major tenets that is missing from this bill, and if it's to be credible, they must take scientists onto the science advisory panel.

Thank you very much, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak to amendment A1 to Bill 31, Protecting Alberta's Environment Act?

Seeing none, I'll call the question.

[Motion on amendment A1 lost]

**The Deputy Chair:** Are there any others who wish to speak to Bill 31 in Committee of the Whole? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Chair. The hon. minister made a couple of comments, and I hope we're going to get to address a lot of that. In the context that the comments were made, they're good comments, but they're not supported by what's in the legislation.

What we'd like to do is actually get this into the legislation and sort of formalize it so that the legislation effects what we just heard from the hon. minister.

The first thing I want to deal with is the whole issue of this arm's-length agency. But before I get to my first amendment, I just want to point out one thing. The minister made a good comment that this is about monitoring, not protecting the environment. I would suggest to you, then, that it's titled wrong. It says, "Protecting Alberta's Environment Act." It should be "Monitoring Alberta's Environment Act" because there's nothing in here dealing with increasing the protection although having good scientific data is a good thing. I don't think anyone here would argue with that unless we want to go back to the floodway argument real quick. The fact of the matter is that this is not a protection act. It is a monitoring act.

With that, I do want to address the subject of arm's length. Madam Chairman, I'd like to bring forth my first amendment.

**The Deputy Chair:** Thank you, hon. member. We'll pause for a moment while we distribute that amendment to all other members. This will be known as amendment A2 to Bill 31.

Hon. member, we can now continue.

**Mr. Anglin:** Thank you very much. Madam Chair, the minister in that eloquent speech talked about an arm's-length agency. What I'm moving here is that the Protecting Alberta's Environment Act be amended in section 4 by striking out "in consultation with the Minister." Now, far be it from me not to want to consult with the minister, but the language here and where it's located is in, actually, a very bad spot, or it's not a very good spot. I don't want

to say that it's a bad spot. It's just not a good spot. What we want is to keep this agency at arm's length.

Section 4 talks about the agency reporting "at a frequency determined by the Agency" and, the section says, "in consultation with the Minister." What we would like it to say is: at a frequency determined by the agency, the agency shall report to the public on the condition of the environment in Alberta. In other words, we want to remove the politics.

Now, far be it that this government may interfere when a report actually comes forward to the public – we don't want to get into the pipeline report or the report on wait times – but what we want is independence of this agency to issue their reports when they want to issue their reports without any interference politically. I'm not making an allegation that anyone has ever been accused of interfering politically although I suspect the record might support that going back some length of time. It may be even more than the length of this government to the previous government. But if we truly want an arm's-length agency to operate independent of the ministry, they need that flexibility not to be influenced by the minister when these reports come forward.

I would have to say that this does not prevent the minister from being informed, and it does not prevent the consultation with the ministry itself, but what it does do is that it allows this agency to . . .

**The Deputy Chair:** Hon. member, I hesitate to interrupt you, but it is now 6 o'clock, and pursuant to Standing Order 4(4) the committee stands recessed until 7:30 p.m.

Thank you.

[The committee adjourned at 6 p.m.]













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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Tuesday evening, November 5, 2013

Issue 66e

The Honourable Gene Zwozdesky, Speaker

## Legislative Assembly of Alberta The 28th Legislature

First Session

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Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

Independent: 2

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Casey	Sherman
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### Select Special Conflicts of Interest Act Review Committee

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### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans

Deputy Chair: Mr. Anglin

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Barnes	Johnson, L.
Bikman	Khan
Bilous	Kubinec
Blakeman	Lemke
Calahasen	Sandhu
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## Legislative Assembly of Alberta

7:30 p.m.

Tuesday, November 5, 2013

### Government Bills and Orders Committee of the Whole

[Mrs. Jablonski in the chair]

**The Deputy Chair:** I'd like to call the committee to order.

#### Bill 31 Protecting Alberta's Environment Act

**The Deputy Chair:** We have under consideration Bill 31, amendment A2.

The hon. Member for Rimbey-Rocky Mountain House-Sundre, please.

**Mr. Anglin:** Thank you, Madam Chair. This amendment to section 4: the whole purpose of the amendment is to remove the illusion of independence and create the substantive existence of independence, which is that the agency on its own merits will decide the frequency and shall report to the public on the condition of the environment. That's important. We're at a juncture right now. Does the ministry really want to project and make real that this agency is independent and not just an arm of the minister or under the jurisdiction in the sense that it takes direction from the ministry?

The purpose of the bill is to provide an independent agency that has some credibility in monitoring the environment. To make that happen, then, the actual ministry cannot have even a perceived control over the agency. They must be able to act independently. Throughout the bill in various parts we're going to make amendments to make sure that we create the actual existence of independence and not just have the illusion or the hollow words that the agency will be independent.

This amendment is designed, first, to address the issue of reporting and make the issue of reporting a function of the new agency that's created, and they will make their determination. Now, the most important part about removing "in consultation with the Minister": that does not say that they cannot consult with the minister. That would not be true. That's not a good interpretation. It does not prevent consulting with the minister; it just removes the legislative mandate. The minister still will be able to consult. The ministry will still be able to engage in conversation, but it just will not have a legislative mandate on the agency to consult with the minister before it actually issues a report on the environment to the public. That's significant.

Again, what this amendment does is that it creates the actual independence of the agency to act on its own accord and to do so in good faith. That is actually listed in the behaviour of the board as they're appointed, so that's not going to be the issue. I just want to make that clear because I get a concern sometimes that people read into something more than what's there. In this case, just removing the mandate that the agency must consult with the minister first before it issues a scientific report is not necessary. They're welcome to consult, but it should not be a legislative mandate.

I ask and I encourage all members to support this amendment. Thank you very much.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak on amendment A2 to Bill 31, Protecting Alberta's Environment Act? The hon. Member for Edmonton-Centre.

**Ms Blakeman:** I'm sorry. Are we voting on this amendment?

**The Deputy Chair:** No. This is on amendment A2 to Bill 31.

**Ms Blakeman:** Thank you. I'll wait.

**The Deputy Chair:** The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** The deep south, y'all.

**The Deputy Chair:** The deep south.

**Mr. Bikman:** Thank you. I appreciate the opportunity to speak in support of this little amendment.

**Mr. Anglin:** Little? It's a big amendment.

**Mr. Bikman:** Well, a very important amendment, small in size but huge in importance. Thank you for that clarification, hon. member, hon. heckler.

Perception is reality, like it or not. The hon. Member for Edmonton-Gold Bar isn't a pirate but looks like a pirate, so some people might think he's a pirate. He's got a surplus of hair, but he won't sell me any. Anyway, it's important that we perceive things as they really are.

**An Hon. Member:** Argh.

**Mr. Bikman:** Argh. Yeah. There you go.

I think it's all right to set a frame of reference that might require the agency, AEMERA, to report but not to consult in the sense that they're getting direction. I'm not sure if that's what was intended, but I think there's a danger that it could be perceived that way. I know – I assume I know – I believe that part of the reason for this is that we will be perceived globally, internationally, and even domestically as doing all that we can to protect our environment.

It's important that things be measured. A wise man, Tom Monson, once said: "When performance is measured, performance improves. When performance is measured and reported, the rate of [improvement] accelerates." So it's important that this information will be reported in a timely manner because, again, this is, in essence, feedback to those who perhaps are emitting greenhouse gases or other pollutants that we're concerned about in protecting our environment.

The goal, I think, would be for this agency to report things in a timely manner so that the information could be used to course-correct, to change behaviour. For feedback to be useful, it needs to be focused – in other words, as specific as possible – and timely. I think that it's important that we monitor if the purpose is to convince our trading partners or those we want to trade with that we are in fact doing all that we can or all that we should be doing to protect our environment, to reduce our carbon footprint. We want to make sure that the impression is accurate. By cleaning up some of the language such as this, that same purpose, to get the information to the minister and her department in a timely manner, could be done without requiring them to consult in the sense that it means that there is maybe the perception that they're being directed, that they can't proceed until they've consulted.

I think that's the intent of our amendment. I believe it's a worthwhile amendment because we're talking, again, about how we're going to be perceived by our global trading partners. That's critical. We need access to those markets. We have had good news today about the possibility of being able to create another outlet for our landlocked resources to the west coast. It's critical to get into that market as soon as we can.

At one of the committees that I sit on, the Standing Committee on Resource Stewardship, we've been receiving a lot of information from knowledgeable players in this field about the importance of being able to get to market soon. Of course, we want to get to as many markets as we can. That's why we're looking to all the coasts and with Keystone or something like that to the U.S. We need access to the markets. The benefit to us is huge. The more resources we can get to market, the more revenue the providers make, the more royalties that we get, the more taxes that are paid by the companies generating and the people that are working for those companies. So this exercise is an important exercise.

I think it's equally important that we do all we can to make sure that the perception is accurate, that it, in fact, is an arm's-length agency. Calling something an arm's-length agency doesn't make it so. It isn't just the name or just the statement as made in 2(2): "the Agency is not an agent of the Crown." But the Crown appoints everybody that's on it, and the Crown requires that the agency consult with the minister.

There's a mixed message there. I think we want to be very clear with our trading partners and potential partners that we are, in fact, serious about measuring and monitoring the impact that our industries, our energy providers have on the environment and that we are going to provide that information free of meddling and intervention. We don't want that report to be interfered with in any way. We want it to come the way that it should be, exactly stating the facts, so that our customers can say that Alberta is in fact leading the pack, like we all like to claim, in terms of controlling greenhouse gases and controlling other pollutants.

I'm certainly in favour of the bill in general but with the friendly amendments that we're offering, not to make your life more difficult and not to delay the process but to help ensure that it accomplishes what we all agree we need to, which is the most unfettered access we can possibly have to the global markets.

Thank you.

7:40

**The Deputy Chair:** The hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you very much, Madam Chair. You know, I'm feeling lucky. I've got a buck five in my pocket, and I'd like to move for unanimous consent for one-minute bells the rest of the evening.

**The Deputy Chair:** The Minister of Justice and Solicitor General has moved for one-minute bells. Unanimous consent is required.

[Unanimous consent granted]

**The Deputy Chair:** We will have one minute in between the bells. Thank you.

Anyone else who would like to speak to amendment A2 to Bill 31, Protecting Alberta's Environment Act? The hon. Member for Edmonton-Caldor.

**Mr. Eggen:** Well, thank you, Madam Chair. I appreciate the opportunity to speak to this amendment to Bill 31, and I'm pleased that we have so many amendments to Bill 31. I find it to be so incredibly, deeply flawed that it's a litmus test, I think, of the strength or weakness of the legislation. I've seen lots come through here over the years, and when you see probably 16 amendments, that is a clear indication that there are some serious problems with Bill 31. You know, I spoke about this before in second reading, and the biggest global problem with this bill is the

fact that it's running everything through the ministry and making choices about the committees and the scientists and the stakeholders through the ministry.

I guess that's the way things are and the way things will be, but I think that we can mitigate the problems associated with that by some of these amendments, putting specific provisions in to include certain groups and to include the integrity and the independence of scientists that might participate in this whole thing.

This is the first amendment I'm looking at here. By striking out "in consultation with the Minister," I guess this is a shot, I see, at this idea of reducing the power of the ministry to be able to modify and to sort of make constructions on these committees and to have a greater degree of independence. Certainly, I am happy to support this amendment.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

Is there anyone else who would like to speak on amendment A2?

Seeing none, I'll call the question.

[Motion on amendment A2 lost]

**The Deputy Chair:** The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much. I'm going to send this amendment to the table.

**The Deputy Chair:** Hon. members, we'll pause for a moment while we distribute the copies of the amendment. This amendment will be known as A3.

Hon. Member for Edmonton-Centre, we can get started now. Thank you. This is A3.

**Ms Blakeman:** Thank you very much, Madam Chair. I'm really quite thrilled to be able to move this amendment because I didn't think I was going to get here. I was trying to do something that's hard to do right now just given the various laws that we have. Part of what was concerning me in this act, aside from there being no designation about who was appointed to the board, is the fact that there are no scientists appointed to the scientific advisory panel, and to my great and everlasting disappointment my hon. colleagues opposite voted that down. Boo, hiss. [interjections] It's true. It's true.

In section 21 it talks about the board. They always have funny names, and they all start with A; AEMERA, they're calling it. It can make bylaws respecting, of course, the business and affairs of the agency, calling board meetings and things. They can make a bylaw, but they have to provide it to the minister. Then the one I truly love, section 21(3), appearing on page 9 of the act: "The board shall, by bylaw, establish a code of conduct, including conflict of interest guidelines, to apply to directors, officers and employees of the Agency." You gotta love that. No conflict of interest there. They're going to write their own conflict-of-interest bylaws. Hmm. No.

I guess I'm still sitting on the Conflicts of Interest Act review committee. I've learned a lot about senior officials. It's one thing for MLAs to be covered under conflict-of-interest legislation, but senior officials are the group that we try and capture under that because they're the other group that is in a position of great influence. They can use that expertise and move on and parlay that into another job, which would be speaking to the need for a cooling-off period. One could argue that they're also in a position

where they could be influencing changes that would benefit themselves. Let me be clear here, Madam Chair. I'm not talking about anybody in particular here. I'm just saying that this is the way it's laid out right now.

We're very uneven in the application of the current Conflicts of Interest Act. If you work for the government in certain areas and you're covered under the Public Service Act, then you are covered by what's called APAGA, which is the new legislation for agencies, boards, and commissions, but if you work for one of the 300 and some-odd agencies, boards, and commissions, you're not covered if you are unpaid or a director or even the paid CEO, with a few exceptions.

There is an order in council – cue the music; dun dun dun – which applies to nine agencies and follows from what is commonly called the Fowler memo. Hang in there, everybody. I will get there. This will all make sense to you. The Fowler memo was written by a former member of this Chamber, who essentially said, “You know, there are some senior officials who should be covered under the legislation” and made some suggestions about what they should be covered for. That Fowler memo has been used and applied to certain groups but not to other groups, so we have great inconsistency between the public servants, agencies, boards, and commissions which are directly enabled or created or report back to or are funded by the government and then these special ones under the OC.

I think there are some recommendations coming from the committee that is trying to smooth out, sand out some of the bumps in that particular road, but when I looked at this legislation for Bill 31, the Protecting Alberta's Environment Act, and saw that there was an expectation that this agency was going to create its own conflict-of-interest legislation, I thought perhaps I could be helpful.

7:50

Here's what I'm proposing, Madam Chair. There are three parts, really, to good conflict-of-interest legislation. You have someone, the way I define it, that is in a position where they do have influence to change public policy. Their control or their area of influence is quite wide, and they're dealing with a whack of money. This particular agency has got \$50 million that it's dealing with right now and might, depending on how this actually works out, have more than that, which would cover the monitoring for the rest of Alberta, so they qualify under my criteria.

What you really need to have are conflict-of-interest guidelines that cover mandatory disclosure – what they have shares in, that sort of thing – and a cooling-off period so that, especially, they can't go back and forth, they can't take that insider knowledge gained from being a senior official and go and sell it on the open marketplace. That's a betrayal of some of the things that we're all trying to work on here.

The last thing is difficult to capture because it's about not influencing changes in legislation that are going to benefit your private interests or those of the people immediately about you. That's what I've included in this clause. What I'm saying is to strike out the entire clause that exists now under the subheading Bylaws and Code of Conduct. We've got 21(1): “The board may make bylaws respecting” blah, blah, blah. Then when we get down to (3), I'm suggesting that we strike what's there and instead implement this:

(3) The board shall, by bylaw, establish a code of conduct, including conflict of interest guidelines, which must contain provisions concerning disclosure requirements, cooling-off periods and improper influence, to apply to directors, officers and employees of the Agency.

That covers everybody that's going to be associated with the agency. I'm letting it slide that they're writing their own conflict-of-interest legislation because I sense that I'm not going to win that one. But it does say that you need to have these three parts included in it.

I'm not getting down to too much nitty-gritty detail here because I know that makes my hon. colleagues opposite just grind their teeth, and that's not good for you. I'm always worried about their health.

I'm giving them enough that they know they need to do something. They could surprise me and make me proud by really getting some very strong conflict-of-interest legislation in those three areas. That would be delightful. But overall I think this is a necessary piece of credibility for this agency so that it's very clear to the people that are appointed – they haven't been yet, I hope – that this is what's expected out of them, and it lays that out very clearly.

I've done an enormous amount of work on this, as has, I think, every member of Parliamentary Counsel and then some who has been helping me to try and find a way through this. Of course, the difficulty was that I couldn't reference that order in council that does include those special nine agencies that are set aside. I've come at this a couple of different ways. I think this is the one that's going to work, and it's going to make everybody over there happy. It's going to make me happy. It would be a great night.

I am asking for the support of the members. This was one of the amendments that I did pass on to the Government House Leader and the minister. Although it looks a lot different now than when you last saw it, the conflict of interest is still in there. I do ask support from my hon. colleagues opposite and, of course, the ones that are surrounding me.

Thank you very much, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

Is there anyone else who would like to speak to amendment A3? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Chair. I'll be brief. This is the gold standard of amendments. Unfortunately, if it doesn't get passed, gold will drop about 3 or 4 per cent, so it's important that it does pass. This government talks quite a bit about integrity and about issues of credibility. When you read this amendment at face value, what it says is that “the board shall, by bylaw, establish a code of conduct,” and then it goes on to give what I think is a lot of credibility to the code of conduct of this proposed agency. Common sense says that this or something equivalent to this should appear in the legislation, and I would hope that the members would support it.

Thank you very much.

**The Deputy Chair:** Thank you, hon. member.

The Member for Calgary-Mountain View.

**Dr. Swann:** Well, thank you, Madam Chair. It's no surprise that I support this. This House leader has been an example of parliamentary procedure. I hope her recent study on conflict of interest, especially, will be taken seriously by all sides of the House. The face validity, I guess we'd call it, of an agency establishing its own rules of conflict of interest flies in the face of what this Legislature is about. If we're serious about credibility and public accountability, I think it behooves us to go the extra mile and ensure that this body follows the same standards of conflict of interest that every other part of the Legislature follows. This is the gold standard, right? What we follow in this Legislature . . .

**The Deputy Chair:** Hon. member, I hate to interrupt you, but could you stand in front of your desk, please? The reason is because of the camera lenses.

**Dr. Swann:** I see. Sorry.

**The Deputy Chair:** Thank you. We want to get a good shot of you.

**Dr. Swann:** Thank you. As I was saying, one of the big challenges I think this government has is public credibility on the environment. This would be another step towards really ensuring that you're going the extra mile in terms of conflict of interest and ensuring that they follow the same standards in this agency as the rest of government.

So in the interests of both the credibility of the bill, the credibility of the agency, and the credibility of this august Legislature it behooves us to recognize the need for the standard and not to leave this kind of important policy-making or bylaw to the agency itself. I think we want to follow the existing criteria. It makes sense for all of us to take the highest, the best, the most objectively valid approach to conflicts of interest, so I fully support this.

**The Deputy Chair:** Thank you, hon. member

Is there anyone else who wishes to speak to amendment A3? The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thanks, Madam Chair. I, too, am speaking in support of this amendment. Quite frankly, I'm surprised that these provisions, as very eloquently expressed in this amendment, are not there in their entirety in this bill because these are standard practices that we put into lots of other positions and jobs. You know, I'm on the officer's committee for hiring, and they're standard things that we would include and expect to be included for any important boards or committees or individual positions that are surrounding this Legislature. Quite frankly, this seems like it's just a matter of due course, and I'm glad that the Member for Edmonton-Centre actually noticed the absence of this and has included this amendment for all of us to enrich Bill 31.

Thank you.

8:00

**The Deputy Chair:** Thank you, hon. member.

Is there anyone else who wishes to speak? The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Madam Chair. I rise in support of this amendment to Bill 31. It should be quite evident and quite clear at the onset the value that this amendment adds to Bill 31, but on behalf of some of the members of the House I'll just go into a little bit of detail as to why this amendment does in fact strengthen the bill as it's currently written. First and foremost, there need to be conflicts of interest guidelines which will help this board to govern and provide them with a frame and terms. The concern with the way the bill is currently written is that the board themselves will determine their own conflicts of interest guidelines, which is extremely problematic in that it would be like allowing one team to make up the rules for themselves. That clearly has some problems.

As well, this amendment lays out disclosure requirements, which are extremely important, again. Too often, Madam Chair, we hear from the other side of the House about how they are accountable and transparent, and really their actions do not follow their words.

**Mr. Eggen:** Not even a little bit.

**Mr. Bilous:** Thank you. Yeah. Not even a little bit, not even an ounce. This amendment will lay out some of the parameters so that at least we will have some accountability. The public will be able to have a little more faith in this board.

I think it's extremely important that we do have cooling-off periods, as this amendment calls for. Too often we see around the world improper influence being exerted. I shouldn't even say "around the world." We have many examples even within our home province of people who were in positions of power moving into positions of lobbying or positions of being able to directly influence. There needs to be a cooling-off period to ensure that that type of influence is at least mitigated somewhat.

I think that this is a very reasonable amendment. I thank the Member for Edmonton-Centre for bringing this forward, and I strongly urge the members of the Assembly to vote in favour of this amendment.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

Is there anyone else who wishes to speak to amendment A3, Bill 31?

Seeing none, I'll call the question.

[The voice vote indicated that the motion on amendment A3 lost]

[Several members rose calling for a division. The division bell was rung at 8:03 p.m.]

[One minute having elapsed, the committee divided]

[Mrs. Jablonski in the chair]

For the motion:

Anderson	Blakeman	Rowe
Anglin	Brown	Stier
Bikman	Eggen	Swann
Bilous	Hale	

Against the motion:

Amery	Horner	Olson
Bhardwaj	Jansen	Pastoor
Campbell	Kennedy-Glans	Quadri
Cao	Klimchuk	Quest
Casey	Kubinec	Rodney
Cusanelli	Lemke	Sarich
DeLong	Leskiw	Scott
Denis	McIver	Weadick
Dorward	McQueen	Woo-Paw
Drysdale	Oberle	Xiao
Fawcett	Olesen	Young
Horne		

Totals:	For – 11	Against – 34
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[Motion on amendment A3 lost]

**The Deputy Chair:** We are back to Bill 31. The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Chair. I would like to offer an amendment at this point on section 4.

**The Deputy Chair:** This will be known as amendment A4. We'll pause while we distribute copies to the members.

Hon. member, you can proceed.

**Mr. Anglin:** Thank you, Madam Chair. I'm moving that Bill 31, Protecting Alberta's Environment Act, be amended by

renumbering section 4 as 4(1) and adding the following after subsection (1): “(2) The supporting data for an Agency report under subsection (1) shall be made available to the public.”

**8:10**

According to the minister's eloquent words earlier this afternoon, the whole idea of a scientific board issuing a report will not have validity without the raw data being available to actually have other scientists look at the report and verify that the data supports the final report. That's critical in any scientific study, and nowhere in the act does it lay out that that is a mandate for this agency. I don't know any other way that scientists or doctors even in the medical field but particularly scientists get validity other than by making sure that the raw data that they collect, that they use to formulate their report, that they use for their findings is available to any other scientist so they can verify that what the report actually says is true.

From where I sit over here, looking at this bill, we want to give this bill credibility. We want to give the agency credibility. Just issuing a report, any report, without the supporting data: there's no credibility there. So this is absolutely essential to the functioning of this board. The minister has said that this agency is going to be at arm's length, and it's going to be comprised of scientists. This is going to be based on science. There needs to be a mandate to make sure that the raw data is available to verify the science. Without that that undermines the credibility of the board.

I would ask the members on the other side to support this or at least show where there's a mandate here to make that data available. It has to be available. It can never be withheld. That was, I think, just a missed opportunity when the bill was first drafted. This is now the opportunity to put it into the bill to make sure the agency knows that whenever it does issue a report, supporting data has to be available publicly.

Thank you very much.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Strathmore-Brooks.

**Mr. Hale:** Thank you, Madam Chair. I'd like to stand and speak in support of this amendment. I think it's very important, as the Member for Rimbey-Rocky Mountain House-Sundre said, to have the data along with the report. If we get the reporting, which it says it will do, make the report public, that's great. They can get the final results, but they should also have the opportunity to see how those final results are obtained. That way that leaves out any discretion of how they came up with those results. If it's, you know, open and transparent, if people want to look at all the information to come up with conclusions, they can.

It's the same as us when we submit our expenses, when we submit our hosting receipts and meal receipts. You have to have those receipts. That's the data. We can't just send in our final result of what the bill is; we have to show the data. This goes along the same lines. You need to show the data, how you came up with the final numbers. I think this just will enhance the public's reception of this bill, and I urge you to support it.

**The Deputy Chair:** Thank you, hon. member.

The Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Madam Chair. I think it's an important amendment. It may seem like a fairly simple point; nevertheless, a report is processed data, interpreted and, quite frankly, able to be based on assumptions that may not be obvious to the readers. I think it's critical that the raw data be available so that other scientists can verify the conclusions that have been reached

through AEMERA's analysis of the data because there's more than one way to look at things. As we all know, many a statistician has drowned in a river with a mean depth of three feet.

**An Hon. Member:** Say that again?

**Mr. Bikman:** Again? Many a statistician has drowned in a river with a mean depth of three feet. Likewise, when three statisticians went deer hunting, one shot and missed the buck 10 centimetres to the left, the second statistician shot and missed the buck 10 centimetres to the right, and the third statistician exclaimed: we got him. The average, right? You don't get that one?

Nevertheless, the point I'm trying to make is obvious to all of you, I know. It's how you interpret the data. If your assumptions are inaccurate or incomplete, then you're not able to interpret it correctly.

**Mr. Anglin:** We're eating venison tonight.

**Mr. Bikman:** Yeah. That the statisticians shot. Don't eat at our house.

We do need to make this raw data available. It truly will make this agency, AEMERA, more likely to be perceived as arm's length so that customers and other people who want to analyze how well we're doing can in fact look at the raw data and draw their own conclusions based upon their own template, not the template that we have designed or that the agency has designed to show us in the most favourable light.

We want to be shown in a favourable light, but we want that light to be able to stand up under scrutiny, and the data needs to be available so that that scrutiny can take place, I submit to you.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thank you, Madam Chair. I just wanted to briefly also throw my support behind this amendment. It's, again, quite a surprise to us. I think we were deliberating as to whether we would have a similar amendment to this, and we deferred to the Official Opposition on this particular point.

It's part of this whole giving some appearance that we are using some independent scientific process here to build these committees when, in fact, there are lots of ways and means by which the data and the information can be massaged and obfuscated so that the desired result might come through. We don't want this environment act to be viewed as to be skewed somehow or to be a charade or to not be producing accurate information. The basic thing that scientists have done is present and share data and have papers that allow for a second or third opinion on issues. So if you're not including the full data, then immediately alarm bells go off in the scientific community, and you are somehow diminishing the validity of not just the individual report but the committee as a whole.

With this whole attack on science that we've seen from the federal Harper government, I just, again, see so many parallels between the process that goes on in Ottawa with that federal Conservative government. If we can just learn from their mistakes and do the opposite, we would probably be so much better off. Instead, this PC government is moving towards more of that centralized, secretive control that will only serve to diminish our capacity to sell our product and to have a reasonable environmental board here in the province of Alberta.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Madam Chair, I just wanted to add one additional thought, actually a question that I hope the minister or perhaps someone else can answer because I think it's relevant: why wouldn't we make the raw data available? I think that serious scientists and people who are legitimately concerned with the results of how well we're doing will ask themselves: why isn't the raw data available?

They'll likely conclude – or we'll remove the possibility of them concluding this if we provide it – that the only reason may be that the data has been manipulated or the data has been interpreted with a template that isn't universally accepted. Maybe it's going to show an unfavourable result. Somebody might interpret it in a way that doesn't favour us, that makes us look like we're not doing our job properly. It may not be the slant that we want, so we're afraid to let the data out there. And if it's ever discovered that, in fact, we have done something like that with the data, then we'll lose our credibility that we've worked so hard through this act and through the creation of AEMERA to establish.

8:20

I think that agreeing with this amendment – and it's a fairly simple change to make; I don't think it'll require a whole lot of rewriting – would establish how serious we are. It would give an even stronger appearance of this actually not just appearing to be but really being an arm's-length agency. Minister, I hope you will consider that.

Thank you.

**The Deputy Chair:** Thank you.

The hon. Minister of Environment and Sustainable Resource Development.

**Mrs. McQueen:** Thank you, Madam Chair. If I could direct people to page 2 of the act, agency purposes, section 3(1)(a) and (b) for sure.

3(1) The purposes of the Agency are

- (a) to obtain credible and relevant scientific data and other information regarding the condition of the environment in Alberta,
- (b) to ensure the data and other information are available and reported to the public in an open and transparent manner.

It's already here under the purposes of the agency.

**The Deputy Chair:** Thank you very much, hon. minister.

The Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Chair. Unfortunately, I can't agree with the minister. It says to ensure that the data... [interjections] I do apologize for my disagreement. I usually do apologize before I insult. Forgive me for forgetting to apologize first.

Anyways, I do disagree with the idea: to ensure that the data. If you look at the amendment, it specifically says, "the supporting data." That's really important scientifically, that the supporting data be there. I did look at that. I want you to know that. Data is data, and you can obscure it by giving any data or not giving the proper data, but supporting data then supports the report, and that's why the amendment.

Thank you very much.

**The Deputy Chair:** Thank you, hon. member.

Is there any other member who wishes to speak to amendment A4 on Bill 31? The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Yeah. Further to that, there's a distinction between the place that the minister pointed out and this amendment. This amendment allows us to see a much wider picture of what the data is. You can still process the data within the terms of this bill on page 2 and exclude certain things, right? You know, all we want to do is make sure that there's a way by which it looks like this is fail-safe and that nothing is being hidden away somehow. I mean, this afternoon this same minister goes on about reducing greenhouse gases when we know that we don't reduce greenhouse gases, Madam Chair, in this province. It's all about intensity targets, and it's just pure obfuscation. It's not entirely true the way that she puts these things.

If you put the full data out there for everybody to see, then people can come to their own conclusions, and that's fine. But if you choose to narrow that scope, then it only serves the opposite effect of what this bill is intended to do.

**The Deputy Chair:** Thank you, hon. member.

**Mr. Dorward:** Madam Chair, I can't support this amendment because this would mean that only supporting data for a decision would be in the report whereas the word "data" would include all data.

**The Deputy Chair:** Thank you, hon. member.

Is there anyone else who would wish to speak to amendment A4 on Bill 31?

**Mr. Anglin:** Madam Chair, I'm going to have to disagree with the member. For one, you can go back to section 3(1)(b) and ensure that data is released, and there's nothing in the amendment that prohibits releasing more data or anything else. What it says is, "the supporting data" relevant to the report. You still have the section that says data and allows for all data to be released, but what's important is that it gives credibility to whatever report is issued, that scientists who want to verify what the agency is stating have access to the supporting data that is relevant to the report.

Thank you very much.

**The Deputy Chair:** The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Madam Chair. I rise to speak in support of this amendment. I think it's a reasonable amendment. It's ensuring that that raw data is being made available. I think that there's a significant amount of concern on this side of the House that the data and the information that is going to be made public through the board is not the original data or data that can be verified, and therefore it can be skewed, it can be tampered with. In order to prevent that, I believe that's one of the reasons the hon. Member for Rimbey-Rocky Mountain House-Sundre brought forward this amendment. Through this amendment it provides more credibility to the data that's going to be released.

I think the Member for Edmonton-Gold Bar has a very narrow interpretation of this amendment. Again, there's never a limit on the amount of information. You know, my frustration with the government, Madam Chair, is that they talk about transparency and are the most opaque government, I think, in the country.

**An Hon. Member:** The gold standard.

**Mr. Bilous:** Yeah. The gold standard of double – yeah.

My question is for the minister. By not including supporting data, it begs the questions: what are you trying to hide? What are



you afraid of? Or why do you want a mechanism to be able to skew or interpret or alter information? I think accepting this amendment will just lend more credibility to the bill and show that this government is not just providing lip service to working with other members within this House but actual action to back up their words.

I encourage all members of the House to support this amendment.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Calgary-Mackay-Nose Hill.

**Dr. Brown:** Thank you, Madam Chair. I would like to ask the Minister of ESRD a couple of questions regarding this. If I read this section 3(1) and if I understand her argument correctly, she's arguing that the purposes of the agency are to obtain credible and relevant scientific data relating to the condition of the environment and "to ensure the data and other information are available and reported to the public in an open and transparent manner." If I understand the minister correctly, she's saying that the amendment is essentially redundant. If I'm correct in that assumption, I'd like to get a clarification on that.

We're talking in one instance about the purposes of the agency. In the other one, we're talking about the report that's given to the public on the condition of the environment. Even if it is redundant, I mean, I fail to see what the difficulty is. If we're talking about openness and transparency of the scientific data that are backing up the report to the public, I guess I'd like a little bit of an explanation as to why we don't accept this if it's redundant in any event. If we're going to give the background to the report to the public on the condition of the environment and allow the scientific data to be open and transparent to the public and to other scientists who wish to analyze it and maybe second-guess whether or not the condition of good, excellent, fair, poor, or whatever the report says is accurate, then, you know, I'd like to hear why we wouldn't accept this amendment.

**The Deputy Chair:** Thank you, hon. member.

Are there any others who wish to speak to amendment A4?

**Mr. Bikman:** If I may, just one other point. It somewhat addresses the issue just raised by the hon. member from Calgary. I can't remember where but Calgary, anyway. You can hide a polar bear in a blizzard. It's an old trick, and I'm not suggesting that anybody is trying to be tricky. But, again, to reduce the perception of the potential for something to be hidden in a blizzard of data when only certain aspects of that data were relevant to the report – the Member for Edmonton-Gold Bar, who is an accountant, knows that pro forma statements are only as good as the assumptions that they're based on, used to prepare them, and everybody wants to see what those assumptions are. So I think it's helpful to be able to say: this is the specific data that was used to produce this report revealing this information. I think that's a reasonable request. It isn't necessarily redundant, because all of the data will not necessarily be used or given the same weight in the preparation of the report, and those who are scientists can verify or challenge that, but that's my humble opinion.

Thanks.

8:30

**The Deputy Chair:** Thank you, hon. member.

Is there anyone else? You must be in your seat before I can recognize you, hon. member.

**Dr. Swann:** My wife tells me that I'm still teachable, so on my third time I'll be back here.

I wanted to add my support to this, too. I don't think the government could lose anything on this. Any scientific reports worth their salt have the conclusions, and then you go back into the report and you can see what the conclusions are based on. It's just standard practice in scientific reporting, and it's adds to the credibility and the ease with which people can draw conclusions or question conclusions if they can connect the conclusions directly with the data.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

Is there anyone else who wishes to speak on amendment A4, Bill 31?

Seeing none, I'll call the question.

[The voice vote indicated that the motion on amendment A4 lost]

[Several members rose calling for a division. The division bell was rung at 8:31 p.m.]

[One minute having elapsed, the committee divided]

[Mrs. Jablonski in the chair]

For the motion:

Anglin	Brown	Rowe
Bikman	Eggen	Stier
Bilous	Hale	Swann
Blakeman		

Against the motion:

Amery	Horner	Olson
Bhardwaj	Jansen	Pastoor
Cao	Kennedy-Glans	Quadri
Casey	Klimchuk	Quest
Cusanelli	Kubinec	Rodney
DeLong	Lemke	Sarich
Denis	Leskiw	Scott
Dorward	McIver	Weadick
Drysdale	McQueen	Woo-Paw
Fawcett	Oberle	Xiao
Horne	Olesen	Young

Totals:	For – 10	Against – 33
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[Motion on amendment A4 lost]

**The Deputy Chair:** We are back in Committee of the Whole on Bill 31. The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Chair. I'd like to make another amendment, and I have the requisite copies right here.

**The Deputy Chair:** We will call this A5, and we'll pause for a moment while we distribute copies to members in the House.

Hon. member, you may proceed.

**Mr. Anglin:** Thank you, Madam Chair. I'm moving that Bill 31, Protecting Alberta's Environment Act, be amended by striking out section 4 and substituting the following: "The Agency shall report to the public on the condition of the environment in Alberta a minimum of 4 times per fiscal year." What I'm trying to do here is to have some sort of flow of information that is fairly reliable. It doesn't make any other imposition upon this scientific agency, but what we need to do is get at least a quarterly report from the

agency on the condition of the environment. This is a monitoring agency. I realize the act said, "at a frequency determined by the Agency," but that's not necessarily sufficient if we're trying to give some sort of consistency and credibility, particularly to the international markets.

The biggest thing that our international markets want to see from us: are we making progress? That's important. So dealing with the environment is no different than – I'm going to make the correlation to a company reporting its quarterly reports or its annual report. The fact of the matter is that you have to have consistent flow of information to give some sort of credibility to what this agency is all about. Without that, what we could end up doing – and I'm not going to suggest that they will do it, but what I'm saying is that it is a possibility that if the data that the agency was collecting was somehow not complimentary to what's happening in our environment, it may not release a report. It may withhold that information until some later date, and we've seen that from this government, where reports were held back. We don't want the agency to fall into that trap.

This is fairly subjective in terms of: we pick quarterly, four times a year. I would easily take a friendly amendment that said two times a year as long as the other side was willing to pass it, but what we want to do is make sure there is consistent flow of information. Without that, it does basically weigh heavily on the integrity and the credibility of this board.

Thank you, Madam Chair.

8:40

**The Deputy Chair:** Thank you.

Is there anyone else who would like to speak on amendment A5, Bill 31? The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Rowe:** Thank you, Madam Chair. As my colleague from Rimbey-Rocky Mountain House-Sundre has stated, the importance of being transparent in the eyes of our trading partners cannot be overstated. Like it or not, we have a bit of a black eye in the whole area of the environment and the attacks on our oil sands and so on. This is a golden opportunity that I see where we can be transparent and open and show the world that indeed we care about the environment and we're doing our best to protect it.

Although I have some concerns about the whole agency and creating another bureaucracy, I think that in this case it's probably a good idea as long as we do it right. Let's be open about it. Let's be transparent and accountable, as our AT and T minister purports to be. Let's show the world we can do this by passing this amendment.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Strathmore-Brooks.

**Mr. Hale:** Thank you, Madam Chair. Yes, I'd like to rise and speak in favour of this amendment. As the member who presented it stated, it does say "a frequency determined by the Agency." This just gives it more of a guideline. If they wish to do it sooner, that's great, but at least if we have a determined time for when they need to present their reports, then it gives substantial backing to our industry, to the people who are concerned with the environment. It just adds some substance to this agency.

If we look at how some of the reports are presented, a lot of them say they'll have them out by the first of this month, and, you know, it takes months and months, and then we have to ask questions and write letters. If it's legislated that they have to have it out by this certain time, then they have to have it out. It's going to give a little bit more depth to this bill and show to our

neighbours and our customers and the people of Alberta that the environment is in good shape and that we're doing everything possible and that the agency is doing everything possible to show that. We're not hiding anything. If we have nothing to hide, then let's produce these reports and show how good we're doing.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Madam Chair. We know that global customers, prospective customers, governments will look at these reports as an indication of how well Alberta is actually doing, as a way of justifying their confidence in us as an environmentally friendly source of energy. I'm sure that if they receive those reports on a regular basis, every three to six months, they'll be able to feel like they are being kept in the loop, and it'll make it easier for them to monitor what we're monitoring and see just how good a job we're doing. They'll see the effort that we're putting forth. They'll also be able to see the results on a regular basis.

The information in the reports, of course, needs to be specific and not general. That same Tom Monson that I quoted earlier also said, "When we deal in generalities, we [rarely] succeed. When we deal in specifics, we . . . rarely have a failure." So I think it's important that we be as specific as we can, reporting on those impacts that are important to our customers, the jurisdictions that our customers might be in, or the customers and governments themselves.

It needs to be consistent. Methodology needs to be transparent and obvious and universally acceptable and recognized as relevant, as an accurate indication of how we're doing, and not just sort of percentages against whatever but actual information that will allow them to justify to their own environmental advocacy groups that, in fact, they are buying oil or energy from a very, very forward-thinking, innovative, and perhaps even world-class leader in controlling or eliminating or reducing those things that are harmful to our environment and to the atmosphere.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thanks, Madam Chair, and thank you to the Member for Rimbey-Rocky Mountain House-Sundre for putting this amendment forward. What I see this amendment doing is creating a pattern, a schedule by which people can expect information to be coming out. Just like when we get a report from the Auditor General or other agencies, we'd know that it's expected, and we could see the incidents that might be taking place in the province in regard to environmental concerns fitting into that schedule. So that we don't lose track of the progress, let's say, that a more sophisticated or a more complicated study or probe might entail, we can get updates and additions to the file that everybody can follow, and we can be suitably exposed to that information.

So this is a great idea. I think, again, it's almost like a matter of course. I think that other businesses certainly do quarterly reports: banks and governments and every other thing. That natural pattern that we're used to seeing for reporting, then, would fit in perfectly with this environment committee reporting on a quarterly basis. What a great idea, hon. Member for Rimbey-Rocky Mountain House-Sundre. It's awesome.

Thank you.

**The Deputy Chair:** Thank you.

The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Chair. One thing I want to point out that I missed earlier is that we know that to support our industry, which is to support our economy, one of the caveats that President Obama has put on for approval of the Keystone pipeline is the reduction of greenhouse gases. That's no secret to anyone in this room. What else is probably not a secret to anyone in this room is that the United States and China now have a memorandum of understanding. They're going to set protocols for the reduction of greenhouse gases. By hook or by crook our industries know that they have to meet those standards if they want to access those markets. And they will. That's what I meant by "by hook or by crook." They've got to meet the demands of their own customers.

Having a scheduled, set reporting period, you know, dealing with our air quality monitoring in particular, is a real aid to that whole process. Our industry can say, aside from what they're saying, that we have an independent agency created by the government, and you can follow these quarterly reports and see the data and see how we are making improvements not just on our environmental monitoring but on actual physical improvements to our environment. That's the key. The key is to show credible data in support of our industry. When we do it in support of our industry, it also meets what the public wants to do in the first place. It's good for the environment.

What we really need here is some sort of consistency in reporting, and that's what this amendment does. Thank you very much.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Edmonton-Beverly-Clareview.

8:50

**Mr. Bilous:** Thank you, Madam Chair. I rise to speak in favour of this amendment. Again, it's not making any broad, sweeping changes to the bill. It's just putting in some predictability as far as information sharing. I think that outlining exactly when this agency will be disclosing information means that concerned Albertans, our business community, our local community, our environmental community, and the international community will know exactly what's going on within this department and what's going on within the province.

It also provides a record or the ability to have benchmarks. You know, I believe that, with the pressure of the Alberta NDP as we continue to push for tougher environmental standards and ensuring that those are not only imposed but that they are actually enforced, this will improve and increase Alberta's access to our international markets. I mean, the reality is that the world wants to improve. It's not just our record, but we're talking about being more sustainable, being global stewards. Also, the world wants to see that we're doing everything within our power, when we are talking about developing our natural resources, to do that in a way where we're leaving the least amount of impact on the environment.

I do honestly believe that reporting regularly demonstrates true transparency and, again, allows the world, that is watching, to take a look at what we're doing here. It shows that we have nothing to hide and will encourage, I believe, investment and smart, sustainable practices.

I will encourage the members on the other side of the House to support this amendment. Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

Are there any more who wish to speak on amendment A5, Bill 31?

Seeing none, I'll call the question.

[Motion on amendment A5 lost]

**The Deputy Chair:** We'll move back to the bill in Committee of the Whole. The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Chair. I have another amendment that I would like to introduce.

**The Deputy Chair:** Thank you.

We'll call this A6 and pause for a moment while we distribute it to other members in the Legislature.

The hon. member.

**Mr. Anglin:** Thank you, Madam Chair. I'm not going to speak very long on this amendment. This is a very simple amendment. When the Wildrose becomes government, we don't want any candidate or any former MLA from the Wildrose to think that they can be on this agency within three years of having been elected. It's just that simple. It's sort of a catch-all to keep politics out of this agency and to keep it arm's length.

Thank you very much.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Cardston-Taber-Warner on amendment A6, Bill 31, Protecting Alberta's Environment Act.

**Mr. Bikman:** Vote no for legislative nepotism.

**The Deputy Chair:** Is there anyone else wishing to speak on amendment A6? The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Madam Chair. I'll be brief as well. I rise to speak in favour of this amendment. There's legislation like this in other jurisdictions, and it's a way to keep boards or agencies like this arm's length from direct government influence. It's a very small tweak to the current legislation, but I think it lends credibility to this bill.

I encourage all members to support this amendment.

**The Deputy Chair:** Thank you, hon. member.

Is there anyone else wishing to speak on amendment A6?

**Mr. Oberle:** Madam Chair, I just have to say that if it's the intention of the Wildrose to attract lesser qualified candidates to be MLAs to sit in this Legislature, they're well on track. The fact of the matter is that we're trying to attract talent to our boards and commissions and our Legislative Assembly.

Now, in the case where a member previously sat in this Assembly, if they were a member of the government, there's already a Conflicts of Interest Act which prevents their involvement for some period of time afterwards. But you can't restrict people's employment following that period unless you're willing to compensate them for the fact that they no longer can be employed.

What is wrong with having a member of this Legislature, who understands the intent of the legislation and who is qualified to sit on a board, sit on a board, providing that there is no conflict of interest? How could there be a conflict of interest when they're already past the cooling-off period in the Conflicts of Interest Act? It's a ridiculous amendment, Madam Chair.

**The Deputy Chair:** Thank you, hon. minister.

**Mr. Anglin:** No, the prevention of nepotism is not ridiculous. It's not ridiculous at all. And it's not denying anyone any employment. Yes, there is a cooling-off period, but we have an

agency being proposed that the minister has said is going to be arm's length and is going to be independent. Now, it doesn't prevent any former MLA from actually being appointed to the board, but it does set out a little wider cooling-off period for that as far as the three years. That's all it was intended to do. It was to keep the political interference out of it.

You know, to be quite honest, this is more about the perception of the credibility of the agency. It's all well and good, but when you look at the makeup, what can comprise the board, what can comprise the scientific panels, I have to tell you that if you start stacking that with former MLAs – you can do that because I know you're going to vote this amendment down – you may call it credible, but you will lose that credibility out there in the scientific world, you will lose that credibility in the commercial world, and you will have political interference that you will have to deal with. The whole idea is to keep that independence.

It's not about denying anyone a job. Lord knows that the government has been able to provide a lot of jobs, and this agency hasn't even been created yet. The idea that there are no jobs in Alberta for former MLAs, that just doesn't exist. There's a lot going on. The fact is that in some cases, I believe, the cooling-off period for the MLAs wasn't even observed.

So this is just to make sure that for this independent agency it is there in legislation.

**The Deputy Chair:** Thank you, hon. member.

The Member for Cardston-Taber-Warner.

9:00

**Mr. Bikman:** Thank you, Madam Chair. I really admire and respect a great deal the associate minister who just addressed this point about legislative nepotism. I think, though, that it's arrogance to think that only MLAs on either side of the floor, quite frankly, are not bright enough or capable enough to find gainful employment in the private sector or in some other area. We're talking about one agency. I think that the rule would be a good rule if it were implemented for all departments and agencies within the government, but I don't have great hopes of that. I don't have a lot of hope, you know, of you Kool-Aid drinkers seeing this clearly anyway.

The fact is that there are a lot of bright people out there. We don't have a corner on intelligence or capability amongst the 87 of us by any stretch of the imagination. No matter how highly you think of yourself, there are people who are much brighter than most of us on either side of the House. Certainly, I don't have any doubt that any of us in here who have earned the right to be here would have any problem making a decent living out in the real world.

**The Deputy Chair:** Thank you, hon. member.

The Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Madam Chair. The hon. member on the other side has left me no choice but to get up and challenge his thinking. His point as far as stopping or prohibiting members from going to boards and that we're not going to attract the highest quality of people to sit on boards is an insult to Albertans. I believe I am the 337th Albertan to get elected to this Legislature in a province with a population of 4 million. We're talking about a cooling-off period of three years. It's absolutely absurd.

At the moment – I could be wrong – I believe the Conflicts of Interest Act deems one year as a cooling-off period for MLAs transitioning into positions that can directly influence and lobby the government. This amendment is only talking about a three-year cooling-off period. I think it not only lends credibility to this

bill, but it's laughable to think that there aren't other brilliant minds who can't be appointed or elected to these agencies and that somehow we're losing out by delaying members who leave this career and transition back to the private sector, having them hold off for a couple of years.

This amendment is reasonable. Again, I find it quite far reaching that the member from the other side of the House is blowing this out of proportion, saying that these agencies are going to be limited and that we aren't going to find the highest quality of people if we force past MLAs or MLAs who have left this position of public office for three years.

I encourage members from this side to rethink their position. Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

**Mr. Oberle:** I just wanted to thank the last speaker, Madam Chair, for attempting inadequately and incorrectly to make my point for me. My point was that there have been many, many great minds over the years that have sat in this Chamber and it's a loss to Albertans to let them go out the door and not utilize them in other ways. Second of all, of the many great minds that are out there, why would we discourage them from wanting to seek a chair in this Chamber? In so doing, they know that they're going to be excluded from other considerations after the fact. It's silliness. It's absolute silliness. A race to the bottom is what it is.

**The Deputy Chair:** Thank you, hon. member.

Hon. members, the noise level has risen once again, and it's difficult to hear the members who have the floor speak. Please be careful with your level of noise.

The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Chair. To call the amendment ridiculous or silly and then clap and say that somehow you are guaranteed a job upon leaving this Assembly, I just can't agree with that.

The fact is that there is supposed to be a cooling-off period, regardless. It is already in other legislation. Unfortunately, there are exemptions that are given, and if I remember correctly, the former agriculture minister got one of those exemptions. So we're not trying to deny anybody anything. What we're trying to do is maintain the independence. And if you tell me that the 87 members of this Assembly are actually crucial to the functioning of this brand new agency that's going to be created when this passes, I just don't buy that. [interjection] Have you got a point of order?

**Mr. Oberle:** No. Attracting your attention.

**Mr. Anglin:** Oh, okay.

We are important in making policy, but this agency will run whether anyone in this Assembly gets a job on day 1 or the third year. So having a cooling-off period creates that window where we try to eliminate the perception of any political connection. That's all it does. That's why we have the cooling-off period. What this does is remove the possibility of the exemption.

The hon. member said earlier: we want good science. There's no question about it. Now, if somebody is so qualified they have to make the decision between being an MLA or a scientist working for this agency, so be it. Good on them. Let them decide. There's opportunity there for them, and maybe somebody will someday. The fact of the matter is that we've got to keep the political influence at arm's length, and that's what this is about. It's not about putting any penalty on any individual. It's not to

penalize an MLA by saying: you cannot work here. What it's saying is that we're going to keep that arm's length from politics. That little three-year window is arbitrary in a way, but it's not overpunitive at all.

The fact of the matter is that somebody that qualified and that much in demand is not going to have a difficult time working in that scientific community. There are lots of opportunities. This is a great province.

Thank you very much.

**The Deputy Chair:** Thank you, hon. member.

The hon. Associate Minister of Services for Persons with Disabilities.

**Mr. Oberle:** Madam Chair, I never said anything about the current 87 members in this Chamber, nor did I say anything about anybody wanting to be guaranteed a job. What I'm saying is that it is in our interests, in the interests of Albertans that we find a way to make sure that the best people get appointed to this and that in so doing, we protect Albertans from a potential conflict of interest. Now in the case of a government member, that's already written into the Conflicts of Interest Act. There are other conflicts of interest to consider, and that will be taken care of in the conflict-of-interest guidelines that this commission is going to be required to write as soon as they get started.

Now, all of these things are captured in legislation and policy. I don't see what the issue is. Again, the fact of the matter is that, never mind the 87 members in this Chamber today, there have been many, many, many great minds that have gone through this Chamber, and it would not be in the best interests of Albertans to subsequently lose them. Furthermore, Madam Chair, it's kind of laughable to think that anybody would leave this Chamber and three years from now magically be nonpolitical. That's absolutely ridiculous.

It's a poorly worded amendment, silly, and it is not in the best interests of Albertans.

**The Deputy Chair:** Thank you, hon. minister.

**Mr. Anglin:** We have gone through a number of insults to the amendment, Madam Chair, but let's be honest. We're not disparaging anybody's qualifications, and it's not ridiculous in the sense that we do have a conflict-of-interest provision that we already deal with. We know that. We also know that certain ministers have gotten exemptions to that. We know that. Now, what we're trying to do here is make that agency what this minister says it's going to be, which is separate and independent and not influenced by the politics. It's going to be influenced by the credibility of the science. It doesn't disparage or prevent any person who is qualified from working.

9:10

Now, if they are that qualified and they work in the industry, it's tough to say that they may go teach for a few years or work in the private sector for a few years. People with this type of qualification do move from scientific community to scientific community within their field of study. To say that it's going to prevent any single mind – there are certain privileges that are lost when you become an MLA, and those privileges are all of those conflicts-of-interest provisions that we adhere to. The cabinet ministers themselves are held to a higher level than your ordinary MLAs because they're actually running the government. So we know these things as MLAs. We accept those when we run for office, and when we get elected we accept that. By putting this there on the creation of the agency, then it's visible to everybody

that ever runs for office. If they have a desire to be in the agency, they have to know that that cooling-off period is not going to be exempted, that they have a three-year period there that requires cooling off.

You're absolutely right. It doesn't mean that they won't be political, and that's not what anyone is saying. That's not what the existing law does. The existing law that requires the cooling-off period doesn't say that it's going to be absolutely nonpolitical, but you create the separation so that there's not that perception and there's not that influence. Everyone here knows that as we go through election after election, people who were here years before may remain friends, but they may also lose that political connection that they once had because people do retire and people do move on. That's part of the process.

I want to quite honestly tell the member that it's not ridiculous; it's not silly. It's something the government has tried to do already in its conflicts-of-interest laws, and without the exemption – it is right here in this amendment, and it's consistent.

**The Deputy Chair:** Thank you, hon. member.

Is there any other member who would like to speak to amendment A6 to Bill 31?

Seeing none, I'll call the question.

[Motion on amendment A6 lost]

**The Deputy Chair:** Moving on in Committee of the Whole, the hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Chair. I have another amendment that I would like to submit.

**The Deputy Chair:** Thank you. This amendment will be known as A7. We'll pause until the members have a copy of the amendment.

Hon. member, you may continue.

**Mr. Anglin:** Thank you, Madam Chair. I'm bringing forth an amendment that states that Bill 31, Protecting Alberta's Environment Act, be amended in section 14 by striking out "If the Minister considers it necessary" and substituting "Upon the Agency's request." Again, we are back to the perception and the credibility of an independent agency. Now, this doesn't stop the ministry from providing necessary resources at no cost to the agency. It doesn't do that at all. What it does is make that decision strictly the agency's decision and not the minister's decision. That's the independence. We think this has credit. Oh, I see the member's going to get up again. I'll get the last word in, or we'll be here all night.

The fact is that this is about the independence of the agency. If you want to give that perception that the agency is independent, then you cannot have the minister impose something on the agency, particularly if the agency doesn't want it. Clearly, what we're trying to do here with the government employees is that should the agency request, the minister can honour that request. I have to tell you quite honestly that nobody's going to get appointed to this board that's not going to be working with the minister. You know that. That's just not going to happen. [interjection] Do you want a guarantee on that? I'll write another amendment. We'll put it in legislation.

The fact is that that's how it works. The ministry will be appointing the boards. We're going to have these committees, and we're going to have qualified people. It only makes sense. But the fact is that we have to make sure that there's no infringement upon the agency's independence. I'm sure that whoever is the CEO or

whoever is the board chair, whatever the title is of the director, if they need these resources from the ministry, they would probably be more than happy to make the request, but it will be their decision. It will never be the perception that the minister ever imposed at all anything on the agency as far as employees or resources, and that would give it a little bit more credibility and the perception of a whole lot more independence in the perception of the public.

Thank you very much.

**The Deputy Chair:** Thank you, hon. member.

Is there any other member who would like to speak on amendment A7?

**Mr. Oberle:** I get, Madam Chair, that the hon. member is trying to clearly define the independence of this particular agency, and I actually agree with him on the importance of that. However, it is not the habit of governments anywhere to empower outside agencies with spending authority on the budget. This is a budget that the minister would have to approve, so their work plan and their staff would have to be approved by the minister. Short of that, you're going to have to go to outside elected boards like a school board or something like that and give them independent authority to spend money. But even at that, the government still establishes the budget for that agency. It's just a simple fact of the matter of how governments work. We're not going to assign our spending authority, that we vote every year, to outside agencies. That's just simply not how governments run.

**The Deputy Chair:** Thank you, hon. minister.

The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Chair. That's not what this amendment is about. What this amendment is about in section 14 is government employees, and what it states quite specifically is "if the Minister considers it necessary." Those are the key words right there. It gives the power directly to the minister: "If the Minister considers it necessary, the Minister may provide to the agency at no cost." What it gives is the perception that the minister could impose this upon the agency. It opens up the allegation that the minister is doing something. All we're doing is changing that to "upon the Agency's request."

Now, I'm sure that if the minister is talking to whomever is in charge and resources are required, they would probably make the request. I don't see them allowing the agency to fail in any degree. It's contrary to logic. What we want to give here is the perception of independence. We don't want the minister to ever be accused of imposing something on the agency, and that's what it says: "If the minister considers it necessary." It could be viewed in the public that the minister is pulling the strings, but if the agency makes the request, it's independent.

Perception of independence is just as important as the physical independence, and the big criteria of this – and the minister has said this – is that this is going to be an independent agency. That's the key word, "independent." Not only does it have to be independent; it has to have the perception of being independent. I'm not sure how changing this word would affect the operation. If the hon. member can say that this would negatively affect the operation in dealing with government employees, I would concede, but I just don't see where that is there. I will tell you quite honestly that it doesn't change. It's at no cost. We're not talking about a budgetary thing here at all for the agency. It is something that the minister will consider themselves, and regardless of whether the minister considered it necessary or the

agency requested it, it probably wouldn't change a thing on how they operate together.

Thank you very much.

**The Deputy Chair:** Thank you, hon. member.

**Mr. Oberle:** The question is about the spending authority of this Legislature and of the minister. Now, I'm pretty sure that the minister doesn't have a fleet of employees sitting around doing nothing, waiting for a request from an independent agency that she or any other minister can supply to them at no cost. In fact, if that hon. member can tell me where to get some of these no-cost employees, I'd like to get me some because I could use a few in my own department. The fact of the matter is that employees cost money, and you're asking this Legislature to give authority to an external body to spend public money without approval of this Legislature. That's illegal, Madam Chair.

9:20

**The Deputy Chair:** Thank you, hon. minister.

The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Okay. Madam Chair, I didn't write the legislation. The legislation says: "at no cost." I'm just reading it. It says: "If the Minister considers it necessary, the Minister may provide to the Agency at no cost." I'm not changing that. Now, I'm not even insinuating that it doesn't cost to run that ministry. That ministry has a budget, and all ministries have a budget. The employees of the ministries get paid, and they have severance packages, depending on who they are, and they get retirement benefits and medical and all that stuff. It all costs, and to operate this agency is going to cost money. That's not the point.

I can't conceive that the agency would refuse to request from the minister, should they need to make that request, to get employees. I just don't see that happening. It's an option available to the agency. Why wouldn't they do what they needed to do? That only makes sense to me.

What we're trying to do here is take exactly what is written there and make sure that there is independence for the agency and that it's the perception of independence. Either way this is worded, one way or the other, I doubt that if the minister needed to provide employees to this agency and the agency requested, unless the hon. member gets up and says, "I will refuse to," – but, then, that's her option anyway. I mean, she could refuse to anyway. It just says: if she considers it necessary. There's no mandate that she has to do it. I mean, clearly, that would go right on her shoulders and not on the legislation. It is wide open.

But what it does do is that it keeps the independence of the agency so that the minister or the ministry cannot impose upon this agency. They would have to request it, and I don't see where that upsets the function or the budget or how things operate. It's just the way the protocol would be on who would request it versus who would demand that it be necessary.

**The Deputy Chair:** Thank you, hon. member.

Is there anyone else who would like to speak on amendment A7?

Seeing none, I'll call the question.

[Motion on amendment A7 lost]

**The Deputy Chair:** We'll move on in Committee of the Whole on Bill 31. The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Chair. I have an amendment I would like to introduce to the Assembly.

**The Deputy Chair:** This amendment will be known as A8, and we'll pause while we distribute copies to the rest of the members.

Proceed, hon. member.

**Mr. Anglin:** Thank you, Madam Chair. I'm proposing this amendment and move that Bill 31, Protecting Alberta's Environment Act, be amended by striking out section 14. What I want to do is save this ministry money. To force this ministry to give something at no cost, in my view, would be absolutely ridiculous. Now, this isn't going to help the budget, Minister – I'm sorry – because it's going to be funded somewhere. Oh, maybe not. We don't know how it's going to be funded after 2015.

**Mrs. McQueen:** We do.

**Mr. Anglin:** We do? Okay. It's not in the legislation, though.

If it's not funded through the government, it will even save possibly the minister of Treasury some funds, too. We're not going to give this stuff away for free. Let the agency go out and get their employees. They're out there, and they're qualified.

Let's strike this section down and have some accountability. Thank you very much.

**The Deputy Chair:** Thank you, hon. member.

Is there anyone else who would like to speak on amendment A8?

Seeing none, I'll call the question.

[Motion on amendment A8 lost]

**The Deputy Chair:** We move back into Committee of the Whole on Bill 31. The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Chair. I have an amendment I'd like to introduce to the Assembly.

**The Deputy Chair:** This will be known as amendment A9. We will pause for a moment while we distribute copies.

Hon. member, you may proceed.

**Mr. Anglin:** Thank you, Madam Chair. I'm going to move that Bill 31, Protecting Alberta's Environment Act, be amended by striking out section 15 and substituting the following:

Public Service Act

15 The Public Service Act applies to the Agency, its Chief Executive Officer and employees.

The Public Service Act actually does quite a bit in the sense of the code of conduct, postemployment limitations, restrictions. One of the things that came up is that in the previous section, which we weren't able to amend or strike out, clearly if the minister considers it necessary, employees could quickly shift over from the Department of ESRD to this new agency. What we have here is that the Public Service Act is not going to apply. What we're asking is that there be some consistency and that the Public Service Act apply with regard to all its provisions to the employees that will be employed by the agency.

Thank you very much.

**The Deputy Chair:** Thank you, hon. member.

Is there anyone else wishing to speak to amendment A9?

Seeing none, I'll call the question.

[Motion on amendment A9 lost]

**The Deputy Chair:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Chair. I have an amendment I'd like to introduce to the Assembly.

**The Deputy Chair:** This amendment will be known as A10. We'll stop for a minute or so while we distribute copies to the other members.

Hon. member, you may proceed on amendment A10.

9:30

**Mr. Anglin:** Thank you, Madam Chair. I'm going to move that Bill 31, Protecting Alberta's Environment Act, be amended in section 15 as follows: (a) by adding "Subject to subsection (2)" before "The Public Service Act"; (b) by renumbering it as section 15(1) and adding after subsection (1), "(2) A code of conduct and ethics pursuant to section 23(1) of the Public Service Act shall apply to the directors, Chief Executive Officer and employees of the Agency." The Public Service Act is not going to apply. It's clear; that just got voted down. But if you look at section 23(1), it is talking about respecting postemployment, respecting ethics and code of conduct. Quite honestly, we need some consistency. There's nothing in this legislation that gives guidance. It just says that they're going to make it up as they go.

What I don't understand is that within the Public Service Act having a code of conduct and ethics is extremely important to the credibility of the board, and to just leave it wide open to me is not consistent with what we want this board to be. It has to be defined in legislation, and the Public Service Act's section 23(1) is a great starting point to have that and to do that.

With that, I would hope that the members would support at least a code of conduct and ethics portion of the bill to be inserted in this bill so there's some consistency, particularly when the employees who are already under the guidance of the Public Service Act might possibly be moved over and be working for this new agency. So I would ask the other members on the other side to consider this and to approve this amendment.

Thank you very much.

**The Deputy Chair:** Thank you, hon. member.

Any other members who wish to speak on amendment A10?

Seeing none – the hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Seeing one. Thank you, Madam Chair.

I wish to speak to my hon. colleague's amendment to the Protecting Alberta's Environment Act. He mentioned consistency. I think consistency is important: consistency of work experience, consistency of expectations on the part of those employees who may come, who may in fact be transferring. If they have in fact – although we don't know how this is actually going to happen – been terminated and offered an opportunity to work in the new agency, they will already know what the expectations are with regard to ethics and the code of conduct and so on. So I think it makes some sense.

Having spoken recently with a member, an employee, of ESRD, I know that this is of some concern to them. There is some uncertainty about current vacancies that are being temporarily filled within the agency and some uncertainty about what that implies and some nervousness, I think, about that. Of course, that affects morale. As we know, nature abhors a vacuum. That's not just a physics law, but it's also an information law. In the absence of information to the contrary human nature generally leads us to believe the worst. That's why the lack of accurate information

delivered in a timely manner demoralizes and undermines esprit de corps.

I think that the hon. Member for Rimbey-Rocky Mountain House-Sundre is doing a service to the minister and to the agency that will be created. I think it will help the agency function at a higher level. This is a wheel that's already been invented, this code of conduct and so on. We can adapt that over and use it as an established tool with a proven track record of success, so I encourage support of this little amendment.

Thanks.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak to amendment A10, Bill 31? The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thank you, Madam Chair. I try to learn something new every day, so I'm curious to know. This amendment talks about how the "code of conduct and ethics pursuant to section 23(1) of the Public Service Act shall apply to the directors, Chief Executive Officer and employees of the Agency." Does that code of conduct and ethics apply generally anyway, or is this something that we need to add on? This is new to me, right? Doesn't that code of conduct usually follow people in the public service anyway even if it's an agency or a board? I don't know.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak on amendment A10? The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Yeah. I have a few more thoughts on the relevance of this amendment. I think that it will allow the agency to function right out of the blocks. It will save and spare some additional effort on a part of the ministry currently in terms of establishing and writing the guidelines, the handbook if you will, because they can pluck this section out and perhaps some others as well to supplement what has to be unique about this agency to make it truly arm's length. But it'll make it, I think, function at a higher level sooner. So I think there is some benefit from having an amendment like this that will help facilitate that.

We know that the agency will be seeking people that are ethical. In fact, I would hope that the agency uses as a standard in terms of seeking employees these six characteristics, which have proven highly effective in a number of areas over the years.

The number one thing that we look for in an employee should be integrity. We need honourable, reliable, dependable people to work for us in any business or agency and certainly within an agency like this. Integrity would be critical because integrity will lead to the credibility that we're seeking. This code will help that happen.

The second thing to look for after integrity will be motivation. We want people working in this agency who are self-starters, who have initiative, who won't wait to be told specific things to do but will look for things to do once their specific assignment is done. They'll stay actively engaged and involved, and that will build morale within this new agency because they will be perceived as colleagues looking out for one another and having each other's backs.

The third thing that I would hope that this agency would look for in prospective employees is capacity: the capacity to learn, the capacity to work well with one another, the capacity to engage in effective teamwork.

The fourth thing would be understanding: understanding the role of this agency, the role that the agency plays within the global environment, the purpose of the agency in helping to promote the credibility of the province as environmentally friendly.

The fifth thing, then, would be knowledge, the formal education, perhaps, that has been gained or the informal education that has been gained.

The final thing, then, would be experience. Often employers look for experience first and motivation next, but the last thing I'd want in an employee or to have employed in an agency that I had some role in helping create would be somebody that was experienced but dishonest and highly motivated. That's the last thing we want.

So integrity is number one, and that order of those six things, Minister, is very important to look for and consider. I submit that to some degree at least the amendment will help that happen or supplement it happening, I would hope.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak on amendment A10, Bill 31? The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Okay. I've got my question clarified a little bit more. So if we don't include the Public Service Act explicitly in Bill 31 in the creation of these new agencies, then does the Public Service Act not apply to that? That's what I want to know. I'm not sure.

Thank you.

9:40

**The Deputy Chair:** Thank you, hon. member.

**Mrs. McQueen:** Correct. The Public Service Act does not apply. Section 15 says that. But what does apply for this is the Public Agencies Governance Act, which also requires that they develop a code of conduct.

**The Deputy Chair:** Thank you, hon. minister.

Are there any other members who wish to speak on amendment A10, Bill 31?

Seeing none, I'll call the question.

[Motion on amendment A10 lost]

**The Deputy Chair:** We're moving back into Committee of the Whole. The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Chair. I have an amendment I would like to introduce to the Assembly.

**The Deputy Chair:** Once again we'll pause for a few moments while we distribute that, and it will be known as amendment A11.

Hon. member, please continue.

**Mr. Anglin:** Thank you, Madam Chair. I move that Bill 31, Protecting Alberta's Environment Act, be amended as follows: (a) section 12 is amended by adding after clause (b), "(c) prescribing the professional qualifications required for members of the Science Advisory Panel." Then (b) section 18 is amended by adding the following after subsection (1): "(1.1) members of the Science Advisory Panel must meet the professional qualifications prescribed in the regulations."

What this does is just give some direction in legislation as to the qualifications of who's going to be put on there, that this should be stipulated for the candidates to apply for the agency, and it directs the agency to prescribe in regulation these qualifications. It's pretty self-explanatory, and the whole purpose is that it gives guidance via the legislation so that the panel – I keep calling it the agency – makes the regulations so that we get the type of people that we want on this agency.



There is nothing in the legislation that stipulates anything about qualifications and gives direction on setting any standards for qualifications. This amendment doesn't set the standard. It just says that they must do it, and that's logical. They should set some sort of standard for who's going to be sitting on these panels.

Thank you very much, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak on amendment A11? Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Madam Chair. I rise at the command of my whip – and I'm happy to do so – to speak to Bill 31, Protecting Alberta's Environment Act, and the amendments. I think it's critical that we identify ahead of time what the requirements and qualifications will be for people who might apply or that we might even consider inviting to apply or consider appointing, whatever the process actually ends up being, so that the public knows, again, our customers, the customers' governments know that these are the qualifications of these scientists or these advisers on the science panel. I think it's important. This would be part of a job description, I suspect, and I hope also that the minister will include at some point in those job descriptions very clear expectations that are mutually agreed upon, what Dr. Covey called mutually agreed upon desired results, those clear expectations in that performance agreement. Spell it out that the candidate would agree that it's reasonable to expect these kinds of results, not just effort but results, and the agency itself could then say: these are the things that we expect.

Once that agreement takes place, then you identify the guidelines; for example, the work needs to be done in a legal, moral, and ethical way. You could define those terms. The third thing would be what the resources are that would be available to you, whether it's the expense account or the budget that you'll have to perform the desired results, to achieve those. I think that's critical that that be agreed upon and prepared in advance so that candidates know exactly what they're getting into and how they're going to be able to do it. The idea that the agency may be able to call upon the minister, which was defeated a little bit earlier, to request certain additional support from the ministry would be in the form of identifying resources that would be available, perhaps even the minister herself if time allowed, for example.

The fourth thing, then, would be – don't smile, Minister. You throw me off my game here. The wink really did it. Explain that to your husband and my wife. Now I'm getting red. Sorry. The fourth thing would be, then, the accountability. That's what I was going for. How will you account for the job that you're doing, and then, ultimately, what are the consequences? If you reach 40 per cent of your targets, what will your bonus be for the year? Things like that. It's good to have those things out front.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to comment on amendment A11, Bill 31?

Seeing none, I'll call the question.

[Motion on amendment A11 lost]

**The Deputy Chair:** Moving back to the bill.

**Mr. Anglin:** Madam Chair, I rise for my last amendment. [interjections] I knew that would get applause.

**The Deputy Chair:** We'll pause one more time, hon. member, while we distribute the amendment. It will be known as A12.

Hon. member, you may continue on amendment A12.

9:50

**Mr. Anglin:** Thank you, Madam Chair. I am moving that Bill 31, Protecting Alberta's Environment Act, be amended in section 20(1) as follows: (a) by striking out “, criminal” and (b) by striking out “a criminal or” and substituting “an.”

Now, I've seen a number of different indemnification clauses, as probably many in here have. There is nothing wrong and there's everything right about an indemnification clause. They are part of nonprofit organizations, corporate boards, you name it. It's all there. I'm sure members can probably show me one somewhere – but I'm really not interested – but I have never seen one where we have indemnified criminal activity, and I don't understand where criminal activity can happen in good faith. I've just never seen an example.

I suppose that if somebody is very poor and hungry and they steal, they steal in good faith, but that's still a crime under the Criminal Code. It makes sense that we indemnify these employees, the board members, the agency from civil and administrative action. That's what we do, but we never condone criminal activity. Criminal activity is criminal activity, and it should never happen. I just don't understand how we can condone this by saying that criminal action or criminal activity would somehow be compensated for under this indemnification clause. That, to me, is not logical.

Now, that's not to say that some private company shouldn't indemnify criminal activity for their corporate board. That's their business. Let them do that, but this is not good for this government. It's not good for Albertans. The fact that somebody could be found guilty or be involved in a criminal activity and have an indemnification clause that protects them and compensates them doesn't make sense. That doesn't make sense to me.

**An Hon. Member:** What makes sense?

**Mr. Anglin:** Well, what makes sense is civil and administrative. That's logical. Criminal activity is not logical – it's not – under any circumstances. I don't even know how this is going to co-ordinate with the Criminal Code, to tell you the truth. I'll let the Minister of Justice figure that one out for me, and I'm happy to hear from him. The fact is that if someone is found guilty of criminal activity, they should suffer the consequences under the Criminal Code as it applies. End of story.

Nothing should discredit this board. Nothing should discredit this agency. Criminal activity is unacceptable under any category. This goes to credibility, this goes to reputation, and this should not be allowed. I will tell you that we are going to do a standing vote on this one because I want to see who on the other side supports criminal activity being indemnified. That's what it is. If you vote against this amendment, what you're voting for is to indemnify criminal activity, and that's not logical. That makes no sense.

You can wave your hand at me, hon. member, but the fact is that I only want to remove the criminal indemnification. I'm not asking to remove anything else. If you read the section, it is quite specific. It is just common sense, and it's respectful of all Albertans that we do not indemnify criminal activity. It's just something that we don't want to do as a government. It's something we don't want to do as a Legislature, that holds ourselves up to a higher standard. We don't do that, and we shouldn't do it for the agency. It's just that simple.

Thank you very much, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Cardston-Taber-Warner on amendment A12.

**Mr. Bikman:** Thank you, Madam Chair. I wish to speak to this amendment to Bill 31, Protecting Alberta's Environment Act. I certainly agree with it and support it. I suspect that almost anyone who would read this section would be shocked, stunned, perhaps surprised.

Now, I'm not a lawyer, but I stayed in a Holiday Inn Express last night. I don't think – and some here are lawyers – that ignorance of the law is an acceptable excuse. I think that this is sort of implying that if you did something that turned out to be criminal but you didn't know it was illegal, then somehow you're off the hook. Well, I think you have an obligation, especially given the high-quality employees and appointees that we expect to attract, particularly if they're former MLAs, that they would certainly know that, right?

If there were mitigating circumstances, those would be argued in a court of law, but I think that the courts need to be able to have jurisdiction here, and no one should ever be excluded from due process for criminal actions knowledgeably committed or ignorantly committed. By "ignorantly" I don't mean the rude sense but just the lack of knowledge sense.

So I would hope that we would all agree that this, however well intentioned and paternalistically protective we wanted it to be, is nevertheless inappropriate and has no place in an act of this government or this Legislature. So I implore you to support the removal of these words.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Calgary-Mackay-Nose Hill on amendment A12.

**Dr. Brown:** Thank you, Madam Chair. I would argue against this amendment. The amendment is not required. It's not necessary. If you look at the wording of it – I mean, a criminal act requires not only an actus reus, a guilty act, but it also requires a guilty mind. If you look at the qualifications within that subsection, it says that you're defending that individual

if that person acted honestly, in good faith and with a view to the best interests of the Agency and, in the case of a criminal or administrative action or proceeding that is enforced by monetary penalty, if the person had reasonable grounds for believing that the conduct that is the subject of the action or proceeding was lawful.

Well, all of those things would necessarily exempt one from being convicted of a criminal offence anyway because there is no mens rea.

There is no problem with the act as it's written. There's enough exemption in there, and there's specificity in there providing the qualifications that you have to be acting honestly and in good faith and with a view to the best interests of the agency, so why wouldn't you want to have somebody defended and have them indemnified in those instances?

**The Deputy Chair:** Thank you, hon. member.

**Mr. Anglin:** It's an interesting interpretation – and I will always defer to the better legal minds in here – but I will tell you that there have been a number of indemnification clauses that are out there. There is the perception, there is the reality, and I can't for the life of me figure out how you have a criminal action or a criminal proceeding when a person – I don't understand the whole criminal

aspect that is in good faith. I've never understood that. I can understand the civil, and I can understand the administrative, but I cannot understand how you get involved in a criminal action or a criminal activity in good faith because that is not logical to me.

I know lawyers can spin a lot, and that's good – there are lawyers on the other side – but the fact is that we don't want to be involved in criminal activity or have the allegations of criminal activity.

**An Hon. Member:** Go to law school.

**Mr. Anglin:** Go to law school? I know, I know. I just enjoy this one so much.

The fact is that if it didn't matter, why is it there? The fact is that we don't want to condone any type of criminal activity. I'm not saying anyone is condoning it. But we want to make this perception that if there is a crime or there's a criminal action, it is not covered by the board.

By the way, there are many boards and many commissions out there where all of these other actions are covered, but criminal actions are not. It's clear when you read how they're protected. So what we're doing here is we are covering both civil and administrative, and we are covering criminal. The indemnification for criminal, in my view, is something that just won't sell to the public.

10:00

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who would like to speak to amendment A12, Bill 31? The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Rowe:** Thank you, Madam Chair. I have to stand in support of this amendment. I can't think of anything that would discredit this agency more than to have an action like this take place. I can't get my head around the thought process that would even allow this to be in the bill. As has been stated – and I'm not a lawyer either – a criminal action is a criminal action. If we're going to put credible people into these positions, I can't imagine that any of them would do this. The fact that it's in here, to me, means that they're going to be protected if they do. As I said, I can't imagine anything that would discredit this agency more than to actually stand behind criminal activity and excuse someone for doing it. It goes back to accountability and transparency and all the rest of it and the perception that we're trying to do the right thing in this province.

I urge you to support this. It's just not right, in my mind. Thank you.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak on amendment A12?

**Dr. Brown:** Very briefly, Madam Chair, just in response to the hon. member. What I'm saying is that there are enough restrictions and fences put around it that the circumstances under which you would be indemnified for your costs or your defence in a criminal proceeding are such that you would have to be acting within those parameters that are laid out there; that is, honestly and in good faith and with the best interests of the agency in mind. You would have to believe that the conduct that was the subject of the action was lawful. I mean, in those circumstances, you're not going to get convicted of any criminal offence. So you're not indemnifying somebody who's going to be blatantly committing a criminal offence. It's quite the opposite. If you fall within those parameters, by definition you're not a criminal.

**The Deputy Chair:** Thank you, hon. member.

**Mr. Anglin:** I have the greatest respect for the hon. member except that one issue I have with this is that a very, very strong case is not a guarantee that it's going to be successful, and very weak legal cases have won. If you're dealing with a jury, it might even get more suspect than dealing with just a judge. Maybe not, but the fact is that you don't know the outcome. To say that it wouldn't happen – I won't surmise or project what type of criminal activities could take place that would be subject to a criminal charge and a possible court date for any agency member or board member, but the fact is that crazier things have happened.

If the protection is there that it would never be a criminal activity, then we don't need the word "criminal" in there in the first place. To prevent any kind of aberration, to cover any kind of charges, legal costs, or costs dealing with criminal proceedings: if we don't have the indemnification for the criminal activity or proceedings, then we will not be compensating for that. It's just that simple.

Now, I understand exactly where you're coming from. You're going through all the language, saying that it could never happen given all the other provisions in the act. What I'm saying is that there isn't any real guarantee. I may not have been through law school, but I've seen some crazy things come out of the court system. It's just the way it works. If it's not in this legislation, then they cannot be indemnified for criminal activity.

Thank you very much.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak to amendment A12, Bill 31? The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you. Just briefly, Madam Chair, not that I suspect that anything I'm likely to say is going to persuade anyone who has made up their mind on this already to change their mind, but for my own benefit: isn't it the job of the court to determine mens rea? Isn't that why you appeal to the court? Isn't that part of their job? What's to stop somebody from claiming, "Well, I thought this was legal"? Again, ignorance is no excuse, but the court then would decide that. If this provision is to save the agency money, I think it's penny-wise and pound-foolish because it may undermine credibility.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members?

**Dr. Brown:** Well, just very briefly in response to the hon. Member for Cardston-Taber-Warner, that is exactly what the provision says. You can only be indemnified for those particular instances of prosecution if you fall within those parameters: if you acted honestly, if you acted in good faith with a view to the best interests, and if your conduct, the subject of the action, you believed was lawful, you had reasonable grounds for believing it was lawful. Those are the only circumstances where you could be indemnified. Quite frankly, you should be indemnified if you're on a public body and somebody makes a malicious prosecution against you and you fall within those parameters. You should be indemnified.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak on amendment A12, Bill 31?

Seeing none, I'll call the question.

[The voice vote indicated that the motion on amendment A12 lost]

[Several members rose calling for a division. The division bell was rung at 10:06 p.m.]

[One minute having elapsed, the committee divided]

[Mrs. Jablonski in the chair]

For the motion:

Anglin	Bilous	Rowe
Bikman	Eggen	Stier

**10:10**

Against the motion:

Amery	Horne	Olesen
Anderson	Horner	Olson
Bhardwaj	Jansen	Quadri
Brown	Kennedy-Glans	Quest
Cao	Klimchuk	Sarich
Casey	Kubinec	Scott
Cusanelli	Lemke	Swann
DeLong	Leskiw	Weadick
Denis	McIver	Woo-Paw
Dorward	McQueen	Xiao
Drysdale	Oberle	

Totals:	For – 6	Against – 32
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[Motion on amendment A12 lost]

**The Deputy Chair:** We'll go back to the bill. Are there any members who wish to speak to Bill 31 in Committee of the Whole? The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you, Madam Chair. On behalf of Edmonton-Centre I have an amendment to Bill 31. I can circulate it before I discuss it.

**The Deputy Chair:** Thank you.

We'll pause a moment once again so that we can pass out copies of the amendment. This amendment will be known as A13.

Hon. member, you may proceed with amendment A13 on behalf of the hon. Member for Edmonton-Centre.

**Dr. Swann:** That's correct. Thank you, Madam Chair. This amendment would amend section 3(2) by striking out clause (d) and substituting the following:

- (d) make environmental monitoring data and related evaluations and assessments publicly available as soon as possible.

Again, I think the intent here is clear. It's a desire to ensure that the public gets access to information as quickly as it's available, that there's no sense of withholding or trying to influence reports, and there's a clear commitment to transparency and accountability. As others have said before, I think there's been a history here of withholding reports that are not flattering, and it has undermined to some extent the credibility and the trust in the department and in the ministry.

This is an opportunity to simply be much more forthright and clear and to commit to the public of Alberta and all interest groups ready transparency, openness, accountability, and a willingness to go the extra mile in terms of assuring all stakeholders of the reputation of Alberta's industry, the reputation of our stewardship, and our international credibility, that we have to regain and sustain. This is just one more measure, I guess, to go the extra

mile and build that reputation and that clarity around integrity that can be without question.

I don't think it's much. It's just a few words, but it adds that sense of accountability and transparency.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak to amendment A13? The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thanks, Madam Chair. Certainly, I concur that this is an amendment that, I guess, reinforces what we were talking about earlier this evening. Maybe it's approaching it in a slightly different way to ensure that the monitoring data and related evaluations and assessments are made publicly available. We've tried the four-times-a-year route, we've tried the full-data route, publications, and if anything, this is even a more modest proposal that could seek to give us the information that we need to ensure independence and transparency.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak to amendment A13? The Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Madam Chair. I rise in support of this motion. This seems like a very reasonable amendment to the current bill, again, you know, ensuring that reports, information and monitoring data, aren't sat on for periods of weeks, months, or years. Unfortunately, due to this government's actions they have a habit of sitting on reports for sometimes years. I mean, there are numerous examples. The first that comes to mind is the flood report from 2006, which was released last year, in 2012.

I think it's critical, again, not just from the environmental side and point of view but as well from the side of industry and investment or attracting investment, that this data is made public as soon as it's received and not for whatever reason, whether political or not political, kept from the public's attention. The bill as it currently reads gives the government that leeway, which, in my view, is too much authority or power to decide that they're not going to release data or information for an extended period of time. This amendment has the public's interest in mind, their best interest in mind, and really does fit with the spirit of transparency and openness.

I strongly urge the minister and the members on the other side to support this amendment. Thank you.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak to amendment A13 to Bill 31?

Seeing none, I'll call the question.

[Motion on amendment A13 lost]

**The Deputy Chair:** We will move back to the bill, Bill 31, in Committee of the Whole. Are there any other members who wish to speak to Bill 31 in Committee of the Whole? The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thank you, Madam Chair. I rise with great interest to propose an amendment, that I will distribute forthwith, and then we'll have a chat about it.

**The Deputy Chair:** Thank you, hon. member.

This amendment will be known as A14, and we'll be pausing till we distribute it to the other members.

Hon. member, you are moving amendment A14 on behalf of the Member for Edmonton-Strathcona. You may proceed.

**Mr. Eggen:** Well, thank you very much, Madam Chair. I'm very pleased to contribute to this amendment. Like I said earlier this evening, you can judge the soundness of a bill based on the number of amendments that you see coming forward. We certainly don't put these forward in any way besides in the spirit of co-operation to make a bill function to the best of its capacity. In this case, since we're dealing with such an urgent issue, creating a regulatory board on the environment here in the province of Alberta, I can't think of anything more important and more relevant. Certainly, one of these amendments is bound to strike a chord in the hearts of the members across the way. I know, certainly, that this could be the one.

10:20

The legitimacy, Madam Chair, and the authority of the Alberta environmental monitoring, evaluation, and reporting agency is completely dependent on it being a scientific agency at arm's length and independent from the government. Unfortunately, section 12, regulations, as currently worded here significantly undermines the independence of this agency. Clause (b) allows the cabinet to impose "limits on the powers, duties and functions of the Agency."

This amendment, a most reasonable amendment, will strike out clause (b). Cabinet will still be able to clarify and expand the powers, duties, and functions of the agency, so certainly separation of the responsibility of cabinet is not being undermined here. However, to ensure independence, this act must not have a provision that would allow cabinet to limit the power of the agency in any way. These are the two things that we're dealing with here.

If this bill was to pass without accepting this amendment, we as Alberta New Democrats think this clause – and we ran this through lots of different people around the province: eminent scientists, legislators – would severely limit the agency and the employees from fulfilling the duties of a truly independent environmental monitoring agency. Proper environmental monitoring has to tell the true story. It must provide the real facts to Albertans about what's happening in the environment. Under no circumstances should those powers and those duties be limited, nor should the government be able to threaten to limit that scope of authority.

Furthermore, Alberta's international credibility requires that our environmental monitoring agencies are perceived to be fully independent. This provision undermines the agency before it's even getting started, and if at some point for some reason this agency's powers, duties, and functions need to be limited, the government should be required to come back to this very Legislature to present the case and receive approval from this Assembly.

Madam Chair, as you can see, this particular amendment is simple, elegant in its construction, and really gets to the heart of the problem with Bill 31 that we humbly seek to rectify here through this amendment. We urge everybody to support it.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members that wish to speak to amendment A14 to Bill 31? The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Madam Chair. It's my honour to rise this evening and speak in favour of this amendment, that my colleague the Member for Edmonton-Strathcona has put forward. You

know, as we've seen in numerous other pieces or bills that are tabled in this House of late, this government is intent on expanding the powers of the minister and the cabinet as opposed to limiting them within a specific capacity or putting parameters around them. I know for a fact that the current minister of SRD is very reasonable and wouldn't abuse her powers. However, the concern is that future ministers may not be as reasonable or as practical and may abuse their positions of authority.

This amendment speaks directly to that. It's first of all striking out the clause where cabinet will be able to clarify. But more concerned am I with the fact that cabinet, as it stands, can expand the powers, duties, and functions of the agency. That authority or ability should be debated in this House, with all parties present, as opposed to only the minister enacting that or providing that kind of sweeping power.

Madam Chair, we need to ensure that there are limitations on what the agency can do and not just from the point of view of, again, the minister being able to run roughshod over, potentially, what the public or Albertans want. We're talking about ensuring that Alberta Environment has legitimacy in its monitoring and evaluation and that this agency is a scientific agency that is, in fact, arm's length from the government.

Madam Chair, if this bill were to pass through the House without this amendment, you know, the clause that I was talking about there would in fact limit the ability of agency employees in fulfilling the duties of a truly independent environmental monitoring agency, which is of significant concern for the Alberta NDP. Proper environmental monitoring has to be able to tell its story, true facts, and be uninhibited in any way, shape, or form. Again, if we want this board to be independent and effective, then the government should not be in a position where it can step in and at times make potentially arbitrary decisions or threaten the scope of this board.

You know, for those reasons, Madam Chair, I will encourage members of this Assembly to vote in favour of this amendment. Thank you.

**The Deputy Chair:** Thank you, hon. member.

Any other members wish to speak to amendment A14?

Seeing none, I'll call the question.

[Motion on amendment A14 lost]

**The Deputy Chair:** We will go back to the bill in Committee of the Whole. Are there any other members who would like to comment on Bill 31 in Committee of the Whole? The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thanks, Madam Chair. In the spirit of not giving up, I have another amendment that I would like to put forward for consideration by all members of the Assembly.

**The Deputy Chair:** This amendment will be known as A15. We will pause for a minute or so while we distribute copies to all members in the Legislature.

Hon. Member for Edmonton-Calder, I understand that you are moving amendment A15 to Bill 31 on behalf of the Member for Edmonton-Strathcona.

10:30

**Mr. Eggen:** Yes, indeed, I am. I'm very proud to do so. This particular amendment that I have here is for section 4, striking out "At a frequency determined by the Agency in consultation with the Minister," and substituting "At a minimum of 6 month intervals, with consideration made to advancing public access,".

Okay. Again, this is the transparency strand that we've been following here this whole evening. Currently, section 4, on reporting, states, "At a frequency determined by the Agency." The problem with the current wording, in my view, Madam Chair, is that the minister and the agency have no guidelines as to when they should report to the public. It is entirely at their discretion. The minister should not be responsible for deciding when an arm's-length, independent agency issues its reports. Simple as that. It's the first principle of creating an agency that is perceived to be functioning with independence and with integrity. Albertans need to receive these reports at the same time as the minister receives them.

This amendment that I have here is very simple as well. It changes section 4 to read as follows: "6 month intervals, with consideration made to advancing public access, the Agency shall report to the public on the condition of the environment in Alberta." Simple and, I think, what is expected by the public anyway. We're finally getting a place where we can actually enshrine it into law. Albertans deserve to know that at a minimum of twice per year the Alberta environmental monitoring, evaluation, and reporting agency will in fact report to Albertans on the condition of the environment here in this province. It establishes clear timelines. Just as government departments like Alberta Health Services and the Auditor General report on scheduled bases, so must the Alberta environmental monitoring, evaluation, and reporting agency. Simple as that.

By accepting this amendment, the Assembly would be strengthening the independence of this public body and would be giving us something that we can expect, put into our calendars, to get the information that we need on a timely, regular basis.

Thank you.

**The Deputy Chair:** Are there any other members who wish to speak on amendment A15? The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Madam Chair. This amendment quite simply just ensures that we're including the public and informing them at the same time as the minister is being informed. This fits in very nicely with strengthening and protecting the public interest. You know, it seems a little over the top that it is, in fact, the minister that gets to decide what is an arm's-length, independent agency as far as when it reports to the public. You know, I can appreciate that the agency will report to the minister, but there should be within this legislation defined timelines and parameters on when this agency reports to the public.

Again, Albertans deserve to know the state of the environment within our province and should be informed at the same time as the minister. I mean, again, this not only fits with transparency and accountability, but it always makes me beg the question: if the minister is receiving information before the public, why is that? What information possibly could be withheld or construed or changed or interpreted? Whereas, information being given simultaneously to the minister and to the public shows a true spirit and, one might say, a gold standard of transparency. [interjection] I appreciate the fact that there are a couple of members on the other side that agree. Therefore, I look forward to seeing them vote in favour of this amendment to live up to a standard.

Really, Madam Chair, what this amendment is doing is just ensuring that at a minimum of twice a year the Alberta environmental monitoring, evaluation, and reporting agency will report to Albertans. It gives a clear, public, defined timeline similar to other government departments which have that timeline. AHS, for example, the Auditor General: all report and must report at specific, defined intervals, so that's what we're asking for here,

again, a very reasonable amendment. We feel that this will strengthen the independence of this new body.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to speak to amendment A15, Bill 31, Protecting Alberta's Environment Act?

Seeing none, I'll call the question.

[The voice vote indicated that the motion on amendment A15 lost]

[Several members rose calling for a division. The division bell was rung at 10:36 p.m.]

[One minute having elapsed, the committee divided]

[Mrs. Jablonski in the chair]

For the motion:

Anderson	Bilous	Stier
Anglin	Eggen	Swann
Bikman	Hale	

Against the motion:

Amery	Fawcett	Olesen
Bhardwaj	Horne	Olson
Bhullar	Horner	Pastoor
Brown	Jansen	Quadri
Calahasen	Kennedy-Glans	Quest
Cao	Klimchuk	Rodney
Casey	Kubinec	Sarich
Cusanelli	Lemke	Scott
DeLong	Leskiw	Weadick
Denis	McIver	Woo-Paw
Dorward	McQueen	Xiao
Drysdale	Oberle	

Totals:	For – 8	Against – 35
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[Motion on amendment A15 lost]

10:40

**The Deputy Chair:** We're back to the bill, Bill 31.

The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Madam Chair. On behalf of the hon. Member for Edmonton-Strathcona I have an amendment.

**The Deputy Chair:** This will be known as amendment A16. We'll stop until the members receive a copy of the amendment.

Hon. member, I understand that you're moving amendment A16 on behalf of the Member for Edmonton-Strathcona.

**Mr. Bilous:** That is correct, Madam Chair, and with your indulgence I'd like to read out this amendment. Ms Notley moves that Bill 31, Protecting Alberta's Environment Act, be amended in section 5 (a) in subsection (1) by adding "on the recommendation of the Legislative Assembly" after "the Lieutenant Governor in Council"; (b) in subsection 5 by striking out "The" and substituting "On the recommendation of the Legislative Assembly, the"; and (c) by adding the following after subsection (10):

(11) The Board of Directors shall be comprised of a minimum of at least one representative from each of the following communities:

- (i) the Aboriginal community,
- (ii) the landowners community,
- (iii) the scientific community,
- (iv) the industrial community, and
- (v) the non-profit environmental community.

**The Deputy Chair:** Hon. member, I'll just remind you that you did read out the amendment, and you used the name of the Member for Edmonton-Strathcona.

**Mr. Bilous:** Ah. Thank you, Madam Chair. Forgive me.

This amendment is quite straightforward, but I want to highlight the significance that it will have. First of all, as opposed to the bill the way it's currently written, where cabinet has the power to select this committee and appoint – and it often does – their own friends, we're looking for some real accountability, and we're looking to ensure that there is proper representation from the different communities that make up our great province.

You know, first and foremost, Madam Chair, there needs to be a representative – honestly, even only making it a minimum of one does not necessarily do the aboriginal community justice. There should be, in my view, several. However, in this amendment we're advocating for a minimum of at least one member from the aboriginal community to have a seat at the table, to have a voice directly on this agency, having input. As well, to be able to bring different perspectives to the table I think is absolutely crucial. Too often members of the aboriginal community are underrepresented on boards and agencies like this one. This should have been written into the bill in its current draft, but it seems that, as usual, the aboriginal community was not at the forefront or on the mind of the government when they wrote this legislation as it currently sits. One could make an argument that that's the same for landowners within this province, who again will be significantly impacted by decisions made by this agency.

To provide more credibility and legitimacy to this bill, the hon. Member for Edmonton-Strathcona has included a representative from the scientific community. One would think that at the onset of this bill that would be a no-brainer. However, I don't like to make any assumptions when it comes to this government's appointments to agencies and boards. So ensuring that there is a member from the scientific community and from the industrial community as well and the nonprofit environmental community so that we have all of the different sides being represented on this agency – I think that each of these five that I've outlined has a significant stake in the decisions that this agency is going to be making. They should have a voice at the table when it comes to environmental monitoring. We need to ensure, Madam Chair, that their views and opinions are represented through their voice at the table. This will also benefit the credibility of the AEMERA in the eyes of these different communities and of all Albertans.

Again, keeping in mind, Madam Chair, that we're not only trying to protect and be stewards of the environment for Albertans and Canadians but acknowledging the fact that there is an interconnectedness between people all over the world, the government, I'm sure, would at least acknowledge that many investments that come to Alberta are international. This would provide more legitimacy for the board and to potential international investors, especially ensuring as well that those groups have a voice here.

I'd like to remind the members of this House that the government is doing this already with Bill 30, for instance, where there's one co-chair for each of the new family and community engagement councils. One will be a member of First Nations and Métis communities. I do acknowledge and applaud the government for ensuring that there is a voice there at the table. It only then follows that it's logical that this agency ensures that there is a diversity, that there are representatives from those different communities who are significant stakeholders in the decisions that this environmental monitoring agency will make.

I mean, at the end of the day, Madam Chair, it's the right thing to do. Members of this Legislative Assembly should have input into who sits on this agency that is responsible for the monitoring and protection of our environment. It should not be left to one minister to decide who sits at the table and is going to make decisions on behalf of all Albertans. Again, you know, it is extremely important, in my view, that we have members from landowners, our aboriginal communities, the scientific community, our industrial community, which I'm sure they would appreciate, as well as from the nonprofit environmental community, who focus exclusively on issues related to the environment and, therefore, have and are experts as well.

I'll encourage all members of this Assembly to vote in favour of this amendment and show that these groups are important, are a priority, and that the minister is acting in good faith. Thank you, Madam Chair.

10:50

**The Deputy Chair:** Thank you.

Are there any other members wishing to speak on amendment A16? The Member for Calgary-Mountain View.

**Dr. Swann:** Thank you, Madam Chair. Well, I'll be brief. I think these are eminently sensible recommendations. They can just strengthen the bill. They can strengthen public support for what we are trying to do. I mean, this whole bill is entirely about trying to build a sense of confidence and clarity and accountability with the public, with stakeholders, with the international community. This is only going to enhance that, especially by being more clear about having scientists on the panel and having aboriginal communities which are primarily affected by oil sands development. It's a step in the right direction, and it would help, I think, not only within the communities that are affected but also the general public, who has lost some confidence, having seen this government forced to develop this new body, this new agency, by scientific reports, by the Royal Society of Canada, by a number of expert panels.

We need to do all we can to create a sense of confidence and independence in this body and show that we are getting the kind of representation from all these stakeholders that, I think, would encourage people to believe that we are stepping in the right direction after some of the negative press we've had in the last few years on the oil sands.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

The Member for Edmonton-Calder.

**Mr. Eggen:** Thanks, Madam Chair. I just wanted to make a couple of comments very quickly. I know that the minister, in presenting this bill, at some point said that of course this panel would have scientists and other representation, but, you know, it's very important to enshrine. Maybe this same minister won't be here forever, so it's better to put it in law, right? Fair enough. We just have to think about the next one that's coming down the line – right? – that might not include a member from an aboriginal community, a landowners' community, scientific community, industrial community, and nonprofit environmental community as well.

We've seen some of these people and groups already being excluded from the environmental assessment hearings, and I think that we just need to make sure that this legislative body includes each of these groups into the law. That way they won't find that they hit a closed door when an assessment or an evaluation is taking place somewhere down the road. I can remember running

across these closed doors from time to time when I was an MLA previously, and it doesn't serve anyone, really, in any positive way. I remember when they were planning to build those high-tension power lines on the west side of highway 2, and they chose to start to close the hearings to the general public. It only served to throw gasoline on the fire that eventually resulted in the whole thing breaking down.

So we know that it's best to be inclusive and to enshrine that inclusivity within the sections of this Bill 31. I think everyone's interests would be served well, and I would be much more proud to support this bill if we managed to pop this amendment in.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

The Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Chair. I'm not going to repeat what some of the members previously said. I agree in principle with much of what they said, in particular the makeup of this board of directors. Given the significance of the aboriginal communities downriver of the Athabasca River and the history of how it has affected their quality of life, it just seems to make sense that we certainly look to make the diversity of this board paramount. In particular, the aboriginal community, in my view, absolutely needs to be represented. Certainly, in the aboriginal communities we can find more than a few – more than a few – qualified members to represent their needs and their interests. The other part of that argument is that they have a vested interest in the operation of this agency and a vested interest that is derived from their communities.

So I stand in support of the amendment of the hon. member, and I would hope that the government would give some heavyweight consideration to the makeup of the board and put at least one representative representing various factions, various stakeholders so that there is that diversification to the makeup of the board.

Thank you very much, Madam Chair.

**The Deputy Chair:** We are on amendment A16. Are there any other members who wish to speak to this amendment to Bill 31?

Seeing none, I'll call the question.

[The voice vote indicated that the motion on amendment A16 lost]

[Several members rose calling for a division. The division bell was rung at 10:57 p.m.]

[One minute having elapsed, the committee divided]

[Mrs. Jablonski in the chair]

For the motion:

Anderson	Bilous	Stier
Anglin	Eggen	Swann
Bikman	Hale	

11:00

Against the motion:

Amery	Horne	Olesen
Bhardwaj	Horner	Olson
Bhullar	Jansen	Pastoor
Brown	Kennedy-Glans	Quadri
Cao	Klimchuk	Quest
Casey	Kubinec	Rodney
Cusanelli	Lemke	Sarich

DeLong	Leskiw	Scott
Denis	McIver	Weadick
Dorward	McQueen	Woo-Paw
Drysdale	Oberle	Xiao
Fawcett		
Totals:	For – 8	Against – 34

[Motion on amendment A16 lost]

**The Deputy Chair:** We'll go back to the bill in Committee of the Whole. The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Madam Chair. I rise to move an amendment.

**The Deputy Chair:** This amendment will be known as amendment A17, and we'll wait until members receive a copy of this amendment.

Hon. member, I'll just clarify that you are moving amendment A17 on behalf of the Member for Edmonton-Strathcona.

**Mr. Bilous:** That is correct, Madam Chair.

**The Deputy Chair:** Please proceed.

**Mr. Bilous:** I would move on behalf of the hon. Member for Edmonton-Strathcona that Bill 31, Protecting Alberta's Environment Act, be amended in section 3(1)(b) by adding "as soon as practicable" after "transparent manner."

This amendment, Madam Chair, speaks to, again, ensuring that data and other information is available as soon as possible – practicable, that's an interesting word – as soon as it is practical and diligent or prudent to do so to ensure that information is communicated in an open and transparent manner. I think it's important to note that, you know, an environmental monitoring agency is only as good as the information that they are able to collect and, second of all, the transparency with which that information is made public and made available to all Albertans.

You know, in order to fulfill the definition of transparency, or to honour that, information needs to be made public or transparent in a timely manner. The example of this, Madam Chair, is releasing information years later and then saying: "Look how transparent we are. We've given this information." Well, I mean, it's so after the fact that, especially when it comes to environmental monitoring, the situation surely has already changed, and therefore the information is no longer timely nor relevant.

Transparency dictates that information is passed in as close to real time as possible. Again, it begs the question that, you know, for governments that withhold information, Albertans want to know: why is that? If you look at history, secretive governments release information when it suits their purposes. We're talking about serving all Albertans and, I mean, one could argue, our citizens globally and internationally as well.

This amendment is really designed to help ensure that monitoring data is released in the public interest, and if members on the other side want to open that debate on what is the public interest, I'd be happy to. But I think most Albertans know that the public interest is what's in their best interest as all Albertans, again, acknowledging that the environment doesn't just belong to the people who live immediately around that area but acknowledging that, you know, what happens in one part of the world does affect everyone globally.

This amendment is really giving scientists, the public the accessibility to this information and data within a reasonable, a practicable time frame, and it also works to prevent the

government from taking in this information, putting on their own little spin, and then sending it back out again.

I'd like the members to recall, you know, with the Obed mine tailings release into the Athabasca River that that information on this incident has not been forthcoming from this government. In fact, Madam Chair, I believe it was today that the NDP caucus called for the minister to release further information about the inspections of the mine, and the government and the minister have been reluctant to do so.

We believe that information that affects the health and safety and well-being of Albertans as well as our fish and wildlife must be released as soon as the government is aware. That will increase the level of trust that Albertans have in the government, in knowing that the government is acting in a timely manner and with their best interests in mind.

You know, that example clearly has caused alarm to many Albertans – well, caused concern – caused them to lose faith that the government is acting on their behalf and in their best interest. This amendment, on the one hand, will make it more difficult for the government to keep Albertans in the dark when it comes to environmental data, but we can look at it on the positive side as well in that it will ensure that information does get to the public in a timely manner and live up to the spirit of transparency.

I'll urge all members of the Assembly to vote in favour of this amendment. Thank you, Madam Chair.

**The Deputy Chair:** Thank you.

Are there any other members who wish to speak on amendment A17 on Bill 31?

Seeing none, I'll call the question.

[Motion on amendment A17 lost]

**The Deputy Chair:** We are back to the bill, Bill 31, in Committee of the Whole. The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thank you so much, Madam Chair. I have just one last desperate but hopeful attempt to make some small, modest amendment.

**The Deputy Chair:** Hon. member, are you moving this on your behalf?

**Mr. Eggen:** On behalf of the Member for Edmonton-Strathcona.

11:10

**The Deputy Chair:** Thank you very much. We'll just wait a minute here until we distribute copies to the other members.

Hon. member, you may proceed with amendment A18 on behalf of the Member for Edmonton-Strathcona.

**Mr. Eggen:** Thank you, Madam Chair. I'm bringing this forward on behalf of the Member for Edmonton-Strathcona, to move that Bill 31, Protecting Alberta's Environment Act, be amended in section 26 by striking out "shall report the results of the review to the Executive Council" and substituting "shall report the results of the review to the Legislative Assembly."

I believe that the minister should be reviewing the agency's operations, mandate, and performance every five years. That's, I think, a reasonable thing that we can totally agree on. However, because this agency is an independent, arm's-length agency, or at least it's supposed to be, I think it's really important – no, it's crucial – that the results of this review shall be shared with the entire Assembly just like we do with other agencies, boards, and committees.



We already have the process in place. It's not like we have to build something new. It's something that we all come to expect. In concert with the regular reporting scheduled, this would just serve to put the environment front and centre for us to think about and would create that due process that would make us feel safe and secure about environmental monitoring. I think it's entirely inappropriate that the minister just reports to cabinet and that we don't see what those results are. Again, these are layers of nontransparency which lead to an overall sort of opaque and then eventual blackout of information that we just really, really need.

I think, Madam Chair, that this has been the theme of the evening that's drawing to a close here now. Perhaps this amendment can be the one place where we can synthesize these various strands of debate in Committee of the Whole for Bill 31 and at least find one place where we can create better transparency. What better place to rally around than to have the results reported to the Legislative Assembly? Because that's exactly where we are here right now, in the Assembly, and we all would, I'm sure, enjoy the information, the edification that these reports would give to us. It would give us a chance to report back to our constituents on that information. The information would be put as a matter of public record. The debate would be captured in the *Hansard*. All of the mechanisms that we've come to build a democracy around take place right here in this room.

Having the Protecting Alberta's Environment Act and the agency that we will forthwith create with this act report to the Assembly just seems, since this is the place where it will be born, eminently reasonable, Madam Chair, and I just couldn't believe that people wouldn't vote for this unanimously. It would just fill our hearts with such happiness, and when we all go home tonight, we will know that we've done the right thing. You'll have a good, sound sleep, and you'll wake up in the morning and feel good about what you've done for democracy and for Alberta's environment.

Thank you.

**The Deputy Chair:** Thank you.

Are there any other members who wish to speak to amendment A18, Bill 31?

Seeing none, I'll call the question.

[Motion on amendment A18 lost]

**The Deputy Chair:** Back to the bill. Are there any other members who wish to speak on this bill?

Seeing none, I will call the question.

[The remaining clauses of Bill 31 agreed to]

[Title and preamble agreed to]

**The Deputy Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? Carried.

The hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you, Madam Chair. At this point I would move that the committee rise and report on Bill 31 and progress on Bill 27.

[Motion carried]

[Mrs. Jablonski in the chair]

**The Acting Speaker:** The hon. Member for Calgary-East.

**Mr. Amery:** Thank you, Madam Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bill: Bill 31. The committee reports progress on the following bill: Bill 27. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

**The Acting Speaker:** Thank you.

Does the Assembly concur in the report?

**Hon. Members:** Concur.

**The Acting Speaker:** Opposed? So ordered.

### Government Bills and Orders Third Reading

#### Bill 29

#### Pharmacy and Drug Amendment Act, 2013

**The Acting Speaker:** The Minister of Health.

**Mr. Horne:** Thank you, Madam Speaker. I move third reading of Bill 29, Pharmacy and Drug Amendment Act, 2013.

**The Acting Speaker:** Thank you, hon. minister.

Are there any members who would like to speak on Bill 29 in third reading? The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you, Madam Speaker. I just have an amendment to suggest to improve this bill. I'll circulate it.

**The Acting Speaker:** Hon. member, we're in third reading of Bill 29, Pharmacy and Drug Amendment Act, 2013. There are no amendments allowed in third reading.

**Dr. Swann:** I missed my opportunity. Thank you.

**The Acting Speaker:** Are there any members who would like to speak to Bill 29, Pharmacy and Drug Amendment Act, 2013?

Seeing none, I will call the question.

[Motion carried; Bill 29 read a third time]

**The Acting Speaker:** The hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you, Madam Speaker. Given the lateness of the hour I would move that the House stand adjourned until 1:30 tomorrow afternoon.

[Motion carried; the Assembly adjourned at 11:20 p.m. to Wednesday at 1:30 p.m.]







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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Wednesday afternoon, November 6, 2013

Issue 66a

The Honourable Gene Zwozdesky, Speaker

## Legislative Assembly of Alberta The 28th Legislature

First Session

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Jablonski, Mary Anne, Red Deer-North (PC), Deputy Chair of Committees

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Doug Horner	President of Treasury Board and Minister of Finance
Ken Hughes	Minister of Energy
Sandra Jansen	Associate Minister of Family and Community Safety
Jeff Johnson	Minister of Education
Heather Klimchuk	Minister of Culture
Ric McIver	Minister of Transportation
Diana McQueen	Minister of Environment and Sustainable Resource Development
Frank Oberle	Associate Minister of Services for Persons with Disabilities
Verlyn Olson	Minister of Agriculture and Rural Development
Dave Rodney	Associate Minister of Wellness
Donald Scott	Associate Minister of Accountability, Transparency and Transformation
Richard Starke	Minister of Tourism, Parks and Recreation
George VanderBurg	Associate Minister of Seniors
Greg Weadick	Associate Minister of Regional Recovery and Reconstruction for Southeast Alberta
Teresa Woo-Paw	Associate Minister of International and Intergovernmental Relations

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on Alberta's Economic Future

Chair: Mr. Amery

Deputy Chair: Mr. Fox

Bhardwaj	Olesen
Cao	Pastoor
Donovan	Quadri
Dorward	Rogers
Eggen	Rowe
Hehr	Sarich
Luan	Strankman
McDonald	Xiao

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Khan

Deputy Chair: Mrs. Jablonski

Amery	Eggen
Anderson	Kubinec
Casey	Sherman
Dorward	

### Select Special Chief Electoral Officer Search Committee

Chair: Mr. Rogers

Deputy Chair: Mr. Quadri

Blakeman	Leskiw
Eggen	McDonald
Goudreau	Saskiw
Lemke	

### Select Special Conflicts of Interest Act Review Committee

Chair: Mr. Luan

Deputy Chair: Mr. Dorward

Blakeman	Notley
Fenske	Saskiw
Johnson, L.	Wilson
Kubinec	Young
McDonald	

### Standing Committee on Families and Communities

Chair: Mr. Quest

Deputy Chair: Mrs. Forsyth

Brown	Leskiw
Cusanelli	Notley
DeLong	Pedersen
Fritz	Swann
Goudreau	Towle
Jablonski	Wilson
Jeneroux	Xiao
Khan	Young

### Standing Committee on Legislative Offices

Chair: Mr. Cao

Deputy Chair: Mr. McDonald

Bikman	Leskiw
Blakeman	Quadri
Brown	Rogers
DeLong	Wilson
Eggen	

### Special Standing Committee on Members' Services

Chair: Mr. Zwozdesky

Deputy Chair: Mr. Young

Casey	McDonald
Forsyth	Quest
Fritz	Sherman
Kennedy-Glans	Smith
Mason	

### Standing Committee on Private Bills

Chair: Mr. Xiao

Deputy Chair: Ms L. Johnson

Allen	Goudreau
Barnes	Jablonski
Bhardwaj	Leskiw
Brown	Notley
Cusanelli	Olesen
DeLong	Rowe
Fox	Strankman
Fritz	Swann

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Ms Olesen

Deputy Chair: Mr. Lemke

Calahasen	Luan
Cao	McAllister
Casey	Notley
Fritz	Pedersen
Goudreau	Rogers
Hehr	Saskiw
Kennedy-Glans	Towle
Kubinec	Young

### Standing Committee on Public Accounts

Chair: Mr. Anderson

Deputy Chair: Mr. Dorward

Amery	Khan
Anglin	Luan
Bilous	Pastoor
Donovan	Quadri
Fenske	Quest
Hale	Sarich
Hehr	Stier
Jeneroux	Webber

### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans

Deputy Chair: Mr. Anglin

Allen	Hale
Barnes	Johnson, L.
Bikman	Khan
Bilous	Kubinec
Blakeman	Lemke
Calahasen	Sandhu
Casey	Stier
Fenske	Webber

## Legislative Assembly of Alberta

1:30 p.m.

Wednesday, November 6, 2013

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon.

Let us pray. Gracious Lord and Holy Creator, may your spirit flood our open hearts. May your wisdom nourish our hungry minds. May your words feed our caring souls as we look after those who sent us here. Amen.

Please be seated.

### Introduction of Visitors

**The Speaker:** The Associate Minister of International and Inter-governmental Relations.

**Ms Woo-Paw:** Thank you, Mr. Speaker. I rise to introduce to you and through you to all members of this Assembly His Excellency Nicolas Lloreda Ricaurte, ambassador of the Republic of Colombia to Canada. I'm happy to inform the House that Alberta's relationship with Colombia continues to grow and flourish. In fact, Colombia inaugurated a new consul general in Calgary yesterday. We export nearly \$140 million per year to Colombia, making it our 13th-largest export market. We also import Colombian products such as iron and steel products; electrical; machinery; flowers, especially roses; and ceramics. Like Alberta, Colombia's largest export commodity is oil and gas. These energy ties lead to the sharing of people, knowledge, and opportunities. It's a key component of our building Alberta plan to open new markets and strengthen relationships. I would ask that our honoured guest in the Speaker's gallery – he's already risen – receive the traditional warm welcome of the House.

### Introduction of Guests

**The Speaker:** The hon. Minister of Energy.

**Mr. Hughes:** Thank you, Mr. Speaker, and thank you, colleagues. Today throughout Alberta many families are participating in the take your kids to work program. I'm very pleased to be participating in that today. There are many upsides to this. The downside is that the parent actually has to show up at work in order to do that. I'm pleased today to introduce our son Eamon Hughes, who is in grade 9 in the Springbank community high school. He's joined today by his mother, the very talented, clever, determined, hard-working, long-suffering, and wise Denise Savage-Hughes.

**The Speaker:** Hon. members, we have a number of school groups and others, over 20. So we'll tighten up our introductions from here on in, please.

School groups. Barrhead-Morinville-Westlock, you're first.

**Ms Kubinec:** Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you today to all members of this Assembly the Covenant Canadian Reformed School from the Neerlandia area in my constituency, actually the very closest school to our farm. We have their teacher, Mrs. Jessica Vandersluijs. We have parents Maria Hamoen, Katrina Barendregt, Christina Kippers, Alja Helmus, and Darlene Steenberg. Please rise and join me in welcoming this wonderful group.

**The Speaker:** The hon. Member for Edmonton-Meadowlark.

**Dr. Sherman:** Thank you, Mr. Speaker. It's my pleasure to rise and introduce to you and through you to all members of this Assembly among the best and brightest young people in our country, the students of Meadowlark Christian school. They're here with their teacher, Michael Krogen, and parent helpers Michelle Nelson and Janice Kornelsen. These students are here today to watch democracy in action and to learn what actually goes on in this Chamber. I asked them how they would describe themselves. These are the words they used: awesome, trustworthy, dependable, we've got swag. And their special skills? They can speak fluent Vulcan. May they live long and prosper. I would ask them to please rise and ask all members to give them the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Livingstone-Macleod.

**Mr. Stier:** Thank you, Mr. Speaker. It's my pleasure to rise and introduce to you and through you to all members of the Assembly 23 students from the Millarville community school today. The teachers and adult volunteers with the group are Serena Sanders, Brenda Kruggel, Keith Grusing, Jill Goplen, Shelley Smith, and Russ Fisher. I would ask my guests to please rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** Hon. Member for Edmonton-Highlands-Norwood, I understand your guests have not yet arrived.

**Mr. Mason:** I think at 2 o'clock, Mr. Speaker.

**The Speaker:** Thank you, sir.

Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. It is my pleasure to rise and introduce to you and through you to all members of the Assembly 20 grades 4 to 6 students from Vilna school. The teachers with these students today are Cole Landers, Gloria Sirant, and Kristin Homeniuk, whose father-in-law happens to be a well-known and well-respected Two Hills county resident. It is great that they're here today. They want to let all of the members know that Vilna is an awesome school. I would ask my guests to please rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** Are there other school groups?

Seeing none, let us move on with other guests. The Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. It's my pleasure today to rise and introduce to you and through you to members of the Assembly a constituent of mine from Edmonton-Whitemud – a wonderful place, I might say – Ken Aberg, senior member of Advocis Canada. I understand the group will be introduced later. Ken is here today as part of Advocis's annual Legislature day and is seated in the members' gallery. I'd ask that Ken rise and receive the traditional warm welcome of the House.

**The Speaker:** The hon. Minister of Education, followed by the Leader of Her Majesty's Loyal Opposition.

**Mr. J. Johnson:** Thank you, Mr. Speaker. It's an honour to rise with a couple of introductions today. The first one is Patty Ditttrick, president of the Public School Boards' Association. She has served for many years and is finishing up her term as president, just a few more days here now, as she didn't run again. Mary Lynne Campbell is executive director of the Public School Boards' Association. I'd

ask Patty and Mary Lynne to rise and receive the traditional warm welcome of the Assembly.

Mr. Speaker, my second introduction is Marcus Walter and Viktoria Bradley, who are here today as part of the 19th annual bring your child to work day, which, of course, provides kids in grade 9 the opportunity to come with their parents to work. Accompanying them today is Michael Walter, Marcus's father, who is an assistant deputy minister for strategic services in Alberta Education and from a long line of family that has served this province well, including his father, former Chief Judge Ernie Walter. I'd ask those three to please stand and receive the traditional warm welcome of the Assembly.

**Ms Smith:** Mr. Speaker, it is my pleasure to introduce to you and through you to this Assembly three flood heroes. The first is the president of the Canadian Volunteer Fire Services Association, Troy Mutch, who represents hundreds of volunteer firefighters who served in the southern Alberta floods. He is also a volunteer firefighter himself. Troy co-ordinated the Tide Loads of Hope, which completed 2,400 loads of laundry for High Riverites; the Duracell Power Forward program, which distributed 35,000 packages of batteries; \$1 million worth of Proctor & Gamble cleaning products; and 25,000 gift cards. He is a High River hero.

I would also like to introduce the Salvation Army's divisional director of disaster services for Alberta and the Northwest Territories, Major Roy Langer. Through ongoing flood relief efforts in Alberta the Salvation Army has served more than 10,000 people with food, water, and emotional care. Major Roy was among the first NGO representatives in High River in the last month, and he personally helped over 150 front-line workers in High River heal from their experiences through the critical incident stress management program, including me and my constituency staff. He is also a High River hero.

My last introduction is the president of Search and Rescue Alberta, Daryl Black. Daryl is also a member of Canada Task Force 2, through which he was able to help respond to the High River floods, and he also serves his local Edmonton search and rescue group. Search and Rescue is 100 per cent volunteer organized and run. Many of those volunteers served in southern Alberta and in the floods. They and Daryl are flood heroes.

I would ask Troy, Roy, and Daryl to all rise and receive the traditional warm welcome of this Assembly. [Standing ovation]

1:40

**The Speaker:** The hon. Minister of Agriculture and Rural Development, followed by the President of Treasury Board.

**Mr. Olson:** Thank you, Mr. Speaker. It's my sincere pleasure today to introduce to you and through you to all members of the Assembly this year's Alberta 4-H Hall of Fame inductee, Mr. Clinton Ziegler. Mr. Ziegler began his association with 4-H more than 50 years ago, and he's been a leader and volunteer at the district, regional, and provincial levels since that time. He's served on numerous boards and committees in his community of Vegreville, from Boy Scouts to the Wheat Pool to the rural fire association. He's joined here today by his wife, Lorriane; his son Sheldon; daughter Fronde and son-in-law Chris; son Nathan, daughter-in-law Tiffany; and grandchildren Molsen, Tezra, Revon, Corbyn and Avery. They're joined by Colleen Prefontaine from the 4-H Council of Alberta. They're in the members' gallery, and I'd ask that they rise and that members give them the warm reception of this Assembly.

**The Speaker:** The hon. President of Treasury Board, followed by Edmonton-Strathcona.

**Mr. Horner:** Well, thank you very much, Mr. Speaker. It's a privilege to introduce to you and through you to all Members of the Legislative Assembly a group of folks who are no strangers to this Assembly. They have been here before, and that's Advocis, the Financial Advisors Association of Canada. Among them is a long-time friend and supporter of mine, Mr. Duane Gibb from St. Albert, with Gibb Financial. Professional financial advisers and planners are critical to the economy. They help consumers make sound financial decisions that ultimately lead to greater financial stability and independence. Advocis works with decision-makers and the public, stressing the value of financial advice and striving for an environment in which we all can save for our future. Financial literacy is important.

They are hosting a reception for members this evening at the Royal Glenora Club. I hope you will attend. Our guests are seated in both galleries today, and as we welcome them to Edmonton, I would ask all members of Advocis to please rise and receive the traditional warm welcome.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by Edmonton-South West.

**Ms Notley:** Thank you, Mr. Speaker. I have three introductions today. I'm very pleased to introduce to you and through you to this Assembly two of those guests, Emily Douglas and Carolyn Sale. Emily and Carolyn are part of the Coalition for Action on Post-Secondary Education, which last week dropped off over a thousand handwritten messages from concerned students and staff at the U of A. As a result of their work, they are coincidentally here on the day the minister announced putting \$50 million back in, or to put it another way: one-third of the mistake has been fixed. It's not enough for the thousands of students, professors, and programs that have been lost, but I have no doubt that Emily and Carolyn will continue their good work to make sure that this mistake will be completely remedied. Please join me in asking Emily and Carolyn to rise and receive the traditional warm welcome of this Assembly.

As well, like the Minister of Energy, I, too, have been participating in drag your kid to work day, so my son is also here, also in grade 9, and also observing these proceedings with great interest. I would ask that Ethan Notley stand and receive the warm welcome of this Legislature.

**The Speaker:** The hon. Member for Edmonton-South West, followed by Calgary-Varsity.

**Mr. Jeneroux:** Thank you, Mr. Speaker. It's a pleasure to introduce to you and through you to all members of the Assembly Iqbal Amiri. He is here today with Advocis, but I wanted to introduce him in his capacity with the Ismaili community. He is a passionate volunteer, and he assisted as a project manager for Prince Hussain and his wife's visit and, more recently, on the Rays of Light exhibition celebrating 50 years of the Aga Khan photographic exhibition here in Edmonton. He's a very successful president and CEO of Amiri Wealth Management and also a very proud constituent of Edmonton-South West. I'd ask him to please stand and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by Edmonton-Gold Bar.

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. It's an honour to rise today and introduce to you and through you to all members of the Assembly external members of the results-based budgeting panel focused on economic development programs in agriculture,

transportation, aboriginal, and workplace development. I'd invite them to stand as they are named: Martin Kennedy, vice-president, external affairs for Capital Power; Marcel Latouche, president and CEO of the Institute for Public Sector Accountability; and Don Wilson, executive director of the Alberta Motor Transport Association. Please help me to welcome these gentlemen to our Assembly.

**Mr. Dorward:** Mr. Speaker, it's my pleasure to introduce to you and through you to all of the Assembly three tireless workers in my community of Gold Bar and surrounding communities. They are all members of the South East Community Leagues Association, which I'll do a member's statement on later. I'm pleased to be able to have with me Bob Gerlock, Bob Hutchison, and Dave Liles. Unfortunately, Lori Jeffery-Heaney, who does tireless work as well in our community, was unable to be here. Gentlemen, please rise and receive the warm welcome of this Assembly.

**The Speaker:** The Associate Minister of International and Intergovernmental Relations, followed by Edmonton-Calder.

**Ms Woo-Paw:** Well, thank you, Mr. Speaker. I do have two sets of introductions, please. First, it is my pleasure to introduce to you and through you two very special guests. Mr. Li Feng, who is a former consul with the consulate general of China in Calgary and has been instrumental not only during my last mission to Asia but ever since in helping connect and promote Alberta in the Jiangsu area. He is currently serving as the vice-chair of the Suzhou Foreign Affairs Institute, where he is working vigorously to create educational, cultural, and trade exchanges between China and Alberta as well as the rest of Canada. Please stand.

Also, I'd like to introduce Dr. Xinxin Fang, who is a special adviser of Chinese language and culture to Alberta Education. Both have contributed significantly to promoting Alberta's international relations, especially education development and exchange opportunities. They are seated in the members' gallery, and I ask that they please rise and receive the warm welcome of the House.

It's again my pleasure to introduce to you and through you Dr. Manfred Zeuch, who currently serves as the vice-president international at Concordia University College of Alberta. Dr. Zeuch was raised in Brazil but has lived around the world and is fluent in five languages. Dr. Zeuch is currently leading Concordia's internationalization strategy and through his work is helping to provide Alberta students with important international learning experiences. In the last few years Concordia has done a fantastic job creating a web of international partnerships in more than a dozen countries. He's currently seated in the members' gallery, and I'd like to ask that he please rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** Hon. members, we have two introductions left. Let's squeeze them in quickly. Edmonton-Calder, you go first, and Calgary-Currie, you go second.

**Mr. Eggen:** Well, thanks, Mr. Speaker. I'm very pleased to introduce to you and to the Assembly Peter Lee. Peter is the director of the Castle-Crown Wilderness Coalition, and the coalition's main goal is the establishment, restoration, and maintenance of environmental protection in the Castle area. Peter is here today to encourage this government to show leadership and create a provincial wildland park in the Castle wilderness area. I would ask him to stand and receive the warm welcome of everyone here today.

**The Speaker:** The hon. Member for Calgary-Currie.

**Ms Cusanelli:** Thank you very much, Mr. Speaker. Last but certainly not least, I am very pleased to rise to introduce to you and through you to this Assembly a friend and active member of our community in Calgary, Mrs. Robyn Moser. Robyn serves on her PC Fish Creek board and is a member of the Alberta Real Estate Association Political Action Committee as well as the Calgary Real Estate Board Political Action Committee. May we please all give her a warm welcome here in our House.

1:50

### Oral Question Period

**The Speaker:** Leader of Her Majesty's Loyal Opposition, your first main set of questions.

### Emergency Management Planning

**Ms Smith:** Mr. Speaker, earlier today I introduced three heroes of the High River flood. They accomplished wonderful things during the flood. Indeed, the only reason they did not accomplish more was because of cumbersome bureaucratic processes in government. The Alberta Emergency Management Agency is supposed to develop a plan that directs an integrated approach to emergency management. It has supposedly been working on this for years, and it was supposed to be released on the website in late 2012. To the Premier: can we expect the Alberta emergency plan to be in place before the next disaster?

**Ms Redford:** Well, Mr. Speaker, I've been waiting for this. I can't believe that the hon. member just made the allegation that she did, that in light of the worst natural disaster in Canada's history, where we were able to respond as Albertans, as a government, as community leaders, and as citizens in less than 10 hours, she doesn't think that's good enough. I think that is an insult to the public servants, the community leaders, the volunteers, and the people that worked their hearts out to make sure that Albertans are safe. I'll tell you, we should celebrate the heroes of High River and Calgary and Alberta, and that's what we'll do.

**Ms Smith:** I know the Premier thinks she did it perfectly, but I can assure you that not everyone else did.

One of the guests I introduced is with Search and Rescue. These wonderful people are among the best-trained and most capable first responders, yet in High River they were not called in to provide their specialized assistance. Now, I would assume that the Premier is as dissatisfied as I am with existing protocols for calling in specialized resources like search and rescue. To the Premier: will those protocols be improved when we finally see the yet-to-be-released Alberta emergency plan?

**Ms Redford:** Mr. Speaker, the day that Albertans realized that this flood was going to be the worst disaster in our history, in Canada's history, Alberta Emergency Management went into immediate operation. I remember that one of the first questions I was asked was: when are we going to call in the army? It speaks to the magnitude of what we were dealing with on that Thursday afternoon. What I'll say is that the people who came together in those very difficult circumstances did the best that they possibly could, including the people who were introduced today in the gallery. It's important for us to know that we will always strive to do better, but we did well as a province.

**Ms Smith:** Mr. Speaker, we're not criticizing the people. We are asking questions about the management response.

In August the Wildrose caucus put together a report calling for an inquiry into the handling of the flood, which raised 54 important questions where there are no answers. This minister rejected an inquiry. Now, it's almost five months since the floods, and all of the questions in our report remain unanswered. Doesn't the Premier care about understanding what worked and what didn't work in the floods so that we can get it better the next time?

**Mr. Griffiths:** Mr. Speaker, the hon. member called for an inquiry, which would cost millions of dollars and take years. That's what an inquiry does. After every incident we have an emergency response in this province, we do a review to analyze what went well and what didn't, but we weren't about to do one in the midst of managing the emergency. We all have questions about what went well and what . . . [interjections]

**Mr. Anderson:** Aw, give it up. Unbelievable.

#### **Speaker's Ruling Interrupting a Member**

**The Speaker:** Excuse me? I have asked for no interjections, hon. Member for Airdrie, and if you wish, we could take this to the next step. If you want to take this to the next step, I'll be happy to do that with you, sir. Otherwise, please don't interject. Your leader has asked a very good question, and we're waiting for a very good answer. The second row as well, I've been hearing you interject, and I've heard a few members over here interject. Let's remember that we have a number of young people here who are looking to you all as role models for a good, high standard of debate and decorum. Let's provide it today if nowhere else.

The hon. minister.

#### **Emergency Management Planning (continued)**

**Mr. Griffiths:** Thank you, Mr. Speaker. I know that when we do that review in the fall or early in the new year, we're going to find out, contrary to the leader's questions, that we had a great response from the water rescue unit in Strathcona and other teams. We'll also find out why the hon. leader was kicked out of the emergency centre in High River.

**Ms Smith:** I'm looking forward to hearing the answer to that myself, Mr. Speaker.

**The Speaker:** The hon. leader.

#### **Pipeline Framework Agreement with British Columbia**

**Ms Smith:** Mr. Speaker, after the on-again, off-again, on-again meeting between this Premier and Premier Clark there emerged an announcement of progress on a west coast pipeline. [interjections] On the surface this . . .

#### **Speaker's Ruling Oral Question Period Conduct**

**The Speaker:** You know, somebody made an interesting comment here yesterday. I believe it was someone from the Wildrose caucus who said something about not acting like undisciplined children in a playground. I would like to remind you that I said yesterday that I might have to use that somewhere going down the line. So let's cut the outbursts. Government caucus members, let's cut the

outbursts over here. And let's get on with what question period is all about: solid questions; hopefully, solid answers. Let's try that.

Please start again, hon. leader.

#### **Pipeline Framework Agreement with British Columbia (continued)**

**Ms Smith:** I'll just continue, Mr. Speaker.

On the surface, this would appear to be good news for our economy. However, there remain some significant issues which are still unresolved, particularly how B.C. will gain extra economic benefit from this pipeline. To the Premier: could she clarify what is being considered in providing B.C. with extra economic benefits?

**Ms Redford:** Well, Mr. Speaker, in fact, what we did yesterday was incredibly exciting for British Columbia and for Alberta. Today the differential on a barrel of oil is \$41. What we were able to agree to yesterday ensures that we're making progress to build a pipeline so that that \$41 comes back to the government of Alberta as revenue. As the British Columbia government moves forward and discusses with industry what the options might be, we will all know what they are, and then we'll know what's on the table.

**Ms Smith:** Mr. Speaker, media are reporting that this update came about because the Premier's communication staffer, while apparently drowning his sorrows in a bar, managed to restart these failed negotiations. It is worrying to Albertans that this project, that is so essential to our economic future, hinged on a random encounter in a bar. Can the Premier assure Albertans that future negotiations on this project will be managed in a more professional and less haphazard way?

**Ms Redford:** You know what, Mr. Speaker? I had the opportunity to meet with Premier Clark yesterday to talk about exactly what we need to do as Premiers, and that is to come to an agreement to allow us to build forward. You know, I know that the Leader of the Opposition takes a black-and-white view of the world. As a result of that, it might be difficult for her to understand that in negotiations there are times when you talk, and there are times that you step away from the table. Most importantly, we came back to the table yesterday, and we got an agreement that's going to continue to build Alberta and bring revenue to this province.

**Ms Smith:** That being said, Mr. Speaker, Albertans still need to know which way the government is heading in providing additional economic benefits for B.C. With everything on the table from B.C. taking an ownership stake in the pipeline, special fees, a side agreement with Ottawa as options, this will be setting a significant precedent for future pipeline development. Could the Premier indicate, at least, which options are being discussed, or will her director of communications be working that out in a bar as well?

**Ms Redford:** You know, Mr. Speaker, I think the hon. Leader of the Opposition exactly missed the point. When we sat down with British Columbia, we said that whatever British Columbia decided to do on a go-forward basis needed to be discussed with industry, not with the government of Alberta. Our interest was to ensure that we protected Alberta's assets and that we got the best possible price for our assets. That's what we did. I am very certain that as we move forward, the hon. Leader of the Opposition will have lots of time to question the Premier of B.C. as to whether or not she thinks she's made appropriate proposals.

**The Speaker:** The hon. leader. Third main set of questions.

### Washington Meetings

**Ms Smith:** Mr. Speaker, the Premier is once again heading to Washington next week to pitch the Keystone XL pipeline. Keystone is a critical project for Alberta's economic prosperity, and we applaud the Premier's efforts to convince Americans that Keystone serves their interests, too. My questions are to the Premier. Can she tell us, specifically, the names of the high-ranking Senators, congressional committee chairs, State Department undersecretaries, and senior White House officials that she will be meeting with next week to make the case for Keystone?

**Ms Redford:** Well, Mr. Speaker, there are a number of meetings that are currently in the works, and we're working with the Canadian embassy to make sure that we're meeting key decision-makers. I will have the opportunity next week to meet with Senator Heitkamp, from North Dakota, who's been a strong ally, who's bringing together a group of people, senior Democratic leaders, to talk about our record on the oil sands and about Keystone and why it's important for us to be partners. As I'm sure the hon. leader would know since she went on a field trip to Washington last year, it does take time to develop some of these meetings. I'll tell you that as we move forward, we will be very transparent, very open, and very proud of the meetings that we have that advance Alberta's agenda.

2:00

**Ms Smith:** As you can see, Mr. Speaker, the official itinerary for the Premier's Washington trip next week is a little thin. It names no names other than Canada's U.S. ambassador and a Senator she's met with before and is otherwise entirely absent of specific meeting details, objectives, and measurable outcomes. This concerns us because the last time that she was there, her most publicized meeting was a speech to a room full of interns, hardly the high-level meetings that we need. To the Premier: how can Alberta taxpayers be assured that they are getting good value for this trip given the low-level nature of some of her past meetings in Washington?

**Ms Redford:** Mr. Speaker, I now recall that the first time I went to Washington as Premier, the hon. Leader of the Opposition criticized the trip because I didn't have a chance to meet with the President of the United States, which, to me, actually showed what she understood about Washington politics. As we move forward, the most important thing that we can do in this critical time in Washington is to make sure, before we start boasting about meetings that we might be having, that they're secure and our interlocutors are prepared to meet with us. Her characterization of the last trip, of course, isn't appropriate or actually realistic or even true. As we move forward, we will ensure that we continue to report on progress, and we'll continue to make progress.

**Ms Smith:** Mr. Speaker, Albertans want to see the Premier promote Alberta to the world, but they expect to see results. Increasingly, the Premier's international trips seem to be less about getting things done and more about getting the Premier's picture taken. Albertans want and deserve to see measurable progress on Keystone, not simply more Washington photo ops for the Premier's Facebook page. Meetings with think tanks and interns just don't cut it. To the Premier. When Ralph Klein was in her chair, he met with the vice-president twice. Why is it that she can't seem to get the attention of the real DC decision-makers?

**Ms Redford:** Well, Mr. Speaker, this simply speaks to the fact that the Leader of the Opposition doesn't understand how Washington works. We are working in conjunction with our Minister of Foreign Affairs, with the Canadian ambassador, with the Prime Minister, and with our representative in Washington to make sure that we're having meetings with people that are involved in this decision-making process. I'll tell you that the most unhelpful thing that we could do is to have a meeting, walk out, have a press conference, and jeopardize their position in the process. I'm really disappointed to see that the Leader of the Opposition is taking such an unsophisticated approach to a project that is critical to our being able to go that way.

**The Speaker:** The hon. leader of the Alberta Liberal opposition.

### Privately Operated Seniors' Housing

**Dr. Sherman:** Thank you, Mr. Speaker. The Parkland Institute released a report this morning called From Bad to Worse: Elder Care in Alberta. I'll table that report shortly. It turns out that one of the best ways to make a fortune is to run a private, for-profit assisted living facility. The average rate of return on investment: 9.14 per cent, way better than the stock market but at the cost of inferior care for our seniors and terrible working conditions for our staff. To the Premier: what's more important to you, stellar returns for your private buddies or dignity and comfort for our seniors?

**Ms Redford:** Mr. Speaker, the most important thing for this government is to ensure that Alberta seniors, who are vibrant members of our community, have choices with respect to where they want to live. Let's be very clear. Alberta's seniors have told us that they want to have that choice. Now, that's about accommodation. Health care for seniors is publicly funded, and we're committed to doing more of that. We'll continue to do it. We have the best record in the country from the fact that we have put additional supports of 33 per cent in place since 2009 and that for low-income seniors we brought in special-needs assistance programs, which have added \$27 million this year alone to low-income seniors.

**Dr. Sherman:** Mr. Speaker, all evidence clearly indicates that publicly funded and publicly delivered long-term care is key to providing dignity and comfort and world-class care to our seniors. The Premier once recognized this. In her leadership she talked about publicly funded and publicly delivered care, not privately delivered. In the election she promised to increase long-term care spaces by a thousand in five years. That's long-term care, not continuing care. To the Premier. You promised more long-term care, more publicly funded care, yet your minister is cutting long-term care by making it all privately delivered. Who's running the show here?

**Mr. Horne:** Well, Mr. Speaker, what the evidence indicates is that one of the best places to be a senior in this country is, in fact, Alberta. I challenge that hon. member to deny the fact that the broadest possible range of services for seniors living at home, independently in the community, and seniors who need facility-based care is anywhere other than the province of Alberta. Most provinces can't achieve a 33 per cent increase in home care over three years. Most provinces cannot achieve the building of a thousand additional living spaces, living spaces that accommodate all levels of care, not just long-term care, not just supportive living, and services that we're proud of.

**Dr. Sherman:** Mr. Speaker, that's not what the Parkland report says, and there's a difference between long-term care and continuing care.

Interestingly enough, today's findings reinforce Dr. John Cowell's Health Quality Council report from 2012. His report found that staffing levels and care were best at public facilities and worst at private, for-profit facilities. Today's report says that staffing is sometimes so low that seniors are put in diapers because staff don't have enough time to take them to the bathroom, and it can take up to two hours to answer the call bell. To the Premier. The man hired to administer the health system said something very different than what you say and what this minister says. Why should we believe you and your minister instead of Dr. John Cowell?

**The Speaker:** The hon. minister.

**Mr. Horne:** Well, thank you very much, Mr. Speaker. The hon. member is very well known for non sequiturs and trying to draw connections between things that simply don't connect. The fact of the matter is that quality is the common denominator among all services that are provided in this province, whether they're not-for-profit, private providers or public providers. For this hon. member to stand in this House and deny the facts that the hon. Premier has presented, that I presented, that the Associate Minister of Seniors has presented is simply, we can only conclude, a desire to undermine public confidence in services for seniors, a failure to recognize the efforts of front-line staff, and a complete . . .

**The Speaker:** The hon. leader of the New Democrat opposition.

#### Postsecondary Education Funding

**Mr. Mason:** Thanks very much, Mr. Speaker. Before the election this government promised a 2 per cent increase to postsecondary institutions. Instead, they delivered a 7 per cent cut. There's been an announcement today of \$50 million that is going back into the budget after \$147 million was cut. This comes after thousands of positions have been cut by postsecondary institutions, hundreds of programs have been cut, and countless students have gone elsewhere. My question is to the Premier. Why did you cut \$147 million out of postsecondary education then add \$50 million back after all the damage has been done?

**Ms Redford:** Well, Mr. Speaker, I was very pleased today that the Deputy Premier could work with presidents over the past six months culminating in today and leading to a 2.6 per cent reinvestment in postsecondary education, and we thank the work that our postsecondary leaders have done to ensure that we are streamlining and having a very effective postsecondary system. I think it's incredibly disingenuous of the hon. member to talk about systems that have been damaged or destroyed. What we know from our dialogue with presidents and leaders is that we now have a system that is responsive to student enrolment programs to ensure that we're supporting students, addressing their demands, and that's what we did today.

**The Speaker:** The hon. leader.

**Mr. Mason:** Thank you very much, Mr. Speaker. I think the Premier is delusional. This government couldn't run a lemonade stand.

When this government introduced massive cuts to universities, colleges, and technical institutions, they changed the lives of thousands of students and potential students for the worse and

forever. Why doesn't this government care enough about the lives of these young people to do the budget right in the first place?

**Mr. Lukaszuk:** Mr. Speaker, I have to tell you that this Premier is very responsible. She made a very difficult decision with this government that had to be made at a time when we were in financial restraint, but she also keeps her promise. The promise to all postsecondary institutions was that when the first available time arises where we can reinvest, which is what all Albertans want to do, reinvest in advanced education, we will. Today was the first available opportunity. Promise made; promise delivered.

**Mr. Mason:** Mr. Speaker, I think the Deputy Premier just threw the Premier under the bus. I don't know.

This government promised predictable year-to-year funding, and they failed to deliver that. What is the government prepared to do to guarantee that it's going to keep its promises next year and the year after?

**Mr. Lukaszuk:** Mr. Speaker, this member knows more about buses than I do, but I have to tell you this about advanced education. We know that this economy in this province is going to grow based on a knowledge-based economy, and we know that education is a priority for Albertans. This government reflects that. But we also know that we have to make responsible, fiscally prudent decisions. So when the first opportunity arises to reinvest, we will, and we hope that we can continue that in the future.

2:10

**The Speaker:** Hon. members, that's it. The first five leaders' questions have occurred, and no preambles are now accepted after that. I asked you this yesterday. If you're up on the slate, please check and see, because I will shorten your preambles if they exist.

The hon. Member for Fort McMurray-Wood Buffalo.

#### Wood Buffalo Seniors' Housing

**Mr. Allen:** Thank you, Mr. Speaker. Just this past week Fort McMurray was granted status as a port of entry. This is very exciting news for the citizens of the regional municipality of Wood Buffalo. Another collaboration between the municipality, provincial government, and the federal agency CMHC is happening in my constituency. It's a proposed seniors' village and aging-in-place facility, the site known as Willow Square. This facility has been held up because of a French language clause which increases costs to the project. Can the Associate Minister of Municipal Affairs please advise on the status of the land transfer from the federal government?

**The Speaker:** The hon. associate minister.

**Mr. Weadick:** Well, thank you, Mr. Speaker. First, I'd like to thank this member and the member next to me from Fort McMurray for the hard work they've done on this particular file, and congratulations on the port of entry. That is incredible for the whole province. We are working with our federal counterparts at CMHC to come to an agreement on this piece of property that would allow for the seniors' facility to be built. There are some current obligations in this agreement from the federal government that we're simply uncomfortable with, so we're going to continue to work with the municipality and CMHC to resolve these issues immediately.

**The Speaker:** The hon. member.



**Mr. Allen:** Thank you. To the same minister: has there been any response from the federal government or, specifically, from CMHC to the Member for Fort McMurray-Conklin's excellent suggestion of September 17 to have land transferred directly to the municipality?

**The Speaker:** The hon. associate minister.

**Mr. Weadick:** Well, thank you. That is a really good question. In fact, there are three different options on the table, Mr. Speaker, and that is one of the options. These members have worked closely with their municipality to come up with options that could be successful. We're looking at whether the land could be transferred to the municipality or leased on a long-term lease that would allow the project to go forward as well. So there are a number of great opportunities, and I think we can resolve this very quickly.

**Mr. Allen:** Again to the same minister: would bodies such as growth management boards be a helpful tool in negotiations and influencing outside bodies such as CMHC on what would be beneficial to citizens and perhaps be another negotiating tool to help push collaborations like this forward?

**The Speaker:** The hon. associate minister.

**Mr. Weadick:** Well, thank you. Growth management bodies are something we've been talking about a lot in the last week or two, Mr. Speaker. Growth management bodies are another tool that will be there for municipalities that want to work together with other municipalities and with other levels of government. This would allow us as regions or as groups of municipalities to come together on important issues like building Alberta, building seniors' housing, and building relationships and the economy. So, yes, these types of boards could be extremely helpful in regions working together.

Thank you.

### Postsecondary Education Funding (continued)

**Mr. McAllister:** Mr. Speaker, there is a book by conservative author Peter Schweizer. It's called *Do as I Say (Not as I Do): Profiles in Liberal Hypocrisy*. I think the advanced education minister ought to have a copy. This week we find out that while he was slashing his department's budget and forcing postsecondary institutions to do the same, he was loading up on the luxuries, brand new matching furniture for his political office in Edmonton. He even tried to say that it wasn't for him but for his staff, and we found out it was for him. To the minister. You are clearly sending the wrong signal. Do you not see the hypocrisy in what you have done?

**Mr. Lukaszuk:** It's interesting that this individual would rise on this point. Number one, he only made one appointment to my office and didn't show up. If he actually showed up to my office more often and discussed advanced education, he would get more factual answers on what is actually going on in postsecondary education.

Second of all, Mr. Speaker, I have been perfectly clear. The furniture has been put into the office. We merged two ministries into one. We have put additional staff in that office. Yes, some of the furniture was for me but the majority wasn't. We have nothing to apologize for. Governance goes on. It simply was necessary to do so, just as, I'm sure, his staff have furniture in their office.

**Mr. McAllister:** Mr. Speaker, I realize the minister is quite sensitive. Perhaps I'll bring him a little bowl of milk tomorrow.

**The Speaker:** No preamble either.

**Mr. McAllister:** Considering this minister's short-sighted and paternalistic approach to his file was already driving away professors from the province and postsecondary students reducing spots [interjections], how will he justify this self-serving disrespect . . .

**The Speaker:** Hon. members, I've asked for no preambles, please, and I meant it. So I'm asking you to shorten yours.

Government members, please cut the interjections. We've tried very hard to elevate everything on all sides of the House. Let's make sure we continue that way.

**Mr. Anderson:** Point of clarification.

**The Speaker:** Point of clarification.

**Mr. Anderson:** At the beginning of our questions that's not a preamble, correct?

**The Speaker:** It would be a wonderful thing if I would have heard it, hon. member.

Chestermere-Rocky View, would you like to start your question again, please?

No interjections, please.

**Mr. McAllister:** Mr. Speaker, thank you. There are times, I admit, we all get lengthy in the preamble. I assure you this is not one of them.

Considering that this minister's short-sighted and paternalistic approach to his file was already driving professors out of the province and shrinking the number of spaces available to students, how will he justify this self-serving, disrespectful decision to students, to faculty, and to taxpayers when he sits down at the table with them?

**Mr. Lukaszuk:** Mr. Speaker, as you know – and I know you know very well – during the estimates for this budget, as a matter of fact, this member is on the record advocating for further spending cuts to my ministry, so I find it rather hypocritical for him to be rising on this particular point.

Let me also tell you, Mr. Speaker, that today's investment of \$50 million in advanced education was to address critical volume growth, student growth in our schools, and that's exactly what we have done, and we will continue to do that.

**Mr. McAllister:** I did advocate for more cuts, Mr. Speaker, to his own ministry and his own office.

There's a difference between wants and needs, and given that Alberta families have to make tough decisions concerning these two things, given that responsible businesses have to make tough decisions concerning this, does the minister recognize that in his role he should be setting a high standard and not a poor example?

**Mr. Lukaszuk:** Well, Mr. Speaker, I am very proud of everyone that works in my office. They are nothing but dedicated to advanced education and putting in extreme work hours. I'm very, very proud of the entire ministry and all civil servants in our ministry.

As I said earlier, Mr. Speaker, if this member would care to write me the first memo, the first letter, or actually show up in my office to discuss advanced education as he is the official critic for advanced education, I would always welcome him with open arms.

**The Speaker:** The hon. Member for Edmonton-Riverview, followed by Cypress-Medicine Hat.

**Mr. Young:** Thank you, Mr. Speaker. While we continually marvel at the accomplishments and hard work of Alberta students, this past year has been a very challenging one financially for those in postsecondary institutions that are supporting them. Today we learned of the Treasury Board granting an additional \$50 million to postsecondary institutions. My question is to the Minister of Enterprise and Advanced Education. Certainly, long-term funding is difficult, but we shouldn't be talking such a short term. There were cuts just a few months ago, so why are we spending it now?

**Mr. Lukaszuk:** Well, Mr. Speaker, what responsible governments do is respond to the situation at hand. Every Albertan knows and all members of this House know that our Treasurer and our cabinet and our government were faced with a very difficult financial decision at the beginning of this fiscal year, having a \$6 billion gap because of the differential. By the way, that is why the Premier is working so hard in British Columbia and in Washington to fix that.

Responsible governments, Mr. Speaker, adjust their spending as their revenues diminish, and that's exactly what we have done.

**Mr. Young:** To the same minister. Students and faculty at the University of Alberta, in my constituency, have raised a number of concerns about programs and access. What new funding will the university receive?

**Mr. Lukaszuk:** Well, Mr. Speaker, today we are responding to enrolment growth. This province is growing by a hundred thousand people every year, and we attract a lot of young people that we want to engage in postsecondary education. A lot of adults return to school and readjust their careers. Today the \$50 million will be pro-rated among 20 postsecondary institutions, and as universities and their presidents have agreed, they will be addressing those dollars towards enrolment in their schools.

**Mr. Young:** To the same minister: given that the school year has already started, how will this new money be used on campus?

**Mr. Lukaszuk:** Well, Mr. Speaker, we will not be micromanaging campuses. We have very capable chairs, boards, presidents, and administrators. I can tell you, as I said earlier, that it will be applied towards enrolment growth and no other expenditures. Some schools may have somewhat overenrolled. They will be using that towards offsetting those costs. A new semester begins in January in many institutions. They will be able to bring on additional students in January. They will make those critical decisions at a campus level, and that's where the decision should lie.

**The Speaker:** The hon. Member for Cypress-Medicine Hat, followed by Calgary-Mountain View.

## 2:20 Highway Maintenance Contracts

**Mr. Barnes:** Thank you, Mr. Speaker. So far this winter central Albertans have been enduring poor highway maintenance. Highways like the QE II, 12, 21, and 50 are not being properly maintained, and this is jeopardizing their safety. Obtained documents show that companies contracted to do maintenance on these highways have failed to meet their obligations. Last year alone: 75 financial penalties to only five companies. To the Minister of Transportation: why is this government letting highway maintenance

companies get away with putting Albertans at risk over and over?

**Mr. J. Johnson:** Mr. Speaker, the member raises a question that's, you know, a concern to many Albertans out there who travel on Alberta's highways on a day-to-day basis. Many of my constituents obviously want to make sure that our highways are maintained and in the proper shape that they should be by the contractors we use. That's why our Minister of Transportation has a pretty healthy budget from this Legislature, one that the party across the way would like to cut. They advocated for a cut of about one-third of our capital budget during the last budget discussions. We disagree with that. We think the minister should continue working with his department and try to make sure that these contractors do as good a job as they possibly can.

**Mr. Barnes:** Again, Mr. Speaker, we just wanted to cut administration costs in the minister's office.

Given that over five years 303 penalties have been issued, totalling almost \$1.7 million in fines, and given that two-thirds of these penalties have gone to one company, Carillion, what is the government going to do to crack down on the persistent failure of these companies to live up to their obligations?

**Mr. J. Johnson:** Mr. Speaker, I think the member just emphasized that the minister is doing his job and his administration is doing its job. If they're doing oversight of these companies and they're issuing penalties and they're holding them to account and they're on top of them, you would see these kinds of things happening, and you are. I'm not sure how the minister is expected to cut his administration and come up with the \$1.623 billion worth of cuts that this party across the way has suggested that we take out of our capital budget.

**Mr. Barnes:** I understand the Education office increased 32 per cent.

This government doesn't take road safety seriously as it appears that these companies put the fines into their business plans. Given that Carillion has received almost 200 penalties for its failure to live up to its contractual obligations, will this government take immediate and decisive action to ensure that these frequent offenders do not take on new contracts with the Alberta government until they can prove that they can meet the requirements of the old contracts?

**Mr. J. Johnson:** Mr. Speaker, this government is on top of our contractors all the time, and I think the evidence that the member has brought forward is speaking to that. Obviously, we tender contracts on a regular basis that are open through, you know, the New West Partnership and others to all kinds of jurisdictions and all kinds of vendors, so that's another way that contractors are held accountable. These things come up on a regular basis, and they'll continue to come up. The minister will continue to look at the contracts, and he may be able to give the member a more detailed answer when he returns.

**The Speaker:** The hon. Member for Calgary-Mountain View, followed by Edmonton-Calder.

## Emergency Medical Services

**Dr. Swann:** Thank you very much, Mr. Speaker. Well, seniors' care in Alberta is bad, and it's getting worse. The conclusions of an independent University of Alberta report today: reduced RNs, rushed care, and neglect are now common and are the worst in the

for-profit settings. Overstressed staff put seniors at risk, and when problems happen, the safest thing, of course, is to call EMS, adding to overcrowded ERs and compounding problems in our system. To the minister: when will you face up to these penny-wise, pound-foolish decisions?

**Mr. Horne:** Mr. Speaker, the hon. Premier in answers to previous questions talked about how Alberta is leading in adding seniors' services across the province, both for those living in the community and those who are living in facilities. I will say with respect to the hon. member's comments that we are aware that the system is complex to navigate for many people, not only for individuals themselves seeking placement but for family members who are trying to assist a mother, a father, or other relative. As I said before, we're looking at that question, but we stand by the fact that Albertans want choice. We're delivering choice, and we'll continue to deliver those options.

**Dr. Swann:** We're not talking about complexity, Mr. Minister. We're talking about quality.

Can you be surprised that EMS is overstretched? EMS response times to life-threatening events continue to be unacceptable 50 per cent of the time even to the EMS workers themselves.

**Mr. Horne:** Mr. Speaker, I think what the hon. member is talking about is ideology. I think the problem with this discussion is that the foundation of this health care system is focused on quality standards that apply to all providers: not-for-profit, private, and public providers. We will continue to offer choice within the system. We will continue to do things like adding 33 per cent more funding over a three-year period for home care, and we'll continue to meet the challenges of being the fastest growing province in the country with a hundred thousand people coming here each year.

**Dr. Swann:** Mr. Speaker, the domino effect, according to the Workers' Compensation Board, is that paramedics are injured four times the rate of other health workers. Over the last 12 months the rate of days lost doubled for EMS workers. What can you say about that?

**Mr. Horne:** Mr. Speaker, if the hon. member is now switching the topic to emergency medical services and specifically paramedics, I can tell him that we have the benefit of a member in our caucus who, in fact, is a paramedic, who has been of great assistance to me and to my colleagues in understanding the issues that paramedics face in a system that has growing demands owing to population growth and aging and other issues. We work closely with both individual paramedics – the head of EMS at Alberta Health Services is himself a paramedic – and we have close links to the Health Sciences Association of Alberta. We'll continue to support paramedics in our health system.

**The Speaker:** The hon. Member for Edmonton-Calder, followed by Livingstone-Macleod.

#### For-profit Long-term Care for Seniors

**Mr. Eggen:** Thanks, Mr. Speaker. Alberta's seniors are suffering due to neglect by this PC government. A comprehensive report released today by the Parkland Institute confirms what Albertans already suspected, that private care facilities distribute less hours of direct care and less regulation of standards at considerably more cost to both the public purse and to an individual's pocket. To the Minister of Health: why has your government handed so

much of seniors' long-term care over to private industry when you know the result is less direct care, higher expenses, and considerably less regulation?

**Mr. Horne:** Mr. Speaker, the hon. member wants me to answer a question based on his ideology. The foundation, the tradition of providing health care in this province is based on partnership. It's based on partnership with public-sector workers. It's based in its most historical roots with partnerships with not-for-profit organizations, and it is also based on solid partnerships with private providers. The hon. member's interest in ideology is all good and well. This government is interested in quality and in identifying and enforcing common standards for all providers. We're going to continue to do that.

**Mr. Eggen:** Well, given that seniors who require long-term care are being increasingly diverted to assisted living facilities and given that this off-loading puts more pressure on seniors and their families to pay out of pocket for the treatment that they need, isn't this just another way to shake Albertans down to pay for essential medical services, thus weakening public health and leaving us exposed to private, two-tiered, American-style health care?

**Mr. Horne:** Mr. Speaker, with all due respect to the hon. member, if he's still stuck in the 1980s and '90s and that's the foundation for his discussion about health care in something as serious as seniors' issues, that's up to him. The fact is that this is the only jurisdiction in Canada that is building 1,000 spaces a year that accommodate all levels of care. Increasingly, they are supporting people who are entering end-of-life care. The issue around staffing is something that we've discussed in this House before. We design our facilities so that we can adjust staffing levels to meet the needs of residents, not to meet the requirements of someone's particular ideology.

**Mr. Eggen:** Well, Mr. Speaker, given that this PC government's obsession with privatized, long-term care and assisted living is somehow stuck in the 19th century, I would venture to say, and has led to insecurity, lower standards, and a massive rip-off to seniors when they are at their most vulnerable, why won't the minister commit today to improving staffing levels at seniors' care facilities by phasing out inferior, for-profit delivery of seniors' care?

**Mr. Horne:** Mr. Speaker, the way to improve staffing levels in seniors' care or in any other part of the health system is to add more staff, and there is no province in this country that is doing more and has to do more to keep up with the need to increase staff in the health care system by the very nature of our growth. The province is growing by the size of the city of Red Deer on an annual basis. Our health care system continues to grow faster than any other in the country. It remains the best-funded system in this country and, in fact, is ahead of many developed countries. This is a government that is on top of growth in health care in 2013.

**The Speaker:** The hon. Member for Livingstone-Macleod, followed by Lethbridge-East.

2:30

#### Emergency Medical Services (continued)

**Mr. Stier:** Thank you, Mr. Speaker. The Minister of Health's heavy-handed approach to ambulance dispatch just doesn't make sense. EMS workers are complaining that they are forced to leave entire regions of our province empty and without ambulances to

flex from region to region on nonemergency interfacility transfers. Currently Calgary has 28 interfacility transfer units, and EMS workers tell me they often find those units underutilized. To the Minister of Health: enlighten me. Why does Calgary have 28 interfacility units and rural southern Alberta has none?

**Mr. Horne:** Mr. Speaker, the obvious answer would seem to be that there are proportionately more people in Calgary who require interfacility transfers on a daily basis than in smaller communities across the province. The hon. member has asked a number of questions with respect to ground ambulance services in rural Alberta, and if there is a specific issue with respect to a municipality in his constituency, I'd be more than pleased to look into it directly. However, in order to do so, I would require that information to be provided to my office.

**The Speaker:** The hon. member.

**Mr. Stier:** Thank you, Mr. Speaker. I will do that.

Given that recently a teenager in Claresholm was seriously injured in a high school football game and lay on the field for more than 45 minutes before an ambulance arrived due to this interfacility transfer mess and given that a 45-minute wait for an ambulance is now average in certain parts of southern Alberta, is the minister prepared to sit down and rethink this whole thing, or is he going to just let his pride get in the way of patient care again?

**Mr. Horne:** Mr. Speaker, I'd be very interested to see support for the claim the hon. made about people waiting an average of 45 minutes in southern Alberta. That does not marry up with any data that I have available to me. But what I will tell this hon. member is that we made a decision as a government several years ago that EMS is in fact part of the health care system. Now, as I said earlier, if there are particular issues in a municipality that the hon. member would like me to look into, I'd be pleased to do that. But make no mistake: the demand for interfacility transfers is continuing to grow. I have asked Alberta Health Services to look at other options to make sure that units dedicated for that purpose can serve that purpose can serve . . .

**The Speaker:** The hon. member.

**Mr. Stier:** Thank you, Mr. Speaker. I look forward to hearing about that.

Given that in the Calgary region an Amber Alert is called when wait times exceed just a few minutes whereas chiefly because of interfacility transfer problems associated with the flex system patients in rural areas are waiting up to and over 45 minutes, can the minister explain what kind of category of alert that is? Is it plaid?

**Mr. Horne:** Mr. Speaker, I'm really not sure I even understand the point of that question, and it's not surprising that I don't understand the point because it's unclear so often. The government is working very hard to keep up with the demand for emergency medical services across the province. That's why we engaged the Health Quality Council to conduct a thorough review of this, an evidence-based review. We've accepted the recommendations some time ago, we began implementing them some time ago, and they will continue to deliver benefits to Albertans in terms of timely service and a higher quality of care.

**The Speaker:** The hon. Member for Lethbridge-East, followed by Rimbey-Rocky Mountain House-Sundre.

### Health Care Accessibility

**Ms Pastoor:** Thank you, Mr. Speaker. My constituents have asked these questions. Albertans sometimes wait a long time to see a doctor, and this wait can be even longer if they're looking for a second opinion. Access, in my opinion, is a problem. My question is to the Minister of Health. What is the minister doing to address this that will help to alleviate Albertans' health concerns and certainly their fears?

**Mr. Horne:** Well, Mr. Speaker, I thank the hon. member for the question. There are several things that the government is doing in this regard, but first and foremost is a principle that we adopted in October 2011. That is the principle that every Albertan should have a home in the health care system in or near their home community. That means access to a family doctor who can arrange for referrals to specialists. It means access to other professionals like nurse practitioners and dietitians and pharmacists. That opportunity has seen a great expansion in primary health care in the province. It's seen the centralization of wait-lists in some areas and protocols around referral.

**The Speaker:** The hon. member.

**Ms Pastoor:** Mr. Speaker, to the same minister: can we expect that AHS will start looking at other ways to meet these wait time lapses?

**Mr. Horne:** Well, Mr. Speaker, they already have begun that work. The hon. member, I believe, is referring to the wait time between referral from a family doctor to a specialist. In that regard we've begun to see the centralization of some wait-lists in the province. Hip and knee surgeries are the best examples, where we've seen a very significant decrease in the wait time because patients are triaged and assessed at central locations across Alberta. We've seen initiatives like here in Edmonton at a primary care network where people are screened for orthopaedic surgery prior to seeing the specialist. The result is that over 80 per cent of those patients have been taken out of the waiting line.

**The Speaker:** The hon. member.

**Ms Pastoor:** Thank you. Again to the same minister: what can be done to speed up tests to confirm a diagnosis, in particular for cancer, and to be able to get that second opinion?

**Mr. Horne:** Well, Mr. Speaker, of course, all urgent cases that require diagnostic imaging or some other sort of specialized assessment are dealt with immediately. What I can tell the hon. member is that the example I gave in the last question with respect to centralizing assessment and referral for hip and knee surgeries is something that can be applied and that we are applying to other high-demand elective procedures. What we find, therefore, is that we have an opportunity to do two things: we take people out of the queue who don't need to be there, and we get those who do need specialized assessment and treatment to care much, much sooner.

**The Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre, followed by Edmonton-Mill Woods.

### Bioenergy Grant Program

**Mr. Anglin:** Thank you, Mr. Speaker. For the third time now the Auditor General has outlined the growing boondoggle of the biogrant program: \$124 million has been spent, and the grant recipients are not accounting for the money they received. There is

no proof that the program is actually reducing greenhouse gas emissions. With the world looking to us for leadership, this type of mismanagement only serves to hurt our credibility in long-term economic interest. How can the minister claim this program is working when there is no proof or accountability?

**Mr. Hughes:** Mr. Speaker, I'd like to thank the hon. member for the question. This is a program that has actually invested in rural Alberta, has helped ensure that there are jobs in rural Alberta, and has helped ensure that we diversify our sources of energy in this province. Yes, the Auditor General has drawn to the attention of the government and to this minister and to, I presume, previous ministers certain shortfalls, and we've taken that advice. I always take the advice of the Auditor General, and we've taken steps to ensure that there is proper accountability.

**Mr. Anglin:** The fall over the cliff is not a short fall.

Given that the Auditor General's report clearly states that the government has no means of telling whether or not this biogrant boondoggle is accomplishing any of its targets or greenhouse gas reductions, doesn't this government care it is handing out hard-earned taxpayer dollars with no idea of how they are actually being spent?

**Mr. Hughes:** Mr. Speaker, the hon. member is, I believe, expanding on the Auditor General's comments and report in ways that might not reflect what he actually said. I would say that it's quite clear that there are measures in place to ensure that there's accountability for this and that they are meeting the original objective of the program, which is to ensure that there's a diversity of biofuels available in this province.

**Mr. Anglin:** That cliff just got higher.

Given that the companies are not complying with the program and given that the Auditor General has highlighted this problem for the last three years, when will this government finally do its job and implement the Auditor General's recommendations?

**Mr. Hughes:** Well, Mr. Speaker, I can tell the House that since this program came under my responsibility, we've taken steps to ensure that there is full accountability, full responsibility, and that the appropriate steps of oversight are taken.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Mill Woods, followed by Olds-Didsbury-Three Hills.

### Travel Insurance for Seniors

**Mr. Quadri:** Thank you, Mr. Speaker. My constituents tell me there is a gap in policies related to travel insurance for seniors. During family emergencies, for example, a private insurance premium for necessary travel often adds a tremendous financial burden at a time of emotional stress. Seniors should be able to travel without the anxiety of financial hardship as a result of medical emergencies abroad. My question is to the Minister of Health. I don't think we have enough time to answer the question, but what is the government doing to help aid seniors who are experiencing a medical emergency or incur other related medical expenses while they're travelling abroad?

2:40

**The Speaker:** The hon. minister.

**Mr. Horne:** Well, thank you very much, Mr. Speaker. The hon. member should know that insured physician services received

outside Canada are paid at the lesser of the amount claimed and the rate that an Alberta physician would be paid for the same service. For that reason we advise seniors and we, in fact, advise all Albertans to purchase supplementary travel insurance while they are travelling outside the country in order that other costs which may not be covered by the Alberta plan can be covered for them.

**The Speaker:** The hon. member.

**Mr. Quadri:** Thank you, Mr. Speaker. Given that illnesses while travelling in foreign countries can often be sudden and unrelated to any pre-existing health condition, especially with regard to our seniors, why are seniors' emergency-, hospital-, and medical-related expenses incurred outside of Alberta not covered by Alberta Blue Cross in the seniors' travel insurance plan?

**Mr. Horne:** Well, Mr. Speaker, as I explained earlier, in general our health system will only pay for out-of-country physician services at rates that would be paid to an Alberta physician. The Blue Cross coverage for seniors plan does not provide supplementary coverage for out-of-country services. Again, we advise that all Albertans who are travelling outside the country make sure that they have supplementary insurance in place.

**The Speaker:** The hon. member.

**Mr. Quadri:** Thank you. Finally, I would like to ask the same minister if the government will consider creating a program with a defined set of criteria and parameters that will make travel insurance more accessible to those seniors who need it.

**Mr. Horne:** Well, Mr. Speaker, I would think that would be very, very unlikely for the simple reason that we are focused on expanding the range of services that we provide within Alberta to Alberta residents. There are many recent examples of enhancements. In 2012, for example, chiropractic coverage was raised to \$200 per person per year on the seniors' plan. Emergency travel insurance, as I said, is not being contemplated at this time as part of the plan. We'll continue to focus on the services that we need to provided here at home.

**The Speaker:** Hon. members, just before we commence the afternoon proceedings, starting with Members' Statements, please be reminded we are running a bit late. The hon. Government House Leader wishes to ask a question.

**Mr. Hancock:** Thank you, Mr. Speaker. I'm mindful of the clock, and in order to ensure that we get through Members' Statements and the other Routine, I would ask that we give unanimous consent to extend the clock.

[Unanimous consent granted]

### Members' Statements

**The Speaker:** Thank you very much. Let us go on with private members and their statements, beginning with Lacombe-Ponoka, followed by Edmonton-Calder.

### Battle of Ortona, Italy

**Mr. Fox:** Each November 11 we reflect on service, sacrifice, and selflessness. Honouring the men and women who serve the rest of us in the military is a privilege. We enjoy the nation that we have today because of their actions on our behalf.

When we participate in Remembrance Day events, when we wear a poppy, we're usually thinking about Canada's participation in some major conflict like the Great War or World War II or we're reminded of one of the recent conflicts like in Afghanistan, Iraq, or Bosnia or one of Canada's many peacekeeping missions. Last year I focused my Remembrance Day remarks on the Korean conflict and the heroism of the Princess Patricia's Canadian Light Infantry. Let me now focus on the 70th anniversary of the Battle of Ortona in World War II and the efforts of the Loyal Edmonton Regiment.

Around Christmas 1943 the western Allied troops got their first unpleasant introduction to house-to-house fighting as Canadian troops attempted to take the Italian port city of Ortona against fierce German resistance. The fighting was so fierce that the Associated Press ran a headline: miniature Stalingrad in hapless Ortona. The machine gun fire was so intense that the Canadians developed a new tactic, mouse-holing. It involved using weapons to blow holes in the walls between the buildings so that you go house to house without having to enter the machine gun paths in the streets below. After eight days of fighting, the Canadians took Ortona.

One thousand three hundred and seventy-five Canadians died fighting in and around the city, almost one-quarter of all the Canadian deaths in the entire Italian campaign. Ordinary Canadian men, many of them from Edmonton, who left civilian life behind because they were needed, had come together as a fighting unit and defeated two of Germany's finest divisions. They put up a sign at the entrance of Ortona. It said: this is Ortona, a west Canadian town. In many ways we are here because they were there. We must never forget.

**The Speaker:** The hon. Member for Edmonton-Calder, followed by Fort Saskatchewan-Vegreville.

#### Private Health Care Services

**Mr. Eggen:** Thanks, Mr. Speaker. The months after this government's broken-promise budget have shown that the PCs cannot be trusted to stand up for public health care. They plotted to take \$180 million out of seniors' drug coverage, making Alberta seniors pay more for their prescriptions. They subjected home-care recipients and their families to chaos by suddenly ending contracts with nonprofits and co-operatives in favour of huge for-profit providers, who didn't and couldn't get the job done. And they have a new plan now to privatize lab services here in Edmonton to the tune of \$3 billion. On all of these major, sudden, and ill-conceived plans the New Democrats have stood with Alberta families and stood up for public health care.

In some cases this PC government has been forced to back down. They've shelved restructuring the seniors' drug plan. They were forced to reverse as well some of the worst decisions in home care. Now, Mr. Speaker, they've created a confusing mess around their plan to privatize lab services. First, the CEO of Alberta Health Services said that they are putting the changes on hold so that they can consult, and then the Health minister says that they're going full steam ahead. One day the Premier says that it isn't, but the next day she is forced to admit that it is. Most importantly, they're misleading Albertans about the reasons for these changes.

The truth of the matter is this. This PC government has never stood up for public health care, and it never will. They stick firmly to their conservative agenda, which is to cut services and to privatize. They stand up for their wealthy donors and back the plans for the lobbyists who are pushing for privatization. It leaves

the Alberta New Democrats and workers to stand up for better health care, and Alberta families can trust that we will always be there.

Thank you.

#### National 4-H Month

**Ms Fenske:** Mr. Speaker, today I rise to recognize National 4-H Month. We wear these green ribbons to celebrate the tremendous positive influence this program has on our youth and our communities. This year also marks 4-H Canada's 100th anniversary. Alberta has had 4-H as an integral part of its communities since 1917. Over the years the world we live in has changed, but the simple vision that started 4-H has endured the test of time, making it one of the most recognized and successful youth mentorship programs.

The 4-H motto is Learn to Do by Doing. Mr. Speaker, 4-H members take part in activities that suit their interests, increase their knowledge, and develop their life skills. While the program helps strengthen our connection with agriculture, it has evolved beyond the farm-related activities we are most familiar with to include everything from computers and performing arts to photography and public speaking. Many young people graduate from 4-H and go on to provide strong leadership in their communities, in business, and their country, bolstered by the skills they learned as members of this long-standing organization.

At the heart of the 4-H program's success are the dedicated community volunteers who share their time and their knowledge with our youth, people like Clinton Ziegler, who was introduced here today, this year's 4-H Hall of Fame inductee, who began his association with 4-H more than 50 years ago. The sense of community and interest of many in supporting our youth is why this program continues to thrive. And 4-H members pledge their heads to clearer thinking, their hearts to greater loyalty, their hands to larger service, and their health to better living for their club, their community, and their country. This pledge outlines values I think we can all believe in.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for St. Albert, followed by Edmonton-Gold Bar.

#### International Market Development

**Mr. Khan:** Thank you, Mr. Speaker. I'd like to recognize today the innovative Alberta entrepreneurs who are helping to grow and diversify our economy by promoting their products and services on the world stage. In September I had the privilege of attending an informative and enlightening seminar in my constituency co-hosted, I'll note, by the St. Albert and district chamber of commerce. It was one of 18 information sessions the Minister of International and Intergovernmental Relations has held in the past six months all across Alberta to promote international market access. These seminars were designed to provide businesses with a clear understanding of the services and resources our government offers to help them become successful exporters in international markets. More than 30 participants attended the St. Albert event, including businesses and representatives from local governments and regional economic groups. Overall, upward of 400 people participated in the seminars during two market access tours.

2:50

Mr. Speaker, opening new markets is a key part of our building Alberta plan. The government has long understood the importance of working internationally to advance Alberta's interests. We know

of the failed and discredited firewall approach of the opposition. We know that it has been hidden but certainly not forgotten. It would be devastating to Alberta's future. Let's not forget that that \$90 billion export sector is the backbone of our economy.

In a global economy promoting our competitiveness in the international markets is critical to building Alberta. We will continue to build partnerships to grow Alberta businesses by expanding their international market access.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Gold Bar, followed by Airdrie.

#### South East Community Leagues Association

**Mr. Dorward:** Thank you, Mr. Speaker. I'm extremely proud to rise today to speak about an initiative that over the last 20 years has aimed to promote and foster co-operation amongst several communities in my community. The South East Community Leagues Association, or SECLA, was formed in 1992 by Edmonton city council as a way to implement and help establish viable, community-driven redevelopment plans due to an absence of an area structure plan in our area.

The association was incorporated in 2001 with the original seven leagues and now includes 11 leagues. In its 21 years the association has worked to provide outstanding support and service and has become an unwavering voice for the communities of southeast Edmonton.

Since 2001 the association has accomplished much, Mr. Speaker, for its 11 member community leagues such as being involved in the city's transportation master plan and Holyrood and Strathearn apartment redevelopments. Other notable endeavours include hosting several volunteer appreciation events in order to thank those whose efforts have created a vibrant and inclusive community in my area.

Recently construction began on the Fulton ravine south park development project, which you can see immediately north of Capilano mall – you may have driven past it, Mr. Speaker – and which, when fully completed, will boast extensive trails, inviting picnic sites, gorgeous landscaping, and a skateboard park that will be enjoyed by the young or the young at heart.

I would like to acknowledge and thank the Minister of Culture for her faith and trust in this project. The government dollars in this grant project have been multiplied many times by these individuals.

The South East Community Leagues Association is a prime example of what can be accomplished when community leagues work together to partner to create something that's greater than each individual community league. That's why I wanted to highlight the great work that they've done.

Thank you, Mr. Speaker.

#### Attention Deficit Hyperactivity Disorder

**Mr. Anderson:** Mr. Speaker, attention deficit hyperactivity disorder, or ADHD, is one of the most common disorders in Canada. ADHD impacts people from all walks of life and backgrounds. It affects more than a million Canadian men, women, boys, and girls of all ages. It is a real condition, often the result of a chemical imbalance that can be complex to diagnose and impacts most areas of an individual's life. In most cases it does not go away. It affects kids at school, students at college, employees at work, and parents at home.

The impairing effects of ADHD also increase costs to health care, education, labour, social services, and the justice system. It impedes the attainment of human and social capital, resulting in increased socioeconomic costs for Canada and Alberta. These costs are further fuelled by the continued underdiagnosis and undertreatment of ADHD. A shocking 90 per cent of adults with the condition remain untreated.

One of my sons has been diagnosed with autism, and his development has been absolutely amazing. That's because thanks to increased awareness, training, and funding for early autism intervention, it is now a very manageable condition that children are able to grow through to adulthood and enjoy the joys of career, independence, and family. Just a few decades ago that was not the case. Health and education professionals didn't understand autism, and millions of children suffered as a result.

Just as autism was formerly misunderstood, misdiagnosed, and mistreated for decades, ADHD still is. I'd like to thank parents and teachers like Airdrie's Bert Church's Tracey Sweetapple for her amazing advocacy on ADHD. It is through people like her that I hope we can not only raise awareness about ADHD but urge governments to invest in better training and treatment for our teachers and health professionals so that these beautiful and gifted children and adults can get the help they need to not only survive in life but flourish.

Thank you, Mr. Speaker.

**The Speaker:** Hon. members, just before we go on to Introduction of Bills, could we have unanimous consent to revert briefly to Introduction of Guests?

[Unanimous consent granted]

#### Introduction of Guests

*(continued)*

**The Speaker:** I have the Member for Edmonton-Riverview, followed by the Minister of Culture.

**Mr. Young:** Thank you, Mr. Speaker. It is my pleasure to rise today and introduce to you and through you to all members of the Assembly Professor Steven Ming Li and Professor Alan Zhenhua Hao, visiting from China. Professor Li teaches at the humanities and international exchange program within the Faculty of Public Relations at the Shanghai polytechnic university. Associate Professor Hao teaches digital technology at Shanghai Jianqiao University. The professors are accompanied today by their hosts, Dolaine and Dennis Koch from Edmonton. They are seated in the public gallery, and I would ask that all guests rise and receive the traditional welcome of the Assembly.

Very quickly I'd also like to introduce Lorne Zalasky, who was acknowledged earlier today collectively with Advocis. I think that this tireless member of the Glenora community needs to be specifically recognized not only for his prowess as a minor soccer coach. What a great guy to meet on the street. I'd ask him to rise and receive the traditional welcome of the Assembly.

**The Speaker:** The hon. Minister of Culture.

**Mrs. Klimchuk:** Merci, M. le Président. Je suis très heureuse de pouvoir me lever devant cette Assemblée et de vous présenter des représentants importants du gouvernement de l'Alberta et de la communauté francophone de l'Alberta. Je demanderais à nos invités de bien vouloir se lever lorsque je les présente, en commençant avec Mme Cindie LeBlanc, une personne de confiance dans mon ministère qui est à la tête du Secrétariat francophone.

En plus de Cindie, je suis honorée de vous présenter Dolorèse Nolette, qui tire sa révérence de son poste comme présidente de l'Association canadienne-française de l'Alberta, ou l'ACFA. Elle appréciera pouvoir se concentrer davantage sur ses fonctions comme directrice générale du Réseau d'adaptation scolaire, un service appuyé par le ministère de l'Éducation, qui s'assure que les enfants et les jeunes dans toutes les régions de la province ont accès aux ressources dont ils ont besoin pour réussir à l'école et dans leur communauté.

Se joignant à Cindie et Dolorèse se trouve Jean Johnson, le nouveau président de l'ACFA. M. Johnson est aussi le directeur général du Quartier francophone, une zone de revitalisation des affaires ici à Edmonton qui célèbre cette semaine son premier anniversaire.

Je vous remercie de vous être joints à nous aujourd'hui et pour tout votre travail avec le ministère de la Culture et le Secrétariat francophone. Je demanderais à mes collègues de vous montrer l'accueil chaleureux de notre Assemblée.

[Translation] Thank you, Mr. Speaker. I'm also very pleased to be able to rise and introduce to you and through you to this Assembly important representatives from the Alberta government and Alberta's francophone community. If you would kindly rise after I call your names. I will begin with Ms Cindie LeBlanc, a trusted advisor with my ministry, who leads the Francophone Secretariat.

In addition to Cindie, I am very honoured to introduce you to Dolorèse Nolette, who has recently retired from her position as president of the ACFA, the French Canadian Association of Alberta. She will now be able to focus full time on her responsibilities as executive director of the francophone educational consulting service, a program funded by Alberta Education to ensure francophone children and youth have access to the supports they need to be successful in school and in their communities.

Together with Cindie and Dolorèse today is Jean Johnson, the incoming president of the ACFA. Mr. Johnson is also the executive director of the French Quarter business revitalization zone here in Edmonton, which is celebrating its one-year anniversary this week.

I want to thank you for joining us today and for all your work with Alberta Culture and the Francophone Secretariat. I would ask that my colleagues show them the traditional warm welcome of this Assembly. [As submitted]

### Introduction of Bills

**The Speaker:** Let us proceed with Introduction of Bills with the Minister of Energy, please.

#### Bill 34

##### Building New Petroleum Markets Act

**Mr. Hughes:** Merci, M. le Président. I request leave to introduce Bill 34, Building New Petroleum Markets Act. This being a money bill, His Honour the Honourable the Lieutenant Governor, having been informed of the contents of this bill, recommends the same to the Assembly.

[Motion carried; Bill 34 read a first time]

**The Speaker:** The hon. Minister of Justice and Solicitor General.

#### Bill 37

##### Statutes Repeal Act

**Mr. Denis:** Thank you very much, Mr. Speaker. I rise to request leave to introduce Bill 37, Statutes Repeal Act. This being a money

bill, His Honour the Honourable the Lieutenant Governor, having been informed of the contents of this bill, recommends the same to the Assembly.

3:00

Mr. Speaker, many talk about making our laws simpler or reducing unneeded regulation. This bill does just this. This act will repeal a group of 24 pieces or provisions in legislation that are unnecessary or obsolete. I'll give a few of them: for example, the Alberta Corporate Tax Amendment Act; the Alberta Personal Income Tax (Tools Credit) Amendment Act, 2001; the Alberta Wheat and Barley Test Market Act; the Crop Liens Priorities Act; the Health Facilities Review Committee Act; the Hospitals Amendment Act; the Masters and Servants Act; the Occupational Health and Safety Amendment Act; the Partnership Amendment Act; and the Workers' Compensation Amendment Act.

Mr. Speaker, the act also sets up a mechanism for reviewing and repealing legislation that has been sitting unproclaimed for five years. The proposed mechanism and proposed repeals will promote the health of our legislative system by reducing red tape and helping to eliminate legislative confusion and duplication.

Thank you very much, Mr. Speaker.

[Motion carried; Bill 37 read a first time]

**The Speaker:** The hon. President of Treasury Board and Minister of Finance.

#### Bill 39

##### Enhancing Consumer Protection in Auto Insurance Act

**Mr. Horner:** Thank you, Mr. Speaker. I'm pleased to rise today and introduce Bill 39, the Enhancing Consumer Protection in Auto Insurance Act.

This act amends the Alberta Insurance Act, specifically as it pertains to our automobile insurance system. I am confident that these amendments will enhance Alberta's consumer interests through increased oversight in the rate-setting process and increase competition by moving to a more responsive file-and-approve system on a company-by-company basis.

Alberta has a robust and successful auto insurance system, and these changes will help to strengthen it further and improve its efficiency. We are also making other housekeeping changes to the Insurance Act to ensure plain language and consistency.

Thank you, Mr. Speaker.

[Motion carried; Bill 39 read a first time]

### Tabling Returns and Reports

**The Speaker:** The hon. Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Speaker. I have five copies of a report, From Bad To Worse: Residential Elder Care in Alberta, that the third-party leader mentioned in question period. I'm tabling five copies of those.

Thank you.

**The Speaker:** The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Thank you, Mr. Speaker. I have two tablings today, and I think they're mandatory reading for all members of this House. The first is by the Institute for Catastrophic Loss Reduction, Making Flood Insurable for Canadian Homeowners.



The second is entitled Flood Insurance. It's by Nina Paklina of the OECD. It describes what Europe did after their major flooding in 2002 to make mandatory flood insurance available for all homeowners.

Thank you very much.

**The Speaker:** Hon. members, is there someone to table on behalf of Edmonton-Centre? Not yet? Thank you.

Let's go on to Calgary-Bow, followed by the Associate Minister of Accountability, Transparency and Transformation.

**Ms DeLong:** Thank you, Mr. Speaker. As chair of the Seniors Advisory Council for Alberta I'm pleased to rise today to table the requisite number of copies of the Seniors Advisory Council annual report 2012-2013.

Thank you very much.

**The Speaker:** The hon. Associate Minister of Accountability, Transparency and Transformation, followed by Edmonton-Beverly-Clareview.

**Mr. Scott:** Thank you very much, Mr. Speaker. I'm pleased to table an article that I mentioned yesterday in question period, which is Michael Smyth: B.C.'s Politicians Should Climb Aboard the Public Disclosure Bandwagon. That's the same article that describes our region, Alberta, as the "new gold standard for openness."

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview, followed by Edmonton-Calder.

**Mr. Bilous:** Thank you, Mr. Speaker. Today I'd like to table another letter I've received expressing concerns about the deep cuts to postsecondary education that are happening in Alberta. This one is from Michelle Paterok. Michelle is a student at the U of A, and her letter raises some important questions for the minister of advanced education about what kind of society we are aspiring to be and what values this PC government is reflecting by implementing these budget cuts.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Calder, followed by the associate minister for persons with disabilities.

**Mr. Eggen:** Thanks, Mr. Speaker. I'm tabling the requisite copies for the Parkland Institute's report that they put out today called From Bad to Worse: Residential Elder Care in Alberta. The report highlights growing problems in health care for seniors and how the private delivery model is not working for seniors here in this province.

Thank you.

**The Speaker:** The hon. Associate Minister of Services for Persons with Disabilities.

**Mr. Oberle:** Thank you, Mr. Speaker. As the minister responsible for the Workers' Compensation Board it is my honour today to rise and table a document that presents a 10-year overview of performance. Despite the fact that insured workers have risen by 38 per cent in that period, claims are down 3 per cent, lost-time claims down 27 per cent, decisions appealed to the commission down 27 per cent, Ombudsman inquiries down 58 per cent, and MLA inquiries down 58 per cent.

Mr. Speaker, it's a story of remarkable performance. I urge MLAs to read it, and I offer my congratulations to Guy Kerr,

president and CEO of the Workers' Compensation Board, indeed to all of the staff at the board for an incredible performance.

**The Speaker:** Are there others?

Seeing no others, allow me to please table with you the requisite number of copies of the 2012-2013 annual report of the Child and Youth Advocate, that is prepared pursuant to section 21 of the Child and Youth Advocate Act.

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following documents were deposited with the office of the Clerk. On behalf of the hon. Mr. Horner, President of Treasury Board and Minister of Finance, pursuant to the Members of the Legislative Assembly Pension Plan Act the Members of the Legislative Assembly pension plan annual report for the year ended March 31, 2013, and pursuant to the provincial judges and masters in chambers registered and unregistered pension plans regulation the provincial judges and masters in chambers registered and unregistered pension plans annual report for the year ended March 31, 2012.

**The Speaker:** Hon. members, there was a point of order, I believe, raised during question period today. Was it withdrawn? Oh, it was just a clarification? Thank you.

I think that concludes our Routine for today, and we can move on.

### Orders of the Day

#### Government Bills and Orders Second Reading

##### Bill 41

#### Premier's Council on the Status of Persons with Disabilities Amendment Act, 2013

**The Speaker:** The hon. Associate Minister of Services for Persons with Disabilities.

**Mr. Oberle:** Thank you, Mr. Speaker. It is an honour today to rise and move second reading of Bill 41, the Premier's Council on the Status of Persons with Disabilities Amendment Act, 2013.

Mr. Speaker, the Premier's Council on the Status of Persons with Disabilities works to improve the lives of Albertans with disabilities by engaging the community and advising government on issues that affect persons with disabilities in our province. The council represents people from across Alberta and is inclusive with respect to age and type of disability. However, the legislation that governed the council was enacted in 1988 and has not been amended since that time. The council was initially created in a social context of low public awareness about disabilities, very limited community access for persons with disabilities, and a lack of independent advocacy bodies.

Mr. Speaker, the act needs to be updated to reflect our modern reality, a reality that is, thankfully, more inclusive of persons with disabilities, with a large and complex network of services, service providers, and advocacy groups. We are broadening the scope of the council to give it a role in working more closely with the community and providing strategic advice to government on today's issues that affect persons with disabilities.

There are several significant new roles for the council under the amendments, Mr. Speaker. The council can advise government on the development of policies, programs, and initiatives and their

implementation. The council can review government departments' business plans and advise on any impacts on persons with disabilities. The council may advise government on aligning its policies and programs with the UN convention on the rights of persons with disabilities. In providing advice to government, the council can also work to identify innovative opportunities to improve sustainability of service, and the council will also support the relationship between the government and the community service providers. These amendments will give this council a more strategic and influential role than ever before.

3:10

Mr. Speaker, Alberta's social policy framework guides us towards a new era in social services. We are moving away from traditional government silos towards programs and services that work together to achieve the best possible results for the people that they support. When it comes to disability supports, the Premier's council is in a unique position to help us with that.

While the council's secretariat is part of my department and I sit on the council as the deputy chair, the council members themselves are not affiliated with any particular ministry or program area. Especially with these new amendments, they will have a broader crossministry mandate. This positions them very well to offer us advice on how to take an integrated approach that considers the needs of Albertans with a wide range of disabilities, and especially as they become more experienced in this new role, Mr. Speaker, I anticipate that the council members will have a good perspective on what is happening across government in terms of initiatives that affect persons with disabilities. Furthermore, the results-based budgeting review of disability services identified that the Premier's council should have a more effective role in helping government to address opportunities and barriers for persons with disabilities.

As you know, Mr. Speaker, we are currently working on a number of initiatives to improve disability services in Alberta, including the employment first initiative and the creation of an employment advisory council and the recently announced Bill 30, which will dissolve the regional persons with developmental disabilities boards and the child and family services authorities to form new family and community engagement councils in 2014. I think there will be some great opportunities for the Premier's council to work with these new councils, and I've already spoken to them about this possibility.

So you can see, Mr. Speaker, that we have a lot of excellent reasons for amending the Premier's Council on the Status of Persons with Disabilities Act to give this council a stronger role. We have also recently recruited seven new members to the Premier's council, bringing the total to 14 members. I'm very pleased that we were able to both increase the size of the council and to renew their legislation this year so that we can move forward with a strong council and a strong mandate.

In this current environment, where there is so much work going on in the areas of social policy, employment, and program restructuring, I think there is a tremendous opportunity for the Premier's council to make a positive difference in the lives of Albertans with disabilities. I'm very much looking forward to working with this council once these new legislative amendments pass, and I think we're going to have a really exciting year.

I thank you very much, Mr. Speaker, for the opportunity to do this.

I now move that we adjourn debate on Bill 41.

[Motion to adjourn debate carried]

### Bill 43

#### Alberta Economic Development Authority Amendment Act, 2013

**The Speaker:** The hon. Deputy Government House Leader.

**Mr. Campbell:** Thank you, Mr. Speaker. It's a great pleasure to rise today on behalf of the Deputy Premier and Minister of Enterprise and Advanced Education to move second reading of Bill 43, the Alberta Economic Development Authority Amendment Act, 2013.

Simply put, Bill 43 is the next logical step for our province as the hon. Premier's vision for building Alberta's prosperity becomes reality. AEDA has become one of the government's most dependable, enduring, and trusted partners for the past two decades, and it's contributed tremendously to Alberta's growth and development. As we move forward, the Premier and her government are establishing a new role for the Alberta Economic Development Authority which will better support Alberta's efforts to diversify our economy, access and expand markets, and prosper on the global stage.

The AEDA Amendment Act includes a renewed governance structure and will make AEDA an even more efficient and effective organization. A smaller and more focused 12-member board will enable AEDA to better serve the Premier, cabinet, and Albertans.

I'm also pleased to see that the refreshed and re-energized AEDA will incorporate the functions of the Competitiveness Council. This will streamline the number of economic agencies and increase their alignment with GOA priorities. It will also ensure greater client focus and improve the effectiveness and efficiency within the economic development community.

Mr. Speaker, the Alberta Economic Development Authority Amendment Act supports this government's plan to build Alberta and help to ensure our future prosperity. Thank you, Mr. Speaker.

I now move to adjourn debate on Bill 43.

[Motion to adjourn debate carried]

### Bill 30

#### Building Families and Communities Act

**The Speaker:** The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. I'm honoured to rise and move second reading of Bill 30, the Building Families and Communities Act.

Much of the quality of life that we enjoy in Alberta today has been built by freeing and directing the latent energy of our natural resources. The energy of sun and water provided us with the agricultural foundation upon which Alberta was built. Gas and oil have helped create much of our current prosperity. And today we embark upon a plan for a different kind of energy. This is the energy of our families, our not-for-profit sectors, our diverse communities, the energy of individual Albertans who have the opportunities to succeed. For energy to be put to work effectively in building Alberta's future, we must collaborate and co-operate. We must move in the same direction, and that's what this act will enable families and communities to do.

The why of this act, Mr. Speaker, is every bit as important as the how. This act follows from the extensive discussions with Albertans that created Alberta's social policy framework. Albertans made it clear that they wanted day-to-day decisions about social programs made in the communities that are affected by those decisions. In essence, it's absolutely necessary, to deal

with social issues in our society, that those issues are owned by the communities, that we work together as individuals, communities, and governments to deal with those problems. A one-size-fits-all approach does not meet their needs and their aspirations. Albertans made it clear that they want government to recognize that just as no two individuals are exactly alike, no two communities are exactly the same. Each community has unique social needs and unique social challenges, and communities should have the ability to address those challenges in ways that are keeping with their realities.

Albertans also told government that they want to be partners in the process of developing social policies and programs and supports. They wanted the family and community voice to be heard and to be effective. They told government that they wanted assurance that the programs and services were achieving their intended outcomes. While the social policy framework was being developed, our PDD and CFSA boards were also hard at work evaluating how we could provide the best governance model to get those results for Albertans. A year ago I asked them to come together to look at what that governance model should look like, to serve Albertans under the Human Services ministry.

You will recall, Mr. Speaker, that two years ago the Premier had this vision of putting together into one ministry many of the agencies and programs that serve people, that help individual Albertans overcome difficulties, whether they're sporadic or chronic, help them to achieve the success that they need, to achieve what they need to help contribute back to our communities and our economy.

It was a great idea because we're working much better together, but now we need to look at our regional service delivery model. We need to look at our governance model to say how we can provide the right kind of governance so that Albertans in their communities can have their voices heard in the development of social policy, whether it's delivered locally by not-for-profit agencies, by local government, or by the provincial government. As part of the recommendations that they brought forward, the PDD and CFSA boards recommended that we change the board governance structure. So as part of the act current child and family service authority boards and persons with developmental disabilities boards will be disestablished. These changes are not taken lightly and follow from extensive discussions with both the boards and external stakeholders.

These boards serve some of the most vulnerable Albertans. Government can assure those who are served by the boards and their families and caregivers that there will be no disruption or reduction in services or programs as a result of this change. Their needs will continue to be met. This act is not about meeting budget targets; it is about serving people better. We have a growing province. We need to make the most effective use of our resources. We need to help Albertans achieve their outcomes.

It's about creating consistency and equity across the province and enabling all Albertans to be able to take advantage of the opportunities this province has to offer. We want to ensure that social-based services are effective, efficient, and accessible to all those that need them and that they're responsive and flexible when it comes to meeting the diverse and constantly changing needs of Albertans.

3:20

As part of achieving these goals, Mr. Speaker, this act calls for the creation of family and community engagement councils. Membership on the council will be about engaging the community in the continued discussion of social policy. We'll have an open

recruitment process. The selection of council members will be based on their ability to engage their community in these discussions.

Just as no two communities are the same, no two regions of the province are the same, so all of the councils will not necessarily look exactly the same in terms of size, and regional boundaries are not enshrined in the legislation. That gives us flexibility in terms of how the regions are established. It will allow us to modify regional areas if experience shows us that it's necessary to do so.

Membership on the councils is intended to be reflective of the diversity of the communities in which they function. It's worth noting that the legislation calls, for example, for aboriginal representation to ensure First Nations and Métis concerns and ideas will be thoroughly and properly addressed. In fact, it continues the aboriginal co-chair model that is currently in place with the CFSA authorities.

I can advise the House that I have met in September and October of this year with Treaty 6, Treaty 7, and Treaty 8 representatives as well as having meetings with the Metis Settlements General Council and the Métis Nation of Alberta to ensure that they understand that their voice will be very important both working with these new regional councils and in terms of direct discussion and access with the minister as we go forward. I've made a commitment to continue to engage First Nations and Métis representatives.

The councils that the act will create will work with and for communities to help them identify and discuss their social policy needs as well as opportunities and challenges and solutions, but these councils will not work in isolation. They will extend their reach and effectiveness by collaborating with a wide range of community partners. We anticipate that the regions will be aligned, for example, with the health advisory council regions, because community health is an extremely important issue and the social determinants of health are very much our baseline; with the health advisory council regions' school boards, because Human Services works very closely with Health and with Education; aboriginal agencies; municipalities; social service agencies; and the private sector. Their mandate will be to engage with communities on strategic policy directions related to social-policy-based programs and services.

In essence, their role will be to monitor the social health of the community and the effectiveness of social-based programs and services. In that regard, they will advise, report on, and make recommendations to their communities and to the Minister of Human Services.

As I've said many times, Alberta is facing societal issues that require societal response. When it comes to social issues, the command and control approach does not work. Experience has clearly shown that government cannot legislate away social problems or social issues. We certainly cannot buy our way out of them. It's also been shown that the best way to resolve tough social issues is through the involvement and collaboration of Albertans, their families, communities, the private sector, and their governments, working together, Mr. Speaker, bringing that energy together to create the kind of community we want to have, to create the kind of society that we can be proud of.

The Building Families and Communities Act is about creating that partnership, it's about using our combined energy to drive change forward, it's about investing in our families and communities, and, Mr. Speaker, it's about building a better Alberta.

**The Speaker:** The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Mr. Speaker. It's an honour to stand and rise to speak to this important bill, a bill that affects a

large number of very vulnerable, very crucial people in our society, persons with disabilities and, indeed, those children in care. I commend the minister for looking at this file and, with the massive changes in his own ministry, the amalgamation of so much under one roof, having the foresight to review all of the ways in which we can improve both the efficiency of the way we're spending dollars on vulnerable people and also the organizational structure and the feedback loops and evaluation mechanisms to make good decisions, not just today in a rigid way but to have a process for ongoing reassessment and evaluation and improvements that necessarily have to be part and parcel of the work that we're doing for these most vulnerable of our citizens.

I appreciated hearing some of the comments about returning to the communities. What we heard during a lot of the consultations and the furor this past summer from the PDD community was that these arbitrary, top-down decisions that were looking very, very dramatic, looking very much like the usual government top-down decisions, and that would have very substantive impacts on people's quality of life, their ability to get out, and their ability to maximize their contributions to their own and their communities' lives obviously backfired.

The government, in spite of perhaps some of the values that the framework established, seemed to have forgotten that there needed to be a lot more connection to the grassroots. There needed to be a lot better connection to those who are caregivers and the PDD community itself. They've taken a step back, and I think we applaud that. There's no question that this was going to be a disaster in the making, in reality, by the anxiety and disruption that it was creating in some of these families and individuals themselves. So I think the minister has taken a good step there, and this new act, I think, has some good elements to it.

Again, the danger here is a government that is out of touch with the grassroots community, a government that hasn't really been listening very well to the concerns and issues in the communities and is now certainly rearranging the management of this service to people with disabilities but isn't necessarily any better connected with communities. It will take many months through these family and community engagement councils to establish some bona fide and trusted relationships with the decision-makers at the top in government.

Some of the concerns that we have on this side relate directly to this decision-making power at the top and the disconnect with the grassroots and the community people. These have been raised consistently by the PDD community themselves. With the new amendment act that was announced even today with the Premier's council for PDD, again a question arises as to: how is that council going to relate to the new community councils? Who's going to have the most influence? Who trumps whom? Whom are we going to listen to at the government level? Well, it's pretty clear that the Premier's council is going to have a tremendous amount of influence. Many at the grassroots don't feel that their councils will have nearly the influence, and they are much closer to the real world of PDD.

I want to raise that flag for the minister, to make sure that we give due influence to those who are saying that we have not had the influence of the grassroots and that has created the problems over the last decade with a lack of responsiveness, a lack of timely reassessments. These folks are changing every day in terms of their capacities and their abilities and their needs. If we don't have a timely and responsive way to reassess needs and reassess the supports that are there for people, if we're listening to different levels of organizations throughout the province, especially at higher levels of organization like the Premier's council, and not listening to the people at the grassroots, we're going to get into

exactly the same problems that we've been facing, where people at the bottom feel totally disconnected with the services, not respected, and are fighting for their day-to-day well-being and quality of life.

Again, I appreciate the minister talking about the importance of looking at opportunities and barriers for people. These are people who are on the margins of our society, struggling to keep alive, to keep any quality of life, to keep a sense of self-esteem. We do need to have an ongoing, dynamic relationship with these folks and their caregivers through our service providers and through the government decisions that are made at various levels that translate into what resources they're given and what capacity they have, then, to address their opportunities and their barriers. I hope that the minister will hear that loud and clear.

I appreciate, again, the minister's sensitivity to aboriginal issues. These are, again, the marginalized of the marginal, and if we don't include them in a very meaningful way and listen to their input and address some of the outstanding and extraordinary challenges they face, whether it's on-reserve or in the urban setting, some of our First Nations communities, we are going to deal with many more problems in our hospitals, in our criminal justice system, in our addictions services. We must do a better job of hearing them, understanding them and their needs, and responding in a timely way to those needs.

3:30

Mr. Speaker, we'll have a few recommendations, amendments to make as we go along, but I think the minister is in good conscience making the necessary changes that needed to be made at the governance level. He's put in place some of the basic principles and frameworks that I think we can all hold the results accountable to.

Again, I would simply want to reassert the need to have influence at the grassroots level on these councils, or we will once again begin a progressive divide between what is really happening at the grassroots and the decisions that are being made at higher levels, which may be based on efficiencies at that level, may be based on budgets, may be based on many different things but not on the needs and not on the values and not on the quality of life for these folks that we should be doing our utmost to improve.

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

Hon. members, there's a long-standing tradition in the House where we usually recognize the opposition critic right after the mover of a bill at the various stages, and at that particular moment, when the Government House Leader moved his bill, I looked around quickly, and the man who was standing on his feet was from Calgary-Mountain View, so I recognized him. However, in deference to the situation and to the official critic, who is from Calgary-Shaw, I will allow you your full 20 minutes, should you need it. I ask the House to please accept my oversight in that regard.

The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Speaker, I appreciate that. Member for Calgary-Mountain View as well, thank you. It is indeed a pleasure to rise and speak to Bill 30. I think it's a very important piece of legislation, and I thank the minister for his comments earlier.

Overall, based on the legislation tabled so far, it's actually kind of refreshing to see a bill that I'm generally in support of.

**Ms Calahasen:** No.

**Mr. Wilson:** Yeah. I know. Isn't that unbelievable? It's actually quite exciting that, you know, we walk in here and have a cautiously optimistic tone as we enter this phase of debate on legislation.

**An Hon. Member:** So far.

**Mr. Wilson:** So far. It's refreshing. Almost.

**Ms Calahasen:** Come on. Anything before the "but" is pleasant.

**Mr. Wilson:** I appreciate your comments, Member for Lesser Slave Lake. Unfortunately, I can't quite hear them.

I would just like to make some comments around the actual bill itself. I noticed that this minister in particular is quite fond of the preambles, and I do appreciate that in the bill. I see much of what is in the preamble to the Building Families and Communities Act is directly pulled from the social policy framework, and I do understand why that would be the case; for example,

Whereas all Albertans share the opportunity and responsibility to contribute to and benefit from Alberta's prosperity and quality of life;

Whereas achieving desired quality of life outcomes requires the involvement and collaboration of Albertans and their families, communities, the private sector and their governments.

Straight from the final report of the social policy framework. Duly noted. Again, I can understand why the minister would want that in there.

One thing I find interesting, though, Mr. Speaker. What's noticeably absent from the preamble is where the accountability lies. One of the principles of the social policy framework was accountability, and it was noted as a guiding principle. I do note that the word "accountability" is in the fourth section of the preamble. But it's rather interesting that as you go further into the bill and you look at some of the amendments that are being made to the Persons with Developmental Disabilities Community Governance Act, it's been amended in the removal of just one section of the preamble that places the accountability – and I will read the section that is being struck from this act as an amendment:

Whereas statutory programs, resources and services are best provided to adults with developmental disabilities in a manner that acknowledges responsibility to the community and accountability to the Government through the Minister.

So it's quite odd that this would be struck in a bill that is essentially taking away community governance and sucking all of that up into the ministry, that we're taking out a line that specifically says that the accountability rests with the minister and the government. For me that's a little bit counterintuitive, Mr. Speaker, and in light of the case that I spoke of earlier this week with Betty Anne Gagnon, one would like to think that the minister would want to do everything to ensure that he is accountable and that a disaster, a tragedy of that magnitude never happens again. So I really do encourage the minister in helping me to understand this move, and I'm sure we'll have that discussion later on as we move forward through the debate of this bill.

Talking about the dissolving of the PDD boards, I think this is a very wise move, certainly something that we can be in support of. If you reflect back on the KPMG report that was commissioned by the minister at the time, some of the reporting that we got back from that was that there are "no formal provincial standards or guidelines to establish what an appropriate level of funding that the PDD Program should cover for either service delivery expenditure or administration." That's found on page 6. Even though each region has similar needs, the cost to administer the

program between the six boards varies, the time to manage intake varies, the caseloads for co-ordinators vary, and the levels of capability with the program and service provider network vary. There's very little consistency.

Again, that's why I say that we are supportive of this. We want to see some consistency in the system. I think that the clients that this network serves deserve it as do the families and the service providers providing that. There is no constant messaging. Clients cannot accurately find out what services are available or access them in a consistent way throughout the province, another problem that this will hopefully solve. The program is not formula driven. It relies on staff making difficult decisions about funding and support.

The report also noted that there's a complex delivery system, with many stakeholders, multiple reporting relationships. There is a lack of comprehensive information on the PDD programs. Individuals and families told the auditors from KPMG that they have a difficult time finding out what services are available across the province and accessing those.

That report had a series of recommendations, the majority of which were accepted by this government. Notably, two were not, and the two that were not are actually being corrected in this act. Those two were to "dissolve the six (6) Community Boards and create one organization under the direct authority of the government" – so now we can check that off; we seem to be there – and to "establish an Advisory Council to provide for community governance."

You know, it's interesting how we saw this in a report, and we have another example of the government believing that they know best and dismissing independent reviews or opposition criticism and putting blinders on. Now, it's good to see, a little bit late but better than never, that they've come around on that.

**An Hon. Member:** We cajoled them.

**Mr. Wilson:** Well, maybe a little.

I think that the end result of that is that you're starting to reform the system as a basis from that report, but you've poorly communicated the approach. That's something that we saw quite clearly this spring when the associate minister for persons with developmental disabilities went on what we like to call his apology tour.

You know, I was at a number of those town halls that the minister hosted, and we heard quite clearly that there was a disconnect between the families and the PDD boards in each region regardless of where you were across the province. The attempt to standardize the system, the SIS assessments, the rollout with that wasn't communicated very well. It created a lot of confusion and fear amongst that community. This transition that this apparently was always going to be part of, that was so poorly communicated, was the result of weekly protests.

There is some backtracking that we've noticed. They've gone back and looked at reassessing where those cuts were going to take place and how they were going to take place. I would like to, you know, give the minister credit. The minister for persons with developmental disabilities, Mr. Speaker, listened at those events. He responded. He genuinely looked like he cared and wanted families to leave those meetings feeling better than they did when they walked in the doors. For that I would like to thank him. This act is a step in the right direction, and I'm hoping that we can somewhat turn the page on some of what we saw this spring.

The dissolving of the CFSA authorities is another interesting element. I'm not entirely sure how that's going to play out in terms of how these councils will function. I think that's one of those areas where it's going to be a wait-and-see scenario, and it

really comes down to what I believe is trust. I do believe that the minister and the minister's team trust the people on the front lines that are working within that system. They are great people. They are incredibly passionate about the work that they do. They have to be in order to work in that field. At this point in time I believe that through regulation or other ways, the minister will always keep the children and the families that are impacted on this side of this ministry top of mind.

3:40

The move to these new councils, Mr. Speaker, is in theory a good idea and, as I stated earlier, cautiously optimistic. It does certainly seem to have the support of the community. There's not a single stakeholder or service provider that's directly involved in the PDD system that has come out saying that this is not a good idea. I think that they, too, had been asking for it for a number of years because even, for example, organizations that operated in different regions throughout the province had different regulations and guidelines and funding models. It was a system that was broken, and I think everyone recognizes that. I'm very pleased to see this moving forward in the direction that it is now.

The intention to identify social policy issues and the way in which these councils are going to be somewhat of a conduit of information between the community and the minister to advise, report, and make recommendations to the community, to inform the minister on strategic policy directions: it all sounds a little smoke and mirrors. It sounds like a really good idea in theory. How it's going to actually work and what benefit that's going to provide directly to either the minister or the communities in question remains to be seen. We do need to allow this process to play out, but part of me feels – and this is possibly because I'm innately cynical on this side of the floor – that this is a bit of a smokescreen to just be able to say that the government is out: we're listening and we're being part of the community.

That being said, we recognize that this move, regardless of how the councils are applied, will standardize the services and the delivery of those services across this province. That's something that I know I'm very happy to see, I believe everyone I've spoken with about this is very happy to see, and is something that we all recognize the various boards were quite terrible at doing.

Now, we have long supported the idea of local decision-making, so again, some trepidation around how these communities fit into a decision-making role because all of that authority has been taken up into the minister's office. Again, these are advisory councils. They're not actually making decisions. The PDD had an incredibly complex delivery system. The KPMG report stated, "We could not explain why there should be different operating models." These councils can be a great addition to understanding our social system if they're used properly, or they could be a major failure. Again, we need to go through the process, find out how it works, and see how it works. I hope that there will be appropriate measures in place to be able to measure the outcomes, which is another word we hear this minister use all too often.

The PDD boards and CFSAs were operating at a more regional, local level. This may be lost in the transition or trade-off to departmental control. I worry that there is a chance that this may end up being a bit of an AHS-like bureaucratic system, where we just put everything up into a central system in Edmonton and it balloons and it doesn't stop. I'm hoping that the minister will be open to some dialogue and potential amendments around controlling that.

Now, I do passionately agree with the designation of an aboriginal co-chair and continuing that model from the CFSAs. The

cheeky side of me would maybe suggest, you know, what race is the other co-chair going to be, but I do believe that it is . . .

**Ms Calahasen:** Oh, that is cheeky. That's terrible. I take exception to that.

**Mr. Wilson:** It was an attempt. I really do think that this is a fantastic idea.

**The Speaker:** Hon. member, just continue speaking through the chair. Lesser Slave Lake, you'll have your chance, I'm sure.

Calgary-Shaw, please proceed.

**Mr. Wilson:** Thank you, Mr. Speaker. I passionately agree that we continue this model.

I'm actually going to be putting forward an amendment to – I would like to discuss this with the minister as well – increase the frequency of the number of times that the aboriginal co-chairs meet. I believe that the unique scenarios and the unique social challenges that that community has – it's fantastic that they're going to be mandated to meet at least once per year. I think that that could be more productive and we could get more work done more quickly if that was happening at least on a biannual basis. I look forward to, again, having that discussion with the minister at the appropriate time.

There are concerns that I have about what seems to be a line in the act about IQ requirements. We heard the associate minister talk quite often about how having the arbitrary intelligence – I'm looking for the exact wording, Minister. I will find it for you if you like. But it seems odd to me that we would keep this specific part of the act intact after all that we heard the associate minister speak to in the spring when we were talking about an arbitrary IQ of 70. Why would we have this cutoff that if you have an IQ higher than 70, you're unable to require or have services? I see the minister is looking at the bill. I hope that perhaps I've misread that or that that clause does not specifically speak to that. But we will cover that, I'm sure, in Committee of the Whole.

Now, in closing, Mr. Speaker, this government has tied its horse to the social policy framework. I think that most people who are in the social sector, the nonprofit side of our province – we recognize it on this side of the floor without question – are able to do things that government can't do in a more effective and more efficient manner right on the ground level. They're very supportive of the outcomes of the social policy framework. I think this bill is a step in the direction that that framework called for and what the over 7,000 individuals that participated in the discussion called for.

I'm hopeful that the minister is open to amendments. I'm more than happy to share them with him prior to getting to the committee phase. I do look forward to a fulsome debate on this very important bill.

Thank you, Mr. Speaker.

**The Speaker:** Are there others?

Standing Order 29(2)(a) should be available here because we've now had three speakers. Are you rising to speak on 29(2)(a)? No.

Let's proceed, then, with Medicine Hat.

**Mr. Pedersen:** Thank you, Mr. Speaker. I am pleased to rise today to speak to Bill 30, the Building Families and Communities Act, put forward by the hon. Minister of Human Services. As the government has witnessed over the last number of months, the PDD portfolio has had its challenges, and making changes to the services or the structure of the ministry needs to be done in full consultation with clients, family members, caregivers, service providers, and all other stakeholders. Not doing so ends up in what

we witnessed all across the province this past spring and summer, a huge outcry and push-back when cuts to front-line service care were announced in this year's budget.

What is evident is that at this time it appears that government has done a better job of reaching out, of consulting, of communicating, and perhaps – just perhaps – even listening to those at the ground level and on the front lines. I stand today to thank everyone who participated in any and all PDD events and rallies here at the Legislature and around the province to bring the attention that was due to the government. It was a job well done and noticed.

[The Deputy Speaker in the chair]

The information I have been able to gather from the Medicine Hat area is that this appears to be an improvement as the existing PDD legislation no longer suits the needs of the system. When PDD was originally organized into each of the six regions, they were fairly autonomous, having their own infrastructure and policies. Each regional board was part of the hiring process for their PDD CEO, with the support of the government, but without a clear overarching goal with measurables and deliverables each region began operating differently.

To try and compensate, new processes and policies were brought in by the PDD Provincial Board throughout the province, having the effect of diminishing the role of the PDD boards to little more than an advisory panel. The outcome of these changes is that the PDD boards have basically become another layer of ineffective bureaucracy as they have had no authority to develop regional policies and/or services for the last three to four years.

Mr. Speaker, the concerns around replacing the current boards with the advisory councils are: will their regional input have the ability to actually create action, or will it only be lip service in a one-way dialogue? How will people be appointed to these councils? Will staff from the regional boards be part of the new councils? Will the positions be paid, or will they be volunteers? If the government is bent on ruling by decree from a centralized position of power in PDD, as they have with other ministries, then what purpose is there in any type of local representation that has no ability to propose change and then be empowered to enact change?

This will be the litmus test for this bill and this government. As the government knows, they have blown this relationship already once this year. They cannot afford to do it a second time. There are major concerns around how government in PDD continues to expand its number of employees in the belief that Big Brother knows best whereas most parents or guardians want adequate government support but less bureaucratic interference. Around this issue PDD is trying to insert itself into the role of service provider, but since PDD is also the fund provider based upon a standardized assessment tool and the monitoring of outcomes, they must be careful not to be conflicting in their interests.

3:50

Mr. Speaker, the idea of creating employment councils might sound positive and constructive to the masses, but the work our local service providers have engaged in is already seeing success. Placing 85 out of 100 clients, as an example of one local agency, by building relationships with employers and employees is a clear success. If other areas in the province are not seeing successes, possibly the government could look at the opportunities allowed through the Medicine Hat operations, utilizing or adapting what is already showing excellent results rather than trying to reinvent the wheel.

With the government stating that up to 60 per cent of individuals with developmental disabilities could handle some sort of employment, the solution may already exist in some of the best-in-class service providers already exceeding these numbers such as those in Medicine Hat. Please don't overlook service agencies that are leading and exceeding these government goals. Please talk to them and learn from them, and please implement the positive results already occurring on a daily basis rather than interfering with their record of great work and great results.

In closing, Mr. Speaker, there is an opportunity to create improvement in services and support with this bill. Please do not use this bill to create more layers of government bureaucracy that will eat up valuable resources and keep those resources from getting to the front-line service providers who interact with their clients on a daily basis. If the outcome of this legislation does not improve the client's life in any way, shape, or form, then there is no need for change for the sake of change just to make the government look busy.

In saying that, I do look forward to supporting this bill with some proposed amendments from my colleague from Calgary-Shaw to help strengthen this bill into legislation that really respects and reacts to the needs of the client.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you very much, Mr. Speaker. It's my honour to rise today and speak to second reading of Bill 30, the Building Families and Communities Act. Before I get into some of the positives that I see in this bill – because I do see this bill as a step in the right direction – I think it's important to reflect and recall what happened this spring and summer when the PDD community was quite outraged at the government's handling of this portfolio and how families and people with developmental disabilities were treated.

To start, the government introduced two pieces of legislation today related to persons with developmental disabilities, Bill 30 and Bill 41. Now, this is their response to the confusion and mistrust that was created this spring. When the March budget was released, it was clear that the government wanted to cut \$42 million in community services to persons with developmental disabilities. Now, that created much confusion and havoc, and I attended numerous rallies that were held here on the steps of the Legislature. Mr. Speaker, the Member for Edmonton-Strathcona emceed several of those, which saw thousands of families, service providers, organizations, volunteers, and persons with developmental disabilities show up at the Legislature in order to voice their outrage at the fact that so many millions of dollars were cut and supports were going to be literally knocked out from under them. There were tears. There was outrage. There was frustration. There was confusion.

Again, appreciate the fact that for many of these adults with developmental disabilities, not understanding how this cut was going to affect their caregivers or their service providers outraged their families, who didn't know what would happen to their children, to their families. It was a mess that was created by this government in a conscious decision to cut a significant amount of dollars, millions of dollars, from a budget that works with some of the most vulnerable Albertans, Mr. Speaker. That caused an outrage.

I think it's important to note that I honestly believe, Mr. Speaker, that that's the reason we are here today, where the government has recognized its short-sighted budget cuts and folly by tabling a bill that attempts to address some of the very confusion and chaos that they created. I think there are some good ways to encourage work within the community, and again there are also ways that aren't so positive and that create that confusion. Dumping a surprise funding cut on the backs of service providers quite clearly falls into the category of a bad way to deal with budget cuts.

Again, many service providers were quite taken by surprise and frustrated because these folks do their jobs because they care and they choose to. This is a career and a choice that comes from the heart. This isn't one that's motivated by dollars. Nobody gets into working with adults with developmental disabilities to make it rich. They're there because they care and they want to give back to their community. So the move that took place this spring in the budget was one that was not only cold and callous but sent a message to many service providers that they weren't respected and that their jobs were not important enough. I personally spoke with several service providers and families who have family members that have been affected by developmental disabilities, and they were quite outraged, Mr. Speaker.

I'm happy to see that the government is trying to take a step in the right direction. This legislation that's in front of us, I'd like to point out, Mr. Speaker, was recommended by the Alberta NDP years ago. This legislation does address an issue but in some ways doesn't get to the heart of the matter. The challenge that we're facing is that this PC government still wants to make cuts to the persons with developmental disabilities program, which, I must add, is still cause for concern within that community to this day.

Again, many of the cuts were delayed, but there is no certainty as to what will happen in the near future. I mean, part of the concern is that the Associate Minister of Services for Persons with Disabilities has only committed temporarily to pulling back as far as cutting less deep into this area and that changes are going to be made slowly. But there's still a concern on exactly what those changes will bring and how they will affect and impact persons with developmental disabilities and their families.

The Alberta NDP will have some amendments to try to improve this bill, to get some clarity. Again, there are concerns with the way the government has to be forced to listen to people. I truly believe, Mr. Speaker, that had agencies, organizations, families, the Alberta NDP – and I'll also recognize members from the other opposition parties who were in attendance at these rallies – not forced the government to listen to persons with developmental disabilities, their families, and service providers, I truly believe that this bill would not be sitting in front of us. So, you know, on the one hand, kudos to all opposition parties, but the sad reality of it is that it shouldn't have to come to a public outcry.

We saw another example of that today with postsecondary cuts, where what the government needs to appreciate and understand is that the confusion and the frustration that is caused when budget cuts are first introduced doesn't suddenly disappear months later when either the cuts are lessened or, magically, some money has been found. They've already significantly impacted service providers and their families and created and caused stress and problems.

4:00

A couple of concerns I'd like to highlight with respect to this bill. Section 2(3) does not actually require the minister to appoint

members who are persons with developmental disabilities or who have extensive experience in the PDD community. There is a concern that there could be members appointed who don't represent the community or come from the community or have enough experience or background to ensure that those folks are represented. That's one of my concerns. Having said that, I do want to acknowledge one of the successes that I see in this bill, and I have no problems with giving the Minister of Human Services credit for this. I'm very appreciative that one of the co-chairs must be aboriginal. I think that that is a very important step. I think it's very important that we have diversity on these boards and representation. I will be the first person to acknowledge this and to thank the minister and express my appreciation for that.

Another concern that I have is that the current bill eliminates the articulation in the act of the role of the minister, which is currently section 9 of the act. I think it's important that a minister's powers are expressly described or defined within legislation.

My third concern is that at the moment the bill allows the minister to establish appeals panels and processes by regulation. Now, the PDD appeals process is quite problematic and quite confusing, and I'm not sure if this bill goes far enough to cut through some of that tape and give an opportunity to folks who do need to appeal. I know, for example, there's a lot of confusion around appealing the SIS assessments, which is the supports intensity scale. These undefined changes will most certainly cause further uncertainty amongst individuals, families, guardians, and service providers. I truly hope that the minister is open to amendments that will be put forward by the Alberta NDP in order to improve and strengthen this bill and to ensure that we are bringing forward the best possible legislation.

The other concern I have, Mr. Speaker, is that there is no provision within the bill as it currently reads that there will be meaningful consultation. Again, I've often stood up in this House and spoken about consultation, which I think is crucial when we're discussing legislation that is going to affect Albertans. The very Albertans that are directly affected by this legislation should be consulted through a variety of means. At the moment it is possible – and I look forward to hearing the minister's response to this – that there may be the intention for consultation, but there's no provision or guarantee within the current bill as it sits.

A question that I will have for the minister is about how the government has talked about how they'll continue to look for ways to improve work and volunteer rates among persons with developmental disabilities. That's something that we certainly support where appropriate.

Some questions that come to mind. Will this government commit to putting the brakes on community access funding cuts over the long term, funding which helps ensure that people with developmental disabilities can participate in this capacity? Will that commitment come with a clear position that it won't take families and service providers rallying outside the Legislature to be heard as, I believe, it did for us to get here today? And even with a greater workforce participation rate this government needs to make a commitment that community access will not be slashed just for the sake of making cuts and that this government will not continue to place the burden of budget cuts on the backs of some of the most vulnerable Albertans.

In conclusion, Mr. Speaker, I do think that this bill is a step in the right direction. I look forward to the discussion that will be coming and the amendments that we'll be putting forward in order to strengthen this bill and ensure that we are putting forward the best legislation and taking care of the most vulnerable Albertans.

Thank you, Mr. Speaker.



**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available for questions to the hon. member.

Seeing none, I'll look for other speakers. The Member for Edmonton-Calder.

**Mr. Eggen:** Thank you, Mr. Speaker. I am happy to help to reinforce and elaborate on some of the comments that my colleague had just mentioned in regard to Bill 30. Again, the Alberta New Democrats are generally, globally, quite pleased to see this as a synthesis of many concerns that the PDD community had been expressing over these last few months and in some cases years. We will be working carefully to make sure that with some small modifications Bill 30 does come to pass here during this session.

As we know, this bill proposes to dissolve both the persons with developmental disabilities board and child and family services authorities. I think this is a reasonable evolution of this authority here across the province. A director will now establish assessments for disabilities and decide on the provision of services with full powers of delegation to the staff.

As well, this idea that councils are expected to work with the communities to find social policy issues and to work with a variety of groups and service providers to come up with solutions for the community, to engage the larger community, to inform the minister, and, finally, essentially split the role of PDD boards into the director and then family and community engagement councils: I think that this is a direct reflection, as I said, of what was being widely criticized previously in regard to PDD boards. We're talking about a significant amount of people and some of our very most vulnerable people, Mr. Speaker, more than 10,000 Albertans.

I think that if we can just look back in history a little bit, the beginning of this was from that 2011 report from KPMG that did recommend dissolving the boards. Finally, more than two years later, we see it come to pass. I think, having said that, this idea of making the \$42 million in proposed cuts to the PDD community-based programs really was the blow that helped to precipitate, finally, Bill 30 now coming to the table. It's unfortunate that we sometimes have to have so many negative things happen to finally produce something positive.

The government did back down on these cuts in the end, but not without quite a lot of distress, not just amongst PDD recipients but also amongst workers as well. There was originally meant to be, just to remind everyone, a 15 per cent increase to wages this year. In fact, we had quite the opposite happen, much to the chagrin and I think the overall weakening of the PDD community across the province, by not paying the workers an adequate wage.

A couple of things that I would like to ask about, specifically, around the KPMG report. I'm just curious to know what's really changed since the government's response to the 2011 report that originally suggested removing the PDD boards. The original response didn't suggest that the government was going to do the consulting before evaluating this recommendation. Instead, it was a straight-out rejection. Why wasn't that recommendation fully considered and consulted on at the time? I just always am curious to know what the political considerations are. Why did we have to wait so long, basically?

4:10

Another thing that I was very curious to know when Bill 30 came forward here was why this bill removes the requirement for notice of the right to appeal a decision from starting the clock on the appeal process. Clearly, this makes sense, to ensure that individuals are aware of their right to appeal. These are some

things that I see coming across my desk in my constituency, and I just want clarification on that because it causes a lot of problems. Under the previous bill you'd have to be told that you had a right to appeal before the appeal window would start running. With this one the clock starts running once you've been notified of the decision. I realize this might sound a little bit obscure, but for the people that actually do require an appeal, this change is very significant to their benefits.

Going forward, I hope that we can find Bill 30, Building Families and Communities Act, enshrined during this session and that we build something that everyone can be proud of and use moving forward.

Thank you.

**The Deputy Speaker:** Standing Order 29(2)(a) is available.

Seeing none, are there other speakers?

The hon. Minister of Human Services to close debate.

**Mr. Hancock:** Thank you, Mr. Speaker. I have five minutes, but I did pick up a few things that were asked. The relationship between the Premier's council and the regional councils I think is an important question. It's important for people to know and understand that the regional engagement councils are just that. They're about engaging the public. It sort of answers the question that came from New Democratic members as well with respect to consultation. The full mandate of these councils is to engage their communities in discussions of social policy issues in their areas and to work with the Health Quality Council, with the school boards, and with the FCSS boards to have that robust conversation, to keep that conversation going and alive.

One of the problems we've had, I think, in the past is that people have left social policy discussion to a small group of people in the community and abdicated that to them to take care of. These councils' full role and mandate will be that engagement process, to keep social policy at the forefront of discussion in our communities and have a good understanding in our communities about what the community solution is and then what our roles and responsibilities are in achieving those solutions each as individuals, communities, not-for-profit organizations, and governments. So the role is there, the consultation role.

The role of the Premier's council on persons with disabilities is slightly different. It's, first of all, got a provincial mandate, and it's to look at government policies, government business plans across the board to make sure that the status of persons with disabilities is taken into account in those policies. It's not about an engagement process so much as about keeping on top of the latest developments world-wide with respect to persons with disabilities and the UN charter on persons with disabilities and to take a look at government legislation and policies as they come forward, to look at business plans to make sure that we're in tune and attuned to those requirements. So the specific role continues for the Premier's council with more of a mandated role of continued consultation and discussion for the regional councils.

There was a question raised about removing the preamble piece in the PDD act about accountability resting with government. Well, of course, the reason why that preamble was in the PDD act was because there were board-governed operating authorities. So it had to be clear in that act that notwithstanding that there were board-governed operating authorities, responsibility and accountability still rested with government. If you don't have the board-governed authorities, accountability is clearly with government. You don't actually need to put it in the act. It's there. There is no intervening authority that you can say that we delegated it to or sent it to.

So it's just a question of – really, the amendments to the PDD act were only doing two things. One was restructuring to take away the board-governed aspects of it and amending sections that deal with that, and then, secondly, making the appeal process more aligned with other appeal processes and more robust, allowing for administrative reviews, allowing for mediation and arbitration, and then making for a better appeal process.

So those are really the only two. There are other things, as the Official Opposition critic pointed out, with respect to the regulation-making authority that was carried forward. All that was done in the regulation-making authority section, again, was removing the references to boards.

There may be other work down the road relative to the issues that he raised relative to who and how people are determined, whether they're in PDD and those sorts of things, but we were not attempting to do that here, so the rest of those regulations are just a bring-forward. But there is work to be done in terms of what the parameters are relative to people getting PDD, how we ensure that PDD is available, for example, to persons on-reserve. All of those issues still remain to be done. There's lots of work happening, but this was not an attempt to fix those particular issues.

The role of the minister. Again, that comes back to exactly what I was saying before. When there was a board in place, it would need to be clearly defined what the role of the board was and what the minister's was. Without a board in place you don't need to set out what the role of the minister is because, of course, the responsibility is clearly, fully vested in the minister and in the government, so you don't need to make that distinction.

I mentioned the appeal mechanism.

I do want to say, with respect to the comments made about community access, that we have made it clear and the associate minister has made it perfectly clear through the summer that in working with persons with developmental disabilities, one of the things we're trying to ensure is that there's a clear communication between the PDD division and the families and individuals, that we're working with them to ensure that they get the service they need from the appropriate service provider. That's very important work.

The budget issue is not the driving force here. There is not a budget issue – I shouldn't say that there's not a budget issue. There's always a budget issue, but that's not what we're trying to do here. We're not attempting to balance a budget in this particular piece. What we're trying to do is to ensure that people get the right services, that they get access to help, assistance in getting employment if that's what they want, to being in the right kind of activity for their development. That is continuing to be the work that we're doing. That work goes on and goes forward.

With those few comments, Mr. Speaker, I hope I was responsive to the questions that were raised. I'd be more than happy to deal with other questions as they come up in committee. I would encourage the House to vote for this bill in second reading.

**The Deputy Speaker:** Thank you, hon. minister.

[Motion carried; Bill 30 read a second time]

### Government Bills and Orders Committee of the Whole

[Mr. Rogers in the chair]

**The Chair:** Hon. members, I'll call the Committee of the Whole to order.

### Bill 27

#### Flood Recovery and Reconstruction Act

**The Chair:** We have dealt with amendment A3, and we are now back on the bill. Speakers on the bill? The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Rowe:** Thank you, Mr. Chair. I want to table an amendment.

**The Chair:** Would you just have that circulated, hon. member? Please send me the original. We'll maybe just pause for a moment till that gets distributed.

Hon. member, did you send the original? These seem to be copies that I've got.

**Mr. Rowe:** I have the original.

**The Chair:** You need to send me the original. Keep a copy for yourself. Thank you.

For the record, then, hon. members, this will be amendment A4. Proceed, hon. member.

4:20

**Mr. Rowe:** Thank you, Mr. Chair. This amendment is to strike out section 1(3) and substitute the following:

- (3) Section 18(4) is struck out and the following is substituted:
  - (4) Upon receipt of a formal request to extend the state of emergency from a local authority, the Lieutenant Governor in Council may renew the declaration for 14-day intervals to a maximum of 98 days.
  - (4.1) Unless continued by a request under subsection (4) or by a resolution of the Legislative Assembly, an order under subsection (1) expires at the earlier of the following:
    - (a) at the end of 14 days, but if the order is in respect of a pandemic influenza, at the end of 90 days;
    - (b) when the order is terminated by the Lieutenant Governor in Council.

This is a fairly straightforward amendment. It puts a little more power back into the hands of the municipality and lets more of the decision-making happen at that level. They're the best people who can make the determination on whether they need the period extended or not.

I would strongly urge acceptance of this amendment. It doesn't alter the structure of the bill, which I for the most part will support. I'm asking for your support for this amendment.

Thank you, Mr. Chair.

**The Chair:** Thank you.

Are there others speaking to the amendment? The hon. Member for Drumheller-Stettler.

**Mr. Strankman:** Thank you, Mr. Chairman. I, too, would like to speak to this amendment because I believe that it allows more power to be mandated with the local municipality. They are the people that are on the ground and are well aware of what the local conditions are. It's been apparent in the recent situation in Drumheller, where the community was not specifically affected by flooding similar to other municipalities throughout the province, that different conditions and attributes apply to those areas that have mitigation. It's an interesting situation. In the town of Drumheller in the constituency of Drumheller-Stettler we were not afflicted by the emergency measures similar to those that were in other areas like Sundre, High River, et cetera.

It's my feeling that this amendment is well worth while, and I would urge members from the government to give it due consideration.

**The Chair:** Are there others on the amendment? The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Mr. Chair. I rise to speak in support of this amendment. I think this is a great amendment. This is one that puts forward the idea that the people that know best, the form of government that knows best is the one that is closest to the people. In this case, it's the municipal governments, the ones that are closest to the people. It gives them the opportunity to ask for the extension at 14-day intervals to a maximum of 98 days so that we don't have to rely on something coming back up to Edmonton and having to be deliberated here in the Legislature. We'll actually be able to have that petition come from the local authority and extend the state of emergency and extend them the help that they need when they need it.

I think this is a great amendment to this bill. I think it's something that you really should give good consideration to. I do urge this government to have a close look at this amendment and to pass this amendment. This is a great addition to your piece of legislation, and it will go a long way in helping municipalities deal with emergencies like the flooding that we had over the summer.

With that, I would like to thank the Legislature for the opportunity to stand and speak to this amendment.

**The Chair:** The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Chair. I'm interested in this amendment, but I'm a bit troubled by the confusion that it causes for me. Maybe the hon. member who moved it can clarify it. I think he's mixing up local emergencies with provincial emergencies. The section that was being amended, section 18(4)(a), changing the 14 days to 28 days, deals with provincial states of emergency, of which there's only actually been one, I think, ever declared in this province, and that was this summer.

That's the one where a provincial state of emergency requires us to come back to the Legislature after 14 days to request an extension. The 14 days is too short. You need about three days to recall the Legislature properly even in an emergency. You could do it faster than that, but to give people notice to get back and that sort of thing, the 14 days was too short. Now, a provincial state of emergency actually puts some significant powers in place. The question is: well, if not 14 days, what's appropriate? That's when we went to the 28 days. We want to be able to say that the Legislature has authority to determine whether you still need that provincial state of emergency.

But, Mr. Speaker, to the hon. member, that has nothing to do with local states of emergency. Local states of emergency don't come to the Legislature for renewal. If this is the local authority, the local authority would not be coming to the Legislature asking for renewal of their state of emergency. In fact, what happened this summer is that the provincial state of emergency was put in place with respect to the specific situation in High River because additional authorities were needed beyond what the local state of emergency could accomplish. Then when it expired, it went back to the local state of emergency, and the local state of emergency stayed in place for a period of time.

I think there's some confusion in your amendment. If that's the case, certainly I would encourage people not to adopt this amendment simply because it does confuse the issue between local states of emergency and provincial states of emergency. Section 1(3), which amends section 18(4)(a), is about provincial states of emergency.

**Mr. Rowe:** If I could just respond to that, Mr. Chair, basically all we're asking is: rather than 28 days, make it 98 days. We know

that 28 days was not sufficient in the High River circumstance because that went on for three or four months. We're just asking that we don't have to go through all that heavy process to extend it for that period of time in the future. It could be cut off at 14 days, but if the municipality says, "Hey, look, we can't handle this yet" even after 30 days, 28, 56, or whatever – it makes the process simpler. That is our intent.

Thank you.

**The Chair:** Are there others on amendment A4?

Seeing none, I'll call the question.

[Motion on amendment A4 lost]

**The Chair:** We're back to the main bill. The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Chair. I have an amendment.

**The Chair:** Okay. Same process. Please circulate. We'll pause for a moment. Thank you.

**Mr. Bilous:** It's on behalf of the Member for Edmonton-Strathcona.

**The Chair:** So your amendment is on behalf of the Member for Edmonton-Strathcona? Thank you.

For the record, hon. members, this will be amendment A5.

Please proceed, hon. member.

**Mr. Bilous:** Thank you, Mr. Chair. With your indulgence I'll read out the amendment that I'm putting forward on behalf of the Member for Edmonton-Strathcona. She moves that Bill 27, Flood Recovery and Reconstruction Act, be amended in section 2(2), in the proposed section 615.1(3), by striking out clause (b) and substituting the following:

- (b) specify a date on which the order or any provision of it expires, such date not to exceed 3 months from the date the order takes effect.

Now, Mr. Chair, in the event of an emergency or disaster the section allows the Minister of Municipal Affairs to modify the application or to exempt a municipality from any provision of the MGA, the Municipal Government Act, as well as provide the municipal authority with specified authority. What we're asking through this amendment is that we need to have clearly defined and legislated time frames on how long such an order can be in place. The way the bill is currently written, ministers could theoretically extend these orders as long as they want.

With this amendment we're respecting that municipalities need to be able to return to governance of their own affairs. Emergencies and disasters, as we've seen, require speedy responses, and it's understandable that the provincial government may need to co-ordinate these efforts, and doing so may for a short period of time or a period of time require the suspension of some municipal authority.

4:30

But at the same time, Mr. Chair, we can't allow the powers of the minister to continue on indefinitely, which is the way the legislation is currently written. I can appreciate that that may not be the spirit or the intent of the legislation. However, as all legislators in this Chamber recognize, we need to be very careful and precise with the language that we use and how it can be interpreted and will be interpreted for decades to come. Therefore, there needs to be a limit on the minister's ability to suspend local governance, and there should be a focus, once the emergency

aspects have been dealt with, on shifting to empower municipalities and helping them through the rebuilding process.

I think this amendment is quite straightforward. I encourage all members of the Assembly to support this amendment. Really, it comes back to restoring municipal powers or the ability for municipalities to get back to what they were elected to do, which is, well, to get on with municipal governance and whatever that entails. This will give a specified, laid-out time frame on how long the provision continues. Again, we are calling for three months, which seems like a reasonable amount of time.

I encourage all members of the Assembly to support this amendment.

**The Chair:** Other speakers on the amendment? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I rise in support of this amendment. It's not a complicated amendment. I think it tries to achieve what the previous amendment might have failed to achieve, which is to just cap the date when the authority is deemed to expire. Now, it still allows for the minister to set a date any time prior to that three months, prior to that 90 days. But what it does is that it just lays out in a very linear fashion that regardless of when the minister takes the authority, he or she has a cap on where that authority will end.

That's an extremely important aspect of any type of legislation. Where does the authority begin? Where does authority end? The authority begins under section 615.1(2): "Where it appears to the Minister . . . the Minister may." That's where the minister gets the authority, and if this amendment is adopted, we show where that authority ends. It allows the local authorities to make their decisions, plan to retake their jurisdictional responsibilities, and it doesn't prevent a continuation of the disaster response. So it just gives some more legitimacy, in the sense of transparency, to how the authorities are going to not just be declared but where those authorities will be terminated and turned back to local municipal authorities. It just caps that at that 90 days.

Now, if the hon. members across the way are not inclined to support this amendment, I'd like to hear where they would like to cap that so we can bring the proper authorities back to the table and make these decisions. The number, three months, 90 days, is arbitrary, but clearly it seems to me that there needs to be a point in legislation where the local municipalities have some sort of idea, some sort of expectation of where the declaration is going to basically terminate and the authority will revert back to the municipal authorities.

With that, I hope that my members and certainly the members across the aisle would support this amendment. Thank you very much, Mr. Chair.

**The Chair:** Thank you, hon. member.

Are there others speaking to the amendment?

Seeing none, I'll call the question on the amendment.

[Motion on amendment A5 lost]

**The Chair:** We're back to the bill. Speaking to the bill, the hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thank you, Mr. Chair. I have an amendment that I would like to put forward in regard to Bill 27 on behalf of the Member for Edmonton-Strathcona.

**The Chair:** Please proceed. We'll distribute the amendment and just pause for a moment. Thank you.

**Mr. Eggen:** Mr. Chair, can I just tell everybody that it's two pages?

**The Chair:** It's a two-page amendment.

Proceed, hon. member.

**Mr. Eggen:** Thanks, Mr. Chair. I just want to let the members know that they shouldn't be intimidated by this two-page amendment – there were several elements that needed to be covered here – and the essence of it is just to have a good, solid definition of what a floodway is. I think that speaks to the essence and the central idea of Bill 27, so it's worth while.

**The Chair:** For the record, hon. member, this will be A6.

**Mr. Eggen:** A6. Okay. Amendment A6 is amending section 2(3) by striking out proposed section 693.1 and substituting the following:

Development in floodways

693.1(1) In consultation with municipal authorities and experts, including, but not limited to, engineers, hydrologists, geologists, meteorologists and climate scientists, the Minister must, at a minimum interval of every 5 years or after each disaster, as defined by this Act, whichever is earlier, develop the following:

- (a) comprehensive maps of floodways and flood zones, and
- (b) detailed reports of risk assessments and climate conditions as they relate to water management.

(2) The Lieutenant Governor in Council, on the advice of the Minister who has consulted with the appropriate municipal authorities, may make regulations that provide for the following:

- (a) controlling, regulating or prohibiting any use or development of land that is located in a floodway within a municipal authority, including, without limitation, regulations specifying the types of developments that are authorized in a floodway;
- (b) exempting a municipal authority or class of municipal authorities from the application of all or part of this section or the regulations made under this subsection, or both;
- (c) modifying or suspending the application or operation of any provision of this Act for the purposes of giving effect to this section;
- (d) defining, or respecting the meaning of, "floodway" for the purposes of this section and the regulations made under this subsection, which must take into account any maps and reports prepared pursuant to section 693.1(1).

4:40

(3) Unless the contrary is expressed in regulations made under subsection (2), those regulations

- (a) operate despite any statutory plan, land use bylaw or other regulations under this Part, and
- (b) are binding on any subdivision authority, development authority and subdivision and development appeal board and the Municipal Government Board.

(4) If a municipal authority is affected by a regulation made under subsection (2), the municipal authority must amend any relevant statutory plan and its land use bylaw to conform with the regulation.

Finally,

(5) Section 692 does not apply to an amendment pursuant to subsection (4).

Yes, it's quite a long and elaborate section that we're replacing here, but this amendment does ensure that we have a good definition of what a floodway or a flood zone actually is. We've seen that this can't be left to discretion or to the whim of the minister or even to reports that have been tabled years before, that would have saved millions of dollars of destruction during June of this year if we had followed the plan that was laid out back in 2010. People need to know, then they need to be able to make decisions about where to buy property and whether to repair existing property, and they will not be able to do so unless they have clear direction as to where the government-deemed floodways and flood zones lie.

We need to have a government that is, in general, transparent and accountable in defining floodways because we've had a very poor record on protecting Albertans on this issue in the past. We simply can't trust this government given their track record on flood prevention and mitigation prior to June 2013, so you need to lay it out in the law. Even if you have the best of intentions and you have the most transparent and benevolent government and all of those things, you still need to lay these things out in law. That's what we do. We put the process in place for future generations to interpret this as well.

Furthermore, Mr. Chair, we need to have maps drawn up that are independent and that use scientific advice. We're dealing with real estate here, we're dealing with the very land that defines the province, and you simply need to make it crystal clear what areas could be affected now and in the future by floodways in order for this bill to work.

I submit to you, Mr. Chair, and to all of us here today that this is a very, very essential amendment to Bill 27. Thanks a lot.

**The Chair:** Are there others to the amendment? The hon. associate minister for reconstruction.

**Mr. Fawcett:** Thank you, Mr. Chairman. While I think the intention of this amendment is very honourable, I actually don't think it's very practical for many different reasons. One of the reasons, as I mentioned in second reading of this bill, is that the flood maps are a planning tool to allow us to do long-term planning around mitigation, around where we want to develop our communities and our cities and our towns and municipalities. The problem with doing this every five years is that, first of all, it becomes, very obviously, resource intensive, and the other problem is that if you're doing it every five years, you would be doing so, I would assume, with the intention that it would be changing every five years. Certainly, it could, but the case is, you know, that we want to provide long-term stability for communities around these policies so they can develop.

The last thing. I could tell you from many of the meetings that I've been to over the last four months in flood-affected communities that the concern – you know, yes, there are some concerns with current flood maps – is that if they're not in a flood-mapped area, will they soon be? Is the anticipation that the map is going to keep flipping back and forth? One year they're in a floodway; five years later they're not; the next year they're not. It doesn't provide stability for the type of investment that we want people to make in our communities, the development.

I think what we want to do is make sure that we get the flood maps right, and we want to put them in place, and then we want to build and plan our communities around that. I think that this amendment provides, frankly, a heck of a lot of instability for communities, and that's really what I'm concerned about with this amendment.

**The Chair:** Thank you.

I'll recognize the hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I rise in support of the amendment, and I'm going to disagree with the hon. associate minister. It does just the opposite. It provides the stability.

Now, here's the deal. You do not have to expend all the resources if nothing has changed. If nothing has changed, if you look at it and the flood maps are accurate, they're accurate, and you don't have to do anything else to it. But if you do not look at it, you don't know to remap or to re-examine. That's what's really important.

If you tell me that nothing changes, please come to Sundre and come with me to check what that river does even out of the flood season, when it changes channel and can move over a mile.

That flood mapping has to take place. In order to build, it is important to understand how that whole ecosystem is working. That is really imperative. What we have, particularly in my area – a lot of what we've been talking about is High River and Calgary, and justifiably so, because that's where we suffered the major damage in 2013. But we suffered a lot of damage in Sundre at that time. Plus, just last year we suffered a lot of damage in Sundre and, of course, back in 2005.

Without accurate flood mapping we cannot make good decisions. We have to have accurate flood mapping, that has to be kept up to date. What this proposes to do is to set out a manner in which we keep these up to date. But if you tell me that we have to absolutely remap everything again – if you look at it, you don't have to redo it. You don't have to reinvent the wheel. Basically, you have to verify the data as it exists and verify that it's accurate. You've now redone this.

By looking at your mapping and double-checking, you may have to update just a small portion. You may not have to update any. You still and you're supposed to have these experts already here anyway – we do have these within the government – who are supposed to be looking at this stuff on a regular basis, and they do. I know because I'm working with some bureaucrats now on some issues, particularly with flood-related issues, in the Sundre area. The problem we have, particularly coming from the 2005 flood, is that we don't eight years later have accurate mapping. It's not there anymore. If this passes, then that is an issue that can now be resolved.

We need continual mapping. This is something that has to be dynamic. It cannot be static. These river systems are always changing. However small, however large, they are forever changing. Particularly, as we develop, we will influence, whatever the influence is going to be, depending upon the development.

There are many different things we can do to change the mitigation and the flooding of these rivers when we apply mitigation procedures or methodologies to control flooding. It's one of those issues that, based on particularly the whole caveat system, which we haven't even gotten into yet – if we put in the proper dredging procedures, whether that has to take place annually or whether that has to take place every three years, depending on the river system you're dealing with, depending on where you are in the river system and dealing with that, if you're putting in spurs, if you're putting in berms, if you use a dam to create a floodway to hold water back, then those are the all the tools that are available to the ministry, to this government, to use. If the government makes the choice to use that, that will change the system. You have to take that into consideration.

4:50

What we've been looking for here consistently – and we'll consistently continue to try to look for it – is accurate mapping. It is absolutely essential. The key is to get much of the work done now, as soon as possible, and as accurate as possible and then keep it up to date. That's what this – you can read both pages, but in essence what this is saying is that we want to keep it up to date. To keep it up to date, it's not that difficult. I suppose it would be difficult if we had the 500- or 1,000-year flood next spring. That would be a terrible thing. I'm not anticipating that, and I hope no one else is, but that would change things dynamically. The fact of the matter is that if we get our mapping up to date, to keep it up to date on a continuous basis, on an ongoing basis, would easily fall within this five-year time frame that the hon. member has offered up.

Some of the rivers in particular – I would probably say safely all of the rivers – at various points along the rivers have very little opportunity to change. The Red Deer River, which is the one that goes through Sundre, is a perfect example. You get down towards that Drumheller area: the width of where the river can flood into is actually quite small compared to my area just on the upriver side of Sundre, where the plain itself is probably 20 to 30 miles wide. That river can change dramatically in a very short period of time without having a flood, just by having a high water runoff and having the river carve a new channel. So these are all the things that need to be taken into consideration.

Most of the focus here in this Assembly so far has been on property, and justifiably so, for many reasons, but the fact is that flood mapping is not isolated just to the communities. You have to look at the whole river basin without doing it scientifically. We may be able to do all the mitigation measures necessary up in the headwaters to hold back water, to prevent massive flooding – and that's much like what they've done on the Mississippi with the corps of engineers – without having to do a lot of mitigations downriver, because we're controlling the flow. Again, it all comes down to, really, two pieces of data, the quantity of water and the speed at which it travels. That's it. It may sound simple, but it is actually quite complex when you try to do the planning, and you have to plan based on accurate data.

By the way, the flood mapping – and I think some of the members tend to think that we're just talking about maps. We're not. It's talking about data. We measure this stuff so that data is available. Our data for the actual flow of the river, the height that the river rises to, and the speed that it rises: we have that data, we track that data in real time, and we know how these rivers behave. We just have to translate that into accurate mapping so that we can come up with how we want to manage development anywhere along that river basin that may be affected by flooding in any future flood.

To project is not that difficult. I suppose economists will use statistical data to say, you know, "The 100-year flood versus the 500-year flood," but really what they want to look at is the amount of water and the speed of the water and say: "Based on if we had this amount and it travelled at this speed, what would it look like downriver? If we had X amount of water versus this speed, what would it look like?" They can model that fairly well, and depending on the development and the mitigation measures, we would be able to have a mapping system of what was fairly accurate on the floodways and the flood plains and the flood fringes that we have not actually identified yet in definition very well. We will. At least, that's what the minister is telling us we're going to. But it's not in legislation.

The key is accurate flood mapping, and accurate flood mapping is more than just the map of the river and describing where the flood plain is. It's all the supporting data that goes with it, that accurate data that's available to us, knowing how fast a river crests. We have records of 2005 – that I know; I've looked at those records – and 2010 on how fast, how many cubes of water came down, the time frame it came down in, where it peaked, where it subsided, how fast it subsided. Those are the things that make flood mapping accurate. That's the data that actually helps us project.

If we're going to put caveats on people's property, give us some sort of probability. It all does come down to that. Where you draw that line is going to be significant. Where you draw the line where you're going to compensate people for loss, where you draw that line where you're not going to compensate people cannot be arbitrary. It's got to be scientific. It's got to be based on accurate data because there's going to be a tremendous amount of investment that's affected by it.

Where I would disagree with the member is: this idea of mapping is not something that is repetitive from the ground up every time. Once you have accurate mapping, you have to constantly update and adjust. You have to look at the maps once they're created. Five years may be too long, in my view, but it may be just right. This is arbitrary in the sense that they picked five years. You absolutely need to make sure that if it's the Red Deer basin, if it's the Blindman River – name any river basin you want. Clearly, if you're looking at one of our major seven river basins, that could be significant if you're going to do the entire basin, but I don't think you have to. At some point we put the entire basin together. Certainly, any creek, any river that flows into the main tributary might have to be adjusted, depending on what happened during the runoff in the spring, depending on what happened in a flash flood from a massive thunderstorm.

These things happen, and they alter the mapping. They alter what's going to happen to the system. If we keep track of that, then the mitigation measures can cost us less in the future because we can actually act on the changing data to make sure it doesn't cause more damage or force us to expand the flood plain further, which would affect more properties, more investments.

When you get down, particularly into the Calgary area, the Lethbridge area, and places like that, you have bigger communities than I'm dealing with in my constituency, but I will tell you that the human tragedy is no less whether it's one or whether it's 1,000. If you're the one, the human tragedy is no less when that flood hits.

Again, it's paramount that everything comes back, comes full circle, to accurate mapping. Now, if the members across the aisle will not support this, what I would ask is: how do we ensure that accurate mapping is always available? That's key. That's key to disaster management.

I'm going to give you an example, and it's based on a dam in the Little Bow constituency. Hopefully, maybe the Minister of ESRD will get up and correct me if I'm wrong, but we were told that with the water flowing into the retaining lake, pond, whatever you want to call it, behind the dam, they would only allow the same amount of water to flow out. That might be prudent in a time of nonemergency, but in a time of emergency, I would argue, there might be times – and this has been done in the past in other jurisdictions – that you release as much water out of the dams prior to an event because you see the weather patterns coming.

We know the spring runoff is coming, and we make sure there's room behind those dams to retain as much water as possible to keep the actual flow and volume of the river, particularly in those areas – every river has the rapids, they have the runs, and they

have the shallows. You want to make sure that the run of the river doesn't rise too fast, that the volume doesn't rise too fast. If you manage your flow rates using the dams – we already have dams in place – that management system works differently than when we're actually in an emergency. If we allow that to happen, we can actually reduce the area where we need to have caveats. That's significant when we are looking at putting caveats on titles. If we create a system where we can retain as much water as the watershed allows by creating these systems to hold back water and if we manage it properly by dredging, putting in spurs, and putting in berms, we may find that we do not have to compensate many of the investors. We may find we will need very little in the form of caveats because we can manage the floodways and we can manage the ecosystem so that we can protect not just human lives, but we can protect investments, and we can protect the property. We could save the government money in dealing with natural disasters, and that's key.

5:00

There's a benefit all around by doing accurate mapping, and I think that seems to have been missed. When you look at the billions of dollars in damage that has occurred as a result of this flood, had we had certain measures in place – one of the models that I've not seen and I would hope the government would ask for at some point is: what could we have done had we instituted or implemented the measures from the former report? Would we have prevented some of the damage?

Now, I can't speak for Calgary. I haven't looked at that at any great level, but I have looked at the High River situation, and certainly there were areas there where we could have taken preventive measures in advance, which would have significantly reduced the amount of damage. The residents there know that; the people involved know that. I'm not asking anyone to have a crystal ball, but accurate mapping allows us to do the projections properly. Accurate mapping allows us to plan properly. That will give us what I call the most effective tool to implement flood mitigation measures.

I disagree with the hon. associate minister on that assumption. This is absolutely paramount to what we want to do on flood mitigation, to reduce the costs to this government. Yes, it will cost money to do the initial update of the flood mapping, and it will always be an ongoing process to keep the flood mapping up to date. It is, I think, at this point in history for this province, at a population of 4 million people, a fact of life that we're now going to have to deal with this issue in all our river basins because our population is not decreasing; it is increasing. Unfortunately, people like living next to rivers and lakes and everything else. They seem to put a higher value on that property even though they get flooded out. It's just the way it works. It is part of not only our recreational system and our parks system – I mean, we have some of the most incredible parks – but it's part of what we value, what we call the Alberta advantage.

Without proper mapping we can't make informed decisions. We're guessing, and we don't want to guess. We want to be as accurate as possible. The benefits of accurate flood mapping go beyond just protecting property. It actually does a great service by putting in mitigation measures when these scientists, when these geologists, when these hydrologists see a situation that could be affected based on the projections they've done in the past. When they update these projections, they have a better look at the basin. Just by putting out those proper recommendations that such and such takes place, we can prevent massive flooding. I think we would want to do that.

Again, given the overall cost of what this 2013 flood has so far totalled, the cost of flood mapping is almost insignificant if it would help us prevent multibillion-dollar damage due to flooding. There is a system in place where we actually have the ability – it didn't happen, that I know of, in this flood – that we're monitoring the rivers, and we know what's coming because we have a general idea of what the runoff is going to be, what the rainfall is planned to be, so we can get information out quickly to evacuate where it's probable that we're going to need to evacuate and to be ahead of the curve on our emergency management measures. There are all these side benefits to doing proper flood mapping to protect property.

With that, I disagree with the hon. associate minister, and I would ask the members to support this or offer up another solution for how we can have accurate mapping to base all of this on. With that, Mr. Chair, I would ask the members to support this.

Thank you very much.

**The Chair:** I'll recognize the Member for Calgary-McCall on amendment A6.

**Mr. Kang:** Thank you, Mr. Chair. I was listening to my friend from Rimbey-Rocky Mountain House-Sundre, and he literally covered everything I wanted to say. You know, this amendment will go a long way to bringing stability. Had we had the flood maps updated, we probably wouldn't have gone through the disaster we've been through, because the flood maps are 20 years or older. This amendment will go a long way so that we will have the flood maps updated.

We had a flood in 2005, and in 2013 we had another one. Had we been updating our maps every five years, we probably could have mitigated lots of damage, you know, created in the 2013 flood. Had the recommendations from the 2006 flood mitigation report been implemented, that could have probably gone a long way to mitigate the flood losses, too. If we keep on updating our flood maps, even with all the billions that it's cost us, it will probably not cost us as much or be equal to the cost of the damage.

I know lots of damage has been done. I was trying to bring a delegation from India during that time to come and visit us here. It's not only the property damage, it's not only the lives lost, but it has cost us lots of money in tourism.

I'd ask all members to support this amendment. If you accept it, this will help us a long way towards mitigating future flood losses.

Thank you, Mr. Chair.

**The Chair:** The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you very much, Mr. Chair. I do want to thank the Member for Calgary-Klein for getting up and engaging in conversation. I'd like to address some of his comments. I think what's necessary is that a baseline is created. There are many reports from other areas across the country that demonstrate the value and importance of flood mapping in order to have a much better understanding of floodways, flood zones, and flood risks.

As opposed to the Member for Calgary-Klein, who is saying that this is going to provide instability for folks by reviewing the flood maps every five years, I don't think there's necessarily going to be extreme changes every five years. What we want to do is just ensure that we don't do the flood mapping once and then forget about it. I mean, the reality is that floodways do change depending on the development. It's not just spurs, berms, and dams, but the development of municipalities, of industrial sites can alter the direction and flow of water.

We're talking about developing a comprehensive water management strategy that doesn't just deal with issues of flooding,

although that is included. We're talking about having our fingers on the pulse as far as river systems go and being able to respond. I actually think that reviewing the flood maps every five years would provide more stability for folks. Again, I do honestly believe that they aren't going to necessarily change so significantly every five years unless there is a major disaster. I mean, this disaster that we saw in June, I think, has significantly altered our floodways and waterways, so now would be the time, after the disaster is taken care of, obviously, to look at mapping and remapping. I'm convinced that that expense would be fairly minimal once that baseline is first established.

I think what's really important about this amendment as well is that the first sentence talks about "in consultation with municipal authorities and experts" and lists them. Again – at least I'll speak for the Alberta NDP – we value and feel that the first priority is consultation with others and with other orders of government. It's significant to work with them as opposed to coming in and imposing different decisions on them.

5:10

We need to have defined floodways. Honestly, I know that there are members on the other side of the House that have downplayed the importance of it. By putting this into the bill and legislating it, it ensures that once this government does flood mapping, we're not going to wait another 15, 20 years or more to get the maps updated. This puts in a process so that all Albertans can be assured that this will be reviewed and changed if needed. I honestly feel that this isn't going to create new maps from scratch every five years.

The other thing, too, is that we need to have maps that are absolutely independent, based on scientific advice and the best advice that's available.

Again, I appreciate the associate minister's concerns. Hopefully, in my comments I've addressed his concerns, and he'll see that this actually creates stability for all Albertans.

Thank you, Mr. Chair.

**The Chair:** The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Rowe:** Thank you, Mr. Chair. I rise in favour of this amendment. I agree with the statement that the associate minister made when he opened his comments. We need long-term planning. My question to him back is: how on earth can you do long-term planning when you don't have proper flood maps? You can't do long-term planning on development, on residential property or commercial property, or anything else unless you know what's going to happen with that mapping.

As the hon. Member for Calgary-Bow said quite rightly yesterday, these darn rivers just don't want to follow the flood maps. They're ignorant. They just don't know how to do that. Until we can train the rivers to follow the existing flood maps, we've got to do new flood maps. And training the rivers is not such a humorous statement. We can do that. It's called mitigation. It's called berms. It's called dredging. It's called storage ponds and so on. But without flood maps, again, we can't do that.

I believe that we've seen the results of not keeping our maps current. Of the 18 recommendations that were in the 2006 flood report, I believe 15 of them, as I said just the other day, dealt with flood mapping, and absolutely nothing has been done since 2006 on the flood maps. Here we are in 2013 with Canada's biggest natural disaster from flooding. How much of the damage that was done this spring could have been avoided if we had gotten proper flood mapping and prevented development in those areas that were at risk?

To again put the cart before the horse – let's do the proper flood mapping. Then we can do the proper long-term planning. We can order municipalities – and I love the opening statement here: "In consultation with municipal authorities and experts, including . . . engineers, hydrologists, geologists, meteorologists and climate scientists," everybody, to get this right. Let's do it right this time.

I can't emphasize enough that we've got to do the flood mapping, folks. These two pages. That's all that is. You boil it all down, and it's: let's just do the proper flood mapping and try to prevent as much of this as we can in the future. With that, I'll pass it off to my colleagues.

Thank you.

**Mr. Fawcett:** I'll just be very brief. What's heartening is that I think, frankly, all of us are on the same page. We do want to have accurate flood mapping so that we can create long-term mitigation plans for many of our communities. That's really what we're talking about here.

I get the assumption that some members over on the other side somehow think that I and the associate minister over here just one night took a pencil and drew some lines on maps. While you might think that, it's furthest from the truth. There are experts in the Ministry of Environment and Sustainable Resource Development, many of which are named in this piece of legislation, that do this flood mapping. We could sit in this Legislature all day and debate whether those maps are accurate or not accurate.

I can stand up here and honestly say, Mr. Chairman, that I'm not an expert in this – I'm not somebody that you want drawing these flood maps – and I would suggest that probably many of us in this Legislature are not. I think some of us, you know, can be perplexed by why certain flood maps said one thing and you had an event that looked completely different. I know that when I go to communities, it's sometimes hard to explain. In second reading I talked about the plausibility of why some of those things might happen.

The last thing I just want to say is that the challenge with flood maps – and I very much agree – is that, you know, the river is constantly changing. That's really at the crux of what we're talking about here. The river does constantly change. If tomorrow we were to flood map an area, the next day that map is a little bit inaccurate because overnight the river has decided to do what it wants to do. Again, what I want to say is that the flood maps aren't the be-all and end-all when it comes to this. It's a planning tool. It's to give us a guideline to create long-term planning.

The worst thing that we could do, frankly, is to go out and constantly be changing this on landowners and communities. I can tell you – and I know that this has come up in some of the meetings that I've been to – that landowners constantly would have their property going in and out of the floodway, particularly if we're putting restrictions on floodway development. I know as a landowner that I'd be frustrated, and I know many across the way that care passionately about property rights would probably say the same thing. That type of instability for landowners is not something that we want to purvey here in the province of Alberta, Mr. Chairman.

Again, I think, as I said at the outset, the intent is laudable on this, but we need to be very careful. Like I said, is it one year? Should we review it every year? What we have is a process in place where, if there are significant events, the Ministry of ESRD does go out and do the remapping. We have since, as a result of the flood, put additional resources into it and prioritized areas where there have been significant changes in the watercourse to do that flood mapping. We know we need to do that to plan our future mitigation. They're constantly updating those maps. I



believe 70 per cent of sort of the habitable areas along rivers in this province have been flood mapped, and we'll continue to make progress on that, Mr. Chairman.

**The Chair:** The hon. Member for Livingstone-Macleod.

**Mr. Stier:** Well, thank you, Mr. Chairman, and good evening to everyone. It's good to see you all again. In response to the associate minister's recent comments, I'd just like to take a couple of moments if I could to add to this.

First of all, I'd like to say that I do support this amendment, and I do support much of what has been said on both sides of the House, in fact, regarding flood mapping. It does have to be done. I believe the associate minister was concerned at one time about costs and so on and so forth. I'd just like to bring to the discussion a couple of things that I've noticed on that that may be of use here.

First of all, I'd like to journey us back in time to 2006, to a former member of the Legislature and Member for Highwood, who had put together the flood study at that time. I'd like to take a moment just to outline for you, in case you aren't aware, what the first two points were in that plan. I think it's important because it relates to what we're talking about.

5:20

The very first recommendation was:

We recommend that Alberta Environment coordinate the completion of flood risk maps for the identified urban flood risk areas in the province.

He went on to say:

Alberta signed a cost-sharing agreement with the federal government to map flood risk areas . . . in 1989. This agreement was terminated before all the identified communities could be [done].

They recognized that in 2006, I think, and they realized that they had to do more. They actually tried to, in case you haven't looked recently – and I don't blame you if you haven't; it's been too busy on this one. They had thought that a budget of over 2 and a half million dollars, roughly, could possibly address most of this. Over five years: that was what was said. It would look to me as if the five-year increment was something that was recognized before. It was recognized to obtain the baseline data, that that could be considered as a number possibly to address it.

The second thing I'd like to add into it if I could is the second recommendation, in fact. It says:

We recommend that Alberta Environment develop a map maintenance program to ensure that the flood risk maps are updated when appropriate.

Assuming that one is done at 2 and a half million dollars and we've got some baseline data, then they recognized that there could be situations that might arise – and I'm reading again – where

an existing flood risk map no longer adequately represents the flood risk for a location. This may result from changes in the river or immediate area, updating a rural flood risk map or errors in the original study. [The maps] should also be reviewed regularly particularly after extreme flood events when public and municipal government interest is high.

Again, we see where in 2006, when the study was put together and the plan was implemented, there was recognition of exactly what we've experienced several years later.

If you have a chance over there to look at those two points, folks, they had actually put together \$50,000 annually – \$50,000 annually, Minister – only to maintain these baseline maps and the baseline data. So we have a cost. Although you had worried about that earlier in the conversation, those costs at 2 and a half mil plus \$50,000 annually they estimated could work in maintaining the

database and upgrading it and looking after details that they needed. We can add in a few per cent for inflation, I suppose, since that time, but it would seem to me, as compared to what costs we have looked into in the past four months, when you and I were out in the field together and so on, these are minimal costs. If they are even out a few per cent, it's still not bad.

I think that the idea that has been presented by the hon. member here to my left has merit. It should be something that we can do. Perhaps if you wish to suggest a subamendment to this amendment, to change a time frame, I don't see a problem with that – I would support you on that, by the way – but I see nothing wrong with going with what they have here. They haven't changed that much of this, by the way, from the original. They've just put in the time factor and a couple of changes in the preambles and so on.

With that, Mr. Chairman, I just wanted to get that conversation in. I'm going to yield my time for the moment, but I do support this bill, and I hope that that has been of use tonight, for what it was worth.

Thank you very much.

**The Chair:** Thank you, hon. member.

The hon. Member for Chestermere-Rocky View.

**Mr. McAllister:** Thank you, Mr. Chair. I said initially, when I spoke to this bill, that I would support it, you know – and that would be depending on some of the amendments that come forward from our critics and, I guess, everybody in the Legislature – and I still feel that way. To the associate minister across: I still feel we've got to do all we can to support this bill and get it through. There can't be anything more important right now than flood recovery and reconstruction so that we don't get into this situation again.

I want to speak to this amendment specifically if I could for a minute, Mr. Chair, and tell you why I like at least a portion of this. As the member who brought the amendment forward said and to revisit it for those that have lost where we were:

693.1(1) In consultation with municipal authorities and experts, including, but not limited to, engineers . . . et cetera, et cetera, et cetera,

. . . the Minister must, at a minimum interval of every 5 years or after each disaster, as defined by this Act, whichever is earlier, develop the following:

I'll go through (a) and (b).

- (a) comprehensive maps of floodways and flood zones, and
- (b) detailed reports of risk assessments and climate conditions as they relate to water management.

The idea of trying to develop flood mitigation before we have proper maps is nonsensical. We have communities that are using maps that are 20 years old in some areas. I talked to a fly fisherman, a guy that has called the Black Diamond-Turner Valley area home his entire life, on a night when the province held one of their information sessions. Actually, it was the territory of the minister who spoke previously. He wasn't there that evening, but the other minister, the Member for Calgary-South East, was there on his behalf and spoke and listened to some of these stories. This gentleman from Turner Valley was just pointing out that he's on that river, you know, all year every year and that it hasn't changed just a little bit in the last little while, that it has changed remarkably. This is somebody who's on it every day. His point, as he raised it to me that evening, is very good. As we go through the recovery process and develop the proper mitigation infrastructure, we had better have the proper mapping in place before we do it. I think we're all on the same side with that.

I'm looking at this, seeing "every 5 years," and saying: you know, maybe it makes sense. Maybe five years isn't the timeline, but I bet this minister is open minded enough to find a way for a subamendment, to debate the timeline if you like but revisit it so that we don't wind up in the situation again where someday something happens and we see that our maps are 20 years old. That's a major problem.

I mean, even Dora the Explorer knows you need an appropriate map, Mr. Chair. I don't think Dora goes anywhere without the map. It's like, in this case, Swiper has taken the maps. This is the situation that we're in. You know, a little levity never hurts. It seems to me like we're all saying the same thing, and we all want what's best for Alberta, but we had better make sure that we have the proper maps before we do anything, before we determine what the mitigation infrastructure is.

Redwood Meadows is another classic case of why I would support this. I have stood on the berm and walked the berm at Redwood Meadows half a dozen times in the last few months. What a wonderful success story that community is, that they managed to keep the water out. But the river has changed easily – easily – the width of this room, probably times two. If you stand on the berm and see where it was and where it is now, there's no way that they're not going to run into some serious problems next time around if the infrastructure doesn't reflect where that river is now. Really, what Redwood needs – and I hope the minister will be open to this, and we can discuss it another time – is to push that river back where it was before it's too late, because if it happens again, they're in big trouble.

The point I'm trying to make is that these rivers change substantially, particularly after the high water flow that we had this year and that we have had in other years. Even when they don't flood, they change.

I would suggest that we support this amendment, and if we don't, I would certainly be open to supporting an amendment or a subamendment from the minister on what he thinks is reasonable so that we make sure, going forward, we're using the appropriate data so that we can protect our communities and rebuild them for Albertans.

Thank you, Mr. Chair. I'm waving to you, too. Very nice.

**The Chair:** The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Mr. Chair. I rise today to speak to this amendment put forward by my colleague from Edmonton-Beverly-Clareview. It's an interesting amendment, and I'm going to read it out for the Legislature here.

**Development in floodways**

693.1(1) In consultation with municipal authorities and experts, including, but not limited to, engineers, hydrologists, geologists, meteorologists and climate scientists, the Minister must, at a minimal interval of every 5 years or after each disaster, as defined by this Act, whichever is earlier, develop the following:

- (a) comprehensive maps of floodways and flood zones, and
- (b) detailed reports of risk assessments and climate conditions as they relate to water management.

Now, this is interesting. I kind of like this. In fact, I've seen something similar to it before. I think it was in the 2006 Groeneveld report. What it reads here:

Municipal participation is a key element in a flood mitigation strategy. Municipalities are the front line in delivering many important aspects of flood mitigation because they are ultimately responsible for approving development in their communities. In addition, municipal governments often have

[an] idea of potential flood mitigation measures that are appropriate for their local areas and the relative costs of such proposals . . . failure to communicate and equip municipalities with the resources that they need to make responsible decisions has been a major downfall of many flood mitigation programs.

5:30

So here we are with an amendment that specifically adds municipal participation into the consultation of developing the maps around floodways. Mapping these floodways is important. I mean, when we look at our neighbours to the east and to the west, specifically around the Assiniboine River, the Red River, and the Fraser River, do you think that their flood mitigation strategies were done without up-to-date flood mapping? I can tell you that it probably wasn't done that way. Even way back when Duff Roblin did the ditch around Winnipeg, I guarantee you that there was a lot of mapping done to make sure that they were picking the right points to pull water out of the Red River and then put it back in north of Lockport.

It's astounding that we're not going to update these maps and that we're not going to put it in legislation. Not to belabour the point, but in recommendation 1, as my colleague from Livingstone-Macleod pointed out,

we recommend that Alberta Environment coordinate the completion of flood risk maps for the identified urban flood risk areas in the province.

It goes on to say:

It is important to know the areas of the province that are at risk from flooding so the extent of risk can be determined. Accurate mapping that defines the extent of flood risk areas forms the foundation of the Flood Risk Management Action Plan. Once the flood risk area is identified, steps can be taken to protect existing and future development. Failure to act on the information may expose local governments to liability from affected landowners.

It probably would have been nice for them to have some updated maps prior to this flood so that they could have built some mitigation around it and reduced the costs that are now being incurred.

Alberta signed a cost-sharing agreement with the federal government to map flood risk areas in the province in 1989. This agreement was terminated before all the identified communities could be mapped.

So there are still communities out there who don't even have maps.

As of 2006, there are 36 communities . . .

Like I said, 36 communities.

. . . that require flood risk studies. This recommendation refers to new studies and does not address map maintenance issues.

Even back in 2006 they knew that there were map maintenance issues. So what's happened since 2006? I don't think there's really been much for updates on those maps. I can tell you that I have family that has property along the Red Deer River. That river has changed course a couple of times just in the few years that I've been visiting it.

Well, it does say here that map maintenance issues will be dealt with in recommendation 2. Now, when they did look for community response,

ninety-nine out of 100 responses either supported or strongly supported this recommendation. Flood risk mapping was recognized as an essential planning tool. There were questions about terminology and other issues related to flood risk maps indicating a need for ongoing education for local governments. There were also several communities and locations that suggested to be added to the list.

What did it say back then, in 2006? The budget required was \$2.5 million over five years. Now, correct me if I'm wrong, but this was at a time when I think we were running budget surpluses here in the province, back when we could actually pay for this without borrowing for it. But, you know, if debt is hope, back then I guess we were a little bit hopeless.

I'm going to move on to recommendation 2 because it also deals with the first part of this amendment. It deals with

- (a) the comprehensive maps of floodways and flood zones, and
- (b) the detailed reports of risk assessments and climate conditions as they relate to water management.

So what was recommendation 2 in this document that was put out by the Alberta government – albeit six years late, but it was put out by the Alberta government – on flood mitigation? Recommendation 2:

We recommend that Alberta Environment develop a map maintenance program to ensure that the flood risk maps are updated when appropriate.

Situations may arise where an existing flood risk map no longer adequately represents the flood risk for a location. This may result from changes in the river or immediate area, updating a rural flood risk map or errors in the original study.

I talked about the Red Deer River. Just in the few years that I've been visiting it, I have seen it change course. In fact, when I go fishing in it, I'm always looking for where the deep holes have moved to so I can try and catch some goldeye.

Back to this report here.

Flood risk maps should also be reviewed regularly particularly after extreme flood events when public and municipal government interest is high.

Do we have some interest in this? Well, at least my friends over here on the opposition side have some interest in this. I don't understand why the government doesn't. Maybe if we go back to our communities and ask for some response from them, they might give us some direction on this one.

What did it say here in this report about the resources required? Well, back in 2006 this was one full-time employee from Alberta Environment, and it says: "an estimated budget of \$50,000 annually." Fifty thousand dollars annually: that's not very much. In fact, it's less than one of the Premier's trips to China. We could actually update our maps for less than one trip to China per year. That's amazing. I can't understand why we wouldn't want to put this in a piece of legislation, why we wouldn't want to continue to update these maps, because it does provide some long-term planning ability for local municipal governments, and it's done very cheaply. I mean, that's one full-time employee per year. Now, I'm not sure what that would cost today. I'm not sure how far those salaries have risen at Alberta Environment, but I would assume that it's still probably close to that dollar figure. Again, I think this is rather cheap.

When I flip the page again, what is recommendation 3? This one deals with flood mapping, too. Amazing. This was visionary in 2006, and it sat on the shelves for six years. Can you believe it? Six years. Six years. We could have been working on some of this stuff six years ago. Well, I guess we can add this to one of the reasons why I was looking to get elected. It's time we actually addressed some of these issues and that they be heard in the Legislature and that we get some of these reports out on a timely basis so that we can mitigate damages prior to them happening rather than having to now look at flood mitigation again, in 2006 terms, after the last major flood. I mean, we've done nothing for flood mitigation over the last few – well, I shouldn't say we. The government has done nothing for flood mitigation over the last six years.

We even had the Canadian economic action plan. I'm sure we could go back and with a quick Google search find a number of key mitigation programs that were put forth in other jurisdictions here in this country, again probably along some of the major floodways, which would be the Assiniboine River, the Red River, the Fraser River. In fact, I think that in 2011 they did use some of the Canadian action plan dollars to address some of the flood mitigation projects that they needed to do. So we had access to federal dollars at those times, and, well, we didn't use them for flood mitigation, I can tell you that.

Back to the recommendations here. Recommendation 3 is still dealing with the first half of this amendment to this proposed legislation.

We recommend that Alberta Environment identify priority rural flood risk areas that require flood risk mapping and develop a program to prepare the maps.

It is recognized that rural flood risk mapping is a concern. Gee, it was a concern in 2006. Wow. Six years ago. There was a concern six years ago, it was actually identified by this PC government, and they didn't even act on their own report in the last six years. Amazing.

Anyway, it goes on:

There is intensive development occurring in rural areas that may be subject to flooding. It is also clear that rural flood-risk mapping cannot be to the same standard as the urban mapping . . .

They do identify some of the issues that the associate minister across the way did identify about the dollar figures, so that does correlate.

. . . as it would be prohibitively expensive to provide studies for large areas. A rural flood-risk mapping program was envisioned to be one whereby existing information such as aerial flood photos and high-water marks would be used to delineate a map.

5:40

They actually had a solution for this back in 2006, so we actually wouldn't have to spend a whole lot of money on this.

There would be no division of the flood risk area as occurs in the current flood risk maps. Also, mapping would be based on an historic flood event rather than a theoretical event. Areas identified as requiring flood-risk mapping, but not having any flood information would not be mapped until such information was available.

We are saying that, yes, it would take a flood. Hopefully, there was some aerial photography done during this last flood so, you know, we can update those maps.

In 2000, about 50 rural areas were identified as requiring flood-risk mapping, but only 25 had any existing information on flooding that could be used. Undoubtedly there would be more areas requesting mapping if the list were to be updated.

Now, when we kind of move down the page here, it shows the community response in this report. The community response, what it says here, is:

There was strong support for this recommendation with no significant reservations about the lower level of accuracy.

So even in those communities they understood that, yes, you did have to trade off the kind of mapping that an urban area would get, but they were amicable to that situation. They did understand the limitations of the budget on those matters.

What were the resources required in 2006 to do this? It reads here that

an FTE position . . .

That would be a full-time position.

. . . is required for designing a rural flood risk program. Until the technical aspects of a rural flood risk program are defined, it

is difficult to estimate the required resources; however initial estimates suggest that this program could exceed \$1,000,000.

A million dollars back in 2006 to start developing some of these maps and strategies. Again, back in 2006 where were we? We were in a budget surplus. Wow. A million dollars, not very much money. We could have actually done some of the work and understood what was going to happen so that we could maybe notify some of these property owners back then that they needed to get out of their homes prior to the flood.

Now, that did happen, but it didn't happen as quickly as it could, and we didn't actually know where in some of these communities the water was going to end up. But when you look at historical mapping or if you'd have had some of this historical mapping, you might have actually been able to get out there and notify. Maybe some of these houses in rural areas wouldn't have been built where they were built had they had access to some of this stuff. [interjection] My friend from Calgary-McCall pointed out that in some cases they didn't even know the flood was coming. [interjection] In Sunnyside. Thank you, my friend. I mean, that's kind of egregious – isn't it? – that they didn't even know the flood waters were coming. [interjection] You had to phone them?

**The Chair:** Hon. member, through the chair.

**Mr. Fox:** I'm sorry, Mr. Chair. My friend over here was giving me a little bit of information about what was going on in his riding.

When we move on to recommendation 5, we're still talking about the collection of mapping information. You know, this is another good recommendation that was put out six years ago. Six years ago. Hopefully, some of this stuff was actually done. Let's read this one.

We recommend that Alberta Environment continue to collect high-water elevation, aerial photography and other appropriate data whenever a significant flood occurs.

Hopefully, they did do this. Now, let's hope that some of this translates into a map. That would be recommendations 1, 2, and 3. Hopefully, that full-time employee, that would cost us less than a junket trip to China, will actually get some of this work done.

We can continue on here. It says here that

Alberta Environment should continue to explore and evaluate other methods of collecting flood data such as satellite imagery.

Well, I hope that they've started utilizing satellite imagery for some of this, as this recommendation states. But, I mean, there's been nothing from the government on this to tell us what they've actually been doing in relation to this. Let's just hope... [interjection] Oh, is that debt? Yeah. I'm trying to find the right word here because if hope is debt...

**Mr. Rowe:** Wish.

**Mr. Fox:** Okay. I wish that the government is getting this done. We'll put this on the wish list.

**Mr. Rowe:** Fair enough.

**Mr. Fox:** Okay.

During flood events, Alberta Environment collects high-water marks and aerial flood photography to document the extent of flooding. This information can be used for future flood risk studies and to review existing studies.

So I am wishing – hope just doesn't carry the same weight that it used to because debt is hope. I mean, I don't know. With the mortgage on my home I guess I'm trying to pay that thing down until I have no hope. Just an interesting quote. I still can't quite wrap my head around "debt equals hope." We'll continue in that vein.

When they put this recommendation out to the communities that were consulted in this flood report by the members that took part

in this in 2006, it said that there was unanimous support, especially in the absence of a flood risk map. Oh, but there are those communities that don't have access to a flood risk map because it doesn't exist. Six years ago it didn't exist. Well, I guess that's something that still hasn't been done. Maybe before the next flood we'll have a flood risk map for those areas, but I don't really see anything in Bill 27, the Flood Recovery and Reconstruction Act, that actually addresses developing maps for those 36 communities that still don't have flood risk maps.

Resources required. Well, this is interesting. It says: "Alberta Environment collects flood data as a part of its mandate and will continue to do so. This information will be made available to local authorities." So maybe had this report not sat on the shelf somewhere for six years gathering dust, that information would be out to the local municipalities now. We might actually have some flood mitigation maps for those 36 communities.

You know, for the members listening here, I think it might be interesting to know which 36 communities it is because they aren't identified in this report. I'd hate to think that to find out which communities it is, I'd have to FOIP it. I mean, I'm going to ask that that information just be made available. I really shouldn't have to go through the Associate Minister of AT and T to try and get information that, really, all Albertans should just have in hand so that they know whether or not they live in a community that actually has this information. I mean, I would sure like to know if a community that I'm about to buy a home in is on a flood plain or a floodway or if there's any hazard of having my assets flooded out because the government just didn't want to make that information available to me as a homebuyer. I mean, I feel for those homebuyers there.

This is stuff that really does drill down to accountability and transparency. Heck, if we had that information easily, without having to file FOIPs for it, boy, that would be transformative. It really would. You know, maybe that'll come out in the FOIP review – maybe – that we'll go back to the original intention of that legislation, which is that FOIP was to be the last resort, not the only way to get information out of our government.

You know, it's interesting as an opposition member to look at people's faces when I tell them that the only way for me to get information in most cases, well, pretty well in all cases, from this government is through a FOIP request. They think that we should actually have access to this information and that they as Albertans should have access to a lot of this information without having to pay \$25 to go through FOIP.

**The Chair:** Thank you, hon. member.

Are there others? The hon. Member for Drumheller-Stettler.

**Mr. Strankman:** Yes, Mr. Chairman. Thank you very much. I'd like to go back to some comments made by the hon. Member for Calgary-Klein, I believe it was. In my constituency of Drumheller-Stettler they basically took their own initiative, and they did do mitigation in the community and above it at the Dickson dam. Mitigation also was done many years prior to that. In the case of Drumheller the same minister that's bringing this legislation forward – and I do have concerns that this legislation may turn into some form of recyclable legislation, not unlike Bill 28 that's following this. It gives me some concern that there's no more sincerity to legislation, that it won't stand beyond 36 hours.

5:50

With that, to the Member for Calgary-Klein: this same minister did make a special designation because of what did not happen in Drumheller as a result of the flood mitigation and the mapping – unfortunately, I might want to again use that word "mapping" – that was done by the community. The community had their own

set of mapping standards that were brought forward by the Groeneveld report, and the community then went out and hired a secondary contractor to get a second opinion on the levels that were used. They spent considerable sums of money and went forward and did mitigation in the community.

As a result of that, in 2005 they didn't receive any significant damage, and this year, 2013, Drumheller was not on the map. As a result, the minister made a special recommendation that the communities, including Fort McMurray, not necessarily be included in the flood mapping area to the same extent as those other areas throughout the province. So the mapping and the judicious use of that is significant.

Now, how this mapping will be obtained and brought forward on an ongoing basis will be a living thing, not unlike the maintenance that we do annually to our highways. Every year we know that the maintenance to our highways is something that's significant and that changes every year. We'll get a different snowfall this year as opposed to last year. Each year is different.

I think that the management of these facilities is significant. The management of the living thing called a river and the river body and the floodways is significant. Even with the minister's special designation for the community of Drumheller the real estate agents and the people that live there have been complaining to me that they don't know what the direct designation for that community is going to be and how that's going to affect their property values. It's simply not amenable or friendly to the value of their property.

We need some form of standard. If that was developed over time, based off mapping – and the minister has made a designation of that. To me, it would appear just by his simple actions that he recognizes that there's something different that needs to be done. The communities of Drumheller and Fort McMurray are responsive to that.

With that, I think it's imperative that the members opposite give this amendment some consideration. It's a significant amendment, a significant piece of legislation that will continue throughout the years in this province. It's something that needs to be done in a proactive and professional manner. It's something that needs to be done. I'd like to say that I support the amendment to this legislation. I also support the legislation, but it needs small amendments. It needs to be adjusted for timeliness such that it maybe won't see a situation of retraction by the government.

With that, I'd like to relinquish my position and allow other members who may wish to speak to the amendment.

**The Chair:** I'll recognize the Member for Livingstone-Macleod.

**Mr. Stier:** Thank you, Mr. Chair. I just wanted to supplement some of the remarks that I made earlier and also add to the remarks that were just made by the adjoining members here, who I think did a fabulous job of speaking to this amendment.

You know, when you look at the situation we've got here this week in dealing with this, we have a disaster that was a national tragedy, and we have amendments to two acts, one being the MGA, the Municipal Government Act, and we have amendments to the Emergency Management Act. Both of those documents are significant documents, but the act and the amendment are only a very few pages long. It was a huge, enormous thing that happened this year, yet in the Municipal Government Act in section 551 there are only about four clauses regarding emergencies. When you look through the act, no matter where you look, you can't find a mention of flooding virtually anywhere that I can see. I've

scanned it over the years for various reasons, including when I was on council in 2005, when we had a flood in High River, and I see nothing there as a guide.

So we come to this amendment act, Bill 27, after having such an enormous disaster happen across Alberta, particularly in southern Alberta, and we have a very minor document amending both of those acts but only to a very minor extent. After the bell rings here in a few moments, we're probably going to be adjourning, and I just want you to know right now that we have some amendments to bring forward ourselves here in support of this and tied to this. It will include some of the things that I feel are missing in these two acts that we're talking about right now, the MGA and the Emergency Management Act, to try to address some of the stuff that we feel is missing. But I think we could probably go on and on and on with a whole pile of different things.

First of all, we're going to be looking at some definitions, just to let you know. We need definitions. I went to the flood symposium earlier this year and I've gone to some of the other meetings that have been held throughout the area. I've been in receipt of many of the forms and documents that we've had throughout those meetings. Thankfully, the Minister of Environment and Sustainable Resource Development and also the associate minister of southern Alberta disaster recovery – I can't remember the exact words – included in those meetings an awful lot of good material that really is more substantive and more important than what we see in this. It seems to be a little bit lacking. It seems to me that the reverse should be happening.

So, Mr. Chairman, I would just like to let everybody know that I hope you can come back after the break we're going to have here in a few minutes. We have some great amendments, I think, that will tie to this amendment we have and will carry on with this same line of thought. Hopefully, we can get down to the meat of this and make some good legislation that will help Albertans with the changes that we're going to propose.

With that, I only have just a couple of minutes to go, Mr. Chairman. I hope that the members here will be able to return, as I said. I look forward to seeing you afterwards.

Thank you very much.

**The Chair:** Thank you, hon. member.

Hon. Member for Lacombe-Ponoka, you've got a couple of minutes before we need to rise.

**Mr. Fox:** All right. Thank you, Mr. Chair. I'm trying to remember where I left off, but I think it was something in the vein of access to information, you know, access to flood maps that don't exist. Sitting here, I was thinking for a minute that it's kind of interesting. Maybe if somebody filed a FOIP request for this information and you had to actually compile it, we might actually get it. Although I hate to think what the photocopy document access fee that you usually get charged when you do a FOIP request would be on that since they'd actually have to create them. According to that report we were reading from, probably about \$300 million. Maybe the government is just waiting for some nice property developer to step up and do a FOIP request on this and pay for it so that they actually get the flood mapping information that the developers so desperately need, that our municipal governments so desperately need, and, really, that Albertans so desperately need.

We actually need to know where the floodways are. We need to know where the flood plains are. We need to know which developments are going to be underwater, where we should and

shouldn't be developing. The municipalities need to know this. The developers need to know this. When Albertans go to actually purchase a home, they need to know whether or not they're buying on a flood plain or in a floodway or if they're actually going to be touched by water, if they're in a backwater area.

In the case of Hampton Hills in High River, apparently, according to these current maps, they weren't in a floodway. They weren't even on a flood plain. So I guess that goes back to – what

was it? – recommendation 2, that said that we needed to update our flood maps so that municipalities would actually know where to . . .

**The Chair:** I hesitate to interrupt you, hon. member, but it's 6 o'clock, and pursuant to Standing Order 4(4) the committee stands recessed until 7:30 p.m.

[The committee adjourned at 6 p.m.]







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The 28th Legislature  
First Session

# Alberta Hansard

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The Honourable Gene Zwozdesky, Speaker

## Legislative Assembly of Alberta The 28th Legislature

First Session

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## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on Alberta's Economic Future

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Deputy Chair: Mr. Fox

Bhardwaj	Olesen
Cao	Pastoor
Donovan	Quadri
Dorward	Rogers
Eggen	Rowe
Hehr	Sarich
Luan	Strankman
McDonald	Xiao

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Khan

Deputy Chair: Mrs. Jablonski

Amery	Eggen
Anderson	Kubinec
Casey	Sherman
Dorward	

### Select Special Chief Electoral Officer Search Committee

Chair: Mr. Rogers

Deputy Chair: Mr. Quadri

Blakeman	Leskiw
Eggen	McDonald
Goudreau	Saskiw
Lemke	

### Select Special Conflicts of Interest Act Review Committee

Chair: Mr. Luan

Deputy Chair: Mr. Dorward

Blakeman	Notley
Fenske	Saskiw
Johnson, L.	Wilson
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### Standing Committee on Families and Communities

Chair: Mr. Quest

Deputy Chair: Mrs. Forsyth

Brown	Leskiw
Cusanelli	Notley
DeLong	Pedersen
Fritz	Swann
Goudreau	Towle
Jablonski	Wilson
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### Standing Committee on Legislative Offices

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### Special Standing Committee on Members' Services

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Deputy Chair: Mr. Young

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Forsyth	Quest
Fritz	Sherman
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Mason	

### Standing Committee on Private Bills

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Deputy Chair: Ms L. Johnson

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Barnes	Jablonski
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Brown	Notley
Cusanelli	Olesen
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Fox	Strankman
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### Standing Committee on Privileges and Elections, Standing Orders and Printing

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Deputy Chair: Mr. Lemke

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Hehr	Saskiw
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Kubinec	Young

### Standing Committee on Public Accounts

Chair: Mr. Anderson

Deputy Chair: Mr. Dorward

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Anglin	Luan
Bilous	Pastoor
Donovan	Quadri
Fenske	Quest
Hale	Sarich
Hehr	Stier
Jeneroux	Webber

### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans

Deputy Chair: Mr. Anglin

Allen	Hale
Barnes	Johnson, L.
Bikman	Khan
Bilous	Kubinec
Blakeman	Lemke
Calahasen	Sandhu
Casey	Stier
Fenske	Webber

**Legislative Assembly of Alberta****7:30 p.m.****Wednesday, November 6, 2013****Government Bills and Orders  
Committee of the Whole**

[Mr. Rogers in the chair]

**The Chair:** Hon. members, we'll call the Committee of the Whole back to order.

**Bill 27  
Flood Recovery and Reconstruction Act**

**The Chair:** We are dealing with amendment A6. I believe the hon. Member for Lacombe-Ponoka was speaking, but I'm willing to recognize another speaker. I'll recognize the Member for Livingstone-Macleod.

**Mr. Stier:** Well, thank you, Mr. Chairman. I appreciate the members coming back tonight. I have a few things I'd like to get off my chest in the next little while, before I open the amendment. I'd like to start out with a brief bit about what happened this summer.

**The Chair:** Hon. member, I'm hoping you will speak to amendment A6 because we are on amendment A6. I'm hoping your remarks will speak to amendment A6 in some fashion.

**Mr. Stier:** Thank you for correcting me. That was not my purpose, so I'm done.

**The Chair:** If you'd like to come back later on, we'll recognize another speaker, hon. member.

Are there other speakers to amendment A6? If not, I'll call the question.

**Hon. Members:** Question.

[Motion on amendment A6 lost]

**The Chair:** We'll come back to the bill, and I'll recognize the Member for Livingstone-Macleod on the bill.

If I could ask hon. members to just keep the side conversations down, please, so that the member who has the floor can be heard, certainly by the chair. Thank you.

**Mr. Stier:** Thank you again, Mr. Chairman. To the Assembly, I have taken some time to go over Bill 27, as was discussed earlier, and I found, as you might recall in my earlier preamble today, that it seems a little bit insufficient to be looking at only four, five, or six pages of information as a result of what happened this summer. I think we have to keep in mind what is at stake here for a lot of individuals in southern Alberta particularly and through the city of Calgary, High River, Turner Valley, Black Diamond, Fort Macleod, Blairmore. All these areas had some devastating things occur. I think it's crucial, if we're going to try to impose such regulations and new rules upon them, that we have a flood recovery and reconstruction act that is going to be structured to . . .

**The Chair:** Hon. members, please. The side conversations are distracting our main speaker. Thank you.

Please proceed, hon. member.

**Mr. Stier:** Thank you. I think it's important that the Flood Recovery and Reconstruction Act have the appropriate clauses and sections in it and the detail so that when these different kinds of mitigation procedures and some of these recovery situations befall them, there are enough rules and guidelines to give them a fair opportunity to review their own situations, make the decisions upon which they may be going in the future, and understand what these kinds of dramatic things like caveats and so on might do to their financial investment in their properties and so on.

When I looked at the documents that were presented throughout the summertime and at most of those meetings and I heard from residents who were faced with difficulties in making decisions and when I attended the public announcements regarding the purchasing of properties and the buyouts and all those kinds of things, I realized that these people were faced with almost a lifetime decision that they were going to have to make: should they liquidate their properties? Now, in many cases it's not only just a residential property. It could be a commercial property. It could be a property that they are deriving an income from. It could be any number of these things. These sorts of decisions are not easily made, and they do have consequences.

Particularly in High River, if I may go there, you have situations where you have people who have had the occasion to move in from the country and retire in that small town, take what monies they have left, only to find that their new dream home is a disaster and that they could be faced with a significant loss in their investment even if they chose a buyout.

It seems to me that if we're going to put together a bill, it should have all the details there to help protect them but also to help them deal with the decision-making and perhaps deal with the settlement negotiations. Also, too, perhaps later on if they have difficulties with that, if they need to follow some sort of an appeal process or some sort of a mechanism to guarantee their property rights, at least there'll be some rules that will have some sort of binding ability on the decisions that are made.

With that, when I look through the Emergency Management Act, which this bill is supposed to be amending, I found that there weren't any clear definitions for flood risk; there weren't any clear definitions for floodway. Although those are known within the different ministries and they are stated in some of the ministry websites, they aren't included in this act. Further, they aren't included in the Emergency Management Act. Third, they're not included in the Municipal Government Act either.

So it seems strange to me how people would make use of this act to base decisions upon. Whether they're being judged by officials or they're the residents themselves, it seems to me that this act is missing clear definitions. How can you talk about putting caveats on titles? How can you talk about changing the status of a piece of land to be in a floodway or flood risk? How can you talk about accurate flood mapping, and how can you talk about accurate database management if you do not know what the definitions are?

With that, Mr. Chairman, I have an amendment to this act, and I'll hand the copies out.

**The Chair:** You'll have those distributed, pause for a moment, and then I'll let you speak to it. Thank you.

**Mr. Stier:** Mr. Chairman, it's a two-page document, and the second page has the original signature.

**The Chair:** Hon. member, for the record this will be amendment A7.

**Mr. Stier:** Thank you.

**The Chair:** You may proceed, hon. member.

**Mr. Stier:** Hon. members, while we're waiting for that to be distributed, I'd just like to draw your attention to the act that we're discussing tonight, Bill 27. This refers to page 1, and it refers to section 6 under subsection (2). What we're doing here with this is that after the section that you see on page 1, we're adding in the definitions from the second page of this amendment, where we've included the definition of flood fringe and floodway.

Following that, we're also adding a second section in 2(3), and it's on the last page.

- (1.1) For the purposes of this section and the regulations made under subsection (1), "floodway" means the portion of the flood hazard area where the flows are deepest, fastest and most destructive, and may include the main channel of a stream.

What we've done here is that we've actually added into both these sections an actual definition tied to these sections so we know what a flood fringe is and what a floodway is.

The reason I've put both those in there is that when we look at the section that precedes that – if you look at the first page of the amendment, it's item (c.2) – they're talking about "respecting the filing and removal of caveats against titles to land in a flood fringe or floodway," and we needed to establish that for everyone that's going to be involved, whether it's here in this House or authorities later on. Whether that might mean a land agent or a realtor or a homeowner or anyone involved in these caveat processes, we need to have it clearly established, in my mind, as to how they would differentiate between a floodway and a flood fringe and a property, therefore, that might or might not fit into either one of these categories.

7:40

I think this is extremely important. As we know, so many people this year have been waiting and waiting and trying to get a decision made for themselves. After they've made their application for the DRP funding, they still don't know whether they should cash that cheque or not. You may or may not have followed how all this works, but if you're in a DRP situation and you've applied for the funding – you need to have that done, by the way, by the end of November – you may still be uncertain at this time whether you're going to proceed all the way.

One of the crucial things that I can tell you is that in a lot of towns like Black Diamond, as an example, there are a lot of people who believe that they are in the floodway, yet the old maps say that they are not in the floodway. This is a real problem. This is why we're hammering on this business of having accurate flood mapping in this discussion that we're having about this bill. It means life or death for someone to be on one side of the line or the other in many respects. They may be in a floodway, or they may not be in a floodway, and we need to get the data to establish that. Once we do have that data, at least these definitions added to this bill would be a way to be able to judge the situation with more clarity for all those involved either now or further down the road.

Mr. Chairman, I have, I suspect, a lot of folks that want to talk about this amendment. I think it is worthwhile. I would really urge the government members to please give this some solid consideration and think about passing this amendment. I think that it is something that would add to what you already have. It's not being critical of what you have. It is only to supplement what you have now and make it better. I would urge you to support this, and I'm here to answer any questions that may come up. I hope that

someone else may want to step up to address this issue should they care to.

Thank you very much, Mr. Chairman.

**The Chair:** Thank you, hon. member.

I'll recognize the Member for Calgary-Bow.

**Ms DeLong:** Thank you very much, Mr. Chairman. I just wanted to make the point that as long as the flood fringe and the floodway are actually put on the maps – okay? – which is what we had last time, then the floodway is whatever the floodway was on the official maps. The flood fringes are the ones that are on the maps as the flood fringes currently. If we try to mess around with that, if we try to say, "Oh, well, there was fast-flowing water here, so this is a floodway," we could get into a mess that would last for years, and those people, those constituents of ours who are waiting for DRP funding, would be just off in the wind. So what we need to do is make sure that whatever is on the maps for the flood fringe or the floodway is the way that you go with it, which is what we have done. I just wanted to make that point.

Thank you.

**The Chair:** The hon. Member for Medicine Hat.

**Mr. Pedersen:** Thank you, Mr. Chairman. Just in reply to the hon. member over there, one of the maps that DRP actually brought to Medicine Hat on one of the original sessions was dated 1991, and that was the most current map that they were using. This was from government. When the member is talking about what is the most current designation for floodway and flood fringe, back in 1991 – we had a flood in '95, we had a flood in 2006, we had a flood in 2010, and we had another flood in 2013. Things do change, member. If that's the most recent map we're using, it's not good enough.

That's what we're trying to talk about here. A floodway is probably easier to determine because it is more of that deeper running water, but flood fringe will change with the flow and the volume of the water. Flood fringe will change. That's the problem that we have here. We have people that were not affected in the floodway – they weren't affected at all – but flood fringe people were, and I think that's one of the things that we're trying to get across. Flood fringe is probably more important, in my mind, than floodway.

In that regard, I agree with the member bringing this amendment forward, and I think that it is critical that we establish what the definitions are and exactly what those areas are for each flood area. This is what we're going to be talking about going forward when any DRP is involved. Once you access that program, it's going to be because you have been designated either in a flood fringe or a floodway. But if that is changing on different flood circumstances, depending on how serious the event is, you could have an expanding flood fringe. There's no doubt about it. I think that's what we have to be cautious about.

In saying that, I am standing in support of this, and I hope other members will have a closer look at it. Thank you.

**The Chair:** Thank you, hon. member.

Are there others? The hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you very much, Mr. Chair. I'm just rising to request unanimous consent of the House that all bells this evening on any divisions be on a one-minute basis.



**The Chair:** Hon. members, the hon. Minister of Justice and Solicitor General has made a motion that any bells tonight be one minute.

[Unanimous consent granted]

**The Chair:** I'll recognize the Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Chair. I appreciate the opportunity to seek some clarification from the hon. associate minister of recovery and reconstruction for the southwest. Is that correct? Yeah. I heard him engaging in the discussion. I, unfortunately, was not here over the debate for the last amendment. I'm wondering if he could perhaps clarify what it was that he was saying while the last member was speaking so that I can understand the associate minister's take on this amendment.

**The Chair:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. Well, we're going to give the associate minister another opportunity at it. There's no question about it. He can get up at any time and speak to this amendment.

I want to go back to the idea of definition. The definition of a floodway or a flood fringe isn't what's on the map, in a drawing. You have to define it first before you map it. It is absolutely imperative that it be defined. There are two separate distinctions scientifically between floodway, flood plain, and flood fringe. What we need to have in the legislation is the definition so we can map it because when they do change – and, particularly, the floodway does change – and you have to update your maps, you know what you're supposed to be updating. You just can't say – it's confusing – that it is what it is on the map without having a definition. That doesn't follow any sequence of logic.

We need a definition. We need to identify it. It has been common knowledge going way back that a floodway is where the channel of the river – in this case this act's definition is actually consistent with that. It talks about the flow and the depth, the majority of that flow and depth, which would be the main channel. There needs to be that precise a reference so there's some accuracy to the maps, particularly when updating the maps, which we've not come to any sort of solution here yet tonight on, what would be an appropriate time to update maps. But the fact is that if we have consistency in the definition, then we will certainly have consistency in updating and making current the maps. So we need definition first. You just can't draw roads on a map and say that there's a road there when the physical road is somewhere else or you don't have a definition of what a road is.

I understand what the member was – no; I don't understand what the member was saying. We need definitions. It is something that we have brought up. I think multiple members have brought up in this Assembly, Mr. Chair, the definition of a floodway, the definition of flood fringe and even flood plain so that there's clarity and consistency.

We have seven major river basins, and within those river basins we have numerous tributaries that feed into those basins. Each one unto itself will be mapped at some point in time. The consistency in the integration of that mapping can only be achieved if we have definitions of what the floodway is, what the flood plain is, what the flood fringe is, and only then will the mapping actually work. Without that it doesn't work. It's technical in nature. It may even be refined. If the members offer up something that would change that to make that more clear, I'm sure that on this side of the House we would support that. We're just looking for clarity in the definition.

7:50

Sure. If the member wants to stand back up and offer some sort of clarification, that's great. Certainly the associate minister is being invited to stand up and offer some clarity on some previous comments dealing with mapping and the definition. That pertains directly to this motion, and hopefully we can get that clarification and their support of this motion.

Thank you very much, Mr. Chair.

**The Chair:** The hon. Member for Drumheller-Stettler.

**Mr. Strankman:** Thank you, Mr. Chairman. I'll be relatively brief. I, too, again want to speak to this amendment. I think it's significant to legislation that needs improvement. It's long-term legislation. I also want to allow the members opposite my understanding of this potential amendment in relation to the unstory of Drumheller during the last flood events. It has to do with their respecting the filing and the removal of caveats against land in a flood fringe or floodway. It's still not completely determined in the constituency of Drumheller-Stettler and the community of Drumheller, the potentiality of the inclusion of caveats on properties that are in a floodway. The floodway has not significantly changed, but the minister has made some special designation for that community in regard to that as a result of the mitigation that was done over years past, including the Dickson dam and the berms and everything that was included in the community.

So I think that this is a significant addition to legislation. I advise the members opposite to give it some serious consideration.

**The Chair:** The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Chairman. I'll perhaps be a bit more direct with my question to either of the associate ministers if I may. I'm wondering what their aversion is to including these two definitions into either the Emergency Management Act or the MGA. What are you opposed to? The words are used in the act, yet there's no definition. If you can find me a definition in either of those two acts, I'd be happy to see where that is, and perhaps we would not need this amendment. Considering there isn't a definition that we can find, if you could perhaps clarify why we don't need one.

**The Chair:** The hon. Associate Minister of Regional Recovery and Reconstruction for Southeast Alberta.

**Mr. Fawcett:** Thank you, Mr. Chairman. Quite simply, if these members want the definition, they can go onto the flood recovery website. There's a frequently asked questions document. Those definitions are clearly labelled in there. As far as the member's rationale as to how this is going to provide clarity to those people that are trying to make decisions, again, the intent is good, but this amendment provides very little value to the overall intent of the legislation, and that is to allow the minister to be able to make certain regulations in this either restricting or limiting development in floodways, which is consistent with the policy that came out in the weeks shortly after the flood. That's clearly what this is going to do.

What I find very interesting is that they want to define the definition in this amendment, and in the previous amendment, that they supported, they talked about involving "engineers, hydrologists, geologists, meteorologists and climate scientists." Well, I think that the purpose of allowing the definition not to be in legislation but in regulation or part of government policy is that over time if those experts decide that they want to make those

changes as part of their mapping methodology, those changes could be made. I think, again, this amendment provides very little value to the overall intent of the bill.

**The Chair:** Thank you.

For the record that was the hon. Associate Minister for Regional Recovery and Reconstruction for Southwest Alberta.

Back to the Member for Calgary-Shaw.

**Mr. Wilson:** You're not the only one confused by the titles, Mr. Chairman.

I will just perhaps ask the associate minister if he cares to comment on why terms like "by-election" or "chief administrative officer" or "council" or "councillor" or "elector" or "enactment" or "parcel of land" or "owner" or "market value," even "minister," "municipality," "tax" are all defined in the MGA. I'm sure you could probably google all of those as well, but, you know, we needed to define those here. So why not take the definitions that currently exist on the ESRD website and place them into this act? There are clear precedents for definitions that may not be necessary, but they're in there as it is now.

**The Chair:** Thank you.

Back to the minister.

**Mr. Fawcett:** I would assume that the hon. member is suggesting that we define every word in the act, then.

**Mr. Wilson:** That's not what I'm suggesting; I'm speaking to the amendment which suggests two very key titles. [interjections] I'm sorry?

**The Chair:** One speaker at a time, please.

**Mr. Wilson:** I appreciate the feedback from the other side very much, and I will continue to guide myself accordingly. I have yet to hear a good reason why putting these into the act is not something that you are into doing.

**The Chair:** The hon. Member for Calgary-Bow.

**Ms DeLong:** Well, thank you very much. I mean, our minister did make a very good point there, that the definition is very much a scientific definition. Those maps which come out actually have the floodway and the flood fringe very specifically on the map. The legislation actually refers to the map, so it is not necessary for us to actually define the floodway since it is very much over on the scientific side. That scientific definition can change according to what the purpose of that floodway is and the purpose of the flood fringe. So it's not necessary to put that definition in there because we're referring to the map which actually defines the floodway and defines the flood fringe.

Thank you very much. I hope that that satisfies your concern in terms of why that definition isn't in there.

Now, the other thing that I think we really need to talk about in terms of this is that if we start messing around with what the floodway definition is and the flood fringe definition is, you end up in a grey area. You know, you've got the map over here that says such and such, which is what we are referring to. Okay? If we then add the floodway definition and the flood fringe definition, then we're all into a grey area. Again, that grey area hurts our constituents. Our constituents need the DRP to be able to move as quickly as possible. As long as there is a grey area there, then that money is not going to flow as quickly.

Thank you very much, Mr. Chair. I hope this clarifies things enough that the opposition can understand. Thank you.

**The Chair:** Thank you, hon. member.

The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. The whole purpose of the whole way you remove a grey area is to put a definition in. Once you have a definition – the meaning of the word is to define – you remove the grey out of this misunderstanding of what the actual literal meaning is. So I'm not sure what the hon. member was getting at between grey area and a definition, grey area being somehow more exact than having a definition. I didn't quite understand that. I didn't quite follow the logic behind it, so I'm going to have to disagree with the hon. member.

If this minister wants to use the scientific definition, I will agree. Absolutely, let's put the scientific definition into the act so we know what we're talking about. Why should it belong in there? That's the important point. The hon. minister made some comment that he doesn't want the definition of every word, and that's true of any legislation. You don't need to pull the Bill Clinton: the definition of "is" is what? I don't know. The fact is that we're going to put caveats on people's titles who are going to be in a flood fringe or a floodway. By goodness, I think we ought to know what the definition is so we know whose title we're putting these caveats on, who is going to be directly and adversely affected. Having a definition would actually support this legislation.

8:00

If the hon. member doesn't like this definition and prefers the scientific definition, then so be it. Let's put in the scientific definition of what a floodway is. Let's put in the scientific definition of what a flood fringe is and what a flood plain is. That makes the legislation now very clear, and the mapping then can take place with some sort of accuracy and consistency. Without a definition one flood plain map versus another flood plain map or even the update might not follow the same protocol, and now we've got a real mess on our hands. That's not just a grey area; that inconsistency is problematic. In order to avoid all that, we need definitions so we can construct maps that are not just logical but are accurate.

Thank you very much, Mr. Chair, for the opportunity.

**The Chair:** Thank you, hon. member.

I recognize the Member for Calgary-Buffalo.

**Mr. Hehr:** Thank you very much, Mr. Chair. I've listened to this debate. Actually, when I spoke I believe in second reading, I too commented on the fact that there was no definition of floodway or of flood fringe in the act. The act appears to me to be relatively useless without those definitions included in it.

What we have just gone through is a process where by not having updated maps, not having a clear definition of what a floodway or a flood fringe is, and the fact that we had development going in different directions on an ad hoc basis because we hadn't developed clear and cogent plans or ideas around which areas we were going to develop in, which areas were going to be supported by flood maps and flood-proofing and the like, by ignoring the problems for many, many, many, many, many years, we've found ourselves in a place of being in a grey area just in this last flood. You see that in how many people feel they were dealt with in an arbitrary fashion. Because of the maps' outdatedness and the location of their homes relative to the

riverways, floodways, flood fringe and the like, the process really had no rhyme or reason to it.

Might I point out now, Mr. Chair, that, you know – let's face it here – downtown Calgary is essentially built on a floodway? I'll use the definition. If we would have had the precipitation that came down in the 1929 flood, the entire downtown of Calgary would have been submerged under water and had significant portions of damage to it. Okay? That's from the 1929 flood, which was three times the volume of this flood here that happened just this last summer.

If we look at this, how we're going about this is a haphazard manner of dealing with what we're actually trying to clear up. What we're trying to clear up is where we're going to develop, who's going to be covered, and what the process is going to be. I don't think what we have before us goes toward any measure other than letting the minister decide in an ad hoc fashion where we're going to develop, where we're going to build: "I'll make one-off deals with this community, one-off deals with that community. We'll try to piece something together if and when this happens again, and leave ourselves enough flexibility to try to manage it."

But that's what we did this time, and it hasn't worked that spectacularly either for families and communities or for the public purse. I think by having some of these definitions included, we can do a better job of people understanding their rights and responsibilities in terms of when this natural disaster will happen. Despite whatever mitigation proposals are out there and the like, in my view, this is going to happen again. It could happen next year or the year after, and we can't continue to sit here and twiddle our thumbs and not get busy on doing some of the things that other jurisdictions have gone down.

I'll put in a plug right here again that some of this grey area can be cleared up by instituting mandatory flood insurance. Having that fully in place would allow us to do risk-adjusted premiums depending on where people live. That would also protect families and communities wherever they are in this great province as well as protect the public purse. That inevitably will happen when a flooding occurs.

Without definitions and without any clarity in this bill, when a disaster strikes here in Alberta, say 15 or 20 years from now, the legislation you're currently proposing is not going to tie the hands of some future government. They are going to be forced to act when their citizens are in jeopardy, in peril, when they need help. No government's hands should be tied when that happens. So that government is going to be forced to act, to assist, and it is their obligation to do so. But by not having any appropriate fences or appropriate mechanisms put around what we're doing here – one of those examples is on the definition front – we're simply creating the same situation that we had here in this flooding, the effect of an ad hoc reaction to a crisis and seemingly making things up on the fly, which I think even members opposite, on the other side of the House, will fully admit.

That's what we went through, government policy on the fly that hadn't been developed in advance, had no consistent application, had no rhyme or reason to it. They just tried to do the best they could. I will admit that if you don't have those firm plans in place – I think this government did a pretty good job of doing the best they could given that they hadn't done anything in a long while in actually preparing for a disaster.

What we're trying to do with this legislation is have some form and fashion, rhyme or reason, to what is going to happen the next time this happens. What's going to happen to caveats and the like? What is the development process going to be in every community going forward? Leaving it up to the minister in some backroom to

decide willy-nilly or whatever may make sense at the time with no consistent application to me is just not good enough.

Thank you very much, Mr. Chair. I think this amendment has merit.

**The Chair:** Thank you, hon. member.

I'll recognize the member for Livingstone-Macleod.

**Mr. Stier:** Well, thank you, Mr. Chairman. An interesting bunch of exchanges on a matter that I thought would have been fairly simple, quite frankly.

There are a few legal eagles in the room here, a few people that know their stuff in terms of legislation. I had been playing with this a little bit as a novice for many years in my municipal days. I didn't think it would be too difficult to take what is normally expected in legislation, such a thing as definitions, and insert them so that we could give clarity to what I thought was a clause that needed a little bit more refining. So I would like to suggest to those of you that have some of that background and knowledge to give this some serious thought.

I saw last night in our deliberations some people from the government side not necessarily always voting the same way as the rest. I would ask you folks with experience and knowledge in legislation to answer this one question: where have you seen an act that doesn't have a definition? Where have you seen a clause that sometimes refers to something that is missing a definition? I'm just suggesting that these definitions will add proper clarity. They'll refine the clause you already had and make it better. I think it's an improvement. It's not throwing out something you had; it's just making it so much more clear for everyone that's going to be working with it in the future.

With that, Mr. Chairman, I yield my time. Thank you very much.

**The Chair:** Thank you.

Are there others? The hon. Member for Cardston-Taber-Warner.

**8:10**

**Mr. Bikman:** Thank you, Mr. Chair. I wonder which of the lawyers in this room would be counselling their clients to sign a contract that lacked clear definitions about the conditions that are going to bind their client. I suspect that none of you would. You're too sharp for that, and you take your responsibilities towards your clients too seriously.

I submit to you that all of us have clients, and those clients are the people that elected us. We know the saying: good fences make good neighbours. Well, good definitions make good covenants, and good covenants make good contracts. Good laws require good definitions. How can we find common ground if we don't use a common language? We each see life and perceive things based upon our perceptual filters that are based on our life experiences. That's the lens that we look through and that we communicate with.

Let me give you an example. The word "dog" means to some a pet, a friend. Maybe to a high-society matron on Park Avenue, New York, it's a little poodle that's got the proper cut and the proper pedigree and the diamond-studded collar and the Gucci leather leash, and that's what she thinks of as the word "dog." Some people might see a dog as an alternative to having a child, somewhat easier to clean up after and certainly easier to raise when it gets into the teenage years. But do you consider that the word "dog" could also mean, to some people who would hear it, transportation, protection, warning, food? You know, 20 ways to walk your dog.

Unless we know what the definition is going to be in the legislation that we're creating, it's pretty hard for people to expect us to measure up and meet their expectations of having good laws that will protect them, that will guide the decisions of the government on their behalf. Let's face it, folks, we're here talking about how to best deal with the tragedies that occurred this past spring and summer and the long-term consequences of future events. I don't think there's anybody here that thinks we've seen the last flood in these areas. They're happening with more frequency, and we need to make sure that the legislation that we use to deal with the consequences of the past one will work in future ones. Hopefully, because of steps that will be taken to incorporate the Groeneveld report recommendations, the impact in the future will be far less and far less costly to deal with.

But in the meantime good, honourable people – taxpayers, citizens of our province – are relying on us to create legislation that will deal fairly with the circumstances they now find themselves in, for the most part through no fault of their own. I think it's our responsibility to soberly consider the benefit of creating this legislation to be as strong and as tight as we can make it because of the long-term consequences. It impacts families. It impacts their investment. It has impacted many of their memories, and some of them have suffered trauma that they may never recover from. We certainly don't want to add to that trauma by creating laws that will allow caveats to occur where they're not needed or allow caveats to be left off where they are needed. The definitions that my honourable friend has suggested be included: it's a common-sense thing. Certainly, people in the country would recognize that.

Good laws should have as little ambiguity as possible. I think that what the hon. Member for Livingstone-Macleod is proposing reduces ambiguity, creates more certainty, and would allow for better decisions to be made on behalf of those who right now are rather fragile and who right now are rather concerned about their inability to sell a house or uncertainty about whether to rebuild or where they can rebuild or exactly what they're going to do.

I would encourage all of you who take your jobs seriously – and I suspect that's all of you that are currently reading something or doing something else right now. Nevertheless, this is important. I don't think that we're here just as an exercise to give the appearance of living in a democracy. Hopefully, you have the freedom to vote the way your constituents want and the way common sense suggests is required. Nay, it's not just required but demanded because our constituents, all Albertans, need us to be creating good laws.

Thank you.

**The Chair:** Thank you, hon. member.

Are there others?

Seeing none, I'll call the question on amendment A7.

[Motion on amendment A7 lost]

**The Chair:** We'll go back to the main bill. The hon. Member for Livingstone-Macleod on the main bill.

**Mr. Stier:** Yes. Thank you, Mr. Chairman. I have great feelings of despair when I don't get something that I've worked so hard on put through that made such great sense.

If I could beg your attention again, we're looking at something that I was threading to my definition amendment. I have another amendment to bring forward in a couple of moments. This one has to do with how we can work the questions we were working on earlier, flood fringe and floodway mapping and so on and so forth, into what was presented as Bill 27.

With that, Mr. Chairman, I'm going to be supplying you with the appropriate copies of an amendment, please.

**The Chair:** All right. Hon. member, that will be amendment A8.

Please proceed, hon. member.

**Mr. Stier:** Thank you, Mr. Chairman. Hon. members, what I have here is a short and sweet amendment with respect to the question of flood mapping and the up-to-date information required for flood mapping and the requirement for up-to-date information. I'll just try to give you a quick rundown on it.

What I've said here in this amendment is to move that Bill 27, Flood Recovery and Reconstruction Act, be amended in section 2(3), which is on page 3 of the bill. What we're looking at here is putting at the end of clause (b) just a little qualifier. We're going to put in the word "and" at the end of (b) in section (2) and say:

- (c) must be based on flood fringe and floodway area maps updated after the most recent flood event or within the last 5 years if no such event has occurred.

Now, earlier on – this afternoon, I guess it was – we had talked about that a little bit in one of the other amendments from one of the other members. I had at the time indicated, prior to the supper break, that the idea of up-to-date flood mapping and the idea of having proper definitions for that was not my own creation, nor was it anything that the rest of the Wildrose had. This actually was something that was created several years ago – and it was probably being talked about for many years prior – by a former member, George Groeneveld, MLA for Highwood, who had put together the report, as we know, that was shelved for some time after it was done in 2006.

The first recommendation, in fact, that came from Mr. Groeneveld – and I'm going to say this again – was: "We recommend that Alberta Environment coordinate the completion of flood risk maps for the identified urban flood risk areas in the province." That was the most important thing. I know it was discussed earlier that if they were to do that – the associate minister had worried about the cost in conversations earlier this evening. I might add that the recommendations in the original flood study estimated that it wasn't going to be that big of a problem to manage. It was only going to be about 2 and a half million dollars to look after all of these initial database services they needed to do and processes they needed to follow to get a good amount of baseline data to work from.

**8:20**

The second recommendation from Mr. Groeneveld's report said that they had to follow that up with a map maintenance program, and that map maintenance program was because, as I quote out of the recommendations here,

situations may arise where an existing flood risk map no longer adequately represents the flood risk for a location. This may result from changes in the river or immediate area, updating a rural flood risk map or errors in the original study. Flood risk maps should also be reviewed regularly particularly after extreme flood events when public and municipal government interest is high.

I did not create these clauses I've just supplied to you. They were done by the government of the day, this government here today, and I would urge you, if you have the opportunity, to review those clauses that he had and those recommendations.

Just to put a dollar amount to the updating portion of that recommendation, after the initial database was found and done, that estimated budget was only \$50,000 annually. Just imagine if we could have gotten some of this stuff done years ago – it's only seven years ago – for 2 and a half million to 3 million dollars.

We'd have the database done. We could update it every year for \$50,000, and we could have been so far ahead in our work, that we're now paying a high price for today in terms of mitigation and engineering.

This amendment that I have would have been tied to the definitions that we just haven't allowed. Nonetheless, I think we now know because the associate minister has said that we can find those definitions on the website. Well, I don't know how often lawyers will be looking at a website. They usually try to get the definitions within their acts. Nonetheless, this little clause here could be added, and therefore I'm suggesting in this amendment to add it this time to the Municipal Government Act in 693.1(1), which you guys have already made.

I'm not looking to cancel again or throw out any of your ideas that you had there. I'm simply asking for this to be added onto the bottom to add clarity to what you already have and make it better. I would suggest to you that this is something that all of you have already admitted is needed with the programs that you've mentioned this year. All of these things that we're talking about you announced on the radio and the TV and you advertised throughout the province as necessary. We've put a little clarity to it. We've suggested it must be based on updated flood fringe and floodway area maps, just like Mr. Groeneveld did in his report in '06, and we've suggested that it should be done "after the most recent flood event or within the last 5 years if no such event has occurred."

Why do we want that in there for five years? Well, things beyond flooding can change in an area, whether it be development or other kinds of infrastructure, objects placed in a riverbed, a stream, or on a shoreline, whether it's pathways, whether it's bridges, whether it's culverts, and so on and so forth. We know that. That's why that has to be in there. It has to be reviewed. We're suggesting that if we were to have followed and can follow or should follow – maybe we should follow your report, where you say that you've already done 75 to 80 per cent, I think the Municipal Affairs minister has claimed. We're saying that if you would follow this, just simply add this clause in – it's not going to cost any money to add this clause in. It's only going to make your bill better.

Thank you, Mr. Chairman. That's all I have to add for that portion.

**The Chair:** Thank you, hon. member.

Are there others? The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Mr. Chairman. If I could interrupt your various activities for a moment to ask a question, by a show of hands how many of you have a GPS either in your car or a separate one that you use and plug in? [interjections] How many? Okay. Some of you have a GPS. [interjections]

**The Chair:** Hon. members, the Member for Cardston-Taber-Warner is the only one that has the floor at this time. Thank you.

Please proceed, hon. member.

**Mr. Bikman:** If the GPS is even a month or two or six months or a year old, have you ever relied on it to help you find an address that's not in the GPS yet? Has anybody been lost with the help of their GPS? [interjections] Never? I have. I've flown to Arizona and taken my GPS with me, used it to travel all over the Phoenix area, but when I tried to find my daughter's house, apparently she didn't have a house.

**The Chair:** On the amendment, hon. member. I'm sure you're trying to tie this to the amendment.

**Mr. Bikman:** Are you having trouble seeing where this is going?

**The Chair:** Well, I just want you to help me, hon. member, to assure me that you're speaking to the amendment.

**Mr. Bikman:** You've done this to me before, Mr. Chair. This is going somewhere.

**The Chair:** Relevant to the amendment, hon. member?

**Mr. Bikman:** Absolutely relevant to the amendment.

**The Chair:** Thank you, hon. member. Proceed.

**Mr. Bikman:** What's the amendment about? Is it about maps? I can't believe that you couldn't anticipate where this was going. You must go crazy at movies wondering how it's going to end. I thought I telegraphed my intentions so obviously that the punchline would have been wasted on you. [interjections] Hey, I'm just the straight man. You're giving me the good lines.

If you don't update your GPS regularly, you can get lost. You can't rely on a GPS if you're not updating it often, and you can update it by plugging it into your computer.

**Ms Calahasen:** Jeez, I use the stars.

**Mr. Bikman:** I beg your pardon?

**An Hon. Member:** She uses the stars.

**Mr. Bikman:** You're the only star here.

We rely on modern technology. Some of you may not know – but some maybe do – that to keep the mapping updated that the hon. Member for Livingstone-Macleod has recommended be included here would cost about \$50,000 a year. My gosh, what a cheap investment in reducing the possibility of seriously harming somebody because we make decisions based upon incomplete or inadequate or old information. Ambulances that are centrally dispatched, to the delight of the hon. Health minister, wouldn't get to the injured parties or the accident victims if they didn't have updated GPS. We talked to an ambulance fellow recently, and he said that the GPS system is working well now but that they had to update it. They had to see where it was wrong, and it probably cost some people extra pain and suffering because the current system wasn't working fully. It wasn't updated and completed.

Where will people build? Where will they rebuild? Who will decide which properties need caveats on the titles? You can't make good decisions if you don't have good information. I can't know that I'm driving down a road with a bridge out if my GPS tells me that I'm on the right track to get to where I want to go. We've got some bridges out, literally and figuratively, and we need to make sure that that mapping is updated.

Thank you, all.

**The Chair:** Are there others?

We'll call the question on amendment A8.

[Motion on amendment A8 lost]

**The Chair:** We're back to the main bill. The hon. Member for Livingstone-Macleod.

**Mr. Stier:** Well, thank you again, Mr. Chairman. This is my final pitch for the evening, as much as I hate to say it. I think I have gotten the attention of some of you, and I don't think I've been as lengthy as some others. I've actually tried to put some facts towards my statements.

Regardless, I will pass this out, Mr. Chairman.

**The Chair:** Do you have another amendment, hon. member? It will be A9. If you'll circulate that, that would be great.

**Mr. Stier:** Yes.

8:30

**The Chair:** Please proceed, hon. member.

**Mr. Stier:** Thank you, Mr. Chairman. Thank you, hon. members, for being so patient with me. This last amendment is a simple one. I think it is probably in most respects a repeat of perhaps one that was brought to your attention earlier today. What we're asking here is to look at Bill 27, page 1, at the bottom, and we're asking to strike out item (c.2). We have a lot of reasons for that. This is, again, related to the other matters that we talked about earlier. I won't take too long.

We feel that this clause is a little bit premature. We don't have adequate definitions about flood fringe or floodway in this bill, as I've pointed out already, even though we suggested that there could have been a modification to alleviate that problem. Therefore, we've created a bit of a difficulty, I think, for the next few months in how this process would be proceeded with as the flood mitigation plans and the DRP plans and the offers to buy people's properties are trying to be addressed.

Also, in my mind, I don't think I've ever heard yet how this process could actually be done with the realtors and the land titles office and the lawyers and all the people that are involved in property transactions. How are they going to put a caveat on? How are they going to amend caveats? How are they going to take them off? Who's going to administer that? These things are up in the air. The brokers, the realtors: I think there might be a couple of those folks in the audience here tonight. These things are very, very heavily argued at the best of times. If there's not clarity in how these caveats will work and the definitions aren't there, we're going to set ourselves up for what is already, I would say, destined to be quite a difficult situation to deal with. We're going to set ourselves up for something even worse after the fact.

We know, too, that with properties that are subject to flooding in many respects throughout southern Alberta – High River, Calgary, Medicine Hat, Drumheller, Fort Macleod, you name it – we've got all kinds of properties that are subject to perhaps devaluations or some sort of impact to their property values. It may be, in fact, that they're not just limited to Mr. and Mrs. Smith's regular dwelling. It could be a commercial property. It could be a big investment property right along the Bow River, where there is some speculator who has bought some land thinking he could put up a 32- or 40-storey office tower. This kind of thing could be a very, very big, expensive problem if we don't have all of the ducks in order prior to proceeding.

My suggestion here. Again, I'm not asking to blow the moon out of the water and change a whole bunch of wording or wordsmith the heck out of something. I'm saying that we need more clarity here. You may recall earlier on this afternoon and this evening I said that after this huge disaster we've had, we've only got a bill that is five or six pages long. There's not enough clarity here. We should be worried about this caveat situation. We should be worried about what this could do to our friends, our neighbours, the people that live in Alberta.

Please give this solid consideration. I'm often, as many have said, willing to look at amendments. If we wanted to leave this in but put more clarity into it, I'd consider that. I look forward to hearing the discussion on that, Mr. Chairman.

Thank you very much.

**The Chair:** Thank you, hon. member.

I'll recognize the hon. Associate Minister of Regional Recovery and Reconstruction for Southwest Alberta.

**Mr. Fawcett:** Thank you very much, Mr. Chairman. While I appreciated the intent of the previous amendments brought forward by this member, I have to admit that I'm a little perplexed by this one. While the other ones I didn't support because they provided very little value, this particular amendment actually devalues the whole policy intent of what we're trying to do here, and that is to make sure that we're not developing in floodways and that we're using taxpayers' money responsibly through the disaster recovery program.

We've been quite clear on what our policy is, and that would be formulated in regulation. This piece of legislation, Bill 27, this particular clause, allows the minister to make these particular regulations. We've been very clear. Anybody that exists in a current floodway and that experienced damage during the flood has two options. They can either access the disaster recovery program to rebuild or repair their house on their piece of property – and if they do so, there will be a caveat on their piece of property; they will not be eligible for any future disaster recovery assistance due to flooding, Mr. Chairman – or they can take a floodway buyout program, in which we would pay for the total assessed value of their house, in accordance with the last assessed property tax value, to move out of the floodway. We're leaving that option up to the individual homeowners. That will be very clear. This clause enables that for those regulations to be put in place to enact that policy.

Again, we talked about clarity for people making their decisions. By taking out this clause and not allowing the minister to be able to make that particular regulation to develop that policy, you've thrown it all up in the air. Where I'm really, really confused is that particular party a couple of weeks after the flood put out their report and indicated that they supported all of the recommendations in the Groeneveld report. Okay? This follows through on the last couple of recommendations that weren't implemented, and that is to try to get people out of the floodway. That's what this does, so I don't understand why that wouldn't be supported over there, Mr. Chairman.

The only other piece where there would be caveats on property would be if they are identified on current flood maps as being in the flood fringe and they're accessing disaster recovery programs. They're going to be provided additional money on top of what they would to repair their homes to repair their homes with a minimum standard, approved material, that we've made public. If they decide not to do that, to use the disaster recovery funds but not meet that particular standard, there will be a caveat that is put on their property.

It's quite simple, Mr. Chairman. We've brought out this policy and made this very clear with people that have been affected. This legislation allows us to implement that particular policy in the regulation, so this legislation is enabling that. I think we need to do the right thing in this Legislature, provide the certainty and clarity around those policies that we've already announced by passing this legislation and letting the minister get on with taking that policy and putting it in the regulations so people can move on.

**The Chair:** The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Chairman. I appreciate it, and I appreciate the passionate response by the associate minister. He's right. In our flood report many of the recommendations that we put forward are mirrored in this act. The reason why we put

forward this one to blow the whole thing up is because it all starts with accurate maps. Without the accurate maps you're putting restrictive measures and caveats on property, and it's not right. Permanent caveats based on flawed information is just not the right way to go about it.

I appreciate the fact that you read our report. I'm sure that you've probably also read the former MLA for Highwood, George Groeneveld, who basically said the exact same thing in his first couple of recommendations. We recommend that Alberta Environment, one, "coordinate the completion of flood risk maps for the identified urban flood risk areas in the province." We recommend that Alberta Environment "develop a map maintenance program to ensure that the flood risk maps are updated when appropriate." Huh.

The reason why we're putting this amendment forward now is because clearly you didn't want to do either of those things, which now makes this bill a piece of junk.

Thank you.

8:40

**The Chair:** The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Just one or two short comments. [interjections]

**The Chair:** Keep the side conversations down, please, so I can hear the Member for Cardston-Taber-Warner. Thank you.

**Mr. Bikman:** Yeah. You won't want to miss this, you guys. Thank you. Clearly, we want to do all we can to reduce and shorten the suffering of these people. But if we make decisions based upon incomplete, inadequate information, that hasn't been updated, the quality of the decision is going to suffer, and we may cause premature evacuation.

**The Chair:** Are there others?

Seeing none, I'll call the question on amendment A9.

[Motion on amendment A9 lost]

**The Chair:** We're back to the main bill. The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Chair. I just wanted to kind of summarize, I think, what happened in Committee of the Whole here. What appears to happen is that, you know, the Official Opposition as well as other opposition parties put forward substantive amendments that can actually fix legislation. We put forward constructive proposals to legislation to make it better, and there just seems to be no appetite to go through the well-established tradition of strengthening legislation by properly debating amendments.

Mr. Chair, on this particular piece of legislation the reason why we need amendments, frankly, is that there isn't much confidence in the Minister of Municipal Affairs. Again, he's the gift that keeps on giving for us here in the Official Opposition. Given his recent performance we're just not confident in his abilities to properly implement the legislation as it's currently written. That's why we're putting forward these amendments. It seems that the Premier has confidence in him, but no one else does.

Mr. Chair, what we'd like to see is a government that actually listens to the Official Opposition when they're coming forward with constructive proposals. We have two individuals within our caucus with a lot of years of municipal experience who genuinely put forward real, solid proposals, but there just doesn't appear to be any appetite on behalf of the government to listen to those proposals.

We heard comments from the Member for Calgary-Bow, saying that the old flood maps are not inaccurate, but the rivers have changed. It's these types of nonsensical comments, Mr. Chair, that give us cause for concern. That's why in our amendments, that we put forward, we actually wanted to put forward the requirement to implement accurate flood maps.

Mr. Chair, what's also quite concerning is that this government actually expended money to put forward a report in 2006, the Groeneveld report, but what's happening – we're seeing right there; that member there is actually disavowing it. He's saying: "The Groeneveld report? It's worthless. We're not going to implement it." I find that a little alarming, throwing that member who put forward that report under the bus. I think most people panned that report and thought it was a pretty good report. If there are good recommendations in that report, implement them.

Mr. Chair, in these circumstances where the government is not willing to listen to real, positive, substantive proposals, that the Official Opposition is putting forward, it's disconcerting. We're going to continue to do our job and demonstrate that we're the government-in-waiting if Albertans give us the responsibility of doing so in 2016.

Thank you.

**The Chair:** Thank you, hon. member.

**Mr. Horner:** Well, Mr. Chair, I wasn't going to rise. I've actually been listening very attentively for the last hour and a half to a number of amendments where I heard one of the members say, "Well, this is the same amendment I tried earlier; let's see if it works again," where members have said, "You know, I know you're not going to support this, but I want to put it forward anyway." The hon. member across the way just said that he has no confidence in the minister. Well, quite frankly, I have no confidence in the quality of the amendments that they're bringing forward here tonight. I've been listening very attentively, and I'm not going to support any of them. I didn't, and I won't, even moving forward, with some of these kinds of amendments.

The hon. member talks about the Groeneveld report. Nobody threw the hon. member previous under the bus, Mr. Chair. In fact, many of the recommendations, most of the recommendations from that report have been implemented or are in the process of implementation.

What the other side fails to understand, Mr. Chair, is that we are not standing still waiting for something new to happen down the road. We're making decisions today, and as information changes, yes, we will adapt, we will adjust, and we'll move forward. But just because my GPS is out of date doesn't mean that I stay in the driveway. It means that I go. Simply saying that we disagree with the hon. members opposite and the ridiculous amendments that they've put forward does not mean that we are not listening.

I will not be supporting this.

**The Chair:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Chair. I think what's important in this Assembly is that – I understand that the hon. minister may be campaigning for the leadership spot, but the leadership review hasn't even been done. I know you're trying to garner support here, but . . . [interjections]

**The Chair:** The member has the floor, hon. minister. Please. Proceed, hon. member.

**Mr. Saskiw:** Mr. Chair, I'm just stating my point, and I think I have the floor, and I have the ability to do that.

What I was trying to say was that if you look at the Groeneveld report, one of the major recommendations in that report was the preparation of flood maps. That was one of the major recommendations there, and now they're disavowing that. That, to me, is throwing that report in the garbage. That was one of the main thrusts of that report. You know, you can accept a bunch of recommendations, but if you don't act on the material ones, the significant ones, on a particular report, then that's not actually implementing the report. I appreciate the passion on the other side, but we'll stand by our position.

I think what's ridiculous is him calling our amendments that we've put forward, that we've put many, many hours into – we've researched them thoroughly. They're well written. For this member to say that they're ridiculous is ridiculous itself. I think it's disrespectful of democracy. I think that if you put these amendments in front of any objective third party, they would look at them and say, "Look. These are some real amendments. Let's actually debate them," so for the member to call them ridiculous is just disrespectful of democracy as a whole and here in this Assembly.

Thank you, Mr. Chair.

**The Chair:** Thank you, hon. member.

**Mr. Horner:** Well, Mr. Chair, it must be getting to be a long week because I'm getting baited, and I'm actually taking the bait. The reason that I'm getting baited is because the hon. member says one thing and then does the exact opposite. The hon. member talks about respecting this House and then actually says that he has no confidence in a minister of the Crown of this House. The hon. member talks about us throwing an hon. member under the bus because we're not doing the recommendations, knowing full well that that's a lie. We are doing the mapping . . .

**Mr. Saskiw:** Point of order.

**Mr. Horner:** Okay. I withdraw the remark. It's not a lie; it's just ignorance of the fact.

**The Chair:** You have a point of order, hon. member, but I believe at about the same time I heard the minister say that he withdrew the statement.

**Mr. Saskiw:** I appreciate the minister withdrawing the statement. It did offend me, Mr. Chair.

**The Chair:** Okay.

Now I have the hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** It's a bit of a drive-by thing, though, don't you think, Mr. Chairman, to say, "Oh, I'm sorry," and sit down?

**The Chair:** I'll accept the withdrawal, hon. member, and we'll carry on, but I thank you for noting that.

**Mr. Horner:** And thank you to the hon. Member for Edmonton-Highlands-Norwood, who is obviously well-versed in that procedure.

Mr. Chairman, again, when he talks about us ignoring the report, he's absolutely wrong. He should check his facts. We are doing the mapping across the province. That's part of what we're doing, that mapping. It's the outcome of the Groeneveld report. But, again, you don't sit in your driveway just because your GPS doesn't work. You go the old-fashioned way. You make some decisions, and you move forward. That's exactly what this government did when the flood hit us. That's exactly what we're going to be doing now and have been doing with the task force.

We're responding to the biggest disaster this country has seen, and we'll continue.

Yes, Mr. Chairman, I do believe that the amendments, many of them brought forward here, were – some of them had some good merit, I'll agree. But each of them had things that the hon. members on our side explained that we were not going to support. They should simply accept that and not claim that democracy is ruined because we don't agree with them, which is very simple-minded.

**8:50**

**The Chair:** The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Chairman. I appreciate the hon. Minister of Finance. I'm not looking to bait you in any way, sir. I'm just merely looking to point out, as my colleague may have done in a different way, that I take offence to the "ridiculous" comment. I'm glad that you clarified that some of them had merit.

I would point out to you that there were times that we put forward amendments that no one from the Municipal Affairs department stood up and spoke to. So there isn't a dialogue. There isn't a discussion. If you were interested in the process of democracy and if some of them did have merit, rather than finding one word that you don't like and voting against them, perhaps instruct your ministers or your colleagues to propose friendly amendments or subamendments or have a dialogue before or after these things are voted on. You know, then you wouldn't hear us complaining about the lack of progress or lack of commentary on certain amendments.

Thank you.

**Mr. Horner:** I know, Mr. Chairman, that I shouldn't, but I'm going to. You know, if I was interested in democracy – my family has three generations of serving democracy. I wore the uniform of this country serving democracy. That hon. member should understand that I have a great deal of interest in democracy, which means that the majority is the vote that is going to carry the day. Maybe he should accept that.

**Mr. Anglin:** Let's talk about some ridiculousness. Let's map without definitions of what we're mapping. Now, that's ridiculous. To call some of these amendments outrageous just doesn't make sense. Let's talk about something that's ridiculous. Let's create a report about flood mitigation, and let's just let it sit on the shelf for six years and do nothing. The community that I represent, Sundre, needs flood mitigation. It needs this mapping, it needs the report, and it didn't get it. It's still asking today, and there's still no response.

The idea that you're moving forward – to the hon. member, you don't need GPS; you need some tires on the vehicle so that you can move forward. It's not happening. We've had a major, major disaster, and what we want to do and I would think that everybody in this House wants to do is move forward, but how do you do that if you're not even sure what you're mapping, if you don't even have consistency in the definition? The idea that that's ridiculous just doesn't cut it. It is absolutely imperative that we have a defined definition of what a floodway, flood fringe, and a flood plain are so there's consistency in the mapping.

Thank you very much, Mr. Chair.

**The Chair:** Seeing no other speakers, I'll call the question.

[The clauses of Bill 27 agreed to]

[Title and preamble agreed to]



**The Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Those opposed? Carried.

Hon. Deputy Government House Leader, are you moving that the committee rise and report?

**Mr. Denis:** Actually, no, I'm rising to get a standing vote on the last vote.

**The Chair:** The vote has been called.

Hon. Deputy Government House Leader, did you wish to move that the committee rise and report?

**Mr. Denis:** Am I rising in time now, sir?

**The Chair:** You're rising in time to move that . . .

**Mr. Denis:** Oh, just wanted to check. Okay.

I move that the committee rise and report, please. I hope that gave you enough time, sir.

**The Chair:** Thank you. Hon. Deputy Government House Leader, you wanted to move that the committee rise and report Bill 27?

**Mr. Denis:** Bill 27. I hope that was enough time as well.

**The Chair:** Yes. I thought that's what I heard you say.

[Motion carried]

[The Deputy Speaker in the chair]

**The Deputy Speaker:** All members have returned to their places?  
I'll recognize the Member for Edmonton-Ellerslie.

**Mr. Bhardwaj:** Well, thank you very much, Mr. Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bill: Bill 27. I wish to table copies of all amendments considered by Committee of the Whole on this date for the official records of the Assembly.

**The Deputy Speaker:** Thank you, hon. member. Does the Assembly concur in the report?

**Hon. Members:** Concur.

**The Deputy Speaker:** Opposed? That is carried.

## Government Bills and Orders

### Third Reading

#### Bill 31

#### Protecting Alberta's Environment Act

**The Deputy Speaker:** The hon. Deputy Government House Leader to move third reading on behalf of the hon. minister of environment.

**Mr. Campbell:** Yes, I'll move third reading of Bill 31 on behalf of the Minister of Environment and Sustainable Resource Development.

**The Deputy Speaker:** Thank you, hon. Deputy Government House Leader.

Are there speakers? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you very much, Mr. Speaker. I was expecting one of the ministers to address the issue before I did. I rise, unfortunately, to oppose this bill. Right from the onset the bill is mistitled. It's called Protecting Alberta's Environment Act, and the minister actually admits that it doesn't even protect the environment. That's not what it's intended to do. So it's mistitled before we even begin reading the bill.

It's unfortunate because there were a number of amendments that were brought forward that were quite logical. They weren't outrageous in any sense of the word. There are going to be scientific panels that are going to be appointed. One of the amendments – and it might have even been included in a couple of amendments – was to have some sort of criteria, some sort of qualification to be outlined, not necessarily in legislation but in regulation, of what would be required to sit on these scientific panels.

There were numerous regulations or amendments that were submitted to strengthen the independence of what this agency is intended to be. The minister was quite clear and the hon. member said numerous times that they wanted this agency to be an arm's-length agency, to operate independently of government, but amendment after amendment to strengthen that, to make sure that they could be further protected or at least reduce the appearance of any influence or connection to the government or cabinet was rejected.

Now, it's understandable that they want to reject some of those amendments if there were valid reasons for rejecting them, but nobody gave a valid reason. It seemed very logical, the idea that the frequency that determines the agency's reporting on the condition of the environment would be determined by the agency. That was denied.

9:00

To create a code of conduct or outline what the conduct and ethics would be as a requirement, which is done on multiple pieces of legislation – I know the Alberta Utilities Commission act does that. I know the ERCB act does that. There are numerous acts that this government has where it outlines the code of conduct of the board or the committees. And this was rejected. Now, granted, they can create it under legislation, but it's just not listed in the legislation. There's no valid reason why it was denied. So on and on we brought amendments forward to try to strengthen this bill, and one after another they were denied.

I want to talk about one in particular. This agency is designed to monitor the environment and issue scientific reports. There's no question in this Chamber that that's how the minister sees this new agency, that that's how this government wants this new agency to be. In order to give the scientific reports validity, other scientists in the field need to be able to look at these reports and validate these reports through the raw data that constructed the reports in the first place. We wanted to make sure that that data would be available to the public, to the scientific community so that whatever report was issued by these scientific panels could be verified. They could substantiate what the scientific panel was basically conveying to the public.

Now, this is extremely important for numerous reasons, but it's extremely important particularly for our industries and for the markets that we want to access. Nobody disputes one bit that we have environmental concerns where our customers, whether it's the U.S. customer, whether it's the Asian countries whose markets we want to access, want us to reduce greenhouse gases. It isn't just good enough to say that we're doing it or to say that it's done. They need to see independent proof that we're actually making headway, that we're achieving goals and are actually reducing

greenhouse gases. Without the mechanism to verify any of the reports, what we're going to be giving to the public is hearsay, and what we want is scientific proof.

Clearly, the amendments offered were logical, they were pragmatic, and they were intended to strengthen the bill and not weaken it or bring into disrepute any government official or anything like that. It wasn't designed to be repetitive. What it was designed to do was to help all Albertans. In particular, it would be of tremendous assistance to our industries in accessing the international markets they so greatly desire access to.

With that, I'm a little bit disappointed that we weren't able to strengthen the bill. Where I have real concerns with this bill is that we are creating an independent agency that is modelled very much like AHS, which applies to our health care system and the Ministry of Health but that has not worked out very well. I know some members will say that it's doing very well. But we've seen even just recently the entire board fired. We've seen turnover after turnover. It's been a task, to say the least, to try to make AHS work for our health care system. There are lots of problems.

So here we are in the world of Environment, and we are creating a separate agency that is modelled after what we have constructed for AHS, and what I think the public's concern is, which is our concern, is that this will become a bloated agency. There are no mechanisms, particularly in legislation, that say: here are the outcomes that we want, and this is how we're going to measure those outcomes for efficiency and productivity. There's nothing there in legislation.

If this agency goes sideways, it will go sideways because people that get appointed to the board are not qualified. That is one way it could happen. It can get bloated with employees where it gets out of control very much, in my view, like AHS, where the intention was to be efficient and to save costs. It has all the potential to grow and become its own little fiefdom, yet to measure the outcome for what the agency is supposed to do to assist monitoring the environment, to measure the outcome for what it's supposed to do to assist our economy, there are no mechanisms outlined for how we're going to measure this. And then it circles right back to credibility, that they're pretty much on their own.

Now, I think we all hope that it will work out for the best or even better than our expectations, and that's all well and good, but had we strengthened this legislation, we wouldn't necessarily need to hope. What we would be able to do is to actually rely upon the direction that the legislation gives the new agency for creating its regulations and then watch that work as we instructed it to work. But that's not what's happening here.

This legislation, as I told the minister – and I do not mean this in a derogatory way – is hollow. It's legislation that doesn't have any real substance to it to tell us how this agency is really going to function productively and in a cost-efficient way. It's just not there. It should be there, but it's not. So this has the potential to become this giant white elephant, a massive cash cow, so to speak, that could increase costs and not do much more than what's happening today. That's why I referred to the bill as hollow because the whole idea of monitoring is that we'd move some of our monitoring mechanisms that we're doing today into this agency. There's nothing here that says that we're increasing. There's no funding that says that we're going to be doing more than we're doing now.

As a matter of fact, when you look at the funding that's outlined in the legislation – and I don't have the legislation in front of me – I believe it's to 2015 or 2017, and we don't know how it's going to be funded after that. So right away we're only looking at something that is measurable just a few years out, and then we're uncertain how the agency is going to continue, how it is going to

be funded. So that doesn't give a lot of confidence that it would be consistent.

When I had a chance to ask one of the industry members, a significant industry member, about the bill, the only word they had was "uncertainty." They didn't have criticism and they didn't have praise. They just looked at it and said: it creates more uncertainty because we really don't know what it's going to do; we have an idea, but there's no substance here. Again, that's why I go back to describing it as hollow.

The premise is good. The idea of monitoring is good. I will not dispute that. But how we monitor, what we do with the data, how we report it, and how we support the agency to give it credibility is weak in the legislation, and it doesn't provide any confidence to industry that we're going to do better than what we're doing. So the question becomes: why are we doing it?

That was the question that I posed to the hon. minister earlier. This type of monitoring we're supposed to be doing now. The legislation comes forward, and it doesn't increase monitoring; it doesn't change the monitoring. It doesn't make any changes at all to what we're doing environmentally, except that we're going to have an arm's-length agency that's not going to be arm's length, that's only going to be funded for a few years, and we have no idea how it's going to be funded beyond that. What does it do, then? How are we going to use this agency more than what we have today?

#### 9:10

Listening to the hon. minister when the legislation was first introduced, the whole premise seemed to be that this was doing exactly what we said that we were going to do a few years ago, that we are supposedly doing now, but we now are going to do that through an independent agency which is really not independent. There's a lot of control still right at the ministry, so that contradicts the whole independence claim. We go full circle with this bill. We're going to create an agency that's going to be no different than what we have today, but we will have no idea how big or small or expensive or inefficient or effective because we don't have any type of guidance in the legislation that says: this is how we're going to measure the outcomes, these are what our expectations are, and this is what we want to do moving forward.

I suppose it creates a scenario without a whole lot of vision or pragmatic goals for making some sort of achievable reductions in greenhouse gases. I'm going to conclude with that because it really is all about our greenhouse gases. The public wants us to reduce greenhouse gases. Our industry needs us to reduce greenhouse gases because that's what the requirement is to meet our international markets. That's clear. So it has tremendous benefits because to reduce greenhouse gases means that we also reduce air pollution. They go hand in hand. It means reducing particulate matter. It means removing some pretty nasty substances that we release into the air, and it only benefits everybody. It's a win-win all around the province.

But the bill doesn't even set out that objective. It says that we're going to monitor, but there's really nothing in the way of objectives, how we're going to be effective, and what we're going to do with that monitoring, how we're going to use that.

Coming back full circle, I would have preferred that the bill that came forward was much stronger, that it had some real independence, that an agency would have some boundaries on what it was supposed to do, how it was supposed to do it, and how we would as a Legislature make sure that it adhered to the policies that this government had set. It doesn't do any of those things.

So I stand and oppose this, and I ask my colleagues to oppose it. I would ask this government to take it back to the drawing board. They can make this a good piece of legislation, but it does need to be strengthened.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Member for Edmonton-Highlands-Norwood, followed by Calgary-Buffalo.

**Mr. Mason:** Thank you very much, Mr. Speaker. I'm pleased to rise to speak to third reading of Bill 31, the so-called Protecting Alberta's Environment Act. As evidenced by the large number of proposed amendments and lengthy debate at each stage of the proceedings, there are quite a few problems with this bill as drafted. It's clear from the amendments and comments coming from members on this side of the House that we all recognize the importance of the objectives of this bill. We are all, however, concerned that this bill as drafted will not achieve its objectives and may actually impede continued progress on building an effective monitoring agency to protect our environment and adequately report to the public.

A total of 18 amendments were made to attempt to solve some of the problems with this bill, but the Tories voted each one down, refusing to accept the input of opposition parties to help ensure this bill actually serves its stated purposes. Mr. Speaker, how can we trust this Tory government to offer more than PR and spin on environmental protection when this flimsy bill is all they can offer and all they're willing to accept in terms of environmental monitoring?

For example, our caucus put forward amendments setting precise requirements for the timely reporting of data to the public. As the bill stands now, this is left entirely to the discretion of the agency and the minister. This would have been a small change to the bill that would have resulted in a great increase in the public's access to this important information. The public now can't be confident that they're getting the full story when they actually need to hear it. Environmental monitoring information is useless if it comes too late.

We've just recently seen that it took this Tory government five days to inform people of 1 billion litres of toxic goo moving down the Athabasca River after spilling from the Obed coal mine last week. Obviously, without legislated standards there is nothing inducing the government to get this kind of crucial information to the public. They still don't give us straight answers when New Democrats call on them in this House to be honest about the situation and to adequately and in a timely way report it to the public as a whole.

We also tried to suggest legislative guidelines for appointments to the board instead of allowing the minister to appoint friends and political supporters.

Across sources, governments, and communities it is commonly agreed that the voices of indigenous people and their traditional knowledge are critical components of an effective environmental protection regime. Even the reports the government supposedly used to develop this agency called for indigenous representation, yet the bill as drafted contains no guarantees for indigenous participation on the board or at any part of this agency's process.

Similarly, the bill provides no safeguards for the appointment of scientists to either the board or the science advisory panel. How can we be sure that we're getting the appropriate range of scientific expertise and that it is adequately represented? We know from the past that this PC government likes to appoint other Tories to monitor and report to Tories. Who is protecting the public

interest in this scheme, Mr. Speaker? Without guidelines in the legislation about who can be appointed to the board or the science advisory panel, this agency must be another in the long line of this history of well-connected people helping out their friends while ordinary Albertans pay the costs for their inadequacies.

We've tried to remove stipulations that would let the Lieutenant Governor in Council impose whatever restrictions he or she wants on the powers, duties, and functions of the agency, but the PCs didn't want to fetter in any way their ability to control this agency and to compel the agency into producing politically favourable reports. So much for independence and arm's-length relationships. The Tories wouldn't even consider changing the reviewing requirements of the agency so that it is reported publicly to the Legislative Assembly and put on the record. Instead, it will all remain secretive in cabinet, and ordinary Albertans will never get to know how this agency is performing or whether it is performing at all.

Other members presented amendments that would have helped to prevent conflicts of interest and to ensure the employees and directors of the agency would be subject to the same standards as all other employees who work to serve the interests of Albertans. We supported these amendments as they were all aimed at improving this empty bill.

We weren't even able to touch on the funding issues for this agency since we cannot propose amendments related to Crown funds. However, the funding mechanisms or lack thereof are just as problematic as all of the rest of the bill. There is no commitment to adequate or stable funding. How can the agency carry out its business and actually achieve any of its objectives if it can't be sure of funding from day to day? Surely, as we've seen in the last few days and in the last budget of this government, the question of stable, reliable, and predictable funding is something that this government cannot get a handle on. It cannot meet those tests or those commitments. If all we have are murky funding promises for the future from the government and some plans to include contributions from the industry elites, how independent can this agency be in its work?

While our caucus is at the forefront of fighting for better and more transparent environmental monitoring and protection, we cannot support this bill as it is currently drafted. It is frustrating that the bill is so problematic and light on details. We cannot support it since we as New Democrats consistently advocate for meaningful and real environmental protection on behalf of and for the benefit of Albertans and future generations of Albertans.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the Member for Calgary-Buffalo.

9:20

**Mr. Hehr:** Well, thank you, Mr. Speaker. This is in third reading, and it's actually my first time to get to speak to the bill. Yet I've followed it pretty closely in *Hansard* and have understood from previous speakers that there have been lots of constructive criticism of this bill and many different changes and additions – I believe there were 18 amendments that were put forth – that actually gave this bill some meaning, some teeth to it, some parameters from which to work, some real ability to be an independent voice, to stand up and let the public know about the real state of Alberta's environment and what we need to do to make things better not only for today in moving our product and getting the social licence to be able to engage in our oil and gas

economy but also to protect future generations from some of the effects of what we are currently engaging in in this province.

The bill is called Protecting Alberta's Environment Act, and like many things the title is a lot better than the bill. As my cousin David Vanrobaeys from Lethbridge often says in situations like this, "There are a whole lot of feathers and not a lot of chicken" here with this bill, Mr. Speaker. It's evident that this is a recognition that Alberta has a problem. The problem is that no one takes credibly anything we do on the environmental front. We've had a long history of paying lip service to our environmental responsibilities, with no real action or no real firm direction as to what our goals as a province are, what our responsibilities are, not only to the citizens of today but the citizens of tomorrow.

And you can see that has long been the case. I can remember some of the ludicrous speeches I used to hear from members opposite, many of them who are not here anymore, who used to actually proclaim in those speeches that the tar sands were just naturally seeping into the Athabasca River and that no problems at all would be emerging as a result because it had been doing that for centuries. I remember those speeches being made by more than one cabinet member. Sure enough, then a battle ensues and scientists get involved and the evidence becomes clear that, yes, our oil sands development is having impacts on our water quality and content. That has been going on here in this province for far too long, that type of rhetoric and that type of ignoring what we are truly doing to our environment here.

This bill, I believe, is essentially just lipstick on the proverbial pig. It just simply does not move the meter or move credibility for this province in that direction. This has no substance to it, no ability to me to really do much of the work that it is supposed to be doing, which is to bring together a group of individuals to analyze the science and the latest environmental abilities that are out there to credibly assess what we are currently doing to our environment. This bill in no shape or form seeks to address some of those ongoing problems that continue to happen.

I was one of the people who was looking forward to us turning the page on that day when we were looking to implement solutions that would actually take science seriously, would take our responsibilities to both the citizens of today and the citizens of tomorrow seriously. That doesn't seem to be happening. You can see by the funding mechanisms in place that who knows whether this organization is going to be around a couple of budget cycles down. Given that there are no firm commitments on funding mechanisms in place, I don't think we can be certain of that. Whether this is just merely another PR exercise on behalf of the government is a fair question to ask because of the funding mechanisms that are in place.

You look at some other things that are on the board. It's supposed to be a scientific board, yet there's no stipulation to actually have a person or people with a background in science sit on this board. That seems to me a gross failing of this. It gives no guidelines as to who or what the content of the board will be. As the hon. Member for Edmonton-Highlands-Norwood pointed out, are these just going to be political hacks who are set to go on this board and have a nice lunch and feed pabulum to the masses as to what is happening out there? That to me is unconscionable. We are at a real crisis stage in terms of our industry and what we are going to do to continue to have the social licence to operate.

You see organizations throughout the world already asking whether they want to accept our product. You see that in the European community. You see that in many states throughout North America who have said categorically: we have no interest in dealing with bitumen from the oil sands. That's a problem. If this government thinks it's going to get easier over the course of the

next 50 years to sell our product, to engage in the activities of doing business, well, I think they should think twice about that assessment. They should get busy on some real environmental legislation that would say that we're not only monitoring things, that we're not only looking at implementing stuff 20 years from now, we're doing things now.

I believe the hon. Member for Rimbey-Rocky Mountain House-Sundre pointed out some of the things that we could be doing. There's a war on carbon throughout the world. We have no indications whether we're going to move to a carbon tax in this province – in fact, no discussion of it whatsoever – when it seems like that's a best practice emerging in forward-thinking organizations. We see no ability to get a handle on our coal usage in this province. I'll be one of the people who full well admits that continued expansion of the oil sands is probably a necessity to us right now. But that means you're going to have to do whatever is necessary on other fronts to show we are taking the war on carbon seriously. That would mean seriously taking a look at coal and coal-fired plants and whether we can put them out of commission much sooner than we are. That's where the low-hanging fruit is. It's not in other places.

To be honest, I don't see that this bill does that much other than appoint some people to possibly evaluate and develop some plans that maybe will help us monitor what is happening in our environment. Really, it begs the question: hasn't this already been happening? If it hasn't, that's a shocking abrogation of duty so far. Yet if it hasn't been happening, are we going to give this panel some parameters from which to do anything? I don't see it evident from the bill that this committee or this panel will be able to deliver results that are sellable to the world community in any credible fashion. That to me is a problem. The government of the day should recognize that it's going to increasingly become a problem for not only them but our entire Alberta society if we don't start taking our environmental responsibility seriously and get busy on a whole bunch of files instead of just adding lipstick to the proverbial pig.

In any event, Mr. Speaker, people have discussed this bill. I, too, will urge people to vote against it as it doesn't seem to move the meter or pass the smell test on what actually good environmental monitoring would be for a whole host of reasons, many of which speakers have already discussed.

Thank you very much, Mr. Speaker.

9:30

**The Deputy Speaker:** Thank you, hon. member.

Are there others? The hon. Member for Edmonton-Strathcona.

Oh, sorry, hon. member; 29(2)(a) is available before you speak should someone wish to question the previous speaker. None?

Then I'll recognize the Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Speaker. I'm pleased to be able to get up to speak to this bill in third reading although I will be joining my colleague from Edmonton-Highlands-Norwood in expressing my disappointment about this bill.

I think there was an opportunity for this government. As a result of decades of inaction and mismanagement and misleading the public on environmental degradation that's going on across the province under their watch, there was an opportunity, once that finally became part of the public debate and was finally out there, for them to, as they say, change the channel not just from a public relations point of view but from a substantive point of view in terms of how they engaged in the act of stewarding our environment not only today but for generations in the future.

Unfortunately, this act doesn't get us there. This act, unfortunately, really is more of a public relations opportunity and less of a legislative guarantee that anything of significance is going to be achieved. You need to understand, Mr. Speaker, that – you know, I appreciate that these folks like to do everything with enabling legislation. As I said before, “thou shalt pass laws” eventually is going to be the only piece of legislation that comes in here, and then we'll never return. The fact of the matter is that because the trust has been so fundamentally breached between this government and the people of Alberta when it comes to protecting the environment, it's not enough to just bring in a piece of legislation that says: we're going to do whatever we want, and in the course of doing that we may actually turn our attention to protecting the environment. It's not enough to bring a piece of legislation like that into the House. There needs to be more detail.

Now, when she introduced the legislation, the minister made quite a big deal out of suggesting that Dr. Schindler, who, as I commented in second reading, was really the trigger for this monitoring agency, had endorsed this bill. In fact, what he said was that he was cautiously optimistic, and he said cautious optimism was subject to at least two principles. One was genuine independence, and two was genuine inclusion of a role for indigenous people. I would go further to look to previous statements that he had made that it was also subject to a genuine reliance on scientific study and scientific, evidence-based decision-making.

Unfortunately, that's not what we got in this piece of legislation. The Member for Edmonton-Highlands-Norwood has already pointed out the recent example we've had just in the last week. The single largest coal tailings containment breach ever in the history of this country just occurred last week. We have a 60-kilometre glob of goo floating down the Athabasca River right now, and we have a minister who gets up in the House and tells us: “Oh, don't worry. It's perfectly healthy. It's just fine.”

I'm sure many people, or some people, anyway, in this House would have read the comments in the newspaper today where an expert, an aquatics professor at the University of Alberta, said: anyone who thinks a spill of that kind could possibly leave the water into which it spilled healthy and safe (a) doesn't know what they're talking about or (b) is intentionally misleading the people they're talking to when they say it. That's what our environmental minister said just this week, so that's what we're still dealing with, Mr. Speaker. You can understand why we would have some difficulty trusting that she's going to do this all above board in a way that's actually going to get scientific information to the people of Alberta.

Indeed, for the last week we've been saying: “You know what? Release the raw data. Release the data from the testing that you've been doing. You've been claiming that, you know, arsenic and benzene and all these other sort of explosive chemicals which exist in coal silt are perfectly safe for human consumption. So how about releasing the raw data of the testing so we can test that against internationally recognized levels of what's safe for human consumption and the environment?” Interestingly, she'll make grand, vague assurances, but she will not release the raw data.

The point of this agency under this piece of legislation is to take those decisions away from the environment minister and put them into an independent body so that we don't have to deal with the political gamesmanship that we have been forced to observe over the course of the last seven days in this province. Unfortunately, we've got, instead, in front of us a piece of legislation that ensures that this agency will remain under the thumb of the same environment minister who is refusing to release this raw data.

How does that happen? Well, there is no independence under this piece of legislation because the minister retains control over the appointment of who sits on the panel, retains control of any review of how this panel, the agency, or its legislation functions and whether or not it reaches its performance measures, retains the ability to limit the authority and the actions of the agency through regulation, retains the ability to make a decision about the type of information that will be released publicly, and retains the ability to make a decision about the timing of when that information is publicly released.

Now, given the political context within which this agency is occurring and given the record of this government on playing politics with the health and safety of our air, land, and water in this province over the last two or three decades, you can imagine that we are profoundly disappointed in this legislation and have no faith that it will achieve any of the so-called claims that this government has made. We just can't support it for that reason.

Now, as other people have also noted, one of the other key components of this legislation was that it was supposed to include a stipulated role for scientists. Well, we have provision for a science advisory panel but no obligation that anybody who sits on that panel actually be a scientist or, conversely, that they be scientists with an expertise in environmental monitoring. Instead, we could have scientists with an expertise in converting petroleum products to marketable products. Well, that's great, but you know what? That's not going to help us figure out what kind of information we need to collect and how or when we should collect it.

**Mr. Mason:** Or an insurance salesman.

**Ms Notley:** That's assuming that they actually put a scientist on the science advisory panel because, in fact, the legislation clearly lays out that they could just put – well, the Member for Edmonton-Highlands-Norwood says, “an insurance salesman.” We could put an insurance salesman.

**Mr. Mason:** Or a dry cleaner.

**Ms Notley:** Or a dry cleaner.

**Mr. Denis:** Lawyers.

**Ms Notley:** What was that other possibility there?

**Mr. Denis:** Lawyers.

**Ms Notley:** Lawyers. Yes. Well, the Solicitor General points out that we could end up with just lawyers on the science advisory panel. I'm pleased to understand that his view of the legislation mirrors mine in that he fully understands that there is no obligation to put scientists on the science advisory panel. I appreciate that endorsement of my interpretation, Mr. Solicitor General. So that's another problem with it.

The other problem that we outlined is that the panel itself needs to be representative of the key stakeholders in this area. We outlined a number of people who should legislatively be compelled to be appointed to this panel. The reason for that, again, is because this government just has – well, frankly, it's not a bad record. It is a laughable record, the kind of record that you would expect if you were watching a skit on *Saturday Night Live* or maybe *The Daily Show* or something. It's the kind of record which is truly the subject of comedic routines, that you would establish an agency that is responsible for protecting the environment when it comes to industrial activity related to energy production and that the people in charge of that were formerly the chief lobbyists for

the energy industry, with absolutely no claim to having any environmental expertise of any type. Yet these folks think that's an appropriate person to put in charge of that agency. You know, it's utterly ridiculous.

9:40

With that record, it's hardly surprising that we would have been looking for a legislative guarantee that the same kind of ridiculous decisions would not be made with the content of this particular panel. But, of course, they steadfastly rejected our attempts to put some guarantees into this, which is why, then, I think we can be forgiven, as can any Albertan who is concerned about protection of the environment in this province, for our conclusion that this really is just more smoke and mirrors and a public-relations opportunity to put in the Premier's back pocket for the next time she travels down to Washington hoping that somebody has a bit of time to have coffee with her.

She can pull it out and say: "Hey, here's our legislation. We're doing environmental monitoring. Don't read it. Don't look at it very closely. Don't look at our record on this. No, no, no." But, hey, we've got another piece of paper, and if you read that and the other 14 forests' worth of press releases that we've put out congratulating ourselves on our environmental record as we've single-handedly and steadfastly worked towards degrading it, then you might actually think that we are a jurisdiction you can trust to produce our marketable energy product in a way that is environmentally responsible.

The problem is that it is all just a big house of cards. When you look at this legislation the way it is written and you pair it with the reprehensible record that this government has on environmental protection, we reach the same conclusion. Then these folks have the gall, the temerity to complain about people simply recounting the facts. "Oh, you're anti-Alberta, you're anti-Canadian if you actually tell anybody the truth or the facts about our record on this."

Well, you know what? I think that rather than trying to hide the truth and the facts and to manipulate and spin the record, instead what this government should do is move toward putting in genuine safeguards, genuine, robust, meaningful, accountable processes that will work toward protecting our environment. This legislation does not amount to that, and because it does not amount to that, we simply cannot support it. We can all agree that we need to work on these things when it comes to putting out the press release.

Really, the question becomes: can we agree to work on it when it comes to rolling up our sleeves and making the hard decisions? I will say to you that when it comes to rolling up their sleeves and making the hard decisions on behalf of all Albertans and on behalf of the public interest and on behalf of the interests of our children and our grandchildren in protecting our air and our land and our water, we do not see over on that side any evidence of the political will existing to do that work. It's just about paper. Until this legislation changes to be about more than that, we can't support it. It is truly disappointing but, unfortunately, not entirely surprising.

That is all I have to say on this bill, Mr. Speaker. Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much. I would like to ask my colleague the hon. Member for Edmonton-Strathcona if she believes that the government has introduced very weak environmental monitoring legislation at least in part because they're too cozy with the oil industry.

**Ms Notley:** Just watch and see what happens if I say: no, I don't believe that to be the case. [interjections]

I think that there's no question. I have no doubt that this legislation was crafted in consultation with the oil industry. I, in fact, suspect that they wrote it. I have no doubt that the current head of CAPP will probably be appointed to chair this board because, frankly, that's the record. [interjections] They laugh over there, but that's what they did with the Alberta Energy Regulator, which, notwithstanding its name, is the primary environmental protection tool in this province. If you think it's funny when I suggest that you're going to put the current head of CAPP in charge of this agency, then maybe you should ask yourselves why it is that you put the former head of CAPP in charge of the environmental protection agency.

In fact, we know that the relationship is very close, and we know that from documents around their lobbying, and we know that from the actual funding connection between the oil and gas industry and the governing party and from the degree to which they take their instructions from that particular sector of the economy. There's, you know, a money-in, money-out kind of thing. The single biggest source of this governing party's current fundraising is donations from the oil and gas industry. It's not from individual Albertans anymore because those folks have kind of thrown their hands up in despair.

The relationship is far too close, and the objectivity which Albertans need and require in order to trust that somebody is keeping an eye out for their overarching public interest in protecting our environment – there is no trust. There is no regime in place that would lead Albertans to believe that they can trust it. Quite frankly, Mr. Speaker, I don't think we're going to see that change until the government changes.

**The Deputy Speaker:** Are there others?

Seeing none, I'll recognize the hon. Deputy Government House Leader.

**Mr. Denis:** Thank you very much, Mr. Speaker. I would move to adjourn debate.

[Motion to adjourn debate carried]

**The Deputy Speaker:** The hon. Deputy Government House Leader.

**Mr. Campbell:** Yes, Mr. Speaker. We've made pretty good progress tonight. I suggest that we adjourn until 1:30 tomorrow afternoon.

[Motion carried; the Assembly adjourned at 9:47 p.m. to Thursday at 1:30 p.m.]







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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Thursday, November 7, 2013

Issue 67a

The Honourable Gene Zwozdesky, Speaker

## Legislative Assembly of Alberta The 28th Legislature

### First Session

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Fritz, Yvonne, Calgary-Cross (PC)  
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## Legislative Assembly of Alberta

1:30 p.m.

Thursday, November 7, 2013

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon.

Let us pray. O, Holy Creator, reaffirm and kindle in our hearts and minds honesty, purity, wisdom, and goodwill toward others that peace may prevail among all nations now and forever. Amen.

Please be seated.

### Introduction of Guests

**The Speaker:** Hon. members, we have a number of guests, and we'll start with school groups. Please be as brief as you can that we may get them all in.

The hon. Minister of Energy.

**Mr. Hughes:** Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to all members of the Assembly a group of Alberta Energy staff from the division of oil sands and energy operations, very important operations for us within Alberta. I'm pleased to welcome them to the Legislative Building today as they participate in a public service orientation tour. With that, I'd like to ask them to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Fort Saskatchewan-Vegreville, followed by Edmonton-South West.

**Ms Fenske:** Thank you, Mr. Speaker. On behalf of the MLA for Barrhead-Morinville-Westlock, it is my pleasure to introduce to you and through you to all members of the Assembly the Aspen House seniors' lodge and Heritage Place seniors' lodge from Morinville, Alberta. They are here with their program co-ordinator, Mary Benson, and recreation aides Patricia McLelland and Catherine Benson. I would ask that they all rise and receive the traditional warm greeting of this Assembly.

**Mr. Jeneroux:** Mr. Speaker, it is my pleasure and absolute delight to introduce to you and to all members of the Assembly some of the most passionate, some of the most dedicated, and some of the most zealous students to ever set foot in our fine province. From the mountains to the prairies I challenge all members to find brighter, more intelligent students than those 21 minds that grace our gallery here today. These students are the future. These students are the leaders. These students are the hope. These students are the potential. Quite simply, these students are the students from George P. Nicholson school.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much, Mr. Speaker. I have two introductions today. I will do the first one on behalf of my hon. colleague the leader of the third party. It is my great pleasure to introduce to you and through you to all members of the Assembly the Jasper Place high school ELL class. Now, they're sitting in the members' gallery, and they're accompanied by Mrs. Kerry Harvey, who is their instructor. My dad taught pipe trades at Jasper Place school when I was a kid, and I spent an awful lot of time stealing

sugar cubes out of the cafeteria and playing around in the welding booths, so I'm very pleased to see people from Jasper Place here with us today. Please rise and let us give you the warm welcome that we usually do.

My second introduction, Mr. Speaker. You will be familiar, of course, with my great pride in the NorQuest College downtown campus in the fabulous constituency of Edmonton-Centre. They are very good about bringing visitors to watch us here in the gallery. If I might be so bold as to ask the 12 visitors along with Mrs. Carol Spence and Ms Brenda Chwyl to please rise and accept our warm welcome to the Assembly.

**The Speaker:** Are there other school or educational groups?

Seeing none, let us move on with other guests. Calgary-Fish Creek, please.

**Mrs. Forsyth:** Well, Mr. Speaker, thank you very much. I'd like to take the time to introduce to you and through you a very special family who has touched my life. Visiting us today is the Sadownyk family from St. Albert. You might remember hearing about three-year-old Aleena this summer as she sought funding for treatment of a very rare enzyme disorder. Along with Aleena we have her very special, special parents, Laura and Dane, and her brothers, Nathan and Julian. This family has literally stolen the hearts of me, the caucus, and, for that matter, all Albertans. I'm going to ask them to rise and receive the warm welcome of the Assembly.

**The Speaker:** The hon. Minister of Justice, followed by the Minister of Tourism, Parks and Recreation.

**Mr. Denis:** Thank you very much, Mr. Speaker. Alberta's booming economy has led to significant demands for many Alberta products, and one such product is cement. In fact, in my constituency of beautiful Calgary-Acadia we are home to one of the many cement plants that help build Alberta. I have with me in the House today three solid leaders in the cement industry. They are: Michael McSweeney, president and CEO of the Cement Association of Canada; Justin Arnott, the Cement Association of Canada; and Jonathan Moser, director of environmental and public affairs from Lafarge Canada. I'd ask that they please stand and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Minister of Tourism, Parks and Recreation, followed by Fort McMurray-Wood Buffalo.

**Dr. Starke:** Well, thank you very much, Mr. Speaker. It's my great pleasure today to introduce to you and through you to all members of the Assembly a young man that you heard from a little earlier today at the very well-attended and moving Remembrance Day ceremony that we had in the rotunda. Mr. Evan Whitfield, of the Vermilion-Lloydminster constituency, is a recent graduate of Marwayne high school. He's a first-year student at Lakeland College, and he's also a product of the 4-H public speaking program at the Tulabi Lake 4-H club. Evan presented his very moving poem, Canadian Soldiers, at the ceremony today. The reason I know all of this about Evan is because Evan's aunt Pat worked side by side with me in my veterinary hospital for nearly 20 years. I've known this young man, or of him, pretty much his entire life. I'm extremely proud of him, and I would ask that Evan, who is seated in your gallery, Mr. Speaker, along with his parents, Pete and Cheryl, rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo, followed by Edmonton-Decore.

**Mr. Allen:** Thank you, Mr. Speaker. It's indeed a great pleasure today to rise and introduce to you and through you to all members of this Assembly someone who is probably the most significant influence in my life. She's actually a constituent of the hon. Member for Grande Prairie-Smoky. I think it's important to note that she is not related at all to the Member for Little Bow. She's an accomplished musician. She is my mentor, my teacher, my disciplinarian, provider of comfort. She's my biggest supporter, and I'm her biggest fan. She is my mother. She is seated in your gallery, and I'd ask that you rise and give her the traditional warm welcome of the Assembly.

Thank you. I have a second introduction, Mr. Speaker. It's a great pleasure to rise and introduce to you and through you Rachelle Rebus. I had the great pleasure of serving on council with Rachelle's mother, Renée Rebus. Rachelle is a graduate of the University of Alberta with a major in political science and a minor in economics. She has a keen interest in politics as a whole, and I'm pleased to say that she is quite likely going to join my team as my new constituency assistant in the next couple of weeks. She is also seated in your gallery, and I'd ask that she rise and receive the traditional warm welcome of this Assembly.

**Mrs. Sarich:** Mr. Speaker, it's my honour and privilege to rise today to introduce to you and through you to all Members of the Legislative Assembly eight representatives from the Ukrainian Youth Unity Complex, here today in celebration of the 40th anniversary of this established and purpose-built institution. The complex serves as a well-known landmark in our capital city, and it is home for a number of long-standing Ukrainian organizations dedicated to the preservation of the many aspects of Ukrainian heritage.

1:40

Mr. Speaker, my guests are seated in the members' gallery, and I would ask them to please rise as I mention their names and to remain standing: Mr. Ivan N.M. Fedyna, president, board of directors, Ukrainian Youth Unity Complex; Mr. Ihor Krysz, president, League of Ukrainian Canadians, Edmonton branch; Mr. Yuri S. Broda, president, Ukrainian Youth Association, CYM, Edmonton branch; Mr. Harry Prockiw, founding member, past president, Ukrainian Youth Association, CYM, Edmonton branch; Mr. Peter Dackiw, founding member, president, Ukrainian Seniors' Club; Mrs. Natalka Talanchuk, founding member, past president, League of Ukrainian Canadian Women, Edmonton branch; Mrs. Irene Loszuk, founding member, executive member, League of Ukrainian Canadian Women, Edmonton branch; and Mrs. Motria Dackiw, founding member, past member, League of Ukrainian Canadian Women, Edmonton branch. I would now ask that the Assembly provide them with the traditional warm welcome.

**The Speaker:** Bitamo. [Translation] Welcome. [As submitted]

The hon. Member for Edmonton-Calder, followed by St. Albert.

**Mr. Eggen:** Well, thanks, Mr. Speaker. Today I'm very pleased to introduce to you and to this Assembly my guests from the Edmonton branch of the National Association of Federal Retirees. Just like many seniors today, my guests are very concerned about the direction of this government on seniors' issues: lack of affordable housing, long-term care spaces, pension reform, and seniors' drug coverage. I would ask my guests to please rise as I call their names and together receive the warm traditional welcome of the Assembly. I have Ross Gillespie, Dave Riffel, Gwen Rutherford, Brian Emdin, Lillian June, Clay Kolstad, Mahir Mansi, Doreen Morton, William Williams, Lorne Berg, Dave

McConkey, Larry Sakaluk, and Doris Koshman. If everyone could give them a warm ovation, please.

**Mr. Khan:** Mr. Speaker, it's great to see people from St. Albert in the gallery, and I'm thrilled to be able to introduce to you and through you another long-time resident of the constituency of St. Albert, Mr. Larry Matychuk. For the past seven years Larry Matychuk has been the business manager and financial secretary of the United Association of Plumbers and Pipefitters local 488. Larry began his career as a journeyman plumber having tickets in gas and steam fitting as well. He's been an active member of local 488 for over 40 years; despite his charming good looks you'd never guess. Having recently celebrated 100 years, the United Association of Plumbers and Pipefitters local 488 is Alberta's largest construction union local with over 10,000 members. In fact, local 488 is one year older than the Legislature Building and local 488 was involved in the construction of this fabulous building all that time ago. I want to thank Larry and all the hard-working folks involved in local 488 for their efforts in building Alberta and their commitment for training future generations that, too, will be committed to building Alberta. I now ask that Mr. Matychuk rise – he's in the members' gallery – and receive the warm traditional welcome of my colleagues in the Assembly.

**The Speaker:** Hon. Member for Calgary-Shaw, your guests have not yet arrived.

Let's go to Lacombe-Ponoka, followed by Calgary-Glenmore.

**Mr. Fox:** Thank you, Mr. Speaker. It is my pleasure and great honour today to rise and introduce to you and through you to all members of the Assembly the classiest man that I know, my good friend Captain Craig Paterson. Craig has a BA in sociology, BSc in psychology, BA in history, LLB in law, MA in strategic studies from the Royal Military College in Kingston and is a captain in the 41 Service Battalion. Captain Paterson and I share an affinity for history, and I'd like to thank him for compiling the reference material that I used yesterday in my member's statement. Captain Paterson, please rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Calgary-Glenmore, followed by Banff-Cochrane.

**Ms L. Johnson:** Thank you, Mr. Speaker. It is my pleasure to rise today and introduce to you and through you to all members of this Assembly individuals who work tirelessly to encourage a love of reading among children and their families. Steacy Collyer is the executive director with Calgary Reads, an organization that delivers an early literacy initiative to help change the lives of struggling grades 1 and 2 readers and their families. Joining Steacy today is her daughter Kate for her first visit to the Legislature.

I would also like to introduce Jonna Grad, the executive director of the Centre for Family Literacy. From the colourful cow bus that travels Alberta to bookmobile-type programs here in Edmonton, Jonna and her team work with Alberta families to achieve everything they imagine: improved education, jobs, and health. These ladies with their volunteers and clients are another example of what makes Alberta great. I would like them now to rise and receive the warm welcome of this Assembly.

**The Speaker:** The hon. Member for Banff-Cochrane, followed by the Deputy Premier.

**Mr. Casey:** Thank you, Mr. Speaker. I'd like to introduce to you and through you to all members of the Assembly Lesley Bannister.



Lesley was a municipal intern in the beautiful town of Didsbury, but after the last election I was able to convince her to move from Didsbury to Canmore, where she is now my constituency assistant. It wasn't a tough decision, actually, for me; for her, maybe. Lesley does a wonderful job of representing the government in the constituency, and she always does so extremely professionally, proficiently, and always with a smile on her face. She's a great asset. I'd ask Lesley to rise and please receive the traditional warm welcome of the House.

**The Speaker:** The hon. Deputy Premier, followed by the Minister of Service Alberta.

**Mr. Lukaszuk:** Well, thank you, Mr. Speaker. It's an honour and a pleasure to introduce to you and through you to all members of the Assembly a group of fine university students from Campus Alberta schools. These fine young men and women are members of the Council of Alberta University Students, otherwise known as CAUS, a group that I will be gladly meeting with this afternoon and from time to time on an ongoing basis. I'd ask them to rise as I call their names. Today in the Legislature are Mr. Conner Brown, Mr. Adam Woods, Mr. Sean Glydon, Mr. Petros Kusmu, Miss Shuna Talbot, and the executive director of CAUS, Ms Beverly Eastham. I would like to thank them for the work that they do on behalf of all university students in Alberta.

**The Speaker:** The hon. Minister of Service Alberta.

**Mr. Bhullar:** Thank you very much, Mr. Speaker. It's indeed an honour for me today to rise and introduce somebody that helps me work seven days a week, lots of evenings, and meets with my constituents whenever they need, whether it be in their homes or in our office: my constituency assistant, who has now left me to come to Edmonton. He's also celebrating his 25th birthday. In my tradition in northeast Calgary we like to cause a person a little bit of heck on their birthday, so, Jasjeet, birthday bumps from all 87 Members of this Legislative Assembly.

## Members' Statements

### Remembrance Day

**Dr. Brown:** Mr. Speaker, next Monday at the 11th hour of the 11th day of the 11th month millions of men, women, and children will pause for a minute or two to remember those who have fallen in war in service of their country, only a minute or two from our all too busy lives to think about the ultimate sacrifice made by so many to serve our country and to preserve our freedom and way of life. The red poppies, which we wear for a couple of weeks each year, remind us of the poem *In Flanders Fields* by Canadian soldier John McCrae, who spoke of the poppies which blow "between the crosses, row on row." The poem speaks of a region in Belgium where many Canadians died in World War I.

But Flanders is only one of the dozens of regions around the world where young Canadians who died in the flower of their youth lie in soil far from their loved ones and their home and native land. I urge all hon. members and all Albertans to visit these war graves in Europe and Asia and Africa when they travel abroad. Take time to read the names on the headstones, take time to read the names of the war dead at cenotaphs and memorials in the cities, towns, and villages across our country, and take just one minute to read those names on the memorial plaques in the lobby of this Legislature. Take time to reflect on those names, to remember that these were human beings like us, who had families

and loved ones and dreams, who died far too young, and who never had the chance to live the free and fruitful lives which we have enjoyed. Take time to remember them.

1:50

## Oral Question Period

**The Speaker:** The Leader of Her Majesty's Loyal Opposition. First main set of questions.

### Management Employees Pension Plan

**Ms Smith:** Mr. Speaker, yesterday we discovered that the government behind closed doors has voted to increase the amount taxpayers will contribute to the management employees pension plan. Alberta taxpayers will now be on the hook for annual pension contributions equal to almost 22 per cent of management salaries. That means that for just one deputy minister taxpayers will pay about \$60,000 a year toward their pension. This is after the Finance minister announced a plan to dramatically cut pension benefits for workers on the front lines. Doesn't the Premier care that this kind of hypocrisy is demoralizing our front-line staff?

**Mr. Horner:** Well, Mr. Speaker, it's unfortunate that the hon. Leader of the Official Opposition didn't do her homework once again. First, let's be clear. Benefits have not increased. Contribution rate increases to the management employees pension plan were recommended by their board, which is required by law to ensure the plan is funded enough to fulfill its legal obligations. Contribution rates will increase proportionately for both employees and employers. In fact, contribution rates have increased for all public-sector pension plans, which is why this government is taking action to ensure the sustainability of these plans going forward into the future.

**Ms Smith:** Mr. Speaker, this government doesn't seem to understand the importance of consistency. These changes mean that for a senior employee the taxpayer is paying \$60,000 a year each and every year towards their pension. That's enough to hire a nurse or a social worker or a first-year teacher. Albertans are confused. Why is the minister continuing to lavishly reward managers while tightening up on workers who actually serve Albertans every day on the front lines?

**Mr. Horner:** Well, once again, Mr. Speaker, it is unfortunate. It's not Albertans that seem to be confused; it's the opposition. This is a management pension plan that we are actually going to be closing down after we do our changes in 2016. That's not to say that the plan is not right for its time. It was right for its time, but when this plan was created, there were three contributors for every one pensioner. Today it's almost equal. None of the plans are sustainable in their current format over the long term. That's why we're making the changes, not just for the management employees pension plan but for all of the plans, so that those pensions will be there when they need them most.

**Ms Smith:** Mr. Speaker, let me repeat. These changes mean that a senior manager will have taxpayers paying \$60,000 a year towards their pension. That is more than the average Albertan makes in a year. I can't help but notice that at a time when Albertans are feeling the sting of the government's front-line service cuts, they've managed to find an extra \$15 million to stuff into the pensions of their senior bureaucrats. Where is the money coming from?

**Mr. Horner:** You know, Mr. Speaker, this is a little rich coming from the leader who tried to get an \$8,000-a-year raise for her favourite MLA not too long ago.

Mr. Speaker, let me be very clear. Benefits have not increased for these members over the benefits that were promised to them before. In fact, the early retirement provisions for this pension plan are going to be removed. That doesn't mean that they can't retire early. They can, but they will have the actuarial cost of that early retirement applied to them. Any of the members of this plan that would hear this hon. member talk about the fact that they're getting some sort of new benefit after the discussions that we've had would recognize that this hon. member has no clue about how a pension works.

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition. Second main set of questions.

### Postsecondary Education Funding

**Ms Smith:** Thank you, Mr. Speaker. On February 5 of this year the Premier said, and I quote: we have no more money. Isn't it amazing how fast money just appears when there's a leadership vote to survive? Yesterday out of the blue – or should I say: out of the red? – the Premier managed to cough up about 50 million additional dollars for the postsecondary sector. That is just a third of what they lost in the last budget, and it's much less than they were originally promised before the last budget. Curious timing, considering the fate of her political future will be voted on in the next two weeks. It must be a coincidence. To the Premier: if this isn't vote buying, what is it?

**Ms Redford:** Mr. Speaker, this is the commitment that we made as a government to our partners in postsecondary education, whether they're students in the gallery today or chairmen of boards of governors or presidents of Campus Alberta. We explained that with a \$6 billion drop in revenue we needed to make some tough choices, and our commitment to a knowledge-based economy in the future was that at that first opportunity where we could change that, we would. That's what the Deputy Premier did, and we're glad to be able to do it.

**Ms Smith:** Well, Mr. Speaker, we know this Premier isn't above raiding the public purse to win a vote. We all remember her hundred-million-dollar, last-ditch inducement to the teachers' union during her leadership race. Some might argue that that was the deciding factor in her victory, convincing enough union members to buy a membership to put her over the top. No doubt it's a scenario she hopes to repeat on November 22. Again to the Premier: why is it that parents and students and professors have to wait for a threat to her political future before she acts?

**Ms Redford:** You know, Mr. Speaker, I am really pleased that the Leader of the Opposition brought up the fact that we made a commitment as a government to fund \$107 million in education. We kept that promise, and it mattered for students. As we move forward, the dialogue that we had with students, with presidents, with chairmen of boards of governors about what we needed to do to continue to invest in research and innovation in a knowledge-based economy was exactly the reason that we made the commitment that we did. We're proud of it, and we're going to keep that commitment every day.

**Ms Smith:** Mr. Speaker, Albertans aren't fooled with these crass vote-buying schemes. It doesn't take a lawyer to read between the lines on this. First, she promised postsecondary schools the moon,

then she broke her promise, and now, in a desperate attempt to salvage support for her leadership, she's trying to patch things up with taxpayer handouts. Doesn't this Premier care about the poor impression all of this leaves with everyday Albertans?

**Mr. Lukaszuk:** Well, Mr. Speaker, that member can be as cynical as she wants, but Albertans are not, and she takes them for fools if she thinks that their votes can be bought. The fact is that my office had made a commitment to all chairs on July 3 that we would address this issue as soon as we practically could, and we did. Promise made, promise delivered. If she thinks this is about leadership, I should let her know, by the way, that it is two weeks to convention, and over 800 attendees have already registered.

**The Speaker:** Hon. leader, your third main set of questions.

**Mr. Anderson:** Wow. It's almost like you've got senior bureaucrats in your government going to your function. It's amazing how that works.

**The Speaker:** Hon. Member for Airdrie, your leader has the floor, actually.

Please proceed.

### Emergency Management Planning

**Ms Smith:** Mr. Speaker, yesterday I asked the Premier a very simple question about the absence of Alberta's emergency plan. Rather than answering this simple question, the Premier instead wanted to talk about her government's supposed success. Perhaps my question was a little too nuanced for the Premier to answer, so let me be direct. When will the government release the Alberta emergency plan?

**Mr. Griffiths:** Mr. Speaker, there is an Alberta emergency plan, which was put into effect, as evidenced in Slave Lake. It was put into effect, as evidenced this summer, with the extreme flooding event that we had. It worked so well in conjunction with the local authorities and their local emergency plans that we have managed this disaster that we had this summer comparably better than anybody else in the world, and we get praise endlessly for it. That's the success of our plan.

**Ms Smith:** Mr. Speaker, I'll table the documents from the minister's own website that say that the plan is currently being updated, with an expected release in late 2012. The least he could do is update his own Internet website if he's not going to release the plan.

A direct question demands a direct answer. It's about protecting our families and communities, not about the government giving itself a pat on the back. The Alberta emergency plan was supposed to be released a year ago. Again to the Premier: when will the government release the Alberta emergency plan?

**Ms Redford:** Mr. Speaker, I think the hon. Leader of the Opposition is giving herself a pat on the back to suggest that anything that she says is nuanced.

However, I don't know if it missed the hon. member's attention this summer, but we actually had a natural disaster, the worst natural disaster in Canadian history. It would be naive to think that any emergency management plan that we had in place did not have to be updated and improved based on the experiences that we had this summer. That work is being done. We have a strong group of volunteers and public servants that do that work, and we

will ensure that there is a plan in place. For her to suggest for a moment that there isn't today is fearmongering and deceitful.

2:00

**Ms Smith:** Mr. Speaker, this Premier wasn't up to her knees in water sandbagging at her local hospital, this Premier wasn't going door to door in her neighbourhood rescuing pets, and this Premier did not have to talk to parents wondering why they were loaded up on school buses after a local emergency had been called into effect. This is my riding, these are my constituents, and this answer doesn't cut it. Albertans demand answers. To the Premier: answer the question. When will the government release the Alberta emergency plan?

**Ms Redford:** Mr. Speaker, that was a disgusting display. [interjections]

**Mr. Anderson:** Point of order.

**Ms Redford:** There are people across southern Alberta . . .

**The Speaker:** Hon. Premier, I hesitate to interrupt, but we just have to cool things down a little bit here. Everybody take a long, deep breath. It's Thursday. I understand that. These are emotional issues. I understand that. Let's avoid any personal attacks in the questions and the answers, please.

Hon. Premier, please continue.

**Ms Redford:** There are people across southern Alberta that were impacted by this flood, and for anyone to stand in this House and think that they are more entitled to be indignant because there are people that are hurting I think is completely inappropriate, Mr. Speaker. We as a government were committed this summer to ensuring that the response that was in place helped all Albertans across southern Alberta no matter where they lived, and that's what we're committed to.

**The Speaker:** Hon. Member for Airdrie, your point of order was noted at 2:01 in response to the second question from Highwood.

#### School Construction and Modernization

**Mr. Hehr:** Mr. Speaker, it is increasingly clear that the PC election platform of 2012 was a sham of epic proportions. One of the promises given by the Premier was that her government would build an additional 50 new schools and renovate 70 more over the next four years. The funny thing is that 19 months into her mandate the work hasn't even begun on most of them. To the Premier: are you ready to admit there is no way – you'll have 50 new schools and 70 modernizations completed, I repeat completed, not announced, not reannounced, before the 2016 election?

**Ms Redford:** Yes, Mr. Speaker.

**Mr. Hehr:** Well, Mr. Speaker, this government has only announced 28 new schools and two modernizations. It takes at least three years to build a new school and just as long to renovate one. Madam Premier, with the deepest of respect, why have you wasted 19 months and not moved heaven and earth to make sure these schools are being built or modernized in the communities where they're needed? Simply put, your answer doesn't ring true.

**Mr. J. Johnson:** Mr. Speaker, I think many Albertans in many communities are very happy that this is our Premier right now following through on her commitment to announce and build 50 new schools and modernize 70 others. There are approximately

100 school projects that either just recently completed or are under way and announced and, in addition to that, the 30 that we announced in the spring. There are more to come, and there will be more announcements coming just before this calendar year is up.

**Mr. Hehr:** Well, then I'll try this question to the Minister of Education. Maybe he'll be more forthright. Are you saying here today that you will have 50 new schools and 70 modernizations, the ones that the Premier promised in the 2012 document, completed by 2016?

**Mr. J. Johnson:** Mr. Speaker, if I were to predict, I think we're going to have more schools than that announced and finished within this term. [interjections] They don't want to listen to the answer.

#### Speaker's Ruling Interrupting a Member

**The Speaker:** Hon. minister, hon. members, there's a long-standing custom at our family tables, as in our communities, as in this Legislature, to not interrupt others when they are speaking, either asking a question or trying to deliver one. A good, solid question has been asked. We're anticipating a good, solid answer.

Mr. Minister, would you care to provide it?

#### School Construction and Modernization (continued)

**Mr. J. Johnson:** Mr. Speaker, we've got the largest capital plan in education under way in this province's history. There's no question that the bitumen bubble, some of the financial challenges, the incredible demands on capital planning over the last four months because of the flood have thrown us a few wrinkles, but, like I said, there are approximately a hundred projects either just completed, under way, or announced, and there are approximately 90 more to be announced within the next six to eight months. So stay tuned.

**The Speaker:** The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thanks very much, Mr. Speaker. Well, if we're elected, we'll make lots of announcements, too.

#### Senate Reform

**Mr. Mason:** Yesterday the government of Saskatchewan introduced a motion to abolish the Senate of Canada, as well repealing legislation that allowed the election of Senate nominees. The Official Opposition, the NDP in Saskatchewan, naturally supported this since we have long called for the abolition of the Senate. Albertans, like other Canadians, have been disgusted by the expense scandal in the unelected and unaccountable Senate. To the Premier: will she follow the lead of Brad Wall and the Saskatchewan Legislature and introduce a motion in this Assembly calling for the abolition of the Senate?

**Ms Redford:** Well, Mr. Speaker, Alberta is proud of its record on Senate reform. We were the first jurisdiction in Canada to have legislation that would demand a triple-E Senate – equal, elected, and effective – and if we had that today, we would have a way to deal with this absolutely terrible behaviour that some Senators have taken on behalf of the public trust that they have. There is right now a process that the Prime Minister has started that

involves a reference to the Supreme Court of Canada. We have intervened on that to stand by our position that the Senate as it stands today is not acceptable. Albertans don't think it is, we don't trust it, and we want a change.

**The Speaker:** The hon. member.

**Mr. Mason:** Thank you, Mr. Speaker. It's clear that there's no consensus around Senate reform, and given the amending formula of the Constitution of Canada, the kinds of changes the Premier and her estranged cousins in the Wildrose Party are supporting are not going to happen. By sticking to the Reform Party policy of 30 years ago, this Premier will only ensure that the Senate will continue in its present form. Why is this Premier supporting a position that ensures the continuation of this unelected, unaccountable, and corrupt Senate?

**Mr. Dallas:** Well, Mr. Speaker, the hon. member obviously has a very short memory, and the reality of this is that we have provided leadership in Alberta. In fact, today the only Senators that are elected and accountable to the province of Alberta, to the country of Canada come from Alberta. They've been appointed there. We're going to work at going to the future as opposed to throwing the baby out with the bathwater.

**The Speaker:** The hon. member.

**Mr. Mason:** Thank you, Mr. Speaker. Well, it's clear that Alberta's two conservative parties are out of touch with Albertans on the Senate corruption scandal, and while two conservative parties is a good idea, Canada does not need two Parliaments. One is enough. Why won't the Premier take a principled stand against patronage, corruption, duplication, and waste, stand up for the people of this province, and call for the abolition of the Senate?

**Mr. Dallas:** Mr. Speaker, of federations like Canada, there are only three in the world that do not have a second House. In Canada our second House, elected, a second House that would be effective, can adequately and substantially represent provincial and regional interests, so getting this right, doing the reform, is critically important going forward. We don't have a system that would serve Canadians and Albertans with a single House.

**The Speaker:** Hon. members, the first five question spots, reserved for leaders, where preambles are allowed to supplementaries, have expired.

Let's move on, then, with little or no preambles hereafter to supplementaries, starting with Edmonton-Manning.

### Trade with India

**Mr. Sandhu:** Thank you, Mr. Speaker. The government talks a lot about the importance of increasing trade with China, but no one should forget the opportunities in India. Alberta's balance of trade with India is far below its potential. We are talking about a country with a middle class of 250 million people and the third-largest economy in the world by purchasing power. My question is to the Minister of International and Intergovernmental Relations. Does the government have a plan to address this situation and increase our trade with India?

**The Speaker:** The hon. minister.

**Mr. Dallas:** Well, thank you, Mr. Speaker, and thanks to the hon. member. I agree that India has wonderful potential in the context of opportunities for Alberta. In fact, that's why under our renewed

international strategy we've put India front and centre in that strategy. We announced that we're going to be expanding our international network, and – no surprise – we're going to have an Alberta office in India. That's job one for this government, accessing new markets.

2:10

**Mr. Sandhu:** My first supplemental to the same minister: what are the sectors and tangible areas where Alberta industry and Alberta products could meet growing demands in India, Mr. Minister?

**Mr. Dallas:** Well, actually, we've got a specific region strategy there, Mr. Speaker, so we're focused in India in particular on oil and gas, on investment attraction. We've got agricultural products like wheat and canola, we've got partnership opportunities in terms of software and programming, and we've also got plenty of opportunities in education and training.

**Mr. Sandhu:** My third and final question, to the Minister of Energy: given India's growing demands for energy, when can we expect to see more energy exported from Alberta to India?

**The Speaker:** The hon. minister.

**Mr. Hughes:** Thank you, Mr. Speaker. Well, we know that India is one of those countries that imports about 80 per cent of the energy that it needs and, as a result, is an ideal market for Alberta crude production and bitumen in the future. In fact, what we've done, working through the Alberta Petroleum Marketing Commission, is help ensure that the TransCanada Energy East pipeline takes place. We've made commitments of bitumen to that. These are big commitments on behalf of the people of Alberta that help ensure the job gets done. The east coast of Canada is the closest to get to India, and that is one of our future markets. We'll continue to work with India.

### Management Employees Pension Plan (continued)

**Mr. Anderson:** Mr. Speaker, the hypocrisy and inconsistency of this ancient and stumbling PC government know no bounds. Yesterday we found out that the cabinet just approved a 14 per cent pension raise for senior managers in government. Meanwhile this same government is undertaking to reduce the pension benefits for the average front-line workers and first responders, who can least afford it. To the Finance minister: can you please explain for me why on earth in a time of deficit and a time of debt, in a time of service cuts and cuts to front-line workers' pensions you would turn around and give government managers a 15 per cent pension increase?

**Mr. Horner:** Well, Mr. Speaker, I'm going to go a little slower. I did mention this to his leader a little earlier, and maybe this will sink in. First of all, to be clear, benefits have not increased. We are taking money out of their paycheques so that they can have the benefits that are currently there in the plan. Contribution rate increases to the management employees pension plan were recommended by their board and are required by law to ensure the plan is funded enough to fulfill its legal obligations. The fact that the contribution rates are rising for employees and employers to an unacceptable rate – we agree – is exactly the reason we're making the changes to the pension plan that we are. I look forward to their support.

**Mr. Anderson:** Minister, can you please tell me again? In a time of debt, deficit, service cuts, cuts to front-line pensions, and so forth how can you justify an additional cost to government of \$15 million into the senior government managers' pension plan? That's about \$60,000 a year total that some of these folks are making. Are you starting to understand why Albertans have lost confidence in your ability to ever get us out of debt, to ever get our finances back on track?

**Mr. Horner:** Mr. Speaker, I think what I'm starting to hear is that the hon. member refuses to understand how a pension plan works. That's unfortunate, because the information that he is putting out there and the insinuation he is putting out there are false. That's unfortunate, especially coming from a Finance critic, who should understand how this works. When you raise contribution rates, you take money from the employee's cheque. The benefits did not increase. Therefore, there is no raise to those individuals. Does it cost the pension plan contributors more? Yes. That's the problem. That's what we're trying to fix with the pension reforms we have. This is a bit frustrating.

**Mr. Anderson:** You know, given that the first thing this government did after the last election was give themselves an 8 per cent pay raise through a massive increase to their MLA RSP allowance and given that some might take notice that this senior management pay raise surprisingly comes just a couple of weeks before the Premier's leadership review and given, Mr. Speaker, that we all know that most pension plans have a 50-50 contribution, this plan that they're advocating has a two-thirds government, one-third contributor ratio. It is out of line with the private sector. It is out of line, period. You need to fix it. Quit wasting taxpayer money, sir.

**Mr. Horner:** Mr. Speaker, there was a lot of very inaccurate information in there, which is not surprising coming from this hon. member or the Wildrose Alliance Party, who like to throw a lot of inaccurate information out there and then simply say: oh, well, I guess we were wrong. When you use people like the Canadian Taxpayers Federation and their six members to do your research for you, it's not surprising that you're going to get this kind of inaccurate information in the House. I will say it again. This is not a raise to the management employee pension program. This is a raise to their contributions to it. They're not happy about this. They're a little ticked at me right now for what I'm doing to their plan. [interjections] I'm sure the hon. member will support me in my endeavours when he actually figures out . . .

#### **Speaker's Ruling Decorum**

**The Speaker:** Hon. members, the noise level seems to be creeping up again a little bit. Please keep conversations out of here, or take them out there if you like, and please be reminded to speak to and through the chair. It's been my observation that when you speak directly across the bow to each other, that's what gives rise to some of the flurries in here. So let's avoid those.

Calgary-Currie, followed by Chestermere-Rocky View.

#### **Flood Recovery Funding for First Nations**

**Ms Cusanelli:** Thank you, Mr. Speaker. My question is to the Minister of Aboriginal Relations. Sadly, Siksika First Nation was devastated by the June floods. Yesterday the minister signed an MOU with the chief to rebuild the Nation. This is a federal responsibility. To the minister: why are provincial tax dollars going to fund recovery efforts that are not in provincial jurisdiction?

**The Speaker:** The hon. minister.

**Mr. Campbell:** Well, thank you, Mr. Speaker, and I thank the member for the question. We all know that this was an unprecedented disaster, and our government is showing true leadership by doing what's right and by treating First Nations not only as Albertans but, more importantly, as people. I met with the federal minister several times after the disaster hit, and he's been very supportive of our actions. His department and mine are continuing to work together on this file. I can tell you that our Premier has stated that we're going to do what's right. We're going to get Siksika people back in their homes as quickly as we can.

**Ms Cusanelli:** To the same minister: what do you intend to say to those who believe that Siksika First Nation is getting special treatment?

**Mr. Campbell:** Mr. Speaker, I don't believe that Siksika First Nation is getting special treatment. Again, I believe that Siksika First Nation are being treated as people, and they're getting the same treatment that we would show to any community in this province after the flood hit. Anybody that's been on First Nations reserves knows that homes are far apart. They don't have the capacity or the resources that we do in some of our larger communities. This MOU is a partnership with the Nation that we will work with the First Nations to help them and support them as we work together to make sure this community recovers.

**Ms Cusanelli:** Again to the Minister of Aboriginal Relations: how is this MOU going to help people on the reserve besides providing housing?

**The Speaker:** The hon. minister.

**Mr. Campbell:** Well, thank you, Mr. Speaker. We've also allocated \$10 million for the First Nations training to employment program. What we've done within our MOU that we signed with Siksika – and we're working with Morley – is that we're going to provide opportunities for First Nation contractors to be involved in the rebuilding of their homes. With the \$10 million we're actually going to train youth, provide them with apprenticeships, whether it be plumbing, electrical, building roofs, whatever, so that they can actually be part of the rebuilding of their homes and also be able to find gainful employment after we're finished with the recovery.

Mr. Speaker, I'd be remiss if I didn't thank the Minister of Human Services for the work that his department has done in working with us on this.

**The Speaker:** The hon. Member for Chestermere-Rocky View, followed by Edmonton-Centre.

#### **Postsecondary Education Funding (continued)**

**Mr. McAllister:** Mr. Speaker, thank you. The Premier's vote-buying scheme to woo back support in postsecondary is very transparent. Frankly, it's too little, and it's too late. This Premier and her minister swung the axe at the sector in the March budget, and schools have been adjusting their budgets ever since. This was a \$50 million rebate to a \$150 million cut. To the minister: how does the Premier's last-minute vote-buying scheme help the hundreds of students already turned away from Alberta postsecondary schools because of your short-sighted decisions?

**Mr. Lukaszuk:** Mr. Speaker, first of all, this is really, really rich coming from that party, that doesn't even have advanced education

in their shadow budget. It's really rich coming from an opposition that has been and is on the record during estimates of this last budget advocating for deeper cuts into advanced education. If this member would actually bother to show up at my office, sit down one day, and discuss the budget and what is happening with Campus Alberta, he wouldn't be asking questions like these in the House.

2:20

**Mr. McAllister:** Mr. Speaker, I might have to wander over and try some of that \$11,000 furniture out for myself.

The domino effect of the March cuts goes on. How does the Premier's last-minute vote-buying scheme remedy the 30 fewer nurses Medicine Hat College will train this year, the 300 per cent increase in mandatory fees that University of Lethbridge students are paying, or the 20 arts programs at the University of Alberta that have been axed?

**Mr. Lukaszuk:** Well, Mr. Speaker, again, if this member would ever bother to at least send a letter or a memo, I would respond and let him know that on July 3 of this year I had a conversation with all chairs of all postsecondary institutions advising them that when the first opportunity arises, we will do what we can in year to alleviate some of the enrolment pressures that have occurred this year. This is a commitment from July 3. The first opportunity that arose, we did exactly what we promised. Why? Because it is our number one priority.

#### **Speaker's Ruling Preambles**

**The Speaker:** Hon. members, when I asked you to please keep your preambles little or nonexistent whatsoever, I should have clarified that brief retorts such as we just heard ahead of a supplemental are also a form of supplementary.\* So, please, let's just get to the questions with no interruptions. Let's get to the answers with no interruptions. Let's just try something different here. Let's see how this works.

**Mr. Anderson:** Point of clarification.

**The Speaker:** Hon. member, do you have a point of order? I'll hear your point of clarification later, please. Let's go on with the supplementary.

#### **Postsecondary Education Funding (continued)**

**Mr. McAllister:** All right. Thank you, Mr. Speaker. I think date in question here is actually November 22.

Considering how obvious it is that the \$50 million rebate will not fix the problem for the original cuts that they created, how are Alberta taxpayers supposed to believe this is anything but another half-baked attempt at saving the minister's hide and his boss's job?

**Mr. Lukaszuk:** Well, Mr. Speaker, the date in question is July 3. If this member, again, paid attention to the portfolio that he's supposed to shadow, he would have known that. That's when the government made a commitment to postsecondary. We know that our schools had to make very difficult decisions because this government had to make very difficult decisions last March, and we know that this opposition wouldn't want us to have a deficit budget. We did the prudent, fiscally responsible thing, and we did

trim some budgets. When the first opportunity for reinvestment arose, we took advantage of it, and we have reinvested.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by Edmonton-Beverly-Clareview.

#### **Grant Program Discontinuations**

**Ms Blakeman:** Thanks very much, Mr. Speaker. For reasons I will never understand, in the last budget the grant-matching community spirit program and the summer temporary employment program, or STEP, were both eliminated. It was an uppercut followed by a kidney punch to the not-for-profit societies and organizations in Alberta. To the Minister of Culture – or not. How about the Deputy Premier, then? Given that together these programs were under \$23 million, what benefit was gained by the government in cutting this .006 per cent of the budget? Was it worth it?

**Mr. Lukaszuk:** Well, I guess, Mr. Speaker, the simple answer would be: \$23 million. But the lengthy answer is that those were not easy decisions, as I responded to the other member. The fact is that we were staring at a \$6 billion gap in revenue, and the fact is that the STEP program, as valuable as it was to students and not-for-profit entities, at a time when we actually have full employment in this province and 4.3 per cent unemployment, was a program that was considered for elimination at that point in time because we knew that students would not find it difficult to find summer jobs in a job market like this.

**Ms Blakeman:** Well, back to the Deputy Premier. Now, I know that this government didn't consult their own backbenchers before they cut STEP or community spirit or they wouldn't have done it, so whose brilliant idea was this?

**Mr. Lukaszuk:** Well, Mr. Speaker, I'm not sure how their caucus works, although one can draw conclusions just by watching them, but this caucus works in unison. As a matter of fact, any decisions of such import as the elimination of a very important program are not only discussed in cabinet but are discussed with the entire caucus. So, yes, our caucus members are consulted, and we also consult our constituents.

**Ms Blakeman:** I doubt that.

Mr. Speaker, given that the community spirit was the only nonrestricted grant available for government, how does the government foresee these organizations moving forward with only strings-attached allocated funding? How do they pay for developing talent, retaining staff, maintaining infrastructure, building new infrastructure?

**Mr. Lukaszuk:** This member brings up a very valid point, that the STEP program was an important program, and all of the other programs were important programs. If they weren't, they wouldn't have been in our budget to begin with. But in a time of financial restraint, unfortunately, the difference between being an opposition member, who can advocate for everything any time or all the time and never be held accountable, is that government has to make difficult decisions. When an opportunity arises, and if we can reinvest in some of those programs, we definitely would consider doing it, but we have to do the right thing at the right time. They, unfortunately, never have to face that test.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview, followed by Calgary-Shaw.

\*See page 2841, left column, paragraph 2

### School Board Finances

**Mr. Bilous:** Thank you, Mr. Speaker. In her broken-promises budget the Premier chose not to invest in Alberta's students. She promised a 2 per cent increase but failed to deliver. Students are paying the price with outrageous class sizes and are being robbed of the essential support staff. Now this PC government has forced school boards to drain \$90 million from reserve funds, contrary to the Auditor General's advice. To the Minister of Education: can you tell the House how many school districts will run deficits this year because of your refusal to invest in our students?

**Mr. J. Johnson:** Mr. Speaker, this government is investing in students, and through this Premier we're investing in communities and families. We're building this province through the school projects that we talked about briefly. What this member doesn't point out with respect to our school boards is the financial health of our school boards. I know the Auditor General pointed out that the accumulated operating reserves have decreased by \$90 million over the last five years, since 2007. What he didn't say is that between 2005 and 2007 those same reserves went up by \$200 million.

**Mr. Bilous:** Mr. Speaker, given that at least 41 school boards, or two-thirds of all districts, are being forced by this PC government to run deficits this year and given that this will drain another \$63 million from our schools and given that Calgary Catholic has already told the minister that using savings to fund operations is not sustainable, will the minister stop the spin and admit that he is forcing boards into the red to make up for the Premier's broken promises to students?

**Mr. J. Johnson:** Mr. Speaker, the hon. member's comments are simply not factual. The health of Alberta's school boards in terms of their reserves is significant. As a matter of fact, the total reserves across the province are about \$600 million. We have about \$600 million sitting in the bank accounts of school boards across the province, and we're looking at borrowing money to build schools. Those school boards were warned by previous ministers, as far back as Minister Liepert in about 2006, that they needed to stop accumulating so much reserve. If the financial health of this province in terms of school boards was as dire as this member says, those school reserves would not have built up by about a quarter of a billion dollars in the last six years.

**Mr. Bilous:** Start delivering stable, predictable funding, and they won't need that cushion.

Mr. Speaker, given that the minister's assertion in the House that \$300 million was added to education funding has been contradicted by his own spokesperson, by the budget documents, and by everyone that knows how to count and given that the minister has contradicted the Auditor General by forcing the boards to use their reserve funds to stop the bleeding, why is the minister raiding school boards to cover up this PC government's broken-promises budget?

**Mr. J. Johnson:** Mr. Speaker, the school boards in Alberta are among the best funded on the entire continent. The reserves have been built up over the last five or six years. As I've said, the allegations that the member makes are not accurate in terms of the increase to the budget. I didn't say it is \$300 million; I said it's going to be \$300 million. We made a commitment when we did the budget that we would be funding additional enrolment. Every student that walks into the classroom this year that was in the

classroom last year will get the same funding that they got last year, and those incremental enrolments are going to add more money to the system. We'll know those numbers shortly.

**The Speaker:** The hon. Member for Calgary-Shaw, followed by St. Albert.

### Children and Youth in Care

**Mr. Wilson:** Thank you, Mr. Speaker. I know the passion that we all share for our kids in care. They often come from backgrounds of tragedy or maltreatment, and that's why I hope the Minister of Human Services is taking a close look at the Child and Youth Advocate report, that sheds some light on some troubling trends under this government. Over the past five years the number of children under the age of 10 living at staffed facilities remains unchanged. These kids will face inherent barriers to their own development living at these facilities. Can the minister tell us why we are not seeing these numbers go down across the province?

**Mr. Oberle:** Mr. Speaker, I've not had the time personally to review the Child and Youth Advocate's report. I'd be glad to take that question under advisement. I do know that the overall number of children in care has decreased, and the minister is working very hard on that. But I'm going to take that question under advisement.

2:30

**Mr. Wilson:** I was referring to staff facilities, associate minister.

Considering that the Child and Youth Advocate makes it clear in the report that the government is contravening its own legislation for how our young children are being placed, can the minister explain why the government is not acting in line with its own rules and regulations?

**Mr. Oberle:** Mr. Speaker, I'm aware that the member is asking about staff facilities. That's one component of care that we provide for children.

As I said, I'll take these questions under advisement for the Minister of Human Services.

**Mr. Wilson:** Very effective day at question period, Mr. Speaker.

Given that youth are coming into care with heightened mental health challenges and are facing extensive wait times for mental health services due to extremely limited programming, what is this ministry going to do to make sure that our children who require this essential service receive the help and care that they so desperately require?

**Mr. Horne:** Mr. Speaker, our government takes mental health and addiction services for children and youth very seriously. We have currently \$9.2 million in grants to key government agencies and not-for-profit groups to support mental health, to provide additional support, in fact, following the floods in June. We work very closely with the ministries of Human Services and Education to offer a large number of mental health programs, including enhanced 24-hour health care workers in emergency departments and mental health crisis intervention services for children and youth. I could go on with the list of partners, the multiple and very significant partners we have in this endeavour, and we'll be continuing to expand those efforts in the future.

**The Speaker:** The hon. Member for St. Albert, followed by Strathmore-Brooks.

### Pipeline Construction

**Mr. Khan:** Thank you, Mr. Speaker. Recent developments have illustrated the dangers of transporting energy resources by rail. In light of major and in some cases deadly accidents involving the transportation of oil by rail, we need to ensure that our energy gets to market using the safest and most efficient means possible. My question is to the hon. Minister of Energy. What efforts are being made to ensure that our energy will access new and existing markets in a way that is most efficient and least harmful to the population?

**The Speaker:** The hon. minister.

**Mr. Hughes:** Thank you, Mr. Speaker. Well, we all know that rail is a very important method to get products to market, both energy and other products. Of course, the largest challenge in front of us and the greatest opportunity for Alberta is to ensure that we build pipelines: pipelines that go east, pipelines that go south, pipelines that go west. Where can I start? It's in all directions that we can possibly send oil to markets, to get it to tidewater. These pipelines are safe, they're reliable, they move huge volumes of oil, and this will be a big help to the province of Alberta to help ensure that we get world price for our products, every barrel.

**Mr. Khan:** Thank you, minister.

To the Deputy Premier and Minister of Enterprise and Advanced Education: if we're building these pipelines, what measures are we taking to ensure that Alberta has a skilled labour force available to build and maintain this potential pipeline infrastructure?

**Mr. Lukaszuk:** Well, Mr. Speaker, actually, today is a good day to ask that question for two reasons. One, we will have the chairs of all postsecondary institutions signing off on mandate letters, which clearly will speak to the fact that we need to develop the workforce in this province and the skill sets that will be required to build these pipelines. I recall that you introduced someone in the gallery who is also pivotal and very much relevant to the building trades and the construction that needs to happen in this province. The development of the skills and the development of the workforce has to be one of our priorities to make sure that we have a safe way of moving oil and other products to seaports.

**Mr. Khan:** Thank you, Deputy Premier.

My second supplemental question is to the hon. Minister of Finance. What could Alberta's potential revenues be if pipelines to the east, west, and Gulf coast were to exist today? In other words, if Alberta's energy differential were to disappear due to the construction of pipelines to the east, west, and south coasts, how different would Alberta's revenue picture look?

**Mr. Horner:** Well, Mr. Speaker, the revenue that Alberta generates is based on the price that producers receive here, and our royalty is based on that. Everyone in this House will remember that the differential that we had in the summer and fall of last year moving forward was above \$40 a barrel. When you consider a 2-million-barrels-per-day production, that adds up pretty quickly. I should say that over the first half of this year the differential did narrow in a bit, and we're seeing some benefit from that, but this morning that differential was \$40 off the WTI price, \$50 off the Brent price. The math could even be done by the hon. members opposite. It's easy to understand that we're losing a substantial amount of revenue from the royalty.

**The Speaker:** The hon. Member for Strathmore-Brooks, followed by Strathcona-Sherwood Park.

### Orphan Well Fund Levy

**Mr. Hale:** Thank you, Mr. Speaker. This government through the licensee liability rating program has increased the amount of secure deposits needed for oil and gas operators to put into the orphan well fund. While the intentions of the LLR program are good, the drastic increase in the required deposit is threatening to put many of the 400 junior producers out of business. Industry experts are saying that many won't survive these punishing fees. My question is: does the minister realize that his ill-consulted program is going to suck the lifeblood out of junior oil and gas companies, affecting the economy, royalties, and jobs?

**Mr. Hughes:** Mr. Speaker, that's a fairly dramatic overstatement of reality. I would say that the LLR program undertaken by the Alberta Energy Regulator is an important element of ensuring in the long term that wells are appropriately abandoned, that they are appropriately dealt with, and that companies meet their obligations to the citizens of Alberta. Now, there are many factors that are affecting the economic health of the industry today, and the LLR is far from the most important one affecting them.

**The Speaker:** The hon. member.

**Mr. Hale:** Talk to the 400 companies that are going to go broke.

Thank you, Mr. Speaker. Given that the industry experts are saying that the new rules are depressing the market for oil and gas assets and given that some of the companies have already gone into receivership because of these rules, when can we expect concrete measures to be taken that will address the flaws in this licensee liability program?

**Mr. Hughes:** Well, Mr. Speaker, clearly, I've been very alive to the concern that has been raised by many of these small producers. My colleagues the hon. Member for Calgary-Varsity as well as the Deputy Premier just in the last couple of weeks when I, in fact, wasn't available, met with – we have been working with industry to help ensure that we have a very pragmatic and practical response to the challenges that they face. Many companies are facing a very difficult time. The primary factor that is affecting their economic health is the fact that prices are too low. We need access to markets to get our products out of Alberta, both natural gas and oil.

**The Speaker:** The hon. member.

**Mr. Hale:** Thank you, Mr. Speaker. Well, given that two of those companies that met with the Deputy Premier in the last couple of weeks contacted me this morning – it doesn't look like they're getting much help – and that many of these companies are going broke now and given that in many cases the companies have been issued an unreasonably short period of time to issue these payments to the Alberta Energy Regulator, will the minister admit that this heavy-handed, top-gun approach is not working and commit to working with these companies one on one to ensure that they don't go broke?

**Mr. Hughes:** Well, Mr. Speaker, the hon. member is picking up a consistent theme, one which I have heard and which my colleagues have heard, and that is that this is one more challenge for many small producers. We have to keep our eye on the ball. We have to protect Albertans in the long haul in addition to having a strong economy today. We're listening to individual companies. We're



working with them. The Alberta Energy Regulator is working with industry to try and ensure that these companies are dealt with fairly and appropriately and that we also keep an eye on the long-term health of Albertans.

**The Speaker:** The hon. Member for Strathcona-Sherwood Park, followed by Olds-Didsbury-Three Hills.

### Land Titles Registry

**Mr. Quest:** Thank you, Mr. Speaker. The government has discussed privatizing the land titles registry as part of a results-based budgeting review of 800 programs. Many of my constituents have been against this idea. They don't understand how it will impact them in the long run or how it may or may not make the registry more efficient. My question is for the Minister of Service Alberta. I appreciate the results-based budgeting process. Is there a larger issue here that's driving the potential privatization of our registry?

**The Speaker:** The hon. minister.

**Mr. Bhullar:** Thank you very much, Mr. Speaker. The broader issue is quite simple. The fact is that when government is going to make significant investments in redoing IT systems or redoing systems, period, the prudent thing to do is to ask tough questions and see if there are better ways of doing things. The prudent thing to do is to see if there are other models that are perhaps adding more service value for the citizens of Alberta. We enjoy the lowest taxes in North America, and the way to do that is to make sure that we are offering innovative, smart services to make sure Albertans have the best services possible.

2:40

**The Speaker:** The hon. member.

**Mr. Quest:** Well, thank you, Mr. Speaker. My first supplemental to the same minister: given that land titles registries have been privatized in the provinces of Ontario and Manitoba, what are the advantages and the disadvantages from an Alberta perspective to potentially privatizing our registry?

**The Speaker:** The hon. minister.

**Mr. Bhullar:** Thank you, Mr. Speaker. Actually, the member should note that Saskatchewan and British Columbia also have privatized, if you want to call it that, systems. In fact, we're the only ones in western Canada currently that have the type of system we have today. Alberta is a world leader when it comes to the land titles system. Some may call it the gold standard. We intend on making sure that we continue to have this standard of accuracy, of protection of land titles, of control over costs as well as ensuring delivery standards.

**The Speaker:** The hon. member.

**Mr. Quest:** Well, thank you, Mr. Speaker. Yeah, I think we do have the gold standard when it comes to registry.

Again to the same minister: how can you assure us that the privacy of Albertans will be protected if the registry were to be privatized?

**The Speaker:** The hon. minister.

**Mr. Bhullar:** Thank you, Mr. Speaker. The way that we ensure that privacy is protected is that government is always the custodian of the information, maintains ownership of all the

information, protects all the information, assures all the information, guarantees service standards, and controls costs. We have the gold standard today, but we want to be the gold standard tomorrow, so we need to look at places like Australia, where everything is done electronically and even banks offer the transfer of funds directly through electronic format so that the consumer at the end of the day benefits.

**The Speaker:** Hon. members, just before we go on with the next order of business – that concludes question period – could I have unanimous consent to revert briefly to Introduction of Guests?

[Unanimous consent granted]

### Introduction of Guests

(continued)

**The Speaker:** Thank you.

Let's go with Calgary-Shaw, please.

**Mr. Wilson:** Well, thank you, Mr. Speaker. This is an incredibly special and proud moment for me. It's truly a pleasure to rise today and introduce to you and through you to all members of the Assembly two of the most important people in my life, my beautiful wife, Sally; and my son, Jude. I can honestly say that I am here because of Sally. Not only was she my campaign manager, but as all of us MLAs know, without the support of a loving spouse at home, it makes this job very difficult, and I can say without a doubt that she is truly amazing in that sense. The reason I wanted to pursue politics is because of my son. I wanted to make sure that this province is just as fine a place for him to live, grow up, work, play, and raise a family as it is for me, so I'm here for him and for my family. I've got to say that he loves being in this building, and I thank you all so much for the opportunity to share it with you. I would ask them to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** Thank you.

Hon. members, in 20 seconds from now we will proceed with the next item of business from the Clerk.

### Members' Statements

(continued)

**The Speaker:** Hon. members, I'm advised that Calgary-Bufferalo was up next for a member's statement. The hon. Member for Edmonton-Centre in his place, perhaps.

**Ms Blakeman:** Sure. Thanks very much, Mr. Speaker. I'm happy to deliver this private member's statement on behalf of my colleague the hon. Member for Calgary-Bufferalo.

### School Construction and Modernization

**Ms Blakeman:** In the 2012 Tory election platform promises were given by this government to build 50 new schools and modernize 70 more. Now, let me be clear here. This is not projects. It's not portables. It's not extra windows or replacing a few doors. It's entire schools. The trouble is that instead of getting busy fulfilling this promise, the government sat on its hands and didn't use its muscle to build these schools. It is common knowledge that even if we complete these 50 schools and 70 modernization projects, we will still be significantly behind the curve on being able to house the ever-growing number of youngsters who need to be educated in this great province.

By 2020 we will have an additional 119,000 kids in our school system. Right now we already have children crammed into every nook and cranny of the schools. They're spilling into libraries, gymnasiums, and even staff rooms. The government could be addressing this problem by undertaking traditional building methods and traditional financing methods.

With deficit financing government can get busy building and renovating these schools that our children need. This traditional method is more financially viable than looking for P3 financing to build these schools. Here's how. The cost of capital P3 financing is higher than conventional bond insurance by the province. Governments can borrow money more cheaply than P3 debt financing.

The second negative aspect of P3 financing and the real reason why this government finds it so attractive is that they disguise the financial condition of the province. The debt and equity servicing obligations associated with P3 finances are accounted for differently. The liabilities of P3-funded schools do not immediately appear on the government's balance sheet. Accordingly, the cost of P3-financed schools is simply spread out over a three-year period and a great way to hide debt.

Thank you very much, Mr. Speaker.

#### **Speaker's Ruling Interrupting a Member**

**The Speaker:** Hon. members, there's a long-standing tradition where we . . . [interjection] Hon. Member for Airdrie, I have the floor at the moment, please. Hon. Member for St. Albert, I have the floor. Thank you. Hon. members here on the government side, during a private member's statement you've been reminded before to please not interrupt, and the same goes for members on this side in the opposition. It's just a common courtesy to let people state their particular views, and that's the long-standing tradition. I wish we could abide by it more reverently.

Let me go to Edmonton-Decore, followed by Calgary-Glenmore.

#### **Ukrainian Youth Unity Complex 40th Anniversary**

**Mrs. Sarich:** Mr. Speaker, it is a tremendous honour and privilege to rise today to commemorate the 40th anniversary of the Ukrainian Youth Unity Complex, a known landmark in the heart of the Edmonton-Decore constituency.

We are reminded that buildings and structures built in the past provide a footnote to our histories, for our forefathers laid down the foundation, they built for the future, and we have been the beneficiaries of their gifts to the community.

In that spirit, to the legacy of the many founding members who were immigrants and some who even lived through the Holodomor, the famine genocide of Ukraine, 1932-33, the promise of the Ukrainian Youth Unity Complex was realized through their vision, firm determination, and strength to respond.

The vital ingredients of this complex include providing a domivka, which means home, for the preservation and development of Ukrainian heritage, culture, language, history, and music activities central to the people and government institutions.

It is a place where you will find long-standing, successful, and generational organizations such as the Ukrainian Youth Association of Canada, CYM, Edmonton branch; the Verkhovyna Ukrainian Song and Dance Ensemble; the League of Ukrainian Canadians, Edmonton branch; and the League of Ukrainian Canadian Women, Edmonton branch.

From ambitious beginnings and with a confident eye on the future the Ukrainian Youth Unity Complex has hosted with great

pride innumerable local, national, and international visitors, dignitaries, community concerts, speakers, and banquets.

When we recall the opening of the Ukrainian Youth Unity Complex on November 13, 1973, by the distinguished company of the late Premier Peter Lougheed and many others, without question it remains a vital and integral part of Ukrainian community life in Edmonton.

I would like to commend the Ukrainian Youth Unity Complex board and others from the past, present, and into the future for their unwavering commitment to better the lives of Ukrainians. I salute your efforts, and with admiration I thank you for adding immeasurably to our city, province, and country. Congratulations. God bless.

**The Speaker:** Thank you.

The hon. Member for Calgary-Glenmore, followed by Calgary-Fish Creek.

2:50

#### **Calgary Reads**

**Ms L. Johnson:** Thank you, Mr. Speaker. Today 1 in 4 young readers are behind their peers in literacy and learning skills by the end of grade 1. Readers who are not on track by the third grade face many challenges as they struggle to catch up.

Calgary Reads is an early literacy initiative that uses trained volunteer tutors to work one-on-one with struggling readers from kindergarten to grade 2. Calgary Reads is taking real steps to change the lives of children who experience literacy difficulties and through its programs promotes the importance of language as a building block to lifelong learning.

Through early reading children can develop their own imaginations. It is here where they also begin the process of telling the stories that will eventually shape their own lives, the lives of their families, and the hearts of their communities.

This is why I am humbled today by this opportunity to bring awareness to Calgary Reads and to their vital and thoughtful community work. So far, Mr. Speaker, Calgary Reads has donated more than a thousand children's books to over 80 schools, and they have close to 1,200 team members, who have collectively worked around 16,000 volunteer hours. Along with the patronage of our Premier Calgary Reads has established partnerships with over 50 different community and business organizations.

Calgary Reads is selflessly making sure that our children succeed. This is why I ask my colleagues today to take their Calgary Reads pledge card and read along: I pledge to read every day that I eat, to read alone, to read aloud, to read always, and to share the joy of reading with a child.

Dr. Seuss once wrote, "Today is gone. Today was fun. Tomorrow is another one," and so with this spirit I applaud Calgary Reads for encouraging the imaginations that will shape the communities of tomorrow, and for enriching the lives of our children and building a brighter Alberta.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Fish Creek, followed by Fort McMurray-Wood Buffalo.

#### **Aleena Sadownyk**

**Mrs. Forsyth:** Thank you, Mr. Speaker. The story of little Aleena Sadownyk, from St. Albert, is truly an extraordinary one. In April she was diagnosed with MPS6, a rare enzyme deficiency disease that occurs in newborn babies. With the disease left untreated, Aleena would be vulnerable to life-threatening complications. Though a cure does not exist, a treatment does. The treatment has

successfully treated seven other Canadian children in neighbouring provinces.

For months the Sadownyk family attempted to raise little Aleena's case with the government but were met with barrier after barrier. They talked to the Alberta rare disease funding program but were denied and waited desperately to hear from the short-term exceptional drug therapy program for news. Every day without treatment meant another day of anxiety and uncertainty.

But with the help of the Isaac Foundation and the leadership of Andrew McFadyen all Albertans began to hear and take up Aleena's case. And, Mr. Speaker, they would not take no for an answer. After mounting public pressure Alberta Health finally made the decision that should have been made months earlier, and they approved her funding.

It's a reminder that we owe it to all Albertans to make sure that their health care system is there for them when rare diseases strike and extremely expensive treatments are their only hope. We can, we must do better.

I'd like to update you on how little Aleena is doing after her first treatments. She's eating better. She has energy now. One afternoon while Dad was running some errands, they got into a conversation. He was trying to explain to her what energy was and why she didn't need to rest as often. A little while later Aleena said: Dad, I feel like I can dance now. In a broken voice her dad told her that she can dance, and he looks forward to doing it together.

It's a reminder for us to take a moment to celebrate life. To Aleena: dance on, little one. Dance on.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo.

#### Fort McMurray Air Service

**Mr. Allen:** Thank you, Mr. Speaker. I'm very pleased to rise and congratulate the Fort McMurray Airport for being granted official status as a port of entry into Canada. The status was established as of October 7, 2013, by the Canada Border Services Agency. This is great news for the regional municipality of Wood Buffalo and a huge step forward for the Fort McMurray Airport as it enters into a new era of air travel in the region.

This announcement means that residents can access more direct services into the U.S. such as the daily nonstop flights into Denver and Mexico that are already under way. It also means that YMM can look at other destinations internationally for nonstop service.

The Wood Buffalo region is experiencing unprecedented growth, and the rising numbers mean a sharp increase in the need for services and infrastructure in the region. The growth is also translated into YMM becoming the fastest growing airport in Canada. It is now the country's 15th busiest airport. It recorded its busiest year in 2012, seeing over 957,000 passengers. In 2013 the airport expects to serve 1.2 million passengers. An expansion is currently under way for the new terminal, set to open in June of 2014.

The achievement of the port designation makes it easier for YMM to woo airline carriers. It connects our bitumen reserves to the rest of the world. This summer in anticipation of the great announcement United Express launched a daily scheduled service to Denver. As well, Sunwing has launched flights direct to Mexico. This will foster opportunities for business growth in industries like energy and tourism. For residents all over northern Alberta it is now possible to fly from home, eliminating the need to drive to Edmonton to secure great flight deals. It means that we are open for business to the world.

I'd like to congratulate the team at the Fort McMurray Airport Authority, led by CEO Scott Clements, for their hard work, guaranteeing quality service to thousands of passengers. This bold, forward-thinking collaboration will elevate the quality of life for residents in the region.

Thank you.

#### Notices of Motions

**The Speaker:** The hon. deputy House leader for the Official Opposition.

**Mr. Saskiw:** Yes. I have the requisite copies for the Standing Order 15(2) point of privilege, and I will distribute that to the pages.

**The Speaker:** Thank you.

#### Introduction of Bills

**The Speaker:** The hon. Associate Minister of Wellness.

##### Bill 33

#### Tobacco Reduction Amendment Act, 2013

**Mr. Rodney:** Thank you very much, Mr. Speaker. I request leave to introduce Bill 33, Tobacco Reduction Amendment Act, 2013.

The amendments include prohibiting the furnishing of tobacco products to minors, prohibiting the smoking of tobacco-like products for water pipes in public, prohibiting smoking in cars with children present, legislating a minimum number of products per package for certain tobacco products, and consolidating existing tobacco legislation. These amendments, Mr. Speaker, will protect youth, will improve the health of Albertans, and will make Alberta a leader in tobacco control. Every Albertan, especially our youth, should be able to enjoy a life free of preventable tobacco-related disease and death.

It is indeed an honour for me to move first reading of Bill 33. Thank you, Mr. Speaker.

[Motion carried; Bill 33 read a first time]

**The Speaker:** The hon. Minister of Justice and Solicitor General.

##### Bill 38

#### Statutes Amendment Act, 2013, No. 2

**Mr. Denis:** Thank you very much, Mr. Speaker. I rise to request leave to introduce Bill 38, Statutes Amendment Act, 2013, No. 2. This being a money bill, His Honour the Honourable the Lieutenant Governor, having been informed of the contents of this bill, recommends the same to the Assembly.

This bill makes minor amendments to update several pieces of legislation, Mr. Speaker, to ensure that Albertans continue to be well served. Making these amendments and modernizations will also help ensure that Alberta's legislation is consistent and clear. This bill includes amendments to the Alberta Personal Property Bill of Rights Act, the Civil Enforcement Act, the Court of Appeal Act, the Court of Queen's Bench Act, the Dower Act, the Family Law Act, the Fatal Accidents Act, the Judicature Act, the Motor Vehicle Accident Claims Act, the Police Act, the Provincial Court Act, the Recording of Evidence Act, and lastly, the Special Areas Act.

Mr. Speaker, many of the proposed amendments are required to ensure that each piece of legislation is accurate and up to date. While some of the amendments may simply catch up legislation

that was already in practice, other amendments are proposed to increase efficiency.

I'll pass the requisite number of bills to the Clerk. Thank you.

[Motion carried; Bill 38 read a first time]

**The Speaker:** Hon. members, the Deputy Government House Leader's eye has caught my attention. Given that it's 3 o'clock, did you wish to ask for something at this point?

**Mr. Denis:** Thank you very much, Mr. Speaker. I rise to ask unanimous consent of the Assembly to waive rule 7(7).

**The Speaker:** Hon. members, unanimous consent is being requested so that we might complete the Routine under the standing order cited.

[Unanimous consent granted]

### 3:00                      **Tabling Returns and Reports**

**The Speaker:** I believe the hon. associate minister for persons with disabilities has a tabling or two or three. Okay. Please proceed.

**Mr. Oberle:** Thank you, Mr. Speaker. First of all, I rise, and it's an honour to rise. You will realize from my comments yesterday on Bill 41 that the Premier's Council on the Status of Persons with Disabilities is an organization that I hold very near and dear to my heart. I work closely with them and, with their expanded and rejuvenated mandate, will do so even more closely in the coming year. I'm very pleased to rise today to table the requisite number of copies of their annual report.

In addition, Mr. Speaker, on behalf of the Member for Edmonton-Rutherford, the hon. Minister of Health, I'm pleased to rise today and table the requisite number of copies of the annual report of the College of Physicians & Surgeons. The report helps to highlight the great work the college is doing to enhance the health and well-being of Albertans across our province, and for this, on behalf of the hon. minister, I extend the Legislature's sincerest thanks.

Thank you, Mr. Speaker.

**The Speaker:** The hon. President of Treasury Board, followed by the Leader of Her Majesty's Loyal Opposition.

**Mr. Horner:** Thank you, Mr. Speaker. Today I am pleased to table the required number of copies of the second annual results-based budgeting report to Albertans. This is a report on progress that we've made. The report lists key findings and recommendations that came out of the review of over 150 programs and services in cycle 1.

Earlier this year we announced that the process would be accelerated to complete all three cycles in less than three years. Many of the recommendations in this report have begun to be implemented, including decisions made in Budget 2013. Others will require further approval by government and will be reflected in Budget 2014 and beyond. Cycle 2 reviews are under way and nearing completion by the end of this year. Cycle 3 will begin in February 2014, with final reports due in November of 2014. Once all three cycles are complete, every one of the government's programs and services will have been examined to find deficiencies, identify areas of improvement, and ensure that we are delivering results. Then we'll do it all over again, Mr. Speaker.

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition.

**Ms Smith:** Thank you, Mr. Speaker. I would like to table the requisite copies of the page where the Alberta emergency plan ought to be, with the key points of what that plan ought to include and the note that "the plan is currently being updated with an expected release in late 2012." Anyone who is interested in receiving this will have to go to the tabling because – I'll compliment the minister; it only took two days of questioning for his staff to finally update the website – it's no longer available on the website, but it will be available through the library.

Thank you.

**The Speaker:** Hon. Associate Minister of Services for Persons with Disabilities, did you have a third tabling? No? Thank you.

Let us go on to the Minister of Tourism, Parks and Recreation, followed by Edmonton-Calder.

**Dr. Starke:** Thank you, Mr. Speaker. It's my pleasure today to table the requisite number of copies of two documents, the first being the annual report of the Alberta Sport, Recreation, Parks and Wildlife Foundation, and that annual report was submitted October 15, 2013.

My second tabling, Mr. Speaker, is the 2012 annual report of Travel Alberta, and it's dated October 28, 2013. We just learned, actually today, that Travel Alberta has been named one of the top 50 small and medium-sized employers in Canada by *Profit Guide* magazine.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Calder – did you have a tabling as well? – followed by Lac La Biche-St. Paul-Two Hills.

**Mr. Bilous:** Thank you, Mr. Speaker. I'll do the tabling in the Member for Edmonton-Calder's stead, with your approval.

**The Speaker:** Please proceed.

**Mr. Bilous:** Today I'm tabling a poster promoting a tribute concert for the late James Nishima, a veteran concert promoter and DJ from Lethbridge, who passed away this August. Better known by his stage name, DJ Booda, James was a trailblazer in southern Alberta's music scene. Through his tenacity he brought renowned hip hop and rock acts like Snoop Dogg and Ice Cube to Lethbridge, putting his town on the international urban music map. In recognition of his contribution to Alberta's music culture I'm tabling this promotional poster for a benefit show for James's family to be held on November 8.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills, followed by Lacombe-Ponoka.

**Mr. Saskiw:** Thank you, Mr. Speaker. I have the requisite copies of a document, dated November 6, which is the tweet from a reporter with respect to the injection of \$50 million into the advanced education budget.

**The Speaker:** The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Mr. Speaker. I have seven tablings today. The first one is the reference material that was compiled by Captain Craig Paterson on the Battle of Ortona.

The next six are e-mails that I received in my office in regard to the conditions of the highways in central Alberta just after the recent snowfall and how the maintenance on the highways was not done during that snowfall.

The first is from Ms Gail Estell about highway 12 between Lacombe and Stettler.

The next one is from Vicky Peterson on highways 50 and 12 and around the Alix area.

The next one came to my website from Brenda Snopek on the recent snowfall on highway 12 around Lacombe.

The next one is from Mr. Ken Oliphant on highways 12 and 2A between Lacombe and Red Deer.

The next one is from Lea Redekopp on highway 12 between Clive and Lacombe.

The last one is an update from Vicky Peterson on the bad highway conditions as they persisted beyond Sunday and Monday.

I would hope that the Minister of Transportation reads these tablings and takes action with the company that was contracted to do the maintenance.

**The Speaker:** Thank you.

Are there others? No.

Permit me to do two tablings quickly, Mr. Clerk. The first tabling is with respect to a report I've just received. It is pursuant to section 63(1) of the Freedom of Information and Protection of Privacy Act, section 95(1) of the Health Information Act, and section 44(1) of the Personal Information Protection Act. In tabling these items with the Assembly, I have the requisite number of copies here of the annual report of the office of the Information and Privacy Commissioner of Alberta for the period April 1, 2012, through March 31, 2013.

I have one additional tabling, and that is for early consideration. In that respect, I have a letter I wish to table with you dated November 5, 2013, from the Member for Calgary-Currie requesting that Bill 206 be given early consideration to proceed directly to third reading when it passes Committee of the Whole.

Hon. members, I note that this bill has not yet been reported out of Committee of the Whole, and there are still 68 minutes remaining for that consideration. If this bill does complete consideration successfully at Committee of the Whole on Monday, November 18, it is the chair's view that in order for this bill to proceed to third reading, I would suggest that unanimous consent of the House be required so as to not unduly prejudice other members in the progress of their private members' bills. I may have more to say on this come Monday, November 18, but let that stand as an advisory for the moment.

Hon. Member for Edmonton-Centre, you have a tabling?

**Ms Blakeman:** I do, sir. I apologize. I couldn't catch your eye previously. I have two tablings. The first is a tabling with information back to me in response to my request of the Alberta Wilderness Association around their comments on Bill 31, to establish AEMERA, and I with permission table this.

Secondly, an additional report from the fabulous Edmonton-Centre constituency office, directed towards you, Mr. Speaker, and the House. This is a report on form letters that I've received from individuals who are concerned with cuts to the universities. They are from Michael Chevalier, Jim Franks, Robin Willey, and Bernardo Avila Pires. They have a number of concerns with the cuts to postsecondary education in the 2013 budget.

Thank you.

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following documents were deposited with the office of the Clerk: on behalf of the hon. Mr. Horne, Minister of Health, responses to written questions 14, 15, 26, and 27, asked for by Dr. Swann on March 18, 2013.

Written Question 14: "As of March 31, 2012, what proportion of continuing care beds were provided by Alberta Health Services, not-for-profit agencies, and for-profit agencies respectively?"

Written Question 15: "How many community treatment orders were issued under section 9.1 of the Mental Health Act between January 1, 2010, and March 31, 2012?"

3:10

Written Question 26: "For each of the fiscal years 2009-2010 to 2011-2012, what was the average health care funding per resident per day for long-term care, and what was the average health care funding per resident per day for designated supportive living for 2011-2012?"

Written Question 27: "As of March 31, 2010, March 31, 2011, and March 31, 2012, what were the total number of acute-care hospital beds in Alberta that were unoccupied due to limited availability of operational funding?"

On behalf of the hon. Mr. Drysdale, Minister of Infrastructure, return to order of the Assembly MR 4, asked for by Mr. Hehr on March 18, 2013, copies of all communications between Alberta school boards and the Ministry of Infrastructure regarding complaints concerning P3 school design.

On behalf of hon. Mr. Johnson, Minister of Education, school jurisdictions' audited financial statements for the year ended August 31, 2012, sections 1, 2, and 3.

**The Speaker:** Hon. members, we have one point of order, one point of clarification, and a point of privilege. We'll deal with them in that order.

Hon. Member for Lac La Biche-St. Paul-Two Hills.

### Point of Order

#### Parliamentary Language

**Mr. Saskiw:** Thank you, Mr. Speaker. I rise according to Standing Order 23(h), (i), and (j). What occurred in this question period is that in response to a question from the Leader of the Official Opposition, the Premier herself used the word "deceitful" in describing the Leader of the Official Opposition. I won't belabour the exchange. It was a very passionate exchange, but of course in this Chamber, despite passions arising and very spirited debates, one has to maintain control of the language one uses, particularly, I believe, as the Premier of this province. You're held to a higher standard.

I'd like to refer the Speaker to page 144 of *Beauchesne's*, sixth edition, paragraph 489. This states which words have been ruled to constitute unparliamentary language. In there, at the bottom of the page, you will see the word "deceive," and that's from the *Debates*, March 22, 1977. If you follow along there, the word "deceived" is also included as unparliamentary language. If one looks up the definition of deceitful, it says: given to cheating or deceiving, deliberately misleading, deceptive, and the synonym is dishonest. Those statements also have been ruled to be unparliamentary, Mr. Speaker.

This is the clearest of cases on a point of order. The language that the Premier used is specifically outlined in here. Now, I know that there's often wiggle room if one looks at the way the person said it or how it was espoused. This was not the case. She deliberately said this. She did not take it back in her statement whatsoever.

Mr. Speaker, I'm going to suggest that in this instance, particularly with the Premier, the leader of our province, she has to be held to a high standard or, at least, the basic standard of a Member of this Legislative Assembly. I'm going to suggest that

because of that, because of the clear precedent in this case, this is a no-brainer. This is not a close call. There should be no clarification. There should be an absolute apology and withdrawal of that remark. I'm going to suggest that this is a litmus statement. If this is not a point of order that requires a member to withdraw a statement, I'm going to suggest that there should never be a point of order in this Assembly.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Deputy Premier.

**Mr. Lukaszuk:** Thank you. I always enjoy it when members find the courage to challenge the Speaker, but I always caution: do it at your own peril.

Mr. Speaker, what the Premier was referring to was the Leader of the Official Opposition's conduct outside of this House and her interaction with constituents and stakeholders and her practice, not just on one occasion, that she engages in actually quite frequently, of providing them with information that is not exactly reflective of what is happening or what the government is doing or what the government's intentions are and leading them to a conclusion which would definitely not be a correct one.

Mr. Speaker, the Premier did not make any comments about the statements of the Leader of the Official Opposition here in the Chamber, but she clearly was saying that when that member goes outside and deals with Albertans, she provides them with information so selective, so misleading that they end up drawing conclusions that are not reflective of what actually is happening in government or in the province, particularly in matters of, literally, life and death, as we're dealing with the flood and the remedies after the flood, restoring Albertans' lives to order.

What I will do, Mr. Speaker, because I know this member is working hard to earn his additional \$8,000, is withdraw on behalf of our Premier the word "deceitful" and replace it with "misleading."

**The Speaker:** Hon. members, let me cut this off here, please. I think we understand the intention that is being sought here.

Let me just take you back in the history of the proceedings today. It's best we have them. We did have a fairly testy exchange between the Leader of the Official Opposition and the Premier, and it did get personal, unfortunately, from both perspectives, in my view. Let me read you what occurred. The Leader of Her Majesty's Loyal Opposition stood at approximately 2:01 p.m. this afternoon and said:

Mr. Speaker, this Premier wasn't up to her knees in water sandbagging at her local hospital, this Premier wasn't going door to door in her neighbourhood rescuing pets, and this Premier did not have to talk to parents wondering why they were loaded up on school buses after a local emergency had been called into effect. This is my riding, these are my constituents, and this answer doesn't cut it. Albertans demand answers. To the Premier: answer the question. When will the government release the Alberta emergency plan?

At that point the Premier rose and said, "Mr. Speaker, that was a disgusting display." The Member for Airdrie then rose and said, "Point of order." The Premier started to go on and say, "There are people across southern Alberta..." Then I rose and interrupted the Premier and indicated that we should avoid any personal attacks in the questions and answers, please, and that I hesitated to interrupt and so on.

In that particular exchange at the time that the point of order was raised, the word "deceit" does not appear in the Blues. However, I do believe that I heard the word "deceit" or "deceiving" or

"deceitful" or something rooted in that word used either earlier or shortly thereafter, and I want to make a comment on that point if you'll indulge me for a moment.

The hon. Member for Lac La Biche-St. Paul-Two Hills is quite correct in having cited *Beauchesne's*, sixth edition, 489, where the word "deceive" and derivatives thereto are listed as having been ruled unparliamentary. However, if you flip over to *Beauchesne's* 490, the next page, it says that the word "deceive" has been ruled parliamentary. So it depends on tone, timbre, context, and so on, and I will review those Blues. However, suffice it to say that sufficient clarification has been made in that respect.

I want to comment, finally, on what it is that gives rise to these matters taking up so much of our time, frankly, ever since our 28th Legislature started, back in May or June of last year. I will cite for you, again, *House of Commons Procedure and Practice*, second edition, 2009. It's one of my favourite books, truly, because it lays out very clearly items such as the one before us. If you need a copy of this, please talk to your caucuses, get a copy, and refresh your memory on things like unparliamentary language, which is the subject of the point of order, as referenced on page 618. It says:

The proceedings of the House are based on a long-standing tradition of respect for the integrity of all Members. Thus, the use of offensive, provocative or threatening language in the House is strictly forbidden. Personal attacks, insults and obscenities are not in order.

It goes on, and I won't read all of it for you because I have done that for your pleasure on a few occasions before. But what it does do is that it sets up our own standing orders, Standing Order 23(h), (i), and (j), for example, wherein we say:

- (23) A Member will be called to order by the Speaker if, in the Speaker's opinion, that Member . . .
  - (h) makes allegations against another Member;
  - (i) imputes false or unavowed motives to another Member;
  - (j) uses abusive or insulting language of a nature likely to create disorder.

And it goes on.

3:20

The point of the exercise here, ladies and gentlemen, good, honest members, is that any time and every time you get personal in this House, you're going to have that kind of a reaction from someone. Whether it's from the government side to the opposition side or the opposition side to the government members' side, you're going to get it every time, which is why I have risen on numerous occasions to ask you to please elevate your debate, elevate your questions, elevate your answers to the highest level of decorum possible. Do not focus on personalities. Do not focus on persons per se. Focus on policy. Focus on issues. Focus on services. Focus on programs. That is what holding the government to account is all about. Hon. members on the government side, in responding, in retorting, try to observe the same respect in return.

I'll tell you what happens in this House, hon. members, every time. You get as good as you give and vice versa. If you're going to continue with this vein of personal shots one way and the other, I suspect you're going to continue to hear more from me in that respect, to the point where I'm not sure what we will accomplish at the end of the day on any given day. So please be reminded.

That's the clarification on that particular point. We've heard from both sides. We know what's intended. I hope you will take to heart the words I've just read to you again and again.

## Point of Order Clarification

**The Speaker:** Let us move on to a point of clarification. Before we hear what the matter is, I want to clarify something on my own, which might help. At approximately 2:21 p.m. this afternoon I stood again, and I said, "Hon. members, when I asked you to please keep your preambles little or nonexistent whatsoever, I should've clarified that brief retorts such as we just heard ahead of a supplementary are also a form of supplementary," and I meant to say, "are also a form of preamble."\* That was the clarification I wished to make. Then I go on and say: please, no questions; no interjections. Even as I was speaking those words, I confess that I was being interjected upon and lost my train of thought momentarily. I'll do what I can to try and maintain that train of thought better when we come back in a week and a half.

Thank you.

Hon. Member for Lac La Biche-St. Paul-Two Hills, you had a point of clarification as well.

**Mr. Saskiw:** Yes. Thank you, Mr. Speaker. I really do appreciate the withdrawal that the Deputy Premier put forward.

With respect to the clarification, the clarification is on preambles. I know that there is precedent in *Beauchesne's* that talks about the fact that supplemental questions often require no preambles, but I would suggest that if you look at other jurisdictions in this country, other provinces in Canada, preambles are often used. That quick retort is used. We have a time limit. It's 35 seconds. You know, we'd like to know whether the quick retort is allowed. It's seemingly allowed in other jurisdictions, all but Alberta.

**The Speaker:** Hon. members, does anyone from this side wish to entertain this as well?

Let me just make the clarification since it was addressed to me. It's a very good question. In fact, I discussed this matter with our table officers this morning, prior to coming in here. I've been doing my review, as I do every night, of how proceedings went, both in the afternoon and the evening. I always make notes. This won't make a lot of sense to you, but, as you can see, I do make notes of everything that you do, that you say, the interruptions you make, the comments I make, and then I review them at night. On many occasions I watch the full nine yards, as it were, on the replayed televised aspect.

I've noted a lot of things over the time. The local guideline that we have – it's not so much a rule, but it's a guideline – amongst the Government House Leader and deputy House leaders and the opposition House leaders and their deputies is to allow 35 seconds for a question, be it a main question or be it the two supplemental questions. Equally so, it's the guideline that ministers responding on behalf of the Crown have 35 seconds as well. But it also says very clearly that supplemental questions should not be preceded with a preamble. I mentioned these words, "should not," last year. I'll bet I mentioned them five, six, seven, eight, 10 times because "should not" is one of those grey areas.

Hon. Member for Lac La Biche-St. Paul-Two Hills, you make a very valid point, and I'm going to throw it back to the people who created the guideline to see if we can just tighten that up somehow so that it's more clearly enunciated and at the same time take a look at the 35-second rule. Today we left at least five or six members at the altar who had questions they would have liked to ask. If we could tighten up the questions and the answers, we could allow more members to get up. It's just pure mathematical sense.

Now, with respect to preambles I have two comments to make here. First of all, I did say very clearly on several occasions that after the first five question spots we ought not engage in any preambles to supplementaries so that more people could get up. That would be adhering to the rule of "should not." I'm perfectly willing to give the leeway, as I have done, to the first five question spots because there is a little cut and thrust that has to go on here, and sometimes opposition leaders wish to take that liberty, and frankly I would like to see that continued. I could just as easily short-circuit that as well, which I would like not to do.

With respect to retorts, this is the discussion I had with table officers this morning because I watched, I looked, and I recorded. I heard a retort from Chestermere-Rocky View today to his first supplementary, something to do with furniture. I heard retorts today from the Member for Calgary-Shaw in both his first and second ones. I'm sure I heard some over here as well from some of the government members, but typically government members don't do that kind of retorting because they're answering questions, at least the members of the Crown are. Nonetheless, the rules apply equally to all of you.

I bear no malice towards the names of constituent representatives that I just mentioned, but we do need to clarify whether or not we're going to allow these retorts. The Member for Lac La Biche-St. Paul-Two Hills is quite right. Different jurisdictions have different ways of doing this. You should also know that different jurisdictions don't have a 50-minute question period at all. Some have just several minutes of questions. That's all. They don't go on for nearly an hour, like we do. So there are things to weigh out on both sides of the equation. Nonetheless, the retorts: I would really appreciate it if you would please consider them to be a form of preamble and not use them. They just take up time, and then inevitably it baits someone into something. I understand the game. I fully understand the game in this House. There are games that sometimes get played, unfortunately, on both sides.

If we could just remember those points of admonition, I would really be grateful to you, and I'll bet you would be much better in your feelings as well.

Let us move on, then, to the point of privilege.

**Mr. Saskiw:** Thank you, Mr. Speaker. That's some fascinating reading you have at night.

## Privilege

### Obstructing a Member in Performance of Duty

**Mr. Saskiw:** Last week I stood in this Chamber on a point of privilege, which can be found on page 2528 of the *Alberta Hansard* from October 29, 2013. Today I stand on a similar point of privilege, where I submit that the government has acted in contempt of parliament and therefore has prevented me and my colleagues of the Legislative Assembly from properly doing our jobs.

Yesterday morning select reporters were given paper copies of a government of Alberta press release that detailed a cabinet decision to increase funding to postsecondary institutions by \$50 million. However, this press release was not publicly released. This matter deals with the physical production of a document, in this case a press release, whereas the matter on October 29 of this year dealt with the production of a sign in the PC Party blue and orange colours.

The Wildrose caucus automatically receives government announcements and press releases. However, no information or any press releases have been provided to the public or to members of the Legislature on the aforementioned topic. Once again, select

\*See page 2832, left column, paragraph 6

members of the press and select members of the Legislature, i.e. PC caucus members, were given access to a government-published document. Therefore, the government paid for a resource about matters which will have to be voted on in this Legislature when the government brings forward supplementary estimates.

In other words, this matter is exceptionally important as it deals with the public purse. We have a long-standing parliamentary tradition that matters such as these are completed in supplementary estimates. Members of the opposition parties still do not have any information about the new allocation of funds that some select reporters were told about and which Members of the Legislative Assembly only found out about during Oral Question Period. I did table a document here today, which I subsequently found through Twitter.

I'm making the argument that there's a *prima facie* case of contempt, to which I refer to O'Brien and Bosc, page 85, footnote 124, as precedent.

3:30

At about 2:15 p.m. during Oral Question Period the chief government whip, who is not a member of cabinet of the government of Alberta and, therefore, considered a backbencher, delivered a prepared softball question to the Deputy Premier about the seemingly secretive new \$50 million allocation of funds to postsecondary institutions. There was also a tweet with a picture of the press release that was distributed. This press release is currently not on a website and has not been publicly distributed, to my knowledge. The government obviously provided information to PC caucus members about this Treasury-approved \$50 million allocation even though all members of the Legislature need to have this information to be informed on the issue for both debates and votes on appropriations.

Preventing some members of the Legislature from having access to details of a cabinet decision that will need to be voted on in this Assembly by all members yet providing those details to some members of the press gallery challenges both the authority and dignity of this Legislature and its members, to paraphrase page 85 of O'Brien.

Mr. Speaker, to my knowledge there is no precedent for what I'm bringing up today. My argument is quite simple. If the government makes spending decisions and then makes a public announcement or sends out a press release or makes a ministerial statement, we as the opposition are okay with that because in those circumstances members of the Assembly would have the information needed to carry on their duties. Where we argue that the government has challenged the authority and dignity of this Legislature is where they selectively give information to journalists yet refuse to publish that information publicly and, therefore, deliberately keep members of this Legislature in the dark on matters that will need to be debated both inside and outside the Legislature and voted on in appropriations to supply votes. It has been 24 hours since the story broke on the issue and over 24 hours since the softball question was raised on the issue, yet no information has been communicated to this Legislature nor to the public.

Let's be clear. This is not a PC Party release; this is not a PC caucus release. It's a government of Alberta release. This information belongs to Albertans and to Members of the Legislative Assembly.

Again, there is no specific, direct precedent on this topic, to my knowledge. This is the first of its kind to happen in Canada in terms of selectively choosing certain media to release government of Alberta press releases. As such, I look to you, Mr. Speaker, in

your wisdom to make history and set parliamentary precedent on this topic.

Thank you for the opportunity to present on this point of privilege.

**The Speaker:** Hon. House leader for the Liberal opposition, do you wish to go next? I spotted you. Then we'll hear from the New Democrat caucus, and then we'll hear from the government.

**Ms Blakeman:** Thank you very much. I will rise to support the point of privilege that has been brought forward by my colleague in the Wildrose caucus. I think we are moving into new territory for you, Mr. Speaker, for all of us, in fact. What I have witnessed here over the last several months is – I'm unsure if it's an act of commission or an act of omission, but it is definitely a co-ordinated, incremental implementation of a strategy to keep opposition members in the dark, to provide information to other members of this House, to members of the media, to select stakeholders but to not provide that information to, specifically, opposition members in this House.

It's meant to leave opposition members in the dark, at a disadvantage. As we go into a media scrum, we have no idea that this has been announced, that people are aware of this but not us. It leaves us at a disadvantage, and I would argue that our privilege has been breached dealing with media, with stakeholders, with constituency calls, even in question period, Mr. Speaker.

I acknowledge that there is a difference between information that is circulated inside of caucuses for caucus deliberation and decision. This is not that kind of information, and this particular instance is a very good example of what we have arrived at. Now, this was an announcement of additional money, important additional money that went into this budget, reinstating almost a third of the money that was taken away from universities. That has been a very large conversation, the subject of many questions, members' statements, and debate in this House, so it's obviously an important subject. In that context, Mr. Speaker, to withhold specifically from members of the opposition the information that \$50 million had been added back into that is a breach of our privilege.

Now, Mr. Speaker, I looked hard to find something that could guide us in this. Of course, we have the usual citations around attacking the rights and powers and immunities of the House and anything that impedes or obstructs a member or an officer in the discharge of their duties. That, of course, is on page 82 of the House of Commons booklet. I looked to see if there was a specific exclusion as a contempt under those that are listed on page 83, and I can't find one.

The closest we get is "deliberately altering, suppressing, concealing or destroying a paper required to be produced for the House." Well, it wasn't a paper, but it was information, clearly. It could have been a paper that the government is required to bring, and most governments generally would bring that information forward earlier rather than later – it's not been the habit of this government – and that is a supplementary supply budget, in which that information of the additional money added back in would have been public information, would have been given to all members of the House at the same time when that bill was tabled. That has not been done.

On page 111, Mr. Speaker, it references in the second paragraph down that "It is impossible to codify all incidents which might be interpreted as matters of obstruction" – and I'm particularly underlining that word for you – "interference, molestation or intimidation and as such constitute *prima facie* cases of privilege." Then it goes on to talk about damaging the member's reputation,



which is certainly a possible outcome of what we've seen in that our constituents may think us not as good a representative because we weren't aware of that information and may have made mistakes in representing or asking a question that would make us appear foolish in the eyes of our constituents.

Again, I will point out to you, Mr. Speaker, that the situation has changed here. It has been an incremental co-ordinated program by the government's Public Affairs Bureau and their parliamentary secretaries, which are partisan and designed for producing a partisan spin on government activities. Now, instead of information coming to us as has been the long tradition, where media releases were sent to us, faxed to us, or e-mailed to us at the same time as they were made available to the media, to stakeholders, and to the public, that is no longer happening. We have had official faxes from the director in charge of this sort of thing telling us that opposition would no longer be receiving government press releases, us specifically. They would be sent to the media. They could be sent to stakeholders. They would not be sent to members of the opposition.

Now we have a situation where in order to get information that is readily available to others in this House, we now require opposition caucuses to engage in additional activity to find out the information, to search for the information. We have to go on Twitter. Well, that's not very good, actually, because do we know that that's an official Twitter? Do we know that it's real information?

Earlier this week or last week, Quill the dog had a Twitter account that was commenting on the jacket that I was wearing. Well, the member who owns the dog was very quick to point out that she had not authorized that. She was not the person speaking about it. A very quick and clear example of how someone else can put together a Twitter account and be proclaiming to speak for them. How do I know, when I read the Deputy Premier's Twitter, that it's really him giving me this information? I can't rely on it being him. I can't rely on the information being accurate, Mr. Speaker.

We used to be able to walk over and take it from the door. Maybe we have to do that now. But this is also not being released on websites. This particular bit of information was not on websites. Otherwise, we are now being required to take additional activity in searching through 26 websites of ministries to find information that is readily available to caucus members. That's additional activity that is taking away from the time that members of the opposition have to perform their duties. As the Speaker well knows, there are only so many minutes in a day.

3:40

So I would argue that there is a prima facie case of privilege that has been directed by this government by their direction to their staff in the Public Affairs Bureau and their parliamentary secretaries to deliberately, by commission or omission, withhold information from members of the opposition. That I believe, whether it's written in this particular House of Commons book or not. I will note, Mr. Speaker, that it also notes in here that we cannot – I think I read that part – codify all that is possible to be that. Sometimes we move into new territory, and I have never seen anything like this, nor have I heard of it from any other Assembly in the country, where the government is deliberately, consciously, strategically implementing a course of action that withholds public information and information necessary to do a good job as a member, deliberately withholding that information from members of a select group of people in here, and that group of people is the members of the opposition.

Thank you for the opportunity to speak to this.

**The Speaker:** The hon. Member for Edmonton-Calder on behalf of the New Democrat opposition.

**Mr. Eggen:** Well, thank you, Mr. Speaker. I appreciate the arguments that have been put forward by the Wildrose and Liberal representatives. This is also something that we have been speaking about in our New Democrat caucus over the last 24 hours as well. It led into what we believe is, first of all, a fairly good, I think, point of privilege and a prima facie case that has been brought forward. Also, just leading into that, I think we've seen a pattern of behaviour exhibited by the PC government in regard to information that is necessary for this Legislature to conduct its business in a reasonable manner, for the media to use to conduct their business, and for the public to be able to digest and understand what is going on here in the Legislature, too.

I say that specifically because we were quite surprised. The first moment that I sort of heard about this thing was when the Member for Edmonton-Riverview talked about it in a question about the \$50 million. Then we started to make inquiries about this to media. Some people did get information, and then some people didn't get information as well. This started to pull the string of this particular incident. We certainly did see evidence of this information on Twitter – people took photographs of this information – yet it wasn't being published through the regular channels. In order for us to argue logically and reasonably on this particular issue and on postsecondary education in general, we need to know this information. We were intending to do a certain set of questions on this, and we had to turn the ship right here, right in the middle of the thing because we didn't have that information.

I think all opposition colleagues, you know, are subscribing to a government service as well that is supposed to provide us with copies of all government press releases, but we're not getting all of the information from there. There were nine releases yesterday, but only five of them were e-mailed to opposition members, right? So there's this omission, that we find disturbing and troubling. As I said, this is part of a pattern of behaviour which has included the government cutting off the opposition from media releases as well. We've been managing to find them by hook or by crook, somehow, but that shouldn't necessarily be the way that things are done.

I don't want to see this omission of information escalate, Mr. Speaker, any further than what we've seen here today. I think that the hon. member from the Wildrose was quite right to try to pursue this as a point of privilege, and if you do look in the *House of Commons Procedure and Practice* book, as the Member for Edmonton-Centre pointed out, on page 111, obstruction is a fairly wide open thing, right? You can't necessarily codify all individual ways by which we can be obstructed from doing our job, so we should be able to add to that through precedent, I would venture to say, and we have an interesting opportunity to do that here today not just for this individual case of information not being presented to us but, as I say, to perhaps put a stop to a pattern of behaviour which is not giving us the information for us to do our job properly.

I mean, this doesn't seem fair. It certainly isn't reasonable. Certainly, the Alberta New Democrat government would not do this, you can be sure. Vaguely and instinctually, I think it's unparliamentary as well. We'll leave the actual decision for you, of course, sir, but I think that we have something here that we should put forward as opposition. It's reasonable, and I think it's in the interest of good governance and the smooth functioning of democracy.

Thank you.

**The Speaker:** The hon. Deputy Premier.

**Mr. Lukaszuk:** Well, thank you, Mr. Speaker. First of all, as a comment I have to tell you that it is unfortunate that members of the opposition, particularly the Wildrose, would have students and universities wait for supplementary estimates to happen in the Alberta Legislature for us to address some of the pressing financial issues stemming from increased enrolment. I'm sure that's not what our students would want. I'm sure that's not what Albertans would want.

Let's deal with the facts over here. Mr. Speaker, you said earlier that we often have issues in the House relative to decorum because some of the comments that are made are personal, and I would agree with you on that. But I would also strongly suggest to you that there is one more reason, and that is that it is abundantly obvious that a number of members of this House simply have not taken the time to learn what the rules of the House are and to learn what the role of this Chamber is vis-à-vis the role of the government and how those two interplay and what the tradition of the British parliamentary system is. I now hear that you're spending a great deal of time reading in the evening. Perhaps you can assign us homework for the week of the constituency break to brush up on the British parliamentary system and what the role of the legislative branch vis-à-vis the executive branch is.

Mr. Speaker, there is a reason why there is no precedent in *Beauchesne's* or our standing orders or, frankly, any other British parliamentary guideline, and the reason is because no parliamentarian worth his salt would ever rise in the House and raise a point of order or privilege on this matter. There is no abomination of parliamentary procedure or government procedure in what has happened with the release of the \$50 million for postsecondary institutions. As a matter of fact, you know, because you are a well-seasoned parliamentarian, that this is quite routine, and it happens in governments throughout the Commonwealth on a daily basis.

The fact is, Mr. Speaker, number one, that these expenditures are not approved by cabinet. They are approved by the Treasury Board, and that is a very distinct difference that the member of the Wildrose Alliance opposition should know. Government does not vote, and minutes of cabinet would be supportive of that. But what he should also know is that there will be supplementary estimates coming up before this legislative Chamber – and that is the role of the legislative Chamber – where the executive branch, being the government, will be asking the Legislature for some additional funds for unexpected expenditures that would have occurred from the time of the budget to the time of supplementary estimates.

3:50

Mr. Speaker, I find it also very interesting that the member of the Liberal opposition from Edmonton-Centre would find it so surprising, because she is also a well-seasoned parliamentarian. She and I sat in this Chamber on a number of occasions when government has acted without supplementary debate in the House and approved additional funding to individual ministries; for example, in the case of SARS, when the medical condition broke out, pine beetle devastation, forest fires, hail damage, and most recently the floods in Fort McMurray and in southern Alberta.

As a matter of fact, this government right now, predominantly through the Ministry of Municipal Affairs, is providing relief in a financial form in a variety of ways, yet we haven't dealt with the supplementary estimates on those expenditures. We will sometime in the future. I imagine, much like in the case of the \$50 million for this expenditure, members of the opposition would not want us to wait and sit in session and have a supplementary estimates debate, vote on those issues, and then provide relief in flood cases or others.

Well, in this case, Mr. Speaker, we did identify increased enrolment, like we often have in the Ministry of Health when usage increases because of an outbreak of a medical condition or whatnot, and government – government – in its executive role makes the decisions on internal reallocations of funds, addressing pressures that are unanticipated that arise, and releases dollars accordingly.

There is no precedent – obviously, there is no precedent – because this happens all the time, and that is exactly how the system is supposed to work. You would not want to have flood victims or forest fires or universities waiting until there is a scheduled session, which now may not happen for another few weeks or months perhaps – it could happen in the spring – for government to be able to make important day-to-day decisions.

Now, also, I find it very interesting, Mr. Speaker, that these members would lead you to believe that they are so hard-pressed and have no access to information. Well, that may be the case if they don't do the work that Albertans pay them to do. Frankly, particularly with the Wildrose Alliance, we have critics assigned, shadow ministers, who are supposed to follow everything that the minister does and all decisions that the minister makes.

It has become abundantly clear today to you, Mr. Speaker, in the line of questioning from my critic, that that obviously is not happening. But if the critic was to do his or her work, they would know that there was no press release on this particular matter. As a matter of fact, an information sheet was posted on the ministry's website. If that member was to do what taxpayers of Alberta pay him to do and showed up at his office first thing in the morning, turned on his or her computer, and looked at the website of the ministry that they are supposed to shadow, guess what would appear? An additional \$50 million will ensure more student success, with a breakdown of how much additional money every school will be getting, on the website of the ministry, on the ministry's official Twitter account.

It was not provided to some privileged reporters because, frankly, Mr. Speaker, unfortunately, reporters now have to do the job that they should be doing. They looked at our website, they found it, and they reported it, and so they should have. This theory of conspiracy simply doesn't quite add up.

Mr. Speaker, it is true that there was a time and place when there was a big wooden cabinet on the press office's door, and every morning someone from the ministry would physically put paper press releases and fact sheets into that door. I'm not sure if that shelf still exists on the second floor of the Legislature. However, unfortunately, I have to inform the opposition that time has moved on. Time has moved on. We no longer print first thing in the morning sheets of paper and don't actually put them into doors, but we post things on our websites. Every ministry in this government has an official website. If the shadow critic takes the time and looks at the website, they will have just the same information that every private member of government caucus has available to them.

Mr. Speaker, I have to tell you that these members are well funded. As a matter of fact, their research and their offices are funded better on a per-member basis than government members. Do your work, check the websites, and you will get that information. But, for God's sake, do not try to stop release of money that is badly needed right now in our postsecondary institutions.

Thank you.

**An Hon. Member:** Point of order, Mr. Speaker.

**The Speaker:** Hon. member, we're dealing with a point of privilege here. If you would just hold your point of order unless it's

something really pressing, I would give you another opportunity to speak.

Are there any others? If there are, they would have to be extremely brief. We've used about half an hour so far. Seeing none, all right. Well, an interesting scenario, as always. We started at 3:27, and I note that now it's nearly 3:57, so it's been a good exchange.

Let me begin by saying that the Member for Lac La Biche-St. Paul-Two Hills did meet the technical requirements subject to Standing Order 15(2), wherein he delivered to my office a copy of a letter, dated today, surrounding his wish to bring forward a point of privilege under Standing Order 15(2). The stamp from my office indicates that the letter was received in my office at 10:57 a.m. It reads as follows in the second paragraph:

I believe that as a result of the as yet unprovided information on \$50 million apparently allocated by Cabinet to post-secondary institutions that was shared with select media but still has not been shared with the general public or this House, the government deliberately prevented the Members of the Legislative Assembly from fulfilling their duty and as such breached the rights of the Members of the Legislative Assembly and thereby committed a contempt.

The letter has a little preamble to it in advance and a closing statement.

Nonetheless, I did listen very carefully to what the Member for Lac La Biche-St. Paul-Two Hills mentioned in his point of privilege surrounding a press release having been issued and that, in his opinion, it wasn't issued in a way that he thought served the public interest much less the interests of the members of this Assembly in an equal-weighted way. He went on to make other comments in that respect.

I want to make a comment in general. We all know that governments across the greater Commonwealth will make announcements. They will make policy statements, they will make program decisions and other announcements like that, and they will also make funding announcements such as the one we heard today, and they are well within their right to do that. That's what governments are elected to do. They can do it any time they wish provided that some of our conventions, rules, and authorities are observed.

We've had points of privilege in that regard, and I've already ruled on those. They tend to surround themselves with respect to bills that are on notice or perhaps haven't even been put on notice but where information has been leaked out in advance about a bill that the government is intending to bring forward and so on. We've covered that rather thoroughly, so I won't deal with that.

But the Member for Lac La Biche-St. Paul-Two Hills is also quite correct that there is no immediate precedent that one can turn to regarding announcements within the context that he provided, nor is there any great precedent with respect to, in his words, "select" members of the media having been provided information. I'll get to the Deputy Premier's comments about how that was handled in a moment. However, governments are at liberty to share their information in whatever way they wish. Opposition caucus members are also at liberty to do the same. You can provide information in any way you wish, again provided it's done within the rules and conventions that we are all expected to abide by in this House.

Now, the House leader for the Liberals indicated that, in her view, she felt there was some deliberate attempt to keep opposition members in the dark, words to that effect, or at a disadvantage. That, too, is part of how the ebb and flow of government works throughout the greater Commonwealth. I've read a lot about how other governments conduct themselves, and I've been to numerous conferences and conventions now where we've discussed these

very issues. There might be a feeling of disadvantage or of being kept in the dark by a government, but that's not necessarily a form of contempt. It is a *modus operandi* that a government might wish to use for whatever purposes it has in mind.

4:00

Governments are elected to govern. It's that simple. Those who do not form government have an equally important but very different role to play. Opposition members, you know that when you form an opposition in whatever number you might be, your job is to critique the government, hold its feet to the fire, as it were, on various decisions that they make, and you may comment from time to time on how they make them. But the roles that you have are to be respected on both sides.

Yes, I see a need for greater co-operation somewhere. I referenced that in a previous ruling on privilege, where I would hope that when a bill is decided and determined by the government and is put on notice by the government, there will be a sharing of information, a briefing, as it were – it could be technical; it could be otherwise – with the lead opposition critic. That, too, is a long-standing circumstance, and I would hope that it is happening, hon. members. If it isn't, then, clearly, you must form a way of communicating to see that it does happen where it is desirable for it to happen.

The way you perform the roles, though, is an important thing here to remember as well. In that respect whether stuff was on the website or not on the website, I'll comment on in a moment according to what one member said versus what another member said. But there must be some greater understanding that ought to be sought between government ministers and opposition critics. I think you all would agree with that. There will come a time when government ministers will need the co-operation, perhaps even the advice, of other members, be they from their own party or from other parties. That is a good spirit that also has a long-standing tradition in our parliamentary democracy.

Member for Edmonton-Calder, you went on to talk about select media as well and information that was on Twitter and something along that line and indicated that you may not be getting all the information you would like, and you feel you're being cut off and so on. Well, there's an easy remedy to that. I think you go as opposition critics to the government ministers and ask them to put you on their list for information seeking. Hopefully, they will abide. I can't command them to abide by that. I don't have a rule in that respect to turn to. But there would be a sense of fair play, hon. government ministers of the Crown, to do that. I would recommend that you consider how you might do that if one caucus feels they are being shortchanged in that respect. I don't think it's anyone's intention on either side of the House to purposely cut people out of the loop when they have just as much right to be here as the next person.

Let me turn to comments by the hon. Deputy Premier. You made a very valid comment when you said that members ought to know what the rules are. Yes, that is very true. You are all viewed as professionals in here. All of you. I don't know of any profession where anyone would go into it and not know the rules or the guidelines, albeit in our case we might have far more than perhaps other professions depending on which ones you might be comparing. But no one would go into professional hockey or professional golf, for example, or into a professional industry without knowing the very basic, basic rules. They would've done some homework in that respect. Our learning sometimes is on the spot and after the fact; nonetheless, it's learning just the same. I have provided numerous comments about issues that I wish you would all learn more about.

The Deputy Premier commented on his budgets and the process and supplementary estimates, cited floods and other disasters and medical outbreaks, and how governments will allocate and reallocate or, as is often the case, reprofile funding within their ministries. Perhaps they will find shortages in one area and overages in others, and they will transfer monies between different programs. That, too, is an important and integral part of how governments work. If you've not been in government ever, I wouldn't expect you to know that, but I would expect you to have seen it in action and in process.

Let me give you a case in point. We had one of the worst disasters in Alberta's history. I don't know how that got communicated verbatim, but I would imagine that the government simply made an announcement. Here is money that's needed for purpose X, purpose Y, and purpose Z, and everybody was grateful for it. At least that's the paper trail I have in my office to prove it. A similar thing could be applied here.

Information according to the Deputy Premier regarding the issue at hand was posted on a certain website and also on the ministry's "something" account, clear account or something along that line. A Twitter account. I didn't quite hear that. There were some interjections there. As such, in his view it was reported on only by those media who picked it up and chose to report on it. When anyone makes an announcement, whether it's government or opposition, we can't possibly imagine which media are going to pick it up and fly with it and call us for an interview or not. Some may choose to ignore it. Some may choose to report on it another day. We have no control over any of that, nor should we.

I want to take the Deputy Premier at his word that this information was posted in the manner he said, and I want to take the opposition critics at their word that they felt that they didn't get the information on a timely basis. I think the Deputy Premier has now clarified that a new system is in place, and maybe that's the big lesson here today. There is no big brown door down on the second floor or wherever it used to be where ministerial announcements or funding announcements or whatever used to get posted. They do it in a different way. Everyone is searching for that paperless world. In fact, I've had members in my office just in the last little while talking about how they wish there was less paper, not more: let's find it and print off what we want. So we'll take you all at your words in that regard.

As such, I personally don't think, given all the clarifications that have just been given, that there is a point of privilege here to be found. But I do find that there is always a purpose to these points of privilege when they're raised. They result in some greater clarity about process, about function, about role, could be about decorum. It could be about any of those things. At the end of the day it's mostly about co-operation. It's mostly about respect and understanding that we each have a role to play in here. We may not like how some of it gets played, but we have to respect each other's role in playing out their particular roles in that regard.

That will close that matter for today, with a request for what I've just said to please be pursued more aggressively by all members.

## Orders of the Day

### Government Bills and Orders Second Reading

#### Bill 34

#### Building New Petroleum Markets Act

**The Speaker:** The hon. Minister of Agriculture and Rural Development.

**Mr. Olson:** Thank you, Mr. Speaker. On behalf of the Minister of Energy today I rise to move second reading of the Building New Petroleum Markets Act.

Mr. Speaker, opening new markets for our energy products has been a focus of this government. Just as we're aware of our need to access markets, in the same way we must seek markets for our in-kind royalties so that we can get top dollar. That's the impetus behind this legislative change. These amendments will support APMC's increased strategic mandate to execute bitumen royalty in kind, or BRIK, and related policy goals, including enhancing market access and increasing value-added activity.

Those are my comments, Mr. Speaker, on second reading. I'd move that we adjourn debate at this time.

[Motion to adjourn debate carried]

#### Bill 37

#### Statutes Repeal Act

**The Speaker:** The hon. Minister of Agriculture and Rural Development.

**Mr. Olson:** Thank you again, Mr. Speaker. I'm pleased to rise on behalf of the Minister of Justice and Solicitor General to move second reading of Bill 37, the Statutes Repeal Act.

Bill 37 repeals 24 pieces of or provisions in obsolete or unnecessary legislation and establishes a mechanism for the automatic review and possible repeal of five-year-old unproclaimed legislation. The review and repeal mechanism this bill creates serves to promote the health of our legislative system by removing legislation still unproclaimed for five years or longer. Routinely reviewing and eliminating legislation sitting unproclaimed will ensure that Albertans have a clear understanding of the laws they are subject to.

It's important to note that this automatic process includes safeguards to prevent the repeal of legislation if warranted. These safeguards include an initial transition period, providing ministries time to review legislation set to be repealed and make a case for not repealing it if necessary. A clause is also included to provide our Legislature the opportunity to stop a potential repeal by adopting a resolution that the act or provision in question not be repealed. A review and repeal process, including these safeguards, will serve to strengthen our existing democratic processes. It draws legislators' attention to laws sitting unproclaimed and forces us to assess whether they should be repealed or proclaimed.

4:10

Several ministries have identified obsolete or unnecessary unproclaimed legislation for repeal in this bill. Those ministries are: Treasury Board and Finance, Agriculture and Rural Development, Health, Aboriginal Relations, Municipal Affairs, Human Services, Service Alberta, and Justice and Solicitor General. There are a variety of reasons for repeal of these pieces of legislation. Some legislation is no longer of any use to Albertans in the present day or is redundant. Each piece of legislation proposed for repeal has been subject to strenuous review, ensuring that Albertans will not suffer any discontinuation of required protections or a loss of enjoyed benefits. Mr. Speaker, each ministry with legislation set to be repealed by this bill has provided their reasoning for doing so, and I'm sure that will come out in the debates.

In the interest of time I'm going to skip to my concluding comments.

Mr. Speaker, both the repeal of obsolete and unnecessary legislation and the institution of an automatic review and repeal process for five-year-old unproclaimed legislation are integral to

the effectiveness of our legislative system. These changes will give Albertans a clearer understanding of the legislation governing them by reducing red tape and helping to eliminate legislative confusion and duplication. We owe it to Albertans to take these steps to maintain the body of legislation governing them and ensure that all of the provincial laws on the books make sense.

Thank you, Mr. Speaker. I now move that we adjourn debate on Bill 37.

[Motion to adjourn debate carried]

### **Bill 39 Enhancing Consumer Protection in Auto Insurance Act**

**The Speaker:** The hon. President of Treasury Board and Minister of Finance.

**Mr. Horner:** Well, thank you, Mr. Speaker. I'm pleased to rise today to move second reading of Bill 39, Enhancing Consumer Protection in Auto Insurance Act.

It has been nearly a decade since our government made major reforms to Alberta's auto insurance system, and in that time it has served Albertans well. We've heard from motorists, insurance companies, health care professionals, and others working in the system that our auto insurance system runs smoothly and continues to uphold the principles on which it was built.

Affordability for Albertans, accessibility to timely and appropriate care after being injured in a collision, and fairness in the system: these are some of the principles that we strive for. While it has been functioning very well, we are always looking for ways to improve on the way we deliver services to Albertans. To that end, my ministry is reviewing four major components of our auto insurance industry. This fall we will address two of these components.

The first is the diagnostic treatment and protocols regulation which will be updated through the normal regulatory process through cabinet. Based on the evidence provided to us by a clinical working group made up of medical doctors, chiropractors, and physical therapists, we will be modernizing some of the clinical definitions listed under the regulation. This includes, for example, adopting an improved definition of "spine," and clarifying whiplash associated disorder injuries to include cervical and lumbar regions of the body, among others.

The second regulation we are updating this fall is the automobile insurance premiums regulation. The changes we've proposed to this regulation will require some changes to the Insurance Act. Bill 39, Enhancing Consumer Protection in Auto Insurance Act, outlines the changes necessary to the Insurance Act to carry out these changes.

So what changes are we proposing? Well, Mr. Speaker, to understand the changes we have proposed, we first need to understand a few things about our current automobile insurance system. The vast majority of Albertans, about 80 per cent, carry both basic mandatory auto insurance and additional coverage such as collision and comprehensive. Currently we have a process in place which allows the arm's-length Automobile Insurance Rate Board to regulate the mandatory portion of auto insurance rates. This causes a great deal of confusion for Albertans as most people are not aware that their auto insurance premiums are made up of both the mandatory rate, which is regulated, and the additional rate, which is not.

We've heard from Albertans that they want increased oversight on this rate-setting process. A survey of Albertans conducted by the Automobile Insurance Rate Board's consumer representative

found that 74 per cent of people thought it was important for the government to regulate premiums for the additional coverage. This is consistent with what we as government have heard as well.

Albertans have spoken, and we've listened. The changes we make to the Insurance Act will give the Automobile Insurance Rate Board the responsibility to regulate not only basic rates but also additional auto insurance rates. This will provide the additional oversight that Albertans have asked for.

We are also moving away from the current practice of holding an annual industry-wide adjustment process. Instead, insurance companies will be able to directly apply for their adjustments to their insurance premiums on a company-by-company basis. This allows the system to be more responsive. Currently the industry-wide adjustment process sets the basic rate in a one-size-fits-all scenario. By moving to this file-and-approve system, companies will be able to apply on an as-needed basis for any rate changes. This will increase the competitiveness of the auto insurance system in Alberta and may mean more choice for consumers.

While reviewing our auto insurance system, we found other ways in which we can strengthen the Insurance Act to better protect consumers. We are toughening up the language to ensure that not only provincial and extraprovincial companies meet basic capital requirements but also federally authorized companies, ensuring solvency. We are making sure that the regulator of insurance companies knows the particulars of compliance undertakings issued in other provinces, thus increasing awareness of insurer conduct. We're making changes to ensure that once life insurance or accident and sickness insurance proceeds are paid to a creditor, the remaining proceeds may then be payable also to a person jointly liable for the debt. We're replacing book value with market value, taking into account the actual value of companies in regulating their solvency rather than book value, which often does not represent the value today of a company.

These are, Mr. Speaker, just a few of the changes we're making to ensure a stronger and more robust auto insurance system in Alberta. Having worked closely with the clinical working group, insurance companies, the Automobile Insurance Rate Board, and many others over the past two years, we are confident that the changes we are making strike the right balance between consumer rights and fairness in our system.

Alain Thibault, the CEO of the Canadian Association of Direct Relationship Insurers, says, and I quote: our members support changes to the Insurance Act that will benefit consumers and insurers through increased competition and choice in the marketplace. End of quote.

Bill Adams, vice-president, western and Pacific region, Insurance Bureau of Canada, had this to say:

We support government's commitment to a stable auto insurance system for Alberta drivers. Bill 39 modernizes the insurance rate filing system, creates a more competitive marketplace and enhances consumer protection.

Our friends in the medical professions also support these changes. Dr. Larry Ohlhauser, senior medical adviser to the superintendent of insurance and co-chair of the clinical review working group, said:

Our committee is very pleased to see the government making changes based on our recommendations for improvements to the system. The changes we've proposed will allow medical professionals to spend less time on bureaucracy and more time tending to the needs of Albertans injured in collisions.

In conclusion, Bill 39 will truly do as its name suggests, Mr. Speaker. It will enhance consumer protection in auto insurance while at the same time enhance the efficiency of the system and provide more clarity to health care professionals working in the

system. I recommend and ask all members of the Legislature to support this bill.

Thank you, Mr. Speaker. I now move to adjourn debate on Bill 39.

[Motion to adjourn debate carried]

## Government Motions

### Committee Membership Change

42. Mr. Campbell moved:

Be it resolved that the following change to the Standing Committee on Privileges and Elections, Standing Orders and Printing be approved: that Mr. Quadri replace Mrs. Fritz.

**The Speaker:** Hon. members, this is not a debatable motion under SO 52(3).

[Government Motion 42 carried]

## Government Bills and Orders

### Third Reading

4:20

#### Bill 31

#### Protecting Alberta's Environment Act

[Adjourned debate November 6: Mr. Denis]

**The Speaker:** Hon. Member for Edmonton-Centre, I see you on your feet. Please proceed.

**Ms Blakeman:** Okay. Thanks very much, Mr. Speaker. I'm rising today to speak in third reading to Bill 31, Protecting Alberta's Environment Act. Now, as the Speaker well knows, the debate in third reading is meant to be on the anticipated effect of the bill. I've gone through all of the many amendments that were proposed, none of which were accepted, in my memory. Nope, not a one. That tells me that one of the effects of the bill is that the government has no desire or interest in working with people around this bill. It's pretty much dictatorial, and that's the end of it, pretty much what I've come to expect. Nonetheless, I live in hope. So I went through the bill again and said: okay; well, if it goes as it was written, what can we anticipate happening?

I think one of the really clear reactions that I'm already seeing is a further embedding of the lack of credibility that the government has. You know, there was lots of time and money that was spent on this, and many people and organizations in Alberta and outside of Alberta say: why was the time and money spent on this and not spent on reducing greenhouse gases or conserving water, two equally valid and important things?

The government makes the argument: well, it has to monitor. Okay. That's not actually what this agency is going to do. It's going to monitor the monitors. Okay? Not the same activity at all, but we will hope that that will give us some sort of information. Unfortunately, the government was not willing to consider any timelines as part of this, so we have no expectations at all – and the minister was not willing to consider any – for when a number of the bits of information that are in the act would be done.

For example, we have the reporting of the annual report, one presumes, at a frequency determined by the agency in consultation with the minister. Well, that could be every five years. It could be every 10 years. It could be every 20 years. There's no willingness on the part of the government to entertain any kind of a regular schedule in reporting any of this information. They backed away from that totally, weren't interested in doing that at all.

The other place we saw it was in sections like section 3(1)(b): "to ensure the data and . . . information are available and reported to the public in an open and transparent manner." Again, no timelines. Well, great. Open and transparent? When? It could be never, and they would still be adhering to the letter of the legislation. So, again, total non co-operation from the government.

We also have 3(2)(c): "report on the status and trends related to the condition." Nothing. Not a word about timelines: not annually, not quarterly, nothing, not on a month. "Make environmental monitoring data and related evaluations and assessments publicly available": absolutely no timelines.

Essentially, they don't have to do it. It's in the legislation, but without timelines on this there's nothing to hold them to it. They could publish this once every 20 years. I don't think that's very useful for a monitoring agency, but that is the leeway that the government has given itself. When it does that kind of thing, Mr. Speaker, it usually does it because it needs it, so I'm expecting no reports at all.

We also have a board of directors that does not stipulate inclusion of people but does talk about exclusion of people. They were unwilling to accept a recommendation, several of them, actually, for amendments that would include aboriginal communities, that would include landowners, that would include NGO environment groups. No, no, no: that was the answer there. Okay. Well, who is going to be on this agency? Well, the minister promises that she'll have a criterion and that it'll be good and vigorous and muscular and all those things. Yeah? No, I don't think so because nothing in the legislation holds her or her successors to that. If she changes her mind, if her successors change their minds – and, believe me, I've seen that happen – there's nothing to hold them to it. Kind of empty promises on that one, too.

They do make sure that they exclude anyone who's ever had the status of a bankrupt in Canada. Really interesting. Now, why would you choose that? It really targets a specific socioeconomic group. So you were a bankrupt. So what? Lots of people were and are leading upstanding lives nowadays. Why that in particular? No explanation. We don't know. They just don't like people that were bankrupts, I guess, which is a pretty interesting exclusion of a particular sector of the population.

Oh, Mr. Speaker, there's a timeline that we can put in the legislation: anyone who in the immediately preceding five years has been convicted of an indictable offence. Proof positive that they can put a deadline in the legislation. They just don't want to put one in there for anything they're going to do.

As I move along and look at what other effects we can be looking at, we've also got this strange stuff about borrowing money. The agency will be able to borrow money – very odd – and they can acquire real property. Again, no explanation for why. Then you get into this really interesting one about subsidiaries in section 17. Huh? What's that about? They can borrow money, they can have a credit card, they can have real property, and they can have subsidiaries. No explanation for that, Mr. Speaker. Very interesting what we could be doing here and how much money we could be giving to well-regarded friends.

Of course, I got quite a bit of media on my "seven ballerinas and an engineer," but this was, to me, one of the biggest disappointments in this legislation. There was an absolute refusal to put in the legislation that people that are appointed to the science advisory panel would be required to have some environmental science background. None of it, not one word, references that. So I shall go on assuming that seven ballerinas and an engineer can indeed be appointed and probably will be appointed to this board, which, of course, is not a slight in any way to ballerinas or engineers, both of which are very honoured professions. I know they

will do their work well, and they will try and accomplish whatever they're doing on the science advisory council well. My best wishes to the ballerinas and the engineer because there won't be any scientists on the board.

Again, we have the minister promising: well, no, no, no; I'll make sure that these are good scientists. Uh-huh. There's nothing in the legislation; they wouldn't even consider it.

Also, the indemnification section was never explained, and I find that very strange because it's more than you would usually see in the legislation.

Finally, the conflict-of-interest section. This government has got to come to terms with this. Saying to an agency, "You go off there and just write yourself whatever conflict-of-interest legislation you want there, dear" is just not going to do it. Of course, people write legislation that enables them to do whatever the heck they wanted to do in the first place. Do we trust these people that have now been given \$50 million of industry money? According to what the minister and the minister's staff told me, they were also going to transfer the money that is listed in the budget as environmental monitoring money, which in this particular fiscal year is \$51,272,000. So we have a budget of over a hundred million dollars annually being given to people that can write their

own conflict of interest with no limitations or expectations whatsoever. Well, we know what can happen there.

I had brought forward an amendment that asked that there would be a prohibition against lobbying for anything that would enrich someone's personal interest or private interest, including family members, that there be an expectation of disclosure, and that there be an expectation of a cooling-off period. Nope. They say: no, no, no. Okey-dokey. Well, obviously, maybe the government is not quite as interested in this legislation as I thought maybe they would be. I thought they'd take it seriously. Clearly, they're not going to.

Thank you very much, Mr. Speaker.

**The Speaker:** Thank you, hon. member. I'm sure everybody was very much enjoying your comments.

However, it is 4:30 p.m., and therefore pursuant to standing orders 3(5) and 4(2) the Assembly shall stand adjourned until Monday, November 18, 2013.

Enjoy your time catching up on your work in your constituencies, and we'll see you here in 10 or 11 days' time.

[The Assembly adjourned at 4:30 p.m. to Monday, November 18, at 1:30 p.m.]





## **Bill Status Report for the 28th Legislature - 1st Session (2012-2013)**

**Activity to November 07, 2013**

The Bill sponsor's name is in brackets following the Bill title. If it is a money Bill, (\$) will appear between the title and the sponsor's name. Numbers following each Reading refer to Hansard pages where the text of debates is found; dates for each Reading are in brackets following the page numbers. Bills numbered 1 to 199 are Government Bills. Bills numbered 200 or higher are Private Members' Public Bills. Bills numbered with a "Pr" prefix are Private Bills.

\*An asterisk beside a Bill number indicates an amendment was passed to that Bill; the Committee line shows the precise date of the amendment.

The date a Bill comes into force is indicated in square brackets after the date of Royal Assent. If a Bill comes into force "on proclamation," "with exceptions," or "on various dates," please contact Legislative Counsel, Alberta Justice, for details at (780) 427-2217. The chapter number assigned to the Bill is entered immediately following the date the Bill comes into force. SA indicates Statutes of Alberta; this is followed by the year in which it is included in the statutes, and its chapter number. Please note, Private Bills are not assigned chapter numbers until the conclusion of the Fall Sitzings.

### **1\* Workers' Compensation Amendment Act, 2012 (Redford)**

First Reading -- 8 (May 24, 2012 aft., passed)

Second Reading -- 177 (Oct. 23, 2012 eve.), 193-96 (Oct. 23, 2012 eve.), 233 (Oct. 24, 2012 eve., passed)

Committee of the Whole -- 336-39 (Oct. 29, 2012 eve.), 354-71 (Oct. 30, 2012 aft.), 373-80 (Oct. 30, 2012 eve., passed with amendments)

Third Reading -- 476-84 (Nov. 1, 2012 aft., passed on division)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force December 10, 2012; SA 2012 c8]

### **2\* Responsible Energy Development Act (Hughes)**

First Reading -- 207 (Oct. 24, 2012 aft., passed)

Second Reading -- 263 (Oct. 25, 2012 aft.), 424-43 (Oct. 31, 2012 aft.), 445-57 (Oct. 31, 2012 eve.), 526-46 (Nov. 5, 2012 eve., passed)

Committee of the Whole -- 563-71 (Nov. 6, 2012 aft.), 593 (Nov. 6, 2012 eve.), 644-48 (Nov. 7, 2012 aft.), 649-69 (Nov. 7, 2012 eve.), 731-53 (Nov. 19, 2012 eve.), 777-94 (Nov. 20, 2012 aft.), 795-853 (Nov. 20, 2012 eve.), 902-05 (Nov. 20, 2012 eve., passed on division, with amendments)

Third Reading -- 921-41 (Nov. 21, 2012 aft., passed on division)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on proclamation, with exceptions; SA 2012 cR-17.3]

### **3\* Education Act (J. Johnson)**

First Reading -- 155 (Oct. 23, 2012 aft., passed)

Second Reading -- 219-31 (Oct. 24, 2012 aft.), 238 (Oct. 24, 2012 eve., passed)

Committee of the Whole -- 380-407 (Oct. 30, 2012 eve., passed with amendments)

Third Reading -- 669 (Nov. 7, 2012 eve.), 688-94 (Nov. 8, 2012 aft.), 753-63 (Nov. 19, 2012 eve., passed on division)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on proclamation; SA 2012 cE-0.3]

### **4 Public Interest Disclosure (Whistleblower Protection) Act (Scott)**

First Reading -- 352-53 (Oct. 30, 2012 aft., passed)

Second Reading -- 423-24 (Oct. 31, 2012 aft.), 593-614 (Nov. 6, 2012 eve.), 627-44 (Nov. 7, 2012 aft., passed on division)

Committee of the Whole -- 975-80 (Nov. 22, 2012 aft.), 1057-74 (Nov. 27, 2012 aft.), 1075-101 (Nov. 27, 2012 eve.), 1127-137 (Nov. 28, 2012 aft.), 1139-161 (Nov. 28, 2012 eve., passed)

Third Reading -- 1161-166 (Nov. 28, 2012 eve., passed on division)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on proclamation; SA 2012 cP-39.5]

### **5 New Home Buyer Protection Act (Griffiths)**

First Reading -- 261 (Oct. 25, 2012 aft., passed)

Second Reading -- 354 (Oct. 30, 2012 aft.), 457-59 (Oct. 31, 2012 eve., passed)

Committee of the Whole -- 546-49 (Nov. 5, 2012 eve.), 571-83 (Nov. 6, 2012 aft.), 585-93 (Nov. 6, 2012 eve., passed)

Third Reading -- 853-55 (Nov. 20, 2012 eve., passed)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on proclamation; SA 2012 cN-3.2]

### **6 Protection and Compliance Statutes Amendment Act, 2012 (Jeneroux)**

First Reading -- 155 (Oct. 23, 2012 aft., passed)

Second Reading -- 209 (Oct. 24, 2012 aft.), 264 (Oct. 25, 2012 aft., passed)

Committee of the Whole -- 459-62 (Oct. 31, 2012 eve., passed)

Third Reading -- 855-56 (Nov. 20, 2012 eve., passed)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on various dates; SA 2012 c7]

- 7\* Election Accountability Amendment Act, 2012 (Denis)**  
First Reading -- 774 (Nov. 20, 2012 aft., passed)  
Second Reading -- 972-75 (Nov. 22, 2012 aft.), 1015-41 (Nov. 26, 2012 eve., passed)  
Committee of the Whole -- 1166-167 (Nov. 28, 2012 eve.), 1191-92 (Nov. 29, 2012 aft.), 1221-43 (Dec. 3, 2012 eve.), 1261-79 (Dec. 4, 2012 aft.), 1281-1300 (Dec. 4, 2012 eve., passed, with amendments)  
Third Reading -- 1315-37 (Dec. 5, 2012 aft., passed on division)  
Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on various dates; SA 2012 c5]
- 8 Electric Utilities Amendment Act, 2012 (Hughes)**  
First Reading -- 156 (Oct. 23, 2012 aft., passed)  
Second Reading -- 233 (Oct. 24, 2012 eve.), 316-36 (Oct. 29, 2012 eve., passed)  
Committee of the Whole -- 857-902 (Nov. 20, 2012 eve.), 943-53 (Nov. 21, 2012 eve., passed)  
Third Reading -- 953-56 (Nov. 21, 2012 eve., passed)  
Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force December 10, 2012; SA 2012 c6]
- 9 Alberta Corporate Tax Amendment Act, 2012 (\$) (Horner)**  
First Reading -- 156 (Oct. 23, 2012 aft., passed)  
Second Reading -- 209-10 (Oct. 24, 2012 aft.), 272 (Oct. 25, 2012 aft.), 311-16 (Oct. 29, 2012 eve., passed)  
Committee of the Whole -- 462 (Oct. 31, 2012 eve., passed)  
Third Reading -- 856-57 (Nov. 20, 2012 eve., passed)  
Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on various dates, SA 2012 c4]
- 10 Employment Pension Plans Act (Kennedy-Glans)**  
First Reading -- 261 (Oct. 25, 2012 aft., passed)  
Second Reading -- 521-26 (Nov. 5, 2012 eve., passed)  
Committee of the Whole -- 668-69 (Nov. 7, 2012 eve., passed)  
Third Reading -- 857 (Nov. 20, 2012 eve., passed)  
Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on proclamation; SA 2012 cE-8.1]
- 11 Appropriation (Supplementary Supply) Act, 2013 (\$) (Horner)**  
First Reading -- 1424 (Mar. 6, 2013 aft., passed)  
Second Reading -- 1480-86 (Mar. 11, 2013 eve., passed)  
Committee of the Whole -- 1534-41 (Mar. 12, 2013 eve., passed)  
Third Reading -- 1583 (Mar. 13, 2013 aft.), 1559-60 (Mar. 13, 2013 eve., passed)  
Royal Assent -- (Mar. 21, 2013 outside of House sitting) [Comes into force March 21, 2013; SA 2013 c2]
- 12 Fiscal Management Act (\$) (Horner)**  
First Reading -- 1438 (Mar. 7, 2013 aft., passed)  
Second Reading -- 1479-80 (Mar. 11, 2013 eve.), 1560-78 (Mar. 13, 2013 aft.), 1579-83 (Mar. 13, 2013 eve.), 1785-90 (Apr. 11, 2013 aft.), 1877-85 (Apr. 18, 2013 aft., passed)  
Committee of the Whole -- 1967-78 (Apr. 23, 2013 eve.), 1981-86 (Apr. 23, 2013 eve., passed), 2007-15 (Apr. 24, 2013 aft.)  
Third Reading -- 2027-35 (Apr. 24, 2013 eve., passed on division)  
Royal Assent -- (Apr. 29, 2013 outside of House sitting) [Comes into force April 29, 2013; SA 2013 cF-14.5]
- 13 Appropriation (Interim Supply) Act, 2013 (\$) (Horner)**  
First Reading -- 1456 (Mar. 11, 2013 aft., passed)  
Second Reading -- 1527-34 (Mar. 12, 2013 eve.), 1556 (Mar. 13, 2013 aft., passed)  
Committee of the Whole -- 1583 (Mar. 13, 2013 eve., passed)  
Third Reading -- 1695-1700 (Mar. 21, 2013 aft.), 1695-1700 (Mar. 21, 2013 aft., passed)  
Royal Assent -- (Mar. 21, 2013 outside of House sitting) [Comes into force March 21, 2013; SA 2013 c1]
- 14 RCMP Health Coverage Statutes Amendment Act, 2013 (VanderBurg)**  
First Reading -- 1690 (Mar. 21, 2013 aft., passed)  
Second Reading -- 1875 (Apr. 18, 2013 aft.), 1925-27 (Apr. 22, 2013 eve., passed)  
Committee of the Whole -- 1966-67 (Apr. 23, 2013 eve., passed)  
Third Reading -- 1986 (Apr. 23, 2013 eve., passed)  
Royal Assent -- (Apr. 29, 2013 outside of House sitting) [Comes into force April 1, 2013; SA 2013 c4]
- 15 Emergency 911 Act (\$) (Weadick)**  
First Reading -- 1762 (Apr. 10, 2013 aft., passed)  
Second Reading -- 1875-76 (Apr. 18, 2013 aft.), 1953-58 (Apr. 23, 2013 aft., passed)  
Committee of the Whole -- 2040 (Apr. 24, 2013 eve., passed)  
Third Reading -- 2130-31 (May 6, 2013 eve., passed)  
Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force on proclamation; SA 2013 cE-7.5]

**16 Victims Statutes Amendment Act, 2013 (\$) (Denis)**

First Reading -- 1762-63 (Apr. 10, 2013 aft., passed)

Second Reading -- 1958-61 (Apr. 23, 2013 aft.), 1963-67 (Apr. 23, 2013 eve., passed)

Committee of the Whole -- 2040 (Apr. 24, 2013 eve., passed)

Third Reading -- 2063-65 (Apr. 25, 2013 aft., passed)

Royal Assent -- (Apr. 29, 2013 outside of House sitting) [Comes into force on proclamation; SA 2013 c5]

**17 Municipal Government Amendment Act, 2013 (Kubinec)**

First Reading -- 1779 (Apr. 11, 2013 aft., passed)

Second Reading -- 2123-25 (May 6, 2013 eve., passed)

Committee of the Whole -- 2161-64 (May 7, 2013 aft.), 2172-76 (May 7, 2013 eve., passed)

Third Reading -- 2176 (May 7, 2013 eve., passed)

Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force May 27, 2013; SA 2013 c9]

**18 Pooled Registered Pension Plans Act (Fawcett)**

First Reading -- 1873 (Apr. 18, 2013 aft., passed)

Second Reading -- 2125-30 (May 6, 2013 eve., passed)

Committee of the Whole -- 2151-57 (May 7, 2013 aft., passed)

Third Reading -- 2169-71 (May 7, 2013 eve., passed)

Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force on proclamation; SA 2013 cP-18.5]

**19 Metis Settlements Amendment Act, 2013 (Campbell)**

First Reading -- 1803 (Apr. 15, 2013 aft., passed)

Second Reading -- 1876-77 (Apr. 18, 2013 aft.), 2021-27 (Apr. 24, 2013 eve., passed)

Committee of the Whole -- 2101-23 (May 6, 2013 eve., passed)

Third Reading -- 2131-32 (May 6, 2013 eve., passed)

Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force May 27, 2013; SA 2013 c8]

**20 Appropriation Act, 2013 (\$) (Horner)**

First Reading -- 1925 (Apr. 22, 2013 eve., passed)

Second Reading -- 1943-52 (Apr. 23, 2013 aft.), 1978-81 (Apr. 23, 2013 eve., passed)

Committee of the Whole -- 2015-19 (Apr. 24, 2013 aft.), 2035-39 (Apr. 24, 2013 eve., passed)

Third Reading -- 2057-63 (Apr. 25, 2013 aft., passed)

Royal Assent -- (Apr. 29, 2013 outside of House sitting) [Comes into force April 29, 2013; SA 2013 c3]

**21 Environmental Protection and Enhancement Amendment Act, 2013 (Jansen)**

First Reading -- 2055 (Apr. 25, 2013 aft., passed)

Second Reading -- 2123 (May 6, 2013 eve.), 2157-61 (May 7, 2013 aft., passed)

Committee of the Whole -- 2165-68 (May 7, 2013 eve., passed)

Third Reading -- 2229-34 (May 8, 2013 eve.), 2238-55 (May 8, 2013 eve., passed)

Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force on proclamation; SA 2013 c7]

**22 Aboriginal Consultation Levy Act (\$) (Campbell)**

First Reading -- 2191-92 (May 8, 2013 aft., passed)

Second Reading -- 2275-83 (May 9, 2013 aft.), 2321-342 (May 13, 2013 eve., passed)

Committee of the Whole -- 2413-442 (May 14, 2013 eve., passed)

Third Reading -- 2468-478 (May 15, 2013 aft., passed)

Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force on proclamation; SA 2013; cA-1.2]

**23 Tax Statutes Amendment Act, 2013 (Horner)**

First Reading -- 2080 (May 6, 2013 aft., passed)

Second Reading -- 2150 (May 7, 2013 aft.), 2165 (May 7, 2013 eve., passed)

Committee of the Whole -- 2168 (May 7, 2013 eve., passed)

Third Reading -- 2172 (May 7, 2013 eve., passed)

Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force May 27, 2013, with exceptions; SA 2013 c11]

**24 Statutes Amendment Act, 2013 (Bhullar)**

First Reading -- 2080 (May 6, 2013 aft., passed)

Second Reading -- 2150-51 (May 7, 2013 aft.), 2171-72 (May 7, 2013 eve.), 2157-61 (May 7, 2013 eve.), 2234-38 (May 8, 2013 eve., passed)

Committee of the Whole -- 2255-58 (May 8, 2013 eve., passed)

Third Reading -- 2273-75 (May 9, 2013 aft., passed)

Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force May 27, 2013, with exceptions; SA 2013 c10]

- 25\* Children First Act (\$) (Hancock)**  
First Reading -- 2145 (May 7, 2013 aft., passed)  
Second Reading -- 2194-2212 (May 8, 2013 aft.), 2213-29 (May 8, 2013 eve., passed on division)  
Committee of the Whole -- 2342-375 (May 13, 2013 eve, passed with amendments)  
Third Reading -- 2408-410 (May 14, 2013 aft., passed)  
Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force on proclamation; SA 2013 cC-12.5]
- 26 Assurance for Students Act (J. Johnson)**  
First Reading -- 2394 (May 14, 2013 aft., passed)  
Second Reading -- 2403-408 (May 14, 2013 aft., passed)  
Committee of the Whole -- 2442-444 (May 14, 2013 eve., passed)  
Third Reading -- 2464-468 (May 15, 2013 aft., passed)  
Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force May 27, 2013; SA 2013 cA-44.8]
- 27 Flood Recovery and Reconstruction Act (Griffiths)**  
First Reading -- 2495 (Oct. 28, 2013 aft., passed)  
Second Reading -- 2549-50 (Oct. 29, 2013 eve.), 2584-94 (Oct. 30, 2013 aft.), 2706-14 (Nov. 4, 2013 eve., passed)  
Committee of the Whole -- 2732-44 (Nov. 5, 2013 aft.), 2749-71 (Nov. 5, 2013 eve.), 2796-808 (Nov. 6, 2013 aft.), 2809-19 (Nov. 6, 2013 eve., passed)
- 28 Modernizing Regional Governance Act (Griffiths)**  
First Reading -- 2495 (Oct. 28, 2013 aft., passed)  
Second Reading -- 2550 (Oct. 29, 2013 eve.), 2594-601 (Oct. 30, 2013 aft.), 2603-641 (Oct. 30, 2013 eve., passed)
- 29 Pharmacy and Drug Amendment Act, 2013 (Horne)**  
First Reading -- 2495-6 (Oct. 28, 2013 aft., passed)  
Second Reading -- 2534 (Oct. 29, 2013 aft.), 2550-60 (Oct. 29, 2013 eve., passed)  
Committee of the Whole -- 2705-6 (Nov. 4, 2013 eve., passed)  
Third Reading -- 2771 (Nov. 5, 2013 eve., passed)  
Royal Assent -- (Nov. 7, 2013 outside of House sitting) [Comes into force December 19, 2013; SA 2013 c13]
- 30 Building Families and Communities Act (\$) (Hancock)**  
First Reading -- 2581 (Oct. 30, 2013 aft., passed)  
Second Reading -- 2788-96 (Nov. 6, 2013 aft., passed)
- 31 Protecting Alberta's Environment Act (\$) (McQueen)**  
First Reading -- 2496 (Oct. 28, 2013 aft., passed)  
Second Reading -- 2544-7 (Oct. 29, 2013 aft.), 2560-6 (Oct. 29, 2013 eve.), 2657-65 (Oct. 31, 2013 aft.), 2703-5 (Nov. 4, 2013 eve., passed)  
Committee of the Whole -- 2744-7 (Nov. 5, 2013 aft.), 2749-71 (Nov. 5, 2013 eve., passed)  
Third Reading -- 2819-24 (Nov. 6, 2013 eve.), 2848-49 (Nov. 7, 2013 aft., adjourned)
- 32 Enhancing Safety on Alberta Roads Act (McIver)**  
First Reading -- 2526 (Oct. 29, 2013 aft., passed)  
Second Reading -- 2583-4 (Oct. 30, 2013 aft., adjourned)
- 33 Tobacco Reduction Amendment Act, 2013 (Rodney)**  
First Reading -- 2837 (Nov. 7, 2013 aft., passed)
- 34 Building New Petroleum Markets Act (\$) (Hughes)**  
First Reading -- 2786 (Nov. 6, 2013 aft., passed)  
Second Reading -- 2846 (Nov. 7, 2013 aft., adjourned)
- 35 Financial Administration Amendment Act, 2013 (Horner)**  
First Reading -- 2678 (Nov. 4, 2013 aft., passed)  
Second Reading -- 2731-2 (Nov. 5, 2013 aft., adjourned)
- 37 Statutes Repeal Act (\$) (Denis)**  
First Reading -- 2786 (Nov. 6, 2013 aft., passed)  
Second Reading -- 2846-47 (Nov. 7, 2013 aft., adjourned)
- 38 Statutes Amendment Act, 2013 (No. 2) (\$) (Denis)**  
First Reading -- 2837-38 (Nov. 7, 2013 aft., passed)

- 39 Enhancing Consumer Protection in Auto Insurance Act (Horner)**  
First Reading -- 2786 (Nov. 6, 2013 aft., passed)  
Second Reading -- 2847-48 (Nov. 7, 2013 aft., adjourned)
- 40 Settlement of International Investment Disputes Act (Quadri)**  
First Reading -- 2678-9 (Nov. 4, 2013 aft., passed)  
Second Reading -- 2732 (Nov. 5, 2013 aft., adjourned)
- 41 Premier's Council on the Status of Persons with Disabilities Amendment Act, 2013 (Oberle)**  
First Reading -- 2727 (Nov. 5, 2013 aft., passed)  
Second Reading -- 2787-8 (Nov. 6, 2013 aft., adjourned)
- 43 Alberta Economic Development Authority Amendment Act, 2013 (Lukaszuk)**  
First Reading -- 2727 (Nov. 5, 2013 aft., passed)  
Second Reading -- 2788 (Nov. 6, 2013 aft., adjourned)
- 201\* Scrap Metal Dealers and Recyclers Identification Act (Quest)**  
First Reading -- 92 (May 30, 2012 aft., passed)  
Second Reading -- 291-301 (Oct. 29, 2012 aft., passed)  
Committee of the Whole -- 716-22 (Nov. 19, 2012 aft.), 1725-26 (Apr. 8, 2013 aft., passed with amendments)  
Third Reading -- 1726-27 (Apr. 8, 2013 aft., passed)  
Royal Assent -- (Apr. 29, 2013 outside of House sitting) [Comes into force on proclamation; SA 2013 cS-3.5]
- 202 Public Lands (Grasslands Preservation) Amendment Act, 2012 (Brown)**  
First Reading -- 130 (May 31, 2012 aft., passed)  
Second Reading -- 501-13 (Nov. 5, 2012 aft.), 1723-25 (Apr. 8, 2013 aft., defeated on division)
- 203 Employment Standards (Compassionate Care Leave) Amendment Act, 2012 (Jeneroux)**  
First Reading -- 473 (Nov. 1, 2012 aft., passed)  
Second Reading -- 1900 (Apr. 22, 2013 aft., passed)  
Committee of the Whole -- 2298-303 (May 13, 2013 aft., passed)  
Third Reading -- 2303 (May 13, 2013 aft., passed)  
Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force on proclamation; SA 2013 c6]
- 204 Irlen Syndrome Testing Act (Jablonski)**  
First Reading -- 968 (Nov. 22, 2012 aft., passed), 1912 (Apr. 22, 2013 aft., referred to Standing Committee on Families and Communities), (Oct. 28, 2013 aft., motion to concur in report), (Nov. 4, 2013 aft., reported to Assembly, not proceeded with)
- 205 Fisheries (Alberta) Amendment Act, 2012 (Calahasen)**  
First Reading -- 1117 (Nov. 28, 2012 aft., passed), 1913 (Apr. 22, 2013 aft., referred to Standing Committee on Resource Stewardship), (Oct. 28, 2013 aft., motion to concur in report), (Nov. 4, 2013 aft., reported to Assembly, not proceeded with)
- 206 Tobacco Reduction (Flavoured Tobacco Products) Amendment Act, 2012 (Cusanelli)**  
First Reading -- 1350-51 (Dec. 6, 2012 aft., passed)  
Second Reading -- 2303-312 (May 13, 2013 aft., passed)  
Committee of the Whole -- 2687-94 (Nov. 4, 2013 aft., adjourned, amendment introduced)
- 207\* Human Tissue and Organ Donation Amendment Act, 2013 (Webber)**  
First Reading -- 1690 (Mar. 21, 2013 aft., passed), 2375 (May 13, 2013 eve., moved to Government Bills and Orders)  
Second Reading -- 2395-403 (May 14, 2013 aft., passed)  
Committee of the Whole -- 2534-44 (Oct. 29, 2013 aft.), 2566-8 (Oct. 29, 2013 eve., passed with amendments)  
Third Reading -- (Oct. 29, 2013 eve., passed)  
Royal Assent -- (Nov. 7, 2013 outside of House sitting) [Comes into force November 7, 2013; SA 2013 c12]
- 208 Seniors' Advocate Act (Towle)**  
First Reading -- 1315 (Dec. 5, 2012 aft., passed)
- Pr1\* Church of Jesus Christ of Latter-day Saints in Canada Act (Dorward)**  
First Reading -- 1999 (Apr. 24, 2013 aft., passed)  
Second Reading -- 2410-411 (May 14, 2013 aft., passed)  
Committee of the Whole -- 2445-446 (May 14, 2013 eve., passed with amendments)  
Third Reading -- 2478 (May 15, 2013 aft., passed)  
Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force May 27, 2013]

**Pr2\*      Wild Rose Agricultural Producers Amendment Act, 2013 (McDonald)**

First Reading -- 1999 (Apr. 24, 2013 aft., passed)

Second Reading -- 2413 (May 14, 2013 eve, passed)

Committee of the Whole -- 2445 (May 14, 2013 eve., passed with amendments)

Third Reading -- 2478 (May 15, 2013 aft., passed)

Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force May 27, 2013]







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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Monday afternoon, November 18, 2013

Issue 68

The Honourable Gene Zwozdesky, Speaker

**Legislative Assembly of Alberta**  
**The 28th Legislature**

First Session

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Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
    Government Whip

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Progressive Conservative: 59      Wildrose: 17      Alberta Liberal: 5      New Democrat: 4      Independent: 2

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Eggen	Rowe
Hehr	Sarich
Luan	Strankman
McDonald	Xiao

### Standing Committee on the Alberta Heritage Savings Trust Fund

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Deputy Chair: Mrs. Jablonski

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Casey	Sherman
Dorward	

### Select Special Chief Electoral Officer Search Committee

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Deputy Chair: Mr. Quadri

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Eggen	McDonald
Goudreau	Saskiw
Lemke	

### Select Special Conflicts of Interest Act Review Committee

Chair: Mr. Luan

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Johnson, L.	Wilson
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## Legislative Assembly of Alberta

1:30 p.m.

Monday, November 18, 2013

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon.

Let us pray. And please remain standing after the prayer. Almighty God, help us to understand, help us to prioritize, and help us to be ever available to the constituents who have elected us to be here on their behalf today and every day. Amen.

Please remain standing.

Hon. members, as is our custom, we pay tribute on our first day to members and former members of this Assembly who have passed away since we last met.

**Dr. Charles Robert Elliott**  
October 15, 1927, to October 14, 2013

**The Speaker:** Dr. Bob Elliott served as the Member for Grande Prairie for three terms, from 1982 to 1993. Dr. Elliott was a distinguished agronomist who during his scientific career developed a new variety of fescue and two new varieties of clover. He was elected to the Beaverlodge Town Council and served from 1967 to 1979, the last eight of those years as mayor.

During his service as a member in this Assembly Dr. Elliott served on many legislative committees, including as chair of the Select Standing Committee on Legislative Offices and as deputy chair of the Select Standing Committee on Law and Regulations.

Unfortunately, members of Dr. Elliott's family were not able to be with us today, but they are all in our thoughts and prayers as we pay this special tribute to Dr. Charles Robert Elliott.

In a moment of silent prayer I ask you to recall and reflect on Dr. Elliott as you may have known him. Rest eternal grant unto him, O Lord, and let perpetual light shine upon him. Amen.

Please remain standing for the singing of *O Canada*. We're grateful to have with us again Colleen Vogel, a member of our Legislative Assembly staff, who will lead us in our national anthem.

### Hon. Members:

O Canada, our home and native land!  
True patriot love in all thy sons command.  
With glowing hearts we see thee rise,  
The True North strong and free!  
From far and wide, O Canada,  
We stand on guard for thee.  
God keep our land glorious and free!  
O Canada, we stand on guard for thee.  
O Canada, we stand on guard for thee.

**The Speaker:** Thank you, Ms Vogel. Thank you, hon. members. Please be seated.

### Introduction of Guests

**The Speaker:** The hon. Deputy Premier. The first of our school groups.

**Mr. Lukaszuk:** Well, thank you, Mr. Speaker. It's indeed a pleasure to welcome 52 fine students from St. Charles school from Edmonton-Castle Downs. They're accompanied by teachers and adult supervisors: Mrs. Samantha Davidson, Mr. Hoang Tran, Mr.

John Trosko, Mrs. Maureen Ferra, and Mrs. Leanna McMurdo. These are fine students who are now learning about the democratic process and, in particular, about our provincial government. I would ask them to rise and receive the warm welcome of our Assembly.

**The Speaker:** The hon. Member for Edmonton-Riverview.

**Mr. Young:** Thank you, Mr. Speaker. It is my pleasure to rise today and introduce to you and through to all members of the Assembly a group of incredible students from McKernan elementary school. I spoke with these really bright young children today, and they talked about how they debated a very interesting bill about subsidizing pets for pet therapy. They are joined by their teacher, Mr. Jason Ludwar, and parent helpers Mr. Doug Klein and Mr. Tim Mastel-Marr. They're seated in the public gallery, and I'd ask that all guests please rise and receive the traditional welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Mill Woods.

**Mr. Quadri:** Thank you, Mr. Speaker. It is indeed my honour and pleasure to rise today to introduce to you and through you to all the members of this Assembly – and also I want to add that I took a challenge posed by my friend Edmonton-South West, who last week introduced his students, and I have the most fantastic students, the most incredible students – the students of Edmonton-Mill Woods, my elementary school. There are 37 members of the school visiting today, and they're accompanied by their teacher, Allison Sylvester. Now I will ask them to please rise and receive the warm welcome of this Assembly.

**The Speaker:** Are there other school groups?

Let us go on with other special guests. The hon. Member for Edmonton-Ellerslie.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. It's an honour and a pleasure for me to rise today and introduce to you and through you some very important members of the Filipino community who are here for the funding announcement this afternoon by the government of Alberta for a typhoon which hit the Philippines and affected the lives of millions and millions of people overseas and right here at home. Joining us today is Edmonton Philippine Honorary Consul General Esmeralda Agbulos; Virgilio Agbulos; Mandy Servito, president, Council of Edmonton Filipino Associations; Thomas Ancheta; Dave Fabiosa; Edward Lacerna; and Eloisa Lau. I'd ask all of my guests to please rise and receive the traditional warm welcome.

**The Speaker:** The hon. Minister of Education.

**Mr. J. Johnson:** Thank you, Mr. Speaker. It's a pleasure to introduce to you and through you to members of this Assembly education stakeholders and staff here today who participated in the bullying prevention and healthy relationships webcast and luncheon hosted by our Associate Minister of Family and Community Safety. I'd ask these individuals to please rise as I say their names and to receive the traditional warm welcome of the Assembly at the end with all of them standing: Dr. Fern Snart, dean of the Faculty of Education at the University of Alberta; Dr. Kris Wells and Dr. André Grace from the Institute for Sexual Minority Studies and Services at the University of Alberta; Dr. Marni Pearce and David Rust from the Society for Safe and Caring Schools and Communities in Alberta – Marni also works in my department on these initiatives – Joan Carr, superintendent of Edmonton Catholic,

here as an executive member of the College of Alberta School Superintendents; Dean Sarnecki, executive director of the Alberta Catholic School Trustees' Association; Patty Dittrick and Mary Lynne Campbell from the Public School Boards' Association of Alberta; Dr. Marilyn Huber and Ann MacKay-Drobot, both from Alberta Ed; and Shane Scott and Breanne Fulawka, active alumni from Speak Out and members of my student advisory council.

1:40

**The Speaker:** The hon. Minister of Tourism, Parks and Recreation, followed by the leader of the Liberal opposition.

**Dr. Starke:** Well, thank you, Mr. Speaker. It gives me great pleasure today to introduce to you and through you to all members of the Assembly some visitors that we have representing concerns and interests of off-highway vehicle owners. First of all, from the Canadian Off-Highway Vehicle Distributors Council – and I'd ask these folks, that are seated in the members' gallery, to rise as I give their names – Bob Ramsay, president of the Canadian council; Luc Fournier, who is the director of policy and government relations; and Oksana Buhel, who is the manager of rider federations and partner relations. From the Alberta Off-Highway Vehicle Association I have the president, Brent Hodgson; the vice-president, Aaron Bauer; and the treasurer, Garry Salekin. Also joining these fine folks, we have someone who is no stranger to the Assembly, Mr. David Coutts. I'd like to have everyone join me in the traditional warm welcome of the Assembly.

**The Speaker:** The leader of the Liberal opposition, followed by the Associate Minister of Family and Community Safety.

**Dr. Sherman:** Thank you, Mr. Speaker. Today I have three introductions. It's my pleasure to introduce to you and through you to all members of this Assembly three members of the Edmonton Filipino Seventh-day Adventist church: Benjamin Barboza, head elder; Ephraim Baragona, associate elder; and Pastor Ron Yabut. I attended a vigil for the victims of Typhoon Haiyan this weekend at Pastor Yabut's church. This typhoon has caused thousands of deaths and utter devastation. I appreciate the government's commitment to donate up to half a million dollars, and I ask every member of the Assembly to consider contributing to this as well as every Albertan. They can visit [www.adra.ca](http://www.adra.ca) or [www.redcross.ca](http://www.redcross.ca) to donate. I would ask my guests to please rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** You have a second introduction, hon. member?

**Dr. Sherman:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you two individuals from Dogs with Wings, which is located in the hard-working constituency of Edmonton-Meadowlark, President Toby Ramsden and Executive Director John Wheelwright. Dogs with Wings is a locally owned and operated dog assistance society in Alberta which since 1996 has been providing highly trained assistance dogs to Albertans. I would ask them to rise and receive the traditional warm welcome of the Assembly.

Mr. Speaker, last but not least, I'd like to introduce to you and through you to all members of this Assembly a very special person in the audience. It's my niece Fiona Sherman. She asked me to attend and join her class at McKernan to talk about politics. Out of the nine grandchildren in our family she's our pride and joy. I'd ask all members of the Assembly to give the tradition warm welcome to Fiona.

Thank you.

**Ms Jansen:** Mr. Speaker, it truly takes a community to prevent bullying. As we launch national Bullying Awareness Week today, I'm pleased to rise to introduce a number of dedicated community partners who are doing tremendous work to eliminate bullying and to promote healthy, respectful relationships in our province. One of those individuals is Mackenzie Murphy, a junior high student from Airdrie. Mackenzie is an inspiration to all Alberta children and youth. After being tormented online and at school for many years, she worked with her mayor and city council to create a new antibullying bylaw and a community awareness campaign in partnership with Airdrie's PEACE Committee. She continues to share her story and create awareness so that other youths will not have to go through the pain she experienced.

Mackenzie is joined by members of the Prevention of Bullying Youth Committee, including Steven Bizuns, Karly Johnson-Renman, and Willow Van Wolde. These youth leaders work closely with our government to advise on public education awareness materials and to promote healthy and respectful relationships in their communities. We're also honoured as well to have a number of community leaders here who specialize in bullying prevention from the South East Edmonton Seniors Association – if you could stand – the Institute for Sexual Minority Studies and Services, and The Support Network, that operates our bullying helpline. I would like to ask all our guests to receive the warm welcome of our Assembly.

**The Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre, followed by the leader of the New Democrat opposition.

**Mr. Anglin:** Thank you, Mr. Speaker. I actually have two introductions. It's an absolute pleasure to rise today and introduce to you and through you to this Assembly my constituency manager, Monica Rosevear. Monica is a hard-working, organized, and talented individual who would certainly be considered an asset to all my constituents. And, as many members here may attest, it takes a very special person to work for me. I would ask her now to please rise and receive the traditional warm welcome of the Assembly.

It's also my pleasure to rise today to introduce two constituents of mine who have travelled to the Legislature today all the way from the town of Bentley. Chris Wiese is an unfortunate victim of the Out-of-Country Health Services Committee. Despite having followed all the procedures and meeting all the requirements, Chris has been denied for her back surgery. She joins us today to raise awareness of the need to review this broken system. I would also like to introduce Chris's husband, Cam. I'd ask you both to please rise and receive the warm welcome of this Assembly.

**The Speaker:** The hon. leader of the New Democrat opposition, followed by Lac La Biche-St. Paul-Two Hills.

**Mr. Mason:** Thank you very much, Mr. Speaker. I'm very pleased to introduce to you and through you to this Assembly my guests from the Filipino community in Edmonton. They are Letty Tria, the president of the Filipino Nurses Association in Alberta; Ellen Lardizabal, the president-elect of the Filipino Nurses Association; Lulu Bernal, a representative of the Filipino-Canadian Political Action Group; Jun Aller, the vice-president of the Filipino Radio Enthusiast of Edmonton; and Beth Aperocho, the vice-president of the Filipino Retirees' Association in Alberta. They came here today to encourage the government to do its part and provide provincial relief support to those in the Philippines who have been affected by Typhoon Haiyan, and I'm pleased to say that in that endeavour they have been successful. I would now



ask them to stand and receive the traditional warm welcome of this Assembly.

**The Speaker:** Are there others? Hon. Member for Lac La Biche-St. Paul-Two Hills, I understand that your guests have not yet arrived. Edmonton-Riverview, did you have another intro?

**Mr. Young:** Yes, I do.

**The Speaker:** Please proceed quickly.

**Mr. Young:** Thank you, Mr. Speaker. It is my pleasure to rise today and introduce to you and through you to all members of the Assembly my Edmonton-Riverview constituency staff: Colleen Martin and Cindy Landreville. These ladies work incredibly hard in my constituency, and I'm so proud to have them as part of my team. They are seated in the members' gallery, and I would ask that my guests rise and receive the traditional welcome of the Assembly.

**The Speaker:** Hon. Associate Minister of Family and Community Safety, you have one more intro?

**Ms Jansen:** I do. Thank you, Mr. Speaker. I would be remiss if I didn't welcome and give a warm shout-out to our ADM of Human Services responsible for helping put together all of the initiatives for National Bullying Awareness Week. Susan Taylor is our ADM responsible for family violence, domestic supports. She's here with her staff. I would ask her to rise and receive the warm welcome of our Assembly.

### Members' Statements

**The Speaker:** The hon. Member for Edmonton-Mill Woods.

### Philippines Disaster Relief

**Mr. Quadri:** Thank you, Mr. Speaker. On November 7 one of the most intense storms ever documented, Typhoon Haiyan, made landfall in the Philippines. This typhoon caused incredible amounts of damage to the infrastructure, hearts, and minds of the people of the Philippines and to their loved ones abroad, with about 2.5 million people requiring food aid, 4 million people being displaced, and over 9 million people affected.

The stories of resilience and recovery less than two weeks later are a testament to the strength of the Filipino people and their ability to bounce back in the face of incredible adversity. But the road to recovery is just beginning. Beyond the initial devastation of the typhoon itself, there are many dangers and struggles that still lie ahead of us. Lack of food, shelter, and aid along with the risk of disease are still very real threats to the people there and more support is needed.

1:50

Alberta is home to over a hundred thousand people of Filipino descent, and Tagalog is the most spoken foreign language in Edmonton and second most spoken language in Calgary. This means our connection to the Filipino community is strong. Filipinos are active in our communities and provide us with a portion of the multicultural diversity that makes our province and our country strong and proud.

In times of difficulty we often look to our extended community to help us strengthen our resolve, offer support, and overcome even the most insurmountable of odds. On this note, I am very proud to announce that the government of Alberta is committed to provide assistance to the Philippines relief and recovery efforts by

matching Albertans' donations to the Canadian Red Cross for up to half a million dollars. This fantastic news is greatly needed. I would like to also encourage all my colleagues here at the Legislature to offer their support to their Filipino communities during this time of need.

**The Speaker:** Thank you, hon. member.

### Oral Question Period

**The Speaker:** The Leader of Her Majesty's Loyal Opposition. First main set of questions.

### Health System Administration

**Ms Smith:** Mr. Speaker, the health system is in chaos. On late Friday night, after everyone had gone home for the weekend, Alberta Health Services announced that it had turfed their interim CEO and replaced him with two co-CEOs while they start a search for a permanent CEO. While Albertans continue to worry about long waiting times and crowded emergency rooms, the government is worried about shuffling the deck chairs. To the Premier: when is her government going to provide some real stability in the leadership of Alberta Health Services?

**Ms Redford:** Mr. Speaker, on Friday evening, over the weekend, and this morning Alberta Health Services did what it always does, and that is to put patients first and to provide health care for Albertans. We will continue to strive with our Health minister to put in place the best systems possible to allow front-line workers to do that work. This is part of the process, it's good progress, and we're going to continue to take those steps.

**Ms Smith:** Mr. Speaker, it doesn't matter how many CEOs, co-CEOs, interim CEOs, and interim co-CEOs this government appoints. It doesn't change the fact that the government's approach to public health is wrong. Instead of focusing on cutting wait times and putting patients first, the government seems more focused on finding new people to take the fall for this Health minister's incompetence. To the Premier: when will she admit that the Alberta Health Services monopoly is just plain bad policy?

**Ms Redford:** Mr. Speaker, I was at the Glenrose hospital today making an announcement that matters to Albertans. [interjections] It was the proclamation of the Alberta Health Act, which ensured, as we have always promised, that this government was committed to a public health care system. I'm disappointed to hear the Leader of the Opposition suggest that there might be other ways to provide health care in this province, but we don't believe that.

**Ms Smith:** Yes. Other than a top-down AHS monopoly that seems to have a revolving door on CEOs.

It's increasingly clear to Albertans that there is chaos at the very top of this government. While the Premier may be more concerned about her leadership review on Friday, Albertans are more concerned about the future of their public health system. When will this Premier realize that the only shuffle at the top of the health system that will fix the problem for good is a shuffle out of the Health minister?

**Mr. Horne:** Well, Mr. Speaker, as the hon. the Premier said, I think Albertans will be heartened to know that unlike other individuals or caucuses represented in this Legislature, this is one government that's willing to stand up for public health care in Canada. To put that in a law and to back it with a charter and a

series of advocates that are going to support Albertans in seeking the care that they need and support them in helping to make decisions for parents and for other family members who require care: that's responsible leadership, and that's what this Premier is delivering. [interjections]

**The Speaker:** Thank you.

Hon. members, we have a number of young people here watching you, hoping to see an example of what it means to not interrupt others and be polite, so let's show them the highest possible accordance of that if we could.

Second main set of questions. The hon. Leader of Her Majesty's Loyal Opposition.

### School Construction and Modernization

**Ms Smith:** Well, Mr. Speaker, there is chaos and confusion at the top of Education also. The government's been saying that it will build 50 new schools and do 70 modernizations before the next election, but the Education minister is now claiming that there are 100 school projects that are already completed, under way, or recently announced and that there will be 90 more that will be announced sometime within the next six to eight months. The Education minister says that there are a total of 190 projects; the Premier says 50 new schools and 70 modernizations. So which is it?

**Ms Redford:** Mr. Speaker, something that the hon. member won't be familiar with is the fact that in government you continue to make change and you continue to have progress. This government has been committed to infrastructure in Education for many years, and we are seeing the success of that now. We are continuing to see schools that are being built and being opened for communities across this province because that's what we committed to. We continue to be committed to an additional 50 and 70 renovations. That's what we promised, and that's what we'll do.

**Ms Smith:** I have to say, Mr. Speaker, that with all the announcements and reannouncements and double counting, I think we're all beginning to lose track. Will the minister table the list of 100 projects that he claims are completed, under way, or recently announced so we can get to the bottom of all of this?

**Mr. J. Johnson:** Mr. Speaker, those lists are already tabled. Many of them are online. The schools that are announced and are under way are pretty easy to find. Ask any of the communities that have the shovels in the ground and the bulldozers beside the school site project. I think this hon. member will be heartened to know that by the end of this term I think we'll be able to look back and say that between the projects that were completed or announced during this term we're going to be in the neighbourhood of 200 schools, well above the 50, 70. So stay tuned. We still have two years in the term left to go. I think that the one great thing we know is that we elected the right Premier, who is going to invest in those schools.

**Ms Smith:** Well, that'll be quite a feat, Mr. Speaker. We know that the Education minister is already having a hard time finding construction firms willing to build these schools as P3s. Our major construction firms are all busy, and our medium-sized ones lack the capacity to bid on P3s. We also know that under normal circumstances it takes the better part of three years to build a school. So how much of a premium are Albertans going to pay to build all of these schools in record time, or are we just on track for yet another broken promise?

**Mr. J. Johnson:** Mr. Speaker, I'm not sure if the member is asking us to build more schools or to build less schools. They came out last year and said that 30 per cent of the schools we're building right now we shouldn't be building. I'd love to see that list. They're not able to show us that list. I can tell you from my previous position as well as all the work that the government has done on P3s that we're trying to get as many schools on the ground as affordably as possible for the taxpayer and in the shortest time possible to accommodate these growth pressures that we've got in the province, and we'd sure appreciate some support on that effort.

**The Speaker:** Hon. leader, for your third main set of questions.

### Bitumen Price Differential

**Ms Smith:** Well, Mr. Speaker, all of this points to budget chaos that goes right to the top. I will remind you that last year I was warning about revenue forecasting problems almost every day and every day the Premier would deny it. Then in December the Premier discovered for the very first time that there is a differential in what we sell our bitumen for and the price of international markets and her government did a wholesale rewrite of the budget. The differential today is \$36.60. That's within pennies of where it was when she invented the bitumen bubble. Is this Premier planning to do anything in response to this?

**Ms Redford:** Well, Mr. Speaker, Albertans understand that we want to get a premium price for our product. That's why I went to Washington last week. One of the three commitments that we made to Albertans was to make sure that we continue to open new markets. Working with Premiers across this country last week, on Friday with Ontario, Quebec, and New Brunswick, working with British Columbia, and being down in Washington last Tuesday: we're making good progress. This government is committed to opening markets to ensure that we get the best possible price, and that's what we'll continue to do.

**Ms Smith:** Well, in the meantime, while we're waiting for those pipelines to get built, we've got a little spending problem. Since the bitumen spread is up, government royalty revenues are likely to be down. The interesting thing, though, is that this government has found lots of money for new spending: \$50 million for postsecondary, \$85 million for Mount Royal's library, \$15 million to top-up senior managers' pension plans, and it would appear 190, 200 new school projects. To the Premier: since the spread is up and revenues are down, how is her government going to pay for all of this?

2:00

**Mr. Horner:** Well, Mr. Speaker, I'd have to ask the hon. member all of the things that she listed. I'm assuming she doesn't want us to do those things now, I guess.

Mr. Speaker, the question was around the bitumen differential being at \$36. I'm sure the hon. member knows that we don't budget on a day-by-day basis. We budget on the annualized number. The annualized number is something underneath our current budget number of \$27, so in fact things are not looking as bad as the hon. member might think. There is a reason why 140,000 people moved to our province last year. It's because this is where you should be.

**Ms Smith:** Mr. Speaker, the bitumen spread always goes up and down. Usually the spread is low in the summer, and Alberta takes in higher royalties. Then the bitumen spread goes higher in the

winter, and royalty revenues go down. Albertans are wondering what we should expect this December when the Premier once again discovers this problem. Will she continue to cut front-line nurses, teachers, and support staff, or will she just simply go into more debt?

**Mr. Horner:** Mr. Speaker, it's a moment of revelation. The hon. Leader of the Official Opposition has realized that bitumen prices go up and they go down, and they go up on a day-to-day basis. [interjections] This is something that we have been talking about for some time. It's why we do an annualized number in our budget. Within the next few weeks we will be coming back to the hon. members and talking about what our first half of the year was, and I'll be very pleased to present to this House and to all Albertans what that number is.

### Speaker's Ruling Interrupting a Member

**The Speaker:** Hon. members, I don't know who started the cheering and the chanting, if it was this side or that side. But whoever it was that started it, I'd be very grateful if you also ended it. You're just being disrespectful to each other because nobody can hear this stuff on television or on radio. Let's at least be respectful of one another, starting with the hon. Member for Edmonton-Meadowlark, leader of the Liberal opposition.

### Health System Administration (continued)

**Dr. Sherman:** Thank you, Mr. Speaker. They say that it's lonely at the top, but in the case of AHS, it's busy, too. A summary of the past three years. CEO Stephen Duckett was replaced by Dr. Eagle, who was recently replaced by Duncan Campbell, who has now been replaced by two new co-CEOs. These new co-CEOs report to AHS administrator John Cowell, who replaced new deputy minister Janet Davidson, who back in June replaced chairman Stephen Lockwood and the entire board of directors. To the Premier. That's a lot of people getting hired and fired. Have you ever considered that maybe your real problem is that fellow over there, your minister?

**Ms Redford:** Mr. Speaker, I find that absolutely amazing coming from the hon. member who stood in this House time and time again and lectured us on how we needed to make changes at the top of Alberta Health Services. As I said before, we are committed to ensuring that front-line staff and patients in the health care system get the best possible services. There is no doubt that we continue to make improvements. We will continue to do that, and we're really pleased to know that the hon. member thinks that this is a helpful step.

**Dr. Sherman:** Mr. Speaker, I have lectured this government time and again, as has every other health care provider, on how to fix health care. As you can see, there are many bodies under the bus, and now the minister has only two people left to throw under the bus, the AHS administrator and the deputy minister. Interestingly, both have produced reports on AHS governance, two very different reports. Dr. John Cowell says: let the system stabilize before making any changes. Janet Davidson's report says: no; make more changes now. To the minister: to help us book easily the correct odds on who will be thrown under the bus next, can you please tell us whose recommendations you plan to follow, your AHS administrator's or your deputy administrator's?

**Mr. Horne:** Well, Mr. Speaker, what we plan to do and what we will continue to do is to put patients first and put front-line health care staff first in this health care system. If the hon. member wants to interest himself in reports and recite chronology, that's entirely up to him. But as he well knows, this government took a very direct stand early in our mandate that we were going to provide more direct oversight over health care in this province. We hired an official administrator who has become, thankfully, the deputy minister, who pointed out to us quite rightly that the organizational structure there was not aligned with front-line staff and needed to do a better job of supporting them. Thank goodness the leadership is in place now to make this happen.

**Dr. Sherman:** Mr. Speaker, this minister's idea of putting patients first is putting them into overcapacity beds, where after a surgery they wait for six days on the emergency gurney with broken ankles and wait more than seven days to get them fixed. The bottom line is this. The cost and chaos in AHS has left our health care system in disarray. We constantly hear reports of people waiting far too long for care that they need.

Speaking of waiting, Mr. Speaker, AHS's first quarterly report, our wait times report, is now 78 days late. While the next quarterly report is due in 13 days, this quarterly report is a quarter late. How bad can it be, Minister? Will you please tell us? Will we get this before the Premier's leadership review or after?

**Mr. Horne:** Mr. Speaker, all you have to do to figure out how bad it can be is to look at a Member of this Legislative Assembly who is a physician, who would constantly stand up and undermine the work of front-line health care workers and undermine the performance of a system that is the envy of every province in this country. We have made a commitment as a government to exercise oversight to maximize all of the opportunities so they are available to us through a single delivery system. We are leading in areas like access to bone and joint surgery in the province. We are leading and holding our own against the national average in many others despite 140,000 people coming here last year.

**The Speaker:** The hon. Member for Edmonton-Highlands-Norwood, the leader of the New Democrat opposition.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, another day, another Alberta Health Services CEO fired. The constant political interference – restructuring, changing titles, changing positions, firing boards, hiring executives and then firing executives – has turned the management of AHS into a farce. You just can't trust this PC government with our public health care system. Since its creation five and a half years ago this government has been unable to provide stable governance for our health care system. To the Premier: why not?

**Ms Redford:** Well, Mr. Speaker, again, déjà vu. I tell you that we stand in this House and we listen to the opposition tell us that we need to make changes at the top of Alberta Health Services. We are doing that. We are ensuring that as we move forward, we are continuing to put patients first to ensure that front-line workers have the best possible circumstances to work in. We will continue to do that. We are committed to ensuring that that happens, and I am very pleased that this minister is in charge of that department to do it.

**Mr. Mason:** I hate to inform the Premier that when we ask for changes at the top, we meant her.

Just two weeks ago, after the NDP raised the alarm about the privatization of lab services in the Edmonton region, then CEO

Duncan Campbell announced that they were pausing to consult with health care professionals. The decision was immediately countermanded by good old Mr. Interference, the Minister of Health. To the Minister of Health: will he admit that Duncan Campbell was turfed because he wanted to consult with doctors before privatizing a key piece of our health care system?

**Mr. Horne:** Well, Mr. Speaker, as the hon. member knows, we are in an interim period between one permanent CEO and the next permanent CEO of Alberta Health Services. I trust Dr. Cowell, the official administrator, to make the best use of all of the talent on the executive team to ensure that during the interim period we continue to be focused on the things that matter most to Albertans. The hon. member is well aware of all of these facts. The hon. member is also aware that this government has asked Alberta Health Services to do a better job of consulting with employees and stakeholders and others prior to making major decisions. They are doing that. They've been doing it for some time now. We're very pleased to see it, and we expect to see more.

**The Speaker:** The hon. leader.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, this government has been in an interim period ever since Dr. Duckett learned that cookies were not on the menu.

Back in February of 2012 the Health Quality Council said that "massive reorganization at the system level and within Alberta Health Services has further blurred lines of authority and accountability." They recommended that "no further major restructuring in the system be done without a clear plan, rationale and consultation," yet this government has continued its compulsive meddling and habitual tinkering. Every day this government's incompetence saps the morale of front-line health care workers. When will this Premier admit that her government is simply incapable of running our health care system?

**Mr. Horne:** Mr. Speaker, diatribes like that are what undermine the confidence and morale of front-line health care workers.

Mr. Speaker, the hon. member knows full well that we are operating through an interim period now. These are management day-to-day decisions. I believe they are not of concern to my constituents. If the hon. member wants to believe that they're a concern to his, he's welcome to focus on that as he sees fit during question period. But make no mistake. The envy of Canada with respect to funding for health care and with respect to the opportunity of a single delivery system is this province. That just went up a whole lot more today with the proclamation of the Alberta Health Act.

2:10

**The Speaker:** Thank you, hon. members. That concludes the spots reserved for leaders, where preambles are permitted. I would ask you to now please curtail your preambles, and let's start with Innisfail-Sylvan Lake, followed by Red Deer-North.

#### Seniors' Advocate

**Mrs. Towle:** Thank you, Mr. Speaker. Today the government announced a seniors' advocate, which is quite interesting since the government has promised a seniors' advocate since the Premier's leadership race. As well, my own private member's bill, Bill 208, the Seniors' Advocate Act, is set to be debated in the Legislature today, which would have created an independent seniors' advocate. Now, maybe this announcement is a huge coincidence, but one has to wonder about the timing. To the Associate Minister of Seniors:

was today's announcement an attempt to avoid debate on Bill 208 today, or was it to boost the Premier's image for the leadership review this weekend?

**The Speaker:** The hon. associate minister.

**Mr. VanderBurg:** Thank you, Mr. Speaker. I didn't realize that question period was a time to debate and talk about private bills, but if this member wants to talk about this – you know, we should be shooting off the fireworks any time that we can increase advocacy on behalf of our seniors population. It's a great thing. It's a great time in Alberta today. When we had this act proclaimed this morning, I had many, many issues across the province that were brought to me by seniors and their families that will have an office to turn to. This is a great opportunity.

**Mrs. Towle:** I look forward to the other side taking the opportunity to support Bill 208, making the advocate independent. Given that those who advocate for seniors already shuffle from one place to another to another to another within the Health ministry, can the Associate Minister of Seniors explain to Albertans why the government is not interested in creating an independent seniors' advocate?

**Mr. VanderBurg:** Mr. Speaker, you know, I've had the opportunity, unlike this member, to deal with previous ombudsmen. The Ombudsman doesn't ask if you're 64 and a half or 65 and a half. He's an independent officer of this Assembly. You know that. Everybody knows that. There's no need to create another duplicate office, an independent office, for Albertans to go to. It exists in the Ombudsman's office right today. This is a new opportunity for seniors to help navigate through the difficult system of our health system right now. We all have had members that we've helped out over the years. How about those that don't have a family member?

**The Speaker:** The hon. member.

**Mrs. Towle:** Thank you, Mr. Speaker. That's a very interesting comment, especially given that the Human Services minister created an independent Child and Youth Advocate because children in care need a voice independent of government. Can the Associate Minister of Seniors explain why our most vulnerable seniors don't deserve the same protection as children in care?

**Mr. VanderBurg:** Mr. Speaker, what I'm interested in and what my colleagues are interested in on the government side is to increase the advocacy on behalf of the seniors of this province and to help them navigate their way through difficult issues with the health system. At times those exist, you know, whether you have a family member helping out or not. We need this office to be created as soon as possible. Like the member said, it was one of my mandated issues. Promise made, promise kept, delivered.

**The Speaker:** Thank you.

Let's be reminded that Bill 208 will come up here in the Assembly, perhaps this afternoon – who knows? – and there'll be lots of time to debate it.

Also, be reminded that we'd appreciate no preambles to your supplementaries. Let's see how Red Deer-North demonstrates that for us.

The hon. member.

#### Health Act Proclamation

**Mrs. Jablonski:** Thank you, Mr. Speaker. I was very pleased to see that the Alberta Health Act was proclaimed today and will

come into force on January 1, 2014. This will allow the government to establish a health charter, which sets out its commitment to the principles of the Canada Health Act. My first question is to the hon. Minister of Health. What does the proclamation of the Alberta Health Act mean for Alberta patients and for their families?

**Mr. Horne:** Well, Mr. Speaker, it means a number of things. It means, first of all, that they can rest assured that regardless of what they might hear elsewhere, their government is committed to the principles of the Canada Health Act and to supporting and helping to thrive a public health care system. The citizens can also be assured that they will have the protection of a health charter, which will be going out for consultation in January, and, as my hon. colleague has said, they will have available to them the services of advocates in the areas of mental health, health care generally, and particularly for seniors to assist in supporting people as they make decisions and become full partners in their own health care.

**The Speaker:** The hon. member.

**Mrs. Jablonski:** Thank you. To the same minister: how will Albertans be able to provide input on the health charter and the office of the Alberta health advocate?

**Mr. Horne:** Well, Mr. Speaker, the consultation process that led to the Alberta Health Act was an 18-month process. As someone who was leading that process, I can tell you we heard consistently that people want to be regularly consulted before changes to legislation and regulation. In the case of the Alberta Health Act the health advocate regulation, which will form the basis for the health advocate's role, will be presented for consultation in January, as will the draft health charter that appeared in the report in 2010.

**The Speaker:** The hon. member.

**Mrs. Jablonski:** Thank you. To the same minister: what will the office of the Alberta health advocate be responsible for?

**Mr. Horne:** Mr. Speaker, there are a number of functions that are critically important. First of all, the health advocate will have responsibility for monitoring compliance with the health charter, and that will include making sure that the roles of professional bodies in the health care system and other stakeholders that have similar documents are in alignment with the law of the province under the Alberta Health Act. The health advocate will also assist in referring people to appropriate bodies within the system that can deal with concerns and will assist greatly in public education about health and laying the groundwork for a healthier future generation of Albertans.

**The Speaker:** Thank you, and thank you, hon. Member for Red Deer-North. Well demonstrated. Let's keep it going.

Rimbey-Rocky Mountain House-Sundre, followed by Calgary-Foothills.

#### **Athabasca River Containment Pond Spill**

**Mr. Anglin:** Thank you, Mr. Speaker. Talking about competency, as we speak, nearly a billion litres of toxic waste water are traveling down the Athabasca River from the Obed mine disaster, and the minister of environment is on record telling Albertans that it poses no risk to the environment or people. I know this government wouldn't intentionally mislead Albertans, so what rationale

does this ministry rely upon to claim that a hundred-kilometre slick of contaminated water is safe?

**The Speaker:** The hon. Minister of Energy.

**Mr. Hughes:** Thank you, Mr. Speaker. I'm pleased to take that question on behalf of my colleague. We hope to have preliminary results later this week so that we can all see with a sense of objectivity exactly what the facts are in this case. I would note that no drinking water was put at risk through the course of this incident, which none of us would have wanted to see in the first place, and all drinking water access points were closed off before they were put at risk at all.

**The Speaker:** The hon. member.

**Mr. Anglin:** Thank you, Mr. Speaker. Let's talk about credibility. Given that both the national pollution release inventory and Environment Canada have confirmed the toxic waste leak from the Obed mine contains harmful levels of arsenic, cadmium, lead, mercury, and other known cancer-causing agents, will this minister admit this catastrophic spill, in fact, poses an extraordinary risk to both the environment and human health?

**Mr. Hughes:** Well, again, Mr. Speaker, I'd like to await the facts before I try and hang somebody. Of course, as soon as the facts are available, I know that our colleague will make those facts available so that everybody can have an objective conversation about what's happened here, what the risks are, and how this sort of thing could be prevented in the future.

**Mr. Anglin:** They must be top secret facts, secret facts.

Given that this minister said that there are no public health concerns with the water concerning what is now known to be the largest toxic waste spill of its kind in Canadian history, I have to wonder: is this minister competent enough to protect Alberta's environment?

**Mr. Hughes:** Mr. Speaker, the minister of environment is highly competent and is serving Albertans very well at this moment in Poland and around the world. As I mentioned earlier, we hope to have the preliminary results from the work that's being done so that we can look at the facts and assess the facts instead of pure conjecture, that the hon. member is currently throwing out.

**The Speaker:** The hon. Member for Calgary-Foothills, followed by Edmonton-Centre.

#### **Organ and Tissue Donation**

**Mr. Webber:** Well, thank you, Mr. Speaker. A few weeks ago Bill 207, the Human Tissue and Organ Donation Amendment Act, 2013, received royal assent. Now, although the passing of Bill 207 to develop a provincial agency is a positive step in the right direction, questions remain regarding the implementation of this agency. My question to the Minister of Health: now that Bill 207 has passed, when will your ministry establish the Alberta organ and tissue donation agency?

2:20

**Mr. Horne:** Well, Mr. Speaker, the answers to these questions are well known. We talked about the implementation plan both in the course of debating the hon. member's bill – we thank him for sponsoring that originally as a private member's bill – and subsequently. We will have the agency established in 2014. Our immediate priority will be on the establishment of registries where

Albertans can easily register their intent to donate organs and tissue.

**Mr. Webber:** Well, thank you, Mr. Minister. Given that 74 patients died last year while waiting for an organ transplant – that is one every five days – and given that there are over 550 patients on the Alberta organ donation list waiting for a transplant, I see that we need to get this implemented as soon as possible. When in 2014 will this be established?

**Mr. Horne:** Mr. Speaker, of course, as a member of our caucus and as a colleague I have talked at length with the hon. member about the implementation process. As I said, we will be proceeding initially, and by spring we will have an online registry in place where people can register their intent to donate organs and tissue. As well, this spring people will be able to register their intent when they renew their driver's licence or personal identification card. The work to establish the provincial agency will also begin right away. We expect that to take a little longer to complete but certainly not beyond the end of next year.

**The Speaker:** The hon. member.

**Mr. Webber:** All right. Well, my third question, then, is to the Minister of Service Alberta. I think that the hon. Minister of Health already answered this question, but I need to know, hon. minister, when the registry will be set up. It is a responsibility of your department. When will the registry be set up?

**The Speaker:** The hon. minister.

**Mr. Bhullar:** Thank you, Mr. Speaker. First of all, I'd like to congratulate the member for this very noble cause, and I want to thank all members for supporting it. The instructions to my department are very clear: get this done quickly. We want to save lives, we want to make meaningful change for everyday Albertans, so we expect results as soon as possible, and our department is working to make that happen.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by Edmonton-Strathcona.

### Municipal Governance

**Ms Blakeman:** Thanks very much, Mr. Speaker. The Minister of Municipal Affairs has backpedaled on big-city charters and the unique needs of metro areas. He's sounding something like exactly what the MGA is today. Along with this, he's refusing to reconsider redistribution of the industrial property taxes to formally share this wealth with populated areas. Remember, 83 per cent of Albertans live in urban areas, receiving only 6 per cent of this revenue. To the minister: why does this minister continue to set up rural areas as winners and cities and towns as losers to fair distribution of industrial taxes and big-city charters?

**Mr. Griffiths:** Well, Mr. Speaker, I haven't backtracked on anything. We have continued to go forward with the charter issue, and I have spoken with both mayors, who are reviewing it right now, and I hope that we have some good announcements to make in the few weeks ahead.

When it comes to taxation, I have pointed out time and time again that taxation assessment is a third of the MGA, and there will be some vigorous discussions around it. But you don't rob Peter to pay Paul. There isn't a municipal jurisdiction, whether it's rural or urban or north or south, which isn't having challenges meeting the exceptional growth this province has. We have to

continue to work together, not compete for the same resource but figure out how we're all going to do this together for the sake of Albertans.

**The Speaker:** The hon. member.

**Ms Blakeman:** Thanks very much, Mr. Speaker. Well, can the minister provide hard copies of the so-called agreements he referenced between MDs or counties, agreements with municipalities to share the industrial property tax revenue? All I can find are gifts and informal agreements, which can be withdrawn at any point that the MD or county becomes displeased with the urban area.

**Mr. Griffiths:** Well, Mr. Speaker, there are countless agreements where municipalities have come together and either share a cost or share the revenue that they've got. If she would get out of the city and go travel around the province and actually talk to some of the municipalities, they might volunteer some of those agreements to her.

**Ms Blakeman:** I'm more interested in serving the two-thirds of the population that live in urban areas.

My final question to the minister: what is the point of a regional or growth management board if membership is voluntary? How do they have any credibility or any reliability?

**Mr. Griffiths:** Here you go, Mr. Speaker. This is exactly proof positive of why they don't have one single member in rural Alberta, because they only consider the cities important. We consider every single municipality in this province, from the far north to the far south, critical to helping make sure that the prosperity of this province carries on in the years and generations to come.

### Child and Youth Advocate Report on Youth Suicide

**Ms Notley:** Mr. Speaker, no support to adjust to the profound changes associated with moving to Canada from his violent homeland, regular isolation from his ethnic community, six different caseworkers and 10 different homes in four years: this is what 13-year-old Kamil had to look forward to when he was put into this government's care, and this is the history the children's advocate found after Kamil hung himself at the age of 17. To the Minister of Human Services. The points at which the system failed Kamil are too frequent to count. How can Albertans believe our system under this government is capable of protecting our province's most vulnerable children?

**Mr. Hancock:** Mr. Speaker, the death of any child is tragic. The death of a child in care, in particular one who has come to this country for a sense of purpose and promise, is very, very tragic, and we have to take that with us as we try and move forward to build a system that is there for every child regardless of their background, regardless of where they came from. Every child in Alberta deserves the opportunity to be successful.

The good news, Mr. Speaker, is that we're moving very strongly in that direction. The Premier, when she brought together the Department of Human Services, created a foundation for that holistic sharing, that the Child and Youth Advocate talked about in his report, that's necessary for us to be able to serve these children.

**Ms Notley:** Well, Mr. Speaker, given that, ironically, this government is patting itself on the back today for creating more positions

like the mental health advocate and given that under that advocate's watch Human Services failed repeatedly to ensure that basic recommended mental health prescriptions were provided to Kamil or that Kamil received addictions treatment or that Kamil received treatment for the PTSD he suffered from, will the minister admit that his government is failing so profoundly on the issue of providing mental health services to our most vulnerable Albertans that 10 mental health advocates couldn't fix the mess they've made?

**Mr. Hancock:** Mr. Speaker, the most profound statement that the Child and Youth Advocate made in his report was that what we needed to do is to work together collaboratively to share information appropriately. In fact, that's what this Premier determined more than two years ago in putting together the Department of Human Services, just basically mandating this minister to come forward with legislation both from the Child and Youth Advocate Act, which created the independent office of the Child and Youth Advocate, and the Children First Act to mandate the sharing of information in appropriate ways precisely for this particular circumstance.

**Ms Notley:** Mr. Speaker, given that the children's advocate has likened this minister's department to an emergency room lurching from crisis to crisis while failing to provide the consistent, forward-looking support that is needed to help these young people grow, why won't the minister commit today to providing the resources necessary to guarantee the improved service delivery the advocate recommends instead of insisting that his plan to divest responsibility to care for vulnerable children won't create more tragedies – more tragedies – like Kamil's?

**Mr. Hancock:** Mr. Speaker, we're doing precisely what the Child and Youth Advocate has recommended, and we started doing that some two years ago, when the Ministry of Human Services was put together. But we actually started prior to that with respect to information-sharing processes, with respect to making sure that professionals, whether they're health professionals, whether they're mental health workers, whether they're teachers, whether they're social workers, whether they're police, work together and share information in the best interests of the child so that children can get precisely the help that they need, so that their issues can be identified on a timely basis and resources can be applied to ensure that those children get the help that they need. We're doing that under this Premier's leadership.

**The Speaker:** The hon. Member for Calgary-Shaw, followed by Bonnyville-Cold Lake.

#### Calgary Ring Road Completion

**Mr. Wilson:** Well, thank you, Mr. Speaker. To listen to the Transportation minister's excitement on the completion of the southeast portion of the Calgary ring road in September was contagious. We're right on schedule, and we're anticipating opening right on time, he said. But now the deadline of October 1 has come and gone, and commuters are still stuck on incomplete interchanges and reduced lanes and speeds on Stoney Trail. To add to the confusion, the minister's press secretary said that he wouldn't even speculate on when the delays would end and the road would finally open. To the minister: when are we going to see an end to the chaos and confusion?

**The Speaker:** The hon. minister.

2:30

**Mr. McIver:** Thank you, Mr. Speaker. I think what the member is asking is when we're going to see the end of the construction or at least to the point where we'll open the road. That's a fair question. In fact, we continue to work closely with the contractor. We know that when we're done, Albertans are going to get a very good piece of infrastructure. We know that we've saved millions of dollars through the P3 process, which this member's party disavows. They don't want that good value for Albertans. We continue to spend money on good projects for building Alberta. The road will be open very soon, and we will make an announcement.

**Mr. Wilson:** Well, given that this minister has all but disappeared on this file recently and given that the residents around Stoney Trail have lived with construction for over three years and congestion for far longer, when is the minister going to show some leadership and give us a definitive date when this road is going to open?

**Mr. McIver:** Well, Mr. Speaker, the hon. member has it wrong. They've actually put up with construction for four years. He's not even close, but I've come to be accustomed to that. The fact is that I've been very active on this file, been working closely with the contractor. Albertans are benefiting by in the neighbourhood of \$70,000 a day. When we can get the infrastructure complete, into the public's hands, where their safety is protected, where traffic will be able to flow, it'll happen, and it won't be too soon for me or for any Albertans.

**Mr. Wilson:** A record to be proud of, Mr. Speaker.

Given that the fines in this P3 contract are about \$70,000 a day, or equivalent to roughly \$3 million at this point, can the minister outline what benefits taxpayers will receive in return for your ministry's failure to deliver on the deadline?

**Mr. McIver:** Actually, Mr. Speaker, again, unfortunately, the member has it wrong. Our government has delivered on a major project. We're delivering on completing the ring road in Calgary. We're going to make traffic better. We actually signed a contract on behalf of taxpayers that protects their financial interests. When the road opens, it will be convenient, and it'll make life better for them. It's a few days late. There's no doubt about that. It's a construction project. This is quite normal. All in the fullness of time, and it won't be long.

**The Speaker:** The hon. Member for Bonnyville-Cold Lake, followed by Airdrie.

#### Emergency Medical Services for Bonnyville-Cold Lake

**Mrs. Leskiw:** Thank you, Mr. Speaker. There have been continuous concerns raised over ambulance dispatch times, and my constituency of Bonnyville-Cold Lake is no exception to this. Cold Lake community ambulance service is now dispatched through Edmonton. The Cold Lake Ambulance Society is worried. These changes have drawn ambulance resources and services away from the Cold Lake area and transferred them to Edmonton. To the Minister of Health: can the minister offer assurances to the residents of my constituency that the current dispatch system in Edmonton will not negatively affect the availability of ambulance service in Bonnyville-Cold Lake?

**Mr. Horne:** Well, Mr. Speaker, I thank the hon. member for the question. I think that Cold Lake made a very wise decision when

they decided to consolidate dispatch services with Edmonton. I can tell you that since August there were actually only nine calls that Cold Lake ambulance responded to in Edmonton. Of course, when we consider the importance of central dispatch, it's with the belief that it would be inappropriate for an ambulance to drive by an emergency because it's not in their home community. This is the reason why we've moved to consolidate dispatch services in Alberta. These concepts and these processes were backed by a quality-based review by the Health Quality Council, and they're benefiting Cold Lake residents.

**The Speaker:** The hon. member.

**Mrs. Leskiw:** Thank you. My first supplemental is again to the Minister of Health. What is being done to acknowledge and address the concerns of fatigue that staff at the Bonnyville-Cold Lake ambulance societies have raised since this new dispatch system has been implemented?

**Mr. Horne:** Mr. Speaker, although it's not related to the issue of central dispatch, I know that Alberta Health Services' EMS staff are working at all times to identify ways that they can better support EMS workers that provide those services. I can tell you that the calls per month in Cold Lake have remained relatively stable since Cold Lake consolidated dispatch with Edmonton. Fatigue management, as I've said, is top of mind for AHS, and they continue to work to develop fatigue management plans for all shift workers, including EMS, to ensure their well-being.

**The Speaker:** The hon. member.

**Mrs. Leskiw:** Thank you, Mr. Speaker. Finally, I would like to ask the same minister to clarify the ambulance dispatch billing and payment processes as many of the calls the Bonnyville-Cold Lake ambulances make in Edmonton are unable to be properly billed back to each respective ambulance society.

**Mr. Horne:** Well, Mr. Speaker, I would agree, as would any member of this House, I'm sure, that it would be inappropriate for any patient to receive two invoices for a single EMS event. I'm not aware that this is an issue in Cold Lake. We're happy to look into it if the hon. member wishes. It is something that has been taken into consideration, and thanks to the support from Cold Lake for the orderly transition of dispatch, I'm sure it is not going to be an issue in the future.

Thank you.

### Securities Fraud

**Mr. Anderson:** Mr. Speaker, in the spring I questioned the Finance minister regarding several exempt market security schemes that have defrauded over 25,000 Albertans of roughly \$2.2 billion. The Alberta Securities Commission has charged one of the alleged scammers in this matter, but sadly, although the ASC can levy fines, it does not have the mandate to recover and return money from these scams to the defrauded investors. To the minister: will you alter the law so that the ASC is given broader powers to recover funds from schemes like this and then to return those funds to their rightful owners?

**Mr. Horner:** Well, Mr. Speaker, it's actually a good question, and I'm impressed with the hon. member putting the question out there. It took a couple of years, but we got there.

The chairman of the Alberta Securities Commission and I have spoken about this issue. As the hon. member has mentioned, there

have been some fines levied. Unfortunately, in many of these cases there may not be anything to go and get because a lot of the stuff has dissipated out into the nether lands of people spending the money. However, I do agree, and the ministers that are responsible for securities regulation across Canada and I are sitting down and talking about further regulation. In fact, we have some amendments coming.

**The Speaker:** Thank you.

**Mr. Anderson:** I'm still in shock from getting an answer from the minister after two years. Very good.

Minister, given that in many of these exempt market schemes Albertans have invested money for a specific project only to see their money used instead to fund everything from lavish executive benefits to random properties in Central America and that in most cases the fraudsters have gotten away with it, would you be willing to appoint an MLA working group – and I'd be willing to volunteer if you'd like that – to review the current exempt market rules and regulations so that we can better protect Alberta investors from these all-too-common frauds and scams?

**Mr. Horner:** Well, Mr. Speaker, I don't know if that was a request to come back, or whether it was just . . .

**Mr. Lukaszuk:** He's looking for extra pay. That's what he's looking for.

**Mr. Horner:** Or perhaps, Mr. Speaker, it's a request for extra pay.

Mr. Speaker, as I said, the ministers responsible for securities regulation will be meeting again in December. It was my intention to bring this up in one of those conversations. Again, as I'm sure the hon. member would be aware, we do want to harmonize our securities regulation across Canada so that these, for lack of a better word, shysters who may be crossing the boundaries of the law in other jurisdictions don't simply just move from one jurisdiction to another. So we are going to be working on that.

**Mr. Anderson:** Mr. Speaker, given the Alberta Investors Protection group represents 25,000 Alberta investors on this issue and has several proposals to help protect Albertans from being victimized by exempt market scams in the future and given the minister clearly offered to meet with this group during his response to my question back on May 9, this spring, in this House – yet apparently his office forgot about that and turned down the request during the summer recess – Minister, will you instruct your office to set a time with the Investors Protection group on this matter as soon as possible? I know it must have been an oversight. Would you be willing to meet with these folks?

**Mr. Horner:** Well, Mr. Speaker, the timing didn't work during the summer months. Obviously, we had a few other things that we were working on as a government given the flood, and I am a member of that task force. I have no issues meeting the group, but as I've said, until we have a meeting of all of the provinces – and I have their information, and one of the things that we'll be taking to the ministers' meeting in December is that information. But there are also other ways that we may be able to mitigate this sort of thing in the future. However, overregulation is also something that we want to be careful to avoid.

**The Speaker:** The hon. Member for Edmonton-McClung, followed by Olds-Didsbury-Three Hills.



### Seniors' Issues

**Mr. Xiao:** Thank you, Mr. Speaker. Many of my constituents have family members who live in long-term care facilities. They have concerns regarding the well-being of their parents across the province in regard to a variety of issues such as general safety and the quality of food being served. My question is to the Associate Minister of Seniors. What is being done to ensure that the quality of food in those facilities is being kept to a high standard?

**Mr. VanderBurg:** Well, Mr. Speaker, it's important in our continuing care facilities that food not only taste good but that it's nutritional and it provides variety and it is suited to the cultural and ethnic community. That's why we have what's called a provincial core menu program. It ensures consistent quality and standards in our food. That doesn't say that in our continuing care homes that staff aren't continually, you know, adjusting the menus and working with resident councils to make sure that the best possible food is offered in those homes.

2:40

**Mr. Xiao:** To the same minister: given that elder abuse continues to be a sad reality for some seniors across the province, can you provide an update on what is being done to combat elder abuse in our province?

**Mr. VanderBurg:** Mr. Speaker, this is one of the issues that bothers me when I get calls. It's unfortunate that there are bottom-feeders out there that prey upon vulnerable people. You know, about 10 per cent of the seniors in the province have been hit with financial abuse, and that's why we've worked so hard within the department to have a train the trainers program. I think we've worked with over 500 care providers to make sure that they know what's available. But I want to tell everybody in the Assembly that if there's something like this going on that comes to your office, call the police.

**Mr. Xiao:** Again, to the same minister: given that a number of my constituents have issues regarding the accessibility of long-term care facilities for their parents, what is your office doing to ensure that spaces are available when they are needed?

**Mr. VanderBurg:** Well, Mr. Speaker, one of the issues that we have in the province is the increased capacity. You know, every 15 minutes someone turns 65 in this province, so 470,000 seniors today, and in about 20 to 25 years we're going to have double that population. This government recognizes the need to continue to build more seniors' homes. This is why we've announced another thousand in construction this year, and that's why we've opened a thousand new units in facilities across this province.

### Statement by the Speaker

#### Oral Question Period Practices

**The Speaker:** Hon. members, that concludes the time allotted for question period. Just a couple of quick points I'd like to mention. First of all, there were a number of side conversations today. Obviously, you've all missed each other this last week, but sometimes they get a little overbearing. Nobody minds a little bit of private whispering, but keep it to a whisper. I can almost make out some of the conversations over on this side of the House, for example, so let's keep them down.

Number two, when you're using notes to speak, whether it's in question period or elsewhere, please don't put them between your

speaking apparatus and the microphone because it muffles it, and people don't get good, clear sound as a result.

Number three, I want to compliment Red Deer-North. Well demonstrated. No preamble whatsoever to her supplementary questions.

Number four, clearly, you haven't missed me as much as I've missed you because I set a new record today: only five notes from you to the Speaker. That has never happened in this Assembly ever. Only five notes from members to the Speaker. So thank you for that. It made my concentration a little better.

In a moment here I will continue with Members' Statements, starting with Cypress-Medicine Hat in 20 seconds.

### Members' Statements

(continued)

**The Speaker:** Let us begin then, please, with the hon. Member for Cypress-Medicine Hat, followed by Edmonton-South West.

### Infrastructure Planning

**Mr. Barnes:** Thank you, Mr. Speaker. Today I am pleased to release *A Better Way to Build Alberta*, a report following a seven-day, 7,000-kilometre, province-wide tour to consult with Albertans about infrastructure. This document comes as a result of talking with hundreds of Albertans about their infrastructure priorities and how infrastructure decisions are made.

From industry stakeholders to city and town planners to municipal leaders and local residents in coffee shops, Albertans know there is a better way to build Alberta than the way it is being done now. When this government begins or completes a project, they hold a press conference, stage a photo op, install billboards, or even reannounce the same thing several times. Meanwhile, critical infrastructure priorities remain unaddressed and are not on a three-year plan or have been yanked off the list with no explanation given. The result is confusion and frustration. Albertans want to know when their priorities will be completed. They want to get the politics out of infrastructure decisions.

Mr. Speaker, that is why I'm proud to release *A Better Way to Build Alberta*. This document offers 10 common-sense solutions to accomplish what Albertans want to see when it comes to infrastructure decisions. Albertans want the government to plan for the future, and this includes conducting cost-benefit analyses so economic priorities are addressed. Currently Alberta spends 80 per cent more per capita than Ontario and western provinces on infrastructure. The Wildrose debt-free capital plan proposes to bring this down to 15 per cent more than the average, which would be a significant improvement for long-term sustainability. Albertans want to see an infrastructure priority list based on objective criteria so they know when their priorities will be completed.

I would like to take this opportunity to offer a heartfelt thank you to all the people I met while touring the province. With the help and support of so many great people I have great optimism for the future of our province.

**The Speaker:** The hon. Member for Edmonton-South West, followed by Sherwood Park.

### National Bullying Awareness Week

**Mr. Jeneroux:** Thank you, Mr. Speaker. I rise today to recognize November 17 to 23 as National Bullying Awareness Week. This is a time that brings communities together to stand up against bullying and to encourage kindness, respect, and inclusion in our

province. I commend all members of this Assembly who are wearing the bully-free wristbands today as a display of unity and leadership in preventing bullying.

As a number of activities and events are taking place across Alberta in honour of this week, this morning Albertans joined the hon. Associate Minister of Family and Community Safety and special guest panelists in an interactive, live webcast. They learned more about how to stop bullying and promote healthy, respectful relationships in communities, schools, and workplaces. Bullying is a societal issue with terrible consequences. Far too many lives have been affected by it. It hurts our friends, our colleagues, and our families. Eliminating bullying will not be an easy task. No one person, group, or government can do it alone. It will take all Albertans becoming informed, getting involved, and taking responsibility.

I encourage Albertans to visit [bullyfreealberta.ca](http://bullyfreealberta.ca) and [b-free.ca](http://b-free.ca) to learn how to make a difference in their community. If you or someone you know is being bullied, please call Alberta's toll-free bullying helpline at 1.888.456.2323. You can get assistance 24 hours a day and in more than 170 different languages. Together let's create a province where bullying is not tolerated in any circumstance. Let's ensure that all Albertans are safe, respected, and included in our schools and communities.

Thank you.

**The Speaker:** The hon. Member for Sherwood Park, followed by Calgary-Varsity.

### Community Development

**Ms Olesen:** Thank you, Mr. Speaker. Last week I had the pleasure of reconnecting with many of my former colleagues in municipal government from across this province at the Alberta Association of Municipal Districts and Counties fall convention. Today I would like to extend a special tribute to the men and women from all walks of life who put their names forward to serve their communities. As everyone in this Chamber knows, it takes courage to stand before your communities and neighbours to run for public office, to develop consensus on how to make your communities better, build roads, attract development, create jobs, provide recreation opportunities, and make your communities a fine place to live, work, and raise a family.

Communities don't just happen. People settle in an area for a reason. They find employment or invest in a business. They build or buy a home. They get together with others in their community to plan for the services and facilities and how to fund them. New infrastructure such as highways and overpasses, new facilities such as community centres or transit terminals, and new commercial and residential growth depend on the vision and consensus-building skills of elected officials. It may take years for an infrastructure project to make its way up the list of priorities from all over the province, survive financial scrutiny, be budgeted for, designed, and built. Major facilities such as community centres or transit may be subjected to years of public consultation and reassessment until a majority of council is convinced to build them and has the confidence to allocate the funding.

Further, attracting industry requires visionary councils to put in place the services, zoning, and other factors important to industrial success. Facilities such as libraries, schools, museums, recreation facilities, roads, and bridges are built on decisions of elected officials.

So for all these reasons, I salute all of those who stand forward, who make the plans and create the conditions for their commu-

nities to not only survive but to thrive. Together we must continue to build Alberta.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by Calgary-Buffalo.

### 2:50 Pacific NorthWest Economic Region

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. Last week Alberta hosted meetings with some of our closest trading partners. With GDP in the trillions and more than 10 million people this group shares our challenges and recognizes collective opportunities. Whom am I talking about? The Pacific NorthWest Economic Region, or PNWER, our province's partners in the American states of Alaska, Idaho, Montana, Oregon, and Washington and the western Canadian jurisdictions of British Columbia, Alberta, Saskatchewan, the Northwest Territories, and Yukon. We share some common challenges in this region, including how to get landlocked commodities to tidewater and growing markets: potash from Saskatchewan, wind power and coal from Montana, bitumen from Alberta, and, of course, natural gas from western Canada.

This past week PNWER met in Banff, where I had the privilege of co-chairing a panel on market access. We brought together legislators from across North America and connected them to industry leaders to face these challenges together. We had frank, open discussions on the realities of all of our experiences getting commodities to markets. We shared best practices and identified opportunities for collaboration.

This wasn't just an academic exercise; PNWER is about action. We had framed these issues in July, progressed them last week, and now we've agreed to move forward, talking about how complex decision-making and regulatory processes can be improved in the region. We're committed to talking openly about how we access transportation and port facilities across jurisdictions and across commodities. PNWER members are uniquely positioned to access growing markets.

We may not be assuming the same physical risks taken by Lewis and Clark, Yellowhead, and David Thompson when they opened up new frontiers centuries ago, but the pioneering spirit may well be quite the same.

Thank you, Mr. Speaker.

### Transgender Community Victims of Violence

**Mr. Hehr:** November 20 is the day of remembrance for transgendered individuals, where we remember the victims of hate-based violence and suicides brought on by discrimination. Despite much progress this group of people still remain largely misunderstood, isolated, and vulnerable. Imagine waking up and having to decide whether to express yourself, risking harassment and often violence, or hiding who you are. Think of your faith, your family, your language, or other qualities that are central to you, which you cannot change. Imagine having to hide these qualities or risk assault. This is the reality faced by our transgendered community.

These are individuals who are born as one gender and whose brain functions in a way that tells them that they are another gender, and they want to express who they are. It seems so simple, yet statistics on what this community goes through are astounding. Egale Canada found that 49 per cent of trans students reported being sexually harassed; 25 per cent reported being physically assaulted. Another shocking statistic: 43 per cent of trans individuals have attempted suicide.

There is a solution. The key to tolerance is understanding, and the key to understanding is education. We need to make things

better today for our transgendered community and our larger LGBTQ community. One way to do this is to follow the lead of other jurisdictions, making mandatory gay-straight alliances in our schools where students desire their establishment. The evidence is clear that when these are established, students feel safer and bullying is reduced. Further, the government must do more than simply march in pride parades. It must get rid of section 11 in Bill 44, which, in my view, is a slap in the face to our LGBTQ community.

On Wednesday let us stop and remember those that we have lost, but then for the next 364 days we must work to protect and support this community. Thank you.

**The Speaker:** Hon. members, before we proceed with the next item of business, might we have unanimous consent to revert briefly to Introduction of Guests?

[Unanimous consent granted]

### Introduction of Guests

*(continued)*

**The Speaker:** Hearing no opposition, the hon. Minister of Tourism, Parks and Recreation.

**Dr. Starke:** Well, thank you very much, Mr. Speaker. It's my very great pleasure today to introduce to you and through you to all members of the Assembly two guests from Lloydminster who have braved the roads to come here today. Bonita Brick is the chair of the Lloydminster action on youth tobacco reduction. She's here from the Saskatchewan side of Lloydminster, so no doubt we know who she'll be cheering for this coming Sunday. [interjections] Sorry, Calgary fans, but you got your butts kicked.

Secondly, Mr. Speaker, I'm also very pleased today to introduce Jianna Marin. Jianna is a grade 12 Lloydminster comprehensive high school student. Jianna has been working very hard for the last couple of years as the chair of the Lloyd Flavour . . . Gone campaign and has a particular interest in Bill 206 because it was largely the actions of her and her committee, bringing this to the attention of the Associate Minister of Wellness and myself, that brought Bill 206 to fruition and, we hope, to a successful conclusion today. In addition, Jianna was a participant in the MLA for a Day program and certainly enjoyed that. On Thursday she along with Lloyd Flavour . . . Gone will be awarded one of the Barb Tarbox awards for tobacco reduction in Alberta.

I'd like them to stand and receive the warm welcome of the House.

**The Speaker:** Hon. Deputy House Leader, Minister of Justice, you were signalling that you might want to seek unanimous consent under SO 7(7) to proceed beyond 3 o'clock. Did you wish to ask that?

**Mr. Denis:** It seems to me, Mr. Speaker, that you've taken the words right out of my mouth. I would so move.

[Unanimous consent granted]

### Notices of Motions

**The Speaker:** Hon. Member for Edmonton-Calder, given the day's events did you still wish to proceed with your notice?

**Mr. Eggen:** Well, considering how we managed to get some funding for the Philippines relief – I think we were certainly

concerned about this, and we did not appreciate the sort of long delay. A lot of the Filipino community members from all across the province were . . .

**The Speaker:** Hon. member, do I take it, then, that you wish not to proceed with giving notice at this time? It's just a simple yes or no.

**Mr. Eggen:** Well, considering all of those things, yes, Mr. Speaker, we will withdraw. Thank you.

**The Speaker:** Thank you very much, hon. member.

### Tabling Returns and Reports

**The Speaker:** The hon. Minister of Tourism, Parks and Recreation, followed by Calgary-Fort.

**Dr. Starke:** Well, thank you, Mr. Speaker. I rise today to table five copies of written responses to questions raised during the March 20, 2013, main estimates debate for Tourism, Parks and Recreation.

**The Speaker:** The hon. Member for Calgary-Fort, followed by Fort McMurray-Wood Buffalo.

**Mr. Cao:** Well, thank you, Mr. Speaker. As chair of the Standing Committee on Legislative Offices and in accordance with section 4(2) of the Election Finances and Contributions Disclosure Act I would like to table five copies of the report of the office of the Chief Electoral Officer titled 2012 Annual Report of the Chief Electoral Officer. The report will be distributed to all members today.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo, followed by Rimbey-Rocky Mountain House-Sundre.

**Mr. Allen:** Thank you, Mr. Speaker. I rise today to table the requisite number of copies of Syncrude Canada's aboriginal review for 2013 entitled Pathways. Syncrude is proud to say that over 9 per cent of their employment base is aboriginal. They have also been nationally recognized and awarded for many years as a leader in aboriginal employment. Syncrude strongly believes that community involvement and diversity are strong reasons for their successes over the years. They work closely with aboriginal business owners within the Wood Buffalo community to identify further opportunities. It's my pleasure to share copies of this report with the Legislature.

**The Speaker:** Hon. Member for Rimbey-Rocky Mountain House-Sundre, I understand you have four tablings.

**Mr. Anglin:** Three tablings.

**The Speaker:** Three? Please proceed.

**Mr. Anglin:** Thank you, Mr. Speaker. I rise to table three years of Environment Canada's national pollution release inventory system of the contaminants in the Obed coal mine.

Thank you.

3:00

**The Speaker:** The hon. Member for Calgary-Buffalo, followed by Edmonton-Beverly-Clareview.

**Mr. Hehr:** Thank you very much, Mr. Speaker. I have three tablings today. The first is Egale's final report on homophobia,

biphobia, and transphobia in Canadian schools. It goes through the issue in great detail and actually recommends gay-straight alliances in all our schools.

The next is Trans Pulse, which goes through some of the statistics of the horrible nature of discrimination that our transgendered population faces.

The last is a letter from Kristen Read from Calgary, outlining the challenges facing people with developmental disabilities in this province.

Thank you very much, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you very much, Mr. Speaker. Today I'd like to table 100 handwritten letters my office received expressing concerns about the deep cuts to postsecondary education that are happening in Alberta. A feeling of confusion, frustration, and hopelessness is reflected in over 1,000 letters my office has received from concerned staff and students at the University of Alberta. These letters call on this PC government to reverse their harmful cuts to postsecondary education.

Thank you, Mr. Speaker.

**The Speaker:** Are there others?

I have a tabling. Pursuant to section 28(1) of the Ombudsman Act I would like to table with the Assembly the requisite number of copies of the annual report of the office of the Ombudsman for Alberta for the period from April 1, 2012, through to March 31, 2013.

Thank you.

Hon. members, we don't have any points of order, which is wonderful. Thank you for that.

#### **Speaker's Ruling Private Members' Public Bills**

**The Speaker:** We're going to proceed onward with Orders of the Day, but before we do that, I would like to make a brief comment, if I might, hon. members. During Tabling Returns and Reports on our last sitting day, which I believe was around November 7 if memory serves me correctly, right before the constituency week break, I tabled in the House a letter from the hon. Member for Calgary-Currie, in which she requested that her Bill 206 proceed directly to third reading today, once it has completed consideration in Committee of the Whole. As I noted on that day, this request is actually hypothetical at this point since there are still 68 minutes remaining for consideration of Bill 206 at the committee stage.

I also noted that in my view as your chair I have a concern about this matter. I indicated that "in order for this bill to proceed to third reading [today], I would suggest that unanimous consent of the House be required so as to not unduly prejudice other members in the progress of their private members' bills." Your chair fully acknowledges that there have been a number of occasions when private members' bills have proceeded from Committee of the Whole to third reading on the same day. In some instances there were requests from the bill's sponsor for early consideration. In other cases unanimous consent of the House was requested, and in fact it was received.

Hon. members, I have taken some considerable time to review the precedents of this Assembly as well as rulings of previous Speakers on this topic. Suffice it to say that the matter of requesting early consideration has been an issue that both I as your

current Speaker and my immediate predecessor have repeatedly requested House leaders' attention to and review of with respect to procedural policy. The specific question to the House leaders would be for them to please review whether or not they can put in place a procedural policy that is equitable for all matters should the issue of early consideration for a private member's bill arise again.

I would refer members to Speakers' rulings from November 26, 2012, at page 1003 of *Hansard*; November 23, 2009, at page 1940 of *Hansard*; and December 1, 2003, at page 1968 of *Hansard*.

I would like to cite from a November 27, 2001, ruling from Speaker Kowalski, at page 1285 of *Hansard*, where he commented on a similar situation where a request for early consideration of a bill at third reading was submitted before the bill had actually reached that stage.

Taken to the extreme, this practice could jeopardize the legitimacy of the draw by considering one member's bill early by virtue of one request, thereby prejudicing other members.

Your chair is concerned that these requests may unfairly delay the ability of other members to bring forward their bills for consideration by the Assembly, and in this case, this would have the result of Bill 206 taking precedence over other bills for two consecutive weeks. In the absence of any House leaders' agreement or understanding on this subject, it is my view that requests for early consideration of a private member's bill should not be submitted until the bill has actually reached the stage for which early consideration is being sought.

Now, this has not been referenced before, so I am referencing it for you from my point of view for the first time. For instance, a request for early consideration at the committee stage should not be made until the bill in question has actually passed second reading because we cannot foretell what the House may do at any given stage of any particular bill, much less whether there would be amendments and the like to be considered. If we were to follow something more rigid, shall we say, this would avoid scenarios such as what we have before us today with the request for Bill 206.

In conclusion, I want to emphasize that my ruling on this today does not mean that Bill 206 is prohibited from proceeding to third reading this afternoon. That will be up to you to decide. Rather, it simply means that consent of the House is required for this to occur. That's what I mean by it being up to you. In the chair's view this process will be much more fair for all private members and will leave any decision about early consideration for third reading up to the Assembly itself. That being said, I would anticipate that the Member for Calgary-Currie may wish to exercise her right to ask for early consideration when the appropriate time comes up – that would be after the Committee of the Whole stage, assuming there is success at that stage, of course – or someone else on her behalf. Thereafter, perhaps we could ask the House leaders to do as I've requested earlier in my comment.

Thank you very much for your attention to that.

#### **Orders of the Day Public Bills and Orders Other than Government Bills and Orders Committee of the Whole**

[Mrs. Jablonski in the chair]

**The Deputy Chair:** I'd like to call the committee to order.

3:10

**Bill 206  
Tobacco Reduction (Flavoured Tobacco Products)  
Amendment Act, 2012**

**The Deputy Chair:** I understand that we are on amendment A1 and we also have 68 minutes left in Committee of the Whole. This amendment to Bill 206 was made by the hon. Member for Calgary-Currie, and I think you all have a copy with you.

Are there any comments, questions, or other amendments offered on this bill?

**Mrs. Forsyth:** Madam Chair, I'm pleased to stand up and speak to Bill 206. I wonder if you could just read into the record the amendment, as I don't have a copy of it in front of me, before I speak.

**The Deputy Chair:** I can read into the record the amendment.

- A The title of the Bill is amended by striking out "2012" and substituting "2013".
- B Section 2 is struck out and the following is substituted:
  - 2 The following is added after section 7.3:  
Sale of flavoured tobacco products prohibited
  - 7.4(1) In this section, "flavoured tobacco product" means a tobacco product that
    - (a) has a characterizing flavour,
    - (b) is represented as being flavoured, or
    - (c) is designated under the regulations as a flavoured tobacco product.
  - (2) No person shall sell or offer for sale a flavoured tobacco product.
- C Section 4 is struck out and the following is substituted:
  - 4 Section 9(1) is amended by adding the following after clause (d):
    - (d.1) designating a tobacco product as a flavoured tobacco product;
    - (d.2) respecting the exemption of a flavoured tobacco product from the prohibition in section 7.4(2).

Are there any comments, questions to this amendment A1? The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thank you, Madam Chair. I'm pleased to stand up and speak in support, actually, of Bill 206, the Tobacco Reduction (Flavoured Tobacco Products) Amendment Act, 2012. I have spoken in this House before, from the time when I was minister of children's services, about the importance of protecting our youth in regard to tobacco. When the hon. Member for Edmonton-Meadowlark brought his bill forward in regard to smoking in cars, I also supported that bill. I am wanting to tell the member that I will be supporting it, and I know that I'm going to be speaking in response to the amendment. There were just some questions, and I'm hoping that she can answer them as we go through the bill.

I guess one of the things that is bothering me are some of the things that she is incorporating in the regulations as far as the tobacco flavours, et cetera. I would like to get some answers from her on how that regulation is going to be enforced and what exactly is going to go into the regulations.

The other thing that I wanted to talk to her about is under her preamble when she talks about: "Whereas other jurisdictions have recognized the need to restrict the sale of certain tobacco products that are designed to attract young persons." And it goes on about the consumption: "Whereas there is a need in Alberta to curb consumption of tobacco products among youth by restricting the sale of flavoured tobacco." I have not heard anything on the floor while I've been listening in regard to what she's talking about when she says "certain tobacco products," so I'm hoping that at some time during debate in Committee of the Whole – I believe

you said that we have about 68 minutes left – she will rise and speak to that.

My last comment, and it alludes to what the Speaker said about the unanimous consent that I imagine the hon. member is going to be asking for after the debate of the committee. The comment that I want to make there is that if this bill is so important to the government, why don't they take the bill and put it into a government bill, similar to what they did for the organ donation bill from the hon. Member for Calgary-Foothills, where they've taken a private member's bill and had it turned immediately into a government bill in a very short period of time?

I hearken back to when I was a new member in this House, and I had brought forward my private member's bill, the Protection of Children Involved in Prostitution Act. One week it was a private member's bill, and then a couple of weeks after, it became a number one government bill. I know that the government can do this, so I guess, for me, it's wondering exactly why the government isn't taking this private member's bill and putting it into a government bill.

If the member could answer these questions. I certainly would love to give her my full support on this particular private member's bill but would like a couple of answers.

**The Deputy Chair:** Thank you.

We have an additional speaker, the hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** I'd like to put forward a subamendment to amendment A1, please.

**The Deputy Chair:** Okay. We have a subamendment. We'll pause for a moment while the copies of the amendment are passed out to the Assembly.

Hon. member, I think that we can proceed. This will be known as SA2.

**Mr. Saskiw:** Thank you, Madam Chair. The purpose of this amendment – well, I'll just go through the technicality of it. It's simply striking out the word "or" and substituting the word "and." I'd be interested in hearing what the mover of this piece of legislation has to say in this regard. A bill of this kind should not indiscriminately capture products. The use of the word "and" rather than "or" would require the government to look at each individual product on the market and determine whether each has a characterizing flavour that causes the product to have a significant use among youth before taking it off the market.

We, obviously, want to see in this province a reduction in the use of tobacco products by youth, but in this instance I feel this particular amendment is still overreaching. There should be a requirement before taking a product off the market that, you know, responsible adults have the ability to use and consume. Before taking it off the market, there should be a determination on whether or not that particular product has a characterizing flavour that would cause the product to have a significant use among youth.

3:20

For example, the government may want to ban cherry small cigars but not cherry pipe tobacco. In those circumstances there may not be empirical evidence that shows that cherry pipe tobacco is used by youth. In fact, it may be used by adults who can responsibly use that product. What this amendment would do would be to ensure that the government would make that analysis before taking the product off the market.

Bill 206 as currently drafted does not allow for this discrimination between products. Passing this proposed amendment will help to prevent the unintended consequences of large numbers of products that adult consumers choose being taken off the market and entering the underground, contraband market. In this province adults have the ability to use and consume products responsibly.

We understand that the mover of this bill intends to reduce the amount of tobacco use among youth, particularly combined with Bill 33, which is in second reading right now. But I feel that this amendment will make the government look on a case-by-case basis, when you look at a product, to ensure that that characterizing flavour is in fact causing youth to consume that product. If it's not, then it shouldn't be taken off the market if that's the aim of this piece of legislation. I'd be interested in hearing whether or not the member opposite would be interested in accepting this amendment to change the word "or" to "and" and have the three-part test in that subamendment section.

Thank you, Madam Chair.

**The Deputy Chair:** Are there any other members interested in speaking to subamendment SA2? The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Madam Chair. I'd also like to stand and add my support to this amendment. I think it is appropriate. It adds expansion. It's more inclusive than the other statement, and if there's anything we can do to reduce the use of flavoured and substitutes for tobacco in any of its forms, anything we can do to reduce the uptake of tobacco by children or adults, I think we should be doing it. I think this is a positive step forward.

**The Deputy Chair:** Thank you.

Are there any other members who wish to speak to subamendment SA2? The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Madam Chair. Sometimes we criticize the government for putting forward a piece of legislation or amendments without having enough time to review them. I understand that making a change like this needs a little bit of time. I'm not sure whether or not the hon. Justice minister may be considering accepting this recommendation or reviewing the legislation to see if there's a possibility that this specific amendment could be passed, but obviously, when we put forward amendments like this, it'd be nice to see the government's position on the record of why they would support an amendment or not support an amendment. I think that's done in most Legislatures. We'd hope that these members, obviously, know their legislation inside out and so would have a reason to not accept an amendment or perhaps a reason to accept it.

Madam Chair, again, what this amendment does is ensure that the government requires on an individual product basis that that characterizing flavour must in fact influence the youth to consume harmful tobacco products. Again, I give the example of cherry small cigars. There's probably evidence that the youth disproportionately use that type of product, and in that circumstance the test would be met, that the characterizing flavour, in that case cherry, would cause the product to have a significant use among youth. However, for cherry pipe tobacco there's a possibility that adults are the ones that are using pipes. I've read some studies where, you know, we don't often see 14-year-olds using pipes. I'm not saying that it doesn't happen, but I don't think it would in that case be a significant use. That characterizing flavour wouldn't cause a significant use among the youth.

In these circumstances, Madam Chair, I believe that this amendment strengthens the legislation with respect to not inhibiting individual liberty or personal freedom while at the same time going to the intended consequences, which is reduced consumption of tobacco products among youth. If a characterizing flavour, as it's defined in the legislation, does not in fact impact youth, then responsible adults should have the ability to consume those legal products. Of course, if it does influence the youth, then the minister, when they look at the different tobacco products, can then at that point make that determination. This is an amendment that would actually require the government to look at empirical evidence when determining which product to take off the market.

Madam Chair, I just ask again. This is a change of one word in a subamendment section in what has been heralded as a very important piece of legislation. If it's an important piece of legislation and an important subsection, it would be nice to hear from the government on why they would be accepting it or not accepting it. It would be nice to see what the government's position is on this particular amendment. Of course, this is a subamendment to the hon. member's amendment, and we had hoped to see what their position is.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. member.

Are there any other members who wish to comment? The hon. Member for Calgary-Currie.

**Ms Cusanelli:** Thank you, Madam Chair. With respect, to the member, we're just having some difficulty – and I've consulted with two different attorneys here – and we're trying to find exactly where it is that you're referring to. Is there an issue with the draft of the subamendment? I'm not sure.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Yeah. What would this amendment do? You had made an amendment that had a three-part test, one where (a) there has to be a characterizing flavour, and then if you look at the third part of the test, it required that the product actually have a significant impact among youth. What this does is just require each and every level, (a), (b), and (c), to be met before a product is taken off the market. Right now it's either (a) or (b) or (c). This amendment would require all three aspects of that test to be met before taking the product off the market.

**The Deputy Chair:** Are there any other members who wish to speak, make comments, or ask questions on SA2? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Chair. I rise in support of this amendment, and I do so to give the hon. member an opportunity to do a little work here because we really would like an answer. It is a very simple amendment, striking out "or" and substituting "and," making this test apply to all three parts, as the member has said. Basically, all we're asking for here is: what is the significant difference by making this requirement and the changes that this amendment actually brings forward, in effect? By doing so, it's an interesting amendment to improve the bill.

What I would like to hear from particularly are the two counsels that have provided their legal advice, and hopefully they would tell this honourable Assembly the points of that legal advice and exactly how this is going to apply and why this amendment either should or should not come forward and be approved.

With that, I will hopefully hear from the two legal counsels that provided that fantastic advice for the hon. member. Thank you very much.

**The Deputy Chair:** Thank you, hon. member.

The hon. Minister of Health on subamendment SA2.

3:30

**Mr. Horne:** Well, thank you, Madam Chair. First of all, I'd like to thank the hon. member for bringing forward the amendment, and in general the support of members, I think, on all sides of the House for the intent of Bill 206 is appreciated.

With respect to the subamendment that's proposed, I would not be able to support the subamendment, Madam Chair, for the simple reason that the premise of the entire bill is based on an overwhelming body of evidence that all flavoured tobacco, in fact, functions as a gateway for youth to, sadly, in many cases become lifelong smokers. So the bill and the particular amendment that this subamendment would clarify is designed, first of all, to recognize that evidence, to provide a ban on the sale of flavoured tobacco overall, and then within regulation to provide the ability for specific products to be exempt.

What I would say, recognizing the spirit in which the subamendment is put forward, is that the bill as it is originally proposed provides a means that if for some reason there was evidence that was identified with respect to some specific flavoured tobacco product that it did not have necessarily the same effect on a scientific or an evidentiary basis in attracting someone to become a lifelong smoker, there is certainly ability within the bill as it is proposed to exempt specific products which fall under the general label of flavoured tobacco.

Madam Chair, you know, again, to the main point for which I believe most people on my side of the House would not be able to concur with the subamendment is that it would provide a loophole that we're currently trying to close, and that loophole is the ability for manufacturers to market products in very new and innovative ways on a recurring basis. We're presuming that they would attempt to continue to do that. They are in a business. They are in a legitimate business. They're certainly allowed to market their product as they see fit, and we would expect them to continue to try to entice consumers, particularly young consumers, to buy these products.

As I say, the overwhelming evidence is that flavoured tobacco in general is a major factor in attracting children and youth to begin smoking. That's the premise of the bill, and to accept this subamendment would be to support something that's inconsistent with the premise as set out.

Thank you, Madam Chair.

**The Deputy Chair:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Madam Chair. That was a very thorough answer. Perhaps he should be their legal counsel instead of the other two.

Just with respect to the subamendment – and I understand where the hon. member is coming from. He is quite right that under the existing legislation Bill 206 would provide the minister the ability to exempt a product by regulation in a kind of reverse onus scenario. I guess that on the basic premise, though, that a characterizing flavour automatically leads to increased use of tobacco products by youth, I'm not sure whether the empirical evidence does in fact demonstrate that, and I gave a couple of examples. One of the other aspects is whether that is, in fact, the

intent of the legislation. My understanding is that menthol is not currently prohibited under Bill 206.

Again, I feel that we should err on the side of personal liberty and freedom, and if there is no evidence that a particular product is aimed at youth, then it should not be taken off the market. Responsible adults should be able to consume tobacco products that have characterizing flavours. If we go too far down this line, where do we stop? Do we ban flavoured alcohol because flavoured alcohol is targeted towards youth? Do we ban coloured firearms because they're targeted towards youth? Do we ban, you know, high-sugar pop because we feel that's impacting youth in a bad way? We have to in this province ensure that responsible adults can responsibly use products and not have government overreach on those types of products.

I'm sure I understand what the government's position is here, and it looks like I know how this is going to go. Thanks.

**The Deputy Chair:** Thank you.

Are there any other members who wish to comment on subamendment SA2?

Seeing none, I'll call the question.

[Motion on subamendment A1-SA2 lost]

**The Deputy Chair:** We'll go back to amendment A1 as presented by the hon. Member for Calgary-Currie. Are there any other comments or questions on amendment A1?

Seeing none, I will call the question.

[Motion on amendment A1 carried]

**The Deputy Chair:** Now we're back to Bill 206 in Committee of the Whole. The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Well, thank you very much, Madam Chair. It's my honour to rise and speak to Bill 206 in Committee of the Whole here. I think, first of all, a bill such as this one is long overdue, and it will be supported by myself and the NDP caucus in an effort to place more restrictions on flavoured tobacco products but especially to discourage young people from using these types of products.

I think, you know, what we would like to see is not only the bill as it's currently written but even stricter legislation or bans on some of these products, which are specifically designed by tobacco companies to target young people. We see that in the form of not only the products themselves but also the packaging and the marketing that goes with it. Unfortunately, this bill as it's currently written doesn't address how these tobacco companies are targeting youth and trying to get them to use their products and getting them addicted. One of the ways they do that, Madam Chair, is by the sale of individual flavoured tobacco products. Obviously, as opposed to having to purchase a package, they're much cheaper; therefore, it's much easier for young people to get their hands on these individual products, which is of grave concern to us.

Madam Chair, obviously, restricting the sale of flavoured cigarette products to youth is a very good decision and a step in the right direction. But, again, on some of the issues like the packaging and the targeting, which I would consider are some of the underlying issues, this bill doesn't go far enough to protect our vulnerable youth from tobacco companies' profit-driven strategies. Something that should be noted is that menthol is used by about a third of young smokers, but it may not be regulated in this bill, therefore again not going far enough to protect our youth and young people.

I just want to make mention, Madam Chair, that it's worth noting that nine provinces currently have legislation to curb tobacco sales to minors, and Alberta is the only remaining province without such legislation. You know, in some ways, I guess, it's nice to see that the government of Alberta is finally catching up to the rest of Canada. What's interesting to note is that British Columbia has actually achieved a merchant compliance rate of about 94 per cent through comprehensive provincial regulation of tobacco sales to minors, again going to show that there is absolutely a role for the government to play in curbing the use and discouraging young people from using flavoured tobacco products.

3:40

Madam Chair, we do and we will support this legislation. As I've said, this is a step in the right direction. I do wonder and ask the question: if this bill is of such importance to the government, why haven't they taken this bill from the private member and taken it on as a government bill to send that strong message that this is a priority for the government?

As I've said, Madam Chair, I wish that this bill would have gone a little bit further. There are still some questions that we have, but it's definitely a step in the right direction and a necessity that Alberta is finally catching up to our sister and brother provinces in the country.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you.

Are there any more members who wish to comment on Bill 206? The hon. Minister of Health.

**Mr. Horne:** Thank you very much, Madam Chair. I want to again thank the last speaker for his support of this bill. I will attempt to answer a couple of the questions that have been raised by members opposite thus far in the debate in Committee of the Whole. The first question was raised, I believe, by the hon. Member for Calgary-Fish Creek, about the enforcement mechanisms that will be available should this bill be passed. I'm pleased to report that this bill, if passed, would have the same enforcement provisions as the Tobacco Reduction Act currently in force in Alberta. Under that act, within the Provincial Offences Procedure Act to which that bill refers, any peace officer in Alberta is automatically an inspector for the purposes of the Tobacco Reduction Act. In other words, for anyone who under the Tobacco Reduction Act is identified as an inspector for purposes of enforcement, those enforcement provisions will also apply to this bill should it be passed by the House.

In addition to that, Madam Chair, the Department of Health would have the ability to make use of inspectors appointed or designated by the minister under the tobacco reduction regulation to enforce the legislation, and that's specifically section 6 of the regulation. These inspectors, in fact, do not have to be peace officers as identified under the Provincial Offences Procedure Act which I referred to earlier. As an example, inspectors in other areas such as the Alberta Gaming and Liquor Commission could potentially serve as inspectors for the purposes of this legislation. Equally, the government would be free to arrive at arrangements with municipalities, perhaps through bylaw enforcement officers who could also function as inspectors for the purposes of this act.

These opportunities, Madam Chair, are not restricted to the provisions under this particular bill. These provisions, in fact, as I said, currently exist under the Tobacco Reduction Act and can be applied to any provision under that act, whether we're talking about the use of flavoured tobacco among youth, whether we're

talking about children in vehicles where smoking is occurring, and so on. There is quite a wide range of options that are available and, actually, many points in the community generally where inspectors can be aware, can be vigilant, and can in fact enforce the legislation.

The second question that I wanted to respond to was posed by two members opposite, and that is: why was this particular bill not adopted as part of Bill 33, which has currently received first reading in the House, which is a bill that contains broader provisions, additional provisions to protect children and youth against tobacco use and the use of tobacco-like products? The reason for that is procedural, Madam Chair. I'll leave it to other more learned members to quote specific sections, but I can tell you from my own research that it would not be in order in the House to have a bill, albeit a private member's bill, on the Order Paper at the same time as another bill with the same substantive content. For that reason, we were not in a position to discuss with the various sponsors of this bill the opportunity to include it as part of a government bill.

Bill 207, to which some of the other members referred, was in quite a separate situation. There was no other bill, government or otherwise, on the Order Paper that contained substantive content similar to that which was provided in Bill 207, so there was a very good opportunity both procedurally and otherwise for the government to adopt Bill 207 as a government bill. We're only limited to doing that in this case because of the procedural rules in the Legislative Assembly.

I'll just conclude by pointing out, though, and I think it's very gratifying to observe, that this is the second situation in the same few months where we have had recognition of very, very good, very high-quality pieces of legislation put forward by private members that have been noted to be well supported on all sides of the House and in the opinion of many members to be worthy of being, in fact, government legislation. So I am pleased about that. But in this particular case, the rules don't allow us to do that.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. minister.

The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thank you, Madam Chair. I appreciate the minister getting up and answering some of the questions that I and a couple of other colleagues brought up. Under the Tobacco Reduction Act he talks about the enforcement provisions that apply, so can he please tell me how many charges were made under that act in regard to smoking and things that were done illegally, charges under the Tobacco Reduction Act? Now, I know that under the Canada Health Act, I think, or under the Criminal Code there was some confusion on why the government is bringing forward this government bill, which we refer to as Bill 33.

He also mentioned that under the tobacco reduction regulations it doesn't necessarily have to be a peace officer. It could be a bylaw enforcement or an Alberta Gaming and Liquor Commission agent. I guess, for me, I'm wondering if they're going to be hiring more people under the AGLC because from the knowledge that I've gathered, the officers are busy trying to attack organized crime, money laundering, all that sort of stuff, that obviously has a much higher priority when we see some of that going on within the casinos, things where they've been trying to attack organized crime and some of the gang activity and money laundering.

The last thing I want to ask is about the procedural rules that he talked about in regard to taking a private member's bill, which is the hon. member's bill, and putting it into a government bill. I believe we have a private member's bill, Bill 206, and we have a



government bill, which is Bill 33, and there are some procedural rules. So when the government was putting Bill 33 together, the government bill, why didn't they incorporate what was in the private member's bill into the government bill so we could talk about one major piece of legislation?

As I explained earlier, I am going to be supporting Bill 206. I'm just trying to understand why we're spending an incredible amount of time on a private member's bill, debating Bill 206, when what was in Bill 33 and what the member is bringing forward under her private member's bill could have been incorporated into a government bill, and we could proceed on private members' day with other private members' bills.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

**Mr. Horne:** Well, thank you. To the hon. member's point, at the risk of spending an inordinate period of time on discussing matters other than the bill at hand, I'll say two things. One is that I don't know offhand, Madam Chair, the number of charges that have occurred under the Tobacco Reduction Act. I'm talking here about legislation that is already proclaimed and enforced and has various provisions, including the prohibition on smoking in public places, among other things. Certainly, I can try to get that information.

We start from the position that, in fact, most people want to obey the law. My understanding is that both this bill and Bill 33, which is currently before the House, are the result of an update of the tobacco reduction strategy, that the government released last year, but also a result from long-standing leadership from many advocates in the community, including some municipalities who prior to provincial legislation enforced bans on smoking in public places through municipal law. So this is very much a situation, Madam Chair, where we are recognizing the fact that Albertans are looking for this sort of leadership through legislation. They are a hundred per cent behind this government, in particular our efforts to reduce smoking among children and youth, including the smoking of tobacco-like products. We are doing our best in all legislation to reflect the will of the people in bringing our legislative framework up to date.

3:50

As to the matter of, you know, the consolidation or nonconsolidation of Bill 206 and Bill 33 all I can say to the hon. member is that Bill 206 has been on the Order Paper for some time in this House, including preceding the current session. It was originally sponsored by a private member who is today the hon. Minister of Tourism, Parks and Recreation. Other sponsors of this bill on this side of the House are known to other members. But the bill has been on the Order Paper for some time. So, Madam Chair, the advice to us from counsel, under the rules of procedure that we observe here in the Legislative Assembly, is that we are not permitted to have before the Assembly two bills which contain the same substantive content.

I should think, by the number of people that are standing in support of this both on the government side and the other side, that should in no way suggest to anyone, Madam Chair, that there is nothing but very, very strong support for the provisions of Bill 206. Assuming it is passed by the Legislative Assembly, it will form a very integral role in our legislative framework to deal with the use of tobacco and tobacco-like products in the province, and I think Albertans will be very well served by that.

Thank you, Madam Chair.

**The Deputy Chair:** Thank you, hon. minister.

Are there any other members who wish to speak? The hon. Minister of Tourism, Parks and Recreation.

**Dr. Starke:** Thank you, Madam Chair. It's a great pleasure for me to speak on this bill, that I originally introduced into first reading last December. I'd just like to make a couple of comments that I think are very important. The hon. Member for Calgary-Fish Creek made some commentary with regard to the length of time that is being spent on this bill and that we could have perhaps saved time had it been incorporated into the main government legislation. I'm hoping that I'm misinterpreting her comments. I certainly hope that she's not suggesting that somehow we are wasting time by debating private members' legislation in this House. I think that Bill 206 has as much right to be discussed as any other private members' legislation, and as a result I'm pleased to be able to stand up and advocate on its behalf even though I'm no longer the sponsor of the bill.

I do want to give hon. members, though, a little bit of the history of this bill because I do think it's germane not just to our discussion as to how this bill came to be but also to address something that I think is important to all of us, and that is involving youth in the parliamentary and democratic process. Indeed, this bill came about as a result of a group of young people in Lloydminster, high school students, who got together and said that on behalf of their colleagues and on behalf of their peers they wanted government to take action and, in fact, to protect the youth of our province against the pervasive activities and marketing of tobacco companies.

It seems that each time a new regulation is introduced that restricts the tobacco industry, the tobacco industry comes up with new ways to go around or to avoid those regulations in order to put tobacco products in the hands of young people. I think that we can all agree that having increased tobacco usage by young people is something that we all want to avoid. This particular group, the Lloyd Flavour . . . Gone group, began a very effective postcard campaign in our community of Lloydminster – and it's a campaign that has spread province-wide – in which thousands and thousands of postcards have been signed by young people urging the Members of this Legislative Assembly to take action to protect Alberta's youth, and that is exactly what Bill 206 is intended to do.

I'll give you some examples of some of the sorts of things that go on. You know, until I became more familiar with this, I really had no idea just how pervasive and how damaging it is. As an example, flavoured tobacco products are in fact used as a gateway and as a lever to get tobacco into the hands and into the usage of our young people in many ways. One of the areas that I was very concerned to hear about is that it has actually, in fact, become a culture within the culture of midget hockey. Now, I'm also the minister responsible for recreation, so clearly I'm very interested in young people being involved in sporting activities. When I heard that in the city of Lloydminster the usage of what is called spit tobacco or chewing tobacco by 15-, 16-, and 17-year-olds who play midget hockey is over 50 per cent – over 50 per cent of the young folks that play midget hockey are users of chewing tobacco.

During the course of this particular campaign one of the people working on the campaign left a shoebox in the dressing room of the midget hockey team and said: when you're done your can of chewing tobacco, put it in this shoebox. Within one week 42 cans were collected, and of those 42 cans some 39 of them were flavoured tobacco. So you get an idea of just how pervasive this problem is. You get an idea that flavoured tobacco is very much the hook that is being placed, the bait that is being placed to lure

our young people into tobacco usage and, in fact, then results in increased usage of tobacco as we move forward.

Madam Chair, I was very, very pleased to be able to choose this topic as the first private member's bill that I introduced in this House because to me it married two things that are very important to me. One is preventative health care, and working in the veterinary profession as I did throughout my career, I will tell you – and I've said this to my colleagues before, including the Minister of Health – that veterinarians have it all over doctors in terms of understanding about preventative health care. We'll work on bringing the medical profession forward to catch up to us, but they've got a big gap to make up.

I'm very interested in preventative health care as it applies to all areas, but to be truthful, the one single thing that we could do in society to improve our overall health care outcomes is to reduce tobacco usage. That is by far the single measure that would save money and improve our overall health system and improve overall results.

The second area that I'm very interested in, Madam Chair, is involving young people in the democratic process. When I was approached by this very active group, a group that will be recognized as having the best antitobacco-use initiative in the entire province and be awarded one of the Barb Tarbox awards on Thursday at a luncheon, you know, I was compelled to act, with the co-operation of my colleague the Associate Minister of Wellness. We worked together on the drafting of this bill.

I'm very proud of this piece of legislation. I'd certainly like to thank the hon. Member for Calgary-South East, now the Associate Minister of Regional Recovery and Reconstruction for High River, and also the hon. Member for Calgary-Currie, who have taken up the sponsorship of this bill. Indeed, I'd like to think that we could have 87 sponsors of this bill because, truly, Madam Chair, I believe that we are all in favour of reducing tobacco usage amongst our youth and, in fact, are prepared to get behind the movement that was started in Lloydminster – and I'm very proud of that – to ban flavoured tobacco in the province of Alberta.

Thank you.

**The Deputy Chair:** Thank you.

The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thank you, Madam Chair. I just wanted to get up and ask a couple of questions, as is the custom during this reading of the bill. I guess the first issue that I wanted to ask about was in regard to specific products that are being considered for a ban. I mean, I'm just not that familiar with tobacco products for sale in general, so I just wanted to have a sense and perhaps the public would like to have a sense of what products are actually going to be taken off the shelves after we pass this piece of legislation.

I just wanted to ask the question as well, in the spirit of better health for youth, as to why we don't spend more time and effort in having more specific punishments for those vendors who are selling tobacco illegally. You know, perhaps having licences revoked or a higher penalty would help to reduce tobacco sales to young people.

Section 3 of this bill makes the selling or offering of flavoured tobacco products banned under the regulations, subject to a penalty of not more than \$10,000 for the first offence and not more than \$100,000 for the second offence and subsequent offences. I'm just curious to know why the author of this part of the bill didn't include more stringent penalties for offering or selling to minors specifically.

4:00

Section 4 talks about prohibiting certain flavouring agents, candy- and fruit-flavoured agents. Everyone knows that they are deliberately targeting children or young people to buy these cigarettes with alternative packaging and so forth.

[Mr. Cao in the chair]

However, you know, menthol cigarettes loom large in youth tobacco use, Mr. Chair. It seems that 1 in 25 adults who are smokers use menthol cigarettes, but 25 per cent of youth smokers are using menthol cigarettes. I know that menthol cigarettes serve a number of purposes to make smoking more palatable. They reduce the harshness of tobacco, and they act as a bronchodilator – is that what you call it? – which facilitates deeper absorption of the nicotine and deeper inhalation as well. I'm just wondering: why don't we go after menthol additives to cigarettes? It's my understanding that they, in fact, put menthol in lots of regular cigarettes, too, in a smaller dosage or to a smaller degree, thus making the negative effects even worse from deeper inhalation, reducing the harshness of tobacco, and with greater absorption of nicotine.

Again, my central issue around this bill is that I wished and hoped that we did include menthol into the whole package, and I'm wondering how come we didn't. Thank you, Mr. Chair.

[Mrs. Jablonski in the chair]

**The Deputy Chair:** Thank you, hon. member.

Are there any other members? The hon. Member for Calgary-Currie.

**Ms Cusanelli:** Thank you, Madam Chair. Just in response to this member's questions – and I thank you very much for those questions – I'd like to address first off the idea about the actual product lines that will be targeted, shall we say. In this case here, as is outlined in the amendment, we see in section 7.4(1) that it is a flavoured tobacco – so it is outlined essentially in the amendment itself – that

- (a) has a characterizing flavour,
- (b) is represented as being flavoured, or
- (c) is designated under the regulations as a flavoured tobacco product.

As I've said many times before, once regulations are developed for the bill itself, this is where we're going to get into the specifics of products themselves. Menthol, for example, is one topic of great interest that, you know, has been the rise of much debate and interesting conversation. While we are not including it in the actual bill itself, we are also not excluding it. I want that point to be made very clear.

I think that once we see the regulations unfold, this is going to give us an opportunity for consultation and an appropriate level of debate that will address where we do sit. I think it has been mentioned that this is legislation that is taking things a step further than other pieces of legislation across the country. I think we can be very proud to be the carriers of and championing this issue, especially where it's concerning flavoured tobacco, which will inhibit people who are selling tobacco products from being able to include the flavoured piece, which we know is pretty much the gateway to opening up the issue of tobacco use amongst youth.

With respect to addressing the actual enforcement or sanctions with respect to the sale to minors, my answer to that would be that we'll have a more fulsome discussion of this when we look at Bill 33, which is going to more so encompass enforcement. It's going

to address, I think, more in-depth and adeptly the notion of enforcement on sale to minors.

Once again, just to reiterate, Bill 206 itself is specifically targeted – and I think that’s what makes it such a powerful bill – at the notion of flavoured tobacco products, which, again, really classifies it as a bill where the intent very clearly is directed at protecting youth in our province.

Once again, thank you for the question.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Chair. I’ve listened to a lot of the arguments, and the idea of reducing the use of tobacco, particularly with the young but with everyone, is actually a good thing for our health system. It’s probably a very good thing for the public at large. Now, I’ve never been a smoker, and I don’t understand some of the arguments that have been made. I question the statistics on flavouring, and I don’t know how they bear out. I’ve not seen that.

What I’m more interested in – hopefully, one of the members can comment on this – is that other provinces have instituted it. What are the results? Has it worked? That’s really the key. Do we know that it works? One of the things that happens is that with our best intentions we can create laws, but if it doesn’t really make the impact that we intended to make, then this debate that’s happening here today is not worth anything. The whole goal is to reduce the use of tobacco.

I understand that people have taste buds and that they go to whatever flavours they go to, but I’ve never known the level of flavouring and its implications on our youth, on whether or not they use tobacco. What I do know: there are a lot of sociological studies out there that say that young people trying to emulate adults have been influenced and have used tobacco as a result of that. I also know that there have been studies on movies that influence young people and on the introduction of cigarettes as far as the mature or the very cool aspect to entice, and that’s been subject to debate in the whole industry.

I do have concerns, and the concerns are: where do we go, and where do we stop? What we’re not addressing in the bill and we’re not going to address in the next bill is the real concern, which is the carcinogens, the tar, the nicotine, the addictive nature. We won’t touch that. I think it’s probably not universal, but if we were to make tobacco illegal altogether, we would only create a nice black market.

So how do we get our young to stop using tobacco? If the member has any data to point me to – in these other provinces do they have any reliable data to point to that says, “When we introduced this type of legislation, here is what we’ve seen, this is what has happened, and this is how effective or ineffective it has been”? I haven’t seen that. I’m hoping that somebody could provide that. In the end, I get concerned between doing what is best and then also doing what is more of a nanny-state type of legislation that will not have any effect whatsoever.

I question the whole idea of flavouring. Someone brought up the issue of flavouring alcohol. I would argue, without any data in front of me, that you could probably make a fairly substantive argument that alcohol has just as much of a health implication on our health system as does tobacco, but certainly in the case of domestic violence I would argue that alcohol probably has a far bigger implication and that we’d be a heck of a lot better off if we reduced the consumption of alcohol. But I don’t know how many young people are influenced by the flavour of alcohol any more

than I know about how many are really influenced by the flavour of tobacco.

The question that I’m posing to any member is: of the provinces that have already implemented this legislation, is there any statistical data to back it up, to say that this is the reduction we’ve seen as a result of passing legislation that has removed flavouring? Does it exist? If it does, could you please point me to it, and I will definitely support this bill.

Thank you very much, Madam Chair.

4:10

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Calgary-Currie.

**Ms Cusanelli:** Thank you, Madam Chair. I’d just offer a little bit of information to your questions. When we look across Canada, one thing, as I said before, we note is that some of the legislation has not allowed for other provinces to be successful in preventing the use of flavoured tobacco products because companies have found loopholes in order to get through. There’s a lot of comparison, which I find interesting, between the use of flavoured tobacco and flavoured alcohol. When you really come down to it, I mean, with the comparison of liquor and tobacco regulations we’re talking about apples and oranges.

**An Hon. Member:** Apple and orange flavouring.

**Ms Cusanelli:** Apple and orange flavouring.

I’m not sure why we continue to use this as a level of debate. When you come right down to, you know, “How do we control liquor here in Alberta?” there’s a very big difference, and we have made many, many steps for a long, long time in terms of making sure that we keep that product out of the hands of young people. In my view, we are really at the embryonic stage of being able to adopt legislation that is going to prevent tobacco from getting into the hands of youth.

To me, if we look at the liquor control act, we have an establishment control over retail sales, prohibiting it to minors. Retailers have to post mandatory signage. There’s an authority that oversees the licensing. There are retailers that have to obtain a licence. There are retail sales staff that have to be 18 years of age in order to sell the product. They have to complete mandatory training to authorize them to have a licence. The list goes on. We have all of these particular particularities with respect to legislation in our liquor control act, yet with tobacco, again, we are at the beginning stages of ensuring that our kids do not fall prey to these products.

When we look at the facts behind making sure that we prohibit the sale of tobacco products to our youth, we know – and, again, I’m going to use the words “gateway product” – that flavoured tobacco is a gateway product so that our kids have a way to, you know, mask the flavour. We know that it’s dangerous for us to be giving them something that’s very tempting because at this stage in the game they are curious. They want to try new things. The statistics are showing that 46,000 Alberta youth are using tobacco products. That’s 23 per cent of our youth. Now, more than half of them are using flavoured tobacco products. I guess the question, to me, isn’t so much: how has legislation across the country worked? By those very data results and statistics we can see that something very serious needs to be done and soon.

To me, when I look at the idea of offering something that’s very tempting to kids and that can be sold, is far more readily available than a liquor bottle of flavoured vodka per se, you know, we haven’t done enough. Bill 206 is taking this to those very

beginning stages where we really do need to head in terms of tobacco legislation. We think about the costs just in Alberta alone, \$1.8 billion. Now, those are statistics from 2002, which is a while back. You can only imagine. Hopefully, the things that we have put in place legislationwise, educationwise have made an impact. We know that it has decreased the levels of children who are smoking, which is great, but that \$1.8 billion in 2002 is essentially the cost to Alberta that is more than alcohol and illicit drug use combined. That number, we can see, is a very big problem to our province.

Madam Chair, I guess I would conclude my response to the hon. member with that and once again just say, you know, that this isn't a bill about restricting people's rights. This is a bill about adults in this province taking the responsibility, our fiduciary duty to our kids, to ensure that we do not some things that are possible but everything that is possible in order to keep a product away. Probably 50 per cent of them or more will fall prey to some kind of a health problem as a result of using the product, that has directions on how to use it. That's completely absurd. So why do we continue in this day and age to think that we ought to be looking at my own personal right as an adult to smoke a menthol cigarette versus making sure that it does not fall in the hands of my daughter so that later on she falls prey to lung cancer or any other form of cancer, that I would never want to see my daughter fall prey to?

Thank you.

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thanks very much, Madam Chair. I'm pleased to respond again to this important bill, Bill 206, Tobacco Reduction (Flavoured Tobacco Products) Amendment Act, 2012, in committee. The average daily smoker loses about 15 years of life. If we don't do everything possible to reduce uptake, especially in children, where roughly a quarter of provincial smokers start, we are failing. That means restricting access, restricting sales, restricting marketing promotion, signage, and access to school kids.

A number of things have happened federally as well as provincially that have, I guess, dropped the rates of smoking in this country from about 27 per cent 10 years ago to about 17 per cent now, a little higher in Alberta for some reason. I can't quote any statistics about flavourings, but I think it's very clear on the surface of it that flavourings are what human beings respond to regardless of what food or beverage or, in this case, tobacco is being discussed. Anything we can do, as has been discussed, to reduce that is essential.

I'm again a bit troubled that we're not talking specifically about menthol because that is probably the most prominent and highly recognized enhancer of tobacco. We should be including that very specifically and not fudging, I think, on that specific issue. I'd certainly like to hear why we're not ensuring that flavourings include menthol very specifically.

Given the number of tobacco lobbyists that have visited this government – and it's surprising that the government would allow 12 or 14 highly paid lobbyists to lobby their interests. It's really surprising that the government would allow this kind of lobbying when they're also suing the tobacco industry for \$10 billion. There's a contradiction here. Twelve lobbyists have come to this government and had access to government members to talk about, probably menthol being one of them . . .

**Mr. McAllister:** Who gets to sue them?

**Dr. Swann:** This government gets to sue them. They seem to have a strong interest in recouping health costs, productivity losses, and damages done by the tobacco industry, and at the same time they're allowing 12 big people in Alberta – Hal Danchilla, one of them, is now lobbying on behalf of big tobacco.

**Mr. McAllister:** Who's the law firm?

**Dr. Swann:** I wish I knew who the law firm was, but there's a contradiction here.

Indeed, I expect that menthol will be one of the most highly contentious issues in the regulations that are now coming out. It could have been dispelled by simply adding menthol and other flavourings into this bill, but I think that's partly the influence of the lobbyists.

I would like to ask anyone in relation to the water pipe issue – and apparently about 35 per cent of young people have tried water pipes, which is another form of tobacco and is just as damaging as any other tobacco; even though it's filtered through water, the damaging chemicals are the same – how that would be enforced. How would we assess tobacco pipes and the extent to which they have tobacco or tobacco-like products and flavourings? How would we enforce that? That's an area that isn't clear to me. Perhaps it's something that could be discussed later.

The key issue here is that we are making progress. We are still among the highest of youth smokers in Alberta. We need to do everything we can. Taxation is a big thing, and I think we should be reconsidering increasing the tax on tobacco. That's a big one for all smokers, the cost of tobacco.

Certainly, I'm going to be watching very carefully to see that menthol is one of those flavourings. As has been mentioned, about 25 per cent of young people get hooked on tobacco with menthol, so that's a critical one that we need to be looking at. How will we test water pipes in terms of tobacco content and fining those who are actually using tobacco and tobacco flavourings in water pipes? I'd be interested to know what the technology is there.

4:20

**The Deputy Chair:** Thank you, hon. member.

The hon. Member for Calgary-Currie.

**Ms Cusanelli:** Thank you, Madam Chair. I'm going to address three points that the hon. member has made. The first one, with respect to menthol, once again, to get it on the record, is that there is no hidden agenda to not include menthol in the actual bill. The idea behind it: as you probably know, hon. member, when we create the regulations behind any bill, quite often it is viewed as the teeth of the bill. My personal belief on including menthol in the bill is that if we include it in the bill, we don't have that same flexibility that we might otherwise have if we include it in our regulations. So that's our stance on that.

With respect to some information related to where we stand datawise in our province, I would have to agree with the hon. member. I don't have the numbers directly in front of me, but one of the pieces of data that I saw that I found most alarming had to do with the use of menthol cigarettes here in Alberta. Looking comparatively at this particular study of children who have used tobacco products but also used menthol products here in Alberta, we are leading the country. In this particular study 60 per cent of our girls are smoking menthol cigarettes. I don't want to skew results, but, I mean, in the study itself, in my view, the actual data itself was based on a large enough population to make it credible data to use. If we have the leading number of children who are smoking menthol cigarettes, that is something that we need to look at; that is something that we need to debate. In my view, including

it in the regulations and opening it up to consultation is going to give it far more leverage and far more coverage at large within the public to make a decision that will be at the forefront, a stronger stance than any other province has taken.

Thank you.

**The Deputy Chair:** Thank you, hon. member.

The time for debate on Bill 206 in Committee of the Whole has expired, so we will move to the question.

[The voice vote indicated that the remaining clauses of Bill 206 were agreed to]

[Several members rose calling for a division. The division bell was rung at 4:23 p.m.]

[Ten minutes having elapsed, the committee divided]

[Mrs. Jablonski in the chair]

For the motion:

Amery	Horne	Olson
Bhullar	Horner	Pastoor
Bilous	Hughes	Quadri
Brown	Jeneroux	Quest
Calahasen	Johnson, J.	Rodney
Cao	Kennedy-Glans	Rowe
Casey	Khan	Sarich
Cusanelli	Klimchuk	Scott
Denis	Kubinec	Starke
Dorward	Lemke	Stier
Eggen	Leskiw	Swann
Fenske	Luan	Towle
Forsyth	McDonald	VanderBurg
Fraser	Oberle	Woo-Paw
Hancock	Olesen	Xiao

Against the motion:

Saskiw                      Strankman

Totals:                      For – 45                      Against – 2

[The remaining clauses of Bill 206 agreed to]

[Title and preamble agreed to]

**The Deputy Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Deputy Chair:** Opposed? Carried.

The hon. House leader.

**Mr. Denis:** Thank you very much, Madam Chair. I would move that the committee rise and report Bill 206.

[Motion carried]

[Mrs. Jablonski in the chair]

**The Acting Speaker:** The hon. Member for Calgary-East.

**Mr. Amery:** Thank you, Madam Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bill with some amendments: Bill 206. I wish to table copies of the amendments considered by Committee of the Whole on this date for the official records of the Assembly.

**The Acting Speaker:** Thank you.

Does the Assembly concur in the report?

**Hon. Members:** Concur.

**The Acting Speaker:** Opposed? So ordered.

The hon. Member for Fort Saskatchewan-Vegreville.

**Ms Fenske:** Thank you, Madam Speaker. I would ask that we proceed to third reading for Bill 206.

**The Acting Speaker:** Hon. member, are you requesting unanimous consent to move directly to third reading?

**Ms Fenske:** Yes, Madam Speaker.

[Unanimous consent denied]

## Public Bills and Orders Other than Government Bills and Orders Second Reading

### Bill 208 Seniors' Advocate Act

**The Acting Speaker:** The hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Madam Speaker. It truly is a pleasure to rise and speak on Bill 208. It's been an honour as a first-time MLA to work as the Wildrose Seniors critic. I have one of the best jobs in Alberta. Every day I get to meet with seniors and their families about what matters most to them.

We have truly amazing seniors in this province. I don't think there is a group of people in all of Canada who have given so much back to their communities. Seniors are charitable, they volunteer, and they sacrifice. They do all of this because they care deeply about the future of this province. That's why I believe it's important for us to ensure that the seniors who built this province and our country be treated with the respect and the dignity that they deserve.

4:40

Bill 208, the Seniors' Advocate Act: it's an independent advocate, and it reports directly to the Legislature. This will mean that seniors no longer have to feel like they don't have a voice.

The office of the seniors' advocate must be independent for all the same reasons that the office of the Child and Youth Advocate was made independent. Madam Speaker, when Bill 25 was introduced in this Legislature almost exactly two years ago, establishing the Child and Youth Advocate as independent, the Minister of Human Services said: "With this legislation the advocate's reports and recommendations and advice will not go through the ministry but will go directly to the Legislature, providing an open and transparent process and involving Albertans." Two years later is it not still important to provide Albertans with openness and transparency? If the government felt it was so important to the function of the Child and Youth Advocate, does that same argument not hold true today for Alberta's seniors?

Seniors in care can often be vulnerable, without a voice and in need of someone to speak up for them. In a lot of ways they're no different from the children represented by an independent Child and Youth Advocate. Seniors deserve this independent voice. The government's proposal is simply not good enough. By reporting to the Minister of Health and not to the Legislature, the seniors' advocate will simply serve at the will of the government of the day.

The current government announced today a seniors' advocate. It said that this role would include

- requesting inspections, investigations, and quality and safety assessments related to care provided in seniors' facilities as laid out in Alberta law.

Unfortunately, the health facilities review, which was recently cancelled by this current government, did just that already, and they could do those inspections unannounced. It also said that the seniors' advocate role would refer

concerns and complaints to the appropriate channels.

This is what our front-line staff and workers and caregivers and advocates do already.

- providing information and referrals to seniors, their families, and caregivers regarding government-funded seniors' health, continuing care, and social support programs and services.

This is already the role of the Minister of Health and the Associate Minister of Seniors.

- providing public education on the rights, interests, and needs of seniors.

That should be the role of every single Albertan, Madam Speaker.

The advocate may have the best of intentions, but if he or she is not empowered with independence from the government, it's inevitable that their critiques of policy will run up against the politics of the ministry. How can the advocate make honest and public assessments of seniors' policy and the quality of their care when the person responsible for the system is also their boss? We have seen time after time after time within this ministry and within Alberta Health Services that doctors, front-line staff, caregivers, and family members are scared to come forward. The bullying and intimidation of our front-line staff and doctors has been made all too clear by Alberta Health Services. It just doesn't make sense, Madam Speaker, and that's why after many years this government moved to make the Child and Youth Advocate independent.

I'd like to go back to that day, November 22, 2011, when the hon. Minister of Human Services spoke very passionately about why the Child and Youth Advocate needed to be independent. He went on to say:

Many people in Alberta are unaware of the important role and function of the advocate to ensure that the rights, interests, and viewpoints of children and youth in the child intervention system are heard. Some may question why there's a need for an advocate or why an independent advocate is [so] necessary. Understanding the role of the advocate in individual and systemic advocacy is therefore an important part of understanding this legislation.

He went on to say:

[The Child and Youth Advocate] will now have the ability to make recommendations to the Legislature and to the people of Alberta as a whole through the Legislature about the services it provides to children and youth in the child intervention and the youth criminal justice systems. The advocate's reports from investigations into serious injuries and deaths will also be made public. Albertans can then be confident that the advocate is doing his job in identifying concerns in the child intervention and youth criminal justice systems, beholden to no one but the children.

One can only ask the inevitable question here. Do seniors in care not deserve the exact same dignity, respect, and protection as children in care?

A key part of the Child and Youth Advocate legislation provides the advocate with authority to investigate critical incidents involving children and youth in the child intervention and youth criminal justice systems. Right now, when a child in care is seriously injured or dies, the ministry conducts internal reviews to identify where enhancements can be made. With this act there will now be two additional mechanisms by which incidents can be investigated by the advocate and by the Council

for Quality Assurance. The purposes of these serious review processes are not to duplicate or interfere with any police investigations or court proceedings but to identify where improvements can be made in a timely manner, to identify how we can do a better job for vulnerable children. Again, Madam Speaker, do seniors in care not deserve the exact same protection as our children in care? One can easily come to a solution here. If you made the seniors' advocate independent, they would be afforded all of the opportunities of our children in care.

The Minister of Human Services went on to say:

The advocate will have a significant role as both a member of the council for quality assurance and in his capacity and authority to investigate serious incidents involving children and youth served by his office. In carrying out these investigations from a systemic perspective the advocate will have the powers of a commissioner under the Public Inquiries Act, meaning he can compel information [under] his investigation.

Madam Speaker, these are all the same qualities of the Seniors' Advocate Act today, Bill 208. Bill 208 was modelled after the Child and Youth Advocate so that seniors in care were afforded the exact same protections as children in care. Many seniors in care are clearly not able to voice their own concerns and may have Alzheimer's, dementia, and are not able to speak up for themselves. They may be experiencing elder abuse in one form or another. They may have family members who are overburdened and overloaded by the responsibility of taking care of them. An independent advocate ensures that our seniors in care get the same protection as our children.

Prior to Bill 25 there was very little that was ever made public about children who, tragically, died while in government care. I understand that some of this was due to privacy concerns, and I also understand that that is the very same concern for many of our seniors in care. But, Madam Speaker, if we as legislators aren't privy to what's happening in the system, how can we work together toward improving the system?

We all saw in this House just today that while the government announced a new advocate, an employee of the minister, the independent Child and Youth Advocate released a heartbreaking but very important report into the death of a teen in care. Within that report there were very specific criticisms of the current system, and it identified where the government must make improvements.

Madam Speaker, having the Health minister have more employees under his ministry is not going to give seniors a stronger voice. If we really want to do something for seniors in care in this province, this government would immediately make the seniors' advocate independent and model it after the very successful Child and Youth Advocate, which is independent. I'll go on to talk about what the Child and Youth Advocate went on to say in his report.

In *Stronger Voice for Kids in Care*: "These are children at risk," the Minister of Human Services said in an interview. "People want to know there's a children's advocate who is beholden to no one but the children."

I think that is probably one of the most important statements that we hold in this Legislature, very, very powerful, and I applaud the Minister of Human Services for identifying that the Child and Youth Advocate's role is to stand up for children in care in this province, the one group of people under the age of 18 who do not have a voice. I would go on to suggest that the same government could hold seniors to the same level of care and respect and offer them the same protection and offer them the

opportunity for their advocate to be beholden to no one but seniors in care.

Opposition parties have long made the argument for an independent seniors' advocate. I'm certainly not the first one in this House to make this argument. There have been many before me, including members on the other side of the House. This government's own members have advocated for an independent seniors' advocate. I urge the government to support Bill 208.

**The Acting Speaker:** Thank you, hon. member.

The hon. Associate Minister of Seniors.

**Mr. VanderBurg:** Well, thank you, Madam Speaker. I want to thank the member for bringing Bill 208 to the floor for discussion, well intended but, in my opinion, a duplication of current government initiatives. I want to read out a few things. We just happened to get – it was pretty good timing – the Alberta Ombudsman annual report. At page 15:

The Alberta Ombudsman has the authority to investigate decisions, actions and recommendations made by a jurisdictional authority. Individuals who have concerns or complaints about the fairness of administrative actions by the Alberta government departments, agencies, boards, commissions, designated professional organizations and the patient concerns resolution process of Alberta Health Services may bring these matters to the Ombudsman. Contact may be made by a phone call to the office, through a letter, through the online complaint form [on the] website or in person.

4:50

It also goes on to state on page 18:

Most recommendations for resolution result in an action that directly impacts the complainant. Other recommendations correct a systemic issue that affects more than one person and improves the process or system within a department or agency.

There's lots of great information in that pamphlet that came out to us today. Page 45 tells us about issues that come to the Ombudsman, about dentists, medical lab technologists, hearing aid practitioners, denturists, optometrists, social workers, licensed practical nurses, dental technologists, registered nurses, psychologists, occupational therapists, dental hygienists, chiropractors, physicians and surgeons. There's nothing magical that happens when you're 67 versus 64. You still have the legislative body to go to to address your concerns.

When I was working as the chair of the Seniors Advisory Council and doing work on the Demographic Planning Commission for you, Madam Chair, it was made very clear to me by many Albertans that for something like Bill 208, that's nearly identical to the Child and Youth Advocate Act, there are some differences. Seniors are not necessarily in inherently vulnerable positions by virtue of age alone. That was told to me very clearly by many seniors, who may view the advocate's proposed authority in Bill 208 as infringing on their rights and independence.

We all know that issues that come to our offices regarding health and seniors are complex. We all know, you know, that if we want to deal with the seniors' property tax deferral programs or Alberta seniors' benefit programs or seniors' optical programs or the special-needs programs, just to name a few, our support centre works very, very well guiding seniors and their families through those issues. But we do know that when, especially, an adult in one of our acute-care facilities is ready to move into a seniors home, who doesn't have the support that you and I give for our family members, they are often stuck, and they need that person, that body to call that's an expert within the system, to navigate

through the health system and to make sure that they get the services that they need.

We also have a group led by the Calgary MLA . . .

**Mrs. Forsyth:** Calgary-Bow

**Mr. VanderBurg:** . . . Calgary-Bow – thank you for your help – with the seniors' council that do a lot of work in the province. This announcement this morning doesn't mean that the work that this valuable group of individuals provides – they still report their findings and observations through the ministry and will continue to do this meaningful work.

Like I said, the seniors' support centre continues to field hundreds of calls from seniors each and every day – hundreds of calls – about common issues that we all deal with in our MLA offices, but we all get bogged down when it comes to navigating through the health system, especially when seniors don't have that support. That's what I was so excited about with this morning's announcement. I think that with that announcement we're going to see a better way for Albertans, seniors, and their family members to navigate through the system, to be able to say: "You know, I'm in an acute-care facility now. I had my care plan developed. I live in Whitecourt, but I want to go to Innisfail. My family members are there. How do I get there?" That's when you need someone within the department that's close to the people that are making those decisions to help you navigate through that system.

I don't think that a legislative body is going to help that person, not like someone that we're proposing within the department now. I think the opportunity right now is to let the Health Act – it's proclaimed. We have the opportunity now to create these advocate positions, and let's work with that body. I think it's a great opportunity for Albertans. I've heard from many, many people across the province that this is a mechanism that they've asked for and they're looking forward to having.

With that, Madam Speaker, I do not support this bill and ask my colleagues not to support this bill. It's a duplication of existing services. The dollars that it would cost to operate another independent officer I'd like to have on front-line staff.

Thank you.

**The Acting Speaker:** The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Well, thank you, Madam Speaker. I appreciate the opportunity to say a couple of words in regard to this concept of an independent seniors' advocate. You know, Madam Speaker, quite frankly, we could have made something like this happen this morning, when the government announced advocates for seniors and mental health and for health in general, but by not making them independent, this fundamentally undermines the capacity of these officers to actually do the advocacy work that is necessary.

Let me just bring up a couple of scenarios that I thought of this morning, when I was hearing about this government's intentions in terms of the nonindependent advocates. First and foremost, if it's being administered through the ministry, then it makes it much more difficult for health professionals to work freely and openly with such an advocate. I don't have to go far to describe the very tense atmosphere that is existing between this government and so many different health professionals around the province.

I'll give you an excellent example, which is in the lab services area, where a number of pathologists expressed their concerns about a \$3 billion privatization of lab services in the Edmonton area, really probably for most of the whole province. A number of health professionals, including medical PhDs and workers in the labs and the pathologists as well, got together to express some-

thing, and they met absolutely a poisonous and very dangerous circumstance hit back at them for them speaking out in the interest of all Albertans. If you don't have the independence of an advocate, be it for seniors or for health in general, then that position is fundamentally undermined.

The second example that I have is the mental health advocate that we had here in the province. Again, it was very ineffective. It was not functioning well, and we ended up with quite a spotty record around that advocacy office. In fact, I think that person was removed from the office here just recently.

The independent advocate that this hon. member is bringing forward, I think, is just absolutely necessary. I have worked very closely with quite a number of seniors' organizations right from Medicine Hat to Fort McMurray, and this has boiled up as the number one issue, what we could do here in the Legislature to create an independent office as a seniors' advocate. Considering all of the issues around home care that have come up, the issues around a seniors' pharmaceutical strategy, around assisted living and long-term care, positions in hospitals – the list goes on and on, Madam Speaker – I really do want to speak to support this particular private initiative, and I think that the Alberta New Democrats would stand to make this happen. If we can't make it happen here today and now, we will bring it up again and again until we see this actually happening.

We know, for example, as well that there's been a province-wide tour on behalf of seniors in care, and they've been bringing up this issue considerably as well. The insufficient staffing . . .

**The Acting Speaker:** Hon. member, I hesitate to interrupt you, but the time limit for consideration of this item of business has concluded.

#### 5:00 Motions Other than Government Motions

**The Acting Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

#### Out-of-province Health Care Coverage

515. Mr. Anglin moved:

Be it resolved that the Legislative Assembly urge the government to establish a working group to review whether decisions made by the Alberta health care insurance plan and the Out-of-country Health Services Committee are ensuring that there is adequate coverage for Albertans for their legitimate out-of-province health care.

**Mr. Anglin:** Thank you, Madam Speaker. I rise today to make this motion. It's an interesting motion, and I wanted it named after a constituent of mine who brought it to my attention, whom I introduced today, Chris Wiese. Chris is the example that I'm going to use for why I'm bringing this motion forward. Chris Wiese is an example, I think, that many members in this House have very similar examples of. She had to go outside the province to receive health care for a severe back injury, and she was denied reimbursement from our out-of-country health care insurance.

The premise of the motion is just to review, to make sure that it's doing what we said it's supposed to do. Let me give you an example. Chris Wiese needed back surgery, and it was very specialized back surgery. Two other people in Alberta had the exact same back surgery, went to the exact same clinic that Chris Wiese did. One was Wendy Finlay\* back in 1999. Another was Melanie\* – I can't pronounce her last name – and she was from Cochrane, of all places, and she was funded in 2009. A decade apart we recognized that these surgeries were necessary. We've

recognized and we now have a history where these people were reimbursed for this very unique surgery.

Chris Wiese comes forward, and she does everything that she's supposed to do. She has to go to this committee to seek reimbursement for this specialized surgery. She's living in pain, and she gets denied. Now, the reason that she got denied made no sense to her. Basically they said: you should have this done in Alberta. Now, Chris Wiese goes to the AMA, she goes to the College of Physicians & Surgeons, and she does this with the aid of her family doctor. The AMA and the College of Physicians & Surgeons say, "We don't know of any doctor that does this surgery in Alberta," which makes sense because we already know of two Albertans who have had to go to this clinic to get the same surgery done.

Now, getting back to the reasons why we need to review this – and that's all we're asking, to review it for legitimate reasons, that we're not denying people for legitimate reasons. Chris Wiese was denied, and one of the reasons she was denied is that they said: you need to go to an orthopaedic surgeon in Alberta. Well, Chris submitted a list. She went to Dr. Duffy, an orthopaedic surgeon, in 2010. She went to Dr. Weiss\*, an orthopaedic surgeon, in 2010. She went to Dr. Storey in February 2011. In 2011 she also went to Dr. Powell, another orthopaedic surgeon. She also went to six other doctors in doing her research. Every doctor said the same thing: we don't do that surgery here in Alberta.

Now, Chris went to the same clinic two other Albertans had gone to, had the surgery done, paid the money out of her own pocket, and she's much better off for it. She's in no pain anymore. She has approached the review board and went through their process, and their argument is illogical. They're telling her that she should go have it done in this province. She has asked this board: what doctor does this in this province? They told her – and this is the part that's frustrating – that because of privacy information we can't tell you which doctor does this type of surgery. That doesn't make sense. That's not even logical.

Here is a person who has done everything she's supposed to do. On top of that, she approaches the minister's office and she writes the minister, and the minister's office actually responded to her. Thank you very much, minister's office. What's shocking about it is that when she contacted the minister's office today, they said that they have no record of her interaction with the minister's office. How can that be? How can that be?

What we want and all that we want is to make sure that we're doing what we said that we were going to do. We're not asking for anything more. We're asking for legitimate cases that do qualify to be properly reimbursed, to be properly approved. That's all this motion is asking for. In order to get there, what we're asking this government to do is to strike this working group and review this to make sure that these types of cases, cases that many of you, many of my fellow colleagues here, have experienced in your own constituencies. What we want to make sure is that the government rules and the government regulations are followed so people who are entitled to have these costs reimbursed get that reimbursement as is given to them by these regulations, these rules under our system.

We're not asking for any changes. We're not asking for any special favours. What we're asking for is for this minister, for this government to review this process with a working group and make sure that it is actually properly running the way it's supposed to. We have far too many cases now that have popped up that have, quite honestly, served as an embarrassment. These are huge cases that have directly affected the health and well-being of people who are entitled to have their costs reimbursed, who have sought

\*These spellings could not be verified at the time of publication.

\*This spelling could not be verified at the time of publication.



this medical care to relieve their pain and suffering. That's all they've done.

That's all that Chris Wiese has done. She needed this back surgery, which is a highly specialized back surgery that could not be performed in this province. The doctor she went to said: "We do not perform that type of surgery. That is highly specialized." Yet she runs into this bureaucratic circle that says, "You have to have it done in this province." She goes to the doctors, and they say, "But we don't do it in this province." She goes back to the appeals process. They say, "Well, you should have it done in this province." It's a "Who's on first?" but the problem is that it's not a joke. It is the suffering of an individual who is doing the best they can to follow the processes that this government set up, and they're faced with the illogical argument.

Her last go-round she was told: well, take it to your MLA. That should never happen in this process. It should go right to the committee. It should fit in the rules that the committee has set up, and as long as it fits in the parameters that this government has set in place, then it should be approved. But you cannot put in place a set of parameters and then just lock people into this vicious circle of a bureaucratic maze that just sends them around and around and around with no solution. That's wrong, and that's unjust.

Bringing this motion forward, what I am hoping for is two things; one, that this government actually does it, that it strikes a working group to look into this matter and that this working group will report back to the minister. If changes need to be made, we make those changes. I will tell you that there will be some examples given by my own caucus members where we can document individual cases where people are being denied their reimbursement, and it's a just reimbursement.

**5:10**

Again, I want to make a specific point of this. We're not asking for anything, I'm not asking for anything that is not a legitimate reimbursement issue. We're not going outside any existing parameters. What we're saying is that the people who are qualified – and we have an example right here – for that reimbursement are being denied for illogical reasons that do not make sense. Now, in Chris's case what is very fortunate is that she kept all her documentation, she kept all her letters, and she kept all the responses. Actually, one of her doctors went to her defence with the review panel.

I'll give you one last example. One of the members mentioned it. I think the Associate Minister of Seniors did it earlier, talked about the Ombudsman's office. [Mr. Anglin's speaking time expired]

**The Acting Speaker:** Thank you, hon. member.

The hon. Minister of Health.

**Mr. Horne:** Thank you very much, Madam Speaker. I thank the hon. member for bringing forward the motion. I don't think that there are any of us, perhaps, as Members of the Legislative Assembly who have not encountered questions about the Out-of-country Health Services Committee, questions about what is covered and is not covered under the Alberta health care insurance plan, and specifically constituents who have an interest in how those decisions were made.

I'm going to make a number of comments, Madam Chair, in response to the motion that's been presented, and I'm sure the debate will be very interesting this afternoon. I, first of all, of course, would want to express my empathy for the hon. member's constituent, who was present in the House earlier this afternoon and may still be here. I don't know. Although he's given an

account and shared some personal information regarding his constituent, I'm sure that he will appreciate the fact that under the Health Information Act I cannot discuss the details of an individual's health information or journey through the system.

So in response to his speech I will not be able to sort of follow through the journey of his constituent other than to say, Madam Speaker, that certainly both my department and my office have been in touch with this constituent. We've also been in touch with other Albertans who have contacted us regarding the processes of both the Out-of-country Health Services Committee and the appeal panel. Quite often, you know, we begin with a discussion, talking about the intent of the program, how it's constructed, and, most importantly, the basis upon which these decisions are made, which is a process that is independent, and that is the first and foremost thing that I think needs to be understood, that this process is set up to be independent of government.

The minister, under the regulations that exist for both the committee and the appeal panel, does not have the authority to intervene in those decisions. There are some very good reasons for that, Madam Speaker, and I would hope that members on all sides of the House wouldn't have too much difficulty thinking about why the application of clinical evidence and the exercise of clinical judgment by doctors and others with clinical knowledge would be an appropriate way to make decisions about exceptions within our health care system rather than to have politicians make those decisions. I don't know whether or not, as part of bringing this motion forward – I can't really tell so far from the debate – the hon. member is suggesting that somehow it should be something other than an independent process led by clinical professionals and based in evidence. I can't simply tell that. Perhaps we'll know that by the end of the hour.

Madam Speaker, the motion proposes the establishment of a working group to examine decisions made by the Alberta health care insurance plan and the Out-of-country Health Services Committee and appeal panel. The motion would encourage the creation of a working group that ensures all Albertans receive adequate health care coverage, from which they benefit already.

I want to begin with just, I guess, some basics, Madam Speaker, about the process for determination of what is covered under the Alberta health care insurance plan and, when Albertans need access to those services outside of Alberta, what arrangements are in place to make those decisions and, as I said earlier, the basis on which those decisions are made.

First of all, I think it's worth noting, Madam Speaker, that the Alberta health care insurance plan provides Albertans with outstanding health coverage, by most measures that I've read the broadest coverage of anywhere in Canada. In fact, if you look to the Canada Health Act, the only services that are insured under the Canada Health Act are physician and hospital services and some very specific dental services that have to deal with reconstructive surgery. Most provinces in the country – I would say all provinces in the country – are certainly today providing health care services, funding health services that go far beyond that. When we look at Alberta, we can take tremendous pride in the fact that we have some of the broadest seniors' coverage in the country, both through our seniors' health care plan and through other programs that we provide. We certainly provide tremendous access to diagnostic and laboratory services outside of hospitals. Again, these are services that are noninsured under the Canada Health Act.

Drug coverage beyond the seniors' plan is also very extensive, both in terms of the number of drugs that are covered in this province and the pace at which we keep up with new technology, and wherever possible, where the evidence supports it, we make

those new drugs available to Albertans. But we do so on the basis of evidence, Madam Speaker. We do not do so on the basis of advocacy, well intentioned as it may be, on the part of members, whether they're part of the government caucus or not.

We take great pride in the coverage that we provide under our health care insurance plan. As the hon. member has talked about, we also have a process for determining eligibility for this coverage when Albertans require it outside of Alberta. Within Canada we have reciprocity agreements in place with most other jurisdictions that allow us to pay for health care services that would normally be insured in Alberta when they're provided in another province. For the most part, that procedure and those relationships are working well on behalf of our citizens.

But, Madam Speaker, when it comes to the question of out-of-country services, that is certainly a different matter. For both the committee and the appeal panel the members are appointed by the Minister of Health in consultation with cabinet. They operate under regulations that require them to consider applications that are brought forward by physicians on behalf of patients, and they require them to determine things such as the availability of the same service within Alberta. The hon. member has referred to those criteria. They also allow the committee considerable scope in determining the urgency surrounding the situation, and they have a very difficult job in weighing all of that evidence. They are also permitted to review current literature with respect to a particular application that is at hand, to look at clinical evidence that exists, perhaps new evidence, and to have that weigh as a factor in their determination of eligibility.

Madam Speaker, the role of the government and the role of the Minister of Health end at the point when the members of the committee and the appeal panel are appointed, and that is for some very sound reasons that I talked about earlier.

Members across the aisle call on us on a regular basis for independent advocates and processes, yet with this motion it would seem to suggest, at least on behalf of the proponent, that they believe it is in order for Members of the Legislative Assembly or government to interfere with these arm's-length processes. Madam Speaker, I'm sure that we've all had experiences where we have talked to constituents or to others who have been through this process very successfully. I didn't have an opportunity to look up the statistics today, but there are millions of dollars in care that are provided through this process outside Canada for applications that are successful that go through this process.

As you would expect in any process that's evidence-based and led by clinical professionals, there are situations where both the committee and the appeal panel are unable to support the application. I have had the opportunity myself to talk to people that have been in this circumstance, including my own constituents, Madam Speaker, and I have read the reasons and the rationale that are presented by both the committee and the appeal panel. I believe that we have a very good record of supporting, where the evidence supports it, access to needed services outside the country.

But, Madam Speaker, this is not part of the Alberta health care insurance plan. This is not part of the regular process of funding insured services in our province. There I have a fundamental divide with the hon. member because the issue here is to understand the intent of the program and the way that it's administered.

I am unable to support the motion for these reasons, Madam Speaker. I think the independence in this case and the focus on evidence are paramount. I look forward to listening to the balance of the debate, but I would encourage my colleagues in the House

not to support this motion to open a door that we may not in fact wish to open.

Thank you.

5:20

**The Acting Speaker:** Thank you, hon. minister.

The hon. Member for Strathmore-Brooks.

**Mr. Hale:** Thank you, Madam Speaker. I find the hon. Health minister's comments a little . . .

**Mrs. Forsyth:** Disturbing.

**Mr. Hale:** Disturbing, yes.

He mentioned urgency. As I continue on with my speech here, I'll talk about some clients that have contacted my office. I have advocated on their behalf because they went through all the channels to try to get some help from the minister's office and haven't gotten anywhere.

Clinical evidence. I'll talk about clinical evidence in here. He mentioned what is covered. One of the gentlemen from my constituency had to go to Vancouver to get three discs replaced in his neck. They said that the discs aren't covered. They were, like, \$3,000 a disc. They classified them as hardware. I don't know why they would classify discs as hardware. You know, they did pay for the anesthesiologist and a few things. I've had numerous people come through my office looking for some help. The gentleman with the three discs, Russel Coyne, suffered for years with 30 per cent compression in his spinal cord, with loss of function and some feeling in his left arm. He said that it was going to be a two-year wait before he could get help here. An Alberta orthopaedic specialist advised him that if it was not taken care of soon, he would be teetering on full paralysis and that this needed to be addressed urgently.

The hon. Health minister just mentioned urgency. Well, he couldn't wait two years to get the discs replaced in his neck. He is a young man with a young family. He had to make a living. He couldn't make a living lying on the couch being afraid that he was going to become paralyzed. He had to go to Vancouver and paid I think it was \$27,000. He didn't have \$27,000 lying around that he could, you know, throw into health care, but he had to get it done. He went through the whole process. You know how much he got back? Fifteen hundred dollars out of \$27,000. That, to me, doesn't seem like the system is working very well.

This needs to be looked at, and I think that's what the hon. Member for Rimbey-Rocky Mountain House-Sundre is saying, that this isn't working, what is happening now. We need something to come forward to figure out what needs to be changed. I'm not saying that the Health minister has to look at each one and advocate on behalf of each one, but it's under the Health minister's control, you know, this arm of AHS. If he's hearing enough complaints, maybe he needs to have a look at it, and things need to be changed.

Another gentleman, Jessie Kett. He's 21 years old, works on the rigs, has a bad shoulder. Surgical wait time: two years, they told him. Another young guy. He doesn't want to be a burden on society and have to go on EI or some government subsidies. He wants to go to work. He wants to work, but he can't. He's had to take a month off work because his shoulder is too bad. He needs to get it fixed now. I don't know his financial situation. I don't know if he can afford to go out of province to get it fixed, but that's an option he's going to have to look at if he's going to have to wait here for two years. You know, he talked to the group in B.C. about doing it. They said: "Yeah, we can get you in right away, next week. Come on. We'll get you surgery." He talked to

the Alberta health care insurance plan. He was denied coverage. They can't do it. Now he has to either pay out of his own pocket or wait his two years.

Another gentleman I've brought up here in the House before, Grant Ellefson, needed discs replaced in his neck. Same thing: he couldn't work, was facing the possibility of paralysis if he continued on. He paid over \$20,000. You know what he got back? Two thousand dollars. Something isn't quite working right.

Another gentleman, Brett Bain, contacted me. He needed back surgery. He was told he would have to wait 18 to 24 months. You know, he's looking at other options for what to do. He told me he's taking 10 pills a day. Ten pills to try to keep functioning. Is that the quality of life that we would like to have? Would the hon. Minister of Health like to have that quality of life, where he has to live on painkillers just so he can function because he has to wait 18 to 24 months, when he can go out of province and get it right away?

I could go on and on with more examples, but, you know, these programs need to be reviewed. Something needs to be done to help these people. They're trying. They're going through the system; the system is not working. They're not getting the coverage that they need. It's something that concerns all Albertans, and I urge the members of this Assembly to take a good look at this and think back to how many people have contacted your office. I'm sure there are many that have been contacted with examples of how this isn't working. You know, it's time to step up to the plate and do something about it and help all of these Albertans that can't get the help that they need right now in Alberta.

Thank you.

**The Acting Speaker:** Thank you, hon. member.

The Associate Minister of Regional Recovery and Reconstruction for High River.

**Mr. Fraser:** Thank you, Madam Speaker. You know, when we talk about this and when I hear about reviewing the legitimacy of a process that's already in place, that is making the accusation already that perhaps there are some backdoor dealings or that perhaps, with what we've done in Alberta, particularly these people who are on these committees are not forthright and not genuine Albertans. That is seemingly the way it comes across, and more often than not we seem to get that tone from this particular party.

You know, I work in health care, and I've seen the changes over time, and what I can tell you is that there is a plan in place for this government to create many options around collaborative practice. That's really what it is. Seeking outside health services, whether it be in Europe or the United States, doesn't solve the problem with wait times. What we need are physicians, surgeons, nurses, paramedics, nurse practitioners, and physicians' assistants working right here in Alberta to come up with an Alberta solution.

It's highly complex. It's not simply just about that profession itself. It's their governing bodies. It's the unions that represent them. It's the contracts that get put in place. We reference, actually, how those wait times are growing. Particularly when you think about a hundred thousand Albertans coming to this province year after year and the countries that they come from. We need to continue to work on a collaborative practice model, and we've seen that. The minister has put together, along with the Premier, family care clinics, where you see multiple groups come together not only when we get to the stage of surgery but to look at it and come up with good ideas around preventative medicine. That's really where you solve the problem.

The Associate Minister of Wellness, with initiatives for grade-school children, advocates not only in that specific thing. You think about Human Services around mental health and getting out in front of that with our grade-school children. What I can tell you as we move forward: with the idea of an independent body to already look at a committee on out-of-country services, to me, you're saying that it's not working but that it actually works for those who have the means. It doesn't solve the problem for those people who don't have the means.

Madam Speaker, what I'll say is this. Health care is highly complex. I've studied many of the systems, whether it's the United Kingdom, Australia. Some people would say that it works in Germany, and they are facing the same potential problems that we have here. What we need to do is continue to work hard. I believe that the Minister of Health is doing the honourable thing by working around a collaborative practice model, family care clinics, working with different agencies, the professional bodies that govern these different practitioners to make sure that we actually get to an Alberta solution for Albertans.

Madam Speaker, thank you.

**The Acting Speaker:** Thank you, hon. member.

The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Well, thank you, Madam Speaker. I rise with interest to speak on this motion. I find it a little bit problematic whenever we talk about out-of-country care, because I certainly don't want to undermine the primacy of always building and diversifying and strengthening our publicly delivered health care system here in the province of Alberta. If we are looking across the border too much, then we have the potential to undermine the capacity to serve our population here in this country. Certainly, there are circumstances where people have to go across the border to get some very specialized care, and I think that the hon. member who is sponsoring this motion has brought up an individual case here this afternoon which is clearly in that area.

5:30

I just really want to stress our caution, my caution specifically, on how we make those decisions, who makes those decisions, and how the compensation is arrived at because, of course, the best people who could be making choices about the requirements of a patient to receive out-of-country care are obviously the health professionals that are trained to do so. If we undermine or compromise their capacity to deliver best practices based on scientific and medical data, then again, I don't want to be a part of that, quite frankly.

You know, we need to make strong decisions to ensure the long-term strength of our health care system here within the borders of our jurisdiction of the province of Alberta. It goes right to the heart, Madam Speaker, of ensuring that everyone in this province has a chance to flourish and to get the health care that they need regardless of what they have in their pocket. So if there's a reasonable treatment that exists, then presumably with the large growth of our population here in the province of Alberta plus the fact that we do in fact serve much of the other northern territories in British Columbia and Saskatchewan and the Northwest Territories and Nunavut — people come here as a magnet for procedures. If there is something out there, we should consider providing it here in the province of Alberta.

Roy Romanow, who was the Premier of Saskatchewan and did a health care report back in 2002, said: "Canadians consider equal and timely access to medically necessary health care services on the basis of need as a right of citizenship, not a privilege of status

or wealth.” So while people do choose to pay for services in the United States or in other places around the world, we have to be very careful that we’re not subsidizing that choice based on income, the wealth of these people making these choices, but rather on the needs.

So there are some areas where I do have concerns about this motion specifically and out-of-country care specifically as well. It does make sense in some circumstances, but we can’t use it to cement over the cracks that are caused by the underfunding and the underdelivery of public health care here in our province, right? One of these cracks is becoming very clear. I’m talking about overcapacity, the crisis of overcapacity protocol. This protocol was developed as a short-term fix for emergency wait times, and rather than developing a long-term solution for wait times – right? – the government has leaned excessively on this sort of protocol. This sort of short-term thinking has been adopted too much in our own provincial health system. Certainly, it creates instability, and it’s understandable that this type of long-term vision is not occurring here when we need it most, right?

It’s very important to make out-of-country assessments and to make those measurements in a very, very specific sort of way. It’s very important that we do that in a fair and timely way. But out-of-country care cannot replace a long-term focused investment in reducing wait times and advancing research to build the health care that Albertans deserve and that this government does not provide on a consistent basis, all when we need it most, right? A long-term stable vision for health care in this province is something that Alberta New Democrats have consistently advocated for, and it’s something that we are very well known for right across this province. We will continue to wear that label proudly.

It’s very important that we do not feed into using out-of-country care as a wedge. We’ve seen people using the long wait-lists as an argument that we should pay for people to get that out-of-country care because our public system here doesn’t provide for those people in a timely way. Well, certainly, we can mitigate against that circumstance, Madam Speaker, by ensuring that we make long-term investment, that we have the capacity here in the province of Alberta, and that we’re not just looking south or to Asia or to Mexico to get the essential health care that individuals need.

This motion certainly brings up a lot of important points that I think are worth debating and talking about, but certainly my skepticism and instinct tell me that it’s important for us to allow best practices of a medical – perhaps strengthening the committee that makes decisions for out-of-country care but not building a separate, second bureaucratic layer that might interfere with timely access to the care that people need.

Thanks.

**The Acting Speaker:** Thank you, hon. member.

The hon. Member for Edmonton-Gold Bar, followed by Innisfail-Sylvan Lake.

**Mr. Dorward:** Thank you. I appreciate the closing comments made by the good Member for Edmonton-Calder relative to the building of a bureaucracy. At the start here I’d like to mention to you, Madam Speaker, that I’ve been very confused about this motion ever since I first read it. Coming from a member of the opposition that purports to want to reduce government, here we have a motion that seemingly wants to increase government bureaucracy. It’s very confusing. I appreciate that member bringing that up. In fact, we listen to that all the time in budget deliberations and in other ways, in questions in the House.

You know, I personally am involved in results-based budgeting, where we are working hard to find areas to reduce government and succeeding. Madam Speaker, I’m so confused about why this member would bring this motion forward in the wording that we’re presented with here. I wonder if there isn’t an ulterior motive here relative to the public-private situation with health care in our province.

I am pleased to join the debate. As we discuss the merits of the motion, we would do well to keep in mind how we got to where we are today and the value that our current system has to offer for our province’s out-of-country health services. Madam Speaker, I think that it’s dangerous when individuals try to create methods that find answers that they’re not finding in the current system. That’s not the way to deal with things, and I think that is part of what this is all about.

In 2009 the Alberta Ombudsman released a special report on out-of-country health services. The report is titled *Prescription for Fairness*, and it’s a detailed assessment of the out-of-country services available to Albertans. The report suggests ways to improve government responses to the ongoing needs of Albertans with respect to out-of-country health services. All of the recommendations were accepted and are being implemented and being moved forward.

I’d like to discuss the report and its recommendations, with the hope that it may be helpful to us in terms of lending greater credence to the arguments that we’ve already heard; namely, that there is much value in an arm’s-length agency’s ability to determine its own policies and best practices, and we do not need another overlay on top of that. This report will also help demonstrate that the formation of a working group, as is proposed in Motion 515, to review the decisions of the Alberta health care insurance plan and Out-of-country Health Services Committee is unnecessary and potentially, in fact, damaging to the purpose and the proper functioning of those two previously mentioned bodies.

The 2009 Alberta Ombudsman report, for the benefit of those who may not know about it, was the result of an independent investigation pursuant to section 12(2) of the Ombudsman Act. The report examined whether current practices met the needs of Albertans in assessing health care that’s either not available in Canada or is not available within a reasonable time frame. The report sought to understand and remedy some of the following issues. I’ve listed them here. Madam Speaker, I apologize for the length of this. There are six of them:

- how Albertans are informed of the availability of funding for out of country health services,
- how they find out about the availability,
  - how medical practitioners are informed about the requirements and availability of the program
  - how out of country claims are reviewed . . .
- the actual claims process,
  - how decisions are made by the [Out-of-country Health Services] Committee and [of course, a key part] the Appeal Panel
  - how wait times factor into the decision making process
- and
  - how decisions are conveyed [and communicated] to Albertans.

5:40

Madam Speaker, the subsequent recommendations presented in *Prescription for Fairness* were designed to improve the administrative process related to the communication, review, and decision-making regarding applications for funding out-of-country health

services. All of the recommendations, I reiterate, were accepted and are moving forward.

This tells us that the current programs we have in place are responsive and adaptive in their approaches and that they are, first and foremost, aligned with the changing health care needs of Albertans. This raises an important question, and the answer should tell us that the creation of a working group to review the decisions made by those already adaptable and well-functioning arm's-length agencies is, in fact, redundant, potentially ineffective, and would be a strain on the limited resources that we have. Quite frankly, every time we're in this Chamber we hear about the complaining that goes on relative to that, but all of a sudden we're going to add to that burden.

Madam Speaker, examples of the recommendations made in this report and their adoption as policy are sound indications that the right steps are already being taken to improve upon what's already in place. For instance, with respect to applications for funding the report asked that all requests "be submitted by a physician or dentist on behalf of a resident," and that "applications include written reports of consultations with specialists, and the Out-of-Country Health Services Regulation be amended to reflect this requirement." It also discusses ways to improve management of the Out-of-country Health Services Committee, with particular reference on how hearings are conducted, how to address responses to applicants, and what materials to include.

It also makes recommendations on enhanced public communications and on the content of decision letters. Specifically, it asks that the applicants receive in clear detail the findings of fact, "how the Committee weighed the evidence before it and how it applied the [specific] legislative criteria." Madam Speaker, a gold standard of availability of information for Albertans.

It also recommends that applicants receive

a list of physicians or health centres in Canada that the Committee determined are available to perform the service requested, [that the committee] provide evidence that the service is available in a reasonable time frame, and document [the applicant's] available appeal rights.

These are just a few examples of the recommendations in the report that are currently being implemented and practised by the agencies involved in out-of-country health services. These recommendations help ensure that the applicant receives a full accounting of the evidence considered, the decision made, and the expertise available to them. While some may be still denied funding, sadly, at least they are able to understand why, and they are given greater access to the choices available to them regarding out-of-country health services.

Motion 515 seeks to interfere with this ongoing process. As such, I cannot support its purpose. Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

The Member for Innisfail-Sylvan Lake, followed by Calgary-Fort and Calgary-Fish Creek.

**Mrs. Towle:** Thank you, Madam Speaker. I'm pleased to rise and support Motion 515, where the hon. Member for Rimbey-Rocky Mountain House-Sundre has said:

Be it resolved that the Legislative Assembly urge the government to establish a working group to review whether decisions made by the Alberta health care insurance plan and the Out-of-country Health Services Committee are ensuring that there is adequate coverage for Albertans for their legitimate out-of-province health care.

Earlier, the Minister of Health suggested that we didn't want political interference in the system. I don't believe that this motion actually is suggesting that at all. I think this motion is suggesting

that every once in a while you need to have a quality assurance factor, and that quality assurance sometimes can come from outside of the realm of the people who are currently looking at it. There is always room to improve, no matter what the system is. This motion just says that we would create a working committee to complement the out-of-country committee that already exists and ensure that Albertans are getting the best value for their dollar. I mean, this is exactly what our role is, and there should be no reason that we should be scared of that role.

Also, the Associate Minister of Regional Recovery and Reconstruction for High River made the suggestion that we were questioning our front-line services and suggesting that there was something untoward about the committees that are already doing the work. He also suggested that we were suggesting there are backroom deals. Well, Madam Speaker, we're not suggesting that on the part of Alberta Health Services.

However, there are backroom deals. Michele Lahey, Alberta Health Services executive, didn't have to go to the out-of-province fund when she required services at the Mayo Clinic. She was lucky enough just to bill those services directly back to Alberta Health Services, something no other Albertan is allowed to do. So she was able to bypass the whole system. She worked for Alberta Health Services, so she clearly would have known the process for out-of-province health care approvals, yet she was able to sort of skirt the whole system, just go around it. If we want to talk about backroom deals, there are backroom deals. Let's talk about what the out-of-country committee is supposed to review and not review because, clearly, Ms Lahey's expenses certainly shouldn't have been reimbursed by Alberta Health Services and, ultimately, the taxpayer. It probably should have gone to the out-of-country committee, where, unfortunately, her \$7,000-plus bill was likely to get paid about 50 bucks.

The second part of that is that the associate minister went on to talk about how he is a paramedic and he works in the health care system and that this doesn't alleviate wait times. No, it absolutely doesn't, but there's a fundamental problem with wait times right now. We have fantastic front-line staff. We have physicians right now who are appealing to the government for more OR time. We have a young man in Red Deer who has waited in excess of seven days with two shattered ankles, and he can't get surgery time. Is seven days really a realistic time for this young man to be sitting in an acute-care bed, which costs the system a fortune, while he waits for an available OR time, while he sits on pain medication? These are all costs to the system. Yet perhaps he might have been able to have surgery on those shattered ankles much sooner by accessing the out-of-province health fund. This is fundamentally why this fund needs to be reviewed.

Perhaps there are people who are already in the system who could have their pain and their suffering alleviated by sending them through the out-of-province health fund. We've heard many examples today, and there are a few more. Shane Womboldt from Fort McMurray needed cancer treatment, couldn't get it in the province of Alberta, applied to the out-of-province fund, and was told he didn't meet the criteria. And he was dying of a brain tumor.

In my own riding is Brooke Aubusson. The Health minister has received several letters from us, has received several pleas from us to review her case. He keeps referring her to the out-of-province health fund. Well, that's great, except that the out-of-province health fund keeps telling her: well, you don't qualify because you're not actually getting the treatment; what you're asking for is different and doesn't meet the criteria. The minister is referring this four-year-old girl that's going to die of a rare genetic disease to the out-of-province health fund, and then the

out-of-province health fund is just kicking her back and saying: sorry; you don't meet the criteria. One hand doesn't know what the other hand is doing. There's that.

Then we have Flory and Bob Wilkins from my own riding. Mrs. Wilkins is a 70-year-old senior. She curls. She's very, very active. She takes great care of herself. She needed shoulder surgery. She was told by her surgeon that it would be a three-year wait. That is after receiving the referral to the specialist. From the specialist she would have a three-year wait. That exceeded the benchmark wait times that are set out by CIHI, that this government claims that they can meet 40 per cent of the time. So she was going to sit with a damaged shoulder that was getting more and more damaged every single day. At the one-year mark of the wait time she went back to the same surgeon, and the surgeon now told her that her other shoulder, because she had been over compensating, had now degenerated to a position where it needed to have surgery on it as well. She took matters into her own hands and basically said: I'm an active senior; I want to remain active. She went to the Cambie clinic in B.C., had private surgery on her one shoulder and was able to save her second shoulder but at a cost of \$17,000.

These are taxpayer dollars that are leaving our province, going to another province to get the care that isn't available in Alberta in reasonable wait times. To the Associate Minister of Wellness: surely you can agree that there is a direct cost to Albertans and to taxpayers when they actually do more damage while they're waiting for care between doctors' appointments, specialists' appointments, medications, lost work time, and lost family time. This has a direct cost to taxpayers in Alberta. That's a fact.

5:50

The sooner we can get these people back to work; the sooner we can get them back to health. We all save money. This is preventative medicine. You can reduce wait times by utilizing the out-of-province health fund and actually creating a wait time guarantee that says that the minute that you start to exceed the provincial benchmarks, which this government can't meet but 40 per cent of the time, then you can reduce the wait times. That's what a Wildrose wait time guarantee does. This committee has the ability to look at that solution and say: how can it work best for Albertans? That's a fundamental improvement on how we're doing business today.

Now, to go even further, just the same as the hon. Member for Strathmore-Brooks said, when Mrs. Wilkins brought back her bill and submitted it to the out-of-province health committee, she got less than \$1,500 back, and she was given the same excuses the hon. member spoke about before. She was told that the implements that they had to put into her shoulder to make her viable again were all hardware. That's it. So the bulk of her actual claim was completely denied. She got \$1,500 back from the out-of-province health fund.

Now, there has to be some room to review what this health fund does, what the criteria are that it uses, and what it's actually covering. There's nothing wrong with us as legislators actually working together to find common solutions that work for all Albertans. That is fundamentally the problem. We understand that no system is perfect. There's no question that no system is perfect, but every system is absolutely, one hundred per cent open to improvement.

It might do some good for the other side of the House to understand that opposition parties represent Albertans. I'm not sure if you know that. I understand that you always think we're wrong and you always think that we're doing the one-off, but the reality of it is that 440,000-plus Albertans didn't vote for your party. They voted for other parties, including all three of the

opposition parties. So every day you assume that everything we propose in this House, everything that we stand here and fight for every single day is somehow a slag on the government, and you don't appreciate that sometimes by working together, three heads – four heads in this case, with all four parties – certainly can be better than one know-it-all. That's a fact.

It's our job in here to do what's best for Albertans. People every day are sitting at home and not getting the treatment that they need. They're not getting the care that they need in acceptable wait times. Three years for shoulder surgery and a week for shattered ankles is unacceptable by any means. Front-line workers are begging this government to pay attention. Families and caregivers and the people who are suffering are begging this government to pay attention. Here is a great opportunity for the government to stand up and do the right thing and include all Albertans in the consultation process through their elected officials.

Thank you.

**The Acting Speaker:** Thank you, hon. member.

Under Standing Order 8(3), which provides for up to five minutes for the sponsor of a motion other than a government motion to close debate, I would invite the hon. Member for Rimbey-Rocky Mountain House-Sundre to close debate on Motion 515.

**Mr. Anglin:** Thank you, Madam Speaker. It's disappointing, some of the arguments presented by the government members. There's no conspiracy here. Nobody levelled a conspiracy. [interjections] I understand why the member may not understand, why he's confused. He's too busy heckling to even hear what the argument might be. It's sad, the fact that somebody's suffering would be thrown out to this type of partisan bickering, that has no bearing on the subject at hand.

Now, what I presented was cogent evidence in the form of one singular example, an example that can be followed up from riding to riding to riding. These are not examples that we're challenging so much the criteria of the decisions. What we're showing is that people who actually fit the criteria as written in the rules and regs are being denied and not just denied in a timely fashion but over a length of time that is absolutely inexcusable.

I want to put out a couple of things. One is that even the Ombudsman could not actually effectively help this person and is still saying that it's reviewing it, and it's been now over two and a half years. That does not even have to be. So what we're asking here is not to review every decision. That's not what I'm asking. And I'm not asking to increase bureaucracy. I don't even know where that member gets that from at all. What it says is that we have a process in place, we have rules in place, and what we want to do is ensure that those are being followed. That's it. Call it an audit. I call it a review. I cannot believe any argument that you would not want to review a process, because if you tell me that that's true, then why the heck do we have all of these review committees that are constantly being appointed by this government?

To stay consistent, what we're asking here is for the government to appoint a working panel, a working group, to make sure that the decisions that are being made by this agency do follow this government's policy and are following it to the letter of the rules and what this government has set it up for.

Now, I will tell you this. The evidence I presented is cogent in the form of: we know that over a 13-year period this surgery has been done for three Albertans. Two Albertans have been covered, and the third one has not. Now, does it make sense that the hon.

member over here says that we should do it in Alberta? Well, I'll let Alberta Health Services make that determination. They should do it on a cost basis. Should Alberta's medical community do every procedure known to man? I'm not so sure that's necessary. There are these rare circumstances. In this case I would suggest that this is a rare circumstance. The cost for this person is roughly, I think, \$15,000. I'm going to table the whole document tomorrow.

The fact of the matter remains: should we bring in surgeons, create a whole department to do a surgery that may be done three times in 13 years? Probably not likely. So I would suggest to the hon. member that there are lots of procedures that we may want to farm out until the necessity comes that we do them here. But we're talking about relieving the pain and suffering of individual Albertans, however rare it may be. That, to me, is the underlying principle, the underlying reason we have this process, that we do compensate or we do fund for out-of-province care when it meets the needs of our own medical system. That seems logical.

It also seems that if we manage it correctly – and I'll make the presumption that we'll manage it correctly – that we'll keep our costs down. It only makes sense. But we do fund out-of-province care, out-of-country care. We have done it according to the rules, but now we have evidence that the rules aren't necessarily being followed. That's not a conspiracy theory. In this case, with this one example, it's fact. I know these other members can find circumstances when they look at these individual cases that they realize: "Wait a minute. This one should qualify. Why did you get denied?" If there's not a logical answer, then we need to figure out: is the system working? In this case what this lady was being denied for was false. She qualified.

Thank you very much, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

[The voice vote indicated that Motion Other than Government Motion 515 lost]

[Several members rose calling for a division. The division bell was rung at 5:59 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[Mrs. Jablonski in the chair]

For the motion:

Anglin	Rowe	Towle
Hale	Strankman	

**6:10**

Against the motion:

Amery	Jeneroux	Olson
Bhullar	Johnson, J.	Pastoor
Brown	Khan	Quadri
Cao	Klimchuk	Quest
Casey	Kubinec	Rodney
Dorward	Lemke	Sarich
Fenske	Leskiw	Scott
Fraser	Luan	VanderBurg
Horne	McIver	Woo-Paw
Horner	Olesen	Xiao
Hughes		

Totals:	For – 5	Against – 31
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[Motion Other than Government Motion 515 lost]

**The Acting Speaker:** The House stands adjourned until 7:30 this evening.

[The Assembly adjourned at 6:12 p.m.]





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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Monday evening, November 18, 2013

Issue 69e

The Honourable Gene Zwozdesky, Speaker

## Legislative Assembly of Alberta The 28th Legislature

First Session

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Xiao, David H., Edmonton-McClung (PC)  
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Kyle Fawcett	Associate Minister of Regional Recovery and Reconstruction for Southwest Alberta
Rick Fraser	Associate Minister of Regional Recovery and Reconstruction for High River
Doug Griffiths	Minister of Municipal Affairs
Dave Hancock	Minister of Human Services
Fred Horne	Minister of Health
Doug Horner	President of Treasury Board and Minister of Finance
Ken Hughes	Minister of Energy
Sandra Jansen	Associate Minister of Family and Community Safety
Jeff Johnson	Minister of Education
Heather Klimchuk	Minister of Culture
Ric McIver	Minister of Transportation
Diana McQueen	Minister of Environment and Sustainable Resource Development
Frank Oberle	Associate Minister of Services for Persons with Disabilities
Verlyn Olson	Minister of Agriculture and Rural Development
Dave Rodney	Associate Minister of Wellness
Donald Scott	Associate Minister of Accountability, Transparency and Transformation
Richard Starke	Minister of Tourism, Parks and Recreation
George VanderBurg	Associate Minister of Seniors
Greg Weadick	Associate Minister of Regional Recovery and Reconstruction for Southeast Alberta
Teresa Woo-Paw	Associate Minister of International and Intergovernmental Relations

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on Alberta's Economic Future

Chair: Mr. Amery

Deputy Chair: Mr. Fox

Bhardwaj	Olesen
Cao	Pastoor
Donovan	Quadri
Dorward	Rogers
Eggen	Rowe
Hehr	Sarich
Luan	Strankman
McDonald	Xiao

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Khan

Deputy Chair: Mrs. Jablonski

Amery	Eggen
Anderson	Kubinec
Casey	Sherman
Dorward	

### Select Special Chief Electoral Officer Search Committee

Chair: Mr. Rogers

Deputy Chair: Mr. Quadri

Blakeman	Leskiw
Eggen	McDonald
Goudreau	Saskiw
Lemke	

### Select Special Conflicts of Interest Act Review Committee

Chair: Mr. Luan

Deputy Chair: Mr. Dorward

Blakeman	Notley
Fenske	Saskiw
Johnson, L.	Wilson
Kubinec	Young
McDonald	

### Standing Committee on Families and Communities

Chair: Mr. Quest

Deputy Chair: Mrs. Forsyth

Brown	Leskiw
Cusanelli	Notley
DeLong	Pedersen
Fritz	Swann
Goudreau	Towle
Jablonski	Wilson
Jeneroux	Xiao
Khan	Young

### Standing Committee on Legislative Offices

Chair: Mr. Cao

Deputy Chair: Mr. McDonald

Bikman	Leskiw
Blakeman	Quadri
Brown	Rogers
DeLong	Wilson
Eggen	

### Special Standing Committee on Members' Services

Chair: Mr. Zwozdesky

Deputy Chair: Mr. Young

Casey	McDonald
Forsyth	Quest
Fritz	Sherman
Kennedy-Glans	Smith
Mason	

### Standing Committee on Private Bills

Chair: Mr. Xiao

Deputy Chair: Ms L. Johnson

Allen	Goudreau
Barnes	Jablonski
Bhardwaj	Leskiw
Brown	Notley
Cusanelli	Olesen
DeLong	Rowe
Fox	Strankman
Fritz	Swann

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Ms Olesen

Deputy Chair: Mr. Lemke

Calahasen	McAllister
Cao	Notley
Casey	Pedersen
Goudreau	Quadri
Hehr	Rogers
Kennedy-Glans	Saskiw
Kubinec	Towle
Luan	Young

### Standing Committee on Public Accounts

Chair: Mr. Anderson

Deputy Chair: Mr. Dorward

Amery	Khan
Anglin	Luan
Bilous	Pastoor
Donovan	Quadri
Fenske	Quest
Hale	Sarich
Hehr	Stier
Jeneroux	Webber

### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans

Deputy Chair: Mr. Anglin

Allen	Hale
Barnes	Johnson, L.
Bikman	Khan
Bilous	Kubinec
Blakeman	Lemke
Calahasen	Sandhu
Casey	Stier
Fenske	Webber

## Legislative Assembly of Alberta

7:30 p.m.

Monday, November 18, 2013

[Mrs. Jablonski in the chair]

**The Acting Speaker:** Please be seated.

### Government Bills and Orders

#### Second Reading

#### Bill 33

#### Tobacco Reduction Amendment Act, 2013

**The Acting Speaker:** The hon. Associate Minister of Wellness.

**Mr. Rodney:** Thank you very much, Madam Speaker. Colleagues, I'm very, very pleased to rise today to move second reading of Bill 33, the Tobacco Reduction Amendment Act, 2013. Thank you for your support.

As an MLA I see this bill as supporting the quality of life of my constituents. Hopefully, you feel the same. As Associate Minister of Wellness I see this bill as protecting the health of all Albertans and a healthy future, especially, of our young people. Now, as a member of this government and as a proud Albertan I can tell you that I see this bill as reinforcing Alberta's position on tobacco reduction amongst our Canadian fellow jurisdictions.

Madam Speaker, I believe that all members of this Legislature do indeed share those feelings of commitment, and there's good reason for that. Tobacco, sadly, is responsible for close to 3,000 Albertan deaths every year, and in Canada smoking is responsible for almost a third of all cancer deaths and more than 85 per cent of lung cancers. But we also see the suffering behind the data. We see families robbed of parents and grandparents. We visit community centres and care homes in our constituencies. We see people who are struggling, people with portable oxygen supplies just doing what they can to catch their breath. We see young people in our neighbourhoods lighting up, and we think of the future that could be theirs.

Protecting Albertans from the harms of tobacco is why we have our new 10-year tobacco reduction strategy, which we launched just 12 months ago. A major focus of that strategy is preventing and reducing tobacco use among children and protecting them from the harmful effects of tobacco and second-hand smoke. It also aims to give newborns a better start in life by reducing tobacco use amongst pregnant women, thereby reducing the number of low birth weight babies.

Now, the tobacco reduction strategy acts on a combination of prevention initiatives, public awareness, education, and cessation supports. Stronger tobacco reduction legislation is part of that picture, and Bill 33 makes that happen in a number of ways, in fact five, to be exact.

Number one, it specifically prohibits selling or otherwise providing young people with tobacco products. We do have federal legislation but nothing here in Alberta. In fact, Alberta is the only province and one of only two jurisdictions in our country that does not have legislation to prohibit the sale of tobacco products to minors.

Number two, it increases package sizes and the number of units of certain products in a package to make them less affordable for our youth.

Number three, it bans the use of water pipes where tobacco smoking is prohibited. This is important because it protects Albertans from second-hand smoke that may be just as harmful as

tobacco. Additionally, tobaccolike products may potentially be a gateway to tobacco use.

I certainly realize that this may have an impact on businesses whose policy on water pipes helps to attract customers, but I believe they'll be very interested to know that businesses have a transition period of about a year and a half to prepare for the change. We're delaying proclamation of the water-pipe legislation for six months after the bill is passed, and it will be another 12 months before the ban comes into force. Madam Speaker, we know from experience that when smoking was first banned in public establishments, most people and businesses were able to adapt, and we do expect the same flexibility again. Some municipalities already ban the use of water pipes, and this section of Bill 33 creates an equal playing field across Alberta.

Point number four, banning smoking in vehicles with children present. Now, the Tobacco Reduction (Protection of Children in Vehicles) Amendment Act did receive royal assent back in March of 2012 but is not yet proclaimed. Bill 33 would bring the provisions of this legislation under the Tobacco Reduction Amendment Act.

Finally, Bill 33 also would bring the Prevention of Youth Tobacco Use Act into the Tobacco Reduction Amendment Act, and this will create a single, unified piece of legislation that supports a comprehensive approach to protecting young Albertans from tobacco.

Madam Speaker, we pass laws to protect the public good. Bill 33 will strengthen public protection from the health risks of tobacco and tobaccolike substances. We are very fortunate in Alberta that strong legislation will support a comprehensive, long-term commitment to tobacco reduction, and it is a testament to our commitment to Albertans and to their future. Hopefully, when the young generation of today is in this House representing their constituents, the fight against tobacco may be one they have read about and not one they still have yet to address.

With that hope in mind I offer my support for Bill 33, the Tobacco Reduction Amendment Act. I strongly encourage all members of this Assembly from all sides of the House to do the same. With that, Madam Speaker, I move to adjourn debate on Bill 33.

Thank you.

[Motion to adjourn debate carried]

#### Bill 38

#### Statutes Amendment Act, 2013, No. 2

**The Acting Speaker:** The hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you, Madam Speaker. I'm pleased today to rise and move second reading of Bill 38, the Statutes Amendment Act, 2013, No. 2.

Bill 38 amends several pieces of legislation, which I'll list as follows: the Alberta Personal Property Bill of Rights, the Civil Enforcement Act, the Court of Appeal Act, the Court of Queen's Bench Act, the Dower Act, the Family Law Act, the Fatal Accidents Act, the Judicature Act, the Motor Vehicle Accident Claims Act, the Police Act, the Provincial Court Act, the Recording of Evidence Act, and the Special Areas Act.

I will now provide some details about the proposed amendments. The proposed change to the Alberta Personal Property Bill of Rights would exempt the recently proclaimed International Interests in Mobile Aircraft Equipment Act from this act, consistent with existing policy. If the Crown enforces security in

aircraft under this international convention, it is a normal commercial transaction. It's not meant to be covered by the Alberta Personal Property Bill of Rights. The bill of rights does not apply to taxes, penalties, or normal commercial transactions as may be carried out by the Crown. Current exemptions include the Personal Property Security Act and the Civil Enforcement Act.

Bill 38 would also make changes to the registered education savings plan contributions to ensure savings invested from postsecondary education and training are available to the child that they were intended for in the first place. Currently case law indicates that an RESP is not to be held in trust for a child, so it is still counted among a parent's net assets. Resultingly, Madam Speaker, if a parent has creditors seeking to obtain his or her assets to repay a debt, an RESP intended for a child's post-secondary education and training, which may have accumulated over several years, can be lost. Making this amendment would ensure that funds intended for a child's education and training will be protected to allow that a child can afford a better education and a better future.

Amendments are also being proposed to the Dower Act. Spouses who wish to waive their rights pursuant to the Dower Act must sign a consent form and make an acknowledgement that they understand the implications of this waiver. This acknowledgement must be made "before a person authorized to take proof of the execution of instruments under the Land Titles Act," who then completes a certificate of acknowledgement. The proposed amendments will require all certificates of acknowledgement of the Dower Act to be completed by a lawyer.

Now, Madam Speaker, this is a significant change because before you could simply go to a lay notary public or lay commissioner and have the document notarized. I wanted to thank the former Attorney General, the minister of agriculture, today for his contribution to this change, as this will protect spouses in Alberta by ensuring that they receive independent legal advice and fully understand the consequences of the surrender of dower rights prior to making a formal waiver.

Bill 38 also amends the Family Law Act. This bill provides clarity around the rights and obligations of a person who is declared not to be the parent of a child. An example of when this situation may arise is when a person has acted or has been treated as the parent of a child. Parentage then becomes an issue, and then that person is subsequently declared by the court not to be the child's parent. Bill 38 will make it clear that the declaration does not affect any rights and duties that have been exercised or any interest in property that has been distributed before the declaration was made unless the court so otherwise orders.

Bereavement damages under the Fatal Accidents Act were also increased by a regulation earlier this year. Currently this act refers to the previous amounts, and the new amounts are in the regulation. Bill 38, Madam Speaker, moves the new amounts from the regulation to avoid confusion.

7:40

The amendment to the Judicature Act will also provide for appeals relating to an application for an order declaring a person a vexatious litigant. There was quite a bit of press this year on what exactly a vexatious litigant is. It's an order given in the jurisdiction of the court for restricting an individual's ability because they have abused processes in the past. This will fill a legislative gap by providing parties to a vexatious litigant proceedings before a judge of the Provincial Court with the same right of appeal as to parties of similar proceedings before a Justice of the Court of Queen's Bench or the Court of Appeal. Basically, in a sentence, Madam Speaker, under this change to the Judicature

Act everybody gets treated the same, regardless of whether they go to the Court of Queen's Bench or the Provincial Court of Alberta.

The amendment to the Motor Vehicle Accident Claims Act will expedite payments of compensation to claimants injured in what's called a hit-and-run accident. I've been a victim of one of those before. This will be done at the discretion of the administrator when the claim is less than \$25,000, and this also reduces court costs.

Bill 38 also amends the Police Act to provide the Lieutenant Governor in Council with the authority to grant a serving senior police officer the designation of a commissioned officer. This would apply to those with the rank of inspector, superintendent, deputy chief of police, or chief of police.

The amendment to the Recording of Evidence Act removes obsolete references and corrects terminology to reflect changes in the management of transcript services in Alberta.

Madam Speaker, Bill 38 also amends the Special Areas Act to change the membership of the Special Areas Board from three members to four. This will allow for representation from each special area throughout the province. Currently board representation includes the government-appointed chair of the Special Areas Board and elected representatives from two of the three special areas on a rotational basis. There was also one special area not having board representation for a four-year period due to the 2012 amendment to the Local Authorities Election Act that has extended council terms from three to four years, effective October 21, 2013.

Bill 38 also includes amendments to three pieces of legislation affecting the courts, proposing that the Court of Appeal Act and the Court of Queen's Bench Act be changed to reflect the current complement of judges. The Provincial Court Act will also be amended under this bill to allow the Provincial Court to use electronic documents in proceedings, a significant step forward for the efficiency of our courts. Amendments also are proposed to provide the Lieutenant Governor in Council with the authority to make regulations specifying requirements and standards for electronic documents and electronic signatures, again a significant step forward to the modernization and the efficiency of our courts in this province.

Madam Speaker, the amendments to these pieces of legislation will help ensure that they're up to date and reflect changes in our province. In a rapidly growing province, over 4 million people today, it is especially important to make these changes so that our legislation is consistent and clear and can be understood by everyone in this province. Albertans expect and deserve clarity and consistency. With these amendments we'll help achieve that.

Thank you, Madam Speaker. As I see many people signing Christmas cards, I will join them, and I will now move to adjourn debate on Bill 38.

[Motion to adjourn debate carried]

## Bill 32

### Enhancing Safety on Alberta Roads Act

[Adjourned debate October 30: Mr. McIver]

**The Acting Speaker:** The hon. Minister of Transportation.

**Mr. McIver:** Thank you, Madam Speaker. I'm asking for support for second reading of the bill. As I expressed in my opening remarks, the bill essentially is intended to grant authority to municipalities to set the times when reduced speed limits take place in playground zones and also to grant the government the



authority to designate lane usage on Alberta highways. This is a right that municipalities across this province have had for a long time. Of course, we are going to give ourselves the right to do that now.

Beyond that, Madam Speaker, the bill deals with a number of administrative and housekeeping amendments, some meant to match Criminal Code changes by the federal government and some to strengthen or clarify Alberta's current legislation.

**The Acting Speaker:** Thank you, hon. minister.

The hon. Member for Cypress-Medicine Hat.

**Mr. Barnes:** Thank you, Madam Speaker. I rise, too, to talk about Bill 32. I support many, many of the things that are in this bill. I especially like the government's efforts to reduce red tape and to make things a bit more effective and a bit more efficient.

One of the elements of the bill is where the registrar has the authority now to suspend a licence instead of automatically having to cancel it. This will reduce some red tape in case it's just something that a person has to attend to and can bring back in two or three days, not making them go through the whole process of having to fill out the forms. In today's world and in our competitive economy it's important to have these things.

I also like the idea of what the hon. minister just said about municipalities having the authority to set playground hours and playground zones as they do with school zones now. My party and I have always been great believers in local grassroots decision-making, and this goes a step towards that as well.

There is an element in the bill where policemen don't have to necessarily seize vehicles either. It's important if they're two or three hours away from, say, a metropolitan centre or some site of access to a tow truck. They have access to look at other alternative measures to enforce the law but make it more cost-effective and timely for them to carry out their important work. Again, we're always believers in our front-line workers having the best opportunity to do that as possible.

There are three or four elements of the bill that are of a little bit of concern to me and our caucus, and we've discussed it. Hopefully, we'll have the opportunity in Committee of the Whole to talk about possible amendments to this. One of the elements of the bill that looks like it could have a great effect to streamline is that this will give the minister the authority to close highways that have not and do not have a surveyed road plan. It seems a waste of taxpayers' money if a road is not being used to have to go out and get an expensive survey to do it, then to ultimately close it. But I think we have to spend some time at Committee of the Whole discussing, to make sure that the road is not being used, to make sure that adequate notice is being served to adjacent landowners, to landowners, and to county residents who may be in need of using that road. Again, at Committee of the Whole I hope this is something we can talk about at some length.

High-occupancy vehicle lanes or lane-usage designations. Many, many pros to this: environmentally, speed, government being able to set direction. There has also been some controversy about: do our highways have the adequate space for it? In some parts of America an extra lane designated for this use only seems to work best. There's some concern about the communication process and the process of making sure we have adequate room for buses and cars to, you know, adequately use the high-occupancy vehicle lanes.

Tonight at our sustainable resource development committee we heard Edmonton Transit and Calgary Transit say that potentially high-occupancy vehicle lanes are great to promote the use of alternate fuels. Potentially this is something that in Committee of

the Whole we can thrash out a bit, and we can earn our pay and make this legislation as good for all Albertans as we can.

An element to the bill that I think we are going to have to talk about and spend some time on in Committee of the Whole is that in the old law before a peace officer had the authority to stop someone, he had to have reasonable and probable grounds. Under this new law, Bill 32, the traffic amendment act, he only has to have reasonable grounds. In our due diligence, checking this with the legal community and people that practise in this area, reasonable and probable is a higher duty on the policeman than just reasonable is.

Our party has always been a great believer in civil rights. Our party has always been a great believer in protecting roads and protecting Albertans as well. There's a balance there, and there's a balance that, again, at Committee of the Whole I would like to hear some of the experienced minds in the Legislature have an opportunity to discuss. At this point in time I'm believing that this should go back to reasonable and probable grounds, but we can talk about that more in Committee of the Whole.

So, once again, Madam Speaker, in principle I approve of this bill, and I compliment the minister on his work. I look forward to Committee of the Whole. Thank you.

7:50

**The Acting Speaker:** Are there any other members who wish to speak to Bill 32? The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Madam Speaker. I, too, like this bill in general. I think it's got an awful lot going for it and will certainly have my support.

I have reservations about some of the things that my hon. friend from Cypress-Medicine Hat mentioned, particularly with regard to the HOV lane. I just can't see how that's going to work given the existing highways that we have. There may be a time and a place for it. Maybe we've arrived at it. If so, I think that means an investment in infrastructure, and I hope that we would have the studies done to determine the volume of traffic and the impact that this might have. If we're simply reducing the number of lanes available to the majority of the vehicles, that's going to create bottlenecks and choke points.

Where I've seen this – and I've travelled extensively in the U.S. in particular. We see this all over the place, but it's always in locations where you've got more than three lanes going in each direction. A fourth lane, then, is designated as an HOV lane. In some cases it's on highways that have five and six lanes going in each direction.

That's the reservation that I would have in giving this my wholehearted support, but I hope that we can, being reasonable people, discuss this and see just where it would work and how it would work and then make an informed decision. Perhaps those studies have already been done, but I've haven't seen them yet. I would like to know that.

Thank you.

**The Acting Speaker:** Thank you, hon. member.

The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you very much, Madam Speaker. It's always neat to get an opportunity to get here and speak in the Legislature to various bills and how they're going to impact people both today and tomorrow. It's the same enjoyment I take in adding a comment to every bill, and I understand the honour and privilege it is for all of us in this House to get to take part in this debate to discuss the issues of the day.

This is Bill 32, Enhancing Safety on Alberta Roads Act. It has a lot of interesting aspects to it. In my view, some of it is positive; some of it I have questions on. Of course, we'll be adding amendments to try to, hopefully, make this bill a little bit better, a little bit stronger, and in some places pick up the legislation and move it forward in a positive fashion.

This bill seeks to do a great, great many things. It allows the minister to close unsurveyed highway lands and return the land to the Crown or to the municipality where the land is located. It allows the province to control highway lanes, investigate HOV, bus lanes, and lane reversal as municipalities do; allows police to immobilize a vehicle instead of seizing and removing it, allows the registrar to suspend a permit instead of just cancelling it, allows persons to appeal permit suspensions to the Transportation Safety Board. It allows the designation of military police as peace officers; updates the wording by removing "1987" from the Motor Vehicle Transportation Act, 1987, and by removing "and probable" from the term "reasonable and probable grounds"; clarifies and updates references to the Criminal Code; adds the roadside breathalyzer as a device to determine the presence of alcohol in the blood; and allows municipalities to regulate playground zones and determine the times in effect.

Now, given that this is the first time that I've had an opportunity to speak to this bill and, in fact, to go through it in any fashion – I was just able to tonight. In the main there are lots of reasonable pronouncements being put forward. In fact, I think that it is an excellent move, allowing municipalities to regulate playground zones. They are the level of government closest to their people and understand the traffic patterns that occur in any neighbourhoods and the forms and fashions that people drive in their neighbourhoods better than we do here at the Legislature. This is an excellent move and idea. The time has come, and I believe city councils and municipal councils are fully equipped to be able to make those decisions better than we are here.

I think it's a good move to allow the registrar to be able to suspend a permit instead of just cancelling it. This seems to be a logical move that allows for people to use a little bit of flexibility in our system of governance around driving motor vehicles that may lead to people being more productive and lead to a more seamless transition when infractions arise. Updating some of the language and references to a roadside breathalyzer simply updates the act to reference the current technologies at play and allows for greater clarity in what our laws of the land state that is allowed to happen on our highway systems.

Just allowing police to immobilize a vehicle instead of seizing and removing it: that sounds like a very reasonable solution, allowing our police officers to have the flexibility and the assessment tools to be able to assess any situation and do what's best in the interest of time and best in the interests of public safety. It seems to be a positive move as well.

Some areas I do have concern about. I'm not certain how these HOV lanes and bus lanes and the like are going to be reversed and traversed and in what form and fashion this is going to take place. I would hope and I probably believe that the minister has given this a decent assessment and understands areas of the province that this is suited to be held in and where it would be unsuitable. I assume he's going to take it on a case-by-case basis and look where this can be feasible and safe and the like. Nevertheless, some questions emerge as to whether, in fact, we're adding an additional safety hazard to the road, whether Alberta highways are set up to allow for this to happen at the current time or whether additional infrastructure inputs are needed and can be put in to see us go to HOV lanes or carpool lanes and the like.

There's no doubt that other jurisdictions around the world have gone to this form of moving traffic as it tends to allow for people to make better decisions on their travel and allows for more environmental forms of travel. Under the concept of this, I would definitely be supportive, but I'd have to be certain that we're not compromising safety of the roads and ensure that Alberta roads are in fact set up for the changes. I'm certain the minister in Committee of the Whole will enlighten us further as to where and what situations he has in mind for these changes.

I will have to look at this further, but I would like to take a closer look at the moving of the words "reasonable and probable grounds" to "reasonable grounds." I'm not certain, but I tend to believe that reasonable and probable grounds are stronger words and a stronger precedent that police officers must be held to when encroaching on civil liberties, when being able to pull a car and driver over across on the side of the road and what his search and seizure powers that emanate from the act flow from, from those terms. When you go down to reasonable grounds, it seems to me on its face to lose some of that value. Maybe the minister in Committee of the Whole can discuss whether other jurisdictions have gone to this wording, what the legal implications are, if any, and what the repercussions are for people on a civil liberties front.

**8:00**

So if we take a look at that, you know . . . [interjections] I hear some banter going on, so I'm assuming it's going to be explained to me at some point in time. The cavalry is coming, Madam Speaker, in regard to an explanation. That's what I'm led to believe, so I'm looking forward to that explanation as to why my spider sense should be at ease and not tingling like it is.

Again, some of these questions can be answered in committee. I'm certain the minister will enlighten me as to why these changes are being pursued, but on the whole some of these look like very positive moves for road safety, and I'm looking forward to a discussion of them.

If you look at the intricacies of the Alberta road system, we have highways, byways, and roads going everywhere in this province. In fact, what concerns me is that we often spend I think it's roughly \$4 billion a year on building new roads and maintaining our existing roads. One of the interesting things is that under our current framework for building roads the dedicated cash that we raise through this only raises a billion dollars, and that's gasoline tax. So if we look at things as they are, if we look at what is actually going into subsidizing roads, if we're raising one billion dollars to pay for roads and we spend \$4 billion a year on building and maintaining roads, it seems to me to be quite a gap, and obviously that gap is covered by our royalty system and our bringing in wealth from the result of our nonrenewable resources. It seems like much of that wealth goes back into the building of roads.

I believe, honestly, the Minister of Finance held a recent economic summit, part 2, or something . . .

**Mr. Mason:** It was more like a little hill.

**Mr. Hehr:** . . . a little hill, where he actually discussed new ways to build roads and pay for roads. As you are aware, I believe we have to take a much more conservative approach to governing this province in terms of our finances and developing a system where we actually pay for what we use in terms of income tax and/or other arrangements. We simply cannot go down the path of spending all this oil wealth in one generation like we have for the last 25 years.

It's simply, in my view, short-sighted public policy that doesn't allow us either predictable or sustainable funding, nor does it, frankly, manage even to keep the lights and heat on. I see right now that we're headed to a situation where our financial picture, because of our overreliance on fossil fuel revenues and our utter refusal to pay for what we use through income taxes or other mechanisms, simply has led to shortfalls in social infrastructure and physical infrastructure and any ability to plan for the future and any ability to save for a day when either the oil and gas run out, which is probably not for a long while, or, more importantly, the world could move on.

In my view, that's a much more likely scenario and one that the members of this House – I don't think anyone could put a firm date on it. In fact, I've been suggesting, and, hey, I could be totally wrong on this, that we may have 50 years left where we have a strong and viable oil and gas industry, that has no doubt made my life easier, my parents' lives easier, and has allowed us to do a lot of reasonable things here in Alberta. But I think it's up to all of us in the House to take the precautionary principle and plan to be ready for that day when it does come about that maybe it's not as present in our lives as it is now. So I point that out.

What started that rant was the fact that we spend \$4 billion a year on roads and only raise approximately \$1 billion in derived revenue to go to the building of those roads. Nevertheless, returning to the bill, it looks like it has some reasonable, logical pronouncements in it that may go a long way to enhancing safety on Alberta roads, and hopefully the minister will enlighten me when he gets up and speaks again, to alleviate some of the concerns I have, and we'll go from there.

Thank you very much, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

We now have Standing Order 29(2)(a). Are there any members who are interested in making comments to the Member for Calgary-Buffalo or asking questions?

Seeing none, we'll move to the next speaker. Are there any other members who wish to speak on Bill 32? The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Very good, Madam Speaker. I know you struggle with the name of my constituency, but I appreciate the great effort that you're putting into learning it. Thank you.

I would like to speak briefly to this piece of legislation. I wanted to say that as Alberta grows, it's having increasing trouble or problems, congestion, particularly in and around Fort McMurray. One of my all-time favourites is the Deerfoot at rush hour, but other centres are increasingly showing more and more congestion. The QE II, which is probably a road many of us could drive in our sleep – we don't usually do that – is also plagued by congestion.

Just three weeks ago in Lethbridge the NDP held its convention, and we adjourned, actually, a bit early because of the storm that had settled in on the province north of Calgary. Some of us delayed our departure until the next day. I just wanted to put this on the record. I sent the minister a note about this already. The road was fine until just north of Red Deer. Even though the snow had stopped for hours – it was six, eight hours – there was a thick crust of very rutted ice on the highway that did cause a number of accidents. I saw one semi that went into an overpass just near Lacombe, and it slowed the traffic down. It was very dangerous. Many vehicles were in the ditch. The rest of the highway was clear, but this section for about 40 or 50 kilometres was a mess.

I took note of the company that was responsible for the road maintenance, and I kept an eye out for their vehicles. Their

snowplows were pathetic. They were basically dump trucks with a blade on the front. There were only two of them that I could see, and they were doing shoulders and exit ramps while this traffic was all careening and trying to stay in the lane and going at about 50 or 60 kilometres an hour. What they needed was heavier equipment. In this case I think probably graders might have been what was required.

I was very surprised that the road was in that condition considering the length of time since it had stopped snowing. This, in my view, has to do with lack of appropriate controls when we contract our road maintenance. Of course, we in the NDP would prefer not to contract the road maintenance, but I believe that even if you're going to contract most of the road maintenance, there needs to be some component of additional support from the province in terms of heavier equipment or at least stricter controls and requirements placed on the contracting parties.

**8:10**

The other thing that I want to sort of get off my chest about this, Madam Speaker, is the congestion on the QE II. I've been driving that road for many, many years. It used to be quite a pleasant drive, not too bad, unless you were on a Sunday night on a long weekend, and then you got what you deserved, I guess. It has become very heavily congested, and the system that the province has tried to get drivers to use, which is to drive in the right lane and pass in the left lane, which was working pretty well, is breaking down because both lanes are full of traffic. It really reduces the efficiency of the road.

I notice as well that there are lots of trucks passing other trucks or passing slower vehicles, which creates a real block on traffic. It often takes them 10 or 15 minutes to pass another truck because the differential in speed is very small. I think it's time that the ministry did some studies, and maybe the minister can respond to this because I'm sure they've done some studies about whether or not it's time to add an additional truck lane on the QE II and to have a designated truck lane as a way of reducing congestion on that highway.

I know there are a lot of people that are very anxious for high-speed rail, but I think that that is some time off, Madam Speaker, and until the government can resolve the bitumen bubble, which seems to be the cause of every problem, or otherwise just get better at financial management in the province, I think that it is going to be some time before that can be resolved.

So, having talked a little bit about that, I think this bill, which permits the minister to close highways and bridges that are unsurveyed and removes the authority of urban and rural municipalities to control their own highways or bridges if the minister desires – the concern, I think, that we have, and this may have been addressed by the minister because he was indirectly quoted . . . [interjections] That is a quote in a news article, Mr. Minister, without quotations. The minister said that roads are good as opposed to the minister said, "Roads are good." That is something that I don't think the minister would disagree with.

Maybe he could clarify the plans for bus lanes. Surely, as the article implied, the minister does not mean that we would be driving buses, putting bus lanes where shoulders are now. I think that was a concern. I know that the Minister of Justice wants to have less congested roads as well for his blue vans. [interjections] I think it's an inside joke. Nobody else got it.

So, Madam Speaker, reducing congestion on roads and improving safety is good for all Albertans, as is permitting municipalities to tailor an approach to school zone needs.

I might just throw this in, Madam Speaker. This is the bill that the minister announced with his billboard before it was introduced

in the House, so he must have great confidence in the discernment of his caucus colleagues in terms of their support for this bill.

I have some other questions, and one is the high-occupancy vehicle lanes. Where are they going to be put? Are they going to be put on 63? And so on. I could go through more. I have more comments about the specifics of the bill, Madam Speaker, but given that this is second reading, I just wanted to indicate that with a few concerns yet to be addressed, this looks like a good bill to us, and we would be prepared to support it at this time.

Thank you.

**The Acting Speaker:** Thank you, hon. Member for Edmonton-Highlands-Norwood.

We have Standing Order 29(2)(a). Are there any comments or questions to the hon. Member for Edmonton-Highlands-Norwood? The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** I'd just like to make the comment that I will verify the hon. member's statement that the roads on the night in question, in particular following Red Deer up towards Edmonton, seemed to be in a state of disrepair, and there appeared to be a lack of attention and a great deal of danger out there on the road that evening. In fact, I have even more so noticed in that time that that apparent stretch of the road, the Red Deer to Leduc part of the road, is consistently, on an ongoing basis, not quite as well maintained as south of Red Deer. I'm not sure what parameters are in play. Maybe the weather is slightly different there.

I guess that on that fact I'm glad that the hon. member actually wrote the minister in this regard. I thought about it, but sometimes I think about it and don't always get to it. I'm glad you did. I would just like to confirm that that is happening. I was wondering: does the hon. member think it's due to a lack of capacity in having government services available in that regard, like, not having our own ability to clean the roads and service the roads in that capacity or maybe not close enough to detail to our contractor? Can you shed any light on why you think that may be happening?

**Mr. Mason:** Thanks very much, hon. member and Madam Speaker. In my view this is a result of the contracting out of roadway maintenance in the province of Alberta. We believe that a significant capacity in-house is required in order to make sure that our major roads are cleaned promptly and satisfactorily after a major snowfall weather event. There's a real history, as you mention, of problems in this section of road. I remember, going back 10 or 12 years, that there was a major problem with this road that one of the columnists of the day, I think Neil Waugh formerly of the *Edmonton Sun*, wrote about rather extensively.

We think it's very difficult to ensure proper roadway maintenance with external contracts, and the contractors will always try to manage the contract in a way that minimizes their costs. In this particular case it was my observation that they had insufficient and inadequate equipment to properly deal with a thick layer of ice that was on the highway at that time.

**The Acting Speaker:** On 29(2)(a) the hon. Member for Cypress-Medicine Hat.

**Mr. Barnes:** Thank you, Madam Speaker. I, too, would like to ask the Member for Edmonton-Highlands-Norwood a question. In question period I guess two weeks ago now I drew to light that one of the road contractors had been fined I think it was 200 times in the last three or four years over not performing. Our Member for Calgary-Shaw today mentioned that on 22X, the ring road, that 70 some-thousand-dollar fine per day is now in the \$3 million vicinity, and the answer appeared to be no end in sight to that. It

made me think of when we've talked about P3s in this House and the government's claim that for 30 years they can hold these companies accountable for maintenance and debt financing and these kinds of things. I'm wondering about your thoughts on whether you think that this government can hold the P3 companies accountable for 30 years when it comes to maintenance.

**Mr. Mason:** Well, hon. member, that's a really good question, and I've often wondered that myself. You know, the government is going to be here in 30 years, but we don't know which companies are going to be here. You know, further, we can't find out all the details of the contract because it's considered a business's confidential information, and it's not even subject to the freedom of information legislation that we do have. So I think that, yes, that's a very, very serious concern.

8:20

We don't support P3s. In a number of instances the government has had to take back these contracts because the company that got the contract finds they're unable to perform. They can't make money on the terms of the agreement. It doesn't make sense to us to proceed in that way. What we would do is ensure that there are sufficient assets and skilled staff within the Department of Transportation in order to take good care of our roads.

**The Acting Speaker:** Thank you, hon. member.

Are there any other members who wish to speak on Bill 32 in second reading? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Speaker. Like many of my other colleagues here said, this bill has the potential to possibly do some very good things in the form of efficiencies. I think that where we're at, if I particularly heard some of my colleagues correctly, is that this bill also has the potential to get unanimous consent across this Assembly, provided that there's some clarity on some of the concerns that will be brought forward in Committee of the Whole. I think that there will be some amendments brought forward; I've heard talk of that.

But I do have questions concerning language and, in particular, reasonable and probable, reasonable cause and probable cause. I'm open to some of the legal minds in this Assembly to explain, but as I understand it, it is not the same definition. It is actually uniquely different in terms of law enforcement and how that applies to what the minister is proposing in this bill.

To optimize existing highway infrastructure, that's hard not to support. That is something that I think is easy to support. So I would like to see that happen. But I will tell you, having some experience on the roads throughout North America that have HOV lanes, high-occupancy vehicle lanes, the critical factor that I think is important when we implement these is: do they get used properly? I'm not getting at the violators. Do we end up with empty lanes and a bigger tie-up because people are not adapting? It is a problem that some cities have experienced; it's a problem that other cities have not. Again, it all goes back to efficiency.

In the process of debating this bill and looking to get as many MLAs to support this bill, I was wondering if the minister could answer that concern at some point on how this government will evaluate it once it's implemented. Will there be an ongoing evaluation process to really look at the efficiencies if an HOV lane is created, say, for the Deerfoot? It is something that you want to do, but you want to get the most efficiency out of it. Just doing something doesn't necessarily mean you're always efficient. It always has to be re-evaluated over time. Of course, as most people know, there are generally times when HOV lanes are opened back

up to single drivers, and that is generally posted. I think most jurisdictions have implemented that. I found that to be more efficient than just the HOV lanes that are solely restricted.

Again, it is the number of questions that I think some of my colleagues have on this side of the House, in my caucus. All in all, I think that the idea of bringing this bill forward and creating more efficiencies is something that generally anybody can support.

I'd like to ask the minister if he possibly could at some point in the process answer the question dealing particularly with military police. Will their jurisdiction then be increased? How would that be perceived in the public, particularly near those military bases? How would that authority be used? I'm not necessarily opposed to that because it actually provides more efficiency, but I also know that there is this overlap in agreement in law enforcement, any law enforcement, when they have to cross into another law-enforcement jurisdiction. I just would like clarity on how that crossover on law enforcement will take place and what the public can expect by having the military police allowed to enforce this new act.

These are some of what I think are basic concerns. They're not overly troubling. It would be nice to have some clarification. I would hope that this government would be open to any amendments that come forward, providing the amendments provide clarity and consistency within the act. I don't think that's an unreasonable request to come from this side of the House. I think it would be reasonable to presume that the minister would love nothing more than to have a full consensus to support this bill and to get on with the business.

With that, Madam Speaker, thank you very much. I look forward to the debate.

**The Acting Speaker:** Thank you, hon. member.

We have Standing Order 29(2)(a) for comments and questions. The hon. Minister of Transportation.

**Mr. McIver:** Thank you, Madam Speaker. Just by way of comment and, hopefully, some clarification that's been requested along the way two or three times now on the issue of reasonable and probable grounds versus reasonable grounds, my information here is that there was a Supreme Court case in 1993, entitled *Barron versus Canada*, in which the court ruled that reasonable and probable grounds and reasonable grounds are equivalent. I shall endeavour to have that looked up and tabled in the House as soon as I can, but I think that might be the clarification that several hon. members here have asked about.

**The Acting Speaker:** Thank you.

We still have four minutes left under Standing Order 29(2)(a). The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Speaker. I have some spics that I have to cool off by speaking. Thank you for the resource. I will look it up, too. Providing that it is consistent with your understanding, I don't see where there would be a problem. Again, there are enough legal minds in here, and if there is any inconsistency, I hope we can correct that.

Again, on the face value of first reading this bill, to support a bill that would make us more efficient and help the traffic flow, particularly in our major urban areas, to create a better safety system for our commuters, that is something that, I think, once convinced, I will definitely support. I think my colleagues will. I think that all we need is to make sure that the language is suitable, and then this minister could probably have a consensus right across the floor. I think that would be a very good thing to show that we can have nonpartisan work and nonpartisan support for a

bill. I would like to see that happen, and I look forward to the debate.

Thank you, Madam Speaker.

**The Acting Speaker:** We still have a few minutes left under 29(2)(a). Are there any other members who wish to comment or ask questions of the hon. Member for Rimbey-Rocky Mountain House-Sundre?

Seeing none, we'll go back to the bill. Are there any other members who would like to speak in second reading on Bill 32?

The hon. minister to close.

**Mr. McIver:** Closed.

[Motion carried unanimously; Bill 32 read a second time]

### Bill 37 Statutes Repeal Act

[Adjourned debate November 7: Mr. Olson]

**The Acting Speaker:** Hon. minister, because someone did speak on your behalf, if you speak again, you will be closing debate, and I see that we have other speakers, so we'll have to wait for you.

The hon. Member for Airdrie.

**Mr. Anderson:** Well, I'm sure we can make this quick, Madam Speaker. Regarding Bill 37, Statutes Repeal Act, it's obviously a piece of legislation that has our province catching up with the rest of Canada and implementing a formal process to review unproclaimed legislation, and we have a lot of unproclaimed legislation.

8:30

One of the pieces of legislation that I still cannot figure out why this government has not proclaimed – every time we have a discussion on unproclaimed legislation I keep bringing it up – is the Mandatory Reporting of Child Pornography Act. We need you to implement that and proclaim it. That is absolutely an important piece of legislation. We've been saying it for years. Proclaim it. It's important. There's no reason for it not to be proclaimed. That was the first Wildrose private member's bill, actually, that ever passed in this Legislature, from the Member for Calgary-Fish Creek. It's a very good piece of legislation, not because of that fact but because it is a serious issue. I hope that in the spirit of making a formal process to streamline and review unproclaimed legislation, they will use that new-found spirit to proclaim important pieces of legislation such as the Mandatory Reporting of Child Pornography Act. There really is no reason whatsoever not to get going on that.

There are many laws on the books in Alberta that we need to go through, of course, on an ongoing basis to clean up legislation, repeal old and outdated laws, and so forth. One of the things that our caucus, the Wildrose caucus, has proposed and something that former Premier Ralph Klein had on and off throughout his tenure here as Premier was essentially a dumb rules committee. I think that we need to have another dumb rules committee.

What the dumb rules committee would do – and I don't know if that's exactly what it was called, but that's kind of what it was known as in the public – was to look at rules and regulations that were outdated or unnecessary or old and not needed but also look at rules and regulations that were impeding economic growth, probably not on purpose, probably unintentionally. They would look for those things, and the public and ministers and private members and so forth could come to that committee and say: look,

this is a real problem, and it's really quite unnecessary, so perhaps you could get rid of it. There was, I believe – well, I don't know. I thought Mr. Ty Lund was in charge of it for a while, but I could be wrong. Whoever it was, I think it's a great idea, and I think that the government should think about bringing it back.

I could think of some of these health regulations, for example, where during the floods we had restaurants that were opening up, essentially, street kitchens. These were high-profile restaurants, restaurants that have a very long, good track record for food safety. They opened up street kitchens to feed volunteers during the flood, and AHS came and shut them down, citing various different regulations for food safety and so forth. You know, obviously you need food safety regulations, but again that's something that maybe could be looked at and said: "Look, you know what? There's obviously a regulation here that is hampering relief efforts when they're needed and just good Samaritanism, if that's a word, out there." Maybe that's something that we could look at.

I've talked to many senior Albertans, particularly senior women, just salt of the earth people, who run different fundraisers. You know, there are 10 or 15 of them that will get together, and they'll bake pies and all kinds of food, like a bake sale, to raise money. These folks have had problems in the past because they're not using, for example, stainless steel kitchens all the time to cook their pies and so forth. They've had problems with AHS, again, coming in and shutting them down or making them upgrade their community kitchen, which they don't have the money to do. Nobody has died or even gotten sick in the past off of these things in those cases. Like, it's just overboard, and it's silly. You want to make sure that you have these regulations, but there are times when you need to review those regulations and say: "You know what? Maybe this is going a little bit too far."

Again, in this spirit of, obviously, looking at unproclaimed legislation to hopefully proclaim it a little faster and also just cleaning up old, outdated, and stupid regulations that hamper volunteerism or economic growth or whatever, I think that the government should look at, perhaps, bringing a stupid rules committee back and letting them do some good work because there are a lot of stupid rules out there.

Of course, fewer laws mean, generally speaking, smaller government. Not only that, but if you have fewer dumb rules and fewer silly regulations that are outdated and unnecessary to enforce, that also means that enforcement personnel, whether it be in the environmental enforcement area or the law enforcement area or health safety and so forth, can go out and enforce things that do matter, that actually will improve public safety or food safety and what have you. It allows you to make sure that you can have those civil servants doing the things that will actually help Albertans rather than focusing time and effort on shutting down local bake sales and so forth or keeping volunteers from having a nice hot meal while they're cleaning up floods or other community problems and so forth.

The Wildrose will introduce two amendments to Bill 37, and I will get into more detail about those, obviously, in Committee of the Whole. I hope that the minister will speak with us, speak with our Justice critic, his counterpart here, the Member for Lac La Biche-St. Paul-Two Hills, on it. The first is an idea to reduce the period from every five years to every three years for reviewing this unproclaimed legislation and outdated laws and so forth.

The second is to ensure that every bill that is being repealed under this formal process will be voted on through individual motions, ensuring that a fulsome debate is permitted and that the government can't use this process to sneak through – not that they would ever be a sneaky government. We know that they would

never try to ram something through like Bill 28, for example, without proper consultation and so forth. But we don't want them to use this process to sneak through and repeal different legislation that is not housekeeping in nature or something that, perhaps, isn't outdated and old, that needs to be left alone, and so forth. We think that it's very important that each individual law, et cetera, is voted on separately. We don't mind having it all at once, but let's try to have specific votes on each of them. It shouldn't take too long. I mean, there are a lot of dumb rules, but hopefully over time the amounts of votes could decrease and we could have, you know, fewer bad rules to throw out.

That's it for my view on Bill 37, and I look forward to Committee of the Whole.

**The Acting Speaker:** Thank you, hon. member.

We'll move on to the next speaker. The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you so much, Madam Speaker. Well, this is an interesting bill. It repeals a whole bunch of sections of a whole bunch of bills. It's interesting to get a look at this, to take a step back and look at the big picture. You find that there's an enormous amount of legislation in this province that has never been put into effect, never proclaimed, and generally was either unnecessary, wrong, or unconstitutional. That surprised me.

**8:40**

Well, it didn't surprise me that much. But it surprised me a bit to see it all here in aggregate, to see this collection of legislation that this government at the time told the Assembly was necessary and essential and we had to have it. Opposition often put forward amendments to take some of the stuff out, but it had to go in, according to the government, and in it went, and now we're taking it all out. It's not bad that we're taking it out, but it just strikes me as a bit dumb to put it in in the first place, Madam Speaker. I think that it really illustrates a problem, a lack of foresight on the part of the PC government.

I mean, there are some bigger examples that I want to get to. Maybe Airdrie can remind me of the numbers. [interjections] Bill 50. There was 36 and 24 and 19. I remember Bill 19 – I remember it well – where I was single-handedly taking on this attack on private property because the Wildrose wasn't even here. Here I was, the NDP standing up for property owners in the province. Of course, the government realized later on – well, I mean they basically almost got skinned alive in rural Alberta – that they had to change it and that there was a better way to do it, so many of the amendments we had put forward were actually incorporated in some of the bills which I will refer to as retreat bills, when they back down.

That's a separate example. But, you know, how many hours do we spend debating this legislation? How many hours and how much money does the government spend having lawyers draft this legislation?

**Mr. Denis:** Got to keep the lawyers in business.

**Mr. Mason:** I know that the hon. Justice minister wants to keep the lawyers in business, as he just said, but perhaps we could do it more productively. That, I think, is kind of the point here.

There's nothing wrong with getting rid of most of this stuff, but I suppose we'd like to ask the government to explain why, when they promised a tax credit for tradespeople on their tools, it's never been proclaimed. We passed something in the Landlord's Rights on Bankruptcy Act, a section that is ultra vires provincial jurisdiction. Why did we do that? Why did the government keep

bringing forward these bills, ignoring opposition amendments, passing the bills, only to turn around and repeal them en masse up to 20 years later? I'd like to ask the hon. Justice minister if he's confident that we've got it right this time. Have we actually fixed all the legislation that needs to be fixed, or are we going to have to go back and do it again?

Madam Speaker, I did want to make one positive reference to this legislation, and that is sections 2 to 5, that generate a report on not-enforced legislation and automatically repeal legislation that isn't dealt with by the end of the year. You know, I often wonder why it is in our system that once the Legislature has passed a piece of legislation, the government still has the authority not to put it in place. This is a very undemocratic aspect of our parliamentary system, in my opinion. Once the Legislature passes something as a law, it should be the law, and the government should have the responsibility to enforce it. But they've got this thing where they can have it both ways. They can pass legislation, but they don't have to put it into force. We see that time and time again, sometimes for political convenience.

A long time ago they passed a Health Act that set up a charter of rights and people that were supposed to go around and help people navigate the system. Instead of making the system more navigable for everybody, they set up an office that can perhaps help a few thousand people at best in a year out of the hundreds and hundreds of thousands of people that are involved in the health care system. Only a very badly designed, complex, Byzantine health care system would require a special office to help people navigate it. That should be the role of the nurse practitioner or your family physician, Madam Speaker, quite frankly.

Anyway, I'm a little off track. The point that I wanted to make is that the government did not proclaim that legislation and attempted today, with much fanfare, to proclaim a piece of legislation passed a long time ago by this House as a political stunt to try and show Tory delegates that the Premier was doing a good job for something that's coming up next weekend. That's how the government plays with legislation.

When we pass a law in this place, Madam Speaker, it should be a law that's needed, and it should be a law that's well thought out, well drafted, and well debated. It should become the law, and it shouldn't just become a political plaything for the government, that they can hold it back if they don't want to put it in place. They can pass a piece of legislation for show, that they have no intention of ever using, and then not proclaim it, or they can pass something and then sit on it until they want to get a second announcement out of it just at a critical time politically for them. These things are an abuse of the legislative process and ought not be allowed.

I think the government has much to be accountable for with respect to its legislative agenda and its lack of planning and foresight, and I think it would be far better to simply pass good legislation in the first place than bring forward statutes repeal acts.

Thank you, Madam Speaker.

**The Acting Speaker:** Standing Order 29(2)(a). The hon. minister.

**Mr. Denis:** Thank you very much, Madam Speaker. I just have a comment and then a question to the hon. Member for Edmonton-Highlands-Norwood. One of the acts that actually is repealed here is the Masters and Servants Act. It may seem somewhat of an absurd title in 2013. But my point is, just contrary to this member's comments, that we can't just look at things always as hindsight being 20/20. You have to look at it in the context of that particular time. Perhaps a hundred years ago, when the Masters

and Servants Act was relevant, it was something that was very important. Clearly, it's an act that is obsolete, is not even used. We believe in governing less in certain areas, and obviously we have a bill like this that will institute a process to ensure that we do govern less.

I wanted to just beseech the member. Earlier he had made a comment about me driving a blue van. I actually do not drive a blue van. They're rather expensive, and it's kind of costly to have one on a minister's salary. This act does not mention any blue vans, Madam Speaker, and I'm wondering if this member could comment, actually, on whether or not he thinks that there should be reference to blue vans in this legislation.

**Mr. Mason:** Madam Speaker, I'm shocked to my core. The minister does not realize that my comment with respect to blue vans was to do with a previous act, and he's therefore completely out of order.

**The Acting Speaker:** Thank you, hon. member.

Under 29(2)(a) the hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Speaker. I was wondering if the hon. member could answer a question for me after he gets finished with his speech on the bill. Who makes the decision on whether it gets proclaimed or doesn't get proclaimed, and what is the process for making that decision once a bill passes the third reading and has left this House? Clearly, there must be a democratic process in place that says that we're going to proclaim this bill versus not proclaim a bill.

**Mr. Mason:** Thank you, hon. member. Well, after full public, open debate by a Legislature, representing all of the people of Alberta, the bill then passes to third reading, and then it goes and sits in limbo. I don't think that's a correct political term, but it sits there until the cabinet decides to proclaim it. The cabinet, meeting secretly and, of course, only representing the government and one party, makes a decision on whether or not what the Legislature has democratically decided is good enough or not.

Thank you.

8:50

**The Acting Speaker:** The hon. Member for Drumheller-Stettler.

**Mr. Strankman:** Thank you, Madam Speaker. I, too, would like to address a question to the hon. member regarding the Wheat Board Money Trust Act. I find it interesting that the member did not address the disbursement of those funds. I was wondering if he could explain to me his logic and reasoning there. There are some sums of money that have been in that fund since 1920. I was wondering if he could expound on that.

**Mr. Mason:** Actually, Madam Speaker, I would be unable to do that at this time.

**The Acting Speaker:** Thank you.

Are there any more questions or comments under Standing Order 29(2)(a)?

Seeing none, are there any more speakers on Bill 37, Statutes Repeal Act? The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you very much, Madam Speaker. It's a privilege to speak to Bill 37, Statutes Repeal Act. I must say that I actually enjoyed the comments of both the Member for Airdrie and the Member for Edmonton-Highlands-Norwood in regard to this bill. It spurred some thoughts of my own, and I will endeavour

to try and put them on the record in some reasonable fashion forthwith.

If you look at this bill, it does seem to encompass a whole host of repeals and revisions and amendments that are no longer going to be needed or necessary in this province. I guess we can look at it as: that's a positive. It's the government doing its due diligence, looking at whether or not legislation on the books is serving its purpose at this time. It goes about a relative process that eliminates stuff that is not necessary. I guess the government has to be applauded for doing that from time to time and trying to streamline legislation to make sure there's a method to the madness or some rhyme to the reason and the like.

As both members pointed out, often, from this side of the House anyway, it doesn't appear that that's necessarily the case when the abundance of legislation gets thrown onto the floor of this Assembly, seemingly gets passed, and then, we learn, goes into limbo. I think that was actually a very effective place. I'm not sure if limbo actually exists anymore. In fact, I think the Catholic Church has moved away from having limbo as an actual method in its doctrine. I learned this from my father, actually. Growing up, limbo was a concept and a construct, but I believe that it is no longer in church doctrine, and they've been enlightened on that front. Nevertheless, in the context of legislation I believe that was a proper term.

I'm looking at this and the like, and some thoughts came to my mind on how at times we try to put fences around rules or legislation that is in place that, to use a term, tries to tie the hands of future governments. That inevitably leads to us making a political announcement and a big much-ado-about-an-announcement that legislation is coming into place that serves a political purpose, but it actually serves to tie the hands of future governments and doesn't allow them to react in the manner that they need to.

In fact, I don't like it when governments do that, and I've seen it from time to time here in Alberta. I guess the most cogent example of that would be when around 2005 this government made the law that we shall never go into debt again. Essentially, it was the government of the day in full froth and bravado saying that this was going to be a rule to guide us for all time.

We put that into legislation, and in my view it was short-sighted and done for a political purpose. It was political messaging. When we do legislation on that front, that serves a political purpose and not necessarily a legislative purpose, that leads to problems later on. The problem again came up this year, when we needed to take an act regarding our fiscal framework, that actually allowed us to see things in a reasonable and clear fashion, and it had to be changed because of a political rule that got put into place, that thou shalt not go into debt ever again. The government of the day found itself in a spot that, because of a fiscal structure that, in my view, is unsustainable and unable to allow for government planning, allowed them to go back and rewrite the rule that said, "Now we can go back into debt again," and that's how we have the new I believe it's called the Fiscal Management Act.

I see that as part of the trouble here when we write legislation. It tends to be for a political purpose, not a legislative purpose, and allows the government of the day to then go out and do their messaging. I guess another example of that that recently happened was in this legislative session on Bill 28, when the hon. Minister of Municipal Affairs put forward his amendment to the MGA that was going to allow him to have capacity to go in and solve problems that were happening on regional planning boards.

I said at the time that I understood full well the reasons why the minister was going about this and that it actually had a valid purpose to it. The trouble was that he tried to do the legislation not

in an open and transparent fashion but merely by tinkering with existing legislation, trying to make it appear as though he was only dealing with the Edmonton capital region when, in essence, he was looking at being able to do this throughout the province of Alberta instead of putting in a proposed bill that would have outlined in a reasonable and fulsome fashion the reasons why the minister was changing the process, some various fences around what he was trying to do, some definitions and some ability for regional planning organizations to have an ability to try to come to a consensus and try to solve their own problems before the minister would intervene.

We saw in that instance a government that tried to do governing by stealth – that was what I would like to say – where they were trying to achieve a purpose in a closed-door manner. It wasn't open and transparent. Not that I didn't understand the minister's reasons for doing it – I understood that – but if he was going to do the legislation, he had to make it more open, more transparent, set out the reasons why the minister was moving forward on Bill 28 and the necessity of having the minister play a role to break some deadlocked regional planning mechanisms like the Calgary Regional Partnership and the Edmonton capital region.

A lot of times I see a lot of this stuff needing to be repealed and reworked because we're trying to do things with a political purpose, not really with a legislative purpose. I think that if the government of the day would keep that in mind and try to introduce legislation that has reason and common sense to it and stop with the political theatrics and trying to do legislation by stealth or the like, it would serve this province in a much more reasonable fashion and allow them to govern in a much better fashion, and people would be appreciative of that fact.

**9:00**

This is an interesting act where we see that pivoting a little bit, Madam Speaker. I, too, have seen legislation in my time in this House that gets passed, and then we never see it come in to be the law of the land. We never see the final stamp of approval put on that act. I, too, would be remiss in the fact that I think that legislation, if it has gone through the process of us debating it, of us working hard to make it better, and if the government of the day believes that it was worth bringing to the floor of this House and worth being passed, it should be assented to relatively quickly. Otherwise, why waste our time? Why go through the act in itself and the like? I would agree with the hon. members who spoke before me in that oftentimes we are just using these as political documents that we can wave around, announce, reintroduce, gerrymander, and save for a later date when it would serve a political purpose, not actually bettering the lives of the citizens of Alberta.

We should always remember that when we do our legislation. We should keep that in mind, and whether we're serving our political ends or are actually bettering the Alberta people's lives, we should try and adopt the second of those two principles.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a). Are there any members who wish to comment or ask questions of the Member for Calgary-Buffalo?

Seeing none, I would ask: are there any other members who wish to speak to Bill 37 in second reading? The hon. Minister of Justice and Solicitor General under 29(2)(a) or to close debate?

**Mr. Denis:** Actually, neither, Madam Speaker. I would like to move that we adjourn debate on Bill 37.

[Motion to adjourn debate carried]



## Government Bills and Orders

### Third Reading

#### Bill 31

#### Protecting Alberta's Environment Act

[Debate adjourned November 7: Ms Blakeman speaking]

**The Acting Speaker:** Are there any members who would like to speak in third reading to Bill 31, Protecting Alberta's Environment Act? The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Is there anyone else that can go first? Thank you very much.

**The Acting Speaker:** Hon. member, you've already spoken to this bill in third reading.

**Mr. Mason:** I have?

**The Acting Speaker:** Yes, sir.

**Mr. Mason:** I can't believe that. Okay. Thank you.

**The Acting Speaker:** Are there any other members? The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Madam Speaker. I know that I surely have not spoken to this bill in third reading. I did, however, talk about it and feel it's important on a number of fronts. Certainly, it's important to measure what we're doing, and as I understand it, this strangely named bill is all about measuring. I do believe that unless things are measured and monitored, they can't be improved. It's important for that measurement to be as objective as possible, and I think the bill intends that it be objective. Nevertheless, there remain the powers in the minister and the cabinet to appoint, and in fact that seems to be the intent.

So I think that on the face of it, recognizing that we are an exporting province and we wish to be able to export to customers around the world, some of whom are in jurisdictions that are very concerned about the environment, are looking to us to give them the reassurance that we are developing and bringing our resources to market in an environmentally sustainable way, that we're friendly towards the environment, that's an important perception. We know that perception is reality, so we have to do it in a way that is, in fact, real and genuine and not just showy, not just in a way that some might suspect as pretense.

We have good laws in our province. I think that if those laws were enforced, we wouldn't be having some of the issues that we are having with the perception of our province, that are allowing some to use it as an excuse to perhaps badmouth the industries, particularly the resource industries, and I think that's a shame.

Many people who have served in this Legislature have helped develop some of these laws, and I think they developed them in good faith and voted to support them in good faith. I know that we on this side of the House have been supportive in the sense of proposing amendments that we have thought would help in fact do some of the things that the names of the bills might lead one to believe was their intended purpose, but we've learned to our chagrin and dismay that that hasn't always been the case.

I think it's important that we get this bill right and that it does what our customers want it to do and what the people of Alberta want it to do and, I truly believe, what the industry itself wants to

do. But I think it begins with, again, enforcing the laws that we have now as opposed to simply proposing new ways to do the old things. New can be good, but just because you can do something, doesn't mean you should.

I hope that this bill will achieve its stated purpose, but I think the methodology is still a little suspect. Thank you.

**The Acting Speaker:** Thank you, hon. member.

We have Standing Order 29(2)(a). Are there any members who wish to comment or ask questions of the Member for Cardston-Taber-Warner? Is this under 29(2)(a)?

**Mr. Strankman:** Yes. I would like to ask the member: he had made some comment in regard to the formation of a new science board that's reported in this bill, and I was wondering if he could comment a little more on his concerns.

**Mr. Bikman:** Well, again, we've talked about this, of course, and we're assured that there will be some requirements, some sort of screening that suggests that the background of these people will actually be in science and in the science regarding specifically the areas where they're going to be evaluating what the measurements and what the data mean. We've also mentioned that we think this data needs to be available to all the stakeholders, those who may be, in fact, guilty of not being as attentive to things as they need be, but there need to be specific qualifications laid out in the bill to make it a good bill and to enhance the perception of it being a good bill.

It isn't enough just to say that we've got an act that's going to protect the environment. If it's really all about measuring it, we want to make sure that measuring is done properly and that the data that those measurements produce are converted to information in an appropriate way. The actual data themselves, objectively evaluated by customers and potential customers that are looking to see if we are doing our job: our own citizens, in fact, can verify that by seeing the source data and seeing what parts of that data were actually used to produce the information that's being released and what parts were ignored and why they were ignored. If it was redundancy, well that's one thing, but if it was because it wasn't in support of the conclusion we wanted to reach, then that's prejudicial, and I think it will be detrimental and contrary to the intent of the act.

**The Acting Speaker:** Thank you, hon. member.

There are two and a half minutes left on 29(2)(a). Are there any other members who wish to comment or question the hon. Member for Cardston-Taber-Warner?

Seeing none, are there any members who wish to speak to Bill 31 in third reading? The hon. Member for Calgary-Buffer.

9:10

**Mr. Hehr:** Well, thank you, Madam Speaker. I'll be brief as I've spoken to this bill twice.

**The Acting Speaker:** Hon. member, I'm sorry. We've been told that you have spoken in third reading to this bill.

**Mr. Hehr:** I will stand down. Already sitting, though.

**The Acting Speaker:** Thank you, sir.

Are there any other members who wish to speak to Bill 31?

Seeing none, I'll call the question.

[Motion carried; Bill 31 read a third time]

## Government Bills and Orders

### Second Reading

(continued)

#### Bill 41

#### Premier's Council on the Status of Persons with Disabilities Amendment Act, 2013

[Adjourned debate November 6: Mr. Oberle]

**The Acting Speaker:** The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Madam Speaker. I appreciate the opportunity to rise and speak to Bill 41, the Premier's Council on the Status of Persons with Disabilities Amendment Act, 2013. You know, I'm sure, as the hon. associate minister said in second reading earlier, this is mainly just a housekeeping bill. There's not a lot of meat to this. It is nice to see that the government is extending this beyond its original mandate. I believe that if we've learned anything in the last eight months in this province, it is that individuals and those families and service provider networks, self-advocates, and a lot of people are very passionate about our services for those in the PDD system, and this bill does go to strengthen the council's role.

But I do have a couple of observations that I've noticed in here, and a lot of it just seems like platitude and fluff if I'm being honest. I'll give some examples as to why I say that because it's not just me trying to oppose this. I will absolutely be supporting this, but it just seems odd to me that we would be adding clauses in here. Section 3(1) presently reads that the council may

- (a) advise, report to and make recommendations to the Government on matters relating to the opportunity for full and equal participation of persons with disabilities in the life of the Province . . .
- (d) identify and review current and emerging issues and policies at all levels of government affecting and concerning the status of persons with disabilities.

But we're going to add something in that says:

- (g) advise the Government regarding the alignment between policies and strategies affecting persons with disabilities and the principles of the United Nations Convention.

I understand the UN convention. I don't understand why we need to basically state the exact same thing again. Perhaps the minister may be open to just changing some of these to condense this a little bit.

Another example, Madam Speaker, of something along the same lines is that if we look at presently section 3(1)(f), it says:

- (f) make referrals and recommendations to and consult and collaborate with all levels of government, government agencies, volunteer associations, businesses, universities and other persons on matters affecting and concerning the status of persons with disabilities.

Now we're going to add in:

- (i) advise the Government on reviews and development of policies, programs and initiatives and their implementation with respect to the effect on services to persons with disabilities.

I just don't understand what it is that we're actually achieving by adding this in. It just sounds like we're repeating ourselves somewhat. It just may be, I guess, justifying the paper that this bill is written on, but it doesn't really seem to add a whole lot to it.

One thing – and I don't know if the minister is able to comment on this as I speak to it. There is a quick question that perhaps he could address when he closes debate if he is going to close debate today. It may be a little bit difficult to get the attention of said

minister, but I will speak away. They are amending section 4 to insist that

the Council must include persons with disabilities or individuals who have involvement and experience with disability issues.

I absolutely agree. A big step forward. This is a winner. I think that it's kind of a shame that we've had this act in place for as long as we have without that being mandated in this act, but I think, you know, for whatever reason better late than never. What I would like to see and perhaps . . . [interjection] A quick second. It wasn't meant to be, I suppose.

I'm wondering if the minister would comment on whether or not there would be room to implement . . .

**Mr. Oberle:** Point of order.

**The Acting Speaker:** Hon. member, a point of order has been called.

The hon. Associate Minister of Services for Persons with Disabilities.

#### Point of Order Relevance

**Mr. Oberle:** Madam Speaker, the subject matter of that hon. member's speech should be confined to his thoughts on the bill. Whether or not I'm listening is hardly for the debate on the bill. As you may notice, I am in fact listening, but I do also choose the right to completely ignore him. I would ask him to confine his remarks to the bill.

**The Acting Speaker:** The hon. Member for Airdrie on the point of order.

**Mr. Anderson:** I don't know what citation he's using on that, but I think that the member was obviously commenting on the bill, wanting the minister to be interested and listening. He obviously cares very much about the opinion of the minister. It's clear the minister doesn't care very much for the opinion of the member in return, from his own comments.

Obviously, there's no point of order here. I'm sure the member will continue to comment on the bill, and whether the minister is listening or not, as the minister says, is completely up to him. He has every right not to listen or to listen as he wishes.

**The Acting Speaker:** Thank you, hon. member.

I think that we have established that the hon. Member for Calgary-Shaw should speak on the bill.

**Mr. Wilson:** Acknowledged, Madam Speaker. Thank you.

**Mr. Anderson:** Now everyone is listening.

**Mr. Wilson:** Clearly.

#### Debate Continued

**Mr. Wilson:** I guess that regardless of whether or not I'll get a response, I'll just say what I was going to say, which was that I was wondering if it would be, I guess, appropriate to also include individuals who are part of the service provider network in this province that are dealing with the delivery of services to persons with developmental disabilities and whether or not that is something that the minister may consider adding in as a mandated section of this act because we do have it mandated that not more than 15 members will be on this council and that no more than two of them will be Members of the Legislative Assembly. I just

believe that with that latitude perhaps we should consider including those who are, you know, dealing every day with individuals and clients in this system. That was basically the thrust of what I was hoping the minister may comment on as he closes debate.

With that, Madam Speaker, I will gladly sit down. Thank you.

**The Acting Speaker:** Thank you.

Are there any other members who wish to speak to this bill in second reading? The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you very much, Madam Speaker. It's truly a privilege to speak to Bill 41, Premier's Council on the Status of Persons with Disabilities Amendment Act, 2013. To be fair to the government, I am very happy that they do have a Premier's Council on the Status of Persons with Disabilities. In fact, it's been in place since 1988. These amendments, at least at first blush, without going into the act in full fashion as of yet, at least on appearances try to integrate some of the goals and aspirations of the disabled community in a more expansive role in line with what the government's policy of the day is into the various facets of people with disabilities in Alberta, both the successes and the struggles that they're having, and having their voice at the table to hopefully advise government on not only existing policy but future policy and the direction of what is going to happen with government policy as it respects the wide range of people with disabilities in this province.

9:20

If we look at this on a broader scale, I think estimates are that anywhere from – I'm pulling numbers out of the sky right now – 10 per cent, possibly more, of the Alberta population has a disability at this present time. In fact, you know, if all of us hope to get to be age 75 or over, which I think most of us in this House wish to do, 50 per cent of the population over 75 has some form of disability. With those being the numbers, I think it's pretty important for us to not only consider, hopefully, in an altruistic fashion what happens to people who are living with disabilities in Alberta but also for selfish and pragmatic reasons to be concerned about the plight of people with disabilities because if we live to be 75 or older, most likely 1 out of 2 of us will have a disability. That's just some information that I hope we as legislators in this House remember. Oftentimes we may not think of ourselves as having a disability or ever going to have a disability, but statistics being what they are, well, it's in the cards for 50 per cent of us, so that's something to be cognizant of.

Something I wonder about is how much the government is listening to the Premier's Council on the Status of Persons with Disabilities. Even in the last year we've seen numerous times when I think the disabled community has been at odds with government policy. We saw that in the dramatic changes to the persons with developmental disabilities funding that occurred as a result of the introduction of the budget. I wonder if there was a consultative role with the Premier's Council on the Status of Persons with Disabilities when that endeavour went down the pike. You know, I just wonder about the massive changes to home care that essentially gutted a lot of not-for-profit home-care systems that had been put in place over the course of time in Alberta, that were serving a disabled population and allowed them to live their lives in a robust and personally rewarding manner. All of sudden those contracts were taken from them and given to large for-profit corporations that may or may not have their best interests at heart.

I wonder what role the Premier's Council on the Status of Persons with Disabilities had in advising the government down that path. Maybe the minister could comment somewhat on how he engaged this group prior to the Ministry of Health going down that path. I know many of my fellow Albertans with disabilities have had their lives impacted by that change and not in a positive fashion. I'm just wondering whether there was any consultation on that.

I'll also note that there was talk about this at least a year ago. You know, many people on welfare in this province either have a disability or some form of mental disability, a large portion of them. The fact is that Alberta has the lowest welfare payments by far of any of the provinces in this great nation. I wonder whether the Premier's Council on the Status of Persons with Disabilities has had any consultative program or process with the government on that front.

I will applaud the government for having a status of persons with disabilities act. In fact, numerous people who serve in that capacity I believe do their level best to bring information to the government. I question how much the government actually listens to them and is concerned about the plight of people with disabilities and, in fact, if the last year is to be judged, whether persons with disabilities have been adversely affected disproportionately more than other groups in our society in light of the recent budget woes that have come down the pike.

Often I'm left at a loss for words, Madam Speaker, that we don't ask a little bit more of our wealthy citizens and, instead, take it out on our citizens who have the least or have the most difficulties or have the most struggles. It appears to me that that happened in abundance over the course of the last year with the implementation of what happened in the last election instead of asking those with the most in society to maybe share the pain of what is transpiring currently in Alberta.

On that note, hopefully the government can think about its actions over the course. But I should ask them why they chose to take it out largely – well, not largely but on some people with disabilities, some groups who can be seen to not have maybe as strong a voice, who maybe don't vote in as great a mass as other citizens and the like, why they made a conscious choice to go down that path instead of asking others to do a little bit more and maybe impact their lives even slightly to allow a group of people who are struggling to do a little bit better.

Anyway, those are my comments, Madam Speaker. I look forward to looking at the act more closely and commenting on it in committee and at third reading of this bill.

Thank you very much, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

We have Standing Order 29(2)(a). Are there any members who wish to comment or question the Member for Calgary-Buffalo?

Seeing none, are there any members who wish to comment on Bill 41, the Premier's Council on the Status of Persons with Disabilities Amendment Act, 2013, in second reading? The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Excellent. Madam Speaker, thank you very much. I'm pleased to speak to Bill 41, which amends the Premier's Council on the Status of Persons with Disabilities Act. Overall the bill will broaden the council's existing role, and it will also increase the sunset clause, which has previously been extended through order in council to seven years. It will now include explicit mention of the UN convention on the rights of persons with disabilities and provisions permitting the council to "provide input," "advise the Government," and "support . . . the relationship

between the Government” and service providers. It also adds an excellent provision requiring that the 15-member council include persons with disabilities or individuals who have been involved with disability issues, and that’s a very positive thing.

So in general, Madam Speaker, we’re supportive of the bill, particularly section 3, that requires that persons with disabilities or individuals who have had involvement and experience with those issues be included. But we can’t help but think that this is a public relations exercise primarily designed to mend fences with a significant group in our society that has just received a thorough beating from this government. It has created through its actions in the last budget distrust through its budget cuts and broken promises from the spring. So hoping to repair this, perhaps, this breakdown in trust with the disability community, the government is strengthening the Premier’s Council on the Status of Persons with Disabilities.

There are a couple of problematic issues, Madam Speaker, as far as we’re concerned. First of all, in proposed clause (g) of section 3(1) there’s a mention of the UN convention on the rights of persons with disabilities, but there’s no requirement for the government to ensure alignment between Alberta’s policies and the UN convention. The clause says that the council can advise. The government needs to make a clear commitment to aligning with the UN convention on the rights of persons with disabilities and taking that advice that it may receive from the council and turning it into action.

9:30

Beyond that, Madam Speaker, the public deserves to know where we are failing to live up to international standards, which is really my second point. We believe that it’s vital that the board’s annual report include recommendations on where the government is missing the mark. That would bring the public into the conversation about how government can improve the lives of persons with disabilities in a very direct way and improve accountability. The board has had success with providing recommendations in the past. In 2002 the Alberta disability strategy compiled by the council put forward 168 separate recommendations. The role of providing recommendations is found directly in the council’s mandate.

Madam Speaker, it’s troubling that none of the past three reports have contained recommendations to the government on how to improve the lives of persons with disabilities. We’d like to see this council empowered to provide recommendations in the public forum, where others can then hold the government accountable to make sure that changes are made.

Public recommendations are important because this government has consistently shown that they need to be pushed into providing the supports Albertans need and that they will cut services if they are not constantly reminded and pressured on how crucial these supports are to vulnerable Albertans. We saw this spring, when the PC government announced \$42 million in cuts to people with developmental disabilities, that we can’t trust this government on their own to do the right thing. Again, with this government closing the Michener Centre, a care facility for persons with developmental disabilities, we’ve seen another attack on disabled Albertans.

We believe that in the public interest we will put forward amendments that the board provide public recommendations on how the government can contribute to improving the lives of

Albertans with disabilities. One thing that the bill clearly lacks, Madam Speaker, is an explicit mention about making recommendations in their annual report. It might be arguable that recommendations are part of the council’s larger role, but we think that it should be included in the legislation.

Madam Speaker, there are some things missing from the bill, in our view. Generally, expanding the role of the council is a good thing. Making mention of the UN convention is a good thing, but of course the bill stops short of making a real commitment to implementing the United Nations declaration on the rights of persons with disabilities, and we think that it needs to do that. We need to make sure that the council is engaging the public in these issues with concrete recommendations made in the public forum that allow a more public discussion of the issues facing persons with disabilities and the solutions that might be found with the assistance of the government.

With those changes it would be an outstanding piece of legislation, Madam Speaker, and one that we would be very happy to support.

Thank you.

**The Acting Speaker:** Thank you, hon. Member for Edmonton-Highlands-Norwood.

We have Standing Order 29(2)(a). Are there any members who wish to comment or question the hon. member?

Seeing none, I would ask if there are any members who would like to speak to Bill 41, the Premier’s Council on the Status of Persons with Disabilities Amendment Act, 2013, in second reading.

Seeing none, I’ll call the question.

[Motion carried; Bill 41 read a second time]

### Bill 43

#### Alberta Economic Development Authority Amendment Act, 2013

[Adjourned debate November 6: Mr. Campbell]

**The Acting Speaker:** The hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you very much, Madam Speaker. We have made a good amount of progress tonight, and I wanted to thank the opposition members for their co-operation. Being that I’m such a great guy, I would like to move that this House is adjourned until 1:30 p.m. on Tuesday, November 19.

**The Acting Speaker:** Hon. minister, we need to adjourn debate on the bill first.

**Mr. Denis:** I would move to adjourn debate.

[Motion to adjourn debate carried]

**Mr. Denis:** I would make two motions: first, that the Member for Edmonton-Highlands-Norwood give me a ride home in his blue van and, secondly, that this House stands adjourned until 1:30 p.m. tomorrow.

[Motion carried; the Assembly adjourned at 9:36 p.m. to Tuesday at 1:30 p.m.]

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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Tuesday afternoon, November 19, 2013

Issue 69a

The Honourable Gene Zwozdesky, Speaker

## Legislative Assembly of Alberta The 28th Legislature

First Session

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Kubinec, Maureen, Barrhead-Morinville-Westlock (PC)  
Lemke, Ken, Stony Plain (PC)  
Leskiw, Genia, Bonnyville-Cold Lake (PC)  
Luan, Jason, Calgary-Hawkwood (PC)  
Lukaszuk, Hon. Thomas A., Edmonton-Castle Downs (PC)  
Mason, Brian, Edmonton-Highlands-Norwood (ND),  
    Leader of the New Democrat Opposition  
McAllister, Bruce, Chestermere-Rocky View (W)  
McDonald, Everett, Grande Prairie-Smoky (PC)  
McIver, Hon. Ric, Calgary-Hays (PC),  
    Deputy Government House Leader  
McQueen, Hon. Diana, Drayton Valley-Devon (PC)  
Notley, Rachel, Edmonton-Strathcona (ND),  
    New Democrat Opposition House Leader  
Oberle, Hon. Frank, Peace River (PC)  
Olesen, Cathy, Sherwood Park (PC)  
Olson, Hon. Verlyn, QC, Wetaskiwin-Camrose (PC)  
Pastoor, Bridget Brennan, Lethbridge-East (PC)  
Pedersen, Blake, Medicine Hat (W)  
Quadri, Sohail, Edmonton-Mill Woods (PC)  
Quest, Dave, Strathcona-Sherwood Park (PC)  
Redford, Hon. Alison M., QC, Calgary-Elbow (PC),  
    Premier  
Rodney, Hon. Dave, Calgary-Lougheed (PC)  
Rowe, Bruce, Olds-Didsbury-Three Hills (W)  
Sandhu, Peter, Edmonton-Manning (Ind)  
Sarich, Janice, Edmonton-Decore (PC)  
Saskiw, Shayne, Lac La Biche-St. Paul-Two Hills (W),  
    Official Opposition Deputy House Leader  
Scott, Hon. Donald, QC, Fort McMurray-Conklin (PC)  
Sherman, Dr. Raj, Edmonton-Meadowlark (AL),  
    Leader of the Liberal Opposition  
Smith, Danielle, Highwood (W),  
    Leader of the Official Opposition  
Starke, Hon. Dr. Richard, Vermilion-Lloydminster (PC)  
Stier, Pat, Livingstone-Macleod (W)  
Strankman, Rick, Drumheller-Stettler (W)  
Swann, Dr. David, Calgary-Mountain View (AL)  
Towle, Kerry, Innisfail-Sylvan Lake (W),  
    Official Opposition Deputy Whip  
VanderBurg, Hon. George, Whitecourt-St. Anne (PC)  
Weadick, Hon. Greg, Lethbridge-West (PC)  
Webber, Len, Calgary-Foothills (PC)  
Wilson, Jeff, Calgary-Shaw (W)  
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
    Government Whip

### Party standings:

Progressive Conservative: 59

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

Independent: 2

### Officers and Officials of the Legislative Assembly

W.J. David McNeil, Clerk

Robert H. Reynolds, QC, Law Clerk/

Director of Interparliamentary Relations

Shannon Dean, Senior Parliamentary

Counsel/Director of House Services

Stephanie LeBlanc, Parliamentary Counsel  
and Legal Research Officer

Fiona Vance, Sessional Parliamentary  
Counsel

Nancy Robert, Research Officer

Philip Massolin, Manager of Research Services

Brian G. Hodgson, Sergeant-at-Arms

Chris Caughell, Assistant Sergeant-at-Arms

Gordon H. Munk, Assistant Sergeant-at-Arms

Janet Schwegel, Managing Editor of *Alberta Hansard*



## **Executive Council**

Alison Redford	Premier, President of Executive Council
Thomas Lukaszuk	Deputy Premier, Minister of Enterprise and Advanced Education, Ministerial Liaison to the Canadian Forces
Manmeet Singh Bhullar	Minister of Service Alberta
Robin Campbell	Minister of Aboriginal Relations
Cal Dallas	Minister of International and Intergovernmental Relations
Jonathan Denis	Minister of Justice and Solicitor General
Wayne Drysdale	Minister of Infrastructure
Kyle Fawcett	Associate Minister of Regional Recovery and Reconstruction for Southwest Alberta
Rick Fraser	Associate Minister of Regional Recovery and Reconstruction for High River
Doug Griffiths	Minister of Municipal Affairs
Dave Hancock	Minister of Human Services
Fred Horne	Minister of Health
Doug Horner	President of Treasury Board and Minister of Finance
Ken Hughes	Minister of Energy
Sandra Jansen	Associate Minister of Family and Community Safety
Jeff Johnson	Minister of Education
Heather Klimchuk	Minister of Culture
Ric McIver	Minister of Transportation
Diana McQueen	Minister of Environment and Sustainable Resource Development
Frank Oberle	Associate Minister of Services for Persons with Disabilities
Verlyn Olson	Minister of Agriculture and Rural Development
Dave Rodney	Associate Minister of Wellness
Donald Scott	Associate Minister of Accountability, Transparency and Transformation
Richard Starke	Minister of Tourism, Parks and Recreation
George VanderBurg	Associate Minister of Seniors
Greg Weadick	Associate Minister of Regional Recovery and Reconstruction for Southeast Alberta
Teresa Woo-Paw	Associate Minister of International and Intergovernmental Relations

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on Alberta's Economic Future

Chair: Mr. Amery

Deputy Chair: Mr. Fox

Bhardwaj	Olesen
Cao	Pastoor
Donovan	Quadri
Dorward	Rogers
Eggen	Rowe
Hehr	Sarich
Luan	Strankman
McDonald	Xiao

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Khan

Deputy Chair: Mrs. Jablonski

Amery	Eggen
Anderson	Kubinec
Casey	Sherman
Dorward	

### Select Special Chief Electoral Officer Search Committee

Chair: Mr. Rogers

Deputy Chair: Mr. Quadri

Blakeman	Leskiw
Eggen	McDonald
Goudreau	Saskiw
Lemke	

### Select Special Conflicts of Interest Act Review Committee

Chair: Mr. Luan

Deputy Chair: Mr. Dorward

Blakeman	Notley
Fenske	Saskiw
Johnson, L.	Wilson
Kubinec	Young
McDonald	

### Standing Committee on Families and Communities

Chair: Mr. Quest

Deputy Chair: Mrs. Forsyth

Brown	Leskiw
Cusanelli	Notley
DeLong	Pedersen
Fritz	Swann
Goudreau	Towle
Jablonski	Wilson
Jeneroux	Xiao
Khan	Young

### Standing Committee on Legislative Offices

Chair: Mr. Cao

Deputy Chair: Mr. McDonald

Bikman	Leskiw
Blakeman	Quadri
Brown	Rogers
DeLong	Wilson
Eggen	

### Special Standing Committee on Members' Services

Chair: Mr. Zwozdesky

Deputy Chair: Mr. Young

Casey	McDonald
Forsyth	Quest
Fritz	Sherman
Kennedy-Glans	Smith
Mason	

### Standing Committee on Private Bills

Chair: Mr. Xiao

Deputy Chair: Ms L. Johnson

Allen	Goudreau
Barnes	Jablonski
Bhardwaj	Leskiw
Brown	Notley
Cusanelli	Olesen
DeLong	Rowe
Fox	Strankman
Fritz	Swann

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Ms Olesen

Deputy Chair: Mr. Lemke

Calahasen	McAllister
Cao	Notley
Casey	Pedersen
Goudreau	Quadri
Hehr	Rogers
Kennedy-Glans	Saskiw
Kubinec	Towle
Luan	Young

### Standing Committee on Public Accounts

Chair: Mr. Anderson

Deputy Chair: Mr. Dorward

Amery	Khan
Anglin	Luan
Bilous	Pastoor
Donovan	Quadri
Fenske	Quest
Hale	Sarich
Hehr	Stier
Jeneroux	Webber

### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans

Deputy Chair: Mr. Anglin

Allen	Hale
Barnes	Johnson, L.
Bikman	Khan
Bilous	Kubinec
Blakeman	Lemke
Calahasen	Sandhu
Casey	Stier
Fenske	Webber

## Legislative Assembly of Alberta

1:30 p.m.

Tuesday, November 19, 2013

[The Speaker in the chair]

### Prayers

**The Speaker:** Hon. members, let us pray. Dear Lord, as we stand and reflect on those whom we serve, let us be attentive to their circumstances, respectful of their views, and ever understanding of their needs as we fulfill our duties on their behalf. Amen.

Please be seated.

### Introduction of Visitors

**The Speaker:** The hon. Minister of Health.

**Mr. Horne:** Thank you very much, Mr. Speaker. It's truly an honour to rise today and introduce to you and through you to all members of the Assembly Mr. Dennis Anderson. Mr. Anderson is the newest board member of the Mental Health Commission of Canada. I would like to extend my sincerest congratulations to him. I know Dennis, and I know many people in the Chamber know him as well. He has been a long-standing leader and advocate for mental health in Alberta for many, many years. His experience certainly attests to this as he was the founding chair of the Alberta Alliance on Mental Illness and Mental Health and the founding chair of the Lieutenant Governor's Circle on Mental Health and Addiction. Mr. Anderson is seated in the Speaker's gallery. I would ask that he now receive the warm traditional welcome of the Assembly.

Thank you.

### Introduction of Guests

**The Speaker:** Do we have Edmonton-Riverview with school groups here?

**Mr. Young:** Thank you, Mr. Speaker. It's truly an honour to rise today and introduce to you and through you to all members of the Assembly students from Crestwood elementary junior high school. They are joined today by their teachers Trina Ludwig and Joanne Ozuke and parents Ian Murray, Adriana Boffa, and Tracey Boileau. I'd like to ask the students and helpers to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Sherwood Park.

**Ms Olesen:** Thank you, Mr. Speaker. It's my pleasure today to rise and introduce to you and through you to all members of this Assembly some wonderful students from Mills Haven school in Sherwood Park. I'm pleased that they were able to plow through the snow to be with us and hope that they enjoy their time here today. With them they have Mrs. Sigrid Brodeur, Miss Breanne Kent, Miss Sheena Lesser, Mrs. Cathie Pompu, and Mrs. Andrea Altenweg. If they could please rise, I would ask for everyone to give them a warm welcome.

**The Speaker:** Are there any other school groups?

Seeing none, let us proceed with other guests. The Minister of Education, followed by the leader of the ND opposition.

**Mr. J. Johnson:** Thank you, Mr. Speaker. It's a privilege to rise and introduce to you and through you to the members of this

Assembly one very special teacher. Last night I attended the Alberta School Boards Association gala and had the distinct pleasure of helping the outgoing president, Jacquie Hansen, present the Edwin Parr teaching award to some of Alberta's outstanding first-year teachers. Today with us in the gallery we have Miss Jackie Benning, a teacher who just started her career at Clairmont community school. I was fortunate to sit with Jackie last night. She's here with her father, Rick. She is an impressive teacher and one of the great reasons Alberta's education system is so fantastic. I'd ask her and her father, Rick, to please stand and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Strathcona on behalf of.

**Ms Notley:** Thank you, Mr. Speaker. I have two sets of introductions if that is okay. First of all, on behalf of the Member for Edmonton-Highlands-Norwood I would like to introduce to you and through you to this Assembly his guest, Claire Edwards. This spring Claire retired as a legislative page. Today she is in her second year of political science at the University of Alberta and happily working as a constituency assistant in the riding of Edmonton-Highlands-Norwood. With a particular interest in social justice and public policy Claire is involved with Amnesty International, the John Humphrey Centre for Peace and Human Rights, and the city of Edmonton Youth Council. She is also a founder of Student Voice Alberta. I would now ask Claire to rise and receive the traditional warm welcome of this Assembly.

In addition, Mr. Speaker, I'm also very pleased to introduce to you and through you to this Assembly several other guests who are here from the University of Alberta. Travis Dueck, Andrea Chidley, Carly Baker, and Bashir Mohamed are all undergraduate students currently studying political science with Dr. Linda Trimble. As political science students they have a keen interest in the legislative process, so I am very pleased to have them here as my guests today, where they will be able to observe the Legislature at work first-hand. I would now ask all of them to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Associate Minister of Wellness, followed by Edmonton-Decore.

**Mr. Rodney:** Thank you very much, Mr. Speaker. It is indeed an honour to introduce Roxane Bitar and Donna Graham from the Canadian Diabetes Association. Roxane and Donna are here today in acknowledgement of World Diabetes Day, which was recognized back on November 14 during our constituency week.

Today in Alberta more than one-quarter of a million courageous Albertans live with diabetes. By ensuring that diabetics have supports to manage their illness, we can help enhance their quality of life. I know that our guests Roxane and Donna are tremendous advocates for the cause, and I would ask that they now rise to receive the traditional warm welcome of this Assembly.

Thank you, Mr. Speaker.

**Mrs. Sarich:** Mr. Speaker, it is my honour and privilege to rise today and introduce to you and through you to all Members of the Legislative Assembly seven representatives from Edmonton Catholic schools here in recognition of the 125th anniversary of Catholic education.

In August 1888 Edmonton's devout Catholic parents applied to organize a separate school district for their children. Three months later, Mr. Speaker, following the arrival from France of three sisters from the Faithful Companions of Jesus, a convent and Edmonton's first Catholic school, St. Joachim, was opened.

As a former school board trustee with Edmonton Catholic schools I extend my heartfelt congratulations and special blessings to my guests, who are seated in the members' gallery. I would now ask them to please rise and remain standing as I mention their names: Mrs. Cindy Olsen, chair, board of trustees; Mrs. Laura Thibert, vice-chair, board of trustees; Mrs. Joan Carr, superintendent; Mr. Boris Radyo, assistant superintendent, educational planning; Sister Patricia Halpin, representative from the Faithful Companions of Jesus, the congregation of sisters who were the first teachers in Edmonton Catholic schools; Mrs. Marie Whelan, principal of Monsignor Fee Otterson elementary-junior high school; and Mr. Hugh MacDonald, principal of St. Joseph high school.

I would now ask that the Assembly please join me in providing the traditional warm welcome. Thank you.

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills, followed by the Deputy Premier.

**Mr. Saskiw:** Thank you, Mr. Speaker. It is my pleasure to rise and introduce to you and through you to all members of the Assembly a very special family from Two Hills. The Dyck family is a hard-working family, raising their own animals and produce. They are also a home-schooling family, teaching all five of their children since kindergarten. Their oldest, Chester, is attending postsecondary school so is unable to visit today. They've told me that they cherish the choice to home-school their children, something the Wildrose will always fight for. The kids can pursue activities such as 4-H, photography, and carpentry, all while keeping up with their studies. Dave, Sharon, Caleb, Courtney, Cody, and Clayton, please rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Deputy Premier, followed by Barrhead-Morinville-Westlock.

**Mr. Lukaszuk:** Well, thank you, Mr. Speaker. It's my pleasure and my honour to introduce to our Assembly five hard-working employees of the Ministry of Enterprise and Advanced Education, watching us right here at work as well. With us today are Ms Sonja Nash, Miss Melissa Wong, Mrs. Kalpana Mulpuri, Miss Carrie Ali, and Mr. Jim Poniewozik. I would ask them to rise and receive the warm welcome of our Assembly.

1:40

**The Speaker:** The hon. Member for Barrhead-Morinville-Westlock, followed by Edmonton-Calder.

**Ms Kubinec:** Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you today to the members of this Assembly two people from my constituency of Barrhead-Morinville-Westlock. The first is Rotary club member Les Dunford, who is a tireless volunteer in our community and does so much. The second one is an inbound youth exchange student from near Cologne, Germany, who is going to be spending until July with us in the constituency. Her name is Jana Keune. Please rise and receive the warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Calder, followed by Innisfail-Sylvan Lake.

**Mr. Eggen:** Well, thanks, Mr. Speaker. Today I'm very pleased to introduce to you and through you to all members of the Assembly my guests from the Alberta Union of Provincial Employees local 54, representing about 7,000 workers in the health care sector. Tonya Malo, Courtney Malo, Lyn Morrison, Samia Mansi, and

Alex Tkalcic work in lab services as AHS employees. They are here today because they are extremely concerned about this PC government's plan to privatize lab services in Edmonton. Sitting with them as well is the executive director of Friends of Medicare, Sandra Azocar, along with her placement student, Andrew Hoffman. I would ask them all to please rise and receive the warm traditional welcome of the Assembly.

**The Speaker:** The hon. Member for Innisfail-Sylvan Lake, followed by Edmonton-South West.

**Mrs. Towle:** Thank you, Mr. Speaker. I would like to introduce to you and through you to all hon. members a group of dedicated advocates on seniors' issues. They've travelled through the snowy and icy roads to be here to demonstrate their concerns with some of the government's changes coming forth affecting seniors. Sitting in the public gallery are Kerry Modin, Carol Bears, Bill Bears, Margaret Saunter, Mary Pelech, and Ruth Maria Adria. I'd ask them to please stand and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-South West.

**Mr. Jeneroux:** Thank you, Mr. Speaker. It's truly an honour to introduce to this Assembly a powerful advocate for our kids and indeed a principal at one of my all-time favourite schools in Edmonton-South West – I was there again last night – Monsignor Fee Otterson school, my friend, a very dear soul, and educational mentor of mine, wearing my pin, Mrs. Marie Whelan.

**The Speaker:** Thank you.

### Members' Statements

**The Speaker:** The hon. Member for Strathcona-Sherwood Park, followed by Chestermere-Rocky View.

### Small-business Engagement

**Mr. Quest:** Thank you, Mr. Speaker. I rise today to recognize the big economic impact of small business. Small businesses are a vital part of Alberta's economy. They comprise 95 per cent of all businesses in the province, account for a third of private-sector jobs, and generate over 27 per cent of Alberta's GDP. This government understands that there are unique challenges for small businesses in our province. There are also opportunities. In a recent report on tax regimes the Canadian Federation of Independent Business ranked Alberta as the number one province for small business.

While a competitive tax environment is important, there are other things that government can do to create a positive business climate for small businesses and entrepreneurs to succeed. We've already taken action on regulatory burdens by putting mandatory expiry dates on regulations and by developing a website where companies can provide input on the regulations that will affect them. There are also areas where we need to get out of the way so that business can thrive.

This government is creating a small-business strategy to focus our work, and we recognize that we cannot develop a strategy for success alone. I'm pleased to be leading engagement sessions with small-business owners and entrepreneurs in eight communities across the province. Yesterday we held our first round-table in Lloydminster, and I was encouraged by the dialogue and the input that we received. Our next round-table will be tomorrow in Edmonton, and all other sessions will take place over the upcoming

weeks, wrapping up on December 6 in Grande Prairie and Fort McMurray.

There is also an opportunity for online feedback to complement these in-person sessions. We're asking entrepreneurs and small-business owners to visit [shape.alberta.ca](http://shape.alberta.ca) to learn more about the community meetings and to make their voices heard. What we hear from this engagement will help shape Alberta's new strategy for small-business success. I encourage all members in this House to share this information with their constituents.

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

The hon. Member for Chestermere-Rocky View, followed by Grande Prairie-Smoky.

### Government Spending

**Mr. McAllister:** Thank you, Mr. Speaker. Across Alberta a lot of people are wondering what's happened to their government. As people work hard every day to make ends meet, they have a government draining its savings and piling up the debt. Albertans wonder why the growing list of managers in the bureaucracy get fancy new offices and bloated severance packages while front-line services and the most vulnerable continue to take a hit. They wonder why their kids are getting stuffed into classrooms, why the number of long-term care beds continues to shrink, and why the Michener Centre is closing.

Now, imagine Albertans' dismay to see the PC-branded political billboards popping up across Alberta on the eve of the Premier's leadership review. These billboards, splashed in PC orange and blue, broadcast the Premier's name across the province to the cost of hundreds of thousands of dollars. What is the point? Where is the value? They do make a good backdrop for a photo op, I suppose. Even more maddening, many of these signs are for projects completed years ago, Mr. Speaker. This shameless advertising comes free of charge for the Premier and the PC Party, but somebody has to pay the bill. You know who? Taxpayers pay the bill.

Surely we can find better ways to spend our money. How about cutting wasteful spending, shrinking ballooning class sizes, getting seniors into long-term care, or just about anything but plastering the landscape with campaign signs for the Premier? This Premier and her staff are now more interested in bringing in cheap Ontario politics learned at the heels of Liberal Premier Dalton McGuinty than respecting taxpayers. Now, you might think these signs are effective, but they really are a giant reminder of wasteful spending.

Mr. Speaker, it is not the Alberta way. It is certainly not building Alberta. It is billing Alberta, and at this, this government is a master.

**The Speaker:** The hon. Member for Grande Prairie-Smoky, followed by Bonnyville-Cold Lake.

### Farmfair International

**Mr. McDonald:** Thank you, Mr. Speaker. I rise today to share with you the success of Alberta's ongoing market access efforts. Alberta is an agricultural leader, and we've worked very hard with our federal counterparts to ensure existing markets remain open and new ones are explored. Farmfair International was held in Edmonton last week. This annual agricultural event welcomed 90,000 visitors from both near and far. Farmfair is a one-stop marketplace for producers and industry, showcasing genetics, livestock, and the latest equipment.

The Minister of Agriculture and Rural Development was in Kazakhstan this spring to meet with government officials and industry members who want to purchase Alberta's products and services. I'm proud to say that Alberta was host to five Kazakhstani visitors, ministry of agriculture staff, and industry buyers. In fact, Farmfair International also welcomed buyers from Mexico, Australia, the United Kingdom, the United States, and Russia. When we talk about building Alberta, this is a prime example of what we mean.

Thank you, Mr. Speaker.

### Oral Question Period

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition for your first main set of questions.

### Building Alberta Plan Advertising

**Ms Smith:** Mr. Speaker, Albertans have seen the signs and have opened their eyes to this government's focus on using tax dollars to promote their political party. The Building Alberta advertising campaign uses orange and blue PC branded signs prominently featuring the Premier's name, and these signs are now literally littering the countryside. Can the Premier tell us what the full cost of this sign campaign is, and will PC Alberta be issuing the government a tax receipt for all that free advertising?

**Mr. Lukaszuk:** Mr. Speaker, you well know that if the Leader of the Opposition was to focus on facts, she would clearly soon realize that the colours that are used by the government of Alberta on a variety of signage and other materials that are informative to Albertans use Alberta government designated colours, that are exactly depicted on those particular signs.

But, Mr. Speaker, one thing for sure is that we will not be apologizing for building seniors' homes for seniors, schools for students, hospitals for patients, and highways for Albertans who want to travel safely.

1:50

**Ms Smith:** Here's the thing, Mr. Speaker. Premier Klein never put up signs in PC colours with his name on them. Neither did Premier Stelmach, and neither did Premier Lougheed. Ontario Liberal Premier Dalton McGuinty, however, was a big fan of self-promotion through party-branded signs which featured his name. Isn't the Premier rather embarrassed that her sign campaign is just a little bit too self-promoting?

**Mr. Lukaszuk:** Well, Mr. Speaker, two for two. Wrong again. The previous Premiers in Alberta have indeed put up signs when construction happens, and as she indicated herself, other Premiers throughout the country do the same. Why? Because we are proud of the fact that we are building the infrastructure that Albertans have elected us to build. However, if they choose to put up signs of the schools they wouldn't be building and the hospitals they wouldn't be building, as their capital plan clearly indicates, knock yourself out.

**Ms Smith:** Mr. Speaker, we can't help but note that on some of the signs the Premier's name is listed in full, some including her professional designation, being a member of the Queen's Counsel. Others include her honorific. In fact, the sign campaign appears to be more about branding her than about informing Albertans of government projects. Will the Premier at least be straight up with Albertans? Change the signs from saying "Building Alberta" to "building up the Premier in advance of her leadership campaign."

**Mr. Lukaszuk:** Well, Mr. Speaker, the signs obviously worked. They caught her attention. She actually checks them out personally, reads them carefully, and verifies for accuracy. The accuracy is that our Premier happens to be a very well-educated woman, and she's very proud of her credentials. If that Leader of the Opposition wants to put her credentials or lack thereof, she may do that on her signs as well.

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition. Second main set of questions.

**Ms Smith:** The fact is that a lot of these signs are five years old, announcing projects that Premier Stelmach implemented.

Mr. Speaker, the colours of fall are orange and red, but here in Alberta the colours of fall are orange and blue. The Premier may claim that her government is focused on building Alberta, but the real focus appears to be on building signs. Does the Premier really believe that this is the best use of tax dollars, especially given the government's recent decision to cut across the board for nurses, colleges and universities, and long-term care?

**Mr. Lukaszuk:** Well, I have to tell you, Mr. Speaker, that in my riding when a new K to 6 school was erected some two, three years ago under the previous Premier, actually a large number of my constituents were happy to come to the unveiling of the sign and the groundbreaking. Why? Because Albertans want schools, Albertans want hospitals, and Albertans want roads. They're simply not happy with the fact that this government is delivering on the promise it has made, to build Alberta and provide Albertans with the infrastructure that they deserve.

**Ms Smith:** Mr. Speaker, there are more than 40 Building Alberta signs on highway 2 between Edmonton and Calgary, and, yes, we have counted them. To everyday Albertans that might seem just a little bit excessive, considering that these signs cost many thousands of dollars each. Didn't the Premier sign off on this sign deal? If not her, then who?

**Mr. Lukaszuk:** There will be, Mr. Speaker, many, many, many more. Do you know why? Because we will be building more schools, and we will be building more hospitals, and we will be building new roads and twinning highways and paving roads. We will even be putting up signs in that hon. member's riding because we are building all of Alberta.

**Ms Smith:** Mr. Speaker, the government clearly misses the point. Albertans are rightly concerned about the Alberta government's decision to flat-out promote the PC Party and its leader under the guise of promoting government infrastructure projects. Can the Premier tell us: did she approve of this sign campaign before it was launched?

**Mr. Lukaszuk:** Mr. Speaker, I would strongly suggest that as the Leader of Her Majesty's Official Opposition her time and taxpayer dollars invested in her would be much better spent actually building a capital plan that doesn't cut construction by \$5 billion. Instead of counting signs and proofreading them for accuracy, she should be supporting this government because even constituents in her riding want new schools, new roads, new hospitals, and other infrastructure.

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition. Third main set of questions.

**Ms Smith:** Well, Mr. Speaker, if the government doesn't want to be mocked, they shouldn't do silly things, then, should they?

### Michener Centre Closure

**Ms Smith:** On a more serious note, the Premier is going to be in Red Deer on Friday, Saturday, and Sunday, and she has been invited to visit the Michener Centre while she's there. This is a wonderful care facility serving the needs of severely disabled Albertans. It has won eight different Premier's awards of excellence since 1999, repeatedly honoured by Premiers Klein and Stelmach but not by our current Premier. Will the Premier at least visit Michener Centre this weekend to understand the important and unique work that they do?

**The Speaker:** The hon. associate minister.

**Mr. Oberle:** Well, thank you, Mr. Speaker, and thank you for the question. You know, I was doing a little reading on the weekend, and I came across a report commissioned in another province talking about ways they could improve their services for disabled persons. One of the quotes in that was that they were talking about the number of public funds spent on institutional models, a model that universally has been proven to produce less-than-quality outcomes for persons with disabilities and a model that has been unequivocally rejected by persons with disabilities. We're moving forward. I think you guys should, too.

**Ms Smith:** Mr. Speaker, the residents, their families and guardians, the staff, all three opposition parties, Red Deer city council, indeed the entire community of Red Deer have come out against the Michener closure. The closure explicitly breaks promises made by the PC government that the residents of Michener could live out their days there. It is not too late for the Premier to tell her minister to take a step back and stop this callous and short-sighted move. Will the Premier give residents and families some good news this weekend and reverse the decision to close the centre?

**Mr. Oberle:** Mr. Speaker, it's not without a great deal of thought and compassion, actually, that we take the decision. I note last night in debates on the bill that would amend the Premier's Council on the Status of Persons with Disabilities that that opposition party and that opposition party were concerned about: were we going to incorporate anything on the UN charter on the status of persons with disabilities? I wonder if either of those parties are aware that one of the conditions in that charter requires that disabled persons can live in the community, not in institutions.

**Ms Smith:** Mr. Speaker, this is exactly why the Premier needs to visit Michener Centre this weekend. The associate minister for persons with developmental disabilities has been unable or unwilling to answer many of the questions of the families and front-line workers. Those who want to keep Michener open suspect the real reason it is closing is because the government wants to sell the very valuable land that it's sitting on. To the Premier: is this the real reason why Michener residents are going to be losing their homes?

**Mr. Oberle:** Well, I truly want to thank the Leader of the Official Opposition for that question because it allows me to state unequivocally that that is absolutely not the reason. There is a raft of evidence around the world, best practices in Canada and elsewhere, that says that supported community living gives better outcomes. That's why we want to close the Michener Centre.

**The Speaker:** The hon. leader of the Liberal opposition.

### Environmental Protection and Reporting

**Dr. Sherman:** Thank you, Mr. Speaker. In the aftermath of the billion-litre coal slurry spilling into the Athabasca River, we received two conflicting messages. The environment minister said that everything was fine. There are no public health concerns with the water, she said. However, Dr. James Talbot, the province's chief medical officer, reported alarmingly high levels of mercury and cancer-causing compounds in the river. His advice was: don't draw water as the plume was going by, and don't drink the water. To the Health minister: in a situation like this, should we believe the environment minister or the chief medical officer of health, who works for you?

**Mr. Horne:** Mr. Speaker, I'm sure that my hon. colleague will want to supplement this as well. If the hon. member is suggesting that the chief medical officer of the province told people not to drink the water out of the river or out of other sources of untreated water, he is absolutely correct. That is exactly the same advice that he would give to anyone in southern Alberta who was in a community affected by the flood or, in fact, anywhere in the province. There has never been a question about the quality of drinking water in any of the areas that have been affected by the slurry. The hon. member knows that. To suggest something to the contrary is a disservice and is, quite frankly, fearmongering.

2:00

**Dr. Sherman:** Mr. Speaker, the Conservative government's inaction on the environment is hurting our credibility. It is hurting our economy. I guess we'll just say that the environment minister may have misspoken. Unfortunately, this isn't the only time she's done so. In fact, in the House on October 30 she said: "We have reduced greenhouse gas emissions. About 40 million tonnes of greenhouse gases have been reduced since 2007 levels." Well, this is pure nonsense. The data doesn't support it. To the environment minister: why do you insist on pretending that the massive increase in greenhouse gas emissions is actually a decrease?

**Mrs. McQueen:** Well, Mr. Speaker, I'm going to answer both questions. First and foremost, the information we gave with regard to the water quality was correct. The first thing that I said to you on the first day this question was asked in the House was that we were there on the scene right away; we notified municipalities so that no drinking water would be used or withdrawn from this. That's exactly what Dr. Talbot has said as well, and if you look at news releases that'll be out here very shortly, you will see Dr. Talbot also quoted in that and clarifying misinformation that was reported on him.

With regard to the greenhouse gases, Mr. Speaker, as I said on the day that question came forward, we have seen a 26 per cent reduction of intensity per barrel. This hon. member should probably listen to the answers.

**Dr. Sherman:** Mr. Speaker, the minister should actually listen to our partners in the United States and our European partners and our neighbours who want us to take real action on the environment.

On the first day of this session the Premier acknowledged that Alberta faces reputational challenges when it comes to the province's poor environmental record, something that just provides one more target for the opponents of our oil sands and our pipelines to get our product to market. It seems that the minister's black-and-white comment about greenhouse gases, parroted by the

Premier in the U.S., is the sort of thing that hurts our reputation. To the minister: why do you insist on hurting our credibility and our industry by not taking real, meaningful action on the environment?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. I'm very glad to answer this question. I just got back from Poland at about 3 o'clock this morning, and I've got to tell you that I spoke on a couple of panels and spent a few days talking with many different people. I've got to tell you what the message there is. People are really impressed with what Alberta is doing on the technology side. Nobody else is having the per-barrel emission reduction that we are. The work that we are doing is being recognized internationally. They know and everyone knows that part of it is renewables, but more importantly carbon capture and storage and technologies like that will be the key that will help unleash the technologies that we need and actually reduce emissions. We were recognized for that, not only by the panel members but also by other NGOs like Zero from Norway.

**The Speaker:** The hon. leader of the New Democrat opposition, followed by Calgary-Fish Creek.

### Medical Laboratory Services

**Mr. Mason:** Thank you very much, Mr. Speaker. On October 29 the NDP released a letter from a group of pathologists expressing very serious concerns about the proposed privatization of medical lab services in the Edmonton area, including concerns about quality and timeliness and the transfer of a key public medical service to the private sector. According to this report to stakeholders, debated just November 13, AHS's response, apparently, is to give vague assurances of consultation and to set up some committees. My question is to the Minister of Health. Why is this government ignoring the very real concerns that have been expressed by your own expert medical professionals?

**Mr. Horne:** Mr. Speaker, we've explored this issue at length in the Legislature. I'm glad to see that the hon. member is seeing the evidence of the consultation that is under way between Alberta Health Services and its various employees. This issue will not be determined by opinions held about ideology with respect to private and public delivery. This issue will be determined on a measurement of quality and providing state-of-the-art lab services for the citizens of Edmonton and northern Alberta.

**Mr. Mason:** Mr. Speaker, this last statement from the minister is simply not true. The government has predetermined that this will be a privatization, and there is clearly no intention on the part of government to even consider developing this facility within the public sector. So great is their concern, that all 90 pathologists as well as medical doctors and researchers have formed an organization to fight this privatization. They remain opposed to this high-speed, forced privatization and the impact it will have on their patients. They've written a second letter to the minister. Will the minister please tell the House what his response to these pathologists is?

**Mr. Horne:** Mr. Speaker, the pathologists are one of many stakeholder groups within the health care system that have been consulted on a regular basis for quite some time now about this change. Again, the change arises from the fact that a very important contract that provides for a lab facility in Edmonton

today will expire in 2017. The hon. member does a disservice to front-line workers in the health system by suggesting that they would be guided by anything other than what is in the best interests of their patients. This is a major decision. We'll carry on the course that we are on, and we'll continue to consult with people.

**Mr. Mason:** Mr. Speaker, well, it's rather tiresome to keep hearing from the minister that when we ask legitimate questions about his policy, we're attacking front-line health care professionals. It's tiresome, Mr. Minister, and you ought to stop it.

There's a huge public interest that's been identified by these pathologists about this privatization, a privatization the scale of which would make Ralph Klein blush. We know that there's going to be significant impact to patient safety. Minister, your own professionals are telling you this. They deserve to be answered in public. Will you provide a detailed response to these concerns as the Minister of Health and make it public, and if not, why not?

**Mr. Horne:** Mr. Speaker, quite frankly, what is tiresome also is being asked and answering the same questions over and over again. What I will tell you is what I've said consistently, that quality of patient care and quality of service and access to the best possible level of lab services for the residents of Edmonton and northern Alberta will guide this decision. As with public providers and not-for-profit providers, private providers in this province will continue to be held to the same quality standards.

**The Speaker:** Thank you, hon. member.

That's the first five questions gone now, where preambles to supplementaries are permitted. Let's move on now with no preambles or very little if any at all, beginning with Calgary-Fish Creek, followed by Edmonton-South West.

#### Health Services Financial Administration

**Mrs. Forsyth:** Thank you, Mr. Speaker. Over the last few months this government and the Minister of Health have been desperately trying to convince Albertans that change and improvement are coming for our health care system, yet earlier this month the official administrator of AHS, Dr. John Cowell, quietly announced that the former chair of the Audit and Finance Committee was reinstated into that role only four months after he was supposedly fired from the board for refusing to cut executive bonuses. That doesn't sound like change to me. Can the Health minister please explain why a fired board member has quietly been rehired to oversee the finances of AHS?

**Mr. Horne:** Mr. Speaker, there are a number of very important functions that the official administrator must provide for with respect to Alberta Health Services. One of those is the appointment of an Audit and Finance Committee. The committees in place at Alberta Health Services include people from many different walks of life and with many different areas of expertise. The chair of this particular committee is well known as a leader in the community of audit and finance, has considerable experience in the public sector and health care, and he is very well qualified to take this role.

**The Speaker:** The hon. member.

**Mrs. Forsyth:** Thank you. Given that the same individual chaired the Audit and Finance Committee this past spring when the Auditor General slammed AHS for its \$100 million in expense claims and little to no reporting went out to the board, is the Minister of Health a little worried that putting the same guy back

in charge of that committee could turn out to be a rather expensive move?

**Mr. Horne:** Mr. Speaker, given the way the hon. member asked the last question, my question to her is: would she not agree that the most qualified individuals in a specific field should be appointed to serve in areas where the public interest is paramount? Alberta Health Services is an organization that administers over \$12 billion in taxpayer funds in this province. As I've said, this particular chair of the Audit and Finance Committee and the other members of the committee are qualified in their own right both to provide advice to Alberta Health Services and to provide scrutiny around the management of financial affairs in the organization. We will continue to appoint the most qualified individuals to serve in these functions.

**The Speaker:** The hon. member.

**Mrs. Forsyth:** Thank you, Mr. Speaker. Oh, he's qualified all right: doesn't listen to the minister, is slammed by the Auditor General.

Given that during his time at Capital health Allaudin Merali was allowed to bill taxpayers for repairs to his Mercedes, fine dining, and butlers and given that the chair of the Capital health Audit and Finance Committee was guess who, can the minister see that there might just be a little problem?

**Mr. Horne:** Mr. Speaker, what is appalling is the fact that this hon. member – I can interpret it no other way – would attempt to taint the reputation of an individual that is serving Alberta in a position in which he is eminently qualified to serve. As I've said before, the Audit and Finance Committee is a very important part of the operation of Alberta Health Services. I think taxpayers expect and deserve that kind of scrutiny over the financial affairs, and I congratulate all the members of the committee on the excellent work that they are doing with AHS and with the Auditor General of this province.

**The Speaker:** The hon. Member for Edmonton-South West, followed by Lac La Biche-St. Paul-Two Hills.

2:10

#### Bullying Prevention

**Mr. Jeneroux:** Thank you, Mr. Speaker. It seems like every day we hear another tragic story about someone being repeatedly picked on at school, humiliated online, or bullied in their community. Bullying is becoming an increasingly serious issue in our society. This week is Bullying Awareness Week, and as a parent it often feels like my hands are tied when it comes to my ability to protect my girls. To the hon. Associate Minister of Family and Community Safety: is it not time we stopped talking about preventing bullying and do something to stop it before it even begins?

**The Speaker:** The hon. associate minister.

**Ms Jansen:** Thank you, Mr. Speaker. I thank the member for the question. He's a good dad. He cares about his children, as do all Alberta parents. The member is right. Bullying is a serious issue. It affects all ages, demographics, everyone in our community. Our government has been doing a lot in the last number of years to help prevent that. We're working closely with all sorts of different educators, parents, children, employers, seniors to address bullying issues and help promote good, healthy relationships. An important part of our work is public education, and that's what we're doing right now.



**The Speaker:** The hon. member.

**Mr. Jeneroux:** Thank you, Mr. Speaker. And this associate minister is a wonderful mom.

I know she's new, and that was a good answer, but let's try this. Other communities, provinces, and even the federal government are creating legislation to address bullying and cyberbullying. When will this hon. minister ensure Alberta follows suit?

**Ms Jansen:** Mr. Speaker, we're looking closely at what other provinces are doing in terms of legislation and whether it's effective. That's a really important question for us. We have existing laws that cover assault and that cover harassment. As well, Alberta's new Education Act contains some of the most proactive and effective antibullying legislation in the country. But we simply cannot legislate bullying away. It is not going to work. No one person, group, or law is going to eliminate bullying. We have to work on promoting respectful relationships.

**The Speaker:** The hon. member.

**Mr. Jeneroux:** Thank you, Mr. Speaker. Given that there are many types of bullying, from bullying of a co-worker, cyberbullying online, to being bullied in a dating relationship, what, if anything, is being done to address this issue before it escalates, specifically when it occurs in dating relationships? [interjections]

**The Speaker:** The hon. minister.

**Ms Jansen:** Thank you, Mr. Speaker. Dating violence is a significant issue. In fact, it's even more prevalent right now than family violence. We are working hard to address this particular issue, dating violence. In fact, we funded a great pilot project at Mount Royal University in Calgary to address dating violence. It is a peer support program, and it helps students understand what healthy relationships are. [interjections] We want to use this model in other communities and right across the country.

#### **Speaker's Ruling Decorum**

**The Speaker:** It just never ceases to amaze me how we can get on to a very serious question about a very serious matter in this House, yet all the side conversations start up and the jokes start flying back and forth and interjections start flying. It just amazes me, hon. members. I'm sure it must affect you all as well.

Let us go on.

#### **Ethics Commissioner Decisions**

**Mr. Saskiw:** Despite the Member for Edmonton-Manning violating the Conflicts of Interest Act six times, he got off scot-free. The reason: because acting in good faith, according to the Ethics Commissioner, means only coming clean once you've been caught. Well, it seems the Real Estate Council of Alberta disagreed with the Ethics Commissioner and sanctioned the member for failing to disclose debts. Assuming November 22 goes as planned, will the Justice minister make sure our next Ethics Commissioner is more interested in upholding the law instead of keeping members of the PC family safe from ethical oversight?

**Mr. Lukaszuk:** Mr. Speaker, it is not my role to protect the sanctity of this Chamber and officers of this Chamber. I suggest that you may have something to say on that.

#### **Speaker's Ruling Allegations against a Member Decision of the Ethics Commissioner**

**The Speaker:** I was contemplating what to say, in fact, when you had already stood, so I let you go ahead.

Hon. Member for Lac La Biche-St. Paul-Two Hills, I think you're treading on a very fine line here of what can be construed by some, at least, as a personal attack on an honoured member of this Assembly but also an honourable servant of the Assembly. So I would ask you to please rephrase your question, make it something about government policy, take out the personal stuff, and maybe it'll be a better question.

Let's try your first supplemental.

#### **Ethics Commissioner Decisions (continued)**

**Mr. Saskiw:** I hope this next question suits you, Mr. Speaker.

Considering that every single PC MLA voted against very reasonable measures to beef up the conflicts-of-interest legislation to keep MLAs in line and put an end to the PC culture of corruption, doesn't this government care that it is obvious that they are putting their own interests ahead of the interests of Albertans?

#### **Speaker's Ruling Parliamentary Language**

**The Speaker:** I know we'll have a point of order if I don't say something.

Hon. member, I gave you an opportunity to rephrase some of it. I see you did some of it. Then just when you get going with what sounds like it's leading to something good and substantive possibly, you throw in a word like "corruption," and then this side of the House erupts. The next thing there's going to be reaction to the eruption, and then we have a little bit of chaos setting in here. Please, for your last one, for the last time check your words right now. I'm going to give you a few seconds to do that.

Now, does somebody from the government side wish to reply?

If not, let us move on, then, to your third and final question.

#### **Ethics Commissioner Decisions (continued)**

**Mr. Saskiw:** Thank you, Mr. Speaker. With the conflicts-of-interest legislation, that doesn't remotely pass the smell test, an Ethics Commissioner who refuses to hold MLAs accountable for clearly violating established rules of conduct and who won't release his already completed investigation so the Premier's political skin could be saved . . . [interjections]

**The Speaker:** Please. Please, hon. member.

**Mr. Anderson:** Point of clarification.

**The Speaker:** Thank you. I'll get to you in a moment. Please be seated. I'll get to you in a moment. [interjections] I will get to you in a moment. I'm not getting into a debate with you. [interjections]

#### **Speaker's Ruling Decision of the Ethics Commissioner**

**The Speaker:** Hon. members, my recollection is that the Ethics Commissioner did a thorough investigation over several months, came to a conclusion, and gave a report. Some people may not

like the report, but it is there. It's been substantiated. Others may indeed like the report. We don't know. But the point here is that nowhere in this Assembly should there be any allowance for besmirching an individual who has done his or her job in service to this Assembly and, in turn, in service to the public of Alberta.

You have a point of clarification, hon. member, which I'll hear at the end after question period.

Let us move on to Lesser Slave Lake, followed by Calgary-Buffalo.

### Hilliard's Bay Provincial Park Road

**Ms Calahasen:** Thank you, Mr. Speaker. Most roads to parks in this province are paved, but the road to Hilliard's Bay provincial park is not. In fact, in the summer with a lot of traffic the road to Hilliard's Bay becomes dusty, so much so that it represents a major safety hazard. My question is to the Minister of Transportation. Can you please tell my constituents what funding is available to have this road paved?

**The Speaker:** The hon. minister.

**Mr. McIver:** Thank you, Mr. Speaker. I will say to the hon. member through you that I have talked to the municipality there, and one of the things we've discussed is that it is indeed a municipal road that's being asked about here. To answer the question, we have several funding methods available: the municipal sustainability grant, the basic municipal transportation grant, and the gas tax grant. The municipality, I think, is well aware that all of those are available and at their disposal. On that note, we will carry on and hope that they can find a solution.

**Ms Calahasen:** Mr. Speaker, even though we do have all these possible grants available, we used to have the resource road program, which we used to access for such roads. However, that's gone now. To the minister. You are so concerned about partnering all the time, and you do such a great job in most cases. However, I want to know: what are you going to do to make sure that we can get the people who are involved in this road together to see what possibilities exist?

**Mr. McIver:** Mr. Speaker, I will say that the hon. member is quite diligent and determined on this particular file.

Let me say that I'll commit to the hon. member that I'll be happy to meet with her and the municipality in question about the road that they're concerned with. I'm always happy to work with them. If I heard in there, as I think I might have, some criticism on behalf of the municipality about wanting the resource road program back, well noted. We will of course take that into consideration as we formulate the next budget.

**The Speaker:** The hon. member.

**Ms Calahasen:** Thank you.

2:20

### LGBTQ Student Supports

**Mr. Hehr:** As the minister is aware, students who are lesbian, gay, bisexual, transgendered, and queer are often targeted and bullied in schools. What many proactive jurisdictions have done to combat this plague is allow gay-straight alliances in schools, where kids can band together to support one another. To the Minister of Education. We must do everything we can to ensure that the lives of children growing up LGBTQ are as free from discrimination and bullying as possible. Will you enact legislation

that makes mandatory the creation of gay-straight alliances in all schools where children want them?

**Mr. J. Johnson:** Mr. Speaker, it's a good question, especially during Bullying Awareness Week, and I want to commend our Associate Minister of Family and Community Safety for all the work that she's doing on this. These clubs in particular can do a lot of great work in the schools that they are put together in. We leave the decisions on which clubs will be set up in each school up to the local school board and up to those local schools. We encourage them to look at that, and this is one great option that can attack the bullying question. One of the things we're doing as a ministry is that we will have some fact sheets on the topic that the member brought up on our website very soon for schools.

**Mr. Hehr:** Well, Mr. Speaker, the problem with that answer is that by not legislating this, it means that many students in schools around this province will not have the ability to form their own gay-straight alliance. Simply put, adults get their knickers in a knot over this issue, when kids understand what needs to be done. Accordingly, will the minister commit to eradicating this by making this legislation mandatory so that kids can get the support they need in all schools in this province?

**Mr. J. Johnson:** Mr. Speaker, we agree that we want all kids to get the support they need, and the gay-straight alliance clubs do a great job of that in the communities and the schools that choose to put those together. We completely support those clubs. I think it's a great idea. But we don't impose them; we don't legislate them just like we don't legislate every other potential action that can combat bullying and make kids feel safe. We empower local school boards to do that. That's where the empowerment needs to rest.

**Mr. Hehr:** To the Minister of Justice: given that students who are LGBTQ cannot express themselves in school because the topic of human sexuality is prohibited unless parental consent is given in advance, will this government do more than simply march in pride parades and repeal section 11.1 of the Alberta Human Rights Act, which, in my view, is a slap in the face to our LGBTQ community?

**Mr. J. Johnson:** Mr. Speaker, the member is mixing up issues here. It's absolutely not correct that those topics are prohibited in schools for discussion. That's absolutely not true, and he knows that. It's the sensitive issues that may come up in terms of instruction on religion or sexuality that parents have the ability to opt out of. They always have had in Alberta, and that's enshrined in the legislation. But that's not a change from practice, and the member is not completely accurate in what he is telling Albertans with respect to that question.

### Teaching Excellence Task Force

**Mr. Bilous:** Mr. Speaker, this Education minister's teaching task force was appointed in secret, is operating in secret, and was established without input from the very professionals he claims it is there to support. Meanwhile his government is increasing class sizes, removing resources from the classroom, and cutting teachers. Will the minister admit that his task force is not about promoting excellence; instead, it's about setting up teachers to take the fall for this government's cuts to education?

**Mr. J. Johnson:** Mr. Speaker, I'm not sure where to start there. We could start with the budget. The budget actually went up by \$200 million. I know he wasn't a math teacher, but I'm still not

sure how that equates to a cut to the Education budget when you increase it by \$200 million to \$300 million.

On the second fact, Mr. Speaker, teaching quality is incredibly important. The profession recognizes that. The profession supports that. Many teachers on the ground asked us to have a discussion about: do they have enough time to prepare, do they have enough resources, and do they have enough support? That's a part of what this task force is about.

**Mr. Bilous:** Eleven thousand new students.

Mr. Speaker, given that parents, teachers, school boards, and students have been saying that the number of kids in the classroom and the composition of the classroom directly impacts the quality of education and given that this PC government refuses to acknowledge these concerns, will the minister admit that his task force experiment is not about promoting excellence in teaching but about passing the buck?

**Mr. J. Johnson:** Mr. Speaker, I think this member would like us to believe that there's one silver bullet to solve every issue in education, and that's class size. That's simply not the case. As a matter of fact, this government has put more money into the class size initiative. That piece of the budget has grown to about \$375 million.

**Mr. Bilous:** Mr. Speaker, I'll spell it out for the minister. Given that this minister's task force fails to address kids learning in closets, teachers teaching in photocopy rooms, the complete lack of supports for students with special needs, and young teachers being driven away from the profession and given that this task force is not designed to support teachers – it's designed to pitch them into the fire – will the minister admit that this task force is nothing more than a teacher witch hunt?

**Mr. J. Johnson:** Mr. Speaker, this task force is a task force on teaching excellence. It's not a task force on a witch hunt. You know, this member would like us to believe that it's either/or: either we go after and talk about teaching excellence or we make class sizes smaller. We can do both. They're both important.

I just came back from Istanbul with CMEC and a meeting of the OECD ministers. The recent research – and this member knows it – is that the most important factor in the success of our kids, number one, is not the class size. Up at the top is quality of teaching. Class size is important, but it's not as important as the diversity in the class, the inclusion in the classroom, the supports we're giving the teacher, and how great that teacher is that's standing in front of our kids. We're interested in that as well.

**The Speaker:** The hon. Member for Olds-Didsbury-Three Hills, followed by Calgary-Fort.

### Carstairs Elementary School

**Mr. Rowe:** Thank you, Mr. Speaker. Carstairs elementary school is facing a crisis. The school was originally designed to serve children from kindergarten to grade 4, but due to unprecedented growth grade 4 was shuffled over to the local high school, and next year the grade 3 kids may very well join them. This means that seven-year-old children will be walking across a busy railroad and a major highway to attend a school they shouldn't be in in the first place. To the Minister of Education. When the safety of children is at stake, we have to step up. What are you going to do about this?

**Mr. Lukaszuk:** Mr. Speaker, you couldn't script it better than that. As important as the issue that this member is raising is – and I am sure that the Minister of Education or Infrastructure will have an answer to it – this is falling on the heels when the Leader of the Opposition and other members were just saying that this government should not be building any more schools, should not be twinning highways and building hospitals and not be putting up signs to reflect that. At least in one question period can they please be consistent?

**Mr. Saskiw:** Point of order.

**The Speaker:** A point of order has been noted from Lac La Biche-St. Paul-Two Hills at 2:29 p.m.

Let's move on with the first supplementary.

**Mr. Rowe:** Thank you, Mr. Speaker. That wasn't my question.

Given that the K to 4 school could continue to serve all of these students if the local school board had the funds to purchase an attached library owned by the town and given that this government recently gave over \$5 million to a school board in the Premier's riding for a temporary classroom and a fully equipped temporary gymnasium, is the minister prepared to make this small investment to ensure the safety and the education of our kids?

**Mr. J. Johnson:** Mr. Speaker, this highlights a problem we have not just in Carstairs but right across the entire province. There are some incredible growth pressures, and it's very difficult on this side of the House to try and profile which schools and which projects we're going to fund when we get constant criticism that we're funding too many schools. The only question we get out on the ground is: where do they stand for the sod-turning? I would ask this member: if we're going to put money into this school, which I would readily do if it's high enough on the radar screen and competes with the other projects around the province, would he accept that project for his constituency if it was borrowed money or a P3?

2:30

**The Speaker:** The hon. member.

**Mr. Rowe:** We would find a way to do it without borrowing.

Thank you, Mr. Speaker. Given the town of Carstairs is . . . [interjections]

**The Speaker:** Hon. members from the Wildrose, your own member has the floor.

Let's keep it down on the government side as well, please.

Hon. Member for Olds-Didsbury-Three Hills, please proceed.

**Mr. Rowe:** Given that the town of Carstairs is close to reaching a classroom crisis, is the Minister of Education willing to sit down with the local school board and me to hopefully resolve some of these issues and tell us where it is on the priority list?

**Mr. J. Johnson:** Mr. Speaker, I'm happy to meet with that school board any time. We've travelled the province extensively. We just had the Alberta School Boards Association MLA breakfast this morning that I spoke at. I saw all of the trustees there, and I saw them again last night at the awards ceremony, where one of our guests got an award. These are things we're looking at across the province that are incredibly important to us. I think that's why Albertans elected the right Premier, a Premier who is building Alberta and investing in these communities and investing in these schools.

**The Speaker:** The hon. Member for Calgary-Fort, followed by Little Bow.

#### Small Claims Court Decision Enforcement

**Mr. Cao:** Well, thank you, Mr. Speaker. One of my constituents recently won a small claims court judgment against a company. Since the ruling the company has disregarded the judgment by refusing to pay the money owed, and due to privacy legislation my constituent cannot obtain information about the defendant. He's feeling frustrated by the judgment continuing to be ignored and has said that our legislation has no teeth in it. I am concerned that this might not be a unique case. My question is to the hon. Minister of Justice and Solicitor General. What options are available for enforcing a small claims court judgment if the defendant refuses to pay?

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you very much, Mr. Speaker. There are a variety of items available when someone obtains a judgment, and it's called a judgment creditor. You can garnish somebody's wages. You can have assets seized. You can bring them in and have what's called an examination in aid of enforcement. You can hire a civil enforcement agency and have a garnishee against their bank account. A certificate of judgment is good in this province for 10 years. It can be enforced throughout Alberta. It can be reciprocally enforced throughout other provinces in Canada and even in some cases, where there are international treaties, in other countries.

**Mr. Cao:** To the same hon. minister: what options are available for enforcing a small claims court judgment if a defendant refuses to pay?

**Mr. Denis:** It's the same items that I mentioned before, Mr. Speaker. I think what may be of particular interest to this member or his constituent who has the judgment that has not been satisfied is actually bringing them in for what's called an examination in aid of enforcement. This is under our Civil Enforcement Act, also under the *Alberta Rules of Court*, which were amended several years ago.

I recognize that there's always room to improve, Mr. Speaker, and we have what's called a garnishee process project, that my department is looking into, on how to actually improve the rights of judgment creditors as this member indicates.

**The Speaker:** The hon. member.

**Mr. Cao:** Thank you, Mr. Speaker. To the same hon. minister: what are you going to do about a law that allows ignoring small claims court judgments? Should you put stronger teeth into enforcement of the court's judgments?

**Mr. Denis:** As I mentioned, Mr. Speaker, this is something that we're looking at. Often the Minister of Infrastructure talks about his website. Not to be outdone, I'd like you to go look at mine. It's [albertacourts.ab.ca](http://albertacourts.ab.ca). You can get some information on how to collect on a judgment. I want to thank the Associate Minister of AT and T for reminding me of that. In case you didn't hear it, it's [albertacourts.ab.ca](http://albertacourts.ab.ca).

**The Speaker:** The hon. Member for Little Bow, followed by Banff-Cochrane.

#### Rural Access to Physicians

**Mr. Donovan:** Thank you, Mr. Speaker. The community of Vulcan has a doctor shortage, forcing our current rural doctors to almost work double the time of other health care professionals across the province. I've spoken to many constituents who feel that the Alberta government and AHS don't take rural health care needs seriously. To the Minister of Health: when can I tell my constituents that they'll have timely access to a doctor in our community, and what is he doing to alleviate the stress of the local hard-working physicians in communities like Vulcan?

**Mr. Horne:** Well, Mr. Speaker, the government has invested extensively, as have previous governments, in supporting recruitment and retention of doctors in rural communities. I can tell the hon. member that the number of physicians working in rural areas has increased by 10 per cent in the last four years alone. We invest in things such as the Rural Physician Action Plan, a \$10 million program this year; the remote and northern program, which is a \$52 million program; and a physician locum services program of about \$4 million this year, which provides for doctors coming in from other areas. It is a challenge, particularly with respect to retention. In some of the ensuing questions I'll be happy to talk about what else we're doing.

**The Speaker:** The hon. member.

**Mr. Donovan:** Thank you, Mr. Speaker. Thank you for all those answers on the programs that are available. But given that the doctor shortage has created a situation in my riding where there are currently 11 straight days, starting on December 30, where Vulcan can't even book enough physicians and that starting December 27 the community doesn't even have a doctor to cover for the emergency room, what is your ministry going to do to ensure my constituents have access to an emergency room doctor over Christmas?

**Mr. Horne:** Mr. Speaker, one of the programs that I just mentioned, the physician locum services program, is designed to do just that. What I'd suggest to the hon. member is that we also need to realize that physicians working in teams with other health professionals have the ability to extend the services of the physician to a greater number of citizens. We recently initiated, for example, a physician assistant program in Alberta. Nurse practitioners, pharmacists, and others are working across the province, including in rural Alberta, to support physicians and spread their services further.

**The Speaker:** The hon. member.

**Mr. Donovan:** Thank you, Mr. Speaker. Given all of that, I guess, what am I going to do to reassure the people of Little Bow that there are going to be doctors in the emergency rooms over Christmas?

**Mr. Horne:** Mr. Speaker, as we do in many communities across the province, we will continue to work with local communities to make interim arrangements for coverage in situations such as the hon. member describes. I'm sure he would agree that we are certainly not in a position to force doctors to work where they do not wish to work or, in some cases, where they're in small numbers, to cover beyond hours that they are willing and able to cover. The answer to this question lies not in pouring more money into doctor recruitment and retention. The answer is in primary health care reform, in embracing the power of family care clinics and

primary care networks to spread the services of physicians among a greater number.

**The Speaker:** The hon. Member for Banff-Cochrane, followed by Cypress-Medicine Hat.

### Disaster Recovery and Mitigation

**Mr. Casey:** Thank you, Mr. Speaker. Since the flood event in June my constituency office has been dealing with people desperately trying to manoeuvre their way through the disaster recovery program. Residences and businesses alike are frustrated with slow response times, conflicting information, and delayed payment schedules which hamper recovery efforts. To the Associate Minister of Regional Recovery and Reconstruction for Southwest Alberta: what is the minister doing to address the concerns of my constituents around funding response and accurate information?

**The Speaker:** The hon. associate minister.

**Mr. Fawcett:** Thank you very much, Mr. Speaker. That's a good question. I think since the flood happened in June, we've taken a number of steps to make it easier and more timely for flood victims to get access to the disaster recovery program. We've reduced the amount of documentation required for the initial payment. We've also cut a step out of the verification process that we deemed to be redundant, which should get cheques into people's hands a lot faster. We've also created a mobile office here recently that will rotate through the town of Canmore and the Bow Valley area, through Bragg Creek, and through Turner Valley and the foothills. Make no mistake. We will be here to make sure that each flood victim gets what they're entitled to under the disaster recovery program.

**Mr. Casey:** Given the history of the delivery of the DRP what can your office do to ensure that those delivering the DRP work co-operatively with claimants to access funding and do not act as a barrier to the timely delivery of funds?

**The Speaker:** The hon. associate minister.

**Mr. Fawcett:** Thank you very much, Mr. Speaker. That's another good question. We need to remember that the DRP is a joint program between the provinces and the federal government. It's not an insurance program. It's there for returning essential property back to the basic function. I know that might be frustrating for those that were impacted by the flood, but the program does provide a basic level of support for all Canadians that experience a disaster that is uninsurable. It is available fairly right across this province and across the country while protecting taxpayers' interests.

**Mr. Casey:** To the same minister: what is your ministry doing to ensure that mitigation efforts on rivers and mountain creeks will be completed in time since spring is a short eight months off?

**Mr. Fawcett:** Mr. Speaker, that's a very timely question by the hon. member, and I thank him for bringing it forward. I was just out on Friday with municipal officials from the town of Canmore as well as in Bragg Creek. They've got a number of plans that we've already invested money into, \$6.2 million along Cougar Creek, which will help put in place some short-term mitigation. They are working on some longer term mitigation ideas as well, and that will come through the flood recovery task force. Again, \$1.1 million in Bragg Creek. We're working with these commu-

nities through the Department of ESRD with a number of contracted engineers to provide those solutions.

**2:40**

**The Speaker:** Hon. members, that concludes the time allotted for question period.

There was a point of clarification that the hon. Member for Airdrie wished. I would like to hear that now.

### Point of Clarification

**Mr. Anderson:** Mr. Speaker, a point of clarification under 13(2), which says that "the Speaker shall explain the reasons for any decision on the request of a Member." As an elected member and as the Official Opposition House Leader I would like to be able to actually ask the question that I'm seeking clarification on without being cut off.

The clarification that I'm seeking from you is this. What precedent in what country of the Commonwealth does not allow Her Majesty's opposition to be able to question decisions of government-appointed officers, which can be and often are corrupt? What precedent is there for a Speaker, frankly, dominating and wasting time of this Assembly with constant lectures and, frankly, self-righteous interruptions that are costing us question after question in this Assembly?

You are showing gross favouritism, sir. You are interfering with this House.

**The Speaker:** Hon. member, please have a seat.

Hon. member, I've been in this House a lot longer than you have, and I've listened to a lot. If you want me to name you and ask you to leave, don't think you're going to mess around with me in that respect because I'm prepared to accommodate a wish like that. [interjections]

Hon. member, did you notice that I didn't interrupt you when you were speaking? Do you think it's appropriate for you to be interrupting the Speaker when he's trying to . . . [interjections] Why are you speaking right now, then, hon. member? I'm not here to have a debate with you.

**Mr. Anderson:** Because you're asking me a question.

**The Speaker:** I will answer your question this way. It is always up to the Speaker to do his or her best to make sure that law and order and civility prevail. [interjections] Chestermere-Rocky View, if I hear one more peep out of you, then you will also be on that special invitation list. The same goes for anybody on the government side who's provoking members on the opposition side.

Can we not have some civility and decorum here just for a few minutes? This is a very serious question that Airdrie has asked. He is almost in contempt, in my view. I'm going to take this very seriously, and I'm going to have a close look as to what you just said, hon. member. Please, if there's one more interruption while I'm trying to say something serious in response to your question, I will name you, and you will leave this Assembly. Let that be very clear, please.

As I was saying before I was interrupted again and again and again, I want to make it very clear that one of the first roles of any Speaker in any Commonwealth country, most of whom I have now met with in one way or another over the past year and a half, is to ensure law and order and abidance of rules, adherence to guidelines and principles at the highest level in this House. The overarching principle is: at any time that a Speaker thinks something is being said or done in the Assembly that might cause disorder, disruption, or other forms of disobedience, it is his or her

duty to stand up and do something about it. I have let a lot of things go over the time. I have tried to be fair to both sides, government and opposition. I would even say that I have been more than tolerant on more than one occasion with many of you in this House.

But when I have specifically asked you not once, not twice, but three or four or five times to please avoid personal attacks of one member on another, to please not use language that is likely to cause disruption and disorder, when I've asked you these kinds of questions and many, many more and you persist in doing it, what do you think I should do? Just ask yourself that common-sense question before you start making any greater issue out of something that you know very well is already a serious matter in this House. I fully realize the sensitivities of the questions being asked, but there comes a point and there comes a time where I have to draw the line. You may disagree with my interjections, but every one of them is founded. I don't stand up to hear myself speak, hon. members. I stand up to make sure others are heard in this Assembly because each one of you before me is equal, and you all have a right to speak and be heard. You have a right to the respect of other members.

On another matter, I have also a duty, when it comes to the issue of members who are not present in this House, to protect their character and their reputation. That is also in our rules, and we could point to several examples where many Speakers have stopped and interjected to ensure that people who are not here to defend themselves are not besmirched or maligned or otherwise brought into some disrepute by some comments by members. Let that stand not only as a clarification but a warning. Let that stand as a warning to you, all of you.

Now, I wanted to commend the Member for Lesser Slave Lake for doing something unique today. She forwent her second supplemental, and it's something other members should take a look at. When a minister has stood up and answered the question in the first two questions, forgo the third one. Well done, Lesser Slave Lake, on that point.

In 20 seconds we will continue on with Members' Statements, starting with Bonnyville-Cold Lake.

### **Members' Statements** (continued)

#### **Iron Horse Trail**

**Mrs. Leskiw:** Thank you, Mr. Speaker. Alberta's Iron Horse Trail is part of the Trans Canada Trail and offers 300 kilometres of trail ranging from boreal forest to parkland to farmland. Wildlife, scenery, historic buildings, and farmsteads will give trail users a glimpse of the rich tapestry that is northeastern Alberta. Riders on the trail can expect to see bears, moose, deer, coyotes, badgers, and other wildlife as they ride along the trail.

The Iron Horse Trail boasts 18 trestles, with the largest spanning the Beaver River near Cold Lake. The trestle, an engineering marvel, towers 60 metres above the valley floor and is 450 metres in length. In June of 2012 a devastating fire occurred on the northeast end of the Beaver River trestle. The fire burned through the upper decking and support beams, causing the trestle to be closed. Upon inspection by engineering firms we learned that the damage was extensive and that the trestle was in danger of collapsing.

The estimate for the Beaver River trestle rehabilitation is \$1.5 million. Mr. Speaker, the community has rallied and is actively raising funds to save this treasure. Online fundraising platforms enable groups to work through social media to reach all trail

supporters throughout Alberta and the western provinces. Recently a \$150,000 save the Beaver River trestle project submission was approved by the Aviva community fund contest. To win the contest, we need your votes. To vote is simple. Visit the website [www.avivacommunityfund.org](http://www.avivacommunityfund.org), register and vote, and vote every day. Please help us save our Beaver River trestle.

Thank you.

#### **Patrick Thomas Kennedy**

**Mrs. Jablonski:** Mr. Speaker, where would this province be without the people who make it great? Where would this province be without the visionaries, without the entrepreneurs, without those willing to take a risk? Alberta has a long history of great people, and it's my honour to tell you about one of Red Deer's very own great visionaries and entrepreneurs.

Thirty years ago Patrick Thomas Kennedy had a great idea about a farm equipment and services exposition in Red Deer. He was a visionary who planted the seed of an idea that was embraced by the Red Deer Chamber of Commerce and the Westerner. Knowing that agriculture was one of the top three economic drivers in Alberta, he believed that he could build a show that would be second to none in the province, and he called that show Agri-Trade. In fact, after 30 years of growth and development Agri-Trade has become the largest farm implement exposition in western Canada, and some have even said that it is the biggest in all of Canada.

Pat Kennedy, the chamber of commerce, and the Westerner have hosted Agri-Trade for the last 30 years in November through rain and snow and sleet. I even remember one year when we had to walk through newly fallen snow up to our knees to see the fascinating farm equipment parked outside. Agri-Trade may have even broken attendance records that year as people from all over Alberta and the northwestern United States came to see what was new in farm machinery.

2:50

Pat Kennedy and Agri-Trade have brought significant economic benefits to our region through its exhibitors, attendees, and support staff. I know that the Red Deer Chamber of Commerce and the Westerner along with myself and the hon. minister from Red Deer-South wish Pat the very best in the future as he retires and moves on to greener pastures although there is no greener pasture than Agri-Trade. The contributions of Pat Kennedy to Red Deer, central Alberta, and to this province cannot be underestimated. Please join me in thanking Patrick Thomas Kennedy for his invaluable contributions to the province of Alberta.

Thank you.

**The Speaker:** The hon. Member for Strathmore-Brooks.

#### **Energy Company Licensee Liability Rating Program**

**Mr. Hale:** Thank you, Mr. Speaker. Since the formation of the Alberta Energy Regulator and the retirement of the ERCB, junior producers have faced unreasonable expectations with regard to the regulation of the licensee liability rating program. The ERCB did not enforce these regulations, but now the Energy Regulator is slamming the current owners of these wells. In the words of one of the stakeholders I have spoken with: it seems they are trying to cover up for the lack of enforcement over the past decades. The result is that hundreds of junior producers will be pushed into bankruptcy courtesy of the heavy-handed, ill-thought-out regulations and the mismanagement of the PC government.

Mr. Speaker, you would have hoped that the PCs had learned their lesson from the 2008 royalty disaster, but I guess not. The PC government has so far failed to act to ensure that our junior producers get a fair shake. While the Minister of Energy said that he would look at this matter, action needs to take place now. As you wait, junior producers are being expected to pay millions in penalties. The licensee liability program is spiralling out of control.

The program looks at assets compared to liabilities. With the low price of gas uneconomical wells are shut in. Once a well is shut in, it's classified as a liability. Companies are given a short period of time in which they have to pay penalties, some over a million dollars. If the company is unable to pay, they become classified as noncompliant and, as such, are unable to raise any capital because wells are shut in. They can't get any money from the banks, and they can't afford to abandon the wells.

Mr. Speaker, these companies are not trying to shirk their responsibilities, but it seems unfair to enforce these regulations suddenly without consultation or consideration of the devastating economic impact. The forced abandonment of these wells will significantly reduce municipal tax revenue as well as provincial royalties. The Energy Regulator must come back to the table and work on enforcement actions that are appropriate and will not drive junior producers out of production. The stakes are too high for the minister to sit by and watch our juniors forced out of business.

### Presenting Reports by Standing and Special Committees

**The Speaker:** The hon. Member for Calgary-Hawkwood, followed by the hon. Member for Airdrie.

**Mr. Luan:** Thank you, Mr. Speaker. As the chair of the Select Special Conflicts of Interest Act Review Committee I'm pleased to complete the mandate of this committee by presenting the required copies of the committee's final report, which contains recommendations regarding the Conflicts of Interest Act.

I would also like to take this opportunity to thank my fellow committee members from both sides of the House for the hard work, the time, and the effort taken for a good part of last year in reviewing all the recommendations. I would also like to acknowledge the support and expertise provided throughout the process by staff from the Assembly office, by the office of the Ethics Commissioner, and by the office of Alberta Justice and Solicitor General. Thank you, all.

**The Speaker:** Thank you.

**Mr. Anderson:** Mr. Speaker, as chair of the Standing Committee on Public Accounts I am pleased to table five copies of the committee's report on its 2012 activities. Additional copies of the report have also been provided for all members of this Assembly.

### Notices of Motions

**The Speaker:** The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Speaker. I wish to advise the Assembly that I intend to propose the following motion pursuant to Standing Order 42: "Be it resolved that the Legislative Assembly receive the final report of the Select Special Conflicts of Interest Act Review Committee as tabled."

**The Speaker:** Thank you.

### Tabling Returns and Reports

**The Speaker:** The hon. Member for Red Deer-North.

**Mrs. Jablonski:** Thank you, Mr. Speaker. Today I'm tabling five copies of documents signed by 185 people who ask that Michener Centre in Red Deer be kept open for vulnerable Albertans.

**The Speaker:** The hon. Member for Edmonton-Meadowlark or someone on behalf of? Perhaps at a later time.

Let us move on to Edmonton-Centre, then.

**Ms Blakeman:** Thanks very much, Mr. Speaker. Three tablings today, two from constituents that are writing with their concern about the government of Alberta's cuts to postsecondary education and noting the staff layoffs and program closures and things like that. They're asking that in the next year's budget the government please think about the long-term implications. That's from Kyle Nuttall and Anand Pye.

The third is a very good letter, very thoughtful, from Don Ryane – I hope I'm pronouncing that correctly – who is writing with his concerns about the conversation on water management and pointing out his disappointment with how it was handled, the questions on the survey, and that he really doesn't feel that there was a range of options presented. He's very concerned that there be that before any changes to the legislation are made. A particularly good letter, a thoughtful letter on that.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Speaker. I'm tabling two documents which I referenced today during question period. The first is an Alberta Health Services document dated November 12, 2013, entitled Edmonton Zone Lab Request for Proposal – Report to Stakeholders. This outlines the government's intention to proceed with privatization of lab services in the Edmonton region.

The second, a companion document, is a presentation that was provided to health care professionals in the medical lab area which includes timelines on the privatization process and indicates that at no time was a public delivery model considered with respect to this proposal.

Mr. Speaker, those are two documents that I'm happy to put forward and put on the record given the fact that we've been unable to get real clarity in question period with respect to this matter.

**The Speaker:** Thank you, hon. member.

The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Speaker. I'd like to table today a hundred more of the handwritten letters my office has received expressing concerns about the deep cuts to postsecondary education that are happening in Alberta. These letters call on the government to reverse all of their harmful cuts to postsecondary education, and they convey a feeling of confusion, frustration, and hopelessness. I've received over a thousand letters in my office, and I certainly will continue to table them as we go. Here are the appropriate number of copies of 100, and I do hope that the minister will take the time to read the 100 heartfelt notes that are included in today's tabling.

Thank you very much, Mr. Speaker.

**The Speaker:** Are there others?

**Mr. Anderson:** Mr. Speaker, I'm tabling five copies of a letter from a constituent, Cody Palmer. He is concerned with regard to Bill 33. He's worried that the regulations might include a ban on electronic cigarettes, which he uses to help stop smoking. It's a coping mechanism that he uses for that, and he wants to make sure that the government knows that a lot of people use these as a coping mechanism for cessation of smoking and to be careful in the regulations, that they don't ban those products.

3:00

**The Speaker:** Hon. members, it is now 3 p.m., so I have to go to points of order. There is no motion for unanimous consent to conclude the Routine, so we have to move on to the next item, and that is points of order.

I believe we have one here from Lac La Biche-St. Paul-Two Hills. You rose at about 2:29 on a point of order. Did you wish to express it now? Your citation, please?

**Mr. Saskiw:** Yes. I rise according to Standing Order 23(h), (i), and (j). During question period the Deputy Premier stated with respect to the Leader of the Official Opposition that she would not build any more schools. This is, obviously, absolutely untrue and given the fact that the Deputy Premier was here in this Assembly, I would state that that was an intentional, deliberate lie attempting to create disorder in the Assembly. I would ask, Mr. Speaker, that it be withdrawn. I would normally cite precedent in this Assembly but – and I'll choose my words carefully – given the precedent that we've seen, I don't expect there to be a requirement that the statement be withdrawn. Actually, in fact, I will simply just withdraw my point of order.

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

That point of order is withdrawn and so noted.

### Motions under Standing Order 42

**The Speaker:** Let us move on, then. I believe we have a Standing Order 42 to be heard.

Hon. Member for Edmonton-Strathcona, just as you're getting your notes together, I'd like to make a couple of comments here first. Before putting this question forward as to whether there's going to be unanimous consent or not for the hon. member's request, I'm going to listen very carefully to her statement of urgency, but then I do have a few comments that I want to make.

Proceed with your point.

### Select Special Conflicts of Interest Act Review Committee Final Report

Ms Notley:

Be it resolved that the Legislative Assembly receive the final report of the Select Special Conflicts of Interest Act Review Committee as tabled.

**Ms Notley:** Thank you, Mr. Speaker. A few moments ago the chair of the Select Special Conflicts of Interest Act Review Committee tabled the committee's final report. Now as a member of the committee I'm asking this Assembly for consent to proceed with this motion, which will in essence allow this Assembly to formally receive the report that has been tabled by the chair. The point of that, then, is to ensure that this report would be the subject of debate in this whole Assembly.

Now, Standing Order 42(1) reads as follows: "A motion may, in case of urgent and pressing necessity previously explained by the mover, be made by unanimous consent of the Assembly without notice having been given under Standing Order 39." Of course, it's that unanimous consent that I am seeking today from my colleagues in this Assembly.

So allow me to make a few comments regarding the urgent and pressing necessity of this motion and this debate. *Beauchesne's*, paragraph 390, states:

"Urgency" within this rule does not apply to the matter itself, but means "urgency of debate", when the . . . opportunities provided by the rules of the House do not permit the subject to be brought on early enough and the public interest demands that discussion take place immediately.

*Beauchesne's*, paragraph 387, also states that "there must be no other reasonable opportunity for debate."

Now, I would argue, Mr. Speaker, that this motion meets these criteria, and it relates to a matter that is top of mind for many Albertans today. As we all know – anyone who reads Twitter, watches *The Daily Show*, watches the news at all – public attention is focused on the integrity of political representatives across this country. The ethics of politicians are dominating the headlines in a way that should concern all of us. These concerns are not just about scandals in Ottawa or Toronto. There are also legitimate concerns right here in Alberta.

**The Speaker:** Hon. member, I need to just remind you to speak to the urgency of this, not the matter itself.

**Ms Notley:** I'm certainly not going to debate the report. I'm simply speaking to the urgency. Thank you.

Now, as you know, the Premier is still under investigation by the office of the Ethics Commissioner, an investigation that started many months ago. We have another member of the government caucus who was found to have breached this act six times, but in that case the Ethics Commissioner did not recommend any sanction against that member. That report from the outgoing commissioner was already tabled in the Assembly, but I should note that in spite of section 29 of the Conflicts of Interest Act, which states, "The Legislative Assembly may accept or reject the findings of the Ethics Commissioner," there was no actual mechanism to do so, Mr. Speaker, which goes, again, to the issue of urgency as defined under the section of *Beauchesne* that I quoted. This is just one of the reasons that Albertans are questioning whether our ethics laws mean anything at all.

Now, the select special committee studied the Conflicts of Interest Act throughout the summer. We received many submissions and heard testimony from numerous experts. But when it came to actually changing the legislation so that Albertans could have confidence in our conflicts law, profound disagreement emerged on the committee. Interestingly, I and other members of the opposition proposed many amendments to strengthen the law, and those amendments were defeated by the government majority on the committee. Government members have their hands on the levers of power in this province. Unfortunately, at the committee level they seemed unwilling to make the changes that the act desperately needs to prohibit and reduce opportunities for conflicts of interest to arise.

I believe that this disagreement requires the full attention of the Assembly, Mr. Speaker, and it is only through this standing order that I can raise this for debate. The recommendations contained in the report as well as those contained in my minority report and the



minority report submitted by the members for Calgary-Shaw, Lac La Biche-St. Paul-Two Hills, and Edmonton-Centre all deserve full debate in the Assembly this afternoon. They simply cannot be put on a shelf to gather dust, and lip service is not enough. We need a full debate in this House this afternoon, and it can only happen through this motion. In my view we must debate these issues that are included in the report.

As things stand right now, Mr. Speaker, we have a piece of legislation that includes a classic prohibition on conflict of interest, that which would prohibit the ability of a member of this House to use his office to promote his private interest, and as a result of the legislation as it stands now and a recent decision made by the commissioner, that classic, foundational piece of our legislation is for all intents and purposes in this province meaningless. This is a critical situation. It requires fulsome debate in this House in order to ensure the confidence of all Albertans in the work that all of us here do every day.

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

Hon. members, under Standing Order 42 only one speaker is allowed, and that is the mover of the motion. We have heard from that hon. member, and as I indicated just while I gave her a few seconds to get her notes together before she spoke, I too would like to add a couple of comments at this time.

First of all, Standing Order 42 clearly reads, "A motion may, in case of urgent and pressing necessity previously explained by the mover, be made by unanimous consent of the Assembly without notice having been given under Standing Order 39." Similarly, let me draw your attention quickly to Standing Order 18. "Motions that are debatable include every motion . . . for the receipt of a report or concurrence in a report, or both, that has been tabled in the Assembly, except a report from the Committee of Supply or Committee of the Whole." And it goes on.

Hon. members, where we're at here now is that in a moment I'm going to ask you for your agreement for unanimous consent or not for this motion and, in turn, the debate to proceed. However, before doing that, I want to just say that the member's motion references that the Assembly "receive the final report of the Select Special Conflicts of Interest Act Review Committee," and it is quite conceivable, although it may not be too familiar to some of you, that this kind of motion is rare in its appearance. If one examines the aforementioned Standing Order 18(1)(b), you will see where this hon. member is coming from in part.

Without being repetitive or tautological about this, I want to just state that it seems clear that it would be somewhat pointless to refer to a motion to receive as debatable if such a motion was not in order. The chair does note that an issue about whether committee reports had to be subject to a motion was addressed by Speaker Amerongen in this Assembly on November 16, 1972. It was pointed out at *Hansard* pages 75-61, 75-62 by Mr. Hyndman that motions to receive or to receive and concur in a report were in order. There did not have to be a motion, however.

3:10

In the very short time that we had to research this, a couple of hours, it appears that the motions relating to committee reports have usually been motions to, quote, receive and concur, unquote. However, the option to separate these motions is left open by the wording of the standing order. It is my understanding that the standing order was expanded in 1974 to include a reference to "receipt" as well as the existing "concurrence." In 1983, apparently, an "and/or" formulation was changed to simply "or," so the

disjunctive alone exists, which means either motion could be moved, either one.

In terms of precedent I do note that there was a motion to receive reports by the Ethics Commissioner moved on April 3, 1996, which was the subject of a Speaker's ruling on that same day at page 1051 of *Hansard*. Accordingly, if unanimous consent to proceed were to be granted by the Assembly, the motion would be in order.

[Unanimous consent denied]

## Orders of the Day

### Government Bills and Orders Second Reading

#### Bill 34

#### Building New Petroleum Markets Act

[Adjourned debate November 7: Mr. Olson]

**The Speaker:** The hon. Member for Strathmore-Brooks.

**Mr. Hale:** Thank you, Mr. Speaker. It's a pleasure to rise today and talk about Bill 34, the Building New Petroleum Markets Act, in second reading. I'm hoping that the hon. Energy minister can enlighten me on some of the questions I have with this bill. I did have the opportunity to meet with him, and we did a bit of a bill briefing.

Basically, it was pointed out to me that it is more of a house-keeping bill to change the number of directors on this commission from three to seven. I don't see that as a problem. As of right now the bitumen royalties in kind that they're taking, you know, on the new Energy East pipeline – the government has committed to supplying a hundred thousand barrels a day for 20 years. I do understand how we have to increase this commission that looks after these markets because there is going to be more and more bitumen that they're handling on behalf of Albertans.

I'm a little bit concerned with the picking of the new directors. In our conversations it was mentioned that, you know, they want to find someone that has vast experience in marketing. I'm sure the Energy minister will do his utmost to find the best people. Hopefully, they do a wide search because they are handling the resources of Albertans and whoever they pick to be on this commission is going to have a huge duty to work in the best interests of all Albertans.

As I was looking through the bill and reading it, there were a couple of issues that kind of struck me. It mentions, under section 9.1, records and accounts, "The Commission shall prepare and retain records and accounts in accordance with the regulations as required by the Minister." As we look a little bit further, it says, "Sections 10 and 11 are repealed." Well, section 11 says:

The Commission shall annually, after the end of its fiscal year, prepare a general report summarizing its transactions and affairs during its last fiscal year and showing the revenues and expenditures during that period, an audited balance sheet and any other information required by the regulations.

In this new bill we're striking that. I'm hoping that possibly under another piece of legislation these records and the reports will be made public. So if the hon. Energy minister could clarify where these reports will be coming through, what other act, if there is such. If there isn't, why aren't these reports going to be made public as this commission is going to be handling, you know, the dollars coming in from the BRIK program?

Another question I had was about repealing section 10. Section 10 says that "the Auditor General is the auditor of the

Commission.” You’re striking that, so who’s going to audit the commission? Now, in a bit of the research I’ve done, it seems that under Bill 12 that we went through, the Fiscal Management Act – is that where the audit is going to come through? We need clarification on that because we need to know if the auditor is going to be able to do a complete, full audit on this commission. If not, who’s going to do it? If nobody is going to do it, that’s going to be a huge issue with this commission. They need to be held responsible for looking after our dollars.

Another issue that I came across was the FOIP. It says that “the regulations made under this section prevail despite the Freedom of Information and Protection of Privacy Act for a period of 5 years following the end of the year to which the record or other information relates.” Why are we making anything that happens in this commission unFOIPable for five years? To me that doesn’t seem very open and transparent. You know, what are they doing that they have to hide for five years? Why can’t we see what happened last year? Why can’t we FOIP it and find out what the contracts were? If they are working in the best interest of Albertans, then Albertans need to know, and we need to be able to see that information, not wait five years.

One good thing that I did see in here, that brings back a lot of memories from debating Bill 2, the hours and hours and hours that we debated Bill 2, is under section 15. It talks about the public interest: “deal with the Crown’s royalty share of the hydrocarbon substance in a manner that is, in the Commission’s opinion, in the public interest of Alberta.” How many hours did we debate that public interest was not in Bill 2, and . . .

**Mr. Mason:** Shazam.

**Mr. Hale:** . . . shazam. It’s in here. It’s kept in here. That’s great. Thank you.

We see that it’s in the public interest, which is great. I mean, that’s what this commission is doing. It’s taking the bitumen royalty in kind, and the Alberta Petroleum Marketing Commission is working in the best interest of Albertans.

Another section is added here after clause (b) of section 15: “engage in other hydrocarbon-related activities in a manner that is, in the Commission’s opinion, in the public interest of Alberta.” More public interest, which is good.

Now, when I read this, I’m hoping that it’s going to relate, possibly, to the LNG pipelines that we’re seeing built. This will allow the commission not just to look after the BRIK program but to look after the LNG and the new pipelines that are coming. I’d like clarification on that also to see if that’s what’s meant by this statement, that this commission can look after the LNG projects that currently are under way. So if the hon. Energy minister could answer some of these questions.

3:20

Dealing with the Auditor General, will the Auditor General be able to audit this commission? Explain why for some unknown reason it’s unFOIPable for five years. You know, why are they making the public or us wait for five years to find out information?

There was another one that I was a little skeptical of in here. After section 12 under investment it talks about how:

- (3) The Commission may, with the approval of the Lieutenant Governor in Council,
  - (a) directly or indirectly purchase shares.

Now, to me that says that the government is not just getting in the business of looking after taking bitumen, you know, under the BRIK program and royalties in kind, but now they’re going to be buying shares. What companies are they going to buy shares in? Is

this an example of picking winners and losers? We spoke quite a bit against that. The government shouldn’t be able to pick winners and losers. So when they say that they’re going to purchase shares, to me that raises a bit of a red flag that they’re going to be able to make side deals with companies and say: “Okay. Well, you know what? We’ll help you out. We’re not going to give you any funding here and there, but we’re going to buy shares in your company. We’re going to make sure that your company is strong through buying shares.” To me that doesn’t seem quite right. So I’d also like the hon. Energy minister to explain this purchasing shares portion of this bill. The government needs to get out of the business of picking winners and losers, and this just seems like another good example.

I’m hoping that the Energy minister can answer some of these questions for me and, you know, ensure that these records and the annual report that is going to be prepared are not only made public in this Legislature but also made public to all Albertans as this commission is handling their royalty dollars from the oil and gas reserves of Albertans. That’s their job.

In closing, in order for me to stand up and vote in favour of this bill, there are some very important questions that I hope the Energy minister will answer. I look forward to hearing some comments from the other members on the government side and our side. I know there’s been some talk in the offices about different viewpoints. You know, how much should the government be getting involved? How much risk should the government be taking? When we see the BRIK program, there is some risk involved. When they’re committing 100 million barrels a day over 20 years – and I believe the figure was about \$5 billion – are they sure that that \$5 billion is going to be more than they would have gotten if they would have taken the royalties as they ship it down the pipelines?

There are some other issues with these contracts that they’re going to be signing with these pipeline companies. Hopefully, it never happens, but if there is a pipeline break, is the Alberta government going to be on the hook for part of the cost of cleanup with these pipeline companies shipping the government’s bitumen? That’s a question that I’d also like answered at some point in time.

You know, I would hope that they would make these contracts available. I understand that there are some issues with giving out too much information on business deals. Not everybody puts their whole business on the table. But as you’re working for Albertans and you’re handling Albertans’ money, Albertans have a right to know what’s going on and how their royalties are being handled.

I look forward to the conversation as we continue on Bill 34. I strongly urge the Energy minister to, and I hope that he will, stand up and clarify some of my questions so that we can continue on in this bill.

Thank you.

**The Speaker:** Thank you.

Hon. members, 29(2)(a) is not yet available, so we’ll move on to the next speaker, after whom 29(2)(a) will be available.

Edmonton-Centre, please.

**Ms Blakeman:** Thank you very much, Mr. Speaker, for the opportunity to rise and speak in second reading to Bill 34, the Building New Petroleum Markets Act. Now, I’ll admit that I don’t think our smaller staff had the time to prepare notes, or maybe I didn’t get them, so I did what I always do, which is read the bill.

**Mr. Hale:** That’s good. That’s a start.

**Ms Blakeman:** I know. It’s just such an unusual practice in this House.

You know, it's got a lot of cool stuff that happens. I have a couple of observations and then a few questions for the sponsoring minister. By the way, I appreciate the presence of the minister in the House when this bill is being debated. That doesn't happen usually, so I do want to note in particular his presence and, from what I can see, his fairly open ears. No earplugs that I see yet, so a good sign.

This reminds me a lot of a proposal that was made in the mid-2000s by Kevin Taft. He called it the western tiger, and at the time it was met with howls of derision from my hon. colleagues opposite. But, in effect, what he was saying – and that was then, and this is now, so there's a slight difference in what's going on – was that, you know, we're doing really well. We've got all kinds of production. Price per barrel is very high. The BRIK program was coming into existence or was on its way into existence or something. Dr. Taft's suggestion was: why don't we look to share the opportunity, share the wealth rather than saying that, okay, we're going to allow 10 upgraders to be built just east of the city? I think that's what it was at the time.

We in the Liberal caucus at that time had profound concerns about the cumulative effects of having that much upgrader development happening in a fairly small area. The Dodds-Round Hill open coal mine was also happening in the same area, so that's a lot to put on one community. We felt that there was cause for concern over cumulative effects.

The proposal that he had was: well, share it. You know, we can figure out how much interest and support there is for one or two or three or four upgraders here, and beyond that, we should be encouraging and working with our neighbours – Saskatchewan, Manitoba, however far you wanted to go – to also work on building upgraders where the bitumen or the oil products that they were talking about at any given time could be dealt with. And, oh my God. That was just crazy-making.

I'm really reminded of that now that I look at this because, in effect, this is what it's setting up. I know that back then Dr. Taft was talking about sharing the wealth, and this government now is talking about how we need to find other ways to export our product. With the ongoing concerns we have about the Keystone pipeline – and I'm not sure what's happening today with the pipeline to the west coast – this is suggesting that we could be shipping bitumen in kind, the BRIK program, to other places in Canada that could be doing the upgrading. So same kind of idea, slightly different execution.

What's the song? *What a Difference a Day Makes*. Well, what is that now, six, seven, eight years? What a difference eight years makes. Here it is back with the government of Alberta's stamp right on the front there. God bless their little cotton socks.

3:30

There's one other observation I wanted to make. My colleague who is the critic for this bill in our caucus has often commented that getting rid of the Alberta Energy Company was one of the – I'm trying to think of a nice way to put this, Mr. Speaker – least clever things that this government had done because it took away our opportunity to be able to deliver our product and, frankly, to muscle where we needed to muscle in order to get our product out of the ground and through the process and shipped to other places. It strikes my colleague and me that, boy, we've spent a lot of time to come back to the same place. I do see this as an admission from the government that there are 25 years of whoops, uh-oh involved in this that we do come back to essentially the same place and say: okay; well, this is what we're going to need to do. A bit frustrating to think that we could have been doing this a long time ago and

had the benefit of this for a substantial period of time. Those were the two observations that I wanted to make.

Now, a couple of concerns that I had with the bill that I'm sure he will be able to explain. First of all, I notice that they go into quite a bit of – well, no, actually, it's not quite large; it's just very specific. The obligations of the directors are spelled out here. Responsibility. It's in section 7 of the bill, amending section 6 of the original act. Responsibility of directors and officers: "shall act honestly." Well, yes. Thank you for putting that in the act because we don't always do that, and then we're in trouble. Somebody acts dishonestly and we have no way of calling that out and saying: you were supposed to do something, and you breached the act. All right. "Act honestly and in good faith and with a view to the best interests of the Commission." Okay.

Then it goes on to part (b), "shall exercise the care, diligence and skill that a reasonable and prudent person would exercise in comparable circumstances." I'm trying to catch the eye of my lawyer friends over there. I think that is a fairly consistent legal term that turns up fairly often.

**Mr. Denis:** What's that? Sorry; I wasn't getting that.

**Ms Blakeman:** That this is a fairly consistent legal phrase that's used. [interjection]

**The Speaker:** Hon. members, please, let's go through the chair here. We'll all benefit from it that way.

Hon. member, perhaps if you just repeat the phrase, then at an appropriate time under 29(2)(a) the minister could answer.

**Ms Blakeman:** I hear you, Mr. Speaker. I'm just a little puzzled that my friends opposite would be so interested in denying all of that hard work in law school, but okay. Fine.

So I can hear the legalese running through that. My concern is that nowhere in here does it actually set up or indicate that this commission would fall under the conflicts of interest regulations and the Conflicts of Interest Act that we have, which is a perfect example of what opposition members kept trying to bring to the front of the recent review of the Conflicts of Interest Act, in that there are a number of paid and volunteer or stipend-paid chairs of boards, agencies, and commissions and board members and executive staff who should be included under the Conflicts of Interest Act and who are not. I believe that this is another example. I'd like to know if this commission is covered by and would be involved in any of the important features of the Conflicts of Interest Act; that is, the chair, the board members, or the executive staff would be required to file a disclosure form, they would be required to adhere to a cooling-off period, and they would be obligated to follow through on the major clauses of that act. I'd like that question answered.

I am really disappointed to see yet again – and I think this is going to be piece of legislation, or statute, number 39, that is opting itself out of or declaring paramountcy over or rather that the Freedom of Information and Protection of Privacy Act does not apply to this commission and what it is doing for a period of five years. I'm presuming there that it's trying to protect information that's going forth to cabinet, but I think the real concern here is that, once again, we are diluting our freedom of information act overall because we keep piecemealing it. It was intended – and the clause in the front of that act says: this applies to everything. Little by little this government keeps going: "Well, not this. Hmm, not that. No, not this piece of legislation. Not this section in this statute either." We are diluting, weakening the overall effectiveness of the Freedom of Information and Protection of Privacy Act by doing this.

We were specifically warned against that by the outgoing commissioner, who went on at length about the situation that we had found ourselves in with the government repeatedly doing this. I will repeat his concerns because this potentially is a lot of money for Alberta. It's potentially got a huge possible conflict of interest involved in it, in that the people that are likely to be appointed to this board will move in a circle where many others are involved in the same sort of business. They will have a very wide application of what they're doing here, and they are going to be playing with a whole whack of money. The whole whack of money belongs to Albertans and the resource belongs to Albertans. What we're being told here is that Albertans don't get to find out what this commission is doing, thinking of doing, or has done for a period of five years.

**Mr. Hale:** Open and transparent.

**Ms Blakeman:** Well, yes. One of my colleagues on this side of the House is pointing out that it's not open and transparent. That's true.

But it's also creepy and weird because if there's nothing wrong here, then it should be accountable and it should be open. So if it's not and it's being specifically excluded from the application of the FOIP Act . . .

**An Hon. Member:** It's creepy and weird.

**Ms Blakeman:** Yeah. Creepy and weird. Cue the creepy, you know, haunted house music.

What are they worried about here? What's being hidden? What are they anticipating that the public will want to know that they won't want to tell them? That is exactly when you need freedom of information legislation to be there for you. It's not there for members of the government; it's there for the people of Alberta. That's what's wrong with putting clauses like this in a bill. It is starting out to be sneaky and creepy around providing information to the people of Alberta. That's what's wrong with that whole clause. Tell me why. Explain to me why the minister feels he needs to be sneaky and creepy about the information that's coming out, about the plans and other information for this Building New Petroleum Markets Act.

Those were the questions that I would like to have – oh, shoot. No. There were a couple more, but I'm going to run out of time. Oh, the indemnification clause is humongous. It starts on page 3, and it goes almost on to page 5. Almost. It's more than a page of who's not going to be held responsible here. I'm thinking: what is the problem? What, again, are you anticipating that you have to – “the Commission may in writing indemnify,” and then it starts on that list that goes over a page and a half, “a present or former director or officer of the Commission.”

3:40

**The Speaker:** Thank you.

Hon. members, 29(2)(a) is available. The hon. Member for Strathmore-Brooks.

**Mr. Hale:** Yeah. I'm just wondering if the hon. member could explain a little bit more about the indemnification and what kind of concerns her about that. I know we've seen that in other legislation coming through this year. There were some amendments put forward from our party dealing with the criminal activity and stuff in another bill. I'd like to just see, when she reads this, what her opinions are.

**Ms Blakeman:** I'll tell you, hon. member. What I'm seeing here is, again, the anticipation of something really bad happening in that they go through such a list and detail so many different individuals or positions: a present or former director or officer of the commission, an individual who is acting at the commission's request as a director or an officer or in a similar capacity of another entity, an employee or a former employee, the heirs and legal representatives of people that have just been referenced. So they're casting forward a long way into the future. Then they go into what they're trying to indemnify them from: costs, charges, expenses, any amount paid to settle an action or satisfy a judgment. They go on and on and on.

So they're expecting to be taken to court. Why? Why are you doing this if you're expecting to be taken to court on it? Or is it because this is just involving such a monumental amount of money that they're expecting that somebody else is going to try to get some of that money, and they're going to try to get it by taking them to court? Okay. Well, that's a different problem entirely and, I would argue, should be taken care of in a different way.

It goes right down – no liability whatsoever is likely. What we used to have is one little clause that said: the minister and the staff cannot be sued or taken to court if they're doing their job. That's it. Now we have a page and a half of indemnification of not only current employees but past employees. I reference the timekeeper, the little hourglass that the character Hermione in the Harry Potter series had, where she could turn time back and go back and then kind of double-time everything, do everything twice as fast in the same period of time. It's that thought of going back and changing that past, which I've now seen this government do a couple of times, that I find very curious.

Now, it may well be the influence of a number of people that have law degrees on the other side, although for some reason they don't want to admit to them today, but that's a different problem. It is very interesting to me why the government feels it needs to go to that length to indemnify members of the commission, staff, former staff, directors, and whatever that other phrase was, “heirs and legal representatives.” You know, I'm just a plain old gal from downtown, but that strikes me as having a lot of other things rolled into it. I'm just very curious about why they feel they need to go to that much trouble to indemnify that many people.

So thank you for asking me the question because I think it's worth asking, and I'm very interested in what the minister has to say by way of an answer about that.

Thank you.

**The Speaker:** Anyone else under 29(2)(a)? Thank you.

I have the hon. Member for Rimbey-Rocky Mountain House-Sundre, followed by the Member for Edmonton-Highlands-Norwood. Do I see you wanting to be on the list?

Before we go there, can I ask for unanimous consent to briefly revert to Introduction of Guests?

[Unanimous consent granted]

### Introduction of Guests

(reversion)

**The Speaker:** I have Calgary-Glenmore and Calgary-Currie. Who would like to go first? Calgary-Glenmore.

**Ms L. Johnson:** Thank you, Mr. Speaker, and thank you, colleagues. I rise today to introduce Sheila Taylor. Sheila is the Calgary public school board trustee for wards 11 and 13. We share constituents. Sheila is in Edmonton today to attend the Alberta School Boards Association meetings. Sheila serves as the chair of

the Calgary public school board. I'd ask Sheila to rise and receive the traditional warm welcome of the Legislature as we thank you for your public service.

**The Speaker:** Thank you, hon. member.

Apparently, Rimbey-Rocky Mountain House-Sundre, you have ceded your position in the speaking order so that the leader of the New Democratic opposition could go next. That is correct? Okay. Thank you.

The hon. leader of the New Democratic opposition.

## Government Bills and Orders

### Second Reading

#### Bill 34

#### Building New Petroleum Markets Act

(continued)

**Mr. Mason:** Thank you very much, Mr. Speaker, and thanks very much to the hon. Member for Rimbey-Rocky Mountain House-Sundre. I appreciate his courtesy.

Mr. Speaker, Bill 34, Building New Petroleum Markets Act, is an interesting piece of legislation. I had a briefing with the minister a week and a half ago. It was all very congenial, and because we didn't actually have any paper in the briefing – we didn't really see what was in the act – I said: is there anything that is going to set off alarm bells in the world of the NDP?

**Ms Blakeman:** And what did he say?

**Mr. Mason:** That he had a hard time getting inside the minds of New Democrats. [interjections] And it's mutual, of course, Mr. Speaker.

He also, you know, indicated that it was fairly innocuous. Well, I've read through the bill, and it's like a 12-alarm fire as far as I'm concerned. Bells are going off all over the place.

There are a few good things in the act, and I'll just deal very summarily with those. There are some changes that will result in greater corporate oversight in structure and a more detailed, clearly defined management plan for the commission. Directors are now subject to disclosure requirements for the related contracts and transactions. That's good, and that's it.

Mr. Speaker, we support more upgrading of our resources here in Alberta in order to get the most value for the assets that belong to us and to share the wealth of this province amongst all of its citizens. However, what this bill actually provides for is more of what we've come to expect from this secretive and biased government: special rule-making for their industry friends at the expense of ordinary Albertans along with short-term solutions and mismanagement that mean we're losing out on huge amounts of the wealth that is owned by all of us together.

Instead of spending more time and money creating more plum patronage appointments for the Tories' friends by propping up inadequate programs like the BRIK, why don't we develop a fair, sustainable, and efficient royalty system to stimulate and sustain prosperity for all Albertans? Mr. Speaker, as Peter Lougheed said: it's time to start acting like owners.

I want to deal a little bit with the royalty structure. Still more research on building markets is here, but there's no real work being done to get the upgraders that we need here. There's no work to develop strategies to build capacity and jobs here in Alberta. This is, pure and simple, just marketing bitumen and marketing the raw materials of our province and not about creating long-term employment and industrial development in our province.

Mr. Speaker, in 2012-13 the government planned to collect only 10 per cent of expected petroleum revenues, which is well below the 35 per cent target set by Peter Lougheed. This cost Albertans \$22.3 billion in just that one year. Programs like BRIK and the commission are Band-Aids and sideshows when what we really need are leadership and policies that get us fair prices for our resources and a long-term strategy to develop this business for the benefit of all Albertans.

The BRIK program, for example, only involves 70,000 barrels per day of raw bitumen, which is a very small proportion of the over 1.7 million barrels produced each day. The North West upgrader has a similarly small capacity relative to the amount of hydrocarbon production in the province. Together, this is hardly enough to create real movement towards more upgrading in Alberta and creating more and better jobs and deriving value from our resources.

3:50

Now, even at the very low standard of 70,000 barrels a day the Tories are already envisioning companies being unable to meet this obligation, and this explains why they had to build convoluted and secretive structures and powers in this bill to help prop up this failing program and their friends in the wealthy oil companies. For example, the May 2013 report of the Standing Committee on Alberta's Economic Future already showed that the government and producers are forecast to have insufficient bitumen volume to meet their obligations, meaning that they will have to purchase bitumen from other private sources just to make up the shortfall.

Mr. Speaker, we need to take a look at the price differential today. Albertans continue to be denied full value for their resources. By building on the BRIK program even further, the Tories are just providing corporate welfare for the companies involved in the commission, which includes Chinese-owned Nexen. Why are we paying wealthy and foreign companies to market our resources at bottom-of-the-barrel prices? How much commission are we paying to these companies to do this marketing?

BRIK still does not provide stable or predictable royalty revenues for the province because the amount of bitumen the government will receive is still dependent on the base royalty rates, which are dependent on oil industry production, the price of oil, and market forces in general. This means that the government is taking on risk and remains unable to adequately predict or plan for the budgeting and financial management in the future.

There are some specific concerns, Mr. Speaker: the repeal of section 10 of the PMA via section 10 of Bill 34. Previously the Auditor General was the auditor of the commission as per the legislation. This bill removes the Auditor General as the auditor, and there are no legislative requirements for who will be appointed as auditor, how they will be appointed, when they will be appointed, or what their term of service as auditor will be. In fact, there are no requirements in the legislation at all for the appointing of an auditor for the auditing of the commission's financial or operational records.

This is a Crown corporation, Mr. Speaker. How can the Auditor General not be the auditor of this commission? Even if we accept that the Auditor General for some fantastic reason cannot or should not be the auditor of the commission, how can we allow a Crown corporation that manages the royalty and resource wealth owned by all Albertans to have no legislative auditing requirements whatsoever?

Mr. Speaker, this is another example in a long list of secretive agencies and decision-making bodies set up by this government. We can't trust them to manage our resources if they won't even allow the Auditor General or any other auditor to review their

records. No other corporation, public or private, would operate without clear requirements for the timeline and processes of appointing an auditor. This leaves the auditing of the commission entirely to the discretion of the minister, including the discretion to not audit the commission at all. Knowing the history of secretive and biased decision-making by this government, we cannot trust the minister to appropriately exercise this discretion in the interests of all Albertans, the true owners of the resource.

Mr. Speaker, section 10 of Bill 34 repeals section 11 of the Petroleum Marketing Act, removes the requirement of the commission to file an annual report, and there are now no reporting obligations anywhere in the Petroleum Marketing Act. Again and again we see murky and secretive reporting obligations and the Tories trying to keep us all in the dark.

The commission is a Crown corporation managing billions of dollars' worth of resource wealth owned by all Albertans. Albertans deserve to know how they are conducting their business and how they are making decisions on behalf of all of us. In order to be adequately informed, we need to have clear legislative guidelines about the frequency and adequacy of the reporting of operational information to the public. How will information on operations, revenues, and expenditures be reported to the public? How could all Albertans, as owners of the resources and the rightful recipients of the royalties managed by the commission, be informed about how their resources are being collected, used, and managed, and how can they be included in some of these decisions if they are not adequately informed?

Mr. Speaker, this bill transfers so many powers to the Lieutenant Governor in Council that it makes for less democratic oversight. We all know that the cabinet meets in secret. Its deliberations are private and do not get disclosed publicly. This is yet another example of this government making it harder for ordinary Albertans to get the information they need to see on how decisions are made. In the section concerning the commission's borrowing powers, this is done with the approval of the Lieutenant Governor in Council instead of the minister and is no longer limited by the provision "for the purpose of meeting its obligations as they become due." The commission can now also guarantee the obligations of any person with the approval of the Lieutenant Governor in Council.

There are some financial implications, Mr. Speaker, as well. Section 12 adds a provision allowing the commission to be a participant under section 40 of the Financial Administration Act and directly or indirectly purchase shares, make or acquire loans of money, and enter into joint ventures or partnerships in a transaction involving the payment of money. These are broad new authorities, broad new powers, and I think it is incumbent on the government to provide information to the Assembly with respect to its plans, policies, and overall philosophy with respect to acquiring shares, making loans, entering into joint ventures and partnerships. All of those things, while they should not be entirely prohibited, in our view, are very, very serious, have landed the government in the past in a great deal of difficulty, and need to be carefully defined and properly constrained. Adequate oversight and scrutiny need to be provided, in particular, in our view, by retaining the Auditor General in his overall position of having oversight of this corporation.

We believe that there are also some questions about information that can be provided to the commission. Section 9 adds proposed subsections which govern the information that must be provided to the commission. The exact implications are hard to ascertain at this point because it is largely an enabling section allowing the cabinet to make regulations respecting the keeping and furnishing of information to the commission. There are no guidelines in the

bill about who will need to furnish information, what sort of information might need to be required, the form in which it would be furnished, or whether and by what standards the commission would need to hold that information confidentially as the penalties for any contravention of one of these are yet to be determined. That's left up to regulations.

Mr. Speaker, all of these things are left to the whim of the cabinet, not in a democratic, open process in the Legislature but in secretive and closed-door cabinet meetings.

Mr. Speaker, if I can summarize the position with respect to this, we believe that the marketing of more bitumen, which is underlying this bill, is not the answer for the future of the province. It's not an adequate response to the demands that the public receive full value for the resources, that we add value in the development of our resources and create long-term prosperity for the province. Right now many, many jobs, thousands of jobs, tens of thousands of jobs, are being created primarily in the construction of extraction in the oil sands as well as transmission facilities, pipelines and so on. More construction jobs would be created if some of these pipelines were built, but when the building is finished, when the industry decides that Alberta is at capacity and no further construction of projects is undertaken, then we are going to be in a very difficult position.

What we need to do now, Mr. Speaker – and this is most important – is focus on long-term jobs, and those are found in the areas of upgrading and refining primarily, not in the extraction of raw resources. Those create relatively few jobs, lots of construction jobs, but they're temporary jobs.

4:00

If we're going to ensure the long-term sustainability and prosperity of this province, we need to do better than this act. It's not just about marketing more bitumen. It's about adding value here in the province of Alberta and making sure that future generations share in our prosperity. That is why we will be opposing this bill, Mr. Speaker.

Thank you.

**The Speaker:** Hon. members, 29(2)(a) is available.

Seeing no one, could we then proceed with Rimbey-Rocky Mountain House-Sundre? Thank you.

**Mr. Anglin:** Thank you, Mr. Speaker. I have many of the same concerns some of the other members have already laid out for the hon. minister, and hopefully he can address some of those concerns. This whole idea of the BRIK program that we have implemented now: I believe we've signed a contract although that contract is not available publicly, so we don't know the details. What we do know is that what's happened here is that the public is taking on the risk for marketing the products of the program, and the premise is that we're going to get better value for it.

Now, I for one think – and many of my colleagues would agree – that if there were assurances or if there was the opportunity to get better value, then this would pass unanimously. We would probably agree, and then the public would get a better deal. But given the bill that's before us and given the information that's available to us, we don't have that answer. We don't have that ability to make an assessment of what the outcome of this program, of this act will be because all we know is this. The contract that was signed I think it was some three to six months ago: the party that signed it with the government was smiling ear to ear.

When I saw that picture in the paper, what I was thinking of, particularly on the announcement: from the perspective of the

upgrader, they were no longer taking market risk. What they were getting was the bitumen in kind, and they were going to get paid a processing fee for accepting the raw material, and this government through this agency is now going to market the products that are produced. That's where we're supposedly going to gain our value. It appears that we've now taken on market risk. So where is the benefit for the public? As in any business deal the more risk you take on, the larger the profit or opportunity for profit there should be. We have no way to measure the level of risk that the public is taking here. We have no way to measure how this is all going to pan out once it's put into action.

The reason I say that we have no way to measure this is that when we look at even how the auditing process is going to take place, it's not going to be available to us. We don't have access to it now; we're not going to have access to that information once this bill passes. That's not in the public interest, in my view. What we need is some transparency here. More importantly, we need accountability.

This is a government that prides itself on its results-based budgeting. Then why wouldn't we look at a corporate entity like this and say, "Okay; we're also going to do some results-based measurement, and here's how we're going to do it," lay it out, or make it a requirement in legislation that the regulations stipulate how the results are going to be measured and tracked so that this House and the public get a sense of whether or not it is working in their best interests. There's nothing there to give us that confidence that this is going to work.

Now, the good thing is that we live in a world where even though there may be a lot of environmental protests against hydrocarbon production, it is a product that does sell quite readily, but it doesn't sell without its own risk. There are certain risks, depending on where you're going to be. Now, what I'm concerned about is the lack of accountability and the ability to have these natural components in the system to prevent any kind of fraud, to prevent any kind of misuse of authority or misuse of the position dealing with what is the obligation and responsibility of this entity.

I'm not making any allegations here, but what I want to point out is that if you look at some of the great disasters in the corporate private sector, whether it's Enron, WorldCom, Tyco, AIG, Lehman, every one of these executives, right before they went to jail, said that they were acting in good faith, that they were doing the right thing for their stockholders. Probably in their minds they were doing that, but they didn't convince the court of that, and they couldn't convince their own stockholders of that.

We're dealing with a situation here where there are really no boundaries that are set to give some sort of checks and balances to what we're setting up here. The public doesn't get to see this, and this Assembly doesn't get to see it. It's more or less left up to what's in the agreement that this ministry has signed, which we're not privy to. That is something that we don't get to see the details of. It's a trust-me bill, and I have to tell you that there are some smart people out there that can manipulate the trust-me bills of government to their own advantage. As any law enforcement officer would tell you, we lock our car doors at the shopping mall, and that does not necessarily prevent auto theft, but it keeps honest people honest, and it's a good practice to get into.

When we look at a piece of legislation, what should be in this legislation to make the most of this BRIK program is to have those checks and balances, to have an audit system and a reporting system so this Assembly could at least see how this is operating. Is it doing what we said it was going to do, and is it doing what we want it to do? Whether you'd want to call it results-based or outcome measurements – it doesn't matter what we refer to – there needs to be a set of guidelines here and reporting mechanisms so

that we as an Assembly know that this program is doing what it's supposed to do, that the public is actually getting more value. If the public is not getting more value for its resource, then what's the point? What's the point? That's where we're at with this bill.

I chuckle because this came up in the last debate dealing with the indemnification clause except that this one is actually quite a bit longer, which is coincidental or ironic, yet it still indemnifies criminal activity. I remember the debate and the hon. member saying that it would never indemnify any actual criminal conviction. What I did notice after that last debate – and I did go out and do some checking – is that a lot of nongovernment organizations, nonprofit organizations, and private institutions, private companies have an indemnification clause that does not have any mention of the words "criminal" or "criminal activity." But ours does.

If the hon. members across the way, the government members, are correct when they say that it would never indemnify a criminal, then we go back to the same argument. Then why have it in there if it's not necessary? I tell you that the perception in the public is that that's ugly. We would never indemnify criminal activity.

It's kind of comical the way these lawyers wrote this – and I don't know what lawyer ever wrote this – but we're using it time and time again. We indemnify criminal activity that was done in good faith. I'm sure there are a lot of criminals out there that felt that they committed their crime in good faith, but the fact is that I don't know if a court would recognize that. That's a perception issue. I will not argue the legalities of that; I'll let these members do that. But the perception of criminal activity in good faith has never gotten by any court that I know of, and I doubt I'll see that. Hopefully, I'll never see that.

So we have an issue dealing with a few things here. What I would like to see is this program work for the public. The way this is set up, it will not allow me, the opposition, or the public to see it. We won't have any way to verify it. That's a problem, and I think that this government needs to figure out how it wants to address that because then it becomes: whatever we say must be true because there's no one else to refute that, to contradict it, or to do any checking to actually verify that that's what's taking place. What this legislation should do is just lay out how that process will work. It doesn't have to detail the process, but it should lay it out in regulation that this commission, this board must do certain things. It must set out in regulation how the public will be able to verify this.

4:10

If the program doesn't work for us, is there a way out of the contract? I mean, how long are we going to be locked into this? This is important. We're going to have the ability to enter into partnerships, buy stocks in other companies. One can only presume that there are going to be other agreements. It's a logical presumption. We don't know what those commitments will be or how we will be locked into those commitments because we don't know what kind of checks and balances even exist. This here is what I see as a potential – there's no guarantee, but there is a potential – for this to go not in the direction that this government intends it to go. This has the potential to be abused without the proper checks and balances. With that missing, we invite a greater degree of that potential to happen.

Hopefully, there will be some amendments brought forward that we'll get to debate. I am still hopeful that this government would be open to those amendments, that they would be willing to review each one on its own merits and improve this bill, show the public how we're going to have that accountability, how we're

going to have the transparency, and how we're going to measure the outcome. That's the most important point. We need to be able to measure consistently and match apples to apples to see: are we getting more value for the product than we would have under the old system of just royalty on the raw material? That's so important. If we're not getting that, then we've got to make some changes.

With that, hopefully, the hon. minister will have some kind of response, but I look forward to Committee of the Whole, when some of the amendments come forward and we have a longer debate on this matter.

Thank you very much, Mr. Speaker.

**The Speaker:** Hon. members, 29(2)(a) is available. Does anybody wish to take advantage of it?

Seeing no one, I don't have anyone else on my speaking list, but I see, Edmonton-Strathcona, that you have risen. Let's give you the floor, then.

**Ms Notley:** Thank you, Mr. Speaker. Yes, Bill 34, Building New Petroleum Markets Act, is a rather substantive and fulsome bill, which, like the Member for Edmonton-Centre, we are struggling to get a good handle on because, of course, we've not been given a great deal of time and, of course, our briefing didn't actually include any of the details of the bill or any of the substance of the bill.

**Ms Blakeman:** Didn't they say that it's all good and to vote for it?

**Ms Notley:** I think they just said: yeah, don't worry about it; it's a bill about changing the Petroleum Marketing Act, and it's all good. You know, as with all things in this House these days, sort of the traditions around full disclosure and thorough briefings are very much going by the wayside.

Obviously, this bill deals with the way in which we do a number of things, including working on and managing Alberta's BRIK policy. The BRIK policy is the itsy-bitsy, teeny-weeny, little baby step that this government has taken in the direction of bringing back to Albertans just the smallest, slightest fraction of the value of our resources rather than selling them as quickly as possible, as environmentally irresponsibly as possible, at the lowest price possible, and generally ensuring that Albertans are as much victims of the industry as they are beneficiaries of it. Certainly, that's something that this government has pursued very aggressively over the last 15 years or so, as we have discussed many times in the past, which contradicts the policy objectives that were laid out even by this government's predecessor, Premier Peter Lougheed.

Anyway, this is a set of changes that will do a number of things to impact on how the petroleum marketing board functions. So we see a number of changes to the act. There is, I guess, one change that we do believe we can support, and it does appear as though we will see greater corporate oversight and a more clearly defined structure with respect to how the commission functions. That is obviously something that we could support.

However, as has been mentioned by other speakers, there are also elements of this bill which are problematic. One thing that, of course, has been discussed by many is the whole issue of removing the role of the Auditor General to audit or to review the records of the commission. There's been no good explanation for why it is that the government thinks that this is a good idea. I really don't see any explanation in what they've put forward. Of course, the Auditor General is one of those few safeguards that we have in this province to every now and then shed even the

slightest amount of light onto what these folks are doing behind closed doors. Heaven knows, there is a lot that they are doing behind closed doors.

So it is concerning and it should be concerning to Albertans, Mr. Speaker, that we are removing the role of the Auditor General with respect to the commission and providing no clear specifics as to what or who will replace the Auditor General in that respect.

Otherwise, apart from the general view of this government that all that can be done secretly should be done that way just as a matter of course and as a rule of thumb, if it is possible to draw a curtain around it . . .

**Ms Blakeman:** A general rule.

**Ms Notley:** A general rule. It's a general rule. Right. Of course. A general rule: if it is possible to draw a curtain around what the government is doing, they will do it. Certainly, when it comes to their friends in the oil and gas industry, that curtain becomes increasingly used. There's no clear indication why we would do that.

As well, the bill purports to remove the requirement of the commission to file an annual report. So then, if you look through the act, there appear to be no reporting obligations remaining in the act. You know, I think they can all get around the table and talk to each other and report to each other and report to their friends in the industry and go for dinner and cocktails and maybe sell fundraising tickets to said dinners and cocktails and in those situations report to each other about what they're doing and who's making what and who's doing what. Maybe that's the plan. But it does not appear as though there is an obligation anymore for an annual report to be filed, which is really quite stunning, because, you know, fully private corporations have standards that require that.

Why it is that we would create a quasi Crown corporation that gets to do everything in secret and forgo the most basic of transparency requirements is beyond me except, of course, that it's being done by this government, which, to review, has as probably one of its two or three fundamental objectives keeping the people of this province in the dark. So there we go. The annual report requirement is no longer there.

4:20

We also see an interesting change where the minister is no longer the key decision-maker. Now it appears to be cabinet that is making these decisions. I suppose that's a slightly bigger group of people behind, well, frankly, a thicker, even harder to see through kind of door. But at least there is a bigger number of people, I presume, making these decisions so that everybody in the club, or the family, as they've been referred to in the past, can be fully aware of what's going on. Certainly, it will continue to be the case that those outside of the family will not know.

Section 15 of the PMA is being amended in order to allow the commission to "engage in other hydrocarbon-related activities in a manner that is, in the Commission's opinion, in the public interest of Alberta." It's interesting that they did actually put in the concept of public interest, knowing, for instance, that the Alberta Energy Regulator so clearly has had that particular objective removed from its mandate. I suppose we still see this here although, of course, it's in the opinion of the commission, so we have no idea who would sit on that commission or which friends of whom or which shareholders of what or which lobbyists for groups will be sitting on that commission, all that kind of stuff. We don't really know what that additional activity will involve or, in fact, how it is that the public interest will be defined or by



whom. It would be helpful to get a clear sense from the minister what exactly the other hydrocarbon-related activities are that are being contemplated through the addition of this section into the legislation.

Another thing that causes some concern to me is that the legislation amends the type of information that needs to be provided to the commission. Now, I'm assuming in some cases that's business-sensitive information, but I'm not entirely sure what exactly it will look like when all is said and done because, of course, it just allows for the authority for that to be established. It doesn't actually outline what that would be.

Then, of course, it also goes further to just doubly ensure that we exempt any of the information that might be collected through the commission from disclosure under the Freedom of Information and Protection of Privacy Act. It's quite interesting, really, when you look at where this government uses that piece of legislation. They really ought to just get rid of the whole freedom of information part of the act. People call it FOIP, but I think we should just call it the PPA, the protection of privacy act, because, really, that's all we do anymore.

We certainly do not make . . . [interjection] The Member for Edmonton-Centre says: no, they don't. It's true. They're not terribly concerned about protecting the privacy of individual health records, for instance, that kind of thing. They want to make sure that that can be disclosed all over the yingyang. But they are very good at protecting the privacy of government activity and government work. Certainly, they are not at all interested in sharing the freedom of that information, and we see that over and over and over again. That, nonetheless, is something that you would see as a result of, again, this proposed act exempting the information that is collected through the act from the Freedom of Information and Protection of Privacy Act, again, the primary objective of this government being to keep as much secret as they possibly can.

Again, as I said, having gotten limited briefing on this, we are still working on what the ultimate outcomes could be with respect to this. However, there is no question that there are a number of very, very important issues at play here that are very, very important to Albertans. What is most important to Albertans, of course, is transparently ensuring the best maximization of our resources to the best interests of all Albertans and ensuring that we develop this resource effectively. Therefore, we need to know that there is more opportunity.

As a result, I'll be making a motion that we amend Bill 34, Building New Petroleum Markets Act, by deleting all the words after "that" and that we substitute the following: "Bill 34, Building New Petroleum Markets Act, be not now read a second time but that the subject matter of the bill be referred to the Standing Committee on Resource Stewardship in accordance with Standing Order 74.2."

I have copies of this amendment to distribute, Mr. Speaker.

**The Speaker:** Hon. member, the leader of the New Democratic opposition has already spoken, so it would not be in order for you to move the amendment on his behalf, but if you wish to move that amendment on your own behalf, I believe that would be in order, would it not?

**Ms Notley:** Okay. Sure.

**The Speaker:** We would need to see it. It would have to be from you, hon. member. We'd have to see how it's phrased and worded and so on. We'll give you a moment to do that.

Did you complete your comments?

**Ms Notley:** We'll get photocopies of that now.

**The Speaker:** Okay. Hon. members, an amendment has been proposed. I'd like to see a copy of it, and I'm sure our Parliamentary Counsel would as well. Let us take a moment to have a look.

Hon. member, we're just reviewing this, and we'll be back here with a ruling in just a moment, but did you sign it yourself?

**Ms Notley:** I changed the name.

**The Speaker:** Perhaps we could get you to sign it. Could we have a page deliver this, please?

Hon. members, we don't have the required number of photocopies available at this moment. However, let me just read you the amendment, and if you are in agreement, then we can proceed with the debate on the amendment. Is that acceptable to all members here?

**Hon. Members:** Agreed.

**The Speaker:** Okay. The notice of amendment, which is now ruled in order, reads that the motion for second reading of Bill 34, Building New Petroleum Markets Act, be amended by deleting all the words after "that" and substituting the following:

Bill 34, Building New Petroleum Markets Act, be not now read a second time but that the subject matter of the bill be referred to the Standing Committee on Resource Stewardship in accordance with Standing Order 74.2.

Basically, what it is is a referral amendment.

That being said, we'll now recognize some speakers. You'll each have 15 minutes, and 29(2)(a) can and will be available after each speaker.

We'll start with Edmonton-Centre.

4:30

**Ms Blakeman:** Thanks very much, Mr. Speaker. Actually, this is a good idea. Sorry; I think it's a good idea. I'm not sure that my hon. colleagues opposite would think that. I had not expected the number and force of the objections to what's being considered here. I thought it was just me, but clearly that's not the case. This is very important for Albertans.

For those of us that have been out from underneath this dome – and I got to talk to lots of people because I worked for a candidate in the municipal elections, so I've been out door-knocking quite a bit – boy, it's interesting to see the level of understanding that at least the people I spoke to have come to. I still hear from a lot of people that think the royalty rate should be higher. I still hear from a lot of people in the fabulous constituency of Edmonton-Centre, by far the majority, that are very concerned with the lack of vigorous environmental protection and the constant eroding of that environmental protection. I heard a lot from people that expressed concern about the management of our resources, conventional oil, the Fort McMurray area, the oil sands, the gas fields, fracking, and water. Of course, poor old coal is just, well, on its way out. We have so much of it but won't be using much of it going forward, at least not to burn.

It's really been impressed upon me, and it's a great refresher to be able to understand that people do get it. They may not be aware of how much this government has moved towards these – I used to call them shell bills, which makes them sound kind of pretty, you know, like those big conch shells, but actually they're more like an empty box. You know, the media come up and say, "So what do you think about the new bill, blah, blah, blah?" and you go: "Well, it's like an empty box. You look in it; there's nothing there."

It's just box." It depends on what the government is going to put into the box that is going to make that a valuable program or not.

Increasingly, we don't know what they're going to put in the box. The media don't know, the opposition doesn't know, and I would venture to say that a number of the government's own caucus don't know what's going in that box. Increasingly, we don't ever get to see what's in that box, or we don't get to see what's in that box for an extended period of time. That is not responsible on our parts as legislators.

I expect to come in here, and I expect that I will have read the bill, that I will have talked to some stakeholders, that I will have an understanding of what's going on, and that I will get up and talk to it in a way that is beneficial to my constituents and to all Albertans. I take that responsibility to both of those groups seriously.

I can't say that what I'm seeing in this bill – and I had missed the stuff about the Auditor General. What's happened here is that the section that you used to see – here we go again, used to see – in these bills would say that, you know, there has to be an annual report presented and budget presented to the minister, and then it all gets audited after the fact. That's now gone. They're pulling it out of the bill. It was there; they're pulling it out. So there's a question about who audits this and who sees the audit.

You know, it's one thing for me to say: well, let's hope that it all goes well, and it all turns out marvelously, and a ton of money is made for Albertans, and we have used our resources responsibly and invested for the future and all of those other good things. But how do I go back and face my constituents if this thing tanks big time and through this program we waste resources and don't save any for future generations or we make choices that pollute or cause health problems for people? How do I go back to my constituents and say: yes, I was responsible, and I looked in that empty box that's called the – I've already gone on to another act. Sorry. It's something about marketing.

**Mr. Hughes:** Building New Petroleum Markets Act.

**Ms Blakeman:** Thank you. Building New Petroleum Markets Act.

I look in that box, and it's still empty. There's no audit in there. There's no monitoring or evaluation function in there to be able to judge it by. There's no audit that allows me to look at it. At this point I don't even know if the Auditor General, depending on who is in the position, is more or less willing to take on value-for-money audits, but I find value-for-money audits very useful because they're a way of having an expert in money look at something very carefully and look at what the objectives of the program are and other crucial elements around it and say: did this program get value for Albertans' money? It makes it a lot easier for us to understand. We've had some very good ones done.

For example, we had the long-term care ones done. We had the BSE one done. With all that money that went out there, did we help individual farmers, which was the intent of that program? Answer: no. Most of the money went to two – I don't know what you'd call them.

**An Hon. Member:** Feedlots.

**Ms Blakeman:** Feedlots. Thank you.

The program was set up to award the money based on the number of cows that were standing in your yard on a given day. Well, who had the most cows standing there? The feedlots. There weren't that many cows standing around in individual farmers' fields. Who really got the advantage of that program? Not the individual farmers, that we all say that we want to support, not

those hearty types like the Member for Innisfail-Sylvan Lake, who, you know, ran her own farm with her family. That's not who got helped. It wasn't those individual people; it was honking big corporations. You know, I'd like to feel sorry for them, but do they need my sympathy? No. They don't need my sympathy. They don't need my help. They have the government's help, so they certainly don't need mine. But in all seriousness, they were hardly clutching their tattered clothing about them, standing on the windy prairie with their tears freezing on their cheeks. They were in pretty good shape.

Those kinds of audits help all of us to understand the intricacies of this. Did we do this program wisely? It's a much bigger look at it than: "Did you account for the money? Where? Did you spend it? Did you write it down?" That's very troubling, that I can't even tell you, looking at that as to – Oh, the amendment. I can't even tell you, looking at it, if that's possible, and that's why we need this particular act to be referred to a committee, so that we can take a larger look at it.

You know, I know the committee that's chaired by the Member for Calgary-Varsity, the policy field committee for resources. It's called something else now. They've done some work on hydro, in-stream hydro, and they've done some work on natural gas, selling, marketing natural gas. They get speakers in. Like a Senate committee, they do the hard work, slogging it out in those committee rooms, trying to get a good sense of what's going on.

**4:40**

I think that's what we need to do with this bill so that all of us could go back to our constituents and say: "Yes. We did well by you. We made sure that this was the best legislation that it could be, that it looked after your assets, that it saved for the future, that it had responsible checks and balances in it, that anyone was able to look at the evaluation of the program and understand the evaluation and be able to have a reasonable opinion based on that evaluation." I don't see any of that. So we do need to take this somewhere else and have a look at it.

You know, Mr. Speaker, I don't think the members opposite mean to be – I think most of them genuinely come to work and think they're doing a good job. They look across at the opposition, and they think: "Oh, they're just wasting time. They don't have a place in democracy." You get into a headspace. I mean, Premier Klein used to talk about dome disease, and you do get into a headspace where you're surrounded by people that are telling you what they think you want to hear. There have certainly been examples of staff members doing things that they shouldn't have done because they thought that that's what the minister wanted them to do. The minister never said that, but everybody in that office knew that that's what the minister would be very happy to have happen.

I'm very reluctant to say – I'm sure this happens to some people, that they have nefarious reasons, that they are attempting to achieve something that they wouldn't want to have discussed on the front page of the *Journal* or the *Sun*. But I think that for the most part people on the other side believe they're doing a good job, but I have to say that your reference points are just not wide enough and not – you know, you're so 1950s. You are so working your way back there. If I threw you in the pool, you'd turn around and go for that shallow end that says 1950s instead of swimming in the other direction and going for something that says new millennium, participation of the taxpayers and the citizens in an open decision-making process.

Everybody goes: blah, blah, blah; we want younger people involved in the process. Well, you know what? This is absolutely anti-involvement of younger people. They want to know what's

going on. They want to be involved in that. They want to see that evaluation. They want to think about it themselves. These are not stupid people. We, up until recently, had a very good postsecondary education system that was pretty accessible to a lot of people. These people that I work with took advantage of that. They are smart people, and they are interested in being involved. They don't want to stand out there and be told something through a news release. They want to be able to go online and read it themselves and make their own decision.

The increasing direction that this government takes, swimming towards the shallow end of the 1950s, just makes them feel totally distanced from government. That's where you get all of that, "Well, we don't know who you are and how you're making decisions and what you're all about, and we're not going to engage with you. We're not going to be involved in that particular project." Well, the Speaker is waving the amendment at me again. But that's the point of all this, Mr. Speaker, that what we've had up until now is not satisfying, and to progress further at this point through second reading is not appropriate given the immensity of this, the impact – oh, don't use "impact" as a verb; sorry about that – the anticipated influence that this could have on the future wealth, you know, future postsecondary education, the cost of everything. We – my generation and my parents' generation and the generation that came after me – have been very poor stewards of the wealth that we have in Alberta. We love to spend it; we weren't so good about understanding how to save it. The fact that this government has to pass a bill to tell themselves to save money gives me the willies. I mean, honestly? You don't just naturally do that as a government? No. They have to pass a bill to make themselves be fiscally responsible. I thought that was in the job description, but I guess I missed it.

Thanks very much, Mr. Speaker.

**The Speaker:** Hon. members, 29(2)(a) is available should anyone wish to pursue that. The hon. leader of the New Democratic opposition under 29(2)(a).

**Mr. Mason:** Yes. To the hon. Member for Edmonton-Centre: I would like to ask her if she would like to complete that last thought.

**The Speaker:** The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks. Do you mean about the participation of the next generation?

**Mr. Mason:** Yeah, and its impact.

**Ms Blakeman:** Oh, not as a verb. Don't use "impact" as a verb. Or "interface." That's the one that's really bad: we're going to interface.

I think that is something that many of us don't understand. The longer you have a government in place, the more comfortable it gets and the more people on the government side come to believe that that's the way it's always been and that's the way it should be. You know, having to answer people is just a little time consuming and troublesome, and they ask such stupid questions sometimes. Why don't they get it and all of that kind of thing? Well, sometimes despite their best attempts the media, the opposition, and the public don't get it because there's nothing there to get. There is no information for us to understand or to put into context. Back to the empty box. Look in the bottom, and it's an empty box. So what? It's a box. It's not going to do anything. It's just a box, and until you fill that box with something useful, we don't have anything to judge you by.

Sorry. That's kind of mid-thought, but I'm hoping that that will satisfy the member. That's the best I can do on that one. I think we're just not being responsible, and we just don't get what the public are expecting us to do, expecting us to include them in the discussion and bring them along in that discussion. Continuing to make things less accessible, less detailed, with less of it in there is running counter to what the expectations of the public are. I think we see the reflection of that in the number of people who vote. At some point government will not have credibility because so few people, such a low percentage of the population, have in fact put them in government that they're not credible. I think that's where we're headed.

I think we should put this motion into place, run it through a committee, and maybe we can make a small difference and make this bill a bit better. I don't think we're going to change the world by sending it to committee and making it a little bit better, but we could make enough of a difference that I think it's worth while doing it.

Thank you very much, Mr. Speaker.

**The Speaker:** Anyone under 29(2)(a)?

Seeing no one, let's go to the next speaker, then. To the amendment, please. Confine your comments to the amendment. The leader of the New Democratic opposition.

**Mr. Mason:** Thank you very much, Mr. Speaker. I'm very pleased to speak to this excellent amendment, that I would have made had I been able to, but thank you very much to my colleague the MLA for Edmonton-Strathcona.

This is a very important piece of legislation. It's very important. It deals with the marketing of our bitumen. Under the BRIK program it deals with the marketing of conventional crude oil that is taken in lieu of royalties. It deals with billions and billions of dollars of our assets, so it deserves quite a bit of scrutiny.

One of my big concerns after having a look at the bill was that it would just go through without getting appropriate scrutiny in the assumption that it's all about oil and gas and that only the government can understand that sort of stuff and that the opposition should stick to health care and education.

4:50

Well, that's not our view, Mr. Speaker. We think that this is one of the most fundamental issues that the Legislature can deal with; that is, how we handle the royalties in kind that we receive. Given that the government's strategy under BRIK is to take bitumen in kind, I think that it deserves close attention.

Now, in my comments on the bill itself I've dealt with a number of things – royalties, the importance of value-added, and so on – but I'd like to talk about one thing that I think really needs to be scrutinized here. I also think that the government side should consider whether or not they want more scrutiny on this point, and that is the elimination of the requirement for an audit or, specifically, for the Auditor General to have oversight of the operations of that commission as well as the removal of the requirement that it file an annual report.

I think these are two very, very serious pieces that need to be addressed, and here's why. This is from Alberta Energy's own website describing the commission. It says:

The Commission is the provincial Crown corporation responsible for selling the conventional crude that the Alberta government receives in lieu of cash royalties. Created by the 1974 Petroleum Marketing Act, the APMC also develops the prices used in royalty calculations.

In 2012, the APMC's mandate was expanded to include helping to develop new energy markets and transportation

infrastructure and managing Alberta's Bitumen Royalty In Kind (BRIK) policy . . .

APMC continues to be responsible for selling the nearly 70,000 barrels per day of conventional oil that the province receives as its royalty share. To do this, the APMC works with almost 5,000 oil batteries and 180 pipelines, collecting 17 per cent of Alberta's conventional oil production.

The website goes on:

Effective June 1, 2013;

- Shell Trading Canada manages and markets approximately 40% of the volume
- Nexen Marketing . . .

Remember Nexen, recently sold to the Chinese national oil corporation?

. . . manages and markets approximately 50% of the volume on behalf of the APMC and

- APMC continues to market approximately 10% of the volume directly.

Now, Mr. Speaker, here we have a body that helps set our royalties and therefore has a direct impact on a huge revenue source in the province of Alberta, a critical one – let's not forget the impact of the so-called bitumen bubble on the last budget – that markets large volumes of conventional oil and bitumen. It's a publicly owned corporation, yet the Auditor General will no longer have jurisdiction. In fact, there's no requirement for audit of any kind. Now, I'm assuming that there will be some auditing. Perhaps that audit will only go to the board and perhaps a copy to the minister, but the public will never see it.

What can possibly go wrong, Mr. Speaker, with a body that is responsible for determining our royalty prices, responsible for marketing tens of millions, hundreds of millions, billions of dollars' worth of oil products that we receive in lieu of cash royalties from oil companies? It doesn't have to be audited, and it no longer has to file an annual report. Not only that, but it turns over its functions for marketing to Shell and Nexen. Oh, I think we should keep an eye on those guys. I think we should be auditing what they do and make sure we're not getting less than we're entitled to. I had a ruder way I was going to describe that.

The auditing function and the Auditor General play a key role here and should play and continue to play a key role in ensuring that the business of this corporation is done in the public interest and that we're not being cheated and that we are getting good information when we make royalty decisions. With this bill that may no longer be possible.

Mr. Speaker, on those points alone I think that we should refer it to the standing committee, and I further think that it would be great if this bill could be subject to public input. Now, we haven't really mastered that in this Legislature since I've been here. Edmonton city council, if I can refer to another order of government, and, I know, other city and town councils make better use of their committees in terms of canvassing public opinion and allowing the public to speak and have input on decisions that are important to them.

Let's not forget that every Albertan has a share in these natural resources, and how they're marketed, the price we receive for them, is of concern to every Albertan, not just the oil companies. I know that the government likes to listen to the oil companies, but they have also failed to grasp Peter's principle – and I mean Peter Lougheed – that we must think and act like owners. We're not doing that. I think that this particular piece of legislation would benefit and the public would benefit by an opportunity to have their say. I think that that's a very important piece.

Now, we've talked as well about value-added and the failure to put in real policies that allow for that to take place in a much more

comprehensive and systematic way and also about the failure of the government to collect royalties that are commensurate with the value of the resources. Right now the government's target is to get about 10 per cent of the value of these resources. The target Peter Lougheed set was 35 per cent, and he hit that target, but this is not the case in this government.

Perhaps a more robust, independent marketing board with more powers will be able to accomplish great things, and I do not challenge that possibility at all. That could potentially be an exciting possibility and an excellent direction for us to go in if it can make deals and so on, but it's fraught with difficulties. It's fraught with challenges. If it's going to be able to borrow, if it's going to be able to do joint ventures, if it's going to make partnerships and get directly involved in the oil and gas business, there are risks. We're not opposed to that in our party on the basis of principle. We're not opposed to it in principle, but we do recognize that there are substantial risks. I think those risks should also be canvassed by the committee, and I think that would be prudent and something that we should consider.

Mr. Speaker, that's really the gist of my comments, my reasons for wanting to have this matter referred to the committee. I am not opposed to building new petroleum markets nor to creating a structure that has the capacity to do that, even to the extent of participating on behalf of the people of Alberta in private business ventures. Nothing against that in principle, but the risks of that need to be carefully studied, and I certainly am not prepared to support going in that direction without adequate public scrutiny and oversight, which can be brought into place by having the Auditor General responsible, as is currently the case, and making sure that annual reports are provided to this Legislature and to the public. If those things are in place, I think we have adequate safeguards, and we can proceed with the bill, but otherwise I'm afraid it's going to be very, very difficult for us to support.

That concludes my comments, Mr. Speaker. Thank you for your attention.

5:00

**The Speaker:** Thank you.

Hon. members, 29(2)(a) is available. Is there anyone who wishes to take up 29(2)(a)?

I see no one, so let's move to the next speaker to the amendment, please. That will be Rimbeey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. I rise in support of this amendment and for good reason: the resource committee does good work. I think what's really important in putting this to the committee, unless the hon. minister can give me some indication of why it must be passed right now, what urgency would be affecting the bill that it would have to stay here and be passed within a matter of a week or two weeks or whatever it takes, is that this would give the committee time to get input, but most importantly the committee would have time to take a look at the whole issue around oversight and accountability.

[The Deputy Speaker in the chair]

This government has claimed multiple times its ability to be transparent, that it's accountable, that it has a gold standard, but in reality when you read this bill, it's full of holes in the sense that it has less accountability and it's less transparent. The thing that we need to have confidence in most is that what we're doing with the BRIK program has some sort of measurable outcome, some sort of accountability that we can look at as the public and say that it is doing exactly what this government wants it to do. That is key.

Right now the bill doesn't lay that out. It does not stipulate that even under regulations this is how it's going to be accountable and transparent, this is how we're going to measure the outcome. That's really important. The bill itself doesn't have to do that in the sense of saying exactly how it's going to be done, but it can stipulate that it must be done by regulation, and it doesn't quite make that clear.

What this bill does open itself up to is a number of significant issues dealing with how this will be managed and the fact that we will not be able to see – now, I understand why we don't have access to the current contracts that have been signed, but what we do see from this side of the House, what the public sees, is that the public is taking on the risk. The guarantee that the processor is getting – and when I say processor, I'm talking about the upgrader and the refinery – in income flow has removed certain market risks for that one agent involved in this contract. So we're back to square one, where the public needs to have the confidence that we're going to implement this program, we're going to have this type of measured outcome, and this is how we're going to verify that outcome, and this is the information that's going to be reported to the public because in the end this is the public's resource.

By putting it to the committee, we have an opportunity now to get input from a number of different stakeholders on how this should be done, and I see this as an aid to getting this bill passed, where people could possibly support it. With that, I think this amendment should be adopted, should be passed, and that the Standing Committee on Resource Stewardship should undertake testimony or input from various stakeholders so that we can make subtle changes or even some significant changes to this bill that will assure the public that this is going to work in their best interest.

With that, Mr. Speaker, I ask my fellow colleagues to support this amendment. Thank you very much.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the Member for Fort McMurray-Wood Buffalo.

**Mr. Allen:** Thank you, Mr. Speaker. First of all, I guess, I'm really pleased to see that this bill has garnered so much attention because this is a bill that's very important to all residents of the province of Alberta. It's interesting. We heard two members, the hon. leader of the fourth party and the Member for Strathmore-Brooks, that both spoke about the public interest with a lot of interest there. I would say that this is a matter that is very much in the public interest; that is, accessing new markets, getting our product to market. This is important to a hundred per cent of Albertans, not just the two-thirds that live in the urban centres.

I've spent probably the last 10 years of my life marketing product and marketing the oil sands and trying to sell the benefits of bitumen to other parts of the country, North America, and other parts of the world. I'm a little confused when we start looking into bills and looking into what may or may not be perceived in this bill.

[The Speaker in the chair]

In fact, I did have a couple of questions earlier that were asked and answered very well by the minister, where I thought that there were perhaps some holes to open up some problems in the future. But, really, what this is is a piece of housekeeping. It's not an enabling piece of legislation. We already have legislation in place where the BRIK program is being utilized. The Alberta Petroleum

Marketing Commission is already managing the BRIK program on our behalf.

What this bill does, I think, if we look a little bit deeper into the bill, Mr. Speaker, is that it refers back to the Petroleum Marketing Act from 2000, where we were allowing only three members to the commission or the corporation, that were appointed by the minister. In fact, all this is doing is allowing the minister to raise the number of members to seven. It is also improving the relationship and defining the relationship between the APMC and the minister. I would suggest that any definition of an effective government is one that creates an environment that's conducive to doing business and improving the benefits for all Albertans and all constituents. For us to take this and refer it back or hoist it and send it back to a committee is going to delay the process significantly.

Mr. Speaker, right now the oil sands in Wood Buffalo, or the Athabasca oil sands, are currently producing upwards of about 2 million barrels per day. We're at total capacity as to how we're going to get that product to market. BRIK is one of those enablers that is going to allow us to get the product to refineries, hence the partnership with BRIK and the North West upgrader. The projects that are going on right now with the XL pipeline and the eastern route and future routes to the west and to Asia are so, so important for us to hit the goals that we're trying to achieve and some of the projections we have as a province. It's integral to the future of this province as we have much more opportunity on our plate, and we're not going to reach our energy potential if we do not allow this to go through. I think any delays like that will only further have a negative impact on our energy potential.

Mr. Speaker, I can't support this amendment as it sits and will be voting against it. I would encourage my other colleagues to vote the same way. Thank you.

**The Speaker:** Hon. members, 29(2)(a) is available. Is there anyone?

Okay. Are there any other speakers to the amendment?

I see no other speakers. Are you ready for the question?

[Motion on amendment to second reading of Bill 34 lost]

**The Speaker:** We are back to the main discussion on second reading of Bill 34. Are there any other speakers to Bill 34?

I see none. The hon. Minister of Energy to close debate.

5:10

**Mr. Hughes:** Thank you very much, Mr. Speaker. Well, I very much appreciate the wide-ranging opinions of colleagues on this topic. There are a couple of matters of fact which I think would help inform the debate around this matter. I'd like to just try to address a couple of them in the couple of minutes that I have.

One is with respect to the question of the Auditor General. What all members will be aware of is that the Auditor General Act actually specifies that the Auditor General is the auditor for all agencies, boards, and commissions of the government of Alberta, so it would be redundant to include it in this legislation. This is simply cleaning up legislation that originally was introduced in 1974. So the Auditor General has a clear role. It is legislated. Certainly, in my experience dealing with the Auditor General, I think that the Auditor General is an important agent on behalf of the people of Alberta to ensure that there is good transparency and accountability in Crown corporations. So that's an important one.

There was a question raised as well about an annual report, suggesting that simply because it's not in the legislation, it's not required. That, again, Mr. Speaker, is not accurate. The requirement for an annual report is already in the Fiscal Management Act

of Alberta, and over and above that, of course, any board that is performing its fiduciary duties is actually going to be requiring an annual report addressing that quite directly.

There were questions about FOIP. Why is information unFOIPable for up to five years? This is essentially a commercial entity working on behalf of the interests of the government of Alberta, so there are commercial aspects to pretty much all of the activities of this corporation. That means that it is information that is very commercially sensitive, so that would be the underlying reason. You know, just as an aside, Mr. Speaker, that FOIP exemption already exists under the Mines and Minerals Act for similar information to the Crown and under the Natural Gas Marketing Act for similar information to the APMC. So this is not something that is new. This brings this act into line with other energy acts as well.

A question was asked whether or not the commission can look at projects outside of traditional oil, for example LNG. The APMC has the ability to look at all hydrocarbons, but today we only collect royalties in kind on conventional oil and on bitumen. The government, of course, could provide that direction at any given time as well because this is an agent of the government of Alberta that we're talking about here.

The APMC has been acting commercially on behalf of the government since it was set up by Premier Lougheed in the 1970s. The leader of the fourth party made reference, Mr. Speaker, to the fact that there are two companies today that are agents on behalf of the APMC on behalf of the people of Alberta. Prior to a year ago there was one company that was the agent, and that was actually Nexen. We went through a competitive process and determined that it would be in our interest collectively to have two agents. The APMC still markets some 10 per cent of the royalties that are received in kind in order to ensure that they are fully aware of market conditions and are in the game and acting.

So those are some of the high points, Mr. Speaker. What I would say is that this body, the Alberta Petroleum Marketing Commission, is actually an important agent acting on behalf of the province of Alberta and the people of Alberta. It is a vehicle that has really important strategic opportunities. It serves an important strategic purpose on behalf of Albertans. It helps ensure that we get value for our product. It helps ensure that we can use our strategic capacity if we need to; for example, the commitment that we made as the government of Alberta through the APMC to commit a hundred thousand barrels a day to the Energy East pipeline, to make sure that we actually get our product to the marketplace. These are important initiatives. They are strategically of great value to Albertans because when we get our product to tidewater, when we get access to tidewater, we get global prices, and then we move away from being dependent upon this circumstance we're in today, where we're dependent upon the price only within the North American continent. So this is an important diversification of our marketplace.

Mr. Speaker, there are many other aspects to this legislation. It's an important piece of legislation. This is updating it to ensure that it meets current standards in terms of the working relationship between the government and the commission. It's important to update the governance model. It's important to be able to add people from outside of government, who can then bring to the public interest the experience that they have from other walks of life, so that we get the best folks we can find and the best brains we can find to work on behalf of the Alberta interest.

There are many other aspects to this that I'm sure we'll get into, but I just wanted to put a couple of those points on the record, Mr. Speaker, so that we can focus on the real substance of the legislation.

**The Speaker:** Hon. members, 29(2)(a) is not available.

**Ms Blakeman:** I understand that.

**The Speaker:** If you're seeking a point of order or something – is that why you're rising?

**Ms Blakeman:** Well, under *Beauchesne* 482 I'm allowed to ask the member if he would entertain a question, and I would do that now, ask the member if he would allow a question from me.

**The Speaker:** I'm sorry, hon. member. Under *Beauchesne* 482?

**Ms Blakeman:** Yes.

If a Member desires to ask a question during debate, the consent of the Member who is speaking must first be obtained. If the latter ignores the request, the former cannot insist.

**The Speaker:** I don't know if that really applies, hon. member, when the member in this instance has risen to close debate.

**Ms Blakeman:** It doesn't say whether they are opening or closing. It just says, "If a Member desires to ask a question." I can ask, and if he denies it, that's it. Otherwise, I have to wait for another opportunity.

**The Speaker:** Hon. member, I don't have *Beauchesne* 482 in front of me, but let me just seek the advice of Parliamentary Counsel briefly and see if they have a precedent on this, and then I'll come back to you with a ruling in just a moment, okay?

Hon. member, Parliamentary Counsel has advised me in this regard to say that the opportunity for questions has come and gone. The minister did rise to close debate, so I regret that I won't be able to receive your question at this time.

So we have now closed debate.

Hon. Member for Edmonton-Highlands-Norwood, are you rising on a citation as well?

**Mr. Mason:** Yes, I am.

**The Speaker:** Is it a point of order? What is it? Clarification?

#### Point of Order Items Previously Decided

**Mr. Mason:** Mr. Speaker, under Standing Order 23 a member will be called to order if he, under (f), "debates any previous vote of the Assembly unless it is that Member's intention to move that it be rescinded." With regard to this the minister referenced the Auditor General Act, previously debated, of course, in the Assembly and passed, and indicated that the Auditor General would be automatically the auditor for this Crown corporation. But under section 11(b) of the Auditor General Act it says: "may with the approval of the Select Standing Committee be appointed by a Crown-controlled organization or any other organization or body as the auditor of that Crown-controlled organization or other organization or body."

So it is entirely optional, Mr. Speaker, and is not automatic by any means. It should be in the legislation. Thank you.

**The Speaker:** Hon. member, did I hear you correctly? I was straining a bit to hear. Is it 23(f)? Is that your citation?

**Mr. Mason:** Yes.

5:20

**The Speaker:** Standing Order 23 says:

A Member will be called to order by the Speaker if, in the Speaker's opinion, that Member . . .

- (f) debates any previous vote of the Assembly unless it is that Member's intention to move that it be rescinded.

Is that where you're coming from, hon. Member for Edmonton-Highlands-Norwood?

**Mr. Mason:** It is.

**The Speaker:** It's a point of order. Does somebody on the government side wish to comment on this before we decide how to move on?

**Mr. Denis:** Mr. Speaker, I would actually have to respectfully assert to you and this Chamber that there's no point of order here. My learned counsel, the Minister of Energy, had mentioned a particular item, but he was not debating that particular item, so I don't think that that falls under the purview of 23(f) of the Standing Orders.

**The Speaker:** Well, that would be my view as well. I was listening to what was being said at that particular time, so I don't find there to be a point of order. However, perhaps the leader of the ND opposition merely wanted to state his position on this and get it on the record, so it is now there.

Thank you for that, both members who've just spoken.

Let us now move on with the vote.

[Motion carried; Bill 34 read a second time]

### Bill 43

#### Alberta Economic Development Authority Amendment Act, 2013

[Adjourned debate November 18: Mr. Denis]

**The Speaker:** We have some speakers here. I believe, hon. Minister of Justice and Solicitor General, that on Bill 43 you have 19 minutes left.

**Mr. Denis:** I believe I've already concluded my remarks, Mr. Speaker.

**The Speaker:** Do we have other speakers, then, to Bill 43? The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Mr. Speaker. It's not often that I get a chance as a member of the Official Opposition and the critic for Enterprise to speak to a bill, but this afternoon is the opportunity, and I'm pleased to be here to do that.

My initial reaction to the bill was to not support it mainly because my constituents have sent me here to reduce redundancy and red tape. They told me to fight for no debt, for balanced budgets, to champion smaller government. They wanted me here because they know that, in their opinion, the current government is out of touch with what they think is the real world. That was my default response because I feel the same way about those issues. But I think that some good debate and, hopefully, some positive amendments will help win my support for it, because I'm inclined to now that I've read some of the reports that have been issued by this little group of very successful people, obviously very educated with a lot of experience. I think it's good for the government to have available to it people of this calibre, who are prepared to, in essence, give of their time to work on projects that the government

thinks are important. Hopefully, they are also open to influence from the Legislature itself.

[The Deputy Speaker in the chair]

My concern was with regard to redundancy. Is this little group doing things that are already being done in various ministries? Nevertheless, I think that theoretically the arm's-length approach has some merit, and I think that we should look at it on that basis. I think that we probably are getting some value for the taxpayer on money that's being spent on the reports that they have researched and produced, but I think we need to find a way to measure and verify that. You know, what I always say is: if you don't measure it, you can't manage it. I suppose the corollary of that is: if you can't measure it, you probably shouldn't be doing it.

I have some questions, and I hope that through debate and discussion we can have a fair exchange and an honest exchange because these are legitimate questions. Does the authority have a clear mandate? To whom do they report their stewardship? How are they held accountable for their, admittedly, relatively small budget? If they are providing sound suggestions and recommendations, are they being followed? If so, how and where? I'd like some examples. I think we all would. If they're giving good advice and it's not being followed, do we know whose feet are being held to the fire? As the Official Opposition we'd be glad to do that.

I'm hoping that we can develop an amendment around this concept of measuring the usefulness and worth of the various reports produced from time to time by the AEDA. To what use are they being put, and what is the real value? I think there's potential. In reading the reports, I see some things in there that have merit. I think I even sense that the government in certain ministries is attempting to act on some of them, but it's not clear, and I'd like that cleared up. I think that, perhaps, we all would if we're serious about looking at these kinds of things.

One of the amendments I'll be proposing will address the effectiveness of the authority by changing the sunset clause to ensure that any continuation of the enabling act comes before the House instead of being made behind cabinet's closed doors. Lively, intelligent, positive debate, as I'm sure we will have on this, is in the interests of democracy and good government. I think that as elected representatives we and our successors have a duty to our constituents to be open and transparent in reality, not just saying that. As well, by having a vigorous debate in the House, we can ensure that our constituents and the relevant stakeholders are engaged in the process and tell us how they think the authority is performing. It's important that all people affected or impacted by this remain involved in the democratic process. I'm confident that the other side of the House agrees with this.

Another amendment that I'll bring forward at the appropriate time shortens the length of time that someone can serve on the board of the Alberta Economic Development Authority. One way to ensure that new ideas and fresh focus and perspective are available to us is to ensure that we get new faces on the board from time to time so that we get these new ideas and new input. Shortening the length of time from 10 to seven years helps do just that while not losing the benefits that come from institutional knowledge and experience.

As I said at the beginning, although I didn't intend to support the bill, I am interested in the debate that we'll have, and I look forward to positive changes so that I can in fact support it. Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the next speaker, the hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much, Mr. Speaker. This is not a large bill and doesn't seem to be earth-shattering although I'll admit that I haven't spent as much time on it as I would like. It strikes me that what is happening here is that several different committees have reached – it's like those nesting dolls, you know, where you finally get those little babushka dolls down to something that's the size of a pea. What we had here was an executive that was part of the council, and the executive and the council formed a board, but it had a wider application, if I could put it that way. It strikes me that it's been quite narrowed now. So it's actually narrowing the membership of this.

Who am I talking to? The Minister of Enterprise and Advanced Education. Bill 43, Alberta Economic Development Authority Amendment Act: is that where we are? Okay. Thank you very much.

My question is: what was the thinking behind this narrowing of the number of people that are on this board? This is now bringing it to the Premier, the minister, and up to 12 others, and they are the authority. So there won't be any more executives, there won't be any council, and there won't be any board. They're all turning into one thing, which is a pattern with this particular government. They seem uncomfortable dealing with things that have offshoots to them or are multilayered. They seem to like everything to be very small, with only one person to talk to or one agency, a smaller board in this case, which might well be a good thing.

5:30

You know, as the other member said, reducing red tape, particularly for small and medium-sized businesses, is an excellent thing for government to be doing. There was a red tape commission that you guys had all set up for a while there. Whatever happened to that? Did it report, which would help me in trying to do this debate? Probably not.

**Mr. Mason:** It got mired in regulation.

**Ms Blakeman:** It got dumped in the regulation?

**Mr. Mason:** It got mired in the regulation.

**Ms Blakeman:** Oh. It got mired in regulation. Great. Yes. I'm not surprised.

That is the direction that government should be going in to be reasonable and not burdening people, but the point of this is to – it looks like it's supposed to be streamlining the organization. I'm just a little uneasy because this government has so often moved to make things less complex, but in fact those entities are complex. In making them very flat or with only person to report, then we actually have a number of things that are hidden or not responsive.

Given that the Minister of Enterprise and Advanced Education is the sponsoring member, I look forward to hearing his answer on that. You know, this is supposed to be an advisory body to the Premier and the cabinet, and now it is the Premier and an extra person and up to 12 other people. [interjection] Yeah. So that seems a bit odd, that they're giving advice to themselves, but this government has done stranger things.

It looks like it's trying to redo the mandate, and I know you've got all those billboards out there and all those signs about . . .

**Mr. Mason:** How great they are.

**Ms Blakeman:** Yes. I'm sorry. The slogan is escaping me, so I have to say that it can't be that successful. There was another one about freedom to succeed and something to dream. [interjections] Okay. I'm getting a lot of help from my colleagues. I'm sensing it's towards the end of the afternoon.

But it's not clear to me why the number of people that are available to give advice in this particular area has been reduced and seems to be made even more so that they're taking advice from themselves. Evidently, according to the briefing that we received, this will now take on the function of the Alberta Competitiveness Council. Honest to goodness, you guys, you know, if you could just do the work sometimes and quit creating another bloody committee, we could probably get more done here. Okay.

This is now trying to get rid of the Alberta Economic Development Authority and its provision of business perspectives and independent research and is now turning itself into the Alberta Competitiveness Council, or it is going to subsume it, and it's going to provide benchmarking information on Alberta's economic performance. Okay. So it's more of a measurement body and less of an advisory body. Wonderful. Then what kind of information is the public going to get on the performance, and are we going to get to see these metrics that they seem to be very keen on? It looks like it's basically administrative, but it still looks to me like it's controlled by the Premier. I'm wondering why they think narrowing the amount of expertise they're able to pull on in this particular example is a good idea.

Thank you very much, Mr. Speaker.

**The Deputy Speaker:** Standing Order 29(2)(a) is available.

Seeing none, I'll look for the next speaker. No other speakers?

I'll ask the minister to close debate. The hon. Deputy Government House Leader on behalf of the minister.

**Mr. Denis:** Thank you very much, Mr. Speaker. I would move that we close debate on Bill 43.

[Motion carried; Bill 43 read a second time]

## Bill 35

### Financial Administration Amendment Act, 2013

[Adjourned debate November 5: Mr. Horner]

**The Deputy Speaker:** Hon. Minister of Finance and President of Treasury Board, you have already spoken, so when you rise again, you will close debate.

I look for the hon. Member for Lac La Biche-St. Paul-Two Hills to speak.

**Mr. Saskiw:** Thank you, Mr. Speaker. It's a pleasure to rise here today to speak to Bill 35, the Financial Administration Amendment Act, 2013. This act makes a number of changes to the Financial Administration Act which will legislate changes in administrative practices and close possible legal loopholes. Whereas this bill makes no significant policy changes, these administrative changes would not be required if this province and this PC government had not passed the flawed Bill 12 in the spring and was not planning on borrowing significant amounts of money for infrastructure projects.

There are some aspects of this bill which allow the government of Alberta to issue all securities electronically. It clarifies some aspects of the Financial Administration Act which are unclear, and it is modernizing Alberta's borrowing legislation, that is driven by



the massive amounts of capital that this government will borrow over the next coming years.

Mr. Speaker, I think that this bill is being required by this Finance minister because of the new PC slogan, which is: debt is hope. I've been talking to constituents over the last several days during the constituency break, and I can tell you that they're not amused by that new slogan by this Finance minister. It's funny if you look at the comments that this Premier had prior to the election. I think her phrase was that debt is the end of many dreams or something like that. All of a sudden, after the election the saying is: debt is hope. When you put those two phrases together and you show those to Albertans, as I have in my constituency, they come to the conclusion that that's a broken promise. When you continually break promises like that, no one is going to believe what you say.

Obviously, this government has plunged Alberta back into debt. In a few short years they've almost completely vaporized our sustainability fund and are planning on incurring billions upon billions in debt. That's not surprising when your whole mantra right now in the PC Party is: debt is hope. I would suggest, Mr. Speaker, that this is a marked deviation from prior policies of the PC Party.

I recall that when I was vice-president of policy for the PC Party, there was absolutely no one that I spoke to in the constituencies that would have heralded the phrase "debt is hope." Debt is hope. I just don't think they would. This is a very big departure from I think what used to be some small "c" conservative principles that belonged in the PC Party but all of a sudden, under the leadership of this particular Premier, have changed. Obviously, that's probably going to be an issue on Friday. I think, Mr. Speaker, this bill in particular, in light of what the Finance minister has been doing in terms of incurring debt after debt, is perhaps needed to fuel that debt-is-hope concept.

5:40

Mr. Speaker, we need to look at needs versus wants. There may be a situation where the PC government wants brand new offices, but they may not need them. You can continue along those various examples and expenditures that have been made, and you'll see that there are a lot of wants that this government has looked at and not a lot of the needs. Of course, it's always a question of priorities, but we've seen again and again irresponsible spending, which results in a requirement for this government, apparently, to incur a lot of debt. Debt is, some people say, intergenerational theft. Debt is not hope, Mr. Speaker.

This bill does fix many of the technical issues that have plagued some stakeholders over time, but I think the main thrust of this bill, at least from what we can see here, is to give them more mechanisms to borrow, create the most creative ways to borrow money and incur debt. I think that as a Legislature here today we should not be pushing the mantra that debt is hope to anyone in this province, particularly young people, that debt is hope and you should go out and incur a bunch of debt.

Mr. Speaker, obviously, we have a fundamental difference in principles and values. On one hand, we believe in balanced budgets. On the other hand, on the other side of the House apparently the new mantra is: debt is hope.

We look forward to potentially putting forward amendments on this piece of legislation in Committee of the Whole, and I look forward to hearing that discussion. Thank you.

**The Deputy Speaker:** Thank you.

Are there other speakers? The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, I gather that the hon. Member for Lac La Biche-St. Paul-Two Hills believes that the government's slogan is: debt is hope. Would that be a fair statement?

I think that we need to distinguish how we deal with some of these questions because in many cases they are a difference in philosophy. But this government has gone back and forth in the time that I've been here. When I was first elected, the Klein government introduced legislation making it illegal for the government to run deficits or to borrow money, and I think that these are the good old days that the Wildrose still yearns for. In fact, it was illegal. I remember at one time there was a sudden drop in the price of oil or gas or something, and all of a sudden they were cutting programs, you know, for aboriginal kids because they suddenly didn't have enough money. If they actually went into a deficit, then the Provincial Treasurer would have gone to jail.

There's a real habit of each successive government – of course, then that was changed when Ed Stelmach was the Premier. It was no longer a criminal offence to go into debt. Then under this government, of course, they have begun to borrow money for capital expenditures, something that, actually, if you look across the country and particularly at the municipal order of government, is the norm for capital expenditures. A piece of infrastructure might have a life of 40 years, and by spreading those costs over 40 years, all the users of whatever generation make a contribution towards it. It's not something that we have a particular problem with although we are very much opposed as a matter of policy to running operational deficits and borrowing money for our own ongoing costs.

Nevertheless, Mr. Speaker, we do have a big problem in this province. While there's a certain amount of very obvious wasteful and unnecessary spending by this government and lack of controls over certain agencies and bodies like maybe the University of Calgary administration, there is a bigger problem. It arose out of the time, again, when Mr. Klein was the Premier and Stockwell Day was the Provincial Treasurer. You may recall that period. The price of natural gas was very high, and the royalties the province received as a result of that were very high as well. In fact, they peaked at about \$8 billion a year just in natural gas royalty revenue. During that period the government looked like financial geniuses. They couldn't walk down the corridors without hundred dollar bills falling out of their pockets, you know. They'd deliberately lowball the price in the budget, and then they'd come through with these huge, unanticipated – unanticipated in quotation marks – surpluses.

**Ms Blakeman:** Little air quotes: unanticipated.

**Mr. Mason:** Yeah. Little air quotes around unanticipated.

You know, they'd be very, very proud of themselves for what they had done by putting the natural gas in the ground in the first place. It was great foresight on the part of the PC government to do that. It was an interesting time.

So Stockwell Day comes along, and he's got this brainwave – it was going around in U.S. conservative circles; you know, these kinds of Republican ideas that conservatives just sort of sometimes reach out and grab – and the idea was a flat tax. The idea was: we'll get rid of the progressive income tax so that the tax rate is the same regardless of income. Then the next thing they did, to make that palatable, is that they also increased the personal exemption, so they were actually taking some low-income people off the tax rolls completely. We thought that part was good, but

the flat tax gave a massive tax reduction for the very richest people in this province.

We've actually run some numbers on this. I don't have them exactly before me. But if you make a million dollars a year, your taxes are thousands and thousands of dollars less in Alberta than they would be in, say, B.C. or Ontario. If you're a middle-income earner and you earn, say, \$70,000 a year, your taxes are hundreds of dollars higher than they are in B.C. or Ontario. So what the flat tax did was two things. It transferred more of the tax burden onto the middle class, and it cut government revenues by billions of dollars. But it didn't matter because we had those high natural gas prices, Mr. Speaker. Those royalties were rolling in, and the government just knew that it would last forever, so they cut taxes for rich people.

Well, then Stockwell Day went off on his Jet Ski to Ottawa, and we got a new Provincial Treasurer. Steve West replaced Stockwell Day – oh, boy – and he had another brainwave. I was just newly elected, and I went to an Edmonton Chambers of Commerce luncheon where old Steve was talking about what he was going to do. One of the things he was going to do with all of this royalty revenue was to cut corporate taxes, and he gleefully announced that to a very appreciative business crowd.

So the government has followed through on Steve West's vision – again, in air quotes – and has worked over a number of years to reduce the corporate tax rate from 16 per cent to now about 10 per cent. That also cost us billions of dollars, Mr. Speaker, but we had those natural gas royalties. They just knew it was going to keep coming forever, and there was just so much of it that they decided that this was a good thing. Never mind that the U.S. corporate tax rate is 30 per cent and that what U.S. corporations operating in Alberta don't pay to us, they have to pay the difference to the American government. When we lower our corporate income tax on American companies, we just increase the amount that they pay to the American government. So the American government really appreciates our move in this direction.

Then something terrible happened, Mr. Speaker. They found more natural gas – they found lots more – and the price started to go down, and our royalties went down. All of a sudden, since we walked away from these billions of dollars of tax revenue, it turns out that the natural gas royalty revenue was not permanent. The same thing subsequently happened to oil although the prices have been a little more stable, but there's lots more oil that they've found in the United States. It's going to be a net exporter before very long.

5:50

So now we're in a jam. I have heard different Finance ministers – in fact, I had in budget estimates another Provincial Treasurer who's no longer with us, Ted Morton, and I actually got Ted Morton to admit in the committee that we had a revenue problem. Of course, he also thought we had a spending problem. He actually did, and it's in *Hansard*.

**Mr. Denis:** Table it.

**Mr. Mason:** It's already a document of the Legislature. It's already there.

Anyway, Mr. Speaker, subsequently other Provincial Treasurers, including another in that stellar cast of characters, Ron Liepert, and Morton as well, have said that we have a revenue problem.

Fast-forward to the first economic summit. Not the second one in Edmonton because that was hardly a summit; it was just like a low elevation. The one in Calgary was pretty good. They lined up all of these guys on this panel to tell us that we needed a sales tax.

One after another they talked about a sales tax and how much better it is than raising taxes on rich people and corporations. Then the Premier started to talk about a sales tax, and the opposition kept building and building and building. It took her about two weeks before she said what every other Premier has said before her: we're not going to have any tax increases.

We're still now in the same old situation. We spend 30 per cent . . . [interjections] I know that Tories are happy. I can hear them thumping over there. I know they're happy with the situation. About 30 per cent of our program expenditures comes from nonrenewable, highly volatile royalty revenue. We are spending our children's and their children's inheritance. That money should not be spent on our needs today. It should be put away for all generations in the future. We should be paying for our own needs out of our own resources, which means that the government has to look at some sort of revenue.

What I would like to suggest is that they revisit the decisions of Stockwell Day and Steve West and restore those tax cuts so that we don't have to lay off teachers and nurses every time the price of oil goes down. I think we can do better than that, Mr. Speaker. I think Albertans deserve better than that. I think it can be done. The problem is that Finance ministers wait until after they're not the Finance minister anymore to talk about this problem. When they're actually sitting in that chair, they just zip their lips and don't say anything about it, and then the Premier stands up and says, "No new tax increases," and the Finance minister just looks at his shoes.

Mr. Speaker, we should solve this problem. Maybe after next weekend the Premier will find the courage to actually tackle this problem. I know the Wildrose will go nuts, but just think of all of those other Albertans that are getting their health care cut, that are getting their education cut. You know, there are seniors that aren't getting the care that they need. People with disabilities have had their programs cut. I think we'll say, you know: well done.

That's something that we've been talking about for a long time. We need to get our financial house in order, and we need to find the financial capacity to pay for the programs that Albertans want and expect. That means having Finance ministers and Premiers who will stand up and say: we don't have enough reliable tax revenue to pay for the programs that Albertans expect, and we have to do something about it. Then we can start putting away the royalty revenue from gas and oil, which is very volatile, into savings for future generations. That's the NDP plan. That's the way we will approach it. We want to have balanced budgets, pay for our own services that we require from a fair and competitive tax regime, and save the royalty money for future generations because it belongs to all generations, not just ours.

Mr. Speaker, if the government would do that, then they could bring forward a new act that we could call the sensible financial administration act or some other suitable title that would be approved by the Public Affairs Bureau. I do think that the kind of up and down, back and forth, debt, no debt, deficit, no deficit, taxes up and down that's been followed by this government in terms of their legislation has not served us well.

We need to have the courage to say that fair taxes and competitive taxes are something that Alberta needs in order to maintain the services, that we want to be sustainable in order to allow us to save for the future. That's something the government has yet to do. I want to indicate to them that if they go in that direction, then I'm sure they'll have our support. They may have the support of some other parties. I don't think they're going to have the support of all of the parties, Mr. Speaker. I would recommend that course of action.

Thanks very much, Mr. Speaker. I appreciate the opportunity.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available if anyone wants to ask the member a question.

Seeing none, I'll recognize the next speaker. The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Allen:** Thank you, Mr. Speaker. I recognize that we only have couple of minutes left before 6, but I had to speak to this because, quite frankly – I'm looking at the actual title of the bill. It's called the Financial Administration Amendment Act, which in itself is to do with the administration. I don't see anything in this bill here referring to taxes or debt or anything else. I would suggest that we need to actually read the bill a little bit further.

This is about bringing efficiencies to our bureaucracy. In fact, I think that by my standing here I'm going to be accused of not agreeing with this side of the House on everything. I commend the President of Treasury Board and Minister of Finance for bringing this forward. This is housekeeping. It's just keeping up with the times. After all, we're now in a digital age, and just because we govern in a traditional parliamentary sense, it doesn't mean that we can't bring our business practices out of the Dark Ages. I can remember when we first started using the fax machine, and that was considered a legal document. We had a lot of controversy and debate over that. This is just bringing us up to the times. In fact, we don't even use fax machines that much anymore because we all rely on computers and cellphones.

In our business environment today electronic signatures, forms, and certificates are considered to be a true representation of a business's or person's intention to be contracted. To enable these signatures and other identifying information as valid and binding on the Crown is important. It's good to see that the hard-copy, original signature is not always a requirement. It slows down the ability to transact, and at a time when there are so many projects requiring funding, we need to speed up this process.

I also agree that the minister is ensuring that those provincial corporations over which he does not have direct borrowing control must receive direction and conditions from the minister's office prior to entering into the agreements. That's important. It limits the possibility that these corporations may enter into agreements which may not be to the betterment of all of Alberta and further put the government of Alberta at risk.

In giving all of that, I just want to thank the minister for bringing forward this important piece of legislation.

**The Deputy Speaker:** Thank you, hon. member.

It is now 6 o'clock, and the House will stand adjourned until 7:30 p.m.

Hon. member, you may continue to speak after we return if you so decide.

[The Assembly adjourned at 6:00 p.m.]













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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Tuesday evening, November 19, 2013

Issue 70e

The Honourable Gene Zwozdesky, Speaker

## Legislative Assembly of Alberta The 28th Legislature

First Session

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## Legislative Assembly of Alberta

7:30 p.m.

Tuesday, November 19, 2013

[The Deputy Speaker in the chair]

**The Deputy Speaker:** Please be seated.

### Government Bills and Orders Second Reading

#### Bill 35

#### Financial Administration Amendment Act, 2013

[Debate adjourned November 19: Mr. Allen speaking]

**The Deputy Speaker:** Are there other speakers? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. I'm going to ask my colleagues to support this bill, but I will say, in contrast to what the Member for Fort McMurray-Wood Buffalo was stating prior to the break, that this isn't just a housekeeping bill. This is a correction bill. It would be housekeeping if the previous bill had been in force, say, for at least a fiscal year or maybe even a couple of years. What this bill is actually doing is correcting the mistakes that probably shouldn't have been made in the first place. Although I agree with it coming forward to close loopholes and to make some changes, the fact is that had we taken the proper amount of time and constructed the first bill properly, we certainly wouldn't be here today. Again, it's an argument of why we should not hastily craft and push through this Assembly a piece of legislation.

This bill, particularly, would close possible legal loopholes, which is something that is positive, and it's interesting listening to the arguments that were made prior talking about taxes and revenue, a little history lesson going way back, I think, to the late '80s of this Assembly, if not definitely the late '90s. What is a shame is what we're doing in the sense of borrowing. As you know, our party would not be very welcome to increasing taxes, and I suspect the party across the way is very hesitant to raise taxes, but it is still . . .

**An Hon. Member:** You never know.

**Mr. Anglin:** Well, all you have to do is get up and say so, and we'll have to hold you to account.

What we look at and what we focus on is the spending, and there's nothing wrong with looking to control waste and to reduce spending, particularly where we can get a bigger bang for the dollar and more efficiencies. To this government's credit they brought a couple of bills forward just recently talking about being efficient, and that is something that we would definitely support, but there needs to be accountability and transparency to be efficient. How do you measure that? How do you track it? These are the questions that were brought before the House earlier that we wanted to support, legislation where we can track the spending, where we can see the outcome and arrive at a conclusion that we're getting a big bang for the dollars spent. Although this is the Financial Administration Amendment Act, the fact is that it's all about financial administration. Not to get into the debate of the previous two speakers talking about increasing in taxes, we would be more focused on making sure that the spending was more efficient and that there was less waste and that there was a better value for every dollar spent, and I think that's something that all members of this House could support.

With that in mind, I'm going to ask, certainly, on this bill that we support it in the end. I'm not sure if anyone's bringing any amendments forward. I would evaluate that on its own merit if one came forward, and if it makes sense, I would support it, and if it didn't, I would go with this bill. I'd ask my fellow colleagues here in my own caucus to give this bill consideration, support the bill, and get on with the business of holding this government accountable to spending efficiencies, which is what I think we do best.

Thank you very much, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, I'll look for the next speaker. The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Speaker. I rise to speak to Bill 35, the Financial Administration Amendment Act, in second reading here. It's interesting that the government is looking at opening up a bill that this government just amended a few months ago under the Financial Administration Act. Clearly, the message to us and to Albertans is that they didn't get it right the first time, and they're hoping for another kick at the can. Now, clearly, we can see that the government is making up rules and legislation on the fly. They're poorly drafting bills, they're rushing them through, as we saw in our previous sitting, in our spring sitting, with extremely late nights, and they have no plan, very little strategy or clear picture on what they're trying to do and how to get there. So they're having to go back to fix previous mistakes.

The challenge with that, Mr. Speaker, is that at the same time that this government is trying to clean up their own blunders and make amendments to their poor drafting of bills, Albertans are unable to get a real, genuine, and valid sense of the financial health of the province. They're the ones that are bearing the cost of this legislative incompetence of the government. So a question that comes to mind is: how do we know that this financial management is being accurately reported to all Albertans when guidelines, rules, and legislation continue to change? It's challenging to keep up with.

A number of issues were raised this spring, Mr. Speaker, when Bill 12, the Fiscal Management Act, was brought in. If you recall, it was debated at great lengths. This amendment bill brings those issues back to the forefront, so I'd just like to touch on some of the concerns that we share.

One of the major issues with the act is that, again, it still does not provide for real, genuine savings, despite the government's claims. We've heard from Albertans throughout the province that this is something very important to them. You look at families in the province that will budget and make savings accordingly to plan for the future, and here we have a bill being reopened, yet there is still uncertainty around that.

As well, Mr. Speaker, given that it permits the government to scoop money out of the capital fund when they run a deficit by reporting only operational expenses, it simply just leaves this PC government with the power to hide the real problem and dollars rather than fix the real financial issues, issues that have been at the core for the Alberta NDP, which are addressing our extremely low royalty rates, the Klein-era tax cuts, and a clear lack of long-term planning.

So with a proper focus on getting Alberta's fair share and saving more appropriately, there would have been no need to make such a bizarre change in financial accounting because there would be no embarrassing details to hide, which really does beg the question that when this government continues to change the

way they present information, especially when we're looking at financial information, many Albertans begin to question and wonder: why the change, and what is the government trying to hide?

Mr. Speaker, the reality is that a lack of real, genuine savings means that this government has had to shuffle money around every time the price of oil doesn't meet our expectations. It's extremely difficult to plan properly when this government doesn't know what dollars are coming in and how to manage them. Money getting shuffled around, as we've seen even in the last few months, has very real consequences for our province and for Albertans in our province. We've seen this in this session, as the province made massive cuts – \$147 million, for example – to postsecondary education. Now, changes to the enrolment, changes to staff, programs, services have had a real impact on people's lives.

Then, at the turn of a hat, suddenly the financial picture changed, and they were able to put some money, again, only a third, back, although you might think they put it all back and then some, the way they were patting themselves and each other on the back. Unfortunately, while nobody in our postsecondary system is going to say no to getting some of the money back, these types of changes, where there's a massive cut one day and some money put back the next, again, have a serious impact on the lives of people.

7:40

I encourage my colleagues on the other side of the House to ask themselves: if they were a top researcher, would they take a teaching position in the province of Alberta if they wouldn't know if they have their job from one week to the next because they don't know if the dollars are there or not? If they were students, would they want to study in Alberta when they don't know if supports are going to get knocked out from under them one day to the next? It creates real uncertainty, and that's something that shouldn't be and doesn't have to be.

My point, Mr. Speaker, is that with proper planning and, again, a genuine conversation on our revenue in this province, these types of decisions and cuts and really playing with the lives of Albertans, you know, with the stroke of a pen or looking at the fluctuations in our world prices for a lot of Alberta's resources – that's asking too much from people in the sense that if there was a stronger long-term plan and there was adequate planning and resources and revenue, then these types of decisions wouldn't have to be made at the drop of a hat, again, having such a negative impact on so many lives of people in the province.

You know, Mr. Speaker, we support this act very cautiously, but we do support it for the reason that it does fix some of the technical mistakes that this PC government made when they originally changed the rules in the spring. I just want to end on the note that it leaves that bad financial management taste in the mouths of a lot of folks. This is what Albertans were complaining about, how this PC government is managing our financial resources. Again, this bill just illustrates very clearly that they couldn't get it right the first time, and again they're still scrambling to try to make changes. Like I said, it sends a message to Albertans as far as the competency of this government in managing Alberta's resources. So it's with a cautious . . .

**An Hon. Member:** With a heavy heart.

**Mr. Bilous:** Thank you for that. Yeah. Not necessarily a heavy heart, but with some hesitation I do support this bill. I think it's very important for the government to realize the message that this is conveying to Albertans and that there are still issues at the heart

of the matter that have not been resolved or addressed, like I had mentioned, the fact that we have a revenue issue and the government's refusal to look at ensuring that programs and services have a stable budget so that Albertan families can plan for the future. That is something that I strongly recommend to the government.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Hon. members, Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the next speaker. The hon. Member for Airdrie.

**Mr. Anderson:** Thank you, Mr. Speaker. Obviously, the Financial Administration Amendment Act, Bill 35, makes a lot of changes to the Financial Administration Act that will legislate changes in administrative practices and close possible legal loopholes. While this bill makes no significant policy changes, these administrative changes would not have been required if the province had not passed its flawed Bill 12 in the spring. It would also not be required, necessarily, if the province was not planning on borrowing significant amounts, billions of dollars, in fact, for infrastructure projects.

So although I will support this bill for administrative purposes, to make it easier for the government to do some things like allowing it to issue securities electronically and clarify some aspects under the Financial Administration Act that are unclear and so forth, I think it is very important in second reading here to have a discussion about – let's put it this way – what Bill 12 did and what Bill 35 as kind of an appendage to Bill 12 or a clarification of Bill 12 in certain spots does and about this government's extreme left-hand turn that it has taken with regard to our finances.

The Premier and her government warned Albertans, of course, that Budget 2013 would be historic. Indeed, it was, but it was historic for all the wrong reasons, Mr. Speaker. The back-in-debt budget, as it is now known, was shocking. The provincial government racked up its sixth consecutive deficit, with a real cash deficit if you include the infrastructure cost of \$5.5 billion. This government has also plunged our province back into debt. This year the provincial government plans on borrowing almost \$4 billion in debt. That number may go up; it may go down. I don't know exactly how the flood is going to be accounted for on the balance sheet with the feds putting in money and so forth, but as of Budget 2013 let's assume that the flood is evened out by the amount of money that is given by the federal government. It's \$4 billion in debt, and it essentially will double the provincial debt in one year from roughly \$4 billion to roughly \$8 billion.

What's more alarming is that this government plans to quadruple our debt to \$17 billion by 2016. In five short years this government has almost entirely vaporized our once \$17 billion rainy-day sustainability fund, and the heritage fund is worth less now, when adjusted for inflation, than it was when first established in 1976. It is literally the most incompetent squandering of wealth in this province's and possibly this nation's history. [interjection] The minister of office upgrades over there is laughing because he knows that he's contributing to this debt with his profligate spending and irresponsibility, and it's that attitude that has us in the mess that we're in.

Unlike the Premier, who didn't spend very much time in Alberta during the 1990s and early 2000s but now spends a lot of time disparaging those years of proud fiscal prudence and prosperity, I remember the Alberta advantage very well. Growing up in Alberta, in fact, at that time, Mr. Speaker, was great. The



schools that I attended in the so-called Dark Ages, that the Premier alludes to, were actually quite excellent. In fact, I received almost a year of free credits at a top U.S. college just because I happened to be an Alberta grad, for no other reason than that. [interjections] Holy, man. Are you okay with the hon. member, the minister of advanced education, yapping and snarling and . . .

**Mr. Anglin:** Sounds like an angry Muppet.

**Mr. Anderson:** Yeah. He does sound like an angry Muppet, doesn't he?

**The Deputy Speaker:** You've got the floor, hon. member, and I'm listening, so carry on.

7:50

**Mr. Anderson:** The economy was strong at that time and still is today, and it was creating jobs. Businesses were flourishing, and home values were appreciating. As a province we had a collective purpose. The majority of us, although, of course, I'm sure that the minister of advanced education and others weren't in this boat, were united in a goal to pay off our \$23 billion provincial debt and build a job-creating machine through low taxes and job-friendly policies that we proudly called at that time the Alberta advantage. The Alberta advantage was not a derogatory term, as the Premier sees it. It was something that we were very proud of and, I feel, should still be proud of.

In fact, it is not an exaggeration to say that the entire direction of our nation was profoundly altered for the better by a relatively small but principled and feisty province during that time. But as the Premier often says, that was then and this is now. In 2008 our province had almost no debt and \$17 billion in the rainy-day sustainability fund. By election 2016 we will have a \$17 billion debt and virtually no rainy-day sustainability fund.

We in the Wildrose have proposed a financial recovery plan to get the provincial budget back on track and to ensure the long-term sustainability of core social programs. Our two-year plan would eliminate the operating deficit immediately in 2013 and eliminate the entire cash deficit by 2014. It would prevent any new taxes or tax increases from being introduced without a provincial referendum, and it will implement a Wildrose balanced budget and savings act once the budget is brought back into balance and would restrict future spending increases to inflation plus population growth indefinitely and save some of our resource revenues for future generations.

The Premier contends that anyone who doesn't agree with her decision to go back into debt is an extremist, yet right before the 2012 election she stated: Alberta does not have a debt, and we will not incur debt; that is fundamental to what Albertans are proud of, and we are committed to making sure that continues. That's what she said before the election, but now, Mr. Speaker, after the election, debt is hope according to this Premier.

The ugly truth is that this Premier's views on structural debt have been discredited by the lessons of the ongoing world debt crisis. It is she and her party that are taking us back a generation. It is she and her party that have proven to be fiscally extreme. I find it a wonderment and absolutely amazing to tout this massive accumulation of debt. The Finance minister and the Premier will often say: we've met with the banks, and the banks and the experts in the banks tell us that borrowing money is good, that we should borrow as much as we possibly can. Really? The banks are asking you to borrow lots of money? This is shocking, Mr. Speaker. Absolutely shocking. I mean, with that kind of thinking it's definitely going to be the case that we are going to not just be \$17

billion in debt but many more billions of dollars in debt in the future.

Obviously, banks and construction companies and folks like that want us to borrow and spend as much as we possibly can. Clearly, they do. We need to make sure that we balance the requests of society and of our people with what we have. We need to live within our means. We cannot put building what we must have or what's being asked for time and time again on the backs of our kids. We can build what we need, Mr. Speaker. We can build what we need with \$4 billion a year, which is 15 per cent more than the average of the four largest provinces.

**Mr. Horner:** I thought it was \$5 billion.

**Mr. Anderson:** Fifteen per cent more. It's \$4 billion, and then it goes up over 10 years to \$5 billion with the rate of inflation and population growth, Minister. I'm glad you've read the document. [interjections]

**The Deputy Speaker:** Hon. members, the Member for Airdrie has the floor, please. Thank you.

Proceed.

**Mr. Anderson:** Anyway, we must not, Mr. Speaker, mortgage our children's future because we are unable to prioritize today. Four billion dollars a year for infrastructure is a reasonable amount. Yes, it means that a couple of projects will have to be put on hold for a year or two or maybe even three, but the great thing is that under a Wildrose government we will put up an infrastructure priority list.

**Mr. Dorward:** Free money.

**Mr. Anderson:** Free money, he says.

We will put up an infrastructure priority list that will be completely transparent, will be objective in nature, and every community will see every single request for infrastructure that has been made by the school boards, by communities, and so forth. They will be put in order. Everyone will see it, and then they'll know that when money is spent on infrastructure, that \$4 billion, it will go to the top projects. Those projects will be moved off the list into the being-built or built column, and everything else will move up. The city of Edmonton has such a list. The city of Calgary has such a list.

**Mr. Horner:** The Minister of Infrastructure has such a list.

**Mr. Anderson:** No, the Minister of Infrastructure does not have that list, Mr. Speaker.

**Mr. Horner:** It's on his website.

**Mr. Denis:** Just check the website.

**Mr. Anderson:** Just check the website. That's right. Just check the website.

**The Deputy Speaker:** Hon. members, please.

**Mr. Anderson:** Anyway, I know I get under their skin, and it's a pleasure that I have in life, but it is because what I'm speaking is true, and it bothers the heck out of them.

But you know what? The great thing, Mr. Speaker, is that we have a democracy in this province, and the false claims that were made and the false promises that were made prior to this past election I believe will be dealt with at the next election by the

people of Alberta. They know full well what's on the line this time. They know they've been manipulated, they know they've been told fairy tales by this Premier and this government, and they know that their government will have run up by then \$17 billion in debt, and that is unacceptable to them. They have put up and been patient with a lot, but they will not put up with and be patient with this government mortgaging our kids' future for their political gain and then allowing their incompetence to create the economic and financial havoc that it has on our balance sheet.

We're looking forward to that, but in the meantime we'll continue to remind this government of their obligation to keep their promises, just like the Premier said before the election: Alberta does not have a debt, and we will not incur debt. We will not incur debt, she said. How can this government justify what they're doing right now when they have the Premier on record saying that right before an election? It's a lack of credibility that this government has, Mr. Speaker, and it's because of mistruths and misdirection like that.

The government should be ashamed, and they should be ashamed that instead of saying that they're going to do everything in their power to get out of debt as quickly as possible and put out a plan and say, "We're going to build infrastructure, but we're going to decrease our debt over time and pay it back over time, and this is how we're going to do it," they attack the opposition, who is simply committed to the principles that were firmly established by Premier Klein in previous governments to live within our means. If they won't live within their means, a Wildrose government will, Mr. Speaker.

Thank you very much.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the next speaker.

Seeing none, the hon. Minister of Finance and President of Treasury Board to close debate.

**Mr. Horner:** Well, thank you very much, Mr. Speaker. I'm not exactly sure where to start. We had the hon. Member for Lac La Biche-St. Paul-Two Hills talking about that somehow the Progressive Conservative mantra is now debt is hope. They've taken two words and matched them together and decided that this is what will resonate as rhetoric with Albertans, again somewhat of the misdirection that they're known for, and that's okay. They can do that. I think Albertans see through that. Of the 12, 13 open houses I had around the province when we were talking about, you know, the way that we were going to build Alberta and build the infrastructure that we need, Albertans understand that we need to use all of the means necessary to us.

The hon. Member for Lac La Biche-St. Paul-Two Hills talked about operational deficits and capital deficits and cash deficits. You know what? I'm going to leave what he talked about because his colleague from Airdrie just filled the void. I have to maybe jump around a little bit here because I'm going to try to answer a few of them.

The Wildrose Alliance is trying to convince Albertans that they have a \$50 billion, 10-year capital plan that they will pay for with something other than what we are doing. They refuse to tell Albertans how they would pay for that. They simply say: we'd do it a different way. Okay. So let's look at the ways that they won't do it, Mr. Speaker. Well, they won't use P3s, started by Premier Klein because it was of value to Albertans, which has saved Albertans close to \$2.2 billion. But they won't use that. Okay. So they won't use that one.

**8:00**

They won't use capital financing because that's debt like you'd have on your house or your car or businesses would have on their warehouse. In the history's lowest interest rates we've ever had, when your savings and the Alberta heritage savings trust fund are earning almost double what interest rates are, they won't use that. They would rather take cash and plow it into – well, no, they won't do that either, Mr. Speaker. The hon. Member for Airdrie is on record as saying that it's terrible that we blew through \$17 billion of net financial assets and didn't get anything for it. Well, Mr. Speaker, we got assets for it. We built capital with it.

So if he won't use P3s and he won't use capital and he won't use cash, how is he going to pay for \$50 billion worth of capital over the 10 years? He's not telling Albertans. He's not being very open and transparent about that, and I'm a little concerned that perhaps they're talking about raising taxes in that land over there.

Mr. Speaker, we have the hon. Member for Edmonton-Highlands-Norwood suggesting that this Finance minister will talk about raising taxes when he leaves this chair. I have talked about taxes. I have talked about the fact that Albertans were very loud and clear with us: live within your means first, before you start talking about digging into our pocket.

We are going to do that, Mr. Speaker. In fact, we have had a zero per cent increase in our operating expenditures this year. That's the first time that's happened in a long time. Far below population and inflation, which is what the Wildrose Alliance suggests to Albertans they would do, which, again, is interesting because that would actually raise the budget from where it is today if we were to go to population plus inflation. I guess they're not telling Albertans all of that. So we've had the smallest increase in operating expenditures in memory.

He talks about the real cash deficit. Here's another piece that the hon. Member for Airdrie talks about a lot: change in net financial assets; we've blown through \$17 billion; somehow we didn't get anything for it. Mr. Speaker, \$5 billion of that \$17 billion was the unfunded liability growth in pensions. We're doing something about it. I haven't heard what they're going to do about it. And \$7 billion or \$8 billion of that is the assets that I spoke about earlier that we put in the ground. Those are schools, hospitals, and roads that we built with that sustainability fund.

So he talks about incompetence. Probably, I would suggest, the incompetence is not understanding what a financial statement is or good financial management, Mr. Speaker. The incompetence is coming from that side, not our side.

The hon. Member for Edmonton-Beverly-Clareview – love it. We won't tell Albertans what the health, financially, of the province is. In October 2013 the Auditor General released a report. I would encourage the hon. member to perhaps read some of it. On page 6, the sixth paragraph down – this is the Auditor General's report I'm quoting from, Mr. Speaker:

The fact that none of our auditor's reports on financial statements contained a reservation of opinion means that Albertans can be sure they are receiving high quality information from the government on the province's actual financial performance.

I would suggest to you that that's telling Albertans exactly what it is.

The other piece, Mr. Speaker, is when he says that the health of the province's finances must be in terrible disarray because we changed to this new system, this bizarre system. Generally accepted accounting principles have never been referred to as bizarre. The Alberta Chambers of Commerce and the accountants' association . . .

If the hon. member could remind me of the actual – what is it? The chartered accountants of Alberta?

**Mr. Dorward:** The Institute of Chartered Accountants of Alberta.

**Mr. Horner:** . . . the Institute of Chartered Accountants of Alberta have endorsed what we're doing, Mr. Speaker, and from the letters that I've received, in fact, we have had a lot of comments and kudos about the fact that we've separated the operating from the savings and the capital plan so that Albertans have an understanding of what we're actually talking about when we talk about operating, savings, and capital.

Mr. Speaker, this province has the strongest financial position of any jurisdiction in North America, bar none. That is borne out not by us but by the credit-rating agencies that rate all of those jurisdictions in North America. Triple A, and they would give us another one if they could. There is nothing wrong with the finances in this province.

When we talk about debt, the hon. members in the opposition, as I've already said, won't tell Albertans how they would pay for the capital. In fact, they're trying to hide it because \$5 billion taken out of our operating expenditures today when we had a zero per cent increase would mean a \$5 billion cut in core services, yet the hon. member talks about increasing core services, restoring them.

**Mr. Denis:** Which way is up?

**Mr. Horner:** Exactly, Mr. Speaker. There's no way to understand which way these hon. members are trying to lead Albertans or mislead Albertans. I'm not exactly sure which way it's going.

Mr. Speaker, he talks about an infrastructure list that the Wildrose Alliance would provide, you know, the capital plan. Well, I find it very interesting. Today their leader was talking about the signs that we're putting out there and how they're party colours and all that stuff, taxpayer funded. Well, I have a copy of their A Better Way to Build Alberta plan for capital. Note the colours. Those would be Wildrose Alliance colours. Note the big Wildrose Official Opposition on the front. This is a fabulous picture book. There are no dollar numbers in here, but it's a fabulous picture book. Somebody in here is maybe running for leadership; I'm not sure. There's a fabulous picture book in here.

Again, there is no list of priority assets in this thing. In fact, there's no list of assets in it at all. There's no list of construction. There's no list of priorities. There's no list of dollars. There's no explanation. [interjections] I hear a lot, but I don't see anything.

Mr. Speaker, just in closing, all of this over a piece of legislation that really is about ensuring that we can move dollars from one year to the next, that we can do things that bring our issuance of bonds and securities into the 21st century, that we can actually be more efficient with Alberta taxpayers' dollars. The opposition, while saying they're going to support it because they understand from the briefings we've given them that this is needed, that this is something we should do, take the opportunity to spew a whole raft of things that would just simply make Albertans think they must live in the worst place in the world. Yet everybody else is coming here because, we believe, we're the best place in the world.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. minister.

[Motion carried; Bill 35 read a second time]

### Government Bills and Orders Committee of the Whole

[Mr. Rogers in the chair]

**The Chair:** I'll call the Committee of the Whole to order.

The hon. Deputy Government House Leader.

**Mr. Denis:** Thank you very much, Mr. Chair. At this point in the evening I'd like to ask for unanimous consent so we could move to one-minute bells for any divisions.

[Unanimous consent granted]

8:10

Bill 30

### Building Families and Communities Act

**The Chair:** I recognize the Member for Calgary-Shaw.

**Mr. Wilson:** Great. Thank you, Mr. Chairman. I appreciate the opportunity. It feels good to get back into some committee work here. Let's talk about some amendments to some legislation. I'm not going to spend a whole lot of time with a lead-up as to what the purpose or the intent of these amendments is. I have shared them all with the minister, so I'm sure that his responses will be equally quick as to whether or not these will be accepted.

**An Hon. Member:** Did he get back to you?

**Mr. Wilson:** Unfortunately, I have not heard his thoughts on them, but I am quite excited to, so without further ado I will table the first amendment, Mr. Chairman.

**The Chair:** We'll just pause for a moment, hon. member, and have that circulated. If the pages could bring the original. Hon. members, this will be amendment A1.

Please proceed, hon. member.

**Mr. Wilson:** Thank you, Mr. Chairman. The intent of this amendment is quite simple. It is to ensure that the members of the council, whichever region they are being asked to serve in within the province, live or reside in the region that they are going to be asked to serve. If members could refer back to legislation and the sections that are being repealed from the Persons with Developmental Disabilities Community Governance Act, you'll find that this actually is right in there as what used to be subsection (3), "Each member of a Community Board must be a resident in the region for which the Community Board is established." So, quite simply, the intent of this amendment is to ensure that the individuals who are serving on these councils, which have great potential to add value to the work that the Human Services department is doing, are actually residing in the area in which they are operating to ensure that local decision-making is happening and is consistent with, I guess, the mandate and what the suggested mandate of this council is.

So, with that, I'd be happy to hear any response that the minister may have or any of my other colleagues.

**The Chair:** Thank you.

Speaking to amendment A1, the hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Chairman. I want to start by thanking the hon. member for the courtesy of providing me with copies of the proposed amendments. I believe it was yesterday afternoon, and I did have a chance to look at them as I promised I would. I want to be sure that he understands that I very much appreciate that because I'm always interested in ideas that can make bills and legislation in this House better, and I look forward to that. I would have to say and just let him know up front that, unfortunately, having looked at them, I'm not going to be able to recommend acceptance of any of the amendments tonight, and I'll be happy to provide rationales.

This one is one that I was tempted to say yes to because it is absolutely the intention of the regional councils that they come from the region. That is exactly what regional councils should do, reflect the nature of the region, reflect the demographics of the region. So every intention is to have members of the councils come from the regions. In fact, the hon. member has been good enough to create a parallel structure in the amendment that says “the desirability.” So it’s clear that it’s not a must; it’s desirable.

I would have actually no real problem with this particular amendment. I haven’t had an opportunity to get agreement from caucus or explain it to them, but I wouldn’t have any problem with this particular amendment, Mr. Chairman, because it is the intention that the members of the council would come from the regions that the council represents, and it would be the intention that the process of selecting them would involve applications from people within that region. The fact that he’s included the same structure, the desirability, means that if for some reason there was an exceptional reason why you’d want to bring somebody else in, you still could.

It’s a fairly friendly amendment. I would just say that I haven’t had the opportunity to consult with our caucus members, but I have no problem with the amendment.

**The Chair:** Are there other speakers to the amendment? The hon. Member for Edmonton-Decore.

**Mrs. Sarich:** Yes. Thank you very much. I would just like to perhaps ask, if I may, a question for clarification on this particular amendment. Should there not be an individual or member that would be appointed from the region or if there wasn’t enough of a pool of people available, what then? Maybe the minister or the person that is providing us with the amendment could provide some insight to that because there may be a time, Mr. Chairman, that somebody may not be available from a region, so the appointment may have to come from outside. Is there flexibility to allow for that, or would there be a different situation? Just a question.

**The Chair:** Hon. Member for Calgary-Shaw, did you care to respond?

**Mr. Wilson:** Sure, Mr. Chairman. I believe that, as the minister alluded to, the way the amendment is worded, it would allow for that exception if that were the case. It suggests that it’s desired that the individuals who serve on the councils are from the region in which they are asked to serve, but it in no way says that they absolutely must be. As all of us as elected officials I’m sure are aware, boundaries can change. It allows the ministry to change the regional makeup or where those boundaries lie without it necessarily meaning that they have to find a whole new board just because they’ve decided to change the region in which it serves. I believe that the intent is true, that it just suggests that if you are to serve on the Calgary region, that you should live within Calgary or the northwest region or wherever these regions are. At this point they’re not mandated or even listed in the bill, where the regions are going to be.

I hope that may appease your question. I’m wondering if the minister could even clarify because I had a little bit of confusion as to the way he started his response to this amendment and the way it ended. I was getting mixed messages, so perhaps some clarification if he could.

Thank you.

**The Chair:** The hon. minister.

**Mr. Hancock:** Thank you Mr. Chair. Certainly, the message I intended to convey was that I wasn’t going to be able to accept any of the amendments, but I should have ended it by saying: with the exception of this one. This one I don’t have any problem with because it is the intention. It doesn’t need to be legislated, but it is the intention that those councils come from the region. The way that it’s worded it reads “the desirability of,” so you could appoint somebody from outside the region if that was desirable for expertise reasons or whatever.

**The Chair:** Thank you, hon. minister.

The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I had that same mixed message. As far as I’m concerned, if the hon. member is going to accept this amendment – I stood to support it – then I would take it right to a vote. We can call the question on it and vote.

**The Chair:** I’ll call the question, then.

[Motion on amendment A1 carried]

**The Chair:** The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, hon. minister and hon. colleagues, for entertaining that and for incorporating it into the bill.

I will table another amendment if I may, please.

**The Chair:** We’ll have that circulated, hon. member.

For the record, hon. members, this will be amendment A2.

Hon. Member for Calgary-Shaw, please proceed.

8:20

**Mr. Wilson:** Thank you, Mr. Chairman. We talked in second reading about, and many of the other members in this House also alluded to, you know, the desirability and the mandating of having a co-chair who is aboriginal on each of these councils and that the co-chairs, aboriginal and nonaboriginal or whatever it is that the other co-chair is, have meetings. Now, the intent of this amendment is simply to increase the frequency of the meetings beyond once per year. I would be happy, if the minister would be so inclined, rather than to vote this through as an entire one block amendment, if we could perhaps go line by line to get an understanding of where they stand on each of the three suggestions here.

Again, my struggle with the intent of a piece of legislation like this is that if you’re going to have these councils and you’re going to present these councils to the Alberta public as a strong voice and a strong conduit of information between what’s happening on the ground level in communities and what’s got to happen through the ministry and the direction the minister should take, it just seems a little bit odd to me that it would only be mandated that the co-chairs and the aboriginal co-chairs meet together as a group once per year. It just seems like it’s a bit of a wasted opportunity, Mr. Chairman.

So the intent of this is simply to increase the frequency of those meetings to semiannually, or twice per year. I believe that my goal, as it were, if we were to look at which of these were most important to me, would be section B, which relates specifically to section 5, by amending it so that particularly the aboriginal co-chairs are meeting as a group more often, exactly twice per year. I think, as we can all accept, the situations that we find our aboriginal peoples in, their overrepresentation in a lot of the social impacts in this province could suggest that this could be needed and/or be a positive step forward.

With that, I believe I've stated the case as to why I believe that this amendment should be accepted. Again, I look forward to engaging with the minister further.

Thank you.

**The Chair:** The hon. minister.

**Mr. Hancock:** Thank you, Mr. Chair. Well, I appreciate the concept behind the amendment. Obviously, we want these councils to be effective, and to be effective, the councils not only have to meet in their own regions, but they also have to come together to compare across the province what's happening and to meet with the minister.

The bill as it's framed suggests at least annually, and I think one should be cautious about requiring or mandating more frequent meetings than that. They can have more frequent meetings than that, but if you start to pile them up and you say that the co-chairs of the council shall meet semiannually – that means three times a year, because biannually would be twice a year, so semiannually would be interpreted as three times a year – and then the aboriginal co-chairs would have to meet another three times a year, and then the minister and the co-chairs shall meet together annually, and the ministers and the co-chairs of all councils shall meet, that adds up to a lot of meetings outside the regions.

So rather than try and nitpick how many meetings they're going to have, I think we should be comfortable with the assurance that the act mandates, requires the co-chairs of the councils to meet together once a year, and the aboriginal co-chairs to have another meeting at least once a year, and each of those, either at the same time or in a different meeting, to meet with the minister at least once a year. That's a minimum, and it's appropriate to legislate in the bill the minimum amount of meetings. But to start requiring by law a multiple cascading of meetings makes life for everybody involved extremely complicated, and I wouldn't recommend it.

**The Chair:** Thank you.

The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Chairman. I guess this is why I opened by suggesting that perhaps we deal with each of these individually. You know, when you look at the way that the bill is currently written, section 4(2) says, "The Minister and all the co-chairs of all Councils shall meet together annually." It does not say at least annually. It does say at least annually in section 4(1). Similarly, in section 5(2) it says only annually. It does not say at least annually.

In my understanding of the way in which this is worded, semiannually would be two times per year. Parliamentary Counsel advised us that biannually would actually mean every second year. Again, the intent is just to simply make this, as opposed to only meeting annually – and, hey, if it were to say at least once annually, I'd be perfectly fine with that. But, again, that's not the way that the bill currently reads, which is why the amendment was suggested.

**The Chair:** Are there others? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I listened to the hon. minister, and what I'm concerned about is – I can understand not wanting to force unnecessary meetings, but what I'm trying to understand here, which would sort of form my opinion for either supporting or not supporting the amendment, is the importance of the actual councils and the importance of the co-chairs. As it's written, it talks about the opportunities and challenges throughout all

regions. To me, as I understand the wording of opportunities and challenges, these could be significant to the communities and these could be significant to the well-being of even individuals. What I'm concerned about is that if we don't pass this amendment and it's only a requirement that they meet once a year, could that have the potential to put an unnecessary lag before an important opportunity or challenge is addressed? That is how I view this.

Again, I understand both arguments, but what I'm more concerned about is to make sure that there isn't a long delay when there is something that is recognized and somebody is waiting to bring this forward. Could that happen under the way the bill is actually written now? That's kind of the question I have.

When meetings are normally called, the idea is that these issues and concerns are generally brought forth at every meeting. If I understand the minister correctly, there will be two meetings a year, but two different parties would be meeting once a year. These challenges and opportunities seem significant to me, to the point that I'm not sure that it's a burden to say: meet twice a year. If it is a burden, I'd just like to know why.

I think the whole intent here is to make sure that we have this consistency. So, as I look at it, having that extra meeting a year doesn't seem to be an imposition or a burden upon the council members. If it is, then I would like that explained so I understand it better, and maybe the other members here would. I think the whole key here is to make sure that if there are challenges that come forward, they are addressed in a timely fashion so that everyone else can benefit from this.

I'd be happy to hear from the minister on that very question.

**The Chair:** The hon. minister.

**Mr. Hancock:** Thank you, Mr. Chairman, I think it's important for us to reflect on what the primary role and function of the councils will be, and that is to engage their communities and discuss the social issues and the social impact on their communities. That means that we're asking volunteers to play a very dynamic role in their community. They will be meeting in that context, I would assume, with the school boards in their area, to have joint meetings there.

In Edmonton, for example, or the capital region area here we have a group that now meets together called the Joint Action for Children Committee. It's the school boards, the social agencies, and others. It's a great organization. They come together once a year to make sure they're all on the same agenda.

I would see community engagement councils performing a similar function in their regions. So they would meet with the school boards, they would meet with the health advisory councils, they would meet with the FCSS organizations, and they would initiate discussions in the community on issues of social importance to those communities. They would engage in the community. That's a fairly significant and active role that we're asking them to play.

I don't want to mandate in an act how many meetings they have on a provincial basis with the co-chairs. We want to make sure that they meet at least annually. We want to mandate and indicate that the minister will meet with them annually, and that happens now, I can advise, with the CFSAs, for example, and we'd want to continue that. There's no good reason why they couldn't have more meetings if they wanted to. But the focus of the engagement council is engagement of the community and the act of bringing together those voices and those discussions in the community.

I'm very conscious, having been on a number of volunteer boards, of how much of your life that can actually take. It's a balancing act, and rather than mandate that they have to meet that

many times – and I would clarify that it should be clear in the act that the co-chairs of councils meet together. That's all the co-chairs. That's the aboriginal co-chairs and the other co-chairs. Then there's a second annual meeting with the aboriginal co-chairs, which we're doing because we specifically want to highlight and understand that there is a particular focus that needs to be placed with respect to aboriginal communities. So that's already two meetings, and I really do not want to detract from the activity and the engagement in the local area.

**8:30**

Now, if the council co-chairs said that we needed to have another meeting, I can tell you that this minister would be very interested in having that extra meeting. I can't speak for all ministers; there will be other ministers in this portfolio. But I can say that that's something that we've always – I don't think I've missed a meeting that I've been asked to come to with the CFSAs, for example, as they've met. They've been actively engaged in the social policy framework discussion, and we've participated there.

We want to make sure that they're effective, that they have the ability to carry out their mandate, and that they play that active functioning role talking with all of the groups in their community that they need to talk with so that they can be well informed for a discussion to inform government policy, for example, and so that they can also work with the municipal governments in their area because there needs to be co-ordination in that area.

These are councils which will have a fairly broad mandate. Everything under Human Services will fall within their mandate, and that means there are lots of people to talk to. So to say that they have to come and talk to the minister, to me, two times a year as co-chairs and another two for the aboriginal co-chairs in addition to that, and perhaps some more, I don't think is prudent. If it wants to happen, it can happen, and I'd be very favourable to that. But I would like to see them get up and running and make those contacts in their community in their first couple of years at least, really embed themselves in the community, really become part of the social discussion in the community, and then we can see how often we have to meet to make sure that that input and that engagement is effectively contributing to overall policy and to the assurance role that they will have in terms of whether government policy and activity is actually hitting the ground in those communities.

**The Chair:** Are there others? The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you. Well, I must begin by saying that this is a bit of an awkward point for me to begin this discussion, having not been able to be here for the discussion in second reading and having assumed that the rather broad range of amendments that we'll be discussing tonight would have been discussed over more than one evening commencing at 8 in the evening. I'm now having to sort of start my discussion with sort of the overarching view of this bill, and of course, we're speaking to the amendment, so I can't. I have to speak to this amendment and sort of dive right in without giving a bit of context to why I have some significant difficulties with this bill.

In short, one of the problems that exists with this bill, to me, on first reading and second reading and, indeed, having listened to the discussion by the minister is that these councils are really not going to be terribly effective. They don't meet the needs of the people who work very hard within this community, who are looking for genuine opportunity for consultation. Really, they're extended sort of communications tools for the government. They

should really be run almost out of the Public Affairs Bureau. In fact, because of their structure, they're not in a position to really effect significant change; they're simply in a position to talk.

I know this minister loves to go around and talk with people about things, but when you're dealing with the critical, critical issues that are all lumped together under this Human Services ministry, a ministry which is basically overseeing that which is awkward and something that we'd rather limit the opportunity for people to talk about in the province, and you lump them all together and say that this council is going to be our way to engage with Albertans on issues of how we serve adults with pervasive developmental disability, how we serve children who are at risk, how we serve families who are at risk, how we deal with children's mental health, how we deal with poverty, how we deal with immigrant challenges for new Canadians in communities, how we deal with hunger problems in regions across – I mean the issues are gargantuan. Yet it's all wrapped up together under this Human Services ministry, and then these little cheerleading teams are going to set out into the community to talk and talk and engage and talk.

Well, you know, Mr. Chairman, I have been an activist my whole life. I've been an antipoverty activist my whole life, and I can tell you, speaking from that perspective, that going to meeting after meeting after meeting after meeting, listening to people talk around and around and around in circles with the same problems coming up year after year after year with nobody making any changes and the same mistakes being made over and over again: my desire to engage in that particular forum becomes extremely limited. The fact of the matter is that the way this minister is structuring this, that's exactly what's going to happen with his little cheerleading advisory teams.

To get back to the amendment that we're dealing with right now, that is particularly evident in this minister's response to this quite reasonable request by the Member for Calgary-Shaw to suggest that the minister might want to meet with these councils more than once a year. Given the significantly important stuff that they would be talking to people about and given the significant nature of these issues and the life-changing impact of these issues and the many, many, many different matters that now fall within his ministry's jurisdiction, the idea that they could meet once a year and give any kind of meaningful respect to the opinions of the activists and the advocates and the self-advocates and the community members within each community who actually in good faith choose to participate in this dog-and-pony show is just silliness. It can't happen. It won't be meaningful.

They have virtually no staff. They are volunteers. It's simply going to be an opportunity for people to sit in a room and talk and maybe an opportunity for these folks to promote the government's so-called record on it. That's all it's going to be. If you want these to be meaningful, then the fact of the matter is that the minister has to commit to meeting with these people more regularly.

There is no better example of how necessary this is than the train wreck of governance that we saw this spring when this government decided to take \$45 million away from the PDD budget. It was clear that there had been with these other boards that existed – and quite honestly I'm quite okay with that part of this bill in terms of what it does with the PDD boards. But the fact of the matter is that there was a much greater level of consultation going on there, yet it was a disaster when the government proposed to make a whole series of changes. Quite honestly, what I am hearing from people within that community, even though the draconian funding cuts have been taken off the table for the time being, is that they want an opportunity for meaningful consul-

tation and opportunities for collaboration in at least that sector, the PDD sector.

They will not get that meaningful collaboration and that meaningful engagement through the structure that is described in here. Under no circumstances will that happen. You would need to have working groups of key decision-makers within the government working with key stakeholders that the community has identified and have those people meeting weekly for probably at least the next six months in order to navigate their way through the debacle, the governance debacle, that this PC government created this spring with their top-down changes, or attempts at changes, to the PDD system.

So if you use that as a case study, Mr. Chairman, there is absolutely no way on the planet that this structure could accommodate that kind of change or the need for consultation that that kind of change generated. Under no circumstances could it. And under no circumstances could that be managed by the minister meeting with them once a year. I mean, that's just utterly ridiculous. There's just a complete disconnect from the level of engagement that the community is looking for on one hand and the level of engagement that is guaranteed through the mechanism described in this legislation on the other. There is no way this consultation structure can be anything other than an opportunity for a few hand-picked people to go out into a community and hand out government press releases, and that's pretty much it.

If they are only meeting once a year, then what's going to happen is that they'll come back and say, "Well, this is what these people thought about your press release, and this is what other people thought about your press release," and that's going to be about it. If it comes to rolling up your sleeves and actually sitting down to figure out how we can deal with some of these incredibly heart-wrenching challenges that exist in different communities across the province, there's utterly no way it can be done through the structure that this minister is proposing in this bill.

**8:40**

So I think there are a lot of changes that need to be made in this bill if the objectives that the minister says he wants to achieve are to be achieved. I think the amendment that was put forward by the Member for Calgary-Shaw is one very small example of the changes that need to be made in this bill. I think that, in fact, they probably just need to completely re-evaluate what they mean by consultation, what they mean by collaboration, and how it is they intend to engage in a transparent and predictable and reliable process of engaging with all those partners that they claim they want to collaborate with through their social policy framework.

If collaboration means that a hand-picked group of people get to meet with the minister once a year, well, that's not collaboration. If collaboration means that a bunch of other folks meet with the minister behind closed doors as a form of crisis management, well, that's hardly surprising, but then all that really is is a bunch of people meeting with the minister behind closed doors as a form of crisis management, with other members of community not knowing that it's going on and people being played against each other and all that kind of stuff that actually goes on in the community right now, quite frankly.

This act is about taking power away from the CFSAs, some of which had a great deal of staff and authority, and away from the PDD boards, which also had a great deal of staff and authority and probably too many resources, and centralizing it in the ministry. As a rule that's not necessarily a bad thing in order to ensure that services are more integrated and there's more co-ordination and that gaps are filled, so I have no problem with that model. However, if what we're talking about is providing a genuine

opportunity for the community to engage with the ministry after all that authority has been centralized, well, then you need to provide for a genuine opportunity for the community to engage, and this bill doesn't do it.

I suspect that the minister has heard from people within the community because I certainly have heard from people within the community that this is a million miles away from what they anticipated when they talked with the minister about ongoing consultation and ongoing engagement with the work that they do and working collectively with the government on that.

I would support this amendment because at the very least it allows for the possibility of there being more than one meeting a year with the minister. I think that's an incredibly modest and polite step forward, but it's better than where we're at now.

With that in mind, I would urge my colleagues to support this amendment.

**The Chair:** Are there others? The hon. minister.

**Mr. Hancock:** Thank you, Mr. Chairman. It won't be my habit to respond to everything immediately, but I think there are some very important statements that need to be responded to there. If this hon. member thinks that by creating these boards, that will be the only avenue of public consultation on any issue in the Human Services area, she's sadly misinformed. I certainly didn't inform her of that, so I'm not sure how she's been misinforming herself.

The reality is that, for example, there's an associate minister responsible for persons with disabilities, and that minister has had two tele town halls with families. I participated in one of those with him. I know that there has been a newsletter established directly for families and that there's a website available directly for families. The level of engagement with families of persons with developmental disabilities has gone up rather substantially since the concept of dissolving the boards and bringing the service delivery into consolidated regions was brought forward.

The hon. member and families can be assured that with respect to persons with developmental disabilities and their families, there's no expectation that their only line of communication with government would be through a regional council. The community engagement council is to engage on broader public policy issues and to keep the discussion going that was so very effectively started on the social policy framework and continued in *Together We Raise Tomorrow* and to understand that there needs to be an ownership of social issues in the community and it needs to be that engagement.

But I can assure the hon. member that when it comes to discussion on issues of service delivery, issues of policy importance within a specific field, that is not the only engagement process there is, and that's not the only communication. If she wants any evidence of that, all she has to do is look at the last six months – the last two years I'd say, but the last six months specifically – about the level of engagement. The associate minister has been on tour in the province twice, into communities, meeting personally with families in large and small groups. No one has been excluded. There have been meetings on the issues.

The Associate Minister of Family and Community Safety has already engaged with and had meetings with people involved directly in those areas. I have had and continue to have meetings with stakeholder groups and others directly involved in those areas. There is a lot of work that's being done in this area, and that work will not stop because an engagement council has been created.

But the engagement councils are a necessary form of ensuring that when we take away the board governance model of the

CFSAs and the PDDs, we don't lose the community governance aspect of engagement of community, informing government policy in that methodology, and the assurance that needs to happen with independent people in the community saying: "This is what's happening. This is how you're missing the mark in our community with the program delivery that you've got, and these are the holes that need to be filled."

So there is a need for both aspects of it, but we're not going to achieve that aspect of community engagement by forcing these councils to meet incessantly, either with themselves or with the minister. They should be allowed to set their pattern, their structure, what works in their community, how they will engage their community. But that will not be the full sum of engagement for any particular organization, group, or individual who is involved with any aspect of Human Services. I can tell you that we have a Premier's Council on the Status of Persons with Disabilities. I have an Occupational Health and Safety Council. I have a labour board, which provides some policy input from time to time. There's the Workers' Compensation Board, which provides policy input in areas. There are a lot of other ways of providing input to the minister and the ministry on social programs.

What this is going to do is to ensure that there is a community governance model which brings all of those voices, all of those active people – and Albertans are great volunteers, great participants in their community, particularly on the social agenda – together in a comprehensive way so that there's a comprehensive and co-ordinated voice from regions to participate in that discussion, not to be the exclusive owners of that discussion.

**Ms Notley:** I certainly appreciate the minister's input in this and taking the time to get up and respond although it does really sound like: well, on one hand, this bill is supergreat because it's going to accomplish all these objectives, but on the other hand, if you're worried that it's not really structured to accomplish all these objectives, we're also going to accomplish them in other ways, too. Then the question becomes, "Well, then, why the bill?" which, of course, relates to, really, "Why the bill?" and relates to the previous comments of the minister. [interjection] Absolutely. I'm fully aware of the consultation that occurred over the summer and into the early fall with primarily the associate minister and stakeholders in the disability community.

**Dr. Swann:** Crisis management is what I would call it.

**Ms Notley:** The Member for Calgary-Mountain View refers to it not as consultation but as crisis management, and he actually nailed it in that respect because it wasn't like the associate minister was out there meeting with families every day, touring the province before they decided to cut \$45 million to implement an assessment program that families had been promised would not be used to cut funding from their loved ones. No. This started after the fact because the outcry was so impassioned and so outraged at what it was that the government had done.

The fact of the matter is that this structure will not prevent the same mistake from happening again. The fact of the matter is that this structure does not accommodate the level of discussion that needs to go on, particularly in the face of this minister's – I can't remember if it's the framework or the moving forward or the antipoverty or whatever it is we like to call his discussion forums on any given communications day, where it talks about moving away from the provider of services to being the facilitator of services and working as a team with community members, including, you know, Safeway, to provide support to people who

are struggling with poverty issues in the province. When you start taking things apart like that and creating a patchwork collaborative model where everybody is in charge but no one is in charge, then meetings become even more critical.

**8:50**

Now, I'm not saying that these councils are those meetings. Clearly, they're not, and clearly that's not what the government intended. But I will say that the need for discussion and collaboration will increase. Just to be clear, there's nowhere in the legislation that requires the level of meeting that the associate minister engaged in this summer. It was the community and advocates for that community that necessitated that level of consultation after the government embarked upon a strategy which displayed a profound absence of consultation and awareness of what was going on in the community and how things worked. As I said, there's nothing in the way this structure exists now that would change and ensure that that didn't happen all over again because there's not enough opportunity for discussion through this mechanism for it not to all happen all over again.

Now, if this is not adequate for the level of consultation that is required to do the job well, fine. That's certainly one reasonable interpretation that one could apply to what the minister just said. The idea of people working in communities to get to know each other and to talk and to work through these things when nobody has any resources and nobody has any authority is naive. Those meetings will stop if it's just for people to sit around the room and feel good about themselves. These meetings occur and matter if people have decision-making authority or if they have resources. They stop very quickly if it's just about people sitting in a room singing *Kumbaya* over and over again year after year. That's really all this, unfortunately, allows for.

The other thing I was just going to point out is that, yes, the associate minister did do a lot of meetings and has a lot of ongoing relationships now being established with families. I don't see the level of regularity or structure having been established with the service providers as of yet, and that is a problem. One wonders what that is about and why there's not a similar level of co-ordination with those folks because in the absence of that you actually create a whole different sort of level of dysfunction.

It's great to have people go out there and pass out the minister's press releases, you know, every now and then, but I think he's going to find that these become as ineffective as many of their other councils. The minister mentioned the council on disabilities. We know that they at one point made a grand series of recommendations, about 10 years ago, almost all of which have been ignored and never to be replicated. Since then they just create little annual reports, which describe the meetings they have with people, which of course doesn't exactly amount to a particularly effective use of anybody's time.

I'm afraid that that's what we're really going to do here and that this really is more about looking like we're talking to the community and listening to the community than it really is about ensuring a structure and a mechanism to actually talk to and listen to the community. If it was about the latter, I am struggling to understand why the minister would be reluctant to allow the possibility of more than one meeting a year by the minister by accepting the amendment, which would just say: at least once a year. That's what the member was proposing, simply adding at least once a year rather than once a year. Yet that has been rejected because meeting more than once a year would be far too onerous.

My other suggestion would be, of course, rather than having people with disabilities, senior support issues, child mental health



issues, hunger issues, unemployment issues, poverty issues, labour issues, immigrant education issues all in one gargantuan ministry, perhaps the Premier ought to demonstrate enough respect for the importance of all the issues that are covered within that ministry to provide for more than one minister. Then the ministers would have time to meet with all the people they need to. That's just another idea, to actually have a minister, not an associate minister, who is responsible for these things.

Anyway, the fact of the matter is that at this point there is no way this structure will accommodate the level of communication that's needed to actually work with the community members, that these folks intend to download a good deal of the – I don't want to call it poverty prevention – community support work that is under the authority of this superministry. It's unfortunate that we're not looking at the very small change that was proposed just a short time ago, that is being deliberated on right now.

**The Chair:** Thank you, hon. member.

I'll recognize the hon. Associate Minister of Services for Persons with Disabilities.

**Mr. Oberle:** Thank you, Mr. Chair. The hon. Member for Edmonton-Strathcona is absolutely right. Absolutely right. This bill does not envision or codify the communication structure that is necessary – and I would add right – that has to go on. This bill does not do that. Considering that that's not the intended purpose of these councils, I would say that there's no reason why it should encompass all of those communications needs.

Now, I've held a couple of portfolios. My learned colleague and boss, I suppose, has held a lot more than me. I don't recall any specific piece of legislation that codified how many times I should consult with the stakeholders that were affected by my department, nor would I consider that a worthwhile piece of legislation. The fact of the matter is that if you're going to do your job, you have to talk to people. I certainly have endeavoured to do that in the corner of Human Services that I'm responsible for, and I know the minister has. The other associate minister has as well. I think everybody does that.

Now, Mr. Chair, that is absolutely not the intended role of these councils, and that's why that's not covered in this bill. She's right. It's not covered in this bill, nor should it be. While we're moving to strengthen regional engagement, a regional governance capacity-building and quality-assurance piece through these councils, at the same time my role as associate minister or the other associate minister of Human Services or the minister has other duties and other consultations to do, and we'll do them.

The fact of the matter is that you could argue that the fact that we had operational boards and actually still do until this legislation is passed and enacted actually probably hindered our consultations with families directly, our relationship with them. I think we've done a tremendous amount to heal that relationship, and I use that word kind of deliberately. I think we're done a tremendous amount. We post all kinds of information on the website that's designed specifically for families. We do a newsletter directly to families. I did the provincial tour. We've done teleconferences. I'm actually in the middle of a tour right at the moment. To me, to execute my job, that's what I have to keep doing. That fact that we're bringing the operations into the government strengthens my ability or some future minister's not only ability but responsibility to do that.

You just simply can't do the job without talking to stakeholders, particularly in this case with vulnerable stakeholders. When you make moves, you affect lives. I don't for a second downplay the gravity of this situation. I just merely point out that that is not the

intended role, nor given our experience with regional boards would I argue that that would be an effective role for those boards. I don't think it would lead to success. That's one of the reasons we're internalizing it. The other is – and I can certainly speak with some authority on the PDD side – that I have yet to meet anybody out in the community that thinks it's a bad idea to dissolve the PDD boards. The families are frustrated with the relationship with the boards. They want a relationship with the department, with the minister. I've endeavoured to give that to them, and, again, that's complete and separate from this bill.

So you're right. It doesn't enshrine that need to consult. It can't, and that's not the intended role of these committees.

**Ms Notley:** Well, again, I appreciate the associate minister getting up to discuss this as well. Again, to reaffirm what he's already stated, I do think that there's pretty much probably consensus across the board on the impact of this bill on the PDD boards. I think we all agree that the outcome as a result of this bill is a good one and that the PDD boards as they previously existed don't exist anymore and that the government is engaging more directly.

**9:00**

The concern I have is, well, first of all, going to the objective of the bill. It's interesting that we say that this isn't the objective of the bill, yet in the preamble of the bill, whereas – well, I don't want to read the whole thing, but really if one were to read the preamble, you would think that that was exactly the objective of this bill, to achieve all these grand things that the ministers now both have acknowledged cannot be achieved in terms of collaboration, communication, and consultation structures through the councils which exist in the bill. So it's interesting because if you read your whereases, one would actually expect then to see a rather involved structure flow from those to set up the kind of consultations and collaborations that would avoid – and we're using this as a case study, it seems – the occurrences of the last six months in PDD.

That's why I'm confused, because the bill purports at the whereases to do more than what it now appears both ministers are suggesting that it will do. That being said, though, I'm wondering if the minister can respond. He once again, similarly to the senior minister, talked about all the engagement with families, and that's good. It's never bad. It's always good to talk to families, and if you didn't know before, you know now that there is no more ardent a group of advocates than the families who are caring for their permanently disabled children, whether they be adults or not.

But we have a system where the front-line services are currently being delivered by a number, a huge range of service providers across the province, so my question is: what's happening there? Because obviously there have been some broken trusts and some bad relationships established with a number of different service providers across the province as a result of the conflicting messages that came out over the course of the three or four months after the budget was introduced.

I have heard from some of those, from a number of them – I mean, just so you know, I'm in contact with a broad range of those service providers – that they are interested in setting up a much more sort of crystallized, reliable structure for consultation and problem solving and dealing with some of the issues that the minister himself has raised in the past. For instance the whole issue: is IQ cut-off the right way to go or not? Are there people currently not eligible for services who should be eligible? Are we providing services in the most effective way possible? How do we deal with that growing number of people who are not currently eligible but we suspect ought to be eligible?

All those kinds of good questions which have been raised in the course of this discussion need to also be discussed with the front-line providers. What are the structures? What is the work that's going to be done to work with them? Again, if you look at the preamble of this bill, one anticipates that this is the mechanism through which that work would be done, and it's just a bit confusing that we've got a statutory instrument here. I mean, you know, I love statutory instruments. I love when we get to come into the Legislature and actually talk about legislation and then have something to point to over time. So I'm happy that we're doing this, but it's interesting that we have a statutory document in order to create a relatively small group of councils that have a relatively limited and infrequent role in this large endeavour we're engaging in, but we don't have a statutory document that outlines some of the more necessary mechanisms that need to be in place to actually get the job done, which are more complex than these little councils.

So my question to the minister is: what's going on, and what can we anticipate in terms of a regularized, predicable, transparent structure for problem solving with the front-line service providers that this government has developed a relationship with and reliance upon over the course of the last, you know, four decades of providing services to adults with developmental disabilities?

**Mr. Oberle:** Mr. Chair, the hon. member argues that she actually agrees with the bill. I think I should clarify that because they have the most backwards way of agreeing with something. I've got to tell you that.

Might I point out that in the preamble it says, "whereas all Albertans share the opportunity and responsibility to contribute to and benefit from Alberta's prosperity and quality of life." Well, by that statement, Mr. Chair, I think we should enshrine the royalty regime, the tax regime, and everything else in this bill if that's how that hon. member would fashion legislation. It states some higher order of principles of the fact that we believe Albertans have a right to participate, to belong, to contribute, to be engaged, and the part of that that's being addressed by this bill is the engagement councils. It doesn't say anything about the other engagement processes that are happening.

The hon. member mentioned another one, the relationship with service providers. Again, I would agree. Absolutely I would agree that there is a responsibility. I wouldn't agree with the member that the relationship with the service providers is at some broken level of trust because of – I forget the wording – four months after the budget. I don't agree on the cause.

However, I will agree that we had a less than desirable relationship with service providers, and I'm very happy to inform this hon. member that all through this spring I also engaged with service providers, including tele town halls, and the tour that I'm doing right now also engages service providers. I consider them to be valuable partners in this exercise.

That being said, there's another reason that the boards shouldn't be between us and the people that we have a relationship with. So we're setting these boards into a different role, one, actually, I might add, that they designed after years and years of experience. This report came up from the bottom, not us dictating how these new boards should be fashioned. The recommendations in this bill were passed to us by the CFSAs and the PDD boards working together about what a new role for them might look like.

We need to have a relationship with families and service providers, and we're putting ourselves directly in that role. This is a different role, one that the boards agree with, one that's going to be a very positive addition to the scene, and I urge all hon. members to support the bill, Mr. Chair.

**The Chair:** Thank you.

**Ms Notley:** Well, I just did want to quote one other clause in the preamble, which, you know, silly me, I took somewhat seriously and expected to see something that might be linked to it. "Whereas a co-ordinated approach to the delivery of social-based programs and services provides clarity among all partners on expected outcomes, roles and accountabilities," one might expect to see some legislative outline for how that might be occurring. That's what I was looking for from the minister because I think we've all agreed now that the councils will not be linked to that particular whereas. They may be linked to the "engagement of communities" whereas, but they're not particularly linked to the co-ordinated approach to the delivery of the programs and all that kind of stuff.

**Mr. Oberle:** No. It's linked to the dissolution of these boards.

**Ms Notley:** I'm not looking for boards. It doesn't need to be boards. What we need to know is how it's going to work because right now we have very precious little legislation about how this is going to work.

Now, we are going to get into that in more detail with our other amendments, but I just want to say that I still think the minister should allow for the opportunity to meet with these councils more than once a year. Just to be clear, nobody was proposing that we mandate more than two godawful meetings. I think the idea was that we structure it so that it's at least once as opposed to just once.

I'm getting nods from Calgary-Shaw that there was willingness to discuss that.

**Mr. Oberle:** It already says engagements.

**Ms Notley:** Not for all of them. It doesn't for all of them.

**The Chair:** The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thanks, Mr. Chair. I won't be lengthy. I just wanted to make a friendly amendment to the amendment to suggest that with the credibility and the shall I say strained relationship with these communities the government has an opportunity to build an extra indicator of wanting to build a more confident and structured relationship with these communities. My friendly amendment would be that you would be willing to meet at a minimum annually or more often as needed. That would simply send a message that you are not rigidly going to hold to an annual meeting. You are simply saying that at a minimum you would meet annually and that your doors are open and you are willing to meet more often as necessary. I wonder if the Member for Calgary-Shaw would accept that as a friendly amendment, Mr. Chair.

9:10

**The Chair:** Hon. member, it would have to be in the form of a subamendment. No, we can't just do a friendly amendment on the fly like that.

**Dr. Swann:** Okay. Let's call it a subamendment, then.

**The Chair:** Well, it would have to be prepared ahead of time and reviewed by Parliamentary Counsel, hon. member, but I realize good intent.

Are there others, or should I call the question on the amendment?

[Motion on amendment A2 lost]

**The Chair:** We're back to the bill. The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Mr. Chair. Again, in the spirit of trying to strengthen the bill and offer a stronger message to the community, I have an amendment here that I'll circulate.

**The Chair:** If you'd have that circulated, we'll just pause for a moment, hon. member.

Proceed, hon. member.

**Dr. Swann:** Thanks, Mr. Chair. Well, one of the strong messages that we've heard from a number of organizations, families, and persons with disabilities themselves is the need to feel that they have an influence and that they are actually being heard, their voices are actually being heard. This amendment to Bill 30, the Building Families and Communities Act, reads that the act be amended in section 2 by adding the following after subsection (3):

- (3.1) The membership of a council must include at least one member who has involvement and experience with
  - (a) developmental disabilities, and
  - (b) child, youth and family services.

This might be interpreted as too prescriptive, but frankly, Mr. Chair, what the community is looking for is a serious indication that their interests, their experience, their concerns are being addressed and honestly and effectively being communicated, and no one outside of individuals with these kinds of lived experiences can adequately communicate these. So it's an attempt, I guess, again, to add to the credibility of this bill, to the sincerity that is being perceived by the community in this bill, and it's a serious attempt to ensure that the voices and the experiences of families, individuals, and caregivers are being reflected in these boards.

Thank you, Mr. Chair.

**The Chair:** The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Chair. It's my honour to rise and speak in favour of this amendment. One would think that this condition or this proposal would have been included in the bill. Now, one thing that I've learned in my short period as a member is to never take anything for granted, and don't take the government at its word, or you will be disappointed quite regularly. This amendment ensures that there is representation from families in the PDD community or a representative who has experience and involvement in child, youth, and family services.

I think this is very, very crucial. Far too often, again, in my experience, this government will pass legislation that imposes changes on people or groups of people but then doesn't have any representation from the very community that they are imposing change on. Lord knows that there are many examples within the aboriginal community of bills that are passed that affect them where they don't have a voice or a seat at the table.

I think this amendment not only sends a message to communities or to families with, you know, family members or friends with developmental disabilities, but this also ensures that we have a voice and that experience at the table, which I think is very, very important, Mr. Chair.

You know, I would consider this almost as a friendly amendment. This is just clarifying one of the seats at the table of this council but, again, ensures that at least one voice is coming directly from life experience. I mean, they're coming from working in this field or having a family member with developmental disabilities. I need to outline, Mr. Chair, that they're going to bring a wealth of experience and knowledge to this because they've had to navigate through a system for however many years

accessing supports or knowing where to go to find information. I think the minister may be quite surprised or find it quite useful to have at least one member on the council having this kind of background experience.

I will urge all members of the Assembly to support this amendment.

**Mr. Oberle:** Just a friendly word of advice, Mr. Chairman, to the hon. Member for Edmonton-Beverly-Clareview, which would be that if you want to couch something and call it a friendly amendment and rely upon the co-operation of government to understand your point of view, then it's generally a bad idea to start off that argument by saying: in my experience the government can't be trusted, and nobody should believe a word they say. Generally, you know, that sort of makes people get their backs up a little bit. Then they can't understand: why on earth would I want to (a) listen to you and (b) co-operate with you? Then you start to talk about: in my experience. Relative to, for example, the hon. Minister of Human Services or the minister responsible for the Treasury Board, in front of me, that hon. member's experience amounts to approximately a week and a half.

You know, if you want to have a spirit of co-operation and generate some debate and co-operation here, then treat people with respect, which is what the rules of order of this House were designed to do. They're not designed to use words to insult people.

**The Chair:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I'm going to try to employ my skills with sensitivity training as I speak to this. [interjections] Come on, now. I'm working on it. I'm working on it.

Mr. Chair, with the greatest respect, I would actually ask the hon. member: is this too prescriptive? Now, we are looking at volunteers, in all seriousness. There's no question about it. Anyone who's been involved with volunteers – and I think most everyone here probably has at one time or another. The hon. minister talked about it earlier and the many boards that he volunteered to be part of. As everyone knows, if you get a volunteer once, you can overwork that volunteer very easily. But here we are trying to put in a requirement, when we look to get these volunteers, that at least one volunteer would have this type of experience.

Now, we don't set out in the amendment or there's nothing laid out in the amendment that says at what level that experience is. The way I interpret this is that what the hon. member is looking for is someone who has involvement and experience with – and it lists it out – developmental disabilities, with child, youth, and family services. To me, I think that gives the government a little bit of flexibility, but it also gives a little guidance when trying to put this committee or these committee members together.

9:20

I suppose the question I have is: would this limit you in actually finding volunteers, or is there enough of a pool of volunteers out there that you could reasonably say that you could easily find one member with some experience? That would be the overriding question here. You don't want to limit it so that you're turning away volunteers. Clearly, if you have the opportunity to get quality volunteers, particularly one quality volunteer on each of these councils, you would have a better ability to do much better work.

Again, the question for the minister is: would this language be too prescriptive, or can it be interpreted in a broader context, as

I've just described, which is that the minister himself decides what that level of experience is, what that level of involvement is to help pick or to assign the volunteers to this council? I'd be really curious about that. I suppose it's how you interpret it. Clearly, if it's interpreted in a very narrow, prescriptive way, it might be too restrictive, but if it's a broader interpretation – and maybe the hon. member who submitted it could reply – I could get a better understanding of how this would actually be implemented if it were accepted.

With that, thank you very much, Mr. Chair.

**The Chair:** Thank you, hon. member.

For the record, hon. members, we are debating amendment A3.

I recognize the hon. Minister of Human Services.

**Mr. Hancock:** Well, I'm actually pleased for the intervention from Rimbey-Rocky Mountain House-Sundre because I think that he's hit the nub of this. I appreciate that often in legislation government wants to build frameworks because that's what legislation actually does, and then within those frameworks you create the actual operating processes that happen. The opposition tends to want to be very prescriptive because this is where they get to debate the issues, and they like to have it itemized.

The hon. member has actually hit on the nub of a question. As you're putting together – and I have now a considerable amount of experience in trying to put together groups, committees, operating boards, advisory boards, and all sorts. You go out and try, as we do, as the act mandates – actually, I always forget the name of the act, the agencies and councils act. You have a competency-based process. You go out and invite applications. You go out and encourage people to put their name forward. Oftentimes you actually have to go out and recruit, particularly if you're looking for a chair for a particular committee. You want somebody who is actually going to be able to make it work and be able to devote the time.

It's a combination of things that go into actually putting together a good board or committee, and then you have to look at the balance of talents that you need to have. In the case of a regional board like this you have to look at the geographic balance so that communities are appropriately represented or at least have somebody on them. You have to look at the demographic balance. It's a real art form, actually. So rather than being prescriptive – you know, that's why the act is phrased the way it is – about “the desirability of achieving a diversity of qualifications, backgrounds and experience among members of the Council” and “the desirability of achieving a reflection of the demographic make-up of the region,” that speaks to precisely what we're talking about.

In a council of this type there are two main mandates. One is the community engagement, and one is the assurance role. You have to have talented people who are actually good at doing that, and then you have to balance it with the regional makeup and the demographic makeup. Then, of course, you have to actually have people who are interested in the topic, people who are actually going to invest their passion and their time, and that means that you are going to get people who actually are the people you're talking about: people who are engaged with developmental disabilities or with persons with developmental disabilities, people who are engaged with the child, family, and youth enhancement area but also people in other aspects of social issues.

When you get prescriptive, you often end up narrowing the talent pool, if you will, the people who are prepared to step forward to contribute, to a point where you don't really have the ability to put together the type of council which may be as effective as you could have. While I think the objective is laudable

– these councils should have people who are intimately familiar with developmental disability issues. If they're not a person with a developmental disability, then somebody who is perhaps a family member or has involvement and experience, yes, and they should have people who are involved with child, youth, and family services.

I can tell you that in a number of the consultations that we've had over the last couple of years in Human Services and previously, when I was Minister of Education, some of the most powerful input and advice came from lived experience. Bringing together street youth in Calgary to talk about education and what might have made a difference for them and what the barriers to success were: that was some of the most powerful input.

Now, I can tell you as well that the group of street youth that came together to provide that input were not going to be participants on any council we put together. They would participate when you asked them, when you engaged with them, when you made it an express opportunity for them to come and be participants, and I can say that about a number of other groups. I've met with a group of mothers who had intimate involvement with the child welfare system. In fact, in the whole group that came together all of them had children who had been apprehended and were wards of the government, and all of them had had intimate involvement with the child welfare system when they were youth and lived in as many as eight and I think in one person's case 12 foster homes as they were growing up.

The input and advice that they provided was absolutely powerful and invaluable. Their learned experience: just amazing. But, again, none of them were actually willing to be on a board or an agency. That wasn't where they were in their life.

I appreciate the idea that you should have the experience of people who have involvement and experience in these areas on the board, and I think you try to seek them out. You certainly try, when you're putting together boards like this, to get the best mix of people to bring both the capacities to engage the community and the capacities to understand whether you're hitting the ground with the programs, absolutely, and having lived experience on those boards would be something that would be a very valuable contribution.

Most important is that those boards could in fact engage subcommittees in specific areas and involve a broader group of people in their discussions and their processes. Certainly, they must be able to reach out and engage with those people who don't normally come in. That's a very important part of any engagement process. All of that comes together to make an effective engagement council and an effective what I would call a community governance model.

But being prescriptive at the front about how many people and how many meetings and all of the qualifications that go into selecting each of the members makes it difficult, in my opinion, to create the right kind of board for each region. Each region, in my view, will be different, actually, in terms of the makeup of the council. It might be different even in terms of the numbers. You might have to have a larger council to engage a broader group or to engage all the people that are available to provide their talent in one area and a smaller one in another area. The demographics, the makeup of our communities, while they have very similar issues across the province, they also have very distinct differences across communities. The makeup of a council like that is an extremely important and a quite difficult task, and one of the most difficult in this very active society that we have today is finding the people who are prepared to devote their time, passion, and energy to making this type of a council.

Particularly when you're on the leading edge of actually establishing and creating it, the first two years, I think, of really setting up community engagement councils are going to require a particular type of committed individual to make sure that they set up something that will have legs and will live on. Simply passing the act isn't going to mandate that. It's not going to create that. It will be created by the initiation process of member selection, of leadership selection, of working with them on mandates and understanding what the roles and expectations are in creating the relationships. That's all a very important part of this, and that's why while I understand the nature of the amendment and why it would be brought forward, I'd ask that you not actually be too prescriptive in setting up and doing this because of exactly the issues you raised.

9:30

**The Chair:** The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Well, thanks very much, Mr. Chair, and thank you, minister, for your comments. I would like you to take one more consideration of it in the same context that you would ask for a board in the automotive industry to be made up of people who understand automotives, in the same way that you would want effective membership on a health advisory board, that you'd want to have health professionals involved, in the same context that in terms of advising on a daycare operation, you'd want to have women with children.

This is an opportunity to say to this community: we recognize your unique expertise in this, and we are going to insist that your voices be at the table and that your voices be heard, subject to being able to find somebody that is able and willing. It is simply sending a message that I think would add to your credibility, to the sincerity of this bill, and, in fact, to the effectiveness of this whole process.

**The Chair:** The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you. A few comments. I almost did a point of order when the associate minister was up speaking with reference to the Member for Edmonton-Beverly-Clareview, but I decided I would simply wait until I had a chance to engage. On that issue with respect to the experience that the Member for Edmonton-Beverly-Clareview brings into this Assembly, let me begin by saying that he may look half the associate minister's age, but that is simply the benefit of good genes. It is in no way indicative of...

**An Hon. Member:** Where does he buy them?

**Ms Notley:** Want to go shopping at the same place, do you?

Anyway, the fact of the matter is that it has nothing to do with age. It has everything to do with experience, and the Member for Edmonton-Beverly-Clareview actually comes into this House with a remarkable level of experience, that I would challenge anyone over there to match when it comes to these particular issues. He's worked with children and youth at risk; he has volunteered with groups that work with adults with developmental disabilities; he's taught high-risk youth professionally; he's worked at the EYOC. I'll get to the amendment, but I need to respond to the suggestions and the points that were made by the minister without anyone suggesting that he maybe ought not to make them. I think that's kind of not well thought out, when one questions the level of experience that that member brings into this House because, quite frankly, members on the opposite side could benefit a great deal from his life experience and so, too, could these councils.

Now, on the issue of the councils themselves the associate minister also suggested that it was somehow inappropriate and that his feelings were hurt for the member to say that some Albertans don't completely trust this government when it comes to appointing representative people to boards and agencies. I would just say that, you know, we don't really have to go very far, Mr. Chair, to look at, oh, let's see, Alberta's premier environmental protection agency, headed by the former head of CAPP. This has to do with whether or not we should be providing directions with respect to who would be on these councils, and therefore it is relevant.

The fact of the matter is that when I tell people from outside of the province that our primary environmental protection agency is headed by the former head of the Canadian Association of Petroleum Producers, they are gobsmacked that such an incredible breach of good governance would occur. When I tell them that the chief operating officer of that organization just had his record characterized by a Queen's Bench judge, that went unchallenged by this government, as having overseen an unprecedented level of bias against environmental advocates who were opposed to industry in the department of environment, people are shocked.

The fact of the matter is that this government has a record which does not engender trust, and the associate minister – this is one of the things that comes with being part of a 45-year-old government that gets to administer \$40 billion a year. Sometimes people say they don't trust you. And you know what? You're just going to have to deal with that because that's your record.

Moving on to the issue of whether the amendment put forward by the Member for Calgary-Mountain View ought to be supported, we would support it. As has been stated, these councils are a replacement for both the CFSAs and also the PDD boards, and I have heard from many people in the PDD community in particular that they are quite concerned about their issues and concerns being overwhelmed by the quantity and quality of other very serious issues that are addressed through the former CFSA boards.

The minister talked about appointing boards with a demographic representation. Well, the fact of the matter is that demographically people who are disabled or have involvement with the disability community are not a large section of the population. Their needs are acute, and they must be respected, but demographically they are not as significant a portion of the population as, say, other demographic groups would be. So if demographics are what you're looking at, if the ability to engage community – i.e., have you worked for the Public Affairs Bureau in the last five years – are the criteria, well, then people in the PDD community are concerned that that voice will be lost.

Now, the fact of the matter, as I'm sure both the minister and the associate minister are aware, is that the previous community boards did have some members that were appointed by nomination from members of the PDD community. All we're suggesting is that there should be room for one representative person on these councils. Simply appointing people that the minister in his discretion and in the course of a 25-minute long explanation thinks will work well with the community because they're successful at engagement, I think is sort of the summary of what he said, isn't good enough, and it doesn't allay the concerns of those marginalized groups who happen to also be small in number. Let's remember that both the CFSAs and the PDD boards dealt with very marginalized groups.

So while, you know – yes, the minister is quite right. If they could, they would pass a law that says: the minister shall make laws in consultation with the Lieutenant Governor, and that would be the end of the Legislative Assembly meetings until the next

election. Conversely, the opposition would like to probably prescribe exactly what the minister wears to work every morning. There is a balance to be achieved. What we're recommending and what we are suggesting on behalf of all marginalized groups who are impacted by the work of the council is that there should be a guarantee of some representation on that council for those groups. This is hardly revolutionary.

I think it's a reasonable amendment to accept, and I'm quite surprised that the minister is being so insistent that he needs to maintain the discretion to not have at least one member from these marginalized groups on the councils. I wish that they would reconsider, because I certainly will be supporting this amendment.

**The Chair:** Thank you.

Are there others? The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Well, thank you, Mr. Chair. I will be brief. I just did want to throw my general support behind this, the intent of this amendment, anyway. As much as I respect the hon. minister's comments around the prescriptive nature of this, I think that my colleagues in both the Liberal and NDP caucuses have hit the nail on the head. What we're doing with this bill is dismantling PDD boards, CFSA authorities, and I think that this is an eminently reasonable suggestion, that our boards should have at least one of these individuals listed on them. I don't think it's an unreasonable request in terms of making sure that these are well-rounded councils that will be able to achieve the stated goals that we see in the preamble of the bill. I would just suggest that I will be supporting this amendment, and I would encourage my colleagues to do the same.

Thank you.

**The Chair:** Thank you.

Other speakers on amendment A3?

Seeing none, I'll call the question.

[The voice vote indicated that the motion on amendment A3 lost]

[Several members rose calling for a division. The division bell was rung at 9:39 p.m.]

[One minute having elapsed, the committee divided]

[Mr. Rogers in the chair]

For the motion:

Anglin	Notley	Wilson
Bilous	Swann	

**9:40**

Against the motion:

Allen	Fraser	McDonald
Bhardwaj	Fritz	Oberle
Brown	Goudreau	Olesen
Calahasen	Hancock	Pastoor
Cao	Horner	Rowe
Casey	Jansen	Sarich
Cusanelli	Jeneroux	Starke
DeLong	Kubinec	VanderBurg
Denis	Leskiw	Weadick
Drysdale	Lukaszuk	Webber
Fawcett	McAllister	Xiao

Totals:	For – 5	Against – 33
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[Motion on amendment A3 lost]

**The Chair:** Back to the main bill. The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you very much, Mr. Chair. Bill 30, as we've already discussed to some extent this evening, is named the Building Families and Communities Act, and we've spent a bit of time already speaking about what the preamble suggests that the act is trying to do. Of course, the name of the act is Building Families and Communities. The act deals with the PDD legislation, and it talks about "a co-ordinated approach to the delivery of social-based programs and services [that] provides clarity among all partners on expected outcomes, roles and accountabilities."

Now, Mr. Chair, I'm just trying to remember when we first heard about all of this. I think it was actually back in – sorry; I'm just checking for dates here – 2009 when we first heard about the tragic, tragic passing of Betty Anne Gagnon. Recently, when it came to the sentencing of the offenders who were convicted as a result of this tragic set of circumstances, new documents came out which talked about the system that was in place and some of the decisions that were made and the way in which these so-called community partners came together or, in fact, did not come together to protect Betty Anne from an incredibly tragic passing.

It was as a result of that evidence that came forward that I asked our staff to take a shot at drafting an amendment, which I am about to propose. In essence, the amendment is one – I said before that you can have a situation where everybody is involved but no one is responsible. This minister particularly likes to talk about everybody collaborating and working collectively and collaborating on particular objectives, but the Betty Anne Gagnon case is a clear example of where everyone is involved, but no one is responsible.

So I have an amendment that would deal with that, Mr. Chair, and I'd like to distribute it at this time.

**The Chair:** Hon. member, this will be amendment A4. If you would have the pages distribute that, we'll pause for a brief moment, and then I'll come back to you. Thank you.

Proceed, hon. member.

**Ms Notley:** Thank you. Now, in our offices we've been working on ways to bring about and to craft this amendment, and I do want to offer my thanks to our always hard-working research staff for putting this together because this was not a small task. Basically, I said to them: you know, what I would like to see us be able to do is to find a way to amend this legislation so that we can impose a duty of care on the government, which has now brought to itself all of the responsibilities that were previously delegated to the PDD boards, and to impose on that government a duty of care so that we don't have the situation where everybody is involved but no one is responsible.

The way in which this amendment goes about doing that is by amending section 8(5) by renumbering the proposed section 1.2 as section 1.2(1) and adding a reference to being able to establish developmental disability through the regulations by restating that "the director must develop a plan in consultation with the adult, the adult's family or guardian, or existing service provider" so that the disabled adult is clearly and statutorily included in the plan development process and by then adding section 1.3(1).

**9:50**

I mean, I will say that it may be possible that some drafters could come up with a better approach to this than we did. We put a lot of work into it, but I'm not saying that it's the best approach. What we essentially did was that we went to the family enhance-

ment and child protection act and amended the duty-of-care language that is found there. It basically lays out the situation that if the director, who is named under the act, receives information in the form of a report or any other allegation that an adult is at risk or is endangered or is neglected or in need of care, it imposes on the director an obligation to take action.

Now, Mr. Chair, there is nothing that the tragic, tragic case of Betty Anne Gagnon does better, I suppose, than demonstrate the need for this government to accept ultimate responsibility for ensuring the basic health, safety, and well-being of those Albertans who are not able to assure that themselves. When it comes to adults in this province who are unable to care for themselves for reasons as identified in the draft that we're proposing, there is a potpourri of mechanisms in place. They may be able to rely on their family, they may be subject to the public guardian, or they may, as in the case of Betty Anne Gagnon, simply fall through the cracks.

Now, I suspect most people here remember the details of what happened to Betty Anne, but suffice it to say that she had been subjected to months and months of cruelty and neglect before she finally died as a result of that cruelty and neglect. What is particularly compelling for the discussion that we're having right now are the documents that were disclosed at the sentencing hearing of Michael and Denise Scriven. One of the documents states that on September 23 there's a note by the PDD worker. I guess I should back it up a little bit. In February of '09 the developmental disability worker received phone messages from Betty Anne's sister saying "that she is no longer able to care for Betty Anne & needs her out by March ... She states she has been caring for [her] for 3½ years w/out support & can't do it any longer." She says "that she is very stressed" and unable to care for her.

Similar calls are made to the PDD worker about a week or two later where "Denise states she is in a state of emergency & not able to care for Betty Anne anymore. She would like to see her move into a group home ... [She's] desperate for supports & firm on her March 31 deadline." There are so many here. It states "Betty Anne cannot cook" and requires 24-hour support and that she has no approved funding or supports at this time.

So this is something that staff with the government are aware of and is reflected in their documents. They're aware of these facts, yet nothing changes. Then there are two or three calls from family and, ultimately, from the caregivers themselves saying that they can't take it and that they are worried about their safety, and I believe there's a threat of suicide in there. Throughout all of this the PDD worker takes notes, makes an attempt to find a place, is unsuccessful at finding a place, then loses contact with the family, then closes the file.

Now, Mr. Chair, if this file were brought into this Assembly after a three-year-old baby had been found in the circumstances that Betty Anne had been found in, people would have been fired, ministers would have resigned, and I'd like to hope governments would have changed. The fact of the matter is that if that history had been brought into this Assembly, all of us, I think – I do believe all of us – would have been devastated. How can that happen?

The fact of the matter is that Betty Anne ultimately had very few other resources at her disposal, and her situation was not terribly distinguishable from – well, I shouldn't say from a three-year-old. I think it was about maybe a six- or a seven-year-old. The government knew she was in distress, they knew she didn't get the support she was needing, they knew she was in danger, and nothing happened and nothing was done.

This proposal that we are putting forward would clarify that. The minister can talk about collaborating and sharing responsibilities with people in the community, and all that kind of stuff all he wants, but there must be a final place where statutory responsibility for the health and well-being of Albertans who cannot care for themselves finally rests. That does not exist in legislation anywhere. It's our view that this is a change that has to be made and that is long, long overdue in this province.

The amendment would state that if the director receives information that an adult with a developmental disability is endangered or neglected and is in need of care, the director must investigate unless the information is unfounded or malicious or provided without reasonable grounds. It defines endangerment as when the adult has been or is at risk of physical abuse, emotional abuse, sexual abuse or that the guardian of the adult has subjected the adult to cruelty, unusual punishment, or unusual treatment or that the guardian of the adult is unable or unwilling to provide the adult with the necessities of life.

Subsection (3) states that if the director's investigation finds that "the adult is endangered or neglected and in need of care, the director must take whatever action . . . appropriate, including the provision of services and supports, to ensure the safety and personal dignity of the adult."

The most appalling aspect of Betty Anne's case is that the department was aware that her family was no longer able to cope. They also knew that she required 24-hour support but was not receiving those funds or supports. This is one of the most appalling parts of this whole story. Then we find the department losing touch with the sister, and nobody driving out to check on the sister, and the police not being called to check and see how Betty Anne was doing.

This is not, ultimately, a failure on the part of government staff. This is a failure on the part of the legislation and the responsibility that exists in legislation at this time because the fact of the matter is that right now there is no clear set of authorities, there's no clear responsibility in legislation, so ultimately everyone is involved and no one is responsible. That's the legislative framework that exists right now in this province.

In response to the situation PDD sent an explanation to CBC news, and they said: oh, well, PDD can arrange an inspection of a family home if someone thinks there's something wrong. But the fact of the matter is that that only actually occurs where someone is living with paid workers. There's an opportunity and an ability to inspect where someone lives with paid workers. There is no similar opportunity or ability to inspect where someone is living with family.

It's interesting to note, Mr. Chair, that in fact the government is moving more and more to family-managed care arrangements. The limited safeguards that exist now like the Protection for Persons in Care Act don't apply to those situations, so where someone is worried about the well-being of an adult with a developmental disability who's in a group home, the PPIC mechanism can be triggered, but it can't be triggered where someone is living with their family.

**10:00**

This is, I know, a very meaty amendment and proposal for change, but this is the opportunity to bring it forward. I mean, I know that there's a judicial review or a fatality inquiry, I believe, still to come on this matter, but I think that the documents that have been disclosed through the criminal process are adequate to highlight that we have a systemic problem in this province right now. Rather than wait for another tragedy to occur, we are currently in the process of making major changes to our PDD

legislation, so now would be the time to seriously consider injecting this duty of care into the legislation in order to ensure that we don't have a repeat of this tragedy. Right now there is nothing in legislation that can prevent it in the future.

I'm hoping members of this Assembly will join me in voting for a change that will change that and ensure it doesn't happen again. Thank you.

**The Chair:** Are there others? Speaking to the amendment, the hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Chairman. I do want to speak briefly to this proposed amendment. I appreciate the spirit in which the hon. member brought it forward. I am constrained somewhat in engaging in debate in the manner that she has simply because I don't believe the appeal period has actually expired yet on that particular case. But I would say this. This bill, Bill 30, is not actually intended to be a substantive review and amendment of the PDD act. It really is about dissolution of the board and the necessary amendments to the PDD act to change the board governance model, with one additional exception, and that is taking the opportunity to do a bit better alignment of the appeal processes.

While there might be some suggestion that there needs to be or could be or should be an in-depth review of the PDD act itself, I wouldn't want to do that piecemeal, and I certainly wouldn't want to do that on an ad hoc basis. I think that would be something that one really ought to engage – the hon. member in a previous suggestion talked about the need for direct engagement and involvement of the people involved and their families, and that is something that should be done. A review of the PDD act, and it might be an appropriate thing to do, should actually be done after some fairly intensive consultation with the people involved.

So I would be reluctant, first of all, just having seen this at the moment and not being able to review how it fits into the act and how it might impact. That's why I often say to members opposite – and I appreciate that they're reluctant sometimes to share amendments because often it's difficult to discern between those amendments that may be just sort of political in nature and those that might actually be intended to enhance the quality of a bill. But I do say in good faith always that if you share the amendment ahead of time, I can review it with people. And sometimes I mean to get permission of caucus, but most of the time what I'm talking about is to say: how does this fit into the structure of the bill, and how does it work with the bill? Amendments can cause problems. I have had experience with that, where you haven't had a chance to actually take a look at how they fit into the bill.

You know, I appreciate the sentiment of the member in bringing this forward. I think that I can give her some assurance that there has been a significant review of the matter and the tragic circumstances that she's raising and the learnings from that with respect to operations. I think, as always, there's a lot more behind the story in terms of all the things that happened than might be encompassed in one agreed statement of facts. But I'd say to the hon. member that I'd be happy to take a look at this amendment not in the context of this bill because that's not what this bill is for but in the context of whether we should be talking about a more thorough review of the PDD act and perhaps whether it needs some modernizations and some learnings. Certainly, when that happens, I would be happy to have input from the hon. member.

I would also say that I think the meat of this amendment is something which I can say is practice in terms of when calls come in. While I can't recommend accepting this amendment in the context of this bill, I think it's certainly something that we can

look at as we go forward, to say: how do we inform and improve practice, and what of that needs to be embodied in legislation? That's something that we would certainly want to look at going forward.

**The Chair:** Are there others?

**Ms Notley:** Well, as I say, I do appreciate the fact that it is a somewhat meaty amendment that we're putting forward. As the minister is fully aware, we have a small staff and we've been scrambling to write amendments on all the bills that have been brought forward. I believe this one only got final approval a couple of days ago. Those time constraints are the kinds of things that lead to amendments being brought forward without enough consultation.

That being said, it's not really about that. It's about the principle that we're trying to inject here. It's about the issue of – and I'm going to say it again. The minister is going to hear it from me a lot, a lot, a lot over the next, well, probably the next few years. His social policy framework talks about government being less of a funder and a regulator and more of a partner and convenor. That's the phrase that I love to pull out of the social policy framework. This case is the perfect example where if we're all partners and convenors, then the cracks just grow wider and more and more people fall through them, and Betty Anne is one of those people.

You know, we did engage in a very detailed review of the trustee and guardianship act. I think it was in 2008 or 2009. I was on the committee that did that. One of the things that we failed to do at that time was to impose a positive obligation on anybody where there was an issue of safety with somebody who's not equipped, for reasons that are described in this amendment, to preserve their own safety and their own health.

Now, the minister said that that's not what the purpose of this bill is, and it is interesting because I do have another amendment coming forward, but this bill is more than just setting up the councils and eliminating the PDD boards and changing the appeal process. We're also repealing sections of the act which identify the minister's role to provide strategic direction, set standards for services, co-ordinate the provision of services, ensure reasonable access, promote the inclusion of adults with developmental disabilities, establish policies to ensure consistency of services, and allocate funding and resources. Those are all pieces that are no longer going to be in the act because of this so-called . . .

**Mr. Hancock:** Because they're not needed anymore. It defines the role of the minister and the role of the board.

**Ms Notley:** Well, the minister says that it's not needed for there to be any statutory obligation for him to ensure reasonable access, promote the inclusion of adults, establish policies, allocate funding and resources.

As one who's done the ever-so-rare judicial review application, back in the day when I actually practised law, I do know that in order to actually compel the government to do a thing, to bring a writ of mandamus against the government if they fail to do something, one needs a piece of legislation that actually puts a positive duty on the government. I appreciate that the government would like all pieces of legislation to be enabling so that they could fulfill their duties entirely on a discretionary basis. However, that's not what we believe, and I don't think that's what most Albertans would believe.

I think most Albertans would like to see the government say: "You know, you're right. We have to take responsibility for these most vulnerable citizens in our society who are represented by the tragic case of Betty Anne Gagnon." We need to act better, and it



can't be discretionary, and it can't be a question of internal bureaucratic practices. There needs to be a statutory obligation on us as the recipients of the collective decision to ensure that our most vulnerable citizens are always going to be cared for. That's why this section is required.

**10:10**

So I would argue that the act is not quite as cosmetic in these other areas as the minister would suggest and that, instead of backing away from the minister's positive obligations to do things like allocate resources and provide reasonable access, what we should be doing is embracing the minister's obligation to protect people like Betty Anne now and in the future.

**The Chair:** Are there others? The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Chairman. I really want to say thank you to the Member for Edmonton-Strathcona for bringing this amendment forward. It's timely. It's accurate in what it is intending to do. And I think that under the circumstances, considering that there is a piece of legislation in front of us that is dealing with the PDD system and the way in which it operates and that there will be a director put in place to oversee and this director will be in contractual obligations with clients and service providers across this province, that it is eminently reasonable to include a list of actions that that director needs to be accountable for and, ultimately, the government needs to be accountable for.

Just as a response to the minister's comments about how he understands the intent and sees that there would be value in having something along this line if they were ever to open up the PDD act, you know, I think that this is a perfect time to include something like this. If the hon. minister feels that he needs to have his caucus approval and/or discuss this with his caucus, I would suggest that we adjourn debate on Bill 30 right now and he take the opportunity to have that discussion with his caucus.

At the end of the day this is incredibly important. We've already seen and witnessed in this province what the results can be without something like this in place. I understand the precedents of the House, and I know that we're not supposed to necessarily talk about the case, but the reality is that we have a situation that we need to deal with. I think that what the Member for Edmonton-Strathcona and the NDP caucus has come up with here deals with it. As she suggested, it may not be the perfect wording, but perhaps the minister can take this away and find a way to incorporate this into the act because, quite frankly, I think everyone in this House and everyone in this province doesn't want to see another tragedy like we did. If we're not doing everything in our power to ensure that we do not, then I believe that we're failing Albertans.

I would with that conclude my comments on this. Again, well done, member.

**The Chair:** The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you very much, Mr. Chair. I rise to speak in favour of this amendment and to highlight some of the points that my colleague from Edmonton-Strathcona made. I think we have an opportunity here that would be quite tragic, in all senses of the word, if we passed it up. This amendment, you know, has a very sobering and quite tragic example of Betty Anne Gagnon. I think that this amendment is crucial and that the opportunity that lies before us is one where we shouldn't pass it up. I do respectfully disagree with the minister that this bill doesn't open up the PDD act. I think that, again, we have an opportunity.

I think that this amendment has two very important parts to it or it amends section 8(5) to accomplish two very important things. First of all, it indicates that a plan to provide services to an adult with a developmental disability must be developed in consultation with the adult, his or her family, their guardian, or existing service provider, which is one of the ways that we can ensure that there will be a plan in place, that there will be an adequate plan in place, an acceptable plan in place but also that the caregiver or adult or their family have provisions and a voice in ensuring that their loved one is properly taken care of.

The second very important part to this is establishing that duty of care. You know, I do really want to impress upon all members of the Assembly that this definition of duty of care that I'll go through shortly was derived from the duty of care to children requiring intervention services, and that is in legislation in the Child, Youth and Family Enhancement Act. The definition of duty of care is based on that, on existing legislation. It was not something that was just drafted in the flash of a moment, and I think it's something that is very crucial.

I'll speak again about the tragedy that befell Betty Anne Gagnon, which should not have ever happened. It's quite shocking when one learns the details of how there were numerous attempts or cries for help, which were largely ignored, again, not by the front-line government workers but by the fact that there is and was no policy to ensure that it didn't happen and that there was adequate follow-up.

Again, with the current definition or how it's defined in this amendment, it basically states, Mr. Chair: "If the director receives information . . . that an adult with a developmental disability may be endangered or neglected and is in need of care, the director must investigate." There is a clause there: unless the information is unfounded or malicious or provided without reasonable grounds. That might calm some of the concerns that members may have that the director will have to act, you know, if grounds are provided that seem quite unreasonable. But it does ensure that there is action.

As well, in this amendment, Mr. Chair, there is a definition of endangerment or neglect because, again, we ought to be very careful in this Chamber when we're passing bills to provide definitions of terms that may be interpreted in several different ways. In this amendment endangerment or neglect is defined as: the adult has been or is at risk of physical abuse, emotional abuse, or sexual abuse; the guardian of the adult has subjected the adult to cruelty, unusual treatment, or unusual punishment; and the guardian of the adult is unable or unwilling to provide the adult with the necessities of life.

Further to that, Mr. Chair, subsection (3) states that if the director's investigation finds "that the adult is endangered or neglected and in need of care, the director must take whatever action . . . appropriate, including [providing] services and supports, to ensure the safety and personal dignity of the adult." This provides a very, very important fail-safe mechanism. I want to reiterate, Mr. Chair, that we've already had a major tragedy in this province because there wasn't this type of legislation in place to ensure that that wouldn't happen, and I believe it's our duty as legislators to do everything within our means to ensure that a tragedy like what happened to Betty Anne Gagnon does not repeat itself. Again, I urge the minister to reconsider his position in accepting this amendment on the grounds that we have an opportunity before us right now to amend the current bill as it sits to include this.

When I go through the story, it's quite appalling how this happened, and I think it's of utmost importance that we do what we can to ensure that this doesn't happen again. You know, the

most appalling aspect of this tragic case is that the department was aware that her family was no longer able to cope with a family member who required 24-hour support but was also not receiving approved funds or supports from the department, but nothing was done to ensure that she received the care and supports that she needed in order to sustain life and to continue.

**10:20**

As my colleague from Edmonton-Strathcona pointed out, there are documents dating back to February 11, 2009, that show that the department was made aware that her caregiver was no longer able to continue providing care and would need a new arrangement. Again, from February 11 till March 31 the information was repeated on numerous dates. In fact, on February 18, 2009, the department was made aware that Betty Anne, who the department knew required 24-hour support, was being left alone for hours, unfortunately, when her sister had to work and couldn't take care of her.

**The Chair:** Hon. member, if I may, just a little bit of caution. I think the minister mentioned earlier that there may still be some appeal. This matter is still at some stage before the courts. I'd just caution you, maybe, on some of your detail. If you would speak in general terms, I think it probably would be wise.

Thank you.

**Mr. Bilous:** Sure. Okay. Point taken, Mr. Chair.

As we move forward with the calendar and look at the events and how they transpired, my point is that the flags were raised, and the alarm bells were going off. There were numerous opportunities for the department to take action. They were aware of what was going on, yet because there isn't a plan in place or through legislation requiring action, she fell through the cracks. Again, I do want to note that this was not a failure or an oversight on behalf of the government staff. I'm not laying blame in any way, shape, or form to those front-line service providers.

The issue here goes back to the heart of this amendment, which is putting duty-of-care requirements into this bill. I think that's the point that I really want to drive home today, Mr. Chair, that again we have an opportunity. This is an amendment that – well, for lack of better words coming to my mind at the moment, I mean, it's very, very crucial. It's very necessary. It puts in place safeguards for future situations so that they do not repeat themselves as in this case. I think, you know, especially when we look at the fact that duty of care already exists in other legislation, it is clearly defined. The definition that we've put forward is based on existing legislation.

We have an opportunity to improve this bill and, again, to send a message to families and those affected with developmental disabilities that the tragic case of Betty Anne Gagnon will not repeat itself in the future. I urge all members of this Assembly to strongly consider and support this amendment.

**The Chair:** The hon. associate minister.

**Mr. Oberle:** Yes. Mr. Chair, I'd just point out that the purpose of the act that we're debating is to establish these engagement boards. The purpose of the particular clause that we're trying to amend right at the moment is to remove that role from the boards back to the government under the care of a director.

Now, insofar as restructuring those engagement boards, I'm pretty confident that – we've held consultations out there. We talked about it in every public meeting we had, as a matter of fact. The members opposite pointed out numerous times in the last few discussions that consultation is pretty well key. This amendment

would have us modify the PDD act beyond the establishment of the councils. It actually modifies how the disability services system functions. While I don't for a second negate the intention here, I am really reluctant to agree or recommend to this House that we do that without having consulted on what the new act should look like. The members opposite will know because we talked pretty freely about what our intentions are: seamless, you know, birth-to-death delivery of services based on need rather than diagnosis, all of things that we talked about. Obviously, it requires a much more well-thought-out approach to renewing the act and other associated acts than by way of an amendment here in these short hours. For example, in this case the duty of care doesn't fall just to the director. What about the disability worker?

I think this is a much bigger issue, and the renewal of this act, which I don't for a second deny has to be done – I don't think this is the time or the place to do it. So I'm not in favour of this amendment, and I would recommend the same to the House, Mr. Chair.

**The Chair:** Are there others speaking to the amendment?

**Ms. Notley:** Well, I would just simply say that ultimately the duty of care, as with children, should rest with the director. The last thing that I would want to see is a fractured duty of care, split up between a nonprofit provider over here and a for-profit provider over there and a family member over there. Ultimately there needs to be one place with the duty of care. That is the critical part of this, Mr. Chair, because otherwise we end up with a situation where everybody is involved and no one is responsible. That points to an issue that the minister here is aware that I had with respect to his changes to the Child, Youth and Family Enhancement Act, that we were diluting the duty of care there.

In my view, there needs to ultimately be one place. There can be delegation, but that delegation needs to be done very clearly under the terms of statutory authority. You can't simply put the duty of care in a whole bunch of different people, particularly when you have as fractured a system as we currently have in place for the provision of care for adults with developmental disabilities in Alberta. That's why it's imposed on the director. That is very intentional and very thoughtful, and we think that's the way to go.

As for the issue of consultation, it's true, you know, that it's the kind of thing that could potentially benefit from consultation, but something that this government has often done and has often used in the past is: we can pass the act now, and we can consult before we proclaim it; we can consult on the regulations, and we can consult on the process of implementation. Indeed, there's a long list of acts that never were proclaimed because consultation ended up showing that that wasn't the way to go.

Now, I'm not suggesting that would be the case here because this is a very narrow thing. This was not the subject of the consultations over the summer because that was about a very different topic. People were very, very worried about the impending significant loss of funds for their loved ones, so they were not talking about this issue. That does not make this issue less important. I think that if you were to go into a room of people, whether they be members of the PDD community, service providers, self-advocates, families, or interested citizens, and run them through what happened with Betty Anne and say, "Did you know that we actually have no statutory regime for anyone being responsible ultimately for the well-being of Betty Anne or someone like her?" they would be shocked, and they would think it was a good idea to move forward on establishing such a provision.

**The Chair:** The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Mr. Chair. I'll speak briefly on this recommended amendment. Having heard the discussions back and forth, I guess it's very clear to me that this duty of care – and one could also call it, I suppose, a responsibility to report, followed by action – is very clearly stated in terms of children and child abuse issues. There's no question, whether this has been explicitly raised as a feature of this act or in any other context of consultation with people who are vulnerable, that there is no one who would not accept this as a standard and important and vital part of any bill that purports to provide service, care, and assistance to people with disabilities.

At the very least, whether or not it fits into section 8(5) in this bill or not, I think it prudent and very astute if this government were to at least adopt the statement that if the director receives information in any form on abuse or neglect, the director must investigate an act. It's that simple. Even a preamble or incorporating it into the early aspects of this bill would send a very strong message to the community that this government takes it seriously.

10:30

Again, it's a question of sincerity. It's a question of credibility. If this government wants to build credibility and a real connection, meaningful engagement with the very community that it says it wants to serve with this bill, this is an opportunity to simply at least put in a statement. The review of the act is going to be how long? One, two years or more? This is an opportunity, I think, to at least put in a statement, including that important reframing of family and community care, that this government takes it seriously, that it recognizes that there's an absence of this duty of care and requirement to report, and that by identifying it early, even if not fleshing it out, there is a clear communication that this is a responsibility that they take, that it's delegated, and that the government can be held accountable for it. The director can be held accountable for this. It sends a very strong message, I think, to this most vulnerable community, that has a difficult time being heard, a difficult time feeling seriously engaged and responded to. This would send a very good message, I think, that would add to the government's ability to engage and to work in a progressive way with this community with this new act.

That's all I need to say, Mr. Chair. I think this is something that could enhance the bill, could enhance credibility, could enhance the relationship with this very community and in a very simple statement recognize a gap in existing legislation.

**The Chair:** Thank you.

Are there others?

Seeing none, I'll call the question on amendment A4.

[The voice vote indicated that the motion on amendment A4 lost]

[Several members rose calling for a division. The division bell was rung at 10:33 p.m.]

[One minute having elapsed, the committee divided]

[Mr. Rogers in the chair]

For the motion:

Bilous	Rowe	Wilson
Notley	Swann	

Against the motion:

Allen	Fawcett	McDonald
Bhardwaj	Fraser	Oberle
Brown	Fritz	Olesen
Calahasen	Goudreau	Pastoor
Cao	Hancock	Quest
Casey	Horner	Sarich
Cusanelli	Jansen	Starke
DeLong	Jeneroux	VanderBurg
Denis	Johnson, L.	Weadick
Donovan	Kubinec	Webber
Dorward	Leskiw	Xiao
Drysdale	Lukaszuk	

Totals:	For – 5	Against – 35
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[Motion on amendment A4 lost]

**The Chair:** We're now back to the main bill. The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Chairman. I have another amendment that I would like to table.

**The Chair:** Please circulate that and just pause for a brief moment.

This will be amendment A5, hon. members.

Please proceed, hon. member.

**Mr. Wilson:** Thank you, Mr. Chairman. This is an amendment that I kind of like to call the put-your-money-where-your-mouth-is amendment. As we went through the spring and we had a number of sessions that the hon. associate minister led around the province, one of the things that I heard him say on numerous occasions was how – and maybe this isn't the right word; I will be paraphrasing somewhat – offensive it was that the current legislation and the current act within the regulations defined intellectual capacity at a certain number, I believe at 70 IQ, and that therefore individuals who are tested as higher than 70 IQ did not qualify for supports under the PDD system.

10:40

He repeated this over and over at pretty much every meeting that we went to, which is why I found it rather strange, when this bill was tabled, that again here in the regulations under section 23 it suggests that the minister may make regulations “describing the limitations in intellectual capacity.” I'm really just, I guess, looking for clarification as to why the ministry feels like it is necessary to have the verbiage in the bill that suggests that they can still do that after months and months of listening to the minister decree their own legislation and the regulations' ability to define what the limitations in intellectual capacity can be.

This amendment simply takes out the option or the opportunity for the act to in regulation define intellectual capacity. With that, I'd be happy to hear the minister's response.

**The Chair:** The hon. associate minister.

**Mr. Oberle:** Yeah. Mr. Chair, I think there's a rather simple explanation here. I don't think I ever said that we were going to remove the words “intellectual capacity.” What I said was that the IQ of 70 was an unfair barrier to service, and I would like to remove that although I also said that the first thing I've got to do is align the system so that services are allocated based on need. The member will know that we've done a lot of work in that regard.

I'm not prepared right now to say whether those words should appear in an act or not. The words "intellectual capacity" don't define the barrier; the number 70 does at the moment. I'm not prepared to because I haven't even talked to any medical experts on this. In effect, you're asking me to completely eliminate the definition of disabled from the act. I think my problem with the amendment and I think my explanation of the question he asked is that I haven't done any consulting on renewing the act, and the purpose of the legislation before us here is to establish engagement councils, not to renew the PDD act. I am not prepared to do that. I haven't consulted anybody, medical experts or families or caregivers or anybody else, and I think this is absolutely the wrong time to start talking about redoing the act, changing definitions. I just cannot proceed without having done those consultations.

I stand by what I said this spring, and I will move in that direction, absolutely, but it's got to be done in a reasoned and thoughtful manner, backed up by consultations and budgets, I might add. This is not the time to renew that act.

**The Chair:** Are there others? The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Sure. Perhaps you can help me understand, Minister, how removing that changes the definition of someone living with a disability. All that this would revise regulation sub (a) to say is that the minister may make regulations "describing adaptive skills for the purposes of the definition of developmental disability." You're still able to define what you believe to be or what is medically defined as adaptive skills for developmental disability. It just removes, I guess, my interpretation of the language of putting an actual number on what intellectual capacity is. I guess this may be a situation where we agree to disagree, but it seems a little odd that this would be something that you would be opposed to at this point.

**The Chair:** The hon. minister.

**Mr. Hancock:** Thank you. Mr. Chair, I would give to the member again the same explanation as I gave before. This bill has essentially the purpose of disestablishing PDD boards and CFSA boards and bringing the service operation directly into government but continuing to do that on a regional basis and then creating a community governance model. We have not proposed in this bill to make any substantive changes to the PDD act.

When the hon. Member for Edmonton-Strathcona, for example, says, "Yes, you're deleting the role of the minister," the act very clearly defines the role of the minister and the role of the board. It needs to be because when you have a board governance model and you've given the board certain authorities, you have to then indicate what authorities the board has and what authorities the minister has. When you don't have a board, all of those authorities are the authorities of the minister, so you don't need that definition. That's not a substantive amendment to the act. That's the disentanglement of the board governance model, and that's precisely what this does.

The regulation piece that's there, section 15, which is repealing section 23 and replacing it, essentially is a rewrite of the regulations, again, to take out all of the board governance pieces to it but not change anything substantive in the rest.

I think the associate minister has explained quite clearly that there are lots of things that we would like to do relative to the understanding of need and how you serve need and how you define that need. One of those things is the IQ requirement of 70, which the associate minister has spoken of a lot. Now, there are

many other pieces of intellectual capacity, but that's not the point. The point is that we have not proposed to or purported to do any substantive amendments to the PDD act.

The sole purpose of this act is the disentanglement, the disestablishment of the PDD boards. What we're doing in this act is rewriting those portions of the act which are needed to take out the board governance model and institute the operational model in government and then set up the regional councils. We are not making any substantive amendments to the PDD act, with the one exception that I mentioned, and that is a tweak to the appeal process to make it fairer and more aligned with the existing appeal process in the CFSA area by allowing for administrative appeal and mediation and arbitration processes and those things, which are enhancements, I would admit, to the appeal process. But that's merely an alignment with what we have already.

I would ask members to honour the purpose of the act, which, again, is not an opening of the PDD act to deal with things which have not been discussed with the community, which have not been raised in terms of going out and saying: we're amending the PDD act. What we have discussed quite thoroughly is setting up regional engagement councils and disestablishing the CFSA and PDD boards as operating authorities. That's what this act purports to do, and that's what we should be focusing on.

**The Chair:** The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Yes. Just briefly, I mean, I really need to engage in this point because this is becoming a common refrain. I have to say that I simply disagree with the minister in terms of how he is characterizing this. The fact of the matter is that the PDD boards were the primary purveyor of services to people with developmental disabilities in the province. In the course of eliminating those boards, the government has redefined and/or failed to define its role in the absence of these PDD boards. It's not simply: we've removed the boards, and everything else is the same.

The fact of the matter is that what it could have said before was, "The boards will do this, and everything the boards don't do is the government's responsibility," but it didn't. Before it said, "The government shall do A, B, C, D, E," and now it no longer says anything about what the government shall do. So that is substantive, and it is substantive in the absence of all those things that the government no longer is compelling itself to do like ensure access to programs, provide funding and resources, co-ordinate services, all those things. There was a positive obligation before; there is not anymore.

To suggest, "Oh, that's simply coincidental to the elimination of the PDD boards" is not accurate from a legal standpoint, and I believe the minister knows that. There is a difference in terms of how the legislation is written now, and the minister knows that. It is substantive, and it does go beyond simply the creation of their little public relations councils. So we have a right to raise amendments that speak to the work that the government needs to do and did do through the PDD boards. To suggest that that's not appropriate in this setting is in itself not appropriate.

In speaking to this particular amendment, I will say that I think there are a number of different ways to define and measure intellectual capacity, so I'm not necessarily in support of this amendment. I understand that the purpose of the amendment is to challenge the government and the minister on his apparent conflicting statements over the spring and summer around eliminating the IQ cut-off on one hand and theoretically expanding access on the other while actually reducing services to that smaller group that are actually currently covered as a result of

the smaller configuration of people who are eligible using the IQ definition.

**10:50**

We all agree that the IQ definition is not helpful. It wasn't helpful when the government lowered the IQ rate two or three years ago, thereby restricting the number of people who were eligible for PDD services. That was unwise. Using IQ as a means of excluding people from eligibility for PDD services is unwise because there are a number of people out there with IQs above 70 who are in desperate need of PDD services because they don't otherwise have the intellectual capacity and/or the adaptive skills to function without support. So addressing that issue is a good, important issue.

Yet I think, really, where the member is going is: as much as the minister kept saying that, he was saying that at the same time he was purporting to take \$45 million out of the system, when anyone who knows anything about the system knows that to fix that problem, what needs to happen is that there needs to be more resources put into the system, not fewer. There was that contradiction that those of us who were following the issue for several months observed month after month after month, and it created a great deal of frustration and inconsistency on the part of what we were hearing from the government. I think, really, in many ways that's what this member is going after with this motion, and I certainly respect the sentiment in that regard.

**The Chair:** The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Chairman. Just to perhaps conclude my points on this, I think that what we're witnessing tonight is that there is a clear need to open up that PDD act. You know, considering the fact that the government is transitioning the whole way in which services are being delivered, the fact that a minister has probably been more engaged right now at this point in time in Alberta than we've seen in quite some time, specific to the PDD community, I think the time is now.

I would just challenge the Human Services minister and the associate minister for persons with developmental disabilities to consider opening that act at their earliest possible convenience. The consultations must be clearly under way and a certain understanding that the minister must have of the shortcomings of the system, areas that need to be changed. We've identified at least a couple of amendments right now that would strengthen this system, and I just believe that it should be incumbent upon this government to at the earliest possible opportunity open that act back up. Let's take a good look at it.

**The Chair:** Are there others? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I rise to support this amendment, and I won't be repetitive. You've heard all the arguments. It is something that I would hope that the minister would take into consideration and act upon. I think it's reasonable to presume that everyone in this House wants to do what's best for these Albertans that are special needs and need our attention and assistance for a better quality of life. I think with that intention and much of what's been said, particularly if this government is willing to act upon that, we can improve upon what we have already today.

Thank you very much.

**The Chair:** Are there others?

Seeing none, I'll call the question.

[Motion on amendment A5 lost]

**The Chair:** Back to the main bill. The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you, Mr. Chair. I'm pleased to rise and refer an amendment to Bill 30, Building Families and Communities Act.

**The Chair:** If you'd have that distributed, send the original to the table, please. Hon. member, this will be amendment A6.

Proceed, hon. member.

**Dr. Swann:** Well, thank you very much, Mr. Chair. This amendment to the Building Families and Communities Act would amend section 6 by adding the following after subsection (3):

- (4) The Minister shall receive all reports, advice and information from a Council in good faith and act on any recommendations as soon as practicable.
- (5) If, after receiving a report, advice or information from a Council where a recommendation is made or implied, and more than one year elapses without the Minister acting on that recommendation, the Minister must provide an explanation to the Council in writing.
- (6) A copy of any written explanation made pursuant to subsection (5) must be laid before the Legislative Assembly by the Minister if it is then sitting, or if it is not then sitting, within 15 days after the commencement of the next sitting.

The purpose of this, clearly, Mr. Chair, is simply to provide extra assurance, encouragement, and accountability for the efforts of these councils, that they not only be heard and seen but that they be seen to be heard and seen, that there is a response, that there is a requirement to respond both back to the council and, in the case of subsection (6), to the Legislature. It's, again, a measure of accountability. It's a measure of assurance to the community, a community that lacks a voice, that lacks a sense that they are influencing this government, an assurance that there will be results from the efforts they make to communicate to this government. I think they're pretty self-evident. They're not onerous. They're simply what one would expect from a respectful relationship between government and a service provider and individuals who are vulnerable and needing to know very clearly that they are heard and respected and responded to.

Thank you, Mr. Chair.

**The Chair:** Are there others? The Member for Edmonton-Beverly-Clareview, speaking to amendment A6.

**Mr. Bilous:** Thank you, Mr. Chair. I rise in support of this amendment. Again, I think, as the hon. Member for Calgary-Mountain View has stated, that the purpose of this is really to ensure that there is a correspondence, that there is a response from the minister. This provides a voice for the council, that there is an ongoing dialogue that the minister will – and I think it's important to note in this amendment that the minister will respond “in good faith and act on any recommendations as soon as practicable,” giving the minister that leeway, not restricting him to action within a certain time frame per se but making sure that any advice or information or reports that are made from a council do get a response and get an explanation in writing so there is a record there. I mean, for the most part I think that this amendment just ensures communication on both sides and that the work the board is doing does not go unrecognized or does not fall by the wayside but that there is a process for them to hear a response back from the minister.

Thank you, Mr. Chair.

**The Chair:** Are there others? The Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I rise also in support of this amendment. It's consistent with the reports and advice under section 6, and what it purports to do is to give some sort of direction or finality to what's going to happen when a report is actually delivered. "On a date . . . set by the Minister, the co-chairs of each Council shall submit to the Minister an annual report." The minister has control over that. "The Minister may, at any time, request from any Council a report or [any] information", which is a good thing, so there's some continuity. What this does here is then provide direction on what happens to those reports once they are filed. Basically, the minister shall receive the reports "in good faith and act on any recommendations as soon as practicable." That only makes sense. That's logical.

11:00

So that gives direction, and then in section (5) it talks about where the recommendations made are implied and more than one year elapses without the minister acting because this is important. You have a recommendation, and if there is no action taken on the recommendation within a year, somebody needs an explanation why. Was it a bad recommendation? Did circumstances change? It gives consistency so the minister now must return information back with an explanation to the council in writing, explaining why there was no action taken on a report.

There may be legitimate reasons, or there may have been an error that needs to be corrected, so there's some sort of continuity here to make sure that the action is a two-way street. Then, of course, the Legislature has the ability to get involved with the copy of any written explanation pursuant to subsection (5).

I don't want to belabour this point of the prescriptive versus permissive, but I don't see where this is too prescriptive on the minister or the minister's office. If it is, I would like an explanation why because what it does is just say that the minister is going to be able to do these things with the council to get information, and what this does is follow through and say: okay; once the information is received, this is how it should be handled. It provides some clarity on what the process will be. In a way it's an agreement between the council and the ministry, very much so.

These volunteers, who are going to be putting in the effort, will see some sort of closure or some sort of action taken as a result of their recommendations that they made. There's no guarantee that their recommendations are going to be put into force, but at least you'll have an explanation why. They'll know that the work that they put in was validated in one form or another.

That's not to say that the minister doesn't intend to do that. This just puts it into the legislation. I'm anxious to hear how the minister feels about this and what their objections would be to adding this into this section.

With that, thank you very much, Mr. Chair.

**The Chair:** Thank you.

The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Chairman. Simply put, in discussions with my critics in earlier stages before the bill was brought to the House, there was actually a very good suggestion made by the hon. member who brought forward this amendment, and that suggestion was that the report should be publicly laid before the Legislature.

I think you can see in 6(3) that I adopted his suggestion and put it into the bill. It hadn't been contemplated to put that in specifically because we don't intend to be that prescriptive relative

to these things, but the idea was to have an open place where people could actually see the work of those committees. So I thought that was a very good suggestion, and I put it in the bill.

Obviously, as a matter of practice when a report comes, there's a response to report. If the Child and Youth Advocate files a report – and I now have a couple of them – I have to deal with the recommendations that are made there. I have to respond to those recommendations, and we do that. But we don't do that because there's a requirement to file in House. There's no legislative need to do that. There's just a sort of moral obligation to do that. If we don't do that, the House will hold us accountable for it. I've had on occasion in the past people say: what's happened to those recommendations? So this amendment takes it a step too far in terms of the prescriptive nature of it.

The reality is that the bill requires those reports to be placed before the House, and they will be, but there's no need to put into the record of the House every step of what happens on those things. That's not something that we need to clutter the Legislature Library with. That's something which, once the report is tabled, members of the opposition can raise questions on if they feel like they haven't been raised. They can hold us to account in the House on it. That's what the House does, hold the government to account for its actions. But we don't need to be prescriptive about it. We don't need to legislate what the minister should do on any given day about every given thing. That would require volumes of legislation, and Albertans, quite frankly, don't want to read that much legislation.

**Ms Notley:** Well, I would suggest that it's really that this government doesn't want to be accountable for that much legislation. I think Albertans are perfectly happy with legislated standards to which their elected officials could be held. I think we're just going to have to agree to disagree on what it is that Albertans want. I think we all know these guys want the one, the omnibus bill – thou shalt make legislation – and that would be it. I'm pretty sure that that's where they're going.

But I support this amendment, and I rise to support this amendment. I think it's a thoughtful amendment. It's interesting that the minister talked about the children's advocate report because as one who's been the critic of that area since I was elected in 2008, I really have been interested to note the frequency with which the children's advocate repeats recommendations over and over. There really isn't a clear response from the government about what they're doing with respect to those particular recommendations. You often do see those recommendations over and over and over again.

**An Hon. Member:** Like the Auditor.

**Ms Notley:** Well, I leave it to the Auditor General because at least with the Auditor General there is a more formalized process for establishing whether progress has been made or not made or that kind of thing. I find that helpful, and I think most Albertans find that kind of information helpful.

I want to go back to what it is that these committees are theoretically achieving apart from, you know, ending poverty as we know it and eliminating world hunger. They are going off into the communities to do all of this engagement and to get everyone engaged in discussions about social policy, and they're going off to do that with, as I've said before, no resources and no authority. So there's going to be some question as to the degree to which they're going to really be able to get the meaningful players in the community out to something. I actually think that if those councils were able to say to folks in the community, "Listen; let's talk, and

the things that we talk about that there's an adequate consensus around will make their way into our report, and it will compel the government to give us some response, for us to know that they've turned their mind to it and they've heard what you've said," that would be a tool for these engagement councils to get people to show up to their meetings and to engage because they would know that there was a direct line of accountability.

The minister refers to: oh, well, we don't need another, you know, report collecting dust in the Legislature Library. Well, I'm afraid that the annual report that is currently constructed will do just that. It will collect dust. It will say that we met with these people; we met with those people. Here are some glossy pictures. We're building Alberta. I'm sure that somewhere building Alberta will find its way into that report. Call me crazy. Yet that's all there will be in it whereas if there was a legislated requirement for the minister to make a formal response, you might actually find people thinking: hey, this might actually be a bit of a tool that we can use in our advocacy efforts, and maybe it is worth while engaging.

I actually think that it would support the work that the minister suggests that these councils are supposed to be doing and it would support the work that the minister suggests is the primary purpose of this bill but that by steadfastly refusing to commit to responding to the recommendations that come from these councils, I think that he, unfortunately, ends up putting a highlighter over the very concerns that we've raised about the likely effectiveness of these councils and the likely role of these councils and the likely outcomes of the work that they engage in because, really – really – if there's no connection back to the people who have the resources and the people who make the decisions, people are going to disengage from the engagement process really superquickly.

As the minister himself has pointed out, we're all busy people, and activists know that when they're trying to do something as important as fight poverty, they've got to use their resources wisely. Sitting around rooms getting their pictures taken for fluffy reports that nobody responds to is not a wise use of their time. I think that the motion put forward by the Member for Calgary-Mountain View would bring about a substantial improvement in the efficacy and salience of these councils and that in the absence of that so, too, is their efficacy and their salience.

Thank you, Mr. Chair.

11:10

**The Chair:** Are there others? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I agree with the minister. We don't want to be so prescriptive that we want to detail every step of the way what the minister should be doing, and I don't read that into this amendment. What I read into this amendment is that it details what should happen with the report. It tracks the report that is filed, that the minister himself gets to ask for any other time according to this section 6. So I view this and the interpretation of this amendment as not so much directing the actions of the minister but directing the steps of what happens to the report.

I'm trying to look at this from the view of somebody who has volunteered, put in a lot of effort, and there's no reason to not presume that this minister is going to do exactly as he says he would do. But as we all know, ministers change, governments change. Well, we want government to change in another two years, but the fact is the individual itself. So it gives direction to the office. It gives direction to the office, whoever is in the chair. What the amendment does is give the consistency to the reports

from beginning to end, how the reports are required or asked for and what is done with the reports.

That's how I look at this. I don't look at this as detailing the very actions of the ministers themselves or everything a minister should be doing, but it does connect the dots of how you track a report and what actions are taken on the report. It's not really that prescriptive. I mean, it gives an entire year to act on a report. It gives a tremendous amount of flexibility. What it asks for is that if there is no action on a report, there be some sort of closure for the volunteers or the issue itself, why the report was not acted upon. That's how I would view it. I wouldn't view it as prescriptive as, say, the minister would. I would ask the hon. member to maybe take another look at this amendment.

Thank you, Mr. Chair.

**The Chair:** Are there others speaking to the amendment?

Seeing none, I'll call the question.

[Motion on amendment A6 lost]

**The Chair:** Back to the main bill. The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Chair. I've lost my notes. Okay. Just a second. On this bill I do have another proposed amendment, which I will take the opportunity to distribute while at the same time looking for the notes that I have on it.

**The Chair:** We can have those distributed, please. That will be A7, hon. member. If you'd just pause for a brief moment.

Is the amendment on its way, hon. member?

**Ms Notley:** It is. I apologize.

**The Chair:** Please proceed, hon. member.

**Ms Notley:** Thank you, Mr. Chair. This motion is to amend Bill 30 in section 8 by striking out subsection (7) and substituting the following:

(7) Section 9(1) is amended by repealing clauses (g), (h), (j) and (k).

(7.1) Section 9(2) is amended by striking out "a Community Board" and substituting "any other organization".

(7.2) Sections 9.1, 11, 13 and 14 are repealed.

As currently written, the bill repeals sections 9, 9.1, 11, 13, and 14 of the act. What we're proposing to do here, as we've already kind of touched on in previous discussions this evening, of course, is to facilitate the elimination of the PDD boards, which we all talked about earlier as being something that we agree with, but to not do the additional things that this legislation is doing, which is to stop talking about the positive obligations which exist for the minister. As things stand right now, section 9 states that the role of the minister is to provide strategic direction, set standards for service, work to co-ordinate provision of services, ensure reasonable access, promote the inclusion of adults with developmental disabilities in community life, establish policies, ensure consistency of services, and allocate funding and resources.

It also eliminates section 9(2), which states that the minister may provide or arrange for the provision of services in any region. So those are the things that are being eliminated.

Now, the minister has already stated that, oh, well, this is being eliminated because the reason those obligations were laid out was to distinguish the role of a minister from the role of the PDD boards. The problem, in my reading anyway, is that the way the act is now constructed, we just go silent on everything. I know that's what the minister likes. I know that what this government

likes is that they just want to have everything enabling. It's like the minister shall do whatever occurs to him to be a good thing when he wakes up in the morning. But the rest of Albertans want to know that there is a positive obligation there, particularly given the debacle that we observed this spring and over the summer with respect to the government venturing into some major changes in the provision of PDD services. We need to know that there is clarity. This comes down to – you're quite right, and the minister is quite right – in large part a discussion about the value of enabling legislation versus prescriptive legislation.

The fact of the matter is, Mr. Chair, that the opposition and, frankly, the people of the province are going to continue to lobby for greater and greater prescriptiveness in the legislation as the level of trust between this government and the citizens of this province decreases. We know that the level of trust between this government and the citizens of this province is on the decrease. You need only look at the latest public domain poll to know that that is the case. We also know that in this particular sector that level of trust has been seriously, seriously compromised, notwithstanding the subsequent efforts of the ministers to re-establish that.

As I said before, I think this is part and parcel of sort of the larger objective that the minister has laid out in some of his, you know, first drafts of the social policy framework and, in particular, that piece which I mentioned before and will mention again and again because it sends off so many incredible warning lights for me and others who have worked as advocates in this sector in the past: this notion that the government believes that the government's role as a funder and a regulator should decrease and that we should see more work of the government as a partner and a convener. Again, that is the kind of stuff that creates the patchwork systems that ensure duplication of services in some cases and an absence of service in others and a profound lack of co-ordination in most cases. That's the kind of thing that Albertans don't want to see.

Our attempt, then, is to continue the object of the act around eliminating the boards – absolutely still there with you, completely onside – but at the same time maintain some definition and some description around what the minister does.

11:20

As I mentioned before, back a long time ago when I did do a little bit of administrative law, there would often be people that would come to us and would say: "The government is not doing this. How can we make them do this?" There was this principle that, you know, if there's a piece of legislation that says that the government should do something, it's actually possible for the citizens of a province, if they can afford the incredibly expensive lawyers, to go into the courts within a year or two of making the application to ask the government to actually do what its legislation says that it should do or says that it will do. One of the ways the government avoids those situations, apart from, of course, allowing lawyers to become prohibitively expensive so that the average person can't actually access our courts anymore or allowing our courts to become so bogged down that they have to wait for years and years to get in there – but another thing the government can do to stop these kinds of applications, of course, is to write legislation that says that the government shall do whatever it thinks is best in their discretion at any given time, depending on the seasons, the phases of the moon, or that kind of stuff. So we're trying to avoid that.

It's not just an old complaint; it's actually what I would suggest is good governance, is a feature of a strong sense of accountability. Ultimately, as much as the government likes to think, Mr.

Chair, that it is accountable through the consultation things that they set up and through their public relations campaigns and their press conferences with strategically selected participants, as much as they like to think that's what accountability is, the fact of the matter is that we have this thing in Alberta, this parliamentary system that's as old as the province and, in fact, several hundred years older than that, and it's here because over many years – I'm going back to the associate minister's concern about our lack of experience – generally speaking, everyone has concluded in this jurisdiction that this is the absolute best means of ensuring accountability. So why it is that the government wants to delink its accountability measures from probably the most effective institution in our nation for ensuring accountability – I don't know – unless it's the fear of same?

I would suggest that good legislators and those who are interested in promoting good public policy, who are interested in restoring, if possible, the trust between them and the citizens of the province and, also, actually moving forward on previously made promises around transparency and accountability would embrace the opportunity to establish strong linkages between their legislation and their proposed actions in a way that can give Albertans a strong sense of confidence that their government really is accountable and that there really are measures in place to keep them that way.

That is why we are making this amendment, supporting the elimination of the boards but wanting to maintain and retain some fairly general principles with respect to the work that the minister ought to engage in and be willing to hold himself accountable for.

Thank you.

**The Chair:** Speakers to the amendment? The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you, Mr. Chair. I'll be brief. I think the intent here is clear. We want to enhance the credibility of this bill among the people who are most deeply affected. We want to see a clear statement of deliverables, accountability. One could say that that's too prescriptive, but without some clarity around the role of the minister, the councils, and those involved in the decision-making as well as providing advice, there needs to be substantive, clear deliverables and accountabilities. That's in the government's best interest to build any sense of confidence with the stakeholders, and it's clearly to the benefit of those most vulnerable, who are supposed to benefit from this, that they be clear about what they can expect and who they can hold accountable and in what timeline they should be able to require this government to provide that information or that change or the existing service that's supposed to be there.

So I think it would behoove the government to look at this seriously and incorporate a means of providing greater clarity around the roles and responsibilities of deliverables, and I hope all in the Legislature will examine this and see it for the enhancement that it will provide to the bill.

Thank you, Mr. Chair.

**The Chair:** Are there others? The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Chair. I'll be brief with my comments here. Again, I rise to speak in favour of this amendment. I think it's important, especially when we're talking about responsibilities and powers that the minister has and, in this case, the role of the minister within this act, that it is spelled out. I think that, unfortunately, with the bill as it's currently written, repealing



several sections of the act is really throwing the baby out with the bathwater.

You know, section 9 I think is very important in defining the role of the minister. We're talking about setting standards for services, providing strategic direction, working to co-ordinate the provision of services, ensuring that there is reasonable access. Again, you know, to hammer on a point that we raised earlier this evening, to promote the inclusion of adults with developmental disabilities in community life I think is important in addition to a consistency of services and allocating funding and resources.

I think it's a little far reaching that the bill as it's currently written has removed reference to the role of the minister in this act. I mean, that's something that is causing more and more alarm, I think, at least within the Alberta NDP but, I would also argue, also with the other opposition parties, the mandate and the powers that the ministers are ascribing themselves through bills. We see this as a recurring theme, where instead of limiting their powers and responsibilities, in fact, they're getting more and more broad, and all we're given is the assurances that: well, regulation will hammer out the details.

Again, the concern which I've raised on numerous occasions in this House, Mr. Chair, is that there may be a minister that's currently holding that position who doesn't abuse their powers or their role and responsibility as minister, but as soon as legislation comes to pass where they're given either broad, sweeping powers or there aren't checks and balances on the minister and their decisions, then the challenge or the concern is that future members who occupy that chair may not be either as levelled or controlled in their decision-making and may abuse their position.

You know, I think the unfortunate part in removing these sections is that it did explicitly lay out some of the roles of the minister, which makes it clear not only for legislators here in the House but, you know, for folks who are going to be affected and who are affected by this piece of legislation to know exactly the role of the minister is. Whether we're talking about supports, access, standards, that is now questionable as far as whose role it is. Again, where does the accountability lie?

In closing, Mr. Chair, I think this amendment clearly defines what the minister is and isn't doing, and I think it's quite important not only for this bill but for much legislation that we've seen and that I suspect we'll continue to see come through the House.

Thank you, Mr. Chair.

11:30

**The Chair:** Thank you.

Are there others?

I'll call the question on amendment A7.

[Motion on amendment A7 lost]

**The Chair:** Back to the main bill. The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Chair. I will table another amendment, please.

**The Chair:** We will refer to this one as amendment A8, hon. member.

Please proceed, hon. member.

**Mr. Wilson:** Thank you, Mr. Chair. I'll be very brief. The intent of this amendment is to prevent what I would like to call the AHS

effect, where we have a ballooning bureaucracy that started out with some well-intentioned ideas. This amendment is very straightforward.

Currently in the bill it suggests that "the Minister may designate one or more employees involved in the delivery of social-based programs and services under the administration of the Minister to liaise with the Councils." The phrase that worries me a little bit in here is "one or more employees." So the intent of this amendment is to simply limit the number of employees that the ministry can hire in order to liaise to not more than the actual number of councils that are developed. I can't imagine why a single, full-time employee couldn't handle one liaising with a council.

That basically sums up the intent of the amendment, and I'd be happy to hear the minister's thoughts on that.

**Mr. Hancock:** Once again, Mr. Chair, the perils of trying to accommodate advice from opposition critics. This, again, is an amendment that was made in the drafting of the bill after I consulted with the opposition. I think this one was actually that member's contribution – but it might have been Calgary-Mountain View's contribution – saying that, you know: "Are these boards going to have any direct relationship to the operations in their region, to have feedback? If they're going to play an assurance role, will there be direct liaison?" I went and took that and said: "That was a very good piece of advice. Yes, we contemplated they would. We'll build that into the act." So we built it into the act, and now he's coming back and saying: but not too many.

Well, Mr. Chairman, I think, again, this is getting really overly prescriptive. You know, if you do that, then you have to start going through silly interpretations that we sometimes get, like: what if the liaison goes on holidays and there's a replacement liaison; does that breach the act? I mean, is the work such that you maybe need to have two people from time to time?

The concept here in the act is a clear one, and it came as a suggestion from – I don't remember which of my critics made it when we were briefing on the bill.

**Mr. Horner:** You have many.

**Mr. Hancock:** Yeah. One of my many critics.

The suggestion, you know, was one that we fully intended, that these community engagement councils will operate within their regions. But in order to do their assurance role, they do have to be able to liaise to understand exactly what's going on. That's a communication role. The amendment to limit it actually could be an inhibiting amendment. I understand the individual's purpose. We all want to be fiscally prudent, and I can assure the hon. member that I do not have a surplusage of resources in the department to overstaff unnecessary spots.

**The Chair:** Are there others? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I rise in support of my colleague on this bill, to help the minister conserve his resources so that he would not have to assign any more than one person. It's not an overwhelming restrictive prohibition or prescriptive statement. What it's designed to do, just exactly as the hon. member has said, is to sort of limit, as one might say, the influence.

You know, the thing is that the word "liaise" is an interesting word in itself because it doesn't prevent anyone else from making contact, but the actual definition of being the liaison or to liaise with the council is – when you look at it on a purely pragmatic

basis, it should never really take more than one anyways or at any one time. It's interesting because it doesn't make an assignment that it has to be one designated person, who is identified. It's just no more than one at any given time. The designation can change from employee to employee.

So I don't see the overprescriptiveness, but I do see the intent of keeping the bureaucracy down. I understand where that comes from.

With that, I support my colleague's amendment, and I would hope that the minister would reconsider. Thanks.

**Ms Notley:** Well, you know, being a big government kind of person, I actually have to speak against this amendment. I think governments can be good. I know it's hard to imagine because I'm faced with one that I don't really think is, but the fact of the matter is that in principle government can be very good.

In fact, you know, if these councils were really to achieve the objects that the minister purports that they will be able to achieve, to consult with all these organizations, which have a lot of work to do and a lot of opinions to offer and a broad, broad range of issues to address, and then actually compile them in a way to get the attention of the minister so that there was any sort of meaningful feedback into the decision-making process – and all these folks are volunteers – I've got to think that they're going to need a bit of staff support to do their jobs even somewhat well.

In some regions – let's face it – the regions are huge, and the people that they would be consulting with are huge. To analyze and render useful a lot of the advice they receive would be a huge job, not to mention sort of just giving them advice on what the current status of things is so that they don't recommend reinventing the wheel every year because nobody told them that that particular wheel had been invented nine or 10 times before and was, you know, currently living in the Legislature Library on a dusty shelf. I mean, who knows exactly? You know these are the kinds of things that the staff working with these folks would do. So if we're going to assume that there's going to be any kind of feedback, you have to give them the benefit of the doubt.

Now, if those staff end up being communications folks from the Public Affairs Bureau who end every sentence with "and that's why we're building Alberta," then I absolutely agree that there will be too many staff there, but I have no doubt that if that ends up being the situation, we will find plenty of opportunities to limit that particular role.

**The Chair:** Are there others?

Seeing none, I'll call the question on amendment A8.

[Motion on amendment A8 lost]

**The Chair:** Now back to the main bill. Question?

**Hon. Members:** Question.

[The remaining clauses of Bill 30 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? That is carried.

11:40

**The Chair:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chairman. I'd move that the committee rise and report Bill 30.

[Motion carried]

[The Deputy Speaker in the chair]

**The Deputy Speaker:** I recognize the Member for Edmonton-Ellerslie.

**Mr. Bhardwaj:** Well, thank you, Mr. Speaker. The Committee of the Whole has had under consideration a certain bill. The committee reports the following bill with some amendments: Bill 30. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

**The Deputy Speaker:** Thank you, hon. member.  
Does the House concur in the report?

**Hon. Members:** Agreed.

**The Deputy Speaker:** Opposed? That is carried.

### Government Bills and Orders Second Reading (continued)

#### Bill 37 Statutes Repeal Act

[Debate adjourned November 18]

**The Deputy Speaker:** The hon. Minister of Justice.

**Mr. Denis:** Thank you very much, Mr. Speaker. The only thing that I wanted to add to this particular bill that I didn't mention the other day is that several years ago the Member for Calgary-Klein and the Minister of Municipal Affairs – we had talked about some of the things we wanted to achieve in the government in the time we were here. One of the things we had talked about was a reduction in general red tape for individuals and for people who do business here, and this bill is certainly a step forward in the fact that it creates a mechanism to reduce red tape. It also removes many different pieces of legislation. The exact number does evade me at this late hour, but in particular I know that we're removing the Masters and Servants Act. I'm not sure how the Member for Calgary-Shaw feels about that.

With that, I will take my seat.

[Motion carried; Bill 37 read a second time]

#### Bill 38 Statutes Amendment Act, 2013, No. 2

[Adjourned debate November 18: Mr. Denis]

**The Deputy Speaker:** The hon. Minister of Justice.

**Mr. Denis:** Mr. Speaker, I don't have any further comments on this particular bill.

**The Deputy Speaker:** Thank you.

The hon. Minister of Justice and Solicitor General has moved – are there others? The hon. Member for Edmonton-Strathcona. My apologies, hon. member.

**Ms Notley:** Who would have thought that I might have wanted to speak to what is effectively an omnibus bill amending 13 acts at,

oh, a quarter to midnight on Tuesday? Strange, strange decision on my part.

Okay. The Attorney General is proposing Bill 38, which amends 13 acts across a wide variety of topic areas. Most of them are fairly simple changes. You know, in the past we had sort of a practice for miscellaneous statutes amendment and things like that where there would be negotiation with members of the Assembly or the House leaders in order to move that act quickly through the process so we didn't have to spend a lot of time debating it, but the government didn't get consent for this as was typically the history. They just decided to cobble together changes to 13 acts and introduce them all together without getting our consent. Of course, as a responsible legislator I need to weigh in on the many changes that the Attorney General is attempting to make this evening.

Here's what I believe is the case, because it's not exactly a skinny act. They want to increase the number of judges at the Court of Appeal and Queen's Bench. That, of course, is a good thing, I believe, based on the comments I made previously about how long it takes to get into court in certain cases.

They're looking to provide more protection for spouses under the Dower Act and to provide protection for children's RSPs in the Civil Enforcement Act.

They want to bring some interest rate adjustment to grief damages awards in fatal accidents into legislation from regulation, which is an interesting one. It's rare that we see this government try to move something from regulation into legislation, so I'd certainly be interested in what generated that particular move.

They want to exempt aircraft, rail, and space equipment from the Alberta Personal Property Bill of Rights to align with the International Interests in Mobile Aircraft Equipment Act. Creditors can now go after these products, so it makes it easier for them to lend to investors like Air Canada for the purchase of aircraft. Yeah, I'm not quite sure what the object there is.

They want to ensure that making a finding that someone is not a parent does not impact rights or property already divided unless the court orders otherwise. I imagine there would be cases where you would have subsequent tests done where parenthood might be at issue. I'd be very interested to hear what kinds of consultations went into that particular change because I imagine it's not without its own contentious elements.

It allows parties in a vexatious litigant case the right of appeal. Again, I need a bit more information about what that is attempting to achieve.

It allows administrators to enter into a settlement agreement for hit-and-run injury claims where damages are less than \$25,000 and they are to be paid out of the general revenue fund.

Here's one that I am somewhat concerned about, shifting language from "court reporter" to "transcriber" under the Recording of Evidence Act. It includes a transitional provision to current court reporters. I am somewhat concerned about that and what impact that has on the role of court reporters and how that work is being done in our courts and how the quality of the work that those people are doing is being maintained and protected in the best interests of our justice system. It does seem that we have been reducing our reliance on court reporters over a period of time. Again, this would require the Minister of Justice to give us a rationale for this change and what it is that's being achieved through this transition.

The other thing that is somewhat worrisome for us is a change in the shift towards using more electronic documents in the courts. While that sort of sounds great for purposes of modernization, it does leave open all the questions and the answers in terms of detail around the security and the integrity and the chain of

custody and all those kinds of information about the document. So we would need the minister to provide us with a bit more information about how he anticipates that particular authority unfolding.

The amendment to the Police Act is an attempt to allow the minister to appoint commissioned officers. It may conflict with an existing definition of commission in the act. Commission under the act refers to a police commission, but the inserted section uses commission in reference to the title given to an officer under the section. We're not quite sure how that is supposed to work.

**11:50**

We generally support these issues, but we need some reassurances around the security and the integrity of electronic document use within the courts. It seems like we've got a lot of stuff going into an omnibus amendment bill.

I need to know more information about what the transition from court reporter to transcriber will mean for people currently employed in the judicial system doing that work.

Going into the issue of electronic documentation can be a problem because it engages the privacy of very personal data and the reliability of things we use to convict people or find people at fault, so we need to be sure that the rules around that are appropriate. We need to be clear that we have prohibitions and protections in place to ensure that electronic documents are not tampered with in some way, allowing those false documents to wrongly convict somebody. We need to know what protections are in place there.

We also need to know about private details around sexual assaults, for instance, and whether those can be protected. We seem to see nothing but breaches of electronic document security these days. With our paper documents we've had decades or more to build up policy on security protocols and to develop well-trained staff, and this bill doesn't guarantee that those same protections that we've come to expect with physical documents will be extended to the use of electronic documents in the court system.

The e-file page for the Alberta Provincial Court Charter challenge states in bright red on the actual website, "As with all technology, this system may occasionally falter." We need to see a more open process in that regard rather than leaving things solely up to the regulations that will determine the answer in the future.

I do want to say again that we need to have strong efforts made to reduce the load on our courts, and this may assist in that, but we just need to know that there is a measured and well-researched implementation plan in place because we don't quite have that yet.

Anyway, those are my preliminary observations about this bill. Again, I remain quite concerned about the number of pieces of legislation that are being amended through this. We've got, as I say, the Alberta Personal Property Bill of Rights, the Civil Enforcement Act, the Court of Appeal Act, the Court of Queen's Bench Act, the Dower Act, the Family Law Act, the Fatal Accidents Act, the Judicature Act, the Motor Vehicle Accident Claims Act, the Police Act, the Provincial Court Act, the Recording of Evidence Act, and the Special Areas Act. That is a great deal of legislation that's being changed in one fell swoop, and I would suggest that it needn't have come to us in this format.

Mr. Speaker, that and the electronic records and the court reporters are my three primary concerns going forward with this piece of legislation. Thank you.

**The Deputy Speaker:** Thank you, hon. member.  
Are there other speakers?

Seeing none, the hon. minister to close debate?

**Mr. Denis:** I would move second reading of Bill 38.

**The Deputy Speaker:** Thank you.

[Motion carried; Bill 38 read a second time]

**The Deputy Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. We have done a very good amount of work on some very good bills, and I would, then, move that we adjourn until 1:30 p.m. tomorrow so we can come back and do some more.

[Motion carried; the Assembly adjourned at 11:55 p.m. to Wednesday at 1:30 p.m.]

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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Wednesday afternoon, November 20, 2013

Issue 70a

The Honourable Gene Zwozdesky, Speaker

## Legislative Assembly of Alberta The 28th Legislature

First Session

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Hale	Sarich
Hehr	Stier
Jeneroux	Webber

### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans

Deputy Chair: Mr. Anglin

Allen	Hale
Barnes	Johnson, L.
Bikman	Khan
Bilous	Kubinec
Blakeman	Lemke
Calahasen	Sandhu
Casey	Stier
Fenske	Webber

## Legislative Assembly of Alberta

1:30 p.m.

Wednesday, November 20, 2013

[The Speaker in the chair]

### Prayers

**The Speaker:** Hon. members, let us pray. Holy Creator, please look upon us as servants who are doing their best to advance issues that we know are important to Albertans and to others. Help us and guide us to arrive at conclusions that benefit all whom we serve. Amen.

Please be seated.

### Introduction of Guests

**The Speaker:** Let us proceed with the introduction of school groups first today if we might, beginning with Barrhead-Morinville-Westlock, followed by Rimbey-Rocky Mountain House-Sundre.

**Ms Kubinec:** Thank you, Mr. Speaker. It's a real pleasure to introduce to you and through you to all members of this Assembly the Neerlandia public Christian school. They are really looking forward to the new school that will be built in their community as part of our building Alberta plan. We have joining them their teacher Mr. Jim Bosma. We have parents Geraldine Wierenga, Doreen Klumph, Mistie Renfert, Anna Fehr, and Heidi Wegner. Would you please rise, and my colleagues will give you the warm welcome of the Assembly.

**The Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. Today it is my great pleasure to rise and introduce not just one but three classes of grade 6 students, that are among not just the best but are the best in all of Alberta, from the River Valley School in Sundre. Accompanying these students – there's a real specialty here – I have three teachers: Mrs. Walker, Ms. Tarnoczi, and Ms. Cheung. Michele Langmead is a parent, and the rest of the parents are Lisa Heath, Don Johnson, Brandy Robertson, Erynn Drake, Vicki Menzies, Carmen Newsham, Lesa Koop, Ken Burrell, Tracy Duff, and Aaron Main. The last parent, who was here 60 years ago as a sixth grade student, is Dennis Leask. I'd ask them all to rise today and enjoy the warm welcome of this Assembly.

**The Speaker:** Are there other school groups?

Seeing none, let us proceed with other guests, beginning with the Minister of Culture.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. I'm so pleased to be able to rise and introduce to you and through you to this Assembly an outstanding individual who embodies the spirit of building community and volunteerism, Ms. Jann Beeston, who is the executive director of Volunteer Alberta. Jann's passion is nonprofit and volunteer sector development. She brings to her role at Volunteer Alberta 25 years of experience from Campus Alberta. Her knowledge in innovative program development, technology-enhanced program delivery combined with her leadership at both the board governance and operational levels are what makes her ideal to build capacity in our communities. I want to thank you for joining us today, Jann, and for all the excellent work you do to help us build Alberta each and every day. I'd ask that my colleagues show Jann the traditional warm welcome.

**The Speaker:** Hon. members, we have some special visitors who are in the gallery, and I was asked to wait so that they could be introduced by the Minister of International and Intergovernmental Relations; however, he is tied up in traffic and will not be here right now. So I'm going to afford that belated honour to the hon. Associate Minister of International and Intergovernmental Relations, with apologies to our guests and visitors for not being able to do it a little bit earlier.

The hon. minister.

**Ms Woo-Paw:** Well, thank you, Mr. Speaker. I rise to introduce to you and through you to members of the Assembly Ms. Liu Yongfeng, consul general of the People's Republic of China in Calgary. Also with her today is Mr. Wang Xuhong, consul, and Mr. Deng Xuguang, vice-consul, both of the People's Republic of China in Calgary. Consul General Lui Yongfeng has worked tirelessly to advance Alberta's strong relationship with China. Since her arrival in Alberta three years ago, Chinese investments have grown from \$100 million to \$40 billion. This is due to the positive relationship between the Alberta government and the Chinese consulate in Calgary. As our government focuses on building Alberta, we welcome investments that help to get our resources to market and build an even better quality of life for Albertans.

Our government looks forward to continuing our close relations with Ms. Liu Yongfeng's successor. I would also like to personally wish her well in her next endeavour. Our esteemed guests are seated in the Speaker's gallery. I would now like to ask the consul general and her delegation to rise and receive the warm welcome of this House.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by Edmonton-South West.

**Ms. Notley:** Thank you very much, Mr. Speaker. I would like to introduce to you and through you to members of the Assembly Paul and Laurel Cashman, who are the parents of our current head page, Helen Cashman. Paul and Laurel are being introduced for the first time and are joining us here today in the Speaker's gallery to observe Helen in this, her fourth year as page in the Legislative Assembly of Alberta. Helen has held the position of page, Speaker's page, and now head page. I'm also happy to report that Laurel and Paul are constituents of mine in Edmonton-Strathcona. I'd like to personally take this opportunity to congratulate them on the tremendous success and contribution that their daughter Helen has enjoyed. I would ask them now to please rise and receive the traditional warm welcome and congratulations from members of the Assembly.

**The Speaker:** The hon. Member for Edmonton-South West, followed by the Associate Minister of Wellness.

**Mr. Jeneroux:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of this Assembly my friend Miss Katie Penstone and her parents, Tim and Susan Penstone. Today they're here to talk with a number of members of the Assembly about an important issue, idiopathic pulmonary fibrosis. Katie, as she's affectionately called, is also a passionate volunteer in my constituency of Edmonton-South West. If I could please ask them to rise and ask the Assembly to give them the traditional warm welcome.

Thank you.

**The Speaker:** The Associate Minister of Wellness, followed by the leader of the Liberal opposition.

**Mr. Rodney:** Thank you very much, Mr. Speaker. On a related note, I have some more special guests to introduce, and it's indeed an honour to introduce them. They are a number of individuals from the Canadian Pulmonary Fibrosis Foundation who are here in recognition of Alberta's first Idiopathic Pulmonary Fibrosis Awareness Day. I had the wonderful opportunity this morning to meet with a number of the foundation's representatives. I'm very pleased that they've taken the time to join us right here in the Legislature. The Canadian Pulmonary Fibrosis Foundation is a not-for-profit charitable organization which aims to raise funds to finance research to better understand and treat and find a cure for pulmonary fibrosis, to raise public awareness about this fatal disease, and to offer support for those who are affected by pulmonary fibrosis. At this time I would ask the many guests we are enjoying the company of here today to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The leader of the Alberta Liberal opposition, followed by Edmonton-Gold Bar.

**Dr. Sherman:** Thank you, Mr. Speaker. I'd like to introduce to you and through you to all members of this Assembly Canada's heroes. Seated in the gallery are members of the Jasper Place Legion and ladies auxiliary branch 255, located in Edmonton-Meadowlark, good, honest men and women who put themselves into harm's way without a second thought so that we may enjoy our freedoms today. They are Basil McKay, Ron Evans, Bill Cormier, Sharon Gullberg, Dennis Gullberg, Don Clark, Tom Houghton, Margaret Donlevy, Anne Dunseath, Marjorie Beach, Sheldon Monson, and Jim Magnan.

Mr. Speaker, no other job carries with it the real, daily risk of death or certain physical or emotional injury. On Remembrance Day we commemorate their fallen comrades and the sacrifices that they have made, but simply because Remembrance Day has passed does not change our obligation to them. For the men and women of our armed forces we have a duty to support them, equip them when we send them to fight on our behalf. When they return, or not, we have a sacred covenant to care for them and their families each and every day. It is because of their sacrifices that we live in the best province in the best country in the world. May God bless our superheroes. I would ask all members of the Assembly to rise and give them the traditional warm welcome of the Assembly. [Standing ovation]

1:40

**The Speaker:** Thank you.

**Mr. Dorward:** Mr. Speaker, Edmonton might not be in the Grey Cup, but Edmonton will be at the Grey Cup. I would like to introduce Mr. Matthew Machado, a constituent of Edmonton-Gold Bar. He hopes to be introduced in the Saskatchewan Legislature as well. Matt, would you please stand as I read the motto of section O – colours divided, Grey Cup united – and receive the warm welcome of the Assembly.

## Members' Statements

### Opposition Parties' Role

**Ms Smith:** Mr. Speaker, we have arrived at a critical crossroads in this Legislature. As you know and as Albertans are aware, this Legislature exists as a check on executive power. Legislation must first be debated and passed here before it is declared law, and the government must daily defend itself and the actions of others

whom they have appointed to the duly elected opposition in order to ensure transparency and accountability.

It is the Speaker's job to ensure the integrity of these functions, and I think the Speaker would agree that it is not the Speaker's job to stifle them. We have a job to do, Mr. Speaker, and it's an important one. Just as the government is elected to lead, we have been elected to hold them to account.

Far too often when we attempt to do our jobs in this Legislature, we are unable to ask the government the questions that need to be asked. We understand that these questions are often uncomfortable. They often deal with scandal, impropriety, and personal misconduct, but they simply must be asked. If the fact that hard questions cause government members to become disordered becomes an excuse to prevent hard questions, then the fundamental purpose of question period is lost.

Parliamentary privilege has for centuries allowed elected members the latitude to hold government and those it has appointed to account on the widest range of issues. Shutting down questions because they make the government uncomfortable, angry, or unruly is not within our tradition. Ruling questions out of order because they deal with party finances, the conduct of government members, or the actions of individuals appointed by government-dominated committees is also not within our parliamentary tradition. From the Pacific scandal to the sponsorship scandal to the source of Mike Duffy's expense repayments, these topics have always been ruled in order during question period, and so they should be.

Such matters must also be scrutinized in this House, Mr. Speaker, and we will scrutinize them no matter what the consequences.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by Lesser Slave Lake.

## Athabasca River Containment Pond Spill

**Ms Notley:** Thank you, Mr. Speaker. Yesterday the minister of environment finally got around to issuing an environmental protection order after a billion litres of coal slurry from a tailings pond of toxic sludge containing arsenic, mercury, and lead poisoned the Athabasca River. This catastrophe took place three weeks ago. It is the biggest environmental disaster of its kind in the history of this country. On what planet is it reasonable to wait three weeks to tell the company that it has to clean up? On what planet is it reasonable to wait 19 days to tell the public that 40 times the recommended levels of arsenic have been found in the water? Yet, the minister's focus all along has been to downplay the long-term damage and the danger that it has created to Albertans.

In scale, Mr. Speaker, this disaster is 25 times bigger than the *Exxon Valdez* spill. The impact on the Athabasca River will affect generations of wildlife for decades and decades or more to come. Even the order they've now reluctantly made fails to address the impacts on communities further downriver. This toxic sludge will end up in the Northwest Territories, meaning that over a thousand kilometres of one of Alberta's most important rivers will be affected.

In a manner that is reminiscent of an episode of *The Simpsons*, towns like Athabasca, Fort McMurray, and Fort Chip are being told to simply turn off their intake while the hundred-kilometre plume of poison floats by their communities. But this approach, Mr. Speaker, ignores the fact that as this plume floats by, poisonous toxins are deposited in and along the river, toxins that will impact water quality for years to come.

The Mackenzie River basin, one of Canada's most important ecological resources in the country, cannot turn off its water intake. The minister of environment for the Northwest Territories says that he wasn't informed until five days after the spill. He says that, quote, in my recollection this is the first of this type of catastrophic failure. End quote. Yet the Alberta government's response is: the plume will be fine, and everything will be safe. Really, Mr. Speaker? Really?

### Aboriginal Peoples of Alberta

**Ms Calahasen:** [Remarks in Cree] Astum. Ka we taminatnowow, nehiyow, achimowin. [Translation] Come. Let me tell you a story of the original people of this land. [As submitted]

Come. Let me tell you a story about people who lived on this land long before Alberta became a province. They had distinct languages, complex social and economic systems, and made and enforced laws they all lived by. Indigenous history is etched into the Alberta landscape going back 11,000 years and 500 generations, from rock carvings in Writing-on-Stone in the southern part of the province to hunting sites in the Athabasca lowlands.

Today Alberta is home to more than 220,000 descendants from First Nations, Métis, and Inuit people, the third-largest aboriginal population in Canada. Although aboriginal presence predates both Alberta and Canada, not all Albertans and Canadians are familiar with the rich histories and cultures of aboriginal peoples or with our present-day contributions and aspirations. So today, when I attended the official launch of Aboriginal Peoples of Alberta: Yesterday, Today and Tomorrow, I was proud to be an aboriginal descendant of those long-ago people like the special guests today.

This new publication, created by the Ministry of Aboriginal Relations, provides a starting point for moving towards a greater understanding of my communities from the past to now. The publication is a basic introduction to aboriginal people in our province, sharing information from First Nations, Métis, and Inuit communities, significant cultural and historical dates, and contemporary aboriginal views. It is a resource created to open a dialogue to provide opportunities for aboriginal and nonaboriginal people to work together in building Alberta. This publication reflects a commitment by our Premier and the Minister of Aboriginal Relations to create a better understanding of aboriginal Albertans by all Canadians and Albertans of our contributions to this great land called Alberta. An electronic version is available on the Aboriginal Relations website. I encourage all Albertans to read it.

Thank you.

**The Speaker:** Thank you.

The hon. Member for Banff-Cochrane.

### Right from the Start Mental Health Program

**Mr. Casey:** Thank you, Mr. Speaker. The mental health capacity building in schools initiative is led by Alberta Health Services in collaboration with Alberta Education and funded through grants from Alberta Health. The purpose of the initiative is to establish projects that provide the staffing and support required to implement an integrated, school-based community mental health promotion, prevention, and early intervention program. The projects are locally planned, co-ordinated, and implemented through partnerships with Alberta Health Services, school jurisdictions, parents, community agencies, and other regional service providers.

Mr. Speaker, there are currently 37 projects in 53 communities in 143 schools across the province of Alberta. Right from the start is one of these 37 initiatives and is a program developed in the Bow valley. Right from the start programming is delivered through the Banff elementary school, Elizabeth Rummel elementary school in Canmore, and the Lawrence Grassi middle school in Canmore.

Last year 691 students were supported through daily and ongoing universal mental health programming. In addition, 131 students received targeted support services. As well, 69 families received individual supports through the program. This represents only a small sample of the benefits this program has delivered to our community.

Mr. Speaker, right from the start began services in our schools in September 2007; however, the funding for this and, in fact, all 37 projects is scheduled to end in June 2014. I cannot overstate the importance of this program to our communities, and I would hope that we are able to continue funding these valuable programs in the 2014-15 budget and beyond.

Thank you, Mr. Speaker.

1:50

**The Speaker:** Mr. Clerk, kindly hold the clock if you would, please, and do not start it for question period. I have a few comments I have to make at this time.

### Statement by the Speaker

#### Respecting Officers of the Legislature Challenging the Chair

**The Speaker:** Hon. members, as all of you are likely aware, a very unique if not somewhat unprecedented occurrence took place in this Assembly yesterday at approximately 2:41 p.m. The Member for Airdrie made very direct and, in my view, offensive comments that constitute very inappropriate comments and language about officers who serve Assemblies such as ours. He also, in my view, made inappropriate and very offensive comments that constitute challenging the chair of this Assembly.

At the conclusion of his statements I indicated that his comments were indeed very serious, possibly hinging on contempt, and that I was going to have a closer look at his words, obviously, by reviewing *Hansard* to get it verbatim and also watching the televised replay of his statements.

Now, here is what happened. At approximately 2:41 p.m. the hon. Member for Airdrie rose yesterday to seek a point of clarification from your Speaker. Among other things, he read from some prepared notes and stated the following:

What precedent in what country of the Commonwealth does not allow Her Majesty's opposition to be able to question decisions of government-appointed officers, which can be and often are corrupt?

For the benefit of all let me first note that Airdrie's comments were stated in relation to the Ethics Commissioner and to questions which arose from the hon. Member for Lac La Biche-St. Paul-Two Hills about an Ethics Commissioner ruling of recent past.

The Ethics Commissioner is an officer of this Legislative Assembly. Let me also clarify that as with any officer of this Assembly the Ethics Commissioner is not a government-appointed officer, nor is the Auditor General, the Chief Electoral Officer, the Child and Youth Advocate, the Information and Privacy Commissioner, and the Ombudsman. They are all chosen by committees of this Assembly, typically all-party committees.

Second, I want to state in the most definitive and emphatic terms that none of our chosen officers are corrupt, nor do I believe

that others are who work and serve in other Commonwealth countries. That reference by Airdrie I find totally inappropriate.

Now, the Member for Airdrie then went on to say the following:

What precedent is there for a Speaker, frankly, dominating and wasting time of this Assembly with constant lectures and, frankly, self-righteous interruptions that are costing us question after question in this Assembly?

He then basically accused your Speaker of “showing gross favouritism” and concluded his remarks by stating that your Speaker is “interfering with this House.” Those comments by the hon. Member for Airdrie can be found at page 2909 of yesterday’s *Hansard* and are a direct affront to this Speaker. They are also inaccurate and inappropriate.

Using such language in this Assembly is, obviously, personally insulting, but it also shows a lack of respect for this institution, for its heritage, for its traditions, all of which you took an oath to uphold. Authorities across the Commonwealth in this respect are quite clear. *Erskine May*, 24th edition, for example, states at page 61:

Reflections upon the character or actions of the Speaker may be punished as breaches of privilege. . . . His action cannot be criticised incidentally in debate or upon any form of proceeding except a substantive motion.

The rationale for this rule is found, in turn, in *Beauchesne*, sixth edition, at paragraph 167 on pages 48 and 49, which reads as follows:

The essential ingredient of the speakership is found in the status of the Speaker as a servant of the House. The Presiding Officer, while but a servant of the House, is entitled on all occasions to be treated with the greatest attention and respect by the individual Members because the office embodies the power, dignity, and honour of the House itself.

It is clear, hon. members, that language of the type used by the Member for Airdrie yesterday could be a contempt of the Assembly and could indeed give rise to a question of privilege. The language itself and the manner in which the words were delivered was certainly unparliamentary.

The chair wonders what would occur if such language was used in another one of our institutions such as the courts, for example. As a lawyer the Member for Airdrie is undoubtedly well aware of the consequences of such language in the courts, which could easily be interpreted as contempt of the court. The Assembly in which we all serve, in which all of you serve, is deserving of equal respect and dignity, I would hope, and part of my job is to do my level best to ensure it is so.

That having been said, I want to extend to the hon. Member for Airdrie an opportunity to apologize for the comments he made yesterday and to withdraw those comments.

**Mr. Anderson:** Hon. Mr. Speaker, I withdraw and apologize for those comments.

**The Speaker:** Thank you.

That concludes that matter, and we can proceed onward. I may have some comments to issue later about other comments that were made subsequent.

Let us proceed on with the day, Mr. Clerk.

### Oral Question Period

**The Speaker:** Hon. members, let us recognize the official Leader of Her Majesty’s Loyal Opposition.

### Oral Question Period Practices

**Ms Smith:** Mr. Speaker, I have a series of questions on improving accountability and increasing the value of question period. When she was running to be the leader of her party, the Premier promised to be transformational and do things differently in this Legislature. For a variety of reasons this session has seen the opposition getting to ask fewer questions of the executive than ever before, and I don’t think this is what the Premier had in mind. Under the former Speaker one day we got to ask as high as 22 questions. Will the Premier ask her House leader to sit down with us on the opposition and work on ways to get more questions asked in question period?

**Mr. Hancock:** Mr. Speaker, it wouldn’t even be necessary for her to do that. I’m always available to meet with the House leaders and talk about how we can improve the operations of the House. Sometimes we don’t agree, but we can always engage in good discussion, and I’m happy at any time that we can engage in improving our parliamentary performance.

**The Speaker:** Thank you.

**Ms Smith:** I appreciate that, Mr. Speaker.

The Speaker is sometimes compared to a referee, standing between the teams to make sure that the rules are being followed. However, in hockey the game clock stops when the referee blows the whistle and becomes a focal point while he makes his calls, as the Speaker did today. Would the Premier agree to endorse a change to the standing rules so that the clock would stop when the Speaker speaks so that we could actually have a true and full 50 minutes of question period every day?

**Mr. Hancock:** Mr. Speaker, the hon. Leader of the Opposition will know that this House enjoys the longest question period in Canada, I believe, with a wonderful opportunity to have I think it’s the first six questions every day reserved for the leaders of the opposition parties: three for the Official Opposition party and then each of the leaders of the other parties. That, I think, is also unique in the Canadian parliamentary tradition. I think that the hon. member, rather than trying to negotiate standing orders in the House, would be best to refer to her own House leader to say: bring those issues to the table, and let’s have a discussion.

2:00

**Ms Smith:** There are many precedents in Legislatures with scandals involving expenses and the actions of government appointees, Mr. Speaker, from the Pacific scandal to the sponsorship scandal to the source of Mike Duffy’s expense repayments, even former Privacy Commissioner George Radwanski’s expenses, and these topics have always been in order. Would the Premier endorse changes to the standing rules to clarify that questions like these will be in order? Or do they rather enjoy hiding behind the Speaker’s protection?

**Mr. Hancock:** I would say that that borders on insulting the Speaker, but it doesn’t; actually it does insult the Speaker.

The bottom line, Mr. Speaker, is that the opposition has the opportunity under parliamentary rules to raise all appropriate questions. They do not have the opportunity to misuse the officers of this Legislature by bringing criticisms of officers who have done their job thoroughly and completely just because they do not like the result. They also have to follow all of the provisions of judicial fairness, quasi-judicial fairness, of not asking about things that are before the courts.

**The Speaker:** Thank you.

They should also not reflect on the Speaker. They must deal with government policy.

Government House leaders and opposition House leaders, I've invited you on many occasions to do something about our rules.

The hon. leader. Second main set of questions.

### **Building Alberta Plan Advertising**

**Ms Smith:** Mr. Speaker, yesterday I asked a series of questions about the PC Alberta billboard campaign – I'm sorry; the government's Building Alberta advertising campaign – to which we received no real answer. I'd like to give the Premier an opportunity to respond again today. Does the Premier really believe that the PC orange-and-blue, Dalton McGuinty Liberal-inspired, partisan sign campaign really is the best use of Alberta taxpayer dollars?

**Mr. Lukaszuk:** Mr. Speaker, I have been very clear yesterday that the colour palette that's being used for not only signs on highways but for all government publications, including websites and other manufactured products, is in accordance with what the government of Alberta approved colours are. If the member doesn't like that, that's unfortunate.

But I have to tell you that Albertans want to know what's being built: what schools are being built, what hospitals are being built, what highways are being built, and how much they cost. We're simply sharing that with them, and – guess what? – they want more of it.

**Ms Smith:** Mr. Speaker, we take no issue with the government informing Albertans of what they're doing. In fact, we'd be thrilled if they shared more information with the opposition. We'd love it if they'd start sending us all of their press releases again. However, there is a difference between notifying the public of a government infrastructure project and using tax dollars to put up orange-and-blue, PC-branded signs featuring the Premier's name, credentials, and honorific. To the Premier: what was the cost of this multiplatform promotional campaign, and was it driven by the Premier, out of her office?

**Mr. Lukaszuk:** Mr. Speaker, I would ask the hon. Leader of the Opposition not to allow Albertans to believe that there is anything PC about it. As a matter of fact, there is no political signage; the colours are government of Alberta colours. Check any product produced by the government of Alberta, and you will find the same colours. I know for a fact that Albertans want to know what is being built, if the highway is being twinned, what school is being built, and what's coming around the corner in their neighbourhood. That is normal procedure. All construction companies do that. That's how you inform Albertans.

**Ms Smith:** It seems clear that the Deputy Premier believes that there is nothing wrong with the government advertising campaign, that could have been pulled directly from the same design book as the PC Party election campaign ads. Given their unwavering support for this campaign, Albertans have the right to know: how much will this advertising campaign cost Albertans, and was this policy change driven by the Premier and her office?

**Mr. Lukaszuk:** Well, Mr. Speaker, I would hope that this member would for once be proud of Alberta and the infrastructure that we're building for Albertans because it is so badly needed. Second of all, she throws around names of Premiers from other provinces, but I have to tell you that Albertans would be remiss not noticing

federal signs on highways and construction projects, which I imagine she would be very much approving of. It's normal. Every government does it. Our federal government does it. Albertans and Canadians want to know what's being built.

**The Speaker:** The hon. Member for Highwood and Leader of the Official Opposition. Third main set of questions.

**Ms Smith:** What's not normal is having the Premier's name plastered all over them. The Prime Minister doesn't do that at the federal level.

### **Flood Hazard Caveats on Land Titles**

**Ms Smith:** Mr. Speaker, I want to ask the Premier some specific questions on flood policy that are particularly timely since many Albertans have 10 days left before they have to make very significant and life-changing decisions. This government has expressed complete confidence in its 21-year-old flood maps except in the cases of Drumheller and Fort McMurray and Redwood Meadows. To the Premier: why are these outdated maps the only drivers of caveat decisions for every other community in Alberta?

**The Speaker:** The hon. associate minister.

**Mr. Fraser:** Thank you, Mr. Speaker, and I thank the hon. member for the question. As the member knows, we use the flood maps simply to protect people's home and protect people's property. The policy is in place simply for that, to protect Albertans. It's been there to protect our resources in Fort McMurray and in Drumheller. It's simply too costly to remove those towns completely. In other areas it's giving people an indication of where they want to build their lives. Ultimately it's to protect lives.

Thank you.

**Ms Smith:** Mr. Speaker, I thank the minister for that answer.

Like Drumheller and Fort McMurray and Redwood Meadows, as he knows, the community of Beachwood in High River is protected by a berm. A government appeal board confirmed in its decisions that this berm was sufficient to protect Beachwood in a typical 1-in-100-floods event. Indeed, of all the flooded areas in High River it was among the least impacted. The residents want to save Beachwood. The High River town council wants to save Beachwood. Will the minister commit to giving Beachwood the same exemption as Drumheller and Fort McMurray and Redwood Meadows?

**Mr. Fraser:** Mr. Speaker, as you know, tragically, we lost three lives at the height of the flood in High River. Beachwood clearly lies in the floodway, and a berm does not change where the floodway is. In fact, if we look at all the evidence, the floodway will likely expand. I can't guarantee to the people in Beachwood, nor can the hon. member, that the river won't come crashing through there, costing the lives of their children and their loved ones. I will stand here. I will protect Albertans based on a good public policy for High River and everywhere else in Alberta.

Thank you, Mr. Speaker.

**Ms Smith:** Well, Mr. Speaker, let me be clear, then. When Wildrose forms the government after the next election, we will remove the flood caveats on any properties that are no longer in a floodway as a result of community mitigation projects. However, by then it may be too late for Beachwood. Improving the berm around Beachwood will cost less than a million dollars. Buying

out Beachwood will cost more than \$30 million. Will the minister do the right thing, the prudent thing, the fiscally responsible thing and give an exemption to save this community?

**Mr. Lukaszuk:** Well, Mr. Speaker, I think we had a very good clue in the last question that the member asked. This is not about politics. This is not about forming the next government. This is not about making policies in this House about saving or not saving people's lives or people's communities for political gain or forming the next government. This is about making sound decisions based on science by people who have much more understanding of what's being done than that particular member. Let's not forget that we're saving people's lives and properties and not trying to win the next government.

**The Speaker:** The hon. Member for Edmonton-Meadowlark and leader of the Liberal opposition.

### Family Care Clinics

**Dr. Sherman:** Thank you, Mr. Speaker. Unlike many successful leaders who underpromise and overdeliver, this Premier overpromises and underdelivers. During the election last year she promised 140 family care clinics, but only three have been opened. To the Premier. Your term is nearly 50 per cent over, but you're only 2.14 per cent done. Why so little progress?

**Ms Redford:** Mr. Speaker, I had the opportunity today to be in Red Deer doing something very exciting, and that was opening the Central Alberta regional cancer treatment centre with our Minister of Health and had the opportunity to actually talk – and I'm sure he'll elucidate – on the commitment, the work that's being done in communities across the province right now to ensure that family care clinics will be up and running as per our commitment. At the end of the day, by the time that we get to the next election, we want to keep our commitment to ensuring that families have access to health care, that they do it through family care clinics, that we're working with communities, and it's going well.

**Dr. Sherman:** Mr. Speaker, maybe this is just a misunderstanding. I'm reading the Premier's platform. What she actually promised was "up to 140" family care clinics. Up to: there's a little bit of wiggle room here. So let's see. Three FCCs have opened, another 24 have been announced, and up to 140 were promised. Here's my question, Premier. In your mind, does "up to 140" actually mean three, 27, or 140?

**Ms Redford:** Well, Mr. Speaker, we've been very clear that we want to work with communities to get these done, and we're working with 24 communities right now that are going to have family care clinics very soon. They look different across the province because communities want them to look different. We are very hopeful that we are going to be able to achieve the 140 target. That's certainly where we want to go. If that's where communities want to go, we're going to be able to do it.

2:10

**Dr. Sherman:** Mr. Speaker, I'll tell you one thing this Premier is really good at. It's making announcements. It doesn't take a medical degree to know that you can't provide medical care inside an announcement. You actually need a fully staffed clinic. Announcements won't cut it, Premier. Signs in PC colours won't cut it on vacant lots. What we need, and I hate to be repetitive, are fully staffed clinics. Premier, how many FCCs will you guarantee

will be built, opened, fully staffed, and providing care to Albertans by that 2016 election? Not announcements.

**Ms Redford:** Mr. Speaker, in fact, I absolutely agree with the hon. member, and that's exactly what we did in Red Deer today. We opened the Central Alberta regional cancer centre, which is going to be able to provide services and radiation to people throughout the province. You have to make sure, of course, that these are staffed. We are committed to working with communities, and as I've said, if we have communities that are ready to open in 140 locations, they will be open.

**The Speaker:** The hon. Member for Edmonton-Highlands-Norwood, leader of the ND opposition.

### Athabasca River Containment Pond Spill

**Mr. Mason:** Thank you very much, Mr. Speaker. On Halloween, October 31, the largest environmental catastrophe in Alberta's history occurred. A billion litres of toxic chemicals emptied into the Athabasca River. The impact of this is devastating for the watershed from Hinton to the Arctic Ocean. Nineteen – 19 – days later this environment minister finally got around to issuing an environmental protection order. To the minister. This is negligence of the most serious kind. Why on earth didn't you act sooner?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. As I've said several times in this House, we acted on day 1, as soon as this incident happened. Our investigators were on the scene right away, making sure, first and foremost, that communities were notified. Yesterday we put an environmental protection order in place to make sure that there would be one more tool that would ensure that the work would be completed efficiently and set the timelines for going forward. Our directors and our investigators were working with the companies throughout this process.

**The Speaker:** The hon. leader.

**Mr. Mason:** Thanks very much, Mr. Speaker. This minister made no public announcement of this catastrophe. The entire contents of this toxic tailings pit emptied into one of the longest and most important rivers in Alberta, and all the minister did was quietly call municipalities along the river and ask them to turn off their water systems. Clearly, the minister was hoping that no one would notice, but now, 19 days later, we know that enormous and perhaps permanent damage has been done to the Athabasca watershed. To the minister of environment: how do you account for this extreme negligence on your part?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. Perhaps he should talk to the member sitting next to him because she said it was five days later when we notified Albertans. Quite frankly, it was the very day that we made sure Albertans were notified. We put it on our bulletin. We contacted communities and made sure that people were aware that needed to make sure. We have worked with communities on this. In fact, I'd like to give you a quote from Dr. Jim Talbot, the chief medical officer of health. He has said: "I am confident that at no time was there a risk to the public's drinking water. As chief medical officer my primary concern is that proper procedures are followed and that the water the public is drinking is safe." This is exactly what we have done from day one.



**The Speaker:** The hon. leader.

**Mr. Mason:** Thank you very much, Mr. Speaker. The reason that the water is safe is because they're no longer drawing it from the Athabasca River. If they did, it would not be safe. This toxic blob isn't just going to merrily float downstream and into the Arctic Ocean. It contains large amounts of lead, arsenic, cadmium, and mercury, all extremely toxic. These chemicals will be deposited along the course of the Athabasca River and will poison the environment from here to Inuvik for a generation. The minister didn't take action and tried to keep it quiet. What does she have to say for herself?

**Mrs. McQueen:** Well, Mr. Speaker, we did not try to keep this quiet. Immediately, as soon as we found out about this, we were on scene, and we made sure that it was public on our bulletin and made sure the public knew about this. Since day 1 we have been taking samples. We continue to take samples. We make those samples public. We are very concerned about this, and we've been very proactive to make sure that all of this has been taken care of. We were on top of this right from day 1. It is very important for us to make sure that the public has access to the information and data that we released yesterday.

**The Speaker:** Thank you.

#### **Speaker's Ruling Preambles to Supplementary Questions**

**The Speaker:** Hon. Clerk, stop the clock just for a moment, please.

I want to pick up on something that the Official Opposition leader mentioned earlier, and that is how we can get to more questions. Here's one good example of how we can do that. There should not be any preamble to supplementaries, and I've indicated this numerous, numerous times in this House, so let's try that. The clock is stopped, and we'll get more members up. Just remember that one question is allowed 35 seconds. One answer is allowed another 35 seconds. In other words, a set of questions is allowed up to three minutes and 30 seconds, and it's a miracle to get past 15 members, but let's do our best.

Start the clock, and let us go, now without preambles to supplementaries, starting with Edmonton-Manning, followed by Lac La Biche-St. Paul-Two Hills.

#### **Highway Safety**

**Mr. Sandhu:** Thank you, Mr. Speaker. To the Minister of Transportation. It's no secret that Alberta is booming. As people and industry flood into our province, our roads become a very important part of our daily business, but this growth puts a combination of pressures on our highway system, especially our major highways like QE II and highway 63. As more and more heavy haulers use our roads to transport goods and materials, we see more traffic and, unfortunately, more tragic accidents. My first question to the Minister of Transportation . . .

**The Speaker:** Hon. member, I hate to interrupt, but you're well over the time allotted.

Mr. Minister, do you have enough information there to try and answer the question?

**Mr. McIver:** I'll do the best I can.

**The Speaker:** Yes, please.

**Mr. McIver:** Thank you, Mr. Speaker. The hon. member was asking about heavy hauling. We certainly are aware. We have been doing a lot of work on this. He mentioned highway 63, and I can tell you that part of the reason why we are keeping the Premier's promise of twinning highway 63 is to make sure that there is more capacity for those heavy loads.

Further, Mr. Speaker, highway 36 is a heavy haul route from the U.S. up the east side of Alberta. We certainly have considerable work to do there, and we'll continue.

**Mr. Sandhu:** To the minister: can you commit today to increase safety for Albertans by designating separate lanes on our major highways for all the commercial trucks and transportation?

**Mr. McIver:** Well, Mr. Speaker, the question was about designating lanes for heavy hauls. Currently that's something we'll be able to consider only if the Legislature approves Bill 32, that's before us. If that happens, we will consider each highway in the province, look at where designating lanes is a benefit to Albertans both for their safety and their overall mobility, and only in those instances where there's a net benefit will we consider that. But we most certainly will not do it on every highway because it's not appropriate on every highway.

**Mr. Sandhu:** To the same minister: will you also commit to working with the Solicitor General for zero tolerance on posted speed limits to ensure that heavy-footed drivers are aware that there's no leeway over this limit?

**Mr. McIver:** Well, Mr. Speaker, I'll work with the Solicitor General on that, but the fact is that police officers have some leeway in when they write a ticket and when they don't, based on the information that they get. I'm not sure we want to take that away. It's certainly something that I'll continue to talk to the Solicitor General about. Both he and I are interested in keeping Albertans safe when they travel on Alberta's highways, and there is a certain amount of judgment involved in that. If the hon. member has certain circumstances he wants to discuss, we'd be happy to do that, keeping in mind mobility, but Albertans' safety comes first.

#### **Ethics Commissioner Selection Process**

**Mr. Saskiw:** Mr. Speaker, the long-standing member from the fabulous constituency of Edmonton-Centre publicly stated and provided compelling reasons that she is "extremely uneasy about having [her] intimate personal details disclosed to an individual who is not neutral," and that she felt helpless and frightened with the product of a fundamentally flawed Ethics Commissioner selection process. Will the Premier commit here today to change the selection process for an Ethics Commissioner to an all-party committee with equal representation to ensure that that person is objectively neutral instead of risking having someone with close connections with one personal, political party?

**Mr. Hancock:** Mr. Speaker, it is a fundamentally offensive proposition to suggest that once a person is appointed to an office such as an officer of the Legislature or for that matter a judge of the courts, they would retain any of their political attributes that they had prior to their appointment. These officers, whether they're judges or officers of the Legislature, take on a role of neutrality when they take their oath of office, and it is fundamentally offensive to suggest otherwise.

2:20

**The Speaker:** The hon. member.

**Mr. Saskiw:** Thank you, Mr. Speaker. Given that in this Legislature we're not allowed to reference party donations from independent officers of the Assembly, will the Premier do the right thing and ensure that our next Ethics Commissioner has not been involved in any partisan political activity?

**Mr. Hancock:** Continuing with the offensiveness, Mr. Speaker.

It is an all-party committee of the House who gets to ask the questions to interview the applicants. In fact, we're anticipating a report from the special select committee with respect to the Chief Electoral Officer this afternoon. [interjections] That's the parliamentary process.

**The Speaker:** Hon. members, there are a few things I can do other than to stand and bring to your attention that disorder of that sort, eruptions of that sort are not characteristic of a well-tuned and fine-functioning Assembly. So, please, let's curtail these comments.

Hon. Government House Leader, I think you have about 15 seconds left.

**Mr. Hancock:** Thank you, Mr. Speaker. The fundamental operation of any parliamentary democracy indicates that a government gets elected, but the House selects all-party committees, and the fact that the majority party has the majority members on that committee does not lead to the disrespect of the officers selected by that committee.

**The Speaker:** The hon. member.

**Mr. Saskiw:** Thank you, Mr. Speaker. I'll try to tone it down a bit.

Given that the Premier is surely concerned about the results of November 22 – her advisers are even lowering the bar to saying that 50 per cent plus one is a success – and given that the Ethics Commissioner's office has publicly stated that his report on the investigation of the Premier awarding a billion dollar tobacco litigation contract is complete, can the Premier confirm that no one from her office, from the Public Affairs Bureau, or any of her ministers or their staff has made any request to delay the report from being released prior to her leadership review? Be very careful with your answers, sir.

**The Speaker:** Hon. members, you know from previous rulings and previous rules that we're all pledged to abide by that asking questions about a matter that is under investigation by the Ethics Commissioner is out of order. Please . . . [interjections] Excuse me. I have the floor at the moment. Please, if you're going to pursue questions of that nature, rephrase them in such a way so as to not violate that rule.

Would somebody from the government side care to comment?  
The hon. Government House Leader.

**Mr. Saskiw:** Very carefully.

**Mr. Hancock:** I would be very careful to say, Mr. Speaker, that I find all of the questions that have been raised in this area very offensive. The independent officer of the Legislature who performs the role of Ethics Commissioner takes an oath of office.

**Mr. Saskiw:** Talk about the Premier.

**Mr. Hancock:** He has fulfilled his office with integrity, and this House should respect . . .

**Mr. Saskiw:** Talk about the Premier.

**Mr. Hancock:** If there are any questions about the operation of that office, they are rightly called before a legislative committee . . .

**Mr. Saskiw:** The Premier.

**Mr. Hancock:** . . . and it is totally inappropriate to besmirch his reputation here.

**Mr. Saskiw:** Point of order, Mr. Speaker. Saying that I besmirched his reputation is a complete lie.

**The Speaker:** Hon. Member for Lac La Biche-St. Paul-Two Hills, you stood on a point of order, I assume in relation to the last answer by the Government House Leader, at 2:24. It has been noted.

We will move on, hopefully with a restoration of civility and decorum. Calgary-Bow, followed by Calgary-Fish Creek.

### AISH Applications

**Ms DeLong:** Thank you very much, Mr. Speaker. Some of my constituents who have become disabled have brought to my attention that it takes up to eight months for them to receive their first AISH cheque. My first question is for the hon. Minister of Human Services. What is the current projected wait time for Albertans who have become disabled to first receive their AISH funding?

**Mr. Hancock:** Well, Mr. Speaker, we have had a very significant increase in the number of applications for AISH over the past year or so since the AISH payment went up to \$400. We are working very hard to bring that application period down. We're being successful in doing that to a certain extent, but we have got a long way to go yet to get it within an acceptable range. One of the things that I think is really important, though, is to understand the way in which the process works, that once a person's application is in and complete, whenever the decision is made, the AISH payments will revert to the date of the application.

**The Speaker:** The hon. member.

**Ms DeLong:** Thank you very much, Mr. Speaker. To the same minister: what measures are in place to help the government speed up these wait times?

**Mr. Hancock:** Well, Mr. Speaker, we've made accommodations to our system so that, actually, wherever you put your application in, you're in a queue right across the province so that we can deal with people fairly across the province from whichever location. We've managed to reduce the wait time by almost four weeks, so there's good progress there. We are bringing people on and have brought people on to assist in increasing the number of people who are processing the applications. But the most effective tool that we have is in fact a consolidated information system, so that anywhere in the province you apply, your application will go to the next available adjudicator.

**The Speaker:** The hon. member.

**Ms DeLong:** Thank you, Mr. Speaker. In the meantime what, if any, assistance is available to these individuals as they wait for their AISH funding?

**Mr. Hancock:** Mr. Speaker, we should be clear that most of the people if not all of the people who are applying for AISH certainly qualify for income support under one of our other programs. Barriers to full employment would probably be the normal one. Now, that doesn't have a range quite as high as the AISH payments, so it's clear why people would be moving to make an application to go on AISH. But, again, as I said, as soon as they have a complete application in, their AISH qualification dates from the date of their complete application, not from the date of the decision. Most of them are on other forms of income support.

**The Speaker:** The hon. Member for Calgary-Fish Creek, followed by Edmonton-Centre.

#### Health Services Financial Administration

**Mrs. Forsyth:** Thank you, Mr. Speaker. Yesterday I asked the minister about the reappointment of the chair of the Alberta Health Services Audit and Finance Committee. The minister said that he was the most qualified individual to serve this organization. Minister, how many people were interviewed for this position?

**Mr. Horne:** Mr. Speaker, if the hon. member had checked her facts, she would realize that the Audit and Finance Committee as well as any other committees under Alberta Health Services are appointed by the official administrator. It was entirely within the official administrator's purview to select the people that were most qualified to fulfill this function. He regularly involves that committee in meetings with the Auditor General to review the financial affairs of AHS.

**The Speaker:** The hon. member.

**Mrs. Forsyth:** All right. Mr. Speaker, let me ask this, then. Minister, how many people did he interview?

**Mr. Horne:** Mr. Speaker, I don't know the answer to that question. It is entirely within the purview of Alberta Health Services, a commission of this government that has powers delegated under legislation and under its own bylaws to appoint committees. I would hope the hon. member would agree that it's a very good idea to have an Audit and Finance Committee overseeing a budget of over \$12 billion, but I guess we'll find out.

**Mrs. Forsyth:** Minister, there are four million people in this province. How many people were interviewed for the job?

**Mr. Horne:** Mr. Speaker, the appointments, as I said, were made by the official administrator of Alberta Health Services. It is within his sole discretion to appoint those in the same way that – I can't . . . [interjections]

#### Speaker's Ruling Interrupting a Member

**The Speaker:** On the one hand you're asking the Speaker not to interrupt, and on the other hand you keep interrupting, which prompts the Speaker to stand up and restore decorum. Hon. members, please. You may not like what's being said, but you have to listen to it. They may not like what's being asked, but they have to listen to it. So let's show some respect both ways.

Please continue, hon. minister.

#### Health Services Financial Administration (continued)

**Mr. Horne:** The question is absurd in the extreme. Alberta Health Services has the power to appoint . . . [interjections] Do you want me to sit down, Mr. Speaker?

**The Speaker:** Finish off, please.

**Mr. Horne:** . . . has the authority to appoint those committees, as do many other agencies, boards, and commissions that operate under statutes in this province. The question could be asked more appropriately at Public Accounts, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by Edmonton-Beverly-Clareview.

#### Athabasca River Containment Pond Spill (continued)

**Ms Blakeman:** Thanks very much, Mr. Speaker. The minister of the environment seems to be seriously suggesting that a leakage of gunk containing chemicals and minerals that are really bad for humans, habitat, fish, and animals is mostly okay. To the minister: why is it that when it is the impact on human health, public health, it's all good, but when it comes to the impact on environmental health, silence?

**Mrs. McQueen:** Well, Mr. Speaker, there certainly isn't silence. We've been on this file right from day one, making sure first and foremost that human health is protected and that humans are notified, as I've said, about the drinking water – we're taking samples each and every day, and we continue to do that – and making sure that of the habitats, the fish, the wildlife we're taking samples as well.

As I said a week ago in the House, Mr. Speaker, at that time we had only seen one dead fish. We continue to monitor the situation. We will continue to do this into the spring as well. We take human health very seriously, and we take the environment of the habitat and the fish and wildlife very seriously.

2:30

**Ms Blakeman:** Yeah. Well, you can tell the public not to drink the water. It's a bit harder for other species.

So back to the same minister. What is the minister's acceptable level of risk when it comes to coal toxins sludging their way along a river? Okay, as long as folks don't drink it directly from the plume? Is it okay as long as not too many fish die? What is your acceptable level of risk here?

**Mrs. McQueen:** Well, Mr. Speaker, that's just ridiculous. We have been concerned about this situation from day 1. The highest concentration of contaminants have occurred with regard to where the plant creek enters the Athabasca River, but as a result of the sediment settling, the plume flows downstream and the concentration is decreasing. We're glad about that, but we are working with the company, the very reason why yesterday we put an environmental protection order in place. We are concerned about this, and we're taking action on this, as we have from day 1.

**The Speaker:** The hon. member.

**Ms Blakeman:** Well, thanks very much, Mr. Speaker. Back to the same minister. In other jurisdictions, any other jurisdiction, a company that released that much crap into a waterway would be immediately charged, but not in Alberta. In Alberta we're going to

educate. So, Minister, can you not educate them with a fine maybe or a public whipping or possibly with charges? How long is this going to go on before you make this company pay, and who's going to pay for the cleanup?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. To answer her last question first, the company obviously pays for the cleanup. We make sure that we have an investigation, as I also said in the House on the first day. The investigation must be held. We make sure that the companies are held responsible, and we have acted on that right away. We have the environmental protection order. We put that in yesterday, but we have been working with them all the way because they will be held responsible. We are very concerned about this, and as I've said over and over and will continue to say: we are taking action, we'll continue to take action, and the company will be held responsible once the investigation is complete.

### Homelessness in Winter

**Mr. Bilous:** Mr. Speaker, extreme cold temperatures forecasted this winter mean that homeless Albertans are at risk. Emergency shelters are full, and in some places people are already being turned away. Yet this PC government continues to underfund emergency shelters. To the Minister of Human Services: what is he going to do today to ensure that no Albertan freezes to death this winter because they have no home?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Well, thank you, Mr. Speaker. I'm glad that the hon. member has afforded me the opportunity to indicate to all Albertans that we take homelessness very seriously. We've put a lot of time and effort with our community partners into the plan to end homelessness, but we also fund, rather considerably, the shelters that are there for those who are homeless at the moment. There is a winter emergency response plan which each community puts in place through their community-based organizations. We fund those emergency response plans. We have added additional beds across the province in various places where those plans indicated they were needed, and we are going to continue to closely monitor that situation and fund where necessary.

**The Speaker:** The hon. member.

**Mr. Bilous:** Thank you, Mr. Speaker. It's not enough, Mr. Minister. Given that Calgary's Kerby Centre, which houses homeless seniors, turns away 21 to 35 people per month and given that the Kerby Centre had to beg for private donations just to keep its existing beds open, will this minister stand up and take responsibility for turning our most vulnerable citizens into the snow to fend for themselves?

**Mr. Hancock:** Mr. Speaker, no one wants anyone to be alone in the snow, homeless or anything of that nature whatsoever, so what we do and what I will take responsibility for is the co-ordinated network that we work with in each community with community-based organizations, funding them so that there is a group of shelters in most of the larger centres that could deal with the homeless population to make sure there is a bed for everyone. We want to ensure that there is a bed for everyone when it is needed. But it's not on a one shelter by one shelter basis. It's a co-ordinated effort, as it needs to be.

**The Speaker:** The hon. member.

**Mr. Bilous:** Thank you, Mr. Speaker. Hundreds are turned away.

Given that in Red Deer the People's Place emergency shelter also had to send people back into the cold and given that there is a very real possibility Albertans are going to freeze to death this winter due to this government's neglect, what does the minister have to say to Albertans who have to sleep outside in the bitter cold?

**Mr. Hancock:** Mr. Speaker, I would hope that no Albertan has to sleep outside in the bitter cold, that there is a place for every Albertan who needs a place. Our emergency shelters work very hard to make sure that that happens, and we work very hard to co-ordinate with them so that the number of beds that are anticipated as needed are in place when they are needed. I can tell you that in Red Deer the Community Housing Advisory Board, the local CBO, has increased bed capacity at People's Place, operated by the Safe Harbour Society, by 12 spaces for a total of 35 funded spaces with a licensed capacity of 46 as their winter emergency response in 2013-2014. If they anticipate that they need more, we will talk with them about it.

**The Speaker:** The hon. Member for Cypress-Medicine Hat, followed by Calgary-East.

### Road Construction Priorities

**Mr. Barnes:** Thank you, Mr. Speaker. It was with relief that Calgary residents learned the government has fast-tracked a modification to Deerfoot Trail with widening at Southland Drive. Clearly, this was a local, even a provincial priority considering the intense amounts of traffic on the Deerfoot every day. Yet this priority wasn't on Alberta Transportation's three-year plan. The minister is always trumpeting about the accuracy of his list posted on the website, but every Albertan can see that this very important project wasn't even listed. When will the Minister of Transportation admit that his list is meaningless and his decisions are purely political?

**Mr. McIver:** Well, Mr. Speaker, I find it highly entertaining that the hon. member would criticize this particular project when the Member for Calgary-Shaw actually sent out a document to his constituents claiming he had to take credit for it. You should talk to your hon. member down there. You guys should get your stories straight. In fact, the fact is that this is a project that was important to support the southeast part of the ring road. It was an important link. We're proud of the work we're doing, and it will be open very soon.

**Mr. Wilson:** Point of order.

**The Speaker:** Calgary-Shaw, you've risen on a point of order, presumably in response to the Minister of Transportation's comments just now at 2:38 p.m., and it has been noted.

Let's go on with the first supplemental.

**Mr. Barnes:** Thank you, Mr. Speaker. Love the project, not the process.

Given that this project wasn't on the three-year plan and given that it was a clear priority to anyone who has travelled on the congested Deerfoot, will the minister stand up and admit that this government plays politics with Albertans when it comes to their important infrastructure?

**Mr. McIver:** Mr. Speaker, as I've tried to educate this hon. member, we put our projects on the website. Every year we create a new three-year project list. We publish it publicly so Albertans can see. I'd be interested in seeing the list of what this member wouldn't build in their party with all the cuts they would make to what we're doing. [interjections] Our government works very hard. We're building the things that Albertans want, unlike that party. Under this Premier we're building Alberta. We're putting infrastructure in place that's important. That party would never do it. We are serving Albertans.

**The Speaker:** Hon. members, your own member has the floor. Let's not try and outshout anyone here.

Please, your second supplemental.

**Mr. Barnes:** Thank you, Mr. Speaker. We would have a clear, prioritized public infrastructure list for all Albertans.

Given that this clear priority has been fast-tracked just days before the Premier's leadership review, will the government commit to taking politics out of infrastructure decisions and implement a public prioritized project list so Albertans don't have to wait for another leadership review to get their projects? [interjections]

**Mr. McIver:** Mr. Speaker, the hon. member continues to embarrass himself. In the first question he said: why isn't the project done? Then later on he said: the project is done in time for a political event. It can't be both. The hon. member hasn't got any of his facts straight. He hasn't got his own story straight. [interjections]

Mr. Speaker, we continue to do the right things for Albertans. We will. Nothing's stopping them from making a big list of the things they wouldn't build. We, on the other hand, make a list of the things we are going to build.

**The Speaker:** I don't know what's giving rise to so much joviality in here today, but it's interruptive enough.

Let's go on to Calgary-East, followed by Cardston-Taber-Warner.

#### 2:40 Calgary Southeast Ring Road Contract

**Mr. Amery:** Thank you, Mr. Speaker. The southeast ring road was supposed to be open to commuters on October 1. It's now 51 days past that date. It is my understanding that the contractor has been levied a fine of \$70,000 per day. Now it has come to my attention that trade workers are not being paid for work completed by subcontractors and those that have asked to be compensated have been fired. To the Minister of Transportation: why is the southeast ring road suffering such a long delay?

**Mr. McIver:** Well, Mr. Speaker, it's good to see somebody that's got most of his facts straight. However, the cost to the contractor for being late isn't actually a fine. It's a contractual arrangement within the contract that they will get that much less revenue by being late. Really, the contractor hasn't got the work done on time. It's as simple as that. They had four years to do it. They didn't complete it. But to protect Albertans, there is that contractual arrangement where Albertans gain by \$70,000 a day. That's not the worst arrangement in the world. Some might say that it's pretty good.

**The Speaker:** The hon. member.

**Mr. Amery:** Thank you, Mr. Speaker. Could the minister tell us how he will ensure that the penalty will be collected?

**Mr. McIver:** Mr. Speaker, you know what? The member has been diligent on this because he cares about the mobility of Albertans. I

will say that it's not a matter of collecting the penalty. It's a matter of deducting it from future payments. There's no collection process, in a strict sense, to do. That, of course, is part of the government's plan to make sure that people we contract with to build things for Albertans are motivated to get it done. Even under those circumstances we're finding out this time that that's not enough to get it done on time, but I can assure you that it's going to get it done faster than it would be done without that motivation.

**Mr. Amery:** Mr. Speaker, this question is to the hon. Minister of Infrastructure. What is being done to ensure that trade workers are being protected for the work that they have done?

**Mr. Drysdale:** Well, Mr. Speaker, the southeast Stoney Trail is a project covered under the Public Works Act, administered by my department. The Public Works Act allows that any person who does not receive proper payment, regardless of their level in the contracting chain, can make a claim. The statement of Public Works Act claim is available on the Infrastructure website.

**The Speaker:** Thank you.

The hon. Member for Cardston-Taber-Warner, followed by Bonnyville-Cold Lake.

#### Southern Alberta School Capacity Issues

**Mr. Bikman:** Thank you, Mr. Speaker. The Magrath K to 12 school needs to be modernized. This growing community projects an increasing student population. Built in 1952, the existing school has been expanded and cobbled half a dozen times and has six utility rooms to prove it. Because courtyard space was used for one expansion, half the elementary classes have no natural light. Can the Minister of Education please inform the parents, teachers, and the Westwind school division if this number one division priority will be addressed in his December announcement?

**Mr. J. Johnson:** Mr. Speaker, the shorter answer is that we'll have to stay tuned and wait for the December announcements, but the longer answer is that this member is experiencing in his constituency what many of us are experiencing in our constituencies. I think he's probably in agreement that we elected the right Premier, who's agreed to deal with those things and invest in those communities and build those schools and modernize the schools that need to be modernized.

**Mr. Bikman:** Mr. Speaker, the theatre that is question period.

Given that Raymond elementary is at 130 per cent utilization, with 50 kindergarten children in one common space, and given that if the parent link centre area onsite was made available for instructional use, this overcrowding would be alleviated, could the Minister of Human Services advise what efforts can or are being made to secure a different location for the parent link program?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Thank you, Mr. Speaker. Yes, that's a very important question. Of course, parent link centres do such wonderful work in communities to assist parents with early childhood development, understanding early childhood development and empowering them to ensure that children get a good start. I understand that the school division has given notice to the parent link centre to move out of the school. Negotiations are happening to find a new spot for them. That's happening with the parent link centre, the FCSS, and the local school board, and we're very

confident that we'll be able to find a place to keep this very important community facility operating.

**The Speaker:** The hon. member.

**Mr. Bikman:** Thank you, Mr. Speaker. Given that Raymond elementary and Magrath K to 12 are two local priorities where residents are uncertain about when their concerns will be addressed, would the Minister of Infrastructure be willing to post a public prioritized project list so my constituents and all Albertans can know when important projects such as these will be met?

**Mr. Drysdale:** Well, Mr. Speaker, as I've said many times in this House before, our capital plan is our priority list. It's published on our website. I think maybe the members across have trouble with computers, so maybe I'll push the print button and hand deliver them the list of our priority stuff.

There's lots of growth pressure in this province, Mr. Speaker, on infrastructure. I work with my colleagues, and if it's number 1 on that school boards priority list, then by the sounds of the utilization rates, stay tuned for upcoming announcements.

**The Speaker:** The hon. Member for Bonnyville-Cold Lake, followed by Little Bow.

#### Regional Cancer Centres

**Mrs. Leskiw:** Thank you, Mr. Speaker. This morning the Premier opened a new cancer centre in Red Deer. With more and more people moving into our province each year, this is great news for Alberta. My question is to the hon. Minister of Health. Forty-seven million dollars on a cancer facility sounds impressive, but that's a lot of money. Is it really going to make a difference?

**Mr. Horne:** Mr. Speaker, it is indeed a lot of money, and it's going to make a huge difference in the lives of up to 15,000 Albertans a year. The Red Deer cancer centre is an integral part of the cancer corridor that Alberta has been building over the last several years. As I said, 15,000 patients will now be able to receive radiation therapy close to home in Red Deer and central Alberta. This is a life-changing initiative for patients with cancer.

**Mrs. Leskiw:** To the same minister: what about the rest of the province? How does this facility fit into the provincial cancer strategy that was released back in April?

**Mr. Horne:** Well, Mr. Speaker, as I said earlier, one of the cornerstones of the cancer plan is to provide increasing numbers of Albertans who are living with cancer access to chemotherapy and radiation close to home as opposed to them having to travel long distances. Red Deer joins Lethbridge's Jack Ady centre and services in Edmonton and Calgary and eventually, within a couple of years now, a similar centre in Grande Prairie to provide for the Alberta cancer corridor. As I said, this is going to be life changing for the 1 in 5 Albertans that will develop cancer.

**The Speaker:** The hon. member.

**Mrs. Leskiw:** Thank you, Mr. Speaker. To the Minister of Infrastructure: since Red Deer and area residents have been waiting so long for this facility, will the Central Alberta cancer centre be able to handle the area's population growth now and into the future?

**Mr. Drysdale:** Mr. Speaker, I'm pleased to say that this facility, which came in on budget, provides almost four times the clinical space of the existing facility in Red Deer. What's more, the

building is designed to accommodate future growth in the community. A third radiation vault was shelled in for future expansion. Plus, the building was designed and built so we can add floors onto the roof in the future. This new cancer centre is a prime example of our building Alberta plan in action, and I'm proud to be part of it.

**The Speaker:** The hon. Member for Little Bow, followed by Fort Saskatchewan-Vegreville.

#### Rural Ambulance Dispatch Service

**Mr. Donovan:** Thank you, Mr. Speaker. Over the last few months rural Albertans, more specifically those around Lethbridge and southern Alberta, have been witnessing the PCs' failed ambulance dispatch vision. Last week the Associate Minister of Regional Recovery and Reconstruction for Southeast Alberta told a local paper in Lethbridge that AHS executives were determined to seize control of the fully consolidated rural ambulance dispatch despite the town council, mayors, and Reeves of the area all warning this government that removing local dispatch could have potentially dangerous consequences. To the minister of southeast Alberta reconstruction and recovery: have you come to terms with the fact that central . . .

**The Speaker:** Hon. member, we have to proceed with the answer now. The time for your question has expired.

Did the minister get enough out of that to answer a question?

**Mr. Fraser:** Mr. Speaker, as you know, I have some history with rural ambulance service, and what I can tell is that the history of the rural ambulance service goes a long way back. What we're seeing are great improvements to enhance patient care. In many of these communities, particularly outlying rural areas in southern Alberta, they have never experienced advanced cardiac life support, and that's what they're going to get. We're going to be able to track these ambulances, get them to the communities and the emergencies that they need to be at. It's a good system.

**The Speaker:** The hon. member.

**Mr. Donovan:** Thank you, Mr. Speaker. Given that so far the Health minister has refused to meet with the local members of the Lethbridge town council on this issue and given that this issue has negatively affected the regions across southern Alberta, will the minister of recovery please commit to sitting down with his minister, municipal leaders, and the Health minister to find a solution that will work for all rural Albertans?

**Mr. Horne:** Mr. Speaker, the hon. member is incorrect. I have in fact met with and talked to members of the former Lethbridge council. I will be meeting members of the new Lethbridge city council later this week. As we have with other communities around the province, we've worked very hard with local municipalities, the vast majority of whom have chosen to consolidate their dispatch services with Alberta Health Services because they know it will help to improve patient care.

2:50

**The Speaker:** The hon. member.

**Mr. Donovan:** Thank you, Mr. Speaker. Given that back in August, when the mayors and Reeves had sent out an invitation for you to please come to the meeting about rural dispatch, and given that you didn't show up at the meeting — people around there were concerned about what was going on — and given that there was a

letter from 17 different municipal leaders sent to you about the rural dispatch problem in southern Alberta for ambulances, I guess I'm concerned. Next time, when you have the meeting, if you'd please let everybody know what the outcome of it was.

**Mr. Horne:** Well, Mr. Speaker, as I said, I've met with many officials from municipalities around the province. The letter to which the hon. member refers: 12 of the 17 mayors who signed that letter already have consolidated dispatch services with AHS.

More to the point, Mr. Speaker, I will say – and I'll be meeting with more municipalities later this week – that we do understand that in some specific municipalities there are issues, not with the policy of making EMS part of health care but with perhaps some refinements and adjustments that might be necessary from their perspective to provide the level of care that they wish to their citizens. We'll continue to work with them to do that.

**The Speaker:** Thank you.

Hon. members, we were able to get to 16 different members today, which is very good. One of the primary reasons, of course, is because we had a number of people who really shortened or eliminated their preambles to supplementaries. I want to comment on and commend Edmonton-Manning, Calgary-Bow, and Calgary-East for doing a good job in that respect. As well, Lac La Biche-St. Paul-Two Hills took an attempt at one there to shorten his preamble, as did Calgary-Fish Creek, as did Bonnyville-Cold Lake. So a number of people are catching on. This is how it should function. Thank you.

In 20 seconds from now we will continue on with private members making their statements, starting with Calgary-Hawwood.

The hon. Government House Leader.

**Mr. Hancock:** Thanks, Mr. Speaker. As we do that – I'm sure you meant for everybody to leave while we're talking about this – in anticipation of the clock and the various things that have happened, I would ask for the unanimous consent of the House to continue after 3 o'clock with the Routine.

[Unanimous consent granted]

**The Speaker:** Hon. members, I heard no objection, so we will continue until the Routine is completed. Thank you.

### Members' Statements

*(continued)*

**The Speaker:** The hon. Member for Calgary-Hawwood, followed by Strathmore-Brooks.

### International Investment

**Mr. Luan:** Thank you, Mr. Speaker. Globalization and the global economy have certainly become the new reality of today, which is why our government has undertaken new initiatives to open new markets and attract international investment in Alberta. Because of such initiatives our province is increasing its financial and global profile. Low taxes, a stable economy, and a transparent government make Alberta one of the best places to do business.

Alberta has also developed strong ties with many countries in the world. For instance, the Alberta-Hokkaido relations celebration, which occurred yesterday, honoured the long-lasting relations between Alberta and Japan for the last 41 years. Now Japan is one of Canada's primary Asian sources of foreign investment along with China.

That's not all, Mr. Speaker. Here are a few more facts to support the statement. Alberta led the nation in economic growth, with a 3.4 per cent growth rate for the last 20 years. Alberta exported \$93 billion in commodities to 192 countries in 2011, which represents an 18 per cent increase from the year before. Alberta offers a 10 per cent refundable provincial tax credit for scientific research and experimental development. Finally, Alberta is being recognized as one of the most competitive business tax environments in North America, with no provincial sales tax, no provincial capital tax, no payroll tax, no machinery or equipment tax.

Thanks to our government's continuous focus on building Alberta, opening new markets and welcoming international investment is one of the three key pillars of that plan, which I'm very proud of. Albertans continue to be well served by this government with the building Alberta plan, which sustains our prosperity.

Thank you.

**The Speaker:** Well timed, sir.

The hon. Member for Strathmore-Brooks.

### Emergency Medical Services in Southern Alberta

**Mr. Hale:** Well, thank you, Mr. Speaker. After two years of negotiations Alberta Health Services finally signed a deal with the Wheatland and Adjacent Districts Emergency Medical Services Association. I'd like to take this opportunity to thank WADEMSEA for their hard work in Wheatland county. I am pleased that after months of uncertainty residents will continue to receive the top-notch local ambulance services they have come to expect for the past 25 years.

In recent months it appeared that the province was trying to cut the legs out of our local ambulance service as part of their policy of centralizing ambulance services. The PC government tried to cut back the local service by half a million dollars. The result would have been devastating for WADEMSEA. Thankfully, WADEMSEA persevered.

Securing adequate funding for ambulance services shouldn't be such a struggle. It is beyond me why Alberta Health Services under the direction of the PC government tried to bully the local ambulance provider into accepting these unfavourable terms when the service itself would have been at stake.

I'd like to take this opportunity to recognize the outspoken advocacy of Wheatland county reeve Glenn Koester as well as WADEMSEA co-ordinator Rob Witty, board member Darcy Burke, and the whole WADEMSEA board for their role in speaking out for the residents of Wheatland county. It was an honour to stand beside and work with this board to achieve this positive outcome.

Residents of Wheatland county are certainly safer due to their persistent and determined advocacy efforts. This is a great example for other communities to look to for positive results coming from working together.

Centralizing ambulance services has been a disaster, and that's a lesson the PC government is refusing to learn. It's a reminder for all communities fighting against this government to not give up. Stand together, and make a positive difference. On this occasion it's a telling reminder to Albertans that Alberta Health Services is running out of control. It's heavy-handed approach of holding the residents of Wheatland county hostage with a half-million-dollar cut in funding for their ambulance service is completely unacceptable. Thankfully, due to their advocacy a potential disaster has been averted.

### Presenting Reports by Standing and Special Committees

**The Speaker:** I show the hon. Member for Leduc-Beaumont.

**Mr. Rogers:** Thank you, Mr. Speaker. As chair of the Select Special Chief Electoral Officer Search Committee I'm pleased to table the committee's report recommending the appointment of Mr. Glen L. Resler as Chief Electoral Officer for the province of Alberta. I have the requisite number of copies for tabling, and copies of the report are being distributed to all members of the Assembly today.

Thank you.

### Notices of Motions

**The Speaker:** The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. It is my privilege this afternoon to give notice of two motions that we would intend to bring before the House at the appropriate time. The first:

Be it resolved that the Legislative Assembly concur in the report of the Select Special Chief Electoral Officer Search Committee and recommend that Glen Resler be appointed as Chief Electoral Officer for the province of Alberta, effective December 9, 2013.

Mr. Speaker, I also have the privilege of bringing forward a second motion.

Be it resolved that

- (1) Hon. David Alward, the Premier of the province of New Brunswick, be invited to the floor of this Chamber on Thursday, November 28, 2013, immediately following Prayers, to address the Legislative Assembly;
  - (2) This address be called for immediately after the Hon. Mr. Alward is introduced under Introduction of Visitors; and
  - (3) The ordinary business of the Assembly resume upon the conclusion of the address;
- and be it further resolved that Premier Alward's address become part of the permanent records of the Assembly.

### Introduction of Bills

**The Speaker:** Hon. Member for Sherwood Park, you have a bill to introduce?

#### Bill 44 Notaries and Commissioners Act

**Ms Olesen:** Yes, I do. Thank you, Mr. Speaker. I rise today to request leave to introduce first reading of Bill 44, the Notaries and Commissioners Act.

This bill makes amendments and updates two pieces of legislation to ensure Albertans can continue to be well served. Making these amendments will also help ensure Alberta's legislation is consistent and clear.

The bill includes amendments to the Notaries Public Act and the Commissioners for Oaths Act. The major amendments to this legislation are the consolidation of these two acts into one, modernization of the language to provide greater clarity, and changes to the maximum fines so they are in line with other acts.

The legislation would also make a provision to allow for a code of conduct in the regulations. This code would formalize and clearly define appropriate behaviour for appointees.

Thank you very much, Mr. Speaker.

[Motion carried; Bill 44 read a first time]

**The Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I'd move that Bill 44, the Notaries and Commissioners Act, be moved onto the Order Paper under Government Bills and Orders.

[Motion carried]

3:00

#### Bill 209 Severance and Bonus Limitation Statutes Amendment Act, 2013

**Mr. Anderson:** It's my pleasure to rise and introduce first reading of Bill 209, the Severance and Bonus Limitation Statutes Amendment Act, 2013.

I think we can all agree that this bill is a timely one given the reports Albertans have seen of multiple instances of government and health executives and senior managers receiving lavish perks, that everyday Albertans could only dream about, even when they have chosen to leave their positions or have been fired for misdeeds.

Bill 209 will ensure the following bonus and severance limits on all non-unionized employees of government. Alberta Health Services, the Workers' Compensation Board, the Alberta Investment Management Corporation, and the board of the Alberta Energy Regulator will follow these specific points: that no new severance packages shall ever exceed \$100,000 in value unless the individual has worked for more than five years in the same position, in which case the severance shall not exceed \$200,000; that no employee may collect two government severances within a five-year period; that no annual bonus or performance pay may be more than 15 per cent of an employee's income in a given year; that all bonuses over \$2,000 must be based entirely on objective performance criteria outlined in advance by each ministry; and that all bonuses and severances must be made accessible upon public request under FOIP legislation.

I look forward to the debate on this bill and to the support from colleagues in this House who want to ensure that the government's system of severance and bonuses is fair and reasonable and respectful of taxpayers.

[Motion carried; Bill 209 read a first time]

### Tabling Returns and Reports

**The Speaker:** The hon. Minister of Transportation, followed by Fort McMurray-Wood Buffalo.

**Mr. McIver:** Thank you, Mr. Speaker. I rise with the requisite number of copies of Supreme Court ruling 416, also known as Baron versus Canada, that I referenced during second reading of Bill 32, Enhancing Safety on Alberta Roads Act. The ruling found that the terms "reasonable and probable grounds" and "reasonable grounds" are equivalent. I hope this helps all members as we continue debate on this important piece of legislation.

**The Speaker:** The hon. Member for Fort McMurray-Wood Buffalo, followed by Edmonton-Calder.

**Mr. Allen:** Thank you, Mr. Speaker. I rise today to table the requisite number of copies of section 3 of the Tobacco Use in Canada report for 2013 by the Propel Centre for Population Health Impact at the University of Waterloo. This report emphasizes that even though we have made great strides in Alberta to reduce the number of youth introduced to and involved in smoking, there is still much to be done.



**The Speaker:** The hon. Member for Edmonton-Calder – I understand you have two tablings – followed by Rimbey-Rocky Mountain House-Sundre.

**Mr. Eggen:** Yes, Mr. Speaker. Thank you. Today I'm tabling another hundred copies of a letter campaign that's being sent to Minister Horne and Dr. John Cowell, which my office has been copied on, letters expressing the important concerns about the planned privatization of laboratory services in the Edmonton region.

I also have the appropriate number of copies of a postcard campaign that is calling on this PC government to include appropriate human rights protections in the new Education Act. The postcard reads: "Last fall, the government refused the New Democrat Opposition's calls to include the Alberta Human Rights Code or the Canadian Charter of Rights and Freedoms in their new Education Act." I have the appropriate copies of this, including our caucus members' feet and legs, which is very interesting.

Thank you.

**The Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. I rise to table a letter from Chris Wiese. I have the appropriate number of copies here. This letter is in regard to the out-of-country health care funding. Unfortunately for Chris, she had to receive a very rare surgery dealing with her back, that only two other Albertans have had done in the last 13 years. That surgery is not performed here in Alberta, which has been confirmed by surgeons. Unfortunately, she's caught in a maze of bureaucracy where she was never funded, and the minister's office said that they had no knowledge of the case and then subsequently quoted from the letter, unfortunately.

Thank you very much.

**The Speaker:** Are there others? The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. I am glad to table a letter, with the requisite copies, dated October 25 from a constituent of mine, Kathleen. She's a young home-schooling mom, and she states that her tune until the day she dies will be that "parental choice, parental choice and parental choice in education and all areas of life, should be guarded and cherished at all costs."

Thank you, Mr. Speaker.

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following document was deposited with the office of the Clerk: on behalf of the hon. Mr. Johnson, Minister of Education, pursuant to the Legislative Assembly Act and the Government Accountability Act the annual report update 2012-2013.

**The Speaker:** Hon. members, we will now proceed with two points of order, the first of which I believe was raised by the hon. Member for Lac La Biche-St. Paul-Two Hills. Citation, and proceed.

### Point of Order

#### Allegations against a Member

**Mr. Saskiw:** Thank you, Mr. Speaker. I rise under Standing Order 23(h), (i), and (j), and it's with respect to a comment made by the Government House Leader which was in response to a question

that I had put forward. He indicated that through my question I was besmirching the reputation of an independent officer of this Assembly. In essence, the Government House Leader is alleging that I committed a contempt in this Legislature. You will know, as you stated in a decision earlier this afternoon, that committing a contempt is exceptionally serious, and that's what this member has alleged that I have done.

If you review *Hansard*, my question was in regard to any potential actions by the Premier, her office, the Public Affairs Bureau, ministers and their staff, but never once did I say in my question or imply in any way whatsoever that the Ethics Commissioner had delayed the public reporting of his decision. It was all in reference to the Premier. So the member's comment that I besmirched the reputation of the Ethics Commissioner is completely unfounded.

Mr. Speaker, besmirching the reputation of an independent officer is considered a contempt, and equally so it is, I would suggest, a contempt or, at least in this case, a point of order in terms of 23(h), (i), and (j) that you cannot allege that a member of this Assembly has in fact committed a contempt. This Government House Leader has been in this Assembly for a long, long, long time, and he should know that alleging that a member in this Assembly has committed a contempt should be done more appropriately through the normal procedures. Give notice that a contempt has been committed in this Legislature, but do not state it here in this forum. Obviously, making a statement, unfounded, that a member has committed a contempt in this Legislature would clearly violate 23(h), (i), and (j).

Obviously, my suggested remedy is that his comment be withdrawn and that he apologize. I would suggest, given your ruling less than an hour ago, that anything less than that would be inconsistent with the ruling that you provided one hour ago.

Mr. Speaker, in no way whatsoever did I besmirch the character of an independent officer. This member knows that. No clarification is required because the question was very clear in all circumstances. So I ask that the Government House Leader withdraw the comment.

Thank you.

3:10

**The Speaker:** Hon. Member for Edmonton-Calder, did you wish to chime in briefly?

**Mr. Eggen:** Very briefly, yes.

**The Speaker:** Okay. Why don't you proceed, then? Thank you.

**Mr. Eggen:** Thanks, Mr. Speaker. I support this member's point of order here. Looking at 23(h), (i), and (j), certainly it was clear that this member was asking if the Premier could confirm that no one from her office, from the Public Affairs Bureau, or any ministers from her staff had made any requests to this officer. Certainly, that is what he was aiming at.

I think that we have to be really careful to not throw around this word, "contempt" and the implications of it without the proper gravity it deserves. I know that things were heated here, but I don't want for this member to throw fuel on the fire by using the word "contempt" in any way besides the very grave circumstances in which it's framed within our standing orders and within parliamentary procedures.

So that's certainly the way I heard it, quite literally. I have the question here, and that seems reasonable. Thank you.

**The Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. Well, it seems to me that the hon. member doth protest too much. He spent a considerable amount of time in his questions in the last few days casting aspersions on an officer of the Legislature. In my response, which perhaps was a little bit overly enthusiastic, I was drawing attention to the fact that it is quite contemptible to actually cast aspersions on an officer of the Legislature. In fact, when officers of the Legislature are appointed, as when judges are appointed, they take an oath of office. They move from whatever relationships they may have had in the past into a relationship of neutrality.

As the hon. member has indicated, I do have considerable experience as both a member of this Legislature and as a member of the bar, and in my experience it is on exceedingly rare occasions – and there are ways to deal with those rare occasions – where officers of the court, where judges, where officers of the Legislature stray outside those oaths of office. They take their oaths of office seriously, they do their jobs diligently, and when one wants to question their credibility or their integrity, one ought to do it very carefully and in appropriate ways.

We have privilege in this House to have freedom of speech and to have a wide latitude in what we say, but as it says in *House of Commons Procedure and Practice* on page 98,

such a privilege confers grave responsibilities on those who are protected by it. By that I mean specifically the Hon. Members of this place. The consequences of its abuse can be terrible. Innocent people could be slandered with no redress available to them. Reputations could be destroyed on the basis of false rumour. All Hon. Members are conscious of the care they must exercise in availing themselves of their absolute privilege of freedom of speech. That is why there are long-standing practices and traditions observed in this House to counter the potential for abuse.

It goes on to say in another paragraph that

paramount to our political and parliamentary systems is the principle of freedom of speech.

And then it goes on to say:

However when debate in the House centres on sensitive issues, as it often does, I would expect that members would always bear in mind the possible effects of their statements and hence be prudent in their tone and choice of words.

Mr. Speaker, it is my submission that the tone and choice of words in the three questions that were raised by that member were, in fact, contemptible. I did not raise a question of contempt of the House. I don't think I even used the word "contempt" in my response. I think I used a word that the . . .

**An Hon. Member:** Besmirched.

**Mr. Hancock:** Besmirched, yes. I think another word was – I forget the word. It started with an F, as I recall, but it wasn't a bad word. But I did not use the word "contempt" because I did not want anyone to confuse contempt and contemptible, which would be an appropriate word.

The hon. member who raised this point of order is a member of the Law Society, I believe, or at least was for a short time. He ought to know that when we select officers of the Legislature and appoint them, that, yes, the process is done by a legislative committee that is an all-party committee and that, yes, the majority of that all-party committee are members of the government's side. That's the nature of the parliamentary tradition. That's the nature of our rules and orders.

But when the selection is made and when the appointment is made, you have an officer of the Legislature who is every bit bound to do his duty or her duty in the same way we as members are bound to do our duty: with due diligence and with respect to

the office and with integrity. In my experience, Mr. Speaker, they do it. In my experience, when you appoint a judge, people can always say: well, that judge was appointed by a Conservative government or by a Progressive Conservative government or by a Liberal government. Once they're appointed, it matters not. They owe their duty to the court. Once a legislative officer is appointed, they owe their duty to the Legislature, and they owe no duty to their previous friends of any nature. In fact, they have a duty to separate themselves from any conflict. That is the experience we've had from all of our officers of this Legislature in my long experience in this House, Mr. Speaker.

I would suggest to the hon. member that he doth protest too much. He was raising questions, and he can say: well, I didn't ask directly about whether the officer of the Legislature is delaying his report because of interference. No, he didn't ask that directly, but it was the sum and substance of his question, Mr. Speaker, and it was entirely wrong.

**The Speaker:** Thank you, hon. members who have participated in this point of order.

Let me review what happened here based on the Blues that are available to me at this point. At approximately 2:21 p.m. the hon. Member for Lac La Biche-St. Paul-Two Hills rose and said: "Thank you, Mr. Speaker. I'll try to tone it down a bit." He went on to say:

Given that the Premier is surely concerned about the results of November 22, her advisers are even lowering the bar to saying that 50 per cent plus one is a success and given that the Ethics Commissioner's office has publicly stated that his report on the investigation of the Premier awarding a billion dollar tobacco litigation contract is complete, can the Premier confirm that no one from her office, from the Public Affairs Bureau, or any of her ministers or their staff has made any request to delay the report from being released prior to her leadership review? Be very careful with your answers, sir.

It was at that point, you may recall, that I rose, and I said the following:

Hon. members, you know from previous rulings and previous rules that we're all pledged to abide by that asking questions about a matter that is under investigation by the Ethics Commissioner is out of order. Please . . .

Then there were interjections of various kinds, and I went on to say:

Excuse me. I have the floor at the moment. Please, if you're going to pursue questions of that nature, rephrase them in such a way so as to not violate that rule.

Would somebody from the government side care to comment?

Then I recognized the hon. Government House Leader, at which point we had an interjection from Lac La Biche-St. Paul-Two Hills, who said, "Very carefully," at which point the Government House Leader then started to say:

I would be very careful to say, Mr. Speaker, that I find all of the questions that have been raised in this area very offensive. The independent officer of the Legislature who performs the role of Ethics Commissioner takes an oath of office,

at which point the Member for Lac La Biche-St. Paul-Two Hills was heard interjecting, and it's in *Hansard*. "Talk about the Premier" is what he said.

Then it went back to the Government House Leader, who tried to continue by saying:

He has fulfilled his office with integrity, and this House should respect . . .

At that point Lac La Biche-St. Paul-Two Hills was audible enough that *Hansard* picked up his comment, "Talk about the Premier," at which point the Government House Leader kept going and said:

If there are any questions about the operation of that office, they are rightly called before a legislative committee . . .

Then he was interrupted by Lac La Biche-St. Paul-Two Hills, who is on record as saying, “The Premier,” at which point the Government House Leader then tried to carry on:

. . . and it is totally inappropriate to besmirch his reputation here.

That’s what the Government House Leader said. At that point the Member for Lac La Biche-St. Paul-Two Hills rose on a point of order. Did I skip the part about “besmirch?” I think I mentioned it. Sorry; I’ve got two pages that I’m wrestling with here. In any event, the Member for Lac La Biche-St. Paul-Two Hills then stood and said:

Point of order, Mr. Speaker. Saying that I besmirched his reputation is a complete lie.

And that is in *Hansard* as well.

3:20

Now, there are many issues at play here, and I’ll try to be as brief as I can. I think I have mentioned this at least three or four, maybe five, six, or more times, that it’s not only what gets said in the House but also how it gets said and the context within which it can be said and, in turn, the context within which it is interpreted.

But what I want to zoom in on here is what I had just said, after the first question with its preamble was posed by the Member for Lac La Biche-St. Paul-Two Hills. You all know from previous rulings and previous points of order that it is inappropriate to reference a report that we know is forthcoming, an investigation that we know is under way by any officer of the Legislature that holds the position of the Ethics Commissioner, or for that matter it could apply elsewhere.

The point here is that if you’re going to go down such a path, you have to be aware of what the consequences will be. You can be guaranteed that I have to rise; it’s my job to rise. I can’t ignore rules. I have to stand and defend the rules. Otherwise, what chaos would we have here? I find it very unusual, Lac La Biche-St. Paul-Two Hills, that you would pursue that line of questioning when I know that you know better.

By the same token, *Hansard* will show that in the middle of question period something that we frequently see during Committee of the Whole occurred. We had an active exchange between a member of the front bench in government, that being the Minister of Human Services, and the Member for Lac La Biche-St. Paul-Two Hills, as I just illustrated. It went like a ping-pong ball, back and forth. It’s very difficult for the Speaker at that point to maintain the law and order that is required.

Number two, it’s also questionable who provoked whom in this circumstance. Some people could argue, “Well, it was comments made during the question.” Others could say, “No, it was the answer that was attempted by the minister.” “Well, no, it was this person.” “It was that person.” Then the finger pointing starts, and then the verbal jousting starts, and we get absolutely nowhere with it other than to say that the tenor of the question as it was phrased and asked, I think, is inappropriate. But, by the same token, so too was the Government House Leader’s response when he said that he may have been overly enthusiastic in his comments just a moment ago. And he may well have been. But you can appreciate, given what I just mentioned, what provoked that comment.

I want to repeat what I said earlier, before question period started, that I believe our officers who serve this Legislature are unelected individuals, not like yourselves; are of the highest calibre available to us all as members; and that they serve us as impartially and as appropriately as they can and they must. So we’d better be very, very careful about any casting of aspersions

on such officers. Hopefully, there won’t be any in the future either deliberately, directly, or indirectly, whichever way.

I would hope that we can also abide by the rule that members who are not elected and not sitting in this Assembly have no way of defending themselves, and they don’t have the immunity that all of us in this Assembly have. They are helpless in that respect, and I have admonished on numerous occasions some people in this House for that point as well.

Finally, I’m going to conclude that both members here, including the Member for Edmonton-Calder on behalf of the ND opposition, have made their points. They’ve clarified their points. Speaking specifically to Lac La Biche-St. Paul-Two Hills and to the Minister of Human Services, this is a case where, for better or for worse, in whole or in part, you’re both right. It reminds me of an old Certs commercial, “You’re both right,” because there have been some leeways given and taken in this instance.

Nonetheless, the record will show that both members had a chance to clarify their positions on it. Hopefully, we won’t have that repeated going forward.

That closes that point of order, and we can move on now to Calgary-Shaw. You also had a point of order.

### Point of Order Factual Accuracy

**Mr. Wilson:** Yes. Thank you, Mr. Speaker. I rise under citation 23(h), “makes allegations against another Member,” and (i), “imputes false or unavowed motives to another Member.” I am rising, as you know, on the Minister of Transportation’s response to the hon. Member for Cypress-Medicine Hat’s first question in question period today, in which the Minister of Transportation was asked:

It was with relief that Calgary residents learned the government has fast-tracked a modification to Deerfoot Trail with widening at Southland Drive. Clearly, this was a local, even a provincial priority considering the intense amounts of traffic on the Deerfoot every day. Yet this priority wasn’t on Alberta Transportation’s three-year plan. The minister is always trumpeting about the accuracy of his list posted on the website, but every Albertan can see that this very important project wasn’t even listed,

“this project” referring to widening at Southland Drive along Deerfoot Trail.

Now, the minister stated in his response some sort of accusation – a completely baseless accusation, I would add, Mr. Speaker – that I had somehow taken some sort of credit for this upgrade along Deerfoot Trail at Southland Drive. This was clearly not a provoked response from the minister, and I would assure you that this is not an occasion where we should refer to *Beauchesne’s* 494, where we have to accept two contradictory accounts of the same incident, because his statement, sir, is categorically false.

I would simply ask the minister to immediately table any documentation that he has where I have discussed or mentioned, much less taken credit for anything that is done to Deerfoot Trail, either at Southland Drive or anywhere else for that matter, because this does not exist. It is absolutely categorically false that I did that, Mr. Speaker, and I ask that he withdraw these fabricated statements and apologize.

Thank you.

**The Speaker:** I assume your last sentence was directed to the Minister of Transportation, not the chair?

**Mr. Wilson:** That’s correct.

**The Speaker:** Thank you for clarifying that. It's been an interesting day.

**Mr. McIver:** Mr. Speaker, I'm going to assume that what the hon. member quoted out of the Blues or whatever he's got is correct. On that basis I will relay to you my recollection of a document or a postcard that the member sent out actually taking credit for a construction project at Macleod Trail and 22X. Having said that, if I did hear incorrectly about the work that we're about to do at Southland Drive and Macleod Trail, if that is indeed what was said, then I do withdraw those remarks, and I do apologize because I didn't hear correctly, and the hon. member is right to call me to task on that. I have no trouble being corrected.

**The Speaker:** Thank you.

Deputy Premier, you wish to chime in on this?

**Mr. Lukaszuk:** No. I have a point of clarification, Mr. Speaker.

**The Speaker:** Is it relative to this point of order?

**Mr. Lukaszuk:** Not to this point of order.

**The Speaker:** Okay. Can we just hang on, then, for a moment?

Is there anyone else? I'll be very brief, hon. members. The comments that Calgary-Shaw made, which pretty much verbatim rephrased the question asked by Cypress-Medicine Hat, I will not go on with other than to say that he left out one sentence which *Hansard* has. The Member for Cypress-Medicine Hat concluded his preamble with the following question: "When will the Minister of Transportation admit that his list is meaningless and his decisions are purely political?" I would assume that that's what got the minister going a little bit, and the minister did in fact say:

Well, Mr. Speaker, I find it highly entertaining that the hon. member would criticize this particular project when the Member for Calgary-Shaw actually sent out a document to his constituents claiming he had to take credit for it.

And then he went on with:

You . . . should get your stories straight and things of that nature.

Hon. minister, if there was a misunderstanding or a misspeak from you, we will accept your withdrawing of the comments that you made in reference to the Member for Calgary-Shaw, and, Calgary-Shaw, I would hope you would accept that. I see a nod of the head, indicating a yes from Calgary-Shaw, so that will conclude that matter, and we'll leave it there.

Thank you for the accommodation there, hon. minister and hon. Member for Calgary-Shaw.

Deputy Premier, you had a point of clarification?

#### Point of Clarification

**Mr. Lukaszuk:** Yeah. Thank you, Mr. Speaker. I will inform you of a couple of new developments, and perhaps you will have an opportunity to ponder on it over the weekend and then provide . . .

**The Speaker:** Hon. Deputy Premier, are you rising under 13(2)?

**Mr. Lukaszuk:** No.

**The Speaker:** Clarification?

**Mr. Lukaszuk:** Yes. Sorry; 13(2). Yes. Sorry about that.

**The Speaker:** Okay. We need the citation.

**Mr. Lukaszuk:** Mr. Speaker, as you recall, earlier today, before question period, you rose and you made some comments that were very clearly directed at the Member for Airdrie at length, to which – appropriately so, I would imagine – the Member for Airdrie stood up and apologized, and you said that that is the end of the matter. As you recall, in your comments what he apologized for is waging allusions and allegations that the Speaker of this Assembly is biased.

Well, Mr. Speaker, I have to tell you that it's been brought to my attention by my staff that, perhaps while you were speaking, at 2:08 exactly the Member for Airdrie from the Chamber . . .

**Mr. Saskiw:** Point of order, Mr. Speaker. That's not true.

3:30

**The Speaker:** Hon. Member for Lac La Biche-St. Paul-Two Hills, just hang on.

Can we just get to what it is that you want clarified? Hon. member, would you conclude by saying what it is that you want clarification on?

**Mr. Lukaszuk:** At 2:08 the Member for Airdrie on his official Twitter account said, "For the record – the Speaker of the #ableg is very biased & I did not call anyone corrupt – check the *Hansard*."

Following that, Mr. Speaker, the same Member for Airdrie sent a message to me saying, "Like you w/Seniors Tom, Gene often uses his position to bully people helpless to defend themselves. I'm sincere in saying that."

**The Speaker:** Hon. members, I'm not sure what it is exactly that you're referring to, but I'm going to have a look at it, and perhaps I'll make a further comment later.

Now, hon. Member for Lac La Biche-St. Paul-Two Hills, you had a point of clarification?

**Mr. Saskiw:** A point of order.

**The Speaker:** A point of order on a point of clarification?

**Mr. Saskiw:** Yes.

**The Speaker:** Well, I haven't encountered this before, but let me hear briefly what your point of order is.

#### Point of Order Factual Accuracy

**Mr. Saskiw:** Thank you, Mr. Speaker. I rise according to Standing Order 23(h), (i), and (j). The Deputy Premier here today made an allegation towards one of our members that he had in fact communicated through Twitter while he was in the Chamber. That is categorically untrue, so I'd ask that the Deputy Premier withdraw that statement. It was done outside the Assembly. There is absolutely no authority within this Legislature to try and limit the free speech of our members outside this Assembly, and I would like you to withdraw it, sir.

**Mr. Lukaszuk:** The member is correct. As a matter of fact, he perhaps misses the point. The point is not where the Member for Airdrie was, and if he wasn't in the Chamber, I take that back. He may have left.

Mr. Speaker, what I was trying to get at is this. In an apology in the Chamber – and it's a time-honoured tradition – it is the Chamber that has to decide whether the apology was sincere and to accept the apology of the member. What I'm telling you is that at a time that is very close in proximity to his apology, he recounts

exactly what he said in the Chamber. As a matter of fact, he not only calls you very biased, but now he calls you a bully that bullies helpless people. I would suggest to you that even though you put an end to the point of privilege, obviously the apology was not sincere when the member within minutes publishes to the whole wide world what his true intentions and true feelings are.

**The Speaker:** Hon. members, I'm going to take this under advisement and make a comment on it as soon as I've concluded my review of the matter. That will stand where it stands for the time being.

Let us go to Orders of the Day.

## Orders of the Day

### Government Bills and Orders

#### Second Reading

#### Bill 33

#### Tobacco Reduction Amendment Act, 2013

[Adjourned debate November 18: Mr. Rodney]

**The Speaker:** The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thank you, Mr. Speaker. Thank you for the opportunity to speak to Bill 33, Tobacco Reduction Amendment Act. As the Health critic for the Wildrose I'm optimistic that this government will take concrete actions to reduce tobacco use in Alberta and, I have to emphasize, especially amongst our youth.

I'd like to talk a bit about the things that I like in the bill. Then I'm going to talk about the things that I'm quite concerned about in the bill. I'm going to be asking the Member for Calgary-Lougheed some questions. Hopefully, during this debate he'll be able to clarify some of the things that I know our caucus is very concerned about.

I'd like to say, first of all, that I like the fact that the bill, if and when it's proclaimed, will ban smoking in vehicles with children present. Now, some of you might be thinking: wait; all bills passed by the Legislature become law. Quite frankly, Mr. Speaker, that's not exactly true. We've passed many private members' bills that have been put forward by many members in this Assembly, and they still have not become law.

I hearken back to the private member's bill from Edmonton-Meadowlark. I believe it was in 2012 that it was passed, and it's been sitting there. It was specific about supporting the ban on smoking in vehicles with children present. We are actually lagging in the country on this. Even cities and towns in Alberta were ahead of this government on this. Every province except us and Quebec has an explicit ban on smoking in vehicles with children present. So to me, the question to the government is: if they are so intent on banning smoking in vehicles, why did they not pass the private member's bill from Edmonton-Meadowlark when it passed in this Legislature?

I also support the ticketing of those who sell or give tobacco to minors. Again, we're in last place in the country on this one. I know it's better late than never, but we were the last province to ban giving tobacco to minors in this country. There were loopholes; I understand that. You could give them tobacco or even sell to them in private while the rest of the country said that this practice is wrong. We can see the results of these loopholes in our youth smoking rates. While a \$500 ticket sounds like a lot for an offence, I think it's a good thing. What is the cost to the public for someone that smokes and gets sick? Twenty times that? A hundred times? A thousand times? It's something that I think about.

I want to talk for a minute about the bill itself. I have to say that when you're flipping between Bill 33, the Tobacco Reduction Amendment Act, and then we have to go back to the Tobacco Reduction Act, and then we have to go to I think it's Bill 206, that the Member for Calgary-Currie has brought forward, it's a lot of flipping.

I just want to talk a bit about Bill 33, the Tobacco Reduction Amendment Act. The title is repealed, and the following is substituted, and we're now going to call it the tobacco and smoking reduction act. My question to the associate minister is: if you're going to reduce smoking and legislate where you can and cannot smoke, how are you going to deal with those addicted, and what smoking cessations are you going to be providing? You are on the right path, but you have many people that smoke, and I can't find anywhere in the Tobacco Reduction Amendment Act that you're dealing with anything to do with helping people with smoking cessation.

I also would like to ask you – we know addictions and mental health is a huge issue, and I have to say that from the people that I talk to in the field of addictions and mental health, the government has done a terrible, terrible job on addressing that. What addiction counsellors dealing with smoking have you consulted with, and what have they told you to deal with in your bill, and how are you going to be dealing with it?

Another concern I have is about mandating the minimum amount of products per package. I find this interesting, where you're trying to go with this, and maybe the minister can stand up and explain to me the rationale behind this. I know that you're going to be telling me that it's going to stop the youth or, for that matter, adults from buying one cigar or any of that. I find that interesting as someone who, I guess, used to like the occasional cigar. I know that's a terrible thing to admit in this Legislature, but it's just one of those things. We all have maybe what we could call some skeletons in our closet. Mine was one of those skeletons. There was nothing better than a cigar and a glass of wine, and I know that there are people here that have cigars and a glass of Scotch or whatever it is. I could truck off to the store in my weaker moments of life and buy that one cigar, and now you're stopping me. If I decided to do that again, I'm now going to be buying six cigars or 12 cigars or 15 cigars. I'm not sure if you're aware, Minister, but they freeze very well, and they don't get – is it stale or outdated?

**Mr. Wilson:** Stale.

**Mrs. Forsyth:** So I'm trying to understand the rationale behind that. I think you're going to find that a huge problem. I know that this is aimed at kids, and I know that it's aimed at some of the flavoured tobacco. I have to tell you, Minister – and I know that you have young children, and they're soon going to get into that crazy teen age, and I honestly hope that you never have to face this. Kids like to pool their money, so there's no problem pooling their money, and all of a sudden they've got a package of six or eight or 12 cigars. You know, I'm very, very concerned about that in the legislation, who you consulted with on that, what rationale you had about picking that. I know you talk about dealing with it in regulations. I think that's something that has to be put on the table.

3:40

Two other comments. I can tell you that we're hearing about it, and it's considering the impact of the bill on our cultural communities. I need to know – and I need you to get up and speak to this – if you have consulted with our aboriginal community as

far as smudging and some of the things that they do. [interjections] I need you to get that on the record, if you would, please, for the aboriginal community.

Also, about the hookah bars, if you consulted with them. I can tell you that the ones that we've talked to are very angry about it, have had no consultations whatsoever. In fact, after I've finished speaking, I'm going to one of the hookah bars that are in this city to find out about the consultation. You've clearly indicated that there are approximately 30 of them. If you could please tell me one that you've consulted with and talked to about the impact there.

Despite some of these wrinkles I do believe that this bill has good intentions, and it's fighting the ongoing public health challenges that are involved with tobacco use. I think, Minister, if you're very, very serious about the impact of tobacco – we met with a group today, which you introduced, in fact, in the Legislature, that I had the privilege of meeting with also, about a new drug that they're going to be lobbying for in regard to putting it in our drug act. I know that my colleague from Innisfail-Sylvan Lake is going to further ask you about some of those things.

We have the ability to speak once in second reading. We're going to be listening very intently to the debate. We would like the government, on the record, to speak up about the consultation process in regard to the aboriginal community, the consultation process in regard to the hookah bars, the consultation in regard to who you've spoken to, what addictions counsellors. I know that there is a very well-respected doctor in Edmonton that's written a book on addictions and smoking. He has not been consulted.

What you're going to be doing to provide Albertans with some cessation products: are you going to include that under the Health Act? There are so many different ones. There's the patch; there's hypnosis. I know you have a huge website on calling in regard to smoking, but really that's just kind of a reach out. So if you'd be prepared to answer some of those questions, I'll be pleased to continue the debate on the bill, and I will tell you that we will be bringing amendments forward to make this bill even stronger.

**The Speaker:** Hon. members, 29(2)(a) is not yet available.

Let us proceed with the hon. Member for Edmonton-Calder, followed by Rimbey-Rocky Mountain House-Sundre.

**Mr. Eggen:** Well, thank you, Mr. Speaker. I take great interest in speaking to Bill 33, the Tobacco Reduction Amendment Act. I think that this is a progressive bill, that we are certainly considering supporting here as Alberta New Democrats. We know that there's lots of unfinished business. There's always a tension there between the people who seek to sell tobacco products and to get new customers and new markets for tobacco and the public interest, which is what we should be representing here, both people's physical health and, I would suggest, financial health and other factors as well. So I think that we are in agreement here in this Chamber that we have missed the mark, and we need to address the issue of youth smoking. So we're very pleased to see that this legislation is coming forward as a way to reduce the rate of new people in this province picking up the habit of smoking and to shy kids away from lifelong addictions.

We do recognize, though, Mr. Speaker, that we're still seeing a 10 to 13 per cent smoking rate amongst teenagers in Alberta, and we'd like to see that reduced, right? It's very crucial that we attack this at a very young age. Really, it's at that junior high stage, I think, when people start to smoke. I think it's important to look at this from a geographic standpoint as well and from a socio-economic standpoint, too, because, of course, we see certain hot spots where smoking is still being picked up at a much higher rate

than 13 per cent, more like 30 or 40 per cent. Amongst certain income groups as well we see a very much higher new smoking rate amongst children.

In 2009 a Health Canada survey testing retailers selling tobacco found out as well that we had a very poor record amongst retailers in regard to selling tobacco. This has been a big problem here in this province for a long time because it's been sort of under federal jurisdiction, yet it seems as though the feds have pulled back from that monitoring aspect, so there's been a vacuum, I think. While we might have laws about selling tobacco products to young people, if you don't enforce the laws, then, of course, they're not worth the paper they're written on. I think that this is a part of what we need to look at here as well, not just tightening up these rules but, in fact, speaking to the spirit of the title of the bill, which is tobacco reduction, in the widest way. So not just making laws about access to tobacco but actually enforcing and exploring a number of different avenues by which to do that.

At this point Alberta as well is the only province, as far as I know, that does not have provincial legislation to curb youth access, so I think this is very important. Youth can't possess tobacco under current laws, but there doesn't seem to be much available to stop the people who provide them with tobacco. I think we really need to tighten that up, and this is a good step forward in this regard.

Then another aspect of this bill: it's just worth noting that together with the province of Quebec we're the last two provinces that don't have legislation against smoking in vehicles where children are present as well. Some municipalities have picked up the slack on this. Certainly, we do require this law to be in keeping with, I think, the scientific understanding of the negative effects of second-hand tobacco and also to be in line with a standard of what's expected here in a modern, industrialized society.

I think a concern we have as Alberta New Democrats is about the resources that would be devoted to the enforcement of this legislation. You know, really, how many officers are we going to have checking on sales? Of course, you can't really have a lot of new people picking up the tobacco habit without the market being there for them to buy the cigarettes, right?

We don't have a very large black market for contraband cigarettes in this province at this point, so we're lucky that way, but we need to mitigate against the possibility that that might occur in the future, when we finally raise the taxes to where they should be on tobacco products. You know, that sometimes does result in potential black market situations, which youth can access even easier than buying tobacco from a retailer.

Again, further to enforcement, we need to know when officers will instigate more thorough investigations. Will we test retailers and people working at retail places about selling to minors? Obviously, this is really key to whether the legislation will work or not.

As well, we've been thinking and reflecting on this whole hookah café situation and concerns around the fact that, well, you know, youth are more attracted to this kind of thing and may still be able to purchase tobacco-like products, which the government has labelled – and I think I would concur – as, in fact, gateway tobacco products, and then still smoke them out of a retail place or a café. We do understand as well the workplace hazard concerns around second-hand smoke, even with the hookah pipes, and that should take priority. I'm still curious to know as well, as the previous member just mentioned, what sort of consultation has taken place in regard to this. That is more out of curiosity, because while I don't think I have any hookah cafés in my constituency, I do see them popping up around the city and around the province

as well, and we do know that there are different communities that enjoy the hookah as part of a cultural habit.

3:50

As well, I'm just wanting to know if the government is going to be taking any steps to curb youth access in regard to tobaccolike products outside of just simply restricting the location in which they can be smoked.

In sum, then, Mr. Speaker, we are happy to see this legislation coming forward, and it does largely have our support as a necessary piece in the puzzle to reduce youth smoking and so forth. Certainly, I think we might have some amendments, especially around, I think, the treatment of smokers and to be able to give them an opportunity to quit and so forth, but otherwise I think we do have some widespread general support for Bill 33.

Thank you, Mr. Speaker.

**The Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. Does anyone wish to take advantage of that opportunity?

Seeing none, let us move on, then, to the hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. In rising, I won't be repetitive of what my fellow colleagues have already said, but there are some concerns that I have about the bill. I first want to state that any attempt to reduce the amount of smokers has to be taken in good faith. I mean, if we can reduce the number of people smoking and the number of people who are subjected to second-hand smoke, it's always a good thing. As we talked about with the other bill earlier, you know, to keep children from taking up tobacco use is also something that is admirable.

But I have some really serious concerns, particularly when it comes to First Nations, dealing with issues of smudges and ceremonies and how this bill is going to affect off-reserve ceremonies dealing with tobacco products and tobaccolike products. This is significant because now we're not talking in terms of a social use as much as a ceremonial and very much a religious type of issue. In my view, there needs to be that exemption just out of respect for another culture. That is absolutely significant, and it's a big concern.

I have more than one reserve in my riding and some very active band members in not just the local economy but in the provincial economy. What I'm looking for is to make sure that their rights are protected. Granted, we know that they come under federal jurisdiction, but whenever a law unintentionally – and I'm going to say this right now, that it appears to be unintentional – infringes upon their ceremonial rights, their rights, then we need to take a look at it and make sure that with whatever measures we have to take to correct it to protect that interest, we do the best that we can.

Beyond that, I look forward to some of the amendments that will be brought forward to hopefully strengthen the bill. I think that there are a good number of people in this Assembly who support the idea of reducing the amount of tobacco use and doing what we can. There are people who have concerns about the whole nanny-state kind of mentality, and maybe we can put in some measures that would relieve that concern. Again, to try to get as much bipartisan support for any bill I think is always a good step. Hopefully, the hon. minister will be open to some of the amendments, even to amendments the minister could bring himself to address these concerns, to make sure that the bill does

what we want it to do and does not necessarily infringe upon anyone's rights.

With that, Mr. Speaker, thank you very much.

**The Speaker:** Hon. members, 29(2)(a) is available. Hon. Government House Leader, you have a question or a comment?

**Mr. Hancock:** Thank you, Mr. Speaker. I'd like to state to the hon. member and his colleague from Calgary-Fish Creek in the words of one of my law professors, who used to come in and say, "Read the act; read the bloody act," that section 2 of the Tobacco Reduction Act says:

2(1) Nothing in this Act affects the rights of aboriginal people respecting traditional aboriginal spiritual or cultural practices or ceremonies.

(2) Subject to section 4, this Act does not apply to a building, structure or vehicle, or a part of a building or structure, that is used as a private residence.

So in the act itself, the act that's being amended – so it doesn't need to be repeated in the amending act – there is a specific exclusion for the very things that the hon. member was concerned about, traditional Alberta spiritual or cultural practice. I do apologize for my opening part of that; I couldn't resist it.

**The Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. I don't think that was an act. I thought that was, as the minister might have said earlier, sort of exaggerated – I can't remember his quotes from earlier in the day – passionately expressing his opinion.

I would say that the question is legitimate in the sense that, yes, I'm reading the act. When I see the act and I see a contradiction and it's not clear to me, all I ask is to clear it up. I don't need the drama, but I'll read the act, and once my questions are answered, then I get to make that decision. But I will ask the question always to make sure that it is clear and it's absolutely clear, without any misinterpretation whatsoever.

I think the hon. member will realize, not that it happens regularly, that every now and then there's something that gets passed in the House that was not intended to infringe upon anybody or anything, and what we wanted to do was just make sure and have it clarified. If it's demonstrated with passion, I'll take the demonstration along with the answer to make sure that it's done. I do have real concerns always – always – whenever I look at what affects the people of my constituency, and those concerns are important to me. I did bring that forward, and if that is the correct answer – and I will go through the act, as the member suggested, and read the act.

I will throw one thing out in defence of all the opposition. The timeliness to get to read the act is something that we sometimes do struggle with and not necessarily any individual piece. When they come one after another, one after another, and you're trying to make sure that you read every act and catch every detail, there are times we miss one detail. It is possible, and that's why we rise and ask the minister to clarify. We make sure that what we read is exactly what we understand, and if there is a mistake, we correct that.

In defence of all the members of the opposition, we go through the acts as much as possible. We do rely upon our other members to do their research, and if we see things in an act that might contradict or particularly the interpretation, the way something is written, we would bring that question to the floor of this Assembly to ask the minister who is drafting or sponsoring this act to make sure that these concerns are addressed. Sometimes that is actually

the most efficient way to deal with the issue, to go right to the minister and say: can you assure us that this is where it's at?

We really don't need the drama, but we'll accept the drama as long as the answer is correct, and I'll take both. Thank you very much, Mr. Speaker.

**The Speaker:** We have one minute left. The hon. Government House Leader.

**Mr. Hancock:** Thank you. I would apologize for the drama. I was just having a little fun on the answer, but it is clear in the act. Section 2 of the Tobacco Reduction Act makes it clear that the rights of aboriginal people respecting "traditional aboriginal spiritual or cultural practices or ceremonies" are excluded from the impact of the Tobacco Reduction Act, and that is not affected by the amendment in this House today.

**The Speaker:** Thank you, hon. Government House Leader. We'll accept that as emphasis to illustrate the point on this particular occasion.

Anyone else under 29(2)(a)?

**Mr. Anglin:** I respect that, but what I just want to say is that a lot of times when we get these amendment acts, we don't have the original act in front of us. We have to go research that as fast as possible. But I will accept that answer, and I chuckle. He didn't remind me of any professor in college, but I did have a second grade teacher who had that kind of discipline, and I do remember her quite well.

4:00

**The Speaker:** The hon. Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Speaker. It's a great pleasure to speak to Bill 33, the Tobacco Reduction Amendment Act, 2013. We as the Alberta Liberals are also supportive of this act. I'm glad that finally we're doing something to keep tobacco products out of the hands of young children because, as you know, you can walk around schools or department stores and there are lots of kids there walking around smoking cigarettes and, you know, all the other tobacco products.

The bill will restrict the use of tobaccolike products, defined, subject to the regulations, as

a product, other than a tobacco product, composed in whole or in part of

- (i) plants or plant products, or any other extract of them, or
- (ii) other substances prescribed by regulation.

A similar means banned the smoking of tobacco in public places. That is a very good idea, Mr. Speaker.

[The Deputy Speaker in the chair]

This bill also incorporates the aspects of the federal Tobacco Act, banning the sale of tobacco to minors. That was long overdue, and finally we're getting something done. I think we've been taking baby steps in restricting the use of tobacco in Alberta, but I think this will go a long ways on access to tobacco products by minors.

This bill will also enable the minister to regulate the minimum number of units of tobacco products allowed to be sold at a time. I do have a concern with that, Mr. Speaker. I have even seen adults buying, like in India. People will go to the store, and they will only be buying one cigarette or two cigarettes. So I also have a concern with this. How will this help to curtail the sale of tobacco products to kids? As the member before pointed out, kids can pool

money, and they can, you know, buy maybe a pack of cigarettes and then go and divvy it up among themselves. I don't know how we will be able to enforce this part of the law.

This bill will also cover the ban on smoking in vehicles with children. However, it will not remove vehicles used as a private residence, an exclusion that was included in the Tobacco Reduction (Protection of Children in Vehicles) Amendment Act, 2012. We had Bill 203, I believe, that was a private member's bill from the Member for Edmonton-Meadowlark. That bill was passed unanimously by this House, and it just sat there. It never got proclaimed. Now I think that bill is dead. That bill should have been proclaimed into law, and now we could have taken a step further to improve on that bill.

The Prevention of Youth Tobacco Use Act is also being incorporated into the Tobacco Reduction Amendment Act, 2013. That act prohibits the purchasing of tobacco by minors, and it was supported by a \$100 ticket. You know, that \$100 ticket: I think we should be spending more money on the education part, too.

Maybe fines are a good deterrent, but I'll give you an example. I was talking to this young student. She got a parking ticket for 30 bucks or 40 bucks, and I said: what are you going to do? She said that she's going to go before the judge and say: "You know, I can't pay. What are they going to do?" So we can hand out all these fines to kids, but how are we going to get them to pay those fines? Are we going to put them in jail? What are we going to do? I also have a concern about that. This kid told me outright: "What are they going to do to me? I'm just going to go before the judge and say that, you know, I've got no money. I can't pay. I'm a student." So I've got a concern about that ticket, too.

This bill is also going to enhance the protection for nonsmokers and the effective enforcement of existing tobacco legislation. Both of these points are in the bill. As the federal government has lessened the enforcement of the Tobacco Act of Canada, to fill the gap, the province is enabling that enforcement through provincial law. That's a good thing.

The province has deemed it time to again limit the availability of youth to access tobacco and tobaccolike products. This is being done through this bill and also Bill 203.

By requiring a minimum number of – you know, I addressed that before. I have a concern there that I reiterate again.

Also, talking about the hookahs, according to Dr. Barry Finegan there is a widespread misconception that these so-called "herbal" products are somehow a healthy alternative to tobacco. Many people assume because they are flavoured and filtered through water, and do not contain nicotine, that they must be harmless. But this is not the case. The results of our study suggest that herbal tobacco-free waterpipe products, used over the long term, has the potential to produce cancer, cardiovascular and lung disease – just like cigarettes. And for those who already have heart or lung disease, even just one waterpipe session could be dangerous.

So no matter how we smoke, whether through water or a cigarette or, you know, what they call electronic cigarettes now, no matter how we consume them, they are going to be dangerous to one's health.

With this bill, you know, if you could somehow enforce it with the youth so that they will not become the addicts of tomorrow, this will save us lots of money on health care costs and on our productivity. When people go for a smoke on the job – I used to work in the mines, and I used to work other places. People used to go out to have their cigarette, and that was time lost to productivity. So I think education and enforcement should go hand in hand. I hope the government will look at those two and see how we can enforce it and spend more money on education so



we can educate the kids and more people that smoking is dangerous for our health.

With that, Mr. Speaker, we will be supporting this bill, but those are the concerns that I have raised. I hope the minister responsible will keep those in mind and address those issues.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the Member for Fort McMurray-Wood Buffalo.

**Mr. Allen:** Thank you, Mr. Speaker. I rise today to speak with the highest regard and approval of this particular piece of legislation. I also rise today to speak to this bill with approval as a smoker. I started when I was 13, and I am absolutely aware, like everyone else that started early, that there's peer pressure, supposed prestige. That's what drives a young person to smoke.

In 2011 over 15 per cent of kids in Canada between grade 6 and grade 9 had tried smoking. This piece of legislation is, in my mind, crucial to the healthy development of our children. Bill 33 amends the Tobacco Reduction Act, that was originally passed in 2005. We can be proud that in Alberta the current smoking in ages between 15 and 19 is the lowest in the country, at 8.3 per cent, as a result of that. Clearly, as was demonstrated today in the copies that I tabled of the Tobacco Use in Canada report, there's still much that can be done.

In 2011 more than half of all current smokers aged 15 to 18 said that on the whole they usually have someone else buy their cigarettes for them. Others said that they bought their cigarettes from a store despite being under age. Of those that said that they had bought cigarettes, three-quarters had been asked for ID or had previously been refused sales.

4:10

I think we all have a little snicker when we see that picture in a convenience store that says: if you don't look like George, you can't buy cigarettes. It's a picture of a senior citizen. That's a snicker, but the unfortunate fact is that we need to have those there in order to protect our youth.

So this is good news. I believe this legislation will strengthen the enforcement, make it apply to people that buy cigarettes for you, and strong fines for stores and anyone caught giving tobacco products to minors will hopefully help to stop adults from providing tobacco to youth and children.

The younger the people are when they begin using tobacco, the more likely they are to use it when they're older. More importantly, people who start using tobacco when they are younger are more likely to have trouble quitting than those starting later in life, and I can say that first-hand as someone who's in the middle of a cessation period for probably the 10th time in my lifetime of smoking. This means that if we can keep kids tobacco free until age 18, most would probably never start using it.

As well, the addiction is just as strong for young people as it is for adults. Most teen smokers say that they would like to quit, and many have tried to do so without success. Those who try to quit smoking suffer the same withdrawal symptoms as adults. Mr. Speaker, in several different attempts to quit, I've been told by cessation experts that it is almost harder to quit than heroin as an addiction.

I'm glad that this piece of legislation encompasses all types of tobacco products. Spit, smokeless tobacco, or chewing tobacco are all big problems. Research has clearly shown that teens who use these products are even more likely to become smokers than non-

users. Some companies even promote using spit or smokeless tobacco as a way to help quit smoking. This is exceedingly dangerous, and there's no proof that these tobacco products help smokers quit smoking.

As a smoker I've tried many times to quit. I'm hopeful that I'll be successful with this current attempt. I urge everyone to support this bill. Our youth are our future. We as parents, legislators, and adults should do everything we can to keep them safe, strong, and healthy. This bill will give us more assurance that our children are introduced to tobacco use less and will use less easily. It will give us stronger tools against those who promote its use.

I'm asking all to approve this bill and move it very quickly to royal assent. Anything we can do to promote a better quality of life for our young Albertans is our moral obligation and, in fact, our duty.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the next speaker.

Seeing none, I'll recognize the hon. Associate Minister of Wellness to close debate – oh, the hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Sorry. I thought you had me on the list. My apologies, Mr. Speaker.

I'm rising and am pleased to support this bill, Bill 33, the Tobacco Reduction Amendment Act, 2013. I do have a couple of questions for the associate minister, and perhaps he could come back and answer us in Committee of the Whole or third reading or whenever.

As a parent of a 21-year-old who started smoking when she was 16 and as a person who has never smoked myself, it was incredibly disappointing to me personally how easy it was for her to walk into almost any grocery store or corner store. Quite honestly, even though the sign said, "You must be 25" or "We ID under 25," she was able to obtain cigarettes even in a small little hometown, whether it be Innisfail or Red Deer or Edmonton. She had no problem getting access to cigarettes. She was, quite frankly, never asked for ID.

I've had very frank discussions with her about smoking. Our family is acutely aware of the dangers of smoking. My father had throat cancer due to cigarette smoke specifically, and he now breathes through a hole in his throat. It has impacted his life. He got cancer at 52 from smoking. It essentially ended his work life, and ever since then he just never sort of recovered from that diagnosis of cancer. I had hoped that that example would have been enough for my current 21-year-old. Unfortunately, as parents we try our best. We do certain things, but we're not always that successful. My 21-year-old today still smokes, albeit she tries to smoke less.

I share the hon. member's discussion about trying to quit smoking. My mom has tried. My mom and my daughter continue to smoke even though my dad breathes through a hole in his throat. I know it is a lifelong battle for them. It's not an easy thing to do. My mom started smoking at the age of 11. Same thing, had older siblings who smoked, thought it was cool, got hooked. You know, after 40 years of smoking, that's quite a big habit to break. She has often tried, and she has often said that it was one of the hardest things she has ever had to do, including her own two bouts of cancer. She has found quitting smoking harder to do than battling two bouts of cancer. Neither of those were caused by smoking, interestingly enough.

So I applaud the minister trying to do anything we possibly can that reduces the ability of those that have access to cigarettes that shouldn't, and I also am very happy to see that the provisions for the penalties on the person who provides the smokes do appear to be higher. My own personal opinion is that I think they could be a lot higher. I think the biggest deterrent for those who sell tobacco to underage people or don't check for ID is a monetary fine, so I would love to see if the associate minister could reconsider that and perhaps make it stronger.

The question that I do have, though, is that in some conversations that I've had with some people who used to be providers of tobacco through legal means and people who smoke cigarettes currently, they've indicated to me – and I honestly don't know if this is true or not – that people under the age of 18, while they may not be able to buy cigarettes, can work in a corner store and actually sell the product. I have to wonder if that's actually accurate. I don't know, so I'm asking the minister if that is accurate. If that is true, I'm wondering if a provision could be put into this act to say that not only can an underage person not buy cigarettes, but in no way, shape, or form should they ever be working in a grocery store or wherever that sells tobacco. They should never be the person who actually has to sell the cigarettes as well. That's a pretty big issue for me, and I think if we could have that clarity, that would be fantastic.

The other thing that I ask about is the enforcement because right now it really isn't that difficult for underage children to get cigarettes. You know, my 21-year-old is 21 now, but she had friends at the time that she was underage who had no problem getting cigarettes. That wasn't that long ago, and I don't know that much has changed. So I just wonder about that.

I'm happy that the hon. Minister of Human Services clarified the position for aboriginal people. I think that that's fantastic. I appreciate that the original tobacco act made sure that they had their protection, so I think that's fantastic.

The other thing that I would just add is that tobacco sales seem to be so different from alcohol regulation. Tobacco sales are not regulated, but alcohol is. On tobacco sales there is no licensing, but on alcohol there is. So one would just wonder if the minister has had the opportunity to think about that because there seems to be quite a differential between selling, again, an alcohol product that is legal and has detrimental impacts on our health as well. Alcoholism is a severe disease that affects many, many, many people.

Liquor merchants must have a liquor licence for retail, and that's approximately 700 bucks a year. They have to hire staff that are 18 and over. They have to have mandatory training for all staff members, provided by the AGLC. The clerks must refuse to sell to anyone under the age of 18. The clerks must request photo ID for anyone who appears under the age of 25. The stores must post signs and posters supplied by the AGLC. Stores that fail to comply with that can have their licence to sell suspended or revoked.

So that might be a huge avenue for the minister to make this bill a lot stronger. If he created a licensing avenue for those that sell tobacco, then you have something that you can actually pull back from them if they break the enforcement of the rules. It seems to be a very logical and easy thing to do. The AGLC is already doing it for liquor, and liquor and cigarettes I don't think are really that much different. I mean, they're both a legal product that we worry about being sold to underage people, that have detrimental health effects, and that cost the health system, quite frankly, a lot of money.

#### 4:20

Liquor cannot be sold to anyone who appears to be intoxicated, and servers of alcohol are required to take the ProServe course. They can be fined if they don't have the ProServe licence. There might be the opportunity to even go further with the people who sell tobacco to ensure that those who sell it understand that if they break the rules, they are able to enforce it.

The Alberta Gaming and Liquor Commission only enforces the Tobacco Tax Act, which pertains to contraband tobacco. Alberta does not require a tobacco licence. The city of Edmonton does – that's interesting – and they charge \$428 a year. As the hon. Member for Calgary-Shaw mentioned, Calgary also charges for a tobacco licence. They charge \$153 for the first licence and \$117 for a renewal. They at least have the ability, the cities of Calgary and Edmonton, to actually have some repercussions if you break the rules or if you do any of those things. So that would be, I think, an added bonus to this act if the associate minister was willing to make it stronger.

I totally agree that Bill 33 does require the tobacco retailers to ID someone that appears to be under 25. I think that's a fantastic first step; I a hundred per cent do. A lot of stores have that. Most of the 7-Elevens say: we ID under 30. They all have that already. The problem is that, look, lots of times it's just not happening, and no one is enforcing it. If there are no repercussions to you and no enforcement, you just sort of get sloppy with actually having to do it.

It also does say that Bill 33 will absolutely post signage that says: it's illegal to sell tobacco to minors. No question. But as we all know, the posted speed limit on highway 2 is 110. Many people don't go 110. The only way to slow people down is through enforcement. We invest in enforcement because we know that traffic collisions are a huge cost to the system and also very dangerous.

If there's not enough enforcement in this bill or not enough ways for us to actually have an impact on those who are breaking the rules, such as pulling their licensing, then we come into a problem of: yeah, great; you can say that you don't sell to under-25s, and you can say that you have to post it, but if nobody is doing that, it sort of defeats the purpose of everything that we're trying to achieve. I do think that the government is actually taking a very strong voice here and trying to achieve quite a bit.

The other thing that I like is that Bill 33 also allows the government to prescribe training of employees by retailers in the regulations. I think that that's fantastic because the more people we educate, even through the training system, the more you might be able to spread the message in a much different way on the detriments of smoking, the cost to the health care system, and the impact on your family as you go through that process.

Now, I'm very fortunate. I think I tried to smoke twice. It was terrible. I never really had that urge. I'm pretty lucky that way. But my brother smoked, my father smoked, my mom smoked. I grew up in that home in the '80s where you walked in and there was kind of like that funky blue haze, you know. [interjection] Yeah. We all remember that.

I also remember that in the '80s you could go to businesses, and at the front reception they smoked. That has sort of gone by the wayside, thankfully. Most bars, restaurants, all of that: we don't have to deal with that anymore. So I think we're on the path to educating people.

I think the Associate Minister of Wellness could really make the bill a lot stronger if he considered taking a look at what is done with liquor licensing and applying it to tobacco licensing and also ensuring that the enforcement of it is actually able to be done.

Then, if at all possible, if the associate minister can just clarify if people under the age of 18 are actually allowed to work in a grocery store and are actually allowed to run the smokes through the machine. I don't think they should be allowed to do that if they can't buy them. If you could do that, I'll leave that.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, is there another speaker?

Then I will recognize the hon. associate minister to close debate.

**Mr. Rodney:** Well, thank you very much, Mr. Speaker. I would sincerely like to thank all members for their participation and specifically the hon. Member for Calgary-Fish Creek, not only for her comments today but also to salute her good work over the years in health and justice and beyond, and additionally the hon. Member for Edmonton-Calder for his efforts in the health and wellness of Albertans in general but specifically in this case.

Thank you, too, to the members from Rimbey-Rocky Mountain House-Sundre as well as Calgary-McCall and Innisfail-Sylvan Lake. I certainly do appreciate all of your questions and all of your support. I do believe this is something that does run across party lines. To the hon. Member for Fort McMurray-Wood Buffalo: I thank you for your support and also for sharing your personal story. This is political, it's personal, but it's also professional as well, and you spanned all of those in your remarks.

To the hon. Minister of Human Services: I would like to express my deepest gratitude, not only for addressing the question on First Nation ceremonies being exempted, which was really quite clear, entertaining, and educational, but for his leadership in this regard over the years and across a number of ministries. This is a long, interesting, difficult fight, and it's going to take all of us to get through this.

Mr. Speaker, to be clear, since we are debating Bill 33 and not Bill 206, the private member's bill, I will not be addressing items in that bill, which deals with flavoured tobacco products. I just wanted to make that distinction.

With respect to the questions on smoking cessation, as the members are aware, we launched our 10-year tobacco reduction strategy at this time last year, and it includes specific actions regarding cessation products. The steps that outline specifics, Mr. Speaker, are outlined there, so I won't take the time of the House to outline them here. I'm just going to invite hon. members to review the document.

Now, there was a question regarding the buying and freezing of tobacco. I understand that might be a concern, but that simply is beyond anyone's control, and we really do not expect that to be a widespread issue at all.

There is a fair question, a good question with respect to: who have you talked to? Who are the stakeholders that you've met with? It's a long list, Mr. Speaker, but I think it's worth mentioning. By the way, this is part of the list. There's a longer list, but most folks will recognize Action on Smoking and Health, Alberta Education, Alberta Gaming and Liquor Commission, Alberta Health, Alberta Health Services, Alberta Human Services, Alberta Justice and Solicitor General, Alberta Medical Association, Pharmacists Association of Alberta, the Alberta Policy Coalition for Chronic Disease Prevention, Alberta Public Health Association, Alberta Treasury Board and Finance, Canadian Cancer Society Alberta-Northwest Territories division, College and Association of Registered Nurses of Alberta, Health Canada, Heart and Stroke Foundation, the Lung Association of Alberta and Northwest

Territories, and the University of Alberta School of Public Health, amongst others.

With respect to the question on fines one of the most important pieces of this bill is in fact the inclusion of provisions to fine someone for the furnishing of tobacco sales to a minor because this is indeed the first line of defence against a minor acquiring a tobacco product. I believe that addresses that question.

With respect to enforcement this legislation will give employees of the AGLC as well as peace officers the right to issue fines for contraventions.

One other component of the legislation worth mentioning at this point in time would require some products to have a minimum number of tobacco products per package in an effort to make it less affordable for younger Albertans, and it's quite obvious that we have full agreement that that is the major thrust behind this bill.

I would like to conclude my remarks, Mr. Speaker, with just a few points that I trust are worthy of having the House and Albertans ponder them. Every Albertan – and I think we can all agree – especially our youth, should be able to enjoy a life free of preventable, tobacco-related disease and death. With this legislation we're looking at preventing children and youth from using these products and protecting them also, obviously, from the harmful effects of second-hand smoke.

These actions will strengthen tobacco control in Alberta and protect the health of our young people. If and, I trust, when passed, this legislation will fulfill our commitment to Albertans' health, to sustainable health care, and to continue moving towards our commitments which we outlined in the tobacco reduction strategy from just a year ago.

4:30

We know that a major tool in the fight against tobacco use is legislation. Tobacco use is the leading cause of preventable disease and death in this country, and here in Alberta in the neighbourhood of 3,000 people die every year as a result of tobacco use. In Canada smoking causes approximately 30 per cent of cancer deaths and more than 85 per cent of lung cancers. Bill 33 will do a great amount with respect to dealing with this so that we can have Albertans who are happy, healthy, and out of the hospital a lot more than they are.

Thank you so much, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. minister.

[Motion carried; Bill 33 read a second time]

### **Bill 39 Enhancing Consumer Protection in Auto Insurance Act**

[Adjourned debate November 7: Mr. Horner]

**The Deputy Speaker:** The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Mr. Speaker. It's my honour to rise and speak to Bill 39, the Enhancing Consumer Protection in Auto Insurance Act. In Alberta the basic rate of auto insurance is regulated by the Alberta Automobile Insurance Rate Board. This basic rate only covers third-party liability and accident benefits. Coverage for collision, comprehensive insurance, and endorsements that extend coverage such as loss of use of vehicles are only monitored by the Automobile Insurance Rate Board, not regulated. It has been argued that since owning auto insurance is required by law, the government should step in and regulate the basic policy for affordability.

In 2003 the government of the day introduced changes to the Insurance Act which, in effect, enabled the Automobile Insurance Rate Board to regulate basic insurance coverage in the province of Alberta. This was done because consumer premiums were increasing dramatically due to escalating claims costs here in the province.

Mr. Speaker, we know that overregulation is never good for any industry. It creates red tape, it bogs down businesses, and it hurts our province. The oversight of the Automobile Insurance Rate Board, however, was an important initiative in Alberta's history because it showed how regulation could be meaningful when well planned and effective, thanks to the extensive lobby efforts from both industry and consumers alike here in the province. While overly cumbersome regulation is never good, effective regulation like Bill 39 can actually better enhance consumer protection and increase the competitiveness within the insurance industry if handled right.

Bill 39 is important because it allows for firm-by-firm consideration of premium rate changes instead of using a pan-industry approach. It is worth noting that Alberta had been the only insurance market in Canada with a pan-industry adjustment rate. What this means is that individual insurance companies have traditionally not been able to set rates based on increases and decreases that satisfy their respective consumers and stakeholders. Insurance firms have had to adopt increases and decreases based on what an industry as a whole has been approved for by the AIRB.

For example, if one company needs to levy a 3 per cent increase in premiums to continue operation and another needs to increase a levy of 7 per cent and yet another had asked for a decrease of 1 per cent, the AIRB would look at the industry as a whole and set a rate for all companies, say, like in the last few years, a standard 5 per cent increase. Even if you were with a company that desired to have a 1 per cent decrease in rates, in the end all consumers would end up having to pay 5 per cent more for basic coverages.

With the changes in Bill 39, rather than seeing a 5 per cent increase for all three of those companies, each company would then have to prove why it needed the increase or why it could take a decrease in premiums to the AIRB, creating more competition amongst insurance companies here in the province. I'm happy to see an amendment to the Insurance Act in Bill 39 that will allow insurance companies to file on that firm-by-firm basis, and I believe this is what Alberta consumers want in the insurance industry here in the province.

Bill 39 also makes changes to the legislation regarding reciprocal insurance exchanges, or RIE. The definition of a reciprocal insurance exchange is a group of subscribers exchanging reciprocal contracts of indemnity for interinsurance with each other through a principal attorney. This class of insurer will now be faced with the same laws that govern investing by insurance corporations headquartered in the province of Alberta and will face formulas for determining required reserve holdings and guaranteed funds.

Another amendment allows the minister to demand any information for analytical or policy-making purposes from an RIE. I believe this will allow for better policy and legislation going forward, putting all these companies on a level playing field.

Something I did find interesting in Bill 39 is the removal of cabinet's authority to dictate dispute resolution. One question that I do have on this piece of legislation is: where will the dispute resolution process for premiums be set, and who will look after them? Will it be regulated by the AIRB, the Alberta Insurance Council, or will it be in the sole purview of the superintendent of

insurance? If the minister could stand and speak to this concern, I would be grateful.

Today I am in support of this bill because it introduces more competition into Alberta's insurance industry. Competition breeds innovation. Innovation breeds better products and better prices for consumers. I must commend the hard work of the AIRB and the superintendent of insurance along with the government employees and industry stakeholders who came together from the private sector to propose this good piece of legislation. I believe it can be very successful here in the province of Alberta.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you.

The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Well, thank you, Mr. Speaker. I'm happy to get up and say a few words about Bill 39, Enhancing Consumer Protection in Auto Insurance Act. I do see mostly positive developments out of this particular bill. It seems to be moving to a file-and-approve kind of system for premium adjustments, which, to my understanding, means that an insurance company will now have to apply for adjustments to their rates on an as-needed basis as opposed to the old system, where the Automobile Insurance Rate Board would make industry-wide adjustments.

Mr. Speaker, since 80 per cent of Albertans already carry additional auto insurance coverage, regulating these rates in the same way as basic coverage I believe will help Albertans to afford and also understand their insurance rates when they receive them in the mail. Particularly since so many Albertans depend on their vehicles, of course, in all manner of ways in our lives, we want to make sure that insurance rates are fair and affordable here in the province of Alberta, both of which objectives, I would suggest, we've had problems with here in the past.

It's very important that we address additional coverage because, really, that additional coverage, besides third-party insurance, is really necessary and actually essential. Then another part of this, too, is to ensure a fair, transparent system by which we set the rates and premiums that works for the consumer, not necessarily just being dictated by the insurance companies.

The Alberta New Democrats have been at the forefront of moving towards more regulation and oversight of insurance rates to protect the public from this kind of free rein that has resulted in, I think, really exorbitant rates in the past, and compared to other jurisdictions as well, we've had problems here. Back in 2003 the Conservatives introduced what was called then, I think, Bill 53 after years of calls to reform insurance regulation. The Alberta New Democrats pointed out that Albertans paid some of the highest insurance rates in Canada at that time, and they were then still rising further at shocking rates. The Conservatives tried to address this by freezing rates, and then the insurance companies locked themselves into a 57 per cent increase.

We have to mitigate, Mr. Speaker, against these kinds of roller-coaster effects, and it's important, you know, ultimately for us to move towards a public insurance system here in the province of Alberta.

Some of the problems associated with Bill 53 do persist. We've drawn attention here to the fact that the board reviews rates, essentially behind closed doors, and we just find out later what's going on, with no opportunity for the public, for consumer advocates to challenge rate increases.

4:40

As we see with Bill 39, the government is repealing the complaint procedure provisions and leaving a bare-bones regulation as the

only means by which Albertans could address these issues. It's quite a serious issue, really, too. You have all of the bills and expenses you have for living here in the province, and auto insurance would rank very high amongst those overall expenditures between rents or mortgages and car payments and utilities. Insurance for vehicles can be one of those fourth- or fifth-highest single-ticket items that people need to purchase here in the province.

While rates for basic coverage have dropped since the legislation was adopted in 2004, rates on additional coverage have increased, by our measurements, by 41 per cent during that time period, meaning that rates are still increasing for the majority, the vast majority, 80 per cent, of Albertans, who carry both kinds of coverage, both third-party and collision and so forth. If one type of coverage is regulated and the other one is not, insurance companies can still raise the rates on the additional coverage to meet the profit margins that they wish to while regular Albertans continue to see no real change to what they get out of the deal.

We do support legislation that will bring the rates on additional coverage into the same regulatory framework to give people some clarity and, I would suggest, relief as well as knowing where their money is going. We also do support a greater degree of flexibility so that the rates can be responsive and reflective of the needs of the public. However, some legislative safeguards I think still need to be in place, Mr. Speaker. Other provinces, for example, use company-specific premium adjustments. Some of them have higher rates than Alberta; some of them have lower.

We are concerned most specifically, though, that many of the details about the move to company-specific premium adjustments are being left out of this bill. Many insurance providers, for example, are small companies who need clear and stable guidelines to be able to effectively manage their business and plan for the future. Also, how do we know, really, that we can rely on the board's calculations or the information being provided to them when there are no standards in this legislation on these matters? Right? If all Albertans who drive a vehicle depend on the board to set the rates that will apply to their insurance, it seems logical, then, as an extension, that they should deserve to know exactly how those rates are decided and that the information being used to decide them is accurate and fair and providing the best coverage.

I guess the other question I have, you know, is: what are the factors that will go into making these decisions? What are the details on how this change will in fact be accomplished? How will the premium adjustment accounting and review procedure differ from what's being used under the current industry-wide model? Then, finally, what oversight of the Automobile Insurance Rate Board will the government or the minister have if the system is not responsive or reflective for Albertans and/or insurance companies?

It's as though we're building through evolution what you can actually achieve by having a provincial insurance system available across the province, right? We're slowly catching up to build those regulations into third-party coverage and now collision and other additional coverage. We need the transparency and oversight that can dictate the rate changes and justify logically the rate changes. You know, I would suggest that a much more reasonable way to move further is to just provide a province-wide insurance scheme, as they do have in places such as British Columbia and Saskatchewan. Quebec has a very interesting no-fault system that has considerably lower rates than Alberta does and so forth.

I would suggest that the grounds available for dispute resolution here in Alberta with the complaint resolution regulation are not as comprehensive in this section of the Insurance Act, which the government is trying to repeal. The previous section envisioned

the public somehow being able to access the complaint procedure for determinations of fault and the availability of insurance and several other factors. So can we be assured, Mr. Speaker, by this minister that the grounds will be included and will be included in these regulations? I'm wondering as well: why aren't there arbitration procedures that are built into this legislation as well?

There are interesting developments here with this particular Bill 39. As I said, we certainly are encouraged by the choice to move after additional coverage and to regulate that, but there are some details that I have just pointed out here and will continue to do so as we move through the various readings of Bill 39.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the next speaker. The hon. Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Speaker. I also rise to speak in support of Bill 39, Enhancing Consumer Protection in Auto Insurance Act. At the outset we are supporting Bill 39 as this bill is to amend the Alberta Insurance Act, and the changes affect three different areas of insurance: reciprocal insurance exchange, auto insurance premiums, and the New Home Buyer Protection Act.

[Mr. Amery in the chair]

The reciprocal insurance exchange, if this proposed legislation is passed, will strengthen solvency requirements for insurance companies and improve general market conduct. In addition, it will be an offence to purchase unlicensed insurance in the province, and that is well and good.

Auto insurance premiums. If this bill is passed, the Automobile Insurance Rate Board will regulate both mandatory and optional auto insurance premiums. The auto insurance industry will move to a file and approval system, where each insurer will need to apply for premium adjustments on an as-needed basis instead of an annual industry-wide rate adjustment. That is good as well.

The New Home Buyer Protection Act. If this bill is passed, all warranty providers will operate within the same set of rules, and all warranties will be held to the same standard.

You know, when we do a sectional analysis, Mr. Speaker, section 14 is the hallmark of this bill, and this section of the bill changes section 602 of the act rather substantially by allowing the regulation of premiums for both basic coverage and additional coverage for automobile insurance. Currently section 602 of the act enables the Automobile Insurance Rate Board to adjust basic coverage premiums once a year industry-wide. The proposed changes put the onus on industry by moving the province to a file and approval system, in which each insurer will need to apply for premium adjustments for both basic coverage and additional coverage on an as-needed basis at any point in the calendar year. So premium adjustments could go up or down depending on the needs of the company.

Section 15 of the bill repeals section 603 of the act, which eliminates the regulation respecting discounts and surcharges charged on premiums for basic coverage.

[The Deputy Speaker in the chair]

I have a question there, Mr. Speaker. Should this bill pass in the Legislature, would the insurer still be permitted to charge surcharges on premiums for basic coverage and additional coverage? If the answer is yes, does repealing this section in effect allow the insurer

to charge exorbitant surcharges on premiums, or would this be regulated somewhere else in the Insurance Act?

4:50

Also, in section 28 the bill amends the New Home Buyer Protection Act by repealing section 29 of this act and substituting it with substantially revised wording pertaining to regulations of home warranty insurance contracts. The current wording passed third reading in November 2012 and was given royal assent in December 2012. The new proposed wording of section 29 of the New Home Buyer Protection Act ensures that all warranty providers operate within the same set of rules and that all warranties be subject to the same standards. However, this bill seeks to lessen the cabinet's ability to make regulations concerning warranties. Here's a comparison, Mr. Speaker. The proposed wording is:

The Lieutenant Governor in Council may make regulations

(a) prescribing policy conditions that must be included . . .

And the current wording is:

The Lieutenant Governor in Council may make regulations

(a) prescribing mandatory conditions that must be contained in a home warranty insurance contract.

You know, there's the comparison of both of them. Does the new legislation's proposed wording for section 29 of the New Home Buyers Protection Act effectively lessen the Lieutenant Governor in Council's ability to make regulations? I have concerns there about section 28.

As Alberta is the only jurisdiction in Canada that doesn't regulate both basic and additional automobile insurance premiums, Mr. Speaker, this will bring Alberta up to speed with other provinces. As auto insurance in Alberta is available through private insurance companies, there's no government auto insurance plan in Alberta. Currently there are about 70 companies operating across the province in the auto insurance market. All vehicles registered in Alberta are required to carry a minimum of \$200,000 coverage for public liability and property damage.

The primary role of the Automobile Insurance Rate Board is to regulate premium levels for basic coverage, third-party liability, and accident benefits; to monitor additional coverage, collision and comprehensive; and to approve the rate plans of new insurers that want to sell auto insurance in the province. Each year the board reviews and sets the allowable percentage change for premium levels for basic coverage under the individual insurance rating programs. That percentage change also applies to the grid rating program.

The board also reviews the notices by insurers for offset adjustments, which permits insurers to adjust one or more rating variables under their rating programs for basic coverage by up to plus 10 per cent provided the overall effect on their books for business revenue is neutral. Although since the creation of the board mandatory premiums have decreased by 30 per cent – that's what the government claims – according to the *Edmonton Journal* the premiums for basic coverage have gone up by 5 per cent.

Anyway, overall this bill, you know, looks pretty good. With this bill, as I said before, Alberta will be up to speed with other provinces.

Those are the questions I had, and I hope the minister can answer those concerns. With that, Mr. Speaker, thank you very much. We can support this bill.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Yes. Well, thank you for your comments. I certainly concur that this is a step in the right direction. I guess one thing that occurred to me when I sat down before – and I just wanted to ask you about it – is that considering that we compel by law individuals to purchase automobile insurance to operate an automobile here in the province of Alberta, then, I think, is it not our responsibility to make sure that we provide a very regulated and reasonable product that people can access and get that insurance from? Ultimately, I would suggest offering a province-wide insurance scheme that could answer the requirements of that law in the most economical sort of way possible. What do you think about that?

**Mr. Kang:** Well, you know, we have proposed government auto insurance before. We have been pushing for that. But if we can't get the best of both worlds, we have to live with what we have, so one step at a time. I agree with you that we have to make the insurance affordable for people so that they are not driving without insurance and causing accidents and causing bodily injuries and killing people out on the roads. That will again come back to the taxpayers and haunt them because we will have to have some kind of coverage through some kind of levy to cover those costs. So I think it would be a good idea to have government insurance coverage.

Thank you.

**Mr. Eggen:** Thank you.

**The Deputy Speaker:** Are there others under 29(2)(a)?

Seeing none, I'll recognize the next speaker.

Then I'll recognize someone to close debate.

Okay. Then I'll call the question.

[Motion carried; Bill 39 read a second time]

#### **Bill 40 Settlement of International Investment Disputes Act**

[Adjourned debate November 5: Mr. Quadri]

**The Deputy Speaker:** The next speaker to the bill is the hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. It's not often, but there are times when we get to rise to support a bill, and I rise to, and hopefully members on this side of the House, the opposition, will support this bill.

This bill is necessary to bring our legislation in line with federal legislation. Some would call it a housekeeping bill, but it's actually more than that. It also brings us in line with international jurisdictions dealing with international investments. Bill 40 helps Alberta synchronize with federal legislation related to international investment disputes. The act will give power to the International Center for Settlement of Investment Disputes, which is based in Washington, DC. This center was established in 1966 and has authority in 157 countries.

I note that this convention has actually been in place for over 40 years. Canada signed the convention on December 15, 2006. I had not realized it wasn't ratified until I saw this bill. The convention with the World Bank was ratified on November 1, 2013. The World Bank has notified all its convention signatories of Canada's ratification pursuant to article 75 of the convention. The convention will come into force in Canada on December 1 of this year in accordance with article 68(2) of the ICSID convention.

Now, the convention is a facility of the World Bank. Its purpose is to provide facilities for conciliation and arbitration for investment disputes. It is not the authority; it is a mechanism. In accordance with provisions of the convention between contracting states these disputes are now subject to the rules and regulations of the contracting parties or other nationals of all contracting states. British Columbia, Newfoundland, Nunavut, Ontario, Saskatchewan have already adopted similar legislation. Several of Canada's trading partners such as the United States, the United Kingdom, Japan, China, Germany, France, and Chile have already ratified the convention. However, some of our trading partners such as Brazil, India, and Mexico are not yet signatories.

The convention does not conduct the arbitration itself but offers institutional procedural support on arbitration and conciliation commissions, tribunals, and other committees to conduct such matters. It is basically an international treaty, but it is the mechanism for resolving the disputes. It's not like the WTO; it's not like NAFTA in that treaty sense. The convention itself will use different types of international treaties to help settle these disputes.

5:00

Now, the arbitration or conciliation proceedings will be conducted in accordance with the convention rules and regulations or any other additional rules under any other treaty, and they will be processed in accordance with the convention. The legal dispute has to exist between one of the parties to the convention or one of the member states or a national of another contracting state. It must also be a dispute of a legal nature that directly relates to an international investment under one of the treaties.

One of the significant aspects of this convention will be the ability to streamline investment disputes and remove the necessity of having to access local courts. Now, it will not eliminate that, but it can remove the necessity to go to the local courts. That's a tremendous advantage to, say, some very complicated international contractual agreements. Our province, with our industries, probably has more than most other provinces in Canada mainly because of our oil and gas sector, our resource sector. It has the potential to be both expedient and efficient in helping to settle international investment disputes, and it can do it in a timely manner. Now, there are no guarantees, but it does allow our industries and even our government, when it contracts internationally, to have a mechanism with the convention members to settle these disputes should they arise.

In the 40 years since the convention has been in existence, it has served other jurisdictions very well, and there are no viable reasons why it shouldn't serve Albertans well also. So, Mr. Speaker, I am going to ask that the members of my caucus support this bill. I understand that there will be some amendments possibly offered by some of the other parties. I will take those amendments on their merits and look at them and see if they apply, and if I'm going to support them, then I will make that recommendation, possibly, to my caucus to support them.

What I want to close with is that when this bill was first introduced, there was some confusion, I think, particularly, based around some of the treaties, whether this was based on the World Trade Organization or was something comparable to NAFTA. It's not. Those are treaties dealing with international trade. All this convention does and what it brings to Alberta, particularly, and to all of Canada is that when a dispute arises and it's a legal dispute, it gives one more mechanism to help resolve that dispute.

We tend to think of agreements being very simple, in the nature of: I agree to do one item, and someone agrees with that, and we sign a contract. Unfortunately, agreements today, particularly

international agreements, are never simple. They can usually be extremely complex. Having agreements amongst the signatories of this convention sets a framework of how to resolve disputes, and I can't think of anything that works better in the business community than when two parties engage in a contract, and they have the ability, should something be misinterpreted or should something go astray, a mechanism to solve this.

I would ask my fellow caucus members here in the Wildrose in particular to support this, and I will wait and see what amendments are being brought forward by the other members of the opposition.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Member for Edmonton-Calder.

**Mr. Eggen:** Well, thank you, Mr. Speaker. I rise to make a few comments on Bill 40, Settlement of International Investment Disputes Act. I've just become recently sort of brought up to speed on this bill, and I believe that it's a continuation of the federal government ratifying the convention of the settlement of investment disputes from November 1 of this year. Canada originally signed onto this back in 2006. This, to my understanding, provides Alberta's assent to adopting the convention on the settlement of investment disputes.

I think that, as well, the federal government's position on the application of this bill has changed. Initially the federal government brought out their legislation in 2007, and the position was that each province needed to pass implementing legislation, but now the federal government has changed this position and said that they will bring this into force by the end of the year regardless. So either some legal opinions have changed, or they're hoping that it'll give the passing of the bills at a provincial level such as here today a little more juice to be done.

My understanding of this convention is that it limits the ability of host states or jurisdictions such as here to invoke immunity in the face of lawsuits instigated by foreign investors and provides the International Centre for Settlement of Investment Disputes, otherwise the I-C-S-I-D, which, unfortunately, I think, has been given the name ICSID, as a dispute resolution body. Perhaps more importantly, it seems to exclude the possibility – correct me if I'm wrong – of domestic court appeal when an arbitration award has been made against a jurisdiction. Ultimately it allows a foreign investor to go through an arbitration process, get a judgment, and then enforce that judgment in the host state, say, for example, here in Alberta, without the host state being able to do more than just argue their case before that arbitration body.

There are currently other investment arbitration bodies that Canada and Alberta are subject to – right? – that are similar in form. It seems as though this convention has been widely implemented, over 149 countries to date. However, these arbitration methods have also been criticized by a number of jurisdictions and by individuals both here in Canada as well as in a number of South American countries to the point where I believe three of them have withdrawn from ICSID.

We do understand that there's a desire for security and consistency for international businesses, that this bill is aiming to somehow assist, but, respectfully, the province of Alberta, in our minds, has to come first, and really there are serious questions about whether this is the best deal for either this government or for the people of Alberta as well.

So we have these concerns. I'll put them forward, and I would like everyone to consider them most judiciously. First, I would

like to focus on the centre itself and then, second, in relation to the broader implications of this bill here to the province of Alberta.

First, the arbitration centre that's being brought in by this bill, the International Centre for Settlement of Investment Disputes, ICSID, has, I think, some significant issues in and of itself. First of all, Mr. Speaker, I would like to speak about the quality of the arbitrators that might be brought in to make decisions on behalf of all of us here in Alberta. One particular arbitrator in this centre is a gentleman known as Francisco Orrego Vicuña. Mr. Orrego Vicuña was the ambassador for Chile for quite a number of years under the Pinochet dictatorship. He is currently an arbitrator, and his presence under ICSID's arbitrating board has caused, as I said, at least three countries in South America to withdraw from this treaty.

5:10

Before signing this bill, I think that we need to take careful pause to think whether it's appropriate for Señor Orrego Vicuña to be deciding whether Alberta legislates in its own interests when something has gone wrong, right? Of course, we have serious reservations – and I'm sure all of you do, too, now that you know about this – that one of the key, important members of the Pinochet dictatorship in Chile is making decisions here in the province of Alberta. You know, I think that it causes us to pause, certainly.

We're talking about, Mr. Speaker, potentially many billions of dollars that could be arbitrated using this new ICSID policy, and we've come to find out as well that ICSID does not have a process or a mechanism by which they release claim value. This is according to article 48.5 of this convention. So I don't really feel comfortable locking us into an agreement until we get a full picture of where we're going with this. The examples that we have seen, that we've managed to find that have come out of ICSID decisions we know are very significant and can involve up to billions of dollars. We need to know how we can be able to review those decisions in our own court, right? If we're signing over the power to review those decisions to ICSID, a branch of, I guess, the World Bank, then I think it's very important for us to pause for a sober second thought on this issue.

That's the first problem that I wanted to bring up, Mr. Speaker. Certainly, I'd be happy to be educated further on this.

The second one is talking about my concern about future free trade agreements. In this bill we're being asked to accept a method of dealing with international disputes, international investment disputes in this case, but the arbitration method is also directly relied upon in our free trade agreement. So we can't look at this, I don't think, in isolation. For example, a recent foreign investment promotion and protection agreement, which is known as FIPA – sometimes you say these acronyms phonetically, and they make peculiar sounds – our agreement with China, uses the centre as one option for an arbitration forum or will once this bill is passed.

The Ministry of International and Intergovernmental Relations has told us that they are very encouraged by the federal government to pass this bill, and we can only assume that the push from the federal Harper government to sign with this centre, which has been around since the 1960s, Mr. Speaker, after all – and Canada has held out on ratifying until now. I mean, that alone gives me pause to consider this at least twice. It's based on the recent signing of the new free trade agreements that have been made between China and Europe. So our trade partners want this as an arbitration forum, and it seems as though the Alberta government is willing to oblige since they brought this forward. I don't know. I presume they're going to vote for it.

As far as I and, I think, many other people as I lay out this case are concerned, we want strong relationships with our trade partners, of course, but we also simply want to be able to protect our natural resources and ensure long-term prosperity of the province through our own laws, not to hand over that power to a foreign jurisdiction. Under our recent free trade agreement with China, say, for example, if the government does something that a Chinese oil company doesn't agree with necessarily, we would be potentially taken to arbitration, and that arbitration would be dealt with with the rules of our free trade agreement so that it would go to this ICSID centre, which would mean that it was not appealable in Canadian courts yet enforceable through our system. So a foreign company, in my view, then would be able to take over assets without our power to review it in court. The sum of this is a loss of sovereignty, and I think that we need to take a serious second look at this, right? There is a clear alternative available here – right? – not just the other arbitration centres but allowing the province to work with companies and decide what works for them, right? We're not suggesting that we limit choice for business or corporations here. We just want to make sure that the province doesn't get locked into what could be ultimately a very bad deal.

For those reasons I am putting out some very serious concerns about this bill, about the potential undermining of our sovereignty to make decisions here in the province of Alberta, our legal system to do so as well, and putting those decisions and potentially a lot of money into the hands of an international arbitration court.

I hope that this might help edify some members and provoke some interesting reflection and serious debate. Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Speaker. I also rise in support of Bill 40, Settlement of International Investment Disputes Act. The purpose of the proposed legislation is to support the implementation of the convention on the settlement of investment disputes between states and the nationals of other states. The Harper government announced on November 1, 2013, that it had formally ratified the convention, and Alberta is implementing legislation complementing the Canadian ratification.

On March 30, 2007, the federal Minister of Foreign Affairs introduced in the House of Commons Bill C-53, an act to implement the convention on the settlements of investment disputes between states and the nationals of other states. The ICSID convention, which provides the mechanism to settle international investment disputes, came into effect on October 14, 1966. As of today it has been ratified by over 150 countries, and Canada became a signatory to the convention on December 15, 2006.

The ICSID convention established the International Centre for Settlement of Investment Disputes. As it is located in Washington, DC, the ICSID has close links to the World Bank, and it proposes to provide facilities for conciliation and arbitration of investment disputes in accordance with the provisions of the convention between contracting states – that is, states that are parties to the convention – and nationals of other contracting states. Pursuant to article 25 of the convention the jurisdiction of ICSID extends to any legal disputes arising directly out of an investment between a contracting state and a national of another contracting state with the written consent of the parties to the dispute. In other words, the convention provides for a mechanism under which ICSID member countries and foreign investors in those countries can settle disputes relating to the investments made by such investors.



As we have become a global village, Mr. Speaker, and we are trading with other countries and we are pushing for pipelines and all that and we will be exporting a lot more to India and China, we need some kind of mechanism to settle those disputes. I think that passing this legislation will help Alberta businesses to settle their disputes in a quicker way.

One of the important features of the convention is that it provides for recognition and enforcement of arbitral awards issued by ICSID tribunals. Awards issued by the ICSID tribunals are binding on states that are parties to the convention, and such states must enforce the pecuniary obligations imposed by the ICSID tribunals if they were contained in the final judgment of their domestic courts. I think it will save time and money for all parties involved.

5:20

The increase in cross-border investment arising from globalization has also led to an increase in the number and complexity of investment disputes between foreign investors and host governments. Foreign investors generally prefer to use a well-recognized international dispute mechanism as opposed to domestic legal systems, and ratification of the ICSID convention by Canada will enable Canadian investors in other ICSID member countries to take advantage of its dispute settlement process on fulfillment of certain conditions. Similarly, foreign investors in Canada can also take advantage of the ICSID mechanisms.

When we do the sectional analysis, Mr. Speaker, section 11 gives cabinet the power to make regulations in regard to determining

- (a) the terms and conditions under which the Crown in right of Alberta may enter into an agreement recording consent to arbitration proceedings under the [ICSID] Convention;
- (b) exempting any person or [group] from the application of an enactment or any of its [legal requirements], on the conditions specified in the regulations, to permit them to act in a professional capacity in an arbitration or conciliation proceeding.

The question arises here of what those exemptions would be and who would be entitled to those exemptions. That's the only question I have on this Bill 40.

There's another additional point to consider, and this comes from a lawyer, Paul Drager, who advises that we should also be pushing for ratification of the Hague convention abolishing the requirement of legalization for foreign public documents, 1961. Mr. Drager says that this would be a very practical measure which would allow companies and individuals to stop having to pay exorbitant fees for the legalization and the authentication of their corporate, personal, and banking documents. This would be a really practical measure to assist companies getting involved in international activities as well as individuals with international connections such as inheritance, divorce, and adoption issues. This point should also be considered in the bill.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing order 29(2)(a) is available.

Seeing none, I'll recognize the next speaker.

Seeing none, I'll ask the hon. Member for Edmonton-Mill Woods if he'd like to close debate.

**Mr. Quadri:** Question.

[Motion carried; Bill 40 read a second time]

## Government Bills and Orders Committee of the Whole

[Mr. Rogers in the chair]

**The Chair:** I'd call the Committee of the Whole to order.

### Bill 35 Financial Administration Amendment Act, 2013

**The Chair:** Are there any speakers to the bill?  
Are you ready for the question on the bill?

**Hon. Members:** Question.

[The clauses of Bill 35 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? That is carried.

### Bill 37 Statutes Repeal Act

**The Chair:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Chair. I do have an amendment here today to Bill 37 with the requisite copies.

**The Chair:** If you could circulate that, hon. member, we'll come back to you in just a minute.

Hon. members, this being the first amendment, this will be amendment A1.

Please proceed, hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Chair. Of course, during second reading we expressed support for the overall intent of the legislation in the Statutes Repeal Act. In this party we believe that if a law is unnecessary or redundant, it should be in fact repealed.

What this amendment does, however, is that if a piece of legislation is going to be repealed, it would be put forward in the Legislature with a nondebatable motion. So if a piece of legislation hasn't been proclaimed, in this instance for five years, and is going to be struck by this legislation automatically, there would still be a requirement, a sober second thought, for members to look at that piece of legislation and at least have a vote on it here in the Legislature. It would be nondebatable. It wouldn't be a significant amount of time in terms of this Legislature, but it would give people a little bit of a pause. Before you get rid of legislation, let's have it come before the Assembly, have a quick vote on it, and determine whether or not the will of the Legislature is, in fact, to repeal that legislation.

I think this is in line with the intent of the bill. The intent is to repeal a piece of legislation that has not been proclaimed for five years. This is just one little step to make sure that we do our due diligence and have the legislation come before the Legislature one last time and have a nondebatable motion come before the floor.

I hope that the other side would consider this, what I consider a reasonable amendment. That's it for my side, Mr. Chair.

Thank you.

**The Chair:** Thank you, hon. member.

Is there anyone else to speak to the amendment? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I rise in support of this amendment. I'm interested in what the minister will say as far as the efficiency of this amendment. It appears to be fairly straightforward. What it's intending to do is to be, I think, a little bit more efficient on its amendment of section 3, bringing clarity and, I guess, closure to the various bills that have not received assent.

With that, I would support this amendment, and I ask my fellow caucus members to support this amendment and see what we can do to tighten the bill up a little bit better and make it more efficient. If the minister has something to add to that, I'd be interested to hear why this would not be an acceptable amendment.

Thank you very much.

5:30

**The Chair:** Are there others? The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Chair. Just to conclude on this, what this amendment does is that it states:

Every Act and provision that is listed in a report under section 2 is repealed on December 31 of the year . . .

That's the report outlining bills that have not been proclaimed for five years. This just requires that that report be put

before the Legislative Assembly . . . adopting a resolution that the Act or provision be repealed provided that

(a) separate resolutions are adopted for each statute.

So if there is a particular statute that's going to be repealed in the report, it would just be a yes/no, nondebatable motion that we would put forward here in the Legislature just to do that final bit of due diligence.

Thank you, Mr. Chair.

**The Chair:** Thank you, hon. member.

Are there others to speak to the amendment?

Seeing none, I'll call the question on amendment A1.

[Motion on amendment A1 lost]

**The Chair:** Back to the main bill.

**Mr. Saskiw:** Thank you, Mr. Chair. I have a second amendment.

**The Chair:** If you would circulate that one, please. Send the original to the table with another copy.

This will be amendment A2, hon. members.

Proceed, hon. member.

**Mr. Saskiw:** Thank you, Mr. Chair. The current act as presented has a five-year period in which bills that have not been proclaimed are put forward in a report, and, once they're put in that report, are automatically repealed according to the legislation.

In this province we have the biggest amount of laws, I think, probably in the entire country. If you look under canlii.org or the Alberta Queen's Printer and you look at all the statutes and all the regulations in this province, it's quite astounding.

We, of course, believe that if a law is unnecessary or redundant, then it should be repealed. This amendment simply changes it from five years for a bill that hasn't been proclaimed to a three-year period. If the Minister of Justice is genuine in saying that he wants fewer laws and that we're going to cut red tape and regulations,

then he should be in support of this amendment, Mr. Chair. If there is no support for this amendment, it's clear that the intent of this legislation is not, in fact, to reduce the overall legislative burden in this province but, rather, just a mere gimmick.

Mr. Chair, I would suggest that this is a very reasonable amendment. It's changing it from five years to three years and would in fact be in line with what the minister has said is the intent of this legislation.

Thank you, Mr. Chair.

**The Chair:** Thank you, hon. member.

Are there others to speak to this amendment? The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chair. I will be very brief. I think it's very necessary to indicate that just stylizing something as a gimmick doesn't make it so. In fact, there is some rationale behind the five-year period. When the Legislature takes the time and trouble to pass a bill or an amendment to a section, one shouldn't discard it easily. Sometimes it does take some time to deal with an amendment that needs more work, and that happens.

We had, for example, an amendment – I think it was to the Matrimonial Property Act – that was passed at one time. It became clear that there was a considerable disagreement with the practising bar – maybe it was the wills and estates act – very strong disagreement within the practising bar, and it was sort of a 50-50 proposition, so that particular section lay unproclaimed while we worked with the bar to determine whether there could be a workout for that particular provision.

There are not very many, but there are a few situations where you could take a look at a provision to say that there's a rationale to still keep it around while you're working out whether that might be needed or not. Three years seems like a long time, but it's not that long. The rationale to go to five years also has another important aspect to it, and that is that governments in this province are elected for five-year terms. But typically it's a four-year term, and I think now by legislation it's every four years. So it essentially takes it into another government, if you will, for that rational, sober, second-thought piece. On those two bases five years actually makes sense.

Certainly, all of us want to clean up the ledger. All of us want to simplify the laws. All of that rationale is all good, but there is actually a common-sense reason why you would go for five years as opposed to three.

**The Chair:** Are there others? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I listened to the hon. minister, and what I don't quite understand or what is not clear is the importance of carrying this over into another government. I can accept the idea that you may want more time to consider. I would defer to the government to say that we need that extra two years. There's got to be a more valid reason why the extra two years would be important. When I look at the amendment, tightening this up from five years to three years, listening to the hon. minister, unless there's something else that I'm missing, I'm not sure why the extra two years is a critical portion.

Let me explain where I'm coming from, and maybe the minister can comment on it. The idea is to be more efficient. We pass laws. We work here to pass amendments and work on legislation, and it is yet to be proclaimed. So the delay of dealing with the issue is significant in many ways, but I'm not so convinced yet that three years is too short of a period. There may be a point in time – I suppose there could be examples, but I haven't heard of a

particular example. But I'm looking at it on a broad-based level, which is everything that would be considered. I suppose that where I'm looking at this amendment from is that I want the government to act sooner, and maybe that's too much to ask at the moment – I don't mean that as insulting or disrespectful – in dealing with these very issues.

What I was looking at is that you wouldn't want to carry this over into the next government. The government of the day, the government of this term would want to take care of the things that it is doing. Now, given that some of this would carry over anyway had it been passed, say, within the last year of a term, that doesn't change that matter one bit.

Maybe the minister can elaborate and explain or dumb it down a little bit from the teacher to the student level that I could understand. I'd be happy to have that.

Thank you very much, Mr. Chair.

**The Chair:** The hon. Government House Leader.

**Mr. Hancock:** Mr. Chairman, I promise I won't yell at the hon. member again.

**Mr. Wilson:** Don't make promises you can't keep.

**Mr. Hancock:** Right. I'll add "today" or "this afternoon."

What I'd want to say, Mr. Chairman, is that when the Legislature takes the time and trouble to pass legislation, one should treat it respectfully, and there are times when you're going through the process of implementing bills that it can take a period of time. You can sometimes pass a bill and take a considerable period of time before you proclaim it to consult with respect to regulations, for example, and that can take a while. We passed the Education Act last year, and decidedly there's a process that was part of the process to take some time to work out the regulations that would go with it, with a whole new act. That can be an extensive process. It could be a year; it could be two years before some portions of that act are ready for proclamation. I'm not just picking on that act. It could be any act.

One of the things that we do as legislators – and it's not the most exciting piece of the work – is the evergreening of legislation. So when you bring in a bill – and the wills and estates act might be a perfect example of that – that's the sum of several years of departmental work, consulting with stakeholders, et cetera. You bring in the bill and you pass the bill, but you don't necessarily proclaim the bill or all of it for some considerable period of time. Three years is just a little too tight on that piece.

5:40

There's also the aspect that if you decide to leave something before you actually let it fall off the table, as this bill is now proposing, it behooves you to leave it long enough so that it might actually be part of the subject of the next review even of an act. One can nitpick whether three years or four years or five years is necessary, but the rationale that I would put for the five-year piece is, essentially, that it does take time for some bills, not for every bill. Sometimes an amendment gets passed and it sits there, but other times you bring something forward before you've actually done the full consultation. I'll use an example. There was an amendment to the law society act a number of years ago to allow provincial court judges to do admissions to the bar. It's not something that everybody's really interested in, but I can tell you that the Court of Queen's Bench was really interested in it, and they didn't like it.

We passed the section, but we didn't proclaim it for a period of time, and, in fact, what we did was put in place a protocol with

respect to how the provincial court or the Court of Queen's Bench would co-operate with respect to admissions to the bar where a law student wanted to be admitted by a provincial court judge because it was more appropriate for them in their community or for whatever reason. That protocol was put in place for a period of time. Then the section was proclaimed later, when, in the minister of the day's opinion, the protocol wasn't working in the way that was effective. There was no particularly good way to resolve the difference of opinion, so we proclaimed it. Now, that might have been a couple of years after the thing was passed, two or three years. It was still actually a legitimate piece of legislation waiting for its time.

Three years is a little short, five years is – in the fullness of time if it hasn't been passed in five years, you ought to really consider whether you needed it or not.

**The Chair:** Are there others? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I appreciate the minister clarifying. I want to make one last argument, or pitch, using the very same argument that the minister provided. I don't intend to pick on the Minister of Education, but I think that is a perfect example. We do pass legislation here like the education bill, which has gone through a considerable process. It's a large bill that a good segment of society is waiting on. In other words, all the school boards are highly anticipating this bill. Now, this is not something government cannot anticipate. They know this. They know this when they bring a bill forward. They know this probably before they draft the bill, when they start their consultation.

The case of the education bill I think is a good example. I think some of the members even on the government side know this from meeting with some of the school boards this week. There's a lot of conversation about legislation, a lot of conversation about things coming forward for the school boards, so they're anticipating this. By shortening the time frame – I hesitate to say it – it will bring pressure upon the government to get that work done faster. I'm not so sure that's a bad thing. Again, I don't want to handcuff the government and say that it's so fast that you're going to do a poor job. But what I'm going to argue is that the government knows it's coming. The government gets to start its clock when it wants to. It is the master of its own destiny.

By setting that time limit – it is a time limit, in my view, that the government can reach and can compel itself to obtain. Again, we're back to the three to five years. I'm not going to disagree with the hon. minister, but I do want to use that example. Beyond the education bill clearly we have another bill coming forward which is going to be the rewrite of the MGA. I would suggest that that's going to be just as complicated or more complicated than what we did with the education bill. That education bill started before I was elected, and I watched that procedure and that process long before I was elected. It was significant.

But it doesn't change the fact that the stakeholders, the people who are most affected by that legislation, are anticipating that. They want that done. They want the regulations drafted, and they want it completed. They want it to be put into force. We're dealing with the differences between the three and five years, but I'm not suggesting we overburden the government. What I'm suggesting is that if we tighten that time frame, the stakeholders will see something that they've been anticipating and waiting for sooner, in some cases.

I'm sure this government with its qualifications and its resources could probably make that time frame. I'm pretty sure. Maybe I'm

wrong, and if someone really wants to step up and explain exactly why I would be wrong, that's fine, but I'm sure they don't hesitate when they have the opportunity. I think the education bill is a perfect example, with all the stakeholders anticipating this, waiting for it to come to completion. There will be other bills just like that that affect other stakeholders on other subject matter.

So, again, what we're looking at here is trying to eliminate that limbo time and get some action on the part of the government to bring this into force and get on with the business that Albertans want this government to get on with.

With that, thank you very much, Mr. Chair.

**The Chair:** Thank you, hon. member.

Are there others?

Seeing none, I'll call the question on amendment A2.

[Motion on amendment A2 lost]

**The Chair:** We're back to the bill.

**Hon. Members:** Question.

**The Chair:** The question has been called.

[The clauses of Bill 37 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? That is carried.

### **Bill 38 Statutes Amendment Act, 2013, No. 2**

**The Chair:** I recognize the Member for Lac La Biche-St Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Chair. This bill is primarily a housekeeping bill, which amends a variety of different statutes. We typically see this each session, where you kind of have a bill that has omnibus revisions to a variety of acts. When you go through the different acts that are going to be amended and the different provisions that will be altered, most of them are clarifying either a piece of legislation that has a bit of uncertainty, with the to and fro from court decisions that may throw some uncertainty into the scenario, or just the language itself is unclear or maybe just out of date and hasn't been reflected on or brought up to date in a long period of time.

Bill 38, the Statutes Amendment Act: overall, I'm very supportive of the bill in terms of the amendments that they're making. There are some substantive amendments with respect to the status that is bestowed upon certain police officers in Alberta that would put our province, it's my understanding, in line with other provinces across the entire country, and in my reading of the legislation this bill itself doesn't actually bestow extra powers or whatnot on the police officers that are in this bill. It's primarily on a ceremonial basis.

Mr. Chair, with respect to this statute there is one rather substantive change, and that's dealing with whether or not a Commissioner for Oaths versus a public notary can sign a document which we see in almost every single real estate deal, which is the relinquishing of dower rights. Right now if you want

to relinquish dower rights, you can do that with a Commissioner for Oaths. That's obviously cheaper and less expensive, but dower rights are a significant right that someone has to relinquish in a real estate deal.

**5:50**

What this amendment does is require that a public notary do it, typically, obviously, a lawyer. Of course, that would help out the lawyers in this province with their bills if they're required to notarize the relinquishing of dower rights, and I suppose that that's a good thing. In all frankness, I do support this amendment. Commissioners for Oaths may not have the requisite legal training to provide that individual with proper legal advice on what the results are if you do relinquish your dower rights.

These bills are coming across fairly quickly. I haven't spoken with the Law Society of Alberta on this particular amendment, but I would give a very strong guess that they would be in support of ensuring that Albertans don't on a whim give away their rights and property without getting proper, qualified legal advice. As such, given the, I would say, common-sense amendment that's being put forward, I would support that amendment as well.

Thank you, Mr. Chair.

**The Chair:** Are there other speakers to the bill?

Seeing none, are you ready for the question?

**Hon. Members:** Question.

[The clauses of Bill 38 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? That is carried.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chairman. I would move that the committee now rise and report bills 35, 37, and 38.

[Motion carried]

[The Deputy Speaker in the chair]

**The Deputy Speaker:** The hon. Member for Calgary-East.

**Mr. Amery:** Thank you, Mr. Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bills: Bill 35, Bill 37, and Bill 38. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

**The Deputy Speaker:** Thank you, hon. member.

Does the Assembly concur in the report?

**Hon. Members:** Concur.

**The Deputy Speaker:** Opposed? So ordered.

The hon. Government House Leader.

**Mr. Hancock:** In light of the hour, Mr. Speaker, I would move that we adjourn until 7:30 p.m.

[Motion carried; the Assembly adjourned at 5:53 p.m.]

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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Wednesday evening, November 20, 2013

Issue 71e

The Honourable Gene Zwozdesky, Speaker

## Legislative Assembly of Alberta The 28th Legislature

First Session

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## Legislative Assembly of Alberta

7:30 p.m.

Wednesday, November 20, 2013

[The Deputy Speaker in the chair]

**The Deputy Speaker:** Please be seated.

### Government Bills and Orders Committee of the Whole

[Mr. Rogers in the chair]

**The Chair:** Hon. members, I'll call the Committee of the Whole to order.

#### Bill 34 Building New Petroleum Markets Act

**The Chair:** I'll recognize the hon. Member for Strathmore-Brooks.

**Mr. Hale:** Yes. Thank you, sir. I rise today to speak in Committee of the Whole on Bill 34, the Building New Petroleum Markets Act. I would at this time like to present an amendment. I have the required number of copies.

**The Chair:** Hon. member, this is the first amendment, so this will be – you guessed it – A1. If you would send me the original, please.

**Mr. Hale:** The original is on the top.

**The Chair:** Perfect. Thank you very much. Just pause for a moment, and we'll get those circulated.

You may proceed, hon. member.

**Mr. Hale:** Thank you, Mr. Chair. The amendment that I am proposing I will read into the record. I would appreciate it if everybody would listen, and maybe . . .

**The Chair:** I'm sure they will in a minute, hon. member.

**Mr. Hale:** I'm hoping that they will support this amendment.

**The Chair:** I think they're waiting for you to start with bated breath, sir.

**Mr. Hale:** Okay. Thank you, sir. The amendment reads that Mr. Hale is to move that Bill 34, Building New Petroleum Markets Act, be amended by striking out section 10 and substituting the following:

Section 11 is amended by adding the following after subsection (1):

- (2) The Minister shall table the general report prepared pursuant to subsection (1) in the Legislative Assembly if it is sitting or, if it is not sitting, within 15 days of the commencement of the next sitting.

So the first portion of this amendment is striking out section 10. It basically deals with – it currently reads in the legislation that we have now that the Auditor General is the auditor of the commission. After I gave my second reading speech, the hon. Energy minister did make the statement that the Auditor General, being the auditor of this commission, is looked after under the Auditor General Act, but there is some confusion with that. The confusion is that under section 11 of the Auditor General Act it says:

The Auditor General

- (a) is the auditor of every ministry, department, regulated fund and Provincial agency, and
- (b) may with the approval of the Select Standing Committee be appointed by a Crown-controlled organization or any other organization or body as the auditor of that Crown-controlled organization or other organization.

The question is: is this new commission a provincial agency or a Crown-controlled organization? If it is a Crown-controlled organization, then it must be approved through a select standing committee in order to have the Auditor audit this commission. If it's a provincial agency, well, then the Auditor is required to audit it. Looking through the different regulations that we have and the Fiscal Management Act, it is not clear under the Petroleum Marketing Act that this new commission that they're forming with the seven board members is actually a provincial agency or a Crown-controlled organization. There is some confusion there, so in order to delete that confusion, I would like to strike out section 10. Then there will be no confusion as to who the auditor is. It will be the Auditor General. He will have power to audit this commission.

In the existing legislation on page 4 under section 8, the commission as a Crown agent, it says that "the Commission is for all purposes an agent of the Crown in right of Alberta and its powers may be exercised only as an agent of the Crown." It does not say anything about being a provincial agency. It's an agent of the Crown, so it looks to me like it's contained within both the provincial agency and a Crown-controlled organization, so I'm open to any suggestions if anybody would like to debate me on that, if they can be one hundred per cent certain that it is classified as a provincial agency. As the legislation tells us, it's with uncertainty that they make these statements. That's the reason why I would like to see the Auditor General be written into this act as the auditor.

Now, the second portion of my amendment. Section 11(1) currently reads:

The Commission shall annually, after the end of its fiscal year, prepare a general report summarizing its transactions and affairs during its last fiscal year and showing the revenues and expenditures during that period, an audited balance sheet and any other information required by the regulations.

To me, that's pretty open and transparent.

Again, in my second reading speech, the hon. minister came back and said that the annual report is looked after through the Fiscal Management Act, but when you look at the Fiscal Management Act, it doesn't quite cover it as well as the existing legislation does. It says, "The governing body of an accountable organization must prepare and give to the Minister responsible for the accountable organization a business plan and annual report for each fiscal year, in the form, at a time and containing the information" – so all it says is that it must give a business plan and annual report, which is significantly less than what the current legislation reads when it mentions a report summarizing its transactions during the last fiscal year showing the revenue and expenditures during that period and an audited balance sheet. That's specific. That tells you exactly what you're going to get from the minister regarding this commission.

Just to say that it's in the fiscal act: well, I don't think Albertans and I know I sure don't want to just see a general statement. That's not why we're here. We're here to ensure that this commission looks after the best interests of Albertans and Alberta. The only way to do that is if we can go through a full audit of their expenditures, what exactly they're doing with Albertans' resources, and there's nothing in the current legislation saying that

it must be presented to the Legislature. That's why I put in section 11(2) that "the Minister shall table the general report prepared pursuant to subsection (1)." That's saying that all this information is in the Legislative Assembly if it's sitting, or, if it's not sitting, 15 days after we start to sit. I don't think that's too much to ask. You know, I'm pretty sure that everybody in this Assembly would like to see the financial report of how they're spending the money, how they're making the money so we can hold them accountable.

7:40

They are an arm of this Legislature. They are looking after resources on behalf of Albertans. They are taking the bitumen in kind and doing with it, you know, the best they see fit, which is great. They're trying to make the most money they can for Albertans, which is good for all of Alberta. But there needs to be accountability, and the only way there's accountability is if the Auditor can have a look at the books and if a full scope of his review is made available to the members of this Assembly.

I urge the government members to accept this amendment, and I'd be happy to debate with them why we should try to be more open and transparent than what is proposed in this current legislation coming forward under Bill 34. I look forward to hearing from some other colleagues and colleagues across the floor.

Thank you.

**The Chair:** Thank you, hon. member.

The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I rise to support this amendment. I think this is one of these amendments where we need a minister to probably explain how this agency is going to be transparent because with sections 10 and 11 repealed, what we're looking for here is this report or some sort of transparency. Now, this has been the big issue, I think, with one of the provisions of the bill, that all the opposition parties picked up on, that we have eliminated the FOIP requirement, I think, for the first five years or the first four years, something like that. The big key here is: is this agency doing what this government wants it to do?

Now, it's easy enough for the government to say yes and try to let it be at that, but that's not the issue. The issue is that this is the public's resource, and there needs to be some reporting mechanism back to the public so that they know that the program is working and they know that the program is continuing to work. What we have is a program that says that we're going to take bitumen in kind. It was presented to the public that this is going to increase the revenue versus taking the initial royalty on the raw material. Now, that's logical in many ways, but we do not have access to the contractual agreement, so we don't have the ability to track it that way. The only way we have to track it as a Legislative Assembly or as any average Albertan is to wait until a report is tabled, and that provision right now is being removed. What we're asking in this amendment is to reinstate that.

Maybe the minister can point to another mechanism that we're not aware of where there is disclosure in a timely fashion so the public knows. That's the key. This is a government now that has set itself up to say that it's going to be transparent, that it's going to be accountable. I can't think of anything more important than this revenue stream that we've created, to make sure that it is both transparent and accountable.

The big question that the public will always have with regard to this is: are we making more money than had we just taken the initial royalties on the raw material? That will always be the question, and we have to measure ourselves against that because if at some point it does not turn out that way – and that is a risk that

we're taking. There is an embedded risk that the public is taking on, but the benefit from that risk is that we would take a higher revenue stream. What we're looking for is the consistent reporting to make sure that this policy, this program is doing what we want it to do and is getting the results.

One of the things that I had posed earlier in second reading was that there needs to be some measurement, some outcome-based measurement that we can measure one year after another year after another so we can track this so the public has a sense. Anyone in the public, particularly any accountant that has the desire to track these types of programs, can match apples to apples and have a clear understanding what the government set out to do, have a clear understanding of what the government is doing, and have a clear understanding of the results. There doesn't have to be a whole lot of guesswork on the part of anybody willing to put the time in to research this matter and understand whether or not this program is working.

So right now what we're seeing is – and the minister can get up and correct me if I'm wrong – less transparency offered as a result of this amendment, not more transparency. We're seeing less accountability, not more accountability. That's fundamentally wrong. That's going in the wrong direction from where this government has told the public that it wants to go. Unless the minister can explain why they shouldn't prepare a report and why they can't wait until we are sitting if we're not sitting and then submit it within 15 days – I would like to know the reason. Is it that burdensome?

I can tell you most corporations file their quarterly returns, and they report to the respective exchanges that they trade their stocks on so investors can follow that process. In this case all Albertans have an investment in this. This seems only logical, that we would have the ability as a public to track it. I don't think that's an unnecessary or overly burdensome request on this government to ask that, to say: "Show us what's happening, and let us track it. Is it doing what it's supposed to do?"

I ask all of my colleagues to support it. I ask the members across the floor to support it, and if they won't support it, I would ask them to explain why. Where is the reporting mechanism? Where is the transparency with this if we don't accept this? That's the key. It's not just a one-off. What we need is consistent reporting. That, in my view, needs to be legislated. It needs to be a requirement. That's the key.

With that, I hope the members will support this or at least provide the assurances in the form of a guarantee by pointing to another part of the legislative scheme that says: here's where these reports are going to be issued, and they're going to disclose the information that is relevant to the process here of the policy the government undertook and the results of how to measure that policy.

So, again, Mr. Chair, I would encourage the minister to hopefully answer that question, and we can get on with the business. Thank you very much.

**The Chair:** Thank you, hon. member.

I'll recognize the Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Mr. Chair. I appreciate the opportunity to speak about our responsibilities to the owners of these resources. They aren't ours as the government or the Legislature or the agency that's going to manage them; they are the people of Alberta's. We have a stewardship obligation to report to them.

The Tom Monson quote that I've used several times, it seems appropriate when we get into discussions like this. I wish to quote it again. It goes something like: "When performance is measured,

performance improves. When performance is measured and reported, the rate of [improvement] accelerates.”

I think that it's incumbent upon us to recognize this stewardship obligation and, like good stewards, report to our bosses because they're the people that employ us, and it's their money that we're spending or investing or that we are deferring royalty on and placing in the BRIK program. I think that's probably a very good program and has a good opportunity to do some of the things that we all want to see, create some upgrading within our province that provides more long-term jobs. The people are entitled to know how well that's working. If we know that we have to report on a regular basis, then I think we'll have more of a sense of accountability to them and be more committed to doing the best job that we can.

I certainly support this amendment, and I think it's vital to the process of discharging our stewardship in a responsible manner. I hope that each of you will consider seriously the things that we've said about this and consider the needs and the rights, if you will, of the people that have hired us to come here.

Thank you.

7:50

**The Chair:** The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Mr. Chair. It's a pleasure to rise and speak in support of my colleague's amendment here to Bill 34, Building New Petroleum Markets Act. When I read this amendment, I think this is a good amendment. I'm looking at what is currently being struck of this act. What's being struck of this act reads:

10 The Auditor General is the auditor of the Commission.

11(1) The Commission shall annually, after the end of its fiscal year, prepare a general report summarizing its transactions and affairs during its last fiscal year and showing the revenues and expenditures during that period, an audited balance sheet and any other information required by the regulations.

I don't understand why we need to get rid of this. You do say that there's something that might cover this off in another act over here, but that act can be changed. It can be changed very quickly by a government of about 60 members, with probably a little consternation from the opposition over here trying to stop you from taking more transparency and accountability out of our acts.

Why don't we do what the Premier promised? I mean, we're willing to help you on this. We want to see your government be accountable and transparent.

**An Hon. Member:** Agreed.

**Mr. Fox:** I hear “agreed” coming from the other side of the aisle over here, so does that mean that you're going to vote that way and that you're going to support this amendment? I hope you support this amendment because I do want to see some more accountability and transparency coming from this government. This government promised it. So here we are; we're going to help this government. We've put forward this very good amendment to help bring some transparency back in, to make sure that the Auditor General does have the ability to show the revenues and expenditures over a one-year period of this commission. I don't see any reason why we shouldn't allow the Auditor General to do that and why we shouldn't expressly state it in this piece of legislation.

If you change that other piece of legislation, and it has been changed – there were two acts that were completely wiped out by Bill 12, which is what you guys are referring to, where it actually was covered off here. You know, what was taken out of that bill

means that Albertans may not receive information in a reasonable, recognizable, and responsive format, which is the format that we get from the Auditor General. We've got to keep this stuff in the legislation. If you want to be able to prove to Albertans that you truly are accountable and you truly are transparent, let them know what you're doing with their resource, with their royalties. Let them know through the Auditor General that you are managing it properly, that you have managed it properly, and that you would continue to manage it properly. You do that through regular reports back to the Legislature, back to the citizens of Alberta.

You also prove that to them by stating categorically in another piece of legislation that you are committed to that. It really doesn't hurt to have a little bit of redundancy in the system. If you do come back and change the Fiscal Management Act later on, you might not even be thinking about how it's going to affect the reporting of the Auditor General on this petroleum commission. It just astounds me.

Anyway, I hope that you do in fact support this amendment, which will help you in your goal of making your government more accountable and more transparent. Thank you.

**The Chair:** Thank you, hon. member.

The hon. Member for Edmonton-Gold Bar.

**Mr. Dorward:** Yeah. Mr. Chair, I believe that section 11 is redundant in the sense that the Auditor General Act reads in section 11 that the Auditor General “(a) is the auditor of every ministry, department, regulated fund and Provincial agency.” I don't pretend to be an expert on that, but I do believe that this falls under the categorization of a provincial agency, which means that the Auditor is the Auditor already without having that section in there.

**The Chair:** Thank you, hon. member.

I recognize the Member for Strathmore-Brooks.

**Mr. Hale:** Thank you, Mr. Chair. I'm not sure if the member heard my opening remarks, but that is the question. That is the issue. If you would read further in (b), it says that the Auditor General

may with the approval of the Select Standing Committee be appointed by a Crown-controlled organization or any other organization or body as the auditor of that Crown-controlled organization or other organization.

So it's not clear whether this commission – there's nothing in the current legislation or this new bill that says that it is classified as a provincial agency.

Now, that's the question I have. I would really hope that someone can clarify this because the lines are very blurred. In order to have a full audit by the Auditor General – it doesn't just go back to the Fiscal Management Act. It doesn't state it in the Auditor General Act, and they're taking it out of the current legislation. That's why I would like to see it stay in the legislation. Then we know for sure it's looked after.

**The Chair:** Thank you.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chair. Well, I guess three points. First of all, the hon. member indicated the Minister of Energy did come to him after second reading and indicated to him that the reason why this was not needed in this act is because it's covered in the Auditor General Act, so I think he can take from that that somebody has actually done their homework on this. We don't take auditors out of the act just for no reason at all. When they do

draft acts, they do try to draft them in parallel structure and remove surplusage. The reason that the reference to the Auditor General in this act is being removed is because under another section of the act, as you read out, hon. member, clearly says that this is an agency of the Crown, so it's a provincial agency.

Now, the distinction that the hon. member is making – and the answer is in his question – is that when you refer to a Crown-controlled corporation, there can be Crown-controlled corporations that are not agencies of the Crown. That's why the act specifically says whether it's an agent of the Crown or not. You'll see in a number of acts a section which says specifically, as it does in the Petroleum Marketing Act, that it's an agent of the Crown. So if it's an agent of the Crown, it's a Crown agency. It can be a Crown-controlled corporation without being a Crown agency. The act will make that distinction. In this case it's a Crown agency. It comes under the Auditor General Act as the Minister of Energy informed the hon. member.

**The Chair:** Thank you, hon. minister.

The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. But the one thing that's not redundant is the filing of the report.

I thank the hon. minister for addressing the issue about the Auditor General, and the question was answered. I'll give the minister credit and not the deputy whip . . .

**Mr. Khan:** He answered your question, Joe.

**Mr. Anglin:** I know. I'm going to give the minister credit for it because he answered the question. But what it doesn't answer is: when do these reports come forward? What was being struck out was . . . [interjection] Ssh. Be quiet. I'm speaking. "The Commission shall annually, after the end of the fiscal year, prepare a general report." That was being struck out. What we're asking to do is have a report filed.

Again, it comes back to the whole issue of transparency. It is important that we have an auditor. There's no question about that. Every organization has to have that. What good is the audit if we don't get to see it or if we see something that is not consistent with what probably a normal corporation is given? Basically, what is being struck out here is a report summarizing its transactions and affairs for its last fiscal year, and what the amendment does is ask that a general report be prepared pursuant to subsection (1).

What we want to get here is some transparency and some accountability. We're back to the one question, the most overriding question, that hasn't been answered. The public needs confidence to follow this from point A to point B. Is this program, this policy, doing what this government intended it to do? How do we measure it? The only way to measure it is to have these consistent reports so we can track it. I don't know of any other way. If the hon. minister wants to explain another way the public can track this so they can have the confidence that (a) the policy is doing exactly what this government intends it to do and that it is producing outcomes that are measurable – that's the key.

What this is about is that we made a deal that we would take the raw material and trade it in kind for an opportunity for more revenue. That's a very simple formula. I'm sure the actual contract is quite complex. But for the public to track this, they just want to know: what were the royalties we were going to get? What did we really get as a result of the policy? Is it working? The performance-based outcome will tell the public whether or not it's working. This amendment is attempting to address that very simple question.

**8:00**

Now, if the hon. member wants to explain how else that will be addressed, I'm open to it. Show us in legislation where it is. Then I'm sure the member would probably withdraw the amendment. But we can't find it. We can't find it in there. There needs to be accountability. There needs to be some sort of tracking mechanism.

This government prides itself on being performance based. I've heard it time and time again. Here's a great place to apply it. Let the public measure the performance. Let the public know that they made a better deal here, that you made a better deal on the public's behalf. But if we can't track it, no matter what this government says, it can't be proven. It can't be reliable to the public because they can't see the proof. The proof is in the reporting, the proof is in the transparency, and the proof is in the accountability.

Again, I thank the minister for answering the first part of the question, but the larger question is the tracking of this. Is it doing what it's supposed to do? What is the performance, and how do we measure that performance? That's key.

Again, back to the minister: I hope you can address that, and we'll see where this amendment goes.

Thank you very much, Mr. Chairman.

**The Chair:** Thank you, hon. member.

Hon. Member for Lac La Biche-St. Paul-Two Hills, I'll recognize the Member for Edmonton-Strathcona and then back to you.

**Ms Notley:** Thank you, Mr. Chair. I'll be brief and just follow up on the point made by the last speaker. We raised this issue last night in second reading, and the minister responded. He responded on both of these issues, the issue of the Auditor General and the issue of the annual report.

Now, with the issue of the Auditor General it's been helpful, the clarification that we've just received. Of course, what happened at the time was that he said: oh, it's in the Auditor General Act. We looked at the Auditor General Act, and we were trying to figure out whether this agency would fall within the discretionary group of organizations or within the obligatory group of organizations with respect to the role of the Auditor General. Now the Government House Leader has explained that definitively they are within the obligatory group of organizations, so that's fine.

However, last night the Minister of Energy responded as well to our concerns about the absence or the removal of the annual reporting obligations. Really, his response was simply: well, any good corporate board would do that. That was the response. That was the answer that we got at the time on how we could be guaranteed that there would be an annual report, but frankly I think people here, for the reasons that have already been outlined, are looking for more. We want to know, you know, for sure when that report is filed, where it's filed, and what's going to be in it.

Given the importance of the work that this organization would do, it's unfortunate that we see it removed from legislation. As the last speaker stated, if there are other places where you find the legislative requirement for that annual report, great, but that was not the answer that the minister gave last night. The answer that the minister gave last night was simply that any good corporate board would as a matter of course prepare an annual report. Quite frankly, I just don't think that's good enough.

**The Chair:** The hon. minister.

**Mr. Hancock:** Thank you, Mr. Chairman. Well, in the last 10 seconds I went on to the Alberta Energy website and found the financial statements for the Department of Energy, and embedded in those financial statements is the annual report of the Alberta Petroleum Marketing Commission. That's where it is. That's where it will be, I presume. You know, you've got a marketing commission that's an agency of the Crown. It has an obligation to get its financial statements audited, and it can't have financial statements audited unless it's got financial statements. Financial statements are reported annually with the Alberta Energy report, and the Auditor General, when he audits a financial statement of a Crown corporation, releases them. That's not a secret process.

**The Chair:** Thank you, hon. Government House Leader.

Hon. Member for Lac La Biche-St Paul-Two Hills, I'll go to the hon. Member for Strathmore-Brooks, and then I'll come back to you, sir.

**Mr. Hale:** Thank you, Mr. Chair. Thank you to the hon. House leader for trying to clarify that, but in his point he said that he brought it up on the website. Well, that's from the old act. This new act takes that provision out. The new act is taking out what this commission needs to have in its report for its fiscal year:

Prepare a general report summarizing its transactions and affairs during its last fiscal year and showing the revenues and expenditures during that period, an audited balance sheet and any other information required by the regulations.

Good. That's in there. That's what we want to see. So why are we taking it out of this legislation? You take it out of this legislation, so next year the financial report that they'll have on the Energy minister's website doesn't have to have this in there because this has been taken out.

But it says what they will have. This is under the Fiscal Management Act. It says, "The governing body of an accountable organization must prepare and give to the Minister responsible for the accountable organization a business plan and annual report for each fiscal year." That's it. It does not say anything about what needs to be in that. I know they'll say: well, any good company will put this, this, and this in it. But it's not in legislation. The old bill had it in legislation. It had exactly what needed to be reported, which he just referenced that he brought up on the website. That's great, but why take it out? Why take it out and then just rely on the Fiscal Management Act, which has very, very minute recommendations that need to be put in this report?

You know, that's what we're getting at, that you're taking the information away from Albertans. You're taking away the right for Albertans and for the rest of us to go in and see exactly what is in this financial report. It does not say anything about where it has to be made public. It doesn't. It just says that it has to be presented to the minister.

That's why, you know, I put forward this amendment, to ensure that the proper information is there after the auditor does the audit, which has been clarified. Now we know that the auditor will audit it fully as a provincial agency, so that's great. But what's in that report? When is it going to be tabled? Who's going to be able to see it? That's very, very important. Trying to maybe keep it from people when you're dealing with the province's resources and, you know, the royalties and the money that comes off Albertans' resources – we should be making every effort possible to clarify how much money is going in and out. That will enable us to determine if this corporation is actually doing the job that's required of them.

Thank you.

**The Chair:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you very much. I think we're getting closer to an answer. I hope we get to an answer.

The hon. minister is correct. It is on the website, but what we see in the amending act is that the requirement by legislation is being removed. Now, granted, it may still be put there by regulation, but we have no guarantee by legislation that they would make that by regulation.

Now, the act could be amended to say that the minister or the commission or somebody would ensure that regulations will stipulate the reporting period and the auditing period and all that, but it doesn't do that. What we have in front of us here is an amending act that is going to remove the provision that has a legislative mandate for the filing of that annual report. Now, I presume that's the annual report the minister found on the Internet. It's only logical that they would post the annual report that's required by legislation. It's the income statement and the balance sheet.

That's logical, but what's missing is that there's not going to be the legislative mandate anymore. Will it still be there? I don't know. I suspect it would be. It seems logical. I think you run into huge problems if you don't create these reports because you won't know what you're doing, and anyone who understands business knows that. But it's going to be removed from legislation. What this amendment wants to do is put it back into legislation, and we get back to the very basic premise.

I'm going to make a different argument to try to convince the hon. members. I know they're not egotistical, but they like to tell the public how smart they really are. I can't think of a better way to show the public how smart you are than to show the success of the program in the form of balance sheets and financial statements that would be required by legislation. Anybody in the public, any reasonable person, any reasonable accountant that so desires to follow this program, this policy of this government can look at the value of the bitumen and at how much a per-barrel royalty they would have gotten and how it compares to the income that we get as a result of this BRIK program.

**8:10**

Then this government could stand up and take credit, and I'll be the first one to give you credit if you can prove this showing the facts and figures. Now, I'd rather you don't do it one time; I'd rather you do it annually. I'd rather there be consistent reporting annually. That's all we're asking for here. This is a Crown corporation, this is an agent of the Crown, and it will have the ability to contract on behalf of the Crown, but what we need is protection in legislation that is either going to stipulate the reporting or at least, at a minimum, stipulate to this agency that by regulation they will set up the reporting mechanism, that it would be a requirement.

I think that would be consistent with a whole lot of legislation that has been passed in this House before. There's nothing wrong with how you want to stipulate this, but I see no reason to remove it from the legislation the way it is, none at all. But if there's a reason for that, then so be it. Let us know the reason.

It's a very basic principle that we cannot leave behind: is the policy working the way this government wants it to? The only way to figure that out, the only way to consistently see that, is by tracking it on financial statements that are reported on a consistent basis using the same methodology so that we're comparing apples to apples and there's no confusion.

Clearly, I don't understand why the commission's mandate to annually report its fiscal position is being removed. I don't understand why this government would be shy about reinstating that. It doesn't make sense to me. Again, on the premise of X amount of barrels of bitumen going in, what would the royalty have been, and what is the outcome based on that as far as the amount of revenue we received?

Now, the royalty scheme is actually complicated. It does change, depending on the capitalization, the company, when they started, under what agreement they were working. There are different royalty schemes. When we look at the amount of bitumen coming in, if that's not identified, then we can't track it in the sense of: would we have made more money off a royalty scheme versus the BRIK program?

Again, I believe that when I looked at the website, I could calculate the amount of raw material, but I cannot calculate what the royalties would have been on that because I don't know where it came from, what program it came through on its royalty scheme, or where it is in the royalty scheme. There's no way to track that, and that should be trackable. We should be able to know that. We should be able to measure that this is what we would have made had we just taken a straight royalty and that this is what we did make on the final product and then match it up. Is the policy good? Is the program good? Is the public benefiting?

Again, on my initial argument, what better way to show how smart this government is when it divulges this information so the public can look for itself without anyone on the other side saying: look at us. You can have the shining star of success that says: it worked, and here's the proof.

With that, Mr. Chair, I welcome the members' comments. Thank you very much.

**The Chair:** Are there other speakers?

Seeing none, I'll call the question on amendment A1.

[Motion on amendment A1 lost]

**The Chair:** Back to the main bill.

**Mr. Hale:** Thank you, Mr. Chair. I would like to propose another amendment to the bill.

**The Chair:** If you would circulate that, please, hon. member.  
Proceed, hon. member.

**Mr. Hale:** Thank you, Mr. Chair. I will for the record read this amendment to Bill 34, Building New Petroleum Markets Act.

**The Chair:** For the record, hon. member, this will be amendment A2.

**Mr. Hale:** The amendment reads: "Mr. Hale to move that Bill 34, Building New Petroleum Markets Act, be amended in section 9 by striking out the proposed section 9.2(4)."

Now, 9.2(4) in the proposed Bill 34, under information to the commission, reads:

- (4) With respect to any record or other information obtained by the Commission under this Act that is used for
  - (a) determining or verifying royalty liability or collecting or forecasting royalty, or
  - (b) determining, prescribing or verifying an amount, factor or other component that is used to calculate royalty,

the regulations made under this section prevail despite the Freedom of Information and Protection of Privacy Act for a

period of 5 years following the end of the year to which the record or other information relates.

My amendment proposes to strike this subsection (4).

Speaking in second reading of this bill, it was mentioned that as a commercial entity there's a commercial aspect to this corporation that has very sensitive parts. Well, I don't disagree with that at all. There is information that shouldn't be shared publicly, dealing with the markets, because it would give the power to that commission to maybe, possibly, change those markets. If we're going to be putting all of our eggs in one basket and everybody knows that, then everybody's eggs are going to end up in that basket, and then the eggs are worth nothing. You know, it's a little bit of farmer logic: you don't put all of your eggs in one basket. It's just like playing poker. You keep your cards close; you don't lay them all out there. I do agree with that.

It talks about some very important information that they are trying to keep secret, and that's the royalty collection. Why shouldn't Albertans, who own that royalty, who own the resources – it's their money. Why should it be hidden from them for five years? Verifying the royalty liability is the same thing. Why hide that for five years?

Forecasting royalties. In the budget estimates the Finance minister talked about going to all these banks and getting all of this information so that they can do their budget forecasting based on energy prices. Why shouldn't everybody else, you know, the other parties in this House and the other ministries, be able to plan? Why shouldn't they be able to see the proposed royalties and know how many barrels of oil and how many barrels of bitumen we're going to be shipping? We already know that there have been a hundred thousand barrels of bitumen a day committed to the east-west pipeline when it gets built. So they're calculating the royalties. How are we supposed to hold them to account to show that they are actually getting value for our royalties on behalf of Albertans if we can't find out how they calculated the royalties for five years? It doesn't make much sense.

**8:20**

When you look in the Freedom of Information and Protection of Privacy Act, sections 24 and 25 in there deal with a lot of this. They are professionals that run the FOIP office. Believe me; we've put in a lot of FOIPs. You don't know how hard it is to get information out of them. Something that is this important, that they don't want the commission to divulge to the rest of the world, believe me, it will be tough to get out of them. There's no need to put a provision in for five years because you can't get it from them anyway. Why hide everything for five years? Information that is important, that needs to be held close to this commission's chest, can be held. It does not have to be put out there. The FOIP legislation, under sections 24 and 25, already has provisions in there that will not allow this type of information to be put out there, you know.

But there is other information that should be allowed to come out if that information is requested. The contracts for the board members: if that information is held for five years, how are we supposed to know what they're getting paid until five years later? You know, governments change in five years. The people in these seats change in less than five years. In less than five years we're going to have an election. Five years ago there were many different people sitting in here, so to hold it for that long is ridiculous, really. The information that needs to be held will be held through the FOIP legislation. The government boasts that we have the best FOIP legislation in the world. Well, if it's so good, why do we have to enhance it by five years to cover important information?



So that's the skinny on this amendment. I hope that, you know, we can hear from some of the members on the other side as to why they think we need to hide all this information for five years and why maybe the FOIP legislation won't do it. I will sit down and eagerly await the debate forthcoming.

**The Chair:** Thank you, hon. member.

Hon. members, might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

### Introduction of Guests

**The Chair:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chairman. It's come to my attention that in the members' gallery we have two wonderful ladies who are visiting us tonight and watching the proceedings. Barb Sturdy has been a stalwart in Alberta politics for the last – well, I won't say how many years, but let's just say that she and I go back a long way on the political trails. With her is Pam Cholak. Many, many years after I was president of the young Conservatives, I think she was president of the young Conservatives, and she's been active in Progressive Conservative politics for many years. Both of them have done wonders for involving young people and Alberta citizens in the political process in our party. I'd like to ask them both to rise and receive the traditional warm welcome of the House.

**The Chair:** Thank you.

### Bill 34

#### Building New Petroleum Markets Act

*(continued)*

**The Chair:** I recognize the Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Chair. I'd like to speak in favour of this amendment. I find it, frankly, a little shocking that you have a major entity where every single bit of information from it is going to be kept secret for a period of five years. I go along with the arguments of my colleague here. Of course, there are certain types of information that perhaps shouldn't be made available to the public, but clearly not every single piece of information that is within this entity should be kept secret.

I'm wondering if the Minister of AT and T believes that this bill is consistent with his gold standard approach and whether it meets his gold standard approach to keep all information secret for an entire period of five years. Of course, if there is commercially sensitive information, yeah, maybe that shouldn't be made public, you know. But if every single piece of information within this entity is going to be kept secret for five years and this Premier is going to campaign on being open and transparent yet this piece of legislation right here keeps information secret for five years, this is the type of hypocrisy that I think over time is going to erode the credibility of this current Premier. You can't say that you're going to be open and transparent and then put forward a bill that is completely secretive and keeps every single piece of information within the entity secret for five years.

Mr. Chair, I don't think this meets the gold-standard approach of the Minister of AT and T, and I don't think it meets, frankly, any type of test. It doesn't meet the smell test.

Thank you.

**The Chair:** Thank you.

The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. If this is the gold standard, it's time to short gold. I can tell you that right now.

This is terrible because what we have going on here is that we are beginning to remove the transparency and accountability, at least to the legislative mandate. That's what this amending act is doing. It is no longer making it a requirement by legislation that the commission shall annually report. It talks about the balance sheet and the financial statement. It may or may not do it by regulation – we don't know – but even if it is doing it by regulation, what this section that we're looking to strike out is purporting to do is to keep whatever regulations are keeping track of some financial information from any freedom of information request for at least five years.

You know, there's a standing joke that when the Wildrose becomes government, the lights are going to blink and possibly go out. [interjections] Now, the reason for that is that all the paper shredders will turn on at once. But there's nothing we can do about that. The good news for the Wildrose and for the Alberta public is that there are not enough paper shredders in the province to do the things that they need to do. With more and more information that they're going to keep secret, I don't know how they're going to destroy it all at once. The fact is that keeping more and more information secret – if you made it public, you wouldn't need paper shredders when you get voted out.

**An Hon. Member:** Speak up.

**Mr. Anglin:** Well, I had to. They were all yelling at me. I have to hear myself.

**The Chair:** Through the chair.

**Mr. Anglin:** I'm not sure who's chairing this, you or them, but I'm going to believe it's you. I'll talk to you. That's okay.

**The Chair:** Just talk to me.

**Mr. Anglin:** But in all seriousness, what's the reason for keeping this information secret?

As I mentioned earlier, even on the last amendment, this is a very simple process. The public wants to know, and I think the public has a right to know: what was the bitumen worth in royalty before it got processed? What did the public give up? This shouldn't be top-secret information. This should be something that should be reported. Regardless of what this commission determines or verifies as the royalty liability or forecasts in royalty, we should have an understanding of what that royalty revenue would have been had we just taken the straight royalty revenue. What is the income? What is the revenue source from the BRIK program? Is it more than what we would have gotten using the present value of money and the future value of money, depending on the length of time the first part of the process meets the second part of the process?

This is the point of accountability. This is the public's resource. The public has a right to know. This government has a responsibility, a fiduciary responsibility, to disclose. This is this government's program. This government has created this program, this policy, has promised the public – and it has sold it so – that this would increase revenue because it's a good deal. You've all heard it; some of you have said it. The issue here is: now prove it, verify it, and allow the public to see it. What the public won't be

able to see if the information is kept from them is that they will not be able to calculate it.

**8:30**

Now, in the spirit of the accounting gods if you decide to do it of your own goodwill, all well and good, but I don't understand why you would remove the legislative mandate to require it. I don't see the logic in that. All private corporations, particularly those that sell stock publicly, are required by rules and regulations to construct and file financial statements so investors can see, and this should be no different. This should be no different than that in the sense that the investors here are the public. This is their resource. They are investing in this, that they're going to get a better revenue stream by buying into this program, and they should have a right to see that it's doing exactly as this government has stated it would do, without disclosing any proprietary information but just looking at financial statements.

I'm happy to withdraw all those statements if the minister could show me where in legislation this is going to be required and how this is going to be done consistently. What we're seeing here is the withdrawal or the removal of a requirement to report and then the ability to use FOIP to track what I will call the beginning stages of what the royalty scheme would have been. Really, what this section (4) is consistent with is verifying, determining, and forecasting what the royalties would have been.

We have a situation here where we're just going to protect it for five years, and I don't see the value of hiding that for five years. What am I going to learn 5.1 years down the road that is so secret that I can't know, say, annually? Starting from today I should see an annual report and see four annual reports before I get to that fifth year. I don't understand. Even if it's a loss, it doesn't mean you change the program. What it does mean is that I can track it from year 1, year 2, year 3, year 4, year 5, and we should be able to track it in that case. Lots of companies show a loss or a downturn in one year versus another.

We're not looking for the proprietary information. We're looking for accountability. I think the minister is going to get up, and I want to hear what he has to say.

**Mr. Hancock:** Mr. Chairman, I think the hon. member just answered his own question over and over and over again, and that is that, in fact, what he is looking for is proprietary information. The Petroleum Marketing Commission gets information from individual operators just as the regulatory authority for energy has the same type of provision, where they get proprietary information from the companies that are in the business, and in order to make the system work, they have to be prepared to keep that information.

They have to get that information so they can do their operation, but they have to keep the information subject to commercial proprietary – the commercial operation requires that each of these companies be able to operate without releasing their information publicly. So there's a balance here, and the balance is that you need to have an ability to get the information to make sure that you're getting your share of the royalties, that you have access to all of the production information, all of that proprietary information of the company. Obviously, you're not going to publish that.

The audited financial statements, which we've already dealt with in the previous amendment – you keep coming back to that piece and the reporting piece – that's already been dealt with. There are reports. There are the financial reports. There's the auditing of the reports. All of that is done. But in terms of the internal operations, where the Petroleum Marketing Commission

deals with individual producers with respect to their production and what the public of Alberta's share of that is in terms of its bitumen royalty in kind, for example, that can verge on proprietary commercial information, and you would not, I think, want on behalf of Albertans to interfere with our ability to actually have that commercial operation work effectively.

It has oversight. It has appropriate oversight. It has audit. It has financial reporting. But in terms of the commercial information which we are by legislation requiring people to give, we also, then, give them the assurance that we won't hand it out on the street. I think that's a perfectly valid assurance to give and five years is a perfectly valid period of time to give it for.

**The Chair:** The hon. Member for Strathmore-Brooks.

**Mr. Hale:** Thank you, Mr. Chair, and thank you, Mr. Government House Leader, for trying to clarify that. But it doesn't address the current FOIP legislation that we have now. If it's so proprietary, why wouldn't the legislation that we have now look after it? Why does it say five years? Why doesn't it just say, you know: corresponding to the FOIP legislation that we currently have, proprietary information will not be made public? I mean, we know that that stuff doesn't need to be made public.

**An Hon. Member:** Apparently not.

**Mr. Hale:** Yeah, we do.

But why do you have to have it in here? If the FOIP legislation is so good, why do you have to add it in here? You're taking out the Auditor General because you said that, you know, it's already looked after under other legislation. You're taking out what has to be reported in the old legislation because it's covered under other legislation. Well, this is covered under other legislation, which is the FOIP legislation, so why do you have to put this in? If you could speak to that, I'd appreciate it.

**The Chair:** I'd like to recognize the Member for Cardston-Taber-Warner, followed by Rimbey-Rocky Mountain House-Sundre.

**Mr. Bikman:** Thank you. I expect all of you to show your gratitude for me giving you a break from the hon. member that sits next to me. Contributions are gratefully received.

I appreciated the comments of the hon. Government House Leader. It cleared up in my mind part of the reason why some of this does in fact need to be kept private, and the very things that he mentioned do need to be. It's like the 29 herbs and spices or the secret recipe. There are things that people are trusting the government to keep private, and that ought to be, and they ought to know that they can trust that to happen.

I think the other issue that the hon. Member for Strathmore-Brooks just mentioned, that I know my friend next door here is eager to re-engage the foe on, that kind of information needs to be public. Who here would make an investment if the salesman, broker, or pitchman said: all of your reports on how your investment is doing will be five years out of date. That's each report. If it's secret for five years, then we're going to get one report in six years, and then in the seventh year we'll get the report from the second year of the process if I'm reading that correct. If I'm wrong, please let me know.

We're not asking for the patented secrets, but on behalf of the investors – in other words, the citizens who put their trust in this government and all of us – we are saying that we need to let them know how, for example, the BRIK project is doing. Has it been a good idea? Is it giving us more over time? You've got to trust the people to be able to recognize that not all investments are going to

skyrocket. There are going to be ups and downs. But we as citizens and the citizens we represent as legislators, MLAs, have a right, I believe, to expect to get regular reports on how projects like BRIK, for example, the upgrader, are doing so we can compare and contrast, and then we'll draw our own conclusions.

As I read the information that's being proposed in Bill 34 to be deleted, it makes — I'm not naturally a cynical person or suspicious. In fact, I can be fairly easily conned because I trust people to be as honest as I am.

**Mr. Khan:** A play on words?

**Mr. Bikman:** Yeah, a little bit.

The idea is that if this was a great idea, if we had a lot of confidence in BRIK, for example, then we'd want people to see how bright we were and how well we're doing as stewards of the asset that they own. They've elected us to represent and to help keep you the government transparent, as you'd like us to believe that you are and that you apparently say you want to be. Taking this out, I think, doesn't remove from you the ability to keep private and confidential those things you promised, the sources that would put them at a disadvantage if they became public. But I do think they have a right to know how other aspects of the investment are doing.

8:40

I think that's the point that we're arguing from or that we're trying to convey. If somehow we're off base seriously, I think we'd all like to know that and save us all some time. I hope you understand where we're coming from with this. We think we're doing it because we believe that it's in the best interests of Albertans.

Thank you very much.

**The Chair:** The hon. Member for Rimbey-Rocky Mountain House-Sundre, or did you want to respond, hon. minister? Maybe we'll have the minister's response.

**Mr. Hancock:** Yes, just briefly, Mr. Chair. I'm suffering from some confusion here because the hon. member has actually made again the argument that needs to be made, and that is that under subsection (4), which the amendment attempts to remove, it specifically says:

(4) With respect to any record or other information obtained by the Commission under this Act that is used for

(a) determining or verifying royalty liability or collecting or forecasting royalty.

That would be the commercial information of the producing company. That would be the information that they have around their production, obviously, because that's what you need if you're determining royalty liability.

(b) determining, prescribing or verifying an amount, factor or other component that is used to calculate royalty.

That language is so precise as to specifically point you to the commercial information. That is not the section under the Auditor General Act which allows for auditing financials. It's not the requirements under the Financial Administration Act and other acts which keep Crown agencies honest and reporting the information. It's not about aggregate information. It's about any record or other information obtained by the commission under the act, obtained by the commission from, obviously, the producing companies, that's used for the determining or verifying of royalties. That's precisely commercial information. That's the proprietary information of those companies that they're using in

their day-to-day operations that they probably don't want their competitors to know.

**The Chair:** The hon. Member for Strathmore-Brooks.

**Mr. Hale:** Thank you, Mr. Chair. We're not disputing that that information needs to be kept.

**An Hon. Member:** Yes, you are.

**Mr. Hale:** Well, no.

**The Chair:** Through the chair, please.

**Mr. Hale:** You're taking redundancy out of the old bill, you say, through scrapping sections 10 and 11. But if you read the FOIP legislation, the FOIP act, under section 25(1) it says:

25(1) The head of a public body may refuse to disclose information to an applicant if the disclosure could reasonably be expected to harm the economic interest of a public body or the Government of Alberta or the ability of the Government to manage the economy, including the following information:

- (a) trade secrets of a public body or the Government of Alberta;
- (b) financial, commercial, scientific, technical or other information in which a public body or the Government of Alberta has a proprietary interest or a right of use and that has, or is reasonably likely to have, monetary value.

And it goes on and on and on. So that's great. You're taking this other stuff out that's covered under other acts, so why are you putting this in if it's covered under this act?

**Mr. Hancock:** Here's the explanation for that. Under the Auditor General Act there's a very clear delineation of where the Auditor General's authority is and what the Auditor General gets to do, and that's mandated. Under the Freedom of Information and Protection of Privacy Act there is the opportunity for interpretation, and the freedom of information and protection of privacy commissioner does interpretation all the time.

Now, when you're dealing with significant commercial assets, the players do not want to put themselves at the risk of somebody adjudicating as to whether their information should be released or shouldn't be released. They want some assurance. They need that assurance for their shareholders. They need that assurance for their investors. There are some places where you need a definitive statement up front in the act to say: "We will collect your information from you. We'll mandate that you have to give it to us, but we will protect it in your commercial interest." So there are two different actual tests in there.

We know about the Freedom of Information and Protection of Privacy Act and the interpretations that happen and some of the unintended consequences that have happened under that act with respect to the sharing or the not sharing of information. That is not a structure, a process that actually lends itself to good commercial operation. If I were a major commercial corporation with investors, I would have a significant risk factor built in to having to release my information if I was looking for the protection of the Freedom of Information and Protection of Privacy Act and the potential adjudication of a privacy officer who might have entirely different views or interests with respect to what they believe the interpretation ought to be.

**The Chair:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. Nuts. Totally nuts. Let's take a look. The whole auditing thing is a different issue, okay? Let's deal with that separately. That's not the amendment in front of us. That's a different issue, and it's being removed under section 10. Where 10 and 11 are being repealed, we were trying to get that back in.

Let's talk about this proprietary information because this is something that I would disagree on with the hon. member. This is not proprietary in the sense that I'm getting any secret information. They're talking about forecasting the value of royalties. It's quite simple. I mean, this isn't a hard forecast, in many ways. What they need to know is the price of a barrel of oil, the price of a barrel of bitumen, and if they're going to be forecasting, over what time frame . . .

**Mr. Hancock:** There's nothing about forecasting.

**Mr. Anglin:** Nothing about forecasting in there? Son of a gun. It says, "Determining or verifying royalty liability or collecting or forecasting royalty." Forecasting means forecasting to me.

The fact is this. For any reasonable economist to do any kind of forecasting, they're going to look at the NYMEX, they're going to look at the International Petroleum Exchange, the ICE, and they're going to look at their market. This is no great secret in the world of economists. They have all these resources to try to project where the price of oil is going to be next week, where the price of oil is going to be in two months, in three months. We have the futures exchange, we have the spot market, and we have the forward market. However they come up with it is not so much the issue as is what value they're actually putting on that because that's how you want to measure the performance, based on: is this working or not working?

What's happening here is that you're saying we get this information after five years but we don't get this information between one and five years. That's what doesn't make sense to me. If it's such secretive information, why would you release it in the first place? I don't think it's that secret. I don't think it's that proprietary. What we want to know is an accounting value of what they're projecting.

It goes back to the very basic question: what is the value we're forgoing, which is the royalty, versus what is the value of the BRIK program for the revenue we're going to get? Is it more than what we would have gotten based on – and you've got a time frame in here – the present value and the future value of the money you may or may not have gotten. I mean, that's it.

Now, the average gas company out there that's drilling today, particularly under the old royalty scheme before it got sort of changed problematically, drillers would sit down with companies, and they could look at what they were planning on doing with a projection of what they thought the extraction of the resource find would have been, what the expectation was of the production level, and based on that, knowing the royalty scheme, they could figure out whether this was worth the risk or not worth the risk, based on their projections. They knew what royalties they would have to apply. They knew, basically, the cost of what they were going to do for drilling, and that's how a lot of these companies entered these agreements. Now, they took a risk – everyone knows that – because the resource that they're extracting, if the find was more production than they originally anticipated, all well and good. If it was less, it could be problematic.

Again, we're dealing with the same matter here. What is the value of the royalties that we're not taking in because it's bitumen in kind, the BRIK program? How do we measure that, if we believe in performance based, so we can track this?

Staying away from the whole audit situation right now, which I disagree with the minister on – yes, it's reported, and it is on the Internet, and it is on the website, but what's being removed from the legislation is the requirement for this commission to file it annually. It doesn't mean they're not going to. I'm not saying that. But the requirement by legislation is being removed.

**8:50**

What we're talking about right now is having access to information to even begin to make that determination of the royalty scheme. That should not, in my view, be hidden from the public, and this government sort of agrees with that because after five years they're not going to hide it anymore. I don't see where the secret is prior to that, prior to the five years. I don't see where it's proprietary. I see where it's of great value to the public to have knowledge of it, at least to the public that wants to track whether or not this program is working.

Now, the thing that gets me is this. If the problem is as good as this government claims it is, then it's easy. Prove it. Show it. Have confidence. Disclose it. Be accountable. Be transparent. Be everything that you said you want to be. [interjection] It's like joining the army.

**An Hon. Member:** The marines.

**Mr. Anglin:** Nay, nay, nay, that's not the marines, sir; that's the army. I assure you.

The explanation is going back and forth. I know we're getting nowhere with it, but it doesn't stop us from trying. I don't see the logic in the government's argument at the moment. I want to see the logic, but I don't. I don't see why we're removing the legislative requirement. I firmly believe that you'll still show financial statements; I'd be crazy not to. But I don't understand why the legislative requirement is being removed. I don't see where that's redundant.

As far as access to records and information for verifying royalty liability and forecasting, this is what you need to do. You can't just fudge figures. You can't rely on fudged figures, so you need to verify this stuff. If it's relied upon because some economists made a forecast, so be it, but most economists that make forecasts show you what the raw data is that they drew from and how they calculated their forecast. That's what gives their forecast validity. That's done every day in the business world. Exxon Mobil does it, Shell does that, BP does that, and they disclose that information. They say: this is what we think the value of the oil will be; we got it from this economist, based on this. It's not top secret stuff. So when we're dealing with the whole royalty scheme, that would be based on the royalty schemes of wherever this bitumen is coming from.

I just don't see where that would undermine the process. In a nutshell, I don't see where disclosing how this is done is going to undermine the program, how it's going to put it in jeopardy of not succeeding. If it were to do that, I would support keeping it secret, but I don't see where it does that. What I see is that we're withholding information from the public, and I don't see the value in that. I don't see the value in that at all.

In this case here if the program is so good, then show it. Prove it and enjoy the success of the proof. Why wouldn't you? Thank you very much, Mr. Chair.

**The Chair:** Thank you, hon. member.

I'll recognize the Member for Calgary-Varsity.

**Ms Kennedy-Glans:** Thank you, Mr. Chair. I'd really like to narrow down this wide range in conversation. A couple of really

good questions have been asked, and I think we've been trying to answer them, and I'll add some more information that will hopefully guide your understanding of our proposed legislation.

One is that companies rely on raw data from other companies when they do marketing like this. There is nothing more sensitive in the marketing business than that raw data. For an agency of this government that is acting on behalf of Albertans to put itself in this incredibly uncompetitive place where it was bound to publicly disclose sensitive and raw data, unlike its competitors, would compromise all Albertans and the ability of this agency to do its work in a way that was effective or competitive. In fact, this legislation is intended to be in the interests of Albertans.

The five-year question. Actually, I can respond to that question. I'm not that long out of the private sector. I negotiated these kinds of agreements on a daily basis. Five years is a standard term in the business for retaining this information confidentially. I very much agree with my colleague that to rely on FOIP in a determination by FOIP under FOIP legislation as to what the time frame was or what inputs were commercially sensitive is just not appropriate with the magnitude of this kind of competitiveness advantage that we are offering this agency through these provisions.

We absolutely will be accountable to Albertans for all sales, and that information will be disclosed. This agency is acting as a marketer on behalf of all Albertans. Why would we ever want to put them in a place where they're not competitive? These are commercially standard and reasonable terms, and I very much endorse them.

Thank you, Mr. Chair.

**The Chair:** Are there others? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Dorward:** We ain't going to listen.

**Mr. Anglin:** No. I know you're not going to listen, but somebody else will, hon. member.

Thank you very much for that input, but I'm not convinced yet of this secret proprietary information. I'm sorry, but I'm not. There are checks and balances for every private company; there's no question about it. It's called the profit margin. What's gone on here – and this is clear from our own program. When we created this program, the public took on a risk here. You know, the public had the ability to take the royalty on that bitumen as it's produced. That was the initial agreement before the BRIK program came along. Now we come in with a new policy that says that we're going to create this program. We're going to produce more. I mean, that's why this is coming forward, I believe, because we're going to be producing a lot more, and the value we're going to get for it is going to be more than what we would have gotten had we taken the straight royalty.

Now, we started out this discussion where this wasn't about forecasting, but now we know it's about forecasting. I look at this, and it's like: yes, we're competing, but how much of a competition is this going to be with this marketing arm? I don't know. I'm trying to figure this one out. I'm going to tell you something. Oil products are the most liquid market in the world. What comes out of refineries sells. I mean, it's one of our great – it's called the Alberta advantage. If I remember, that member over there doesn't like that word, but it's a great advantage. It's called oil, and it works quite well for this province, no matter which government thinks they can take credit for it. It works, and the fact is that those products do sell.

Yes, somebody is marketing those products, but the real risk is this. The real risk is the input and if the market drops off. As

everyone knows, the market rises; the market falls. It does move. End of story. Companies have routinely taken losses, but we're taking market risk now. So the question is: who's overseeing this? This is: trust me. This is saying that we're not going to allow any access to this information for five years, and I just don't agree with that. I don't see where the great secret is here, dealing with the fact that we're not going to have access to the contracts. We didn't ask for access to the contracts. What we want to know is how they're coming up with the value. I don't think that that is a proprietary thing of such importance that it would put anyone at a disadvantage.

This is what I want to say about forecasting. The thing about forecasters is that they are extremely intelligent people. Most of them are, anyways. Most of the ones I've met are extremely intelligent. The other thing is that as a majority, they're always wrong. If they were right most of the time, they'd all be just trading the futures market and be extremely rich, and that's not the case. As much as they try to predict, it's all based on percentages, and that's really where you take the risk. The fact is that coming up with these projections is not some great secret. It is a market risk that companies take even when they negotiate very complex contracts. Most companies will hedge in one form or another. We understand that. We're not looking at the investments of the hedge. What we want to know is how they're coming up with the forecast. We want to have access to what that royalty liability is that we're undertaking. I think the public should have access to that.

Again, we have a contract right now that this government has signed with the upgrader for this BRIK, bitumen in kind. The public doesn't get to see that. We'd like to see that, but we don't get to see that. But we should be able to at least see how they're coming up with a value because that's ours. They're going to base it on something, and it should be tracked on however – you just can't pull these figures out of the air.

**9:00**

Dealing with this, I don't see where we're getting in to the contractual nature of any agreement. To me, this would be different than what the hon. member said. When you're sitting down with another company and you're drafting up a contract, that's one thing, but we're trying to track here what the public's is coming right out of the ground. We want to know what that value is, and we want to know what the royalties would have been. How did they come up with that? You don't want them fudging the figures.

Where is the balance on this? If this doesn't work for Albertans, where are the checks and balances? A private company goes out of business if those losses mount up. How long can this operate? We're paying a fee to have this stuff upgraded, and then we're marketing. If we just continue marketing at a loss, do we just continually lose? I mean, these are questions that we need to track and follow.

So, again, it would be proprietary, I think, in the private sector because the checks and balances are there, but in this situation right here I'm not sure we're competing with the private sector. I think this marketing agency has an advantage over the private sector, and it's significant. It would be interesting to see if there's ever a complaint coming forward from the private sector in dealing with it. They definitely, in my view, have an advantage. I'll tell you what. The guys that are running this, I think, you know, are probably pretty sharp guys, but they've got a pretty good gig. I bet you their money is good.

It's a good life, but we don't know what's going on inside because we don't have access to the information. What we want

access to is the whole scheme: what is the value of what we would have gotten versus the value that we're getting? Without knowing what that royalty would have been, I mean, we can't even begin the calculation, and that's what I'm looking for out of this. So when I see "determining or verifying royalty liability [and] collecting . . . forecasting royalty," those are the figures I want to know because this government, technically, will be reporting the revenue income, and I want to be able to match that up to that. I think the public should have a right to match that up to that and not have to wait five years.

All you want to do – it's got to be reasonable. That's all. I mean, it has to be based on something. All companies have their own private forecasters. As I said earlier, they are very smart people, and they have some very complex modelling that they do, but in the end nobody is right on the market. A lot of people think they are right, but the market just does what the market does, and sometimes they're close; sometimes they're not.

I can tell you that on the futures market, particularly oil's, the experts are wrong more times than not. They always have been, and I'm sure it's not going to change. Many here remember when natural gas went above \$10. It was never, ever going to drop below \$8. I remember people saying that for two years: you'll never, ever see it below \$8. Here we are. Technologies change.

So, with that, I'll continue this if the members would like to. Thank you very much, Mr. Chair.

**The Chair:** Are there others?

Seeing none, I'll call the question on amendment A2.

[Motion on amendment A2 lost]

**The Chair:** We're back to the main bill. The hon. Member for Strathmore-Brooks.

**Mr. Hale:** Yes. Thank you, Mr. Chair. I do have a final amendment that I would like to propose for this bill.

**The Chair:** If we'd have that circulated, please. That will be amendment A3.

Proceed, hon. member.

**Mr. Hale:** Thank you, Mr. Chair. I'd like to read this amendment into the record. It says: Mr. Hale to move that Bill 34, Building New Petroleum Markets Act, be amended as follows.

- A. Section 12 is struck out.
- B. Section 15(b) is amended by striking out the proposed clause (b.1).

Looking at this proposed Bill 34, under section 12 it talks about the commission buying shares. Now, it does say, you know, under the Financial Administration Act what shares are – and you can read that easy enough – under section 42. "The Commission may, with the approval of the Lieutenant Governor in Council, (a) directly or indirectly purchase shares." So now we're going to have a commission working on behalf of Alberta, looking after Albertans' resources, purchasing shares in companies. This raised a huge red flag with myself because now we're going to allow this corporation to gamble with our money. It is buying shares. If it's such a sure thing, why doesn't every person in Alberta buy shares? Why not? If it's so good, why do people lose millions of dollars buying shares?

**An Hon. Member:** They're not good at it.

**Mr. Hale:** They're not good at it. That's right. It's unpredictable. You don't know what's going to happen. If these guys do know what's going to happen with the shares, maybe that's why they

can't share this information for five years. If they can get that proprietary information, there are a few other things going south there.

The people on the other side laughed when I mentioned gambling with our money. Enron: you know, those people there were pretty sure, weren't they? How many of them lost millions and millions of dollars? You can make all the strange faces you want, but there's never a sure thing in buying shares. Why should this corporation, this commission, be allowed to buy shares with money that isn't theirs? That's totally wrong. Totally wrong.

Now, in the existing legislation under section 12, where this would follow, it talks about the Treasury Board and the Ministry of Finance and the Lieutenant Governor in Council and making sure that they pay their fees and any debt they incurred gets covered. You know, all that's good, the day-to-day business of this commission, working on behalf of the government and Albertans. That stuff I don't have a problem with.

The Lieutenant Governor in Council may authorize the President of Treasury Board and Minister of Finance to guarantee on behalf of the Crown in right of Alberta the repayment of any money borrowed by the Commission pursuant to subsection (3) and interest on that money.

If they lose a bunch of money on these shares, they're losing the money originally invested. Now they're going to get bailed out more by Alberta taxpayer dollars? Is that what's going to happen?

I look forward to hearing some comments. I see lots of heads shaking around here, but let's see what they have to say. There's no possible explanation for why this commission should be allowed to purchase shares with money that isn't theirs. There isn't. I mean, if they're going to buy GICs and bonds, you know, guaranteed investment certificates, that's not a bad thing – I know that the government talks about them all the time – but shares are different. Publicly traded shares are different than guaranteed. You know, I'd like to hear from the minister on this to see what explanation he can give for this.

Thank you.

9:10

**The Chair:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Chair. I stand to speak in favour of this amendment put forward by the hon. Member for Strathmore-Brooks. He makes a lot of important points here. Does the legislation, as it stands now, give the authority to this entity to borrow money to purchase shares, and subsequently what is the government's position on that? The member talked about, you know, public corporations purchasing shares with resulting losses.

I know that this government's new mantra is: debt is hope. That's now the cornerstone of the values and principles of the PC Party. That is their core value. When they go to bed, they say, "Well, debt is hope," and then they dream at night. So maybe that's why they decided to put this section in here. That's their new mantra. When you change your value system, you have to change legislation that fits it.

It would be interesting to see what the government's position is on this. I know that the hon. member has researched this amendment, has put forward many cogent arguments, and it's unfortunate that we haven't heard from the government on this and why they wouldn't consider accepting this.

Thank you, Mr. Chair.

**The Chair:** Are there others? The hon. Member for Strathmore-Brooks.

**Mr. Hale:** Thank you, Mr. Chair. You know, it talks about the shares in the Financial Administration Act, what they mean. In here under 42(2): “a member of the Executive Council shall not, on behalf of the Crown, directly or indirectly purchase shares, make a loan of money.” So it’s talking about – personally, any member can’t purchase shares, but this commission can now purchase shares. I just want to reiterate that entering that sort of market with taxpayers’, Albertans’, dollars, you know, royalty dollars made off the royalty revenues, is not very responsible.

Also, it allows the government to pick winners and losers if they have, you know, a partner or they see a company, maybe a government-friendly company, that’s having some problems: well, jeez, we can help you out; we’ll buy a bunch of your shares and put a bunch more value back in your company. They’re going to be helping out these companies. That’s another option. They’re getting in the business of keeping businesses alive. That shouldn’t be part of their mandate with Albertans’ dollars. That’s just too much risk – too much risk – for them to be taking on behalf of Albertans, especially when we don’t get to see how they’re coming up with these forecasts, that they’re investing Albertans’ money with. It’s a bad mix.

You know, there are lots of statements in this Petroleum Marketing Act that we have now that will ensure that this commission runs smoothly and pays its debts and makes its money and puts its money back into the general revenue. If it’s making that much money that it can go out and buy shares, why can’t it give that money back to the government? The government can say: oh, jeez, you know, we’re making so much money; let’s put it in the heritage savings trust fund for future generations. Why take the chance with the shares?

You know, under section 12(5) on page 5 of the current act it talks about:

The Commission shall, when requested to do so by the President of Treasury Board and Minister of Finance, pay to the President of Treasury Board and Minister of Finance for deposit in the General Revenue Fund the net profit of the Commission for a fiscal year . . .

That’s good. Their job is to make money. So they need to be making that money and putting it in general revenue, and that’s how you can build some schools and hospitals and keep the heritage savings trust fund up so you don’t have to keep taking the interest made off it, you can put more money in, and all Albertans will benefit.

But, you know, let’s roll the dice and buy some shares with it and try to maybe double down and maybe get lucky. Maybe it’ll come out looking great, or maybe they’ll have to come back to the general revenue fund and the Finance minister to cover what they lost at the casino. There are some big dudes down in Vegas that look after that sort of thing, and we’re hoping that that sort of thing doesn’t happen here.

All jokes aside, it’s very important that this commission works in the best interest of all Albertans. You know, I mentioned yesterday in my comments that the public interest was kept in this bill, which is great. It was taken out of Bill 2, but it’s still in here, so that’s good. This commission is working in the best interest of Albertans, and I just don’t see how buying shares and gambling with their money is in the best interest. It should be put back into the government and into, as I said, the heritage savings trust fund for future generations to enjoy.

Thank you.

**The Chair:** Thank you.

The hon. Member for Medicine Hat.

**Mr. Pedersen:** Thank you, Mr. Chair. I’m happy to stand in support of this amendment by the Member for Strathmore-Brooks. One of the things that I just want to mention here is that I agree with the fact that, you know, creating the ability for the commission to buy shares – from my understanding, we already have an investment firm with the government called AIMCo, and I think their primary job is to do this. If they see an opportunity to purchase shares in any company that they see fit on the market, that’s their job. That’s how they perform their duties. That’s what they’re tasked with. To mix and match this commission with dealing with their duties, that this act is rolling out, and to give them the ability to purchase shares I think is getting a little sketchy.

I think we’re starting to cross boundaries, and I don’t know if that’s in the best interest. I think they need to focus on what this act is all about, and I think it’s going to be a big job and a big challenge in the first place. I don’t think they have a role in actually reaching out and purchasing shares or doing any joint agreements with any companies. If they do see opportunities, they can take their profits from what they do and they can make recommendations to the individuals at AIMCo. They are the experts, and it’s their job to look into any business opportunities or investment opportunities out there. The fact that we’re trying to do two things with one group, I find that a little bit disconcerting. I think it’s, you know, maybe not in the best interest of trying to keep the goals and the ideals and the objectives straightforward with this act.

So, again, I think that we should be very cautious going down this path, and I do recommend that everybody consider this amendment, and hopefully we have a positive outcome.

**The Chair:** Thank you, hon. member.

Are there others? The hon. Member for Cardston-Taber-Warner.

9:20

**Mr. Bikman:** Thank you, Mr. Chair. I’ll be brief. I just have a couple of concerns about allowing this agency, this marketing agency, to buy shares in another company. I think that my concern focuses on monitoring and controlling this. We’re getting confidential information, if I understood the minister who spoke on this a few moments ago. Are we using that confidential information in a way like insiders, to then acquire or trade in stock? Are we taking stock in lieu of some other form of revenue? Is that what this is about? I think we need a little bit more clarity on this. I can see why my hon. friend from Strathmore-Brooks has expressed these concerns, and I think they’re grave concerns.

I believe that another part of this issue will be those people who then are in a position of management or direction of this agency, who are making a decision to have the agency buy shares on behalf of the citizens of Alberta because they obviously must think that there’s an advantage. They’re betting that there will be with somebody else’s money, which is always a dangerous power to give to someone, spending other people’s money on other people. In addition, for those people who are the agents or who are the employees, will there be some provision to prevent them from trading and taking advantage of this secret proprietary inside information to trade on their own behalf? I think there’s a risk there, and I’m not sure how that’s going to be addressed. But if it is, I’d like to know about it.

Thank you.

**The Chair:** Are there others?

**Mr. Hancock:** There seems to be a desire to have a response to some of these comments, and while I wasn’t really tempted to do

so, I'm more than happy to indicate that when you have a marketing agency that's charged with getting Albertans best value for their petroleum products, it behooves you to make sure that they have access to the full range of tools. Will they be accountable? Absolutely. They have to be accountable. Will they have to adhere to appropriate standards of conduct? Of course they have to adhere. I mean, the whole concept of insider trading, of people taking information that they access in their position and using it for their personal benefit, is at the root of codes of conduct and at the root of insider trading rules and all those sorts of issues.

I think we're stretching it here to try and find a problem where there isn't one. What we're actually doing is giving the Petroleum Marketing Commission the tools it needs in a modern marketing environment, with the nature of the bitumen and the petroleum markets that we have, to be able to have the flexibility to maximize Albertans' return.

Will there be oversight? Yes, there's oversight. Will there be audited financial statements? Yes, there are audited financial statements. Will there be reporting? Yes, there's reporting. Will they have to operate in a commercial field, where it requires them to keep certain information confidential because they got it as a result of the legislation but it's commercial proprietary information? Absolutely. Do they need all the tools that a marketing commission or marketing agency would need to have? Yes.

Are they going to go to Vegas with our dollars? No. Are they going to be gambling it away? No. Are they going to put our money in socks under the mattress? No.

They're going to be a modern operating agency with modern operating tools, with appropriate financial structures, appropriate reporting pieces, and with appropriate auditing and oversight. I don't know if I can say it any plainer than that, Mr. Chair.

**The Chair:** Thank you.

The hon. Member for Strathmore-Brooks.

**Mr. Hale:** Thank you, Mr. Chair. I appreciate the hon. minister getting up and speaking. I agree with some of his points, but with most of them I don't. You know, he said that they're trying to do the best that they can. We're just trying to stop a problem before it occurs. It is a problem. You've taken bitumen royalty in kind from North West upgrader. Next thing you're going to be buying shares in North West upgrader. Well, you might as well own the whole thing. You might as well build your own refinery if you're going to be taking bitumen in kind and you're going to be buying shares in these companies. You know, who's going to determine what companies to buy shares in? It's bad business. It's just bad business.

The Member for Medicine Hat said that you have AIMCo. You know, we've got the heritage savings trust fund. We've got other ways to invest Albertans' dollars that are made more public, with actual companies that do that rather than a commission that looks after oil royalties and revenue, investment in oil and gas companies.

It's going to lead to too many questions, so why not be open and honest and transparent and say, "Yep; we're making all this money, we're giving it to these people to invest, we're investing for our children's future, and we're investing for the infrastructure we need now." But, you know, picking winners and losers is going to happen because: "Geez, I have a company. Why aren't you investing in my company?" The next guy: "Well, I have an oil company. Why aren't you investing in my oil company? I need some help." So it opens up, you know, a whole new can of worms. I think the commission that's looking after these programs, the

royalty money, Albertans' money, should not be investing it back into the market that they play.

Thank you.

**The Chair:** Are there others?

Seeing none, we'll call the question on amendment A3.

[Motion on amendment A3 lost]

**The Chair:** Back to the main bill.

**Hon. Members:** Question.

**The Chair:** Question on the bill. Are you ready for the question?

[The clauses of Bill 34 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? That's carried.

### Bill 43

#### Alberta Economic Development Authority Amendment Act, 2013

**The Chair:** The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Mr. Chair. As the Wildrose Official Opposition advocate for enterprise I rise to propose an amendment. I actually will have three amendments, but we'll do them one at a time. I want to make sure I do this right. I have the requisite number of copies, including the original.

**The Chair:** Sounds good, sir. If you'll just pause for a brief moment, we'll just get that moving. Hon. member, this will be referred to as A1.

Hon. member, you may proceed. Again, I would assume you're going to read it into the record just so we make sure that the one that's being circulated is the one that you're referring to. Please proceed.

9:30

**Mr. Bikman:** Thank you. This is notice of amendment to Bill 43, Alberta Economic Development Authority Amendment Act, 2013.

Mr. Bikman to move that Bill 43, Alberta Economic Development Authority Amendment Act, 2013, be amended as follows:

- A. Section 3(c) is amended
  - (a) in the proposed subsection (2.1) by striking out "10" and substituting "7";
  - (b) in the proposed subsection (2.2) by striking out "10-year maximum" and substituting "7-year maximum".
- B. Section 6(b) is amended
  - (a) in the proposed subsection (1.1) by striking out "10" and substituting "7";
  - (b) in the proposed subsection (1.2) by striking out "10-year maximum" and substituting "7-year maximum".

The reason for this is because I believe it's necessary and in our best interests to have a change of players in this agency, and I think that this will allow or guarantee that people will have the continuity, that the expertise will remain there for two 3-year terms not to exceed seven years but that they'll still be available and that there will be new faces that will come along with new ideas, fresh ideas. It's in the best interest, I believe, of all Albertans and certainly of the government to be receiving infor-



mation from knowledgeable, capable people who are there for up to seven years, no longer, so that we'll get fresh ideas and fresh perspectives and be able to take advantage of that.

I would hope that you will see the benefit of this. It's a fairly simple amendment, and I think that the reasons are sound. Thank you.

**The Chair:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I'm going to support the bill, one, because of the value that advice and consultation have, particularly of this nature and this importance. But I also rise to support this amendment because what it ensures is that we constantly look over a seven-year span to renew versus a 10-year span. Again, this is, I suppose, somewhat prescriptive, but I don't think that it's a burden on the government to look for new members in seven years versus 10. I just thought that the 10-year period was too long, so I agree with the hon. member that brings the amendment. The whole purpose is that as we move forward, this government should always be looking for fresh faces and new ideas, and this is one way to sort of tighten that up a little bit. I just don't see where it's too much of a problem from that seven to 10 years.

Thank you very much, Mr. Chair.

**The Chair:** Thank you, hon. member.  
The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chair. I have a lot of respect for the hon. Member for Cardston-Taber-Warner, who has brought forward this amendment, but I have to say that I think this is an amendment looking for a place to happen. We're talking about terms on a committee, and they're three-year terms. If the member is not able to serve appropriately, the term doesn't have to be renewed after three years. If you're finding that a board is tired and you need to refresh it, you can go out and not renew the terms of members whose terms are retiring.

On the other hand – and I have this experience, serving on the Student Finance Board, for example, and back then it wasn't legislated; it was just policy – if you've served your two terms and you're getting close to the middle of your second term or the end of your second term and then somebody says, "How would you like to be chair? You've got a lot of experience," then you have to say, "Well, you're not going to actually reappoint me because I've timed out."

You really do want to have the flexibility to keep the people who are bringing passion and excitement and continuing to make a contribution, but you don't abdicate your responsibility on every renewal to do a determination as to whether the person is contributing still, has something to offer, or, even if they are, if you need to actually bring in some new perspectives and refresh. So giving not too much latitude but some latitude for a board like this is quite important.

I have to end where I started. It seems like somebody was trying to come up with an amendment and thought that this one might be a good one. I don't see what we were trying to accomplish here with this particular amendment. Some of the others I can understand where they're coming from.

We talked yesterday under Bill 30 about the difficulty of recruiting and getting people who are prepared to put in time and effort and bring their expertise to the table, and when you've got somebody who is actually doing that and providing a leadership role and you want to continue to have them, you want to ask them to continue in a chair position or do something of that nature, a

little flexibility is actually a good thing. One shouldn't take these things as being automatic in terms of renewal terms coming up and terms being renewed. We have to continue to do our due diligence always to say: are we maximizing the potential of this particular board by getting the best people we can to serve on those boards to serve Albertans?

**The Chair:** Are there other speakers?  
The question on amendment A1.

[Motion on amendment A1 lost]

**The Chair:** Back to the main bill. The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Mr. Chair. I have another amendment to propose. I have the requisite number of copies.

**The Chair:** Hon. member, this will be amendment A2. You may speak to it. Thank you.

**Mr. Bikman:** Thank you, Mr. Chair. This is an amendment to Bill 43. I move that Bill 43, Alberta Economic Development Authority Amendment Act, 2013, be amended by striking out section 7 and substituting the following:

- (7) This Act expires on March 31, 2020, unless it is continued for a further period by a resolution of the Legislative Assembly.

I think that it's important that for a sunset clause to be most effective, we have the Legislature determine whether or not the act should continue, not behind closed doors in the cabinet. That's the reason for the proposal. It gives us an opportunity together, collectively, not just the government, which I learned a year and a half ago isn't all of us or all of you but is 17 select people and the Premier. Well, I realize that has expanded recently, but you know what I mean. I think it's better if we have a chance to look at that and keep the sunset clause there in an effective manner.

So I submit that this is not an amendment looking for a bill to happen. It's a legitimate amendment. But I'll accept the initial criticism on the earlier point.

**The Chair:** Thank you, hon. member.

Any other speakers? The Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I will just be short and brief. This member truly believes in sunset clauses, and that's why, when we were first reviewing this bill, he was adamant that this is one of the better ways to be more efficient. With that, I will support the hon. member's sunset clause.

**The Chair:** Are there others? The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Yes. I also rise to support this amendment because I think that it is of value to have the Legislature actually give some consideration to the record of this organization and to give some consideration to whether or not it's actually doing the job it purports to and whether or not it's doing it in a way that actually reflects the hopes and inspirations and goals of the majority of Albertans. I think that that's a valuable discussion for us to have because, quite frankly, I'm not convinced that the majority of Albertans are totally aware that, you know, we have this economic development authority consisting entirely of business folks who are sitting around the table advising the government on how to

change our Education Act and how to deal with poverty and how to deal with the social policy framework and how to deal with sustainable economic development and how to deal with our education system. It's really a little bit overwhelming, Mr. Chair.

When I look at some of the significant policy decisions that this organization has had an opportunity to weigh in on – and I clearly see the linkage between their objectives and some of the worst policy decisions that this government has made over the course of the last few years – I have to say that I don't actually think that they reflect the majority view of most Albertans around how our economy should develop over time. Now, I'm sure that my view in that regard is currently a minority view in the Legislature. I am not convinced it is a minority view of most Albertans.

9:40

I was just looking at the list of people on the management board, and it reads like a who's who in the oil and gas industry. Then, very strangely, this organization has recommended that, you know, we back away from that idea of diversifying our economy and that instead we just look at ways to make more money for existing successful economic sectors that are in Alberta.

Well, you know, I'm not totally sure that all Albertans realize that this little group of business folks who are sitting around a table advising the Premier have actually said: "You know what? Let's not try to become a leader in some of these other areas that we're not already a leader in. The ship has sailed on renewable energy. So you know what? We're supergood at nonrenewable energy, so let's not work too hard on diversifying our economy into a sector that we don't already do well in."

You know, I'm just sitting here tonight and reading through the reports. I certainly haven't read them all, but I've read through four or five different reports that this organization has produced over the course of the last two or three years, and I have to say that it is concerning to me. I will say that I also don't think it reflects what the majority of Albertans want to see.

I remember when the Education Act changes were made a year or two ago, and I was quite offended to see that one of the objects of the education system in Alberta was to be amended to align with the needs of industry. So our kids in K to 12 are going into school with the stated objectives to ensure that their education aligns with what industry needs and aligns with what industry wants. You know, I don't really want my kids to go into school and follow a curriculum that someone sitting around the table with the Canadian Association of Petroleum Producers has told them ought to be in the curriculum.

I mean, there are some real interesting folks that are in this organization – and I'll get into that in a bit more detail with my upcoming amendment – but suffice it to say that it reads like the who's who of the Conservative Party in Alberta. There's not really anybody else there that doesn't actually reflect that demographic. But I'll get to that in a bit.

You know, when we talk about the economic development of this province, Mr. Chair, we don't just talk about the bottom line of the current businesses that are in place right now. We talk about the overarching economic future of the province and the degree to which that economy will contribute to and support the best interests and the hopes and the dreams of the citizens of the province. That doesn't necessarily mean that we then divert all of our resources into maintaining that the three dominant industries in Alberta right now continue for time immemorial.

I think we need to have a more open conversation around where it is that we're going and how it is that we've got this group of extremely powerful people sitting around a room, you know, defining and giving input to practically every major policy

objective that this government embarks upon right now. We've had nothing but chaos in the postsecondary system, and reading the reports of Alberta Innovates and stuff, there's no question that I can see their fingerprints over many of the very poor decisions that have been made in the postsecondary system over the course of the last year or two.

All that being said, I know that the member who proposed this amendment wasn't actually doing it in order to support this particular set of concerns that I'm raising; however, what he is saying is that: "You know what? We ought to be taking a look at this organization every now and then and deciding as a Legislature whether it still reflects what it is that members of this Assembly, who've been elected by the citizens of the province, want to see."

With that in mind, I'm quite happy to support this amendment, and I hope others will, too.

**The Chair:** Are there other speakers?

Seeing none, I'll call the question on amendment A2.

[Motion on amendment A2 lost]

**The Chair:** Back to the bill.

**Mr. Bikman:** My third and final amendment, looking for a bill to happen, the requisite copies.

**The Chair:** If you would just have that circulated, please, hon. member. That'll be amendment A3.

Proceed, hon. member, please.

**Mr. Bikman:** Thank you, Mr. Chair. Reading this in, then, Mr. Bikman to move that Bill 43, Alberta Economic Development Authority Amendment Act, 2013, be amended in section 4 by adding the following after clause (b):

(b.1) by adding the following after subsection (2):

(2.1) The Government must publicly respond within 3 months to reports, studies and recommendations published by the Authority under subsection (2)(d).

The reason for this is consistent with the theme that you'll hear from me almost any time that I get up to speak about transparency and accountability and responsibility.

I've read the reports that were available to me. I see some good things in them. I see some evidence that the government has acted on some of them. But I think that in order to verify and justify even this relatively minuscule budget compared to most of the money we see spent, it's still important that we show the public and particularly us who sit here as their representatives, representing the citizens of our great province, that these reports are in fact being used or that they're going to be intended to be used in this fashion or that fashion. It's just consistent with that principle that if you don't measure it, you can't manage it, that if you can't measure it, you probably shouldn't be doing it.

With that, I would ask you to give serious consideration, please, to the wisdom of this minimalist amendment in search of sanity on the other side.

**The Chair:** Are there other speakers to the amendment? The Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I rise in support of this amendment from the Member for Cardston-Taber-Warner. The amendment is not much different from an earlier amendment we discussed on another bill, which is to look for some continuity to the results of reports being filed. I don't see where this one is prescriptive. This amendment gives a tremendous amount of flexi-

bility. It doesn't tell the government how to respond. What it says is that you should respond. It's a little bit like question period. We get to ask the questions; we don't necessarily get the answers or even have to have an answer. The idea is that it would result in an action based on a report that's filed. I think it's reasonable to ask for that. Even if the government responded and said, "Hey, we need six more months before we're going to take action," that would still be considered a response.

Thank you very much.

**The Chair:** Are there others?

I'll call the question.

[Motion on amendment A3 lost]

**The Chair:** I recognize the Member for Edmonton-Strathcona.

9:50

**Ms Notley:** Well, thank you very much, Mr. Chair. I'm pleased to be able to rise to speak a little bit more about AEDA and to talk a little bit about how we might want to change it in order to have it reflect certainly the concerns that I hear from my constituents about what they would like to see the future of this province look like.

You know, I'm just sitting here on their website, and I'm looking at the committees that AEDA has, and it's interesting. They have one called Energy and the Environment. Interestingly, there is nobody on that committee from the environmental advocacy community. Interestingly, even though their mandate is to ensure Alberta's energy resources and infrastructure are managed in an environmentally and economically sustainable way, what they're actually working on right now has absolutely no reference at all to the environment. There's no work being done on enhancing the environmental quality or the environmental standards around our primary industry, which is energy. There's no work being done on coal. There's talk about increasing pipelines, but there's no work being done on dealing with pipeline safety. There's nothing in there around mission strategies. There's none of that stuff, yet presumably all of those issues are issues for somebody who truly believes and understands that our economy, based on a nonrenewable energy foundation, can only move forward if we actually, genuinely establish a meaningful environmental regime within which it would work. There needs to be that understanding.

This group of high-powered business executives are working on developing recommendations around energy and the environment, and they're not working at all on this whole issue of what everyone is talking about these days, this idea of creating social licence. These guys are clearly decision-makers. Just to be clear, they are decision-makers. They're kind of like this government's A-team. These are probably the folks making 95 per cent of the decisions that come through this Assembly right now, yet they're not working on issues of the environment even though there's an Energy and the Environment Committee.

That's just an example of how I think it's very possible that this organization is losing sight of what the majority of Albertans would expect such an organization to deal with and, in fact, instead is just working on their very narrow interest.

Before I get into my amendment, it actually brings a question to mind. I don't know if there's anyone over on the other side who can answer this question for me. I'm really very interested because this organization has such a clear impact on government decision-making. It's good. It's transparent. It's all good. Well, it's relatively transparent.

The question is: are there any conflict-of-interest rules around the folks who sit on this board, and to what extent are they covered by lobbying legislation? I'm just curious. Of course, because they've been invited to sit on this board, I think they're probably exempted from all lobbying. I'm not sure, but I'm just looking to know. There are about 52 people, I believe, on the management board of this organization. A few of them are from postsecondary institutions. The remainder of them are from businesses almost exclusively associated with the oil and gas industry. I'm just curious: are there rules around conflict of interest? Are there standards that they need to adhere to? Are they prohibited from advancing policies that simply benefit their particular set of business interests? Is there a way to track that?

I mean, I think these are legitimate questions. When I look at the degree to which this group sits down to make a bunch of recommendations and then, lo and behold, their recommendations find their way into legislation six months later, I think Albertans kind of need to know. So that's my question.

I will introduce my amendment, and then perhaps in response to my amendment someone from over there could answer those questions for me because I think they're very, very important questions, that Albertans deserve to have answered. I will pass this amendment on.

**The Chair:** Sounds good, hon. member. That'll be amendment A4.

In the interests of time, you may want to start, hon. Member for Edmonton-Strathcona.

**Ms Notley:** In essence, what this proposal would do is that it would amend section 3(b) of Bill 43, and it would strike out subclause (ii)(c). "Up to 12 other members appointed by the Minister on the recommendation of the Executive Chair": that is what's currently in there. What we would suggest is that it would say:

- (c) up to 12 other members appointed by the Minister on the recommendation of the Legislative Assembly and comprised of at least
  - (i) one economist,
  - (ii) one representative from a non-profit environmental group,
  - (iii) one representative from organized labour, and
  - (iv) one representative from the Aboriginal community.

Yes, it is prescriptive. It's prescriptive, and you know what else it is? It's asking to be invited to the party. We're asking if other Albertans can be allowed into the family to see if they could perhaps be allowed into that discussion amongst this group of otherwise eminent – eminent – Conservatives who currently play a leadership role in this. Essentially, it's sort of like a super lobby group. That is what it is. It's like a legislatively endorsed lobby group which, because it's legislatively endorsed, I suspect is exempt from any of those lobby rules. That's what it's looking to do.

The other thing, of course, it asks to do is that it asks that it be appointed by the Legislative Assembly. Now, we heard in great detail today about how, when an all-party committee of the Legislative Assembly appoints people, it is entirely fair and entirely objective. I think we all know that that is a bit of a fiction. Nonetheless, the idea is that it is certainly more transparent, anyway, so members of the opposition at least have some insight into how this work is done.

The idea is that the Legislative Offices Committee or some select special committee of the Legislature would meet to come up with the other 12 members or at least approve, have final approval for, the other 12 members that are appointed to the Alberta Economic Development Authority, and heaven forbid that we would be looking at having a person there who is representative of environment or able to advocate on environmental issues, who is a

representative of an environmental group or, goodness – here's a shocker – someone from organized labour.

You know, here we are talking about economic growth and creating jobs and all that kind of stuff. We've got 52 people on the management board of this organization and not one member from organized labour. Surprisingly – surprisingly – one of their first major recommendations was to increase the pool of temporary foreign workers so that the pressures on growing wages don't hurt employers. Therefore, you know, we can just ensure that we have a nice, healthy pool of low-paid workers who are still compelled to buy houses and groceries and bus tickets in our otherwise very robust economy.

Nonetheless, they came up with this strategy to ensure that we increase the pool of low-paid workers, and that's hardly surprising, but it is, again, not something that I think most Albertans would have necessarily been behind. Maybe if we'd had somebody who had the interests of, oh, the other 99 per cent at heart sitting at this table, we might have had somebody actually talk about: is this really the way we want to develop the economy going forward, bringing in a second-class bunch of citizens and paying them well below what we pay everybody else and not ensuring that they get to work with safety, with dignity, according to the rules and all that other kind of stuff? Does that seem like a reasonable thing? I don't think so. However, it's hardly surprising that this particular group would say: yeah, let's open the floodgates and bring in more temporary foreign workers.

10:00

The other group, of course, is the indigenous community. I will give them credit that AEDA did talk about the fact that we need to find ways to enhance the participation of indigenous Albertans in our economy. They do talk about it, but when I look at all of their sort of working committees and all of their recommendations, there's really no strategy developed. There's very little around that. So there's lip service, and then there's actually doing something about it.

Then, of course, as I've said before, we have this lovely energy and environment committee that has no environmental representatives on it and, strangely, has not one recommendation or is doing nothing to talk about the environment. The minister over there is looking at me like I just landed from another planet. I know he is. "What do you mean talk about environmental protection while we're trying to develop the economy? Are you nuts?" Well, some people actually think the two go hand in hand, but obviously not everybody over on that side does, and certainly not everybody at the Alberta Economic Development Authority does.

Just to review, though, some of the other PC stars who do play a role on the Alberta Economic Development Authority, well, you know, we've got Les LaRocque, employed with a company that donated \$2,300 to the Premier's campaign and is also a former chairman from Merit Contractors Association, which, of course, has given more than \$62,000 in donations to the PCs since 2004 and, of course, had a great deal to benefit from having a pro temporary foreign worker labour policy established here in Alberta. So that's interesting. Then we've got the vice-chair, a former PC candidate in Little Bow, so that's good. He's fairly earned his place on the board. Then my favourite, of course, is the chair, Barry Heck, who the *Globe and Mail* reported over a year ago as being the broker behind that fabulous and much-needed last-minute half a million dollars campaign contribution to the Progressive Conservatives right before the last election.

It really is sort of the top of the pops for those kinds of really important Tories that we like to find places for. Those are the people

that are sort of in the most senior positions there. Then again, as I've said, going through the 52 people that are on the management board, I will acknowledge that there are two or three people from the post-secondary sector and one or two or three that we could characterize as from the municipalities. The remainder are all from business. There are no nonprofit people there, no community people, no environmental people, no indigenous people, no labour people, yet somehow we're going to develop an economy that works for all Albertans. I think not, not with the way this is currently constructed.

That, Mr. Chairman, is why I am recommending this proposal, that we actually try opening this high-powered group of businesspeople who get to have regular meetings with the Premier without being subject to the lobby legislation, I'm pretty sure, and potentially not being subject to the conflict-of-interest legislation. I can't tell because no one has answered on that issue. My suggestion is that we make that group a little bit more reflective of the Alberta that exists for the rest of us.

I hope members of this Assembly will consider supporting this amendment. Thank you.

**The Chair:** Thank you, hon. member.

Other speakers to amendment A4?

Seeing none, we'll call the question.

[Motion on amendment A4 lost]

**The Chair:** Back to the main bill. Other speakers?

Are you ready for the question?

**Hon. Members:** Question.

[The clauses of Bill 43 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? That is carried.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chairman. I would move that the committee now rise and report Bill 34 and Bill 43.

[Motion carried]

[The Deputy Speaker in the chair]

**Ms Kennedy-Glans:** Mr. Speaker, the Committee of the Whole has had under consideration certain bills and reports the following bills: Bill 34 and Bill 43. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

**The Deputy Speaker:** Thank you, hon. member.

Having heard the motion by the hon. Member for Calgary-Varsity, does the Assembly concur in the report?

**Hon. Members:** Concur.

**The Deputy Speaker:** Opposed? So ordered.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I cannot believe I'm saying this, but I move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; the Assembly adjourned at 10:07 p.m. to Thursday at 1:30 p.m.]

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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Thursday, November 21, 2013

Issue 71a

The Honourable Gene Zwozdesky, Speaker

## Legislative Assembly of Alberta The 28th Legislature

First Session

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## Legislative Assembly of Alberta

1:30 p.m.

Thursday, November 21, 2013

[The Speaker in the chair]

### Prayers

**The Speaker:** Hon. members, let us pray today and give thanks for the privilege that we have been given to serve in this Assembly and for the trust that our electors have put into our hands. Let us use that trust ever so wisely. Amen.

Please be seated.

### Introduction of Visitors

**The Speaker:** I think we have some visitors. Hon. Associate Minister of Services for Persons with Disabilities, the floor is yours.

**Mr. Oberle:** Thank you, Mr. Speaker. It is my great honour and pleasure to rise and introduce visitors on behalf of the hon. Minister of Education who are here today seated in your gallery. They have come to us all the way from the Northwest Territories. I guess they've come south for warmer weather, apparently. Here today we have the hon. Jackson Lafferty. He's the Minister of Education, Culture and Employment as well as the Minister Responsible for the Worker's Safety and Compensation Commission. The Minister of Education will be meeting with Minister Lafferty later this afternoon, assuming he gets unstuck in traffic, as he is right now, to discuss a number of issues pertaining to their membership on the Council of Ministers of Education of Canada. Accompanying Minister Lafferty today are Assistant Deputy Minister Rita Mueller, executive assistant Morven MacPherson, and Dr. Marie Wilson from the Truth and Reconciliation Commission. I would ask our visitors to rise and please accept the warm wishes of our Assembly.

### Introduction of Guests

**The Speaker:** The hon. Associate Minister of Family and Community Safety.

**Ms Jansen:** Thank you, Mr. Speaker. As we recognize National Bullying Awareness Week, I am pleased to introduce a courageous young teen from Innisfail: Aidan Remple. In August Aidan was viciously assaulted by a group of teens while longboarding in a park near his home. His head was cut open, and the beating gave him bruises all over his body. He could not play football for weeks because of these injuries. Aidan's teammates, coaches, and the Innisfail Minor Hockey Association all rallied around him. In September they hosted a special football tournament at McMahon Stadium in his honour. Every player and spectator wore an orange ribbon to show support for Aidan and to send a strong message against violence in their community. I want to acknowledge Aidan for his bravery and his resilience in coming here today. His story is a reminder to all Albertans of the terrible harm that violence and bullying cause. Aidan is accompanied in the members' gallery by his mother, Jennifer Remple. I'd ask them to please rise and accept the traditional warm welcome.

**The Speaker:** Thank you.

Let us proceed to school groups, then, starting with Edmonton-South West, followed by Strathcona-Sherwood Park.

**Mr. Jeneroux:** Now, Mr. Speaker, we've had introductions this past week of many wonderful school groups: one by the hon. Member for Rimbey-Rocky Mountain House-Sundre, another from the hon. Member for Edmonton-Mill Woods, and many others where they indicated that their students are the brightest students in our province. That may just be; however, let me introduce to you and to all members of this fine Assembly some of the smartest, some of the brightest, and definitely some of the best-dressed students these walls of the Legislature Chamber have ever seen. I challenge all members to find sharper and more gifted students than these 43 young, aspiring scholars that stand with purpose and poise in our gallery here today. These students are the future. These students are the leaders. These students are the hope. Quite simply, these students are from George P. Nicholson school.

**The Speaker:** The hon. Member for Strathcona-Sherwood Park, followed by Calgary-McCall.

**Mr. Quest:** Well, thank you, Mr. Speaker. It gives me great pleasure to introduce to you and through you to all members of this Assembly some of Alberta's brightest and best and also, not to be outdone, extremely well-dressed – we're all very proud of them – students from Wye school in my constituency just east of Sherwood Park. There are two classes with us here today. They're accompanied by teachers Mrs. Tanya Jordan, Ms Naomi Houle, Mrs. Sue King and parent helpers Mrs. Brenda Lavoie, Mrs. Kristi Cooper, Mrs. Gillian Kirkland, and Mrs. Nicole Knott. They're seated in both the visitors' and members' galleries today. I have a very strong connection to Wye school. My son, Jack, went to Wye school a few years ago and is doing extremely well. I think we can anticipate, being the great, great school that it is, that all of these students that are with us here today have a very, very successful future in front of them. If they could please rise and receive the warm welcome of the Assembly.

**The Speaker:** The hon. Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Speaker. On behalf of the hon. Member for Edmonton-Centre I'm pleased to introduce to you and through you to all members of the Assembly some special representatives from careers in transition. This organization does amazing work to help Albertans prepare themselves to gain employment by providing individual-centred adult education, training, and career counselling services. They are seated up in the gallery, and I would now ask them to rise and receive the warm welcome of the Assembly.

**The Speaker:** Are there other school groups?

Seeing none, let's go on with guests, then, beginning with Red Deer-North, followed by the Minister of Environment and Sustainable Resource Development.

**Mrs. Jablonski:** Thank you, Mr. Speaker. I have three introductions today. However, one of my guests, just as the minister, is stuck in traffic, and maybe I could ask that we revert to introductions later.

My first two introductions. I rise today to introduce to you and through you to all members of the Assembly seven individuals who are here today to support their petition, which contains 15,744 signatures, requesting that the government keep Michener open. My guests are seated in the members' gallery, and I would now ask each of them to rise as I call their name: Diane Esslinger, Michener family member; Jenna Baynes, Darrol Mason, and Russell Clark, all of whom work at the Michener centre; and Jason Heistad, executive secretary-treasurer of the Alberta Union of

Provincial Employees. Please join me in giving these individuals the warm welcome of this Assembly.

**The Speaker:** Please proceed with your other introduction.

**Mrs. Jablonski:** My second introduction on behalf of the Minister of Education is Mr. Kevin Pizzey, who is seated in the members' gallery. Kevin is a teacher at C.P. Blakely elementary school in Sylvan Lake and has taught for over two decades. Kevin is also the president of the Alberta Teachers' Association Chinooks Edge local. I would ask that he please rise so he can also receive the warm welcome of this Assembly.

**The Speaker:** While we wait for other guests to arrive, let me go on to Edmonton–Decore.

**Mrs. Sarich:** Thank you, Mr. Speaker. It is my honour and privilege to rise today to introduce to you and through you to all Members of the Legislative Assembly seven representatives from Covenant Health here today in celebration of the 150th anniversary of Catholic health care in Alberta. Covenant Health's current Catholic health care ministry began in St. Albert and long before Alberta became a province. The Sisters of Charity, Grey Nuns, founded the province's first hospital, welcoming their first patient, an elderly man reported to be 100 years old. Catholic sisters met the health care needs of many of Alberta's early pioneer families, and they continue to help in the integrated health care system we enjoy today. I extend heartfelt congratulations and sincere gratitude to Covenant Health's professional leadership and service delivery in our great province.

My guests are seated in the members' gallery, and I would ask them to please rise and remain standing as I mention their names: Dr. John Brennan, Covenant Health board chair; Mr. Patrick Dumelie, Covenant Health president and CEO; Sister Marguerite Letourneau, co-ordinator, Grey Nuns of St. Albert; Sister Blandine Roussel-Galle, member, Grey Nuns of St. Albert; Mrs. Mary Pat Skene, Covenant Health board member; Mr. Dennis Grant, Covenant Health board member; and Mr. George Lucki, Covenant Health Edmonton community board member. I would now ask that the Assembly join yours truly to provide my guests with the traditional warm welcome.

Thank you.

1:40

### Members' Statements

**The Speaker:** The hon. Member for Edmonton–South West, followed by Calgary–Mountain View.

### National Housing Day

**Mr. Jeneroux:** Thank you, Mr. Speaker. I rise today to proudly recognize National Housing Day, being held tomorrow across Canada. This important day reminds all Canadians of the importance of ensuring that everybody has a warm and safe place to live. While Alberta may have some of the coldest weather in Canada, we're often recognized for leading the nation in initiatives to end homelessness. This government continues to make great strides in fulfilling our promise to end homelessness once and for all. Earlier this year our Premier appointed 33 members to the Interagency Council on Homelessness, or the IAC. The IAC brings together different levels of government, community organizations, and leaders to oversee a number of priorities.

One of these priorities includes the ongoing success of our 10-year plan to end homelessness through the housing first approach. To meet this specific priority, the council is currently leading the

development of the integrated housing and supports framework. This framework will address the housing needs of Albertans through a complete and cohesive system of housing options and supports. In addition, the group is also developing a housing strategy to expand on the 10-year plan to meet current and future housing demands across Alberta. These are just a few examples of how the council has committed to ending this issue in Alberta. The IAC is serving as a great model for the rest of Canada on how government, community organizations, and leaders can collaborate together to reach a common goal.

Mr. Speaker, I would encourage the members of this Assembly to participate in some of the great housing and homeless support events taking place around Alberta on National Housing Day and in the coming months. To learn more about upcoming events, members can definitely contact my office or the office of the Minister of Human Services. To learn more about what is being done for the homeless population, Albertans can visit [humanservices.alberta.ca/homelessness](http://humanservices.alberta.ca/homelessness).

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary–Mountain View, followed by Bonnyville–Cold Lake.

### Emergency Medical Services

**Dr. Swann:** Thank you, Mr. Speaker. The Health Quality Council's report on emergency medical services was nine months ago, and EMS services continue to be unacceptable to Albertans. The Liberal caucus has heard from a number of these critical care staff that nothing much has changed. Inadequate communications, equipment, and staffing contribute to a climate of stress, haste, and dissatisfaction in a system that used to be the envy of other provinces.

In life-threatening emergencies where seconds matter, EMS response times have not improved. Fifty per cent of the time in cities it is over 12 minutes. Rural areas have much less reliable responses, and this is part of the reason Lethbridge and Red Deer and other rural communities are upset about a dispatch system that is remote and takes their ambulances out of their control. Dispatch centres in Edmonton and Calgary create greater uncertainty in distant communities, fail to understand rural and regional conditions, and may not communicate to other first responders in a timely fashion. Formerly EMS and fire received simultaneous communications and could co-ordinate their efforts, avoiding mistakes, miscommunications, and delays.

Disabling injury rates among EMS staff are high, especially in Calgary, where the number of days lost is four times higher than any other zone. Inexplicably, this doubled over the past year according to WCB data.

The recent Parkland report on seniors' care called From Bad to Worse highlighted the inadequate staffing and attention our seniors face in many centres across the province. This results in more heavy lifting, more time demands on EMS for minor conditions, and unnecessary trips.

Inter-facility transfers continue to inappropriately consume EMS time and along with an average of one hour of waiting in the emergency room per case add to the psychological strain and rushing over distances to deal with genuine emergencies.

All this adds up to unacceptable quality and a demoralized EMS workforce, itself at risk physically and psychologically. As one EMS worker put it: how can unhealthy workers provide good care to sick and injured people?

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Bonnyville-Cold Lake, followed by Red Deer-North.

### **Affordable Housing in Cold Lake**

**Mrs. Leskiw:** Thank you, Mr. Speaker. On October 23 of this year Habitat for Humanity was pleased to present keys to 22 Cold Lake families. With the increasing need for affordable housing in Cold Lake, the project was a timely endeavour. The development of this was a first of its kind for Habitat Edmonton, an apartment complex with 32 units. The development was named Spirit Arms by the neighbouring Holy Cross elementary school grade 1 students. In the booming economy it is difficult to find housing, but our government and the city of Cold Lake have been diligent in ensuring they are addressing the great need in the city of Cold Lake.

Work at the housing project, which was started by the Cold Lake Affordable Housing Society, came to a halt in September of 2009 after the company hired to oversee the project and build the modular apartment complex went into receivership. The city of Cold Lake and Habitat for Humanity partnered together to ensure that this important project was completed. This development is a great example of how our government helps to facilitate sustainable, affordable housing projects. Our government laid the groundwork so that Habitat for Humanity was able to collaborate with the community of Cold Lake and other partners to provide affordable home ownership opportunities to local residents.

The city of Cold Lake has been a strong supporter of Habitat for Humanity bringing the affordable home ownership model into the city. This project comes at a crucial time and will give a lot of families hope in a very challenging housing market. We welcome Habitat for Humanity to our constituency and these families to their new homes. I'm sure that this partnership will continue to grow and to benefit all of the Bonnyville-Cold Lake residents in the future.

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

Hon. members, for a variety of weather reasons, one of the members has some guests who just got here. She's asked for unanimous consent to revert briefly to Introduction of Guests, and I'm going to allow her 10 seconds if you grant her unanimous consent.

[Unanimous consent granted]

### **Introduction of Guests**

*(continued)*

**The Speaker:** Would you go ahead, then, hon. member, 10 seconds for the introduction and then straight into your statement.

**Mrs. Jablonski:** I'll be as quick as I can, Mr. Speaker. Today it's my privilege to rise and introduce to you and through you to all members Grant Johnson. Grant is the son of the late Yvonne Johnson, a woman who was an extremely active member of the Red Deer community. I will be sharing Yvonne's story with you in a member's statement today, and I'm so glad that Grant could make it and be here in time to hear the member's statement in memory of his mother. I would ask that you join me in giving him the warm welcome of the Assembly.

**The Speaker:** Very quickly, the hon. Minister of Environment and Sustainable Resource Development, please.

**Mrs. McQueen:** Well, thank you so much, Mr. Speaker. I'm pleased to introduce to you and through you to all members of the Assembly a group of 17 staff from Alberta Energy's oil sands division. I'm pleased to welcome them to the Legislature as part of their participation and public service orientation. If they could please rise and receive the traditional warm welcome of this Assembly.

### **Members' Statements**

*(continued)*

#### **Yvonne Johnson**

**Mrs. Jablonski:** Mr. Speaker, where would our communities be without highly motivated and inspirational people like Yvonne Johnson, who look after the rights of others and help to make our communities great places to live?

On October 23 of this year Red Deer lost one of its most committed, passionate, and dedicated citizens when Yvonne Johnson died. Yvonne was an entrepreneur who had owned and operated Yvonne's House of Fashion, later called The Wardrobe. Her fashion advice was sought after by many dignitaries, including the Hon. Helen Hunley, past Lieutenant Governor of Alberta.

But it wasn't just fashion advice that was sought after; it was also political advice as Yvonne was a strong supporter of the Progressive Conservative Party provincially and federally. Five years before the PCs came to power in Alberta, Yvonne had been a powerful and respected member. It was not unusual to hear Yvonne say that she had recently had a conversation with the Prime Minister. Yvonne had many achievements, too numerous to list. She was a mover and a shaker who was the first female president of a PC constituency association. She was given achievement awards by Premier Getty and Prime Minister Brian Mulroney.

But most remarkable and extraordinary about Yvonne was that after she had suffered and recovered from a brain aneurysm in 1985 that left her disabled and in a wheelchair, Yvonne was just as strong and determined as ever. Yvonne became one of the strongest advocates for people with disabilities, pointing out to all elected officials the lack of accessibility in our communities. I will remember Yvonne for the persistent and determined work that she did in our community on behalf of all citizens, especially on behalf of people with disabilities. I will also remember that as she faced life's challenges with courage and dignity, I could depend on Yvonne for her wisdom and for the advice of a good friend.

*1:50*

Yvonne Johnson was born on December 19, 1937, in Calgary, and she died in Red Deer on October 23, 2013. She had two sons, Grant Donald Johnson and Kenneth Gordon Johnson. Grant is here today, and I would ask you to join me in acknowledging the many and great accomplishments of his mother, Yvonne Johnson.

#### **Member's Apology**

**The Speaker:** Mr. Clerk, just hold the clock, if you would, for a moment.

Hon. members, I've been asked by one member that he be granted a minute or so in order to make an apology and to withdraw and otherwise correct some comments he made in social media yesterday in which he publicly criticized your Speaker. The member in question in this regard is the hon. Member for Airdrie. He came to my office yesterday and apologized to me personally.

This is an extremely serious matter, hon. members, so when he asked if he could have a minute at the earliest opportunity to make his statement and apology in front of all members, I granted him his request. Accordingly, I would expect the deepest of respect and silence from all of you while he makes his statement.

**Mr. Anderson:** Mr. Speaker, obviously, the last two days have been quite heated, which happens from time to time in this House, but adults, of course, should talk out their differences in a civil and friendly manner.

I requested a meeting with you yesterday afternoon, which you granted, and we had a very constructive chat in your office. You listened very respectfully to the frustration of our caucus as it pertains to question period proceedings, and I thank you for that. I believe a better mutual understanding was reached.

In the spirit of moving forward, I'm going to apologize to you and withdraw any comments or tweets regarding you on these matters made in or outside this House. I look forward to high quality and fair question periods both today and in the future.

I do want to make clear in my comments, Mr. Speaker, that it is clear in our parliamentary tradition that statements made outside the House in the media or on Twitter are not commented on by the Speaker, nor should they be. Obviously, the rights of free speech must be respected, and I trust you agree. However, I am extending a hand of goodwill on this issue, and it is my sincere hope we can move on to what question period should be about, and that is holding this government to account.

Thank you, Mr. Speaker.

## Statement by the Speaker

### Rules and Practices of the Assembly

**The Speaker:** Thank you, hon. Member for Airdrie.

Hon. members, as the member referenced, a lot of unfortunate things have occurred over these past few days, and many inappropriate comments have been made both inside and outside this Chamber. You just heard evidence of that point.

I, too, want to take a few minutes to remind all of us that once you are elected to serve in this House and you take the oath to Her Majesty, you step into a whole new world, a world full of traditions, customs, and practices. You step into an institution that has been founded on practices, procedures, and principles that, in fact, go back centuries. Those traditions, those institutions and practices are rock solid. Hon. members, they are extremely serious.

They and the entire parliamentary system are in turn fortified by rules, rules which we often refer to as citations, and more specifically in our case we have our own standing orders. We should all know at least the very basic rules and standing orders, but if we don't, we should learn them as they are cited by our House leaders, such as the one who just spoke, for example, when they are raising or defending a point of order, or when your Speaker or your Deputy Speaker or your Chair of Committees is making a ruling or interjects to remind you of a particular rule. These rules are not rules that any single one of us may have made, but they are rules that must guide us to help preserve the institutions that I just spoke about and of which we are all part.

These rules can of course be changed. They can be amended. New ones can be brought in. So if you have an issue with one or more of our rules, there is a process in place that you can use to affect change. Similarly, if you have an issue with an act or a bill that is about to become an act, a law, as it were, there is a process in place to deal with that as well. Finally, if you have an issue with the Speaker or whoever is chairing, there is a process in place to

accommodate that as well. I want to comment very briefly on that as I wrap up.

As occurred yesterday when the chair accepted yesterday's apology from the Member for Airdrie, the issue of criticizing the Speaker is really one of respect or disrespect for the institution. The role of the Speaker is something that is fundamental to our parliamentary system and our entire system of responsible government.

As members may be aware, 2015 will mark the 800th anniversary of the Magna Carta, which helped lay the foundation for our form of parliamentary government. As Philip Laundy says at page 11 in his 1984 book titled *The Office of Speaker in the Parliaments of the Commonwealth*, "The office of Speaker is almost as old as Parliament itself," as the first Speaker was designated in 1377. So there is history, hon. members. There is tradition for the respect that should be accorded to the Office of the Speaker. This is not about me. This is about the position.

The chair addressed the subject of criticizing the Speaker yesterday on pages 2965 to 2966 of *Hansard*, which is worth repeating briefly. The quotation from *Beauchesne*, sixth edition, at paragraph 167 on pages 48 to 49, states as follows:

The essential ingredient of the speakership is found in the status of the Speaker as a servant of the House. The Presiding Officer, while but a servant of the House, is entitled on all occasions to be treated with the greatest attention and respect by the individual Members because the office embodies the power, dignity, and honour of the House itself.

If someone wants to challenge the chair, the appropriate mechanism is to bring a substantive motion forward that can be debated in the Assembly. Your chair, as with any chair in our parliamentary system, will not put up with nor should members of the Assembly put up with collateral attacks that bring the Assembly and the institution into disrepute and demonstrate a profound disrespect for the Office of the Speaker and the institution. As *House of Commons Procedure and Practice*, second edition, states at page 313, "The actions of the Speaker may not be criticized in debate or by any means except by way of a substantive motion."

For those wondering about the impact of social media on proceedings in the Assembly, the chair is pleased to confirm that traditions that go back as far as the 14th century can adapt and be applied to our circumstances involving social media today, social media such as Twitter, for example. The hon. Member for Airdrie referred to his tweets as being disrespectful or words to that effect.

I want to remind not only that member but all of us, all of you, that a similar situation to what we just are speaking about occurred in the Assembly of the Northwest Territories as recently as last month. There a member had apologized in the Assembly and then made comments in social media that conflicted with that apology. Speaker Jackie Jacobson from the Northwest Territories said this at page 3261 of the Northwest Territories *Hansard* on October 31, 2013:

However, I do need to strongly caution Members that statements made outside the House, whether on Facebook or in other media, can amount to a breach of privilege or even contempt of the House.

This is especially so when a Member's comments could be read as challenging a ruling of the Speaker. It's thin ice and I urge Members to stay off of it.

This is not to protect me personally. It is to keep dignity and order in the House, so that we can get our work done.

Speakers across Canada, all of whom I've met with and done an informal survey with, do their level best to be as impartial as we possibly can. We do not go to caucus meetings when session is on unless we are specifically invited to address an item such as might

come up under Members' Services or such as might come up in the House and caucus is looking for some guidance or a dialogue with the Speaker. We do not go to political events when the House is in session. We do our best to invite members to come to our offices as opposed to us going to their offices, especially government. There are exceptions that occasionally occur, obviously, but those are some of the premises.

Similarly, with respect to a website that I have, mypcmla, during session I've asked it to be withdrawn so that I can continue the role of being as absolutely impartial as I can, Lord help me.

Thank you.

2:00

### Oral Question Period

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition for your first main set of questions.

#### School Construction Contracts

**Ms Smith:** Mr. Speaker, we believe Alberta can build what it needs without saddling our children with mountains of debt. This is the fundamental difference between our party and the party opposite, and there's no better illustration than the sole-source P3 deal to build 19 schools announced yesterday. This government likes P3s because it is a way to hide debt. However, any Albertan knows that when you only have one company bidding on a contract, you won't get the best price, you won't get the best product, and you won't likely get what you want on time and on budget. To the Infrastructure minister: will he give up on this P3 model?

**Mr. Drysdale:** Well, Mr. Speaker, our government knows how important these schools are to families and communities across the province, and we want to get them completed as soon as possible. Since we started building with P3s, our government has saved Alberta taxpayers more than \$245 million, and I won't apologize for saving taxpayers money.

**Ms Smith:** Mr. Speaker, no one is bidding on these contracts, and the government's record on sole-source contracts is abysmal. Look no further than the untendered deal handed to Enzo Developments to build school portables in High River. As it turned out, Enzo had no factory to build them and no experience building them. High River's Catholic school division did not receive the portables at the beginning of the school year as promised, and some classes are still being taught in a community hall. Again to the Infrastructure minister. The sole-source contract announced yesterday for the 19 schools is exactly from the same playbook. How can he be sure it won't produce the exact same result?

**Mr. Drysdale:** Mr. Speaker, for one thing, we didn't announce a sole-source contract yesterday. We're going forward with the RFP. The proponent, the Build to Learn consortium, is working up an RFP to present to government next spring. We will have a price for a traditional build, and we'll go ahead and hire an independent auditor to follow this transparency and come up with the costs on a traditional build. If the proponent bid doesn't come in under that and show value for dollar, we won't award the contract.

**Ms Smith:** It's a single bidder, Mr. Speaker.

Earlier this week I was proud to stand with my Infrastructure critic, my colleague from Cypress-Medicine Hat, as he released A Better Way to Build Alberta, our recommendations for how we

can build what we need to build without going into debt. Chief among the recommendations is one to end debt financing through P3s like the one announced yesterday and return to a design/bid/build model that keeps costs and scope in check. When will the Infrastructure minister realize that the best way to build what we need responsibly is through open tenders and competitive bids?

**Mr. Drysdale:** Well, Mr. Speaker, this government's ways of financing the future of our children through building schools and financing them is plain and clear. We have our financing in our financial statement as to how we'll build them, unlike across the floor. They plan to finance their schools by cutting operational. You can't cut \$5 billion out of operational without affecting the people of this province. They hollered when we cut \$147 million out of postsecondary education. How are they going to cut \$5 billion?

**The Speaker:** The hon. leader. Second main set of questions.

**Ms Smith:** Thank you, Mr. Speaker. We would cut wasteful spending like the \$375 million.

#### Michener Centre Closure

**Ms Smith:** I want to visit a project I asked about Tuesday. The Premier and her caucus are going to be in Red Deer tomorrow, and the Premier has been invited to visit Michener Centre, which has won eight different Premier's awards of excellence from two of the last three Premiers. The residents, their families and guardians, the staff, all three opposition parties, Red Deer city council, and the Red Deer community at large oppose the Michener closure. Will the Infrastructure minister take his Premier to visit Michener Centre this weekend to understand the important and unique work that they do?

**Mr. Drysdale:** Well, Mr. Speaker, I have heard of the Michener Centre from lots of people and have been there as well, but closing the Michener Centre isn't an infrastructure question; it's operational. We've heard time and time again in the House from my colleagues as to why it is important to do things differently going into the future. One of my colleagues may want to supplement that.

**Ms Smith:** The associate minister for persons with developmental disabilities disregards the fact that this closure will break the promise made by the PC government that the residents at Michener should be allowed to live out their lives there. On Tuesday he suggested that closing Michener was what the United Nations wanted and that it was consistent with the opinions of experts and government policy. This question is to the Human Services minister. Is there a single person in charge of the care of Michener residents who thinks that moving them out of their home is a good thing and that it will improve the quality of their lives?

**Mr. Oberle:** The funny thing about getting evidence and doing studies and talking to people around the world and being fully involved in your portfolio and expecting your staff to do that is that every once in a while you learn a little bit about the science. When faced with best practices from around the world and science from around the world, what are we supposed to do but implement them, Mr. Speaker? I believe in my heart that we're making the right decision for the care of the people that are in the Michener Centre, and there will be better outcomes.

**Ms Smith:** Mr. Speaker, in this case the families and the staff are the experts.

The minister must know that the families and the staff at Michener will be protesting tomorrow outside of the convention, where the Premier will be giving one of the most important speeches of her life. I can imagine that protest won't make the delegates feel all warm and fuzzy, but doing the right thing for Michener families and Michener residents could make the Premier a hero. Will the Minister of Human Services do the right thing today and cancel the closure?

**Mr. Oberle:** Mr. Speaker, the Leader of Her Majesty's Loyal Opposition paints this as if (a) it's a black-hearted decision and (b) one that was taken lightly, and I can assure this House that neither is true. I can also assure this House that I have talked to staff members and to family members and visited the Michener Centre and visited care homes outside the Michener Centre. I'll say it again. This decision was not taken lightly. I believe in my heart that it was taken in the best interest of the people who are the most vulnerable in that centre.

**The Speaker:** Hon. leader, your third main set of questions.

**Ms Smith:** I can tell you that's not what the families think and it's not what the staff think.

#### Publication of Reports

**Ms Smith:** Mr. Speaker, the Alberta Health Services quarterly report on wait times is late. In fact, we're only a few days away from when the next quarterly report is scheduled to be released. This raises a question about why this important report hasn't been made public. I'm guessing the report will once again make it clear that we have unacceptably long wait times for health procedures. Is the government purposely delaying the release of this report until after the leadership review of the Premier?

**Mr. Horne:** Mr. Speaker, as I've indicated several times since the summer, my department and Alberta Health Services are working on a revised performance measurement framework for our health care system, one that compares Alberta easily and accurately to national benchmarks such as those that are produced by the Canadian Institute for Health Information. There is no requirement to release performance data quarterly. We certainly do intend to continue to do that in the future, and as soon as the new framework is ready, I will be prepared to answer questions on it in the House.

**Ms Smith:** What a trend, Mr. Speaker. The 2011-12 annual report from the Legislative Assembly Office is also late, and that delay is now holding up the release of the 2012-13 annual report. These reports will likely confirm the massive cost overruns and delays facing the Taj Mahal of government waste, the federal building rehabilitation project, which will provide ritzy new offices for MLAs. Again to the Infrastructure minister: is the government purposely delaying the release of this report until after the Premier's leadership review?

**Mr. Drysdale:** Mr. Speaker, it's even hard to follow that question. The things we do on this side of the House in government aren't always related to politics and leadership of the party. We run and govern this province on what's best for the people of Alberta. They seem to think everything is connected to the leadership review. Nonsense.

2:10

**Ms Smith:** All right, Mr. Speaker. Number three. Albertans are rightly concerned about the possible conflict of interest facing the Premier over her awarding of a government contract to a law firm with close ties to her. Unfortunately, despite the fact that the report is apparently complete, its release has been delayed. This means that we don't know if the Premier has been cleared by the Ethics Commissioner. Is the government purposely delaying the release of this report until after the Premier's leadership review?

**The Speaker:** Hon. members, to my knowledge I haven't seen anything that would suggest that the report is complete yet or not, so I'm at a disadvantage here somewhat. I haven't seen anything official one way or the other. Perhaps we'll have that looked into.

Hon. Member for Edmonton-Whitemud, Government House Leader, do you wish to comment?

**Mr. Hancock:** Well, thank you, Mr. Speaker. As you might have gone on to suggest, a report from a legislative officer does not go to government. It goes to the Speaker, and the Speaker tables it when the Speaker has it. The legislative officer provides his report to the Speaker, and when he provides his report to the Speaker, that's when we can assume he's done.

**The Speaker:** That's exactly where I was going with this. So we'll review this matter and just see where it stands.

Meanwhile let us move on to Calgary-Mountain View, followed by Edmonton-Strathcona.

#### Emergency Medical Worker Health and Safety

**Dr. Swann:** Thanks very much, Mr. Speaker. The Workers' Compensation Board statistics indicate a serious problem of injuries and absenteeism among Alberta emergency medical services workers. I'll be tabling the document appropriately later. First responders continue to be frustrated, overtaxed, short-staffed, and coping with inadequate equipment, by their admission. The disabling injury rate and days lost in Alberta is increasing, especially in the Calgary region. To the Minister of Health. You have a paramedic in caucus, another running the emergency medical system. Why have emergency medical services disabling injury and WCB rates soared this past year?

**Mr. Horne:** Well, Mr. Speaker, quite honestly, I haven't reviewed the report to which the hon. member refers. I'd be happy to review it and provide him with comment.

But I will say that he is correct. We do have the benefit of a number of people in our caucus who are very close to the emergency medical services system. They do provide me with very good advice about the pressures that EMS staff face in different parts of the province, owing to our rapid growth as we often refer to in answers during question period. Alberta Health Services is very much focused on supporting those workers through additional resources, through things such as fatigue management policies, and so on.

**Dr. Swann:** Well, that flies in the face of everything we're hearing from the field, Mr. Minister. Given the Alberta Liberals have heard from many concerned EMS workers who have told us that inadequate vehicles and equipment have resulted in a growing number of injuries, what is the minister doing about this? How and when does he plan to address EMS safety?

**Mr. Oberle:** Mr. Speaker, as the associate minister in Human Services responsible for the Workers' Compensation Board I need



to clarify for this House that any injury on the job site is indeed concerning. We want everybody to go home safe and sound to their families every night. The hon. member visited the Millard Health centre recently and presented to them his understanding of the dangers of EMS and the high injury rates, and they pointed out to him that his information was in error and that, in fact, there are other professionals that have higher injury rates. Nonetheless, we are concerned about injuries in the workplace with any profession, and we'll look into it.

**The Speaker:** The hon. member.

**Dr. Swann:** Thank you, Mr. Speaker. Given that these statistics are especially shocking in the Calgary zone, where, for example, the number of days lost is four times that of any other zone for EMS workers, what is going on in Calgary, and what are you doing about it?

**Mr. Oberle:** Well, Mr. Speaker, as I just said, I've offered, the WCB has offered to have a sit-down with this member and discuss his data in an open format. He can table whatever he wants. I'll extend that offer again. But that's not consistent with what I understand the situation to be.

**The Speaker:** The hon. Member for Edmonton-Strathcona.

#### **Michener Centre Closure** (continued)

**Ms Notley:** Thank you, Mr. Speaker. This spring the government announced plans to evict 125 people who call Michener Centre home. The minister cited a number of questionable excuses for this callous decision, but most suspect it was all about saving money. The NDP now has documents showing that a month and a half after the decision was announced, this government hired an ad agency to fabricate a rationale for the closure. To the minister for PDD: if this was truly about protecting Alberta's most vulnerable, why did you need a public relations firm to create a rationale for the decision long after it was made?

**Mr. Oberle:** Well, we simply did no such thing, Mr. Speaker. We did retain an advertising or public relations firm afterwards because, very obviously, we had a communications job to do. What we did was have this firm codify what we were doing in planning for the transitioning of patients, nothing to do with the decision to close it. We were planning for the transition. They codified it. They put together a document, including a flow chart, which is posted on the website. It has been for months.

**Ms Notley:** Well, Mr. Speaker, in an April e-mail to Calder Bateman the ADM for PDD says, quote: my request was for you to build a set of principles for AHS and PDD on transitioning from Michener to long-term care or supportive living. So instead of consulting with health care professionals, experts in the field, families, or communities, this PC government went to a public relations firm for their principles. How apt. To the minister: how can anyone believe that this is not a cynical PR move that has nothing to do with improving care for vulnerable Albertans and everything to do with spinning a heartless financial cut?

**Mr. Oberle:** I'll say it again, Mr. Speaker. The firm was hired to codify what we were already doing, to put it into a presentable and easily readable fashion so that it could be published on the Internet site so that families, loved ones, and staff members as well had ready access to this document so they could see the process.

**Ms Notley:** Well, Mr. Speaker, no amount of public relations can change the facts. This government is ejecting Albertans from a home they've lived in for decades and denying them the choice the UN convention demands. Closing Michener is a penny-pinching measure meant to offload the cost of caring for vulnerable Albertans to their families and to understaffed and underfunded community placements. Families, staff, and, most importantly, residents are all terrified about what this means for them. To the minister: will you do the right thing and keep Michener Centre open?

**Mr. Oberle:** Mr. Speaker, I think I've always endeavoured to be pretty honest with this House on the reasons around decisions. Now, this House will know that I made the decision to close the Eric Cormack Centre in Edmonton the year before for the same reason. I note that that party, that has been an advocate for community living for as long as I've been in here, never had a word to say about that closure. Neither did that party. The issue is the same. People living in supportive community living arrangements have better outcomes bar none. The evidence is there.

**The Speaker:** Hon. members, the first five slots reserved for the leaders of the parties or their designates, where we allow preambles to supplementaries, has now expired.

We're going to move on, I hope with no preambles to supplementaries, starting with Fort McMurray-Wood Buffalo, followed by Chestermere-Rocky View.

#### **Highway 63 Services**

**Mr. Allen:** Thank you, Mr. Speaker. The gas station and restaurant that serviced commuters and travellers for many years at Mariana Lake on highway 63 shut down a few years ago. The province required them to relocate or shut down in order to accommodate the alignment of the twinning project, and they did compensate the business on its closure. Since that time there have been no fuel or services available for a 200-kilometre stretch on one of Alberta's busiest economic corridors. To the Minister of Transportation: have you given consideration to the recommendation in my report of June 29, 2012, to make land available for a commercial rest stop/service centre on this stretch?

**The Speaker:** The hon. minister.

**Mr. McIver:** Thank you, Mr. Speaker. To answer the question directly, we have given consideration to that. As I think I've said here in the House before, that is a very good report, and the hon. member makes a good point that for some Albertans a 200-kilometre stretch of highway is a long way to go without a gas stop or a comfort stop. Right now I have to say to the hon. member that our focus is on the twinning of highway 63, which is the promise that the Premier made and one that I've endeavoured to make sure we keep. As we get that on the way, I will consider what the hon. member is asking about.

**The Speaker:** The hon. member.

**Mr. Allen:** Thank you. To the same minister: given that we have implemented a very much appreciated dedicated traffic enforcement initiative on highway 63 and RCMP and sheriffs are also in a situation where their only rest stop or opportunity for fuelling is at either end of the stretch, would you be prepared, if this was to move forward, to provide space for an office here for our enforcement personnel?

**Mr. McIver:** Again, Mr. Speaker, to the hon. member, I genuinely appreciate his enthusiasm, and I know that this is an issue close to his heart, that he's worked hard on. As I said before, our emphasis is on the twinning of highway 63, something we intend to get done. As we get further down the road on that, we will look for opportunities for comfort stops. I think it's a legitimate thing for the hon. member to ask for, and I'm sure that there are probably a lot of Albertans that would like to see it, but in the midst of a construction project sometimes you have to do things in stages. In my view, we're not at that stage today.

**The Speaker:** The hon. member.

**Mr. Allen:** Thank you, Mr. Speaker. I'll withdraw my second supplementary. It's in the same vein.

**The Speaker:** Thank you.

Let us go on to Chestermere-Rocky View, followed by Calgary-Bow.

## 2:20 School Construction and Modernization

**Mr. McAllister:** Thank you, Mr. Speaker. In the last election the Premier made a fairly black-and-white promise to Alberta parents and students: 50 new schools, 70 renovated schools started and completed this term. Period. Well, we're nearly halfway through this term, and it seems like the government made a promise to families that it cannot keep. Surely, the government would never intentionally mislead parents and families during an election campaign. So I ask the Minister of Education with respect: how many of these 50 new projects and 70 renovated projects that his government promised this term are currently under construction?

**Mr. J. Johnson:** Mr. Speaker, you know, the constant criticism we get from across the way on the amount of capital that we are building or aren't building is a little bit troubling. [interjections]

**The Speaker:** Please continue, hon. Minister of Education, or are you done?

**Mr. J. Johnson:** I'm done.

**The Speaker:** So we're going to have to have a discussion about heckling and how far you want this to go on.

Hon. member, please proceed.

**Mr. McAllister:** Thank you, Mr. Speaker, and I'll ask my colleagues to give the member a chance to answer this question because I think it's one we deserve an answer to.

We have done the research, and as near as we can tell, of the 28 new schools announced since the election, precisely zero are currently under construction. Nada. Zilch. Bagel. Given that it takes three years to build a school and given the clear promise that these projects would be started and completed by 2016, is this minister going to continue to ride on the coattails of the former Premier, or is he going to honour his government's commitments?

**Mr. J. Johnson:** Mr. Speaker, I think it's pretty clear that we are honouring our commitments. Particularly when it comes to education, this Premier made a commitment for many things, including reinstating the \$107 million in funding, which she did, getting an ATA deal, which she did, a number of other items, passing the Education Act, which we've done. We've got capital on the way.

Like I said earlier this week and like I said last week, there are currently either just finished or under way 70 projects. There are another 30 that we announced in the spring. There are a number

more coming here, I believe, by the end of this calendar year if we can get the right ducks lined up, and there will be more coming this spring. I'm happy to be accountable for what we do, but it's really difficult to be accountable in 2013 for something we're doing in 2016.

**Mr. McAllister:** I will simplify. Given that during the election campaign this government promised 50 new schools and 70 renovations this term as a commitment by this government, can the Minister of Education tell us today how many of those projects are under way that his government promised?

**Mr. J. Johnson:** Mr. Speaker, stay tuned. Ask me that question in 2016. We're going to have a number of schools built, and we're going to have more than 120 projects well under way or built by that time, during this term.

I hate to point out the obvious, but there are a number of projects where the ground was turned after the election that could have easily been cancelled if someone else had won the election and didn't want to take on P3 projects. So the question I'd have for the hon. member across the way who's asking for schools – I think 11 of their members now have asked for schools. Immediately after the front benches say, "Don't take on debt; don't do P3s; we're building too many schools," their members behind them stand up and ask for a school. Well, will they take those schools if they're P3s?

**The Speaker:** The hon. Member for Calgary-Bow, followed by Calgary-Fish Creek.

## Flood Mitigation Projects

**Ms DeLong:** Thank you, Mr. Speaker. The floods this past June were devastating for many of my constituents. While many are now rebuilding their lives and their homes, they want reassurance that our government is going to do everything we can to prevent this kind of devastation from happening again. Earlier today Premier Redford announced that several mitigation projects are moving forward, which is great news for Albertans. My questions are to the associate minister of recovery and reconstruction of southwest Alberta. How quickly are these projects going to be in place, and will they be ready for the next flood season?

**The Speaker:** The hon. minister.

**Mr. Fawcett:** Thank you, Mr. Speaker. Quite simply, these projects that the Premier announced today require significant engineering work. They're very large projects. Not only do they require significant engineering work; they also are going to require significant consultation with the public and significant environmental approvals. Because of that it's very unlikely that they will be in place for next spring. What we will do, though, is work with our municipalities to do what we can today and over the upcoming months leading up to the next flood season to make sure that communities are protected.

**The Speaker:** The hon. member.

**Ms DeLong:** Thank you, Mr. Speaker. To the same minister: do we know how much these projects will cost taxpayers?

**Mr. Fawcett:** Again, Mr. Speaker, what I will say is that until the consultation is done and the engineering is done on these projects, it would be very ridiculous to speculate on how much they are actually going to cost. What we are doing is going through that engineering process. We've hired two consulting engineering firms

to do that work. We're going out and talking with municipalities. We're going to go through that process, including talking with landowners and with the proper environmental groups, and once those conversations are done, we'll be able to come up with a more accurate price tag.

**The Speaker:** The hon. member.

**Ms DeLong:** Thank you very much, Mr. Speaker. To the same minister. You did mention consultation. Will consultation include my constituents? Will they have an opportunity to have input on these projects?

**Mr. Fawcett:** I think it is very important that people have input on this project. One thing the Premier committed to is that we are going to work with our citizens and with our communities and the municipalities that are impacted. The one thing that we need to make sure that we do – the worst thing about doing nothing at all or doing it too fast is doing it wrong. We can't get this wrong. We can't this wrong for taxpayers; we can't get it wrong for communities. So we're going to do that due diligence, and we're going to listen to people and citizens in these communities.

**The Speaker:** Thank you.

Let's be reminded not to use the personal first names or last names of members elected in this House.

Let's move on, then, to Calgary-Fish Creek, followed by Calgary-McCall.

#### Foothills Hospital Kitchen Renovation

**Mrs. Forsyth:** Thank you, Mr. Speaker. Albertans deserve better from their health care system. Last spring we asked why the government had failed to address an urgent priority at the Foothills hospital, a kitchen renovation. The kitchen has received several public health citations, has failing, obsolete equipment, environmental issues, and has mould and asbestos that needs to be removed. To the Minister of Infrastructure: why after four years have you not fixed this urgent issue at the Foothills hospital? Is patient safety not a priority?

**Mr. Drysdale:** Well, Mr. Speaker, I don't think it's the job of the Minister of Infrastructure to catch mice or anything like that. I realize there's a problem in this hospital, but Alberta Health Services is given a budget for maintenance and upkeep of the building. We've given them – if I say a number, I'll be misquoted, probably, but it's millions of dollars to upkeep their properties. In cases like this they're to be maintained by Alberta Health Services out of this budget.

**Mrs. Forsyth:** It's under your capital project, a FOIPed project that we have.

Given that Alberta Health Services' 2013 capital plan submission says that it is imperative that this kitchen be upgraded and in its current condition cannot support the increased demands that the Foothills new cancer centre will place on it, when are you going to make these urgent fixes to this kitchen after over four years?

**Mr. Drysdale:** Mr. Speaker, we're working on a big project there with the health thing, but as I told them before – I don't know if I have to repeat it – there is a budget to fix that, and it's under Health Services. I'm sure they'll look at their priorities and finish the projects that are the highest priority.

**Mrs. Forsyth:** Mr. Speaker, it has been their priority since 2010. Please, minister, learn your portfolio.

Given that this government has given the thumbs-up on an \$8 million in-office renovation for executives at the U of C and that you found the cash for the new roof garden for the MLA offices, how is it possible that a 50-year-old kitchen infested – infested – with mould and asbestos is not considered a higher priority by this government?

**Mr. Drysdale:** Mr. Speaker, again, the member is confused by what budget pays for what. This department has nothing to do with the offices at the U of C. Yes, we're fixing the roof of a hundred-year-old building. That is under the Infrastructure budget.

As I said, the maintenance and capital projects in Alberta Health Services: it's their purview to set their priorities. We give them a budget to do that.

**The Speaker:** The hon. Member for Calgary-McCall, followed by Edmonton-Calder.

2:30

#### Registry Services

**Mr. Kang:** Thank you, Mr. Speaker. Since the government began its results-based budget scheme, Alberta Liberals have heard numerous concerns from registry owners about the changes by the Ministry of Service Alberta. Current registry owners are worried that the government is planning to make them renew their licences and then submit requests for proposals in order to keep their licences in the future. To the Minister of Service Alberta: is this what the ministry is planning to do, and if so, when will the registry owners be informed of these changes?

**The Speaker:** The hon. minister.

**Mr. Bhullar:** Thank you, Mr. Speaker. I'm glad the member finally asked me a question in the House, but I wish he had perhaps consulted with me beforehand to get some facts instead of innuendo. The fact remains that we have a strong system in this province. We're looking continuously for ways to make it better by looking at things like offering online services. Just recently we've introduced an RFP for new registry agents in Wabasca and Chestermere. At the end of the day, we're going to make sure that everyday Albertans, hard-working people get the services they need in an affordable manner.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. Given that when the government sold off the registry services in 1993, Albertans were told that it would "open up opportunities for small businesses" and today the government clearly wants a piece of the action, is the minister now trying to change the rules of the game while it is still being played?

**Mr. Bhullar:** If the member, Mr. Speaker, could provide me with a specific example of what he's asking right now, I'd be more than happy to answer a very specific question, but when they're asking pure political statements in this House and trying to solicit a real answer, it doesn't really make sense. The answer is that we have a strong system. We're going to continue that strong system and make it even better to make sure that Albertans have access to services in a way that works for them, whether it be online or in person. The fact is that we're going to keep prices low and we're going to keep the best services available for Albertans.

**The Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. Finally, to the same minister again. The registry owners are also worried about competing directly with the government when the new online portal is launched next year. Is it this government's intention to compete directly with the registries for online revenues?

**Mr. Bhullar:** Mr. Speaker, when the government is introducing a new service that could potentially become a new source of business for the private sector or the government, the government has a series of responsibilities to make sure that the taxpayers of the province are well compensated and taken care of. So if the member is asking me to turn over what could be a significant source of revenue for the government to a private industry just because that's the way he wants it, I think that's unfair to everyday Alberta taxpayers. We're introducing something new. Taxpayers deserve that we would ask tough questions and make sure that they're compensated.

**The Speaker:** The hon. Member for Edmonton-Calder, followed by Cypress-Medicine Hat.

#### University of Alberta Research Partnership

**Mr. Eggen:** Thank you, Mr. Speaker. Yesterday the Canadian Association of University Teachers released a damning report on academic freedom in our universities. This report noted that the U of A's \$13 million Centre for Oil Sands Innovation specifically focuses on "areas of strategic interest to Imperial Oil." As recently as two weeks ago the minister claimed that he wanted to preserve the independence of our universities. To the minister of advanced education: how independent does he believe the university actually is if the focus of this centre is to further the private interests of Imperial Oil?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. The University of Alberta has strict policies with respect to intellectual property and independence. No industrial partner has the ability to block or to interfere with published research. The minister has stated on many occasions that academic freedom is a cornerstone of universities, and the principle is that it may be maintained in Alberta.

**The Speaker:** The hon. member.

**Mr. Eggen:** Well, thanks, Mr. Speaker. Given that this report states that this research agreement was made behind closed doors and the majority of the funding, \$9.8 million, came from the public purse and given that this agreement is absolutely silent on the issue of academic freedom, will the minister please tell us why this government is continuing this policy of corporate handouts without any independent academic oversight?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker. Since being jointly established in 2005 by the University of Alberta and Imperial Oil, the Centre for Oil Sands Innovation has been recognized as a model for these types of agreements across Canada. That does not stop the independence of the universities. What it does is to allow for this kind of research to happen in an independent fashion.

**Mr. Eggen:** Well, that's very interesting, Mr. Speaker, because this agreement between the U of A, Imperial Oil, and the PC government specifically states that the university must "refrain from making any public announcement without the approval of

the minister." How can this minister stand here and claim that she values academic freedom when this office is increasing its political control over any information released from our public universities?

**Mrs. McQueen:** Well, Mr. Speaker, this government does appreciate academic independence, and we show that all the time. What we also show is that we work together and in collaboration and consultation with our partners, whether that be with universities, with municipalities, with industry. We are not going to ever apologize for working together and for working in a collaborative manner for the betterment of Albertans.

**The Speaker:** The hon. Member for Cypress-Medicine Hat, followed by Calgary-Mackay-Nose Hill.

#### Infrastructure Maintenance

**Mr. Barnes:** Thank you, Mr. Speaker. This year's Auditor General's report featured a number of timely recommendations. In particular, the Auditor General noted that a recommendation he made six years ago has been carelessly brushed off. This year he again recommends that the Department of Infrastructure improve the process to maintain Alberta's valuable hospitals, schools, and roads. In this day and age maintenance should be common sense. To the Minister of Infrastructure: when will you fix this?

**Mr. Drysdale:** Well, Mr. Speaker, I don't know where to start. For one thing, the Auditor General's report this year had no issues with Infrastructure. What's more, that's rich coming from this member when last spring in estimates his motion was to take \$2 million out of the maintenance budget.

**Mr. Barnes:** Again, the Auditor General recommended that they put in a proper process to maintain the infrastructure. Given this and given that the Wildrose Party has repeatedly highlighted leaky school roofs, mould in hospital kitchens, seeping hospital structures, and compromised sewer systems, when will the Infrastructure minister do his job?

**Mr. Drysdale:** Well, Mr. Speaker, Infrastructure gives a budget to Alberta Education, and they've given maintenance budgets to all the school boards. Maintenance is up to the local school boards, and they're given an IMR budget to maintain and look after their schools. That's not an Infrastructure budget.

**Mr. Barnes:** The Auditor General has identified this process as missing. Considering that ignoring the Auditor General's report has led to Alberta's schools, roads, and hospitals crumbling into disrepair, why, again, is the Infrastructure minister brushing off our Auditor General?

**Mr. Drysdale:** Mr. Speaker, just let me be clear on one thing first before he scares all the people of Alberta. There are no health or safety concerns in any schools in the province of Alberta, so don't be scaring the schools and the parents that these schools are not safe.

#### Oil and Gas Development on Grazing Lands

**Dr. Brown:** Mr. Speaker, the Department of Environment and Sustainable Resource Development manages some 5 million acres of public lands for the people of Alberta, leasing them for agricultural purposes. Grazing leaseholders pay for grazing at a very reasonable rate, and at the same time they receive payments to compensate for loss of use and adverse effects from surface

disturbance from oil and gas developments. While Saskatchewan and Manitoba limit those surface rights payments to Crown lessees, Alberta does not. My questions are for the Minister of ESRD. As the manager of public lands can the minister advise the House: how many oil and gas wells are there on Crown grazing lease lands?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Mr. Speaker, and thank you to the hon. member. We certainly realize the need to have balance in all of Alberta to ensure responsible development while maintaining the need for agriculture as well. There are approximately 20,000 wells located on grazing leases throughout Alberta, and surface access to Alberta's mineral resources is essential in responsible development of the industry. Both the oil and gas industry and agriculture play important roles in Alberta, and we'll continue to work with both groups to find the right balance.

2:40

**Dr. Brown:** Can the minister advise the House: what is the approximate surface area that's covered by surface rights leases on Crown grazing lands?

**The Speaker:** The hon. member.

**Mrs. McQueen:** Thank you, Mr. Speaker. Again, to the member: thank you for the question. There are approximately 6,000 grazing leases on 5.2 million acres of land throughout Alberta. The Surface Rights Act specifies that leaseholders will be properly compensated for any land disturbances related to development on Crown land. ESRD issues surface access dispositions on land held under grazing leases with appropriate restrictions, including watershed protection, fish and wildlife habitat, carbon storage, and opportunities for recreation.

**Dr. Brown:** Would the minister consider changing her department's policies to ensure that surface rights payments are more equitably shared for the benefit of all Albertans?

**The Speaker:** The hon. member.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. We do not get involved in what the oil companies and the surface lease owners negotiate. That is up to them. We receive a certain amount of payment as a province for the lands, and like private property owners, surface-rights grazing lease owners make private agreements with the oil and gas companies. Those are not our dollars.

**The Speaker:** The hon. Member for Strathmore-Brooks, followed by Calgary-Cross.

#### Strathmore Hospital Capital Funding

**Mr. Hale:** Well, thank you, Mr. Speaker. The Strathmore hospital has the second-busiest rural emergency room in the province. Since constructed, in 1985, the hospital has not been modified or expanded. The emergency room sees 31,000 to 33,000 patients every year. AHS's own capital plan says, and I quote: many of these facilities are functionally and physically obsolete, creating increased health and safety issues. To the Minister of Infrastructure: when are you going to fix this?

**Mr. Drysdale:** Well, Mr. Speaker, here we go again asking for more. They want new hospitals. They want new schools. They want to cut the budget. They just keep asking for things.

Mr. Speaker, 1985 isn't that old of a building. There are lots of hospitals and schools way older than that. Whether they believe it or not – they don't seem to believe anything we say – Alberta Health Services is given a budget to maintain their facilities. They're given plenty of money a year from Infrastructure. It's up to Alberta Health to maintain their hospitals.

**The Speaker:** The hon. member.

**Mr. Hale:** Thank you, Mr. Speaker. Given that the population of Strathmore has grown three to four times since it was built in 1985 and given that in 2006 the health region study recommended significant expansion to the emergency room, acute care, laboratory, and diagnostic imaging and given that since this report the hospital has not received any new capital funding to expand, when is the minister going to address this critical need?

**Mr. Horne:** Well, Mr. Speaker, we are very well aware as a government of the growth in the Strathmore area. In fact, as I've discussed with people locally, Strathmore has become a regional centre for health care that's serving a large number of residents who are in the southern part of Calgary. There's been great progress in preparing for expansion for Strathmore for the future. A brand new continuing care facility recently opened on land adjacent to the hospital. Thirty residents who lived in the Strathmore hospital in long-term care are moving to that brand new facility, making room for future expansion. We're certainly on this issue.

**The Speaker:** The hon. member.

**Mr. Hale:** Well, thank you, Mr. Speaker. I look forward to having some more conversations with this minister.

Given that AHS has also confirmed that the Strathmore hospital is number 2 on the Calgary zone's priority list, to the minister: how is it that a hospital of this size is an AHS priority but is nowhere to be found on the government's capital plan?

**Mr. Drysdale:** Well, Mr. Speaker, as my colleague just said, we work closely with Alberta Health and Alberta Health Services on their priorities. You know, it's number 2 in your area, so it's not number 1. There's a whole big province there with lots of demands, with high-growth areas. I'll guarantee you that there are areas growing just as fast or faster than that area, and we're trying to build Alberta as fast as we can with Infrastructure. These guys keep saying that we're building too fast, too much. Now they want us to build more. It's hard to understand what they're asking.

**The Speaker:** The hon. Member for Calgary-Cross, followed by Medicine Hat.

#### Bingo Licensee Voucher Use

**Mrs. Fritz:** Thank you, Mr. Speaker. For over 35 years the Whitehorn Community Association has relied on its dedicated volunteers to work bingos to help offset the costs of community centres, and to thank the volunteers, they provided vouchers to help offset the high cost of child and youth programs. A recent audit by AGLC claims that gaming proceeds are not approved to be used for these vouchers. My questions today are to the President of Treasury Board and Minister of Finance. Why are volunteers being penalized and no longer allowed to use bingo vouchers for child and youth programs that community associations can't provide?

**The Speaker:** The hon. minister.

**Mr. Horner:** Well, thank you, Mr. Speaker. First of all, I want to agree with this member's appreciation of these volunteer boards. I know that this hon. member spends a lot of time supporting them and working in her communities. The use of vouchers to thank volunteers has been an acceptable practice for many, many years. Volunteers may receive credits. However, the credits are to be used to help offset the costs of the programs conducted by the licensed group that they are volunteering for. Given the concerns that have been raised by this group and by this hon. member, the AGLC is reviewing the policy to consider if there are some adjustments that should be made.

**The Speaker:** The hon. member.

**Mrs. Fritz:** Thank you, Mr. Speaker. To the same minister: given that community associations are very concerned – and I know they'll appreciate hearing your answer today, because they are watching this – about losing their volunteers and bingos due to the AGLC's interpretation of the policy, how will your ministry through this review help community associations cope with the overwhelming effects of the loss of their bingo revenues?

**Mr. Horner:** Well, Mr. Speaker, it's not necessarily a loss of the bingo revenues; it's the application of where those revenues are going. I think that in this particular case, due to the efforts of the hon. member and her doggedness to talk to the AGLC and to represent her members – I do know, from a conversation I had with the CEO over at AGLC, that a group is going to be allowed to use the proceeds in the manner in which they had anticipated, some \$800, I believe. I believe that message has already been transmitted to them.

But having said that, Mr. Speaker, there is an area of grey here that we need to get clarity on. The AGLC is going to review that, and hopefully we can continue with this process.

**Mrs. Fritz:** To the same minister: given that our community associations on behalf of their volunteers are requesting that AGLC allow this long-standing practice of issuing the vouchers to continue, how is your ministry through this review going to ensure that this practice does continue?

**Mr. Horner:** Well, Mr. Speaker, obviously, the community associations, under the practice where they would use it for their own licensed gaming purposes, can continue and will continue, but because there was a difference in the way the application of this voucher was going to be used, in the interim what we're going to be doing is reviewing that practice while allowing the older practice to continue.

As part of 2012-2013, you know, Mr. Speaker, there were 15,000 charities in Alberta, that raised nearly \$330 million. The charities are being served well. There's a lot of money being raised. We'll ensure that it happens well.

**The Speaker:** The hon. Member for Medicine Hat, followed by Edmonton-Gold Bar.

#### Emergency Medical Services Response Times

**Mr. Pedersen:** Thank you, Mr. Speaker. This Minister of Health just doesn't care about Albertans and is putting patients at risk. For months now municipal officials, front-line EMS workers, and residents have been sounding the alarm over his ill-advised plan to

centralize regional ambulance dispatch to our biggest cities. This plan is costing patients in communities like Medicine Hat crucial time and quality care when an emergency strikes. Will the minister listen to the growing numbers of dissenting voices and stop his one-size-fits-all approach to consolidated ambulance dispatch before it's too late?

**Mr. Horne:** Well, Mr. Speaker, the people I am listening to, as recently as this morning, are the mayor of Medicine Hat and council members and senior officials from Medicine Hat, who met with me to talk about their positive experiences in having become one of the first integrated EMS services in this province to consolidate operations with Alberta Health Services, and that occurred in July. We did talk about some of the challenges, including the response time issue, and, in fact, during the discussion noted that response times were measured differently under the previous system in Medicine Hat than they are today. So the hon. member might wish to check his facts before informing people that response times are inadequate.

**The Speaker:** The hon. member.

**Mr. Pedersen:** Interesting.

Thank you, Mr. Speaker. Given that the new mayor of Red Deer said that his minister's ill-advised plan looks good on paper but will have a real, life-and-death implication and given that six years ago Medicine Hat was the first tri-accredited dispatch in the world for police, fire, and EMS and given that forced consolidation has delayed response times by 50 per cent based upon your information on the website, why would anyone in any community want to accept this for their patients?

2:50

**Mr. Horne:** Well, Mr. Speaker, this morning I also met with the mayor of Medicine Hat and a number of members of council from that community, and we talked about some of the challenges that they see in consolidating their integrated system with a consolidated dispatch under AHS.

Mr. Speaker, the government is working very collaboratively, and in fact the city of Red Deer is ably represented by two MLAs in this House, who happen to be members of this caucus. We'll continue to work with local municipalities and make local adjustments as required to achieve the provincial vision for EMS.

**The Speaker:** Hon. member, your final supplemental.

**Mr. Pedersen:** Thank you, Mr. Speaker. Given that the Associate Minister of Municipal Affairs, from Lethbridge, is now publicly voicing concerns over this issue – well, at least he's doing this when he's home in Lethbridge and safe from the minister's wrath – is the minister even consulting with his own caucus, or is having ultimate power all you really care about?

**Mr. Horne:** Well, Mr. Speaker, the hon. member might do well to check with his colleagues on this side of the House. The minister to whom the member refers was also present at a meeting this morning with the mayor and members of council from the city of Lethbridge. We continue to work collaboratively to preserve the best of integrated EMS delivery systems in this province, that were championed by places like Medicine Hat, Red Deer, and Lethbridge, and to hand in hand achieve provincial objectives.

Mr. Speaker, under no circumstances – and I at least hope the hon. member would agree with this – do we want a situation where an ambulance drives by a heart attack, a motor vehicle

accident, or another emergency simply because that unit is not deemed to be owned by the community in which it's present.

**The Speaker:** Hon. members, the time for question period has now expired. There were no points of order. It's been a reasonably good day, with some good questions and some good answers. In total, 16 members were recognized today, asking and answering 96 questions and answers, so we're getting there. I want to thank the Member for Fort McMurray-Wood Buffalo for forgoing his second supplemental, which helped speed things along; Calgary-Bow and Calgary-Mackay-Nose Hill for doing a great job on tightening up their preambles to supplementals or not using any at all; Strathmore-Brooks and others, who did a good job tightening things up so more members could be recognized. Thank you for that.

Also, preserving as much civility and decorum meant fewer interjections by the Speaker, which is what we're all after. So it's been a good day. Let's see if we can keep it going, and in 25 seconds from now we'll commence with the continuation of Members' Statements.

### Members' Statements

*(continued)*

**The Speaker:** The hon. Member for Drumheller-Stettler, followed by Edmonton-McClung.

### Veteran Students' Remembrance

**Mr. Strankman:** Thank you, Mr. Speaker. I proudly rise in the House today to relay the story of some very special young people from the town of Veteran, located in my constituency. These young people worked diligently, tirelessly, and selflessly to convince Veterans Affairs in Ottawa to replace five medals belonging to 92-year-old World War II veteran Dave Pennington. Mr. Pennington served with the Loyal Edmonton Regiment of the 1st Canadian Infantry Division. When Paul Kavanagh with the Canadian War Museum heard their story, he asked the school to represent Alberta at this year's Remembrance Day ceremony at the National War Memorial in our nation's capital. These remarkable junior high students had to pay their own way to Ottawa, so they spent the summer earning extra cash so they could be in attendance for the ceremony.

The community embraced their mission and went out of their way to find odd jobs for these remarkable young people. On November 11 Alberta was proudly represented by the following students from Veteran: Emma Nelson, Jessica Sutherland, Clay Howe, Marissa Paley, Shelbie Pilling, Dylan Cartwright, Ashley Cooper, Emily Devereux, Nick Koturbash, Ashliegh Luttman, Micheal Saunders, Dalton Starosta, Kurt and Sarah Tkach, Steven Chapman, Travis Johnstone, and Hayden Schetzle.

Because of the efforts of these 17 students Mr. Pennington was able to wear his medals on Remembrance Day for the first time in two decades. I was honoured last April to be in attendance at the emotional ceremony that saw these students present Dave with his medals. In the words of World War II vet Dave Pennington, "They're great kids." We could not agree with you more, Mr. Pennington.

**The Speaker:** The hon. Member for Edmonton-McClung.

### Registered Apprenticeship Program Scholarships

**Mr. Xiao:** Thank you, Mr. Speaker. I'm pleased to rise today to recognize 275 exceptional students from across our province. I was honoured to take part in a celebration for these students in Edmonton last Friday. At the celebration each of these students was recognized for their commitment to the trades with a \$1,000 scholarship.

Alberta's registered apprenticeship program scholarship was established in 2001 as a way to encourage students to continue their apprenticeship program after high school. Through the registered apprenticeship program, or RAP as it is known, high school students accumulate hours of on-the-job training as credit towards an apprenticeship program. At the same time they are working towards a diploma.

Currently RAP apprentices train at over 1,000 sites around the province under the guidance of some of the world's best journey-persons. Last year the RAP scholarship was expanded to include students in another important program. Through the career and technology studies program, or CTS, students can enrol in one of five pathways to apprenticeship: automotive service technician, carpenter, cook, hairstylist, and welder. In just over a decade \$2.8 million has been awarded to RAP apprentices and CTS students.

Mr. Speaker, I had the privilege of speaking to many of these students and can say with confidence that they have bright futures. As a result, our province will have a brighter future. I wish all of them the best in the future.

Thank you, Mr. Speaker.

### Presenting Petitions

**The Speaker:** The hon. Member for Red Deer-North.

**Mrs. Jablonski:** Thank you, Mr. Speaker. Today I am presenting a petition with 15,744 signatures, that asks the Legislative Assembly to keep Michener Centre in Red Deer-North open. The total number of signatures for this petition presented to date is over 24,000 signatures.

### Notices of Motions

**The Speaker:** The hon. Minister of Transportation.

**Mr. McIver:** Thank you, Mr. Speaker. I rise pursuant to Standing Order 34(3) to advise the House that on Monday, November 25, 2013, Written Question 44 will be accepted.

### Tabling Returns and Reports

**The Speaker:** The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you, Mr. Speaker. I'm pleased to rise and table the referred-to copies from the Workers' Compensation Board relating to injuries to EMS workers.

**The Speaker:** The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Speaker. I rise today to table on behalf of my colleague from Medicine Hat a document that he referred to in his question today about the response times for EMS in Medicine Hat.

Thank you.

**The Speaker:** Well, hon. members, that seems to conclude our Routine for the day. We are right at the magic hour of 3 o'clock, so we should move onward.

3:00

### Orders of the Day

#### Government Motions

##### Address to House by Hon. David Alward

46. Mr. Campbell moved on behalf of Mr. Hancock:  
Be it resolved that
- (1) Hon. David Alward, Premier of the province of New Brunswick, be invited to the floor of this Chamber on Thursday, November 28, 2013, immediately following Prayers, to address the Legislative Assembly;
  - (2) This address be called for immediately after the hon. Mr. Alward is introduced under Introduction of Visitors; and
  - (3) The ordinary business of the Assembly resume upon the conclusion of the address;
- and be it further resolved that Premier Alward's address become part of the permanent records of the Assembly.

**The Speaker:** Hon. members, this is a debatable motion under SO 18(1)(a). Are there any other speakers?  
Seeing none, are you ready for the question?

**Hon. Members:** Question.

[Government Motion 46 carried unanimously]

**The Speaker:** The hon. Deputy Government House Leader.

##### Chief Electoral Officer Appointment

45. Mr. Campbell moved on behalf of Mr. Hancock:  
Be it resolved that the Legislative Assembly concur in the report of the Select Special Chief Electoral Officer Search Committee and recommend that Glen Resler be appointed as Chief Electoral Officer for the province of Alberta, effective December 9, 2013.

**Mr. Campbell:** Thank you, Mr. Speaker.

**The Speaker:** Thank you.

This is also a debatable motion under SO 18(1)(a). Are there any other speakers? The hon. Deputy Speaker.

**Mr. Rogers:** Thank you, Mr. Speaker. I'm very pleased to stand and speak in favour of this motion. As chair of the Select Special Chief Electoral Officer Search Committee I'm very pleased that the process ended with the successful, unanimous recommendation by the committee of Mr. Resler to serve as our next Chief Electoral Officer. I speak very much in favour of this motion.

Thank you.

**The Speaker:** Are there others? The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. I also rise here today to speak in favour of the government motion with respect to the appointment of the Chief Electoral Officer. I in fact had moved the motion to appoint Mr. Resler to that position. He does have a very formidable job ahead of him, so I think the December 9 date makes sense. Of course, we want to see an end to illegal donations and soliciting illegal donations and a complete repayment of any illegal donations that have been made in this province. He has a

very tough job to do, and we hope that he gets to it as soon as possible.

Thank you, Mr. Speaker.

**The Speaker:** Standing Order 29(2)(a) is now available. Anyone? If not, are there any other speakers?

Seeing none, are you ready for the question?

**Hon. Members:** Question.

[Government Motion 45 carried unanimously]

#### Government Bills and Orders Second Reading

##### Bill 44 Notaries and Commissioners Act

**The Speaker:** The hon. Member for Sherwood Park.

**Ms Olesen:** Thank you, Mr. Speaker. I'm pleased to rise today and move second reading of Bill 44, the Notaries and Commissioners Act. Bill 44 amends two pieces of legislation, the Notaries Public Act and the Commissioners for Oaths Act. I would now like to provide some details about the proposed amendments.

The consolidation of acts. The Notaries Public Act and the Commissioners for Oaths Act will be consolidated to become the Notaries and Commissioners Act. Further, the language will be modernized and made easier to understand.

An increase in fines. Currently the act provides for fines of up to \$100 for not complying with the detailed process for placing one's seal and/or signature on a document and up to \$500 for an individual who contravenes the prohibitions as set out in these acts. The proposed fines are up to \$1,000 and up to \$5,000 respectively. These penalty amounts provide a more robust deterrent in the event of an activity that would amount to fraud, a repeat offender, or any other similar case. These new proposed fines would also be in line with our other acts.

A code of conduct. The proposed legislation includes a provision for a code of conduct. The proposed code of conduct would articulate appropriate behaviours for individuals in carrying out their duties; for example, conducting one's duties with dignity and integrity; treating all persons fairly, courteously, and with respect; providing services in a professional, ethical, and responsible manner; and complying with the terms and conditions of their appointment. Currently an information book is provided to individuals who are appointed, and although the information is helpful, a code of conduct will heighten awareness and reinforce the expected behaviours.

Regarding notary public powers, the amendments will also clarify powers for lay notaries. In order to protect Albertans and to ensure they fully understand the risks associated with any guarantees that they may enter into, the proposed changes will mean a lawyer will be the only individual who will be able to issue a certificate for a guarantee.

That is my information. Thank you, Mr. Speaker.

**The Speaker:** Hon. members, the Member for Sherwood Park has moved second reading of Bill 44. Are there any other speakers to it?

Were you intending to move and adjourn, hon. Member for Sherwood Park? You should say that if that's what your intention was, if that's the understanding you have with others.



**Ms Olesen:** Thank you, Mr. Speaker. I now move to adjourn debate on Bill 44.

[Motion to adjourn debate carried]

## Government Bills and Orders Third Reading

### Bill 35

#### Financial Administration Amendment Act, 2013

**The Speaker:** The hon. President of Treasury Board.

**Mr. Horner:** Thank you, Mr. Speaker. I'm pleased to rise today and move third reading of Bill 35, the Financial Administration Amendment Act, 2013.

The act is the backbone of the fiscal framework laying out clear rules and guidelines to ensure the government manages its finances in a responsible manner. With the passage of the Fiscal Management Act last spring, some of these rules became a little less clear; for example, which parts of supply votes can be carried forward to the next fiscal year. In addressing those issues, we also thought it was a good idea to make a few minor amendments to the act. The bill as written is not transformational by any stretch of the imagination, but it is necessary. To borrow some language from the Member for Lac La Biche-St. Paul-Two Hills, Bill 35 fixes a number of technical issues that need to be addressed. The key amendment proposed under Bill 35 is needed for the government to effectively manage appropriations for capital projects that span fiscal years.

As I said at second reading, the capital carry-over is a long-standing and valuable fiscal tool that enables efficient management of government capital projects. By eliminating the need to go back to the Legislature for approval to carry over funds that have already been voted in, the capital carry-over ensures approved projects are not further delayed by the processing of a ministry's funding approval. It doesn't matter if you're borrowing or paying cash for your capital projects; you want to have the ability to carry unused capital investment over to the next fiscal year to ensure you can keep the building process going.

Bill 35 makes it clear that Treasury Board retains this power to carry over capital investments in 2014-15 and future years. In addition, the bill also clarifies that capital grants to a third party like a university or a municipality cannot be carried forward. Only money for government-owned capital projects can be carried forward.

Other amendments in the bill are administrative and technical in nature, serving to provide clarity and help the government manage its day-to-day business. These include aligning references to the debt-servicing limit to correspond with the Fiscal Management Act, clarifying the government's authority to issue uncertified securities as part of its borrowing program, helping to bring government's issuing of securities into the 21st century, providing needed flexibility related to self-insurance coverage and services provided by the government's risk management fund so that we can do things like cover a senior official under department agreement rather than having the official sign a separate agreement, clarifying the restrictions on incorporating provincial corporations, permitting tailored government oversight of borrowing by provincial corporations by allowing them to directly negotiate loan terms where the minister considers it appropriate but subject to the minister's conditions.

As I said before, Alberta is one of the most fiscally responsible jurisdictions, and Bill 35 will not change that. In a broad sense the amended act simply helps government manage its capital and

carry out its day-to-day business efficiently. The proposed amendments reflect and support the kind of sound fiscal management Albertans want and expect.

I therefore encourage all members of the Legislature to support third reading of Bill 35, the Financial Administration Amendment Act, 2013.

**The Speaker:** The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Yes. Thank you. I just wanted to make a couple of comments in regard to Bill 35 and changes to the statutes that were made last year. Very recently the government made changes on how its budget is presented and how financial information is reported to the public. On the 29th of April of this year the Fiscal Management Act replaced the Fiscal Responsibility Act and the Government Accountability Act. This legislation governs how the budget and financial statements are prepared.

Previously the government had to prepare a consolidated fiscal plan, including the total revenue and the total expenses by category, as well as a consolidated net revenue and expense claim. Now under the FMA the operating plan, capital plan, and savings plans are all separate.

### 3:10

The operational plan relates to day-to-day programs, the savings plan relates to the heritage savings and trust fund, and then the capital plan to the supporting infrastructure projects. The operational plan and the capital plan use different formats for reporting revenues and expenses and therefore surpluses and deficits, too. Due to this separation some infrastructure-related costs, especially capital grants to municipalities, which were previously expenses, have been removed from the calculations under the operational plan and are now included in the capital plan, which means they're not used to calculate the deficit. These capital grants are expenses under accounting standards, anybody's standards. They fund capital assets, but these capital assets are not owned by the province.

The Auditor General's July 2013 report found that by including them as part of the capital plan as opposed to expenses under operations, which is how they were reported prior to the budget in 2013, the government has in fact underreported their expenses, and therefore the deficit, by a factor of \$1.524 billion. Since the government insists on changing reporting and accounting requirements to make this information even more murky and more confusing than ever before, how can we get a clear picture of the current state of finances, particularly the balance of government expenses to revenues, in order to be able to make priorities for expenses in the present and informed spending choices for the future?

Because capital expenses were moved off the operational plan, they are not part of the surplus deficit calculation in this budget. Operational revenue also excludes allocation for debt-servicing costs, which are very important in determining surplus or deficit. At the end of the day, the Auditor General concludes that the 2013-2014 budget has been prepared on the same – if it was prepared as it was from last year's budget, the calculated deficit for this year should have been \$1.975 billion, which is \$1.524 billion more than the current projected value. So I really say: how can we trust these numbers and this system of accounting to accurately and adequately report financial information with these sorts of deliberate changes?

Why shouldn't Albertans have access to transparent information about the management of public funds that are owned, after all, by all of us? To get a clear picture of the province's financial man-

agement situation, it's necessary to be able to compare budgeted financial results with the actual financial results. It's also very important to be able to compare results year by year. The Auditor General's July 2013 report confirms that the changes the Tories made to accounting standards essentially makes these kinds of comparisons impossible to make.

The government must use Canadian public-sector accounting standards to prepare its financial statements but not its budget. In order to be able to get accurate budget-to-actual results and year-to-year comparisons, financial statements and budgets need to have the same accounting standards. Since the government has separated out the operational plan from the capital plan and used different formats in calculating and reporting those results, Budget 2013 cannot be accurately compared to budgets from other years.

The Auditor General has made several recommendations over the years to bring some consistency to the accounting standards and to include more sources of revenue and expenses to get a clearer picture of the true financial situation and to try to make better decisions on the budget. Instead, this government makes changes to its accounting and reporting formats that only actually make it harder to get real financial information out to the public. It allows this PC government to continue to hide mismanagement of public funds from all Albertans, and I find that, Mr. Speaker, very offensive.

Thank you.

**The Speaker:** Are there others? The hon. Member for Chestermere-Rocky View.

**Mr. McAllister:** Mr. Speaker, thank you. I, too, would like to get on the record and speak about Bill 35 for a few minutes. It's funny. You spend some time in here in the evening, and it feels like many of the points that are made are covered over and over again. That said, you know, I'm not sure there's a bigger topic around dinner tables regarding the provincial government and what it's doing effectively, what it isn't doing effectively, than Alberta's finances. The notion that we want to create different ways to borrow money is concerning. I don't think Alberta families necessarily believe that going back into debt and then piling on more debt is wise.

Now, the Finance minister often says – and I'll caution what I'm about to say. I agree with him in principle on what he says when he says that it makes more sense to save money at a higher interest rate and make money than it does to put that money down on debt. The problem is – and that would make sense if you had two pools of cash the same size and it wasn't ballooning – that when we're talking about compiling billions of dollars in debt, I don't think it makes sense for the argument to be, "Well, we're saving a little over here" when, in fact, the deficit is growing by leaps and bounds over here.

We have these discussions in our homes as well, I'm sure. Should we be paying down the debt in our homes, or should we be investing where we're getting a good rate of return? It does make more sense – doesn't it? – to get a rate of return of 8 per cent than it does to put down money on something you're paying 2 and a half per cent on, but that's not the case when you have a giant, ballooning deficit. Eventually, if it is the case that we're going to wind up with \$17 billion of debt by the end of this term, that is going to be an incredible amount of money that we're going to have to pay just in interest payments. Once you start that, it's impossible to stop. It's a trend that we've seen time and time again in governments around the world, and it hasn't been the Alberta way.

Now, I don't believe piling up debt is something that Albertans want to see, and I don't think that, sitting around with their families, they see it as wise because in families in Alberta we have to be appreciative of the difference between wants and needs. There is a giant difference between wants and needs. We can't have it all, and we can't have it all right now. Effectively, what I'm concerned this bill does is give the government more power to acquire, you know, more wants, in my view. Frankly, we have to be a little wiser about how we're investing.

Again, for the family reference, Mr. Speaker, you know full well that your kids would have you buy everything that they wanted, that you might want all the bells and whistles for yourself, but there are times when you have to say that the definition of happiness sometimes is being able to put off what you want now and realize that you can have it later. I think that in some ways we're closer than we realize here when we're discussing Alberta's finances, but we take the extreme sides of the argument on both sides of the equation. In reality, if we would just rein in some of that wasteful spending and stop piling up the debt, which this bill gives the government more ability to do, we would get even closer together.

With the surplus that was talked about during the provincial election campaign, I remember the province and certain officials saying that we'd be back in surplus within a few years. I remember debating at the time in my own riding with the candidate running, saying: you know, I can't recall a surplus in Alberta in the last four or five years, and now it's six deficits going on who knows how many, and it's not the belief that Albertans share about how we ought to be going forward. My concern is that it's a never-ending cycle, that by allowing us to borrow more, it becomes acceptable. We don't, frankly, in this energy resource province of Alberta, have to do this. I mean, \$17 billion in debt by 2016? If you would have said that, you know, five, six, seven years ago in Alberta, people would have laughed you out of the building or wherever you said it; it would be impossible for Albertans to do that.

I also want to touch base on, again, something that a lot of people in here have made reference to, and that is what the Auditor General had to say about the accounting practices and the changes to the way the Alberta government puts forth its finances in relation to this bill. Even the best accountants in his office, as he said, were having trouble with the numbers and deciphering what the real deficit was. If that's the word coming back from the Auditor General, then we need to take that quite seriously.

3:20

You know, I sat in a meeting this morning – actually, time is rolling; I think it might have been yesterday morning – with the Auditor General, and he was talking about some of the things in advanced education and not having a road map and asking for results. Well, the road map here is clear on this bill and what it provides. It provides an ability, again, for Albertans to have to pick up the tab for a government that doesn't seem to know, doesn't seem to appreciate that there's a difference between wants and needs.

I also remember the day that the budget was released and how it was reported in the media. You know, you could change the channel and every different network would have a different number as to what the deficit was. Well, that should be a great example of the confusion that you're at. If the media can't get the number straight, then clearly there are different interpretations, which is what this has done. [interjection] I hear the heckling on the media. I wouldn't do it, guys. It's never wise to do it. Just respect them. They have a job to do.

Every network had a different interpretation of what the numbers were, and that shouldn't be the way. That has never been the way in Alberta. Here's your deficit; here's your surplus. But when you change the numbers, you provide that. Effectively, you fudge the numbers that are available, and that was a frustration.

Mr. Speaker, I think that the federal government has just announced that it's going to be in surplus within a year. What a great model for us to follow, the federal government in this country and how they're running their finances. We used to lead the way in Alberta. My concern is that this bill does anything but lead the way. My concern is that it provides, again, the ability for Alberta to accept this government's need to spend, and frankly I'm disappointed in it. You know, I wanted to make those points today respectfully to the other side. I don't believe it's been the Alberta way, and I'm troubled at the direction we're going with Alberta's finances. I believe it's what Alberta families are talking about around their tables.

Thank you.

**The Speaker:** Hon. members, 29(2)(a) is available. The hon. President of Treasury Board.

**Mr. Horner:** Well, thank you, Mr. Speaker. Just as a point of clarification, do I have an opportunity to close debate on third reading?

**The Speaker:** Well, if there are no other speakers . . .

**Mr. Horner:** No. I'm not doing that now, because I do want to ask the hon. member a question.

The hon. member just made a comment about copying the federal government on their budgeting process and that they are the model we should follow. Did I hear that correctly, hon. member? That's the first question.

The second piece to that is: does he have an understanding of how much the federal government has to borrow every year – every year – to continue to balance their budget the way they do their accounting? That is how they balance their budget. Their operating potentially could be in surplus, but their revenue portion also includes borrowing. I was wondering if the hon. member was aware that that's how they do that.

**The Speaker:** The hon. member.

**Mr. McAllister:** Mr. Speaker, thank you. I appreciate the question from the Finance minister opposite. I will not stand here and pretend to tell him that I am wiser in the ways of the finances of Alberta or the province than he is, and that's why he is in the role he is. But I would say that when the federal government announces that it's going back to surplus, that is a good-news story for Canada and one that we should be proud of.

When the Alberta government announces that it's going \$17 billion into debt by 2016, that is a problem. That is the very thing that Albertans have an issue with, \$17 billion in debt. What kind of interest will we be paying on that as Albertans? How many schools might we build with the interest from that debt? These are the things that Alberta families are talking about. These are the concerns of Albertans. This is what we ought to be focusing on.

You know, I think we can learn, frankly, from other governments that do things well. We can learn from Saskatchewan when it's making strides. We should be looking all across the country. But it's interesting to know that all we seem to do is . . . [interjections] It's interesting to see how I appear to be pushing some buttons on the other side. Here's the reason why it's happening. There are two points on . . . [interjections]

**The Speaker:** Hon. members, we can't have seven conversations going on at once. This is 29(2)(a). It's a good chance to spark back and forth, but you've got to give each other a chance.

Please continue, Chestermere-Rocky View.

**Mr. McAllister:** Thank you, Mr. Speaker. Again, as I rise, I appreciate the question from the other side. I have appreciated the debate as we've been in here. [interjection] Really? I have appreciated as we've discussed Bill 35 and any bill.

You know, I find, frankly, that most times we take two points as far away as you can get, and we present those two sides. We'd all be wise to realize that somewhere in the middle is probably the solution to what we're talking about.

What I'm saying and saying to the Finance minister is: yes, we can learn from other governments, and we can learn from the steps they're taking, and if we're changing the way that we do things in Alberta, if we're changing how we put the numbers of our budget on a piece of paper to hide more debt, if we're confusing the Auditor General with that, if we're confusing the media with that, then we've got a problem. We're hoodwinking Alberta families. You can't hoodwink Albertans. They see what's going on.

This has become a province of debt, and that's not where we ought to go. So I would suggest, Mr. Speaker, that the Finance minister come back to where they used to be in Alberta, the Alberta way, recognize the difference between wants and needs, like Alberta families have to, so that we can go forward and become the Alberta that we always were and even better. The Alberta advantage is what it's about. We don't need to change the character of Albertans. We do need to change the character of what we're doing with government.

Thank you.

**The Speaker:** Standing Order 29(2)(a) is still available. One minute, 10 seconds.

**Mr. Horner:** You know what, Mr. Speaker? If anything of what he just said was true, I would agree with him. None of what he just said was true. In fact, when he talks about the federal government and balancing, the federal government borrows to cover operating deficits. The government of Alberta cannot and will not borrow to cover operating deficits, something that the opposition does not understand or simply doesn't want to admit to Albertans that they don't understand.

It's amazing to me that that hon. member can stand up there and say that we should be like the federal government and balance like the federal government. The debt the federal government has is not backed by assets for the most part, Mr. Speaker. All of the debt that we're talking about, which they talk about, is for the schools, the roads, the hospitals. We're being honest about how we're going to pay for them. Unfortunately, the Wildrose Alliance is not being honest about how they're going to pay for any of the infrastructure they've talked about. They won't tell Albertans how they're going to pay for it. They won't tell Albertans that they're going to cut \$5 billion out of the operating budget, which is health care, education, postsecondary, persons with disabilities. They should be honest.

**The Speaker:** Thank you, hon. members. Standing Order 29(2)(a) is now expired.

Are there other speakers for third reading on Bill 35?

Seeing none, are you ready for the question?

Calgary-Shaw, you were a bit late rising, but I saw you stand, so carry on.

**Mr. Wilson:** Thank you, Mr. Speaker. I appreciate the opportunity to address this. I do appreciate the dialogue back and forth. I believe that what we see in Bill 35 is a continuation of the departure of what the Alberta government has stood for for a very long time, which in this province has been to live debt free. This is a source of immense pride for many generations in this province. I think that what we're seeing is a complete abandonment of what used to be the principles of this government, which is also why what we've heard at this point is that in a leadership review that is coming up this weekend, 70 per cent is now, all of a sudden, a triumph because of some of the poor fiscal management that we've seen in this province.

There are countless examples of wasteful spending in this province, Mr. Speaker. I know the Finance minister likes to stand and say that we would cut all of this, that we don't have a list of what we wouldn't build. Well, the reality is that there are many things that we would not be doing in this province. We would not be spending \$375 million upgrading the federal building. We would not be putting a rooftop garden on top of the federal building. We would not be spending billions of dollars on carbon capture and storage. There is a very long list. Corporate welfare would be out. We would no longer be picking winners and losers in this province. Severance packages would be brought in line with what Albertans accept as generally reasonable.

There are a number of things that we could be doing differently, Mr. Speaker. Unfortunately, I think the saddest part of this for me is to sit here and listen to a party that at one point stood for the exact same principles around debt that we're standing for today.

With that, Mr. Speaker, I will sit down. Thank you.

3:30

**The Speaker:** Hon. members, 29(2)(a) is available. The President of the Treasury Board, and then Edmonton-Calder, I believe.

**Mr. Horner:** Well, Mr. Speaker, it's fabulous to me that they have learned how to try to save \$375 million about 10 times already today. They keep referring to the fact that they can pay for \$5 billion worth of infrastructure by not renovating the federal building. They say: well, we could find \$5 billion worth of management reductions. You could fire every GOA employee in the government today and you'd save \$3 billion. Of course, I don't expect them to know that, because they probably haven't read the budget. But \$3 billion: that's the first year. What do they do the next year for their next \$5 billion? They're not being honest with Albertans when they talk about that.

The other thing they said: many generations of being debt free. Mr. Speaker, in the '80s this province had a huge problem. We were paying for our groceries with our credit card. We paid that debt off. We are not paying for groceries with our credit card today and are not going to be doing it in the future. In fact, the financial management act makes it illegal for us to do so.

The hon. member's office should actually be a little more truthful with their constituents when they talk about the debt piece. The debt is the assets that we're building, just like you would do in your home, just like you would do in your business. It's unfortunate that many of them don't understand that business piece, and I appreciate that. I've been trying to educate them on it. Hopefully, one of these days soon they're going to get it.

He talks about poor fiscal management, yet we have the best financial situation of any jurisdiction in North America, possibly the western hemisphere, and I don't have to be the one to say that, Mr. Speaker. All of the credit rating agencies say that, the Chambers of Commerce say that, and, in fact, the federal government says that. To try to scare Albertans and put fear in

Albertans that our financial situation is somehow terrible is simply reprehensible.

**The Speaker:** The hon. Member for Edmonton-Calder, followed by Calgary-Shaw. [interjection] Hon. Member for Calgary-Shaw, I've recognized the hon. Member for Edmonton-Calder. I don't think there was a question there to you, but I'm going to comment on this in a moment about process.

Do we have any time left? We have three minutes left, so if you could be brief.

**Mr. Eggen:** Okay. Thanks, Mr. Speaker. I just wanted to clarify a couple of things. The hon. member is bringing up some very good points here. I wanted to ask if he realized that expenses under the operating budget according to this Finance minister: well, they moved those over to the capital plan. So, in fact, those are not government-owned assets, right? They are, in fact, expenses, right? They've simply done this voodoo economics sort of thing, moving one expense to another and then claiming it back as an asset, right? So I just wanted to know if you knew that, because I think most Albertans don't understand that either. But as we learn about it, we realize that this minister is doing nothing but voodoo economics, playing with the obvious thing he needs to do. That is to raise the revenues to pay for the essential services that we need in this province.

We have royalties that are forgone in the billions of dollars. We have corporate taxes that are forgone in the billions of dollars as well. I think it's a crime that this government has let that money slip through our fingers for so long that now, suddenly, in the middle of an economic growth period, a population growth period, we talk about cutting, and you talk about how there's some fake austerity thing going on. I find it insulting, and I think most Albertans do, too. They can see with their own two eyes that their community is growing. They can see that there's very high employment and that the economy is expanding. So why on earth should we be making cuts to essential services such as education and health care? Why?

**The Speaker:** Hon. Member for Calgary-Shaw, a question has now been posed to you, and I would invite you to answer.

**Mr. Wilson:** Thank you, Mr. Speaker. Well, I appreciate the comments from the hon. Member for Edmonton-Calder. Before I address some of his comments and questions, I would like to address some of the issues that the Finance minister brought up, starting with how we're not being honest with Albertans. I think that it's quite – and I will use this word, and I'm well aware of the potential ramifications – hypocritical of the Finance minister to stand in this House and tell us that we're not being honest with Albertans. Find me one PC MLA who knocked on one door and said that this government, if re-elected, is going to go back into debt. There isn't one. There is not one of them. I would also like to say, Mr. Speaker, that . . .

**Mr. Horner:** I did. I did.

**Mr. Wilson:** You did?

**Mr. Horner:** I said that we'd borrow for capital, absolutely.

**Mr. Wilson:** Well, there you go. That's not what your Premier said.

About us talking about \$375 million over and over, Mr. Speaker, it's oddly reminiscent of how we have school announcements. Nineteen schools were being announced in May. They

were announced again yesterday, but they're the same schools. So maybe this is how they're going to build 120 schools.

**Mr. McAllister:** Not one shovel.

**Mr. Wilson:** Yeah. Not one shovel in the ground other than to put up a sign to make sure that people know that eventually there's going to be a school there. When that happens we're not quite sure yet.

I agree with the hon. Member for Edmonton-Calder. This is some voodoo economics. It's why the Auditor General did suggest that even some of his finest accountants did not have the ability to . . .

**The Speaker:** Thank you.

Hon. members, the Member for Lac La Biche-St. Paul-Two Hills has stood for a point of clarification, and I'm going to hear it in a moment, but I had already made a note about the mechanics of 29(2)(a). If it's something different – is it on that?

**Mr. Saskiw:** Mr. Speaker, I think you've anticipated my question. I know it's not in the standing orders, but on 29(2)(a) I think the procedure is that it's been back and forth. Regardless of if the other member doesn't know that it's actually supposed to be a question and not just rants and raves, it still should be back and forth. Thank you.

**The Speaker:** I respect that, hon. member.

#### **Speaker's Ruling Question-and-comment Period**

**The Speaker:** I just wanted to clarify this and put it on the growing list of items for the House leaders to talk about, the physical mechanics of 29(2)(a). Here is my grinding point on this. Standing Order 29(2)(a), when it was designed – and I had a hand in that a few years back – was designed to encourage a little more back and forth between members, a member who had just spoken who might have had something that provoked another member to ask a question for clarification about something that was intended and so on. It wasn't intended to be a time – five minutes set aside, I should say – where one person stood up and consumed all five minutes, nor was it designed so that a member could continue their speech. You know, we've seen that, but there is no real physical evidence to support anything mechanical that way.

After the Minister of Finance stood up, the first member that was up was Edmonton-Calder, so I recognized him because 29(2)(a) simply says:

Subject to clause (b), following each speech on the items in debate referred to in suborder (1), a period not exceeding 5 minutes shall be made available, if required, to allow Members to ask questions and comment briefly on matters relevant to the speech and to allow responses to each Member's questions and comments.

In the case of the President of Treasury Board, I'm not sure that I picked up a definitive question. I could review *Hansard* and see. But I know that Edmonton-Calder did ask a specific question, and then Calgary-Shaw was up next.

I'll curtail the comments there but ask the Government House Leader to please meet with other House leaders of the opposition and iron out this little mechanical thing because 29(2)(a) in its real, solid purpose and spirit is a good thing for us to have in this House. It creates a little bit more liveliness, and you get answers right away to questions or comments, generally speaking.

Let us move on, then. Are there other speakers to Bill 35? The hon. Member for Lac La Biche-St. Paul-Two Hills.

#### **Debate Continued**

**Mr. Saskiw:** Thank you, Mr. Speaker. I am honoured to be here today to rise and speak to Bill 35. Of course, what this bill is aimed at is fixing some of the legal issues, technical issues that have plagued certain aspects in different areas, but I think the main purpose, at least from the Finance minister's perspective, is to find more ways to borrow money. It's kind of funny that the Finance minister said that during the election– he had said: I always said that I was going to borrow money for capital. It's interesting. If you actually listen to what the Premier had said during the election, and I will quote, we are a party of fiscal discipline. We are not a party of deficit – oh? – it's entirely possible for us to continue to provide the quality of life that we as Albertans have without going into debt, and I am committed to that. It's really interesting, especially given what's happening tomorrow, that the Finance minister is being completely contrary to what his own Premier has said.

I'll also quote what the Premier said during the election: "We have all heard of the crises in Europe. Debt is the trap that has caught so many struggling governments. Debt has proven the [end] of countless dreams." Debt has proven the end of countless dreams. Now, the new phrase is "debt is hope." Let's get that straight. Debt is the end of countless dreams. Now, after the election, it's: debt is hope. Completely contradictory, and this is something that we're very alarmed about. When you make such blatant contradictions and you break your promises, no one can believe what you are saying. No one can believe what the Premier says when she makes future promises because she's broken them.

3:40

This is fundamental, Mr. Speaker, to the differences in our party. Our party is a party of fiscal discipline. That used to be a principle within the PC Party. That's why a lot of us left the PC Party; we saw that the party had drifted in its values and principles. What was the biggest movement there was with the election of the current Premier. She just no longer represented the values of small "c" conservatives in this province. I think it's pretty self-evident that she's lost those individuals. In the last election, I believe, it was 34 per cent of them.

You know, a lot of us had many friends in the PC Party. It was a tough decision to leave there, but now with what we've seen and given the result under this Premier where the plan is to incur \$17 billion in debt, many of us are glad about the decision we made and proud that we joined another party and another caucus, to ensure that we are the party that is going to balance the budgets. We're the party that's going to look at cost efficiencies to make sure that we respect taxpayer dollars.

It's interesting here, Mr. Speaker. In the Assembly we often see, you know, the NDP talking about raising royalties. We see the Liberals talk about raising taxes. Now the PC Party is talking about borrowing money and going into debt. We are the only party, the Wildrose, to advocate for balanced budgets and not going into debt.

If the hon. members wanted to have some other examples of how to save money, one would be, for example, the former CFO of Alberta Health Services, that I often refer to when I talk to my constituents and in town halls. Here's an individual that was able to expense \$500,000 for fixing his Mercedes, for fancy dinners, for butler service. In this province under this government, this Premier, it's entirely legal – entirely legal – so he doesn't even have to pay it back. When you look at the contract, it's not only that; he got a

million dollar severance plus \$10,000 a month for 10 years. Talking to average Albertans, when they hear these types of numbers, it's just astonishing. Who writes these contracts? Well, Mr. Speaker, it's this government.

That's one area I hope the hon. Finance minister would look into and actually is, in fact, the subject matter of an upcoming private member's bill, to ensure that these types of severances just aren't out there. We saw the former chief of staff here: \$130,000 for six months. Can you honestly go to your constituents and look them in the eye and say: yeah, people should get a month's severance for every month they worked? I don't think that's the case, Mr. Speaker.

**An Hon. Member:** That wasn't even reported. It could be more.

**Mr. Saskiw:** It could be more. We don't know yet because, of course, they're fighting the FOIP until after Friday.

Mr. Speaker, we also saw a reconfiguration of Alberta Health Services, where they got rid of five VPs. Guess what the severances were: \$2.1 million for five VPs. You know, average Albertans look at that, and they just cannot – it's very difficult to understand how that type of money is just being dished out here, there, and everywhere. But we're starting to connect the dots. We'll connect the dots even more so after Friday.

So, Mr. Speaker, we hope that the hon. Finance minister would heed the advice of the Premier prior to the election, that debt is the end – sorry; debt has proven the death of countless dreams.

**An Hon. Member:** One more time.

**Mr. Saskiw:** Yeah. I've got to try that again. Debt has proven the death of countless dreams, you know, versus debt is hope. Right? I think you guys should go back to this principle, but I don't think that this Premier, that she can do it. She has lasered in on where she wants to go: debt is hope; debt is infrastructure. Mr. Speaker, I hope that the hon. Finance minister does not follow suit here. He knows better. He knows that's not the core of the PC caucus. I think that on this side we're going to keep pushing for balanced budgets and respectful spending. Please, please. I hope that the Finance minister does not burden future generations with even more debt; \$17 billion is enough. Don't keep going and digging lower.

Thank you, Mr. Speaker.

**The Speaker:** The hon. President of Treasury Board. We'll see how that goes, and then we'll go to Calgary-Mountain View. This is 29(2)(a). My apologies.

**Mr. Horner:** Thank you, Mr. Speaker. Although 29(2)(a) does say "and comments," I do have a question for the hon. member. It has to do with his colleague talking about the federal government's way of balancing. Knowing that he has a fairly good understanding of policy and, I'm assuming, a good understanding of the financial background of the federal government, would he be agreeable, then, that the province of Alberta use the same format and methodology to declare a balanced budget as the federal government will in 2015-16?

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. The hon. Finance minister knows that he's comparing apples to oranges. Here in Alberta we have had record revenue over the last five years. Record revenue.

Despite record revenue in this province, the highest it's ever been, deficit after deficit after deficit. The new word in this province is Deficit Doug. We have to stop that.

In this province our economy is hot. Come to my constituency. I'd like to invite the Finance minister to come to my constituency and see how great the economy is doing there. It's doing great. But despite the economy booming, despite record resource revenue, what is this government doing? It's plunging us back into debt. Albertans can't understand that. How on earth, when the revenues are the highest they've ever been, are you still running deficits? Why?

Mr. Speaker, we do applaud careful spending, and we do support getting back to balanced budgets. If that's the question that this Finance minister has asked – should we go back to balanced budgets? – my answer is yes. [interjections]

**The Speaker:** The hon. Member for Calgary-Mountain View under 29(2)(a).

Let's keep the side conversations down and the chatter across the bow down.

You have been recognized. Please continue, Member.

**Dr. Swann:** Well, if this is 29(2)(a), I'll ask the hon. member to comment on his perception of why he thinks P3s are an inappropriate vehicle for building and how they can hide, in fact, the financial situation of the government at the long-term expense of Albertans.

**The Speaker:** The hon. member.

**Mr. Saskiw:** Thank you, Mr. Speaker, and I thank the hon. member for his question. It's interesting here with respect to P3s whether or not the Finance minister plans on reporting the debt that's incorporated into those agreements. I'm not one hundred per cent certain if the \$17 billion of debt that they plan to incur includes the debt that's included in the P3s. I'd be very interested to see if the Finance minister knows the total amount of liability that exists under the P3s. Unfortunately, at this stage I'm not sure what the exact number is.

What we do know is that by 2016, I believe, before the flood even took place, there was a projected \$17 billion of debt. How far this party has gone. All the work, all the hard work, all the sacrifice, all the pain that took place to get us out of debt, and then just within a few years this Premier is plunging us right back there. All those individuals that worked day and night to get us out of debt, and she's plunged us right back despite record resource revenues in this province.

Thank you, Mr. Speaker.

**The Speaker:** Are there others under 29(2)(a)?

**Mr. Horner:** Well, I'm going to try one more time, Mr. Speaker. Is the hon. member suggesting that the federal government is lying when they say that they will be balanced in the format that they are going to balance?

**The Speaker:** The hon. member.

**Mr. Saskiw:** Thank you, Mr. Speaker. Quite frankly, in this regard, for the hon. Finance minister to suggest that anyone is suggesting the federal government is lying is quite incredible here.

What we are saying, though, is that we support going back to balanced budgets just like other provinces have. If you look at Saskatchewan and you look at Newfoundland, they're already

balancing their budgets and are even set to run surpluses. Instead, in this province we're going to have another deficit. I hope the Finance minister stops that trend because that name that he's getting out there in this province is going to catch hold if he runs deficit after deficit after deficit after deficit. The alliteration is just perfect.

You know, I'd suggest that he follow the idea and the principle of going back to balanced budgets and going back to surpluses instead of going back into debt. Maybe with a change of leadership that might happen.

Thank you, Mr. Speaker.

3:50

**Mr. Horner:** Well, I'm going to try a different tack, then, Mr. Speaker. The hon. member talks about the balanced budget in the Saskatchewan government. They've announced 18 P3 schools, yet they're still going to be balanced. I'm curious. Does the hon. member believe that the federal government and the Saskatchewan government are not balancing their books?

### **Speaker's Ruling Parliamentary Language**

**The Speaker:** Hon. members, before I recognize the next speaker, I want to make two comments.

Please, Calgary-Mountain View, have a chair for a moment, if you would.

You know, the word "lying" is one of those words, depending on how it's delivered, that could give rise to disorder. So I would just ask in this case the President of Treasury Board to be careful about the usage of that because there's an inference there that somebody in the Ottawa government might be lying. There's an inference that this member who just spoke, from Lac La Biche-St Paul-Two Hills, might be lying. You know, it's just not a good word. I'm sure that you know exactly what I mean, so let that admonishment stand.

The second comment is to revert briefly, if we could, to Introduction of Visitors. Does anybody object to that unanimous consent?

[Unanimous consent granted]

### **Introduction of Visitors (reversion)**

**The Speaker:** Calgary-Fort, you have a brief introduction?

**Mr. Cao:** Yes. Thank you, Mr. Speaker, and thank you, hon. members. I would like to introduce to you and to Members of the Legislative Assembly His Excellency Komgrit Varakamin, consul general of Thailand to Alberta. The consul general is bidding farewell and visiting our leadership in government here on his way to appointment as ambassador to Romania and Bulgaria in Europe. I wish for all of us to give him a great welcome and congratulations on his new appointment.

**The Speaker:** The hon. consul general is just walking in the door, and he has just been introduced. He is accompanied by another gentleman.

**Mr. Cao:** Also with the consul general ambassador appointee is our honorary consul general of Thailand, Dennis Anderson. You are familiar with Mr. Anderson in Edmonton here. Once again may I ask all of us to give a big applause to our ambassador-to-be.

**The Speaker:** Thank you and welcome. Mr. Anderson is, of course, a former member of this Assembly. So, Mr. Varakamin, you are in good hands.

Let us move on. Calgary-Mountain View.

### **Government Bills and Orders Third Reading**

#### **Bill 35**

#### **Financial Administration Amendment Act, 2013**

(continued)

**Dr. Swann:** Thank you very much, Mr. Speaker. Well, not being a high finance guy, I don't have a lot to add to the debate around P3s. But I did get a really credible letter from a man who's been involved in corporate finance for 40 years. I thought his comments were so salient. I didn't get his permission to use his name, so I won't use his name, but I'll give you the fundamentals of why P3s are such a dangerous decision to make for government. He gives three reasons why we should not be going into major investments through P3s after 40 years of being involved in financial dealings in the city of Calgary.

In the first instance, he says, the cost of capital P3 financing is higher than conventional bond issuance by the government and likely considerably higher for two reasons. P3 financing in most instances includes an equity component which requires a much higher return than does debt, perhaps in a 10 per cent range compared to the 2 to 3 per cent range for the province of Alberta bond issuance. Additionally, the cost of the P3 debt financing will be higher than province of Alberta bonds by perhaps 1 to 2 per cent. Finally, the legal costs and bank advisory and placement fees will be considerably higher for a P3 financing, though the Crown seems to have done enough P3 deals that maybe it has a better template for those contractual agreements. Overall, if we make the reasonable assumption that the cost of capital for P3s is 2 per cent, very conservatively higher, which is likely the low side, the incremental cost of a billion dollar infrastructure project is \$20 million per annum, or \$600 million over a 30-year period.

The second important negative of P3 financing is that it disguises the financial condition of the province. We've heard about this repeatedly, the debt inequity servicing obligations associated with P3 financing, an obligation of the Crown no different in substance from the obligations arriving from a direct issuance of bonds, but because they are, from an accounting perspective, liabilities of the P3 entity, they do not appear on the Crown's balance sheets. So it becomes much less transparent for Albertans, notwithstanding the fact that we as a public don't even get to see the contractual agreement between P3s and what it's going to leave not only to our debt servicing but to future generations.

The argument in support of P3s is often made that the private sector is more efficient than the public sector. This does not hold up. With respect to project execution both P3 entities and the Crown must go to the same contractors to seek bids for engineering, procurement, and construction. These contractors are fully aware that the Crown is the ultimate obligor behind the P3, so why should it conduct itself more efficiently contracting to a P3 than contracting directly to the Crown? Depending on the structure of the contract, its returns of and on capital from the Crown there may even be an incentive for a P3 entity to be less rigorous in cost control than they would be for the Crown managing the contractor directly.

With respect to operations of the P3 a similar argument applies. For infrastructure with which the province does not have direct operational experience, it will have to contract with an external

operator as well with requisite expertise to the extent it finances the infrastructure on its own balance sheet. In the case of a P3 either the P3 operates pursuant to a contract with the Crown, or it engages in its own external operators. Again, why should the same contractors be more efficient when the contractual relationship with the province is indirect, through a P3, than they would if the relationship was direct?

In summary, P3 financing is almost certainly materially more expensive and is certainly less transparent. There's been a lot of work done by regulators of financial institutions globally to increase transparency. What sense does it make for a province to be going in the opposite direction at high rates of speed? That's an important statement from somebody who has 40 years of experience in capitalizing and financing projects in Alberta, no particular political affiliation, just commenting as a citizen of Alberta and very concerned that this government doesn't seem to get the uncertainty and the true debt that these P3s actually represent in terms of not only our generation but next generations.

Quite apart from all of this, there is a political, I guess, perception and a political opportunism here that reflects an ability or a perceived ability for government to go for years mismanaging our finances and then dump that onto the private sector and these P3 contracts to make it look like we're really serving the needs of Alberta citizens, getting the short-term bang for our political buck, giving the impression to Albertans that we are delivering when, in fact, we are delivering debt and delivering liability to future generations.

Thank you, Mr. Speaker.

**The Speaker:** Hon. members, 29(2)(a) is available. The hon. associate minister.

**Mr. Fawcett:** Yeah. I appreciate the comments from the hon. member. I think he's trying to make a very rational and sound argument in front of the Legislature here. But I would like to ask him a question – he is a member that has long preached that we shouldn't think in ideological terms – on whether he thinks that we should actually do analysis on how we fund infrastructure projects. You know, that might be right. There are certain projects where P3s do not financially make sense. There might be certain times over the course of our history as a province, you know, interest rates and that sort of thing, where debt financing does make sense rather than using the cash assets that you might have available. There may be times where it makes perfect sense to pay the cash on hand to finance capital projects.

The point that I'm trying to make is that I'm wondering, Mr. Speaker, if the hon. member doesn't agree that the government should get off the ideological, "No, you have to do it this certain way all the time," or whether the government should allow itself the financial mechanisms to go on a project-by-project basis to do the analysis as to what is the best financial tool for that particular project at that particular time to deliver that project for when it's needed at that time. I'm just wondering if that's not what the hon. member thinks would be a very appropriate approach by government.

4:00

**Dr. Swann:** Well, thank you for that question. Mr. Speaker, I guess a couple of things come to mind with respect to flexibility and financing. Number one is: does the particular government of the day have the trust of people that they're going to use responsible criteria for making these decisions, and are they actually going to examine each P3 in the context of the current financial situation? That seems to be lacking. I would argue, in

this particular government, where we've had record incomes and we're now dealing with a deficit and a government that simply doesn't have any other choices, unfortunately, because they have mismanaged our finances and because they haven't brought in a fair taxation system, a fair return on our resources. We're left in a position where you don't actually have any choice, do you? P3s are really the only option you have. Bonds don't make sense at some level, so you're stuck.

That's part of the reason why I guess we have to default to a decision on P3s that will not only be nontransparent with respect to the individual contract – so we can't judge whether it was a useful decision or not – but it will be nontransparent in their financial statements because it won't be listed as debt, and it will be a potential and unpredictable, I would say, future liability for our children.

**The Speaker:** Anyone else under 29(2)(a)? The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thanks, Mr. Speaker. I find this an interesting topic to pursue further in regard to Bill 35, and I have sort of a two-part question. First of all, the P3 model and the contracts that have been put out recently have been having a hard time finding people to actually pick up and bid on these contracts. It seems to me that if there is an advantage to P3s, you would have multiple bids, and you could pick something that is the most efficient for the public interest. If the market for picking up P3 contracts is not being assumed by different private contractors, then, you know, is it maybe not really working, at least during that market condition?

Further to that, the second part of my question. You know, certainly we need to look at things as to the most efficient way by which we can spend public monies, right? That's the bottom line, that I think we all agree on here. If you are entering into a P3 contractual arrangement and if that P3 contractor is not assuming significant risk, then I wonder if that's really the wisest choice to make. I learned that from the person who runs our AIMCo – right? – one of the largest portfolios that you'd see across this country. Dr. de Bever told us that. I took that to heart, certainly. He said, you know, that if we're not giving significant risk, if there's not significant risk being assumed by the P3 contractor, then what's the point of having that contract in the first place?

Thank you.

**Dr. Swann:** Thank you for the questions. To the first one: I think it relates to our previous dialogue across the floor here. If there aren't sufficient . . .

**The Speaker:** Hon. member, I'm sorry to interrupt, but the time for 29(2)(a) has concluded.

Let us move on, then, to the hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. I'm going to actually support this bill. I haven't even consulted with the rest of my members, and I know they have a lot of concerns dealing with a number of issues, particularly around finance.

Now, the beauty of finance and the beauty of talking about budget and finances: nothing raises the temperature more in this Assembly than talking about money. It's probably true dealing with nonprofit organizations and voluntary organizations. It's a cultural icon of our day.

I do want to say that I'm not going to repeat all the differences that have been pointed out earlier, but one thing is absolutely sure. There are differences, and we are now showing that divide between the various parties on how we view managing finances.



Regardless of the debate here the real debate will take place in the public forum, when the public makes their determination, because they didn't get to do that in the last election. They didn't know this was coming down the road. This wasn't told to the public. [interjection] Now, the Member for Edmonton-Gold Bar can giggle, but it's just not true.

I think something that distinguishes us from the party in power right at the moment is a statement from Edmonton-Gold Bar that he made to me at a dinner function one night. He said that he wished he'd never heard of the Alberta advantage, and I think that is just iconic of what separates us as parties today.

**Some Hon. Members:** Shame.

**Mr. Anglin:** It was absolutely a shame – I would agree – because the Alberta advantage was one of these slogans that made a lot of Albertans extremely proud. I don't think there was a prouder moment dealing with finances than when Ralph Klein held up that sign that said: out of debt. I think all Albertans felt better when he held up that sign. Whether you agreed with it or not, it was a moment in our history dealing with finances.

I will tell you this on this amendment act. We would not have to have this amendment act had the government listened to us when we passed the first bill. Clearly, in dealing with the Financial Administration Amendment Act, we've been down this road, and we've gotten to debate it twice now within a year's time, and we're still dealing with the same thing.

I just want to point out a couple of very, very basic examples of what separates us. We talk about spending, and we talk about wasteful spending, and I'm going to share with this Assembly an instance of what I think is just extremely wasteful spending. Around the community of Bentley in my constituency the Minister of Transportation is building a bypass. Now the project is cancelled. Now, there's nothing wrong with prioritizing. We want this government to prioritize. We really do sincerely ask that this government prioritize for the basic management of finances. But what they did is that they spent \$3 million, plus or minus – and I will stand corrected if the hon. member wants to throw out the exact figures – but we didn't cap that. What we did is that we bulldozed it all up, cancelled the project, spent \$3 million, and then walked away from it. Now, when that project takes off again – and it's not on a priority list anywhere right now, so we don't know where it stands – they will have to start all over again to build the base of that road, and that's a shame. That's just wasteful spending. There's \$3 million right there.

That's not the only example, but I'm just pointing out the one example that is just looking everybody in the community of Bentley right in the eye. What they've seen is the runoff going into the river, the Blindman River, which affects another department, the ministry of environment. We don't generally allow this type of thing. They see this mismanagement from the finance side to the environmental side, and this bill, this amendment bill, is all about the management of our finances.

We get to go out to the public and we get to discuss this going into the next election: "Is this debt, or is this not debt? Is this wise, or is this not wise?" I have to tell you that conservative Albertans know what debt is. We don't need to play the word games. We don't need to deal with this issue of debt is hope, as the Premier has maybe misstepped and mentioned, the correlation between hope and debt. I mean, these are things that resonate, but the reality is: how are we going to manage our finances wisely? How are we going to manage these finances prudently? What we're seeing here now is bill after bill to try to correct some of the things. Well, this amendment act is trying to correct what went

wrong on the first bill that they passed. They missed some loopholes. It gives you an indication of how fast they put that through.

Now, I would argue that the reason there were some minor mistakes – and the ministry staff even said so. They called it housekeeping, and I agree. It does close some loopholes, and there are a couple of significant ones it does close, and that's good. The staff said that it's going to close some legal loopholes which have not yet become a problem, so that's thinking ahead a little bit. But what they did is that they did change the way we budgeted. They changed the format of the budget. That confused, as you heard earlier, a number of people, not just in the press but other accountants. So we had a divide.

**4:10**

You know, there's an old adage that the idea of accounting is the complication of the simple. The simple is the money in, the money out. Everything else in between in accounting can get very, very complicated, but it's real easy, even for the average person, to understand, particularly the small proprietor. They understand the very basics of it. Yes, it does get very complicated when you get into a large industry or you've been dealing with the government, but it never leaves the simplicity. It is about the revenue in and the money that's being spent. What do you get for that money? The value that you get for the money: that's the key.

What we see is that without a prioritization list it reflects poorly on the management of the finances. Now, the government may have one, but we just don't know it. We don't see it. We'd like to see it. We've asked for it numerous times, but we haven't seen it. We'd like to have accountability, but we see less and less accountability. This amendment act, although it closes some loopholes, doesn't really address any issues of accountability. They're not there.

We actually discussed this on another bill just last night, where we talked about having access to the financial reports. It was an interesting debate, but there's a constant debate now in this House on access to reports. Without any access to the correct information consistently, accountability breaks down, and it starts to reflect poorly. Whether it's reality or perception, it doesn't matter. It reflects poorly in the public.

We're passing a bill because, in my view, we rushed to judgment very quickly to change the way we were budgeting, to change the way we're going to manage the finances, which we did. Now we have a new budgeting system. Right or wrong, that's what we have, and that's what we're going to live by. We'll see how it pans out when we see the results, but already we're starting to see situations where we're not allowed to see results, and that's unfortunate.

Mr. Speaker, there are a number of small issues that are indicative of what's happening here. That road example was one. I mean, this is about managing our finances. That's what this amending act is doing. The sign issue that we have raised for a number of days now in question period: we can't even get an answer on who authorized these signs. We've tried three days in a row, I think. We still can't get an answer as to who authorized the signs.

**Mr. Dorward:** Who authorized yours?

**Mr. Anglin:** We don't get that. We get a little heckling from Edmonton-Gold Bar, but we don't get an answer. We would rather just have the answer. But that's okay. Maybe someday he'll come over to our side when he would like to go back to the Alberta advantage.

Where we are today is the expense of these signs in relation to what is more important. Again, this goes to the management of finances. This speaks to the credibility of finances. Which is more important: putting up, you know, hundreds of thousands of dollars' worth of signs or spending it on something more prudent? How we manage these finances is what all these series of acts were about, and now we're here today to correct probably the speed at which we went through the process early in the year. I can see no other explanation why. I understand we have to correct it, and we should.

I will support the bill, I will support the minister in correcting the bill, but I will not support this government in its interpretation of its new budgeting system or how it's currently managing the finances. I don't think Albertans want to go down that road. They say that Albertans do want to go down that road. That's fine, but we'll get to decide that in the next election. This time there won't be just one member on that side that said that they knocked on doors and said this although I'll take him at his word. Good enough. I know there are a lot of others that never did, and I can pretty much say that safely. But this time the public will know, and then we get to decide. So be it if that's what the public wants, but I don't think they will. That's why there are 17 of us on this side of the House today.

Thank you very much, Mr. Speaker.

**The Speaker:** Standing Order 29(2)(a) is available, hon. members.

Seeing none, are there any other speakers?

If not, let me recognize the hon. President of Treasury Board to close debate.

**Mr. Horner:** Thank you very much, Mr. Speaker. I believe I have five minutes for closing.

Edmonton-Calder was, I think, the first one up this afternoon, and he talked about the confusion with the budget, that we weren't showing the old way of calculating the deficit. As the Auditor General and I had a conversation at that time, the old way was basically the change in the net financial position of the province, which is found in the balance sheet on the consolidated financial statements. I think he mentioned – and I would have to check *Hansard* – that we're not doing consolidated financial statements anymore. That's not true, hon. member. We're required to do consolidated financial statements by the acts that we have in the House, and we have a consolidated financial statement that does show the change in net financial assets, which was the amount that the Auditor General talked about.

What we did, Mr. Speaker, was change the way we present the budget, which is the purview of the government, not the Auditor General. We changed the way we do the budget to better reflect the way you do it at your home, your business, and generally what other provinces are doing.

The hon. members opposite were talking about: well, you know, the federal government is going to balance their budget, and I guess they're not in debt. Well, they are in debt, Mr. Speaker. They're in debt for different reasons even than what we are. They're borrowing to cover operating deficits. We are not borrowing to cover operating deficits. I think the hon. members should be very clear about that when they are talking about it.

The other thing. During parts of the debate, Mr. Speaker, there was a lot made about the Auditor General's apparent confusion over financial statements, that there are some statements that he made to some media during the time we presented the budget. I think it's time that the hon. members kind of got up to date. I have in my hands the report of the Auditor General of Alberta for

October 2013. I would encourage them to look at page 6, the financial statement auditing of the government of Alberta. I've read this into the *Hansard* before, but I'm going to do it again because perhaps some of the members opposite didn't hear it last time. On page 6:

The fact that none of our auditor's reports on financial statements contained a reservation of opinion means that Albertans can be sure they are receiving high quality information from the government on the province's actual financial performance.

That's what the Auditor General actually thinks in his report. To suggest otherwise, that the Auditor General has some confusion over our audited financial statements or that he has any reservations at all, would not be speaking the truth, Mr. Speaker.

The other piece that I would draw your attention to is that the Wildrose Alliance talks about the fact that this bill perhaps gives us more power, that we've got wasteful spending, and that we're going to borrow more. The debt ceiling that we instituted in the Fiscal Management Act is still the same debt ceiling. Bill 35 does nothing – does nothing – to encourage or discourage borrowing. What it does is actually provide better controls over that borrowing of provincial Crown corporations. It also provides a better and a more opportune time for us to be able to manage the notes and other instruments of finance that they do.

The Wildrose Alliance also talked about that they are the party of fiscal discipline. I would suggest, Mr. Speaker, that they are the party of a money-in-the-mattress financial mentality, which is basically how they're doing their finances in terms of their budget. Well, I haven't seen their budget because every time I hear about how they would do things, I look. I try to find: where is their budget that shows their balance sheet, their cash flow, their revenues and the expenditures that they would have? I can't find it.

I do find some very glossy, nice documents like A Better Way to Build Alberta: Wildrose green, Wildrose propaganda paid for by the taxpayers, I surmise. I'm not sure. I'm sure that the hon. members opposite could tell me whether or not the taxpayers of Alberta paid for some very glossy pictures of some leadership candidates that perhaps are looking off into the distance in typical, you know, Alberta pictures. There are no financials in this document at all, Mr. Speaker. There is no way of financing the supposed infrastructure of which they have a list somewhere that they're not putting out anywhere. There's no list of assets or infrastructure that they're going to build in this supposed capital plan that they have.

Then they talk about \$50 billion, that they wouldn't use Bill 35, that they wouldn't need it because they're not going to borrow money to build infrastructure. Oh, so they're not going to borrow money when interest rates are the lowest they've been in my lifetime. Most businesses, most jurisdictions are taking advantage of these low rates because the cost of not building is about 5 per cent per year, so you're actually ahead of the game from an inflationary perspective alone by doing this. The financial sense of this is recognized across the spectrum of financial advisers, across the spectrum of businesspeople. Unfortunately, if you have a money-in-the-mattress mentality about how you do your books, you're not going to appreciate that. So they're not going to borrow. I get that.

4:20

They're not going to use P3s either. P3s have saved this government and the taxpayers of Alberta over \$2 billion on the projects that we have done. The hon. Member for Calgary-Mountain View was talking about an individual that he got a letter from that says that we don't account for the appropriate liability. That's simply

not true, Mr. Speaker. We do account for the liability. It's the risk that you transferred to the proponent that saves the taxpayer a lot of money. The other hon. member, I think Edmonton-Calder, talked about Dr. Leo de Bever and his ideas around P3s. I can tell you, Mr. Speaker, that he is a recognized expert in financial circles, and he knows of what he speaks, and he is a proponent of P3s.

Mr. Speaker, the other part of what they won't do, I guess, is that they won't use cash to build capital. They're criticizing us for using the sustainability account to build capital. Well, that's using cash. So if you won't use cash and you won't use P3s and you won't use the capital markets, I have no idea how they're going to wave a magic wand and build capital. Somebody has got to pay for it. It has to come out of the operating expenditures, probably, but that's cash.

Let's just assume that they'd take the cash approach that they're talking about doing: \$5 billion a year. Mr. Speaker, so far in all of the comments – all of the comments – from the members opposite that they have made today, I've added up: the federal building, if we didn't do that; the severance packages, if we didn't do that; somebody mentioned the carbon capture and storage. Well, that's stretched out over a long period of time, and you can only use one year's worth, so that's about maybe a hundred million dollars. If you added all that up, it's about \$750 million. Where are they going to get the other \$4.3 billion every year out of the operating?

**Mr. Saskiw:** Probably from Lukaszuk's office.

**Mr. Horner:** They're probably going to take out – well, there's another \$10,000, hon. member. If you keep at it, you might get to \$800 million.

Even with that, Mr. Speaker, at \$4 billion, somewhere down the line they are going to have to come clean with Albertans and tell them how they intend to pay for all this capital that they say they can do without using the markets, without using P3s, and, by the way, without using cash because that's the sustainability account approach. I'm curious about that.

When we talk about Bill 35, we talk about what we're doing to actually build Alberta and create the infrastructure that Albertans of today need and Albertans of tomorrow. Mr. Speaker, the last thing I want to leave my grandkids is not the infrastructure that we didn't build today. I don't want to leave them the opportunity that they can pay 10 times what it would cost us to build it today, and we need it today. The infrastructure deficit and the cost of that infrastructure deficit are widely recognized and well known. It's unfortunate that the members opposite don't get that.

I think Albertans are well served by the capital plan we have, they're well served by the operating plan we have, and – Mr. Speaker, they might want to listen to this – they're well served by the savings plan we have because contrary to what they go out there and talk . . .

**Mr. Saskiw:** Borrowing money to save. Great idea.

**Mr. Horner:** Actually, you know what? I do borrow money and save on my house because I have an RRSP, and I have savings, and I have a mortgage. I'm certain the hon. member opposite has the same thing because he's obviously an astute individual who

would do that for his future and his children's future, too, I'm assuming, Mr. Speaker. If not, well, then we're back to the money-in-the-mattress mentality.

Mr. Speaker, it's pretty obvious that what we are doing is leading the nation in terms of our fiscal management and our fiscal operations and our fiscal reporting. We are proud of that fact and the triple-A, gold-plated credit rating that we hold in this province, gold standard, because that allows us to build Alberta, live within our means, and maintain the future for our province.

I encourage all hon. members to vote for the bill.

[Motion carried unanimously; Bill 35 read a third time]

### **Bill 37 Statutes Repeal Act**

**The Speaker:** The hon. Minister of Transportation on behalf of:

**Mr. McIver:** Thank you, Mr. Speaker. It's my pleasure to rise and move third reading of Bill 37, the Statutes Repeal Act, a rather sweeping bill that ensures that we have a competitive regulatory framework that is easy for every person and business to understand.

The act will repeal a group of 24 provisions in legislation that are unnecessary and obsolete. In the interest of time I won't read them all. Perhaps more importantly, the bill creates an automatic process of review every five years whereby unproclaimed legislation is automatically reviewed and, if it is no longer needed, repealed.

Mr. Speaker, several years ago the members for Calgary-Acadia, Calgary-Klein, and Battle River-Wainwright talked about the need to reduce red tape. This legislation does just that. Many times people talk about reducing red tape for businesses and individuals. This bill turns that talk into action. This is just another reason you should do business in the province. The Statutes Repeal Act shows that Alberta is committed to actively maintaining its body of provincial laws, and I am confident this legislation will serve Albertans well.

With that, Mr. Speaker, I would like to close debate and move third reading of Bill 37, the Statutes Repeal Act.

Thank you.

**The Speaker:** Hon. member, I hope you didn't mean that you wanted to close debate. You might want to adjourn debate, perhaps?

**Mr. McIver:** Correct, Mr. Speaker.

**The Speaker:** Do you want to just say that?

**Mr. McIver:** Adjourn debate.

Mr. Speaker, I thank you for that assistance.

[Motion to adjourn debate carried]

**The Speaker:** Deputy Government House Leader, did you wish to adjourn?

**Mr. Campbell:** Yes. Mr. Speaker, I think we'll call it 4:30 and adjourn until Monday at 1:30.

[Motion carried; the Assembly adjourned at 4:28 p.m. to Monday at 1:30 p.m.]



## **Bill Status Report for the 28th Legislature - 1st Session (2012-2013)**

**Activity to November 21, 2013**

The Bill sponsor's name is in brackets following the Bill title. If it is a money Bill, (\$) will appear between the title and the sponsor's name. Numbers following each Reading refer to Hansard pages where the text of debates is found; dates for each Reading are in brackets following the page numbers. Bills numbered 1 to 199 are Government Bills. Bills numbered 200 or higher are Private Members' Public Bills. Bills numbered with a "Pr" prefix are Private Bills.

\*An asterisk beside a Bill number indicates an amendment was passed to that Bill; the Committee line shows the precise date of the amendment.

The date a Bill comes into force is indicated in square brackets after the date of Royal Assent. If a Bill comes into force "on proclamation," "with exceptions," or "on various dates," please contact Legislative Counsel, Alberta Justice, for details at (780) 427-2217. The chapter number assigned to the Bill is entered immediately following the date the Bill comes into force. SA indicates Statutes of Alberta; this is followed by the year in which it is included in the statutes, and its chapter number. Please note, Private Bills are not assigned chapter numbers until the conclusion of the Fall Sitzings.

### **1\* Workers' Compensation Amendment Act, 2012 (Redford)**

First Reading -- 8 (May 24, 2012 aft., passed)

Second Reading -- 177 (Oct. 23, 2012 eve.), 193-96 (Oct. 23, 2012 eve.), 233 (Oct. 24, 2012 eve., passed)

Committee of the Whole -- 336-39 (Oct. 29, 2012 eve.), 354-71 (Oct. 30, 2012 aft.), 373-80 (Oct. 30, 2012 eve., passed with amendments)

Third Reading -- 476-84 (Nov. 1, 2012 aft., passed on division)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force December 10, 2012; SA 2012 c8]

### **2\* Responsible Energy Development Act (Hughes)**

First Reading -- 207 (Oct. 24, 2012 aft., passed)

Second Reading -- 263 (Oct. 25, 2012 aft.), 424-43 (Oct. 31, 2012 aft.), 445-57 (Oct. 31, 2012 eve.), 526-46 (Nov. 5, 2012 eve., passed)

Committee of the Whole -- 563-71 (Nov. 6, 2012 aft.), 593 (Nov. 6, 2012 eve.), 644-48 (Nov. 7, 2012 aft.), 649-69 (Nov. 7, 2012 eve.), 731-53 (Nov. 19, 2012 eve.), 777-94 (Nov. 20, 2012 aft.), 795-853 (Nov. 20, 2012 eve.), 902-05 (Nov. 20, 2012 eve., passed on division, with amendments)

Third Reading -- 921-41 (Nov. 21, 2012 aft., passed on division)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on proclamation, with exceptions; SA 2012 cR-17.3]

### **3\* Education Act (J. Johnson)**

First Reading -- 155 (Oct. 23, 2012 aft., passed)

Second Reading -- 219-31 (Oct. 24, 2012 aft.), 238 (Oct. 24, 2012 eve., passed)

Committee of the Whole -- 380-407 (Oct. 30, 2012 eve., passed with amendments)

Third Reading -- 669 (Nov. 7, 2012 eve.), 688-94 (Nov. 8, 2012 aft.), 753-63 (Nov. 19, 2012 eve., passed on division)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on proclamation; SA 2012 cE-0.3]

### **4 Public Interest Disclosure (Whistleblower Protection) Act (Scott)**

First Reading -- 352-53 (Oct. 30, 2012 aft., passed)

Second Reading -- 423-24 (Oct. 31, 2012 aft.), 593-614 (Nov. 6, 2012 eve.), 627-44 (Nov. 7, 2012 aft., passed on division)

Committee of the Whole -- 975-80 (Nov. 22, 2012 aft.), 1057-74 (Nov. 27, 2012 aft.), 1075-101 (Nov. 27, 2012 eve.), 1127-137 (Nov. 28, 2012 aft.), 1139-161 (Nov. 28, 2012 eve., passed)

Third Reading -- 1161-166 (Nov. 28, 2012 eve., passed on division)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on proclamation; SA 2012 cP-39.5]

### **5 New Home Buyer Protection Act (Griffiths)**

First Reading -- 261 (Oct. 25, 2012 aft., passed)

Second Reading -- 354 (Oct. 30, 2012 aft.), 457-59 (Oct. 31, 2012 eve., passed)

Committee of the Whole -- 546-49 (Nov. 5, 2012 eve.), 571-83 (Nov. 6, 2012 aft.), 585-93 (Nov. 6, 2012 eve., passed)

Third Reading -- 853-55 (Nov. 20, 2012 eve., passed)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on proclamation; SA 2012 cN-3.2]

### **6 Protection and Compliance Statutes Amendment Act, 2012 (Jeneroux)**

First Reading -- 155 (Oct. 23, 2012 aft., passed)

Second Reading -- 209 (Oct. 24, 2012 aft.), 264 (Oct. 25, 2012 aft., passed)

Committee of the Whole -- 459-62 (Oct. 31, 2012 eve., passed)

Third Reading -- 855-56 (Nov. 20, 2012 eve., passed)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on various dates; SA 2012 c7]

- 7\* Election Accountability Amendment Act, 2012 (Denis)**  
First Reading -- 774 (Nov. 20, 2012 aft., passed)  
Second Reading -- 972-75 (Nov. 22, 2012 aft.), 1015-41 (Nov. 26, 2012 eve., passed)  
Committee of the Whole -- 1166-167 (Nov. 28, 2012 eve.), 1191-92 (Nov. 29, 2012 aft.), 1221-43 (Dec. 3, 2012 eve.), 1261-79 (Dec. 4, 2012 aft.), 1281-1300 (Dec. 4, 2012 eve., passed, with amendments)  
Third Reading -- 1315-37 (Dec. 5, 2012 aft., passed on division)  
Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on various dates; SA 2012 c5]
- 8 Electric Utilities Amendment Act, 2012 (Hughes)**  
First Reading -- 156 (Oct. 23, 2012 aft., passed)  
Second Reading -- 233 (Oct. 24, 2012 eve.), 316-36 (Oct. 29, 2012 eve., passed)  
Committee of the Whole -- 857-902 (Nov. 20, 2012 eve.), 943-53 (Nov. 21, 2012 eve., passed)  
Third Reading -- 953-56 (Nov. 21, 2012 eve., passed)  
Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force December 10, 2012; SA 2012 c6]
- 9 Alberta Corporate Tax Amendment Act, 2012 (\$) (Horner)**  
First Reading -- 156 (Oct. 23, 2012 aft., passed)  
Second Reading -- 209-10 (Oct. 24, 2012 aft.), 272 (Oct. 25, 2012 aft.), 311-16 (Oct. 29, 2012 eve., passed)  
Committee of the Whole -- 462 (Oct. 31, 2012 eve., passed)  
Third Reading -- 856-57 (Nov. 20, 2012 eve., passed)  
Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on various dates, SA 2012 c4]
- 10 Employment Pension Plans Act (Kennedy-Glans)**  
First Reading -- 261 (Oct. 25, 2012 aft., passed)  
Second Reading -- 521-26 (Nov. 5, 2012 eve., passed)  
Committee of the Whole -- 668-69 (Nov. 7, 2012 eve., passed)  
Third Reading -- 857 (Nov. 20, 2012 eve., passed)  
Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on proclamation; SA 2012 cE-8.1]
- 11 Appropriation (Supplementary Supply) Act, 2013 (\$) (Horner)**  
First Reading -- 1424 (Mar. 6, 2013 aft., passed)  
Second Reading -- 1480-86 (Mar. 11, 2013 eve., passed)  
Committee of the Whole -- 1534-41 (Mar. 12, 2013 eve., passed)  
Third Reading -- 1583 (Mar. 13, 2013 aft.), 1559-60 (Mar. 13, 2013 eve., passed)  
Royal Assent -- (Mar. 21, 2013 outside of House sitting) [Comes into force March 21, 2013; SA 2013 c2]
- 12 Fiscal Management Act (\$) (Horner)**  
First Reading -- 1438 (Mar. 7, 2013 aft., passed)  
Second Reading -- 1479-80 (Mar. 11, 2013 eve.), 1560-78 (Mar. 13, 2013 aft.), 1579-83 (Mar. 13, 2013 eve.), 1785-90 (Apr. 11, 2013 aft.), 1877-85 (Apr. 18, 2013 aft., passed)  
Committee of the Whole -- 1967-78 (Apr. 23, 2013 eve), 1981-86 (Apr. 23, 2013 eve, passed), 2007-15 (Apr. 24, 2013 aft.)  
Third Reading -- 2027-35 (Apr. 24, 2013 eve., passed on division)  
Royal Assent -- (Apr. 29, 2013 outside of House sitting) [Comes into force April 29, 2013; SA 2013 cF-14.5]
- 13 Appropriation (Interim Supply) Act, 2013 (\$) (Horner)**  
First Reading -- 1456 (Mar. 11, 2013 aft., passed)  
Second Reading -- 1527-34 (Mar. 12, 2013 eve.), 1556 (Mar. 13, 2013 aft., passed)  
Committee of the Whole -- 1583 (Mar. 13, 2013 eve., passed)  
Third Reading -- 1695-1700 (Mar. 21, 2013 aft.), 1695-1700 (Mar. 21, 2013 aft., passed)  
Royal Assent -- (Mar. 21, 2013 outside of House sitting) [Comes into force March 21, 2013; SA 2013 c1]
- 14 RCMP Health Coverage Statutes Amendment Act, 2013 (VanderBurg)**  
First Reading -- 1690 (Mar. 21, 2013 aft., passed)  
Second Reading -- 1875 (Apr. 18, 2013 aft.), 1925-27 (Apr. 22, 2013 eve., passed)  
Committee of the Whole -- 1966-67 (Apr. 23, 2013 eve., passed)  
Third Reading -- 1986 (Apr. 23, 2013 eve., passed)  
Royal Assent -- (Apr. 29, 2013 outside of House sitting) [Comes into force April 1, 2013; SA 2013 c4]
- 15 Emergency 911 Act (\$) (Weadick)**  
First Reading -- 1762 (Apr. 10, 2013 aft., passed)  
Second Reading -- 1875-76 (Apr. 18, 2013 aft.), 1953-58 (Apr. 23, 2013 aft., passed)  
Committee of the Whole -- 2040 (Apr. 24, 2013 eve., passed)  
Third Reading -- 2130-31 (May 6, 2013 eve., passed)  
Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force on proclamation; SA 2013 cE-7.5]

**16 Victims Statutes Amendment Act, 2013 (\$) (Denis)**

First Reading -- 1762-63 (Apr. 10, 2013 aft., passed)

Second Reading -- 1958-61 (Apr. 23, 2013 aft.), 1963-67 (Apr. 23, 2013 eve., passed)

Committee of the Whole -- 2040 (Apr. 24, 2013 eve., passed)

Third Reading -- 2063-65 (Apr. 25, 2013 aft., passed)

Royal Assent -- (Apr. 29, 2013 outside of House sitting) [Comes into force on proclamation; SA 2013 c5]

**17 Municipal Government Amendment Act, 2013 (Kubinec)**

First Reading -- 1779 (Apr. 11, 2013 aft., passed)

Second Reading -- 2123-25 (May 6, 2013 eve., passed)

Committee of the Whole -- 2161-64 (May 7, 2013 aft.), 2172-76 (May 7, 2013 eve., passed)

Third Reading -- 2176 (May 7, 2013 eve., passed)

Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force May 27, 2013; SA 2013 c9]

**18 Pooled Registered Pension Plans Act (Fawcett)**

First Reading -- 1873 (Apr. 18, 2013 aft., passed)

Second Reading -- 2125-30 (May 6, 2013 eve., passed)

Committee of the Whole -- 2151-57 (May 7, 2013 aft., passed)

Third Reading -- 2169-71 (May 7, 2013 eve., passed)

Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force on proclamation; SA 2013 cP-18.5]

**19 Metis Settlements Amendment Act, 2013 (Campbell)**

First Reading -- 1803 (Apr. 15, 2013 aft., passed)

Second Reading -- 1876-77 (Apr. 18, 2013 aft.), 2021-27 (Apr. 24, 2013 eve., passed)

Committee of the Whole -- 2101-23 (May 6, 2013 eve., passed)

Third Reading -- 2131-32 (May 6, 2013 eve., passed)

Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force May 27, 2013; SA 2013 c8]

**20 Appropriation Act, 2013 (\$) (Horner)**

First Reading -- 1925 (Apr. 22, 2013 eve., passed)

Second Reading -- 1943-52 (Apr. 23, 2013 aft.), 1978-81 (Apr. 23, 2013 eve., passed)

Committee of the Whole -- 2015-19 (Apr. 24, 2013 aft.), 2035-39 (Apr. 24, 2013 eve., passed)

Third Reading -- 2057-63 (Apr. 25, 2013 aft., passed)

Royal Assent -- (Apr. 29, 2013 outside of House sitting) [Comes into force April 29, 2013; SA 2013 c3]

**21 Environmental Protection and Enhancement Amendment Act, 2013 (Jansen)**

First Reading -- 2055 (Apr. 25, 2013 aft., passed)

Second Reading -- 2123 (May 6, 2013 eve.), 2157-61 (May 7, 2013 aft., passed)

Committee of the Whole -- 2165-68 (May 7, 2013 eve., passed)

Third Reading -- 2229-34 (May 8, 2013 eve.), 2238-55 (May 8, 2013 eve., passed)

Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force on proclamation; SA 2013 c7]

**22 Aboriginal Consultation Levy Act (\$) (Campbell)**

First Reading -- 2191-92 (May 8, 2013 aft., passed)

Second Reading -- 2275-83 (May 9, 2013 aft.), 2321-342 (May 13, 2013 eve., passed)

Committee of the Whole -- 2413-442 (May 14, 2013 eve., passed)

Third Reading -- 2468-478 (May 15, 2013 aft., passed)

Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force on proclamation; SA 2013; cA-1.2]

**23 Tax Statutes Amendment Act, 2013 (Horner)**

First Reading -- 2080 (May 6, 2013 aft., passed)

Second Reading -- 2150 (May 7, 2013 aft.), 2165 (May 7, 2013 eve., passed)

Committee of the Whole -- 2168 (May 7, 2013 eve., passed)

Third Reading -- 2172 (May 7, 2013 eve., passed)

Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force May 27, 2013, with exceptions; SA 2013 c11]

**24 Statutes Amendment Act, 2013 (Bhullar)**

First Reading -- 2080 (May 6, 2013 aft., passed)

Second Reading -- 2150-51 (May 7, 2013 aft.), 2171-72 (May 7, 2013 eve.), 2157-61 (May 7, 2013 eve.), 2234-38 (May 8, 2013 eve., passed)

Committee of the Whole -- 2255-58 (May 8, 2013 eve., passed)

Third Reading -- 2273-75 (May 9, 2013 aft., passed)

Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force May 27, 2013, with exceptions; SA 2013 c10]

- 25\* Children First Act (\$) (Hancock)**  
First Reading -- 2145 (May 7, 2013 aft., passed)  
Second Reading -- 2194-2212 (May 8, 2013 aft.), 2213-29 (May 8, 2013 eve., passed on division)  
Committee of the Whole -- 2342-375 (May 13, 2013 eve., passed with amendments)  
Third Reading -- 2408-410 (May 14, 2013 aft., passed)  
Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force on proclamation; SA 2013 cC-12.5]
- 26 Assurance for Students Act (J. Johnson)**  
First Reading -- 2394 (May 14, 2013 aft., passed)  
Second Reading -- 2403-408 (May 14, 2013 aft., passed)  
Committee of the Whole -- 2442-444 (May 14, 2013 eve., passed)  
Third Reading -- 2464-468 (May 15, 2013 aft., passed)  
Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force May 27, 2013; SA 2013 cA-44.8]
- 27 Flood Recovery and Reconstruction Act (Griffiths)**  
First Reading -- 2495 (Oct. 28, 2013 aft., passed)  
Second Reading -- 2549-50 (Oct. 29, 2013 eve.), 2584-94 (Oct. 30, 2013 aft.), 2706-14 (Nov. 4, 2013 eve., passed)  
Committee of the Whole -- 2732-44 (Nov. 5, 2013 aft.), 2749-71 (Nov. 5, 2013 eve.), 2796-808 (Nov. 6, 2013 aft.), 2809-19 (Nov. 6, 2013 eve., passed)
- 28 Modernizing Regional Governance Act (Griffiths)**  
First Reading -- 2495 (Oct. 28, 2013 aft., passed)  
Second Reading -- 2550 (Oct. 29, 2013 eve.), 2594-601 (Oct. 30, 2013 aft.), 2603-641 (Oct. 30, 2013 eve., passed)
- 29 Pharmacy and Drug Amendment Act, 2013 (Horne)**  
First Reading -- 2495-6 (Oct. 28, 2013 aft., passed)  
Second Reading -- 2534 (Oct. 29, 2013 aft.), 2550-60 (Oct. 29, 2013 eve., passed)  
Committee of the Whole -- 2705-6 (Nov. 4, 2013 eve., passed)  
Third Reading -- 2771 (Nov. 5, 2013 eve., passed)  
Royal Assent -- (Nov. 7, 2013 outside of House sitting) [Comes into force December 19, 2013; SA 2013 c13]
- 30\* Building Families and Communities Act (\$) (Hancock)**  
First Reading -- 2581 (Oct. 30, 2013 aft., passed)  
Second Reading -- 2788-96 (Nov. 6, 2013 aft., passed)  
Committee of the Whole -- 2937-60 (Nov. 19, 2013 eve., passed with amendments)
- 31 Protecting Alberta's Environment Act (\$) (McQueen)**  
First Reading -- 2496 (Oct. 28, 2013 aft., passed)  
Second Reading -- 2544-7 (Oct. 29, 2013 aft.), 2560-6 (Oct. 29, 2013 eve.), 2657-65 (Oct. 31, 2013 aft.), 2703-5 (Nov. 4, 2013 eve., passed)  
Committee of the Whole -- 2744-7 (Nov. 5, 2013 aft.), 2749-71 (Nov. 5, 2013 eve., passed)  
Third Reading -- 2819-24 (Nov. 6, 2013 eve.), 2848-49 (Nov. 7, 2013 aft.), 2895 (Nov. 18, 2013 eve., passed)
- 32 Enhancing Safety on Alberta Roads Act (McIver)**  
First Reading -- 2526 (Oct. 29, 2013 aft., passed)  
Second Reading -- 2583-4 (Oct. 30, 2013 aft.), 2886-91 (Nov. 18, 2013 eve., passed)
- 33 Tobacco Reduction Amendment Act, 2013 (Rodney)**  
First Reading -- 2837 (Nov. 7, 2013 aft., passed)  
Second Reading -- 2885 (Nov. 18, 2013 eve.), 2981-87 (Nov. 20, 2013 aft., passed)
- 34 Building New Petroleum Markets Act (\$) (Hughes)**  
First Reading -- 2786 (Nov. 6, 2013 aft., passed)  
Second Reading -- 2846 (Nov. 7, 2013 aft.), 2913-27 (Nov. 19, 2013 aft., passed)  
Committee of the Whole -- 2997-3010 (Nov. 20, 2013 eve., passed)
- 35 Financial Administration Amendment Act, 2013 (Horner)**  
First Reading -- 2678 (Nov. 4, 2013 aft., passed)  
Second Reading -- 2731-2 (Nov. 5, 2013 aft.), 2928-31 (Nov. 19, 2013 aft.), 2933-37 (Nov. 19, 2013 eve., passed)  
Committee of the Whole -- 2993 (Nov. 20, 2013 aft., passed)  
Third Reading -- 3029-39 (Nov. 21, 2013 aft., passed)



- 37 Statutes Repeal Act (\$) (Denis)**  
 First Reading -- 2786 (Nov. 6, 2013 aft., passed)  
 Second Reading -- 2846-47 (Nov. 7, 2013 aft.), 2891-94 (Nov. 18, 2013 eve.), 2960 (Nov. 19, 2013 eve., passed)  
 Committee of the Whole -- 2993-96 (Nov. 20, 2013 aft., passed)  
 Third Reading -- 3039 (Nov. 21, 2013 aft., adjourned)
- 38 Statutes Amendment Act, 2013 (No. 2) (\$) (Denis)**  
 First Reading -- 2837-38 (Nov. 7, 2013 aft., passed)  
 Second Reading -- 2885-86 (Nov. 18, 2013 eve.), 2960-62 (Nov. 19, 2013 eve., passed)  
 Committee of the Whole -- 2996 (Nov. 20, 2013 aft., passed)
- 39 Enhancing Consumer Protection in Auto Insurance Act (Horner)**  
 First Reading -- 2786 (Nov. 6, 2013 aft., passed)  
 Second Reading -- 2847-48 (Nov. 7, 2013 aft.), 2987-90 (Nov. 20, 2013 aft., passed)
- 40 Settlement of International Investment Disputes Act (Quadri)**  
 First Reading -- 2678-9 (Nov. 4, 2013 aft., passed)  
 Second Reading -- 2732 (Nov. 5, 2013 aft.), 2990-93 (Nov. 20, 2013 aft., passed)
- 41 Premier's Council on the Status of Persons with Disabilities Amendment Act, 2013 (Oberle)**  
 First Reading -- 2727 (Nov. 5, 2013 aft., passed)  
 Second Reading -- 2787-8 (Nov. 6, 2013 aft.), 2896-98 (Nov. 18, 2013 eve., passed)
- 43 Alberta Economic Development Authority Amendment Act, 2013 (Lukaszuk)**  
 First Reading -- 2727 (Nov. 5, 2013 aft., passed)  
 Second Reading -- 2788 (Nov. 6, 2013 aft.), 2898 (Nov. 18, 2013 eve.), 2927-28 (Nov. 19, 2013 aft., passed)  
 Committee of the Whole -- 3010-14 (Nov. 20, 2013 eve., passed)
- 44 Notaries and Commissioners Act (Olesen)**  
 First Reading -- 2976 (Nov. 20, 2013 aft., passed)  
 Second Reading -- 3028-29 (Nov. 21, 2013 aft., adjourned)
- 201\* Scrap Metal Dealers and Recyclers Identification Act (Quest)**  
 First Reading -- 92 (May 30, 2012 aft., passed)  
 Second Reading -- 291-301 (Oct. 29, 2012 aft., passed)  
 Committee of the Whole -- 716-22 (Nov. 19, 2012 aft.), 1725-26 (Apr. 8, 2013 aft., passed with amendments)  
 Third Reading -- 1726-27 (Apr. 8, 2013 aft., passed)  
 Royal Assent -- (Apr. 29, 2013 outside of House sitting) [Comes into force on proclamation; SA 2013 cS-3.5]
- 202 Public Lands (Grasslands Preservation) Amendment Act, 2012 (Brown)**  
 First Reading -- 130 (May 31, 2012 aft., passed)  
 Second Reading -- 501-13 (Nov. 5, 2012 aft.), 1723-25 (Apr. 8, 2013 aft., defeated on division)
- 203 Employment Standards (Compassionate Care Leave) Amendment Act, 2012 (Jeneroux)**  
 First Reading -- 473 (Nov. 1, 2012 aft., passed)  
 Second Reading -- 1900 (Apr. 22, 2013 aft., passed)  
 Committee of the Whole -- 2298-303 (May 13, 2013 aft., passed)  
 Third Reading -- 2303 (May 13, 2013 aft., passed)  
 Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force on proclamation; SA 2013 c6]
- 204 Irlen Syndrome Testing Act (Jablonski)**  
 First Reading -- 968 (Nov. 22, 2012 aft., passed), 1912 (Apr. 22, 2013 aft., referred to Standing Committee on Families and Communities), (Oct. 28, 2013 aft., motion to concur in report), (Nov. 4, 2013 aft., reported to Assembly, not proceeded with)
- 205 Fisheries (Alberta) Amendment Act, 2012 (Calahasen)**  
 First Reading -- 1117 (Nov. 28, 2012 aft., passed), 1913 (Apr. 22, 2013 aft., referred to Standing Committee on Resource Stewardship), (Oct. 28, 2013 aft., motion to concur in report), (Nov. 4, 2013 aft., reported to Assembly, not proceeded with)
- 206\* Tobacco Reduction (Flavoured Tobacco Products) Amendment Act, 2013 (Cusanelli)**  
 First Reading -- 1350-51 (Dec. 6, 2012 aft., passed)  
 Second Reading -- 2303-312 (May 13, 2013 aft., passed)  
 Committee of the Whole -- 2687-94 (Nov. 4, 2013 aft.), 2865-73 (Nov. 18, 2013 aft., passed with amendments)

- 207\* Human Tissue and Organ Donation Amendment Act, 2013 (Webber)**  
First Reading -- 1690 (Mar. 21, 2013 aft., passed), 2375 (May 13, 2013 eve., moved to Government Bills and Orders)  
Second Reading -- 2395-403 (May 14, 2013 aft., passed)  
Committee of the Whole -- 2534-44 (Oct. 29, 2013 aft.), 2566-8 (Oct. 29, 2013 eve., passed with amendments)  
Third Reading -- 2566-8 (Oct. 29, 2013 eve., passed)  
Royal Assent -- (Nov. 7, 2013 outside of House sitting) [Comes into force November 7, 2013; SA 2013 c12]
- 208 Seniors' Advocate Act (Towle)**  
First Reading -- 1315 (Dec. 5, 2012 aft., passed)  
Second Reading -- 2873-83 (Nov. 18, 2013 aft., adjourned)
- 209 Severance and Bonus Limitation Statutes Amendment Act, 2013 (Anderson)**  
First Reading -- 2976 (Nov. 20, 2013 aft., passed)
- Pr1\* Church of Jesus Christ of Latter-day Saints in Canada Act (Dorward)**  
First Reading -- 1999 (Apr. 24, 2013 aft., passed)  
Second Reading -- 2410-411 (May 14, 2013 aft., passed)  
Committee of the Whole -- 2445-446 (May 14, 2013 eve., passed with amendments)  
Third Reading -- 2478 (May 15, 2013 aft., passed)  
Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force May 27, 2013]
- Pr2\* Wild Rose Agricultural Producers Amendment Act, 2013 (McDonald)**  
First Reading -- 1999 (Apr. 24, 2013 aft., passed)  
Second Reading -- 2413 (May 14, 2013 eve., passed)  
Committee of the Whole -- 2445 (May 14, 2013 eve., passed with amendments)  
Third Reading -- 2478 (May 15, 2013 aft., passed)  
Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force May 27, 2013]





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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Monday afternoon, November 25, 2013

Issue 72

The Honourable Gene Zwozdesky, Speaker

## Legislative Assembly of Alberta The 28th Legislature

First Session

Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC), Speaker  
Rogers, George, Leduc-Beaumont (PC), Deputy Speaker and Chair of Committees  
Jablonski, Mary Anne, Red Deer-North (PC), Deputy Chair of Committees

Allen, Mike, Fort McMurray-Wood Buffalo (Ind)  
Amery, Moe, Calgary-East (PC)  
Anderson, Rob, Airdrie (W),  
    Official Opposition House Leader  
Anglin, Joe, Rimbey-Rocky Mountain House-Sundre (W),  
    Official Opposition Whip  
Barnes, Drew, Cypress-Medicine Hat (W)  
Bhardwaj, Naresh, Edmonton-Ellerslie (PC)  
Bhullar, Hon. Manmeet Singh, Calgary-Greenway (PC)  
Bikman, Gary, Cardston-Taber-Warner (W)  
Bilous, Deron, Edmonton-Beverly-Clareview (ND)  
Blakeman, Laurie, Edmonton-Centre (AL),  
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Calahasen, Pearl, Lesser Slave Lake (PC)  
Campbell, Hon. Robin, West Yellowhead (PC),  
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Casey, Ron, Banff-Cochrane (PC)  
Cusanelli, Christine, Calgary-Currie (PC)  
Dallas, Hon. Cal, Red Deer-South (PC)  
DeLong, Alana, Calgary-Bow (PC)  
Denis, Hon. Jonathan, QC, Calgary-Acadia (PC),  
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Donovan, Ian, Little Bow (W)  
Dorward, David C., Edmonton-Gold Bar (PC),  
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Drysedale, Hon. Wayne, Grande Prairie-Wapiti (PC)  
Eggen, David, Edmonton-Calder (ND),  
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Fenske, Jacquie, Fort Saskatchewan-Vegreville (PC)  
Forsyth, Heather, Calgary-Fish Creek (W)  
Fox, Rodney M., Lacombe-Ponoka (W)  
Fraser, Hon. Rick, Calgary-South East (PC)  
Fritz, Yvonne, Calgary-Cross (PC)  
Goudreau, Hector G., Dunvegan-Central Peace-Notley (PC)  
Griffiths, Hon. Doug, Battle River-Wainwright (PC)  
Hale, Jason W., Strathmore-Brooks (W)  
Hancock, Hon. Dave, QC, Edmonton-Whitemud (PC),  
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Hughes, Hon. Ken, Calgary-West (PC)  
Jansen, Hon. Sandra, Calgary-North West (PC)  
Jeneroux, Matt, Edmonton-South West (PC)  
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Johnson, Linda, Calgary-Glenmore (PC)  
Kang, Darshan S., Calgary-McCall (AL),  
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Klimchuk, Hon. Heather, Edmonton-Glenora (PC)  
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Lemke, Ken, Stony Plain (PC)  
Leskiw, Genia, Bonnyville-Cold Lake (PC)  
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Lukaszuk, Hon. Thomas A., Edmonton-Castle Downs (PC)  
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Olson, Hon. Verlyn, QC, Wetaskiwin-Camrose (PC)  
Pastoor, Bridget Brennan, Lethbridge-East (PC)  
Pedersen, Blake, Medicine Hat (W)  
Quadri, Sohail, Edmonton-Mill Woods (PC)  
Quest, Dave, Strathcona-Sherwood Park (PC)  
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Sarich, Janice, Edmonton-Decore (PC)  
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Webber, Len, Calgary-Foothills (PC)  
Wilson, Jeff, Calgary-Shaw (W)  
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
    Government Whip

### Party standings:

Progressive Conservative: 59      Wildrose: 17      Alberta Liberal: 5      New Democrat: 4      Independent: 2

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Cao	Pastoor
Donovan	Quadri
Dorward	Rogers
Eggen	Rowe
Hehr	Sarich
Luan	Strankman
McDonald	Xiao

### Standing Committee on the Alberta Heritage Savings Trust Fund

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Deputy Chair: Mrs. Jablonski

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Anderson	Kubinec
Casey	Sherman
Dorward	

### Standing Committee on Families and Communities

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Cusanelli	Notley
DeLong	Pedersen
Fritz	Swann
Goudreau	Towle
Jablonski	Wilson
Jeneroux	Xiao
Khan	Young

### Standing Committee on Legislative Offices

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Cusanelli	Olesen
DeLong	Rowe
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Fritz	Swann

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Casey	Pedersen
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Hehr	Rogers
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Kubinec	Towle
Luan	Young

### Standing Committee on Public Accounts

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Anglin	Luan
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Hale	Sarich
Hehr	Stier
Jeneroux	Webber

### Standing Committee on Resource Stewardship

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Barnes	Johnson, L.
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Bilous	Kubinec
Blakeman	Lemke
Calahasen	Sandhu
Casey	Stier
Fenske	Webber

## Legislative Assembly of Alberta

1:30 p.m.

Monday, November 25, 2013

[The Speaker in the chair]

### Prayers

**The Speaker:** Hon. members, let us pray. First, let us be reminded of the adage that we make a living by what we earn, but we make a life by what we give. We are privileged to have so much to give in our lives. Let us be generous in how we share that with others. Amen.

Ladies and gentlemen, we're joined today by Ms Hana Marinkovic, who is going to lead us in the singing of *O Canada*. We want to welcome her. She is involved with the Edmonton Singing Christmas Tree in support of our local drive for Santas Anonymous and Edmonton's Food Bank. These organizations are very close to her heart. She's been in Canada since she was age six. We invite you now, Ms Marinkovic, to lead us in the singing of our national anthem.

### Hon. Members:

O Canada, our home and native land!  
True patriot love in all thy sons command.  
With glowing hearts we see thee rise,  
The True North strong and free!  
From far and wide, O Canada,  
We stand on guard for thee.  
God keep our land glorious and free!  
O Canada, we stand on guard for thee.  
O Canada, we stand on guard for thee.

**The Speaker:** Thank you very much, Hana.

Please remain standing for a moment, hon. members. The chair has just been informed that a former member of this Assembly, the hon. Lou Hyndman, passed away. We will be doing a tribute and a memorial in his honour, with the traditional minute or two of silence, either tomorrow or Wednesday pending confirmation with the family of their wishes. Please know that your chair is aware of that, and we will take the necessary steps in accordance with our tradition very shortly.

Please be seated.

### Introduction of Visitors

**The Speaker:** The hon. Minister of Health.

**Mr. Horne:** Thank you very, very much, Mr. Speaker. I'm delighted to introduce to you and through you today a number of guests seated in your gallery who are representatives of the Multiple Sclerosis Society of Alberta. They are here to mark a Canadian first, the signing of a partnership agreement between a provincial chapter of the Multiple Sclerosis Society of Canada and the provincial government as well.

Mr. Speaker, seated in your gallery, most familiar will be, of course, Mrs. Judy Gordon, former president, I believe, of the MS Society and, most importantly, a former member of this Assembly. Seated with her this afternoon: Mr. Neil Pierce from MS Alberta as well; Julie Kelndorfer, who is staff with the MS Society; I believe at least two other board members of the MS Society, Mr. Garry Wheeler and Mr. Kevin O'Neil; as well as Julia Nimilowich from the MS Society staff. I'd like to invite these guests to please rise and receive the warm welcome and thanks from this House

for their tremendous work to support Albertans with multiple sclerosis.

### Introduction of Guests

**The Speaker:** Hon. Premier, you have some guests?

**Ms Redford:** Yes, Mr. Speaker. Thank you. I'm rising today to introduce to you and through you a very good friend of mine, Steve Kwasny. Steve Kwasny started at the Legislature as part of our ministerial internship program in the Ministry of Municipal Affairs, and this led Steve this summer to being involved with Minister Rick Fraser in flood recovery efforts in High River. Steve truly is a community leader from Red Deer, and prior to joining us at the Legislature, Steve was tremendously active in postsecondary student government as president of the Students' Association of Red Deer College and chair of the Alberta Students' Executive Council. As I said, he is originally from Red Deer, currently working part-time to finish his political science degree at the University of Alberta, and this weekend he was elected president of the PC Youth of Alberta.

**The Speaker:** Hon. members, we have a number of guests here with us today to be introduced. Let's start with some school groups.

The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. It's indeed a pleasure for me to introduce to you and through you to members of this Assembly a wonderful group of 29 grade 6 students from Monsignor William Irwin school although I have to admit that I always have trouble saying that name because most of us knew him as Father Bill, the founder of Catholic Social Services in Edmonton. Monsignor William Irwin is located in my constituency of Edmonton-Whitemud. Accompanying the students are their teachers Michael Leskow and Jaclyn Bedard along with parent helpers Dan Reid and Ken Saunders.

Mr. Speaker, I had a wonderful opportunity to spend some time with them this past Friday, and I want to let you and all members know they were impressive, they were motivated, and they were direct. They asked outstanding questions about the Chamber, the processes within the Chamber, the role of MLAs within the Chamber, the processes for building more schools, and what Campus Alberta is about. This is the class to watch. There are some up-and-coming politicians and successful business leaders in this class. They're seated in the members' gallery and in the public gallery, and I'd ask them to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Manning, followed by Edmonton-Mill Woods.

**Mr. Sandhu:** Thank you very much, Mr. Speaker. I would like to introduce to you and through you to all the members of the Assembly a group of future leaders from the beautiful constituency of Edmonton-Manning, 59 grade 6 students from the Edmonton Christian school. These students are among the brightest in Alberta. It was definitely my honour to meet them very early today. I also had the honour of meeting their teachers Ms Elaine Junk and Mr. Greg Gurnett as well as their parent helpers Lee-Ann Chin, Tracy Schiile, Jeff Stolte, Teresa Gammel, Val Verveda, Luz Maria Groot, Janice Zenari, and Stacey Bell. They are all seated in the public gallery. I'm so pleased to ask them to stand and receive the warmest welcome of this Assembly.

**The Speaker:** We have one last school group. Edmonton-Mill Woods, please.

**Mr. Quadri:** Thank you, Mr. Speaker. On your behalf I would like to introduce to you and through you the most passionate, most enthusiastic, and most well-dressed students, 33 students from the Bisset elementary school, located in your wonderful consistency of Edmonton-Mill Creek. They are participating in School at the Legislature this week, and they are accompanied by their teacher, Mike Lastiwka. They are seated in the members' gallery. I would request them to please rise and receive the warm traditional welcome of this Assembly.

**The Speaker:** The hon. Deputy Speaker.

**Mr. Rogers:** Thank you, Mr. Speaker. It gives me great pleasure to introduce to you and through you to all members of the Assembly two staff from the Legislative Assembly of British Columbia. They are seated in your gallery. They are Rob Sutherland, the director of *Hansard* in B.C., and Christine Fedoruk, the manager of reporting services. They are in Edmonton this week to attend a conference called Navigating the Digital Divide, and while they are here, they are visiting our Legislature to get a first-hand look at *Alberta Hansard's* transcript production processes. Plus, they're enjoying a bit of un-Victoria-like weather. I would ask Rob and Christine to rise and receive the warm traditional welcome of this Assembly.

1:40

**The Speaker:** The hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you very much, Mr. Speaker. It gives me great honour and high distinction today to rise and introduce to you and through you to all members of the Assembly retiring Deputy Commissioner Dale McGowan, commanding officer, RCMP K Division. Deputy Commissioner McGowan has been serving communities across our country for the last 35 years. He was born in Edmonton and returned to serve his home province in 2011. He brought his in-depth experience to the position of deputy commissioner, including work with northern aboriginal policing, serious major crime units, and homicide units. He has also served as the criminal operations officer and accredited emergency response team incident commander.

Deputy Commissioner McGowan has been recognized with many awards, including a commanding officer's commendation for investigative excellence, the RCMP long-service medals, and he is also a member of the Order of Merit of Police Forces.

Beyond policing, Deputy Commissioner McGowan has dedicated countless hours over the past 30 years to coaching many youth sports teams. His passion, Mr. Speaker, for the RCMP has been passed on to all three of his children, all of whom are members of the RCMP.

On behalf of all Albertans I want to thank you, Deputy Commissioner McGowan, for your commitment and your dedication to keeping our communities safe every day. I wish you the best in retirement. I'd ask that all members give Deputy Commissioner McGowan the traditional warm welcome of this Assembly. [Standing ovation]

**The Speaker:** Thank you.

The hon. Minister of Human Services, followed by Edmonton-Beverly-Clareview.

**Mr. Hancock:** Well, thank you, Mr. Speaker. I also rise today to introduce to you and through you to members of the Assembly

three special guests with the Edmonton Singing Christmas Tree, and they are seated in your gallery.

Carrie Doll is a board member of the Singing Christmas Tree Foundation, and Hana Marinkovic, who led us in *O Canada*, is my chief of staff and a member of the Singing Christmas Tree choir. I can assure the House that although we often sing from the same song sheet, listen to her singing, not mine.

I'll do the final introduction in a moment. Mr. Speaker, the Edmonton Singing Christmas Tree has an incredible legacy in this city. Many of us remember that it started as a local church production. It's now grown into a spectacular Broadway-style family show at the Jubilee, with five performances over four days, boasting collaborations with incredible local artists as well as international artists such as Mark Masri, the Canadian Tenors, and Ruben Studdard, to name a few.

Mr. Speaker, the Edmonton Singing Christmas Tree is not only an incredible Christmas show for the family, but through these shows the foundation has raised more than half a million dollars over the last four years for Edmonton's Santas Anonymous and Food Bank.

My final introduction, Mr. Speaker, is Mike Fersovitch, and he's also seated in your gallery. He is here in honour of his wife, Kristen Fersovitch. Kristen was a special performer with the tree for the last two years and is a major source of hope and inspiration for the Singing Christmas Tree and every Edmontonian who was touched by her powerful spirit. Kristen passed away this October, but her light will remain the brightest star in the tree for many years to come.

Mr. Speaker, for their dedication and commitment to supporting our local community and helping to make the holidays that much brighter for families, I'd like to ask Carrie, Hana, and Mike to please stand and receive the traditional warm welcome and thank you.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview, followed by the Associate Minister of Regional Recovery and Reconstruction for Southwest Alberta.

**Mr. Bilous:** Thank you, Mr. Speaker. It's my pleasure to rise and introduce to you and through you to all members of the Assembly a group of fabulous men and women from the 50s group from the Candora Society. The Candora Society of Edmonton is a not-for-profit organization with a community development mandate to work with the residents of northeast Edmonton to create a positive environment for families to live and to grow and to collectively address issues of concern in our communities.

The 50s group started four years ago to keep their seniors together. This group meets every Thursday morning at 10 o'clock to play cards, make crafts, and take workshops, enjoying lots of laughs. Mr. Speaker, I've had the incredible privilege of visiting with this group on a couple of occasions in the last few years. Their goal this year is to fund raise to go on field trips, which brings them to our Assembly today.

I invite them to rise as I call their names and receive the traditional warm welcome of the Assembly: Lorette Spilchen, the director; Eveline Warren; Leona Lindberg; Maria Locker; Mary Yadowski; Andry Gurba; Wilhelmina Lund; Kathy Wowchuk; Todd Schnerch; Colleen Campbell, and Maureen Stokell. I'll invite my colleagues to join me in giving them the traditional warm welcome of the Assembly.

**The Speaker:** The Associate Minister of Regional Recovery and Reconstruction for Southwest Alberta, followed by the Minister of Culture.

**Mr. Weadick:** Thank you, Mr. Speaker, it's my pleasure today to rise and introduce to you and through you to everyone in this Assembly nine hard-working members of our Alberta public services' flood recovery task force team. Since the flooding began in June, members of the Alberta public service have been at the forefront of the recovery in impacted communities and offices across the province. Their efforts have helped thousands of Albertans move towards rebuilding their homes and bringing some sense of normalcy to their lives. They will continue to work compassionately and tirelessly behind the scenes to help flood victims move through the recovery and healing process in the years ahead.

These professionals are taking a short break from their day-to-day flood recovery efforts to tour the Legislature and see firsthand how their work is making a difference. I'm not sure if they're in the gallery yet, but I'd like to introduce them. I'd ask them to stand if they're here. They are Jacob Modayil, Teresa Ullyott, Shannon Cavalieri, Ramola Goguen, Rebecca Wade, Dana Gray, Cameron Gertzen, Sonya Witzman, and Carlyne Murphy. Please join me in giving these people a warm welcome.

**The Speaker:** Thank you, hon. member. I've just received a note that your guests will be here shortly. They've been held up.

Let's move on to the Minister of Culture, followed by St. Albert.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. I am very honoured to introduce to you and through you to this Assembly members of the Imperial Sovereign Court of the Wild Rose and their executive, an outstanding group of individuals who are part of the imperial court system of queens and kings across North America. If you would kindly rise in the members' gallery as I say your names: Michelle Pederson, treasurer; Kari Sorensen, president; Imperial Grand Duke XXXVIII Randy Quiver; Imperial Grand Duchess XXXVIII Myra Maines; Imperial Crown Princess XXXVIII Kelsey Breeze; His Most Imperial Sovereign Majesty Emperor XXVI, XXVIII, XXXVI, and XXXVIII and a half Rob BigOnion; His Most Imperial and Sovereign Majesty the 38th Elected Emperor of Edmonton and all of Northern Alberta the Triple-X Elizabethan Emperor of Classic Tunes, Show Tunes, and Looney Tunes Jeffylube XXXPress.

The mission of their court is to raise funds for charities and other organizations which either provide direct services to the GLBT community of Edmonton or those which work to promote an accepting attitude of gays and lesbians in the community as a whole. In their 38th year they've chosen to focus their fabulous fundraising on the John M. Kerr memorial scholarship for GLBT youth attending postsecondary schools, the Pride Centre of Edmonton, Camp fYrefly, the Canadian Cancer Society, the Alzheimer Society of Canada, and the GLBT community. On November 29, this weekend, Crowns for Kids will take place in Edmonton, where proceeds and toys collected are donated to Kids Kottage and Ronald McDonald House in time for Christmas. I would ask that my colleagues show you the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for St. Albert, followed by Edmonton-Gold Bar.

**Mr. Khan:** Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you a very special family living in my constituency of St. Albert. Terry and Roma Kurtz and their sons Ben and Grant have proven to be inspirational to everyone they meet. Ben and Grant are young men living with autism, yet both live amazing lives pursuing their passion as artists. Ben is a talented photographer, and Grant is an amazing painter. With the

love and encouragement of their parents these young men have flourished pursuing their respective interests and are gaining a following and a reputation as talented artists. It is, in fact, through their Autism Artistry gallery showing last spring that I first met this family and enjoyed their wonderful work, and their mother, Roma, has asked me to pass on a sample of their work in the form of gift cards to the Premier, which I will be honoured to do. Joining the family today are Ben and Grant's two caregivers, Ashley Bailer and Stacia McKinley. Also with them are Danielle Galloway and Shane Henton, two very dear friends. I'll ask Team Kurtz to now rise, and would you all join me in the traditional warm welcome.

**The Speaker:** The hon. Member for Edmonton-Gold Bar, followed by Edmonton-South West if we hurry.

**Mr. Dorward:** Thank you, Mr. Speaker. The Organisation for the Prohibition of Chemical Weapons received the Nobel peace prize earlier this year. I am so pleased to report to you that the King's University College in my area of Gold Bar had a significant role in the receiving of that prize. Today we have Dr. Melanie Humphreys, the president of King's University College, and two of the students, Joseph Zondervan and Miriam Mahaffy. Miriam's father, Peter Mahaffy, is unable to be with us. He is the other individual who worked closely on this project along with Brian Martin, also a professor, who is unable to be here. I would like Joseph, Miriam, and Dr. Melanie Humphreys to please stand up and receive a warm welcome from the Assembly.

1:50

**The Speaker:** The hon. Member for Edmonton-South West very briefly.

**Mr. Jeneroux:** All right. Thank you, Mr. Speaker. It's a privilege to rise to introduce to you 13 dynamic individuals who have come to our Chamber today. This group is from Alberta School of Business, executive education. As many of the members know, executive education is one of the four pillars of Alberta School of Business. As the school's professional development provider they serve all clients across all industries and in the public sector. Executive education works to build the province of Alberta in western Canada through the leadership of learning. This incredible group has taken the initiative and accepted my invite to come to today's proceedings. They are Associate Dean Carolyn Campbell, my dear friend Jenny Adams, Heather Christensen, Rhonda May, Courtney Schubert, Amy Fisher, Kate Wylie, Sabrina Loo, Heather Thomson, Krista Aune, Liezel Candava, Melissa Creech, Sarah Kowalevsky, and Tyler Waye. We can now refer to them as Tyler and the ladies, I guess, but I do ask them to rise and receive the traditional welcome of the Assembly.

### Oral Question Period

**The Speaker:** The Leader of Her Majesty's Loyal Opposition. First main set of questions.

### Children in Care

**Ms Smith:** Mr. Speaker, today we've learned that the government has failed to accurately report the number of deaths of children in care since 1999. The tragedy of these children's deaths is heart-breaking. To learn in media reports that the number of deaths of children in care is actually three times higher than the government's previously reported figures is unacceptable. Will the minister commit today to a full public inquiry into their children in care

policies to ensure that mistakes of this nature will not happen again?

**Ms Redford:** Well, Mr. Speaker, the death of any child in Alberta is a tragedy, either in care or not in care. That's one of the reasons, when we formed government in 2013, that we took steps to ensure that the child welfare system is even stronger. You will know that we passed legislation in this House in 2012 to ensure that the child advocate was independent, an independent officer of this House, that the death of any child in care had to be reported, mandatory reporting to the child advocate, and it's why we passed the Children First legislation, so that caregivers of children in care and out of care could share information to keep kids safe.

**Ms Smith:** Mr. Speaker, I'll ask questions about the advocate in a minute, but the media reports also raised concerns regarding the quality of care Alberta children receive when they are in the care of government. We know that the vast majority of Alberta's foster parents are caring, compassionate individuals who make substantial personal sacrifices. Will the minister commit to a public inquiry to ensure that foster parents are provided with the support that they need in order to effectively help Alberta's children in care?

**Mr. Hancock:** Mr. Speaker, the Leader of the Opposition is fast to call for public inquiries. What she should recognize in this case is that it's not another inquiry we need. We've actually had the inquiries, and now we're implementing the results of those inquiries. The previous minister put in place a quality assurance council to review every incident of serious injury and death. The Child and Youth Advocate Act, passed in December of 2012, requires every death of a child in care or under the programs of our department to be referred to the Child and Youth Advocate. The medical examiner's office reviews the death of any child in care. There are a lot of things that have been put in place.

**Ms Smith:** If that were true, Mr. Speaker, we wouldn't just be finding out today that only one-third of the deaths had actually been reported.

Following the tragic deaths of children in care, subsequent fatality reviews have provided hundreds of recommendations on how these tragic deaths can be prevented. Instead of fighting requests for information from the opposition, from the media, from other groups, will the minister commit to a public inquiry to track the extent to which the recommendations of these fatality inquiries and special case reviews have actually been implemented?

**Mr. Hancock:** Well, Mr. Speaker, the hon. member would know that since 2012 we've actually publicly reported the death of any child in care. So every child since 2012 who has died in care, whether of natural causes, accidental, or otherwise, is fully reported. That's in place already. The quality assurance council has just sent me two recommendations, and one of them is to put in place a tracking system so that we can publicly track all of the recommendations that have come forward from fatality reviews and reports, and we are going to be doing that immediately.

**Ms Smith:** Here's a problem, Mr. Speaker. The government's independent Child and Youth Advocate has also expressed frustration at the government's failure to provide timely and accurate information. In his most recent report the advocate himself said that "our access to information is less timely than we hoped." Why is the government failing to provide full and timely information not only to Alberta's media but also to their own independent Child and Youth Advocate?

**Mr. Hancock:** Mr. Speaker, the Child and Youth Advocate has full access to all information. He has some concerns sometimes about timeliness, but that has been worked out. There's been a process since the office was established. We've been setting up a process to ensure that he has access to the information he needs when he needs it and when he wants it, and that is actually happening as we speak. We've dealt with that concern that he's had, and we're making sure that all of that information is available to him. There are two values here that are really important. One is the privacy of the family and siblings and others, and the other is the value of reporting. We've covered this by having a quality assurance council, the Child and Youth Advocate, the medical examiner's office, and other methods.

**Ms Smith:** Mr. Speaker, that's not what the advocate said in his report two weeks ago.

In addition to recommendations coming from the fatality inquiries, the government's independent Child and Youth Advocate has also put forward a number of important recommendations regarding the quality of care for children in care. However, the advocate himself is also concerned that these recommendations aren't being fully implemented by the government, saying that "the response to these recommendations has been limited." Why is the government failing to implement all of the recommendations of their own Child and Youth Advocate?

**Mr. Hancock:** Well, Mr. Speaker, the first thing I want to be perfectly clear on, because the opposition doesn't seem to be able to get this straight, is that the Child and Youth Advocate is not our own officer. The Child and Youth Advocate is an officer of this Legislature and reports to the Legislature. We are mandated and legally obliged to co-operate fully with him and report all serious injuries and deaths and to co-operate to provide the information that he needs to make a full and complete inquiry. The quality assurance council is also mandated to do that, and between the two of them they can hold us to account with respect to anything that they feel might not be adequately reported. We've published all the numbers of every death of any child in care, and we have done so since 2012. What we need to do is to get on with continuing to improve the system.

**The Speaker:** Thank you.

**Ms Smith:** Mr. Speaker, that answer is not acceptable. The minister is not living up to the expectations for this advocate office. Albertans may be rightly asking why the government even bothers to have an independent Child and Youth Advocate if they're going to keep him in the dark and fail to follow through on his recommendations. However, given the reports today the need for this officer has never been more clear. To the minister: going forward, will he actually empower the Child and Youth Advocate by providing him all of the relevant information and by implementing all of the recommendations he gives to this government?

**Mr. Hancock:** Well, Mr. Speaker, we do provide to the Child and Youth Advocate and I will pledge to this Legislature that we will continue to provide to the Child and Youth Advocate all of the information that he needs to do his job. The Child and Youth Advocate has now tabled I think it's two reports or maybe three reports, and we are thoroughly reviewing those reports. We are very, very interested in those recommendations, and we are very, very interested in implementing those recommendations.

**The Speaker:** The hon. leader. Third main set of questions.

### Michener Centre Closure

**Ms Smith:** Mr. Speaker, keeping with the issue of persons in care, last Thursday the Member for Red Deer-North finally let caring and compassion trump partisanship and quite rightly joined the fight to keep Michener Centre open. The Member for Red Deer-North knows the great work of the staff at Michener, what they do for these residents. She knows there is no effective plan to relocate these residents. She knows that closing Michener is wrong. Will the Premier listen to her Member for Red Deer-North and cancel the closing of Michener Centre?

**Ms Redford:** Well, Mr. Speaker, Michener Centre has been a very important part of the health care system in Alberta for many years, but that's the point. When the Michener Centre was opened many years ago, we as a community had an understanding, that was quite different than today, as to what community-based care looked like for people that were living with disabilities. Although there are some people that are certainly still requiring information and getting their transition plans in place, I have every confidence that the staff and the minister responsible for PDD are working with families to ensure that we provide better community-based support for people because that is how we actually work with people in 2013.

**Ms Smith:** Mr. Speaker, the Premier should know that Michener Centre hasn't been institutional care for more than 40 years. Jody Kvern is just one long-term resident who has tried community living and found that it was a disaster for her. Jody's family is passionate about keeping Michener Centre open. To the Premier: why won't she visit Michener Centre to see for herself that this model of care that they provide is the very best care for these residents?

2:00

**Mr. Oberle:** Mr. Speaker, I have visited the Michener Centre, and successive Premiers have visited the Michener Centre. Nobody is criticizing the care and compassion that's been exercised at the Michener Centre, nor would we ever. That's not the point. We know that we can do better. We know there are models of care that provide better outcomes. We're moving forward to implement them.

**Ms Smith:** Mr. Speaker, many of the residents at Michener Centre are also under the guardianship of the government. In many cases their families surrendered guardianship to the government to secure their loved ones' care at this facility. These families were promised that their loved ones would be cared for at Michener Centre in Red Deer. They wouldn't have signed the guardianship documents otherwise. To the Premier: why is this government breaking their promises to these Alberta families?

**Mr. Oberle:** Mr. Speaker, the promise that we've made to the families of those individuals either under the care of the public guardian or other guardians – the promises we make are to the individuals, and that is to provide for the very best care we can, to strive to achieve the very best outcomes that we can, and that's what we're going to do.

**The Speaker:** The hon. leader of the Alberta Liberal opposition.

### Deaths and Injuries of Children in Care

**Dr. Sherman:** Thank you, Mr. Speaker. The moral test of a government is how it treats its weak and vulnerable, especially children in care. Today we learned heartbreaking stories about the

shocking number of children who died while in government care. Annual government reports give the misleading indication that 56 children died in care between '99 and the present. After a four-year court battle waged by the *Edmonton Journal* and *Calgary Herald*, we now know the true number, 145. To the Premier: why is your government trying to cover up the deaths of 145 children?

**Mr. Hancock:** Mr. Speaker, that is the furthest from the truth. The fact of the matter is that this government, under this Premier's leadership, immediately moved to set up the Human Services department, immediately moved to make the Child and Youth Advocate independent, and immediately moved to publish the numbers of all the children who died while in care. Now, the other number is also misleading. The reason it wasn't published before that was that the numbers that weren't published were of those children who died tragically of natural causes. So the numbers that were published were those that were not the children who died of natural causes. There was no attempt to hide, but this Premier has moved to make this completely open and transparent.

**Dr. Sherman:** Mr. Speaker, with all due respect to that minister the fact of the matter is that there are mothers, grandmothers, and families waiting for answers about the deaths of their children in your care.

Mr. Speaker, if the number of deaths of children in care is this grossly underreported, then the number of children seriously injured while in government care is very likely underreported as well: sexually, physically, and emotionally injured. To the Minister of Human Services: since 1999 while in the care of your government how many children have been severely injured? Can you please answer that question?

**Mr. Hancock:** Mr. Speaker, since I became Minister of Human Services – actually, prior to that the previous minister set up the quality assurance council. All incidents of serious injury or death are reported to the quality assurance council for investigation. Then we set up the Child and Youth Advocate as an independent officer of the Legislature, brought that legislation here. This Legislature agreed that the child and youth officer should be independent. All deaths and serious injuries are reported to the Child and Youth Advocate for investigation. As of the annual reports of 2012 we're reporting publicly the deaths of all children in care. There is nothing being hidden here. What's really unfortunate is if we make political hay out of . . .

**The Speaker:** The hon. leader.

**Dr. Sherman:** Mr. Speaker, it's quite clear the minister didn't hear the question. The question is: how many were severely injured?

It's also quite clear that this Conservative government has failed in its most basic duty to protect the weakest and most vulnerable amongst us, our children at risk. Only a fraction of these 145 deaths were deemed worthy of an investigation. In cases where reviews were completed, recommendations weren't even followed. We owe it to these children and their families, Minister. To the Premier. Your government's credibility is at risk. Can you please stand up and answer my question: will you call an independent judicial public inquiry into these deaths?

**Mr. Hancock:** Mr. Speaker, this member also is one who wants to use public money for public inquiries. This is an area that's very serious. This is an area that's very important, and that's the very reason why this Premier has made children a priority of this government. This Premier moved immediately to have a Child and Youth Advocate's office as an independent officer of the Legis-

lature, who instructed that we publish the number of children's deaths. We are very open and transparent on it, while still maintaining the necessary privacy for the rest of the family. Don't forget that there are other children who are often involved.

**Ms Notley:** Mr. Speaker, when it comes to being accountable to Albertans about the safety of our most vulnerable children, this government has moved the goalpost so often that it took a four-year legal battle to start to get the picture. The long and the short of it is this. By playing around with reporting criteria, this PC government is hiding almost two-thirds of the deaths suffered by vulnerable children receiving protective services in Alberta. To the Premier. Even today you only report child deaths in care and not child deaths in protective services. How can Albertans possibly trust you?

**Ms Redford:** Mr. Speaker, this Progressive Conservative government, which started in October 2012, took as one of its first steps making a child advocate an independent officer of this Legislature, and we did that because I worked in the family justice system and I worked in child welfare and I am a concerned Albertan just as every other citizen is. We must protect our children, and by ensuring that we have an independent child advocate and that we have reporting requirements in place and that we take a look at every tragic situation, that is how we get the outcomes that we need, which are . . .

**The Speaker:** Thank you.

**Ms Notley:** Mr. Speaker, given that the 10 deaths of children in care last year generated not one investigation by the government's internal quality assurance council and so far only two by the children's advocate and given that this government appears to be combining a policy of underreporting child fatalities with the growing practice of underinvestigating them, does the Premier really believe that increasing secrecy and decreasing accountability can result in anything other than less safety and less security for Alberta's most vulnerable children?

**Mr. Hancock:** Mr. Speaker, what the hon. member has just said is fundamentally inaccurate. Every serious injury and death of a child is reported to the quality assurance council, which was set up by my predecessor, the Member for Calgary-Cross. Every one. Every death and serious injury is reported to the Child and Youth Advocate. Those two bodies work to determine what is the most appropriate investigation that should be undertaken to determine whether or not there is something that needs to be learned from it or some corrective action is to be taken. That fundamentally happens. The medical examiner's office also has the death of every child in care reported to that office to determine whether an investigation should happen. So it's not one investigation; it's three.

**Ms Notley:** Well, Mr. Speaker, having a death reported to you is not the same as doing an investigation about how that death happened and how it can be stopped. The fact of the matter is that the children's advocate has done two reports so far. It's just not good enough. Will the Premier commit today to legislation that requires the children's advocate to prepare a public review of every death of every child receiving protective services in this province?

**Mr. Hancock:** Mr. Speaker, the reason why you have independent officers of the Legislature, the reason why we have a quality assurance council is to determine whether a review, an in-depth

analysis and inquiry, is necessary. The same with the medical examiner's office: not every death in the province goes to a fatality review. The medical examiner's office reviews it, determines whether a recommendation should go to the board, and determines whether there is something that they do not know about that death. That's the way these circumstances are handled in this province. They look to see whether a further investigation is needed or warranted, and when it is needed or warranted, then they perform that review.

**The Speaker:** Thank you, hon. members.

From here on in let's curtail our preambles or eliminate them totally, starting with Calgary-Shaw, followed by Calgary-Hawthood.

**Mr. Wilson:** Thank you, Mr. Speaker. The deaths of children in care is a heartbreaking and sensitive topic. While we accept that some deaths were neither nefarious nor preventable, it is extremely disturbing to learn that the number of deaths reported by this government would appear to be only one-third of the actual number of children who died while in care, and the final number may end up being well above that. To the Minister of Accountability, Transparency and Transformation: what steps will your ministry take to ensure that a reporting mistake of this nature will not be repeated by any ministry in the future?

2:10

**Mr. Hancock:** Mr. Speaker, as I've said at least three times already, we've reported annually since 2012 the death of any child in care, and we will continue to do that.

**Mr. Wilson:** Mr. Speaker, this PC government would have Albertans believe that they are not accountable for anything that happened prior to 2012. Like every other problem that this government has on its hands, it is a problem this government created. Why should Albertans trust this government to fix mistakes that they and they alone created?

**Mr. Hancock:** Mr. Speaker, I would think that this hon. member would know and understand that while we should all aspire to be perfect, no one should claim to be perfect. Therefore, we should always be open to learn, and we are. The reporting that happened before that seems to be the subject of this controversy was not nefarious. It was just that they did not report deaths by natural causes. There were concerns raised about that, and people wanted more openness about all the deaths in care, so now we report all the deaths in care. It doesn't change the fact that a significant number of the deaths in care were deaths from natural causes.

**Mr. Wilson:** Well, given that according to media reports the government spent significant resources fighting the release of this information in the courts for the past four years and given that these are resources that could have been used to provide more support to foster parents and other groups who work with children in need, to the minister: why did your government fight tooth and nail to prevent the release of this information?

**Mr. Hancock:** Mr. Speaker, I'd tell the hon. member that if he wants to know and understand this better, I'd be happy to sit down with him and talk to him about it. But let me tell you this. With a very modest amount of research he could have determined that what was being a concern in that process with the court was what type of information should be released. What we do not release publicly are the names of the children involved, the identifying information, and those sorts of pieces. That is a very significant



challenge in this process. We want to make sure that the public has all the information they need to know but that we do not invade the privacy of other children in the family and the family.

**The Speaker:** The hon. Member for Calgary-Hawkwood, followed by Rimbey-Rocky Mountain House-Sundre.

### Calgary Road Construction

**Mr. Luan:** Thank you, Mr. Speaker. Rapid population growth in Calgary has created traffic congestion, which is all too familiar to many Calgarians. I know the Minister of Transportation opened the southeast Stoney Trail in Calgary last Friday. My question to the same minister: aside from generating headline news and photo ops, do you actually observe any real improvement in traffic congestion for Calgary commuters, especially during rush hour?

**The Speaker:** The hon. minister.

**Mr. McIver:** Well, thank you, Mr. Speaker. I thank the hon. member for being such a strong advocate for Calgarians' mobility, but I will say that he's a little bit of a hard case because we just opened the road. I will tell him that early indications are that it is making a difference. I've had lots of tweets. I've seen media reports where people have said that it's saved them five, 10, 20, up to 30 minutes. That will be 30 minutes a day for a lot of people for the rest of their lives, so that's pretty major. I will say to the hon. member that he should stay in touch with me because as time goes on, we hope for even better results.

**The Speaker:** The hon. member.

**Mr. Luan:** Thank you, Mr. Speaker. Given that we're still hearing Calgarians complaining about the traffic congestion, particularly on Deerfoot Trail, does the minister have any other plans to make things better there?

**The Speaker:** The hon. minister.

**Mr. McIver:** Well, thank you, Mr. Speaker. Of course, the hon. member, I'll refer him to the website to look at our three-year plan, which is where we have what is approved. The fact is that we do hope to do more improvements to the Deerfoot Trail, and as we bring those forward, we hope to do that and at the same time talk to the city of Calgary about returning the Deerfoot Trail to the city. That was the original arrangement when the province took it away, to get the ring road open so that we have an alternative to the Deerfoot and then give it back to the city. As that goes on, we hope to get some improvements done and then complete what we started and put it back in the care and feeding of the city of Calgary.

**The Speaker:** The hon. member.

**Mr. Luan:** Thank you, Mr. Speaker. Given that this same minister said himself that a ring road is better than the horseshoe that we currently have in Calgary, my question to the minister is: when is the southwest ring road going to be completed?

**The Speaker:** The hon. minister.

**Mr. McIver:** Well, thank you, Mr. Speaker. Up until last week it was a boomerang road, not even a horseshoe road. But we're up to the boomerang, and we're hoping to have a ring road when we're finished. In fact, I intend to be in Calgary on Wednesday with the Premier, the Tsuu T'ina chief and council and sign an agreement

for the southwest portion of the ring road. That will actually set in place a process where the federal government has to approve that. If all of that goes well, we'll be able to complete the ring road, just part of what this Premier and this government does: building Alberta.

### Athabasca River Containment Pond Spill

**Mr. Anglin:** Mr. Speaker, the largest toxic waste spill of its kind in Canadian history is happening as we speak. I'm referring to the Obed coal mine disaster, that has leaked a billion litres of toxic slurry containing mercury and other heavy metals into the Athabasca River. Last week this government was quoted as saying that the contaminated water will be diluted and safe once it reaches the Northwest Territories. Now, I'm not a chemist, so can the minister who said that we will rely on science please explain how a deadly toxic metal such as mercury is diluted in a river?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. I'll repeat again: first and foremost, what we've said all along is that we made sure that communities had notification so they were not drawing the drinking water. They were making sure that the water was safe because their water facilities knew about that. We are making sure that every day we are taking samples. We're working with Health; we're working with experts to make sure. The health and safety of people and of the wildlife are very important for us, and we're doing that every day.

**Mr. Anglin:** Given that two federal agencies have now confirmed the toxic slurry from the mine contains harmful levels of arsenic, cadmium, lead, mercury, and other cancer-causing agents and given that we know that these toxins are settling on the riverbed and in river gravel – and we know that gravel doesn't renew itself – what's the plan for cleanup?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you. What we're doing is making sure that as we're taking the samples, we're being aware. This will continue into the springtime as well with regard to the cleanup. What I'll guarantee you, Mr. Speaker, is that whatever costs are associated with the cleanup, those will be the responsibility of the companies and not the Alberta taxpayers.

**The Speaker:** The hon. member.

**Mr. Anglin:** Thank you, Mr. Speaker. Given that the minister initially refused to release the information on the contents of the spill and claimed that the spill posed no threat to human health and given that the minister said last week, "We had only seen one dead fish," would the minister like to correct herself and admit that this toxic waste is a threat to human health? Or can she tell us: did that dead fish have one head or two?

**Mrs. McQueen:** Well, Mr. Speaker, I want to tell you that I did not say that we would not release the information. We said that we would release the information, but we would make sure that we use the information as well for the investigation. All of that information we put out last week. We put out an environmental protection order. We have been doing everything since day one to make sure that the information is public, that that data is public. We will continue to do what's right for Albertans, for the health and safety of Albertans, and for the wildlife as well.

**The Speaker:** The hon. Member for Calgary-Glenmore, followed by Calgary-Mountain View.

### Energy Company Licensee Liability Rating Program

**Ms L. Johnson:** Thank you, Mr. Speaker. Changes to the licensee liability rating program took place this year and are having a serious impact on the junior oil and gas companies that contribute so much to Alberta's economic success. These companies are concerned that the new requirements are unfair to them and are having a negative impact on their cash flow. To the Minister of Energy: what is the purpose of this program?

**The Speaker:** The hon. minister.

**Mr. Hughes:** Thank you, Mr. Speaker. The licensee liability rating program, otherwise known in the industry as the LLR program, is one that is implemented by the Alberta Energy Regulator and ensures that companies have the assets necessary to deal with abandonment, remediation, and reclamation of their well sites. We'd all agree, I'm sure, that that is an important objective in terms of public policy: protecting Albertans, ensuring that those reclamation and abandonment costs are borne by the appropriate parties, those being the oil and gas companies. We want to make sure that Albertans are never on the hook for that.

**The Speaker:** The hon. member.

**Ms L. Johnson:** Thank you, Mr. Speaker. Given that the impact of these changes are happening at a time of very low natural gas prices, can you explain why these changes are being made?

**Mr. Hughes:** Well, Mr. Speaker, there have been changes in the cost to industry of undertaking these commitments to reclaim orphan wells, abandoned facilities, and pipelines of defunct companies. As a result, those changes were made in order to update, to ensure that companies had the appropriate amount of assets to meet their obligations. As somebody who has worked in the private sector with small companies and started small companies, this is an important obligation that people understand when they go into business.

2:20

**The Speaker:** The hon. member.

**Ms L. Johnson:** Thank you. To the same minister: do you and the Department of Energy truly understand the impact of these changes?

**An Hon. Member:** No.

**Mr. Hughes:** Well, Mr. Speaker, others may try to speak for me, but let me speak for me.

Mr. Speaker, I can tell you that as an entrepreneur in my private life, as somebody who worked in the oil and gas service sector for many years, I have a very strong sense of this. I have as of last week asked the chair and the CEO of the Alberta Energy Regulator to readdress this issue, see if there are ways that companies could meet these obligations through other means, and explore all possible options, working with the Explorers and Producers Association of Canada.

**The Speaker:** The hon. Member for Calgary-Mountain View, followed by Edmonton-Highlands-Norwood.

### Emergency Medical Services

**Dr. Swann:** Thanks very much, Mr. Speaker. Emergency medical services continue to be overtaxed and unacceptable, especially outside Calgary and Edmonton, since Alberta Health took over our emergency system, with increased injury rates as well as delayed response times. To the minister: why did you break a system that was working, especially in rural Alberta?

**Mr. Oberle:** Mr. Speaker, the hon. member asked this question last week and was concerned about increased injury rates for EMT workers. I offered last week and I'll offer again: if he actually wants to sit down and review the statistics, I'd be more than happy to do so because our statistics don't line up with his.

**The Speaker:** The hon. member.

**Dr. Swann:** Thank you, Mr. Speaker. Since it showed a 50 per cent increase in Calgary's emergency medical services injury rates over last year, it's troubling that the minister doesn't know anything about those.

EMS workers have a much higher injury rate and absentee rate since this government took over emergency services. Why?

**Mr. Oberle:** Mr. Speaker, I don't know a lot about some of the reports that hon. member comes up with, but I do know what the actual statistics are, and I'd be more than happy to sit down and review them with him.

**Dr. Swann:** Well, I tabled those in the House, as you know, Mr. Speaker. It's unfortunate that the minister hasn't had a chance to look at those.

Poor communications, delays, misdirection from 911 are especially common in rural Alberta. Will you reconsider this one-size-fits-all in rural Alberta and reconsider 911 and EMS?

**The Speaker:** The hon. minister.

**Mr. Horne:** Well, thank you very much, Mr. Speaker. As I said in answer to a question the other day, I've spent hours meeting with municipalities from across the province, including rural Alberta. I'll be tabling an article from a newspaper later today that quotes officials in Brooks and in other communities, saying that EMS services have improved since Alberta Health Services took over the leadership for EMS in their communities. Today a full 95 per cent of EMS calls are handled by our three provincial dispatch centres. It's working well. There's certainly room for improvement in many areas, and we're very focused on that.

**The Speaker:** The hon. Member for Edmonton-Highlands-Norwood, followed by Innisfail-Sylvan Lake.

### Health Care Premiums

**Mr. Mason:** Thank you very much, Mr. Speaker, for many years the NDP fought long and hard to remove the regressive and hurtful health care premiums forced on Alberta families. We were happy that our continued pressure paid off when in 2009 the premiums were cancelled. Yet at the Tory convention over the weekend a number of questionable decisions were made, including a motion to reimplement these taxes. This tax will undoubtedly cause further hardship for middle-class families who can't afford them. To the Finance minister: will you confirm today that you will not be forcing this regressive and unfair tax on Albertans once again?

**Mr. Horner:** We will not be introducing health care premiums, Mr. Speaker.

**Mr. Mason:** Good. My job here is done, Mr. Speaker.

### **Continuing and Long-term Care Placements**

**Mrs. Towle:** In June of this year the Minister of Health stated that the hundred-kilometre policy separating seniors in care from their communities was withdrawn immediately. Well, Mr. Speaker, not everyone got that memo. In July Faye Hallet, a Red Deer resident and the sole caregiver of her 90-year-old aunt, had to sign a document at Red Deer hospital stating that she'd be willing to travel a hundred kilometres for continuing care placement. This is forcing her aunt out of the community that she has known for the last 70 years. Minister, why are AHS staff telling Faye and many other Albertans that the divorce-by-nursing-home policy has not been rescinded and defying your directive?

**Mr. Horne:** Well, Mr. Speaker, the hundred-kilometre policy that Alberta Health Services had in effect was clearly rescinded. I can't be expected to know the circumstances of the hon. member's constituent. If she'd care to forward those to my office, I'd be happy to look into it.

**The Speaker:** The hon. member.

**Mrs. Towle:** Thank you, Mr. Speaker. I believe she's met with the minister from Red Deer-South and given him direction. I'm sure he's met with you about it.

Given that just last week an Innisfail resident was told that her 85-year-old mother with dementia, who's been on the wait-list for placement since March 25, would have to pack up and leave her community, friends, and family within 24 hours because of the first available bed policy – and that's what they told her – and given that everyone but the Minister of Health and the Associate Minister of Seniors can see that this policy is cruel, when will either minister live up to their word and end this policy immediately?

**Mr. Horne:** Well, Mr. Speaker, I'll say again: there is no policy in effect in Alberta today that requires anyone to accept a continuing care placement within a hundred-kilometre radius of his or her community. We've seen these sorts of generalizations before. I don't doubt the goodwill of the hon. member in raising the concerns of her constituents. Again, if she'd be happy to provide me with the specifics, I'd be happy to provide her with a response.

**Mrs. Towle:** I did that just last week. I sent it over to the Associate Minister of Seniors.

Given that this government's own membership does not believe you, given that this government's own membership passed a resolution this weekend at the PC AGM that said to end the cruel divorce-by-nursing-home policy, will this minister send out a directive today to all Alberta Health Services staff to tell them that there is no longer a hundred-kilometre rule in Alberta Health Services?

**Mr. Horne:** Well, Mr. Speaker, this is an absolutely absurd line of questioning. The hon. member herself was one of the members in this House who raised the issue of the hundred-kilometre policy in the first place. The issue was dealt with some time ago. We have processes in place for constituents and for MLAs on their behalf to raise concerns and have questions answered. I'd suggest she avail herself of those and do her constituents a better service.

**The Speaker:** Thank you.

Let's also be reminded about questions in question period not dealing with internal party matters. Now, the questions – I listened carefully – were crafted to sort of dodge around it, but the preambles certainly were not.

Let us carry on. St. Albert, followed by Cypress-Medicine Hat.

### **PDD Program Funding**

**Mr. Khan:** Thank you, Mr. Speaker. This past spring the government announced changes to the persons with disabilities program, also known as PDD. Albertans from across the province, including those in my riding, were worried, scared, and uncertain, so much so that many of my constituents brought their concerns to the very steps of the Legislature just this past summer. Many in the PDD community remain concerned and uncertain about how future PDD programming may impact their quality of life. My question is to the hon. Associate Minister of Services for Persons with Disabilities. Given the evolution of the PDD program will self-directed funding for PDD individuals be affected?

**The Speaker:** The hon. associate minister

**Mr. Oberle:** Thank you, Mr. Speaker. I can inform the hon. member. He's asking about self-directed funding. I believe he's talking about family-managed supports, family-managed services, and that is an option that many families choose. It allows them greater flexibility and more control over the delivery of care. This hon. member should be informed that each of the individuals in that system will be assessed and will go through the individualized process, but we've held their funding constant this year. There will be no changes to their funding.

**Mr. Khan:** Thank you, Minister. I've heard the minister speak to the need for eliminating artificial barriers to funding for the PDD community. To the same minister: given that PDD funding to young individuals can appear to decrease once they turn 18, what exactly is the government doing to address this situation?

**The Speaker:** The hon. minister.

**Mr. Oberle:** Well, thank you, Mr. Speaker. There are a couple of pieces to that, and I'd be pleased to speak to the hon. member offline about them. There are two pieces. One is that we have to remove the transition, the difficult transition, between children and adult services when a person turns 18. It's inefficient and unfair. We've also, through our results-based budgeting process, talked about the need for a lifespan approach to the delivery of care, and we're talking about that as well. We'll proceed, and I'm sure that the Edmonton Autism Society, for example, and others will be very pleased with the outcome.

**Mr. Khan:** Thank you, Mr. Minister.

Again to the same minister: given that funding for community access supports is critical funding that encourages community involvement and fosters the ability of the PDD families to pursue their passions and interests, Mr. Speaker, can the government assure us that community access supports will remain sufficient in light of the PDD funding transformations currently under way?

**The Speaker:** The hon. associate minister.

**Mr. Oberle:** Thank you, Mr. Speaker. I can inform the hon. member that we made no cuts at all in community access supports this year, and that is certainly our intention through the remainder of this year. We wanted to take an emphasis away from supports

that are designed to protect and to shelter people towards supports that are designed to engage and empower people. As we make that transition, there will be a shift in funding, but I can tell this House, as I said before, that community access supports are an important part of the support feature, and if you need those supports, you will get them.

**The Speaker:** The hon. Member for Cypress-Medicine Hat, followed by Red Deer-North.

2:30

### Construction Contracts

**Mr. Barnes:** Thank you, Mr. Speaker. Wildrose believes that we need more value from our infrastructure process. The drama that has plagued the Trans-Canada bridge repairs in Medicine Hat has tainted the recent announcement that it will be completed by next week. The provincial government failed to do its due diligence for the original contract, which resulted in two and a half years of delay for all Medicine Hatters. After a new contract was signed to complete this work, this government now isn't paying the bill, and a small contractor is owed a million dollars and has had to walk off the job. Why is this government not paying their bills?

**The Speaker:** The hon. Minister of Transportation.

**Mr. McIver:** Thank you, Mr. Speaker. In fact, the hon. member should know that we do pay our bills. If a contractor, typically, who is a subcontractor of somebody that has gotten paid doesn't, there is a process, actually, through the infrastructure legislation. I think that in this particular case of this contractor, if it is this contractor, if I'm correct in my assumption – and I'm sorry for assuming – I think they've been given that direction.

The fact is that I would recommend that the hon. member talk to those people in Medicine Hat. He's talking about a mess. I heard from a whole bunch of them this weekend. They're very happy with the way that project has gone.

**Mr. Barnes:** Mr. Speaker, given that the government has difficulty finding qualified contractors to complete infrastructure, doesn't this government see that not ensuring timely payments of the bills like the money owed to asphalt haulers on the two-month-delayed ring road will only make it harder for all Albertans to receive full value for their hard-earned tax dollars?

**Mr. McIver:** Well, Mr. Speaker, sometimes I struggle with things to agree on with this hon. member, but I think we agree on one thing. When somebody does work, they should get paid for it. I believe he believes that, and I certainly do. That's why we have a process in place that when we pay a contractor and the money doesn't get to one of their subcontractors, they can go through the legislation and get that done. So we help them where we can. These are actually the problems that you have when you're building Alberta, and the hon. member might want to consider that. On the other hand, if he's not building Alberta, he won't have these problems.

**Mr. Barnes:** We just want to build it right, Mr. Speaker.

Given that this government regularly mismanages a selection of these contractors and that this results in the awarding of contracts to companies that don't have the capacity to complete the job or to pay their bills, when will this government increase the transparency and accountability in the infrastructure payment process and start to care that hard-working Albertans get full value for their taxes?

**Mr. McIver:** You know, Mr. Speaker, I tried to throw the hon. member a bone; it just doesn't work. In his first question he said that the project is going to be finished next week, and in the third question he said that the project is not going to get finished. The member doesn't seem to know whether he's coming or going.

I'll tell you what is going on, Mr. Speaker. That project will get opened soon; the government will pay their bills. We're building Alberta. People in Medicine Hat and across Alberta will enjoy the infrastructure that they need and deserve because under this Premier and this government we're building Alberta, and we're providing the infrastructure that is so desperately required. [interjections]

**The Speaker:** Thank you.

Airdrie and minister of environment, are you finished your conversation? Perhaps we can carry on.

Red Deer-North, followed by Livingstone-Macleod.

### Red Deer Health Facilities

**Mrs. Jablonski:** Thank you, Mr. Speaker. Last week the Minister of Health announced the grand opening of the Central Alberta cancer centre in Red Deer, for which we are truly grateful. The Red Deer regional hospital, however, was built decades ago to handle 1,500 births per year, but with the growing population in central Alberta, over 400,000 people, there are now 2,700 births per year, almost double what the hospital was built to handle. There is a critical plan that calls for the development of two new operating rooms on the obstetrics floor. When can we expect the two new operating rooms on the obstetrics floor that were promised in Budget 2013?

**Mr. Horne:** Well, Mr. Speaker, I thank the hon. member for the question. The obstetrical operating rooms for the Red Deer hospital were not, in fact, part of Budget 2013. She is certainly right that the growth in Red Deer is unprecedented elsewhere in the province, particularly in the area of additional births. Last week the Minister of Infrastructure and I were pleased to approve \$9.6 million in funding for the project to go ahead. We expect it to be complete in 2016.

**Mrs. Jablonski:** That's great news, Minister. So that I don't sound too ungrateful, though, I'm going to ask: because of the growth that we're experiencing in central Alberta like other places in Alberta, when can we expect further expansion of the entire hospital?

**Mr. Horne:** Well, Mr. Speaker, as the hon. member says, Red Deer is one of the fastest growing areas of the province, and the demand for health services is increasing proportionately. We have taken a number of steps. The member herself referred to the opening of the Central Alberta cancer centre in Red Deer last week. This is designed to avoid situations where people have to travel long distances to access radiation treatment. Another recent example of expansion was the addition of ICU beds to the hospital in late 2012, and as I've just said, the expansion of obstetrical services, a \$9.6 million project, will be complete in two years.

**The Speaker:** The hon. member.

**Mrs. Jablonski:** Thank you, Minister. Thank you, Mr. Speaker. I hope I don't sound too ungrateful when I say to you that other areas in the country that have populations that are smaller than the population of Red Deer, St. Catharines, Ontario, for example,

have two hospitals. I'm wondering when central Alberta can expect a second hospital.

**Mr. Horne:** Well, Mr. Speaker, that's very interesting is all I would say.

Population growth, of course, is not the only factor that determines whether additional hospitals are needed. We have put great emphasis in this government on primary health care, on ensuring that we're delivering services in the community as close to people as possible through primary care networks, through other initiatives. All of these factors as well as others are taken into account in long-term planning. The goal is to provide the person with the right service at the right time and by the right provider.

**The Speaker:** The hon. Member for Livingstone-Macleod, followed by Calgary-Varsity.

#### Flood Hazard Caveats on Land Titles

**Mr. Stier:** Thank you, Mr. Speaker. The deadline for disaster recovery applications is in five days, and Albertans want more critical information before making such life-altering decisions. Ever since this government decided it would attach caveats to the properties of Albertans who accept DRP funding, flood-impacted Albertans have lived in fear of reduced property values if they accept the DRP payment. To the associate minister for regional recovery. Please clarify: after accepting DRP assistance, how can someone with a property in a deemed floodway have the caveat placed on his or her title removed?

**The Speaker:** The hon. associate minister.

**Mr. Fawcett:** Thank you, Mr. Speaker. That's right – and I appreciate the member giving me an opportunity to get the message out – that those that have not applied for the disaster recovery program should do so by the end of this month. Because they apply, it doesn't necessarily mean that they have to take the money. It's not until they take the money from the program, if they live in a floodway, that they then would have a caveat on their property. Until they take the money, they do not get that caveat. The deadline is just to signal their intent or the possibility that they would be eligible for that particular program.

**The Speaker:** The hon. member.

**Mr. Stier:** Thank you, Mr. Speaker. That wasn't quite the question.

Given that DRP assistance is intended to help, not hurt, can the minister explain how his government will protect Albertans from adverse treatment by banks and insurance companies and the like after they've had a caveat placed on their title?

**Mr. Fawcett:** Mr. Speaker, this government made a decision, a clear decision after the floods to try to get people that live in floodways, those that want to develop in floodways – we made a clear decision to not allow that moving forward. We want to provide people with the fair option of having that decision to move out of the floodway. As I've mentioned in this Assembly before, there are some very serious consequences both when it comes to future financial liability to taxpayers and public safety consequences for allowing development to continue in floodways, and that's the policy that this government decided to make.

**The Speaker:** The hon. member.

**Mr. Stier:** Thank you, Mr. Speaker. Considering this deadline and that this government hasn't updated its flood maps and that it plans to implement flood mitigation measures as well, which will further alter the floodways, does the minister recognize that forcing Albertans to make this decision before updating the flood maps is wrong?

2:40

**Mr. Fawcett:** Mr. Speaker, it's very clear that this member completely does not understand the use of flood maps and this particular policy. The flood maps are put in place. They're a planning tool that allows us to make these decisions as well as to do the mitigation that's required. Just because you have mitigation in place doesn't mean that you're no longer in the floodway. Sometimes those mitigation measures fail, and that puts those people in harm's way and leaves the government and the taxpayers with future financial liabilities. That's what we're trying to get away from.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by Edmonton-South West.

#### School Class Sizes

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. Last week my Calgary-Varsity constituency office hosted a forum on K to 12 education for parent councils and principals from the 27 schools in our constituency. It was an invigorating session, with many good ideas explored, and there are a few in particular that I promised to pose to our Minister of Education. Some grade 12 students I spoke to were concerned about their class sizes, even anticipating classes of 50 students in their next term's calculus class. To the minister: when you say that research supports the view that class size doesn't matter, but students are genuinely concerned, what's your response to those concerns?

**Mr. J. Johnson:** Mr. Speaker, first of all, I'd like to commend the member for her engagement with her community and putting on this open house. We were happy to provide some staff there to help her. As I've said before in this House, class size does matter. That's why we track it, and that's one of the places in the budget where we actually increased funding last year to \$248 million. It's not the only thing that we track, not the only important thing, and it's not the most important thing. Outside of the involvement of the parent the most important thing is the quality of the teacher, and we see a number of results, including the recent PIAAC results. Internationally we see countries like Japan or Korea with very high class sizes. Some of the largest bring in some of the best results.

**Ms Kennedy-Glans:** To the same minister: what changes in approaches to teaching do you envision to be able to make sure that learning can happen for every student in a classroom of 40 to 50 students?

**Mr. J. Johnson:** Mr. Speaker, another very good question by the member. One of the things that is guiding what we're doing in Education right now is kind of the blueprint that we have, which is the Inspiring Education report. There are a number of changes. Modernization is happening with regard to the system, but one of the main things we're doing right now is that we've got a task force out talking to Albertans about excellence in teaching. I think they're just completing their public consultation, and I'm very excited and very interested to see what that group is going to come back with. They're going to talk about the things that teachers

need to be excellent, how class size contributes, and the diversity in the classroom, the time they need to prepare, and others.

**Ms Kennedy-Glans:** Finally, is there a ceiling on class size for academic classes in elementary, junior high, and high school, a threshold after which the emotional ties to the educator are just no longer probable?

**Mr. J. Johnson:** Mr. Speaker, we do have guidelines for class sizes, that we track every year, and school boards report on that. It's an average across the jurisdiction. It's very difficult and virtually impossible to give hard caps on what class sizes should be because every class is different. The diversity in that classroom and the inclusion that we have now plays into that in terms of a number of things. So we leave those decisions up to the local school boards, the local administrators, and the local teachers to balance that mix of the class, the diversity, the excellence and the experience of the teacher. Thus, you just can't put a cap on any particular class in the province.

**The Speaker:** Thank you, hon. members.

The time for question period has elapsed, and as you will note and already have observed – I've received notes from some of you – we today recognized 17 different members asking questions. Now, that is a very good number and a good target. If you do the math, where we allow by our rules 35 seconds for a question and 35 seconds for supplementals and the same for answers, you can't mathematically get to 17 very easily; that's for sure. But we did today, and I want to thank a few people for helping us do that because there are not many ways we can get that done but for short questions, short answers, not using your supplementary if the question has already been answered, and not breaking any rules, thus precluding the Speaker from having to rise and interject. [interjections] Such as the interjections that are going on right now. [interjections] Government members, please.

Calgary-Hawthorn did a very good job with a brief supplementary. Rimbey-Rocky Mountain House-Sundre was also brief; the second one was a bit long but a good attempt on the first one. St. Albert was mercifully brief as well. Livingstone-MacLeod's first supplemental was short; the second one was not too bad. Calgary-Varsity also. The champion today had to be Edmonton-Highlands-Norwood, who forwent his second question and his third question. As a result, about 100 questions and answers were provided and given today. I think it was exactly 100.

In 30 seconds from now we will continue our Routine with the speeches by members under private Members' Statements.

Just before we go on with the private Members' Statements, Government House Leader, you have a request?

**Mr. Hancock:** While we await that commencing, given that we were so early in the Routine before we started question period, I'd ask for unanimous consent of the House to continue past 3 o'clock if that's required to complete Routine.

**The Speaker:** Hon. members, the Government House Leader has requested your unanimous consent to proceed beyond 3 o'clock in order to complete Routine should it become necessary.

[Unanimous consent granted]

### Members' Statements

**The Speaker:** Let us continue now with St. Albert, followed by the Leader of the Official Opposition.

### Kurtz Family

**Mr. Khan:** Thank you, Mr. Speaker. I would like to extend a heartfelt thank you to the Kurtz family and their team of supporters for joining us earlier this afternoon. As I mentioned in my introductions, brothers Ben and Grant Kurtz are young men living with severe autism, yet despite many challenges both of them lead extraordinary lives. Ben's passion is photography, while Grant is an enthusiastic and talented painter. With the help of their parents and mentors both young men have been able to flourish and enjoy countless successes, including the completion of a fulfilling educational journey through the school system in St. Albert.

According to his family Ben has always loved switches and pressing buttons and was naturally drawn to the camera, thus igniting his love of photography. Ben's younger brother Grant had an affinity for crayons, scissors, and paint from an early age. With the aid of an assistant Grant paints on canvasses, using acrylic paint.

These talented young men have developed into passionate artists. In 2011 and just this last spring Ben and Grant displayed and sold their artwork at a public gallery and auction showing in St. Albert. Mr. Speaker, their Autism Artistry gallery shows are gaining a remarkable reputation in our community.

These two young men are shining examples of how individuals with disabilities can flourish if they, their families, and those around them receive the proper support from their caregivers, community, and the government. Through a self-directed funding model of PDD support Terry and Roma Kurtz have been able to provide for their children what we all want as parents, a fulfilling and engaging childhood within a part of a vibrant community and a successful transition for their children from childhood to young adulthood, engaged in a vocation in which their children have a passion.

Mr. Speaker, I would like to personally thank Ben and Grant, their loving parents, Terry and Roma, and all those in our community who have supported the Kurtz family on their inspirational journey. I wish them continued success in the future.

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition, followed by Calgary-Varsity.

### Deaths of Children in Care

**Ms Smith:** Thank you, Mr. Speaker. Today we learned of a very disturbing and heartbreaking trend in our child care system. According to official reports a total of 56 children have died while being cared for by the province between 1999 and present. However, a thorough media investigation published today confirms that the real number is almost triple that and likely more. That means that those deaths occurred shrouded in secrecy, their circumstances along with the lessons they should have taught us swept under the rug.

Let me be clear. This is not a partisan issue. We know that the vast majority of department staff and foster parents are caring, compassionate individuals who want the best for these children. The system that cares for these children is tasked with perhaps the greatest degree of public trust we have in our democracy. It is tasked with caring for children who, through no fault of their own, have been thrust into a life of pain, of anguish, and of personal struggle. Nonetheless, something has very clearly gone wrong in the system.

That's why we believe a public inquiry is in order. We must clear the air and answer the pressing questions this investigation

poses to us. How many deaths have there actually been since 1999? What is the implementation status of recommendations from all fatality inquiries and special case reviews in that time? When and how should the death of a child in care be publicly reported? How should the government track and report deaths of children who have been removed from government care and returned to their parents? Why did the government spend four years blocking the release of this information, and was that in the public interest? What steps can be taken to immediately improve the quality of care for children in the child welfare system and foster care?

If we're going to reform the system, Mr. Speaker, we must dispense with the notion that the details of these incidents should be buried. In fact, the opposite is true. We must shine the light on these tragedies so we can learn from them, so the mistakes aren't repeated, and so our system stops failing the innocent lives that it's in place to protect.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Varsity, followed by Grande Prairie-Smoky.

## 2:50 Eliminating Violence Against Women

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. Today I rise to encourage my colleagues and all Albertans to wear a white ribbon in recognition of the importance of eliminating violence against women. I was in law school when Canada enshrined gender equality in our Charter of Rights and Freedoms. I still recall the feeling of great joy, yet it has not been easy to achieve that aim.

Over the decades we have seen momentum for equality build and then wane here in Canada and around the world. During the Arab Spring I was excited to support citizen leaders, including Tawakkol Karman in Yemen, to help move gender equality forward, yet the turbulence of the Arab Spring appears to have slowed or even reversed this progress.

Here in Alberta we have stronger laws and institutions, yet even here we are not free of discrimination and violence against women. Aboriginal women are a particularly vulnerable population. The spousal homicide rate is eight times higher than that of non-aboriginal women, and an estimated 75 per cent of aboriginal girls are sexually abused. These statistics are numbing, but let them not be debilitating.

In this government I'm honoured to be working with Métis and First Nations women to create economic security councils. One way to improve the safety of women is to increase their control over their economic security. YWCA and many other agencies are reframing their role. Their role is not just to protect women in shelters but to help women thrive in the community.

There is a role for every one of us in eliminating violence against women. I invite you to wear the white ribbon, and I encourage you to get to know these women and girls, not as statistics but as people.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Grande Prairie-Smoky, followed by Edmonton-Gold Bar.

## Retail Market Review Committee

**Mr. McDonald:** Thank you, Mr. Speaker. As many of us know, electricity prices can fluctuate from season to season depending on the severity of weather. For many Albertans on a tight budget this unpredictability can greatly affect one's quality of life. In order to

respond to market volatility and protect Albertans, our government established the Retail Market Review Committee.

Recently the committee conducted an independent analysis of the electricity default rate with the intent to provide viable options to keep costs down. In January of this year the committee released its 391-page, in-depth report, entitled *Power for the People*, which detailed the concerns of industry experts and outlined several key recommendations.

In response to these recommendations an MLA implementation team, which I am privileged to chair, was created, with the hon. members for Banff-Cochrane, Barrhead-Morinville-Westlock, Calgary-Foothills, Edmonton-South West, and Sherwood Park. Our team works in collaboration with consumers, industry officials, regulators, and stakeholders to ensure that we consult with Albertans in order to develop a plan to implement the committee's recommendations.

Our government recognizes the need to ensure Albertans are paying fair electricity prices by introducing regulations to promote greater transparency of energy prices. I'm privileged to be part of an initiative to better the lives of Albertans, and I'm grateful to be able to help foster more effective consumer oversight in our province.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Gold Bar, followed by Calgary-Mountain View.

## King's University College Nobel Peace Prize Contribution

**Mr. Dorward:** Thank you, Mr. Speaker. We have great post-secondary institutions in this province. Today I would like to highlight King's University College.

I rise today to speak about a team of outstanding individuals from King's University College, whose work contributed to the Organisation for the Prohibition of Chemical Weapons, OPCW, which was awarded the Nobel peace prize earlier this year. Mr. Speaker, faculty members professors Peter Mahaffy and Brian Martin along with student researchers from King's Centre for Visualization in Science have made contributions to the OPCW over the last eight years. Professor Mahaffy began working with the OPCW in 2005 and at that time headed a chemistry education committee for a group that sets global standards for chemistry and works internationally to improve students' and the public's understanding of chemistry.

This committee and the OPCW partnered in a new effort to educate the public, helping people to understand the devastating effects of chemical weapons. Students Joseph Zondervan, Miriam Mahaffy, and others have been working on the Multiple Uses of Chemicals website. OPCW was in the process of publicizing this site when chemical weapons were used in Syria on August 21, 2013, Mr. Speaker, killing more than a thousand people outside of Damascus. Syria signed on to the chemicals weapons convention and opened up their stores to international disarmament experts. Awareness helped that happen, and King's was on the forefront of that.

These King's college colleagues are an excellent example of the impact that Alberta's postsecondary institutions have made worldwide. King's University College is not only helping to build Alberta but helping to build the world.

Thank you so much.

**The Speaker:** The hon. Member for Calgary-Mountain View.

### Reporting of Deaths of Children in Care

**Dr. Swann:** Thank you, Mr. Speaker. Children first, not politics. Shocking revelations today from diligent journalists of concealed child deaths in government care are most profoundly about public trust, and in this regard this government has profoundly failed.

What we see, unfortunately, is a government that says, “children first” but purposely misleads the media, the public, and the vulnerable families of children who trusted in their government to tell the truth and learn from them. As bad as the failure to learn from these critical lessons and pass it along to all staff in the department is, Albertans in care must surely be anxious, especially with the ongoing major reorganization and disruption among thousands of staff already coping with heavy workloads and high levels of stress and burnout.

Why was this government silent on causes and lessons from the deaths of 145 children in care? This is all the more egregious since most of these children under foster care are from First Nations communities. Not only does this raise questions about inadequate foster care and selection; it also questions the monitoring in these situations. It raises troubling questions about what this government does not want the public to know about its own internal functioning. Parental negligence is one thing; political and criminal negligence is another. Finally, it raises questions about a government that refuses to invest in prevention in the midst of growing numbers of poor families – 91,000 poor children in the last census – and of those with mental illness without adequate support.

To be true, there are thousands of daily successes and personal sacrifices among dedicated staff working under incredible difficulties in this department. We need to hear these stories also. But today, Mr. Speaker, on behalf of the families, including foster parents of these dead and missing children: how can anyone trust a government that talks openness but hides the truth from both the staff and Albertans?

Thank you, Mr. Speaker.

**The Speaker:** Hon. members, before we continue with Routine, could we have your unanimous consent to revert briefly to Introduction of Guests? Does anyone object to giving that unanimous consent?

[Unanimous consent granted]

### Introduction of Guests

(continued)

**The Speaker:** The hon. Minister of Culture, briefly.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. I just need to add another name, that I missed when I gave an introduction of the Imperial Sovereign Court of the Wild Rose. I did miss the current empress, Dayzi Chayne, and I wanted to put that on the *Hansard* record.

Thank you.

### Notices of Motions

**The Speaker:** The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Speaker. I rise today to propose the following motion:

Pursuant to Standing Order 30 be it resolved that the ordinary business of the Legislative Assembly be adjourned to discuss a matter of urgent public importance; namely, the need to immediately identify the actual number of deaths of children in

care that have occurred since 1999, the implementation status of recommendations that have been made to prevent deaths in that time, the reasons for the secrecy surrounding this issue, and the steps that can be taken immediately to improve the protection of children currently in the care of the government.

Thank you.

### Tabling Returns and Reports

**The Speaker:** The hon. Associate Minister of Services for Persons with Disabilities.

**Mr. Oberle:** Thank you, Mr. Speaker. Last Thursday the hon. Member for Edmonton-Strathcona referred to a document received through FOIP that supposedly provided some justification for the closure of Michener after the fact. I rise today to table that document, which the hon. member did not table. It's quite clear that it says nothing about the closure of the Michener Centre, the decision to close the Michener Centre, but refers, in fact, to the very careful planning that must go into transitioning residents of Michener to other living arrangements, and it speaks volumes about the care and compassion that goes into that decision.

3:00

**The Speaker:** The hon. Member for Red Deer-North, followed by Edmonton-Calder.

**Mrs. Jablonski:** Thank you, Mr. Speaker. I wish to table five copies of documents with 117 signatures that are requesting the preservation and enhancement of the pheasant release program, that has been part of Alberta's hunting tradition, heritage, and culture for over 65 years. These documents were originally part of a petition with over 3,500 signatures; however, they did not meet the strict rules for submitting a petition, so I'm tabling them instead.

**The Speaker:** The hon. Member for Edmonton-Calder, followed by the Minister of Health.

**Mr. Eggen:** Thank you, Mr. Speaker. Today I'd like to table a hundred more of the handwritten letters my office has received expressing concerns about the deep cuts to postsecondary education happening here in the province of Alberta. These letters call on the PC government to reverse their harmful cuts to postsecondary education.

As well, I have the appropriate number of copies of FOIP documents regarding negotiations between the PR firm Calder Bateman and the Assistant Deputy Minister of Human Services, Brenda Lee Doyle, on the development of principles.

I also have the appropriate number of copies of a letter written by a mother whose son is living in the Michener Centre. Jeannine Goodrich tried to find a group home for her son Dean, but after she got ill, no one except Michener would take him because he was too hard to handle. The Premier should do the right thing and reconsider the closing of Michener Centre.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Minister of Health.

**Mr. Horne:** Thank you very much, Mr. Speaker. I have two tablings today. The first is a copy of the document entitled *The Way Forward*, Alberta's Multiple Sclerosis Partnership. This is the partnership between the government of Alberta, the Multiple Sclerosis Society, and other stakeholders designed to improve the experience and access to care for Albertans suffering with multiple sclerosis.



The second item, Mr. Speaker, is a news clipping from the *Brooks & County Chronicle*. Contrary to other claims that have been presented, this presents positive feedback from various municipal officials in southern Alberta regarding improvements in ground ambulance service delivery.

Thank you, Mr. Speaker.

**The Speaker:** Are there others? The hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Mr. Speaker. I am pleased to provide five copies of a tabling of the *Red Deer Advocate* dated July 11, 2013, in which Faye Hallett tells her story about being the sole caregiver for her 95-year-old aunt and also says that the reason she's going to the media is because she's being forced to move her aunt over a hundred kilometres away by Alberta Health Services.

The second article that I'm tabling is again a *Red Deer Advocate* article, this one from October 2 of this year. This article is called *Where are the Beds for Seniors?* Again Faye Hallett advises that she has gone to her MLA, advises that she went to the Associate Minister of Seniors, and again is being deployed by Alberta Health Services under the first available bed policy to over a hundred kilometres away.

Thank you.

### Statement by the Speaker

#### 20th Anniversary of Elected Members

**The Speaker:** Hon. members, just as we wind up our Routine, I want to take a moment to first of all recognize a very important milestone in the lives of four of our colleagues. This past summer that special milestone was reached by four members of this Assembly, all of whom are still sitting. June 15, 2013, marked the 20th anniversary of the election of these members. In alphabetical order they are the Member for Calgary-East, the Member for Calgary-Fish Creek, the Member for Calgary-Cross, and the Member for Edmonton-Mill Creek, which would happen to be yours truly.

Eight hundred and twenty-nine members have been elected since 1905, and only 37 of those men and women to date have reached or surpassed the milestone of serving in six Legislatures, meaning they have won six elections each. That is 4.4 per cent of all those who have been elected MLAs in Alberta's history.

I am going to invite these members to come up and receive a special pin in honour of this recognition. In alphabetical order let me begin by calling forward the hon. Member for Calgary-East. Congratulations to you, sir.

The hon. Member for Calgary-Fish Creek. Congratulations.

The hon. Member for Calgary-Cross just stepped out for a moment. I know we're not supposed to refer to absences, but in this case I will, and I'm going to ask her colleague from Edmonton-Ellerslie to please come forward and accept this on her behalf. You weren't here in 1993 but your spirit may have been. Please congratulate her on our behalf.

Mine has been received in my office. Thank you very, very much.

Hon. members, in addition to the points I mentioned about speeding up question period, let me commend you that there were no points of order raised today. That also helped speed things up. Not that they shouldn't be raised – if they're due, go ahead and raise them – but it helps speed things up when they're not. You know what prompts them, so let's avoid prompting them.

### Request for Emergency Debate

**The Speaker:** Let us move on, then. I think we do have a Standing Order 30 that has to be heard, so I'm going to hear that in just a moment. Before we do, I want to remind everybody now, so that I don't have to remind you during your comments, that I would appreciate, if necessary, hearing from one member from each caucus on behalf of their caucus so that we can get to the matter of the day just in case the ruling goes in favour of the debate proceeding today. I won't know until I hear all the arguments. I'm prepared on both sides of this, depending on what gets said and how it gets said today.

My point here isn't so much about that as it is about ensuring that you talk about the urgency of the matter, why this debate needs to be proceeded with now, not why the issue is important. Every issue that comes up under an SO 30 is important. Very important. This one happens to be in that category as well. We're talking about the matter of urgency as it's defined for this Assembly.

That having been said, let us hear the point from the hon. Member for Calgary-Shaw.

### Deaths of Children in Care

**Mr. Wilson:** Thank you, Mr. Speaker. I rise to propose the motion under Standing Order 30. As required by 30(1), written notice was provided to the Speaker this morning well in advance of the sitting of the Assembly.

Mr. Speaker, today we learned of a heartbreaking trend in our children's services system impacting some of our most vulnerable. Media reports show that the number of children who have died while under the province's care has been dramatically under-reported for the last 15 years. In fact, it took four years in the courts for Albertans to find out that the number of children who have died in government care is three times what had been previously reported.

Mr. Speaker, the motion is as follows:

Be it resolved that the ordinary business of the Legislative Assembly be adjourned to discuss a matter of urgent public importance; namely, the need to immediately identify the actual number of deaths of children in care that have occurred since 1999, the implementation status of recommendations that have been made to prevent deaths in that time, the reasons for the secrecy surrounding this issue, and the steps that can be taken immediately to improve the protection of children currently in the care of the government.

This issue meets the conditions laid out in Standing Order 30(7); namely, this is the first such motion proposed for today; this motion refers to a single matter, in this case the secrecy and uncertainty surrounding the deaths of children in the care of the provincial government; this motion does not revive any discussion held during this session; there is no bill or motion related to this concern, nor is there one likely to be tabled.

Now, while it did come up in question period today, it was clear that this is not the right forum for an adequate debate of a complex and passionate issue like this one. This motion is not based on a question of privilege, and the discussion does not raise a question that according to the standing orders can only be debated on a motion on notice.

As you have reminded us, Mr. Speaker, as the mover of a request for an emergency debate the purpose of this initial speech is to address the question of whether this is a genuine emergency requiring immediate and urgent consideration. As allowed in the standing orders, I will provide a brief summary of the facts.

The *Edmonton Journal* and *Calgary Herald* both ran multiple stories today detailing the results of a four-year investigation attempting to determine simple but important facts like how many children have died in care since 1999, how they died, and whether any recommendations that came out of their deaths were followed. What they found was disturbing on multiple levels. For one, after four years of battling the department, they still don't have all the facts, and only when the office of the Information and Privacy Commissioner ruled this summer that they must produce some files did the true picture start to emerge; namely, that the government only investigates some of the deaths, only makes public about one-third of them, doesn't track implementation of the recommendations, and is stubbornly secret about letting the public know about any of this.

3:10

This summary is not intended to overlook the need to address the urgency of this debate, and I'll be happy to speak in much more detail about the facts of this matter in the event this motion passes. The reason the brief summary is needed, though, is to make clear why shock waves are reverberating today not only through the children's services community across Alberta and those closely connected to the deaths of these children but also among everyday Albertans, who rightfully believe that one of government's most important tasks is to ensure the adequate care of those children whose families cannot care for them. Simply put, it is our moral obligation as legislators, as elected officials to ensure that deaths of children entrusted to our care are not swept under the rug. If we allow these deaths to mean nothing, if we allow this House to pretend or insist that the system is working despite mounting evidence to the contrary, it will be a heavy weight and a burden for us to carry, Mr. Speaker.

We need to understand why this government decided to hide this critical information from the public. According to reports the government spent four years fighting the release of this information in the courts. These are resources that could have, in fact, and should have been used to provide more support to our staff, to the foster parents, and other groups who work with children in need. Sadly, this government kept that door slammed shut. It is critical, given the amount of secrecy exposed today, for all Albertans to get a crystal clear picture about what motivated the decision to hide this information. Questions remain whether or not this government was simply papering over cracks in a broken system or if it was made in an effort to hide potentially harmful and politically damaging truths or incompetence.

Further, Albertans expect a certain degree of accountability when it comes to who made the decision not to make these deaths public. Were these decisions made by those politically accountable, or was information ever withheld from ministers by staff? If information was withheld from ministers, who did the withholding, why, and are they still in a position to continue to withhold important information?

We need to understand why this government is allowing recommendations that come out of fatality inquiries and reports and the Child and Youth Advocate's office to go unmonitored or at times completely ignored. We're talking about hundreds of recommendations, Mr. Speaker, where advocates and parents are left sitting idly by, wondering why the government has failed to take action. In fact, I'm sure it would shock most Albertans to know that much of this data is going untracked and that we have no system for studying trends among children who die in provincial care.

Given these circumstances it is clear that this matter is, according to *Beauchesne's* 389, "so pressing that the public interest will

suffer if it is not given immediate attention." The matter of urgency should be unquestionable, Mr. Speaker. Surely all members of this House will agree that the almost 9,000 children in care today are impacted by what we do in here. There have been 89 children in this province's care that have died without public knowledge but, more importantly, without anybody asking the question why. We must work towards tearing down this culture of secrecy and ensure that this government takes immediate action to put forward reforms and improve the protection of children under our care.

We owe the children and the families impacted by these deaths this debate. We owe the social workers and enforcement officers on the job today this debate. We owe the foster families, the families who do great work every day and are intimately aware of the system's shortcomings, this debate. We owe the staff and officials in children's services this debate. We owe every single mother, father, grandfather, grandmother, aunt, uncle, brother, and sister of the 9,000 children that are in this province's care this debate. If we allow one more death to occur that could have been prevented, Mr. Speaker, shame on us. We owe all Albertans this debate. Make no mistake: Albertans deserve it.

It is our foremost responsibility and duty to ensure that these deaths, each one a tragedy unto its own, do not occur in vain. It is our duty as legislators and in the interest of Albertans for this Legislature to permit this debate immediately. Mr. Speaker, I respectfully ask you to rule in favour of this motion so that all members can raise their concerns on these tragic and heart-wrenching circumstances and ensure that this government either clears the air or starts doing a much better job at caring for the most vulnerable children in this province.

Thank you, Mr. Speaker.

**Dr. Sherman:** Mr. Speaker, on behalf of the Alberta Liberals I stand in the Assembly to support the hon. member's call for an emergency debate on this issue. Looking at the standing orders, the question is: is it an issue of public urgency? Under Standing Order 30(7) I believe it is an issue of public urgency premised on two facts. One, it's a breach of trust, a breach of trust of a government. The integrity of a government institution has been brought into question, and the credibility of our sitting government is at stake right now as we speak.

Number two, it's an issue of public safety. The safety of our children is at risk. I know as a front-line physician for more than 22 years, Mr. Speaker, that when the front-line heroes of health care, whether they're doctors or nurses or firefighters or police officers, see a child's life in danger, when a child has been injured, we always have to ask the question: is there child abuse involved? These children are being apprehended today when they meet the doctors and the front-line health professionals, and decisions are made to apprehend these children.

There has been enough evidence brought forward based upon the investigations done by the *Calgary Herald* and the *Edmonton Journal* that the government has not been forthright in protecting their children. Mr. Speaker, the government's job, the most basic, fundamental job of our government, is to protect its citizens, and the most vulnerable citizens are our children. Essentially, here we have a government that apprehends these children, and then many of these children end up dead and the government has not been forthright in providing information. In fact, they have fought – they have fought – to get the truth to the public. If they were forthright years ago, we would actually have saved the lives of countless children and implemented solutions.

Mr. Speaker, it took the office of the Privacy Commissioner, an officer of this Legislature, to order this government to release the

death records because the office of the Privacy Commissioner felt it was an issue of public safety, that the public must know of this. Yet the government fought this tooth and nail until the last day.

I'm glad that we have a Child and Youth Advocate, that the Liberals fought for for years, an independent Child and Youth Advocate. The Child and Youth Advocate today says that the government is slow in sharing information. They still are not getting information as quickly as they'd like to and the amount of information they'd like from this government.

Mr. Speaker, there have been deaths of children in care, but we also don't know how many of these children that government was contacted to protect died at home. That number still isn't available. When we have front-line health providers identify a child at risk and we contact the government agency, we don't know how many of these children actually died when they were returned to their home.

You know, as an elected member it's heartbreaking to me to see this kind of thing. It is heartbreaking. If we can't protect children and if we can't be honest, why are we all even here today? The moral test of a government is how we protect those who are in the dawn of their life; those who walk in the shadows of their life, the weak and the vulnerable; and those who are in the twilight of their lives, the seniors. Mr. Speaker, can't we have an honest conversation on this to say, "Look, these are mistakes made in the past"? Some members are still currently here from that government making those decisions when these mistakes were made. Many of us knew. If we cannot have an honest conversation, how are we going to make sure that going forward the children today, right now, are being protected?

3:20

Mr. Speaker, it's for these two reasons that it is a matter of immediate public urgency. It's a public safety issue today. If our staff are not resourced enough in the ministry of children and youth services – I know these social workers. I know they're burnt out, I know their caseloads are too big, and I know that needs are too great because my colleagues and I are the ones who send many of these poor children into their care. If it's an issue of resourcing, then we need to get them the resources today.

Mr. Speaker, I know that many of the staff are barred from speaking publicly. They'll lose their jobs, and they fear breaking the law. I know that many of these parents are barred from speaking publicly about the children's deaths. If we're going to do one thing, let's send a message to Alberta that we're all prepared to work together. Let's not lay blame. Let's not lay blame. It's a complex issue, but let's get to the root of this matter. Let's make sure that there's no child that dies in care, and if a child dies in care, let's make sure that that never happens to any other child again.

On behalf of the Alberta Liberals I support this matter of public urgency because I feel that it's a matter of immediate public safety and a breach of trust of government. Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Speaker. I, too, rise in support of this motion to proceed with this emergency debate. Briefly, the authorities that judge or assess the issue of urgency look to whether or not the need for the debate is urgent. They look at whether it's the first and only opportunity to debate, and I believe that this issue has been covered already by the Member for Calgary-Shaw, that there is no other opportunity in the near future for us to debate this issue.

As well, it is an issue of whether it constitutes a genuine emergency. In *House of Commons Procedure and Practice* on page 695 it states, "Events which [had] taken place in the past . . . might precipitate a course of conduct which, if allowed to continue unchecked, would certainly classify itself as an emergency and a matter of urgent consideration." I would argue, Mr. Speaker, that that particular issue applies today.

Finally, *Beauchesne's* 390 states that the Speaker must also look at whether "the public interest demands that discussion take place immediately." I'm going to start with that, Mr. Speaker, because, as you know, many Albertans woke up this morning to open a newspaper to read headlines that said that three times as many children had died in care in the last little over a decade than we had been told by the government. I think that that in and of itself is the kind of issue that is going to create a huge level of public interest and public concern, that needs to be addressed on an immediate basis because it is a matter which, I do believe, is fundamentally important to all sides of the House. I believe all Albertans care very sincerely and deeply about the best interests of the most vulnerable children in our society. I think that the fact that we have this issue out there, that three times as many children died than was reported, is important.

Now, I understand, Mr. Speaker, to some extent how this happened. I mean, we do understand it was not entirely intentional, obviously, on the part of the government. Up until last year the government only reported on accidents and injuries requiring hospitalization or that caused death. That was all they reported on. Children receiving protective services, I believe, was actually the criteria. This year the criteria changed again so that we were just hearing about children who died of any cause. Great; we've expanded the group of kids that we're reporting on but only if they were in care, so we've reduced the pool of children that would be subject to that more expansive definition.

So we continue to be in a situation where we are not reporting all fatalities of children receiving protective services from this government, and that is fundamentally important. If you look at the statistics around what children have been dying of, you will see that the majority of them are not accidents or injuries, but rather they are diseases, they are illnesses, they are things like pneumonia, they are asphyxiation, they are malnutrition, and things like sleep arrangement. I identify those ones in particular, Mr. Speaker, because those issues can and often do arise not only from the natural medical condition of the child but also from the issue of neglect. This is what is fundamentally important.

We have a piece of legislation that all Albertans think is being enforced right now that prohibits children from being the victims of neglect in our province and imposes on this government, and through them everybody in this Assembly, really, the obligation to save children from neglect. But, Mr. Speaker, we can't do that if we don't know about how many children may have died or may be at risk of dying as a result of neglect. Up until last year that information was not being shared with Albertans. It couldn't be. It just couldn't be. We weren't reporting it. We weren't typically investigating it because we're not typically investigating most deaths as things stand now, so we weren't talking about the issue of neglect.

Now we're in a situation where we might well talk about the issue of neglect amongst children who are in care, but we're not talking about the issue of neglect or serious injury amongst children who receive protective services but remain in the custody of their family while receiving family enhancement services. That, too, Mr. Speaker, is a huge crack that far too many children in this province are falling through.

Now, Mr. Speaker, I've been the critic for this area for four or five years, and I've known about the gaps in our reporting for that whole time. It was only today, though – this is where I come back to urgency – that I became aware of how significantly that gap results in profound underreporting of the danger that our most vulnerable children in this province are being subjected to. I had no idea that for every one that was reported, there were two more that weren't. I had no idea that the cracks in the system, the gaps in the reporting, had that many kids falling through. I honestly didn't realize that. But we do now, and we know it today. That is why this is a matter of urgency.

Mr. Speaker, ensuring that Alberta's children are safe is a three-part process. The first part of that process is in relation to knowing when children have died. It's a three-part process. The first is to know that a fatality occurred. The second is to investigate how that fatality occurred and to identify how to ensure that it does not occur again. The third thing is to follow up to see if those recommendations are actually being put in place. That's the three-part process.

What we've learned today is that as a result of the reporting processes used by this government, the people of Alberta and the members of this Assembly and many, many other advocates in the community are prohibited from even accessing that first step of that very, very important three-part process, which will keep our children safe. That is why this matter is so important, Mr. Speaker. We need to know how many children have been put at risk fatally so that we can begin the process of ensuring it doesn't happen again. If we don't know that, we can't do our job properly.

Now, the minister in question period also talked about the fact that there are other ways and other processes out there for how investigations can occur, but, Mr. Speaker, what I can glean from the situation is that while there may be reporting to the medical examiner's office and there may be reporting to the quality assurance council and there may be reporting to the children's advocate, the number of actual investigations around how these fatalities occurred is going down. It is actually decreasing.

The only ones we can know about, of course, are the ones that the children's advocate conducts. And that's great. The children's advocate has released two investigations. They've both been thorough, and they've included some good recommendations. But two investigations when 10 children last year died in care and another countless number died while receiving protective services even though not in care – two reports out of that many simply are not enough. When you consider the relationship that neglect may play and the role that neglect may play in otherwise seemingly innocuous fatalities, then we know we need to engage in a much more robust form of evaluation and analysis.

3:30

We know we need to do that if we really care about these issues and we really want to ensure that we reduce the number of fatalities, we reduce the number of injuries, we reduce the number of illnesses, we reduce the number of cases of pneumonia, we reduce the number of overdoses, we reduce the number of hypothermic deaths, all of those other things. If we want to reduce them, we have to know about them first, Mr. Speaker, and right now we don't. It is urgent because until we start hearing about those immediately, we can't start fixing the problem.

What we think we've heard is that the government itself is not even tracking this information. This is not necessarily a thing about intentional cover-ups on all these different levels. This is about the fact that in many, many cases when, for instance, a child receiving protective services has died from pneumonia, we're not looking into whether that child was ultimately the victim of

neglect, and we are not looking into whether that child could have been saved by a different approach to supporting his or her family or that child. By not doing that, that child's brother or sister could be at risk today. Today, Mr. Speaker. That is why this is urgent.

That is why the people of Alberta expect this Assembly to take this issue this seriously, because this is fundamental to what we do in this Assembly. We care for those who are least able to care for themselves; you know, fire, police, taking care of those who cannot care for themselves. It is fundamental to what we do in this Assembly. So if we don't take this matter seriously and we don't treat the gaps which have been revealed basically this morning to most of us, if we don't take those matters seriously, then, Mr. Speaker, I would suggest that we are not taking the role of this Assembly seriously either.

It is important that we have an opportunity to discuss the gaps that exist throughout the system, to ensure that we can start taking care of the other children who are currently at risk right now, whom otherwise no one knows anything about because we don't have a systematic process in place to ensure that we are tracking their safety and their security going forward.

So that's why I rise in favour of this motion, and I hope that you will rule in favour of it. Thank you.

**The Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I don't think there is any individual in this House who would not say that the issue of children in care and, in particular, the death of a child in care or of a child who is part of a family who is receiving services is not tragic. In fact, I would hope that each and every one of us as individuals here would think that the death of any child is tragic. The question of whether this should be an urgent debate is not a question about whether or not the issue is one of tragedy. These are tragic issues. When children are in care, it means that there has been neglect or abuse. It means that there has not been appropriate family care of that child. That in itself is tragic.

The question for today is whether we should adjourn the ordinary course of business of the House to debate this on an urgent and pressing necessity. I would say to you, Mr. Speaker, on the number of things that have been said about what will happen to children if we don't have the debate: none of those are actually accurate. What is very clear over the course of the last few years is how very seriously our Premier, this government, and this minister take the issue of children and, particularly, the issue of children in care.

The most salient reference from the standing orders and the precedent of the House that was referenced was that it is appropriate sometimes to have an urgent debate on matters in the past if they are allowed to continue unchecked. Well, let me say, Mr. Speaker, a number of things.

First of all, what has spurred this debate is an article in a newspaper. Now, I have the deepest respect for the work that the particular reporters are doing, and I think it happens to be very important work. The headline was very unfortunate. What is clear, though, even on the face of the article is that when they talked about 145 children dying in care over the last 14 years and that only a certain portion of them had been reported, the reason that the others were not reported was because they were considered to be natural deaths or deaths by accidents, which were not intentional. It was not self-harm, not done by a third party. In other words, somebody of authority who had the obligation to look at them looked at them and said: we understand how this death happened, and we need not take it any further. Tragedy has

many elements, Mr. Speaker, and drawing those tragedies back doesn't make them any easier.

One of the challenges that I have as minister – actually, this relates to another piece about the release of information. A number of the speakers have spoken about how the reporters had to go to court for four years to get information out. Well, yes, they did, Mr. Speaker, because we do not necessarily release easily the private information of individuals who are in the child care system. First and foremost, the impact of the child welfare system is to make families stronger. We do not go out telling people: oh, your neighbour's child has been apprehended. When a child dies, there may be other people involved, not just the parents. Often the parents do want information released, but there may be other family members, including other siblings. So you can't just go out and release the information, saying that the public wants to know about this death. You have to look at all of those surrounding pieces.

However, going forward, Mr. Speaker, we have made some changes to the system that I think are very, very fundamental. They started when the Member for Calgary-Cross was the minister. There were two reports, actually, that were done, a report in 2010 – that one was the child intervention system review – then in 2011 the Calgary expert panel. Out of those reports a number of very significant changes have happened. One of those very significant changes was the establishment of an AVIRT team. That's the Alberta Vulnerable Infant Response Team. That is responding to the fact that a number of the deaths in care are of infants. The hon. leader of the Liberal Party was indicating that the first responders and emergency rooms play a role, and yes, they do. When that role happens, the AVIRT teams in Edmonton and Calgary actually come into play very immediately. Change has been made there.

Change has been made by establishing an officer of this Legislature, the Child and Youth Advocate. In the act that established the Child and Youth Advocate's office, which was passed in December of 2011 – and the Child and Youth Advocate came into play on April 1, 2012 – section 12 requires a duty to report when a child is seriously injured or dies while receiving a designated service. So with not just a child that's been apprehended but a child that receives a designated service, the public body responsible for the provision of the service shall report the incident to the advocate as soon as practicable.

Under section 13(1) of the act there's a right to information.

- 13(1) The Advocate is entitled to any information, including personal information and health information, that
- (a) is in the custody or under the control of a public body . . . and
  - (b) is necessary to enable the Advocate to exercise the Advocate's [duty].

And it goes on.

Section 14 of that act provides the Child and Youth Advocate, who is an officer of this Legislature, the powers of a commissioner under the Public Inquiries Act. So there are very strong authorities purposefully set up to allow the Child and Youth Advocate independence, both real and seeming to be independent status, with authority and with the ability to compel information in a number of different ways.

The matters that were raised in the newspaper report that have given rise to these concerns today from the members of the opposition with respect to the failure to report and not knowing and nothing being done: in fact, the reality is that the incidents of death that they're referring to actually were not reported – and it was actually well known that they were not being reported – because we did not report deaths by natural causes. Mr. Speaker,

that has changed, too. Because of the issues that were raised way back then, as of April 2012 the death of any child in care is now being reported.

3:40

Now, the question about whether, if we don't have a debate, nothing will be done and children will reach a tragic end: let me be clear, Mr. Speaker, that first and foremost, any serious injury or death of any child under any protective program of this government must be reported to the Child and Youth Advocate.

Under the council on quality assurance, which was also, actually, legislatively established under that same bill, deaths are reported to the quality assurance council. Now, why both? Well, we can get into that at a later date, Mr. Speaker, but the point is that there are two independent – the council on quality assurance is made up of experts in their fields in this area to review and determine whether or not a further investigation needs to happen and what needs to be done from a systemic basis in the system. The Child and Youth Advocate has the powers of a commissioner and all of the authority he needs and all access to all of the expertise that he needs to determine whether a further investigation needs to happen.

The medical examiner also gets the information about the death of a child in care. Every death of a child in care is reported to the medical examiner, and he has an obligation to look at it from a medical basis and to then recommend to the Fatality Review Board whether or not there needs to be a further investigation. The fact that some of these deaths of children in care have not been further reviewed is not an indictment of the system. It, in fact, means that they have been looked at, and it's been determined by the experts in each of those areas that no further review is necessary.

The hon. Member for Edmonton-Strathcona says that the number of investigations is going down. That, Member, is a good thing. It means that with all of these expert reviews fewer of the deaths in care are seen to be arising in such a nature of circumstance that needs further review. They're satisfied, upon the review that they've done, that they know how and why a child died.

Yes, Mr. Speaker, children do die in care, and that's tragic. Children die outside of care, and that's tragic. They die of natural causes, and that's horrible. We should be looking for ways, and we are looking always – I don't say "we" as a government. I mean everybody is looking for ways to reduce the issues of medical incidents that cause death. Sudden infant death syndrome is one of those things that still, I believe, people don't really understand very well.

There are lots of causes, and I don't disagree with the hon. Member for Edmonton-Strathcona, who made some very eloquent statements about what needs to be looked at and what needs to be part of those. I actually think that she's added some very eloquent voice to the child protection discussion over the years that I've been around, and I think that there are an awful lot of things that she says that are really quite relevant to the discussion in terms of what we need to look at and what we need to go forward. One of the things is that you can't just take an incident and say: well, that was pneumonia, so we know that that doesn't need to be looked at. She's right, but we have the experts in the field who look at these things to determine: is something happening here that needs further investigation? They do that investigation.

The issue here before us today is not whether these are tragic circumstances – they are tragic circumstances – and it's not a question of whether every single person, not just in this Legislature but in this province, should take the care and the time to

know and understand what is happening with some of the children in our society and how we could do a better job to reduce the abuse and the neglect of children in our society. Every one of us should be taking that on as a special project, absolutely. Family violence, drugs and alcohol, fetal alcohol spectrum disorder, just families struggling to make ends meet: all of those are issues that we need to take care of in our society. Have we been talking about those? Yes, Mr. Speaker. This isn't the first time that this has been an issue that somebody could talk about.

We had the discussion last year over the social policy framework, identifying specifically this, and in that discussion people identified the care and protection of children as the number one priority of Albertans. Our Premier has made it the number one priority of our government in terms of the early childhood development, in terms of child protection, in establishing a ministry responsible for family and community safety. That's all about child abuse.

Should we all be engaged in this? Yes. Have we been engaged in this as a society and community? Well, 31,000 Albertans have participated in the social policy framework discussion. This year they're participating specifically in discussions around early childhood development, around a children's charter, around poverty reduction. So those are opportunities for not just people in this Legislature but all Albertans to be engaged in precisely the things that underlie the question of what needs to be done to strengthen a family. How do we assist families so that their children can have the opportunity for success? That has been one of the most significant discussions that we've actually been having right through. We brought in a Children First Act, which did, among a number of things, put forward a provision that said that we need to review every policy of government which relates to children to make sure that we're doing the right thing in the right way.

To suggest that we've never had a chance to discuss this is absurd. We have had those chances. Mr. Speaker, I believe that as long as I'm in this portfolio, those discussions will keep coming to the floor of this Legislature. We will have the children's charter coming back in the spring. We will have the poverty reduction strategy coming back. We will be talking about initiatives with respect to early childhood development. We are doing so many of the things that have been recommended in many of the reports they're talking about.

Now, there's an element that we need to discuss about not tracking. Well, Mr. Speaker, I can say this. The quality assurance council has made a recommendation that there should be a formal method of tracking. But I would not want to besmirch the very good people – and I'm really pleased that most of the speakers today have talked about the people who work in the department and the front end of the system to care for kids. We have excellent people. We have so many wonderful things that happen on a day-to-day basis, arising out of tragedy, no doubt, but wonderful things that are happening when people are there to help families and to help children. Yes, we also have some tragedies. We need to learn from those tragedies. We need to care about what happens to those children. We need to know and understand that the children who come into care are among the most vulnerable. They come into care for a reason. They are the highest risk. They are the most vulnerable. Therefore, we need to take extra precautions and take extra care.

But none of that speaks to the question of urgency of debate today in the House. All of it speaks to the importance of the issue and the importance that all of us as members of this House and all of us as members of society and the community put the highest priority possible on the care of our children, on ensuring that our

children get the best possible start, and on ensuring that when children are in unsafe conditions, we do something about it, we do something early, and, Mr. Speaker, that when things do go wrong – and they do – we learn from it. If we don't, that only compounds the tragedy.

We have in place a history of things that came through that report. Essentially, the nub of the report that was in the *Journal* today was about unreported deaths. Well, I think I can assure you that if you read the report that was in the *Journal*, you could see that the discrepancy in numbers between reported and unreported was the number of kids who died of natural causes. That's very clear.

Also, the rules about urgency deal with the question of looking at the past if there's been no change. Well, there's been a substantive change. There has been the Child and Youth Advocate, the quality review council, the AVIRT team, the reporting of all the numbers, the Children First Act, and it goes on. So there's not a good reason to abrogate the day's business today to debate the *Edmonton Journal* story, Mr. Speaker. There is a very good reason for all of us to take this issue seriously and look into the facts and apprise ourselves of what is actually happening and take every opportunity in the normal course of our business to make it our business on each and every day to put children first, make sure that children in this province are safe.

**The Speaker:** Well, hon. members, Standing Order 30(2), in particular, provides that members “may briefly state the arguments in favour of the request for leave and the Speaker may allow such debate as he . . . considers relevant to the question of urgency.” It is then the role of the chair to “rule on whether or not the request for leave is in order.”

I want to begin with, again, just a little reminder of what urgency is, and I fully realize that I allowed a lot of leeway today with respect to that issue. But I will just remind you for future purposes, please. In my copy of *Beauchesne*, which is the sixth edition, page 113, citation 390 defines urgency this way as it pertains to whether or not the House should adjourn its normal business to deal with a matter of urgent and public importance.

“Urgency” within this rule does not apply to the matter itself, but means “urgency of debate”, when the ordinary opportunities provided by the rules of the House do not permit the subject to be brought on early enough and the public interest demands that discussion take place immediately.

That is the definition of urgency insofar as proceedings in this House are concerned regarding a matter such as the one at hand and the SO 30 under which it was raised.

3:50

That having been said, hon. members, I want to note that the Member for Calgary-Shaw did make the application at the proper time, and he did provide at least two hours' notice to the Speaker's office. In fact, his letter and a copy of the motion, in whatever order they were, arrived this morning at 9:50 in my office. His motion reads as follows:

Pursuant to Standing Order 30 be it resolved that the ordinary business of the Legislative Assembly be adjourned to discuss a matter of urgent public importance; namely, the need to immediately identify the actual number of deaths of children in care that have occurred since 1999, the implementation status of recommendations that have been made to prevent deaths in that time, the reasons for the secrecy surrounding this issue, and the steps that can be taken immediately to improve the protection of children currently in the care of the government.

Now, the relevant parliamentary authorities on this subject can be found at pages 689 and 696 of the *House of Commons Procedure*

and Practice, second edition, and also in *Beauchesne's*, paragraphs 387 and 390.

Now, I'm going to make a ruling in a moment. But while the chair will certainly address the urgency question and whether or not Standing Order 30 has been properly implemented here if a decision goes this way or that way, I want to just raise one other point for your future edification, so to speak, and that is: if you're bringing forward an issue under a Standing Order 30, please try your best to contain it and restrict it to one issue. I'm not chastising the member who raised this particular SO 30, so please don't misunderstand me. But there are at least three or four or five different issues contained in this one motion as phrased. Perhaps they would be better stated in written questions or a motion for a return or during question period or during some other form of debate. But in and of itself when you look at SO 30, you would see that there is a section in here that deals with the fact that an SO 30 should apply to one issue, hon. members. You can look it up for yourselves under SO 30. So please be reminded.

Secondly, also with respect to SO 30s it's not all that typical, in my recollection, that the language and the wording that sometimes gets used in SO 30s should be provocative in nature. That's another thing to please sort of keep in mind.

That having been said, hon. members, I did listen very attentively to all four speakers, one of whom represented each of their respective caucuses, as they spoke this afternoon to this matter. Obviously, it is an extremely serious matter when we're talking about children in care, and it's even more serious when we're talking about children who have perished, who have died. The gravity of the situation is certainly not lost on any of the speakers or on any of us in this House, including your Speaker, because the death of any child is without question a tragedy, and certainly the death of any child in care is no less tragic. Hon. members, I note the gravity of the matter.

I'm also noting that during question period today, believe it or not, 42 questions and answers were directed to this issue, 42 questions and answers, including nine questions in a row from the Leader of Her Majesty's Loyal Opposition with nine answers, six more questions and answers during the exchange with the leader of the Liberal caucus, six more questions and answers directed from the NDP caucus by the Member for Edmonton-Strathcona, and six more questions and answers developed by the Member for Calgary-Shaw, the author of this particular motion. I listened very carefully to the Premier answer questions, to the Minister of Human Services answer questions, to the Associate Minister of Services for Persons with Disabilities answer all of these questions, and a lot of information was given out in the process because every death of every child in care is important.

I noted that these deaths are reported. I also noted that in some cases there might be privacy concerns, there might be infringements that the government doesn't want to violate. But I also noted the passion with which both the questions and the answers were delivered, a passion that underlines the gravity of the circumstance. We heard about deaths by natural causes. We heard allegations about reports being purposely held up or held back. We even heard the term "cover-up," which on this occasion I let go. I may not let it go on another occasion. But I understand how emotional this matter can be.

I also listened very carefully when the Leader of Her Majesty's Loyal Opposition did her member's statement and through her delivery throughout probably the better part of 10 or 12 questions which require some form of answer from the government. Hopefully, they could be sought through a written question or a motion for a return.

I also then listened to the speeches that were just given. I heard seven or eight minutes from Calgary-Shaw, outlining his points and his allegations about some stubborn secrecy, about 89 deaths, about questions as to why these deaths occurred and what's being done to prevent them, and on he went.

I then listened to seven or eight minutes from the leader of the Liberal opposition, who talked about similar issues about public safety, the protection of our most vulnerable, references in the media, how many children in care died, when and where, and the questions went on.

I then listened carefully, again, to the Member for Edmonton-Strathcona, who recapped some rules that would govern here pertaining to *Beauchesne's* and *House of Commons Procedure and Practice* and motions to adjourn the normal business, and I listened to her points about criteria and the need to change some criteria and questions about what's causing the deaths and any gaps that exist in the system.

I also listened to the Government House Leader when he commented that nothing adverse would ever happen to a child in care if an urgent debate does not occur today.

On that point I want to bring you back to SO 30, which states at 30(6) that "an emergency debate does not entail any decision of the Assembly." In other words, an emergency debate, if it were to proceed here, does not culminate in a decision or a specific action that is required by anyone arising out of that particular decision. I think you know that because a number of you have been here before when issues like this have arisen.

I also heard the Government House Leader talk about what might happen if circumstances were allowed to continue unchecked and what it is that he, in his opinion, has seen the government do to try to prevent any of these tragic deaths. We talked about and heard about elements of tragedy, the protection of privacy, the purpose of the act, the role of the advocate. You should know that the Child and Youth Advocate is indeed new to the position and has presented at least one investigative report already, if memory serves me, and I think I tabled that not long ago.

Finally, we heard about extra precautions and other steps that have already been taken, and the hon. Government House Leader went on for about 15 or 16 minutes. So suffice it to say that we've heard quite a lot about what the grievances are and what the support would be for the motion to go forward, and we've also heard some counterarguments regarding why it should not.

Now, one last thing I want to mention here is that there are a number of vehicles that can be used in this House to raise issues such as the one raised today. Question period is one, and you saw illustration of that today. Forty-two questions and answers were given. The subject is a serious one, and that's not lost on any of us, as I said earlier. You have Motions for Returns. You have other opportunities such as that which the Leader of the Opposition took today, and that was to use a private member's statement to make your points. You also have another opportunity likely coming up very shortly under Bill 30, the Building Families and Communities Act, which is coming up for third reading. So you have opportunities there to continue on with the debate, and I could go on. I could go on at some length.

Suffice it to say that at the end of the day I don't find that there is a reason for us to stop all of the debate on other important matters in this House, and that is not to say that the issue at hand is not important because it most certainly is. It most certainly is. I wouldn't be surprised if this issue comes up again and again and again over the next several days. However, in the Speaker's ruling, which will now stand, I do not find it necessary to compel the House into the decision to stop all other business from proceeding

in spite of the fact that this is an extremely serious matter. We see a lot of action that is occurring, and I think we should all take some comfort in that.

4:00

## Orders of the Day

### Written Questions

[The Clerk read the following written question, which had been accepted]

#### Alberta Film Classification Revenue

Q44. Mr. Pedersen:

What is the amount of revenue collected by Alberta Film Classification for the fiscal years April 1, 2010, to March 31, 2011; April 1, 2011, to March 31, 2012; and April 1, 2012, to March 31, 2013?

### Public Bills and Orders Other than Government Bills and Orders Third Reading

#### Bill 206

#### Tobacco Reduction (Flavoured Tobacco Products) Amendment Act, 2012

**The Speaker:** The hon. Member for Calgary-Currie, followed by Banff-Cochrane.

**Ms Cusanelli:** Thank you, Mr. Speaker. I'm honoured to rise today and move third reading of Bill 206, the Tobacco Reduction (Flavoured Tobacco Products) Amendment Act, 2012.

I would like to thank all the hon. members who rose to speak during second reading and Committee of the Whole on what is an extremely important bill for Alberta's youth. My hon. colleagues have expressed some passionate views during these debates, and indeed I am moved by their unwavering commitment to improving Alberta's tobacco legislation. Our children's voice, Mr. Speaker, has been heard in this House.

Bill 206 is about the protection of youth from tobacco products that are marketed and crafted to attract youth to beginning a habit that we know has fatal consequences. We want our kids to have the greatest protection so they can enjoy prosperous, healthy lives. As studies have shown, leading healthy and fit lives can significantly reduce an individual's chances of developing disease. The goal behind Bill 206 is to help Alberta achieve the lowest underage smoking figures in the country by eliminating the attractiveness of smoking; namely, flavoured tobacco products, including flavoured cigarettes and flavoured cigarillos.

Many of our constituents have shared their stories either first-hand or through the story of a loved one. They've shared the damaging effects that have occurred from smoking; these include devastating diseases like lung, mouth, or pancreatic cancer. It is with sadness and much regret that we watch our loved ones when they suffer in pain only to lose them to a habit that they fell victim to, most of them, as young people. Members of this House know the devastating toll that this disease has had on the lives of smokers and their loved ones.

We all know that smoking is extremely addictive, and that is why we are here today discussing this bill. Bill 206 closes the gateway by which our young people have been able to enter after being enticed by the delicious and attractive tactics of flavoured tobacco. Groups such as the Canadian Cancer Society estimate that 30 per cent of all cancer deaths are related to smoking and over 85 per cent of lung cancer cases.

However, all is not lost. When we know better, we can do better. Yes, we know that menthol reduces irritation caused by tobacco smoke, making it easier for new users to smoke. Menthol also enhances nicotine absorption, increasing the risk of addiction. Yes, we know that the popularity of water pipe tobacco is rising with our youth. Of those users 74 per cent are using flavoured products. The addition of flavouring creates the false belief that water pipe use is less dangerous. In one session, however, a user can inhale the equivalent of one hundred cigarettes. Yes, we know that up to 69 per cent of Alberta youth using cigarillos and cigars are using flavoured varieties, more than any other province in Canada. And, yes, we know that 72 per cent of youth use chewing tobacco, and they are choosing flavoured varieties.

So I challenge us all to achieve something greater today. Why not try to eradicate the problem before it begins? This is what urged me to sponsor Bill 206, that something so preventable like smoking-related cancers could be targeted and eradicated by offering our children first-class protection. It has been a breath of fresh air to learn that youth are actually ahead of us on this. They want this legislation. They want protection from tobacco companies, and I am so proud to live in a province with youth, medical students, and many other young advocates of a future where youth tobacco use will not be encouraged by flavoured products.

It goes without saying that health-related costs associated with treatment of tobacco-related illness could benefit other programs in other areas. Alberta Health Services estimates that \$4.4 billion is spent each year on health care for smoking-related illnesses in Canada. The societal and individual costs of the smoker far outweigh the money that is generated from tobacco sales.

Mr. Speaker, over 47,000 Canadians die annually from smoking. Of this total an estimated 3,400 have been our Albertans: our fathers, our mothers, brothers, sisters, our children. These deaths were all preventable, and they serve as a tragic and constant reminder of the negative effects of smoking.

If that isn't enough to sway everyone, AHS also highlights the power that nicotine addiction has on smokers as well as the difficulties those individuals have when trying to quit smoking. Surprisingly, 40 per cent of cancer patients who have had their voice box removed continue to smoke, knowing full well the toll that smoking takes on their bodies. Seventy-five per cent of smokers who quit will, unfortunately, begin six months later. This figure is shockingly high, and this government is addressing this with Bill 206 and Bill 33.

This government is doing the right thing in proposing Bill 206. If we can reduce or eradicate youth smoking, we can correct generations of smoking- and second-hand-smoke-related consequences. In terms of second-hand smoke Alberta Health Services notes that individuals are exposed to 4,000 chemicals, with approximately 50 of those being known to cause cancer. What is even more distressing is the fact that children who are exposed to second-hand smoke are likely to have middle-ear disease, coughing, asthma, bronchitis, and even pneumonia. An estimated 3,470 nonsmokers die each year from heart disease related to second-hand smoke, and about 347 die each year from lung cancer caused by second-hand smoke. Mr. Speaker, Albertans know this, and they know it's unacceptable. They believe that Bill 206 will close the door on these statistics and finally make them a thing of the past.

Mr. Speaker, the idea has been floated comparing this bill to liquor regulations. Well, that's simply irresponsible messaging to our kids. After all, tobacco is the only legal product that kills half of its long-term users when used as directed by manufacturers. To even try to turn the intent of this bill into a rights issue by comparing it to banning flavoured alcohol – and I've even heard,



“What’s next? Banning flavoured condoms?” from supporters of another party – is weak at best.

It may be a simple life choice for adult nonsmokers who never fell prey to tobacco use to just quit, but as we know, the nicotine in tobacco products is highly addictive, making it extremely difficult for smokers to quit. We also have heard the various statistics regarding youth underage smoking. The younger a person begins smoking, the harder it is to quit. By reducing the temptation posed by flavoured tobacco products, we will reduce these figures. We can also help alleviate the socioeconomic costs associated with smoking-related illness and death, thereby reducing the country’s astonishingly high use of health resources and costs associated with smoking.

Mr. Speaker, we are the stewards of this amazing province, and if there is anything we as legislators can do to help all Albertans lead healthier, smoke-free lives, we must do so for the sake of our children and future generations. I believe Bill 206 will allow us to better prevent smoking addiction and, most importantly, protect our kids from the creative marketing techniques of the tobacco industry, and that is why I urge all hon. members to follow this debate and support this bill.

Thank you, Mr. Speaker.

4:10

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills, followed by Banff-Cochrane. We have to interject here with others, please.

**Mr. Saskiw:** Thank you, Mr. Speaker. It is my pleasure to rise and speak on Bill 206, the Tobacco Reduction (Flavoured Tobacco Products) Amendment Act, 2012. As many in the House are aware, I’ve spoken with concern about Bill 206. Bill 206 is not aimed at reducing youth access to tobacco. To say that the primary purpose of Bill 206 is the reduction of youth access to flavoured tobacco is simply not true. Bill 206 is a ban.

I do not consume tobacco. My spouse does not consume it either. We all know people close to us who have been tragically lost due to tobacco use and the effects of it. I personally think that the use of tobacco products is a poor decision because of the inherent health risks associated with its use. However, as an MLA it is not my job to allow my personal views on this issue to cloud my judgment and impair my ability to rationally think and reasonably examine proposed laws. Bill 206 clearly needs more work before it can be rationalized as a law that actually targets youth access to tobacco. I’m in favour of any law that actually is specifically targeted at youth access to tobacco such as Bill 33, but there are still gaping holes in Bill 206 that, if left unfilled, will have broad implications for responsible adult consumers of tobacco products.

Sometimes in politics we hear about the law of unintended consequences. I considered discussing Bill 206 in this light because of how I see the future unfolding for responsible adult consumers of tobacco products due to this legislation. But the law of unintended consequences does not apply, Mr. Speaker. It doesn’t apply because it is clear and self-evident that Bill 206 will eliminate the vast majority of flavoured tobacco products in Alberta for the responsible adult consumer. I’m not in favour of people using tobacco products, but I am in favour of personal responsibility. I’m in favour of the government staying the heck out of the way when someone’s personal decision has no demonstrable harm for others.

Currently in Alberta there is no minimum age for purchasing tobacco. Three provinces have passed flavoured-tobacco restriction laws, but none have been proclaimed; none are in force. The

government thinks that it is bad for people to use tobacco products, and I agree with them on that, Mr. Speaker. Where we differ is that I also value personal responsibility and personal choice.

This government consistently provides an irrational and statist approach to every policy issue that it faces. They choose to chip away at the principles of liberty that every Canadian inherently possesses. They sneak this erosion under our noses because the vehicle they choose to use, this legislation, is purportedly aimed at protecting children. They state the claim that anyone opposed to their legislation is opposed to protecting children. I’m absolutely in favour of protecting children, but nothing in this legislation actually shows that it will reduce youth access to certain tobacco products. It is an outright ban, Mr. Speaker. I simply am opposed to using the guise of protecting children in order to erode Albertans’ fundamental rights to personal liberty.

Thank you, Mr. Speaker.

**The Speaker:** Hon. members, the 29(2)(a) I’ve been asked about does not apply to private members’ business, only to government stuff.

Let’s go on to Banff-Cochrane, followed by Calgary-Shaw.

**Mr. Casey:** Thank you, Mr. Speaker. I’m honoured to rise today to speak to Bill 206, the Tobacco Reduction (Flavoured Tobacco Products) Amendment Act. It’s unfortunate that we have to come back to the House to debate something that has been debated many times before. In fact, the intention of previous legislation was to prevent the sale of flavoured tobacco products, but the industry found loopholes, so here we are again.

As we heard in committee debate, other provinces have had similar experiences with tobacco legislation. In 2008 Ontario passed legislation similar to ours here in Alberta, entitled An Act to amend the Smoke-Free Ontario Act with respect to cigarillos. Bill 124 passed an amendment restricting the sale of flavoured tobacco products.

It reads as follows:

No person shall sell or offer to sell a flavoured cigarillo, unless the flavoured cigarillo has been prescribed . . .

and

. . . no person shall sell or offer to sell a flavoured tobacco product that has been prescribed as prohibited.

This act was superseded by the federal Act to amend the Tobacco Act, or the Cracking Down on Tobacco Marketing Aimed at Youth Act. This act came into force in 2010, outlining three measures designed to reduce marketing towards children. These measures are:

No person shall sell cigarettes or cigarillos except in a package that contains at least twenty cigarettes or cigarillos . . .

No manufacturer or retailer shall sell [cigarettes or cigarillos that include] a flavouring agent other than sugar, tobacco, or tobacco extracts or reconstituted tobacco . . .

and

No manufacturer or retailer shall sell a cigar without a health warning label, regardless of the number of cigars being sold.

Unfortunately, these legislative measures have been circumvented by product innovation on the part of cigarillo manufacturers. What they did, in fact, was modify their flavoured cigarillo products such that they became classified as cigars and thus are not bound by such legislation. The amendment proposed here in Bill 206 to the Tobacco Reduction Act attempts to close this loophole that tobacco manufacturers have been exploiting.

Private members in other provinces as well have attempted to address these loopholes by revising legislation, but none of them

have been successful. Bill 66, the Smoke-Free Ontario Amendment Act, was introduced in Ontario in 2012. Bill 66 banned flavoured tobacco, new tobacco products, and smokeless tobacco, but it only received first reading. The Tobacco Sales Amendment Act in British Columbia only received first reading as well, stating:

It is forbidden to sell, or to offer for sale, a tobacco product intended to be consumed in a manner other than smoking if that product contains flavouring intended to enhance the taste of the product.

As you can see, there have been varying attempts to restrict the sale of flavoured tobacco products across the country, but none of them have been able to take hold. I have hope that Alberta can do better and that we can do better.

Interestingly, Nova Scotia does not have any legislation concerning flavoured tobacco products, but they do have measures which reduce the accessibility of tobacco products to youth. Section 7 of Nova Scotia's Tobacco Access Act, made law in 1993 and amended in 1999 and 2006, states that cigarettes are not to be sold in packages of less than 20 and that there is to be no sale of unpackaged cigarettes. Increasing pack sizes and prohibiting the sale of individual units limits availability to youth, who are often unable to afford larger packs. Flavoured tobacco products are often viewed as luxury items and, as such, are marketed individually or in small, more affordable packages. Ontario has also placed restrictions on pack sizes, but these restrictions were only applicable to cigarillos and not other tobacco-related products.

Mr. Speaker, 90 per cent of adult smokers became addicted as youths, and the younger a child begins to smoke, the more likely the child is to become a regular smoker as an adult. Moreover, the age at which children first try cigarettes has been declining and now stands at just under 12 years old. By masking the regular tobacco flavour and scent, flavoured cigarettes make it even more appealing for a 12- or 13-year-old to take that initial puff and keep smoking until he or she becomes addicted.

This has far-reaching consequences, Mr. Speaker. We all know the devastating effects tobacco use has. This is particularly true with respect to the future health of our province's youth. Flavoured tobacco products are especially attractive to youth, and prohibiting their sales would remove the chance for these products to fall into their hands.

4:20

More proactive measures should be taken in order to safeguard our youth from these products to ensure we are doing what we can to nurture the health of our families and our communities. That's why it's important to protect our children from both exposure to unwanted tobacco use and the opportunity to become addicted at a young age.

Mr. Speaker, I do not take the health of children or of Albertans for granted. I'm grateful that we are able to discuss Bill 206 today, which asks us to be even more mindful of what we can do to improve the already exceptional quality of life here in Alberta. We owe it to all of our children to help make sure that they can lead healthy lives, unaffected by the negative, harmful, and long-lasting effects of smoking-related diseases.

As I am sure we can all remember from our own adolescent years, oftentimes we are unaware of the consequences of the choices we make. Back then, getting old seemed like something that could never happen to us, but as time goes on, we realize that our lives are lived on borrowed time and that our own health and the health of those we love is the most important possession that we can have.

Mr. Speaker, flavoured tobacco products are used by almost 170,000 Canadian high school students. As we have seen, other jurisdictions have attempted to deal with the issue of flavoured tobacco. Some progress has been made, and all of their intentions are good and in the right place, yet they have all fallen short of their desired task.

In Alberta we know that there's a responsibility we must assume to promote and protect the health of our young people by restricting their access to tobacco products in whatever form they take. This includes and must include, Mr. Speaker, flavoured tobacco products. That's why I applaud the awareness Bill 206 brings to this issue as well as its proactive stance, and I urge all of my colleagues to participate in the debate of this noble initiative.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Shaw, and I don't know if I see Calgary-Mountain View wanting on after that. Thank you.

**Mr. Wilson:** Well, thank you, Mr. Speaker. It's a pleasure to stand and speak at third reading of Bill 206. I have to say, hon. members, I was torn on this bill from the get-go.

A bit of a personal story about, you know, myself, my teen years. I was first introduced to cherry-flavoured chewing tobacco at a party – I was probably 14 years old at the time – and it was something that I took up and continued to do. I chewed winter-green; I chewed cherry. Eventually I graduated to Copenhagen and other such products that were, you know, not the flavoured stuff. But eventually from that, I figured out that it was easier to get a nicotine buzz from lighting a cigarette than it was from putting chewing tobacco in my mouth, so I started smoking, and I was a smoker for 15 years.

You know, I fully recognize the damage that tobacco use can have on individuals, and as the father of a three-year-old son I sincerely hope that he makes a different set of choices than I did when I was a teenager and isn't in a situation where I was after my early 30s, being addicted to nicotine for many, many years.

Now, that being said, I'm also equally passionate about the protection of personal freedoms. At this point in time, you know, I struggle when we as legislators talk about prohibition of any sort of product, especially when we're picking and choosing which of those products we're going to allow the sale of and which we're not. It was a genuinely difficult decision for me to make and one that, quite honestly and quite frankly, I wasn't entirely prepared to make myself.

The beauty of being in this caucus, Mr. Speaker, is that we have free votes. We can vote any way that we want. As I was torn and thinking about how I was going to vote on this issue, I reflected on the maiden speech that I made the first time I stood in this House, when I said that I am not here to represent my own personal views and that I'm not here to represent the views of my caucus or my party; I'm here to represent the views of those who elected me to be here. So I conducted a telephone poll in my riding over the weekend where I asked my constituents how they would like me to vote on their behalf on this particular bill. I outlined the pros, the cons, where we stand, knowing full well that Ipsos-Reid had done a poll that said that 67 per cent, or roughly two-thirds, of the population were in support of this bill. I was quite surprised to find that in my constituency of Calgary-Shaw I had almost the exact opposite. I only had one-third of those who were polled actually in favour of supporting this legislation, 60 per cent were against, and roughly 7 per cent were undecided.

Now, for the sake of all polls, that is a 4 and a half per cent margin of error 19 times out of 20. We've all heard those, but that

still puts me in a pretty comfortable spot to stand here and say that as much as I understand the value of protecting our youth from tobacco, my constituents have asked me not to support this bill, and I will be following their wishes, Mr. Speaker.

Thank you.

**The Speaker:** The hon. Member for Calgary-Mountain View, followed by Edmonton-Gold Bar and Edmonton-Beverly-Clareview, and that's all I have on the list for the moment.

**Dr. Swann:** Thank you very much, Mr. Speaker. I'm pleased to stand to speak to this important and, I think, progressive bill by members opposite to eliminate flavourings from tobacco.

I want to set the record straight. I was confused earlier on one of the amendments that was suggested by the Wildrose caucus. I want to be very clear that I do not support the decision that they seem to be making that eliminating flavourings from tobacco would eliminate choice by adults, who have the responsibility and the ability to make their own choices about tobacco. I do not support that notion.

This is a glaring attempt by tobacco manufacturers and tobacco promoters to push tobacco on our population and to get them addicted in childhood. Notwithstanding this member's – presumably, it was authentic – survey, a randomized one, at least one would expect in a population of 42,000 to have at least a thousand people that one would have to call to get that kind of a statistical certainty. I don't know. He didn't mention how many he actually surveyed, but I would wonder about the validity of the survey and ask that he table the numbers.

**Mr. Wilson:** It'll be on my website.

**Dr. Swann:** Okay. I'll go to the online website, as the member suggested, and have a look at that.

The question would be: what question was asked? I guess a lot depends on what question was asked. Given that we're losing 4,300 people a year in this province – and that's not even counting the number who die from heart disease and progressive vascular disease; these are very strictly tobacco-related deaths – I think it behooves us to look at the evidence. Notwithstanding that people have as adults free choice, we're talking about a population – and we have among the highest rate of child and youth uptake of tobacco in this province compared to other provinces.

We have a responsibility to get tobacco as out of the hands of young people as possible. They are unable to make the kind of decisions in the context of a lifetime perspective, unable to weigh the risks and the benefits, unable to detach social acceptability and attractiveness from a lot of these decisions. We have a responsibility to get this addictive product, which is being enhanced by flavourings, including menthol – and I'll come back to that one – out of tobacco products. If people want to smoke, they don't need to be given an added incentive to smoke on the basis of seductive flavourings, which primarily are targeted at getting kids started under the age of 16. There's no question in my mind that it is an important advance for this province to eliminate flavourings.

What I hope we might also talk a little bit about is when we're going to restrict children from selling tobacco products across the counter to other children. At the present time you can be a child in a retail store and sell tobacco. That makes it doubly difficult for them to recognize peers and block peers from buying. It does raise some other interesting questions about how we could further restrict it.

But the key message I wanted to give on this is that in light of the many tobacco lobbyists that have met with this government – and I believe probably a lot of this lobbying was on behalf of

menthol cigarettes and, again, on the basis of the same argument that the Wildrose is making, that we cannot legitimately eliminate menthol just because adults are addicted to it as well – they are the ones that want, very strongly, to see it continued. We know that over 30 per cent of young people are using mentholated tobacco products, that it's also a flavouring, and that it's also adding to the addictive properties and our addiction rates of tobacco use in youth.

4:30

I hope that I'm going to see a very clear indication from this government that they are going to, even though they haven't named it, name menthol and mentholated products as included in this definition of flavourings because I'm sure they've had a tremendous amount of pressure from the tobacco industry to keep menthol in as some kind of a nonflavouring or whatever arguments the industry might make to keep mentholated products in tobacco. I hope we will see a genuine naming and restriction and elimination of menthol from tobacco. That is a critical piece, I think.

Whatever comes out of this bill – and I think a lot of it is going to be to the benefit of our young people and of smokers in the future, tobacco users in the future – menthol will be a very substantial contributor to ongoing addictions. We must eliminate menthol as we are any other flavourings.

Given those comments, Mr. Speaker, I'll take my seat. Thank you.

**The Speaker:** The hon. Member for Edmonton-Gold Bar, followed by Edmonton-Beverly-Clareview and Calgary-Fish Creek.

**Mr. Dorward:** Thank you, Mr. Speaker. I rise to support Bill 206. In 1966 I had my first and last smoke in back of the King Edward Park Community League, if I remember correctly. I'm thankful that there was no flavouring in that smoke because I may have liked it. I didn't like it, and I never did it again. I stand in support of all of the youth who have contacted me through various means and asked me to support this bill.

That's all I have to say, Mr. Speaker. I support Bill 206. Thank you.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview, followed by Calgary-Fish Creek.

**Mr. Bilous:** Thank you very much, Mr. Speaker. It's my pleasure and honour to rise and speak to Bill 206, Tobacco Reduction (Flavoured Tobacco Products) Amendment Act, 2012, in third reading. As I echoed in second reading of this bill, I and my caucus support the spirit and intention of this bill, acknowledging that we as legislators and the government of Alberta have a responsibility and a role to play in protecting our young people.

I'll speak to a few different things. There is one concern that I have with the bill. As was outlined by the Member for Calgary-Mountain View, you know, menthol is used by about a third of young smokers. Again, it may not be regulated in this bill, but it may not even come through in the regulations. That's a serious concern that I have with the bill as it's currently written.

However, that being said, I think most of us acknowledge that tobacco has devastating effects on individuals' families and the health care system and Albertans as a whole. I think that this negative cycle will continue to repeat as long as we allow companies to deliberately target vulnerable and impressionable youth.

Interestingly, Mr. Speaker, there are 24 tobacco lobbyists registered in the province of Alberta. The PCs have even admitted in this House that they've met with them on this bill. Now, the

lobbyists registry shows many meetings between the industry bigwigs and the government on this type of legislation. However, their advice or information is obviously not instrumental for the PCs to be able to understand and make decisions in this area because the government did not see the need to consult with these lobbyists before suing a large number of tobacco companies last year. Now, in suing the tobacco industry elite, the PCs have acknowledged and inherently do acknowledge that the tobacco industry deliberately designs products to be addictive and targets the vulnerable and those developing these addictions.

Now, what the Alberta NDP believes is that this government won't enact stricter legislation or even bans on certain products. In particular, Mr. Speaker, the government also reproaches the tobacco companies for "targeting youth and adolescents with these misrepresentations and deceptions knowing their particular vulnerabilities." In that lawsuit they also acknowledge that the tobacco industry has breached its duties to warn Albertans about the addictiveness of tobacco products. Now, why does this government expect the tobacco companies to do this when the PCs themselves won't demonstrate leadership in this area?

Interestingly, Mr. Speaker, Campaign for a Smoke-Free Alberta conducted a survey of political leaders, and the Premier herself answered yes to each of their recommendations. Now, she's openly supportive of combating youth smoking but does not follow through with action and legislation. So my concern is that the Premier and this government can't be trusted to have the courage to put in place the appropriate mechanisms to effectively protect youth and make progress for the health of all Albertans.

Now, Mr. Speaker, the concerning statistic is that Alberta has the most affordable cigarettes in the country when it comes to 15- to 24-year-olds. Unquestionably, you know, restricting the sale of flavoured cigarette products to youth is a good decision and a step in the right direction. It is my contention that it does not adequately address most of the underlying issues and won't necessarily go far enough to protect the vulnerable and youth from tobacco companies' profit-driven strategies and the fact that they very consciously focus on and target youth especially. Again: get them while they're young; get them hooked and addicted so that they're going to be a loyal customer for the duration of their lives.

The biggest concern or wish that I have – and I know that in Committee of the Whole there were amendments put forward to specifically outline and ban menthol and include that in the bill. Now, unfortunately, that amendment did not pass, but there is a great concern, you know, with the number of young people who start smoking or experimenting with flavoured tobacco products that start with menthol, and the statistic is actually quite alarming, Mr. Speaker.

Interestingly, nine provinces have legislation to curb tobacco sales to minors. Alberta is the only remaining province that is without such legislation. Now, again, what's interesting is that our neighbours in B.C. have achieved a merchant compliance rate of 94 per cent through comprehensive provincial regulation of tobacco sale to minors.

Mr. Speaker, I think this bill as it's currently written is a step in the right direction, but I'd like to see the bill go further. You know, there is a duty that this government and all of us as legislators have to Albertans to protect our most vulnerable, our youth, and to protect them from developing a dependency on extremely harmful products like tobacco. Again, my concern is that the bill only restricts the sale of flavouring agents as listed by regulations, and nowhere is menthol on that list.

Mr. Speaker, I will be supporting this bill. Again, I wish it would take it one step further, but I think this is a good start. I think all of us are concerned to ensure that we are protecting the young people of this province.

Thank you, Mr. Speaker.

**The Speaker:** Hon. members, I sense the mood of the House is to perhaps try and get on with the vote on this bill; however, I don't want to prevent those who may wish to speak from speaking. Are there any others who wish to speak to third reading of this bill?

Seeing none, are you ready for the question?

**Hon. Members:** Question.

[The voice vote indicated that the motion for third reading carried]

[Several members rose calling for a division. The division bell was rung at 4:40 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Speaker in the chair]

For the motion:

Allen	Forsyth	McQueen
Amery	Goudreau	Oberle
Bhardwaj	Hancock	Olesen
Bilous	Horne	Pastoor
Brown	Horner	Quadri
Campbell	Hughes	Quest
Cao	Jeneroux	Rodney
Casey	Johnson, J.	Sarich
Cusanelli	Johnson, L.	Starke
Dallas	Kennedy-Glans	Stier
DeLong	Khan	Swann
Dorward	Kubinec	Towle
Drysdale	Luan	VanderBurg
Fawcett	McDonald	Xiao
Fenske		

Against the motion:

Bikman	Saskiw	Strankman
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Totals: For – 43 Against – 3

[Motion carried; Bill 206 read a third time]

**The Speaker:** Thank you.

## Statement by the Speaker

### Speaker Not Recognizing a Member

**The Speaker:** Hon. members, before we proceed with the next item of business, I do need to make a sincere apology to the Member for Calgary-Currie regarding what occurred just prior to the voice vote on her bill about 12, 13 minutes ago. As members here would know, I sensed that the mood of the House was to proceed to a vote, and in that respect I did ask if there were any other members who wished to speak.

Now, I had extended that to all members. However, the Member for Calgary-Currie: I didn't quite catch her signal. She had wished to make a closing speech, which she is entitled to do, and she has up to five minutes to do that. While I can't invite the member to make that speech now, I would invite that member to table her comments so that they would be part of the record and so that the members that were interested in hearing that speech might at least be able to read it.

Once again, Calgary-Currie, I do extend my deepest apologies for the little miscue between us and hope that you will accept that from the chair and that we can then move on.

Thank you, hon. members.

**Public Bills and Orders Other than  
Government Bills and Orders  
Second Reading**

**Bill 208  
Seniors' Advocate Act**

[Debate adjourned November 18: Mr. Eggen speaking]

**The Speaker:** I have next on the speakers list Calgary-Fish Creek.

**Mrs. Forsyth:** Well, Mr. Speaker, thank you very much. It's an honour and privilege to get up and speak to Bill 208, the Seniors' Advocate Act. I notice that we only have about five minutes to start this, so I'm just going to make a few comments. Then we'll continue speaking next week when we deal with this.

I just want to talk about last week, some of the Associate Minister of Seniors' comments when he was in debate about the independent advocate for seniors and how it isn't needed. I have to say that I couldn't disagree more with him. I think that in Alberta and Canada it's important for us to protect the vulnerable freely and openly. We have an independent advocate for children. We spent quite a lot of time talking about that today when we were asking for the Standing Order 30 on emergency debate.

We listened to the minister as he eloquently talked about the importance of having the children and youth services advocate and the important work that he does in regard to being independent. I listened very closely to what the minister was saying and how he eloquently went on about the importance of an independent advocate and what this government has done since 2012 on children's issues. Considering that we're dealing with some horrific things that were in the paper today, it is just amazing to me, quite frankly, that a minister of the Crown can stand up and talk about the Ombudsman's report and what the Ombudsman does and talk about all the things in his report and the need for an Ombudsman but directly criticize one of his own colleagues in regard to the importance of having somebody independent.

What is also striking, that I didn't hear from the opposition, is the fact that Justice Vertes' report – the government spent millions of dollars on it, talked about the recommendations that he recommended, which were many, which the government stood up and accepted – recommends is an independent health advocate. The government announced, I guess, a week and a half ago, when the hon. Member for Innisfail-Sylvan Lake and I were at a press conference – they talked about setting up these advocates for health, seniors, and mental health but didn't touch at all on the health advocate being independent, which goes back to what I was talking about earlier. You can have all of the fatality inquiries in the world, and I've read many of them. Since the *Calgary Herald* and the *Edmonton Journal* were disputing some of the numbers that the government had – and it's enlightening to me. I've just pulled off maybe six or eight in my office. Recommendation upon recommendation on the public fatality inquiries aren't followed through with by the government, but they're quite accepting of making them independent.

I think, having sobering second thoughts in regard to why – my colleague, who is our Seniors critic, has done an incredible amount of work in our Seniors critic position and has been all over the province talking to seniors and engages with them all the time, quite frankly. She and I got together last night, and she makes me

tired, to be honest with you, with the role that she's taken on as the Seniors critic. She's got so many things going. You know, I think it's important to understand that when we talk about the government and they talk about open, accountable, and transparent and how they're continually consulting with Albertans – well, if they are continuing to consult with Albertans, like they like to say, it's beyond my comprehension that they don't get the fact that there is a need for an independent seniors' advocate.

I've stood up in this Legislature before, having spent 17 years with the government and just about three years – my third-year birthday will be in January – being with the Wildrose, and I talked about the press conference and the government's unwillingness to listen to what people are telling them. I can tell you that I was honoured to be the Seniors critic before my colleague joined us. Seniors across this province need . . .

**The Speaker:** Hon. member, I'm so sorry to interrupt, but at 5 p.m. pursuant to Standing Order 8(1) we are required under Motions Other than Government Motions to call that. Since there is no motion for adjournment on the debate of private members' business, which we've just heard one hon. member speak to, I am compelled to now move forward in our agenda.

**5:00 Motions Other than Government Motions**

**The Speaker:** The hon. Member for Edmonton-South West.

**Funding for School Playground Equipment**

516. Mr. Jeneroux moved:

Be it resolved that the Legislative Assembly urge the government to explore the feasibility of providing funding for preliminary work on school playgrounds such as drainage and for basic playground equipment such as a swing or a slide as part of the capital funding for any new school facilities that include grade levels from kindergarten to grade 6.

**Mr. Jeneroux:** Thank you, Mr. Speaker. I'm pleased to rise today and open debate on Motion 516. Let me tell the Assembly a quick story. I have a picture in my office of 18 kids standing in a field at Monsignor Fee Otterson Catholic school. These kids, many of whom I have met personally, are holding up a sign saying: help us play. These kids have been making the most of their field and grass and dirt for over two years now, but I feel it's about time this Assembly helps these kids really play.

I'm proposing this motion here today because I believe in the inherent value that facilities like playgrounds provide to our children and to the communities which foster them. This motion is intended to address capital funding potential, with specific reference to the preliminary work done on playground infrastructure such as drainage and any construction related to groundwork preparation that accompanies new elementary schools. We are committed to investing in our families and communities, and this motion provides this government with another avenue to further illustrate this.

Mr. Speaker, our communities face numerous challenges as they work to build needed playground spaces. Let me begin by highlighting a few examples of elementary schools that are currently trying to either build or complete their playgrounds. Bessie Nichols school is a state-of-the-art school with some of the best teachers and passionate parents that exist in our province. However, they too are in their second year of having kids make use of an empty field instead of experiencing the benefits that come with constructive playgrounds. Even more, we are tapping

out the parents and volunteers, who are reaching into every pocket possible to scrape together half a million dollars to help their kids play.

These are concrete, real cases, Mr. Speaker, of schools that are struggling to provide even the most basic playground infrastructure to their communities, their families, and their children. These difficult situations are not the result of a lack of effort or from a lack of commitment. The partnerships formed by various community leagues, parent councils, and municipal governments work hard to acquire these facilities for their schools. The long hours they devote to these initiatives are mainly volunteer hours, important hours of self-sacrifice made by mothers and fathers, by single parents, and by youth leaders. These are hours that could be spent with their loved ones or spent earning more income, engaging in a personal passion or a family pastime.

Mr. Speaker, these are long volunteer hours that come after a hard day at work, after the kids have been put to bed, and otherwise in spare time and on weekends. Instead, these mothers and fathers choose to work on behalf of their neighbours. Instead, these parents assume responsibility for improving their communities. Instead, these youth leaders feel obliged to enhance the educational opportunities of our children and recreational experiences of our families.

Motion 516 provides opportunity for different levels of government and organizations to work collaboratively to respond to community needs. This motion seeks to nudge these playground initiatives forward by increasing the funding avenues available to them. Exploring the feasibility of funding preliminary work on new playgrounds would literally help these initiatives off the ground by aiding them in groundwork preparation, by helping them drain excess water, by helping them fill holes in the ground, and by helping them with the principal landscaping. It would allow these parent councils to focus on the main challenge behind building playgrounds; namely, procuring, installing, and maintaining the equipment itself.

It is no secret how expensive adequate and safe playground equipment is, and our communities are bound by duty to make these playgrounds as safe as possible. The costs of modern playgrounds can range from \$250,000 to \$350,000. Some playgrounds even run as high as \$500,000. These are figures that refer to equipment purchase and installation only, not to the other costs associated with ongoing inspection, maintenance, and liability insurance. These are staggering numbers for any school, Mr. Speaker, and for the respective community leagues and parent councils. These are costs that must be met through fundraising efforts, and the burden of most of these efforts rests on the shoulders of community volunteers despite the generous grants and support programs available to them through different levels of government.

Aside from the need for the school playgrounds, many current playgrounds are at the end of their life cycle and depend on parent groups to raise the needed funds to replace them. If the money is not raised, Mr. Speaker, there is a real possibility that these school boards will have to remove them, and in turn students would have to make do with a recess or weekend that does not include swinging, sliding, or climbing.

Since school boards do not fund playgrounds, parent groups apply for grants, cold-call corporations, and engage their neighbours for cash or in-kind donations. It's a difficult task without a doubt, and each setback they encounter I know personally is difficult to bear. But these parents and volunteers persevere, and they do this because they unite under a shared goal. A playground is just too important to lose. A playground is too important not to be built. Motion 516 asks us to recognize this and to consider

another way that we may assist these communities in building places for our children and families.

Mr. Speaker, these kinds of outdoor community spaces are vital for families and children. The preliminary work that is required to make these new playgrounds possible is not just about cost; it's about an opportunity to continue our important work of building communities and creating lasting legacies for our children's schools. This motion supports healthy and active lifestyles and wants to make a tangible difference in our children's quality of life.

I ask all hon. members to take an interest in this debate and consider fully the advantages of supporting the initiative proposed by Motion 516. Please, hon. members, help our kids play. Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Shaw, followed by Edmonton-Beverly-Clareview.

The hon. Member for Chestermere-Rocky View instead.

**Mr. McAllister:** Thank you, Mr. Speaker. I will take that comparison any day. The Member for Calgary-Shaw is a good member to be compared to.

I thank the member across for bringing this motion forward. It's all about health in here today it seems, for our kids, and I can't think of a better discussion. I would like to say right up front that, you know, I'll have no problem supporting the premise that it's brought forward on, but it's important that we reiterate that the member said: be it resolved that the Legislative Assembly urge the government to explore the feasibility of providing funding for preliminary work on school playgrounds such as drainage and for basic playground equipment such as a swing or a slide as part of the capital funding for any new school facilities that include grade levels from kindergarten to grade 6.

Mr. Speaker, not one of us in here, I think, would question the fact that our children ought to have a playground at their school, particularly at the elementary age, grades 1 through 6 or K through 6. We should do everything we can. I think the questions today are: how do we make that possible, how do we fund that, who contributes, and how much is the government's responsibility?

The motion is to explore the feasibility of providing the funding for infrastructure and basic equipment. In this respect we are simply examining the issue at this point is my understanding. This is a good thing. I would support that. But I would like to make a few points, Mr. Speaker. Again, the member bringing the motion forward made a few of them that I would like to add to and maybe even raise in our own way here.

The Alberta School Boards Association and the Alberta School Councils' Association have both called for basic funding of playground equipment, so it's good to see this motion forwarded for discussion in the Legislature and for consideration by the government. Those two groups do a great job representing our kids and our parents, and clearly it's on their radar, so I think it's good that the 87 of us have a chance to discuss the issue as well. While this isn't a stamp of approval from my standpoint, I would like to mention for those not aware that British Columbia has recently taken steps to fund playgrounds for schools from the time those schools are built. It is to support the principle that a healthy education system includes outdoor and active play for children.

Technology, we know, is a great thing, and many of us would probably admit to the fact that our kids can run our devices, our technology, a lot better than we can. At the same time parents and educators would probably all agree that sometimes their kids are spending a little bit too much time with their technology and a little bit too much time inside with electronics. Parents, decision-makers, governments, researchers all over this globe are looking at

ways to encourage kids to get outside, to run around and use their imaginations. The Canadian physical activity guidelines recommend that children get at least 60 minutes of exercise per day. I wonder if we would all take a guess as to what percentage of kids actually get that. I wonder what we would all guess in this Assembly. You know, Mr. Speaker, 7 per cent of children and youth are getting that. Seven per cent.

5:10

Now, making sure that our school facilities help and encourage this number to rise is vital, obviously, for the physical and mental health of our kids. For that reason I think examining how we deliver facilities like playgrounds to families is very important. On the other hand, the need for school buildings in this province is severe. Money is a big issue right now in the province of Alberta. All we need to do is go back to the debate in here, the very robust debate that we had Thursday afternoon and in the previous couple of weeks on Alberta's finances. We need to know that the addition of playgrounds at this time does not result in more communities without schools. I'm very interested in looking more at it, getting a real sense of what will be involved, what the total costs would be, what the efficiencies are, and how we can eliminate redundancies, what can be found on the subject.

We did talk last week in question period about the promise to build 50 schools and renovate 70 schools this term. The last thing we want to see, Mr. Speaker, is money taken from that commitment and put into other areas. I think most of our educators would agree that they would rather see the money we have going towards schools that desperately need modulars, et cetera, et cetera. That's taking nothing away from the importance of playgrounds, but I do feel it's imperative that we raise that point and make sure that that money we've committed to putting kids in schools remains there because we have a backlog in many of our constituencies around this province.

I know that the provincial government already contributes substantially to playgrounds across Alberta. I believe we need more information, frankly, about the total contribution of the province to playgrounds through all grants and all channels so we can get a sense of what money may be saved. We may be able to save money here if basic playgrounds were built along with the schools or if the infrastructure for playgrounds like drainage, as the hon. member said when he brought forward this motion, was installed at the time that the school was built. If there are multiple ways that the province is directly and indirectly funding the same playground, then we need to look at how we can streamline that.

Of note on the subject of the playgrounds, I don't think it's just me that finds the cost of a playground has gone up astronomically somehow in the last while. There may be a legitimate reason for it – there may be somebody more qualified to speak to it than I am, and I'd be interested to hear it – but it sure seems like, you know, a quarter of a million dollars or a half a million dollars for playgrounds is getting way up there in the cost. I think we should look at ways without compromising safety one iota on how to bring that cost down, not putting our kids at risk by putting in structures that aren't safe and aren't passing safety standards. But I would hope that we would all agree that it sure does seem pricey to put up a playground at a school.

Fairness and equality are things that I have heard raised from different boards as I travel around and talk about this issue. We know that our communities, our neighbourhoods are not all the same. Some are, you know, very wealthy and have access to fundraising opportunities that other neighbourhoods do not. We wouldn't want to see anybody left behind by any new system that we put in place or anything that we came up with from a govern-

ment standpoint to provide assistance, and at the same time I don't think we would want to punish any community for having the wherewithal to provide and be able to give their kids that advantage.

Now, through our education system the Education minister and previous Education ministers I know have worked hard to smooth out some of these inequities when it comes to educational resources. I think we need to have a discussion about whether playground equipment should be included under this principle as well, and if it is, something tells me that we have the ability to figure out how best that we might be able to do this going forward.

Having said all of this, there are some good things about the community involvement and the community-led projects that we have, and, boy, do we have engaged parents in this province. Again, travelling around as the Education advocate, Mr. Speaker, you see numerous examples of how parents are contributing in communities and how they're making a difference. These projects get community members working together toward a shared goal. There's something special, which likely doesn't happen as much as it used to. We want to make sure that we're still making room to incorporate exciting new ideas that people want to try in their own communities. Albertans benefit, I think, from the ideas of their neighbours, and when they have input in their communities, we are all better off on that front. Whether it's a bake sale, a community fair, or what have you, parents getting involved is always a good thing. A community getting involved is always a good thing. The hard work that fundraisers do in these communities saves municipal and provincial government funds, which can be directed elsewhere.

As a classic example, I had a hot date this last weekend. It was not with my wife. I'm going to confess to you right now, Mr. Speaker, yours truly, that it was with my seven-year-old daughter, Ally Grace. Friday night – and after a very long week in here I hope that we all had that time with our kids – we went out to the Langdon Field House and watched the movie *Epic* on the big screen for date night. It was a great time. You know, the popcorn was popping, and we had a treat that night, and I know Allie loved the Crush pop that she was able to enjoy and all the kids. There were tens of them around there; I don't know how many in total. The point of the story is that the event was a fundraiser for a school playground. It was the community getting together and bringing kids and families together and raising a little money while they were at it. I was happy to support it and to leave a couple of tips wherever I could, financially, of course, so that they might meet their goal.

I think Motion 516 is written in a such a way that all of these concerns will be considered, and I look forward to some of these questions being answered.

**The Speaker:** Thank you, hon. member.

Edmonton-Beverly-Clareview, followed by Strathcona-Sherwood Park.

**Mr. Bilous:** Thank you very much, Mr. Speaker. It's my pleasure to rise and speak to Motion 516. I'd like to speak in favour of this motion and want to thank the member for Edmonton-South West for bringing forward the motion.

You know, I would advocate that this motion doesn't go far enough. I think it's important that the preliminary work for school playgrounds is included. As an educator myself, Mr. Speaker, I find it quite unfathomable how the government builds these structures and then says: "Okay, community. You fund raise for the playground." Now, I will acknowledge that the government of Alberta, through some of its grants, does help out schools and communities with affording playgrounds. The fact of the matter is

that for a playground to be built today, it often costs over and above \$250,000, which is a very heavy and hefty sum for communities to raise.

I know the hon. member from the other side had mentioned how busy families are and how they're pulled in different directions, and for a community to afford and to raise the sum of \$200,000 to \$300,000 is quite significant. Again, it's worth noting, Mr. Speaker, that that's all done by volunteer labour.

What I wanted to speak of to urge the government members to support this motion is the value of play and the significant impact that recreation and play have on our children. I think, you know, that when we look at wanting to encourage Albertans to be active and remain active, play is a very fundamental part of that. If schools do not have the facilities or the equipment to encourage that, first of all, then what message are we sending to our children, that we believe in building schools for our kids, but we don't believe in the importance of being active and participating in recreation?

I've often wondered and have had many constituents ask me, Mr. Speaker: why aren't playgrounds and sports fields and those types of facilities part of the government's proposals or part of the package when they erect new schools? You know, that's a very, very valid question. I know that for myself and my colleagues in the Alberta NDP caucus we believe strongly that these facilities should be part of a school facility and those costs covered by the government.

5:20

Now, I'd love to address, you know, where these dollars are going to come from because I'm sure the minister of Treasury Board and Finance is wondering with all of the schools being built: where do those dollars come from? Mr. Speaker, really, it's a three-pronged answer to this. I think, first and foremost, something that the Alberta NDP has been calling for for decades is a look at and an adjustment of our royalty regime within the province.

You know, the fact of the matter is that the royalty rates in this province are lower than any other jurisdiction in North America, unnecessarily low to the point where the people who are getting shortchanged are really Albertans. I can appreciate the fact that we need to have a competitive environment with our royalties to encourage industry; however, the incentives that were brought into the province back when Mr. Lougheed was Premier, in the '70s, do not necessarily need to be in place today. Giving large corporations handouts and corporate welfare is simply unnecessary. I do believe that it is possible to raise our royalties to a rate that is still competitive, still ahead of other jurisdictions, yet there is a buffer in there. Again, Albertans are the ones who are missing out on this. This would address and bring millions of dollars into the government coffers, which could help to afford to pay for playgrounds for new schools.

The second thing that should be addressed – and I'd almost like to reverse the order – is, again, looking at cleaning up some of the mismanagement and wasted dollars that this government has. I think, you know, prime examples are the layers of bureaucracy and overpaid upper-end managers when we look at AHS. I find it fascinating that when the minister did talk about eliminating the 99 manager positions, they weren't in fact eliminated; they were merely shuffled and placed under different titles. To my knowledge all 99 of those managers are still working for AHS, just under different titles and positions.

The third way, Mr. Speaker, is to look at addressing our corporate tax structure within this province. Again, there is room to move to where we would be competitive and on the same footing

as our neighbours. Increasing our corporate tax rate even slightly would bring in a significant amount of revenue.

Actually, I have a fourth way to bring in more dollars to be able to afford playgrounds like this, Mr. Speaker, or at least the preliminary work on playgrounds, and that's for the Alberta government to really take a long, hard look at a progressive income tax structure for the province.

Now, I'm sure there are some members that would love to jump to their feet to say that the flat tax here in Alberta saves every Albertan dollars, but the fact of the matter is that, no, it does not. There have been countless studies done comparing a base salary of an Alberta household of, let's say, \$100,000 to \$120,000, and the amount of tax that is paid in this province versus a household in the province of British Columbia or Ontario, where there is a progressive income tax system, Mr. Speaker. The reality is that families in Alberta that earn up to \$120,000 in a household actually pay more taxes than families in B.C. or Ontario. So a progressive income tax structure could be such that you are passing on more savings to middle-income families, to average Albertans, where, yes, your top earners of \$250,000, \$500,000, or over a million dollars a year are being taxed harder than families bringing in \$50,000 to, like I said, \$120,000. But that alone would bring more dollars into the government coffers, and at the same time, it would actually save many, many Alberta families on what they're actually currently paying.

You know, Mr. Speaker, time and time again my frustration has been that this government refuses to address those four issues that I've just outlined, from the mismanagement of current dollars – and, I mean, I haven't even gotten into the wasted \$1.6 billion in carbon capture and storage, a technology that's not even proven yet. Their projected amount is \$2 billion. We'll see if they end up spending the full \$2 billion. But between cleaning up the mismanagement of dollars, addressing our corporate income tax, our personal income tax, and our royalty regime, there would be more than enough dollars in the government coffers to ensure that no school gets built without a playground, and I'm talking from A to Z.

We could also do things like pass savings on to Albertans. We could save in our heritage savings account. We could look at truly diversifying the economy. I'd love to get the government's ear to look at investing in solar – I find it shameful that the province of Alberta gets more sunlight hours than any other province, yet we're not doing more to invest in that energy – investing in our health care system and in our education system to ensure that we have enough schools, that our class sizes are reduced, and investing in the future of this province.

In conclusion, Mr. Speaker, I appreciate the member's motion bringing this forward. I am in support of this. Like I said, I wish they would take it a step further, but for a first step I applaud the member and encourage all members to support this as well.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Strathcona-Sherwood Park, followed by St. Albert.

**Mr. Quest:** Thank you, Mr. Speaker. I'm pleased to rise today to speak to Motion 516, proposed by the hon. Member for Edmonton-South West. His commitment to his daughters and all of our province's children is evident with this proposed motion as he strives to provide our youth with safe places to grow and be active. Motion 516 urges the government to explore the feasibility of providing funding for preliminary playground work at any new school facilities that instruct elementary students.



Mr. Speaker, we all know the challenge our province faced in regard to this summer's unprecedented floods. The resilience Albertans showed is what kept us strong and gave us all the ability to unite and rebuild. We can't afford to cut out the essential infrastructure projects our province needs like schools and roads. Our government has committed to keep building our province so that our youth can continue to enjoy the high quality of life they deserve. Motion 516 aligns with the government's commitment to establish healthy communities and reinforces our government's unwavering dedication to our youth, to our future. Protecting our children's well-being and fostering their education will help ensure that Alberta's future entrepreneurs, future thinkers, and future leaders develop in a province that will make their ambitions and dreams a reality.

Of course, all members of this House know that learning starts from the moment we're born and that we never stop learning. With the help of our loved ones we learn how to say our first words, how to walk. As we enter school, we learn how to become engaged social individuals. Nowhere is this more evident than on the playground, Mr. Speaker, where the imaginations of our young citizens are developed and fostered. The Public Health Agency of Canada, for instance, lists several benefits of encouraging our children to be active at a very young age. They include the opportunities for socializing, increased concentration, better academic scores, a strong heart and bones, healthier muscles, and improved self-esteem. Given the supporting evidence of encouraging our youth to become more active, Motion 516 could be seen as a component of our government's commitment to the well-being of our children.

Some of us might not be aware of the logistics that go into planning and developing and administering the building of playgrounds. There's a lot that goes on beforehand. Playgrounds are traditionally developed on municipal lands and in some cases fully funded, inspected, and maintained by that municipality. Typically the costs associated with building a playground from start to finish can average anywhere between \$250,000 and \$500,000. I know one of the hon. members across talked about the cost of playgrounds. They are expensive, but they're also a lot more elaborate than the playgrounds that some of us had to play on when we were kids, and I think that's a good thing.

Mr. Speaker, there's also ongoing maintenance and inspection costs for these playgrounds, to keep them operating and to keep them safe. Sometimes partnerships between community leagues, parent councils, and municipalities are required to offset these huge costs. The province is not always involved in the construction and upkeep of playgrounds. To put things in perspective, parent councils rely heavily on capital generated through fundraising. I think we've all seen some of our parent councils and what a great job they do of fundraising and getting matching grants and so on to build these playgrounds. We can only imagine how many bake sales and bottle drives and charity auctions it takes just to offset part of the cost that's involved.

5:30

Of course, the funding for community-based initiatives is also administered through the Alberta lottery fund. The grants are awarded to a number of construction projects besides playgrounds. We all know that these funds tend to run out and that not all the requests can be met.

Mr. Speaker, Motion 516 could help mobilize communities who may not have the resources to fund outdoor spaces for our kids. For instance, just having the ground dug up, filled in, and ready for this initial structure would mean a lot for a given project. When a playground is finally completed, think of all the benefits

the space would have for its community's children. It's definitely something that we can all be proud of.

I'd like to thank the hon. Member for Edmonton-South West for this motion and commend him for allowing us to have a discussion on a very important initiative that affects the youngest of Albertans, and I would urge our members to support his motion. I think it's a step in the right direction to ensure that all of our kids have somewhere to play and enjoy.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for St. Albert, followed by Rimbey-Rocky Mountain House-Sundre and Fort Saskatchewan-Vegreville.

**Mr. Khan:** Thank you, Mr. Speaker. I rise today to speak to Motion 516 brought forward by the hon. Member for Edmonton-South West. I would like to commend this member for his ongoing dedication to building strong communities for Albertans, particularly for this province's young people. I know that this member has school-age children himself and takes this issue to heart. I, too, have children who are school-aged and growing up far too fast, and I've witnessed first-hand the value of their time spent in the schoolyard and the recreation value and social interaction value that my children have enjoyed first-hand in the blessed playgrounds that they enjoy at their schools.

This motion seeks to encourage investment in new school facilities and targets basic school recreational infrastructure for funding. Mr. Speaker, as many have mentioned before me, these costs are exorbitant. The school grounds, average school grounds, can cost anywhere from a quarter of a million to half a million dollars, and I share the wonder with a number of my colleagues in the House that this is truly a large expenditure. We see that these expenses quite often are borne by the community groups and the families and parents of school-age children who wish to develop or redevelop playgrounds for their schools and for their community.

Community league organizations and volunteer groups work tirelessly to raise these additional funds to ensure that their children and families have a safe environment to play. In addition to local funds raised, additional costs may be covered through government grants like our Alberta community initiatives program. Mr. Speaker, it's programs like these that exemplify this government's unwavering commitment to Alberta's communities, a steadfast commitment to building Alberta.

As we move forward with the debate on this topic, it's important to look at the best practices from other jurisdictions across Canada. In 2011 our neighbours to the west, in B.C., announced \$4 billion in funding for playgrounds and upgrades for existing structures. The funding was available for constructing 44 new playgrounds and upgrading a hundred more. Prior to this announcement the B.C. government allocated funding to complete 83 new and replacement school playgrounds. As part of this initiative funding was committed to school capital and maintenance projects, which included school playgrounds throughout B.C.

In Saskatchewan – and congratulations to our friends in Saskatchewan for surely yesterday was one of their finest days in recent history – playgrounds are financed through the community initiatives fund, specifically through the community vitality program.

In Manitoba nonprofit community organizations can receive funding and planning assistance through the community places program. Projects that are eligible for funding through the program are ones that provide sustainable recreation and wellness benefits to communities. Playgrounds are an important part of this initiative. The community places program is a new and innovative

initiative for the Manitoba government as of 2013. Announced in 2012, the program has approved over \$104 million in grants to support upwards of 6,800 community construction projects across the province.

Mr. Speaker, as a part of Budget 2013 this government demonstrated its dedication to essential infrastructure like schools and roads. Just recently our Premier announced the building of 19 new schools for more than 13,000 students in nine Alberta communities, including my home constituency of St. Albert. These projects are part of a large commitment to build 50 new schools and modernize 70 more here in Alberta. As we continue to build these schools, I look forward to witnessing the numerous playgrounds that will begin to blossom as part of fostering safe play spaces for our children and families to enjoy. Motion 516 could help spur local community organizations to begin fundraising to cover costs associated with playgrounds.

Mr. Speaker, I would like to thank the hon. Member for Edmonton-South West for bringing this very important motion forward and for his commitment to building Alberta.

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

The hon. Member for Rimbey-Rocky Mountain House-Sundre, followed by Fort Saskatchewan-Vegreville and Calgary-Mountain View.

**Mr. Anglin:** Thank you, Mr. Speaker. I rise to support this motion. I want to focus on some of the key provisions in the motion that allow me to do this. The motion talks about looking at the feasibility of providing funding. Now, for a first-grader, a second-grader, or a third-grader I don't know of anything more important in elementary school than recess, and that's really how they look at it. As was mentioned earlier by some of the other members of this House, education is more than just the classroom. It is about the health and well-being of these young people also. If they're in a good frame of mind, which is well nourished and exercised, they have the ability to learn better, easier. There are numerous studies that support that.

**An Hon. Member:** A lot of MLAs like recess, too.

**Mr. Anglin:** And MLAs like recesses, too. That's just been pointed out to me, Mr. Speaker.

The fundamental value of looking – because there is a problem in this province. Wealthy communities generally do not have as difficult a time raising funds for playgrounds. The poorer communities, while they may get a new school – and by the way, I don't know of any community that gets a school replaced in anything less than 30 years. Many are 40 years and 50 years. So dealing with an elementary school is not something that is routinely done. We are growing as a province, and we will build more schools as we grow as a province, but that's a condition of our economy, and that will happen. To go four or five years for some of these communities to try to raise funds for a playground is an injustice to those young people who need a playground at that level in the first, second, third grades, for them to have to be forced to wait.

What I like about this motion and the reason I'm going to support this motion and ask my colleagues to support it is that it talks about the feasibility. We're not asking the government to forgo building a school because playgrounds cost too much. If we really are open to the feasibility and get creative, there are all sorts of opportunities to save money and still get the job done. I truly believe that because there isn't a playground that I know of that doesn't get built without some sort of grant or matching grant that comes either from the lottery system or anywhere else that

government can be creative, and that's the very point. There are all these possibilities that we can take that would make it feasible and even more feasible to actually save money in the long run. And I think we have the ability to do both.

For that, I will support this motion. I ask my colleagues to support this motion. I just want to state for the record that we're not looking to spend more money. What we're looking to do is be more efficient with the money that we have.

Thank you very much.

**The Speaker:** Thank you.

The hon. Member for Fort Saskatchewan-Vegreville, followed by Calgary-Mountain View.

**Ms Fenske:** Thank you, Mr. Speaker. It's an honour for me to rise today to speak to Motion 516, the goal of which is to encourage the establishment of capital funding for basic playground infrastructure and equipment on the grounds that accompany new elementary schools. I'd like to thank and congratulate the hon. Member for Edmonton-South West for bringing forward this motion.

5:40

Mr. Speaker, playgrounds are an essential part of the elementary school experience, as we've heard from many members today. They give children the chance to socialize with their peers and develop lifelong friendships. The intent of the motion is to recognize the growing costs associated with building new playgrounds, which can cost anywhere from \$250,000 to \$500,000. It seeks to help alleviate some of the costs for a variety of groups and organizations, including parent councils and community leagues.

Mr. Speaker, one of our government's priorities is investing in families and communities. Our children need to thrive in all facets of their lives, and contributing funds to preliminary work on playgrounds is one way we can help them reach their full potential. Currently our government provides funding to nonprofit and school groups for playgrounds through a variety of grant programs such as those available through Alberta Culture, including the community facility enhancement program and the community initiatives program.

The community facility enhancement program, or CFEP, was established to assist in fostering the unique characteristics of Alberta's communities. The intention of the program is to reinvest revenues generated from provincial lotteries in communities and to empower local citizens and community organizations to work together in responding to local needs.

Mr. Speaker, successful applicants are given up to \$125,000 for construction, renovation, or redevelopment of community public use facilities, including playgrounds. In 2011-2012 over \$4.5 million in CFEP grants were provided to 74 playground projects. The grants ranged from \$1,597 to \$250,000, and 47 of them were specifically for playgrounds at school sites.

The community initiatives program, or CIP, provides funds to enhance and enrich community initiatives throughout Alberta and is intended to reinvest revenues generated from provincial lotteries in our communities. Similarly to CFEP, the goal of CIP is to empower local citizens and community organizations to work together and respond to local needs.

There are several different types of grants available from the CIP that may be used for the development of school facilities, including playgrounds. The first type of grant, Mr. Speaker, is a project-based grant, which provides financial assistance of up to \$75,000 for community organizations to purchase equipment

within Alberta. Another type of grant is a community operating grant, which provides up to \$75,000 for financial assistance to registered nonprofit organizations in Alberta to enhance the organization's ability to operate and deliver services to the community. Both of these grants are suitable for supporting the development of school facilities, including playgrounds.

Along with government grants funding for playgrounds is also available through a variety of nonprofit and community support initiatives. As one of Alberta's longest serving charities, the mission of the Children's Ability Fund is to provide funding to enhance the independence of persons with disabilities throughout northern Alberta by providing funding for specialized equipment. Providing grants to organizations such as the Children's Ability Fund illustrates our government's commitment to investing in all of Alberta's families and communities regardless of ability or disability.

However, Mr. Speaker, not all requests can be met through these initiatives, and as you can see, resources are limited and funding through these initiatives is not solely for playground structures. That being said, this past September a pilot project at the Michael Strembitsky school saw the government contribute \$350,000 towards the \$500,000 cost of a playground. The project at Michael Strembitsky school is an example of what can be achieved when different levels of government and organizations work collaboratively to respond to community needs. I have examples in my constituency where the parents at C.W. Sears and l'école Parc elementary partnered with community and industry and the province to build the so-needed playgrounds.

The establishment of capital funding for basic playground infrastructure as proposed by Motion 516 would aid community leagues, parent councils, and municipal governments in ensuring that children have a safe, fun place to play that can be used during and after school. Once again, I would like to thank and congratulate the hon. Member for Edmonton-South West for bringing forward this motion – this motion. Sorry.

**An Hon. Member:** This emotional motion.

**Ms Fenske:** It's emotional.

His commitment to educational causes, the safety of our communities, and the health of his and our children should not be overlooked.

Thank you.

**The Speaker:** Thank you.

The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you, Mr. Speaker. Well, it is an emotional subject, I must admit. Our kids' health, our kids' ability to express themselves physically and socially with others is a critical issue and a critical part of health as well as education.

I want to also congratulate the Member for Edmonton-South West on Motion 516, urging the government to explore the feasibility of providing funding for preliminary work on school playgrounds and basic playground equipment from kindergarten to grade 6. I'm a bit puzzled by why we would restrict it to those ages. I think it's a wonderful initiative that should cover all age groups and all schools, and I think the need for and the importance of physical activity doesn't lessen after the elementary years. In fact, perhaps it even grows larger as young people deal with more and more distractions, more and more of what one might call temptations that pull people into unhealthy habits and behaviours and social conditions. So I would encourage a friendly amendment

to the motion to include all school ages, and the member can take that under advisement.

I'm curious to know just how far this is intended to go. It's clear to me that planning a school without a playground is a contradiction, shall I say. All school gatherings, focused as they are on academic and classroom-based learning, need to be enhanced, balanced, complemented by outdoor and physical activity. In my view, it should be a given in all schools that very serious attention be given to the outdoor aspects of children's education and activity, and I would hope that funding through the public purse would be available for this. This is a natural and an important element of all education systems, and I'm a bit surprised that it has to be identified very specifically and highlighted as a consistent part of any infrastructure planning for our children's education. Whether it's from preschool or through to grade 12, it's clearly a fundamental of a healthy and well-educated society.

I fully support the motion and, again, would encourage the member to look at expanding the scope of it. This is clearly an investment. One of the best investments we can make is in our children, and the physical and social dimensions of their education occur often outside the classroom.

I'm, like others, a bit puzzled by the lottery funds. They're making significant contributions, of course, to various extensions of our education system and community development through the community facility enhancement program and the community improvement projects that are identified. It's a reminder, I guess, that for many of us the allocation of these lottery funds is still a mystery and raises, I think, not a few questions in our constituencies about who gets it and who doesn't and what the criteria are for these lottery funds and whether we couldn't make it more public, more clear what the criteria for funding are, how some projects get funded and not others, again, to ensure transparency, to ensure accountability for public funds, and to ensure that decisions are not based on political connections and political benefit.

So I would encourage this government to look at their lottery funds as an important way to ensure that some of what they consider extra – and I don't consider playgrounds an extra in our school system, but if this government is going to provide lottery funds to community, school, and other projects, it's incumbent on them to show and make public the criteria for these funds and how the decisions are being made week to week.

5:50

Certainly, some of the volunteer organizations and nonprofit organizations are asking me the question: why was it that I didn't get funded and somebody else did? I have no way of answering that. It appears that some MLAs have more control over these funds than others. I again have no way of answering questions from groups, including school groups, that want to know about funding their playground, on how it was that decisions were made either to fund it or not to fund it. There's an opportunity to present more openness around the disbursement of these funds.

That having been said, Mr. Speaker, I'm very pleased to support this motion. It's an important one for the long-term well-being of all of us. I think that for many parents, especially in the lower income areas – there has to be a priority that this motion and potentially a bill that might follow be applied for the districts that are less fortunate than others, to clearly make it a priority for those areas of the province, those communities that have the least financial ability to provide these extras through their parents, through fundraising or through personal donations.

With that, Mr. Speaker, I'll take my seat. I very much support this motion.

**The Speaker:** Thank you.

Hon. members, are there any other members who wish to speak?

The hon. Member for Edmonton-South West to close debate.

**Mr. Jeneroux:** Thank you, Mr. Speaker. I'd like to just quickly address the hon. Member for Calgary-Mountain View's friendly amendment. Reading the motion, specifically right at the end, it says: "as part of the capital funding for any new school facilities that include grade levels from kindergarten to grade 6." It doesn't necessarily restrict it to those grades. Those are the grades that, in my experience, spend most of the time on the playgrounds. We often build schools which are kindergarten to grade 9 as well. This would encompass those grades also.

With that being said, Mr. Speaker, Motion 516 asks us to consider the feasibility of providing funding for preliminary work on new playground infrastructure. In short, it would be another way to help our communities overcome the costs that are causing many delays in getting these playgrounds built, costs associated with initial playground servicing, landscaping, paving, labour, and materials.

As we know how important playgrounds are to communities and to our children, we also recognize the reality that resources are finite. Our community leagues, our volunteers, and our parent councils need help moving these initiatives forward. There is no shortage of effort from these groups. They show an unwavering sense of commitment and self-sacrifice for their schools, their families, and their communities. The question is not one of commitment, Mr. Speaker; it's one of funding availability. It's one that has practical consequences for our ideas about fairness and equity.

Because such large fundraising efforts are needed to build playgrounds, there is potential that some communities find themselves at a disadvantage. If they are not able to co-ordinate volunteers or raise funds for such a project, then their children and their families are also at a disadvantage. The ability to provide funding for preliminary work on playgrounds will help strengthen the determination of these communities and encourage them to see their hard efforts through to the end.

So as I conclude debate on Motion 516, I would like to remind all members that the intention here is focused on the future. It is about helping build something with longevity. It is about acknowledging and recognizing the importance that playgrounds have on our children's social development and in our families' lives. I applaud our government's efforts and our ongoing commitment to schools. This is yet another opportunity to build on this legacy. As Albertans we are proud of our strong economy and unshakeable belief that we can do anything we put our minds to. We know that through collaborating with our community partners, we can build stronger, more resilient, and sustainable communities for future generations to come.

I would again like to thank all hon. members who participated in the debate on Motion 516 and urge each of you to vote in favour of it so we can help our kids play.

Thank you, Mr. Speaker.

[Motion Other than Government Motion 516 carried]

**Mr. Campbell:** Mr. Speaker, seeing that it's almost 6 o'clock, I would suggest that we adjourn until 7:30 tonight.

[Motion carried; the Assembly adjourned at 5:55 p.m.]

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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Monday evening, November 25, 2013

Issue 73e

The Honourable Gene Zwozdesky, Speaker

## Legislative Assembly of Alberta The 28th Legislature

First Session

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## Legislative Assembly of Alberta

7:30 p.m.

Monday, November 25, 2013

[The Speaker in the chair]

**The Speaker:** Please be seated.

### Transmittal of Estimates

**Mr. Horner:** Mr. Speaker, I have received a certain message from His Honour the Honourable the Lieutenant Governor, which I now transmit to you.

**The Sergeant-at-Arms:** Order!

**The Speaker:** Hon. members, the Lieutenant Governor transmits supplementary supply estimates of certain sums required for the service of the province for the fiscal year ending March 31, 2014, and recommends the same to the Legislative Assembly.

Please be seated.

The hon. President of Treasury Board and Minister of Finance.

**Mr. Horner:** Thank you, Mr. Speaker. I now wish to table the 2013-14 supplementary supply estimates. When supplementary estimates are tabled, section 8 of the Government Accountability Act requires that a new or amended fiscal plan be tabled. Accordingly, the 2013-14 supplementary estimates include an amended fiscal plan for 2013-14. The 2013-14 supplementary supply estimates will provide additional spending for eight government departments. When passed, the estimates will authorize approximate increases of \$624.7 million in operational funding and \$139.6 million in capital funding for the government.

### Government Motions

43. Mr. Horner moved:  
Be it resolved that the message from His Honour the Honourable the Lieutenant Governor, the 2013-14 supplementary supply estimates for the general revenue fund, and all matters connected therewith be referred to Committee of Supply.

**The Speaker:** The hon. President of Treasury Board has moved Government Motion 43. I show this, under SO 18(1)(i), as being debatable.

The hon. House leader for the Official Opposition.

**Mr. Anderson:** Thank you, Mr. Speaker. If I could just get a few details from the Treasury Board president on this. I'm sure we'll do this partly when we're actually in committee, but I'm assuming the largest portion of this is flood related.

**Mr. Horner:** All of it.

**Mr. Anderson:** All of it's flood related. I'm assuming this is flood related, so I look forward to the committee going through this. Obviously, we need to talk about these funds as they are necessary to deal with the flood damage in High River, Calgary, and southern Alberta generally. We look forward to the debate on that and would propose that we support this motion so that we can get to the work of going over it in more detail.

**The Speaker:** The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Yes. I just wanted to clarify that for each of these ministries the supplementary supply changes are to do with the flood recovery. Yeah? Okay.

Thanks, Mr. Speaker. That's good.

**The Speaker:** Are there others?

You're ready for the question?

**Hon. Members:** Question.

[Government Motion 43 carried]

44. Mr. Horner moved:

Be it resolved that pursuant to Standing Order 61(2) the Committee of Supply shall be called to consider the 2013-14 supplementary supply estimates for the general revenue fund for three hours on Tuesday, November 26, 2013.

[Government Motion 44 carried]

### Government Bills and Orders Committee of the Whole

[Mr. Rogers in the chair]

**The Chair:** I'd like to call the Committee of the Whole to order.

#### Bill 33

#### Tobacco Reduction Amendment Act, 2013

**The Chair:** I'll recognize the hon. Minister of Health.

**Mr. Horne:** Thank you very much, Mr. Chair. I'm pleased this evening to rise on behalf of the hon. Associate Minister of Wellness to speak to Bill 33, the Tobacco Reduction Amendment Act, in Committee of the Whole.

Mr. Chair, earlier this afternoon this House, I think, took a very important step in our commitment to reduce tobacco use among children and youth when we approved third reading of Bill 206. Despite the fact that there may have been differences of opinion with respect to issues such as the role of government in achieving such an objective, I for one – and I think I'm joined by others – was very gratified to see the level of support on all sides of the House for an issue which is increasingly important in our society.

Similarly, with Bill 33 we've seen significant support for the intent of this bill on all sides of the House. Again, the intent of Bill 33 is to reduce the impact of tobacco or tobacco-like product use or second-hand smoke on our young people. As the Associate Minister of Wellness has expressed, we see this bill as protecting the health of all Albertans and a healthy future for our young people.

I will clarify again as we enter into the committee stage that the act respects the right of aboriginal peoples to use tobacco in its traditional spiritual and cultural role, and the act respects the private use of tobacco in a person's home, and it does so very, very clearly, Mr. Chair. Nothing in the bill affects these rights, so Albertans can be assured that they may continue to use tobacco as part of their cultural practice.

However, as a member of the government and as a proud Albertan I see the bill as essential to protecting the healthy future of our children and youth from the many harms of tobacco, tobacco-like products, and second-hand smoke. As I said earlier, I believe that the majority of members of this House share those feelings of commitment. A generation from now, Mr. Chair, we do not want to see tobacco still claiming 3,000 Alberta lives each year, as it does now. We don't want to see such high rates of lung

cancer and cancer deaths due to tobacco use. We want our young people to be there for their families as parents, as grandparents, and as involved community members. We certainly don't want to see them face the fate that so many lifelong tobacco users face today. I'm sure this feeling is shared by many around the House. Every time I see a young person or a group of young people lighting up, I feel the need to do something more, Mr. Chair, and Bill 33 is that something more.

During second reading the issue of cessation support for tobacco users was raised. I'm pleased to remind the House that Alberta's 10-year tobacco reduction strategy provides for ways to expand comprehensive cessation initiatives. The tobacco reduction strategy acts on a combination of prevention initiatives, public awareness, education, and cessation supports. Stronger tobacco legislation is also a part of that picture, and Bill 33 helps to make that happen.

First, it specifically prohibits furnishing, which includes selling and giving of tobacco products to young people in public places. We have federal legislation in place, as we've noted, but we have nothing in Alberta. With Bill 33 Alberta joins other provinces with legislation to prohibit the sale of tobacco products to minors. The fines will be levied against adults who provide youth with tobacco, and we will enhance enforcement by adding to the existing powers that peace officers already have. I remind the House that Bill 33 does not prohibit tobacco sales to adults. That means that store employees who are under the age of 18 may sell tobacco products to adults. They may not, however, buy those products themselves or sell the products to other minors.

7:40

Secondly, Bill 33 establishes regulatory authority to mandate a minimum number of tobacco products in a given package to make the packages less affordable to children and youth.

Third, Bill 33 very importantly prohibits smoking tobacco-like products such as those used in water pipes in the same places where the smoking of tobacco is currently prohibited. Mr. Chair, we are mindful as a government that the practice of smoking some tobacco-like products has a cultural following in our society, and I'd remind the House that nothing in the bill affects the use of those products and related equipment in people's private homes. Bill 33 simply addresses the use of these products in public places and in the same places and under the same conditions where the smoking of tobacco is prohibited. This is important because it protects Albertans from second-hand smoke that is just as harmful as tobacco.

We realize, Mr. Chair, that these measures will have an impact on businesses whose policy on the use of water pipes and related products helps to attract customers. But as we said in earlier stages of the bill, proclamation of the legislation would be staggered to allow time, at least 12 to 18 months, for regulations to be developed and for businesses to adjust. This is the same as, if not greater than, the transition time that was offered to establishments when the prohibition of the smoking of tobacco in public places was introduced.

We know from experience that when smoking was first banned in public establishments, most people and businesses were able to successfully adapt, and we expect the same businesses will experience that same success again. Mr. Chair, as we've all also noted on all sides of the House, some municipalities already ban the smoking of water pipes in specified locations. Again, this part of Bill 33 creates an equal playing field across the province.

Fourth, Mr. Chair, banning smoking in vehicles with children present is another feature of this bill. The Tobacco Reduction (Protection of Children in Vehicles) Amendment Act received

royal assent in March of 2012, but it has not yet been proclaimed. Bill 33 would bring all the provisions of this legislation under the Tobacco Reduction Amendment Act.

Finally, Mr. Chair, Bill 33 would also bring the Prevention of Youth Tobacco Use Act into the Tobacco Reduction Amendment Act, creating a single, unified piece of legislation that supports a comprehensive approach to protecting young Albertans from tobacco and speaks to the values of our province. We pass laws to protect the public good. Bill 33 will strengthen public protection from the health risks of tobacco, tobacco-like products, and second-hand smoke. It is a testament to our commitment to Albertans and their future.

With these ideas in mind I offer my support for Bill 33, and I look forward to the discussion from all sides of the House during Committee of the Whole.

Thank you.

**The Chair:** Thank you, hon. minister.

The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thank you, Mr. Chair. I want to thank the minister for getting up and answering a couple of the questions that I had put on the floor, that I had wanted answered. I appreciate that he talked about cessation in regard to smoking, and I was aware of that in the act, but I had specifically asked him questions on how we have Albertans that can't afford to pay for some of them, and here we are.

I still haven't heard from the minister in his speaking notes in regard to the consultation process that they took in regard to this piece of legislation, when I specifically asked about what addiction specialists they had talked to, et cetera.

Mr. Chair, I respect and I appreciate the comments the minister made about respecting the rights of aboriginal people and cultural diversity.

I am going to be proposing an amendment that I would like to have passed out, please, and I'm going to read it into the record if I can.

**The Chair:** Maybe just a short pause, hon. member. We'll get that mostly distributed, and then I'll signal to you when you can pop up again. Thank you. I'll give you the thumbs-up.

For the record, hon. members, this will be A1.

Please proceed, hon. member.

**Mrs. Forsyth:** Thank you, Mr. Chair. I must teach you some sign language when you want to tell somebody to get up and speak, but I get the thumbs-up. I appreciate that.

I want to read in that I'm moving that Bill 33, the Tobacco Reduction Amendment Act, 2013, be amended in part A by adding the following after section 4. In 4.1 section 3 is renumbered as 3(1), and the following is added after subsection (1):

(2) Subsection (1) does not apply to a shisha or a hooka establishment, as defined in the regulations, that permitted the use of a tobacco-like product on or before November 14, 2013, but shall apply to any establishment when the ownership changes after that date.

In part B in section 19 the following is added after clause (a):

(a.1) For the purposes of section 3, designating what constitutes a shisha or hooka establishment.

Now, what I want to say on this particular amendment – and, again, I want to thank the minister for speaking. He talked and clarified about respecting the rights of aboriginal people and their cultural diversity. I guess what my amendment is addressing is the fact that shisha bars or hookah bars have got a very strong ethnic component to them. I think we have to respect the rights of ethnic

people in this province, especially when they move to this province. Right now Bill 33 would ban shisha cafés from operating if it is passed. So the purpose of this amendment is to allow existing shisha cafés to continue to operate despite the ban on the smoking of tobacco-like products in public places. This grandfather clause as proposed would mean the exemption expires when the business is sold.

Now, the minister was talking about the 12 to 18 months for regulations and that businesses can adjust, and he referred to water pipes and things like that. I've had a great deal of calls from businesses, and I can appreciate why they're calling. When I talk about businesses from that aspect, it's gas stations and things like that that saw a decrease in their tobacco and are going to see a more substantial decrease in some of the things that are being proposed in Bill 33 along with Bill 206.

Where I'm struggling is with the fact that the shisha bar is a business, and it operates legally and should be allowed to continue to do so under certain circumstances. Retroactive law changes are unfair for those operating a currently legal business. Shisha cafés in Quebec were grandfathered in upon proclaiming its Tobacco Act, and there are about 30 locations in this province that were grandfathered. I have to say, Mr. Chair, that of the shisha bars or the hookah bars that we have talked to, none of them were consulted. I'd like to ask the minister, when they were putting this bill together, whom they consulted in regard to literally putting a business out of business.

I think the reason shisha is considered legal right now is because it's a nicotine-free product. I've read some of the articles about: you're puffing 200 times more, et cetera, and things like that. But the smoking of the shisha is a common cultural practice in the Middle Eastern and our African cultures among others.

I guess, Minister, I appreciate and value greatly that you've excluded the aboriginals when they're doing smudging and the exchanging of tobacco. That's something that's very spiritual with the aboriginal people.

I am hoping that the government would consider supporting this legislation. If not, I'd like to know why not. What this bill is saying is that we will allow shisha bars to continue, but if that business is sold, it goes out of business. It can't be sold to someone else. The people that we've talked to are very upset about this. I know that some people will think that it's part of a pastime for kids to go there and have conversations, but truly it's more on the cultural aspect of what I referred to: Middle Eastern culture, Africans, Muslims, all that partake in this from a cultural aspect. It's what's done.

7:50

If the minister or the government, for that matter, or the associate minister whose bill this is could explain to me whom they talked to from shisha bars or from that ethnic perspective, I would be more than willing to accept why the government is moving forward.

We are literally going to put these people out of business. The minister alluded to: businesses can adjust in 12 to 18 months. Well, you can't adjust if you're being closed down, and you certainly can't sell the business. This government has proudly talked in the past about attracting businesses and that we are for businesses and that we respect the rights of people and that we want them, so I would hope that the government would consider accepting this amendment.

I hope that the minister will explain, whether it's the associate minister of health and wellness or the Health minister, for that matter, whom they consulted with. Mr. Chair, I've got to tell you that we have talked to addiction specialists in regard to who was

consulted from an addiction perspective, and there are some very well-respected doctors in this province and in fact in this city who have not been consulted on this bill whatsoever. I have talked to, as I said earlier, shisha or hookah bars. None of them were consulted. And the businesspeople – I've stood up in this Legislature and said that I'm going to support Bill 33 – have not been consulted in regard to the bill and, you know, how they are going to deal with some of this.

We're in committee, and I'm hoping that the minister will provide us with whom they consulted from the shisha or hookah bars, whom he consulted with in regard to addiction specialists in this province, and I'll look forward to the debate for the rest of the amendment.

**The Chair:** The hon. minister.

**Mr. Horne:** Thank you very much, Mr. Chair, and thank you to the hon. member for proposing the amendment that she has and for the obvious thought and consideration that has gone into drafting it.

Mr. Chair, I'll do my best to answer the questions. With respect to the specifics around consultation on the bill I may have to defer to the Associate Minister of Wellness to come back with that detail, but we'll certainly follow up with him on that point.

On the consultation issue generally, just to remind the Assembly, Mr. Chair, Bill 33 actually in law enables the commitments that were made under the updated tobacco reduction strategy, that was released about a year ago now. The hon. member and others may remember that there were extensive consultations, in fact well over a year's consultation, that led up to the release of that document. Many, many experts were involved, and there are many names in the tobacco reduction strategy that can be cited, both medical and other experts that actually collaborated and, in fact, worked hard to persuade the government not only to support and release the tobacco reduction strategy that we did but to back it up in legislation. Bill 33 is making good on that commitment, so to speak.

Specifically on amendment A1 and the proposal around exempting establishments that were in place on or before November 14, 2013, we would be unable to support the amendment for the simple reason that the decision is not specific to the issue of the fact that this is a cultural practice that is permitted in some restaurants and bars across the province. The basis for the decision – and I can tell the hon. member that we had a very long and very thorough debate about this within our caucus – is actually evidence around the harmful effects of second-hand smoke, including that that comes from tobacco-like products, on human health.

Mr. Chair, it's really no different than the tobacco reduction act of 2007, where the hon. minister of human resources, who was the minister of health and wellness at the time, brought forward legislation to prohibit the smoking of tobacco in public places, including restaurants and bars.

I will say to the House – and I will be pleased to table this at the appropriate time – that a very recent study, a study from October 2013, that was conducted by experts at the University of Alberta, a study, in fact, that was partially funded by Alberta Health Services, found:

“Herbal” shisha products tested contained toxic trace metals and PAHs levels equivalent to, or in excess of, that found in cigarettes. Their mainstream and sidestream smoke emissions contained carcinogens equivalent to, or in excess of, those of tobacco products. The content of the air in the waterpipe cafés tested was potentially hazardous. These data, in aggregate,

suggest that smoking “herbal” shisha may well be dangerous to health.

As you can see, Mr. Chair, if we’re interested in making the decision based on evidence around the potential harmful effects, including exposure to carcinogens, of tobacco-like products like shisha, it is necessary in legislation to provide the same protection to the public around exposure to second-hand smoke from herbal and related products as it is to provide the public with protection from exposure to tobacco smoke that they receive second-hand. That is the basis for the provision in the bill.

I’ll note as well for the hon. member that in the spirit of her amendment there are provisions in the bill for exemptions to be granted under regulation to specific establishments. When the legislation around tobacco smoking in public places, including in restaurants and bars, was introduced, there was a considerable transition time that was allotted. It was a delayed proclamation of those sections of the act that allowed bar and restaurant owners to transition either through physical modification of their facilities or through a decision not to continue to offer that opportunity in their establishment and to replace it with other revenue-generating business activity. Mr. Chair, although it’s not part of the legislation, the commitment of the government is to offer at least the same if not more transition time for owners of establishments that currently allow the smoking of tobacco-like products, and we would estimate that time from proclamation of the whole bill to be anywhere from 12 to 18 months.

I will leave it to the Associate Minister of Wellness in further debate to talk a bit more about consultation, but I just wanted to make the point that while we appreciate the spirit of the amendment and the consideration that’s given to business owners and perhaps the relative importance of this activity in their establishment to their business – we thoroughly respect and appreciate that need – we have made a decision in this bill to put the protection of public health from exposure to second-hand smoke first. That was, as I said, not an easy decision and not an easy discussion within our caucus, but we do stand by that proposal, Mr. Chair.

For those reasons, with respect, we will not be able to support the amendment. Thank you.

**The Chair:** The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Yeah. Thanks, Mr. Chair. I appreciate the minister standing up and responding to some of my questions. I’m well aware, from when we passed the Tobacco Reduction Act, of all of the conversations that went on then and all the exemptions that were given to bars and restaurants, and I understand and appreciate, Minister, that if you and I went to a bar as nonsmokers and were in a bar where there were people smoking, we didn’t have a choice then. We had to sit and put up with the smoke. People go to the shisha bars and they go to the hookah bars to smoke. That’s what they do for their pleasure. So you or I probably would not be one of those people that are going to partake or go to a shisha bar or a hookah bar for a cup of coffee because we know what we’re facing. The second-hand smoke that we face when we’re talking about bars and restaurants not having a choice: if we wanted to go for a beer and we wanted to go to the bar, we didn’t have a choice at that point in time.

I understand the establishments were given plenty of time under the regulation to make adjustments. You know, we’ve seen over time – as somebody having been here 20 years, I remember when you used to be able to smoke in the hospital. I remember that when I was having a baby, you could smoke, and then you had the baby, and you were smoking. I remember being on the plane when

I was in business in another world, and, you know, you were at the back of the plane or wherever it was, and you were all smoking and having a great time drinking the free liquor. You didn’t care even in a smaller place like that that the poor people in the front of the plane were probably going home smelling like a dirty ashtray. I mean, it’s no different than if you decide to go camping and you’re at a campfire. You know that when you go home, you’re going to smell like smoke.

8:00

Where I’m struggling, Minister – and, please, I’m on your side on this. I’m honestly on your side. It’s like going to church and you’re trying to convert people that are already in church. What I’m suggesting is that these people have specifically had these bars, and the government granted them and allowed these establishments and licensed these establishments to open up and have a shisha or a hookah bar. The second-hand smoke: the people that go there don’t go there just for a cup of coffee. They go there because they’re – I’ve never partaken in this. I have partaken in a lot of stuff, but I’ve never partaken in this. I was trying to be convinced, when we were talking to these people, to go to a shisha bar and partake in this. As a former, slash, struggling ex-smoker the last thing I need to do is get hooked on a shisha bar or a hookah bar and end up there smoking my brains out.

I guess for me it’s a culture that people from eastern – and, you know, the Muslims: I’m sure Calgary-East may be able to or want to comment. Muslim people partake as a culture. You made a comment. And I’m sorry; I’m struggling sometimes with these in regard to being evidence based or something, and I didn’t quite grasp the comment that you made in regard to making exemptions, I think. I guess maybe I’m hoping that if you’re looking at exemptions, you would look at exemptions.

I’ve read the report that you referred to from the university on carcinogens and things like that. I guess sometimes as an adult we make choices in life, and as an adult you can’t control what adults tend to either put in their mouth as far as eating or what they decide to do smoking. I can appreciate the fact that we want to try and help people as much as we can. This is not one of those mountains I’m going to die on. This is one of those mountains where I have to have the questions answered, and I appreciate you standing up and answering them to the best of your knowledge.

You said that you would talk to the associate minister in regard to consultation, but I’m just worried sick that we’re putting penance on 30 establishments in this province that have that, I guess, as you referred to when we spoke about aboriginals, cultural diversity, that ethnic component. When people move to this wonderful country that we call Canada and this wonderful province that we call Alberta and people are allowed the idea of freedom of choice – I’m struggling, Minister.

I honestly can’t pick apart your Bill 33 very much. I’ve stood up, and I’ve asked a few questions, and to the best of your knowledge you’ve responded. But this one is a struggle for me, and I don’t even partake in it. I think it’s our responsibility as elected members of this Assembly and it’s incumbent upon us to bring forward the concerns that we’ve heard from Albertans. I want to reiterate one more time that of all of the shisha bars and all of the hookah bars that we’ve talked to, no one, not one single person, was consulted in regard to this. In fact, they were quite taken aback, not even aware that this was part and parcel of your legislation. You know, I was here when we debated the Tobacco Reduction Act, and I’m struggling.

Thank you.

**The Chair:** Are there others? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I rise to support this amendment. I would ask the minister to take sort of a broader look at the wording of the amendment in the sense that, in my view, this is a culturally sensitive issue. Everything the minister said I believe is true, particularly on the health and the second-hand smoke and the studies that you quoted or presented. But the idea of setting out in regulations, constituting what the shisha or hookah establishment would be, gives the ministry flexibility to make determinations that maybe it's not a restaurant where there would be minors or that restricts it from having any minors.

There seems to be some flexibility in regulation in what the ministry would designate or constitute the establishment. I think the ministry in consultation with these groups, particularly the culturally sensitive groups, could probably find a reasonable common ground on how to set this out in regulation to do both, which is to protect the public per se on the second-hand smoke and many of these other issues and limit the damage but also respond respectfully to what is a cultural practice. I think that maybe not all places would fit the regulations, but certainly it would allow for some. It would give the ministry time to consult while we still pass this law and make sure that we respond fairly and justly to the cultural sensitivities of what we're dealing with.

I would hope the minister would give it a second thought and approve this amendment and allow it to pass. It gives the flexibility in regulation on how to manage it. We can get the best of both worlds on this, I truly believe, which is a reduction plus we can respond to the cultural sensitivities of these establishments.

With that, I thank you very much, Mr. Chair.

**The Chair:** Are there others?

**Mr. Horne:** Mr. Chair, if I may, and I'll be brief. You know, I thank the hon. member who just spoke for his comments as well. I think we have a meeting of the minds in terms of the need for sensitivity and consultation and discussion about doing something as groundbreaking as this would be in Alberta. This would truly be leading the country in limiting potentially harmful exposure to second-hand smoke from tobaccolike products.

I guess I would argue, at least with respect to the last speaker, that that objective or that possibility is actually covered in the bill under section 19(f), which allows in the regulation-making authority the ability to make regulations

- (g) respecting the exemption of a person or a class of persons from the application of all or any of the provisions of this Act or the regulations.

Further, it allows regulation-making authority

- (g.1) respecting the exemption of a place or a class of place from the application of all or any of the provisions of this Act or the regulations.

And then, finally, that authority is also extended

- (g.2) respecting the exemption of a tobacco product or tobacco-like product from the application of all or any of the provisions of this Act or the regulations.

Mr. Chair, I'd submit that, at least insofar as the comments of the last speaker, the intent of the subamendment is actually addressed by the bill in section 19(f), and it would certainly be the intention of the government in developing any such regulations to look at people or classes of people, to look at places or classes of places, and to look specifically at tobacco products or tobaccolike products. So that flexibility is already built into the bill. I think we can accomplish what the Official

Opposition is pointing to as a very legitimate concern, but I think we have it here in the bill.

Thank you.

**The Chair:** The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thanks, Mr. Chair. The comment from the minister on the meeting of the minds: that would be a first with the Health minister and the Health critic and a meeting of minds, I'm quite sure. It would be no different than the fact that he and I would go to a shisha bar or a hookah bar just to try the product or, for that matter, go for a beer. That would really get tongues wagging. Before I leave this Legislature, I will make sure I have a beer with the Health minister because I'm sure we'd probably have some good conversation. I appreciate what the Health minister is doing.

**8:10**

Let me put this to you, Minister. I know you're very busy, and I'm not going to ask you out for a date or anything. But would you consider, because you've made some very good points under section 19(f), at least meeting with some of these people, explaining to them the legislation, and maybe trying to come to some sort of agreement or understand maybe some of their cultural sensitivity or some of the, you know, diversity that they're trying to bring forward to you? I, quite frankly, don't know if they would meet with you. I'm not second-guessing anybody. But I think it would go a long way if you or someone even from your department or, for that matter, the associate minister of health sat down with some of these people that own these shisha bars or these hookah bars and try to explain where you're going with this, that 12 to 18 months. There may be some ideas with regard to some of the exemptions that you spoke to.

I've said this before. I'm really, really troubled that the great province we live in – we've got the exemptions for cultural diversity for our aboriginal people. I really think that the people who own the shisha bars or the hookah bars, for that matter, deserve the same sort of respect from us in regard to their cultural diversity.

**The Chair:** Are there others? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair, and thank you to the minister for pointing that out. But the consistency – if you remember correctly, when the hon. House leader from the government spoke in relation to aboriginals, it was absolutely clear in the original act that aboriginals are exempt. I remember that because he stood up and said, "Read the law; read the law; read the law," which is all fine and good. It was absolutely clear. So based on the discussion here and the points that this minister made, clearly the provisions that you have outlined do allow for that flexibility. It also allows for that same flexibility for aboriginal tobacco use, but the original act was absolutely clear. It stated, you know, the exemption for aboriginal peoples.

Fast-forward to this debate right now on this amendment. The provisions that the minister cites are true and accurate, but by accepting this amendment, very similar to the exemption for aboriginals, what the ministry will be doing is acknowledging that the shisha and hookah establishments will be respected and there's still flexibility to determine by regulation how they will be defined. It's sort of, in my view, consistent with the way we treated First Nations. This is just recognizing the cultural groups that are affected by these establishments and sets it out. It would be consistent with the provisions that the minister originally cited, which allows for that flexibility, but it also will make the entire provisions from this act to the original act consistent, where it

actually lists these aboriginal groups as far as First Nations, and in this case it would make reference to the cultural groups dealing with the shisha and hookah establishments. I don't see where it's redundant if you put this in. I see where it's complementary, and that's a little bit different.

Thank you very much, Mr. Chair.

**The Chair:** Are there others?

**Mrs. Forsyth:** I apologize. I don't want to monopolize the conversation. I just want to ask the minister one more thing: if he's aware that the banning of shisha caf  s is being challenged in the court system in B.C. I know you were monitoring it. I'm wondering if you've thought of the consequences of that if they happen to win, if this legislation passes.

**Mr. Horne:** Mr. Chair, we are aware. I believe this is a bylaw, actually, that's being tested in court by the city of Vancouver. We are watching that case, obviously. All I can say is that we would evaluate the judgment when it's delivered, and we would take that into consideration in decisions surrounding the proclamation of this bill.

Thank you.

**The Chair:** Are there others?

Seeing none, I'll call the question.

[Motion on amendment A1 lost]

**The Chair:** We're back to the main bill. The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Well, thank you, Mr. Chair. I have the appropriate number of copies of a reasonable amendment that I would like to bring forward for Bill 33.

**The Chair:** Okay. If you just pause for a moment, we'll have that distributed, hon. member.

This will be A2, hon. member. You can proceed.

**Mr. Eggen:** Okay. Thank you, Mr. Chair. Actually, I'm moving this on behalf of the hon. Member for Edmonton-Beverly-Clareview. You can see that the amendment is talking about the Tobacco Reduction Amendment Act, 2013, being amended in section 10 in the proposed section 7.5 as follows:

7.5(1) For the purposes of this section, a tobacco-like product refers only to a tobacco-like product sold for the purpose of being smoked.

And so forth.

Perhaps the hon. member from Lethbridge can check this out. It's quite good. The two hon. members from Lethbridge. I've got something for you here. Actually, maybe you're looking at the . . .

**The Chair:** Through the chair, hon. member. Thank you.

**Mr. Eggen:** Yeah. I'm just trying to grab everyone's attention, right? It's the schoolteacher in me. It just comes out at night.

**An Hon. Member:** Do I get a detention?

**Mr. Eggen:** I give detentions. That's right.

If I can tear everybody away from watching the by-elections – I have the nerd by-election party going on here – the purpose of this amendment that I have for Bill 33, Mr. Chair, is simple. It's to prohibit the sale of tobaccolike products to minors. The way this legislation is currently written, these products could still be sold to minors. We consider many of these tobaccolike products to be potentially harmful on their own and also a potential gateway to

other tobacco use. I think that's the idea of Bill 33 anyway, so following in the spirit of that original intention, that's why we brought this one forward. It's important, I think, as well, to note here that the recent ban on flavourings only applies to tobacco products, not tobaccolike products. So a vendor could sell a tobaccolike strawberry-flavoured hookah product to a youth with no penalty, for example, under this current Bill 33 as I read it. Maybe that's not the best thing we should be doing.

We want to avoid that possibility here, so we've written this amendment in a way that applies specifically to sales to a minor, not to adults but to a minor. There'd still be nothing to prohibit an adult from buying these products and consuming them on their own at home for their own reasons, but a minor could not make that same purchase. It otherwise imports the same structure, Mr. Chair, that we're implementing for preventing the sale of tobacco to minors, and the restricted definition for the section "a tobacco-like product sold for the purpose of being smoked," I think works around the broad definition of "tobacco-like" used elsewhere in the act.

It's a very reasonable amendment, Mr. Chair, and I encourage everyone to consider supporting it. Thank you very much.

8:20

**The Chair:** The hon. Minister of Health.

**Mr. Horne:** Thank you, Mr. Chair. I appreciate, again, the consideration that the member brings, obviously, in an attempt to help strengthen the bill. I do appreciate that. I'm struggling a little bit with the rationale for the amendment. If I refer to the bill, there is a clear definition of "tobacco-like product" that appears in section 3(e):

- (j.1) "tobacco-like product" [is defined as], subject to the regulations, a product, other than a tobacco product, composed in whole or in part of
  - (i) plants or plant products, or any extract of them, or
  - (ii) other substances prescribed by regulation.

Notwithstanding that I'm not clear on the intent of the amendment, I guess my point would be that there is a clear definition and there is an opportunity in this provision to expand on that definition if at any time the clarity around what constitutes a tobaccolike product is in question. There is regulatory authority to extend that definition.

The other thing – and I'm certainly happy to hear more on the rationale from the hon. member. I guess, with respect, I'm wondering for what purpose other than being smoked would a tobaccolike product be sold. [interjection] In seriousness. I'm unclear on the intent.

Our position would be that any concern around the specificity around this and the ability to protect minors is actually covered in the definition, or if it's not covered, there's regulation-making authority to clarify it, to strengthen it. For that reason, I would not see us as adopting the amendment, Mr. Chair.

**Mr. Eggen:** Point taken, and I think the hon. Minister of Health certainly has the right idea. I think that we just wanted to make it explicit about the purchase of that because we see that we're always aiming at a moving target, Mr. Chair. The vendors, even tobacco vendors, can change their products with great fluidity, thus creating a product that can sort of skirt around the letter of the law, and perhaps the regulation is not quite there to meet the new thing.

I mean, we're not trying to create long, sort of Byzantine bits of legislation here, but at the same time I think that putting it explicitly in the law and not just relying on the potential for the regulation to meet the needs of that possibility is just why we did it, respectfully.

Hopefully, people will consider supporting it. Thanks.



**The Chair:** Thank you, hon. member.

Are there others?

Seeing none, I'll call the question on amendment A2.

[Motion on amendment A2 lost]

**The Chair:** We're back to the main bill. Are there any speakers?

Seeing none, I'll call the question.

[The remaining clauses of Bill 33 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported?

**Hon. Members:** Agreed.

**The Chair:** That is carried.

### **Bill 32 Enhancing Safety on Alberta Roads Act**

**The Chair:** The hon. Member for Cypress-Medicine Hat.

**Mr. Barnes:** Thank you, Mr. Chair. As mentioned in second reading of this bill, there are many, many parts of it that I like and many, many parts of it that the Wildrose caucus likes. It seems to streamline a few things for business, to hopefully keep us competitive in a competitive world, it seems to make it more efficient for a lot of our peace officers, that we all know have a very, very tough job and a very, very dangerous job at times, and then there's just the opportunity to further enhance the safety of roads for all Albertans.

There were a couple of areas of concern, though, that we had that we just couldn't get past with what the government said to us at second reading of the bill and with some of the discussion. So to start with, I would like to propose an amendment.

**The Chair:** Okay. If you would have that circulated, please, hon. member. We'll just pause for a brief moment. For the record, hon. member, this will be amendment A1.

You may proceed.

**Mr. Barnes:** Thank you, Mr. Chairperson. What this amendment pertains to is that there's a portion of the bill that gives the government authority to close a road, and the definition of a road is fairly liberal. There are many, many things that fit into the definition of a road. It allows the government to close a road where a road plan has never been enacted. A road plan is just a survey, which could, of course, cost tens of thousands of dollars. It may make a lot of sense for a road that has never been surveyed, a road where a road plan has never been done by an Alberta legal survey or never been registered. It may make a lot of sense if this road is not being used, to be able to close it without incurring a whole bunch of costs for our taxpayers, when we can better use that money for front-line services or leave it with the taxpayers. But the concern, of course, becomes: how does the government truly know when a road is not being used? How do Albertan companies and Albertan citizens truly know when a road is going to be closed?

What this would do – and I'm just going to take a second and read it – the long and the short of it, is force some disclosure and some transparency on our government to notify people who potentially might be involved of the upcoming road closure. It will still be way, way less expensive than if we had to actually get a legal survey and advertise that and spend the cost of that, and it still may actually make it quicker for the government. Hopefully,

it will offer the opportunity to make all Albertans informed of what's going on.

I move that Bill 32, Enhancing Safety on Alberta Roads Act, be amended in section 1(3) in the proposed section 38.1 by adding the following after subsection (2):

(2.1) When the Minister closes the whole or any portion of a highway pursuant to subsection (2), the Minister must provide 90 days' notice

- (a) to adjacent landowners,
- (b) to any municipality impacted by the closure,
- (c) in any local newspaper published in the area where the highway is situated, and
- (d) on the public website of the Minister's department.

Again, I hope and think that this will provide adequate communication to people that may be using the road. It was a bit of a surprise to me to hear that there are some roads out there that don't have road plans in place. What types of roads are they? How busy are they? Are they travelled once a day, once every two weeks? Are they very, very busy? Again, this will force the openness and the transparency that Albertans need and Albertans deserve.

With that, I would hope that the government and all here tonight would support my amendment to help make this more of an open process.

**The Chair:** Thank you, hon. member.

The next speaker is the Member for Rimbey-Rocky Mountain House-Sundre.

**8:30**

**Mr. Anglin:** Thank you, Mr. Chair. I rise to support this motion. This motion only sets out a pragmatic management provision which basically allows for the affected or, really, the adversely affected parties to be notified in a timely fashion. It gives them time to respond. It doesn't remove the minister's ability to close a road under any emergency situation. That comes under another act, and the minister has full control and full power to do that. Putting in a provision to give 90 days' notice to the adjacent landowners and the municipalities that are impacted allows for just sort of a continuity of being able to operate under the conditions that the minister is going to lay out. This is, in my view, sort of a little bit of protection for those individual landowners in those communities that are going to be affected by a road closure, and it allows, actually, in many cases for proper planning. It doesn't in any way detract or take away from the minister to act in an emergency situation. It's basically the best of both worlds.

Now, I could entertain an argument on whether the 90 days is too long or too short – I welcome that discussion – but we needed to pick some sort of number to allow for just normal planning for those affected people or communities that need to make adjustments as a result of a road closure. I would be interested in hearing the minister's response if they have any concerns about this amendment.

**The Chair:** Thank you.

Are there other speakers? The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Allen:** Thank you, Mr. Chair. Just a brief comment. I appreciate where the Member for Cypress-Medicine Hat is coming from. I understand what you're trying to achieve here. But, quite frankly, when I read things like this in this kind of detail to be enacted and ingrained in legislation, I get a little bit nervous. Some of the wording in here, some of the requests such as item (c), to publish it in local newspapers in the area: that can be quite

specific. It's not necessarily the most effective advertising tool in every community across the province.

From my perspective and from my experience when the province is doing any type of development or protection for highways, it takes a great deal longer than 90 days, and the province is already interacting, interfacing, and working with local stakeholders, municipalities, and landowners that are nearby. Something like this may be more appropriately placed in the regulations as opposed to the act itself. I would just be concerned that if things change down the road – and I know that on other parts of this bill that we're going to be debating later, I'll have a few comments as to how it can actually tie the hands of municipalities and other interested stakeholders by ingraining this type of detail in the legislation. It's much easier to change it in the regulations at a later date, where it becomes more effective for all involved.

For that reason, Mr. Chair, I can't support this particular amendment. Thank you.

**The Chair:** Thank you, hon. member.

I'll recognize the Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I'm going to respectfully disagree with the Member for Fort McMurray-Wood Buffalo. The MGA has many of these types of provisions already ingrained in it for advertising in newspapers: how it's to be advertised, when it needs to be advertised. So this isn't something that's new to legislation. This isn't all that prescriptive compared to some of the stuff that's in the MGA. So I would disagree.

To have in transportation just a requirement to notify a community or those who are adversely affected, that's the key. Imagine being a property owner and finding out that one of your access roads just arbitrarily got closed and you had no notification. This just makes sure that this doesn't get missed. All it's asking for is transparency and notification. It's not asking for anything more, and it's not hand-tying anyone. It's just saying that once the determination is made to close that road, those that would be adversely affected in most cases would at least have – they can't even overturn it, but at least they'd have an opportunity to make adjustments, to modify whatever habits they have or however they operate to work within what's going to happen in transportation. That's the key.

Thank you, Mr. Chair.

**The Chair:** Are there others?

Seeing none, I'll call the question.

[Motion on amendment A1 lost]

**The Chair:** We're back to the main bill. I'll recognize the Member for Cypress-Medicine Hat.

**Mr. Barnes:** Thank you again, Mr. Chair. I rise again to talk about another part of the bill that concerned us in the Wildrose and concerned me, and it's got to do with the words "reasonable and probable" and the movement in this bill to strike out the word "probable." Of course, it pertains to the degree of reasoning, I guess, that the peace officer has to have to stop a person under the new act here, and there's just some concern that we have around it.

I would like to propose another amendment, please, Mr. Chair.

**The Chair:** Just give us about 30 seconds, and then I'll recognize you again. For the record this will be amendment A2.

You may proceed, hon. member.

**Mr. Barnes:** Thank you again, Mr. Chair. The current legislation speaks to authorities having reasonable and probable grounds. Bill 32 would eliminate the probable grounds. My amendment would keep the probable grounds. It is a higher legal test for reasonable and probable grounds than just reasonable. Therefore, this amendment is on the side of drivers. It's on the side of our civil liberties. It's on the side of our long-held tradition of police force and peace officers needing reasonable and probable grounds to stop someone and to enforce the law. Now, of course, we're very, very much in favour and I'm very, very much in favour of safety for our roads and the proper enforcement and very much in favour of the authority and the ability for police officers to be able to do their job.

There was mentioned during the second reading of the bill a case in front of the Supreme Court called *Baron versus Canada*, I believe. It was stated in there that the judges had argued that reasonable grounds and probable grounds were the same thing. Our staff has done a great amount of research on this to determine if that's true, and it appears to only be close to the truth. It seems like this verdict, this Supreme Court decision, is under appeal and has the chance, the possibility, of being challenged in a different way, where reasonable and probable should be put back in there. One of the lawyers that I talked to as well told me that there was the possibility of an error being where this case wouldn't directly apply to many other instances, where reasonable and probable would be higher grounds to protect our civil liberties and our civil rights.

Mr. Chair, I tend to err on the side of the driver facing an enforcement action. Certainly, drivers want the law on their side when they go up against the powers of the state. The state has the means and the power, you know, to greatly affect an individual's life, and we have to be very, very careful that we're all treated equally and treated fairly. It's very, very hard for a lot of individuals to fight back against that, especially in rural Alberta – I represent 60 by 80 miles of rural Alberta – where just the impact of being stopped, just the impact of a court decision can cost more than just the time and the effort involved but can cost the livelihood with moving commodities and livelihood with jobs that are involved.

I for one think that reasonable and probable grounds are still most likely a higher standard than just reasonable grounds. I think it's important for those of us that set the rules and laws that protect all 4 million Albertans' individual liberties and freedoms to err on the side of caution, not to err on the side of bigger government. Again, I'm very, very much in favour of the ability of police officers to do their job and for society to be protected, but that has to be balanced with our civil rights and our civil liberties. It's not absolutely clear that removing the word "probable" is the same as reasonable and probable. Reasonable and probable appears to be a higher test. If it's close and we're just removing the word "probable," maybe all we're doing is saving the government the cost of a few pieces of paper, which is not significant compared to somebody's civil liberties.

So with that, Mr. Chair, thank you very much.

8:40

**The Chair:** Are there other speakers? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I rise to support this amendment, but I'm going to outline a couple of points that were made by the minister in defending this provision. The minister said that reasonable meant the same thing as probable. That's not correct, and the court case did not say that. That's not what the

court case said. The minister cited a court case, saying: they mean the same thing, so we're fine. Basically the court ruled that in the context of what reasonable was, particularly in the case that was before it, it imported a criterion of probability. Hence in that context the minister would be correct that reasonable was interpreted to include the criterion of probability. Hence it would make sense to say: okay; we can strike the word "probable." But the fact is that reasonable and probable do not mean the same thing. Reasonable is a degree of rationality; probable is a degree of the possibility. They have two different distinctions both in the English dictionary and in case law.

As a matter of fact, in the case that the hon. minister cited, the judge actually said in part of the written decision that the reasonable suspicion was enough that it implied a knowledge that was less than probable cause. Now, that's interesting because the court acknowledges that probable cause is a higher test than reasonable, but it still allowed for the reasonable test to be implied in the context under review. Basically what the court ruled was that it satisfied the more-than-probable test. Clearly, they're not the same thing. In the context that the court heard the case, it accepted the argument that the reasonable cause implied the probability; hence they allowed it to stand.

The key here is this. The question of reasonable versus probable has been before the courts probably more times than I know, and it will probably come back to the courts again. Clearly, in each context somebody will challenge it, and it might be another ruling that the courts would then again review. One of the points that was interesting in what the minister quoted: the litigants on both sides of this case argued from the same case law to make their points. It was an interesting argument, reading the factums, because they used the same case law to interpret a different point to make.

Why should the minister accept this amendment and leave probable cause in? I will tell you what it does. It's a level of insurance. The minister is not asking for anything less than probable cause, and he even stated so. In the minister's own comments, they mean the same thing, which we know is not true by the court decision. By leaving in the words "reasonable and probable," the minister covers both bases, and it covers both arguments made in this case. Should another case ever come back through the Supreme Court, even based on this act once it's passed, all of the bases are covered if we leave in the word "probable" because in the context of even how this law has been drafted, how this legislation has been drafted, the presumption of reasonable has to still meet or satisfy the probability test. So by not allowing that or by removing the word "probable," then it becomes subjective under different contexts.

Now, there was something else that came out of this case that was significant. The case dealt with search and seizure. There's a balance in our society for the individual's right to privacy and the state's right to a search warrant. One of the points that came up in this case was that there was a mandatory application of the law, that if the test of reasonable and probable was met, the judge shall issue a search warrant. The court took offence to that. The court cited that there are situations, circumstances that a judge has to allow, even though the test is met, that the search warrant would be unreasonable. That seems to be fairly true with a lot of basic constitutional law.

What we're playing with here are words. We're also taking into context the future of how this law will be applied. The most important thing – and I think the minister would agree – is that the last thing we would want to have happen is to have evidence thrown out that was good evidence because we failed to meet a probability test or that the test that we were applying for the

search of a vehicle did not meet this example that even was laid out in the court case that the minister had cited.

Again, this amendment in very many words is not so much legalese as it is practical. It is common sense. The argument is that reasonable is the same as probable, which we know is not. The court even says so. It is not the same thing. But the reasonable test has to be implied or has to meet that probability test. So by just leaving the words "reasonable" and "probable" in, they're covered. Then we don't have to go back and revisit that. It's there, and no matter what happens, when the next question of reasonable versus probable ever comes before the Supreme Court, it is already covered in this legislation.

I would say that this is a very good amendment. Leave that test in, that is, reasonable and probable. Do not remove the word "probable" from the test, and all the bases will be covered.

Thank you very much, Mr. Chair.

**The Chair:** Thank you, hon. member.

Are there other speakers?

Seeing none, I'll call the question on amendment A2.

[Motion on amendment A2 lost]

**The Chair:** We're back to the main bill. Other speakers?

Seeing none, we'll call the question.

[The remaining clauses of Bill 32 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? That is carried.

Hon. Deputy Government House Leader, do you wish to move that maybe the committee rise and . . .

**Mr. Campbell:** Yeah. All that stuff. Rise and report.

**The Chair:** The hon. Deputy Government House Leader has moved that the committee rise and report bills 32 and 33.

[Motion carried]

[The Deputy Speaker in the chair]

**Mr. McDonald:** Mr. Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports the following bills: Bill 33 and Bill 32. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

8:50

**The Deputy Speaker:** Thank you, hon. member.

Does the Assembly concur in the report?

**Hon. Members:** Concur.

**The Deputy Speaker:** Opposed? So ordered. That is carried.

## Government Bills and Orders

### Third Reading

#### Bill 27

### Flood Recovery and Reconstruction Act

**The Deputy Speaker:** The hon. associate minister for reconstruction for southeastern Alberta.

**Mr. Weadick:** Thank you, Mr. Speaker. It's my pleasure to rise today on behalf of the Minister of Municipal Affairs and move third reading of Bill 27, the Flood Recovery and Reconstruction Act.

First, I would like to thank all the hon. members that have participated in the debate of this important piece of legislation. It is clear that the flooding in southern Alberta this summer affected and continues to affect many Albertans. This legislation is our response to all Albertans, a response that shows that we are moving forward, that we are enhancing our processes, and that we are helping protect life, property, and the environment from the effects of future floods.

Bill 27 will enable us to turn the page for a safer, stronger Alberta. This legislation puts in place a foundation that will be built upon as part of the continuous improvement of Alberta's safety system. Mr. Speaker, the measures that we are enacting will have an immediate impact and will be long lasting. During debate we have heard support for the heroic efforts that were put forth by responders, residents, and emergency management organizations. It is the hard work and dedication of all these people that we need to be thankful for because it is their determination that saw us through the emergency response and the beginning of recovery.

There are number of specific issues that came up during debate that I would like to address now. First, to discuss questions about flood mitigation, Mr. Speaker, by creating the clear authority to provide flood mitigation funding, we'll help both individuals and communities. We have committed to assisting property owners in flood fringe areas to implement flood mitigation measures. This helps to ensure that properties in areas that are known to be at risk of future flooding will be better prepared against future damage. This helps the property owner, provides a safer working environment for first responders who need to access a property, and encourages responsible development in flood fringes.

We've also provided the ability to assist municipalities with the implementation of flood mitigation measures on a larger scale as they seek to rebuild impacted infrastructure after flooding. Some may criticize that the mitigation funds for individuals are available only after flooding has occurred. My response to this is that it is fair use of taxpayers' funds. To provide this funding to all Albertans would not be a judicious use of funds. What we are providing is a balanced and reasoned approach that will encourage property owners to think to the future when they are rebuilding their properties after a flood.

We've heard questions of why we are not providing flood mitigation funding to property owners in floodway areas. Mr. Speaker, the answer to that is simple. There is no amount of mitigation that can occur in a floodway that can sufficiently reduce the risk to life, property, and the environment.

The definitions of floodway and flood fringe are part of the flood hazard area mapping performed by Environment and SRD. They are the experts in this area, and we have the utmost faith in and will rely on their expertise.

There have also been questions raised about the accuracy of the government's flood maps. ESRD's mapping program is built on continuous improvement, and they see every flooding event as an opportunity to review their processes and information. As a government we are committed to making decisions in the best interest of Albertans with the best information we have available. The current flood maps are the maps that we will use for applying caveats on land titles and for the relocation programs that we have offered to homeowners in floodways.

There have also been questions about why a specific definition of floodway is not included in the legislation. The reason for this is that it would not be appropriate to include the definition of

flood hazard areas in this legislation when this is something within ESRD's purview. By using the definition provided by ESRD's flood mapping program, we ensure that we use the most accurate and current definition provided by our experts.

Another question that was raised was why the funding is only being made available to municipalities after a disaster. We're providing flood mitigation funding through the DRP after a flood has occurred as this allows us to leverage federal cost sharing for rebuilding efforts to the greatest extent possible. This is the most responsible use of taxpayer funds.

We have also heard questions about why the province did not access funding under a 2011 program offered by the federal government for flood mitigation when our neighbours to the east and west did. There are two reasons for this. First, when this program was announced in 2011, it only pertained to Saskatchewan, Quebec, and Manitoba. Secondly, when the program was expanded to all provinces and territories in 2012, the given deadline left only one and a half months for the interested provinces and territories to submit projects for consideration.

Mr. Speaker, we were very interested in this program and tasked staff at Municipal Affairs and ESRD to review potential projects in the province, including those being done at the community level. Our experts determined that none would have been eligible under the program's criteria. In fact, B.C. was the only province besides Manitoba, Saskatchewan, and Quebec that was able to access this program after it was expanded.

The due diligence we did on this file reflects our broader commitment to mitigating flood damage. Since 2007 our government has invested more than \$82 million in flood mitigation projects. Some of these projects in communities like Drumheller and Medicine Hat helped lessen the damage caused by June floods. The Alberta government is continuing to lead the push with our provincial partners and the federal government for a national mitigation strategy. Premier Redford raised this issue in 2012 with her colleagues across the country and again this summer.

In addition to this work, which started before the June flooding, the Flood Recovery Task Force is currently investigating the best avenues for proactive flood mitigation work to proceed. This work has contributed to a sevenfold approach to flood mitigation which includes overall watershed management that looks at flood and drought and ensures upstream solutions don't have negative impacts in downstream communities or vice versa; the best technology for river modelling, prediction, and warning systems; a review of all pertinent water management and development policies within risk areas; working with municipalities, the private sector, the public, and other stakeholders to gather and act on the best ideas that we can to advance flood mitigation in Alberta; enhancing the government's current approach to erosion control; supporting communities who are developing their own initiatives for flood mitigation; and, finally, Mr. Speaker, supporting individual homeowners so they can better protect their homes from future flood damage.

Caveats on land titles, Mr. Speaker. We're also moving forward with registering caveats to land titles of properties in floodways or flood fringe areas that have been rebuilt or repaired using disaster relief assistance. The caveats are a form of consumer protection that we are putting in place so that potential future buyers will know a number of things: firstly, if the house they are considering purchasing is located in a floodway or a flood fringe area, if the house was impacted by flooding and accepted disaster recovery program assistance as part of the rebuilding or recovery efforts, and their future eligibility for flood-related disaster relief assistance.

The caveats registered against the land titles of floodway properties will not be able to be removed if the property owner has accepted DRP assistance, Mr. Speaker. Questions have been raised regarding the inability of a property owner to remove a caveat if they are in a floodway. Again, this is necessary because there is no level of mitigation that can sufficiently reduce the risk to life and property in a floodway and the ongoing liability that floodway development represents to taxpayers. If a property in a floodway has been rebuilt or repaired using DRP funding in the floodway, the caveat will remain on land title. I will also note that all floodway property owners in flood-affected areas, not just those with flood damage, have been offered the option to sell their property to the government at a fair value so they can relocate to a less hazardous area.

9:00

At this time, Mr. Speaker, the government has identified 254 floodway properties in areas affected by the June disaster. Property owners that reside in a flood fringe will also have a caveat registered against their land titles if they accept disaster relief program assistance and have failed to provide documentation to show they have completed required mitigation measures in a timely fashion, but flood fringe property owners can have the caveat removed from their title by implementing flood mitigation measures. The mitigation measures are 100 per cent covered by the province. The intent of this is not to burden property owners, including the flood mitigation measures as part of their rebuilding efforts, which will mean that their property is better prepared for the next flood event.

We have also heard questions about why a DRP caveat will make a property ineligible for future flood-related disaster recovery program assistance. Doing this will maintain DRP alignment with the federal disaster financial assistance arrangements. If this measure was not taken, federal cost sharing for future events would be reduced. As well, it would be an inappropriate use of taxpayer funds to continually pay for recovery and rebuilding work for property where mitigation measures are not in place. This is especially true when the government is paying for the entire cost of mitigation.

We have heard questions regarding the application of caveats to land titles according to the current flood hazard mapping that we have. Some people have raised concerns about whether the current flood maps are up to date or whether they will incorporate the June 2013 flooding. Again, I want to emphasize that we will rely on the expertise of our colleagues in ESRD to define flood hazard areas and to map these areas.

Concerns have also been raised about the implications of the caveat process on real estate values and about the onus on real estate agents during the buying and selling process. This legislation addresses the current risks that are posed by developing in flood hazard areas, and the focus is on the safety and security of the property and residents in flood hazard areas. We cannot put property values ahead of public safety.

We have communicated with the Real Estate Council of Alberta and the Law Society of Alberta, two important groups involved in land transactions. These groups will perform the due diligence that is always expected any time a land transaction occurs, which should include consulting flood maps for areas known to be prone to flooding as well as a land title search. As well, the application of these policies can be flexible as shown by the examples of Drumheller and Fort McMurray, Mr. Speaker, where the unique developments in the communities have been taken into consideration.

The last amendment to the Emergency Management Act touches upon the initial length of time that a provincial state of emergency is in effect for. I can personally say that the decision to declare a provincial state of emergency is not one that we take lightly. This is borne out by the fact that this summer was the first time in the 60-plus years since this provision was created that the province has ever used this tool.

During the declaration responsibility for emergency operations was transferred from the town of High River to the province. At the end of the 14 days the province was satisfied that the situation was stabilized enough that responsibility for emergency operations could be transitioned back to the municipality. What we had proposed is to extend the initial length of declaration from 14 days to 28 days, Mr. Speaker. This will provide emergency officials with a flexible time frame during which they can work to restore public safety.

It will also allow emergency officials to focus on response operations and not on administrative matters. This amendment will not change the powers granted under a declaration of a state of emergency, which are outlined in detail in the Emergency Management Act. As well, this amendment will not change the fact that a resolution of the Legislative Assembly will be necessary to extend the state of emergency beyond 28 days. We need to maintain a balance between providing flexibility and accountability to the public.

Some concerns were also raised about previous reports about flood risk in Alberta. Mr. Speaker, no report could have prepared anyone for the scale of disaster the June flooding caused. Even the author of the Groeneveld report acknowledged himself that there was no way to prevent the devastation of the June 2013 floods. This is because the 2005 report used the one-in-100 years flood as its benchmark, a threshold which the June floods dramatically surpassed. I want to add that we had made significant progress on the recommendations in the report before it was released in 2012 and continue to make progress after releasing it.

Mr. Speaker, this act also includes four amendments to the MGA. These amendments will help us build a safer Alberta by enshrining policy decisions made during the government's response to the 2013 flood. They are practical, forward-looking measures that will support the largest recovery effort in Alberta's history, and they will help Alberta better respond to emergencies in the future.

The amendments to the MGA will help improve public safety in a number of ways. The first will permanently enact a provision created under a regulation earlier this year to temporarily exempt municipalities from requirements of the MGA when they are facing an emergency. We used this tool during the June floods so community leaders could focus on public safety instead of administrative encumbrances. It was an effective and practical way to support our partners.

The other three amendments to the MGA focus on floodway development. Allowing development in floodway areas, where flooding has deeper, faster, and more destructive water flow, poses a threat to the public, to property, and could be a liability to taxpayers. This is why the government is proposing to restrict new developments in floodways, to limit damage and risk to public safety posed by future floods.

While it is imperative that we restrict new development on floodways, we must also ensure this policy is fair and reasonable. To this end, we are proposing an amendment that will honour the investment and choices made by current owners of floodway properties. This amendment will permit owners of existing floodway properties to replace existing buildings with new buildings intended for the same use.

Finally, Mr. Speaker, we need to account for the special circumstances of those municipalities with significant developments already in a floodway such as Fort McMurray and Drumheller. For these municipalities it would be impractical, absolutely impossible, and unnecessary to restrict floodway development. This proposed amendment gives this legislation a reasonable amount of flexibility for municipalities in these unique situations. These changes give our province stronger protection against future floods and will help ensure our families and communities are well protected.

In conclusion, Mr. Speaker, what this legislation will mean for individuals and communities is increased safety: safety for property owners that have implemented flood mitigation measures, safety for communities that will receive assistance with community-scale flood mitigation measures.

Support for this legislation will mean that Alberta as a whole on every level – individual, municipal, provincial, and federal – is better prepared for the next flooding event. We can't stop a future flood, Mr. Speaker, but we can make sure we're as prepared as possible. It's all part of our government's effort to build Alberta, to ensure a strong quality of life for all of us.

I would like to thank all members for their participation in the debate on this legislation. Mr. Speaker, I would like to thank you for providing the time for me to speak on this important piece of legislation.

Thank you.

**The Deputy Speaker:** Thank you, hon. minister. Hon. minister, just a reminder that we don't refer to the proper names of members of the Assembly. Earlier in your remarks I know that was a slip. I assume it was.

The hon. Member for Calgary-Mountain View.

9:10

**Dr. Swann:** Thank you very much, Mr. Speaker. It's a privilege to speak to this important bill, Bill 27, that has touched every Albertan in some way and certainly affected our financial bottom line as we've all heard about repeatedly over the last few months since June 20. I was part of the full experience in Sunnyside, Calgary, and I'm still working through some of the issues relating to my home but, thankfully, not as devastated as many.

I guess, in making brief comments about this, this time I haven't had a chance to speak much to the issue, so I want to put a number of items on the table for the record. I know that along with others we have raised questions about the slowness of response to the 2006 recommendations of the Groeneveld commission. I don't want to belabour it. But, I mean, it has to be said that the warning signs were there: the questions about both upstream management and urban mitigation, very specifically High River, and, I think, serious questions about the mayor at the time and his decisions in, some would say, a conflict of interest, promoting development in the floodway over the five, six years since the 2005 flood. I don't know what's being done to investigate that, but it's surely something that needs thorough investigation. There were questions raised even back then about his conflict of interest and concerns about the building that was going on there and the increased risk and damage that resulted from that.

Three issues, I guess, quite apart from the failure to act on the Groeneveld report. The unwillingness to accept climate change in this caucus until very late and some of the responsibility to deal with both extreme rain and droughts that are predicted: it was only, I think, in about 2009, 2010 that the then minister of environment said that climate change is real, when the rest of the world had been recognizing that for a decade if not two decades.

The second issue had to do with deforesting in the eastern slopes and the continued development of our watershed, the most critical source of all the water and well-being in our communities east of the Rockies. Other jurisdictions have bought up their watershed. New York paid a billion dollars, I understand, to protect its watershed and ensure that in perpetuity there would be water for New York. Vancouver has bought its watershed and retained control over any development and banned all development in their watershed. We continue to develop our watershed as if it was just another resource to be developed: deforesting, excessive recreation in some areas that's damaging the water quality, even oil and gas development, Mr. Speaker. This is our lifeblood coming out of the Rockies, and we still haven't learned to protect it.

A third dimension I guess that has to be mentioned is the whole question, then, of examining what we're now looking at as infrastructure, diversions, storage, and means of responsibly handling excessive flows in the river systems coming out of the mountains. It's clear, I think, that this is going to happen again, and different watersheds may be hit differently. I think the biggest risk to Calgary has to be the Bow River. I'm not sure yet that we have looked at all of the potential scenarios. If the same combination of rain, heavy snowmelt, and lack of control over the decisions at the dams, which are still in the hands of a private company, TransAlta – and as I raised in public, there are some questions about ensuring that there's a clear authority and mandate by government to control flow, not a private enterprise organization that has some mixed interests in flow control. I want to be sure to put that on the record, that government should be controlling the flow on our dams upstream of Calgary and other communities, not a private enterprise like TransAlta.

I think we've put on the record in terms of an amendment the question of public insurance. Surely, that's something that we need to be doing, not just thinking about. We cannot expect the public purse to pay for everybody, especially some of the most expensive infrastructure, when everything else we do is protected by insurance. Why wouldn't we have a public insurance organization in the absence of private insurance companies, addressing residential, commercial, industrial operations that need to be protected from natural disasters, including flooding again? So I was disappointed, as many were, that this government refused to consider and implement an amendment around public insurance for flooding.

I've had a number of questions from individuals relating to the floodways and the flood fringes and the payouts in both the flood fringes and the floodways and the caveats that appear on these properties and the question of whether or not this can be modified given some of the changes that are being made both upstream by our engineering and waterworks people and downstream in terms of individual homes and urban and other rural settings. It's difficult to advise people who are, as I am, unclear about how much mitigation is needed. How much would be sufficient to remove a caveat on a flood fringe, for example? I think we need to go some distance in making sure that we handle that in a fair and clear, transparent way.

We have been pushing the government on some of those issues, and I think what many Albertans are experiencing today is that the immediate response to the flood was reasonable. We need to be much more proactive about monitoring and early warning systems in the future. It's not clear to us that either the federal or the provincial government is putting into place the sufficient infrastructure and manpower, particularly with the consistent reduction in funding to Alberta Environment and their monitoring systems over the last five years, and, not insignificant either, the federal

monitoring and investigation of water and other environmental monitoring that has been cut on the federal side.

It strikes me that talk is one thing. Another is investing in these vital measures that would give not only early warning and communications but also the need, in light of what's happened, for better communications between the different response teams and the public. What comes to mind is my visit to Siksika, where individuals were in some cases not even notified that there was a flood. They were pulled out of their homes, with knee-deep water in their homes, without being aware of a flood warning or a call to evacuate.

Those, I think, Mr. Speaker, are the key messages I wanted to leave. There's no question that the decision this bill makes about ensuring no further building on floodways is an important one. I'm very glad to see that. I made that comment in 2012 at Public Accounts. There's no question that this definitely is long overdue. Again, I hope the government will make an early commitment to recognizing the need for alternate public insurance for this inevitable recurrence, either in the form of floods or in other disasters that aren't covered by private insurance.

I will be supporting this bill, and thank you for the honour of speaking.

**The Deputy Speaker:** Thank you, hon. member.

I recognize the Member for Edmonton-Calder.

**Mr. Eggen:** Well, thank you, Mr. Speaker. Certainly, I think that in a way this event and then subsequently this bill have gone a long way to define 2013 for all Albertans, really. The devastating consequences of this flood cannot be underestimated. Certainly, it's up to us here in the Legislature to not just act but to react to what's needed to help people recover from this event, both for businesses and individuals and their homes but also to try to mitigate the problem in the future.

9:20

I'm very concerned about this, Mr. Speaker, because I know that the likelihood of this sort of flooding is not just 1-in-1,000 odds but, I think, something that we could see more often as climate change takes hold, as more extreme weather takes hold, as we develop more of the landscape of this province. This is not untypical for development around the world, where as more people move in, we just see more paving of structures, we see more movement of water to be able to flow into larger concentrations, and we see more people moving onto floodways.

It's not a phenomenon that's unique to Alberta, but I think that this was a very sobering lesson for us to really try to turn around just how much we do develop on potential floodway land. We know that this bill certainly went a long way to try to make definitions about what a floodway is, but we were, I think, most concerned as Alberta New Democrats in being able to define what the red zones and the transition zones for floodways really are. Of course, there are many businesses on those places, and we've had to exclude whole sections of towns that already have established communities in clear floodway areas like in Fort McMurray and Drumheller.

But by excluding those areas, it doesn't preclude them from being potentially flooded once again, so we are going to have to spend money on this in the future, and certainly it's important to do so. I think that if we would have made pre-emptive plans and constructions earlier, then we could have saved a tremendous amount of money previous to this devastating flood here in June.

I think that we need to look to the experts and to study how we can reduce the possibility of further damage even as early as next

spring, when we have the next round of snow and then melting. We still don't really have concrete information on how we would update flood maps. Moving ahead, we have moved ahead on plans for relief and repair, but if we're not making clear definitions and really focusing on those maps, then I would suggest that we are not doing a full service to the people in affected areas. As you establish those areas and you start to build around them, you can start to move and divert water in a more permanent way. The banks of rivers can be more permanently defined in potential problem areas, and that will make it easier for people to know which areas are safe and which are not.

I think that we have pulled together very well overall. I think this has been a bit of a cathartic experience for this province. I think that most Albertans recognize the value of making this investment that we have through supplementary supply and through Bill 27, too, so we're cautiously but constructively supporting this particular bill as New Democrats.

Thank you.

**The Deputy Speaker:** Are there others? The hon. Deputy Government House Leader.

**Mr. Campbell:** I move that we adjourn debate.

[Motion to adjourn debate carried]

### Bill 34

#### Building New Petroleum Markets Act

**The Deputy Speaker:** The hon. Minister of International and Intergovernmental Relations.

**Mr. Dallas:** Thank you, Mr. Speaker. I'm pleased to rise today on behalf of the Minister of Energy and move third reading of Bill 34, the Building New Petroleum Markets Act.

**The Deputy Speaker:** Other speakers? The hon. Member for Strathmore-Brooks.

**Mr. Hale:** Thank you, Mr. Speaker. It's an honour to rise today and speak on the third reading of Bill 34. We had some pretty good discussion and some questions answered during Committee of the Whole, which was enlightening, I guess, to say the least. I brought forward a few amendments to this bill, one dealing with the Auditor General, and the Government House Leader did stand up and say that the Auditor General is still the auditor of this commission under the Auditor General Act. We had some questions because we didn't know if it was a provincial agency. The wording wasn't quite specific in there, so that was bit of a concern, but he assured us that the Auditor General would be able to do a full audit on this commission.

You know, we understand that the expansion of the Alberta Petroleum Marketing Commission, going from three board members to seven members, is probably a good thing for Albertans, seeing that the government has committed a hundred thousand plus barrels a day on the Energy East pipeline when that does get constructed. They will be handling a lot of product that is important to Albertans. Those are Albertans' resources, and that's their revenue that comes from it.

We understand that there's, you know, a need to ensure that the right people are on that board. In saying that the right people are on that, we hope that the new board members that they get to fulfill this obligation will be specialists in the field of this commission so that they can represent Albertans to the best of their ability. When the hon. Energy minister and I talked about it,

he mentioned, you know, that it's going to be tough to find board members with this experience that aren't already employed in the energy industry. So it's going to be a search, and I hope that they search far and wide and get the best possible board members that they can.

One of the amendments that I put forward on this bill – and I'm a little disappointed it didn't get passed – was about the reporting procedures. Under Bill 12, the Fiscal Management Act, it talks about the ministry having to report. You know, they have to supply annual reports, but it doesn't exactly specify what's in that annual report, so it could be quite watered down. In the old legislation they'd mentioned:

After the end of its fiscal year, prepare a general report summarizing its transactions and affairs during its last fiscal year and showing the revenues and expenditures during that period, an audited balance sheet and any other information required by the regulations.

That's pretty specific, and that ensures that we're getting the information we need to check up on this commission and make sure that they're doing the job that needs to be done. It would have been nice to see that part of the old legislation still in this new bill. Rest assured, though, that we will do everything possible to find those answers and ensure that that information is in the annual reports that the commission brings in.

You know, most of the other sections in this bill were just changing wording, so it's pretty self-explanatory.

We want to make sure that this commission is working in the best interests of Albertans and, you know, our energy industries. There was another amendment that I put forward, dealing with the FOIP legislation. We weren't really sure why they would want to keep these things under wraps for five years. They did give some explanation, explaining that there were some very specific details with the contracts that they didn't want brought out.

The new commission is going to be looking after the forecasting of royalties when they prepare the budgets, how much oil and gas and bitumen and everything is involved in that industry, to come up with their budget estimates and income and expenses. You know, I don't believe that information necessarily needs to be held for five years. As I stated when we were debating the amendments, in the next five years the people in this Legislature will change. Five years ago there were different people here, and five years from now there are going to be different people here.

**9:30**

The FOIP legislation that we do have: the AT and T minister keeps talking about the gold standard, which is a little confusing. If that legislation is so good, then why do we have to put this provision in here to extend that FOIP legislation when the people that are involved with the FOIP office do a very, very thorough job ensuring that this specific and proprietary information doesn't get out? You know, today it was brought up about the children in care. It took those papers four years of fighting to get that information from FOIP. If they can put them off for four years, I'm sure that they could hide any proprietary information on this commission for a number of years.

I'm not sure what they're worried about getting out. If the FOIP office is doing its job, then what are they worried about? We realize that it is big business, and a lot of the decisions that this commission will make could be used by other companies. You know, some information you've got to be careful with, but if they have such high hopes and they're so proud of the FOIP legislation, then why expand? If it's so good, why do they need to put this stuff in different legislation?

Another part of this bill that I'm not real enthused about is the buying of shares. Now, to me that raises a red flag. Why should a commission that's representing Albertans be able to buy shares in private companies? That's a pretty good example of picking winners and losers. I'm not saying, you know, how they're going to do it – that'll be scrutinized as it goes forward – but is that information going to be locked up for five years under the new FOIP lines that they have in here? We want to make sure that this commission is working in the best interest of Albertans, and if we don't know what shares they're buying and how much they're paying and why they're buying them – there are a lot of questions involved in that, and I hope that the government is forthcoming with that information when we do ask in the budget estimates to come and the different questions that come in question period.

You know, we realize that this commission has to work, so it's going to need to work with the Finance minister and his ministry and the government and get money, get their bills paid so they can keep the lights on and the doors open. The share deal I guess is not a deal breaker for me supporting this legislation, but it definitely is something that could be used to help out special companies. I'm not too convinced on that, and we'll definitely be watching that.

Other than that, a few of the questions we have – you know, I think the majority of the bill is going to be good, and it's going to help Albertans and ensure that they can get the most for their resources. That is a concern. You know, we're going to be trying to keep up on the information through this commission. So when they take that bitumen in kind, is the value they're getting for that bitumen when it's sold as a product down east, on the eastern pipeline, going to be more than they would have originally gotten taking the royalties right here in Alberta? There are going to be some people watching that and some questions, you know, to ensure that we are getting good value for that product. I'm sure that the minister and the government realize that, that they're going to be watched to make sure that they are getting the best deal for Albertans.

We've stated many times that we support the Gateway, Keystone, and east to west pipelines. You know, it's important for us to access those new markets and to ensure that we do get value for our products. Hopefully, this bill will continue to do that. We've talked a lot about liquid natural gas going to China, going through the west coast. That's another project that we are supportive of, and this new commission will be able to help out in that aspect, too. That's another expansion. Currently they don't deal with the gas market, but hopefully as we go forward and these LNG lines are put in and we access that market, this will be another avenue for companies to use, through the Alberta Petroleum Marketing Commission, to ensure that Albertans are getting the proper value for our products.

I guess, in closing, there were definitely some questions that I had with this bill. Some of them were answered; some of them weren't. But as we go forward and pay close attention to the new commission, we will be watching and holding the minister and the government to account and ensuring that the best interests of Albertans are looked after.

I guess, as the last point, I was very glad to see that public interest was put in this legislation. We debated for hours and hours on Bill 2, the Responsible Energy Development Act, on public interest, wanting that implemented in that act, because it wasn't included. So it's good to see that the Energy minister did listen to me and knew that we are acting in the interests of Albertans with these energy bills that are coming forward. I'm glad to see that.

I look forward to listening to the other speakers on this bill. Thank you.



**The Deputy Speaker:** Thank you, hon. member.  
I'll recognize the Member for Edmonton-Caldre.

**Mr. Eggen:** Well, thank you, Mr. Speaker. I'm glad to get up to say a few comments on this bill. I kind of struggled with it over the last week or so because while there are certain aspects of this I really quite like – and I'm glad that the Energy minister is here to maybe just listen to a couple of things that I was reflecting on here. I certainly support the change to the Petroleum Marketing Act. I think that's a great opportunity – right? – to have a management plan for the whole thing. There are other potentials, I think, in regard to royalty structure and developing secondary industries for Alberta, not just shipping raw bitumen out of the province.

The thing that I was thinking about first. By sort of moving on with the BRIK program, sort of building on that further, I just don't know if we're not just maybe handing money over to – so many of the bitumen extraction companies here in the province now are from different countries, right? You have everybody here, from the French to the Chinese and Norwegians and so forth. So I'm concerned that the BRIK program is just handing money over for these resources and not being able to adjust the price to different market conditions. I don't know if there's a mechanism in this bill or a mechanism within the strategy that could make adjustments to both allow more secondary production here within the province of Alberta and then adjust so that we're not handing over, lock, stock, and barrel, so much profit and money to the foreign-owned energy companies here in the province.

9:40

My understanding as well is that we're creating sort of a Crown corporation here, which I certainly favour, but then I'm wondering why the Auditor General wouldn't be the auditor of this commission. That just seems like an obvious one to me, and perhaps I'm missing something. I wanted to ask that. If there is some reason that the Auditor General could not be the auditor for the commission, then how can we allow a Crown corporation, Mr. Speaker, that manages royalty and resource wealth owned by all Albertans and have no legislated auditing requirements built into the whole structure? Again, I just want to put that out there.

As well, Mr. Speaker, I'm curious to know how information on operations and revenues and expenditures and so forth would be reported to the public. How can we know, obviously, as owners of these resources that we are getting the due that we are owed, and what quantities are being put out? The idea of self-reporting has always been a problem, and I think that we can solve that problem with this bill if we chose to do so. I'm just curious to know how we can be sure as well that with decisions being made by or for this commission that we're creating here, we're getting the transparency that we need to regulate this commission as it moves forward.

Finally – I'm sort of conflicted about this – I just want to make sure that we have public control over this resource, although we certainly have lots of private companies involved, just because so much is at stake in terms of the revenues that we use to pay for public services here in the province and, as I said also, with being able to move the industry over to more secondary development and processing of bitumen and other energy-related products, that we're not making it easier to facilitate the export of raw material but instead, in fact, having a secondary industry that is better for workers, certainly. You get more value-added profit from that as well, and ultimately it allows us to control our destiny for the energy industry, which is essential to this province's well-being, I believe.

Thank you.

**The Deputy Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker.

**The Deputy Speaker:** Hon. member, my apologies.

Standing Order 29(2)(a) does apply if someone would like to question the last speaker or comment.

Seeing none, then I will recognize – and you can start over – the hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. Credit goes to the minister for a good idea. Bad bill. It's a shame, because it should have been a good idea followed by a good bill. Had they taken or at least listened to some of the arguments made to try to make it a good bill, I think we could have done that.

The idea is that we are creating this agency, a Crown corporation. The BRIK program, as this government has told the public, makes sense. It's logical that we would seek to get more revenue from our products. That is a function of not just the markets but efficiency. So, again, good idea.

What's missing in the bill is accountability and transparency. When we look at the bill, it reduces what was more accountable and more transparent in name only, if that. What we don't have as a public and as an opposition is the ability to at least measure. Is this doing what this government intends it to do? Are we getting the outcome? Is this a performance-based system here where we can actually measure the outcome and have confidence that it is doing what this government has said that it wants it to perform?

I'm going to cite just one example because the debate was long on this when we were proposing amendments. We did have an hon. member who mentioned something about proprietary information. I understand that for a private company, but this is not a private company. A private company takes a lot of risk in obtaining its import or its resources and seeks to profit. It does need to keep certain information proprietary. We understand that. This agency gets its product for free. It doesn't pay for it. It just receives it. It'll be receiving this product, this raw material, probably long after I'm gone from this earth and long after everyone else here in this Assembly is gone. There's enough of that resource there.

But the fact is that we don't even have access to the value that they're placing on it. What is the royalty that we're forgoing measured against the revenue that we're receiving? Using just the very basic values of the present value of money and the future value of money, we should be able to at least calculate and verify – that's the key, verify – what is being presented to us. It should not have to be the word of the minister. It should not have to be the word of this government. It should be easily verifiable by anybody in the public who wants to measure, based on the reports given, that this program is working according to what this government wants it to do. We don't have that ability. The reports are not going to necessarily be there. It doesn't mean that they're not going to file financial statements. It's just not required anymore.

Now, I fully suspect they'll file their financial statements. It's just not required by legislation. I fully suspect there'll be information given, but I don't know in what format and neither does anyone else. It hasn't been detailed. In what time frames will these financial statements be made? We don't necessarily know that. There's not a lot of clarity there. The problem is that it is clear that the government doesn't want to allow access to certain information. It has made that clear in legislation. That's why I say that it's a good idea and I think it would sell very well to the public if this was a stronger bill. Unfortunately, we passed that

opportunity up on this go-round. I would hope that the minister would revisit this someday very soon and strengthen this to give the public confidence that the program is going to not just do what they say it's going to do but that they can verify it and have confidence that it is actually achieving the results.

With that, thank you very much, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, I'll invite the Minister of Energy to close debate.

**Mr. Hughes:** Thank you very much, Mr. Speaker. I want to thank all members who have participated in this debate. It's an important debate. There have been some technicalities that people have talked about in terms of the application of this legislation and the nature of the legislation, but what I have not heard is any fundamental criticism of the real purpose of this legislation. The really important objective for Albertans is to secure markets for our products to ensure that we are able to do value-added in this province and add that greater value to our gross domestic product, the wealth created for all Albertans.

This is all about ensuring that we get our resources to additional and lucrative markets, more lucrative markets than we're able to today. This act enables the government of Alberta to have a direct role in managing the policy environment within which the Alberta Petroleum Marketing Commission works and ensuring that there is a flexibility there, an ability to give direction and work closely with the board of the Alberta Petroleum Marketing Commission. It's an opportunity to update the governance and the way in which governance is conducted with this agency and ensure that we can draw from outside expertise, people who have decades of experience and are willing to contribute that to the common wealth of all Albertans.

Obviously, the APMC has put in place agreements already to supply bitumen royalty in kind barrels for the Redwater refinery and to ship crude on the Energy East pipeline. These are two examples of the kinds of increasingly complex initiatives which the APMC is undertaking.

9:50

There was a question about auditing. Well, Mr. Speaker, the APMC is a provincial agency as defined under the Financial Administration Act, and under the Auditor General Act it is mandatory – mandatory, Mr. Speaker, not optional but mandatory – that the Auditor General be the auditor of all provincial agencies, so that applies in this case as it would in any other case.

There was a question about annual reporting. Well, to suggest that there won't be full and complete annual reporting, I think, is trying to argue a technicality that, obviously, can't be argued. You know, under the Fiscal Management Act all provincial agencies, including the APMC, are required to provide an annual report to the responsible minister, in this case the Minister of Energy. It's not included in Bill 34 because it's not necessary, because it's already spelled out quite clearly, as it is under the Auditor General Act, that there is a responsibility for annual reporting under the Fiscal Management Act.

There's a FOIP exemption here, Mr. Speaker. This actually enables the APMC to secure more information from private entities, that they will know will be protected as commercially sensitive information. That's why there is a five-year exemption, which gives industry that assurance that any information they provide, which can be strategically useful to the APMC and the government of Alberta, will be protected and will not put them at a disadvantage.

Well, Mr. Speaker, there are many, many other things that have been said. Really, this organization, the Alberta Petroleum Marketing Commission, as it has been historically, will be measured on outcomes. We're taking new initiatives, and we have new opportunities here to build on the success of the past and be creative in how we approach the future. We're looking to ensure that we capture the greatest returns possible for Albertans and for industry in Alberta and that we make the most of the opportunities for adding value to those resources here in this province. The Alberta Petroleum Marketing Commission will be a key platform upon which we will accomplish the strategically critical initiatives for the people of Alberta.

I'm very proud, Mr. Speaker, to be part of putting forward this legislation. I thank and encourage members on all sides to support this very important strategic initiative for the people of Alberta. Thank you.

**The Deputy Speaker:** Thank you, hon. minister.

[Motion carried; Bill 34 read a third time]

### Bill 43

#### Alberta Economic Development Authority Amendment Act, 2013

**The Deputy Speaker:** The hon. Deputy Government House Leader on behalf of the hon. Deputy Premier and Minister of Enterprise and Advanced Education.

**Mr. Campbell:** Thank you, Mr. Speaker. It is my honour to rise today on behalf of the Deputy Premier and the Minister of Enterprise and Advanced Education to move third reading of Bill 43, the Alberta Economic Development Authority Amendment Act, 2013.

Mr. Speaker, I'd like to recognize the great support demonstrated by the hon. members regarding the value of economic development and the vital role it will play in Alberta's future. If we want to ensure Alberta's future prosperity, then we need to focus on diversifying our economy and expanding our markets. Bill 43 helps us do that.

A member asked about the value that AEDA delivers for the taxpayer dollar. AEDA is a highly effective and efficient means for government to solicit advice from senior industry leaders in the province. Membership in AEDA has always been comprised of volunteer senior-level executives. These leaders volunteer their time in support of public service, ensuring that government and Albertans are able to benefit from their advice at minimal cost.

Over the years there have been many examples of AEDA recommendations that have been adopted or have contributed significantly to policy-making and programming activities. AEDA has identified strategic solutions to a range of economic challenges such as job creation, skills and education, productivity, competitiveness, and market access. Many of the recommendations such as a better aligning of our postsecondary system with our labour market, engaging and developing our existing human resources, and examining new technologies to increase productivity have become part of our long-term workforce strategies. The proposed changes to the act will streamline the AEDA's ability to provide robust advice on economic issues.

Bill 43 amends the existing Alberta Economic Development Authority Act and includes a renewed governance structure that will make AEDA a more efficient and effective organization. A smaller and more focused 12-member board will enhance AEDA's responsiveness and allow it to better serve the Premier, cabinet, and Albertans. AEDA will incorporate functions of the

Competitiveness Council, streamline the number of economic agencies, and increase their alignment with the GOA priorities. It will ensure greater client focus and improve the effectiveness and efficiency within the economic development community.

Bill 43, the Alberta Economic Development Authority Amendment Act, 2013, is a chance for the government and the AEDA to lead responsible change and reshape Alberta for a more competitive world.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. minister.

The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thanks, Mr. Speaker. I just wanted to make a couple of comments about this bill. I find this particular organization, the AEDA, a bit odd. It looks as though it's moving the appointments of this authority to the Premier, right? My question is: why is this organization being brought forward to the Legislature? I mean, it obviously is an advisory council of some sort, but it seems as though there's no oversight as to what they really do or, you know, as to how they function.

I think Albertans need to kind of look at these things and wonder. You know, we have nonelected people, obviously, with a close ear to decision-making here in the province. It's fine to take advice, but I just don't know if we're institutionalizing too much this sort of extra nonelected group to be having such influence on the province. I wonder if we are not just institutionalizing and entrenching a certain group of people that already have a tremendous amount of influence and just moving them closer to the centre of power and decision-making here in the province. Certainly, I'm suspicious of this whole thing, and I just don't like the idea of us legislating more power and control over to this nonelected entity.

**The Deputy Speaker:** Are there others?

The hon. Minister of Aboriginal Relations on behalf of the minister to close debate.

**Mr. Campbell:** Question.

**The Deputy Speaker:** The question has been called.

[Motion carried; Bill 43 read a third time]

### Bill 37 Statutes Repeal Act

[Adjourned debate November 21: Mr. McIver]

**The Deputy Speaker:** The hon. Minister of Justice and Solicitor General on behalf of the hon. Minister of Transportation.

**Mr. Denis:** Thank you very much, Mr. Speaker. It's my pleasure to rise today to speak in third reading on Bill 37, the Alberta Statutes Repeal Act.

This is a rather sweeping bill that ensures we have a competitive regulatory framework that is easy for every person and business to understand. Mr. Speaker, I remember discussing this matter years ago, when I was a private member, with the Member for Calgary-Klein as well as the Member for Battle River-Wainwright, and it's nice to finally be able to put these ideas into action.

This act will repeal a group of 24 provisions in legislation that are unnecessary or obsolete, fulfilling what we had discussed years ago to reduce red tape. This includes the Alberta Corporate Tax Amendment Act; the Alberta Personal Income Tax (Tools Credit) Amendment Act, 2001; the Alberta Wheat and Barley

Test Market Act; the Crop Liens Priorities Act; section 43 of the Financial Sector Statutes Amendment Act, 2003; section 1 of the Gas Utilities Statutes Amendment Act, 2003; schedule clauses (f) and (n) of the Health Disciplines Act; the Health Facilities Review Committee Act; the Hospitals Amendment Act; section 2(b) of the Landlord's Rights on Bankruptcy Act; the Masters and Servants Act – I see some members over there are unhappy about removing that – section 3(b) and (d), 7, 10, 15 to 18, 24 to 27, 34, and 43 of the Metis Settlements Amendment Act, 2004; section 2 of the Municipal Government Amendment Act, 2000; sections 10, 11, 13, 16, 17, and 20 of the Municipal Government Amendment Act, 2002; the Occupational Health and Safety Amendment Act; the Partnership Amendment Act; the Pension Fund Act; the Road Building Machinery Equipment Act; sections 37 and 40 of the Securities Amendment Act, 2006; the Social Care Facilities Licensing Act; sections 7(b) and 17(a) of the Stray Animals Amendment Act, 2005 – I'm hearing some opposition to that over here, Mr. Speaker – the Wheat Board Money Trust Act; section 117 of the Wills and Succession Act, which was never proclaimed; and the Workers' Compensation Amendment Act.

10:00

Perhaps more importantly, though, Mr. Speaker, this bill creates an automatic process of review every five years whereby unproclaimed legislation is automatically reviewed, and if it is no longer needed, it is repealed. For the members that didn't hear: it is repealed. Several years ago we talked about this, but again, we are putting these ideas into action.

Many times people talk about reducing red tape for businesses or individuals. This bill does exactly that, as the minister of environment has agreed with me here. This is just another reason why you should do business in this province, more than a couple of reasons you should do business with us.

The Statutes Repeal Act shows that Alberta is committed to actively maintaining its body of provincial laws, and I'm confident this legislation will serve Albertans well. With that, Mr. Speaker, I'd like to move to close debate on third reading of Bill 37, the Statutes Repeal Act.

**The Deputy Speaker:** For the record, the minister has spoken on his own behalf as the sponsor of the bill. I don't know if you can close debate at this point, hon. minister.

With that, I'll call the question.

[Motion carried; Bill 37 read a third time]

### Bill 38 Statutes Amendment Act, 2013, No. 2

**The Deputy Speaker:** The hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you very much, Mr. Speaker. This time of night I think the hon. Member for Airdrie is getting a little pugilistic, but I will endeavour just to make my comments brief.

This bill makes minor changes to several pieces of legislation. The bill was designed to clarify and update existing legislation, which will help give Albertans a clear understanding of the legislation that governs them. Many of these amendments are simply catch-ups to the legislation, what's already in practice. Mr. Speaker, in a rapidly changing and growing province it's especially important to make these changes to ensure that our legislation is both consistent and clear. Albertans expect and deserve clarity and consistency, and these amendments will help

achieve that. I'm confident that this legislation will serve Albertans well.

I'm looking forward to hearing from the Member for Edmonton-Calder. Thank you.

**The Deputy Speaker:** Thank you, hon. minister.

I'll recognize the Member for Edmonton-Calder.

**Mr. Eggen:** Well, thanks, Mr. Speaker. I certainly don't want to take up a great deal of time. I think it's worth noting for both Bill 37 and Bill 38 that when we are making repeals and putting together so many different pieces of legislation, the standard practice is to have a consultation with each of the opposition parties, with the House leaders, and just make an agreement over that before we even have to come in here. I realize that maybe that seems like a small thing, but in the age of other Legislatures and parliaments around the world using omnibus bills and putting so many pieces of legislation together and sometimes using innocuous pieces of legislation to build up a volume of information and then sneak in something that's quite substantive and problematic, then, you know, that's what we always have to look out for.

I would suggest that the government would respectfully just consult on some of the statutes amendment acts or statute repeal acts because we'll see a lot of it in the future with this new drive

to take out obsolete statutes, which I totally endorse. Right? Don't get me wrong. But if you can make a reference to that with us before, then we can make sure that it's clean and that we're not ever slipping into a situation where omnibus bills come to cast a dark shadow over our fine, fine Legislative Assembly.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Are there other speakers?

Seeing none, I'll invite the hon. minister to close debate.

**Hon. Members:** Question.

**The Deputy Speaker:** The question has been called.

[Motion carried; Bill 38 read a third time]

**The Deputy Speaker:** The hon. Deputy Government House Leader.

**Mr. Campbell:** Yes, Mr. Speaker. Seeing that we made considerable progress tonight, I would suggest that we adjourn until 1:30 tomorrow afternoon.

[Motion carried; the Assembly adjourned at 10:06 p.m. to Tuesday at 1:30 p.m.]

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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Tuesday afternoon, November 26, 2013

Issue 73a

The Honourable Gene Zwozdesky, Speaker

## Legislative Assembly of Alberta The 28th Legislature

First Session

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Scott, Hon. Donald, QC, Fort McMurray-Conklin (PC)  
Sherman, Dr. Raj, Edmonton-Meadowlark (AL),  
    Leader of the Liberal Opposition  
Smith, Danielle, Highwood (W),  
    Leader of the Official Opposition  
Starke, Hon. Dr. Richard, Vermilion-Lloydminster (PC)  
Stier, Pat, Livingstone-Macleod (W)  
Strankman, Rick, Drumheller-Stettler (W)  
Swann, Dr. David, Calgary-Mountain View (AL)  
Towle, Kerry, Innisfail-Sylvan Lake (W),  
    Official Opposition Deputy Whip  
VanderBurg, Hon. George, Whitecourt-St. Anne (PC)  
Weadick, Hon. Greg, Lethbridge-West (PC)  
Webber, Len, Calgary-Foothills (PC)  
Wilson, Jeff, Calgary-Shaw (W)  
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
    Government Whip

### Party standings:

Progressive Conservative: 59      Wildrose: 17      Alberta Liberal: 5      New Democrat: 4      Independent: 2

### Officers and Officials of the Legislative Assembly

W.J. David McNeil, Clerk	Stephanie LeBlanc, Parliamentary Counsel and Legal Research Officer	Philip Massolin, Manager of Research Services
Robert H. Reynolds, QC, Law Clerk/ Director of Interparliamentary Relations	Fiona Vance, Sessional Parliamentary Counsel	Brian G. Hodgson, Sergeant-at-Arms
Shannon Dean, Senior Parliamentary Counsel/Director of House Services	Nancy Robert, Research Officer	Chris Caughell, Assistant Sergeant-at-Arms
		Gordon H. Munk, Assistant Sergeant-at-Arms
		Janet Schwegel, Managing Editor of <i>Alberta Hansard</i>



## **Executive Council**

Alison Redford	Premier, President of Executive Council
Thomas Lukaszuk	Deputy Premier, Minister of Enterprise and Advanced Education, Ministerial Liaison to the Canadian Forces
Manmeet Singh Bhullar	Minister of Service Alberta
Robin Campbell	Minister of Aboriginal Relations
Cal Dallas	Minister of International and Intergovernmental Relations
Jonathan Denis	Minister of Justice and Solicitor General
Wayne Drysdale	Minister of Infrastructure
Kyle Fawcett	Associate Minister of Regional Recovery and Reconstruction for Southwest Alberta
Rick Fraser	Associate Minister of Regional Recovery and Reconstruction for High River
Doug Griffiths	Minister of Municipal Affairs
Dave Hancock	Minister of Human Services
Fred Horne	Minister of Health
Doug Horner	President of Treasury Board and Minister of Finance
Ken Hughes	Minister of Energy
Sandra Jansen	Associate Minister of Family and Community Safety
Jeff Johnson	Minister of Education
Heather Klimchuk	Minister of Culture
Ric McIver	Minister of Transportation
Diana McQueen	Minister of Environment and Sustainable Resource Development
Frank Oberle	Associate Minister of Services for Persons with Disabilities
Verlyn Olson	Minister of Agriculture and Rural Development
Dave Rodney	Associate Minister of Wellness
Donald Scott	Associate Minister of Accountability, Transparency and Transformation
Richard Starke	Minister of Tourism, Parks and Recreation
George VanderBurg	Associate Minister of Seniors
Greg Weadick	Associate Minister of Regional Recovery and Reconstruction for Southeast Alberta
Teresa Woo-Paw	Associate Minister of International and Intergovernmental Relations

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on Alberta's Economic Future

Chair: Mr. Amery

Deputy Chair: Mr. Fox

Bhardwaj	Olesen
Cao	Pastoor
Donovan	Quadri
Dorward	Rogers
Eggen	Rowe
Hehr	Sarich
Luan	Strankman
McDonald	Xiao

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Khan

Deputy Chair: Mrs. Jablonski

Amery	Eggen
Anderson	Kubinec
Casey	Sherman
Dorward	

### Standing Committee on Families and Communities

Chair: Mr. Quest

Deputy Chair: Mrs. Forsyth

Brown	Leskiw
Cusanelli	Notley
DeLong	Pedersen
Fritz	Swann
Goudreau	Towle
Jablonski	Wilson
Jeneroux	Xiao
Khan	Young

### Standing Committee on Legislative Offices

Chair: Mr. Cao

Deputy Chair: Mr. McDonald

Bikman	Leskiw
Blakeman	Quadri
Brown	Rogers
DeLong	Wilson
Eggen	

### Special Standing Committee on Members' Services

Chair: Mr. Zwozdesky

Deputy Chair: Mr. Young

Casey	McDonald
Forsyth	Quest
Fritz	Sherman
Kennedy-Glans	Smith
Mason	

### Standing Committee on Private Bills

Chair: Mr. Xiao

Deputy Chair: Ms L. Johnson

Allen	Goudreau
Barnes	Jablonski
Bhardwaj	Leskiw
Brown	Notley
Cusanelli	Olesen
DeLong	Rowe
Fox	Strankman
Fritz	Swann

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Ms Olesen

Deputy Chair: Mr. Lemke

Calahasen	McAllister
Cao	Notley
Casey	Pedersen
Goudreau	Quadri
Hehr	Rogers
Kennedy-Glans	Saskiw
Kubinec	Towle
Luan	Young

### Standing Committee on Public Accounts

Chair: Mr. Anderson

Deputy Chair: Mr. Dorward

Amery	Khan
Anglin	Luan
Bilous	Pastoor
Donovan	Quadri
Fenske	Quest
Hale	Sarich
Hehr	Stier
Jeneroux	Webber

### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans

Deputy Chair: Mr. Anglin

Allen	Hale
Barnes	Johnson, L.
Bikman	Khan
Bilous	Kubinec
Blakeman	Lemke
Calahasen	Sandhu
Casey	Stier
Fenske	Webber

## Legislative Assembly of Alberta

1:30 p.m.

Tuesday, November 26, 2013

[The Speaker in the chair]

### Prayers

**The Speaker:** Hon. members, let us pray. Holy Father and Great Creator, guide us in our discussions and in our deliberations that they may help us shape a positive future for all whom we serve. May they also remind us of the privileges we share in this land, where we have no fear of oppression, where we have abundant food and water and all of the necessities, unlike other places in our history. Amen.

Hon. members, as is our custom, we pay tribute on our first day to members and former members of this Assembly who have passed away since we last met and which I first alluded to yesterday.

**Mr. Louis Davies Hyndman, OC, QC**  
July 1, 1935, to November 24, 2013

**The Speaker:** For almost 19 years Mr. Lou Hyndman served as a member of this Assembly for Edmonton West and then Edmonton Glenora. Mr. Hyndman's career was dedicated to public service. He was a lieutenant in the Royal Canadian Navy (Reserve), an aide-de-camp for Lieutenant Governor J. Percy Page, and a distinguished lawyer. Mr. Hyndman was first elected to the Legislative Assembly of Alberta in 1967 and subsequently held the positions of Minister of Education from 1971 through 1975, Minister of Federal and Intergovernmental Affairs from 1975 to 1979, and Provincial Treasurer from 1979 to 1986. Mr. Hyndman was appointed Queen's Counsel in 1976 and was named an officer of the Order of Canada in 1992. A born and raised Edmontonian, Mr. Hyndman also served as chancellor of the University of Alberta from 1994 to 1998.

In a moment of silent prayer I ask us all to remember the hon. Lou Hyndman in any way you may have known him. Grant unto him, O Lord, rest eternal, and may light perpetual shine upon him. Amen.

Please be seated.

### Introduction of Visitors

**The Speaker:** Hon. members, joining us today in the Speaker's gallery are Mary Hyndman, spouse of Lou; Peter Hyndman, son; and joining them are additional members of the family and their friends: Pamela Parker, Samantha Parker, Melanie McCallum, Joan Pitfield, Bonnie Hope, and Judge Ken Hope. To you we extend our deepest condolences. With this tribute just read and with the applause you're about to hear, please know that our thoughts and prayers are with all of you. [Standing ovation]

The hon. Member for Bonnyville-Cold Lake.

**Mrs. Leskiw:** Thank you, Mr. Speaker. I would like to introduce to you and through you to all members of this Assembly some special guests that are seated in your gallery. I would ask our guests to remain standing as I introduce all of you. First is Ms Olesia Luciwi-Andryjowycz, president of the Ukrainian Canadian Congress Alberta Provincial Council; Ms Daria Luciwi, past president of the Ukrainian Canadian Congress Alberta Provincial Council; Mr. Peter Dackiw, Ukrainian youth unity centre; Yaroslav Szewchuk, Ukrainian youth unity centre; Dr. Roman Petryshyn, Ukrainian Resource and Development Centre, Grant

MacEwan University; Dr. Bohdan Klid, Institute of Ukrainian Studies at the University of Alberta; Father Rauliuk and Dobrodiyka Rauliuk, St. Michael's Ukrainian Orthodox church; Mr. Marshall Kachmar, Ukrainian Orthodox Cathedral of St. John; and, of course, Mr. Leonid Korownyk, survivor, and his wife, Mrs. Anna Korownyk; and Warren Singh, key researcher in 2008 in relationship to the Holodomor act, which is marking its fifth anniversary. Please give our guests who are standing our traditional and warm welcome of this Assembly.

### Introduction of Guests

**The Speaker:** Hon. members, we'll now commence with the introduction of school groups, starting with Banff-Cochrane.

**Mr. Casey:** Thank you, Mr. Speaker. It's my privilege to rise today and introduce to you and through you to all members of the House 44 grade 9 high school students from Cochrane, Alberta. They're here visiting the Legislature today and the University of Alberta tomorrow. I'd ask them to please rise and receive the traditional warm welcome of the House.

**The Speaker:** The hon. Minister of Environment and Sustainable Resource Development.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. It's a privilege for me to rise today and welcome a wonderful group of students from Falun elementary school in the constituency of Drayton Valley-Devon. These 40 bright grades 5 and 6 students along with their teachers have toured our Legislature, and we've just had a picture. They're here to learn about our government. I would ask them to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** Are there other school groups?

If not, let us proceed with other guests, beginning with the Minister of Energy.

**Mr. Hughes:** Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to all members of this Assembly a group of 12 staff from Alberta Energy's electricity and sustainable energy division. As you would understand, they perform good work on behalf of Albertans and they advise me well. I'm very pleased to welcome them to the Legislature Building today as they participate in a public service orientation tour. I'd ask them to rise and receive the traditional warm welcome of the Assembly.

Thank you.

**The Speaker:** The hon. Associate Minister of Wellness, followed by Edmonton-Meadowlark.

**Mr. Rodney:** Thank you very much, Mr. Speaker. It is indeed a pleasure to introduce Dr. Brian Gushaty and Deb Manz, registrar and CEO respectively of the Alberta College and Association of Chiropractors. Brian and Deb are dedicated to the practice of chiropractic care in this province and are great ambassadors for their profession. They are here today to support the tabling of their college's annual report, and at this time I would ask our distinguished guests, Brian and Deb, to rise and receive the traditional warm welcome of this Assembly.

1:40

**The Speaker:** The hon. Member for Edmonton-Meadowlark, followed by Fort Saskatchewan-Vegreville.

**Dr. Sherman:** Thank you, Mr. Speaker. I rise today to introduce to you and through you to all members of this Assembly four

individuals: Louise Large, child and family services technician co-ordinator, Treaty 6 First Nations; Brenda Joly, executive director, Treaty 6 First Nations; Arlene Thunder, children and family youth co-ordinator, Treaty 8 First Nations of Alberta; and Victor Horseman, grand chief liaison, Treaty 8 First Nations of Alberta. These individuals are deeply concerned about the safety and conditions of First Nations children and all Alberta children who receive care in child and family services. They are here today hoping to hear answers to their concerns. I would ask everyone in the Assembly to give them the traditional warm welcome.

Thank you.

**The Speaker:** The hon. Member for Fort Saskatchewan-Vegreville, followed by Bonnyville-Cold Lake.

**Ms Fenske:** Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you to all members of the Assembly Glenrose school. The Glenrose school offers multimodal mental health rehabilitation for students from K to 12 in conjunction with a school program. The program is staffed with educators who have additional training and experience in mental health care. The students are visiting the Legislature today to see our government in action. Attending are Lisa Lemoine, Lasha Luciwi, Beth Shedden, a lifelong friend Ginny Hamilton, Shannon Napora, Doug Cels, and 11 of the students. I would like them to please rise and receive the traditional greeting of this Assembly.

**The Speaker:** The hon. Member for Bonnyville-Cold Lake for a supplemental introduction.

**Mrs. Leskiw:** Yes. I forgot to introduce one person. I'd like Motria Dackiw to stand up. She's the wife of Peter Dackiw, that I introduced earlier. [Remarks in Ukrainian] Sorry that I forgot.

**The Speaker:** Are there others? The hon. Member for Edmonton-Gold Bar.

**Mr. Dorward:** Thank you, Mr. Speaker. I'd like to introduce Heather Workman. Heather's a good friend of mine from my constituency. She loves to make people happy, including in her work at the front door of the Old Strathcona market painting the faces of children, including my grandchildren at times. She's an advocate against domestic violence and ran as a candidate in our ward in the Gold Bar area. Heather, if you can stand up and receive the warm welcome of the Assembly.

### Members' Statements

**The Speaker:** The hon. Member for Bonnyville-Cold Lake, followed by Calgary-Shaw.

### Holodomor Memorial Day

**Mrs. Leskiw:** Thank you, Mr. Speaker. Alberta is a province with strong historical ties to Ukraine. This is apparent to any Albertan who has visited Vegreville's largest pysanka in the world, Glendon's largest perogy, or spent a day exploring the Ukrainian Cultural Heritage Village museum east of Edmonton. Ukrainian pioneers first settled in our beautiful province over 120 years ago, and Ukrainian Albertans continue to play an integral role in the development of Alberta today.

Mr. Speaker, it is an honour and a privilege for me to rise to acknowledge the fifth anniversary of Bill 37, the Ukrainian Famine and Genocide (Holodomor) Memorial Day Act. Passed unanimously in 2008, the act commemorates the millions of innocent

men, women, and children in rural Soviet Ukraine who died from a barbaric, man-made famine enforced by Joseph Stalin's totalitarian regime between 1932 and '33. Known as the Holodomor, which means extermination by means of starvation in Ukrainian, it makes one pause to think that this horrific act of genocide happened only 80 years ago.

The stories are haunting. Ukrainian farmers and peasants were forced to fulfill exorbitant government quotas that left them without food for themselves and their families. Those who refused saw their crops, livestock, and valuable seed grain confiscated. Those who tried to keep so much as a handful of grain or a few stalks of wheat were arrested or executed. Stalin's military patrolled the border to prevent starving Ukrainians from leaving the country in search of food. It is one of the darkest chapters in human history, that must never be repeated and must always be remembered.

In Alberta the fourth Saturday of every November is proclaimed Ukrainian Famine and Genocide Memorial Day. On November 23 Ukrainian communities gathered to commemorate and honour the fallen victims and those who survived. It is an opportunity to give thanks for the democratic freedoms and human rights we have here in Canada and reminds us of the role we must play to ensure a bright and inclusive future for all Albertans.

Thank you.

**The Speaker:** The hon. Member for Calgary-Shaw, followed by Edmonton-Gold Bar.

### Deaths of Children in Care

**Mr. Wilson:** Thank you, Mr. Speaker. Yesterday was the darkest day I've experienced in my short time in this Legislature. It was the day we as a province learned the painfully raw and unvarnished truth about how elements of our children's services system are failing those it is in place to protect.

We found out that the number of vulnerable children, many with serious and untreated mental health conditions, who have died while in government care is dramatically higher than has ever been reported. Since 1999 there have been 89 – 89 – deaths involving children in care that were never reported, each one an innocent life, each one kept a secret.

If there's one aspect of this story that disturbs me the most, Mr. Speaker, that is it. Not only were these oftentimes horrific deaths swept under the rug, the government fought tooth and nail for four years to keep the record secret. Yesterday, when the news broke, the government had an opportunity to demonstrate real-life leadership. They had an opportunity to tackle this issue head-on and champion the cause of getting to the bottom of it.

Perhaps naively I thought they might just do it. Instead, this government does what it always does: dodge, deflect, and deny. The Human Services minister downplayed the issue, first saying that the number of deaths was, quote, not significant, unquote, and then inexplicably said that the deaths were not preventable. The documents this government fought so hard to keep sealed clearly contradict him.

Here's the point. This has exposed a culture of deflecting blame and obscuring the truth that has seized this government. It is why these deaths went unreported, it's why the government fought to keep them secret, and it's why the minister reflexively shifted into spin mode yesterday when the news broke. This has to change, and until it does, the system that should be protecting our most vulnerable and defenseless will continue to be shrouded in secrecy,

and this government will continue to be plagued by problems of its own making.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Gold Bar, followed by Edmonton-Highlands-Norwood.

### Government Achievements

**Mr. Dorward:** Mr. Speaker, last weekend our party met in convention and affirmed our support for our leader and the Premier of this province. I was amazed by the large and culturally diverse number, some 1,600, who attended this annual meeting. We're a broad-based party that share common mainstream values with each other and the people of this province.

The casual observer would see everything from staunch fiscal conservatives to long-haired hippies. Well, actually, that was me, Mr. Speaker. Themes emerged from the meetings. For example, the people of Alberta want our government to continue to build Alberta into the future, led by our Premier, and they want us to start now to get ready for the next election.

Mr. Speaker, as a chartered accountant, as a certified management accountant I want to commend our Finance minister and President of Treasury Board on the job done as a steward over our economic assets. The province is in great hands. I know that the Premier has said "live within our means." The Finance minister is delivering that. With the fiscal reality of the devastating floods in front of us, with continued pressures on the valuation of our resource assets, this Finance minister delivered a positive but cautionary second-quarter report today.

No financial statement is easy to read, Mr. Speaker, but I want to assure Albertans that the move to an operating plan, a savings plan, and a capital plan is a great one. Now Albertans can see what funds are being spent and, therefore, are necessary to build Alberta. They can tell quickly what the savings are.

There is a reason, Mr. Speaker, that people are flocking to Alberta. They share our set of common values. They like our progressive and conservative history, and they love that we're focusing on building this great province in the years ahead.

Mr. Speaker, the next election will be interesting, indeed. We're united on this side of the House, so I say to our leader with confidence on behalf of our team: let's keep building Alberta right through to 2016.

### Speaker's Ruling Members' Statements

**The Speaker:** Hon. members, it's not the custom in this House to interrupt members when they're giving private members' statements, and it's not the custom for points of order to be raised, and it's not the custom for the Speaker to interject. But when you started off by dealing with internal party matters, hon. member, you know that you stand in violation of one of our rules, and that is to not bring internal party matters into the House. You recovered quickly on this occasion. We'll be mindful of your next.

1:50

### Oral Question Period

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition for your first main set of questions.

### Deaths of Children in Care

**Ms Smith:** Mr. Speaker, we learned from media reports yesterday of the sad and distressing news that the number of deaths of

children in government care is nearly three times what official statistics say. This is a very serious issue, and Albertans need to be assured that children in government care are being given the attention they need in every single case. Will the Premier agree today to launch a full public inquiry?

**Ms Redford:** Well, Mr. Speaker, as I said yesterday, as a parent, as an Albertan any death of any child in this province is an incredible tragedy. We have to make sure that we're doing everything we can to protect children, particularly children in care. That is why our minister has taken the steps that he has in the past two years since we formed government to ensure that we are publicly accountable for every issue that comes up, that we have a child advocate that is independent of the government, that we have a quality advisory council that includes health care experts from the Stollery and the University of Calgary to deal with child protection. We are committed to doing everything we need to do working in partnership with the opposition to make this situation better for all children.

**Ms Smith:** Sounds like everything except a full public inquiry, Mr. Speaker.

The government claims the large discrepancy between the official number of deaths and the actual number of deaths is due to how they account for "natural causes." However, the media reports clearly indicate that this does not, in fact, fully explain the discrepancy between the two sets of numbers. Even with 68 deaths attributed to natural causes, that still leaves the government unable to account for 21 deaths of children in their care. A full public inquiry would provide some clarity on this sad and disturbing issue. Will the Premier commit today to launch a full public inquiry?

**Ms Redford:** Well, Mr. Speaker, the work that is done in the department of children's services and has been done over many years by many ministers, including the Member for Calgary-Fish Creek, has been about ensuring that we protect children. It is very important that we understand exactly what is going on. That is why we have an independent child advocate. That is why we have a quality assurance council. We are committed to ensuring that we continue to make the system better. That is fundamentally important. We need to bring people together to talk about this. Our minister today has offered that we need to do that, and we hope to work together with everyone to protect all children even better in the system.

**Ms Smith:** Mr. Speaker, we'll take him up on that, but we still need a full public inquiry. The Member for Calgary-Fish Creek agrees that we need a full public inquiry as well.

On the issue of natural causes there also appears to be some confusion about what actually constitutes a natural cause. A news report today details the tragic story of a baby placed in a bassinette which was improperly set up. The bassinette collapsed, and the child was killed. This was initially attributed to a sleep death; however, prior to 2010 no fatality inquiries were done into sleep deaths, which raises questions about whether statistics about natural causes are accurate. Will the Premier commit today to having a full public inquiry into this matter?

**Mr. Hancock:** Mr. Speaker, what the hon. member will know is that we have a very thorough process which involves the medical examiner. Every death of a child in care with Human Services is reported to the medical examiner, and the medical examiner investigates. We now have a Child and Youth Advocate that is independent of the Legislature. Every death or serious injury of a child in care or subject to any programs of the department is

referred to the Child and Youth Advocate, and he has full access to all the electronic records and full access to all the information in the department. All deaths of children in care are reported to the quality assurance council. So there are three ways in which there's a complete and thorough review of any death of a child in care.

**The Speaker:** The hon. leader. Second main set of questions.

**Ms Smith:** Thank you, Mr. Speaker. That's not what the Child and Youth Advocate says in his report, and it also isn't the case prior to 2012, which is what we're asking about.

Many of the deaths which the government characterizes as being of natural causes might well have been fully preventable. For years the government did not feel compelled to fully report the deaths of children in government care. Will the Premier acknowledge that simply defining these deaths as being of natural causes does not provide Albertans with the assurances that they're looking for, and will she call a full public inquiry?

**Ms Redford:** Mr. Speaker, I became the Justice minister five years ago. One of the reasons I got into public service and one of the reasons I decided to run for leader is that I thought we needed to do a better job of ensuring that we were taking care of kids in care, and that's because of the experience that I had before I came to this House. The work that we have put in place, that this government has put in place, since we were formed two years ago – an independent child advocate, children first legislation, ensuring that caregivers and people involved in the system can share information, ensuring we have a quality assurance council and that all deaths are reported – is better than what we have ever seen before. We are proud of it. We're going to continue to improve the system, and we'd like to do that with the help of the opposition.

**Ms Smith:** Better, Mr. Speaker, but still not good enough.

We learned today that a significant number of babies who die while in care die as a result of unsafe sleeping practices. It appears that some foster parents are not provided with adequate training on where and how children in their care should sleep. Furthermore, infant deaths while sleeping are rarely reviewed. Bearing in mind that the vast majority of Alberta's foster parents are caring, compassionate, and dedicated individuals, will the Premier commit to improving the training foster parents receive on the care of infants, and will she call a full public inquiry to make sure that all recommendations have been implemented?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Thank you, Mr. Speaker. The hon. member should know that we have actually followed up on recommendations from past fatality reviews and from past investigations. One of those was to do a better job of ensuring that foster parents know about safe sleeping arrangements, et cetera. An example of what has happened is what's called safe sleep. It's putting reviews into action. We developed safe babies training for foster parents and kinship caregivers who care for infants that provides valuable information about caring for infants and the specialized care required by babies prenatally exposed to substances. It has been incorporated into training modules and information for caregivers, including a chapter on infant sleep, with sections on sleep positions, reducing the risk of sudden infant death syndrome, and Alberta safe sleep guidelines, and every . . .

**The Speaker:** Thank you, hon. minister.

**Ms Smith:** Mr. Speaker, this minister has no credibility. Yesterday the minister said in response to a media question that the number of children who died while in the care of the government was, quote, not significant, unquote. Well, I've already pointed out that there are at least 21 deaths unaccounted for. Today's report reveals that infants in care have a three times higher mortality rate than those infants who are not in care and 78 per cent of the children who have died in care since 1999 are aboriginal. Does the Premier agree with her minister that the deaths can be characterized as not significant?

**Mr. Hancock:** Mr. Speaker, this hon. member is a past master at taking words out of context even when she wasn't there to hear the context. She reads the paper and automatically uses the language in the way that she wants to characterize it. What's really true is that every child is important in this province to this Premier, to this government, and to this minister. Every child is significant. What we were talking about yesterday was with respect to tracking recommendations from reports. We don't have that many reports, and we don't have that many recommendations. I can assure the hon. member we know about each and every one of those recommendations, where they've gone, and what we're doing about them. We are implementing those recommendations. We have a very good track record on that.

**Ms Smith:** I think we'd all prefer to see a full public inquiry to prove that point, Mr. Speaker.

#### Resource Revenue Projections

**Ms Smith:** Today the Finance minister released his second-quarter update, and he is proudly selling it as good news. It's hard to get excited about that because the government has a pretty poor record of revenue forecasting. Usually the bitumen spread is low in the summer, then it goes up in the winter, and revenues go down. This government budgeted on the price of western Canada select oil at \$68.50. Throughout the second quarter the price was very much higher, but it's been very much lower for most of the third quarter. Doesn't the Premier worry that her Finance minister's celebrations might be just a tad premature?

**Ms Redford:** Well, actually, Mr. Speaker, I am very proud of the work that this Finance minister has done. He has put in place a responsible fiscal plan that ensures that today, seven months after we went through some difficult budget decisions, we made the right decisions to ensure that we could stand up and support people in southern Alberta that were impacted by floods in a way that was fiscally responsible and ensure that we could put those funds to people in communities.

Now, we've heard before the Leader of the Opposition speculate on the price of oil. Lots of people in Alberta do that. I will tell you, Mr. Speaker, that the work that our Department of Finance does, our Department of Energy does, and our minister does has consistently led to forecasting that works.

2:00

**The Speaker:** Thank you.

**Ms Smith:** Except for that \$6 billion hole the Premier discovered last December.

Yesterday western Canada select oil was \$7 below the government's target. In the last month it got to almost \$15 below the government's target. The Premier should realize that good news in Q2 is very likely to be offset by bad news in Q3 and Q4. Now that the Premier's leadership review is over, instead of trotting out new

spending plans, shouldn't she be putting her efforts into creating a plan to actually balance the budget?

**Mr. Horner:** Well, Mr. Speaker, we don't change the budget every day that oil changes, as the hon. member opposite seems to indicate we should. Previous to this second-quarter report that I did today, at times western Canada select was \$12 above what we put in the budget. I can inform the hon. member and all members in this House today that the year-to-date price on WTI is \$99. The year-to-date differential that we're looking at is around \$24. The WTI number is higher than our budget. The differential number is lower than our budget. I was cautioning today because we are seeing that differential spread. We're going to stick to the plan that put us in the right position in the first place.

**Ms Smith:** Mr. Speaker, they talk about operational surpluses, capital deficits, borrowing to save, debt equals hope, and lots of new borrowing. Albertans are rightly confused by these ridiculous budget tricks. The Auditor General called this government out on its accounting sleight of hand for having three budgets. Why won't this Premier go back to the tried-and-true financial reporting practices that made Alberta's fiscal books the envy of the country for the last 20 years?

**Mr. Horner:** Well, Mr. Speaker, once again the Wildrose is in the past. I quote from page 6 of the Auditor General's report of just this October.

The fact that none of our auditor's reports on financial statements contained a reservation of opinion means that Albertans can be sure they are receiving high quality information from the government on the province's actual financial performance.

Mr. Speaker, there is a reason why 105,000 people moved to our province, 39,000 this last quarter, a record. There's a reason why they came. It's because this is the best place in the world to create your future and the strongest financial position in North America.

**The Speaker:** The hon. leader of the Liberal opposition.

### Deaths of Children in Care

*(continued)*

**Dr. Sherman:** Thank you, Mr. Speaker. I know that government is doing its best to keep the facts about the deaths of children in government care from coming to light. It's pulling out all the stops to deflect attention. You'd almost say that the minister said that these deaths were insignificant. You'd almost say that he wanted to blame families and front-line staff, but Alberta Liberals are not going to let this minister get away with it. The facts are clear, and they're staggering. One in 10 children in care is a baby. The babies account for more than 1 in 3 deaths of children in care. Fifty-seven of those 145 that died were babies. Experts say that these were preventable. To the Premier: why are so many babies dying needlessly in your government's care?

**Ms Redford:** Mr. Speaker, this is a very serious issue, and we're all concerned about this issue. It's why our minister has taken the steps that he has even subsequent to the work that we've done in the past two years. This has turned into a debate where the opposition stands up and is morally outraged by the circumstance, and they should be. We all are. But the way that we resolve this is to come together and work to make the system even better than it is. We have asked for the opposition to come to the table to work with us because the outcome that we need is to ensure that all

children are even safer than they are today and that we avoid these tragedies. We've asked for that partnership.

**Dr. Sherman:** Mr. Speaker, the opposition are fully in favour of working with this government and anyone else who wants to improve the lives of children, but far from doing the right thing — what's necessary here are answers. We have 147 dead children, Premier. It's time to call an independent, public judicial inquiry. The families of these children don't need a round-table; they need answers. The facts are horrific. Nine per cent of Alberta's children are First Nations, but they represent 78 per cent of the kids that died in care, yet they get much less funding at a time when there's much more need. Premier, your government is changing the First Nations children in our province. Why will you not call . . . ?

**Mr. Hancock:** Well, Mr. Speaker, there was actually a recent public fatality inquiry with respect to an aboriginal child in care who died. It was a tragic circumstance. One of the recommendations that came out of that was that the funding issue relative to aboriginal children on-reserve needs to be looked into. The hon. member will know that the federal government funds on-reserve, that the provincial government funds off-reserve. But one of the things that I have said to each of the treaty chiefs that I've met with over this fall, and I've met with all of them, is that we have to set aside jurisdiction and look to the best interests of the children. They agreed. We agreed. Will you agree?

**Dr. Sherman:** Mr. Speaker, when an airplane loaded with passengers crashes, passengers die. We call an independent judicial inquiry to find out why the airplane crashed. The children, family, and youth services system of this province: liken that to an airplane that has crashed. All these children have died; many have been injured and needlessly suffered. My question is: Premier, why will you not call a public inquiry? The public and these families need answers. Can you please stand up, Premier, and tell us why as a lawyer you won't call an inquiry?

**Ms Redford:** Mr. Speaker, I think on this issue it is tremendously important in this House to remember what we need to try to achieve. The outcome is to improve the system every single day with all of the people that are working in the system to protect children, who are incredibly vulnerable before they come into the system, in a way that we can ensure that they have the best opportunity to excel. Sometimes there are tragedies, and that is exactly what they are. We cannot exploit these tragedies. We must improve the system. We've asked for the opposition to help us do that, and we hope that they will.

**The Speaker:** The hon. leader of the New Democrat opposition.

### Child Poverty

**Mr. Mason:** Thank you very much, Mr. Speaker. Nearly 30 years ago in his last speech to this Assembly NDP leader Grant Notley said that this government's failure to deal with the desperation of so many thousands of Albertans had led to the suicide of Richard Cardinal, a Métis youth in government care. Thirty years later too many children, most of whom are poor and aboriginal, are still dying in government care. Will the Premier agree to a public inquiry into the deaths of children in government care that specifically investigates the link between child poverty and the likelihood that children will end up in government care? If not, why not?

**Ms Redford:** Well, Mr. Speaker, the hon. leader makes a very good point and has asked a very good question. There is no doubt that when we have children in vulnerable situations and living in poverty, families are at risk and children are at risk. That is why this government has made a commitment to end child poverty, has introduced a social policy framework that we are working on with community leaders and not-for-profit agencies across this province to ensure that we can do a better job. He will know today that Public Interest Alberta has issued a report that notes that we have actually seen reductions in poverty rates in Alberta, that we continue to see less people on the social support rolls. That is good news. We will do more. We would like to work with the opposition.

**The Speaker:** Thank you.

The hon. leader.

**Mr. Mason:** Thanks very much, Mr. Speaker. Well, that report actually says that the government has done too little to end child poverty.

The leader of the NDP said three decades ago that the government's failure to deal with the desperation of Albertans living in poverty and the desperation of Albertans in government care had been ignored for too many years. In the last election this Premier promised to end child poverty, a measure which would hopefully see fewer children in need of government care. Instead, her government cut funding for rent supplements, child care grants, and income support, all things vitally needed to keep families and children out of poverty. To the Premier: why did you break your promise to Albertans' children?

**Mr. Hancock:** Mr. Speaker, what in fact we are doing is keeping our promise to Albertans and to Albertans' children. We are keeping that promise by talking with communities about how we work together to ensure that every family has the tools that they need to be successful and that every child has what they need to succeed. We've talked about the social policy framework, we've worked through the Together We Raise Tomorrow, and we're working with communities to have an appropriate plan. But while we're doing that, we haven't stopped helping individual Albertans on a day-to-day basis with income support, with AISH, with whatever they need to be successful. This is a project of success, but there is more work to be done.

2:10

**The Speaker:** The hon. leader.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, the government has asked for the opposition's help. I'll provide a little bit of advice to them, and I want to ask these questions. Will they restore cuts to income supplements? Will they restore cuts to family income support? Will they restore the cuts that they made to antipoverty programs in the last budget? Will they actually take steps, backed up with real money, to end child poverty in this province?

**Mr. Hancock:** Again, Mr. Speaker, this government has actually increased support for AISH recipients by \$500. We've increased income supports to individual Albertans. The reason the budget for income support to individual Albertans went down is not because we cut the benefits to individual Albertans but because more Albertans have an opportunity to actively participate in the economy of this province because of the other good things that this government is doing. We're creating a solid place for Albertans to live and to raise their families. We're supporting those families where they need support. We're helping them with

skill development where they need it. There's more work to be done.

**The Speaker:** Thank you.

That's it for preambles to your supplementaries. Let's go on with Calgary-Shaw, followed by Edmonton-Mill Woods.

### Mental Health Services for Children in Care

**Mr. Wilson:** Thank you, Mr. Speaker. A couple of weeks ago I asked a series of questions about the Child and Youth Advocate's most recent report, that went unanswered. Since then we've been made aware of a terrible trend in the system, the dramatic underreporting of deaths of children and youth in care. One of the minister's justifications for inaction has been to remind us that the Child and Youth Advocate is now independent and that therefore the system is completely fine: nothing to see here. If all is well, why, as the Child and Youth Advocate has clearly indicated, are traumatized children and youth coming into government care not receiving the mental health supports they so desperately need?

**Mr. Hancock:** Mr. Speaker, there are some very good recommendations that the Child and Youth Advocate has made, and I'm working through the three reports that he's given us. In fact, I have them on my desk for review.

We do have something which this government has recognized as a very serious and important issue, and that is the mental health of children and the supports for children with mental health issues. I've been working with the Minister of Health and with the Minister of Education to make sure the supports are in place not just for children in care but for all children. That's a very important issue in this province, as it is in many other places in North America, and that's a very important issue to be addressed in an even better way than we have to this date.

**Mr. Wilson:** Mr. Speaker, they've been working on this for 10 years.

Given the news of the last couple of days, namely the revelation that these children are dying in care at a much higher rate than the government will admit and that many have mental health issues that went untreated, does the minister accept that there is a correlation between these deaths and the lack of appropriate mental health supports for these children in care, and what is your ministry doing about it?

**Mr. Hancock:** Well, Mr. Speaker, first and foremost, I need to go back to his suggestion that the children are dying at a higher rate. That's not true. What in fact has happened is that prior to 2012 we did not report on children who died of natural causes and accidental death that were not impacted by a third party in an inappropriate way. There were investigations, and medical examiners and others determined that it wasn't necessary to go further. Since 2012 all deaths of children in care are being reported. We think that's important. That's an extremely important piece.

Mental health is an extremely important issue not just for children in care but for all children and youth and, in fact, for all Albertans. That's an issue we're addressing.

**Mr. Wilson:** Mr. Speaker, the Child and Youth Advocate has done everything he can to sound the alarm on health supports for children in care, mental health supports. His warnings should send a chill down this government's spine. Again to the minister: when are you going to show some leadership, take some responsibility, and admit that this is still a major problem in your ministry?



**Mr. Hancock:** Well, Mr. Speaker, we've received the Child and Youth Advocate's reports recently. We are reviewing them. The recommendations are very important recommendations. But I don't need the report to tell me that mental health for children is a very important issue. In fact, we've been addressing that issue. We have programs in place. We're putting more resources in place to do that, and we've been working very closely with the Ministry of Health and the Ministry of Education to make sure that access issues are addressed.

**The Speaker:** The hon. Member for Edmonton-Mill Woods, followed by Airdrie.

### Government Spending

**Mr. Quadri:** Mr. Speaker, the President of Treasury Board and Minister of Finance delivered the second-quarter update today. As he said himself, it's apparent we have turned the corner and revenues are higher than expected. It's good news for Albertans. My question to the Minister of Finance: can we expect to see spending increase as a result of this positive trend?

**Mr. Horner:** Well, Mr. Speaker, it is important to remember that we are only halfway through the year, as we alluded to earlier in question period. We are seeing improvements. There's no question about that. But as I said in the press scrum earlier today, we have a long way to go. It is prudent fiscal management that put us in this strong position. Holding true on wage growth – population growth is a challenge for us. Flood recovery is obviously going to be a very significant challenge for us as we move through the next quarters. But it does show that the discipline that we put in place is getting results, and we are showing good results at this point.

**Mr. Quadri:** Mr. Speaker, given that growth pressures in many of Alberta's communities have resulted in a need for additional infrastructure and services, what steps have been taken to manage expenditures so provincial dollars go where they're needed the most?

**Mr. Horner:** Well, Mr. Speaker, as we've talked about in this House many times, the capital plan is something that we are putting a lot of resources towards. We're talking a lot about the amount that we have to build. In order to do that, we had to have the zero per cent increase on our operational expenditures. We had to keep that very, very tight. The second-quarter results have shown that that was the appropriate direction. The MLA pay freeze and the continuation of the current and proposed MLA freeze, management pay freezes, a 10 per cent reduction in the staff, the doctors' agreement, the teachers' agreement: we have got to hold the line on all of these expectations, and we will continue to do that.

**Mr. Quadri:** Mr. Speaker, even though the second-quarter results are better than expected, how can critics continue to suggest that Alberta is in a dire financial position and that government financial mismanagement is to blame?

**Mr. Horner:** You know, Mr. Speaker, these claims, unfortunately, are unfounded and, frankly, somewhat irresponsible because we are in the strongest financial position of any jurisdiction in North America. It isn't me that's saying that. It's the credit-rating agencies. It's the financial agencies. It's the banks. It's all of the people that supposedly would be advising a finance critic in the opposition, but evidently they're not. We are the only province in the country with net assets. We have a solid economic foundation.

In the last two years we've led all other provinces in economic growth. People are coming here because this is the place to be, and it's because of our strong financial position.

**The Speaker:** The hon. Member for Airdrie, followed by Edmonton-Gold Bar.

**Mr. Anderson:** Everyone's lost but him, Mr. Speaker.

### Provincial Borrowing

**Mr. Anderson:** Today's second-quarter update was the same old story: record revenues, more debt, more deficits, and questionable accounting. Despite a record bump in revenue, the consolidated cash deficit remains in the \$3 billion to \$4 billion range with at least \$17 billion in debt to be borrowed by 2016. Yet, incredibly, the Finance minister, echoing the management team of my beloved Edmonton Oilers says, and I quote, we have turned a corner. Minister, how is a \$4 billion consolidated budget deficit and \$17 billion in debt by 2016 turning the corner?

**Mr. Horner:** You know, Mr. Speaker, I found it interesting the other night in debate in the House when the hon. members from the wild alliance were talking about: why don't you balance the way the federal government – my apologies. The Wildrose Alliance, Mr. Speaker. My apologies.

**The Speaker:** Withdraw that right now, and we'll carry on.

**Mr. Horner:** I do.

Mr. Speaker, the other day in the debate here they were talking about: "Why don't you balance the way the federal government does? Why don't you take a page out of the federal government's books?" Are they suggesting that the federal government will not be balanced until the day that they stop borrowing for either infrastructure or their deficit? Nobody does that.

**Mr. Anderson:** So sad, Minister.

Given that the CEO of AIMCo, who oversees the heritage fund and is an expert market investor, is quoted just a few days ago saying that he believes the risks are high that oil prices will sink to the \$70-a-barrel range or lower in the next five years and given that you can't stay out of debt or even balance the budget with prices at over \$100 a barrel, Minister, when will you admit that you and your Premier's fiscal mismanagement is not only burying us in debt today, it is risking fiscal disaster in the not-too-distant future if oil prices decrease as he has predicted?

2:20

**Mr. Horner:** Mr. Speaker, I toured the province again this year in my budget deliberations, and what I discovered is that Albertans deal with their finances in a very similar way to the way we are doing today. They go and they buy a house, and they get a mortgage on that house because that's the appropriate financial tool to use. They build an RRSP or perhaps they're putting money into their pension because they know they should save for the future. What they also know is that you don't buy your groceries with your credit card, and we're not doing that. As much as the hon. members from the opposition would try to convince Albertans that that's what we're doing, that is not what we're doing. We're borrowing for the capital that is the schools, the hospitals, and the roads for all Albertans for today and tomorrow.

**Mr. Anderson:** Mr. Speaker, they're not borrowing groceries on their credit card; they're mortgaging their house to borrow.

Given that the Premier promised during the last election that she would not go into debt and given that we are on pace this year to almost match or even break the all-time record for resource revenues yet will still be borrowing \$17 billion by 2016, Minister, how can you or this Premier look Albertans in the eye and say that you can be trusted to keep your promises? No one believes you anymore. Do you understand why?

**Mr. Horner:** First of all, the reason that it is in the forecast as record revenues is because we actually booked the revenue that we hoped to receive from the federal government of some \$3.1 billion. It would be interesting if the hon. members would actually read what's in there. But, Mr. Speaker, I can honestly look Albertans in the eye and tell them that we are borrowing for capital just like they do for their house and their warehouse and their business because they need the school, they need the road, they need the hospital today, not some time down the road when we cut \$5 billion out of our operating budget.

**The Speaker:** The hon. Member for Edmonton-Gold Bar, followed by Calgary-Mountain View.

### Public-sector Pension Plans

**Mr. Dorward:** Thank you, Mr. Speaker. A number of my constituents have expressed alarm regarding the recent proposed changes to a number of our province's public-service pension plans. Many cite second-hand information from friends, the news, and other sources. These constituents have committed their careers to Albertans. Many want to take early retirement and now believe the rug has been pulled out from under them. My question is to the hon. President of Treasury Board and Minister of Finance. Why are changes being made to these pension plans?

**Mr. Horner:** Mr. Speaker, Alberta's pension plans were designed for a different workforce in a different era. Three decades ago government was trying to move older workers out of the workforce in order to make room for baby boomers that were coming in. Today we're facing worker shortages. It simply doesn't make a lot of sense to incent people to leave early. Currently the plans have no way to address funding shortfalls but to keep increasing the contributions that both the member makes and the employer makes. It's simply not sustainable. We have a 7 and a half billion dollar unfunded liability we need to deal with. We have to deal with people that are living a lot longer once they're retired. The demographic has changed. Life expectancy has changed. The number of contributors has changed.

**Mr. Dorward:** Minister, could you please clarify exactly what the proposed changes are? Some of the information out there is true, and some isn't.

**Mr. Horner:** You know, Mr. Speaker, it is important to note because one of the things that is difficult is when folks in the opposition or other stakeholders decide to try to scare Albertans or to promote fear to try to change their minds.

Mr. Speaker, it's important to note that the changes that we're proposing will only apply to benefits earned after 2015, so benefits that members have already earned and earn up to the end of 2015 are not affected. Core benefits are protected under our proposals. The changes that we're proposing are moderate. We're proposing to remove early retirement subsidies and move to a targeted COLA of 50 per cent. They are a very balanced approach.

**Mr. Dorward:** Is there a possibility that those pension reforms could be reviewed at a later date, possibly to incorporate new ideas? Clearly, many Albertans have raised concerns regarding public pensions.

**Mr. Horner:** Mr. Speaker, one of the other things that's out there that is also false is that the decision has been made. The decision has not been made. We have put some proposals on the table based on consultation that we've had over the last year. We received input from all of the plans' boards. However, I have to tell you that they didn't agree. They didn't agree on the things that needed to be done. Leadership was required to provide sustainability to defined benefit plans, and this government and this Premier are providing that leadership.

**The Speaker:** Lac La Biche-St. Paul-Two Hills, you had a point of order at 2:24 during the first supplemental. It's been noted.

Let's move on. Calgary-Mountain View, followed by Edmonton-Strathcona.

### Deaths of Children in Care (continued)

**Dr. Swann:** Thank you very much, Mr. Speaker. Well, with respect to 145 children dying in care, this minister said a few minutes ago, "We don't have that many reports, and we don't have that many recommendations." Why, Mr. Minister?

**Mr. Hancock:** Mr. Speaker, it's because the majority of those 145 were determined to be, through appropriate investigation, deaths of children by natural causes, and the circumstances around those deaths were investigated. We have fatality review reports where that is appropriate. We still have a number of fatality reviews to happen, because fatality reviews happen after all criminal investigations and court actions have been taken, so there are a number of outstanding reports, presumably, to come when those fatality reviews happen. But that's . . .

**The Speaker:** The hon. member.

**Dr. Swann:** Mr. Speaker, the act says that any child in care, any person in care should have priority for a fatality review, yet a very small proportion of these children have gone into a fatality review. Why is that?

**Mr. Hancock:** Mr. Speaker, the medical examiner will review a death to determine what has happened in that circumstance, and if the child has died of natural causes, he still brings that to the attention of the Fatality Review Board, but the Fatality Review Board, which consists of a doctor, a lawyer, and a member of the public, reviews those incidents and determines whether it's appropriate to go forward for a fatality review. There's a very thorough process of consideration with respect to whether a further investigation needs to happen in any incident of death with respect to a child in care.

**The Speaker:** The hon. member.

**Dr. Swann:** Thank you, Mr. Speaker. This minister has indicated how much they try to learn from incidents such as the deaths in care, yet the staff tell me that there is no systematic review of deaths or communication of deaths and lessons to the front lines. When and how is this being done, Mr. Minister? What are you covering up from the staff?

**Mr. Hancock:** Mr. Speaker, we report and are required to report the death or serious injury of any child in care to the Child and Youth Advocate, and he has the full powers of a commissioner under the Public Inquiries Act. He has full access to information from the department, and he has the full authority to conduct a review. We report the serious injuries or death of a child to the quality assurance council, and they look for systemic issues arising out of that. The medical examiner is required to review every death of a child in care, a child under Human Services, and then the Fatality Review Board reviews that to determine whether a fatality review should be recommended.

**Ms Notley:** Mr. Speaker, after a four-year legal battle with this government the public now knows the number of children who have died in care since 1999. What we still don't know is the number of kids who died while receiving protective services during the same period. That's a major gap in historical information that this government is willing to share with Albertans, and it needs to be corrected today. So to the minister, very straightforward: can you tell this Assembly how many children have died while receiving protective services over the past 14 years? And if not, why not?

**Mr. Hancock:** Mr. Speaker, that would require a historical review. I don't have that information at the tip of my fingers today. But I can tell you that we publicly disclose, as of 2012, the death of any child in care. We review every serious injury or death. We provide the information on that to the quality assurance council and to the Child and Youth Advocate. The Child and Youth Advocate has the full ability to have access to all of the information he needs and the powers of a commissioner under our Public Inquiries Act. The medical examiner reviews every incident of any child involved in the Human Services department, including the children that the hon. member is talking about, and has the opportunity to report to a Fatality Review Board.

**Ms Notley:** Forty-one years after you guys became government, you finally started counting all of the deaths? That is outrageous.

Given that even though eight kids under age five died while receiving protective services last year and only one of those deaths will proceed to a fatality inquiry and none of those deaths will be reviewed by the children's advocate, not even the one that the advocate describes as having died due to neglect, how can the minister possibly say, as he did yesterday, that the decrease in investigations of children's deaths is a good thing?

**Mr. Hancock:** Mr. Speaker, I've just recounted twice the number of ways in which an investigation into a child's death occurs, and each of those people to whom the death is reported has a duty of care, a duty to investigate to determine what more needs to be done. If they determine that nothing more needs to be done because a child died of natural causes or for whatever other reason, then I assume that they have carried out their duty and they're not going further with an inquiry. Fewer inquiries means we're on the right track, we're doing the right thing, and that the majority of those children are dying of natural causes.

2:30

**Ms Notley:** For 40 years you made assumptions, and for 40 years that was wrong.

Given that of the 20 deaths and serious injuries of children last year only five of those tragedies will be investigated by the advocate or through a fatality review and given that each child who is a victim of these tragedies deserves the full investigative attention of the government, who is responsible for them, will the

minister commit to changing the legislation to ensure that every death or serious injury is investigated, or do those deaths and serious injuries simply not matter?

**Mr. Hancock:** Mr. Speaker, the death of any child is a tragedy. It's a tragedy for the family, it's a tragedy for the community, and it's a tragedy for all of us. We need to learn everything we can from every incident, but we don't need to have a full review of every incident to learn from it because in many cases children die of natural causes. When that is determined by the medical examiner, when the evidence is already there, then the in-depth review that the hon. member is talking about is not necessary. We do not want to put people through very, very difficult circumstances when the evidence is already available to the public.

**The Speaker:** The hon. Member for Lacombe-Ponoka, followed by Barrhead-Morinville-Westlock.

### Land Titles Registry

**Mr. Fox:** Thank you, Mr. Speaker. The Minister of Service Alberta is on the fence when it comes to Alberta's land titles registry system, and it's time he got off it. The minister is clearly interested in privatizing Alberta's land titles registry. On November 7 he told this House that Alberta's land titles registry is the "gold standard" but that this government wanted to see if there was a better way of doing things. I'm sure that the minister realizes a move towards privatization would have major implications for property owners and users of the system. The minister needs to be clear with Albertans. Minister, is your government going to privatize Alberta's land titles system? Yes or no?

**Mr. Bhullar:** Mr. Speaker, speaking of clarity, that party over there needs to be clear about something. Are they in favour of innovation and more private-sector investment, rethinking the way government does business? Or no? Are they looking to advocate the traditional, typical approaches, that government brings forth multimillion-dollar proposals? Do they expect ministers not to dig deep and ask tough questions and see what the best way is to run programs? Or no? It's quite simple. They need to know what side of the political equation they sit on. Do they care for innovation? Do they care to look at new options? Or no?

**Mr. Fox:** What are you hiding, Minister? Answer the question.

Given this PC government collected more than \$80 million in land titles revenue and given that common sense dictates that if it ain't broke, don't fix it, can the minister explain what logic he's using to justify a potential change to Alberta's gold-standard land titles registry?

**Mr. Bhullar:** Mr. Speaker, the wonderful thing about this is that they finally admit that something we do is good. Wow. Amazing.

The fact is this. What we are looking to do is to assess what the next step in our land titles modernization looks like. For example, other governments in Canada have moved forward with online submissions of forms. Wow. Considering there are some apparent lawyers on the other side, maybe they would know that. Our question is: before spending \$30 million to mimic their system, is that the system that will work best for Albertans?

**Mr. Fox:** Selling off property rights to the highest bidder, Minister?

Given that this government claims to be open and transparent and given that this minister is clearly toying with the idea of privatizing a very successful land titles system, will the minister of

accountability at least stand up and do his job and make sure that any future contract is fully public so that Albertans will know what they're getting when this government sells off our property rights to the highest bidder? Minister, do your job.

**Mr. Bhullar:** Mr. Speaker, we have continuously maintained that there are four things that the government of Alberta will always maintain. Number one, we'll always own the title, always assure the title. Always. We will always be the owner of the data. We will always be the ones that uphold the assurance fund. We will control fees, and we will set service standards. Where, based on that, can that member stand up and spread this sort of fear? [interjections] This is the type of thing that, quite frankly, Albertans are getting sick of. [interjections]

**The Speaker:** Too many interjections, hon. members. Let's keep them out of the way, please.

Let's go on. Barrhead-Morinville-Westlock, followed by Strathmore-Brooks.

### Alberta Distance Learning Centre

**Ms Kubinec:** Thank you, Mr. Speaker. My constituency is home to the Alberta Distance Learning Centre. We are very proud of this institution and the staff who work there. Given that the Inspiring Education report, which is the basis of the new Education Act, highlighted the importance of innovative practices and the need to be flexible in the delivery of education – my question is to the Minister of Education – can you tell me what the Department of Education's thoughts are on the importance of distance education delivery by ADLC in relation to meeting the principles of the new Education Act?

**Mr. J. Johnson:** Mr. Speaker, I'd like to thank the member for the question. First of all, I'd like to thank her for her advocacy for education in Alberta as a former president of the Alberta School Boards Association and her great advocacy on behalf of her constituents in the ADLC. That's why we chose her to chair the Education Act Regulatory Review Committee, which is out working right now. She knows the Education Act very well, and she knows that one of the underpinnings and one of the pillars of the Education Act and what we're doing in Alberta is that choice. Foundational to that, going forward in the future, is going to be distance education, which the ADLC will be an important part of.

**Ms Kubinec:** To the same minister: given that ADLC is a critical, value-added service and provides students with a broad base of programming in order to equalize opportunities, especially to students in small and rural high schools, will the department work with ADLC to come up with a funding model that will maintain the excellent level of service that has been provided for 90 years?

**Mr. J. Johnson:** Mr. Speaker, that's quite a proud history, and I'll go further than that. I wouldn't describe them as value-add. I would describe ADLC and distance learning in general as foundational to our future, and we need to ensure that students enrolled in distance education programs continue to receive the high quality of education. That's why we're in the process of reviewing the distance education model and strategy in Alberta right now. [interjections] That report is due sometime close to the end of the year or early in the coming year, and those recommendations are going to help inform where we go forward on a strategy with distance learning.

**The Speaker:** Please keep the interjections out of here. I'm having trouble hearing, and I'm sure other members are, too.

The hon. Member for Barrhead-Morinville-Westlock.

**Ms Kubinec:** The minister answered my last question. Thank you.

**The Speaker:** The hon. Member for Strathmore-Brooks, followed by Stony Plain.

### Energy Company Licensee Liability Rating Program

**Mr. Hale:** Thank you, Mr. Speaker. The licensee liability rating program is jeopardizing Alberta's energy sector by driving junior producers out of business. Recently I met with several stakeholders to hear their concerns. One gave this example. Somebody owns a house and rents it out. It becomes vacant. Then all of a sudden the government tells them to bulldoze it down. That's the effect of the LLR program on these junior producers. The program is forcing the abandonment of producing wells. Yesterday the minister said that he directed the Energy Regulator to explore all possible options to ease the pain this is causing. What can the minister report is being done to ensure producing wells aren't needlessly being abandoned?

**Mr. Hughes:** Well, Mr. Speaker, there is always a great deal of activity amongst smaller players in the oil and gas industry. We've all witnessed that, where people sell and buy, transactions throughout the system in buying and selling wells and properties and leases. The hon. member is asking a question. What we have done here is that I have asked the Alberta Energy Regulator to take every step possible to ensure that as we protect Albertans, we also ensure that every option is available to small producers, explorers in oil and gas, to ensure that these assets are properly looked after for all Albertans.

**Mr. Hale:** Mr. Speaker, given that the PC government botched the royalty review and caused energy revenues to plummet and given that the Alberta Energy Regulator has botched the implementation of the licensee liability rating program, will the minister commit today to stopping any further implementation of this program until he can find a way to do it without wiping out any more of our junior producers?

**Mr. Hughes:** Mr. Speaker, small producers in this province, many of them, are facing very difficult circumstances because they don't have adequate access to markets. It's because they don't have adequate access – you know, they've faced a very tough time for a very long time. What we're trying to ensure is that Albertans also are protected at the same time that industry is protected. Steps are being taken this very week, working with the Explorers and Producers Association of Canada, to ensure that that work is done to explore all possible ways to ensure that these small producers have access to other tools.

2:40

**Mr. Hale:** Mr. Speaker, given that this minister says that he understands the challenges to junior producers and given that this government is plowing ahead despite that desire and the immediate threat to over 200 junior companies, companies that live in and support our communities, can the minister assure us that this isn't a cynical plan to force a consolidation of industry by eliminating junior producers?

**Mr. Hughes:** Well, Mr. Speaker, small producers in this province are the heart and soul and the very entrepreneurial spirit of the province. There is no way – there is no way – that any government

in this province on this side of this House would ever pursue that kind of a strategy. It's an outrageous allegation. We are here to protect the rights of Albertans, to protect the future of Albertans, and to ensure that we have a robust economy and a robust producing sector. We're going to work hard to make sure that happens. That's why we created an Energy Regulator that is effective and efficient, that looks after and protects the long-term interests of Albertans but ensures we have a very active economy at the same time.

**The Speaker:** Hon. members, the time for question period has now expired. I want to thank Barrhead-Morinville-Westlock for letting her second sup go when the question had been answered. Good leadership. Good example on you. Kudos also to Edmonton-Mill Woods, Edmonton-Gold Bar, Calgary-Mountain View, Calgary-Shaw among others, who kept their preambles to an absolute minimum if not eliminated them totally. Thank you for that.

Mathematically, members, it's almost impossible to get past 15 questions. We made it to 14 today. If you take 35 seconds to the maximum for a question, which is allowed, and 35 seconds to the maximum for an answer, and you go down that mathematics, you'll see that it's almost impossible to get past 15. But with help from some of you, members, mathematically we can get up to 16, maybe even 17 like we did yesterday.

Let us continue on momentarily with Members' Statements. We'll give you 20 seconds of preparation, and then we'll start with Edmonton-Highlands-Norwood.

### Members' Statements

(continued)

**The Speaker:** The hon. Member for Edmonton-Highlands-Norwood with your member's statement, please.

### Child and Family Supports

**Mr. Mason:** Thank you very much, Mr. Speaker. Due to the significant time and resources of the *Edmonton Journal* and the *Calgary Herald* Albertans are getting a devastatingly complete picture of the shortcomings of the province's foster care system. In the coming days, as more of these stories come out, I urge all Albertans to remember who is affected by this tragic failure: children who did not choose the circumstances they were dealt; parents who did not have the support they needed for child care, for income support, or to make their rent; families with holes in their family trees, where a cousin, a grandchild, a niece, or a nephew should have been. The vast majority of children in care are apprehended from families that are living below the poverty line, dealing with mental health problems, or struggling with addiction. Seventy per cent of them are aboriginal.

This Premier was elected in part on a promise to end child poverty; however, her first budget after being re-elected was a betrayal of the children and families she promised to help. Cuts were made to rent supplements, child care grants, and income support. The government continues to oversee the worst mental health and addictions support system in the country.

As the children's advocate pointed out earlier this month, there is no reason why children who have faced neglect and trauma should also encounter barriers when they need mental health supports. Most disturbing, though, is that the factors that put a child on the path to government care are so well known. This government has steadily refused to address the systemic causes of poverty despite making promises that they would.

Mr. Speaker, these children are our responsibility, all of us together. When one is lost, it is our collective failure. We simply have to stop letting these kids down. When we make them a promise, we need to keep it. We owe them that at least.

**The Speaker:** The hon. Member for Calgary-Fort, followed by Lac La Biche-St. Paul-Two Hills.

### Legislative Offices

**Mr. Cao:** Well, thank you, Mr. Speaker. As chair of the Standing Committee on Legislative Offices I rise to speak today about an essential component of our parliamentary institution, which has been proven for over 800 years of good democratic governance, the officers of the Legislature. In Alberta officers of the Legislature currently include the Auditor General, the Child and Youth Advocate, the Chief Electoral Officer, the Ethics Commissioner, the Information and Privacy Commissioner, the Ombudsman, and the Public Interest Commissioner.

These independent, nonpartisan officers are recruited by our Assembly's all-party select special committee in an open competition based on qualifications, not their political affiliation. Each legislative office is governed by the laws passed by this Assembly, and the task of the legislative officer is to administer and enforce the law like a judicial body. Each officer has an annual business plan and an annual report to the Assembly. They are audited by the Auditor General, and their expenses are posted online in order to ensure the highest level of transparency while maintaining legislative confidentiality.

In addition, the Standing Committee on Legislative Offices, which is an all-party committee of the Assembly consisting of 11 MLAs, can consider officers' requests, changes in legislation, and forward the recommendations to the appropriate minister. Our Legislature mandates that the laws that govern these offices are subject to review on a regular basis.

Alberta has always been at the forefront when it comes to creating legislative offices. In 1967 our province became the first jurisdiction in North America to establish an Ombudsman. While legislative offices are part of the Legislature, they are not government, are not partisan, and their issues are the subject of our standing committee.

**The Speaker:** Thank you, hon. member.  
Lac La Biche-St. Paul-Two Hills.

### Holodomor Memorial Day

**Mr. Saskiw:** Thank you, Mr. Speaker. Today is Holodomor, when we pause to remember the loss of so many lives and the injustices of a truly despicable regime. To a person of Ukrainian heritage remembering Holodomor strikes close to the heart as family members and Ukrainians across the world recall the horrors of the famine planned by the cold-hearted Communist regime under Joseph Stalin.

Ukrainians did not take to Communism as the Russian Communists desired. There was resistance to the centralization of power in the countryside, and the regime sought and implemented a means by which to impose its will and its flawed economic model. That means was to deny the peasants the agricultural products of their labour and to slowly starve them into compliance with the Soviet dictates.

Holodomor was entirely a man-made event, planned by the government of the USSR. In order to establish a Soviet empire as an industrial world power, Stalin would not tolerate the way of life in Ukraine, and for this, millions of innocent lives were tragically

lost. To punish Ukrainians for their resistance to collectivism, Stalin decided to starve them into submission. This cruel punishment furthered Stalin's ambitions but devastated the people of Ukraine. Hunger became a weapon to Stalin, and he used that weapon with impunity.

We must never forget the devastation that was wrought on Ukraine by the evils of Communism during the 1930s. While we remember the lives of those who were lost and those who needlessly suffered, we must stand together in opposition to this act of genocide. Never again shall we allow such a tragedy to occur. Today, as we mark Holodomor, it is a timely reminder of the inherent need for western society to stand together in defence of every person's rights, liberties, and freedoms.

Thank you, Mr. Speaker.

2:50

### Notices of Motions

**The Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I have a number of notices to provide to the House today. First, I would like to give oral notice of intention to introduce Bill 45, the Public Sector Services Continuation Act, which will be sponsored by myself.

I would also like to give oral notice of intention to introduce Bill 46, the Public Service Salary Restraint Act, and Bill 42, the Securities Amendment Act, 2013, which are sponsored by the hon. Provincial Treasurer and Minister of Finance.

Mr. Speaker, I also would want to provide oral notice of intention of introduce two motions. The first motion would be:

Be it resolved that pursuant to Standing Order 77(2) Bill 45, Public Sector Services Continuation Act, may be advanced two or more stages in one day and that if Bill 45 has not yet been introduced, then immediately following the passage of this motion the Assembly shall revert to Introduction of Bills for the introduction of Bill 45, Public Sector Services Continuation Act.

The second motion that I'd like to give notice of is:

Be it resolved that

- A. On Thursday, November 28, 2013, the Assembly continue sitting beyond its normal adjournment hour of 4:30 p.m. for consideration of Bill 45, Public Sector Services Continuation Act, and any related motions; and
- B. Upon Government House Leader advising the Assembly no later than the time of adjournment on Thursday, November 28, 2013, the Assembly reconvene on Friday, November 29, 2013, at 10 a.m. for a special sitting, and the only business to be considered by the Assembly that day shall be Bill 45, Public Sector Services Continuation Act, and any related motions.

### Tabling Returns and Reports

**The Speaker:** The Associate Minister of Services for Person with Disabilities. Do you have a tabling? Perhaps we'll come back to it.

The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Allen:** Thank you, Mr. Speaker. I rise to table the requisite number of copies of an article from the November-December edition of the *Fraser Forum* entitled Pensions and Government Both Hurting from Canada's Inability to Ship Oil to Market, written by Kenneth P. Green. In this article Mr. Green points out that the biggest obstacle to expansion of such projects as the Keystone pipeline is political. He mentions that all environmental, engineering, routing, and other challenges have largely been put to

rest. His position is that while rail transport is generally safe, it is not as safe as transport via pipeline.

I table this article and hope that everyone gets a chance to read it.

**The Speaker:** Back to the Associate Minister of Services for Persons with Disabilities.

**Mr. Oberle:** Thank you, Mr. Speaker, and my apologies. On a couple occasions in this House the hon. Member for Calgary-Mountain View has referenced some statistics about lost-time claims for paramedics in Calgary. I did review the information that he tabled, and I am unable to source that information. I am unable to determine where he got it from or the validity of it. So I'm tabling today five copies of paramedical occupations claims reported by the Workers' Compensation Board both for the province of Alberta and for Calgary specifically, and very clearly they don't align with information that the hon. member has.

**The Speaker:** The hon. Member for Calgary-Mountain View, followed by Edmonton-Highlands-Norwood.

**Dr. Swann:** Thanks very much, Mr. Speaker. I have the appropriate number of copies of a summary report from the Alberta Union of Provincial Employees called Stress and Well-Being among Local 006 Members, child care workers in the government outlining the significant stress associated with their work, associated with increased rates of mental illness and burnout, and highlighting some of the opportunities for assisting these important employees in Alberta.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thanks very much, Mr. Speaker. Today I'd like to table 100 more of the handwritten letters that my office has received expressing concerns about the deep cuts to postsecondary education that are happening in this province. These letters call on this PC government to reverse their harmful cuts to postsecondary education. A feeling of confusion, frustration, and anger is reflected in the over 1,000 letters my office has received from concerned staff and students so far at the University of Alberta.

Thank you.

**The Speaker:** Are there others?

If not, hon. members, let me take this opportunity pursuant to section 46(1) of the Conflicts of Interest Act to table with the Assembly the requisite number of copies of the annual report of the office of the Ethics Commissioner of Alberta for the period from April 1, 2012, to March 31, 2013.

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following documents were deposited with the office of the Clerk. On behalf of the hon. Mr. Horner, President of Treasury Board and Minister of Finance, pursuant to the Government Accountability Act the 2013-14 first-quarter fiscal update and economic statement dated August 2013 and the 2013-14 second-quarter fiscal update and economic statement dated November 2013.

**The Speaker:** Hon. members, we had two points of order, one of which might stand already as withdrawn, so let me just check quickly if I could here. It was with respect to an issue that arose

when the hon. Minister of Finance mentioned the words “wild alliance,” and then he withdrew them at my request.

Does that point of order fall away, then, in your mind, hon. opposition deputy House leader?

**Mr. Saskiw:** Yes, Mr. Speaker. Although there have been numerous times when he’s said it, so hopefully it becomes a little clearer for him. He’s slow to learning it.

**The Speaker:** Thank you. He did withdraw them.

Let’s move on to the second point of order, which was raised at 2:24 p.m. I believe it was also Lac La Biche-St. Paul-Two Hills, again with respect to some comments presumably made by the President of Treasury Board. So your citation, and please proceed with your point of order.

#### Point of Order Clarification

**Mr. Saskiw:** Thank you, Mr. Speaker. I rise according to Standing Order 23(h), (i), and (j). This was in a response to a question from the Member for Edmonton-Gold Bar in which the Finance minister stated that the opposition was promoting fear. That’s a very serious allegation. In the totality of his three answers that he provided, in addition to stating that the opposition was promoting fear, he also said that there was no evidence or basis for the opposition’s perspective.

I realize that the use of the term “opposition” isn’t referring to a specific member per se, but of course you’d have to look at the totality of the way he was answering that question, the results of which would inspire the House to get into disorder. Of course, you have to take it in context. In the previous question, of course, he misnamed our party again. He was clear and was deliberately trying to cause disorder in this Assembly.

I think, Mr. Speaker, the main perspective on this is that we saw the Member for Edmonton-Gold Bar give what is called a softball question, you know, just a lob. In fact, it was more along the lines of being close up and just tossing a question to the Finance minister. He was so close that it was almost like a T-ball for the Finance minister. It was, quite frankly, embarrassing. I’d ask that – and perhaps this is more of a clarification as he never did talk about a specific member of the opposition – it be withdrawn. Hopefully, we don’t have those T-ball questions.

**The Speaker:** I think we’ll deal with this in quick order, but I’ll allow the Deputy Government House Leader to comment.

**Mr. Denis:** Thank you very much, Mr. Speaker. I would agree with the last statement that the Member for Lac La Biche-St. Paul-Two Hills made, that perhaps this is more of a point of clarification because the President of the Treasury Board did not mention any particular member, did not impugn the motives of any particular member. Above all else, I think you can also look to the intent and the context. I would respectfully submit to the Member for Lac La Biche-St. Paul-Two Hills that there has been no evidence conferred as to the intent or that any of his intent was off the actual rules.

The last thing I will say, Mr. Speaker, is that, again, whether or not something is a softball or a hardball question is up to the beholder to decide. That’s not part of this point of order.

**The Speaker:** Well, thank you, hon. members. I’ve heard enough on this. I’ve reviewed the Blues as well, and let me just for purposes of the record state the following. At approximately 2:23

this afternoon the Minister of Finance stood and said the following:

You know, Mr. Speaker, it is important to note because one of the things that is difficult is when folks in the opposition or other stakeholders decide to try to scare Albertans or to promote fear to try to change their minds.

Mr. Speaker, it’s important to note that the changes that we’re proposing will only apply to benefits earned after 2015, so benefits that members have already earned and earn up to the end of 2015 are not affected.

And he went on.

In any event, we shouldn’t be trying to use this time and a point of order to prolong any debate, but I do appreciate the clarifications.

By the same token, let’s be careful of our language. This was not particularly strong language, in my view, but it’s more the tone and the timbre with which sometimes our words get delivered that should be paid attention to.

That having been said, that concludes this matter, and we’re going to move on.

3:00

### Orders of the Day

#### Committee of Supply

[Mr. Rogers in the chair]

**The Chair:** Hon. members, I’d like to call the Committee of Supply to order.

#### Supplementary Supply Estimates 2013-14 General Revenue Fund

**The Chair:** Before we commence the consideration of supplementary supply, I would like to briefly review the standing orders governing the speaking rotation. As you know, the Assembly approved amendments to the standing orders that impact supplementary supply consideration. As provided for in Standing Order 59.02, the rotation in Standing Order 59.01(6) is deemed to apply, which is as follows:

- (a) the Minister, or the member of the Executive Council acting on the Minister’s behalf, may make opening comments not to exceed 10 minutes,
- (b) for the hour that follows, members of the Official Opposition and the Minister, or the member of the Executive Council acting on the Minister’s behalf, may speak,
- (c) for the next 20 minutes, the members of the third party, if any, and the Minister or the member of the Executive Council acting on the Minister’s behalf, may speak,
- (d) for the next 20 minutes, the members of the fourth party, if any, and the Minister or the member of the Executive Council acting on the Minister’s behalf, may speak,
- (e) for the next 20 minutes, private members of the Government caucus and the Minister or the member of the Executive Council acting on the Minister’s behalf, may speak, and
- (f) any Member may speak thereafter.

During the above rotation speaking times are limited to 10 minutes. Once the above rotation is complete, speaking times are reduced to five minutes.

Finally, as provided for in Government Motion 44, approved by the Assembly on November 25, 2013, the time allotted for consideration is three hours.

The hon. Minister of Municipal Affairs on behalf of the President of Treasury Board and Minister of Finance.

**Mr. Griffiths:** Thank you very much, Mr. Chair. I would like to move the 2013-2014 supplementary supply estimates for the general revenue fund.

The estimates will provide additional spending authority to eight government departments. When passed, the estimates will authorize an increase of \$624.7 million in voted operational funding and \$139.6 million in voted capital funding for the government. These estimates are consistent with the amended 2013-2014 fiscal plan, presented as an appendix to these estimates.

The estimates will authorize increases for the departments of Aboriginal Relations, Agriculture and Rural Development, Education, Environment and Sustainable Resource Development, Human Services, Infrastructure, Municipal Affairs, and Transportation. The ministers that are responsible for these departments will be pleased to answer any questions from the members of the House.

Thank you very much, Mr. Chair.

**The Chair:** Thank you, hon. minister.

Hon. members, if the House leaders would send me a list of your speakers, because of the specific rotation it might be helpful for me.

I recognize the hon. Member for Airdrie.

**Mr. Anderson:** Thank you very much, Mr. Chair. I'm happy to rise and speak to this supplementary supply bill that we received yesterday. I first want to comment that, again, I do not feel it is appropriate for the government to put a document of this size and dealing with this kind of money in front of us less than roughly 12 hours before we're actually supposed to address it in this House. That's not an appropriate amount of time to give the Official Opposition and the members of the Liberal and ND caucuses an opportunity to go through line by line, figure things out, cross-check, ask the ministry questions in advance, and be adequately prepared to make sure that we have what we need in this supplementary supply bill. There's been no opportunity for consultation.

We know what the supplementary supply is essentially about; it's about flood funding. Obviously, everyone in this House is in favour of making sure that we have the money that we need for reconstruction and relief efforts and so forth for the floods of this past summer, but in order to do a proper job of that – clearly, the Minister of Municipal Affairs and the government and so forth have done research and have looked into this, and I'm sure they're very confident in what they're proposing in this document.

But without an opportunity to even brief us – I've not been briefed as the Finance critic for the Official Opposition. I've not had an opportunity to go over it with the Finance minister. Our critics have not had the opportunity to go over it; for example, the Municipal Affairs critic has not had an opportunity to be briefed by the Municipal Affairs minister on this issue, to go over it and to understand in full detail. And that's not just the Municipal Affairs minister. That applies to also the ministries of Aboriginal Relations, Agriculture and Rural Development, Education, Environment and SRD, Human Services, Infrastructure, Municipal Affairs, as I've said, and Transportation.

We're talking about \$624 million in operational funding here, more than half a billion dollars, and, in addition, roughly \$140 million in capital. That's a lot of money. That's a ton of money. We're not saying that it's not necessary money; it likely is. But how can we as an opposition and how can Albertans in general do the job of making sure that this is the right amount of money? Perhaps we need more; perhaps we need less. Who knows?

As the opposition we have had no opportunity to review this properly. This was put on our desks late last night. We come here. Obviously, we have to get ready for the day and question period and so forth. We had our entire research staff working on this as hard as they could. They, you know, helped us prepare as best we

could with the half an hour to 45 minutes that we got. We've had no help from the ministries. Once again, it's a tired, tired pattern, and I fear from the government motions that we just heard prior to going into committee here the possibility of sitting all weekend on some things.

Mr. Chair, this is not good government. It's not good government. Proper process leads to good government. When you undermine the process by dumping things on the public, you end up with things like Bill 28 and the effect that that has had on the trust of this government with regard to our municipalities. Even if 95 per cent of what's in there was okay, it's the fact that there was no consultation and there was no chance for feedback that has caused the problem. Now, there was backtracking on that, and, hopefully, we're going to get a better bill next week and so forth.

**Mr. Griffiths:** Relevance?

3:10

**Mr. Anderson:** Again, as it was with Bill 28 – and I see that the Municipal Affairs minister is asking about relevance. Of course, he is a little bit tender on this topic of Bill 28, but that's okay. We understand his tenderness.

The supplementary supply estimates, Mr. Chair, have been dumped on us, much like Bill 28 was dumped on us, and we have very little time to go over them and, frankly, to ask the ministry some questions on these things. So our critics are going to do the best that they can. We hope that the ministers opposite will answer the questions, which would be a nice thing for them to do in this case. This could have been done previously in a briefing session, but I'm sure it's going to take longer than it otherwise would. Granted, they've given us a whole three hours to debate more than \$700 million in financing. A whole three hours. That's good government. They've given us a whole three hours to kind of understand fully what's in this bill.

Honestly, guys. Please. I mean, you're the majority in your caucus. Can you please help your leadership understand that good government comes out of good processes and good legislative processes and co-operation and doing things previous to dumping it in the Legislature, doing the proper consultation with opposition and stakeholder groups, not just plumping it on the ground here, especially when you're dealing with this much money?

Now, obviously, the MLAs in this caucus represent areas that were probably, frankly, the most affected areas of the flood. There obviously are some on the government side who are MLAs of areas that were flooded extensively as well, including the Premier, the Member for Calgary-Bow, and others. Obviously, the worst flooding certainly happened in the Highwood area and also on the First Nations reservations and places like Strathmore-Brooks. Obviously, Banff-Cochrane was another area very hard hit.

We are very in tune and very aware of the need for flood funding. We think, and we've said this many times, that the initial government response to the flooding was good. It was solid. We had very few deaths. We had, obviously, pain and suffering, and those things are unavoidable in a tragedy of this magnitude, but I think all efforts were undertaken to alleviate that pain and suffering as much as possible. That was good.

There were some hiccups as well. No doubt about that. The first few days of treatment of the local MLAs, particularly the MLA for Highwood and her constituency, in my view, was inexcusable. She has to, as any MLA here does, inform her constituents of the relief programs and the most up-to-date information because she's right on the ground, living in the community, she knows the contacts, and so forth. There seemed to be a pretty active effort to freeze her out in the beginning. That seemed to take care of itself



as it went forward, and perhaps some credit is due to the Member for Calgary-South East for smoothing that over and bringing her into the briefing circle and so forth. That has been good.

It's been very disappointing to see the Premier continually take offence to the Member for Highwood advocating for her constituency on the flood as she constantly does. I think that shows smallness on her part in that regard. I would say that on the whole the government has done a reasonable job in the first response, the initial relief effort for the flood.

Now, that's the area where they've done well. Where they had a failing grade was preparedness. Their flood mitigation infrastructure was not in place. They can say what they want about implementing X amount of the 2005 flood mitigation report from Member Groeneveld at the time, but the fact of the matter is that instead of spending \$350-odd million on flood mitigation efforts, they decided to spend \$350 million on new MLA offices. That lack of prioritization – the money was clearly there. I look at it out of my window every day, what \$350 million could buy. Now, would that mitigation have stopped all of the flooding? No, it sure wouldn't have, but it would have gone a long way.

I look forward to continued debate on this.

**The Chair:** Thank you, hon. member. Your time has expired.

I'll recognize the Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Chair. It's a pleasure to rise to speak to the 2013-2014 supplementary supply, which, of course, deals with eight different ministries within government. I'd like to echo the comments from the Member for Airdrie. We just got notice of this. We're dealing with millions and millions of dollars, yet the government doesn't feel like it's necessary to have a fulsome debate on it. You're essentially giving very little notice and only three hours to debate a significant amount of expenditures. Of course, the vast majority of these funds that are going to be expended is for the flood effort, and I'm sure all members of this Assembly agree with that. At the same time, we have to be frugal and vigilant with taxpayer money, and the requirement there is that we have sufficient notice, that we're sufficiently briefed, and that we work co-operatively together to ensure that taxpayers' dollars are respected.

Mr. Speaker, I think it's potentially a symptom of a government that's been in power for over 42 years, where they don't feel that the opposition should have a role in ensuring that taxpayers' dollars are respected. It's consistent with what I would call the draconian measures that were put forward by the Government House Leader this afternoon in his motions, which I'm sure will have a significant effect on the flow of legislation later throughout this session.

Of course, we know that a significant amount of dollars that are expended in the flood relief is going to be reimbursed through the federal program, and we look forward to seeing how much of those monies is in fact reimbursed.

I would just like to highlight a few things. Of course, as was mentioned by the Member for Airdrie, on the mitigation front there was a report done by a former minister, Mr. Groeneveld, and what this government did is what they do in many cases. They kept the report secret. They wouldn't release it, nor did they act on it. They essentially had the report on their desk and let it collect dust. Mr. Speaker, they essentially, you know, threw the report in the garbage. If you're not going to act on the measures in a report, then what's the point of doing the report in the first place? What was the rationale for the secrecy, for not releasing the report? Of course, it was subsequently released, and the fact is that they never

implemented many of the significant material recommendations that were put forward by Mr. Groeneveld.

Mr. Speaker, obviously, there are eight different ministries. There's a significant amount of funds being expended, but with such short notice and absolutely zero briefing to members of the opposition it's difficult to discuss measures of such magnitude when the government feels that there's no need to discuss them. The evidence that they feel there's no need to discuss them is the fact that they've given minimal notice and a minimal amount of time to discuss the supplementary supply estimates.

Of course, everyone here would agree that any funds that are necessary for the flood relief should in fact be expended, and my understanding just in the short amount of time that we've had to review these documents is that a substantial amount of the money that's being requested here is in fact related to disaster programs in each of these departments. You look at Aboriginal Relations, Agriculture, Education, Transportation, Infrastructure projects. Of course, I support measures that go towards that.

3:20

I would also mention that this is why it's important that during the good times you actually save money. You put money in a sustainability fund so that if a rainy day does happen, you have those funds available for you because you just never know what's going to happen. But instead of being wise with taxpayer dollars, we see spending on things like \$350 million for brand new MLA offices. Perhaps that money could go towards mitigation projects. You see millions of dollars going towards severances to individuals with close ties to a particular party. Perhaps those dollars could in fact go towards things like mitigation projects.

On this particular supplementary supply we'll be voting in favour despite very little time, very little notice by the government in terms of putting this forward. Thank you, Mr. Chair.

**The Chair:** I recognize the Member for Cypress-Medicine Hat.

**Mr. Barnes:** Thank you, Mr. Chairman. I, too, rise and appreciate the chance to talk for a few minutes on the 2013-2014 supplementary supply estimates. I'm very, very pleased to see some quick action by the government. Again, I want to come back and talk about my displeasure with the process, how we get one day to look at this.

As many people in this House know, the 2010 flood that hit my constituency of Cypress-Medicine Hat – I've talked about how it was estimated to be a 1-in-350-year occurrence, how many constituents who went to bed that night with water nowhere near them had to swim for it. Although it's been reported that a large part of the process to finish up claims from this flood almost four years later is a function of people not getting their paperwork in and a function of waiting for estimates and whatnot, part of the truth is that people have walked away from the process because of the length of time it's taken. People have walked away from the process because of the uncertainty of how and when they're going to be paid out.

So something happened that will help many, many of the people of southern Alberta that were affected by this most recent disaster, which can get some money to people that need it and get money into the hands of people that were affected greatly by this flood and unable to have recourse through their insurance companies. As a matter of fact, the operator of the Medicine Hat food bank called me the other day, about two weeks ago, almost four months after the flood, and said: please do what you can to hurry up the response and the help to this flood; we're still servicing too many people from the flood at the food bank because of situations like

they're paying for their existing property, that was flooded, and, of course, have to pay to maintain a second residence.

I remember a flood way back in 1995. There was a situation where people actually bought the house next door to them because their family was growing. They put it on the market, couldn't sell it, and decided to rent it out to make sure they could cover both of their payments. Good Albertans wanting to pay their own way. When the flood hit, believe it or not, the one they lived in didn't get hit; the one they rented out did. Because it was a revenue property, it didn't qualify under the disaster relief programs. It was not rentable or habitable anymore, so it created a huge financial hardship. I'm hearing instances of this again. A 40-year-old government with 20, 25 years between floods: it's amazing how these things get left on the table and don't get handled.

The process, to get this yesterday and not have time to analyze it, to ask questions, to reach out to our stakeholders: again, that's flawed. Somebody told me that the Canadian Senate costs about what the Alberta Legislature costs. I certainly hope we all strive to be as effective and as efficient as we can. I would hope that getting information earlier, sooner, and in more quality and quantity would be a good thing.

We saw today that the government is not against working with the opposition when it turns out to be to their advantage. Amazingly, with these underreported deaths in government care for all these years, all of a sudden they want to reach out to us and work with us. That is a good thing. That is a very good thing. Please do it more often.

Again, part of the reason that I'm in support of this and appreciative of the chance to talk about it is that it is going to speed up the disaster relief to Cypress-Medicine Hat and to all of southern Alberta. Fort McMurray was also involved in this, so let's not forget that there were a lot of people and not-for-profit organizations up there that were affected that are probably involved in this.

I would like to ask a couple of questions, though, when the government has their chance to stand up if they wish. I see that 33 and a half million dollars is for Transportation to improve roads and bridges. That's important. It's important in our commodity-based province to get going as fast as we can. We recall the Auditor General's report from a year ago, that many bridge inspections had been neglected to be done. Obviously, the fast-flowing water may have compromised some, so I trust that the Transportation minister will ensure the safety of our roads and our people.

One of the questions I have, though, is that I see that in the last budget for water management infrastructure, Transportation cut \$11 million and is now adding \$6 million. I'd be curious to know if this \$6 million is in direct response to the flood damage. I understand that the numbers that we can recoup from the federal government are somewhere between 65 and 90 per cent. I'd be curious: how much of this could we recapture from the federal government?

I'm also wondering, of course, if that money had been spent, could it have mitigated some of this? The flood mitigation is still an amazing thing to me. I had a question in here a month or so ago about the former MLA who prepared the report and actually stated: someday we may get caught for not doing this work; someday it may come back to haunt us, that this wasn't done, and what will we say then? Well, here we are looking at \$761 million. Part of that member's answer is that \$751 million may not have had to be spent. If I remember the number right, the flood mitigation number was some side of \$330 million, so you guys are twice penny-wise and pound foolish. Way to go, guys. You know, that's interesting to see.

I see that the Infrastructure minister is asking for a hundred million to buy flooded-out homes. Again, necessary and important for people. This huge disaster was beyond their control. Let's get at it as soon as we can. Let's treat them fair, and let's treat the taxpayers fair on this as well. I'm wondering, though, why this hundred million is being touted as operational and not as capital. Is there a plan to resell the lots? Is there a plan to turn the lots over to the municipalities for parks? How far along are we on that? Again, it seems slightly odd to me, and I'd hope for some clarification that that hundred million is being considered as operational and not capital.

Also, the Infrastructure department is asking for \$5 million for planning a community resources centre for High River. As I read this, it's for planning only. Is this \$5 million going to be on the three-year capital plan and then maybe disappear again in a year without ever being done? You know, soft costs in the construction industry generally relate to about 7 or 8 per cent of the total project. So if planning is \$5 million and engineering is \$5 million – I can obviously only guess – are we thinking of spending \$120 million in High River for a community resources centre? Maybe it's money well spent. Maybe it's good value. I would like to hear and I'm sure everybody in this House would like to hear a little bit about what the government's intentions are.

Again, I'm looking at the process. I'm looking at a situation where we get a day's notice with this in the middle of our MLAs, our LAs, and our communications and research staff working very, very thoroughly, very, very hard, and very, very capably to get the information on these laws and bills, that are already on our desks in front of us, that we need to spend some proper time on.

3:30

You know, three days, 72 hours. As the Member for Airdrie said, a chance to consult between ministers and critics could have gone a long way to make the process of spending Albertans' tax money – and there is only one taxpayer, whether the federal government recuses 65 or 90 per cent of this for us. The process of being more careful in how we spend Alberta taxpayers' money I think is a good step and a step that I'd like to see more and more often. I'd like to see it done all of the time.

Disaster relief, if part of this 600 and some-odd million dollars in operational can go as soon as possible and as fairly as possible to people that were affected through no fault of their own in this great disaster . . .

**The Chair:** Thank you, hon. member.

I'll recognize the next speaker. The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Mr. Chair. I rise today to speak to the 2013-14 supplementary supply estimates general revenue fund motions that are here before us. I find it, like my colleagues, kind of interesting that we got this a day ago, maybe even a day ago. I think I remember seeing e-mails at midnight last night from research staff looking for copies of this thing because it still wasn't available on the website at that point.

But, you know, I digress. I guess that's what this government thinks of Albertans and the democratic process. We just roll right over it and keep going and do what you want to do without giving time for oversight. That is really what the Official Opposition is here to do. We are here to be the oversight of the government, to point out errors, to be able to go through this and make sure that Albertans are getting the very best value for their dollar out of this government. But when you've only got an hour or two to prep for this because that's all that the government is willing to give you, it

really speaks a lot to how you feel about Albertans and how you feel about them knowing what you're putting forth in these documents.

Looking at it here, there's \$624,737,000 of operational spending in this presentation from the hon. President of Treasury Board and Minister of Finance. On top of that there's another \$139,560,000 of capital spending. All told, that's \$764,297,000 in spending from this government. And how much time is this government giving to debate and to do oversight for Albertans? Three hours. Three hours. Can you believe that? I can't believe that. Three hours. Over half a billion dollars is going to be spent . . .

**An Hon. Member:** Three-quarters of a billion.

**Mr. Fox:** Three-quarters, that's right. Three-quarters of a billion dollars is going to be spent or has already been spent, and you're giving Albertans through their elected representatives three hours to look over these documents, to bring it forth in a public venue such as this to talk about what this government is doing.

You know, there's probably a lot of good things in here that the government is spending money on. I mean, there is the rebuilding of the province after the disastrous June floods. It's something that the government has got to do, but Albertans deserve to know how you're doing it and how you're spending those funds. You need to give them the ability to do the due diligence, to figure out what it is that you guys are doing. Unless you've got something to hide, but you wouldn't have anything to hide, would you? I mean, I asked the Minister of Service Alberta today about privatizing land titles, but no answer on that. I don't know if he's hiding something or not.

I guess we'll have to come back and ask him again, just like we're going to have to ask you a few more questions about this 2013-14 supplementary supply estimates booklet that you've given us here to look over. You've given Albertans less than, well, 24 hours to look at it before you're voting on it. Less than 24 hours for three-quarters of a billion dollars. Is that really respect to the Alberta taxpayer? I don't think so. I don't think that's respect to my constituents, to only give them 24 hours before a motion to have a look at what this government is spending three-quarters of a billion dollars on.

You know, looking at this, there are more than 40 pages of spending figures. Forty pages of spending figures, less than 24 hours. How many Albertans woke up this morning even knowing that this was sitting on our desks, that we were going to be debating this today? Aside from maybe friends at stakeholder groups like the CFIB or the CTF or our fellow colleagues here in the Legislature, other MLAs, really, I don't think Albertans even saw this, even knew this was coming out last night. I mean, there was a quick motion last night. We adjourned. We came back here to do question period, and here we are, well, not even barely two hours later, and we're discussing three-quarters of a billion dollars in spending.

Now, when we look through this, what is this being spent on? Let's see. Aboriginal Relations here, the amount is \$50 million which is requested "to relocate, renovate or rebuild flood-affected homes in First Nations communities." Well, that is something that we must do, so, yeah, I'm in agreement with that one. Communities that were affected by the flood were Siksika Nation, Morley, and also Tsuu T'ina. So we see that the government is actually doing good work on this. They're actually spending the money here where it needs to be spent. Good for you, guys. We'll clap for you on that one.

Let's see. Agriculture and Rural Development. They are receiving an extra \$19.115 million in operational spending. This is

for business relief. It's interesting that in this flood you guys are actually going to put money out there, but in the last flood that affected central Alberta I actually had farmers contact me because they never got any rebuilding money when their crops were lying in the field rotting. I'm glad to see that at least this time the government has learned its lesson and is actually going to cover some of these costs.

In Education there's an additional \$9 million in spending, and the money is going to be going to support school boards in High River, Canmore, and Exshaw. These boards have seen a sudden decline in enrolment, and they need to be topped up, so I'm happy to see that those funds are going there. What is interesting, though, is that there are really no capital amounts included here in the supplementary supply estimates for Education, so I'm wondering how much money is actually going to be spent and how it's going to be spent to rebuild some of the schools that are in that area. I mean, not only were homes and businesses affected, but, as we know, government infrastructure was affected as well.

I mean, schools are some of the most important government infrastructure in this province because that's where we're educating a future generation to take over and lead us into the brave new world which is the future. It would be interesting to see what is going to be spent on the capital amount there. We'd heard rumours – actually, it wasn't a rumour; it was in the papers – about a temporary gymnasium in the Premier's riding. I'm wondering where in the supplementary estimates that one fell. Maybe it was just funds being shifted around in the ministry. I don't know. We haven't had a chance to ask the minister that one, and I'm not sure we're going to get the opportunity to ask the minister that one in these budget estimates. Maybe he'll be kind enough to stand up at some point here this afternoon in the just over two hours we have left on this. Maybe he'll stand up and answer that question, where the capital spending is on the flood relief, because it's not in the supplementary supply estimates for 2013-14.

Moving on here, Environment and Sustainable Resource Development. We know that there is going to be some extra money being voted in here as well. I mean, it is in this booklet that was handed out less than 24 hours ago. There's some mention in the 2013-14 supplementary estimates on environment and sustainable resources. What's being voted on here? An extra \$2 million in operations and an extra \$101 million in capital. Jeez. That's over a third of what was asked for in the 2006 flood mitigation report. I wonder if it would have been wise to spend at least a third back then to figure out how we could mitigate some of these damages or how to deal with overland flooding. There were some recommendations there. It was – what? – \$300 million that was reported in that report that would be needed to upgrade the province here.

3:40

You know, there were some interesting things in there like updating flood maps yearly. How much was that amount? I think, if I remember correctly, it was a \$50,000 amount per year, one full-time employee through the ministry of environment. Fifty-thousand dollars doesn't seem like a lot of money to have spent six years ago on figuring out where the rivers are actually flowing now. It's not like – we'd heard one member say that the maps were correct, but the rivers were wrong. That was kind of an interesting statement considering that the river is what changes over and over and over again. I mean, over history how many times have paths of the rivers changed? Maybe we should be updating those maps yearly.

**The Chair:** Thank you, hon. member.

I'll recognize the Member for Drumheller-Stettler.

**Mr. Strankman:** Thank you for that, Mr. Chair. I want to foray into this discussion here. It's quite significant that the amount of money that's being brought before us here in a short period of time does not allow for proper discussion. The reason for this facility, for this Chamber, is open discussion, and with the appropriation of approximately three-quarters of a billion dollars of funding that's coming forward, it certainly deserves significant time and discussion and back and forth on that. That's my reason for getting involved in this discussion going forward.

As the critic for Tourism, Parks and Rec I see on one page, page 3, that there's some allocation for an increase in budget there, but on other pages there doesn't seem to be. It's not singularly carried out as a line item. I, too, would like to ask some questions on that.

I also see that there's some changing of funding to Alberta Agriculture, and I have interest there because there is a mention of a special project in my constituency. I know that the minister has made some inquiries in that regard in my constituency, so I'd like to understand how these budgets will be brought forward in those types of situations.

It's a responsibility that we have in this Chamber, and it's a significant, honourable duty that we have to bring forward these discussions with the ultimate sincerity. I have a situation in my constituency where there has been some improprieties with taxpayers' dollars, and as of today I'm just editing a letter to put out to my constituents in that regard about the misappropriation of taxpayers' dollars that's occurred in that county in my constituency.

There's a lot of importance to the funds that are brought forward here, and I would like to have a chance to debate them at a greater length at another time. It's part of the significance of the responsibilities that we have in this Chamber. Even the Speaker earlier on had made mention that 2015 will be the 800-year anniversary of the Magna Carta, the ability for members to bring forward a democratic discussion. I believe that proper allocation of taxpayers' funding and money towards any sort of new debate, new development that's required does not need to be done in a frivolous manner and is not to be taken lightly.

With that, Mr. Chair, I yield my position to another member.

**The Chair:** Thank you, hon. member.

I'll recognize the hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I'm fairly disappointed on the methodology that's been employed by this government to basically railroad this bill through. There are so many variations of the issues that have to be addressed, that need to be discussed on how we're going to handle flood mitigation, on how we're going to spend money and even track the money that's been spent. It defies the logic of this House. I mean, we've gone through a number of issues where this government has talked about transparency and accountability, and what we have here is very little opportunity to actually look at this spending bill and to really, you know, drill down into how this is being applied and how this is being managed so that we have some sort of consistency with the various factions of what's happening.

Let me explain. In 2005 the town of Sundre experienced a 200-year flood. In 2013 the province experiences a 100-year flood. Now, this is a bit of an oxymoron because you can't have a 200-year flood and a 100-year flood just years apart and continue

down this road, calling the next storm the 100-year flood. We should at least have 100 years between them, I mean, statistically.

But what we're doing here in many ways is risking wasting of a lot of money by not doing what we're supposed to do, by not doing what we should be doing. I'll give you an example. In the community of Sundre not just 100 but hundreds of citizens gathered together and protested to have this government do something about the river, do something about flood mitigation. We know that \$2.4 million was spent on things like berms and spurs to help the community of Sundre except we have one problem that has happened moving forward, which is that we've had another 100-year flood, and the river has moved over a mile. We have a government that says: we do not have to define what is a flood plain, we do not define what is a floodway or a flood fringe, but we're going to make maps to show these things. That makes no sense to me. To claim that we're going to use scientific data from some other source makes absolutely no sense because you should put in legislation what definition you're going to use. If you're going to use the Environment and Sustainable Resource definition, then make it so. Say that that's what it's going to be.

That's not what this government has done. It has made it so that it is – I think I'm going to quote an hon. member – off in the wind. That just doesn't make sense. I look at the damage that was done in the community of Sundre back during the 2000 flood. We lost the whole development of Coyote Creek. It was under water. The Coal Camp Road and the Bergen Road homes were damaged. The River Road homes were damaged. The Mountain Aire Lodge was damaged. The amount of damage went into the multimillions of dollars.

We move forward to this flood and this supplemental budget. The Garrington Bridge was destroyed and impassable. The Coyote Creek development again goes back under water. The riverbanks immediately adjacent to the river in Sundre were damaged and destroyed. River Road homes were destroyed. The Mountain Aire Lodge was destroyed, and Coal Camp Road was again destroyed.

Here we have a situation where we move from the 2005 flood to the 2013 flood, and what we have is no change whatsoever in the preparation or the flood mitigation, preparing for and mitigating a natural disaster. Now, what we know is that in 2013 2,000 cubic metres per second was recorded in the Red Deer River. That is incredibly high given the history of the river. We also know the river rose 12 metres.

Now, the community of Sundre would say that they were spared a bullet, that they got lucky because the amount of damage that the community of . . . [An electronic device sounded] Did you signal me, Mr. Chair?

3:50

**The Chair:** It sounded like somebody's phone was vibrating on a desk, hon. member. But carry on. I don't want to waste any of your time. Please.

**Mr. Anglin:** Thank you very much, Mr. Chair. There is lots of side noise in here, but I'm going to speak through it anyway. That doesn't matter.

**An Hon. Member:** It's in your head.

**Mr. Anglin:** Well, I mean, let's face it. If there's no common sense across the room, I might as well speak to the no common sense. I'm going to try to drive some sense into them. That's the whole point.

I mean, how do you make maps when you don't define what you're drawing on a map? How do you spend money based on

those maps and spend it efficiently if you don't have any definition as to what you're doing?

I have a community that suffered tremendously in 2005. Move forward; they suffered tremendously in 2012. We've forgotten that. This is a community that has suffered time and time again. They actually suffered a tremendous amount of damage in 2013, and I can't find one person that qualified for or received aid from this government. They've been denied time and time and time again. That's unfortunate.

We have spent money there in the past, but if we don't do it right, we're about to wash all that down the river in next spring's flood. That doesn't make sense to waste that kind of money. We need to be more efficient, we need to be more frugal, and we need to get the best value for the money that we spend. So to do a little bit of flood mitigation within and around that small community of Sundre but to not address the larger problem of the river and the floodway on that river, which is further upriver, we risk wasting all that money we spent just a couple of years ago.

There's nothing here in this budget that shows that we're going to do anything, but what we do know is this. We're going to do yet one more study. I have to tell you that the number of studies that have been done on the Red Deer River for flood mitigation is almost enough to make a dam. We don't need another study. We need to act on an engineering plan, and that's not here. We don't want to be throwing money away. We want to be spending it wisely, and that's not what we're seeing here.

It's very frustrating for me trying to get an answer from the minister of environment on this issue. It's extremely frustrating because we've met with her. This is a minister who has basically poooh-pooohed the idea of pollution in the Athabasca River when it's probably the worst disaster known in Canada, in the history of Canada, of pollution going down the river, the heavy metals and toxins. It's a minister who said that gravel renews itself, and we know that's not true. That doesn't happen. I suppose if the next glacier comes through, we'll get some renewable gravel, but we'll have to wait a little while for that. With these kinds of comments coming out of the ministry, how can we expect from this minister that she will address this issue correctly and pragmatically and intelligently? We don't have that confidence.

What we don't have is the ability to really delve in and drill down into this bill to look at being more efficient in how we want to deal with this matter. What we have as a direct result is an entire community at risk, and that is tragic because if we don't spend what little we need to spend now in flood mitigation in the proper areas and take the proper action, we're going to have hundreds of millions of dollars in damage. More at risk are lives. As we've heard in the last couple of days when talking about children that were in the care of this government, in many ways the . . .

**The Chair:** Thank you, hon. member.

I'll recognize the Member for Chestermere-Rocky View.

**Mr. McAllister:** Thank you, Mr. Chair. Can I defer my time to Rimbey-Rocky Mountain House-Sundre to give him an extra 10 minutes?

**The Chair:** You've got a total of 10 minutes. You've got till 4:05 p.m. between you.

**Mr. McAllister:** I can tell you, Mr. Chair, that I won't need the entire 10 minutes.

Let's try something a little different. I recognize that a lot of people watch these proceedings and wonder what we're on and on and on about, so this is what we ought to be discussing. We're

looking at ways to get \$625 million into the hands that need it for flood recovery. There is no member in here that wouldn't recognize that what we've gone through is going to require immediate action and that the sooner we can help out individuals, the better. There are communities that need to rebuild.

I cannot see us needing to oppose it, but we do have to in our role as Official Opposition find out why and where this money is going and what it is going to be doing. The point of the exercise, I guess, is to make sure, you know, that we're justifying value for the taxpayers. Our responsibility going forward is to the taxpayer so that these communities can rebuild. Again, just to point out, Mr. Chair, that \$625 million is a great amount of money, so it shouldn't be just rubber-stamped.

I was going to get to my question right now, but I'm going to delay it for about 30 seconds because I think it's the appropriate thing to do here so that we can prepare for a response. I will say wholeheartedly, Mr. Chair, as I look at the Education portion of the supplementary estimate, that we have \$9,050,000 going to boards that need it. I'm not exactly sure where, but I'll be the last person to stand here and say that they're not going to need it given what they're going through in Education right now. I cannot see any reason why I would not support it wholeheartedly. But as the Minister of Municipal Affairs said at the very beginning of this, the point of this debate is to have the ministers in this House so that we might ask them the appropriate questions, and then they could give us the answers, and those people watching at home can understand where their tax dollars are going.

Maybe I'm giving the Education minister a puffball question for once, Mr. Chair, but I think it's appropriate. I would like to ask the Minister of Education if he wants to respond – I hope that he does – to where the \$9,050,000 is going and if he could itemize it for us. As the Minister of Municipal Affairs said off the top, you know, the ministers would be here to answer these questions. My question to him would be: could he itemize the list of where this money is going and again just reaffirm as to why it's needed? I think it's important that we do that.

Thank you, Mr. Chair.

**The Chair:** Thank you, hon. member.

I recognize the Member for Livingstone-Macleod.

**Mr. Stier:** Good afternoon. Thank you, Mr. Chairman. I rise to speak to this totally unexpected situation we have today with a lot of great angst. It is difficult to understand how we as a government process can proceed with a situation here where we're actually talking about \$764 million, according to page 8 in this estimates booklet, with only just a few hours to have a moment or two to even page through what is contained in these pages here regarding all of these departments that are involved.

As many would know, I've spent some time in government work, whether it's been municipal council work and planning work and so on, and never have I ever in my lifetime expected that the government did these things in this manner, where they would dump this kind of information on someone late at night the night before and expect it to be able to be debated the next day with such an enormous amount of detail that is normally required for something like this. It seems absolutely appalling.

Nonetheless, we're here, and I can say only that I have paged through some of it. I know what it's all about. It's about the need for monies to help Alberta get back on its feet with regard to what has happened and what, as has been said by the media, is one of the largest disasters we've ever seen in Canada. I have no specific problem with trying to get this recovery program on its feet and going. It makes simple sense to do that. There are hundreds and

hundreds, thousands, of people in my riding alone that were greatly affected.

I spent a lot of time going through some of this information beforehand. I'm surprised that we can't spend a little more time.

Mr. Chairman, I realize my time is drawing to a close.

**The Chair:** You're still good, hon. member. There are four minutes left for your entire time however you choose to use it.

4:00

**Mr. Stier:** Okay. Thank you, then.

I'd just like to say that if we're going to be spending this kind of money, let's for sure hope that they're going to take some of the information that we think is appropriate, obtain that information properly, fly the rivers and stream beds and the towns and the city that is involved, get the elevations, get the surveys done, do the lidar mapping, get the right data, and then, for God's sake, take that information and put it together in an appropriately engineered plan and look at the mitigation solutions, cumulatively or not, that we can look at to try to get these things addressed.

Most importantly, let the people know what their disaster recovery program really entails. Give them more time to look at what the future could bring. Give them more time to understand how the caveat system works. Ensure that they have the caveat information in front of them. For those that may be getting bought out, look at those bits of information and ensure that everyone knows fully what could be imposed and what the implications could be. I think that only makes simple sense.

With that, Mr. Chairman, I'm going to relinquish the remaining few minutes I might have here. I would like to say that it is extremely appalling to me that we're having to hurry through something that's so important. I only hope from this, despite the process, that we can come out of this with a good plan and that it can move forward in a meaningful way.

Thank you.

**The Chair:** Thank you, hon. member.

I recognize the hon. Member for Olds-Didsbury-Three Hills for approximately two and a half minutes.

**Mr. Rowe:** Thank you, Mr. Chair. I think we all realize that this is a one in a hundred year, hopefully a one in a hundred and fifty year incident, and the cost to all Albertans is significant, so we need to be a little careful about how we're doing this and make sure that the tax dollars are being spent. Three-quarters of a billion dollars in this supplementary supply doesn't seem like a whole lot of money when we look at the total of what this event is going to end up costing us. We fully understand the need for this money, but we still need to be extremely careful that we're spending three-quarters of a billion dollars in the right place.

I just have a few points to make here. The amount of \$50 million is requested "to relocate, renovate or rebuild flood-affected homes in First Nations communities to provincial standards." Kudos to the government for addressing this issue. I would hope that somewhere in the very near future the federal government will pick up most of this cost as it should be a federal issue and not a provincial issue, but if the feds aren't going to step up to the plate and address the issue immediately, then we definitely need to do that.

The Education estimate includes \$9,050,000 in spending. We all know that that's money that's needed, but I would like to point out that over 50 per cent of this amount was spent in the Premier's own riding to renovate one school and put up a temporary gymnasium. There seems to be a little inequity here when one

constituency gets 50 per cent of this amount of funding for three communities.

I'd also like to draw attention to some of the Municipal Affairs issues: \$378,572,000 of this amount is Municipal Affairs, and it will all be operational spending. In the budget estimates last spring I did point out that the Alberta emergency . . .

**The Chair:** Unfortunately, your time has expired. There may be some time later on. I thank you for your comments.

I will now recognize the member from the third party, and you have 10 minutes.

**Mr. Hehr:** I'd like to start with a point of clarification, Mr. Chair.

**The Chair:** Please do.

**Mr. Hehr:** Well, I've come to the conclusion that I may be wasting my time here. I'm hoping you can enlighten me as to why I'm wrong and what, in fact, this exercise is, because it appears to me to be one of futility. In my five years previous here when we have done supplementary supply estimates, I've been of the understanding that the opposition MLAs split their time between asking questions and ministers responding to try and give us some information as to what, in fact, is going on. That has happened the last five years, and that has been how it was done. I'm wondering whether you could enlighten me as to whether there's been a change in that process. I know the Deputy Government House Leader is here. Maybe he could explain to me why that process isn't being followed, because this appears to me to be absolutely ridiculous.

**The Chair:** Actually, hon. member, if you noted in my comments earlier, I mentioned that the time that is allocated actually has the potential to be between yourself and the minister in whatever fashion is desirable by both sides. If you choose to use the time to make a statement, that is perfectly fine. If you choose to ask the minister a question, the opportunity is there for the minister to respond.

**Mr. Hehr:** Well, with the ministers here, is that the process that we deem going forward? I ask the government if we'd participate in that. I can ask them questions. I believe there are seven or eight ministers of the Crown. They can get up and answer on behalf of their colleagues or do the best they can. Does that seem like a reasonable process, or are we going to keep jerking each other around here all afternoon?

**The Chair:** Well, the process as I outlined it, hon. member, is that the Minister of Finance or his designate – as it turned out, the motion was moved by the hon. Minister of Municipal Affairs. In his absence, apparently, you are able to ask another minister of the Crown to offer, if he or she is able, some comment.

**Mr. Hehr:** Well, Mr. Chair, do they have a designate here today? Who would be the designate? I know that in years before the hon. Minister of Aboriginal Affairs was the designate that we could ask questions of. Does the government at least have a designate here that we can ask these questions of if the minister is not here?

**The Chair:** Hon. member, the rules allow that any member of the Executive Council is able to answer your question. If the particular one that you would prefer to ask is not immediately available, feel free to direct your question to someone else who might be able to assist you.

So with that, I'm going to start the clock on your 10 minutes. You can hopefully use the time to the best of your ability.

**Mr. Hehr:** Well, thank you very much, Mr. Chair. In any event, my questions are going to be surrounding what I feel are the appropriations being made and applications made under DRP funding and whether we are going to expect all of that money back from the federal government or if there's going to be a shortfall. I've heard estimates that this flood could cost us \$6 billion and that, roughly speaking, the federal government will give us \$3 billion back. I do note that many of these expenditures may or may not be covered by the federal government. I'd appreciate hearing from the ministers here about what their estimates are, how much will be covered, and how much will not.

So noting that the Minister of Agriculture and Rural Development is here, could I ask him what this \$19 million of expenditures is for, what he believes is the amount we will receive back from the federal government, and if he could give us some details about what that spending is.

**The Chair:** Hon. minister, if you could. Or we could ask another minister to supplement. Go ahead.

**Mr. Olson:** Thank you, Mr. Chair. There may have been some confusion over what the plan was here, but I'm ready to answer questions that are specific to my ministry. If there are ministers who are not available, then we certainly would take the question under advisement and undertake to get answers. I will deal with questions that directly relate to Agriculture. I can start there. I've been sitting, listening patiently, and so far I haven't had direct, specific questions for my ministry. I'm going to make a few introductory comments, and then I'll endeavour to answer the question from the hon. member.

4:10

I just want to reflect a little bit on what the experience was for me and my ministry when this event happened. The urge was to get in a car or on a plane and get down to the scene of the event as quickly as possible. I resisted that, and I was on the phone a lot, talking to a lot of people involved with feedlots, irrigation, various types of agricultural production, and what I was hearing mostly was that the event was largely a river event. Producers have insurance. They have the ability to buy crop insurance and so on, so a lot of what we were concerned about was covered by insurance.

One of the things that I was very nervous about was our irrigation infrastructure. I talked to a number of people with various irrigation councils, and we dodged a bullet when it came to the irrigation infrastructure. We most certainly had damage, but it could have been far, far worse.

The focus of our department slowly evolved to a focus of rebuilding business. I want to acknowledge the leadership of the Premier on this. She was very decisive, and I think she also remembered the experience that we had had with Slave Lake. We had some devastating damage to property and business in Slave Lake, and it so happened that AFSC, Agriculture Financial Services Corporation, which my ministry is responsible for, played a major role in helping to rebuild.

So, very quickly, AFSC was asked to get involved in working on a program that would assist businesses to rebuild. Along with consultation with other ministries such as Enterprise and Advanced Education, we had a look at how many businesses potentially could be affected in the area. It's hard to predict and project exactly how many businesses might be affected and so on, but the number that we came up with, to my understanding, was 1,500 businesses. We started putting together a program that would assist...

**Mr. Hehr:** Mr. Chair, I asked him how much of this money he expects to get back from the federal government. It's a great speech, but...

**The Chair:** Okay. Hon. member, this is your time, so if you've heard enough from this minister and you'd like to make some more points, please go ahead.

**Mr. Hehr:** I'm just trying to clarify what I asked. How much of this money do you expect to get back from the federal government? Is it 90 cents on the dollar for all of these expenditures, or do you think there's going to be a shortfall?

**The Chair:** Can you answer that question, hon. Minister of International and Intergovernmental Relations?

**Mr. Dallas:** I sure can, Mr. Chair. If you go to, in the estimates, the amended 2013-14 fiscal plan, which is towards the back of the document, and you open the first page called Fiscal Summary – Operational Plan, the answer is right there. In the revenue section it shows the book revenue under the line item 2013 Alberta Flood Assistance Federal Transfer as \$3.117 billion.

Now, if you look at the operational expense just half a page down below, you'll see a line item there that says: 2013 Alberta Flood Assistance, \$4.163 billion. So the difference between those two numbers, which is just about a billion dollars, is the difference in terms of the revenue we don't expect to get back from the federal government based on the assumptions that we've made today.

I think you heard the conversation initially when the federal minister announced the funding and then the Premier's response to that, and I think everyone agreed that the number would vary, but for the purposes of estimates there has to be an estimate, and that's what this is.

**The Chair:** Thank you.

The hon. minister of agriculture would like to supplement briefly.

**Mr. Olson:** Just a clarification. The hon. member also asked what the \$19 million from my department was. I was trying to tell him. If he's satisfied with my answer to date, then I'll just stop there and let him use his time for something else.

**The Chair:** Carry on, then, hon. member.

**Mr. Hehr:** If we can go to probably Treasury Board or his designate on this one, in Aboriginal Relations an operational supplementary amount of, I believe, \$50 million was requested for the 2013 Alberta flood. I guess it was for rebuilding homes. I wonder: how many homes were affected, how many are going to be rebuilt, and are we supposed to be receiving all of that money back from the federal government in this regard?

**The Chair:** Hon. Minister of Municipal Affairs, can you answer that?

**Mr. Griffiths:** Yes. I don't have the number of homes off the top of my head, but I can get you that. We've pointed out that members on-reserve are still full-fledged Albertans and that they deserve the same sort of supports that the rest of the province has received in these floods, Mr. Chairman, so we have sent a letter to the federal government highlighting exactly how much those costs are going to be to repair and rebuild the homes to provincial safety code standards. We've received no response yet, but we're very confident that the federal government will live up to their

obligations and will continue to build, just like they would for the rest of the Albertans affected by the flood.

**The Chair:** Thank you.

The hon. member.

**Mr. Hehr:** Okay. I guess this is again to the minister of the Treasury or his designate. Under Education there's an additional, I think, \$9 million going to enrolment stabilization, operating supports and services for schools. Obviously, my question pertains to the fact that education is underneath the provincial government's jurisdiction and whether these supports – I don't know – fall particularly under the DRP program. Is this money going to be fully coming back from the federal government, or is there some split in the funding mechanism? Will the Alberta government be on the hook for more than the 90 per cent that we're supposed to be getting in flow-through dollars?

**The Chair:** The hon. minister.

**Mr. Griffiths:** Thank you very much. You're right. The \$9 million for those communities is to stabilize the funding because, of course, when the student population is determined, we know some people won't have relocated back into their communities. It's very important to make sure that the school boards and those schools have stable funding because there will be an influx in population at some point going forward. We witnessed that, frankly, in Slave Lake. This is one of those costs that we know we need to meet, but there is nothing through the federal disaster recovery program to offset that cost that we'll incur. But we know it needs to be done, so this is one of the places where we've stepped up.

**Mr. Hehr:** Thank you.

Now, if we could go to the hon. Municipal Affairs minister. Many of the emergency centres that we set up: I don't believe we receive federal dollars for those under the DRP program. Can you describe under the 378 million or so dollars we spent how much you anticipate getting back from the feds under the DRP program and how much will be eaten by the Alberta treasury?

**The Chair:** The hon. minister.

**Mr. Griffiths:** Yes. Thank you very much, hon. member, for the question. I'll just run through these so that it breaks down some of the information for you.

Out of the \$378 million that Municipal Affairs is asking for, approximately \$172 million of that was advances to communities, 18 municipalities in particular. Some got 25 per cent. Some requested 50 per cent because of the extent of the devastation. Those were advances that were DRP eligible.

Mr. Chairman, \$54.6 million was to lead the government in our work to respond to and recover from the floods, support for flood-affected communities and to the First Nations; \$25.6 million of it was for increased health care costs related to the flood, some of which was for patient evacuations, moving services, relocating folks; \$25 million of it was for mental health services advanced in this year because we knew the emotional impact that the flood was going to have and anticipated that there would be increased costs; \$23.8 million of it was for disaster recovery payments to Albertans recovering from the floods so far under the DRP; and \$20 million was for immediate stabilization to address erosion damage. It's not specific to homes and the relocation of homes, but it's to rebuild or stabilize the riverbanks, those sorts of programs.

4:20

All of those are DRP eligible for up to 90 per cent. What isn't DRP eligible is \$15.45 million for the feasibility analysis of several proposed flood mitigation projects – those are costs that we're going to incur that will not be federally eligible – and \$42 million for financial support to stabilize municipal revenues from the loss of property taxes because no one is paying property taxes on the homes that were damaged. Now, that's just the first year. So those two are the only two costs right now on our list and our request that are not DRP eligible.

**The Chair:** Thank you.

**Mr. Hehr:** Now, I hear a little bit of a difference there in your request and what you're actually going to get paid for. How certain are you, especially on that mental health component, that you've earmarked some dollars? It doesn't seem to me, at least from sitting over here, that that ties neatly into a line item on the DRP payment plan. To me, I think you're whistling Dixie on getting that money back, but maybe you can tell me otherwise.

**Mr. Griffiths:** Well, maybe I should clarify a bit, Mr. Chairman. There's the disaster recovery program, the DRP. Now, that's the provincial government program where we help cover, specifically, costs to people for the damage to their homes or loss of their homes. We cover loss of and damage to municipal infrastructure, and then we repair provincial infrastructure as well. It also covers, specifically, emergency response over and above for the emergency.

Now, the federal government program isn't called DRP. It's the – I don't know. It's got a longer name. Anyway, their program covers our costs that are eligible. Now, those are DRP costs, but they also incur some other costs as well. So we're anticipating the advances to the municipalities, which are based on the destruction of their infrastructure, their costs over and above for fire services and emergency responders, and their challenges with operations when many places had their town offices closed. All of those costs are DRP eligible.

Our costs when it comes to the \$25 million for mental health can be covered under the federal program. They're not called DRP because they're not provincial DRP programs. They are our costs incurred. They're not going to municipalities or the homeowners, but they still are eligible costs under the federal program for costs over and above to manage the disaster appropriately. I hope that clarifies.

**The Chair:** Thank you.

Hon. member, just so you know, for the record you have until 4:28 p.m. to complete your portion.

**Mr. Hehr:** Until 4:28 p.m. Well, I guess, then, I'd just ask a global question of the minister. There have been estimates that the total cost to the taxpayer at one level or another is going to be \$6 billion. We see in this, as the minister of intergovernmental affairs explained, that there appears to be a discrepancy right now between what's been asked for, the approximately \$4.1 billion by the province, and the \$2.8 billion or \$3.1 billion committed to by the government. It appears to me, at least from where I'm sitting, that there's going to be a \$3 billion shortfall that the Alberta treasury is going to pick up. [interjection] No? Well, then, can you describe to me: how much, in your estimate, at the end of the day is the Alberta government going to have to eat on the total flood costs not covered under any federal government program? Has your ministry looked into this? Are there any estimates out there?



If I can tie on more one thing, I think you guys may be going down the path of adding \$830 million in flood mitigation costs to the budget. I'll just ask: is anyone asking over there how we're going to pay for all this stuff?

**Mr. Griffiths:** Thank you very much. The \$6.1 billion that we estimate are costs incurred already are the DRP eligible programs that we run. Some from the provincial government will not be DRP eligible, and I've named a couple already. I think the element that you're missing out of the \$3.1 billion is the insurance coverage. The stark difference between this disaster and a disaster like Slave Lake is that there was extensive insurance coverage for Slave Lake. The insurance portion for this, although it won't cover the overland flooding portion that we're responsible for, is still going to be very extensive, and that's what adds it up to the potential \$6.1 billion loss that we're anticipating right now.

We ask ourselves every day, and we work very hard – I've been asked, I think, constantly by the media how we're going to pay for this. We know that approximately – and, again, these are estimates – \$3.1 billion is going to be eligible through the federal government, that we will incur some costs to the provincial government. We're still working on those numbers. Then a lot will be covered by insurance as well. They have very significant costs that they've incurred privately.

Our job and what we're paid for is to figure that out, but ultimately we had to be there for Albertans. It wasn't possible for us to figure out how we're going to pay for it and then respond. We had to be there. That's what government does. This is one of its core obligations, and I know you agree with me. We'll continue to work on it going forward. We look forward to your help in figuring out what we're going to do to pay for that.

**Mr. Hehr:** Why, thank you. I figured out why I was here this afternoon, and I appreciate that process much more than the last hour of my life, which I don't think I'll get back any time soon.

Thank you, Mr. Chair.

**The Chair:** Thank you, hon. member.

At this time I'll recognize the members of the fourth party. If you're inclined, you can make statements or use the process similar to what was used by the last member.

**Ms Notley:** I think we'll try the process that we just had end there, the back and forth. We do have a few questions, perhaps not as many, but we'll see where it goes. I found that definitely more helpful than what we had just gone through before, so that's what I'd like to do if possible. Thank you.

I want to begin by following up on one of the questions that the Member for Calgary-Buffalo asked, and that was starting off with the \$50 million from Aboriginal Relations. I, like the previous member, am very pleased that we are injecting money into those First Nation communities to ensure that they receive adequate disaster support, so that is all good.

The question that I have, though, does relate, again, to the issue of how many homes actually need to be refurbished or rebuilt. I know that the one minister who answered was not totally aware of those numbers, but I'm hoping that someone can get that. Oh; it appears as though he was actually e-mailed in the interim. I will say that at one point I heard an announcement, and I did a rough calculation of the numbers at the time. It sounded to me like we were looking at half a million dollars or \$450,000 per house or something, and that seemed quite generous. I thought that perhaps we needed to get more information about exactly how that money is going to be spent. I'm, you know, totally in support of the purpose behind it, but I just want to make sure that what I

originally heard was a misstatement in some fashion. If I could get more information on exactly what is being refurbished, how much is being refurbished, and how much is being dedicated to the training that I believe is also part of that investment, that would be helpful.

Thank you.

**The Chair:** The hon. Minister of Municipal Affairs.

**Mr. Griffiths:** Thank you very much. I checked my notes. I'm sorry; I should have done that earlier. We had professional engineering assessments go in on the First Nations reserve that were so heavily impacted. On the Stoney Nakoda and the Siksika nations right now the professional engineers are saying that approximately 600 homes need to be rebuilt or repaired, but that also includes water and septic systems, the road, the cleanup and removal of destroyed homes.

Of course, on the First Nations, like in other places in the province of Alberta, we've had some homes that are specifically located in the floodway, and there's no way we want to rebuild them there. So when we collect the homes and move them up the hill, where it will be safer, it's critical that we also make sure that there are the proper septic and water systems and that. We anticipate that the federal government will pick up those costs as well. This really is about rebuilding the homes to make sure that they meet the same standards that every other Alberta home meets.

I hope that answered your question.

**Ms Notley:** Actually, that's helpful. That's more houses than I had originally heard. I do know that. So that makes the math a little bit better.

I am curious, though, about what percentage or what the global amount is that's being dedicated to the training portion of the money that is being provided. My understanding is that a portion of the money was also going to be used for training, either on maintenance or construction or some element of that. I wasn't sure. I'm just wondering if the minister is able to provide that information to me.

4:30

**The Chair:** The hon. minister.

**Mr. Griffiths:** Thank you very much, Mr. Chair. I'm going to dig up some information and get back to you on that. I believe that that allocation is in Human Services, but I have to check the notes on the breakdown because the question is about training. I know that we initiated a program, and it's between Human Services as well as Aboriginal Relations, to make sure, since we're doing so much construction work and rebuilding so many homes, that we're also training for the long haul folks on First Nations with the skills that they need to carry on after we've done this rebuilding exercise. The exact dollar number: I'm going to check the notes; I don't have that off the top of my head. That is part of the program that we're operating on First Nations. [interjections] Thank you very much for that. Our associate minister does a fantastic job of rebuilding and indicated specifically that it's about \$8 million that we're dedicating towards that program, but it's not in these supplementary estimates. These supplementary estimates are up to date today, but that's the plan going forward for the program.

**Ms Notley:** I see. So the complete amount that was announced with respect to investment in the rebuilding efforts in the two First Nations communities is not included in this supplementary supply

right now. Right now we've got \$50 million, and you're saying that there's at least another \$8 million and potentially others.

I see that the minister is here.

**Mr. Campbell:** Just because I saw you on TV.

**Ms Notley:** I'm sure.

Thankfully, he's here and now quite enthusiastic, I'm sure, about answering the question that I asked, which is just basically: what is the total amount that was dedicated to the First Nations recovery, and how much of that is dedicated to the retraining piece?

**Mr. Campbell:** There's \$83 million that's dedicated to Siksika, and there will be about the same, I think about \$85 million, to Stoney. On top of that there's \$10.3 million which is dedicated to training. The \$50 million that we're asking for in the supplementary estimates is just the money that we'll spend up to March. In the new budget we'll have more monies dedicated for the rebuild.

**Ms Notley:** Okay. Well, then that raises another question because that now brings back my original question. If we are looking at around \$185 million in total and we're talking about, I believe, around 600 homes to be refurbished or moved or rebuilt, what's the average cost per home that is being anticipated here? That seems awfully high based on my rough math.

**Mr. Campbell:** Well, it's not just the homes themselves. You have to understand that in some of the areas, especially in Siksika, we're actually moving the whole community. We're not just rebuilding homes. We're also talking about infrastructure, so water and sewer and gas lines. This will also include some of that. Same when you get to the Stoney reserve; we have issues with roads, culverts. This is not just replacing houses. This is actually a total rebuild of the community.

Again, some houses will be minimal in the sense that we will replace flooded basements, but we've also made the commitment that, for example, if there are other issues within the house, we will repair them to Alberta standards. Each home is going to be different. I can say to you that for a new build we're probably looking in the neighbourhood, I want to say, of \$200,000 for about a 1,500-square-foot bungalow. All the homes have been coded through an engineering firm, so we have red, yellow, green, and black, and we'll move forward on each home as we can.

Again, we have different challenges depending on where we are. In Siksika we've already got temporary housing in place. I'm going to sign an MOU with Stoney next week. We've finally been able to get the three chiefs to come to agreement, and we'll sign an MOU. We've actually started the temporary build in Stoney, but we now will be able to start to move people out, repair homes, and start some of the rebuilds as we move forward.

Another \$10.3 million for training will be divided between Siksika and Stoney because one of the commitments we made in the partnership is that we'll use First Nations contractors and provide training for First Nations people so that they can help rebuild their own communities.

**Ms Notley:** Okay. Well, that is helpful. I think we're still going to ultimately want to hear what the breakdown is in terms of the complete rebuild versus the upgrade versus whatever because my rough estimates show, not obviously including the cost of infrastructure, which may well be quite significant – and I'm the first to admit that I'm not your go-to person when you're looking for an estimate on a sewer system. Nonetheless, it's worth getting

a sense of because, otherwise, we're looking at about \$288,000 per home, assuming that all 625 homes require that \$288,000. It just seems a bit much.

So just a little bit more of a breakdown would be helpful. I mean, we're in the ballpark, but a little bit more of a breakdown would be more helpful for us to have.

**Mr. Campbell:** Well, what I can say, Mr. Chair, is that we've already found about \$10 million in savings in Siksika. We went with what our engineers told us, but that's not to say that we're not going to continue to look for savings as we move through the process. Again, my department tells me that we're probably looking at about \$10 million savings in Siksika already, so as we move through the process and get better at this – I mean, again, this is something that we haven't done before. It's the right thing to do in the sense of moving forward and making sure that the people in these communities have a place to live and that we rebuild those communities. That's a commitment that our Premier has made. I'm very proud of the fact that it is a true partnership between us and the First Nations.

**Ms Notley:** Thank you. Another area where I have some questions relates to I think it's about \$66 million from Human Services. My understanding is that this relates almost entirely to the cards – I don't know if they were credit cards or cash cards – that were distributed to Albertans in need.

I don't know if he remembers, but I remember running into the associate minister at one point and very briefly having that conversation with him and saying: you know, it's all great that we're going to help these business owners rebuild, but what about their employees who are sitting at home and not getting paid right now? And he said: oh, we're about to do something on it. So it appears that they did. I'm curious just to know, generally speaking, how many people received a form of assistance. Was the amount that was distributed consistent from person to person, or did it vary based on need? What were the criteria that were used? If it varied, what was the range of assistance that was provided in terms of, you know, the least amount typically provided, the largest amount typically provided, and the most common amount typically provided, and is that ongoing at this point?

**The Chair:** The hon. Associate Minister of Services for People with Disabilities.

**Mr. Oberle:** Thank you, Mr. Chair. I can't actually share the numbers that went to individuals, whether they were different and why they were different. I can tell you that 18,868 cheques were delivered, totalling \$32,189,442; 18,097 payments were issued on debit cards, and that amounted to \$31,393,619. So that's a total of \$63.58 million. In addition to that, we had \$652,000 in administrative costs, and we're still expecting a future expenditure of about \$1.76 million. That's not in cards, though; that program is past its deadline. I think that's in administrative costs, IT costs, that kind of thing.

I would defer to the Minister of Municipal Affairs, who might be aware if we gave different amounts to individuals and why.

**The Chair:** The hon. Minister of Municipal Affairs.

**Mr. Griffiths:** Thank you. I apologize because I've had a lot of stuff going through my head for the last few months. If I recall correctly, it was around a thousand dollars per person when they were out of their home for longer than seven days. Then there was an amount for... [interjection] He's got the exact numbers written down, but I can tell you that it was 56,000 people who

were out of their homes for more than seven days that were assisted.

The debit cards, the cash cards, that were issued to people had a prescribed amount for an individual and then a prescribed amount for a family, so it was very consistent. It needed to be consistent because, of course, we were issuing these cards within days and hours. So it was a set amount. That didn't stop Human Services from enhancing other programs that they had to assist people who needed special care and assistance just as they always do.

4:40

**The Chair:** The hon. associate minister.

**Mr. Oberle:** Thank you. It turns out that if you just flip to the other briefing notes, Mr. Chair, it tells you that the eligibility for payments was based on family composition. It was \$1,250 per adult and \$500 per child, and you had to have a minimum of a seven-day evacuation order in order to qualify for the assistance.

**The Chair:** Hon. member, you still have five minutes if you choose to use it.

**Ms Notley:** Okay. Yes, a few more questions following up on that. First of all, I'm a little bit confused about the numbers because there are roughly 19,000 Albertans who received \$32 million or so in cheques and roughly 19,000 who received \$31 million in cards, which amounts to 38,000 Albertans, I believe, if we do our math. Then the Minister of Municipal Affairs said that, in fact, there were 56,000 Albertans who were out of homes. So is that excluding kids? Is that what the issue is?

**The Chair:** The hon. minister.

**Mr. Griffiths:** Thank you. To clarify, when cards were issued, they were loaded on the spot. Fifty-six thousand Albertans received assistance. But if a family of four came in where they received \$1,250 per adult and \$500 per kid, that was loaded on one card. The minister previously discussed the cheques issued and the cards issued, but it still amounts to 56,000 Albertans that were helped.

**Ms Notley:** Okay. So there was a one-time payment, and the criterion, then, was being out of your home for a week or more.

I guess my question goes back to the question that I asked the minister when I happened to run into him in the summer. We've got money for businesses, you know, that's been allocated. What about those folks who were working for those businesses and have been unemployed or had an interruption in earnings even for some period of time? Was there any provision made for them, or is there any provision with respect to the business support that's being provided or the loan guarantees that are being provided? I'm wondering about the folks who actually lost income because, you know, the restaurant they waited tables in was rendered unusable for three months. That's my question.

**Mr. Oberle:** Mr. Chair, I'm starting to realize that my memory is going. I don't recall the meeting that she's alluding to. Maybe it was to other people; I'm not sure.

Not through this program. This was direct cash benefit to those people that were evicted from their homes for more than seven days. There are the usual unemployment insurance and other programs, income assistance, available to people who require it but nothing that's identified in this flood spending that was spent on that purpose.

**The Chair:** The hon. member.

**Ms Notley:** Yes. Well, I mean, the minister can be forgiven perhaps for having forgotten. We were just getting coffee at a meeting where I was otherwise, you know, probably yelling at him in front of the media or something. It was one of those kinds of things.

**Mr. Oberle:** Oh, now I remember.

**Ms Notley:** Nonetheless, we did raise that issue.

**Mr. Mason:** Just an ordinary day.

**Ms Notley:** Yeah. A very uncommon arrangement, I'm sure.

Nonetheless, the point that I want to make, then, is that I believe that through Agriculture and Rural Development and then potentially through Municipal Affairs, although I could be told that that is incorrect, we have money that is going to be dedicated either through a form of loan guarantees or through grants for business support. Again, I'm not necessarily opposed to that, but I am concerned that we seem to be missing a group of people who also suffered significant economic loss as a result of this natural disaster. So I am concerned, for instance, that we even have guarantees, the employees of those businesses that would receive the loan guarantees or the support would get the benefit of that, let alone those employees whose business may not be eligible. I'm just a little bit concerned that we may have overlooked some of the folks who suffered economic loss who are, you know, the ones that were less likely to be advocating to the minister directly or whatever the case may be.

I do understand that there's EI out there. That might work in some cases, but in other cases it might not. You could easily be someone who wasn't eligible for EI. Also, of course, EI is rather short-lived. Anyway, we don't need to talk about the shortcomings of EI. Suffice it to say that it probably is not the answer to a lot of people's questions.

The question is: has the government given any thought to the people who have suffered other forms of economic loss? Have there been any deliberations about that, and have you heard from people about that?

**The Chair:** The hon. Minister of Municipal Affairs.

**Mr. Griffiths:** Thank you very much, Mr. Chairman. It is through Agriculture. When we worked on what we called the hand-up plan, it was immediate financial assistance for up to 1,500 businesses that we could identify that may need a loan program in order to help them make business decisions about what they were going to do. There were 400 not-for-profits also eligible for that program. A portion of that is that when the loan program comes in, it's essentially interest-free while they make their business decisions.

**The Chair:** Thank you, hon. minister.

Hon. member, your time has expired.

We now have time, 20 minutes, where private members of the government caucus may engage in the debate.

Okay. Then we can go back thereafter to any private member. Is there any private member that would wish to speak at this point? The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Rowe:** Thank you, Mr. Chair.

**The Chair:** You've got five minutes, hon. member. You could ask some questions of the minister if you so desire.

**Mr. Rowe:** Okay. I was almost done when our time expired, so I don't really have a whole lot more to go, just a couple of things that now the minister may be able to help us out with.

I did want to mention that in our spring budget estimates I did question the low numbers in the total for the Alberta Emergency Management Agency. I realize that nobody could have predicted this, and that's not what I'm suggesting at all. But in the three years prior to that, there was a consistently lower amount, other than one year when it was up slightly. It seems we need to get better prepared for this kind of thing. I would hope that when we come to budget estimates in the spring session next year, we could be a little better prepared for this. Again, I realize that we can't just do this.

I did want to mention that the total of three-quarters of a billion dollars in the supplementary supply seems a little low to me, to be honest with you. That may sound odd coming from the opposition, but when we first started tossing numbers around, we were talking \$3 billion, \$5 billion, \$6 billion. I guess my first question to the minister, then, would be: will we see another supplementary supply in the spring?

**The Chair:** I'll get the hon. Minister of Municipal Affairs to respond.

**Mr. Griffiths:** Thank you very much. I appreciate the questions. I really look forward to doing the budget in the new year as well. I'm glad I have on record the hon. critic from the Wildrose, who has said that he supports more support for the Alberta Emergency Management Agency. It's such a critical institution.

After the critic for Education said that we need more money for schools and the critic for Health said that we need more for seniors, I look forward to the first three questions every week to stop being, "Why are you spending so much money?" after they've agreed to every dime we spend.

4:50

The question was about the estimate seeming low. I'd just remind the member that these are supplementary estimates, so these are dollars that have been spent to date. When we talk about the \$6.1 billion, we're including all of the eligible insurance costs. We're talking about the provincial government's costs – our estimate right now is about \$1.7 billion – and then the federal government's costs, which should be about \$3.1 billion in eligible costs. When you put those all together, you get the \$6.1 billion, but of course not all of that has been expended yet.

Provincially we're anticipating that we'll get \$3.1 billion back from the federal government. We're anticipating that it could be about \$1.7 billion, but these are ongoing costs. Our Premier has been very clear that we would be there to help Albertans rebuild going forward and also that it wouldn't be rebuilt by Christmas. We're still going to have to build more homes. We're going to have to replace more infrastructure. We anticipate that that total cost we quote all the time is something that is spent from the beginning of the flood right through until we have its conclusion and there isn't a person left you can talk to in the province who doesn't say that the job is done. So it's not just this year's costs.

Thank you.

**The Chair:** The hon. Member for Chestermere-Rocky View.

**Mr. McAllister:** Thank you, Mr. Chair. I just want to respond to the Minister of Municipal Affairs and his recent comment, as we discuss the supplementary estimates, that the critic for Education would lead with his first three questions as to building schools and spending money and then ask the government to cut, on the other

hand. You know, this is the constant debate that we have in here. As I continually say, there's a middle ground here. What we're trying to say on this side is that you can prioritize your spending so that we can build the schools that we need. We're not asking for anybody to jump the queue in school building.

What we continually ask for is a public, prioritized list so that we know where projects are. Regardless of where you are in Alberta, regardless of what constituency you're in, the capital plan comes forward, and there will be a wish list from that school board. Now, if those projects are approved, that's terrific, but if they're not approved, they have no idea where they might be on the list. That is a giant frustration. To the minister: I think that even people in his own riding would want to ask the same question although I know he's got a bit of a strained relation with some of the school board representatives in his own riding. I think what he needs to realize is that around this province people want to know where they are on the list. The reason that people on this side advocate for a list is so that people will know when and where these schools are going to be built, so the people in the community will know when they can plan for them.

We would love to see money come from other areas.

**Mr. Fawcett:** Relevance.

**Mr. McAllister:** When we talk about this supplemental budget and the minister makes reference to one thing that we do, I think it's relevant for me to stand up and respond to what he said, so I'm happy to do that, Mr. Chair.

I would say again, as I said when I spoke initially to this, that I don't see \$9 million as excessive as a supplementary budget, that this is to put money forward to the districts that were hit hard by flooding. I did ask the Education minister, respectfully, if he could break that down and itemize it for us. You know, I think that's what any member of the government, opposition, or otherwise ought to do about taxpayer money.

I noticed that eventually the ministers came back and started taking questions during this, which is kind of what the Minister of Municipal Affairs said would happen initially, but for whatever reason it took an hour to get to that point. But note that I did respectfully ask that question and to this point haven't received an answer.

I would conclude, on the statement that was made, that the reason we on this side ask for money for schools is because it's what Albertans are asking for. Don't forget, Mr. Chair, that this government promised to build 50 schools and renovate 70 schools this term. As we're awarding more money to them today or effectively allowing them more money for flood relief, not one of those projects has been started. Now, we're more than a year and a half since the election. If it really was a priority, don't you think you'd have a shovel in the ground? The only shovel I see ought to be following somebody around to the podium when they make an announcement.

Back to the minister. I would say that I'm happy and my colleagues are generally happy to approve of prudent financial governing. The flood that hit Alberta – there's no question – obviously affected so many communities and so many people's lives that we ought to do all we can to help Alberta rebuild. I think that's the point of what we're doing here today. Again, I would have liked to have gone back and forth a little bit on some of those questions, but I guess that's the way that it goes.

I think of a community like – Mr. Chair, you're looking at me as if you want to tell me something. Do I have time? The time is okay?

**The Chair:** You've still got a minute and 23 seconds, hon. member.

**Mr. McAllister:** Perfect. Well, then I'll end on a very strong positive if I could, referring to what we're discussing today, and that would be the community of Redwood Meadows. You know, there is a community that somehow managed to dodge a real bullet. They could have lost that entire community, 300-plus homes, but somehow they managed to save it, and it took a lot of people.

The government has been very good in dealing with the people of Redwood Meadows and helping them rebuild. In fact, I intend on asking the minister and Member for Calgary-Klein to join me in Redwood Meadows so that I can take him around and show him some of the work that's been done, how they managed to save that community, and why it's important that work is done going forward. I know he's been briefed, but I would love him to walk that berm with me so that I can explain it to him and show him exactly what's going on. We don't need to announce it to the world and have any big media day but just to show the government's commitment. I bet we can arrange that.

The point is that over here we do support flood recovery. We do support proper budgeting, but when we ask tough questions financially, we do it because there are two ways to look at things. We can't just spend, spend, spend without justifying it. We're talking about \$625 million here today, and we are right to come in here today and ask the appropriate questions about where that is going. That's what this process has been about.

Thank you.

**The Chair:** Thank you, hon. member.

Are there others? You're going to respond, hon. minister? Please go ahead.

**Mr. Griffiths:** Thank you. Actually, I didn't hear any questions out of that speech, again, and most of it was about the regular process, not about this budget. But I have the chance to respond because I raised it, so maybe I'll respond to a couple of things that were raised. The Member for Airdrie spoke first and didn't ask a single question about this, followed by the Member for Lac La Biche-St. Paul-Two Hills, who didn't ask a single question about all of this \$800 million. They spend a lot of time complaining about not having the opportunity to respond.

**Mr. McAllister:** What did the Member for Chestermere-Rocky View say?

**Mr. Griffiths:** Mr. Chair, I didn't interrupt him at all. I let him run.

**The Chair:** Please, the minister has the floor, hon. member.

**Mr. Griffiths:** They didn't ask a single question. They complained that there's 800-some million dollars here, yet they didn't have a single question about the budget, Mr. Chair. [interjection] I know the Member for Lac La Biche-St. Paul-Two Hills doesn't like to have any criticism, which is why he keeps beaking off.

Frankly, it's very easy to go through and see what the spending has been. We've got two other parties in there that have managed to ask some very good questions about what we're spending our money on for Albertans going forward to make sure that we can handle their issues.

Since we're responding to some of the questions, just like the previous member did, I know that the question was raised by the Member for Airdrie on how horrible this process and experience

was. He didn't ask anything about the budget, but he did go on to talk about how the Member for Highwood was frozen out in the early days of the floods. I just have to point it out that it gives the impression that it was the provincial government, but in this province emergencies are run by local officials. It was local firefighters and local police and local emergency responders that were all together in the community of High River, managing the local response. The impression they try and give is that the provincial government had some say, which we didn't. We don't get involved in that, Mr. Chair, but they'd asked the Member for Highwood to leave High River in the emergency response.

**Mr. Wilson:** Point of order.

**Mr. Griffiths:** And I don't want anyone . . .

**The Chair:** I'll come back to you, hon. minister.

Your point of order? A citation, hon. member?

#### Point of Order Relevance

**Mr. Wilson:** Citation 23(b)(i), speaking to the question under discussion. I have no idea why the Minister of Municipal Affairs feels it necessary to discuss matters of the Member for Highwood at this point. [interjections] You had the opportunity to call a point of order earlier, and perhaps you could have done it. [interjections]

**The Chair:** Hon. members, please. The Member for Calgary-Shaw has the floor.

**Mr. Wilson:** I would just ask the chair to direct the minister to speak . . .

**The Chair:** Hon. member, I would be very pleased to respond on this point.

Hon. members, I'm going to remind both sides of the House. We've had a fair amount of debate on this matter, and I have allowed quite a bit of latitude on both sides where the debate has strayed quite a distance from the topic at hand, being the estimates. I think that's maybe a good reminder. I'm going to leave it at that, hon. member. I'm going to remind the minister, as I'm reminding the members from this side of the House, that it's important that we stick to the topic at hand, which is the estimates. If that's the case, if you're able to do that, then I won't have to bring anybody back from either side of the House when you stray past that point. I believe that I've allowed a lot of latitude both ways, but I'm going to stop at this point. I'm going to ask both sides of the House to stick to the matter at hand, and I would consider the matter closed at this point, hon. member.

I would ask the minister to continue and remind you, hon. minister, to please stick to the matter at hand.

**Mr. Griffiths:** I'm happy to as long as they do, Mr. Chairman. I appreciate that.

**The Chair:** Thank you.

5:00

#### Debate Continued

**Mr. Griffiths:** I haven't heard any questions about the actual budget from the opposition that haven't been answered. The only question that I understand hasn't been answered yet is about the hand-up plan that was asked about earlier. I just wanted to point out that it was 1,500 businesses that were eligible for the hand-up plan, which is a loan guarantee and then interest relief for that

program. Also, 400 not-for-profits. It was anticipated, Mr. Chairman, that those who accessed the program would want to keep their employees on staff and repay their loans so that they can continue to make sure that they make the appropriate business decisions.

Our understanding so far is that any employees that were out of work for a short time did have the traditional programs run through the province of Alberta and the federal government, such as employment insurance, to cover them. We've heard no significant group at all come forward and say that they haven't received some benefit from some level of government to take care of them in the interim while they experienced unemployment because of the flood, Mr. Chairman.

**The Chair:** Thank you, hon. minister.

Are there others? The Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you, Mr. Chair. I guess this is a constituency-based question. As most of you are aware, my constituency, Calgary-Buffalo, is surrounded on one side by the Bow River and the Elbow River on the other and thus had a disproportionate number of individuals and families affected by the flood. I do note and actually applaud the government for moving quickly on getting immediate supports in the form of those money cards that allowed many of my constituents to have an easier time of it throughout that particularly stressful period.

However, still to this day estimates are that there are up to 3,000 of my constituents who are not in their regular homes and are still living in accommodations that are not their usually dwelling place, yet they're still covering mortgages. They still in some instances have extraordinary expenses piling up. I believe I did talk to a member of government at one point in time or other, but has there been any consideration of recognizing that there may be a unique subset of Albertans, maybe 2,000 people, who have been disproportionately affected with extraordinary expenses related to them being out of their home and covering the cost of two locations, those matters? If that's being considered, could any programs be used to address the additional hardship?

The province moved very quickly for people who had been out of their homes for seven days, which I thought was great, but we have some Albertans who have been out of their homes now for four months and could be and, in fact, are racking up additional expenses. I've heard from many of them in my constituency office. I recognize that it's very difficult to try and tailor everything to any given program and to have it ongoing forever and ever.

**The Chair:** I think the Minister of Infrastructure will start, with a supplement from the Minister of Municipal Affairs.

**Mr. Drysdale:** Thank you, Mr. Chairman. I've been wanting to answer this question for a while, so I'll butt in here and give my colleague a chance to get ready for that answer.

I did have a couple of questions, I think, from the Member for Cypress-Medicine Hat. I was writing them down and waiting till I had them all to speak. My department is here to request a supplementary amount of \$100 million in operational money for the '13-14 flood relocation program. The remaining required funding for this program will be included in the 2014 budget. Also, we're requesting \$5 million for the 2013 Alberta flood recovery for planning a joint-use community resource centre in High Prairie.

The first question was: why was the \$100 million not capital and operational? Well, the flood relocation program is a program

that's operational. I mean, we're going to buy out the properties and remove the homes, and the land will be left probably for a park or something like that. It's not really a good capital investment. It's an operational plan.

I think the second question was: what would it cost for the resource centre? We have \$5 million for planning this joint-use community resource centre. The reason it's for planning is because we want to make good use of taxpayers' dollars. There are other agencies in the community such as the town of High River, the MD of Foothills, Foothills school division, you know, and our building, so we're looking at doing it jointly to save the taxpayers money. We're to have this resource centre that's jointly shared by all of us. The \$5 million is for the planning part of it, so the exact cost will greatly depend on the space required by the other community partners and the resources that they have available to them to contribute. A cost estimate can't be provided right now. We need to further refine the requirements and work together, and we'll do a joint project.

I think those were the two questions.

**The Chair:** Thank you, minister.

If the Minister of Municipal Affairs would finish off the other half.

**Mr. Griffiths:** Yes. Thank you. The question that was just asked about people who might be overly burdened because they're trying to pay for two places at once if they're not back in their home and what sort of damage was done: right now we've been going door to door partnered with the Red Cross, and we've been taking people that are in our housing units in Calgary and High River, that are spread around southern Alberta right now. We haven't identified as many people as you've indicated for the whole province.

They've been self-selecting, so we had to start charging rent because we have some quite decent accommodations and thought that they could pay a portion. If I recall correctly, it's still \$400 below anticipated market value. That's the market value for rent, but that also includes all their food, their recreation, so it's a pretty reasonable price, I think, that we're charging.

We have been talking with and working with the banks, and there are a lot of banks that have special flood programs now available so that someone with a mortgage can defer that mortgage until they rebuild their house and deal with DRP. No bank wants to watch people have to foreclose on a mortgage for a house that no longer exists, because they can't live there. They've been very accommodating, and I'm not aware of any that haven't had some sort of program available for people in despair.

If you own a house and you're in High River and your home was destroyed or damaged, frankly, beyond repair, so it had to be rebuilt, not only do we anticipate and witness that banks are very accommodating, but you may still have property taxes to pay on that home, which can be burdensome, too, so we have the program available for municipalities for municipal tax relief. We know that a lot of people that have a property they can't live in anymore aren't going to want to pay property taxes in that community. We did the same thing in Slave Lake, so we've applied that program to any of the communities that experienced flooding so that individuals aren't paying property taxes on a home right now, but the municipality doesn't suffer by lacking those resources to provide services.

So far we've had nothing but praise for the comprehensive programs that we've put together, and I think we've accommodated everybody that has been brought to my attention.

**The Chair:** Thank you, hon. minister.

The Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. I believe I asked several questions, and I haven't gotten an answer. Maybe the questions weren't clear, but I would like an answer at least to address the concerns of the community of Sundre.

Here we have a supplementary budget dealing with flood mitigation, and the community of Sundre is one of the top communities. You could classify it as one, two, or three, and it doesn't matter what number you put it in. It is threatened every spring. It has a history where it's gone under water in 2005, 2012, and now in 2013. I don't have record of one person who applied and got approved for the damage they suffered. When I'm looking at these estimates, the question I have is: where is the mitigation here for the community of Sundre so that we don't waste what we've already done?

5:10

Now, the question I had earlier had to do with the whole purpose – you bring this forward, and you're dealing with maps, flood mitigation maps, yet the river has moved an entire mile. [interjections] I know you don't understand because you don't listen, Member for Edmonton-Gold Bar. Try listening. The fact is that you have a map. The members say: we don't have a definition, but we're going to use money based on the accuracy of the maps. Those maps were constructed after the 2005 flood. The Red Deer River has moved over a mile. So if you don't have a definition of what a floodway is or what a flood fringe is – and it's no excuse to say, "Well, it's going to be the scientific definition from Alberta Environment," because the act doesn't say that. If that's what you're going to do, then put it in the act. Why don't they put it in the act?

Getting back to the money that's being spent, where is the mitigation so that we don't lose lives and millions and millions of dollars of infrastructure for the community of Sundre? When that river moved, it moved to a position where now the entire community is threatened. The scenario is considerably different than before the 2013 flood. The community of Sundre deserves an answer for all those questions. Where are they in this? How is it going to be done?

**The Chair:** Let's see if the Minister of Municipal Affairs can help you with that.

**Mr. Griffiths:** Thank you very much, Mr. Chairman. Under the Environment and Sustainable Resource Development budget it specifically says under operational that there's \$2 million for flood recovery to complete the additional studies under the provincial flood hazard identification program. That's the updates of flood mapping as you go along, for situations where the maps have changed significantly. Of course, that doesn't change the definition – the floodway is the floodway, and the flood fringe is the flood fringe – but we do need to identify if there are places where there has been significant movement of the river, which is typically in places where there is a lot of rock and sand, because it moves very quickly.

Also, Mr. Chairman, under capital for that budget \$96 million has been identified for restoration projects addressing erosion damage. I'm aware of the situation in that community and in a couple of others. It's not a disaster recovery program or even strictly mitigation to protect houses and communities; it's erosion damage, which is very critical. So that item is listed.

As far as the infrastructure costs he will have seen that an announcement was just made. But, Mr. Chairman, this budget

typically is costs incurred in the last few months which are not budget items. Since mitigation was just recently announced, what is going forward, no money has been spent on that yet. That's why it's not in the budget. You'll see that as we move forward.

**The Chair:** Other speakers? We still have time. The Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Sure. I'll try a couple of questions, Mr. Chairman. There is \$19.1 million for agricultural flood recovery, a \$4.1 million interest rebate on loans of up to \$1 million for two years to assist in rebuilding eligible businesses and agricultural producers, and \$15 million for a loan guarantee program. The province will provide a 75 per cent guarantee on loans up to \$1 million to help stabilize and rebuild agricultural producers and not-for-profit organizations. I'm not sure which minister this should be directed towards. [interjection]. Okay. Good. The hon. minister of agriculture, who's had to take remarkably few questions this session. You know, you really should have a scandal or something in your department so that you can see a little action.

Anyway, I am curious about how this is administered and how you make sure that the businesses that receive these loans are putting it towards the things that they're supposed to, that they're not getting workarounds so that they, you know, can use this as capital to invest in other business opportunities.

**The Chair:** The hon. minister of agriculture.

**Mr. Olson:** Thank you, Mr. Chair. I want to thank the hon. member for the question. I take it as a good sign that there aren't a lot of questions coming at me, but I'm always happy to answer questions either inside or outside this Chamber or do my best to have my department assist me. We're always only a phone call away from some sort of a crisis, and I'm well aware of that. Right now we haven't been in crisis mode, but we're dealing with serious issues.

To answer the hon. member's question, as I said earlier on, AFSC, the Agriculture Financial Services Corporation, is the tool, the body, that we're using to assist in this program. There is a reason for that, and it is the great experience we had with the Slave Lake fire, where AFSC went in and did great work helping rebuild businesses there. I think it was something like 162 loans, about \$111 million. These loans were very effective in turning around a lot of businesses and getting them up and running again.

We did learn some things, though. When you think about the scope of doing that in one community that had the fire compared to the scope of multiple communities along rivers, there is a huge difference in the challenge that it would have been in terms of the resources that AFSC had at their disposal. We pretty quickly determined that it would be a good idea to use the banks that are already lending to people who are running the businesses in those communities, to facilitate and try to create an incentive for the banks to be involved. That's where the 75 per cent guarantee came in.

When you think about the time and the people who were struggling to find out how they were going to receive the necessary financing, it would be a lot easier for them to walk into their bank and talk to their loans officer that already had a file on them rather than go to AFSC and start from scratch. We feel as though that was very effective. The banks were very supportive, but it was also important for the banks to have some skin in the game, so to speak, to address your question about abuse of the program. That's why we did not provide a 100 per cent guarantee but a 75 per cent guarantee.

I can tell the hon. member that there hasn't been as big an uptake so far as we might have expected. Right now we've only got about 32 guarantees out there for about \$5 million. There is obviously some guesswork involved in trying to determine how many subscriptions there would be. There still could be more. People are still waiting to find out about insurance coverage and so on as well. That's basically the rationale. People are dealing with their banks in the normal course. They're also dealing with AFSC. In either case the scrutiny in terms of accountability for the money and so on is the same as it would be for any loan. We also have another program, which is the interest rebate. Actually, the uptake on that has so far been relatively modest as well. To date we're only at about \$4,000 in rebates actually paid out. Now, again, that could change significantly as time goes by. That's kind of a quick overview of the program and how we got to develop this program.

I would also add that the staff at AFSC were thrown into this and worked day and night – literally day and night – and through weekends and so on to let as many Albertans work to try to recover, to put the paperwork for this program together and work with the banks as well. I think the banks as well as AFSC staff certainly deserve some acknowledgement in terms of the hard work that they put together on this.

**The Chair:** Other questions? The Member for Rimbey-Rocky Mountain House-Sundre.

5:20

**Mr. Anglin:** Thank you, Mr. Chair. Going through this budget supplemental, there are a number of ministries where they pick out a particular direction for where the money is spent and where it is going to be spent relative to the community. So if I look at Education, it picks out a number of communities, and it identifies the specific project. If I look under environment and sustainable resources, it does the same. It follows suit. It says, "\$5,000,000 for local flood mitigation measures" taken in Medicine Hat.

Back to my question of Sundre. Now, I'm going to direct this question maybe to the Associate Minister of Seniors. The community of Sundre just received funding for their seniors' facility, which we thank you very much for. The whole community does. But according to the current maps and the potentially new maps the new seniors' facility is going to be either in a floodway or a flood fringe, depending on which definition we're going to go by. Now, we're talking about spending money, and this money has already been allocated. But I don't know what money in this budget is allocated to mitigating that provincial investment because it doesn't state that. So to any of the ministers who would have any knowledge of this: how are we going to protect that investment in the seniors' facility? This is significant, this does affect the whole community, and it's all about protecting this investment, that we're going to build this new facility. I question where this appears in this budget. How are we going to protect that community, that particular facility?

Thank you very much.

**The Chair:** Thank you, hon. member.

I'll recognize the Minister of Municipal Affairs. There was a question about Education as well. We'll get to the Minister of Education next.

**Mr. Griffiths:** Thank you. I guess I'll clarify again. In Environment and Sustainable Resource Development's budget it outlines \$96 million for restoration projects addressing erosion damage. I know it doesn't list the projects, Mr. Chair, because they're still assessing them and working with the communities to

identify exactly what needs to be done and the best way to do that. Now, that request from ESRD is a non-DRP eligible request. That's work going forward on ensuring that we address some erosion control challenges. Within the Municipal Affairs budget we have \$20 million that's been identified to restore riverbanks that are experiencing significant erosion damage which is specifically due to the June flooding. There is no list of specific projects in here because we're continuing to work with the communities, but this is what we've assessed that's required.

I'll let the hon. associate minister discuss the question about the seniors.

**The Chair:** The hon. Associate Minister of Seniors.

**Mr. VanderBurg:** Thank you, Mr. Chair. Just to give you the information, the member across had asked about the Sundre seniors' facility that's being planned. The last thing I would do is interfere with the municipal council and the direction of the siting. That's up to the development permit stage, and they're very well aware of which land is appropriate. The last thing I would ever do is interfere in that process. I know you're a champion for seniors' facilities in your riding. Stay tuned, be supportive, and work with your mayor.

**The Chair:** Thank you.

The hon. Minister of Education on the education question.

**Mr. J. Johnson:** I appreciate the latitude, Chair. I realize Education was mentioned there, and there was a question on Education that I wasn't recognized for earlier that I'd just like to speak to: where some of the funds for the Education sups have gone. Then maybe the member can get back to his other questions.

Of course, most of the Education work down there was to protect some of the schools from potential decreases in enrolment and also the capital work. We had over 80 schools impacted by the floods. All but three of those were open in September, which is really good news. I can tell you that the final modular classrooms were filled. Well, in High River the final group is going to be full tomorrow. The final group of modular classrooms in Calgary was turned over, got the occupancy permits today, so the CBE will be working with those parents to nail down when those kids move in. Those are all done, and that's fantastic work. We've got 54 modulares, about 750 kids accommodated even though it wasn't as quick as we'd hoped.

We had great people working on the ground, including our deputy minister, Greg Bass, and Dean Lindquist, our ADM in capital, who were down there three days a week for the last three months. The superintendents of that area, Denise Rose and Scott Morrison, did great work, and I can point out that none of those people – and they worked with the local folks on the ground – ever got removed from the emergency operation centre for being disruptive, unlike the Leader of the Opposition. So I would point out that the \$9,500,000 that I think the Member for Chestermere-Rocky View asked about earlier is the \$9 million for enrolment stabilization.

We did the same kind of thing that we did in Slave Lake when that disaster hit that community. We gave, essentially, those schools, not the school board, a guarantee that if their enrolment decreased, fewer students in the school next year because of the disruption or for whatever reason, we wouldn't decrease their funding because predominantly the funding follows the students. We want to make sure that they have that stability, they have that certainty of funding, they don't have to let teachers go, and they don't have to take staff out and then try to restaff and retool up later. Then there was \$50,000 that we needed to invest in



resources from the Learning Resources Centre to help those schools retool up as well.

Thank you, Mr. Chair.

**The Chair:** Thank you, hon. minister.

The Member for Calgary-Shaw, followed by Rimbey-Rocky Mountain House-Sundre.

**Mr. Wilson:** Thank you, Mr. Chair. I'm wondering if the hon. Minister of Education would be willing to table a document that outlines the line items of the 80 schools, how much capital you've invested in each of those 80 schools.

**The Chair:** Relative to the supplemental, hon. member?

**Mr. Wilson:** Yes. Well, I think the question he just responded to is what the \$9 million was that his ministry has requested in the supplemental estimates. In a response to the question from the Member for Chestermere-Rocky View he suggested that there were 80 schools impacted and that you invested capital in 80 schools. I'm just asking the Minister of Education if he would be willing to table the document outlining specifically which 80 schools were impacted and how much money was spent on each of them.

Thank you.

**Mr. J. Johnson:** Mr. Chair, of the 80-plus schools that were impacted by the floods, we didn't invest capital in each one of those. For some of those, a good number of those, the cost to repair them from the storm or some water damage that might have got in was done out of insurance funds or even reserves from the school boards although, I believe, that was minimal. It was primarily insurance. The money that we invested – and I believe the capital in here is about \$19.9 million or \$20 million – is specifically for the modular classrooms in High River and for the CBE in Calgary as well as the Sprung structure that's being assembled or will be assembled in the Calgary region as well.

**The Chair:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you very much, Mr. Chair. I did not have a question for Education earlier. I just used it as an example of how they listed within this supplemental budget. But I will respond to that little snide comment about being disruptive. Our leader, who lives in that community, went to the aid of her neighbours. If that is his definition of disruptive, that's a perverted sense of disruptive.

Basically, what I want to talk about – and the hon. Associate Minister of Seniors pointed this out. This is the key here. The entire community of Sundre is now in a floodway, according to a map. The proposed seniors' facility is either in the floodway or the flood fringe, according to these maps. This is the point that I'm trying to make. The ESRD estimate right here talks about \$5 million for local flood mitigation measures to be taken in Medicine Hat. Understandable. I know what happened in Medicine Hat.

There are provisions elsewhere in the bill. What I'm looking for here is – it says: "\$96,000,000 for restoration projects addressing erosion damage." I'm not talking about erosion damage. What I'm talking about is an entire community under threat. The river has moved. That is the crux of this matter right now. It has moved a mile from where it was in the 2005 flood. It has actually moved a mile since the 2010 flood. It has moved significantly and now threatens the town in the next flood. That is significant.

We're looking at a situation where we have investment. The minister has just come down recently, and he's right. I thanked him, and I will continue to do so. I'm supportive of the project. I've been advocating for that project. They need it. What are we doing to protect it? There's nothing listed in this that says that. Where is it? Isn't this government aware of what's going on there? We are putting millions of dollars at risk, new money, not to mention the entire economy of this community, and the question is: how are we going to protect it? Where is this money here? What we've done in the past no longer applies. Things have changed. That's the point. Even if you look at the spurs and you look at the berms, they're in the wrong place now because the river has moved. That is significant. So how do we protect this?

5:30

**The Chair:** Hon. member, I'm going to ask the minister to respond, but I'm going to remind you that this seems like something for a future budget item. If he can't give you a satisfactory response, we may need to move on to another subject.

The hon. minister.

**Mr. Griffiths:** Thank you, Mr. Chairman. On behalf of the Minister of Environment and Sustainable Resource Development I'll lay out a few more details of the program. It's for bank stabilization, for repair and mitigation of erosion damage to property or infrastructure, and larger community flood mitigation work such as dikes and berms. That's just this program that is being asked for here. The Alberta government will fund up to 100 per cent of the project costs up to \$2 million and 75 per cent of the costs after the first \$2 million is spent. Applicants run their own projects to make sure that they meet the requirements, and the ESRD staff will continue to work with the municipality to make sure that it complies with the Water Act and with the Public Lands Act.

To date, Mr. Chairman, 19 projects worth over \$37 million have already been approved, so there's lots of room left in the program. Some of those projects that have been approved are projects in Calgary, Medicine Hat, High River, Canmore, Big Horn, Rocky View, and in Mountain View county. More applications will be coming, but we have not received one from that community, so I encourage him to work with the community to make an application.

He may also want to note that there was a recent announcement about flood mitigation in particular, that was just made, which is now open for communities to apply to. His question: what are we going to do, and why isn't there a solution? We're working with the community, and we anticipate that they will likely come forward with some interesting ideas about what they're going to do to handle it and apply to the program, Mr. Chairman.

**The Chair:** Any other speakers?

**Mr. Anglin:** To the hon. minister: the community of Sundre has applied, and they plan on following up with the next application, so I just want to correct you on that. There is an application in from the community of Sundre, and if you're not aware of that, then we need to track that down.

**The Chair:** Thank you.

If there are no other speakers, hon. members, we can call the question on this item. I'm certainly not trying to cut debate off, but if there's been ample opportunity and members are satisfied . . .

**Some Hon. Members:** Question.

**The Chair:** Okay. The question has been called.

**Vote on Supplementary Supply Estimates 2013-14  
General Revenue Fund**

Agreed to:  
Aboriginal Relations  
Operational \$50,000,000

**The Chair:** Shall the vote be reported? Agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? That is carried.

Agreed to:  
Agriculture and Rural Development  
Operational \$19,115,000

**The Chair:** Shall the vote be reported? Agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? That is carried.

Agreed to:  
Education  
Operational \$9,050,000

**The Chair:** Shall the vote be reported? Agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? That is carried.

Agreed to:  
Environment and Sustainable Resource  
Development  
Operational \$2,000,000  
Capital \$101,000,000

**The Chair:** Shall the vote be reported? Agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? That is carried.

Agreed to:  
Human Services  
Operational \$66,000,000

**The Chair:** Shall the vote be reported? Agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? That is carried.

Agreed to:  
Infrastructure  
Operational \$100,000,000  
Capital \$5,000,000

**The Chair:** Shall the vote be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? That is carried.

Agreed to:  
Municipal Affairs  
Operational \$378,572,000

**The Chair:** Shall the vote be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? That is carried.

Agreed to:  
Transportation  
Capital \$33,560,000

**The Chair:** Shall the vote be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? That is carried.

Hon. Deputy Government House Leader, because we did not reach the three hours allocated – we finished early – I'm assuming you would like to ask for a motion that the committee rise and report the estimates.

**Mr. McIver:** Yes. Thank you, Mr. Chairman. I will move that the committee rise and report those estimates.

[Motion carried]

[The Deputy Speaker in the chair]

**Mr. Khan:** Mr. Speaker, the Committee of Supply has had under consideration certain resolutions, reports as follows, and requests leave to sit again.

Resolved that a sum not exceeding the following be granted to Her Majesty for the fiscal year ending March 31, 2014, for the following departments.

Aboriginal Relations: operational, \$50,000,000.

Agriculture and Rural Development: operational, \$19,115,000.

Education: operational, \$9,050,000.

Environment and Sustainable Resource Development: operational, \$2,000,000; capital, \$101,000,000.

Human Services: operational, \$66,000,000.

Infrastructure: operational, \$100,000,000; capital, \$5,000,000.

Municipal Affairs: operational, \$378,572,000.

Transportation: capital, \$33,560,000.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you.  
Does the Assembly concur in the report?

**Hon. Members:** Concur.

**The Deputy Speaker:** Opposed? So ordered.

**5:40 Government Bills and Orders  
Third Reading**

**Bill 32  
Enhancing Safety on Alberta Roads Act**

**The Deputy Speaker:** The hon. Minister of Transportation.

**Mr. McIver:** Thank you, Mr. Speaker. I'm pleased today to rise and move third reading of Bill 32.

Of course, it's been under discussion. The main elements of that are giving the authority to municipalities to control playground zones and also giving the government of Alberta the authority to

designate lanes on highways as well as a number of other somewhat housekeeping issues. Those are the main elements.

**The Deputy Speaker:** Thank you, hon. minister.

My apologies, hon. members. We missed a step in the order of proceedings, so I will have to come back to the hon. Minister of Transportation.

### Introduction of Bills

**The Deputy Speaker:** I need to recognize the hon. Minister of Municipal Affairs to introduce the supplementary supply bill.

#### Bill 36 Appropriation (Supplementary Supply) Act, 2013 (No. 2)

**Mr. Griffiths:** Thank you, Mr. Speaker. I request leave to introduce Bill 36, the Appropriation (Supplementary Supply) Act, 2013 (No. 2). This being a money bill, His Honour the Honourable the Lieutenant Governor, having been informed of the contents of this bill, recommends the same to the Assembly.

[Motion carried; Bill 36 read a first time]

### Government Bills and Orders Third Reading

#### Bill 32 Enhancing Safety on Alberta Roads Act (continued)

**The Deputy Speaker:** The hon. Minister of Transportation.

**Mr. McIver:** Thank you, Mr. Speaker. Now I am still pleased to rise today and move third reading of Bill 32.

**The Deputy Speaker:** Thank you.

The hon. Member for Cypress-Medicine Hat.

**Mr. Barnes:** Thank you, Mr. Speaker. I rise to talk about Bill 32 one more time, and I rise in support of the legislation. Our caucus had good, lengthy discussions about it and talked about it and appreciated many of the grassroots opportunities, the efficiencies put into the bill, as I've already mentioned a couple of times. Our uncertainty seems to revolve around two areas. You know, we expressed our concern over taking out the word "probable" from the "reasonable and probable" obligations that police officers would have to have for a start. There is some uncertainty as to whether "reasonable and probable" does mean the exact same thing or close to the same thing as "reasonable." I thought it was foolhardy for the government to take the chance that this may be challenged later on. We know what happened in Committee of the Whole with that.

Many people in our caucus expressed concern and ideas over whether the high-occupancy vehicle lanes would work, especially in Fort McMurray, where infrastructure development has been slow for us to capitalize on the royalties that Albertans need and deserve. Hopefully, highway 63 twinning is working on the timeline it was supposed to.

A lot of concerns over the busier streets like the Deerfoot in Calgary and the busier places in Edmonton on how the government will implement these plans. I trust and hope the communication will be there and that the regulations will be in the proper order for that.

The biggest concern with the bill may have been the way it was released. I'll just remind everyone that a press conference was held, a release was held before this bill was properly disclosed to the opposition members and the opposition critics and to this House, which we felt was an infringement on our duly elected authority and in my case the 40,000 Cypress-Medicine Hatters that I do represent and in our case, potentially, the 340,000 votes that we did receive in the last election. I do appreciate, though, the Minister of Transportation's efforts once we did have our meeting and how thoroughly and how well the bill was explained to me and then the opportunity to discuss this.

I hope that in the future, as we all strive to make this House better for all Albertans, we will be informed early as to the contents of bills and our opportunity to help make all of these as good as possible for Albertans. The unintended consequences and the ability to go wrong in any bill is there, so it certainly doesn't hurt to have 17 extra sets of eyes on it or in our case on this side all opposition members.

Once again, we are in support of the bill. I am in support of the bill, and look forward to the opportunity and the chance to, hopefully, make all roads safer for Albertans. Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. I rise, and I'm going to support this bill also. I thank the hon. minister for bringing it forward, but there are concerns. I hope these concerns do get addressed sometime in the future. The minister had mentioned earlier based on a given court case that reasonable meant the same as probable. In research in that case we find that that answer is not true. It doesn't mean the exact same thing. Reasonable is a degree of rationality, and probability is a degree of an event actually happening. As a matter of fact, the court, when it looked at this argument, looked at it, I think, fairly thoroughly. What the court ruled was that they weren't the same, but it did say that the reasonable test in the case in front of it met the same test as probability. That's what the court ruled. I'm sure the lawyers can dissect that.

What the court also talked about, which was extremely important, was that very critical balance between the right to privacy, the right to be protected from unreasonable search and seizure, and, of course, the right of the state to do its duty in law enforcement and what needs to be done to obtain a search warrant. As a matter of fact, when the court looked at this, what it basically did strike down was the provision that required a court to issue a search warrant even if the test was met. The court wanted to maintain the flexibility to look at each case individually.

Now, one of the arguments that will be coming forward – again, this is something so it is consistent with unreasonable search and seizure and probable cause – is that it's forever evolving. Looking at it from that perspective, it probably would have been safer to leave the words "and probable" in the act because that would have covered the bases for the people who are going to enforce this act and make sure that we try to protect both sides.

It doesn't prevent any court case from coming forward. People have their issues, there are always circumstances that are unforeseen, and there are misapplications and incorrect applications of any type of law enforcement procedure. All the mechanisms are there in our judicial system to have those adjudicated.

The idea of having high-occupancy lanes for vehicles, the HOV lanes. I agree with the minister. If you put them in the right spots,

they are efficient. They work well. I've experienced it like many people here who have travelled and found these. If you use them incorrectly, well, then they need to be re-evaluated and, you know, put to a place where they're far more efficient. Again, efficiencies have to be measured. That is one of the major points of the bill where I think we can do fairly good service, provided it is applied correctly. I think it will serve our larger communities in particular extremely well.

5:50

The other provision in here with the playgrounds I have to agree with. Local decision-makers probably have a better grasp on handling this decision on how they want to do this. To allow that to go back to local decision-makers is something that I think everyone in my party will support.

The use of military police on highways. I'm not too keen on that issue. I don't know any more details than what's been provided in the bill, but I caution how we would apply that, how far that would extend. I suspect we will get those answers once regulations are known, but that is within the purview of the department or the ministry. I would suggest that what we need to do when we bring this forward and write these regulations is exercise a much larger degree of caution on how military police would be used. I do know today that there are provisions – and I don't know what those provisions are – on how the civilian police force and the military police force do interact. They always have done that. I just don't know if this is going to take anything beyond that or extend the authority. That question was never answered.

In closing, maybe the minister can answer that and give some assurances to the Assembly and particularly to the public on how this would look. Would it be any different than some of the agreements we have in place today across our great country? This is huge in that sense.

There are some other issues that we have, that we argued, that we brought motions forward on, but in the end I think the positives of this bill certainly overrode the negatives. This is a good step in the right direction on becoming efficient and managing our traffic system.

With that, I'm going to support the bill. I'm asking the rest of my caucus to support this bill that this government has brought forward. In the summary speech that the minister will give maybe he'll even answer some of the questions that I've just posed.

With that, Mr. Speaker, I thank you.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, are there other speakers? If not, I'll invite the minister to close debate if he so desires.

**Mr. McIver:** Thank you, Mr. Speaker. I will close debate. I'll just give a couple of short words. I know that the member from Rocky

Mountain House – I probably haven't got the name of the riding right. My apologies to the hon. member. But the hon. member that just spoke raised a couple of issues.

HOV lanes, of course, around Fort McMurray, the hon. member might know, might not, are actually something that have been requested by Wood Buffalo and the industry up there largely to help with the high traffic flow and the bumper-to-bumper traffic between the municipality and the areas of the oil sands and the workplaces outside of there. They're public highways, so they can't truly be called single-purpose highways. The fact is that the population base in Fort McMurray and the work areas are two of the only major stops on the highway. While that doesn't make them single-purpose highways, it makes them used a lot like single-purpose highways would be, and both the people from industry and the people from the municipality have suggested that if they could get greater use out of the infrastructure that's there, perhaps including the shoulders, of course, after first making sure that the shoulders are wide enough and safe enough to do that, if the shoulder was used as a bus lane, it might actually decrease the congestion and help things out there while being fiscally responsible. We hope to make that work, and we'll look for other opportunities, as the hon. member said before, only where they might be appropriate in the rest of the province.

Mr. Speaker, on reasonable and probable, although the hon. member that just spoke may be quite learned, unfortunately, I'm going to choose to side with the Supreme Court of Canada in the court's *Baron versus Canada*, 1993, part of which reads:

The argument was rejected . . .

"Rejected" is the key word.

. . . that the "reasonable grounds" standard in s. 231.3(3) is constitutionally insufficient as being a lower standard than "reasonable and probable grounds."

Now, as the hon. member said, who knows what future court cases will bring, but at this point, Mr. Speaker, I think that the government is going to side with the Supreme Court of Canada over the hon. member while acknowledging the hon. member's deep knowledge in these areas.

Mr. Speaker, I thank the House for their consideration, and I respectfully ask the House to support this bill. I will, with that, close debate.

**The Deputy Speaker:** Thank you, hon. minister.

[Motion carried; Bill 32 read a third time]

**Mr. McIver:** Mr. Speaker, since it's almost 6 o'clock, I would move to adjourn the House until 7:30 this evening.

**The Deputy Speaker:** Thank you.

[Motion carried; the Assembly adjourned at 5:56 p.m.]

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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Tuesday evening, November 26, 2013

Issue 74e

The Honourable Gene Zwozdesky, Speaker

## Legislative Assembly of Alberta The 28th Legislature

First Session

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Goudreau	Towle
Jablonski	Wilson
Jeneroux	Xiao
Khan	Young

### Standing Committee on Legislative Offices

Chair: Mr. Cao

Deputy Chair: Mr. McDonald

Bikman	Leskiw
Blakeman	Quadri
Brown	Rogers
DeLong	Wilson
Eggen	

### Special Standing Committee on Members' Services

Chair: Mr. Zwozdesky

Deputy Chair: Mr. Young

Casey	McDonald
Forsyth	Quest
Fritz	Sherman
Kennedy-Glans	Smith
Mason	

### Standing Committee on Private Bills

Chair: Mr. Xiao

Deputy Chair: Ms L. Johnson

Allen	Goudreau
Barnes	Jablonski
Bhardwaj	Leskiw
Brown	Notley
Cusanelli	Olesen
DeLong	Rowe
Fox	Strankman
Fritz	Swann

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Ms Olesen

Deputy Chair: Mr. Lemke

Calahasen	McAllister
Cao	Notley
Casey	Pedersen
Goudreau	Quadri
Hehr	Rogers
Kennedy-Glans	Saskiw
Kubinec	Towle
Luan	Young

### Standing Committee on Public Accounts

Chair: Mr. Anderson

Deputy Chair: Mr. Dorward

Amery	Khan
Anglin	Luan
Bilous	Pastoor
Donovan	Quadri
Fenske	Quest
Hale	Sarich
Hehr	Stier
Jeneroux	Webber

### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans

Deputy Chair: Mr. Anglin

Allen	Hale
Barnes	Johnson, L.
Bikman	Khan
Bilous	Kubinec
Blakeman	Lemke
Calahasen	Sandhu
Casey	Stier
Fenske	Webber

## Legislative Assembly of Alberta

7:30 p.m.

Tuesday, November 26, 2013

[The Deputy Speaker in the chair]

**The Deputy Speaker:** Please be seated.

### Government Bills and Orders Committee of the Whole

[Mr. Rogers in the chair]

**The Chair:** I'd like to call the Committee of the Whole to order.

#### Bill 39 Enhancing Consumer Protection in Auto Insurance Act

**The Chair:** The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you very much, Mr. Chair. I'll try to make my comments somewhat brief. I can speak in general in Committee of the Whole to this bill, can I not?

**The Chair:** Absolutely.

**Mr. Bilous:** Okay. Wonderful.

First and foremost, I think this is a positive in the right direction as far as looking at providing more affordability and accessibility when it comes to auto insurance. The interesting statistic, Mr. Chair, is that 80 per cent of Albertans carry additional auto insurance within our province, and regulating these rates is something that the Alberta NDP has been calling for for years if not decades. Again, I think helping Albertans to afford and also to understand their auto insurance rates is a positive thing, especially because so many Albertans do depend on their vehicles to get to and from work and for driving their families around. We want to make sure that, again, rates are fair and affordable for everyone.

I'd like to just walk us through a little bit of history here, Mr. Chair. You know, back in 2003 the PCs introduced what was then Bill 53 after years of calls to reform insurance regulation. We pointed out back then that Albertans paid some of the highest auto insurance rates in Canada and that at the time they were rising at quite shocking speeds. The PCs tried to address this by freezing the rates but after their friends the insurance companies had locked themselves into a 57 per cent increase over the previous year alone, which is quite significant.

When first introduced, almost all the changes that the Tories proposed during these reforms were really for the benefit of the insurance companies, not for Albertans, despite the fact that at the time, again, these companies were making record profits and premium revenues were 25 per cent over operating and claims costs. At that time the government only concerned themselves with prohibiting double-dipping and instituting minor injury caps instead of looking at the whole picture and looking out for Albertans, Mr. Chair, and the fact that they were paying exorbitant rates just to drive their vehicles.

You know, we pointed out that many of the changes amounted to nothing more than the government shifting payment obligations from some Albertans onto others instead of shifting costs away from ordinary Albertans and onto the insurance companies, who were raking in much higher profits than they were paying out in claims. Mr. Chair, we, the Alberta NDP, held the government to account and forced them to begin regulating some insurance rates

on the grid, which is now used to protect the rates all Albertans pay on the basic coverage.

It is important to know, Mr. Chair, that some of the problems that we noted with Bill 53 are persisting and continuing. We drew attention to the fact that the board reviews rates behind closed doors and that there was no opportunity for the public or consumer advocates to challenge rate increases. As we see with this Bill 39, the government is repealing complaint procedure provisions and leaving, really, a bare-bones regulation as the only means for Albertans to address these issues.

Mr. Chair, we also support a greater degree of flexibility so that, again, the rates can be responsive and reflective of the needs of the public, but we obviously need to ensure that there are some legislative safeguards.

Mr. Chair, now the premiums for basic and additional coverage are both going to be dealt with by the Automobile Insurance Rate Board. Now, considering the repeal of the dispute resolution procedure for matters relating to those rates, you know, a question is: what recourse do Albertans now have if they encounter problems with the determination of fault or the availability of insurance or any of those issues? There are still several questions, and maybe I'll just throw a couple of them out and see if there is a minister that is willing to respond to some questions.

Continuing on with dispute resolution, Mr. Chair, the grounds available for dispute resolution in the complaint resolution regulation are not as comprehensive as section 612 of the Insurance Act, which the government is trying to repeal. The previous section envisioned the public being able to access the complaint procedure for determinations of fault and the availability of insurance and several other factors. Can we be assured by the minister that these grounds will be included in the regulations? Again, with the transition that we're seeing, you know, as opposed to being in the bill, in legislation, we're often told that some of these things will be addressed in regulations, so I'm curious to know if that's one of them. Another question: why aren't there arbitration procedures in the legislation as opposed to relying on the regulation?

If the rates set by the board are not being accurately reflected, how can ordinary Albertans access a procedure to rectify this? How can Albertans get help or follow a complaints process with respect to the decisions made by the board? Again, where is the oversight for ordinary Albertans?

As well, Mr. Chair, when the hon. minister introduced this bill, he said that they'll update the diagnostic treatment and protocols regulation through the normal regulatory process. Now, apparently, this will consist of modernizing some clinical definitions. If this is all part of a normal regulatory process, can we get some information on what the changes will entail? Since Albertans need to know what their level of coverage will be and what might happen if they're injured in an accident, these changes, which might affect their standard of coverage or care, should be clearly listed and explained. What consultations will take place or have taken place to make sure that these changes are well informed and effective for regular Albertans, who need to access the insurance coverage for which they've been paying?

What input from the public will the government allow, considering that these decisions will affect individual Albertans in potentially huge ways? Will it include other regulatory changes about which Albertans need to know?

Again, there are some questions that we have with the bill as it currently sits, Mr. Chair. I do want to note that the Alberta NDP for years led the fight as far as regulating auto insurance. Again, as we know, in the past, when this government privatized our auto insurance rates, they did skyrocket within this province. We went

from one of the most competitive in western Canada to the most expensive. Again, the government, you know, finally listened to calls from the Alberta NDP to regulate not just basic coverage but to look at regulating additional coverage. As I pointed out, 80 per cent of Albertans get the additional coverage, not just the PL/PD.

We're happy to see that it's finally going to be regulated. Just a few questions on how that's going to work and, again, some questions around complaints resolution, resolving disputes, questions around how the board is going to make these decisions, and some questions around minor injury regulation.

With that, Mr. Chair, I'll take my seat. Thank you.

**The Chair:** Are there other speakers? The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Allen:** Well, thank you, Mr. Chair. It's my pleasure to rise today and speak in favour of this. I would commend the President of Treasury Board and Minister of Finance on bringing Bill 39 forward. You know, I've heard from a number of my constituents in Fort McMurray-Wood Buffalo about the increasing costs of auto insurance in the province. This is a particular problem in my constituency as so many people must travel from other areas of the province and across Canada, in fact, in order to work in Fort McMurray. As well, those living in the area – and so many have chosen to do so now – are in more remote and harder-to-access areas of the province. Vehicular insurance is a very necessary cost to every resident of Fort McMurray-Wood Buffalo.

I'm extremely glad that insurance rates will be regulated for the province. Consumer protection, especially when it involves something so critical as the ability to get to work, and access to services in the unfortunate event of an accident are vital factors in the quality of life of my residents. I'm pleased to see the insurance industry is onboard with this bill as well. That's integral to seeing this succeed.

7:40

The implementation of the independent Automobile Insurance Rate Board, the development of the file-and-approve system, whereby each insurer needs to apply for premium adjustments on an as-needed basis as opposed to annually, and the increased solvency requirements to ensure that insurance companies remain viable greatly improve market conditions. All are much-needed changes to the insurance industry in Alberta, and it is important to protect Albertans in the event of an accident and in the everyday usage of their vehicle.

Mr. Chair, I'm a small businessperson. I've always believed that government needs to stay out of the way of business and that the market will control itself. However, in a situation like this, in a province where insurance is mandatory for vehicular coverage, then it is appropriate that we bring in some form of regulation, and this act meets that guideline and certainly is going to be most appropriate for this province, so it has my full support.

Thank you, Mr. Chair.

**The Chair:** Thank you, hon. member.  
Are there others?

**Mr. Anderson:** Mr. Chair, I did have a question that I was hoping the minister could answer or that somebody could answer. The question: under Bill 39 where will the dispute resolution process be after the deletion of section 612 in the act, and who will set that regulation? There is a bit of a concern just trying to understand, once section 612 is deleted, who is going to set the regulations for the dispute resolution process. There are some folks in the industry that are wondering that and how that will come about.

Maybe if you could look into that and get back to us, that would be fantastic.

Thanks.

**The Chair:** Are there others?

Seeing none, I'll call the question.

[The clauses of Bill 39 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? That is carried.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chairman. I move that the committee rise and report Bill 39.

[Motion carried]

[The Deputy Speaker in the chair]

**The Deputy Speaker:** The hon. Member for Calgary-East.

**Mr. Amery:** Thank you, Mr. Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bill: Bill 39.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Does the Assembly concur in the report?

**Hon. Members:** Concur.

**The Deputy Speaker:** Opposed? So ordered.

## Government Bills and Orders

### Third Reading

#### Bill 27

#### Flood Recovery and Reconstruction Act

[Adjourned debate November 25: Mr. Campbell]

**The Deputy Speaker:** I recognize the hon. Leader of Her Majesty's Loyal Opposition.

**Ms Smith:** Thank you, Mr. Speaker. I'm pleased to rise today to speak to third reading of Bill 27, the Flood Recovery and Reconstruction Act, which I understand makes amendments to the Emergency Management Act as well as the Municipal Government Act. I regret the fact that the government did not accept some of the recommendations and amendments of my colleagues, which I think would have greatly improved the act and also allowed me to be able to support it. As it currently stands, I can't support this bill.

I want to go through, in particular, some of the issues that I have with the caveats on properties and do it from the perspective of my home riding of Highwood, which was the most impacted area during the flooding. I also want to spend some time talking about the provision that would allow for provincial emergency response to be extended from 14 to 28 days and why I agreed with my colleague's amendment that it should actually have been longer.

I'll start by giving a bit of context from my own perspective of what I went through as a flood victim. I live in High River. I think that the government has missed an opportunity with this bill to be able to address many of the glitches that occurred throughout the

emergency response. It's why we put forward two flood reports over the course of the last five months. One of them was calling for a public inquiry into what happened in High River. The other was also a response with 22 different recommendations that we felt and hoped that the government would have considered when they were putting forward changes for how they would approach the issue of managing areas that are flooding.

I should tell you what happened on the day of the flood, on June 20. I remember getting a call from my colleague from Rimbey-Rocky Mountain House-Sundre. He actually sent me an e-mail at somewhere around 8 a.m. letting me know that my hometown was flooding. I ended up going onto Twitter and having that confirmed by the news reporting. I hopped in my vehicle and went down to the emergency command centre, which was at the municipal council. At 9 o'clock in the morning I'd popped by the river, and at 9 a.m. the river was already breaching. It was when I went to the command centre that they indicated that the level of flood flows that they were looking at that day were already going to be in the order of about 1,300 cubic metres per second, which was 50 per cent higher than what they were in the 2005 flooding. Remember, in the 2005 flooding we had also seen three deaths and \$165 million worth of damage.

It was at that point that I knew that we were going to be in grave danger in High River. I went over to the Snodgrass centre, which is where we were sandbagging, hoping to be able to rescue whatever properties that we could, and accompanied a flatbed of sandbags over to the High River hospital. They had already received a couple of loads of sandbags but needed to be sandbagged further. As we were sandbagging, we were getting close to noon now, and we were just barely finished getting the sandbags all around the hospital when it became clear that we weren't going to be able to do any more work.

I think there were a lot of moments of grave concern in the hospital that day as we didn't know whether or not the four sandbags we'd piled high were going to be enough to be able to keep the flood waters out. We didn't know whether or not the water had finished rising at that point. What I did notice in that hospital, though, is that the generator was right near the back door, which was leaking. If the generator had blocked out, we would have ended up having 124 patients stranded in the hospital because there was no way to access it at ground level. There was also no way for the helicopters to be able to fly in since the landing pad was also at ground level. We took turns at the back door shop-vacking to make sure that we were able to keep the water going down the drain to prevent the generator from blocking out.

I ended up getting rescued later that day. The Telus centre for the phone system went down about 5 o'clock, so I got blocked out of being able to communicate with anyone, including my husband, who I'd been separated from. It was about 7:30 that I got rescued by a couple of volunteer firefighters who came to the door. John Badduke was one of them – and I've since met him, and I'll mention him again – as well as six brave volunteers who loaded me up on a front-loader and put me in the back of a manure spreader. The media thought it was very appropriate for a politician to have been rescued on a manure spreader and told me so.

At that moment we were supposed to go back to the fire hall because we had a woman on the truck with us who was pregnant and another woman on the truck who had a heart condition, but as we were driving down the streets, there were just so many people who were coming out of their homes carrying whatever belongings they could, carrying their kids, carrying their pets that the six brave young men who were accompanying us ended up

driving around the streets for another two and a half hours picking up people, as many as they could, putting people and pets into the back of the vehicle.

7:50

We only finished when we got our third injury. One of the young men ended up breaking his foot. We figured at that point it was time to go back to the fire hall, so we did. We arrived there about 9:30, and I was fortunate to be able to meet up with my husband. It wasn't too long after that that we found out that three people died in the flood. Those are the three names that we know. There were a couple of other individuals who have been identified as also dying either as a result of the flood or shortly after whose families have not released their names.

That was the initial experience that I had. The next day I went to the emergency operations centre along with other politicians who were there. The mayor was there. The MP for the area was there as well. We heard that day that the number one issue coming in to the command centre was the issue of pets that had been stranded in people's homes. Because there was no early warning, a lot of people had left for work in the morning and had left their pets in their homes. Later that day I volunteered to be part of the pet rescue team. We needed a phone number to be able to start getting calls from people and their addresses about where their pets were, so we posted the phone number for one of the council members, Jamie Kinghorn, and we ended up getting over a thousand unique phone numbers that came in. That's how many individuals were desperate to get their pets, to give you some idea of just how many individuals needed to have their pets rescued.

I think this is the interesting thing that they learned in Katrina flood rescue, after that event, that people look at pets as part of their family. In some ways, to be able to get people rescued, you have to rescue the pets as well. I think it's something that is important for us to consider in future emergency response. If we're going to have an event like this, how do you make sure that you build that into the emergency response? It wasn't built in initially, and it did end up creating issues in the days following. It's something I would have hoped that the government might have considered addressing as part of the update to its emergency management operations.

I also discovered over the course of the next number of days that search and rescue was not called in to our area. There does appear to be a command structure where search and rescue responds to the RCMP, but when you have a local command centre, there isn't an easy mechanism for search and rescue to be activated. It may have been activated in other parts of southern Alberta, but it wasn't activated in High River. I think search and rescue would have been very helpful if they had been activated in those first few days.

We also heard as well that as the waters were receding, the authorities were going door to door, and they were breaking into homes without using locksmiths. In other instances there have been locksmiths that have been used to prevent door damage. I did raise this in the EOC. The public had been told that once it was raised with them, the doors were no longer going to be broken down, that a team of locksmiths had also been activated so that it would limit the amount of damage.

On day four I was asked to leave town. I'm going to go through a little bit of this because I think it's important to understand the impact that this has had on individuals in High River and how they're perceiving the misplaced priorities of the bill that is coming through when we had very many other serious issues that the government had the opportunity to deal with in its legislation. I left on day four. That was the day in most other jurisdictions that

people were being allowed back home. I think we all saw the coverage in Calgary where Mayor Nenshi was allowing people to wade into their homes up to their knees in water to be able to go in and get personal belongings. That didn't happen in High River. When the mayor asked me to leave, I did. I took three days' worth of clothes because I figured that was probably all I was going to need because, quite frankly, the waters had receded in High River in most of the places with the exception of one part of town.

The next morning when I showed up in High River, the emergency operations centre had been moved, and I found out that I was no longer welcome to attend any of the emergency operations updates. That led to a period of, quite frankly, chaos, in my opinion, where I ended up having to go to evacuation centres, crash press conferences, doing whatever I could to find out what the progress was on being able to move things along so people could get back into town. As MLA for the area I was getting phone calls, I was talking to my neighbours, and people wanted to have answers. But there wasn't a mechanism for me as the elected MLA to be able to get updated on a regular basis, so I ended up having to crash news conferences simply to get information.

At the same time that this was going on, the website and phone lines for the town were in a bad state because they were on Telus as well. With Telus having been down, it ended up disrupting the information channels to get information out to the rest of the residents, so I started doing telephone town halls. I think over the course of the crisis I ended up doing about 10 or 15 telephone town halls.

We set up our own website as well, where we were also posting government information as well as information that we heard from different sources to be able to give accurate information. We had Facebook.

We supported the High River flood support page. Within very short order the woman who ran that page, Colleen, had expected she was only going to help about 300 or 400 people with that. By the end of it she had something like 25,000 people who were signing in regularly to her flood support page to be able to get updates. I had hoped that the government would have recognized that this kind of information piece was one of the things that created a lot of difficulties in being able to keep community members up to speed on what was going on. It created an environment where there was growing frustration.

Now, I think we saw that by day 7 there was a standoff between residents and the RCMP in the northwest part of town. It was within the next couple of days that the RCMP announced that because things were getting a little bit hot, they had decided to go back into homes and start seizing firearms from gun owners, perhaps with the idea that somehow that would bring the temperature down or prevent any potential standoffs. I don't know. I'm still trying to get answers about why the RCMP chose to do that.

I ended up calling the Prime Minister's office at that point because I was concerned that there were things that were a little bit out of control in the whole situation. Ostensibly there was a local emergency response going on, but in point of fact the Alberta Emergency Management Agency and various provincial government officials, in my opinion, had been in charge from about day 4. It was that chaotic structure of not really knowing who was in charge that I think led to a lot of those problems over the course of that week and not being able to properly communicate. Was it the local authorities? Was it the provincial authorities? Was it the RCMP? It seemed that the RCMP was operating completely outside the chain of command. Also, the decision-making process, I believe, broke down.

The next day – I think it was actually the day that the Prime Minister came out and condemned the actions of the RCMP – was when the province took over a provincial state of emergency. I have to say that I commend the minister of High River. I think he did a terrific job over that 14-day period. There seemed to me to be a lot of progress being made. The communication improved. The amount of communication flow not only from the government website but also through the Alberta Twitter feed was tremendous. I think that the program that was rolled out for the debit cards, as I've already mentioned, was very well received and, in my opinion, very well managed.

One of the things I especially appreciated about the minister coming in at that point was that he realized how vitally important it was to bring the temperature down by allowing people to return home. I think if there had been an opportunity for the provincial government to step in earlier, it may have brought that additional perspective to it, and some of the return of residents may have happened sooner, and it may have avoided some of the standoff and pressure that happened between residents and the RCMP that occurred because of some of the delays.

Day 10 was when the first residents got let back in in the northwest part of High River. That was important because that was where the initial standoff had been with residents, so they were able to return home. It's also important because some of those homes in the northwest part are where the government floodway areas have been officially identified. There's a cul-de-sac of homes that is around the golf course where the floodway homes have been identified. I'll return to that in a moment.

Day 12, a couple of days later, was when the southwest part of the town was returned. It was Beachwood residents among the residents who were returned at that point on day 12. I mention Beachwood because I will return to them in a moment also.

Day 14 was when I returned, having worn the same set of clothes for about three times longer than I had anticipated doing so, so that was nice for me. I didn't have any damage to my home, which allowed me to have the time to be able to help my neighbours. That's how many of us felt who ended up not having any damage to our homes.

**8:00**

Day 23 or thereabouts was when I met with the minister for High River again because we were coming up on the close of the 14-day period where the provincial state of emergency was ending, and I did plead with him to ask the Premier to reconvene the Legislature to be able to extend the provincial state of emergency. That should give some indication of the confidence that I had in the minister for High River to continue to manage the affairs. It seemed to me that when the provincial minister came in, it did tend to recalibrate all of the decision-making. It seemed that the decision-making became a lot more clear and the communication became a lot more clear.

I was very worried about the provincial state of emergency ending before every resident area had been allowed to return home. At that point not every resident area had been allowed to return home. I don't know if the minister took that message forward, but it didn't occur, and I think that was unfortunate. I think there would have been a lot smoother transition if there hadn't been the return after 14 days to the structure where, once again, as I mentioned, it was a little chaotic.

I think what you see is that there is a pretense that the locals are in charge – that was my observation – but it was very, very clear that many, many of the decisions required the decision-making and the support of the provincial government and the AEMA. But when you have a confused reporting structure and it isn't clear

who's actually in charge, it ends up breaking down accountability, and that's, I think, one of the things that I had hoped the government would be able to fix in this legislation.

As it turned out, it was day 25 that the residents of Wallaceville and Hampton Hills were able to return and day 26 that the residents of Sunrise were able to return. We already saw in the return of those residents that it was a world of difference experience for them than it had been for the previous residents. There weren't any porta-potties put into the area for them to be able to return and start cleaning out their homes. There was a confused message about whether or not it was safe for them to go into their homes. They were told that the soil was contaminated, that their homes might contain methane, that they couldn't bring in volunteers because it was too dangerous. People started cleaning out their homes anyway, not having proper protective gear because many of them didn't receive welcome packages. That is the experience of people who were in the worst situation in our town.

Because they had been out for so long and because their homes had sat in water for so long, you were beginning to see mould set in. My firefighter friend John Badduke took me into his home, which was in one of these areas, and he showed me his walls. There were two different kinds of mould on his walls, blue and red mould, that no one had ever seen before, and he wasn't even sure whether or not his home could be repaired. The water had gone up to the second floor in his home, and he was now in a position where he didn't know what his path forward was.

In the time since the last residents entered into their homes, I saw just an amazing outpouring of support and volunteerism like I never could have possibly imagined. When all was said and done, with Mission Possible having come into High River, with Mormon Helping Hands, with Samaritan's Purse, with Salvation Army, with Red Cross, with multiple other organizations, there were some 25,000 volunteers who came in to help people muck out their homes. I have to say that I do not think we would be where we are today if we had not seen that incredible volunteer effort.

The problem that I observed, though, is that there wasn't a very clear co-ordination between the emergency operation centre, which was focused on public security and public infrastructure, and all of these volunteer organizations who wanted to help, who wanted barriers taken out of the way so that they could help. I thought that that would have been an area we would have been able to see the government address in this bill, but it is an area where it seems that they were silent. It's still an area, I believe, that they need to take a closer look at.

My understanding in U.S. emergency operations is that organizations, particularly the Red Cross, are integrated heavily into the overall emergency response so that you do have that seamless flow of information back and forth. It's just simply not possible for the government to activate enough government employees to be able to repair in this case some 5,000 homes that had suffered damage. The only way we could have gone on to the road to recovery was to be able to rely on that incredible volunteer spirit that came into our community. But there were glitches, and those things need to be addressed.

In the time since the major part of the emergency ended and they've shifted into recovery and reconstruction, the calls and e-mails that have come into my office have been involving temporary housing, the contract that was given to Tervita to clean up homes, the contract surrounding school portables and the delays on that, the glitches in the disaster recovery program, and getting payments. There are also still so many individuals who are displaced, our seniors. We've got a number of tenants who are

displaced. We've got temporary foreign workers because Cargill and Western Feedlots are both in the area. Many individuals are still without homes. There are issues for landlords. Because of the structure of the DRP program, it has left a number of landlords without being able to get any support to be able to rebuild their rental units, which is then displacing some of our lower income High River residents and creating problems with small businesses being able to start up. All of these things are connected, and all of these things, I think, are the ones that our residents are looking to the government to find answers for.

I have raised the issue before of the 1,900 claims that had gone in to the RCMP for doors that were damaged, windows that were broken, and other damage that was caused on the entry into people's homes. I was disappointed to read in the last couple of weeks that despite the announcement a few weeks ago that those claims would be paid, the RCMP is now saying that things are caught up in legal and it's going to take up to two years to resolve. The issue of the RCMP command structure and how they fit into the EOC when you have a local emergency response, a provincial emergency response going back to a local emergency response is something that absolutely has to be figured out in the event that we have another incident like this. I think that this unanswered question has left a lot of uncertainty in communities about what role the RCMP will play when we have another one of these disasters. Again, it's one of those areas I wish the government had taken the lead on trying to develop some policy or legislation around so that we could get some clarity in this area.

The things that I'm mentioning are the issues that come into my constituency office and the things that are causing the most concern for High River residents. I think you can probably tell from the things that I've talked about that there's still a lot of trauma in High River. I get more positive comments into my office these days than negative. I get a lot of people who have the ability to float on their credit cards and lines of credit their own reconstruction of their homes. But it's those who are at the lower end of the income scale, living paycheque to paycheque, people who are on fixed incomes, the really difficult cases that my office staff are working on on a weekly basis with the minister for High River's office staff to try to be able to work one-on-one to be able to resolve them. I've appreciated the fact that the minister has taken those seriously. We certainly haven't turned the corner completely in High River. There certainly are a lot of serious concerns.

This is the reason why we put out a call for a public inquiry into what happened in High River, not only because there were three deaths. It does seem to me that when you have deaths in these kinds of incidents, they should be examined so that you can look at ways in which you can prevent it from happening again. I think from what I have gone through today, you'll see that the priority that I heard from constituents who experienced this is, number one, they want to see more policy and legislation around the issue of emergency preparedness. What are we doing to ensure before the fact that we've got local municipalities who have gone through the emergency preparedness, who've identified individuals who are going to lead it, who've identified protocols and responses? If we're going to maintain the structure that we have, where in the event of a serious incident it's the local municipality who takes the lead, I don't know that we've addressed this part of the problem.

#### 8:10

There are only a handful of municipalities who can manage their emergency response on their own. Calgary is a prime example. Medicine Hat is another example. Fort McMurray is another example. When a municipality gets large enough that not

only do they have only a portion of their city impacted in the event of a flood but they also have a large number of emergency and first responders to be able to manage things internally, it's a very different experience than in a town like High River, of 13,000 people, who relied very heavily on the expertise of those outside our community not only because we didn't have as many first responders but also because all of our first responders in town were also victims themselves. The vast majority of them were facing issues of their own homes and in some cases businesses being wiped out, and having to be able to put that aside for what turned out to be, I think, 103 days of total emergency response was an awful lot to ask of a small town. So emergency preparedness and what the provincial government can do to assure emergency preparedness: I would have liked to have seen more done on that.

Early warning is another area where we needed to do more work. When you hear reports like the Discovery Channel documentary that said that scientists knew two days in advance because of the snowpack and the weather warning that we were going to be in trouble in southern Alberta, how is it that that information didn't get communicated to the local authorities? How is it that as the MLA for the area, living in that town, my first official contact with the government was at 2 o'clock in the afternoon, after I'd already been trapped in the High River hospital for two hours, to get an update from the Health minister about what was happening at the High River hospital?

These kinds of protocols have to be worked out. We need to have a system of early warning so that every decision-maker and every representative is aware when things are going to occur in their community so that you're not finding out after the fact. I've heard subsequently of parents' concern that their kids were still being loaded up on school buses to be taken to school after the official emergency response had already come out. How does that happen, when you have an emergency response in an incident like this where all of the key decision-makers in all of the different institutions don't have an integrated system of being warned? How is it that there isn't a siren system or a call-out system or an e-mail system? These are the kinds of things that my residents are asking about, and I don't think that the government responded in legislation to try to clarify some of that. That's what the residents of High River are looking for.

The issues of preliminary response, of ensuring that when everybody is kicked into emergency mode, there is a clear understanding of how the different agencies are going to work together. How does a local government communicate with the provincial government? How does the RCMP fit into that structure? When does search and rescue get called in? How do you ensure that every hand is on deck that can be on deck to make sure that you're dealing with all of the issues in the preliminary response?

Communications is an enormous issue, especially for a small municipality. Let's remember that we've got over 350 municipalities in Alberta. We've got 66 that are at risk of flood and others that are at risk of tornado or fire or some other calamity. They're going to face the same issues that happened in High River of how to actually communicate to a diaspora population that gets evacuated all over the province, indeed all over the country, and be able to effectively get information out of them so that you can close those information gaps and they're brought up to speed on the most relevant information.

I think that people look to Mayor Nenshi in Calgary as a model for how crisis communications should be conducted. Mayor Nenshi in Calgary was doing updates three times a day whereas

the information coming out of a small municipality, where you don't have the round-the-clock media coverage that occurred in Calgary, made it a lot more difficult to get the information out. To me, it's incumbent upon the provincial government to figure this piece out because if you can figure it out for a community like High River, you can also figure it out for the other 350 communities that might one day be at risk of suffering the same problem.

The fifth area, and I've already mentioned it, is the operation of the emergency operation centre and the broader community. There are so many individual, independent volunteer groups that are going to spring into action the next time that this occurs. I had two researchers from New Brunswick come to interview me in my office wondering why it was that we had such an incredible outpouring of community support in the event of this crisis. I asked them what they meant by that, and they said: "Well, if this happened in New Brunswick, I don't think we'd see the same kind of response. People would just wait for the government to come and help them. What is so different about Alberta?"

I think in the era of social media, where you've got Twitter and you've got Facebook, you've got the ability for people to self-organize. We have to be prepared for the fact that people are going to show up, people are going to want to help. You can get truckloads of food and supplies organized and sent all over the province. Whether it's the work that my colleague from Airdrie and my other colleagues in the Wildrose caucus did to organize caravans of trucks that went to the Morley reserve and Siksika or whether it was the incredible amount of support that came down to High River, Calgary, and other parts of southern Alberta, that is going to happen again, and the government has to be aware of how they're going to be able to integrate that and work with those community groups when this happens again. I think that that is a piece that the government hasn't given serious thought to, and I think it would be a missed opportunity if they didn't end up dealing with that in the next crisis.

Mr. Speaker, how much time do I have? Are you telling me I only have four minutes? Oh, no. You're waving to somebody else. That's all right. I'll keep going.

**Mr. Anderson:** Forty minutes.

**Ms Smith:** Forty minutes. Okay.

I've told you what I had hoped I would see with the government's response, and we didn't get those. Hopefully, it's not too late. I've put it on the record, and maybe we'll be able to have an opportunity to have a conversation about these things again. I've already indicated to my town after I got elected that I would be giving them some of my observations in writing so that they can consider that for their own emergency response, and I'll make a copy available to the government as well so that they can consider some of the things that I've mentioned.

Turning more specifically to what the government bill did actually deal with, I still find that they ended up getting it backwards. The big problem with the government's approach is that after everything the residents went through – and this is why I went through in some detail what our residents went through. There's a great deal of trauma that people are still experiencing. We're only five months after the fact. I've got countless stories of people who are still in temporary housing, people who are still looking to the new year to be able to get their homes back to a point where they're livable, people who are still in the middle of trying to figure out whether or not their homes can be repaired or



whether they have to be bulldozed. This is the situation that people have found themselves in.

The government's approach in this bill is to really blame the homeowner. It's not the homeowner's fault that they purchased a home in an area that had gone through all of the municipal approval processes, whatever provincial approval processes there needed to be. Many of the residents in High River and I think many of the residents who were in the government's now-identified floodway areas bought their homes in good faith, thinking that they were going to be safe. The approach the government has taken is to lock in flood maps that are in some cases 20 years old, that are not reflective of what has occurred in some of these communities to be able to protect them, and to punish even further people who are already traumatized and trying to face some pretty important life decisions about what their next steps are going to be.

We would have taken a different approach, and we have said this from when we issued our flood report all the way through the debates that you heard on this bill and all the way through press conferences and press releases, and we're going to say it again and again. The approach that we believe the government should have taken was to update the flood maps first, looking at the data that we have based on the most recent event. We thought that government should have then done flood mitigation or at least made very clear what kind of flood mitigation projects they were going to do and then reupdated the flood maps because every flood mitigation project you do is going to impact how safe it is to build in certain areas. It's going to impact what is flood fringe. It's going to impact what is floodway.

Then we thought that the next step after that, after you had done the flood mitigation and done the updated flood map, you would identify the very small areas which were floodway, where you couldn't protect homes, where you couldn't protect businesses, and then work with those homeowners to be able to buy them out and remove them. The difference in our approach would be that rather than have 254 homes that need to be moved under the government's plan, it would be a far smaller number once you had done those kind of changes, and it would make a huge difference.

The fourth thing, I think this is something that we've only heard a little bit about from the government, but I think it goes to this issue as well of why we can't blame the homeowner. If homeowners in Canada and in Alberta were allowed to get insurance, then we could have made the argument, perhaps, about why they shouldn't have been able to qualify for flood relief. The fact of the matter is that Canada remains the only G8 country that does not have a flood insurance program. This, to me, is one of the areas where we have to find a way to bridge that gap. If other jurisdictions have found a way to do it, if commercial properties have found a way to be covered under flood insurance – and they have – then there should be a way for us to be able to work with our federal counterparts and the insurance industry to be able to have a flood insurance program.

#### 8:20

The reason that this is so important is that once you get the insurance companies interested in protecting the property and value of the homeowners' properties that they're insuring, they also, then, have an interest in making sure that there are flood mitigation measures taken at a community-wide level to be able to protect those investments.

I fear that the approach that the government is taking is one that is going to be unnecessarily costly. They've already identified the potential for \$275 million worth of buyout value of those homes that are in the floodway, yet they're not applying the rules

uniformly across the board. That's what's causing frustration for people in my community, especially in the community of Beachwood, which I'll mention in a minute. If you make exceptions for Fort McMurray because they've done mitigation efforts and because they're built in a floodway and they've got a lot of property value and you're making an exception to identifying that as a floodway because it would be too costly to do otherwise, if you're making exceptions for Drumheller, if you're making exceptions for Redwood Meadows, then it stands to reason that you should be able to have a program that is flexible enough that when communities take efforts to do mitigation, they can also seek a way of getting these caveats removed from their properties.

I want to turn to the issue of Beachwood. I already mentioned that Beachwood was one of the communities that returned by day 12. These are individuals who were back in their homes. For the most part these homes received relatively little damage. Many of the homes were able to get insurance coverage because they had sewer backup, and part of the reason why this area that the government has identified as floodway was actually one of the areas that was least harmed is because they had already done significant work building a berm to protect the community.

It was after the 1995 flood that the town continued flood mitigation strategies, that included building a number of dikes along the Highwood in the town of High River after the flood of 2005. They committed further to protecting Beachwood Estates subdivision with a tight-wrapped dike. The reason this is important is because they actually had a report, the Golder report of April 2008, that verified that this tight-wrapped dike around this community would not have any impact on any of the other communities further downstream. This was even litigated. It was brought before the Alberta appeals board to be able to challenge the issue of the flood and make sure that the installation of it was not going to impact other communities, and the appeal board approved the dike. The policy then stated that the flood hazard study would be updated, but it didn't happen. The local flood hazard study and the maps were not updated even though this community mitigation took place.

As a result, we've got a situation where because essentially of an administrative misstep, an administrative error, we have an entire community that has been arbitrarily drawn into a floodway zone on the basis of outdated maps that don't recognize its mitigation efforts, and it's going to cost the government a lot of money to buy these residents out. There are over 30 homes in this area. They are high-end homes. The value of the homes in total is somewhere in the order of \$30 million.

The town of High River has already voted to improve and restore the parts of the berm that were damaged. They've been asking the provincial government to acknowledge the mitigation efforts that were taken in '95 and taken in 2005 and verified by the Alberta appeals board so that they could take this area out of the floodway zone and, for a mere \$500,000, upgrade the berm so that it can be protected. To me, this seems like a pretty simple calculation. You spend \$500,000 to avoid having to pay out \$30 million. You acknowledge the fact that the investment has been made, that mitigation efforts have been taken, that you have made just a simple administrative error, that this area should never have been a floodway in the first place.

This is the reason why this party and my colleagues have been saying that the government got it in the wrong order. Beachwood makes the case perfectly. The mitigation efforts were done, the maps should be updated, this area should not have caveats on the homes, and we should be able to protect these properties.

I'm a property rights advocate. I have always been a property rights advocate. It is one of a number of reasons why I got into

provincial office. I have to tell you that passing a bill that unnecessarily obliterates \$30 million in property value leads me to believe that this government is seriously out of step with what it is that I am hearing our residents telling us.

It's not just Beachwood that's in this situation. There is an entire group of communities in Calgary along the river called the Calgary River Communities Action Group, and they're arguing for exactly the same thing that the community of Beachwood in High River is asking for: identify flood mitigation projects that will give community-based mitigation, then update your flood maps, and then identify these homes which have to be removed.

The approach the government should have taken from the very beginning is: how do you minimize the impact on private property values? How do you protect the maximum number of individual residents and businesses and properties? Unfortunately, the approach the government has taken has been one where they are obliterating far more property value than they need to. It's going to be far more costly than it needs to be from a taxpayer point of view. You can make some very strategic investments in community-based infrastructure mitigation and be able to save tens of millions if not hundreds of millions of dollars worth of property value.

The other reason why these maps don't make sense and why there is still a lot of confusion about the government's approach is the issue of flood fringe. Wallaceville is another example. This is an area that technically by the maps is called flood fringe, yet if you look at what happened in this most recent flood, it was the hardest hit area. There were a couple of others that were very hard hit, but this was the one that was coded the hardest hit area. The vast majority of residents there want to have their area redesignated as a floodway. The town has even debated whether or not they should redesignate the area as a floodway. If you look at the maps, this is where the water naturally wants to go, through the area where these homes were built.

I would say that the government is making an error in not deferring to listening to what the local town council is telling them about the need to take a special look at this particular community. This is sort of on the opposite side. In the one case you've got an area that was the least impacted, which the government by its old, outdated maps is saying is a floodway, and they want to get rid of the homes. You've got another area where the government's outdated maps say is a flood fringe, so they're not listening to the pleas of town council to consider how they might be able to change the designation on these homes so that they can actually be bought out to protect the community.

Then there's another area, Sunrise and Hampton Hills. I mention them because that is the area that didn't get to return until day 25 and day 26. This was an area that was never supposed to flood in the first place. This is an area where, instead, water ended up going in most of these homes up to the second level, and because they've got OSB joists, the company that makes those joists won't guarantee the structural soundness of these homes now that their joists have been immersed in water. Because they sat in water for 25 or 26 days, they ended up with a great deal more issues of mould.

Our docs in our community wrote a letter saying that toxic mould, black mould, can set in within five or six days. Keep in mind that these homes ended up sitting and boiling in all that hot water and all of that sewage and all of that water for 25 or 26 days before residents were allowed to get in. In some cases, because of the delays in Tervita being able to get in to assess and start remediating their homes, it literally took months for some of these homes to begin the remediation process.

I talked to my firefighter friend, John Badduke. After \$168,000 being spent to be able to repair that home – he showed me pictures of his home – the mould has grown back. So we've got a situation now where the government is actually spending hundreds of thousands of dollars to repair homes that can't actually effectively be remediated rather than taking the approach that perhaps they should have looked at whether or not these homes should have been demolished so that they were able to save more money.

8:30

In addition to this, the developer in this area wanted to start things rolling again in Hampton Hills. He wanted people to be able to look at High River as a place that was going to be back on the rise, putting more homes on the market so that people would move there. The government's maps identify this as an area that is white. It's not floodway. It's not flood fringe. There are no additional mitigation efforts that these homeowners are required to take. But guess what the developer was told when he put forward his application to be able to get homes built? He was told that he wasn't going to get the approval to build a single new home unless he could guarantee that that area would never flood again.

How is a developer supposed to be able to make a commitment like that, when what is really needed in this area, as we saw, is a community-based mitigation project? There needs to be a berm built along one of the main highways – we call it 498 – so that you could actually prevent the water from coming across into that bowl. Because once it came across into that bowl, it just sat there, as we saw, for 26 days. They ultimately were pumping out water at a rate of 140,000 gallons per day. We know that that is what will happen in the worst-case scenario.

We've now left a situation where because of the outdated flood maps and because of a little bit of confusion about who is responsible for mitigation and whether or not there is going to be mitigation – this happens to be a mitigation project that will require the MD of Foothills to be onboard with doing it because it's not actually in High River – these homeowners are trying to rebuild their lives with homes that are so severely damaged that they can't actually be reclaimed. They don't have the ability to get them bulldozed and rebuilt because that's not one of the options that is being offered to most of the homeowners in that area, and the government has not committed yet publicly to any broad-based community mitigation measures so that the new developer can start rebuilding homes.

This is exactly the problem that happens when you develop a policy backwards, and that is what the government has done. They have prematurely identified areas for floodway buyout and flood-fringe additional requirements without actually identifying the first step. The first step is the flood mitigation, the second step is to update the flood maps, and then the third step is to make sure that you are identifying the homes for buyout.

The reason why I'm surprised that the government took the approach that they did is that it's like they didn't read the George Groeneveld flood report that came out in 2006. If they had read the report of their own colleague, the former MLA for Highwood, there are some things that stand out that are striking about the approach that was recommended here versus the approach that the government took.

In the first case, former MLA Groeneveld recommended that Alberta Environment develop a map maintenance program to ensure that the flood risk maps are updated when appropriate. We've had speaker after speaker on the other side tell us that the floodway maps never change, and even though the river is moving, somehow that doesn't affect floodway or flood fringe designations. That's not what this report said. It said:

Situations may arise where an existing flood risk map no longer adequately represents the flood risk for a location. This may result from changes in the river or immediate area, updating a rural flood risk map or errors in the original study. Flood risk maps should also be reviewed regularly particularly after extreme flood events when public and municipal government interest is high.

The cost for this would have been \$50,000 annually for one full-time equivalent employee to make sure that we had flood maps that were up to date and to have a process of constant renewal.

Recommendation 3 identified that we also need to be able to have rural flood risk areas “that require flood risk mapping and develop a program to prepare the maps.” There are about 50 areas that “were identified as requiring flood-risk mapping, but only 25 had any existing information on flooding that could be used,” once again reaffirming how important it is to have a program to constantly update the flood maps. In this case that program, it was suggested, would cost a million dollars to be able to do.

It also is, in recommendation 5, recommending that

Alberta Environment continue to collect high-water elevation, aerial photography and other appropriate data whenever a significant flood occurs and share this information with local authorities. [They] should... explore and evaluate other methods of collecting flood data such as satellite imagery,

once again reinforcing the need to have constantly renewed and updated maps to be able to have accurate flood risk.

Recommendation 6, recommending that they “make historic flood information available to the public on its website,” including historic high-water levels, flood risk reports, and flood photography. The government has started doing that, but if you’re not going to continue doing this renewal process, then it makes that recommendation less valuable than it otherwise would be.

We also have recommendation 7, recommending that

the Minister of Environment designate a flood risk area after ... after

... the responsible local authority has had the opportunity to review the maps and provide comments on the technical elements. The recommended time period for designation is within six months of receiving the maps.

What I found interesting about this recommendation is that it identified that there already is a section, section 96 of the Water Act, that would give formal acknowledgement of the flood risk area by the provincial government. The report questioned why it is that there were no regulations in place to govern this section of the act.

This section of the act I find very interesting because the minister, as of 1996, already had the power to be able to identify flood risk areas under the Water Act, section 96(1).

If the Minister is of the opinion that there is or may be a risk to human life or property as a result of flooding, the Minister may designate, subject to regulations,

- (a) any... land in the Province as a flood risk area, either generally or on an interim basis, and
- (b) specify... acceptable land uses.

If the minister has made a designation, then it would have a regulation that would give some limitations on “new Government works or undertakings” that would be carried out in that area. Financial assistance would not be given to people who engage in uses

- (b) ... other than a use specified under [the] subsection ... and
- (c) money and services and Government disaster assistance programs [would] be restricted with respect to flood damage

in the area except as designated by regulations. I don’t know why the government never used this power that it had under the Water Act to be able to identify flood risk areas.

What I found really interesting is that it says that

The Minister must ...

must

... consult with the local authority that is responsible for a proposed flood risk area before making a designation under subsection (1).

To me, that is what is really missing from what the government is passing in Bill 27: this respect for local autonomy, the respect for the local knowledge, the respect for people who actually understand the areas that have been impacted by flooding.

This is why I wonder if that’s, again, part of the trend that we’re seeing with this provincial government. They seem to always find ways to centralize decision-making. They seem to have lost faith in local government and local authorities. This is one of those areas where local government and local authorities actually have more knowledge than the individuals who are distant by hundreds of kilometres and trying to make these decisions from afar. I would have preferred for the government to take the approach that they would – must – consult with the local authority before designating these floodway areas.

I can tell you what would have happened in High River. What would have happened in High River is that they would have heard loud and clear from the town council that Beachwood, because of the mitigation measures that had been taken, should not be in a floodway area, Wallaceville is one that should be open for discussion, and there needs to be mitigation efforts taken to be able to protect Hampton Hills and Sunrise, one of the hardest hit areas in the community.

The fact that this is not a requirement for the government, to get the buy-in from the local authority before designating these floodway areas, is, to me, one of the errors that the government is making in the approach that they’re taking going forward.

The other recommendations that are in the report from Mr. Groeneveld all flow from, I think, the proper assessment, getting things in the right order, and I think, once again, it explains to me why the government is going to face immense push-back from residents who are impacted by the decisions that are being made today in this bill.

8:40

To put on homeowners an arbitrary deadline of having to make a decision by November 30, which is coming up now in just four days, only five months after these major incidents, with so much information that is still unknown – it’s still unknown what mitigation projects are actually going to be implemented, still unknown what the flood mapping would look like after those mitigation measures are implemented, unknown whether or not banks will refinance homes that are in floodway and flood fringe areas, unknown whether or not individuals will be able to get insurance on homes that are in floodway and flood fringe areas. We would recommend – and you’ve heard my colleagues say it as well – that the government extend the period to allow people more time to be able to see what some of the government’s decisions are going to be and also to be able to have the opportunity, once this bill passes, to look at the regulations to see if we are able to carve out some additional protections for property owners of the property value, where we can take those mitigation efforts to be able to protect those communities.

There is already, quite clearly, some precedent for doing so. The government made a calculation on Fort McMurray, Drumheller, and Redwood Meadows, where they looked at the

impact that it would have on the community versus the kinds of efforts that had already been taken. I can tell you that in High River our residents and our town council are asking for the same consideration. I believe that the communities in Calgary who are going to be impacted by this bill are asking for the same consideration. In the 66 other communities, many of whom have not been impacted by flooding this time around, the government is setting themselves up, I believe, for the same kinds of arguments and concerns and frustrations that our residents are facing in southern Alberta.

I recognize that this isn't something that's in the daily news, that for most individuals, who don't have the residents in their riding and don't have these calls coming into their office, it may feel like the government has moved on and the rest of the province has moved on. But I can tell you that unless the government gets this right, they're going to set themselves up, I think, to have some serious issues in dealing with these kinds of incidents when they happen the next time around. We're going to have another serious flooding event, if not in southern Alberta next year then in some other part of the province.

By locking in with this kind of approach, I think they've locked in a flawed approach. I would hope that the government is flexible enough to understand that when this decision is made and this bill is passed, they may need to come back and make some revisions. The job of the government, in my opinion, when these kinds of incidents happen, is to try to do what they can to be able to get people back to life as normal. It's certainly what the Premier promised. I don't think that when we began this whole process, people anticipated that arbitrary decisions would be made that would cause them to have to make this kind of life-changing decision in such a short period of time in the absence of or at least seemingly divorced from good information, that would allow them to be able to protect their homes, protect their communities, and be able to rebuild and move on.

We'll continue to raise these issues as they come up. We hope that we're wrong. We hope that most people will be able to move on in the event that this bill does pass. We hope that there is some opportunity in the regulations to be able to have the government reconsider how a community would be able to do mitigation so that these flood caveats can be removed. But in the meantime I worry that they have set up a lot of individuals for a lot of unnecessary heartache, that could have been avoided if they'd just done things in the right order.

With that, Mr. Speaker, I am going to conclude my remarks. I will not be supporting this bill. I wish that I could support it because I think that the kind of approach the government intends to take could have been one that we would have been able to support if they had made sure that they had put residents first, property values first, and mitigation and proper flood mapping first. They seem to be in such a rush to get this bill passed that they're making a lot of mistakes, and I'll be voting against it.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. leader.

Standing Order 29(2)(a) is available after the leader's speech if anyone is so inclined.

Seeing none, I'll recognize the Member for Livingstone-Macleod. Thank you.

**Mr. Stier:** Well, thank you, Mr. Speaker. Good evening, everyone. Thank you to our leader, who has just spoken in such great detail. It's hard to do justice to such a subject after such a great presentation.

I believe I have about 10 minutes, Mr. Speaker, if that's correct.

**The Deputy Speaker:** Fourteen and a half.

**Mr. Stier:** Thank you very much. I'll try to fit this in, then, if I can.

I rise tonight, as you all know, to speak to Bill 27, which has been named the Flood Recovery and Reconstruction Act. As probably most of you know, my constituency of Livingstone-Macleod was also deeply affected by this year's flood.

Just to bring you up to speed on that, in case you weren't aware, there was significant damage to a lot of the communities in my area, in the north Millarville, Turner Valley, Black Diamond, where major bridges and roads were wiped out and homes were flooded. Millarville had a lot of rural areas wiped out, and a river actually changed its course totally and bisected some properties. They're still trying to deal with that. Of course, to the north end of my riding, I bound up against the town of High River. I did spend many days and hours there helping friends and neighbours and people that I've known for many years with their difficulties. It was just a very, very heart-wrenching thing to experience.

Further to the south in my riding we also had the areas of Longview and Blairmore, down at Crowsnest Pass and Fort Macleod, all affected by flooding but, certainly, nothing to the extent that was evident in High River. I still today, when I drive by the temporary housing facilities there at Saddlebrook, become quite solemn when I look to see that there are people there still living in temporary shelters because they have no home to go to. It's very difficult to see that.

Anyway, Mr. Speaker, with all that in mind, though, I find it now a little disheartening, frankly, that the government would bring forward a bill and name this act the Flood Recovery and Reconstruction Act when it appears that it's really got little to do with flood recovery or reconstruction, actually, the way I read it. After careful review I believe this bill is mild housekeeping at best, and it seems to barely scratch the surface. In my opinion, it will leave Albertans who have to deal with this problem of flood recovery and reconstruction even more confused, actually.

Ever since the government of Alberta announced its policy in mid-July to attach strings to the disaster recovery program funding, strings that included adding caveats to property titles for those that are located in floodways, many flood-impacted Albertans have lived in fear of applying for the program, actually. They've lived in fear of making decisions without clear, concise information, and they've lived in fear of even cashing their cheques from the DRP. The key worry is the unpredictability of the future property values after such decisions have to be made. As I've heard from my constituents, this fear still exists, and I don't believe there's really anything in Bill 27 that's going to alleviate that fear.

Now, Mr. Speaker, I understand that there is a need to ensure taxpayers are protected from the costs of future floods and that adding caveats to some properties that receive government relief can play a part in that. We understand that. But while Bill 27 allows for caveats to be placed on homes that have received funding for previous flood relief, it doesn't provide any clear criteria or guidance for them as to the circumstances under which a caveat can be filed, nor is it clear in the act how it may be removed. The fact is that when families are attempting to evaluate their situations that will affect the future value of their property, they deserve clarity, and the government isn't providing any clarity with Bill 27.

You know, the caveats were mentioned by the associate minister for flood recovery for the southeast in his opening remarks on this bill, and he was very clear that, in fact, the caveats will not be able to be removed if they've accepted DRP assistance. He restated it a couple of times in his remarks. It seems to me that

this measure, if it is imposed – and it will be with this act – will result in a permanent reduction in property value. As you know and as our leader said, we stand for property rights. In my opinion, this is a government taking and, therefore, it should be compensatable as may be confirmed by the Property Rights Advocate.

8:50

Despite that, though, Mr. Speaker, and my own amendments and the lengthy debate by all opposition parties to rectify this situation, Bill 27 remains unaltered, providing for those caveats without any clear definition in respect to floodways. The cabinet and the Minister of Municipal Affairs will now be in charge of controlling, regulating, and prohibiting development in these floodways across Alberta.

The associate minister, again, in his opening remarks mentioned this issue with regard to the definition of floodways. He said that the reason that they weren't in the bill is that it would be an ESRD issue. Well, the fact is that we had taken the ESRD definitions, and we had suggested in our amendments that these very definitions were from them and that they were government created. They weren't our own invention. The fact is that the government still in those debates decided not to accept them. Instead, we're allowing the cabinet to designate what is and isn't a floodway. It could be said in the future that there might be some very, very difficult problems in resolving issues without clear definitions in this legislation. I've worked with legislation before in my municipal days, and without clear definitions it leaves you open to questions.

Another fact that only adds to the confusion around Bill 27 is the lack of updated flood mapping in Alberta. Currently the government is basing their application and funding process on faulty maps and is not taking future mitigation into account. Now, we've talked about these maps for weeks and weeks on end, and I think it's nothing new. I worry that the communities, though, and individuals will be treated unfairly if the regulations are adopted before we sort that out. We've said this time and time again. The updated mapping of floodways is needed now. A clear definition of floodway is needed now. This is much more necessary than giving more power to the cabinet and Minister of Municipal Affairs, frankly.

Another issue that is extremely sensitive is the buyout program, especially for rural landowners. Many lands in my riding have been drastically affected. As I said earlier, some have actually had their properties bisected by rivers that have changed course, yet this bill still leaves these landowners totally disrespected. No guidelines or policies are contained here to assist them in providing clarity to their situations either. These people are in a desperate situation. They had to be helicoptered out of their homes. That river still flows ahead of their driveway, and they have no way in or out. I'm very concerned that this has not been addressed, and I hope that in some manner we can get to the regulations soon and have some of these situations rectified.

Moving forward, then, Mr. Speaker, section 2 also proposes giving sweeping powers to the minister to trump the MGA entirely if there appears to be an emergency. The Minister of Municipal Affairs will be able to grant new, special powers to municipalities, and these unspecified special powers appear to be modified from the MGA and exempt from the MGA and often outside the MGA. They, therefore, seem like they're special powers that are secret in nature. The minister can just issue a ministerial order to make it happen with a wave of his magic wand, and that is what is going to take place. These powers don't seem to have a sunset clause, either. Although sunset provisions

are enabled in this bill, we still wonder just how that may work. It leaves one to wonder: what new, special powers does a municipality need in an emergency that are not already provided under the MGA or the Emergency Management Act? Those acts have been in place for years. One has to wonder: what is the government intending? Yet this is not clearly stated in the act we're dealing with tonight, either.

Moving on, Mr. Speaker, the proposal to amend the 14-day state of emergency period by extending it to 28 days appears arbitrary. The government is making rules up as they go along. Twenty-eight days is still not long enough in a case like High River. We saw this already. Letting municipal government decide when it is ready to resume command, perhaps by extending every 14 days, might be better. I'm certainly open to hearing suggestions on how that could be amended. It certainly doesn't seem right as it stands today.

Lastly, Mr. Speaker, the cut-off date for applications, which I mentioned just recently, is fast approaching this weekend. Most residents have yet to apply, are bewildered as to why they're being coerced into making such a drastic decision so quickly. It's only been four months since this disaster struck, and many property owners are still not able to return to their homes. Some are even residing in temporary camps, as I talked about earlier. They're unable to realize any hope in the foreseeable future for having a clear path to rescue them from this plight.

Previous disaster recovery programs did not have such a quick deadline, and one has to wonder why this government is imposing such a drastic rule when the people in southern Alberta, who have suffered so much, are having to make life-altering decisions without sufficient information to base them upon. I'd like to just take a moment to go back on that because I still have files in my office since I was elected, previous disaster recovery program files that were never resolved. They had, I believe, up to two years. Why is it that the applications for this are going to be cut off in four months when it's the biggest disaster – the biggest disaster – the country has seen?

To conclude, Mr. Speaker, we had an opportunity to amend this document, I think, and to secure a more clear, concise set of rules for the Flood Recovery and Reconstruction Act. We could have set a clear, concise set of rules in this legislation to address the problems that I've outlined here and during the early debates on this bill. But I'm afraid to say that this document would appear to yet remain as one that falls far short of the mark that should have been required. Therefore, in closing I'm saying that I find this bill insufficient, and I cannot support it as it is.

Thank you very much.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the next speaker. The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Rowe:** Thank you, Mr. Speaker. I'm pleased to stand and speak to third reading of Bill 27. The hon. Associate Minister of Regional Recovery and Reconstruction for Southeast Alberta spoke in the House yesterday. I was not in the House to hear those comments that he made yesterday, but I did read *Hansard*, and some of the comments that were made were good. Some explanations were given, and we appreciate that. I am pleased to see some positive steps forward, but I am still very concerned that flood mapping updates are not a priority.

I think it's worth repeating that we remember that we are dealing with the largest assets that most Albertans will ever own, so placing caveats on property must be done very, very carefully,

recognizing that while doing that we are trying to protect all Albertans as taxpayers.

We as the opposition put forth what I would term good amendments that enhance the bill and help protect those Albertans' investments and help them to make what, surely, in a lot of cases will be life-altering decisions. It's very important that – let me back up just a little bit. When I attended the flood mitigation presentation in Calgary a number of weeks ago, I have to say that I was very impressed. Some real good options were put on the table. The ditch, Duff's Ditch, if you want to term it that, around High River: it worked for Winnipeg; I don't see why it wouldn't work for High River. Upstream dams, storage dams: all of those things are really good, I think, mitigation proposals. We only hope that they will be followed up on.

But in looking at that, it raises the question: are we putting more confusion in the minds of homeowners who look at these things and say, "Well, if I'm in a flood zone or flood map area right now and if they do that mitigation, I'm going to be okay, so I'll just rebuild my house and everything will be fine," only to find out that they're still in the zone and that they've still got a caveat on their house? They're being forced into making some decisions on a very rapid basis, I feel.

Further, we did ask that some definitions be put in the bill. Those definitions would be very helpful, I think, for homeowners deciding on how they will proceed. We in the House have been on this for four months, so we're beginning to understand all this terminology. What is a floodway, a flood fringe, an overland flow, design flood, design flood levels, encroachment conditions? All of those terms are becoming almost second nature to some of us, but the average homeowner has no idea what those definitions mean. We were not allowed to put those into the bill, and that's further confusing them. I just want to reiterate that up-to-date flood mapping is absolutely critical going forward, and I would hope that the government will listen.

9:00

I still have friends that live in High River who haven't been compensated for doors that were kicked in in the searches of the homes. Nobody has stepped up and said: yes, we'll compensate you for that. Everybody is passing the buck. The provincial government says: we didn't order it. The RCMP says: we can't pay for it. The federal government is not doing it. They're still sitting here four months later not knowing whether they're going to be paid or not. I think that's unacceptable.

In short, I won't beat this over and over again. Our leader spoke very eloquently for some time on it. My colleague spoke on it, mentioned many of the things that I'm concerned with, too. So I'm going to cut this short. I will say that I will reluctantly – and I say "reluctantly" because some of the good things that we wanted to do with this bill were not accepted – support the bill in the end.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Speaker. I also rise to speak in third reading of Bill 27. This seems like a fairly small bill that will enshrine in law several disaster recovery and flood prevention proposals that the government put forward this summer in response to the June 2013 flood. Not all proposals are new, however. Some, such as requiring municipalities to no longer approve new developments in the floodways or filing caveats against titles to land in the flood fringe or floodways, were the

recommendations of the 2006 provincial flood mitigation report, also known as the Groeneveld report.

One of the most striking features of this bill is the greatly expanded regulation-making authority it gives the government. While the government's news release on Bill 27 highlights several very specific measures that the legislation will allow, the fact is that the changes will give the government authority to do these things and so much more. That's the concern we have here, Mr. Speaker.

In total the bill contains several different amendments to the Emergency Management Act and the Municipal Government Act. Section 1(2) of the bill amends section 6 of the Emergency Management Act by adding after clause (c) clause (c.1) and (c.2), which will grant the province additional regulation-making authority over eligibility for disaster assistance, additional funding for home flood prevention, and the placing of notices on the land titles of homes in flood hazard areas. The government will use section 6 to deny future disaster assistance to homes that remain in the floodway, require homes in the flood fringe to undertake many more flood-proofing measures to be eligible for future disaster assistance, and establish a land title based notifying system to alert potential homebuyers if a home located in a flood hazard area is eligible for future disaster recovery.

Going back to the 2006 report, prohibiting new developments in floodways was a key recommendation of the 2006 flood mitigation report. Here's what the report had to say on the subject.

Selling flood-exposed crown lands abdicates the responsibility to keeping Albertans safe to private landowners, and while the government as the first seller can ensure that the initial purchaser is aware of the risk, there is no certainty that the risk is communicated to future purchasers, renters or lease holders.

Selling lands in flood risk areas is the opposite of flood mitigation. The province loses its say in the use of these lands and any protective measures would need to be taken through cumbersome mechanisms such as legislation or regulations. Undeveloped flood plains are the natural and most effective form of flood mitigation, and this recommendation will protect those areas. Long-term leases of crown land could be considered for appropriate uses such as parks, agri-business and golf courses.

The sale of flood-prone crown lands creates the potential for increased financial liability for the province in terms of Disaster Recovery Program funding that must outweigh the short-term financial benefits of the sale. Any sale, while ensuring the buyers are aware of the risk before purchase could still be seen as condoning development in flood risk areas.

Had the flood mitigation report of 2006 been implemented, I think there could have been much less damage done by the flood of 2013.

Mr. Speaker, the Alberta Liberals have been calling on this government to engage in proper flood mitigation for more than a decade, and I'm encouraged that this government is finally moving on this important issue. I can recall how in the 2012 budget estimates my colleague from Calgary-Mountain View demanded of the hon. Minister of Municipal Affairs whether or not he would continue to allow municipalities to develop on their flood plains. He also asked when the government was going to take action to ensure that the public is not on the hook for the preventable property damage. It's good to see this minister is finally supporting a ban on developing on the flood plains. It is unfortunate that he did not come to this position before the 2013 flood.

The first thing I wish to address, Mr. Speaker, is that taxpayers shouldn't have to compensate homeowners who knowingly choose to live in a floodway. Simply saying that these home-

owners will not receive compensation in the future will not be effective. We may say that we will not compensate these homeowners, but the political pressure on a future government to compensate these homeowners will be immense. This government needs to recognize that the only way to ensure that taxpayers do not pay for the properties is to not allow people to build in the floodways.

Mr. Speaker, I also wish to stress that potential homebuyers should have the right to know if a home they are considering purchasing is eligible for future disaster assistance. The problem is that the bill indicates that the regulations will define “floodway.” What that means and what exemptions or distinctions are made for places already built in such floodways is critical and has a significant impact on potential homeowners. Leaving the clarity of what is a floodway to regulation will leave homeowners with little certainty and subject to the whims of the minister.

Mr. Speaker, I’m deeply troubled by the fact that the government has for all intents and purposes announced and implemented many of these proposals before enabling legislation was even introduced. The government did the same thing this spring with Bill 12, the Fiscal Management Act. In that case the government unveiled an entirely new reporting system for Budget 2013 before the Legislature even had a chance to debate the enabling legislation for it. While this government has a majority and can enact any bill they like, even against the strongest opposition objections, I would remind them that they still do need to bring bills before this House before acting as though they are the law.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, I’ll recognize the next speaker, the hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Mr. Speaker. I’d like to thank the Leader of the Official Opposition for her restraint and her heartfelt report. I learned a lot. I’m sure that everyone who interrupted their reading and conversations to listen to you were as moved and enlightened as I was.

Bill 27, the Flood Recovery and Reconstruction Act, demonstrates the crass, insensitive arrogance of this government. For emphasis they reject wise amendments proposed by someone as directly affected as victims or hands-on helper volunteers who laboured in the muck and mire to serve their fellow man. Shame on all the Kool-Aid drinkers following their leaders lemminglike over a cliff of wasteful, thoughtless knee-jerk voting against helpful suggested improvements to their act.

Only government carelessly spending taxpayer money would choose to waste \$30 million when \$500,000 would produce a far better result. For less than the cost of the MLA Taj Mahal if acted on in 2006, the Groeneveld report recommendations would have saved \$5 billion or more. Now, that’s a good return on investment and would have spared lives and much heartache.

In case you weren’t sure, I will not be supporting this flawed, incomplete, dysfunctional, and unfair act.

9:10

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, I’ll recognize the next speaker, the hon. Member for Drumheller-Stettler.

**Mr. Strankman:** Thanks, Mr. Speaker. I, too, would like to rise and give my opinions on this bill. I’d like to echo the sentiments of the Member for Cardston-Taber-Warner in his comments to the

Member for Highwood in her experiences in this incident. In my constituency I know I’m prone to extremities, and not those. Normally we’re in a situation of less water rather than more.

But I do have to speak to the extremity of what went on in that area. In the case of Drumheller the members of the town council in years previous, since 2005, were proactive about following the as of yet unreleased Groeneveld report and therefore saved the town and the taxpayers of Alberta a considerable amount of money and heartache and dispossession.

I may have some years on the member that’s proposing this bill, but I do have some experience in regard to the idea of being proactive rather than reactive. I think that’s simply what this legislation is is a poor knee-jerk reaction to an event that is completely unseen and unheard of. It’s to the chagrin of Albertan taxpayers that this legislation is brought forward. There are some good portions of it, and there are some bad.

The town of Drumheller is a town that is now facing a backhanded sort of result of a reactive piece of legislation that an inexperienced member decided to bring forward in that the revenues and the property values in that town are now somewhat seemingly frozen because they don’t know exactly what their designation is. There’s been an exemption put on the town, and that was only at the political whim of the minister and could possibly be removed or misplaced at the whim of someone who wishes to react. That’s the position that those people are put in.

In the situation of my counterpart from Rimbey-Rocky Mountain House-Sundre the floodway has actually moved. In the case of Drumheller that may happen in another certain situation, so the residents of Drumheller would be placed again at the behest of the political whim of – who’s to know who the minister may be in that day?

I just wanted to make those comments known in the Chamber. I would relinquish my position to the next speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

I’ll recognize the Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you very much, Mr. Speaker. I rise to speak to the third reading of Bill 27, the Flood Recovery and Reconstruction Act. I guess I’ll start by expressing my disappointment, Mr. Speaker, in how reluctant the government was in not accepting many of the proposed amendments by the opposition as far as improving this bill and actually giving it some teeth and making it substantial.

I’ll outline why, but at the outset it seems to appear that this bill is little more than a reaction to the terrible tragedy that happened this summer but doesn’t actually address the substantial issues that have been outlined on numerous occasions in numerous reports over many years. Yet the government is still reluctant to listen to their own MLAs, their own reports, and actually take proactive steps not to ensure that this tragedy couldn’t happen again but to mitigate the damage and loss that can be prevented and could have been prevented before the floods of this year, which I’ll outline.

You know, to begin with, Mr. Speaker, it’s quite disappointing, to be quite honest, and I think that there are many Albertans as well that are going to be disappointed with this legislation as it’s currently written. Again, we’ll see, unfortunately, should or when the next major event occurs. It’s frustrating when you can see that something is going to happen again down the road and you don’t do everything in your power to prevent or to cut down on the damage, the destruction, and the consequences. You know, restricting development in floodways is good, and that principle we do agree with. Most experts also agree with that, not to build in

floodways, and it's probably one of the most cost-effective strategies that we have at our disposal.

You know, one of the big challenges with this bill is, again, that the current bill relies on outdated flood maps. These outdated maps did not help prevent some of the catastrophic losses that we experienced in June. The government is still not giving any concrete information on how they're going to update these problematic flood maps. Now, the Alberta NDP brought forward – and I believe it was me that spoke to it – an amendment ensuring that we define what a floodway is and what a flood zone actually is so that everyone is on the same page, so that it's very, very clear we're all using the same definition when we're moving forward.

Again, you know, Albertans need information and need updated information when they're deciding where to purchase their home and whether to repair their existing property or if there are going to be measures that they need to take into consideration, depending on where they're buying and where they plan to live. Especially when we look at the number of people who migrate to Alberta, it's quite significant, Mr. Speaker.

Our position is that these definitions cannot be left to the discretion or the whim of the minister, that they need to be spelled out in this bill, in legislation, so that it's clear not just today, not tomorrow but moving forward, Mr. Speaker. I think that that's very, very important. You know, we were calling for the definition of these floodways because we believe in true accountability and transparency, where, again, actions speak louder than words. Unfortunately, with this government refusing to put these definitions into the legislation, they're anything but being transparent or protecting Albertans. I'm sorry that we don't trust this government to make those definitions and to act in the best interests of Albertans. I mean, it's quite clear why not.

Again, there have been several reports and recommendations from 1973, '83, 2006, yet this current government continuously drags their heels on taking preventative measures. You know, we've heard other members of the opposition talking about the costs of mitigating in advance or prior to a flood or a natural disaster of this consequence. It would have saved the government, taxpayers, and Albertans millions of dollars. I mean, it's not just about dollars, Mr. Speaker. We're talking about people's lives that were completely flipped upside down, things that were completely destroyed or lost, from personal assets to keepsakes. It had, as we all know, devastating consequences for many, many Albertans, and my frustration is when we look back and we take a step back and say: "Okay. How could we have prevented this, or how could we have mitigated against this? What could we have done?"

**9:20**

I appreciate that I'm harping on that, but moving forward, you know, it's going to be extremely frustrating if in the next natural disaster or event we're in a similar position, where we're talking about it in the House and looking back to this year, to this bill, and saying: "Why wasn't more done? Why didn't they put more teeth into this? Why didn't we look at doing a better job at mitigation?" Whether, again, we're talking about mapping, whether we're talking about berms or waterways or ways to mitigate against potential flood or damage, we could have it right now. This was really the opportunity, the fifth opportunity, I should say, again because of all the years that I've already outlined, where there should have been more action and wasn't.

You know, as I and my colleagues have said previously, Mr. Speaker, there are a number of experts and studies that show that the damage that was sustained this year, in 2013, could have been greatly reduced, again, if the government had implemented recommendations from previous reports and kept more updated

flood maps. I think it's quite absurd for a person to take the position that flood maps don't change or that floodways don't change. I mean, as we continue to develop in this province, that has an impact, obviously, not to mention climate change and other impacts that do alter our floodways, our flood mapping, and I'll get to some examples.

I know that the Member for Highwood knows first-hand that there could have been a lot more mitigation and prevention done. Some of the areas in High River that should have never flooded flooded. I was quite amazed, actually, when I went down to take a tour of High River. The hon. member took me around and gave me a tour, looking at the different communities within High River, and what amazed me the most, Mr. Speaker, are the areas that never should have flooded or were not in floodways or flood zones. Some of them got hit the hardest that never should have had a drop of water. I completely appreciate the frustration that many members have in this House with the government, with many Albertans saying: why wasn't more done?

Reports that were done in 1973 by Montreal Engineering, in 1983 by Alberta Environment, and in 2005 have been used by experts since the flood this year to argue that a flood of this magnitude was actually predictable and that it wasn't that rare. I'll address the issue of claiming that this was a 1-in-100-year flood, which I think is a very naive way of looking at a natural disaster or giving people a false sense of security.

There was a report as well in 2010 that warned that Calgary would suffer more frequent and severe floods. The report cost, I believe, around \$80,000 and was prepared by Golder Associates, consultants in Calgary, to guide emergency response planning and flood mapping.

Other recommendations that experts have made – and, again, we're relying on experts, not just on people making this up. John Pomeroy, Canada research chair in water resources and climate change and a professor at the University of Saskatchewan, says that integrated weather and water prediction models – so between the feds, the province, the municipalities, and even potentially universities – needed to give better warning but also to assist in planning for future flood plains, safer reservoir management, better forest and agricultural management for long-term flood and drought mitigation.

As I had mentioned, the 1-in-100 or the 1-in-1,000 years: again, a dangerous way of thinking, which actually goes quite contrary to many of the reports, some that I just cited, and even to the 1983 flood hazard survey, which the PCs commissioned themselves.

What's frustrating and, I think, frustrating for a lot of Albertans, Mr. Speaker, is that there seems to be a trend when it comes to this PC government and how they govern. Something happens, whether it's an incident, an accident, a natural disaster. Then there's a report, and then the most crucial recommendations don't get implemented and are ignored. Down the road this similar situation occurs, and we go back into the cycle of doing this, where, again, you know, taking direct action seems to be ignored by this government but would do much to reduce impacts of future incidents.

With this bill, we're left with, in my view, what is the shell of what it could be as far as giving us some crucial details, again, in the definition of the flood maps and floodways and flood fringe zones. Here we are asked to accept and support a bill with very vague language, you know, and provide our approval or not for whatever comes out of this. I mean, that's very troubling, Mr. Speaker, in that we have a real opportunity to take positive action. I think what many of the members, from the opposition anyway, are advocating for are some definitions, defining some terms,



knowing exactly what we're talking about so that we're all speaking the same language.

You know, Mr. Speaker, what we have is a government that ignored the 2006 recommendations, which, again, many members have cited, to institute a continual map maintenance program instead of opting for a when-appropriate model, that clearly wasn't maintained when appropriate, with our friends in High River being a tragic example of this, where many of the safe areas on the flood map written in 1992 were the ones that were hit the hardest.

Here we are with a government that asks us to trust them with more power with respect to floods and definitions, but they've ignored all the evidence in the past – all the reports, all the recommendations, all the warnings – yet still try to frame this as, you know, a once in a hundred or a thousand years flood, which is quite frustrating. To put it quite simply, Mr. Speaker, Albertans see that much more could have been done prior to this June.

Again, I can appreciate that there are certain parts around the province, like places in Calgary, for example, where we're not necessarily going to be uprooting people and moving them, but one expert, Professor Ed Watt from Queen's, a civil engineer actually, ended up telling us that we should be keeping people from the water, not trying to keep water from the people, which seems to make sense for the most part where we can, acknowledging that there are areas throughout the province where that's not going to be possible.

You know, we should, moving forward, be working on ensuring that there is no more building in floodways, and unfortunately the legislation stops short of that and allows this government to decide what happens, where it happens, leaves the power with this government.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, are there other speakers?

The hon. Minister of Municipal Affairs to close debate if you so desire?

[Motion carried; Bill 27 read a third time]

**9:30                      Government Bills and Orders  
                                 Committee of the Whole  
                                 (continued)**

[Mr. Rogers in the chair]

**The Chair:** I'll call the Committee of the Whole to order.

**Bill 40  
Settlement of International  
Investment Disputes Act**

**The Chair:** The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Chair. I rise to speak in committee on Bill 40, Settlement of International Investment Disputes Act. Now, this bill is problematic, and I'll try to outline as concisely as possible the concerns that I have with it. I can appreciate and understand the desire for security and consistency for international businesses that the bill is aiming to help and what it's aiming to do. However – and I say this with respect to the bill's sponsor – the province of Alberta should come first, first and foremost. The way the bill is written, it's not a good deal for our government or for the people of this province.

[Mr. Amery in the chair]

There are two main reasons why I'll be opposing this bill. I believe my colleagues have spoken to this. The first is a specific focus on the centre itself, which I'll explain in detail in a moment, and the second relates more to the broader implications of this bill. The arbitration centre that's brought in by this bill, the International Centre for Settlement of Investment Disputes, or ICSID, if I've pronounced that correctly, has major issues in and of itself. You know, my first concern is the quality of arbitrators that may decide Alberta's future. Now, one arbitrator the centre employs is actually a person by the name of Orrego Vicuña. Now, some members of the House may not know who that is or the issue that we have. Mr. Vicuña was an ambassador for Chile under the Pinochet dictatorship. By signing this bill, we're saying that it's okay for him as one of the arbitrators to decide, when Alberta legislates in its own interests, whether it's done something wrong. We have very big concerns about letting one of Pinochet's friends decide our province's fate, and Albertans, you know, should be shocked that this PC government doesn't.

Now, for those of you who haven't looked at your history books in a while, Pinochet was a very brutal dictator in Chile, and we have serious concerns about, you know, one of his ambassadors being one of the arbitrators for this centre. What I'm talking about here is that fate is really no hyperbole here when we talk about this person being in a position to decide the fate of the province. Honestly, there's no maximum price tag on the decisions that are going to be made by this centre. What we're talking about here is potentially billions and billions of dollars out of Alberta's pocket if someone like Vicuña decides that we're in the wrong.

[Mr. Rogers in the chair]

In addition to that, Mr. Chair, we can't even say just how poor the decisions of this centre might be because the centre doesn't have to release claim value. Basically this current government is locking us into an agreement, and we can't even get a full picture of how bad the deal may or may not be. Even for this current PC government this level of secrecy is quite extreme.

Examples that have leaked out from ICSID decisions: we know that they've reached into billions of dollars. We're talking about big potatoes here, Mr. Chair, so the issue that I have and that my caucus shares is that we're signing over the power to review decisions in our own courts to a branch of the World Bank, and whatever they say goes. For example, not only might one of Pinochet's friends get an opportunity to decide whether Alberta owes billions of dollars, but we can't appeal that decision within Canada. That's our first problem.

The second problem is the larger issues with some of the free trade agreements that have been negotiated. Again, we're asked in this bill to accept a method of dealing with international investment disputes, but the arbitration method is also directly relied upon in our free trade agreements. We can't look at this in isolation. For example, our recent foreign investment promotion and protection agreement, or FIPA, with China uses the centre as one option for an arbitration forum, or once this bill is passed. The Ministry of International and Intergovernmental Relations has told us that they've been encouraged by the federal government to pass this bill. We can only assume that the push from the Harper government to sign on to the centre, which has been around since the '60s and Canada has held out on ratifying until now, which is important to note, is based on a recent signing of new free trade agreements with China and with Europe.

Now, our trade partners want this as an arbitration forum. This current PC government here in Alberta is all too happy to oblige.

On our side we want strong relationships with our trade partners as well. We simply want to be able to protect our natural resources and ensure that the long-term prosperity of the province is decided through our own laws and not handed over to a foreign body to have that kind of power.

Under our recent free trade agreement with China, for example, Mr. Chair, if the government does something that the Chinese oil company doesn't like, we could be taken to arbitration. That arbitration would be dealt with under the rules of our free trade agreement, so it could go to the centre, which would mean that it is not appealable in Canadian courts yet enforceable within our courts. So a foreign company could or would literally be able to take over Alberta government assets, with no power of review in our courts. That's a massive loss of our sovereignty.

Now, here's the thing. There's a clear alternative available here, not just the other arbitration centres but allowing the province to work with companies and deciding what fits with them. We're not suggesting that we limit choice for corporations here. We just want to make sure that the province doesn't get locked into something that could be an extremely bad deal. That is our really big concern here, Mr. Chair. We do need to look after the interests of Albertans and Alberta, first and foremost. I believe we're painting ourselves into a corner for those two reasons. One, the arbitrators selected for the centre: very questionable, especially with, again, a previous ambassador to the dictator Pinochet. As well, the process by which the centre makes decision could end up costing Albertans and taxpayers billions of dollars if the centre sides not in Alberta's favour.

The question is: why are we allowing these decisions that cannot be appealed or potentially overturned to be made by a third party? That causes some real concerns. I mean, we're talking about the sovereignty of our province here, Mr. Chair, and my fear is that what this bill is going to do is really going to put that in jeopardy.

For those reasons, Mr. Chair, I cannot support this bill. Thank you.

9:40

**The Chair:** Thank you, hon. member.

Next speaker?

Seeing none, I'll call the question.

[The clauses of Bill 40 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? That is carried.

#### Bill 41

#### Premier's Council on the Status of Persons with Disabilities Amendment Act, 2013

**The Chair:** I'd recognize the hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Chair. We are on Bill 41 now? Is that what I heard you say?

**The Chair:** Bill 41.

**Mr. Wilson:** Okay. Great. Thank you.

I have an amendment that I would like to propose to this bill, please.

**The Chair:** While we circulate that, we'll pause for about 30 seconds, hon. member. For the record, this will be amendment A1.

Please proceed, hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Chair. I'll be relatively brief as I describe this. This is the only amendment that I have to Bill 41. It's very straightforward in its intent. In Bill 41 one of the things that it talks about is that section 4 is amended by adding the following after subsection (1): "(1.1) The membership of the Council must include persons with disabilities or individuals who have involvement and experience with disability issues." I've got to say that I wholeheartedly agree with this addition to the act. I believe that it makes perfect sense to have an individual who is dealing with or has dealt with disabilities involved on this board.

What this amendment is intended to do is include an individual who is contracted as a service provider to also have a seat at the table on this board, based on the increased advisory role that this board is going to have. The way that this act is written, it's intended that it's going to have more of an advisory role to play with government. I and my caucus mates, I believe, feel that it is eminently reasonable that one of the 15 seats at the table be reserved for an individual in this province who is currently providing services to individuals with developmental disabilities in the province.

There is a lot of change that has happened in the system. There is going to be a continued transition as this government changes the way in which services are delivered in this community. I think that having a seat at the table so that they can offer perspective as to how decisions that are made may impact not only the level of service that those in the disability community will receive but how things are being laid out, how actions are being taken, all of the above – there's just a different level of perspective that someone who is in a service provider role will be able to bring to the table. I believe that's an important voice to have, and I look forward to the minister responding to this proposed amendment.

Thank you, Mr. Chair.

**The Chair:** Thank you.

The hon. Associate Minister of Services for Persons with Disabilities to respond if you're so inclined.

**Mr. Oberle:** Yes. Thank you, Mr. Chair. I thank the hon. Member for Calgary-Shaw for this amendment and for his thoughts around it. I'm a little curious. I think the current wording of section 4(1.1) says: "The membership of the Council must include persons with disabilities or individuals who have involvement and experience with disability issues." I wonder if that doesn't go far enough for the member, and if not, why not? I'm just kind of struggling here. I may be a bit reluctant to go further because of the potential for a conflict of interest, where a person that has a stake in the system advises the other council members on how to design the system. I'd certainly be open to some comment there.

**The Chair:** The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Chair. This was a consideration as the amendment was drafted. My intent, I guess, was to address, first off, the way in which the act is currently worded. My idealistic view of the way in which this act is worded would suggest that subsection (1.1) here would suggest that it would be an individual with disabilities that would be on the board as one of the 15. So adding a second seat as someone who's strictly in a service provider role I thought would add more value.

To address the conflict of interest side of things, seeing as what this council is doing is not necessarily a binding role to govern-

ment and they are just one vote on a council of 15, I found it a bit of a stretch, I guess, in the way that my mind works, that that would genuinely be able to swing advice to the Premier, advice to the council. Seeing as they are in an advisory and nonbinding role to government, there would not be a direct conflict of interest in anything that that individual who's providing services under contract to the government would bring to the council.

I hope that addresses the associate minister's questions.

**The Chair:** Are there others? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Chair. My colleague in my own caucus referred to it as an idealistic view, and I'm going to refer to it as a pragmatic view. I would ask the minister to consider this option or argument, which is that although the act itself wants to get people with experience, clearly I think there's a presumption that employees of the ministry would definitely have experience. This amendment acts as a piece of insurance per se that people that would be in the employment of the ministry would not only have experience but that experience would probably have been updated and be current. It allows for that continuity of experience. Maybe as members or volunteers come and go, having someone on this council who is employed would sort of ensure that that experience level is represented in one form or another. I think we talked about this when the bill was originally tabled, how difficult it is sometimes to deal with volunteers and how volunteers are stretched thin in many circumstances.

By doing this, it's an option that allows the ministry, when these councils are constructed, to keep a certain decorum or a certain level of experience within the makeup of these councils. I think that would be a tremendous advantage for the ministry in the consultation process and dealing with these councils.

Thank you very much, Mr. Chair.

**The Chair:** Thank you, hon. member.

Are there others? The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Sure. Thank you, Mr. Chairman. Again, just to be brief, you know, I think that as we went through the spring, we learned that the service provider network in this province – that is, you know, the 280-plus independent businesses that are operating – have a very reasonable and somewhat strong voice in this province. I know that the ministers do consult with them on various levels.

But, that being said, this council really – there are critical roles in the province. There are those who are clients of the system, there are the families of those who are in the system, there are the self-advocates, there are the guardians of those in the system, and then there are those who are contracted to provide services to those in the system. I think that if we can hold a seat at the table for those who are providing the services, again, it just strengthens the body as a whole and will add perspective to what this council can provide to the Premier when they provide their annual report.

Thank you.

9:50

**The Chair:** Are there others? The hon. associate minister.

**Mr. Oberle:** I get the intent thoroughly, Mr. Chair. I'm really struggling with it. The role of the council is one of a high order, and we talked about dealing with the United Nations declaration on the rights of persons with disabilities, talked about Alberta building codes, those sorts of things. Indeed, a broad array of

voices would be welcome and necessary and certainly would play a role.

But the member knows that I intend also an operational role for the Premier's council in that I would love to discuss operational details: business plans, intended budgets, those sorts of things. That would really fringe on a conflict of interest if there was a service provider in the room that could benefit from that conversation. I would have to ask them to recuse themselves. They couldn't participate in it. That would seem kind of odd.

I just want to point out – the other member there talked about an employee – just for clarification, all of the members of the council are outside of the government. We do have a secretariat that provides services to them, a whole office, but the board itself is composed of nongovernment employees.

**The Chair:** Thank you.

Are there others on amendment A1?

Seeing none, I'll call the question.

[Motion on amendment A1 lost]

**The Chair:** Back to the main bill. The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you very much, Mr. Chair. I have an amendment.

**The Chair:** Okay. Can you circulate that? About a 30-second pause, please.

Hon. member, are you introducing this on behalf of your colleague?

**Mr. Bilous:** Yes, Mr. Chair. I'm introducing this amendment on behalf of the Member for Edmonton-Strathcona.

**The Chair:** Okay. Wonderful. We'll note that for the record, and we'll call this amendment A2.

You may proceed to speak. Thank you.

**Mr. Bilous:** Thank you very much, Mr. Chair. I'll walk the hon. members through this. The Member for Edmonton-Strathcona moves that Bill 41, Premier's Council on the Status of Persons with Disabilities Amendment Act, 2013, be amended by striking out section 4 and substituting the following:

Section 7 is repealed and the following is substituted:

Annual report

7(1) The Council shall, for each fiscal year, submit to the Premier an annual report consisting of a general summary of its activities and recommendations regarding government policies affecting persons with disabilities.

(2) A report submitted under subsection (1) shall include, but is not limited to, recommendations regarding the alignment of government policies affecting persons with disabilities and the principles of the United Nations Convention on the Rights of Persons with Disabilities.

(3) On receiving a report under subsection (1), the Premier shall lay a copy of it before the Legislative Assembly if it is then sitting or, if it is not then sitting, within 15 days after the commencement of the next sitting.

(4) Within 30 days of a report being laid before the Assembly under subsection (3), the Premier must respond to the recommendations contained in the report prepared under subsection (1) and make that report public when completed.

Now, Mr. Chair and hon. members, the amendment looks quite lengthy, but it's honestly not that complicated, and I'm happy to walk members through this.

Essentially, it does three things. It's adding a requirement that the annual report made by the council on the status of persons with disabilities include recommendations. It adds a requirement that the recommendations adhere with the UN convention, and it adds a requirement that the Premier respond to those recommendations. So not sweeping changes when we look at it.

First, let's talk a little bit about the reports. The agency produces an annual report. Okay. That report is already required in the bill to be tabled in the Legislature, so we've got public reporting there. This amendment including recommendations will mean that, rather than having this council simply make quiet suggestions to the government about where it may improve or do things better, it will add some public accountability to it, Mr. Chair. I recognize that this isn't necessarily a perfect solution, but it does add more meat to the council.

We see this as important because the council has in long past done some very good work with recommendations. They released the 2002 Alberta disabilities strategy, which put forward 168 recommendations. Now, despite that being public, we haven't been able to find government follow-up that shows their progress on the recommendations. So what we're looking for here, Mr. Chair, is a way for the Legislative Assembly to know how the government is responding to these recommendations, if they're moving on them, in what time frame because, again, there have been great recommendations put to the government in the past. This is a way for the Legislative Assembly to keep the government accountable or to know what their actions are following recommendations.

I'll give a few select recommendations here. "A commitment . . . to embrace the principles of universal accessibility and a process put in place to remove physical barriers from public spaces." Mr. Chair, as of this January, a full 10 years after those recommendations came out, the Alberta Committee of Citizens with Disabilities is still stating that there are crucial holes in our access, most notably in the ability to access health care. That's one example where there would be a process and follow-up.

Another recommendation or requirement: "the Government of Alberta . . . ensure that the needs of persons with disabilities related to their daily living activities are met." We know how that was run over during the summer with the massive cuts to community access for the developmentally disabled.

Another example: an overhaul of the appeals process after decisions are made. That is still arguably in shambles at the moment, Mr. Chair.

Publicly reported recommendations aren't foolproof either, but at least they will help to give advocates of persons with disabilities in the province an extra resource and an ability to follow up. Since that report, by the way, it seems like they've been silent in terms of public recommendations.

We're hoping, obviously, that this amendment is accepted, Mr. Chair, and that it emboldens the council to come forward with more recommendations in the future because looking back at it, that disability strategy is something that the council should be very proud of. Again, we're just looking to be aware of the follow-up, not necessarily obligating the Premier or the government to take those recommendations but at least for Albertans to be aware on certain recommendations what action has been taken, if any, or what steps. I think that in some ways it could be argued that that's to the advantage of the government as well because they're able to demonstrate the steps and actions that they have taken on recommendations.

The second part of this amendment, Mr. Chair, is the inclusion of recommendations related to the UN's convention on the rights of persons with disabilities. A lot of ground is the same in terms of

making these recommendations public and adding accountability that it provides. We feel that if the government is going to be honest in their commitment to the convention, they should embrace this sort of report card on any areas they need to improve that these recommendations could provide. Again, it's a way to be, well, both transparent and accountable.

We feel the convention is a good benchmark to live up to – and we're talking about the UN convention – and it would be a good idea to get an accounting on where the holes are at. We also see it as vital that recommendations are made on it because it appears, you know, that there are examples where the government misunderstands what the convention really means and what it's attempting to do. An example here is that last week the associate minister stated that somehow their decision to break a promise to people with developmental disabilities and close the Michener Centre was empowered by the convention.

**10:00**

What the convention really respects is choice for people with disabilities, Mr. Chair. Article 19 of the convention states that we must ensure that "persons with disabilities have the opportunity to choose their place of residence." When you promise to residents that they can see out their lives at the centre, a place they call home, and then give them the boot, you're eliminating that choice; you're not empowering it. Clearly, we need to be double-checking this work and this government's work and holding them to an international standard, and this is one way to do that and a good idea.

Finally, we made it a requirement that the Premier respond to recommendations. We think that this is fitting given that her name is on the council. The requirement for a response doesn't force the Premier to immediately have all the answers or force the Premier into immediate action. What we're talking about is a response to recommendations. Honestly, Mr. Chair, I look at that no differently than when constituents write to any one of the 87 members that our offices respond to our constituents and to Albertans. So this is a very similar approach.

The other thing that it does is that it gives recommendations some immediate consideration, you know, empowering the council that is making the recommendations by valuing them and getting a response back to them.

No dramatic shifts, all in all, in the purpose of this amendment, so it shouldn't be too controversial. Again, the purpose of this amendment, Mr. Chair, is really to provide the tools for the government to ensure that they live up to their promises. We're talking about improving accountability and public accountability with these amendments.

Thank you, Mr. Chair.

**The Chair:** Thank you, hon. member.

The hon. associate minister.

**Mr. Oberle:** Yes. Thank you, Mr. Chair. I will be voting against this amendment, and I urge my colleagues to do the same. First of all, there's no shortage of report cards on how the government is doing, including the annual report of the Premier's council, which is tabled in this Legislature. The member in his speech mentioned several points where there are report cards.

There is no way that you could take the Premier's council, which is not a quasi-judicial process, and force, really, people who in many cases, you would hope, have full-time jobs elsewhere, without being quasi-judicial to have the powers of investigation, the powers to conduct hearings, the powers of research so that they could make recommendations. You're placing a role on the

council that's not at all intended here. They are a partner and an adviser in this. To task them with recommendations really would make them somehow officers of this Legislature or some other quasi-judicial body that has some power over the government. That's a role that even the council itself would decline.

I strongly urge that we reject this amendment, Mr. Chair.

**The Chair:** Are there others? The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Chair. The council makes recommendations already to the Premier and to the government, and as the associate minister said, it is tabled in the Legislature. But what we're talking about is when they make the recommendations. We're not adding any more work to the job that they're already doing. What we're doing is giving them a way to make those recommendations public and to put a little bit of onus on the Premier and the government to respond to the recommendations.

Again, I'll clarify that in 2002 the Alberta disability strategy put forward 168 recommendations, and a lot of them were very, very good. All that this amendment is doing is putting in place a mechanism to ensure that the government and the Premier respond to those recommendations, Mr. Chair. I think, again, that if we're asking these people with full-time jobs to sit on this committee and make recommendations, well, let's first of all make sure that the public is included and aware of the recommendations they're making. More so, let's ensure that the government is responding to those recommendations so that these very folks know which ones are being implemented, which ones are being ignored, and where they are in the status of them. I don't think it's adding any more work to the council itself. What it's doing is providing more of a public accountability.

Thank you.

**The Chair:** Are there others?

Seeing none, I'll call the question on amendment A2.

[Motion on amendment A2 lost]

**The Chair:** We're back to the main bill. The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Allen:** Thank you, Mr. Chair. As this bill, at two and a half pages, is very brief, so will my comments be. I just wanted to take this opportunity to rise and commend the government and the Associate Minister of Services for Persons with Disabilities on this co-operative and inclusive amendment act. I've heard from several in my constituency that this will go a very long way in ensuring that the needs and services provided to persons with disabilities will be adequately heard.

The inclusion of the United Nations convention on the rights of persons with disabilities is an important and crucial piece to add to this legislation. I view the ability for the Premier's Council on the Status of Persons with Disabilities to provide input into the development of business plans for government departments that directly affect them as extremely important. It's crucial to the betterment of all of Alberta that everyone affected by policies or a particular piece of legislation have their voices heard.

My constituency is made up of a very large cross-section of all Albertans. This amendment will go a very long way to ensuring that those with disabilities are given an effective voice in decisions that directly affect them. I assume, at the same time, that it allows for these councils to make region-specific recommendations, because we all know there are no cookie-cutter solutions for the entire province.

I especially like the addition under section 3(a)(ii) of clause (i), stating that the council will "advise the Government on reviews and development of policies, programs and initiatives and their implementation with respect to the effect on services to persons with disabilities." Occasionally we have new policies put forward, and their impact on persons with disabilities is negative. The ability for this to be reviewed by the council prior to the change in policy helps to mitigate this possibility.

Finally and most importantly, I'd like to applaud the decision to ensure representation on the council of those directly affected by or involved with disability issues. This is so important. The ability to speak from personal experience is integral to ensuring that all aspects and experiences are included. I'm very pleased to support this bill, and I think it is important that all members here vote unanimously to pass this legislation. It is important, inclusive, and will ensure that constituents in my riding who have involvement and experience with disability issues will feel assured that their interests are being respected.

Thank you, Mr. Chair.

**The Chair:** Thank you, hon. member.

The hon. Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Chair. I also rise to speak on Bill 41. The treatment of our persons with developmental disabilities community by this government leaves much to be desired. This spring the community was put into disarray as this government announced \$42 million in cuts. These cuts came without consultation and without warning. The PDD community has developed a mistrust of this government and a genuine concern that their issues are not being taken seriously. The concern is that the government views them as a community to be dictated to rather than partners in developing a positive environment for those in Alberta with developmental disabilities.

The mistrust that this community feels for the government combined with their unique vulnerabilities means that the PDD community is in need of strong and compassionate advocates.

**10:10**

The Premier's Council on the Status of Persons with Disabilities plays an important role in being advocates for the PDD community and the disabled community more broadly. We encourage the government to take seriously the recommendations of this board.

I'm pleased to note the expanded mandate that the council has been given. This is a positive development that should support the efficacy of this council. Unfortunately, however, advisory boards have a history of being little more than window dressing in Alberta. The onus will be on the Premier, the Minister of Human Services, and the Associate Minister of Services for Persons with Disabilities to prove they are willing to heed and act on the advice of this expanded Premier's council.

Many of the comments on the deficiencies in this bill have been previously raised by my colleagues, and I would like to echo their concerns regarding making recommendations of the council public and the need for a clear commitment for aligning with the UN convention on the rights of persons with disabilities.

Finally, Mr. Chairman, a precedent has been set with this bill that I urge the government to follow more frequently. Too often we create boards and councils in Alberta but do not specify that the members of these boards have to have any experience or expertise. Bill 31, which was recently passed, allows for the appointment of seven ballerinas and an engineer to the science

advisory board rather than scientists. Thankfully, Bill 41 does require that members of this board have some experience with the PDD community, and this is a precedent I urge the government to continue to follow.

Thank you, Mr. Chairman.

**The Chair:** Thank you, hon. member.

The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Chair. I'm wondering if the associate minister or the minister could just quickly clarify. I know this is a bit of an amending act. In the original is the Premier required to lay the report before the Legislative Assembly?

**Mr. Oberle:** I believe, in fact, that they are. When a piece of legislation calls for an annual report, it has to be tabled in the Legislature.

**The Chair:** Are there others?

Seeing none, I'll call the question.

[The remaining clauses of Bill 41 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? That is carried.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chairman. I'd move that the committee now rise and report bills 40 and 41.

[Motion carried]

[The Deputy Speaker in the chair]

**The Deputy Speaker:** The hon. Member for Edmonton-Ellerslie.

**Mr. Bhardwaj:** Thank you, Mr. Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bills: Bill 40 and Bill 41. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

**The Deputy Speaker:** Thank you, hon. member.

Does the Assembly concur in the report? Agreed?

**Hon. Members:** Agreed.

**The Deputy Speaker:** Opposed? So ordered.

## **Government Bills and Orders**

### **Third Reading**

*(continued)*

#### **Bill 30**

#### **Building Families and Communities Act**

**The Deputy Speaker:** The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. It's my pleasure to move Bill 30, Building Families and Communities Act, for third reading.

We've had an excellent debate in the House at second reading and some discussion in committee. I think I would ask all

members of the Assembly to reflect on the excellent work that has been done by community boards across the province and the child and family services authority boards.

Over the years, as that system developed and as we put in a community governance model, we had a number of people who stepped forward and provided volunteer service to child and family services authorities. I would say the same with respect to the boards for persons with developmental disabilities. As we move forward now to build on that good work, I want to say thank you to the board members who have served over the years in those capacities.

I think it is important to reflect on that as the province grows and as the communications become more direct and as we have people who move around the province with greater degrees of mobility and as we have service providers who work in so many different areas of the province, to move to a new governance model and a new operational model which still will provide for regional service delivery but will also ensure that there is a continuity of contracting processes across the province, a continuity of implementation of policy across the province, and an ability to deliver services on a regional basis but have an efficiency and an effectiveness and a fairness of policy application across the province is extremely important.

So this new model of service delivery is on a regional basis, with the regions in the Human Services area aligned appropriately so that whether it's persons with developmental disabilities or child and family service delivery or Alberta Works delivery, we're working better together, which is the theme that we have in Human Services, bringing all of the various aspects that were formerly in other departments, co-ordinating the regions and doing service delivery better together within the regions so that we can support and strengthen families and make sure that the children have the support that they need, an extremely important objective.

But we do not want to lose that community governance, that oversight that comes from an engaged, active community that cares about the social issues in their community, cares about how we are treating our vulnerable children, how we are ensuring that our families are successful, how we are ensuring that communities can be engaged in the issues that matter and only in the issues that matter to their community. So our community engagement councils that are proposed under Bill 30 become a very important new iteration of the community governance model, not responsible for active service delivery but responsible for the active engagement of the community and the social issues and the active advice to their community and to this government with respect to policy development relative to social issues in their community.

The other very important role of the community engagement councils is one of assurance, one of testing within their community groups to say, "Are we hitting the ground? Are we actually achieving the objectives that we wanted to achieve?" two very important roles for community engagement. As we do that, and as we say thank you to the board members of the CFSAs and the PDDs, with this act being passed, with those boards being dissolved effective the end of the year, and moving towards the new year in which we would engage the community engagement council and recruit people, some of whom may well be board members currently but people who will actively provide that engagement role, we also want to look to the other part of the act, which changes the governance structure of the PDDs and amends the PDD act in order to do that.

There's one other important thing, and that is to provide for an improved appeal process. We didn't try to renovate or renew or redo the persons with developmental disabilities act in this bill. Really, all this bill does to that act is change the governance model

and disengage governance from operations under that act. But we did take one further step, and that is to improve the appeal process. I would think that that's an improvement that all members of this House would want to see, and I'd ask for their support for Bill 30 in third reading.

**The Deputy Speaker:** Thank you, hon. minister.

I'll recognize the Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Speaker. It's a pleasure to rise and speak to third reading on Bill 30, the Building Families and Communities Act. I would agree with many of the minister's comments. We had a good debate. We had good discussion throughout the committee process. You know, I think there was strong debate through all phases of this bill. I, too, would encourage my fellow caucus mates to support this bill. I believe that it is a move in the right direction in terms of what we're, hopefully, going to see as a result of the dissolution of some of these boards. I think it's been a long time coming for some of them, and I'm excited to see what can be brought as we move in this direction.

10:20

There are some things, as always, Mr. Speaker. The devil is in the details of a bill, and, you know, the minister has left himself a pretty wide open space to create regulations as noted in section 23(f), that says that he can make a regulation "respecting any other matter necessary for carrying out the intent of the Act." This is one of those rare occasions where I would encourage the minister to make regulations about that because the intent of this act is to strengthen this system.

One of the things that I wouldn't say that I'm worried about but that I just want the minister to be aware of and cognizant of as he goes through this process and creates these details and these regulations is the values piece of what this act is supposed to do and the values of what the government's role is in terms of making sure that those who have developmental disabilities that are being cared for in this system, what those values are that this government holds and shares with Albertans about the level of care that they should receive. There's not really much in this bill currently that says that the government has a standard of service that they are going to maintain or that there is a standard of service that those who are providing the services ought to maintain. So I would ask the minister to be aware of that as he is creating those regulations.

What we're seeing as well with some of the debate that we've had in this House around, you know, the big news story of the week, the child and families services authorities. I would again ask the minister to keep in mind the values that this government, this House, and Albertans in general have and wish to have and want this government to hold themselves to account to and making sure that those children that are in the care of this system and those who are being serviced by the PDD community have the greatest set of values that we can offer so that if it was our own daughter, son, brother, or sister that was in care, we would make sure and strive to ensure that they received a level of care that we would want for our own loved ones.

Again, I reflect, and now I'm happy to report that the appeal period is officially over for Betty Anne Gagnon, so this one is free game. A tragedy like that: keep that in mind, ministers, as you come up with the regulations for this act to ensure that procedural oversight cannot be used as an excuse in the future to allow a tragedy like to happen again.

I recognize fully, Mr. Speaker, that a strong majority of individuals who are working on the front lines in this system – a very, very strong majority – are people deeply passionate about serving that community, and I'm not in any way, shape, or form trying to disparage any of them. But the reality is that if we have procedural loopholes, there are often times that individuals can fall through the cracks of those loopholes. I would just ask the minister to do the greatest job that he can in creating the regulations in this act to ensure that that never happens in this province again.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

The hon. Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Speaker. I also rise to speak in third reading of Bill 30, Building Families and Communities Act. As Bill 30 acts as a framework for future arrangements, there are lots of details left out of this bill, and the devil is in the details, like my colleague said. One of the most effective ways to ensure that the details are done right is to include meaningful contributions and engagements from Alberta's PDD community.

With that in mind, the first issue I wish to address is the level of involvement that the PDD community has had in the development of the proposed family and community engagement councils. The family and community engagement councils will have a substantial impact on the situation of many Albertans. Many members of the PDD community have complained that they were not properly consulted on the changes being proposed. As such, they are rightly concerned that they will not be properly consulted in the operation of the family and community engagement councils as they develop social policy.

Considering that the group most affected will be the PDD community, failing to protect their interests on these boards could have huge negative impacts upon their community. We need to ensure that the PDD community's involvement is properly protected on this new board.

Second, we need to recognize that for many in the PDD community employment is not a meaningful measure of success. We are talking about some of the most vulnerable and disabled members of our society, where the only meaningful measure of success is quality of life. Mr. Speaker, while employment is an admirable goal for some in the PDD community, this government's obsession with it will cause harm to the most disabled in the PDD community.

On its own this legislation will not cure all that ails Alberta's PDD and child welfare programs. Overall, centralizing can create a hard-to-navigate bureaucracy and throws unnecessary barriers in front of the very people it is supposed to help. I would urge caution, to warn this government in its rush to centralize, especially because Bill 30 does not spell out how Human Services will be reorganized. Those important details are still to come, Mr. Speaker. Fundamentally this bill is in need of more detail and more clarity.

With that, I think I will be supporting the bill, but those are the issues I have with the bill. Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available should someone wish to ask the member a question.

Seeing none, I'll recognize the Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Speaker. I rise to speak to third reading of Bill 30, Building Families and Communities Act. I'd

like to just outline a few different things here. I'd like to remind members and Albertans of the actions that this government took this summer which were very hurtful toward the PDD community. Then I'd like to talk about some of the amendments that the Alberta NDP caucus put forward, which were unfortunately rejected by this PC government, especially highlighting the Betty Anne clause that was put forward by the hon. Member for Edmonton-Strathcona.

You know, it seems that this government likes to push and pull at the same time. They'll take something away and then give back a little and pat themselves on the back for a job well done. I'd like to remind all members that in March of this year the PCs passed a budget which cut \$42 million out of community services funding from PDD, which directly impacted thousands of families throughout the province. As well, this PC government closed the Michener Centre. Conversely to what the government says or thinks, I believe that not only the Alberta NDP but all opposition parties have been in touch and in contact with many residents, caregivers, family members of Michener who are all vehemently opposed to the closing of that facility, which provides crucial and necessary care for those adults who can't live in the community even with supports. It's necessary that there is a facility or a home like Michener.

You know, the third part is what this government announced, which was promising a 15 per cent wage increase for staff, for service providers. They then said: "Okay. It's going to be reduced to 10 per cent this year." And when the grant was provided this past August, Mr. Speaker, it actually amounted to about a 7.5 per cent wage increase for many service providers.

Now, I can tell you, Mr. Speaker, that I've met with service providers who do phenomenal work in the community, working with families and people with developmental disabilities, and heard about their frustration. I'm talking about those who work out of small NGO service providers who are quite frustrated at the wage disparity between some providers and those that are employed by the government compared to the ones in the NGO community. The folks that I spoke with said that the government recognized the wage disparity and that they were going to do something about it. Clearly, what they promised and what they delivered were, yet again, two different things. We're in a position where there are still many service providers that are paid a fraction of what they should be considering the incredible work that they do and the necessary work they do.

**10:30**

Those were three actions this year, Mr. Speaker, which directly impact people with developmental disabilities, and it was a huge knock-back to that community throughout the province. I'll remind members that throughout the month of June I believe there was a rally on the steps of the Legislature every week. I know I was in attendance, and the hon. Member for Edmonton-Strathcona was emceeding it. I do respect the fact that the hon. Member for Calgary-Shaw and the hon. Member for Calgary-Mountain View as well as other members from all opposition parties were in attendance at numerous rallies where it was very, very clear that the community of people – service providers, family, friends, adults with developmental disabilities – came out to protest the actions that this very government took, which significantly impacted their lives and, honestly, Mr. Speaker, from speaking to a lot of these adults and caregivers, imposed trauma onto a lot of folks who were worried about the quality of care that they were going to receive. They were worried about losing their caregivers. Again, as with most things in life the personal relationships are extremely important.

I think what the government often forgets is that when they come in with a heavy hand and the stroke of a pen and cut millions of dollars from a budget, whether it's postsecondary or PDD or to our classrooms and to school budgets, decisions are made which impact those very people, whether it's students or adults or children, and there are, for example in postsecondary, professors and support staff that are laid off. When money suddenly, magically comes back and only fraction of it, that really screws up those very organizations trying to plan and has a significant impact.

I would argue that there was a significant impact when the original budget was announced and the \$42 million was cut out of PDD. So it needs to be recognized that although this bill is a step in the right direction, I can't let the government off scot-free or not hold them to account for the decisions that they've made and the impacts that those decisions had.

Now, as I've mentioned, my hon. colleague for Edmonton-Strathcona brought forward some very, I believe, positive amendments that would have strengthened this bill. Again, I'll start with the one that I was hoping and had my fingers crossed that the Government House Leader would accept, our Betty Anne clause. You know, looking specifically at the tragic case of what happened to Betty Anne Gagnon and how she fell through the cracks not because of neglect due to any one front-line worker but because there wasn't policy in place to ensure that she would receive the care that she needed.

The frustration was that there were numerous attempts to communicate to the department that care was needed and that her family could no longer care for her. Yet there was no mechanism in place to stop this from happening. The Member for Edmonton-Strathcona and myself have walked the members through this, but this was an ongoing saga that happened over months, and even when alarm bells should have been going off in the department as far as their failed attempts to reach her, there was no process in place for a staff member or department member to drive out to her residence to physically check on her.

We have an opportunity here, and I guess this is probably my biggest disappointment with this bill. You know, I can appreciate that the hon. minister talks about how this is about governance and boards, and for the most part I agree with that. I just wished that while we're in the House and we're dealing with an issue here, we could open this bill up to address some of the major issues that exist within the system. Instead of just looking at the governance, again, this amendment that we introduced would ensure that there is a plan in place for every single person with a developmental disability, developed in consultation with their family or caregiver, to ensure that moving forward no one falls through the cracks again, period.

I also was very hopeful about the fact that that amendment established a duty of care to adults with developmental disabilities, with a definition as far as: what is that duty of care? Again, I mean, I thought the hon. Minister of Human Services would be delighted by the fact that the definition of duty of care was taken directly from the duty of care to children requiring intervention services as found in the Child, Youth and Family Enhancement Act. We're talking word for word here. That would have ensured that this tragedy would not repeat itself. So it's frustrating that that amendment wasn't taken into consideration, Mr. Speaker.

You know, again, there has been very little consultation with the 10,000-plus people with developmental disabilities, their families, and the 156 service providers within the province prior to this piece of legislation being tabled.



Other concerns are, again, as the Member for Calgary-Shaw pointed out, that this gives the minister sweeping powers whereas we would like to see all members, all ministers, the Premier having limitation or parameters around what they can and cannot do, and that really needs to be outlined here in the Assembly through legislation, not through regulation. The concerns currently are that this bill gives the minister these broad powers.

So, Mr. Speaker, I mean, I can tell you that we will be supporting this bill in third reading, but again I think that there is a missed opportunity here to strengthen the delivery of services and care to people with developmental disabilities. I know that the minister has said previously that, I believe, there'll be forthcoming legislation to hopefully address some of these concerns, but we had an opportunity here to do more than just address governance. I wish that would have occurred.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the hon. Associate Minister of Services for Persons with Disabilities, followed by the Member for Cardston-Taber-Warner.

**Mr. Oberle:** Thank you, Mr. Speaker. I'm almost reluctant to stand, but there were a few statements made there that I just simply cannot let go by, just astounding. First of all, I don't know what kind of calculator the hon. member uses, but I'm betting all the buttons are on the left side, because he seems unable to add. We did not have a budget cutback this year, and if he can't read that off the budget, then he shouldn't really be here. We had an increase in our budget this year, and we have had since this spring absolutely no operational cutbacks. Apparently, he wasn't watching that. Despite that, we did extend the 10 per cent wage increase that we promised. However, we held part of it back until we finished our bookkeeping to make sure. We're funny in that we track and make sure that we get the proper use of taxpayers' dollars. But all of the cheques went out this week to complete the 10 per cent that was promised at the beginning of the year.

**10:40**

It's kind of interesting that the member lectures me on article 19 in the UN convention and then criticizes us for closing the Michener Centre. What exactly does the member think that article 19 refers to when it says "choices"? What does he think that refers to? I'm astounded, Mr. Speaker.

And then, Mr. Speaker, during the amendments we went around and around on the Betty Anne Gagnon case. It's just such a tragic, tragic event. But you have to recognize, first of all, that we have made some incredible changes since then and there's a fatality inquiry that will lead us further. We're constantly criticized by that party for making amendments and passing legislation without consulting people, and somehow they can pull together amendments in 24 hours that change the disability act without consulting anybody and that's okay. That's just going to be fine.

I'll guarantee you that I've spoken to more service providers than that guy has in the last few months and in the spring. I made a commitment again this week in Grande Prairie, in Edmonton, St. Paul, and Red Deer to the service providers and to the families of the disabled that we will change this legislation when we consult with them and when we've got the proper act built. In the meantime we're going to do everything we can to make sure that the disabled people in our province are living with dignity, have

the right to live in the community and be all that they can be, and we'll support them in doing that, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. minister.

Standing Order 29(2)(a) is available. The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Speaker, and thank you to the hon. associate minister for bringing that passion at this hour. It's appreciated. I'm wondering if he could comment on the 10 per cent increase that he referred to. Many of the service providers that I've spoken with have said, up until this week, that the top-up did not happen. They did just receive letters as of, I believe, today. Many of them are saying that it's still not quite 10 per cent and that it's a one-time grant as opposed to an actual increase. So could you comment on that?

**Mr. Oberle:** Well, first of all, they did receive letters, and they will be getting the grant. According to our books and our book-keeping with them it's 10 per cent. And, no, it's not a one-time grant. It is a 10 per cent wage increase. We committed some time ago to achieve parity. We had hoped for 15 per cent this year. We didn't do it, but we got 10. That's an ongoing grant. We still have further steps to go. We did in previous years give a one-time payment, a \$1,500 bonus. That was not the case this year. This year was a wage increase, and it's enduring.

**The Deputy Speaker:** Thank you.

Are there others?

I'll recognize the Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Mr. Speaker. It's a pleasure to rise . . .

**Mr. Anderson:** Is this 29(2)(a)?

**The Deputy Speaker:** No, no. On the bill. I didn't see any more for 29(2)(a).

On the bill, the Member for Cardston-Taber-Warner.

**Mr. Bikman:** On the bill, Mr. Speaker. I certainly will be supporting this very willingly. I asked a friend who works within this field in southern Alberta, who I've known a long time and trust, for his thoughts on this, and he shared some things with me that I'd like to share with the minister. Hopefully, he will consider them and take whatever steps he thinks are appropriate and perhaps respond.

My friend replied:

- from where I sit, both CFSA and PDD are specialized departments with fairly clearly defined intervention or treatment target populations. As such, it usually doesn't bother me what they are doing with or amongst themselves . . . However, lately
- our local South West CFSA seems to be interpreting this as a mandate to push other agencies, [for example, Barons-Eureka-Warner] and Lethbridge FCSSs specifically that I'm aware of, to shift priorities and resources to support their intervention mandate with little or no regard for FCSS legislated mandate to be involved in prevention and only early intervention. There seems to be an assumption that these new Family and Community Councils will be directing all human services activities in their geographic area. And the CFSA will take a lead role in defining that.

Not sure if this is [just] a local or [if it's a] generalized issue. If [it is] just local, we can deal with it. If [it's] something CFSA's are being told provincially, [this] could require some clarification.

Thank you.

**The Deputy Speaker:** Standing Order 29(2)(a) is available.  
Seeing none, I'll invite the hon. minister to close debate.  
He has asked for the question.

[Motion carried; Bill 30 read a third time]

**The Deputy Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. In light of the good work that's been put in today, I would move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; the Assembly adjourned at 10:45 p.m. to Wednesday at 1:30 p.m.]





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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Wednesday afternoon, November 27, 2013

Issue 74a

The Honourable Gene Zwozdesky, Speaker

## Legislative Assembly of Alberta The 28th Legislature

### First Session

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## Legislative Assembly of Alberta

1:30 p.m.

Wednesday, November 27, 2013

[The Speaker in the chair]

### Prayers

**The Speaker:** Hon. members, let us pray. Dear Lord, help us to define, to know, and understand what is true, pure, and just. Then, we pray, please fill our hearts and minds with truth, purity, wisdom, and justice for all. Amen.

Please be seated.

### Introduction of Guests

**Mr. Jeneroux:** It's an absolute pleasure to introduce this Assembly to Linda Worrell, seated in your gallery. Linda comes to our House with her son, Mike Worrell, both from Scarborough, Ontario. Linda is one the hardest working people that I have ever met in my life, a single mom often working two jobs. She has raised an incredible son, who has recently moved to our fine province and now works as a correctional officer within the Ministry of Justice and Solicitor General. Linda is my aunt and Mike my cousin. I ask them both to rise here today and receive the traditional welcome of the Assembly.

Mr. Speaker, it's an absolute pleasure to stand here today and introduce you to a lady very close to my heart, seated in your gallery. Despite raising three kids and working in a very successful public relations career, this lady has been my strength and my pillar for many years. She's been the one person that no matter what I decide to pursue in life is right there beside me all along the way. She's there for my two daughters when this job often has me running all over the province. She has put up with me as a rebellious teenager, and she's often understanding when I just need someone to listen. Importantly, though, she's taught me that the right to hope is the most powerful human motivation. After all of this, I ask that my mother, Jayne Jeneroux, please rise and receive the traditional welcome of the Assembly.

**The Speaker:** The hon. President of Treasury Board to introduce a school group.

**Mr. Horner:** Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you to all members of the House 87 visitors from Muriel Martin school in my constituency of Spruce Grove-St. Albert. They are accompanied by teachers and group leaders Mme Kristen Campbell, Mme Lori Bilodeau, Mrs. Susanne Ambrose, Mrs. Rhonda Surmon, Mr. Rick Lof, Miss Lacey Zills, Mrs. Dana Nord, and parent helper Mrs. Yvonne Houle. They are seated in both galleries. They are Alberta's youngest, brightest lights for the future. I would ask them all to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** Are there other school groups?

Let us move on to other guests, then. The Minister of Health, followed by the Minister of Human Services.

**Mr. Horne:** Thank you, Mr. Speaker. It's an honour to introduce to you and through you today to all members some very special guests who have joined us from the Health Quality Council of Alberta as we prepare to table their annual report later today. These guests are Charlene McBrien-Morrison, executive director of the HQCA; and Dr. Eric Wasylenko, ethics consultant. The HQCA plays a vital role in improving patient safety and health

and service quality on a province-wide basis. I'd ask these guests to rise and receive the traditional warm welcome of our Assembly.

Mr. Speaker, it is also an honour to introduce to you and through you today to all members Paul Haskins and Cindy Gilmore. Paul and Cindy are both physician assistants for the Canadian armed forces, and I would first and foremost like to thank them for their service. Our guests are here today in recognition of Physician Assistant Day and to recognize the recent introduction of the profession of physician assistants to our health care system. I'd ask them both to rise and receive our traditional warm welcome.

**The Speaker:** The hon. Minister of Human Services, followed by the Minister of Aboriginal Relations.

**Mr. Hancock:** Thank you, Mr. Speaker. It's a great pleasure today to introduce to you a number of people from the Alberta Construction Safety Association, which is celebrating its 25th year this month. They've been promoting workplace safety and training continuously since 1988. I'd ask them to rise and receive the warm greetings of the Assembly: Tom Buchanan, representing the Lethbridge Regional Safety Committee; Georgina Nicholls, chairperson, Calgary Regional Safety Committee; Ryan Hawley, chairperson, Red Deer and area regional safety committee; Todd MacDonald, chairperson, Edmonton Regional Safety Committee; Kent Santo, representing the Grande Prairie Regional Safety Committee; Iris Steinley, chairperson, the Alberta ACSA board of directors; and Ken MacDonald, executive director of the ACSA from Lloydminster. Also joining them is someone who many of us have come to know and love through various capacities but is now here in his capacity as executive director of ACSA, Dan MacLennan. I'd ask them all to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Minister of Aboriginal Relations, followed by Edmonton-Highlands-Norwood.

**Mr. Campbell:** Mr. Speaker, my guests aren't quite here yet.

**The Speaker:** The hon. leader of the ND opposition, followed by the Associate Minister of International and Intergovernmental Relations.

**Mr. Mason:** Thank you very much, Mr. Speaker. Today I am very pleased to introduce to you and through you to this Assembly my guests, who represent thousands and thousands of public-sector workers in Alberta. They're here today because they are very concerned about the implications for their members, which will occur with this PC government introducing Bill 46, the Public Service Salary Restraint Act, and Bill 45, the Public Sector Services Continuation Act. I would ask my guests to rise as I call their names to receive the traditional warm welcome of this Assembly: Heather Smith, president of the United Nurses of Alberta; Gil McGowan, president of the Alberta Federation of Labour; and Guy Smith, president of the Alberta Union of Provincial Employees. Join me in welcoming them.

**The Speaker:** The hon. Associate Minister of International and Intergovernmental Relations, followed by the Associate Minister of Regional Recovery and Reconstruction for Southeast Alberta.

**Ms Woo-Paw:** Well, thank you, Mr. Speaker. It's my great pleasure to introduce to you and through you two very important guests from the Hong Kong economic trade office in Canada, the official representative of the Hong Kong special administrative

region government. This office offers business seminars and programs for Canadian companies, helping us to build markets abroad. We are joined today by Miss Gloria Lo, who is a director of the main office in Toronto, as well as Mrs. Catherine Yuen, who is the principal consultant for western Canada at the Vancouver liaison office. Accompanying them today is Mr. David Tam, president of the Edmonton chapter of the Hong Kong Canada Business Association. They are seated in the public gallery, and I'd ask that they please rise and receive the traditional warm welcome of this House.

**The Speaker:** The hon. Associate Minister of Regional Recovery and Reconstruction for Southeast Alberta, followed by the leader of the Alberta Liberal caucus.

**Mr. Weadick:** Thank you, Mr. Speaker. It's my pleasure to rise today and introduce two of Lethbridge's finest, members of our Lethbridge Regional Police Service. Constable Kisinger is on the board of directors of the Alberta Federation of Police Associations and is a director for our Lethbridge Police Association, and Constable Tom Kramer is president of the Lethbridge Police Association. They're here in Edmonton meeting with MLAs to maintain our strong relationship. I'd ask them to rise and receive the warm welcome of our Assembly.

**The Speaker:** The hon. Member for Edmonton-Meadowlark for your first of two intros, I understand.

**Dr. Sherman:** Thank you, Mr. Speaker. I have two sets of introductions. Today I rise to introduce to you and through you to all members of the Assembly representatives of AUPE. These are the front-line heroes who make this province run each and every day: Executive Director Ron Hodgins and researchers Tom Fuller and Jim Selby. They are attending today with grave concerns about the government's plan to ram through bills 45 and 46, which they believe are both a violation of the Public Service Employee Relations Act and a potentially unconstitutional violation of the Charter of Rights. At a minimum such actions represent bad faith on the part of the government to try to get around the neutral arbitration process that they agreed to. I'd ask the Assembly to give them the traditional warm welcome.

Mr. Speaker, it's also my pleasure to introduce to you and through you four members of HAAV Heart, humanity against all violence. They are Rajneek Thind, Trina Joshi, Abnas Grewal, and Sonam Sharma. The HAAV Heart campaign is an initiative directed toward raising awareness of many inequalities that exist in the world today. They encourage everyone to help create change by volunteering their time to help others, standing up for those who are vulnerable, and simply talking about issues that are happening in the world we live in. They can be followed on Twitter at @haavheart. I commend them for their work and ask every member to give them the warm welcome of the Assembly.

Thank you.

1:40

**The Speaker:** The hon. Member for Edmonton-Decore, followed by Medicine Hat and the Minister of Aboriginal Relations.

**Mrs. Sarich:** Thank you, Mr. Speaker. It's an honour and a privilege for me to rise today to introduce to you and through you to all Members of the Legislative Assembly six wonderful individuals here in recognition of the 75th anniversary of ATB Financial. Alberta was a different place 75 years ago, struggling through the devastation of the Great Depression, and in an effort to provide hope for farmers and small business, the government of the day

created a system of temporary financial institutions known as Treasury Branches. ATB Financial has a proud history and today provides a full range of financial services.

Mr. Speaker, my guests are seated in the members' gallery, and I would now ask them to please rise and remain standing as I provide their introduction: Mr. Brian Koziol, branch manager, ATB Financial, Edmonton Namao Centre, located in the constituency of Edmonton-Decore; Mrs. Zorica Babich, assistant manager, ATB Financial, Edmonton Namao Centre; Mrs. Corene Zmurchik, assistant principal, Florence Hallock school, the recipients of ATB Namao branch's corporate social responsibility funding for a school-wide science presentation; Mr. Jack Christie, branch manager, ATB Financial, Edmonton Killarney, located in the constituency of Edmonton-Decore; Mrs. Maria Andreoglou, assistant manager, ATB Financial, Edmonton Killarney; and Mr. Greg Turner, executive member and past president, Killarney Community League. The community league is the recipient of ATB Killarney branch's corporate social responsibility funding for the development of a preschool program. Congratulations and best wishes to all of my guests. I would now ask this Assembly to provide the traditional warm welcome.

Thank you.

**The Speaker:** The hon. Member for Medicine Hat, followed by the Minister of Aboriginal Relations.

**Mr. Pedersen:** Thank you, Mr. Speaker. I have three introductions. I'll just go through them all at once. It is my honour to introduce to you and through you to all members of this Assembly three of the over 1,000 volunteer heroes who came together at the greatest time of need during the summer's flood in Medicine Hat. My first introduction is Constable Dave Allen, originally from Belfast, Northern Ireland. He's an eight-year member and is the president of the Medicine Hat Police Association and currently serves in the forensic identification unit. During the flood and evacuation of the police station Dave was responsible for overseeing the transfer of over 100,000 exhibits while setting up a functional ident lab in the temporary facility.

My second introduction is Mr. Darryl Hubich, a seven-year member and the vice-president of the Medicine Hat Police Association. He currently serves in the patrol section. Darryl holds an allegiance to his favourite green football team due to policing for seven years prior in Saskatchewan. During the flood Darryl was responsible for evacuations of affected areas and maintaining order afterwards, and to do this, Darryl worked 11 days straight, averaging 11 hours a day while on scheduled vacation.

My third introduction is Sergeant Ryan Thorburn, a 10-year member. He is the secretary of the Medicine Hat Police Association and currently works in the major crime section. During the flood Ryan worked with the support team to develop a temporary police substation in a safe area of the city. Ryan was later assigned to the residential safety inspection team, going door to door in affected areas before re-entry was permitted.

Mr. Speaker, these Medicine Hat heroes are seated in the public gallery, and I would ask them to rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Minister of Aboriginal Relations, followed by Fort Saskatchewan-Vegreville.

**Mr. Campbell:** Thank you. It's an honour and a privilege to rise and introduce to you and through you to members of the Assembly three outstanding First Nations youth who are from the Mountain Cree Camp, located south of Edson in my constituency of West Yellowhead. Before I introduce them, I want to acknowl-

edge that the success of these youth was in part due to the work that you did, Mr. Speaker, as Minister of Education and the work that the Member for Lesser Slave Lake did as associate minister of aboriginal affairs in establishing an education program in their remote community. The youth that are here today are outstanding because they are the first to graduate from their community in 30 years. I'd ask that these graduates, who are seated in the members' gallery, rise when I say their names so they can be recognized in the Assembly: Skywind Roan, Rodney Morin, and Shayna Papin. They are also joined by Chief Wayne Roan and 16 supportive family and friends who are seated in the public gallery. Congratulations to these graduates on a job well done. They are role models for many First Nations youth across this province. I'd ask that all members give these individuals the traditional warm welcome of this Assembly.

**The Speaker:** Congratulations.

The hon. Member for Fort Saskatchewan-Vegreville, followed by Edmonton-Calder.

**Ms Fenske:** My guests are not here, Mr. Speaker.

**The Speaker:** Thank you.

Let's go to Edmonton-Calder, followed by Stony Plain.

**Mr. Eggen:** Thank you, Mr. Speaker. Today I'm very pleased to introduce to you and through you to everybody in this Assembly my guests from the Alberta Refugee Care Coalition. This coalition is formed by a group of public health students and physicians. They're advocating for this provincial government to cover the cost and restore essential health care coverage for refugees and refugee claimants here in the province of Alberta. I would like my guests to please rise as I call their names: Hilary Short, Melody Cesar, Dr. Jessie Breton, Dr. Maria Martinez, Chentila Nagamuthu, Ashley Davey, and Lina Sovani. Can you please give them the warm traditional welcome.

**The Speaker:** The hon. Member for Stony Plain, followed by Lac La Biche-St. Paul-Two Hills.

**Mr. Lemke:** Thank you, Mr. Speaker. I would like to introduce to you and through you and to all members of the House two guests from my constituency. They are the parents of one of our hard-working pages, Matt Owens. Steve and Janice Owens have lived in Stony Plain for 13 years. Steve Owens is the director of construction for Capital Power. Janice Owens is an educational assistant at John Paul II Catholic school, located in Stony Plain. I ask that they now stand receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills, followed by Calgary-Mountain View.

**Mr. Saskiw:** Thank you, Mr. Speaker. It is a pleasure to rise and introduce to you and through you to all members of the Assembly five guests visiting today. All five of these guests are very aware of and interested in the proceedings of this House. I know firsthand how hard they work on issues related to politics, in particular for change after 44 long, long years of one-party rule. These individuals are Jonathon Westcott, Lindsay Lahey, Justin James, Leah Westbrook, and Matthew Smallacombe. I ask my guests to please rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Mr. Speaker. It gives me great pleasure today to introduce to you and through you to the House five wonderful nurses from Edmonton: Tracy Cox, Lena Peters, Sheena Lukacs, Laurie Hansen, and Akinyi Awando. They're here because they have deep concerns about the declining quality of health care in Alberta, with nursing aides replacing RNs in some of the hospital wards. They're also concerned about the over-capacity protocol that continues to be used with people cramming into hallways and extra beds in wards, increasing, as I believe, infection rates in our hospitals. Thirdly, they're here to register concerns that new nursing graduates are leaving this province because of lack of support and employment.

Thank you, Mr. Speaker.

**The Speaker:** Hon. Member for Innisfail-Sylvan Lake, I understand that your guests have not yet arrived.

## Members' Statements

**The Speaker:** The hon. Member for Calgary-Fish Creek.

## Deaths of Children in Care

**Mrs. Forsyth:** Thank you, Mr. Speaker. The shocking revelations about the state of our children in care have Albertans heartbroken. They cannot comprehend how senseless tragedies like the deaths of vulnerable children could go unreported for so long.

Mr. Speaker, as the Premier rightly pointed out yesterday, I was the minister of children's services at one point in time. I know what comes across the desk. Some of these cases are absolutely stomach-churning. They can often involve the worst kind of neglect and abuse, and each and every one of them is full of heartbreak. They're haunting.

I also know that the department counts amongst its staff some of the most caring and compassionate souls that I've ever had the pleasure of working with. However, Mr. Speaker, as the recent media investigations have revealed, there is something seriously wrong with how it responds to the death of children in care. In many cases the children passed years ago, but their stories are only now being told for the very first time.

Mr. Speaker, there is an opportunity that comes from each of these stories. It's an opportunity that cannot be wasted. We must learn why these tragedies keep occurring. Until we do, how can we know what steps to take to prevent them in the future? As the former minister I can honestly say with absolute certainty that nothing short of a full public inquiry will fix this. I don't say that lightly. I know I will be called to testify, and I know I will do it without hesitation.

1:50

Mr. Speaker, this isn't about politics. I know that the current minister works hard in a difficult portfolio, and I know that the ministers before him did as well. But we need to set aside our personal hesitation and do what's right. If there were things that I should have done as minister, I want to know about them, Albertans deserve to know about them, and the families that lost children deserve to know about them. I'm asking this government: please, call a public inquiry. It's about doing the right thing.

## Speaker's Ruling Brevity in Question Period

**The Speaker:** Hon. members, just before we start question period, I want to remind both the people who are asking questions and those providing answers that we do have a 35-second rule. I

typically give you a five-second warning. Yesterday I allowed far too many to go over the 35 seconds inadvertently but also partly because of the sensitivity of the topics. I'm afraid we all got caught up in our questions and answers. There were many questions that went beyond 35 seconds and several, several answers that went well over 35. So I'm going to try to clamp down on that so that we can get more members recognized.

That having been said, please, let's not exceed the 35-second rule today. I've asked *Hansard* operators and our sound system operators to please stop the clock right then.

All right. We can start question period now, please. Start the clock.

### Oral Question Period

**The Speaker:** The hon. Member for Highwood. Your first main set of questions.

#### Deaths of Children in Care

**Ms Smith:** Mr. Speaker, yesterday the minister assured this Chamber that there were a number of mechanisms designed to ensure that the deaths of children in care are fully and properly investigated. However, as was made plain in media reports today, these different processes are deeply flawed. To quote the *Edmonton Journal*, "The child death review system is governed by two ministries, three different laws, an internal policy document, unwritten conventions and political whim" and "in the end, many deaths are never investigated at all." To the Premier . . .

**The Speaker:** Thank you.

**Mr. Hancock:** Well, thank you, Mr. Speaker. It may sound like a complex system, but it's a very thorough system. There are internal reviews; there's the medical examiner, who does a medical review; the quality assurance council looks at things from a systems perspective; and the Child and Youth Advocate is ultimately responsible as the eyes, ears, and voice of the public.

**Ms Smith:** Mr. Speaker, the media investigation into this sad situation calls the system for investigating these deaths "secretive, redundant and fails to ensure recommendations to prevent similar deaths are acted upon." The groups and agencies involved are described as secretive with limited public accountability. Given this indictment of the system, which the minister in question says has met his expectations, will the Premier agree to call a public inquiry on the issue of deaths of children in care?

**Mr. Hancock:** Mr. Speaker, far from the way it was just described, it's a fairly effective system in terms of a medical examiner that looks at the medical causes of death; the quality assurance council, which can look at the systemic approach; and the Child and Youth Advocate, who has access to all information. There are also internal reviews, of course, so that we can inform practice. What I have said is that we can get better, and we will look to get better. We will have a round-table bring all the experts together to look at what information should be public, who should make it public, and how death reviews should be conducted.

**Ms Smith:** In fact, Mr. Speaker, the investigation into the government's handling of child deaths for those in government care appears to be verging on chaos. One example of this is the fact that the death review system is governed by three different laws, each of which uses a different legal definition for what constitutes

a reviewable death. To the Premier. Albertans need to have confidence that child deaths are being appropriately investigated. Will she agree to call a full public inquiry on the issue of deaths of children in care?

**Mr. Hancock:** Mr. Speaker, the public can have confidence because they have an independent officer of the Legislature called the Child and Youth Advocate, who has access to all the information, has the ability to call a review, has the powers of a commissioner under the Public Inquiries Act, as well as a fatality review board, which has an obligation to review all deaths and in appropriate circumstances call for a fatality review.

**The Speaker:** The hon. leader. Second main set of questions.

**Ms Smith:** The government's failure to disclose an accurate number of child deaths for those in government care raises the suspicion that the government is trying to avoid public scrutiny on this issue. While the minister claims that the result of all reviews are made public, the fact remains that there are many deaths for which we have no specific information. Will the Premier call a full public review on the issue of deaths of children in care?

**Mr. Hancock:** Mr. Speaker, the death of any child, in care or not, is a tragic circumstance. Many of us are parents. We know how much we love our children and how much we care about them and how much it would hurt if we lost them in any circumstance. Every single member in this House, I think, cares about children in care and about children in Alberta. What we want to have is a system which honours the caregivers, honours the people in the system who care for those in the most vulnerable circumstances and an opportunity to review appropriately where tragic circumstances happen.

**Ms Smith:** Mr. Speaker, in addition to failing to disclose the accurate number of deaths of children in care, the government has also drastically reduced the number of special case reviews it has conducted over the past 10 years, stopping them altogether in 2009. The government's claim that it is fully investigating all child deaths, when it has halted special case reviews, is simply not credible. To the Premier: will she agree to call a full inquiry on the issue of deaths of children in care?

**Mr. Hancock:** Mr. Speaker, in the first year that I became Minister of Human Services I was mandated by the Premier to put children first and to make sure that we deal with children in this province in an appropriate way. We published the numbers, all of the numbers, of children who died in care. But previously the numbers that were not published were those of children who were determined to have died under natural circumstances or where there was not a questionable circumstance around their death. So that is the situation in Alberta. We're always looking to do things better. We'll have a round-table. We'll bring people together to talk about what information . . .

**The Speaker:** The hon. leader. Second supplemental.

**Ms Smith:** Mr. Speaker, when asked by the media about the lack of special case reviews, the assistant deputy minister responsible for human services said, "There might be some conversations between the statutory director and their staff . . . but we don't necessarily create reports . . . Some of it might be meetings; there may not be minutes." Unwritten recommendations, no minutes, and informal processes: shocking. Will the Premier agree to call a full public inquiry on the issue of deaths of children in care?

**Mr. Hancock:** Mr. Speaker, one thing I can assure this House and one thing I can assure the Alberta public is that the people who work in the Department of Human Services and the people who work in the system in agencies who help children care about their children. Every serious incident and death is investigated and learned from. The learnings are shared in an appropriate way within the department. You can call it a special review, or you can call it something else. The work is done and it's shared and it's implemented. Every time an incident like that happens, we learn from it, and we improve.

**The Speaker:** The hon. leader. Third main set of questions.

**Ms Smith:** Mr. Speaker, following the tragic death of each child in government care, we have to endeavour to learn what we can from these sad occurrences. While hard and painful, the lessons we take from each death can help to prevent future deaths from occurring. To date internal and historical recommendations from past reviews are not publicly available. To ensure that all appropriate information is brought to light, will the Premier agree to call a full public inquiry on the issue of deaths of children in care?

**Mr. Hancock:** Mr. Speaker, public fatality review reports are, in fact, public, and responses to them are often made public. They certainly have been since I've been minister. We respond publicly to the Child and Youth Advocate's public recommendations. We will have a round-table. We will bring together all appropriate voices to discuss how we can do a better job because all of us want to do a better job for children in Alberta all the time.

**Ms Smith:** The problem is, Mr. Speaker, that of the 258 recommendations put forward by experts, we have no idea how many have actually been implemented. Despite the minister's assurances that, quote, a more formal tracking process, unquote, has been put in place, they have released no specific details on how this process works. It leads Albertans to believe that the government is not doing all it can to ensure that all of the recommendations are implemented. To the Premier: will she agree to call a full public inquiry on the issue of deaths . . .

**The Speaker:** The hon. minister.

**Mr. Hancock:** Mr. Speaker, I can assure this House and Albertans that we do know the recommendations from every report that's been put forward, and we do track that internally. We do understand, and we do know what we're doing with it. What we've committed to do is to respond to the quality assurance council's recommendation that a more formal public tracking process be put in place. We will be doing that, and we will be doing that right away.

2:00

**Ms Smith:** Pressed by the media to explain how his tracking system would ensure that no recommendation falls through the cracks, the minister responsible said: I'm confident that we actually do a pretty good job, I think an excellent job, of learning from circumstances. However, this government's refusal to make public the information surrounding these deaths calls into question the minister's claim of excellence. Will the Premier agree to call a full public inquiry into the issue of deaths of children in care?

**Mr. Hancock:** Mr. Speaker, that hon. member may think it calls into question the excellence that's happening in the system, but I can tell you that I have had nothing but letters and phone calls from people who work in the system, from agencies, from individuals, from foster parents who are concerned that much of

the good work that's happening, the thousands and thousands and thousands of children who are helped annually in this province by those caring people – they do believe that the system is good, the best in Canada, as one person described it, and getting better and that we're moving the yardsticks. We're doing better every day. We can do better. We will learn.

**The Speaker:** The hon. leader of the Liberal opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. We know that the Premier has clearly rejected a call from a united opposition and other groups such as AUPE for a public inquiry into the deaths of Albertan children in this government's care. Interestingly, at a Council of the Federation meeting on July 24 the Premier joined every other Premier in the country in backing the Native Women's Association of Canada's request for a national public inquiry into the case of missing or murdered aboriginal women, a very good thing. To the Premier: why do you feel that the families of the 145 children who died in care, most of them First Nations, are less . . .

**The Speaker:** The hon. Premier or someone on behalf of.

**Mr. Hancock:** Thank you, Mr. Speaker. The difference would be that nobody is looking into the deaths of those women. There may be criminal investigations happening, but there's no concerted effort. In Alberta with respect to the child welfare system there is not only a concerted effort to look into the death of each child and learn from it, but as the opposition and the newspaper has said, there are three or four different groups that have a challenge to do it, looking from different perspectives to make sure, in my view, that what we're looking at is done very thoroughly.

**Dr. Sherman:** Mr. Speaker, my grandpa told me that there are three things in the world you can't hide: the sun, the moon, and the truth. And the truth has come out. The fact is that 145 children died in this government's care, and 78 per cent of them are of First Nations heritage. The truth is that the death rate is three times that of the regular population. These children deserve nothing but the best, and the truth is that they're still dying today. They're on the website. They're still dying in care. It's on the website. To the Premier: will you please put your political self-interest aside and do the right thing? Let's just call an independent inquiry. Let's all fix this.

**Mr. Hancock:** Mr. Speaker, the most disgusting thing that would happen would be if this was to be made a political interest. This is about children. This is about making sure that we do the best we can for children. All of us are parents. All of us care about children whether we're parents or not. Some of us are grandparents. We care about the children. We want to do what's in the best interests of the children, and that is what we will do. We'll do it with all of those in this province who want to work with us to make the system better. We will take critique; we will use that critique to improve the process. But let's not turn this into a political windmill.

**Dr. Sherman:** Mr. Speaker, I'll tell you what cheeses me off more than anything: when children are getting hurt. This government knows they're getting hurt. Minister, you've been a minister for many years in this government, and now you're the minister who loves round-tables. Well, your round-table is a PR exercise to make the problem go away. The problem ain't going away, Minister. Time to decide: is your Premier, is your government more interested in making bad headlines go away or bad problems go away? Minister, stand up and do the right thing. Call an inquiry.

**Mr. Hancock:** Mr. Speaker, I don't have to answer to that hon. member for my care and compassion for children in this province. Every single person that I work with and every single person in this Legislature knows that I have put time and effort and passion into putting children first. I will continue to do that. I will take advice from the opposite member, even that member. I will take advice about improving the system. But I don't need him to yell at me; I need him to come and work collaboratively to make the system better.

**The Speaker:** The hon. Member for Edmonton-Highlands-Norwood, leader of the ND opposition.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, care for children is more than rhetoric and more than a lapel pin, Mr. Minister. The Minister of Human Services took advantage of his news conference today to berate the news media for their coverage of the plight of children in the care of his government. Clearly, the minister is attempting to intimidate news media into looking the other way while his government continues to reduce investigations into the deaths of children in care and fails to ensure that recommendations to protect those children are implemented. To the minister: how does muzzling the media . . .

**The Speaker:** The hon. minister, who may pick up on that, please.

**Mr. Hancock:** Mr. Speaker, I think the hon. member must have missed the news conference, because I didn't berate the media. What we did was that we brought together a number of people who were concerned that their voices were not being heard, people who called us and said that they wanted to be heard on this issue. We called a news conference so that they could be heard. One of the members there took a very strong swipe at the media for the rather disgusting cartoon that was in the *Journal* the other day, but other than that there was actually respect put forward from a number of members, including myself, about the fact that this issue is in the public for discussion, where it should be.

**The Speaker:** The hon. member, first sup.

**Mr. Mason:** Thank you very much, Mr. Speaker. Earlier today the Minister of Human Services said the following, quote: people know that children die, and they die in care. It seems that this minister considers the deaths of children in his government's care to be routine and something that should be ignored by the media and the public. To the Minister of Human Services: how does this callous attitude to the deaths of children help those children currently in government care?

**Mr. Hancock:** Mr. Speaker, I don't think there's anyone who knows me who would consider me to be callous about the death of a child or children in care. What I basically said – and it wasn't just my words; it was others who were there – was that we're dealing in the child welfare system with children who have challenges and families who have challenges. We're dealing with the most difficult of circumstances. The caregivers and the social workers and the foster parents are dealing sometimes with children that they take into care and that they know are going to die, and children do die. We need to learn from every death and every circumstance, but I'm not callous about it.

**Mr. Mason:** How will we learn, Mr. Speaker, if all deaths of children are not investigated?

The minister also told media that he's not going to interfere with the system based on something he read in the newspaper.

Given that it took the media to do the research that this minister should have done himself years ago, will the minister tell the House why he is ignoring the plight of children who are suffering and dying in government care?

**Mr. Hancock:** Mr. Speaker, every day this minister, the people who work in the Human Services department, the people who work in the Department of Health and other departments in government, Education and others, work to help create better opportunities for children in this province. Some of those children are in dire situations. Some of those children come from places where they don't get the supports that they need, where they don't get the love they need, where they don't have the stable home that they need. There are challenges, and there are people, there are Albertans, who step up to that every day. This minister does, this government does, and Albertans do.

**The Speaker:** The hon. Member for Edmonton-Manning.

### Distracted Driving Education

**Mr. Sandhu:** Thank you, Mr. Speaker. The Alberta government is working hard to make people safe on the roads by bringing in distracted driving legislation. Unfortunately, some Albertans are not taking this seriously. More and more tragic accidents are happening on Alberta roads due to drivers talking and texting on cellphones. My first question is to the Minister of Transportation, but I can see he's not here, so to whoever wants to answer for him: will you include distracted driving education for each driver in Alberta's to be taken at licence renewal?

**The Speaker:** Someone from the front bench, please.

**Mr. Lukaszuk:** I'll take that, Mr. Speaker. As laws under the Highway Traffic Act and other relevant legislation change and are updated and new restrictions or new clauses are introduced, that is included in our educational materials for new drivers and for those who have to take driver's licence tests to be granted a driver's licence in the province of Alberta. So, yes, any new regulations, any new restrictions will be included in the teaching materials.

**Mr. Sandhu:** To the Deputy Premier again: will you also include distracted driver education for all the new licensees with a compulsory 100 per cent pass mark on the written questions associated with this education?

2:10

**Mr. J. Johnson:** Mr. Speaker, it's a good question from the member. What I can say is that there is already a distracted driving component within the driver's handbook for when drivers are taking their test and learning how to drive and getting those assessments. It's already built in there. Of course, they don't have to get 100 per cent. If we had to get 100 per cent for that, maybe a few of us might not be driving, too. It's a good question from the member, and I'm happy to inform him that it's already in the driver's handbook.

**Mr. Sandhu:** It's my final question to the Minister of Education. Will you include distracted driving education for all high school students?

**Mr. J. Johnson:** Mr. Speaker, we care about the safety of our students, and that's why in the new Education Act there's a provision that talks about the safety of students, but driver education is not exclusively or particularly included in part of our K to 12 curriculum. It's a service that many parents do choose to enrol



their students in, and Alberta Transportation has run a couple of campaigns here recently trying to increase awareness and provide education on this exact topic.

**The Speaker:** The hon. Member for Calgary-Shaw, followed by the Calgary-East.

### **Deaths of Children in Care** (continued)

**Mr. Wilson:** Thank you, Mr. Speaker. This morning I attended a press conference, and I was astounded that the Minister of Human Services would attempt to change the channel on serious flaws in our children's services system by laying the blame on the media and the opposition. To slam the media for exposing failures in the system is simply ludicrous. Further, to say that parents should not have the right to discuss the death of their own children publicly is shameful, hurtful, and prevents those families from finding closure. Minister, why do you want to muzzle the parents of children who die in care?

**Mr. Hancock:** I do not want to muzzle anyone. I do not want to muzzle the media, and I certainly do not want to muzzle the children in care. I might want to muzzle the hon. Member for Calgary-Shaw, but that would be a different issue. Mr. Speaker, what we need to have is a very serious discussion about the balance between the right for the public to know and the right for parents to have that discussion that they want to have and the privacy issues surrounding it. That's a very important question. We'll address it in January at the round-table. I hope that hon. member is there to make a constructive contribution.

**The Speaker:** The hon. member.

**Mr. Wilson:** Thank you, Mr. Speaker. Minister, you suggested that parents may not understand the context of how their children die and that is why they are prevented from speaking to the media, yet you also prevent the parents from learning the context of their deaths by denying them any of the details or relevant information. Do you not understand how hurtful and insulting this is?

**Mr. Hancock:** What the hon. member refuses to understand is that there are many people involved any time there is a tragedy of this nature. There may be siblings involved. There may be other family members involved. There are caregivers involved. There are foster parents involved. There are privacy issues involved, and it's not quite so simple as being able to blurt out all the information on the front page of the newspaper. We do need to have a very adult discussion about what information needs to be in the public and how people can properly access that information. We will have that in January, and I hope that hon. member is there and being constructive about the discussion.

**Mr. Wilson:** Thank you, Mr. Speaker. I've already replied and accepted the minister's offer to attend his round-table.

Given that PIPA, the Personal Information Protection Act, was recently struck down by the Supreme Court, will the minister commit to ensuring that parents are no longer muzzled once this legislation has been rewritten?

**Mr. Hancock:** I'm not sure that's the act that applies, Mr. Speaker, but what I can say is this. We will have an intelligent discussion with all the necessary voices at the table to talk about what information should be in the public domain, what information should be kept private in the interests of those individuals, and

who should make the decision if there's a judgment call to be made. We will have that discussion. We will have it in January. We will bring this to a resolution, because this is an extremely important and extremely difficult question for everybody involved.

**The Speaker:** The hon. Member for Calgary-East, followed by Chestermere-Rocky View.

### **Calgary Southwest Ring Road**

**Mr. Amery:** Well, thank you, Mr. Speaker. On this historic day, November 27, 2013, the government of Alberta signed a deal with the Tsuu T'ina First Nation that has been decades in the making. This deal allows for the exchange of money and land so that the last portion of Calgary's ring road can be built. To the hon. Minister of Transportation: since the deal has now been signed, sealed, and delivered, can you reveal the total cost of this portion of the ring road?

**Mr. J. Johnson:** Mr. Speaker, it is a great day, and big commendations to the Premier and others who have been working on this. I know that the minister will be happy to go through the details of the costs, and maybe estimates would be a great time to do that. What I can tell you is how proud I am of the Premier and the Minister of Transportation and of Chief Whitney for the momentous signatures that they put on paper here today. You know, it's not even been two years since the election, and our Premier has already negotiated a deal with the teachers, with the doctors, a framework with B.C., and now this deal that's been decades in the making, Mr. Speaker. We've got a great Premier, who is building Alberta.

**The Speaker:** The hon. member.

**Mr. Amery:** Thank you, Mr. Speaker. Given that this deal includes the transfer of around \$340 million and 2,030 hectares of land to the Tsuu T'ina, why does the government think that this is a good deal?

**Mr. J. Johnson:** Mr. Speaker, we think it's a good deal because great members like this, respected members of the Calgary caucus, have been telling us that it's a great deal. This member has been a great advocate of this. You know, there are all kinds of long-term benefits from this for the Tsuu T'ina Nation and Calgarians and all Albertans. It's going to provide the land that's needed to complete the ring road while providing the nation with compensation for the lands, which will enable them to enhance the quality of life for their people. I just think that for future generations of Albertans this is a great announcement.

**The Speaker:** The hon. member.

**Mr. Amery:** Thank you, Mr. Speaker. To the same minister: can we expect this portion of the ring road to be completed on time, or will we end up with the same situation as the southeast portion of the ring road?

**Mr. J. Johnson:** Mr. Speaker, once the land transfer is complete, Alberta will have seven years to complete construction of the ring road through the former nation lands. We're hopeful that the construction will go well and the ring road will be completed before that time. This is just another example of Premier Redford's commitment to building Alberta. [interjections]

**The Speaker:** Hon. members are reminded not to use first or second names of elected officials.

Let's go on to Chestermere-Rocky View, followed by Calgary-Buffalo.

### University of Calgary Office Upgrades

**Mr. McAllister:** Mr. Speaker, taxpayers continue to be baffled by this government. The most recent slap in the face, one of them, is the outrageous \$8 million plus, plush new offices for executives at the U of C. Now, the minister of advanced education said that he's okay with all of this, and that's no surprise considering his government is spending \$375 million on fancy new offices for themselves. To the minister: do you not see that this is excessive and that the money would be better spent in the classroom?

**Mr. Lukaszuk:** Mr. Speaker, it's rather ironic for that particular member to rise in the House and ask this question in view of the fact that just a few weeks ago – and when you have free time to read the *Hansard*, read it – he was chastising me for micro-managing universities and for engaging in forcing universities to do certain things and for amalgamating and centralizing universities. Now when he doesn't like a decision, he actually wants me to override the board's decision.

**Mr. McAllister:** Mr. Speaker, I'd never chastise the minister for standing up for taxpayers. It's his job.

Given that these new offices all exceed the maximum 215 square feet permitted by the university's own guidelines and given that the president's office includes a 175-square-foot bathroom, surely the minister can see why students and all taxpayers find this excessive. Why won't he do something about it and send the right message?

**Mr. Lukaszuk:** Well, Mr. Speaker, again, this is a party, in particular a member, who believes in locally made decisions as long as he likes them. The moment he doesn't like them, he wants the minister to walk into either that municipality or university and override their decisions.

There is a board. They have made decisions. I said that I will have a conversation with the chair when an opportunity arises, but at the end of the day, they make their priorities as a board of the university, and if that member has issues with it, write them a letter.

**Mr. McAllister:** Mr. Speaker, I'm pretty sure it's public money, and it's his job to represent Albertans. Why can't the minister do what every person on this planet would like him to do: stand up for the students at the University of Calgary, call out these executives for their flagrant misuse of taxpayer dollars, and end this culture of entitlement?

**Mr. Lukaszuk:** Well, that tells you how little the universe of that member's life is, 17 single-minded members of a caucus.

Mr. Speaker, no. What Albertans want us to do – and I don't think the rest of the universe is interested – is to support our universities and to support the boards that have been appointed to manage the universities. They make local decisions; they're the closest to the university. They have student representation on the board, they have staff representation on the board, and they have academic representation on the board and public members from Calgary, in this case, on the board.

**The Speaker:** Hon. Member for Calgary-Buffalo, you're next, followed by Edmonton-Calder.

2:20

### Public-service Salaries and Pensions

**Mr. Hehr:** Mr. Speaker, during the last provincial election the Premier made promises about predictable, sustainable funding and supports for front-line staff. Now that her leadership review is done, she has declared all-out war on public servants, their pensions, and their salaries and contracts. If that was her intention, why didn't she campaign on this instead of running around saying she was Peter Lougheed? To the Minister of Finance: why are you shaking down front-line staff and middle-income Albertans with no debate and no discussion?

**Mr. Horner:** Well, Mr. Speaker, in actual fact, on the pensions we've been in discussions for over a year around changes that need to be made for sustainability so that those front-line staff will have a defined-benefit pension plan into the future. As for the legislation that we've put on notice to table in the House, what we are after is a fair deal for the employees and a fair deal for the taxpayers. That's it in a nutshell.

**Mr. Hehr:** Given that the ministers of Finance and Human Services both know that several public-service contracts are currently being negotiated and some are even in arbitration, how can this government's callous attack on public servants' pensions and salaries be seen as anything else but bad-faith bargaining?

**Mr. Horner:** Mr. Speaker, if we're trying to make the pensions sustainable so that they have defined-benefit pension plans now and into the future, then it's not an attack. We're saving it.

On the other piece to this question that the hon. member talked about in terms of the salaries, we negotiated and worked in good faith with the teachers, Mr. Speaker. We arrived at an equitable solution that's fair for them and fair for the taxpayer. We worked with the doctors; we arrived at a fair agreement for them and for the taxpayer. This legislation will allow us to do the same thing with the hard-working employees.

**Mr. Hehr:** My final question is to the Associate Minister of Accountability, Transparency and Transformation. Given that your government is ramming through the Assembly in the dying days of this sitting bills that will affect middle-income Albertans and front-line staff without consultation and imposing a six-hour limit on debate, does this really sound transparent?

**Mr. Hancock:** Mr. Speaker, debate in this House is open and transparent. The hon. member should know because he's been here long enough that sometimes you put on notice various motions in order to encourage and enable the debate to happen in a reasonable way. We will see whether any of those tools are needed or whether the opposition members will come to the debate in a meaningful way to make good legislation for Albertans.

**The Speaker:** The hon. Member for Edmonton-Calder, followed by Lacombe-Ponoka.

**Mr. Eggen:** Thank you, Mr. Speaker. Yesterday this PC government announced a direct attack on the women and men who provide public services in this province. Once again this government is proving that they will take every opportunity to drive down wages and trample over the middle class. To the Minister of Human Services: why are you attacking workers, including your own workers and staff, and throwing collective bargaining out the window?

**Mr. Horner:** Well, Mr. Speaker, prior to suggesting that we're going to drive down wages, the hon. member should wait and see what the legislation is all about. I think that Alberta taxpayers and employees will recognize that what we are doing is asking to come back to the table to negotiate a fair and equitable solution for both the taxpayers and the employees.

**Mr. Eggen:** Well, Mr. Speaker, given that last year this same Premier went to the AUPE convention and said that she would seek, quote, a good relationship and constructive solutions for the future and given that ever since this Premier has delivered nothing but disgusting attacks on workers and public services, does this minister really think that vindictive and arrogant legislation on those who deliver our public services will do anything but fan the flames of chaos and confusion?

**Mr. Lukaszuk:** Mr. Speaker, this Premier has a very good record that in very good faith she has negotiated a deal for teachers, and again we have a labour piece that benefits only the children, and that was for the children. The same deal was reached with our doctors so that our parents and our family members can have continuous medical care. Right now, without pre-empting the bill – why should they start reading bills now? They obviously imagine what's in it without reading it. The intention, as the member will see, is to make sure that we reach a good deal between the AUPE and this government.

**Mr. Eggen:** Well, Mr. Speaker, given that this government is not just attacking public-sector workers but also undermining the essential public services that we all rely upon and given that this government has consistently slashed public spending in the pursuit of an arrogant, right-wing agenda while pretending to be progressive, are these now your true stripes that you are showing? I sure smell a big, fat skunk.

**Mr. Hancock:** Mr. Speaker, I guess he was calling on me. What we are proceeding with is legislation which will say to our workers: we think you are a very, very valuable part of the Alberta scenario, and we want you to be at work and on work; it's important to Albertans that you are because you're taking care of vulnerable Albertans. We do need to discourage and deter illegal action because vulnerable Albertans are at stake, and we do need to make sure that there are fair workers because our workers in Alberta . . .

**The Speaker:** The hon. Member for Lacombe-Ponoka, followed by Calgary-Hawkwood.

#### Land Titles Registry

**Mr. Fox:** Thank you, Mr. Speaker. Yesterday I asked the Minister of Service Alberta why he was considering changes to Alberta's gold-standard land titles system when numbers show that it generates more than \$80 million per year for this government. The minister wasn't very open or honest in his answer, but he's clearly flirting with the idea of privatization. While that's sometimes a good option, on this side we believe in common sense, Minister, and not fixing something that isn't broken. I want to give the minister another chance to be open and honest with Albertans. Minister, do you plan on privatizing the Alberta land titles system? Yes or no?

**The Speaker:** The hon. minister.

**Mr. Bhullar:** Thank you, Mr. Speaker. What we have said is that we're looking at ways to make the system better. We're looking at different options, whether they be the options of what B.C. is doing or Saskatchewan is doing or maybe what's happening in Australia. There's more to this question than just status quo and privatization. There's a multitude of different options, and we're exploring them.

**The Speaker:** The hon. member.

**Mr. Fox:** Thank you, Mr. Speaker. I guess my question wasn't very clear.

Given that Albertans, stakeholders, and even the minister's own deputy agree that the current system is darn near perfect and given that a move like this would have massive implications for property owners and stakeholders, maybe the minister of transparency is capable of answering the question. To the minister of transparency: is this PC government planning on privatizing Alberta's land titles registry?

**The Speaker:** The hon. minister.

**Mr. Bhullar:** Thank you, Mr. Speaker. As we've said before, we're looking at how we can make the system better. We're looking at options to see how we can move to what Australia does, where everything is done electronically, where you don't need to run around to lawyers and have photocopies and documents couriered from one place to the next. We want to eliminate fraud. We want to have a system that is the best in the world. Australia is the founder of our system, and that's where we're going.

**The Speaker:** The hon. member.

**Mr. Fox:** Thank you, Mr. Speaker. Given that the Minister of Service Alberta is refusing to tell Albertans about his quest to sell off Albertans' property rights to the highest bidder, I'll give him an easier question. Minister, have you had any conversations or dealings with Teranet, the company that took over Ontario's electronic land titles system? Yes or no?

**Mr. Bhullar:** Mr. Speaker, I've talked to people from Ontario, from B.C., from Saskatchewan. We're looking at solutions all over the world. If these members think that the system today is great, good. But do they feel that we should move forward with a \$25 million cost and just increase fees for Albertans? Is that what they're suggesting?

**The Speaker:** The hon. Member for Calgary-Hawkwood, followed by Livingstone-Macleod.

#### Engineering Profession

**Mr. Luan:** Thank you, Mr. Speaker. It came to my attention lately that there are a growing number of Alberta companies who outsource as much as 70 per cent of their engineering and design work overseas for low cost. This concerns me and many of my constituents who are engineers. It leaves our own engineers in Alberta short of work or unemployed. My question is to the hon. Minister of Enterprise and Advanced Education. Does the government of Alberta have any guidelines or legislation to deal with such practices?

**The Speaker:** The hon. minister.

**Mr. Lukaszuk:** Well, thank you, Mr. Speaker. Our priority has always been to educate the workforce, a workforce made up of

Albertans first and the rest of Canadians shortly thereafter, to satisfy the labour needs in this province. When it comes to engineers, just very recently, a few weeks ago, our government made a very significant investment in the Schulich school of business in Calgary. However, we're not in a position to dictate to Alberta businesses how they do their work and what they do domestically and what they do outside.

2:30

**The Speaker:** The hon. member.

**Mr. Luan:** Thank you, Mr. Speaker. To the same minister: given that other industries, like welders and construction workers, are more tightly controlled and regulated in Alberta than engineers, why doesn't the government level the playing field for engineers?

**Mr. Lukaszuk:** Well, as the member knows, this province plays on a global market. As we're looking for new markets for all of our products, not only oil and gas but agricultural products and fibre and others, we engage in business world-wide, and in doing so, we cannot be protectionist about our businesses. So we don't tell our businesses how to run their shops, but we want to be competitive, Mr. Speaker. Yes, engineers are governed by APEGA, which is a self-governing body made up of engineers. Our government does not deal with licensure and doesn't tell them how to conduct their profession.

**The Speaker:** The hon. member.

**Mr. Luan:** Thank you, Mr. Speaker. Given the actions by these companies, leaving skilled Albertans without employment, my question is to the same minister: is the government of Alberta doing anything to help those Albertans find alternative, meaningful employment?

**Mr. Lukaszuk:** Well, Mr. Speaker, the opposite would be the case. As a matter of fact, in this province we have a chronic shortage of professional engineers, to the point where many come from abroad and from other provinces to do work in this province. We all know that this province leads Canada when it comes to construction, residential, commercial, and industrial. Some firms do outsource some parts of their work – that's simply their business practice – but we are focused on educating Albertans to become engineers to meet that market need.

**The Speaker:** The hon. Member for Livingstone-Macleod, followed by Sherwood Park.

#### Ground Ambulance Services

**Mr. Stier:** Thank you, Mr. Speaker. After weeks of opposition pressure the Minister of Health said in a press release on Tuesday that his government will finally begin looking at ways to end the failed practice of using ground ambulance resources for nonemergency interfacility transfers in rural Alberta. Unfortunately, the minister had to be harassed and coerced into finally admitting that there was a problem, but he did get there. Now, we know this minister sometimes says one thing but does another. To the minister: what are the exact details of this new plan to move interfacility transfers outside of emergency services?

**Mr. Horne:** Well, Mr. Speaker, I don't know if it's the hon. member's intention to question my character or to ask a policy question about emergency health services in this province. His colleagues certainly seem to have no compunction in doing so with respect to other members.

What I will say, Mr. Speaker, is that we have recognized for some time that there are a growing number of interfacility transfers throughout the province. Alberta Health Services does a very good job of dedicating basic life-support resources to as many of those transfers as possible to ensure that our most specialized equipment and personnel are not used for that, but we're looking at ways to . . .

**The Speaker:** Hon. member, first supplemental.

**Mr. Stier:** Thank you, Mr. Speaker. I don't think I got a clear answer to that.

Given that the minister has now admitted that there's a problem and committed to finding new ways to solve the problem, will the minister now give us at least a timeline for when we can expect a fully functional but separate ambulance interfacility system?

**Mr. Horne:** Well, Mr. Speaker, the hon. member is getting a little better. The best way to get a clear answer is to ask a clear question.

Mr. Speaker, I'll say what I said to mayors and reeves and others across the province in our discussions around this issue, that we'll continue to look at other options to move interfacility transfers out of the EMS system to ensure that that very specialized equipment and personnel are available for emergencies as much as possible.

**The Speaker:** The hon. member.

**Mr. Stier:** Thank you. Considering the minister has finally admitted that the interfacility transfer system was problematic as claimed by the Wildrose all along and acknowledging the fact that municipalities are still deeply troubled over his forced, centralized ambulance dispatch plans, will the minister now commit to making sure our current EMS system is working seamlessly before he imposes centralized ambulance dispatch throughout rural Alberta?

**Mr. Horne:** Well, Mr. Speaker, it's very obvious but not surprising that the hon. member would not have taken the time to look at the Health Quality Council of Alberta report on ground ambulances. If he looked at either the terms of reference or an entire chapter, he would see that interfacility transfer was actually part of the recommendations that we're acting on now. He would also see that I added, in addition to the government response to the recommendations, a request that Alberta Health Services look at those options, look at how we might expand moving interfacility transfers out of the EMS system, and that's exactly what we're doing today.

**The Speaker:** The hon. Member for Sherwood Park, followed by Innisfail-Sylvan Lake.

#### Trade with Asia

**Ms Olesen:** Thank you, Mr. Speaker. I understand that the Asia Advisory Council helps facilitate discussion with industry and other stakeholders. My question is to the Associate Minister of International and Intergovernmental Relations. In your role as the chair what challenges have been identified by Alberta's small and medium-sized enterprises that are seeking to enter Asian markets?

**Ms Woo-Paw:** I would like to thank the member, who is a great advocate for SMEs in her riding, for raising this point. Accessing the Asian market, whose middle class is set to triple to almost 2 billion people by 2020, is a key part of our building Alberta plan. Key challenges to our SMEs include the challenge of operating in

new markets. Also, an Asia Pacific Foundation survey found that 60 per cent of Asia-related businesses had problems hiring Canadians with relevant qualifications and only 34 per cent felt that the Canadians working in the professions had sufficient knowledge about . . .

**The Speaker:** Hon. member, first supplemental.

**Ms Olesen:** Thank you. To the same associate minister: what is being done to address these challenges and help our small and medium enterprises enter Asian markets?

**Ms Woo-Paw:** Well, the Asia Advisory Council holds regular in-person consultations with stakeholders and industries. The council also sponsored the National Conversation on Asia event, where the Asia Pacific Foundation launched the Canada's Asia Challenge report. Our Premier and I supported over 25 SMEs this fall in investing in Alberta seminars in China, which led to agreements being signed and incoming business. Also, an SME export council will be developed to identify opportunities and provide feedback and input. Finally, our international offices helped facilitate over 1,500 meetings for SMEs.

**The Speaker:** Hon. member, second supplemental.

**Ms Olesen:** Thank you. To the same associate minister: what is the most important area where further progress is needed, and what broad benefits would addressing it have for Albertans?

**Ms Woo-Paw:** Studies such as the Asia Pacific Foundation's Creating Competence for the Next Generation of Canadians and input from SMEs have identified the need for policies and support to address the development of cultural competency such as increasing public awareness of the importance of expanding access to an increasingly Asia-driven global economy and enhancing our education in Asian economies, differences in business practice and culture, and Asian languages across the province.

Mr. Speaker, opening new markets is about building Alberta and ensuring that we can fund programs and services that Albertans have told us matter.

**The Speaker:** The hon. Member for Innisfail-Sylvan Lake, followed by Lethbridge-East.

#### Out-of-country Health Services

**Mrs. Towle:** Thank you, Mr. Speaker. Five-year-old Brooke Aubuchon qualified for a clinical trial in New York to treat her rare genetic disease. This is the same disease that killed her brother Alex in 2011. Most of the medical costs are covered, but the travel expenses are not. Her family has brought their case to the Health minister, written letters, and gone through every level of bureaucracy available. This family is running out of time. Minister, this government seems to be able to find money for outrageous expenses, bonuses to AHS, a million dollars to the Olympics. Can someone in your government find some money to help save this five-year-old's life?

**Mr. Horne:** Mr. Speaker, first of all, I have complete sympathy for the little girl that the hon. member is mentioning or anyone who is suffering from a rare disease or an orphan disease. But, as the hon. member knows, we have a process that is independent of government called the Out-of-country Health Services Committee, that includes an appeal process to determine eligibility for costs of health care services that are provided outside of Alberta. I haven't reviewed the particulars on this case. I am not the decision-maker

in this case. I'd encourage the hon. member to advise her constituent of the appropriate process.

**The Speaker:** First supplemental, please, hon. member.

**Mrs. Towle:** Thank you, Mr. Speaker. Given that Brooke's treatment is not covered by Alberta health insurance, that she cannot be considered by the committee for exceptional drug treatment, and that the out-of-country medical expense committee has already refused assistance and given that this family has followed every single step you have laid out in every single letter – she has written letters to the Minister of Health, the deputy minister, Alberta Health Services – what else can this family possibly do to get your personal intervention in this situation? It needs your help, Minister.

**Mr. Horne:** Mr. Speaker, I believe I have a briefing on the decisions of the Out-of-country Health Services Committee, and if they have been through the appeal process, the appeal panel, information is available. These decisions are independent of government. We do have a variety of programs within government to assist people of low income and families of low income. I don't know if that is a consideration or not in this case. But the process of determining eligibility for any health service, whether it's in our health insurance plan or not, is independent of the minister.

2:40

**The Speaker:** Second supplemental, please.

**Mrs. Towle:** Thank you, Mr. Speaker. This government is telling children and their families that have rare diseases and can't get any coverage that they're just out of luck. That's unacceptable. Minister, I understand there's a process. This family understands the process. They've followed the process. We've done the low income. We've done every single committee you've outlined. We've written to your ministry. I understand that this not a political decision, but you're the Minister of Health. You have the ability to be kind and compassionate. You've done it before: baby Aleena. You have taken cases on personally. Brooke needs your help. She's five, and she's going to die. The treatment . . .

**The Speaker:** The hon. minister.

**Mr. Horne:** Mr. Speaker, this is hardly a place for an appeal to a minister or any other member of this government to go outside established processes, that are evidence-based and independent of government, to make what are very difficult decisions.

It is, further, quite misleading and unfortunate that the hon. member on behalf of her caucus would claim credit for a political decision with respect to a very serious case that I had to review over the summer. That decision, Mr. Speaker, was made on the basis of clinical evidence that was available to us. I think Albertans expect . . .

**The Speaker:** The hon. Member for Lethbridge-East, followed by Calgary-Mountain View.

#### Oldman River Watershed Management

**Ms Pastoor:** Mr. Speaker, I attended the Oldman Watershed Council meeting recently in Lethbridge, one of many held in the region. There was a robust discussion with the council and 15 interest groups regarding the protection of the eastern slope headwaters. I came from that meeting with some very important questions. To the Minister of Environment and Sustainable

Resource Development. There are comprehensive regulations protecting riparian zones and streams. However, could . . .

**The Speaker:** The hon. Minister of Environment and Sustainable Resource Development. I hope you got a question in there somewhere.

**Mrs. McQueen:** Well, thank you, Mr. Speaker, and I want to thank this hon. member for the work that she did and is doing, especially by attending the Oldman Watershed Council meetings and bringing their concerns back. Currently, members, we are seeking feedback, as you know, from Albertans with regard to the draft South Saskatchewan regional plan. Under the draft plan we have proposed various locations to create recreation access management plans. Collaboration certainly is key, and we're working with the stakeholders to hear what their concerns are so we can move those forward.

**The Speaker:** The hon. member.

**Ms Pastoor:** Thank you, Mr. Speaker. To the same minister: given that in their opinion and the opinion of other groups that recreate in that area enforcement is neither consistent nor forceful, are there plans for increased monitoring in that area?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker. This is certainly something that we are hearing throughout the consultation. Enforcement is key. It's key that we do that now, but it's certainly something that we need to look at as we move forward. It's also about good design, ensuring that we have trails developed in appropriate places. That's part of the work that we're doing with regard to the South Saskatchewan regional plan. We're certainly also committed to ongoing education and outreach to ensure that we all have the opportunity to enjoy our beautiful backyard in the South Saskatchewan regional area.

**Ms Pastoor:** Again to the same minister, Mr. Speaker: given that the information and data are missing for surface water quality, groundwater recharge areas, and sedimentation effects, has your ministry dedicated resources towards this research, and is there a time frame for reporting?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you. Hon. member, the draft plan also includes a surface water quality framework, that will allow us to analyze and respond to data on environmental conditions in the region. The management framework sets clear monitoring, evaluation, and reporting requirements so that we can provide the information on the status of the ambient conditions in the region.

### Statement by the Speaker

#### Oral Question Period Rules Rules and Practices of the Assembly

**The Speaker:** Thank you, hon. members. The time for question period has elapsed. I'm going to take two minutes to address all of you and comment on the 35-second rule.

As I indicated before question period started, I would strictly enforce it today. As a result of that, we had 102 questions and answers, which is mathematically obviously possible. If you take 35 seconds for a question and 35 seconds for an answer and you use the full time, you'll get to just over 14 members that can be

recognized. Again I ask the House leaders: if you want to address it, please do. Otherwise, I'll do my best to get up as many of you as possible. I was fairly strict in cutting people off today right at 35 seconds, and I will remain that way as best I can going forward. So that's the rule.

Number two, I let a number of interjections go on both sides of the House today to speed the clock along, just to illustrate the 35-second business, and that was accomplished. I won't be as generous, perhaps, tomorrow in terms of not interjecting should you persist in interjections yourselves.

A couple of comments about the process – I've received some notes – and how it works. Here's how it works. Please listen. Once you have been recognized, the clock starts. If you wish to stand there and wait for the applause to die down or you wish to finish off a conversation across the bow or whatever, that is up to you, but our rule at this table, until further notice, is that we start the clock as soon as you've been recognized.

**The Clerk:** When they start speaking.

**The Speaker:** I have here: immediately once a member has been recognized and actually starts speaking. There's a second part to that. Immediately once you've been recognized, the clock starts on your first word. Sorry. Thank you, Clerk, for helping me clarify that.

Please keep in mind to move ahead because the microphones don't pick up all of that conversation as such that's going on which is preventing you from saying your first few words. Thank you for that.

Secondly, I get a signal from someone at the table here. The five-seconds-left signal is what it's called. Five seconds left. And I do my best to give that. In the past I've been a little slow with the hand movement. I can stop doing that if you would find it helpful. It's never been done before; it's something that I've introduced to help all of you, frankly, and that might help us. I'll do my best to keep going. I'm sorry if I have to be a bit harsh in bringing it forward.

Finally, kudos also to people who didn't use a preamble today. The rule going back to '07-08 says that there will not be a preamble. The House leaders' understanding, as I understand it, is that there should not be one. That's another one for you to consider. Nonetheless, Edmonton-Manning, Calgary-East, and Sherwood Park did great work today by not consuming time with preambles, as did Calgary-Shaw and Livingstone-Macleod make a good attempt at it, and so did others. Thank you.

Also, please do not refer to members by first name or last name. You know better. Minister of Education, you certainly know that, so please keep that in mind. Secondly, do not refer to anyone's presence or absence in the Chamber. That is strictly forbidden. Frequently you might find yourself at a funeral and not be able to be here. You might find yourself with a family emergency. You might find yourself doing some urgent business or whatever it is. So please keep in mind that that knife slices both ways and that we should be respectful of the rules.

That having been said, in 20 seconds we'll commence with the continuation of private members' statements, starting with Edmonton-Strathcona.

Thank you for your kind attention.

The hon. Government House Leader before we continue?

**Mr. Hancock:** Thank you, Mr. Speaker. In order that we can continue with Members' Statements and the rest of Routine, I'd ask for unanimous consent to extend the clock past 3 o'clock.

[Unanimous consent granted]

## Members' Statements

(continued)

**The Speaker:** The hon. Member for Edmonton-Strathcona for your member's statement.

### Government Policies

**Ms Notley:** Thank you, Mr. Speaker. Attacking hard-working families has become the signature tactic of right-wing governments throughout North America. No matter what promises they make, Conservative governments from Ottawa to Wisconsin are determined to make life more costly for working families. They slash spending on public services, they operate in secret, they force the middle class to pay for their austerity budgets, and they put their corporate friends ahead of working families.

Mr. Speaker, this Premier promised to be different, but she's proven that she will never keep her promises to Albertans; she'll never side with the real people, who build this province; and she'll never stand up to right-wing, frankly, Wildrose policies. In fact, she'll implement them herself faster than they would.

We knew that the secrecy and cynicism of Harperism was already alive and well in the Premier's office, but now it appears that she's bringing the Tea Party to Alberta, too. In recent weeks the Premier has attacked working Albertans by undermining pensions, eliminating cost-of-living increases, and preventing CPP reform. Her government imposed a real wage cut on teachers for the next three years, and at the same time her budget eliminated more than 500 teachers and support workers from Alberta's schools.

2:50

Today, Mr. Speaker, they have raised their attacks on working people to unprecedented levels. Or we think they're about to. Today they will likely introduce legislation that we expect will attack the rights of workers to negotiate their working conditions, will give cover to the government for breaking internationally recognized human rights provisions, and will penalize Alberta workers for objecting. All of this will be done while using the oppressive Harper Conservative technique of shutting down democratic parliamentary debate, all this so they can levy a direct attack on the hard-working people of Alberta, an attack that is occurring the same week the government announced it had found an extra billion dollars in revenue.

Mr. Speaker, this Premier is showing her true colours. Her record is cynical, elitist, and regressive. It is designed to leave the majority of Albertans behind. However, ironically, I have no doubt that two years from now it is actually the Premier who will be left behind by the majority of Albertans.

**The Speaker:** The hon. Member for Edmonton-South West, followed by Calgary-Varsity.

### Aboriginal Teacher Education Program

**Mr. Jeneroux:** Thank you, Mr. Speaker. Today I want to call attention to a very important fall convocation ceremony which took place earlier in November. With 48 undergraduates crossing the stage, the aboriginal teacher education program at the University of Alberta Faculty of Education graduated its largest class ever. To add to the historical significance, this is the 10th anniversary of the program.

The aboriginal teacher education program is unique as it allows students to complete their bachelor's degree in elementary education while maintaining community, family, and cultural

connections. The program's goal is to increase the number of First Nations, Métis, and Inuit teachers as well as teachers with an understanding of aboriginal issues and perspectives and histories in the classroom. Students who graduate from the program are prepared to teach responsively and meaningfully when they have aboriginal students in their classes and in aboriginal communities.

Students work in co-operation with Northern Lakes College and the Northland school division to study at 14 aboriginal and First Nation community sites. Another essential part of the program is the special relationship which exists with elders in the community. Elders are used as both mentors and also brought into the classroom as co-instructors.

Mr. Speaker, it's truly wonderful to see the success of a program that will benefit hundreds of youngsters in First Nations and aboriginal communities across Alberta. These graduates wanted to be able to share their knowledge and love of teaching with their own community, with their own children. In the coming months this goal will become a reality for these 48 educators.

Improving education and creating capacity within the aboriginal communities is important as our government continues building Alberta. The success of this program and these graduates will have a positive impact on aboriginal communities for generations to come.

On behalf of all members I want to applaud these graduates and the aboriginal teacher education program and wish them all the very best.

Thank you, Mr. Speaker.

### Small and Mid-size Energy Companies

**Ms Kennedy-Glans:** Mr. Speaker, junior and mid-cap energy companies are the backbone of Alberta's energy sector. I've worked in this sector for nearly three decades, even active in the Independent Petroleum Association of Canada in the early 1990s, and I've seen first-hand the contribution of these players to our economy and to innovation. And I've seen their resiliency. Most of these companies employ people with strong personal ties to this province, and this, in fact, often fuels the resiliency of their response to challenges.

Over the years these companies have adapted through many changes in how we explore for, produce, and market oil, bitumen, gas, and liquids. Right now, though, several of these companies face some serious challenges, including accessing capital and liquidity. To understand these situations for junior and mid-cap players and their choices, I've met one by one with over 70 senior decision-makers within these companies.

These corporate leaders don't want to be rescued by government – that attitude doesn't align with their entrepreneurial spirit – and there is wide recognition that there is no simple fix for the broad macroeconomic situation. But they do have ideas about how to weather the present challenges by strengthening their voice by building the capacity of the Explorers and Producers Association of Canada led by Gary Leach, a constituent of mine; by asking the new Energy Regulator to make sure that its regulatory approach to junior and mid-cap companies is more in tune with their operational timelines and decision-making processes, that it's competitive; by asking the Finance minister to work with his federal counterparts to modernize tax and investment rules; by thinking about how new markets can be accessed not just by the majors but by the smaller players, too; and by recognizing the role these companies play in moving energy research and innovation to commercialization.

Mr. Speaker, these ideas merit our full attention. Thank you.

**The Speaker:** The hon. Member for Bonnyville-Cold Lake, followed by Innisfail-Sylvan Lake.

### Highway 28

**Mrs. Leskiw:** Thank you, Mr. Speaker. Northeast Alberta is a fast-growing energy development area. Increase in industrial activity is a benefit and a challenge. One of the main challenges is the increased traffic and large loads travelling on highway 28.

In this House we have heard how highway 63 is critical to the development of Fort McMurray and, with its growth, the economic development of the province. Just as highway 63 is crucial to the development of the Fort McMurray oil sands area, highway 28 is critical to the development of the Cold Lake oil sands area. Future output in my area is expected to reach 1 million barrels of oil a day, and as Bonnyville-Cold Lake begins to grow and industry expands, highway traffic will only get worse. Large-equipment modules move along this highway, and with no passing lanes for the 200-kilometre stretch from Gibbons to Bonnyville, traffic is becoming more and more dangerous on this small two-lane highway.

Mr. Speaker, the leaders in my constituency and I have been asking the province to improve highway 28 for many years. These changes would start by adding passing lanes, and we hope the province will eventually twin the thoroughfare. I am happy to see my municipal leaders working together to establish a long-term framework for the future infrastructure needs of my constituency. Working together is crucial as oil sands production increases and the population of our area grows.

Mr. Speaker, on behalf of my constituents I will continue to voice their concerns and work to get this highway up to speed. Projects such as highway 28 are important improvements for this province to continue to be a great place to live, work, and raise a family.

Thank you.

**The Speaker:** The hon. Member for Innisfail-Sylvan Lake.

### Brooke Aubuchon

**Mrs. Towle:** Thank you, Mr. Speaker. For over a year now the family of little Brooke Aubuchon has been pleading with this government and this Health minister to help keep their five-year-old daughter alive. Right now little Brooke is slowly dying from Batten disease, an extremely rare inherited disorder of the nervous system, which took the life of her brother Alex in 2011.

Despite this bleak outlook, there is a lot of hope. Brooke qualified for a revolutionary new treatment at the Weill medical college in New York that may save her life. In February she received surgery, and though the medical costs were covered, her expenses were not. The people of Innisfail, touched by the story of little Brooke, have rallied their big hearts and made generous donations to cover the initial costs of this trip. But more trips and more medical necessities and expenses await. The treatment is not covered by Alberta health insurance and they cannot be considered by the committee for exceptional drug treatment. The out-of-country medical expense committee has refused assistance because they do not qualify.

We've written letters to the Health minister, to the deputy minister, and to Alberta Health Services, and what we've received back so far are letters directing us back to these same committees. The Aubuchons are a normal Alberta family living from paycheck to paycheck. Tragically, they're now facing heart-wrenching decisions about how to keep Brooke alive. Like any

parent, they will do whatever they can to try and save Brooke's life. They are joined by many Albertans in asking why a province as rich as ours is leaving little Brooke behind.

Mr. Speaker, I could go through a long list of areas where money is spent by this government recklessly. The Auditor General's report showed just this year AHS spending of over \$100 million in expenses in just 17 months. The wasteful trip to the London Olympics cost taxpayers an additional \$1 million. But most disturbing is the practice at AHS of paying for executives to get private treatments in the U.S., fully covered by the taxpayer. That's not right.

Mr. Speaker, there's no question that we live in a great province. Albertans are kind, caring, and compassionate. We can and we must do better for children like Brooke, who have rare diseases that really just don't fit inside the box. These children deserve a chance at life. That's what we're asking for.

**The Speaker:** Thank you.

### Notices of Motions

**The Speaker:** The hon. leader of the ND opposition or someone on behalf of.

**Ms Notley:** Yes. Thank you, Mr. Speaker. I rise on behalf of the Member for Edmonton-Highlands-Norwood to give notice pursuant to section 15(2) of the Standing Orders that at the appropriate time I will be rising on a point of privilege regarding the obstruction of the work of this Assembly and also the independent Members' Services Committee by actions of the Premier, her office, and the Public Affairs Bureau.

Thank you.

**The Speaker:** Thank you. We have the notice being read.

3:00

### Introduction of Bills

**The Speaker:** The hon. President of Treasury Board and Minister of Finance.

### Bill 42

#### Securities Amendment Act, 2013

**Mr. Horner:** Thank you, Mr. Speaker. It is my pleasure today to rise to introduce Bill 42, the Securities Amendment Act, 2013.

Bill 42 will further modernize, harmonize, and streamline Alberta's securities laws as part of the ongoing collaborative reform of Canada's securities regulation. Bill 42 focuses on over-the-counter derivatives and the harmonization of derivatives regulation in Canada. As members of this House may recall, the lack of transparency within this type of investment was cited as a contributing factor in the global financial crisis in 2008.

Bill 42 creates a statutory framework for the regulation of over-the-counter derivatives, providing the Alberta Securities Commission with the authority to make rules such as mandating central clearing, trade reporting, electronic trading, and seldom-seen other conduct requirements for those trading in derivatives. Provincial and territorial regulators will be encouraged to agree on a harmonized approach to regulating derivatives capable of being adopted across Canada. Bill 42 is an important step in that direction.

Thank you, Mr. Speaker.

[Motion carried; Bill 42 read a first time]

**The Speaker:** The hon. Government House Leader.



**Bill 45****Public Sector Services Continuation Act**

**Mr. Hancock:** Thank you, Mr. Speaker. I beg leave to introduce a bill being Bill 45, the Public Sector Services Continuation Act.

Mr. Speaker, the work of Alberta's public-sector employees supports healthy and safe communities, something that our employees and all Albertans value. They take care of vulnerable Albertans. They protect our communities. Illegal strikes put Albertans at risk. This bill will help to deter such strikes and hold unions and individuals who break the law accountable for their actions.

It will also ensure that taxpayers are protected from the costs of an illegal strike. The recent illegal AUPE strike by corrections officers meant that over 400 RCMP officers had to be pulled from communities to ensure our prisons remained secure, costing millions of dollars. We learned that the deterrents and the sanctions that were in place are out of date and ineffective. This bill will ensure the stability of vital public-sector services that keep our communities healthy and safe.

I would ask for support for Bill 45 from the House in first reading.

[Motion carried; Bill 45 read a first time]

**The Speaker:** The hon. President of Treasury Board and Minister of Finance.

**Bill 46****Public Service Salary Restraint Act**

**Mr. Horner:** Thank you, Mr. Speaker. I rise today to introduce Bill 46, the Public Service Salary Restraint Act.

This legislation supports government's commitment to living within its means by ensuring sustainability in the compensation of the Alberta public service. The collective agreement between the Alberta government and the Alberta Union of Provincial Employees expired on March 31, 2013. As you know, the union represents more than 21,000 Alberta government employees.

Collective bargaining and mediation efforts have not been successful in reaching a new agreement that would have been in the interest of Albertans. Bill 46 will provide a framework within which the government of Alberta can negotiate with the AUPE towards a new four-year agreement that is reasonable for employees and reflects our accountability as government to taxpayers.

With this bill, Mr. Speaker, we are asking AUPE to come back to the table with us. We still want to attract the best and the brightest to our public service, and we will uphold Alberta's market edge through competitive pay and benefits for our workforce, but we are committed to doing it in a way that ensures our overall growth rate for salaries is sustainable. These are difficult decisions that need to be made.

With that, I move first reading of the Public Service Salary Restraint Act. Thank you.

[Motion carried; Bill 46 read a first time]

**Mr. Saskiw:** Point of clarification, Mr. Speaker. We can't really vote on stuff if we don't have a copy of it.

**The Speaker:** Hon. Member for Lac La Biche-St. Paul-Two Hills, I'm sorry. There's quite a bit of shouting going on outside, and I've not heard what you wanted clarification on.

**Mr. Saskiw:** Yeah. Mr. Speaker, it's been, I think, procedure in this House that as soon as a bill is introduced, we have a copy of

it. We still don't have a copy, and it's time sensitive because they're ramming this bill through potentially this evening.

**The Speaker:** I believe the bill is being circulated now, is it not? Hon. members, it should be now being circulated unless there is some holdup or some disruption.

In any event, first reading gives you all an opportunity to move forward and review it before second reading arises, and that will happen.

**Tabling Returns and Reports**

**The Speaker:** The hon. Minister of Health, followed by the Minister of Justice.

**Mr. Horne:** Thank you very much, Mr. Speaker. I'm pleased to rise this afternoon and table the appropriate number of copies of the Health Quality Council of Alberta 2012-2013 annual report.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you very much, Mr. Speaker. I am pleased today to rise to table five copies of the Alberta Human Rights Commission annual report from April 1, 2012, to March 31, 2013. One of the really encouraging signs we see in this report is a three-year consecutive decline in the number of human rights complaints. I'm hoping, as we from all parties in this Chamber are, that this means a more inclusive and accepting province.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Highlands-Norwood or someone on behalf of.

**Mr. Bilous:** Thank you, Mr. Speaker. I rise on behalf of, actually, the Member for Edmonton-Calder, who has two tablings.

The first tabling is copies of the report entitled Filling the Gaps: Why Providing Health Care to Refugees Makes Sense for Alberta. This report was released in October by the Alberta Refugee Care Coalition. The report clearly lays out why it would be in the best interests of all Albertans for the provincial government to fill the gap created by the Harper government's cuts to refugee health care. The coalition is hopeful that this PC government will follow the lead of other provinces such as Manitoba and Quebec by stepping up to cover the medical needs of refugees and refugee claimants.

My second tabling, Mr. Speaker. On behalf of the Member for Edmonton-Calder I'm tabling the appropriate number of copies of The Building Alberta Plan: 2013 Edition. This document, particularly page 6, is in relation to the point of privilege that will be raised by the Member for Edmonton-Strathcona.

Thank you, Mr. Speaker.

**Tablings to the Clerk**

**The Clerk:** I wish to advise the House that the following document was deposited with the office of the Clerk: on behalf of the hon. Mr. Horne, Minister of Health, pursuant to the Health Professions Act the Alberta College and Association of Chiropractors 2012-13 annual report.

**The Speaker:** Hon. members, I don't have any points of order that were raised.

There was one point of clarification here a few moments ago, and we're dealing with that, hon. Member for Lac La Biche-St. Paul-Two Hills. Thank you.

Let's move on, then. There is a point of privilege to be raised here. The hon. Member for Edmonton-Strathcona

### Privilege

#### Obstructing a Member in Performance of Duty

**Ms Notley:** Thank you very much, Mr. Speaker. Pursuant to Standing Order 15 I rise to raise a point of privilege based primarily on the grounds that the independence and the ability to function of both the Members' Services Committee and also this Assembly have been obstructed by actions taken by the Premier and most recently by the, I'm going to say – well, I don't know. I guess I'm going to have to go with the Minister of Human Services because I'm not exactly sure who specifically took the action.

Please allow me to go over the facts of this case. I will begin briefly by talking about timeliness, then I'll go over the facts, and then I will talk about my arguments with respect to where the breach has occurred. I do believe that we have met the conditions of timeliness in that the matter in question relates to a brochure which was mailed out, presumably by the Public Affairs Bureau, and began arriving in the mailboxes of a number of Albertans yesterday. The Member for Edmonton-Highlands-Norwood first received his copy of this government-funded PC orange and blue leaflet in his mailbox yesterday. This is, therefore, the first opportunity to raise this matter in the Assembly.

3:10

The other action which occurred, frankly, just occurred, Mr. Speaker, in that it is now as far as I can tell 3:10, and I have not yet received a copy of either Bill 45 or Bill 46, yet I am advised that the media have received a briefing on this bill as of 2:45, which also amounts to a breach of the privilege of the members of this Assembly.

Let me carry on with my facts. On Monday, November 25, the government, through the Attorney General on behalf of the government, told media outlets that they would seek an MLA wage freeze at the Members' Services Committee, as is their right, at a meeting on Friday, November 29. On Tuesday, November 26, the government gave oral notice to introduce Bill 46, the Public Service Salary Restraint Act, presumably a bill that freezes public service pay or will orchestrate that outcome.

However, yesterday Albertans began receiving a mail-out from the government of Alberta, presumably mailed last week, which reads at page 6:

Public sector employees, including teachers, doctors and government managers – as well as MLAs – are leading by example with multi-year wage freezes because it's the responsible thing to do for our province.

I would suggest, Mr. Speaker, that in making this statement to the public as a fait accompli, the Premier is breaching the privilege of this Assembly in two ways. The statement about the public wage freeze appears to anticipate the passing of Bill 46, a bill that, as I have just noted, we have not even seen. It also anticipates a decision of the Members' Services Committee, which has not yet considered the matter.

*Erskine May* describes privilege as “the sum of the peculiar rights enjoyed by each House collectively . . . and by Members of each House individually, without which they could not discharge their functions.” You see that at page 75. As you are aware, Mr. Speaker, at the commencement of the First Session of each Legislature a number of committees are established, including the Members' Services Committee as per Standing Order 52(2). This committee is empowered under the Legislative Assembly Act to make on its own important decisions on issues such as the amount

MLAs are paid. I would refer you in particular to sections 33(1), 36, and 39 of the act.

Now, notwithstanding this particular member's personal incredulity with respect to the following issue, the precedent in this House has been to recognize a so-called tradition of this Legislature, which is to assume that committees are to be treated as though they are populated by private members who toil on these committees on behalf of the Legislature as a whole. Accordingly, the Members' Services Committee is often described as an “independent committee of the Legislative Assembly.” I would refer you to the Speaker's ruling on April 17, 2007. As such, it is understood that members are free to consult with anyone, including their fellow caucus members, but are also free from partisanship or influence from Executive Council. The principle and general understanding that these committees are independent has been established by numerous rulings made by the Speaker of the Alberta Legislature as well, quite frankly, as statements to this effect by various Premiers and cabinet ministers.

Now, the Member for Edmonton-Highlands-Norwood raised a point of privilege based on a similar sort of issue in February of this year after the Premier tweeted that MLAs were leading by example by freezing their wages before the decision had been made at the Members' Services Committee. At that time, I believe, the member raised his point of privilege in the Members' Services Committee. At that time, Mr. Speaker, you were chairing the committee, and you said:

The chair's role is to determine whether or not the issue that's been raised as a point of privilege touches on privilege. I have determined that it does. Now it's up to the committee to decide what it wants to do about that.

So we have a fairly clear precedent where the government anticipating a decision of the Members' Services Committee amounts to a question of privilege.

In terms of other precedents there are numerous examples whereby the Speaker has ruled that the proceedings of the committee cannot be directed or represented by the government. One example of this was May 14, 1992, when the Speaker ruled out of order a question posed by Member Ray Martin pertaining to whether or not the Premier would agree to direct the proceedings of the Members' Services Committee in a certain direction. In his ruling the Speaker at that time stated:

The government cannot answer on behalf of the whole committee . . . the government certainly cannot direct what happens to all the committee.

That's in *Hansard*, May 14, 1992.

Interestingly, Mr. Speaker, members of Executive Council in this House have also relied heavily on this principle. On October 23, 2012, the Premier described in detail how she understands that it is not her place to direct the proceedings of the Members' Services Committee. With reference to that issue she stated in *Hansard* on October 23, 2012:

My understanding is that the work of that committee was to review the recommendations of the Major report. I understand that that's what they did, and I don't understand that it's my role to direct the members of the committee to do anything.

She went on to say:

Mr. Speaker, as you have so rightly said . . . this is not a committee of the government. This is a committee of the Legislature that at some point will make a decision that we as MLAs will consider . . . That's why we have a Members' Services Committee. It is the job of MLAs, not the government.

Interestingly, on October 31, 2012, the Minister of Human Services, speaking on the issue of MLA pay, said:

There is not a government policy with respect to MLA pay. That's the purview of the members, and that's a debate that's held at the Members' Services Committee.

**The Speaker:** Hon. member, I wonder if you could just focus in a little bit more on the matter of urgency rather than all of these examples. I know you're providing the best you can.

**Ms Notley:** It's a point of privilege here, Mr. Speaker. I don't believe there's a matter of urgency to be discussed. There's an issue of timing.

**The Speaker:** Yes. I thought you were talking about urgency a little earlier.

**Ms Notley:** No, I wasn't.

**The Speaker:** I may have misheard you.

**Ms Notley:** Timeliness is one of the issues in terms of when I raise it.

**The Speaker:** Understood. Please carry on.

**Ms Notley:** So that's why I spoke to timeliness, but urgency is not the issue. The issue is: what are the privileges of this House and have the actions of the Premier breached those privileges? Thank you, Mr. Speaker.

Moving on to the additional issue, just to briefly review the issue of what else constitutes privilege and contempt, *Erskine May* says at page 128:

Generally speaking, any act or omission which obstructs or impedes either House of Parliament in the performance of its functions, or which obstructs or impedes any Member or officer of such House in the discharge of his duty, or which has a tendency, directly or indirectly, to produce such results, may be treated as a contempt even though there is no precedent of the offence.

Then in *Maingot*, second edition, at page 225, the author says:

3. Contempt is more aptly described as an offence against the authority or dignity of the House.
4. While privilege may be codified, contempt may not, because new forms of [contempt] are constantly being devised and Parliament must be able to invoke its . . . jurisdiction to protect itself against these new forms.

Mr. Speaker, there are two separate issues, as I stated. The first – well, no. Now there are actually three separate issues, and I chose to raise it because the first possible opportunity was about 30 seconds after it arose. The first issue is the brochure sent out by the Premier, a brochure which anticipates, clearly, a decision of the Members' Services Committee which has not yet been made. That's the bottom line.

Just to be clear, the brochure refers to a multiyear wage freeze for MLAs. I am fully aware that the Members' Services Committee has already agreed to a one-year wage freeze, and quite honestly it may well be the case that our caucus would support a wage freeze although certainly not as a means of justifying the outrageous conduct of this government towards its employees. However, the fact of the matter is that the committee has so far only deliberated upon a one-year wage freeze. So by talking about a multiyear wage freeze, it is clear that this brochure is anticipating a decision of the Members' Services Committee which has not yet been made, and that, Mr. Speaker, is a clear breach of privilege.

The second point, Mr. Speaker, is that the brochure also refers to a wage freeze for public-sector employees. Now, it goes on to say: including teachers and managers. Yes, no question, those

things have happened already. But by saying "public sector employees," I would suggest that it is also anticipating the passing of Bill 46, and in so doing, it too is breaching the privilege of this Legislature.

3:20

You, Mr. Speaker, turned your attention to this issue on the basis of a point of privilege raised by the Member for Lac La Biche-St. Paul-Two Hills when the government engaged in promotional activities around the passing of the bill relating to transportation. I can't remember the bill number offhand, but I'm sure that you will recall it. At that time you found that they had narrowly missed a breach of privileges of the members of this Assembly by including on the billboards the phrase "if passed." I would suggest that that is not the situation in this case because, needless to say, the brochure, which has quite irresponsibly and in an entirely inappropriate and overly political way – but nonetheless that's not in your purview – been sent out to Albertans' households, says simply that public-sector employees will take a wage freeze, and the only way that can happen is through the passing of Bill 46.

The final point, Mr. Speaker, is this. And there has been a precedent on this issue, which I do not have at my fingertips because I wasn't aware it was going to happen until it happened. My understanding is that the media were invited to a technical, detailed briefing on the bill, which would have given them . . .

**Mr. Mason:** It's on now.

**Ms Notley:** It's on now, but it commenced at 2:45.

I made note of when I as a member of this Assembly received these bills, Mr. Speaker, and it was at 3:15. That is a profound breach of my privilege as a member of this Assembly. We should not be receiving bills and legislation after any member of the public but certainly not after the media has been provided access to it. There is precedent on that.

Based on all three of those points I would ask you to find that there has been a prima facie case made of breach of privilege against both the Premier and the Minister of Human Services.

Thank you, Mr. Speaker.

**The Speaker:** Are there others?

**Mr. Anderson:** Mr. Speaker, my colleague from Edmonton-Strathcona has laid out the precedents and the case for this, I think, very well, so I will be brief. You know, sometimes when we're in this Legislature, one has to ask, certainly in the last little while: why do we even bother sometimes going through the facade of having a Legislative Assembly? I hope that the purpose of the Legislative Assembly is that the elected members of this Assembly, elected by the people of Alberta, can come together, have bills introduced, debate those bills, vote on those bills. The bills are passed, decisions are made, we move forward, whether the minority is not happy with it, the majority is happy with it, whatever.

We have these processes, and you have talked a lot – and rightfully so – about the traditions of this House and the importance of this House and the standing of this House and how it's important to respect those traditions and those rules and practices and so forth. I don't understand how it is anything but a point of privilege and really just contempt of the House and the proceedings here to announce in a government promotional piece a wage freeze for members of the Members' Services Committee, which you chair, Mr. Speaker. And I'm definitely not putting words in your mouth, but I highly doubt that you were informed of this

before the literature piece went out, as chair of the committee. Yet that gets announced as a *fait accompli* without even informing the members on the committee, certainly not the opposition members, likely not the Speaker, who is the chair of the committee. I mean, it is so clumsy and ridiculous and disrespectful of this House that it just makes you wonder.

The second point with regard to the wage freeze. Again, we just had this bill introduced in the House today. I first heard about it – I didn't know the details – last night when oral notice was given by the Government House Leader. And here it is in a document which was prepared and mailed out and sent to homes long before any of us even got oral notice on this. I've talked with several colleagues on the PC side. They didn't even know this was coming. But the Public Affairs Bureau knew it was coming, and they used hundreds of thousands of dollars to put this piece out in advance of the bill even being brought here or anyone even knowing anything about it.

Again, it is so utterly disrespectful of the entire process that we have here as a Legislature and of the rule of law. The rule of law states that before we declare something as law and fact, we pass a bill. We pass a law or at least introduce it in the House so that people can look at it. We don't circumvent the process and send to 39 bureaucrats at the Public Affairs Bureau the way it's going to be, while no one else knows what's going on, so that they can put their little pamphlet out. We won't even get into how much of a waste of taxpayer money that is – separate issue – but it's so disrespectful.

Then the third point, which my colleague from Edmonton-Strathcona makes very clear – and it is accurate – is that there was a media briefing today starting at roughly 2:45. I know I was getting e-mails and texts about it. So the media gets briefed on this bill before we as members even get to look at it at 3:15. I have heard you, Mr. Speaker, and your predecessor warn the government kindly but, I would say, earnestly about this type of behaviour in the past. I have heard it at least three or four times since being in this Chamber, once from you, several times from Speaker Kowalski when he was Speaker. And if there are no consequences, this type of thing will continue to occur. They will continue to flout this process. They will continue to make announcements without going through the proper procedure.

It's sloppy, and it's wrong, and it's disrespectful of what we do in this House. I would ask you to find a point of privilege and find a remedy for it. I don't know what that remedy is, Mr. Speaker. Certainly, an apology is probably not good enough, but there's got to be some remedy here that you can come up with to stop this sort of stuff from happening because it's happening all the time, and frankly it's getting a little out of hand.

Thank you.

**The Speaker:** Anyone else? The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much, Mr. Speaker. I am rising in support of the Member for Edmonton-Strathcona, who has brought forward the point of privilege on behalf of the Member for Edmonton-Highlands-Norwood, the leader of the ND opposition. I'm going to take a different tack on this because I'm going to call it like I see it. I believe that, for members on committees, whatever kind of legislative committees they are, it should not be so – or it must not be so – that they act as partisan groups. I understand that. I've read all the citations that have been given. I've read a number of background *Hansard* discussions on this. Everyone agrees or seems to agree that in fact these committees should not be influenced in a partisan way. It should not be so,

must not be so, but frankly current practices put the lie to that. It's happening. It's exactly what's going on. It's not supposed to, it shouldn't – I absolutely agree – but it is going on, and there is no question in my mind.

Was there any thought given? I can't speak for the Premier or her communications team or anybody else about what they were thinking when they wrote this. Did they care that they were including all MLAs, or were they just saying that it was government MLAs that made this decision? Hmm. Hard to tell.

I've looked at the brochure, Mr. Speaker, and one of the points that you had made in ruling on an earlier and very similar point of privilege, that was raised in the context of the Members' Services Committee – let me give you the starting one there. That's appearing at MS-208, February 27, 2013, and the conversation goes on on that particular thing to MS-216.

3:30

The point that the chair of the committee, who's also the Speaker, made at the time was that the tweet that had been made by the Premier in advance of the decision made by the Members' Services Committee was that she was directly speaking about what the PC members on the committee were going to do. That seemed to be the way the point of privilege was addressed, that she hadn't meant everyone, she hadn't meant she was influencing anyone, but she was proud of her PC MLAs for voting that way because she knew this in advance. Of course, they did vote in that way.

When I look in this brochure, that has now gone out – boy, I wonder how much that was – the paragraph does say:

Public sector employees, including teachers, doctors, and government managers – as well as MLAs – are leading by example with multi-year wage freezes because it's the responsible thing to do for our province.

Now, interestingly, in reading all of the pronouns that are included in this document, I'm unclear about whether the "we" she uses is the collective "we" of the Assembly, whether it's the "we" of the government, whether it's the "we" of families and communities, which is also talked about here, or the "we" of resources or the "we" and "they" of apprenticeship or communities. So it's very difficult for me to be able to read this and go: nope; I know she's talking about the Tory MLAs that have voted for this particular thing to happen. I can't tell that, so I have to take it at face value, and it says "MLAs."

So we've got a document that is circulating in the public prior to this Assembly making a decision, prior to our committee of the Assembly making a decision, in which the Premier is saying that a decision has been made a certain way. I think it's pretty obvious that the influence is there. It's meant to be there. It is certainly happening on a regular basis in other committees I'm sitting on or in the votes that I have perused. I think it is commonplace for the government members to be voting as a bloc, very common, and by that, I mean almost every time. Yes, indeed, you can find examples where one or two members of a government caucus have voted differently and not with their colleagues on some of these committees, but for the most part in policy field committees, in legislative special select committees, and in standing committees we are watching government MLAs vote as a bloc.

Do I have any question about whether the Premier was assuming that her majority of members on a committee were going to be successful in putting through both the legislation and the motion regarding freezing MLA pay as part of that committee? No question in my mind. I think it's pretty clear. Although we're supposed to be nonpartisan, that has not been the case in my experience in these committees, in this Assembly for many, many,

many years, Mr. Speaker. Although it would be nice and it should be and it could be and it must be, it's not. I think what we've got here is bloc voting that is undermining the importance of this Assembly. It is undermining the importance of the concept of a Legislative Assembly in Alberta. It's certainly undermining the work of all the MLAs.

Do I support this privilege and think it's based on something reasonable? Yes, I do. Thank you very much, Mr. Speaker.

**The Speaker:** The hon. Deputy Premier.

**Mr. Lukaszuk:** Well, thank you, Mr. Speaker. I hope that you will allow me the time to address the issues of the three members as I don't anticipate there will be any from this side of the House.

There are a number of facts that need to be addressed relevant to this point of privilege. There are really two allegations that the Member for Edmonton-Strathcona is making, one being that this brochure, *The Building Alberta Plan*, which is or will be arriving soon in all Albertans' mailboxes – and I highly encourage them, by the way, to read it – in any way pre-empts the decision either of this House or the decision of the Members' Services Committee. The other allegation the member makes is relevant to the two bills that have been introduced earlier today by both the Minister of Finance and the Minister of Human Services, that somehow media was privileged to have either copies of the bill or facts prior to their being introduced in this House. So let me to speak to them in that order.

First, Mr. Speaker, when one takes this brochure – and Albertans will soon be able to verify it for themselves – if you turn to page 6, I believe that is the part that the member is referring to. I can't help it, Mr. Speaker, but I have to read this into the record because that's exactly what she talks about. It says:

Public sector employees, including teachers, doctors, and government managers – as well as MLAs – are leading by example with multi-year wage freezes because it's the responsible thing to do for our province.

Well, Mr. Speaker, you know as well as all of us in this House that teachers have accepted a multiyear deal with three zeros up front. You know that doctors have accepted a multiyear deal with zeros up front, and you know that our salaries as MLAs have been frozen – you chair the Members' Services Committee – for some time already. I'm not sure how many years it is, but it's multiple years. So it's very factual, relevant to what has already transpired, not anticipatory of what will happen in the future.

It also says:

Teachers supported a four-year agreement that provides labour stability and includes three years of zero wage increases.

That's the past.

It also says:

Alberta signed a seven-year contract with doctors, including three years of pay freezes, while ensuring physicians remain the highest-paid in Canada.

That has already happened, Mr. Speaker.

Then it goes on:

Government managers' wages were frozen for three years and over that same time we will reduce the number of public sector managers by 10 per cent.

Mr. Speaker, that has already happened, and the reductions are currently happening.

Lastly,

MLAs froze their pay after taking an eight per cent pay cut in 2012.

Mr. Speaker, that has already happened.

So this brochure is a report card of what has already occurred. It doesn't anticipate anything that shall be happening in the future. It

reports to Albertans what has already happened. Everything in this brochure, Mr. Speaker, is reporting back to Albertans on what has occurred relevant to salaries and wages and collective bargaining with those who chose to lead by example in our province to meet our financial targets as a province and allow us to deliver the benefits that we have undertaken. That takes care of this brochure. It is not anticipatory in any way. It simply reports facts of the past.

Second, Mr. Speaker, yes, I anticipate that there will be a Members' Services Committee meeting – I don't sit on the committee – I believe towards the end of this week. A number of our members of the Legislature have raised the issue that the current freeze on MLAs' pay I believe is ending at the end of this fiscal year, and if no decision is made in the future, that freeze will thaw and MLAs automatically would become eligible for some kind of an indexed increase. Is it CPI? I'm not sure what indices that are being used would apply.

Now, because of the fact, as outlined in this brochure, that we have teachers that took the courageous step and decided to do what's right for the province, for the kids, and because we have doctors and others who chose to do that, MLAs from our caucus, the PC caucus, have been very vocal to me, to the Premier, and among each other saying that what's right for the goose has to be right for the gander, and they have chosen to put forward a motion in the Members' Services Committee imploring upon the opposition and asking the opposition to co-operate, that in line with those collective bargaining agreements MLAs' salaries should also be frozen for the next years.

Now, I believe that a motion has been tabled with you, Mr. Speaker, by one of the members of the Members' Services Committee to that effect. Whenever your meeting is, you will be debating that issue. It's like any other motion. As a matter of fact, this will not be the first motion that will be debated because there is a Wildrose motion asking for an \$8,000 pay increase for the Member for Lac La Biche-St. Paul-Two Hills. I believe you have to deal with that motion first and make sure that he doesn't get the increase of \$8,000, and then you will be able to address the motion of the PC member who will be introducing it.

Mr. Speaker, if they vote unanimously – I certainly hope they will vote unanimously because this is something that we believe in. We believe that if public-sector employees are going to take those steps, we as legislators in this province should lead by example. I hope that the opposition, all three parties of the opposition, will support our member. There's nothing anticipatory about it. Due process will take place, but I certainly hope that there will be a unanimous vote in that committee although the leader of the Liberal opposition has the tendency, I understand, of walking out of those votes. Maybe unanimous minus one.

That should rest that issue, Mr. Speaker. There's no point of privilege. A debate will take place. I anticipate that our members and even members of the opposition will support that motion. The brochure only speaks to what has already happened, what has transpired.

**3:40**

Now, the second question, Mr. Speaker, is the matter of the media, whether the media has been privy to the legislation and a review of the legislation prior to any member of this House and whether our privilege as members of this House to have the primacy was in any way jeopardized. Well, the answer, clearly, is that it was not. What has happened is that the members sponsoring the bills, the Minister of Finance and the Minister of Human Services, both called for a press conference at 2:45. It is very difficult to predict exactly at what time we will table the motion in

this House because of, as you know, question period, members' statements, filing of petitions. The time is very flexible.

What has actually transpired, Mr. Speaker – and before the member makes such a serious allegation, she should get her facts straight – is that even though the press conference was called for 2:45 and media, I imagine, was available, anticipating to be briefed on the bills at 2:45, no briefing took place until 3:10. That's 15:10. Why? Let me tell you why. Both of these ministers respect the privilege of the House, and they would never brief the media on a piece of legislation prior to the members of this House having the ability to receive the bill. So media were in the press gallery, I imagine, but they all anticipated and waited for the tabling of the bill in this Chamber for the press briefing to begin.

Again, Mr. Speaker, no privilege has been breached in this case either.

I rest my case. Thank you.

**The Speaker:** Is there anyone else? I've already recognized you once, Edmonton-Strathcona. I'm just asking if there's anyone else. No? Did you have a brief supplementary?

**Ms Notley:** I'm pretty sure I get an opportunity to close debate and respond to the minister.

**The Speaker:** Actually, this process doesn't work quite that way. You get one chance to state your case, but if you have something very brief to add in, I'm not opposed to hearing it. It should be extremely brief, please.

**Ms Notley:** I will be very brief, Mr. Speaker. On the points made by the hon. member from the government side, we currently have in place an MLA salary freeze, which is for one year. The brochure talks about a multiyear freeze. Clearly, it's not talking about the past. That is clear on the evidence.

Secondly, the minister said that the briefing occurred at 3:10. I received my bill at 3:15. So even if the minister's information about the timing of the briefing of the press is correct – I'm double-checking – he on the face of it has indicated that the media received that briefing in advance of my receiving a copy of that bill.

**The Speaker:** Thank you.

Hon. members, as you would know – and I won't take long at this time – points of privilege are reasonably rare, or at least they used to be, and it's because it's the most serious charge that one member can bring forward against another. The consequences can be devastating to someone. So I listened as attentively as I could, but I also will take the prerogative of the chair to review *Hansard*.

So many different points were raised here, and it seems that as some points got raised, new ones were brought in shortly after that, issues about whether the issue in question was a fait accompli or whether there was anticipation of a decision of the Members' Services Committee, including references to support arguments to that avail in rule books or books of precedents. Former Speakers' rulings were referenced, something to do with tweets, which I recall. In fact, the Member for Edmonton-Strathcona in her first set of comments actually raised three different issues. So I'm going to take some time to review those as well. The first I saw of the brochure was when you actually referred to it, hon. Member for Edmonton-Strathcona. Thank you for providing me with a copy of it. I will go through that as well.

The news conferences and the whole issue of bills being commented on before they're brought in and members having a chance to see them or not see them within a specified time frame: these are all very serious matters. Of course, Airdrie mentioned stuff to do with the wage freeze and questioned why we should

even have an Assembly on some of these matters and went on with previous warnings and so on. Edmonton-Centre also noted the brochure and commented on previous rulings by this Speaker as chair of the Members' Services Committee as well as previous Speakers who also had the job of chairing the committee.

I listened intently as the Deputy Premier pointed out some of his stats and facts contained in the brochure, what I think some would consider a householder, and indicated that there was no anticipation. I'm going to review that as well.

Finally, the issue of timing, the issue of 3:10 as being of critical importance and also introduction of those bills in this House. Now, what's somewhat unique here is that a number of other members, specifically cabinet members, are implicated as being those who introduced the bills or the one bill in question. Again, I'll review *Hansard* just to see exactly how that read.

That having been said, I'm going to take at least one full day here, if I can, to review all of that and have my usual discussions with Parliamentary Counsel and perhaps consult with others and come back with a ruling as soon as I am able. So that matter will come forward again, likely tomorrow.

## Orders of the Day

### Government Bills and Orders

#### Second Reading

#### Bill 36

#### Appropriation (Supplementary Supply) Act, 2013 (No. 2)

**The Speaker:** The hon. associate minister on behalf of.

**Mr. Fawcett:** Thank you, Mr. Speaker. Time to move on to some important business for the day. I'm pleased to rise today on behalf of the President of Treasury Board and Minister of Finance to move second reading of Bill 36, the Appropriation (Supplementary Supply) Act, 2013 (No. 2).

The government is requesting approximately \$625 million for operational costs and \$139 million for capital projects. These amounts are necessary for the government to fulfill its commitments to the southern Alberta flood relief during the current fiscal year and are exclusively for that purpose.

The supplementary supply amounts mainly relate to the following items: advances to municipalities, First Nations communities, and individuals through the disaster recovery program to support flood recovery efforts; funding to purchase properties from homeowners who wish to relocate from a floodway; capital improvements to roads, bridges, and water management infrastructure that was damaged by the flooding; emergency financial assistance to Albertans displaced by the flood; relocating, renovating, and rebuilding flood-affected homes in First Nations communities; financial support to municipalities and school boards to stabilize revenues lost because of the flooding; and the Alberta flood recovery interest rebate and loan guarantee programs, to assist rebuilding businesses, agricultural producers, and not-for-profit organizations affected by the flooding.

Mr. Speaker, the June 2013 flooding in our province is the most expensive natural disaster in Canadian history. When the floods happened, our provincial government pledged funds immediately to help Albertans in their greatest time of need. Now it is time to formalize the first part of that financial commitment, and I respectfully urge all of my colleagues in the House to support that bill for this reason.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you very much, Mr. Speaker. I'm not exactly sure what immediate is according to this minister. Immediately nothing was going on from this provincial government. It took them a while to act. I'm glad that they've decided to act, but the fact is . . . [interjection] No. I'm serious. How many search and rescue people sat on the sides?

3:50

The reality, Mr. Speaker, is that now we have a supplementary bill, and this supplementary bill, this appropriation bill, is supposed to take into consideration a number of particular issues. We discussed this under the estimates, but here's the bill in front of us, and there's absolutely no mention of the community of Sundre in dealing with these various supplements. We went through this with the hon. minister, but we still have not gotten an explanation. This is extremely serious stuff. With the amount of money that is being allocated, whether it's under Municipal Affairs or whether it's under Environment and Sustainable Resource Development, what we find is that what we've identified as a serious issue for mitigation is not even addressed.

Now, what's interesting is that the minister would say that it would be covered under some sort of obtuse sum that was given in here. But it's not consistent with the bill because when you looked at the estimates that came forward, depending on the ministry – and I think I used Education as an example. Under Education the minister laid out exactly where some of this money was going to address particular issues. I agree with that, and that's why I use Education as an example.

The community of Sundre is experiencing a significant threat, and what we have here is a bill that is going to authorize the spending of money based on the new legislation we pass, which is going to use these flood mitigation maps, yet we don't have a definition for what is a floodway or a flood plain. We're just going to guess at this. The hon. minister says that we're going to use some scientific definition, but it doesn't say that in the legislation. It doesn't say anything in the legislation. So if it's true, I don't understand why they didn't put it in the legislation. But the reality for the community of Sundre is simply this. The flood maps that this government is saying that it's going to go by don't correlate to where the river is today. The river has moved over a mile, and it threatens that community.

[Mrs. Jablonski in the chair]

One of the questions I had for the Associate Minister of Seniors was about the new investment that this government has taken in that community, authorizing millions of dollars for a new seniors' facility, and depending on whose definition we use, because we don't know whose definition we're using, that new seniors' facility could be in a floodway or it could be in a flood fringe. It just seems that if we're going to invest money in new infrastructure, that we invest it wisely and make sure that we protect it. The way it would be protected within this bill is to make sure that the money allocated for flood mitigation does what it's supposed to do, which is actually mitigate against the next possibility of a flood.

Now, the community I'm speaking about suffered a 200-year flood in 2005. Fast forward to 2010: it suffered another flood. Then it suffered another flood of a 100-year magnitude in 2012. I suspect that's somewhere pushing 300, 400 years in a five-year period. Clearly, I'm quite sick and tired of hearing of the hundred-year flood and the 200-year flood. They're happening too

regularly. What we need to do is to take proper steps and make sure that the money we spend does what it's supposed to do.

The hon. Minister of Municipal Affairs made a statement the other night that the community of Sundre has never applied for any funding, which is absolutely incorrect. They have applied for funding, and they have not yet heard. I went and double-checked that, and I ask the minister to double-check that.

What concerns me most is that we're missing an entire community in this mitigation process. It has been bypassed, and it is one of the most significantly at-risk communities in this province. It is on par with High River. It is on par with Canmore. It is on par with these other communities that are faced with the runoff from the mountains. It is backed right up into the foothills. Clearly, the history of this community alone warrants some attention. The risk for this government is simply this. This is about a huge economic loss should we lose this community, never mind the lives that would be affected and the possible tragedies that could be avoided if we do what we're supposed to do.

Clearly, you know, we want to pass this bill. Clearly, we want to mitigate – nobody's arguing that point – but what we want to make sure is that we do address these particular issues that are so important to getting the job done right. We've failed to do that, and if we don't do that, I fear we'll be wasting more money rather than getting results. This is one of these typical money-spending bills where, when you go from department to department, it gives the indication that money is allocated specifically for certain items, which makes sense. But to find an item such as the community of Sundre totally left off of anybody's consideration and have the minister kind of go through and say, "Well, it could be here or it could be there," that's not good enough. That's not good enough.

You know, clearly, High River is addressed, Calgary is addressed – hopefully, correctly; I don't know their particular circumstances – but the community of Sundre is not even mentioned. It hasn't been mentioned. What we know is that we've lost roads, we've lost homes, we've lost community buildings, and we've lost them numerous times. We've gotten lucky to date. As the mayor said, we dodged the bullet, and we did. But with the amount of water and how fast it rose in this last flood, to dodge that bullet, to know how precarious it was, clearly states that had we had one more millimetre, one more centimetre, that town could have gone under water. All those lives could have been affected. It could have been on the same tragic level as High River. We just got lucky, but that can change this next spring.

[The Speaker in the chair]

We have a significant investment in our community, in our economy, and in lives that we have to address. This bill failed to do that, and it's unfortunate, but we still have an opportunity for the ministries to stand up and say: this is how we're going to do this. The most important point is that saying it isn't the same as putting it in and seeing where the money is actually allocated.

As I stated the other night when we first did the supplementary estimates, there have been so many studies done on the Red Deer River, never mind the Little Red Deer River, that we probably could build a dam out of the number of studies that we've had. We don't need too many more studies. What we need is an engineering plan and a plan to implement that. We need to execute that. Everybody that's been involved – and I won't even go back 20 or 30 years; I'll just go back the five or seven – knows what we need. We need berms, we need spurs, and we need some sort of water retention. We have the ability to do that, because it all backs up onto Crown land and it all backs up eventually in the mountains onto federal parkland, which is Banff. That is the Red Deer

watershed. We don't have concrete data to say that logging has affected the runoff, but there's speculation and suspicion that it has.

It gives the ministry all these tools to work with to develop a flood mitigation protocol to deal with that flood plain, to deal with the river tributaries that come into the Red Deer watershed. In our case here we could actually store water, make recreational areas, and manage the system. Clearly, any time we get involved with nature, we do put ourselves into a position where nothing is singular or isolated by itself. We do one thing, and it affects a number of others. That's why we need a good engineering plan, and that's why we need to execute it. That's what should have been in this bill. It should have been stipulated, maybe not in totality but in some sense, that this is how we're going to get there. That's not there, and it is unfortunate that the community of Sundre has not been heard by these ministries. It could have happened under ESRD, it could have happened under the Ministry of Municipal Affairs, and it could have happened under Transportation.

4:00

One of the things is that compared to other communities, even though we didn't have loss of life – we were very fortunate – we had a tremendous amount of loss of roads in this last flood. Of course, these are gravel roads that are – I'm not going to say easily repairable – significantly less problematic to repair compared to paved roads, but it's infrastructure nonetheless, and it's costly nonetheless. It isn't just about the straight cost or the present value of the road. There's an economic cost that the community suffers. Our logging industry came to a halt until some of these roads were fixed. A number of other economic operations came to a halt until these roads were again passable.

In this appropriation supplementary act the ministry has had the opportunity to address a number of issues, and it failed to address what I think is one of the most important, that this is an entire community. One thing that's significant about Sundre compared to any other community is how the river has moved since the 2012 high water. That is what has threatened this community more than anything else. The river now has moved, and if we don't take the appropriate measures, the next flooding, possibly even the spring runoff or the spring rains, could put the entire community under water. It is that much under threat.

Now, that has been brought to the attention of this government by myself, by the county, and by the municipality. Again, it's unfortunate that it didn't make it into this supplementary act. It should have. It's about the efficiency of spending the money that we're going to spend, getting the biggest dollar value for every dollar spent. This is what is absolutely important when we bring out these supplementary bills.

Now, going way back to our original budget, this is also an issue that we've missed year upon year and year upon year, going back four or five years. We've not budgeted properly for a disaster. Now, this disaster is of a magnitude that we would suffer regardless. I mean, nobody can predict the magnitude of any disaster any more than they can predict the disaster, but we clearly know based on our own historical budgeting that disasters run in this province on a yearly basis at the \$200 million to \$300 million mark. This one, of course, jumped to \$5 billion, depending on the value that the government has given us, but that value nonetheless is hopefully going to be an aberration in our historic trends, and if we get the proper results of this supplemental bill, then the idea is that we wouldn't be suffering a magnitude of \$5 billion disaster due to flooding. We would have mitigated and protected the most important economic assets, which are our communities along

those foothills, along those river basins that are at risk. We back into this.

I hesitate to use the word, but it is somewhat callous when we don't take the time to make sure that we are putting the money to the right spots, to the right issues when we bring these bills forward and identify them even in bullet form so we know where and how we're going to implement these flood mitigation measures. It is somewhat disappointing, but it's also irresponsible that the community of Sundre is not mentioned anywhere, how we're going to mitigate the flood, how we're going to deal with the Red Deer River basin, how we're going to deal with the Little Red Deer River basin.

The economic loss that has occurred from just 2005, 2010, 2012, and now 2013 is adding up. It's more and more each time. It's interesting to note that even though the town of Sundre dodged a bullet in the 2013 flood, it suffered no less in economic damage than in 2012 or even 2010. You can see the dollar value going up. There's an incentive here for government to actually look at this, to spend money wisely to save a community from economic damage.

One thing I want to know. Of the homes that were lost in this community, none of this money is going to buy out any of those people who lost their homes or who suffered damage. They have all been denied in the community of Sundre. The ones that applied were denied. It's interesting because the community itself and the individuals are looking at what this government is doing provincially, and they're saying: "What about us? We're over here, and we suffered too." Maybe not to the extent that one little neighbourhood in Calgary or a community like High River did, but they suffered no less when they lost their homes. That's a tragedy. They have to build or rebuild, and to rebuild, they're working with confusion in many ways, not knowing whether they're in the floodway, the flood plain, or the flood fringe. They don't know how these caveats are going to work. There's a lot of confusion out there. They didn't have the opportunity to participate in any of this DRP funding. It is tragic, and it's sad that this happened to this community. We have the ability to correct that, but it's going to take action from this government to make the correction.

What's imperative about making the correction is that here we are in November, and come March, April, May the community will be threatened again at some point in time. It will see that, and we don't want to be standing here at that time saying "what we should have done" or "had we only taken that into consideration." We know historically that the Red Deer River tributaries, that watershed, has changed significantly. Flood waters are rising faster, and they're moving quicker historically. We know that. We know that from the data from the last flood. I think it's 200 million cubic metres per second or something like that. I might have to double-check my figures. The 200 number is stuck in my head. It is huge. I think it's 2 million cubic metres per second, not 200 million. I think the record flood of 2005 was only 1,600. Again, we dodged the bullet. It was the mountains that actually helped us dodge that bullet. It was the weather, and we got lucky in that regard.

The community's been lucky now two times in a row from tragedy. We got lucky on that pipe break in the Red Deer River, and the hon. Premier knows that. She came out to the Dickson dam and looked at it. The beauty behind our luck was that it was the wind that was helping us. It kept the oil spill to one end of the lake.

**The Speaker:** Thank you.

Are there others? The hon. Member for Calgary-*Buffalo*.



**Mr. Hehr:** Well, thank you, Mr. Speaker. It's an honour and a privilege to discuss the appropriations debate in second reading and go through a little bit of my learning from this exercise and, hopefully, share some of my concerns around various issues, ones that I've focused on for the last four years, primarily the fiscal health of this province going forward.

4:10

I think that if we look at the process that evolved over the summer, the devastating floods and the government muscle necessary to try and alleviate tragedy, rebuild communities, and restore a sense of public infrastructure, school systems, our First Nations reserves, and other areas which the government moved on to assist, it's something for us to consider. If we look at this process, at least from the numbers I gathered yesterday in supplementary supply as well as from the Treasury Board's briefing yesterday, this flood in total cost roughly \$6 billion. Now, it is true that our federal government will pick up roughly anywhere between \$2.8 billion and \$3.1 billion of this tab. Insurance companies may pick up some portion of the bill, possibly up to \$2 billion. Nevertheless, it looks pretty clear that this will cost at least an additional \$1.1 billion on the government books.

At this time, Mr. Speaker, if anyone has been paying attention, we all know that money is tight. I wonder – this, again, is highlighted to me – whether our fiscal structure is set up to be sustainable in the long term and to actually build a real sense of permanent wealth or public good in this province, or are we just spinning our tires? Now, I can go through a little bit of history here just to highlight this. It will also save me a trip to my psychiatrist as this really does bother me and, essentially, keeps me up at night. I think people in this House should be worried about it as well.

Since 1971 we have taken in some \$360 billion plus in non-renewable revenues. At the same time, we have only managed to save \$16 billion. One might ask: where has the rest of the money gone? I know full well that it's probably gone to many good things: building roads, schools, hospitals and the like, and some of the good public infrastructure that has been built around this province. But at the same time, from where I'm sitting, largely it has just alleviated the need for taxpayers to contribute to the public good and the society that we live in. I pointed out that it's pretty clear to me that that's where the money has gone, a refusal to ask Albertans to pay for the services they use. Essentially, instead of doing that, we have gone down a path of simply covering over their obligation to ensure the public good and spending all the royalty wealth in one generation. If we can't see that today, well, then I don't know when we're going to see it.

Right now we're essentially at a wash, where we're going to see our heritage savings trust fund, which is around \$16 billion, roughly match what our debt number is at the end of the next two years, by the time the next election comes. What that will mean to me sitting here is that despite this economic wealth that has been created, no permanent wealth has really been created. All the while in the last 40 years we've had fits and starts as to whether we've been able to fund the public good – to fund education, to fund health care, to build infrastructure projects at times when it is needed – and oftentimes this has led to a countercyclical spending of money that has been contrary to basic economics and an understanding of when government investment is needed.

Largely, the fact is that government should be trying to build infrastructure in times when the economy is slow and not necessarily prime the pump when things are running well. Because of the nature of the Alberta economy and the nature of our unstable fiscal structure, well, we just haven't been able to do

that. Might I point out, just to point out clearly this anomaly that exists here in Alberta, that if we look across this great nation, we are the lowest taxed jurisdiction by a country mile? If you just compare us to Saskatchewan, the second-lowest tax jurisdiction, if we adopted their tax code lock, stock, and barrel, we would bring in \$11 billion more. If we just look at that number, that's roughly the amount that we are going to spend in nonrenewable resource revenue in this calendar year, in and around there. It's no secret that we're using roughly the same amount of public services as Saskatchewan is, but how are we doing this? We're just paying it through nonrenewable resource wealth instead of asking taxpayers to contribute to the public good.

I come from a school of thought, Mr. Speaker, that more of our nonrenewable resource revenue must be saved for the future. If it's not saved for the future, it has to be put into some capacity-building enterprise that sets up Alberta for the future, a future that may not necessarily contain the oil and gas wealth that we are currently bringing in and not necessarily allow us to have the good fortune that we receive today. In my view, that is what a prudent government would do.

If we look further at how we have been so blessed here in this province in the last 40 years and go through what we have done here in our oil and gas economy, it's clear that this may be our last opportunity to do so. Let me paint a little clearer picture. In the '70s, at least the early '80s we had what is now considered a traditional oil and gas boom. Largely driven by tremendous commodity price increases in the '70s and '80s, Alberta coffers were relatively full and the like. Then we see, following about '85, '86, the world energy price dropped to around \$11, \$12, where we go into a famine period. We probably didn't save as much as we should have in that time period although we did do a lot better than we do now, and there was still, probably back then, a refusal by us to adopt a conservative philosophy of paying what we use through our taxes and some subsidizations there.

We go through a contraction period in between '93, '94, and '95, and then we get lucky again. We have a natural gas boom, a bonanza, where we have natural gas prices at \$16 – I don't even know what the terminology is called – a gigajoule or whatever the heck it's called, and again we think we are wealthy. Okay? We essentially moved to a flat-tax system, lowered our corporate tax rates beyond any other province at the time. Again, we don't have a PST here, that every other province and most other jurisdictions throughout the world have adopted as government policy and the like.

4:20

What happens to that wealth? Well, we get to 2008, and again we're not as wealthy as we think we are. Sure enough, over the course of the last five years we look around, and nothing is left again. Nothing at all. Have we built permanent wealth or lasting institutions that will stand the test of time to be here when our oil and gas industry may not be as prevalent in our lives? In my view, no, we haven't.

Now we have what I see as our last opportunity to get it right. I don't think our traditional oil and gas industries, despite the efforts of the Member for Calgary-Varsity, are going to be as abundant as they have been in the '70s and early '80s, okay? I don't sense that our natural gas pricing may go back to where it was or whether there's even as much of it as we once had to be able to continue this out indefinitely. We have bitumen right now that can carry the day, and there's a temptation by this government to look at 2017 and say: "Oh, my God, we're going to be rich again. We don't have to worry about this fiscal structure now. We'll just hopefully get lucky, you know, and all these royalties will be coming in, and

maybe a pipeline will get built,” all these good things. But, really, we’ll be kidding ourselves. We will not be building permanent wealth.

Even if that happens, 20 years could go along, and the world is going to change. Whether the world needs our bitumen or whether the world has moved on – I’m not certain which will happen – that day will come, and then the society will be in the same sputtering mode that we find ourselves in now, you know, where we have to have a thousand fewer teachers in our classrooms with 44,000 more kids, where we’re not able to build a school except under a P3 model, where we’re not allowed to go forward with revamping long-term care centres and building the infrastructure we need. We’re just delaying the inevitable and what that could look like.

This process that we’ve gone through with the floods, to bring it back to my initial point, should move everyone in this House to consider: what are we building here in Alberta? Are we prepared to deal with situations like the flood? Is our fiscal structure able to adapt to things we truly need in this society? Are we setting ourselves up to just simply play the role of the ostrich and bury our heads in the sand and say, “No, this issue doesn’t matter because we may be wealthy again sometime in 2016, 2017”? To me, I don’t think that’s good enough. I think this is the issue of our times, and I’d encourage all members of this House to really consider this. If we don’t fix it now, we may not have another opportunity to fix it when it eventually does happen again. We should get to the point where we’re building some permanent wealth in this province, some permanent capacity, and the only way to do that is through fiscal structure reform.

I’m agnostic as to how you guys want to do it, but really you’re kidding yourselves. You know, you guys advertised yourselves, in the last election anyway – you haven’t followed through on that – as . . . [Mr. Hehr’s speaking time expired]

**The Speaker:** Thank you, hon. member.

Just before we go to 29(2)(a), I have the hon. Minister of Aboriginal Relations next, then Lacombe-Ponoka, then Edmonton-Beverly-Clareview, followed by a government member, then Innisfail-Sylvan Lake, and the list goes on.

But in the meantime we have 29(2)(a). Under 29(2)(a), the hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thanks very much, Mr. Speaker. I’d like to ask the hon. Member for Calgary-Buffalo if he wishes to complete his thought.

**Mr. Hehr:** Well, I thank you very kindly. Then I can cancel my second appointment at the psychiatrist after this one because I get my extra time in here.

I guess, you know, what I’ve said here is that, really, it should be clear to every member of this House, and I don’t know how it is not. What we have done here has not built permanent wealth. We can see that the continued cycling of this will not allow us to go forward as a society.

I just look at what we’ve gone through these last two years here: the gutting of a postsecondary system; a thousand fewer teachers in classrooms with 44,000 kids; really, an inability of the government to do very much because we have no predictable, sustainable way to fund things, no predictable, sustainable revenue source. This is despite us having a largesse that other provinces would kill to have in terms of our nonrenewable resource revenue, okay? That is so clear to me and should be so clear to every member of this House that denying it is, to me, beyond the pale.

Again, to follow up on what I said earlier, it is the issue of our times, and if we don’t deal with it now, well, then I think we’re

destined to be in this position again, with possibly not another source of nonrenewable resource revenue to go to. We’ve gone through the oil. We’ve had a good run on natural gas. This could be the last kick at the cat to get it right, and this may be the only time we get a chance to get it right. Essentially, you have had every economist in the last 25 years saying that we need to move on fiscal structure reform. Might I point out that every former Tory Finance minister I’ve talked to about this issue – Jim Dinning, Shirley McClellan, Ron Liepert, and even Ted Morton, who, by the way, doesn’t see the size and role of government in the same fashion I do – has said that we have a revenue problem? Guys, you know, we’re kidding ourselves if we actually think we’re doing something to fix Alberta with what we’re doing.

Besides, you know, look at the election platform you ran on last time. You guys should have kept every one of those promises, built some capacity in our public services, built some capacity at universities, gone to full-day kindergarten and the like, and kept every one of those promises and broken the no-tax pledge. At least, we would have fixed the problem. Now we’re just skirting around and pretending to do something when we’re not addressing the fundamental problem. Look, your leader has passed the leadership review. Great. Now it’s time to actually do something to fight for a better Alberta instead of just treading water.

You know, I have every confidence that you’ll be just as – the electorate seems to enjoy your brand very much, and they have a lot of confidence in it. Why get into power if you’re just going to sort of hang out and not fix what’s broken? It, to me, makes no sense and, in fact, is probably a waste of time and of future generations of Albertans’ time as well.

Anyway, Mr. Speaker, I’m fine. That’s good. We can move on.

**The Speaker:** Forty seconds remain under 29(2)(a). The hon. Member for Drumheller-Stettler.

**Mr. Strankman:** I, too, would like to ask the Member for Calgary-Buffalo – and hopefully we can sustain his potential third psychiatric meeting here – about the definitive point of view that he has about energy creation in our province. In Drumheller-Stettler, Mr. Speaker, we have the potential for wind and solar and also petroleum. I’d just like to ask the member about his feelings on that.

**Mr. Hehr:** I could be wrong on this. I think our oil and gas sector might have 50 years left.

**Mr. Campbell:** Mr. Speaker, I move that we adjourn debate on Bill 36.

[Motion to adjourn debate carried]

4:30

## Government Bills and Orders Third Reading

### Bill 33

#### Tobacco Reduction Amendment Act, 2013

**The Speaker:** The hon. Minister of Health.

**Mr. Horne:** Thank you very much, Mr. Speaker. I rise to move third reading of Bill 33, Tobacco Reduction Amendment Act, 2013.

I would like to take this opportunity to thank members on all sides of the House for their support and the vigorous discussion about this bill that we have seen in the two preceding stages. The House, I think, has also taken an important stand in its support of Bill 206, that was brought forward by the Member for Calgary-

Currie, that will deal specifically with the issue of flavoured tobacco.

Both bills, Mr. Speaker, once passed, will contribute greatly to our ability to prevent the smoking of both tobacco and tobacco-like products among children and youth. These measures have the potential to prevent thousands of lifelong smokers from beginning to smoke and, in doing so, improve the quality of life for them, improve our ability to deliver health care across the province, and, of course, do great things to support future generations of Albertans in enjoying a better health status than the generations that preceded them.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Well, thank you very much, Mr. Speaker. I'm pleased to stand up and speak in third reading on Bill 33, the tobacco and smoking reduction act. I appreciate the comments that the Minister of Health has made in moving third reading of Bill 33. We had what I consider some, as he says, robust debate. I don't know if you'd call it robust, but we've had some good debate. The minister and I have had some good debate back and forth on Bill 33.

I just want to reiterate some of the things that I brought up in committee. I've said in this House that I'll be supporting Bill 33, as I did Bill 206, the flavoured tobacco act. I appreciate what the government is trying to do in regard to curbing smoking or at least trying to target our youth in regard to not smoking.

I want to reiterate all of the things that we're hearing from the shisha bars and the hookah establishments. We put an amendment forward in Committee of the Whole which was defeated. I can tell you that the owners and the ethnic communities that I have spoken to in regard to their concerns about having their businesses closed are watching this very, very closely. We've been in considerable conversation with them back and forth. I had asked, when the minister and I were discussing back and forth, if he would be willing to meet with them and have some discussions, and he pointed out, if I recall, I think it was section 19(f) on page 9 of the bill: "respecting the exemption of a person or a class of persons from the application." It goes on to an exemption. So we're going to wait. We're going to obviously watch this.

There are many things in this bill that need to be discussed. The minister had indicated in speaking that he thought it would be 12 to 18 months on some of the regulations. That goes to, as far as I know, the number of cigarettes or the number of cigars that could be in a package. I have mentioned how I felt about that, the times when I decided to kind of go off the wagon a little bit and, you know, buy that one cigar, and then all of a sudden now I'm getting eight, but I'm not going to do that anymore. I'm honestly not going to do that anymore because it's just bad. It's just those very weak moments in life that I think we all have, that some of us may not admit to. It's no different from chocolates, as far as I'm concerned, and I don't eat chocolate, so I guess you have to have some sorts of vices in life.

[Mrs. Jablonski in the chair]

If he could at least try and work in regard to the regulations. He talked about the stakeholders, and I mentioned some of the stakeholders in regard to addiction strategies in the city and in the province, that I've talked about, that had not been consulted. I think, you know, that when you're going to eliminate some tobacco products, you really have to talk to some addiction strategists in regard to how they can help the government help people deal with addictions. I know that they have the lines that

people can call and discuss that. I'm going to be watching the regulations very carefully with the minister, and maybe he can make a commitment in the House to kind of help us through the process.

I think the bill is on behalf of Albertans, and the government wants to try and do something to deal with the tobacco in this province. I had shared some concerns – I think it was in committee or maybe second reading – in regard to enforcement. I really, really would hate to see any of our enforcement agencies across this province being pulled off dealing with things that I think are far more important like organized crime and things like that. He mentioned that he'd be using some of the Alberta Gaming and Liquor Commission. I know that they're trying to deal with white-collar crime and money laundering, so I'm hoping that maybe they will look at adding more types of enforcement, whether it's bylaw officers or something. I'm not sure what can be done.

I appreciate the opportunity to speak in third reading and look forward to the rest of the debate.

**The Acting Speaker:** Thank you, hon. member.

Are there any other speakers who wish to speak on Bill 33 in third reading? The hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Madam Speaker. It's a pleasure to rise today on Bill 33, the Tobacco Reduction Amendment Act. I rise today in favour of this act, actually, because it does something that we used to try and do in the insurance industry, which I used to work in, which is risk mitigation. The sooner we address minors' smoking of tobacco, the better off society is as a whole. Society needs minors that are in Alberta now. By their not picking up the habit, we don't have to worry about them later on in the health system because there are not going to be as many problems with health forthcoming from those that failed to pick up the bad habit of smoking.

It's great to stand up here and talk about risk mitigation. It's one of my favourite subjects. I came from an industry where risk mitigation was very important. We always wanted to make sure that when we went out to look at policies, we were giving our clients the very best information on how to mitigate risk so that claims wouldn't come forward. I mean, this is the same sort of idea. When you reduce the amount of tobacco being smoked here in the province by minors, you're actually reducing the risk that they're going to end up having to use the health care system for issues that come forth from smoking like lung cancer.

That is something that is kind of near and dear to my heart. I lost a parent at a very young age due to cancer. I really would not like to have to see anybody else go through that same sort of trauma. It's hard to imagine what you feel as a young child, watching a parent suffering because of a disease like cancer. I can tell you that it was very hard on me. It was very hard on our family, albeit it wasn't the same form of cancer that can come from smoking tobacco. It wasn't lung cancer that my mother passed away from; it was another type of cancer. But, I mean, cancer is cancer. It's one of those really hard diseases to watch. It's one where you watch somebody battle with it, and it is a lifelong battle once diagnosed with it.

4:40

When we talk about the Tobacco Reduction Amendment Act, we're actually talking about reducing that potential for future generations to have to grow up without a parent, without somebody there in the household to give them a pat on the back, to let them know that they've done something good or to scold them when they need scolding. I mean, that's what our parents are there

for. They set some rules and some guidelines so that we know what society demands of us and how to act and how to behave. I'm very thankful for the few years that I did get with my mother. I had 12 and a half years with her, and they were a very good 12 and a half years, and I wish they were more. You know, these things do happen, and I want to make sure that more children in our future generations don't have to see a parent struggle and fight cancer. It's hard to watch.

There is one story that I would like to share with the Legislature on the hard work of front-line staff in hospitals, that deal with these sorts of patients. When I was 12 and my mother was in the hospital and we knew that she wasn't going to survive, we went and said our goodbyes. We did everything we could to hold out hope, but in the end it happened.

Well, when I graduated, when I was 18 – little known to me, my mother actually had talked to one of the staff members at the Whitecourt hospital; she'd asked them to pass along a message, a message for the future, for me – at the first dance, the dad-daughter dance at high school grad, I had this nurse. I can't remember who she is now, but I know that she had a son graduating in my class. It was so emotional. That's the reason why I can't remember who she was. She came and dragged me out onto the dance floor, and she had the dance with me – this was a front-line nurse at the Whitecourt hospital, these front-line staff – and whispered in my ear as we were dancing that she had a message for me, a message from my mother that she was proud of me for graduating from high school. Even in the tragedy of cancer parents still will be parents, and they will be parents even if they're not here with us today.

As touching as that is, I don't want to have to see one child go through that because their parent picked up, under age, the habit of smoking tobacco. I don't want to see lung cancer be prevalent in our society. I think this bill does a lot to address youths' smoking of tobacco here in the province of Alberta, so I support this bill. There are things that I wasn't happy with in the bill, things that have to do with tradition, but – you know what? – health trumps some of that. The fact that we might prevent a few families from being separated because of cancer – we still need to support this. We need to support it the way it is, even without the amendments that came through. This is important for the future of our province and for the children of this province that have yet to even be born. They will come under this act.

It is a fundamental responsibility of government to make sure that we've put forward legislation that helps society move forward, that helps society not fall into trappings that may hurt them. This is important. This is important, my colleagues, and I'm glad we're here having this discussion, this discussion on tobacco reduction and the mitigation of the risk of cancer, because that's really what this is. This is a mitigation of risk for children who might pick up smoking and might develop lung cancer because of it. I hear some coughing on the other side of the aisle, and we know that's one of the symptoms. I would hope that that's a cold and not because one of the members may have smoked at one point in time. It's good to be worried about lung cancer, and it's good to make sure that future generations aren't going to be able to have tobacco products sold to them.

Now, I would hope that this government does adopt some of the same methods for selling tobacco that they use for liquor merchants here in the province. There are some interesting rules around how liquor merchants sell their product here in the province of Alberta. They must have a licence to do so. It's a \$700-a-year retail licence to be able to sell alcohol. They must hire staff that are at least 18 years of age. There must be mandatory training for that staff, and it must be provided by the

AGLC. That's the Alberta Gaming and Liquor Commission for those that are listening and don't know the acronym. Clerks must refuse to sell to anyone under the age of 18. Stores must post signs, and posters must be supplied by the AGLC. Clerks must request photo ID from anyone who appears to be under the age of 25. I think this is another great measure.

Stores that fail to comply can have their licence to sell suspended or revoked. I think this is great. This is a way to stop the sale of liquor to those under 18, and I really think this is something that needs to be thought of with tobacco. I mean, there are adults here in this province that are able to make the choice for themselves on whether or not they want to smoke, but that's because they've reached the legal age of consent, the age of 18. Under 18: you can't make that decision for yourself. You don't know, always, what the repercussions of those decisions are going to be. We want to make sure that anybody who is able to make the choice to purchase tobacco is over the age of 18, and the regulations for the liquor merchants really do address the same fundamental issue. It's to stop providing liquor to those who are under 18, and we need to do the same with tobacco sales. We need to make sure that tobacco is not sold to minors here in the province.

The AGLC enforces the liquor sales laws here in the province, but they also enforce the Tobacco Tax Act. So, you know, you do have the opportunity there to expand this out so that they do some training with these retail outlets that sell tobacco so that there is some continuity here in the province. I think that is key to the issue here, continuity in the retail outlets when it comes to tobacco sales to minors. I mean, we want to make sure that no matter where you are in the province, they have the same rules, the same regulations, that the retailers understand this and that their staff understand this. That is something that the AGLC does very well when it comes to liquor merchants. I would think that we might need to expand that to tobacco merchants.

Now, Bill 33 does require that tobacco retailers ID someone that appears to be under the age of 25, and now in this act it's going to require that signage be posted that it's illegal to sell tobacco to minors. Again, these are some of the good things that are here in the bill.

I think the members of the opposition over here did a very good job, though, of speaking about some of the cons in the act and brought forth some amendments to try to address them. I would have liked to have seen a couple of those amendments go through. Unfortunately, they did not, but it was nice to see that there was a lot of thought put into those amendments from my colleagues. They did work very hard to bring them forth in the Legislature and argued passionately to have them passed, so I would like to commend them on the very hard work that they have done on this bill as well.

4:50

We see lots of kudos over to the government, but you know, there is the other side of the Legislature here, and we work very hard on these things as well, so I think there should be some kudos all around for the hard work and the hours that are put into debating these bills. And it's nice to see that the hours are being put into debating these bills. I know there was a motion earlier today to limit debate on a couple of forthcoming bills. One was raised for first reading here in the Legislature just a couple of hours ago. I think that motion reads – I don't have it in front of me – that it's about two hours per stage, so two hours for second reading, two hours for Committee of the Whole, and two hours for third reading. You know, that's a bit of a shame. It's a shame that we're not actually going to get the time to debate that bill the way that we have this one.

The Member for Calgary-Klein said it earlier today, that we've now gotten to the "important business for the day." He's right. This is important business. This is the debating. On Bill 33 we've had a lot of time – a lot of time – to debate, but on these next two bills, that the government has introduced today, we're only going to have six hours per bill. Six hours. That's not a heck of a lot of time to address the issues in those two pieces of legislation. I just can't understand why we don't afford a little bit more time to those bills and a little bit more time to the debate here in the Legislature. I mean, clearly, this is what we're here to do. We're here to debate these bills, to make sure that these bills are in the best interests of Albertans and that all the holes have been plugged in them.

I mean, we talked about the whistle-blower legislation last fall. There were a number of holes identified in that piece of legislation, but it got rammed through. Then we had the Justice Vertes inquiry this summer, that actually addressed one of the issues that we saw in that bill.

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) will apply; however, there has been a request from the Member for Edmonton-Beverly-Clareview that we revert to introductions. Is there anyone in the House who objects to reverting to introductions?

[Unanimous consent granted]

### Introduction of Guests (reversion)

**The Acting Speaker:** Hon. member, please go ahead.

**Mr. Bilous:** Thank you very much, Madam Speaker. It's my pleasure to introduce to you and through you and to all members of the Assembly a group here today from the AUPE, working in the land titles office, who are very concerned about the possibility of this government privatizing their valued work. They're here to lend their voices and show their support to their sisters and brothers and, in addition in light of the bills that were tabled today. I'll ask them to rise as I call them by name: Jenna Budney, Susan Budney, Donna Anderson, Michelle Kapach, Miranda Mach, Joyce Hutcheson, Theresa Johnson, and Lisa Gyselinck. I'll invite all members to join me in giving them the traditional warm welcome of the Assembly.

**The Acting Speaker:** Thank you, hon. member.

### Government Bills and Orders Third Reading

#### Bill 33 Tobacco Reduction Amendment Act, 2013 (continued)

**The Acting Speaker:** We will go back to 29(2)(a) for the Member for Lacombe-Ponoka. Is there anyone here who would like to comment or question on his presentation?

Seeing none, we'll go to the next speaker, the hon. Member for Edmonton-Beverly-Clareview, on Bill 33, third reading.

**Mr. Bilous:** Yes. Thank you, Madam Speaker. I'm just looking for the member who asked to speak ahead of me. I think he was in a rush, but that's okay.

It's my pleasure to rise and speak to third reading of Bill 33, the Tobacco Reduction Amendment Act, 2013. At the onset I would like to point out that I had the privilege of speaking on numerous

occasions to Bill 206, which I recognize is a private member's bill, the bill from the Member for Calgary-Currie. I was very supportive of that bill and the intention and what it will do as I am in rising to speak in support of Bill 33.

I do want to point out a few things that need to be noted, though, Madam Speaker, some frustrations in that we're happy that this bill is here; I'm not sure if it'll go far enough. Again, I recognize hindsight is 20/20; however, I do wish that the government would have brought in legislation like this sooner. I'll point out that other jurisdictions in Canada have legislation similar to this and even tougher in some ways.

One of the things to recognize is that Alberta has still not met its targets for reducing youth smoking. The target in 2010 was 10 per cent, but the actual rate among youth 12 to 19 was 13 per cent. That was three years ago. Subsequently we've fallen further behind, Madam Speaker. We are aware, in light of this, that Alberta missed the mark on youth smoking. Again, the Alberta NDP caucus and I are pleased to see this legislation come forward in a way that works toward keeping our youth away from lifelong unhealthy addictions. I'm using that word intentionally, and I'll come back to it. As one of the other members had brought up, we're not just talking about habits, but we're talking about addictions here.

Again, we're sitting at around 13 per cent, if my numbers are fairly correct, for a teen smoking rate in the province currently. It is crucial that we work toward attacking this rate, dropping this rate. It's disappointing – I don't know if that's the right word – that the average youth who starts smoking in Alberta does so at the age of 14. In 2009 a Canada health survey testing retailers selling tobacco found that Alberta had the second-worst record among provinces in their willingness to sell tobacco products to youth. Again, I'll come back to that as far as my hope and questions that I have for the government as far as what kind of resources are going to be available to enforce the legislation that we're debating right now. Again, legislation is the first part of the equation, but the second part is how the government is going to ensure that retailers are not selling tobacco products to minors, and if they are, if the law are being enforced and the fines are being enforced, which is an important second half to the equation.

We do have some work to do in this province. Again, this is a good step in the right direction. What's interesting is that up until now, or once this bill passes through third reading and Royal Assent, Alberta is the only province without provincial legislation to curb youth access to tobacco and tobacco products. Without legislation, that really does drive to the people that are responsible for selling these products to our kids and youth.

Obviously, we know that youth can't possess tobacco under our current laws, but at the moment there's nothing to stop the people who are selling or providing them with tobacco and tobacco products. What's interesting, Madam Speaker, is that the stance this bill takes at the moment is that it shifts from addressing the problem that youth have with tobacco to the people that are selling it to them, which makes sense, again, not to try to punish the youth, who might be addicted to smoking, but to go after their access to that. I do note that there is still a fine for youth, but it's obviously much lower than the fine for a retailer or merchant or someone selling tobacco products to youth, so we're happy to see that that is the focus within this bill.

As I mentioned before, I was going to briefly touch on a couple of other jurisdictions in Canada. It's only ourselves and Quebec, by the way, that have yet to pass legislation regarding smoking in vehicles where kids and youth are present.

There are municipalities as well that I'd like to highlight, Madam Speaker, that have bylaws within their own municipal districts or

boundaries that protect youth from second-hand smoke; namely, Athabasca, Leduc, and Okotoks. They've all passed bylaws, for which I applaud them, which makes us ask the question of if this government is finally catching up to other jurisdictions and other provinces. Again, that is a signal that this government is well behind the times in terms of preventing youth smoking.

5:00

As I've outlined, the concern that I have with the bill is more about what's going to be passed through in regulation as far as enforcement, as far as dollars that are going to be allocated toward not only enforcing this law but working toward having a full youth and child smoking reduction plan. Something for the members to think about as well: I'm curious to know what the commitment is on the government's behalf to, first of all, get the word out about this piece of legislation not only to retailers but also to youth. It'd be an interesting question to ask the Education minister, if this will be addressed in schools and the information passed. Again, we're looking for voluntary behavioural changes, obviously positive behavioural changes, as opposed to coming at it, especially to our youth and young people, with a heavy hand.

Now, I know that one of the other members did talk about dealing with the issue of addictions and the fact that, obviously, smoking and tobacco-related products are addictive and that for many people suddenly making smoking illegal or with tougher fines – I realize it is legal. But, let's say that for young people – coming down hard on discouraging young people from starting smoking, I think, is great, but they need to be educated and informed about laws and then changes to legislation that we make here in the House. So I hope that the government has a strategy and will commit to getting the word out and also, like I said, resourcing the enforcement of this new legislation.

I do have a question. I'm not sure, again, what consultations were done province-wide in relation to this bill. I'm also curious to know if the government explored the idea of licensing for tobacco retailers. If they did, how did that data and information stack up with this approach? How did they come to the conclusion that this is a better approach than going through licensing tobacco retailers?

In summary, Madam Speaker, again, we're happy to see legislation come forward in this direction to work toward protecting our children and our youth. There are innumerable benefits of this legislation to cutting down on the number of young people smoking in our province, and, as I said, I'll be supporting this bill. Thank you.

**The Acting Speaker:** Thank you, hon. member.

We now have 29(2)(a). The hon. member on 29(2)(a).

**Mr. Strankman:** Yes. Madam Speaker, I'd like to ask the hon. Member for Edmonton-Beverly-Clareview. I know he has an education background and we have some different political views, but I was wondering if he could expound upon the logic of using regulation rather than education to make sure that the potential recipients of these drugs, tobacco – the legislation might not even be required.

**Mr. Bilous:** I thank the hon. member for the question. I definitely am a strong advocate that education should be the first path toward, I think, resolving many different issues, and smoking and addictions are some of them. I know that the issue of smoking is quite heavily addressed in the K to 6 curriculum, and obviously in junior high and high school within the health studies this is dealt with as well. I think the question is very appropriate. When we're talking about addictions, whether it's smoking, whether it's coffee,

whether it's illegal drugs or alcohol, we do need – and we being not just educators but Albertans – to do a better job explaining the realities of addictive substances as far as the consequences on health, et cetera.

I think the regulations of this bill – and when I say regulations, I guess I'm using that as far as enforcing this because I think the fact that in this bill the government is targeting the retailer is a step in the right direction. I mean, at the moment it is illegal for them to sell to minors and to youth, but I think increasing the penalty is a much stronger deterrent for them to participate in those acts.

But I think the best approach for our youth and young people still is education, absolutely. You know, I can mentally see some challenges arising from this current legislation. For example, some of the youth that I've worked with in the inner city who do and did smoke while underage: slapping them with more fines actually just works out to being a much larger problem. Fines aren't paid because they're not working, they can't afford it, and they don't have parents to bail them out. The fines become warrants, the warrants become arrests, and arrests become incarceration. Now you start a cycle – right? – where then they have a record, et cetera.

Again, I do appreciate that there needs to be within this a deterrent as well, not just your health and the logic behind not wanting to start smoking but to have a financial deterrent for young people as well.

I thank the hon. member for his question and will say that, absolutely, I think education is our number one tool for changing or adapting behaviour and encouraging positive behaviour.

**The Acting Speaker:** Thank you, hon. member. There's still a minute and 20 seconds left under 29(2)(a). Other members wishing to speak? Hon. Member for Calgary-*Buffalo*, 29(a)(a)?

**Mr. Hehr:** No.

**The Acting Speaker:** Okay. We'll get you on the list, then.

This is third reading of Bill 33. The hon. Member for Calgary-*Shaw*, and then we'll have the hon. Member for Calgary-*Buffalo*.

**Mr. Wilson:** Thank you, Madam Speaker. Apologies, hon. member. I will be brief.

It is a pleasure to rise and speak to Bill 33, the Tobacco Reduction Amendment Act, 2013. [interjection] Oh, but I have so much to say.

I will be supporting this bill, Madam Speaker, and I think that there are some definite positives in here. I think there are some legitimate concerns around – I guess, my only thing is the hookah bars. I think the Member for Calgary-*Fish Creek* brought forward an amendment that would have grandfathered those businesses. I think that's an important step. I hope that the minister in charge of this bill looks at that during the regulation phase.

When I spoke to Bill 206, I confided in this House that as a teenager I started chewing tobacco at the age of 14. I'd switched to cigarettes by the time I was 16 and proceeded to smoke for another 15 years after that. So I do appreciate the attention that is being given to tobacco reduction. As I had said earlier, I wasn't in support of Bill 206, the flavoured tobacco amendment act. This one I would be happy to support.

There are some interesting things in this bill, and the one thing that stood out to me, Madam Speaker, was the discussion about tobacco-like products. I'm still not quite sure I fully understand the reason why we're targeting tobacco-like products if they're not of the same general harm as some of the other nicotine- and tar-based products that are out there.

5:10

I do like section 11(a)(1.1): "A minor who contravenes [the] section . . . is guilty of an offence and liable to a fine of not more than \$100." I think that at the time that I was a teenager, that may have put a little bit of the fear of God into me as to walking around with a pack of cigarettes or a tin of chewing tobacco, that it was illegal in the same way that alcohol or other such products were and that as a minor you would be liable for a fine. So I think that that is a positive step forward. I think it's a mistake to just simply fine the establishment who sells tobacco products. I think it's a good idea to enforce that, to regulate it, to make sure that the point-of-sale for tobacco products is more closely mandated and moderated and enforced. I think enforcement is the key word here. We've had laws in place that, you know, retailers could be fined, but they're very rarely enforced.

I think that overall this is a good piece of legislation. I'm happy to stand in support of it today, and I will be voting in favour of it upon the vote.

Thank you, Madam Speaker.

**The Acting Speaker:** Standing Order 29(2)(a). The hon. Member for Calgary-Mackay-Nose Hill.

**Dr. Brown:** Thank you, Madam Speaker. The other day the hon. member was speaking on Bill 206, and he had indicated that he had taken a survey of his constituents. I wonder if he did the same thing for this bill and whether or not he's had any change of heart with respect to the personal freedoms that he was speaking about so eloquently the other day.

**Mr. Wilson:** Well, I thank the hon. member for Calgary-Mackay-Nose Hill for the question. I did not poll my constituents for this bill. For Bill 206 being the flavoured tobacco amendment act, Madam Chair, I did, because that one was taking a product that is currently legal, that is currently being sold to Albertans and restricting just a very narrow element of it. Quite honestly, member, the reason why I did the poll is because it was a contentious issue, one in which I didn't feel that my role here was to use my own judgment in that scenario to place my vote. So I reached out to the constituents and got their opinion on it. As elected members we're all in here because constituents trust us to exercise our judgment and to do so when we feel it necessary. They trust us with that. The reason I used a telephone poll to gauge my constituents on Bill 206 is because it wasn't quite so cut and dried as this one. I think that this is a good, positive step forward whereas I think the other one was infringing a little bit too far into personal liberties, which is what prompted me to make the calls in the first place.

Thank you for the question, though, member.

**The Acting Speaker:** Are there any other members for 29(2)(a)?

Seeing none, the hon. Member for Calgary-Buffalo and then Vermilion-Lloydminster.

**Mr. Hehr:** Well, thank you, Madam Speaker. It's always an honour and a privilege to get to rise and discuss any bill in this House, and it is the same when I talk about this act.

In the main I'm supportive of this act although I do have to sort of chide the government on how long it takes for Alberta to get with the program on many of our what I find are obvious bills that are aimed at promoting public health and public good to make it down the legislative track. If you look at more progressive areas in Canada or around the world, they've had this type of legislation

on the books now for a number of years. I'm always surprised at the relatively slow pace we go at it here when public health, especially youth health and keeping them away from nicotine-based products, should be part of the government's mantra.

I will point out that for a long time here in Alberta there was actually an attitude emanating from the provincial government that I found slow to move. The case in point was always the smoking in bars rule, where neighbourhoods and communities in every city and town and village and hamlet in this province had to move on making their own regulations in this respect before the provincial government took any action on this issue. It's been an ongoing problem that I think has led to not sending a strong enough message from our government that smoking has detrimental effects and that it is a cost to the public purse and that waiting to do legislation like this is not in the best interests of our society at large.

I was also surprised that to this date we took so long to get a law on smoking in cars with kids in the vehicle to just be proclaimed. In fact, we and Quebec were the last two jurisdictions to hold out on this issue. If we take seriously the government's statement that the protection of children is job one, well, this should have happened years ago. I think I asked a question on this in 2008, and I know that previous members of the Alberta Liberals had asked it, going back even further. Oftentimes I find that digging in on personal liberty issues when it affects minors is just utter stupidity. I've found that the case in a lot of issues surrounding tobacco sales and tobacco use in this province in Alberta's history.

Hopefully, this signifies that we're going to take a lot more scientific approach to legislation to see how it affects children and youth and the development of our communities going forward and we won't be so timid in how we use government legislation to protect society and children from some products out there that are not in their interest.

I do also want to point out, as hon. members before, that Alberta in a national study was found to have some of the laxest retail sales in terms of selling to youth. I believe we were the second-easiest province for minors to obtain cigarettes in this nation. Clearly, that can be eradicated through regular and rigorous enforcement, keeping an ear to the ground, finding out the establishments that are breaking the law, and ensuring that adequate fines are put in place to quell this behaviour and/or, if necessary, put those businesses out of promoting the public harm that they do.

The same instance occurs to me around our drinking and driving laws. It's great to have laws in the book that limit people's alcohol use when they're driving a car, but at the same time if you don't have enforcement, well, that really doesn't cut the mustard. I'll point out just for reference that Alberta has the fewest checkpoints per capita of any other provincial jurisdictions, and that's just a case in point as to how government legislation needs to be followed up with enforcement or else it's not very practical, proactive, or doing what is necessary to protect not only safe streets but to protect children and families.

In any event, despite the slow-moving nature of things in Alberta, I, too, will be supporting this bill. It's a step in the right direction and an idea whose time has come. Thank you very much, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

Under Standing Order 29(2)(a), are there any members interested in commenting or questioning?

Seeing none, we'll go to the Member for Vermilion-Lloydminster.

5:20

**Dr. Starke:** Well, thank you, Madam Speaker. It's my pleasure to rise today to speak to Bill 33 and to indicate my support for this measure and, indeed, to indicate my support for measures that are intended to curb tobacco usage and the like.

A little bit of background, Madam Speaker. I think I've made folks aware in this House during my maiden speech that by training I'm a veterinarian, and I spent close to 30 years in private practice and over that period of time saw literally thousands and thousands of animals. One of the things that we had during training as a veterinarian was comparative medicine. Indeed, comparative medicine was interesting in terms of using a comparison, basically, between the various species that veterinarians are called upon to care for and, in fact, human medicine. I found comparative medicine really fascinating if for no other reason than that my sister is a medical doctor, and it just put me on a better footing to argue with her because she knew less about animals than I knew about human medicine. That was always kind of fun. One of the things that becomes very interesting when you're doing comparative medicine is doing direct comparisons between disease incidences between animals and humans. In fact, the study of disease patterns is known as epidemiology, and I really enjoyed epidemiology back in vet school.

One of the things that I find very interesting when I look at this bill and when I look at public health care costs – during the election campaign I talked a lot about spending more time and effort and resources on doing preventive health care. Basically, I told people that my basis for this is that as a veterinarian I knew the importance of preventive health care because that was probably what I spent 70 to 80 per cent of my time doing. I know that preventive health care in the long run pays off although sometimes it is difficult to allocate the resources to preventive health care simply because the payoff is something you might see five or 10 or 20 years in the future.

Those are investments that, especially in a tight fiscal climate, can be difficult to make, but I would suggest, Madam Speaker, that they're exactly the kind of investments that we need to make and that, in fact, Bill 33 does that. In fact, Bill 33, I would suggest, goes after some of the low-hanging fruit, if you want to call it that. One of the most positive things that we could do to reduce health care costs, reduce the incidence of disease, and reduce the incidence of premature death in our society is to reduce the use of tobacco. There is no question about that. Those statistics are well established.

Let me give you some other statistics from the perspective of a veterinary practitioner. I'll just deal with one disease. I'll just deal with lung cancer. I will tell you that lung cancer in animals is exceedingly rare. Exceedingly rare. In fact, lung cancer constitutes less than 1 per cent of all the cancers diagnosed in animals, and in 30 years of veterinary practice, Madam Speaker, I diagnosed one case of primary pulmonary adenocarcinoma in a beautiful four-year-old golden retriever named Cupido. Now, why do I remember Cupido? Well, it's because it was such a rare thing. You know, if you asked me how many ear infections in poodles I remember – I don't remember very many of them. My most recent one was on behalf of the hon. Member for Calgary-Fish Creek; nonetheless, you know, it's interesting. Those rare ones you remember.

In contrast to that in human medicine, using statistics for Alberta for 2012, there were some 16,200 new cases of cancer in Alberta in 2012 and over 6,300 cancer deaths in our province. Of that number there were 1,050 men and 1,000 women diagnosed with lung cancer, making lung cancer the number three diagnosed cancer in men and the number two diagnosed cancer in women. In

terms of the deadliness of lung cancer, well, there it is unexcelled. Lung cancer was the number one cause of death by cancer for both men and women in 2012, some 810 deaths amongst men and some 730 deaths amongst women. Whereas in animals the prevalence of lung cancer in terms of all cancers is less than 1 per cent, the prevalence of cancer in humans is some 12.65 per cent. So it's well over 15 times the prevalence.

What else is interesting is that we are seeing some cancers of the respiratory tract in veterinary medicine, and in most cases those are in dogs and cats that share their home with a smoker. So, in fact, it's second-hand smoke. We make that connection. It's difficult to make a guarantee, but you certainly have to wonder when the prevalence of cancers is even related to the length of the dog's nose. Short-nosed breeds, brachiocephalic breeds – so your Boston terriers, your pugs, you know, the dogs that look like they've been chasing parked cars – tend to get the cancers of the lower respiratory tract because they don't have the same length of nasal turbinate to filter out some of the potentially carcinogenic compounds.

Long-nosed breeds like collies and German shepherds and Labrador retrievers: if they develop respiratory tract cancers, they tend to get those cancers in the nasal passage where, in fact, the nasal turbinates are doing their job in filtering and warming the air that is inhaled into the body.

So from a medical practitioner's standpoint, Madam Speaker, from someone who's interested in public health care, someone who is interested in trying to minimize the scourge of disease that we face in society today, I am very interested in doing what we can on the prevention side because as a veterinarian I know that preventative medicine is more effective than curative, acute care medicine. I know that prevention works, quite frankly, better. It's cheaper in the long run and provides better outcomes. I've seen that in practice. While some would argue that veterinary medicine is perhaps not as sophisticated as human medicine, I would argue that in some ways it's quite the opposite. In some ways veterinarians get it. Veterinarians understand the need for preventative medicine, and in fact that is what we practice, and that's whether our patients are dogs or cats or feathered or furred or two-legged or have wings or if they are, in fact, farm animals like cattle or sheep or pigs.

Madam Speaker, I'm in favour of this bill. I'm very much in favour of anything that is intended to decrease the incidence of some of the diseases that we face in our society. I think cancers and other illnesses and deaths that are due to smoking are entirely preventable, and if we can take steps to decrease the use of tobacco and to in fact increase the overall healthfulness of our society, I think that those are steps that we should as a responsible government take.

Thank you very much, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a)?

**Mr. Strankman:** Yes. Madam Speaker, I'd like to address the member opposite. As he well knows, I, too, have a background in agriculture, and we've had discussions to that extent. I took great interest in his analogy of comparative medicine. In the House the other day we had a member speaking to the flavoured tobacco reduction act, and she made mention of the fact that comparative analysis would be comparing it to flavoured condoms. I was wondering if the minister would speak to that in that regard, how we might make comparative reductions in alcohol based on flavouring or something to that effect.



**Dr. Starke:** Madam Speaker, let me just say that I'm having a really hard time determining exactly the point of the question. I used to think of myself as being a rather skilled diagnostician, but at times some things are so convoluted that – but let me say this in terms of comparative medicine, which is, I think, what my hon. colleague is driving at. In terms of comparative medicine there is only one species of animal that can be caused to drink, and that is pigs. Pigs will happily drink, and in fact pigs are used for most chronic alcohol studies by laboratories because pigs will drink alcohol.

**An Hon. Member:** Flavoured?

5:30

**Dr. Starke:** You know what? It doesn't seem to matter if it's flavoured. Pigs will drink beer.

Madam Speaker, with specific reference to this particular bill I think that animals have choices in some areas, and they don't have choices in other areas. Thankfully, one of the choices they make is that unless they live in a home with a smoker, they don't smoke. I think making that choice, whether it's voluntary or by whatever means, results in significantly lower levels of disease and respiratory disease and other problems. I mean, we won't even get into things like emphysema, other forms of respiratory disease, or heart disease, which are almost unheard of in animals in any relationship to cigarette smoke unless they share a home with a smoker.

As far as my hon. colleague's comments with regard to some other flavoured products, I think we'd best, perhaps, in the interests of time leave that question alone.

**The Acting Speaker:** Thank you.

There are two minutes left in 29(2)(a). Are there any other members interested in making comments or questions?

Seeing none, I'll go to the next speaker. The hon. Member for Little Bow, and then Innisfail-Sylvan Lake will follow.

**Mr. Donovan:** Thank you, Madam Speaker. That's quite an act to follow. It was quite interesting to hear the member actually talk about his background. I was quite impressed by how he could relate a lot of the studies back to that. Again, it's a tribute to his background and all the work he's done on things.

Earlier my colleague from Lacombe-Ponoka was talking about it, and I think it touches base quite a bit to me on why we need to make sure that the Tobacco Reduction Amendment Act should be passed and brought in. Due to having kids, five children at our house with a blended family, we worry about their health and what they get into. Like quite a few people in here probably, in my youth I remember sneaking out to go have a smoke because it was the cool thing to do. I know it seems like I could be just as pure as the white, driven snow, yet in my younger years I might have done the odd thing that was . . .

**Mr. Anderson:** Like white, driven snow.

**Mr. Donovan:** White, driven snow.

I think one of the things in here is, you know, that minors can't be smoking in a public place. I think putting the fine in there will definitely keep the kids maybe a little more on their toes with that if they're liable for a fine not more than a hundred dollars. I think that's pretty well to the point. If nothing else, if kids don't have the hundred dollars, they're going to have to go tell mom and dad what they got caught doing, and that would probably be fairly key decision-making about what they're doing.

You know, all the speakers have talked quite a bit about what it costs the system to have, when you go to the schools and stuff like that, younger kids, worrying about them going to high school and seeing kids smoking outside and everything else. I think if there's a way to be able to do that – one of the members had talked about Okotoks having it. I believe it was Calgary-Buffalo, or maybe it was Edmonton-Calder.

**Mr. Bilous:** Beverly-Clareview.

**Mr. Donovan:** Beverly-Clareview – sorry – was talking about some of the towns doing some of their bylaws. Interesting. It's just whether it's enforceable, and that's one of the challenges they have there.

So I think this is a good bill. I'm in support of it just due to the health costs of what cancer has done and causes to everybody and on the preventative maintenance side. With that, I'll leave that as my support for this bill.

Thank you.

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a)?

Seeing no members interested at this time, the hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Madam Speaker. It's once again my pleasure to rise and speak to Bill 33. I supported Bill 33 in second reading, and I support this bill as it goes forward. I also supported Bill 206, the flavoured tobacco act. There were a lot of reasons why I did that. Mostly, my constituents sent me a clear message through calls to my office and e-mails to me asking for me to support it, but also as a person who's been touched by cancer.

My father was diagnosed with throat cancer approximately 21 years ago, and I was 18 years old at the time. It resulted in a throat operation that took away essentially all of his taste buds, most of his throat, and he has breathed through a hole in his throat for the last 20 years. It also ended his career. He worked in the oil field, could no longer wear a safety mask, and at 52 years old could no longer work independently, unfortunately. Watching that process as an 18-year-old certainly made it so that I didn't want to smoke.

I also grew up in that famous household where both of my parents smoked. I love them dearly, but I lived in the blue haze, and when we got into the car, it was another blue haze. Luckily for me, I never took that avenue. I tried it once, didn't inhale. Other than that, I was fine. I'm just kidding. I never did try it. I'm all good.

My brother, though, did smoke as well. While that did not contribute to his death at all or his Huntington's disease, it was a hard habit for him to even attempt to break. You know, he got on it young as well. He started smoking when he was 16.

My mom started smoking when she was 11, as I said earlier. Back in the day I guess it might have been cool or something. I'm not really sure why it would start at 11. That's a pretty young age.

I also previously talked about, though, the fact that my 21-year-old daughter started smoking at 16, against my advice and against her grandfather's advice. It was really quite easy for her to have access to cigarettes. One of the things I am happy about is the fines in this bill here, Bill 33. I see that the fines are higher, and I also see that there's a fine for the person who is actually obtaining the cigarettes. I think there is a direct correlation to making people responsible for their actions. When you start to actually tell them that there are a cause and an effect for the things that they do, I think that's a good thing.

I'm always conscious, though, of taking away people's rights. As a Wildrosier I believe firmly that people have the right to choice,

especially when it's a legal product and a legal avenue. It does always occur to me that we're doing our best to stop smoking, but we're certainly taking a lot of money from taxes on cigarettes. It's unfortunate that those tax revenues don't get assigned to some sort of cessation program. They just go into general revenue, and then the money is allotted through general revenue to the ministries to deal with it as they see fit.

The reality of it is that this government has taken a lot of money from taxes, especially on a legal product that they've put out there, that for many, many, many years they supported and endorsed. That does always cause me a bit of concern. You're telling people that they can't do something that's completely legal, and then you roll in the money that comes in and you don't really assign any of those dollars to truly helping our society stop smoking.

We do know that the rates among young teens smoking are up, and that causes great concern. If the rates among young teens are up, then they're getting the cigarettes from somewhere. They have access. If we want to talk about Bill 33, I think we could have gone a lot further in the enforcement portion of this bill. It's a good start, and I think that this government has turned a corner, but they have a long way to go still. If you're not going to enforce the rules that are currently in place, it does little to actually prevent more people starting to smoke if you're not going to enforce what we have already on the books. So there's that.

I also have to take a moment to applaud the associate minister from Vermilion-Lloydminster. I think any time anybody can weave in pets and his professional practice from . . .

**An Hon. Member:** He's a minister.

**Mrs. Towle:** Sorry. Minister of tourism. I apologize for that.

Any time that he can weave his professional practice into the discussion here and actually hit it home for us pet owners, I think that's fantastic. You know, I actually did appreciate your comments. I did not know that there was a correlation between those who chose to smoke in the home and what would happen to their pets, but I think it's an interesting dialogue to have. Many of us love our pets. Some love their pets even more than they love their children. To know that the actions you're taking in your home and in your car while you're having little Daisy or Dixie riding beside you as you're driving down the highway are actually putting them at risk – many of us are avid pet lovers.

Recently this week, unfortunately, we lost our family pet of 15 years. The minister of tourism was incredibly helpful and incredibly compassionate with some questions that I had about that process. I think it's great when he can bring that passion to the House and give everybody a starting point so that even if you're not thinking about yourself and even if you don't have kids and even if you have a different realm of what you want to relate this to, there's a direct impact on other living things that might be in your house. So I thought that was fantastic, and I appreciate him doing that.

5:40

The other thing that I want to go to is obviously the discussion about the tobaccolike products. It's always interesting to me that, you know, it's not far enough to talk about tobacco, but now we have to go to tobaccolike products. There's no clear definition of what tobaccolike really is. The hon. Member for Calgary-Fish Creek said that it was very, very interesting that the government seemed to forget about the cultural impact that tobaccolike products and the clampdown on them might have for some of our cultural communities. It's also interesting that the Member for

Calgary-Fish Creek had mentioned that this government chose not to consult with those groups of people.

It would seem to me that when you're going to have an impact on people's businesses and when you're going to have an impact on maybe what they do or they don't do in their cultural situations, we probably should be opening up and having those conversations, especially when this government talks about being open and transparent and how they're going to do government differently. They had every opportunity with this bill to ensure that they did that. Why that was left out, I'm not really sure.

Also, going one step further, in second reading I asked the question of whether or not children under the age of 18 were actually allowed to sell tobacco products in the grocery store. After that I went to my own local grocers, including some urban because I thought maybe rural was different than urban, and it was interesting. Last night I was out in Edmonton, and I asked a grocer, and he said: "Yeah. There's no law. There's absolutely no law that prevents children under the age of 18. If they're working in a grocery store, there's nothing preventing them, other than the good moral conduct of our business owners, from selling cigarettes." So we're going to fine them for buying them, but they can actually sell them, and that's okay.

I would urge this government – and they're not going to, so that's just the way it is. I urged them in second reading to re-evaluate that. I don't know if there's the opportunity, if it's covered in this bill or if it's covered in a different bill, where they can make that rule stronger. It seems a bit off from what we're doing.

I agree with this government. I think that this is a good bill, and I think that everybody is trying to do the right thing. I think that none of us want young people or people who want to quit smoking to have any barriers. But if we're telling young people that they shouldn't start smoking at 18, we sure as heck shouldn't be telling them it's okay to sell the cigarettes to the people that you're asking to quit smoking. It seems a bit off from the message. It didn't get changed, and that's unfortunate. It would seem like this government has a great opportunity to amend any legislation and amend anything it needs to to make sure that that loophole is changed. So I would encourage them to do that, and I would support them if they did that.

It also seems odd that we would fine someone under the age of 18 a hundred dollars for buying cigarettes, but we don't fine them at all for selling them. The message just doesn't seem congruent to what we're trying to do here, so I would just ask them to look at that.

The other part of it is talking about prevention as a whole. I appreciated the minister of tourism's comments when he put it into the context that, you know, a pound of prevention is just an amazing thing. It actually prevents a lot of people from going to hospital. It prevents a lot of these illnesses that, as they go forward, cost our health care system a lot of money. I'm sure almost everybody in this room has been touched by somebody who's had cancer or has been touched by cancer and may or may not have smoked at some point in time in their life. That's not to say that all cancers are caused by smoking. I'm not saying that at all. What I am saying, though, is that we all know that there was a day when the majority of people smoked, and it was completely acceptable, and you could smoke wherever you wanted.

It would seem to me that the prevention portion of this Tobacco Reduction Amendment Act could have maybe been a little stronger or legislated even further to give some clear guidelines for what prevention and smoking cessation looks like. I may be wrong. Maybe it doesn't fall under this act, and that's fine. I hope the Associate Minister of Wellness will be able to bring forward

some really concrete plans on what that prevention looks like for keeping our young people and people of any age from starting to smoke but also the cessation programs that go along with that.

I'm fully aware that there are many programs available through our family doctors, which is fantastic. I'm aware that our front-line staff do a fantastic job of trying to encourage everybody they come into contact with to either reduce the amount they smoke or stop it completely and for other people the education factor of not starting to smoke in the first place.

I also wonder if there is any movement by the Associate Minister of Wellness to work with the Minister of Education to have a broader program in our schools on not smoking and the hazards of smoking. I remember – it was interesting – when I was in grade 10. We had this fantastic elderly lady who came to the school, and it was powerful. I think I was in grade 10, anyway, grade 9 or grade 10. She was powerful, and little did I know that that would be my life for the next 20 years with my dad. She came to the school. She had a hole in her throat, and she had a little buzzer. She came to the school and talked to us about smoking and talked to us about throat cancer.

In the end, the primary cancer place was in her throat. It had spread to her lungs, and she was dying. She came and gave a speech to the whole Assembly. It was totally off-the-cuff, but it was incredibly moving. You had to really listen because she spoke through this little buzzer. I remember at that age, 15 or 16 years old, thinking: "Oh, man, that is terrible. I hope I never have to go through that."

Then at 18 I went through it with my dad. My dad's throat cancer is directly related to smoking. Throat cancer is one of the most curable cancers if caught early. If it's not caught early, then it has the devastating effects that we already know cancer has. But watching my dad go through that process to have this hole put in his throat was incredible. Quite frankly, you know, with five days of ICU, it's very major surgery. They had to hack out almost everything, and he was literally cut from ear to ear, and then the hole was created, then the learning process after that. You lose all your taste buds. You lose everything that you're able to do. You can't smell anymore. You can't taste anything anymore. This process becomes what you would normally do through your mouth and nose.

If you're the young person that has to watch this changeover of your dad and see that he has a stoma and watch how he has to clean it every day and watch how it has to be reopened every five or 10 years to be cared for properly, that's pretty moving. That's pretty educational. I don't know if we do that anymore in our school system. I don't know if we're allowed to do that anymore, if it terrifies children too much, or if we've gotten that politically correct. But I can tell you that that has a direct impact on what children think smoking really is. It certainly deglamorizes it. I can assure you that watching my dad or anyone clean their stoma is not a pretty thing.

I would encourage the Associate Minister of Wellness to take this bill and certainly give it all of the ability it should have. I would encourage him to create a plan that is strong and is able to really, really have enforcement and prevention at a grassroots level. It starts when they're very, very young. I think that this is a good bill. I support this bill. I share the concerns of my colleagues. I share the concerns of the colleagues on the other side of the House. I applaud this government for bringing forward a bill that I think has real teeth. It appears to be really thought out, short of a few little minor tweaks and that.

Thank you.

**The Acting Speaker:** Thank you, hon. member.

Under 29(2)(a), the hon. Member for Lacombe-Ponoka.

**Mr. Fox:** Thank you, Madam Speaker. I'd like to ask my colleague from Innisfail-Sylvan Lake just a quick question. I'd like to know a little bit more about the teeth that are in this bill. If you could please enlighten the Legislature on some of the teeth that are in this bill, I'd be most appreciative.

**Mrs. Towle:** Thank you, hon. member. Well, I do think that there are some teeth in this bill. The one I'll go to: I think that when you start off and you fine them \$100, the minors who literally are buying the cigarettes, that's going to have impact. If there's one thing I've learned, even from my 11-year-old: she treasures every penny she makes. I think our young people would, too. I think there's a direct return from a monetary penalty for our young people when they're buying something underage. Do I think the fee could have been higher? I think \$100 is a good start. I think this government will have to look at that in short order and see if it should be \$250. I don't know what a hundred dollars does anymore. It doesn't appear to do very much, but for a 16-year-old it might do a lot.

The other part of it is that the fines for the stores that sell to underage, if enforced – if enforced – can be upwards of tens and hundreds of thousands of dollars, and I think that that is fantastic. We should not be allowing stores to continue to sell to people who are underage. That's a fact.

When you take a look at this, under section 8 it says:

(1.2) A person who contravenes section 7.5 is guilty of an offence and liable

(a) for a first offence, to a fine of not more than \$10 000, and . . .

That's a pretty hard hit, and I think it's a good one.

(b) for a 2nd or subsequent offence, to a fine of not more than \$100 000.

**5:50**

Now, the key is enforcement. If the government is not going to enforce it and they're going to fine them a hundred bucks, well, that really doesn't matter, but if they actually use this as a tool – the business owners who have chosen to break the rules and sell to minors should be penalized for that. I don't think that the majority of business owners do that. I think most of our business owners are fantastic people, and they're just trying to make a living. I think they follow the rules of the law, and they follow the rules of legislation. But the reality of it is, as with any good organization, there are a few bad apples. I think that this is good if it's enforced.

It goes on to say that for a person who contravenes section 7.21, the fines there are, again, \$10,000 and \$100,000. I think that there is a real ability. Section 7.21 reads:

No person shall sell or offer for sale a tobacco product designated in the regulations in a package containing less than the number of units prescribed by the regulations.

Now, I know the hon. Member for Calgary-Fish Creek had a problem with that because she enjoyed every once in a while a single cigar – and I can understand that – but if the regulation is the regulation, then I think we need to enforce it. It's up to this government to provide that enforcement, and if the government does that, then that enforcement would be very valuable. Ten thousand dollars is not a small number, and \$100,000 could break some businesses. That should be a deterrent. Now, it won't be a deterrent if the government doesn't actually use this tool and do what it needs to do.

I hope that answers the member's question. I could go on. Oh, I will go on – sorry – and note that what changed was that it used to

be fines of \$1,000 and \$5,000. So if you sold to a minor, you were only fined \$1,000. That is raised to \$10,000. I think that that is fantastic. More interesting, though, is that the \$5,000 fine for your second offence was raised to \$100,000. If that's not a deterrent, I don't know what is. I would not want to be the business owner who literally said, "Okay, I'm going to take this chance the second time around" and have the government be able to come in and enforce the rules they put in place and fine that business owner \$100,000. I wouldn't want to do that.

**Mr. Bilous:** It's got to be enforced.

**Mrs. Towle:** But the problem is – you're absolutely right – that it's not being enforced today. If it's not going to be enforced today, my worry is exactly that it won't be enforced tomorrow, when the numbers are just bigger but there's no enforcement.

Again, I'm not suggesting that any of our business owners do this on purpose, and I think that the majority of our business owners are fantastic and doing a great job. But the reality of it is that this government has to enforce. If you weren't enforcing \$1,000 or \$5,000 – it would be interesting if the Associate Minister of Wellness at some point in time brought forward a report on how many people are selling to minors and how often that \$1,000 or the \$5,000 was enforced. I don't know if that's something that is made public – I'm not sure – but even if you sent it to me personally. I'm just interested to know if that's something that currently happens.

**The Acting Speaker:** Thank you, hon. member.

The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Speaker. Like my fellow colleagues, I'm going to rise to support this bill. I think that any time you can take steps to reduce tobacco use, particularly among our young, and just reduce tobacco use in general, it has to be taken in good faith and has to be considered a good thing for society as a whole. I kind of wish they had put in there, even though I know it's a criminal act, the reduction of smoking crack, considering some of the legislation that we're going to railroad through this weekend. That's not mentioned in there, but we will still support the whole idea of harm reduction.

What the bill does miss and what the bill fails to do is to deal with some very basic issues that are probably more effective in reducing tobacco use, which are education and rehabilitation. It is well established that nicotine is one of the most addictive substances. It's already been mentioned here more than once about the carcinogens, the cancer-causing agents, and the health risks that go with smoking tobacco and using tobacco, but there also are other concerns dealing with the cultural aspects. As the

hon. minister had pointed out, I think maybe later last week or earlier in this week, there is an exemption for aboriginal peoples, First Nation peoples dealing with tobacco use, particularly in their ceremonial and cultural uses.

But the exemption for the hooker . . .

**Some Hon. Members:** Hookah.

**Mr. Anglin:** Hookah. I'm glad they're listening to me. I'm glad they're listening to me. That's good. They say that they don't, but I know they do. [interjection] That's right. We don't have hookers here. Sorry.

The fact is, the reality is that it is a culturally sensitive issue, and it needs to be addressed. The minister talked about it, that it could be found in another section of the bill, but it is not specific in nature in the sense that it actually singles out how they would do this under regulation. Hopefully, the minister does address that in regulation. As the Member for Calgary-Fish Creek actually stated earlier, she'll be watching very closely how the minister does this. I hope the minister in his closing remarks gives assurances to the community that that will be under consideration, that that will be dealt with, and does not delay in writing those regulations that take into consideration the concerns of some minorities and how they use this in their cultural ceremonies.

On the positive side, to look at this act, the act in itself is extremely punitive, which is not in itself a negative, but we are missing some very positive parts, which is funding education to keep kids away from tobacco, dealing with the issue of rehabilitation even for children, even for young teenagers. This is something that is extremely helpful in many ways in dealing with the prevention side. If you can help young teenagers who have become addicted to tobacco or tobacco use and are able to assist them in breaking the habit, they are able to actually work within the young community to help educate and spread the message, so to speak. It is an invaluable tool. Clearly – and I don't have any statistics in front of me – we do know that this is a valuable tool in dealing with the issue of tobacco reduction and dealing with the issue of health concerns.

Now, it's interesting. The hon. member talked about it as a veterinarian and how it affects various species of animals. There's always something to learn in this Assembly, and it's good to know, you know, that we as humans suffer from certain aspects that . . .

**The Acting Speaker:** Hon. member, I hate to interrupt you, but it is now 6 o'clock. The House stands adjourned until 7:30.

[The Assembly adjourned at 6 p.m.]

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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Wednesday evening, November 27, 2013

Issue 75e

The Honourable Gene Zwozdesky, Speaker

## Legislative Assembly of Alberta The 28th Legislature

First Session

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## Legislative Assembly of Alberta

7:30 p.m.

Wednesday, November 27, 2013

[Mrs. Jablonski in the chair]

**The Acting Speaker:** Please be seated.

### Government Bills and Orders

#### Third Reading

#### Bill 33

#### Tobacco Reduction Amendment Act, 2013

[Debate adjourned November 27: Mr. Anglin speaking]

**The Acting Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Speaker. As I started to state earlier, I support the premise of the bill, and I'm asking my colleagues to support this bill, and I believe most are. I think we are close to unanimous. I haven't actually polled my own caucus.

The question for our Member for Calgary-Shaw earlier. The member was asked: did he ever poll his constituency based on this bill? I actually polled my constituents on both bills simultaneously, what they thought about it. Now, my findings were a little bit different than the Member for Calgary-Shaw's in the sense that the results I got, which are unofficial results, were more or less 50-50. I think the public at large supports a method of reducing tobacco use or supports any program that will help keep children and young people from using tobacco or smoking tobacco. They see the benefits of it, and it's not just for the protection of the user. It actually keeps the costs down in our health care system. It's really twofold.

The unfortunate part of the bill is that we missed an opportunity with this bill to address education and to address treatment. Now, this bill will pass, and I suspect it's going to pass fairly close to unanimously in this Assembly, but I would hope this government would take under advisement that the bill should be part of a trilogy of methodologies for treating and dealing with this issue. This bill is very much punitive. It levels fines for the purchase of tobacco. It creates a situation where it mandates the amount of tobacco packaging. It sets out an agenda to do a lot of proscriptive restrictions. That's the best way to describe it.

But what it doesn't address is education, and what it doesn't address is treatment. Those two aspects play a very important role in tobacco reduction, and we know that. This is not new in treating this. We started way back in the '60s and the '70s, and different governments in different jurisdictions have done different types of educational programs at different times, and there are studies out there showing that education does help. If we incorporate that with treatment, that's significant.

I'm not a smoker, and I never was, but experience tells us that there are huge numbers of people – and I believe I talked to one of the hon. members on the other side, if I'm not mistaken, about their attempts to quit smoking and how difficult it was. I don't think that it's any less difficult for an adult or a youth to quit smoking. It is extremely hard, and it's very difficult to do it alone.

If we were to incorporate the other two aspects of our reduction program, education and treatment, I think what we would see is a lot more success. I think this government has a chance to evaluate that on a cost basis of what it would save us in our health care

system versus how much it would cost us to help get young people off tobacco and stop smoking or in some cases chewing tobacco and start living a healthier lifestyle.

What we have is an opportunity that starts us in the right direction. Supporting this bill is not the end-all, but it is a start. I thank the member for bringing this forward and presenting this bill. I would sincerely hope that they would take it the next step and that they will actually incorporate the other two parts, which are education and treatment.

Now, as I said earlier – and I couldn't find my notes on it – the sensitivities of certain groups, particularly dealing with the hookah and the shisha bars, are significant in the sense that we need to be cognizant of how we want to treat this. The minister said that this is covered under one portion of the bill dealing with other matters, but I notice it's not consistent with the bill in the sense that we actually, as the minister correctly pointed out, in dealing with First Nations list an exemption that says that First Nations have an exemption.

Now, I'm not asking for an exemption here as much as I'm asking for recognition that this government will in one form or another establish regulations to respect these minority groups and how it wants to regulate these types of facilities or businesses dealing with this issue.

As the hon. member from Vermilion said earlier, talking about the cancer-causing agents and dealing with animals and relating that to second-hand smoke – that's hard to refute. There's enough evidence with human beings dealing with second-hand smoke that confirms the cancer-causing agents, the health effects, and the harm it can cause. It's only consistent with what would possibly happen to pets that were subjected to the same criteria, which is second-hand smoke.

I'm not making a recommendation on what should be in regulation dealing with the hookah and shisha bars, but the government should establish these and figure out how it wants to respect these cultural practices and deal with this issue. I hope they would do that.

The other part is that we have fines for purchasing but not necessarily for selling. I think there can be some balance here on how we want to handle that, how this government should handle this to make sure that those that are responsible are held accountable. There needs to be a little bit of flexibility, in my view, in controlling how we want to hand out the fines and the methodology for dealing with it because every circumstance is different. So, again, this gives the government a chance to come back and make some corrections and actually establish it in regulation, how it wants to set these rules out for what I would call fair and just enforcement. That's really important for our young people.

Now, as the hon. Member for Calgary-Shaw said earlier, had this been in place when he was younger, quite possibly he may not have started smoking at a young age. Now, that's hypothetical in many ways, but I think it shows why we support the bill and that we can see the value of how it can possibly benefit our young and make the reduction program effective.

One issue we haven't dealt with – and I think we should – is the income that this government receives off the tax for tobacco. How are we going to reconcile this? We are working towards two different things here.

**The Acting Speaker:** Thank you, hon. member.

Hon. members, there is a request from the hon. Member for Fort Saskatchewan-Vegreville that we revert to introductions.

[Unanimous consent granted]

**The Acting Speaker:** Thank you.

### Introduction of Guests

**The Acting Speaker:** The hon. Member for Fort Saskatchewan-Vegreville.

**Ms Fenske:** Thank you, Madam Speaker. It is my pleasure this evening to introduce to you and through you to all the members of the Assembly the 1st Lindbrook Scout group, who meet at the LDS church in Tofield on a regular basis. There are eight members here, including their group leaders: Justin Woodruff, Jon Cahoon, and Justin Tiedemann. For my Member for Bonnyville-Cold Lake, they are really anxious this summer to be able to spend some time at the Cold Lake weapons range, and maybe we can work some miracles. I would ask them all to rise, and I would ask you to greet them, please.

7:40

### Government Bills and Orders

#### Third Reading

#### Bill 33

#### Tobacco Reduction Amendment Act, 2013

*(continued)*

**The Acting Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Madam Speaker. I guess the member kind of touched on some points. Of course, our critic had made an amendment to grandfather certain aspects of this bill for certain businesses.

There is one portion of the bill that deals with the minimum amount required for purchasing, and it actually increases the amount. The Member for Calgary-Fish Creek had earlier today talked about her thoughts on that, people who regularly might go out and buy one cigar in the evening, whether or not increasing the minimum amount to eight or 10 would actually increase consumption on that aspect. I'm assuming that the rationale for the increase in the minimum amount is to specifically target youth, that by increasing the amount, it would increase the cost per purchase, which may, in fact, inhibit some of the youth individuals from purchasing tobacco to begin with. I'm wondering whether or not the member has given any consideration to that aspect, whether or not we should increase the minimum amount or keep it at a lower amount and what effects this change will have on consumption patterns.

Thank you, Madam Speaker.

**The Acting Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Madam Speaker. I actually did think about this, and we even had some discussions within our caucus but not necessarily in a formalized manner.

It's interesting that the government now is going to mandate the packaging and how much tobacco product would be included in the package. The question I have for the government is this. Will this actually reduce use? It's a valid question because if you're allowed to buy one cigar, which is the example the member brought up, then the individual would smoke one cigar. But if you're forced to buy more than one, would they then be – I don't want to use the word "corrupted" – basically enticed to smoke more than one, which is absolutely unhealthy in my view and not productive and not in the spirit of this legislation. The whole

purpose of the legislation is to reduce use. I don't want to be facetious here, but it goes to the potato chip. If you have one potato chip, can you stop at one, or do you have the bag, and then you just keep dipping in? Tobacco use, being as addictive as it is – it's a very valid question. It's one that I hope the government would try to evaluate once this is implemented because I don't have the answer to it, and I haven't heard any member stand up and actually provide the rationale.

I understand the rationale that if we force them to buy more, they have to spend more, and it's a financial issue. That I understand. But one of the great advantages of living in this province is that we are a very solid economic place in Alberta, where young people can find employment well above minimum wage. So will this actually stop our young people from buying tobacco products even outside our legislation?

It's a valid question because any time you put any restrictive laws in, basically what happens is that, depending on how restrictive they are, you can create a black market. If that happens, the products are still sold but not legally. They become illegal. If you force a larger amount of tobacco products in a package, the question then becomes: are we enabling more usage and not meeting the spirit of this legislation, the intent of which is to reduce usage?

It is a question that I wish there was an answer to. I don't know anyone that has addressed that yet. Maybe the minister could in closing if there are any studies out there. Unlike with the potato chip or unlike chocolate, although some people would say that chocolate is addictive, we know tobacco is extremely addictive. If you have cigarettes there, if you have tobacco in any form that you can use, it would just be contributing to and enabling more usage of the product than prohibiting or reducing.

**The Acting Speaker:** Thank you, hon. member.

That was 29(2)(a).

The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Rowe:** Thank you, Madam Speaker. I'm pleased to stand in support of Bill 33, the Tobacco Reduction Amendment Act, 2013. I really don't believe that there is any member of this Assembly that wouldn't agree with the intent of this bill. It's very good. There are a couple of things in it that I have some concerns about, but they're not major items.

Bill 33 will amend the 2008 Tobacco Reduction Act in basically five ways: by merging the Prevention of Youth Tobacco Use Act, by putting a ban on smoking in vehicles with children present. That's especially one of the very good points of this bill. The one I'm having trouble with, though, Madam Speaker, is restricting the smoking of tobaccolike products – and I'm not sure what that all entails – in public places, mainly in the hookah establishments with water pipes. I understand it will not ban their sale in public, but it will apply to restaurants like hookah and shisha bars, cafés. This is traditionally more of an ethnic practice than it is just the act of smoking, so I'm not sure how successful that will be. I think it will just move from cafés and bars to private homes and those kinds of things, which is perhaps even a little bit worse. That's of some concern to me.

The 18 to 20 per pack sales: I'm not sure that that's really going to accomplish what it's meant to do. Teenagers are actually quite resilient. If they can't buy five cigarettes or three or four cigarettes, they'll pool their resources, and they'll buy a package of 20 and split them up. The intent is good. The price of cigarettes in Canada is – I don't even know what you pay for a package of cigarettes anymore. It's been about 35 years or 40 years since when I started smoking.

I will support the bill. As I said, I do have some concerns. The fines, I think, could be much higher. Five hundred dollars as an initial fine to a store owner is probably quite substantial, but I'd like to see it be quite a bit higher. I'd like to have second offences or something of that nature, where they just lose their right to sell tobacco products, those kinds of things.

Madam Speaker, I could go on and on and on. I just want to get on the record that I support this bill very strongly. With the blips in it, I still support it.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a). Are there any members interested in commenting or questioning the hon. member?

Seeing none, are there any other members interested in commenting on Bill 33 in third reading? The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thanks, Madam Speaker. I just wanted to make a couple of brief comments. Certainly, the Alberta New Democrats are supporting this bill, and we will be voting with it. We made a couple of amendments that, I think, might have strengthened the bill somehow. This is, I think, both an issue and a tension in our society that we constantly have to push at so that we are looking for more ways to not just reduce the incidence of new smokers in our society but to assist people with the cessation of smoking as well. The more that we can look at this medically and categorically, I think the healthier our society our society will become as well.

7:50

I think that some of the consultation around Bill 33 was a bit spotty. I think that people that were running shisha bars and so forth could have had more input. I know of some restaurateurs that had put considerable investment into their businesses without knowing that this was coming down the pipe. Always we need to be aware of those things. When we make legislation here in this House, we need to make sure that we give plenty of time and forward notice to people that may be affected.

Otherwise, certainly, this is legislation that is overdue. It's already happening in other provinces, and I'd be happy to vote in favour of it.

**The Acting Speaker:** Thank you, hon. member.

Standing Order 29(2)(a)?

Seeing none, are there any other members who wish to speak on Bill 33 in third reading?

Seeing none, the hon. Associate Minister of Wellness to close debate.

**Mr. Rodney:** Well, thank you very, very much, Madam Speaker. It is a distinct pleasure to conclude deliberations on Bill 33, the Tobacco Reduction Amendment Act, 2013.

Hon. members, I am very proud to be with you here tonight. We're on the verge of making Alberta a much healthier province. A yes vote is all that stands between young Albertans and stronger antitobacco legislation.

Madam Speaker, this bill is vital to protecting the health and safety of our children and Albertans of all ages, really. This is certainly not a new effort. There are heroes in our midst in this Chamber, members past and present, and legions of folks that are beyond these walls that have been amazingly inspirational in this cause for decades in the past, and I expect the effort will continue. I know that my little part began when I was chairing AADAC, and

my very first private member's bill was the Smoke-free Places Act back in 2005.

I definitely want to thank everyone who participated in all aspects and all stages of this bill, including those who have just spoken here in third reading. We've had incredible support for the intent of this bill during all stages of debate, and I want to thank, especially, our hon. ministers of Health, Human Services, Tourism, Parks and Recreation; all government members; and also members across the floor.

I have to say that it's great to see that when there's a matter of significant public health that comes to the attention of this House, we can come together and support a very important cause. This is an issue not just about smoking amongst youth but for all members of our society. In that vein, I would like to thank the members for Calgary-Fish Creek, Lacombe-Ponoka, Edmonton-Beverly-Clareview, Calgary-Shaw, Calgary-Buffalo, Little Bow, Innisfail-Sylvan Lake, Rimbey-Rocky Mountain House-Sundre, Olds-Didsbury-Three Hills, and Edmonton-Calder, amongst others who spoke at the different stages of the bill in the past.

Madam Speaker, I know that you and others in this Chamber and beyond were especially moved by those who took the time to tell personal stories. I've refrained from doing that. It can be a very emotional issue, but I will mention my dad, who tried stopping smoking 13 times. Thirteen was a very lucky number for him at that point in time, but I can tell you he went through amazingly difficult circumstances to become smoke free, and I salute him for that and for so many other things. Thank you to all members who had the courage to share their personal journeys and those of people that they know and for putting a human face on this legislation. That's the thing. It's not just a piece of legislation; it's about human beings, the Albertans that we're so humbly proud to serve.

It was an impassioned discussion at times. You know, it shows that people take this very, very seriously, and we should. As I've mentioned in previous speeches, this isn't just a quality-of-life issue. This is a life-and-death issue for in the neighbourhood of 3,000 of our friends and neighbours here in Alberta every single year. I want to assure all the members. I'm not going to go into detail on every single one of their issues – we don't have quite enough time in concluding debate – but I will say this. Their concerns are indeed addressed in a number of ways. One way is our 10-year tobacco reduction strategy and the existing Tobacco Reduction Act as well as this bill and the regulations therein.

Just a few examples to be specific. Traditional, spiritual, and cultural rights are indeed protected, point one. Point two, nothing interferes with personal tobacco use in the privacy of a person's home. Three, supports are available for people who want to quit. Four, businesses will have time to adjust to the ban on water pipes in their establishments. There are more, but, again, they're encapsulated by the previously mentioned categories. Above all of this, though, Madam Speaker, children will find it more difficult to access tobacco. Children and nonsmoking adults are protected from the effects of second-hand water pipe smoke, and children are protected from the example of adults smoking water pipes. Children are protected from second-hand smoke in the confined space of a vehicle.

With Bill 33 Alberta joins other provinces with legislation to prohibit the sale of tobacco products to minors, with fines levied against adults who provide youth with tobacco and enforcement through peace officers and other potential inspectors such as the Alberta Gaming and Liquor Commission employees. Additionally, a minimum number of tobacco products per package will

make them less affordable for children. Significantly, the tobacco-like loophole is closed, with the smoking of water pipes prohibited wherever tobacco smoke is not allowed.

Madam Speaker, no smoking means no smoking no matter what the product, no matter where in the province. An example: adult drivers will have to wait for a smoke until they park their cars and get out. We have to remember that children who are breathing in second-hand smoke simply do not have a choice in that sort of situation. The health of child passengers will be protected from the many harmful effects of second-hand smoke. With Bill 33 we're acting on our shared commitment to the future health of Albertans and, especially, of our children.

Madam Speaker, the bill has the support of many groups who advocate for the health of Albertans and are working towards a smoke-free Alberta. In a previous speech I listed the number of partners. I will not do so again, but I can assure you it is extremely long. We have talked to them in the past, we're talking to them now, and we'll talk to them again in the future as we continue to build a healthier Alberta one Albertan at a time together. I do want to thank all of those organizations for the commitment to Albertans' health and support for this bill, again, past, present, and future.

Bill 33, Madam Speaker, will strengthen public protection from the health risks of tobacco, tobacco-like products, and second-hand smoke. This bill is a comprehensive, long-term commitment to tobacco reduction. I strongly encourage a yes vote now.

With that, I thank all members, and I move to adjourn debate. Thank you. [interjections] Sorry. The word is "closing." I am closing, and I will ask for the question.

**The Acting Speaker:** Thank you, hon. member.

[Motion carried; Bill 33 read a third time]

### **Bill 39 Enhancing Consumer Protection in Auto Insurance Act**

**The Acting Speaker:** The hon. Minister of Finance and President of Treasury Board.

**Mr. Horner:** Thank you very much, Madam Speaker. I'm pleased to rise today and move third reading of Bill 39, the Enhancing Consumer Protection in Auto Insurance Act.

Over the past few weeks my colleagues and I have engaged in great discussion over this bill. The Enhancing Consumer Protection in Auto Insurance Act will in effect do three main things: expand the mandate of the Automobile Insurance Rate Board and include the approval of both basic and additional rates, move from the industry-wide rate adjustment process to a more responsive file-and-approve system, and change parts of the Insurance Act to strengthen consumer protection.

This bill also proposes making other modifications to the Insurance Act such as ensuring language in the New Home Buyer Protection Act is consistent with existing language in the Insurance Act. During debate a few members sought clarification on the wording of Bill 39, and I will provide you with that information today.

**8:00**

But before that, let me first clarify some misinterpretations that were also brought up during the debate. One member stated that the Automobile Insurance Rate Board currently reviews rates behind closed doors, with no opportunity for consumer input.

This, Madam Speaker, is false. Our current practice is to hold an industry-wide adjustment every year. One of the major components of this process is a formal public meeting that is open to any Albertan wishing to speak about automobile insurance rates. This meeting rotates between Edmonton and Calgary each year. While this process has been a good one thus far, we are moving away from an industry-wide adjustment towards a file-and-approve system. This is something that will benefit consumers through increased competition. It will also benefit the industry as a whole by applying rate increases or decreases on a company-by-company basis.

I want to point out, however, that under the new rate-setting process any consumers interested in auto insurance rates will still have the opportunity to follow industry trends through a public process. Work is still being done on what that process would look like, but I can assure the hon. member that consumers will continue to enjoy a high degree of transparency in the rate-setting process.

I also want to clarify another member's statement that insurance for vehicles can be the fourth- or fifth-highest household cost in the province. I'd be interested to see where the hon. member got that statistic from. In our research we found Alberta's auto insurance premiums on par with the Canadian average. A 2011 Fraser Institute report found that Albertans' premiums were actually among the most affordable in the country due to the higher disposable income and higher per capita gross domestic product in Alberta compared to other provinces. At 2.7 per cent of disposable income, it is the second lowest in Canada. I would say that is affordable automobile insurance, which is one of the principles on which our auto insurance system was built.

During debate on Bill 39 I was asked about the dispute resolution process for premiums. The hon. members questioned who would be responsible for the dispute resolution process if an insurance company's rates were challenged. Madam Speaker, investigating disputes is already part of the work undertaken by the compliance staff in the office of the superintendent. Compliance officers work directly with consumers, the Auto Insurance Rate Board, and insurance companies to determine if consumers' premium rates are appropriate for their particular circumstances. This process works, and as such we are comfortable using the same process as we move to the new rate-setting process. Consumers who want to dispute the value of damage to their insured property will continue to have access to a separate dispute resolution process.

During debate some members also questioned how government will ensure the rate board's decisions are appropriate. Under the proposal the rate board will continue to be accountable to the Minister of Finance. The rate board will also continue to be accountable to this Assembly as the annual report of the rate board is tabled each year in the Legislature.

There will also be ways in which members of the public would be able to scrutinize the board's decisions, and one of these is to compare the board's decisions against the results of the annual process in which industry trends are examined. If a consumer is not satisfied with his or her own premium, that consumer would work through the process with a compliance officer, which I outlined earlier. However, I don't anticipate this will be an issue because consumer perspectives will continue to be provided by the consumer representative on the rate board.

There are other details relating to the setting of the basic and additional rates that are still outstanding. Details will be dealt with in regulations and the rate board's new policies and procedures.

Another issue that came up during debate was a question on surcharges to insurance. Of course, insurance companies have to have some markup on their products to be profitable. However, the rate board will be the one to monitor and approve these rates on a company-by-company basis. Insurance companies will be subject to some guidelines and regulation, and we are considering what is appropriate as the regulations are under development.

Finally, another member raised a question around the language change to the Insurance Act pertaining to the New Home Buyer Protection Act. The intent of the changes is to ensure that the language in the New Home Buyer Protection Act is consistent with existing language in the Insurance Act. I can assure the member that the changes do not make substantive changes to the meaning or the intent of the legislation. Policy conditions in the regulation will be a mandatory part of every home warranty insurance policy.

Madam Speaker, I am confident the changes this government is making to Alberta's insurance system will increase consumer protection and also streamline efficiencies. Now that the minor concerns raised by the hon. members have been addressed, I ask that they would support this important piece of legislation as we move forward on improving Alberta's already robust automobile insurance system.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you.

Are there any other members who wish to speak on Bill 39, Enhancing Consumer Protection in Auto Insurance Act? The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Well, thanks, Madam Speaker. Again, I just wanted to make a couple of closing arguments. The Alberta New Democrats certainly do support this legislation, and I think it is a step in the right direction.

We have had an historical problem with auto insurance regulation here in the province of Alberta in the past. It is good to see that we are covering another layer of insurance that people really need to drive their automobiles. I think it's eminently logical and reasonable to presume that if we make a law that compels people to buy insurance to drive on Alberta roads, then we need to provide a reasonable product that is available at an affordable price. Indeed, auto insurance can be one of the most expensive things that people have to purchase in their family budgets. I think it is our responsibility here in the Legislature to ensure that those rates remain affordable. This is a provision that could do that.

Having lived here for almost my whole life, I know that we've had significant problems with pricing on auto insurance in the past. I just want to certainly see an evolution, at least, towards a public auto insurance policy or program that we can have here in the province of Alberta. I think that we could regulate the rates even better and probably find even more efficiencies and savings for the public and for our economy, too. That's just the other thing that I would like to see. I think most Albertans would like to have that in there as part of their future, and certainly Alberta New Democrats will endeavour to make it so.

Thank you.

**The Acting Speaker:** Thank you, hon. member.

Are there any other speakers?

The President of the Treasury Board and Minister of Finance to close debate?

**Mr. Horner:** Question, Madam Speaker.

[Motion carried; Bill 39 read a third time]

#### **Bill 40 Settlement of International Investment Disputes Act**

**The Acting Speaker:** The hon. Minister of International and Intergovernmental Relations.

**Mr. Dallas:** Thank you very much, Madam Speaker. It's with great pleasure that I rise and move third reading of Bill 40, the Settlement of International Investment Disputes Act, on behalf of the Member for Edmonton-Mill Woods.

I would like to thank all of the hon. members who participated in the debate on the legislation. If passed, Bill 40 will support the federal government's full implementation of the ICSID convention across Canada, ensuring implementation in Alberta after the convention officially comes into force on December 1 of this year. It's clear that ICSID provides an effective, fair, and impartial regime for the neutral resolution of international investment disputes. In accordance with ICSID regulation, information on the registration of all requests for arbitration and method of determination of each proceeding must be made public.

Canada has taken additional steps to ensure transparency in its arbitrations by making documents available and setting up open hearings where feasible. The sovereignty of Alberta and its legal system are also protected under this legislation. It is this Legislative Assembly that creates the laws that apply to any investment and investor that operates in the province. Arbitrary tribunals have no power to order the amendment or repeal of any of these laws.

Madam Speaker, the global economy is undeniably competitive. Alberta businesses have responded by becoming increasingly active in foreign markets, whether expanding their business abroad or attracting foreign investment back to the province. As part of the Building Alberta plan we are taking action to access new markets and build partnerships that create more economic opportunity, investment, jobs, and revenue to support the programs and services Albertans rely on. Our actions include promoting Alberta abroad, facilitating the free flow of international investment to Alberta, helping Alberta businesses succeed overseas, and, in the case of Bill 40, putting in place the rules and infrastructure that allow our investors to pursue fair treatment and compensation.

**8:10**

Madam Speaker, this is why supporting the implementation of the ICSID convention in Alberta is so important. The foundation of the ICSID convention is to help build our economy by providing a neutral mechanism to resolve investment disputes. With this bill we are signalling to our international partners and to the 150 countries that have already ratified the convention that Alberta is a stable and secure place to invest and to do business.

With that, I ask for your support to pass Bill 40. Doing so will help us continue to build Alberta for today and tomorrow.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you.

Are there any other members who wish to speak on Bill 40? The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Well, thanks, Madam Speaker. I think I made my position on this Bill 40 fairly clear. I realize, of course, that a lot of this particular bill on the international investment disputes provisions through the International Centre for Settlement of Investment Disputes, or ICSID, is a federal-driven initiative. I think this sort of sat idle for several years, and then suddenly there's a great flurry to push it through, both federally and through each of the provinces. While I understand that as our economy becomes more international, we are compelled to enter into more of these agreements, sometimes you have to be careful what you wish for because with a structure like ICSID you have the erosion of the sovereignty of our own courts and, in fact, this Legislature and the federal House as well.

You know, as arbitration is made on trade disputes internationally and without provision for appeal in our own domestic courts, for example, we have to be very, very careful to not erode the sovereign right that we have to determine our own destinies. Certainly, I'm not a person that puts my head in the sand, and I know that international trade is very important to ourselves and to all countries, but I think that we really have to be very careful about the treaties that we sign that allow decisions to be made about our economy and about trade through international arbitration and not through domestic bodies that we have available to us here.

Thank you.

**The Acting Speaker:** Thank you, hon. member.

Are there any other members who wish to speak? The hon. Government House Leader.

**Mr. Hancock:** Thank you, Madam Speaker. I was going to forgo the opportunity, but I do have to speak to third reading of this bill. I've now been in the Legislative Assembly for 16 years. My very first question in this House, in April of 1997, was from Pam Barrett, and it was on the multilateral agreement on investment, which is another name for this particular bill. The convention had been negotiated. There was concern from the New Democrats about foreign capital and the investment of foreign capital, and nothing has changed in the 16 years on that front.

What has changed is the decorum of the House and the manner in which we operated. Pam Barrett was good enough to call my office and let me know that she was going to ask me a question on that particular topic, and then when she came in, she came over to me and said, "Did you get my message that I'm going to ask you about this?" Then she got up, and she tore a strip off me three times through the question and the two supplemental. Then she sat down, waved, and said: "That was good. Thank you." It was a different sort of decorum.

It was a very important agreement then. As Government House Leader I can say that it's been on the list virtually every year for the last 16 years to be introduced as soon as the federal government finished the process of negotiating and agreeing to it, first of all, and then it came to the point where they asked provinces to sign on. This is a milestone for the hon. minister of intergovernmental relations, to actually get this one past the post, after it's been on my list of bills that we might be bringing forward for at least 12 years.

**The Acting Speaker:** Thank you, hon. minister.

We now have Standing Order 29(2)(a).

**Mr. Eggen:** Was that part of 29(2)(a)?

**The Acting Speaker:** That was not 29(2)(a); that was his presentation.

Are there any members who wish to speak on 29(2)(a)?

Seeing none, I'll ask if there are any members who wish to speak on Bill 40, Settlement of International Investment Disputes Act.

Seeing none, we'll ask the hon. minister to close debate.

**Mr. Dallas:** Question.

[Motion carried; Bill 40 read a third time]

## Government Bills and Orders Second Reading

### Bill 44 Notaries and Commissioners Act

[Adjourned debate November 21: Ms Olesen]

**The Acting Speaker:** The hon. member for Lac La Biche-St. Paul-Three – Two Hills.

**Mr. Saskiw:** Thanks. Yeah; we're jealous of the ones with three hills.

Madam Speaker, it's a pleasure to rise today to speak to Bill 44, which combines two pieces of legislation, the Notaries Public Act and the Commissioners for Oaths Act. Considering that all notaries in this province are commissioners, this appears to make sense. The fines for those who contravene the act are also increased. This is important as fines should be a deterrent to committing an offence and not just a cost of doing business. Bill 44 also lays out legislation that prevents lay notaries, those without legal training, from attesting to deeds, contracts, and commercial instruments. This is a good move. These commercial documents can be very complicated and require a level of expertise. I know that my colleagues in their capacities as notaries have been asked to perform duties that they feel uncomfortable or unqualified in doing. This measure will afford lay notaries protection from pressure to perform these duties for which they have little to no expertise.

Finally, Madam Speaker, Bill 44 allows the minister to create a code of conduct for notaries and commissioners in regulation. The current practice is to provide notaries an informational instruction book on how to carry out their duties. Notaries are a very important part of our legal system and hence should be subject to a code of conduct and not just an informational booklet. I've talked to stakeholders on this issue, and they are very pleased that a code of conduct will be initiated. We look forward to the debate in the Committee of the Whole.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

Are there any other members that wish to speak on Bill 44, the Notaries and Commissioners Act?

Seeing none, I'll ask the hon. Member for Sherwood Park to close debate.

**Ms Olesen:** Thank you, Madam Speaker. The amendments to these pieces of legislation will help ensure that they are up to date and reflect changes in Alberta. In a rapidly changing and growing province, it is especially important to make these changes so our legislation is consistent and clear. Albertans expect and deserve clarity and consistency, and these amendments will help achieve that.

Thank you, Madam Speaker. I now move to close debate on Bill 44.

[Motion carried; Bill 44 read a second time]



**Government Bills and Orders**  
**Third Reading**  
*(continued)*

**Bill 41**  
**Premier's Council on the Status of Persons**  
**with Disabilities Amendment Act, 2013**

**The Acting Speaker:** The hon. Associate Minister of Services for Persons with Disabilities.

**Mr. Oberle:** Thank you, Madam Speaker. It is my honour to rise today and move third reading of Bill 41, the Premier's Council on the Status of Persons with Disabilities Amendment Act, 2013. We've had considerable debate on this bill. I'm very excited, having worked now for over a year with the Premier's council. I'm excited about the renewed mandate and the new members on the council, and I'm really looking forward to the coming year with them.

I'll listen to the comments in third reading, Madam Speaker.

**The Acting Speaker:** Thank you, hon. minister.

Are there any other members who wish to speak in third reading?

Seeing none, the minister to close.

**Mr. Oberle:** Question.

[Motion carried; Bill 41 read a third time]

8:20

**Government Bills and Orders**  
**Second Reading**  
*(continued)*

**Bill 36**  
**Appropriation (Supplementary Supply)**  
**Act, 2013 (No. 2)**

[Adjourned debate November 27: Mr. Campbell]

**The Acting Speaker:** Are there any members who wish to speak on Bill 36, Appropriation (Supplementary Supply) Act, 2013?

**Hon. Members:** Question.

**The Acting Speaker:** The question has been called. The hon. Minister of Finance and President of the Treasury Board has moved second reading of Bill 36, Appropriation (Supplementary Supply) Act, 2013.

[Motion carried; Bill 36 read a second time]

**The Acting Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Well, we have actually completed the work that was on the agenda for the day, and rather than surprise anybody with other work, I would move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; the Assembly adjourned at 8:21 p.m. to Thursday at 1:30 p.m.]







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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Thursday, November 28, 2013

Issue 75a

The Honourable Gene Zwozdesky, Speaker

## Legislative Assembly of Alberta The 28th Legislature

First Session

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## Legislative Assembly of Alberta

1:30 p.m.

Thursday, November 28, 2013

[The Speaker in the chair]

### Prayers

**The Speaker:** Good afternoon.

Let us pray. Holy Creator, help us to remember that our debates and deliberations affect over 4 million Albertans and many generations that will follow. Give us accordingly, and guide us that our decisions may be right and proper, just and fair, for all whom we serve. Amen.

Please be seated.

Hon. members, as you will recall, on November 21 of this year this Assembly agreed to Government Motion 46, allowing the Hon. David Alward, Premier of the province of New Brunswick, to be invited to this floor of our Chamber to address the Assembly. Now I would like to invite Premier Alward to come and join us at this time, please.

### Introduction of Visitors

**The Speaker:** The hon. Premier of Alberta.

**Ms Redford:** Well, thank you, Mr. Speaker. I am honoured to rise today to introduce to you and through you to all members of this Assembly a great Canadian and a great friend to Alberta, the Hon. David Alward, Premier of New Brunswick.

Premier Alward has been a determined backer of the Canadian energy strategy. He was among the first of Canada's Premiers to see the incredible benefits that it will deliver to all Canadians, and he has worked tremendously hard to build support for the strategy among our colleagues across the country. Premier Alward has also been a compelling advocate for the projects that flow from this strategy such as the proposed Energy East pipeline that will carry energy from western Canada to the Atlantic coast, bringing jobs, growth, and investment to every province and territory in our great nation. He is a leader with a truly national vision, a vision of our country, that he knows can be most successful when we work together with common purpose.

It is my great privilege to welcome Premier Alward back to Alberta. He is here to attend the Bennett Jones Lake Louise World Cup business forum, which I will also be attending, to talk about how provinces and territories can work together to help our country become a truly global energy superpower. I am delighted that Premier Alward will be adding his voice to the discussion about our shared future.

I would also note, Mr. Speaker, that while Premier Alward is in our province, Alberta's Minister of International and Intergovernmental Relations is on his way to New Brunswick, where he will be speaking about market access, the Canadian energy strategy, and the Energy East project at a conference in Moncton. This is part of the growing friendship and partnership between our two provinces.

Mr. Speaker, Premier Alward has agreed to do us the honour of addressing our Legislature before question period. He is accompanied today by Dallas McCready, deputy minister of Executive Council from the government of New Brunswick, who is in your gallery, and Yvon Long, deputy chief of staff in the office of the Premier. I would ask all hon. members to give our guests from New Brunswick a warm Alberta welcome.

**The Speaker:** Premier Alward, I would now invite you to take a space here at the podium and deliver your address if you would, sir. Thank you.

### The Hon. David Alward, Premier of New Brunswick Address to the Legislative Assembly

**Mr. Alward:** Mr. Speaker, hon. Premier, hon. Members of Alberta's Legislative Assembly. Thank you, Premier Redford, for the warm welcome and the kind introduction. It's an honour for me to be the first New Brunswick Premier to address the people of Alberta in their House. En tant que Premier ministre de la seule province officiellement bilingue au Canada, je dis bonjour aux Franco-Albertains de la part des Acadiens et des Brayons du Nouveau-Brunswick.

As you know, New Brunswickers were honoured to welcome Premier Redford in June and to have the opportunity to hear her vision for building a strong national economy that can support jobs in our communities, progressive provinces, and a more prosperous Canada. As a fellow Premier and as a Canadian I am energized by Premier Redford's leadership. She's a nation-builder, and it's truly an honour to work with her to move Canada forward.

I was one of the many Canadians across our incredible country that was moved on election night when Premier Redford stated her vision of a strong Alberta within a strong Canada. When we speak about strengthening Canada through smart and responsible resource development, we must never lose track of what we're really speaking about: jobs in our communities all over our country. Projects like the Energy East pipeline will translate into thousands of jobs in communities across Canada.

New Brunswick and Alberta are provinces built on natural resource development, and we believe that our future growth and prosperity depends on our ability to responsibly develop our resources and access new markets. In order to achieve this vision together, governments across our country must work together to forge a Canadian energy strategy. Again, I applaud the leadership of Premier Redford and what she has shown across our country in advocating a truly national strategy that can drive Canada's future growth and prosperity.

Last month the Canadian Chamber of Commerce released a report that shows how our lack of energy infrastructure at a national level is hindering our success in energy markets at a rate of \$50 million per day. This translates, very literally, into reduced investment, fewer jobs, and lost revenues for governments at all levels to invest in the priorities of our citizens. This is the stark reality that drives our belief that projects like the Energy East pipeline will be as important to Canada's future growth and prosperity as the national railway's construction was in our past. Tidewater is key to accessing these new and, in some cases, emerging markets in Europe and Asia. New Brunswick offers the most direct, reliable, and proven access to these world-wide markets through the port of Saint John, the deepest ice-free port on the east coast of North America.

Let me be clear as well. New Brunswick favours a one-project, one-review approach to the Energy East pipeline project. We recognize that the regulation of an interprovincial energy pipeline falls under the jurisdiction of the National Energy Board.

1:40

To date TransCanada has completed seven open houses in various New Brunswick communities and will hold two more in December. As a government we will continue to work in co-operation with the provinces of Alberta and Quebec as well as Canada's oil and gas producers. I'm convinced that together we

will achieve our common goal: to safely and efficiently move crude oil and natural gas from western Canada to the east coast for refining, value-added upgrading, and shipment to international markets in the Atlantic basin and beyond.

Some of you may not realize this, but New Brunswick is Canada's most export-driven province. Energy exports include refined petroleum products, electricity, and significant amounts of natural gas from both domestic and international sources, including output from Canaport LNG, Canada's first and only LNG terminal. Our province's annual energy exports currently exceed \$10 billion, a significant economic and trade threshold for a province of just under 750,000 people. New Brunswick provides key export advantages, including the port of Saint John, which has safely and efficiently handled the largest crude oil and LNG carriers in the world for decades.

We also are home to the Irving Oil refinery, Canada's largest and most modern refinery, located in Saint John. Again, in case you didn't know, this refinery supplies 3 out of 5 cars in Boston with gasoline. And we're not Boston Bruins fans, by the way. Some are, but we won't get into that debate. The Irving Oil refinery currently operates at a capacity in excess of 300,000 barrels a day. Its output accounts for 42 per cent of all of Canada's finished petroleum product exports to the U.S. New Brunswick is ready to step forward to help Canada rise to meet the opportunities ahead.

In addition to the thousands of jobs associated with construction, refining, and shipping, the Energy East pipeline has the capacity to create new jobs and opportunities through expanded supply chains. In New Brunswick we see the potential for brand new industries such as petrochemicals and plastics. We believe that an expanded natural gas industry in New Brunswick will have the potential to create just as many opportunities, such as global LNG exports, a re-energized manufacturing sector, and the potential to add value to New Brunswick's abundant potash reserves through the construction of fertilizer plants.

These opportunities, in addition to the jobs and investments that will be generated with the development of each well, provide a very bright economic future for New Brunswick communities.

Our government firmly believes that environmental stewardship and economic growth are both vital pillars of a strong society and a healthy future. To echo the words spoken by Premier Redford in New Brunswick last June, the false premise that we must choose between the environment and the economy is indeed removed from reality. Canada boasts some of the strongest environmental protections in the world. The confidence we place in our laws to protect our environment has been well earned. As Canadians we value the environment as the natural infrastructure of our communities. As we continue to develop our natural resources responsibly, we will gain more opportunities to invest revenues and into research in innovation that will power our economy and protect our environment for future generations. I began this by saying that we must never forget why we are doing the work we are doing, to allow for the smart and responsible development of our natural resources. This is about jobs for Canadian men and women.

We stand here at a critical moment in our history. We are at a crossroads at home in New Brunswick and indeed across our country. Canada is at risk of standing still while our competitors around the world are moving forward and making plans to move past us. As Canadians we need to think about what that will mean for our grandchildren and their children. Prosperity and opportunity are not inherited rights. We cannot take for granted that future generations will inherit the same opportunities that we've been blessed with.

There are some 15,000 New Brunswickers working outside New Brunswick today in natural resource sectors, and we're not isolated with this story. In fact, when I took two flights today to get to Edmonton, I met several workers who are plying their trade here in Alberta right now. What they said to me is that they are blessed to be able to gain that opportunity, but they are looking for the opportunity in a year and a half or so to ply their trade back home.

In fact, as well, my youngest son, Ben, is 23. He's a red seal plumber and a last block pipefitter who works in Kearl Lake. As I was flying here today, Ben was flying home for a week.

Canadians want to work and need to work. Canadians want to build prosperity and economic opportunity no matter what region they live in. By working together and by building on the foundation of respect and friendship that we have built between provinces, I am convinced that we can move Canada forward.

Thank you so much for the chance to address the Legislative Assembly of Alberta. C'est un honneur pour moi d'avoir l'opportunité. Merci. Thank you. [Standing ovation]

### Introduction of Guests

**The Speaker:** The hon. minister of government services.

**Mr. Bhullar:** Thank you, Mr. Speaker. It's a little difficult to follow that, but I've got a really great introduction today, somebody that you and many members of the Legislative Assembly know very, very well. Sitting in your gallery is Jay Ramotar, my former Deputy Minister of Service Alberta, your former deputy minister of health and wellness. Jay has one of the most distinguished careers in the Alberta public service, a career that spans 37 years, where he served as deputy minister for Treasury Board, Infrastructure, Transportation, Justice and Solicitor General. One of the most innovative things Jay has come up with is the way that we approach P3s. Projects like the southeast Anthony Henday are part of Jay's work. Albertans continue to benefit from his legacy, from the ring roads to other projects. As we move forward in this province, Jay's work will forever have set us on a course to innovative, smart infrastructure. I'd ask all members to give Jay a warm welcome and a thank you for his service.

1:50

### Oral Question Period

**The Speaker:** Hon. members, yesterday we stuck to the 35-second rule and no preambles to supplementals after question 5, so let's see if we can do the same thing today, starting with the Leader of Her Majesty's Loyal Opposition. Your first main set of questions.

### Deaths of Children in Care

**Ms Smith:** Mr. Speaker, today the media shared a heartbreaking story of a little girl who the system tragically failed. Failure after failure meant that this infant died a preventable death while in the care of the government. Bureaucracy, privacy, and a lack of adequate resources contributed to this child's untimely death. We need to give Albertans confidence that our child protection practices are fully protecting children. Will the Premier agree to call a full public inquiry into the issue of deaths of children in care?

**Mr. Hancock:** Mr. Speaker, the situation that the hon. member just recounted was indeed a tragic circumstance, which was fully investigated through a fatality review inquiry. Each tragic circumstance of that nature is fully investigated through a fatality review inquiry. We learn from those inquiries. We strive constantly to do

better. We have thousands of people in this system who work daily to make sure the lives of Alberta children who are in danger or in need are improved and that they have the opportunity . . .

**The Speaker:** The hon. leader. First supplemental.

**Ms Smith:** Mr. Speaker, the minister has held up the Child and Youth Advocate as having complete authority to review child deaths. However, as the advocate makes plain in his report of just three weeks ago, this government continues to withhold information and has provided no details about how it intends to implement his recommendations. This is not acceptable. Will the Premier agree to call a full inquiry into the issue of deaths of children in care?

**Mr. Hancock:** Mr. Speaker, the Child and Youth Advocate has full access to information from the department. I met with the Child and Youth Advocate this morning to deal with operational pieces. His concern was not that he didn't get the information but is one of timeliness, which was an issue of a legal review and those sorts of things. We've agreed to iron out that and to make sure that he has access. He has full access electronically now and will continue to have it. There is no issue with respect to the Child and Youth Advocate having information from our department, Human Services, with respect to children in care.

**Ms Smith:** Mr. Speaker, the government's restrictive privacy laws contribute to Alberta's lack of confidence in our province's handling of the deaths of children in care. While the minister has cited the need for privacy, the priority for the government must be to ensure that future avoidable deaths are not repeated. With the battery of issues we now have before us, a round-table of MLAs just isn't enough. Will the Premier agree to call a full inquiry into the issue of deaths of children in care?

**Mr. Hancock:** Mr. Speaker, in fact, Alberta's laws with respect to disclosure are similar to the laws right across this country. I checked on that, and that is the case. In fact, there is evidence to suggest that other jurisdictions have actually modelled their laws on ours. But what we have said is that we want to be best in class. We want to do what's in the best interests of all children and all Albertans, so we will host a round-table. It won't be an MLA round-table although the MLA critics are invited to come. It'll be an expert round-table and one that hears all the necessary voices so that we end up with the best policy in the country.

**The Speaker:** The hon. leader. Second main set of questions.

**Ms Smith:** Mr. Speaker, other provinces don't hide the nature or the number of deaths.

#### Support for Victims of Child Sexual Abuse

**Ms Smith:** This government has a strange approach when it comes to protecting children. The minister steadfastly defends the status quo at every step. In his mind, there's no room to improve how his department works. Last year he turned down funding for Be Brave Ranch, which helps to heal victims of child sexual abuse. It wasn't necessary, he implies. Albertans disagreed, and today Be Brave Ranch is a reality. To the Premier: why is it that her government rejects any improvements or innovations in how we protect children?

**Mr. Hancock:** Mr. Speaker, I have never once ever suggested that we reject any suggestion about improvement. In fact, I have said to virtually every question in this House that we look forward to

continuing to improve, continuing to learn, and continuing to do a better job, and we will.

**Ms Smith:** Mr. Speaker, we have on several occasions asked the government to fund the treatment of child sexual abuse victims with money from the victims of crime fund. Inexplicably, this government refuses to even fund it out of the surplus that it has of \$50 million. To the Premier. Every Albertan knows that there is no greater victim than the victim of child sexual abuse. Why is her government not funding programs like Little Warriors out of the victims of crime fund?

**Ms Redford:** Well, Mr. Speaker, from the first day that I became the Minister of Justice, I was committed to making communities safer. We work in partnership with professionals and social workers, police officers, and health care professionals across this province who put programs in place that they determine to be in the best interests of all children who have violence committed upon them. Now, I am not going to take the word of the Leader of the Opposition that any particular program is the best program. The reason that we have a system, a child welfare system, with professionals and health care experts in it is to give us advice on how to provide the best proper programming, and that's . . .

**The Speaker:** Thank you.

**Ms Smith:** Fortunately, the folks at Little Warriors aren't going to wait for the government; they're just going to do it anyway.

We're asking for the government to spend money on the right kinds of things. This government has money for lavish expense accounts, severances for their friends, and layer upon layer of senior managers, but they won't spend victims of crime fund money on helping victims of child sexual abuse. Will the Premier commit her government to funding the important work of Little Warriors so that they can make sure that they're treating Albertans who have suffered unspeakable crimes?

**Ms Jansen:** Mr. Speaker, there is excellent work being done in this province in the area of child sexual abuse. It is evidence based, it has measurable outcomes, and it has been done in some cases for over 30 years. Yesterday we convened a group of more than 27 stakeholders in this area. They will be informing us going forward on where we put our funding and the decisions we make. Little Warriors is at that table. They are part of a larger group who will help us and inform us.

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition. Third main set of questions.

#### Public-service Contract Negotiations

**Ms Smith:** Mr. Speaker, as most Albertans know, the Wildrose is the party of fiscal restraint, but we are also the party of the rule of law and due process. Across all sectors we believe government should uphold the law, respect the processes in place, and abide by the principles that distinguish us in a free and democratic society. That includes bargaining in good faith with public-sector workers. To the Premier: why has she abandoned the bargaining table and revoked the legal right to arbitration, which Premier Lougheed first created, to fairly settle contract disputes?

**Ms Redford:** Well, Mr. Speaker, we have been bargaining with a number of public-sector unions this year and had some very successful progress. We are currently involved in another round of negotiation and are very much hoping that AUPE will be able to

come back to the table to ensure that we get a fair deal for taxpayers and a fair deal for public servants. Our public servants are valuable to our province. They provide the services and the programs that we need and rely on. We want to make sure that everyone is treated fairly, and we think we can get there.

**Ms Smith:** Mr. Speaker, in his day Premier Klein was able to negotiate at the table reductions to public-sector salaries. He was able to do so for one critical reason: he campaigned on it, and he was elected to do it. Last election this Premier and her party promised the moon to everybody, including the public sector. To the Premier: does she not realize that after making lofty promises to public-sector workers during the election, she doesn't have a leg to stand on now when she tries to force a deal like this through?

**Mr. Lukaszuk:** Mr. Speaker, this is very rich coming from a leader and a party that have campaigned on reducing public-sector salaries by 20 per cent and freezing their pay until the deficit is eliminated in this province.

**Mr. Anderson:** Point of order. Flat-out lies.

**Mr. Lukaszuk:** Mr. Speaker, the fact is that this province has reached deals with teachers, with doctors, and we're looking forward to reaching another deal with our very valued employees of the public sector.

2:00

**Ms Smith:** Mr. Speaker, they didn't tell the truth about our platform during the campaign. Why would I expect any more in here?

At the end of the day this is about honesty, and we all know that this government has problems being honest. They promised public-sector workers one thing in the election and delivered something entirely different once elected. Earlier this year they agreed to arbitration to settle these negotiations. Now they're about to break that promise and override the arbitration rights that Premier Lougheed created to fairly settle these disputes. To the Premier: will she abandon the heavy-handed tactics and get back to the bargaining table in good faith?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Thank you, Mr. Speaker. First of all, it wouldn't be correct to characterize that we agreed to binding arbitration. There's a process by which the union applied for compulsory arbitration under the act. But what we did promise Albertans was fiscal restraint. What we did promise Albertans was that public-sector salaries would be constrained this year as part of that fiscal constraint program, and that is what we are delivering. The bill that's before the House allows bargaining to continue till the end of January and, if progress is being made, to the end of March. It does not take away that right to collective bargaining. We want them back at the table.

**The Speaker:** Hon. Member for Airdrie, your point of order was noted at 2 o'clock, which was the first supplemental answer to your leader's first supplemental question.

Let us move on to the leader of the Alberta Liberal opposition.

#### **Deaths of Children in Care** (continued)

**Dr. Sherman:** Thank you, Mr. Speaker. Alberta Liberals wish to thank Alberta social workers, front-line staff, and foster parents

who go above and beyond to rescue vulnerable children. The issue we've been discussing this week isn't them. Rather, the problem is caused by this government covering up or, shall I say, not reporting the true number of children who died in care. This Conservative government has lost public trust and credibility on this issue. To the Premier: what do you think is going to restore public confidence? A chit-chat run by your secretive government or an independent, impartial judicial inquiry?

**Ms Redford:** Well, Mr. Speaker, if the hon. member is actually concerned about getting better outcomes in the child welfare system, then we welcome his participation. Since this government has been formed, we have introduced the Children First legislation. We have an independent Child and Youth Advocate, which is one of the reasons we can talk about these issues in the House today. We've ensured that every fatality is reported and investigated. That is how we improve the system, and that's how we take care of kids, not righteous indignation on the part of the leader.

**Dr. Sherman:** Mr. Speaker, the Alberta Liberal call or, shall I say, the united opposition call for an inquiry is not about placing blame on anyone. An independent, impartial judicial inquiry is the best way to allow the facts to come out. Only then can we find the best solutions, restore trust and confidence in the system, and improve the safety of children in care. This is our goal and should be the government's goal. To the Premier: why won't you restore trust and confidence in the system by calling for an independent, impartial judicial inquiry? What are you afraid of?

**Mr. Hancock:** Actually, Mr. Speaker, I think it's almost unanimous now in the calls I've had from experts in the field that the round-table that we're proposing is a much better way to bring all the important issues to the table, have an expert discussion together with lived experience, have all the voices there, and actually move forward to create the best possible policy for children in this province. That's what we're going to do because that's what Albertans deserve.

**Dr. Sherman:** Mr. Speaker, the minister raised a very important issue. The fact of the matter is that 78 per cent of the children who died in care were of First Nations heritage. Responsibility for them is shared between the federal government, the First Nations, and the provincial government. I've written to the Prime Minister asking him to investigate the deaths of the aboriginal children in care. To the Premier: will you join me in bringing the federal government, the First Nations, and the province of Alberta to the table through an independent, public judicial inquiry so we can finally get some answers and solutions?

**Mr. Hancock:** Mr. Speaker, if the hon. member actually wanted to add voice and value to this discussion, what he should do is write to the Prime Minister and ask him to fund the DFNAs at the same level as the child and family services authorities are funded. That's where the federal government could really step up. All of the deaths of children in care have been investigated, and we have jurisdiction in that area. We do have jurisdiction in that area. The Child and Youth Advocate can investigate those. He doesn't need the federal government's help to do that. But the resources for on-reserve: now, that would be really nice. [interjections]

**The Speaker:** Silence, please. Thank you.

Let's move on. Edmonton-Highlands-Norwood, the leader of the ND opposition.

**Public-service Contract Negotiations**  
(continued)

**Mr. Mason:** Thank you very much, Mr. Speaker. Yesterday was a dark day for workers in this province, when this government introduced draconian legislation that has forever changed labour relations in this province. The right-wing Tea Party agenda of this PC government shined brightly yesterday when they removed the ability of public-service workers to bargain in good faith. Rather than follow UN labour guidelines to respect the “recognition of the right to collective bargaining,” this government is ramming through a bill that violates basic human rights. To the Premier: why isn’t this government respecting workers’ rights to enter arbitration without imposing cuts to wages and . . .

**The Speaker:** The hon. member of the front bench, the Deputy Premier.

**Mr. Lukaszuk:** Well, thank you, Mr. Speaker. Indeed, it was a dark day in Alberta history yesterday because the protesters were actually turning on the leader of the NDP, and that is something new for this province.

Mr. Speaker, the fact is that this legislation does not impose anything. It gives the AUPE and this government an opportunity to negotiate in good faith until the end of January. I’m certainly hoping that both parties will be able to reach an agreement much like teachers and doctors and others have.

**The Speaker:** Hon. members, I did not interject yesterday, but there are a lot of you interjecting today, and if it continues, I’ll keep standing and you’re going to lose question period spaces. Please keep that in mind, both sides of the House.

Let’s listen to what the supplemental is from the leader of the New Democrat opposition, please.

**Mr. Mason:** Thank you, Mr. Speaker. The leadership review is over, and now the mask has slipped, revealing the true face of this Premier. The latest attack on working families exceeds the wildest dreams of Margaret Thatcher, Mike Harris, or Stephen Harper. They have put a gun to the head of the public sector and threatened leaders for even communicating with their own members. My question is to the Premier. Why are you trampling on the rights of workers and attacking the standard of living of their families?

**Ms Redford:** Mr. Speaker, we are a province of 4 million people. Those are 4 million people that make up families that work hard every day in this province. Whether they are people that are in public-sector unions or private unions or not in unions, we think it’s important that they be valued and compensated fairly. That’s why we have asked for the AUPE to come to the table and continue to bargain until the end of January so that we can actually get a deal that is fair for Alberta taxpayers, Alberta families, 4 million people in Alberta, and for workers.

**Mr. Mason:** Well, Mr. Speaker, all the talk about being fair to working people.

The latest consumer price index shows Alberta has the highest rate of inflation in the country, 1.5 per cent across the province. The unilateral contract to be imposed on public-sector workers – and that’s what it is, Mr. Speaker – will actually result in workers taking home less money to look after their families, to contribute to the economy, or even to make ends meet. Why has this government established a policy of reducing the living standards

of working families through the imposition of multiyear wage freezes?

**Mr. Lukaszuk:** Mr. Speaker, what the member forgets to tell Albertans is that we also have the highest average weekly earnings in this province. The fact is that we value our front-line employees – they deliver very valuable services throughout the government of Alberta – just like we value teachers and doctors. We have reached long-term deals for the benefit of students with our teachers, for the benefit of patients with our doctors, and I’m hoping that we can reach a deal with AUPE for the benefit of all Albertans.

**The Speaker:** Thank you.

That concludes the first five. No more preambles to your supplementals, please.

Let’s go on. Fort McMurray-Wood Buffalo, followed by Calgary-Shaw.

**Health Services in Fort McMurray-Wood Buffalo**

**Mr. Allen:** Thank you, Mr. Speaker. What should be the best news possible, the birth of a child, is often the most frightening. With roughly 130 to 150 births per month in my constituency and only three obstetrician-gynecologists on staff many expectant mothers are choosing to deliver their babies in other municipalities to avoid long wait times. We desperately need to expand our maternity care so that mothers-to-be are not forced to sit in waiting rooms. To the Minister of Health: can you tell me what the ministry is doing to improve the access to services for mothers-to-be in my constituency?

**Mr. Horne:** Yes, Mr. Speaker, I can. First of all, certainly, births are continuing to increase. Over the last year the average number of births has reduced slightly, from 117 to 105. We’ve increased the number of obstetrical-gynecological services this year. A fourth ob-gyn physician has successfully been recruited. A fifth recently signed a contract with Alberta Health Services. So we are well on the way to increasing the capacity to deliver more and more babies in Fort McMurray.

2:10

**The Speaker:** The hon. member.

**Mr. Allen:** Thank you. To the same minister: given that the regional municipality of Wood Buffalo has a desire to build a multilevel seniors’ village which contemplates commercial and professional office space, would the minister consider including a birthing centre in the same complex?

**Mr. Horne:** Well, no, Mr. Speaker, we would not. What we have at the moment in Fort McMurray is a commitment to build a continuing care facility to serve the needs of seniors, which is a very important need, but we would not consider it safe from a patient safety or quality perspective to house a birthing centre in a seniors’ facility. What we are doing is looking at ways to expand the capacity within the Northern Lights health centre.

**The Speaker:** The hon. member.

**Mr. Allen:** Thank you. Again to the same minister: given that the government has already selected land for a continuing care facility and the municipality has deferred approval for further consultation, will you provide the criteria used in the selection process so that stakeholders understand and we can get these projects moving forward?

**Mr. Horne:** Well, Mr. Speaker, actually, we've done that on a number of occasions, and as the hon. Minister of Infrastructure may wish to supplement, we at the moment have two funded projects, a primary health care centre and a continuing care centre, ready to go. The land is set aside. We are awaiting permit approval from the regional municipality of Wood Buffalo to proceed. Once we have that, my understanding is that these projects will be under way.

**The Speaker:** The hon. Member for Calgary-Shaw, followed by Edmonton-Riverview.

#### **Publication Ban on Children Who Die in Care**

**Mr. Wilson:** Thank you, Mr. Speaker. Today we heard another heart-wrenching story of a young child who died under the province's care and whose parents are barred from speaking out. For the province to forbid grieving parents from even mentioning their child's name publicly is simply cruel and unreasonable. The Minister of Human Services says that this is to protect their privacy, but across Canada almost all provinces lift this ban or won't enforce it when a child dies. Minister, is the legislation really meant to protect privacy, or is it simply meant to protect the interests of this government?

**Mr. Hancock:** First of all, Mr. Speaker, I think it's important to get the facts right. The facts are that there's no prohibition on a parent talking about their child. The fact is that there's a publication ban. The media cannot report the name or the picture of a child who's died in care, and that is what protects the privacy of the family. The parent can talk in the community and often does and should, and that's part of the normal healing process, absolutely. But we have indicated that although we in the 2011 legislation made it discretionary or optional to be able to allow that information, we will meet in January. We will develop the . . .

**The Speaker:** The hon. member.

**Mr. Wilson:** Thank you, Mr. Speaker. With a judge labelling the practice of making up names or only referring to children by their initials in fatality inquiries as dehumanizing, once again to the same minister: is this dehumanizing law really designed to protect privacy, or is it simply there to protect the interests of this government?

**Mr. Hancock:** Mr. Speaker, it was designed to protect privacy. But, again, this hon. member and other critics are invited as we sit down in January with the best experts available to talk about what information should be made public in the interests of assurance and what information should not in the interests of privacy. We will do that, we will bring back the best policy in the country if not in North America, and we will go forward to make sure that we have that right balance. It's a very difficult decision. It's one that's not made easily. But it is important to protect other siblings, caregivers, and others who might be unfairly accused and might be unfairly represented, and that's important, too.

**The Speaker:** The hon. member.

**Mr. Wilson:** Thank you, Mr. Speaker. Given that the publication bans appear to be nothing more than a smokescreen to protect this government and keep the public in the dark about problems facing the system, will the minister commit today to addressing the issue and changing the legislation that gags parents after the death of a child in care?

**Mr. Hancock:** I would reiterate for the hon. member, Mr. Speaker, that parents are not gagged. Parents can talk about their child, and they need to talk about their child. What is not allowed is the publication of a name or a picture of a child who died in care, and that's because there are many others who may be affected. There is a discretion to allow that publication now. We brought that forward; I brought that forward in the Child and Youth Advocate Act in the fall of 2011. That discretion is sometimes utilized in appropriate circumstances, but you have to look at the circumstances on a case-by-case basis. We will, as I said, have a full discussion on this in January. We will bring that back to the Legislature in the spring, and we will . . .

**The Speaker:** The hon. Member for Edmonton-Riverview, followed by Chestermere-Rocky View.

#### **Canadian Energy Strategy**

**Mr. Young:** Thank you, Mr. Speaker. Albertans understand the importance of collaboration on critical issues like responsible resource development. We know Alberta has enormous productive capacity in the world's third-largest oil reserve while New Brunswick has Canada's largest refinery and ocean access, enabling world markets. My question is to the Minister of Energy. With regard to discussions with Premier Alward are we connecting the dots to take advantage of this opportunity between Alberta and New Brunswick?

**The Speaker:** The hon. minister.

**Mr. Hughes:** Thank you, Mr. Speaker. Well, today we had the unprecedented opportunity and honour of having Premier Alward from New Brunswick come and address all Albertans through this Chamber. The Canadian energy strategy has been an immensely effective strategy led by and with the strong focus of the Premier of this province. The Premier is focused on getting the job done. We have a focus as the province of Alberta on ensuring that we are a reliable, responsible partner in building Confederation, and that is the role of Alberta today.

**The Speaker:** The hon. member.

**Mr. Young:** Thank you, Mr. Speaker. Again to the minister: given that Premier Alward referred to the Energy East project as a game-changer and that we have called it a nation-building project, what could this project mean to workers and families in Alberta and Canada, not just the oil companies and pipeline companies?

**The Speaker:** The hon. minister.

**Mr. Hughes:** Thank you very much, Mr. Speaker. Well, it's clear that Premier Alward shares our view in Alberta and the view of many Albertans that we need to build a pipeline to tidewater, to the ocean, to ensure that we get optimum price for our resources. That means billions of dollars not just to the Treasury of the province of Alberta but to industry and employment opportunities for Canadians right across this country. The Premier of New Brunswick spoke eloquently about his own family working in Alberta and the contribution that that makes, and we're very proud of the fact that so many Canadians . . .

**The Speaker:** The hon. member.

**Mr. Young:** Thank you, Mr. Speaker. Again to the minister: how important is the Canadian energy strategy to achieving success on



these types of projects across the jurisdictions of Manitoba, Ontario, Quebec, between here and New Brunswick?

**Mr. Hughes:** Well, it's quite clear, Mr. Speaker, that the Canadian energy strategy has been a key enabler to allow us as Albertans to engage other Canadians. As we can see, other Canadians want to engage us as well. They want to work very constructively with us to help build the opportunities that we have in this country. You know, the Canadian energy strategy and the success thereof will come about because of these engagements with provinces like New Brunswick, Quebec, Ontario, Manitoba, Saskatchewan, British Columbia, the Northwest Territories, and other communities that want to work with us to build Canada and help ensure that all Canadians get employment.

#### Alberta Distance Learning Centre

**Mr. McAllister:** Mr. Speaker, parents across Alberta are starting to feel the impact of this government's broken-promise, back-in-debt budget. In Education it looks like the Alberta Distance Learning Centre is the latest casualty. ADLC has existed for 90 years and gives over 60,000 kids access to alternative learning options that are not available in the class, but that program is now in jeopardy. I'd like to ask the Minister of Education if he realizes that he may have inadvertently put a bull's eye on this program and the kids that rely on it?

**Mr. J. Johnson:** Mr. Speaker, it's a good question. I might direct the member to check *Hansard* from a couple of days ago because the Member for Barrhead-Morinville-Westlock actually asked very similar questions, and we gave her the answers. I would tell him again that the ADLC is a very important piece of the education system in Alberta, and with their 90-year history, which is a great history, they're going to have a great future, too.

**Mr. McAllister:** Well, that's four go-rounds at it, and we still haven't had an answer, Mr. Speaker.

The proof is in the pudding. The lack of foresight in Education means that boards can longer afford this program. Given that the ADLC estimates a 50 to 60 per cent reduction in enrolment next year, which potentially means tens of thousands of kids, does the minister not realize that without the program he is treating those that use it currently as second class?

**Mr. J. Johnson:** Well, Mr. Speaker, nothing is further from the truth. This was all debated during estimates, and we had questions on it last year as well. The issue that we had with the funding with respect to the ADLC was that there was some double-dipping going on. We're paying \$1.56 for every dollar we're putting into the traditional classroom, so we're paying more for distance learning as a taxpayer. I hope that the hon. member can appreciate that we want to get value for the taxpayer. When we know that e-learning costs less to deliver, why are we paying 156 per cent of what we're paying for the traditional classroom?

**Mr. McAllister:** Mr. Speaker, I assure you that the boards in this province sing a different tune. You don't have to necessarily answer me today, Minister, but you ought to speak to them.

Given that there will be a couple hundred teachers on the steps of this Legislature in just a few days, probably a lot more, in fact, how are you going to explain to them that dumping distance learning makes any sense for the thousands of kids in Alberta that rely on it?

**Mr. J. Johnson:** Mr. Speaker, it's irresponsible statements like that that create fear in these folks. There's nothing of the sort happening. As a matter of fact, there's a very comprehensive review of distance learning happening in this province right now. It's been going on for some time; it was started by the previous minister. That report is coming due here very soon. In addition to that, the minister of advanced education, myself, the superintendent in charge of the ADLC, and the president of Athabasca University have been talking about a province-wide symposium or conference on e-learning in this province and the future of that. This is a foundational piece of education going forward, but we've got to make sure we're going to get it right.

**The Speaker:** The hon. Member for Edmonton-Centre, followed by Edmonton-Beverly-Clareview.

2:20

#### Pipeline Environmental Issues

**Ms Blakeman:** Thanks very much, Mr. Speaker. The Fraser Institute has noted . . .

**An Hon. Member:** Whoa. Whoa.

**Ms Blakeman:** I know. Listen up.

. . . that the key to transcontinental pipelines and further development of the oil sands is the support of First Nations people. Now, mix in the province's poor reaction to environmental issues, which disproportionately affect First Nations, Métis, and Inuit. To the minister of environment: does the minister understand that when the province does not do its job in environmental and health protection affecting aboriginal peoples, it undermines the oil industry and jeopardizes future development?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Mr. Speaker, and thank you for the question. We care deeply about First Nations and all Albertans in this province, and we care deeply about the environmental issues in this province. That's why we work with all Albertans, be it First Nations or Métis, to make sure that we do have strong environmental policies in place and make sure that we work with Albertans on the concerns that they have when they raise them. Just yesterday I was talking to Chief Adam about issues that they have. We work very hard, as does the Minister of Aboriginal Relations, directly with First Nations and Métis.

**Ms Blakeman:** Same minister, Mr. Speaker: why does this government continue to minimize the concerns that are raised by First Nations people? Just today hundreds of people from Treaty 8 were on the steps of the Legislative Assembly to protest the lack of provincial accountability for damages done to their lands.

**Mr. Campbell:** Well, Mr. Speaker, first of all, I think the member across the way is a little high on her number of people on the steps of the Legislature today.

Mr. Speaker, I can say to you that we've had very engaging discussions with all of the treaty organizations in the province of Alberta. I've been to a number of communities, talked to chiefs and councils, talked about the environment, talked about consultation, talked about economic opportunities, talked about education. We're changing the dialogue in Alberta. We're partnering with First Nations to make sure that they succeed in all the opportunities that are available in this province, and looking after the environment is one of those key objectives.

**Ms Blakeman:** Talk is cheap, Mr. Speaker.

Back to the environment, minister: why does the polluter not pay in Alberta? They get an educational lecture, but they don't have to pay costs, and they don't seem to get any kind of a serious fine. Why is that?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. Maybe we need to spend some time together because, quite frankly, if there are environmental issues that happen in this province, the companies are fined. That's why we actually take the time to do the investigations, which the members across the way never want us to take. But we, quite frankly, in our ministry take the time to do the investigation, and if there are charges to be laid, we lay them, and then the industry, companies pay for that.

**The Speaker:** Thank you.

Hon. members, we seem to be having some technical difficulties with the sound system. It's not coming through as loudly. I've had three notes already. Let's speak up a little bit if we could.

### Aboriginal Children

**Mr. Bilous:** Mr. Speaker, this week the media revealed the deep crisis of children in care in Alberta, a crisis this PC government wanted to keep secret. Nothing is more troubling than the disproportionate number of indigenous children in care and the appalling number of deaths of indigenous children. Will the minister admit that there is a crisis facing indigenous children in care and that it warrants a full public inquiry? If not, why not?

**Mr. Hancock:** Mr. Speaker, there is no doubt that there's an overrepresentation of aboriginal children in the care system, and that is something that we have been working hard on. We're building relationships with First Nations and with the Métis Nation of Alberta to deal with that issue, and we're achieving success. In fact, the numbers last year of aboriginal children in care went down, and they're going down again this year. It's not yet a trend, but it is evidence of very good work happening. More work needs to be done, and we will continue to do that work. It is absolutely a focus of our government through band designates, through DFNAs to deal with that issue.

**Mr. Bilous:** Mr. Speaker, given that children at risk in indigenous communities receive significantly less funding than nonindigenous children and given that 70 per cent of children in care are indigenous, why won't this minister stop passing the buck to other governments, recognize our moral responsibility, and do what is necessary to fix the inequality faced by Alberta's indigenous children?

**Mr. Campbell:** Well, Mr. Speaker, I appreciate the question, but one thing the hon. member should understand – maybe he should attend at a few First Nations communities. This is a very serious issue that First Nations take very seriously. There's a process within First Nations communities, and it's important for us as a government to understand that process, and it's important for us as a government to build the relationships and work in partnership.

Mr. Speaker, this Minister of Human Services, who has done more than any member in this House has when looking after children, has started to build those relationships. We met with the treaty organizations and will continue . . .

**The Speaker:** Thank you.

The hon. member.

**Mr. Bilous:** Where are the dollars, Mr. Minister?

Mr. Speaker, given that only 9 per cent of children in Alberta are indigenous yet account for a staggering 78 per cent of children who have died in foster care since 1999 and given that this government is able to find billions of dollars for the flood crisis, will the minister take responsibility and provide adequate funding to the crisis facing indigenous children to ensure that they receive a level of funding at least equal to nonindigenous children, and if not, why not?

**The Speaker:** The hon. Minister of Aboriginal Relations.

**Mr. Campbell:** Well, thank you, Mr. Speaker. As I said, we've had a few conversations with First Nations across this province and with the Métis and the Inuit, and we are putting programs in place. On December 9 we will announce our aboriginal women's council. We'll provide economic opportunities for single mothers in this province to have secure and stable homes so they can raise their children in them. We're going to have economic opportunities initiatives announced on December 9 – we'll meet with the chiefs again – that are going to provide opportunities to First Nations. We have First Nations in this province who have zero unemployment and zero children in care. We are going to continue to work with First Nations and partner with them to get to a solution and make sure that we do the best for all of our children in this province.

**The Speaker:** The hon. Member for Strathmore-Brooks, followed by Grande Prairie-Smoky.

### Seniors' Care in Brooks

**Mr. Hale:** Thank you, Mr. Speaker. This spring the Minister of Health met with families regarding conditions in the AgeCare facilities in Brooks. There's still work to be done to ensure that an adequate number of staff are hired to deliver proper care. In addition to auditing the facilities, the minister conducted an investigation under the Protection for Persons in Care Act. This was expected to be completed in August, but it has not yet been released. The families want this report. To the Minister: when will you release the results of this investigation?

**Mr. Horne:** Mr. Speaker, it is true that we did launch two investigations into two facilities in Brooks earlier this year. As I mentioned before in response to other concerns, we take all of these issues very, very seriously. At the member's request I met with representatives of his constituency who expressed these concerns. We released the public inspection reports. I am awaiting the Protection for Persons in Care Act report. Under certain circumstances we can share most of that information; whatever we can we certainly will in this instance.

**The Speaker:** The hon. member.

**Mr. Hale:** Well, thank you, Mr. Speaker. Given that the families are waiting, as soon as you get that report, you will contact the families, I hope.

Given that the main problems have been exposed and the investigation is complete and I'm still hearing a few concerns over the staff-to-patient ratio, Minister, when will you take action on the results of this investigation and other complaints?

**Mr. Horne:** Well, Mr. Speaker, let's not forget the fact that we took immediate action as soon as these allegations were raised by this member with me in this House. That consisted of sending a team from Alberta Health Services and my department to both facilities. It included monitoring the operations at those facilities for a period of time, and it includes ongoing monitoring to ensure that both facilities are meeting the continuing care accommodation standards and continuing care health standards. This is aggressive action taken in response to very serious allegations.

**The Speaker:** The hon. member.

**Mr. Hale:** Well, thank you, Mr. Speaker. That's great.

Given that it took significant public pressure to facilitate a timely response on the former degrading situations, what concrete steps is this government taking to ensure that complaints don't go unresolved for three years like they did in Brooks so families don't have to go through a public spectacle to get quality care for loved ones?

2:30

**Mr. Horne:** Well, Mr. Speaker, you know, public spectacles aside, as we've demonstrated in this House, particularly in response to this hon. member's concerns, we act immediately upon receipt of complaints, very serious allegations, some of which were not upheld in this case but nonetheless which we take very seriously upon their presentation. We continue to have among the most aggressive health and accommodation standards you will find in the country. We are continually improving our audit and inspection processes, and we follow up on the recommendations following those inspections.

**The Speaker:** Thank you.

The hon. Member for Grande Prairie Smoky, followed by Little Bow.

### Winter Road Maintenance

**Mr. McDonald:** Thank you, Mr. Speaker. Throughout the convention for the Association of Municipal Districts and Counties earlier this month delegates that I talked to were concerned about the standards of and maintenance being performed on provincial roads and highways. My question this afternoon is to the hon. Minister of Transportation. What is being done to improve not only the safety but the driving conditions on Alberta's rural highways?

**The Speaker:** The hon. minister.

**Mr. McIver:** Well, thanks, Mr. Speaker. The hon. member often puts a burr under my saddle on this when he hears from his constituents. Every year in winter people complain. We take those complaints seriously. We pass them on to the contractor. We try to get resolution. Again, we never ignore these things. I would encourage the hon. member to give details wherever he can, and we will try to address those things.

**The Speaker:** The hon. member.

**Mr. McDonald:** Thank you. Again to the same minister: given the comments from the delegates, will your department be holding competitions on your maintenance contracts or raising your minimum standards for contracting companies?

**Mr. McIver:** Well, Mr. Speaker, we tender out our maintenance contracts. There are some occasions where somebody that wins a

contract can have it extended if they've met their obligations, but we tender those out in a transparent way in order to get the best service for the best price for Albertans. Nonetheless, problems come up from time to time. Some contractors on any given day will behave differently than others, so it requires constant vigilance. We provide that. We have GPS equipment on the equipment that says how fast they're going, whether the blades are up or down, how much salt and sand material are going on the road, and we'll continue to do that.

**Mr. McDonald:** No further questions. Thank you.

**The Speaker:** Thank you.

Let's move on to Little Bow, followed by Calgary-Hawkwood.

### Breast Cancer Screening

**Mr. Donovan:** Thank you, Mr. Speaker. For women up to 49 years of age a risk of being diagnosed with any type of cancer is 1 in 500. About 36 per cent of these cancers diagnosed in this age group will be breast cancer. Routine breast cancer screening with a mammogram can reduce breast cancer deaths by 30 per cent. However, women under 40 are being denied this because of AHS's policy to test only 40 and over. Will the health minister change AHS policy to offer young women who find a lump in their breast immediate access to mammograms?

**Mr. Horne:** Well, Mr. Speaker, cancer is a growing issue in our health care system, as it is in all of Canada. As the hon. member will know, about 42 Albertans are diagnosed with cancer and about 15 people die from cancer each day in our province. To make decisions both about the extensive infrastructure we have and the treatment that is provided, we rely on clinical evidence that's evaluated by experts. We have a strategic clinical network in Alberta on cancer. They recommend protocols based on evidence around testing such as that the hon. member described.

**The Speaker:** The hon. member.

**Mr. Donovan:** Thank you, Mr. Speaker. Given that breast cancer can go undetected for a long period of time and that women under the age of 40 by even a few months are refused mammograms even with a doctor's requisition, will you ensure that if a doctor recommends a mammogram, any woman, regardless of her age, is going to be able to get one?

**Mr. Horne:** Well, Mr. Speaker, there's absolutely no issue in Alberta with services such as the hon. member is describing being delivered upon the recommendation of a physician. I think the point here is that we rely on clinical evidence evaluated by clinicians to make these determinations when we issue protocols or guidelines in the system. Ultimately, the clinical judgment of the physician will prevail.

**Mr. Donovan:** Mr. Speaker, given that when a doctor does give a requisition and if you're under the age of 40 by even a few months, it's up to the staff to decide whether they do the mammogram or not, could you please guarantee that women get this access as it is vital?

**Mr. Horne:** Mr. Speaker, what I will guarantee is that this health care system will continue based on evidence and based on the clinical judgment of oncologists, physicians, and other health care professionals that Albertans get access to the services they need, including tests. Politicians don't make these rules. Clinicians evaluate evidence, which is changing on a regular basis, and they

design protocols around services in accordance with that evidence. That's the kind of health care system we operate in Alberta.

**The Speaker:** The hon. Member for Calgary-Hawkwood, followed by Innisfail-Sylvan Lake.

### Seniors' Housing

**Mr. Luan:** Thank you, Mr. Speaker. As people enter into their senior years, it is disheartening to learn that many of them have to move out of their communities that they have been part of for decades, becoming disconnected from friends and family and uprooted from their community simply because there are not enough seniors' homes nearby. My question is to the Associate Minister of Seniors: Have any thoughts been given by your ministry to convert old or unused schools or day cares into seniors' homes?

**The Speaker:** The hon. minister.

**Mr. VanderBurg:** Thank you, Mr. Speaker, and I thank the member for the question. In fact, it was just a number of weeks ago that I was up in Peace River, and we opened up a seniors' facility with Points West that did exactly what you said. We repurposed the site with the co-operation of the community, with the proper zoning. Where appropriate I think it's very valuable to do that. You know, we're building a thousand new units each and every year, and we have to continue that. With the demographic change that we're faced with here in this province, we need to continue that at an even faster pace if possible.

**The Speaker:** The hon. member.

**Mr. Luan:** Thank you, Mr. Speaker. To the same associate minister: given the huge demand for seniors' homes and the limited government resources, what services can your ministry provide for a group of residents in Silver Springs in my riding who want to work with government to build such facilities in nearby places?

**Mr. VanderBurg:** Mr. Speaker, as you know, each and every year through the ASLI grant process we've partnered with faith-based organizations, with foundations, with private companies, with profit companies, anybody that we can partner with and use the leverage of that partnership. Last year in Calgary alone we partnered with companies providing an additional 600 sites. I'm sure that AHS will identify more sites as we go forward, and if budget allows, we'll continue to build at the pace we are.

**The Speaker:** The hon. member.

**Mr. Luan:** Thank you, Mr. Speaker. Again to the same associate minister: given that public-private partnerships have been championed in this fiscal environment, does your ministry have money set aside to continue to do matching funds for P3 seniors' homes like what has been used for Wing Kei nursing home in Calgary?

**Mr. VanderBurg:** Mr. Speaker, Wing Kei is just a classic example of a great partnership with an organization. We've cofunded a site there. I can assure the member that every penny that's in my budget every year gets allocated as quickly as possible, and when the new budget comes about next year and the year after, we'll continue to be very aggressive. The only way that we can keep ahead of this curve with the demographic change is to increase capacity, and we'll do that.

**The Speaker:** The hon. Member for Innisfail-Sylvan Lake, followed by Edmonton-Mill Woods.

### Continuing and Long-term Care Placements

**Mrs. Towle:** Thank you, Mr. Speaker. This week the Minister of Health assured Albertans that the 100-kilometre first available bed policy had been rescinded and no longer existed. That was despite evidence to the contrary. However, another family just yesterday sounded the alarm, saying that yesterday Alberta Health staff in the central region told them that the government has simply reduced the policy from 100 kilometres to 80 kilometres. To the Associate Minister of Seniors: is your government trying to do a workaround of the 100-kilometre policy by just reducing it to 80 kilometres?

**Mr. VanderBurg:** Well, you know, it may be a smart-sounding question, but I'm going to tell you that the folks here on this side and the people that work in Alberta Health Services work with families to make sure that families get the appropriate space. I'm going to tell you, Mr. Speaker, that every year there are between 7,000 and 8,000 placements either from acute-care facilities or from community into continuing care facilities. It's not easy to place everybody exactly where the family wants, but I can assure you that every step is being made to accommodate that.

2:40

**Mrs. Towle:** Well, Mr. Speaker, it's unfortunate that the Associate Minister of Seniors doesn't know that his government is reducing it to the 80-kilometre rule. On June 19 the issues manager for the Premier tweeted out that central region is using David Thompson health region policy of 80 kilometres as their interim policy for seniors in care. Would someone on the other side like to explain the 80-kilometre rule to Albertans?

**Mr. VanderBurg:** Like I said earlier, you know, if this member wants to stand up and grandstand about 80 kilometres or whatever kilometres, she can do that, but I'm going to tell you – and I'm going to defend the system that's in place – that we try to put family members as close together as possible. We want to make sure that when there's a couple that needs placing, when there's a spouse that needs additional care, we think about that placement and that we be very mindful of the situation that we need to place people out of acute-care facilities and into a home-like setting as fast as possible.

**The Speaker:** The hon. member.

**Mrs. Towle:** Thank you, Mr. Speaker. I can honestly say that Albertans across this province do not think at any moment in time that speaking on behalf of defending Albertans and keeping couples together and keeping families or seniors in their communities is grandstanding. The question to minister is: why are you not standing up for seniors and eliminating the 80-kilometre rule as a whole?

**Mr. Horne:** Mr. Speaker, I'm very glad this hon. member is raising this issue again today. The policy of this government is very clear. It is to place seniors, when they require facility-based care, in the facility which can best meet their needs. Whether that be dementia or Alzheimer's, whether it be other specified needs, the policy is to place the senior in the most appropriate facility that can meet their needs. Wherever possible that is closest to

home and it is with a spouse, but the most important piece of this policy is that people get the care that they require.

Thank you.

**The Speaker:** Thank you.

Hon. members, 16 questions were recognized today with supplementals taking us to about 96.

I want to thank the hon. Member for Fort McMurray-Wood Buffalo for forgoing any preamble, but I think the prize of the day goes to the Member for Grande Prairie-Smoky, who came into this House about a year and a half ago but came into the world on this day many years earlier. Thank you, hon. member, for forgoing your question's second supplemental, and congratulations on your birthday. Also, kudos to Edmonton-Riverview and Little Bow for shortening their preambles.

In 30 seconds from now we will continue with Introduction of Guests, followed by Members' Statements.

### Introduction of Guests

*(continued)*

**The Speaker:** Hon. members, we are well into the time allotted normally for the introduction of guests; however, we're going to go back through. I recognize that some of the guests may have left, so if you need to put something on the record, please do so. If not, forgo your spot in the interest of time.

Let us start with Sherwood Park.

**Ms Olesen:** Thank you, Mr. Speaker. It is my pleasure today to rise before you and introduce to you and through you to all members of this Assembly the attendance earlier of 50 fine young people from St. Theresa Catholic school from my constituency of Sherwood Park. They were accompanied by teachers Luba Eshenko; Mrs. Cynthia Metzger; and parents Dave Laforce; Mark Ramsankar, president of the Alberta Teachers' Association; and Father Slavko Dumeč. Thanks for being with us today.

**The Speaker:** Thank you.

The hon. Member for Strathmore-Brooks.

**Mr. Hale:** Well, thank you, Mr. Speaker. It's my pleasure today to rise and introduce to you and through you 25 bright young minds from the grade 6 class at Bassano school. I have many great schools in my constituency, but Bassano school is a little special to me because I graduated from that school a few short years ago. Accompanying them today are nine parents, their teachers, and their school principal: Len Sproule, principal; Della Armstrong, a teacher; Janice Schaffer, a teacher; Melanie Chapman, a newly elected school board representative; Matthew Henry; Lorraine Bouwman; Tanya Moss; Amy Richards; Alanna Magnusson; Sung Mi Lee; Sandra Maloney; and Desirea Cunningham.

Thank you.

**The Speaker:** Hon. members, any other school groups that were here that would like to be recorded? No?

In that case, let's move on with others. Mr. Deputy Premier, did you have an introduction for the record?

**Mr. Lukaszuk:** I certainly do, Mr. Speaker. It gives me great pleasure to introduce to you and through you to all members of our Assembly an executive and executive assistant of the Alberta Congress Board, which is a nonpartisan, nonprofit organization that hosts the annual Workplace Conference in Jasper. Its mission is to bring diverse stakeholders together from business, labour, and government. I'm pleased to inform you that in the fall of 2014

the Congress Board will be celebrating 40 years of service to Alberta. Today with us is Mr. Don Diduck, who has been a director for over 20 years, and his executive assistant, Kimberlee Sears. Please rise and receive the warm welcome of this Assembly.

**The Speaker:** The hon. Minister of Municipal Affairs, followed by the Minister of Justice and Solicitor General.

**Mr. Griffiths:** Thank you, Mr. Speaker. I'm very glad that our guest endured the last hour and 20 minutes and remained here in order that she could be introduced. It is indeed a pleasure to introduce to you and through you to members of this Assembly Angela Groeneveld. She's one of the Albertans who has worked absolutely tirelessly to help rebuild her community since this summer's catastrophic flooding. Angela Groeneveld is a business renewal officer for the town of High River and has been instrumental in developing economic plans and strategies to restructure the town's commerce community. With her background as a business counsellor and mentor she has provided incredible experience to business owners and entrepreneurs throughout the area by fostering relationships between key stakeholders and government partners.

Mr. Speaker, High River does not want to be remembered as the town hardest hit by the flood. They want to be remembered as the town, the community, that came back the strongest. Moving forward, it is essential for the town to continue building on its strengths, including fostering a thriving business community.

I know I'm not the only one who considers Angela a hero, Mr. Speaker, for offering her expertise, but I'm one of her biggest fans, and I thank her from the bottom of my heart for everything she's done. Angela is seated in the members' gallery. I'd ask her to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition, followed by the Liberal opposition leader.

**Ms Smith:** Thank you, Mr. Speaker. It is my pleasure to introduce to this Assembly some representatives of Little Warriors, a one-of-a-kind national charity dedicated to helping victims of child sexual abuse heal and move on with their lives. Today is a landmark day for Little Warriors and for sexual abuse victims across Canada. This morning I was delighted to attend their announcement that they have reached their goal and the Be Brave Ranch will soon be a reality.

Here on behalf of Little Warriors earlier today were Brandy and Halie, two survivors of abuse; Allison Lee, a wonderful young lady whose passionate YouTube video about Little Warriors has moved thousands of Albertans; Kelly Benson; and Tory Taruba. I'd ask that they receive the hearty congratulations of this Assembly.

**The Speaker:** The hon. leader of the Liberal opposition, followed by the Minister of Culture.

**Dr. Sherman:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of this Assembly an outstanding individual, Dan Bildhauer. He was joined earlier by his friends Harjinder Singh Gill and Tariq Chaudhry. The South Asian community of Edmonton, in collaboration with other community organizations, is holding an intercultural and interfaith fundraising dinner for the victims of the natural disaster in the Philippines. The banquet will be held on Sunday, December 1, starting at 5 p.m. onwards, at the Maharaja Banquet Hall in Edmonton. I thank the South Asian community for showing solidarity and sympathy for fellow human beings at this time of great need and for their work in partnership with the Canadian

Red Cross to help alleviate human suffering and hardships. I would ask Dan Bildhauer to rise and receive the traditional warm welcome of the Assembly.

Thank you.

**The Speaker:** The hon. minister.

**Mr. Denis:** Thank you very much, Mr. Speaker. I'd like to introduce to you and through you to all members of the Assembly a lovely young lady, Isabelle Steppan. Isabelle's dad, Mat, is my chief of staff, and I also know her mother, Pamela. We all know how proud both of them are of Isabelle and her younger brother, Noah. I'd ask that she please stand and receive the warm welcome of this Assembly.

**The Speaker:** The hon. Minister of Culture, followed by Edmonton-Beverly-Clareview.

2:50

**Mrs. Klimchuk:** Thank you, Mr. Speaker. I'm thrilled to rise today and introduce to you and through you to the members of the Assembly two members of the Premier's Council on Culture. The chair, Mr. Todd Hirsch, chief economist with ATB Financial, and the vice-chair, entrepreneur and best-selling author, Mr. Todd Babiak, are here with us today, enjoying question period. Council members serve us as the voices and champions of our collective cultural sector. They are incredible community leaders working on a long-term, province-wide cultural plan that aims to make Alberta's cultural sector one of the best in the world. I am so looking forward to the ideas and the wisdom that these creative minds will offer for a sustainable sector. I'd ask that they rise to receive the warm welcome of this Assembly.

**The Speaker:** Edmonton-Beverly-Clareview, followed by Strathcona-Sherwood Park.

**Mr. Bilous:** Thank you, Mr. Speaker. It's my pleasure to rise today and introduce to you and through you to all members of the Assembly my guests from Treaty 6, Treaty 7, and Treaty 8. My guests are here today because they want to make it absolutely clear, as they did during their rally today, that they are not in favour of this PC government's consultation policy nor their response to the Obed coal slurry. This disrespect for First Nations members' concerns has led to a weak and inadequate consultation policy and has produced considerable mistrust from indigenous stakeholders, whose comments have been completely ignored. I would ask my guests to rise as I call their names: Kevin Ahkimmachie, Freida Cardinal, Shannon Houle, Francesca Kiyawasew, Jesse Cardinal, Mel Grandbouis, Chief Laboucan, Chief Courterielle, Chief Mackinaw, Victor Horseman, and a young chief from Beaver Lake.

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

The hon. Member for Strathcona-Sherwood Park, followed by Edmonton-Ellerslie.

**Mr. Quest:** Well, thank you, Mr. Speaker. It gives me great pleasure to introduce to you and through you to all members of this Assembly a constituent of mine, Pierre Cormier. Pierre counts the Hon. David Alward, Premier of New Brunswick and our visitor to this Assembly earlier today, as a family friend. Clarence Cormier, Pierre's father, was a former Minister of Education for the province of New Brunswick. Pierre is seated in the members' gallery, and I'd ask that he now rise and receive the traditional warm welcome of this House.

**The Speaker:** Hon. Member for Edmonton-Ellerslie, your first of two introductions.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. I have two introductions. Today I would like to introduce to you and through you to all members of the Assembly guests from my constituency of Edmonton-Ellerslie that are members of the Summerside Community League and the Summerside playground committee who were very instrumental in helping to build the new Michael Strembitsky playground. They worked very, very hard to raise a significant amount of money, and I would like to thank the committee. Please rise as I call out your names. Joining us today are Tracey Marshall Craig, chair of the playground committee, and her son Flynn Craig – please stand – Gale Johnson and her daughter Haley Johnson; Nicole Lindberg; Wendy Westren; and Kathy Murphy and her daughter Emily Murphy. I'd ask all of my colleagues to give them the traditional warm welcome of the Assembly.

Mr. Speaker, my second introduction. As you well know, southeast Edmonton is one of the fastest growing communities in Edmonton, and joining us today is the president of the Summerside Community League, Danielle Thorkelsson, as well as the vice-president of the community league, Michelle Gosselin. The ladies have worked extremely hard to build the playground as well as capture the multicultural spirit of southeast Edmonton. Once again, I'd ask my colleagues to please give them the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Well, thank you, Mr. Speaker. It's a pleasure to rise today to recognize my guests that were here previously: Amarjeet Singh Grewal, Surinder Singh Braich, and Harpreet Singh Gill. The South Asian community of Edmonton is organizing a fundraiser for victims of the calamity in the Philippines, and I encourage everyone to participate in this humanitarian effort. It will be taking place at the Maharaja Banquet Hall at 5 p.m. on December 1. I just wanted to acknowledge the efforts of the Indo-Canadian community and South Asian community, who are always there to help the larger community here in the province of Alberta. I hope I see everybody out there on Sunday.

Thank you.

**The Speaker:** Are there others?

Just before we go to Members' Statements, Government House Leader, did you wish to rise?

**Mr. Hancock:** Thank you, Mr. Speaker. Yes, I would. I'd like to ask unanimous consent that the Routine be extended up to 3:30 in order to make up the time that we allowed the Premier of New Brunswick to attend on the House.

[Unanimous consent granted]

**The Speaker:** We'll continue the Routine until we finish, provided that happens before 3:30. We'll go on with members' statements, beginning with Edmonton Ellerslie.

## Members' Statements

### Michael Strembitsky School Playground

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. I'm proud to stand today and recognize the recent opening of the Michael Strembitsky school playground in my constituency of Edmonton-Ellerslie. On September 11 I was privileged to be part of the

ribbon-cutting ceremony at this brand new playground. Most importantly, I was honoured to stand alongside dedicated members of the Summerside Community League and Summerside playground committee when the new structure was unveiled and opened to community members. Many of these community members are here today in the gallery. It is because of these hard-working and dedicated individuals that children and their families in Edmonton-Ellerslie as well as the students at the Michael Strembitsky school now have a brand new playground to enjoy.

In addition to local fundraising completed by the community members, this project was also complemented by provincial grant programs. Over the past five years the provincial government has provided over \$29 million worth of funding through the community facility enhancement program, which is available to organizations to plan, upgrade, and develop community-use facilities to enhance the lives and well-being of its users. Mr. Speaker, this also includes playgrounds.

In addition to CFEP, additional funding has also been provided through the community initiatives program, enriching communities and local citizens, to respond to the local needs regarding facilities construction and equipment purchases among many other things. Over the past five years, Mr. Speaker, over \$32 million has been funded through these grant programs to help build a very important part of Alberta's communities.

I would like to once again thank the members of the Summerside Community League and the playground committee for their unwavering dedication to supporting families and fostering community-based initiatives throughout the neighbourhood.

Thank you very much, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-McCall, followed by Calgary-Fort.

### Sikh Community Generosity

**Mr. Kang:** Thank you, Mr. Speaker. Typhoon Haiyan struck the Philippines on November 7 with winds up to 315 kilometres an hour and waves over five metres high. The devastation it wrought was unimaginable, destroying homes and villages and costing over 5,000 lives. The Filipino community in Alberta was quick to respond, raising money and supplies for those in need. This tragedy was great, and the Filipino community called upon and co-ordinated their efforts with other immigrant communities.

Thanks to the president of the Dashmesh Culture Centre, Mr. Jarnail Singh Nijjar, members of the Sikh community heard the call, and on November 17 they set up a table in the temple and raised over \$30,000 for Typhoon Haiyan from the Sikh community. The Sikh community's response was overwhelming.

We as a community have a history of helping others in times of need. From strong support for a local women's shelter to continual support of the Inter-Faith Food Bank and the Mustard Seed, the Sikh community has been at the forefront of generosity. When those in Haiti and Kashmir suffered a horrible earthquake, the Sikh community stepped forward. When the floodwater ravaged Calgary, the community raised \$35,000 in the temple and another \$175,000 and seven and a half tonnes of food in less than a day through the RED FM Radiothon.

But the Sikh community's commitment to humanitarian causes has not been just financial. All of the Sikhs were not free. When the forces of tyranny allied themselves against the free peoples of the world, the Sikhs fought nobly for honour, for freedom, and for peace. Between the two world wars over 109,000 Sikhs were wounded and 83,000 Sikhs laid down their lives. But the battles the Sikhs fought were not limited to Southeast Asia. The freedom

of Europe is dependent upon the tens of thousands of Sikhs who fought bravely in trenches and fields far from home.

I wish to thank the Sikh community for their compassion, generosity, and sacrifice. Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Fort, followed by Dunvegan-Central Peace-Notley.

### Chris Gibbons

**Mr. Cao:** Thank you, Mr. Speaker. On November 23 many of us here in the Legislature lost a dear friend. Chris Gibbons came to Alberta in 1988 with his wife, Collette. He discovered a passion for software design and in 1990 started his own software design company, Caseworks Systems. A skilled entrepreneur, it wasn't long before Chris was designing programs for communities across the prairies. He designed many of the daily programs used by health inspectors and health care providers today. Chris remained the president of Caseworks Systems for 28 years.

3:00

In 1992 he became involved in politics as an active member of our Progressive Conservative Party. He was president of the Calgary-Fish Creek PC association for nine years, only stepping down when issues with his health made it impossible to continue. Chris was proud of his involvement in provincial politics, and we were very lucky to have him.

His greatest pride and joy, however, was his family. Mr. Speaker, before becoming Chris's loving wife, Collette had been his high school sweetheart. She passed away in 2004, but together they were blessed with a loving, happy family filled with children and grandchildren. In this difficult time our thoughts are with Chris's family: the children, Jennifer and Chris, and grandchildren, Riley, Victoria, Anastasia, and Aria.

Upon receiving a letter from our Premier while resting in the hospice – Chris was aware of his situation – he said: I've had a good run. That is something we can all agree with, Mr. Speaker.

Thank you.

**The Speaker:** The hon. Member for Dunvegan-Central Peace-Notley, followed by the Leader of Her Majesty's Loyal Opposition.

### Grande Prairie Regional College

**Mr. Goudreau:** Thank you, Mr. Speaker. On October 23 the rankings for Canada's top 50 research colleges for 2013 were released, and I'm so pleased to report that the Grande Prairie Regional College and its campuses across the northwest, including Fairview, fared extremely well. GPRC was ranked number 1 for growth, number 3 for research intensity, and number 15 for research funding. This is a noteworthy change from the ranking last year of number 43.

This achievement is credited in part to the hard work of the college staff and the board and in part as well to the establishment of the National Bee Diagnostic Centre a year ago. The centre is the only federal bee research program in the country and looks at bee health as well as offers honeybee diagnostic services and surveillance data to industry and government bodies right across Canada.

Alberta is strongly represented in the ratings, with SAIT and NAIT leading in research colleges, placing first and second respectively in research income, but GPRC's ranking attracted a total of \$2.56 million and saw a phenomenal growth rate of 377 per cent, far more than any other institution. The members of the faculty at GPRC are to be credited for this incredible success with

their projects on social and environmental research as well as bee population health and diagnostic research.

I would like to recognize and congratulate the faculty and staff at GPRC and the other Alberta colleges who made the rankings for their leadership in investing in quality research. I'm very proud of our colleges for achieving this national recognition, which will undoubtedly have a positive impact on our communities and our province. There is a bright future for students for many years to come.

Thank you.

**The Speaker:** The hon. Leader of Her Majesty's Loyal Opposition, followed by Edmonton-Manning.

### Be Brave Ranch

**Ms Smith:** Thank you, Mr. Speaker. Earlier today I was thrilled to attend a news conference announcing that the Be Brave Ranch, a first-of-its-kind treatment facility for victims of childhood sexual abuse, will finally become a reality. The Be Brave Ranch is the vision of Glori Meldrum and the Little Warriors, a national charitable organization that exists to educate adults on how to prevent, recognize, and react to child sexual abuse.

Mr. Speaker, as Glori always points out, sexual abuse is not a minor crime. It is a horrific crime, that can and often does leave lasting scars on its young victims. These scars come with great pain and can only heal when the community steps up and decides that it's going to help, and that is what Glori and the Little Warriors have done with the help of so many volunteers and donors. Together they have raised the \$3.5 million they needed to open the ranch entirely from private contributions. The ranch will open this summer and operate for a two-year trial period, during which time it aims to treat 100 children per year.

Mr. Speaker, I'd like to close with some comments from foster mom Brandy, herself a victim of child sexual abuse, who chose to adopt Halie, also a victim of this heinous crime, who just found out today that she will be one of the first children to be treated at the ranch. She says: I know all too well the true cost of what happens when children have their innocence taken from them by people we thought we knew: innocence, self esteem, pride, and value, ripped unexpectedly in the most vile ways. Then she goes on: the Be Brave Ranch will bring light where there was once only shadows, and it'll mean that kids will have a chance to be kids again, and parents will be able to see their kids smile again, really, truly smile; you never know what a blessing that is until you watch your child's smile be stolen, unsure if or when it will return. Parents and kids will be given the gift of knowing how to deal when memories come instead of . . .

**The Speaker:** Thank you, hon. member.  
Edmonton-Manning.

### Brintnell Park

**Mr. Sandhu:** Thank you very much, Mr. Speaker. I'm pleased to rise today to talk about a better way to build play parks. This summer I was honoured to attend the grand opening of Brintnell Park in my riding, a community that raised a lot of money, including winning a \$100,000 grant from Schneider's through social media. I'm thrilled that another community in my riding, Hollick-Kenyon, will see their decade of hard work pay off with a new park next spring.

However, the average price of neighbourhood play parks is between \$600,000 and \$1 million, or close to 500,000 hot dogs if you're trying to raise money with barbecues. Although grants are

available, a community must still raise the initial half million dollars for the matching funds. This idea works fine when the park costs only \$100,000 to build, but it does not any longer. Instead of taking months to raise enough money, it's now taking years, Mr. Speaker.

So why do communities do it? The playground is a meeting area for a community, a place where a family can play, exercise, and meet their neighbours. A more engaged neighbourhood can result in less crime, Mr. Speaker. Children who play do better in school. Families who play together are happier and healthier.

It takes too long to build parks. We need out-of-the-box thinking. Since 2008 I have met many municipal leaders to discuss options, with no results. Developers should set aside \$1,000 per lot for park building. I would urge all my colleagues to work together to develop policy that will ensure that every neighbourhood in Alberta has a play park.

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

### Notices of Motions

**The Speaker:** The hon. Minister of Transportation.

**Mr. McIver:** Thank you, Mr. Speaker. I rise pursuant to Standing Order 34(3) to advise the House that on Monday, December 2, 2013, written questions 42 and 43 will be accepted.

### Tabling Returns and Reports

**The Speaker:** The hon. Member for St. Albert, followed by Calgary-Mountain View.

**Mr. Khan:** Thank you, Mr. Speaker. Pursuant to section 15(2) of the Alberta Heritage Savings Trust Fund Act I am pleased to table the 2013-2014 second-quarter update on the Alberta heritage savings trust fund. Copies were distributed to members' offices earlier this week.

**The Speaker:** The hon. Member for Calgary-Mountain View or someone on behalf of? Edmonton-Centre, then, followed by Edmonton-Beverly-Clareview.

**Ms Blakeman:** Thanks very much, Mr. Speaker. Lucky me. I get to do all kinds of people's. I've got two of my own to start with, that are related. The first is copies of news stories about the walkout of guards at correctional facilities across Alberta, that I will be referencing later.

The second one is the answering response from Mr. Laville, the Justice and Solicitor General ministry spokesperson, in which he does admit that there was glass that needed to be replaced.

Then I have a report from my constituency office, the fabulous constituency of Edmonton-Centre. We've created this report to bring forward the names and the concerns of a number of my constituents who wrote to me to express their opposition to the pension sustainability reforms that are proposed by the government. They're very proud of the service that they provide to Albertans, and they find it very difficult to reconcile this demand to reduce their benefits. They've made plans based on that, and they're finding that this is really a broken promise. That's the report.

3:10

Now, on behalf of my colleague from Calgary-Mountain View I'd like to table the appropriate number of copies of a report, From Words to Action: Alberta Can Afford a Real Poverty Reduction



Strategy, published this month, November 2013. It's a joint study released by Public Interest Alberta, the Alberta College of Social Workers, and the Edmonton Social Planning Council, talking about a child poverty strategy that will take real steps to protect children.

Finally, on behalf of my colleague the leader of the third party and the Member for Edmonton-Meadowlark, copies of the letter from that individual to the Right Honourable Stephen Harper, the Prime Minister of Canada, asking him to use the power that only the federal government has to be able to bring together all parties necessary to protect vulnerable aboriginal children.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview, followed by Little Bow, then the Deputy Premier.

**Mr. Bilous:** Thank you, Mr. Speaker. Today I'd like to table more copies of handwritten letters my office has received expressing concerns about the deep cuts to postsecondary education that are happening in Alberta. These letters call on this PC government to reverse their harmful cuts to postsecondary education. A feeling of confusion, frustration, and hopelessness is reflected in over a thousand letters that my office has received from concerned staff and students at the University of Alberta.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Mr. Speaker. I'm tabling the requisite copies of the 2013 Performance Measure Update, where AHS has failed to meet their participation targets by more than 10 per cent on mammograms.

**The Speaker:** The hon. Deputy Premier.

**Mr. Lukaszuk:** Thank you, Mr. Speaker. Yesterday, the Member for Edmonton-Strathcona raised a point of privilege against myself, I believe, or the Premier, relevant to the breach of the House's privilege, relevant to the tabling of bills vis-à-vis the timing of doing a press conference. As you know, points of privilege are the highest accusation one can levy. Well, it looks like the Member for Edmonton-Strathcona was rather liberal with her facts.

**Mr. Saskiw:** Point of clarification, Mr. Speaker. Are these tablings, or is he arguing a point of privilege?

**Mr. Lukaszuk:** I would like to table, Mr. Speaker, a copy of a document that Kim Trynacity of CBC Edmonton has filed showing that at 3:09 p.m. the media was waiting in the press gallery . . .

**Mr. Saskiw:** Point of order, Mr. Speaker. What is this?

**The Speaker:** Hon. member, do we have a tabling? How many tablings do you have?

**Mr. Lukaszuk:** Just three.

**The Speaker:** Three?

**Mr. Lukaszuk:** Yeah.

**The Speaker:** Which one are you on now?

**Mr. Lukaszuk:** The first one.

**The Speaker:** Good. Let's get on with it. [interjections]

Hon. members, please.

Just get on with the tabling, if you would, Deputy Premier. Shorten up.

**Mr. Lukaszuk:** Mr. Speaker, what we have is a copy of a communication from Kim Trynacity at 3:09 p.m. showing that media is still awaiting a briefing. We have a copy of a communication made by Mr. Matt Dykstra of Sun Media at 3:07 showing that the media is still awaiting briefing. Oddly enough, we have a time-stamped picture of the hon. leader of the ND opposition on the front steps of the Alberta Legislature at 2:33 p.m. indicating that this is the most draconian piece of legislation he has ever seen, indicating that he has seen that piece of legislation.

**The Speaker:** Hon. members, we had two interjections during that tabling. Again, I'm going to ask House leaders from all four caucuses to please review the matter surrounding preambles to tablings. This is not a new issue for this Assembly. It comes up every time during tablings. Some people take a very long time doing their introductions, and some people take very little time, which is the more proper way of doing it. We don't have anything hard-cased that we can rely on in that respect, so I leave it to the House leaders to address that matter as well as numerous others I have mentioned.

Let us move on, then.

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following document has been deposited with the office of the Clerk: on behalf of the hon. Mr. Drysdale, the Minister of Infrastructure, responses to written questions 28, 29, and 33, all asked for by Mr. Barnes on April 15, 2013.

**The Speaker:** Hon. members, we have some points of order, one in particular. I believe the hon. Member for Airdrie rose on a point of order at around 2 o'clock. Who is prepared to move forward with the citation, please?

### Point of Order Factual Accuracy

**Mr. Saskiw:** Thank you, Mr. Speaker. I rise according to Standing Order 23(h), (i), and (j). It's in regard to a comment made by the Deputy Premier during question period in which he stated – and I don't have the benefit of the Blues with me – essentially that the Wildrose plan was to cut salaries by 20 per cent. Of course, the Deputy Premier is known for making things up, and that does cause disorder in the Assembly.

**Mr. Hancock:** Point of order.

**Mr. Saskiw:** You can't call a point of order during a point of order. You should learn the rules, too.

Mr. Speaker, I've seen, actually, in the Assembly that he has a copy of Budget 2013: Wildrose Financial Recovery Plan, so I think he would know that in regard to our plans there's some wording there that says, "maintain front line positions and salaries."

If you continue down there, completely contrary to what the Deputy Premier said – and I think it's actually a great opportunity that he's mentioned this so that we can outline our plan to the various entities that are now negotiating or dealing with the government – it states:

Wildrose has never proposed cuts to the salaries of Alberta's front-line public sector workers. However, until the provincial budget is returned to a cash surplus position (that would be in 2014 under the Wildrose plan), the Wildrose will work collaboratively and respectfully with public sector unions to hold the line on the current overall expenditure on front line public sector salaries.

Mr. Speaker, I can understand why the Deputy Premier might be confused because on the next page it states that one of our recommendations is to "reduce what is spent on the salaries, benefits, bonuses, and severance packages for non-front-line workers in the government and AHS bureaucracies [friends of the government's party] by 20% . . . over the next 4 years."

Mr. Speaker, hopefully, this educates the Deputy Premier, and I'm very glad that we had the opportunity to highlight our policy.

Thank you.

**The Speaker:** Deputy Premier, do you wish to respond?

**Mr. Lukaszuk:** Well, of course, Mr. Speaker. The fact is that in that very document, their alternative budget or whatever they call it, they say:

For the most part, Alberta's public servants are well compensated through pay, benefits, and pensions. Numerous studies indicate that Alberta's public sector is compensated substantially more than in any other province and the most recent statistics show that their hourly wages are approximately 20% higher than [those] across the country.

But then they say, Mr. Speaker, and I find it very peculiar, that they would negotiate with front-line workers in good faith – negotiate in good faith – but they say that they would "hold the [hard] line on front-line public sector salaries until the provincial cash deficit is eliminated." Well, those two things are very much contradictory. I believe that this, as a matter of fact, is a matter of opinion. The fact is that one cannot negotiate in good faith and also hold the hard line and freeze salaries until there is no financial deficit. [interjections]

Mr. Speaker, no misinterpretation and definitely not making up facts.

**The Speaker:** Okay. Thank you very much.

Hon. members, let me make a couple of comments briefly here. At approximately 1:59:01 this afternoon, during question period, the Leader of Her Majesty's Loyal Opposition stood to ask a question about negotiations pertaining to public-sector salaries. According to the Blues, which I have, the Deputy Premier responded this way: "Mr. Speaker, this is very rich coming from a leader and a party that have campaigned on reducing public-sector salaries by 20 per cent and freezing their pay until the deficit is eliminated in this province." Immediately after that, the hon. Member for Airdrie rose and said, "Point of order," and then, loudly enough for *Hansard* to catch, he also said, "Flat-out lies." [interjections]

Now, one comment, as we know in this House, tends to provoke another comment; one action tends to provoke another action just like you've heard just now when I read the statement. So I have two comments. Number one, with respect to the point of order there is no point of order as such. There is certainly a point of clarification. I allowed Lac La Biche-St. Paul-Two Hills to go a little longer and explain their position, his position, their party's position, and I allowed the Deputy Premier to go on and conclude his position on behalf of his colleagues. The difference of opinion is clear. It frequently happens in here. There might be a dispute as to the facts as they state, but nonetheless it's a point of clarification.

3:20

What I do want to do, though, in this regard is to ask the Leader of the Official Opposition if she would please speak with her member from Airdrie about the comments he made, because saying "flat-out lies" is not parliamentary language in this context here. You can use other words, but that wouldn't be a very appropriate choice of language. Perhaps you could just bring that to that member's attention if you would, please.

That having been said, we shall move on to the next item, the point of privilege.

### Privilege

#### Obstructing a Member in Performance of Duty

**The Speaker:** As all members here would know, points of privilege are the most serious points that can be raised in this Assembly, one elected official toward or against another, and that requires very serious consideration.

However, there are a few issues that still remain outstanding, in my view, or questions that remain unanswered, in my view, concerning the purported question or questions of privilege that were raised by the hon. Member for Edmonton-Strathcona yesterday on behalf of the hon. Member for Edmonton-Highlands-Norwood.

Let me first remind you that under Standing Order 15, which is titled Privilege, subsection 15(3) among other things states that:

the Speaker may defer debate on the matter to a time when he or she determines it may be fairly dealt with.

It goes on to read in subsection 15(4):

If the Member whose conduct is called into question is not present, the matter shall be deferred to the next day that the Member is present unless the Speaker rules that, in the circumstances, the matter may be dealt with in the Member's absence.

Now, as acknowledged by the hon. Member for Edmonton-Strathcona yesterday at page 3167 of *Hansard*, there could very well be three different issues or purported questions of privilege in this respect. Put briefly, the issues as I have summarized them are as follows: one, the alleged reference in a brochure to a multiyear wage freeze for Members of the Legislative Assembly in spite of the fact that the Members' Services Committee has not approved such a multiyear freeze; two, the alleged reference in the same brochure to a wage freeze for public-sector employees, which is the subject of Bill 46, the Public Service Salary Restraint Act, which was introduced yesterday in this Assembly; and three, an alleged news conference or technical briefing on Bill 45, the Public Sector Services Continuation Act, and Bill 46 prior to their introduction in this Assembly.

In considering this matter, as your chair I wanted some assurances put on the record from the ministers responsible for the aforementioned bills and from whichever minister or ministers are responsible for the brochure that was referred to, or the householder or whatever it may have been called, and which was referenced by Edmonton-Strathcona, by the Deputy Premier, and perhaps by others yesterday.

First, your chair would like to know more about the referenced brochure containing the material referred to yesterday. For example, when was this brochure produced? Who produced it? When and how and to whom was it distributed? And whatever other information might be useful for your chair to know under the circumstances. There won't be any need to further characterize or analyze the language that was used in that document because that was already done and quoted on yesterday.

Second, it would be very helpful for your chair to know more about the nature of the news conference held yesterday in connection with bills 45 and 46. Was it a news conference? Was it

a technical briefing? Was it an embargoed briefing? Exactly what was it? What time did it start? What time did it finish? And so on. Was there more than one such media session or technical briefing, and where was it held? Anything that would shed light on that matter would be much appreciated.

So if the minister or ministers responsible are not in a position today to respond to these questions – and I can well appreciate they may not be – then the chair would appreciate receiving written responses to these questions from whomever is responsible by not later than 4 p.m. tomorrow, Friday, November 29, 2013. The responses can be sent to me in my Speaker's office. Please know that any responses or written communications that I receive related to this matter will be tabled in this Assembly as soon as I'm able to.

Now, assuming that I do receive the requested information on a timely basis as mentioned, I would hope to find time to then review the matters at question and to provide you with a ruling as soon as possible thereafter.

That concludes that matter for the time being, and we can move on to Orders of the Day.

The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** If I may in response to part of your request . . .

**The Speaker:** Well, you can't respond to it, but if you request a point of clarification, I might be able to give it. But I've just indicated what the situation and the status is of the point of privilege for now.

**Mr. Mason:** Yes. I thought you were asking us for information in response to your questions, and I have some.

**The Speaker:** Hon. member, if you want to provide that to me, then I'll consider that as well.

**Mr. Mason:** But not now?

**The Speaker:** Not now, please. We've already called Orders of the Day.

## Orders of the Day

### Government Bills and Orders Committee of the Whole

[Mrs. Jablonski in the chair]

**The Deputy Chair:** Hon. members, I'd like to call the committee to order.

#### Bill 28

#### Modernizing Regional Governance Act

**The Deputy Chair:** At this time I understand that we have an amendment from the Minister of Municipal Affairs.

**Mr. Griffiths:** Thank you very much, Madam Chair. A couple of weeks ago, 10 days ago, we had announced and discussed that we were going to set up a task force which had representation from AAMD and C, the Alberta Association of Municipal Districts and Counties; the Alberta Urban Municipalities Association; the Capital Region Board; the Calgary Regional Partnership; the city of Calgary; and the city of Edmonton. We worked very vigorously, very diligently, as did I myself as a member of that task force, through Bill 28. We worked on it line by line and made a

few proposed changes. So I would like to propose an amendment now.

**The Deputy Chair:** Hon. member, do you have copies of the amendment that we can distribute?

**Mr. Griffiths:** Yes.

**The Deputy Chair:** We'll pause for a moment while the pages distribute the copies of the amendment to our Assembly. This will be known as amendment A1.

Hon. member, I think we have enough distributed. You can continue, please.

**Mr. Griffiths:** Thank you very much, Madam Chair.

**Mr. Saskiw:** Point of clarification, Madam Chair. I'm just wondering. Normally these are approved by Parliamentary Counsel. Is this approved?

**The Deputy Chair:** Yes, this has been approved by Parliamentary Counsel.

**Mr. Saskiw:** Okay. Because it's not signed.

**The Deputy Chair:** I'm sorry. It's approved by Legislative Counsel.

Please continue, hon. member.

3:30

**Mr. Griffiths:** Thank you very much, Madam Chair. I'd like to read the contents of the amendment. The bill is amended as follows:

A The title of the Bill is struck out and the following is substituted:

Enabling Regional Growth  
Boards Act

B Section 4 is amended in the proposed section 603.1(3)(c) by striking out "2015" and substituting "2017".

C Section 6 is amended

(a) by adding the following after the proposed section 708.01:

Purpose

708.011 The purpose of this Part is to enable 2 or more municipalities to initiate, on a voluntary basis, the establishment of a growth management board to provide for integrated and strategic planning for future growth in those municipalities.

(b) in the proposed section 708.02(1)

(i) by adding "on the request of 2 or more municipalities" after "Minister";

(ii) by adding "in respect of those municipalities" after "board";

(c) by striking out the proposed section 708.03(2) and substituting the following:

(2) The Lieutenant Governor in Council may appoint one or more persons to a growth management board to represent the Government of Alberta, but those persons do not have voting rights.

(d) in the proposed section 708.07(2) by adding the following after clause (d):

(e) the power to appoint an auditor;

(f) the power to recommend the approval of a growth plan.

(e) by renumbering the proposed section 708.09 as section 708.09(1) and by adding the following after subsection (1):

- (2) On receiving the report under subsection (1), the Minister must lay a copy of it before the Legislative Assembly if it is then sitting or, if it is not then sitting, within 15 days after the commencement of the next sitting.
  - (f) in the proposed section 708.1(1) by striking out “, with or without modifications or conditions,”;
  - (g) in the proposed section 708.14(1) by striking out “Minister” and substituting “growth management board”;
  - (h) in the proposed section 708.17
    - (i) in subsection (1) by striking out “The chief elected official of a” and substituting “A”;
    - (ii) by striking out subsection (2) and substituting the following:
      - (2) A participating municipality that contravenes subsection (1) is guilty of an offence and liable to a fine of not more than \$10 000.
    - (iii) in subsection (3) by adding “participating” before “municipality”.
  - (i) by striking out the proposed section 708.23 and substituting the following:
 

Appeal or dispute resolution mechanism

708.23(1) A growth management board must at its inception establish by bylaw an appeal mechanism or dispute resolution mechanism, or both, for the purposes of resolving disputes arising from actions taken or decisions made by the growth management board.

    - (2) Section 708.08(2) and (3) apply to a bylaw made under this section as if the bylaw were made under that section.
  - (j) in the proposed section 708.25 by adding the following after subsection (2):
    - (3) For greater certainty but without the limiting the generality of subsection (2), sections 708.011, 708.02(1) and 708.23 do not apply to the Capital Region Board Regulation (AR 38/2012).
- D Section 12 is struck out and the following is substituted:
- 12 The Capital Region Board Regulation (AR 38/2012) is amended
- (a) by repealing section 24 and substituting the following:
 

Information must be provided

24(1) A participating municipality must, when required in writing by the Capital Region Board to do so, provide the Capital Region Board with information about the participating municipality that the Capital Region Board requires.

(2) A participating municipality that contravenes subsection (1) is guilty of an offence and liable to a fine of not more than \$10 000.

(3) This section does not apply to information acquired by a participating municipality that is subject to any type of legal privilege, including solicitor-client privilege.
  - (b) by repealing section 33 and substituting the following:
 

Expiry

33 For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repassed in its present or an amended form following a review, this Regulation expires on November 30, 2018.

Madam Chairman, the task force was a very incredible experience to work on. Never in the history of this Legislature, to my

knowledge – and I couldn’t find anyone else who had previous knowledge about it – has a bill been introduced and then a task force had the ability to go through that bill line by line. Normally our consultation processes are done on a conceptual basis, talking about some of the issues and the challenges. Then as per the prerogative and privilege of this House the bills are tabled, and then discussion ensues in this Assembly. This task force expressed many times their appreciation to have an actual bill presented to the House and an opportunity to go line by line through the bill to advise on improvements that could be made.

I have to tell you, Madam Chairman, that after four task force meetings, where we went through every single line of the bill, went through some proposed amendment ideas . . .

**The Deputy Chair:** Hon. minister, we have a point of order.

The hon. Member for Edmonton-Centre.

**Ms Blakeman:** My apologies, Minister, but I just noticed that there are a number of sections in this amendment, and under *Beauchesne* 688 and given the precedents of this House, I’m going to ask that the votes on sections A, B, C, and D be severed for the purpose of voting but not for the purposes of discussion.

Thank you.

**The Deputy Chair:** Thank you, hon. member. That will be so ordered.

**Ms Blakeman:** Thank you.

**Mr. Griffiths:** Thank you.

We had a fantastic discussion, and they very much appreciated the process that we went through. Of the four meetings, Madam Chairman, in the first two we went through the bill line by line so that everyone had perfect clarity about the bill, what its intentions were, and what it said. In the third task force meeting all the task force members again participated, and we wrote up what we thought the amendments could be and what they would look like. In the fourth meeting it turned out we needed very little time. Everyone was in concurrence, actually unanimous concurrence, about what we concluded at the end of that meeting for amendments, and the work that they had done was very much appreciated.

Madam Chairman, we then compiled the list of proposed amendments and the wording that we had conceived for them, not the actual amendments but the proposed conceptual amendments. All of the associations – I’ll list them again: the Alberta Urban Municipalities Association, the Alberta Association of Municipal Districts and Counties, the Capital Region Board members, the Calgary Regional Partnership members, the city of Calgary, and the city of Edmonton – received a compiled list of them with the explanation and description and the wording that we had discussed. They were circulated to all members from each of those associations and organizations for feedback, and it happened last week.

The report I got back was that there was overwhelming support and consensus from those members and the participating members on the task force and the members that they represented, Madam Chairman. But I still wasn’t quite sure if that would be enough, so we made sure that we had a conference call where all municipalities were invited to join – every member of the task force was invited to join – to discuss exactly what we were proposing, and they had all had time to see those e-mails that went out on what we had discussed at the task force from their respective members.

I had said that I would stay on the phone and answer every question that came up until there were no more questions. I had

blocked three hours, thinking there might be some very complex questions because it is a complex issue. It was really interesting, Madam Chairman, because most all municipalities had joined in on the call, and it only lasted 39 minutes. [some applause] Yeah, I was impressed.

Out of 13 questions that we got, there were six that simply called in and wanted to express their appreciation for the process and their support for the amendments. One gentleman asked questions twice. The first time was to ask a point of clarification. He said that he knew the answer, but he wanted his fellow councillors on the phone to hear the answer as well, and he then came back on the line just to express appreciation. That brought our total up to seven. Then there were two calls, two questions that came in, and they withdrew the questions because they said that we'd already answered them. That was the end of the calls.

3:40

I have been through AUMA and have been through AAMD and C. I believe we met with 68 different municipalities through that process and with anybody else. Those were the ones who had called and asked for invites and a chance to sit down and talk. We've gone through the bill and the proposed amendments, Madam Chairman, and I'm very glad that by the end of the AUMA and the AAMD and C I had heard I couldn't even tell you how many. I met with a lot of councillors in the hallway as well. Every single one of them that I met said that they understood exactly what we were intending to do. They never doubted for a moment that our intention was to make this voluntary, which, they appreciated, was why we were using the exact words that go along with the commissions, that are laid out in the MGA.

They knew that the commissions – water commissions and waste commissions – are formed entirely on a voluntary basis, but the wording, that was a bit confusing to some people, which is the same wording we use in commissions, simply says that in order for it to have weight and authority, the minister has to put it in regulation. But it still originates with the municipalities. We have through this made it expressly clear so that no one can lead anyone with deceptive comments about our intentions. It's expressly clear, Madam Chairman, exactly what our intentions are.

With that, I would just like to quickly review the five key areas of the amendments. The first clearly articulates that the act is renamed from the Modernizing Regional Governance Act, because this isn't about regional governance, Madam Chairman, to the Enabling Regional Growth Boards Act. It clearly defines that it's about regional growth management boards and that it's enabling legislation, so municipalities can choose it if they wish.

The second, Madam Chairman, strictly and clearly defines in a few sections that this has been and always will be intended to be voluntary. It's a tool for municipalities to use to manage the incredible growth that this province is going to have over the next decade. I had pointed out at the AUMA and the AAMD and C that, at minimum, we're probably looking at, if the trend continues and we don't see more growth, potentially another 1.3 million people moving to this province. For many of our municipal councillors in four years that's over half a million people. They're going to have to manage their growth and need all the tools in place, not to become isolationist but to work together in partnership, like they have with water and waste-water commissions and IDPs and so many other tools that this government has put in place for them to utilize.

The third, Madam Chairman, is an appeal mechanism – we had some great discussion about that, and I left it to the task force members – or a dispute resolution process. As I explained to them

many times, it's up to them to write the bylaws should they wish to form a growth management board. It's up to them to write the rules on how they want it to operate. It's up to them to decide what the appeal mechanism would be or what the dispute resolution process would be going forward for any new voluntary boards that are set up. It's their rules, so they should write those rules on how they're going to manage each other's expectations and ensure that they do it in a co-operative manner.

I'd like to point out that the same questions were asked: what do you do if you want out? I'd said, Madam Chairman, that those, again, go into the bylaws. The bylaws should clearly articulate, just as they do with commissions, how it is that a partnering municipality might want to leave that partnership. It's not a rule for me to write; it never was. It's always been a rule for the growth management boards and for commissions to write.

The fourth area is the penalties section or the enforcement section. We had taken exactly what was written in the Municipal Government Act as a penalties mechanism, which is still in the Municipal Government Act. In the discussions with the task force it was made very clear that when you're looking at providing information, there isn't usually a person to blame for that. It's the participating municipality, the corporation itself, so fines would be appropriate, but penalties or imprisonment, which we never used anyway, aren't necessary. We've removed that section, and I still think it will work very well, and so do they.

Finally, we had a few miscellaneous items, which you'll note through there, Madam Chairman. The bill is going to be amended to empower the regional board to set the time frames to conform to their regional growth plans, which they had asked for. There's a removal of a reference to appoint a public member. That will be and should always be a job of the board to choose. It clarifies that the minister will approve or reject a growth plan but that if it's rejected with recommendations sent back to the board, then they will make modifications, and finally, that the minister responsible will be tabling the growth plan from the regional board in session, when we are sitting.

The municipalities are very excited about this. The partnering municipalities on the task force expressed appreciation for the work that was done. Madam Chairman, I'm very proud of the work that we accomplished.

With that, I would like to adjourn debate.

**The Deputy Chair:** Thank you.

[Motion to adjourn debate carried]

**The Deputy Chair:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Madam Chairman. I'd move that the committee rise and report progress on Bill 28.

[Motion carried]

[Mrs. Jablonski in the chair]

**Mr. Khan:** Madam Speaker, the Committee of the Whole has had under consideration a certain bill. The committee reports progress on the following bill: Bill 28. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

**The Acting Speaker:** Thank you, hon. member.

All those in favour of the report given by the Member for St. Albert, please say aye.

**Hon. Members:** Aye.

**The Acting Speaker:** All those opposed, please say no. That's carried.

Unanimous consent has been requested to revert to Introduction of Guests.

[Unanimous consent granted]

### **Introduction of Guests** (*reversion*)

**The Acting Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Madam Speaker. It gives me great pleasure to have the first opportunity since the election in October to introduce to you and through you to members of this Assembly the new mayor of Edmonton, Don Iveson. I'd just like to say very quickly that I've known Mayor Iveson for some number of years since he was a student at Strathcona high school, where my wife taught, and was engaged in student activities. I have followed his progress through student politics, where he served as an adviser for many years, and then his progress into municipal politics, where we on occasion have talked about smart cities and other important topics. I'm looking forward, as I know members of this House are, to working with him in his term, taking Edmonton even further and even higher with a vision for the future of this city and this province.

### **Government Bills and Orders** **Second Reading**

#### **Bill 45** **Public Sector Services Continuation Act**

**The Acting Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Madam Speaker. It's my privilege to rise and move second reading of Bill 45, the Public Sector Services Continuation Act.

Alberta's public-sector employees are critical to creating and maintaining healthy, safe, and vibrant communities. They provide vital services every day, services that are highly valued by Albertans. That's why the Public Service Employee Relations Act and the Labour Relations Code make it illegal for certain workers covered by those pieces of legislation to go on strike.

[The Speaker in the chair]

The illegal strike provisions in the acts and regulations I've just referenced have been in place for many years. However, they have not been updated for 20 years. It was incumbent on government to ask if the penalties in place were still a sufficient deterrent to illegal strikes that negatively affect critical public services because these are services that are provided to the most vulnerable of Albertans. When illegal strike action gets in the way of these services, the confidence of Albertans in those services and the people who provide them is undermined.

3:50

There have been some concerns in various sectors in the past. We learned that we didn't have the up-to-date tools necessary to deal with current realities. In essence, this bill is about protecting the Alberta taxpayer from personal or financial harm due to an illegal strike. It establishes a more comprehensive and responsive system to respond to the threat of illegal strikes or strikes themselves. That's important, Mr. Speaker, because in some circumstances the threat of a strike requires significant mobilization of resources to avert harm in the event that a strike

happens. I believe that this legislation will serve as an effective deterrent to illegal behaviour, and I believe it will help ensure that Albertans receive the critical services and supports that they want and that they need.

It also shows government's belief in the importance of the rule of law. The Canadian Superior Courts Judges Association has explained the rule of law this way:

Our laws embody the basic moral values of our society. They impose limits on the conduct of individuals in order to promote the greater good and to make our communities safe places to live. It is against the law to steal, to injure another person, to drive recklessly or to pollute the environment, to name just a few of the countless ways the law is designed to protect us . . . Everyone, no matter how wealthy or how powerful they are, must obey the law or face the consequences.

I believe that the great majority of Albertans would agree with that statement. I also believe that Albertans would agree that inherent in that statement is the belief that the consequences of breaking the law should be clearly in keeping with the gravity of the offence.

Bill 45 addresses the need for serious consequences for breaking the law when it comes to conducting an illegal strike by public-sector employees. This legislation is about giving Albertans confidence that the services they rely on will continue and that there are severe penalties for illegal strikes. When a public-sector union carries out an illegal strike, Albertans are put at risk. This bill will ensure stronger penalties for unions that take illegal action and will ensure that taxpayers are protected in the event of an illegal strike.

In the event of an illegal strike, Bill 45 calls for a fine to the union of \$250,000 per day plus \$50 per day for each member of the bargaining unit. Each employee who engages in an illegal strike can be fined one day's pay for each day they take part in the strike action. The bill also calls for automatic dues suspension for three months for the first day of an illegal strike and of one month for each additional day, creation of a liability fund that requires the union to pay to the court \$1 million per day or partial day – the money paid to the court will be used to satisfy any judgments with respect to losses incurred by the employer as a result of the strike, and of course if the fund is larger than those losses, the balance of the funds would be returned to the union that paid them – civil liability that allows the employer to seek cost recovery for any immediate or subsequent effects of the illegal strike, and civil contempt for nonpayment of orders to pay the money.

Workers prohibited from striking under the Public Service Employee Relations Act and the Labour Relations Code include firefighters, hospital employees, Alberta Health Services employees, ambulance operators, Crown employees, nonacademic staff at public postsecondary institutions, and employees at government agencies. It is important to note, Mr. Speaker, that the government believes that the majority of workers in these sectors would not willingly take part in illegal activity. We also believe that they understand and accept that the provisions in these pieces of legislation exist because strikes and lockouts in these sectors can either harm Albertans or put them at great health, safety, or financial risk. However, once a union has called an illegal strike, workers are often caught between a rock and a hard place. Regardless of how they might feel individually, there's always pressure on them to follow the dictates of their union leaders. Crossing an illegal picket line would be a challenge for even the most law-abiding of workers; not doing so would not necessarily indicate support for an illegal strike.

For anyone who would position this legislation as a solution in search of a problem, I would point out what happened in April of last year. That was the month in which 2,000 correctional peace

officers abandoned their posts and walked off their jobs. The effects of this illegal job action were immediate and demonstrably serious. In one institution more than 450 inmates were left to be attended by only seven managerial staff. This put the inmates, their health care workers, and the remaining managerial personnel at great personal risk, but more importantly it also put the public at risk. An escape of prisoners from that institution or any other in the province could have resulted in dangerous and desperate individuals being released into the community. This illegal strike also spread to sheriffs and probation officers. Had the strike gone on for any length of time, it could have had serious repercussions in the court system. That could have also resulted in individuals who should be incarcerated being released back into the public.

But as much as this illegal strike action was about public safety, it was also an attack on the public purse. The measurable financial cost to the taxpayers was calculated and is now the subject of legal action. These costs were the result of having RCMP act as guards and overtime costs related to managerial staff. Those are the funds that could have been used for operating schools, for delivering health care, and for protecting the vulnerable. And what was the cost to the union for its illegal and dangerous activity? No one was prosecuted or fined under the legislation. There was applied a contempt proceeding, which resulted in fines for contempt of \$100,000 immediately, an additional \$250,000 if the strike did not end by noon the following day, and an additional \$500,000 for each day the strike continued thereafter. There is also a matter before the LRB for a six-month dues suspension. In addition, the government is attempting to recover costs associated with the strike.

Given the cost and potential threat to Albertans, those fines amount to a financial slap on the wrist, and in no way do they reflect the seriousness of the circumstances that were created by an illegal strike. That must change, and this bill will do that. If these provisions had been in place during the illegal strike by corrections officers, it would have resulted in the court receiving \$5 million from the union. Those monies would have been used to reimburse the expenses incurred by the taxpayers of Alberta, and any unused funds would have been returned to the union.

There is no doubt that these are serious penalties, but so, too, are the circumstances they're intended to prevent. It changes no workers' rights. It is already illegal for each of those workers to strike.

**Ms Blakeman:** But they get arbitration.

**Mr. Hancock:** Not on a strike they do not.

It's illegal to go on strike, and those strikes need to be deterred and they need to be sanctioned. This bill is only about the consequences of engaging in an illegal act, having the most current tools as a deterrent, and making sure that vital public services are delivered effectively and efficiently.

In the final analysis this legislation is about giving Albertans confidence that the necessary services that they rely upon for their health and safety will be there, that they will continue, and that there are severe penalties to deter illegal strikes and severe penalties for illegal strikes that would put Albertans' health and safety at risk.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Mr. Speaker. I wish to rise today to speak about the Public Sector Services Continuation Act and say that I believe that I will vote in favour of this bill despite some concerns that I have with how it's being handled and some of the

heavy-handed clauses that I hope can be addressed. It's absolutely vital that we ensure good government and the continuation of essential services for all Albertans. These essential services are just that, essential. We need to ensure that they continue and are not interrupted as part of threats or negotiations. We need to make sure that our kids have a place to learn and grow. We need to make sure that the sick and the elderly are cared for and not left alone in hospitals. We need to make sure that our prisons are kept orderly and secure. We need to make sure that our homes and businesses and communities are safe from fire and crime. We need to do this for the good of all Albertans. It's our job, and they expect us to do it. They're entitled to expect that we will do that well and properly.

Now, as I said, I do have some concerns with how this is being handled, and I think that it's paramount for the government to address these problems and shortfalls. Once again we're seeing legislation without proper consultation and collaboration. I know that not everyone is going to agree all the time, but that doesn't mean that the negotiation and the conversation shouldn't take place so that you can come to an understanding. It's exactly what I did when I ran my trucking company and we had to negotiate with the teamsters, and I've still got both of my knees. It's what the government should be doing now.

Second, we're seeing bills 45 and 46 treated by this government as essentially one piece of legislation – it's not – and they're doing a disservice to Albertans and, I suspect, to their own goals and objectives by grouping them together. I know that there are a number of my colleagues that will likely support Bill 45 but oppose Bill 46, and they each have their own reasons for doing so. Mine is that arbitration should always be available to resolve differences and find common ground. It's in the contract and must be honoured and respected. We believe that this is an essential flaw in what's being proposed. Surely, this government can present its case for wage restraint in a compelling way to the arbitrator, have faith in yourselves and the justness of your cause and in the fairness and neutrality of the arbitrator. The union should be extended the exact same right.

4:00

I think that the abatement clause and the extreme penalties are sufficient deterrent to discourage even the threat of striking, and the threat clauses are therefore redundant and unnecessary. They're very draconian. It almost smacks of thought police.

This legislation is important, but that doesn't mean it should be rushed through. Shades of Bill 28, and look what's happened. We're seeing it coming back again, being forced to actually consult with stakeholders. What a novel thought, apparently.

It will continue to ensure the operation of essential services, but that doesn't mean we can skip through a bunch of essential steps. It's a disservice, and I for one hope that the government starts to learn this isn't the right way to govern our great province.

The issue of threats and strikes and counselling threats to strike is particularly vexatious and really needs to be examined closely. As I mentioned, it almost smacks of thought-police clauses. I hope that in its haste the government rethinks them and accepts amendments. I understand what prompts them. The hon. House leader did a good job of explaining what his concerns are, but that doesn't justify going this far. The abatement clause and penalties address that and provide the government with funds to prepare for that mobilization that it speaks about.

I really wish the government didn't break its promises. I might not agree with all of the promises they've made, but they are promises to the people nonetheless. For that reason they should be adhered to, and that includes covenants in contracts such as the

right of arbitration. Of course, our Premier has made a habit of breaking promises. She's broken a lot, and I suspect she's got a few more she's going to break, too. I hope I'm wrong, but I doubt I will be.

As I said before, I'll be supporting this bill, I hope, and I have encouraged my colleagues to do the same with these reservations. That's not to say that the government has not been manipulating the process for some reason, and I can't understand why. Things can be done properly. They should be done properly. My dad, the grade 10 dropout, had a saying that's proven to be true and wise: if you've got time to do it over again, you had time to do it right the first time. But, as they say, even a broken clock is right twice a day.

We really do need to ensure due process is followed in legislation because this has a serious and real impact on people's lives. We need to make sure the legislation is drafted properly, that it's constitutional, and that it has the bases covered. Now, I believe that it probably does, but there's no way to know for sure with such little time to work on and to research and to prepare comments and proper amendments for the bill.

With that, I'm going to end with this. If the government keeps its habit of ramming through legislation without consultation, it will soon find that people don't trust it. Perhaps they're already there. Trust is an earned thing. It's not something that you can buy. This doesn't mean that it's necessarily bad legislation, but there are clauses here that are over the top, have gone too far. We must ensure Albertans have trust in this House and the activities of this House and the laws and bills that are passed. If not, I think we're going to see good pieces of legislation go by the wayside simply because a proper process wasn't followed that engaged all stakeholders. We know that one of the greatest causes of dissatisfaction in the workforce and in government is feeling you don't have a say in the decisions that affect you, and that's easily corrected.

We need to ensure the continuation of essential government services. We need to ensure that our children have schools. We need to ensure that our sick friends and family have continual access to public health care. We need to ensure that our streets are safe, our homes are secure, and our communities are strong and free.

I want to vote in support of this bill. I'm going to encourage my colleagues to do so. But I look forward to telling my constituents that I've done everything I can to ensure that they'll have access to the essential services and that their rights, the right of arbitration for example, have not been removed.

Thank you very much, Mr. Speaker.

**The Speaker:** Thank you.

Hon. members, your chair just assumed the chair a few minutes ago, and debate on Bill 45 had already started. I understand there is an agreement to let the Member for Edmonton-Centre go next, followed by Edmonton-Highlands-Norwood.

So Edmonton-Centre, if you would proceed.

**An Hon. Member:** I don't know who agreed on that.

**Mr. Mason:** I sent the Speaker a note. I mean, I don't mind. I don't care, but I just . . .

**The Speaker:** Hon. Member for Edmonton-Highlands-Norwood, the agreement was made with the previous chair just before she left, and I wasn't aware of it till you sent me your note. Let's go with Edmonton-Centre.

**Mr. Mason:** It's fine, but I didn't agree to anything.

**The Speaker:** Hon. members, for the record I meant there was an agreement between me and the previous chair – I just saw it now, though – not an agreement with you, Edmonton-Highlands-Norwood. Let the record be clear.

Edmonton-Centre, third time, let's go.

**Ms Blakeman:** Thank you very much. You know, I've been in this Assembly for 16 years, and there have been a couple of really identifying pieces of legislation that this government has brought forward, none of them in a positive way, by the way. Bill 45 is one of those identifying pieces of legislation for which I will never forget nor forgive this government. In my opinion, what is before us is vile, foul, disingenuous, wicked, hostile, devilish, repulsive, humiliating, abusive, degrading, offensive, gross, contrary, a violation. It's sneaky, immoral, bankrupt, malicious, depraved, corrupt, and nefarious. And that was just in the first couple of minutes I was thinking about it, so I'm sure there are many more words I can come up with.

It is foul and vile and evil because this is a government attempting to legislate away a constitutional freedom. It is a government that is so afraid of being embarrassed that it is going to use the power that it has, with the majority that it has, to overwhelm working people.

You know, what started all of this – and the government has admitted it – was a piece of glass, a piece of glass in the new remand centre. Now, the guards there had been repeatedly trying to meet with the appropriate representatives in the government to point out the deficiencies and some of the items that were either going to be or were a potential harm to residents of the remand centre or potential harm to the workers. Now, the government should not be approving of anything that would take away those guards' rights to come forward and say, "We're concerned about public health" or "We're concerned about worker health." The government should be supporting them in doing that. But, in fact, this bill has come about because the government got embarrassed. The government was asked repeatedly to meet with these guards to fix this. They didn't, and they wouldn't.

One of the things was a plate of glass that could be smashed with a coffee cup. Kadink. Smashed. Now, that would have been a huge health risk to both the residents of the remand centre and to the workers in the remand centre. Would the government replace that? Would they meet with those guards and understand that this was a risk? Well, they didn't want to do that, so finally the guards went out on a wildcat strike.

Now, do people go out on a wildcat strike because it's fun, because it's sexy, because they think that somehow this is going to get them on the front page of the news? No. They go out on a wildcat strike because they're desperate. They cannot find any other way to communicate with their employer, the government in this case, to get a point across. The point was inmate safety, worker safety. But the government was embarrassed. They were embarrassed that they'd been caught out on this, that they hadn't met with the inmates. They brought the full force of what they had to bear on these workers.

By the way, as I tabled earlier, they did finally admit that the plate of glass I was talking about, that could be broken with the coffee cup – yeah, they did finally come to agree that it was a risk, a health risk and a safety risk, to both inmates and workers, and they replaced it. I've tabled you the proof about that. They did acknowledge it.

**4:10**

But in the meantime, like some sort of cartoon smog of evilness, they descended upon these workers in this wildcat strike with



everything they had. The whole government descended on a couple of hundred guards with everything: individual fines, fines for the union management, larger fines for court costs, et cetera, et cetera, et cetera. And you know what? Most of the strikes that we have had, actually all of the strikes that we have had in recent memory – let me go back 10 years; it's reasonable – have been about public health or worker safety. What is this government worried about? Why do they have to bring in this huge, overwhelming, smog legislation that will descend upon everyone and singe them? Why do they have to do this? Oh, right. Because people were looking for safer workplaces or for public safety – right – because the government was so threatened by that.

Okay. A couple of notes I want to make here. The first one is that, you know, wildcat strikes aren't done for fun. They're done because people have been pushed into a position where they take this. They know there are risks. They know they could not get the public support. It could go against them. In Alberta it's not only going to go against them, but the government is going to stomp you. They're going to squish you like a bug. They're going to get you under their boot and make mush out of you because they're embarrassed. Well, there you go.

The second note I want to make. We came to the labour agreements that we have under these two pieces of legislation in this province under the leadership of Premier Lougheed. He didn't want public-sector workers to strike. I'll respectfully disagree with the previous Premier. Nonetheless, what he did was give a fair deal: no strikes – it's illegal to strike in Alberta – but you've got arbitration. That's the deal. Now, this government has been unable to prove to us why they now need to withdraw the second part of that, which is taking away their arbitration.

Note three: protect us. The government needs to put this legislation in to protect them. Oh, my God. Protect them from whom exactly? Oh, wait. That would be protecting them from the people, the workers that they have gone on and on about, about how terrific they were and how great they were and that they pulled out all the stops and that they used all their expertise to help them with the floods this summer. What terrific public servants they were. They trained those volunteers, and they worked with them. They stayed on the job. They went away from their families. They went on and on. This is whom the government needs to protect us from? What absolute poppycock. It's ridiculous. They need to protect themselves from their own civil service? I mean, please.

These people don't go into civil service to somehow mock the government. They go there because they want to contribute to society. They want to work at a job where they give back to society, where they're a caring person like a nurse or an EMT, where they're kind of a superperson, a police officer or a firefighter. This is who we're talking about. This is who this government thinks they need to protect themselves from. Really? EMTs? Nurses? That's who they're afraid of or who they somehow think are going to do terrible things to the province, workers that go down and bail out flooded communities? These are these foul, awful people? Come on, Mr. Speaker.

Now, another note here. We have a Constitution, and this is where I started. Section 2 is the fundamental freedoms section. This is what you get if you're a Canadian. It says:

2. Everyone has the following fundamental freedoms:
  - (a) freedom of conscience and religion;
  - (b) freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication;
  - (c) freedom of peaceful assembly; and
  - (d) freedom of association.

Hmm.

This is what our Charter guarantees us as citizens. You don't even have to be a citizen; you just have to be walking around in this country and you get the freedom of association. This government wants to take that freedom of association away. They want to put a blanket on it. They want to make it go away. They don't want to allow workers to associate for the purpose of collective bargaining.

The courts have ruled repeatedly. I mean, the most recent one was the November 15 ruling with the Information and Privacy Commissioner of Alberta and the United Food and Commercial Workers. They ruled very clearly that you have a freedom of association. You don't have to earn it. You don't have to buy it. You don't have to grow into it or age into it. You have it in this country. You associate with anyone you want. If you want to associate with a union, if you want to do that, go ahead. Part of being in a union is collective bargaining. That's how it works. It is meaningless to talk about the ability to have that freedom of association and peaceful assembly without adding into that and working with collective bargaining. That's what the courts say about freedom of association and collective bargaining. So we have a government that is trying to quash that freedom of association and, more than that, punish people for it.

Here's another note. You know, collective bargaining does have as part of it that ability to resort to withdrawal of services, or strikes if you want to call it that. Now, these are not done for fun, as I said. The employer holds all the cards here. They've got the money, they've got the law backing them up, and in this case they're the government. So, hey, if they don't like the situation, they can just write legislation to make it be what they want it to be, and that's what we have with bills 45 and 46.

This ability to go on strike is the only card they really hold as a tool to be able to get fairness in the process if they're not getting fairness, and they don't abuse it. Again, let's remember that we're talking about our workers, our civil servants, our public servants here. These are not, you know, jackbooted monsters out there that we need to protect ourselves from, except that this government thinks they do. They think they need to protect themselves from firefighters and police officers and nurses and teaching aides and accountants and engineers and park wardens and secretaries. That's who they think they need to protect themselves from. Wow. Don't let me call them wussy, Mr. Speaker, because that would be uncomplimentary. But, honestly, you need to protect yourself? Hmm. All righty.

One of the interesting things is that if I went to the police and said, "I think I might hurt someone," they won't do anything with that. Or if I say, "I think someone over there might hurt me," they won't go over there and arrest the Deputy Premier no matter how fervently I might wish it on certain days. Why? Because there have to be underpinnings and context and content to that threat. But this government in Bill 45 wants to be able to swoop down, fine people, and create a whole series of actions that will take place on the threat of a strike. The threat of a strike.

Now, how are they going to define that? If I've got some of those wooden stake things that they staple placards to in a march and I'm taking them over to my dad's because, you know, my dad gets into all kinds of stuff, well, oh, my goodness, what if I get caught with those stakes? I might have been thinking about a strike, because I have those stakes in the back of my car. So that would unleash a whole series of actions that this government wants to empower itself to take. Who would these actions be against? Our public servants. Why do they need to do this? Because they got embarrassed. They got embarrassed.

They like to talk about: oh, it'll save you so much money. Well, that's another question I have. Why on earth wouldn't we have the best paid? Why wouldn't we? We're the best province. We have

enormous wealth here. Why this government can't manage to balance its books given the number of wealthy people, wealthy companies, and wealth that comes out of the ground because you stick a pole in it – and they can't manage to balance the budget. So they're going to punish our public-sector workers because they can't figure out how to have a fair taxation system here and to collect enough royalties on Albertans' natural resource wealth. So because they're afraid to do that and they want to be able to walk around and say that we have the lowest taxes, we're now going to punish big time – fine, jail, all kinds of things that they've got in this bill – our public-sector workers because they don't want to have a fair taxation system and they don't want to charge royalties.

I do not support this bill.

4:20

**The Speaker:** Thank you.

Hon. members, 29(2)(a)? Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you, Mr. Speaker. Yes. I got that impression, hon. member, and I would invite you to finish your thoughts.

Mr. Speaker, I am going to withdraw my request to speak until the bill comes back on Monday.

**The Speaker:** Hon. member, you know the rules as well as I do. I have nothing to prevent you from commenting, so go ahead.

**Ms Blakeman:** You know, I've developed a certain mind-meld with the hon. member from sitting beside him for so many years, so I think what he wants me to do is to talk about why I think the government keeps saying that our workers are too expensive and that we've got to cut down the amount of money that we're going to give them.

You know, I've got to give you guys credit. You led up to this beautifully. You got a very low settlement from the doctors, you got a low settlement from the nurses, and here we come with the public sector, and you're going to impose that same settlement on them. Hmm. All right. I'll give you credit. That was pretty crafty. Whomever your strategist is, congratulations to them. They get an extra turkey in their little Christmas basket there or however you guys do that.

Why would we Albertans say that we don't want public-sector workers in a union to be paid well in Alberta? Well, you know what I learned when I was a kid? We had neighbours who were in the construction industry, and they did really well for themselves. They had a Cadillac, and they went on holidays where all the kids went skiing at Christmas, and I kept saying: why can't we do that? They'd say: "Look. We are teachers. We have a steady amount of money, not as good a payment as we would have if we were out in the private sector, that we make, and we have a very reliable pension. So our risk is low, but we get paid not so much." The guy next door takes a big risk with his money. He may tank. He may lose it all. He may go into something and lose it all, and that's the end of it. He takes a big risk. But if he does well and he invests well or he does a good job, ka-ching, as the Deputy Premier said. He could make a lot – a lot – of money. Good for him. He did that

wisely. He took a big risk, and he gets paid very well. All right. Good for you

Now, how he does his particular pension is up to him with all of his money, but in the public sector the deal is that we're going to pay you a rate, and we're going to make sure that you get a solid pension. That's how we attract people into the public service. Frankly, for you guys to look good, you need those public servants behind you. Really, you're going to go back to your offices and you're going to look at your staff and say: "I don't think you're worth it. I don't think you should get any money. I think you're worth zero, and worse than that, I think I need to be protected from you because you threaten me. I think that you need to be fined and your union needs to be fined a million dollars every time you do something." Really? I thought you would appreciate your staff more than that.

That's who we're talking about, Mr. Speaker. Those are the people that this bill will come down on and will come down on hard for the threat of a strike, just for verbalizing it or taking certain actions that might be interpreted as thinking of starting a strike, not actually starting a strike, not actually getting on the street but actually thinking about it.

I'm really interested in why the government is so against the workers that really do the work in this province, that run into the building that's on fire, not out of it. They run into the building where a gunman is shooting – into it – because they're our public servants. But these guys think that we need to be protected, that we need to take away the deal that we've always had. You don't strike, but you've got arbitration. If you're going to strike, then there's a number of other things that come into play. But these guys want to dump that whole garbage truck of every trick they've got, of fines and everything else, on their head because they thought about having a strike. Thought about it. Didn't even do it but just thought about it, just had a stick in their hand that happens to look like something that you put placard on. [interjection] If you think what I'm saying is outrageous, that's exactly the same as what I think about what you're saying. This is ideology, a government ideology that is going to drive taxes lower, and they won't charge enough royalties, so it means we can't pay our people enough money and give them a decent pension. The government is coming at our public service one, two, three.

**The Speaker:** Are there any other speakers? The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. I move to adjourn debate on Bill 45.

[Motion to adjourn debate carried]

**The Speaker:** The Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I move that we adjourn until 1:30 p.m. on Monday.

[Motion carried; the Assembly adjourned at 4:27 p.m. to Monday at 1:30 p.m.]

## **Bill Status Report for the 28th Legislature - 1st Session (2012-2013)**

**Activity to November 28, 2013**

The Bill sponsor's name is in brackets following the Bill title. If it is a money Bill, (\$) will appear between the title and the sponsor's name. Numbers following each Reading refer to Hansard pages where the text of debates is found; dates for each Reading are in brackets following the page numbers. Bills numbered 1 to 199 are Government Bills. Bills numbered 200 or higher are Private Members' Public Bills. Bills numbered with a "Pr" prefix are Private Bills.

\*An asterisk beside a Bill number indicates an amendment was passed to that Bill; the Committee line shows the precise date of the amendment.

The date a Bill comes into force is indicated in square brackets after the date of Royal Assent. If a Bill comes into force "on proclamation," "with exceptions," or "on various dates," please contact Legislative Counsel, Alberta Justice, for details at (780) 427-2217. The chapter number assigned to the Bill is entered immediately following the date the Bill comes into force. SA indicates Statutes of Alberta; this is followed by the year in which it is included in the statutes, and its chapter number. Please note, Private Bills are not assigned chapter numbers until the conclusion of the Fall Sitzings.

### **1\* Workers' Compensation Amendment Act, 2012 (Redford)**

First Reading -- 8 (May 24, 2012 aft., passed)

Second Reading -- 177 (Oct. 23, 2012 eve.), 193-96 (Oct. 23, 2012 eve.), 233 (Oct. 24, 2012 eve., passed)

Committee of the Whole -- 336-39 (Oct. 29, 2012 eve.), 354-71 (Oct. 30, 2012 aft.), 373-80 (Oct. 30, 2012 eve., passed with amendments)

Third Reading -- 476-84 (Nov. 1, 2012 aft., passed on division)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force December 10, 2012; SA 2012 c8]

### **2\* Responsible Energy Development Act (Hughes)**

First Reading -- 207 (Oct. 24, 2012 aft., passed)

Second Reading -- 263 (Oct. 25, 2012 aft.), 424-43 (Oct. 31, 2012 aft.), 445-57 (Oct. 31, 2012 eve.), 526-46 (Nov. 5, 2012 eve., passed)

Committee of the Whole -- 563-71 (Nov. 6, 2012 aft.), 593 (Nov. 6, 2012 eve.), 644-48 (Nov. 7, 2012 aft.), 649-69 (Nov. 7, 2012 eve.), 731-53 (Nov. 19, 2012 eve.), 777-94 (Nov. 20, 2012 aft.), 795-853 (Nov. 20, 2012 eve.), 902-05 (Nov. 20, 2012 eve., passed on division, with amendments)

Third Reading -- 921-41 (Nov. 21, 2012 aft., passed on division)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on proclamation, with exceptions; SA 2012 cR-17.3]

### **3\* Education Act (J. Johnson)**

First Reading -- 155 (Oct. 23, 2012 aft., passed)

Second Reading -- 219-31 (Oct. 24, 2012 aft.), 238 (Oct. 24, 2012 eve., passed)

Committee of the Whole -- 380-407 (Oct. 30, 2012 eve., passed with amendments)

Third Reading -- 669 (Nov. 7, 2012 eve.), 688-94 (Nov. 8, 2012 aft.), 753-63 (Nov. 19, 2012 eve., passed on division)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on proclamation; SA 2012 cE-0.3]

### **4 Public Interest Disclosure (Whistleblower Protection) Act (Scott)**

First Reading -- 352-53 (Oct. 30, 2012 aft., passed)

Second Reading -- 423-24 (Oct. 31, 2012 aft.), 593-614 (Nov. 6, 2012 eve.), 627-44 (Nov. 7, 2012 aft., passed on division)

Committee of the Whole -- 975-80 (Nov. 22, 2012 aft.), 1057-74 (Nov. 27, 2012 aft.), 1075-101 (Nov. 27, 2012 eve.), 1127-137 (Nov. 28, 2012 aft.), 1139-161 (Nov. 28, 2012 eve., passed)

Third Reading -- 1161-166 (Nov. 28, 2012 eve., passed on division)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on proclamation; SA 2012 cP-39.5]

### **5 New Home Buyer Protection Act (Griffiths)**

First Reading -- 261 (Oct. 25, 2012 aft., passed)

Second Reading -- 354 (Oct. 30, 2012 aft.), 457-59 (Oct. 31, 2012 eve., passed)

Committee of the Whole -- 546-49 (Nov. 5, 2012 eve.), 571-83 (Nov. 6, 2012 aft.), 585-93 (Nov. 6, 2012 eve., passed)

Third Reading -- 853-55 (Nov. 20, 2012 eve., passed)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on proclamation; SA 2012 cN-3.2]

### **6 Protection and Compliance Statutes Amendment Act, 2012 (Jeneroux)**

First Reading -- 155 (Oct. 23, 2012 aft., passed)

Second Reading -- 209 (Oct. 24, 2012 aft.), 264 (Oct. 25, 2012 aft., passed)

Committee of the Whole -- 459-62 (Oct. 31, 2012 eve., passed)

Third Reading -- 855-56 (Nov. 20, 2012 eve., passed)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on various dates; SA 2012 c7]

- 7\* Election Accountability Amendment Act, 2012 (Denis)**  
First Reading -- 774 (Nov. 20, 2012 aft., passed)  
Second Reading -- 972-75 (Nov. 22, 2012 aft.), 1015-41 (Nov. 26, 2012 eve., passed)  
Committee of the Whole -- 1166-167 (Nov. 28, 2012 eve.), 1191-92 (Nov. 29, 2012 aft.), 1221-43 (Dec. 3, 2012 eve.), 1261-79 (Dec. 4, 2012 aft.), 1281-1300 (Dec. 4, 2012 eve., passed, with amendments)  
Third Reading -- 1315-37 (Dec. 5, 2012 aft., passed on division)  
Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on various dates; SA 2012 c5]
- 8 Electric Utilities Amendment Act, 2012 (Hughes)**  
First Reading -- 156 (Oct. 23, 2012 aft., passed)  
Second Reading -- 233 (Oct. 24, 2012 eve.), 316-36 (Oct. 29, 2012 eve., passed)  
Committee of the Whole -- 857-902 (Nov. 20, 2012 eve.), 943-53 (Nov. 21, 2012 eve., passed)  
Third Reading -- 953-56 (Nov. 21, 2012 eve., passed)  
Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force December 10, 2012; SA 2012 c6]
- 9 Alberta Corporate Tax Amendment Act, 2012 (\$) (Horner)**  
First Reading -- 156 (Oct. 23, 2012 aft., passed)  
Second Reading -- 209-10 (Oct. 24, 2012 aft.), 272 (Oct. 25, 2012 aft.), 311-16 (Oct. 29, 2012 eve., passed)  
Committee of the Whole -- 462 (Oct. 31, 2012 eve., passed)  
Third Reading -- 856-57 (Nov. 20, 2012 eve., passed)  
Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on various dates, SA 2012 c4]
- 10 Employment Pension Plans Act (Kennedy-Glans)**  
First Reading -- 261 (Oct. 25, 2012 aft., passed)  
Second Reading -- 521-26 (Nov. 5, 2012 eve., passed)  
Committee of the Whole -- 668-69 (Nov. 7, 2012 eve., passed)  
Third Reading -- 857 (Nov. 20, 2012 eve., passed)  
Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on proclamation; SA 2012 cE-8.1]
- 11 Appropriation (Supplementary Supply) Act, 2013 (\$) (Horner)**  
First Reading -- 1424 (Mar. 6, 2013 aft., passed)  
Second Reading -- 1480-86 (Mar. 11, 2013 eve., passed)  
Committee of the Whole -- 1534-41 (Mar. 12, 2013 eve., passed)  
Third Reading -- 1583 (Mar. 13, 2013 aft.), 1559-60 (Mar. 13, 2013 eve., passed)  
Royal Assent -- (Mar. 21, 2013 outside of House sitting) [Comes into force March 21, 2013; SA 2013 c2]
- 12 Fiscal Management Act (\$) (Horner)**  
First Reading -- 1438 (Mar. 7, 2013 aft., passed)  
Second Reading -- 1479-80 (Mar. 11, 2013 eve.), 1560-78 (Mar. 13, 2013 aft.), 1579-83 (Mar. 13, 2013 eve.), 1785-90 (Apr. 11, 2013 aft.), 1877-85 (Apr. 18, 2013 aft., passed)  
Committee of the Whole -- 1967-78 (Apr. 23, 2013 eve.), 1981-86 (Apr. 23, 2013 eve., passed), 2007-15 (Apr. 24, 2013 aft.)  
Third Reading -- 2027-35 (Apr. 24, 2013 eve., passed on division)  
Royal Assent -- (Apr. 29, 2013 outside of House sitting) [Comes into force April 29, 2013; SA 2013 cF-14.5]
- 13 Appropriation (Interim Supply) Act, 2013 (\$) (Horner)**  
First Reading -- 1456 (Mar. 11, 2013 aft., passed)  
Second Reading -- 1527-34 (Mar. 12, 2013 eve.), 1556 (Mar. 13, 2013 aft., passed)  
Committee of the Whole -- 1583 (Mar. 13, 2013 eve., passed)  
Third Reading -- 1695-1700 (Mar. 21, 2013 aft.), 1695-1700 (Mar. 21, 2013 aft., passed)  
Royal Assent -- (Mar. 21, 2013 outside of House sitting) [Comes into force March 21, 2013; SA 2013 c1]
- 14 RCMP Health Coverage Statutes Amendment Act, 2013 (VanderBurg)**  
First Reading -- 1690 (Mar. 21, 2013 aft., passed)  
Second Reading -- 1875 (Apr. 18, 2013 aft.), 1925-27 (Apr. 22, 2013 eve., passed)  
Committee of the Whole -- 1966-67 (Apr. 23, 2013 eve., passed)  
Third Reading -- 1986 (Apr. 23, 2013 eve., passed)  
Royal Assent -- (Apr. 29, 2013 outside of House sitting) [Comes into force April 1, 2013; SA 2013 c4]
- 15 Emergency 911 Act (\$) (Weadick)**  
First Reading -- 1762 (Apr. 10, 2013 aft., passed)  
Second Reading -- 1875-76 (Apr. 18, 2013 aft.), 1953-58 (Apr. 23, 2013 aft., passed)  
Committee of the Whole -- 2040 (Apr. 24, 2013 eve., passed)  
Third Reading -- 2130-31 (May 6, 2013 eve., passed)  
Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force on proclamation; SA 2013 cE-7.5]

**16 Victims Statutes Amendment Act, 2013 (\$) (Denis)**

First Reading -- 1762-63 (Apr. 10, 2013 aft., passed)

Second Reading -- 1958-61 (Apr. 23, 2013 aft.), 1963-67 (Apr. 23, 2013 eve., passed)

Committee of the Whole -- 2040 (Apr. 24, 2013 eve., passed)

Third Reading -- 2063-65 (Apr. 25, 2013 aft., passed)

Royal Assent -- (Apr. 29, 2013 outside of House sitting) [Comes into force on proclamation; SA 2013 c5]

**17 Municipal Government Amendment Act, 2013 (Kubinec)**

First Reading -- 1779 (Apr. 11, 2013 aft., passed)

Second Reading -- 2123-25 (May 6, 2013 eve., passed)

Committee of the Whole -- 2161-64 (May 7, 2013 aft.), 2172-76 (May 7, 2013 eve., passed)

Third Reading -- 2176 (May 7, 2013 eve., passed)

Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force May 27, 2013; SA 2013 c9]

**18 Pooled Registered Pension Plans Act (Fawcett)**

First Reading -- 1873 (Apr. 18, 2013 aft., passed)

Second Reading -- 2125-30 (May 6, 2013 eve., passed)

Committee of the Whole -- 2151-57 (May 7, 2013 aft., passed)

Third Reading -- 2169-71 (May 7, 2013 eve., passed)

Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force on proclamation; SA 2013 cP-18.5]

**19 Metis Settlements Amendment Act, 2013 (Campbell)**

First Reading -- 1803 (Apr. 15, 2013 aft., passed)

Second Reading -- 1876-77 (Apr. 18, 2013 aft.), 2021-27 (Apr. 24, 2013 eve., passed)

Committee of the Whole -- 2101-23 (May 6, 2013 eve., passed)

Third Reading -- 2131-32 (May 6, 2013 eve., passed)

Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force May 27, 2013; SA 2013 c8]

**20 Appropriation Act, 2013 (\$) (Horner)**

First Reading -- 1925 (Apr. 22, 2013 eve., passed)

Second Reading -- 1943-52 (Apr. 23, 2013 aft.), 1978-81 (Apr. 23, 2013 eve., passed)

Committee of the Whole -- 2015-19 (Apr. 24, 2013 aft.), 2035-39 (Apr. 24, 2013 eve., passed)

Third Reading -- 2057-63 (Apr. 25, 2013 aft., passed)

Royal Assent -- (Apr. 29, 2013 outside of House sitting) [Comes into force April 29, 2013; SA 2013 c3]

**21 Environmental Protection and Enhancement Amendment Act, 2013 (Jansen)**

First Reading -- 2055 (Apr. 25, 2013 aft., passed)

Second Reading -- 2123 (May 6, 2013 eve.), 2157-61 (May 7, 2013 aft., passed)

Committee of the Whole -- 2165-68 (May 7, 2013 eve., passed)

Third Reading -- 2229-34 (May 8, 2013 eve.), 2238-55 (May 8, 2013 eve., passed)

Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force on proclamation; SA 2013 c7]

**22 Aboriginal Consultation Levy Act (\$) (Campbell)**

First Reading -- 2191-92 (May 8, 2013 aft., passed)

Second Reading -- 2275-83 (May 9, 2013 aft.), 2321-342 (May 13, 2013 eve., passed)

Committee of the Whole -- 2413-442 (May 14, 2013 eve., passed)

Third Reading -- 2468-478 (May 15, 2013 aft., passed)

Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force on proclamation; SA 2013; cA-1.2]

**23 Tax Statutes Amendment Act, 2013 (Horner)**

First Reading -- 2080 (May 6, 2013 aft., passed)

Second Reading -- 2150 (May 7, 2013 aft.), 2165 (May 7, 2013 eve., passed)

Committee of the Whole -- 2168 (May 7, 2013 eve., passed)

Third Reading -- 2172 (May 7, 2013 eve., passed)

Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force May 27, 2013, with exceptions; SA 2013 c11]

**24 Statutes Amendment Act, 2013 (Bhullar)**

First Reading -- 2080 (May 6, 2013 aft., passed)

Second Reading -- 2150-51 (May 7, 2013 aft.), 2171-72 (May 7, 2013 eve.), 2157-61 (May 7, 2013 eve.), 2234-38 (May 8, 2013 eve., passed)

Committee of the Whole -- 2255-58 (May 8, 2013 eve., passed)

Third Reading -- 2273-75 (May 9, 2013 aft., passed)

Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force May 27, 2013, with exceptions; SA 2013 c10]

- 25\* Children First Act (\$) (Hancock)**  
First Reading -- 2145 (May 7, 2013 aft., passed)  
Second Reading -- 2194-2212 (May 8, 2013 aft.), 2213-29 (May 8, 2013 eve., passed on division)  
Committee of the Whole -- 2342-375 (May 13, 2013 eve., passed with amendments)  
Third Reading -- 2408-410 (May 14, 2013 aft., passed)  
Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force on proclamation; SA 2013 cC-12.5]
- 26 Assurance for Students Act (J. Johnson)**  
First Reading -- 2394 (May 14, 2013 aft., passed)  
Second Reading -- 2403-408 (May 14, 2013 aft., passed)  
Committee of the Whole -- 2442-444 (May 14, 2013 eve., passed)  
Third Reading -- 2464-468 (May 15, 2013 aft., passed)  
Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force May 27, 2013; SA 2013 cA-44.8]
- 27 Flood Recovery and Reconstruction Act (Griffiths)**  
First Reading -- 2495 (Oct. 28, 2013 aft., passed)  
Second Reading -- 2549-50 (Oct. 29, 2013 eve.), 2584-94 (Oct. 30, 2013 aft.), 2706-14 (Nov. 4, 2013 eve., passed)  
Committee of the Whole -- 2732-44 (Nov. 5, 2013 aft.), 2749-71 (Nov. 5, 2013 eve.), 2796-808 (Nov. 6, 2013 aft.), 2809-19 (Nov. 6, 2013 eve., passed)  
Third Reading -- 3083-87 (Nov. 25, 2013 eve.), 3128-41 (Nov. 26, 2013 eve., passed)
- 28 Modernizing Regional Governance Act (Griffiths)**  
First Reading -- 2495 (Oct. 28, 2013 aft., passed)  
Second Reading -- 2550 (Oct. 29, 2013 eve.), 2594-601 (Oct. 30, 2013 aft.), 2603-641 (Oct. 30, 2013 eve., passed)  
Committee of the Whole -- 3209-12 (Nov. 28, 2013 aft., adjourned, amendments introduced)
- 29 Pharmacy and Drug Amendment Act, 2013 (Horne)**  
First Reading -- 2495-6 (Oct. 28, 2013 aft., passed)  
Second Reading -- 2534 (Oct. 29, 2013 aft.), 2550-60 (Oct. 29, 2013 eve., passed)  
Committee of the Whole -- 2705-6 (Nov. 4, 2013 eve., passed)  
Third Reading -- 2771 (Nov. 5, 2013 eve., passed)  
Royal Assent -- (Nov. 7, 2013 outside of House sitting) [Comes into force December 19, 2013; SA 2013 c13]
- 30\* Building Families and Communities Act (\$) (Hancock)**  
First Reading -- 2581 (Oct. 30, 2013 aft., passed)  
Second Reading -- 2788-96 (Nov. 6, 2013 aft., passed)  
Committee of the Whole -- 2937-60 (Nov. 19, 2013 eve., passed with amendments)  
Third Reading -- 3146-50 (Nov. 26, 2013 eve., passed)
- 31 Protecting Alberta's Environment Act (\$) (McQueen)**  
First Reading -- 2496 (Oct. 28, 2013 aft., passed)  
Second Reading -- 2544-7 (Oct. 29, 2013 aft.), 2560-6 (Oct. 29, 2013 eve.), 2657-65 (Oct. 31, 2013 aft.), 2703-5 (Nov. 4, 2013 eve., passed)  
Committee of the Whole -- 2744-7 (Nov. 5, 2013 aft.), 2749-71 (Nov. 5, 2013 eve., passed)  
Third Reading -- 2819-24 (Nov. 6, 2013 eve.), 2848-49 (Nov. 7, 2013 aft.), 2895 (Nov. 18, 2013 eve., passed)
- 32 Enhancing Safety on Alberta Roads Act (McIver)**  
First Reading -- 2526 (Oct. 29, 2013 aft., passed)  
Second Reading -- 2583-4 (Oct. 30, 2013 aft.), 2886-91 (Nov. 18, 2013 eve., passed)  
Committee of the Whole -- 3081-83 (Nov. 25, 2013 eve., passed)  
Third Reading -- 3124-26 (Nov. 26, 2013 aft., passed)
- 33 Tobacco Reduction Amendment Act, 2013 (Rodney)**  
First Reading -- 2837 (Nov. 7, 2013 aft., passed)  
Second Reading -- 2885 (Nov. 18, 2013 eve.), 2981-87 (Nov. 20, 2013 aft., passed)  
Committee of the Whole -- 3075-81 (Nov. 25, 2013 eve., passed)  
Third Reading -- 3174-84 (Nov. 27, 2013 aft.), 3185-88 (Nov. 27, 2013 eve., passed)
- 34 Building New Petroleum Markets Act (\$) (Hughes)**  
First Reading -- 2786 (Nov. 6, 2013 aft., passed)  
Second Reading -- 2846 (Nov. 7, 2013 aft.), 2913-27 (Nov. 19, 2013 aft., passed)  
Committee of the Whole -- 2997-3010 (Nov. 20, 2013 eve., passed)  
Third Reading -- 3087-90 (Nov. 25, 2013 eve., passed)

- 35 Financial Administration Amendment Act, 2013 (Horner)**  
First Reading -- 2678 (Nov. 4, 2013 aft., passed)  
Second Reading -- 2731-2 (Nov. 5, 2013 aft.), 2928-31 (Nov. 19, 2013 aft.), 2933-37 (Nov. 19, 2013 eve., passed)  
Committee of the Whole -- 2993 (Nov. 20, 2013 aft., passed)  
Third Reading -- 3029-39 (Nov. 21, 2013 aft., passed)
- 36 Appropriation (Supplementary Supply) Act, 2013 (No. 2) (\$) (Horner)**  
First Reading -- 3125 (Nov. 26, 2013 aft., passed)  
Second Reading -- 3170-74 (Nov. 27, 2013 aft.), 3191 (Nov. 27, 2013 eve., passed)
- 37 Statutes Repeal Act (\$) (Denis)**  
First Reading -- 2786 (Nov. 6, 2013 aft., passed)  
Second Reading -- 2846-47 (Nov. 7, 2013 aft.), 2891-94 (Nov. 18, 2013 eve.), 2960 (Nov. 19, 2013 eve., passed)  
Committee of the Whole -- 2993-96 (Nov. 20, 2013 aft., passed)  
Third Reading -- 3039 (Nov. 21, 2013 aft.), 3091 (Nov. 25, 2013 eve., passed)
- 38 Statutes Amendment Act, 2013 (No. 2) (\$) (Denis)**  
First Reading -- 2837-38 (Nov. 7, 2013 aft., passed)  
Second Reading -- 2885-86 (Nov. 18, 2013 eve.), 2960-62 (Nov. 19, 2013 eve., passed)  
Committee of the Whole -- 2996 (Nov. 20, 2013 aft., passed)  
Third Reading -- 3091-92 (Nov. 25, 2013 eve., passed)
- 39 Enhancing Consumer Protection in Auto Insurance Act (Horner)**  
First Reading -- 2786 (Nov. 6, 2013 aft., passed)  
Second Reading -- 2847-48 (Nov. 7, 2013 aft.), 2987-90 (Nov. 20, 2013 aft., passed)  
Committee of the Whole -- 3127-28 (Nov. 26, 2013 eve., passed)  
Third Reading -- 3188-89 (Nov. 27, 2013 eve., passed)
- 40 Settlement of International Investment Disputes Act (Quadri)**  
First Reading -- 2678-9 (Nov. 4, 2013 aft., passed)  
Second Reading -- 2732 (Nov. 5, 2013 aft.), 2990-93 (Nov. 20, 2013 aft., passed)  
Committee of the Whole -- 3141-42 (Nov. 26, 2013 eve., passed)  
Third Reading -- 3189-90 (Nov. 27, 2013 eve., passed)
- 41 Premier's Council on the Status of Persons with Disabilities Amendment Act, 2013 (Oberle)**  
First Reading -- 2727 (Nov. 5, 2013 aft., passed)  
Second Reading -- 2787-8 (Nov. 6, 2013 aft.), 2896-98 (Nov. 18, 2013 eve., passed)  
Committee of the Whole -- 3142-46 (Nov. 26, 2013 eve., passed)  
Third Reading -- 3191 (Nov. 27, 2013 eve., passed)
- 42 Securities Amendment Act, 2013 (Horner)**  
First Reading -- 3164 (Nov. 27, 2013 aft., passed)
- 43 Alberta Economic Development Authority Amendment Act, 2013 (Lukaszuk)**  
First Reading -- 2727 (Nov. 5, 2013 aft., passed)  
Second Reading -- 2788 (Nov. 6, 2013 aft.), 2898 (Nov. 18, 2013 eve.), 2927-28 (Nov. 19, 2013 aft., passed)  
Committee of the Whole -- 3010-14 (Nov. 20, 2013 eve., passed)  
Third Reading -- 3090-91 (Nov. 25, 2013 eve., passed)
- 44 Notaries and Commissioners Act (Olesen)**  
First Reading -- 2976 (Nov. 20, 2013 aft., passed)  
Second Reading -- 3028-29 (Nov. 21, 2013 aft.), 3190 (Nov. 27, 2013 eve., passed)
- 45 Public Sector Services Continuation Act (Hancock)**  
First Reading -- 3165 (Nov. 27, 2013 aft., passed)  
Second Reading -- 3212-16 (Nov. 28, 2013 aft., adjourned)
- 46 Public Service Salary Restraint Act (Horner)**  
First Reading -- 3165 (Nov. 27, 2013 aft., passed)

- 201\* Scrap Metal Dealers and Recyclers Identification Act (Quest)**  
 First Reading -- 92 (May 30, 2012 aft., passed)  
 Second Reading -- 291-301 (Oct. 29, 2012 aft., passed)  
 Committee of the Whole -- 716-22 (Nov. 19, 2012 aft.), 1725-26 (Apr. 8, 2013 aft., passed with amendments)  
 Third Reading -- 1726-27 (Apr. 8, 2013 aft., passed)  
 Royal Assent -- (Apr. 29, 2013 outside of House sitting) [Comes into force on proclamation; SA 2013 cS-3.5]
- 202 Public Lands (Grasslands Preservation) Amendment Act, 2012 (Brown)**  
 First Reading -- 130 (May 31, 2012 aft., passed)  
 Second Reading -- 501-13 (Nov. 5, 2012 aft.), 1723-25 (Apr. 8, 2013 aft., defeated on division)
- 203 Employment Standards (Compassionate Care Leave) Amendment Act, 2012 (Jeneroux)**  
 First Reading -- 473 (Nov. 1, 2012 aft., passed)  
 Second Reading -- 1900 (Apr. 22, 2013 aft., passed)  
 Committee of the Whole -- 2298-303 (May 13, 2013 aft., passed)  
 Third Reading -- 2303 (May 13, 2013 aft., passed)  
 Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force on proclamation; SA 2013 c6]
- 204 Irlen Syndrome Testing Act (Jablonski)**  
 First Reading -- 968 (Nov. 22, 2012 aft., passed), 1912 (Apr. 22, 2013 aft., referred to Standing Committee on Families and Communities), (Oct. 28, 2013 aft., motion to concur in report), (Nov. 4, 2013 aft., reported to Assembly, not proceeded with)
- 205 Fisheries (Alberta) Amendment Act, 2012 (Calahasen)**  
 First Reading -- 1117 (Nov. 28, 2012 aft., passed), 1913 (Apr. 22, 2013 aft., referred to Standing Committee on Resource Stewardship), (Oct. 28, 2013 aft., motion to concur in report), (Nov. 4, 2013 aft., reported to Assembly, not proceeded with)
- 206\* Tobacco Reduction (Flavoured Tobacco Products) Amendment Act, 2013 (Cusanelli)**  
 First Reading -- 1350-51 (Dec. 6, 2012 aft., passed)  
 Second Reading -- 2303-312 (May 13, 2013 aft., passed)  
 Committee of the Whole -- 2687-94 (Nov. 4, 2013 aft.), 2865-73 (Nov. 18, 2013 aft., passed with amendments)  
 Third Reading -- 3062-66 (Nov. 25, 2013 aft., passed on division)
- 207\* Human Tissue and Organ Donation Amendment Act, 2013 (Webber)**  
 First Reading -- 1690 (Mar. 21, 2013 aft., passed), 2375 (May 13, 2013 eve., moved to Government Bills and Orders)  
 Second Reading -- 2395-403 (May 14, 2013 aft., passed)  
 Committee of the Whole -- 2534-44 (Oct. 29, 2013 aft.), 2566-8 (Oct. 29, 2013 eve., passed with amendments)  
 Third Reading -- 2566-8 (Oct. 29, 2013 eve., passed)  
 Royal Assent -- (Nov. 7, 2013 outside of House sitting) [Comes into force November 7, 2013; SA 2013 c12]
- 208 Seniors' Advocate Act (Towle)**  
 First Reading -- 1315 (Dec. 5, 2012 aft., passed)  
 Second Reading -- 2873-83 (Nov. 18, 2013 aft.), 3067 (Nov. 25, 2013 aft., adjourned)
- 209 Severance and Bonus Limitation Statutes Amendment Act, 2013 (Anderson)**  
 First Reading -- 2976 (Nov. 20, 2013 aft., passed)
- Pr1\* Church of Jesus Christ of Latter-day Saints in Canada Act (Dorward)**  
 First Reading -- 1999 (Apr. 24, 2013 aft., passed)  
 Second Reading -- 2410-411 (May 14, 2013 aft., passed)  
 Committee of the Whole -- 2445-446 (May 14, 2013 eve., passed with amendments)  
 Third Reading -- 2478 (May 15, 2013 aft., passed)  
 Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force May 27, 2013]
- Pr2\* Wild Rose Agricultural Producers Amendment Act, 2013 (McDonald)**  
 First Reading -- 1999 (Apr. 24, 2013 aft., passed)  
 Second Reading -- 2413 (May 14, 2013 eve., passed)  
 Committee of the Whole -- 2445 (May 14, 2013 eve., passed with amendments)  
 Third Reading -- 2478 (May 15, 2013 aft., passed)  
 Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force May 27, 2013]



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The 28th Legislature  
First Session

# Alberta Hansard

Monday afternoon, December 2, 2013

Issue 76

The Honourable Gene Zwozdesky, Speaker

## Legislative Assembly of Alberta The 28th Legislature

First Session

Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC), Speaker  
Rogers, George, Leduc-Beaumont (PC), Deputy Speaker and Chair of Committees  
Jablonski, Mary Anne, Red Deer-North (PC), Deputy Chair of Committees

Allen, Mike, Fort McMurray-Wood Buffalo (Ind)  
Amery, Moe, Calgary-East (PC)  
Anderson, Rob, Airdrie (W),  
    Official Opposition House Leader  
Anglin, Joe, Rimbey-Rocky Mountain House-Sundre (W),  
    Official Opposition Whip  
Barnes, Drew, Cypress-Medicine Hat (W)  
Bhardwaj, Naresh, Edmonton-Ellerslie (PC)  
Bhullar, Hon. Manmeet Singh, Calgary-Greenway (PC)  
Bikman, Gary, Cardston-Taber-Warner (W)  
Bilous, Deron, Edmonton-Beverly-Clareview (ND)  
Blakeman, Laurie, Edmonton-Centre (AL),  
    Liberal Opposition House Leader  
Brown, Dr. Neil, QC, Calgary-Mackay-Nose Hill (PC)  
Calahasen, Pearl, Lesser Slave Lake (PC)  
Campbell, Hon. Robin, West Yellowhead (PC),  
    Deputy Government House Leader  
Cao, Wayne C.N., Calgary-Fort (PC)  
Casey, Ron, Banff-Cochrane (PC)  
Cusanelli, Christine, Calgary-Currie (PC)  
Dallas, Hon. Cal, Red Deer-South (PC)  
DeLong, Alana, Calgary-Bow (PC)  
Denis, Hon. Jonathan, QC, Calgary-Acadia (PC),  
    Deputy Government House Leader  
Donovan, Ian, Little Bow (W)  
Dorward, David C., Edmonton-Gold Bar (PC),  
    Deputy Government Whip  
Drysedale, Hon. Wayne, Grande Prairie-Wapiti (PC)  
Eggen, David, Edmonton-Calder (ND),  
    New Democrat Opposition Whip  
Fawcett, Hon. Kyle, Calgary-Klein (PC)  
Fenske, Jacquie, Fort Saskatchewan-Vegreville (PC)  
Forsyth, Heather, Calgary-Fish Creek (W)  
Fox, Rodney M., Lacombe-Ponoka (W)  
Fraser, Hon. Rick, Calgary-South East (PC)  
Fritz, Yvonne, Calgary-Cross (PC)  
Goudreau, Hector G., Dunvegan-Central Peace-Notley (PC)  
Griffiths, Hon. Doug, Battle River-Wainwright (PC)  
Hale, Jason W., Strathmore-Brooks (W)  
Hancock, Hon. Dave, QC, Edmonton-Whitemud (PC),  
    Government House Leader  
Hehr, Kent, Calgary-Buffalo (AL)  
Horne, Hon. Fred, Edmonton-Rutherford (PC)  
Horner, Hon. Doug, Spruce Grove-St. Albert (PC)  
Hughes, Hon. Ken, Calgary-West (PC)  
Jansen, Hon. Sandra, Calgary-North West (PC)  
Jeneroux, Matt, Edmonton-South West (PC)  
Johnson, Hon. Jeff, Athabasca-Sturgeon-Redwater (PC)  
Johnson, Linda, Calgary-Glenmore (PC)  
Kang, Darshan S., Calgary-McCall (AL),  
    Liberal Opposition Whip

Kennedy-Glans, Donna, Calgary-Varsity (PC)  
Khan, Stephen, St. Albert (PC)  
Klimchuk, Hon. Heather, Edmonton-Glenora (PC)  
Kubinec, Maureen, Barrhead-Morinville-Westlock (PC)  
Lemke, Ken, Stony Plain (PC)  
Leskiw, Genia, Bonnyville-Cold Lake (PC)  
Luan, Jason, Calgary-Hawkwood (PC)  
Lukaszuk, Hon. Thomas A., Edmonton-Castle Downs (PC)  
Mason, Brian, Edmonton-Highlands-Norwood (ND),  
    Leader of the New Democrat Opposition  
McAllister, Bruce, Chestermere-Rocky View (W)  
McDonald, Everett, Grande Prairie-Smoky (PC)  
McIver, Hon. Ric, Calgary-Hays (PC),  
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McQueen, Hon. Diana, Drayton Valley-Devon (PC)  
Notley, Rachel, Edmonton-Strathcona (ND),  
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Olesen, Cathy, Sherwood Park (PC)  
Olson, Hon. Verlyn, QC, Wetaskiwin-Camrose (PC)  
Pastoor, Bridget Brennan, Lethbridge-East (PC)  
Pedersen, Blake, Medicine Hat (W)  
Quadri, Sohail, Edmonton-Mill Woods (PC)  
Quest, Dave, Strathcona-Sherwood Park (PC)  
Redford, Hon. Alison M., QC, Calgary-Elbow (PC),  
    Premier  
Rodney, Hon. Dave, Calgary-Lougheed (PC)  
Rowe, Bruce, Olds-Didsbury-Three Hills (W)  
Sandhu, Peter, Edmonton-Manning (Ind)  
Sarich, Janice, Edmonton-Decore (PC)  
Saskiw, Shayne, Lac La Biche-St. Paul-Two Hills (W),  
    Official Opposition Deputy House Leader  
Scott, Hon. Donald, QC, Fort McMurray-Conklin (PC)  
Sherman, Dr. Raj, Edmonton-Meadowlark (AL),  
    Leader of the Liberal Opposition  
Smith, Danielle, Highwood (W),  
    Leader of the Official Opposition  
Starke, Hon. Dr. Richard, Vermilion-Lloydminster (PC)  
Stier, Pat, Livingstone-Macleod (W)  
Strankman, Rick, Drumheller-Stettler (W)  
Swann, Dr. David, Calgary-Mountain View (AL)  
Towle, Kerry, Innisfail-Sylvan Lake (W),  
    Official Opposition Deputy Whip  
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Weadick, Hon. Greg, Lethbridge-West (PC)  
Webber, Len, Calgary-Foothills (PC)  
Wilson, Jeff, Calgary-Shaw (W)  
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
    Government Whip

### Party standings:

Progressive Conservative: 59

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

Independent: 2

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Robert H. Reynolds, QC, Law Clerk/

Director of Interparliamentary Relations

Shannon Dean, Senior Parliamentary

Counsel/Director of House Services

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Fiona Vance, Sessional Parliamentary  
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Chris Caughell, Assistant Sergeant-at-Arms

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Janet Schwegel, Managing Editor of *Alberta Hansard*

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Jonathan Denis	Minister of Justice and Solicitor General
Wayne Drysdale	Minister of Infrastructure
Kyle Fawcett	Associate Minister of Regional Recovery and Reconstruction for Southwest Alberta
Rick Fraser	Associate Minister of Regional Recovery and Reconstruction for High River
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Fred Horne	Minister of Health
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Verlyn Olson	Minister of Agriculture and Rural Development
Dave Rodney	Associate Minister of Wellness
Donald Scott	Associate Minister of Accountability, Transparency and Transformation
Richard Starke	Minister of Tourism, Parks and Recreation
George VanderBurg	Associate Minister of Seniors
Greg Weadick	Associate Minister of Regional Recovery and Reconstruction for Southeast Alberta
Teresa Woo-Paw	Associate Minister of International and Intergovernmental Relations

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on Alberta's Economic Future

Chair: Mr. Amery

Deputy Chair: Mr. Fox

Bhardwaj	Olesen
Cao	Pastoor
Donovan	Quadri
Dorward	Rogers
Eggen	Rowe
Hehr	Sarich
Luan	Strankman
McDonald	Xiao

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Khan

Deputy Chair: Mrs. Jablonski

Amery	Eggen
Anderson	Kubinec
Casey	Sherman
Dorward	

### Standing Committee on Families and Communities

Chair: Mr. Quest

Deputy Chair: Mrs. Forsyth

Brown	Leskiw
Cusanelli	Notley
DeLong	Pedersen
Fritz	Swann
Goudreau	Towle
Jablonski	Wilson
Jeneroux	Xiao
Khan	Young

### Standing Committee on Legislative Offices

Chair: Mr. Cao

Deputy Chair: Mr. McDonald

Bikman	Leskiw
Blakeman	Quadri
Brown	Rogers
DeLong	Wilson
Eggen	

### Special Standing Committee on Members' Services

Chair: Mr. Zwozdesky

Deputy Chair: Mr. Young

Casey	McDonald
Forsyth	Quest
Fritz	Sherman
Kennedy-Glans	Smith
Mason	

### Standing Committee on Private Bills

Chair: Mr. Xiao

Deputy Chair: Ms L. Johnson

Allen	Goudreau
Barnes	Jablonski
Bhardwaj	Leskiw
Brown	Notley
Cusanelli	Olesen
DeLong	Rowe
Fox	Strankman
Fritz	Swann

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Ms Olesen

Deputy Chair: Mr. Lemke

Calahasen	McAllister
Cao	Notley
Casey	Pedersen
Goudreau	Quadri
Hehr	Rogers
Kennedy-Glans	Saskiw
Kubinec	Towle
Luan	Young

### Standing Committee on Public Accounts

Chair: Mr. Anderson

Deputy Chair: Mr. Dorward

Amery	Khan
Anglin	Luan
Bilous	Pastoor
Donovan	Quadri
Fenske	Quest
Hale	Sarich
Hehr	Stier
Jeneroux	Webber

### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans

Deputy Chair: Mr. Anglin

Allen	Hale
Barnes	Johnson, L.
Bikman	Khan
Bilous	Kubinec
Blakeman	Lemke
Calahasen	Sandhu
Casey	Stier
Fenske	Webber

## Legislative Assembly of Alberta

1:30 p.m.

Monday, December 2, 2013

[The Speaker in the chair]

### Prayers

**The Speaker:** Hon. members, let us pray. Dear Lord, we pray that You will always be with us and with those we love as well as with those whom we serve. Amen.

Hon. members, please remain standing and join in the singing of our national anthem since this is the beginning of our new week. Today's anthem will be led by Ms Kyla Rodgers.

### Hon. Members:

O Canada, our home and native land!  
True patriot love in all thy sons command.  
With glowing hearts we see thee rise,  
The True North strong and free!  
From far and wide, O Canada,  
We stand on guard for thee.  
God keep our land glorious and free!  
O Canada, we stand on guard for thee.  
O Canada, we stand on guard for thee.

**The Speaker:** Hon members, it may benefit you to know that Ms Kyla Rodgers is a former head page and tour guide of our Legislative Assembly. She's also a member of the University of Alberta Mixed Chorus and Concordia University College of Alberta concert choirs. She also possesses a grade 10 certificate from The Royal Conservatory of Music. Still others would recognize her as working with the Sergeant-at-Arms. Thank you very much for joining us today.

Please be seated.

### Introduction of Visitors

**The Speaker:** The hon. Minister of International and Intergovernmental Relations.

**Mr. Dallas:** Thank you, Mr. Speaker. I rise to introduce to you and through you to the members of this Assembly Kie-Cheon Lee, who is the consul general of Korea. Accompanying him is Yoon Sun Eo, consul of Korea. They are, of course, up in the Speaker's gallery. Alberta and Korea have a long-standing trade investment and cultural relationship. In fact, this year marks the 50th anniversary of diplomatic ties between our province and Korea. In addition, next year will be the 40th anniversary of Alberta's twinning with Gangwon. There are more than 12,000 people of Korean descent who have made Alberta their home and helped make Alberta the most prosperous province in Canada. Korea is Alberta's fifth-largest export market. Our two jurisdictions continue to build strong ties in everything from trade to cross-cultural endeavours. I would like to ask Consul General Lee and Consul Eo to rise and receive the traditional warm welcome of this Assembly.

### Introduction of Guests

**The Speaker:** Let us begin with school groups, starting with Edmonton-Ellerslie, followed by Sherwood Park.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. On your behalf I would like to introduce to you and through you 35

students from Bisset elementary school, located in Edmonton-Mill Creek. These students are participating in our School at the Legislature program this week. They are accompanied by their teacher, Robin Kinasevich, and three parent helpers: Wayne Portice, Jason Scollon, and LoveLeen Kahlon. At this time I'd ask all of my guests to please rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Sherwood Park.

**Ms Olesen:** Thank you, Mr. Speaker. It's my pleasure today to rise before you and introduce to you and through you to all members of this Assembly 93 reinforcements from St. Theresa Catholic school, whose students were here last week as well. It is great to have them here to take in the proceedings, and I hope they have enjoyed their time with us today. I would like to introduce the leaders with them: Ms Stefanie Kaiser, Mrs. Lynne Schurek, Mr. Kurt Davison, Mrs. Clelland, Ms Tiffany Kryzalka, Ms Nicole Anderson, and Ms Norma Aanhout. If they would all please rise and receive the warm traditional welcome.

Thanks for being here.

**The Speaker:** Hon. Deputy Premier, I understand your guests have not yet arrived, so let's move on to the Associate Minister of Wellness, followed by the Minister of Transportation.

**Mr. Rodney:** Thank you so much, Mr. Speaker. It is indeed a pleasure for me to introduce Gordon Hensel, registrar of the Alberta College of Optometrists. Dr. Hensel is seated in the members' gallery and is here to support the tabling of the Alberta College of Optometrists annual report to government, which I will table later this afternoon. Members, please join me in welcoming him to this Assembly and thanking his organization for all of their dedication and hard work to advance the optometry profession here in Alberta.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Minister of Transportation, followed by the hon. Member for Edmonton-Strathcona.

**Mr. McIver:** Thank you, Mr. Speaker. I'm pleased to rise today and introduce to you and through you to all members of the Assembly Mr. Roy Krahn, who's sitting in the members' gallery. Roy and his wife, Darlene, are very dedicated volunteers in the community of McKenzie Towne in Calgary-Hays. They have been volunteering at the McKenzie Towne Retirement Residence for 11 years and in that time have spent countless Monday nights serving seniors with nondenominational church services. I am pleased to introduce Mr. Krahn today and ask that he receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by Edmonton-Ellerslie.

**Ms Notley:** Thank you very much, Mr. Speaker. Today I am pleased to introduce to you and through you to this Assembly my guest, my constituent Denise Baillie. Denise is the new president of CCSVI, chronic cerebrospinal venous insufficiency, Alberta. You saw her in front of the Legislature last fall and this spring demonstrating for CCSVI treatment to be made available in Alberta. She wants members of this House to know that after her treatment in California on May 1 she cancelled her government disability funding, has returned to work full-time, and is doing things she always wanted to do like taking dance lessons. I would

now ask Denise to rise and perhaps dance a little and receive the traditional warm welcome of the Assembly.

**The Speaker:** Hon. Member for Edmonton-Ellerslie, your first of two introductions, followed by Edmonton-Decore.

**Mr. Bhardwaj:** Mr. Speaker, my guests will be here after 2 o'clock.

Thank you.

**The Speaker:** Thank you.

Edmonton-Decore, followed by Innisfail-Sylvan Lake.

**Mrs. Sarich:** Thank you, Mr. Speaker. It's my honour and privilege to rise today to introduce to you and through you to all Members of the Legislative Assembly four representatives from Chateau at Schonsee Square, an affordable housing opportunity for low-income seniors and people with disabilities in Edmonton-Decore. Chateau at Schonsee Square opened on September 30, 2013. It illustrates a partnership between the private sector, federal government, and our government, who invested \$6 million to achieve over a hundred affordable housing suites. My guests are seated in the members' gallery. I extend congratulations and thanks to them, and I would ask them to please rise as I mention their names: Mr. Jarret Sheath, vice-president of business development for Lifestyle Options Holdings; Mr. Dan Slaven, director for Lifestyle Options Holdings; Ms Renae Ferchoff, director for Chateau Schonsee Developments; and Mr. Cam Ferchoff, director for Chateau Schonsee Developments. I would now ask the Assembly to join yours truly to provide my guests with the traditional warm welcome.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Innisfail-Sylvan Lake, followed by Calgary-Hawwood.

**Mrs. Towle:** Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you to all Members of the Legislative Assembly Cassie and Lyle Liska. Cassie's mother was Violet MacDonald, a senior who had a tragic experience in seniors' care and has since passed away. Both Cassie and Lyle are here because they are concerned with our system, that fails our seniors. I would ask them to rise and accept the traditional warm welcome of this House.

Thank you.

1:40

**The Speaker:** The Member for Calgary-Hawwood, followed by Calgary-East.

**Mr. Luan:** Thank you, Mr. Speaker. I'm very pleased to introduce to you and through you to all members of this Assembly guests that have joined us today in the public gallery to show their support for Bill 211, that I'll be introducing later in this House. My guests today represent some of the largest Mandarin-speaking associations in Calgary, and they also represent some of the heritage language schools there. Because of weather conditions, some were not able to make it here, but for those brave souls who made it, as I call your name, I would ask you to stand to receive the traditional warm welcome of this House: Mr. James Zhan, president of the Qinghua association of Calgary; Ms Wei Huang, CEO of Calgary Ringtorch Sport Association; and Mr. Jilin Wang, president of Calgary Dongbei association. I would now ask all of my colleagues to give them the traditional warm welcome of this House.

**The Speaker:** The hon. Member for Calgary-East, followed by Edmonton-South West.

**Mr. Amery:** Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you to all members of the Assembly guests that have joined us today in the public gallery to show their support for Bill 211. They are here to show support, also, for heritage language schools in Alberta. All of my guests are from Changing Together, which is a place for immigrant women to meet and work together in solving challenges they face and to help them to participate fully in Canadian life. I would ask that each of the guests rise as their name is called: Leticia Cables, Cleo Palma, Lois Binas, Chandra Weerasinghe, Vida Drah, and Jasmine Phan. I would ask all members to give them the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-South West, followed by Fort Saskatchewan-Vegreville.

**Mr. Jeneroux:** Sorry, Mr. Speaker. They have yet to arrive.

**The Speaker:** Thank you.

The hon. Member for Fort Saskatchewan-Vegreville.

**Ms Fenske:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you today to all members of the Assembly Ms Corrine Gowers, a provincial co-ordinator with WORKink Alberta. She has worked with persons with disabilities for over 20 years. Ms Gowers works to build awareness and community supports for individuals and employers. She's a strong advocate for training skills and the abilities of individuals with disabilities. Ms Gowers is here today to raise awareness for the International Day of Persons with Disabilities, December 3, 2013. I would ask that the Assembly greet her with the traditional warm greeting.

### Members' Statements

**The Speaker:** The hon. Member for Fort Saskatchewan-Vegreville, followed by Innisfail-Sylvan Lake.

### Persons with Disabilities

**Ms Fenske:** Thank you, Mr. Speaker, 15 per cent of the world's population lives with some form of disability. In 2006 the convention on the rights of persons with disabilities was adopted by the United Nations to ensure that full equality and participation for persons with disabilities was achieved in our society. This year's theme for the International Day of Persons with Disabilities, which will be recognized on December 3, is Break Barriers, Open Doors: For an Inclusive Society and Development for All.

On September 23 the high-level meeting on development and disabilities was convened by the general assembly of the UN, and an action-oriented document was created to provide policy guidance to translate the initial commitment for a disability-inclusive society into action and to ensure accessibility and inclusion for persons with disabilities.

Around the world persons with disabilities face physical, social, economic, and attitudinal barriers that exclude them from participating fully and effectively as equal members of society. They often lack equal access to basic resources such as education, employment, health care, and social and legal support systems.

The commemoration of International Day of Persons with Disabilities in 2013, which includes activities in the communities of Fort Saskatchewan and Vegreville, in my constituency, provides an



opportunity for us to address exclusion by focusing on promoting accessibility and by removing all types of barriers in society, thus ensuring the integration of persons with disabilities in political, social, economic, and cultural life, and that should and must be our goal, Mr. Speaker.

**The Speaker:** The hon. Member for Innisfail-Sylvan Lake, followed by Edmonton-South West.

### Seniors' Long-term Care

**Mrs. Towle:** Thank you, Mr. Speaker. For Cassie Liska out of Red Deer the past six years have been the most difficult years of her life. In the spring of 2007 her family faced the reality of putting their 66-year-old mum, Violet MacDonald, suffering from MS, into a care facility. As any loving family would, they asked questions, seeking the best quality of care that their mother could receive. Often their questions went unanswered. Their genuine concern for their mother's well-being was ignored. For Cassie there were many days where she felt helpless.

It was not uncommon for Cassie to see her mum left for days on end in a wheelchair, never being put into a bed, and lucky to be bathed once a month. As her caregiver Cassie was left wondering how to advocate on behalf of her mum when at every turn she was ignored.

In February of this year Violet was hospitalized due to complications from severe bed wounds which became septic days after being left in her own diaper for over 36 hours. She was taken from McKenzie Towne Centre to the Rockyview hospital, where she endured four months of treatment. The transition department told Cassie that if the family refused to send her mum back to McKenzie Towne, they could not guarantee where Violet would be placed in a care facility in Alberta. Due to the fear of the unknown and the family's need to be close to their mum, they felt there was no choice but to return to the same facility that was subject to a Protection for Persons in Care investigation, which ultimately found the abuse allegations to be true.

This is a sad state of seniors' care in the most prosperous province in Canada. After all of this, Violet was told that she would be bedridden, taking what limited mobility she had left away from her. Violet took her last breath on October 27, 2013.

Dignity and respect: that is what each and every one of us deserves in this world. We would not accept this type of care for our children. Why would we want any of this type of care for our seniors? Violet couldn't even get the required care she needed to survive, her family alone in a system full of bureaucracy and a cover-your-butt mentality.

Let's be clear. Violet's story is not a one-off. These same stories are happening each and every day. We have an opportunity to ensure changes are made so that no one – no one, Mr. Speaker – has to endure what Cassie, her family, and her mother, Violet, have had to go through.

Thank you.

**The Speaker:** The hon. Member for Edmonton-South West, followed by Barrhead-Morinville-Westlock.

### University of Alberta Health Sciences Partnerships

**Mr. Jeneroux:** Thank you, Mr. Speaker. It's my pleasure to rise today in order to highlight a matter of great importance for the future of health, education, and research in Alberta and, for those who know me, something that I'm personally and intimately passionate about. I'm talking about our medical students and the

value we should place as a province on our ability to train them and retain their services. The University of Alberta's medical school, for instance, is host to some of the most talented medical personnel in the world and is renowned for producing some of the most groundbreaking research in the field of medicine.

The Edmonton Clinic Health Academy is a fine example of new advancement and innovation efforts coming out of medical educational practice in Alberta. The Edmonton Clinic Health Academy is one of two facilities that together represent a partnership between Alberta Health Services, the University of Alberta, and the government of Alberta, and it is designed to change how we deliver outpatient care as well as health sciences education and research.

This facility is home to a community of researchers, educators, and students who collaborate in a multidisciplinary environment. The academy is student focused, offering a new generation of learners the specialized space and simulations technology that will prepare them for the requirements of the 21st century, patient-centred and team-based health care.

The Kaye Edmonton Clinic, which is housed in the same building complex as the academy, is also unique to Alberta and provides co-ordinated diagnostic and specialist ambulatory services in a fully integrated facility. Patients here benefit from seamless outpatient care and streamlined access to specialized services. It gives students an opportunity to connect to real-life practices and learn from real experience. It also lends an opportunity for Alberta's medical students to gain wisdom in another critical aspect of their future professions. It places them with their patients and their families, and it's here that they become doctors and citizen leaders because it is here that they acquire that rare wisdom that can only be gained through direct contact with the intimacies of the human heart.

Positive outcomes like those in the Edmonton Clinic Health Academy and the Kaye Edmonton Clinic should make it clear why it is so important to continue to attract doctors and medical students to Alberta.

Thank you, Mr. Speaker.

### Oral Question Period

**The Speaker:** Hon. members, let us begin with the hon. Leader of Her Majesty's Loyal Opposition. The first main set of questions.

### Seniors' Long-term Care

**Ms Smith:** Mr. Speaker, the heartbreaking and horrifying story of Violet MacDonald's death paints a grim picture for other families whose loved ones are in long-term care. When Violet arrived at hospital, supposedly for treatment of a urinary tract infection, hospital staff were appalled to discover putrefying wounds on her feet, lower back, and buttocks. These wounds were clearly the result of improper care. Can the minister explain why a review is not automatically initiated when a patient in long-term care arrives in hospital with unreported gaping wounds?

1:50

**Mr. Horne:** Well, Mr. Speaker, this is a very, very tragic situation, and the first thing I want to do is express the sympathy of our government to the members of this resident's family and our condolences at the news of her death.

Mr. Speaker, I am gathering as much information as I can today, but what I can tell you clearly is that this sort of situation is unacceptable in this province in any circumstance. I have asked the Alberta Health Services on-site team to monitor operations at

this facility until my questions are answered. We'll be taking some additional . . .

**The Speaker:** Hon. leader, your first supplemental.

**Ms Smith:** Thank you, Mr. Speaker. I'm sure the family appreciates hearing that.

Despite all of the supposed safeguards and checks the government claims are in place to protect seniors, none were able to help Violet. The subsequent investigation into her wounds had to be initiated at the family's request. It produced precisely one recommendation, that the long-term care facility change its wound management policy. No further accountability and no consequence for Violet's neglect and death. Does this government really believe that its review process is adequate?

**Mr. Horne:** Well, Mr. Speaker, what I can tell the House is that every investigation that is conducted under the Protection for Persons in Care Act produces a report. All of the recommendations in those reports are followed up directly by Alberta Health Services and my department so we can ensure that the appropriate corrective steps are taken. In this case media reports have suggested that there were issues around refusal to receive care. Those are some of the questions that I want to have answered. Absolutely, in this case the system has failed this resident, and we will do our best to find out why.

**Ms Smith:** Mr. Speaker, I think the public is alarmed at the government's record of protecting seniors in long-term care. The minister speaks of this particular investigation, which only produced one recommendation. In fact, the investigation of Violet's wounds was superficial and seemed to be more about covering off legal concerns than protecting Violet. Protections for Alberta seniors are clearly inadequate. Will the Premier commit that the new seniors' advocate will be fully independent so that they can properly and fully investigate cases like this?

**Mr. Horne:** Well, Mr. Speaker, this is the point in these lines of questioning, where the hon. member begins to attempt to draw generalizations based on, in this case, a very tragic incident. What I can tell you is that Alberta Health Services is on-site today. They are monitoring the care being delivered in the facility. I have asked the Health Quality Council of Alberta to expand their review of the quality assurance system for home care and to extend that review to continuing care facilities across the province as well.

Mr. Speaker, the answer is that we can never do enough to assure quality in our health care system, whether we're talking about continuing care or acute . . .

**The Speaker:** Thank you.

Hon. leader, your second main set of questions.

### Disaster Recovery Program

**Ms Smith:** Mr. Speaker, last summer's floods were truly devastating, but for many families the chaos and the red tape of the disaster recovery program have added tremendous insult to their considerable injury. It is now more than five months since the flood. More than 9,500 Albertans have applied for disaster assistance. The government constantly reminds us that the flood will cost billions, yet there is only \$25 million in disaster assistance funding that has actually flowed through to Albertans who have had their homes and businesses destroyed. Why?

**Ms Redford:** Mr. Speaker, as we said when this first happened, there is no doubt that as we move through this terrible disaster, there are many complicated circumstances to deal with. You will know that the deadline for applying for the DRP was last week, and therefore we know now how many people want to work with the government to ensure that we support them as best we possibly can. I think a lot of people who are involved in this and have friends involved know that there are insurance claims to be dealt with, that there are business reports that need to be done. We've always said that we will not get through this quickly, but we will get through it.

**Ms Smith:** Mr. Speaker, I have correspondence between one of my constituents and LandLink, the company that has the sole-source contract to mismanage the disaster recovery program. LandLink has asked these homeowners for the same document three times. Three times this document has been sent in, and it has actually been lost three times. One of the letters from the DRP says that the homeowners won't receive their next DRP payment if they don't send in the document, but they haven't even received their first DRP payment. Can the Premier explain what on earth is going on with this program?

**The Speaker:** The hon. minister.

**Mr. Griffiths:** Thank you, Mr. Speaker. Well, the member is right. The \$25 million has flowed out because we have been working very closely with families from all 30 communities who are impacted by the flood. There is no doubt that this has had severe impacts on many families. Some of them are taking time to make decisions, but the funds from DRP are flowing as fast as members need it. For a particular circumstance, I've always asked – and we've always offered, including the associate minister for High River – for any information about any particular cases that may be a challenge, and we address them as quickly as we can because we're here to serve every single Albertan who was impacted by this flood.

**Ms Smith:** Mr. Speaker, the funds are clearly not flowing out as needed.

This government bragged early in the flooding that people would receive \$10,000 initial payments in August. Hardly anyone did. So far only 40 per cent of applicants have received any DRP money at all. The average payment so far is \$6,300. We all saw the damage that the flood did. Sixty-three hundred dollars per application doesn't cut it. Sixty per cent of applicants not having received a penny doesn't cut it. What will the Premier do to fix this mess?

**Mr. Griffiths:** Mr. Speaker, we have an amazing team set up with Municipal Affairs and managing the DRP program, that has been helping every single Albertan in all those 30 communities impacted by the flood. You cannot measure the success of the program by the average cheque that's made because some people had very minimal damage and didn't need large cheques. Some people have received much more than the average the member across the way quotes. We will continue day to day to serve every single Albertan impacted by this flood, just the way we have for the last six months, successfully.

**The Speaker:** The hon. leader. Third main set of questions.

**Ms Smith:** The Premier promised \$10,000 initial payments within seven to 14 days of application. It hasn't happened.

### Public-service Contract Negotiations

**Ms Smith:** Albertans have been blindsided by the government's new heavy-handed approach to public-sector contract negotiations, and I use that term loosely. Since the days of Peter Lougheed, if negotiations with unions didn't result in a deal, unions could go to arbitration to get a deal done. It was the cornerstone of Alberta's public-sector labour negotiations. Today that cornerstone is under attack. This government wants to terminate the legal right to arbitration to force a deal. To the Premier: why is she taking this dangerous step in labour relations if...

**The Speaker:** The hon. minister.

**Mr. Horner:** Well, Mr. Speaker, that's a little rich coming from a party whose platform suggests that they're going to wipe away all of the rights for negotiations and zero salaries.

**Mr. Anderson:** Point of order.

**Mr. Horner:** I knew that was coming, Mr. Speaker.

We made a commitment to Albertans that we would live within our means. We were very up front with all of our negotiating groups. The doctors and teachers worked very well with us. This legislation, which will be debated in this House over the course of this afternoon and tomorrow, Mr. Speaker, is about getting a fair deal for our employees and a fair deal for the taxpayers of Alberta.

**Ms Smith:** Mr. Speaker, this move carries with it serious implications for future labour negotiations. By attacking the legal rights of unions in this way, the Premier is only deepening the rift between the government and its workers, and it's driving that crucial relationship right off the rails. To the Premier: doesn't she understand that treating public-sector unions with respect is the key to healthy negotiations, a motivated workforce, and ultimately a better deal for taxpayers?

**Ms Redford:** Well, Mr. Speaker, I think that's a bit rich coming from this Leader of the Opposition, who doesn't actually believe that unions should exist in the public sector or the private sector.

**Mr. Anderson:** Point of order.

**Ms Redford:** However, I will tell you that this is a government that is absolutely committed to dealing with our front-line public-sector workers with respect, Mr. Speaker. We want to ensure that as we move forward, we have robust labour relations in this province. We have to ensure that we get a deal that is fair for both Alberta taxpayers and Alberta union members, and we'll continue to do that.

**Ms Smith:** Mr. Speaker, this Premier and her party didn't campaign on wage freezes and union busting. In fact, it was quite the opposite. Public-sector workers were told that this Premier was going to be their champion. She promised them everything in the 2012 election. However, in what has become the hallmark of her leadership, what she is doing today is drastically different than what she promised. This pattern of promising the world and then reneging now threatens the stability of public services in Alberta. To the Premier: why won't she just keep her word on anything?

2:00

**Mr. Lukaszuk:** Let's bring something into perspective. The Wildrose opposition clearly, clearly campaigned on freezing public-sector wages. [interjections] They clearly campaigned on

freezing public-sector wages until some deficit is eliminated. Now they're talking about binding arbitration, but they also want to live within their own means. Mr. Speaker, it doesn't take a genius to figure out that what they're saying doesn't make any sense. [interjections] We are focused on making sure that our public-sector employees are remunerated properly just like teachers, just like doctors, and we have time until January 31 to reach that agreement.

**The Speaker:** Hon. members, the disruptions really are not very parliamentary, so let's not have any more of them today, or I shall have to interject.

A point of order from Airdrie was noted at 1:58, and a second point of order by Airdrie at 1:59. We'll look into those later.

Let's go on to the leader of the Alberta Liberal opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. It's time to hit this government right from the centre. Premier Lougheed took away the right of government employees to go on strike; however, he recognized that in the interest of fairness, the loss of the ability to go on strike had to be replaced with the option of going to binding arbitration. The very people who support the government with their work – nurses, teachers, support staff, legislative staff, and security, and many others, including those great Albertans who rescued many in the floods – depend on arbitration to achieve a fair contract. To the Premier: why do you and your Conservative government insist on attacking the very people that keep this province...

**The Speaker:** The hon. Premier.

**Ms Redford:** Well, Mr. Speaker, I'm pleased that we're going to have the opportunity to discuss this legislation in the Legislature. [interjections] Let's be clear that what this legislation does is that it encourages AUPE to come back to the bargaining table so that we can get the best possible deal for public servants and for Alberta taxpayers. [interjections] We will continue to ask AUPE to come back to the bargaining table so that we can continue to bargain.

**The Speaker:** Edmonton-Centre and others, please. The interjections are really not called for; you know that.

**Ms Blakeman:** It's an honest exchange.

**The Speaker:** I know. But then you provoke this side, and this side gets at that side, and then we have a little bit of confusion, and then I have to stand up here and take up your valuable time. All it does is that it shortens the speaking time.

So let's get on with your first supplemental, hon. leader.

**Dr. Sherman:** Thank you, Mr. Speaker. In my hand is the Canadian Charter of Rights and Freedoms, brought in by a Liberal government. Two of the fundamental freedoms guaranteed to us in the Canadian Charter of Rights and Freedoms are the freedom of expression and freedom of association. To the Premier, a very simple question here: in your former life you fought for the rights and freedoms of others across the world, so in your current life why are you attacking the rights and the freedoms of the very people you were elected to serve?

**Mr. Hancock:** Mr. Speaker, as I mentioned a number of times, the bills that these hon. members are talking about will be up for debate tonight. [interjection] Let it be perfectly clear, we would not bring forward any bill that we do not believe to be constitutional, and we do not believe that we are attacking fundamental

rights. [interjection] We believe that what we're doing is protecting the rights of Alberta taxpayers in line with the budget that was brought forward and the constraints that we said we'd put in place. We are also ensuring, in another bill quite separate and apart from that, that illegal acts are sanctioned with appropriate sanctions.

**The Speaker:** Edmonton-Centre, I'd be happy to add you to the list, if you wish, at the appropriate space. Please, respect your leader's question, and respect the answer even if you don't like it.

The hon. leader. Second supplemental.

**Dr. Sherman:** Mr. Speaker, it's quite clear that the Premier is absolutely speechless in her quest to go against the Canadian Charter of Rights and Freedoms. Never seen that before.

Earlier this year guards at the new remand centre in Edmonton went on a wildcat strike in desperation because their complaints of unsafe working conditions were repeatedly ignored by this Conservative government. I spoke out in support of them, as did many journalists, bloggers, and others. To the Premier. Let me just ask you a simple question again. Could average Albertans, the media, the bloggers, say even elected officials be fined for speaking out or writing in . . .

**The Speaker:** The hon. Deputy Premier.

**Mr. Lukaszuk:** Mr. Speaker, let's be perfectly clear. This bill is dealing with illegal – “wildcat” is a code word for illegal activity. This member will have the opportunity to debate. There is nothing in this bill that hampers any legal strikes or protests or manifestations. The member knows that very well. Relevant to our guards if there are bona fide safety issues, we have always been very clear: file an occupational health and safety complaint, and every complaint will be investigated.

**The Speaker:** The hon. Member for Edmonton-Highlands-Norwood, leader of the ND opposition.

**Mr. Mason:** Thank you very much, Mr. Speaker. Last week this government introduced draconian legislation in bills 45 and 46 that have taken away basic, fundamental human rights for thousands and thousands of workers across this province. But it was only a few months ago, during the devastating floods, that this Premier said that these same workers who helped save many lives are, I quote, heroes. Yet this Tea Party government thanks these heroes by reducing their standard of living and legislating punitive measures that effectively destroy their freedom of association and freedom of speech. How is it good public policy, Premier, to reward the excellent work of your own employees . . .

**The Speaker:** The hon. Deputy Premier.

**Mr. Lukaszuk:** It would be good to be able for once to deal with facts. You know, Mr. Speaker, very well that there is nothing in these bills that in any way limits the right of association. As a matter of fact, these bills will allow AUPE and the employer, in this case this government, to negotiate in good faith an agreement that we have reached with teachers and doctors and that we have with many others. What this member is talking about is definitely not reflective of the legislation before this House.

**The Speaker:** The hon. leader.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, this government fairly drips with hypocrisy. To suggest that passing legislation that forces a deal is negotiating in good faith is

ridiculous, absurd, and insulting to the intelligence of every member of this House. Why won't this Tea Party government stop this shameful attack on middle-class families and instead roll back some of the generous tax cuts that this government has given to wealthy Albertans and corporations?

**Mr. Horner:** Well, Mr. Speaker, again, the idea here is to come to a negotiated settlement, and that's exactly what we're working to do. We have indeed put an offer on the table that is, in fact, more than what is in the legislation which we will be debating in this House. We hope that the AUPE will come back to the table so that we can come to a negotiated, fair deal for our employees and a fair deal for taxpayers. The government is working to balance both sides' interests.

**Mr. Mason:** Well, Mr. Speaker, this government's hypocrisy knows no end. To suggest that this is a negotiation is ridiculous. As far as this government is concerned, black is white, up is down, cold is hot. You know, the meanings of words are completely turned on their heads when these ministers get up and speak.

Why won't this government stop their attack on public-sector workers before they waste millions of dollars of taxpayers' money on an unnecessary and costly legal fight over this unconstitutional bill?

**Mr. Lukaszuk:** Mr. Speaker, the facts are very clear. This government wants to negotiate with AUPE. We have asked that they come back to the table and negotiate in good faith until January 31. We ran on a campaign in the last election that we will live within our means, but at the same time, unlike the opposition, we will treat our employees fairly, and we will not simply just freeze their wages. We have reached a deal with teachers, we have reached a deal with doctors, and there is no reason to believe that we won't reach a deal with AUPE.

**The Speaker:** Thank you.

No more preambles to your supplementals, please, from this point on, starting with Innisfail-Sylvan Lake, followed by Leduc-Beaumont.

### Seniors' Long-term Care (continued)

**Mrs. Towle:** Thank you, Mr. Speaker. Cassie Liska's mother, Violet, sat for days in a wheelchair and was lucky to be bathed once a month. She had wounds on her feet and buttocks that became so bad it resulted in hospitalization. The family was forced to file a protection for persons in care complaint, which found this facility was failing to follow regulations and was complicit in abuse. To the minister: why does this continue to happen?

**Mr. Horne:** Mr. Speaker, while the circumstances of this particular resident are indeed tragic, I would be doing workers and families across the province a great disservice if I did not reject the notion that this is, in fact, commonplace in our continuing care system. We deliver care of the highest quality to thousands of Albertans every day. We work collaboratively with their families and with front-line staff to make sure that the services people need are available to them, but there are occasions where circumstances arise where the conduct is not in keeping with what we expect. That's what we're . . .

**The Speaker:** Hon. member, first supplemental.

**Mrs. Towle:** Thank you, Mr. Speaker. Sadly, I would think once is enough.

Given that the protection for persons in care complaint found evidence of abuse and was not able to make a single meaningful recommendation after seven full months, will you commit today to make the seniors' advocate independent to give seniors across Alberta a true voice?

2:10

**Mr. Horne:** Mr. Speaker, the issue here is not the question of the voice for any one constituent in this in particular. The issue is how we establish and maintain and monitor quality standards throughout our health care system, in particular when they affect people who are most vulnerable. As I've said, I've expanded the Health Quality Council of Alberta review to encompass how AHS manages for quality with contracted service providers in continuing care. We will be expanding the role of the Department of Health in the monitoring of quality standards, and as with every other Protection for Persons in Care Act investigation the recommendations from this one . . .

**The Speaker:** Hon. member, second supplemental.

**Mrs. Towle:** Thank you, Mr. Speaker. We would never accept this type of treatment for our kids in provincial care, which has an established independent advocate on their behalf. Minister, on behalf of all seniors in Alberta can you please make the seniors' advocate an independent body of this Legislature?

**Mr. Horne:** Well, Mr. Speaker, I would be the first to agree, as would all of my colleagues, that the situation that the hon. member describes should never happen in Alberta, but the focus that we need to have is one on quality. Attempts to establish independent advocates, attempts to politicize these situations do not help. What helps is ensuring on an ongoing basis that the very strong quality standards that are in place in this province are adhered to in every circumstance and that where they are not, there is appropriate follow-up.

**The Speaker:** The hon. Member for Leduc-Beaumont, followed by Airdrie.

#### Winter Road Maintenance

**Mr. Rogers:** Thank you, Mr. Speaker. My family has lived by and travelled on highway 2 for more than 40 years, and I have never seen a spate of accidents as over the last few months. The highway 2 corridor between Calgary and Edmonton is the economic lifeline of Alberta, with more than 80,000 vehicle movements per day. My constituents as well as many Albertans are very worried for their safety driving this highway in the winter due to the poor condition. To the Minister of Transportation: why this poor state of maintenance?

**Mr. McIver:** I thank the hon. member for being such a strong advocate for the people of his riding, Mr. Speaker. In fact, I drove that road just this morning, and I have to say that while I never felt unsafe, the trip took four hours instead of three. The fact is that we cannot stop winter from being winter. Nonetheless, when storms come, we get equipment out. We monitor it. At the end of the day we have people out, we have GPS, and we know of every piece of equipment, where they're out. The job is getting done. I can tell the hon. member isn't . . .

**The Speaker:** Hon. member, first supplemental.

**Mr. Rogers:** Well, thank you, Mr. Speaker. Given that these roads are supposed to be maintained to Alberta government standards and there have been many instances lately of poor conditions even days after snowfall, to the minister: do you have the ability to penalize the highway maintenance contractors for poor performance?

**Mr. McIver:** Well, Mr. Speaker, I will say this. Not only do we have the ability to penalize contractors, we do it. They're held to a high standard. After every storm we review the storm with the contractors where the service was not up to the standards that Albertans could and should expect. They are penalized, real financial penalties, up to the point where they can actually lose the long-term contract that they have and put a lot of money in to set up. We take this seriously. The contractors will tell you they don't like it very much when they get those penalties, but we don't hesitate to put the penalties in place when the service requires it.

**The Speaker:** The hon. member.

**Mr. Rogers:** Thank you, Mr. Speaker. Given that provincial highways are public, taxpayer-funded assets yet they're being maintained by the private sector for private gain, again to the minister: don't you think this poor highway maintenance situation is calling for your department to take over this vital service delivery to ensure the safety of all Albertans?

**Mr. McIver:** Well, Mr. Speaker, the fact is that the taxpayers of Alberta, through this government, have saved lots of money, in the neighbourhood of 25 per cent, since we gave up our ability to do it and have contracted it out to the private sector. Further, over time the level of service has increased. I know the member is not happy today, but the fact is that over time it's gotten better. We have systems in place to deal with situations that crop up. The roads in this province get taken care of very well. We will continue to respond to the complaints as they come up, but we can't stop it from being . . .

**The Speaker:** Thank you.

The hon. Member for Airdrie, followed by Edmonton-Mill Woods.

#### Public-service Contract Negotiations

(continued)

**Mr. Anderson:** Mr. Speaker, Albertans obviously want the government to balance the budget. That means prioritizing and cutting wasteful spending, and there is a lot of waste. It also means bargaining in good faith with our public-sector workers to arrive at a fair deal for both them and the taxpayer. In 1977 Premier Lougheed provided our public employees, who provide critical services for all Albertans, the right to binding arbitration as an alternative to the right to strike. To the minister: why have you introduced legislation scrapping the arbitration rights of our front-line workers?

**Mr. Horner:** Well, Mr. Speaker, as I said, this is a little bit rich coming from the party opposite, who talked about holding the line on front-line public-sector salaries; in other words, freezing them. They'd have to put in the same legislation, actually, but much broader in reach. [interjections]

He talks about getting a bargained solution, Mr. Speaker. That's exactly what we're after. We want the AUPE to come back to the table to negotiate with us so that we can come to a fair and equitable resolution.

**Mr. Anderson:** Negotiation can't be done at gunpoint, Minister.

Given that during the 1977 debate in this House on granting our public-sector employees arbitration rights, well-respected minister Merv Leitch said, "If they are not to have the right to strike, in fairness to them we must provide . . . the fairest possible labor relations system for the employees of Alberta short of providing them with the right to withdraw services or strike." Very good point. Minister Merv Leitch and Premier Lougheed had it right. Arbitration rights rather than strikes on the front lines. Why are you messing this up, Minister?

**Mr. Horner:** Mr. Speaker, there's also the right of the taxpayer to have a settlement that balances what we know to be living within our means and fair and equitable payment. We are not freezing salaries at zero in this legislation, nor do we want to do that in the negotiation. [interjections] In fact, as I said earlier, we've got an offer on the table that's beyond what is in the legislation. We're open to the AUPE coming back to the table to negotiate. That's what we're after, a fair deal for the taxpayers and a fair deal for the employees.

**Mr. Anderson:** Given that before the election you, the Premier, your MLAs, and your paid operatives ran around the province promising large pay increases, promising support for the collective bargaining process, more support for front-line staff, a balanced budget, no debt, a free pony for every single voter and every single household, do you understand why Albertans have completely lost trust? How can they ever, ever trust anything that you say again, Minister?

**Mr. Horner:** You know, again, Mr. Speaker, it's a little bit rich coming from a party who totally reinvented themselves after the election, changed all of their core-held values at one policy conference, and came out trying to look like Progressive Conservatives.

Mr. Speaker, the honest truth here for the hon. member is that we are wanting to get . . . [interjections] I hope they'd like to hear the answer. We are hoping to get a balance between the rights of the taxpayers and the rights of our employees, whom we value deeply and to whom we want to provide competitive compensation that is amongst the best in the nation.

**The Speaker:** Interjection after interjection after interjection. I had trouble hearing what you were saying, hon. Minister of Finance, and I'd like you to repeat it all again, but we don't have time.

So let's move on to Edmonton-Mill Woods, followed by Calgary-Mountain View.

### Oil and Gas Drilling Applications

**Mr. Quadri:** Thank you, Mr. Speaker. There has been a concern from the industry about the backlog of applications to the Alberta Energy Regulator. To the Minister of Energy: are those concerns grounded in fact and warranted?

**The Speaker:** The hon. minister.

**Mr. Hughes:** Thank you, Mr. Speaker. Well, we all know that the winter drilling season is an important time of the year for the energy industry and that it varies from year to year. What we're seeing is a real step up in the number of applications this year. This is a good sign. There's a lot of good work going on in Alberta. The regulator is responding and triaging applications as

they're coming in and making sure that people who are ready to go out and do their work on the frozen land to develop the resources of this province, to create wealth for Albertans are able to do so.

**The Speaker:** The hon. member.

**Mr. Quadri:** Thank you, Mr. Speaker. To the same minister: what has been done to address those atrocious delays?

**Mr. Hughes:** Well, Mr. Speaker, there have been some delays. But, actually, there's also been a lot of good work. The industry, the ESRD folks and the Alberta Energy folks and the aboriginal consultation office have all worked together to help ensure that any applications that are needed for immediate action or are critically important to the winter drilling season are dealt with expeditiously and are addressed. So I would say that the challenge of meeting the needs and serving the regulatory needs of Albertans are being well looked after.

2:20

**The Speaker:** Hon. member, second supplemental.

**Mr. Quadri:** Thank you, Mr. Speaker. To the same minister again. Is this the last of the changes, or will there be more? Can we expect any more issues moving forward?

**Mr. Hughes:** Well, Mr. Speaker, you know, we're partway through the creation of a whole new energy regulator in Alberta, that will be effective, efficient, and will help ensure that we address all challenges for the energy industry without for one moment compromising the environmental standards that Albertans hold dearly. I can tell you that if any industry players feel they have a concern, I'd encourage them to call the office of the CEO of the Alberta Energy Regulator to help ensure that they're dealt with on an expeditious basis.

**The Speaker:** The hon. Member for Calgary-Mountain View, followed by Edmonton-Calder.

### Alberta Health Services Quarterly Reports

**Dr. Swann:** Thanks very much, Mr. Speaker. Alberta Health Services continues to miss their own health benchmarks from 2010, including their first and second quarterly reports: 92 days late today. This cannot of course be blamed on the dedicated front-line professionals, labouring to make this unwieldy system work. The government hides the reality that hospitals are dangerously over capacity, there are life-threatening delays in EMS response times, and there's a failure to achieve eight-hour ER admission targets. To the minister: for three years you failed on your own benchmarks, eight-hour emergency in particular . . .

**The Speaker:** The hon. minister for a response.

**Mr. Horne:** Well, Mr. Speaker, I'm sure there's a question there somewhere. As I've said in response to previous questions, we are developing a new performance management framework for the health care system. This is a joint effort on the part of Alberta Health Services in conjunction with their front-line providers as well as the Department of Health. We are actually, as I've said in response to previous questions, exceeding national benchmarks in areas such as hip and knee surgeries, and at the same time we are serving growing numbers of Albertans, the highest growth rate in the country.

**Dr. Swann:** So why are you not producing the second quarterly report, and why are you not engaging front-line professionals, experts, in setting these benchmarks, like Dr. Paul Parks?

**Mr. Horne:** Well, Mr. Speaker, as I've said in response to previous questions, we are developing a new performance measurement framework for the health system, one that looks at the performance of the health care system from the perspective of the patient, not the opposition, not others who would seek to politicize health care issues. When that performance measurement framework is ready, we will release it along with results since the last quarterly report.

**Dr. Swann:** A simple question, Mr. Speaker. When can we expect the first and the second quarterly health reports?

**Mr. Horne:** Mr. Speaker, that question was asked and answered.

As to the hon. member's request in his previous question, his reference to working with front-line providers, he knows full well that we are, Mr. Speaker, that the focus of the health care system is to provide front-line people with the tools and the support that they need in order to deliver the quality of care that they expect for patients.

Thank you, Mr. Speaker.

#### **Seniors' Long-term Care** (continued)

**Mr. Eggen:** This weekend Albertans learned of a horrific case of abuse in a private seniors' facility. A woman suffering from severe bed sores was left without proper care and developed life-threatening infections. Alberta seniors will continue to suffer this sort of abuse and more often until this PC government takes real action to solve the crisis in long-term care by legislating staff-patient ratios and delivering services publicly, which report after report and good old common sense show is the best way. To the minister: what's the point of your seniors' advocate if the office is not independent and the system is thoroughly . . .

**The Speaker:** The hon. minister.

**Mr. Horne:** Well, Mr. Speaker, one thing that we know will not work is focusing this debate on ideology, particularly that most deeply held by this hon. member and others who have stood up time after time to talk about quality issues in the context of their personal beliefs. What will allow us to continue to improve the very high level of care that's already provided in the province is a focus on quality, a focus on measuring and monitoring, adherence to quality standards, improving those standards as we go forward, and supporting front-line workers to deliver on that quality.

**Mr. Eggen:** Well, it's interesting on standards because the president of the Canadian Federation of Nurses Unions said this morning that Alberta has the lowest amount of nursing care in our long-term care facilities of anywhere in Canada. Given that the recent report from the Parkland Institute shows as well that residents in private facilities on average get an hour less of care, will the minister admit that his government's obsession with private care, which is ideological anyway, is shortchanging our seniors, endangering their health, and depriving them of the dignity that they deserve?

**Mr. Horne:** Well, Mr. Speaker, the people of Alberta are indeed fortunate that this hon. member is not making decisions about how to meet the growing needs of Albertans with respect to seniors'

care and with respect to health care generally. This is a province that's growing by the size of the city of Red Deer a year. The answer to this is to support front-line workers with the tools and the resources that they need in order to do their job. Ideology has no place in this debate.

**Mr. Eggen:** Well, you know that the Alberta NDP has tabled thousands of working short forms of long-term care staff showing that residents were left in bed, missing baths, and weren't responded to in a timely manner because of inadequate staffing from this PC government. Given that caring for our seniors really should be the first priority, I would say and most Albertans would say: will this minister please commit to legislating staff ratios for long-term care in this province to ensure that our seniors receive the care that they deserve and not just empty words?

**Mr. Horne:** Mr. Speaker, what this government will commit to and what we have continued to deliver on is to provide Albertans with access to the services that they need. That's based on a personal assessment, a professional assessment of the resident's needs and the patient's needs. It is not based on legislated ratios. It is not based on ideology. It is not based on anything other than a focus on patients and families in communities. That's what building Alberta is all about, and that's what we're doing.

**The Speaker:** The hon. Member for Calgary-Shaw, followed by Edmonton-Ellerslie.

#### **Deaths of Children in Care**

**Mr. Wilson:** Thank you, Mr. Speaker. Albertans are still reeling from last week's revelations about our child welfare system. The Minister of Human Services has since claimed that exposing details about children dying in care is somehow part of an agenda or that the information has been selectively chosen. But the fact remains that since 1999 one hundred and forty-five children have died in care, 89 deaths were kept secret, and publication bans shroud the system in secrecy. To the minister: what is your ministry doing in advance of the MLA round-table to ensure we take a co-ordinated approach to reviewing all child deaths?

**The Speaker:** The hon. minister.

**Mr. Hancock:** Thank you, Mr. Speaker. Well, I think that when one focuses on 86 deaths unreported prior to 2011 – all deaths now being reported – when there are some 8,000 to 9,000 children in care in any given year, that would be a rather narrow part of the agenda. There are a lot of other issues to be addressed and other things happening. There are a lot of very good things happening in the system as a result of many of those investigations that have happened over the years and the recommendations over the years. The round-table will determine whether we have the right death investigation process, one of its agenda items, and we will take . . .

**The Speaker:** Calgary-Shaw, first supplemental.

**Mr. Wilson:** Thank you, Mr. Speaker. Given that one-third of the babies who died in care succumbed to SIDS or to entirely preventable unsafe sleeping conditions, how does the minister propose to address this issue before your round-table?

**Mr. Hancock:** Well, Mr. Speaker, some time ago there were recommendations around this. There's been a complete review. In fact, a review was done of infant deaths to SIDS in 2005 and recommendations that we implement safe sleeping policies. We've developed the safe babies training for foster parents and

kinship caregivers of infants. The safe babies training provides valuable information about caring for infants and specialized care required by babies prenatally. It includes a chapter on sleep positions, reducing risk. So we've learned from what's happened, we've learned from the reviews, we've learned from the recommendations, and we have implemented changes, and those are . . .

**The Speaker:** The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Speaker. Given that the culture of secrecy has led to mistakes being repeated and policies not followed by caseworkers, many of whom are overworked and underresourced, how does the minister propose to address this critical shortcoming before your round-table in January?

**Mr. Hancock:** Well, Mr. Speaker, it's not a given that there's a culture of secrecy. In fact, in the child welfare system and in the Human Services department we have been spending the last two years working better together, working on outcomes-based delivery, working on changes to practice that improve practice, not because the practice before was bad but because you can always learn from every circumstance and do better. That's what this department is dedicated to, that's what this government is dedicated to, and we're fully prepared to do it in public while protecting the privacy of those whose privacy needs to also be protected.

**The Speaker:** The hon. Member for Edmonton-Ellerslie, followed by Cardston-Taber-Warner.

2:30

### Registry Services

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. My constituency office in Edmonton-Ellerslie is receiving numerous inquiries from people wanting to open a business who are concerned that there are not enough registry agent offices in southeast Edmonton. Given that the province continues to grow very rapidly and that all registries are independent and privately owned businesses, how does your department determine when expansion of registry agencies is important to continue providing the level of service needed? That is to the Minister of Service Alberta.

**The Speaker:** The hon. Minister of Service Alberta.

**Mr. Bhullar:** Thank you very much, Mr. Speaker. We have an expansion policy that we're working through with the Association of Alberta Registry Agents. I'm very pleased to announce, though, that we have put out an RFP for two new registry locations, one in the community of Chestermere and another in the community of Wabasca, where entrepreneurs from all sorts of different backgrounds are asked to put forward their best foot and bid on these new registry agent offices.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much. To the same minister: given that there's so much red tape, Mr. Speaker, in opening a registry – in fact, it's next to impossible – what is your ministry doing to ensure that the process is much more open and transparent so that some of the owners can have a fair opportunity to open a new business?

**The Speaker:** The hon. minister.

**Mr. Bhullar:** Thank you, Mr. Speaker. Actually, what we've done in this particular case is that we're asking two essential questions. First of all, what are prospective owners willing to do to make services more convenient and better for everyday, hard-working Albertans, whether that be a reduction in fees or longer hours? That's up to them, to put forward their best foot on innovation. The second is that it's up to them to tell us what this opportunity is worth to them. This is a government asset that the taxpayers of Alberta own, and it's up to the business owners to tell us what they're willing to pay for this asset.

**The Speaker:** The hon. member.

**Mr. Bhardwaj:** Thank you very much. My final question is to the same minister. Minister, there are private businesses wanting to open. You just made an announcement in Wabasca and Chestermere. Can we expect new requests for proposals in Calgary or in Edmonton-Ellerslie?

**The Speaker:** The hon. member.

**Mr. Bhullar:** Thank you, Mr. Speaker. That is a good question. We're working with our partner the Association of Alberta Registry Agents to see how and where we need further expansion beyond these two communities. I've had requests from, for example, the mayor of Blackfalds, Alberta, saying that they would like an office. So we're going to look with these particular officials and see whether more offices are warranted and work with our partners to make sure that we have fair, reasonable expansion.

**The Speaker:** The hon. Member for Cardston-Taber-Warner, followed by Edmonton-McClung.

### Mutual Fund Adviser Incorporation

**Mr. Bikman:** Thank you, Mr. Speaker. Various parties are asking for the Alberta Securities Commission to reconsider its restriction preventing mutual fund advisers from incorporating. As the Finance minister knows, mutual fund advisers in B.C., Saskatchewan, Ontario, and Nova Scotia are permitted to have commissions paid to an incorporated entity, but this is not allowed in Alberta. This inconsistency across the country creates an uneven playing field, causing unnecessary, burdensome paperwork for small businesses. Is the government considering changing the rules to allow mutual fund advisers to incorporate?

**Mr. Horner:** Well, Mr. Speaker, that is a good question. It is an active file, and it is something that I would like to bring forward to the House. I hope to do so in the next sessions. There are some issues around certified financial planners, financial advisers. In fact, nationally they are talking about how we might have professional self-regulatory regulations and some of those sorts of things enveloped within that. But in terms of administering securities and the passport system, et cetera, we are meeting on that. It is something that Alberta is active in right now.

**The Speaker:** The hon. member.

**Mr. Bikman:** Thank you. Given that incorporation is a modern and efficient business structure offering several practical advantages, as you obviously realize, will the government confirm that it is meeting with concerned stakeholders to discuss a solution, or if not, when will it?

**Mr. Horner:** Actually, Mr. Speaker, indeed we have been meeting with several of the stakeholders involved in this as well as



in relation to our commitments with TILMA and with the New West Partnership as well as the rest of the provincial legislations. Again, it is something that I am very active in, and I look forward to bringing something to this Assembly in good time.

**The Speaker:** The hon. member.

**Mr. Bikman:** Thank you, Mr. Speaker. Given that the current restriction can result in individuals paying their accountants to do the same work twice, will the government ask the Alberta securities regulators to suspend the rule prohibiting mutual fund dealers' commissions being paid into a corporation?

**Mr. Horner:** Mr. Speaker, at this time we've not requested the Alberta Securities Commission to do that sort of thing. In fact, it's something that we stay away from, telling the Alberta securities regulators what to do. We do want the securities regulators to have as much length from the government as possible so that it allows them to do their job independently. Again, it's something that Mr. Rice and I have had discussions about and will continue to do so.

**The Speaker:** The hon. Member for Edmonton-McClung, followed by Little Bow.

### Electricity Prices

**Mr. Xiao:** Thank you, Mr. Speaker. My constituents are very concerned about the fluctuating costs of monthly electricity bills, and given the unpredictable nature of recent winters and the effects on electricity consumption they are bracing for a very expensive season. My question is to the hon. Minister of Energy. What is being done to address fluctuating electricity prices in our province in order to protect Albertans?

**The Speaker:** The hon. minister.

**Mr. Hughes:** Thank you, Mr. Speaker. Well, last January the government responded to the Retail Market Review Committee recommendations, one of which was to allow the retail companies in the electricity business to purchase their electricity over a longer period of time. It's a technical solution, but what it allows to happen is to reduce some of the volatility for prices. In fact, if you look at the results of that over this fall, you'll see that prices for electricity are dropping each month over the last couple of months.

**Mr. Xiao:** To the same minister: given that many seniors live on a fixed budget and that many live from paycheque to paycheque, how can the government help vulnerable individuals with electricity costs?

**The Speaker:** The hon. minister.

**Mr. Hughes:** Thank you, Mr. Speaker. Well, there are several options available to consumers. You know, we're all sensitive to the needs of people who are on fixed incomes. For one, they could actually secure a contract with their electricity retailer, or if they want to stay on the regulated rate option, they could actually choose a fixed monthly payment plan, which would help even out the costs of their electricity over the whole year. There are many ways, and I would encourage people to take the time to understand how they can manage the risk of volatility of their electricity price.

**Mr. Xiao:** Again to the same minister: given that in 1996 our electricity market was deregulated to allow for more competitive

pricing, what is being done to ensure that Albertans always receive the most competitive prices?

**The Speaker:** The hon. minister.

**Mr. Hughes:** Thank you, Mr. Speaker. Well, I would note, actually, that the prices even this month are, you know, under 8 cents per kilowatt hour. Prices are very reasonable. In fact, if you compare that rate across the country of Canada, you will see that the prices for electricity in Alberta are right in the mid-range of all other provinces except for those provinces that have very low-cost hydroelectricity. However, we have no public debt on the generating assets in this province of Alberta.

**The Speaker:** The hon. Member for Little Bow, followed by Edmonton-Riverview.

### EcoAg Initiatives Environmental Compliance

**Mr. Donovan:** Thank you, Mr. Speaker. Over the last few years rural Albertans and agricultural producers have repeatedly called on this government to protect their land and water quality from anybody who has failed to act as good quality stewards to the environment. The EcoAg plant near High River, operated by Tongue Creek limited, has been repeatedly fined for excessive authorization of volumes of waste to their facility, posing immediate health risks to the livestock in surrounding areas. To the minister of environment: why isn't your government taking action on this ongoing problem?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. I thank the hon. member for the question. I think it's an important question. We have certainly been working with EcoAg since 2009 to bring them into compliance. We have an enforcement order that was put in place. With the exception of a comprehensive groundwater monitoring program that we're working on with them on, they have met all of those. The enforcement order will remain in place until they have completed all of those enforcement order conditions that they must meet.

**The Speaker:** The hon. member.

**Mr. Donovan:** Thank you, Mr. Speaker. Given that enforcement orders are designed to ensure immediate action to correct the situation and given that this government has issued numerous orders dating back to 2003, why has your government failed to protect the environment, especially with water, and enforce the orders you have issued?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker. As I said, the enforcement order is in place. They are meeting the majority of the conditions. We are working with them because we do expect them to meet the groundwater testing as well, and we will continue on with the enforcement order until that happens.

**The Speaker:** The hon. member.

2:40

**Mr. Donovan:** Thank you, Mr. Speaker. Given that concerned residents have repeatedly echoed concerns about this facility, is this minister prepared to create a new and effective policy to ensure that all landowners near the facility will understand that they don't have to live beside this mess any longer?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker. This issue did go before the Environmental Appeals Board. That's where the recommendations were made to myself as minister or to the previous minister, and that's where the ministerial order came into place, which, really, essentially modified the environment appeal approval, making sure that they must meet compliance. We will continue to make sure that they do meet compliance with the enforcement order.

**The Speaker:** Thank you, hon. members. I believe the bell went, so question period is over. We did get to 16 questions again today. That's 96 total questions and answers. I want to thank Edmonton-Mill Woods for being ever so brief, just a matter of a few seconds in his questions and his preambles. Calgary-Mountain View made an attempt after a lengthy preamble to his first question to shorten his preamble, if at all, to his first sup as did Cardston-Taber-Warner, Edmonton-McClung, and even Little Bow.

So thank you to all those members. It allowed more time for other questions.

Secondly, would you mind if we reverted briefly to intros by giving your unanimous consent?

[Unanimous consent granted]

### Introduction of Guests

*(continued)*

**The Speaker:** I have a list of four: the Deputy Premier, followed by the leader of the ND opposition, followed by Leduc-Beaumont, followed by Edmonton-Ellerslie.

Mr. Deputy Premier.

**Mr. Lukaszuk:** Well, thank you, Mr. Speaker. If I may introduce through you to the Assembly and ask you to welcome warmly 11 individuals from the Ministry of Enterprise and Advanced Education and particularly from the supply chain development unit. These individuals provide support to industry and expert advice to this government to help further develop Alberta's industrial sector. I believe they are with us today in the gallery. Fabulous. They've waited patiently. Thank you so much for doing so. With us today are Mr. Larry Wall – if you can please rise – Mr. Tom Mansfield, Mr. Paul McLaughlin, Mr. Antonio Hurtado, Ms Patricia Armitage, Ms Jacqueline Loke, Ms Elizabeth Pin, Ms Farrah Fulton, Ms Lynn Martinez, Ms Patricia Fuentes, and Mr. Rob MacDonald. Thank you so much and welcome.

**The Speaker:** The hon. leader of the ND opposition.

**Mr. Mason:** Thank you very much, Mr. Speaker. Today I am very pleased to introduce to you and through you to this Assembly my guests, who represent hundreds of thousands of workers in Alberta. They're here today because they're very concerned about the negative implications bills 45 and 46 will have on their members and Albertans as a whole. I believe that most of my guests, perhaps not all, are here. I would ask them to rise as I call their name: Gil McGowan, president of the Alberta Federation of Labour; Siobhán Vipond, secretary-treasurer of the Alberta Federation of Labour; Brian Henderson, president of the Edmonton & District Labour Council; Marle Roberts, president of CUPE Alberta; Elisabeth Ballermann, president of the Health Sciences Association of Alberta; Ben Hendrickson, a board member from the HSAA; Judy Mayer, a labour relations officer with the HSAA; Mike Scott, president of CUPE local 30, the city

of Edmonton's outside workers; Carol Chapman, president of CUPE local 3550; Linda Harris and Gloria Lepine, also from CUPE 3550; Olav Rokne; Tony Clark; and Ishani Weera, who are staff members of the AFL. I would ask the members of the Assembly to give them the traditional warm welcome.

Thank you.

**The Speaker:** The hon. Member for Leduc-Beaumont, followed by Edmonton-Ellerslie and Edmonton-South West.

**Mr. Rogers:** Thank you, Mr. Speaker. It gives me great pleasure to introduce to you and through you to all members of the Assembly Bob Hawkesworth. Bob is a former long-time alderman for the city of Calgary, also president of the Alberta Urban Municipalities Association, and no stranger to this House; he was the former MLA for Calgary-Mountain View. Bob is seated in the public gallery. I'd ask him to rise and receive the warm traditional welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Ellerslie, followed by Edmonton-South West.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. I'm pleased to introduce to you and through you to all members of the Assembly guests that have joined us today in the public gallery to represent their heritage language school and to show their support for Bill 211. My guests today are representatives from the International and Heritage Languages Association and from very, very different schools. Please rise as I call your names. To begin with, Dr. Alex Voloboev, International and Heritage Languages Association; Olga Prokhorova, president of International and Heritage Languages Association and a teacher, Russian Educational Centre; Josephine Pallard, past president of IHLA; Natalia Kovaliova, program co-ordinator for IHLA; Ms Aliya Tnaliyeva, Russian Educational Centre; Reuben Tut, Nuer Study Centre; Gatluak Ruot, Nuer Study Centre; Iryna Klymkiv, teacher at Ivan Franko School of Ukrainian Studies; Jagwinder Singh Sidhu, principal of Headway school, Mr. Speaker, your constituent; Manjit Singh Dhaliwal, board member, Headway school; and Kulvinder Thaira from Headway school as well. All of my guests have risen. I would ask that they please receive the traditional warm welcome.

**The Speaker:** The hon. Member for Edmonton-South West.

**Mr. Jeneroux:** Thank you, Mr. Speaker. I'm very pleased to introduce to you and through you to all members of this Assembly guests that have joined us today in the public gallery to show their support for Bill 211, which will be introduced today in this House by the hon. Member for Calgary-Hawkwood. All the guests today are teachers from the Filipino language and cultural school of Edmonton. They're here to show their support for the many different heritages that will be impacted by Bill 211. I would ask that each of the guests rise as their name is called: Dr. Cesar Mejia, Carmelita Mejia, Alfonso Moster, Adelaida Moster, Merlyn Gonzales, and Linda Arma. I would ask that they all rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** Hon. members, I'm told that these members were prevented from being here earlier because of the very, very bad weather that we're all experiencing. So thank you for your indulgence.

In 20 seconds from now we will continue with Members' Statements, starting with Barrhead-Morinville-Westlock.

## Members' Statements

(continued)

**The Speaker:** The hon. Member for Barrhead-Morinville-Westlock, followed by Calgary-Bow and Calgary-Mountain-View.

### Education Act Regulatory Review

**Ms Kubinec:** Thank you, Mr. Speaker. Education in Alberta is transforming. With the new Education Act that was passed in the Legislature last year, we are another step closer to bringing the vision of Inspiring Education to life. Achieving that vision will ensure that all of Alberta's children get the chance to reach their full potential, become engaged thinkers and ethical citizens with an entrepreneurial spirit.

Before the act comes into force, however, we need to ensure that the regulations align with the vision, providing clear direction to the education system and ensuring that we are putting the needs and the best interests of students first. To do this work, Minister Johnson asked me to serve with three of my MLA colleagues – Calgary-Currie, Edmonton-South West, and Calgary-Glenmore – along with the public member on the Education Act Regulatory Review Committee. Since May we have met with education stakeholders and the public from all across the province to hear their input on topics such as school fees, transportation, school closures, home education, and more.

The purpose of the consultation has been to hear a variety of ideas and perspectives, and we certainly have achieved that goal. Thousands of Albertans – students, parents, teachers, administrators, trustees, and other members of the public – shared their input in person, online, and through written submissions. We had almost 4,000 online applications. Although we may not have reached a consensus on every topic, we can all agree that in order to give our kids the skills they need to be successful and to continue to build Alberta, we need to keep the best interests of students at the forefront. That theme emerged loud and clear.

We are now in the midst of compiling the feedback we received and look forward to sharing what we heard as soon as possible so that we can continue to work on preparing regulations to help create an even stronger education system in Alberta.

I want to thank every Albertan for providing their feedback and sharing their perspectives.

**The Speaker:** The hon. Member for Calgary-Bow, followed by Calgary-Mountain View.

2:50

### Impaired Driving

**Ms DeLong:** Thank you very much, Mr. Speaker. In a heartbeat a tragic collision can take someone's life and change the lives of all those around them. It only takes a heartbeat to run a red light or to forget a shoulder check, and it only takes a heartbeat for someone to decide that they're going to get behind the wheel after sharing a few drinks with friends.

During the holiday season there are many wonderful occasions to gather with friends and family, and often alcohol will be offered at these celebrations. At this time of year especially but throughout the year our government is encouraging Albertans to plan ahead when spending time with loved ones or attending festivities. If you plan to drink, also plan a safe way to return home. Call a cab, use transit, or call a friend. Use safe alternative transportation.

We know that making a plan isn't always the first thing on our minds when we prepare to go out for the evening. As we know, after consuming alcohol, people are less likely to make wise choices and more likely to drive. Our research also shows that some people feel that if they're only driving a short distance, they will likely not be caught and there will likely be no consequences. It's a dangerous illusion.

We are all responsible for the choices we make. As drivers we need to ensure not only our own safety but the safety of others. If you feel your driving ability is impaired, regardless of how much alcohol you have consumed, find another way to get home. It's just not worth it.

Too often during the holidays lives are needlessly taken, and the grieving families are left behind. This holiday season make a plan to enjoy the festivities, and at the same time make a plan for a safe way to return home.

Thank you.

**The Speaker:** The hon. Member for Calgary-Mountain View.

### Labour Legislation

**Dr. Swann:** Thank you, Mr. Speaker. There was an assault on human rights in Alberta today. Albertans who have chosen to join and work with a union do so with the understanding that they will enjoy the right to collective bargaining and, in rare circumstances when they cannot come to agreement with their employer, the right to independent arbitration. These rights are enshrined in section 2 of our Canadian Charter of Rights and Freedoms.

This PC government has increasingly followed the mean-spirited and undemocratic approach of their federal cousins and chosen to eliminate the right to both collective bargaining and the right to strike by thousands of public servants regardless of cause. Why? Because they can through their majority in this Legislature. While this means profound disrespect for public servants in their employ, it also means costly war with unions, all unions since the precedent can ultimately affect all unionized Albertans and eventually all wage workers. Not only is this unprecedented in Canada, but it overthrows decades of constructive working relations with tens of thousands of workers in this province and opens up the likelihood of costly court battles, in which we all lose both morally and financially.

This government makes frequent allusions to their common values with the late Peter Lougheed. There's no doubt now that these are not Lougheed Tories as Lougheed brought in Bill 41 in 1977, allowing binding arbitration, and he championed fundamental rights and freedoms for all unionized Albertans. To add insult to injury, this PC government will close debate on these two odious bills that will violate worker rights after only six hours each.

All Albertans are coming to see this PC government of 43 years as lost, entitled, and abusive of the values and principles that created this great province. All Albertans of conscience will be adding their voices and demanding a reversal of these bills and of this government's moral legitimacy to govern this great province.

Thank you, Mr. Speaker.

### Presenting Petitions

**The Speaker:** The hon. Member for Red Deer-North.

**Mrs. Jablonski:** Thank you, Mr. Speaker. Today I have two petitions to table. The first petition with 1,148 signatures is part of a larger group of petitions with over 3,500 signatures. This petition

asks the Legislative Assembly to urge the government to “take the necessary measures, including the introduction of proposed amendments to existing legislation, to ensure the preservation and enhancement of the Pheasant Release Program, which has been an important part of Alberta’s hunting tradition, heritage and culture for over 65 years.”

The second petition that I am tabling, with 52 signatures, also asks the government of Alberta to introduce legislation that will help to preserve Alberta’s 65-year investment in the rearing, release, and hunting of pheasants program. Although the prayer is slightly different, this petition is part of a bigger group of petitions with over 3,500 signatures. Mr. Speaker, this petition is signed by a large group of people who understand the value of the hunting culture and traditions of Alberta.

Thank you.

### Introduction of Bills

**The Speaker:** The hon. Member for Calgary-Hawkwood.

#### Bill 211 Education (International Language Programs) Amendment Act, 2013

**Mr. Luan:** Thank you, Mr. Speaker. I request leave to introduce Bill 211, the Education (International Language Programs) Amendment Act, 2013.

Bill 211 is a step forward from Motion 513, which urged the government to promote and assist heritage language schooling in collaboration with local school board authorities to provide adequate access to school facilities. It aligns international language programs with the Ministry of Education’s mandate under the new Education Act, section 19, alternative programs. Bill 211 is an amendment to the Education Act that consolidates international language programs and gives parents and students the option to access classroom space when needed. It honours the education-by-option principle by leaving the choice in the hands of students and parents when requiring this program. A minimum of 20 students’ requests are required. It acknowledges the partnership rule among school boards, nonprofit community language schools, and parents.

This bill sets a new framework to deliver international language education in Alberta. It complements the great work currently undertaken by the Ministry of Education, and it takes it one step further to raise the bar to create a stable and a consistent learning environment for our children. Mr. Speaker, in the end it gives our children the added competitiveness to succeed in the 21st century global economy.

Thank you, Mr. Speaker.

[Motion carried; Bill 211 read a first time]

### Tabling Returns and Reports

**The Speaker:** The hon. Associate Minister of Wellness, followed by the Minister of Municipal Affairs.

**Mr. Rodney:** Thank you, Mr. Speaker. I am pleased to table the requisite number of copies of the Alberta College of Optometrists annual report. Now, the college is the professional and the regulatory body for 600-plus members in Alberta, and its mandate is to govern and regulate its members to ensure that Albertans continue to receive effective, safe, and ethical care by optometrists.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Minister of Municipal Affairs, followed by Red Deer-North.

**Mr. Griffiths:** Thank you very much, Mr. Speaker. It’s a pleasure for me to table the appropriate number of copies of 10 pieces of correspondence that range from the AUMA, the AAMD and C, the mayor of Airdrie, the mayor of Calgary’s office, the mayor of Edmonton, the Calgary Regional Partnership, the Capital Region Board, and so on and so on, all endorsing the amendments to Bill 28 and asking us to pass the bill.

**The Speaker:** The hon. Member for Red Deer-North, followed by Edmonton-Centre.

**Mrs. Jablonski:** Thank you, Mr. Speaker. I’m very pleased to table documents with 61 signatures that request that the Legislative Assembly urge the government to take the necessary steps to introduce amendments to existing legislation to ensure the preservation and enhancement of the pheasant release program. These documents were part of the larger petition but could not be presented as a petition because they did not meet the strict rules of a petition. There are five copies, and the people who signed these documents are just as serious about the preservation of the pheasant hunting traditions and culture as the other 3,500 signatures.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much, Mr. Speaker. I’d like to table five copies of an e-mail from Donette Kingyens to me expressing her concerns about changes to the public service pension plan. Ms Kingyens has put some personal notes on the end. She notes that when she retires, her entire means of supporting herself will be the earnings from her pension plan. She relies on what she’s contributing at this point, which is supposed to be into a guaranteed pension payout. It’s her only retirement plan, and the idea of it being reduced fills her with terror. I am very sympathetic to her plight. She is representing many other people.

Thank you very much.

3:00

**The Speaker:** Hon. Government House Leader, did you catch my attention a moment ago about the clock?

**Mr. Hancock:** Mr. Speaker, thank you. If it pleases the House, perhaps we could have unanimous consent to complete the Routine.

[Unanimous consent granted]

**The Speaker:** Let us conclude this section of our proceedings. The hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Mr. Speaker. I’m tabling the requisite copies for the enforcement order issued for the composting operator near High River, which I talked about earlier.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thanks, Mr. Speaker. Today I’d like to table more copies of the handwritten letters my office has been receiving expressing concerns about the deep cuts to postsecondary education that are happening here in Alberta.

Thank you.

**The Speaker:** Hon. members, with your indulgence, I, too, have a tabling unless there's anyone else.

Seeing no one else, allow me, then, to table the requisite number of copies of a memorandum dated November 29, 2013, from the Deputy Premier to your Speaker concerning the question of privilege raised in the Assembly last week. Enclosed with this memorandum from the Deputy Premier to me are the following documents: a government of Alberta news release dated November 27, 2013, concerning Bill 46; a media notice from the government of Alberta dated November 26, 2013, concerning a technical briefing on bills 45 and 46; and finally, a government of Alberta news release dated November 27 concerning Bill 45.

Hon. members, we have two points of order, both raised by Airdrie within a very limited timeframe. Did you wish to deal with them both at once, hon. member, or separately?

**Mr. Anderson:** In the interests of time, because we do have private members' business, I'm going to withdraw those points of order so we can move on.

**The Speaker:** Thank you.

Both points of order have been withdrawn by the hon. Member for Airdrie.

We can now move on to the point of privilege. [interjections] I don't want to interrupt the Minister of Finance and the Member for Airdrie; however, I shall on this occasion.

### Privilege

#### Obstructing a Member in Performance of Duty

**The Speaker:** Hon. members, I have a somewhat lengthy ruling, and I hope I could have your attention as I go through it. Your chair has given very serious and careful consideration, and I'm now prepared to rule on the purported question of privilege that was raised by the leader of the New Democrat opposition on Wednesday, November 27, 2013, which was subsequently argued by the Member for Edmonton-Strathcona that day and can be found at pages 3166 and 3167 of *Alberta Hansard*.

The members for Airdrie, Edmonton-Centre, and the Deputy Premier also participated in that discussion, and their comments can also be found in *Hansard* on pages 3167 through 3170 for last Wednesday.

The central issue of the purported point of privilege is this. Did the government's brochure, titled *The Building Alberta Plan*, prejudice the actions of a committee of this Assembly, and was this Assembly also, perhaps, prejudged with respect to presuming passage of certain bills and whether a news conference on bills 45 and 46 was also somehow disadvantaged by not all members having seen them before they were offered to others outside the Assembly? The brochure that I referred to was tabled on November 27 by the Member for Edmonton-Beverly-Clareview and is now Sessional Paper 1181/2012-13.

With respect to the formalities the Speaker's office did receive notice of the purported question of privilege on Wednesday, November 27, at 11:20 a.m., so the requirements of Standing Order 15(2) were in fact met. The November 27 notice of the question of privilege from the leader of the ND opposition referred to that his ability to perform as a member of the Members' Services Committee had been breached "by actions which have predetermined a decision yet to be made by the committee."

The Member for Edmonton-Strathcona clarified and expanded upon the alleged breaches of privilege during her November 27 comments, that I referenced a moment ago. Essentially, there are

actually three purported questions of privilege, which the chair outlined last Thursday, November 28, at page 3208 of *Alberta Hansard*.

The first is that the brochure prejudged a decision of the Special Standing Committee on Members' Services by referring to the multiyear wage freeze taken by MLAs as that decision had not yet been made and was, in fact, not made until the committee met last Friday, November 29.

The second point is that the brochure prejudged a decision by the Assembly as it referred to public-sector employees taking multiyear wage freezes when that was the subject of at least one bill before the Assembly. The Member for Edmonton-Strathcona was at a disadvantage on that point as Bill 46, the Public Service Salary Restraint Act, had been introduced in the Assembly literally minutes before she rose to speak to the question of privilege. In fact, the Member for Edmonton-Strathcona did not have the bill when she was speaking.

The third purported question of privilege concerns a news conference about bills 45 and 46 prior to their introduction in the Assembly.

Now, the chair finds that it appears that the member raised the question of privilege concerning the Members' Services Committee at the earliest opportunity since that leader received the brochure in question on Tuesday. The notice did not refer to the news conference on the bills, which is the subject of another related question of privilege, but given the circumstance the chair is satisfied that it was raised when the event occurred and does meet the requirements of Standing Order 15(5). Likewise, the issue about the brochure, assuming that Bill 46 had passed, was raised at the earliest opportunity and was done so under Standing Order 15(5) as well.

The following day your chair asked the government some questions concerning the purported question of privilege, which can be found at pages 3208 and 3209 of *Alberta Hansard* for November 28. The chair asked when the brochure was produced, who produced it, when and how and to whom it was distributed, and whatever other information might be useful for your chair to know under the circumstances.

With respect to the news conference on bills 45 and 46 the chair asked whether it was a news conference. Was it a technical briefing? Exactly what was it? What time did it start? What did it finish? Was there more than one media session or technical briefing, and where was it held?

Earlier today your chair – moments ago, actually – tabled the November 29, 2013, memo by the Deputy Premier to me, in which was provided answers to these questions. The chair had asked that any response be received before 4 p.m. last Friday, and the Deputy Premier's memo was in fact received in my office at 3:27 p.m. on that day.

Now, with respect to the allegation concerning premature disclosure at news conferences, I have this to say. The response from the Deputy Premier clears up the purported question of privilege alleging that there was a news conference concerning bills 45 and 46 prior to their introduction in the Assembly on November 27. To release details of a bill or the bill itself to persons who are not members once the bill is on notice on the Order Paper but before it is introduced in the Assembly could be a contempt of the Assembly as you all likely know. This ground has been covered recently in the Assembly in the context of a purported question of privilege involving the Minister of Transportation and Bill 32. On October 31, 2013, it was found that there was no prima facie case of privilege. Members can find the applicable citations to the relevant authorities at pages 2655

through 2657 of *Alberta Hansard* for that day. There were some comments in that ruling that will be referred to later.

In his November 29, 2013, memo on the purported questions of privilege the Deputy Premier indicated that there was to be a technical briefing followed by a news conference on the two bills in question. He states:

The Bills were introduced at approximately 3:00 p.m. on Wednesday, November 27, 2013. A news release was issued after each Bill was introduced: the Bill 45 news release was issued at 3:09 and the Bill 46 news release was issued at 3:10 . . . The technical briefing with the media did not begin until after the Bills were introduced and the Ministers both arrived in the media room.

The Deputy Premier attached the news releases to his memo, which I referred to moments ago.

**3:10**

In fairness, the Deputy Premier provided similar information in his remarks on the purported question of privilege at page 3170 of *Alberta Hansard* for November 27, 2013. Accordingly, there was no release of the bill or any technical briefing provided to persons who were not members prior to the introduction of those bills in this Assembly. For the record *Hansard* advises that Bill 45 was read a first time at 3:03 p.m. and Bill 46 at 3:04 p.m. on the day in question. As there was no early release of information, there is no prima facie question of privilege on that point.

Now, with respect to presuming decisions of the Assembly and its committees, I have the following comments to make. The next two purported questions of privilege are not as easily dealt with. The document that precipitated these questions of privilege was the aforementioned brochure called *The Building Alberta Plan*. On page 6 of this document the following statement appears.

Public sector employees, including teachers, doctors and government managers – as well as MLAs – are leading by example with multi-year wage freezes because it's the responsible thing to do for our province.

It actually goes on, also, to talk about MLA pay being frozen for one year.

With respect to the timing of the brochure in question the Deputy Premier was very forthcoming in his November 29, 2013, memo. He indicates that "printing of *The Building Alberta Plan* started the week of October 7, 2013." Enough copies were printed for every Alberta home. Delivery of that brochure to the public, according to the Deputy Premier, "began November 21, 2013."

Now on the issue of a multiyear pay freeze for members there was a motion for consideration of the Members' Services Committee provided to the Speaker's office by the Member for Calgary-Varsity on Monday, November 25, 2013, which was then very quickly sent out to all members of the committee that day by my Speaker's office along with another notice as requested by the leader of the ND opposition.

Last Friday, November 29, 2013, the Members' Services Committee agreed to a freeze in salary or, more accurately, not to apply the mechanism for providing increases to members' salaries until March 31, 2017. Prior to that meeting the committee had voted at its February 7, 2013, meeting to suspend the increase in MLA salaries for one year; that is, until March 31, 2014. No motion was passed to suspend the increase over a number of years. There has not been such a motion since the new remuneration rates for members were put into place following the 2012 general election.

As discussed, Bill 46, which imposes a settlement on public service employees should an agreement not be reached, was not introduced in this Assembly until Wednesday, November 27. In his memo the Deputy Premier indicates that the text of the

brochure was written in October and that distribution commenced on November 21. Clearly, this was well before there was any motion proposed to the Members' Services Committee for a multiyear freeze and certainly before any was approved. It may go without saying, but this was also well before there was indication to the Assembly that Bill 46 was forthcoming.

In terms of what aspect of the doctrine of parliamentary privilege might apply, the Member for Edmonton-Strathcona provided the definition of contempt from the standard Commonwealth text *Erskine May*, 24th edition, at page 251:

Generally speaking, any act or omission which obstructs or impedes either House of Parliament in the performance of its functions, or which obstructs or impedes any Member or officer of such House in the discharge of his duty, or which has a tendency, directly or indirectly, to produce such results, may be treated as a contempt even though there is no precedent [for] the offence.

In the October 31, 2013, ruling, which was referenced earlier, your chair used the definition of contempt found at page 82 of *House of Commons Procedure and Practice*, second edition. That reference can be found at page 2656 of *Alberta Hansard*. The point is that a contempt of the Assembly differs from a breach of privilege since contempts may be affronts to the dignity or authority of the Assembly, which may not fall into a category of specifically defined privileges.

In 1989, for example, Speaker Fraser of the Canadian House of Commons commented on this distinction when he was faced with a similar question to what is now before this Assembly. In the House of Commons case the government of the day advertised on August 26, 1989, that "Canada's Federal Sales Tax System will change. Please save this notice. It explains the changes and the reasons for them." The tax of the day was to be replaced by the goods and services tax, the GST. The legislation to put the GST in place had not however yet been passed, which led to a serious question of privilege in the House of Commons.

In his October 10, 1989, ruling on this subject, found at pages 4457 through 4461 of *House of Commons Debates*, Speaker Fraser stated at page 4459:

In summary, all breaches of privileges are contempts of the House, but not all contempts are necessarily breaches of privilege. A contempt may be an act or an omission; it does not have to actually obstruct or impede the House or a member; it merely has to have the tendency to produce such results.

In the case before us today it is argued that the ND opposition leader was obstructed in performing his duties. I reject that argument, largely for the same reasons Speaker Fraser did in 1989. He stated, once again at page 4459 of *House of Commons Debates*:

In order for an obstruction to take place, there would have had to be some action which prevented the House or Members from attending to their duties, or which cast such serious reflections on a Member that he or she was not able to fulfill his or her responsibilities. I would submit this is not the case in the present situation.

However, this finding alone does not end the matter. The actions by the government of our day could constitute a contempt if it is found that they offend the dignity and authority of this Assembly. Members may recall that in the October 31, 2013, ruling in the Alberta Legislative Assembly your Speaker gave the following warning at pages 2656 and 2657 of *Alberta Hansard*:

Furthermore, in my view, any prior advertising about the nature of a bill must be undertaken very, very cautiously, if it is undertaken at all, so as to not create any impression that the contents of the bill are already law when the Assembly has not even seen the bill yet, much less debated it and passed it. In this

respect, members may wish to examine the decision of the Ontario Speaker in 1997 when the government of the day advertised a certain bill as if it had already been passed. In this respect, please visit Ontario *Hansard* of January 22, 1997, at pages 6441 through 6443.

Now, in that Ontario case of January 22, 1997, a *prima facie* case of contempt was found, and in his ruling the then Speaker of the Ontario House, Speaker Stockwell, states, with respect to the House of Commons case, at page 6442 of Ontario *Hansard* for January 22, 1997, as follows:

In ruling that there was no case for contempt, Speaker Fraser appears to have accepted the submissions of government ministers that the government had never intended the advertisements in question to be anything more than “informational” and that it had never been “the government’s intention to suggest that legislation would not be submitted to Parliament for debate.”

3:20

For your information, I listened very intently to the submissions made by the Deputy Premier on November 27, and I did not hear the sort of assurances that guided Speaker Fraser in 1989. In finding a *prima facie* case of contempt in Ontario, Speaker Stockwell said at pages 6442 and 6443 of Ontario *Hansard*:

It is not enough for yet another Speaker to issue yet another warning or caution in circumstances where the wording and circulation of the pamphlet appear on their face to cross the line. I say in all candour that a reader of that document could be left with an incorrect impression about how parliamentary democracy works in Ontario, an impression that undermines respect for our parliamentary institutions.

Obviously, your Speaker has very serious concerns about the advertising that was undertaken in the Alberta brochure, which is central to the point of privilege before us today. As indicated in my earlier comments, the Alberta government was warned to not try and presume that the Assembly would pass legislation through some form of their own advertising. As your Speaker I was representing the interests and role of the Assembly in our parliamentary form of democracy.

In Alberta and throughout Canada we have a form of responsible government. As Speaker Kowalski, my predecessor, commented, on May 1, 1997, at page 319 of Alberta *Hansard* for that day:

the principle of the executive being responsible to the Assembly is the cornerstone of responsible government in this country.

In his text *Constitutional Law of Canada*, third edition, by author Peter Hogg, Mr. Hogg goes so far as to say: “Responsible government is probably the most important non-federal characteristic of the Canadian Constitution.” In the province of Alberta the executive is composed of the members of the Executive Council, all of whom have taken and subscribed to the oath for cabinet ministers.

In his 1989 ruling at page 4461 of *House of Commons Debates* Speaker Fraser requested that departments study his ruling carefully, pointing out that “we are a parliamentary democracy, not a so-called executive democracy, nor a so-called administrative democracy.”

In your chair’s view, the situation is more similar to what occurred in Ontario in 1997 rather than to what occurred in the House of Commons in 1989, as I referenced earlier in these comments, because this government of Alberta was warned recently, as recently as October 31 of this year, in a previous ruling that I made and within which I advised the government that it should not advertise in a way that presumes a decision of the Assembly or, by extension, a decision not yet made by one of the Assembly’s committees.

It is clear to your chair that the advertising in the brochure I referenced earlier did presume that a decision had been made by the Members’ Services Committee, to which the Assembly has delegated the ability to make decisions about members’ pay and benefits. That decision had not been made, in fact. That decision had not been made until the following Friday. Let me make sure I said that correctly: I am of the opinion that the advertising in the brochure presumed a decision that had not yet been made by the Members’ Services Committee.

The chair also finds that the brochure created the impression that legislation was in effect concerning public service salaries when, in fact, the bills had not been introduced. The advertising does show some disrespect for our legislative process and by extension, perhaps, for the Assembly itself. It should be very clear that in our form of democratic government the Assembly is owed total respect by the Executive Council, by all members of government, by all members of the House regardless of the capacity in which they serve.

The continued absence of adherence to some of the proprieties of this institution causes your chair a great deal of grief and anguish, and it also caused us again an enormous number of hours of research dealing with case precedent, dealing with former rulings, looking at other Assemblies, and so on and so on. I would estimate that collectively we spent almost 200 hours over the weekend, a number of us, looking into this and asking Speakers in other jurisdictions and other Parliamentary Counsels and so on for their examples. I would hope that the dignity and authority of this Assembly and of its delegated committees would be given greater respect from this day forward.

Accordingly, your chair finds that the advertising undertaken by the government on page 6 of the aforementioned brochure, The Building Alberta Plan, does constitute a *prima facie* case of privilege. It’s a breach of that privilege under Standing Order 15(6) as it is a form of contempt of this Assembly and of one of its committees.

That concludes my ruling on that matter. I would invite anyone from the government side should they wish to rise and issue a statement of whatever kind, and I’ll deal with it from there.

**Mr. Lukaszuk:** Mr. Speaker, obviously, I will accept your ruling. In no way, shape, or form would this government ever under any circumstances want to offend the dignity of this House and the importance of the Legislative Assembly and the parliamentary process, that we all strive to adhere to.

But if I may, Mr. Speaker, in my acceptance of your ruling point out to you that you very clearly make comments relevant to the mechanism by which MLAs’ salaries are to be increased. I would point you to your own website, Mr. Speaker, the legislative . . .

**The Speaker:** Hon. member, I’m offering you a chance to perhaps apologize for the breach. That’s what I’m expecting at this stage. We have not rehearsed any of this, as you know, but that would be customary. If you’re willing to do that, then the Assembly, including myself, would be more than anxious to hear it, particularly since you’ve accepted the Speaker’s ruling, for which I thank you.

**Mr. Lukaszuk:** Mr. Speaker, as I said earlier, by no means would this government ever offend the dignity of this Legislative Assembly, and if, in your learned opinion, such has occurred, I do sincerely apologize.

**The Speaker:** Thank you, hon. Deputy Premier. That would close the matter.

I would like to mention one thing to you, Deputy Premier, and to all members of Executive Council, and that is this. In looking at the history of how matters similar to this have been dealt with in other Assemblies, I did note that members commented on how beneficial it was for their staff, particularly Executive Council staff, to meet with the Clerk and with some of our Parliamentary Counsel members in order to be better guided and better counselled on how some of our systems, protocols, and procedures work.

In particular, there are references made on websites such as the one you've just mentioned and elsewhere about the purpose and function of the Public Affairs Bureau, which was contained in one of your answers as a reference. In particular, the Alberta Public Affairs Bureau helps government communicate, for example. In particular, the Premier's communications unit also has a specific function in that respect.

Looking at ministry overviews, just for the benefit of all members, please know that there are eight different aspects that come under the Ministry of Executive Council. Executive Council is a short way of saying cabinet or a short way of saying the government of Alberta. The office of the Premier is one, and it's responsible for communications, according to the website. Another one is the cabinet co-ordination office. It oversees tracking and regular reporting on proposed government legislation up to the introduction of bills in the Assembly. Another one is the aforementioned Public Affairs Bureau, which advances government communication with Albertans and distributes government news releases, co-ordinates government advertising, and it goes on. I'm not going to read them all for you.

I only mention this – why? – because I know that there are a number of new people, not only in this Assembly but new people out there supporting ministers, supporting private members on both sides of the House, who may not have the benefit of that education and training. I would undertake a suggestion – please, hon. Deputy Premier, you might want to receive it as a recommendation – that you seriously consider taking up that generous offer, which I'm going to make on behalf of the Clerk and his staff, to meet with them in order to get a more complete understanding of the role of the Assembly and its rights and immunities, and I'm referring to the staff who support you in particular. All of you are welcome to consult with the Clerk, with myself, or with any of our Parliamentary Counsel at any time.

3:30

But we've got to fix up this system so that it stops and does not continue again. I've taken a long time explaining myself. I do not want to stand here and explain myself again and again and again on this kind of a matter.

I thank you for the apology. I note the sincerity, Deputy Premier, with which you delivered it. I shall hold you and all members to your word on that, and I hope that your staff will read *Hansard* so that they can benefit from your comments and mine as well.

That concludes this matter.

#### Point of Clarification

**Mr. Anderson:** Mr. Speaker, under section 13(2), and it's truly just a question, how would we at this point as an opposition – or is it even in our purview to do this? – refer something like this to the appropriate committee on this issue? Or, once you close the matter, is that just it?

**The Speaker:** That's a very good question, Airdrie, and thank you for asking it.

Had the government not apologized for it, you would have been free to bring a motion forward to this Assembly, because once the Speaker has made a ruling, then the matter belongs to the Assembly. It doesn't belong to the Speaker. I find whether there's a *prima facie* case; I did. I asked the Deputy Premier if he wished to comment, and he started to comment in an elongated way. I tried to shorten it up and say: here is what I think the Assembly is after. I don't think that anyone was really seriously harmed or hurt throughout this whole process, but neither would I want someone to be, and certainly the rights and dignities of this House could have been tarnished had there not been immediate action taken with the apology.

We'll leave it there. I think, Deputy Premier, you had a comment, but before you do, since I've recognized Airdrie – I don't want to get into opening a debate – very briefly, hon. Member for Edmonton-Calder, your clarification is under 13(2), I assume.

**Mr. Eggen:** Yes. Thank you, Mr. Speaker. You know, considering that this is just not so common, we want to learn from it. I'm wondering if there is a possibility for us to make a motion tomorrow under Standing Order 15(6). I just wanted to seek clarification on that, too.

**The Speaker:** Well, I think I answered that question in part already with respect to the question asked by Airdrie. The matter is now concluded in this respect, hon. Member for Edmonton-Calder, so we're not going to pursue it. A motion is not required, necessary, nor would it be, in my view at least, in order tomorrow since the matter has been concluded with the apology that had just been offered.

Now, Deputy Premier, let's hear what your final comment is. Is this under 13(2) as well?

**Mr. Lukaszuk:** Correct, Mr. Speaker. In the spirit of wanting to learn from this exercise, is there a possibility that the Legislative Assembly Office could further clarify, not on the Assembly's time but through different means, how we reconcile the fact that, clearly, on the records of the Legislative Assembly it indicates that the mechanism for increase of salary was not utilized since 2009, yet the Clerk tabled a report saying . . .

**The Speaker:** Thank you. Hon. member, I thought you were rising under 13(2) to seek clarification of the ruling itself. There are other processes for debates. You can exchange letters. You can certainly talk to other members. You can raise it in this House under any number of ways. You have government motions. You have a variety of ways that you can address that question. The point that I think you're driving at is that MLA pay has been frozen for the last year. It's frozen again now for three more years, and that's now a matter of record.

Okay. Let us move forward.

### Orders of the Day

#### Written Questions

[The Clerk read the following written questions, which had been accepted]

#### Supports Intensity Scale Interviews

Q42. Mr. Wilson:

From May 1, 2009, to May 1, 2013, how many individuals were trained to complete supports intensity scale interviews,



and what specific training is required in order to qualify them to administer the interview?

#### **Persons with Developmental Disabilities Program**

Q43. Mr. Wilson:

From May 1, 2012, to May 1, 2013, how many clients did the persons with developmental disabilities program serve, and how many completed the supports intensity scale interview process?

### **Public Bills and Orders Other than Government Bills and Orders Second Reading**

#### **Bill 208 Seniors' Advocate Act**

[Debate adjourned November 25: Mrs. Forsyth speaking]

**The Speaker:** Hon. Member for Calgary-Fish Creek, I believe you have five minutes left should you wish to take it.

**Mrs. Forsyth:** Well, thank you, Mr. Speaker. I'm pleased to speak to Bill 208, the Seniors' Advocate Act, put forward by my colleague from Innisfail-Sylvan Lake, who's our Seniors critic. It's sad to be standing on this day after what was presented to us, the heartbreaking story of a senior in care. It highlights the broken system that we have.

The bill, as indicated by her, will create an office of an independent seniors' advocate. Now, I know what the government is going to say about this bill. They may get up to say how much they've done for seniors, how there is a strategy, how there is a policy and all kinds of programs for seniors, and that they've even announced the establishment of an advocate who would report to the minister.

Mr. Speaker, there are thousands of stories out there about senior abuse, and I'd like to talk for a moment about one of those seniors. By the time the ambulance showed up at her house, the senior's screams were, as paramedics would later describe, already at 10 out of 10. On the bed in the foyer lay an 88-year-old senior, her eyes screwed up in agony, her skin covered in feces, with a broken leg gone untended for weeks. The fact that she lived in the house was a surprise to her neighbours. No one had seen her. No one had any idea how she had spent her final days in pain. None of them knew that her daughter and caretaker had waited weeks before calling for help.

This senior has joined a large and growing number of elderly people across this world who live and die in silence, left to fend for themselves. This type of abuse, which also includes neglect, is still so hidden that it's hard to quantify. The broad picture painted by the Associated Press and gleaned from hundreds of interviews and dozens of studies is that world-wide tens of millions of seniors "have become victims, trapped between governments and families, neither of which has figured out how to protect or provide for them." By the year 2050 there will be more seniors than there are children, and that's a startling fact.

Seniors are people who have worked long and hard to contribute to the world we live in today, but as they age, their bodies and minds slowly diminish, and as such they can become a target for those who wish to prey on this vulnerable population. Many seniors don't report abuse for fear of retaliation from their abuser, from their caretaker, or from those who want to take care of them.

The seniors' advocate office will represent their rights, their interests, their viewpoints, and be a kind and willing ear. They are the one person seniors can go to when they feel no one else will listen to them or, for that matter, believe them. The seniors' advocate will be able to visit with any senior. I know how scared seniors are about speaking out. Residents are afraid to speak out. They are afraid to speak out about the quality of the food; they're afraid to speak out about the quality of the care.

Mr. Speaker, the government loves to promise things to seniors. There's a Seniors' Week, a Seniors Advisory Council, even a Grey Matters Conference. Lots of deliberation but, quite frankly, not the action seniors are looking for. Seniors are feeling lost in the shuffle.

Now, the government will speak eloquently about how people struggle to navigate the health care system. The common denominator here, however, is the government. It can be so impersonal and daunting that seniors feel lost. And you know what, Mr. Speaker? Their families feel lost. Half the time the government is the one that's lost.

Seniors need someone that can navigate the system with them. The seniors' advocate will have real power. They'll be able to meet with any senior they need to. They'll be able to intervene on a senior's behalf if problems arise in long-term care, home care, or continuing care. They'll be able to intervene when problems arise with trustees of seniors, and they'll be able to intervene when a senior isn't sure what to do or, for that matter, who to reach out to. All are important issues, and quite frankly the government needs to do less talking, pass this bill, and proclaim it.

We owe our seniors a great deal of gratitude, Mr. Speaker. They spent their lives building this province. They've raised children, and they've contributed to the communities. Now that they are growing older and becoming physically and mentally more vulnerable, we must provide them an independent voice.

Mr. Speaker, I urge all of our fellow members in this Assembly to vote for the bill. Thank you.

**The Speaker:** Hon. members, I have the hon. Member for Calgary-Bow, followed by Lac La Biche-St. Paul-Two Hills, followed by Calgary-Glenmore for the moment. There are others on the list if time permits.

3:40

**Ms DeLong:** Thank you, Mr. Speaker. It's my honour to rise today and continue debate on Bill 208, the Seniors' Advocate Act, brought forth by the hon. Member for Innisfail-Sylvan Lake. To begin with, I'd like to acknowledge the vital role that seniors have played in our province. Seniors play a significant role in the history of Alberta's families and communities. They are the foundation of our province and the link to our history, our past. Our families today have gained much from their experiences. In many ways today they've helped shape the Alberta that we know and love. Because of this, it's more important than ever that seniors' voices be heard loud and clear.

With the recent announcement of a health advocate office, Mr. Speaker, we are listening. An advocate, by definition, works to promote awareness and understanding of the cause or the ability to change public opinion or cause a shift in people's perceptions or understanding of an issue. Now, our government saw the need for preparations to be made in order to effectively accommodate a vibrant and growing seniors population. This included improving existing programs as well as further streamlining and elevating the ways in which seniors receive the services needed to meet ongoing and evolving concerns.

This need was also realized through the proclamation of the Alberta Health Act, which established a seniors' advocate, fulfilling this government's commitment to help seniors and their families access supports and services in a timely and efficient way. Mr. Speaker, one could say that the Seniors Advisory Council was created in order to mitigate many concerns facing the seniors population. The Seniors Advisory Council is a government-appointed body reporting to the Minister of Health. Bill 208, however, proposes that a seniors' advocate be established as an officer of the Legislature. Now, this means that the seniors' advocate would be arm's length from the government.

Mr. Speaker, the council's main roles are to provide advice and information to the province regarding many of the challenges faced by seniors as they relate to their standard of living. Council members work to address a multitude of issues impacting the seniors population across Alberta. The role of the council has become even more important as the seniors population in Alberta has expanded to over 425,000 as of January of last year. This demographic will only continue to grow as the baby-boomer generation ages and many begin to retire.

Mr. Speaker, one of the ways that the advisory council ensures that seniors' voices are heard is through annual tours to various regions of the province to consult with seniors as well as service providers. In June of 2011 council members, in fact, toured the constituency of Cardston-Taber-Warner to consult with staff and residents. This interaction helped to raise issues most relevant to seniors in the region such as the quality of accommodation, availability of services, and satisfaction with staff that were raised to the touring council members. By the way, we have since toured Calgary and Edmonton. Others highlighted the availability of health services on-site or from community providers. Those working in seniors' facilities also brought forward concerns regarding the ability to retain staff, ongoing building renovations, and crossgovernment funding co-ordination.

The very structure of this advisory council, the fact that it is a government-appointed body reporting to the Minister of Health, ensured that the council's key recommendations could inform important policy decisions affecting Alberta seniors. Policy development often benefits from this relationship with the council, and this means seniors will benefit as well.

Although I commend the member opposite for bringing forward this proposed legislation, I am concerned that having an arm's-length body may hinder the very intent of having an advocate in the first place. As we have seen with the effectiveness of the advisory council, having a body which reports to the Health minister is crucial to ensuring that lasting changes are made to policy, programming, and the delivery of services for our seniors population. This effectiveness is exemplified through the council's work in the 2011-2012 fiscal year. During this time the council helped with the continued implementation of policies, programs, and services guided by the aging population policy framework.

Mr. Speaker, the council also played a significant role in the development of materials that addressed financial and elder abuse and provided insights on continuing care initiatives. In addition, council also fulfilled its mandate by providing further guidance in the development of information workshops to support the creation of a more age-friendly Alberta.

Another strength of the council is the diverse makeup of its boards and members. Appointed by the Lieutenant Governor in Council, members come from varying experiential backgrounds, from medical professionals to university academics to regular Albertans who are seniors themselves and have advocated for other seniors. Through their work members ensure they consult with seniors, seniors' organizations, and other bodies to proac-

tively gather information and provide advice to the Minister of Health, as detailed in their mission statement.

Mr. Speaker, I am glad to see that this issue has garnered attention in the House. As this government continues to build Alberta, we project that the percentage of seniors in our province will increase from approximately 11 per cent to 15 per cent of the total population, and by 2036 it is projected that there will be more than a million seniors right here in Alberta, or 1 in 5 Albertans. It's crucial that we never forget just how important our seniors are to this province. After all, they are the men and women that built the successful Alberta that we know today.

As more and more Albertans begin to age and retire, it's our job to ensure that we care for them by providing effective services, and this means developing legislation, policies, funding, and program co-ordination to meet their essential needs. Not only are seniors a valuable and respected resource, but they're also an integral part of Alberta's families and communities, and, Mr. Speaker, it is important that we increase the recognition of the seniors population. That's why our government has proclaimed the Alberta Health Act and created the seniors' advocate role. The advocate will be involved in requesting inspections, investigations, and quality and safety assessments related to care provided in seniors' facilities, engaging seniors and stakeholders on seniors' issues as well as ordering investigations into reports of seniors' abuse while in care.

Mr. Speaker, the seniors' advocate will in many ways complement the work that the Seniors Advisory Council for Alberta is already doing, and I would like to thank the hon. member opposite for bringing this bill forward. However, I am concerned that the proposed legislation in its current form will not have a lasting effect on services for our seniors and would interfere with the seniors' advocate role that will be in place.

I look forward to hearing the remainder of the debate. Thank you very much, Mr. Speaker.

**The Speaker:** Thank you.

The hon. Member for Calgary-Shaw in place of Lac La Biche-St. Paul-Two Hills, followed by Calgary-Glenmore, followed by Edmonton-Mill Woods, and I have Bonnyville-Cold Lake on the list as well.

**Mr. Wilson:** Great. Thank you, Mr. Speaker. I appreciate your making that switch on the fly on our behalf here. I think that this is a very important discussion for our Legislature to have, and it's very timely in the sense of what we saw in the child welfare system. Now, we don't need to rehash everything that we've heard in the child welfare system, but in the quick Coles Notes version of it: 145 children who have died in care since 1999, 89 of which we just learned about last week.

The one feather in the cap that the government was able to have in response to this misconduct of responsibility was the fact that in 2012 they made the office of the Child and Youth Advocate independent of this Legislature. It was the one thing where consistently, every single day, anyone in this debate could say: "You know what? They did the right thing." By making it independent, it allows the office to look at the case files, to make recommendations, to do it outside the auspices of the ministry, which makes it that much more effective and that much more binding, I would suppose, for what the government should do about it.

It just seems so odd to me to listen to the debate coming from the other side. Here we have a member saying that the seniors' population is expanding, it's growing, that 1 in 5 Albertans within the next few years is going to be a senior but that we really

shouldn't make the seniors' advocate independent of this Legislature because it's just not politically convenient. What's politically convenient is for us to stand up and say: hey, we proclaimed an act that we passed three years ago. Well, good for you.

3:50

The reality is that without having this body as independent, the same thing is going to happen as what happened with the Child and Youth Advocate prior to 2012. It was under the ministry; it answered to the minister. It was not as effective as it could have been, which is why it was moved to be an independent office, and it was the right decision. When this government makes the right decisions, we'll be here to support them and to say that it was the right decision. So April 2012: congratulations; you did the right thing. Our child welfare system is in a better position because the office of the Child and Youth Advocate is independent. You did the right thing.

It's time to reconsider your position on this one and do it again for the exact same reasons you did then. To stand up and suggest that it would be a more effective body under the ministry makes absolutely no sense, and I cannot believe for a second that not one of you sees it that way. It's very unfortunate.

Mr. Speaker, that concludes my remarks. Thank you very much.

**The Speaker:** Thank you.

The hon. Member for Calgary-Glenmore, followed by Edmonton-Mill Woods.

**Ms L. Johnson:** Thank you, Mr. Speaker. I rise today to speak about a matter that is about seniors' care. This is not about politics; this is about the care of the seniors in Alberta. As we discuss Bill 208, I would like to thank the hon. Member for Innisfail-Sylvan Lake for bringing the matter forward. The importance we give to seniors and the actions we take to address their concerns is of defining value for not only this government and for this Legislature but for our society.

We are aware of the difficulties seniors and their families face when confronted with the challenges of taking care of one another. Those who care for and advocate on behalf of our seniors are providing a valuable service to society. Our seniors deserve society's respect and support, Mr. Speaker, now and in the years to come. That is why I would like to compliment the hard work and attention paid by all members to Bill 208, and I congratulate its intentions.

While the intentions of Bill 208 are indeed worthy of praise, we should also consider the benefits that a seniors' advocate that reports to the Health minister will have as has been determined by the announcement of the new health advocate. The newly announced health advocate's office will assist Albertans in navigating the health system and will contain three advocates: a health advocate, a seniors' advocate, and a mental health patient advocate. The new seniors' advocate role will include requesting inspections, investigations, and quality and safety assessments related to care provided in seniors' facilities as laid out in Alberta law.

It will also ensure that complaints and concerns are referred to the appropriate channels, including education on the rights, interests, and needs of seniors. The seniors' advocate will work to provide information and referrals for seniors, their families, and caregivers regarding government-funded seniors' health, continuing care, and social support programs and services. Mr. Speaker, most seniors' services are health related, and these services are best navigated by someone who is aligned with the Ministry of

Health. Again, this is an important distinction, and we should place emphasis on it as we discuss Bill 208.

Further to this, Mr. Speaker, we should also remember that several government departments share responsibilities for the various aspects of seniors' services and programs, including health and housing. If we want to keep our focus on seniors and on the best results for them and their families, then it makes sense to look at the best possible means for giving them direct access to the resources that are available. If you want to get the right information and work to co-ordinate the best results, you have to take advantage of the resources that are within the government departments. This is particularly true when it comes to advocating on behalf of our seniors, and the newly consolidated health advocate will improve upon collaboration, reduce duplication, and streamline administration.

The benefits of having direct access to the resources available are immediately apparent. A seniors' advocate working within the health advocate's office will place expert knowledge as close to the minister as possible and in alignment with the policy-makers. This has the advantage of direct and immediate knowledge of the key issues and potential solutions as they unfold. Seniors' issues are complex, varied, and the contexts in which they arise are often dynamic and emotional. Dynamic, too, are the types of solutions required to successfully mitigate the variety of challenges faced on seniors' issues.

While Bill 208 increases awareness of these challenges, Mr. Speaker, allow me to give a brief context to the points I've already made. According to the profile in Alberta Seniors' report released in 2010, the seniors' population in Alberta spans more than two generations, with an age range from 65 to more than a hundred years. Alberta's seniors population has varying backgrounds, incomes, living arrangements, and levels of health. This is why it is imperative that the solutions we present have an implicit flexibility, flexibility in co-ordination and flexibility in how available resources are mobilized. The solutions should also help Albertans and their families navigate the province's health care system.

A seniors' advocate that reports to the Health minister best allows for that flexibility. This advocate will be capable of successfully adapting to the dynamic environment in which seniors' issues arise. It will put the right knowledge and the right expertise in the right place beside the minister, and the minister would be able to make the best informed decisions in the light of the close and co-operative relationship with the seniors' advocate, under the umbrella of the health advocate's office within the context of the Alberta Health Act. Mr. Speaker, a seniors' advocate reporting to the Health minister is in a better position to do the right thing, and that is putting seniors and their families first.

Bill 208 does an admirable job of drawing awareness to the importance of seniors' issues. We all recognize that preparations must be made in order to accommodate our growing seniors population. That includes improving existing programs and further streamlining and enhancing the ways in which seniors have access to services to meet ongoing and evolving needs.

Mr. Speaker, we are proud of what our government has accomplished for Alberta seniors. In 2012 the ministry assumed responsibility for the support programs and services provided to seniors through the former ministry of Seniors, helping improve continuity in both short- and long-term care services. Currently the Minister of Health, working in collaboration with other ministries and departments, offers a variety of support services and programs for Alberta seniors.

Now, Mr. Speaker, with the announcement of this new health advocate office our government is creating a single advocacy office that brings health, mental health, and seniors' advocacy into one place, a place where it is now easier for Albertans to take their concerns, a place to provide education and direction to help people understand the health charter, to navigate through the health system and learn where and how to access health care services. This also acts as proof that our government is not only willing to do what is necessary to take care of our seniors but that we are bound by our duty to go beyond that by proactively improving the quality of life our seniors have worked hard for and which they deserve.

The Seniors Advisory Council of Alberta, who reports to the Health minister, is another strong example of the proactive approach our government takes in addressing seniors' issues. The council acts as a liaison for seniors, stakeholders, and government. Their hard work, research, engagement in province-wide consultations, and commitment to addressing a multitude of seniors' issues is invaluable to the development of legislation, policy, funding decisions, and the co-ordination of programs and seniors' services.

As we discuss Bill 208, we should recognize how policy development benefits from this relationship as the council's findings are essential in helping to develop a more comprehensive portrait of seniors' needs. Similarly, Mr. Speaker, this new health advocate office will foster collaboration and integration among Alberta government ministries. This could also extend into greater collaboration potential with the federal and municipal governments and with other community partners that wish to ensure effective and efficient delivery of services to our seniors.

As we discuss Bill 208, we need to remember that our purpose here is to better connect seniors with the services that are available and with services that will be available in the future. As several government departments share responsibility for providing senior-focused services and programs, it will prove positively that the seniors' advocate within the health advocate's office will be most effective in enhancing these shared responsibilities. It would also help to offset costs by utilizing existing services and resources. This is particularly true, Mr. Speaker, in an environment of rising health care costs.

4:00

Our government is committed to seniors. Our government is proud of the work we have done so far, and we understand the work and dedication that will be necessary as we move forward. We will continue to work to improve the lives of our seniors and give them the defining value in our society they so greatly deserve. In light of the government's proposed seniors' advocate, I find Bill 208 to be unnecessary. As such, I cannot offer my support.

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

The hon. Member for Edmonton-Mill Woods, followed by Bonnyville-Cold Lake.

**Mr. Quadri:** Thank you, Mr. Speaker. You know, seniors are very dear to me; my parents are seniors, and I live with them. I echo my colleagues, and I want to congratulate the hon. Member for Innisfail-Sylvan Lake for her work on Bill 208, the Seniors' Advocate Act. It is an honour to rise to speak on the subject of advocacy and what it means to be an advocate, particularly in light of the announcement to create a seniors' advocate within the health advocate's office, that will be fully operational on April 11, 2014.

As we discuss Bill 208, it is important to reflect on what definitions we use for advocacy, how those definitions can determine our relationship to the kinds of advocacy we find most effective, and on the types of advocacy that are available to us. As my colleagues have also pointed out, Mr. Speaker, our seniors and their families deserve our respect and our commitment to the enhancement of their quality of life. And it is also true that we should define ourselves in relation to the value we place on what we do for our seniors and their families.

There are many definitions of advocacy, and much debate exists regarding which is the most appropriate to use. Having a definition of advocacy is necessary so that we have something to refer to, to check against, and to encourage discussion about what we are doing. At its most intuitive level an advocate can be defined as one who pleads the cause of another. To take this a step further, advocacy can also be described as promoting awareness and understanding of a cause or the ability to change public opinion and cause a shift in people's perceptions and understanding of an issue.

However, we should remember that advocacy can take a variety of forms and can involve more than one person or group. Mr. Speaker, with respect to Bill 208 I would like to highlight a particular advocacy group in Queensland, Australia, called Queensland Advocacy Incorporated. Queensland Advocacy Incorporated is a community-based advocacy group for people with disabilities. This group is particularly helpful in how they define both the types and the key elements of advocacy. In their view, the key elements of advocacy involve speaking, acting, and writing, with minimal conflict of interest, on behalf of the sincerely perceived interests of a disadvantaged person or group. According to this, advocacy is active, it involves doing something, it involves being there for someone or a group of people when they encounter a difficult situation and need strength to have their voices heard. It means possessing the unwavering will to fight for a person's right to a more fulfilling life.

Minimal conflict of interest also lies at the core of advocacy and is perhaps one of the hardest but most important issues to come to terms with. When one is in an advocacy role, they should be clear as to how their interests may be in conflict with the person for whom they are advocating. As an advocate one should be able to define and reduce conflicts of interest or at least be prepared to acknowledge their limitations as an advocate.

Mr. Speaker, being able to understand sincerely perceived interests is a complex and difficult task. Advocates do not just speak up for what a person may want or what a person may be interested in. Advocates will be faced with making decisions about an individual's life and well-being and may be the only resource in that person's life who has a positive vision for that person's future in the immediate and long term. Identifying what is in a person's interests, what they need versus what they want, can be a very difficult process.

In our discussion of Bill 208, the Seniors' Advocate Act, we would be wise to consider that an advocate's mandate is to promote and protect and defend the welfare and justice of those they advocate for. They do this by being primarily concerned with fundamental needs, and they remain loyal and accountable in a way which is emphatic and vigorous. One's advocacy efforts should be aimed at enhancing and protecting the value, the competencies, and the image of the person for whom they are advocating.

There are many important and subtle concepts in this definition that are worth our careful consideration. We should do what we can to acknowledge the sincerely perceived interests of our seniors, and we should do that in a way that avoids unnecessary

conflicts. We should find the best possible ways to protect and defend their welfare and justice. We will continue to address their fundamental needs, and we will remain loyal and accountable in ways that are both emphatic and vigorous. We will take the lead, and we will initiate progress. Beyond this, we will accept this responsibility with understanding and compassion and empathy. This is the most true when it comes to advocating on behalf of our seniors.

Our newly created seniors' advocate is now well positioned to tackle those important and complex issues. We are proud of what our government has accomplished for our seniors. Our ministries and departments co-ordinate their efforts and share their resources in ways that make the best services and programs available. This new seniors' advocate will not only extend the effectiveness of our government's capacity to address the needs of our seniors, but it will also better align with existing initiatives such as Alberta's Mental Health Patient Advocate.

Before I finish, Mr. Speaker, I would like to briefly mention the different types of advocacy that exist as a way of rounding out our discussion on the defining qualities of a successful advocate. According to Queensland Advocacy there are five types of advocacy. The first is individual advocacy, which is when an advocate concentrates efforts on one or two people. The second is citizen advocacy, and this usually involves a community-based movement that aims to recognize, promote, and defend the rights, well-being, and interests of an identified group. The third is systems advocacy, which is primarily concerned with influencing and changing the system in ways that will benefit a defined group within society. The fourth is parent advocacy, which describes advocacy undertaken for a person in need and their family. The fifth and final type is self-advocacy, which is when a person or group advocates on behalf of themselves. I raise those points as a way of urging all hon. members to carefully consider the implications of what is proposed in Bill 208.

#### 4:10

As we move forward and define the type of advocacy we will practice, we should focus on building relationships, on the best means to reach and mobilize the resources within our government, and on what would serve the interests of our seniors best. We should also encourage a close dialogue between our government and the seniors' advocate and the seniors that are advocated for.

Our seniors and their families deserve no less than the best we can offer. We will put our minds and energy and commitment to that task. Our seniors have set important examples for us and serve as wonderful and wise role models for our younger generations. They have built the Alberta we know today, and we are proud of their hard work, their generosity, and their lasting legacy of a real commitment to a caring and compassionate community.

Mr. Speaker, our new seniors' advocate moves us forward in the right direction, and as such I cannot offer my support to Bill 208. However, I would like to . . .

**The Speaker:** Thank you, hon. member. With regret, your time has expired, unfortunately.

I have to go to Bonnyville-Cold Lake, followed by Calgary-Mountain View. Then I have Calgary-Varsity, associate minister, Edmonton-Gold Bar, associate minister, and Stony Plain.

**Mrs. Leskiw:** Thank you, Mr. Speaker. It's an honour to rise today to speak to Bill 208, the Seniors' Advocate Act, being brought forward by the hon. Member for Innisfail-Sylvan Lake. I would like to thank the hon. member for putting forth a bill that aims to positively impact our senior citizens.

To begin, I would like to acknowledge the vital role that seniors have played in our great province. Seniors have forged the path which our generation has avidly followed. It goes without saying that seniors have positively impacted the history of Alberta families and communities, and I'm proud to be a member of this Assembly, advocating for the hard-working constituents accordingly.

Bill 208, the Seniors' Advocate Act, proposes the creation of a seniors' advocate as an office of the Legislature. This, Mr. Speaker, differs from the government's current plan to establish an advocate that will consolidate into the health advocate's office. It is our duty as government members to advocate collectively not only for all our constituents but also for those requiring a higher need of due care. Bill 208 proposes to create an independent seniors' advocate, reporting directly to the Legislature.

By 2036 it is estimated that the senior population will reach upwards of 20 per cent of the total population in Alberta, meaning that about 1 in 5 Albertans will be a senior citizen. Realizing these statistics, it is imperative that this government act in such a way as to bring seniors' issues to our attention in a collective and organized manner.

In 2008 our government advocated for seniors by establishing a Demographic Planning Commission. The commission's main function was to provide analysis and research leading to proposals in preparation for our aging population. In December of 2008 the commission brought forth the Findings Report, that they created after conducting a survey with more than 10,000 Albertans and engaging in additional consultations with nearly a hundred stakeholders. The findings of the commission were used to develop an aging population policy framework, that provides strategy and goals to assist this government's decision-making and policy co-ordination. These findings, Mr. Speaker, helped to pinpoint the concerns of key stakeholders, enabling the commission to further narrow down possible issues and areas focused on our seniors. This government has done well to ensure that seniors are properly represented and advocated for.

Additionally, our annual budget consultations are directly aimed at gaining a heightened understanding of constituents' needs and issues. It is our responsibility to ensure that communication channels between ourselves and our constituents are being effectively utilized. Mr. Speaker, initiatives like the Demographic Planning Commission and our annual budget consultations surely capture our efforts to continuously and actively seek practical solutions to meet the needs of all our constituents, including our seniors that we care for and love.

This government is aware of the challenges that face our seniors, and this is why we have implemented such initiatives, so that we can better plan for their future. Bill 208 suggests there is a need for a seniors' advocate that works independently from the Minister of Health. It seems more natural that this advocate would utilize existing resources and benefit from experts' opinions already available.

It is my worry, Mr. Speaker, that by passing Bill 208, we are facilitating an additional level of bureaucracy that may hinder a member's ability to advocate for their constituents responsibly. An advocate who will be consolidated into a health advocate's office will ensure that issues surrounding policy and services are directly addressed without being lost in various levels of bureaucracy. My goal as a Member of the Legislative Assembly is to represent families and communities in my constituency as well as across Alberta. I sincerely believe that in its current form Bill 208 would hinder my ability to do that.

Many of our government's current advocate roles have strong relationships with the representative ministries and, as such, are

very effective in representing and voicing the concerns of a wide range of Albertans. Furthermore, Mr. Speaker, there are many government-appointed and non government-appointed bodies that assist in the advocacy of all our constituents, including seniors.

The Seniors Advisory Council for Alberta is a government-appointed body that reports directly to the Minister of Health. The council's general role is to provide advice and information to the province regarding challenges posed to seniors' standard of living. Government officials are provided up-to-date front-line information on issues affecting our seniors here in Alberta. Mr. Speaker, I'm not entirely convinced that in its current form and considering the resources that we currently have in place, Bill 208 is an actionable plan for this government.

Additionally, Alberta has many not-for-profit advocacy resources and programs, including but not limited to the Elder Advocates of Alberta Society, Alberta Senior Citizens' Housing Association, the Edmonton seniors' activity centres, and Seniors United Now. Constituents are being heard, Mr. Speaker, and it is our job to streamline existing services and prevent duplication, as is accomplished by consolidating the Ministry of Seniors with Health.

Additionally, the government of Alberta has proclaimed the Alberta Health Act, which confirms the principles of the Alberta health care system and calls for the creation of an advocate to help people navigate the health care system.

The health advocate's office will assist Albertans in navigating the health care system and will contain three advocates: the health advocate, the seniors' advocate, and the existing Mental Health Patient Advocate. Mr. Speaker, every day approximately 105 Albertans turn 65, and our government is preparing for this. I myself will be nearing that age pretty soon. Having a health advocate's office is incredibly important to help Albertans navigate the health system and address their concerns.

I look forward to hearing the rest of the debate on Bill 208 and will continue to advocate on behalf of the seniors not only in my constituency but in the province. I commend the hon. Member for Innisfail-Sylvan Lake for her work on this bill, but I'm concerned about how this would impact our seniors. I know that the member does care.

Thank you, Mr. Speaker.

**The Speaker:** Thank you, hon. member.

Let us move on to Calgary-Mountain View, followed by Calgary-Varsity.

**Dr. Swann:** Thank you very much, Mr. Speaker. I'll be brief. I think this is an important issue, and I don't think there is anything that I receive more expressions of concern about than seniors' care in this province. Certainly, I have a growing list of what people describe as failures in seniors' care. Frankly, it's overdue that we get on and deal with this issue in a very comprehensive and transparent and accountable way, and I think all of us would benefit from that.

The Alberta Liberals have been calling for an independent resource to monitor and enforce standards in nursing homes and seniors' care centres for many years. If there's anything that would restore confidence and, I guess, quality, I would have to say that it's an independent advocate along with a body that establishes intermittent but consistent monitoring of seniors' care centres both for quality of care in terms of their staffing numbers and staffing qualifications and for quantity of service such as we've heard so often around the whole personal care issues; once-a-week bathing, as an example.

4:20

There is so much that we could be doing for seniors. It flies in the face of, I guess, what the government is talking about so often in terms of simply beefing up their inspections or putting the right people in the right place and ensuring that we expand the scope of practice of LPNs and care aides. What is needed, though, is that behind the talk there needs to be enforcement. There needs to be some ability to say: "This is the condition in this particular institution. These are the standards. These standards are not being met, and this is the action that will result from that failure to meet a standard." That would restore both the confidence of the public at large and the constituents in these settings and give confidence also and hope to the many front-line workers who are battling tremendous odds in terms of numbers of cases they're expected to care for, the increased complexity of these cases, and, frankly, the reduced qualifications of people caring for these people and the reduced staff-to-patient ratio, especially in some of the private institutions, as we've heard from the Parkland report.

This inconsistency, I guess, of standards in care could in part be addressed by an advocate but, again, an independent advocate. It doesn't make sense to me to go through the same process yet again that we went through with the child advocate, first setting up an advocate that reports to the minister and then, finally, under duress, under pressure, under continual barrage that the child services system wasn't adequate, they finally just a couple of years ago made the child advocate independent.

Now, I know that the government has taken that over and that this Bill 208 may be seen as redundant at this time. But it's not redundant in the sense that they could take two leaps, not only setting up the seniors' advocate but making it independent of the minister so that all Albertans, especially the Legislature, could have confidence that it is having that independent voice that's needed to challenge what's happening both within the ministry and out there in the field.

It's all about trust, Mr. Speaker. I know this government wants to build trust. I know it wants to build confidence. I know it wants to build credibility. This is a way that you really could do that with a minor change to the bill that the government is proposing, an endorsement of this very reasonable suggestion.

That's all I have to say, Mr. Speaker. Thank you for the honour of speaking.

**The Speaker:** Thank you.

The hon. Member for Calgary-Varsity, followed by the Associate Minister of Accountability, Transparency and Transformation.

**Ms Kennedy-Glans:** Thanks, Mr. Speaker. I, too, am pleased to speak to Bill 208, Seniors' Advocate Act. The idea of creating an independent advocate is actually really compelling. I must tell the Member for Innisfail-Sylvan Lake that I gave this proposal an awful lot of consideration. I think it's really good for us all to reflect on how we do what we do in government. So asking all of us to think more about this, an issue that comes into every single one of our offices – and my office, in particular, in Calgary-Varsity sees a lot of questions about seniors' full spectrum of issues, to the point that we have decided in our constituency of Calgary-Varsity that this is one of the top five challenges that we want to tackle as a constituency. We work with partners and communities and try to identify how we can respond to these issues. So the question of creating an independent body merits consideration.

In addition to the comments shared by lots of other MLAs today in this Legislature, I just want to build on some of the thinking that we've seen. Mentioned already is an aging population policy

framework. The government of Alberta went out to Albertans in a very significant way as early as 2008 and, obviously, since and asked: what are the key issues with seniors that we want to be looking after, making sure that we as the government of Alberta work on engaging other governments, engaging families, engaging municipalities, engaging the not-for-profit sector and communities? The three priorities that they set out I think are actually still very powerful priorities.

One was to make sure that we have consistent, province-wide policy directions about seniors and an aging population. I come from the city of Calgary, where the needs probably are very different than for some of my colleagues who live in more remote jurisdictions. The idea of having consistency and province-wide policy directions and making sure that we have the resources available to make sure we can deliver on these policies in an efficient way: I think that is the role of government, to lead. The idea of consolidating a seniors' advocate within the health advocate's office seems to be consistent with that vision.

The second role that the framework advanced and said was an absolute imperative was for government to create the conditions for collaboration, as I mentioned, among citizens, among families, communities, and governments. No one group can resolve this issue on their own. I'm a big fan of that, and I see that in action in my constituency all the time. We have amazing community associations, active aging coalitions that bring together seniors and citizens. They work with government, and when there is an issue or an opportunity, there is collaboration.

The third theme of the framework was to make sure that supports and services to Alberta seniors are provided. Some of these programs are provided by the government directly, and some are provided through community partners on behalf of government. Notwithstanding, the government is responsible for the effectiveness and the efficiency of these programs, and we must be.

It's also our responsibility to make sure that we have standards and mechanisms in place to protect seniors in a variety of circumstances. One of the things I have observed in our government and that I'm pleased by is the ability of ministries to increasingly have the agility to work across ministries. The Ministry of Health works with Health Services, works with Justice, works with Finance, works with Municipal Affairs, works with Aboriginal Relations. Most of these issues faced by seniors, the ones that we can't get to really quickly, are complex, and they need a multidisciplinary approach. That kind of collaboration, again, with communities and with families is hard to do sometimes, but it's absolutely essential.

A couple of other things I want to flag from the framework that I see in my office all the time are financial resources. A lot of people come into our office and say that they're concerned about whether or not they will have adequate access to financial resources in their senior years. I understand why people would have that concern. My own grandparents had that concern. As government, particularly the Associate Minister of Seniors, we're developing and tailoring programs that look at these issues, making sure that families of seniors and the seniors themselves have an informed understanding of issues that affect their future financial needs when they become seniors and as they are seniors.

We've also developed affordable housing and supportive living units, especially in remote and rural areas, through the ASLI program. There are 982 new affordable supportive living spaces receiving over \$72 million in funding from the Alberta government. I've had lots of questions about how we get more seniors' buildings in the constituency where I live, which is sort of almost

now an inner-city constituency in the city of Calgary. I know my colleague in Calgary-Hawkwood is asked the same questions. We truly do want to create choices for seniors so that they can continue to live in the communities where they grew up and raised their families.

4:30

I want to talk a little bit about continuing care services and support for seniors who are able to live independently and also about increasing demands for continuing care services. These questions need to be included in our debate of Bill 208, and I welcome that debate. The government of Alberta has been working with communities' co-ordinated access policies to make sure that we can reduce the barriers for seniors who want to live in the community. We've got pilot projects operating to support seniors' independence, the emergency-to-home pilot project, and the neighbours helping neighbours initiative.

Of course, seniors' independence means we cannot ignore the prevention of elder abuse and neglect. Yes, sadly, there is a need for us to raise awareness of elder abuse and to adequately respond to this horror. Communities and governments and citizens are coming together to tackle this challenge, and we need to keep this issue in our mind, at the very fore of our mind.

I just want to conclude by saying that I was very tempted to support this. The idea of having an independent seniors' advocate is compelling. But I truly believe that looking after seniors and making sure that we respond to their needs is a first priority for this government. As a member of this government I will commit to doing everything possible to make sure that our government uses its resources to support seniors, to listen to their needs, to respond to their needs, and I sincerely believe that the best place to do that is from within government.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Associate Minister of Accountability, Transparency and Transformation, followed by Edmonton-Gold Bar.

**Mr. Scott:** Thank you, Mr. Speaker. It is an honour to rise today to speak to Bill 208, the Seniors' Advocate Act, being brought forward by the hon. Member for Innisfail-Sylvan Lake. The Seniors' Advocate Act proposes to create a seniors' advocate, who would be an independent officer of the Legislature.

As many of us can attest to, seniors helped shape our great province, making it what it is today. Our seniors helped build strong foundations in our province, making Alberta the strong economic engine it is today. Our veterans fought for the freedoms we are blessed with, and for that we cannot thank them enough.

Alberta's seniors population is growing. As of January 2012 there were approximately 425,000 seniors in our province. By 2036 it is estimated that Alberta's seniors population will stand at over 1 million, or 1 in 5 Albertans. Given our growing seniors population, it is imperative that we prepare for the challenges that may arise between now and then, and that is exactly what our government is doing, and that is why our government is establishing a health advocate office, one that will include a seniors' advocate.

Mr. Speaker, our government has a long-standing history of implementing programs and policies that promote a high standard of living for all Albertans, including seniors. For instance, \$358 million has been allocated to fund the Alberta seniors' benefit for the 2013-2014 fiscal year, the highest of any province or territory in the country. The Alberta seniors' benefit helps vulnerable seniors supplement their incomes in order to maintain a high

standard of living. This is an increase of nearly \$22 million from the previous year.

Recently the seniors' property tax deferral program was announced, which enables eligible homeowners to defer all or part of their property taxes through a low-interest home equity loan with the government of Alberta. Just this past year \$67 million in grants were made to municipalities, nonprofit organizations, community groups, and private-sector organizations province-wide in order to assist in the development of 665 new or upgraded affordable supportive living spaces as well as 30 additional long-term care spaces.

Debating Bill 208 allows members of this House to highlight our government's proven history of implementing effective policies that enable our seniors to lead healthy and dignified lives. In 2010 our government commissioned the Aging Population Policy Framework report, which articulated and defined the government of Alberta's key initiatives, defining principles that continue to help shape the lives of seniors in our province. This helped our government to hone in on systemic issues affecting our seniors and allowed us to foster a collaborative, interministerial environment to better develop seniors' supports and services.

Understanding the complexity of seniors' needs, our Premier tasked the hon. Associate Minister of Seniors with the mandate of establishing a seniors' advocate. However, unlike the one proposed in Bill 208, the advocate will be consolidated into the health advocate's office along with the Mental Health Patient Advocate, working collaboratively in order to tackle policy oversights in seniors' care. This, Mr. Speaker, makes sense since many of the issues that surround seniors concern their health. Alberta's first seniors' advocate would primarily focus efforts on addressing seniors' issues in the most effective manner by working with resources that are already available. This would avoid duplication, streamline administration, and ensure efficiency by drawing from existing resources.

On February 20, 2013, the Seniors Advocate Act was introduced in the British Columbia Legislature. That act was passed and received royal assent on March 14, 2013. Similar to the role brought forward by our government and, again, unlike the one proposed by Bill 208, the seniors' advocate for B.C. reports to the Minister of Health. Of course, B.C.'s decision to create a seniors' advocate who reports to the ministry was done after an extensive consultation process.

Before B.C.'s act was introduced, the B.C. government conducted 10 public consultations aimed at narrowing down several possible responsibilities that could shape the role of the seniors' advocate. These consultations involved key representatives from the seniors community, who provided invaluable input for the final vision of B.C.'s seniors' advocate, not to mention the needed co-operation, accountability, and transparency necessary for a successful initiative. Seniors, their families, caregivers, and other key stakeholders from across the province of B.C. provided ideas and feedback, helping to create an advocate that would address seniors' needs in the most efficient and compassionate manner possible.

After the consultation process ended, B.C. concluded that the advocate's overarching role would be to monitor seniors' services, raise and promote awareness on seniors' issues, and collaborate with seniors, policy-makers, and service providers regarding policies that affect them. The advocate would also focus on tackling roadblocks in governmental policy that may prevent seniors from attaining the care that they seek. Additionally, these consultations concluded that B.C.'s seniors' advocate role would involve providing seniors with up-to-date information and advice pertaining to the services and resources that are available to them.

In terms of support, participants expressed the need for having an advocate who would address the complaints of seniors regarding, for instance, suspected elder abuse. The role would also involve a high degree of collaboration such as being able to communicate with and engage advocacy groups from a number of sectors in order to establish the highest level of seniors' supports. Like our neighbours to the west, our government has also taken such concerns into account. The findings that were highlighted in B.C.'s consultations are being highlighted today in order to identify practices that would make our advocate a powerful voice for all seniors in Alberta.

Unlike Bill 208 proposes, Alberta's first seniors' advocate would better address seniors' issues, especially health issues, if the role was consolidated in the health advocate's office. Mr. Speaker, let us utilize the resources that our province already has and build on them rather than re-creating the proverbial wheel and, moreover, duplicating roles. Most importantly, let all members of the House continue to serve our seniors and advocate on their behalf.

Once again, Mr. Speaker, I would like to thank the hon. Member for Innisfail-Sylvan Lake for bringing this bill before the House for debate, but given that our government had the foresight to implement a seniors' advocate role that works collaboratively with the government in order to reduce red tape and streamline services, I cannot support this bill.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Gold Bar, followed by the Associate Minister of International and Inter-governmental Relations, followed by Stony Plain: hon. members, that is the list that I have. I don't know if we'll get them all in by 5 o'clock, but let's try.

4:40

**Mr. Dorward:** Thank you, Mr. Speaker. I want to, in standing to speak regarding this bill, give an acknowledgement to all the advocacy groups in Edmonton and around the province that work with seniors. I also want to mention that the rural seniors don't always have these advocates close by, so this is something of a concern that I have. I hope that we can address those kinds of issues as we move forward. Also, I wanted to acknowledge the seniors in Edmonton-Gold Bar. We have a significant number of seniors. In four years I will add my name to the list, so I need to disclose that I'm getting close, closer every day.

I'm pleased to rise today to join my hon. colleagues in the debate on Bill 208, the Seniors' Advocate Act, brought forward by the hon. Member for Innisfail-Sylvan Lake. Before I begin, I, like others, would like to thank the hon. member for bringing this bill forward in the House today. We have the opportunity to discuss these issues and to let seniors in the whole province know that we do care about them, that we do have some genuine concerns for their care, and we appreciate, Mr. Speaker, the opportunity to speak to these concerns at this time.

Seniors' concerns have always been and always will be of great importance to me and, from what I've seen, to this government. According to recent G-8 statistics Canada remains relatively young, Mr. Speaker, in comparison to other countries in the world. However, having a relatively young population should not preclude Canada or Alberta from providing the best services possible to our seniors. In order to provide the best services possible to seniors, it's important to examine guiding principles from other countries or international organizations and how they may contribute to our discussion.

Therefore, the area that I chose to have a researcher work on is the set of standards, of principles, in the United Nations' guiding



principles. The United Nations principles for older persons were adopted by the United Nations in 1991, and these principles call on governments to, when possible, incorporate five guiding principles in terms of policy and strategic planning. Mr. Speaker, it's these five guiding principles that I certainly hope and have been assured since that time by the minister that they have been taken into account as this minister has been working on it and will continue to work in this area.

The first principle, Mr. Speaker, is independence. This principle states that older persons should have access to adequate food, water, shelter, clothing, and health care through the provision of income, family and community support, and, of course, self-help. This principle also states that older persons should have the opportunity to work for or to have access to other income-generating opportunities of their choosing. Lastly, this principle mentions that older persons should be able to determine the pace at which they withdraw from the labour market, have access to training and educational programs, and be able to live in safe environments that meet their challenging needs while also residing at home for as long as they choose. That's really important to the people of Edmonton-Gold Bar.

The second principle is participation. I've asked our seniors to be involved in our communities, particularly on boards of community leagues, and to be participants in the decisions that get made in the 13 community leagues in Edmonton-Gold Bar. This principle puts a strong emphasis on the need to keep older persons integrated within society, including actively participating in policies that impact their well-being. Additionally, seniors should be given the opportunity to contribute to society by participating in community volunteer ventures and community services, as I've mentioned.

The third principle that may contribute to shaping our discussion of Bill 208 – and it hopefully will – is care. Seniors need to benefit from family and community care based on societal values, including access to health care, in order to maintain or regain emotional, physical, and mental health. Seniors should also have access to social and legal services in order to retain or enhance their autonomy as well as adequate levels of institutional care for providing protection, rehabilitation, social and mental stimulation.

As an aside, Mr. Speaker, I believe that mental stimulation is done a lot by computers, and I always encourage seniors to get involved in the many wonderful things that are available now on computers to stimulate their minds and to challenge them and to keep them active.

Seniors should be able to enjoy fundamental freedoms and human rights when residing in any shelter, care, or treatment facilities, including full respect for their dignity, beliefs, needs, and privacy. This is what Alberta seniors ask for, that's what Edmonton-Gold Bar seniors ask for, and that's what they certainly deserve. As hon. members of this Assembly we should be working with them to achieve this, working together and finding constructive ways to do this, Mr. Senior. [interjections] Mr. Senior Speaker.

The UN's fourth principle is self-fulfillment. Self-fulfillment involves ensuring seniors have the ability to fully develop their potential through various opportunities. We should ensure that our seniors have the necessary access to the resources they seek out. All of our efforts should be geared towards ensuring seniors can continue to live an active and healthy lifestyle of their choosing.

The fifth and final principle in the United Nations principles for older persons is dignity. This principle states that seniors should be able to live with dignity and security, which includes the absence of exploitation and physical or mental abuse. Older people "should be treated fairly regardless of age, gender, racial or

ethnic background, disability or other status" – any other one, Mr. Speaker – "and be valued independently of their economic contribution." Elder abuse has devastating consequences. It jeopardizes the health and well-being of seniors and undermines one's sense of security, independence, and dignity. Seniors deserve to be treated with dignity and respect just as all citizens do.

Mr. Speaker, I'd like to make a few comments on the definition of advocacy – the word "advocacy" is an important one – and how the United Nations principles for older persons and its five main principles could influence the future of our advocacy efforts. In 2009 the government released a bulletin defining advocacy as "promoting awareness and understanding of a cause or the ability to change public opinion, and cause a shift in people's perceptions or understanding of an issue." In relation to the government's definition of advocacy any of the principles of the United Nations principles for older persons would be beneficial in shaping the role of a seniors' advocate or any other program offered to seniors.

For example, we should adhere to the independence principle, which states, "Older persons should have access to adequate food, water, shelter," as I've mentioned. In fact, the government currently provides an Alberta seniors' benefit, a monthly cash benefit for more than 140,000 low-income seniors, which was included in the 2013-14 budget at \$358 million, the highest of any province or territory. Mr. Speaker, I've sat with many seniors and helped them fill out those applications. This benefit helps low-income seniors acquire basic and essential needs such as food and medicine in order to experience a better quality of life.

In addition, the dental and optical assistance for seniors program helps over 210,000 low- to moderate-income seniors with basic dental and optical needs. Our government's seniors' activity tax credit helps senior to stay alive and aligns well with the self-fulfillment principle, that states, "Older persons should have access to the . . . recreational resources of society."

Budgeted at almost \$23 million, the special-needs assistance program serves 23,000 seniors and provides lump-sum cash payments to offset costs for home-related expenses such as home appliances and repairs. This program also matches the self-fulfillment section of the United Nations principles for older persons, which states that seniors should have the ability to develop to their full potential.

The government's elder abuse awareness program provides information regarding senior abuse, which is defined as any action or inaction that jeopardizes a senior's health or well-being, whether that be emotional, financial, psychological; neglect; or sexual abuse, Mr. Speaker. The elder abuse awareness program confirms the dignity principle.

The numerous programs available illustrate this government's commitment to seniors. The proof is going to be in the pudding. I trust that the minister is doing the right thing. In addition, this government is establishing that health advocate office to provide additional services to Albertans and their families.

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

The hon. Associate Minister of International and Intergovernmental Relations, followed by the hon. Member for Stony Plain.

4:50

**Ms Woo-Paw:** Thank you, Mr. Speaker. It's an honour to rise today and speak to Bill 208, the Seniors' Advocate Act, brought forward by the hon. Member for Innisfail-Sylvan Lake. The hon. members of this House know how important seniors are to our families and communities. Actually, there's a Chinese saying, something to the effect that seniors are considered treasures in our

families and communities. They are our parents, brothers, sisters, and grandparents, and we all know how much they support and provide wisdom to our families over the years.

Our government recognizes that seniors may need a little help from time to time, and that's why programs have been implemented that foster healthy living and sustainable support mechanisms. For instance, seniors can now choose how they want to pay their property taxes with the seniors' property tax deferral program. Seniors with limited income can also apply for the Alberta seniors' benefit program, which provides additional support to federal benefits acquired under old age security, guaranteed income supplement, federal allowance, and the GST credit. Mr. Speaker, these are just a few examples of the many important programs our government has spearheaded to help our seniors attain the services they need in order to lead fulfilling and healthy lives.

Just as Bill 208 implies, our government also understands the need for a seniors' advocate, one who would provide seniors with a strong and committed voice, one that would help seniors acquire the services they seek. This is why our government is establishing a seniors' advocate, who will work in collaboration with the health advocate's office. A seniors' advocate that works closely with the health advocate seems natural since many of the services that seniors seek are health related. This is why \$405 million was allocated to seniors' services and benefits.

Again, I believe that a seniors' advocate who works in conjunction with the health advocate's office within the Health ministry would be better poised to take on the challenges facing seniors today. The underlying premise of Bill 208 seems to question the viability of this; however, there are several other advocate roles that do report to a minister and, as many individuals in our province can attest, these important roles are extremely effective in tackling many systemic issues.

The Alberta Mental Health Patient Advocate is a significant role that reports directly to the Minister of Health as mandated under part 6 of the Alberta Mental Health Act. In addition to the advocate's main responsibility to provide assistance to patients, other important duties include providing policy-makers with expert knowledge on key issues affecting mental health in our province. Other advocacy work revolves around educating members of the public, clients who utilize mental health services, health professionals, and community organizations.

When an individual seeks the advice or the services of the Mental Health Patient Advocate, the office provides individuals with an assigned advocate who can provide information or help resolve complaints. The patient advocate may conduct independent, formal investigations in order to make sound recommendations to the provincial health board in relation to the complaint. Maintaining strong mental health services is an initiative that our government takes very seriously and one that requires dedicated individuals.

Like the seniors' advocate that is being proposed by the ministry and unlike Bill 208's proposed advocate, the Mental Health Patient Advocate is an excellent example of when an advocate can act independently and work collaboratively with the ministry. During the 2011-12 fiscal year 9,714 cases were handled either through personal interaction, over the telephone, or through written contact. According to recent figures a resounding 91 per cent of clients who received services from the Mental Health Patient Advocate's office stated that they would recommend the service to someone else. So, Mr. Speaker, one could note that the success of the advocate's office is very much linked to a strong relationship with the ministry.

I would also like to point out that recently British Columbia passed its own Seniors Advocate Act, which received royal assent on March 14, 2013. In a news release the government of British Columbia stated that the seniors' advocate role would be to "promote awareness, work collaboratively with seniors, families, policymakers, service providers and others to identify solutions to systemic issues" with the hopes of eliminating policy gaps that affect seniors. Similar to the seniors' advocate our government plans to implement, British Columbia's seniors' advocate role also acts in an independent manner but reports to the Minister of Health. This decision was made after a number of public consultations between B.C.'s seniors action plan team, seniors, families, and concerned stakeholders.

Mr. Speaker, our government will always advocate for seniors across our province and will continue to provide the support they need the most so that they are able to achieve the high quality of life that our province is known for. I commend the hon. Member for Innisfail-Sylvan Lake for her work on this bill, but we must build on the policies and achievements that have been made, so I won't be supporting the bill.

Thank you very much, Mr. Speaker.

**The Speaker:** The hon. Member for Stony Plain.

**Mr. Lemke:** Thank you, Mr. Speaker. I'm honoured to join my hon. colleagues in the debate on Bill 208, the Seniors' Advocate Act, brought forward by the hon. Member for Innisfail-Sylvan Lake. I would like to thank the hon. member for bringing forward this bill in the House today.

Mr. Speaker, our government implements innovative solutions to issues that affect our seniors population, which is growing, and that is why our government has developed certain frameworks and bodies in order to best respond to the current and future needs of Alberta's seniors population. The Demographic Planning Commission was established as part of our government's mandate to better address the needs of our seniors. It is important to examine the work of the Demographic Planning Commission as it will provide valuable guidance in shaping Alberta's first seniors' advocate.

The Demographic Planning Commission was established in 2008 in response to projections that our province's seniors population would reach upwards of 20 per cent of the total population by the year 2036. Mr. Speaker, this means that by 2036 around 1 in 5 Albertans will be considered seniors. The commission's primary function was to provide analysis and research which would lead to proposals in preparation for an aging population.

The findings of the commission ultimately led to the aging population policy framework. In December 2008 the commission tabled a Findings Report, which was the result of a five-day consultation process with over a hundred stakeholders across the province in Edmonton, Calgary, Lethbridge, Red Deer, and Grande Prairie. The Findings Report also took into account an online survey, which saw over 10,000 Albertans participate.

Several policy themes emerged from the report, and I believe these themes will be useful when considering Bill 208. The first theme focused on finding ways that would help to enable citizens and seniors to remain in their own homes for as long as possible. Over 90 per cent of survey respondents agreed with the statement: I want to live in my own home during my senior years. This is what Alberta seniors want and deserve, and our government is dedicated to helping them achieve it through a variety of programs, one being the seniors' property tax deferral program,

which allows homeowners 65 and older to defer part of their residential property taxes.

The commission noted that participants emphasized the difficulty in securing affordable housing for seniors, especially those with disabilities. Mr. Speaker, that is why our government has budgeted over \$23 million for the special-needs assistance program, offering over 23,000 seniors lump-sum cash payments to offset costs for home-related expenses.

The commission also heard from participants regarding the role of the private sector in creating more social housing, including how the private sector will be a positive factor in influencing building trends as they will adapt to the growing markets in Alberta. Governments across the country need to plan now in order to guarantee that an adequate number of seniors' residences are built.

As an example, our government in consultation with the federal government is working to expand the Bow River lodge in Canmore. The project will see 43 units renovated into 27 units in order to make them accessible, an additional 31 new units, and increased amenities . . .

**The Speaker:** Thank you, hon. member. I regret having to interrupt you, but the time for this particular section has now elapsed, and we must move on to other business.

#### 5:00      **Motions Other than Government Motions**

**The Speaker:** The hon. Member for Lesser Slave Lake.

##### **Renewable and Alternative Energy Technology**

518. Ms Calahasen moved:

Be it resolved that the Legislative Assembly urge the government to develop and implement a program encouraging Albertans to invest in and make use of renewable and alternative energy technologies in the province in order to strengthen Alberta's leadership in energy innovation and greenhouse gas reductions.

**Ms Calahasen:** Thank you, Mr. Speaker. I'm pleased to rise today and open debate on Motion 518. I'm proposing this motion in order to reinforce our province's leadership in reducing greenhouse gases, energy modernization, and to get Albertans to see and use alternative energy technologies.

Motion 518 is not to replace nonrenewable energy but to work in concert with that so that we can see as a province that we will actively continue to combat climate change and encourage greenhouse gas reduction through investing in and making use of renewable and alternative energy. Renewable energy, or renewables, is defined as any naturally occurring, theoretically inexhaustible source of energy such as geothermal, biomass, solar, wind, tidal, wave, hydroelectric power which is not derived from fossil or nuclear fuel.

Alberta has a wealth of renewable biomass feedstock in the forestry and agriculture sector that will drive considerable production of low-carbon transportation fuels and power generation. As an example, many forest industries in my constituency also are bringing great and innovative ideas to be part of this solution. In fact, with support from the Alberta government West Fraser Mills Limited will turn waste from its Slave Lake pulp mill into electricity, increasing the plant's energy efficiency and reducing its greenhouse gas emissions.

The West Fraser biogas project, which received \$10 million in provincial funding, is expected to produce enough green energy to allow the company to draw seven fewer megawatts from the

electricity grid annually to operate its mill and reduce its natural gas use by more than 164 gigajoules annually.

In addition, Vanderwell Contractors operates a wood pellet facility in my constituency. These wood pellets are extremely dense and can be produced with a low moisture content, below 10 per cent, that allows them to be burned with a very high combustion efficiency.

Renewable energy's viability is improving, and innovation in this sector is constantly evolving, which means that it has the potential to become a significant part of the global energy mix this century. Alberta's development in the use of renewables will continue to raise our province's profile as a leader in environmental stewardship with regard to greenhouse gases. Alberta's diverse energy supply stimulates regional activity and fortifies collaboration across multiple industries.

An additional and very real category of energy that must be mentioned is saved energy. Unconsumed energy can be used productively elsewhere. Energy savings contribute to ensuring an adequate and efficient supply for Albertans while at the same time reducing incremental emissions.

Alberta has the highest per capita energy use on the planet. However, our province also has nearly three times the national average of electricity generation from wind power. In fact, Mr. Speaker, our government has implemented numerous types of renewable electricity generation in its current mix. As of June 2013 the energy capacity from renewable and alternative electricity sources includes 900 megawatts of hydro power, 1,113 megawatts of wind power, and 414 megawatts of biomass power.

Our government also has a history of supporting alternative and renewable energy programs, including the Alberta energy efficiency rebate program. From 2009 until 2012 the Alberta energy efficiency rebate program issued more than 173,000 rebates totalling over \$49 million to Albertans who purchased energy-efficient upgrades; 46,157 rebates worth \$100 each were given to individuals who invested in energy-efficient clothes washers while 2,969 rebates worth \$250 to \$300 each were given to homeowners who upgraded their furnaces.

One alternative energy source that the government is currently investing in is biofuels. Bioenergy is derived from biomass, which is material made from living organisms. In terms of our environmental benefits the most significant advantage is that biofuels are a renewable feedstock, part of the carbon cycle. The production of plant material pulls carbon from the atmosphere, and then this carbon is returned when the fuel is burned.

As of June 2011 Alberta has one ethanol-producing facility and one biodiesel-producing facility. Moreover, biofuel production capacity in Alberta has reached 40 million litres of ethanol and 19 million litres of biodiesel. Mr. Speaker, Motion 518 is meant to reinforce the province's leadership in greenhouse gas reduction and energy innovation and give Albertans alternative sources of energy to use.

This government has been and always will be committed to investing in renewable resource technologies in order to forge ahead on responsible energy innovation and reduce greenhouse gas emissions. Once again, Motion 518's goal is to encourage the government to develop and implement a program encouraging Albertans to invest in and make use of renewable alternative energy technologies.

Today, Mr. Speaker, I urge all hon. members, including all the people who have been against any reality of climate change, to support Motion 518.

**The Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. I rise to support this bill from the hon. member – sorry; this motion. It could have been a bill. The government could have sponsored a bill, but it is a motion. It's a motion that, once passed, has a lot of value, particularly if the ministry is on board to promote this and establish a foothold on dealing with renewable energy.

Now, one of the most significant aspects of creating what I'm going to call a road map in paving the way for renewable energy is the benefits that it can achieve in greenhouse gas reduction. This helps our existing industries significantly, who have a vested interest in making sure that there is a measurable reduction in greenhouse gas emissions.

[Mrs. Jablonski in the chair]

The other aspect is that most renewable energies, not all but most, have a value where we're able to reduce the cost of electricity, particularly over the long term.

I support the motion. I ask my colleagues to support the motion. But, most importantly, I ask the ministry to pay attention to what it's going to take to advance renewable energy and how we're going to measure the outcome of renewable energy to make sure it is doing what we want it to do. Again, this is realistically performance based.

With that, I want to bring one point forward where I think the ministry has failed, where it needs to address a particular issue with regard to renewable energy, and that is to deal with microgeneration. Microgeneration has been in this province for quite some time, and it is a viable part of the whole motion for renewable energy. Microgenerators in this province have struck agreements to purchase electricity and in some cases to purchase electricity for as much as 15 cents a kilowatt hour. Now, they would say that that is their all-in delivery rate that gets normally charged to all consumers.

Madam Speaker, what these private companies are doing is using the existing regulations and the framework that has already been created by our own Department of Energy. What they have done is that they have looked at the market and made a determination that a homeowner can put solar panels on their house, and these retailers have offered to purchase that electricity for as much as 15 cents a kilowatt hour based on what they have determined is the local distribution facility owner price for all-in delivery charges. Now, they signed numerous contracts; unfortunately, as of August 1, this ministry, this government under the Alberta Utilities Commission cancelled all the contracts with one stroke of the pen.

I don't mean to pick on the ministry, but I have to pick on the ministry because I have a letter that was sent December 2 from the ministry, where the minister is saying that "retailers can also compensate a micro-generator at a higher rate than they charge the micro-generator for consuming electricity," and it says that the AESO will only repay the retailer at the same rate that the microgenerator sells electricity. That's actually wrong. That's not what the regulation says. What the regulation says – and it's under section 7.5 of the regulation – is that "unless a micro-generator and a retailer agree in writing to different compensation, a micro-generator's retailer shall credit the micro-generator for [electricity] supplied out of the micro-generator's site at the following rates." Then it says that in the case of a small microgenerator, that would be the retail rate.

5:10

So the regulations allow a microgenerator to agree to different compensation as long as it is in writing. That's what these contracts were. What these private business owners realized was

that they could pay the all-in delivery charge. That actually made sense because when a generator is generating electricity and selling into the grid, electricity is not being delivered to them.

Unfortunately, without notice, without warning many of these companies found that not only were their contracts invalid but the homeowners who invested based on these contracts found themselves now at a disadvantage and in some cases an economic loss. That's unfortunate. That should never have happened. Even if this government was going to change the regulations or interpret them differently – it has not changed the regulations – what they should have done is at least given notice to these people who had existing contracts and even grandfather them in before they change the regulations.

What we're dealing with here is that the government has not changed the regulations. These companies should be able to contract according to the regulations, and they're not being allowed to. That's wrong. If any amendments or changes need to be made to those regulations, they should allow any company to purchase electricity for the all-in delivery charge, whatever that might be, because that only seems fair.

In the example I just presented to this House, these private companies were purchasing electricity for 15 cents a kilowatt hour, and now they've been told that they cannot purchase it for that price. Now, the company Enmax, who is doing this also, is charging customers an all-in delivery charge, and they're purchasing electricity for the price that they sell electricity for, which is 6 cents a kilowatt hour. That leaves an 8-cent differential. We won't call it an electricity bubble, but it's still a differential. What they're doing is that they're charging for delivering a service that they're not delivering, and that's fundamentally wrong. I would call that gaming the system. The ministry needs to look at that because in advancing this motion on microgeneration, we shouldn't allow anyone to prevent or deter investment in renewables. I brought an example dealing strictly with microgeneration, but it makes sense even dealing with all the renewables that people would want to bring and put onto the grid.

Clearly, what we have here is a disconnect between the regulating bodies, which are two: the Alberta Utilities Commission and the AESO. They need to be directed by the ministry, or the regulations need to be changed so that they are directed so that we have paved the way so that private investors can invest in renewable energies and can get them connected to the grid.

This is a good motion. It is a step in the right direction. Hopefully, the ministry is paying attention and will at least read the *Hansard* so they can look at the example I brought. There are many, many more examples dealing with wind power and other renewable generators that need to be addressed so the rules are clear, concise, and are an incentive so that the private sector will invest in renewable energy. I think this province can make tremendous gains if they allow that.

With that, thank you for much, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

The hon. Member for Calgary-Hawkwood, followed by Little Bow and Edmonton-South West, then Edmonton-Beverly-Clareview.

**Mr. Luan:** Thank you, Madam Speaker. I'm pleased to rise today to join the debate on Motion 518, proposed by the hon. Member for Lesser Slave Lake. The motion urges government to be innovative in its approach to help develop and implement a program encouraging Albertans to invest in and make use of renewable and alternative energy technologies in the province.

Madam Speaker, Alberta is a global leader in energy innovations and responsible development. The energy sector is very important to the well-being of all Albertans. We have often considered energy development before energy efficiency and conservation.

One of the main challenges Albertans face today is the use of energy resources. In order for us to remain a global energy leader, we must recognize the versatility of the energy market and develop our energy resources strategically.

Madam Speaker, on December 11, 2008, the provincial energy strategy was announced. This strategy charts the course of Alberta's future in energy. While development of clean hydrocarbons is essential to Albertans' energy future, alternative renewable energy resources play an increasingly important role. We should also consider the cumulative environmental impact such as greenhouse gas emissions and impacts to land, air, and water. As outlined in the strategy, Alberta's energy vision is to sustain long prosperity. This means that the government must take responsible action towards long-term energy development and sustainability.

Although our fossil fuel supply remains plentiful, we must remain prudent energy producers. By exercising our resourcefulness and responsibility, we can achieve the desired outcome outlined by the provincial energy strategy. The aims of the provincial strategy include clean energy production, wise energy use, and sustained economic prosperity.

Alberta's renewable energy sector can be a key player in the provincial energy future. Alberta has almost three times the national average of electricity generation capacity from wind power. In 2012 the province's wind power generation capacity hit 1,116 megawatts, broke the 1,000 megawatts mark for the first time in our history. In terms of wind turbines the Canadian Wind Energy Association estimates that there are 752 wind turbines in Alberta divided among 34 different projects. Our province is indeed one of the leaders in responsible energy development. In addition to that, our province produces biofuels from plant fibre and forest waste products.

Madam Speaker, however, there are many challenges faced by the growth of renewable energy. Our government recognizes that expanding clean energy production is a long-term process. The provincial energy strategy would ensure that steps are taken towards achieving this long-term goal.

Madam Speaker, while policies and regulations should focus on producing a renewable energy supply, we cannot ignore the demand side of the sector here. Albertans are among the highest per capita energy consumers in the world. Adopting efficiency in energy use and emphasizing the conservation of energy resources by Albertans could provide the potential to create more wealth. This could be done by raising awareness about the costs and benefits of energy consumption. Also, our government can provide support through planning, technology, and education to the public. In addition, the provincial energy strategy also emphasizes Alberta's resolution to manage the cumulative environmental effect. Our province aspires to be the world leader in energy innovation and responsible energy production.

Madam Speaker, we are blessed with abundant energy resources in Alberta, where these are essential to our living standard and future prosperity. While we deal with our success in energy development, we cannot forget the environmental consequences of our goal to reduce greenhouse gas emissions.

Madam Speaker, I'd like to thank the hon. member for bringing forward Motion 518, as it urges government to continue its leadership in energy innovation and greenhouse gas reduction. I'm

happy to support Motion 518 and encourage everyone to continue the discussion of this very important subject.

With that, I conclude my comments and look forward to the rest of the debate. Thank you, Madam Speaker.

5:20

**The Acting Speaker:** Thank you, hon. member.

The Member for Strathmore-Brooks, then Edmonton-South West.

**Mr. Hale:** Thank you, Madam Speaker. I will rise and speak in favour of Motion 518 today. I do have a couple of questions with some of the wording mentioned: "to develop and implement a program." I'm just kind of wondering what type of program this will be. Is it an educational program, a financial program? It's pretty broad. But I think she's going down the right path in bringing this motion forward to ensure that it's not just the large companies that are reducing their greenhouse gases and putting in technical procedures to help that. It's nice to see now that we'll be going on a more personal level. I know there were programs before where, you know, there were special appliances you could buy to reduce your environmental footprint, which is good. I'm hoping that more of these programs will be put into place.

We can do so much as people in this province, not necessarily just the big companies. I think we all have to take an active role in protecting our environment in our own homes, in our own businesses. You know, coming from a ranching background and owning a ranch, I know how important it is to ensure that we look after our water and our land and our air. There are so many things we can do just on a personal level to help out the environment. If the government accepts this motion, which I'm sure they would – I can't see why they wouldn't – they can look at ways to ensure that homeowners and average, everyday Albertans are doing what they can to reduce our footprint.

I do have a little bit of concern. I know through the Energy ministry and their bioenergy grant program we saw in the last few years that there are still some outstanding reports that we're waiting on. I brought it up in estimates this spring, and then I also did question the Energy ministry in Public Accounts last spring. We just finished another questioning with the Energy department on the bio-energy grants. There are still three of six companies that haven't fulfilled their requirements through that grant.

So I'm hoping that as they go forward, they'll be a little bit more diligent in giving out these grants and ensuring that the companies are actually fulfilling their requirements. I know that they did hire a third-party accounting firm to go in and audit these companies to ensure that they are spending the money properly and fulfilling their requirements, not only on the money side of it, the dollar figure, but on the greenhouse gases, too, that they are actually using that money to reduce greenhouse gas emissions.

I know the Energy ministry does have some work to do. They assured me that, you know, they're going to be making sure that these companies are fulfilling their obligations. I guess as we go forward, the Auditor and everybody else will be watching to make sure that they do that. I think it's a good step in helping the province, in helping everybody to maybe be more aware of what they can do personally, on a personal level, what you can do in your own homes. It's something that, as the province continues to grow and industry continues to grow, we have to just ensure that we take a good look at and do everything that we can to help our environment.

We've seen some instances on the news with big companies lately, you know, spilling into the river, through coal mines. As we continue on, we have to ensure that these companies are doing

everything they can. Most of those I've talked to are being more efficient, and with power efficiency levels comes reduced greenhouse gas emissions, which are all good for our environment. But it'll be interesting to see how the government proceeds with some sort of program to help individuals and the smaller producers in Alberta, to see how they will handle this as we go forward.

So I'd like to thank the member for bringing this motion forward. I will be supporting it, as I'm sure most people will. Thank you.

**The Acting Speaker:** Thank you, hon. member.

The Member for Edmonton-South West, followed by the hon. Member for Edmonton-Beverly-Clareview.

**Mr. Jeneroux:** All right. Thank you, Madam Speaker. I'm pleased to rise today to speak to Motion 518, which urges the government to develop and implement a program encouraging Albertans to invest in and utilize alternative energy technologies in the province. I commend the hon. Member for Lesser Slave Lake for bringing attention to this initiative, that could strengthen Alberta's leadership in energy innovation and could further reduce greenhouse gas emissions.

Madam Speaker, our government is firm on its position on climate change, and we understand the implications regarding the adverse effects that greenhouse gas emissions have on the environment. I'm proud that Alberta is the first province to develop legislation regarding greenhouse gas emissions on large facilities. In 1999 the public-private partnership known as Climate Change Central was established and to this day continues to help Albertans use energy in a more sustainable manner. Our government furthered its environmental mandate by passing the Climate Change and Emissions Management Act, which received royal assent on December 4, 2003.

Madam Speaker, our government had this very important discussion decades ago and was able to promote responsible economic development since. For us, the science is settled and has been settled for some time. The main objective being proposed in Motion 518 falls in line with what our government is doing, continuing to build on programs that will focus on the next generation of Albertans.

One of these initiatives is Alberta's climate change strategy, which was conceived in 2008, building on the province's previous 2002 climate change action plan. This strategy established practical and real goals as opposed to unreachable targets for the reduction of greenhouse gas emissions. The three main themes highlighted in the strategy include implementing carbon capture and storage, greening energy production, and conserving and using energy efficiently.

The first theme promotes collaboration between different levels of government, industry, and scientific researchers and led to the Alberta Carbon Capture and Storage Development Council. Additionally, our government committed \$1.3 billion over 15 years to fund the Alberta carbon trunk line project as well as the Quest project, which will reduce our province's emissions by 2.76 million tonnes each year beginning in 2015. Our government is also collaborating with industry in order to research the potential for deep geothermal energy production, something my generation can be proud of, Madam Speaker.

The second theme, greening energy production, helped our government enact the Climate Change and Emissions Management Act and led to the implementation of specified gas emitters regulation. Our government also expanded our use of alternative

energy sources, that include wind and solar power, hydrogen, and, as mentioned earlier, geothermal energy.

In February of this year the Alberta Utilities Commission approved an application for a solar power plant in Brooks that would include close to 60,000 solar panels. Once completed, the power plant is expected to have a total generating capacity of 15 megawatts.

Madam Speaker, the province presented three options for companies to meet reduction targets. Companies could choose to improve the energy efficiency of their operations, buy carbon credits in the Alberta-based offset system, or pay \$15 into the climate change and emissions management fund for every tonne over the reduction target.

The third and final theme, conserving and using energy efficiently, is an initiative that strives to promote that Albertans in socioeconomic sectors try to conserve and reduce their use of their energy. Some key actions that fall under this theme include developing acts promoting more sustainable energy usage, establishing incentive programs with regard to using energy-efficient appliances, and providing government leadership by utilizing power efficiency in government buildings as well as making energy-efficient purchases.

Madam Speaker, our government is building on its promise to reduce greenhouse gas emissions. As our government continues to make progress in the field of energy research and innovation, we will continue to evolve the programs, policies, and initiatives that have been already implemented. As stewards of the environment and as stewards responsible for economic development, we owe it to our children and future generations to keep Alberta strong, both environmentally and economically.

I would again like to commend the hon. Member for Lesser Slave Lake for building on our government's legacy in regard to the promotion of alternative energy-efficient technology use. By taking on such a praiseworthy cause, she'll undoubtedly be able to help motivate many young Albertans to develop a more sustainable relationship with our environment.

Thank you, Madam Speaker.

5:30

**The Acting Speaker:** Thank you, hon. member.

The hon. Member for Edmonton-Beverly-Clareview, then the Member for Calgary-Fort.

**Mr. Bilous:** Thank you, Madam Speaker. It's my pleasure to rise and speak to this motion. I definitely feel compelled, listening to many of the members on the other side give such high praise for this province, when the reality is that we're actually lagging behind every other province when it comes to the development of alternative energies.

This motion, albeit written with good intentions, sadly, Madam Speaker, does very little to move forward on an issue that, I can tell you, the Alberta NDP has been at the forefront of, pushing this government to invest in alternative fuels and looking at not just the benefit of reducing greenhouse gasses, which is a great reason, but looking at the economic benefit, where Alberta – and I'll cite some examples – has really missed out on opportunities in the past. So as opposed to some of the members on the other side patting themselves and their government on the back, the reality is that, again, Alberta does produce more greenhouse gas emissions than any other province in the country.

Something that really needs to be clarified, Madam Speaker, is that the number one culprit for that is our coal-fired plants, which produce much of the electricity generated within this province. Now, if you want to look for leadership, I mean, there are other

provinces that have phased out coal completely. I was speaking with the hon. Member for Calgary-Mountain View, and we were discussing the fact that Ontario, I believe, has one plant that's scheduled to shut down but one that's still operational. They've moved completely off coal, which is something that, again, we've been pushing for since long before I ever got involved in politics, for decades, looking back at *Hansard*, with previous New Democrat MLAs.

Again, looking at the benefits, not just the fact that coal-fired plants produce a significant amount of greenhouse gasses and are significant contributors to pollution within this province, there are many benefits. And looking at the free energy that we get in Alberta – I mean, something that I find fascinating, Madam Speaker, is the amount of sunlight that we get here in Alberta. Regardless of the season, the hours of sunlight that Alberta gets – I don't have the numbers at my fingertips – are higher than most other provinces in the country.

The fact is that if we want to really encourage Alberta businesses to invest in this type of technology, we need to look back at history and ask: how do we have such a thriving oil and gas sector? Well, we need to go back decades to see that it was through programs and incentives that kick-started this industry, as has been the case with most industries.

As members who sit on the committee for sustainable resource stewardship know, when we looked at the potential for hydroelectricity, the fact of the matter is that in all jurisdictions across Canada there has never been a hydro facility built without some government dollars, and it's because of the massive upfront costs and capital that is required to build one of these facilities. The fact that they take on average 10 years to come online before they start producing amounts to billions of dollars, and without government incentive and government assistance, these types of projects won't exist.

You know, my frustration is with how slow-moving this government is in their attitude toward alternative energies. Members can get up and provide beautiful lip service to reducing greenhouse gasses, but at the end of the day, actions speak louder than words, and talk is cheap. When we look at the few investments that this government has made, it is quite shameful. I mean, spending \$1.3 billion on an unproven technology of sticking CO<sub>2</sub> in the ground as the silver bullet is absolutely absurd. If that \$1.3 billion was invested in wind and solar, we would be at the forefront. But it requires dollars in R and D.

What's interesting, Madam Speaker, is that a few years back there was a German company that came to Calgary. They construct wind turbines and were very interested in meeting with this government to discuss just that, building a manufacturing plant for wind turbines. But this government couldn't be bothered to give them the time of day because they are exclusively interested in oil and gas and will do very little when it comes to other forms of technology. The fact that we're not... [interjections] I believe I have the floor, hon. member.

I'll give another example. I was quite fascinated, Madam Speaker, when I was down in Medicine Hat about six months ago and had a meeting with the mayor down there to learn what Medicine Hat is doing. Now, I can appreciate that that city is sitting on a significant amount of natural gas reserves. The city, by the way, owns the rights and does develop it. You know, the two words I'm going to say are going to shock the members from the Wildrose and those from the Tories, but it's a "Crown corporation," which does what it's meant to do. The city of Medicine Hat generates \$30 million profit per year from their natural gas reserves. That's after covering all of their expenses. The city also passes significant savings on to their constituents.

Folks who live in Medicine Hat enjoy lower natural gas rates than folks in the rest of the province of Alberta.

The other part that's really interesting, Madam Speaker, is the fact that the city of Medicine Hat has developed an incentive program to encourage individuals and small businesses to invest in and install solar panels and to contribute to or use solar energy. What they do is that they offer individuals up to \$10,000 to invest in solar panels for their personal homes, and for businesses it's up to \$50,000. I can tell you that that type of investment does encourage families and businesses to invest in the technology, again, understanding that it's a long-term investment, that the payback is going to be spread out over many years. The payback isn't just in lower energy costs; it's also the benefits of reducing our pollution of the environment and our reliance on fossil fuels and nonrenewables. So I found it very fascinating that that's what Medicine Hat is doing.

Now, I know other jurisdictions – and I need to compare us to other jurisdictions – where government can play a role in encouraging individuals, families to generate energy on their own and sell it back to the grid. In the province of Alberta if a person does that, they get the exact going rate, whereas in a province like Ontario I believe it's around 10 times the going rate, that individuals will receive as a way to encourage them to generate their own energy and put that back into the grid, which, again, reduces the overall reliance on the major energy producers, which most often are nonrenewables and are the most polluting and most damaging.

5:40

Madam Speaker, I think the hon. member who put forward this motion – I believe her heart is in the right place. Urging the government, I think, is something that is positive. I can tell you, hon. member, that the Alberta NDP since 1961 has been urging the government. So that's positive. But I really wish that this would go much further, from lobbying the government, so to speak, to the government taking real action, again, whether it's in the form of incentive programs for individuals or for businesses. Maybe it's in the way of setting up some type of – well, I'm just thinking off the top, whether it's some type of arm's-length organization... [A timer sounded] Time flies when you're having fun.

**The Acting Speaker:** Thank you, hon. member.

The hon. Member for Calgary-Fort, followed by the Member for Calgary-Mountain View.

**Mr. Cao:** Thank you, Madam Speaker. I'm pleased to rise today to join the debate on Motion 518, which urges the government to develop and implement a program encouraging Albertans to invest in and utilize alternative energy technology in our province. I commend the hon. Member for Lesser Slave Lake for bringing attention to this initiative, which could strengthen Alberta's leadership in energy innovation and could further reduce greenhouse gas emissions. Energy plays a critical role in our lives every day, and energy's security will continue to become more important for future generations. Decisions we make today at the local, regional, and national levels will help shape our common future.

Madam Speaker, emissions reduction is a key to Alberta's stewardship commitment. Being proactive in reducing greenhouse gases saves energy and reduces our environmental impact. I understand that our electricity generation and retailing in Alberta is all done by the private sector, much different from other provincial jurisdictions, where electricity is still in the hands of government agencies and Crown corporations. In order to

effectively reduce greenhouse gas emissions, we must work collaboratively with our provincial and federal counterparts.

To that end, many provinces have already implemented their own clean energy strategies. For example, in 2007 the government of British Columbia released their new B.C. energy plan, a vision for clean energy leadership. This plan puts B.C. at the forefront with an aggressive target for zero net greenhouse gas emissions, new investments in innovation, and an ambitious target to acquire 50 per cent of B.C. Hydro's incremental resource needs through conservation by 2020. The B.C. energy plan provides a made-in-B.C. solution to the global challenge of ensuring secure, reliable, and affordable energy. Under the plan the province will require zero net greenhouse gas emissions from all new electricity projects, and it will support the development of clean energy technology. As well, \$25 million has been allocated towards an innovative clean energy fund that will encourage the development of clean energy and energy efficient technologies. Madam Speaker, B.C.'s current electricity supply resources are 90 per cent clean, which sets B.C. apart from leading jurisdictions in sustainable environmental and economic management.

Manitoba is another example of being at the forefront of utilizing alternative energy resources to reduce greenhouse gas emissions. Manitoba is in the unique position of having the resources, experience, and wherewithal to become Canada's renewable energy powerhouse, and it's already a leader in developing one of the cleanest and greenest electricity systems in the world.

Recently the government of Manitoba released the Manitoba clean energy strategy, that focuses on made-in-Manitoba solutions to harness water, wind, solar, and biomass resources. Priority actions contained in the strategy include building a new generation of clean and renewable hydro power, leading North America in energy efficiency, keeping rates low, and growing renewable energy alternatives. The strategy will also develop Canada's first pay-as-you-save financing program, that covers the upfront capital costs of energy efficiency upgrades based on utility cost savings.

Madam Speaker, more than 98 per cent of Manitoba's electricity is renewable. This is a true testament to the unwavering commitment to reducing their hydrocarbon footprint. In 2004 Manitoba's energy efficiency program shot up in the Canadian Energy Efficiency Alliance rankings, from ninth place to first place.

Madam Speaker, the world has turned its attention to critical issues of global warming. As stewards of our province we have the responsibility to manage our natural resources in a way that ensures they meet both our needs of today and the needs of our children and grandchildren and great-grandchildren, too. We all have to think and act differently as we develop innovative and sustainable solutions to secure a clean and reliable energy supply for all Albertans.

This motion, Madam Speaker, is planning for tomorrow, not today. Our energy industry creates jobs for Albertans, supports important services for our families, and will play an important role in the decades of economic growth and in the environment that lie ahead of us.

Thank you, Madam Speaker, and thank you, hon. Member for Lesser Slave Lake, for bringing this motion forward.

**The Acting Speaker:** Thank you, hon. member.

The hon. Member for Calgary-Mountain View, then Little Bow.

**Dr. Swann:** Thank you very much, Madam Speaker. I, too, appreciate the tabling of Motion 518, a renewable energy program encouraging Albertans to develop and use renewable energy.

However, I'd be more convinced about the commitment of this government if they would bring it forward as a bill. Show us the money. Show us the commitment. Where's the bill?

In 2014 a motion is the weakest form of legislative action that one could take. Everybody, of course, can support the notion. The question is: where is the money, and where is the action on the ground? I want Alberta to be an energy superpower. I want Alberta to be the lowest per capita user of energy. I want Alberta to be a leader in renewable energy. I want Alberta to be a leader in state-of-the-art electricity production. That means not fossil fuels, and that means not coal-fired power plants, which still are funding 60 per cent of our power grid. Unacceptable in 2014.

I applaud the sentiments and the values in this motion, but, again, I'm looking for serious commitment from this government as is the rest of the world. I want Alberta to change through investment, research and development, and tax writeoffs to the renewable industry similar to the fossil fuel industry. We're not asking for anything exceptional that the government hasn't already produced in its incentives for the fossil fuel industry.

In fact, our fossil fuel industry has been seriously damaged by a government that continues to talk about and not take action on serious carbon and other pollutants in our environment, that has only in the last few years admitted that climate change was human induced and fossil fuel related. It's a very slow and, unfortunately, damaging approach to what the rest of the world embraced a decade ago.

We need to see a real commitment to eliminating those older coal-fired power plants, that continue to threaten health and add immeasurably to our carbon emissions and, I guess, again, to our poor reputation internationally. We can talk the talk, but when we're not walking the walk with real money, real plans, real action on the ground, and real reductions in our emissions, it's pretty tough to convince even our own citizens that we're serious about these issues.

This is almost 2014. The world is looking for leadership and investment in technology that is both low emitting and saves money for the commercial, the industrial, the enterprises that are using these alternatives, and we're still not involved actively in this tremendous entrepreneurial opportunity. We're tired of hearing words without action. If this government is serious, let's see a bill. Why are we not leading? Where is the action?

Thank you, Madam Speaker.

5:50

**The Acting Speaker:** Thank you, hon. member.

The hon. Member for Little Bow, followed by Livingstone-Macleod.

**Mr. Donovan:** Thank you, Madam Speaker. I'm getting up to speak in favour of Motion 518 from the Member for Lesser Slave Lake. Now, one thing I want to promote here. On Friday I was back in my constituency. The Southern Alberta Energy from Waste Association, at [www.saewa.ca](http://www.saewa.ca), has 72 different municipalities joined together in this alliance . . .

**An Hon. Member:** How many?

**Mr. Donovan:** Seventy-two was the last number I got told.

. . . between towns, villages, counties, and MDs that are looking at alternative ways instead of using landfills. That represents about 250,000 people in the jurisdictions that they represent. I think it's a key thing – and this is where this motion really hits on it – to make use of renewable resources and leadership in energy innovation and greenhouse gas reductions.



To me, it's very key that we start looking at these things, and it's great to actually see this motion from the member. I think it's one of the key things that we need to look at going on to our children, our waste that we have. We want to make sure our kids have that option down the road, that we're not going to dump in some landfills. In saying that, I think a lot of the people that are in that industry, the landfills, have also noticed the different ways that they go about making sure things are out of the stream and how much they recycle out of stuff before it goes to a landfill.

I think the Southern Alberta Energy from Waste Association is a pretty key group, and it goes back to planning. It's not a forced group of planning on it. This is a group that's slowly come together over time and has seen the vision of where this province should go towards waste energy and making full use of it. I think this is a prime time for this motion to come through. They just had their AGM here on the 29th of November in Nanton, which I was glad to be a part of because it had lots of MDs, reeves, mayors, and members at large at it. I think we've identified that these are key things that this province needs to look forward to, not burying our waste but making energy out of it.

I'm very happy to speak in favour of this motion and urge everyone else in this House to do the same. Thank you.

**The Acting Speaker:** Thank you, hon. member.

Are there any other members who wish to speak on Motion 518?

Seeing none, I would ask the hon. Member for Lesser Slave Lake to close.

**Ms Calahasen:** Thank you, Madam Speaker. I want to say a special thank you to everyone who has spoken on this motion, and I guess I want to address the issue from Calgary-Mountain View in asking: where's the beef? Well, the goal of Motion 518 is actually to encourage the government to "develop and implement a program encouraging Albertans to invest in and make use of renewable and alternative energy technologies." That could mean financial. That could mean educational. That could mean developing programs to make sure that we continue to build on what we have presently.

Yes, we may have some issues when we're talking about some of the things that Rimbey-Rocky Mountain House-Sundre spoke about. I love his constant support, I love listening to some of the assessments that he has in terms of concerns that he's brought forward, and I agree that the Ministry of Energy needs to look at the issue of microgeneration in its regulation. So I happen to agree with things that maybe need to be fixed, and I know that we try to make sure we do that.

I'd like to also thank Calgary-Hawkwood for bringing out the provincial energy strategy. You know, it's really wonderful to be able to know what is going on presently. This motion has been on the table. I've had this motion on for about nine years to try to figure how we can bring this forward – actually, it's been about seven years – to try to figure out how, then, we bring this motion forward in a good way. I want to thank you for that, for bringing that out and for how it aligns there.

Also, from Strathmore-Brooks: what type of program? Yes, as I indicated, it could be financial; it could be educational; it could be most anything in terms of how we can make this to be the best that is possible. It is only a motion, but a motion can also spur a lot of things that could happen behind the scenes.

I also wanted to talk about options for people. I think we need to look at how we can help individuals, whether it's on the financial side or the educational side. As an example, geothermal is being used in one of my bird observatories, and that is such an incredible program and an incredible technology. We have to look at all possibilities. We cannot just look at one way, but we've got to be able to look all ways in this world. That, to me, is an important component.

Edmonton-South West: oh, he's so eloquent. He's got such a view of climate change strategy that I could just take him and just hug him a bit. I know that strategy certainly aligns with what this motion is about.

I want to thank Edmonton-Beverly-Clareview for the encouragement to continue to go further. I hope to goodness that he sees the benefit in things that have been done in this province. I know that we can continue to do better, and that's what this motion is all about, being able to see how we can go further.

So you talk about: where's the beef? Madam Speaker, I want to say that we still have challenges, yes, but we've got to look at ways for us to be able to explore what the possibilities are. I know that with this motion we can begin to look at all possibilities.

I want to say thank you to everybody who has supported this. I appreciate all of the encouragement, even the comments that have been made as to how we can improve this.

Thank you very, very much.

**The Acting Speaker:** The hon. Minister of Justice.

**Mr. Denis:** I'd like to move that there's a one-minute bell if there's any division here.

[Unanimous consent granted]

[The voice vote indicated that Motion Other than Government Motion 518 carried]

[Several members rose calling for a division. The division bell was rung at 5:57 p.m.]

[One minute having elapsed, the Assembly divided]

**6:00**

[Mrs. Jablonski in the chair]

For the motion:

Amery	Fraser	McIver
Bhullar	Goudreau	Olesen
Bilous	Hale	Olson
Brown	Horne	Quadri
Calahasen	Jeneroux	Rodney
Cao	Johnson, L.	Scott
Casey	Kennedy-Glans	Swann
DeLong	Khan	Towle
Denis	Klimchuk	VanderBurg
Donovan	Lemke	Weadick
Drysdale	Leskiw	Webber
Fawcett	Luan	Woo-Paw
Fenske	Lukaszuk	Xiao

Totals: For – 39 Against – 0

[Motion Other than Government Motion 518 carried unanimously]

[The Assembly adjourned at 6:02 p.m.]







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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Monday evening, December 2, 2013

Issue 77e

The Honourable Gene Zwozdesky, Speaker

## Legislative Assembly of Alberta The 28th Legislature

First Session

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Strankman, Rick, Drumheller-Stettler (W)  
Swann, Dr. David, Calgary-Mountain View (AL)  
Towle, Kerry, Innisfail-Sylvan Lake (W),  
    Official Opposition Deputy Whip  
VanderBurg, Hon. George, Whitecourt-St. Anne (PC)  
Weadick, Hon. Greg, Lethbridge-West (PC)  
Webber, Len, Calgary-Foothills (PC)  
Wilson, Jeff, Calgary-Shaw (W)  
Woo-Paw, Hon. Teresa, Calgary-Northern Hills (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Young, Steve, Edmonton-Riverview (PC),  
    Government Whip

### Party standings:

Progressive Conservative: 59      Wildrose: 17      Alberta Liberal: 5      New Democrat: 4      Independent: 2

### Officers and Officials of the Legislative Assembly

W.J. David McNeil, Clerk	Stephanie LeBlanc, Parliamentary Counsel and Legal Research Officer	Philip Massolin, Manager of Research Services
Robert H. Reynolds, QC, Law Clerk/ Director of Interparliamentary Relations	Fiona Vance, Sessional Parliamentary Counsel	Brian G. Hodgson, Sergeant-at-Arms
Shannon Dean, Senior Parliamentary Counsel/Director of House Services	Nancy Robert, Research Officer	Chris Caughell, Assistant Sergeant-at-Arms
		Gordon H. Munk, Assistant Sergeant-at-Arms
		Janet Schwegel, Managing Editor of <i>Alberta Hansard</i>



## **Executive Council**

Alison Redford	Premier, President of Executive Council
Thomas Lukaszuk	Deputy Premier, Minister of Enterprise and Advanced Education, Ministerial Liaison to the Canadian Forces
Manmeet Singh Bhullar	Minister of Service Alberta
Robin Campbell	Minister of Aboriginal Relations
Cal Dallas	Minister of International and Intergovernmental Relations
Jonathan Denis	Minister of Justice and Solicitor General
Wayne Drysdale	Minister of Infrastructure
Kyle Fawcett	Associate Minister of Regional Recovery and Reconstruction for Southwest Alberta
Rick Fraser	Associate Minister of Regional Recovery and Reconstruction for High River
Doug Griffiths	Minister of Municipal Affairs
Dave Hancock	Minister of Human Services
Fred Horne	Minister of Health
Doug Horner	President of Treasury Board and Minister of Finance
Ken Hughes	Minister of Energy
Sandra Jansen	Associate Minister of Family and Community Safety
Jeff Johnson	Minister of Education
Heather Klimchuk	Minister of Culture
Ric McIver	Minister of Transportation
Diana McQueen	Minister of Environment and Sustainable Resource Development
Frank Oberle	Associate Minister of Services for Persons with Disabilities
Verlyn Olson	Minister of Agriculture and Rural Development
Dave Rodney	Associate Minister of Wellness
Donald Scott	Associate Minister of Accountability, Transparency and Transformation
Richard Starke	Minister of Tourism, Parks and Recreation
George VanderBurg	Associate Minister of Seniors
Greg Weadick	Associate Minister of Regional Recovery and Reconstruction for Southeast Alberta
Teresa Woo-Paw	Associate Minister of International and Intergovernmental Relations

## STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

### Standing Committee on Alberta's Economic Future

Chair: Mr. Amery

Deputy Chair: Mr. Fox

Bhardwaj	Olesen
Cao	Pastoor
Donovan	Quadri
Dorward	Rogers
Eggen	Rowe
Hehr	Sarich
Luan	Strankman
McDonald	Xiao

### Standing Committee on the Alberta Heritage Savings Trust Fund

Chair: Mr. Khan

Deputy Chair: Mrs. Jablonski

Amery	Eggen
Anderson	Kubinec
Casey	Sherman
Dorward	

### Standing Committee on Families and Communities

Chair: Mr. Quest

Deputy Chair: Mrs. Forsyth

Brown	Leskiw
Cusanelli	Notley
DeLong	Pedersen
Fritz	Swann
Goudreau	Towle
Jablonski	Wilson
Jeneroux	Xiao
Khan	Young

### Standing Committee on Legislative Offices

Chair: Mr. Cao

Deputy Chair: Mr. McDonald

Bikman	Leskiw
Blakeman	Quadri
Brown	Rogers
DeLong	Wilson
Eggen	

### Special Standing Committee on Members' Services

Chair: Mr. Zwozdesky

Deputy Chair: Mr. Young

Casey	McDonald
Forsyth	Quest
Fritz	Sherman
Kennedy-Glans	Smith
Mason	

### Standing Committee on Private Bills

Chair: Mr. Xiao

Deputy Chair: Ms L. Johnson

Allen	Goudreau
Barnes	Jablonski
Bhardwaj	Leskiw
Brown	Notley
Cusanelli	Olesen
DeLong	Rowe
Fox	Strankman
Fritz	Swann

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Ms Olesen

Deputy Chair: Mr. Lemke

Calahasen	McAllister
Cao	Notley
Casey	Pedersen
Goudreau	Quadri
Hehr	Rogers
Kennedy-Glans	Saskiw
Kubinec	Towle
Luan	Young

### Standing Committee on Public Accounts

Chair: Mr. Anderson

Deputy Chair: Mr. Dorward

Amery	Khan
Anglin	Luan
Bilous	Pastoor
Donovan	Quadri
Fenske	Quest
Hale	Sarich
Hehr	Stier
Jeneroux	Webber

### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans

Deputy Chair: Mr. Anglin

Allen	Hale
Barnes	Johnson, L.
Bikman	Khan
Bilous	Kubinec
Blakeman	Lemke
Calahasen	Sandhu
Casey	Stier
Fenske	Webber

## Legislative Assembly of Alberta

7:30 p.m.

Monday, December 2, 2013

[Mrs. Jablonski in the chair]

**The Acting Speaker:** Please be seated.

### Government Motions

**The Acting Speaker:** The Government House Leader.

#### Time Allocation on Bill 45

49. Mr. Hancock moved:

Be it resolved that when further consideration of Bill 45, Public Sector Services Continuation Act, is resumed, not more than two hours shall be allotted to any further consideration of the bill in second reading, at which time every question necessary for the disposal of the bill at this stage shall be put forthwith.

**The Acting Speaker:** Thank you, Government House Leader.

This is a nondebatable motion, but the opposition is allowed to speak to this motion.

**Mr. Anderson:** I have five minutes. Is that correct?

**The Acting Speaker:** Yes, that's correct. The hon. Member for Airdrie.

**Mr. Anderson:** Well, thank you, Madam Speaker. It's a pleasure to rise in the Legislature today and speak to this motion. It's good to see so many folks in the gallery. We don't usually get so many visitors here at night, but we're certainly glad to see all the folks here. It is the people's House, and we're happy to have them here.

I, of course, and my Wildrose colleagues – and I won't speak for my friends in the ND opposition or the Liberal opposition, but I'm sure they feel much the same – are very much opposed to this motion for several reasons. First off, we saw today the Speaker rule about a contempt of the Legislature and on how the process of the government publishing, essentially, the contents of bills and motions that they are going to bring into this House prior to actually bringing them to this House was a contempt of the Legislature and very disrespectful of our practices here.

The fact that this government would put on the table two very, very controversial bills, Bill 45 and Bill 46, and before they even started debating these bills, which we will start tonight, even before then, put on this government motion to limit debate on this bill to two hours, to just two hours, something that will affect so many people, literally tens of thousands of people if not more and indirectly well into the hundreds of thousands of people – they bring in a bill, and they give the opposition parties two hours in second reading to debate this bill. That is a travesty of disrespect and a travesty to democracy. That is what I believe. What we're witnessing here is what I would call gong-show government because that's what this is. This is not how government is supposed to work.

If you're going to bring in a bill like Bill 45 or Bill 46, anything like that, first of all you make sure that you explain what you are thinking of doing right up front months in advance so that you can go to stakeholders, so that you can go to constitutional lawyers, to, obviously, the labour representatives, to the people themselves and talk to them and understand their position and get their feed-

back on these things. Then you introduce the actual bill into the Legislature once you've gone through that consultation, and you give the opposition at least a week or two to digest the bill, so to speak, to understand it, to talk with stakeholders, people who are going to be affected by it, to talk with them, understand their position, understand the legal ramifications of the bill. Then a couple of weeks later at least – it should be longer but at least a couple of weeks – you bring it back, and then you have a good debate.

Sometimes that debate will take only two hours. Sometimes it might take 10 hours. Sometimes it may take 20 hours. Heck, it may even take a week, and that's okay because that's how democracy should work. We should respect the processes of this House enough to be able to have a good debate without the government coming in here and saying: "Nope. Sorry. You've got two hours and only two hours, and then we're shoving this thing through. We're ramming it down the people of Alberta's throats."

That's wrong, Madam Speaker. It's got to change, and if we have to bring a new government forward in 2016, we will, and we're going to change that. Laugh all you want, Deputy Premier. Laugh all you want. You're, politically speaking, digging your own grave.

Anyway, Madam Speaker, I look forward to the abbreviated, shortened debate. We will certainly do our best to represent the views of all Albertans in this Legislature in the short time that we have. That will be very difficult, but again, government, start acting your ages.

**The Acting Speaker:** Thank you, hon. member.

Government Motion 49 is nondebatable. I know that there were a number of you that wanted to speak to this, but there was only one opposition member allowed to speak for five minutes.

[The voice vote indicated that Government Motion 49 carried]

[Several members rose calling for a division. The division bell was rung at 7:35 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[Mrs. Jablonski in the chair]

For the motion:

Amery	Goudreau	Luan
Bhullar	Hancock	Lukaszuk
Brown	Horne	Olesen
Casey	Horner	Olson
Dallas	Hughes	Quadri
DeLong	Jeneroux	Rodney
Denis	Johnson, L.	VanderBurg
Dorward	Kennedy-Glans	Weadick
Drysdale	Khan	Webber
Fawcett	Klimchuk	Woo-Paw
Fenske	Lemke	Xiao
Fraser	Leskiw	

Against the motion:

Anderson	Bilous	Rowe
Anglin	Hehr	Sherman
Barnes	Mason	Swann
Bikman	Notley	Towle

Totals:	For – 35	Against – 12
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[Government Motion 49 carried]

**Government Bills and Orders****Second Reading****Bill 46****Public Service Salary Restraint Act**

**The Acting Speaker:** The hon. Minister of Finance and President of Treasury Board.

**Mr. Horner:** Thank you, Madam Speaker. I rise this evening to move second reading of Bill 46, the Public Service Salary Restraint Act.

Madam Speaker, a key part of the government's building Alberta plan is to ensure that we continue to live within our means while focusing spending on the services Albertans rely on. It is the men and women of the Alberta public service, from paralegals to probation officers, fire prevention officers to child and youth care workers, who deliver these programs and services with purpose and pride.

We saw first-hand during the summer floods the dedication of our employees in the response, recovery, and rebuilding efforts. Through long hours away from their families in difficult situations our employees showed resolve and incredible heart when it counted. We are profoundly appreciative of the important work being done by our public servants both in these kinds of extraordinary situations and in the duties they perform every day in every ministry and in every department of our government right across this province.

Madam Speaker, Bill 46 reflects the government's commitment to holding the line on spending to help us balance the budget while meeting Alberta's enormous growth challenges head-on. We will save more, and we will live within our means. Over the past year Albertans have been very clear that they expect government to show restraint, which is why the last budget held the line with almost a zero per cent increase in operating spending. As we've seen with our recent fiscal update, we are in fact starting to turn that corner.

This is good news, but we remain mindful that these improvements will be offset by investment required to rebuild Alberta after the flood. Our ability to keep turning that corner is dependent on continuing to make prudent financial choices. Public-sector compensation makes up roughly half of our total spending. That includes doctors and nurses, teachers and postsecondary faculty, and the employees of the Alberta public service. That's why we've been abundantly clear with the public-sector unions, including the Alberta Union of Provincial Employees, that we need to hold the line on salaries.

7:50

We worked hard with our doctors and our teachers on long-term deals that hold wages flat for three years and guarantee stability in education and health care for years to come. Albertans value those services and our front-line employees who provide them. The Public Service Salary Restraint Act has been introduced in an effort to reach a negotiated settlement with the union representing our government workers.

Madam Speaker, reaching a negotiated settlement with the union is our preferred option. Bill 46 is intended to kick-start those negotiations to reach a deal that is fair to employees and fair to taxpayers. Our public servants are paid fairly, and they should be. Sustainability in public-sector compensation means paying employees well for the work that they do on behalf of Albertans at a rate that is responsible to Albertans and to the taxpayer. This is the balance that we want to achieve through Bill 46. We must ensure we negotiate agreements with our public-sector partners

that are sustainable and place the government's finances on a strong footing going forward.

Pay packages in the Alberta public service are, in fact, very competitive in comparison with other provinces, but being competitive in the market doesn't mean we must drive the market. Research shows that our bargaining unit employees at the job rate maximums are generally paid more than comparable employees in other provinces. We still want to attract and retain a strong, skilled public-sector workforce through competitive pay and benefits and uphold Alberta's market edge, but we can do that in a way that ensures our overall growth rate for salaries is sustainable.

The services that public-sector employees provide are complex and vary widely. As a result, all agreements won't look the same. We have responded to each part of the public sector individually, making labour market adjustments where necessary. To date we've reached successful long-term agreements with Alberta's teachers and doctors that align with our principles of fiscal restraint, but there is more to do.

The collective agreement between the Alberta government and AUPE expired on March 31, 2013. The union left the negotiating table after just 12 days and now wants binding arbitration, which is a step that has not been taken in 30 years. Bill 46 will provide a framework within which the government of Alberta can negotiate with the Alberta Union of Provincial Employees towards a new four-year agreement. Madam Speaker, we pledge to return to the table in a sincere and earnest effort to come to terms on a deal that is fair to our hard-working public servants and fair to the taxpayers of Alberta. In demonstration of our intention to reach a negotiated settlement we have in fact already made a new offer.

This legislation provides the parties with two months to negotiate an agreement with the possibility of extending that time frame to four months. If despite our best efforts we are unable to reach a negotiated settlement with the union, the Public Service Salary Restraint Act applies a reasonable wage growth for the term of this particular AUPE agreement, which includes no wage increases in the first year, which is in alignment with other public-sector agreements; a lump sum to put some money in employees' pockets in year 2; and a pay rate increase of 1 per cent in the final two years.

Government has committed to responsible spending. It is government who has the ultimate accountability for how taxpayer dollars are spent, and it is government that must act in the interests of Albertans. Madam Speaker, everyone agrees that a negotiated agreement is better than a legislated one, and we are committed to using our best efforts to achieve that end. Through this legislation we are signalling that the negotiations need to focus on an agreement that is fiscally prudent. Decisions that directly impact the spending of taxpayer dollars and our ability to pay for the services Albertans rely on need to be made by government. We need to get back to the table, reach a reasonable deal, and move forward.

I sincerely hope that you will join me in supporting this important piece of legislation. Thank you, Madam Speaker.

**The Acting Speaker:** The hon. Member for Airdrie.

**Mr. Anderson:** Thank you, Madam Speaker. I want to start out by talking a little bit about who we're talking about here and who this bill affects, first off. This isn't some nameless individual sitting in a cubicle in the AHS office tower making \$250,000 or \$300,000 or a half-million dollars, sitting around a board table with a \$1 million severance package waiting for them when they're done. That's not who we're talking about right now.

We're talking about front-line public-sector workers. These are the Albertans in our hospitals right now cleaning up the floors from the messes of surgery and treatment and making sure it's clean and safe for other people to come. These are the individuals who are providing aids for our elderly and for the sick and for the handicapped and for those with disabilities. These are the individuals that are there for us when we're in danger as a province, as was pointed out, the ones that were on the front lines during the flood helping us to rebuild and recover and working amazing amounts of hours in order to do so at tremendous sacrifice. These are our front-line youth workers and child care advocates, child care workers. These are individuals who give so much to this province. Again, I would suggest that when we're debating a bill such as this, we do so and give these folks enough respect that we don't try to ram this thing through in a couple of days. They deserve more respect than that, in my view, Madam Speaker.

Now, Madam Speaker, negotiating a collective bargaining agreement that is fair for taxpayers is an important goal, of course, so that the public service employment agreements are affordable and sustainable and public services are sustainable. I haven't met too many Albertans, whether they're a member of AUPE or United Nurses or anyone else, that don't think that. Of course, salaries and public-sector services need to be sustainable, but collective bargaining does not give the government the right to terminate the legal arbitration rights of public-sector employees. That is a right that in 1977 Premier Lougheed first established. He said: "You know what? Our public-sector employees provide such critical services in care to the people of Alberta that we cannot afford to have them go on strike. If they go on strike – let's face it – things fall apart. It is devastating to our front lines. It's devastating to people in care, the sick, the elderly, obviously, our front-line emergency personnel, sheriffs, people like that. That would be so devastating to the economy, to the safety of Albertans, et cetera, we can't afford to have them strike."

But there was a quid pro quo when Premier Lougheed brought in that bill in 1977. I think it was Bill 41. He said that if we're going to take away the right of our government employees employed in essential services to strike, then we have to replace that with something that's fair. There has to be something that is fair and that they perceive and agree is fair. So Premier Lougheed introduced arbitration into the bargaining process so that if for whatever reasons the government or the labour leadership could not come to an agreement on what was a fair compensation package for our public-sector workforce, one side or the other could request arbitration. Then the matter would be referred to an independent third party with experience in dealing with these issues.

That independent party would hear from both sides of the debate, would hear the arguments from the government, would hear the arguments from the public-sector employees and union representatives and so forth, and would come back after deliberation and research and so forth, looking at all the different factors that are often too numerous, certainly too numerous to list here, with an arbitrated settlement, a decision, saying: "This will be fair. We know the government wants 0, 0, 1, 1. We know the union wants 3, 3, 3, 4." Whatever. I'm just making numbers up here. And then he says: "Okay. But this is what's fair." He comes out with an agreement, the agreement is put in place, and everyone feels they've been heard.

Now, that shouldn't be the regular course of business, of course. Usually, I would hope, that as adults and government as leaders, quote, unquote, in this province they could sit down and have a fruitful discussion and come to a negotiated settlement so we're not going to arbitration every time. You would think that would be

what would happen. But sometimes it doesn't work out – we understand that – and that's where arbitration comes into play. So that's the deal that was made. It was a fair deal.

8:00

During the debate in this House on granting Alberta's public-sector employees arbitration rights, there was a minister, Minister Merv Leitch, a great guy, a great, amazing person. He's actually one of the individuals – I was lucky – who helped me through law school, actually, with a wonderful scholarship, a constitutional scholarship. Just a very generous man. He understood the Constitution very, very well. He, actually, to this day in several instances will give out scholarships to students in constitutional law for a certain achievement.

Minister Leitch, at that time a very respected scholar and minister, said:

If they . . .

And "they" in this case is our public-sector workers.

. . . are not to have the right to strike, in fairness to them we must provide . . . the fairest possible labor relations system for the employees of Alberta short of providing them with the right to withdraw services or strike.

And he said much, much more.

His view of it was that, constitutionally, if we're going to take away the right of our workers to strike, we have to give them another right, something that they can go to and make sure that their rights are being respected and that fairness will prevail. So they came up with arbitration rights, and they put those in the law. That right of arbitration has been in the law since 1977.

Do you know how long that is, Madam Speaker? I was born a couple of months after that law was passed. That was over 35 years ago. For 35 years we've had this right, this legal right, on the books.

Never once in our history, not even if you go back to Ralph Klein – and everyone thinks that Ralph Klein was a cost cutter, all these things, slashing salaries. Guess what? A little interesting tidbit: he never took away, in his time, the right of arbitration from our public-sector workers. He came to a negotiated agreement. It's one that hurt, but even Ralph Klein respected the right of arbitration enough to leave those rights in there. He didn't just rip them out of the law because it became inconvenient, and he was asking for cuts, substantial cuts.

Yet this government comes to our public-sector workforce and says: "You know what? We're not coming to agreement as fast as we would like. You won't agree to what we want; therefore, we're going to impose an agreement on you and take away your arbitration rights so that you have no recourse. You can't go on illegal strike. That's already illegal."

We'll talk a little bit more about Bill 45. There are some problems with that bill as well, but most people, I think, agree that illegal strikes are not a good thing. There's already law on the books today that deals with illegal strikes, so that's a red herring, frankly. That's not what we're talking about here. We're talking about a government who didn't get their way, who, frankly, is throwing a temper tantrum and then taking the right of arbitration out of the law so that they can get their way and so that there's no recourse for our public-sector workers.

I hear on the other side constantly: this is just a way to get people back to the table. "This is a way to get our union leadership and our public-sector workforce back to the negotiating table," they say. Okay. Now, I guess I would say that most negotiations – when I think of the word "negotiate," I don't think of one of the negotiating parties holding a gun to the other person's head, Madam Speaker, but that's essentially what this does, figuratively

speaking. Of course it forces them back to the table. They don't have a choice.

What do you mean, that this is going to incentivize a negotiated agreement? What choice do they have? They can't go on illegal strike. They can't do that. Certainly, after Bill 45 if you even have a thought to go on an illegal strike, if they even call a talk-show host, if a union member, you know, some individual cleaning the floors at 2 a.m., decides to phone in to a talk show and says they should go on an illegal strike, they say: "Oh, that's illegal. Sorry. You were thinking about it." So that's what it's come to. We've got this red herring, Bill 45, within the context of Bill 46 that clouds the issue even further.

But, Madam Speaker, I believe, very much so, that Merv Leitch and Premier Lougheed had it right. Granting arbitration rights rather than leaving Albertans and public services at risk of strikes on the front lines was the way to go. I think that was the right decision.

Now, I want to make it clear. Before the last election the Wildrose was very clear in our statements. We said that we thought we could balance the budget in two years, and in that first year we would – I actually have the quote right in front of me. Until 2014 – that would be next year – "the Wildrose will work collaboratively and respectfully with public sector unions to hold the line on the current overall expenditure on front line public sector salaries."

There's nothing wrong with a government going into a negotiation and asking for a 0, 1, 3 or a 0, 2, 4 or a 0, 2, 2, 4 or whatever. There's nothing wrong with going in and asking for that and trying to negotiate that if that's what you need to control your expenses, if that's what you figure. That's okay. We have no grievance there. The grievance is not that you asked for a zero per cent increase this year or even a 0, 0, 1, 1. It is debatable whether that's really necessary, but let's say that it is. Say that's your first position: 0, 0, 1, 1. Okay. You have the right as the government to ask that. Premier Klein asked for way more than that, right? So you go in there and ask for it.

But the unions, or our public-sector employees, also have a right. They have a right to say: "No. That's not fair. These are the reasons. We have an inflated economy. It's tough to keep up with the rate of inflation. We don't want our members to become poorer over time with the inflation and so forth that is happening in Alberta right now." Then the government can come back and say: "Well, no. Actually, inflation isn't that much, and your salaries are above the average nationally" or whatever. It goes back and forth. That's part of the negotiation, and that happens. That's okay.

What you don't do when you don't get your way in the negotiation is sit there and say: "Okay. You know what I'm going to do? I'm going to take the legal rights that someone else has, I'm going to rip them out, and I'm just going to impose a settlement. That's just what I'm going to do because they just won't agree. They're just not being reasonable." So you take away their legal rights. You impose a settlement. Wham-bam; thank you, ma'am. All done. That's how this government is acting. It's wrong.

There's nothing wrong with asking. There's nothing wrong with fighting for sustainable wage increases. There's nothing wrong with that. Good. But you cannot then turn around and act like a dictator and impose an agreement and come in with heavy-handed legislation that essentially, Madam Speaker, takes away all the rights of unions to negotiate and to have good-faith collective bargaining. That's wrong. That's wrong. That's not the Alberta way. That's not what we do here.

We need to stop this ideological debate. Instead of words like "left-wing," "right-wing," "progressive," "conservative," and all these other words we throw around, we need to start using words like "fairness," "decency," "common sense," "fiscal responsibility." These are the words that I think Albertans today want to

see their politicians not only use but incorporate into their actions. This bill, Bill 46, and significant parts of Bill 45 are not respectful. They're not decent. They're not even fiscally responsible because of the poison that this is going to put into the waters of bargaining on a go-forward basis for government.

Madam Speaker, how am I doing for time today?

**The Acting Speaker:** Four minutes.

**8:10**

**Mr. Anderson:** Four minutes. Madam Speaker, I know that there are others that want to speak, and we will absolutely let them. If we didn't have closure, time allocation, we could all speak to it, but unfortunately we don't have that.

I will wrap up by saying that this bill, Bill 46, is unfair. It is unjust. It is a slap in the face to our public-sector workforce, and it's also a slap in the face to the rule of law. The rule of law, Madam Speaker, is what separates us from the barbarians, frankly, the rule of law, the fact that we cannot have government just toss out the law when it doesn't favour them. Because then what are we? At that point we're just a totalitarian dictatorship, and that's not the Alberta that I believe in.

The Wildrose supports the rule of law, fairness, and decency, and we are not going to balance the budget on the backs of our public-sector workers or our front-line services. That's not the way we're going to act. That's not the way this government should act. That's got to stop, Madam Speaker.

Thank you very much.

**The Acting Speaker:** Thank you, hon. member.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Madam Speaker. I would move that we adjourn debate.

[The voice vote indicated that the motion to adjourn debate carried]

[Several members rose calling for a division. The division bell was rung at 8:12 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[Mrs. Jablonski in the chair]

For the motion:

Amery	Goudreau	Luan
Bhullar	Hancock	Lukaszuk
Brown	Horne	Olesen
Casey	Horner	Olson
Dallas	Hughes	Quadri
DeLong	Jeneroux	Rodney
Denis	Johnson, L.	VanderBurg
Dorward	Kennedy-Glans	Weadick
Drysdale	Khan	Webber
Fawcett	Klimchuk	Woo-Paw
Fenske	Lemke	Xiao
Fraser	Leskiw	

Against the motion:

Anderson	Eggen	Rowe
Anglin	Hehr	Sherman
Barnes	Mason	Swann
Bilous	Notley	Towle
Totals:	For – 35	Against – 12

[Motion to adjourn debate carried]

**Mr. Hancock:** Madam Speaker, it appears we might have a number of bells tonight, and I wonder if we might ask for unanimous consent of the House to reduce the bells to one minute.

[Unanimous consent denied]

### **Bill 42 Securities Amendment Act, 2013**

**The Acting Speaker:** The hon. President of Treasury Board and Minister of Finance.

**Mr. Horner:** Thank you, Madam Speaker. I'm pleased to rise today to move second reading of Bill 42, Securities Amendment Act, 2013.

Bill 42 focuses on over-the-counter derivatives and the harmonization of derivatives regulation in Canada. These are complicated financial instruments, Madam Speaker, and as I mentioned at first reading, the lack of transparency around the over-the-counter derivatives was widely seen as a contributing factor in the 2008 financial crisis. Following that crisis, the International Organization of Securities Commissions introduced several new principles relating to the reduction of systemic risk, and the G20 made commitments to improve the regulation of over-the-counter derivatives markets. Canada along with the rest of the G20 countries committed to strengthening the regulation of this type of investment. Bill 42 supports these international commitments made by Canada.

I'll get into some more detail about the bill in a minute, Madam Speaker, but first I think it will be instructive to say a few words about the nature of this type of investment. Derivatives generally take the form of bilateral contracts under which the parties agree to payments between them based on the value of the underlying asset or other data at a particular point in time. The main use of derivatives is to minimize risk for one party while offering the potential for a higher return at an increased risk to another. The main types of derivatives are futures, forwards, options, and swaps. An over-the-counter derivative, which is the subject of Bill 42, is a derivative that is not listed or traded on any exchange.

What does the bill propose to do? Bill 42 creates a statutory framework for the regulation and oversight of over-the-counter derivatives, providing the Alberta Securities Commission with the authority to make rules dealing with derivatives. Under the framework proposed in Bill 42, over-the-counter derivatives would be traded through a derivatives exchange or an electronic trading platform. Trades would be settled through central counter parties, and all derivatives transactions would have to be reported to a trade repository. There would also be solvency requirements. Together these measures all serve to increase transparency in the derivatives market, helping to protect investors and reducing systemic risk.

The framework proposed in Bill 42 includes providing for the creation of a definition of a derivative and classes of derivatives; enhancing or creating new definitions of important terms such as "recognized trade repository," "security," "trade," and "clearing agency"; recognizing trade repositories and adding references to them in the Securities Act were needed; expanding or clarifying powers of the Alberta Securities Commission relating to the regulation and oversight of derivatives; replacing references to exchange contracts and future contracts with derivatives; repealing part 8 of the Securities Act, trading and exchange contracts, with requirements being moved into the rules; as well, adding a new section, 105.1, to provide that derivatives transactions are not void

for noncompliance with Alberta securities laws. This will harmonize Alberta with other jurisdictions like B.C. and Ontario.

Amending section 147 to provide for a security of a reporting issuer to include a related derivative for purposes of insider trading obligations: again, this amendment harmonizes with similar B.C. and Ontario provisions.

Madam Speaker, the proposed amendments in Bill 42 will contribute to the harmonization of derivatives regulation across Canada. Provincial and territorial regulators are being encouraged to agree on a harmonized approach to regulating derivatives capable of being adopted across Canada, and this bill is certainly an important step in that direction.

We've learned a lot from the 2008 financial crisis, and contributing to the reform of securities regulation is a priority for all jurisdictions, including Alberta. Bill 42 will support the ongoing collaborative work by provincial and territorial governments to further modernize, harmonize, and streamline Alberta's securities laws. The changes proposed in Bill 42 will support Canada's international commitments, helping to reduce risk and contribute to public confidence in the financial system.

Madam Speaker, for the last three years the World Bank has ranked Canada as one of the top five countries for protecting investors, ahead of the United States and the United Kingdom. We want to build on that success, and that's why the government of Alberta and the Alberta Securities Commission are committed to continuous improvement of our securities regulatory system. The commission along with provincial securities regulators in B.C., Ontario, and Quebec have been active contributors to the development of regulatory reforms for over-the-counter derivatives markets at the local, national, and international levels.

I encourage all members of the Assembly to support this bill. Thank you, Madam Speaker.

With that, I now move to adjourn debate on Bill 42.

[Motion to adjourn debate carried]

### **8:30 Government Motions (continued)**

**The Acting Speaker:** The hon. Government House Leader.

#### **Time Allocation on Bill 46**

52. Mr. Hancock moved:

Be it resolved that when further consideration of Bill 46, Public Service Salary Restraint Act, is resumed, not more than two hours shall be allotted to any further consideration of the bill in second reading, at which time every question necessary for the disposal of the bill at this stage shall be put forthwith.

**Mr. Anderson:** Well, here we go again, Madam Speaker. This motion, of course, again limits debate, this time on Bill 46. We talked earlier about the limiting of debate on Bill 45. We have had so far in this Legislature other than the mover of Bill 46 one speaker, myself, that has been able to address the Assembly on this issue. Apparently, the government thinks that that's just too much, too exhausting: "One person speaking out against a bill: we can't have that. Let's limit debate to two hours." If you do the math, if all the government speakers speak and use all of their time, that takes up more than half of that time, so at least an hour, and that leaves for the opposition a maximum of three people maybe, maybe four.

**An Hon. Member:** But we have four.

**Mr. Anderson:** Yeah. But a minimum, three people, can speak, and then it's over. So that's democracy, eh? In what country? Honestly. So we're going to allow three opposition voices, maybe four opposition voices to speak on this bill in second reading, and then we're going to shut 'er down. Honestly, it's painful. It's shameful. It's a hundred different adjectives. It's not right, Madam Speaker.

We can't keep running this House in this way. It's undemocratic, and it's wrong. It's disrespectful of the process. When we have people from all over the province – I just met a lady outside from Airdrie who made the trip, in this ridiculous weather that we're having right now, all the way here to be in the gallery tonight and to listen to debate on this bill. What are we going to give her? We're going to give her and hundreds of other colleagues like her, not to mention all of the folks watching this at home, who are very engaged and very interested, mostly our front-line public-sector staff and workers as well as their families and their friends and so forth, that are very engaged in this because they don't feel they've been consulted – they feel they've been wronged. They feel they've had their rights undermined by this government, and we're giving them an entire two hours of debate on this bill. I don't understand how this government thinks that's fair.

So we can make some arguments, but we're going to be essentially disenfranchising all but six, seven, eight, maybe, members of this House. There are 87 elected members. We might get seven or eight speakers, maybe nine. How is that democratic? It's not democratic.

It's also undemocratic in my view – and I understand it's in the standing orders – that I'm the only one that gets to stand on this motion, frankly. I want to hear from the Liberal leader. I want to hear from the ND leader. I want to hear from the government side about why they think that it is appropriate to limit debate on this bill to two hours. Why are we disenfranchising them? They have constituents. They have people that they represent. We have 17 Wildrose MLAs. We have people to represent. Yet I'm going to be the only one that gets to speak against this undemocratic motion that is being brought forward by the Government House Leader and his government. That's wrong, Madam Speaker.

We have got to get the rules of this House reformed to better respect democracy, to better respect the people of Alberta, because we're doing a huge disservice to them, and we're becoming, frankly, a laughing stock when it comes to democratic government all over the world. It's very, very shameful what's going on here tonight.

**The Acting Speaker:** Thank you, hon. member.

[The voice vote indicated that Government Motion 52 carried]

[Several members rose calling for a division. The division bell was rung at 8:35 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[Mrs. Jablonski in the chair]

For the motion:

Amery	Hancock	Lukaszuk
Bhullar	Horne	Olesen
Brown	Horner	Olson
Casey	Hughes	Quadri
Dallas	Jeneroux	Rodney
DeLong	Johnson, L.	VanderBurg
Denis	Kennedy-Glans	Weadick

Drysdale	Khan	Webber
Fawcett	Klimchuk	Woo-Paw
Fenske	Lemke	Xiao
Fraser	Leskiw	Young
Goudreau	Luan	

Against the motion:

Anderson	Eggen	Rowe
Anglin	Hehr	Sherman
Barnes	Mason	Swann
Bilous	Notley	Towle
Totals:	For – 35	Against – 12

[Government Motion 52 carried]

**The Acting Speaker:** The hon. Member for Edmonton-Highlands-Norwood.

### Privilege Opportunity for Debate

**Mr. Mason:** Thank you, Madam Speaker. I wish to raise a question of privilege. Under Standing Order 15 it says:

(1) A breach of the rights of the Assembly or of the parliamentary rights of any Member constitutes a question of privilege,

and

(5) A Member may always raise a question of privilege in the Assembly immediately after the words are uttered or the events occur that give rise to the question, in which case the written notice required under suborder (2) is not required.

I would like to cite *Beauchesne*, section 25, on page 12:

In my view, parliamentary privilege does not go much beyond the rights of free speech in the House of Commons and the right of a Member to discharge his duties in the House as a Member of the House of Commons.

Therefore, Madam Speaker, the rights of members in this House to discharge their duties as members of this House are protected by the authorities and by the rules of this House, and a violation of that by the government through the passage of their time allocation motion constitutes, in my view, a question of privilege since, by shortening the time available to speak at each stage of two very important bills, they have effectively prevented many members of this House from being able to speak to the bills. These are fundamentally the responsibilities of members, to be able to speak to bills, to debate bills, and by the allocation of only two hours at each stage of the debate, it makes it impossible for each member who wished to speak to these bills to do so, therefore completely disenfranchising those members of this Assembly. Moreover, as the hon. House leader for the Wildrose has pointed out, the government tends not to speak much to bills in open debate. But during periods where time allocation has been applied and there's a limit, in this case two hours, the government speaks often to the bills, thereby shortening the amount of time available for opposition speakers even further.

So it's a misnomer to believe that we are actually getting two hours of debate on these bills on the opposition side. It actually in practice turns out to be closer to one hour. Each member is entitled to speak for 15 minutes; therefore, four members could speak at each stage only, and if the government decided not to debate the bills, then eight. Nevertheless, Madam Speaker, there are far more members of the opposition than that. I will go further and suggest to you that it is also a right of the members to be able to introduce amendments to bills, and this will clearly be impos-



sible given the two-hour time allocation that has been applied now to both Bill 45 and to Bill 46.

8:50

So, Madam Speaker, I would ask that you find that there is a prima facie case of privilege in the government's use or misuse, I should say, of the time allocation under the standing orders. If you were to do so, then I would further make the argument that the government must apply time allocation in such a way as to permit each member of the House to speak to each bill before time allocation is applied.

I put that before you, Madam Speaker. It's a very serious matter. What the government has done by passing this motion and the other one relative to Bill 45 is to simply silence a large percentage of this House, including many members on the opposition side who wish to speak and be on the record with respect to this bill. It is unacceptable by all parliamentary norms and absolutely prevents us from doing our job, which is the key principle when speakers rule on a question of privilege. Does the action of another member or the government or some outside body interfere with the member's ability to do their job as elected members of the House? It is clear that these motions as applied by the government do exactly that.

Thank you.

**The Acting Speaker:** Thank you, hon. member.

On this question of privilege I will hear from one member from each caucus, and then I'll rule.

The hon. Member for Airdrie.

**Mr. Anderson:** Thank you, Madam Speaker. The hon. leader of the ND caucus is absolutely correct in his assessment of a point of privilege here. There is a point of privilege. There is no doubt that this government, by bringing in time allocation – remember that the motion for time allocation was brought in even before debate started on these bills. Even before it started. What they're doing by doing this is disenfranchising all but a few people in this Assembly.

Now, time allocation is permitted under the standing orders, and I'm not going to sit here and say that it should never be used. If there's been debate going on for weeks – days, days, days, weeks, weeks, hundreds of hours or dozens of hours, whatever – then there is a point where everyone who has had their say has had their say and maybe, you know, the government does have to move on to other business and so forth. There is a role for time allocation. Everybody in here knows that.

But it's being abused, grossly abused, by this government. You cannot use a rule to interfere with the rights of members. We talk about privilege a lot in this House. There have been several points of privilege, and a lot of times the Speaker will say: "You know what? This was a very unfortunate incident, but it didn't interfere enough with the members' ability to do their job." This does exactly that. It couldn't be more on point, Madam Speaker. The government's motion as passed does not allow members of this Assembly to have their say, to propose amendments, to just even speak for a few minutes on the bill. How is that not a point of privilege?

It is a breach of privilege, and the remedy is easy. It's not an apology from the government. That's not necessary. It's not anything like that. The remedy is very simple. Give the members who want to speak in this Assembly – if they need to forward their name to you or whatever, let everyone in this Assembly who wants to speak to this bill for their 10 to 15 minutes have their say. Once it goes through, if the government still wants to bring in time

allocation, fine, but then at least every member at every stage of the reading has had a chance to speak. By not allowing that, it is absolutely a prima facie point of privilege, and I hope that you will rule and protect the rights of the democratically elected individuals in this Chamber.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you.

The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you, Madam Speaker. I, too, am speaking in favour of the point of privilege motion brought forward by the hon. leader of the New Democrats. This is a clear case of members of the opposition and their rights to speak on a bill being trampled on in an unwise and deliberate fashion by a government who is intent on keeping us quiet, from doing our job as elected public servants to speak on bills that are important not only to our constituents but to the future of this great province.

I, too, can see that if this government had placed this bill on the Order Paper at the beginning of session and we had been discussing it all the way along and we had had opportunities to speak to it, all members of the opposition and all members of the government side who wish to discuss this in an open and honest fashion, if that had been the case and we were still here, Madam Speaker, I, too, would understand the need for the standing orders.

But by bringing this bill in at the dying days of a session – and we all know why. Simply put, the government didn't want to speak about this as it really is, the most significant bill that has been brought during this legislative session. It really has been.

There are real, clear indications that this is a violation of our principles of fundamental justice and fairness, fundamental protections of our Charter of Rights and Freedoms, fundamental divergence from the laws of the way we've understood negotiating labour rights, and the ability to collectively bargain in this province will be dramatically changed at this stage. If that's not a bill that all members of this House, especially opposition members of this House, should get the opportunity to weigh in and speak on on behalf of their constituents, I do not know what is. This is seriously an affront to members to do our duty on behalf of our constituents, to speak our minds, and, in my view, is a clear violation of our privilege.

I, too, will commend the member for bringing this motion. I realize that this is a difficult position for you to be put in, but if you analyze the facts of this case, the way the government brought in this bill at the dying days of a session, the way the government immediately moved closure of debate prior to us getting an opportunity to even see the bill, this can be seen for what it is, as a way to trample on our obligation to speak up on bills that are of importance to our constituents. In my view, I think you would be in every right to find a point of privilege on the government and find a way to allow us to do our jobs as members of this Assembly.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Madam Speaker. There's clearly no point of privilege at all. Standing Order 21 provides that:

A member of the Executive Council may, on at least one day's notice . . .

which was done

. . . propose a motion for the purpose of allotting a specified number of hours for consideration and disposal of proceedings on a Government motion or a Government Bill and the motion

shall not be subject to debate or amendment except as provided in suborder (3).

The standing orders clearly provide for that.

The custom of the House is that a time allocation motion is not moved until there has been some debate in the House on the bill. In fact, with respect to Bill 45, there were two opposition speakers last Thursday, and on Bill 46 tonight the opposition critic had the opportunity to debate, and then time allocation was brought in.

Time allocation allows for – and there are two hours at this stage, and the discussion at other stages of the bill is totally irrelevant at this point because, of course, time allocation has not been moved on those other stages and may not be moved on those other stages, depending on what happens.

**Mr. Mason:** What are the odds?

9:00

**Mr. Hancock:** Well, the odds are that if he reads his Order Paper, there are probably six time allocation motions that are lying dormant on the Order Paper of bills that have all been passed, and those motions haven't been moved because they weren't necessary.

In the customs of the House not every member speaks to every bill. In fact, in the customs of the House every caucus organizes itself so they have caucus critics who are usually the chief spokesmen on a bill. Other members speak to bills. Often we find, as we proceed through the process of a discussion, that very rarely on a bill will every member of the opposition, much less every member of the House, speak. The time that's allocated has to be reasonable, and two hours at second reading is a reasonable amount of time. That was of course the motion. That's the motion that the House passed in accordance with the standing orders. A motion passed by this House in accordance with the standing orders can hardly be a breach of privilege of a member.

**The Acting Speaker:** Thank you, hon. members.

A point of privilege has been called by the hon. Member for Edmonton-Highlands-Norwood. This is a very serious matter. As the Member for Calgary-Buffalo said, this is a very significant bill as well. The Government House Leader has pointed out that there is no point of privilege because of Standing Order 21 and all the rules have been followed, but because this is something that's extremely serious, I will require some time to review the discussion, and I will defer my decision at this time.

So we shall proceed.

**The Clerk:** Under Orders of the Day, Bill 45 . . .

**Mr. Mason:** A point of order, Madam Speaker. On a point of order, Madam Speaker. Would the Clerk sit down, please.

**The Acting Speaker:** Hon. member, I expect you to show respect for the table officer.

**Mr. Mason:** On a point of order, Madam Speaker, the table officer should sit down and not yell over me.

**The Acting Speaker:** Hon. member, I will recognize your point of order, but I expect you to show respect for our table officers.

**Mr. Mason:** I apologize to the hon. Clerk, but he was in fact trying to shout me down.

**The Acting Speaker:** Hon. member, on your point of order.

**Mr. Mason:** Madam Speaker, having made that ruling and deferring your decision, then I would make the point that, in fact, the use of this closure on these motions needs to be delayed until your ruling is in. In other words, I'm saying that given you have deferred your decision on that, we should not proceed with the debate under time allocation on these two bills.

**The Acting Speaker:** The hon. Member for Airdrie.

**Mr. Anderson:** Madam Speaker, again my colleague from Edmonton-Highlands-Norwood, the New Democratic caucus leader, is correct. The problem with moving forward with debate on this bill now that these motions have been passed is that by the time – and, absolutely, I think it's the right decision to defer your decision until the proper research can be done and so forth; no question that's the right decision.

But if we go through with the debate tonight on these bills and we finish up, then, of course, any decision that you make will be moot. It will have no application because, essentially, what you're saying is that – what we're debating is whether what's happened in second reading here, with the government using these motions to bring time allocation, by doing that, they breach privilege. Well, of course, that issue becomes completely moot if we move forward and debate those bills and pass them or don't pass them in second reading. By the time you've had a chance to do the appropriate research and so forth and bring in a ruling, whether that's tomorrow or the next day, the decision doesn't matter. It doesn't apply to these bills anymore, so it is moot.

I mean, the research staff are phenomenal. It usually just takes a morning to research these things and help, you know, the Speaker's office to have a decision. I don't think it's ever gone more than a day or two at the most, just a day usually. I would suggest that debate on these bills should be adjourned until tomorrow, until we can hear from the chair on your decision. I think that's consistent, frankly, just with good old-fashioned common sense, but it also doesn't make sense to purposefully make moot a decision of the Speaker that has not yet been given.

So I hope you'll find this point of order.

**The Acting Speaker:** Thank you.

The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you, Madam Speaker. I believe you have spoken very wisely and thoughtfully here in understanding the importance of this bill and what it means to the future of labour rights in this province and how it affects what could be a point of privilege to members of this House given the way it was brought in. I, too, will echo the comments of speakers before. Without you taking time to deliberate on this, to check into what has transpired, and to look at it in a whole host of different fashions and facets that have arisen out of this, if we move forward on this, as members have said, the decision will have been made already. We will go on debating this bill, we will not understand whether a point of privilege has in fact occurred, and the decision will be made after the fact.

So I would implore you to find a way – and perhaps maybe even the Government House Leader, recognizing the significance of this and the significance of the Speaker's ruling, may wish to get up and simply adjourn the House until such time as you've had an opportunity to rule, given that you have stated that this is clearly an important bill that has important implications on the future of labour rights in this province. I would encourage you to adjourn the debate until you can render a decision. I'd actually encourage the hon. House leader to do the right thing and adjourn

tonight to be able to allow you to do your work with fullness and with the ability of research staff to look into this issue.

Thank you, Madam Speaker.

**The Acting Speaker:** Thank you, hon. member.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Madam Speaker. Well, of course, there is no point of order. There was not even any citation given because, of course, there's nothing to cite with respect to this particular purported point of order that the hon. member is raising. No citation was given. There is no provision for the Speaker to unilaterally adjourn debate. That belongs to the House.

The motion has been passed in accordance with the standing orders. The question of privilege has been raised, but even on that, Madam Speaker, the argument has been made that that's been raised on a timely basis. But, in fact, the question of the point of privilege would really be as to whether Standing Order 21 is effective, and, of course, it's been used many times in this House over the last 16 years or so. If there was a point of privilege with respect to whether time allocation was appropriate, it ought to have been raised the first time it was used, not the last time it was used.

The fact of the matter, Madam Speaker, is that there will be three stages to this bill, as there are for every bill, and Committee of the Whole. The first stage was on Wednesday last. Bill 45 was introduced on Thursday. Bill 46 has been introduced tonight. Time allocation motions have been passed by the House to allow debate to proceed tonight. There will be another day for debate in Committee of the Whole and another day for debate in third reading. Members will have the opportunity to deal with it, and if your ruling should come back to suggest that there's some problem with the utilization of time allocation motions, that certainly can be implemented in time on Committee of the Whole and third reading, and no members' privileges will have been abused.

**The Acting Speaker:** Thank you.

This is a very serious matter referring back to the point of privilege. I had hoped to take some time to review and research, as we normally do in cases that are as serious as this. However, after listening to the debate from all parties here in the House, it is obvious to me that the rules of the standing orders were followed, and our standing orders are agreed to by everyone in this House. Our standing orders are what we run the orders of this House through, so I would say that far be it from a Speaker to overrule the standing orders that rule this House.

In that case, I would say that there is no point of privilege, and we will proceed.

## Government Bills and Orders

### Second Reading

*(continued)*

#### Bill 45

#### Public Sector Services Continuation Act

[Adjourned debate November 28: Mr. Saskiw]

**The Acting Speaker:** The hon. Member for Calgary-Mackay-Nose Hill on second reading of Bill 45.

**Dr. Brown:** Well, thank you very much, Madam Speaker. It's my pleasure to rise on Bill 45. I would like to start off by talking about a few of the aspects of the bill that I believe don't go far

enough, in fact. Individual sanctions for those who go on illegal strikes, particularly those who defy a court order, are a very serious matter.

**9:10**

Madam Speaker, the rule of law and the respect for the rule of law is what distinguishes a highly developed society like Canada from other nations which don't have the benefit of a strong legal system. The rule of law is what gives us our fair elections, our democratically elected governments. It's what gives us a working economic system with capital markets, contracts which are enforceable. It's what makes us feel safe on the streets and in our homes. It's what gives us security of the person and of our property. And it's what enables us to live in freedom and to be free from fear. In short, the rule of law is what is necessary to our civilization.

[The Speaker in the chair]

Mr. Speaker, regrettably, the veneer of civilization is sometimes thin, and sometimes the rule of law and the respect for law breaks down. Sometimes the tyranny of the mob prevails. It overshadows the capacity of the police force to contain it. An example of the breakdown of the rule of law were those riots that we had in Vancouver during the 1994 and 2011 Stanley Cups. In the 2011 riot there were 140 injured, including nine police. One person was injured critically, and four people were stabbed. Windows were smashed, and stores were looted. The mob overwhelmed the police force's capacity to control the situation without doing serious harm to the public.

Now, what happens when the very public servants who are sworn to uphold the law and protect the law provoke the unrest and the civil disobedience? Mr. Speaker, we saw an example of that when the correctional officers at the Edmonton Remand Centre walked off the job. They did so illegally. What's more, they continued to break the law even after they were ordered back to work by a judge of the superior court. They finally returned to their positions when the sanctions of fines seemed insurmountable. In my view, that illegal action, when it was in defiance of a court order, moved into a different realm. It made it much more serious. I believe that even more than financial sanctions, there ought to be sanctions beyond that; that is, the denial of the right to serve in the public service for a period of time when you defy a court order.

Mr. Speaker, illegal strikes put Albertans at risk. This bill will hold unions and individuals who break the law accountable for their actions. It's also going to ensure that taxpayers are protected from the costs of illegal strikes. I would point out that in the case of the walkout at the Edmonton Remand Centre, it cost the public in excess of \$13 million. It was a rampage . . . [Disturbance in the gallery]

**The Sergeant-at-Arms:** Order! Order in the gallery! You're not part of these proceedings.

**The Speaker:** Hon. members, we have guests in the gallery who are not as familiar with the rules, the protocols, and other procedures that occur in this House and that occur in every other House of the Commonwealth of Nations. Among those rules are that guests are welcome to be in the galleries, but they are not part of our proceedings. Should any further disruptions persist, then, of course, the Sergeant-at-Arms has the duty and the obligation to request certain guests to leave. I believe that is what just happened.

So let us just be reminded that there are rules that govern how this Assembly runs. They are no different than the rules that govern all of the other 50-plus Commonwealth countries, and they should be abided to by all members as well as by people in our gallery, who are welcome to stay as our guests provided that everyone observes the rules that I've just enunciated.

That having been said, hon. Member for Calgary-Mackay-Nose Hill, I'd invite you to continue, please.

**Dr. Brown:** Thank you, Mr. Speaker. One senior labour leader, quoted in the *Edmonton Journal* of November 29, called the bill "unfair, uncalled for and entirely out of proportion." Well, what was unfair, uncalled for, and entirely out of proportion was for the public servants/corrections officers at the Edmonton Remand Centre to irresponsibly walk out and let the inmates of the facility go on a riot and a rampage and to destroy the equipment and the furniture that cost the taxpayers hundreds of thousands of dollars. That was irresponsible.

The strike by the corrections officers meant over 850 RCMP officers had to be pulled from communities to ensure that our prisons remained secure, costing millions of dollars, as I said, in excess of \$13 million in total. It was taxpayers that were footing the bill for this illegal strike. It crosses the line when public safety is jeopardized and when the taxpayers of Alberta have to foot the bill to the tune of millions of dollars for breaking the laws of the land.

When I first heard about the wildcat strike by correctional officers, the first thing I asked was: "What's it all about? What do they want to go on strike for?" To this day, Mr. Speaker, I've yet to hear any clear justification as to why they walked out on strike. The safety audits were completed. Mechanisms were in place to deal with . . . [Disturbance in the gallery]

**The Sergeant-at-Arms:** Order! Order! Remove that man.

**The Speaker:** Hon. members, let us be reminded that this is the House of free speech. We may not like what we hear. [interjections]

Those of you who are guests in the gallery are welcome to stay, but if I hear one more disruption, I will ask the Sergeant to empty the galleries, and you will be escorted out. Let me make that abundantly clear. We are not here to make a mockery of this institution, and I don't think you are as well. So let us please understand that clearly, or we will recess, and we will empty the galleries. The choice is yours, dear guests.

Now, we have a member on the floor who has been recognized and is speaking. Hon. member, would you kindly continue, with the full respect of everyone who is here.

**Dr. Brown:** Thank you very much, Mr. Speaker. As I was saying, the safety audits were complete and the mechanisms were in place to deal with any safety concerns. I know the Minister of Justice and Solicitor General takes the safety of his staff very seriously, and he ensured that the opening of the new remand centre had state-of-the-art security and safety.

A correctional worker with 24 years of experience told the *Edmonton Sun* back in March that she has "worked in a variety of prison situations" and said that she "prefers the direct supervision approach." She said, "I truly feel a lot safer" and added that she feels like she is contributing more to the rehabilitation of inmates.

I go back to the rationale of the wildcat strike. I continue to be mystified as to why the union would jeopardize the safety of workers and inmates for an unknown cause and cause millions of dollars in damage to the public.

But of even more concern, Mr. Speaker, is what occurred in the prisons when this wildcat strike was going on. When we think of

prisons, we often think just of prisoners and jail guards. In reality, there are a lot of different kinds of workers that are dedicated to providing safety and rehabilitation of inmates. I was very concerned to hear stories about health care workers, who work very hard at providing health services to inmates, who were intimidated and scared to cross the picket line, both for personal safety reasons and for later repercussions, bullying and intimidation that they feared they may face from their union. These staff were anxious and concerned with the health issues of inmates the night the centre was left unmanned as at times there was no one monitoring them and their health.

There were also concerns that the staff who gratefully filled in for the workers on strike were unaware of the centre's routines as they related to medication rounds. Mr. Speaker, that clearly crossed the line as it puts the health of inmates at a very significant risk.

9:20

Also at risk was the safety of those who held their post. I heard stories of how, when the RCMP were sent in to provide security at the remand centre, they were in disbelief upon their arrival that most union staff had abandoned their posts before they were relieved. This posed significant risk to not only the public but to other inmates and to those who remained at their posts. This could have led to very serious criminal charges should one of the inmates or correctional staff have suffered a serious injury. The situation would have been made worse by the wait for medical assistance to intervene.

Mr. Speaker, by updating the tools in this legislation to prevent illegal strikes, we hope that we can prevent situations like this being repeated, where, first of all, there was no clear reason for the illegal strike; secondly, where as a result of the strike both inmates and correctional workers were put at significant risk; and thirdly, where Alberta taxpayers are on the hook for millions of dollars in damages and in overtime and support staff wages.

Mr. Speaker, this bill ensures the stability of vital public-sector services that keep our communities healthy and safe. I ask all members to stand in support of this important piece of legislation.

Thank you, Mr. Speaker.

**The Speaker:** Hon. members, 29(2)(a) is available for the next five minutes. Does anyone wish to speak under this?

If not, we'll go on to the next hon. member. Are you under 29(2)(a), sir? Okay. Calgary-Mountain View under 29(2)(a).

**Dr. Swann:** I just wanted to ask the hon. member if there is any circumstance under which it's conceivable that an illegal strike would be justified in our democratic society. Is there any condition under which an illegal strike would be justified?

**The Speaker:** Hon. Member for Calgary-Mackay-Nose Hill, do you wish to respond?

**Dr. Brown:** No, I don't.

**The Speaker:** Are there any others?

**Mr. Anderson:** Well, I think there are a lot of folks that don't think we should have illegal strikes, but do you really think that our public-sector service here and their actions when they're on a picket line are somehow equivalent to the riots in Vancouver, with bricks going through buildings and mace? How on earth is that the same? That's not what our public-sector workers do.

**Dr. Brown:** Well, I would answer the hon. member by saying that, in my view, it's even worse. In the case of a bunch of civilians

going on a mayhem after a hockey game and smashing windows and looting and rioting and causing injuries – it's a little bit different where you are a public servant. You're there to serve the public of Alberta. You have an obligation to uphold the law. You have an obligation to abide by the terms of your contract. Even more importantly and ultimately, you have an obligation, when a judge of a superior court orders you to go back to work, to get into your place to protect the public safety. To me, that's a quantum leap above a civil riot in Vancouver. It's not equivalent; it's a heck of a lot worse, in my view.

**Dr. Sherman:** Mr. Speaker, I'd like to address the hon. member's comments. I was there at the wildcat strike. I talked to the workers, and I talked to the health care workers that looked after many of those folks that are in the prison in remand. The policies and procedures were not in place. The staff were considerate of the safety of the inmates as well as of the workers' safety. That was the basis upon which the wildcat strike happened.

To the misinformed member, to the hon. Member for Calgary-Mackay-Nose Hill: you know, I've always been told it takes two hands to clap. The question: do you believe that workers have a right, when they feel that their lives, their safety is in danger, that the safety of the people they are hired to protect is in danger, a moral and legal duty and obligation to stand up when their employer refuses to listen to them, to stand up and make their voice heard? That is exactly what happened, hon. member. I ask you to stand up and answer that question.

**Dr. Brown:** My response to that is that there are proper legal channels to go through. When you've got a complaint, when you've got an issue, you raise it through the proper channels. What you do not do is that you don't leave your post, endanger public safety, endanger the inmates, cause mayhem and riots and damage to public property. There is a way to do it legally, and there is a way to do it illegally, and this was done illegally.

That's why I'm in support of this bill. I think the bill toughens up the sanctions, and rightfully so, when those illegal strikes are made, as I said, particularly when it's in defiance of a court order. Without the rule of law, we don't have civilization, and we don't have a civilized society.

**The Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre. We have about a minute left.

**Mr. Anglin:** Thank you, Mr. Speaker. I have a question for the hon. member. Is it the opinion of the hon. member that the 1995 laundry workers' strike, that lasted seven days, was a menace to society and was life threatening and somehow detracted and was worth, today, a million dollars a day plus \$250,000 in fines? Is that what you're saying, that these laundry workers would be such a threat to the safety and well-being of the public? Goodness, maybe dirty underwear is that much of a threat. I'm not sure.

**The Speaker:** Hon. member, do you wish to respond?  
Anyone else under 29(2)(a)?

Let's go on to the next main speaker, the leader of the ND opposition.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, I want to say first of all that I thought that the speech of the hon. Member for Calgary-Mackay-Nose Hill was provocative and offensive. I want to say to my friends in the gallery that I would very much appreciate having a bit of an audience here for as long as we can. I understand emotions are running high, but I hate speaking in the

middle of the night to an empty House, so I'd like you to stay, and I implore you to do what's necessary for that.

The case that the hon. member talked about: guards raised at a number of consultation meetings for months and months concerns with the design of the facility, and they were ignored. When they actually were in the facility, they found that there were, in fact, glass barriers that were not shatter-proof, that didn't protect them. They raised that, and they were disciplined for doing so. That gave rise to the type of mood within the facility.

Since that time, the concerns have been buried, swept under the rug, and we've had since that time three suicides in that facility and just very recently a hostage-taking. When the government and its officials ignore the legitimate demands of working people, who actually know best what they're dealing with because they are there every day, then that's the kind of situation that they set up.

I also want to say with respect to that particular event that, in fact, the existing structure of fines was able to bring an end to that particular strike within a matter of just a very few days. I reject the hon. member's characterization of what went on during the course of that walkout as a riot and so on. It's just not so.

Mr. Speaker, I disagree with the government on many matters of policy. I've spent over a decade in this House as a member and as the leader of the New Democrat opposition. During that time I've taken every opportunity to present a better vision for Alberta's families, a vision based on fairness, social justice, and greater opportunities for all Albertans based on our shared prosperity. But even though I disagree with the government on many issues, even though I think that better choices should be made to help Alberta's families, even though I've spent my political life defending the public interest, minorities, and those who have no voice, in spite of all that, I still expect the government, regardless of which party is in power and regardless of our policy disagreements, to adhere to the rule of law. I think all members expect the same. I think Albertans deserve that.

Mr. Speaker, it is the first duty of a government to defend and protect the rights of its citizens. It is the duty of the government, no matter how it interprets its mandate, to ensure that the legislation it introduces for debate in this Assembly is in accordance with the fundamental freedoms enshrined in our Constitution. In short, it is a duty of the government to create laws that also uphold the existing laws of this province and country.

**9:30**

Mr. Speaker, I disagree profoundly with the government on Bill 45. It is in my view and in the view of the New Democrat opposition an unnecessary and heavy-handed piece of legislation that goes far too far. It is a bill that I will oppose in this Assembly and outside this Assembly, and I urge all Albertans to do the same.

Bill 45 makes it illegal for a public-sector worker to do anything that might be perceived as threatening to strike. Section 4 states that "no employee . . . shall cause or consent to a strike." "No employee . . . shall engage in . . . any conduct that" amounts to "a strike threat," which is a very vague concept that this government has just invented out of thin air. Under this bill no person, no Albertan, that is, shall counsel anyone to engage in any conduct that could be perceived as a strike threat. I say perceived, Mr. Speaker, because that's how strike threat is defined in Bill 45. They've invented a definition. A strike threat is, according to this minister's bill, "an act or threat to act that could reasonably be perceived as preparation for an employees' strike." It's entirely unreasonable for a government to ban any threats to act in any way that could be perceived as indicating or counselling support for an illegal strike.

What are the penalties, then, that are included in this Orwellian piece of legislation? A union that does anything or, again, threatens to do anything that could be perceived as a strike threat could be fined outrageous amounts. In the event of a strike a union like AUPE could be forced to pay over 2 and a half million dollars a day. They would be forced to pay \$1 million each day – each day – into a liability fund to cover the government's expenses. They would be fined an additional \$250,000 and \$50 for every member of the bargaining unit every day. It's simply over the top, Mr. Speaker. It's entirely unreasonable.

I've looked at the legislation in other provinces. The highest comparable fine on the books is in B.C., where the teachers' union could be fined up to \$1.3 million a day, but that legislation, Mr. Speaker, was never even proclaimed. In fact, it's being challenged in the B.C. Supreme Court on the grounds that it is unconstitutional. In fact, the highest fine a union could face would be in Saskatchewan, where a penalty is \$50,000 plus \$10,000 a day for each day that the strike takes place. In Nova Scotia a union can be fined \$300 a day. Clearly, other provinces don't share this PC government's view that public workers are a dangerous threat.

But here's the issue, Mr. Speaker. This bill isn't just about unions and gargantuan fines; it's actually a much bigger issue that threatens the rights of all Albertans. Under section 18 any Albertan, not just an employee or a union official, simply any Albertan who consents to a strike by public-sector workers, any Albertan who indicates their opposition to the suspension of dues or these outrageous fines, any Albertan who makes any statement in solidarity with the people who work for our province and deliver public services would be fined up to \$500 a day. That is unbelievable. It is out of line and cannot be accepted by this Assembly.

It's precisely these kinds of provisions that undermine the credibility and legitimacy of this minister and this government. The minister has stood in this House and said with a straight face that this bill is fair. He told us that he thinks it's an effective deterrent and that this legislation is needed to show that there are consequences for breaking the law. In fact, he stated last Thursday that this bill "shows government's belief in the importance of the rule of law." Far from it, Mr. Speaker. The bill does nothing of the sort. It is the furthest thing from fair, and under no circumstances can a government respect the rule of law by introducing legislation that undermines the very rights established by the rule of law. That kind of logic is no logic at all. But somehow this PC government thinks tomorrow is yesterday, black is white, and wrong is right.

Contrary to the minister's statements, this bill is an assault on two of the fundamental freedoms that Albertans hold dear. It's an attack on Albertans' freedom of speech and freedom of association as enshrined in sections 2(b) and 2(d) of the Canadian Charter of Rights and Freedoms. Because it contradicts these Charter guarantees, if it is approved, then this bill will be challenged very quickly in the courts. I am very confident that it will be overturned because it is a clear violation of Charter rights, fundamental law in Canada. Should the government be spending millions of dollars to wage a legal battle they cannot win? That would be imprudent, Mr. Speaker. It would be much more reasonable and sensible from a legal perspective, from a political perspective, from a fiscal perspective, and just from a humane perspective for the members of this Assembly to do their job and defeat this bill before it ever becomes law.

Let me be clear, Mr. Speaker. This bill is not simply an attack on organized labour. It is not simply an infringement on the rights of workers and their representatives. It is instead an attack on the rights enjoyed and expected by every Albertan. In fact, bills 45

and 46 are two variations on one theme. Neither are about unions or wages. They're about a government determined to intimidate 3 million working Albertans.

The government and some of its most senior members were deeply embarrassed when correctional employees went on strike to demand safe working conditions earlier this year. Some of the members of the cabinet felt that their authority was challenged, and certain ministers had their wings clipped. This bill is their act of retribution, Mr. Speaker. The cabinet ministers who were most embarrassed by the actions of public employees earlier this year have now abandoned the guiding principles of reason and natural justice and fairness. They have crafted a bill that is dripping with testosterone, Mr. Speaker. This bill is the product of their own insecurity.

Members should open up this bill. Flip to page 4 and page 6 and page 24, and you will find in these pages a government prepared to force its employees to work even when they're not safe. You will see a government that does not respect the fundamental rights of the people of this province. You will find a government that is out of control.

Mr. Speaker, Albertans have the right to freedom of speech. They have the right to freedom of association. They have the right to go to work in the morning and come home safely to their families at the end of the day. They also have the right to stand up for those rights and for their government to do the same. But this bill shows that this government cannot be trusted to defend those Albertans' rights and Albertans' safety. When unsafe working conditions result in a worker's death, the maximum penalty levied against the company is half a million dollars. The largest fine for workers' deaths and injuries in this province's history was 1 and a half million dollars against Sinopec earlier this year in the case of two workers who were killed, another five who were injured.

When unsafe environmental practices result in charges against a corporation, the fines are often in the mere thousands of dollars. The single largest fine was levied against Syncrude, which was charged \$3 million in the infamous case of ducks being killed in the tailings ponds. However, the median value of environmental fines in Alberta is just four and a half thousand dollars. Half of all fines for environmental crimes in this province are less than 4 and a half thousand dollars. But under this draconian bill a public-sector union that goes on strike or just threatens to go on strike will be charged millions of dollars per day. It's a greater crime in the eyes of this government for workers to stand up for their right to work in safety than is the death of a worker due to a company's negligent and unsafe working conditions. Mr. Speaker, that is just unacceptable.

I will ask today and I will ask tomorrow and I will ask of this government at every opportunity: why are you more concerned with penalizing workers who stand up for their rights than you are with punishing unsafe working conditions? You can answer that question now or you can answer it during the next election, but either way you will be held accountable for the decision to enact this unnecessary and unprecedented piece of legislation. Even though the government has invoked closure and will limit public debate of this bill, we will do what we can as New Democrats to slow this bill down and to defeat it. At every stage we will ask for recorded votes so that Albertans can see which members stand up for the rights of Albertans and which members silently allow this legislation to be approved.

Mr. Speaker, I am opposed to this bill. We are determined that this bill should be defeated and, if not, then overturned by the courts or by public opinion, and I am prepared to resist this bill in order to defend the rights of all Albertans to freedom of speech

and freedom of association. I will not be bound by the provisions of this bill if it is passed into law.

**The Speaker:** Thank you, hon. member.  
Standing Order 29(2)(a) is now available.

**Mr. Anderson:** First of all, I want to thank the Member for Edmonton-Highlands-Norwood for that passionate speech. Obviously, we have a few policy differences between our parties in a couple of areas, but his passion and what he believes in: he clearly wears that on his sleeve. We need more representatives and politicians like that in this Legislature.

9:40

My question is a simple one. My biggest concern with parts of Bill 45 is particularly the issue dealing with freedom of speech, freedom of conscience, freedom of assembly. I'm worried about how this will be applied, specifically, you know, if there was somebody that was a member of AUPE, for example, and they were to, say, phone into a talk show or something like that and express outrage. They weren't in the union leadership, but they were just saying: "This is ridiculous. We should strike." If they said something like that to a call-in show or something, under this law it seems to say that they could be fined, that they could be subject to a very grievous fine for that, that that would constitute a threat.

Is that how you see this reading? What limitations is this putting on the free speech of Albertans regardless of whether they're a member of the union or not?

**The Speaker:** The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Speaker, and thank you to the hon. Member for Airdrie for that question.

Yes, I do think that the bill gives very broad powers and not well-defined criteria for charging anyone. It is very open ended and would depend almost entirely on the discretion of the government which individuals might be charged for which types of comments. But any comment that might indicate that the only way out for union members in this province given this legislation, their loss of collective bargaining rights, their loss of the right to strike many years ago, and now their loss of rights to binding arbitration, that their only recourse might be to resort to an illegal strike or civil disobedience could result in an individual member of this community, whether or not they're a member of that union, being charged and subject to a fine of up to \$500 a day.

The question is whether or not we can or we should trust this government to exercise its authority in a judicious way. Given the vindictive streak that the government has when anyone does dare to stand up to them as evidenced by these two bills, I simply don't believe that we can trust this government at all to exercise restraint in the application of this legislation. In fact, I shudder to think of the impact on people's rights to organize, their freedom of association, and their freedom of speech. I suspect that this bill will eventually be overturned in the Supreme Court, but that is a period of several years before we get through all the stages potentially to the Supreme Court of Canada. In the meantime you've given people who have shown themselves to be mean spirited, vindictive, and just plain nasty the authority to fine people for exercising their freedom of speech.

**The Speaker:** Thank you.

Calgary-Mountain View, followed by Rimbey-Rocky Mountain House-Sundre.

**Dr. Swann:** Thank you, Mr. Speaker. I too want to congratulate the hon. leader of the third party for his eloquent expression of what many Albertans are now learning.

My question is simple. Why do you think the Minister of Human Services, the Member for Edmonton-Whitemud, is in such a hurry to get through this bill? What could be the motive for trying to rush this important bill through?

**Mr. Mason:** Thank you, hon. member. Just a minor point of correction: we are not the third party; you are. We are the fourth party, unfortunately.

**Dr. Swann:** You used to be the third party.

**Mr. Mason:** We used to be the third party, and then look what happened over there.

Anyway, Mr. Speaker, it's far from me to fathom the mind of the hon. minister, someone I thought I knew. I can't understand for the life of me. If they do understand the legal and labour implications of this, they certainly don't understand the political implications.

**The Speaker:** Thank you, hon. member.  
Standing Order 29(2)(a) time has expired.

We move on to the next main speaker to the bill, and that is the Deputy Premier.

**Mr. Lukaszuk:** Well, thank you, Mr. Speaker. Thank you for this opportunity to speak to this very important legislation. I hope that as the night carries on, we will be able to debate the subject matter of this bill and the content of this bill without provocative language and waging insults at each other because at the end of the day, as you know very well, every member in this House has been elected to this House to carry out their duties as best as they possibly can. I without a doubt am certain of the fact that all members in this House try to serve their constituents in the spirit in which they have been elected and that there is no need to be waging personal insults at each other.

But let's get to the point, Mr. Speaker. As you know, in this province there is legislation in place that is allowing for legal strikes. We have seen some of those in the history of this province, where a strike meets the legal obligations and requirements to be so defined. Strikes have taken place, and many of them have lasted for prolonged periods of time. There also is a process on how to resolve legal strikes. All parties, both from the labour side and the employer side, are familiar with the rules. Those rules are very well tested by both sides, by lockouts on the side of employers, strikes on the side of the unions, and there is a process to resolve that. I don't think there is any question that in this province there is ample opportunity when a situation arises and it's meritorious and it meets the legal requirements for a legal strike to occur.

Many of these decisions, Mr. Speaker, are actually made by the LRB, the Labour Relations Board. I think those who would be objective from both sides, be it labour or employers, would agree that overall the LRB over a number of years has done pretty exemplary work. They represent both sides. They have shown their ability to be very objective and make decisions that are based on jurisprudence and that are based on the law. That is why in this province we have actually enjoyed relative labour peace. We have little eruptions here and there, but we haven't had major disruptions where the private-sector labour unions are involved or in the public sector, and we all benefit as a result of that.

I have never had the opportunity, but I imagine, Mr. Speaker, that being on strike is not a pleasant experience. My wife,

actually, has been on one and tells me that it isn't a pleasant experience. But there are opportunities when it arises, and you simply participate in that action. I'm sure that for employers participating in lockouts isn't a good experience either, but, most importantly, particularly in the area of public service, those who rely on services being delivered by our civil servants, who dispense some of the most important programs for Albertans, usually draw the short end of the stick because they simply cannot obtain the services that they so deserve to receive.

Why are we here today, Mr. Speaker? Well, we're not dealing here with legal strikes, with strikes that meet the legal criteria, that are acknowledged by the LRB to be legal. What we're doing is that we're dealing with those strikes that have been found by the Labour Relations Board not to be legal. We are dealing here with strikes that have been found by courts, by the judiciary, to not have met the requirements. They are simply illegal walkouts.

What this legislation does, Mr. Speaker, is that it updates the fines that are outlined in the legislation that is now – and maybe many of those in the galleries wouldn't realize – over 20 years old. This legislation that we are now updating is over 20 years old. That reminds me of Austin Powers, when he was trying to hold the world ransom for \$1 million. Well, the same thing over here. Inflation has set in, and fines in dollar values . . . [interjection]

**The Speaker:** Hon. Member for Edmonton-Calder, we heard an impassioned speech from your leader asking people in the gallery, imploring them to please do whatever was necessary in order for them to remain. I wonder if your leader would mind mentioning a similar speech to you at this time so that we could not have any further interjections.

Let us yield the floor to the hon. Deputy Premier that he might continue.

9:50

**Mr. Lukaszuk:** Well, thank you. I didn't know that Austin Powers would get him that excited, but that's just fine.

Anyhow, Mr. Speaker, these fines have not been updated for over 20 years right now. How do we know that they're not effective anymore? Well, I can tell you that we don't have to go very far back in our memory. One of the members in the House made a reference to the most recent illegal strike by correctional officers, and actually the leader of the union came out and said: these fines are nothing; I can pay them standing on my head.

Well, Mr. Speaker, as we know, legislation is in place and fines are in place not only to penalize someone for engaging in activities that are illegal but also to serve as a deterrent from those activities. That's why fines, all fines from speeding tickets to parking tickets, are updated every so often to be reflective of the value of the dollar and to make sure that they still serve as a deterrent.

Obviously, in the last case they did not serve as a deterrent, when the leader of the union looks at the courts, laughs at the courts, and says, Mr. Speaker, "I can stand on my head paying those fines" because that's how low they are. Indeed, even many sections of the union who don't have a legal ability to strike have racked up funds for strikes that by far exceed any fine that is currently on the books.

So it is not unusual for any fine – and, as you know, Mr. Speaker, we do update all kinds of legislation that has monetary penalties built into it, actually, more frequently than every 20 years. This is the first time that we have done this in 20 years.

Mr. Speaker, what are we talking about over here? We are talking about instances where the LRB and the courts have actually decided that this particular strike is illegal. We have seen

instances where process servers on behalf of the courts who were trying to serve orders upon leadership were simply disregarded and were not in a position to serve properly those who were directed to be served by the courts. We have seen situations where the judiciary was simply disregarded.

As another member in this House has indicated, we may disagree on issues, and that's fine. That's what democracy is all about. But at the end of the day, much like with you, Mr. Speaker, it doesn't matter how much you don't like the ruling. The fact is that you have to respect the judiciary. In this House you have to respect the Speaker. I often disagree with your rulings, Mr. Speaker, but I have to live by them. I'm in this House. One may disagree with the judge's rulings, but at the end of the day we have to live up to those particular rulings, and we saw that to not be the case. We see that when the judiciary is being ridiculed, when fines are being ridiculed, it is the onus of this House and of government to bring rules in place that no longer are subjected to ridicule and make sure that our judiciary is held up in the highest esteem because if it isn't, who is going to make the rulings, and who is going to make binding decisions both on us and on those who choose to engage in what is perceived to be illegal activities?

Mr. Speaker, what is also important – and I will not be referring only to the last example of illegal strikes – is that we also have a very fundamental responsibility of protecting the safety and the well-being of those who are being served by public servants. The last example has shown that not only co-workers, particularly in the medical field nurses, were left at peril and were actually concerned for their well-being, but definitely inmates in this case were left to their own devices. Even though maybe in society not many may feel sympathetic about inmates, the fact is that these are inmates of provincial institutions, and we have a fiduciary duty to make sure that they are safe in those institutions and serve out their sentences having access to water, toilets, and the list goes on and on. We know for a fact, Mr. Speaker, that in that case that wasn't the case.

But if we were to further generalize this – because this is not only relevant to that one particular instance, but this now updated act is going to serve us perhaps for another 20 years into the future – we know that we have many vulnerable Albertans that rely on government-provided services, and they are very well served by our public service. These individuals work with and for the government of Alberta and provide phenomenal service to Albertans out there, but those Albertans rely on that service. Many of them are vulnerable, and they simply could not sustain themselves if those services were not offered to them.

Well, Mr. Speaker, when you have an illegal strike, that's when the rule collapses. That's when we have vulnerable Albertans without the means of sustaining themselves, without being able to avail themselves with the benefits that they have, the supports that they need, and whatever the case may be. It is incumbent on us as government to make sure that we put any and all measures into place to minimize that occurrence.

You know, the Member for Edmonton-Highlands-Norwood: it is unfortunate to hear a lawmaker make a statement saying: even if this law passes, I will not respect this law. I don't think we have that option, Mr. Speaker. We don't have that option not to respect the laws that we make in this country. But it is unfortunate even for other reasons. We know as legislators in this building that there are hundreds of thousands of Albertans out there who rely on the benefits provided by this government, and even if we choose to fundamentally disagree with a certain law, we have the obligation not only to democracy in this House but to those Albertans who rely on those benefits to make sure that we put rules in place, that they can rest assured and go asleep knowing



that there is some order in place, that there are some laws in place, that there are some procedures in place that will protect them, that in the event that there was a labour dispute between the employer and employee, their well-being is taken care of and they will receive the benefits that they so badly depend on.

Mr. Speaker, perhaps less important, because money is never as important as the well-being and subsistence of our beneficiaries, is the cost. Being that we recently had an illegal strike, we saw how expensive that can be. Not only does it result – not always, but from time to time – in material damage, in actual damage to facilities, to structures and others but in costs the taxpayers of Alberta have to bear to provide supplemental workers to deliver services never just as well as the professionals who are our members of public service could deliver.

In this last case, yes, Mr. Speaker. Did we manage to secure the inmates? Yes, we did. Did we manage to keep the nurses safe? Yes, we did. But at what cost? Some \$13 million was spent to bring in the RCMP, who, nota bene, were not doing the work that they are supposed to be doing on the streets and in their communities, who are not trained to do this kind of work, and who, as a result, have left inmates and co-workers in not as secure an environment as it would have been if professionals were in place. But that cost was borne by Alberta taxpayers, and in this case it was \$13 million. We know that this was just a small local of a very large union. If other larger locals were to engage in an illegal strike, the costs would have been much more monumental, but not only the monetary costs. The real cost, the human costs, would have been much more monumental.

I know, Mr. Speaker, that tonight the rhetoric will be flying back and forth. I know there will be agitation, but the fact is that this is not about you against us. This is the fact that we have a process in place. We have a process that allows for legal strikes. There is the LRB, that makes those decisions. There will be comments that are not true. [interjection]

**The Speaker:** Why the interruption, Edmonton-Highlands-Norwood? Nobody interrupted you. I'm sure everybody didn't agree with what you were saying, and you may not agree with what the Deputy Premier is saying, but let's be respectful of each other. We're trying to set an example for others here at the same time.

Deputy Premier, please continue.

**Mr. Lukaszuk:** Thank you. Mr. Speaker, the act is very clear on what constitutes an illegal strike. Now, I know the Member for Edmonton-Centre yesterday or a few days ago said: if she walks with something that looks like a picket sign, will she get arrested? Well, no. If a worker says to a worker, "we should go on strike," will you be arrested? No, you won't because the act clearly says – and I would encourage everyone to open up the act – that the LRB has to decide whether, indeed, somebody was engaged in enticing an illegal strike. Was that person in the position of authority to be able to entice an illegal strike, and at the end of the day did it constitute an illegal strike?

There are many legal tests and thresholds that have to be met in order for a strike to be considered to be an illegal strike. Workers being upset or p'd off with their employer and saying, "We should walk, we should get out of here; they're not listening to us": that's not an illegal strike. That's not enticing an illegal strike. Having a couple of pickets and coming with pickets to work; that's not an illegal strike. The LRB makes those decisions like they did last time. That process, Mr. Speaker, has not changed. I know that for purposes of inflaming the audience those comments will be made.

10:00

But the act is very simple. What the act really does is that it updates the monetary fines that will be placed on the unions so that in the future, if a union chooses to engage in an illegal strike, they will know what the repercussions are, what the financial repercussions are, they will know what the peril to the public is, and, again, that they don't pay today's fines with 20-year-old dollars.

**The Speaker:** Hon. members, 29(2)(a) is available. I have Rimbey-Rocky Mountain House-Sundre first, followed by the leader of the New Democrat opposition, and then, perhaps, by Edmonton-Strathcona if time permits.

**Mr. Anglin:** Thank you, Mr. Speaker. The question for the hon. member is quite simply this. This bill is designed to prevent or to discourage illegal strikes. I understand that. To the hon. member: given the fact that this government just passed last week the Settlement of International Investment Disputes Act, which gave this government access to arbitration, why would we remove the one tool that would help us avoid an illegal strike by eliminating arbitration? Why wouldn't we use that tool to help us keep and maintain order when there was a dispute we could settle?

**Mr. Lukaszuk:** Well, Mr. Speaker, this member is talking about the wrong bill. We're not debating that bill right now, but that's fine. That's fine. It's not the end of the world.

**Mr. Anglin:** You don't see the parallels? You don't see the hypocrisy?

**The Speaker:** Hon. member, you've asked your question. Let the Deputy Premier respond.

**Mr. Lukaszuk:** Mr. Speaker, the fines have actually been updated. One would ask: "Why did government choose these particular numbers? Why are the fines so many dollars and not less or not more?" Well, it's because we actually have been given judicial guidance on what the fines should be. In the very recent strike of two months ago, the strike that was rendered to be illegal, it was a judge that made a decision on what fines the union will pay if they continue to engage in an illegal strike. Having the most recent judicial guidelines provided to us, we have now entrenched those particular fines as set out by the courts into legislation. So they're not numbers drawn from a hat. They're actually numbers that courts were imposing on the union for their most recent illegal strike, and they're not that extraordinary.

As I said earlier, it is an update. All monetary fines in all legislation that carries fines are updated from time to time. This, Mr. Speaker, is clearly a timely matter because we have seen very recently that unless we do that, we will have to resort to courts, who will fine these fines anyhow, because courts have already shown us how much they will fine. It also has shown us what happens if you don't update them. You have leaders telling you that they can pay them standing on their head.

**The Speaker:** The hon. leader of the ND opposition under 29(2)(a).

**Mr. Mason:** Thank you, Mr. Speaker. In the interests of maintaining harmony within the NDP caucus, I will defer to my colleague, the Member for Edmonton-Strathcona.

**The Speaker:** Hon. Member for Edmonton-Strathcona, please proceed.

**Ms Notley:** Thank you. Thank you to the Member for Edmonton-Highlands-Norwood. I will say that it's really hard to sit and listen to this and have no opportunity to get up and speak, being the critic for this area, being the labour critic, and not getting an opportunity to speak and not being sure that I will actually get an opportunity tonight, Mr. Speaker, so I'm very pleased that my colleague allowed me to at least get up and speak once.

To the minister. The minister was suggesting to us that we were being somewhat liberal, shall we say, with our interpretations of what might amount to a strike threat, so I'm just curious whether the minister has actually read the legislation. I know he's no longer the minister in charge of that, but he's theoretically the minister who's partially in charge of everything and really in charge of nothing at the same time. Nonetheless, you know, your act there, Bill 45, redefines strike in a way that it has never been defined in this province. I'm not sure if you're aware of that. It broadens the scope of what strike means in a way that has never been done legislatively in this province. It also puts into the act the concept of the strike threat, which has never been done in this province, nor has it been put statutorily in any other piece of legislation. So, according to the briefing – but either way, the strike issue has been broadened, and therefore a strike threat would also be broadened.

So how in heaven's name can you possibly tell anybody what the LRB will or won't say is or is not a strike threat given that you – maybe not you but the people who wrote this – have very clearly and very intentionally broadened the scope of activities which are prohibited and which would attract these outrageous fines and which will clearly bleed into people exercising their rights of freedom of expression, just generally speaking, you know, in their daily lives? How can you tell them not to worry about it when it's a brand-new piece of legislation and the LRB has never been asked to consider this piece of legislation?

**The Speaker:** Thank you, hon. member. The time for 29(2)(a) has expired.

We'll move on to our next main speaker, the hon. Member for Airdrie.

**Mr. Anderson:** Thank you, Mr. Speaker. This is taking a jackhammer to kill an ant right here. That's what this is. You know, it's just complete legislative overkill on every level. I have a lot of respect for my colleague the Member for Calgary-Nose Hill-Mackay. He's a good man. He's a parliamentarian. But I do disagree with his characterization of civil servants on a strike line, saying that that's in fact worse than people rioting in the streets, throwing bricks through buildings, looting, all that sort of monkey business that we saw in Vancouver after the Stanley Cup finals that one year or wherever around the world. That's just unfair, in my view, to the folks that serve our province every day and sacrifice every day in their jobs to keep us safe and healthy and in order. I just don't think that's appropriate.

I want to also state very clearly that there are already provincial laws in place, of course, prohibiting illegal strikes, as has been discussed, including an expedited court process to end them within a very short period of time, which is why the timing of this bill is so counterproductive for good government, for public sector workers, and for taxpayers. It unnecessarily creates an environment now of suspicion, of bad faith. It creates an environment where it's going to be very difficult for future governments to negotiate in good faith and to win back that trust. That's going to be difficult. Some might say that we would need a new government in order to do that.

**Mrs. Towle:** Some might say that.

**Mr. Anderson:** Some might say that.

**Mrs. Towle:** Most.

**Mr. Anderson:** Most might say that. That's right.

It really is not correct to say, as the Deputy Premier said, that this bill and Bill 46 can somehow be separated. Yeah, they are separate bills, no doubt about that, but clearly with the way they've been introduced together, they are twin brothers, twin sisters. They go together, and clearly the effect is to make sure that unions, our public-sector workers, have absolutely no recourse. They already couldn't go on strike. That was already dealt with, but now they can't even go to arbitration. So the two actually are together. They may as well have been one bill.

It is really poisoning the waters of labour relations in this province unnecessarily. Long term that is actually going to not help the taxpayer; that's going to hurt the taxpayer, in my view, long term. Like I say, when the waters are poisoned, that causes a lot of long-term problems. Hopefully, a new government in 2016 can help to start to undo that poisoning and get things going in a constructive manner again.

I actually agree that the bill that Peter Lougheed brought in 35 years ago – we talked about that in the discussion on Bill 46. When Peter Lougheed said: "Look. We can't have our essential services on strike because, frankly, the province falls apart when that happens, for the most part. They give us such critical services; it's just so important to have them working and not being on strike." So he said: "Okay. If we're going to do that," as we said earlier, "then we're going to give a quid pro quo and make sure that we give them another tool," which was arbitration. That was the tool that replaced the striking mechanism so that our public-sector workers can constructively and legally have recourse, essentially, from a decision of the government with regard to their wages and benefits and working conditions and so forth. That was the deal that was made.

**10:10**

That deal has essentially, I would say, laid the foundation for, generally speaking, stable labour peace in this province for 35 years. Again, it was passed just before I was born, Mr. Speaker, so I've never really known labour unrest in this province. There's been the odd strike, the odd wildcat strike here or there but very rarely. It really is rare and very short term. I do understand that because that was 35 years ago, perhaps the penalties should be updated. Let's say for a second that that is a legitimate argument, okay? They need to be updated.

When you update a bill like that, what do you do? You should first consult stakeholders. You should talk to, obviously, taxpayer groups – obviously, those are good folks to talk to – but not just those groups on one side of the issue but also our public-sector employees themselves. Why don't they get a say in this consultation? Why can't they explain to government or be given a chance to explain to government what their feelings are on it? Now, of course, that doesn't mean that government is always going to agree with those folks, but at least they should have their say. If you're going to update the rules and you're going to update the penalties for illegal strikes, okay, good. Thirty-five years is a long time. Perhaps they need updating. But then, as the member for Edmonton – your neighbour.

**An Hon. Member:** Calder.

**Mr. Anderson:** Calder. No. The other one. Anyway, the House leader.

**An Hon. Member:** Strathcona.

**Mr. Anderson:** Strathcona. That's right. Strathcona. I used to live in Strathcona.

The Member for Edmonton-Strathcona said that this doesn't just update the penalties as the Deputy Premier has said. That's not what this does. This goes way further than that. This essentially creates new terminology. It broadens the definition of what a strike is. It broadens it so broadly, in fact, that it now applies to even, quote, unquote, the threat of strike and not just to union leadership but to just regular Albertans and not just regular public-sector employees and not just your average man or woman making a living, working hard in the public sector, not just those folks but also even Albertans in general. You know, as you read through the bill, it says specifically that "No employee and no officer or representative of a trade union shall engage" – so no employee of a trade union – "in or continue to engage in any conduct that constitutes a strike threat." Okay. What's a strike threat?

**An Hon. Member:** You just made a strike threat.

**Mr. Anderson:** Who knows? Maybe I just made a strike threat. Who knows? We don't have jurisprudence here on that issue because we've never had this definition in our Labour Relations Code.

"No person shall counsel a person to contravene subsection (1) or (2); in other words, to threaten a strike. No person shall counsel a person. That's pretty broad. That basically applies to everybody, every conversation in the province at any time unless, I guess, if the person was talking to themselves. Then perhaps that would not apply. So you can talk to yourself. Perhaps you could threaten yourself to go on strike, and that wouldn't be covered under this, but a person talking with another person is covered under this. I don't understand that, Mr. Speaker. I don't understand the need for that.

Now, obviously, I'd say the majority of Albertans – there are a portion of Albertans that think illegal strikes or civil disobedience, as it's sometimes called, is a legitimate thing to do in certain circumstances, as the sheriffs did when they felt that their safety was in jeopardy at the remand centre, so they went on an illegal strike as a show of civil disobedience and so forth. Okay.

**Mr. Mason:** Solidarity.

**Mr. Anderson:** Or solidarity, as my friend tells me. Exactly. Anyway, that is what some people believe.

I would say that the majority of Albertans are not in favour of illegal strikes. I think that the majority of Albertans – and I would include myself – don't think that that's the way to go with regard to our front-line workers. There are better ways. However, because of Bill 46, Mr. Speaker, the better way, which was arbitration in front of an independent third party, is now gone or will be gone soon, as soon as it's passed.

With Bill 46, if your intention was to make illegal strikes harder, have you really accomplished that now? If your intention was to cut down on the number of illegal strikes out there that occur every so often, does the combination of Bill 45 and Bill 46 make that happen? No, it doesn't. It will likely lead to more civil disobedience because, sure, you've toughened the rules and so forth, but now you've expanded it in ways that call into question the constitutionality, and on top of it, you took away the safety

valve, which was arbitration rights, in Bill 46. Now you've really put yourself in a pickle because the average worker isn't going to be able to go and – there's nothing that they can do, essentially, to protest a decision of the government regarding their wages and benefits and working conditions and so forth.

So your bill is counterproductive when read with Bill 46. You're not going to cause fewer illegal strikes with these two bills. You're actually laying the groundwork for more. Now, you've made it more expensive, no doubt about that. But what if you had just updated the penalties? After a broad consultation and lots of feedback and lots of debate and all that sort of thing, why don't you just update the penalties for illegal strikes, which are already illegal under current legislation? Okay, fine. It's been 35 years. Update the penalties. But then you turn around and you're talking about people's thoughts and talking to their buddies and, you know, calling in on a radio show and saying: good grief, we should go on strike. Oh, that's not allowed now, too? Come on. That is going way over the line.

Although I absolutely do believe that we should not have illegal strikes with regard to our essential services – I think that's not productive – unfortunately, by getting rid of Bill 46, you just made this a bigger danger. Great job, guys. Well thought out. You've just made it worse. Honestly, it's unbelievable.

Obviously, with regard to Bill 46 – and I already talked about that bill – a Wildrose government will in 2016, if elected, immediately repeal Bill 46 and reinstitute arbitration rights. That will be done.

**An Hon. Member:** This is Bill 45.

**Mr. Anderson:** I know we're talking about Bill 45. But because the bills are paired together, I want to make it clear that with arbitration rights, those go back in, and they go in after talking with affected stakeholders. That's critical.

On Bill 45 – this will obviously pass as this government has made it clear they're not interested in listening to anybody's feelings on the issue, frankly – we are going to propose amendments as a Wildrose caucus that specifically address the issue of free speech. Public-sector workers and average Albertans should not in any way be brought under this legislation with regard to this strike threat provision that is floating around here. That is, in my view, a violation of free speech rights. It's a violation of freedom of assembly. It's a violation of several rights and freedoms that are in our Constitution, and I disagree fundamentally with that.

So we're going to bring several amendments forward that deal specifically with that. You should be able as a public-sector worker to talk with your friends, to send an e-mail out there saying, "You know what; this stinks; we're going to go on strike; let's hit the picket lines," and not have to be worried about doing something illegal. That is pathetic and wrong. It can't happen.

**10:20**

Now, illegal strikes are obviously already illegal, as we've talked about, and if the union leadership is getting together and getting ready and the organization is going for an illegal strike, well sure, you have fines. You have fines now. That's the point.

Again, Mr. Speaker, this piece of legislation, when coupled with Bill 46, is actually doing the exact opposite of what it was intended to do. You're putting our public-sector workers in a place where they almost have no choices. How do they defend themselves? I would say the best way to defend themselves is at the ballot box in 2016.

Thank you, Mr. Speaker.

**The Speaker:** Hon. members, 29(2)(a) is available. I have Edmonton-Strathcona, followed by Rimbey-Rocky Mountain House-Sundre.

**Ms Notley:** Thanks. I have just a quick question for the member about Bill 45 in particular. So we've got the government bringing in an amendment that eliminates arbitration in Bill 46, and we know that the previous law to negate the right to strike was upheld by the Supreme Court of Canada on the assumption that they had the right to arbitration. Now they've removed the right to arbitration, which means that sooner or later I suspect the Supreme Court of Canada is going to say that Bill 46 is illegal.

In Bill 45 they say: while we're waiting to make the courts and police stop the union from striking illegally, we're going to fine the officers of the union \$10,000 a day. So do you think it would be a good idea to maybe amend Bill 45 so that we could perhaps fine the members of cabinet or the members of the Conservative Party over there \$10,000 a day while this illegal piece of legislation is allowed to carry on until such time as the courts deem it illegal?

**Mr. Anderson:** This hon. member just keeps coming up with the best and brightest ideas in this House. Fantastic, hon. member. I'm not sure if a piece of legislation fining the PC cabinet is something that will – it will probably have a difficult time passing in this Legislature. I'm not saying it's a no for sure. There may still be a chance, but I doubt it highly.

You raise a very legitimate concern, and that is: is this legislation constitutional? If they had come in and just talked about updating some of the wording and the penalties for illegal striking and so forth, as you say, that type of legislation has been upheld as constitutional – but they didn't do that, like you say – based on the fact that they had legal arbitration to go to.

With these two bills together now, my guess is that when this goes to the Supreme Court, which it probably will, or a court of appeal of some kind, what will happen is they'll say: well, you just took away the rights of arbitration from these folks, so therefore they can't strike illegally. They don't have rights to arbitration. That to me impinges upon their freedom of assembly, I would think, and their right to organize and so forth, which is a protected right under our Charter of Rights and Freedoms. I mean, you guys are always the ones that are throwing the fear tactics about tolerance and, "oh, respect the Charter" and all that, and then you go and do this. Really? Well, who's disrespecting the Charter? Look in the mirror.

That's one issue, that I don't think it'll be held constitutional based on those grounds, that they now don't have proper recourse. And then the second issue is this issue of free speech. You can't tell somebody that they will be fined or penalized, an average employee, for sending an e-mail to their buddies saying: "You know what? We need to hit the picket lines because this is just outrageous, what the government is doing to us." Who are we in this Legislature to penalize that? How dare we think we can do that? What kind of society do we think we live in?

I heard the Deputy Premier's remarks about, you know: "Oh, this is just wonderful, what's going on in the Ukraine. People need to be able to protest and protest their government's actions." Dam straight. Absolutely. They sure should. So if that's good for people in the Ukraine, isn't that good for people here in Alberta? I would think so. I would think that the people of Alberta are able to get together and say: "You know what? This is wrong. You can't do this."

Now, if they choose to go on an illegal strike under the definition of what's in the bill, there's a fine. There's a court process. All of that is laid out. But just voicing their concern in the

newspapers with editorials or anything like that or calling in to a talk show or doing anything like that to express their outrage on something: that's just basic free speech. We've got to protect that right. All civil societies protect those rights. I don't care if you're left, right, middle, or something in between. Those are fundamental rights that we should be holding dear and should be protecting with everything that we have regardless of how we feel about collective bargaining and union negotiations. We're talking about a fundamental right here, so let's protect that right.

I thank the hon. member for asking the question.

**The Speaker:** Standing Order 29(2)(a) is now consumed.

We'll move on to the next speaker. I have Edmonton-Meadowlark, the leader of the Alberta Liberal opposition.

**Dr. Sherman:** Thank you, Mr. Speaker. The Alberta Liberals oppose Bill 45, and we oppose Bill 46. Bills 45 and 46 are sibling bills. At the end of the day they are unnecessary, they're heavy-handed, and they serve to further erode workers' collective bargaining rights. Beyond that, I feel that they're undemocratic. I feel that these two bills will be the nail in the coffin of these regressive Conservatives over here on this side. I feel that when a government institutes these kinds of laws, they are nearing the end.

These kinds of bills aren't about governing. They're not about serving. They're about ruling, ruling by decree, which by its very virtue is undemocratic. The freedoms, Mr. Speaker, that our forefathers fought for are what these bills aim to erode. In fact, under the Canadian Charter of Rights and Freedoms, that a Liberal government brought in, everyone has fundamental freedoms. These bills attack the two very fundamental freedoms under section 2(b), "freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication," and also section 2(d), "freedom of association."

Now, I can't for the life of me understand, Mr. Speaker – the Premier is a very intelligent person. She's a lawyer. She spent her life prior to public office defending the freedoms and the rights of others across the world, but right here in this province, where she's elected, she and her government are attacking the rights of the very people they are elected to serve. That's exactly what these bills do. You know, I've always said: who's next? That's what happens when you have 42 years of unchecked power.

I also want to talk about closure. Closure is also a nail in the coffin of democracy. It's been mentioned here, the fact that we have two of the most important bills in our province in our current history moving forward. We're a diverse group of individuals from diverse caucuses in a very diverse province, and we only have a couple of hours to debate these bills.

Mr. Speaker, the Member for Edmonton-Centre has referred to these bills with many words, and one of them is "evil." What allows evil to run rampant is when good people remain silent, and the good Liberals will not remain silent on these bills. We will always come to the defence of those front-line hard-working Albertans who each and every day build this great province.

Mr. Speaker, Bill 45 is complex. It sparks a number of legal questions. I talked about the fundamental freedoms and the violations of sections 2(b) and 2(d). In 1977, when Premier Lougheed outlawed mass public strikes, it's been mentioned that he recognized the right of workers to have a fair say. That's where binding arbitration comes in.

**10:30**

Now, one of the core reasons why this bill, Bill 45, is before us is because of a wildcat strike. It wasn't a strike about wages. It

wasn't a strike about money, and we haven't had a strike about wages for a long time in this province because the legislation that we have had has actually worked to avert these kinds of strikes. The wildcat strike was about safety. The good men and women who were in the wildcat strike were at their posts, Mr. Speaker. They were doing their jobs. The government was in a rush to cut a ribbon and get this remand centre open. They had no policies or procedures in place, and they didn't consult the front-line staff, nor the folks that are waiting to get their day in court. In fact, the facility wasn't even fully finished. That's what this wildcat strike was about. I know what it was about. It was a darn cold and windy day, I tell you. I was there. You know, wildcat strikes are illegal, and as an elected official and a lawmaker you have to find out why good people who have dedicated their lives for the service and protection of this great province would commit an illegal act.

Mr. Speaker, that guy over there, the Member – the hon. Member, I should say – for Calgary-Mackay-Nose Hill, the honourable guy over there, referred to these very honourable people, compared them to a bunch of hooligans and thugs, to some rioters in Vancouver. That's just disrespectful.

The wildcat strike was about safety. It was about the safety of the citizens of this province, the safety of the workers, and safety of the inmates. It was about the safety of our province. I said that it takes two hands to clap, Mr. Speaker. The government made the decision to remove these men and women from their posts where they were performing their duties over a couple of days, when they weren't fully prepared, when the management and the government were not fully prepared to open this facility.

I also know a constituent of mine whose son is a big man, about 6 foot 4 and about 230 pounds. She told me in my office that he was dragged into a cell. Thank God he was about 230, 240 pounds; he didn't lose his life. That happened to the son of one of my constituents. I was there. I talked to a nursing friend of mine who I've worked with for many years, whom I trust. The medical files didn't come over. Inmates that were diabetics ended up in a diabetic coma in the hospital, according to what I was told.

Mr. Speaker, you were the Health minister. You understand how important it is for people to have their medical files and those who care for them to have them there so they know what the problem is. These were life-and-death safety issues. That's why these good people went on the wildcat strike. As a legislator who's charged with upholding the law and as a physician who is also charged with upholding public safety I recognized that the decision, the rash decision, made by this government was a threat to public safety, and that's why I supported the reason that they went on the wildcat strike. I supported the fact that both parties need to come together and come to a reasonable compromise as quickly as possible. We're all in it together. Nobody here wants to see strikes. Nobody here wants to see people get hurt, especially the good men and women who work in the institutions.

Mr. Speaker, let's focus on facts and evidence. The facts have warned that the workers were right: glass that could have been broken with a coffee cup; poor coverage of security cameras; repeated occupational safety reports and no action by the government; workers backed into a corner, forced to strike, not only for their own safety but for the safety of the folks that they are charged to guard. It's my understanding this glass has been changed, and camera coverage still lacks.

Now, Mr. Speaker, the government has moved quickly and swiftly. You know, the mechanisms were there to end this strike, and the mechanisms did work. The strike did end, and order was restored. But for the government to come in with a very heavy-handed approach: I believe they have gone way overboard. They have overreacted. I don't know why this government would

overreact to such an extent, threatening union leaders if they even talk about a strike, banning employees, banning a blogger. My question – and I asked the Premier earlier today. She didn't even have the courtesy to get up and answer my question. Can you believe the Premier, who brought this draconian legislation, did not have the courtesy to answer the question of an elected member standing before you who actually supported the wildcat strike?

Well, would we be next if we supported these strikes because we actually were trying to protect public safety? Any employees, any bloggers: would people be fined for supporting, writing, tweeting, in any way supporting any wildcat strikes when there's a legitimate reason to have them?

Mr. Speaker, you know, the great thing about this country, the reason many of us or our parents or grandparents or ancestors came to this country: we escaped places of moral decay. We escaped places where dictators and tyrants ruled. We came to this place because of freedoms. We believed you could actually disagree with your government openly and you wouldn't be punished for it. I cannot believe a human rights lawyer is taking these freedoms away right here in Alberta. I just can't understand it.

Mr. Speaker, this government will vote everything through. They've got the majority of the members here. It's unnecessary for them to be so heavy-handed and draconian in many of the decisions that they make.

Now, when it comes to costs, I will say – you know what? – that if you actually look at the underlying cause of the wildcat strike, the government bears a major portion of the responsibility for the cause of the strike, for the costs of the strike. You do, hon. members. Now, when it comes to costs, this bill will not stand up to a legal challenge in the Supreme Court of Canada. What is it going to cost the taxpayer, the average hard-working Albertan? What's it going to cost for the legal challenge to this bill, the years and years of legal challenge, when a few of these good souls up there and out there in Alberta who work hard to build this province have the courage to again one day have a wildcat strike because they know it's in the public interest? What is it going to cost?

I know, Mr. Speaker, there are people – you cannot silence some people. They think they can do it with the law. Some people just will not remain silent when they see injustice and bad things happening out there. I know. My grandfathers lived under tyranny. You know, those folks almost risked the noose. They were arrested. They were imprisoned. Before my father died two years ago, he told me about his grandfather who was arrested, and his best friend was beaten by the authorities. That's exactly what he said. This draconian legislation, these laws will be the nail in their coffin. These are foul, they're evil, and they're senseless. There's no point for us to even be having this discussion and debate in the Legislature on this.

There are lots of stiff penalties already – front-line workers are already paying the penalties – many in this legislation. You have to ask yourself: why are we talking about this? The government says that they're out of money. Well, Mr. Speaker, we're the wealthiest place in the country. Oil is at more than a hundred bucks a barrel. The best employment rates, highest incomes on the planet: this is as good as it gets. My question is: where the heck did the money go? Where the heck did the money go? If you can't balance the books to get world-class public services and pay good, hard-working people a fair wage today, well, when are you going to do it?

10:40

Mr. Speaker, it's darn expensive to live in this province. Bills are higher than ever. It costs a lot of money to live here. It's the

regular, common, working folk who built this province; their wages haven't kept up with inflation. Their taxes are higher with this flat tax than they were before the flat tax. It was actually a tax increase on regular, middle-class working families. We have a lot of money, but these guys over here have squandered it. They have wasted it, and they've squandered it. We've seen many examples of that squandering of that money: a hundred million dollars in travel and hosting expenses just for executives, not to mention their pay.

Mr. Speaker, the Alberta Liberals stand against . . .

**The Speaker:** Hon. members, 29(2)(a) is now available.

The hon. Member for Edmonton-Riverview.

**Mr. Young:** Mr. Speaker, thank you very much. I appreciate your comments.

My question is to the hon. member. You used the term "wildcat strike" like it lends itself to some legitimacy. These were illegal strikes. Do you endorse members of the public service in whatever role which is an essential service abandoning their posts?

**Dr. Sherman:** Mr. Speaker, the hon. member obviously wasn't listening over here. Okay? He wasn't listening, and he should do a better job of listening.

The whole reason the good folks up there went on this wildcat strike was because of a threat to public safety. Their genuine concern was a threat to public safety of the people they are charged to guard and their own safety in their work environment because this very same government – this same government – did not have the policies and procedures in place, and the facts have shown that to be true. So, hon. member, I absolutely stand in support of ensuring public safety for any worker in this province. Safety first, my dear friend.

You were or maybe still are a police officer. Hon. member, have you forgotten from whence you came? Have you forgotten that as a police officer your number one duty is safety of the public? One is your safety, your own personal safety. [interjections] Exactly. And the safety of your fellow officers. [interjections] Exactly. And the safety of even the people within your custody, hon. member. What do you think these good folks were doing? If you have any thread of decency, would you turn your back on your fellow police officers? Would you turn your back on your fellow police officers when their safety is threatened?

**Mr. Young:** I would not abandon my post.

**Dr. Sherman:** Officer, you would abandon your post, and you would abandon your colleagues. My question is: would you stand in solidarity with them? Answer that question.

**Mr. Young:** I would not abandon my post.

**Dr. Sherman:** Yes, you would.

**The Speaker:** Under 29(2)(a), the hon. Member for Calgary-Mountain View.

**Dr. Swann:** I'd like to ask the hon. Leader of the Liberal Opposition: given that the natural result of passing this bill will be a legal challenge, a constitutional challenge, and multimillions of dollars charged to the public purse, who really should pay the price for this unnecessary lawsuit?

**Dr. Sherman:** Thank you, hon. member, for asking that question. Frankly, in my opinion, I believe these people should pay the price

at the next election. We should just repeal this legislation after it's passed, because it will pass.

But the fact of the matter is that it's the hard-working men and women of this province and this country that will end up footing the bill. When they foot the bill, because this government can't get its financial act in order, at the end of the day they're going to end up cutting something. They're either going to go into debt, or they're going to cut education, cut health care, cut the care of our seniors. They're going to cut something else because they don't have the courage to stop giving their buddies money, untendered cost-plus contracts, and giving money to private corporations from across the country and across the world. Okay? They don't have the courage to talk about tax fairness and cutting taxes on middle-class working families and lower-class working families. We're either going to go into debt, or we're going to further cut services, and Albertans and Canadians will pay this price, unfortunately.

**The Speaker:** Under 29(2)(a), are there any other speakers?

Seeing none, let's move on to the next main speaker. Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Speaker. I'm pleased that I may actually get a few moments to speak on this horrific piece of legislation before it is rammed through second reading as a result of the undemocratic decision of the government to bring in closure.

I want to begin by saying simply this. To those Albertans who have not yet figured out that the Premier of the province did nothing but line up promise after promise after promise after promise in the last election that she clearly had every intention to break: I hope that all Albertans now get what they elected. They elected the Premier.

You know, the Minister of Health accused us of being ideological when we talked about public funding today. Let me just say that there is an ideology on that side, and that ideology by that Premier is that there is no promise she has ever made that she has not broken. This is one of them, and this is, I have to say, probably the most profound betrayal of working people in Alberta since she's been elected.

This Premier has embarked in her short career – she got elected at the same time I did, actually – on quite an interesting attack on human rights, one that is really quite unprecedented in this province. First, she oversaw the introduction of Bill 44, the scarring of our human rights code that makes us have a human rights code in this province which is an embarrassment to anybody who understands the concepts of human rights. Now she's bringing in Bill 45, which is the same kind of thing. It is an illegal law, Mr. Speaker. It is designed to bully working Albertans away from standing up against – wait for it – another illegal law. It's brought into force by a government that has lost its way, its moral compass, its connection to accountability for the record it ran on, and its connection to the real people of this province. That's what this law is.

Now, I've heard a lot of moral outrage and a lot of sense of self-justification from that side about how we need to deal with the fact that people are engaging in illegal activity. As I alluded to when I was asking questions of the Member for Airdrie, the fact of the matter is this. Some people have done a lot of sort of celebration about when former Premier Lougheed eliminated the right to strike for the public service in Alberta. Let me just say that at that time my father was in this House, and he fought tooth and nail against that piece of legislation because public servants should never have lost the right to strike in this province, Mr. Speaker. Not ever.

Now, ultimately, that decision of Premier Lougheed was taken to the Supreme Court of Canada, and the Supreme Court of Canada said: "You know what? Here's what has to happen for this law to be legal. Workers need to maintain the right to join a union. They then need to maintain the right to bargain collectively for the terms and conditions of their employment, and finally, they need to maintain a mechanism for resolving the disputes around that bargaining if they cannot come to an agreement." Typically in most democratic societies that right looks like a right to strike, Mr. Speaker. In this province it does not. It, unfortunately, looks like binding arbitration, until last week, when this government introduced a plan to eliminate that as well.

Based on that very age-old Supreme Court of Canada decision, one which, in fact, has been updated quite considerably in the court since then, anyone who knows anything about labour law, if they were betting people, would bet that this government is introducing legislation that they know full well is going to be deemed illegal once the courts get their hands on it. Yet they continue, and they continue with their faux moral outrage about how they need to take action against workers who act illegally when they themselves sit over there and intentionally and knowingly introduce legislation that is in breach of the Constitution of this country. How dare they engage in such outrageous hypocrisy? How dare they talk about workers who are standing up for their safety and for their rights in the workplace as though they are somehow criminals who need to be beaten into submission at the same time that they are introducing a piece of legislation that they should know full well is itself illegal? I mean, just every day they amaze me, Mr. Speaker, with the level of their hypocrisy and their willingness to break promises to the people of this province.

10:50

For those folks over there who are not really fully on top of the concept and the history of illegal strikes, let me just give you a little bit of background because it's not all about a bunch of drunken vandals breaking windows at Starbucks like the folks in Vancouver did after the last Stanley Cup final there. Strangely, that's not what it's all about.

Here are some of the things that illegal strikes have done. They've ensured safety standards. They have ensured laws that people have the right to refuse unsafe work; they don't have to go down into the coal mine that's about to explode. They actually get to refuse that. Do you know how they got to refuse that? By striking illegally, by standing up to guns that were directed at them by the government of the day, who – guess what? – said: you guys are criminals; you're acting illegally. That's what illegal strikes did. They gave the right to refuse unsafe work. They gave a six-day work week. Then they gave a five-day work week. Illegal strikes gave us the minimum wage, Mr. Speaker. These are the things that illegal strikes have done.

You know what? Governments like this government have never been interested in bringing in laws that respect and honour the work of working people in this province or any other jurisdiction in this country. So labour members have had to work for their rights, and that's their history. They've had to work for their rights. They've had to fight for their rights. So I am so deeply offended when a member over there tries to equate that history to a bunch of drunken vandals in Vancouver. That is outrageous, Mr. Speaker. I would expect that members over there, when they bring in a piece of legislation like this, that is this heinous, that is this reflective of an attack on the history of the right to bargain in this country, should at least know their history so they don't walk in and say things like that. That is offensive and insulting to many,

many, many working people in this province, and they should know better.

I will drop it down a notch now and try to speak a little bit more about some of the other elements of this bill which are so offensive to me, Mr. Speaker. We've talked a bit about the fines. As things stand now, between the dues abatement, the liability fund, and the fines – the fines for individual workers, the fines for representatives and union officials – it's safe to say that when someone goes on strike or when a union goes on strike, it could be much bigger than this, but they could easily attract a fine of \$2.5 million a day, and that fine would carry on for every day that the strike went on.

Now, interestingly, folks, I just want to throw it out there that if through their negligence, whether intentional or not, an employer allows a workplace situation to continue such that a worker dies, do you know what they can be fined? Five hundred thousand dollars. Let's just be clear. It's not \$500,000 for every day that that family has to deal with the fact that their loved one is dead. It's just one day. That death is over at the end of that day. But that strike is not over. We are going to continue fining them into the Stone Age day after day after day. Does that sound like balance, Mr. Speaker? Does that sound like a government that understands or cares about balance in this province?

Interestingly, I noted that as much as we are bringing in through Bill 45 the ability to fine unions \$3 million or more a day for an illegal strike, the corresponding action, the illegal lockout, continues to be subject to – get this – a \$10,000 maximum fine. You know, I will tell you that you could go to the Harvard Business School, you could go to one of the most business-friendly schools of business, and they will tell you that effective labour relations relies on balance. And can I tell you that \$10,000 versus \$3 million a day – it's not so much with the balance, Mr. Speaker. We're kind of losing sight of the balance. We're so wrapped up in the desire to bully and punish and control and beat opposition in this province through fining them into the Stone Age, through pulling back their resources, through limiting their freedom of expression; they're so interested in that that they've completely forgotten there's apparently no need to hold themselves to any kind of similar standard.

It just goes to outline, I think, the fact that this government alleges that they are doing this in order to protect the public interest. Well, Mr. Speaker, this is not about the public interest. A month ago we had a company dump a billion litres of poison into the Athabasca River. Just today I went and listened to a bunch of scientists talk about the incredible devastation that that is bringing upon our environment, the generational destruction that is occurring to the habitat along the Athabasca River, the profound impact that this is going to have on our First Nations living all the way downstream. Yet no fine.

**Mr. Mason:** No charges.

**Ms Notley:** No charges. Nothing.

Interestingly, the organization that would be responsible for that, the Alberta Energy Regulator, these guys – these guys – actually went out of their way to bring in legislation that removed protection of the public interest from their mandate. They're really concerned about protecting the public interest of Albertans when it comes to beating up on workers, but when it comes to protecting us – our air, our land, our water – from toxics and toxins being dumped into, like, the Athabasca River and permanently undermining the health of that important waterway, not only are they not going to levy any fines, but they're actually going to change the legislation so that they're not held accountable for their

failure to – wait for it – represent the public interest, Mr. Speaker. These guys have no interest – no interest – in representing the public interest and every interest in representing their own interests. That is profoundly clear through the way that they have moved forward with this piece of legislation.

You know, I just want to talk ever so briefly about the fact that we are going to be given such limited opportunity to speak today in this Legislature, Mr. Speaker. It is outrageous that we are not all going to get a chance to speak on this bill because the amount of frustration you are hearing in my voice is shared by many people. I want you to know that just the fact that it's in the standing orders does not make it right. Typically the standing orders have to be read and used in the context of the overarching parliamentary precedent.

Mr. Speaker, I know this is no longer an issue because the Acting Speaker ruled against this, but you need to know this. Freedom of speech is both the least questioned and the most fundamental right of the Members of Parliament on the floor of the House and in committee. It is the most fundamental right, and by bringing in closure after two speakers have spoken on a bill, this government may well be acting in accordance with the rules that they rammed down the throat of this Assembly, but they are not by any means acting in accordance with the historical and democratic tradition of this province or this country.

There is no need for this, Mr. Speaker. Just in six months this government brought in an extra billion dollars in revenue. There is absolutely no need for what they are doing here tonight. The really sad thing of it is that I think the reason we're here, the reason that all these workers are being victimized and our human rights are being undermined and our freedom of expression is being attacked is the most cynical of reasons. I think these guys want to pretend and make themselves look like the Wildrose because they're kind of scared they're going to win the next election. I actually think that this horrible piece of legislation is a profoundly cynical political game that they're playing. It's really unfortunate because they're doing it at the expense of some of the most deeply held, fundamental, important rights which are the foundation of our civic democratic society. They've raised cynicism to a brand new level, and all Albertans are paying the price.

Thank you.

**The Speaker:** Hon. members, 29(2)(a) is available. The hon. Member for Calgary-Mackay-Nose Hill.

**Dr. Brown:** Thank you very much, Mr. Speaker. I'd like to ask the hon. Member for Edmonton-Strathcona – she seemed to be defending the right for an illegal strike in certain circumstances. I wonder if she's advocating for future illegal strikes. Furthermore, when the AUPE was found by the Associate Chief Justice to be in contempt of court, and he specifically noted that the union leaders were sarcastic and mocking in their comments about the court order, I wonder if she has any comments regarding the fact that the union was held in contempt of court? Does she defend that kind of activity and being in contempt of court?

11:00

**Ms Notley:** I just find this very interesting. On one hand, we're hugely respectful of the courts, and we're hugely worried about running afoul of contempt of the court, but on the other hand we've got a clear Supreme Court of Canada line of cases that are going to render this particular bill completely illegal, and in that case it will be a breach of our Constitution as opposed to a breach of a judge who is enforcing a bad law. So why is one good and one not good?

At the end of the day I do not support people going into contempt of the court. You have to deal with the rules that you're dealing with. However, you do not need to be thrown into jail for 50 years for engaging in appropriate fight-backs, and that's what you guys are doing. You're taking a mallet to a tack, and it is bullying and nothing more.

**The Speaker:** Under 29(2)(a), the hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Yes. Thank you very much, Mr. Speaker. I'd like to ask the hon. member, in light of the question of the hon. member opposite, if she could comment on the conviction of a number of farmers a few years ago for defying the law of Canada and the Wheat Board single desk and illegally selling their grain in the United States in violation of the law. Following their conviction the Premier of the province, then Ralph Klein, actually appeared at a ceremony and praised these individuals for breaking the law. Would she say, in light of that, that the record of the Progressive Conservatives opposite with respect to support of illegal actions is checkered, to say the least?

**The Speaker:** The hon. member.

**Ms Notley:** Thank you so much. I would suggest that the Member for Edmonton-Highlands-Norwood raises a very good point, and it goes back to the other one. Checkered to say the least; hypocritical to say a bit more. Leading or one to which I would defer? Absolutely not.

**The Speaker:** Under 29(2)(a)? No one else?

All right. Let's proceed to the next main speaker. I have the hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. What time do we have remaining on this debate?

**The Speaker:** Hon. member, the time is about seven minutes, I think. That's the best I can guess right now.

**Mr. Anglin:** Thank you. I just have to respect the democratic process, Mr. Speaker. I only get seven minutes, but that's okay. They're going to get seven full minutes from me. [interjections]

Mr. Speaker, the hypocrisy of the members opposite in the heckling is systemic of what's wrong with this government. I will tell you that they don't even see the hypocrisy of their own actions. This is a government that . . . [interjections] They can heckle all they want, but the truth be known. This is a government that hired six private investigators to actually follow me around and got caught tapping my phones. Amazing. Yet nobody was ever held accountable for that. It was: "Oh, I'm sorry. That was the government before this government." But it's still the same government for the last 45 years.

The reason I bring that up, Mr. Speaker, is that I am here because of that behaviour, and the beauty of what you're doing today is that I will be there because of that behaviour. That's what's going to happen as a result of this. They don't see the hypocrisy. They voted to eliminate the public interest test out of the new energy act. You would not even accept an amendment. Yet they stand up today and they say: ooh, we are going to protect the public interest against those evil people who would even think to walk out, who would even think to possibly protect themselves from an unsafe condition. That is, to me, the ultimate in hypocrisy.

The fact is, Mr. Speaker, that we don't want illegal strikes. Nobody wants illegal strikes. They don't want illegal strikes. So



why are you trying to encourage illegal strikes? Why do you want to remove arbitration? That makes no sense. What happens here is that we have a bill that sets it up. We have a bill that puts in these incredible penalties just so you can pull the rug out from underneath them and remove that arbitration and then say: see what's going to happen.

But the problem is that this violates a very basic principle of jurisprudence, which is the onus of proof. If you look under the Labour Relations Code as it stands today, the onus of proof is on the employer. But when you look at what's going on here, what you've changed in this new legislation: unions, in particular, can be held responsible for the actions of a single individual, or in the case of a couple of individuals they may actually walk. Say that under section 1(k) two employees refuse to work because of unsafe working conditions. That means that a strike exists, and the prohibitions in section 4 come into force. Within four hours an application can be brought under section 5(3)(b). The board can declare that, yes, there is a strike. Now, under section 6(1) the employer is now obligated – no discretion; they're obligated – to suspend all union dues and to continue so for the next three months plus an additional month for every partial day that the individuals participate.

Now, this could be a very large union, which means that everyone in the union is affected by the fact that just a few people went out on a wildcat strike. Now it is incumbent upon the union in a reverse onus to prove that they gave expressed instructions prior to the walkout. How can they do that? They didn't know this would happen. Not general instructions but expressed instructions. They can't meet the test of the law. So automatically a million dollars a day is going in under the abatement order. The board or the judge has no choice. They must make that abatement order. That's what the law says.

To the hon. Transportation minister. In the ultimate of hypocrisy – I need this question answered – the minister threw out a case last week called *Baron versus Canada*, and the minister said to this Assembly that he would accept their advice. Their advice was in the question of reasonable versus probable, but it was an interesting point in that case. The court also ruled in *Baron versus Canada*: “the removal of the discretion to refuse to issue a warrant when all statutory criteria are met . . . the issuing judge's ‘balance wheel’ function” is diminished. In other words, what the court was saying is that you can't take the judge's ability to balance justice away. It was a mandate for the judge under the law to actually issue a warrant.

In this case we're talking about issuing the mandate order, issuing the abatement order, or issuing the declaration. The judges don't have to have discretion here. It's in the bill. They must issue the abatement order. They must issue that declaration. The fact is that what the court ruled, that in order for a judge to “be able to weigh all the surrounding circumstances to determine whether in each case the interests of the state,” in this case the province, “are superior to the individual's,” then “By restricting the factors that a judge may consider, Parliament has . . .” [interjection] Could you be quiet, please, while I talk to the Speaker? Thank you very much. “Parliament has improperly restricted a judge's ability to” reasonably assess the evidence. That's what they've done in this bill. Now, all of a sudden and under a strike the union has the reverse onus to prove that they issued expressed instructions, which makes it nearly impossible to do. That, to me, is absolutely unfortunate.

When we take a look at these huge threats to this province, in the 37 years that this legislation has been in place, that this union has been under contract, there have been a total of 51 days in 37 years of illegal strikes. Now, how dangerous have those strikes been? It's actually interesting. In 1980 there was a strike. In 1990

there were three social workers, there was a correctional officers' strike, and there was a general strike at the university. In 1995 the laundry workers threatened the whole province and went on strike out of the Calgary Foothills hospital. In 1998 members of the university went out on strike. Then in 2000 we had an auxiliary nursing unit that went on strike. Now, that's two days. It was only six hours on the previous. [Mr. Anglin's speaking time expired] It's a shame I don't get to finish my . . .

11:10

**The Speaker:** Hon. member, I hesitate to interrupt, but pursuant to Government Motion 49, which was passed on December 2, 2013, I must now put the question forward.

[The voice vote indicated that the motion for second reading carried]

[Several members rose calling for a division. The division bell was rung at 11:10 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Speaker in the chair]

For the motion:

Amery	Fenske	Leskiw
Barnes	Fraser	Luan
Bhullar	Goudreau	Lukaszuk
Brown	Hancock	Olesen
Casey	Horne	Olson
Dallas	Jablonski	Quadri
DeLong	Jeneroux	Rodney
Denis	Johnson, L.	VanderBurg
Donovan	Kennedy-Glans	Weadick
Dorward	Khan	Webber
Drysdale	Klimchuk	Woo-Paw
Fawcett	Lemke	Xiao

**The Speaker:** Hon. members, before I call for the opposite vote, could I ask you to please cut your conversations out during the vote? It's tough enough hearing the Clerk facing away from me, but you're not helping by interjecting with your comments.

Against the motion:

Anglin	Hehr	Sherman
Bilous	Mason	Towle
Eggen	Notley	

Totals: For – 36 Against – 8

[Motion carried; Bill 45 read a second time]

#### Bill 46

#### Public Service Salary Restraint Act (continued)

[Adjourned debate December 2: Mr. Hancock]

**The Speaker:** Are there any other speakers? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** I can defer to the leader if that's okay, Mr. Speaker.

**The Speaker:** It's fine by me.

Hon. leader of the ND, would you like to go ahead?

**Mr. Mason:** Thank you very much, Mr. Speaker. This is a bill which is, of course, the companion piece to Bill 45, which was just passed for second reading, with government members voting in favour as well as two of the four Wildrose MLAs present for

the debate. That surprised me somewhat given the vociferous opposition expressed by the Wildrose House leader during debate. I don't know how you hold a political party accountable for its decisions when its members vote both ways. [interjections] They call it a free vote, but I call it evading accountability.

**An Hon. Member:** I thought you liked free votes.

**Mr. Mason:** Whatever gave you that idea?

**The Speaker:** Hon. members, we're not going to start this debate with interjections. Government members, please. Zip it up, and let's carry on.

The hon. member.

**Mr. Mason:** Thank you, Mr. Speaker. I really appreciate that. I don't interrupt them.

Mr. Speaker, this is an amazing piece of legislation. I'm not going to take the full amount of time, but obviously what was just passed at second reading is the enforcement bill. It's the bill that makes it completely impossible to protest, oppose, or refuse to comply with the provisions of this bill, and as such the two go hand in hand.

This is a very egregious bill, in my opinion. Imagine if it were reversed. Here's what happens under this deal. The union, AUPE, loses its right to go to binding arbitration, something that was presented as a substitute, and a poor one, in our view, for the right to strike, by legislation that was introduced by the Lougheed government. Nevertheless, there was some balance of fairness. Now that's gone, and the government is saying that if the union doesn't reach an agreement with them by the end of January, this bill will impose a settlement that is zero per cent in the first year, zero per cent with a small lump-sum payment in the second year, 1 per cent in the third year, and 1 per cent in the fourth year.

Now, the government says that they still want to negotiate a deal and that it's fair to do this, but if we wanted to evaluate that statement with regard to the fairness of the deal, let's imagine that the situation was reversed. Let's suppose that the legislation says that if the union and the government don't reach an arrangement, don't sign an agreement by the end of January, the union will get 6 per cent in the first year, 6 per cent in the second year, 8 per cent in the third year, and 10 per cent in the fourth year. Would the government then be so committed to arguing that this doesn't change the equation, that the union, of course, can be trusted to negotiate a lower amount in negotiations?

If you flip it on its head, Mr. Speaker, you can see the dishonesty of the government position with respect to this bill. If they were in the position that the union would get a very large settlement if they didn't reach a deal, they would find that completely unacceptable. So it is that the union finds it completely unacceptable to negotiate under those kinds of conditions. It is, as has been said a number of times already in the House and outside, asking the union to negotiate with a gun to its head, and I think that that is completely unacceptable.

Now, the government, of course, could be said in a sense to be in a conflict of interest because they are not only legislating the deal, but they're one of the parties involved in the negotiations, so they cannot be expected to act fairly in the interests of both parties. They are only interested in their own interest. In this particular case, it is not the public interest, in my view. In my view, this is actually not for any other reason than for political reasons.

I've heard the hon. Minister of Human Services say that the reason for this bill is because there has been a trend established or a precedent that the teachers and the doctors agreed to similar

provisions in terms of compensation in their collective agreements. He uses that as a justification to take away the right of the AUPE members to decide for themselves what kind of agreement they would find acceptable and to impose the same kind of deal on them, missing the whole point, which is that the Alberta Medical Association and the Alberta Teachers' Association negotiated a deal with the government of their own accord, and their members ratified it.

That is not the case with the AUPE. They have a right to negotiate their own collective agreement. They cannot be held, or they ought not be held, by legal force, as it were, to accept the same terms that other organizations have accepted. Those organizations made a decision, and they have to live with it. Their leadership has to answer to the membership, and the membership have to live with it because it was a democratically made decision. It was ratified by the members upon recommendation from the executive.

**11:30**

This is not the case here. AUPE has been rejecting that arrangement. They have just recently gone to arbitration. They'd been out of a contract since April 1 of this year – that's not unusual, Mr. Speaker – and they were scheduled to go to arbitration in February.

So, Mr. Speaker, who are these people? Who are these people that have had their rights taken away from them? It's akin, really, in many ways to slavery. In other words, these workers are required to work at a job – I mean, they can quit their job. I guess that's the difference. They're required to work at a job at the rates of pay and under the conditions that the employer sets, with no recourse whatsoever. And if they do take whatever limited options they do have, then of course they can be fined, as my colleague from Edmonton-Strathcona says, back to the Stone Age. That, in my view, is indentured servitude. That is something that we don't have in this country. Everybody has a right to form a union, to bargain collectively, and to have some reasonable means of settling disputes that is not settled by one side or the other arbitrarily. But that's what this government has imposed. I think they were just two months from a contract, and I think that it's not acceptable.

The people that we're talking about are social workers that strive to improve the lives of our most vulnerable youth. They work with developmentally disabled adults. They work at the Michener Centre, but not for long. They're jail guards. They work at the courthouse. They work as sheriffs patrolling our highways. They're conservation workers trying to clean up the mess of the environment. They work in our parks. They provide a whole range of social services, health services, and so on. These are the kinds of people that the government wants to force to take flat increments of salary: 0, 0, 1, and 1.

Now, the government members voted to freeze their pay the other day. They argued that they had to lead by example, and they wanted to avoid hypocrisy, as the hon. Member for Edmonton-Riverview said. But they haven't avoided hypocrisy, Mr. Speaker, because they're accepting a three-year freeze on salaries in excess of \$150,000 a year, and they're asking people to accept a freeze on salaries in some cases of \$50,000 a year or less. That's still hypocrisy. That's still unfair, and it's not something that this public, I think, should be asked to accept.

Mr. Speaker, I am hopeful that we can get maybe a few more members to speak to this particular piece of legislation than we did last time, so I'm prepared to take my seat. But I want to indicate that I don't think this bill is either fair or equitable, nor do I think it is ultimately going to be shown to be a legal piece of

legislation. I do not understand how the government is prepared under the circumstances we have today in this province to do this.

First of all, the economy is booming. Alberta has the highest inflation in Canada. Prices are rising, and people's incomes are rising. People's incomes are rising in the private sector much faster than they are, of course, in the public sector. So what we should be expecting, then, is an increase in the standard of living of workers in this province because the economy is very strong. There's actually a shortage of labour. The natural market forces, which I know the government and the Wildrose are both very supportive of, would tend to lead to an increase in wages in the province, but the government is artificially holding them down in the public sector.

In fact, because there is inflation in the province, over the course of this four-year agreement that will likely be imposed, workers will fall behind, and their standard of living will fall. This government is saying that because they can't manage the finances of the province, because they've given tax breaks to wealthy Albertans and to corporations, because they collect the lowest royalties in the world, working people, the people that work for them have to take a cut, that they have to pay.

Mr. Speaker, this is wealth transfer. This is a transfer from working people, who have a decline in their standard of living, to the very wealthy, who get much better tax breaks under this government. It's a reverse flow of wealth from the bottom to the top that this government is consciously engineering through this legislation. I want to say that that is completely unacceptable.

The other point that I'd like to make is that it's unnecessary from a financial point of view for the government to do this. If an arbitrator were to bring in a settlement, say, in the range of 2, 3, or 4 per cent, it would not force the government into bankruptcy, and it wouldn't force it into a financial crisis of any sort. The Finance minister gave a second-quarter update just last week in which he projected an additional billion dollars in revenue over what had been budgeted for at the beginning of the year. So the financial position of the government does not require this. The economic situation in the province does not lead us to think that people should have lower wages. In fact, the opposite is true.

Why is the government doing this? Well, the government wants to lower the standard of living of working families in this province. It's as simple as that. They want to transfer wealth to their corporate friends and their wealthy friends, and they want to cut back on the services that all of us depend on because they're not prepared to take the necessary steps to ensure that those things are affordable. You can see this agenda, this same right-wing, ideological agenda in other ways. The Minister of Health has embarked on the most massive privatization in the history of our public health care system in a whole number of areas: in long-term care, seniors' care, lab services, and so on, Mr. Speaker. You can see this . . .

**The Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. The hon. associate minister.

**Mr. Fraser:** Thank you, Mr. Speaker. Hon. member, in your opinion, would you say that it's a democratic right to vote? Is it a democratic right to choose representation? Those are two questions.

**Mr. Mason:** Well, it's a rather open-ended question, Mr. Speaker. I know the hon. member is a union member and must be in a very difficult position here, but I am assuming that he doesn't mean union leadership; he means leadership here, an elected position in this Legislature.

Here's the difficulty, Mr. Speaker. What if your elected representative that you voted for doesn't do what they said they were going to do and, instead, does the opposite? What then do you do? You have to wait four long years to have another crack at them under our system. The kinds of promises that were made by this government in the last election are amazing. We tallied it up during the campaign: \$7 billion of additional program expenditure that was promised by the Progressive Conservatives under the now Premier. They had no way of paying for it. They had not costed the items. We costed it for them. They had no ability to pay for those promises, so most of those promises, of course, have not been kept: promises for more funding and reliable, stable funding increases for education and for health care, promises to support people with disabilities, ending child poverty. You know, it was massive.

**11:40**

Now when we ask questions in the House, the government stands up and says: we were elected on a program of restraining public spending. Well, Mr. Speaker, that is totally false. They were elected on a promise of wild, unrestrained, unaffordable election promises – oh, and of course then scaring people about the lake of fire. That's the mandate that this government has. They weren't elected to build Alberta, to show restraint in spending and live within our means. They are reinventing history. They're reinventing their own history, and they're manufacturing a mandate that in fact has no relationship to the platform upon which they ran, and we can't let them get away with it.

In answer to the hon. member's question, people do have a right to elect people, but they also have a right to have the people they elect keep their word, and this government has not done so.

**The Speaker:** Standing Order 29(2)(a), hon. members. Anyone else?

Seeing no one else, let's move on to the next main speaker. The next hon. member to be recognized is the hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. I will rise now to absolutely oppose this bill, and I'm going to detail the reasons why. Since 1995 there have been 13 days of illegal strikes. Nobody wants to see an illegal strike. That's just not a question here that I'm entertaining. The whole idea is to avoid illegal strikes. The whole idea is to reduce the probability of an illegal strike.

I don't know any tool that's more effective to reduce or eliminate the possibility of an illegal strike than arbitration. So when I look at the history of the number of strikes that have taken place since the passage of the Public Service Employee Relations Act, which goes all the way back to 1977, looking at beginning in 1995, laundry workers at the hospital struck for seven days, and the union was fined \$400,000. In 1998 members at the University and Glenrose hospitals went on a wildcat strike for six hours. In 2000 there was a two-day strike at a nursing care facility, and the fines totalled \$675,000. Then, of course, as we move forward to February of 2012, there was a one-day wildcat strike, that was settled by binding arbitration. It limited the strike to one day. Now, nobody wants a wildcat strike. Unfortunately, some of the members don't understand even what the definition of arbitration is because it got settled by arbitration. It got settled by arbitration. It prevented it from going on further. So arbitration is a tool that this government has proven works.

As much as they mock the comparison, we just passed a law giving this government access to arbitration in financial matters,

to settle international financial disputes. They don't see the parallel, and they don't see the hypocrisy of granting themselves access to arbitration yet removing arbitration under this act from the public service employees' union to settle disputes. I don't understand the logic behind that. It doesn't make sense.

So while some members think we should have higher penalties to prevent illegal strikes, I say that's a debatable issue. I'm not sure what is the appropriate penalty, but what is absolutely important is that whatever the penalty is, it should be just, it should be fair, and it should be enforced by due process of law, not automatic in the sense of creating a law and then everything kicks in and the onus is on the union to prove that it's not so much at fault. They don't have access now to go to arbitration once this bill passes. That doesn't make sense. We're going to impose a pay freeze on these union members in the form that's listed in the bill.

The criticism is – and the government has leveled it at our party because we stood up during the election and said that we were going to try to freeze government wages until we balanced the budget. That was one of our platforms. Now, the union didn't like that, and many other government workers didn't like that, but the fact is that we told the truth. We didn't lie. We said: here's what we believe in. When we were elected as 17 members and the government granted an 8 per cent pay raise, we thought that was hypocrisy, so as a whole caucus we voted not to accept that. We've stayed committed to not taking that 8 per cent, and we're going to roll that back if we become government.

We are firm in our belief in making sure that we get our house in order, particularly our finances. We don't buy this concept that debt is hope, and we're not into this concept of just spending without taking accountability. We differ tremendously from the governing party, but we never once said that we were going to remove arbitration. We never once said that we were not going to deal fairly. We always said that we were going to deal in good faith.

When I talked to our leader over here about that issue, what she questioned me on was: do you think we can get the union to accept a pay freeze? My answer was: "It's very difficult to actually predict that in the sense that they're going to come to the negotiating table, and we'll go to the negotiating table, and if we don't agree, we're going to be forced into arbitration, which we should welcome, in a sense, and then settle the matter." But if we were going to ask for a zero per cent pay increase, then we had to be prepared to take it ourselves. What we've seen from this government is that it gave itself 8 per cent and then said that it's going to freeze its pay.

Now, I don't know how that's going to go over in arbitration when an arbitrator looks at: well, you gave yourself 8 per cent, and, oh, by the way, you're going to tell them they can only take 0, 0, and 1 or whatever it is. That doesn't even make sense. That's not logical. That's actually hypocritical." They don't see that, and that's fine. They don't have to see that. I suspect they're going to see these union members during the next election, but they probably don't want to see them. But they will, more than likely. The fact is that we will still stand as our party on the same platform, I believe, pretty much, unless something changes that I'm not aware of. Our goal is to actually balance the budget. Our goal is to control spending. [interjections]

**The Speaker:** Hon. members, the Member for Rimbey-Rocky Mountain House-Sundre has the floor. Let's respect the fact that he does have some speech-making to conclude.

Hon. member, please continue, and let's stop the interjections, please.

**Mr. Anglin:** Thank you, Mr. Speaker. I don't mind the heckling that the members give, but I understand that it's not respectful to this House or to yourself as the Speaker.

They don't like it. It's a bitter medicine choking on that Kool-Aid over there. I don't mind that. They're the ones drinking the Kool-Aid, not us. We have stood up on principle. Some of us disagree. We have argued over the issues, but I think we're in unison on our beliefs and our commitments, which is due process of law, which is dealing fairly. Contractual law is contractual law, and we want to uphold the law.

But we would never ever, in my view – and I can't speak for everyone. I can't imagine supporting changing legislation to circumvent a legal contract. That makes no sense to me. That's disrespectful, that is disingenuous, and it is just in many ways complete hypocrisy because it removes the fundamental beliefs that drive our civil society, which in our economic system is contract law.

**11:50**

The government entered into a contract. They are now involved in a dispute. The contract says that if they cannot settle the dispute, arbitration is available to settle the dispute. What they're doing now is saying: we don't want to go to arbitration because we think we're going to lose. You probably are. The way they've behaved, chances are that they predicted it quite well. Rather than abide by the contract, what they're going to do is change the law and remove the right, and I say that that's fundamentally wrong. We would not do that in any other circumstance, but we are definitely doing it in this circumstance.

One of the things that I think has gotten missed throughout these debates tonight is that when we look at the Public Service Employee Relations Act, if something does go to arbitration, what the mandate of the board to do is to ensure that the wages and benefits are fair and reasonable to the employees and the employer but, most importantly, that they are in the best interest of the public.

That law, in my view, was written to protect the taxpayers. When something went to arbitration, the board or the court that was going to use this act to arbitrate the dispute was going to look after the public interest and was going to try to be fair and reasonable, something that this government is not practising right now, in my view. They were going to look for not only the time period that was under review but the wages and benefits in both the private and public sectors. For many people, when they look at the government employees, they always like to do the comparison to the private sector, and that's fine. The government did it earlier. But the fact is that if it goes to arbitration, the arbitrator must take into consideration what the private sector is making versus the public sector and weigh that. That's that balance wheel that a judge has to weigh. There's nothing wrong with that. I say that that's a good law. That makes the arbitration work not just for the employees, not just for the employer but for all Albertans because it's looking after the public interest.

Here we have this government again, yet one more time, removing the public interest test. Interesting. Yet you're saying that you're looking at protecting the public interest or the safety of the public. I don't get it. Why don't we leave it there? Why don't we give them access to arbitration? Why don't we deal in good faith? They're not doing it. This speaks to integrity, and they are very, very suspect with the public employee union for that very reason.

They have done this time and time again since they've been elected, and this is something that I think is an amazing disrespect

for all Albertans, never mind just the union. It is something that is not done in the private sector at all. They don't have the ability to do that. They have to deal fairly. The interesting thing is that union contracts are settled all the time. They are negotiated fairly, and most union contracts – when I say most, the majority – are settled without any type of labour action, without any type of lockout although we hear about the ones in the news. They represent the minority, again.

We're here at this stage removing arbitration, and we're seeing a tremendous amount of hypocrisy by this government in dealing with this issue. I'm not sure what the end game is with this government and how it plans to deal with this matter. I suspect that what they might end up doing after they get what they want is that maybe down the road we'll repeal this law and then give arbitration back after they force the union into a contract for the length of time they plan to force them into.

They did the same with the electricity industry. They first legislated it, and once they legislated what they wanted, they realized their mistake, and then they removed the law. I see that happening here. It just makes absolutely no logical sense, in terms of business and in terms of trying to deal in good faith, not to have arbitration and not to be in the mediation process, where it works.

In closing, I'm going to throw out a theory here. The hon. members from the other side want to protect the safety of the public. They want to protect the public interest. They don't want to put the public at risk. That's what I'm hearing. Oh, my goodness, the laundry workers going out on strike risked the public so very much back in '95.

The removing of arbitration, in my view, now actually increases the threat to the public because what it removes is an avenue to settle the dispute. When you remove the dignity of any person, when you remove their options to settle their concerns, situations can get out of control rapidly. We've seen that in different areas. That is nothing new to society. That's why we, even in this House, have rules on debate. Sometimes it seems like chaos, Mr. Speaker, but the rules keep us co-ordinated, and it allows for free debate except when they issue closure before the bill is even tabled and prevent people from getting up and speaking or even dealing with the issue.

Overall, that's the whole purpose of the rules. That's the purpose of the rule of law. By removing certain sections, the way they are today, what they're doing is that they're removing options from the unions to settle disputes, and that leaves, then, the options of violating the law. In my view, that increases the risk to the public. That increases the threat that there would be a strike or some type of action. That is something that has never ever worked.

The hon. Deputy Premier tweeted a picture of the illegal protest in the Ukraine, that he supported, but somehow we're forcing these union people to maybe act illegally, which we're not going to support. The point is that we don't want to have illegal actions at all. That's not what we want.

**The Speaker:** Hon. members, 29(2)(a) is available.

Seeing no one, then let's move on to the next speaker. I have the hon. Minister of Justice, followed by the leader of the Alberta Liberal Party, followed by the Associate Minister of Regional Recovery and Reconstruction for Southwest Alberta, followed by Edmonton-Calder, followed by the Associate Minister of Regional Recovery and Reconstruction for High River, followed by the Member for Calgary-Buffer, and that's what I have so far. Of course, I have other members in the NDP who hold a site.

Please continue.

**Mr. Denis:** Thank you very much, Mr. Speaker. I'm pleased to rise tonight to speak to Bill 46, the Public Service Salary Restraint Act. You know, it's rather interesting when it gets this late. Sometimes it gets a little crazy. At the same time, though, the member to my right, the Member for Edmonton-Glenora, is always polite. She has been polite tonight. Even I have tried to be polite tonight. The Deputy Premier has been polite tonight as well, and I expect the same as well as I give my comments.

Under the leadership of our Premier but also for, I'd say, each member of the government caucus the guiding principle that we always had is that taxpayers have to be treated first, and I'll never apologize for always putting the taxpayers first in each of my decisions as an MLA and as a minister. I definitely believe that the Minister of Finance under his leadership has turned the corner towards budget surpluses, as outlined in the quarterly update last week.

Now, the last budget: some people may not have liked it, but at the same time it held the line on spending, Mr. Speaker. It made some tough decisions, with a focus on priorities, and it pronounced the philosophy of Building Alberta. Bill 46 follows on this leadership by continuing with our fiscal plan.

It's about balance, Mr. Speaker. Bill 46 ensures that compensation for our valued public servants is fair to our employees but also fair to the taxpayers. We worked hard with our doctors and our teachers on long-term labour deals that hold wages flat for three years and guarantee stability in education and health care.

Just this last week, Mr. Speaker, members of all caucuses here, I think, took a serious leadership step forward in voting to freeze our own pay for the next three years. I think everybody, regardless of what caucus you may be part of, can be proud of that decision.

At the same time, this is what a mainstream conservative party would do, achieve the goals of fiscal accountability, of economic growth, and a vibrant public service. As a conservative, though, I ask the question: if we do not manage the public tax dollar responsibly today, then how will we fund vital public services in the future? That's why, Mr. Speaker, I'm just perplexed by the changing positions of some members of this House.

Now, the Member for Airdrie has been polite tonight as well. I know he and I can get a little hot under the collar sometimes, but he's been very polite. I really never thought I would see the day where he'd be out on the steps of the Legislature practically wrapped in the flags of the AUPE and the NDP. If you would have told me a week ago that this would happen, Mr. Speaker, I wouldn't have believed you. The same member had indicated in the *Calgary Sun* a while ago: "The province should sit down and tell unions the truth. There's no money for raises, probably for two to three years." Now, those are not my words. Those are his.

12:00

Mr. Speaker, on top of that, I want to give you another quote. This is not from the Member for Airdrie. The quote is from the *Herald* a few years ago. Quote: I came to see unions as self-serving entities that punish good workers and protect bad ones, destroy workplace morale, and harm the companies that we operate in.

Now, that quote isn't from me. It's not from the Deputy Premier here either. It's from the Leader of the Opposition. I'm just really perplexed. My father worked at a union shop for roughly 30 years and got involved with a union. His politics, of course, are a lot more to the left of mine, but I wouldn't suggest that just because he was a union member, he was trying to punish good workers or protect bad ones or destroy workplace morale or harm the company that occupied him. This is very enriching to me.

Even less than a year ago the Leader of the Opposition said to the *Calgary Sun*: “There will have to be ‘some kind of austerity on public sector wages’ as in pay freezes in the short term.” Wow.

Mr. Speaker, the opposition has also released an alternative budget called the Wildrose Financial Recovery Plan, and it spoke at length of promoting cuts to the public-sector wages or the cost of bureaucracy. Some of the things that it talked about were, quote, holding the line on front-line public-sector salaries until the deficit is eliminated. Another thing: reducing salaries or benefits or bonuses or severances for non front-line workers in the government bureaucracy by over 20 per cent over four years. It also talked about: new hires will be provided with defined-contribution pension plans instead of defined-benefit pension plans.

Mr. Speaker, the Member for Edmonton-Highlands-Norwood talked about: you run on one thing, but you do something else. That’s exactly what the Official Opposition is doing here in opposing this bill. This opposition party supported budget austerity before. Now they’re railing against it. I’m wondering: next week will the opposition be joining Greenpeace in some protest? I don’t know. What do they stand for?

On this side of the House, in Bill 46, we will continue to hold the line on spending while meeting Albertans’ enormous growth challenges head-on. Bill 46 will support our public sector by ensuring that they are the best paid in the country. We will continue building Alberta so that we continue to be the best place in the world.

**The Speaker:** Hon. members, 29(2)(a) is available.

**Mr. Anderson:** That was a very passionate speech. It brought a tear to my eye that this member would spend so much time reading opposition literature and ideas and so forth.

Of course, the minister well knows. He was quoting from the Budget 2013: Wildrose Financial Recovery Plan. I’d like him to comment on this if he could. I just have to find the page here. On page 17 of that plan it talks about: “The Wildrose supports the work of public servants and supports the empowerment of the front lines.” Then it continues on page 18. “While this has prompted some to call for an immediate rollback in front-line public sector salaries, Wildrose has never proposed cuts to the salaries of Alberta’s front-line public sector workers.” That’s on page 18 if you’re following along there, Minister. However, until the budget is balanced in 2014, in a year, under the Wildrose plan “the Wildrose will work” – now, here’s the key phrase – “collaboratively and respectfully with public sector unions to hold the line on the current overall expenditure on front line public sector salaries.” What this says, to be clear, is that we will try to negotiate and make sure that we’re holding the line on salaries till 2014. Then beyond that I’m assuming they would probably go up likely with inflation, which is what we say later on.

So do you understand that it’s okay for you guys to go to the unions and say: “You know what? We would need to balance the budget, so we’re going to propose a zero per cent increase in year 1, 2 per cent in year 2, 2 per cent in year 3, and 4 per cent in year 4,” whatever. It’s okay to say that. No one is saying that you can’t go to them and say, “Look; how about 0, 2, 2, and 3?” That’s okay. I don’t think even the unions really expect you not to ask for that. It’s okay to do that and to fight for that. For the taxpayers, you say. Fight for the taxpayer.

But it’s a total, other thing – is it not, Minister? – when you don’t get your way, instead of negotiating and going to the bargaining table and doing so in good faith, to rip away the legal rights of our public-sector workers because you didn’t get your

way and because you can’t work, as I quote from the Wildrose literature, “collaboratively and respectfully with public sector unions to hold the line.” Because you seem incapable of respectfully and collaboratively working with our public-sector unions, do you see the problem that people have right now with the fact that you are ripping away their rights of arbitration?

They have no right to strike. They have no right. You’ve taken that right away. We agree that, hey, there shouldn’t be illegal strikes. Agreed. But when you take away the rights of arbitration because you didn’t get your pay freeze that you’re asking for, which I’m sure we would have asked for, too, in a negotiation had we won in 2012 – do you see the problem with ripping away their legal rights to go to arbitration, to have a third party look at the government side and the union side and say: what’s a fair compromise here? Do you not see the problem with that? Do you not see the distinction and the difference? Doesn’t one seem disrespectful and one seem respectful and collaborative? Don’t you think?

That’s what Peter Lougheed, your beloved Peter Lougheed, talked about in 1977, when he passed that bill. He said: we won’t allow essential workers in the public service to strike, but we will set up arbitration in its stead as a quid pro quo. Now you’re taking that away, and you somehow think that reading a quote that we want to have a freeze for one or two years on public-sector salaries, that we would go to the union – they know we would go to them because we were honest with them. We would ask for that. If they said yes, phenomenal, and if they said no, we’d try to work it out. We would try to work it out. If it didn’t work, we’d go to arbitration.

But what we wouldn’t do, what was never in our literature and, Minister, what was never in your literature is that if we didn’t get our way, if the union said, “No, we’re not going to do a 0, 0, 1, 1” or whatever, we didn’t say that we were going to rip away their legal rights to arbitration. And guess what, Minister? Neither did you. How do you answer that?

**The Speaker:** Hon. minister, you have about 20 seconds.

**Mr. Denis:** Mr. Speaker, first of all, I think this member really needs to answer something. He used to be a Conservative, and now he’s outside of the Legislature with the New Democrat opposition and the public-sector unions. Where do his loyalties lie?

It is important that we look after the taxpayer first, and the one thing that this member did not indicate is: what happens when you’re at an impasse?

**The Speaker:** The hon. leader of the Alberta Liberal opposition, the next main speaker.

**Dr. Sherman:** Mr. Speaker, thank you. I rise on behalf of the Alberta Liberals to speak in opposition to Bill 46, the Public Service Salary Restraint Act. I rise to oppose this bill for a number of reasons. First and foremost, what is the rule of law, the law of this land? The Canadian Constitution, the Canadian Charter of Rights and Freedoms, something that a Liberal government brought forward, a document – and this particular bill goes to the heart of who we are as Canadians – of fundamental freedoms.

Section 2(d), the freedom of association. We talked about bills 45 and 46, being sibling bills, as an attack and affront to the collective bargaining rights of Albertans. Mr. Speaker, you know, they talk about wildcat strikes. The only wildcats I know are sitting on that side of the aisle. The decisions that they have made as a government have led to certain decisions by hard-working public servants in our province.

Now, with respect to the Canadian Charter – they talk about workers breaking the law – the government would be in contempt of our Canadian law. If anybody challenged this law – and I believe it will be challenged – if it goes to the Supreme Court of Canada or when it goes to the Supreme Court, this government is going to be in a little bit of trouble, and it's going to cost a lot of money, which, unfortunately, Alberta taxpayers will have to bear.

12:10

Mr. Speaker, I don't know what's wrong with this regressive Conservative government. Even the previous Progressive Conservative Premiers recognized – you know, the father of the Progressive Conservative Party, Premier Lougheed, did take away the right of government employees to go on strike. However, he recognized that in the interest of fairness the loss of the ability to go on strike had to be replaced with the option of going to binding arbitration. The father of the Progressive Conservative Party put binding arbitration in here.

Now, the other reason we oppose this bill is just because of the principle of respect, just basic decency. If we want to build this province – well, I don't know. I think these guys over here are actually breaking the backs of Albertans who built this province. That's what this bill is about, breaking the backs of hard-working men and women. Mr. Speaker, we need to focus on the three Rs: respect, revenue, and shared responsibility. We all have a shared responsibility for this province. The government can't do it alone. They need the help of front-line workers.

The third main reason is that – you know what? – it's actually bad business. Nobody would start a business relationship by first slapping their partner in the face and saying: "Hey, let's all try to get along. Why aren't we getting along?" This bill is a slap in the face of hard-working men and women, who are going to build this province. That's not how you start a relationship, my dear friends. Negotiation and respect, sitting at the table. You may disagree, but disagree respectfully. Maintain your positions. Absolutely. The job of legislators and governments is to get taxpayers the best deal. Yes. The best negotiated deal. Yes, be tough in your negotiations, but don't walk away.

There are rules. There's binding arbitration. Go to arbitration. Sometimes you have two people that just, you know, are a mile or two apart, and that's where the binding arbitration comes in. My question is, Mr. Speaker: why does this government fear an arbitrator, an independent third party? Why do they fear that? They may actually rule in your favour – they may – and the union members would actually respect that. That's all they're asking for. Or they may rule in the union's favour. You know what? They might just say: "You're both sort of right. Why don't we sort of cut it in the middle, right? Let's make a deal here."

Mr. Speaker, for anybody who runs a business, you don't treat your workers this way. You treat your workers like gold. When you treat them like gold, they show up a half-hour early and leave an hour late and, darn it, go above and beyond the call of duty. When you treat human beings this way as your starting position – you know what? I still think these guys will show up early and leave late and still go above and beyond the call of duty, but I'll tell you that it's going to demoralize them. When people are demoralized, it lowers productivity, actually. It's good business to improve the morale of your staff. It's good business to treat them with respect. You know what? In this country it's actually legal as well to maintain the laws that we have that respect collective bargaining rights.

Mr. Speaker, you know, it's no wonder they can't balance a budget. When you've got an economy that's the envy of many economies in the world, the highest incomes, the best employment

rates, oil this high, this is as good as it gets. You can't balance the budget and provide the services that the citizens need? I don't know when you're going to do it. The question is: how did we get here? Well, how we got here is that, you know, the government's got no money. They've got no money, so they say. Well, why don't they have any money? Let's look at our revenues. My question is: how come the government doesn't have the revenue it needs? I'll tell you why they don't have the revenue they need.

One, when they went to a flat tax, they raised taxes on the very people that helped run the economy, the middle class and the regular working people, okay? They don't have money in their pockets to spend. That ripple-down effect that happens in society when regular working folk have money in their pockets is good for the economy. They buy a better house. They buy a better car. You know what? They buy nicer clothes for their kids. They eat out. It actually is good for business.

They actually raised taxes on regular working families. The Alberta Liberals will actually cut taxes on working families and make sure that they have fair wages because we understand that poverty is not a good thing. In the end it costs you a lot more money. The effects of poverty – Mr. Speaker, we have 90,000 children in poverty in our province. Poor children come from poor families, and poverty leads to issues of poor health. Illiteracy, cutbacks to education: those lead to poor health and poverty.

Mr. Speaker, yes, the government has to look at their taxation rate. We have to go back to progressive income tax. Premier Lougheed had it, and when Premier Klein was on his game, he had it. You know, we also have to look at our expenses. I took the liberty of looking at all the budgets and all the expenses. Do we have a spending problem, a revenue problem? Yeah. We've got a bit of a revenue problem. We do.

We could improve our revenue problem if we actually dealt with the environmental issues. The world and our partners would say: please get your pipelines through our region to the coast. We'd get a world-class price for our oil if we actually dealt with the environmental issues. Money would be flowing like milk and honey in this province. Everybody would be making more money if these guys actually dealt with the environmental issues. That would help increase our revenue as well.

On the spending side – you know what? – there is a wasteful spending problem, but the waste isn't in the front lines, in the staff, as this government would suggest. The waste is actually in the mismanagement. We have too many managers managing managers. We've got ministers who are ministers of associate ministers. Jeez. Half of these guys are ministers on this side over here. That's just simply inefficient. Mr. Speaker, you need smart government, not dumb government, okay? We need efficient government, not inefficient government.

Let's look at the number one spending issue, health care. Well, health care spending is up \$5 billion dollars a year from five years ago. That's a 43 per cent increase in health spending when the population has only gone up 11.1 per cent, and the citizens' needs aren't getting met. I had asked the government to find out where the heck the money is going first. Stop contracting out to private corporations in some other province or some other country that is going to deliver substandard services. This is actually costing you more money, delivering you inferior care. If you just had these good folks – when you take out the profit component, evenly pay unionized staff, and pay them benefits and pension, we would actually get better care for less money.

**An Hon. Member:** That's not on topic.

**Dr. Sherman:** No, no. It is on topic because this is how we got here. The government says that they have no money. We have given them solutions to improve their revenue, and we've given them solutions to fix their mismanagement.

Mr. Speaker, at the end of the day it's really a philosophy. The Conservative philosophy is, as Elizabeth Warren said: I got mine, and you're on your own; go get yours. They feel it's every person for themselves. We Liberals believe that when our prosperity is shared, when many more of us in society do well, we all do well as a society. We'll have fewer social problems, fewer homeless and hungry and poor kids, fewer people in the prison system. When people get a better education from early childhood to post-secondary, when everyone has the skills and training that they need, it's good for the individual, good for the community, and it's actually good for industry and good for the economy. It's for these reasons the Alberta Liberals oppose the need to pass this draconian legislation, Bill 45 and Bill 46. These are unnecessary bills.

12:20

Government backbenchers, I know you'll all vote for this because you really have no option. I know what your reward will be if you do vote against your government. But I think you're taking people for granted. I think you really are taking Albertans for granted. I believe that you actually insult the memory of Albertans, and I recognize that next election they will let you remember this.

Mr. Speaker, I believe there will be a true miracle on the prairies next election. I believe the Liberals will be part of forming a government, and I believe that when that happens – it will have to be a true miracle; it ain't going to be easy – we will repeal Bill 45 and Bill 46.

I understand that there's probably a 99.999 per cent chance that it's going to pass tonight. But for these reasons, Mr. Speaker, because of Supreme Court issues and the Canadian Charter of Rights and Freedoms, because we believe this is bad business, and we believe this is just dealing in bad faith, in unnecessary, heavy-handed legislation to further erode workers' collective bargaining rights, I on behalf of the Alberta Liberals oppose this, and I ask other members of the government just to really search your souls and do the right thing.

Thank you, Mr. Speaker.

**The Speaker:** Thank you, hon. member.

Standing Order 29 2(a) is available. Calgary-Buffalo.

**Mr. Hehr:** Well, thank you, Mr. Speaker. I'd like the hon. member to comment on a few of the things I'm about to address with him. I guess I was very disappointed by the fact that this government chose to bring in time allocation on what I think are the most important bills actually facing this Legislature in this House sitting and the fact that we are going on, in my view, what can only be conceived as a trampling of workers' rights, the collective bargaining process, and, in fact, are engaging in an exercise that will basically take away our constitutional rights as enshrined in the Charter of Rights and Freedoms.

You know, say what you want about 1977, when Premier Lougheed took away the right to strike. Whether I agree with that or not, he actually had the foresight to put in the right to binding arbitration. That was the law of the land for the last 35 years, and in my view it actually allowed for the uneasy labour peace to exist. If you take away that right to strike, there has to be a vehicle for the collective bargaining process to work and exist because since that time, in 1977, we've had the enshrining of the Canadian

Constitution in 1982. At that time we brought in the freedom of association. We in this country and in this province have a right to be able to join a union and to collectively bargain.

There's been much case law that says that we have a right to do that. You go down and you look. You need to have an ability to do these things. All workers in this province and in this country have that right, and the court is repeatedly saying that collective bargaining must be meaningful under section 2(d) and that it requires a process of consideration by the employer of employee representations and discussions with their representatives. This government's actions, by taking away the right to arbitration and forcing the union at gunpoint to negotiate a settlement in this manner, to me, are an affront to our rights under the Charter of Rights and Freedoms. It's not even that hard. This is an easy second-year law school exam, for crying out loud. You look at this. They would be embarrassed to put it on a test because every second-year law student in the province would come up with the answer and say: yes; this is unconstitutional. It really is. I can see no way around this provision. If you look at the case law that's emerged in this country since 1982, this is an affront to the right for workers to organize, the right to collectively bargain, and the right to a fair and representative hearing.

Given that why would this government be choosing to go down a path that not only disrespects workers and disrespects the process that was in place and, in fact, engaging in a law that is probably unconstitutional despite the fact that, you know, we're continuing to take it out on the backs of middle-class income earners, people doing the good work of this province? Why are they doing this at this time?

**Dr. Sherman:** Thank you, hon. Member for Calgary-Buffalo. You've made some very important points. I can only speculate as to why this Conservative government would make this decision. I just thought: jeez, these guys are wilder than the Wildrose. At the end of the day this is a further erosion of our democracy. That's what my sense is. You know, binding arbitration is a very good thing. It's not often that unions have gone on strike for wages. The unions welcome binding arbitration. They do not know the outcomes of the decisions. It's in the Constitution because in the Canadian Charter of Rights and Freedoms they recognize that civil discord is . . .

**The Speaker:** Hon. member, thank you. Unfortunately, 29(2)(a) has elapsed, and we must move on to the next main speaker. That will be the hon. Associate Minister for Regional Recovery and Reconstruction for Southwest Alberta.

**Mr. Fawcett:** Thank you very much, Mr. Speaker. It is an honour to rise here today to speak to this bill, Bill 46, the Public Service Salary Restraint Act. I do want to thank the members that are in the gallery that have stayed here all night. While we know that this is a very contentious issue – these aren't easy issues to deal with – I think they can all be assured that even those on this side of the House that are supporting this bill don't take it very lightly. There has been lots of conversation about the value of members of the public service. I don't think we can underscore that enough.

You know, this last summer the Premier and the Minister of Municipal Affairs asked me to take on the roles and responsibilities of helping rebuild the southwest portion of Alberta from the worst floods in the history of this province. In doing so, I've been able to work with a number of public servants that have gone above and beyond what you would even expect most people to do. They do that not necessarily because they're public servants but because they're Albertans, and that's the Alberta spirit, and that's



what they do. It's no different whether they're in the public service or not in the public service. It's just what we do as Albertans.

I think we need to make sure that as we go through this debate, we remember that we are all in this together, whether you are a member of the public service as part of the union, whether you're a member of this Legislature as part of a political party, or whether you're a regular working Albertan that's a taxpayer that might not be involved in a union of any sort. Those people, too, are hard-working Albertans, and they deserve to have their interests represented as taxpayers in this Legislature as well.

In fact, one of the reasons why I believe, Mr. Speaker, that I'm here is because I grew up in very much a working-class family. My dad and my mother I don't think got much more than a high school education. In fact, I don't even think my father completed grade 10, but he went on to have a successful career as an average working Albertan in the construction sector and was able to move up and is a superintendent for a company that builds The Keg restaurants. He travels all over North America building The Keg restaurants. You know, I saw as I grew up in my family with two other brothers that my parents worked very, very hard to put food on the table, to make sure that we had every opportunity to succeed in life, whether it was through playing sports or having the proper equipment or supplies for school, clothes, those types of things, the basic necessities. My parents worked very, very hard. I know at times it was a struggle for them.

12:30

I know that at times they were very, very appreciative of living in a jurisdiction that had the types of public services that we have but also had a government that looked to making sure that they maximized the amount of money that they got to keep from their paycheque or maximized the amount of money that they were able to save on buying supplies, food, whatever, without having to pay a sales tax. That's something that they very much appreciated, and I know that is something that helped out my particular family.

I think this is something we're talking about when we talk about fiscal restraint. I know that I haven't been shy in my time as an MLA, since I was elected in 2008, about talking about the importance of managing the government purse. That does mean everything. It does mean the ability to deal with public-sector salaries. It does mean the ability to make sure that we're offering programs that are relevant and effective and efficient to Albertans. It does mean taking a look at our bureaucracy, our levels of management, and making those appropriate decisions.

You know, there is some misinformation that has gone through tonight. I find it incredible – in fact, it's bewildering, actually – the stance taken by some of the members opposite, particularly the Official Opposition, who are the first ones to stand up and say: this government is spending out of control; it needs to curb spending. I mean, they've put out tons and tons of information about holding the line on salaries, those types of things yet then want to stand up – my guess? – to do nothing but pander for votes, frankly, and say that they're now the champions of this process.

In fact, I was at the economic summit hosted by our government about a year ago, and there was a cross-section of panelists talking about our budget and what we need to do. Their former campaign manager – the hon. Member for Rimbey-Rocky Mountain House-Sundre said that they were going to run on the exact same platform they did last time; he just said that tonight – advocated a 10 per cent rollback of public-sector spending, including all of the salaries. Fair enough. You know, this particular party might not have gone to that extreme, but it's very difficult to tell because their position changes from day to day, week to week, month to

month on a lot of these things, trying to figure out where exactly they might be able to convince Albertans to vote for them. Mr. Speaker, what I can say is that as a member of this Assembly I don't go about picking my stances based on that type of illogical thinking.

As I mentioned, there is extreme value in our public servants. This isn't an easy decision. It's certainly not. I know that the ministers that were involved in this didn't take any glee in doing this. It's a very, very difficult decision, no doubt. Certainly, if the world was perfect and everything was ideal, you know, there would be a negotiated settlement already in place that works for the members of the public service, that works for the government, that allows us to continue to commit to our building Alberta plan, that has us living within our means so that we can keep taxes low, keep our economy prosperous, and continue to enjoy the quality of life and the quality of public services that we have today. But, unfortunately, that's not reality.

I guess I wouldn't expect anything different from the Official Opposition because they have developed this habit of standing up and saying one thing and realizing that in the reality of governing, you have to do something completely different. I think what we need to realize is that this is about the economics of the provincial budget and the commitment that we made to Albertans that we're going to continue to keep those gains that we've made as a province in being the best-managed fiscal jurisdiction in North America.

You have to do that through a number of measures. I think that results-based budgeting is one of them, Mr. Speaker. The initiative of eliminating 10 per cent of the management-level public services which, I might add – I think that we need to set the record straight on that. If you got rid of every single government manager, that would save \$3 billion – \$3 billion – in a budget that's between \$35 billion and \$40 billion annually in this province. That's less than 10 per cent, which is pretty typical of organizations this large, to have that level of management.

Now, Mr. Speaker, that's not to say that you still shouldn't maybe look at eliminating, you know, possible redundancy in management, and we are. We've made the commitment to reduce management levels by 10 per cent over three years, so we are taking that on. But the other big piece that you do need to take on is this whole idea around public-sector salaries. We've worked with teachers, and we've worked with doctors, and we've got them to work with us on living within our means and pushing that agenda forward as part of our building Alberta plan.

The plan is to make sure we're doing that to remain prosperous, to keep taxes low, which, I will remind everybody, public-sector workers also benefit from, as well as to maintain the sustainability of our quality public services moving into the future. While the process sometimes isn't as perfect as we always want it to be, I think it's important, Mr. Speaker, that what we do is to show a commitment to Albertans that we are willing to do this. We led by example by freezing MLA salaries, and we're going to work with our employee groups to get that same type of restraint so that we continue to protect the gains that we've made financially in this province over the last several decades.

I think what also needs to be brought up, Mr. Speaker, is that we do want to get to the negotiating table and work on that agreement – okay? – but you need a partner at that negotiation table to negotiate with. It's fine to just stand up there like the hon. Member for Airdrie did and say: we would negotiate a freeze. That's what you said that you would do.

**Mr. Anderson:** I said that we would try.

**Mr. Fawcett:** You would try. What happens if they're not at the table? How are you going to negotiate it? [interjections] That doesn't...

**The Speaker:** Hon. members, please. The hon. associate minister has the floor. Let's let him conclude. Section 29(2)(a) will be available thereafter. You can put your questions to him then. Agreed?

Please continue.

**Mr. Fawcett:** This is where I'm going, Mr. Speaker. Ideally, that would be fantastic – fantastic – if we can do it, but you need the other person at the negotiating table to be able to do that. It's very clear with this employee group that they have not the desire to be there at this time. The intention of this legislation is to encourage them to get back to that table so that we can do exactly that, hon. member. That's what the purpose of this legislation is supposed to be.

Mr. Speaker, this gets back to, as I said, the very basic reason why I believe I ran to represent my constituents in Calgary-Klein, why I believe it's an honour to be a part of this Assembly, why I believe it's an honour to represent the constituency of Calgary-Klein, and that's to make sure that we're making the right decisions even if they're the tough decisions. I will never shy away from that. I will never be intimidated. I will never be bullied away from that.

I truly, honestly believe in my heart that this is a tough decision. It isn't going to be easy. We are asking for some sacrifice not just from the group that this legislation applies to but from all of our employee groups, whether they be management, whether they be teachers, whether they be doctors, whether they be the good public servants, that work and are represented by the Alberta Union of Provincial Employees, or whether it be future employee groups that are negotiating their contracts.

I think we have an opportunity today, Mr. Speaker, to show some fiscal restraint, to control public spending, and as a result, future generations of Albertans are going to benefit significantly. They're going to have an economy like the one that we have today, that's leading the country and is the envy of the world. They're going to have jobs. Then the result of that, which is the foundation of why, I believe, Albertans have voted for this party for 40-some years, is a strong economy, one that's generating investment and job growth and is going to allow us to invest in the public services that create the quality of life that we enjoy today.

Those are the expectations that Albertans have. They understand it, and we're asking all Albertans to work with us to make sure that we maintain that advantage.

Thank you very much, Mr. Speaker.

12:40

**The Speaker:** Hon. members, 29(2)(a) is available. I have Airdrie, followed by Edmonton-Meadowlark.

**Mr. Anderson:** Just a question to the hon. member. As someone who's on this side of the House, sometimes I feel like you think – not you. I'm not going to accuse you of motives here. But sometimes the things we hear in this Assembly make me feel...

**Mr. Eggen:** Nauseated.

**Mr. Anderson:** Yeah. Nauseated.

... like some folks in this Assembly might believe that our public-sector workers are idiots. It's almost like some folks think that if the government goes into a negotiation – do you not think that the head of the AUPE knows that the Wildrose or the PCs,

whoever is in government, aren't going to go to them and ask for 0, 0, 2, 2 or something like that as their starting point? Do you really think that they're sitting there thinking: "They're going to come over here, and they're going to ask for 3, 3, 3, and 4? That's what they're going to ask for. That's going to be their initial position." I mean, clearly, they know that we're going to ask for a freeze when we have a deficit. Clearly, they know that.

**An Hon. Member:** That's why they ignored bargaining and went straight to arbitration.

**Mr. Anderson:** Well, no, actually.

For 35 years, associate minister, Peter Lougheed, whom you clearly respect and admire, as many other people do in this Assembly – I certainly do – put arbitration on the books so that for these types of disputes, where the government goes in and asks for a freeze or a 1 per cent increase or whatever and then they just can't find agreement with the union under any circumstances, there's recourse. They can't strike – they made that illegal; that's fine – but they can't even go to arbitration now. They can't even go to arbitration to get an arbitrated agreement.

Now, I know the arbitrator might come back and say: "You know what? We're not going to give you your freeze. We're going to go with 2 or 3 or 2 and a half or whatever." We know that's a possibility. But why would you take away that right for the unions to say: "Look, you know what? We don't agree with you, government." Government can go and make their case and say: "This is why the freeze is justified. This is reason why we're asking for a freeze for a year or two." There's nothing wrong. In fact, I commend you for making that case. Good on you for making that case.

But when you don't get your way, associate minister, and you don't get the freeze that you've asked for, what makes you think you have a right to then rip up 35 years of Premier Lougheed's legacy like this, rip apart their arbitration rights like they don't even exist and impose a contract? Instead, just go to the arbitrator and make your case. Say that this is why it should be a 0, 0, 1, 1 – in your case this is what you have in this bill – or that this is why it should be 0, 0, 2, 3 or whatever your negotiation was. Make your case to the arbitrator – that's the law – but don't take away their legal rights. Why are you taking away their legal rights on this bill?

**The Speaker:** The hon. associate minister.

**Mr. Fawcett:** Thank you very much, Mr. Speaker. In answer to that question I'd like to ask a question of my own. What would this member do, what would this party do – and I'm not sure he can answer that because they seem to be all over the map, at least on the last bill and, I suspect, probably on this bill as well – to keep their campaign promise if an arbitrator came back and awarded one of the public-sector unions a 4 per cent salary increase? [interjections] What would he do?

**The Speaker:** Hon. members, please. Show some respect here. I didn't see a whole bunch of heckling when Airdrie was speaking, and I'm hoping to see no more while the associate minister is trying to answer what Airdrie had asked.

Go ahead.

**Mr. Fawcett:** Yes. So I would like to ask the member: what would they do if that was the case? Again, I mean, who is he trying to fool here? At least be honest with that. Is he trying to fool the fiscal conservative base of his party by saying, "Oh, we're going to hold the line on spending, but if an arbitrator says that we

can't do that, we're not going to do that," or is he trying to fool and pander for the votes of the union here, Mr. Speaker?

**Dr. Sherman:** Mr. Speaker, there's a doctor in the House, and the good doctor has made a diagnosis. This government is sick. They're sick, and they actually need a heart and a brain transplant. They do.

Mr. Speaker, this government campaigned on no new taxes and no service cuts, and they've broken every promise. School fees have gone up, tuition has gone up, seniors are paying more, working families are paying more and getting less, and they're . . .

**The Speaker:** Hon. members, the time for 29(2)(a) has expired.

We'll move on to Edmonton-Calder, followed by the Associate Minister of Regional Recovery and Reconstruction for High River, and then Calgary-Buffalo.

**Mr. Eggen:** Well, thank you, Mr. Speaker. I just wanted to point out, first and foremost, that I have been sitting here since 7:30 p.m. This is the first chance I've gotten to get up, and it's now 10 to 1 in the morning. This closure not only is undemocratic, but it interferes with my ability to do my job as an MLA, right? I was elected to sit in this seat. Lord knows, I spent a lot of time, hundreds of hours with hundreds of volunteers, many years of hard work to speak in this Legislature for the people that I represent. So when these people put closure and those undemocratic things there, they get in the way of me and my ability to do my job. I find that offensive. Certainly, we will fight at every turn to defeat that kind of behaviour.

With Bill 46 I think it's important – and I was trying to think of a different perspective, having listened to so many people here this evening. I think part of what we need to look at here, ladies and gentlemen in the Legislature, is the fabric of our civil service and the idea that our civil service is an essential service. Lots of people use empty words about that, but you can only truly build up that civil service if you pay them in an equitable way that fits in with the economy of the jurisdiction in which they're functioning.

Here in the province of Alberta, Mr. Speaker, we have an economy that is growing exponentially. We have a population that's growing exponentially as well. We hear about that a lot in this Legislature. But we do not have a civil service that is growing commensurate with the population nor are their wages growing in keeping with the growth of our economy. So that is unsustainable in the most fundamental way.

You know that we attract people into civil service because it is a people-oriented job, mostly, right? So you attract people that have a certain demeanour. They want to help. They want to somehow make a contribution to our society. But they demand and know that that has to be reciprocated by their employer, that they have to be compensated in a fair way and that they have something that they can count on. Yes, working in public service has a certain amount of security that maybe some other jobs don't have, but you pay for that security by maybe a lower wage, and you pay as well by some compromises you make through how that wage is determined.

After 30 years of arbitration being the norm for determining what those wage and working conditions are, to breach that confidence, to somehow suddenly hit up against a stone wall, to say that you're no longer going to use that normal system of determining wages and working conditions by bringing forward some draconian, ridiculous legislation like this Bill 46, an absolute piece of garbage, as far as I'm concerned, you are breaking the trust with those public servants. And, Lord knows, it'll take you a long time if you ever regain that trust with those same people.

I know that there are public servants who have spent half the evening up here watching this sort of spectacle take place, and I have to say that although there are certain individuals in here that do a fantastic job, a lot of it is quite embarrassing because we're not talking about the substance of why these people are up here watching and the many thousands of workers are watching the deliberation of this debate. They're not watching for the empty words of saying: oh, we sure do like you public servants. Right? They're looking to look after their families, to make sure that there is a wage that they can live on here in the province of Alberta that can actually pay for the bills that they need to pay every month. Simple as that.

12:50

When I start looking at the wages that are being paid here in this province – because the economy is growing. You'd never know it from being in here. You'd think we were living in some kind of a 1930s dust bowl recession, the way these people like to talk about absolute nonsense of the greatest threat to whatever. You know, it's because you're too cheap to collect the revenues that we need to actually pay for the government services in this province, right? You want to redirect that money somehow, magically, to I don't know where. A lot of it just gets lost, I think.

Anyway, the last time I could find some figures that could reflect the differential for a public employee in this province was 2010, making an average of \$57,000. The average salary for a non-unionized public-sector management person was more than \$150,000, Mr. Speaker, in this same place during that same time period. So you have this differential, this inequality, this inequity, and we're only exacerbating that by, as I say, this pea soup garbage bill, Bill 46, bringing in something like, whatever it is here, 0, 0, 1, and 1. I mean, how could you possibly think you can get away with that? That is not going to pass any muster test of legality, right? And it's some way to send some lost message that you're still the Conservative Party, a draconian, you know, beat-on-the-workers party. People don't believe that any more. You've lost that title to somebody else, and you've lost the trust of the people that could deal with that anyway.

I've been listening for the last 48 hours as well about bringing in the doctors' agreement and the teachers' agreement and stuff. I mean, what a bunch of garbage, really. The doctors' agreement says, for example – here it is over the next one, two, three, four years, okay? Yes, they took a zero per cent increase over this year. Oh, well. There you go. They also got a \$68 million lump sum to somehow lubricate that zero, make them feel a bit better about themselves, right? The next year they get a 2.5 per cent increase. Reasonable and normal, I would say. I'm not going to, you know, be feeling anything against the doctors getting that rate. The year after that, 2.5 per cent again. Again, probably meeting that cost-of-living, COLA, index in some reasonable way. Who knows where the economy is going at this point, but it's certainly growing. We know that, for sure, growing at a normal rate, which is good. Then the year after that, the fourth year, again cost of living, COLA, is written right into their agreement.

I mean, that's not 0, 0, 1, and 1, and that's based on a level that starts off very high. For doctors, I would venture to say, it's nothing like \$57,000 that's the average wage. I think it's at least \$300,000 for the average doctor. So there is one mythology that I wish you would stop talking about. If anybody tries to do that next in their so-called speeches over there, I will be sure to shout you down, and the Speaker will be very upset about that, I'm sure.

In talking about the teachers' agreement, well, that wasn't an agreement. That was legislated on the teachers, quite frankly, with heaped helpings of this sort of guilt and, you know, veiled threats and all of these other things. Even so, they still had to legislate that agreement.

So I'm seeing a trend here. I'm seeing a story that is being written, and the story is fiction, right? I'm an English literature teacher, and I can see people constructing a story, a story which is fine when you're maybe writing a novel, but when you're actually legislating people's lives, that is not acceptable. The story is trying to somehow suggest that, "Oh, well, we're living within our means; we have to make these tough choices," like this is a family, like we're living in a sitcom or something.

I mean, that's not even reasonable either because we know, like I said before, that this economy is growing here in the province of Alberta. People with eyes can see, living in the economy like we do. We all know that this government last week announced that they have a surplus of over a billion dollars this year, okay? That's a significant improvement over projections, and it's because the economy is growing. Whoop-de-do, you know, as if we can't see that with our own eyes. We work hard to build an energy economy here and diversify our economy. We certainly don't want to leave our civil service further behind than where they are at this present time, right?

So, you know, on a very practical level, even if you're just looking dispassionately at the situation here in Alberta, there's no need for wage austerity at this time in the province. There's no logical reason, there's no economic reason, and certainly it only pushes back that differential, as I say, between the wages of our public service and the rest of the economy, making them ostensibly poorer with the zero per cent, zero per cent. Zero per cent is not level. It's a cut.

For the years 2000 to 2010, Mr. Speaker, this province had the lowest public-sector wages compared to gross domestic product of any province in the country. For those of you over there who don't have an idea about what gross domestic product is, it's the sum total of the goods and services that are produced in an economy, right? And it reflects – if the wages and that gross domestic product start to separate from themselves, then you end up in an unsustainable situation. So you think: "Oh, well. Aren't we doing so well?" It's all relative to how much is being produced, and what the cost to live is in a given place. So, yeah, sure, we have higher wages for teachers than some other provinces, but it costs more to live here, so that's perfectly normal.

Mr. Speaker, I just had so many things that popped into my mind about this. Bill 45 as well: I missed that boat entirely, again, because of this ridiculous closure thing, that I just don't like very much at all. I'm sure they'll manage to get in eventually, though.

In closing, Mr. Speaker, I just wish that I didn't have this Bill 46 in my hand. I wish that we could move forward with the arbitration that was in fact scheduled to take place here in a couple of months. It's not as though, "Oh, well, we've come to an impasse; the AUPE won't come to the table," and all of this. I mean, that's all utter nonsense. They're happy to negotiate. We all know what the endgame is. We've been doing it for 30 years. It's "Oh, well, let's get all blustery and so forth," the arbitrator comes in, we get a reasonable deal, and away we go, right? Instead, suddenly, we run up against this brick wall in the last week of our Legislative Assembly here, where you want to have this big fight, you know. It seems so artificial, but, Lord knows, it's deadly real for the people who have to face the pay cuts that will come as a result of this Bill 46.

I will stand in opposition to that. I will stand united with the growing number of people. If you think you can divide the public service away from the general economy, you're dead wrong on that. I was in Calder on Saturday and Sunday, and they all said: Dave, go get them, and give 'em hell. By golly, that's what I'm here to do tonight, and I will do it tomorrow afternoon, and I will do it tomorrow night again. I will do it tomorrow afternoon and then tomorrow night again and until we can resolve this issue. Maybe if I had one too many nights in there, I'll be here by myself. That's the only thing. Maybe I counted wrong.

Anyway, those are my feelings on this, Mr. Speaker, and I'd be happy to answer any questions.

**The Speaker:** Hon. members, 29(2)(a) is available. I have Edmonton-Gold Bar, followed by Edmonton-Beverly-Clareview, followed by Edmonton-Strathcona.

**Mr. Dorward:** Mr. Speaker, given that Alberta's GDP is approximately \$278 billion, 22 per cent of which comes from the resource sector, I'd be interested to know the member's comments on whether that taints the percentages that he threw out there.

**Mr. Eggen:** I didn't hear what he said.

**The Speaker:** Let's move on, then, to Edmonton-Beverly-Clareview.

**Mr. Eggen:** He's got to speak more clearly, right?

Well, GDP – what did you say? The percentage of the GDP and then blah, blah, blah, mumble, mumble, mumble. I mean, you have to . . .

**The Speaker:** Hon. member, did you wish to respond to Gold Bar? Is that what . . .

**Mr. Eggen:** No. I'm saying that I didn't understand what he said.

**The Speaker:** I thought you turned down the opportunity, so I recognized Edmonton-Beverly-Clareview. I'd be happy to return if you wish. You're yielding the floor, then, to Edmonton-Beverly-Clareview, are you? Okay.

Edmonton-Beverly-Clareview, why don't you continue, then.

**Mr. Bilous:** Thank you, Mr. Speaker. I just wanted to ask a question here to the hon. Member for Edmonton-Calder. In his comments regarding second reading he spoke about an inequity. Now, clearly, as he outlined, there is an inequity between non-union employees and managers earning three times the salary of unionized employees. So there is definitely a differential and an inequity there.

**1:00**

I was wondering if the Member for Edmonton-Calder could comment on the fact that there's also gender inequity going on here, where the reality is that when we look at public-sector positions, unionized employees, there are many more women than men whereas when we look at private-sector wages and when they increase, it seems that for the private sector there is an inherent inequality and penalization for women, who, again, choose more than men to join the public sector and work in unionized positions. So it seems like there's a direct attack on women, on women's wages within this province. Again, I guess I'll ask the hon. member how he feels this bill will impact women in the workforce and the wages that they earn.

**The Speaker:** The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Well, thank you, my seatmate and Member for Edmonton-Beverly-Clareview. I could hear him crystal clear, by the way. Great articulation.

There is something inherent here. People always say: you know, how is it that women doing the same job as men and so forth are making so much less? Well, so many more women are working in the public service and starting off at this lower level. The wage freeze is an indirect – I'm sure it's inadvertent, but I think it's worth pointing out that it ultimately puts this inequality between genders and the wages that they're making as an average over the whole population into a greater gap.

We should just think about those things, right? I mean, I'm sure that that wasn't written right into the bill. "Let's go get those women and make sure that we make that gap grow, because, Lord knows, we'll blast them back to the 1950s and whatever." But that is the sum; that is the result of it. I come from a family of more females than males, and either they work in the public service or aspired to do so, and I will not let that happen to them.

**The Speaker:** The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you. On the issue of the wage gap and how that is enhanced by this bill, I'm sure the member knows, of course, that Alberta falls behind the rest of the country and that the wage gap between women and men in Alberta is the largest throughout the whole country and that, in fact, when most people talk about the historic decrease in the wage gap, we seemed to have avoided that – I'm sure these guys are all really happy about that – in Alberta. The historic decrease has been because of, in many cases, the public sector and public-sector jobs and public-sector wages, and that's what's allowed women to start to approach equality in most cases other than in Alberta.

My question is, then, to the Member for Edmonton-Calder. Given that the outcome of this particular deal under Bill 46 will be that three years from now public-sector workers will have effectively taken a 5.1 per cent cut, does he think that this bill is going to actually increase the earning gap between women and men in Alberta?

**The Speaker:** Hon. members, 29(2)(a) has now expired timewise, and we must move on to the next speaker. That would be the Associate Minister of Regional Recovery and Reconstruction for High River.

**Mr. Fraser:** Thank you, Mr. Speaker. It's always an honour to rise in this House and have a healthy debate. I wouldn't even say that this, to me, is bittersweet; it's just bitter. As many of you know, I come from the public sector as a paramedic. In fact, I represented Calgary paramedics for the better part of three years and worked with my counterparts in Edmonton and other parts of the province.

What I can tell you about the union: I have a fond affection for many of the people because they taught me civics. It's one of the things that the union does really well. They know their civics. They know how to communicate, they understand government, and they understand how to get their message out.

For all those people I've worked alongside, they work hard, and their intentions are always well meant. So, Mr. Speaker, it's just not bittersweet for me; it's bitter. But like my counterpart and friend the Associate Minister of Regional Recovery and Reconstruction for Southwest Alberta, sometimes you have to make the tough decisions, and that doesn't make it easy. I could speak until I'm blue in the face, and that won't make a difference

to the folks in the gallery or the public sector, because it's still a tough pill to swallow.

Mr. Speaker, what we're asking is for them to come back to the table. Being part of the union environment, I know how easy it is to get caught up in the day-to-day: "Let's bargain for the 12 days, and let's just go to arbitration because maybe that's just our best bet for whatever." They're taking a gamble. But we've heard about the economy, and I'm so proud to hear that the members opposite are talking about our economy and how we're managing that and how it's getting better. That's the point.

Mr. Speaker, what I teach my children is that when times are getting better, it's time to batten down the hatches, it's time to save for the future, and it's time to have the debates that the members from the ND caucus are having at that bargaining table about that differential between women and men. Those are healthy debates. Those are the debates we should be having.

It's not just about the wage, and I know from being at that bargaining table that you negotiate everything before you get to the wage. Everything. We have an opportunity, Mr. Speaker, not only as government, not only as opposition but for those members in the gallery and for the people that represent those unions that are well meaning to change things in Alberta, to have a better dialogue between the unions and the government. That's why I got involved in the union. I thought that we could have a better dialogue, that we could show respect towards one another, and that we could actually make some headway, that we could have some meaningful, fulsome discussions about labour relations in this province.

Mr. Speaker, what I can tell you is this. There are two sides to the story. The Member for Airdrie on November 3, 2008, read the Emergency Health Services Act, Bill 43, into this House. He introduced that. Unwittingly, what he did was that he took away my democratic right to choose my representation, and what we've heard is that you should have the right to choose your representation. You should have your right to choose your bargaining unit. But that's not what happened.

While I respect the members on the other side of that union and while we had this discussion, respectfully we felt we didn't belong there. So I and my members in Calgary and in Edmonton and in other bargaining units went to every single member of this government, and all we asked for was a vote. They said: it's between the unions and the legislation that was created. Wait a minute, Mr. Speaker. That's legislation that fosters the idea that the union is in control. But the minority, over 2,000 people – and you're frowning at me, but it was your husband, I believe, that helped us communicate that.

Mr. Speaker, what we said – this is what it comes down to. Then we went to the union, the ND caucuses. Then, funnily enough, the Member for Airdrie wouldn't meet with us because we were the union. Wow. We went to the leader of the ND caucus, and he wouldn't meet with us. In fact, the one time we met, he didn't even show up. To me, that's not fair. We went to the Liberal caucus, and that member knows that we lobbied hard. All we said was: inside the union is a group that champions the democratic right . . .

**Mr. Anderson:** Point of order.

**Mr. Fraser:** . . . groups that actually watch people like Rosa Parks and Martin Luther King and the way that they conducted themselves, Mr. Speaker.

**The Speaker:** Hon. associate minister, I hesitate to interrupt, but Airdrie has a point of order, and he's probably going to give us a citation and tell us what it is.

#### Point of Order

##### Allegations against a Member

**Mr. Anderson:** Here I was, Mr. Speaker, enjoying some good hot wings and some good pizza to kind of refuel for the battle here, and according to Standing Order 23(h), (i), and (j) I heard the member opposite say that he as a union member asked that the union try to meet with me as the sponsor of a bill while I was over on that side of the House. I think it had something to do with Alberta Health Services. It was unclear what it was, but he said that they had asked to meet with me and that I had said no. That is categorically untrue. Never once did that union that that member represented ask me for a meeting and then I said no to that meeting. Never once. He needs to withdraw that allegation – it is untrue – or supply evidence, table the invitation or something that I said no to. Table it in this House.

**The Speaker:** Hon. associate minister, you wish to reply?

**Mr. Fraser:** Yes, Mr. Speaker. In fact, it was the union representing me at the time that reached out to him, and the truth is that I called his office numerous times and left messages without a return phone call. However, from my perspective and when I was part of that bargaining unit, you did not say no to me, but you said no to my bargaining unit, according to them. I withdraw that if that makes the member feel better, but I did make the phone calls, and they were not returned.

1:10

**The Speaker:** Thank you, hon. members. I think everybody knows, because you've heard me say this many times, that the rules and traditions and the protocols that have governed this institution for hundreds of years have always accommodated two differing points of view on the same issue. We've just heard two different points of view and a withdrawal. That closes the matter.

Let's move on with the main speech. The hon. associate minister.

**Dr. Sherman:** Mr. Speaker, I have a point of order as well.

**The Speaker:** Hon. Liberal leader, you have a point of order as well. What is your citation?

#### Point of Order

##### Allegations against a Member

**Dr. Sherman:** I have Standing Order 23(h), "makes allegations against another Member," and (i), "imputes false or unavowed motives to another Member." I haven't reviewed the Blues yet, Mr. Speaker, but I believe he said something about the Member for Edmonton-Meadowlark and unions and shackling somebody. I would like the hon. member, unless I misheard – I may have misheard. But if there's an allegation made that I said something about unions, I'd like the member to clarify.

**Mr. Fraser:** No, Mr. Speaker, that wasn't the case. In fact, I was just referencing the member. He knows that we met with him many times on this issue. Again, it goes back to: we were just asking for a vote. We're asking to choose our representation.

**The Speaker:** In other words, there was no imputation of any motive of any sort during your comments?

**Mr. Fraser:** No, Mr. Speaker.

**The Speaker:** That clarifies that message. Thank you.

**Dr. Sherman:** I thank the member for explaining.

#### Debate Continued

**The Speaker:** Let us move on, then.

You still have some time remaining on your main speech.

**Mr. Fraser:** Thank you, Mr. Speaker. Let me get to the point really quickly. Really, it's not about us versus them. I'm just talking about the time and the situation because there are lots of allegations that this government is not making the time.

I guess, Mr. Speaker, what I'm saying, particularly to the union members up above – and I've no disregard for that group. What had happened happened. In fact, you know, when I had to hand over the reins to my membership, it was done graciously. I think the member has done a good job for that union in bargaining good contracts. It wasn't what we wanted. That's just the way that the legislation rode out. In fact, what I'm saying is that you can't always agree with the legislation. When it works for you, you can agree with the legislation. But if it happens to go against you – in this particular instance it's one time, not this draconian legislation that will be in place forever. It goes both ways.

Mr. Speaker, all I'm saying is that these are not easy decisions. These members know, particularly the ones that have known me within those bargaining units, that I fought hard for my group. I represented them honestly, just like I do for my constituents. Yes, public servants did an amazing job in High River, and I can't give them enough, you know, accolades. They're important, but so are the taxpayers, that I represent as well.

Thank you.

**The Speaker:** Hon. members, 29(2)(a) is available. The hon. Member for Cypress-Medicine Hat.

**Mr. Barnes:** Thank you, Mr. Speaker. I would like to ask the hon. member if he's not at all concerned about how arbitration rights seem to be the balance that's been set in many, many jurisdictions for the public union's legal inability to strike and if he's not very, very concerned about how that removes individual freedoms.

I want to remind the individual member that in the last election tens of thousands of people in southern Alberta were very, very concerned with your government's quick and easy decision to legislate away property rights, the same way you're trying to do a quick legislation ramrod here of individuals' rights to have arbitration when they're providing valuable – valuable – public services. I remember hundreds and hundreds of signs that had the arrow through the PC: don't vote PC. [interjections]

**The Speaker:** Hon. member, I'm sorry to interrupt.

There are just too many conversations going on here. The Member for Cypress-Medicine Hat actually has the floor. Some of you may not recognize that, but he does. So let's not provoke. Let's not take debate. Let's just let this hon. member speak, please.

**Mr. Barnes:** Hon. member, are you concerned about taking away individuals' rights to arbitration under Bill 46?

**Mr. Fraser:** Mr. Speaker, what I can tell you, just further to my story, is that we took our concerns to the labour board, what was supposed to be a mediator in this situation. What was further troubling to me is that the labour board said that, in fact, we actually have the right to choose our own bargaining unit because we're a unique class of employees within Alberta Health Services that could fit and carve out their own bargaining unit.

You know what happened, Mr. Speaker, the closer we got to that and there were implications nationally for the union that was representing me? They put us under administration. If there's anything unethical, if there's anything undemocratic, it's taking away the money and the rights to work on your behalf, particularly when I didn't break any laws. I followed the constitution of the union. I represented them well, as you well know because I've met with you and many of the other people on their behalf respectfully. That's what was taken away.

What I'm saying, too, is that arbitration is not always the answer. In this particular case – to the hon. member – we're asking them to come back to the bargaining table and to try it for another 12 days, to try it for another 24 days. Why is 12 days the magic number before we call arbitration? It's two sides to tango. I think that we can have a resolve, but we need them back at the table, Mr. Speaker.

**The Speaker:** I have the hon. Liberal leader next.

**Dr. Sherman:** Thank you, Mr. Speaker. I appreciate the hon. member's remarks. I'm not sure if the hon. member still works as a paramedic. I still work as an emerg doc, and I still regularly meet with his colleagues and his college colleagues. Here are the working conditions of the members that he once led. Looking at the Alberta Health Services website, ambulances in a life-threatening situation only arrive 50 per cent of the time under the eight-minute time limit. They're still stuck in hospital. They're supposed to arrive 90 per cent of the time in eight minutes, not 50 per cent. They're supposed to be in and out of hospital in 30 minutes 9 times out of 10. They're stuck in hospital for more than an hour 5 times out of 10.

The government's response to this is not to get them out of hospital on time; it's to centralize the dispatch. Experienced paramedic dispatchers, who understand the health care conditions and the region, are being replaced by protocols and inexperienced people. The injury rates of the members he once used to lead are through the roof. We won't even talk about the emotional injury rates, the stress of seeing human beings suffering and not arriving in time. Mr. Speaker, I still see the patients that his colleagues bring in.

One of these bills – it's Bill 45, right? Is that correct? Is it Bill 46? [interjection] Bill 46. Sorry. Bills 45 and 46, the sibling bills. My question is to the hon. member. When it comes to the working conditions and the safety of the members you once represented and the patients that they looked after and a fair wage, hon. member, are you still fighting for those good people?

**The Speaker:** Hon. member, I regret that 29(2)(a)'s time has expired, and we now must move on to the next speaker. I show Calgary-Buffalo as being next on the list.

**Mr. Hehr:** Well, thank you very much, Mr. Speaker. As always, it's an honour to be able to speak to these bills regardless of their draconian nature. It really is nice to be elected and to represent constituents and to speak on important issues.

On that front I'd like to go through a few things quickly. I think I've been here all night, but because of closure, that was introduced by this government, in my view an unnecessary act, one that removes my ability to advocate on important issues and to allow all members of this honourable House to do so, I feel somewhat cheated. I think that if we were going to do this in fullness and in a fair fashion, we should have discussed this without the time limits of closure put around us.

From my view, these two bills, 45 and 46, are the most important bills we are going to be discussing in this Legislature. I think you have to look at these bills in tandem. In my view, they substantially change the labour negotiation processes we've seen in this province. It substantially takes away not only the union's ability to go to a fair arbiter to have their collective agreements negotiated, but I think it's also an affront to our constitutional rights and freedoms as they were signed in 1982. There's much case law that goes that way, and I'll stand by what I said before. I believe this government is putting in an unconstitutional bill that, in my view, is against what our Constitution says.

1:20

You know, I know we're here talking about Bill 46, and this is the third part of that bill, which is essentially hamstringing the union into accepting a 0, 0, 1 per cent, and 1 wage increase. Really, this is done with no ability for the members of the union to really operate in a full and fair fashion, that has been established in this province since 1977. There had always been the right to go to binding arbitration should the negotiation process fail. That's where we are in this process. The government has signed on to this ability as well as the union members. It was headed down that track, and that arbiter is able to fairly evaluate the union's position as well as the government's position. Both were able to make their cases known, to put up all the information they had, and for that arbitrator to recognize what he thought was a fair deal given the circumstances of what is happening in the Alberta economy.

That gets me to where we are. What that arbitrator would have had to deal with was the fact that this Alberta economy is clicking on all cylinders. It has wages in the private sector up, retail sales up, home sales up. Essentially, these are good times in this province for anyone except anyone who is involved in a public-sector job and the like. That's what this government is taking away from union members, an ability to go to an arbitrator, which would evaluate the Alberta situation in full clarity, in a full lens as to what is going on.

The reason why we are doing this is because this government, in my view, has mismanaged our finances in such a way that it is deplorable. I would disagree fundamentally with what the minister of flood recovery put forward here, that this province has been run in a fiscally sound manner. How can anyone suggest that when since 1971 we've taken in . . . [A timer sounded] You know the rest of it.

**The Speaker:** Hon. members, that concludes the time allocated for second reading of Bill 46. Therefore, I regret having to interrupt you, but pursuant to Government Motion 52, that was carried on December 2, 2013, I must now put the question forward.

[The voice vote indicated that the motion for second reading carried]

[Several members rose calling for a division. The division bell was rung at 1:24 a.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Speaker in the chair]

For the motion:

Amery	Fraser	Luan
Bhullar	Goudreau	Lukaszuk
Brown	Hancock	Olson
Casey	Horne	Quadri
Dallas	Jeneroux	Rodney
DeLong	Johnson, L.	VanderBurg
Denis	Kennedy-Glans	Weadick
Dorward	Khan	Webber
Drysdale	Klimchuk	Woo-Paw
Fawcett	Leskiw	Xiao

Against the motion:

Anderson	Bilous	Notley
Anglin	Eggen	Sherman
Barnes	Hehr	Towle
Totals:	For – 30	Against – 9

[Motion carried; Bill 46 read a second time]

**The Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I would move that the House adjourn until 1:30 p.m.

[Motion carried; the Assembly adjourned at 1:37 a.m. on Tuesday to 1:30 p.m.]



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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Tuesday afternoon, December 3, 2013

Issue 77a

The Honourable Gene Zwozdesky, Speaker

## Legislative Assembly of Alberta The 28th Legislature

First Session

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Brown	Notley
Cusanelli	Olesen
DeLong	Rowe
Fox	Strankman
Fritz	Swann

### Standing Committee on Privileges and Elections, Standing Orders and Printing

Chair: Ms Olesen

Deputy Chair: Mr. Lemke

Calahasen	Luan
Cao	McAllister
Casey	Notley
Fritz	Pedersen
Goudreau	Rogers
Hehr	Saskiw
Kennedy-Glans	Towle
Kubinec	Young

### Standing Committee on Public Accounts

Chair: Mr. Anderson

Deputy Chair: Mr. Dorward

Amery	Khan
Anglin	Luan
Bilous	Pastoor
Donovan	Quadri
Fenske	Quest
Hale	Sarich
Hehr	Stier
Jeneroux	Webber

### Standing Committee on Resource Stewardship

Chair: Ms Kennedy-Glans

Deputy Chair: Mr. Anglin

Allen	Hale
Barnes	Johnson, L.
Bikman	Khan
Bilous	Kubinec
Blakeman	Lemke
Calahasen	Sandhu
Casey	Stier
Fenske	Webber

## Legislative Assembly of Alberta

1:30 p.m.

Tuesday, December 3, 2013

[The Speaker in the chair]

### Prayers

**The Speaker:** Hon. members, let us pray. As we contemplate and prepare for our deliberations and debates, let us be mindful of the footprints we are creating today and in which others will walk tomorrow. Amen.

Please be seated.

### Introduction of Guests

**The Speaker:** Let us begin with school groups and the hon. Deputy Premier.

**Mr. Lukaszuk:** Well, thank you, Mr. Speaker. Thanks for the honour of always highlighting our schools first. Today with us we have two classes from Lorelei elementary school accompanied by their teachers, Mr. George and Mrs. Aker. I had the pleasure of spending some time with them, and I have to tell you that they are prepared, second to none, when it comes to social studies and government curriculum. Accompanying them today are a number of committed parents: Mrs. Boomer, Mrs. Harrison, Mr. Duggan, Mrs. Yigit, Mr. Abougoush, Mrs. Paquette, and Mrs. Lopez. I would ask the entire classes and parents and teachers to rise and accept the warm welcome of our Assembly today.

**The Speaker:** Are there other school groups?

If not, let us move on to other guests, starting with the Associate Minister of Services for Persons with Disabilities.

**Mr. Oberle:** Thank you, Mr. Speaker. I'm very pleased to introduce to you and through you to all members of the Assembly a number of staff who work for the public service. With us today are staff from the office of the Public Trustee, who manage the assets and finances of vulnerable Albertans on their behalf. There are also some staff here from the ministries of Environment and Sustainable Resource Development, Human Services, Energy, and Health who are part of a leadership group, 25 E.

From the office of the Public Trustee are Nicole Nerenberg, Chad Ganske, Karina Maldonado, Marion Flores, Sharon Baxter, Mandi Al-Awaid, Chris Jesswein, and Taneya Aaron. From the other ministries, the leadership group: Jeff Steinbach, Andrew Schoepf, Irene Pankiw, Taryn Adams, and Brenda Kam. I'd ask them all to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The Associate Minister of Wellness, followed by St. Albert.

**Mr. Rodney:** Thank you very much, Mr. Speaker. It is indeed a pleasure to introduce Kelly Olstad, president of the Alberta College of Pharmacists, and Greg Eberhart, registrar of the Alberta College of Pharmacists. Mr. Olstad and Mr. Eberhart are here to support the tabling of the Alberta College of Pharmacists' annual report, which will occur later today. They're in the members' gallery, and I'll ask them to stand as we thank them for advancing pharmacy care here in Alberta.

Thank you, Mr. Speaker.

**Mr. Khan:** Mr. Speaker, I have two introductions today if I may. It's my pleasure to introduce to you and through you residents of my constituency of St. Albert, Shawn and Shelby Bryan. Mr. and Mrs. Bryan moved to the city of St. Albert in August of 2010 from Barrie, Ontario. Shawn is employed as a director at the Alberta Motor Association, and Shelby works at the St. Albert library. The Bryans have three children. Noah is in grade 6; Jackson, in grade 8.

They also have a daughter, whom we in this Assembly are getting to know well. Laura Bryan is new to the Assembly page program this year and is doing an outstanding job on what I believe to be the finest team of legislative pages in the country of Canada. Laura is a grade 12 student at St. Peter the Apostle Catholic high school and serves in a leadership role on student council. Laura is a very well-rounded individual. She's an avid fan of theatre and hockey. We are all very fortunate to have her serving here as a page in the Legislative Assembly of Alberta.

I'd ask that my guests here today please rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** Do you have a second introduction?

**Mr. Khan:** Thank you, Mr. Speaker. It is very much my pleasure to introduce to you and through you Mr. Bill Wilson. For the past 12 years Bill Wilson has been employed with the Alberta pipefitters college. He is currently the director of education. Established by the United Association of Plumbers and Pipefitters local 488 in 2009, the Alberta pipefitters college provides apprenticeship training for steamfitters and pipefitters. Having recently celebrated 100 years, the United Association of Plumbers and Pipefitters local 488 is Alberta's largest construction union local, with over 10,000 members. I'd ask that my guest here today please rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre, followed by the Minister of Culture.

**Mr. Anglin:** Thank you, Mr. Speaker. I rise to introduce to you and through you to this honourable Assembly one of the best legislative assistants that this Assembly has ever seen. Mr. Cody Johnston used to work for a minister on the other side at one time, Mr. Guy Boutilier. He is a resident and a constituent of Fort McMurray-Conklin. This person works not only for three MLAs on this side; he tolerates me, and he has to work for all of these other MLAs. Mr. Johnston is up here, and I would have him stand up.

**The Speaker:** The hon. Minister of Culture, followed by Edmonton-Decore.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. I'm very pleased to introduce to you and through you to this Assembly an outstanding gentleman known best for his ability to secure incredible international exhibits like *Body Worlds*, *Star Wars*, and of course Harry Potter. Mr. George Smith, president and CEO of the Telus World of Science in Edmonton, if you would kindly rise, sir. In his 17 years at its helm George has brought forward many innovative programs, and each one has served to motivate thousands of schoolchildren and adult visitors to higher learning and a lifelong interest in science. I want to commend George for creating an atmosphere at the Telus World of Science that inspires everybody who walks through its doors and for making it his personal mission to accomplish every goal he has set to achieve on that site. Thank you for all of your efforts, George. Please rise and receive the warm welcome.

**The Speaker:** The hon. Member for Edmonton-Decore, followed by Chestermere-Rocky View.

**Mrs. Sarich:** Thank you, Mr. Speaker. It's an honour and privilege for me to rise today to introduce to you and through you to all Members of the Legislative Assembly four very special guests who are seated in the members' gallery. I would ask them to please rise and remain standing as I mention their names. As a former school board trustee with Edmonton Catholic schools it is indeed my distinct pleasure to recognize a former elected colleague, Mr. Ron Zapisocki. He is also a recipient of the prestigious 2013 Hetman award, which was installed on October 6 by the Ukrainian Canadian Congress, Alberta Provincial Council. The Hetman award recognizes the significant volunteer achievements of outstanding Ukrainian Albertans. Ron, thank you for your public service and special heartfelt congratulations on receiving the Hetman award.

Mr. Zapisocki is accompanied this afternoon by his sister, Ms Natalka Smith, now retired after 30 successful years in the nursing profession; in addition, two individuals who supported his award nomination, Mr. Orest Boychuk, president, Ukrainian Catholic Brotherhood of Canada, Edmonton eparchy, and Mr. Ray Lacousta, a friend, colleague, avid volunteer, and artisan. I would now ask that the Assembly please join yours truly to provide my guests with our traditional warm welcome.

Thank you, Mr. Speaker.

**Mr. McAllister:** Mr. Speaker, I'm happy to rise today and introduce a young man that's become very important in my life. My leg. assistant is here today. He is responsible for working with me on the education file, also the advanced education file. He also handles transportation, infrastructure, and municipal affairs. I know I speak on behalf of my colleagues for Cypress-Medicine Hat and Olds-Didsbury-Three Hills when I say that we could not do it without him. Interestingly, the young man is also an actor in his spare time, which I think suits him well for the drama that unfolds in here on a daily basis. He's a great, principled young man. I'm happy to ask Micah Steinke to rise and receive the traditional welcome of this Assembly.

**The Speaker:** Hon. Member for Innisfail-Sylvan Lake, I understand your guests are now here. Please introduce them.

1:40

**Mrs. Towle:** Thank you, Mr. Speaker. Firstly, I'd like to introduce to you and through you to this Assembly Kim MacDougall from Grande Prairie. Kim is a recent graduate of The Women's Campaign School at Yale University and ran for a seat on the Grande Prairie town council in the recent municipal election, coming up just shy of being elected in her first bid for public office. Kim is seated in the public gallery, and I'd ask that she stand and receive the warm welcome of this Assembly.

**The Speaker:** Hon. Member for Edmonton-Highlands-Norwood, I understand that your guests have not yet arrived so we'll go back to the Member for Innisfail-Sylvan Lake. Are they here? Let's go with you, then, and we'll come back.

**Mr. Mason:** Thank you very much, Mr. Speaker. My caucus is advising me that they're there, that they hope that that's them. I'm already up, so I may as well go ahead.

Mr. Speaker, today I'm very pleased to introduce to you and through you to this Assembly my guest and constituent Ian Young. Ian has been an unpaid advocate for disability rights since acquiring a life-changing injury in 2004. Ian is a motivational

speaker who has shared his story across Canada and the U.S. and has addressed the House of Commons in Ottawa in support of an injury prevention strategy. He's a past member of the Alberta brain injury board, currently a member of Edmonton's Advisory Board on Services for Persons with Disabilities, and he recently was appointed to the Alberta Committee of Citizens with Disabilities, which is a consumer-directed organization actively promoting full participation in society for Albertans with disabilities. He also contributes as a columnist to the *Boyle McCauley News*. Accompanying him is Isabel Henderson from the Glenrose rehabilitation hospital. If they are here, I would ask them to please rise and receive the warm traditional welcome of the Assembly.

**The Speaker:** Hon. Member for Innisfail-Sylvan Lake, I had you down for one intro. Do you have a second one?

**Mrs. Towle:** I do.

**The Speaker:** Please proceed.

**Mrs. Towle:** Thank you, Mr. Speaker. I'd like to introduce to you and through you to this Assembly a constituent of mine from Innisfail-Sylvan Lake, Jason Heistad. Jason is a long-time advocate for front-line workers in this province and sits on the executive of the AUPE as the secretary-treasurer. Jason is seated in the public gallery, and I'd like to ask him to rise and receive the traditional warm welcome of this Assembly.

### Members' Statements

**The Speaker:** The hon. Member for St. Albert, followed by the Leader of Her Majesty's Loyal Opposition.

### Plumbers and Pipefitters Union Local 488

**Mr. Khan:** Thank you, Mr. Speaker. I rise to speak today about a remarkable, homegrown, hard-working, and innovative organization, the United Association of Plumbers and Pipefitters union local 488.

Local 488 was founded in Edmonton over 100 years ago by seven local plumbers whose primary objective was to work towards enhancing job site safety and improving worker conditions. Local 488 has grown to become the largest supplier of pipe trades professionals in Canada, representing steamfitters-pipefitters, welders, instrumentation technicians, sprinkler fitters, refrigeration mechanics, pipeline workers, and other specialty crafts.

Local 488 has a storied history. In fact, local 488 played a significant role, Mr. Speaker, in the construction of this very Alberta Legislature.

The good people of local 488 have always been innovators. That spirit of innovation led to the establishment of the Alberta Pipe Trades College in 2009. The Alberta Pipe Trades College provides apprenticeship training and upgrading for their members, the public, and industry and aids Alberta's industry in meeting the growing demand for a skilled labour force. The Alberta Pipe Trades College is a state-of-the-art, 55,000-square-foot, three-storey facility, which is used to train current and future steamfitters and pipefitters. With 14 classrooms, seven shops, and two computer labs the facility has the capacity to train up to 1,400 students a year.

Local 488's core belief in building Alberta extends to philanthropic investment and support for critical community organizations such as the Northern Lights Health Foundation, the Glenrose rehabilitation wing, and the Sturgeon community hospital.



Mr. Speaker, these are just a small sampling of local 488's commitment to family and community.

I would like to extend a heartfelt thanks to local 488 for their hard work and dedication to their craft, for the training and development of one of the best skilled workforces in the world, and lastly, Mr. Speaker, I wish to thank the team at local 488 for their lasting philanthropy in their community and their long-standing belief and commitment to building Alberta.

**The Speaker:** The Leader of the Official Opposition, followed by Edmonton-Gold Bar.

### Seniors' Care in Fort McMurray

**Ms Smith:** Thank you, Mr. Speaker. The ongoing campaign by the residents of Fort McMurray to have a long-term care centre built in their community has taken a bizarre turn. To date there's been precious little progress on the long-promised facility. Despite the city's rapid growth and aging population Fort McMurray has been waiting nearly six years for a seniors' care centre that was promised to them in the 2008 election. While seniors in Fort McMurray move to Grande Prairie and Edmonton to receive the care they need, this government continues to find excuses as to why they haven't made good on their promise.

Enter the latest excuse. If the PCs are to be believed, it is the current Member of Parliament's fault that the facility hasn't been built. This is the latest deflection tactic this government and its supporters are attempting to use, blaming others for their inaction. According to them the local MP hasn't done enough to secure a federally owned plot of land downtown for the facility to be built on.

But there's more to this. The PCs have been rallying support for a far-flung location, far away from downtown and the hospital for reasons that are unclear, the so-called Parsons Creek location, this despite owning their own piece of land right downtown that could have shovels in the ground tomorrow. The current MLAs for the region, both elected as PCs, campaigned on a firm promise to have the facility built at the downtown spot.

Here's where it gets really odd. One of the MLAs is now threatening to pull the funding for the facility altogether if council doesn't agree to Parsons Creek. It's a mess, Mr. Speaker, but here's the bottom line. We've got the PCs blaming the feds for not building a facility they themselves promised while PC MLAs, who campaigned on building it in one location, are now bullying the local council to have it built somewhere else. All of this threatens to wipe out the entire project.

It's time for this government to stop playing the blame game, start listening to the people of Fort McMurray, and get this facility built where the community wants it.

**The Speaker:** The hon. Member for Edmonton-Gold Bar, followed by Calgary-Currie.

### NAIT Centre for Applied Technologies

**Mr. Dorward:** Thank you, Mr. Speaker. Today I want to call attention to a major capital project being built in Edmonton, one that will benefit thousands of Albertans. Our government is committed to building Alberta, and my Alberta includes strategic investments in our postsecondary system. That's why I'm pleased to talk about the many benefits that will come from building the new centre for applied technologies at my alma mater, the Northern Alberta Institute of Technology, better known as NAIT.

Last August our Premier was literally in the driver's seat when the backhoe broke ground on this five-storey, \$294 million

project, the largest infrastructure project in NAIT's history, Mr. Speaker. Our government has invested \$200 million in the overall cost of this project because we know the value this expansion has in such an important institution.

The centre for applied technologies will be a critical campus hub for as many as 5,000 students a day, Mr. Speaker. Five thousand students a day. Alberta can lead the world in innovation, and this will help. It will allow NAIT to increase its enrolment capacity by 50 per cent in health, business, engineering technologies, sustainable building, and environmental management programs.

These are programs that are in demand today in Alberta. These students will help continue to propel Alberta's economy forward. We know our province faces a skill shortage in many areas, and NAIT along with our entire Campus Alberta system is an important part in making sure that we have the workforce that we need. This is an investment in Edmonton and in Alberta's future. SAIT and NAIT were 1 and 2 on the list of the top 50 research colleges in Canada. We're focusing on building Alberta.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Currie.

### Tobacco Legislation

**Ms Cusanelli:** Thank you, Mr. Speaker. I've had many conversations about the meaning of the latest tobacco reduction bills with average Albertans at the local corner store or waiting in the coffee shop lineup. People understand that this legislation is not about limiting rights. It's about taking responsibility as adults for the health of our future, Alberta youth.

At the end of the debate one tenet remains clear, at least to most. The passing of this legislation will impact the alarming statistics with regard to youth smoking. It tells tobacco companies and indeed the whole country that the Alberta government cares about building healthy and safe communities.

Mr. Speaker, I don't need to tell you about our responsibility to the well-being of our youth. No one can deny that we have the highest duty owed to anyone to protect those who have no legal capacity to choose and especially those who cannot help themselves.

**1:50**

I will tell you, Mr. Speaker, that as a principal no one was ever granted access to my students for purposes outside their growth and development. I believe wholeheartedly in my responsibility to protect young people, especially where they cannot protect themselves. Why would any hon. member not vote in favour of our kids and be willing to do something about tobacco companies that seek to sidestep federal law by marketing candylike flavours to youth who are legally not allowed to purchase tobacco? Clearly, this is an effort to sidestep the law, so why be soft on crime?

I don't want to believe that any party has accepted donations from national tobacco companies or that they might be representing the interests of the tobacco company ahead of our children or that anyone honoured with serving the public in this capacity could ever have a hidden agenda. Mr. Speaker, what I do believe is that this legislation is about protecting our children first, not the interests of tobacco companies.

### Oral Question Period

**The Speaker:** The hon. Leader of the Official Opposition. First main set of questions.

### Building Alberta Plan Advertising

**Ms Smith:** Mr. Speaker, today we released an e-mail that shows that the PC Party branded roadside campaign came at the direct order of the Premier. In a September 4 e-mail the Premier's director of operations, Darren Cunningham, stated, "The Premier would like to ensure that building Alberta signage is up and in front of every flood affected road, bridge, school, [and] literally everything on our infrastructure list." [interjections] To the Premier: why did she personally direct her staff to spend time and money plastering self-promotional signage across the province?

**Ms Redford:** Well, Mr. Speaker, in fact, I'll table that e-mail today even. Then we won't have to worry about the leader selectively quoting from it. I want to read another part to it. It says that this will "ensure that folks know that we are going to [rebuild Alberta]." That was after the flood. I was in my constituency, and I was in High River, and people said: we want to have confidence that you're going to rebuild our communities. [interjections] These signs are a commitment of that confidence. This letter also says, "We need a very visible commitment that the government is rebuilding." That was our commitment to Albertans. That's what we're doing. I'll happily table . . .

**The Speaker:** Thank you, hon. Premier.

Hon. members, too many interjections during the leader's question, too many interjections during the Premier's answer. Let's not have a tone like that set for the day this early.

**Ms Smith:** Actually, Mr. Speaker, Albertans want the projects; they don't want the signs.

In Mr. Cunningham's e-mail the politics at play are pretty clear. He says, "I don't care if [a request for proposal] is ready or not . . . The signs are designed. We just need to push these out over the next 7 days to 2 weeks." In other words, get them out before the Premier's leadership review. Why does the Premier think it's okay to personally direct her staff to ignore the RFP process so she could fast-track her self-promotional sign campaign?

**The Speaker:** The hon. Minister of Transportation.

**Mr. McIver:** Thank you, Mr. Speaker. The hon. member is right about one thing. This Premier and this government said: "We're going to cut red tape. We are not going to wait for process." [interjections] While the Leader of the Opposition said, "Let's go back in the House and talk for a month," this Premier said: "Let's help now. Let's get out. Let's cut our processes. We'll catch up with the paperwork later. We will build Alberta. We will rebuild Alberta. We will help people . . . [interjections]"

### Speaker's Ruling Decorum

**The Speaker:** Hon. members, if you think I'm going to stand here and tolerate that many interjections, that much noise, which takes away time from the House, you have grossly mistaken what I'm about to do. Please, for the second time and, I hope, the final time, let's be respectful of the traditions, and let's be respectful of each other.

Hon. member, your second supplemental. Let's see if we can get through it.

### Building Alberta Plan Advertising (continued)

**Ms Smith:** Well, Mr. Speaker, Mr. Cunningham's e-mail was leaked to us by a public servant whose cover letter stated that the Premier's order was given during the flood and reconstruction effort to, quote: exhausted staff members, many of whom had very few days off and worked very long hours during the flood and recovery. They were basically told that their efforts mean nothing compared with getting these stupid money-wasting signs in place. Unquote. To the Premier: why was she asking our exhausted front-line staff to put up these stupid money-wasting signs?

**Mr. Griffiths:** Mr. Speaker, the events of June 20 were devastating to 30 communities and hundreds of thousands of Albertans. Our front-line staff, our civil servants, people at the community level from one side of the province to the other were always tired and exhausted because we had the most devastating event that has ever hit this province happen. Yet they continued to work because we knew we needed to get the message out to Albertans that we're going to build, but we're also going to rebuild for the sake of this province, for the sake of these communities, and for the sake of those families. We'll continue to do so until we're done.

**The Speaker:** The hon. member. Second main set of questions.

**Ms Smith:** Mr. Speaker, that's not quite the way our public servants see it.

This public servant also estimates it would have cost between \$3,000 and \$4,000 to produce each sign, but the rush edict from the Premier caused the cost to jump to more than \$6,000 per sign. The fact that this government is spending hundreds of thousands of taxpayer dollars to promote their party and their leader is shameful when they have cut programs to vulnerable Albertans such as children in care, seniors, and persons with developmental disabilities. Will the Premier order the PC Party to pay back the money for her self-promotion campaign and reinvest those funds into front-line care, where it belongs?

**The Speaker:** The hon. associate minister.

**Mr. Fraser:** Thank you, Mr. Speaker. It's an honour to rise and respond to this question. During the early days of the flood what we saw was complete devastation, not just of homes but of families. I talked to these people, and you know what they said to me? "Assure us that you're going to repair this community. Assure us that you're going to put mitigation in place to protect my family." There was constant dialogue from the Leader of the Opposition to ensure and to protect this community. The Premier made it very clear to put these signs up, to put assurances in place so people could rebuild. That's what they're doing thanks to those signs.

**Ms Smith:** I don't recall ever talking to that minister about the need to put up PC-branded signs.

We know that in addition to signage in flood-affected areas, the Premier went further and actually spent hundreds of thousands of dollars plastering her self-promotional signage at literally every project on the infrastructure list. Again, this is taxpayer money in a time of budget cuts to front-line services. To the Premier. Clearly, she is trying to compensate for her party's poor fundraising results using taxpayer money to pay for her self-promotional sign campaign. Will she direct her PC Party to pay that money back to Alberta taxpayers?

**Ms Redford:** You know, Mr. Speaker, every couple of days I think that the Leader of the Opposition must live in a world of conspiracy theories, and that just proved the point. I know that when I walked through my constituency of Calgary-Elbow, the people who lived in Calgary-Elbow said to me: "What's going to happen to our community? How can we have confidence to build for the future?" I heard that in Medicine Hat. I heard it in Two Hills. I heard it in High River. Putting up these signs shows the commitment that we have as a government to the building Alberta plan and the rebuilding Alberta plan. That is hope, and that is what we . . .

**The Speaker:** The hon. leader. Second supplemental.

**Ms Smith:** Residents of Elbow Park asked the Premier to put up PC-branded signage? I highly doubt it.

Yesterday you ruled that this government was in contempt of the Legislature for the timing of their taxpayer-funded PC blue-and-orange promotional brochure, and, Mr. Speaker, we couldn't agree more. The contempt demonstrated by this government is clear, especially since we now know that the campaign is being politically driven out of the Premier's office by the Premier. To the Premier: does she even care about how much taxpayer money is being spent on all of these Building Alberta signs, brochures, mailings?

**Ms Redford:** Well, Mr. Speaker, we are committed to building Alberta, and we are sharing that opportunity to share that information with Albertans every day that we can. As a government and as Premier and as a cabinet we are proud to say that this is a political process. It was the commitment that we made in the last election, in contrast to the opposition, and we will keep doing that. We will invest in NAIT, we will invest in NorQuest, we will rebuild High River, we will rebuild Medicine hat, and we will rebuild every constituency that was impacted by the flood. That is rebuilding Alberta, and we will continue to do it.

**The Speaker:** Hon. leader, your third main set of questions.

**Ms Smith:** Taxpayer money for political purposes, and this Premier says that she's proud of it.

## 2:00 Seniors' Care in Fort McMurray

**Ms Smith:** Mr. Speaker, seniors' care in Fort McMurray is approaching a critical stage. The community is still without a long-term care centre despite its booming growth and aging population. Seniors are forced to move to either Grande Prairie or Edmonton to receive the care that they need. This is despite promises upon promises upon promises to build a long-term care facility. You may recall that the former member from Fort McMurray challenged his own government on their 2008 promise, but I guess history repeats. To the Premier: why hasn't she kept her word?

**The Speaker:** The hon. Associate Minister of Seniors.

**Mr. VanderBurg:** Thank you, Mr. Speaker. I have to tell you that I'm very committed to the project in Fort McMurray and in every community that we've made announcements. Capacity issues are real. You know, 4 million people, 470,000 seniors, and more are coming: we have to make sure we're ahead of this curve. I'm committed to working with the community, the mayor, and anyone that wants to advance seniors' care in this province.

**Ms Smith:** Mr. Speaker, a political battle has now erupted over this issue. The PC government is attempting to blame Ottawa for its own inaction, but a prominent leader of the community and lifelong PC supporter wrote a scathing open letter to the minister

of accountability. Let me quote. "We supported you, campaigned for you and elected you . . . on the promise of you advocating for a downtown facility. Don't turn your back on us now." She says the province owns the perfect downtown site for the facility right next to the hospital. To the Premier: what is the holdup for building this project on provincial land?

**Mr. VanderBurg:** Mr. Speaker, exactly what the member talked about, building it on provincial land, is what is proposed. The land on the downtown site was federally owned, and we've had nothing but co-operation from the federal MP, from the folks in the mayor's office. This project will get built, and we are committed to it.

**Ms Smith:** Well, Mr. Speaker, today we learned that the minister of accountability has written a letter to the community and informed them that if they don't cave to the government's demands to build this facility on a different site, it, quote, may put the entire provincial funding for the facility at risk. Unquote. Now, we've seen this before, breaking a promise after the election and then bullying the community to keep quiet. To the Premier: when is she going to stop the bullying and the political games and get this project built where the community wants it?

**Mr. VanderBurg:** Again, Mr. Speaker, I've made it very clear that we're committed to this project. The funding is put aside through Treasury. We will work with the community. We will work with the seniors. We will work with the federal government. We'll work with anyone to get the outcome that we're looking for, and that's increased capacity in Fort McMurray.

**The Speaker:** The hon. leader of the Alberta Liberal opposition.

## Public Service Contract Negotiations

**Dr. Sherman:** Thank you, Mr. Speaker. We go from billing Albertans for the Premier's political aspirations to breaking the backs of those Albertans who protect and build Alberta. Earlier this year the Conservative government repeatedly ignored appeals from corrections officers to address safety issues at the new Edmonton Remand Centre. This created dangerous work conditions for both residents and workers. In desperation the corrections officers staged a wildcat strike. Only then were safety issues dealt with. To the Premier: why are you punishing all government workers for the fact that corrections officers exercised their legitimate right not to work in unsafe work conditions?

**The Speaker:** The hon. Minister of Justice.

**Mr. Denis:** Thank you very much, Mr. Speaker. I thank this member for his question, but at the same time it is a little bit skinny on the facts. We recognize the legal right to strike, but in that particular instance Alberta Court of Queen's Bench Justice Rooke indicated that in his independent opinion it was an illegal strike and imposed fines upon the union. It also cost the taxpayers \$13 million because of the union's illegal actions. That's not acceptable.

**Dr. Sherman:** Mr. Speaker, the fact is that that minister was in a rush to open it up, moved all the folks over on one weekend. The fact of the matter is that this Premier and her government endangered lives. This Conservative government has stormy relations with all its employees – doctors, teachers, nurses, everybody who works for them, including AUPE workers – so it's not surprising that the union chose arbitration, a right that Premier Lougheed established and which this Premier now wants to take away. It's like slapping someone in the face and then saying: "Hey.

Let's do business." To the Premier: why is your government bargaining in bad faith instead of allowing arbitration to proceed? Is your government's case that weak?

**Ms Redford:** Well, Mr. Speaker, we have great relations with teachers and doctors. In fact, they came to the table and worked with us to ensure that we could continue to have sustainable services in education and health care in the long term. That's what we promised Albertans. You know, we want to have real discussions with the AUPE with respect to negotiations. That's why we've introduced the legislation that we have. Before we introduced this legislation, I had the opportunity to sit down with Guy Smith to ask him whether or not he was prepared to come to the table. He told me that he wasn't. We have a responsibility to ensure that we're supporting public services in this province for all Albertans, and we'll do that.

**Dr. Sherman:** Mr. Speaker, we all know about the bullying of the doctors and the teachers, how those contracts were done. Bullying workers is bad business, Madam Premier. Stripping employees of their rights to arbitration and attacking free speech rights is bad for morale, not to mention a violation of the Canadian Charter of Rights and Freedoms. These attacks on public employees create a toxic work environment, increased stress, illness, sick days, and decreased productivity. Then, of course, there will be the millions in taxpayer dollars spent to defend against a Charter challenge. Anybody with half a brain can tell you that that's no way to run a business or a government. To the Premier: when will your government stop bullying Albertans?

**Mr. Hancock:** Mr. Speaker, it is not bullying to bring good government to Albertans. That's what they've asked for, and that's what they're getting. We made a promise to Albertans with respect to keeping Albertans safe, and strikes in the public service are illegal for a reason. When we found out this spring that the sanctions that were in the act were not sufficient to prevent a strike and keep Albertans safe, we immediately decided that we needed to look at them. We've reviewed it carefully, and we've now brought forward a bill, which will be debated again today with respect to the improved sanctions in that bill, so that Albertans' safety and health will not be put at risk.

**The Speaker:** Thank you.

The hon. leader of the ND opposition.

**Mr. Mason:** Thank you very much, Mr. Speaker. In justifying the draconian Bill 46, which cancels arbitration, this government has stated that only the AUPE had applied for arbitration, not them. But, in fact, documents which I will table later show that this government had agreed to enter arbitration and had even gone so far as to appoint a nominee, had agreed to a chair for the process, and had actually set dates for the hearings. To the Premier: why did you lead Albertans to believe that only the AUPE was interested in arbitration when your government had already fully agreed to the process?

**Mr. Lukaszuk:** Mr. Speaker, we must deal with the facts. The fact is that when one party files for binding arbitration, it is incumbent on the other party to respond, and government has responded. At the same time the Premier was very clear. She has met with the leader of AUPE, and the leader of AUPE knows very well that he has time to come back to the table and negotiate in good faith, much like teachers have and much like doctors have, to negotiate a deal perhaps that's better than what's on the floor of the Legislature right now. Now he has time, till January 31, and I strongly would encourage him to do so.

**The Speaker:** The hon. member.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, like many accounts from the Premier, this is not one that I believe. We know that this government had already assigned legal counsel to the Compulsory Arbitration Board as recently as November and that the Labour Relations Board had received those documents and confirmed the government's attendance at hearings scheduled for February. We know of several other legal documents outlining the process, which the government agreed to but then went back on its word. To the Premier: why would this government, as recently as in November, agree to a legal arbitration process only to unilaterally prevent this process from happening?

**Mr. Lukaszuk:** Mr. Speaker, what the member believes or doesn't believe doesn't make it true or false. Let's deal with another fact. The members of AUPE should also know that even though we're in a process of negotiation, they will continue receiving pay increases based on their grid. I wouldn't want members of AUPE to be misled by the leader of the fourth party that they will not be receiving increases. As a matter of fact, they will be receiving increases on the grid. What we are looking for is to negotiate with AUPE and make sure that the grid doesn't grow beyond Albertans' ability to pay.

**The Speaker:** The hon. member.

**Mr. Mason:** Thank you very much, Mr. Speaker. This is not negotiation; this is a stickup. With the introduction of Bill 46 this government has destroyed a reasonable and legal process for contract dispute resolution with the province's workers. Documents show that this government had already agreed to binding arbitration. Instead, this government is ramming through legislation that will impose a contract on January 31. To the Premier: will the Premier admit that in pursuing contract arbitration with AUPE and then pulling the plug by introducing Bill 46, this government has engaged in a classic case of bad-faith bargaining?

**Mr. Lukaszuk:** Mr. Speaker, it isn't a stickup when the leader of the fourth party is shooting blanks. The fact of the matter is that no rights are being limited. All we are doing with one of the bills is updating the legislation. As you know, this act wasn't updated for 20 years. The leader of AUPE said himself that he is willing to go on illegal strikes and that he is willing to pay the fines, quote, unquote, standing on his head. We are making sure that Albertans, vulnerable Albertans, are protected from illegal strikes so that their services can be assured by this government.

**The Speaker:** As hon. members know, bills 45 and 46 on this subject matter are up for discussion again later today and probably tonight as well.

Let's move on now with no preambles, please, starting with Innisfail-Sylvan Lake, followed by Edmonton-Gold Bar.

2:10

## Sexual Assault on Seniors in Care

**Mrs. Towle:** Thank you, Mr. Speaker. Between 2010 and 2012 more than 60 cases of sexual assault on seniors in care were reported in provincial nursing homes and care facilities. This was documented in the annual protection for persons in care reports. The last annual report was released in July 2012, and the next one was due in July 2013. To the Associate Minister of Seniors: why haven't you publicly released the protection of persons in care annual report for 2013? What are you hiding?

**Mr. VanderBurg:** Well, Mr. Speaker, let me first tell everybody that one case of sexual assault in a seniors' home is not acceptable, whether it's in a facility that we manage in set accommodations or in any seniors' home. When anybody is aware of any situation that endangers the safety of a senior, call the RCMP. Call persons in care. Make a call; don't sit by idly.

**Mrs. Towle:** One would just have to wonder where the report is.

Given that sexual assaults on seniors in care have increased annually since 2010 and given that under the direct leadership of the Minister of Health there were over 30 allegations of sexual assault on seniors in care between April 2011 and March 2012, can the minister tell this House how many sexual assaults on seniors in care happened in 2013?

**Mr. VanderBurg:** Mr. Speaker, what I can say is that every reported case has been investigated and is taken very seriously. The people within our department are very well trained and are very close to this situation and take this issue very seriously, and so does every one of us. The number, whether it's one or whether it's 13, doesn't matter to me. The issue is that it's very serious, and it has to be acted upon very quickly.

**Mrs. Towle:** Does the minister not understand that according to his very own report, every three days a senior in care is assaulted? Where is the report for 2013? Albertans deserve to know.

**Mr. Horne:** Mr. Speaker, what this government understands and what all members should understand is that the complexity of dealing with seniors' issues, particularly those related to cognitive disorders like Alzheimer's disease and dementia, are on the rise. Care facilities all across the country are coping with that issue, with increasing numbers of residents, Alberta more so because of the number of people coming to the province. As the associate minister rightly said, the focus is on learning how to manage these behavioural issues in a care environment. We are leading in that area.

**The Speaker:** The hon. Member for Edmonton-Gold Bar, followed by Calgary-Fish Creek.

#### NorQuest College Expansion

**Mr. Dorward:** Thank you, Mr. Speaker. Today I received 155 letters from students at college Saint-Jean concerned about this government's commitment to postsecondary education. I also attended the announcement of \$170 million for NorQuest College to expand. Budget 2013 was challenging for postsecondary institutions. My question is to the Minister of Enterprise and Advanced Education. Given our government's frozen salaries and cutbacks, how is it possible today that they announced \$170 million for NorQuest College to expand? To the minister: where's this money coming from?

**Mr. Hehr:** They've got a printing press going over there.

**Mr. Lukaszuk:** Well, Mr. Speaker, unlike the Member for Calgary-Buffalo – he thinks that we have a printing press and we print money, and you'd think that from their policies, but no, we don't. The money comes from Albertans' investment. Albertans want to invest in advanced education because Albertans simply know that if Alberta is to move forward, if we are to progress, if we are to live fulfilling lives, and if we are to grow our economy, we need to invest in postsecondary education. One way to do it is to invest in relevant infrastructure.

**Mr. Dorward:** Given the many budget pressures facing the government, surely this project could have waited. Why do it now?

**Mr. Lukaszuk:** Well, Mr. Speaker, unlike other parties in this Chamber we believe that investing in Albertans of today is much better than investing in Albertans of 30 years from now. That is why we're building schools for students today, hospitals for patients today, and seniors' homes for seniors today. If we want to grow, if we want to be ready for 130,000 new Albertans every year, we have to invest in them today, not 30 years from now.

**Mr. Dorward:** Almost everywhere I go in the city, I hear about pressures at postsecondary institutions, and probably across the province it's the same. How sure is this government that the NorQuest expansion is truly needed?

**Mr. Lukaszuk:** Well, Mr. Speaker, NorQuest plays a very important role within Campus Alberta. It is, I would say, a gateway to hope. It is a school where a lot of single parents can resume their postsecondary education later in their life. It is a place where new immigrants can come and learn English as a second language and often convert their skills from back home into our Canadian licensed professions. It is a place that educates not only Edmonton but most of northern Alberta. It is the right type of a college to invest into, and we're proud of it.

**The Speaker:** The hon. Member for Calgary-Fish Creek, followed by Red Deer-North.

#### Home-care Review

**Mrs. Forsyth:** Thank you, Mr. Speaker. Today we are beginning to see the impact of the government's misguided attempts to centralize home-care services. One child watched their father, a stroke patient with loss of function to his body, go several days without home-care providers even showing up. The Health Quality Council is reviewing reporting systems and whether home-care providers are meeting standards but will not be reviewing why seniors are not getting the treatments needed. To the Health minister: will you commit to ensuring that access to home care is included in the Health Quality Council's review? Yes or no?

**Mr. Horne:** Well, Mr. Speaker, I'm very glad that the hon. member is asking about this issue. As a matter of fact, just before question period I spoke to the chief executive officer of Revera, which is one of the new companies that is delivering home care across the province. We take this issue extremely seriously. In addition to the Health Quality Council review, that I talked about yesterday, the Department of Health will be reviewing the capacity, the ability of new providers in the health care system to deliver what they promised to Albertans, which is the highest possible level of home care that we can deliver. If they can't, we will find new providers to replace them.

**The Speaker:** Hon. member, your first supplemental.

**Mrs. Forsyth:** Thank you, Mr. Speaker. Given that Sharon Anderson saw new home-care providers refuse to give her mom meds due to the chaos of the centralization of services, can the minister ensure that the Health Quality Council will review quality of services? Yes or no?

**Mr. Horne:** Mr. Speaker, yes, I can. If the hon. member had listened last week when I talked about this issue, she would know that the Health Quality Council has been asked to review the quality assurance process within the home-care system; in other

words, what the standards are, what the monitoring process is, and how I as the Minister of Health can assure Albertans, based on that information, that the system is operating as intended.

**Mrs. Forsyth:** Thank you.

Given that AHS is trying to find savings off the backs of our most vulnerable in care, who have seen chaos throughout the system, will the Health minister commit the Health Quality Council of Alberta to review home-care funding? Yes or no? And will you make that report public?

**Mr. Horne:** Mr. Speaker, the Health Quality Council, as I said, is looking at quality assurance processes within home care. I want to make very clear that under my watch and under the watch of this government, we do not make decisions about the quality of health care services based on budgetary issues. That is why my department is reviewing the current contracts with home-care providers to determine if, in fact, they can deliver the quality of care that Albertans expect and deserve.

Thank you.

### Shingles

**Mrs. Jablonski:** Mr. Speaker, did you know that if you've had chicken pox, you're among the 90 per cent of all adults who have also had chicken pox and who are now at risk of experiencing the very, very painful condition of shingles? Nearly 1 in 3 people will experience shingles, a common and often debilitating disease that results in a painful, excruciating rash that can lead to depression and anxiety and can also result in a lifelong loss of mobility and independent living. To the Associate Minister of Seniors: is your ministry aware that the economic, physical, and mental costs of shingles can be astronomical and that the . . .

**The Speaker:** The hon. associate minister.

**Mr. VanderBurg:** Well, thank you, Mr. Speaker. I thank the member for the question. I'm very aware of the pain and suffering that goes along with having shingles. I'm married to someone that's had it, and I have a very good senior friend that's also had shingles on his head. I've never seen something so painful as that. We're very, very aware of the infection. The Seniors Advisory Council in one of their reports has made it very clear to me that there may be a benefit for the shingles shot as well.

**Mrs. Jablonski:** To the same minister: given that shingles can be prevented through an immunization program that can help reduce the burden of shingles and promote healthy aging, would your ministry consider subsidizing the cost of the shingles vaccine for seniors?

2:20

**Mr. VanderBurg:** Well, again, Mr. Speaker, what I said is that it's an infection that not only hits seniors; it hits younger people as well. Currently there's no single province or territory that provides funding for the shingles vaccine, but there is more and more evidence that I've seen that the immunization does work for a percentage of the population. I know that at the January 2014 meeting of the National Advisory Committee on Immunization it's something that they're discussing.

**Mrs. Jablonski:** To the same minister: since you've mentioned that this vaccine hits people of different ages, would you consider not only subsidizing seniors but people who are in the age group of 50 to 64 years of age, whom it also affects?

**Mr. VanderBurg:** The Minister of Health may want to supplement the answer to this. Clearly, any of the programs that I work with are 65-plus. I do know that it'll be very, very interesting to hear the findings of the advisory committee, that meets in January, because this is a timely topic that ministers across the country are talking about. I had the opportunity to meet with the federal minister and ministers from across the country dealing with seniors issues. This was a matter of great discussion.

**The Speaker:** The hon. Member for Calgary-Mountain View, followed by Edmonton-Strathcona.

### Nursing Service Provision

**Dr. Swann:** Thank you, Mr. Speaker. The Minister of Health is deliberately withholding Alberta Health Services' quarterly one and quarterly two reports because he knows the results are poor. For example, it would likely show that critically ill people are unable to get into the hospital in Medicine Hat while at the same time the Redford Conservatives are cutting registered nursing positions, up to half the nurses in one ward. To the Minister of Health: why at a time of increased seasonal demands and overcapacity in a hospital would you be cutting the number of registered nurses in Medicine Hat?

**Mr. Horne:** Well, Mr. Speaker, I'll be pleased to answer without attributing motive to the hon. member. If he is interested in the demand for nurses in Alberta, I can tell him that today there are a total of 436 vacancies for registered nurses in this province; 152 of them are full-time, and 210 are part-time. So as we've said before and as we'll continue to say, the demand for nurses is only increasing in our province, and their role is only increasing in prominence as well.

**Dr. Swann:** Well, the minister conveniently ignores the role of RNs versus LPNs versus nursing assistants. That is the real issue, Mr. Minister.

Given that nearly two years ago this government pledged \$7 million to Park Place Seniors in Medicine Hat to build 80 seniors' beds and that nothing has been built to date, will the minister see the obvious connection to the lack of seniors care and spaces in this overflowing hospital?

**Mr. VanderBurg:** Mr. Speaker, the issues maybe are not quite tied together. The community and the developer are working on some zoning issues in the community. As I understand it, there's a resolution to that around the corner.

**Dr. Swann:** Well, it sounds familiar. Fort McMurray has gone through the same, it seems.

Finally, to the minister: given reports of continued private home-care failures, when are you going to ensure that state-of-the-art nursing supports are in place both in hospital and out of hospital?

**Mr. Horne:** Well, Mr. Speaker, I've already spoken to the very aggressive measures that the government has taken with respect to ensuring quality in home care in our province. I will say again that no provider that cannot deliver the quality of service that Albertans expect and deserve will be allowed to operate in our province.

Mr. Speaker, with respect to the member's comments around nurses, as a physician I'm sure he would want us to make sure that our valuable registered nurses are serving where their skills are

needed most throughout the system, and that's exactly what we're doing.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by Lacombe-Ponoka.

### Child and Youth Advocate Investigations

**Ms Notley:** Thank you, Mr. Speaker. Since 1999 145 children have died in the care of the province, and the vast majority went unreported and uninvestigated. Last Friday the Child and Youth Advocate admitted that if provided with more resources, he could increase the number of investigations he performs. He conceded that with current resources he has to prioritize which cases to investigate despite incomplete information. To the minister: why won't this government put children first and support giving the advocate the resources he needs to investigate every in-care death?

**Mr. Hancock:** Mr. Speaker, the Child and Youth Advocate in this province has a very important mandate as an independent officer of the Legislature to investigate and to advocate where he thinks it's important. He doesn't investigate and advocate where the minister thinks it's important. It's his obligation to determine what needs to be investigated and to investigate it. And it's his obligation to put forward the request for the resources not to the minister, not to the government but to the Legislative Assembly, that he needs to do that job. When he asks for those resources, I assume the committee and the Legislative Assembly will examine that. It's not the Legislative Assembly's job to impose the resources upon him.

**Ms Notley:** I wasn't asking for the Assembly; I was asking for this government to support it.

Given that on Friday our caucus proposed a motion that would have provided enough funding for the advocate to investigate every single in-care death necessary and given that independent experts agree that transparent and complete investigations are critical in the task of improving the quality of child protection in Alberta, will the minister admit that his government is more interested in protecting itself than it is in protecting the children in its care?

**Mr. Hancock:** No, Mr. Speaker. Not at all. This government is very interested in protecting children who need protection, in ensuring that families are strengthened where they need strengthening, in ensuring that families get the assistance they need to overcome any barrier to success. That is what we are very interested in doing. One of the things that our Premier insisted upon when she asked me to take on this portfolio was to move immediately to make an independent Child and Youth Advocate's office. We brought that legislation forward. The Legislature established that office, and it's his job to bring an independent review, and he does.

**Ms Notley:** Well, given, Mr. Speaker, that with the current inadequate funding levels the Child and Youth Advocate has to see into the future and predict which deaths are significant before he actually investigates and given that nobody wants to see another unnecessary death of a child in the care of the province or, as well, the change required to prevent it in the future remaining secret, hidden, and ignored, why won't this minister stop putting politics before children and commit to a full public inquiry?

**Mr. Hancock:** Mr. Speaker, that hon. member knows or should know that this particular minister puts children first each and

every day. This particular government puts the resources in place to assist families when they need it so that children can have that opportunity to maximize their potential. That's actually one of our most important jobs in this government and this Legislature and in this province, and we try to do that each and every day. We learn from the tragic issues that happen. We learn from the tragic deaths. They have been investigated, but we have an independent Child and Youth Advocate who can determine if further investigation is needed in any particular area. It's his job to bring it forward and to do that.

**The Speaker:** The hon. Member for Lacombe-Ponoka, followed by Calgary-Mackay-Nose Hill.

### Registry Agent Office Contracting

**Mr. Fox:** Thank you, Mr. Speaker. This government has introduced a disturbing new trend into how they will pick the new providers of registry services in Alberta. Not only will they compete on strength; now they will have to make an agency opportunity offer, which effectively awards a new registry to the highest bidder. There is already a \$100,000 fee requirement. This sounds like a shakedown. Can the minister assure Albertans that cash offers will be confidential and no friends of the government will have the inside track on how big a bid is needed to win?

**The Speaker:** The hon. minister.

**Mr. Bhullar:** Thank you, Mr. Speaker. It's quite the question coming from this member. I guess he wants us to give away government assets for free. I know that party over there had an extreme makeover convention just a couple of weeks ago, but I think they are suffering from an identity crisis. What's happening is that they don't know if they should zig or zag, they don't know if up is really up, and they're really forgetting basic principles of conservatism: stick up for the taxpayer first.

**The Speaker:** The hon. member.

**Mr. Fox:** Thank you, Mr. Speaker. Given that there's been an unfortunate tradition – and let me use the Ethics Commissioner's famous six words: friends and family of the government – in getting liquor store licences and registry agency licences, Albertans are rightly concerned about the process that might be gained. Will the minister assure all Albertans that no acquaintance, campaign manager, friend, cousin, uncle, or other member of the government family will get insider information on the landing of these contracts?

**Mr. Bhullar:** Mr. Speaker, I'm really glad he talked about friends and family because a lot of members of their friends and family are no longer acceptable to them. So what do they do? They end up having an extreme makeover convention. They try to reinvent themselves. I'd like to tell the hon. member that no matter how many times he stands in front of a mirror and reads a question, Albertans can see through the charade.

2:30

**The Speaker:** The hon. member.

**Mr. Fox:** Thank you, Mr. Speaker. Minister, given that registry agents that I've talked to say that these new agency opportunity offers are highly unusual, can the minister explain why people bidding to provide highly important community services are now being asked to essentially grease the palms of government in addition to the traditional public tendering process?

**Mr. Bhullar:** Mr. Speaker, I'd like to congratulate the member on asking a somewhat policy-oriented question. Thank you.

Now, if he will understand something, Mr. Speaker, when the government has an asset that they wish to dispose of such as a piece of real estate, maybe a piece of land, they go to bid. They say: what are you willing to provide for everyday, hard-working Albertans? Longer hours? Cheaper fees? What are you willing to provide the government of Alberta so taxpayers get what is rightfully theirs?

#### Surface Rights Payments to Grazing Lessees

**Dr. Brown:** Mr. Speaker, my questions are for the Minister of Environment and Sustainable Resource Development. On November 21 I asked the minister whether she would consider changing government policy to more equitably share surface rights payments on Crown grazing lands, to which she responded that grazing leaseholders were like property owners in their own private rights and could make private agreements with oil and gas companies. Does the minister not recognize that a grazing lease is different from the title held by Her Majesty for the benefit of all Albertans and that the rights of lessees are precisely those set out in the lease?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Mr. Speaker, and I thank the member for the question. Compensation payable to leaseholders is determined by section 25 of the Surface Rights Act. This section provides direction to the Surface Rights Board in awarding compensation. This criteria applies to both the landowner and the occupant if they are impacted. When oil and gas activities take place on a grazing lease, the leaseholder receives payments based on loss of use, adverse effects, inconvenience, and noise as provided for in the SRA. Compensation is intended to cover damages to the occupant's interest, an amount that reflects actual . . .

**The Speaker:** Hon. member, first supplemental, please.

**Dr. Brown:** Does the minister accept the proposition that she as Her Majesty's trustee of public lands has the obligation to see that they are managed in the best interest of all Albertans?

**Mrs. McQueen:** Well, yes, Mr. Speaker, absolutely. Grazing leaseholders are excellent stewards of the land, and we have agreements with them to ensure they remain excellent land managers. The best interests of Albertans are upheld by being able to fully utilize public lands with grazing leases. As a department ESRD works very hard to ensure that Alberta's public lands are managed in the best interests of the public and of Albertans.

**Dr. Brown:** Mr. Speaker, other provinces – Manitoba and Saskatchewan – and other levels of government here in the province of Alberta, like the MD of Taber and Forty Mile county, have limited surface rights payments to their grazing lessees. Will this minister do the same?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Well, thank you, Mr. Speaker. No, I will not. As I answered on November 21, these are private agreements between leaseholders and the companies, and as a government we will continue to respect private agreements. Compensation payments are privately negotiated between the leaseholder and the

company. ESRD does not have records of these agreements, and we should not.

**The Speaker:** The hon. Member for Strathmore-Brooks, followed by Lesser Slave Lake.

#### Oil and Gas Drilling Applications

**Mr. Hale:** Thank you, Mr. Speaker. I'm worried that the Energy minister and this government are not concerned with the impacts of their decisions. Under this government's direction application delays threaten the December drilling season, and the licensee liability rating program is driving junior producers to the brink of bankruptcy. Recently I asked the minister what he was doing about the LLR program, and he said that he was looking into it. Minister, actions speak louder than words. What are you doing to ensure the LLR program doesn't drive junior producers out of business?

**Mr. Hughes:** Well, Mr. Speaker, I actually indicated that I was doing more than looking into it. What I've done is that I've specifically asked the Alberta Energy Regulator to work with affected parties and legal counsel to them, who apparently are involved, and ensure that we take every opportunity to explore ways in which these companies could meet their obligations. This is an important issue. It's important to the future of the province. It's important that we ensure that energy companies look after the liabilities that they have so they're not left to the owners, which are the people of Alberta.

**Mr. Hale:** Given that the licensee liability rating program actually increases taxpayers' liability as well as increases environmental hazards if and when these companies go bankrupt, when will the minister intervene to prevent the unintended consequences of this poorly thought out energy policy from occurring?

**Mr. Hughes:** Well, Mr. Speaker, this topic has been addressed. We worked with industry – with CAPP, with EPAC, with the industry associations – over the course of no less than seven years to build a model so that it can be addressed and dealt with, so that the interests of both those in the energy industry and the citizens of Alberta are appropriately protected for the long haul. It's a tough time, I know. This is one more very difficult element of life that energy producers have to face. But, frankly, there are larger issues at work on behalf of many of these companies than this single regulatory . . .

**The Speaker:** The hon. member.

**Mr. Hale:** Interesting.

As has been acknowledged in this House, atrocious delays in processing applications threaten the December drilling season. Given that the estimated backlog of applications might be as high as 7,000 and given that companies have been asked to provide only their top two wells to expedite it, Minister, what are you going to do to make sure the December drilling season isn't lost altogether?

**Mr. Hughes:** Mr. Speaker, I'll do what I've been doing continually for weeks now, and that is to ensure that this system is responsive to the needs of industry. The chair and the CEO of the Alberta Energy Regulator are taking exceptional steps. The numbers that are being thrown around by the hon. member are completely irresponsible and inaccurate by a factor of at least 700 or 800 per cent. The facts are that there's work to be done. People



are working, and they are addressing these issues. They're responding to the needs of industry. We are going to have a winter drilling season in this province, and it's going ahead.

**The Speaker:** The hon. Member for Lesser Slave Lake, followed by Chestermere-Rocky View.

#### Public Tender of Leased Crown Lands

**Ms Calahasen:** Thank you, Mr. Speaker. The sale of government-owned lease land and the impact it has on ranchers who have held the lease for years is a concern because once a lessee starts a process of attempting to purchase land from the Crown, that process cannot be stopped. Once land goes out to the public tender, the lessee risks losing the land altogether in the bidding process. My question is for the Minister of Environment and Sustainable Resource Development. Why do lands have to go to public tender if the leaseholder would like to purchase the lease?

**The Speaker:** The hon. member.

**Mrs. McQueen:** Well, thank you, Mr. Speaker, and I thank the member for the question. Certainly, grazing leaseholders and farm development leaseholders in the settled area north of highway 16 have the opportunity to request the sale of up to one section of their leased land. Direct sales are undertaken to ensure that the sale of public land is fair, transparent, and that Albertans are obtaining a fair value for their land. Public tender ensures that all Albertans have an equal opportunity to acquire ownership of public land. The leaseholder is given the opportunity to match the highest bid in the public tender.

**Ms Calahasen:** Mr. Speaker, knowing that the highest bid is accepted, why is it that once the Crown initiates the process of tendering, it cannot be stopped? Why?

**Mrs. McQueen:** Well, Mr. Speaker, the applicant is able to withdraw their application right up until the statutory declaration is signed. The Crown can withdraw from the tendering process up until the leaseholder has signed the statutory declaration. After that point the land is appraised and publicly posted for sale.

**Ms Calahasen:** Again to the same minister: what measures are in place to ensure that leaseholders receive fair compensation for any improvements they have made to their land in the event that they lose their land in public bidding? That's a question they want to know.

**Mrs. McQueen:** Well, Mr. Speaker, that's a great question. Fair compensation is of utmost importance to ensure that Albertans receive fair value for their work. The government may compensate a leaseholder for portions of improvements done within the last five years. Removable improvements are owned by the leaseholder, and land improvements, like clearing and seeding, tame pastures, are owned by the Crown. Leaseholders are made aware of this when a range improvement application is approved.

#### 2:40 Prince of Peace Lutheran School Lease Funding

**Mr. McAllister:** Mr. Speaker, Prince of Peace school is a terrific Christian school in the public system. It's just outside Chestermere. It's a private facility, so the government makes the lease payments, recognizing the great investment and also realizing that, particularly in Rocky View, there is just no other place to put kids. They're bursting at the seams in schools. Now, the government even sent a letter pre-election confirming its

complete commitment to making these payments in full. Postelection another letter arrives. This one says: we can no longer make the payments in full. Why do you continually renege on your promises to Albertans?

**Mr. Lukaszuk:** Well, Mr. Speaker, as you know and as we all know in this House, we are trying to live within our means. As part of this year's budget some very difficult decisions had to be made. [interjections] The Member for Edmonton-Centre will simply not allow me to carry on, but I'll try. Ministers on the front bench have had to make some very difficult decisions. The fact is that it's well known in Alberta that we are very much in support of the choice that's given to parents, having private, charter, Catholic, public, and home-schooling, and we will be working with the private school community as best we can.

**Mr. McAllister:** Mr. Speaker, I will acknowledge that tough decisions have to be made. Let me put it like this. If you took out a mortgage and you signed a contract and then eight months later you called your bank and you said, "Times have changed financially. We can no longer afford to make the full payment," I think we all know how that would go over: not very well. How can the government justify doing the exact same thing to school boards, to parents, and to our kids?

**Mr. Lukaszuk:** Well, Mr. Speaker, here is the irony of it all. It depends whether it's an odd or even day. On certain days the Wildrose opposition will tell us: allow local authorities and school boards to do what they want; they're locally elected; do not interfere. But when they don't like a decision, they say: go in there with a sledgehammer, overturn a decision, and achieve the outcome that we want. The Minister of Education is working with school boards and making sure that private and charter and other schools are accommodated within buildings that already exist and are within our financial means.

**Mr. McAllister:** Mr. Speaker, I think that'll lead me to a completely different question. I think the minister missed the point.

Given that the government signed a contract, gave its word that it would make the payment for this school, then after the election sent another letter and said, "No, we won't make the payment," does the minister not recognize that going back on his word does nothing to ensure the confidence of Albertans and does nothing to stand up for our students in this province?

**Mr. Lukaszuk:** Well, Mr. Speaker, that member may not like that, but contrary to what he likes, Albertans have a great deal of confidence not only in this Minister of Education but also in this government. Albertans know that for decades they have been provided a choice that no other parents in another province in Canada have. They also know that their children achieve some of the best educational outcomes, not only in Canada but in the world. I can assure you that our Minister of Education and our entire caucus will stay committed to those values and will work with school boards, private schools, charter schools, Catholic schools, public schools, and home parents.

**The Speaker:** Thank you, hon. members. The time for Oral Question Period has expired. We did get through 16 main questions, or 96 questions and answers, which is quite good. I'm not sure how we got there, but we did. Part of the reason we got there was because of very short supplementary questions. Edmonton-Gold Bar, exemplary performance in that respect. Calgary-Mackay-Nose Hill, also a good job. Calgary-Fish Creek,

your first supplementary: short, snappy, tight. It's that kind of performance that allows us to get on with the important business and allows more members overall to get up.

### Statement by the Speaker

#### Items Distributed to Members

**The Speaker:** While I'm up, hon. members, I want to take this opportunity to summon your attention to remind you of something that's very important for all of you to be reminded about, and that's regarding the protocol for distributing or making available certain documents and other items to members, to your colleagues in this House. Now, should you as a member want to distribute to members in the Assembly let's call it extraneous materials, materials that are not the property of the House, in other words, or part of the deliberations or debates, such as amendments and that type of thing, those kind of materials require the prior approval of your Speaker.

This a long-standing tradition, and I realize some haven't been here that long, but you should all be reminded that it is a long-standing tradition for you to observe. It is simply not appropriate for any member to request a page to distribute materials without prior approval of the Speaker. This protocol was confirmed in a ruling by my predecessor, hon. Ken Kowalski, in this Assembly on February 23, 2010, which is available at *Alberta Hansard* at pages 247 and 250, mostly the latter.

Some documents to which your Speaker will have given approval for distribution are normally placed on members' desks while other items such as ribbons, pins, brochures, leaflets, and so on can be placed in baskets at either of our two entrance doors to my left and to my right, and then it is up to individual members to decide whether they want to pick up the pin and wear it or pick up the brochure and read it or pick up the ribbon and put it on or whatever. Members have that choice.

We have many good causes that are supported by these kinds of symbols and materials, everything from cancer to MS to education to children to seniors. The list is endless. We have been very accommodating and very lenient in allowing that to take place, and I don't think any of us would want to lose that leniency. Let's remember that this practice of using the baskets will continue. If you have anything else that you want distributed to all other members, you might want to use the mailroom. It gets there just as quickly to all other members.

Similarly, it wouldn't be appropriate for any one of you to walk from desk to desk and put material there. This was tried a few years back, and that was curtailed as well. I only mention that as a friendly reminder.

Please, let's not lose this privilege that we have to share things that we find are important to us or to advertise important events to our colleagues. Let's be mindful of that rule, okay?

Thank you very, very much.

### Members' Statements

(continued)

**The Speaker:** The hon. Member for Calgary-Fort, followed by Calgary-Shaw.

#### Legislative Officer Independence

**Mr. Cao:** Thank you, Mr. Speaker. I wish to inform our Assembly that our all-party Standing Committee on Legislative Offices held meetings on November 28 and 29 to review the officers' 2014

work reports, business plans, and budgets, which were then passed by our committee after a thorough deliberation.

My thanks go to all committee members and the committee clerk, Karen Sawchuk. Also, I wish to thank all the legislative officers and their staff for always doing a great job serving our Albertan public and our Assembly.

These independent, nonpartisan officers are recruited by our Assembly's special all-party select committee in an open competition based on qualification, not on their personal political affiliation. While the legislative officers work for our Assembly, not for the government, and are nonpartisan, they still receive unfair criticism, particularly from some political opposition inside the Chamber and from some media. [interjections]

Former Ethics Commissioner Donald Hamilton said that criticism from these groups can be difficult as the legislative officers believe that their decisions, based on law, much like the judiciary, must speak for themselves.

More recently Bradley Odsen, general counsel for the office of the Ethics Commissioner, stated that allegations of corruption made by some political opposition were not only outrageous to Albertans but also an insult to the integrity of the people who hold these positions. [interjections]

As elected honourable parliamentarians, everyone in this House must stop dragging these independent legislative officers of our Assembly into partisan politics and must recognize their impartiality and independence and give them the respect they deserve.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Calgary-Shaw, without interjections, please.

2:50

#### Foster Parents

**Mr. Wilson:** Thank you, Mr. Speaker. Last week a spotlight was shone directly on some flaws in our child welfare system, and many front-line workers and foster parents felt that we needed to do a better job of highlighting positive stories. I would like the opportunity to do just that and tell you a story about a baby named Corey.

Corey was born in Grande Prairie in February of 1978 to a mother who was 16. She made the courageous choice to put him up for adoption in the hopes of providing him with the best possible home, with the best possible parents, hoping that he would live the best possible life. Like many children who are put up for adoption, that process isn't completed overnight. Corey became a ward of the province and was put into foster care after a few short days in hospital.

As many of us are parents in this House, we know how difficult the first months of an infant's life can be: the erratic sleep patterns, the demanding feeding schedule, the stress of inviting a new child into the home. All across this province every day foster parents are caring for infants, children, and youth and do fantastic work. They give their heart and soul to the well-being of these children, loving them as their own, until permanency can be secured. In Corey's case that took six months.

Well, many of you may know that I, too, was adopted. My parents are two of the finest people in this world, Mr. Speaker. They did not keep it from me that I was adopted, and I will always remember the day that they showed me the paperwork from my adoption, which was accompanied by some handwritten notes. The notes gave advice on how to make me laugh, how to comfort me, how to stop me from crying, what I liked to eat, how I liked to sleep, how I liked to be bathed. It was a fascinating read. The first

sentence in the notes stood out to me, and they are words I will never forget. They read: we called him Corey.

Yes, Mr. Speaker, I am Corey. That was the name my foster parents gave to me for the first six months of my life, and if anyone who is listening was a foster parent of an infant here in 1978 and called him Corey, thank you. [applause] Thank you, members.

To all foster parents, who give selflessly so much of themselves to these kids so that they can have a chance at a normal life, thank you. I and all Albertans owe you a debt of gratitude.

### Notices of Motions

**The Speaker:** The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Speaker. I rise to give notice that I will be moving the following motion this afternoon:

Be it resolved that pursuant to Standing Order 15(6) the Legislative Assembly refer to the Standing Committee on Privileges and Elections, Standing Orders and Printing the deliberation in consideration of the Speaker's finding yesterday of a prima facie case of breach of privilege and the determination of an appropriate remedy.

Thank you, Mr. Speaker.

**The Speaker:** Thank you.

### Tabling Returns and Reports

**The Speaker:** The hon. Associate Minister of Wellness, followed by Edmonton-Gold Bar.

**Mr. Rodney:** Thank you, Mr. Speaker. I'm very pleased to table the requisite number of copies of the Alberta College of Pharmacists' annual report. The college governs pharmacists, pharmacy technicians, and pharmacies in Alberta to support and protect the public's health and well-being.

Thank you, Mr. Speaker.

**Mr. Dorward:** Mr. Speaker, I have 155 copies of letters to the hon. Thomas Lukaszuk from students at Campus Saint-Jean, very positive, uplifting letters regarding Campus Saint-Jean.

**The Speaker:** The Minister of Justice and Solicitor General, followed by Edmonton-Strathcona.

**Mr. Denis:** Thank you very much, Mr. Speaker. I rise today to table five copies of the Law Society of Alberta's 2012 annual accountability report. Of course, the Law Society is a self-governing body comprised of over 9,000 lawyers in Alberta. I'm pleased to be one of them.

**The Speaker:** The hon. Member for Edmonton-Strathcona, followed by the Government House Leader and the Deputy Premier.

**Ms Notley:** Thank you, Mr. Speaker. Today I would like to table over 1,000 more signatures that I've received in my office from a petition. It calls on this PC government to reverse their harmful cuts to programs for persons with developmental disabilities and to properly support some of Alberta's most vulnerable citizens.

The petition is timely as today marks the International Day of Persons with Disabilities. Today is the day to raise awareness and understanding of those living with disabilities. This PC government's handling of their changes to PDD programming is an example of how Alberta's most vulnerable citizens can't trust their

government to consult them, and I hope that upon reviewing these petitions, the government will conduct itself in a better fashion.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Government House Leader, followed by the Deputy Premier.

**Mr. Hancock:** Thank you, Mr. Speaker. On behalf of the hon. the Premier I'm pleased to table five copies of the e-mail that she referenced in question period today, which indicates that signs were put up for Albertans because they needed a sign of hope, and it was a sign of hope.

**The Speaker:** The hon. Deputy Premier.

**Mr. Lukaszuk:** Well, thank you, Mr. Speaker. In view of the interest among the opposition relevant to government signs that inform Albertans on our progress in building Alberta and building the infrastructure that Albertans want today, I'm tabling the requisite number of copies of signage overview and all the rules and regulations that pertain to where, how, why, and how often these signs will be mounted.

### Speaker's Ruling Motion Out of Order

**The Speaker:** Hon. members, we're now at the section that deals with points of order and points of privilege. I have no points of order so far, so I'll get on with the issue related to the privilege motion.

Hon. members, the hon. Member for Edmonton-Strathcona has provided notice of a motion that she proposes to move under Standing Order 15(6) concerning the ruling that your Speaker made yesterday wherein a prima facie question of privilege was found. This motion, at the outset, is out of order under Standing Order 48 for the reasons outlined by the chair yesterday and reasons that you can find at page 3234 of *Alberta Hansard*. My comments came in response to requests for clarification from the Official Opposition House Leader and also from the Member for Edmonton-Calder. Your chair was very clear, abundantly clear, in ruling that the apology by the Deputy Premier concluded the matter and that any forthcoming motion to pursue this particular point of privilege, such as the one we have before us today, would not be in order. That was made very clear yesterday, and that ended the matter. The chair does not want to engage in any debate on this point.

However, if members are interested in references and authorities, they can refer to a 1993 incident in this Assembly, where Speaker Schumacher ruled on the effect of an apology at pages 463 and 464 of *Alberta Hansard* for September 23, 1993. The chair would also like to update a quotation from Joseph Maingot. His book *Parliamentary Privilege in Canada* was relied upon by Speaker Schumacher and found in his ruling at page 464 of *Alberta Hansard* for that day. That statement is now found on page 267 of the second edition of that book by Maingot, and it states, "An apology by the offending Member will invariably close the matter without the necessity of putting the motion to a vote."

It has been a longstanding tradition that when there is an offence or an impropriety or a point of order or some such thing and the member is asked about it and then chooses to apologize, the House accepts the apology or, in some cases, an apology and a withdrawal, depending on the nature of the point, and that concludes the matter if it is accepted, and that was accepted yesterday.

I will conclude simply with this. The Member for Edmonton-Strathcona's motion is out of order as I've outlined and for the purposes that I've outlined, and the matter concerning the contempt of the Assembly related to the brochure that was the subject of that prima facie question and was produced by the government of Alberta was also concluded in totality yesterday. To repeat myself, what I said at the end of the ruling yesterday you can look up and find on page 3234 of *Alberta Hansard* where I said, "That concludes this matter." That ends it.

The hon. Member for Edmonton-Centre. You're seeking a point of clarification, I assume, are you?

#### Point of Clarification

**Ms Blakeman:** Under 13(2), yes, of course. That's the citation.

**The Speaker:** Yes. Please be brief.

**Ms Blakeman:** I am curious, when I examine the Votes and Proceedings for yesterday and look at the Speaker's ruling that is included in that, if the Speaker could explain, please, why he chose to move directly from the conclusion of his remarks, without allowing anyone else to speak or to rise to be noticed, to inviting someone from the government side to rise and issue a statement. In doing so, the Speaker took away the opportunity for any other member in the House to raise 15(6). So why did he choose to do that?

3:00

**The Speaker:** Thank you, hon. member. It's a good question, and I'm glad you asked it, actually. If you look back at the history of apologies, in every one that I looked at, that has typically ended the matter right then and there. An apology is issued. We judge it for its sincerity, for its intent, for its content. It was a sincere apology, it was accepted, and that ended it. If you look back at the history of even recent cases that have happened here, I followed basically that same procedure.

The hon. leader of the ND opposition.

**Mr. Mason:** Thank you very much, Mr. Speaker. Also a request for more information under 13(2). It has to do with the remedy of the apology. I would ask the Speaker if we ought not consider additional remedies such as requesting the government to cease distribution of the brochure which is in contempt of the House.

**The Speaker:** Hon. members, I can't predict what you might want to do next. I'm simply dealing with what I had as facts and findings at the time that I had to make the ruling. I think I indicated yesterday that we spent collectively close to about 200 hours, so this was not a ruling taken lightly. We doted, literally, on every word in the two sections of the brochure. If you look at that brochure carefully, the first item that's there, you could actually determine it either way, hon. member. I know that some of you are grammarians and would side with me in that regard. I sided on the side that it was sounding like a fait accompli. You could get some clever lawyers who might have argued it equally well on the other side. So that concluded that matter in that way. What you might want to do after this, hon. member, will be totally up to you, but that matter from yesterday is closed.

We'll have one final point of clarification from the hon. Member for Lac La Biche-St. Paul-Two Hills, and hopefully that will be clarification enough.

**Mr. Saskiw:** Very briefly, I'd just like some clarification on the procedure here. My understanding of the rules and the precedents

is that once a prima facie case of privilege or contempt is found, it's actually the Legislative Assembly that decides the appropriate remedy and not you, Mr. Speaker. I'm just asking for clarification.

Thank you.

**The Speaker:** That's why I was grateful that Airdrie rose yesterday immediately after the point, and Edmonton-Calder rose as well. I explained it then, and you're welcome to visit it once again.

I should just maybe draw your attention at the same time, while I'm on my feet, to Standing Order 2 of our Assembly, which states as follows:

Procedure in unprovided cases

2 In all contingencies unprovided for, the question shall be decided by the Speaker and, in making a ruling, the Speaker shall base any decision on the usages and precedents of the Assembly and on parliamentary tradition.

It has always, in my experience and in all the information we saw, been the case that once an apology has been issued and if accepted by the Speaker, that concludes the matter. That's what happened yesterday.

### Orders of the Day

#### Government Bills and Orders Committee of the Whole

[Mr. Rogers in the chair]

**The Chair:** I'd like to call the Committee of the Whole to order.

#### Bill 36

#### Appropriation (Supplementary Supply) Act, 2013 (No. 2)

**The Chair:** I'll recognize the hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much, Mr. Chair. I appreciate the opportunity to speak in Committee of the Whole to this appropriation bill. Of course, the appropriation bill is actually authorizing the expenditure of the money. The original document that is circulated, which is the supplementary supply estimates, is the wider ranging discussion in which the ministers should be able to stand and explain why they've made certain rulings. I regret that I was not able to be on duty when that was happening, so I do have a few questions that I would like to put on the record.

I do note that the expenditure is about three-quarters of a billion dollars, and most of it, of course, is directed towards recovery from the floods, primarily in southern Alberta but also in Fort McMurray. The first is the money for First Nations homes to be rebuilt, those that were destroyed in the flooding. The question I have is: when can we expect a report or an audit that would be available on this and other monies that are expended on specific purposes? This actually is appearing in the budget for Aboriginal Relations as vote 8.1.

Just generally speaking, Mr. Chair, what the government chose to do was that rather than apportioning money into each department into the area that it was going to be used, they just put an extra vote in every department, vote 8, and that's where they stuck in a lump sum the money that they were giving to the department to deal with related expenses for the flooding. So in this case, we have 8.1, First Nations housing, for \$50 million. I am wondering: what is the auditing process that can be expected from this? We have a separate vote number. I'm expecting that there would be a great deal of attention put on this. When could we expect to see some kind of a comprehensive report back?

In the Department of Agriculture and Rural Development I do note that there was a 4 per cent interest rebate on any loans up to a million dollars for a two-year period to help eligible businesses and not-for-profits and, I think, agricultural producers – oh, there we go; yeah, those three groups – to take out loans to help themselves get back on their feet. Thank you very much to the government for recognizing the role that the not-for-profit sector contributes to our community. We always hear about business. It's a very business-focused government. They want everything done according to business, yet half our province is public sector or not-for-profits or a charitable foundation or of a volunteer focus as well as, in fact, all of the public service which is serving hospitals and schools and all the levels of civil service and a number of other functions. So thank you very much for recognizing the NGOs specifically in that area.

I know that the second piece of what's happening in Ag and Rural Development was loan guarantees. I know that for a number of years the loan guarantees were used frequently by the government, but then they sort of came out of fashion. As far as I know, in the sectors I worked in anyway, all of the loan guarantees were called, and the money was paid back. So I'm wondering if we're embarking on a new season of loan guarantees. Of course, in particular, I'm interested in how the government is going to be monitoring a loan guarantee. Is it just going to become like a floating line of credit, or is it for a specific time and then it would be called in? So another question there in Committee of the Whole.

There is additional money under Education specific to replacing books and materials – thank you very much – which will mean a lot to the schools in that area. I know that most schools struggle to provide enough materials, you know, books, library books, paper, computer floppies – no, not floppies any more – thumb drives and other materials like that. So thank you for recognizing that on behalf of the schools.

3:10

There is also a line to subsidize the school for vacant desks with the assumption that some families would not have been able to remain and have their kids go to the same school, so rather than the school losing money, they are subsidizing it. I am a little curious about that one. I know that in the spring there's a certain amount of money that's allocated to every school board and to every school, and then once you get into September, about the third week in September, the principal has to say: "Okay. This is how many students we actually have." Since the flood took place in June and September has gone by, I'm just wondering how that worked. If they were able to report in September that they had fewer students, is that when the money was allocated? I'm just interested in the timing around that.

Under Environment and Sustainable Resource Development there is an amount of money of \$2 million that is "requested for the 2013 Alberta flood recovery to complete additional studies under the provincial Flood Hazard Identification Program." I would be very interested in hearing where the initial studies are. This is saying "additional studies." Where are the original studies for this? Are they public documents? When can they be obtained? Do you have to fill out a form, or who do I ask to see these?

Additionally, if the \$2 million has been contracted outside, to an outside firm, what does the RFP look like? Also, what are the terms of the contract? I know the government doesn't like to do this, but the public does like you to do this, because the winner of an RFP should be willing to admit, "This is what I'm doing and for what," and have that contract made public. I'd be interested in seeing what that \$2 million contract for additional studies under

the provincial flood hazard identification program actually looks like.

Under Human Services, there is \$66 million for flood recovery for emergency financial assistance. Those were the cards, the . . .

**Mr. Hehr:** Debit cards.

**Ms Blakeman:** . . . debit cards that were distributed to people very quickly, and I think many people found that quite helpful.

The question after the fact, of course, is: how do we audit this? How do we know if the right amount of money was loaded on the cards and got to the right people?

Not that I'm accusing the government of this, but I'll remind the government that when the Auditor General was able to do a systems audit on the BSE money that was also distributed very quickly, no questions asked, just went out to help our farmers, it turned out that our farmers didn't get very much help at all because the system was designed to compensate farmers for every cow that was standing in their lot, on their land at, you know, midnight of a certain day. Of course, the ones that had the most cows standing in their yard were the two largest packing plants in Alberta, and they got paid for every single cow that they had standing there, which was a lot of money. The farmers, of course, who had shipped the cows to them to be slaughtered, didn't get so much money. So did that program accomplish what it was supposed to, which was to be able to help our farmers? Not so much. I'm interested in how we are going to be able to assess whether that emergency money was in fact well spent.

Under the Infrastructure budget there is a supplementary amount of capital, \$5 million, requested for the planning of a community resource centre in High River, and I'm wondering what additional monies are committed over what period of time for further developments. Good to plan. That's great. But they actually need a building to walk into, so what are the timelines around that?

Look at that. No questions at all on Municipal Affairs

In Transportation we have \$23 million and change for improvements to roads and bridges, water management infrastructure, and water and waste-water infrastructure. I hope at some point we will get access to a detailed report of exactly which bridges and roads and water management infrastructure, in fact, this was used on. But thank you very much for recognizing the importance of water and waste-water infrastructure in Bragg Creek.

Okay. One of the things that I did not see in here – and it actually surprised me – was that there was nothing for the Department of Health. The Department of Health is a little bit besieged right now and has been for many years under this government, actually, because it doesn't seem to be able to improve the service delivery of health care although they seem to be able to change the management around on a spectacularly regular level, which is making it very hard.

For example, if you were a union that was negotiating with that management, how would you do that? Every time you went to the table, there would be a different boss there. Do you have to postpone so they've got enough time to get up to speed? Is that the fault of the union, then, that it can't make the arbitration date or what? Just a point.

One of the other things that came to my attention as a result of the Health budget was a wonderful program that was running with a mobile dental clinic. In the end, the government decided not to fund it. This was a partnership with the Alberta Dental Association and College. The program was operational up until

September 30 of this year. Very helpful. I heard from people that just could not say enough positive things about this program.

They basically brought a trailer with a full dental clinic into long-term care facilities, especially those with dementia patients. They could just bring the patient from their room right into the trailer, do all of the dental and denturists' work. Of course, especially for people with dementia, it's very hard to get them to sit in different chairs that they don't know. So it really worked out. It's quite disappointing to find out that the government, in fact, did support the dental college with the purchase of the actual units, which was some \$800,000 and change, but the operational money is about \$285,000 a year, \$2 million over seven years, and that's where the government has withdrawn their support. So a great, great, great program – we already have the machinery for it – and the government can't manage to find that extra money every year.

As a result, those trailers, complete with mobile dental labs, are now parked, and we have a whole bunch of seniors that are not getting dental care, which, as the many physicians in this House will tell you, is an integral part of wellness because if you've got bad teeth – sorry; it's a bit graphic – then you're swallowing bad teeth stuff. That is not helping your digestion, which is going to lead to other problems. So just a part of the funding that I had an opportunity to ask a question about, and I'm glad to be able to put that on the record. I think it was a great program. It certainly helped my constituents and other constituents.

Those are the questions that I have for the supplementary supply budget, which we are now discussing as part of the appropriation process. We're in Committee of the Whole. I'm happy to support the supplementary supply budget this time out. I don't always do that. If there's any opportunity to answer some of my questions, I'd appreciate it.

Thank you very much, Mr. Chair.

**The Chair:** Thank you, hon. member.

Before I recognize the next speaker, might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

### Introduction of Guests (reversion)

**The Chair:** The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Chair. I have a number of guests, some of whom have departed, I'm afraid. This is my fault. I thought that the hon. Member for Edmonton-Strathcona was sending a note to the chair, and she thought I was sending a note to the chair. I apologize to those that have had to leave.

Today I'm very pleased to introduce to you and through you to this Assembly my guests, who represent thousands of workers in Alberta. They're here today because they're very concerned about the negative implications that Bill 45 and Bill 46 will have on working Albertans. I would ask my guests, if they are still here, to rise as I call their names to receive the traditional warm welcome of the Assembly: Siobhán Vipond, the secretary-treasury of the Alberta Federation of Labour; Jodie Zaplotinsky from the Health Sciences Association of Alberta; Judy Mayer from the Health Sciences Association of Alberta; Carol Chapman, president of CUPE 3550, which represents education support staff in the Edmonton public schools; Gloria Lepine, also from CUPE 3550; Linda Harris from CUPE 3550; Ryan Williams, who is a resident of Edmonton-Strathcona; and Chelsea Taylor Flook, who is with the Prairie chapter of the Sierra Club. I would ask them to now receive the warm welcome of the Assembly.

3:20

### Bill 36 Appropriation (Supplementary Supply) Act, 2013 (No. 2) (continued)

**The Chair:** Okay. Are there other speakers on 36?  
Seeing none, I'll call the question.

[The clauses of Bill 36 agreed to]

[Title and preamble agreed to]

### Bill 46 Public Service Salary Restraint Act

**The Chair:** The hon. President of Treasury Board and Minister of Finance.

**Mr. Horner:** Thank you, Mr. Chair, and thank you to all members who have offered their thoughts on and those who have offered support for Bill 46, the Public Service Salary Restraint Act. This legislation has been described as supporting "government's commitment to living within its means by ensuring sustainability in the compensation of the Alberta public service."

Mr. Chairman, we want to get back to the bargaining table with the Alberta Union of Provincial Employees so we can reach an agreement on pay that is fair to our hard-working public servants and fair to taxpayers. Bill 46 reflects the government's commitment to holding the line on spending to help us balance the budget while meeting Alberta's enormous growth challenges head-on. We must continue to make prudent financial choices. We've been abundantly clear with public-sector unions, including the Alberta Union of Provincial Employees, that we need to hold the line on salaries.

We worked hard with our doctors and teachers on long-term deals that hold wages flat for three years and guarantee stability in education and health care for years to come. MLAs are also setting an example by imposing an additional three-year wage freeze on their own salaries.

The Public Service Salary Restraint Act has been introduced in an effort to reach a negotiated settlement with the union representing our government workers. Reaching a negotiated settlement with the union is our preferred option to reach a deal that is fair to employees and fair to taxpayers. In fact, our most recently tabled offer to the union is more generous than what's provided in the legislation.

Mr. Chair, sustainability in public-sector compensation means paying employees well for the work that they do on behalf of Albertans at a rate that is responsible to Albertans. This is a balance that we want to achieve through Bill 46. The decision to move forward with this legislation was not made easily. I take no glee nor satisfaction in bringing it forward, but government is tasked with making tough decisions.

At this time I would like to address some of the comments we heard during the debate yesterday and last night. I appreciate the comments we heard last night on the role of collective bargaining in labour relations. The collective agreement between the Alberta government and the AUPE expired on March 31, 2013. The government and AUPE negotiated for 12 days before the AUPE left the table. Mediation was held, and no resolution could be reached. AUPE quickly applied for compulsory binding arbitration, a step we have not seen in 30 years.

Again, Mr. Chair, seeking arbitration is the exception to the process, not the norm that we have seen in the past. The government is legally and constitutionally required to engage

AUPE in good faith on workplace issues. We have done that through the collective bargaining process. Collective bargaining has now concluded after 12 days of bargaining and less than two days of mediation, and we are now seeking a negotiated settlement through renewed discussions with the union.

This bill does not interfere with good-faith negotiations. It has been carefully developed, and we are confident that it meets all legal and constitutional requirements. The legislation simply provides a framework to resume negotiations and work together with the union to reach a settlement that is fair to the public servants and to taxpayers, as I said. As you may recall, it was the AUPE who engaged in the five-day illegal strike earlier this year.

Again, we are confident that the legislation is constitutionally sound. Public-sector salaries make up roughly half of the government's total operating budget each year, including the doctors and the nurses, the teachers and postsecondary faculty, and the employees of Alberta's public service. In order to control spending, as Albertans told us they wanted us to do, we've had to bend the curve on salaries. The offer that is on the table right now is consistent with this approach.

We also heard much about fairness during the debate. Ultimately, our public servants are paid fairly and will continue to be paid fairly. The balance we are striving for is to negotiate a long-term agreement that is reasonable and that reflects our government's fiscal restraint policy. We were able to achieve this balance with other groups, enabling government to live within its means and meet Alberta's enormous growth challenges and flood challenges head-on.

As I've stated before, the offer we made most recently to the union was, in fact, better than the settlement included in the legislation. The offer included a four-year agreement, starting in the current year, that provides for salary increases of 0, 0, 1, 1, with an \$875 lump-sum payment in year 2 to all eligible employees.

Other items in the offer include enhanced vacation entitlement and Christmas closure, which would see employees receive extra paid days off during the holidays for the next four years.

Mr. Chair, fairness is valuing the services Albertans rely on and the front-line workers who provide them. We do, and we will continue to ensure that Alberta public service salaries are competitive moving forward.

Mr. Chair, there have been a number of claims made by the opposition which I must take an opportunity to address as well. First, both the Liberal and the Wildrose opposition claim they would repeal the legislation in 2016 and reinstate arbitration rights. This does underscore their complete lack of understanding of this legislation because the bill has no long-term function. Once the provisions of the bill have run their course, it can be repealed by simple proclamation. By 2016 the bill will have already been completed. There will be a new collective agreement in place, and repealing it in 2016 will do nothing to change what will be by then be past events. As the bill states very clearly, it only applies to this union and this settlement. Arbitration rights for the AUPE will already be intact for any future deals at that point.

I'd also like to note that claims that government agreed to arbitration are somewhat misleading, Mr. Chair. Compulsory arbitration means just that, compulsory. The government has neither the option to accept nor deny arbitration once the union has chosen to apply.

I also couldn't help but notice that the hon. Member for Airdrie has been using union talking points. It's interesting to me, Mr. Chair, that the hon. member now positions himself as the defender of public service given his party's position as clearly outlined in their alternative budget. This party has been very clear, as it says

here, that they would "hold the line on front-line public sector salaries until the provincial cash deficit is eliminated." It is clear to me, as I'm sure it is to all members of this House, that in order to secure indefinite zeroes from our public sector, this deal would bypass negotiations as well as arbitration. If AUPE is not prepared to take the deal that this government has put on the table, which includes increases, they would certainly be unwilling to accept indefinite zeroes from the Wildrose Alliance.

Mr. Chair, our research shows that our bargaining unit employees at the job rate maximums are generally paid more than comparable employees in other provinces, and they should be. We want to negotiate an agreement that continues to be fair for workers and allows us to continue to live within our means. At the same time, decisions that directly impact the spending of taxpayer dollars and our ability to pay for the services Albertans rely upon need to be made by the government.

We look forward to resuming negotiations and to a counteroffer to ours coming to us and to getting back to the table to talk about a negotiated settlement that is fair for Albertans and fair to our hard-working employees.

With that, Mr. Chair, I will take my seat.

**The Chair:** The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Mr. Chair. This is an interesting bill, and I appreciate the comments of the hon. minister to clarify some points that we haven't really perhaps understood as well as we've needed to, so your comments were appreciated, beneficial, and helpful, I think.

There is an aspect of this that makes the bill itself seem a little prejudicial since it's just targeted at one union. I realize that's the union that's causing you to stay up at night wondering how you're going to balance the budget and hoping that removing the right to arbitration forces them either back to the table to accept what you've already offered or to come back with something very, very close to it. That really is, in a sense, just like holding a gun to their heads, because they know that they don't have a choice. They've got to negotiate because arbitration is now off the table. Something that's been on the books for years, a process that has proven effective for decades is now being removed to force them to sort of bend their will to yours. That seems inappropriate.

3:30

I think Albertans recognize that these are tough times, and I think this union perhaps recognizes it as well. The union's job, naturally, is to get the best deal it can for its members. That's how they can justify the dues that they're taking. I think they've demonstrated that they've been very good at it. In fact, perhaps they're too good at it, and that's what's got you worried.

We've stated in our literature, specifically in Budget 2013: Wildrose Financial Recovery Plan, that we support the work of the public servants and support the empowerment of the front lines. Our approach has always been – and we've stated it clearly – that we'll work collaboratively and respectfully with public-sector unions to hold the line on current overall expenditures on front-line public-sector salaries. This means the Wildrose would also bargain hard to get the fairest possible deal for taxpayers, but the key word here is "bargain."

It seems like the PCs are bargaining with a gun to their heads. They're threatening to pull out the right to arbitration, and in fact you're proposing to pass this act, that will remove that, for the specific purpose of bringing this union and the bargaining agents from the union either to their knees or at least to the table, where they won't have really much choice but to accept what's there.

You say that you want to bring them back to bargain. I'm not sure that this threat is a good endorsement of your sincerity about bargaining.

I believe that this bill is prejudicial, and I think it's unfair to this union. I believe that approving this will not be good for our province in spite of the meagre savings that it may generate. There is lots of waste in the government – we know about that – and as all good businesspeople know, the proper practice is to cut at the top. You trim at the top and then do all you can to enhance the service capability of the front-line workers, especially those that are providing essential services.

With that, Mr. Speaker, I move adjournment of debate.

[Motion to adjourn debate carried]

### Bill 45

#### Public Sector Services Continuation Act

**The Chair:** I'll recognize the first speaker, the hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. I just want to make a few comments with respect to Bill 45 in Committee of the Whole to address some of the issues that were raised in second reading. The sole purpose of Bill 45 is to protect Albertans from harm. That has raised a number of issues and concerns in the Legislature, but most of them, quite frankly, are off point. They read into the legislation's intent. [interjection]

**The Chair:** The Minister of Human Services has the floor, hon. member, please.

**Mr. Hancock:** Issues and concerns that have been raised are off point. They read into the legislation an intent that doesn't exist, and they extrapolate from that intent ramifications of the bill that, at best, are extremely unlikely and, in fact, are nonexistent. I want to address some of those.

Violation of the Charter, whether or not the bill represents a violation of our Charter of Rights and Freedoms. Well, first and foremost, Mr. Chairman, I wouldn't bring forward a bill that I believed violated the Charter of Rights and Freedoms. I haven't done that, and I won't do that. In my experience in this House, on the one bill that I thought was a violation of the constitutional provisions, I was the lone person who actually stood against that bill, when I was Minister of Justice and Attorney General. So that is my experience in this House. But you don't have to take my word for it.

Trust me. Before any bill is brought into the House – I was tempted last night, when I heard the hon. leader of the Liberal opposition talking about these contracts, to run in and say: stop the proceedings; we didn't think of that. Sorry. No. Actually, there is pretty thorough review of most aspects before they come to the House. There's a lot of legal work that goes into drafting bills. We do believe that this is very much a constitutional bill.

The fact of the matter is that in this particular bill we do not actually change any of the real provisions of the public-sector services employees act other than the penalty pieces. So the question about constitutionality would've been with respect to the existing public-sector services employees act.

Freedom of association. The Supreme Court has made it clear that the Charter protects the process of collective bargaining that allows employees to make collective representations and have them considered in good faith. Neither the right to strike nor a right to a final dispute resolution mechanism are constitutionally protected. It must be remembered that we're not creating new law

when it comes to illegal strikes. That law has been on the books, as I said, for a number of years. What we're doing is increasing the fines, which have always been a consequence of causing or engaging in an illegal strike.

Freedom of expression. Concerns have been raised that Bill 45 restricts freedom of expression and that it will capture innocent third parties simply for expressing an opinion about an illegal strike. Nothing, Mr. Chairman, could be further from the truth. There is no stated or unstated intention to restrict opinion. The intent is to restrict those with credible power and authority from inciting illegal behaviour. That is against the law. It's against the Criminal Code with respect to inciting a breach of the Criminal Code, and it's against the law here. It must be noted that any charges for doing so brought under the act would have to be approved before the courts. In other words, there's no way you can just say: "Oh. There's somebody that's been talking around the water cooler about inciting a strike. Let's charge them, and let's impose penalties." There's got to be a credible approach towards counselling an illegal act. Government cannot arbitrarily decide that someone is guilty of having incited an illegal strike.

Bill 45 also calls for fines for threatening to strike, and this is seen by some as a restriction on the right to free speech. This provision in Bill 45 exists because with public-sector unions the threat of going on an illegal strike can have a similar if not the same effect as actually engaging in a strike.

I want to give you an example of that, a credible and serious illegal threat that would cause service providers to actually prepare for a strike. Not doing so would be an abandonment of their responsibility to those that they serve. If there were an illegal strike in the health care sector, for example, it could result in things such as the transfer of patients or the cancellation of scheduled services. Those actions have both a personal and an economic effect. The cancellation of services could put the lives of Albertans at risk. Making alternative plans comes at an economic cost and potentially a safety or health cost that should not have to be borne by an individual taxpayer in this province. Again, such a charge brought under this act would have to be approved in court.

In other words, it's not just because somebody, as I think last night somebody said, calls into a late-night talk show and says: we should go on strike. That's not a threat of a strike. A threat of a strike is a real perceived approach, where people got together and actually engaged in a discussion which could have effect.

3:40

One of the provisions of Bill 45 that appears to have caused undue concern is that other persons could be subject to prosecution and fines. This has been seen as extending the legislation to cover all Albertans. Well, such is not the case. In fact, the existing Public Service Employee Relations Act, section 71(3), already has that exact provision in it. Again, it's just a question of what sanction there is for someone engaging. The provision recognizes that there are third parties who could play an active and strategic role in counselling a strike or creating a strike threat. In fact, they could go further. They could essentially bar somebody from complying with the law. In other words, if you were a third party who stopped somebody from going to work when they wanted to go to work, it would be a legal strike.

**Ms Blakeman:** It would be a lockout.

**Mr. Hancock:** Yes, a lockout could be one of those things.

If you stop somebody from doing what they ought to do at law, that could bring you under this section. But, again, it's not a new



section. It's a section that's there already. It's just a question of what the penalty or the sanction is. The scope of this amendment does not extend to ordinary Albertans who are simply expressing an opinion related to either a strike threat or an actual strike.

Seeing Bill 45 as an assault on human rights actually requires a great deal of imagination. Restricting illegal strike behaviour is a legitimate and ongoing public policy objective. Given the potential that an illegal strike represents risk to Albertans, the provisions are fair and include the right of appeal. It's also worth noting that an illegal strike in the public sector can cause a violation of the rights of Albertans to safety and security.

The need for the increased size of the fines has come into question. However, the fines proposed in Bill 45 are in keeping with the current economic reality. The fines are intended to present a strong deterrent to illegal behaviour, which can impact the safety, health, or security of Albertans, based on recent history something which the current fine structure had not achieved.

The peace officers' illegal strike was a short one, but even that short strike caused major disruption and endangered workers, inmates, and the public. Lest I hear an outcry on it, I would say that there are appropriate ways for workers to engage in grievances. No worker in this province has the obligation to work in what they consider to be an unsafe workplace, but there are appropriate ways to bring that forward. I can say to this House that as the minister responsible for occupational health and safety, I have not seen that being brought forward in this instance, so I can't give any credence to the idea that that was a legitimate cause for an illegal act. First of all, there is no legitimate cause for an illegal act, and secondly, if that was something that was of concern to workers, there were other legitimate ways to have it dealt with.

So the intent to prevent public-sector unions from seeking illegal strikes is an accepted part of labour relations activity in Alberta. The fines outlined in the proposed legislation indicate the seriousness with which the government and Albertans treat this issue. The fines are meant to be effective not in penalizing people but in deterring what is an illegal action, which can improperly affect Albertans.

Saying that the provisions in Bill 45 are too high because they're higher than those that can be levied under the Occupational Health and Safety Act is, at best, disingenuous. In no way is it an apples-to-apples comparison. Fines under the Occupational Health and Safety Act relate to a single employee. Penalties under Bill 45 address labour disputes that are potentially much larger in scope, where there is significant harm and risk can arise at multiple locations across the province.

The abatement order provisions in Bill 45 have been positioned as a de facto fine that would serve to cripple unions. Unions can already be liable for damage. The provision in Bill 45 to establish a more effective mechanism that ensures that taxpayers are not on the hook for the results of illegal strikes. Affected parties must prove the damages occurred and that the final financial redress being sought is fair and reasonable and that they were caused as a result of the strike. A union that has been subject to an abatement order will have any funds that have not been used to redress the consequences of an illegal strike returned.

Nothing in Bill 45 will impede a worker's right to refuse unsafe work. The criteria under which work can be refused are clearly established under the occupational health and safety legislation, but there are procedures that must be followed. There must be imminent danger. Site visits from government officials are used to determine the nature and extent of hazard and the appropriate remedy for reducing or eliminating the hazard. In other words, Mr.

Chairman, it can't just be a disagreement with respect to management and workers. There is an independent way to determine whether, in fact, there is a safety hazard.

If affected workers do not agree with the findings, they can appeal the findings or the decision to the Occupational Health and Safety Council. So, Mr. Chairman, a number of issues were raised in second reading, which, as I say, are not actual, real issues. The legislation itself does not create the concept of an illegal strike. It brings in the threat of a strike and counselling, both of which are recognized terms at law with respect to criminal codes and other laws. Both of those terms require proof. They're not charges that can be laid recklessly. They require the consent of the minister before they can be laid. So there are a lot of protective provisions in there.

But the most important part of the act, Mr. Chairman, is to protect Albertans. We haven't had a lot of illegal strikes in this province. We have a good labour relations record overall in this province, and we want to keep it that way. This bill is not an antiunion bill; this is a pro-Alberta bill. This is a bill which basically says that public-sector employees who work in areas where the health and safety of Albertans is put at risk or is at risk cannot strike and have not been able to strike. When somebody engages in illegal action that puts the health and safety of Albertans at risk, then that action ought to be, first of all, deterred in as strong of language as possible, and if the deterrence is not effective, then it should be sanctioned in as strong a manner as possible. That's what Bill 45 does.

**The Chair:** I'll recognize the hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you very much, Mr. Chair. I'd like to begin by saying that this is the first opportunity I've had to speak to Bill 45. I still as of yet have not had an opportunity to speak to Bill 46. I think it's important to note the tactic or technique that this government is using in order to stifle debate in this House and ram through legislation, which is a motion of closure. I suspect that there will be another motion coming through on Bill 45 shortly to ensure that this will get rammed through at breakneck speed.

I want to just address a comment that the Minister of Human Services made in regard to Bill 45, trying to allay concerns that the opposition has regarding the application of this bill once it becomes law and the interpretation of this bill, where the minister said – you know, the example that was used last night was if someone phones into a talk show threatening to strike, that that person under this bill could be charged. Now, the interpretation of this bill is that that person could be charged. But what I find interesting is that the minister is trying to provide assurances that that's an example where the person wouldn't get charged. It's not written in the bill. I'd like to ask the minister: where in the bill does it say that in such and such an example a person would be safe from retribution or fines? It doesn't. So I apologize that I cannot take the minister's word at face value, considering it won't be the minister that enforces the law once it becomes law.

Having said that, again, my frustration thus far, and I believe the frustration of all the opposition, on second reading is the fact that this bill had closure on it where – you know, a couple of quick points here. Number one, I know that that is a tool that the government has used in the past. I'd like to point out that it's been used sparingly. But normally when we look at parliamentary procedures here and even in Ottawa, that type of tool is used once a significant number of members have had the opportunity to speak to a reading of a bill and there is democratic debate and a healthy debate as opposed to one or two opposition members

having the opportunity to get up and speak to a bill and then moving immediately into closure.

I think Albertans are quite frustrated that their representatives don't have the opportunity to speak. I'd really like to remind the government that the 87 members in this House represent almost 4 million people. Stifling two-thirds of the opposition or disallowing them to speak to a reading of the bill is effectively silencing a large number of Albertans, and I believe that this government will hear about it. If not through e-mails and social media, they're going to hear about it in the 2016 election.

3:50

I want to move into my second point, Mr. Chair, which is that this bill, Bill 45, is unconstitutional. I find it ironic that this bill is coming from a supposed human rights lawyer, yet the way that this bill is written is in complete violation of our Canadian Charter of Rights and Freedoms. I'd like to read briefly section 2 from the Canadian Charter of Rights and Freedoms, just to remind all members of the Assembly what those rights are, and then I'll explain how this bill is unconstitutional and attacks those rights.

2. Everyone has the following fundamental freedoms:

- (a) freedom of conscience and religion;
- (b) freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication;
- (c) freedom of peaceful assembly; and
- (d) freedom of association.

This bill violates sections 2(b) and 2(d), which, again, are "freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication" and "freedom of association." This bill attacks those freedoms in the sense that not just public-sector workers but all Albertans, any Albertan, can be charged and fined under this bill if there is a threat of a strike or discussion of a strike.

You know, when I first went through this bill, Mr. Chair, it had some very Orwellian undertones to it and causes concern for all Albertans that this government wants to pass into law and enable – I mean, what are they going to introduce next? The thought police, that are going to be chasing people down if they think about a strike as opposed to even talking about it to their friends?

**An Hon. Member:** It's dangerous.

**Mr. Bilous:** Well, it is very dangerous, this type of legislation.

Again, Mr. Chair, this is a direct attack on the fundamental rights and freedoms of all Albertans, not just our friends that work in the public sector. This essentially is a bill that's designed as a gag order to silence workers and to stifle their ability to take action when their health and safety is at risk.

I want to just clarify for many of the members on the other side of the House. Often the wildcat strike that occurred this spring has been cited as an example of why we need this legislation. You know, what's frustrating, Mr. Chair, is that the government has completely misunderstood what had happened back in the spring. I, too, can say that I was on that strike line, speaking to workers about what prompted them, what was the impetus for them going on strike, and the story is quite fascinating.

You've got story after story of workers and employees who worked at the remand, frustrated after numerous attempts of speaking with management, of speaking with the government, of trying to get a hold of the minister to address the issues of their concern for their own health and safety and that of the inmates because of an improperly constructed brand new remand centre. Now, not all of it was improperly constructed, but there were parts of it that posed a direct risk to the staff, workers at the remand,

and also the inmates. As the Member for Edmonton-Centre pointed out, there was glass in this facility that could be smashed with a coffee cup, which poses a huge threat.

Now, Mr. Chair, I also want to bring up the fact that for a number of years I myself worked as a corrections officer at the Edmonton Young Offender Centre, and I can tell you that the people who work in these facilities are not there because of some exorbitant salary or massive amounts of benefits or a pension. They're there because they want to make a difference and because they care. When I worked at the EYOC, I did not feel unsafe in that existing facility. Now, I've been out for quite a few years, so if there are concerns that have come up in the last 15 years, then please excuse me. But my point is that workers in this province need to have the ability and the channels to take their concerns to the appropriate places and that they also be addressed.

Now, the wildcat strike was because of frustration for months and months of being ignored, neglected, pushed aside when they had real, valid concerns. This illegal strike – yes, it was illegal – was their last option, their last straw, to send a message to this deaf government that there were extreme flaws and concerns with the remand centre that were not being addressed. So they did what they were forced to do in order to protect themselves and the inmates in the remand. I just want to say on a side note that I found it quite offensive when a member last night tried to compare a legitimate strike to riots that occurred after a hockey game. I think it's a gross display of ignorance as far as understanding the purpose of the strike and the reason behind the wildcat strike versus young people partying too much and taking celebration or the opposite to an extreme.

I just want to point out, as the Member for Edmonton-Strathcona so eloquently put it last night, to spell out to the members in this Assembly, what illegal strikes have brought not only our public-sector workers but all Albertans and working people that are thankful for a weekend, for an eight-hour workday, for mandatory breaks, for overtime pay, for safety regulations in a workplace, for minimum wage: all of these things are brought to you by our friends in organized labour. I would argue that we would not enjoy those rights, whether you're unionized or non-unionized, anywhere in this province or in this country if men and women didn't stand up and fight for those rights which we now enjoy today.

Mr. Chair, examples of civil disobedience that have moved society forward. Let's look at the example of Rosa Parks. The fact that she refused to go to the back of the bus was the impetus for a movement that did bring some equality to all people in North America regardless of colour.

The fact that there was a period in time not too long ago in our history, Mr. Chair, where women and aboriginal peoples did not have the right to vote: now, do you think that was just handed over because people had clamoured and said, "We deserve the right to vote"? No. They had to take action that at the time was considered civil disobedience in order to gain those rights.

Now, Mr. Chair, I'm sure my time is coming to a close. I never seem to have an issue filling the 15 minutes. The two other issues I just want to talk about are, again, the real purpose of this bill and the fines, the amount of money. There have always been fines for illegal strikes. I would like to make some comparisons between when we have, especially, companies that break the law and their fines within the province of Alberta versus what this government is trying to impose.

The purpose of this bill. Essentially, Mr. Chair, in my view, this is an attack on working people in this province. This is an attack on people's rights. This undermines the rights of workers, of working people, to refuse to work in an unsafe workplace condition.

This as well is a bill designed to create a culture of fear and intimidation. More and more this government is looking like Big Brother, wanting to control, again, not just the actions and words of its citizens. It begs the question of what's next, Mr. Chair.

4:00

I really do need to clarify because this example keeps being brought up by the different ministers as far as how they negotiated a contract with the teachers. There couldn't be a bigger load of hogwash, Mr. Chair. That contract was starting to be negotiated, but when some locals decided this wasn't a good contract, then the government decided to put a gun to their head and legislate the contract. That's not bargaining in good faith. That's not negotiation. That's, well, the actions of this government, where they'll ask, and if you say no, they're just going to ram it down your throat anyway regardless of what you say.

Moving on to the fines in this bill, Mr. Chair, the fines for unions, union reps, and even Albertans are grossly disproportionate to their actions. The fact is that this bill will basically fine – and the intention of this, let's be blunt, is to fine unions into the ground and to break unions.

I mean, the government may say this is about safety. If this was about safety – let's go back to the example of the remand centre – then maybe they would have done something about the genuine concerns that the workers had at the remand centre. Who knows best? It's the people who are in there day in and day out, who are working there and don't want to put their own lives in jeopardy or at risk above and beyond, obviously, the risks of working within a remand centre. But it's not just about the workers, Mr. Chair. It's also about their concern for the safety of the very inmates and people that reside there as well. The fact that we had an example of an incident at the remand centre not two weeks ago: I mean, clearly, these concerns that the workers have put forward are still being ignored, and this government is not taking their concerns legitimately.

I'm going to try to find my notes because I've been all over the place here. We're talking about disproportionate fines, the fact that under Bill 45 – and I believe the Member for Edmonton-Strathcona figured it out – it could be as much as \$2.5 million a day, which is an unbelievable sum of money. I'm not even sure if that number necessarily is accounting for all the individual fines that would go out. Let's compare that to some environmental infractions that have occurred. I mean, first and foremost, in this province they're a slap on the wrist for the most part. They're normally a one-time penalty as opposed to this bill, that would continue to fine Albertans, union members, or unions themselves every day that they're on strike. It's quite a difference between the two.

Mr. Chair, you know, I think Albertans, again, see this bill for what it is. This is an assault on working people, this is an attack on organized labour, and this is a very punitive and heavy-handed bill. I'm not even sure if the minister believes his own words when he says that this isn't a punitive bill. You look at the amount for fines on individuals, on unions, on workers and compare it to other jurisdictions across the country, and Alberta is by far – well, there is no other jurisdiction in the country that is trying to punish and ram into the ground its organized labour. In other parts of this country there is a recognition of the value that these workers bring.

I mean, this brings me to my concluding point, Mr. Chair, and that's that the level of frustration is rising amongst workers in Alberta when they hear this government get up and say one thing and their actions are the opposite. They get up and talk about the value of public-sector workers – our firefighters, our doctors, our

nurses, our health care providers, the folks who stepped up during the floods – and then turn around and beat them down with a bill like this. I mean, it goes beyond a slap in the face. I think the minister may be delusional if he thinks that the workers that make this province tick – they are the reason that Alberta is one of the best provinces to live in. It's because of the workers, and when a government introduces a bill like this, it sends them a message of the opposite.

I mean, in our day and age people are valued, and the level of value is, honestly, often based on one significant factor, on wages. You know, it's insulting to compare the wages we get in this House to many of our public-sector union sisters and brothers and to say that – and I realize this next point is going to Bill 46 – well, we took a 1 per cent freeze, so they should, too. I'm sorry. You're comparing apples to oranges, not apples to apples. If we want to show not only our public-sector friends but workers in this province that we do value them, then . . .

**The Chair:** Thank you, hon. member.

I'll recognize the hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Chair. I move that we adjourn debate.

[Motion to adjourn debate carried]

**The Chair:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chair. I would move that that committee rise and report Bill 36 and report progress on bills 45 and 46.

[Motion carried]

[The Deputy Speaker in the chair]

**The Deputy Speaker:** The hon. Member for Calgary-Varsity.

**Ms Kennedy-Glans:** Thank you, Mr. Speaker. The Committee of the Whole has had under consideration certain bills and reports the following bill: Bill 36. The committee reports progress on bills 45 and 46. I wish to table copies of all amendments considered by Committee of the Whole on this date for the official records of the Assembly.

**The Deputy Speaker:** Thank you, hon. member.  
Does the Assembly concur in the report?

**Hon. Members:** Concur.

**The Deputy Speaker:** Opposed? That is carried.

## Government Motions

### Time Allocation on Bill 45

50. **Mr. Hancock moved:**  
Be it resolved that when further consideration of Bill 45, Public Sector Services Continuation Act, is resumed, not more than two hours shall be allotted to any further consideration of the bill in Committee of the Whole, at which time every question necessary for the disposal of the bill at this stage shall be put forthwith.

**Mr. Anderson:** Well, Mr. Speaker, it's also my duty to tell the hon. House leader that he's being undemocratic and irresponsible and spitting in the face of democracy in this province. So I'm going to stand up and do that exact thing right now.

These motions are, again, a complete farce. We just saw the farce in action. We saw one speaker get up on these bills in committee, and then without a second thought we saw this House leader adjourn debate to get out of committee and to go back to bring in these government motions. It's just unbelievable. These motions are to make sure that we only have two hours of debate for bills 45, in this case, and 46. That motion will be brought forward soon enough.

4:10

Mr. Speaker, I mean, obviously, I stood up twice yesterday on these same types of motions with regard to second reading. But I ask you: how is it democratic? We're going to be in here for two hours to debate this bill. Bill 45 in particular is a very complex piece of legislation. There's lots involved in it, lots of new pieces in it, with a lack jurisprudence to kind of guide the review boards and courts with regard to things like strike threat and new pieces that they're not used to dealing with and these definitions and so forth. We're taking a whole two hours of our wonderfully productive time to debate this.

For example, we on the Wildrose side have an omnibus amendment, that I'm sure the hon. Member for Cardston-Taber-Warner will be bringing forward. It's a very complex amendment. We had to do it in an omnibus fashion because we're probably only going to get one shot at it and out of respect for the third and fourth parties, who I'm sure have amendments of their own. We're probably only going to be able to have the debate on that one amendment, which contains a lot, virtually five or six pieces in it. We're going to probably give it about 30 to 40 minutes. That's how long we will have to debate a set of amendments that, essentially, amend the bill to protect free speech of individual Albertans and individual workers, public-sector workers. That's the respect that we're giving free speech in this province, 30 to 40 minutes of our time. That's an embarrassment. It's not surprising from this group, but it is an embarrassment.

**Ms Blakeman:** Do you think it's disrespectful?

**Mr. Anderson:** It's very disrespectful of the legislative process, Mr. Speaker.

This is gong show government. This is just not how you run things. If you want to introduce these types of bills, you introduce them at the beginning of session, not at the end of session. You allow proper time for debate on it. You don't sit here till 2 in the morning on second reading of the bill like we did last night. I'm sure we'll be here till probably close to 2 in the morning tonight on all these bills in committee because this is what government does that has no time for opposition to what they want. They don't like opposition, and they try to crush opposition with every tool that they have, even if that means trampling on the democratic rights and free-speech rights of the elected representatives of this Assembly, who will not all have the opportunity to speak to this bill, let alone speak to these amendments, let alone speak at every reading and stage of this process. It's wrong.

Mr. Speaker, I'm glad to inform this Assembly that in 2016 I look very much forward to working with my NDP and Liberal colleagues. However the new government works out – we're not sure, of course, but we're quite confident it will be a new formation – we will work together to make sure to overhaul these ridiculous standing orders that we have that allow for this pillage of democracy and fix it and make sure that we actually have fairness and protect free speech in this Assembly.

I think that Albertans would welcome that change, and I think it would make for better legislation, less mistakes, and it would

better serve the interests of the people of Alberta, Mr. Speaker. I look very much forward to the spring of 2016 in that regard.

**The Deputy Speaker:** Thank you, hon. member.

[The voice vote indicated that Government Motion 50 carried]

[Several members rose calling for a division. The division bell was rung at 4:14 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Bhardwaj	Horner	Olson
Bhullar	Hughes	Pastoor
Brown	Jansen	Quadri
Calahasen	Kennedy-Glans	Rodney
Cao	Klimchuk	Sarich
Casey	Kubinec	Scott
Cusanelli	Lemke	Starke
Dallas	Leskiw	VanderBurg
Denis	McDonald	Webber
Dorward	McQueen	Woo-Paw
Fenske	Oberle	Xiao
Fritz	Olesen	Young
Hancock		

Against the motion:

Anderson	Fox	Pedersen
Bikman	Hehr	Strankman
Bilous	Mason	Wilson
Blakeman		

Totals: For – 37 Against – 10

[Government Motion 50 carried]

**The Deputy Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I would suggest that everyone who is coming is here, so I'd respectfully ask for the unanimous consent of the House to shorten the time between bells for any further divisions for the rest of the debate today to one minute.

**The Deputy Speaker:** For the balance of the afternoon?

**Mr. Hancock:** For the balance of the day because we won't be rising out of committee again until later.

**The Deputy Speaker:** For the balance of the day.

**Mr. Anderson:** A point of clarification.

**The Deputy Speaker:** A point of clarification, Member for Airdrie?

**Mr. Anderson:** We might be able to get agreement on this if it's to the 6 o'clock break; otherwise, I doubt we're going to get agreement on that. Is that okay with you, a friendly amendment?

**The Deputy Speaker:** A friendly amendment, hon. Government House Leader, moving that the bells be shortened to one minute for the balance of the afternoon.

[Unanimous consent granted]

## Privilege Opportunity for Debate

**Mr. Mason:** If I may, I would like to again raise a question of privilege with respect to the motion that was just passed by the House.

Mr. Speaker, yesterday I raised a question of privilege, and the Acting Speaker said:

It is obvious to me that the rules of the standing orders were followed, and our standing orders are agreed to by everyone in this House. Our standing orders are what we run the orders of the House through, so I would say that far be it [for] a Speaker to overrule the standing orders that rule this House.

In that case, I would say that there is no point of privilege, and we will proceed.

Today I am not challenging the standing orders of this Assembly as they were approved, although not by everyone in the House, clearly, by the government and have become, in effect, the rules of the House. Rather, what I want to do is raise the question of the government's application of the standing orders; in other words, the way they word the motion and the impact of the motion made under the standing orders rather than the standing orders themselves.

Mr. Speaker, I think that motions 50 and 53 are an improper use of time allocation under Standing Order 21. This improper use of time allocation is a breach of the fundamental right of members to speak in the Assembly. According to *Beauchesne*, section 75, "The privilege of freedom of speech is both the least questioned and the most fundamental right of the Member." *House of Commons Procedure and Practice* on page 89 also states that freedom of speech is the first right of members. "By far, the most important right accorded to Members of the House is the exercise of freedom of speech in parliamentary proceedings."

Last night I rose on a point of privilege in relation to Government Motion 52, which, in my view, was an improper use of time allocation. I cited *Beauchesne*, section 25, page 12, which states that "parliamentary privilege does not go much beyond the right of free speech in the House of Commons and the right of a Member to discharge his duties in the House as a Member." I believe that government motions 50 and 53 are a violation of that basic right. They unnecessarily limit debate on bills 45 and 46, and they curtail the rights of all private members of this Assembly to do our job; namely, to debate government bills introduced for our consideration. I would add that this also denies our constituents their right to be represented in this Assembly.

4:30

Of course, everyone would acknowledge that time allocation is permitted under our standing orders because it is maybe necessary in certain circumstances. That is also the context in which *Beauchesne*, section 77, page 22, must be understood. That section states, "Freedom of speech does not mean that Members have an unlimited or unrestrained right to speak on every issue." Under some pressing circumstances and after a reasonable period of debate the right of members to speak can be limited. However, the right of members to debate cannot be restricted, curtailed, and ultimately prevented by closure motions that appeared on the Order Paper before the debate had even begun.

I note, Mr. Speaker, that notice of government motions 50 and 53 appeared on the Order Paper on Wednesday, November 27, and they were listed under Government Motions on the Order Paper Thursday, November 28. However, at that time second reading debate had not yet commenced on bills 45 and 46, and Committee of the Whole only commenced this afternoon. It's inappropriate and improper, in my view, that motions for closure

would appear on the Order Paper three sitting days prior to the commencement of debate in the committee stage to which the motions refer. In short, it is completely improper to use Standing Order 21 to prematurely and deliberately prevent private members from speaking to bills 45 and 46.

Mr. Speaker, the hon. Member for Edmonton-Beverly-Clareview, from my caucus, was unable to address either of these bills at second reading. Only today in committee was he afforded his first opportunity to speak to the bill, and that applies to many others. When the government applies the standing order in a way that limits debate before there's any clear indication that obstruction is occurring, when they do it in a premeditated fashion, and when they do it for such a short period of time at each stage, they infringe the rights of members of this Assembly to do their job, and that is to debate the bills put before the Assembly. I can't emphasize how much I think this is a critical point for us. If the government wants to use time allocation, if they want to implode...

**An Hon. Member:** They're doing that already.

**Mr. Mason:** I'll save that thought.

If they want to impose limitations on the right to debate, then, in my view, it should be only after a reasonable amount of debate has occurred and there is a clear attempt by the opposition or members to delay the passage of the bill by repeatedly speaking to it. It should not be applied in a way that prevents members who wish to speak to the bill from speaking to it at each stage if they wish to do so.

I would ask that the Speaker rule that the use of Standing Order 21 needs to be applied in a way that does not prevent debate, that does not unreasonably restrict the ability of members to stand in this House and debate bills that are important to them and to their constituents. Only after a reasonable amount of debate has occurred should time allocation be imposed, and the amount of time allowed under time allocation should be sufficient for members who wish to address the bill to have an opportunity to do so.

I can't state how much I am offended by the use of this time allocation under Standing Order 21 by the government in the way that they have done it. They have premeditatedly brought forward these motions, and after only two members have spoken, one government member, who introduced the bill, and one opposition member on the Official Opposition, they then bring forward the motion to close debate, allocating only two hours to that particular stage of debate. Of course, unlike most of the time, when we're not under a time constraint, more government members speak, so the two hours is not two hours allocated to opposition members. In fact, it becomes closer to one hour, perhaps a little bit more.

In 1977 the First Report of the Special Committee on Rights and Immunities of Members stated that freedom of speech is a fundamental right without which [the members] would be hampered in the performance of their duties. It permits them to speak in the House without inhibition, to refer to any matter or express any opinion as they see fit, to say what they feel needs to be said in the furtherance of the national interest and the aspirations of their constituents.

That quote can be found at pages 89 and 90 of *House of Commons Procedure and Practice*. On page 93 of *House of Commons Procedure and Practice* it also states that "this freedom is essential for the effective working of the House."

I am arguing that the work of the House cannot be done properly and effectively when the most fundamental right of members has been breached. We've seen the consequences, Mr. Speaker, after government motions 49 and 52 were invoked last

night. A fraction of the private members of this Assembly were able to speak to bills 45 and 46. It is completely inappropriate to use Standing Order 21 in a way that ensures only three or four opposition members can speak to these bills. That means that throughout three readings only nine or 10 members of the opposition will be able to speak to the bills.

Last night, for instance, the members for Edmonton-Beverly-Clareview and Edmonton-Calder wanted to speak to Bill 45, but Motion 49 prevented them from doing so. Motions 50 and 53 will have the same effect today with respect to Committee of the Whole. There are 28 members of the opposition, Mr. Speaker. It is by any reasonable standard simply inappropriate if only one-third of those members will be permitted to speak at all to bills 45 and 46. It is clearly a breach of their rights as members.

According to *Beauchesne*, section 533, at page 162, "Time allocation is a device for planning the use of time during the various stages of consideration of a bill rather than bringing the debate to an immediate conclusion."

Most importantly, *House of Commons Procedure and Practice* states, starting at page 661, that the history of the development of time allocation provisions in standing orders shows that they were intended as a means of time management, not curtailment of debate.

It is clear, according to the authorities, that time allocation was not intended as a mechanism by which the right of members to speak could be limited arbitrarily by the government of the day. This government is abusing the time allocation mechanism because they know that these bills cannot be passed expeditiously otherwise. The improper use of this standing order infringes upon the rights of members. Mr. Speaker, I'm making this argument not against the standing order itself but, rather, the way it has been used by the government.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Hon. members, I'm hesitant to allow this debate to go on for a very long time because a similar matter was ruled on last night in this House. I will afford the Government House Leader a chance to respond as well as one member from each of the opposition parties.

At this time I'll recognize the Member for Airdrie.

**Mr. Anderson:** Thank you, Mr. Speaker. I'd like to rise in support of this point of privilege. This is very serious. Obviously, this member has brought this up. He didn't have the opportunity last night to be as incredibly thorough as he has been today with the citations and so forth.

There is no doubt that the standing orders are being abused here. Our standing orders, the rules of this House, obviously, are determined by the majority in this House. We don't have much of a say at all in the standing orders. We can give input, but at the end of the day we have no say in the matter. We can say that they're the rules of this House. They're the rules of the governing majority, so they can abuse those rules. Nonetheless, we have those rules.

4:40

Let's just say that those rules are in place, and let's pretend for a second that they're fair, which a lot of them are not. As the Member for Edmonton-Highlands-Norwood is saying, he's not taking issue with the time allocation rule itself in the standing orders. He's taking exception to how it's being applied. It's being applied to curtail debate prematurely. It's going against literally

hundreds of years of precedent with regard to free speech in this House.

Let's put it this way, Mr. Speaker. Think about this for a second. What if this Government House Leader brought in a rule that said that from here on out we would have a time allocation of 10 minutes on each bill? Under our standing orders that's allowed. What if he came out and said that we have a time allocation of five minutes? Or one minute? Or 30 seconds? That's allowed under our rules.

Mr. Speaker, if a ruling comes back that this is allowed, you know, I would say, in contradiction of parliamentary tradition literally going back hundreds of years, that I feel we're doing a huge disservice to this House and that we're really embarrassing ourselves, frankly, because literally the standing orders as they are today could absolutely within their rules, within their definition limit debate so much that literally we could have one second of debate on an issue.

Now, one hopes that the House leader wouldn't do something like that, but if you find that two hours are enough, that that doesn't cross the line, then what does cross the line? One hour? I'd like a clarification on that. I'd like a clarification on what extent could this be taken to. Could it be an hour? Could it be half an hour? Could it be 15 minutes? Could it be 10 minutes? Could it be five minutes? Could it be 30 seconds? What is it? We as elected representatives have a right to know just how abused this is going to be, to what extent this rule is going to be used. It's pretty scary.

Mr. Speaker, I would ask that you be judicious and patient in your ruling on this matter. This is a separate point of privilege in that this is a separate — obviously, we're in Committee of the Whole here, so this is different. Sorry; we just did a separate motion on this, but the motion referred to Committee of the Whole and time allocation in Committee of the Whole. I would ask that you please consider this, that we please go back and not just say: "Oh, there have been rulings on this. We live by the standing orders." Yes, we all know that. There's no doubt there are parliamentary precedents, that the House is governed by its standing orders. However, you cannot use your majority to manipulate the standing orders such that you essentially cut off the free speech of others.

I would ask that if you're not going to find a point of privilege here, you at the very least provide this House tomorrow, hopefully, after adequate research has been done, with the line. What is the line? What rights do we have under these standing orders? Thirty seconds? A minute? Five minutes? Ten minutes? Half an hour? An hour? An hour and a half? Two hours? How much? That's a fair question. I know that anybody with any common sense in this House knows that that's a fair question. What's the line?

I think that we're owed in this House an explanation as to what that line is going forward so that we can understand exactly what we're looking at with regard to all of these bills. I agree completely with the point of privilege. I feel that this rule is being manipulated to cut off debate prematurely, and it's unwarranted, sir.

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you, Mr. Speaker. I, too, rise to support the point of privilege brought forward by the member of the fourth party. In my view, the point of privilege is proper, and it is unduly interfering with us as private members to do our sworn duty to bring forward whatever conversations we would like and to have a

full time frame in which to debate the issues of the day. In my view, you need to look at this point of privilege in the entire context in which we find ourselves, the government bringing in closure at this stage of the bill when we as opposition members and, in fact, even government members will be deprived of the opportunity to bring forward arguments in the fashion that we deem reasonable in this House.

Let's face it. I think it's become pretty clear that these bills, Bill 45 and Bill 46, have been the most important bills to be discussed in this House this legislative sitting. They're contentious on a number of fronts. They do radically change the negotiating process that unions and their members have seen, the law of the land over the course of the last 35 years, since 1977, when Lougheed was in power. This is a pretty significant change in our processes, and it affects a great many Albertans. It affects all of us in this room and all of our constituents. In every constituency in this province there are public-sector workers and members of the unions that are affected by bills 45 and 46. We have a right under our rules in this country and in this province to be able to speak on these matters as they are important both for us and for the direction of this province.

I think the hon. member brought up a very important point, and that point is: after a reasonable amount of debate. That's when the standing orders are supposed to be used, after the government has placed a bill on the Order Paper, after it has allowed a certain amount of time for discussion to occur and the government of the day sees the opposition trying to dig in its heels to filibuster a bill, to be difficult about its passing. There's no doubt that had the government put this on the Order Paper on day 1 of the legislative sitting and we were still in this House and, after being here approximately a month, still going through the various channels of debate and presenting amendments and having people discuss these bills in a full and forthright fashion, I can see the government's need and wanting to bring closure to end the session and to get rightful bills passed. Whether they're rightful or not, the government of the day is allowed to pass bills that they see as fit for this province's future direction. That would have been one thing. But that is not what occurred here in this Chamber.

What we saw is that immediately upon bills 45 and 46 being brought to this Legislature, we in the opposition were given notice that time allocation was going to be called. That is, in fact, what has happened at every stage. After the government introduced the bills, one member of the opposition got to get up and speak. The government immediately went to time allocation. They did that in the second reading of both bills, and now they've done it here at the Committee of the Whole stage. Clearly, in no uncertain terms would that in any form or fashion be seen as a reasonable amount of debate. I think you can appreciate that, Mr. Speaker. The operative words: reasonable amount of debate. I don't believe any person in this Legislature or, in fact, any person in this province would consider roughly 30 minutes of debate and closure being called a reasonable amount of debate time. That is what has occurred.

4:50

If you listen to some of the citations given by the hon. member of the fourth party, what the traditions are in both the House of Commons and this Assembly, I believe your ruling has to give context to what that is. The way we've seen these bills introduced in the fashion they have been was meant for the government to limit debate from the outset. The decision was made in the backrooms, by the powers that be, to limit debate. Any way you look at it, Mr. Speaker, that is what a reasonable person would conclude, that these motions were brought in to stifle debate, to

limit opposition responses, to limit the ability for them to consult with their constituents, stakeholders, and the like. In my view, that is the only conclusion that one can draw from this.

I would hope that given the importance of free speech of members in this House, given the importance of the respect you have for this Legislature – in fact, I'd hope most members would, but it doesn't seem to be the case in this matter, that we would respect that ability. Given the importance of these bills, given the way that they were brought in, and giving full context to the words "a reasonable amount of debate," if you could think about that and give us a ruling. I appreciate the comment given by the Official Opposition House Leader: how far are we going to allow the standing orders to take precedence over our elected duty to be able to speak on behalf of our constituents? That's what we're debating here, whether the standing orders take precedence over our ability to do our job as elected officials, to speak on the issues of the day in a reasonable, forthright fashion, our ability to bring forward our points.

Those are my submissions, Mr. Speaker. I know you will give some thought to them, and I'm hopeful that you'll look at this in the context in which this whole situation has arisen. Thank you.

**The Deputy Speaker:** Thank you, hon. member.

The hon. Government House Leader.

**Mr. Hancock:** Well, thank you, Mr. Speaker. Despite the protestations of the member bringing this purported question of privilege, this is exactly the same question of privilege as was raised yesterday and exactly the one that was ruled on. So I would start by indicating that it is really out of order because it's asking for a ruling on the same question of privilege.

Secondly, it seeks to question a decision that's been made by the House. In other words, the hon. member, in bringing it, you know, referred to the passage of the motion that we just actually voted on. The House has already decided on that motion, and it's not in his hands to try and use privilege to overrule a decision of the House.

Mr. Speaker, let's get to the merit of it. Historically in this House; in fact, when I came to this House, we didn't have a concept of time allocation in the standing orders, I don't believe. I stand to be corrected.

**Ms Blakeman:** We had closure.

**Mr. Hancock:** We had closure. Closure was a much more difficult tool with respect to the management of time because it didn't provide for notice. It didn't provide for anything other than a minister standing up and moving that the question be now put. That raised issues of whether enough debate had happened and that sort of thing.

What happened was that the rules of the House evolved to actually remove the provision for closure and bring in a much more sophisticated tool of time allocation, which gave notice, which gave an indication that there was going to be a management of the time allowed relative to the debate on a bill. That's important because people have to know what to expect. Time allocation was actually a fairer way to deal with the question of time management. Now, most often time allocation, as with closure, is used in committee because debate can go on forever in committee. There's no limit to the number of times that a member can speak as long as there's an intervening speaker. But it has also been used in second and in third reading.

Over the course of time since this rule has been in, it's not been used excessively, but it is used in every session on a bill or two

and usually with good purpose. Sometimes, as members opposite have pointed out, it's used when the opposition is being obstructive and not wanting to let a bill through, just engaging in debate for debate's sake. In fact, we've had a number of occasions, one or two a year, where we've sat through the night debating a bill for that reason because there was an objection, and the opposition wasn't going to let go. That's fair. That's one of the roles of opposition, to raise issues and to debate where they see debate. But there's also the question of government and government being able to carry out its agenda subject to the oversight of the Legislature.

The question that's been raised by the opposition – I'm not suggesting it's valid in all the ways that they've raised it – is: how much time do you need to have to appropriately debate a bill and to ensure that the opposition and all members of the House, for that matter, have an opportunity to bring their objections forward? That's, quite frankly, part and parcel. That's the whole purpose of a time allocation motion. It's to give notice of the fact that there will be time allocation and to allow all members of the House to organize their affairs accordingly.

Now, first of all, it's not an expectation in the House that every member will speak to every bill. We would never get any bills done if that was the expectation. That's never been the parliamentary expectation, that every member would speak to every bill. The expectation is that parties will organize themselves. They will have critics. Ministers or a representative on behalf of the minister will bring forward the government's business, and the critics will be the main spokesmen for their parties, and others who have a particular interest in the topic at hand will speak. But we rarely, rarely see where every member of the House would speak to a bill.

It is important that time allocation in our rules be recognized as slightly different from the way it's been developed in other Houses and purposefully so. In our rules you require notice ahead of time. Now, if you take a look at the suggestion that notice cannot be given of time allocation until the bill has actually been debated, that has actually not been the practice of this House and for good reason. We want to make sure that there is fair notice, well in advance of an intention to manage the time on a bill. In some cases that's a question of how much business is left in the session and how we manage the business remaining in the session.

In some cases it's a question of a bill being of such a nature that all of the positions are well known and excessive debate isn't going to change the position of any party. That would be the case here. There's no question where everybody stands on this bill in this House. Going on for 24 hours, going all night tonight in committee isn't going to change that fact. I'm sure we'll have an amendment on the table. I've been advised there'll be an amendment coming forward. Certainly, that will help to focus the debate and allow people to focus their comments on what they feel is important in it, but none of that restricts the ability of any party in this House to get their positions on the table in a fair and open and democratic way.

It may be a fair question going forward to determine how much time is reasonable, but the fact of the matter is that time allocation motions have been used in this House for at least – I'm guessing now; I stand to be corrected – I think, 10 years. They have been used on occasion, not excessively. They have been used with a practice that has the motion being put on notice and being moved at an appropriate time after there has been some debate on the bill, and some debate has ranged, in my experience – and again I stand to be corrected – two to three speakers on a bill, sometimes more

than that, and then moving the time allocation motion. That's what's happening here.

That's what was ruled on last night by the Speaker. That is exactly the same question that's being raised today, Mr. Speaker, and I would ask that you find that there is no question of privilege.

If the Speaker at some point in time wants to raise the issue of how a rule such as this should be put in place, then I would say that that's a fair question to raise. But it's not a question of invoking a question of privilege. There are no privileges that have been revoked in this House today by the legitimate passage of a motion by this House. Members have had a right to speak at second. They've had a right to speak to a certain extent in committee and will have much more time in committee to speak, and they will have a right to come again in third. If they organize themselves properly, most of the members, if that's important, will be able to make sure that every member gets up and speaks to at least one stage of the bill, and I think that that's quite a practical approach. The time that's been allocated is sufficient to allow for that.

There's no question of privilege.

5:00

**The Deputy Speaker:** Thank you, hon. Government House Leader.

Hon. members, the hon. Member for Edmonton-Highlands-Norwood is arguing that there is a breach of his privilege as a member of this House by virtue of the government's use of time allocation under Standing Order 21.

Hon. members, the role of your chair is to ensure that members have the opportunity to debate. I understand the sensitivity, particularly around the topic, and that members are very passionate about that opportunity to debate these pieces of legislation and others. Obviously, that debate has to be consistent with the rules, your rules, of this House, and those are the standing orders. As all members know, it is in the purview of this House to establish its own rules of procedure, and one of those is Standing Order 21. The use of time allocation is permitted under the Assembly's standing orders upon the passage of a motion. I would remind you that Government Motion 50 has just passed. Such a motion has just passed. It is untenable that a *prima facie* case of breach of privilege could arise by the application of the Assembly's own rules.

I would draw your attention, hon. members, to *Parliamentary Privilege in Canada*, the second edition, at page 223. This is under the heading Where the Answer is Contained in Rules or Practice of House.

In deciding whether there is a *prima facie* case, the Speaker excludes any matters that are otherwise properly to be dealt with under the practice or Standing Orders of the House. That is to say, where the answer to the alleged "question of privilege" is contained in the rules or the practice of the House, it would unlikely involve breach of the privileges of Members.

Hon. members, your Speaker does not have the liberty to reinvent the application of the rules, the standing orders, on the fly. These are your rules. Again, I would invite both sides of the House and the House leaders, as Speaker Zwodzesky has done in the past, if it is time that these rules need to be updated, modified, to maybe get together. This might be something that would be appropriately referred to the Standing Committee on Privileges and Elections, Standing Orders and Printing. We do have such a committee, which is at the ready. That committee is able to deal with a question such as revamping of the standing orders.



As such, I find that there is no question of privilege, and the House will now return to Orders of the Day.

### Government Motions

(continued)

**The Deputy Speaker:** The hon. Government House Leader.

#### Time Allocation on Bill 46

53. Mr. Hancock moved:

Be it resolved that when further consideration of Bill 46, Public Service Salary Restraint Act, is resumed, not more than two hours shall be allotted to any further consideration of the bill in Committee of the Whole, at which time every question necessary for the disposal of the bill at this stage shall be put forthwith.

**Mr. Hancock:** Thank you, Mr. Speaker. It's my duty to move Government Motion 53. Now, I haven't spoken to these motions before because they, in my view, are self-explanatory and need not have a lot of embellishment. My counterpart from the opposition has spoken to each one, and in the last he was concerned about the whole question that we've just discussed about the amount of time available.

In this case I would indicate that the debate on Bill 46 actually was adjourned by one of his members. They can hardly be put to complain knowing coming forward . . .

**Ms Blakeman:** At your request.

**Mr. Hancock:** No. Not at my request. I had suggested that they might want to adjourn Bill 45 because they wanted some amendments to come forward and that would put them in a place to debate that, but not Bill 46. Bill 46 was a different bill.

So, you know, you can't have it both ways. You can't move adjournment knowing exactly what is going to come next and then complain about what comes next.

**The Deputy Speaker:** Thank you.

I'll recognize the Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Speaker. Here we go all over again. You know, it's really interesting to hear the Government House Leader suggest that we're in favour of his closure and time allocation amendment simply because we moved to adjourn. I'll clarify for the House why it is that we needed to do that, and that's simply because at the pace at which these bills are being brought forward, Parliamentary Counsel is having a tough time approving amendments that we want to bring forward. Not only that, there's the fact that we're at time allocation, where we don't have time to actually debate. We have two hours in second reading, now two hours in Committee of the Whole. There's a reason why we needed a little bit of extra time. It just speaks to the disrespect that this government has for the democratic process, and we're witnessing it again and again and again.

It's very, very unfortunate that this is the direction that we're going, and it's very clear why it is that we have the government making motions along this way. They want to limit debate on the amendments. They recognize that this is contentious legislation. They recognize that the longer the debate goes on, the more difficult it is for them because it's negative reporting in the media, it's protests outside the Legislature every single day, and it means that the longer we're here and the longer the opposition pounds

them day in and day out in question period. That's what this is about. They don't want to be here. They want to get out.

Mr. Speaker, we sit fewer days in this House, in this Assembly, than any other province in Canada. Why is that? Because this government wants to ram legislation through as quickly as they possibly can so that they're not held to account and so that they minimize the amount of time that we're here questioning them. [interjection] And I appreciate the hon. Member for Edmonton-Gold Bar constantly interrupting those of us who stand to speak in this House. It brings immense value to the level of debate, and just once I would love for him to stand up and actually speak to a motion or something and be on the record as opposed to just chirping from his chair. It would be very much appreciated, but I expect nothing less after 18 months, and I don't expect it to change moving forward.

Let's ask the question, Mr. Speaker, of why we didn't introduce this legislation earlier. Why was it tabled when it was? Why was it moved with a time allocation motion shortly thereafter? The answer is very simple. It was to protect the Premier during her leadership review. Imagine, had these bills been put to this Assembly and made public prior to that review, the protests that would have been happening in Red Deer by the AUPE. It would have been massive, a massive embarrassment for this government. That's why we're here, that's why we're ramming this down the throats of Albertans, that's why we're doing it without proper consultation, and that's why you're seeing the opposition up in arms and trying to procedurally derail the government's plans to get this thing through. It is ridiculous.

Let's remember, Mr. Speaker, that we are here to debate these issues. Albertans elected an opposition to oppose, to expose, to propose, and we are being limited in our ability to do that. We are being limited in our ability to speak freely in this House. It's a very unfortunate reality that we see the government moving in this direction. You know, I hope that they are open to the amendments that we are bringing forward, and I think that it's a disgrace that we find ourselves here, but it is what it is. What's left to expect?

Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Having heard the motion by the hon. Government House Leader, all those in favour please say aye.

[The voice vote indicated that Government Motion 53 carried]

[Several members rose calling for a division. The division bell was rung at 5:08 p.m.]

[One minute having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Bhardwaj	Hancock	Oberle
Brown	Horner	Olesen
Calahasen	Hughes	Pastoor
Cao	Jansen	Quadri
Casey	Kennedy-Glans	Rodney
Cusanelli	Klimchuk	Sarich
Dallas	Kubinec	Scott
Denis	Lemke	Starke
Dorward	Leskiw	VanderBurg
Fenske	McDonald	Woo-Paw
Fritz	McQueen	Xiao

5:10

Against the motion:

Bikman	Hehr	Saskiw
Bilous	Mason	Strankman
Blakeman	Pedersen	Wilson
Fox	Rowe	

Totals: For – 33 Against – 11

[Government Motion 53 carried]

### Government Bills and Orders Committee of the Whole

[Mr. Rogers in the chair]

#### Bill 45 Public Sector Services Continuation Act (continued)

**The Chair:** I recognize the Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Mr. Chair. I rise to move an amendment to Bill 45, the Public Sector Services Continuation Act, and I have the requisite number of copies, including the original.

**The Chair:** Thank you, hon. member.

That will be referred to as amendment A1. If we'd just pause for about 30 seconds to circulate, and then I'll recognize you again. Thank you.

Please proceed, hon. member, on amendment A1.

**Mr. Bikman:** Thank you, Mr. Chair. As I said, I move this amendment, which you've now identified as A1.

- A. Section 2(a) is amended by striking out "one or more employees,".
- B. Section 4(4) is amended by striking out "counsel a person to contravene subsection (1) or (2) or".
- C. Section 16 is amended
  - (a) in subsection (1)
    - (i) by striking out "the Minister or a delegate appointed under the regulations" and substituting "the Board";
    - (ii) by striking out "the Minister or delegate" and substituting "the Board";
  - (b) in subsection (4) by striking out "to any reconsideration under section 17 and";
  - (c) in subsection (6) by striking out "to the Board";
  - (d) by striking out subsection (7) and substituting the following:
    - (7) Subject to the right of appeal under subsection (6), where an employee fails to pay an administrative penalty in accordance with the notice of administrative penalty and the regulations, the Board may file a copy of the notice of administrative penalty with the clerk of the Court of Queen's Bench, and on being filed, the notice has the same force and effect and may be enforced as if it were a judgement of the Court.
- D. Section 17 is struck out.
- E. Section 24 is amended
  - (a) in clause (b) by striking out "the Minister or a delegate" and substituting "the Board";
  - (b) in clause (c)
    - (i) by striking out subclauses (i) and (iv);
    - (ii) by striking out subclause (v) and substituting the following:
      - (v) appeals of administrative penalties.

Mr. Chair, this is an important amendment to address some of the shortcomings of this bill, recognizing that the main reason given for the act is to ensure that Albertans receive the essential services they've contracted with AUPE to provide. In other words, no strikes are allowed. Well, they aren't allowed under the current contract either. The implication seems to be that somehow this act will be more binding on the employees of this union than their employment contract.

I'm not sure whether that's insulting or whether that presumes that somehow they were unwilling to abide by the contract and this is necessary to show that we really mean it this time. It's kind of like the way we threaten our kids, saying: this time I really mean it. "Well, how come, mom?" Five times you've already said no, and now you're going to change your mind? The penalties being proposed would certainly be a huge deterrent to strikes or even thoughts of strikes.

The government is counting on Albertans to believe that it's acting in their best interests at the expense of the interests of the public service employees. Well, most of the citizens of our province that I talked with believe in fairness, freedom of expression, the right of association, and the rule of law. They have strong feelings about keeping your word and honouring contracts. They believe in integrity. If you say you're going to do something, you do it. You follow through. They believe their government should have integrity and be held to the same high standard as any other supplier of goods or services. After all, the government has given itself a monopoly on providing some of the essentials of life. That's stewardship.

Is this PC government a good steward? Most of us thought so for a long time, but over the past few years we've been disappointed to see our government acting unilaterally to take away rights. Oh, they don't say that that's what they're doing, but believe me, it is, and the public interest has suffered. Property rights have been eroded through acts like bills 19, 24, 36, and 50. Lots of people, especially in urban areas, thought that property rights were just about the land that farmers use to grow crops and ranchers graze their cattle on. I think the citizens of High River whose homes were broken into and whose property was damaged and seized may have a different view about property rights.

5:20

Let's get back to talking about stewardship for a moment. Some Albertans may think that unions have negotiated wages and benefits more lucrative than those affordable for similar work in the private sector. That may be, but that's not the fault of the union. It has just been doing its job, getting the best deals possible for its members. If you've got a problem with that, with the wages and benefits government employees receive, then your real issue is with the employer, the PC government you kept electing.

How would you like working for someone as whimsical and arbitrary as this PC government? I suspect that it's very stressful, and I know that some of the people who have approached me in the last few days to talk about this were showing serious signs of stress. If you were working for the government, you would know that every time its profligacy gets it into financial trouble, the knee-jerk reaction is to attack your wages, reduce your numbers, and expect you to take on the extra workload that's left. Front-line cuts and firings will continue until morale improves. I wonder what management book recommended that approach.

Wildrose has said many times: this PC government doesn't have a revenue problem; it has a spending problem. Arm's-length analysts agree. Every successful business knows that to survive it has to control its overhead. More companies have failed for not doing this than ever did for running a lean, tight management

team. Trimming at the top and listening to the front-line providers is a sound approach for business and governments.

In fact, in my experience, when business consultants are hired, one of the first things that they do in preparation to advise upper management is to talk to the front-line providers. Listen to them. They're the people that are interacting on a regular basis, every day, with the clients or the customers or the patients that are being treated or served. They'll know. Then when they write up their reports and come back, they sound like geniuses for coming up with such brilliant ideas, when those ideas are always there and available to management if they would just deign to go down and talk to people on the front line.

There was a great little book once called *management by wandering around*, and I recommend it.

**An Hon. Member:** It's a very good book.

**Mr. Bikman:** Yes, it is.

From personal experience I can tell you that when faced with the federal Liberal government's induced oil field depression following the enactment of the infamous national energy program, I really had to scramble. Demand for services and the revenue from the work we were doing dropped dramatically. We had to reduce our fleet from 22 company-owned vehicles and 10 owner-driven trucks to seven company-owned trucks and five lease operators. I asked dispatchers and foremen and other supervisors to go back into the trucks they'd formerly driven.

I was the president, the owner, but I came in early each morning to sweep the office, empty the wastebaskets, clean the restrooms, prepare the truck tickets for the bookkeeper to send to our customers, order parts, road-test new drivers, and do all the dispatching, some of it late into the night or very early in the morning, at all hours, literally. But we maintained our capacity to serve the significantly reduced number of customers that were relying on us.

We retained our people and paid them more than the going rate. How could we afford to do that? Because we trimmed at the top. We involved them in decisions that affected them. We sought their input on ways to work more cost-effectively in solving our customers' problems. In business, in fact in any profession or any practice, including the public service, you only sell or provide two things: solutions and good feelings. Well, I submit to you that the good feelings are going out the door. That's the way businesses survive. They trim at the top. But not this PC government. They will try to tell you otherwise, but the real problem, one of the serious problems, is a bloated bureaucracy.

I'd like to quote from a little essay written by Michael Baumann about bureaucracy.

Bureaucracy... is a portmanteau word combining the French term for desk or office ("bureau") with the ancient Greek word for government or rule ("kratos"). Thus, bureaucracy is "government from the desk," or "rule by office."

Notice that from this conception of governance all living things have effectively been removed. It posits no identifiable living being... No persons are left to speak, to bring order out of chaos, to subdue the earth, or to do so in communion with others. More importantly for the desk dweller, no one is left to answer or to blame.

Have we noticed that as we've talked to the leaders in this House and the ministries? There's no blame.

Instead, government is the function of a nondescript, faceless, nameless office – a deskocracy.

No doubt a real human person sits behind the desk... The desk holder is not a person who, by his or her words, brings wisdom, insight, compassion, creativity, and eloquence to bear

on the task at hand, namely bringing order out of political and social chaos and making the best he or she can of the earth's potential. That's not what happens at... [AHS], or in any bureaucracy I can imagine.

In spite of what the PC government would have you believe, this bill is not about leveling the playing field. It's about coercion. It's about circumventing a system for public service labour peace that has worked well for decades. On those rare occasions when strikes have occurred, they've been handled fairly seamlessly and resolved expeditiously.

Is this just limited to essential services? Will this act and its ugly stepsister, Bill 46, be extended to cover all future negotiations? You can bet your sweet bippy it will. I've checked, and "bippy" is a parliamentary approved word. Once this government abrogates rights, it never gives them back. You'll have to wait till 2016 for a Wildrose government to undo the harm these bills cause, and we will undo it.

No one wants a strike, not the employer or the government, not the union leaders or members, and not the rest of us who rely on a sole supplier – on a sole supplier – for these essential services. I submit to you an interesting fact for your consideration. The negative aspects of monopolies cannot exist in the absence of government action because if service was poor and too much profit was being earned, competitors would be attracted into that market and would improve the service and lower the cost. But that can't happen in a monopoly, and what we have in too many cases, in my opinion, with the government is the creation of monopoly suppliers.

Now, when strikes are held and especially in essential services if that happens, no one wins. I've seen studies that show just how long it takes union members to make up their lost wages. It can be many, many years, and in some cases never. The union has a stewardship responsibility, too. Leaders want the best deal possible from the government. Because the government doesn't have to produce a profit, it isn't spending its own money. In fact, let's be honest here now and acknowledge that the government doesn't have any money of its own. All it has is the taxpayers' money, and because of that, because it's not spending its own money, it's spending from what, in essence, appears to this PC government to be a money tree, where it can go and pluck. In this case, it's plucking it from our pockets, the citizens' pockets, and the corporate pockets.

It rarely negotiates well. The hard stance we're witnessing with bills 45 and 46 is not evidence of good negotiations or enlightened consultations. It's the guy in the ski mask in a dark alley pointing a gun at you, his finger on the trigger, saying: your money or your life. That's not much of a choice, is it? You'll take our offer, or you're out of a job: that's really not much choice. You'll take our offer, or you'll take our offer: that's really what these two bills are about.

The hon. Minister of Treasury told us last night that this was to encourage a return to the bargaining table. That's quite an invitation, isn't it: "Here's your offer. Here's our offer. Take it or else. You can't strike. It's against the current law." If Bills 45 and 46 pass, it will even be illegal, or just about, to think about it, let alone complain out loud over coffee in a conversation that could be construed as counselling or threatening a strike. And you won't be able to appeal to an arbitrator. It's really like negotiating with a bandit, a PC government bandit.

So let's look at the subclauses in this amendment that I've proposed. Part A, only a trade union or officer or representative may be charged with starting a strike threat. Subsection 2(a) allows significant penalties to be brought upon an entire union if a few rogue actors discuss a strike or act on that. To be considered

as real and genuine, threats should have been made by union leaders before stiff penalties are brought down. Part B removes provisions that limit free speech for all Albertans; to suggest that a strike should be done, for example.

5:30

Section 4(4) is a serious restriction on the freedom of speech of all Albertans, not just public-sector workers. A caller to a radio show, lawyers, average Joes on Facebook, guys sitting in a coffee shop venting, and so on should not be fined for saying that a wildcat strike should be conducted. It should be the union leadership's responsibility to make sure the union acts in a legal manner. The public at large should not be muzzled in order to prevent any idea of an illegal strike from being discussed in public or in private. Section 4(4) borders on thought police and is a startling step too far, even for this out-of-touch PC government.

Parts C to E take authority away from the minister or a designate to levy administrative fines and places that authority instead in the Labour Relations Board, so transparency and accountability, expertise that's been assembled on that board. Transparency and accountability from this government: what a novel concept.

Sections 16 and 17. The administrative fine process should be done without political interference. The Labour Relations Board exists to deal with labour issues for both the public and private sectors. The serving of administrative fines should be done through an arm's-length agency, not the minister's office. Administrative penalties are increasingly used by the PC government to circumvent the courts, following a disturbing pattern of attacks on due process that we've seen in other bills.

Section 24. While the minister should not have the authority to serve the administrative penalties, it is reasonable to allow the minister to establish the regulations regarding the contents of notices, service of penalties, and appeals of notices of administrative penalties.

Naturally, employers, the government included, must prepare for the costs of a strike or strike threat regardless of whether the threat comes from union officials or union members. No matter who starts the illegal action, counteractions must be taken at the cost of the taxpayers and should be recoverable.

Now, let me just spend a moment or two dispelling some myths that continue to be presented by the other side, the other side known for half-truths and partial truths. Of course, a partial truth is to convey an untruth, to lead you to an erroneous conclusion that you wouldn't make otherwise if you had the whole story, so let me give you the rest of the story.

As a young, opinionated columnist our leader made a few arguments, but she always believed in the Charter right to freedom of assembly, which permits workers to organize into a union, and she also feels that good-faith bargaining is in the long-term interests of both taxpayers and public-sector employees. The Wildrose and our public-sector employees might not always agree on how much wages should increase, and that's just the reality of government, of the employer-employee relationship. The difference between the Wildrose and the PC Party is that the Wildrose will respect and allow for third-party arbitration to deal with these issues. The PCs will have of course stripped that right from our public-sector employees with Bill 46, the ugly stepsister.

It's no secret that the Wildrose would have asked for a wage freeze through 2014, and we stand by that. The unions know that, the public knows that, and every party in this House knows that. Everybody knows this because that's what we said we'd do. Unlike the PCs, however, we would negotiate in good faith with the unions and not promise the moon, only to pull the rug out from

underneath when our electoral victory and leadership reviews were secured.

If negotiations in good faith did not work out, we would use arbitration, not extinguish the rights of public-sector employees. Do the legal rights of front-line service providers really need to be demolished to balance only a portion of Alberta's books? The most galling thing about this government is not only are they going to war with our public sector and stripping rights away, but when it's all been rammed through, they will still be racking up billions in debt because of billions in waste, inefficiencies, and mismanagement.

Our alternative budget outlined what can be done to solve this problem. The budget can be balanced without cutting the salaries or positions of front-line staff. So let's go with the top 10 ways the Wildrose would balance . . . [Mr. Bikman's speaking time expired] Oh. Boo. You're going to miss that.

**The Chair:** Thank you, hon. member.

I'll recognize the Member for Calgary-Buffalo on amendment A1.

**Mr. Hehr:** Thank you, Mr. Chair. On amendment A1. I must beg some leeway of the chair because I see bills 45, 46, and this amendment all rolled into a whole bunch of thoughts that I have that have come to my attention with this amendment, that I would like to address, but I will do my level best, where I can, to co-ordinate it back to the amendment. Again, at the outset I beg some leeway from the chair.

If we look at the backdrop of how we've gotten here, why we're here, and the like, we can go back to the 2012 election. In my view, at that time you had a Progressive Conservative Party that made bundles of promises to bushels of people. They really reached out, and they really did their best to present a face and a platform that meant we were turning a corner here in Alberta. We were going to have predictable, sustainable funding. We were going to respect workers and embrace the public servants. I believe that the Premier actually went to AUPE and gave a keynote address, saying that former governments of her party had not respected their roles and the good work that they did and the like in this province. That is, I think, a fair characterization of what I saw in the last election.

What I didn't see in the Progressive Conservative government platform was that we were going to take a steamroller, a battering ram, a machine gun to the ability of organized labour, union members, to collectively go about their business and organize their workplace and negotiate with the government fair and reasonable wage addresses. At no point in time did I see anything in the PC platform that said: "We are going to go to war with organized labour. We see workers as being overcompensated. We don't value the work that our public servants do." That is the backdrop here, that we didn't see any of this comment in the Progressive Conservative election campaign.

So when we are presented with bills 45 and 46 in the manner that they are, at the end of a session, with limited debate here in this House, and with, in my view, the draconian measures associated with them, I'm really troubled. This is the biggest assault on the Charter of Rights and Freedoms of Alberta citizens we have seen from this government in a long time. Let's be clear. In my view, bills 45 and 46 together are significant in that they reduce or they eliminate, actually, in this case our Charter of Rights and Freedoms.

Since 1977 in this province an uneasy peace was negotiated when the Conservative government took away the right to strike, but then always the union had the right to go to arbitration, to have

their concern heard by a fair arbiter, where the government presents its case and the union presents its case. With all the context given there, a decision would be made, and that would bind the parties. That process essentially allowed for the collective bargaining process to proceed in a reasonable fashion given that union members no longer had the right to strike. Intervening at that time was the passing of the 1982 Charter of Rights and Freedoms, which in section 2(b) and 2(d) guaranteed, enshrined the right to freedom of expression and freedom of association.

5:40

In Bill 45, in my view, you have a direct assault on freedom of expression. You can see that this bill has done that in that it broadened the definition of the right to strike and, in fact, came up with a new definition of a threat to strike. It curtails or attempts to curtail people talking about workplace issues, the ability to organize, the ability to strike in all forms and fashions that are not limited in the written word of this bill. So when the Government House Leader gets up and says, "By no means can a person calling in to a talk-show host suggest that prison guards go on strike or that other union members go on strike," I take those words with a grain of salt. I read the legislation, and to me it doesn't limit that in any form or fashion. In fact, if you look to the exact wording,

(k) "strike threat" means . . .

(iv) an act or threat to act that could reasonably be perceived as preparation for an employees' strike.

Well, what does that mean? I'm not certain, and I don't think anyone in this House can be certain on what those words mean.

I look at this bill and its overarching fashion, and Bill 45 does in my view attempt to limit freedom of expression. It's an affront to what our Charter of Rights and Freedoms has protected. I listened to some of the amendment and what it was trying to do, and in my view it goes some way to try and straighten out this bill, that is overreaching and unconstitutional, in a form and fashion that may actually be a little bit better.

That said, I'm not certain if anything can save these bills. Bills 45 and 46, in their togetherness, to me are just an abhorrent set of legislation designed to crush the labour movement, crush any reasonable ability for our unions to collectively bargain, to go forward on a good-faith basis, to negotiate a settlement and the like in any fashion that would be permissible under our Charter of Rights and Freedoms.

There's much case law on the books that suggests that these bills will be unconstitutional despite the protestations of government members to the contrary. If you look at the litany of case law that has emerged on the books around the ability of unions – actually, in fact, all citizens in Canada have the ability to form a union and to collectively bargain. By taking away the role of having a final arbiter set an agreement between government and labour unions, this walks away from that principle of freedom of association. It is a direct attack on labour. It's a direct attack on every Albertan's constitutional rights.

In my view, the government should feel a great deal of shame in regard to bringing forward this bill at this time. It has gone a long way to undermine the Canadian Charter of Rights and Freedoms and, in fact, our ability to have any semblance of reasonable work conditions or reasonable negotiated principles in place: principles of natural justice, principles of fairness, and principles that we have agreed on as a society that make sense.

If we turn more closely to Bill 45, as I've stated before, the bill has changed substantially, and it's not merely an updating of the fines and pronouncements that the government can issue in this regard. It's broadened the definition of strike, and it's come up

with, like I said, a new definition of a strike threat that was unknown to me before the presentation of this bill.

In my view, these provisions have made up the second point I'd make, an assault on our freedom of expression. People in this country have long been able to express their beliefs in a free, open, and fair way, whether they be a union member individual or rank-and-file member walking along the streets of Calgary or Edmonton or Leduc, Taber, Bawlf, or wherever you may have it. They should be allowed to discuss these issues in an open and fair manner. The way this legislation is written, I am not so certain that they have that right anymore.

I think I make this point because it goes to the far overreaching nature of this bill. It attempts to take a bulldozer to an ant. It's simply unnecessary. It's an attack against working people and their ability to organize and set their workplace rules and agenda and negotiate a fair and reasonable workday.

I appreciate the Official Opposition doing the good work of an opposition party by trying to put some amendments together to try to limit the power of the government and to try to limit who is, in fact, captured by this bill. Although I haven't quite decided yet, I'm thinking of supporting this amendment, but at the same time I'm not certain if anything can save this bill, and I do not want to encourage the government in any form or fashion by supporting this amendment, by suggesting such a thing, so I'm caught at loggerheads here. That is the problem as I see it.

The penalties far exceed any others that we see throughout jurisdictions in Canada. They, in fact, serve to hobble the labour movement and are draconian and, in my view, do not meet the purpose of what we should strive for in a fair and reasonable work environment here in Alberta.

I think many people have brought up this before. If we look at the fines directed at unions in regard to an illegal strike, should it happen – and I point out that this has been a very minor problem in Alberta's history. I think it's been brought up that there may have been four or five illegal strikes in the last number of years. Largely they've come about as result of the government's failure to communicate, failure to address problems, failure to adequately meet and discuss workplace issues.

I do point out that oftentimes progress is made by working people taking a stand, by saying: we have had enough; we have had enough of workplace conditions that are substandard, workplace conditions that do not respect a safe and healthy work environment. Oftentimes wildcat strikes may emerge through no prodding or poking by anyone, simply people reaching the end of their ropes and seeing no other alternative but to act in this fashion.

I would like to say, just to close, Mr. Chair, that, in my view, bills 45 and 46 in concert are really a dark day for this province and have really marked an attitude by this government that says that we're going to bully and push our way to get whatever results we want. Darn the Charter of Rights and Freedoms. Darn the law of the land as it's been in this province since 1977. We're going to do it regardless of the rights and freedoms that citizens of Alberta have thought to have enjoyed over the course of time.

Nevertheless, those are my comments, Mr. Chair, and I look forward to hearing others.

5:50

**The Chair:** Thank you, hon. member.

I'll recognize the Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you very much, Mr. Chair. I rise to address issues within the amendment. I appreciate the hon. member for putting forward this amendment in hope or in an attempt to

improve a deeply flawed bill. I share the same sentiment as the hon. Member for Calgary-Buffalo in that I'm not sure at the moment if I can support an amendment that tries to improve a bill that is flawed, well, not only flawed but, quite frankly, unconstitutional. I have every belief that should this bill pass through this House, it will be challenged and it will be thrown out. The concern here, especially, is the fact that it will take some time to pass through the courts.

As I've risen, Mr. Chair, I want to outline some of the very deep concerns that I and the Alberta NDP share with this bill. I appreciate the amendment's attempt to, in the first section at least, protect the fundamental freedoms of individual Albertans in even having a discussion or mentioning or talking about the possibility of a strike. Moving beyond that, the counsel or suggestion that one Albertan may make to another as far as if they have outrageous working conditions to imply that possibly an illegal strike would be the only method of recourse could land that person a \$500-a-day fine.

As mentioned earlier, Mr. Chair, I'm going to outline as briefly as possible, granted, again, that as the Member for Edmonton-Beverly-Clareview I'm speaking as the elected representative on behalf of 45,000 Albertans. There are New Democrat supporters throughout the province, so really we're looking at a much larger number.

First and foremost, very concisely, I know it's been discussed, the fact that this government is starting to use closure and the motions of closure when it's convenient for them, when they don't want to hear debate in the House on a bill that they know is contentious. You know, they've taken it one step further from introducing night sittings and passing through legislation in the middle of the night to now inducing closure, which severely restricts and limits the ability of the opposition to speak to these pieces of legislation, which is what we were elected for in the first place. I mean, that is undemocratic for a number of reasons.

Moving into this bill, Mr. Chair, the fact is that, you know, this bill is a direct attack and assault on the Canadian Charter of Rights and Freedoms and our fundamental right of freedom of speech and freedom of thought, belief, opinion, and expression. It's quite shocking, quite frankly, that this government would put forward such a bill, that does attack the very freedoms that this government claims that they protect.

Quite frankly, I think that many Albertans, seeing and looking at this bill, have quite clearly come to understand that the Premier in her leadership race was full of promises – and, believe me, there are other words I'd love to use – that she then without a second thought went forward and broke. You know, I find it quite offensive that just a year ago the Premier was invited to the AUPE general convention. Other members of other parties were not able to speak at that convention. There, you know, she went on about working with labour, working with the public sector, and how much this government supports them and appreciates their work and then takes out a big knife and stabs them in the back.

I mean, similar to the floods and all of the public-sector workers, many Albertans are stepping forward, going above and beyond their duty to help other Albertans beyond their scope, and this is how the government then thanks them, with bills 45 and 46, effectively putting a wage freeze on workers who, quite frankly, Mr. Chair, deserve to be paid much more than they currently are, then trying to take a step backwards to, quite frankly, intimidate and induce fear into Albertans and working Albertans by putting a gag order on them if they even want to discuss possible action of a strike. They therefore can be severely punished.

Again, you know, I can't help but look at the dollar amounts that unions, union reps, and even just Albertans can be charged for talking about an illegal strike or threatening. But then we look at the numerous examples of companies in the province who have broken the law, who have polluted an area significantly, and it's a slap on the wrist of a fine compared to this. I mean, it's completely disproportionate. A union being fined \$2.5 million a day, Mr. Chair, is quite absurd.

Something I wanted to touch on earlier is that there are members – and I believe the Minister of Justice and Solicitor General got up and spoke about the wildcat strike at the remand centre and how much it cost the government for that. I think he used a number around \$13 million. Well, I would challenge the minister that if the government had addressed the issues and concerns that the workers at the Edmonton Remand Centre were trying to communicate to them over a number of months, over and over, whether it was written or verbal or even, you know, demonstrating the flaws in the structure of the building and how it put the workers' and the inmates' health and safety at risk, I can tell you, Mr. Chair, that they would have spent considerably less money, fewer taxpayer dollars to ensure that the workers of this province and inmates have a safe working environment.

Quite frankly, Mr. Chair, it's simply misleading to try to stand up and say that it was the union that caused the taxpayers to spend \$13 million. No. It was the decision and, well, quite frankly, this government's inability and unwillingness to listen to real, genuine concerns of Albertans and address those issues, which would have cost far less than what ended up being the final price tag.

Again, let's look at – and I'd love to inform the minister and his colleagues – the facts of what led to that wildcat strike. It was documented, you know, in numerous places, Mr. Chair, that the workers were at their wits' end of trying to communicate to their managers and to this government the real, serious threats that they were facing working in a facility that, quite frankly, was not up to standards. So for some of the workers this was the only recourse . . .

**The Chair:** Hon. member, I hesitate to interrupt you, but it is 6 o'clock. The committee will stand adjourned until 7:30 p.m.

[The committee adjourned at 5:59 p.m.]







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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Tuesday evening, December 3, 2013

Issue 78e

The Honourable Gene Zwozdesky, Speaker

## Legislative Assembly of Alberta The 28th Legislature

First Session

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**Legislative Assembly of Alberta****7:30 p.m.****Tuesday, December 3, 2013****Government Bills and Orders  
Committee of the Whole**

[Mr. Rogers in the chair]

**The Chair:** Hon. members, we'll reconvene the Committee of the Whole.

**Bill 45  
Public Sector Services Continuation Act**

**The Chair:** We are considering Bill 45, amendment A1.

Member for Edmonton-Beverly-Clareview, you have approximately 11 minutes left. Please proceed.

**Mr. Bilous:** Thank you very much, Mr. Chair. It's my honour to speak to Bill 45, speaking to the amendment. I pointed out some of the concerns, before we broke, for this amendment. I can tell you that one of the biggest challenges that I have with this amendment is that it retains administrative penalties for people who contravene section 4, subsections (1) and (2), which is quite problematic. This is one of the issues the Alberta NDP has with this bill, the extremely punitive nature and language within this bill. Regardless of whether it's the minister or the Labour Relations Board that's responsible for levying the administrative penalties, the real concern is the amount that this bill prescribes. Unions can be charged, again, by our calculations, up to \$2.5 million a day, and individuals can be fined anywhere from \$500 to \$10,000 a day. That's extremely problematic.

Before I get into some of the other issues with why the Alberta NDP vehemently opposes Bill 45, I do just want to make a note that hundreds and hundreds of letters have been pouring into our offices, with Alberta workers extremely upset at the Alberta government on this bill and voicing their opposition.

I think it's really interesting, Mr. Chair, that there was a press release that came out at 5 o'clock today about the B.C. government and a tentative agreement that they reached with public-sector unions. Now, what's interesting is that this agreement, that deals with 51,000 workers, was reached before their current contract expired, and it lasts five years. What it does is that the deal expires March 19 and includes wage increases of about 5.5 per cent over the five-year term, which is quite a stark contrast, how the B.C. government is treating their public-sector workers and the attitude that this government has here in Alberta toward our public-sector unions and workers.

The other thing that's really interesting, Mr. Chair, is that a background document states that there is an economic dividend agreement, where a government worker, for example, earning \$50,000 a year can expect an extra \$250 if the provincial GDP rises by one percentage point above forecasts, which I think is interesting, that there is an additional incentive. Should the province do well, they're going to pass that on to their workers. You know, this Alberta PC government pales in comparison to the current B.C. government. At least they acknowledge and recognize the valuable contributions that their public-sector workers make and, I mean, far above and beyond just providing lip service, which we can see in this House has been only words.

Mr. Chairman, I wanted to outline briefly some of the huge steps forward that have taken place in the history of workers in Canada and in Alberta. They are due largely because of our organ-

ized labour force. Canadians and Albertans enjoy safety regulations, and we have safety regulations because, unfortunately, we have lost many Albertans and Canadians due to unsafe workplace regulations. With our unions at the forefront, pushing for those safety regulations, they have forced governments to bring in safety regulations as well as overtime pay, weekend breaks, paid breaks, an eight-hour workday, and a minimum wage. These are benefits that all Albertans, all Canadians enjoy, but they're due in large part because of organized labour. They are the reason that all Albertans have these benefits. Really, what organized labour has done is to bring the standard up to increase and improve the livelihood of today's families.

This bill is a huge step backwards. I mean, as my colleagues and I have articulated, not only is it unconstitutional, but it is a direct attack not just on unions and labour in this province, Mr. Chair; I would argue that this is a direct assault on working people in this province. Again, as I've articulated in the past, we have never seen nor has any other province seen a bill that is as punitive as this is on those that are speaking out and standing up for unsafe work conditions and unsafe work practices.

You know, the example right before us, Mr. Chair, is the wildcat strike at the remand centre. When we look at the reasons that drove the workers to go on strike, it was because of the inaction of this government to acknowledge that there were real, serious workplace concerns. We're talking about safety issues here. I know the minister loves to get up and talk about how this bill is for the safety of Albertans, yet it somehow completely overlooks the safety of our workers and our workforce, that are significant contributors to the Alberta economy and to our province.

The ability for a union to go on strike is used with great caution, Mr. Chair. It's not that unions want to just strike whenever and all the time. I mean, it's a real drain on them and their resources, but it's a tool that is available to them if other avenues have been exhausted and they've gotten nowhere. As the hon. Member for Edmonton-Strathcona indicated last night – I know that her father, when he was a member in this House, opposed the bill that Premier Lougheed at the time put forward, taking away some of their rights. I know the members from the Wildrose applaud that and call it an exchange, you know, binding arbitration for their right to strike, where, in my view, both of those tools should not have been taken away from labour. Those are meant to be used to improve the life, the livelihood, the work conditions of not just the folks who work on the front lines but of all Albertans.

In summary, Mr. Chair, that's what this bill comes down to. This was not created in the spirit of protecting Albertans or saving dollars. I mean, you know, first of all, it's a myth that this province is short on funds. We're not in a period of tough times. We're actually doing quite well. Our economy is expanding and growing. This government refuses to address the revenue side of the coin, which is something that the Alberta NDP have been advocating for and have been a champion for. Bills 45 and 46 really were designed as an attack on Alberta workers and on our unions and organized labour and our public-sector unions.

So we will continue to oppose this bill, and we will be opposing this amendment. The reason, Mr. Chair, is that this amendment doesn't go far enough. Not only that; there is no reparation for this bill. We are advocating that this bill gets thrown out completely. There is no way to fix something as broken as this. For that reason, I cannot support the amendment that the Wildrose has put forward.

I encourage all members to read this bill and to look at the implications that it has and the merits and the contributions of working people in Alberta and of organized labour and to come to

their senses. This bill is an attack on the very rights of each individual.

Thank you, Mr. Chair.

7:40

**The Chair:** Thank you, hon. member.

I'll recognize the hon. Deputy Government House Leader.

**Mr. Denis:** Thank you very much, Mr. Chair. I appreciate the comments from the Member for Edmonton-Beverly-Clareview, but I have to say that I can agree with precious little, if any, of what he has said. In fact, some of the comments he has made are simply incorrect; "wrong" would be a correct statement. His comments were not only vastly inconsistent with the facts but incorrect, with the judicial ruling on the matter that declared the strike to be illegal. My comments will be in the context of illegal strikes and the danger that they cause for our safety but also for our economy.

I first want to thank our correctional workers for the outstanding work that they do every day, Mr. Chair. They have tough jobs, but they're well trained and equipped to handle their responsibilities, and I think in many cases they're the unsung heroes of our law enforcement framework.

The Member for Edmonton-Beverly-Clareview has stated that we did not address safety concerns brought forward in regard to the new Edmonton Remand Centre, specifically its opening. Well, Mr. Chair, nothing could be further from the truth. We take the safety of our staff very seriously, and this is why there is a process for staff and the union to bring forward these types of concerns. Management at the remand centre has been working to address the concerns raised in the spring, and I remember distinctly the meeting that I had with a couple of union officials down at McDougall Centre in Calgary. I asked if there was anything else that they wanted to discuss. No occupational health and safety issues were raised.

Of course, Mr. Chair, we all remember the infamous evening when the illegal strike did happen. I remember it distinctly because I was out with my girlfriend for dinner, and she asked me to put my BlackBerry away for one time. Of course, as fate would have it, it was that one night when that happened.

Now, since the spring the vast majority of the concerns that the union has raised, Mr. Chair, have been addressed.

The Member for Edmonton-Beverly-Clareview has criticized many things, but he's also criticized the structure of the building. Well, this brand new building uses a supervision model that is based on other provincial facilities and is new to some of the staff. We understand, of course, that with any type of change there are challenges. I have to only presume others' best intentions, but we have received extremely positive feedback from many front-line workers as they adjust to the new model, and we will continue to work with staff to ensure the safety of inmates, correctional peace officers, and, of course, visitors as well.

One of the increased benefits of the new centre's size is that we're able to run more programs in the facility, and one of the best programs, Mr. Chair, is the boot camp program. It is something that both the inmates and the guards have found to be extremely effective, and you can also get more information on it just on my website.

Mr. Chair, we've talked about the idea of illegal strikes this afternoon and last night as well. But my message to you is that this is not a victimless issue at all. We all know that there was \$13 million in costs incurred to the taxpayer as a result of this strike, that was declared illegal by Justice Rooke of the Alberta Court of Queen's Bench. So it's not a victimless issue even from that point,

and we are actually pursuing getting the costs of that strike back from the union through the grievance process. If we do not pursue that – guess what? – that means that the taxpayer will be on the hook for the costs of the illegal strike. That is why we're pursuing that, but I won't get into details on that because that is before a labour relations tribunal.

Mr. Chair, we have to thank again our hard-working staff, that work every day, but at the same time there's a process to bring up some of these particular concerns. My office is always available, and as I've said, these concerns were not raised in previous meetings that we've had.

As we move forward, I'm hoping that we have fewer of these disruptions, and that is why, Mr. Chair, I will be supporting Bill 45 in the interests of our economy and the interests of security.

Thank you.

**The Chair:** I recognize the hon. Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Chair. It's a pleasure to rise and speak against Bill 45 and against the amendment. Are we speaking on the amendment or the bill?

**An Hon. Member:** We're on the amendment.

**Mr. Kang:** The amendment. Okay.

Mr. Chair, we as the Alberta Liberal caucus are not supporting Bill 45. We are vigorously opposing this because this invades the freedom of Albertans and Alberta workers. The government claims that there was a wildcat strike brought on by the prison guards, but there was a reason behind the strike. That strike came out of desperation. Every time they wanted to talk to the authorities about the issues they had, it was a dead end. Sure, it is illegal to strike, but they had reason because they were pushed to the wall, and they had to strike.

That's the rationale behind this bill, Mr. Chair. This is so heavy-handed; it's draconian. When Premier Lougheed took away the right to strike from the unions – that goes to Bill 46 but includes this, too – he still gave them binding arbitration. That shouldn't have happened in the first place, you know, but that's history. The bill sanctions are unnecessarily heavy-handed and will set the rules for workers' collective bargaining rights.

Bill 45, Mr. Chair, is foul, wild, and evil because this government is attempting to legislate away freedom of association, which is granted by the Charter of Rights. The reason people go out on a wildcat strike is because they are desperate. They cannot find any other way to communicate with their employer, the government in this case, to get their point across. So that strike was out of desperation, Mr. Chair. That was about the working conditions, about the safety of the inmates and the safety of the workers. They should have that option, whether legally or illegally. With bills 45 and 46 the government is effectively leaving workers no option to resolve their bargaining issues. They should have that bargaining right if there are safety issues, if there are working condition issues, and if there are health issues.

The ability to go on strike is really the only card that the workers hold as a tool to be able to get fairness and the process if they're not getting fairness. This is all about fairness, Mr. Chair. It's all about workers' rights and freedoms. I know, too, that this bill under the Charter of Rights won't stand up in the courts. It makes me wonder what on earth constitutes the threat of a strike. The government keeps on talking about protecting Albertans. From what? If they would be proactive, I don't think that there would be wildcat strikes. There's always a way to sit down at the table and negotiate everything.



I'm speaking against the amendment, and we will not be supporting this bill. Thank you, Mr. Chair.

**The Chair:** Thank you, hon. member.

Hon. Deputy Government House Leader, did you catch my eye?

**Mr. Denis:** Yes. I would at this point like to move that all divisions be based on one-minute bells for the rest of the evening.

**The Chair:** Thank you.

Hon. members, this would apply in committee only, and it requires unanimous consent.

[Unanimous consent granted]

**The Chair:** The hon. Member for Calgary-Shaw.

**Mr. Wilson:** Thank you, Mr. Chair. I'll be very brief. I would like to just quickly move that as we deal with this amendment, if we could, as per *Beauchesne* 688, go through this amendment and vote on it clause by clause, A through E, please.

**The Chair:** Hon. member, we've been debating this amendment probably for half an hour or so. I think that's something that you should have requested at the beginning. I can't allow that at this point. We've debated this for more than an hour. Had you asked this at the beginning, I would have ruled on it, but we're too late now. Sorry.

**Mr. Wilson:** Standing Order 13(2), just got clarification. Even just for voting on it as opposed to speaking on it clause by clause?

**The Chair:** I'll double-check, hon. member, but that process is typically at the start. That is a request that's usually asked of the chair at the beginning, when an amendment like this is put on the floor. We've been debating this for over an hour. I don't think it would be fair to the process to try to do something different. I would imagine that all members debating it up until this point have been assuming we're going to have one vote. So unless someone can find me a citation that would suggest otherwise, that will be my ruling.

If you'd like to speak to the amendment, hon. member, you're certainly able to do so, but I can't entertain a motion at this time to split it up an hour into the debate.

The hon. Member for Calgary-Mountain View.

7:50

**Dr. Swann:** Thank you very much, Mr. Chair. I'm very pleased to get up and speak in committee.

**The Chair:** Oh, sorry. In the interest of moving between the caucuses, I'm quite pleased to recognize the Member for Edmonton-Strathcona.

**Ms Notley:** Thank you. Sorry about that. It's just that we came rushing in and got our name on the list, and we were wanting to make sure that that process was still the way things were going.

Anyway, thank you. I'm pleased to be able to rise to speak to Bill 45 in committee. Obviously, at this point, given the short timeline, I'm also going to be speaking to the amendment that has been put forward by the members of the Wildrose caucus. Now, my understanding, having quickly scanned their amendment – and I will spend a couple of moments on that – notwithstanding that they were unsuccessful in dividing it up, is that section A of their amendment would remove the component of employees in the prohibition against either striking or threatening to strike. So that's

an interesting approach to how this issue has been addressed in the past. I think it would potentially trigger quite a major rewrite of labour relations law. I'm not opposed to that particular amendment.

The next section, section B, would remove from the prohibition the action of counselling a person to potentially engage in an illegal strike or an illegal strike threat. Once again, since that essentially goes to one of the more heinous, not one of the most heinous but one of the problems with this bill. What it does is that it goes to a component of the issue around free speech because as the bill reads right now, it's of course illegal to counsel someone to engage in a strike threat, and it's illegal for a person to counsel somebody to engage in a strike threat. So that really widens the application of the prohibition in this bill in a way which is uncertain and ensures that the definite outcome is that the freedom of speech enjoyed by most Albertans will be significantly limited. So we can certainly support section B.

Section C of the amendment is an interesting one. I would suggest it's probably not at the heart of this, but nonetheless this is about putting the authority back to the board and taking it away from the minister. One of the other things that we haven't had a chance to spend a lot of time talking about in this bill is the fact that apparently this government doesn't trust the Labour Relations Board, so they would rather not have the Labour Relations Board adjudicate on the vast majority of the components of this bill. What they want to do is remove the authority and the jurisdiction of the Labour Relations Board from adjudicating on many of these matters. That, of course, is another thing that's unprecedented in this rather crappy piece of legislation. As a result, section C of the amendment would result in that authority going back to the board. I believe that, really, that's what D and E essentially do as well, just in different sections of the act. It's all about putting the authority back to the LRB.

Now, you know, those are all interesting improvements. I would say that they don't really get to the full heart of the matter. Whether the board is the one that makes the decision or whether the minister makes the decision, the fact of the matter is that they're making the decision on the basis of some draconian antiworker, anticitizen, anti-Albertan rules. The degree to which this amendment really fixes what is otherwise a really disgusting piece of legislation is sort of up in the air, and that's why I'm not convinced it's going to really deal with the problem.

Let me just talk a little bit about some of the specifics that aren't included in this amendment yet because I think that's important, and I know that in speaking to their amendment, the Wildrose has identified in more detail, I'm sure, the issues that I just reviewed. I want to talk a little bit again about sort of this whole notion of illegal strike. As you may know, Mr. Chairman, many years before I was elected, I worked in the labour movement in a number of different capacities. I also worked with respect to health and safety in the world of trying to protect workers at work and giving them the rights to maintain their own safety at the workplace.

I want to talk a little bit about a situation that I dealt with when I was in B.C., and I'm doing that, in particular, because I want to maintain the confidentiality of the situation that I'm speaking about.

**The Chair:** Are you still talking about the amendment, hon. member?

**Ms Notley:** It's absolutely about the amendment.

**The Chair:** Thank you.

**Ms Notley:** It's really important to talk about what's not in it. I just want to give some context to this.

There was a time when I was working for a union that represented a number of people who worked with youth at risk in a youth setting that was very isolated. It was on Vancouver Island, and it was about an hour's drive or more away from any major community. It was a place where youth were sent who were otherwise at risk and who had a history of violent behaviour in the past. It was typically teenagers.

As things were at that time, when the union that I worked for became involved with this particular institution, it had been a nonprofit run mostly by volunteers. We organized it, and the workers became part of our union. We discovered that one of the things that they had been doing for a long time was that they had been setting it up so that there would be one worker on call or one worker in the facility in the evening with between five and 10 young men who had a history of violence. They would be isolated in terms of an hour's drive away from anywhere else, and they had limited electronic communication. This was many years ago, back in the horse-and-buggy days, you know, pre cellphone and exhaustive cell service.

In fact, what happened was that one of those workers was very, very seriously attacked by a couple of the people that she was tasked with caring for. So the members of that group, the employees of that place, went to their employer and said: "This is unacceptable. We can't have people working here alone anymore. It's too dangerous given the risk factors, given the risk assessments, given the propensity of these particular people we serve to engage in violent behaviour. It is profoundly unsafe for one person to be here by themselves, and this person ending up in the hospital is the exact example of why that is the case."

They tried to negotiate with the employer, but what happened was that the employer was not interested in fixing it: "We can't afford it, we can't deal with it," yada, yada, yada. So eventually what happened was that there was, in fact, for a day, probably 24 hours or something, an organized decision on the part of the employees of that particular centre to not work because they said: "It's not safe. We can't have more of our people going to work and getting sent to the hospital because of this employer's failure to put in proper safety precautions." That was the situation that I was involved with.

Now, let's just say, hypothetically, that that situation was in Alberta and those people were members of the AUPE, which is likely to be the case because AUPE actually represents people who do exactly that kind of work. When those 10 to 15 or so employees spent a day not going in to work in order to support in solidarity their sister who was in the hospital, having been attacked by the people that they served, in an effort to put pressure on their employer to realize that they needed to not continue with the practice of making people work alone and hour away from a place where they can get support, they were, arguably, under the terms of this legislation engaging in illegal strike activity.

So what would have happened to them under this legislation, Mr. Chairman? Well, let's review the legislation. First of all, pursuant to section 6 the union would have all of their dues suspended for three months. So just in case that's not clear to everyone, that would cost the union \$10 million. Then they would also have to pay into the liability fund a million dollars a day. Then they would have to pay a fine of \$250,000 plus \$50 for each one of their members, and using the number of 22,000 or 23,000 members, that would amount to another \$1.5 million dollars a day. I'm getting to it. I'm getting to it, Mr. Chairman.

That amounts to a total of \$2.5 million a day for every day that these women are out of work trying to ensure that they are not forced to go into a workplace where they are put at risk of being attacked, with no support and no protection from anybody else under the control and care of their employer. So for every day that they are doing that plus \$10 million.

8:00

Mr. Chairman, this is why this bill is a piece of garbage. Those fines are beyond reasonable. They are beyond the pale. I'd like to say, you know, that yesterday the Deputy Premier got up and said that a judge told us that this is what the fines have to be, and I will tell you that that is not correct. The judge has laid out some ideas for what the fine would be, or there have been discussions. I don't have the specifics, but what I do know is that it does not amount to that amount of money by any means. Moreover, that judge is being appealed.

So let us be very clear, just in case anyone got confused by the misinformation that was provided to this House by the Deputy Premier. These outrageous fines were not, under any circumstances at all, ordered by a judge. Whoever wrote those talking points had better go back and rewrite them because you're misleading the House if they continue to say that.

**Mr. Denis:** Point of order.

**The Chair:** Deputy Government House Leader, you rose on a point of order. A citation?

#### Point of Order Parliamentary Language

**Mr. Denis:** I rise under 23(h), (i), and (j) as well as *Beauchesne* 489. The member has indicated the word "mislead," which is on page 146 of *Beauchesne*. I would ask that she withdraw it, please.

**Ms Notley:** Mr. Chair, I withdraw the suggestion that members here were intentionally misleading the House. The information that they might have been relying on was misleading, but I apologize if it was . . .

**The Chair:** So you're withdrawing any allegation, hon. member? I think that suffices.

Please proceed, hon. member.

#### Debate Continued

**Ms Notley:** In any event, that should be clarified because that information has not been appropriately provided to the House at this point.

That's the problem with this bill. This kind of fine could easily demolish a union, completely demolish a union. Really, I think that, generally speaking, that's what this is about. It's about union busting. It's about repercussions. It's about showing AUPE that the Premier is boss and that they should never ever make eye contact with her again unless invited to do so. That's what this piece of legislation is actually about. It's not about good public policy, not by any means. It is, instead, about making this province a leader – a leader – in violations of basic human rights and basic rights to stand up and protect ourselves.

As far as the amendment goes, then, that of course is one of my concerns because it really does not deal with the outrageous fines which are included and the outrageous levels of penalties which are included in this bill. In so doing, it appears to potentially

endorse those outrageous fines. So I struggle to support this amendment.

Something that would actively deliver this piece of legislation, that I almost don't really want to touch because it's so toxic, something that would actually deliver it to the LRB I'm not entirely sure I can be onboard with. That's another problem that exists, I suppose, with this bill although it can go either way because there's no question that the board generally understands what it's doing. I don't quite understand why it is that this government feels the need to take these decisions away from the LRB.

Then again, though, it's part of a pattern, isn't it, Mr. Chairman? We've seen that the government wants to take away the ability to arbitrate from the arbitrator as well. We know that the criteria that would be considered in that case by the arbitrator would easily ensure that members of AUPE would receive a much more generous settlement than what this government is proposing either in their last offer or through this heinous legislation. We know that if the rule of law were allowed to simply be followed in this province, the members of AUPE and the employees of AUPE would undoubtedly receive more money than what the government wants to give them.

My colleague from Edmonton-Beverly-Clareview has already noted that the B.C. government has managed to hammer out a five-year pact that would give their employees a 5 per cent increase. Now – I don't know – maybe B.C. is feeling super-optimistic and thinks that their economy is going to grow way more than ours. I doubt it – that would be silly – because that's not what most people are forecasting. In fact, people are forecasting levels of economic growth in Alberta over the duration of the agreement, that this heinous piece of legislation is being used to force down the throats of AUPE, of between 2 and a half and 3 per cent a year.

When this awful piece of legislation is successfully used to force the members of AUPE to accept this retrogressive wage rollback, they will, when it is finished, have lost in real dollars almost 10 per cent of their salary. It's interesting that that's what the new Progressive Conservative Party here wants to do to their hard-working employees while the B.C. government is (a) prepared to negotiate and (b) is prepared to give them a 5 per cent increase.

Now, of course, I understand that the B.C. government has learned its lesson. The B.C. government tried one of these little loopy-loos a few years ago, and in fact they were the ones that generated the very Supreme Court of Canada decision which invariably will render both Bill 45 and Bill 46 out of order and in breach of the Constitution, which, of course, again goes back to this whole issue of the ridiculous hypocrisy of this government wrapping themselves self-righteously in the flag of the rule of law while at the same time introducing legislation that – I believe it was the Member for Calgary-Buffalo who said: any second-year law student could have told them that this piece of legislation is going to be found to be in breach of our Constitution and our Charter.

Anyway, it makes some sense that B.C. would work a little bit harder on reaching a negotiated agreement because they've already been slapped down by the Supreme Court of Canada once. Apparently, these folks think it's a good use of our money as taxpayers to go back to the courts to defend this illegal piece of legislation rather than simply pay to the hard-working employees of this government and, actually, of the taxpayers a wage which is fair to them.

Unlike both the government on this side and the Official Opposition, we don't believe that a wage freeze is the appropriate

answer for members of AUPE. We know that they are amongst the lower paid public-sector workers, and we know that it is important for them to have a wage increase that at the very least keeps up with the cost of living and, quite frankly, probably ought to increase beyond that.

You know what? Equity and moves towards equality are actually good for society as a whole. I'm sure you will not be surprised, Mr. Chairman, that I've raised before the fact that in Alberta, statistically speaking, we have the largest gap between the superrich and everybody else. We have a growing number of studies world-wide that show that that is bad not only for everybody else but actually also for the superrich. Gross inequity is not good for anybody, and the deal that these guys want to shove down the throat of AUPE is going to ensure that that gross inequity actually grows.

I am not in favour of the position of either the Official Opposition or this government that a wage freeze is the appropriate way to go. Our numbers about the projected rate of economic growth, the projected Alberta weekly earnings index, AWEI or something that the policy wonks always refer to, over the course of the next four years is that we're looking at a little over a 10 per cent wage increase, generally speaking, for all employees. By insisting that the public-sector employees in Alberta, particularly the AUPE employees, accept a 0, 0, 1, and 1 or a 0, 0, 1, and 1.5 or something is quite regressive because it means that they're going to lose – lose – a lot of money. I just don't understand it.

The vast majority of their members are women, and of course we've talked before about the fact that the wage gap between men and women in this province is also the largest in the country. That is a problem.

**8:10**

All of that is being facilitated by Bill 45. Bill 45 is basically a great big – I don't know. I'm not really a gun person, but, you know, it's an Uzi. It's a great big Uzi that's sort of being held to the chest of a 10-year-old kid with a slingshot, and it's utterly unnecessary. It's utterly unnecessary. The point is that it's over the top. It's over the top. It's an absolute bullying technique by a government that has been in office for far, far, far too long, that has completely lost touch with the people that it should be representing, and which is now involved in gratuitous retribution – I think this is really about retribution – and gratuitous bullying and potentially some incredibly cynical politicking. It's happening at the expense of some of our most hard-working Alberta citizens, and it's happening also at the expense of some of our most fundamental rights.

**The Chair:** Thank you, hon. member.

Are there other speakers on the amendment? The Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Chair. I'll be very brief. Section B of this amendment talks about striking out "counsel a person to contravene subsection (1) or (2)." I'm just asking for some clarification on whether this could apply to a blogger or someone who writes a letter to the editor or someone who over coffee is saying: look, you should go and strike in these circumstances. Would this legislation actually apply to someone like that, or does the definition of counselling under this act mean that that person has to be paid for services or a lawyer counselling?

Thank you, Mr. Chair.

**Mr. Hancock:** Mr. Chairman, there's been a lot of this sort of talk about talk around the water cooler and those sorts of things. This hon. member was a practising lawyer and ought to know that

there's an offence of counselling an offence, and that's more than just casual conversation. That's not something you just throw around lightly. That is a real and meaningful effort to encourage someone to engage in an illegal act. That's definable at law, it's a concept of law, the courts know what that is, and it's not something that just happens because somebody happens to walk by.

**The Chair:** Other speakers on the amendment? The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Thank you, Mr. Chair. I rise with a great deal of interest on Bill 45 and this amendment, and I thank the Member for Cardston-Taber-Warner, I think, who put this forward. I'm glad to see some interest and engagement with the member. I know that by osmosis and evolution we learn from each other, and I think that the member has thus learned to at least be sharing the same lounge with us. Engaging in Bill 45: that's wonderful.

I think that he also did go to the heart of the problem in Bill 45. Certainly, with the first large section – A, B, C, and D – that he included in this amendment, I think the intention is good because it's taking the authority for some of the most egregious parts of Bill 45 and moving them from the hands of the minister back to the Labour Relations Board.

Certainly, you know, if we're looking for small degrees of movement, that's a good thing. In fact, the terrible powers that Bill 45 unleashes in regard to its ability to fine in an unreasonable way and to penalize in a very unreasonable way should not by any means be in the hands of a minister, certainly not any minister that had anything within five miles to do with drafting Bill 45. I can see his point in that regard.

However, it still delivers some of the very most egregious parts, Mr. Chair, of Bill 45, as it happens, maybe over to the Labour Relations Board, nonetheless not moving them away from workers here in this province. In that way, I have a problem with the amendment. Certainly, the amendment still allows these parts of Bill 45 that have these million-dollar-a-day strike threat liability fines to unions of \$250 to \$1,000 per day, \$10,000-a-day fines for reps, and a \$500 fine for any Albertan or organization supporting a strike threat. I don't know. Do they make \$500 bills? I'd better keep a very large stack of them in my wallet because I certainly will not stop advocating for workers in this province with a ridiculous law like that. Where's the Justice minister? There you go. He's supposed to jump up. I usually have him in a Pavlovian reaction when I say something like that, but he must have gone to the bathroom.

Any employee who causes or consents to a strike, any employee who does anything considered to be a strike threat, unions that engage in a strike threat, a person who counsels anyone to do anything considered as a strike threat, an employer that does not suspend a deduction or remittance and so on and so forth: I mean, all of these things are on one hand such sort of aggressive language and such sweeping language, but I also would venture to say that they're so vague, Mr. Chair, that I can't see how they could even really stand up for any length of time either in a court of law or under even a reasonable presumption.

You know, this is often how dictatorial states will move egregious legislation. They'll say: Oh, don't you worry; we couldn't possibly do any of those things. But all we have is the letter of the law that is given to us, and all we can do is judge a government or an individual by their actions. Right? The very act of writing these things down is an action that I consider to be quite threatening, certainly, not just threatening within the context of strikes and so forth but within the context of a just society and a

free society and the way by which we can organize ourselves and speak freely about issues of the day and so forth.

I can see where the member was dealing with this in the amendment in some categorical way, taking it out of the hands of the minister who devilishly drafted this legislation. Better look it up to see if that word is in there, right? Devilish. Like devilled eggs, of course.

I think we need to remind ourselves as well, though, that we'd like to put ourselves and legislation and amendments such as this within the context of national standards. Really, we've worked on this very hard over the last few days. There's nothing that even resembles this kind of legislation in any other province in the country. You know, perhaps we're trying to be leaders in some sort of bizarre, aggressive way, to see who can draft the very worst labour legislation of all time. We would win, of course, if we do pass this. But in any other province, certainly, it doesn't exist to this degree whatsoever.

The justification that I see for this Bill 45 is completely out of context for the events that have taken place in this province not just in the last 12 months but in the last 20 or 30 years, where we've had actually quite a stable labour landscape. The excuse for this thing was that somehow there was a risk, and this deters risk somehow. It reminds me of when some small thing happens or something happens in a country, and they use it as an excuse or a pretext to bring in wide-ranging, sweeping, very negative things. I mean, I've just got the feeling that I'm caught up in the middle of that kind of behaviour here as well.

Certainly, the amendment shows some signs of life. But I think that, categorically, we can't, as the New Democrats here tried to, make a silk purse out of the proverbial sow's ear. You know, it's just too much. Bill 45 has too many things that interact with each other in a very negative way, so we are preferring that we can just reject this bill. I was thinking about it this afternoon. We don't need to just jump on this. There's no reason why we can't maybe just let it sit for a few months or perhaps put a pause on the aggression and the suspension of logic that this bill somehow represents. I think we'd all be the better for it. Right?

**8:20**

It's supposed to be the holiday season, where we reflect on things that we have and count our blessings and think about brotherly and sisterly love for each other. What better way to demonstrate that than to the 22,000 workers that are directly affected in a most negative way by these two bills and then the hundreds of thousands of workers that also will be living under the pall and dark shadow of these two bills? You know that if they can get away with this kind of thing, who knows what's going to be next? The building trades like to think they've inoculated themselves. They haven't. The other independent unions are all going to have to live under this very dark shadow, and I think that we could do everyone a great favour here in this Legislature by taking two steps back, agreeing to disagree in some general way but certainly not vote for this kind of aggressive attack on workers here in the province of Alberta.

Thank you.

**The Chair:** Thank you, hon. member.

Are there others on the amendment? The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chair. I just wanted to add a little bit because I was challenged earlier to provide some concept around the idea of counselling. I would direct members to section 22 of the Criminal Code, which says:

22. (1) Where a person counsels another person to be a party to an offence and that other person is afterwards a party to that offence, the person who counselled is a party to that offence, notwithstanding that the offence was committed in a way different from that which was counselled.

(2) Every one who counsels another person to be a party to an offence is a party to every offence that the other commits in consequence of the counselling that the person who counselled knew or ought to have known was likely to be committed in the consequence of the counselling.

(3) For the purposes of this Act, "counsel" includes procure, solicit, or incite.

In commentary to that I would say that in *R. versus Sharpe*, 2001, Supreme Court of Canada, it says that counsel under this section is more than simply advising. It has the meaning of actively inducing. The mens rea of counselling requires evidence that an accused either intended that the offence counselled be committed or knowingly counselled the commission of the offence while aware of the unjustified risk that the offence counselled was in fact likely to be committed as a result of the accused's conduct.

Mr. Chairman, it's very, very clear that counselling is not simply people talking about what might happen. It's not simply people sort of speculating: wouldn't it be great fun to go on a strike? It's people who are actively inducing the action which then occurs. That's a legal term. It's been interpreted by the courts. It's not ill-defined or undefined. It's, in fact, something which a court would find. It's not something which is imposed by a government or by an employer or by a minister. It's a term which can be well understood by the actions which are put forward, and then a court or the Labour Relations Board would determine whether, in fact, the evidence actually indicated that the person who was counselling actually intended the act of the strike to happen.

It's not a simple little matter that anybody can fall afoul of, and it's not curtailing people's freedom of speech to discuss whether they're unhappy at work. It's not a question of people hanging around saying: "Oh, there are bad things happening" or "Maybe it's unsafe at work." It's actually a serious intent to encourage someone to commit an offence.

**The Chair:** Hon. Member for Calgary-Shaw, did you wish to speak on the amendment?

**Mr. Wilson:** Yes, very briefly, Mr. Chair. Thank you for the opportunity, and thank you for the clarification, Minister, on that particular clause.

I just wanted to comment quickly on my colleagues that are quite conveniently to my left. The difference between pragmatism and idealism . . .

**An Hon. Member:** Not anymore. Not anymore.

**Mr. Wilson:** Easy. Easy.

The pragmatic approach and the reason why our party and our critic here proposed these amendments was because we accept the fact that regardless of what we do over here, this government is going to pass this bill. We might as well do the best that we can at trying to make it just a little bit better than it was when it first was tabled. As much as I appreciate the idealism that you are, I guess, showing by your insistence in not supporting this amendment, I would just merely ask you to reconsider as I'm sure that the government will no doubt be in support of our amendment on this.

That being said, Mr. Chairman, I just wanted to let this committee know that, speaking about this bill and about where my vote will land, if the government does accept this amendment, I

will happily be supporting Bill 45. If the government does not support this amendment, I will still struggle to do so.

Thank you.

**The Chair:** Thank you.

Are there others on the amendment?

Seeing none, I'll call the question on amendment A1.

[Motion on amendment A1 lost]

**The Chair:** Back to the bill. The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Mr. Chair. It's my first opportunity to speak in committee on Bill 45, and I'm honoured to do so. I want to try to create a little different ambience here while we're talking in committee on the impact of the bill. I think there's an opportunity now to just pause a bit and reflect on some of the impacts. I'll more than anything just raise questions for the government. I hope they're thoughtful questions. I hope they're taken in the spirit in which they're given because I think this has important implications, as we've seen from the attendance in the gallery, both tonight and other nights, the seriousness with which many people in Alberta are taking this, and indeed the seriousness with which it's being, I guess, communicated across the world and in some jurisdictions. I'll comment on that later.

We're talking about the impact of the bill. In the interest of honest dialogue I'd like to just raise questions that I think many people have wrestled with and made comments about and made decisions on, but I hope we can open up our minds and consider, once again, some of the key impacts of this bill. I submit these respectfully in hopes of gaining attention to the consideration of the potential benefit and potential damage these bills can do not only to the recipients of the bill, the Alberta Union of Provincial Employees, but also to the public and to government and to this institution, the democratic process that we represent.

Well, first of all, the most salient question would be: what is going to be the impact on the Alberta Union of Provincial Employees? What will it be financially in terms of their income? What will it mean financially in terms of any actions that they feel they have to take as a result of this? What's the impact on individual members of the public service, AUPE, and other unions in respect to their own sense of their worth as employees and as civil servants, servants of the public? What will be the impact in terms of their own self-confidence and what they bring to the workplace, their attitude? What will it do to their sense of fairness? How will that affect their willingness to volunteer, to go the extra mile, to bring a very positive attitude to their work and to their clients? I hope we're taking that into some consideration because that's a key to productivity: how people feel about themselves, how they feel about the workplace, and their ability to influence it in a positive way.

Will it build confidence? Will it build trust both between the workers and with their employer, the government of Alberta? That's an important dimension of impact in a bill. The irony is that this is called the public-sector continuation bill, and I guess the question would be: will some people decide not to continue work if they feel that this has been in some way harmful to them, to their self-respect, to their ability to do their job, to their confidence, and to their trust?

Does it build on a strong Progressive Conservative foundation set by Peter Lougheed? I know everyone in this House is proud of the legacy of Peter Lougheed. Will this build on that important visionary leadership and, certainly, his commitment to human

rights, or won't it? I ask that seriously. Will this help build on that strong PC foundation or not?

Does it honour the Canadian value of negotiation and respectful bargaining in good faith? Does it send a positive or a negative message to people in the public service and to our union folks in the province? Another measure of impact I think we need to consider.

8:30

Does a forced agreement send the message that this government wants to send to our public servants, and does this ultimately save money in the short term? Perhaps it will. How about the long term? Will this bill save money for the budget in the long term? Again, I guess the question becomes: how much will we pay in terms of attitude shift, lost productivity, and, potentially, litigation, lawsuits, in terms of Charter challenges, which, from everything I've heard, could be quite expensive?

Finally, what will the political impacts of these two bills be? I'm sure, given this government's long history, they weigh the impacts, the political impacts, of everything they do. I again want to challenge you folks: what are the short-term political gains, in what populations, and what are the long-term political gains? What are the short-term losses and the long-term political losses? I think there are some serious liabilities, myself.

I hope one of them will be enhancing our respect for the democratic process. If it doesn't enhance our respect for and our engagement as citizens in the democratic process, then surely we have to consider that. If it's going to undermine our ability to represent people and to have them engaged with the political process, that's a significant liability. I think you recognize that some of us believe that it might do that. It might be a serious long-term threat to our engagement with citizens, not only those in unions but, generally, citizens who have watched the proceedings and watched the process through which these decisions have been made, especially, I guess, from my point of view, the short timeline in which we've tried to squeeze this all in.

I guess my question directly to the minister, perhaps disrespectful since I didn't have the floor – I continue to ask the minister: why the rush? Why the haste on these two very significant bills from a public perception point of view, from a public trust point of view? Why the haste in the last few days of the Legislature, and why contain the debate so stringently? Again, I just have questions about how that's going to strengthen or undermine the democratic process and public trust.

From a political point of view is that going to serve the Progressive Conservative Party, both in the short and the long term? How will the Progressive Conservative caucus feel about this at the end of the day, having rammed this through in a short time and limited debate and without hearing the full dimensions of how it may or not impact them? How is it going to build a team within the PC caucus, and how's it going to affect relations between the PC caucus and their staff, their public servants, that they're involved with day to day?

Finally, as I mentioned, the big political determinant is how it's going to impact the public, public perception. I think the media have done a fair job in this case of raising some of those questions so that the public can wrestle with these.

Recently an international body called the Index on Censorship has run an article on this particular set of bills, raising the question of whether this has pushed Alberta into a new level of attention around democratic rights and freedoms, particularly with reference to journalism. They're concerned that if a journalist were to raise a question about illegal strikes, wildcat strikes, there

could be a threat to that journalist. They raise some questions, I guess, about whether Alberta wants to threaten free speech, particularly that of journalists. They see it as a potential chill on journalism in Alberta. I hadn't thought of that, but they have cited it in an article this week. You can google it at Index on Censorship if you want to see the full article.

One quotation I also read today was by Bob Barnetson, a champion for farm workers' rights in this province. He spoke very eloquently, I think, about, again, the right to free expression, the right to association, the right to bargaining, none of which are available to farm workers. It's still a sore point for me and for many Albertans that farm workers are legally not entitled to form a union in Alberta. It's in the legislation that farm workers cannot legally form a union.

That's another dark spot for me in terms of the strong political and democratic legacy that Peter Lougheed left. I don't know how much the PC caucus feels that. But a number of people across the world now recognize that Alberta stands out in Canada as violating some fundamental rights of farm workers only, uniquely. They're the only occupational group that are exempted from the ability to form a union. Obviously, that goes along with their lack of protection under the Occupational Health and Safety Act, their lack of workers' compensation if they're injured, the lack of any child labour standards in the workplace for farm workers in Alberta, and the lack of a labour code.

This is coming to a head, I think, for this PC government. There are some questions about your commitment to long-term public interest, democratic process, and basic rights and freedoms guaranteed by the Charter of Rights and Freedoms. I think there are some questions that you may want to ask about these two bills in the context of how they – not only is our public looking at it, but the international community is increasingly looking at it and questioning where we're coming from.

To quote Bob Barnetson, Bill 45 would see newspaper columnists who write opinion pieces about the plight of workers, including farm workers, or those who merely comment that the only option these people have is to strike handed a hefty penalty for their work. Making such comments would be a violation of section 4(4) of the bill. In a globalized economy, where Alberta already has a hard time accessing markets around the world because of our failure to meet some international environmental standards, we've now given another reason to markets around the world not to do business with Alberta because of a record that we are creating for ourselves on how we treat workers in Alberta.

Mr. Chair, I hope these questions and these comments are taken in the spirit with which they're given. I genuinely want to challenge the government on thinking through the labour implications; the financial implications, short and long term; the political implications, short and long term; and, fundamentally, the implications for our democratic process, which, I would hope, a confident government would want to champion themselves, would want to raise to the highest possible level, would want to be proud of.

In the spirit of engaging all Albertans in this important building of Alberta, they would ensure that everyone is strengthened, feels empowered, feels engaged, and sees a vision of something very much better for all of us in the coming years, especially our children, our grandchildren. Many of us here have children and grandchildren. These are the kinds of legacies that I think we have to be much more conscious of in terms of the day-to-day decisions that may be expedient and may be short-circuiting also some of the key values that we say we stand for.

8:40

I guess my view is that these bills will not serve the short- or the long-term interests of this government, they will not serve the short- or long-term interests of labour, they will not serve the short- or long-term interests of the public, and there's very little to benefit all of us, including the Progressive Conservative government. There's still a chance to step back from this. We can refer this bill. We can hoist this bill. We can take time to reflect on it and recognize that we can all be winners here. There doesn't have to be a win-lose conclusion to this. We can all be winners here in the context of a big-picture view and the recognition that process is as important as outcome.

I know that the Minister of Human Services believes very much in process. I've seen that in action in the social policy framework and the consultations that he's done. I think there's an opportunity for him and for this government to not proceed with this bill and reflect on some of these questions.

With that, Mr. Chair, I'll take my seat. Thank you.

**The Chair:** Thank you, hon. member.

Are there other speakers on the bill? The hon. Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Chair. I also rise to speak on Bill 45. The Member for Calgary-Mountain View has raised so many questions. Bill 45 is a complex bill. It sparks numerous legal questions and requires substantive back-and-forth debate in order that we can properly consider it. The bill in its present form I don't think, you know, anybody should be supporting, and the government should take a second look, as they did on Bill 28 and all the other bills they rammed through. Then they had to be withdrawn or brought back later on.

This bill is against the fundamental freedoms in the Charter.

Everyone has the following fundamental freedoms in section 2 of the Charter:

- (b) freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication . . . and
- (d) freedom of association.

The nature of the problem with this bill, Mr. Chair, is that it violates section 2(b) and section 2(d). When the bill is taken to the Supreme Court, they will use the Oakes test. When Bill 45 loses in the Supreme Court of Canada, will the government invoke the notwithstanding clause? Will you invoke the notwithstanding clause if you lose in the Supreme Court after spending millions and millions of dollars?

**The Chair:** Through the chair, hon. member.

**Mr. Kang:** Sorry, Mr. Chair.

Here's a little bit of background about the wildcat strike. In 1977 Premier Peter Lougheed outlawed mass public-sector strikes in the Public Service Employee Relations Act. When things are really bad, essentially around safety issues, wildcat strikes still occur, Mr. Chair.

**The Chair:** I hesitate to interrupt you, hon. member, but pursuant to Government Motion 50 the time for debate on this bill has now expired.

I will now call the question.

[The remaining clauses of Bill 45 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? That is carried.

#### Bill 46

#### Public Service Salary Restraint Act

**The Chair:** Are there any speakers to the bill? The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you, Mr. Chair. It's my first opportunity to speak to committee on Bill 46, the Public Service Salary Restraint Act. I guess it's an interesting question, to what extent we're restraining and who we're restraining. But I guess I would have a lot of the same questions about Bill 46 that I've raised with respect to Bill 45 in relation to the short-term and long-term benefits of using, I guess, a blunderbuss or a hammer to deal with something that is more properly dealt with in a process that we have defined as binding arbitration and that this government has agreed to as far back as 1977. Peter Lougheed, along with the Canadian Charter, established the right of people to assemble, people to negotiate in good faith, and to ultimately have their differences arbitrated by an independent arbiter.

Again, I guess I would have to ask some of the same questions of this government. What is going to be the impact of this threat of very heavy-handed fines, not only financial fines but potentially restricting people's freedom? What is going to be the impact of a bill that basically tries to muzzle – this is also going to muzzle people who will not feel free to speak about unreasonable conditions, unreasonable negotiations. In combination with Bill 45 these are bills that will set a tone for people to negotiate, to not proceed with what is reasonable and fair in terms of standing up for their rights, for their respectful treatment, for their freedom to speak. This would potentially limit their rights and freedoms under the charter.

It's disappointing that a government with such apparent confidence, such a majority, feels that in some way they have to use a blunderbuss, again, to control a group of people that have legitimate rights under the Charter and then violates a basic contract, particularly with unionized people, around the right to arbitration, imposing a four-year wage settlement if they fail to return to the bargaining table. That's not the spirit in which Peter Lougheed brought in the legislation. I would have to ask the same questions again: what are the short- and long-term implications of this, financially, for this government? They may force some labour peace. They may force, indeed, some silencing of people who might want to talk about strike action and negotiate some issues that may not be on the surface of them clearly based in contract but may indeed be.

What will be the workplace implications of this in addition to Bill 45, in the context of people communicating about their work, being proud of their work, proud of their union affiliation, proud of their citizenship in Alberta and Canada? What will it mean for their attitudes in relation to their colleagues, their public that they're serving, whether it's people on the front lines of home care or people in the laboratories of hospitals, people in our correctional institutions, who are dealing with very challenging individuals? What will it mean for them when they feel that they've been bullied and threatened? Even the very idea of raising the possibility of a strike in some cases will be suppressed.

8:50

Again, whether or not it is intended, I'm asking the government to consider the possibility that they're sending a very strong message, a negative message, a disrespectful message, one that

undermines trusts and engagement, not only of the workforce but also of citizens at large, who have become cynical about the political process, which, I dare to say it, has become a lot about power and money. Is that all we're here about? Power and money? It appears to be, and this reinforces the notion that politics is all about power and money and self interest.

After 42 years of this government I think more and more people are saying that this reinforces an attitude that I don't think you want to convey but that is being conveyed. Whether you've lost touch with the grassroots or whether you're simply ignoring what people are telling you about the impacts of your actions and your bills, your policies, your processes – and this is another process that was brought in late, in the last few days, rushed through without a reasonable level of debate or an opening up of issues rather than a closing down of some of the key implications of these two bills.

Bill 46, in the same way as Bill 45, is sending a chill through the democratic process, and I dare say there will be not only the short-term pain of implementing this on a group of people that don't feel respected, there will be long-term pain financially from a democratic process point of view and from a personal well-being point of view.

I look at policies often through the lens of health. Is this going to build capacity? Is it going to build relationships? Is it going to build a sense of confidence and empowerment in people, both in and out of the union brotherhood? If it's not, it needs to be reviewed. It needs to be revised. It needs to be rescinded. If you can't see that, I think you've become blinded to your own power and your own ability to do whatever you wish, which is dangerous in any body.

Forty-two years of absolute power is dangerous for any group, and I would say the same if it was the Liberal government in Alberta. It would be time for a Liberal government to be taken down after 42 years in Alberta because you lose touch with the grassroots. You lose touch with the impact of your policies. You lose touch with the deeper values, the longer term vision, and the opportunities that we possess as legislators to build a better set of relationships, a longer term vision, and a stronger community base that will start to work within themselves as well as with each other with a political process to ensure that we have a better outcome for all of us in the future.

A lot of it has a very specific focus on the Alberta Union of Public Employees. The question really is: what message does it send to all unions? What message does it send to all Albertans? The bill stands a very reasonable possibility of being ruled unconstitutional in a court of law. Is that the message that you want to send to Albertans, to Canadians, to the international community? Surely not.

The government says that it's going to ensure fiscal restraint. But to what extent? For what period of time? How is it going to translate into more productivity? The minister is quite aware that employee surveys in the Human Services department continue to be very low in terms of confidence in management, confidence in the vision of the department. Is this going to enhance that confidence, that sense of well-being, empowerment, and willingness to work? I doubt it.

Does it represent bargaining in good faith, which, again, Peter Lougheed championed? If it doesn't, surely you want to look at that. Often what I reflect on in policies of this government is that there's a short-term gain, often in the bottom line, and there's a long-term pain because of the long-term implications, the damage done to individuals, organizations. The public confidence is the bigger price that we pay, with long-term costs that are not factored in.

A four-year time frame, election cycles simply are not on in the 21st century. You have the power and the experience to know that, so it's disheartening to see that kind of short-term thinking, expediency, opportunism, I guess I'd say. The comment I made on the steps of the Legislature is: if you want to know why the PC government is forcing these bills through, it's because they can, simply because they have the power to do it. This is not in the long-term public or civil servant interest. I don't think you want that. I want to give you an opportunity to take a step back and consider where this is going.

These two bills appear to be effectively dismantling or trying to dismantle the collective bargaining process in Alberta or at least send a very intimidating message to those who would stand up and challenge this government, especially a wealthy government such as we are, on their negotiating terms and conditions.

I guess the final question that we continue to ask on this side of the House is if budget is the real motivator, if budget is the real driver, if reducing costs is the real question here, reducing services, therefore. Make no mistake. If you cut what people perceive as a fair and reasonable settlement, you're going to reduce productivity. It won't be easy to measure, but it will be there. I think we're seeing that in the health care system today, where the demoralization of health workers, the chaos in the health system has come to the point where professionals don't volunteer as readily, they don't go the extra mile, they don't sit on committees as readily, and their attitude at work is less than positive. It adds to an atmosphere of distrust and lack of confidence and stress and strain and loss of productivity. I think many of my colleagues would recognize that and express that. The same is here.

If budget is the real issue, let's talk about revenue. Let's talk about a fair, progressive tax system. Let's bring in the revenue that we need to provide the basic services that we say we deserve and that our most vulnerable people deserve: seniors, persons with disabilities, farm workers who need the protection of this government, health care services, schools. If revenue is the problem, let's fix it. There's no shame in saying that we have come up to a point where we can't do more with less. We can't afford to go more and more into debt. We need to take a fair look at taxation. Then we can be solid in our commitment to some of these fundamentals: health care, education, some basic infrastructure, human services.

This is not a positive way of dealing with a budget problem. I'm not saying that that's the only driver, but it is one driver. It seems to be a major driver in a lot of the decisions coming out of this Legislature. I hope you'll rethink your obsession with the Wildrose Party and their attacks on taxation. Let go of that. This is the long-term public interest we're looking at. We have no stability fund because we haven't been bringing in enough revenue, and revenue, fundamentally, is from our resources and a fair tax system.

So let's be honest about what it is we're dealing with. We're dealing with a shortfall of revenue, primarily: \$10 billion less than the lowest taxing province in this country, Saskatchewan. We could tax another \$9 billion and still be the lowest taxation venue in the country. We'd be able to confidently provide services year to year, save money, provide the basics for everybody that needs them, and not have to resort to tactics that I think many people feel are disrespectful in the least and illegal at worst.

I'm pleased to be able to leave my remarks and my questions, and I hope for a reconsideration in this important decision that our government is making this week. Thank you, Mr. Chair.



9:00

**The Chair:** Thank you, hon. member.

I recognize the Member for Calgary-Shaw, followed by Edmonton-Strathcona.

**Mr. Wilson:** Well, thank you, Mr. Chairman. Bill 46: what a pleasure this one is. I want to thank those in the gallery who have stuck it out here to hear us debate this bill tonight. Bill 45 was an interesting one. This one takes it to a whole new level, and I've got to say unequivocally that I know I will be not supporting this bill. I don't think it matters what the government does to it. There's no way to fix this one. It is, straight up, a piece of junk. There's no better way to put it.

You know, in our party over here, Mr. Chairman, we believe strongly in respecting the rule of law and upholding contracts, including the collective bargaining process and the agreements that have been in place. Negotiating a collective agreement that's fair for taxpayers is an important goal, but it doesn't give the government the right to terminate legal arbitration rights of public-sector employees, and that's what we're seeing here.

As has been brought up time and time again in this House, in 1977 Premier Peter Lougheed instituted arbitration rights, and he gave public-sector employees the right to binding arbitration as an alternative to removing their right to strike. We believe this was and still is a fair compromise that should be upheld.

The government often accuses us of suggesting that we would hold the line on spending and that it would be much worse if we would have never increased spending because in our fiscal management plan it's suggested that we would wait until we had a balanced budget to do that. It's right. We did say that we would hold the line on spending in terms of the public sector, and we made no qualms about it. We said it very clearly in the 2012 election.

I think what's happening here and one of the big problems is that we didn't keep it a secret what we were going to do, but the governing party made all sorts of promises. The Premier dashed her little pixie dust all over the province and certainly was able to do so with the public-sector unions. You know, unfortunately, the glitter has gone away, as it were, Mr. Chairman, and I think that that's where this government is seriously getting itself into problems, into trouble. In between bills 45 and 46 it pretty much seems like there's an all-out, full-on attack against our public-sector unions, and it's just absolutely unnecessary.

The Premier has broken the promise to the public-sector unions to negotiate in good faith, to give them increases, and it should come as no surprise to her that on the steps of the Legislature every day for the past few days there have been rallies, there have been very angry people who are using their democratic voice, which it is their right to do. They thought they had done that in the election by casting their ballot, but unfortunately it didn't quite work out the way that they had planned. They were led down a path that didn't quite end up working out for them, and it's quite unfortunate.

Taking a legislative approach to collective bargaining is heavy-handed, and it erodes the trust between public-sector employees and the government. The government is basically saying: see this our way, or else we'll make you see this our way. It's terrible for employee morale, and it's certainly not the way to go about collective bargaining, and it's certainly not doing it with any measure of good faith.

The pushing through of Bill 46 shows the PCs' arrogance and contempt for the democratic process. Before these two bills were even put on the Order Paper and tabled in this House, there were

motions to ram them through this Legislature this week so that we only had to endure two hours of debate in both second reading and here in Committee of the Whole. Again, we have I wouldn't say contempt – that's not the right word – but definitely arrogance. "Contempt" is not the right word. It's arrogance. The process that they're taking is very disrespectful to what it is that we're elected to do here, Mr. Chairman, as I had suggested earlier.

Now, we would have asked our public sector to hold the line on spending to help fix the financial mess created by the PC government, but what we would not do is be holding a gun to the head of the union, the way that the government currently is. The reality is that for 35 years the arbitration system put in place by Peter Lougheed worked, and even under Ralph Klein the government of the early '90s was able to negotiate with the unions to take a rollback in pay. So it works. There's no reason for Bill 46 to come in and impose in such a draconian fashion a legislated line on spending, 0, 0, 1, 1, however they're doing it. It just doesn't make sense.

At the end of the day, Mr. Chair, one must question the Redford government's ability to govern when a system that held up for over 35 years, through thick and thin, is collapsing under her watch. It's very disappointing to see. I believe it's going to change public-sector negotiations in this province. We're at a fork in the road. Things will not be the same for a very, very long time.

But for all of those public-sector union workers and employees who are struggling as they hear this, they can rest assured that in 2016 a Wildrose government will go back and correct this process and make sure that we do this properly by reinstating the arbitration rights that have been in place in this province for 35 years.

Thank you, Mr. Chair.

**The Chair:** Are there others?

**Mr. Horner:** Mr. Chairman, I rise, and I won't take up too much time. I've already spoken once in Committee of the Whole, and I've spoken in second reading. I just wanted to talk a little bit about some of the comments that have been made by the last couple of speakers.

This is not about power, Mr. Chairman. This is about the commitment we made to Albertans to live within our means. It's also about the commitment to continue to provide a low tax environment, to continue to provide an environment where our public-sector and public service union membership and workers are amongst the highest paid in the country. We want to continue that. We want to negotiate that. We want to sit down and have that negotiation.

Mr. Chairman, the hon. member suggests that the arbitration rights will be gone after this piece of legislation is passed, never to return. That's simply not true. The bill is designed so that if we don't need this and we get a negotiated settlement, this bill is revoked on proclamation.

The other piece to this, Mr. Chairman, is that we're in a situation right now where we have a \$6 billion flood that we need to deal with, and we've got a billion dollars' worth of operating losses associated with that. Yes, this year we're looking at a position where we may have an additional billion dollars that we can work with, but frankly, as I said at second-quarter report, that billion dollars is spoken for. It's spoken for based on helping southern Alberta rebuild and Albertans in southern Alberta to do that.

Mr. Chairman, the other piece that the hon. member suggests is that they'll somehow revoke or put this back in, which is a purely political ploy for the members in the gallery and those outside

because the reality is that the compulsory arbitration won't change after this. This is for this period in time, for this particular contract.

As the Premier suggested today, we requested that the AUPE come back to the table. They denied. We asked, "Let's sit down and have another offer," so we put another offer on the table. It was rejected.

Mr. Chairman, I heard from the hon. Member for Edmonton-Beverly-Clareview about B.C.'s agreement, and I've been reviewing some of what B.C.'s agreement has within it. I understand it to be, like, 5.5 per cent over five years. It sounds pretty close to 1 per cent a year. I understand that it has some benefits in there around the fact that they would share in GDP growth. Well, you know, the way that you get to that type of agreement is where one party puts something on the table, and the other party responds and puts something on the table. That's what we want to see. We want to see some negotiation that might actually even come with that.

I'll tell you this. That kind of unique arrangement that you see in B.C. would not come from compulsory arbitration. It comes from sitting down, talking to each other, and trying to come up with something that is a fair deal to the taxpayer, Mr. Chairman, which is what part of our obligation is, a very big part of our obligation. I know the hon. members opposite have always purported to be, you know, the protector of the taxpayer and talking about, you know, cutting back on expenditures. They've got a \$5 billion capital plan, and they still haven't told Albertans how they're going to pay for it. The only way they'd be able to pay for it with cash is – well, they're not going to use cash. They said that they can't dip into the sustainability account because that changes the net financial losses. So they still haven't figured that one out, Mr. Chairman.

But now they're trying to tell Albertans and they're trying to tell the members that are in this gallery and the members of the AUPE that they are the bastions of saving, negotiating, arbitration, and of all things collective bargaining. Yet their own budget, the Wildrose financial recovery plan – it's not a budget, Mr. Chairman, because there are no actual financials in it.

**9:10**

But there are a lot of very interesting statements in this document about how they would freeze wages, how they would cut management levels by 50 per cent, how they would effectively say to public-sector employees that we're going to have to have a hiring freeze, that we're going to have to essentially hold the line on the public-sector salaries until the cash surplus is established. Well, Mr. Chairman, if you're spending \$5 billion in cash every year on your \$50 billion capital plan and you're not cutting anything in the public sector in terms of the services we're providing, they're never going to get to a cash balance.

Obviously, I guess they'd have to freeze salaries at zeroes indefinitely. I fail to see how the members that I've spoken to from the AUPE, given the fact that a zero, 1 per cent, lump, 1, and 1 is evidently not acceptable, are going to accept indefinite zeroes. And they're not going to have to legislate that? They're just going to say: "Okay. I guess we ran on that, but we're not going to actually do it." That is what they're telling us now.

Well, Mr. Chairman, you know, they're suggesting that we didn't run on this. Well, we didn't run on the fact that we were going to have a \$6 billion revenue deficit in the bitumen bubble either. We didn't run on a lot of that. But to suggest that we ran on the fact that we were going to freeze your wages and that you would have accepted that and now to say, "Well, no, we wouldn't

freeze the salaries if you didn't want us to" is a little bit disingenuous.

I guess what I'm suggesting is that the reason that this piece of legislation – and, as I said in my opening comments, I'm not superpleased that it's my duty to bring that piece of legislation to this House. But as the Finance minister and as a member of the government of Alberta and representing 4 million Albertans – and I know that all of the members of the union are taxpayers, too – it's my obligation to make some tough choices and to make some tough directions. That's what leadership is all about, Mr. Chairman. That's what we're doing here.

We want to sit down at the table with our public-sector employees. We want a negotiated agreement. We're asking for them to come back to the table. We'd like to see that happen. You know what? I'm a pretty innovative kind of guy, too. I would love to see us talk about things like what that B.C. agreement has in it. I think that would be kind of neat. But I'm not doing the negotiations, Mr. Chairman. I'm asking them to do the negotiations, and we would love to see an offer on the table.

**The Chair:** Thank you, hon. minister.

I'll recognize the Member for Edmonton-Strathcona.

**Ms Notley:** Well, thank you. It is a pleasure to be able to get up and speak, finally, fully on Bill 46 as this is my first opportunity to do that. Now, I will say this much about the comments that the Minister of Finance just made. With the greatest of respect to my colleagues in the Official Opposition, whose participation in some of the fight-back on these bills has been well received and much appreciated, I will say, nonetheless, that watching the Official Opposition and the government talk about who is best at representing union rights and ensuring fairness for public-sector workers is a bit like watching two really old dinosaurs that are stuck in the tar ponds sort of roaring at each other as they both kind of sink into the muck. I have to say that it's really quite entertaining – quite entertaining – watching it. Now, that being said, you may ultimately win the tar pit mud fight, but at the end of the day it is still a dinosaur-ridden tar pit mud fight.

You know, we talk about disingenuous statements, and let me just begin by saying first of all to the Minister of Finance: yeah, I'd love to see the B.C. kind of negotiation. But, of course, one of the things he forgets is that the BCGEU actually still has the right to strike. Okay? That's really fundamental. So you're right. They didn't have to go to binding arbitration because they have a right to strike. They haven't had their ILO-recognized, basic fundamental human rights ripped away from them like the public-sector workers in this province did decades ago. Let's just be very clear here. If that's what you're yearning for, there is a path for you, and the path is to fundamentally amend the Public Service Employee Relations Act. But I suspect that that's not really the path that you are yearning for.

[Ms Kennedy-Glans in the chair]

Let me go back to the whole issue of what is or what is not disingenuous. I have to say that when I hear folks from that side talk about how "we really want to bargain with AUPE; we just really want them to come back to the table," that is the most disingenuous statement I've ever seen. That's like, you know, a 72-year-old woman walking down the street carrying her groceries in one hand and her bag in the other hand, and three guys come up with a gun and say: "Jeez, we'd like to bargain with you about whether you're going to give us your wallet or not. Okay?" That's what you guys are doing. There is no bargaining when you've

indicated that the trigger is going to be pulled January 30, and you know it, so stop saying it.

You know the courts are going to tell you that that's not genuine bargaining when, in fact, this gets in front of the courts, so stop saying it now. At least have the intellectual integrity to acknowledge what you've done. You have taken one of the three legs out from under that three-legged stool, and that stool is going to fall down now because, you know, they need to be able to join a union, they need to be able to bargain, and they need to have a means of resolving disputes if the bargaining goes south, and you have just taken that away. So it is not possible for them to bargain in good faith in this current environment. That is, in fact, the primary example of disingenuous debate in this House, even more so than the other debate that you've been raising some concerns about.

The minister says: well, you know, we ran on living within our means. Now, I'm just kind of curious because there are at least 15 promises that I could run through right now that you also ran on that, you know, you've broken. You ran on full-day kindergarten. You ran on eliminating child poverty in five years. You ran on respecting postsecondary education. You ran on enhancing the scholarship opportunities for university students living in rural and aboriginal communities.

**Dr. Swann:** Dealing with climate change.

**Ms Notley:** I don't actually think they ran on the environment. I kind of noticed all along that the Premier was steadfastly silent on the environment, so I thought to myself: whoa, if she's not even prepared to break that promise, wow, is she ever going to the other side on that one. I always knew that that was one that we were in big trouble over and in fact every single thing this government has done since this Premier has been elected has been just an outrageous attack on the integrity of the environment. Anyway, I digress.

The point is that there is a whole schvack of promises that this government made in the last election. So why pick this one out of the bag to keep? That is my question because you've broken all of the other ones. Now, that being said, it's not even that you're actually doing that – okay? – because you're not living within your means. You are creating a structural imbalance in terms of our revenue against our expenses because you fundamentally refuse to collect the revenue which the people of this province are entitled to.

[Mr. Rogers in the chair]

You're so wrapped up in giveaways to your friends in the oil and gas industry, to your friends in the Canadian Association of Petroleum Producers. I'm actually surprised that they're not sitting up there. Honestly, if I came here, Mr. Chair, one night to debate and I found a couple of CAPP execs just sort of sitting in for one of the cabinet ministers or two or three of the cabinet ministers, I wouldn't be surprised because, you know, they're kind of directing things anyway at this point.

Anyway, the point is that we're giving the farm away. We're doing it at the expense of all Albertans, and we're doing it at the expense of generations of Albertans to come. So, yes, we have a problem with respect to living within our means, but that is because this government is not interested in standing up for the rights of Albertans to establish our means and to build our means and to collect our means because our means are more than adequate. We just have a government that can't be bothered to collect them and give them to the people of the province, to whom they belong.

That's the issue with respect to living within our means. We don't really want to bargain because we've got a gun to their head. We're not really that interested in doing what we need to do to live within our means. We're not interested in bringing a progressive tax system. We're not interested in doing any of that kind good stuff. Instead, we're interested in keeping the members of AUPE to a deal of 0, 0, 1, and 1.

9:20

Now, let's talk a little bit about what that actually means for them. The survey of top employers by the Hay Group released in August included their predictions for what was going to happen with respect to Alberta wages in 2013 and 2014: a 3.6 per cent increase in 2013 and a 3.2 per cent increase in 2014. What did AUPE ask for? Three and three. Reasonable? Keeping up with inflation? Barely, actually. What did they get? Zero and zero. What is the context within which that is being offered to them? It's being offered in the context of them having taken roughly 4 per cent at a time when inflation increased at a greater rate, so they've already lost in real dollars in the previous round of bargaining.

That's what we're doing. We're taking money away from these workers, who this government said disingenuously, let me say, that they believed were heroes this summer, these public-sector workers who came out to work so hard on behalf of all Albertans and put in all those hours and rolled up their sleeves and gave up their time and put in overtime up the yingyang and just kept working until everything that needed to be done was done.

Those folks then, of course, got yelled at because they didn't put up the signs fast enough. That was funny because, you know, it's not enough to stop the floodwaters and to help people get settled in proper living conditions after the disaster. No, no. They need to put up 150 signs with pictures of the Premier on them, and if they haven't done that, well, then, they haven't done their job.

Anyway, that's what they did, and what we're going to do in return is that we are going to effectively reduce their real wages by about 3 per cent a year over the next four years, or 3 per cent, 3 per cent, 2 per cent, 2 per cent. As I said before, roughly a 10 per cent rollback is what this government is interested in doing with those folks. Now, they say: well, you know, other public-sector employees have also agreed to this. Well, we've already talked about the teachers. They didn't agree to it. They were forced into it much in the same way that AUPE is being forced into it.

The doctors. Let's just talk a minute about the doctors. Let's be clear. The doctors did not take 0, 0, and 0. I don't know what planet any minister over there is on if they're suggesting that the doctors took 0, 0, and 0. From what I can tell, they took something like 2.5, 2.5, COLA, and \$68 million dollars, so I don't know. I'm not an accountant, Mr. Chair, but I'm pretty sure that does not amount to zero per cent. Given that that increase was applied to an average salary of \$357,000 a year, I'm thinking they're doing okay. I'm thinking that saying that because doctors, who earn an average of \$357,000 a year, got 2.5 per cent, 2.5 per cent, COLA, plus \$68 million, somehow that means that people who put up those signs for the Premier after being yelled at a lot for not doing it fast enough are obliged to take 0, 0, and 0 on their average salary of roughly \$55,000 a year is really quite disrespectful.

I know I feel like I'm overusing that word sometimes. It is frustrating to me, but I have to say that on behalf of not only the members of AUPE but average working folks in this province – because we know what the average wage is for most Albertans, the average and the median, and it's around about \$65,000 a year. Those people are really quite offended by this government saying: hey, we only gave the doctors 2.5, and you know they were only

hey, we only gave the doctors 2.5, and you know they were only making \$350,000 a year, so you guys should also pull your weight.

It's just like when these MLAs all get together and say: "Hey, look at us. We're taking a wage freeze. You know, it's \$160,000 a year. How will we ever make do for the next three years with our wage freeze? Look at us all joining together in solidarity." Well, you know what? It's just not the same, Mr. Chair, for us to take a wage freeze as it is for someone who's earning less than half of what we're earning or in some cases a third of what we're earning. The fact that these folks don't get that is yet just one more indication of how completely disconnected they are from the real world and the real lives of the vast majority of Albertans in this province. That doesn't mean that we're not a productive province, that people don't work very, very hard, that people don't all have jobs and they're not pleased with their jobs and they're not proud of their jobs and they're not happy to work more or to contribute more to their communities as volunteers and in all those great things.

But the fact of the matter is that the vast majority of Albertans do not live in the special little Tory world, where everybody makes somewhere between \$150,000 and \$350,000 a year. That's, like, 3 per cent of the population, Mr. Chair, and these guys have completely lost touch with that fact. So for them to say, "Well, we're all in this together" just kind of makes my stomach turn a little bit because they don't even understand what "in this together" looks like anymore. They're so out of touch with the majority of folks in our communities.

From 1993 to 2013 management wages in this province grew 52 per cent over inflation, professional and technical services in this province grew 44.2 per cent over inflation, but public administration salaries grew only 13 per cent over inflation. Clearly, again, the rich are getting richer, and the rest of us not so much. I won't say "the rest of us." I'm an MLA. I make \$155,000 a year now. I'm not part of the rest of us anymore. The point is that we need to understand that and recognize that.

Now, I've mentioned before but I want to mention again because it is really, really important to me, Mr. Chair, that the vast majority of AUPE members are women. The wage gap in this province is the largest in the country, once again, just another example of how this Premier self-righteously talks about her so-called human rights record, yet one more example why we should all just roll our eyes, turn around, and walk away. It's, again, another incredible example of disingenuous posturing. You can't be interested in human rights and completely turn your back on the fact that in this province more than in any other province in the country the gap between what women earn and what men earn is growing every day.

Researchers will tell you that the reason why in most places, unlike this province, that gap has been closing is because of the role of the public-sector unions, whether it be direct government service or federal government or ancillary public-sector services. It doesn't matter. Public-sector unions are the single biggest reason why the wages women earn are starting to catch up to men's. But when you treat your public sector the way this government is treating their public sector, you make very sure that you are rolling up your sleeves and reversing that trend with tremendous intention. That's what this government is doing. It is a clear dismissal and rejection of the notion of equality, the kind of principle that would be protected under human rights, honoured by anybody who actually cared about human rights, which, as I have already said, I don't believe this Premier does. So that is another issue that we need to talk about.

I want to talk a little bit about the arbitration. We talked about how, of course, the Minister of Finance is, you know, not being completely open on the issue of the government's positioning around desiring to negotiate because we're compelling folks to negotiate with a gun to their head. The fact of the matter is that it's not AUPE that's somehow refused to work with them. Arbitration is one tool in their tool kit that's completely appropriate under the restricted labour relations regime that this government has put in place. It is completely appropriate for them at a certain point to go to arbitration. Indeed, the government had responded and in fact had responded with who they were going to be putting forth for that process and had agreed with the process and was moving forward and then pulled the rug out from underneath them, which, of course, raises the whole second reason why bargaining with the union is somewhat up in the air now: (a) you can't bargain with a gun to your head, and (b) you can't bargain with someone who clearly doesn't understand the concept of bargaining in good faith, which is the other problem with this government. They've not conducted themselves with good faith in this process with the union. Not at all.

Had they conducted themselves with good faith, which they did not, the arbitrator would've been looking at reviewing the salary proposals and discussions between the two parties under the Public Service Employee Relations Act. That act, under section 38, would have suggested that the arbitrator would have had to look at the wages and benefits in private and public and unionized and non-unionized employment in the sector, the continuity and stability of private and public employment, and the general economic conditions in Alberta.

9:30

Now, I've actually heard – and this is the other thing that I find so incredibly dishonest about the actions of the government and so disingenuous. We have the Deputy Premier, who has been out there complaining endlessly about how we don't have enough workers in this province, how the market has somehow shifted, and how poor employers can't possibly hire enough people in this province. Well, you know what, Mr. Chair? This is just another hypocrisy on these guys' part because, you see, when the market – these guys love the market. They're all about the free market, aren't they?

So when the market tells you that you're short of a certain product – and in this case the product is employees – well, that's the time for employees to use their ability to negotiate fair wages and benefits. And when the market is working against them – for instance, like in 2008 when we had a major slowdown in the economy or in the mid-80s or the early '90s – well, that's when government says: "Oh, we've all got to roll up our sleeves and get through this together. We have no money. You have no money, and we have no money, and that's just the way it is. That's what the market will say. People are just happy to have their jobs, and you should be so lucky to have your job. If we take 5 per cent away from you, that's just fine because we all know you're lucky to have your job. That's what the market says." Fine.

Well, here we are now, a few years later, and the market says something else. The market says that wages are going to go up at least 3 per cent a year. The market says that there is a shortage of employees. That's what the market says. Now, these guys can't fully take advantage of what the market would do because if they could, they could strike, and that's been taken away from them. What they can do is go to binding arbitration, where the arbitrator is compelled under the Public Service Employee Relations Act to look at what the market would bear. This government knows that had they done that, the arbitrator would have come up with a

much more generous settlement than what these guys are proposing. So they decided: “You know what? We like the market until it doesn’t work for us . . .”

**The Chair:** Thank you, hon. member.

I’ll recognize the Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Mr. Chair. On my first opportunity to speak in Committee of the Whole, I spoke on the bill itself earlier today. I haven’t changed my mind. I think it’s draconian and goes much further than necessary. People that support me in my riding really believe in the rule of law. I’m not sure that they’re necessarily fans of unions in general, but they certainly believe that contracts need to be honoured and we need to keep our word and that if you take one right away, you’ve got to balance it. They believe in fair play.

This gives me an opportunity to address some of the half-truths that were referred to earlier this evening by the hon. Minister of Treasury. I’d like now to be able to give you the rest of the story. If my hon. friend over here, who’s asked me to e-mail him these points, would like to pay attention now, then he will be able to hear the top 10 ways the Wildrose would balance the budget, contrary to the allegations and misrepresentations that characterize the other side.

Number 10, save millions right under the dome by reducing ministries, eliminating associate ministers, cutting Public Affairs in half, slashing political patronage posts, and postponing the fed building extras.

Save over \$200 million by cutting grants to for-profit companies, some of whom have more money than God. Save \$150 million a year by cancelling AOSTRA. Save \$300 million by reducing the number of public-sector managers. Managers, not workers, not the people that are actually doing the job but the managers.

Number 6, sell the Alberta Enterprise Corporation, which is invested with roughly a hundred million.

Number 5, cut government promotional spending by \$20 million.

Number 4, cut AHS executives’ travel and hosting expenses in half, saving \$35 million. Whose business are they trying to get by entertaining? Tell me that.

Number 3, negotiate a better equalization deal, potentially getting billions more back from the feds.

Number 2, limit bonuses and severances for executives. Wouldn’t we all like to see that? Some results-based stuff.

And the number 1 way to save a billion is by stretching out the capital plan one year and bidding in a truly competitive way.

**The Chair:** Are there other speakers? The Member for Edmonton-Strathcona.

**Ms Notley:** Thank you. It’s a wonderful opportunity to be able to speak again to this really, really unfortunate piece of legislation. Cuts to services. We have a government that suggests that this is fair to their workers and that they are just, you know, holding the line and that everyone should just participate. But in addition to freezing and effectively reducing their real wages, what this bill is doing in concert is also cutting services and creating incredible chaos in the work environment of these AUPE staff.

Quite honestly, I just don’t know that I have seen more chaos in this government than I have seen over the last few months. Just for example, those poor workers who are engaged in some fashion with the services provided through Alberta Health Services. You know, I can’t even begin to imagine how they can do their job from one day to the next. Their boss changes every week, and their managers change every week, and their directives change every week. One day the minister is in charge, and the next day

someone else is and it’s their fault, then the minister is in charge again, and then it’s someone else’s fault, and then the minister is in charge, and then it’s someone else’s fault. Clearly, they’re creating an incredibly, incredibly chaotic work environment for their staff.

Above and beyond slashing their wages effectively by not giving them even the basic cost-of-living increases that would allow them to maintain – just maintain – their current buying power and their current quality of life, they’re also making it worse because, of course, they are repeatedly playing around with and reorganizing and generally creating a huge amount of chaos within the government area itself. They just don’t listen to their employees, they don’t consult with their employees, and they are generally highly, highly disrespectful of them. So that is yet a whole other element. Now, I realize that’s not specifically addressed in this bill, but this bill needs to be seen in the context of this government’s constant reorganization and the cutting of public services in many respects.

For the moment, I am going to sit down and cede the floor to at least one member who I believe is interested in rising.

**The Chair:** Are there others? I’ll recognize the Member for Calgary-McCall, and then Edmonton-Calder.

**Mr. Kang:** Thank you, Mr. Chair. I would also speak in opposition to Bill 46. Here’s the chronology of things. Government employees are under the Public Service Employee Relations Act, enacted in 1977, and that act prohibited government workers to go on strike, but they were given the right of arbitration. When negotiations failed, you know, there was mediation, and when the mediation didn’t work, then the government and the union both agreed to binding compulsory arbitration. Now the government is imposing this settlement, this offer they made, by bringing in Bill 46.

**9:40**

When negotiations with the province on a new contract reached an impasse, which resulted in AUPE applying for mediation, mediation took place on July 3 and 4, 2013, at which point the mediator determined the likelihood of resolution was remote and concluded the process. AUPE subsequently applied to the Labour Relations Board on July 15, requesting that a compulsory arbitration board be established. Bill 46 ends the arbitration board that was set up under the Public Service Employee Relations Act and will impose a four-year wage settlement on AUPE if it doesn’t return to the bargaining table and negotiate a new settlement by January 31.

The Finance minister has said that a new wage deal with AUPE, whether it is imposed or negotiated, must be in line with the multiyear wage freeze that Alberta doctors and teachers have already accepted. But, Mr. Chair, doctors have two years at 0 and 0, then they have 2 and a half, and 2 and a half, another \$60 million dollars. The president of AUPE, Guy Smith, has aptly likened Bill 46 to having a gun held to your head. If a negotiated settlement cannot be reached, then the government will force one down their throats anyway.

Here the problem is good faith. The Minister of Finance was talking about B.C. unions having a contract settled with the government, but that was done in good faith. Here if the good faith comes back, you know, maybe there can be a negotiated settlement, Mr. Chair.

The AUPE represents 22,000 front-line workers in a variety of fields from correctional services to social workers. By taking their arbitration right away, Mr. Chair, I’m wondering what it will do to their morale, what it will do to their productivity. Here we were

singing the praises of front-line workers when we had those floods, you know, how hard they worked, how they were heroes. Now I think that by taking the right to arbitration away from them, we are making them zeroes. This is not justified.

When in 1977 the right to strike was taken away, there was something given back in return, and that was the right to binding arbitration. The following are some of Minister Leitch's comments from the second reading of Bill 41, the Public Service Employee Relations Act, on May 10, 1977.

If they are not to have the right to strike, in fairness to them we must provide a system for resolving labor relations issues that is not only fair but is seen to be fair by them.

Mr. Speaker, I'll conclude by simply saying it is our intention to provide in Bill 41 the fairest possible labor relations system for the employees of Alberta short of providing them with the right to withdraw services or strike. In that I believe we have succeeded, and for that reason I believe Bill 41 warrants the support of the members of the Assembly.

So they were given that right, the workers, and the AUPE has not had to resort to arbitration in collective bargaining in over 30 years. This is the first time in 30 years that they went to arbitration, and the government is taking their right to arbitration away. That is the crux of the matter, Mr. Chair.

This bill is going to potentially impose a four-year wage settlement on AUPE members, which would be a clear violation of their Charter rights to bargain collectively. The government should consider that under the Charter, you know, that right will be lost, and if they fight it in the courts, it will cost lots of money. And that's taxpayers' money. That money belongs to the workers, too. The bill stands a reasonable chance of being declared unconstitutional since the government is claiming that its intent behind the bill is ensuring fiscal restraint. It should immediately abandon the bill instead of wasting taxpayer dollars fighting a Charter challenge.

In 1977, as I said, the government of Peter Lougheed took away the right of government employees to strike but wisely introduced binding arbitration as a fair substitute. Now with bills 45 and 46 the government is effectively taking away both, leaving AUPE with no options to resolve its bargaining issues. That will force, you know, bad working conditions on the employees if they have no way to settle those issues, Mr. Chairman. Bill 46 is the antithesis of bargaining in good faith.

In 2007 the Supreme Court of Canada determined that the right of workers to bargain collectively is protected by the Charter of Rights and Freedoms. That's plain in black and white, Mr. Chairman. The Supreme Court of Canada found that the Charter gives the same protection for collective bargaining as contained in international labour conventions that Canada has ratified.

Mr. Chairman, there are other reasons here. From now on a government that interferes in freely negotiated collective agreements and the collective bargaining rights of employees must justify their actions against the protection provided by the Charter of Rights.

This essentially is a high-stakes game of chicken, with public-sector workers standing to lose. Either they return to the bargaining table or have a wage settlement imposed on them. Either way they're going to lose.

Bills 45 and 46 are the beginning of the effective dismantling of collective bargaining in Alberta. For those reasons I will not be supporting Bill 46, Mr. Chairman. This is a bad piece of legislation, and it should be withdrawn right now.

**The Chair:** Thank you, hon. member.

I recognize the hon. Member for Edmonton-Calder.

**Mr. Eggen:** Well, thank you, Mr. Chair. I certainly appreciate the opportunity to say a few words about Bill 46. Certainly, this has dominated, I think, a lot of people's minds over the last week or so. I think that we've seen a lot of anger, but as time goes on, it really starts to sink in, just the whole implication of this bill and the idea of imposing through legislation a four-year wage contract for the 22,000 members of the AUPE but also, I think, setting a precedent for other contracts that are currently up for settlement.

What I was thinking about over the last day or so was that it's part of a larger problem, where this government does not manage the economic levers that it has at its disposal. These economic levers include the public service, to which they are directly employing these people, but also the larger economy, that tends to swing more wildly between boom and bust here in the province of Alberta than in other jurisdictions across Canada and throughout the world. When the boom-and-bust cycle rotates through this province, I think as part of the sort of poor economic management that this government provides, then it has a direct effect on the public service and the way by which the public service can live in this province and can afford to live with the wages that they get.

It's not as though the average person, in which I'm included, certainly, cannot see with their own two eyes exactly where our economy is going at this moment. We see growth in regard to economic growth in almost every quarter of the province – I haven't seen any place, really, that has been experiencing anything but growth – and quite rapid population growth, too, which also helps to feed the economy.

Members of AUPE and the public sector can see those factors in place, and they see it every time that they have to balance their monthly family budget as well. Presumably, we want to keep the same level of service and the same level of professionalism and reward that professionalism with a living wage here in the province. With the economy growing like it is, the population growing like it is, the level of professionalism, these four-year legislated levels of pay increase are absolute insults to the people who do the job. They know that it's wrong. Indeed, if this government would dare to take this to an arbitrator, that arbitrator would know it was wrong, too.

**9:50**

This whole mythology that's being written here in the province of Alberta since the last election of austerity and tightening the belt and everything like that flies in the face of every economic and population indicator that we could use to describe the economy of this province. The only measurement which is, in fact, a belt-tightening, austerity sort of thing is the fact that this government is not managing the revenue side of its responsibility as a Legislature here in the province of Alberta. So by not managing that revenue side, yes, I suppose, there is a money problem, but it's a money problem of collecting the resources that we would need to run the sort of society that we expect and, in fact, should provide for the people of Alberta: a place where we monitor the environment, a place where we run the parks properly, a place where we pay and run proper supports for trained professionals in our health care, the literally hundreds of different jobs that this Bill 46 casts a shadow over, Mr. Chair.

I just really want to remind this government of the responsibility they have not just to these wages over a couple of years and seeing what they can get away with using the heavy-handed choice of tool of legislation to do this but, rather, to remind yourselves about the larger responsibility you have as a government to contribute to civil society. Civil society is a tacit agreement between all of the residents and citizens of this province and the government to provide for the essential services

of health care and education and roads and sustainable environment and an equitable justice system, literally everything. Yes, it's become more sophisticated; yes, it has grown. But I would venture to say, Mr. Chair, that it hasn't even really grown commensurate with the growth of our population and economy. Right?

These same people that we're now trying to put a wage cut onto – which is exactly what it is – in fact, are dealing with more people with less personnel on the ground to actually do the job. It's not like we've gone through a great hiring phase of the public service here since, you know, the last ice age here in this province. These same people that you want to put an ostensible wage decrease on are in fact doing more and more work for less money already.

There's always a breaking point. That tacit agreement, as I spoke about last night – you know, you're attracting people to the civil service with an idea that they do want to contribute, and they do make that choice to work in a people-oriented sort of environment because they do want to be citizens that do contribute. But you can only take advantage of that goodwill for so long. Once you blow that currency, Lord knows, try getting it back. Right?

At least we have the benefit of watching other places, other jurisdictions across Canada and around the world, to see just how bad things go, just how bad things break when you start to really snap that agreement between the civil service, civil society, and the government. Lots of places where corruption starts to creep in. Lots of places where, you know, in the absence of monitoring, people just start doing things on their own: industry without environmental protection, people building in places where they shouldn't, people running unlicensed health care and so forth. Right? We say, "Oh, well, that could never happen here," but it all starts with that break in that contract, that civil contract that you have between your workers and the government that is responsible for them.

You know, it's interesting how you write a story, but the story somehow gets tripped up by reality, right? Part of the story that this government is trying to spin is: well, the public workers don't want to negotiate; they won't come to the table and won't, you know, do this and do that. We know that that's not true, and we know that there were things set up for arbitration already, including dates for arbitration.

This is something that's taken place not just in the last couple of months or years or whatever, Mr. Chair. This is something that we've seen as part of the normal cycle of negotiation here in this province for the last 35 years, right? Just like the snows come in November and spring comes in April, every few years there's negotiation, followed by arbitration, followed by an agreement. Again, that's part of the tacit contract that we have set up since 1977 in this province for the 20-some thousand public service workers here. That's what they've come to expect, and suddenly that reality has been broken. That conventional wisdom is seeping down that somehow one side is not bargaining in good faith anymore.

Arbitration is not something to be afraid of. I certainly don't agree that, you know, these members should not have the right to strike. I think they should. I think that's an important thing to have available to you. But arbitration is eminently reasonable, right? It's a process that works so often. Even when you are doing negotiation without arbitration, really you're engaging in that same process based on good faith, based on trust, and based on some reasonable expectation down the middle. We always look for compromises, and the world and our lives are full of compromises. Certainly, negotiating a wage for 22,000 public service workers should involve compromise too, right?

We don't need to have this Bill 46. Again, I've sort of been filled with the spirit of the season here and encourage everyone else to do so as well. Put this aside for a short time. Let's just put it on ice. Soon we'll be all away from this Chamber and missing each other, but in that last sort of gesture of goodwill let's take Bill 46, put it away for a little while, come back to it, and see what happens when cooler heads prevail. I know that there are people that have been watching over the last couple of days here, and certainly I'm very, very proud of the many thousands of people they represent. It's sometimes boring to watch, but, you know, you have flashes of brilliance in between. Wouldn't that be the great moment for them to witness here today, that we all stand up and say: "Yes, let's put Bill 46 on ice. Let's just not beat up on employees here for the Christmas season. We can put it away, see what happens, and maybe people will feel differently in 2014."

You know what, Mr. Chair? The government will get a Christmas present out of that, too, because at this present time with this Bill 46 and this Bill 45 they're literally bleeding votes for the next election. Votes are slipping through their fingers like water and sand do on the beach. It's pouring out. If you could possibly give yourself a Christmas present, dear government, you would put these two bills on ice and you would staunch that flow. Cooler heads would prevail, and we'd all have a better society for it.

Thank you.

**The Chair:** Are there others? The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you. I would like to talk a little bit about where I left off talking before, which is the issue of bargaining and respecting the market, and you know, the "Don't just do as I say; do as I do" kind of thing. To these guys, as I said before, nothing is more valuable than the free market and the free operation of the free market.

It's not surprising, really, because for Conservative governments, whether they be this Conservative government and, quite frankly, many Liberal governments in other jurisdictions and federally, this is very typical. The minute the economy heats up, the minute workers are in a situation where they finally have some market influence, some control, some ability to assert their rights and take those major steps forward, then that is the time that you will see the government come in and suppress and eliminate the right of workers to use their bargaining power to actually improve their situation. It's very typical behaviour on the part of right-wing governments to whine about negative economic situations in an effort to suppress worker wages when the economic situation is not good and then to simply change the rules when the economic situation is to the benefit of workers. It's hardly surprising that that's the case, but that's what these guys are doing.

**10:00**

I want to talk a little bit about what the implications of that are because the fact of the matter is that the minister has suggested: oh, well, you know, we're only tearing up the Public Service Employee Relations Act and the protections for collective bargaining contained therein for this time because we all have to work together to deal with the tremendous financial strain that we're under as we have the extra billion dollars that we found in our sock under our bed after the first six months of the budget year.

They're all saying that, but the fact of the matter is this. What this government has done is they have truly through Bill 46 engaged in, very clearly, bad-faith bargaining. We've had this system that's been in place since PSERA was brought in and since

the government ripped away the public-sector workers' right to strike and replaced it with binding arbitration. We've had this system in place. Now the government doesn't like the rules they have to play by, so they've just decided to write legislation to rewrite the rules. Classic schoolyard bully behaviour. Classic, classic schoolyard bully behaviour. That's what they've done.

What they don't seem to understand – and a couple of other members, both Calgary-Mountain View and Edmonton-Calder, have alluded to this outcome – is that they have fundamentally broken the trust with the people with whom they are bargaining. I don't know how they can ever possibly expect to have anybody come to the bargaining table with them again without those people anticipating that these guys will lie to them and bargain in bad faith and rip up the rules and rewrite the rules and just generally be the schoolyard bully. The fact of the matter is that anybody in any negotiations with this government from here on in has good reason to believe that they can't trust them in anything. They will not keep their word, they will not respect the bargaining process, and they're not at all interested in preserving their reputation of integrity.

That doesn't just apply to AUPE. Quite frankly, this actually will have a chilling effect in all different sectors. I mean, as much as the business community goes, "Oh, yeah; these are our guys; they'll always do what we want," the fact of the matter is that these guys had a set of rules. They sat down at the table. They started bargaining. They didn't like the outcome. They ripped up the rules. They used their ability to pass legislation. They created a new playing field. There's nothing to say that they won't do that to farmers. There's nothing to say that they won't do it to landowners – oh, wait; I guess they've kind of already done that – that they won't do it to people concerned about preserving the integrity of our environment, that they won't do it to nurses, that they won't do it to doctors, that they won't do it to children because, quite frankly, this is a government that doesn't believe in keeping its word about anything.

When they don't like the way things are unfolding, they'll just rip it up and pass a new piece of legislation to reset the playing field. Just reset it: "Nope. We're going to press reset. We're going to start this game over, and we're not going to let you guys play until halfway through it, and that's how we're going to play from here on in." Classic schoolyard bully behaviour. That's what these folks have done with this bill.

Mark my words. This does not just have implications for labour relations; it has implications for all bargaining, all negotiations, all representations, all complex issue management items out there where people need to know that they can trust the integrity of this government to manage their way out of a complicated situation. Now, I don't really care what's in the best interest of Christy Clark – she is not someone I have a tremendous amount of support for – but the fact of the matter is that if I were Christy Clark, I wouldn't be sitting down at the table with these folks. No, no, no. I would not. They have clearly proven that they cannot be trusted. Christy Clark shouldn't be sitting down with them or, you know, even their friends in New Brunswick. If I were them, I'd be a little bit worried because these guys will just change the rules.

They're not interested in keeping their word. They're not interested in acting with integrity because what they have done here is they have completely changed the rules of the game. There was a clear set of rules laid out in the public-sector employment relations act for how these matters were to be dealt with, and then when these guys didn't like it, they brought in this legislation, and they laid out section 4(1), nonapplication: "Division 2 of part 6 of the Public Service Employee Relations Act will not apply because we don't like it. We don't like the rules of this game anymore.

We're not going to win, so we need to change the rules." That's what they're doing.

What are the rules again, just to review? What would the arbitrator have been considering? Well, the arbitrator, as I said before, would have been considering

- (i) wages and benefits in private and public and unionized and non-unionized employment;
- (ii) the continuity and stability of private and public employment [in the province], including
  - (A) employment levels and incidence of layoffs [in the province]

Well, we know that that is not an issue right now.

- (B) the incidence of employment at less than normal working hours.

Well, I could have sworn that I've heard these guys crying crocodile tears over the fact that they can't find enough full-time nurses. Clearly, if anything, they have too many people working part-time, and they want more people working full-time.

- (C) opportunity for employment.

Well, of course, we've already talked about that fact. The fact of the matter is that we have a worker shortage. Then, of course,

- (iii) the general economic conditions in Alberta.

These are the things that the arbitrator would have considered. The government didn't like playing by those rules anymore.

Then they would have as well considered

- (i) the terms and conditions of employment in similar occupations outside the employer's employment, taking into account any geographic, industrial or other variations that the board considers relevant.

The arbitrator might have considered

- (ii) the need to maintain appropriate relationships in terms and conditions of employment between different classification levels within an occupation.

For instance, I'm pretty sure that the arbitrator would not have said: "You know what? I think it's a really good idea that we give the biggest wage freeze to the lowest earning group in the employ of this government." I'm pretty sure they would not have said: "You know what? Let's make sure there's a bigger gap between these groups of people." I'm pretty sure that's not what the arbitrator would have said. That's what these guys are doing, but that's not what the arbitrator would have said.

- (iii) the need to establish terms and conditions of employment that are fair and reasonable in relation to the qualifications required, the work performed, the responsibility assumed and the nature of the services rendered.

These are the kinds of things the arbitrator would have considered had Bill 46 not come along and change the rules of the game because little Johnny is starting to cry in the sandbox and wants to take his toys home. So little Johnny, or little Ali, decides to introduce Bill 46 and take her toys home.

This is really important because this really does lay out very, very clearly that the bargaining relationship, the employer-employee relationship, between this government and their staff will not ever be the same. They have fundamentally breached that trust with their employees. This is something that all Albertans will pay the cost of. When you break your promises, when you act unethically, when you bargain in bad faith, when you treat people unfairly, what ends up happening is that everything is impacted. These guys are acting like schoolyard bullies except, unfortunately, they're schoolyard bullies that have a huge amount of control over the everyday lives and working conditions of 24,000 Albertans – I think that's the group that's actually implicated in this particular bill – which is outrageous, of course. But that's what they do. They have that much power, and they have very, very, very clearly broken their trust with them.



10:10

I expect that you are going to see morale plummet within the public sector. I have heard from so many people. Obviously, I've heard from the people that have heroically showed up to demonstrate outside of this Legislature when it was, you know, minus 20 and blizzarding and blowing out yesterday. I've heard from those people. I've heard from the people that are here watching us debate. I've heard from people who have been watching us online, who've been tweeting and facebooking. But I've also heard from people who are not really even that involved in their union at all, people who otherwise, when I talk to them about their job, talk solely about: this is my job; I am committed to this public service, and this is what I like about my job, and this is what makes me feel good about my job. They don't happen to be union activists. It doesn't make them good or bad. Personally, I wish there were more union activists, but whatever.

The fact of the matter is that they're not talking about it within the context of being union members or not union members. They're talking about it within the context of being employees who thought they were doing good work, who thought they were respected, who thought that their education was valued and their contribution was valued, who thought that their efforts to do a better job every day, to work harder, to bring out better outcomes for Albertans, that those efforts were seen and valued by this government. I've heard from those people, too, and those people have told me that they are so angry. So angry. They cannot believe how profoundly betrayed they feel by a government that clearly doesn't care about them, that clearly is prepared to use them as tools, that clearly is not prepared to stand up and defend them.

We talked a little bit about living within our means, and I just wanted to speak again about the issue of progressive taxation because, you know, the first step in Alberta is to move Alberta back to a progressive tax system, used by every other province and the federal government. This government has gone on and on about how great the flat-tax system is, but it's interesting. It's been in place now for – I don't know – 15 to 20 years now, something like that. I have to do the math. No, closer to 15, I guess. Interestingly, it's such great thing, but no other province has replicated it. Why? Because it's an idiot idea. It's an idiot idea that ensures that the rich get richer and the poor get poorer.

Our flat-tax system means that people with average amounts of taxable income are paying more in taxes here in Alberta than people in B.C. do, than people in Ontario do, the two closest tax jurisdictions. So let's be very clear. The folks that are profiting off our flat-tax system are – well, let's see – everybody in this room. Just to be clear, all of us are profiting off the flat tax. Yay, me. I'm paying lower taxes than I would if I lived in B.C. or Ontario.

But let me say this: the members of AUPE, those hard-working public-sector workers, are paying more taxes in this province than they would if they lived in B.C. or Ontario. You know, as much as it's all great that I'm paying lower taxes, I don't think we should be governing for this little group here. I don't think we should be governing for the family. I think we should be governing for all Albertans. The majority of Albertans are not earning \$150,000 a year or more. Quite the opposite. When that is the case, we find that they are actually paying more taxes than they do in other parts of the country.

Interestingly, if we were to actually contribute to the public good, if we were to pay our fair share of taxes, if we were to introduce a progressive tax system in this province, then there would actually be more money. There would be more money in our coffers. We would not have to, quote, unquote, live within our means by beating up on some of the lowest paid public-sector

workers in this province. We would not have to do that. We would not have to break our promise to them. We would not have to breach constitutional law. We would not have to breach the International Labour Organization convention on human rights. We wouldn't have to do any of those horrible things. We could just give them a fair deal and improve our quality of life.

**Mr. Kang:** We would not have to borrow for our roads and bridges and schools.

**Ms Notley:** And we would not have to borrow for our roads and our bridges and schools. We might have to borrow a little bit over time, but there's no question that we would have more money to build our infrastructure, generally speaking, and we could grow a better province for everybody.

Someone in Alberta earning \$70,000 a year pays \$1,362 more in taxes than if they lived in B.C. and \$947 more in taxes than if they lived in Ontario. However, someone from Alberta earning \$1 million pays \$41,000 less in provincial income tax than in B.C. and \$82,000 less than if they lived in Ontario. Why is that, Mr. Chair?

**Dr. Swann:** That's the Alberta advantage.

**Ms Notley:** That's the Alberta advantage, the Alberta advantage for the really superwealthy. That is what we've got going on here.

If individual income in Alberta over \$150,000 was taxed at, say, just hypothetically – I'm just throwing this out there; I'm not proposing it, but I'm just throwing it out there so that people understand the numbers – 14 per cent, Alberta would bring in an additional \$700 million per year. Who knew? Now, I know that's chump change for these guys because you just found a billion dollars in your sock yesterday. However, that \$700 million would also be worth while, and it would ensure that we had the money to pay the employees of this government fairly. This would affect just over 6 per cent of Albertans, who make over \$150,000 per year. If we had the same top income bracket as Saskatchewan, which taxes all income over \$123,000 at 15 per cent, we would bring in over \$1 billion.

We could bring in even more if we had the same top income bracket as B.C., where high-income earners pay 14.7 per cent on everything they earn over \$104,000. Interesting. So wealthy B.C. people are paying more income tax, yet apparently they expect their economy to grow more than we expect ours to grow because they're prepared to share the proceeds of that growth with their staff whereas we are not. Apparently, the sky doesn't fall when you ask the wealthy to pay their fair share. I guess that is the summary that I could come up with.

Alberta also has the lowest corporate income tax rate in Canada, at only 10 per cent. Many provinces, including Alberta, have been cutting corporate income taxes while cutting vital public programs at the same time, like, for instance, the attempt by this government to take \$45 million away from people with developmental disabilities.

Alberta's corporate tax rate in the 1990s was 15.5 per cent, and in 2001 it was cut to 13.5, and then it was slowly cut to 10 per cent in 2006. If we were to increase our corporate tax rate to that used in Saskatchewan, at 12 per cent, we could bring in an additional billion dollars based on the \$5 billion being generated by the existing 10 per cent rate.

Again, it gets to this whole issue of living within our means. This government seems to think that "means" means: if we're superrich, let's keep all our dollars to ourselves, and that's our means. So our means are that everybody keeps their dollars in their back pocket. They don't contribute to community. They

don't contribute to well-funded, well-staffed long-term care centres. They don't contribute to more hospitals. They don't contribute to more schools. They don't contribute.

**The Chair:** Are there others? The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Mr. Chair, for another opportunity to, I guess, raise the fundamental questions about a bill that on the face of it is so clearly antidemocratic, anti human rights, against the very values that Canadians have stood for for decades. It, unfortunately, sends a message to our vital civil servants, the people that we work with every day in our offices, in our communities, who take care of our families, take care of the most vulnerable people in our society, ensure that we have stability in our roads, enforcement of rules, basically ensure that there is security around us every hour of every day, stand up in emergencies, care for the most vulnerable, volunteer because of the great willingness and desire to return a contribution to the public. We seem to be slapping them in the face both with Bill 45 and with Bill 46, which is not bargaining in good faith.

10:20

This is fundamentally a violation of the concept of bargaining in good faith. How anybody, any government can believe that they're going to make progress with this bill is beyond my understanding. This is a mature civilization. Communications are readily available. People understand human rights. They understand the role of unions and the rule of law and the role of government. You cannot slip this by without paying a price, and it appears that you're willing to do that for short-term financial gain.

Well, many of us can see the longer term. This is not only going to diminish your role in this province. You're going to diminish democratic values, democratic engagement, and public trust indefinitely, and frankly you're threatening your own possibility of re-election. Do you think people are going to forget this most fundamental threat to democratic rights, human rights, labour rights? Absolutely not. This is going to be on the lips, in the media, in the signs, in the workers' activity in the next campaign. You're going to pay a price for this.

The bill will be challenged as unconstitutional. It's been challenged three times nationally, and the Supreme Court has upheld the right to collective bargaining. Why would you push this when it's going to be so costly in human terms as well as financial terms? I would like each of you to step up and say that you will pay out of your pocket if this goes to a court challenge. That would demonstrate to me that you really believe what you're doing, but of course you won't. You'll let the public purse pay for your malfeasance.

Mr. Chairman, this is irresponsible governance, and surely Albertans will hold you accountable. If they can't hold you accountable financially, you will be held accountable politically. I recommend and I adjure you and I ask you seriously to withdraw this bill and the waste of taxpayer dollars fighting the Charter challenge that will result.

In 2007 the Supreme Court of Canada determined the right of workers to bargain collectively. It's under the Charter of Rights and Freedoms. Why would you take this step that violates not only your own commitment to uphold the laws of Canada – and this is a government that says that they will uphold the laws of Canada and that they will fine people who don't uphold the laws of Canada. Here they are violating one of the fundamentals of our society. The Supreme Court found that the Charter gives the same

protection as contained in the international labour conventions that Canada has already ratified.

To quote from the Canadian Union of Public Employees' national treasurer: "From now on, governments that interfere with freely negotiated collective agreements and the collective bargaining rights... must justify their actions against the protection provided by the Charter of Rights." That was a Supreme Court decision in 2007.

This is essentially, Mr. Chair, a high-stakes game of chicken, with public-sector workers standing to lose whether they return to the bargaining table or they have a wage settlement imposed on them. This is the beginning of, effectively, dismantling collective bargaining in Alberta and dismantling good will, dismantling trust and the notion of bargaining in good faith. This cannot benefit you. It cannot benefit Albertans. It certainly will not benefit our relationships with unionized folks.

Mr. Chair, I think it's very clear that in spite of our best efforts this government is not willing to listen to logic. They're not willing to listen to human rights legislation. They're not willing to listen to public opinion. They are doing this because they can. They have the power of a majority to do whatever they wish.

What they don't seem to have is the common sense to realize what a negative impact this is going to have on all of us, including the respect for government and the respect for the rule of law, which they say they want to uphold. It's a serious miscalculation and a double standard. This party on the other side wants to multiply the penalties for illegal action of unions, yet they're abusing their own power to now violate a fundamental commitment to free and fair negotiations with our unions.

The Minister of Finance says: oh, this is only one union. Well, of course, nobody believes that. If you can do it with this union, why wouldn't you do it with the next? Are we going to see a bill in this House every three months, every six months addressing an uncomfortable relationship with a union? This is an unnecessary and dangerous precedent that I think you should feel uncomfortable about. You should be willing to step back and say: in the interests of democracy, in the interests of responsible governance, we see the error in pushing this through, not only pushing it through with closure but pushing it through against the will of most Albertans. If we gave this some time, I think you'd recognize that Albertans don't support this kind of heavy-handed, circuitous management of a negotiation that doesn't seem to be going your way.

My comments are finished, Mr. Chair. I await the common sense and willingness to review, revise, and reconsider this what is a very profound shift, one that will be recognized for years by Albertans and certainly by the union members in this province, including many of the people in this building.

Thank you, Mr. Chair.

**The Chair:** Thank you, hon. member.

Are there others? The Member for Edmonton-Calder.

**Mr. Eggen:** Well, thank you, Mr. Chair. In an effort to leave no stone unturned, I just wanted to look more specifically at the features of Bill 46, of course the most egregious and obvious being section 2, which has the zeroes and the 1 per cents in year 3 and year 4. Of course, if we look at the cost-of-living index for the province of Alberta over the last five years or so, these are definitely adding up to, effectively, paid rollbacks and decreases, quite significant ones, in fact.

But the other side of this very small bill, really, is this lump-sum payment business. It talks about a lump-sum payment to the tune of \$875 but goes to great lengths to describe the exclusions,

the people that will not receive that lump-sum payment. It's interesting. As we go through these exclusions, I think you, Mr. Chair, will see a pattern of who exactly is being targeted here. It gives us, I guess, a glimpse as well as to the larger picture of the composition of our public service and the people that will be negatively affected here, right?

The lump-sum payment in section 3 excludes people on leave of absence and receiving workers' compensation benefits, people on leave of absence for long-term disability, including as well parental and adoption leave and maternity leave. I mean, you can see certainly, again, the large composition of women in the public service – right? – that are, of course, performing very essential familial duties in our society. In their absence we cease to exist as a society if we don't have children and look after those children. They are excluded by Bill 46 from getting their \$875, which is taxable, of course. I find that, again, to be regressive and small, reductive as well.

**10:30**

The lump-sum payment, finally, is not subject to the deduction and remittance of union dues under the article of the master agreement. Again, just that little dig always, if possible, to attack the very structure of the unions as well.

This is a section in this bill that has not been identified here so far, and I just wanted to bring it up, again, a sort of parsing and very surgical cutting of people from the lump-sum provision in Bill 46, and I don't think anybody wins from that, really.

It's interesting when we talk about broken promises and so forth. I think that this PC government quite rightfully reached out quite aggressively to public-service workers during the last election because they recognized that there were a lot of people there – right? – a lot of people that are over the age of 18 and can vote and so forth. During the last election they made great efforts to bring people over to vote for the PCs, yet now, suddenly, a few short months later, this is slapped right back at those same people, and they're forced to take a rollback in their wages.

I understand, in some fundamental way, what the Finance minister is trying to articulate. I know he's at heart a good person who believes in what he's doing. The fundamental belief that he ascribes to here, which I think is fair, is that he has to try to balance the books somehow. When we start to look at where we manage our finances, as the hon. Member for Edmonton-Strathcona started to point out here in her speech, when we balance the books, we have to make sure that we look at both our expenses and our revenues. It's very important at this juncture because these 24,000 or so public-service workers are certainly looking at this very clearly and can see the writing on the wall, so this government must do it, too. We must examine how we can receive fair royalties for our energy and other natural resources so that we can have a revised royalty framework that could go towards investing in the infrastructure we need for our growing population and to save for future generations as well.

I would venture to say, Mr. Chair, that we could do both and that the most important investment in infrastructure is in the people who populate our public service and make the literally thousands of different jobs, essential services, function properly here in the province. Everything from, as I say, park wardens to emergency responders to firefighters, forest firefighters, to people that work in the various ministries. Let's not forget that the people that you are targeting with Bill 46 are the very people that actually do the work for you in your ministries. It must be a little bit uncomfortable. They might nod their heads, turn their gazes away, but they know that they're getting the short stick from Bill 46 as much as anybody else is.

This whole notion of sacrifice and, "Oh, yeah, the people who I talk to are okay with it," well, you know, I don't think so. We all love to do our jobs, but you have to balance your family budget, too. Don't expect or think that people are happy with having to balance the budget of the provincial economy on the backs of civil service workers' wages. That's ridiculous. If you add up the numbers, the amount of money that we might save from 0, 0, 1, and 1 is nothing compared to the damage that you will do over the course of the next four years by imposing such draconian, arbitrarily legislated legislation that determines wages. Right?

People only do that, Mr. Chair, when they are in an economic crisis. Right? This government has manufactured an economic crisis. If you look at the total assets and actual income and the money that flows through the economy of the province of Alberta, this economic problem is almost entirely stemming from this very building and the adjacent buildings and ministries around here in Edmonton. It's got very little to do with the actual economy and very little to do with what is actually happening. To bring that back to the public service and try to pin that on their backs, to pin Bill 46 on them, is very, very callous and short sighted. As I say, the money that you might save from bringing forth the 0, 0, 1, and 1 will certainly be far outstripped by the damage, both economic and otherwise, from the bad will that you will create from this whole thing.

By making changes to Alberta's personal and corporate income taxes, this provincial government could bring in an additional \$2 billion per year and still be the lowest tax jurisdiction in the entire country. This would allow Alberta to invest in all the policy solutions for a real, for example, poverty reduction strategy presented in this report and with additional funds to invest in other important public services. The public services that we put on our platforms, the ones that we speak about in such glowing terms and such broad strokes, mean absolutely nothing if you don't have the people to actually carry out those things. Everything from child services to seniors' care to the various ministries and the environment: all of those things have absolutely no value unless you have professionals that are responsible for them. While we might be responsible in some macro way in this House, it's the people in the boots on the ground that actually get those jobs done.

We love to talk about the flood. We like to talk about all of the good work that we do around emergencies here in this province, and certainly it was a great moment in time. Something that we'll remember for the rest of our lives. But if you go and turn around and three or four months later cut the wages of the same people that you were lauding a few short months ago, well, you know, those tin medals and salutations with "good job," a slap on the back, and that sort of thing don't pay for the groceries, don't pay for the high cost of living here in this province.

Mr. Chairman, I certainly would like to see Bill 46 go. As I said before, it's not as though we are obliged to any of these things. It's not as though anybody is gaining any real currency from Bill 46. It's more like it came crashing through these doors and has just caused a great deal of ill will. When you have something like that, you have to evaluate it dispassionately, and I think the dispassionate, logical solution is to simply take a pause on both Bill 45 and Bill 46. We would all be the better for it. You know, we really don't need that kind of thing to move into these next two years. Right? There are too many important issues to deal with. We need to know that the civil service is stable.

Quite frankly, although it's not mentioned in here specifically – right? – this has a lot to do with nurses, too. It's like dominos. I know that you guys are playing a power game here with bringing up the teachers and the illusion that you gave them a contract that

they all happily agreed to and couldn't wait to sign on the dotted line.

I mean, that's anything but the truth, right? You'd played with the goodwill that you have with teachers. I saw that happen before when I was a teacher as well. They said: well, you can all take a 5 per cent cut, and it's for the children. Well, yeah. For sure it's for the children. As if. It's because the government mismanaged the economy so badly in the easiest place to manage the economy in the entire world that suddenly now, you know, teachers have to . . . [interjection] Yeah. The same grade 8s that I was teaching at the time could have managed the economy better, I'm sure. We're going to cut these teachers unless you take a 5 per cent cut.

10:40

Well, you know, I mean, you're playing off that goodwill, that sense of looking after the children. The same thing happens with Bill 46. People say: "Well, I work in this nursing home; I've got to look after these people. If we don't take a wage cut, then perhaps these seniors aren't going to get the thing that they need, right?" Playing off that goodwill doesn't last you long, and certainly the narrative of cuts and the necessity of cuts over these last number of months is entirely unnecessary.

I think that whenever we open labour law and labour legislation, you have to be very, very careful because there are so many unintended consequences that can take place, and we know that, in fact, a stable labour environment, with a good portion of people belonging to a union, actually helps to stabilize an economy over time. Here in this province more than 300,000 Albertans are in a union, and really all of the economic drivers of this economy, many of them, most of them, are in fact unionized. If they are not, then they are setting the standard by which the other industries reflect their wages.

Say, for example, Suncor, which is unionized, casts a very positive shadow over Fort McMurray and area and sets a level for wages that helps people in Fort McMurray enjoy some of the highest salaries that you will find anywhere in North America, right? Shaw, Telus, ATCO, Enmax do the same thing for their respective industries, and in fact you find, if you take that same model and compare it to other jurisdictions, that with a higher unionized population you'll end up with a much more stable and more diverse economy.

Let's not forget that if you take 24,000 union members and you're going to cut their wages here, what cities, what places, does that affect most? Edmonton, right? This is an attack on Edmonton. Edmonton has more civil service workers than other places. It's an attack on Edmonton's economy. It's an attack on Lethbridge's economy. It's an attack on the stable jobs in smaller centres that those local economies depend on, too. If you chose to do that – maybe it's unintended. I mean, I'm just telling you to help you guys. I want to help you out. You don't want to have unintended consequences. I know that sometimes in your brash sort of sweep of dominance you miss some of these things that can help you out in the end.

When you take that money out of the economy – that's what you do with 0, 0, 1, and 1 – it means that in Edmonton here there will be many tens of thousands of public service workers that will move down the slippery slope from middle class to lower middle class and so forth. They'll buy fewer things. They will, you know, go to fewer hockey games, buy fewer cars, and so forth.

**Ms Notley:** Well, I don't think they're going to too many hockey games.

**Mr. Eggen:** Well, I'm talking about junior hockey games, you know, modest hockey games. I hear that you can go to those other games if you mortgage your house to buy tickets. Right?

**Ms Notley:** Yes. Oh, yeah. Give all your money to them.

**Mr. Eggen:** Yeah. Exactly.

In conclusion, Mr. Chair, it's not as though we should try to create these class barriers and suggest that people who choose to unionize and build those structures to help protect themselves, not just for wages but for working conditions, for environmental conditions, and a whole range of benefits that organized labour has given us, not just now but throughout the entire history of the industrialized Western world – it's not as though you have to butt up against that and suggest that it's a liability. That's a simplistic way of looking at a society to try and somehow create winners and losers, enemies somehow, to make excuses for making decisions to move resources, including money and power, to a certain group that might be your friends. All people, in a unionized environment or not, outside, are all citizens anyway, and they all contribute. They all come from a wide part of the political spectrum. Don't think, you know: well, let's punish these people because they're all left-wing people anyway. I mean, Lord knows you have voters from every single party in the AUPE, so don't just look at them as though they're some kind of . . .

**Ms Notley:** I don't know how many voters for the Tories are in AUPE.

**Mr. Eggen:** Well, suddenly, yeah, the whole thing is all mixed up. But, I mean, that idea of simplistic analysis like that just doesn't work, right? So let's not punish the people that pave our roads. Let's not punish the people that look after our parks, that look after our children – right? – and our seniors. Let's not shortchange the centres of civil . . .

**The Chair:** Hon. member, I hesitate to interrupt you, but pursuant to Government Motion 53 the time for debate on this elapsed, and I will now put the question.

[The clauses of Bill 46 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Are you agreed?

**Some Hon. Members:** Agreed.

**The Chair:** Opposed?

**Some Hon. Members:** No.

[The voice vote indicated that the request to report Bill 46 carried]

[Several members rose calling for a division. The division bell was rung at 11:46 p.m.]

[One minute having elapsed, the committee divided]

[Mr. Rogers in the chair]

For:

Bhardwaj	Hancock	Oberle
Brown	Horner	Olesen
Calahasen	Hughes	Pastoor
Cao	Jansen	Rodney
Casey	Jeneroux	Sarich
Cusanelli	Kennedy-Glans	Scott

Dallas	Klimchuk	Starke
DeLong	Kubinec	VanderBurg
Denis	Lemke	Webber
Dorward	Leskiw	Woo-Paw
Fenske	Lukaszuk	Xiao
Fritz	McDonald	Young

10:50

Against:

Eggen	Kang	Stier
Fox	Notley	Swann
Hale	Rowe	
Totals:	For – 36	Against – 8

[Request to report Bill 46 carried]

### Bill 28 Modernizing Regional Governance Act

**The Chair:** Amendment A1 is on the floor.

The hon. Member for Olds-Didsbury-Three Hills.

**Mr. Rowe:** Thank you, Mr. Chairman. It is indeed a pleasure to rise tonight and speak to this bill once more but this time in a much more positive tone. The last time we were in this Assembly debating it, I think it might be an understatement to say that my Wildrose colleagues and I had a few problems with the bill in its original form.

On that note, I do want to say thank you to the government for listening to us and, more importantly, listening to the local decision-makers that saw all kinds of problems with the original Bill 28. These are the folks that must be consulted first and foremost in decisions regarding municipalities and their governance. After all, the locally elected officials are the second level of government in this province, and the people on the ground like them know what's best for their respective communities better than any of us here in Edmonton do.

A consultation process with local officials is very important. Consultation is a vital step in the legislative process, and it is one that the Alberta Urban Municipalities Association and the Alberta Association of Municipal Districts and Counties have long asked for from this government. Principle 6 of the AUMA's 2009 policy statement on municipal governance is: "Amendments and changes to legislation and regulations relating to municipal governments shall only proceed when AUMA has actively participated and agreed, through meaningful input in a review process." This government must ensure that it continues to respect these major institutions, which represent elected municipal governments in Alberta.

The Wildrose Party fought hard to be the voice for municipalities and to listen to the feedback that we were getting from stakeholders. I'm pleased that this feedback was heard by the minister and then incorporated into the amendments. It will now be up to the participating municipalities to agree to a growth board structure they can live with. The key here is that participation in such boards is voluntary, which, by the way, was a word put forward by the people on this side of the Assembly. This means that the local officials will be empowered to put forward their own governance structures and make sure that a certain structure makes sense for their respective communities. The powers of the board, the exit terms, and the voting model will be decided by the bylaws, and the municipalities can choose to join or not.

With this bill going forward in its current form, I would be interested to know what the government's plan is regarding the funding model for these boards. Will the establishment of large boards result in less money for collaboration in other parts of the province? The implications of putting Bill 28 into effect raise questions of how the funding balance will shape out to be. So there are concerns that remain for me about funding, housing density requirements, and certain governance models that are not specifically addressed in the recent amendments except by assuming that they won't be onerous because the boards will now be voluntary. Depending on what the municipal leadership at the time of founding agrees to, the penalties or other conditions might make leaving a reasonable partnership too burdensome and leave a municipality at the mercy of its neighbours on these issues if it remains in a legislative lack of clarity. I hope these are the types of questions we can start to answer going forward.

Overall, I'm happy that strategic planning for municipalities has taken another step forward. I'm particularly happy that this can be accomplished through continued consultation and the voluntary nature of co-operation between municipalities.

Thank you, Mr. Chairman.

**The Chair:** Are there others speaking to Amendment A1? The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Chair. Well, you know, like the previous speaker, of course, we, too, in our caucus want to take some credit for this government's decision to put the brakes on and do a little bit of consultation. I do recall that, in fact, the Member for Edmonton-Beverly-Clareview raised this issue in the public through discussions with the media about some of the rather significant components of this bill that had not been discussed with anybody else.

While I appreciate that the minister has brought in this amendment, it is, unfortunately, a bit of an example of how this government operates, that they would think to bring in something like this, so substantial, without first consulting with organizations like the AUMA and AAMD and C and the others. It is part and parcel, as I've said before, of a government that's been around so long that they kind of think they're God, so they don't really feel that they need to actually sit and talk to anybody about what they're doing. That being said, though, I mean, obviously, they did go back and consult. There's no question, we've been advised at this point by our parties, that most people are relatively satisfied with this amendment, and they see it as having addressed some of the concerns that they raised, so that is a good thing.

There are a couple of pieces that we'd like to see improved slightly that we will bring forward in our own amendment. I believe the Member for Edmonton-Calder will be bringing that motion forward on behalf of the Member for Edmonton-Beverly-Clareview once this particular amendment is completed. However, I just wanted to say that we were pleased to have been able to play a leadership role in compelling this government to actually consult with their partners in the municipal sector before bringing in such heavy-handed legislation without first speaking to them. I feel that we were successful in doing our job as the opposition and leading the discussion in that regard.

I'm pleased that the minister has managed to rebuild some of those relationships and indeed come up with a plan that represents what I understand, as I said, to be a consensus, one amongst municipalities.

Thank you, Mr. Chair.

**The Chair:** The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you, Mr. Chair. I appreciate the opportunity to stand and speak to Bill 28, Modernizing Regional Governance Act. The bill has been renamed the Enabling Regional Growth Boards Act.

Further to the amendments proposed below in the outcome of the bill section, participation in any future growth management boards will now be voluntary. This is obviously progress given the rather violent reaction we saw among the municipalities based on the first iteration of this.

I think all members of the opposition were assailed by concerns from our colleagues in the municipalities regarding the rather heavy-handed and poorly planned initiation of this, which on the face of it has a lot of credibility. Clearly, we need to plan on a regional basis. It's long past the time when we can expect individual municipalities to do what is, essentially, a land-use plan and is needed within the loci of major urban centres. Obviously, as clear as that is the need to ensure voluntary involvement and proper consultation, with a minimum, I guess, of heavy-handed enforcement that this government initially communicated largely due to the lack of consultation, in which they would have heard and respected some of the important local autonomy and important roles of these independently elected and equal-status governments to ours at the provincial level.

**11:00**

The government has now amended the enforcement provisions to ensure that penalties are focused on organizations rather than individuals and on fines rather than imprisonment, a shocking omission in the first iteration. It's now also amended the bill to require management boards to develop and implement their own appeal process, again eminently sensible. We support, of course, regional planning, and we also do not believe that regional plans need to be legislated at the provincial level. These are all sensible new provisions that I think will probably enable most of us to support this next iteration, subject to more consultation with the councils of the municipalities.

We definitely want to see growth management boards incorporated into the Municipal Government Act. We're looking to support an ongoing process in which there is meaningful dialogue, integration of a land-use planning framework, a responsible and respectful relationship between the provincial Municipal Affairs department and the municipalities. Certainly, a softening of some of those penalty clauses that were in the initial iteration I think is going to go a long way in building appropriate relationships with our municipal governments.

The destruction of some of the earlier municipal planning councils under Mr. Klein left a tremendous void in terms of our ability to plan regionally for transportation, conservation, recreation, water management, and adequate constructive relationships between the major municipalities and the surrounding areas. It is continuing to be a problem for all of us as we see environmental impacts and inefficient transportation corridors and conflicts resulting. I would hope that we can get full buy-in from the municipal governments across the board and that we will not see the kind of destructive relationships that have been resulting in a stalemate in both the Calgary regions and the Edmonton regions as a result of this innovation and changes to this act.

So, Mr. Chair, I'm pleased to offer my support to this bill subject to the approval by the councils in this province, but from my point of view it goes a long way to extending the appropriate balance between

provincial and municipal governments and the need for action at the regional level surrounding some of the major municipalities.

Thank you, Mr. Chair.

**The Chair:** Thank you, hon. member.  
Are there others?

**Hon. Members:** Question.

**The Chair:** The question has been called. Hon. members, it was agreed when this amendment was introduced that the vote would be on each segment, as in A1A, A1B, A1C, and so on. So I will be calling the vote in that manner.

[Motion on amendment A1A carried]

[Motion on amendment A1B carried]

[Motion on amendment A1C carried]

[Motion on amendment A1D carried]

[The remaining clauses of Bill 28 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? That is carried.  
The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chair. I'd move that the committee now rise and report bills 45, 46, and 28.

[Motion carried]

[The Deputy Speaker in the chair]

**The Deputy Speaker:** The hon. Member for Edmonton-Ellerslie.

**Mr. Bhardwaj:** Thank you very much, Mr. Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bills: Bill 45, Bill 46. The committee reports the following bill with some amendments: Bill 28. Mr. Speaker, I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

**The Deputy Speaker:** Thank you hon. member.  
Does the Assembly concur in the report? Agreed?

**Hon. Members:** Agreed.

**The Deputy Speaker:** Opposed? So ordered.

**11:10**

## Government Motions

### Adjournment of Fall Session

41. Mr. Hancock moved:

Be it resolved that pursuant to Standing Order 3(9) the 2013 fall sitting of the Assembly shall stand adjourned upon the Government House Leader advising the Assembly that the business for the sitting is concluded.

**The Deputy Speaker:** Hon. members, this motion is not debatable.

[Government Motion 41 carried]

**The Deputy Speaker:** The hon. Government House Leader.

**Select Special Ethics Commissioner  
Search Committee**

55. Mr. Hancock moved:  
Be it resolved that:

- (1) A Select Special Ethics Commissioner Search Committee of the Legislative Assembly be appointed consisting of the following members, namely Mr. Rogers, chair; Mr. Quadri, deputy chair; Ms. Blake-man; Mr. Eggen; Mr. Goudreau; Mr. Lemke; Mrs. Leskiw; Mr. McDonald; and Mr. Saskiw, for the purpose of inviting applications for the position of Ethics Commissioner and to recommend to the Assembly the applicant it considers most suitable to this position.
- (2) Reasonable disbursements by the committee for advertising, staff assistance, equipment and supplies, rent, travel, and other expenditures necessary for the effective conduct of its responsibilities shall be paid, subject to the approval of the chair.
- (3) In carrying out its responsibilities, the committee may with the concurrence of the head of the department utilize the services of members of the public service employed in that department and of the staff employed by the Assembly.
- (4) The committee may without leave of the Assembly sit during a period when the Assembly is adjourned or prorogued and may continue performing its work in a subsequent session of the Assembly.
- (5) When its work has been completed, the committee shall report to the Assembly if it is sitting, but during a period when the Assembly is adjourned or prorogued, the committee may release its report by depositing a copy with the Clerk and forwarding a copy to each member of the Assembly.

**Mr. Hancock:** Thank you, Mr. Speaker. As the Ethics Commissioner has advised the standing committee of his intention to not seek renewal but agreed to stay on for six months while the search is conducted, it's necessary for the House to set up a select special Ethics Commissioner search committee.

**The Deputy Speaker:** Thank you, hon. Government House Leader.  
Hon. members, this motion is debatable. I recognize the hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. I'll just be very brief. I think what's important when you have important committees like this, particularly with the appointment of an Ethics Commissioner, is that you have proper representation from the respective parties. If you look at the number here, the proportions of caucus, we have 17 members on this side, yet we're only having one representative on this particular committee. It seems from the outset that this government is stacking the committee with members of their political party. That has no congruence with the proportion of representation in this Assembly. I'd just ask the Government House Leader why he wouldn't compose these committees based on some type of proportion instead of just stacking it one way.

The second point I'd make is that on committees like this it would be a nice change to have either the chair or the deputy chair be from the opposition. Obviously, there's a majority on the committee that belongs to the governing party, so why not have

some type of balance on the chair positions? It just seems that they're stacking it right off the bat.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

**Ms Notley:** Well, I really want to thank the Member for Lac La Biche-St. Paul-Two Hills for raising that point because it was one that occurred to me as well when I looked at that.

You know, Mr. Speaker, we have not had a particularly stellar history in the last little while with respect to some of our officers and with respect to the level of confidence enjoyed by those officers from certain members of this House. [interjections]

**The Deputy Speaker:** Hon. members, please.

**Ms Notley:** The fact of the matter is that part of the reason for that problem, the problem that originated all along, is that we have the situation where we have a gross majority of government members on one side of the House on a particular committee, and then they tend to vote as a bloc.

Now, I will say that I've been involved in some selection processes. In the last term, from 2008-2012, I sat in on the selection of all officers. There were a couple of them where I believed that we absolutely reached the best decision. We worked collaboratively, and there were some very good choices. Those officers, you know, are without reproach. But it has not been smooth sailing, and I don't think I am coming up with anything that people in this House are not aware of.

If we wanted to move forward in a more effective way, we would have more balance on this committee. I think that the failure of the government to suggest or to include more balance on this committee is just setting the table for additional problems in the future, Mr. Speaker. It's unfortunate. It is just not the best move forward. This particular position is one that governs the conduct of all members of this House, yet the proportion of people that will be involved in the selection is weighted in a way that is not reflective of our numbers for government members of the House. As it is, the fact of the matter is that government members of this House and particularly members of Executive Council are the ones whose conduct must be subjected to the greatest amount of scrutiny under our conflict legislation because they are the ones who have the greatest authority and exercise the greatest power. It is unfortunate, then, that we don't have more balance in terms of this committee.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you very much, Mr. Speaker. I have a few comments here. First off, I'm not sure which officer of the Legislature the Member for Edmonton-Strathcona was speaking negatively about. I wish she would have mentioned.

Interestingly enough, though, the comment I wanted to make to you, Mr. Speaker, is that this committee would have six government members on it and three opposition members. This is the same composition as the select committee to choose the Chief Electoral Officer, and we received a lot of positive comments about that from both sides of the House, but it's the same composition. I'm at an absolute loss as to why we're now getting negative things on the same one.

**Ms Notley:** Get over it.

**Mr. Denis:** I keep getting heckled here by Edmonton-Strathcona, but I'm going to keep talking.

What is perhaps most poignant to me at this late hour, Mr. Speaker, is that if you look at the composition of this House, 32 per cent of this House is comprised of members of various opposition parties. Interestingly enough, six government members and three opposition members would give a 33 per cent composition of opposition members on this committee. Almost exactly equal to the composition of this House is the number of opposition members on this particular committee. So I'm at a loss as to what the complaint is from either of the last two speakers.

I will be voting in favour of this motion, and I hope to see at least one member of the opposition vote in favour given the actual equity we have on this committee. Thank you.

**The Deputy Speaker:** Thank you, hon. minister.

Standing Order 29(2)(a) is available. The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. I guess I have a question for the Justice minister. The question is: don't you think that on some of these committees a good way to do things would be actually to have either the chair or the deputy chair be a member of the opposition, just to provide a little bit of balance in this process? Just a suggestion.

**Mr. Denis:** Well, Mr. Speaker, we already do have balance. As I mentioned, 32 per cent of this House are opposition members, and 33 per cent of this committee are opposition members. The question that I have, though, is: if the Member for Lac La Biche-St. Paul-Two Hills were the chair of the committee, would that not give him less power? As the chair you're only allowed to vote under the standing orders in the event that there is an actual tie. This member, in effect, is arguing for less representation from the opposition, which just bewilders me.

**The Deputy Speaker:** Are there others under 29(2)(a)? The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. I guess, you know, that if the Justice minister is offering that the chair of this committee be provided to the opposition, we'd gladly take it. If you're putting forward an amendment that would allow an opposition member to be the chair, we'd most welcome that.

**The Deputy Speaker:** Are there others under 29(2)(a)?  
Seeing none, I'll call the question.

[Government Motion 55 carried]

## Government Bills and Orders

### Second Reading

#### Bill 42

#### Securities Amendment Act, 2013

[Adjourned debate December 2: Mr. Horner]

**The Deputy Speaker:** Any speakers? The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. I'm glad to rise today to speak to Bill 42. Of course, unlike other jurisdictions, jurisdiction over securities in Canada is done through the provinces, and this

allows the provinces to react as needed to special situations that arise in provincial capital markets.

Capital markets are international, and provinces can't go to the international stage to negotiate common rules and regulations concerning investments and, in this case, specifically derivatives. This means provinces have a responsibility to move quickly to implement these international standards when they are negotiated by our federal counterparts and work well for our provincial capital markets.

**11:20**

In 2009 the leaders of the G-20 committed to a comprehensive reform agenda dealing with the systematic risk in the international derivatives market. These commitments are being turned into regulations established collaboratively with all provincial security regulators across the country through the Canadian Securities Administrators. Bill 42 will grant the authority to the Alberta Securities Commission, the ASC, to implement these new CSA regulations when they are finalized.

This is a perfect example of how the Canadian system of provincial jurisdiction over security regulations can work in the international marketplace. Bill 42 will allow the ASC to appoint trade repositories. This is a much-needed measure, Mr. Speaker. Now over-the-counter derivatives will be reported to trade repositories, thereby eliminating systematic risk. No longer will corporations be able to hide through their vicarious financial positions created by different contracts. Bill 42 also updates definitions regarding derivatives, which, of course, change quite regularly over time. The use of the term "exchange contract" deals with some of the complexity of the modern-day derivatives.

Mr. Speaker, we look forward to debating this bill in Committee of the Whole, potentially putting forward amendments. At this stage we're cautiously optimistic about the intent of this bill, and we look forward to debating it further.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Are there other speakers? The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Speaker. This is a bill where, in terms of what it does, we too are cautiously optimistic. Generally speaking, we would suggest that it does not go far enough and that, of course, it is being put in place because our province continues to resist efforts to work towards participating in a national regulatory system. That being the case, we know that this is positive in that at least what it does is that it attempts to provide greater regulations around over-the-counter derivative trades.

Derivatives, as we know, played a large role in the 2008 global financial crisis because they were not adequately regulated. Bad debts were bundled into securities, which were bought by investors without the ability to know what was underlying those securities. It was difficult for investors to have access to enough information to know in what they were actually investing, and no one was providing adequate oversight because there were enormous regulatory gaps. Because most derivatives were traded over the counter, meaning not traded through exchanges, there was even less oversight. Therefore, this bill is a positive step towards increasing transparency and investor protection in the ever-growing derivatives market.

However, the same deficiencies that exist in securities regulations as a whole in this province will continue until those deficiencies are addressed. For example, derivatives will still now be regulated similarly to most other securities and are still subject



to some exemptions which are outdated or not working properly. For instance, when were the thresholds for the accredited investor exemption last updated? A net income of \$200,000 is not that rare or high anymore.

As a result, this is a move forward, but it does not – well, it just is a move forward. Let's say that. I think that increased regulation of derivatives is commendable, and it will actually assist both traders and investors with better transparency, certainty, and protection.

I would say, however, as well that the fact that we are doing this does indicate, of course, that the government has not changed its position of resisting moving towards a national regulator. Of those states which currently regulate securities out there in the world, the only other country outside of Canada without a national securities regulator is Bosnia and Herzegovina.

As it stands, B.C., Ontario, and the federal government are going to be entering into a co-operative regulatory system, and we're going to be left out. So the need for this particular legislation perfectly illustrates the absurdity of continuing on without a national regulator. We have to keep wasting government time and resources or those of the Alberta Securities Commission in updating legislation and harmonizing with other jurisdictions across the country, something that we don't do entirely and appropriately. If we had a national regulator, all of that time and resources could be better spent on enforcement and investigation to better protect Alberta's investors.

Capital markets are increasingly integrated and increasingly global. It's inefficient and in many cases impossible for a provincial regulator to handle these complexities. Overall, then, we would think that it would be better to move towards a national regulator.

We know that as a whole Canadians lose billions of dollars a year to securities fraud, and reports put it at an estimated \$2.1 billion loss just for Albertans alone. It appears that at this point our provincial regulator just isn't strong enough to prevent this type of thing from happening. There are countless examples out there like the Harvest Group, facing a half a billion dollar class action suit after bad real estate ventures; Platinum Equities, which took \$51 million from Albertans; or Shire International Real Estate Investment, a \$20 million fraud. In many of these cases, the provincial regulator took action but only after the fact due to wide exemptions on who has to register and report under our security laws.

A strong national regulator could protect Albertans from these types of scams in a way that the provincial government seems reluctant to lest stronger rules and fewer exemptions mean slightly more paperwork for some companies. We think that government should be putting their focus on that kind of measure, finally getting a national regulator up and running after a decade of talk, rather than all the focus we've had this far on attacking working Albertans.

Those are our general comments on this piece of legislation thus far. Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Speaker. I also am glad to rise and speak to Bill 42, Securities Amendment Act, 2013. Prior to the 2007-2008 global financial crisis the market for so-called over-the-counter, OTC, derivatives was largely unregulated. As such, countless OTC derivatives transactions occurred, completely invisible to the securities regulator. It is the invisibility of such

financial transactions and failure to properly clear and record them that contributed heavily to the market collapse. In response to the economic crisis the leaders of the G-20 nations met in Washington, DC, in November 2008 for a summit on the financial market and the world economy.

Following that summit, the G-20 issued a formal declaration calling for common principles for reform of financial markets, including the regulation of derivatives. In the ensuing period there has been considerable and ongoing regulatory reform of OTC derivatives around the world. Since Canada, unlike most other countries, has a decentralized security regulatory system, it must rely on its provincial governments to enact legislation providing for increased oversight and regulation of OTC derivatives through individual provincial security regulators. Bill 42 represents Alberta's attempt to comply with the G-20 declaration.

This bill will define what a derivative is and provide the Alberta Securities Commission with the authority to regulate OTC derivatives and the people involved in such financial transactions. It will also define what a clearing agency is and provide the Alberta Securities Commission with the authority to mandate that the OTC derivatives transactions must be cleared through a commission-recognized clearing agency or central counterparty.

It also defines what a trade repository is and provides the Alberta Securities Commission with authority to mandate that OTC derivatives transactions must be recorded in a commission-recognized trade repository. It stipulates that no person or company shall carry on business as a trade repository in Alberta unless the person or company is recognized by the Alberta Securities Commission as a trade repository.

#### 11:30

References to "exchange contract laws" will be replaced by "derivatives laws," and reference to "exchange contracts" will be replaced by "derivatives."

It authorizes the executive director of the Alberta Securities Commission to provide information to and receive information from other securities or financial regulatory authorities, trade repositories, clearing agencies, alternative trading systems, credit-rating agencies, exchanges, self-regulatory bodies or organizations, law enforcement agencies and other governmental or regulatory authorities in Canada and elsewhere, and any other agency or entity as determined by the regulation.

No one likes unnecessary bureaucracy or red tape, Mr. Speaker, but the global financial crisis is a perfect example of what can happen when the needed regulatory oversight is weak or nonexistent. Market integrity and transparency are significant improvements when OTC derivatives transactions are subject to centralized clearing. Also, the market trend is moving in this direction, so it makes complete sense for Alberta to adopt this as well. Regulation of OTC derivatives transactions should make another global financial crisis less likely or at least enable regulators to deal with the crisis more effectively.

Overall this is a good bill, Mr. Speaker, and I'm going to support this bill. Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, other speakers?

The hon. minister to close debate?

**Hon. Members:** Question.

**The Deputy Speaker:** I'll call the question.

[Motion carried; Bill 42 read a second time]

**Government Bills and Orders**  
**Committee of the Whole**  
*(continued)*

[Mr. Rogers in the chair]

**Bill 44**  
**Notaries and Commissioners Act**

**The Chair:** The hon. Member for Sherwood Park.

**Ms Olesen:** Thank you, Mr. Chairman. This bill updates the language in the legislation, consolidates the two acts into one, provides provision for a code of conduct, outlines appropriate behaviour for individuals in carrying out their duties. This bill will serve Albertans well.

**The Chair:** Okay. Are there other speakers?

**Ms Notley:** I hate to disappoint everyone, but come on, people. Really?

Okay. So, listen. We've had some folks in our office do a little bit of research on this, and I have some genuine questions for the minister on this because there are some legitimate and important questions arising from this piece of legislation as it relates to notaries public.

Now, we know that notaries public and commissioners do good work. They have important roles in our communities, and the work that they do is critical for a lot of the work that goes on in these communities. So we absolutely agree that it's important to regulate this group in the public interest. We also agree that it's good that we're consolidating the Notaries Public Act and the Commissioners for Oaths Act. That's also a good thing. Thumbs up on that.

The concern, though, is that it seems that it goes beyond simply consolidating the two and creating a consistent set of rules. It also seems to go fairly far in setting a whole new level of requirements for notaries and commissioners and then at the same time handing an enormous amount of discretion to the minister over regulations and even day-to-day activity of the notaries' affairs.

One of the concerns that I have is that what we're doing here is potentially putting such an onus of responsibility and such a set of demands on notaries and commissioners that we are effectively managing them in a way that is similar in some ways to the way we manage lawyers. Yet, of course, these parties don't charge anything like that. So the question becomes: do we run the risk of putting a bunch of them out of business? Do we run the risk of driving up their fees at a time when we already have a serious access-to-justice problem in this province? That is the question.

I'm not asserting that as a truth. I'm genuinely asking that as a question because I believe that we've had some contact from people who are within the notaries and commissioners community who are concerned about this bill, and these are some of the questions that they have raised. I won't purport to know enough about the matter to be able to answer those questions, but I am putting those to the minister.

One of the things that people asked us was: why was there no consideration, instead, to introduce a model that is more similar to British Columbia's, where they are regulated by a society of notaries public and they kind of do their own sort of self-regulation? It's more of a self-regulation body. There's not the similar kind of being subject to the ministerial discretion.

As well, B.C. notaries exercise more power in that province. Of course, as a result, this aids in access to justice because, of course, they're much less expensive than lawyers. I'm wondering why it

is that we wouldn't have been working with them to see where we could expand some of the roles they could play in order to provide greater ease of access to some of the more manageable roles that otherwise are filled by lawyers, and then we're in a situation where we don't have enough lawyers and costs are too great. So that's a question. I don't know if there were consultations with that group, if there were consultations with the Law Society. I don't know, but I certainly do have those questions.

The ministry has also changed the powers that used to be available for all notaries so that only lawyers and judges can now notarize deeds, contracts, and commercial instruments. These even include those issued or prepared by judges or lawyers in respect of which judges or lawyers have otherwise provided legal advice. Again, this seems to be moving powers and roles and work away from commissioners and notaries to lawyers, which, again, is going to result in greater workloads for lawyers and, of course, greater costs to citizens. It's always been the case that if you need legal advice or contract interpretation, you need to see a lawyer. If you need a document notarized, you can go to see a notary, and that is cheaper and faster.

The bill also hands the minister an enormous amount of discretion in that he can now establish a code of conduct through regulations and issues governing the duties and the conduct of the notaries public. I'm just curious as to what plans the minister has with respect to how he will go about establishing that code of conduct. How will it differ from the current sort of booklets and guidelines that are provided for notaries and commissioners? What level of consultation will occur with notaries and commissioners? What changes does he see happening with respect to that code of conduct? That is another question.

As well, the minister may also through this new legislation refuse an application or suspend or revoke the appointment of any notary public for a number of reasons, including certain types of charges – I assume that's under the Criminal Code – when the minister considers it appropriate to do so. That seems like a great deal of discretion. Of course, we all know there's a difference between being charged and convicted. My question is: why would that be when there are charges and not postconviction?

Even more troubling is that a decision by the minister under the section is entirely final, so there's no appeal for the notary or commissioner. Of course, this has a huge impact on their way of life, their actual ability to do their job. So you essentially end up potentially disqualifying them from being able to do their job and earn a living. That's a fairly significant power that the minister is giving to himself with not a lot of parameters around how it will be exercised nor any mechanism for appealing it.

**11:40**

Another other drafting problem that has been identified by some people in our consultations is the definition of a lawyer. The language is similar to previous legislation, but the act has added the line: "has not been suspended or disbarred." This language isn't clear. Once a suspended lawyer is reinstated, is he or she then again able to regain their status as a notary public or commissioner, or are they now forever unable to function as a notary public or commissioner? It's not clear in the way the language is drafted in this piece of legislation.

The language of the previous legislation was far clearer in stating that members could not exercise the powers of a notary public while membership or registration is suspended. Obviously, in that case the implication was that if the membership or registration suspension was lifted, then the ability to exercise the powers of the notary public could be reinstated.

There are classes of members of the Law Society who are not active and practising members, lawyers who are not active and practising who nonetheless retain their status as members, myself included, actually. They're not entitled to practise law or provide legal advice, and they are not covered by insurance, but they can still act as notaries or commissioners.

The provisions requiring lawyers to notarize certain documents, deeds, contracts, and commercial instruments rely on this definition. There's a discrepancy in the bill in terms of who is qualified to perform those particular notary services. I ask solely for the purpose of making sure that I don't accidentally notarize something I shouldn't because it's not clear in the drafting of the legislation.

In drafting the definitions as you did, did you intend to include nonactive members of the Law Society amongst those with the ability to notarize deeds, contracts, and commercial instruments? As drafted the language is somewhat unclear.

Those are, I think, the sum total of my observations, questions, and concerns, and I'd certainly be happy to hear any response that the minister might be able to provide on that.

Thank you.

**The Chair:** The hon. Minister of Justice and Solicitor General.

**Mr. Denis:** Thank you very much, Mr. Chair, and I thank the Member for Edmonton-Strathcona for her comments, particularly the positive comments she had at the beginning. I have been jotting down just some of her comments that I can respond to, and if I'm missing a few, perhaps we can have an offline conversation, I would suggest, as well. [interjections] It's getting too late, Mr. Chair. It's just getting too late.

First off, the member is quite correct that notaries and commissioners are not the same as lawyers. First off, commissioners are able to witness and swear documents for internal use in the province of Alberta only. Interestingly enough, Mr. Chair, any individual who is appointed a commissioner can actually just be appointed by reading the pamphlet as provided. That can happen just by satisfying himself or herself to a practising lawyer that he or she understands the requirements of a commissioner. I respectfully say that commissioners are necessary to run our whole legal system, but at the same time I don't know of anyone who makes a living just as a commissioner.

Notaries public, of course, can copy documents. You can witness documents that go outside of the province. It is a much higher appointment. These individuals are appointed not by me personally as the Minister of Justice but, rather, by the Notaries Public Review Committee. That's designed, Mr. Chair, to provide some objectivity and just to avoid political interference for the whole item.

The member also mentioned the talk of a code of conduct. Currently, Mr. Chair, there is no code of conduct whatsoever – none – for notaries or commissioners. I will respectfully submit that bringing in a code of conduct with some discipline is a step forward. Now, the sitting minister does have the authority under the current legislation to remove somebody's commission or to remove somebody's notary public designation with cause. I respectfully submit to that member that having a code of conduct is a positive step forward because it enables the minister to go and suspend someone instead of just saying, "Oops, you're gone" if there's any further investigation. Also, the code of conduct specifies exactly what a notary or a commissioner is expected to do.

The member also mentioned the example of British Columbia. She is quite correct, though, that B.C. does have a very different paradigm for notaries public. It is a self-governing profession

there. For example, I remember from my past law practice that if you are purchasing a property in B.C., you don't actually have to go to a lawyer. You can go to a notary. To change that in Alberta would require significant changes to our land titles system, the Law of Property Act, for example, and that's not being contemplated at this time, specifically not by this legislation.

The member also mentioned the issue of access to justice, and that's a passion of mine as well. The one difference between talking to a practising lawyer, Mr. Chair, versus a notary in Alberta is that if you're talking to a practising lawyer and getting advice on a particular contract or deed, there's a consumer protection mechanism in there already, and that's called the Alberta Lawyers Insurance Association, otherwise known as ALIA. If you come to me, and I somehow give you improper advice – guess what? – you have a mechanism to claim back for your losses against this insurance fund whereas if you just go to a lay notary public and you were getting advice, you don't have that same type of protection. That's why we're moving to restrict the powers of notaries public and commissioners for oaths. It is consumer protection.

The member also mentioned a reference to lawyers, specifically if a lawyer is disbarred or suspended. That, again, is handled by the Law Society of Alberta, which is a fully self-governing profession of over 9,000 lawyers in this province. We felt that if a lawyer is disbarred – guess what? – you're not a lawyer. You shouldn't be doing items such as notarizations that you wouldn't otherwise be entitled to do. If you're suspended, that also could have an effect as well. I think that would be the intention of the self-governing body being the Law Society.

All in all, Mr. Chair, I do think that this piece of legislation does improve people's rights from a consumer protection standpoint, but it also clarifies the conduct that we expect of notaries public and commissioners for oaths. I'm sure I'm missing some of the member's comments here, but I'm happy to chat with her if she wants to send me a letter, or we could discuss it later as well. I always reply to your letters.

**The Chair:** Are there others? The hon. Member for Calgary-Mackay-Nose Hill.

**Dr. Brown:** Thank you, Mr. Chairman. I have a very brief question here, and I'd like some clarification from either the Minister of Justice or the Member for Sherwood Park. I'd like to know: what is the appropriate section for the declaration of a notarial certificate under a guarantees acknowledgement? Would it fall under 4(1) or 4(2)? In other words, is it considered to be a deed, contract, or commercial instrument, or is it simply an attestation, an affirmation, a declaration, or whatever? I'd just like clarification on whether or not you need to be a lawyer in order to do a guarantees acknowledgement certificate?

**The Chair:** The hon. Minister of Justice.

**Mr. Denis:** Thank you very much. I appreciate that member's comment. It is the intention of the legislation that attestation for a guarantees acknowledgement certificate, which is typically to guarantee the debt of a third party, be done before a lawyer. The reason for that is because if you look back many years in our jurisprudence in this province, there's always been that protection, just to ensure that a person knows that they are held fully responsible for the debt of another by executing or attesting, as this member quite correctly indicates, the guarantees acknowledgement certificate.

Interestingly enough, Mr. Chair, in the past there has been a \$5 maximum fee upon this. Some people have ignored this. Some

people have seen a way to go around this. I think that for a \$5 fee you may have a difficult time finding a practitioner to do this, so I think that that should be between the particular individual, the customer, and the practitioner in accordance with the principles of the free market.

**The Chair:** Thank you, hon. minister.

Are there others? The hon. Member for Calgary-McCall.

11:50

**Mr. Kang:** Thank you, Mr. Chair. I also have a question for the minister. The government is implying that the section on publishing suspensions on notaries public has not been vetted for compliance with FOIP, or vetting has not been completed. Briefing notes from the minister's office state that we may need to add a provision so that the collection, use, and disclosure of information regarding conduct and discipline reflect the current FOIP requirement for enactment.

Under sections 11 and 23 a new ministerial power will give the ability to suspend notaries public and commissioners for oaths. The government believes that this will allow more flexibility in the discipline process before revocation. Sections 11 and 23 also allow for the nonmandatory publication of suspensions if the minister deems it to be in the public interest. The question is: can the government confirm whether Bill 44 is compliant with the FOIP Act, particularly the section on publishing suspensions?

**The Chair:** The hon. Minister of Justice.

**Mr. Denis:** Thank you very much, Mr. Chair. First off, I do appreciate the member's comments in this case. Right now the status quo is that if we don't go ahead with this particular amendment, the only option that the minister has is to revoke somebody's power.

I believe that my office has spoken to the office of the Information and Privacy Commissioner, and I do not believe that this falls afoul of any particular legislation because it is statutory, in my recollection. However, I will undertake to review my records in the morning as it is a little late and my memory may be a little foggy.

**The Chair:** Thank you.

Are there others?

Seeing none, I'll call the question.

[The clauses of Bill 44 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? That is carried.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Chairman. I would move that the committee rise and report Bill 44.

[Motion carried]

[The Deputy Speaker in the chair]

**Ms Kennedy-Glans:** Mr. Speaker, the Committee of the Whole has had under consideration a certain bill and reports on Bill 44. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

**The Deputy Speaker:** Thank you, hon. member.

Does the Assembly concur in the report? Agreed?

**Hon. Members:** Agreed.

**The Deputy Speaker:** Opposed? So ordered.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. In light of the hour I move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; the Assembly adjourned at 11:54 p.m. to Wednesday at 1:30 p.m.]

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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Wednesday afternoon, December 4, 2013

Issue 78a

The Honourable Gene Zwozdesky, Speaker

## Legislative Assembly of Alberta The 28th Legislature

First Session

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## Legislative Assembly of Alberta

1:30 p.m.

Wednesday, December 4, 2013

[The Speaker in the chair]

### Prayers

**The Speaker:** Hon. members, let us pray. As we head into the festive season, let our minds be filled with thoughts of caring, of sharing, and of giving, and let our hearts be filled with that special spirit of Christmas. Amen.

Please be seated.

### Introduction of Visitors

**Mr. J. Johnson:** Mr. Speaker, on behalf of the Minister of International and Intergovernmental Relations I rise to introduce to you and through you to members of this Assembly His Excellency Carlos Gómez-Mugica Sanz. Since his appointment as the ambassador of Spain to Canada, he has been instrumental in strengthening the ties between our two regions. Last year he visited schools in Calgary and treated students and teachers to an enriching and memorable experience. Earlier today His Excellency signed a memorandum of understanding with the government of Alberta, which we're all proud of. This MOU reaffirmed our commitment to continuing a partnership that has supported the growth and enhancement of Spanish language and cultural programs in Alberta's schools. I can tell you that we certainly enjoy the opportunity to exchange information and ideas with him on his visits, and we look forward to a continued and strong relationship with Spain.

Accompanying His Excellency today are the honorary consul of Spain in Edmonton, Mr. Benjamin Garcia, and Ms Melissa Valdés Vázquez, an employee of the Spanish government who works on secondment in Alberta Education as a resource to all of our schools wanting to implement Spanish language programs.

Mr. Speaker, I'd ask that our honoured guests, seated in the Speaker's gallery, please rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** The hon. Deputy Premier.

**Mr. Lukaszuk:** Well, thank you, Mr. Speaker. It's an honour today, indeed, to present to you a couple of diplomats from a country that is the origin of some of Canada's best politicians. One is Ambassador Marcin Bosacki, who was presented by the Foreign Affairs minister, Minister Sikorski, to our Governor General of Canada as ambassador extraordinary – and you all will have guessed – of the Republic of Poland. Ambassador Bosacki has been awarded the bene merito distinction and has served in many capacities for the Polish government and for the European Union, among others, during the Polish presidency of the European Union, the communications branch. He has also been very much involved in the efforts to build the EU's most recent budget and also in the matters of the Arab Spring. I would ask the ambassador to rise. Also accompanying him today, well known to us, is John Szumlas, who is the honorary consul of the Republic of Poland. Welcome to both of you.

### Introduction of Guests

**The Speaker:** Let us begin with school groups. The Minister of Human Services, followed by Calgary-East.

**Mr. Hancock:** Thank you, Mr. Speaker. It is indeed a pleasure for me today to introduce to you and through you to the members of this Assembly 64 enthusiastic, bright, and inquisitive students from St. Mary elementary school, located in my constituency of Edmonton-Whitemud. I know that they are the best and the brightest of students that we have across the province, and I have that on good authority. Don't take my word for it. The Member for Edmonton-Gold Bar attended to speak to their grade 6 classes about a month ago. Now, I'm not sure why the Member for Edmonton-Gold Bar was invited to speak instead of me, but it might be because they've heard from me often enough. In any event, accompanying the students are their teachers Thérèse Coates, Tracee Laba, Julie Valdez along with parent helpers Stacey Dej, Christine Scheelar, Elaine Buma, Laurie-Ann Gratton, Sherry Comeau, Ermila Gantar, Alison Hughes, Mark Stratton, and Sheree Mireau.

Mr. Speaker, I just want to add that this Children First pin that I wear was given to me by the principals of St. Mary school the day I was sworn in as Minister of Education some years ago. So I have a special place in my heart for St. Mary school.

Among their group is Sophie. Sophie is here today as a student from St. Mary school. She is the granddaughter of former Lieutenant Governor Peter Liba from the province of Manitoba.

I'd ask all of my guests to please rise and receive the traditional warm and enthusiastic welcome of the Assembly.

**The Speaker:** The hon. Member for Calgary-East, followed by Edmonton-Calder.

**Mr. Amery:** Well, thank you very much, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of the Assembly 45 grade 9 students and three adults from the Almadina Language Charter Academy. Almadina charter academy has two campuses. One is located in my constituency, and the other is located in the constituency of Calgary-Fort. Almadina charter school is home to students from 34 different countries from around the globe and also home to about 1,100 students right now. They want the hon. Minister of Education to hear that this school has a waiting list of about 650 students. The students are accompanied by Mr. Rabih El-Masri, teacher; Kristine Dupuis, student teacher; and Sara Bhaye, volunteer. They are seated in the public gallery. I would ask them to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Yes, Mr. Speaker. I rise to introduce to you and through you to all members of the Assembly my former students from Inner City high school, that I'm introducing on behalf of the Member for Edmonton-Calder. This is an incredible group of bright young people who have been given an opportunity to finish their high school. I just want to say that these are some of the most resilient young people you will ever meet. I'm honoured very much to have them join us in the Assembly. I'll ask them to rise as I say their names. They're here with their teacher Dan Scratch. There is Morgan, Donavin, Frank, and Won Joon.

**The Speaker:** Are there any other school groups?

Seeing none, let's move on to other guests, beginning with the President of Treasury Board.

**Mr. Horner:** Thank you, Mr. Speaker. It's an honour to introduce to you and through you to the members of the Assembly Rene and Karen Command and daughters Charlotte and Sarah. I first met the Command family at the Parkland children's Christmas party,

that we've both been a part of since its inception in 2001. Charlotte and Sarah have also sung for quite a few of my constituency events and have been quite a hit, such a hit that it was my honour to invite the girls to be the youth representatives from the area who travelled to Calgary to meet the Duke and Duchess of Cambridge in July 2011.

Charlotte and Sarah have quite a resumé of their own as local entertainers. A few highlights of their career: they're recent winners of the John Lennon NAMM Songwriting Contest for a song about Alberta – Mr. Speaker, they'll be in L.A. this coming January 24 – winners of the rising star award in Edmonton; winners of the Safe and Caring community Heroes award; were showcased at the *Canadian Country Music Association Awards* in both 2012 and 2013, Folk Alliance International, a number of Sundance Film Fests, the *MTV Movie Awards* and celebrity slam-dance; had three shows at the famed Bluebird Cafe in Nashville. They're currently in a partnership with the RCMP – that includes a video featuring their original song, *Something to Live For*, that will be shown to schools across Canada, with proceeds going to the Kids Help Phone; they're still looking for a large corporate donor there – as well as a partnership with the Stollery children's hospital.

Mr. Speaker, it's obvious that these young ladies make their parents very proud, their community very proud, their province very proud, and I'm proud to be their MLA. They are seated in the public gallery this afternoon. I would ask for Karen to give us a wave and for Sarah, Charlotte, and Rene to stand and for us to give them the warm welcome of this Assembly.

1:40

**The Speaker:** The Minister of Infrastructure, followed by the leader of the Liberal opposition.

**Mr. Drysdale:** Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of the Assembly representatives from Seven Generations Energy, which is a private oil and gas developer based in Calgary who is investing in a large development in my constituency. Pat Carlson, CEO, who is now a constituent of mine, is here today with the VP of geology and stakeholder relations, Steve Haysom, and the VP of land, Susan Targett. They are in Edmonton today for meetings. They are seated in the members' gallery, and I'd ask them to stand and receive the warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Meadowlark, followed by Edmonton-Gold Bar.

**Dr. Sherman:** Thank you, Mr. Speaker. I'd like to introduce to you and through you to all members of this Assembly a wonderful, caring group of nurses, many from the Royal Alexandra hospital. In fact, I refer to them as the angels of health care. They are UNA president Heather Smith, Monique Corbiere-Nangunda, Wendy Hui, Sheena Lukacs, Christel Shipton, Nichole Batienco, Guida Morais, Tracy Cox, Lonnee Rousseau, Rochelle Walker, Donna Fayant, Adele Wardley, and Donna Schluchter.

Now, they are here for two reasons, Mr. Speaker, really, to educate us about patient safety and respect. Their concerns are with this health care workforce transformation project, that reduces the number of nurses at a time when patient care is so complex and of high needs. They're concerned that it's putting patient safety at risk. They are also concerned that the over-capacity protocols that spread the wards of the hospital with sick, infected people are also putting patient safety at risk. They are also educating us about respect. It's not necessary to treat front-line public servants in a bad fashion by passing bills 45 and 46. They are asking all members of the government to vote against

bills 45 and 46. I would ask everyone to welcome them, thank them, and give them the warm welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Gold Bar, followed by Edmonton-Beverly-Clareview.

**Mr. Dorward:** Thank you, Mr. Speaker. It's my pleasure to rise and introduce to you and through you to all members of the Assembly a new member of our caucus staff, Jeffrey Behrens. Jeff is originally from Edson, a small-town boy come to the big city, in the West Yellowhead constituency, but he and his wife, Chantelle, now call Edmonton their home. Jeff is a graduate of political science from the University of Alberta and has a master's degree in comparative politics, specializing in constitutional engineering, from Queen's University. I'd now ask that he rise and receive the cordial welcome of this Assembly.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview, followed by Edmonton-South West.

**Mr. Bilous:** Well, thank you very much, Mr. Speaker. It's my honour to rise and introduce to you and through you to all members of the Assembly my guests from the Piikani Nation. With me today – and I want to say that I'm thankful that they made the drive up here – are three council members: Angela Grier, Kyle Grier, and Serene Weasel Traveller. I do want to mention as well that their acting chief, Clayton Small Legs, was supposed to join us but, unfortunately, ended up in a car accident on the way to the Alberta Legislature. Thankfully, he is okay, although the car is quite damaged. He wasn't able to join us, but I want to thank these council members for meeting with me today, and I look forward to an ongoing dialogue with them.

Thank you very much.

**The Speaker:** The hon. Member for Edmonton-South West, followed by Dunvegan-Central Peace-Notley.

**Mr. Jeneroux:** Mr. Speaker, I am eagerly awaiting their arrival, but alas they're not here yet.

**The Speaker:** Thank you.

The hon. Member for Dunvegan-Central Peace-Notley, followed by Edmonton-Calder.

**Mr. Goudreau:** Well, thank you, Mr. Speaker. I rarely get to introduce individuals from my constituency, but today it's my great pleasure to introduce to you and through you to the members of this Assembly a great friend of mine, Mr. Dave Lilienskold. Mr. Lilienskold is a tremendous volunteer, a superb campaigner, and a wonderful board member of our PC association. He's in the members' gallery, and I would ask him to rise and receive the traditional warm welcome of the Assembly.

**The Speaker:** The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Well, thank you, Mr. Speaker. Today I'm very pleased to introduce to you and through you to the Assembly my guests, who are representatives of the United Nurses of Alberta. My guests, who are all registered nurses, are here today because of their grave concerns about Alberta Health Services' plan to eliminate nearly 200 full-time nursing positions here in the province. My guests are also very concerned about Bill 45 and Bill 46. I would ask my guests to please rise as I call their names, and we'll give them the warm traditional welcome. I have Heidi Gould, Sheila Dorscheid, Alan Besecker, Claire Galoska, Daphne Wallace, Bev Dick, and Colleen Adams.

**The Speaker:** Edmonton-South West, your guests have now arrived. Would you like to introduce them?

**Mr. Jeneroux:** Yes, Mr. Speaker. I'm pleased to introduce to you and through you to all members of the Assembly two active community members in my constituency of Edmonton-South West that are here today to see their hard work of gathering signatures in support of more schools for Edmonton-South West come to light. My first guest is a wonderful mother and active volunteer with Bessie Nichols school and has a very successful day job as executive director of pharmaceutical funding and guidance with Alberta Health Services. With her is another outstanding mother who is hard at work with young children at home and is an active volunteer in her community. As a Bessie Nichols school council member she has been instrumental in exploring options and sharing the concerns of parents in regard to enrolment pressures we see in Edmonton-South West, which I will be presenting a petition on today at the appropriate time. I'd ask that my guests, Mrs. Michele Evans and Mrs. Colleen Kellner, please rise and receive the traditional welcome of the Assembly.

### Members' Statements

#### Information Requests under the FOIP Act

**Mr. Saskiw:** Alberta is the only jurisdiction in Canada where MLAs cannot ask questions about the ethics or scandals of this government if the matter is before the Ethics Commissioner. I won't go into why this is an affront to basic democratic principles but, instead, will focus my comments on a new development today regarding political interference in freedom of information laws.

There is a truism in life and politics: it is not the original wrongdoing that will sink you; it is the cover-up. In question period we asked for information regarding the awarding of a multibillion-dollar contract. We've asked the Premier, we've asked the Justice minister, and both have refused to disclose the information. So we FOIPed it. We FOIPed all records and correspondence related to the contract tendering, selection process, and request for proposals. Alberta Justice has returned that FOIP, Mr. Speaker, with 1,000 pages, including all relevant information blacked out under very weak pretenses.

Today, Mr. Speaker, beyond that secrecy, we learned of direct political interference in the process. The FOIP manager sent an e-mail to the personal chief of staff and political confidant of the Justice minister and asked this question: "Is it okay to go ahead with our planned release of records regarding the requests for information regarding the selection and proposals related to the tobacco recovery lawyer initiative?" Yes, an independent officer is asking permission from the Justice minister's personal chief of staff. The response from the political staff was, "You bet." In other words, it's good to go.

So here we are, Mr. Speaker. We have over 1,000 pages of blacked-out documents from the Minister of Justice and now know that the political arm of the Justice department was directly involved in what documents were released and what documents were hidden.

Political interference is serious. A political cover-up involving the Premier is even worse.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Highlands-Norwood.

### Labour Legislation

**Mr. Mason:** Thank you very much, Mr. Speaker. Mahatma Gandhi said, "Civil disobedience is the assertion of a right which law should give but which it denies." Martin Luther King Jr. said:

An individual who breaks a law that conscience tells him is unjust, and who willingly accepts the penalty of imprisonment in order to arouse the conscience of the community over its injustice, is in reality expressing the highest respect for the law.

While illegal strikes could be avoided if labour laws were balanced and fair to all, they're actually responsible for much of our social progress. Some of the things that illegal strikes have done include ensuring safety standards and the right of people to refuse unsafe work. They brought in the five-day work week, Mr. Speaker. Illegal strikes gave us the minimum wage.

Decades ago this government made it illegal for their employees to strike. Now they're acting to make it illegal for the same workers to even talk about striking. Bills 45 and 46 will likely pass this Assembly today as a result of the government's imposition of closure. After today, as *Calgary Herald* columnist Don Braid wrote, "talking is now pretty much illegal."

In our Charter of Rights and Freedoms we have the right to freedom of speech and freedom of association, and we won't allow this government to take those rights away from us regardless of the laws this government rams through this Assembly. Speaking about workplace health and safety, standing up to say that workers deserve a fair deal, or refusing unsafe work cannot and must not be illegal.

The New Democrats have fought these bills tooth and nail, but this fight is not over, Mr. Speaker. We believe that these laws are fundamentally unjust, and our opposition will continue long after they've been passed into law by this antiworker government.

Thank you, Mr. Speaker.

1:50

### Oral Question Period

**The Speaker:** The hon. Leader of the Official Opposition for your first main set of questions.

#### Information Requests on Contracted Legal Services

**Ms Smith:** Mr. Speaker, we expect the Ethics Commissioner to rule on Tobaccogate shortly. My question involves another related but separate issue. The Wildrose had requested a copy of the actual litigation contract between the government and JSS, the law firm of the Premier's close friend Mr. Robert Hawkes. The Justice department has refused to share that contract with us, and perhaps we now know why. We just received a letter from the FOIP commissioner advising us that they can't help us because the very law firm that is under investigation also represents the FOIP office. To the Premier: when did she know this was the case?

**Mr. Lukaszuk:** Well, Mr. Speaker, it is quite ironic that the very party that I believe yesterday in question period was asking for an independent seniors' advocate commissioner of this Legislative Assembly now undermines another independent officer of this Assembly before they even had a chance to read a report, before they even had a chance to review documents. There is nothing unusual. All offices of the government are represented by either – they can't be represented by Justice because it would be a conflict, so they have independent legal advisers. But there are ways of dealing with those conflicts.

**Mr. Saskiw:** Point of order, Mr. Speaker.

**Ms Smith:** Mr. Speaker, we're not maligning the office; we're asking for information from this government. The office has been actually quite forthright with us.

Now that we know that this conflict of interest goes very deep, the Premier has the power to direct her Justice minister to do the right thing and to release all of the documents that have been requested by Wildrose on this file. Will she instruct the Justice minister to release all of the documents related to this file immediately?

**Mr. Lukaszuk:** Mr. Speaker, we have full confidence in the FOIP commissioner, and the FOIP commissioner has a number of choices at the office's disposal. They can, if they choose, retain another firm that they perceive would not have a conflict. There is also a known procedure within the legal community of setting up Chinese walls, as they're called, of separating a law firm, making sure there is no conflict. But the fact of the matter is that you would not want the Department of Justice advising an independent officer of this Legislature. That would be a conflict. What they can do is that they can retain additional counsel if they wish, but they will make an independent decision of this Legislature.

**Ms Smith:** There is actually another option, Mr. Speaker. They could just release the information.

I have to wonder how it is that this Premier could think that the Ethics Commissioner can undertake a thorough review of this matter if no one but the Premier can even have access to the very contract that is the subject of this investigation. To the Premier: why will she not release these documents? What has she got to hide?

**Mr. Lukaszuk:** Mr. Speaker, the Privacy Commissioner will release what can be released. As you know, there is always a balance between protection of privacy and access to information. Those are not arbitrary decisions made by the Premier, myself, or any cabinet minister. Those are decisions that are under the scrutiny of an information officer. That information officer, who is independent, will make that decision and provide them with whatever information can be provided. But if you're going to ask for the independence of one officer, I would suggest to please respect the independence of all officers of this Legislative Assembly.

**The Speaker:** Second main set of questions, Official Opposition leader.

**Ms Smith:** So we can't have political interference with independent officers. That's what the Deputy Premier just said.

There's a little more to this case. The Premier has said, quote: no politician is involved in decisions to release freedom of information requests. However, on September 4, 2012, the Justice minister's chief of staff, Mat Stepan, was asked for his permission to release certain documents relating to Tobaccogate. Mr. Stepan's response was, "You bet." To the Premier: why is the Justice minister's top political staffer deciding if and when documents get released? I thought politicians were . . .

**The Speaker:** The hon. minister.

**Mr. Denis:** Mr. Speaker, I don't get involved in the FOIP process. In fact, I never have. If the Leader of the Opposition had enough time to actually go and read the e-mail, she would know that there was no political interference from my office. We don't know why the department sent us that particular item, but regardless, even

the fact that that e-mail was disclosed shows again that there was no political interference from my office whatsoever.

**Ms Smith:** I beg to differ, Mr. Speaker.

It appears that the Premier is mistaken. She also said this: it is not for me to step in to release a document or to not release a document. The Stepan e-mail proves beyond a doubt that politicians, in fact, do step in. Not only does this run contrary to what the Premier has said; it raises all sorts of concerns about political interference in the release of information to the public. To the Premier: just how widespread is this practice of top ministerial aides authorizing the release of public information?

**Mr. Lukaszuk:** Mr. Speaker, that member is no longer a rookie, so she should know better than that. She should know that at the end of the day every minister is the custodian of information, any and all information that is within that particular ministry. However, what we have done not to politicize the process is that we have subrogated the decision-making process of what is and what isn't going to be released to an individual within the bureaucracy of our ministry, and that decision is further scrutinized by the independent Privacy Commissioner. If she doesn't like that system, I don't know how less political you can make it.

**Ms Smith:** Mr. Speaker, I can't believe that the government can't see how problematic this e-mail is.

Wildrose alone has filed hundreds of information requests over the last few years. Media outlets are constantly seeking information through the process as well. If the Premier is to be believed, if the Deputy Premier is to be believed, there is an independent, nonpolitical process for the release of information, but the Stepan e-mail shreds that claim to pieces. To the Premier: what is she going to do to fix this?

**Mr. Lukaszuk:** Mr. Speaker, I do not doubt that this whole concept is problematic to that particular member. Why? Because she simply doesn't understand how the process works. [interjections] But if she only spent a minute and realized it, ministers are the custodians of the information that is shared with government, but for purposes of releasing or not releasing that information, that decision is deferred to our bureaucracy, which is further overlooked by an independent officer of this Legislative Assembly. [interjections]

**The Speaker:** Leader of the Official Opposition. Third main set of questions.

We could do without the interjections, please.

**Ms Smith:** So I guess there is political interference in the process after all, Mr. Speaker.

#### Disaster Recovery Program Payments

**Ms Smith:** Yesterday we learned that the PC-Party-coloured roadside campaign was the Premier's idea and that her top staff member told the ministries to do it in seven to 14 days. Apparently they wanted everyone to know about their commitment to rebuilding, but the rebuilding itself has been painfully slow. The Premier trumpeted that everyone who lost a home would get a \$10,000 initial disaster recovery payment. That hasn't happened. Most applicants haven't seen a penny. To the Premier: will she instruct Darren Cunningham to write a snarky e-mail to LandLink so that flooded residents can get their funds?

**Mr. Lukaszuk:** Well, Mr. Speaker, we won't be doing that, but we will be asking Mr. Cunningham to write a snotty letter to Santa Claus because apparently the Legislative Assembly Office has distributed phenomenal Christmas cards printed by the opposition, but look at this, Wildrose Christmas cards. The fact is that this opposition is looking for a problem where there isn't one. The fact is that the signage that is being released is simply appropriate and within the policies of government for decades.

**Mr. Saskiw:** Point of order, Mr. Speaker.

**Ms Smith:** For the record, Mr. Speaker, we paid for those with party funds. That's what we're asking . . . [interjections]

Mr. Speaker, the Transportation minister defended the rush to put up the PC-coloured signs saying: we're going to cut red tape; we're not going to wait for process; we'll catch up with the paperwork later. However, that's a privilege that more than 6,000 families don't have. They're tied up in red tape. They have to do paperwork over and over again because LandLink keeps losing it. Unlike the sign builders, they haven't got any money. To the Premier: why won't she get the special blue-and-orange sign approval process . . .

**The Speaker:** The hon. Deputy Premier.

**Mr. Lukaszuk:** They may have paid for the printing of those propaganda cards with party money, but they're using the LAO distribution for distributing them. [interjections]

Mr. Speaker, the fact is that Albertans want to know where we're building schools for our children, where we're building hospitals for our patients, and where we're building seniors' homes for our seniors. [interjections] Part of rebuilding Alberta after a disaster is rebuilding the confidence and the morale in that part of the province, and those signs are addressing exactly that.

2:00

**The Speaker:** Hon. members, I've asked once politely. I'm going to ask again. Please, enough of the interjections already. Let's cut them out. Let's get on. These are serious questions. We're hoping for serious answers.

Let's get on with the final supplemental from the Official Opposition leader.

**Ms Smith:** Mr. Speaker, it is quite ironic that the \$6,000 cost for each of these blue-and-orange signs is almost the exact same amount as the average DRP payment made so far. LandLink has messed up the paperwork. Homeowners wait months and months for DRP visits that are cancelled over and over again. LandLink engineers recommend impossible repairs. Hardly any money has flowed. To the Premier: why won't she use the special blue-and-orange sign approval process to get the disaster recovery money flowing?

**Mr. Fraser:** Mr. Speaker, 4,000 payments have been made to those homeowners at \$25 million. The building Alberta signs have been helpful in putting High River back together. In fact, they've been part of a communications plan to help bring back confidence to the town. You know what? That's the overall cost of this expense, and that's a quote from the mayor of High River. He appreciates those signs; in fact, they're actually going to put their signs up because they believe that's part of rebuilding Alberta's confidence after the worst disaster. That's leadership. That's what we're doing.

**The Speaker:** Hon. Member for Lac La Biche-St. Paul-Two Hills, we have your point of order at 1:59, and we also have noted the point of order right in the first set of questions as well.

Let us move on to the hon. Member for Edmonton-Meadowlark, the Alberta Liberal leader, with some peace, order, decorum, and civility.

### Government Policies

**Dr. Sherman:** Thank you, Mr. Speaker. Let's talk about the Premier's promises. She promised 140 family care clinics. She only opened three and announced 24. She promised to build 50 new schools and modernize another 70. Instead, we got some portables. She promised more funding for postsecondary education. Instead, she slashed it. She promised a thousand long-term care beds. Instead, she is cutting them. I could go on, but the bottom line is that this Premier has run out of promises. To the Premier: are you beginning to understand why so many people mistrust you and your government?

**Mr. Lukaszuk:** Mr. Speaker, in the last election Albertans made a very clear choice. [interjection] The choice was to provide our children with badly needed classroom space not only in Edmonton and Calgary but throughout all of Alberta. They made a choice to build hospitals where patients actually are so they can go for their medical treatment closer to home. [interjection] They made a choice to build seniors' facilities that allow our seniors to retire in dignity near their homes. [interjections] Those are the choices that Albertans have made. We are delivering on those choices, and they don't like that.

### Speaker's Ruling Decorum

**The Speaker:** Hon. members, let me make it very clear. If I hear too much of this interjection stuff, you're going to lose your spots. End of story. That's going to be it. The same goes for the Liberals, the same goes for the ND, and the same goes for private members on the government side. I've had enough. How many times do you have to be asked? Do you literally have to be scolded like schoolchildren about this? Hopefully not. But I'll do whatever I have to do to maintain order, civility, and decorum in this House. You can count on it. I will cancel your spot. I may cancel the rest of question period if I have to, but I will not put up with this tomfoolery. No more, please.

Let us go on. Edmonton-Meadowlark, you have the first sup.

### Government Policies (continued)

**Dr. Sherman:** Thank you, Mr. Speaker. Obviously, the Premier has no answer for my questions.

Besides the string of broken promises another hallmark of this Premier is her draconian and heavy-handed, imperious style. She's introduced legislation that would give her government the power to fire, fine, and jail democratically elected municipal officials who disagree with her, take away the long-established arbitration rights for public service government workers, and attack free speech rights of Albertans. Again, I could go on. To the Premier: why have you taken the joke that Canada has elected dictators so literally? Who will the government put in jail when all the workers are gone?

**Mr. Lukaszuk:** Mr. Speaker, I really hesitate to even answer whatever this was. It definitely wasn't an appropriate question for

this House. I can tell you one thing. In this province Albertans pride themselves on the fact that they can be politically engaged at the grassroots level in any political party. They pride themselves on the fact that they can freely vote in every single election. [interjection] They pride themselves on the fact that they can sit in the galleries and observe the procedures of this House, and they pride themselves on the fact that they elect a government that represents their values, and here is . . .

**The Speaker:** The hon. member. Final supplemental.

**Dr. Sherman:** Mr. Speaker, let's continue. Some of the results of this Premier's reign: ambulances not showing up on time in life-or-death situations, people with broken bones waiting days and days in agony for surgery in overcrowded hospitals filled with infections, public schools being gutted, a thousand fewer teachers at a time when we have 50,000 new children in the system, far too many seniors getting bedsores from neglect in long-term care facilities, home-care workers not even showing up, and, finally, the cover-up of the heartbreaking deaths of the children in care. To the Premier. Even the Grinch had a change of heart at Christmas. Why are you so indifferent to the suffering of people?

**Mr. Lukaszuk:** Well, Mr. Speaker, it must feel like a reign when every four years you're told by Albertans over and over again that your party's values are not reflective of what Albertans' values are. [interjection] That is why they continue to elect this government. They do have confidence that this government will deliver on what Albertans' priorities are. We have, and we will. You know what? They don't like that.

**The Speaker:** I'm trying to get the attention of Edmonton-Centre.

**Ms Blakeman:** Yes, sir.

**The Speaker:** We wouldn't mind an apology later. No more interjections. You heard me.

Let's move on. First main set of questions, Edmonton-Highlands-Norwood. You have the floor.

**Ms Blakeman:** No. Excuse me. No. I'm not going to do that. It's part of the give-and-take of this House. You can ignore me . . . [interjections] It's part of the give-and-take of this House. I won't be bullied by you, the Speaker, telling me what I can and can't do in this House. [interjections]

**The Speaker:** Hon. Member for Edmonton-Centre, nobody is bullying anybody. There are rules in this House. You are no stranger to them. You helped create some of them.

**Ms Blakeman:** I am, sir. I am no stranger to this, and that's why I'm challenging you.

**The Speaker:** I am not going to stand here and have you be in contempt of this chair or of the Legislature, so please have a seat.

**Ms Blakeman:** You cannot make us sit here with our hands in our laps like children. We are not children. We are elected people, and we have a right to yell at each other if we want. Yes, we do. We need to keep decorum, we need to be polite about it, but it's a give-and-take in this Assembly.

**The Speaker:** Hon. member, you have a choice to either sit down or be escorted out.

**Ms Blakeman:** I'm happy to sit.

**The Speaker:** Okay. Thank you for sitting.

### **Speaker's Ruling Rules and Practices of the Assembly**

**The Speaker:** Now, let us be reminded that there are rules, there are conventions, and there are protocols, which I have brought to your attention many, many times. I am tired of bringing them to your attention time after time after time. I'm going to review what you just said, Edmonton-Centre, and then we'll decide what to do about that, okay?

**Ms Blakeman:** Okay.

**The Speaker:** I want to just see what *Hansard* picked up.

**Ms Blakeman:** Okay.

**The Speaker:** I also want to see what *Hansard* picked up when some other members were answering questions. The microphones were on and references were made that might be against the rules as well. I'm going to review all of that. They didn't escape my ears either.

Now, I recognize that session is wrapping up in a couple of days. I understand that. I understand you're all trying to get your licks and bits and pieces in. I get that. I've been there myself a few times. But there are rules with how you do all of those things. Let's see how they are demonstrated by the hon. leader of the ND opposition with his questions.

### **Private Health Services Delivery**

**Mr. Mason:** Thank you very much. With respect, Mr. Speaker, there is no rule in this House or in the British parliamentary system against interjections.

Whenever Alberta's NDP challenges the health care privatization of the Health minister, he responds by claiming that our opposition is based on mere ideology. He ignores the fact that all reputable studies show that private health care delivery costs more and has worse outcomes. Now the minister's chickens are coming home to roost. Just yesterday he blamed one of his private companies for their inability to deliver home-care services to those that need them. Will the minister now admit that his . . .

**The Speaker:** Thirty-five seconds are up; I'm sorry. The Minister of Health.

**Mr. Horne:** Mr. Speaker, it's difficult for me to understand what this hon. member is getting at. What I've been saying and what I will continue to say on behalf of this government is that the bottom line in any circumstance in the delivery of health care is the quality of health care. We are indifferent to the quality provided by public and private and not-for-profit providers so long as all types of providers adhere to provincial standards, which are rigorously enforced. That is what creates a high-performing health system. That's what allows us to deliver health services to growing numbers of citizens.

**2:10**

**The Speaker:** The hon. member. First sup.

**Mr. Mason:** Thank you very much, Mr. Speaker. This minister's ideological commitment to privatizing our health care system is putting our seniors at risk. Seniors are dying in the care of companies who are more interested in profit than care. Seniors' care is chronically underfunded, and seniors are left lying in their



own waste. When will this minister admit that his underfunded privatized model for seniors in care is not working and take real measures to ensure the comfort and dignity of every senior in this province?

**Mr. Horne:** Mr. Speaker, every day in this province care of the highest quality, that would be the envy of many in this country, I dare say, is delivered to hundreds of thousands, if not millions, of Albertans. In any large system, in any system that is growing at the rate that Alberta is, there are bound to be issues on a day-to-day basis. The bottom line is that quality trumps all, that we have common standards that apply regardless of who the provider is in a given situation, that we monitor for compliance with those standards, that we report on that performance, and that we learn from it.

**Mr. Mason:** How many seniors are going to die in care while this minister learns his lessons?

Why doesn't this minister admit that these are not just rare and one-off occasions, that, in fact, all of our seniors' care in this province has serious problems mostly due to very short staffing? We've tabled in this House thousands and thousands of working short forms describing individual situations where seniors didn't get the care they needed. When will this minister take responsibility and actually do something?

**Mr. Horne:** Mr. Speaker, the hon. member can say what he likes. The fact of the matter is that we have strong provincial standards for quality in the province. We have challenges, as we have discussed in this House in the back and forth of question period, with respect to the increase in the number of residents with dementia and Alzheimer's disease and other ailments. We have acknowledged the fact that people enter facility-based care at an older age, 85 today in Alberta, and we have acknowledged that their health care demands are much more complex than they were even five years ago. We are taking the appropriate steps and adding capacity for additional beds. We are keeping up with staffing requirements, where we're . . .

**The Speaker:** Thank you.

Hon. Member for Edmonton-Highlands-Norwood, I'll bring you up to speed later about interjections that cause disorder and what prompts the Speaker's interventions. I did not interrupt your question, but I want you to know that I will comment on what the rules are of this House. I'm very acquainted with them as well.

Let's move on. No preambles now, starting with Edmonton-Manning, followed by Lac La Biche-St. Paul-Two Hills.

### Windbreaks along Highways

**Mr. Sandhu:** Thank you, Mr. Speaker. Alberta winters can be long and cold and bitter. Regular heavy snowfalls result in major drifts, poor visibility, and slippery conditions. The use of windbreaks would lower many of these risks, resulting in many saved Albertan lives and lower insurance costs. My first question is to the Minister of Transportation. Will you commit to build windbreaks along major highways such as the QE II and highways 28, 21, and 63?

**The Speaker:** The hon. minister.

**Mr. McIver:** Thank you, Mr. Speaker. I thank the hon. member for his concern for Albertans' safety and for the request that I think he just made of me to break wind. We use snow fences all across the province. We use them in dips and valleys where they

think they will be appropriate to create safety by stopping drifting on the roads. It's something we've been doing for a long time. We even use windbreaks in the form of snow fences on private land when we can get permission. If the hon. member has particular places where he thinks they need to be added, I would most certainly welcome that input.

**Mr. Sandhu:** My second question is to the same minister. How soon could this simple, environmentally friendly tree-planting project begin?

**Mr. McIver:** Well, Mr. Speaker, as I said, we use snow fences both on public land and private land. There are examples of it that the member can find along the Queen Elizabeth highway between Edmonton and Calgary. Again, he mentioned highways 28, 21, and 63. If the hon. member has other places where he thinks we need to do more of this work, whether it's on public or private land, again I'd ask him to draw that to my attention, and we will most certainly take those requests seriously because when we're building Alberta, the safety of Albertans is paramount.

**Mr. Sandhu:** My final question is to the Minister of Agriculture and Rural Development. Will you commit to working with the federal government to bring back the important prairie shelterbelt program, that shut down last spring, to help with the cost?

**Mr. Olson:** Mr. Speaker, I'm sorry; I may not have caught the first part of the question. But regarding the shelterbelt program, that, of course, is a federal program. We have certainly received some expressions of concern from a number of people. I've spoken to the federal minister about it, and he tells me that the shelterbelt program largely was not being used by agricultural producers, but it was being used by people on acreages and so on. So for the purposes of the federal program – I'm hesitant to speak on behalf of the federal government, but that's the explanation I've received, and that's why they got rid of it.

**The Speaker:** Thank you, hon. minister.

The hon. Member for Lac La Biche-St. Paul-Two Hills, followed by Calgary-Bow.

### Information Requests on Contracted Legal Services (continued)

**Mr. Saskiw:** Thank you, Mr. Speaker. Albertans are eagerly anticipating the Ethics Commissioner's ruling into the actions of this Premier. We have recently learned that there has been political interference and a political cover-up. We filed a FOIP on this issue, and it was returned from Alberta Justice with 1,000 pages blocked out. To the Minister of Justice, a simple yes or no: does your chief of staff and close political confidant have to sign off on what information is disclosed?

**Mr. Denis:** No.

**The Speaker:** Thank you.  
First supplemental.

**Mr. Saskiw:** Well, thank you, Mr. Speaker. Given that the FOIP manager for Alberta Justice asked permission from your chief of staff to release information, would you agree that your office is providing political interference to protect this Premier and cover up the facts?

**Mr. Denis:** No.

**The Speaker:** Final sup.

**Mr. Saskiw:** Thank you, Mr. Speaker. I think those words speak really loudly.

Why are you purposely blocking and hiding this key information from the public? What facts are you covering up?

**Mr. Denis:** Mr. Speaker, this member isn't going to get off that easy the third time. The question that he asked could be the subject of a point of order under 23(h), (i), and (j) because it assumes many facts that are simply not in evidence. I do not direct anything to do with FOIP in my office. I've stated this before. If he would even read the particular e-mail, the e-mail in no way seeks to restrict any information out. We have no control of the e-mails we receive, but the e-mail went out, and there's absolutely nothing that the chief of staff has sought to destroy in any way.

**The Speaker:** The hon. Member for Calgary-Bow, followed by Chestermere-Rocky View.

### Dertour Academy 2013

**Ms DeLong:** Thank you very much, Mr. Speaker. While building Alberta, tourism has a vital role to play in showcasing Alberta's profile and appeal while broadening and diversifying our economy. This week 600 travel agents and journalists from Germany are in Alberta as part of the Dertour Academy, so my question is to the Minister of Tourism, Parks and Recreation. In this current climate of fiscal restraint why are we rolling out the carpet for these travel agents?

**The Speaker:** The hon. minister.

**Dr. Starke:** Well, thank you, Mr. Speaker, and I thank the hon. member for her question. Dertour is Germany's number one tour provider, and every year they host the Dertour Academy. They've been doing this for 40 years. For the first time ever Alberta is hosting the Dertour Academy, and we will have 600 of the top travel agents in Germany visiting us. Now, Travel Alberta anticipates an at least 20 per cent increase in tourist traffic from Germany as a result of the Dertour Academy, with a resulting economic impact of some 16,000 additional visitors, creating \$16 million in increased economic activity.

**The Speaker:** The hon. member.

**Ms DeLong:** Thank you very much, Mr. Speaker. As building Alberta is important, I am thrilled that my constituency is part of the two host communities, Calgary and Banff, but what about all the fantastic tourism locations in the rest of the province?

**Dr. Starke:** Mr. Speaker, there's no question that Alberta has a variety of fantastic tourist locations. Where these agents go is the decision of Dertour, and I will tell you that Dertour has chosen wisely. In addition to Calgary and Banff, they've chosen 19 additional locations within this province for the tour guides to go on familiarization tours both before and afterwards; for example, ice climbing in Canmore, snowshoeing in the Edmonton river valley, touring the Royal Tyrrell Museum in Drumheller, and sampling a wide range of Alberta-produced beverages and foods.

**The Speaker:** The hon. member.

**Ms DeLong:** Thank you, Mr. Speaker, and again to the same minister: what did Travel Alberta have to promise to get this huge German organization to come to Alberta?

**Dr. Starke:** Well, Mr. Speaker, I will tell you that hosting Dertour is a very competitive process. This Premier and our government are committed to building Alberta by increasing our tourism industry from \$7.8 billion to \$10.3 billion by 2020, employing 139,000 people in 19,000 businesses, and providing \$1.15 billion in provincial tax revenues to provincial coffers. Winning the opportunity to host the Dertour Academy came about as a direct result of our attendance at the London Olympics. When we go abroad we get results, and we're . . .

**The Speaker:** The hon. Member for Chestermere-Rocky View, followed by Calgary-Buffalo.

2:20

### Education Performance Measures

**Mr. McAllister:** Mr. Speaker, the OECD just released its triennial report on education. It tested students from across the globe. As a country we have fallen behind, but as a province we have really hit the skids. Our grades are sliding. The Minister of Education was quick to blame teachers: oh, if they were only trained more. Now, I'm sure that teachers would approve of appropriate professional development – I know they would – but this government and this minister ought to accept the fact and recognize that larger class sizes, fewer teachers, and fewer resources are contributing to this as well. Does he realize that?

**Mr. J. Johnson:** Mr. Speaker, it sounds like another spending day from the Wildrose. I'm not sure where to begin with this question because there are so many inaccuracies about it. First of all, the assertion that I said that about teachers is completely inaccurate. The more alarming and the more concerning assertion is that our system is on the skids. It certainly is not. If the member would look at the OECD results, he would see that the results from Alberta and the results from Canada show that our kids are performing well above the OECD average on numeracy, on literacy, and on science. We're doing well, although there are areas that we need to look at, and we're paying very close attention to that.

**Mr. McAllister:** Mr. Speaker, Inspiring Education is upheld as some sort of crown jewel for Alberta Education, and there's a lot good about it. But I don't think a 32 per cent decline in mathematics is anything to beat your desks about, folks.

Given that a lot of parents are starting to refer to this government's education talk as edubabble, can the minister see from this obvious proof that all Inspiring Education is a lack of confidence and a lack of results inspired by this government?

**Mr. J. Johnson:** Mr. Speaker, I think this hon. member needs to do some math work. The test scores on the math did not drop by 30-some per cent. That's quite an astonishing claim, and I think he needs to do his homework. He's also misquoting me and others.

I would point to things that are easy to pick up on, and it's the article that was in the *Globe and Mail* two days ago by Andreas Schleicher, who is the guru of testing and who does these tests. He says, "Then you look across borders and you find that most high-performing education systems have quite large classes and focused their resources instead on the quality of teachers." So that's the OECD quote.

**Mr. McAllister:** Mr. Speaker, results matter. That is how life works.

Given that this government has made it very clear that it supports a no-zero policy and given that this government celebrates wanting to change the way that our kids are graded, taking away those

dreaded and offensive letter grades and percentages, when will the minister and his team realize what parents already know: there's a huge difference between preparing your kids for the path and preparing the path for your kids?

**Mr. J. Johnson:** Mr. Speaker, I've seen some of the members comments, and I think they're quite alarming. They're comments like: we need no transformation; our system is just fine the way it is. So the Wildrose doesn't support changes to PATs, they don't support dual crediting, they don't support these kinds of things that we're working on. I find that hard to believe.

Mr. Speaker, there's lots of great work being done, and it's being done because there were five years of dialogue done with Albertans, thousands of Albertans, numbers of professionals, employers. They all told us what path to go down. There's a blueprint that's been created very thoughtfully, very well-respected right across the globe, and we're heading down that path, and it's going to be the right thing to do.

**Mr. Hehr:** As noted, a major international report released by the OECD shows that Alberta educational performance in math, science, and reading is slipping at a faster rate than most other provinces. This report adds to the growing body of evidence that this government is failing our students. To the minister: is it not obvious that at least part of the reason why our test scores are going down is because our education system has 51,000 more students attending school than it did three years ago, with 1,000 fewer teachers teaching those students?

**Mr. J. Johnson:** Mr. Speaker, there are a number of things that we can point to in terms of the slide of our math scores, but I do want to emphasize that there are a couple of great things about the reports that came out. They do emphasize to parents that if you want to ask the questions, "Are our kids prepared? Are they able to compete with the skills they have in the global economy?" the answer is yes. We're performing extremely well in all three categories. The other thing is that Canada and Alberta have one of the most equitable education systems on the planet even though we have one of the most diverse student populations. It matters least where you live, who your parents are, how much money you have . . .

**The Speaker:** Hon. member, first supplemental.

**Mr. Hehr:** The facts and numbers don't lie. We now have two comprehensive international studies that indicate Alberta educational performance is on the decline. Could that be the case because Alberta has clearly walked away from the Alberta class size initiative of 2003 and now has children in classrooms bursting at the seams, some teachers having 40 kids in each room?

**Mr. J. Johnson:** Mr. Speaker, I say once again that we have an incredible education system in this province, and the OECD test results prove that. Certainly, we have some concern with the decline in math. There are steps being taken to address that. I would point out also, though, that many of the countries that we compare ourselves to regularly – like Finland, Australia, New Zealand – that are high-performing countries, have declined faster than we have, and the countries that are at the top in math are the Asian countries. There's work to be done, but let's not tear down our education system. We've got a fantastic system right now, and our kids are well prepared.

**Mr. Hehr:** Given that jurisdictions that are moving up in the rankings are those that have instituted early childhood learning

strategies like kindergarten and junior kindergarten and learn through play programs, why has this government broken the Premier's promise of funding full-day kindergarten across this province?

**Mr. J. Johnson:** Mr. Speaker, we're looking everywhere we can to gather best practices from other jurisdictions, including Quebec, that's instituted a lot of work on training teachers on math specialization so that they can increase their numeracy scores. We've got a commitment on early childhood development and full-day K. We're working on that.

I want to once again point out to the member some of the things that he seems to ignore out of the report, though. Once again, Andreas Schleicher saying:

High performers . . . [in this report] prioritize the quality of teachers over the size of classes. Think about it: In many countries, Canada included, significant resources have gone into making classes smaller. Parents like it, teachers like it, and ministers become very popular . . . But then you look across borders and you find that most high-performing education systems . . .

**The Speaker:** Hon. member, the time has expired.

### Public-service Contract Negotiations

**Mr. Bilous:** Mr. Speaker, this past week the PC government put the spotlight on its antidemocratic, regressive, and vindictive ideology. With bills 45 and 46 the PCs have launched a co-ordinated assault on the freedom of speech and right to assemble, things you just don't mess with in Alberta. This week you have fundamentally betrayed Albertans. To the Minister of Human Services: have you no shame?

**Mr. Hancock:** I guess one could respond to that with the question: have you no access to reality?

In this province, as the Deputy Premier just a few minutes ago outlined, we have access to free and open elections. We have access to the right to congregate, we have access to be able to speak our minds in appropriate ways and appropriate places, we have the opportunity to participate, and we have the opportunity to elect a democratically elected government, this government, which operates on the values of Albertans.

**Mr. Bilous:** Not after Bill 45 passes.

Mr. Speaker, given that 51,000 public-sector workers in B.C. just received a 5.5 per cent wage increase over five years and will receive bonuses if the economy continues to grow and given that here in Alberta, with inflation at 1.5 per cent, this PC government is forcing a rollback on the wages of 21,000 workers, to the minister: why are you intent on attacking Albertans?

**Mr. Horner:** Well, Mr. Speaker, that's a very interesting question because we're talking about an offer that was made and a counteroffer that was made in a negotiation in B.C. that came through a rather unique arrangement, one that would not have happened through an arbitration process. It happened through a negotiation process, and that's exactly what we're asking for now. We want them to come back to the table, with an offer if possible, because our offer is still on the table, which is a fairly reasonable offer.

**Mr. Bilous:** In B.C. they can still strike.

Given that this year the PCs doled out over \$3 million in bonuses to overpaid AHS executives and given that the Premier claims that people are pleased with rollbacks to the wages of hard-

working Albertans, to the Premier: how dare you reward your friends and then suggest that public-sector workers are pleased by your blatant hypocrisy.

2:30

**Mr. Lukaszuk:** Mr. Speaker, the facts are clear. There are still two months left for negotiation. The government has put an offer on the table for negotiation. All we are asking for at this point in time is for the AUPE to not block negotiation but to return to the table and negotiate. At this point in time it's impossible to predict what the outcome would be. However, in the meantime if that is not possible, we do have the responsibility of living within our means and making sure that our hard-working public servants are remunerated in a respectable manner.

**The Speaker:** The hon. Member for Calgary-Fish Creek, followed by Edmonton-Riverview.

### Alberta Health Services Executive Pay

**Mrs. Forsyth:** Thank you, Mr. Speaker. We all know that in June the Health minister fired the AHS Board. The tipping point was the fact that so many executives wanted to return their bonuses. According to the minister, the board told these kind-hearted execs that they had to keep their money, so the minister fired the board and said: I'm going to make sure they get the option not to take it. Well, today we learned that the minister overestimated the charity of these executives as only 1 out of 100 returned the money. Minister, were you misled by these executives? Who told you that they would return the money?

**Mr. Horne:** Well, Mr. Speaker, there certainly was an issue with respect to a compensation model at Alberta Health Services that allowed for pay at risk as opposed to the term "bonus," that the hon. member used. I'm proud of the fact that this government stood up not only within the public sector generally but within Alberta Health Services and said that there would be no more pay at risk as part of the compensation structure for senior executives. That is in keeping with Albertans' values.

**Mrs. Forsyth:** The only reason you're keeping with their values is because Albertans spoke up against it.

Minister, your reasons for firing the board are now unravelling. Given that the board refused to withhold performance bonuses and then so did the minister and given that the board couldn't get executives to return the money and then neither could the minister, can the minister please explain who's running the show?

**Mr. Horne:** Well, Mr. Speaker, the government of Alberta is providing direct oversight of the health care system in this province. That has always been the case. The members of the former board at Alberta Health Services, whom we thank for their service, I'm sure did their best in their role to try to move forward the goals that we have for the health care system and for the outcomes that we want to see for Albertans. Whether the issue was pay at risk or whether the issue is oversight in other very, very important areas like continuing care, the fact of the matter is that this Premier has stepped up, is providing the direct oversight that Albertans demand, and we are improving our health care system every day.

**Mrs. Forsyth:** Minister, it's a blame game. If you screw up, you blame AHS. If AHS screws up, you blame them, so please.

Thank you, Mr. Speaker. Given that only one single executive turned down their performance bonus while \$3 million was paid

out to the rest, where are all the others who told you that they desperately wanted to give the money back?

**Mr. Horne:** Well, Mr. Speaker, I will make no secret of the fact that I am disappointed that more of those senior executives did not see their way clear to avoid receipt of the pay-at-risk component, but notwithstanding the fact that not as many of them did make that choice, the fact is that today because of this Premier there is no more pay at risk at Alberta Health Services. There has been reform, significant reform, with respect to travel and hospitality and other expenses. This government has taken leadership in showing necessary restraint . . .

**The Speaker:** Thank you.

The hon. Member for Edmonton-Riverview, followed by Cypress-Medicine Hat.

### Mental Health Supports

**Mr. Young:** Thank you, Mr. Speaker. While postsecondary institutions in Alberta provide excellent education and support, some university students who feel stressed, isolated, overwhelmed, and who struggle with depression or mental illness are seeing innovative approaches resulting from the three-year funding grant targeted at students within the university communities. My concern is that these innovative supports are going to end after three years. To the Minister of Health. These needs will continue. Will the targeted supports?

**Mr. Horne:** Mr. Speaker, that is an excellent question. I had the opportunity to meet the other day with the Canadian association of university students to talk about the impact of this \$3 million investment. Our commitment to supporting the mental health needs of postsecondary students will continue. This grant is just one of the ways that we are going to continue to provide that support.

**The Speaker:** The hon. member.

**Mr. Young:** Thank you. To the Minister of Enterprise and Advanced Education: where do students' supports, particularly for mental health, fit within the mandate letters to Alberta universities?

**Mr. Lukaszuk:** Good question. Mr. Speaker, all educators know that students need to be well in order to learn well. So yes, actually, in the 26 letters that we have just recently signed with all 26 Alberta postsecondary institutions – don't quote me on it directly – there is a line item that demands that all postsecondaries provide students with all of the services that they need in order to create an environment that is conducive to learning. That is an area where our ministry and, most particularly, postsecondary institutions have to co-operate with the Ministry of Health and deliver those services jointly.

**The Speaker:** The hon. member.

**Mr. Young:** Thank you. Back to the Minister of Health: whether it's university students, children, families, seniors, or any other Albertans, what psychological counselling supports are available to Albertans?

**Mr. Horne:** Well, Mr. Speaker, there are many opportunities for Albertans to access psychological services and other mental health services. A key focus of primary health care improvement in Alberta has been to deploy addiction and mental health resources in all points of care, ultimately, in our system: primary care

networks; family care clinics; as the hon. member has said, in the postsecondary sector; in schools, through the mental health capacity building initiative; and in many others. A full 40 per cent of visits to family doctors in the province are estimated to be for a mental health or addictions-related issue. This is a critical . . .

**The Speaker:** Cypress-Medicine Hat, followed by Calgary-Currie.

#### Information Request on Disaster Recovery Program

**Mr. Barnes:** Mr. Speaker, we see time and time again how this government spends big bucks on commission studies and then tries to bury the results and obscure the findings. Residents of Cypress-Medicine Hat have seen this again as this government denied the *Medicine Hat News* freedom of information request for documents related to the KPMG report on the disaster recovery program. While the report was completed in 2012, the government sat on it for over a year. What is this government hiding from taxpayers, flood victims in Cypress-Medicine Hat, and the *Medicine Hat News*?

**Mr. Griffiths:** Mr. Speaker, the answer is very simple. The report was released, and anybody can look at it. It has been for a while.

**Mr. Barnes:** Only 10 out of 42 things were answered in the FOIP, Mr. Speaker.

Given that even PC MLAs like the Member for Banff-Cochrane have expressed frustration at the delivery of the disaster recovery program and that slow response times, conflicting information, and delayed payments are causing undue stress and hardship, does the Minister understand why the DRP is such a failure and that hiding the report for over a year has made this much worse?

**Mr. Griffiths:** Mr. Speaker, we used that report to improve the program. I have to say that 4,000 payments have gone out in the most recent disaster, totalling almost \$25 million. Out of the previous report on the 2010 disaster that we had in that member's constituency, almost 2,800 people were helped. There are only five outstanding claims, which we're still working to resolve in the interest of making sure that taxpayers are not paying more than they should. That's good work.

**Mr. Barnes:** Mr. Speaker, many in Cypress-Medicine Hat gave up because of the frustration. Given that implementation of the recommendations when it mattered, in 2012, could have solved some of the needless upheaval and emotional stress that Albertans have experienced, when will the ministers involved commit to full transparency instead of hiding the failures of this PC government?

**Mr. Griffiths:** Mr. Speaker, before that report was released, we made a lot of different changes to the DRP to make sure that it was more responsive, which again is why we have had almost 4,000 cheques go out in the last couple of months. That's a total of \$25 million. I've talked to colleagues from across Canada and from across North America who say that their biggest concern is that they're going to have to match Alberta's speed in reaction to this flood, and they don't know if they can handle it because we did such an exceptional job and set the bar so high that we now have the gold standard in response to disasters.

**The Speaker:** The hon. Member for Calgary-Currie, followed by Drumheller-Stettler.

#### 2:40 Recreational Land Use in Southern Alberta

**Ms Cusanelli:** Thank you, Mr. Speaker. Calgary-Currie is home to many outdoor enthusiasts. They regularly keep me informed of their needs as Albertans who like to live active lifestyles in our majestic backyard. Hiking, climbing, skiing, backpacking, and camping are low-impact, fundamental recreational activities that happen in parks and on Crown lands in the area covered by the South Saskatchewan regional plan. Will the Minister of ESRD confirm that the South Saskatchewan regional plan implementation will not limit access to existing backcountry trails and areas that hikers, climbers, skiers, and other low-impact users are currently using for recreation?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker. Albertans who love to get out into the backcountry for hiking, climbing, and other low-impact recreation will not be negatively impacted. In fact, new conservation areas will offer new opportunities. Nine new proposed conservation areas will provide more than 130,000 hectares of low-impact recreation opportunities such as hiking and horseback riding, and 21 new or expanded provincial parks and rec areas add in almost 1,500 hectares for all forms of recreation.

**The Speaker:** The hon. member.

**Ms Cusanelli:** Thank you, Mr. Speaker. To the same minister: how can you say that this government is taking recreational access seriously when there are no subregion management plans for recreation, but there are plans for resources like oil and gas, forestry, and agriculture?

**The Speaker:** The hon. minister.

**Mrs. McQueen:** Thank you, Mr. Speaker. It is our objective to provide a wide range of recreation experiences for residents and visitors to Alberta. That's why we'll be working with Albertans under our draft SSRP on new initiatives, including a regional parks plan, a regional trail system plan, and comprehensive recreation and access management plans for Castle, Porcupine Hills, Livingstone, and Willow Creek. We will continue to work on new strategies to ensure that we have these opportunities for Albertans.

**The Speaker:** The hon. member.

**Ms Cusanelli:** Thank you, Mr. Speaker. Lastly, to the Minister of Tourism, Parks and Recreation: have you considered or would you consider creating a standing recreational advisory council composed of user stakeholders for consultation on the implementation of the South Saskatchewan regional plan in Parks' management of recreational activities in parks?

**Dr. Starke:** Well, Mr. Speaker, we certainly understand that outdoor enthusiasts have a deep connection to the lands and the opportunities they have within the lands. If you're not an outdoor enthusiast, just travel anywhere in Alberta and you'll become one. These commitments are in place throughout the SSRP to work with recreational communities and in the South Saskatchewan regional trail system plan. The SSRP consultation plan in and of itself is an advisory tool that will capture stakeholder input, and it will help inform on how recreation needs can and will be supported.

**The Speaker:** Hon. members, could we have unanimous consent to revert briefly to Introduction of Guests?

[Unanimous consent granted]

### Introduction of Guests

*(continued)*

**Dr. Starke:** Mr. Speaker, it is indeed a pleasure to introduce to you and through you to all members of the Assembly a group of travel agents who are visiting Edmonton today as part of the Dertour Academy. They have visited locations such as the Royal Alberta Museum, Elk Island national park, and the Strathcona Wilderness Centre and, in so doing, are familiarizing themselves with the wide range of breathtaking tourism experiences they can recommend when they are booking Alberta travel experiences for their clients in Germany. Our honoured guests are seated in the public gallery, and I extend a hearty welcome to Alberta and wish them a wonderful stay in our province.

Or to say it another way: Ich bitte unsere verehrte Gäste ein ganz herzliches Willkommen in Kanada und wünsche ihnen einen wunderschönen Besuch in unserem Provinz. [as submitted]

I would ask our honoured guests to rise and receive the traditional warm Willkommen of the Assembly.

**The Speaker:** Hon. minister, the other long-standing tradition is to provide a translation of what you just said. Since time didn't permit, would you care to summarize that in 10 seconds, briefly?

**Dr. Starke:** Mr. Speaker, I can assure you that what I said in German was an exact and literal translation of what I had just said in English.

**The Speaker:** We'll accept that for what that is.

In exactly 20 seconds from now we will continue with Members' Statements.

### Members' Statements

*(continued)*

**The Speaker:** Let us continue on with private members' statements, starting with Banff-Cochrane, followed by Barrhead-Morinville-Westlock.

### Dertour Academy 2013

**Mr. Casey:** Thank you, Mr. Speaker. Travel Alberta is hosting Dertour Academy across Alberta until December 9. The event brings approximately 600 top-level agents from Germany and neighbouring countries to Alberta to provide advanced training in selling and promoting Alberta vacations. I'm pleased to say that our German guests have been spending time in my constituency of Banff-Cochrane. They are also visiting Canmore, Edmonton, Jasper, and Drumheller and experiencing first-hand Alberta's vibrant cities, our beautiful mountains and badlands, our warm hospitality, and our winter wonderland, that maybe isn't too warm the last couple of days.

Mr. Speaker, Germany is Alberta's second-largest overseas market. This is a golden opportunity to grow that market. In fact, it is estimated that traffic from Germany will increase by 20 per cent as a result of Dertour Academy. This translates to 16,000 additional visitors and \$16 million in tourism expenditures. Getting the story of Alberta out to industry representatives from around the world is a great way of attracting new tourists to Alberta. The 2012 London Olympics offered us the opportunity to

introduce Alberta to new markets, and Dertour is a direct result of that initiative. Events like this are critical if we are going to recognize our goal of growing tourism into a \$10.3 billion industry by 2020 from its current \$7.8 billion position.

Mr. Speaker, I would like to personally take this opportunity to thank Travel Alberta and their partners for their contribution to this event and to growing tourism in Alberta.

Thank you.

**The Speaker:** The hon. Member for Barrhead-Morinville-Westlock, followed by Sherwood Park.

### Volunteers

**Ms Kubinec:** Thank you, Mr. Speaker. I want to pay tribute today to someone who has proven their value, just as they do every single year. I may be talking about a man or a woman, an energetic and optimistic young person, or someone with wisdom and experience of many years to share. I may be talking about a person in a uniform or maybe someone whose uniform is simply a T-shirt with a single crucial word on it. I'm speaking about a pillar of your community and mine and of the whole idea of community. I am speaking about the volunteer.

Tomorrow, December 5, is recognized around the world as International Volunteer Day. Mr. Speaker, the quality of life that we enjoy in our great province would not be possible were it not for the dedication and generosity of our volunteers. Volunteers and the organizations that they support deliver annually over \$9 billion in programs and services to youth, families, and the most vulnerable citizens in our communities. Some leave the comfort and security of Alberta to travel around the world to lend their time and skills to those in the most desperate need. Others take the time to ensure that life is good here and that our rights and privileges are secured and attainable by every Albertan. They bring honour to our province and our nation.

Mr. Speaker, the government of Alberta is proud to return that honour. Tomorrow my colleague the hon. Minister of Culture will present the stars of Alberta volunteer awards to six incredible Albertans. These six individuals represent the very best of Alberta and demonstrate for us the true meaning of community spirit. The stars of Alberta ceremony is one of the ways that the Alberta government is recognizing and paying tribute not just to those who have been awarded but to all those who are motivated by the desire to live in a better world and step forward to make it a reality every day.

Mr. Speaker, I will ask all members of this House and all Albertans to take the time today, tomorrow, and every day to remember and thank the incredible Alberta volunteers.

**The Speaker:** The hon. Member for Sherwood Park, followed by Medicine Hat.

2:50

### Recreation Opportunities

**Ms Olesen:** Thank you, Mr. Speaker. Everybody Gets to Play is a national effort led by the Canadian Parks and Recreation Association to facilitate better access to recreation opportunities for children in low-income families. They advocate on the merits of increased recreation opportunities and have produced a tool kit for recreation practitioners and volunteers to mobilize their communities to reduce barriers to access.

Many communities have taken steps to improve recreation opportunities for lower income families in recognition of the importance of growing physically and emotionally healthy citizens and communities. Further, access to play and recreation are

recognized as basic human rights under the United Nations convention on the rights of the child. Alberta's Active Alberta policy 2011-2021 also advocates that individuals, "regardless of ability or income, have the opportunity to experience a wide range of recreation, active living and sport opportunities." The Alberta sport plan consultation, that is currently under way, identifies the need for sport to be available to and participated in by all Albertans.

I am proud that my community of Sherwood Park and Strathcona county has been an early and strong adapter of measures to increase recreation opportunities for all our residents. *Playing It Forward: The Case for Accessible Recreation in Alberta*, a report by the Alberta Recreation and Parks Association in association with Strathcona county, is available at [arpaonline.ca](http://arpaonline.ca). The report offers practical advice to municipalities on implementing an effective program to ensure accessibility without stigma and contact information for a number of corporate sponsors. The ARPA website also features a webinar produced by Strathcona recreation, parks, and culture outlining their experience in working up their Everybody Gets to Play programming on what works, what didn't, and provides further insight to help other communities jumpstart their programming. We should all be there for the kids.

Thank you.

**The Speaker:** Thank you, hon. member.  
Medicine Hat, please.

#### Service Dogs Act Review

**Mr. Pedersen:** Thank you, Mr. Speaker. The Service Dogs Act has been beneficial in providing guidance, rules, and regulations for those requiring and being approved for a service dog, but as times have changed, so have the needs for more as well as the increased variety of service dogs. The act will be reviewed in the spring of 2014, and this will be the best opportunity to discuss these issues.

Mr. Speaker, my constituent Les Landry is somebody benefiting from such a dog. Les went from a life of normalcy to suffering high blood pressure, up to 270 over 168 even while on medication. He lost his job. He began having seizures. Les described himself as the walking dead, waiting for the inevitable, and couldn't wait the one to two years for a service dog. Through the Internet Les discovered that some dogs had seizure awareness instincts, so he located a breeder with a line of German shepherds showing this ability and made Annie part of his life.

Now, Mr. Speaker, Annie is not a certified service dog, but since she entered Les's life, his blood pressure is now within normal ranges on less medication. Les is prewarned of oncoming seizures so that he can plan where he needs to be and what he needs to do in case he is in a public place. Annie has given Les his life back. Les is happier and healthier, and Annie has a loving and caring companion. But without her being certified, Les is limited as to how and where he can take Annie such as on transit, shopping, going to the doctor, or taking his lifeline, Annie, with him whenever he needs to leave his home.

Mr. Speaker, Les and myself are not asking for the legislation or regulation to be changed to reduce the level of training required of service dogs for the providers, the clients, or the public at large. All we want to do is raise awareness of the fact that the needs of clients are now being grossly underserved. This will be an unbelievable opportunity to open the door on how service dogs are trained, who trains them, and where they come from. I know from the Member for Calgary-Fish Creek about the incredible bond that

has been created between her and Quill, and my hope is that more clients can experience that bond.

I ask all members to consider this as well as Quanto's law federally when this discussion begins.

Thank you, Mr. Speaker.

#### Presenting Petitions

**Mr. Jeneroux:** Mr. Speaker, I'm pleased to rise today and present a petition that has been reviewed and approved in format by Parliamentary Counsel. This petition is signed by concerned parents on student enrolment pressures that face our area of Edmonton-South West. A total of 473 signatures have been gathered to urge the government to consider additional education infrastructure support throughout the province. We desperately need schools in Edmonton-South West, and this petition is proof of that.

Thank you, Mr. Speaker.

#### Tabling Returns and Reports

**The Speaker:** The President of Treasury Board, followed by the Minister of Culture.

**Mr. Horner:** Thank you, Mr. Speaker. I'm pleased to table the required number of copies of a letter to the hon. Member for Strathcona-Sherwood Park as chair of the Standing Committee on Families and Communities to have the committee examine and provide recommendations on phase 2 changes that are currently under review in the insurance system.

Thank you.

**The Speaker:** The hon. Minister of Culture, followed by Calgary-Mountain View.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. I rise today to table the appropriate number of copies of the response to Written Question 44 from the MLA for Medicine Hat, that was accepted on Monday, November 25, 2013.

**The Speaker:** The hon. Member for Calgary-Mountain View, followed by Edmonton-Calder.

**Dr. Swann:** Thank you, Mr. Speaker. I have the appropriate number of copies of three tablings. The first one is from Dawn Kosolowsky, deeply concerned about the poorly planned AHS workforce reconstruction, representing 600 other letters I received on this issue.

The second is from Sherri Vernon, opposing Bill 46, one of dozens of other citizens opposing Bill 46.

The third is from Jennifer Allen, calling the pension regime reform another promise broken, part of several dozen e-mails I received on this issue.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Calder.

**Mr. Eggen:** Well, thanks, Mr. Speaker. I rise today to table a document written by Don Braid regarding bills 45 and 46 that states that these bills clearly violate the Charter, that they undermine freedom of speech, and that they undermine freedom of association for all Albertans.

Thank you.

**Mr. Dorward:** I'd like to table on behalf of the Deputy Premier the requisite number of five copies of a Wildrose card distributed through the services of the Legislative Assembly of Alberta.

**The Speaker:** Are there others? The hon. associate minister.

**Mr. Fraser:** Thank you, Mr. Speaker. I rise and present the appropriate number of copies of an e-mail that was presented to me this afternoon by the mayor of High River endorsing the signs that we put up to build Alberta and the recovery in High River, and I urge the Member for Highwood to support that rather than count how many signs are around the province.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. I have two tablings with the requisite copies. The first is an e-mail dated Tuesday, September 4, 2012, from the Justice minister's chief of staff indicating that he gave approval for the release of FOIP documents.

The second document is dated November 6 from the office of the Information and Privacy Commissioner of Alberta to the Minister of Justice outlining that her office is indeed in a conflict of interest and requesting from us what mechanisms we wanted to use on a go-forward basis.

Thank you, Mr. Speaker.

**The Speaker:** Are there others?

If not, hon. members, pursuant to requirements stated in section 28(1) of the Conflicts of Interest Act, I would like to table with the Assembly the report of the Ethics Commissioner dated today, December 4, 2013, regarding allegations involving the hon. Premier of Alberta. This report was received in my office today.

Also, with your kind attention, hon. members, I'm pleased to table the requisite number of copies of the Legislative Assembly Office 2012 annual report, Building Our Legacy, and the 2012 annual report of the Commonwealth Parliamentary Association, Alberta branch, and interparliamentary relations.

Finally, hon. members, in my capacity as chair and pursuant to section 39(3) of the Legislative Assembly Act I would like to table with the Assembly five copies of the following orders arising from motions approved at the November 29, 2013, meeting of the Special Standing Committee on Members' Services: one, the Executive Council Salaries Amendment Order (No. 10), being Order No. MSC 08/13; two, the Members' Allowances Amendment Order (No. 28), being Order No. MSC 09/13; three, the Members' Committee Allowances Order (No. 12), being Order No. MSC 10/13; and four, the Constituency Services Amendment Order (No. 27), being Order No. MSC 11/13.

3:00

### Tablings to the Clerk

**The Clerk:** I wish to advise the House that the following documents were deposited with the office of the Clerk. On behalf of the hon. Mr. Horner, President of Treasury Board and Minister of Finance, pursuant to the Conflicts of Interest Act and the Legislative Assembly Act Report of Selected Payments to the Members and Former Members of the Legislative Assembly and Persons Directly Associated with Members of the Legislative Assembly, year ended March 31, 2010, Revised Member Statement for hon. Mr. Danyluk; and Report of Selected Payments to the Members and Former Members of Legislative Assembly and Persons Directly Associated with Members of the Legislative Assembly, year ended March 31, 2013.

**The Speaker:** Hon. members, before we move on to points of order, we have a special presentation, which, with your unanimous consent, I would like to have the House proceed with, and that is the recognition of our pages. Might we have your unanimous consent to do this order of business?

[Unanimous consent granted]

**The Speaker:** Mr. Deputy Speaker.

### Statement by the Speaker

#### Page Recognition

**Mr. Rogers:** Thank you, Mr. Speaker. Hon. members, it is with pleasure that we present gifts to our hard-working pages at this special time of the year. In 2010 Helen Cashman, our head page, joined us. In 2011 the following three pages joined us: Alyssa Edgerton; Perrin Michalysyn, the Speaker's page; and Tierra Stokes. We were joined by the following six pages in 2012: Chantelle Bryce, Stephanie Nedoshytko, Danielle Seymour, Melina Sinclair, Ben Thronson, and Matthew Owens. Finally, in 2013 the following seven pages joined us: Joely Bragg, Laura Bryan, Jenna Geldart, Devyn Godziuk, Tianna Groeneveld, Kylie Kwok, Christina Luo.

I ask you to join me in recognizing the efforts of our diligent pages, who daily show patience – and I mean a lot of patience, Mr. Speaker – and understanding of our many demands. They carry out their tasks with attention to duty, including some very late nights of work with us, including some this week.

These gifts are from the personal contribution of every member of our Assembly. Along with the gifts are our best wishes. We are honoured to have our pages work with us in the Legislative Assembly, Mr. Speaker, to serve all Albertans.

I'm very pleased to give a gift to the head page, Helen Cashman, who is representing all of the pages, and Helen, in turn, will present each of the rest of the pages with their gifts from us later.

**The Speaker:** Thank you, pages. Thank you, members, for recognizing the outstanding services that our pages perform. Well done, young men and women.

I think we have points of order to go to now, so let us begin with point of order number one. I believe it was Lac La Biche-St. Paul-Two Hills. You had a point of order. Citation and your point please.

### Point of Order

#### Allegations against a Member

**Mr. Saskiw:** Thank you, Mr. Speaker. I rise according to Standing Order 23(h), (i), and (j), and it was in regard to an answer provided by the Deputy Premier, in which he insinuated that the Leader of the Official Opposition was, and I quote, undermining an independent officer, the Privacy Commissioner.

Mr. Speaker, again, allegations against an independent member of this Assembly are very serious, and in your previous rulings you'd indicated that that is actually a contempt of this Legislature. The Deputy Premier here, in fact, alleges that the Leader of the Official Opposition committed a contempt in this Assembly.

Mr. Speaker, I did table a document to you, which is a letter from the Privacy Commissioner, which, in fact, outlines why her office is in a conflict of interest with respect to the investigation into the awarding of a tobacco litigation contract by the Premier when she was Justice minister to her transition team leader and ex-husband. That letter outlines that because the law firm that was



awarded the contract also counsels the Privacy Commissioner, her office in effect is in conflict, and in fact the Privacy Commissioner asked the Official Opposition how we'd like to proceed, whether it was through a judicial process with a Queen's Bench justice or a privacy commissioner in another province. We responded indicating that we'd like it done by a privacy commissioner in another province and are awaiting the response of the Privacy Commissioner.

Mr. Speaker, at no time whatsoever did the Leader of the Official Opposition in any way indicate any contempt for the Privacy Commissioner or undermine her office. She stated a fact as outlined in the Privacy Commissioner's letter, that her office is in a conflict. This Deputy Premier likes to make up stuff and make allegations that aren't substantiated by the facts, and I'd ask that he withdraw it in this circumstance.

Thank you, Mr. Speaker.

**The Speaker:** Hon. members, I have reviewed the Blues. The Government House Leader might want to comment in response if you wish, but really what shows in the Blues would support the point of order.

**Mr. Hancock:** Well, Mr. Speaker, it would seem that what I heard the Deputy Premier say – and you have the benefit of the Blues – was that the hon. leader in her comments talked again about conflict of interest and talked about the Privacy Commissioner. There has been a theme throughout this fall of disrespect for officers of the Legislature. I think the Deputy Premier was trying to emphasize that particular thing.

But if you're suggesting that there's a point of order there, I'd be more than pleased on behalf of the Deputy Premier to say that I'm glad they've cleared up that misunderstanding and indicated that there is respect for the Privacy Commissioner, so I would apologize on behalf of the Deputy Premier.

**The Speaker:** Thank you, Government House Leader.

In fact, in reading the question phrased by the hon. Leader of the Official Opposition, she stated:

We expect the Ethics Commissioner to rule on Tobaccogate shortly. My question involves another related but separate issue. The Wildrose had requested a copy of the actual litigation contract between the government and JSS, the law firm of the Premier's close friend Mr. Robert Hawkes. The Justice department has refused to share that contract with us, and perhaps we now know why. We just received a letter from the FOIP commissioner advising us that they can't help us because the very law firm that is under investigation also represents the FOIP office. To the Premier: when did she know this was the case?

At that point the Deputy Premier stood and said:

Well, Mr. Speaker, it is quite ironic that the very party that I believe yesterday in question period was asking for an independent seniors' advocate commissioner of this Legislative Assembly now undermines another independent officer of this Assembly before they even had a chance to read a report, before they even had a chance to review documents. There is nothing unusual. All offices of the government are represented by either . . .

And the statement goes on. I think the keywords in all of that are "now undermines," and it was at that point that Lac La Biche-St. Paul-Two Hills rose on the point of order, which he has just illustrated

As such, there's definitely a point of order here, that you've now apologized for. If you would wish to add the withdrawal of those remarks uttered by the Deputy Premier, I think that would conclude the matter, Mr. Government House Leader.

**Mr. Hancock:** As you indicate, Mr. Speaker.

**The Speaker:** Thank you.

Let us move on, then, to the second point of order, which was raised at I think 1:59 p.m. or thereabouts. I think this was Lac La Biche-St. Paul-Two Hills as well.

#### Point of Order Exhibits

**Mr. Saskiw:** Thank you, Mr. Speaker. I rise again according to Standing Order 23(h), (i), (j). I know you've ruled on this issue in the past with respect to one of our members, but of course it's a long-standing tradition – I'm sure it's in *Beauchesne's* – that you cannot use props. It was quite evident that the Deputy Premier was in fact using a prop. I think that prop was tabled to you subsequently in the tablings and proceedings. I believe it's just inappropriate to use that, and I'd ask that you instruct the member to not do that in the future.

Thank you, Mr. Speaker.

**The Speaker:** Well, I think we all know the rules about props. I'm prepared to comment on this, Government House Leader, but I'll allow you an opportunity if you wish to comment first.

**Mr. Hancock:** Only to say, Mr. Speaker, that it's devilish coming from that hon. member, that has waved around so many documents as he's talked over the course of this session and this year, to now object when their own propaganda is waved in public.

Mr. Speaker, I think, to speak seriously, sometimes there's a difference between a prop, something that someone holds up to catch the camera, something that one holds up to make a demonstration of purpose, and a document which one refers to as they're holding it, indicating what they're talking about and that they're going to table it. Those are entirely two different things. Here the propaganda that the hon. member was referring to he was holding up for the purpose of referring to it in his question, in his discussion, as part of his question, and then tabled the document.

3:10

**Mr. Mason:** Mr. Speaker, may I also comment?

**The Speaker:** Very briefly, hon. leader of the ND opposition. Sure.

**Mr. Mason:** I know that it's unusual, Mr. Speaker, but I'm going to agree with the Government House Leader on this. I believe that the waving of documents is a tried and true measure of this House to punctuate the importance of certain issues, and I think the minister has eaten enough crow for one day anyway.

**The Speaker:** Are there others? No. Thank you.

Hon. members, the Deputy Premier certainly did hold up what could be construed as a prop. But I have to tell you that if we had a point of order every time one of you held a prop of some kind, we would be curtailing our time for other important things, I'm sure, more often than you would like.

Just in the last little while, for example, we had the point of privilege here, where I think the Member for Edmonton-Strathcona rose to explain it, and I think she referred to or used a prop, which was the so-called brochure. You know, so be it. Nobody interjected. I saw it, and I thought of interjecting, but I thought, "No; I'll just let this go," because a week or a day or a month earlier I had let the Liberal leader go with a prop that he had in his hands. We've all used them.

I think it's more a question of how these things get used. The rules are pretty finite; for example, on *House of Commons Procedure and Practice*, page 612, and in *Beauchesne's*, paragraph 501. The third sentence on page 612 reads, "Members may hold notes in their hands, but they will be interrupted and reprimanded by the Speaker if they use papers, documents or other objects to illustrate their remarks."

Now, it's always an interpretive judgment, I suppose, as to what constitutes sometimes a prop and sometimes just helpful notes, which we've all used and we want to continue being allowed to use them to make our comments. So I think that if we'd just be a little more judicious in what we use and how we use it, I'm prepared to allow some leniency in that respect. Props can also take the form of T-shirts and overcoats and all kinds of other things in this House, and those would definitely be against the rules.

So let's just be judicious and suffice to receive this as a point of clarification on how we might want to proceed going forward. That will close that matter as a point of clarification.

### Statement by the Speaker Maintaining Order in the Assembly Interrupting a Member

**The Speaker:** Now I want to move on to a few comments that I said I would make at the conclusion of the Member for Edmonton-Highlands-Norwood's comments. I want to begin by stating how many times I have asked you to please remember that the rules that guide this House are not my personal, private rules. They are your rules. They are your standing orders. They are our collective standing orders. So, too, are all of these books that we all like to refer to, and there are numerous books. There are volumes upon volumes, but we use three or four fairly common ones.

But at the end of the day I hope you would all agree that it is the Speaker's fundamental responsibility to preserve order and decorum. In that respect, I think if you look at our own Standing Order 13, which is short and I'd like to share it with you, it says:

- 13(1) The Speaker shall preserve order and decorum and decide questions of order.
- (2) The Speaker shall explain the reasons for any decision on the request of a Member.
- (3) When the Speaker is putting a question, no person shall walk out of or across the Assembly or make any noise or disturbance.

And (4), which is really important:

- (4) When a Member is speaking, no person shall
  - (a) pass between that Member and the chair, or
  - (b) interrupt that Member, except to raise a point of order.

Now, I don't enforce that rule to the very strictest, most finite point – and you know I don't – because I've been in this Assembly a long time and I understand and I sometimes appreciate that interjections will come forward. But then you have to understand what the global definition or what our local definition might be of interjections.

Let me give you an example. Punctuating somebody's good speech with some applause at the end of the speech or perhaps sometimes in the middle of it, if it's pretty dramatic, could be viewed as an interjection, but it's not likely one to cause disorder, so Speakers traditionally let that go. Similarly, sometimes you might get a good zinger across the bow. Edmonton-Highlands-Norwood, you're particularly well known for good zingers. They're short and sweet, and sometimes they're quite humorous, quite funny. Everybody gets a little bit of enjoyment out of that.

But it's not likely to create disorder, so Speakers traditionally would let that go.

Similarly, there might be other forms of expression that are short lived that may not cause disorder. But when I sense or any Speaker senses that there is something that might cause disorder or is already causing a disturbance beyond the normal jostling about, then we usually start with a warning. I have given warning after warning after warning. Then you get to the point where you just say: that's it; I have to do something about this because it's just getting higher and higher and higher.

I can tell you, hon. members, that there are 38 brand new members in this House as of the 2012 election. You would be surprised at how many called me, wrote me, talked to me over the last 18 months, particularly when they first started, how many of them – and I would never name them – came to me and said: you know, we enjoyed your so-called credo speech. You will remember the one, where some people had fun with that, but I gave it for a reason. These members came to me and said: "We will support you because we want to make a difference in this House. We want to raise the bar. We want to have decorum and order, and we want to form a different style of support for government or opposition against government." You know very well what I'm talking about. I took you at your words.

Now, there are obviously also seasoned veterans here who may have given similar undertakings when they started. We all get a little long in the tooth on some of these issues, so to speak, and sometimes we fall into those little traps where, in some cases, we might be asked to put a question forward that we're not even comfortable asking. That's happened where I've had members come to me and talk to me about that as well. Sometimes those questions cause disorder and disruption.

We have to proceed with some understanding and some leniency about the definition of what constitutes an interjection just for the sake of an interjection – that could be heckling or something else – that is allowed but does not cause disruption, disorder, and so on versus ones that do.

In fact, there is a passage on page 638 of the *House of Commons Procedure and Practice*. In particular, the third sentence in the last paragraph states as follows: "Excessive interruptions are swiftly curtailed, particularly when the Member speaking requests the assistance of the Chair."

That, in fact, happened today where a member was trying to either ask or answer a question and looked at me for some help to bring things back to order. You may not have seen it, *Hansard* may not have picked it up, but you know very well what I'm talking about. Excessive interruptions. That certainly did occur today.

On the contrary side of that, you will know that after the questions from Edmonton-Manning and onward, a lot of interjections and heckling happened. A little bit of jostling and some laughter occurred, very little of which gets picked up in *Hansard*, but we hear it and we see it here. I did not intervene. Not once. Nor did I yesterday nor the day before because I do allow a lot of leniency with respect to some of the heckles and the interjections. And you all know that. I know that, too.

A couple of final points. *Beauchesne* paragraph 334 reads as follows:

Other forms of interruption have traditionally been accepted as proper. For many years Members applauded their fellows by banging the tops of their desks, a form of applause rarely seen today. The advent of television in the House caused a change in the practice and it is customary to applaud in a more conventional way. A wide range of brief, shouted remarks either expressing approval or disapproval have traditionally been

overlooked, although many make their way into the Debates. If the interruptions are excessive, the Member speaking may appeal to the Speaker for help, which will be forthcoming. In extreme cases the Speaker may intervene without such request to restore order in the House.

We had an extreme case or two during our last 18 months as you will all know.

3:20

Finally, I will end by saying that I always judge the degree or the severity of the interjection. I also look at the tone and the timbre and the context within which it was given and as much as I can possibly get into my head in that split second when I have to make some kind of a decision. I don't just stand up here for the heck of it. You know I don't. If I don't say something to you seriously every now and then, you may not take it seriously, and I know that, too.

Some misdemeanours may require penalties, and that's why I offered one today. I want you to know that I was fully prepared to make good on that threat, if you will, to leave out certain members from question period. I've never done it, and Lord help me to ever really, truly have to do it in the future. Do you think I would enjoy doing that, hon. members? Do you think I've never served in opposition and that I don't know how difficult it is to be an opposition member? I most certainly do, and I sympathize with opposition members greatly. Do you think I don't know what it's like to be a so-called backbencher? I certainly do, and I know how hard that role can be as well when certain decisions might be being made by the government you're supporting that you may or may not like all the time. But there's a greater game at stake.

I most certainly know what it's like to be in cabinet trying to defend and answer questions and be put on the hot spot and putting up with heckling and trying to make an intelligent statement when there is nothing but interjection after interjection after interjection. I get all of that because I've played all of those roles, so I know where you're coming from when you stand. Truly, truly in my heart and in my mind and in my body I know exactly where you're coming from. More importantly, I may also know where you're going with it, which is why I sometimes interject in a proactive sense. At least I hope so.

I hope, hon. members, I can have your support to continue on and use my discretion and as good a judgment as the Lord has given me to make sure that law, order, and civility do preside in this House at all times but also with a degree of flexibility, which the hon. Member for Edmonton-Highlands-Norwood alluded to.

That being said, let us move on to Orders of the Day.

**Ms Blakeman:** Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Centre.

#### Point of Clarification

**Ms Blakeman:** Yes. Thank you very much, Mr. Speaker. Under 13(2) I want to say that this member has the greatest possible respect for the office of the Speaker. Indeed, I have put my name forward to be considered for election to that office, which, I would argue, shows how much I value that particular office and the high esteem that I hold it in.

But I do still reserve the right to object to the interpretation of the person who's occupying the office. In this particular case I would argue – and I catch his argument that he is talking about the excessiveness of the interjections. I'm sure I don't need to remind the Speaker, but I will point out that on page 492 it talks about:

“As has been noted, Question Period is a free-wheeling affair, with tremendous spontaneity and vitality.”

On page 604 it talks about that occupants of the chair “generally ignore such incidental interruptions as applause and/or heckling.” In fact, nowhere in any of our parliamentary books is heckling specifically prohibited or banned. It's referred to or encompassed in the definition of decorum, which is what the Speaker has referenced here.

I would argue that what we heard today is not excessive. When I look at some of the other examples of interjections – heckling, applause, name-calling, shouting – you mentioned yourself, it's not anywhere near the decibel level of what I've heard in this House previously. We are certainly not dealing with fist fights as a result of interjections in this House. We're not dealing with dead salmon being slapped on people's desks. We're not dealing with people throwing shoes as a result of it. I would argue that, all things considered, that was a fairly typical exchange for this House.

I do argue with an admonition from the Speaker that threatens people for having used an interjection in this House. I did speak out of order, and I acknowledge that, but I have to say that I just could not keep my seat at that time. I spoke as I believe is true in this House. I value it very much. I actually listen to people in this House. I listen to their members' statements. I listen to almost everything that goes on in this House, so I am respectful of it. But to have an individual who is occupying the office of the Speaker tell me that I am or a member of the opposition is going to be disciplined by losing a question because of an interjection is not acceptable to me, and I have made that statement to you, Mr. Speaker.

**The Speaker:** Hon. member, thank you. I did let you go on at some length. You weren't really seeking a clarification with a lot of what you said, but I will accept it that way, okay? I'll give you the benefit of the doubt. You know very well because I know you know how to play the game, and you are a great player. There is no doubt about that.

But I covered in my remarks that some heckling is allowed, and I have allowed it to go on. You know that. Don't argue against yourselves on this because you know that what I'm saying is correct. It's when it does get excessive. Excessive can mean repetitive. It can mean elongated as in taking more than three or four seconds. Some of the excessiveness that I experienced today went on for quite a long time, as it has on previous occasions, and the volume of it all.

At the end of the day I just am so tired of getting these letters from parents of schoolchildren and schoolchildren who come in here. They talk to their teachers and their principals. We all go to those schools. I'm not telling you something you haven't heard before. Sure, there might be some exceptions to it, but by and large, all of those letters, all of those comments, hon. members, come back saying: “Wow. What a rude atmosphere you allow to go on in the House. People interrupting each other, people talking over top of each other, people talking with each other while another question was going on, and people talking across the bow.”

Those are the kind of things that I would like to avoid if only for that 50 minutes, which, as you know, is carried on live television. I made comments about that from one of our respected books just now, that the advent of television has changed some of this format into nothing short of political theatre. I get that, too, but we're not here to entertain anyone. We're here to get business done. We're here to hold the government to account if you are an opposition member. We're here to provide solid answers as best

we can, if we know the answers, as cabinet ministers. That's how we would like to proceed, hon. members.

We've spent enough time on this. Let's move on.

### Orders of the Day

#### Government Bills and Orders Third Reading

##### Bill 36 Appropriation (Supplementary Supply) Act, 2013 (No. 2)

**The Speaker:** The hon. President of Treasury Board.

**Mr. Horner:** Thank you, Mr. Speaker. Thank you for your comments this afternoon. It is my privilege to rise today and move third reading of Bill 36, the Appropriation (Supplementary Supply) Act, 2013 (No. 2).

The sole purpose of this bill is to authorize the appropriation of \$764 million required to fund government's initial flood recovery activities during the 2013-14 fiscal year. I do encourage all members of the House to support this bill so that the government can continue to provide the supports to Albertans, small-business owners in communities devastated by the June floods.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Lac La Biche-St. Paul-Two Hills.

**Mr. Saskiw:** Thank you, Mr. Speaker. It's an honour to rise today to speak to third reading of Bill 36. I will be supporting this particular bill. Of course, much of the funding that's requested is going towards flood relief. The only concern I do have, of course, is that the new-found mantra of this current government is: debt is hope. Before the election it was: debt is the end of countless dreams. Now it's: debt is hope. So that's the only one caution that I would have.

We on this side carefully scrutinize every single spending of every single penny, and on the other side we've seen money blown and blown on all sorts of different things from MLA offices with garden rooftops to massive severances to health executives and those types of things. In this instance, though, when I review the legislation and review the underlying documents, it appears that much of this funding, or the vast majority of this funding, goes towards flood relief.

Although I am very concerned with the direction of this province in the sense of going towards \$17 billion of debt by 2016 compared to a few years ago, where we had close to that amount in the sustainability fund, and this new mantra that debt is hope and that that's their new core principles, I will still be supporting this bill because it does provide relief for the flood both in terms of infrastructure and other projects.

Thank you, Mr. Speaker.

**The Speaker:** Are there other speakers? The hon. Member for Edmonton-Calder.

3:30

**Mr. Eggen:** Well, thank you, Mr. Speaker. I rise to make some brief comments again on supplementary supply. Certainly, we are supporting this supplementary supply bill. It's necessary. A lot of it has to do with the floods and so forth. But I think it's always incumbent upon us to make some constructive observations in regard to both accounting and budgeting standards and then just in general global budget improvements that could be made.

First and foremost – and I think I'm not alone in this by any means – it's very important that I should be able to look at statements and be able to understand fairly easily what's being presented, this being public money and my job being to scrutinize that, with the public able to make scrutiny about that, too. The different sheets and statements and plans that we have in this new budgeting system that we have here, Mr. Speaker, are not clear, and I think it's important that over the next year we do make efforts to make those documents more transparent, right? Money is being moved from one place to another, expenses are being moved like assets, and the whole thing is just a bit of a schmoz, right? Even an accounting expert, I think, would have trouble working through these without considerable guidance. By making it hard for regular Albertans to read our accounting sheets here, we are not doing anybody any great service. There's always room for improvement, and I think that we have to start doing that straightaway, starting now.

Second of all, in regard to the budget still we know that there's a serious revenue problem in this House and across this province. It's a mismanagement of revenue. By depending too much on the volatility of revenues from energy, we end up with the wide variations between surplus and deficit. Instead of basing our budgets on these kinds of uncertainties, we could certainly stabilize with the money we do have available to us to allow the economy to grow at a more moderate pace and to allow for contingencies such as the flood and still balance the budget within some reasonable amount of time.

We've had a great hullabaloo with Bill 45 and Bill 46 around public-sector wages, right? Really, the difference between what could be arbitrated and what, you know, this government is bringing down with an iron fist on public-sector workers is just a drop in the bucket in terms of the whole budget. By stabilizing both the economy and our access to royalty and corporate tax, we would be able to solve all of those problems and save for the future, too, Mr. Speaker.

We should stabilize our revenue streams so that we can better predict and plan budgeting in each area, right? For example, if we did have a steadier revenue stream, Mr. Speaker, the government wouldn't have to make the cuts that we did to postsecondary education in 2013 and then, you know, all of the damage that ensues as a result of those things.

By managing the resources that we do have available to us and by collecting those revenues that any other reasonable western democracy would be able to, not only could we balance the budget, pay a wage that would reflect inflation and normal, I guess, averages across this country and across the industrialized world but, in fact, save for the future, too.

I'm always an optimist, and I believe that we have the capacity to do these things one step at a time and to look at cause and effect. The cause: revenue problems by not capitalizing and capturing royalty rates and corporate tax rates properly. There's a solution there, and certainly things like Bill 45 and Bill 46 could be put on ice. We can put a pause on those destructive, heavy-handed sorts of bills legislating wage rollbacks for public-sector workers. We could balance the budget. We could save for the future. Everything would be coming up roses, Mr. Speaker. Let's always keep an eye on doing that. I know that at some point we will. Perhaps it takes a change of government. But by the responsibility that we have vested in us, we will balance this budget, we will save for the future, and we will pay decent wages to our public-sector employees.

Thank you very much.

**The Speaker:** Standing Order 29(2)(a) is available, hon. members. Anyone under 29(2)(a)?

Seeing no one, let's go on to the next main speaker, Calgary-Buffalo.

**Mr. Hehr:** Well, thank you, Mr. Speaker. It's a privilege to rise to speak to this portion of the sup supply bill that recently passed. As indicated by all ministers and by the records that were before me, it became clear that all of the expenditures that were mandated under this sup supply were directed towards flood relief and dealing with the disaster that faced southern Alberta and actually Fort McMurray, of all places, during the summer flooding events. What in global this situation has done for me is that it has increasingly highlighted the precarious nature of our Alberta fiscal structure. If it didn't become clear to members before this event, it should be clear now.

Mr. Speaker, we can see here that over the course of many years now, almost 42, we have managed to spend all of the oil wealth in one generation, never have predictable and sustainable funding, and to not have enough money to run core services that we need today. We see it with an inability to build 50 schools and have 70 new modernizations. We see it with an inability to get 140 family care clinics up and running. We have a failure to have predictable, sustainable funding in education and our postsecondary system. All of that was promised in the last election, but as a result of our fiscal structure – and let's face it. It's not because of the bitumen bubble or anything like that, guys. The bitumen price differential has been with us since the oil sands were invented, so let's remember that. It's the result of an unstable fiscal structure that does not allow for predictable, sustainable funding nor any savings for the long term.

One only has to take a look at how since 1971 we have taken in and spent all \$375 billion of our nonrenewable resources. We've only managed to save roughly \$16 billion. By the end of this four-year election cycle we will have run up a debt of \$17 billion. Coincidentally, we're at a wash, sir. After 42 years of substantial oil wealth we will not have saved anything. The savings in the heritage trust fund will match what our debt is. In my view, that's not very good financial management. At the same point in time we are having great difficulties in funding public services like education, like health. In fact, many of our public servants – teachers, doctors, and now union workers – are not going to be able to get a reasonable wage as a result of this government's refusal to deal with the fiscal structure.

A case in point. You look around. This should not be tough times for the Alberta government. We have a private sector that is doing great. Wages in the private sector are exploding. I think the Conference Board of Canada and some other organizations stated that private-sector wage growth will be about 3.6 per cent this year. It's going well, sir. Individual incomes are up. Corporate profits are up. The price of oil is holding steady, I think, today at \$97 a barrel. Clearly, these should be good times for our government, but as a result of a fiscal structure that is inappropriate for capturing revenues from citizens to pay for the services they use, which I'd think would be a Conservative principle – if you're providing the services, you should collect the tax revenue for them.

3:40

I guess the alternative would be not providing the services, but this government likes to have it both ways: provide all the services and not collect the revenue for it. That, to me, is a very troubling state that has been highlighted by this flood. Simply put, if we are ever going to be able to allow ourselves to perform as best we can

today by funding public services, getting people a decent wage, and keeping education and health care running smoothly, that is what needs to happen. It will also allow us to do the best we can for tomorrow by saving some of this extraordinary nonrenewable resource wealth for the future. Simply, to me, if people have not understood that by now, they've been burying their head in the sand and playing the role of the ostrich.

One other point highlighted to me from this recent flood and this recent round of sup supply is that the Alberta government needs to take actions to protect both families and communities as well as the public purse from future disasters. Let's face it. Let's be clear. This 1-in-100-year storm nonsense is simply nonsense. This happened in 1995, it happened again in 2005, and it happened again in 2008. We have major disaster events that occur, and the government is prone to act and actually should act to assist its citizenry in times of difficulties. That's when we need to ensure that people are protected, families and communities are protected.

What other proactive jurisdictions have done, virtually every jurisdiction that has had flooding events, whether they are from Europe, the United States, or other locations around the world, is instituted mandatory flood insurance. What this enables citizens to do is pay a risk-adjusted premium on the home that they live in to ensure that that will be rebuilt in times of disaster.

There has been some call from the government that says: well, this has to be a national program. Well, I don't know if they got the memo, but the current Conservative government is not that interested in national programs. If they haven't gotten the memo, they should figure that out very quickly. Given that Alberta is in charge of insurance contracts and that we have close to 4 million people, heading towards 5 million, if we looked at providing this insurance, it could be done in a reasonable fashion, especially if they wanted to factor out things like DRP funding, things like the money we're going to get from the federal government for disasters.

It would not be that onerous or, in my view, that difficult to set up that type of program. Heck, we have insurance here in this province for all sorts of things, from care to home to theft, you name it. Adding this to the mix would not be that onerous. In my view, the provincial government should get on with the business of doing what's necessary, and that would allow us to protect both families and communities as well as the public purse in future events that are going to happen.

Those are two things, Mr. Speaker that I'm concerned about. Our fiscal structure, as everyone is well aware of, to me, is the issue of our times. The second thing I think we need to be proactive on is moving forward with a mandatory provincial flood insurance scheme that protects families and communities and the public purse.

Thank you, very much, Mr. Speaker. It's been an honour to rise today and add my comments.

**The Speaker:** Thank you.

Hon. members, 29(2)(a) is available.

Seeing no one, I wonder if we could have unanimous consent to revert to Introduction of Guests briefly.

[Unanimous consent granted]

### Introduction of Guests (reversion)

**The Speaker:** Hon. Member for Calgary-Buffalo, are your guests still here?

**Mr. Hehr:** Yes. Well, thank you, Mr. Speaker. It's a true honour and privilege to introduce a near and dear friend of mine and a

long-time family supporter, Ms Laurel Jackson, to this honourable House. I know Laurel is here today as a proud union member concerned about the introduction of bills 45 and 46, and I will also say that she and her family – her brother Mitch, her mother, Peggy, and her father, Bill – have all been very instrumental and supportive in assisting me through the vagaries of life. I'd ask Laurel to stand now so she can receive the recognition of this honourable House.

**The Speaker:** Thank you.

**Mr. Mason:** I would like to introduce a guest who has arrived. I didn't see her before. Elisabeth Ballermann is the president of the Health Sciences Association of Alberta.

Thank you.

## **Government Bills and Orders**

### **Third Reading**

#### **Bill 36**

#### **Appropriation (Supplementary Supply)**

#### **Act, 2013 (No. 2)**

*(continued)*

**The Speaker:** We are on third reading of Bill 36. Are there any other speakers?

**Hon. Members:** Question.

**The Speaker:** The question has been called in third reading of Bill 36.

[Motion carried unanimously; Bill 36 read a third time]

#### **Bill 45**

#### **Public Sector Services Continuation Act**

**The Speaker:** The hon. Minister of Human Services.

**Mr. Hancock:** Thank you, Mr. Speaker. I would like to move Bill 45 for third reading.

Just brief comments. Most of the comments that I have made during second reading and committee, but I did just want to touch again on a couple of matters that seem to continue to linger.

First of all, the Public Sector Services Continuation Act is an act which is fairly narrow in scope in that it seeks only to update the sanctions and the penalties relative to an illegal strike. The concept of that, really, is that there should be deterrents to a strike, and the deterrent should be of a sufficient nature to be effective.

We don't have illegal strikes very often in this province. This is not a bill which should be used. It's not a bill which should be put into effect ever. It's like one of those contracts where once you write it down and everybody knows the rules, you operate in good faith, and things go on. That's the nature of this particular bill. It seeks to do a couple of things which are extremely important.

One, of course, is to clearly define what is meant, because the sanctions are there, so a strike, a strike threat, or counselling an offence are all terms which are well known, terms which are interpreted at law, terms which will be interpreted by the Labour Relations Board or the courts. They're not terms which are capable of being utilized, as some reporters would suggest or columnists would suggest or as the opposition would suggest, so that a strike threat is merely a couple of people talking about what they should do. It's not a water cooler conversation. It's not somebody calling in to a talk show. It's not even somebody waving a sign.

What a strike threat is is an effective and meaningful approach to induce or encourage a strike and to indicate that a strike is going to happen. It's those things which require preparation as a result of that. So if you're in Health Services and there are people in care – and I've had experience with this, Mr. Speaker – you have to make sure that the people who are being cared for are not going to be in any danger. If there's a real and meaningful strike threat, you have to prepare for that. That requires the mobilization of resources. It requires people to pay attention to it because you cannot afford – and I say "afford" in the sense that you cannot allow people to be put at risk. That's what a strike threat is. It isn't casual conversation.

3:50

The same thing with counselling an offence. There is in the Criminal Code a section – I think I read it into the record last night – relative to counselling an offence. That, again, is not somebody just casually saying: you should do that. It's a question of the meaningful intervention with the intention of getting somebody to do an act, and in order for that to be effective, you have to be someone who has the power or authority or credibility to actually cause that action to happen. In fact, I think that under the Criminal Code definition, the interpretation that courts have put on it, it would be fair to say that you can't have a counselling of an offence unless you actually have an offence.

Again, it's not the casual conversation that the opposition would suggest. It's not the shutting down of freedom of speech, which has been bandied about here. These are meaningful terms which are interpreted legally by the courts or by the Labour Relations Board, not something that an employer or management can toss out lightly and say: you're a bad person; you've been counselling an offence. It doesn't work that way at law, and the opposition knows that.

Mr. Speaker, I just wanted to clarify those two pieces because it's extremely important. These terms are not simply loose terms that can threaten freedom of speech or that can shut down casual conversation or even people's right to get together and say: you know, we really are concerned about something, and we ought to do something about it. There are all sorts of opportunities for people to do that, which takes me to the next piece.

It's been suggested in debate in the House that somehow this would interfere with a worker's right to a safe workplace, and as the minister responsible for occupational health and safety I can tell you that that would be a real affront. If a worker was put into a position where they could not say, "My workplace is unsafe; I need something to be done about it," that would be a travesty. This bill does not do that. This bill does not take away the right of every worker in this province to insist that they get to work in a safe place.

Now, there may be differences of opinion about safety, and I understand that. I haven't been directly involved in what happened with corrections last spring. I understand that there were differences about the style, the way you engage in the new remand centre, and some of those issues. Those would be differences of opinion which would have to be worked out between employees and managers. If there's a safety issue, there are processes to undertake with respect to the safety issue, and if those processes don't seem to be working for you, there's a hotline where you can call occupational health and safety at any time.

Any worker in this province – I want to make this clear – has the right and, I would suggest, the obligation, if there's an urgency with respect to safety, to call that hotline and to invoke occupational health and safety if it hasn't been dealt with in the appropriate way. I want to be very clear about that because we

should not be having workers think that they cannot intervene on their own behalf or on behalf of their colleagues with respect to safety in the workplace. Now, that does not justify an illegal walkout, an illegal strike. There are processes and appropriate processes to deal with those issues, and that's the process that should be followed.

Mr. Speaker, I wanted to clarify those particular items as we get into this because they seem to be at the root of some of the concerns here. Yes, the sanctions that are put into the act are being increased significantly. Again, that is appropriate. These sanctions have not been updated in 20 years, and what we discovered last spring is that they're not effective. Now, again, there are many – I shouldn't say many because there haven't been that many strikes. There are strikes, and the strikes can be not only those people who actually went out, but, as is the norm in the labour bargaining process, sometimes people go out in sympathy, sometimes there are others that are affected who participate in it, and it needs to be clear that an illegal strike is illegal, first and foremost.

The method of defining whether there is a strike: that goes to the Labour Relations Board for determination. The question of whether there's a strike threat would also go to the Labour Relations Board for determination. The question of whether there was counselling of an offence: that would be a question of whether something was prosecuted under the penalty provisions, and that would go to a court for a determination as to whether that's counselling. These are defined terms at law. These are terms that have been used in the courts before, and they're not something that any individual employee or member of the public needs to be afraid of if they're not engaged actively in an illegal activity or actively engaged in encouraging in a meaningful way illegal activity.

Then when you get to the sanctions sections, you say that they need to be meaningful, that they need to be of such a nature in a current environment that they can be effective. What we know is that in many cases there are funds put away to allow unions to work through labour processes. That's entirely appropriate, not at all a problem as long as they're not used for supporting illegal purposes, Mr. Speaker.

I would commend the act to the members of the Legislature. No, these are not easy acts to bring forward. This is not my most favourite bill. I have been in this House for 16 years. I can tell you that some bills – I'll use the Children First Act as an example. There's a bill a guy can champion. There's a bill a guy needs to bring forward and say that this is about what we're trying to do to make the world a better place. I could talk about the Education Act or other acts where a person really can bring their passion into it and go forward with it.

This isn't one of those bills. This is one of those bills that you have to do because circumstances have shown that your legislation is out of date, that it's not effective, and if you want to have a meaningful process going forward about how you define what the illegal activity is and how you deter it and how you sanction it when it happens and how you provide a process – the abatement fund is an example which is not a penalty but is a fund set aside to deal with the damages that are caused by a strike, damages, I might say, Mr. Speaker, which only get paid if they're proven. It's not an automatic. It's a question of: the employer would have to go to court to prove their damages, to prove that they actually had the losses, and then the abatement fund would kick in to pay them, and any money left over would be returned to the payor, to the union who paid it in. Those are quite appropriate terms. [Coughing was heard in the Chamber]

Mr. Speaker, I think somebody should get some water for members in the gallery, who seem have come up with a dry cough. It's a very dry House.

Mr. Speaker, those are the implications of the abatement fund. It's quite an appropriate way to ensure that the taxpayers, the public, are protected. That's what this bill is about. This bill is about protecting the public in appropriate circumstances. Not every civil servant, not every member of the public service is involved in a job, I would say, that is going to harm or threaten or protect the life of an Albertan. It's difficult to sort of say that this bill is needed for every part of that process, but unfortunately it's not broken out that way.

Under the Public Service Employee Relations Act all public-sector employees are in that act. This update deals with all of them, but it wouldn't be brought into effect with respect to all of them. The process of using the sanctions starts with applications, so the Labour Relations Board for a determination of a strike, a determination of a strike threat. That would be done in those circumstances where there's actual harm which needs to be averted.

Mr. Speaker, I just wanted to put those clarifying items on the table because it seems to me that people have taken this to a high degree of rhetoric about democracy as we know it being dead. It's not. Democracy is alive and well. People in Alberta should, can, and will be able to speak out on the things that they think are important. Whether we agree or not is not relevant. What's important is that people can have the discussion. What they cannot do is engage in illegal activity. What they cannot do is encourage in a meaningful way, in a way which causes an illegal activity. Those are the things that are against the law. Those are the things that every Albertan should want to be against the law.

In this circumstance this does not create a new offence of an illegal strike. That is already there. This creates the clear definitions of when that comes into effect and, clearly, how the sanctions would be applied and what the amount of those sanctions is.

I would recommend to the House that the bill be passed.

**The Speaker:** I have the hon. Member for Rimbeey-Rocky Mountain House-Sundre on behalf of the Official Opposition, followed by a Liberal member, followed by an NDP member.

**Mr. Anglin:** Thank you, Mr. Speaker. I rise today to oppose this bill on some very fundamental principles. I'm going to disagree with the hon. minister on a number of the points that he brought up.

The fact of the matter is that we had a system in place. An illegal strike is an illegal strike. Now, if we need to raise the penalties because they're not effective, I say that that's a reasonable debate, and we should have that debate based on that premise. But that's not the debate that was allowed. That's not the debate that took place here.

4:00

What happened is simply this. This government doesn't like the contract that has been carried over in the negotiations. It does carry over, Mr. Minister, as you're negotiating that new contract, and in that contract it says that if you can't come to an agreement, you can go to an arbitration process for settlement. We use that arbitration process even in illegal strikes, and it has been used in the past. It settled a strike that was just a six-hour strike if I'm not mistaken. That's not the issue here.

The issue here is what's been passed in this bill. If a worker is faced with an unsafe working condition, they have the choice of continuing to work in an unsafe working condition, they could

strike illegally, or they could just quit their job and go away. What is the worker faced with? The three options, in my view, are unacceptable. The arbitration option to settle this issue is being removed.

Now, in this bill here – and this is where, in my view, it does impose upon freedom of speech, it imposes upon freedom of assembly, and it is also a violation of due process of law, three fundamental principles of our Charter. Now, the basic idea that we would write in there that nobody can counsel, that no person can counsel: I question whether or not that violates the solicitor-client privilege. The fact of the matter is that when you are involved in a situation where it is unsafe, do we counsel somebody to work in an unsafe condition, do we counsel them to illegally strike, because it would be an illegal strike, or do we counsel them just to quit their job and suffer the penalty for quitting their job?

I would still propose to you that if somebody sought counsel for any one of those, there's no win there. There's absolutely no win for the employee. The fact of the matter is that whatever takes place, even if it was a lawyer saying, "Here are your options; all three are unacceptable" and they choose the option of an illegal strike, then the person who counselled is now under penalty. It's as simple as that. In my view, that violates freedom of speech.

The act of committing the actual illegal act: let me explain this. We talked about this before. One is never simply liable. Somebody always has to be liable for something. Causation is intended to establish the substantial connection, the sufficient link, between the wrongdoing and the injury. I understand the concept. If they commit an illegal action, let's hold them accountable. I understand that. But the fact of the matter is that to discuss it, whether we should or we shouldn't, is, in my view, fundamentally wrong, and it violates the freedom of speech. The fact of the matter is that if they were to do this, if a certain few individuals were to walk off the job on an illegal strike, that they should be held responsible for, their actions now punish all the other members of the union, and that's not correct in our system of law. One person's actions should not cause a penalty to another person or to the union as a whole.

What happens here immediately is that once the determination is made by the board or the court that an illegal strike has taken place – that's all they have to do – the court has no ability to adjudicate anymore. It says in this act that they must make a declaration and that they must issue an abatement order. It's a million dollars a day, and union dues stop flowing for three months. Then the onus of proof is reversed. Now the union must show that it gave express instructions not to do this before the action took place. Well, if they didn't know the action was taking place, how could they possibly give express instructions? You've put them in a position where it's indefensible. They're automatically punished and have suffered a consequence.

In the case of laundry workers, is there really a lot of harm? This is an actual case where we had laundry workers walk off the job. I don't know what the reason was. I'm not sure dirty underwear was a threat to public safety or a threat to the integrity of this government although dirty underwear is significant for those who are wearing it. The fact of the matter is that it is something that should not constitute a penalty of a million dollars a day, loss of dues. We need to look at individual problems, and that's what we had in legislation. We're dealing with this act, and by doing so and having the automatic provisions kick in, the onus of proof changes now, where the union has to prove all three conditions before they're found so-called innocent. That is contrary to our system of jurisprudence. We've always relied on the principle: innocent until proven guilty. The onus should be on the government to prove the illegal act and to prove the harm.

Penalties should not flow before harm is determined, and that goes back to the whole issue of causation. I agree with the legal minds that say that this is unconstitutional. I agree with the reporters who try to look at this objectively. I disagree with the hon. minister, who would take the other position and argue this. Unfortunately, we won't know the answer till this goes to the Supreme Court and costs this province a whole lot of money. In my view, we will lose in the end, and we will change the provisions in this because it is unconstitutional.

Now, some of the members in my caucus have had some very good discussions on this issue, and I would agree with every member who thinks that we should be debating whether or not these penalties are sufficient. Unfortunately, debate closure was issued and put into effect before we could even open debate, and we didn't even see the bills. So we've limited free speech or the ability to speak about this before we've even had discussions on it. Then we get the bill, and it does in my view impose upon free speech. That allegation should never be taken lightly.

Just less than one month ago we celebrated Remembrance Day. We celebrated those who gave the ultimate sacrifice for our ability to have free speech, freedom of assembly, and due process of law, the democratic rights. How can you celebrate that, then turn around and introduce a bill that possibly, even remotely, in your view, threatens it? In my view, it does threaten that. It threatens that total, basic concept. When you look at this whole bill in the picture of how it's been presented, the only reason Bill 45 is here is to set up Bill 46, which says that we want to make sure that the penalties are so extensive here, are so punitive that if they would even remotely think about going out on an illegal strike, we could possibly break the union. I understand that.

Mr. Speaker, you know what bothers me? With the existing contract that we're trying to renew, that we're trying to negotiate, when you read the contract, it says: those provisions continue until you can settle a new contract. The arbitration right is what you're trying to circumvent. You can't settle a contract because you're not dealing in good faith, and you don't want to go to arbitration. That is what this is about, and that's shameful. Do we believe in contract law, or do we not? If it's good for one party, it should be good for another party.

Here we are in the ultimate hypocrisy, having passed a law just last week to give this government access to arbitration in international financial disputes, and rightfully so. It's an easy way to solve disputes. Now you've got this right, you have this right, you will proclaim that law, and at the same time you will proclaim this law, that will remove that right from workers. I don't get it. I don't understand that hypocrisy, and I don't understand why you can't see that.

Here we are today dealing with this issue. Personally, I think that we could have dealt with an issue on penalties dealing with illegal activities. I think nobody really supports illegal activities. I think we could have dealt with an issue on arbitration, on how we can settle disputes so we can move forward, but that's going to be removed, and what we've done in the process is that we've infringed upon constitutional rights.

There will be members in this House that are going to support this, but I will tell you this, in my view. Whether I agree with this bill for the penalties or whether I agree with this bill for a number of other reasons, I will not support this bill for one simple fact. The right of free speech is paramount to any piece of legislation that we pass. I will not forgive, and I will not forget, and I will always fight for the right of free speech, the right of assembly, and the right to due process of law. No penalty should be arbitrary and



automatic. That is wrong under our system of justice and under our democracy.

Thank you, Mr. Speaker.

4:10

**The Speaker:** Hon. members, we'll hear from Edmonton-Centre, followed by a member from the NDP caucus, followed by a government member, and then we'll start the rotation over.

**Ms Blakeman:** Thanks very much, Mr. Speaker. I am pleased to be able to get a second opportunity to rise and speak to Bill 45 before we go into the time allocation portion. I listened carefully to what the Government House Leader and Minister of Human Services was saying, and I'm just going to guess here that they've had some pretty strong reaction. All of a sudden I'm hearing repositioning by the government that, you know, this is just in case and that it's never going to be used and that we shouldn't be upset about this. My reaction to that is: well, if you're never going to use it because things would never be that bad, then don't pass the bill. In passing the bill, the government well knows that it will then be used as a stick or, more likely, as a scimitar that constantly hangs over everyone's head.

Now, one of the other areas that the Government House Leader covered in his remarks was: "You know, there are lots of checks and balances in the act. Don't worry. It would never be used against someone that was counselling a strike on a radio talk show or something like that." This is where going back to the source document is always very useful. In fact, what he was defining as a strike threat is not actually what's written in the bill. I appreciate that he is a man of very wide interpretation of things, but frankly he may not be here when this actually gets interpreted or when the courts are interpreting it or the Supreme Court is interpreting it.

What we have here under the definition of strike threat, which means what they will use and what they will call upon if they believe these circumstances are happening:

- (i) the calling or authorizing by a trade union or an officer or representative of a trade union of an employees' strike.

Okay. That one is pretty obvious. But also:

- (ii) a threat by a trade union or an officer or representative of a trade union to call or authorize an employees' strike.

Well, what does he mean by that? That one he didn't talk about.

So if you're sitting around having an unofficial meeting of your brothers and sisters in a pub and you start talking with each other about how grave the circumstances are and how concerned you are and that maybe you should be thinking about that, is that going to count if, sitting in the corner, is a good member of the government who decides to bring this forward? I bet it would because that's the way it's written. It doesn't say: and this doesn't count pub talk, and it doesn't count people phoning in to, you know, talk on a phone-in talk show. It doesn't say that. It says: "a threat."

Then it goes on and says:

- (iii) the setting of a vote or other poll of employees to determine whether they wish to strike, or

I love this one.

- (iv) an act or threat to act that could reasonably be perceived as preparation for an employees' strike.

Now, the minister referenced: well, you know, in hospitals if health allied staff are considering going on strike, they're going to make sure that their patients or the residents are going to be looked after, so, you know, there's some extra organization that goes on there. That one blows me away.

So when we have public-sector workers who are so concerned about the people they're looking after and the people they're paid to provide service to that they will actually go out of their way to

make preparations for them, that's a bad thing. It's going to get them in trouble with, whatever it is, section 1(k)(iv) because that would be an act that could reasonably be perceived as preparation for an employees' strike. You've got to love these guys.

Now, what wasn't in here – and that's what I was looking for – was the actual definition of threat. That's what we need. We've got some definition of strike – and that's defined elsewhere – but no definition of threat. We really don't know if it's, you know, the concerned and vigorous pub talk or if it's actually starting to prepare your patients for something. What's the threat part? That's undefined, and as we know, when the Legislature doesn't define it, the courts do. The courts are usually pretty annoyed with us. They say: if you'd given us a better definition, we wouldn't be in this position. But, you know, government likes to kind of leave it a bit looser so they've got a wider interpretation that they can use.

Let's talk again about interpretation. We had the good Government House Leader up saying: "You know, don't worry about this. It wouldn't be interpreted that narrowly." Well, you know, I've worked in this House with a number of hon. members opposite, and I have to say that I would guarantee you that the way the Government House Leader and Minister of Human Services would interpret something is quite different from the way, hmm, the Minister of Justice would interpret something. They're going to have different ways of approaching these things. Now, I mean, in a tight spot over this one I'd much rather have the Minister of Human Services than the Minister of Justice, but that's just personal preference. But they are definitely going to be approaching things differently.

The Minister of Human Services likes to say: "Calm down. This is not a big deal. There's not a lot of stuff happening here. We just changed a few little tiny things." Well, you know me. I went and pulled the Public Service Employee Relations Act and the labour relations act to see how much was actually being changed, and the answer is: a lot. What is happening here is that this act, Bill 45, is broadening the scope of these two pieces of legislation and who it affects and how it affects them. It is also adding a new definition, the threat of a strike, from which a whole new series of processes and penalties flow. So that's quite a change in scope from what we had under the acts previously.

**Mr. Hehr:** It's most likely an affront to the Charter of Rights and Freedoms.

**Ms Blakeman:** Oh, yeah. I'm being reminded by my hon. colleague from Calgary-Buffalo that that's the other thing. You're absolutely right. One of the other things I've heard this same minister, the sponsor of the bill, saying is: "We don't think this is a violation of the fundamental freedoms, section 2 under the Charter of Rights and Freedoms. Come on, that's just going too far." Really? Well, that's certainly what it says in my Charter of Rights and Freedoms.

You know, because I'm just that kind of gal, I'm walking around with one of them. Fundamental freedoms, section 2. These, by the way, are easily picked up from the nearby Department of Justice of the federal government and any number of other places. Everyone should have one.

2. Everyone has the following fundamental freedoms:

- (a) freedom of conscience and religion;
- (b) freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication;
- (c) freedom of peaceful assembly;

God bless Twitter.

That would be civil disobedience. I said that out loud. Oops. But you're guaranteed it in the Charter, and that's why.

Sometimes governments, for all their best reasons, do things that are too much, too far, too restrictive, too penalizing. That's what this government has done, and they are getting push-back. They're getting push-back not only from people that are in organized labour now and not only in the particular union that they are seeking to eviscerate with Bill 45, but it's flowing over into other unions.

I have been attending the rallies, and it's not just AUPE that's there. It's getting bigger and bigger every time with more and more representation, and I am very pleased to see that. But, you know, they're not stupid people. They understand that what is going to be brought down, the hammer that's going to be brought down on one group is then going to be used to bash everybody else in the head all the way down the line until it reaches just worker workers, that don't have even the benefit of collective bargaining and an organized labour movement behind them. People are pushing back.

You know, I talked to my dad today.

4:20

**An Hon. Member:** Uh-oh.

**Ms Blakeman:** Exactly. He had all kinds of tickets when he was in the trades, and he's going, "What is this?" and I say, "Well, Dad, this is a determined effort by this government, bringing down Bill 45. This is a set." It's like, you know, you're starting to challenge the Harry Potter series. We're getting Bill 45, which is defining even thinking about a strike and taking that away, and Bill 46, which is imposing by legislation a settlement before the arbitration date can even take place and is also removing the right to compulsory arbitration. Then part three is going to be a change in pensions. This is a complete package that is being envisioned by this government, and it's not good news. Why is this happening? Why does this government appear on the face of things to really, really not like working people?

Well, that has to do with being able to parade around and say – this is my opinion, of course – that we have the lowest tax rates of wherever. Indeed, depending on how you figure it out, I think that can be an accurate statement occasionally. But what it does mean is that we don't have a fair taxation process and we do not have the kind of royalty structure that Peter Lougheed put in place. This government doesn't collect enough money to pay for the services and the people that citizens expect from them, so they penalize the worker, they withdraw the services, they say, "Go to H-space-space-space," to the citizens, and then they walk around very proudly because they have the lowest tax rates. Well, this is their management of it.

How do you manage to be a government that is out of money in Alberta? Truly, Mr. Speaker, how do you manage that? We have a rising GDP. We have very low unemployment rates. We have the private sector – you know, Christmas parties are back again. Everybody is doing well. Everybody is really happy. But this government, no. Times are tough. Friends are few. Gotta cut the public service. Cannot allow anyone to make money. Really?

They keep citing – oh, now I'm on a roll. Then they keep citing: well, you know, everybody else has come down to that. Oh, don't give me that. Do not tell me that the doctors settled for 0, 0, 1, and 1. They did not. And they also got a lot of extras: grants and rent support and support for their computers and in-service. They got lots of stuff. So don't tell me that this is following on the tight rein that the doctors had. Oh, please. Then the teachers. Well, beside the fact that you legislated the teachers, they still didn't settle for

0, 0, 1, and 1. To say that the path has been laid for this bill by the settlements that have come previously, hmm, has a very, very distant relationship with the truth, you know, like maybe across Alberta.

Okay. Sorry. Let me focus here. Back to the democratic rights, the fundamental freedoms. You know, the government thinks: nah, we won't be challenged on this. Of course you will. Everybody gets that. People have been talking to me in the bank lineup. They get it. They say: don't we have a right to assembly? And I say: yes, you do, actually, and it's a fundamental freedom. It's not even a right; it's a fundamental freedom that you are guaranteed. That's one above a right.

Now, the government – you're not going to like this part – can use the notwithstanding clause in section 2 and sections 7 to 15. They can. I hope they don't.

**Mr. Hancock:** That's not necessary. We're not abrogating any remedies here.

**Ms Blakeman:** There we go. I love the Government House Leader because he and I do a lot of debating back and forth. We accomplish a lot of business that way. He's saying to me right now that it's not necessary to use the notwithstanding clause. I agree. Absolutely. It is not necessary.

It's also not necessary to have this bill because if the government had paid attention to what the workers were trying to tell them in the first place, which was that the remand centre is not safe for the people that are resident in it and it is not safe for the workers – that's all they were trying to do. I mean, honestly. You think these people want to go on a wildcat strike? You think they want to be fined every day and they want their union to be fined every day? I mean, that's crazy thinking. Why would the government – you know, you've got to get on better drugs if you think that that's why people do that kind of thing. It's just not true. [A timer sounded] Oh, Mr. Speaker, my time. So sorry.

**The Speaker:** Before the hon. member asks for unanimous consent to continue, I must offer 29(2)(a).

**Mr. Hehr:** Hon. Member for Edmonton-Centre, I appreciated much if not all of what you said, and I'd be appreciative if you could finish your thoughts and expand more on seeing bills 45 and 46 in concert and how this is inevitably going to lead to a Supreme Court challenge on fundamental rights and freedoms under 2(b) and 2(d) and sort of tie the two together in that respect.

**Ms Blakeman:** Well, thanks for the direction. I will try to follow it.

Yes. The hon. Member for Calgary-*Buffalo* is right. These are fundamental freedoms, and the government trying to take them away – no, trying to cloak them, trying to set them aside, trying to call it something else – is not going to pass unnoticed. I mean, we always need a good case that we can start to take forward through the courts up to the Supreme Court to get that ruling, and I will do everything in my power to help them find that case because this is unconstitutional.

The hon. Government House Leader and I are clearly going to disagree on this one, but it is so complete an affront to those constitutional freedoms of assembly and also – what's my other favourite one here? – the right to peaceful assembly and the freedom of association. We've got court rulings that say, you know, that freedom of association is interpreted as being the ability to form a union and other Supreme Court rulings say that you can't have unions without collective bargaining, that it's meaningless. So those two things go together.

What do we have here in Bill 45 and Bill 46? Walking away from collective bargaining. When the minister talks about, “Well, in Bill 46, you know, we had to go to this because AUPE walked away from the table,” that’s actually not true. I know that will shock and surprise you. When I went back and looked at the series of events, AUPE had been trying to get the government to negotiate in some kind of good faith, not some sort of way-out-of-proportion request. Here I’ll go back and remind you again that the doctors certainly didn’t take 0, 0, 1, and 1, and neither did the teachers. You know, let’s talk about a proportionate request. I’m sure everyone would still be at the table.

They had a right to ask for the binding arbitration when they saw that the government wasn’t going to move. They were going to hold a tough line. It was like those cowboys, you know? Ka-chink, ka-chink with the spurs. Tough guys. So they weren’t going to move. Okay. Fine. Then the unions have every right to ask for that binding arbitration. Now, they asked for an earlier date, and who was the one that couldn’t get back to them fast enough? Who was the one that repeatedly delayed getting back? That was the government. We ended up with an arbitration date that has been pushed back by the government’s noncompliance or the government’s lack of co-operation. Not the union’s, the government’s. Now the arbitration date is set for early February. When do we have the bill coming into effect? Oh, my goodness. The end of January. How neat. It’s not neat. It’s devilish. It’s vile. It’s evil. It’s disrespectful.

To answer the member’s question about how these things all link together and link to the constitutional freedoms and equality rights: that’s what the government is doing. It’s their own fault that they want to behave that way towards their own unions, the people that go to work every day to make them look good. They can’t look those people in the eye and say: “I don’t think you’re worth it. I don’t think you’re worth any money.” Instead, we have Bill 45, Bill 46 and then further down the line talk about what they’re going to do to the pensions of working people. I would tend to say that this is a government a little disconnected from the folks out there.

Now, I’m sure that there will be murmurs of disagreement from my hon. colleagues opposite about that, that they are, you know, really tuned in to people. I just don’t think that’s true. I’m hearing from such a range of people out there. I trust my constituents, and they’re telling me: this is too far.

4:30

**The Speaker:** Hon. members, could we have unanimous agreement to please revert briefly to Introduction of Guests?

[Unanimous consent granted]

### Introduction of Guests (reversion)

**The Speaker:** Edmonton-Calder, would you like to proceed with your introduction, briefly?

**Mr. Eggen:** Yes. Thank you so much, Mr. Speaker. I’m very proud to introduce to you and through you to all members of the Assembly the entire Health Sciences Association of Alberta board of directors. They are in the gallery observing the proceedings this afternoon.

HSAA has more than 24,000 members, which include paramedical technical, paramedical professional, and general support employees in more than 200 disciplines across this province. Of course, they are very concerned about both Bill 45

and Bill 46 and their implications on both the working conditions and the wages of their membership. I’m very proud to work closely with them.

I will mention all of their names, and if you could please stand when you are called. I have Elisabeth Ballerman, the president of HSAA; Trudy Thomson, vice-president; Diane Lowe, vice-president as well; James Kelly Garland, vice-president; Jason Soklofske; Tory Tomblin; Kathie Bzdel; Travis Asplund; Mariana Burstyn; Laurel Jackson; Judy Fitzpatrick; Kristopher Moskal; Donna Farquharson; J.-R. Berube; Noland Derkson; Ben Hendrickson; and Jerry Toews. If we could give them a traditional welcome to the Assembly, that would be great.

## Government Bills and Orders Third Reading

### Bill 45 Public Sector Services Continuation Act (continued)

**The Speaker:** Hon. members, we’re going to proceed in this order, subject to any urgencies for change. We’ll have a member from the government speak, then we’ll have a Wildrose representative, a Liberal representative, then a government member if they wish, then an NDP member, then a Wildrose member. Then I’ll go back to a government member, and then a Liberal member and an NDP member. That’s subject to change, depending on when critics show up. Edmonton-Calder, you’re on the floor. You’re the next speaker. After you, we’ll go here, okay? It’s the tradition here that we let the opposition leads or the opposition critics speak, and then we’ll come back to government.

Please, Edmonton-Calder.

**Mr. Eggen:** Well, thank you very much, Mr. Speaker. I appreciate the opportunity to speak on Bill 45 in third reading. It’s interesting to listen to how the debate has evolved over these last number of days because as we started to learn more about this bill, I think the messaging by the government has started to change as well. Indeed, as I was driving here this morning, I was inundated with advertisements trying to soften the blow of the implications of what Bill 45 is. That’s interesting.

I don’t think that they, maybe, really worked this through with the legal department or something as to what people are going to take this to be, right? I don’t know what sort of relationship they thought they might have had with public service employees that they thought, you know, they could sort of work this through, but as the language became more clear – or I should say less clear – I think that everybody started to really freak out about just really what this implies.

I know that the hon. House leader for the government is an honourable man and certainly wants to reassure us of the benevolence of this bill. He’s not going to be around forever – right? – and neither will other people who will affirm that they would never use this for nefarious purposes. But in truth, Mr. Speaker, if you create a bill that becomes a law that is deliberately vague, then it is really more poisonous and dangerous than the original circumstance that you tried to fix with the bill by using language that does not bind together in any real cohesive way. When you talk about people talking about strikes and using language and so forth, well, you know, one sort of benevolent bill in 2013 can suddenly become a hammer that somebody whacks you over the head with five years hence.

You know, I don’t want to be a part of that, Mr. Speaker. I want to see co-operation, and I want to see people somehow coming to

an agreement. Consensus, I think, is the highest form of human governance, if we can find that place to be.

Still, even at third reading, Mr. Speaker, I implore everyone here to take a second look at how we might be able to put Bill 45 on ice, respectfully, maybe put it aside for a couple of months. Maybe over the Christmas break we could . . .

**Ms Blakeman:** How about six feet under?

**Mr. Eggen:** Well, no. Let's remember consensus, please, in the interests of those things. We might feel those things, but we have to look to the reasons.

There's always a psychology behind why people choose to make things the way they do. In this particular case, Mr. Speaker, you know, I think that some people were feeling a little bit inadequate about themselves. Maybe they were feeling a little bit like things weren't working out for themselves in the right way, so everybody can jump on this. Let's go and beat somebody up – right? – and our choice is going to be the public service workers in this province. Not just that, but we're going to send a chill right across the province that if anybody dares to look us in the eye, to look sideways, we'll say: "Oh, well, just try it. We're ready. We've got Bill 45, and we're going to use it." You know, that kind of attitude.

Maybe I'm wrong. I mean, I'm just using my imagination, right? Maybe there are members over there that feel guilty. They were public-sector workers in the first place, and now they're voting, hopping up and down like gophers, for this absolutely nasty piece of legislation that punishes their brothers and sisters, that they themselves worked with just a few months before and probably made great promises to: oh, I will certainly go to the Legislature and represent your interests, fellow workers, because that's where my heart lies. Well, yeah. Until they bring up bills 45 and 46, and they have to try to start a new alliance with the dark side of labour bargaining, which is what this amounts to, right?

Again, I'm just working through this here in the interest of consensus and trying to work out something that's good for everybody – right? – because that's really what our job is here in the Legislature.

**Ms Notley:** You're such a nice guy.

**Mr. Eggen:** Well, yes, I am. You know, I just can't shake that persona, and it's served me well over the years. I try to be nice.

We try to look for consensus, and certainly we can do it here with Bill 45, I think, as well.

We've gone through the history of this quite a lot. I must say that for the few days that the wildcat events took place at the Edmonton Remand Centre back in May, I wasn't around, so it took me a number of weeks to try to sort through what was happening. In the chaos of those circumstances nobody wins, that's for sure. We're still sorting through that here today. I think that's a direct historical result of those things, right?

Again, we have to look at why those things happen so that they don't happen again. I think part of the reason for the wildcat, as far as I can see, is that people were feeling unsafe and they were feeling uncertain. They weren't feeling like there was a support mechanism by which they could resolve that issue. Wildcat strikes are very, very unstable, and people don't just jump into them easily, right? It's not as though they just say: oh, well, let's drink a couple of wildcat beers and have a wildcat strike. No, it doesn't happen that way at all. You know that you're putting a lot of things on the line. [interjections] I wouldn't suggest drinking that beer, necessarily.

It's a very serious circumstance, and certainly we want to minimize, through this Legislative Assembly, at all costs those sorts of things from happening. We want a process, and we want avenues by which communication can be passed. When I look at the labour history of public service workers here in the province of Alberta, for 35 years we've maybe not had the best circumstance, but we've had a very reliable circumstance, which is, Mr. Speaker, using the process of arbitration, right?

You know, it's interesting that people talk about other provinces and say: well, you know, they sorted themselves out, and they went to the table, and they met at the table. A lot of other provinces don't have that. They do have public servants that do have the right to strike still, in fact. Maybe that's something that we should be considering here in the province of Alberta. You've got to be careful what you wish for because, maybe, in some ways you might have a more constructive way to bring people to the table with that.

**4:40**

Regardless, Mr. Speaker, the arbitration process has well-established lines and grooves that people move through. They know what it's all about, right? It's not as though AUPE staff or other people working in the public sector have this, you know, fascination or idea that they want to go on strike. I mean, it's been so long – 1977; that's, like, 35 years or more – that this law has been in place. It's not as though that even really is a consideration, in a way. But in lieu of not being able to strike, you have to be able to make sure that those communication lines are wide, wide open and that people understand each other's behaviour and do not misinterpret it and do not use it for political purposes. I think the latter is what we see happening here in the province of Alberta.

I was really surprised, too, about Bill 45 and Bill 46. I thought we were kind of, you know, driving this ship reasonably productively through this fall session, right? A few problems here and there. We got Bill 28 back, and there was some consensus built around the amendments in Bill 28, and that's a good thing. Then suddenly – boom – out of left field is the proverbial storm, a blizzard, Bill 45 and Bill 46 just coming in the last few days. I thought: well, what the heck is that all about? I mean, that's not normal. It doesn't fit in with the pattern of the tenor, the tone that we've set in this Legislature this fall.

When you're trying to explain, trying to figure out why and what the motivation is for using heavy-handed techniques in the last days of a legislative session – why would you do that, right? Why would you do that? The first thing that I came across is that you're using the dying days and closure so that you hope that people don't notice and everything will just go away. Well, Mr. Speaker, that strategy has gone by the wayside because we've never seen people so worked up about labour legislation in this province for, like, 25 years.

Here we have even the Wildrose Party speaking out against the principles of people having their freedoms limited, the freedom of assembly, the freedom of speech. You know what? That's a good thing. It's good to exercise those muscles, Mr. Speaker, because you only get what you fight for, ultimately, when it comes to democracy. You don't have those things handed to you. If you let down your guard, there's always somebody there to take those things away, right?

It's not as though, you know, governments have nefarious and mean-spirited intentions and motivations. What there is a motivation for is – if you do give people a rollback in their wages and a limitation on their capacity to represent themselves for health and safety and workers' rights and job conditions and

wages in the future, you can make a lot of money off that. Let's call this for what it is, Mr. Speaker. Bill 45 is a way for someone down the road to make a lot of cash off workers in this province by limiting their capacity to represent themselves, by limiting their capacity to defend themselves, and ultimately by limiting their capacity to negotiate for wages in the future, right? So it's not just a battle of will or ideology. It's power, and it's money.

Mr. Speaker, I'm here to represent the interests of working people in this province. I've made it clear. We know from the beginning, the history of both the Canadian commonwealth federation and the New Democratic Party of Alberta – right? – that we are here in partnership with working people to ensure that that shift of power and money is balanced over to the majority of working people in the province. That's how we work. That's how we operate. That's why we exist, our *raison d'être*, so to speak. Right, Edmonton-Strathcona seatmate? That's kind of like what we're here for.

Every time we see those things bumping up – and we know it's a struggle, right? We know that it's a tension that always will exist because there are always people pushing and pulling for more power and money for their group and so forth. But we also know from the recent history of both this province and this country and in the industrialized world that the balance has been very upset in that tension towards the very rich and fortunate few who are not just millionaires but billionaires, Mr. Speaker. The distribution of the wealth, the goods and services that we produce, that GDP that we seek to both grow – right, Mr. Edmonton-Gold Bar? Of course, we have that in common. We want it to grow, but we also want it to disseminate into as many parts of the economy as we can to stabilize the society, to create more equitable, socially just, and sustainable circumstances for that growth and to ensure that you can have that growth taking place like a slow burn, so to speak, over a reasonable amount of time and without the vagaries of recession and the boom-and-bust cycle that we so often suffer from here in the province of Alberta.

All of those things, Mr. Speaker, relate directly back to these little single points in history, and I'm going to keep these Bill 45 and Bill 46 copies as just a little bit of a souvenir of history. This is a little point in time here where we see directly that push between people who choose to write this sort of legislation, to move more power and money over to their group, a very small group that is disproportionately endowed with both power and money, and a push-back to the vast majority of Albertans, who want to raise their families and have a modest growth in their income, pay their bills every month and so forth, not looking for some inordinate push of power back but to try to restore the balance, a balance that looks to legislate for the middle class, to legislate for equity and equality and social justice and for a sustainable economy and a sustainable environment in which we could raise our families.

This idea of fracturing and breaking off pieces of different groups of working people in this province, again, is entirely misleading. Bills 45 and 46 cast a pall or shadow over anyone who negotiates their wage, who negotiates their working conditions, who will advocate for safety and so forth regardless of whether they belong to an organized association of labour or not. It casts a pall over all of those things.

What we do in here is set precedents, right? That's what unions are very good at. Although union representation in the province of Alberta and across Canada has gone down a little bit, these things wax and wane. They'll come back up again, certainly. I'm confident of that. But what it does is that it sets a standard by

which all other people get paid. If you don't have a Suncor setting the standard . . . [Mr. Eggen's speaking time expired] Oh, time flies when you're having fun.

**The Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. Edmonton-Centre.

**Ms Blakeman:** Thanks very much, Mr. Speaker. Under 29(2)(a). The member had just started to talk about how unions lead the way in pay for the rest of the working people. I'm wondering if he could just expand on that, please, and finish his thought.

**Mr. Eggen:** Sure. Thank you. I appreciate that. I was just in the middle of a subjunctive clause, as we say in the teaching of English. I want to just finish that sentence.

We see the women and men who were here observing this afternoon, which I really appreciate, by the way. It really helps to animate. I'm always speaking to people that are looking at their computers and playing poker and reading novels [interjection] No, no. Company on this side excluded. Here we have people that have a vested interest in the very letter of these laws that, hopefully, we can put aside here in the next few hours and weeks and months. We're not just expending energy here for no reason. This is a very grave matter of great importance, right?

As I said two nights ago, you know, I come from a family where a lot of people worked in the public service, and I have two daughters that are studying at university to become, you know, a nurse and a teacher, respectively. So I take this very personally. I take it deadly, deadly seriously.

**4:50**

What organized labour helps to do is set a standard, a benchmark by which other workers benefit as well. To the Suncor you have the Syncrude. Suncor and Unifor set a standard by which the many other thousands of workers in Fort McMurray benefit tremendously. The same with our medical associations that we have, HSAA, UNA. There are a lot of medical workers that are not enjoying that sort of direct protection, but they enjoy the umbrella in the broadest possible way by which the standard is set from the United Nurses of Alberta or HSAA for what the pay should be. It's no coincidence that in those areas the organized union population actually is growing.

But, lo and behold, the very biggest one of all is the Alberta provincial government. That's the battle that we're looking to here today. Considering all of the public services that we enjoy from the Alberta government, give them credit. GOA is a fine, fine thing that provides a lot of good benefits to people. I think it's so great that we're going to take it over someday, and we'll even fix it up, and it will even be better.

But let's not forget that it's the women and men who actually do those jobs that make it great. If you take those people away, you will have a very empty building here, which will eventually have no purpose to it at all. You can take away the firefighters in the north one season or one week, and you will lose a lot of valuable real estate in timber and even towns and cities along the way. You look at those flood recovery and emergency response people, and they're just a fantastic group of people.

We need to feed, Mr. Speaker, into the goodwill that makes people choose to serve as public servants in the first place. We need to nurture that. We need to remunerate that properly. We need to listen when working conditions are brought forward. There are lots and lots of ways in which we could do that. We need to be in the spirit of goodwill of the season. We need to take

Bill 45 and give it a little Christmas holiday, just like we will all soon have. Give it a break for a while, come back to it in a couple of months, and let's find something that everyone can live with, with true consensus.

Thank you.

**The Speaker:** Under 29(2)(a)? The hon. Member for Edmonton-Strathcona. We have about a minute left on this section.

**Ms Notley:** Okay. Well, I have two questions. The first is just whether the member actually can define what a subjunctive clause is, because I can't.

The second is: knowing, as you do, the terms of Bill 45 and understanding what members of AUPE have been presented with through Bill 46 in the midst of bargaining – when they thought they were in the midst of good-faith bargaining, lo and behold, they weren't – do you have any concerns or perhaps predictions about what the combination of these two bills, what their impact is on the whole ability of other public-sector unions, for instance UNA or HSAA, to engage in good-faith collective bargaining with this government given the message that they have clearly sent through these two bills, through Bill 45 and Bill 46? Do you have any concerns about whether or not, really, we have the ability to continue collective bargaining in the public sector?

**The Speaker:** Thank you.

The time for 29(2)(a) is expired, and we go on to the Deputy Premier, followed by the Member for Cardston-Taber-Warner.

**Mr. Lukaszuk:** Thank you, Mr. Speaker. It's an honour and a pleasure to rise on this bill. I notice that even though we're debating one bill, we seem to be switching from one to another, so if I am guilty of doing the same, I hope you'll be equally forgiving of my comments as well. I actually have listened very attentively to two or three of the previous speakers, and I'd like to comment on some of the statements that they have made.

The first one would be that yes, these members are correct. In the province of Alberta we can be very proud of the fact that we have had relative labour peace for a number of years. As a result of that, all of us as Albertans benefit because that means that our hard-working public servants deliver the services that Albertans rely on in many cases for their subsistence. That means that in the private sector, with building trades and others, projects are completed on time, on budget, and we get to benefit from the outcomes of their hard work and the employer's investment.

There have been instances, as you know, from time to time that such wasn't the case, but overall I think it can be said that the government of Alberta as an employer should be considered to be a fair employer because if it wasn't, if it wasn't showing good faith, a good spirit of collaboration, and an appreciation for the work that is being done day in and day out, 24/7, by public servants throughout our province, that wouldn't be the case. I think the relative peace that we have had compared to other provinces says two things, that we have very committed, very hard-working civil servants and that we have a government that is appreciative of the work that they do and that treats them fairly for the work that they do. If that wasn't the case, we would have lockouts and walkouts and strikes much more frequently than what we see. [interjections] Mr. Speaker, I hope that you will give me the same opportunity as you gave the other members to speak without interruption.

Mr. Speaker, you have to acknowledge that there are strikes that are considered to be legal, and some will argue that they're

beneficial, that this is part of this discourse between employer and employee group that allows for expression of dissatisfaction. Employers can exercise under the labour code their ability to lock out, and employees can exercise their ability to walk. That has happened, and that will continue to happen. Whether some of us would argue that this is not the best, most productive way of resolving labour conflict, such is the case. As a matter of fact, it's unfortunate when it happens because even though you find a common ground, some common denominator, and you settle the dispute, settling the relationships not only between employer and employee but even between co-workers often takes not only years but decades, and it festers. So both parties, I imagine, in most cases try to avoid those situations.

Mr. Speaker, we have had an example very recently of a strike, as you know, that not by this government but by an independent third-party adjudicative body and then the courts was found to be illegal. It didn't meet the requirements of the code. It was, as we refer to it, a wildcat strike. Now, why would anyone have an issue with wildcat strikes? Well, aside from the fact that they're illegal, just like any other illegal activity, which, obviously, should not be condoned by anyone, just like illegal lockouts would not be condoned by anyone, there are very serious consequences that come as a result of these activities. There are reasons why certain sectors of workers are simply not allowed to go on strike legally, because their work is so important, so paramount to the well-being of the province and of the beneficiaries of their work that if they were to abandon their posts, serious harm could fall upon either the province as an entirety or those who benefit from their work. We don't need to list the professions, but there are a number of professions designated as falling into that category.

Mr. Speaker, what happens when they do go on an illegal strike? Well, in the most obvious cases we as government or any employer have the fiduciary duty to continue delivering the service, which means you scramble and you hire any and all other workers that can possibly somehow simulate the work that is being done by those who chose to go on an illegal strike, but you do this at a great expense. This very short illegal strike that happened by AUPE just a few short months ago cost the taxpayers of Alberta over \$13 million, \$13 million in paying overtime to RCMP officers, repairing damage to facilities, and other expenses that came along. That is \$13 million of hard-working Albertans' tax money that could have been spent on other services or enhancing services that are being provided to Albertans by our public sector.

Cost, money, is important because it is taxation, but there is even a more important price, Mr. Speaker, that often is being paid, and it was, actually, quite well evidenced in the last illegal walkout. It is simply the danger, the peril at which you put your beneficiaries of the work that you do by abandoning your post.

5:00

I know that there are a number of people out there who have little sympathy for inmates, for those who are paying the price in our correctional facilities. I personally don't share that because we do have a duty to still protect them and keep them safe even though they may not be our exemplary citizens. There's a duty to keep them safe and in good health.

There are also other co-workers that are abandoned and left at peril. We saw that, actually, with medical professionals left behind by guards and left with prisoners, that were not equipped to deal with that and were possibly put in danger in that environment. As government or as any employer you simply cannot allow for that

to occur. We know it occurred because we even had leadership of other workers expressing concern with the fact that their members, their workers were now being exposed to unnecessary danger as a result of that.

That is why we have certain professions designated that should not and could not strike legally. But, Mr. Speaker, there are situations – and we’ve seen them in the past – thankfully in Alberta not so often, where a mere threat but a serious threat of a strike can cause also very disastrous consequences. Those are cases where upon a legitimate threat, where a minister or employer is of the opinion that indeed a strike may actually happen, they have to reallocate resources, put extra resources into hospitals or wherever the facility may be in preparation for that strike actually occurring. You know that all Albertans and oppositions and I would be critical of a minister who didn’t properly prepare for that contingency when he or she knew that a reasonable and valid threat was made.

We expect our seniors and our patients and others to have continuum of care, and if the threat is valid and serious, we as an employer have to prepare for that contingency at an incredible cost to taxpayers but also with a possibility of peril to those who are receiving the services because, again, when you put in replacement workers, that service is never delivered as professionally or as well as it is by our public service.

Mr. Speaker, that is why we have to have legislation that governs that. Now, one would ask the question: “Well, then, why wasn’t the last legislation good enough? We had acts, legislation on the books.” Well, I’ll tell you. Because the last strike was also – I would say a striking example, but I will use the word “good” – a good example where you had a leader of a union come out and say: with the fines that are currently on the books, they’re so irrelevant that I can pay them standing on my head. You know what? Upon review of that legislation, that leader of that union was right because that legislation was written 20 years ago.

The fines that were embedded in that act were in Canadian dollars of 20 years ago. When we look at today’s value, just adding inflation into account and the union’s capacity and how it has grown in numbers of members and their funds, those fines were really irrelevant. It’s like giving you a \$2 speeding ticket. You know that that would neither be punitive, nor would that ever serve as a deterrent. As a matter of fact, why would you even slow down for a police officer if you knew that it was going to be a \$2 ticket? The fact is that the law obviously was not effective. It resulted in an illegal strike, and it resulted in public mocking of legislation, and it needed to be updated, Mr. Speaker.

Now, this is where we’re morphing, I guess, in our discussion a little, but the Member for Edmonton-Calder was saying that he was elected to this Legislature to represent hard-working people, and he refers to union members. Well, Mr. Speaker, this province has 4 million hard-working Albertans. Every Albertan, no matter where they work and what they do, whether in an open shop or a union – they are hard-working people.

**Mr. Eggen:** Point of order, Mr. Speaker.

**The Speaker:** Hon. Member for Edmonton-Calder, what is your point of order and your citation, please?

#### **Point of Order Imputing Motives**

**Mr. Eggen:** Standing Order 23(h), (i), and (j), misrepresenting what I was saying and so forth.

**Ms Blakeman:** Imputing motives.

**Mr. Eggen:** Imputing motives. That’s right.

The member suggested that I was just speaking about working people – right? – only hard-working people. I said specifically in my speech – and you can check the Blues – that I was referring to everybody in this whole province.

Thank you.

**The Speaker:** Well, hon. member, I’m going to hear from the government side, but, as I recall, considerable leeway was given to you in your remarks, including leeway from the Speaker when you referred to people playing poker in here and doing all kinds of other things. No one took objection to that although I was about to rise and make a comment on that because I thought those comments were inappropriate.

Let’s hear what the hon. Deputy Premier might have to say.

**Mr. Lukaszuk:** Well, Mr. Speaker, I will simply not allow this to cut into my speaking time, so if that’s what the member feels he said, I accept that just so I can carry on.

**The Speaker:** Thank you for the clarification.

Let’s move on, then.

#### **Debate Continued**

**Mr. Lukaszuk:** Mr. Speaker, the fact is that as a government, and not only the government side but the opposition, we have a fiduciary duty to 4 million Albertans. We have to make sure that we treat our civil servants in such a manner that we attract the best – and I think we do – and that we remunerate them fairly, and I know we do compared to other civil servants in the same categories across the country. But at the same time, we have to be sensitive to the fact that the public service, including us in this Chamber, is funded by generous taxpayers of the province of Alberta, all 4 million Albertans. That is the balance that we have to strike.

Mr. Speaker, actually, this Premier has taken an initiative which is rare in this country, but I’m noticing that other provinces will follow suit, where we made a determination that there are not more or less important civil servants. They’re all important. If you are receiving social benefits, your social worker at that moment in time is the most important person in your life. If you’re lying on a hospital gurney, that nurse at that moment in time is the most important person in your life. They’re all equally important in what they do, and that means we have to treat our workers with some form of equity. That means that we are not going to negotiate contracts based on what the price of oil happens to be today or on who the minister in charge of a given portfolio happens to be today or on what raise another union somewhere else in the country happened to get today. What you actually end up doing is pitting one sector against another within the public service, where you’re lucky if your contract comes to an end when the price of oil is at a hundred bucks, and too bad, tough luck, if your contract comes up in a negotiating period when oil just dropped two weeks ago to 30-some dollars, as we have seen in this province. It happens very often.

We have formed, Mr. Speaker, a body within the government of Alberta, the Public Sector Resources Committee, which is now bringing equity to all of our public-sector negotiations, and what we’re looking at are two very important variables. Number one is: what is the market trend in Canada, and how are we faring within

the market trend? We know that we want to attract and retain the best, but at the same time we know that we want to be very sensitive to Albertans and their taxation and how much they pay for the services they receive. We also want to be sensitive to affordability but not exclusively either. I know that there are members of the opposition who will argue: “Well, you know, this year your budget looks really good. Give them 10 per cent, 5 per cent. Next year give them less.”

Mr. Speaker, affordability is not the only variable. Let me give you a little anecdote, and actually it's a true one. I had to replace the roof on my house about a month ago. Well, the roofer that showed up – actually, three or four of them showed up to do quotes on my roof. They didn't ask me how much I make. You know, the price of the replacement of my roof wasn't dependent on my salary, my ability to pay. There simply is a going rate for how much it costs to replace a roof, and that's what you pay. That is what we govern ourselves by, and that is how we will ensure that we treat our civil servants, public workers, with a certain sense of equity and respect throughout the entire system and not have the lucky and the unlucky, based on when they happen to negotiate. We've seen that.

5:10

At this point in time we have been looking at a certain range of settlements. We have done so with the teachers, we have done so with the schoolteachers, and we're hoping, because there is still a lot of time left on the clock, to arrive at a similar, not identical but similar, settlement with this union.

I wish I could say more, Mr. Speaker, but at this time I would move to adjourn debate.

**The Speaker:** Thank you, hon. Deputy Premier. Your time has expired, but 29(2)(a) is available. So far I have the hon. Member for Cardston-Taber-Warner . . .

**Mr. Lukaszuk:** Mr. Speaker, I moved to adjourn debate.

**The Speaker:** I'm sorry. I missed that. I was answering a note here. My apologies.

The hon. government member has moved that we adjourn debate on Bill 45 at this time.

[The voice vote indicated that the motion to adjourn debate carried]

[Several members rose calling for a division. The division bell was rung at 5:11 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Speaker in the chair]

For the motion:

Amery	Griffiths	McDonald
Bhardwaj	Hancock	McIver
Brown	Horne	Quadri
Cao	Horner	Quest
Casey	Jansen	Sarich
Cusanelli	Jeneroux	VanderBurg
DeLong	Johnson, J.	Weadick
Drysdale	Johnson, L.	Webber
Fawcett	Khan	Woo-Paw
Fraser	Kubinec	Xiao
Fritz	Luan	Young
Goudreau	Lukaszuk	

Against the motion:

Barnes	Kang	Sherman
Bikman	McAllister	Stier
Blakeman	Notley	Strankman
Eggen	Rowe	Swann
Forsyth	Saskiw	Wilson
Hehr		

Totals: For – 35 Against – 16

[Motion to adjourn debate carried]

**The Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. All the members have been summoned in here. I would ask for unanimous consent of the House to shorten the time between bells, if there are further divisions this afternoon, to one minute.

[Unanimous consent granted]

**The Speaker:** Hearing no objection, I believe we can shorten the bells. The customary tradition would be to leave one minute between the first ringing and the second ringing. So ordered.

**Mr. Saskiw:** Until 6?

**Mr. Hancock:** Just for clarification, it would seem that there is some concern that this might be for this evening. Well, we could ask for the same unanimous consent this evening if members . . . [interjections]

**The Speaker:** As I understand it, your motion is for the afternoon only.

**Mr. Hancock:** Yes.

**The Speaker:** So up until 6 p.m.

## Bill 46

### Public Service Salary Restraint Act

**The Speaker:** The hon. President of Treasury Board and Minister of Finance.

**Mr. Horner:** Thank you, Mr. Speaker. I rise today to move third and final reading of Bill 46, the Public Service Salary Restraint Act.

I'd like to make a few comments. My colleague from Edmonton-Whitemud has spoken on the two bills in the previous readings. I have as well and have made a number of comments, and those are on the record. But I did want to respond to a few things that I think are important from some of the other colleagues that have spoken when they were speaking to Bill 45 but related actually to Bill 46. I think, Mr. Speaker, it is important that there is a separation between these two pieces of legislation.

The hon. Member for Edmonton-Centre loves theatre. We all know that. She loves to rewrite history, evidently, as well. We are not cutting the public service here. In fact, there is no wage freeze for this bargaining unit within this piece of legislation either. In fact, we have frozen the salaries of management for the next three years. We have, as you know, through Members' Services frozen the salaries of MLAs for the next three years. That's not what's in this piece of legislation, Mr. Speaker.

In fact, we're not forcing the agreement in this piece of legislation either. What we're asking for is negotiation. We're asking for the Alberta Union of Provincial Employees' leadership to



come back to the table. We have an offer on the table as we speak that is actually higher than what is in the legislation. There are things in there like enhanced vacation pay. There's enhanced entitlement around Christmas closure. That's what we want to sit down and have a discussion about. This is not the end-all of what could be the agreement, and I'll talk a little bit more about that, too.

The hon. member also talked about the fact that we agreed somehow to compulsory binding arbitration. Well, Mr. Speaker, when one group decides that they no longer wish to negotiate, and they walk from the table and make an application for compulsory binding arbitration, there's no: "Well, we can't disagree" or "We can't agree." It's there. We had to be at the table to sign onto that. But after 12 days of negotiation in May and two days of mediation and then immediately applying for that binding arbitration, that's hardly negotiation, and we're asking for them to come back to the table.

Secondly, the Premier mentioned in an answer to a question in question period a day or two ago that she had actually had a communication with the president of this particular bargaining unit and asked: would they come back to the table prior to this legislation ever seeing this Legislature? The answer was: no; they weren't coming back to the table even though we'd put an offer on the table.

You know, the other piece to this, of course, is that the hon. member talked about: well, we've changed the pensions. We haven't changed any pensions. We have proposals on pensions for the LAPP, the PSPP, the SFPP, and the management pension program. These proposals were brought forward because of the sustainability issue in all of these defined benefit programs. In July of 2012, when I spoke with all of the leadership of all four plans, I heard them very clearly say to me: "We want to protect the defined benefit plans. We want to protect the core benefits for our members. Don't go down the road of the Wildrose and have a defined contribution and cut off defined benefits." In fact, I remember, Mr. Speaker, because I spent the day with them, and they had buttons that said something about protecting the DB.

Then we went back to say: "Okay. So how do we look at proposals? How do we ask all of those boards for their proposals to do that? Let's make that happen." But you can't wait forever, Mr. Speaker. You have a 7 and a half billion dollar unfunded liability that is shared by taxpayers and plan members. We need to start doing things today to protect those benefits for the future.

We said, "Let's, as one of the principles, protect the core benefits of those plans," so we asked for proposals. Those proposals came in at the end of March of this year. Frankly, Mr. Speaker, we were a little bit disappointed that the proposals, many of them, simply said: "Leave it alone. It'll fix itself. Some day the returns will get better, and all will be well." Well, all of the actuaries that we've spoken with, all of the other pension plans across the nation are taking action or know that they have to take action.

We decided we would put some proposals on the table, which we are still hearing consultation about until the end of December, and I am still open to good suggestions that would come forward that would see us change even the proposals that we have on the table. Some of them are: instead of going from 85, maybe go to a 90. There are a lot of things that are up in the air on that, but to actually connect that with what we're doing in Bill 46, which is related to one bargaining unit, the AUPE . . .

5:30

**An Hon. Member:** Now.

**Mr. Horner:** Just now. It's over after this.

. . . which is related to just the agreement that is on the table today. It even is built into the bill that once this is all done, the bill is done.

So to suggest, as the Wildrose likes to suggest, "Vote for us. We're now the union guys in the room" because we're going to reinstate all of this stuff by 2016, well, there won't be anything to reinstate. The bill actually expires. All of these things will come back to the table. This particular piece of legislation is only for this agreement. For them to do that, I know it's a bit disingenuous. [interjections] Well, it's in the bill. You should read the bill because it's in the bill. The bill has no long-term effects. It is a bit disingenuous, and some have commented on the fact that from where the Wildrose . . . [interjection] Sorry, Mr. Speaker, I . . .

#### **Speaker's Ruling Decorum**

**The Speaker:** You can see what happens, right? You start interjecting over here. It's a little bit prolonged, and then somebody takes the bait over there, and then it's prolonged. Then it comes back here, and pretty soon we have no debate at all. I'm going to count up how many times I've risen on this point over 18 months because it's really curious. It just defies logic and words. I just can't find the words to express how disappointed I am.

The hon. President of Treasury Board.

#### **Debate Continued**

**Mr. Horner:** Thank you, Mr. Speaker. The legislation that we're also debating in this House is around penalties for individuals who break the law. That's not what Bill 46 is about. So, again, to tie the two of them together is disingenuous at best, Mr. Speaker.

The other piece that I did want to mention while I have the floor was that there was some discussion around, you know, the Lougheed legacy. I've actually received a few e-mails from people who have made comments about my father's ability in this House and some of the things that he may or may not have said and what he would have done. I take great pride in my father's service to this House and to this province. I don't say it for that, Mr. Speaker; I say it for the message to those individuals who sent me e-mails suggesting that they knew him better than I. I can tell you, Mr. Speaker, and some across the way, by the way, that I feel very comfortable that what I am doing in service for the taxpayers of Alberta and, in fact, for the staff that work for me and the people that have supported me in my term here is the right thing for Alberta.

Mr. Speaker, the Deputy Premier commented on the idea that just because our economy is turning around, just because we announced in our second half that, as it turns out, it's looking like our first half was better than projected, that we may have a billion-dollar surplus for the operating side of our ledger, we should somehow now all of a sudden open the gates and just pay everybody because we have more money. We have got to change that attitude, and we have got to change that culture because it has put us in a position where sustainability is in question. We need to deal with that from the expenditure side. The revenue side: down the road we can talk about that, too. But right now we need to ensure that we stay competitive, for sure. We want to attract the best and the brightest as well. Right now, as the Deputy Premier said, all of the research, all of the comparators you would have would suggest that we are very competitive, and we should stay that way.

Bill 46 provides that framework within which the government of Alberta can negotiate with the AUPE towards a new four-year agreement. Negotiation is a better way for us to go, and we want to get back to that bargaining table so that we can reach a deal on pay that is fair to our hard-working public servants but that is also fair to taxpayers, Mr. Speaker. It has to be such.

We still want to attract the best and the brightest, as I said, and we want to uphold Alberta's market edge through that competitive pay and benefits. When we talk about our work with the doctors and the teachers, the hon. Member for Edmonton-Centre said that, well, we legislated the teachers. No, we didn't. We actually sat down with the ATA. We came up with a negotiated deal. One of the boards said that they didn't want to follow through, but in the negotiation, Mr. Speaker, we talked about how the whole thing has to come together and that if we had to, we would bring legislation to bring the outliers into the deal that was negotiated with the ATA.

These are decisions that are directly impacting taxpayers across this province. I know that the people in the galleries are all taxpayers, too. The members sitting down here are taxpayers. The people that are outside plowing snow for us this evening and spreading salt are taxpayers, Mr. Speaker. These decisions directly impact the spending of their dollars. Therefore, government and the union reps should sit down and talk about it, and they should make that determination. So we do look forward to restarting those negotiations with the union.

There were comments that were made last night and, I think, even today in question period about the deal that was negotiated with British Columbia's workers: a five-year deal, 5 and a half per cent, roughly 1 per cent per year, and they have a profit share. Well, I wouldn't call it a profit share, but it's a share of whatever the increase in GDP is over their forecasted piece. Now, Mr. Speaker, I've said this before. You don't get a deal like that by going to binding arbitration. You get a deal like that by going and sitting down in fairness to both the taxpayer and the membership and saying: what would be a unique way for us to deal with this? I, frankly, would think that would be a neat thing for them to offer. I think it would be something that would be interesting, and I hope the bargaining units and the table look at something like that. I'm waiting for something to happen, for them to come back to us with an offer.

We have over the next two months, Mr. Speaker, the opportunity to reach an agreement with our public servants, as I've said, that is even better than what's in this legislation. What we have on the table right now in terms of our offer is better than what's in this legislation. There is room for us to make a better agreement. We've shown that. So let's sit down. Let's talk about it. Let's have some negotiation. Let's see what we can do that is even better than what's in the legislation. But it's fair to the taxpayers given all of the other agreements that we've done, and we have been very up front with this union and other unions that this is the path that we are on for sustainability to ensure that we can balance the budget in the future so that we are fair to them and to the taxpayers. I look forward to the results of that over the next two months.

Therefore, I would hope that you would join me in supporting this piece of legislation. Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Cardston-Taber-Warner.

**Mr. Bikman:** Thank you, Mr. Speaker. I'm happy to be here and to represent the people of my constituency and others who have taken the time to write in and express their concerns about what appears to be a unilateral action that's taken without due

consultation to change a right that has existed in our province to make up or compensate for the fact that those who provide services that are deemed essential can't strike, so they have the opportunity to trust in the fairness of objectivity of an arbitrator, something that the government appears unwilling to do.

I think the concerns that have been expressed to me and that we've discussed in our caucus amongst ourselves – this sets a precedent. Now, the government says and we've been promised and the act, in fact, says that it will cease to exist or be in effect once certain things have happened, the deal has been made, the new contract is in place. Well, the question, obviously, to all of us and to those workers who currently provide their labour service to the government through their public service union is: which tough bargaining union will be the next victim of a new Bill 46, as I said last night, the ugly stepsister of Bill 45?

I wonder if the minister and the government itself are surprised at the union's reaction to this, and if you are, why would you be? You've taken away a right through the stroke of a legislative pen and the power of your numbers and the 45 per cent of voters that voted for you as opposed to the concern that the 55 per cent that the rest of us represent are expressing here from this side of the House. I think that should carry some weight, and I think that a government that was seriously interested in providing appropriate legislation and appropriate responses to its challenges would want to share their proposed or their anticipated bills and the covenants in those bills with the rest of the Legislature to get other points of view and perspectives.

5:40

It seems to me somewhat arrogant to think that you've got a corner on intelligence, a corner on the pulse of the people and understanding it. The fact that you have more members elected: congratulations. You ran a very effective fear-and-smear campaign. That doesn't change the fact that 55 per cent of the people in the province didn't vote for you. This will likely change in 2016, as we referred to. We don't hold ourselves up necessarily as the party that speaks for and represents the union. What we're holding ourselves up as is the party that speaks for common sense, that speaks for common decency, that speaks for the rule of law, that speaks for the right of people to appeal through a predetermined system that existed for a long, long time and has proven to be effective.

I guess that the promise written into the act that it's going to be cancelled or it'll cease to exist once certain things happen is a rather hollow promise. We all expect and, certainly, the other members of other unions I know are wondering if when things get tough or if they're trying to negotiate for the best possible deal, you'll just say: "Well, no. We'll just put in a new Bill 46." If you don't trust in the justness of your position and the strength of your argument and your ability to persuade an arbitrator and you've got the power, then I guess you exercise it and you propose and will obviously be successful because of sheer numbers and the fact that your members, your MLAs, are not allowed to vote to represent the wishes of their constituents but have to vote the way they're told to by the cabinet, then we know the outcome of this.

This exercise is an opportunity to express what is otherwise inexpressible from anybody but this side of the House, so we're left with the responsibility of speaking on behalf of those who can't speak here for themselves or who mistakenly chose an MLA who's not allowed to speak and vote the way his constituents want.

Therefore, we can't support Bill 46 because it's unfair and unjust. Thank you.

**The Speaker:** Hon. members, I've received several notes about how the order should proceed, so I have to tell you how it's going to be. Prior to this and under Standing Order 45 I had thought we would go government member and then Official Opposition and then other opposition and other opposition only because I had no other requests from government at that time for speakers. However, the tradition, as you all well know, is to ping-pong: government member, opposition member, government member, opposition member. I'll do my best to abide by that going forward because I have had requests for other members to speak.

I wonder if there's anyone else who wishes to speak here from the government side. No?

Then we'll carry on, and 29(2)(a) will be available after the next speaker.

We'll go over here to the Liberal caucus and ask Calgary-Buffalo to please offer his comments.

**Mr. Hehr:** Well, thank you, Mr. Speaker, for recognizing me to offer my thoughts on this bill. What I see is an unprecedented attack on organized labour and an unprecedented attack on the working people of this good province. I not only see it as an attack on labour, but I see it as an attack on the citizens of Alberta at large in that this government is seemingly content with trampling on our rights and freedoms that are guaranteed to us under the Charter of Rights and Freedoms. Primarily, I see this government trampling on two rights enshrined in section 2: the freedom of expression, which I will not dwell on – it was fundamentally trampled on in Bill 45 – and, primarily, the right to freedom of association. In my view, the freedom of association right it's trampling on is clear, and that should send a message that should really be of concern to all Albertans. In my view, it is a shameful day for this government to be doing this in this manner.

Under our freedom of association every citizen in Alberta is allowed to join a trade union and to have adequate access to a collective bargaining process. What this government is doing through this bill is a clear indication that you are not allowed to collectively bargain in this province in good faith, with due process, and have your day heard by a fair and final arbiter, by what we have established not only through the Supreme Court of Canada but through the law of the land in this province since 1977. With the deepest respect to the minister of the Treasury's remarks, I find them nothing but poppycock, and his view of the way this bill is presented is completely false with its actual intent and its purpose.

Here, let me go back a little bit. In 1977 former Premier Lougheed made wildcat strikes, or strikes by the public service, illegal, and whether that was wise or not, he realized he was taking away an essential right of those workers, the right to strike, and recognized in his wisdom and in the wisdom of the hon. minister of the Treasury Board's father that we have to allow for the collective bargaining process to be fair and to be available should we take away the right to strike. That has been the law of this land for the last 35 years or so.

No government, not even the Klein government, who had many follies into many different venues and, in my view, was wrong on many fronts, ventured into that draconian of a measure, that they would take away an ability of unions and people who are involved in trade unions, to interfere with the collective bargaining process, which, again, would be a breach of our fundamental rights to freedom of association.

What the government has done in this case now is that they have negotiated with the union, and they and the union have put forth bargaining positions, and, as is their right to do, the union has disagreed with the government's approach. They applied for

binding arbitration, which is their right to do and was the right that we have allowed over the course of the last 30 to 35 years. That is the bargain we have struck. At that arbitration process what happens is that the union will present their case, the government will present their case, and a fair arbiter will come to a decision.

Now, what the government doesn't like about this process and why we see this heavy-handed measure is that the arbiter will be presented evidence of the true picture of what is happening here in Alberta. It will be presented with evidence that we have a robust economy, that the private sector is doing well. In the last reports I see the average private-sector worker is receiving wage increases of roughly 3.6 per cent a year. That's the evidence that the arbiter will see, and that will influence his decision as to what his result is going to be. The government knows that the arbiter is going to come up with an agreement that is a heck of a lot better than the 0, 0, 1, 0 they have presented in this legislation and whatever they have submitted so far to the union. That is what this is all about.

Instead of allowing that fair process that has been established in this province since 1977 and that has been protected by our Charter of Rights and Freedoms, the government has pre-empted this with a bill here on the Legislature floor that holds a gun to the trade union's head and says: you shall come back here and negotiate with us despite the terms that have already been rejected until we get a deal that we like. In doing so, they have taken away the trade union's ability to negotiate in good faith because that needs a fair access to collective bargaining, a fair access to this process. The government has taken away that process, which is wrong, fundamentally flawed, an affront to our Charter of Rights and Freedoms, and is simply in bad faith.

**5:50**

In my view, what is going to happen here is that there will be a legal challenge put forward by labour organizations. It's probably in the midst of being filed as we speak. In five years from now – who knows how long? – we will receive a judgment from the Supreme Court of Canada which says: Alberta, you're wrong; you took away our fundamental rights and freedoms, our right to free expression, and our right to freedom of association. That will be the record of this government. They will have introduced a bill here that is an affront to citizens of Alberta. That, to me, is highly disappointing.

Let's look. The minister was claiming that this government is attempting to live within its means. I think that's what he is saying that the basis of this bill is. But let's be clear. Like I alluded to earlier, any government in North America, in fact, throughout the western world would envy Alberta's position. Like I said, the private sector is doing well. Retail sales are up. Home sales are up. Corporate profits are through the roof. The only one who is broke here is the provincial government, and it's a result of their own refusal to look at a fiscal structure that is clearly broken, that clearly doesn't allow for predictable, sustainable funding, nor does it allow them to pay its public servants a reasonable day's wage at a time when it should have easy access to do it.

Let me explain why, Mr. Speaker. We have instituted a fiscal structure that essentially makes us rely on the price of oil for whether we can pay our daily bills. It's faulty. It's flawed. It's, in fact, stupid. Economists over the last 25 years have all said that and in fact every former Tory finance minister I've talked to about this – from Jim Dinning to Shirley McClellan to Ron Liepert to Ted Morton – all agree. We have a revenue problem. This is not a Liberal or a New Democrat idea. They all recognize we have a revenue problem. They agree our tax structure is flawed. So instead of taking all of the evidence from these fine individuals, who now have left politics, and economists of all stripes to allow

who now have left politics, and economists of all stripes to allow for workers in this province to get paid a reasonable rate, they would rather duck and hide and take egregious swipes at Alberta citizens and violate the Charter of Rights and Freedoms and bully their way to a settlement instead of actually fixing what has long been recognized as broken, our fiscal structure.

That is what is happening here. A government whose complete incompetence can be shown in the fact that over the course of the last 41 years we have brought in some \$375 billion in nonrenewable resource revenue. We've only managed to save \$16 billion of that. We've never had predictable, sustainable funding, and that is the end course of it.

In my view, this bill is short sighted and – I'll finish where I started – an unprecedented attack on organized labour, an unprecedented attack on the citizens of Alberta and their right to have the Charter of Rights and Freedoms protected. In my view, it has been the bill that – I didn't think that I was ever going to be confronted with a bill as offensive to me as Bill 44 was in the last Legislative Session, which trampled on human rights, singled out our gay and lesbian community for ridicule and disdain. I think it set this province back a number of years in that respect.

Since that time I find this bill equally appalling, with its attacks on what our reputation should be out there in the community, the way we should treat our public-sector workers, and recognize what we have done here in this province, and in my view it's quite a shameful day for this government.

Thank you, very much, Mr. Speaker.

**The Speaker:** Hon. members, 29(2)(a) is now available. Does anyone wish to speak to 29(2)(a)? Yes. The hon. Member from Cypress-Medicine Hat.

**Mr. Barnes:** Thank you, Mr. Speaker. I'm just wondering if the hon. Member for Calgary-*Buffalo* feels that the Premier and this government's broken promises since the election date may have impacted the crafting of Bills 45 and 46.

I'm also wondering – I know that in the Wildrose our position was recall in the last election, and I understand that in B.C. when the Campbell Liberal government kind of hid the truth from the people that they really wanted an HST, PST combined, starting the recall process of 21 MLAs for the Liberal party on Vancouver Island made a huge change in government policy. I wonder if the

member would care to comment on if recall might be an option for this province down the road.

Thank you.

**Mr. Hehr:** Well, I'll stick to the comments regarding how we got here and, increasingly, what we saw the province run on in 2012. Their election platform was a complete and utter sham and, in my view, was disingenuous to say the least. Look what they promised there, predictable, sustainable funding. They had building every school in the province, from Milk River to Zama City and the like. They promised the moon to anyone and everyone who was listening. I wonder if the people who ran for that party actually believed it when they were running for it, okay? Really, if you did – and, you know, I'm going to be honest. I drank Alison Redford's, hon. Premier's, Kool-Aid for a little while, too, because I thought maybe she would have the ability to fix what was broken in this province. I, like the rest of Albertans, in my view, was sold a bill of goods on election day.

To be honest, instead of fixing what's broken, here we are. We're taking it out on the backs of working people, not recognizing that they have a role to play in this province and that we should be grateful for that role. By not fixing that fiscal structure, here is what she has had to do. She has had to break every promise that she gave and now is running around trying to, in my view, make a silk purse out of a sow's ear, which is not going to allow us to move forward to the best we can today, which is ensuring kids in classes get educated, that people in care get cared for, that people get paid an honest day's pay for an honest day's work. We are here now trampling on civil liberties of Albertans to bully their way to a settlement that negates what we have done here over the course of the last 30 years and should be an affront to every citizen in this province.

Thank you.

**The Speaker:** Hon. members, I wish I could recognize more, but it is now 6 p.m.

Just before I adjourn the House, hon. Member for Calgary-*Buffalo*, I think that I heard you use someone's first or last name, so you might want to remind yourself that that's not normal form.

According to our rules it is 6 p.m. and we shall adjourn now until 7:30 p.m. tonight.

[The Assembly adjourned at 6 p.m.]

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Province of Alberta

The 28th Legislature  
First Session

# Alberta Hansard

Wednesday evening, December 4, 2013

Issue 79

The Honourable Gene Zwozdesky, Speaker

## Legislative Assembly of Alberta The 28th Legislature

First Session

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## Legislative Assembly of Alberta

7:30 p.m.

Wednesday, December 4, 2013

[The Speaker in the chair]

**The Speaker:** Thank you, hon. members. Please be seated.

### Government Motions

**The Speaker:** The hon. Government House Leader.

### Time Allocation on Bill 45

51. Mr. Hancock moved:

Be it resolved that when further consideration of Bill 45, Public Sector Services Continuation Act, is resumed, not more than two hours shall be allotted to any further consideration of the bill in third reading, at which time every question necessary for the disposal of the bill at this stage shall be put forthwith.

**Mr. Hancock:** Thank you, Mr. Speaker. It's my duty to move Government Motion 51.

**The Speaker:** The rules allow five minutes for the government side to speak to this motion, followed by five minutes for the Official Opposition to speak to this.

The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. I've spoken previously to the motions, but might I take this opportunity to ask for unanimous consent of the House that in the event there are bells during the evening, we shorten the bells to an interval of one minute?

[Unanimous consent granted]

**The Speaker:** The bell shall be shortened, and there will be a one-minute recess between the two ringings.

We've heard from the mover. Now, according to Standing Order 21(3) I can go to the Official Opposition only on this motion. I'll recognize the House leader from the Official Opposition at this time.

**Mr. Anderson:** Mr. Speaker, again, here we are for the sixth time. I believe it's the sixth time now. Are we only on number five? Oh. I'll have to stand again and do the same thing. For the fifth time – and the sixth is probably coming soon – I have to stand and explain to you why I feel that what is happening here is a gross abuse of process.

Mr. Speaker, we have standing orders in this House. The standing orders are the rules of the House, as you've pointed out. They are rules that are made by the government side. Let us not pretend for a second that the House leaders over here, other than for very small things, have any – any – say whatsoever in any substantive rules of this House and standing orders. We don't. The majority has that ability. The majority has decided to make a standing order that allows for time allocation. As we have talked about repeatedly in this House, they could use that rule as it's written in the Standing Orders today to limit debate in this House to anything from two hours, as is the case here, to an hour on each bill to 30 minutes to 15 minutes to 10 minutes to five minutes to one second. That's what the standing order allows for.

We as the Wildrose caucus will be writing to you, Mr. Speaker, in the new year to ask you to intervene or at the very least give us

clarity with regard to: what is the limit of that standing order? Can the government say, "We will limit debate on any one stage of the bill to one hour"? Thirty minutes? Fifteen minutes? Ten minutes? Five minutes? One second? What are the limits of time allocation?

I think the proper reading of it is that time allocation is a tool in the standing orders but that it shouldn't be allowed to overrule parliamentary precedent. Certainly, standing orders shouldn't interfere with the basic free-speech rights of members of this Assembly.

Now, I'm not saying that every member has to have time. I think that should be what happens. Perhaps there are other jurisdictions out there, you know, that don't allow for every member to have his say on a particular bill or what have you. Fine. I don't agree with that, but it is what it is. However, I doubt highly that there's any precedent for a government being able to limit debate to five minutes on a bill or 10 minutes or an hour or, frankly, two hours.

I think that this is an abuse of process. I think it calls into question the integrity of the Legislature, and I feel very strongly about that. I can promise you on the record that if the Wildrose is lucky enough to form the government in 2016, we will as one of the first things get together with the House leaders and immediately put an end to this abuse of process. That's what it is. It's an abuse of the democratic process. It's using the government's power and majority to limit debate in a way that is unreasonable and goes way beyond what the standing orders contemplated when they were created.

Certainly, I don't think anyone thinks that debate should be limited to half an hour or to 15 minutes on every stage of a bill, but that's what our standing orders allow. If we adhere to them, why wouldn't they be able to do that? If we were to adhere and say, "Look, the government can cut off debate whenever they want and allow only a small amount of time on debating of the bills," if we take that to its extent, what's the difference between two hours and one hour? What's the difference between one hour and 30 minutes? What's the difference between 30 minutes and 15? We continue to allow this process to erode to the point that our free speech is completely thrown out the window, and the government can put bills on the Order Paper two days before they want to pass them or a day before they want to pass them. Actually, not even. A sitting. You could do it in the afternoon sitting, bring them forward, and then pass them in the night sitting.

That's not democracy, Mr. Speaker.

**The Speaker:** Thank you, hon. Member for Airdrie. Let me take a moment to perhaps save you the time writing me a letter. It may be helpful for all members to visit Standing Order 21, where the heading is Time Allocation. Here's what it states under 21(1):

A member of the Executive Council may, on at least one day's notice, propose a motion for the purpose of allotting a specified number of hours . . .

In the plural: hours.

. . . for consideration and disposal of proceedings on a Government motion or a Government Bill and the motion shall not be subject to debate or amendment except as provided in suborder (3).

What it in effect is talking about here is a specified number of hours; not minutes, not seconds. That may be helpful. I'm not saying don't write to me if you wish, but I just thought, for the purposes of people who are listening, including some members who might be new, that they should know what that time allocation motion really is all about.

**Mr. Anderson:** Mr. Speaker, I thank you for that. Under 13(2) . . .

**The Speaker:** Hon. Member for Airdrie, are you asking for clarification?

**Mr. Anderson:** Point of clarification, 13(2). To save me having to write over the Christmas holidays, is your reading, then, that the limit of this rule is essentially two hours? That's the least amount; that's the minimum. They can't go shorter than that: is that your reading of the standing orders?

**The Speaker:** Hon. member, I'm not here to have a debate with you. They are your rules. I can only clarify for you what the order says, and I can't tell you if it's a minimum of this or a minimum of that. All I'm trying to clarify is that it's not a matter of minutes or seconds, and that might be helpful to you in your writing. Thank you.

Let's move on, then. We've played by the rules up to this point. Two members have spoken, as allowed by our standing orders and our rules, and I must now put the question to you.

[The voice vote indicated that Government Motion 51 carried]

[Several members rose calling for a division. The division bell was rung at 7:39 p.m.]

[One minute having elapsed, the Assembly divided]

[The Speaker in the chair]

For the motion:

Amery	Fritz	McDonald
Bhardwaj	Goudreau	McIver
Brown	Griffiths	Olson
Cao	Hancock	Pastoor
Casey	Horner	Quadri
Cusanelli	Jansen	Quest
DeLong	Johnson, J.	Sarich
Dorward	Johnson, L.	Weadick
Drysdale	Kubinec	Woo-Paw
Fawcett	Lemke	Xiao
Fraser	Luan	

Against the motion:

Anderson	Bilous	Strankman
Anglin	Mason	Swann
Bikman	Pedersen	Towle

Totals: For – 32 Against – 9

[Government Motion 51 carried]

**The Speaker:** The hon. Minister of Human Services.

#### Time Allocation on Bill 46

54. Mr. Hancock moved:

Be it resolved that when further consideration of Bill 46, Public Service Salary Restraint Act, is resumed, not more than two hours shall be allotted to any further consideration of the bill in third reading, at which time every question necessary for the disposal of the bill at this stage shall be put forthwith.

**Mr. Hancock:** Thank you, Mr. Speaker. It's also my duty to move Government Motion 54.

I haven't said a lot about these motions over the course of the last few days, but I have heard a number of arguments put that democracy as we know it will end, that that doesn't give enough time for people to speak, and all those sorts of things. In fact, as we witnessed last night, a number of members of the opposition

were able to speak multiple times to the bill in committee. There was no shortage of opportunities for people to get on the record if they wanted to. We observed that.

As well, again, I would just say for the record that time allocation is an important way to deal with the business of the House, not on every bill by any stretch of the imagination but on some bills at the committee stage. On a few bills, very few bills actually, at more than just the committee stage, at other stages of the bill, there are times when the House manages its time well, and those motions are left on the Order Paper. As we can see on the Order Paper, there are some left from last spring. It is one of the ways in which government business can be managed, brought before the House for appropriate discussion, timely discussion, and timely implementation.

Mr. Speaker, it's not closure as we used to have. About 10 years ago – I think it's almost exactly 10 years ago – we changed the standing orders after significant discussion with all parties' House leaders and removed one of the provisions. That was the previous provision in many parliaments around the Commonwealth where closure was allowed on bills, but that provision has been taken out.

There are two provisions in the standing orders for managing the time in appropriate circumstances. One of those is time allocation, and the other is putting the previous question, moving the previous question. That's not the end of democracy. It's a way in which one can ensure that there is an opportunity for fulsome debate on a bill, but our parliamentary traditions and our parliamentary procedures do not presume that every member will speak to every bill. We would not have time to deal with more than, say, 10 bills a year if that was the case.

We do delegate our opportunities. We do choose critics from the opposition side or people to bring forward bills, and not every member speaks. We work together as caucuses so that we can develop common positions. We sometimes recognize that there are positions outside the caucus position that need to be expressed or that somebody will be putting a specific provision coming from their particular background or their particular constituency. But for the most part the parliamentary system works because members gather together in caucuses, determine the position, move forward in that way. It wouldn't work at all if we all operated entirely as independent members, with each member then having to speak from their own position, duplicating the positions. There is no issue, no matter how significant or important, that cannot be fully discussed in the period of time that's allotted.

Having said that, Mr. Speaker, I would ask the House for support on this particular motion.

**The Speaker:** We can recognize one member on this motion. Innisfail-Sylvan Lake on behalf of the Official Opposition.

**Mrs. Towle:** Thank you, Mr. Speaker. I appreciate the hon. House leader's comments there, but I would like to take this a little bit further. You're absolutely right. Every bill should be given fulsome discussion. There's no question about that. That is democracy. But the reality of it is that this session started October 28. The government has had since October 28 to drop these bills on the floor. What they did was to produce the bills late in session, and they did it for one reason and one reason only. They weren't getting the results they wanted from the union.

What they said is: we don't like how you're playing in the sandbox, so we're going to end the sandbox. What they did is they created the bills. They actually wanted to drop them last week, but they couldn't do that because of that unfortunate little

mess in Human Services. What they had to do is change the channel somehow. They dropped them this week so that they can literally get the unions forced back into negotiation, and they can force their hand. That's what this is about. This is not about fulsome discussion and democracy. This is about the government trying to force the unions to come back to the table and do what they want.

Fulsome discussion? Absolutely. Six hours is not fulsome discussion. We gave more time to Bill 206. We gave more time to Bill 33. We gave more time to Bill 28. We gave way more time to Bill 27, and we – a hundred per cent – should have done that. We absolutely should have done that. That was fulsome discussion. On this bill they don't want fulsome discussion because they know exactly what's going to happen: filibuster, filibuster, filibuster, filibuster. They don't want the unions protesting on their front steps, and they don't want the unions in this House right now causing a ruckus. They don't want the media on these bills. What they really want to do is jam these two bills down the throats of Albertans, and by doing that – that's why they instituted time allocation.

They could easily have put this bill on the floor of the House last week. We could have had all week. Or, gosh darn, we could sit longer. Hmm. Shocker. We could all come back next week, but no. What do they do? They make us sit till 1 and 2:30 in the morning because they need to do time allocation, and they want to push through second reading in one night of both bills. They want to push through Committee of the Whole in one night on both bills: gosh darn it, we're going to be out of here on the third night, and we'll make sure those bills are done.

That's the power of a majority government. That's not democracy. They're not listening to Albertans, and I hope every single Albertan understands what you're seeing here tonight. This is majority power at its best, and this is majority power making sure Albertans do not have a voice.

Further, if you actually consulted with everyday Albertans, if you actually created this bill in the proper way, you wouldn't need to institute time allocation. If you worked with the opposition parties to talk about what was wrong with these bills, if you actually sat down and had open consultation and collaboration on these bills, you wouldn't have to institute time allocation, and you wouldn't be in this mess in the first place, Mr. Speaker.

**The Speaker:** Accordingly, I will now put the question forward.

[The voice vote indicated that Government Motion 54 carried]

[Several members rose calling for a division. The division bell was rung at 7:50 p.m.]

[One minute having elapsed, the Assembly divided]

[The Speaker in the chair]

For the motion:

Amery	Goudreau	McDonald
Bhardwaj	Griffiths	McIver
Brown	Hancock	Olson
Cao	Horner	Pastoor
Casey	Jansen	Quadri
Cusanelli	Johnson, J.	Quest
DeLong	Johnson, L.	Sarich
Dorward	Khan	VanderBurg
Drysdale	Kubinec	Weadick
Fawcett	Lemke	Woo-Paw
Fraser	Luan	Xiao

Against the motion:

Anglin	Pedersen	Swann
Bilous	Strankman	Towle
Mason		

Totals: For – 33 Against – 7

[Government Motion 54 carried]

**The Speaker:** Just before we proceed with the next item of business, could we have unanimous consent to revert briefly to Introduction of Guests?

[Unanimous consent granted]

### Introduction of Guests

**The Speaker:** I'll recognize Edmonton-Decore for your introduction.

**Mrs. Sarich:** Thank you, Mr. Speaker. It's my honour and privilege to rise to introduce to you and through you to all members of the Assembly two constituents from Edmonton-Decore. I would ask that when I mention their names, they please rise. They are seated in the members' gallery. This evening we are joined by Sheila Hogan and Stephen Hogan, both of whom are psychiatric nurses. I appreciate that they have taken their time to be in attendance this evening to watch and hear the debates in the House. On behalf of Sheila and Stephen the Assembly needs to know that they are opposed to Bill 45, which is the Public Sector Services Continuation Act, and Bill 46, the Public Service Salary Restraint Act. I would like to say thank you to both of them for keeping yours truly and the Assembly informed about their views.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Beverly-Clareview. Again, briefly if you could, please, because we are reverting to an earlier Routine.

**Mr. Bilous:** Yes. Thank you, Mr. Speaker. It's my honour to rise and introduce to you and through you to all members of the Assembly representatives that are here tonight from several unions. We have HSAA, UNA, AUPE, and the AFL all in attendance, that are here to show their strong opposition to both bills 45 and 46. I just want to acknowledge that they have been here every day and every evening that we've been fast-tracking these bills through the House. I really wish the government would get the message and yank these bills. I'd ask them to rise and receive the traditional warm welcome of the Assembly.

Thank you.

### Government Bills and Orders Third Reading

#### Bill 45

#### Public Sector Services Continuation Act

[Adjourned debate December 4: Mr. Lukaszuk]

**The Speaker:** The hon. Member for Medicine Hat.

**Mr. Pedersen:** Thank you, Mr. Speaker. It's my first opportunity to speak to Bill 45, and I'm going to take a little bit of a different approach maybe. My background is coming from a family farm in Gull Lake, Saskatchewan. It was a small community, and everybody sort of did what they had to to make ends meet. I don't recall ever running into a union member when I was growing up, so

unions, to me, were something that I was not aware of and didn't grow up with and, to be honest with you, didn't understand. As life plays out, the values that I got by growing up in a rural community were that you just get out there, and you do things on your own. You make the best of it. If you find a job that isn't to your liking, you make a decision, and you move on to another job. Sometimes that meant that you had to change where you live to get a job. Sometimes you had to change companies to get a job. Sometimes you had to do all of those to advance within any company that you're working for.

That's what I've done for 27 years in the oil and gas supply industry. It served me well, and I have no regrets. Obviously, there was a bit of luck involved, and obviously there was a bit of good fortune, and there were some missteps along the way. I certainly didn't make every decision along the way that was beneficial to me in the short term, but the long-term goal was to better position myself for the future, and that future includes having, you know, secure employment until I'm ready to retire, also to prepare for my retirement by putting money aside myself and making sure that I have sufficient monetary value to fall back on when I do hit retirement.

8:00

I'm not done with that. I'm still working my way through life. Like I say, I've spent 27 years in the oil and gas industry deciding not to, you know, do farming for various reasons, but it has served me well. The transition into this job is just another part of my journey along my work-life plan. It is very rewarding. I certainly enjoy it. It is certainly fulfilling. It's, honestly, a job that I didn't think I was going to get the first time out, but I do appreciate the fact that I was given the opportunity to represent the constituents of Medicine Hat, and I thank them for that every day.

In my work career in the oil and gas industry we ended up dealing with customers that did work for unions, and you know what? They were just regular people, just like I was. You know, they were individuals who were out working for a living, doing the best that they could for themselves and their families, looking to build a future, looking to build a nest egg for their retirement, doing whatever they had to to make sure that they were giving back to their employer, and they were delivering fantastic results in whatever capacity they were asked to do. They were just like me.

[The Deputy Speaker in the chair]

When we were sitting across the counter, I was on this side wanting to sell them something, and they were on this side wanting to buy something. We're no different at the end of it. It's the ability to choose what you want to do in your life for gainful employment for yourself, for your family, for your future. Your future is based a lot upon what promises are given to you, whether that's from your employer or from the government, and you make decisions based upon those, whether they're promises in writing, whether they're promises in negotiations, contracts. I know you might find this a little unbelievable, but sometimes deals and promises and commitments are still done by a handshake, Mr. Speaker. It doesn't happen as much as it used to, as much as I remember that it used to happen, but it does still happen. Sometimes, you know, people actually stand by their word.

In looking at this legislation, it struck me because this is talking about taking away rights and freedoms, and as an individual who chose my own destiny, using my own rights and my own freedoms and my own choices, I would never want to have anybody tell me: "You know what? You can't do that anymore. You know what I told you last week? It's no longer on the table.

You know what we agreed to in writing? I'm just going to tear that up." I have a problem with that.

In looking at Bill 45 and Bill 46 – I'll stand up and I will speak to that as well along the same lines. I have huge issues with the way the government, who has – for sure, they've been given a majority government. There's no doubt about that. But they do not speak for the majority of Albertans. If you look at the way the election went, they do not have the majority on their side. We have the majority of the voting public; they have the majority of seats.

But the way our system works, they do have the power. The way they're using their power is disappointing. They may hide behind the term "democracy," they may hide behind the terms of, "You know, we were the ones that were voted in, so we're the government," but it still doesn't make it right. Again, I take issue with that but not because we're sitting in opposition and we're supposed to oppose all the time. I don't believe in that.

I do think that in this case our side did bring forward amendments. Even with that, I was still having trouble supporting this bill with amendments, but it was something where I possibly could have said: "Yeah. I accept the amendments. It puts things in perspective." I think that even some of the union people could look at it and go: "Okay. They've softened some of the language and reduced some of the major burrs in the bill." They might have looked at it and said: yeah. You know, nobody wants to do anything illegally. I don't support anything illegal, but at the same time infringing upon people's rights and freedoms is, in my mind, illegal. I may be wrong, but that's just my personal opinion.

I've received lots of e-mails, lots of contact from constituents in Medicine Hat. They're very concerned about both bills, 45 and 46, and it's for that reason: who do you trust? I think "trust" is a word that gets used a lot, and a lot of people just don't follow through on what that actually means. Accountable: how about that for a word? You know, that's an interesting word. The government actually created a whole Ministry of Accountability, Transparency and Transformation. I see no accountability in either one of these bills. I see a government with its tail between its legs, unfortunately, and they're just looking for the first foxhole to duck into. We're seeing that tonight. Our voices are being quelled. We are being muffled. We're being muzzled.

We don't have the time to debate this, we don't have the time to represent, and honestly I find that disgusting. I don't usually use words like that in here. I'm not that type of person when I'm standing. Maybe when I'm yelling across the floor.

This is very worrisome. I don't blame unions for coming here en masse to protest this. If the weather was more conducive, I don't think that we would have as small of a gallery as we have tonight. I think it would be quite busy, quite filled. There'd be standing room only.

**An Hon. Member:** Kudos to the folks that came.

**Mr. Pedersen:** Yeah. Thank you to the folks that did come. I really appreciate that.

Again, in talking on this bill, I just can't express enough disappointment at it. It is frustrating to no end. The chances that all of us cannot express how our constituents feel in a fulsome manner is frustrating, and the reason it's being shut down, honestly, is that this government is in retreat, big time, not only on these bills but on recent events of the last week or so. The best thing for them is: let's pack up, and let's get out of Dodge because it's getting pretty hot in here. I guess that's what they can do. They can leave the party early, and they can leave everybody

standing and wondering what the heck happened. I'm sure that's what's going to happen here. There's no doubt about it.

Again, I stand here. I do not support this bill. I was concerned at the start after hearing debate. I certainly don't support it, and it's not because I'm a union hugger or a union lover. That's not it at all. But I do respect the rights of unions and union members to get out there and do their business in the fashion and the manner that they were granted the rights to do that.

In saying that, Mr. Speaker, I will just let you know that I will not be supporting this bill, and with Bill 46 it will be probably pretty much the same. Thank you very much.

8:10

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Mr. Speaker. A pleasure to rise in third even under the constraints that have been imposed upon us with the late tabling and now closure, time closure, on what, to me, have become the most important bills for Albertans, forced through in the last few days with no chance for Albertans to even understand these bills, let alone raise questions, meet with their MLAs, meet with some of the unions affected, and raise reasonable questions about what I think is touching the heart of Albertans, and that is: what are fundamental human rights about, and what does fairness mean in relation to government and public servant relationships?

This is a 42-year government, Mr. Speaker. I would have expected more self-confidence. I would have expected more of a sense of the seriousness with which this job has to be faced and the long-term implications of decisions made in this House, always going, of course, in the favour of this majority PC government. It has been so, as I say, for 42 years. Again, instead of confidence and a real desire to learn, to grow, to change, to open up the doors and the ears and the minds to what Albertans really want in the long term, I see an increasing attitude of pride, arrogance, self-interest, party interest. I see a party that is becoming mean-spirited. I think any government – and, dare I say, even a Liberal government – might become more self-interested and more proud and more arrogant after 42 years. That is the nature of power, and that's what we've seen happening progressively over 42 years.

I'm in this House because 11 years ago I had the temerity to speak out against a government that didn't respect free speech, didn't respect science, didn't respect professional opinion. They decided to shut me down because I dared to speak truth to power. This government had no idea about what was happening in our environment, with climate change in particular and our need to start moving to other energy forms in this province. That's what awakened me to the truth about a government that's been in too long, that it's all about power, that it's all about suppressing dissent, that it's all about masking their insecurity. Not good enough, Mr. Speaker. Not good enough for me, not good enough for my children, not good enough for my province.

I think many of us here, in all parties in the opposition, are experiencing the same thing, the longest sitting government in, as far as I know, North American history. It happens to every party.

**Mr. Bilous:** Longer than dictatorships.

**Dr. Swann:** Yeah. I mean, it happens to everybody. I don't blame you for staying in power for too long. I just have to say that

you've been in power for too long. The signs are everywhere. The signs are everywhere.

**An Hon. Member:** The signs are everywhere. [interjections]

**Dr. Swann:** Oh, yeah. Unintended pun, but I'll take credit for it. [interjections] And our Premier is on those, absolutely.

Opening our minds and our hearts to what the real duty and responsibility are here, surely, in these last few days would challenge you all to reconsider and perhaps stall what is a misguided and heavy-handed approach to reasonable relationships with our most valued civil servants. It's sending a very bad message to the people that care for us in our offices, that care for us in our hospitals, in our institutions, on our streets. How many of you have talked to security guards here in the Legislature? How many of you have heard anything positive said about these two bills and the message they send to these important players in our personal lives? I have, and it's not positive.

Either you're not listening, or you don't care. I would prefer to think that your ears have been closed, and that comes with the territory after 42 years, as I said: extremely sensitive to criticism, unwilling to engage in meaningful debate, unwilling to look at the evidence. How much time have you folks spent listening to people in unions over the last, well, three or four days? [interjection] It sounds like Calgary-Glenmore has been listening.

How long have you been asking? We've only known about this bill for four days. How could we possibly get a sense of where people are at? Or do you care what people are thinking about out there? Well, we welcome people to this historic debate. It is going to be, I think, historic because it's setting a new tone for a government that is increasingly showing that it's lost its way.

There is an assault on human rights coming from this very Legislature, that should be the champion of human rights. You have majority. You could be the champions. You could set the bar highest in North America. Instead, you choose to lower it to where none of us can get under it. None of us on this side of the House can accept it. And I can tell you that many of the thousands and thousands of union workers and citizens who have paid attention to this will not accept it and will remember it in 2016.

This is not serving you either in political terms or in terms of your ability to get maximum productivity from our workers. How can people who feel demeaned, diminished, slighted, disrespected, and violated give of themselves to the full? Many of the people in our services give an hour extra just because they feel committed to their work. I know best the health services, whether it's EMS or whether it's in the hospital or long-term care, the nursing aides, the LPNs, the RNs. These people don't mind giving extra because they're so committed. I know the Member for Lethbridge-East would echo those comments. People in the health care services give extra because they feel this is their calling, and they want to give of themselves. What will this kind of mean-spirited decision do to their spirit, to their morale, to the workplace stress that is already so challenging?

The right to gather, to negotiate, the right to strike is there in the Constitution. You have said in your wisdom as a government that you will take away that right for those – not essential workers, which it should have been. I like many things that Peter Lougheed did, but taking away blanket rights from all civil servants without respect to whether they're essential or not is a travesty, really. Why would we do that? And you guys have gone the next step. You've actually said: we're not even going to allow collective bargaining to the point of arbitration; we're going to take that away as well.

It's called the Public Sector Services Continuation Act. What kind of continuation is this on the basis of coercion? This is not the kind of Alberta that I stand for and, I don't think, that most of you stand for either, but you're cowed by a party that has decided that this is the way you're going to go and a leadership that has decided that this is where you're going to go. Many of you are new MLAs in the last term. I can understand that you don't wish to express dissent. But this is a province built on dissent, of mavericks, of free thinking. Speak up. Vote independently. Challenge a government that has lost its way. We would all respect you for that. If your party can't take it, then maybe you should look for another party.

You're looking more and more like your cousins in Ottawa, using the democratic process to serve yourselves. Omnibus bills, proroguing, pressing the vote, giving no free votes in the Legislature: this is, unfortunately, what's going to bring the downfall of the federal party, your cousins in Ottawa.

It's profoundly disrespectful, and it means a costly war. Do we need this? It's not only costly in terms of morale, productivity, absenteeism, stress in the workplace, but it's a costly war in the courts, and you guys expect the public to pay for that war. It is going to go to the courts, and you are going to lose, and you're going to say after two years, after the next election: "Okay. The courts ruled against us, but this is a new dispensation. We have a new leader, and we're going in a new direction. We've learned something from this; we won't do this again."

8:20

**Mr. Bilous:** How much did it cost the taxpayers?

**Dr. Swann:** Yeah. How much is it going to cost the taxpayers?

You folks should put money from your own pockets into a fund to deal with this. You shouldn't expect the taxpayers to fund something that is so inevitably going to end up in the Supreme Court or, if not, then here in the Alberta Court of Appeal.

The Finance minister and the Human Services minister have both said that the primary goal, at least in Bill 46, which will be coming next, is the Alberta Union of Provincial Employees. Well, everybody knows that this is sending a message to all unions. It's setting a very dangerous precedent not only for future negotiations but, again, court costs and the kind of quality work that we can expect from people who don't feel that you're really onside with them.

Not only is this unprecedented in Canada; it overthrows decades of constructive working relationships with tens of thousands of workers in this province. It ultimately leads to dissatisfied workers, workers who are inclined, then, to express their stress and anger in unhealthy ways, as all of us would if we don't feel appreciated, if we aren't given the respect and the support that we need to do a good job and have a healthy private life, family life. I would expect to see increased absenteeism, increased drug use, increased medical checks, increased depression, increased workplace bullying, increased stress, and the need for more workers to come in.

Penny-wise, pound-foolish. This is a government that consistently makes short-term decisions, Mr. Speaker, saving money, saving a few dimes here and paying hundreds of thousands of dollars down the road, whether it's in health care, on environmental issues, or now on social issues, looking specifically, for example, at the failure in Human Services around the deaths of these hundreds of children in care. It's an attitude. You may not see the connection, member over there, but there is an attitude here that is going to be translated into huge costs: human costs, social costs, financial costs, legal costs, and ultimately political costs. If you don't see that, you're not paying attention.

Bill 41 in 1977 opened the door to binding arbitration. This government agreed to binding arbitration. Somehow we don't see a government that's prepared to follow through on that.

So, Mr. Speaker, much has been said. I don't want to add redundancy to this, but I tried in my earlier messages to this government to say: "Let's just take a step back. Let's look at what the implications of this are and think about the possibility that this could be a mistake." I asked the questions of how this will affect you in your relationships with the civil services, how this will affect you as a government that is wanting to bring the maximum productivity and economy to this province, how this will affect you in terms of your reputation not only in Canada. As I mentioned, international websites are now indicating that Alberta is threatening fundamental labour rights. How will this affect our international business opportunities, the issues that we all care about but seem to have been misguided in their interpretation by this government?

Surely, on that basis alone and the need to see progress on the Keystone pipeline, this government could see some merit in thinking through the long-term implications of what precedent you're setting here. Comparing this decision to and touting the doctor's settlement, the teacher's settlement is a false comparison.

**The Deputy Speaker:** Standing Order 29(2)(a) is available.

I'll recognize the Member for Edmonton-Highlands-Norwood under 29(2)(a).

**Mr. Mason:** Yes, please. I just want to ask the hon. Member for Calgary-Mountain View if he wished to finish his thought.

**Dr. Swann:** Thank you, hon. member. To draw the comparison, let's take it a step further. The doctors were out of a contract for two years. It was fractious. It came into election time. There was all kind of, I think, threat to this government if they went through an election with doctors unhappy with the lack of progress in negotiations. There was a very quick resolution based on – well, it was a reasonable settlement with a well-paid profession. Not all teachers, also, agreed with their settlement, and they were coerced.

Again, Mr. Speaker, I don't think there's any comparison to these negotiations and the negotiation that has been forced as a result of abandoning a legal and mutually agreed upon solution, which is binding arbitration. So I'm not so sure that this should be called the Public Sector Services Continuation Act, and we will be vigorously objecting to this. We will be vigorously active after this bill gets rammed through this House.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Are there others under 29(2)(a)?

Seeing none, I'll recognize the hon. Member for Calgary-Mackay-Nose Hill.

**Dr. Brown:** Thank you much, Mr. Speaker. I would like to speak to Bill 45. First of all, I want to start by saying that I'm amazed that we have so many members opposite who apparently have some expertise in the area of constitutional law, including the members for Edmonton-Beverly-Clareview, Rimbey-Rocky Mountain House-Sundre, Edmonton-Centre, and just most recently, Calgary-Mountain View, all of whom have been so quick to opine that Bill 45 is unconstitutional.

I did take some constitutional law myself, but I don't consider myself an expert. What I do know is that there are a lot of very smart men and women in the Department of Justice of Alberta who, no doubt, have had a very close look at this legislation and who, evidently, gave it the green light of being within the law. I would certainly give more credence to their opinion on these



constitutional matters than I would to some of the members opposite.

I heard a number of the members opposite, including the members for Edmonton-Meadowlark and Edmonton-Calder. They appeared to condone those illegal actions that took place at the Edmonton Remand Centre, the illegal strike, saying in justification that the individuals concerned had no recourse, that they had no alternative but to abandon their posts. I would dispute that, that there was no alternative recourse to those grievances.

Mr. Speaker, did those members really condone public servants, who were charged with enforcing security and maintaining public security in a correctional facility, breaking the law and walking off the job? Do they really condone public servants walking out on illegal strike, which they knew so manifestly would facilitate damage to public property? And do they really seriously condone public servants charged with security illegally abandoning their posts and incurring financial loss amounting to over \$13 million for the taxpayers of Alberta? Do they condone essential services or peace officers walking out in those conditions?

Mr. Speaker, we heard much hyperbole from the opposition characterizing this bill as some sort of an apocalypse in nature, being the end of democracy as we know it, a repudiation of the British parliamentary system. But nothing could be further from the truth. This bill is not directed in any way, shape, or form at loyal workers who are lawfully carrying out their work. It doesn't affect them. For them this bill will have absolutely no effect. It won't affect their lives in any way. It only affects them if they go out on illegal strike.

8:30

I can't let the remarks of the hon. Member for Rimbey-Rocky Mountain House-Sundre go by, with respect to his comments about how in his expert opinion this bill offends the tenets of contract law. I must remind the hon. member that in addition to the breach of the labour law and the collective agreement – and a collective agreement is in fact a contract – there are long-standing and time-honoured common law principles of employment. Those dictate that employees have a duty of loyalty to their employer and to act in the best interests of their employer. Those are fundamental and implied terms of every contract of employment, and they have been for decades.

Those principles were offended, Mr. Speaker, when essential workers abandoned their post, endangered the safety of the persons in the remand centre, and allowed prisoners to vandalize and destroy public property and to incur damages at the expense of the taxpayers of Alberta.

For those reasons, Mr. Speaker, I continue to support Bill 45, and I urge all of the members in this House to support it as well.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. The Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, I cannot let the hon. member's comments pass without a little bit of a response. They're somewhat more measured than his comments the other evening, where he inflamed the gallery by comparing strikers to Stanley Cup rioters. That was very offensive. Nevertheless, the approach that the member takes is that nobody on this side knows anything about the Constitution. He presumes that we haven't consulted with people who do have that professional expertise. We have, and our comments are based on that consultation. Now, obviously, there are a million – if you have 10 lawyers, you probably have 10 opinions, and several of them are

of the nature of: well, on one hand, and then on the other hand. So there is actually more than one opinion, in my experience.

Nevertheless, Mr. Speaker, I think that there is a good basis for questioning this, and it's not like the government's record is unblemished with respect to passing legislation that's ultra vires or unconstitutional. There are examples of the government doing that. The fact of the matter is that in their zeal to accomplish political objectives, politicians sometimes push lawyers. They sometimes push senior civil servants. They want to accomplish certain political goals, and they're prepared to push that. We have seen that before.

You know, the hon. member talks about the respect for law and so on, but I think we need to take into account that there are bad laws. The history of the world is full of examples of where people have defied unjust laws. For example, one example that has been made is Rosa Parks refusing to vacate the seat on the bus. She broke the law. Nelson Mandela in fighting against apartheid: apartheid was kept in place by a whole structure, a whole legal structure, all of the laws that had been passed to support apartheid. There are many, many more examples in history, Mr. Speaker, of unfair, unjust, and repressive laws that have been defied, and people pay a price for that. They certainly do. But I think that whether it's Martin Luther King or Mahatma Gandhi, there is a history of very, very courageous individuals who did the right thing by violating laws that were unfair and unjust. The hon. member seems to just have forgotten all of that history.

Much of the social progress and economic progress around the world has come from people standing up to tyranny, standing up to lack of democracy, undemocratic governments, unfair laws. He won't get much sympathy from us when he makes a black-and-white argument about what's legal and what's not.

We've seen here today, Mr. Speaker, in this particular bill and its companion, Bill 46, that the government is prepared to use its power, given to it by the majority government that it has, to impose unfair laws. We have seen the government use its power through its majority to restrict the ability of members of the House to adequately debate the legislation and thereby carry out their responsibilities to their constituents. I just want to suggest to the hon. member that it's not as black and white as he says. Simply because the government uses its legal authority to pass legislation does not make it good.

**The Deputy Speaker:** Thank you, hon. member. Your time has expired for that item.

Hon. members, before I recognize the next speaker, might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

### Introduction of Guests (reversion)

**The Deputy Speaker:** The hon. Associate Minister of Regional Recovery and Reconstruction for Southeast Alberta.

**Mr. Weadick:** Thank you, Mr. Speaker. It's very rare that I get to actually introduce somebody from Lethbridge, and on a day like this, where it's been blizzarding and blowing and quite the road conditions south of here, I'm pleased to tell you that a very good friend and my constituency assistant Gloria Roth is here. She started her time working for Albert Klapstein, an MLA that served in Leduc prior to our Deputy Speaker being the elected member there. She moved to Lethbridge, and that was sure our gain and Leduc's loss. I just would like her to stand and receive the warm welcome of our Assembly.

## Government Bills and Orders

### Third Reading

#### Bill 45

#### Public Sector Services Continuation Act

(continued)

**The Deputy Speaker:** I'll recognize the next speaker. The hon. Member for Innisfail-Sylvan Lake.

**Mrs. Towle:** Thank you, Mr. Speaker. It's a pleasure to rise and stand up and speak to Bill 45. It's interesting that the hon. Member for Medicine Hat talked about his experience as it relates to this bill. I was going to talk about a similar experience. Growing up, my mum was a general labourer, and my dad was in the oil field. He owned his own business. I didn't grow up in a union home. I didn't really understand exactly all the protections and what that looked like for a very long time in my life.

I then went on to work for the federal government, and I was in one of those positions that were exempt from the union. I don't believe that I've ever been a union member. There might have been some small period of time in my work history that I was. Even when I worked for the David Thompson health region, in that position as well it was one of those technical positions that are exempt from being a union member. You followed a union contract, but you weren't actually a union member.

But I think what we all need to go back to is exactly what Bill 45 represents and whom it affects. The reason that I bring up that I didn't grow up in that type of environment is that I've come to respect what the hard-working front-line people do for this province. I currently own a small business. I'm not unionized, but a lot of the people that I know who own businesses and even my husband's workplace have union workers. What we're talking about with Bill 45 and whom it pertains to is everyday Albertans. We're talking about front-line staff. We're talking about health care workers. We're talking about health care aides. We're talking about the sheriffs. We're talking about the maintenance people. We're talking about the plant lady who comes into our office every single day and makes sure that that plant lives or dies, because God knows that if I had to do it, it wouldn't. That's who this bill affects.

This bill does not affect the over 80 vice-presidents that had their names changed at AHS but still received over \$300,000 a year. This bill does not affect the CEO of Alberta Health Services, who makes \$580,000 a year. This bill does not affect any of the senior management of the public service, none of the deputy ministers, none of the bureaucrats, none of the senior management of all of our Crown corporations. It doesn't affect any of them. Do you know who it does affect? Twenty-two thousand AUPE employees who are doing the front-line work.

8:40

What they're doing right now is creating a situation where, when the union decided that they couldn't negotiate anymore with the government and wanted arbitration, the government didn't want that, so they needed to bring forward a bill to kill that. What they've done with these two bills put together, especially Bill 45 and even worse with Bill 46, is essentially take away any right to free speech.

While I know that every single day this government talks about all the promises it made – promise kept, promise broken – we hear it on the other side all the time, every single time. It doesn't matter that most of the time the promise has actually been broken. I know for a fact that there is not a single person in here that banged on the doors of everyday Albertans and actually said to them: "And

by the way, if you vote for me, I promise I'll bring in Bill 45. I promise you that." They weren't at your door saying that. They weren't knocking on your door saying: "I promise that if you vote for me, I will make sure that you do not have the right to strike. I will make sure you can't even talk about it. I will make sure, though, that if you do talk about it, the penalties will be so heavy and heavy-handed." They didn't do that. They didn't go to the doors and actually say that. If they had, that's great. If you actually door-knocked on this, then that's fantastic. Then that absolutely is promise made, promise kept. But they didn't do that.

What they did was that they promised them the world. They told them that they were going to have a better Alberta, that there is lots of money, that we're prosperous, that this is a great province, and all those things are true. After the election what they did was break the promise.

As the Member for Medicine Hat said, I grew up in a family, and I grew up in small-town rural Alberta. Many of our business deals are still done on a handshake. They're still done on your word, and when you do things like this, what it does is that it negotiates in bad faith. Today it's the AUPE; tomorrow it's UNA; the next day it's another one. So don't think that this is the end of the train for this. The next time that you challenge this government in any sort of way and don't like what they have to say, they'll just make sure legislation comes forward to strip you of those rights, and that's what Bill 45 does.

The worst part of it is that Bill 45 strips the rights of the very people who make sure that our everyday lives are taken care of. They make sure that our seniors are taken care of, they make sure that people in hospitals are taken care of, they make sure our roads are cleared and our offices are clean, and they make sure we're kept safe. When you start attacking the grassroots people who put you here, that's just a sign that you've lost your way. Clearly this government has lost its way.

Now, if the government wanted to campaign on this, they certainly should have. They should have been honest with Albertans and told them exactly what they were going to do. They should have told them that the legal rights of front-line workers were going to be taken away. They should have told them that they were going to go to war with their public sector.

Had they told them all of that, had they been honest with Albertans, then they would have had every right to bring these two bills forward. They would have every right to go to Bill 45 because they could say: "You know what? I brought this bill forward because I campaigned on it. I was honest with you. I told you we were going to do it this way. You had the right to be at the table, and we're going to do it." But when you don't do that, you lose all ability to be at the table, you lose all ability to negotiate in good faith, and you lose all ability for people to trust what you have to say.

It's interesting that they decided to bring these two bills forward now. Last year all MLAs received an 8 per cent pay raise. We all did. I know the other side likes to argue a thousand times about how they didn't, but our paycheque on April 30 and our paycheque in October was dramatically different and was 8 per cent higher. I can read. I went to school. I'm able to read. I know what my paycheque said, and I have no problem showing my paycheques to anybody who wants to see them. Each and every person can see exactly what we got paid in April, in May, in June, in July, in August, and in September, and then they can see every month from October onward. If anybody wants to look at mine, you're certainly more than welcome to. I'll post it publicly if you want. It doesn't make any difference to me. But you can see that there's a distinct difference after the October Members' Services Committee gave us more money.

Wildrose MLAs donated that money to charity because we didn't campaign on an 8 per cent pay raise. This government didn't campaign on an 8 per cent pay raise. We gave our money to charity, and it was the right decision to do that. That's what we said we would do. We said that we wouldn't take a pay raise. You can't give yourself a pay raise and then go to the public service and tell them: you have to take a pay cut. It just can't be done.

This is the problem with this government. They keep saying that they've made all these promises and this is the way it's going to be, and then they renege on all these promises. They talked about 50 schools and 70 rebuilds. Not a shovel in the ground; no chance of that even happening before 2016. Not a chance. They talked about building a thousand long-term care beds in the platform. Now it's continuing care.

That's what Bill 45 does. Bill 45 shows that you can't keep your word. This government has a terrible track record of doing that. When you keep on doing that, you set up a system that doesn't work, a system that is broken. All you needed to do was work collaboratively and respectfully with the union members. All you had to do was stand up and actually work with them and come to an agreement. In the event that you couldn't come to an agreement, you absolutely had the right to go to arbitration.

**An Hon. Member:** That's Bill 46, not 45.

**Mrs. Towle:** Yes, that is Bill 46. You're absolutely right. But these are paired together. These two bills are paired together. You can't talk about one in isolation of the other because they need both of them. To make either of them happen, they need to take away the rights on both levels. The government side can sit there, and they can heckle, and they can whisper. They can do all of those things.

I applaud the Member for Edmonton-Decore. Even though she has constituents here who are against this bill – she brought them here tonight; she is listening to them – she's introducing them here tonight knowing full well that her position is going to be different from theirs. I respect that. At least she's open about that.

But to pretend that there's not a single person who's upset with these bills – I'm an opposition MLA, and I know how many letters have come into my office. It's a lot; 500 or 600 people stood on the steps of the Legislature in minus 30 the other night to tell this government that they're not happy with these bills. Those are grassroots Albertans who are just asking you to talk to them. You don't need to have heavy-handed legislation that takes away their rights. You don't need to have legislation with time allocation that says, "You can only speak to this bill for six hours" and not allow everyone to go home and consult with their constituents. This bill was dropped onto the House floor on Monday. Monday.

When the government saw a mistake with Bill 28, they pulled it off the table. They revamped it. They went to the AUMA, they went to the AAMD and C, and they said: let's talk. That was the right thing to do, and I applaud the government for doing that. They absolutely did that.

They could very easily pull Bill 45 and Bill 46 off the table today. They could do exactly what they did with Bill 28. There's nothing wrong with that. It's not embarrassing. There's nothing wrong with admitting that you went too far too fast. But six hours of time allocation and ramming a bill through because you want a solution to a union negotiation is not the right way to do things. Taking away front-line service workers' rights to collaborate, to talk about, and to deal with what they need to deal with in their business: that's fine. But you have to be open and honest about what you're going to do. You don't just sort of slam it on the day of the House to the surprise of everybody.

There's a lot of discussion about whether the union is at the table or whether the union is not at the table and who walked away first. Quite frankly, it doesn't matter how that works because there are provisions in place through arbitration, through what Premier Lougheed set up previously, that said that we can deal with each one of those things. But what you can't do is come to the floor of this House and say: not only are we going to put in a bill that is terrible – terrible – to front-line staff, but we're also going to put time allocation on it and make sure that nobody consults, nobody can talk about it, and then we're going to ram it through whether anyone likes it or not.

I'm warning this government now. Bill 45 and Bill 46, should they pass – and there's no question they will. Sorry. There's no question that Bill 45 and Bill 46 are going to pass tonight. It'll be late, but they will pass. But when they do, this is going to have a ripple effect through the communities like we haven't seen in a long, long time. A long time.

**8:50**

So I applaud the government for what they did on Bill 28, and I implore the government to take a look at bills 45 and 46 and realize that they've made a mistake or need some more consultation or need to have the different people at the table and go back to the table and do not pass these bills. Do not pass these bills.

I won't be supporting these bills mostly because of the ramifications of the removal of a fundamental right to free speech. When you start removing anybody's right to free speech, that's where I draw the line. You cannot do that. We as legislators do not have that right. It's their right. It's written in the legislation. It's written in the Constitution. They have a right to free speech, and we can't take that away from them.

Pay attention to what's going on. Bill 45 is not wanted by the general population. The majority of people this affects don't want this, and this is going to have detrimental effects to you in the future. You did the right thing with Bill 28. Please do the right thing and pull bills 45 and 46 off the plate today. You have every opportunity to do that, and you would get all of the support that you need to do that. Bring these bills back when you've done the consultation, and then you might just find that you get all the support you need.

With that, I'll sit down and hope that the government has the opportunity to listen. Thank you.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. I'll recognize the hon. Deputy Premier.

**Mr. Lukaszuk:** Mr. Speaker, I have a few questions. I'm going to read a few quotes and ask that member to tell me how she rationalizes everything that she has just said with the track record of not only their party but, in particular, a couple of key members of their party.

Let me read some quotes: I came to see unions as self-serving entities that punish good workers and protect bad ones, destroy workplace morale, and harm the companies they operate in. The Leader of the Opposition in the *Calgary Herald*.

The Wildrose want to cut government managers by 50%, not 10%. [The Member for Airdrie] dismisses 10% as "a spit in the bucket."

He says the province should sit down [with all the unions] and [tell them] the truth. There's no money for raises, probably for two to three years.

Member for Airdrie in the *Calgary Sun*, February 20, 2013, not so long ago.

Considering we already have the highest paid public sector in the country, we believe it is important to re-direct the hundreds of millions in savings made from freezing salaries to services in priority areas like health care and education.

**Wildrose alternative budget.**

"If a serious economic downturn were to hit... we would balance the budget... by freezing spending increases." Then they go on to say that the WRP, Wildrose Party, would implement "a hiring freeze in the public sector." The alternative budget.

How do you reconcile all of these comments recently made by your leader and your Finance critic with everything that you're saying right now, and how do you reconcile the fact that when cameras are rolling outside, when these individuals actually rally in front, the cock didn't have a chance to crow three times before you sold them out and voted against them right over here in the House? How do you reconcile that?

**Mrs. Towle:** Thank you, Mr. Speaker. Actually, these are the exact same quotes that he read yesterday in the House, and the House leader actually did already rationalize to you exactly what happened. The quotes that you're referring to: there's no question that they were made. I'm not disputing that. They were also made previous to the Leader of the Official Opposition being the leader of our party, and as we all know, in her private life there is no question that as a young, opinionated columnist our leader made a few arguments, but she has always believed in the Charter of Rights and freedom of assembly, which permits workers to organize into a union.

She has always believed in good-faith bargaining and the long-term interests of both taxpayers and public-sector employees. I know that this government likes to bring up things she said from 2004, 2005, 2006, 2008. There is no question that she made those comments. No one on this side is denying that. However, as anyone knows, when you take on a different role – at that point in time she was a *Calgary Herald* editorial columnist. She was very opinionated. There is no one in our party who doesn't agree with that.

There is no secret that the Wildrose would have asked for a wage freeze through 2014. We've not been secretive about this. It was part of our platform. We actually did campaign on asking public-sector workers to take a wage freeze till 2014. We campaigned on that. We absolutely were honest about that. We went to the public sector, and we told them that. It's written in our campaign platform. We stand by that. The union knows that, the public knows that, and every party in this House knows that. You keep reading about it. Those editorials aren't secret. The fact that we asked for the public-sector unions to take a wage freeze wasn't secret. None of it is secret. Clearly, I love that you guys love us so much that you need to keep digging this stuff up because you don't understand what's going on. None of this has been secret. Do you really think AUPE doesn't know our position? They know our position.

**An Hon. Member:** Now they do.

**Mrs. Towle:** Absolutely. So you're good.

Unlike the PCs, though, we would negotiate in good faith with the unions, and we would not promise the moon to pull out the rug from under them. We didn't go into the 2012 election telling them that we would give the teachers \$107 million, that we would promise everybody jobs, there's lots of money, there'll never be any cutbacks. We were honest. We said that there was going to be debt. We said that. We said that it was going to take two years to get out of debt. We absolutely said that the public-sector front-line workers would need to take a wage freeze till 2014. We didn't tell

them that we were going to promise them everything, and we still don't. That's the difference between open and transparent and hiding. They knocked on every single door saying: "No, no, no. We have no debt. We'll be debt-free. We have no deficit. There are lots of jobs. Everything is good." That's the difference.

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, that was an interesting exchange. It would seem that the two conservative parties just keep switching positions. You know, one runs on a progressive platform and then is reactionary. The other one runs on a reactionary platform and then is progressive. I don't know. I have never been able to fathom conservatism, so I'm at a bit of disadvantage here.

I do want to talk a little bit about this law because, you know, I think Albertans are very, very justifiably concerned about this particular piece of legislation. Now, the various ministers in the front row – the Deputy Premier, the Minister of Human Services, and the Finance minister – have been fronting up the defence of this bill, and they've been trying to downplay the seriousness of the legislation, both 45 and 46. It's really, you know, "We would never really use this against individuals or groups of workers" and so on. I guess I can be forgiven and others, particularly in the labour movement, can be forgiven for not being entirely confident that the leadership of this government is going to use this piece of legislation fairly because it gives broad powers and it creates new categories of offences that don't exist in other legislation such as the threat of a strike.

The Minister of Human Services has made a number of arguments about this. He's talked about, "Well, you know, if there's the threat of a strike, then we have to spend money to get ready for a strike just in case," arguments of that kind. The government has talked about the cost of the illegal strike, or the wildcat strike, that took place at the new Edmonton Remand Centre and that that cost a lot of money. They had to bring in RCMP to take care of the prisoners in the remand centre, and that cost a lot of money and so on.

**9:00**

There are a couple of problems with the arguments that the government is making, Mr. Speaker. First of all, they take no responsibility for what happened in that illegal strike. When something like that happens, there are usually some long-standing and deep-seated grievances and considerable discontent that have been there for quite some time. In this particular case there was a great deal of concern about the structure of the building, the safety of the inmates, the safety of the guards, and there was a real feeling that they weren't being heard, that they weren't being listened to. Then, in fact, when certain actions were taken in terms of forcefully trying to bring these points of view to management, two of the people were disciplined, and that was the trigger.

The first thing that I'd like to say about this argument is that the government takes no responsibility for what happened at the remand centre. As far as they're concerned, everything was the fault of the union because it didn't police its members, there was no fault on the side of management, and the reaction of the government was irrelevant to whether or not there were additional costs to the government.

The second argument I'd like to make against that is the idea that the government in order to save itself inconvenience and, yes, to save the taxpayers' money can take away basic civil rights from individuals to prevent that from ever being a possibility, and I

fundamentally disagree with that, Mr. Speaker. The idea that the threat of a strike might cost the government some millions of dollars does not justify taking away their right to strike. It does not justify breaking unions through punitive and draconian fines. It does not justify making individuals legally responsible if they talk about taking strike action. So I don't accept that particular argument at all.

Mr. Speaker, I want to note that we have representatives here from a number of other labour organizations that are not affected by Bill 46. They are affected by this one. Although the general thrust here is against AUPE, I think largely out of revenge for the wildcat strike, the fact that other unions from the public sector are here is because they know that they're next.

It started with the teachers. The teachers, the ATA, negotiated a deal, but that deal wasn't ratified according to the legal requirements for ratification. A number of locals and some school boards failed to ratify the deal, so the government used legislation to push the deal through, thereby setting a precedent which they are now attempting to impose on other public-sector unions. So it's the teachers yesterday, AUPE today, and tomorrow it's UNA and the Health Sciences Association of Alberta and after that possibly CUPE as well.

The government has made a similar argument that it made with respect to the ability to take away people's rights, and that is to say that because they've decided that living within their means is part of their mandate, they are now assuming that they have the authority and they can use their authority to impose that to reduce any norms of collective bargaining, of negotiation in order to impose what they think they can afford. Well, you know, Mr. Speaker, it doesn't work that way. The employer doesn't get to say: "You know what? This is what I want to pay, and you have to take it. If you don't take it, we'll fine you into the Stone Age." It doesn't work that way. It's not supposed to work that way.

It might cost the government some more money. Well, that's just the way it is, Mr. Speaker. They should not be taking away the rights of unions and imposing a settlement that suits them. You don't get to do that in collective bargaining unless you're this government, unless you are prepared to completely ignore the norms of collective bargaining and impose your own idea of a deal. I mean, that's what collective bargaining is. It's two parties sitting down and trying to reach a compromise. It's not one side saying: take it or leave it. [interjections] And that's exactly what has happened.

Now, I hear the Deputy Premier and the Minister of Human Services say: exactly, exactly. In other words, what they're suggesting is that that was what AUPE is doing. Well, Mr. Speaker, what happened was – they don't say this – that there was discussion and negotiation, and the government insisted that AUPE take similar levels of a settlement that was imposed on the teachers and accepted by doctors. AUPE rejected that. It wasn't that AUPE flatly refused to negotiate. It was that they refused to agree to the government's compensation proposals in the negotiation. So AUPE did what the government had told it that it needed to do if they couldn't reach an agreement. AUPE used the law that this government passed to apply for binding arbitration as a means of settling that dispute.

I know that the arbitration – and I had a look at the criteria that the arbitrator is required to use in coming to an agreement. The arbitrator has to look at other similar contracts, compensation in other similar positions, and so on. They need to take into account the overall economics of the province and so on. So the chances are that an arbitrator applying those criteria and striving to reach a fair and balanced deal would have come in at somewhat higher

than zero per cent, and zero and 1 and 1. I think that's very likely, and I think the government knows that it's likely, too.

Higher than zero would be fair, Mr. Speaker. You know, with inflation running in this province higher than in any other province, prices increasing, with a shortage of labour, wages are going up in this province. So are prices. Any arbitrator applying those criteria would naturally come up with a better deal than 0, 0, 1, and 1. The government knew that. They knew that they couldn't apply those criteria if they wanted to get the wage settlement that they wanted. They didn't want a fair one.

They are now claiming that their mandate in the election was to "live within our means." Well, Mr. Speaker, I have a list of the Tory campaign promises. We costed them, and there was \$7 billion of new spending in that platform on new programs that this government promised and never delivered. That was the mandate that they got. They got the mandate to increase spending on public programs. That's what they ran on. They didn't run on fiscal restraint.

Now they're claiming in their propaganda, that is being paid for by the taxpayer, that they were elected to "live within our means," and to them that means that they are freezing wages in the public sector. They didn't talk about it in the election. It's actually the opposite of what they promised to do. This government is fictionalizing its own mandate. It's making it up to suit what it wants to do now.

9:10

This government has done what Conservative governments always do, and that is to promise the moon at election time and then after the election to govern like Conservatives. That means trying to force down wages, cut social spending, tax breaks for their wealthy friends, lowest royalties in the world. That's the old-style Tory agenda, and it hasn't changed under this Premier or under this government. It's exactly the same as it was before. But let's be clear. It was not the mandate that this government was elected upon. Far from it, in fact. Quite the opposite.

One of the members of the Wildrose spoke a little bit about, I think, not being a labour hugger. [interjection] Yeah, yeah. Thank you. Well, I wouldn't mind being called that. I am certainly proud of my own labour affiliation. I'm still a member of the Amalgamated Transit Union local 569. I have been for over 30 years. I'm very proud of that. The labour movement has contributed far more to our society than it's normally given credit for. It fought against laws and struck illegally in order to accomplish the eight-hour day. Mr. Speaker, in doing so, the labour movement brought us my very favourite contribution of all time, and that is the weekend. Thank you for the weekend, brothers and sisters.

They've done some other things . . . [interjection] Yeah. It's the weekend, Brother Rick, not just a day of rest, and it means limiting work hours during the week, so eight-hour days. [interjection] I see the hon. Minister of Human Services is fictionalizing what the average union work week is like. It's not three days off.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a). I'll recognize the Member for Calgary-Currie.

**Ms Cusanelli:** Thank you, Mr. Speaker. I am very pleased to stand and throw in a few comments about my thoughts on this. One thing – 29(2)(a)?

**The Deputy Speaker:** Hon. member, 29(2)(a), relative comments or questions to the member?

**Ms Cusanelli:** No. I'll wait, then.

**The Deputy Speaker:** You want to speak on the bill? Okay. I'll come back to you, hon. member.

I'll recognize the hon. Deputy Premier.

**Mr. Lukaszuk:** I thank the member for his comments. I have to tell you that unlike the Official Opposition, I don't have a doubt – any doubt – that in everything he says, he's being very genuine. He definitely has a track record of making similar comments at least for the last 13 years that I have been in this House. We may often agree to disagree on matters of ideology, but I will always give him credit for being consistent in his beliefs and what he stands for, which is something, obviously, that we're not getting from the Official Opposition over the last few days or so, particularly. How starkly different can you be?

Mr. Speaker, I would like to hear from this member because he actually may not be even aware of this. He made comments about the remand centre and occupational health and safety. That matter is very important to me from two perspectives. One, the remand centre happens to be in my riding. I tried to be part of it from inception all the way to the ribbon cutting on the opening day of that centre because it was something that the city needed. The old remand centre was not only not an appropriate way of incarcerating our inmates but definitely was not a place where we wanted our civil servants to work for a variety of safety reasons. The second aspect was the safety part. As you know, in a couple of ministries prior I was charged with overlooking occupational health and safety, and that's something that I took very seriously. I probably paid more attention to occupational health and safety than many out there wanted me to. That was something I was very interested in.

My question to the member is this. Is he aware of the fact that when the illegal walkout happened with correctional officers, the first offer that I had made to the leader of AUPE – and that offer, by the way, is still on the table, but he never took me up on it. It was: "If you provide me with a list of occupational health and safety issues at that facility that you believe are in any way endangering the safety or work conditions of our workers in that facility, we will do one of two things, and you pick. Either we will do a thorough occupational health and safety review with our occupational health and safety officers, who are, nota bene, AUPE members themselves, or if you believe that this will not be thorough and this will in any way not be objective and somehow hide or mask, in your belief, real safety issues, I will make sure that we will bring occupational health and safety officers from another province to do a thorough, objective review of that facility to make sure so that their families and I and all of us can sleep at night knowing that this place is safe."

Mr. Speaker, the last time I checked was about three weeks ago. Unless something happened over the last three weeks – I stand to be corrected, but as of the last three weeks we have yet to receive one occupational health and safety formal complaint to be reviewed. Do you know that?

**Mr. Mason:** No, Mr. Speaker, and I still don't.

I know that the union has forwarded many safety concerns about that facility. I don't know if it was to this minister here, but I know that the frustration that boiled over in the wildcat strike was based on repeated attempts to try and get some of those safety concerns addressed by management, and they were not. So I appreciate that.

Mr. Speaker, you know, aside from the weekend, mandatory health and safety legislation is something that the labour move-

ment has brought us. Pensions are something that they also brought forward. An end to child labour is something that they campaigned on. And, of course, public health care is an important campaign that the labour movement has fought for. Many, many positive and progressive social reforms in our society that make life better for all people, union members or not, have been the result of the activity of the labour movement in sustained campaigns over many, many years. In my view, supporting the labour movement is something that's very easy for me to do because I think that, on balance, their contribution to our society has been extremely positive.

But, of course, the . . .

**The Deputy Speaker:** Thank you, hon. member. Your time has expired.

I'll recognize the Member for Edmonton-Gold Bar, followed by Airdrie, followed by Edmonton-Beverly-Clareview.

**Mr. Dorward:** Thank you, Mr. Speaker. I'd like to stand and discuss Bill 45, but before I do, I want to thank all the public servants within the sound of my voice, including those who came here tonight to spend some time, those who have been here, the others that have been here other nights and have demonstrated on the steps, those individuals within my riding of Edmonton-Gold Bar that have reached out to me either by voice mail, e-mail, discussing things with my constituency manager, or on Twitter, in fact. I'd like to thank them all for their thoughts and their opinions that they've given to me as I've gone through the bill.

And I have, Mr. Speaker. Those on the other side sometimes say things that kind of indicate that we on this side don't go through these bills. We absolutely do. [interjection]

**The Deputy Speaker:** The Member for Edmonton-Gold Bar has the floor.

**Mr. Dorward:** In fact, it's out of great respect for the time of the opposition, as they've asked for more time to discuss these, that I hesitate to stand up and give a fulsome review of my review of all 25 clauses over 26 pages, Mr. Speaker.

I'm used to reading these kinds of things. As a chartered accountant I've spent many, many hours, days, and probably weeks and maybe even a month – I don't know – in my career going through the Income Tax Act. I daresay I've been through this kind of information. When I get one of these bills, I take it, and I sit in my office in the Annex, and I do go through it.

I sincerely want to thank all of the individuals who are public servants in the province of Alberta for the work that they do. Many I visit with, and I ask them questions. I'm thankful for all the things that they do in the public service for all Albertans.

9:20

There have been a lot of generalizations, Mr. Speaker, in this debate as I've listened to people on first reading, on second reading, also in Committee of the Whole, and then now today. One of them is that something bad is going to stop folks from free speech. I'm trying to find that in here, and I have difficulty getting down to a nuts-and-bolts expression of where that difficulty lies that would stop free speech. There are things in our society already that are not appropriate to say lightly, and logically that could include counselling a person to cause a strike.

So, indeed, section 4(4). As I sat down with people – and I'd like to thank those that I communicated with directly with in Edmonton-Gold Bar. It's not possible for me, given my schedule, to talk one-on-one to everybody in Edmonton-Gold Bar that's communicated with me. But I did reach out to some of them that

contacted me. I also at random spoke to some people because I realized that a lot of the angst comes – but there are those who don't contact me who are actually okay with what's in here, and I reached out to some of those. I sat down with them, and I said to them on a detailed basis: this clause 4(4), is that something that should be done, to counsel a person to cause an illegal strike?

Even, Mr. Speaker, if there was a bogeyman or a person that says, "You owe us \$500 because we think that you shouldn't have said that," and that's free speech violated, if that is the contention or the concern, I don't think that we as politicians make the decision. There's the Labour Relations Board who does that. My understanding is that labour relations would be involved in that. They would be the determiner of whether or not something was said inappropriately that needed to be put into action by way of this bill, which would become an act.

So while I definitely respect the opinions of others in my area and throughout the province that feel that this bill is not necessary and those who came to express their concerns tonight, certainly I'll support the bill, Mr. Speaker.

**The Deputy Speaker:** Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the Member for Airdrie.

**Mr. Anderson:** Thank you very much, Mr. Speaker. I'd like to talk a little bit tonight about some of the problems with this little couplet of bills 45 and 46. I was eating supper in the back, and I heard the wonderful musings of our Deputy Premier. He gets so excited when he reads our literature that he just has to share it with everybody. He just has to share that information with everybody because he's obsessed, clearly, with the Wildrose, and we welcome that obsession from him. We are worth being obsessed about, Deputy Premier, so please continue to be obsessed. We welcome that.

Here's the issue, Mr. Speaker. He points to quotes in Wildrose alternative budgets. I think the exact quote is that we would work collaboratively and respectfully with unions to negotiate a wage freeze through 2014. It's like this big gotcha moment. "Oh, my gosh. Look what they said. They were going to respectfully try to negotiate a wage freeze through 2014. We got you. How can you possibly want to negotiate a wage freeze for one or two years but then be against bills 45 and 46? How is that consistent?"

Well, Mr. Speaker, we're going to explain that for him for about the fifth time. We're going to explain it because it's so hard for him to comprehend. We don't want him to go to bed feeling that angst, that unresolved angst. We want to help him with that. So here is the reasoning for that. When we went into the election, clearly we had huge deficits. Of course, we had the Alice-in-Wonderland budget, as it became well known, where everything was promised to everybody. You know, everyone was going to get a school on every street corner, a hospital in every community. Every voter was to get a pony for every child that they had. Everybody remembers the Alice-in-Wonderland budget.

Of course, it didn't work out that way after the election. It didn't work out that way after the election and after they had scared everybody about everything that the evil Wildrose was going to do to people. She was able to scare enough people into voting for her party. They were able to do it. It was the lowest vote total in the history of the PC Party, but they pulled it off. They pulled it off.

But here's the issue. When we went into the election, we told folks what we would do. We said we would negotiate in good faith, try to get a wage freeze through 2014 and then inflation after that so that we could get the budget balanced. That's not what the PCs promised during the election. They promised the exact opposite. So

that is not inconsistency on our part. That's called telling the truth on our part. That party over there did not tell the truth. They told a story. They told a fairy tale. And that's why there's a lot of anger in the public service right now, and rightfully so.

The other piece is this. I'm going to help the government understand since I'm assuming they are going to be in opposition in 2016. What we will be doing in 2016 is sitting down with the unions, with our public-sector unions. We're going to sit down with them, and we're going to say: "Look. This is where the budget is at. This is what we need to do to balance it." It might mean offering – let's just throw numbers out there – 1 per cent, 2 per cent, 2 per cent, 3 per cent over four years, whatever. That's our starting point that we put out there. Then they're going to come back, and they're probably going to say: "You know what? We got ripped off these last four years, and we're going to need more than that. We're going to ask for a little bit more than that." We're going to go back and forth, and we're going to try in good faith to reach an agreement. That's what we're going to try to do.

Now, here's the kicker. Here's the difference. If we had been in government, perhaps we would have said, "You know what; we would like a wage freeze for the first year, and then 1 per cent, 3 per cent, 3 per cent," whatever it would be. We're throwing numbers out there. We're just playing. But the key is the wage freeze. So we throw these numbers out there. [interjections]

**The Deputy Speaker:** The Member for Airdrie has the floor, hon. members, please.

**Mr. Anderson:** They're so excited. I like that.

So we would offer them that. Now, the union, if they come back and say, "No; we don't want 0, 0, 1, 2," or whatever the number is, "We would like something else," here's where the difference is, Mr. Speaker. We would not have gone the next day and passed two bills that ripped their rights to arbitration away from them. See, that's the big crux here. We wouldn't have taken out our gun, figuratively speaking, stuck it to their heads, and said: "You get back to the negotiating table, and you get back right now, or else we're going to take away the rights of arbitration that you've had for 35 years since Premier Lougheed was in power. We're going to take that away. So now not only is it illegal to strike, not only is it illegal to even think about striking or threatening to strike, now we're not even going to give you the recourse of arbitration. You can go . . . yourself." That's essentially what this government has told our public-sector employees: you have no recourse.

That's not how you govern fairly. You can go in as a hard negotiator. Do you not think that Guy Smith at the AUPE or one of the other public-sector union leaders knows that the PC government or the Wildrose government or whatever government is going to come in there and say, "You know what; we've got a problem with our budget; we'd like to offer you 0, 0, 2, 2," or whatever, that they're going to start with a hard bargain? You don't think that they know that? Of course they do. But the difference, Mr. Speaker, is that this party, instead of making the offer and then, when they didn't get their way, going to arbitration and respecting the legal rights of our public-sector unions, instead of doing that, they ripped those rights away and said: "No. We're doing it this way. Our way or the highway." That's the difference.

We never said in any literature anywhere that that's what we would do. We never said that we would impose any agreement. We would negotiate hard. You betcha. We would have asked, definitely would have asked, for a freeze in the first year. One or two years, I believe the quote is. We would ask for it, and we would negotiate hard to get it to see if we could do it, but if we couldn't get agreement – and perhaps we would have had to come

up on that offer, perhaps, whatever. But if we didn't get it, we would go to arbitration. We would make our case, the union would make their case, and the arbitrator would decide because that's the law. We wouldn't come here and rip away the rights of our public-sector union. That's bad-faith negotiating.

9:30

You know what the other problem with it is, Mr. Speaker? It poisons the water. Someday, one day, there will be a new government in this House, we think. We don't think this government has got much left in the tank. But someone is going to have to clean up this mess, and this government has completely poisoned the well with our public-sector workers. You know what's ironic about this with regard to Bill 45? They'll pass Bill 45 in order to stop illegal strikes. They said: we want to stop illegal strikes. Well, okay. Maybe the NDP think illegal strikes are fine. Okay. Fine. All right. That's expected. It's not something they want, but they happen, and it's a way of civil disobedience. [interjections] Yeah. Okay.

**The Deputy Speaker:** Through the chair, hon. member.

**Mr. Anderson:** Anyway, no one wants illegal strikes.

**Mr. Mason:** No, not even us.

**Mr. Anderson:** Not even the NDs. Not even the NDs want illegal strikes. Okay. So nobody wants this.

But you know what the ironic thing about Bill 45 is? Bill 45 is a recipe for disaster. It's a recipe for illegal strikes. Do you want to know why? Because combined with Bill 46, you've just taken away the rights of arbitration from our public-sector unions. You've just ripped those away. So now what have they got left? What are they going to do? That's what you've done. You've basically said: "What are you going to do to us? What are you going to do? You don't have arbitration rights. Get back to the arbitration table. Get back to the negotiation table, or I'm sending my cousin Vinny." That's what this is about. That's what this is about.

Here's the problem. What you've done is that you've backed our public-sector workers into a corner. You've backed them right into a corner, where they have no arbitration rights. What are they going to do now?

Premier Lougheed, who was a pretty solid individual, a pretty smart individual: do you think that he was an idiot?

**Mr. McIver:** He was a Progressive Conservative.

**Mr. Anderson:** Yes, he was a Progressive Conservative. You got it. You're getting there. You're getting there, Minister of Transportation.

So you have this PC Premier, who was very respected by all corners, by most corners, I think. I think he got all but two seats one election or something. Most corners. Let's say most.

**An Hon. Member:** All corners.

**Mr. Anderson:** All corners. Fine.

So you've got this Premier. Do you not think he knew what he was doing? He took away the rights of essential workers on the front lines, our public-sector workers, to strike. He took those away, and after he took them away, he said: you know, if we take them away, we've got to give our public-sector employees real recourse so that we're not sticking them in a corner with a gun to their head saying that they've got to do everything that we want them to do or else. He introduced legal arbitration, binding arbitra-

tion. That's what he did, and because of that, we have had roughly 35 years of labour peace.

Now, there have been strikes, for sure, and there have been some illegal strikes but very few major ones. Very few. Very few serious ones. That is because for 35 years we've had this legislation that has allowed for arbitration, that has given our public-sector employees that right, and because of that, there's always been that good faith, and it has allowed better negotiation to happen. People know that at the end of day, if they don't get a good deal from government, there's still that safety valve. There are those legal rights of arbitration that they can go to.

Now you've just taken that safety valve away, and you have backed these folks into a corner, and when people are backed into a corner and they have no legal recourse, then what happens? What happens? That's when you start seeing civil disobedience. That's when you start seeing some of these things that are going to occur and mass illegal strikes from many different unions in order to show solidarity and so forth. That's what is being created here by this arrogance. [interjection] To clarify for the Deputy Premier, we're not saying that it was bad to go in there and offer your – what is it? – 0, 0, 2, 2 or 0, 0, 1, 1. We're not saying that it's bad to ask.

You can ask the girl for a date. That's okay. But when the girl says that she doesn't want to see your face and to get lost – I know. [interjection] It happens. It happens, Deputy Premier. When that does happen, you can't say: "No, we're going on the date anyway. Sorry. I know you said no, but did you really mean no? Are you really serious when you say no?" No, that is not the way to deal with things. You don't come in and force the issue. You don't force someone to the bargaining table at, essentially, gunpoint. It doesn't work that way. You respect their rights.

You can ask, and you can negotiate hard like a good fiscal conservative, that I know you all in your wildest dreams would like to be known as again. Likely not going to happen. You can try, but you have to do so in good faith. If you don't get your way, then you have to go to arbitration, respect the legal rights of those out there, do the right thing, and let the third party decide. That is what respect is about. That's how we would have governed and done things differently while maintaining our principles. I would remind the members opposite again that we were very clear what we were going to ask our public-sector employees to do, very clear, crystal clear.

When you negotiated that deal with the teachers, you didn't hear anything from this side saying, "Oh, it was terrible that you negotiated those wage freezes with the teachers," did you? You didn't hear any criticism from us on that because you did a good job. You did a good job, Minister of Education. You were able to talk with the teachers and get a deal, and you didn't have to beat them over the head and take away all their rights to do it. Good for you.

But that's not what's happening here. Negotiate in good faith, and if you can't get your deal with them, go to arbitration because that's what respect is about. We need to respect these people. These people are on the front lines in our communities. They are the social workers, the aides to daily living, the people that are helping out our people. We need to respect them.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. I recognize the Member for Calgary-Currie.

**Ms Cusanelli:** I would like to make some comments in response to this member. One thing I've noticed about sitting over here, besides that it's very hard to get noticed – and I have to tell you



besides that it's very hard to get noticed – and I have to tell you that that is not usually a problem for me in the company of gentlemen. However, at any rate, I will share my perception that it does look pretty easy to sit over there.

**Mr. Anglin:** Come on over.

**Ms Cusanelli:** I've had lots of invitations, and I thank you for that.

It's easy to sit over there and throw mud to see if it might stick, and we've seen a lot of that while we sit here. There is much ado about corruption and scandal and shame and poor leadership and empty promises. I didn't run to serve any of those purposes, and I can tell you that I haven't yet met anyone in this House who did.

The Member for Calgary-Mountain View says that not having the right to strike is damaging to morale. Well, I get that. That's an understandable statement coming from your tenet and coming from your philosophy, but I've been on the other side of that. In my view, I've seen the damage that a strike has on morale.

As a former school principal I was on that side, and I don't mind saying that I felt forced into a strike. I really just wanted to be there for my students, I wanted to be there for their families, and I felt like using the time was weeks of valuable instructional time that was made and used in order for us to negotiate the terms of my salary and my benefits. That didn't feel at all like the reason why I went into education in the first place.

Our stance is that there's always an obligation to the employer and to the stakeholders that they serve, and this is the message that we're trying to convey. The cost to an entire province such as ours in terms of safety, security, and, yes, financially sits in our hands, sits on our laps, and indeed it sits on our shoulders. This is the burden of being in government. It matters not how long. It doesn't matter if it's been 40 years or not. For myself, having only been here less than one term, I can tell you that the burden is one that we take to heart, not as is being portrayed over there in the House tonight.

Is that what your constituents sent you here for, to make suppositions about what we think, about what we believe and feel on this side of the House? Bring their voice in here, because I don't think that's what their voice is here to serve.

**9:40**

Yes, it's our duty – it's our duty – to serve Albertans, and we are charged with the responsibility of balancing a budget while building communities and reaching out to the world and inviting them to invest in our Alberta so that we might all have, all of us, a high quality of life. That is what we are elected for, that is the burden of responsibility that we have, and it means making some very difficult decisions. That's what leaders do.

I've been a leader and a good one. My results show growth and improvement, without fail, in every school I ever worked in. I know what it takes to lead, and I know and I assure you, Mr. Speaker and everyone in this House, that being a leader and being a good government means that you leave popularity back in high school, where it belongs. Good leaders know that. Good leaders do not change with the will and whim of popularity over what is right.

It is unfortunate that we will not please everyone all of the time. But I am here and my colleagues are here to fulfill one promise and one alone, to do the right thing to ensure the highest quality of life for all Albertans, not just some, not just those who will be upset if we don't but the majority of Albertans. That, Mr. Speaker, is democracy.

So the Official Opposition can sit there and hide behind the veil of criticism. But make no mistake about it, Mr. Speaker. The alternative to the decision they would make has already been stated once tonight by our Deputy Premier. This party says that they would offer fair negotiation. Well, what on earth would you do when they walked away from the table? I suspect that you would have to draw up some crafty legislation that would ensure the repercussions of a strike did not interfere with morale, with safety and security, and, behind all of that, the financial cost to all Albertans, who have voted for a government that will protect their hopes, their dreams for the future. [interjections]

**The Deputy Speaker:** Please, the member has the floor.

**Ms Cusanelli:** We can only do this . . . [interjections]

**The Deputy Speaker:** Airdrie, please.

Your time has expired.

Hon. members, 29(2)(a) is questions or comments, and there's been quite a lot of latitude on all sides of the House. It's five minutes in total. I would appreciate, if you don't want me to enforce this really tightly – all members have been afforded the same kind of latitude.

When someone has the floor, hon. member, if you would, please, as you did, let that individual have the floor, the House would greatly appreciate it.

The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you, Mr. Speaker.

**The Deputy Speaker:** Oh, hon. member, please. If you'd pause one moment. My apologies.

I've had this request for some time. Might we revert briefly, very briefly, to Introduction of Guests?

[Unanimous consent granted]

### Introduction of Guests

*(reversion)*

**The Deputy Speaker:** The hon. Member for Calgary-Glenmore.

**Ms L. Johnson:** Thank you, Mr. Speaker. I rise with great pride to introduce Kim Brundrit and Pam Valk, my assistants in the Calgary-Glenmore constituency office. They were accompanied by my legislative assistant, Bryan Tower. These individuals are an important part of my success as I fulfill my responsibilities as an MLA, and they ensure that I return all calls and e-mails from my constituents, whether in support or not of government initiatives. I ask that they rise and receive the traditional warm welcome of the Assembly.

### Government Bills and Orders

#### Third Reading

#### Bill 45

#### Public Sector Services Continuation Act

*(continued)*

**The Deputy Speaker:** I recognize the hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Well, thank you very much, Mr. Speaker. I'm afraid I'm going to run out of time due to, again, the closure motion that the Government House Leader brought forward. I love hearing from other members when they stand up. They just give me even

more to speak about. I'm going to try to address initially some of the comments that some of the members have made.

To the Member for Airdrie: when arbitration was brought in and strikes were illegal, it was for all public-sector workers. I want to clarify on that. Again, the hon. Member for Edmonton-Strathcona: at that time her father was a member in this House, I want to say the sole New Democrat MLA in this House, and opposed that move to make strikes illegal for public-sector workers. Now, I will give some credit where credit is due. At least binding arbitration was brought in. However, the NDP was opposed to making the strike illegal, and binding arbitration should have been brought in. So those two things should have been there.

Addressing some issues from other members, I find it really rich when government MLAs stand up and talk about how they support labour, the unions. They appreciate them speaking out, but at the end of the day, their action is going to be that they're voting in favour of this bill. You know, it's not lost on Albertans that, really, it's just lip service, not actions, when push comes to shove, when you're on that side of the House.

Let's see here. To address the teachers' agreement: now, it's been referred to by several members in this House, that it was negotiated. Well, it was negotiated with a gun because when two different locals opposed or voted against the negotiation, that's when legislation was brought in. So that's not negotiation. You don't negotiate at the table, and, you know, when it doesn't go your way, then you just use force. Well, we're doing it anyway: that's not bargaining in good faith. Not bargaining in good faith.

To address one other comment that the Member for Airdrie made: someone is going to have to clean up the mess that this government has made. I agree, and that is, of course, only going to be the Alberta NDP who will be able to clean up this mess that they've made with – I mean, you name it. You name it.

Talking a little bit about closure, again, the reason why the opposition is so opposed to closure is the fact that it does really attack our fundamental right as Members of this Legislative Assembly to speak on behalf of our constituents. We have not been allotted due process, and the example is that I'm going to actually run out of time, before my time ends, to speak to third reading of this bill. I'll move on to that.

Before I do, the message that is communicated to me when closure is brought in is that this government is scared of debate. They're scared of democracy. They're scared of giving members their process and their time to raise their concerns and raise their suggestions, whether they're for a bill or speaking in opposition to it.

It does need to be mentioned that in Alberta we sit the fewest number of days of any provincial House. Now, I know that members want to jump up, and they want to talk about – well, I don't know what they want to talk about. But the fact of the matter is that the Alberta NDP has said numerous times: "Let's sit more days. Let's extend the Legislative sitting. Let's have thorough debate on these bills and have discussion as opposed to bringing in night sittings immediately and then trying to ram through legislation in the middle of the night." A great example of that was Bill 28. I believe second reading was voted on around 2 in the morning, when most people are asleep or not in the House. That's not democracy in action; that's the opposite. That's hiding under the veil of night.

Going back to Bill 45, we are completely opposed to this bill. With every fibre of my body I am opposed to Bill 45. It is and, I believe, will be ruled unconstitutional. To answer one of the other member's questions, when he had brought up the fact that he doesn't know where it says that – I can't remember what you were referring to. But the strike threat itself is problematic in the sense

that now, again, you've got people who are talking about a strike or saying, "Hey, maybe you should go on strike," and now they can be fined. I know that the minister has assured the House that that's not the case, and this isn't a witch hunt, but as I asked the minister last night: where does it say that in the legislation? I'm sorry if I don't take you at your word, Mr. Minister.

Other reasons why we're absolutely opposed to this. This is an attack on working Albertans, on our public-sector unions. This is definitely taking – well, the one analogy that I thought of is, you know, to take a tank to a fist fight. I mean, it's rich that members on the other side will talk about: well, there are still a couple of months to reach a deal, a negotiated deal. Well, again, you know, that's not negotiating in good faith when you can strong-arm if you don't get your way.

**9:50**

Let's see here. A large reason why this bill is so offensive – and I need to go back to the examples of illegal strikes that have occurred within this province, and it does need to be clarified. Again, our most recent example is the wildcat strike at the remand centre, in which very many employees had tried to go through all of the channels, speaking to management, raising issues of concern, which were ignored time after time. So the illegal strike took place as a last resort for the workers at the remand centre because they felt that their lives were in danger, that it was unsafe for them and the inmates.

You know, some members on the other side seem to think that unions love to go on illegal strikes and will just do it for the heck of it. The reality is that it is a last resort, when their requests, when their concerns are constantly being ignored, neglected, when they're being pushed aside. That is a course of action that they are literally forced to take.

Now, again, had this government addressed their concerns when they were being raised, that would have avoided the strike, and as members on the opposite side have mentioned: well, the final price tag of that strike was \$13 million. Well, I place the blame squarely on the shoulders of this government, when had they addressed the safety concerns for far less than \$13 million, that strike could have been avoided, and it would have saved Albertans a large sum of money.

Let's see here. The other thing I want to clarify is that – you know, we keep talking about wage freezes, but the reality is that giving zero per cent is not a wage freeze. It's actually a rollback, and the Minister of Finance, I'm sure, understands this, or if not, I'll explain it to him. In Alberta we do have the highest rate of inflation of any province in the country. When you give a zero per cent increase, you're actually giving a rollback. I believe our inflation rate in Alberta is somewhere around 1.5. Maybe that's even a little low.

**An Hon. Member:** It's 1.4.

**Mr. Bilous:** Oh, 1.4. Pardon me. Okay. But when it's 0, 0, 0 in contracts, it is a rollback.

You know, it's frustrating that this government says that they respect public service workers, respect the work that many of our front-line workers do in this province. Well, then I say: well, put your money where your mouth is. Show your respect through giving our public-sector workers appropriate – first of all, negotiate in good faith, bring decent offers to the table, but show your respect for them through the salaries that they earn, not through talking about it in the House and then turning around and trying to mow them down.

I see I only have a couple of minutes, so I want to address a comment that the Minister of Finance made last night, when he

talked about the B.C. public-sector union and what they just negotiated. Now, in addition to 5.5 per cent over five years they negotiated . . . [interjection] I think I have three. I don't know if you're talking to me, Mr. Speaker. Oh, I only have one? Okay.

What I want to say, though, is that the difference between them and us is that they have the right to strike. So this deal was negotiated in B.C., and I find it quite rich, coming from the minister, that he said: well, we find that interesting, and maybe we would have liked to have sat down and bargained for that. Well, I'm sorry, Minister of Finance. I don't think anyone is believing that this government had any intention or has any intention of sitting down and coming up with a deal like that, as this legislation clearly proves by bringing a heavy-handed approach.

In my closing comments here, I think that this government should look at renaming themselves. Maybe the regressive conservatives? The oppressive conservatives? Or the repressive preservatives might be more accurate to describe their approach to working with the men and women who put their lives on the line, day in and day out, night and day, for the betterment of this province. They're the ones that really are the reason that Alberta is as rich as it is, and we enjoy the benefits that we do because of the hours that men and women on the front lines put in, and they do it, Mr. Speaker, because of their passion. They don't do it because they're about to get rich or for some self-serving reason.

Our front-line workers need to be appreciated and valued and not attacked through cheap legislation that is rammed through in a couple of days only, where there isn't time enough for real debate. It speaks volumes that this government would even consider bringing in something as oppressive as Bill 45. I just want to mention in my last few seconds that the line the government gives, "We don't have the revenues" is true because of their decision to . . .

**The Deputy Speaker:** I hesitate to interrupt, hon. Member for Edmonton-Beverly-Clareview, but pursuant to Government Motion 51, passed earlier this evening, I must put the question.

[The voice vote indicated that the motion for third reading carried]

[Several members rose calling for a division. The division bell was rung at 9:57 p.m.]

[One minute having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Amery	Goudreau	Lukaszuk
Bhardwaj	Griffiths	McDonald
Brown	Hancock	McIver
Cao	Horner	Olson
Casey	Jansen	Quadri
Cusanelli	Johnson, J.	Quest
DeLong	Johnson, L.	Sarich
Donovan	Khan	VanderBurg
Dorward	Kubinec	Weadick
Drysdale	Lemke	Xiao
Fawcett	Luan	Young

10:00

Against the motion:

Anderson	Mason	Strankman
Anglin	Pedersen	Swann
Bilous	Rowe	

Totals:	For – 33	Against – 8
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[Motion carried; Bill 45 read a third time]

## Bill 46

### Public Service Salary Restraint Act

[Debate adjourned December 4]

**The Deputy Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Anglin:** Thank you, Mr. Speaker. I rise in opposition to this bill. As many members have heard throughout the debate, how difficult it is to see something like this come into this Legislature and be in such bad faith in dealing with the current union that it affects. The idea of removing the very mechanism that would settle a dispute and leave exposed, as some members have referred to it, a gun to the head to settle or bring a union back to the table makes no sense, but it's consistent with what this government has done in the past. That's a crying shame.

But I think the clock is now ticking on this government to that degree that they can no longer hide behind this charade that they're dealing in good faith. This is the government that passed the Land Stewardship Act, that said that we could take property away from individuals, and under section 11 it said that nobody under this act was entitled to compensation by reason of this act or any regulation made thereunder. Then they claimed that you would still get compensated, but that wasn't the issue. The issue was that they took away the right. We went a couple years before they would actually repeal that but then still never gave the right to compensation.

Now we move fast-forward to dealing with something like this, and we have the ability to deal in good faith. The government is in negotiations with the union and what it does. It just doesn't like the possibility of going to the contractual solution, which is arbitration. One has to question who is to blame or whose fault it was. Clearly, what we see here is that the government has the power to violate the existing contract and remove arbitration, but it doesn't have the moral high ground to say that it is dealing in good faith. That is absent.

What's interesting is the history of what's gone on here. The number of strikes since 1977 is so insignificant in its total duration and in its consequence in many cases. Yes, there have been some important strikes. I would argue that the remand centre was a significant safety issue. I can't imagine why union workers would want to go out on illegal strikes. It isn't something, I think, they put on their agenda for next month or two years. I think they would rather settle the dispute than actually walk.

But to have a union member or a group of people who are looking at an unsafe working condition, an illegal action, or the loss of a job as the three possibilities and then to say that they have to decide between one of the three: I just don't get that because when you remove arbitration, I think it says that the fight is on. Then the problem starts, and we create more of a public safety hazard than we reduce or mitigate. I think that it's disingenuous of this government to bring this forward.

It is easy to argue whether or not the penalty should be raised. It's a shame we don't have a debate on that. It could have easily been an amendment to the Labour Relations Code, and all sides could have debated: do we need to raise the penalties for illegal strikes? Nobody is advocating for illegal strikes. There is one litmus test on the opposition that seems to prove consistently true. When the government cannot defend their position, they can only throw allegations back at the opposition for pointing out a number of the inconsistencies and for pointing out some of the real incorrect sections of various bills. They cannot defend it, so the only thing that's left to them is to attack the opposition, and they can't even do that effectively.

What we end up with here is a bill in front of us that is looking to cause more harm, not less. It is just a sad state of affairs in this province. One of the members of the government party has conveyed to me that not all the unions are lined up on this. I would disagree. They may not care whether somebody gets a raise or doesn't get a raise. That's not what this is about for me. What it is about is the ability to go to arbitration. The hypocrisy of this government to have just passed a law to give itself the ability to go to arbitration on its international dispute but turn around and take it away from the unions, who have it in contract now that they can go to arbitration – but we don't like that contract, and they don't like that contract. They want to get around that clause, and the easy way to get around that clause is to make it illegal. That's shameful. That's absolutely shameful.

I'm not sure that it's going to get the end result that they want. It might get the end result that we want. What's going to happen, I think, is that you're going to see a number of people who are probably PC supporters change their allegiance. I've got to tell you that I really don't care in the sense of where they change their allegiance to. One thing is absolutely true. When the opposition over there stands up and says that they're very proud to be union members and to support the union, I take it as an honest statement on what they actually believe in.

When we presented our platform, no matter how many times the Deputy Premier reads it, it was what we said we would do, which is that we would try to hold the line. We made that absolutely clear. At no time – at no time – did we say that we were going to remove your certain rights in the Charter, that include freedom of speech, freedom of assembly, and due process of law.

Now, I want to make that absolutely clear because that's what happens here. What happens here is that immediately upon somebody leaving and going out on strike, which they can no longer arbitrate and is illegal, the court doesn't get to make a decision on the consequence here or the liability. There's no causal determination. The court is by law under these acts going to make one of two determinations: is there a threat, or is there an actual strike? That's the only determination it can make.

**10:10**

Once it makes that, dues are withheld for three months, and a million dollars a day is set aside. So not only do we penalize the union for the actions of a few, but their ability to pay that penalty or to pay a million dollars is then restricted. That's unjust. You can't fine someone and then take away their ability even possibly to pay it. Now, the fines can be as much as \$250,000 a day. Yes, there's a right of appeal, but the problem with the right of appeal is that the onus of proof is on the union to prove that they basically gave express instructions, not general instructions but express instructions. They had to do it before the strike or before the threat occurred, which they may have not known about, so how could they possibly have done that? They stack it up. They stack it up against them so that they cannot comply. [interjections] Let them howl. All they have is the hypocrisy of their comments. Let them go. That's just fine.

We're talking about the people that do not have any credibility. I'm talking about the Deputy Premier, who stood up and pointed over here. We're talking about the person who showed up in Sylvan Lake and told a whole bunch of farmers, "Stand off in that corner, and I'll come over and talk to you," so when they went over in the corner to wait for him, he ran out the back door. This union is going to trust this person in negotiations? He stands up here in this House, and he says that he's made an offer to the union, and I'm thinking to myself: is that the same kind of offer he

made to a number of farmers down in Sylvan Lake? When he made that offer, he didn't keep that offer either.

When it comes to integrity, one thing I will say is this. The union may not like what we put out on our platform, but we didn't lie. We told them exactly what we wanted to do, we let them look at it, and that's what we did. We suffered the consequences, I guess. Some might say that. Some would say that we didn't. Others would say that we actually stood on principle and said what we would do. We never once – we never once – said that we would take away your right to arbitration. We never once said that we would threaten free speech. We never once said that we would threaten the right of assembly, and we never once said that we would threaten due process of law. That was not in anything that we every wrote, past, present, or that we will do in the future.

They can dig up anything they want from a long time ago, but this is the government. This is the government that hired private investigators to follow a bunch of farmers. They don't like that, but that's the mud that sticks. It stinks, doesn't it? Oh, wait a minute. It might not be mud, but it does stick. I'm going to tell you. They got caught tapping phones. They got caught listening in on phone calls, and you don't like it. You got caught red-handed. You know what they did? They changed the law, and they made it retroactive to June 1, 2003, so they could get around that court case that was dealing with that issue. Oh, wait a minute. That's like this law. They don't like going to arbitration, so they change the law so they can get around it. They've got to shake their heads now because the hypocrisy tastes a little bit bitter in the Kool-Aid that they drink. It's a shame.

It's like the Minister of Municipal Affairs. He keeps us here to 2:30 in the morning, 2 o'clock in the morning because he's got to pass a bill one day. It has got to pass, and that's it. No questions about it. It is important, yet here we are a couple of weeks later, and I'm not sure how he likes that crow, whether he likes it baked or broiled, but the fact is that it's a lot of crow. I hope he plucked the feathers before he cooked it up.

I will say that there's no consistency with this government in dealing with one law, another law, and there's no consistency with this government dealing with this union.

How do you like your crow? I never did ask. We ought to find some recipes for this government.

**An Hon. Member:** Fricassee.

**Mr. Anglin:** Fricassee.

It's a sad state of affairs. We can joke about it down here, but what we've created, in my view, is a safety issue by doing this. We're telling a union: we want you to come back to the table, and if you don't do as we tell you to do, this is what you've got to take. That's not negotiating in good faith under any circumstances. I think that when the mafia did this kind of stuff, they actually got thrown in jail. I don't know. I'd let the ones that deal with criminal law deal with that one. That used to be called extortion, so it's just a matter of how you want to interpret the law.

One thing is for certain. They can't defend this. They can make excuses, they can be in denial, but they can't defend this. What's going to be the most interesting thing is that if this does go to the Supreme Court, which I think it will, I think there are going to be some serious questions that the court will answer, and I think there's going to be a heavy helping of crow that's going to be served up. It will be fricasseed. Some will have it baked. Some will have it broiled. In 2016, when we're elected, we'll make sure those feathers don't get plucked, and we'll serve it up to them in any fashion they like.

Thank you very much, Mr. Speaker.

**The Deputy Speaker:** Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Mr. Speaker. I'm pleased to rise and again address an issue on which we have repeatedly cautioned the government, challenged them, asked them to take a second sober look. Since we don't have a senate here, we are kind of functioning in some kind of way to help you take a sober second thought. [interjection] Do you want a sober second thought or not?

**An Hon. Member:** Yes.

**Dr. Swann:** They're inebriated. They're inebriated with their own power, Mr. Speaker. They do not want a sober second thought. They're walking down a very dangerous path.

I'm only thinking of your re-election possibilities here. I'm only acting and speaking in your own interest. Do you not want to be re-elected in 2016?

**Some Hon. Members:** Yes.

**Dr. Swann:** Yes. Well, we all want you to be successful.

**The Deputy Speaker:** Hon. member, I hope you'll talk to the chair because that's our custom here.

**Dr. Swann:** Forgive me, Mr. Speaker. I got carried away.

Bill 46 is, again, a travesty of what Peter Lougheed intended. Many people across the floor like to speak about their close connection to Peter and his values and his leadership, his vision. He inspired a lot of people in this province, including me. What unfortunately has happened since he left us is that his name is used, I would say, in inappropriate ways and in a disrespectful way in this context, in bills 45 and 46. He would never support these two bills. Can you imagine Peter Lougheed supporting these two bills? They basically fly in the face of what he had agreed to as a servant of the people, a servant of all people, including those who fly under the union banner: freedom and democratic rights and due process and the responsibility of governments.

With the power that you have, you don't need to use this heavy-handed approach to the whole bargaining issue, which we guarantee under the Charter. Arbitration is part of that process. Allowing that to take its course, maybe pay a few more dollars than you might have but maybe not, depending on the conditions under which the arbitrator finds the negotiations – what a price you're paying now in terms of public opinion.

I've talked about the morale and the threat to the workers' morale. It sends a very strong message in the context of pension reform, in the context of democratic rights and freedoms, as we've mentioned, and bargaining in good faith. It sends a very unhelpful message at a time when we want to build capacity, build productivity, improve people's sense of self and their contribution to society.

Is it necessary to be this heavy-handed? I guess the other side of this is that it's one thing to believe that you have to go this route. It's another thing to slap us all around with this hasty, uncaring approach is what I would say. This is a hasty, uncaring approach. It isn't serving you. It isn't serving the workers. It isn't serving this Legislature.

I dare say that Peter Lougheed would be ashamed to see this. He set a standard that many of us aspire to, and part of it was respect. You've lost a lot of respect over this. It looks like you're hell-bent on pushing this through. Come hell or high water, you're going to

impose this. I don't see that it will do anything but add to your own demise in a couple of years.

**10:20**

Again I would have to ask how many people you have talked to about this. I've only begun to tap the hundreds of e-mails that have been sent to me on this. None of them have been positive, of course, but I wonder if you've been listening to either citizens at large or unionized people, who feel this is really a slap in the face, not specifically on the issue but on the question of basic decency and rights. As I've said in other contexts, it's going to cost us all. It demeans the role of the Legislature. It undermines the trust in what we're trying to do here as citizens who see the long-term best interests of this province and good relations with people and the highest of standards.

Again, you have the power. As I said out on the steps this week, why are you doing this? Because you can. You have the power, and you're using that power. You're abusing that power, I guess, since you're not willing to take a second thought and you're not willing to get out of your drunken stupor over this power that you've been given. It's a privilege that you've been given, and you've decided to abuse it. Unfortunately, all of us as legislators will pay a price because this reflects on political process. It reflects on power and money, which is only one dimension of the political role and responsibility that we take. Surely, the other dimension of the political process and the role and responsibility we take is to see the bigger picture, to see the long-term public interest, to build relationships, to encourage due process, and to honour the commitments of the democratic society that we've been elected in.

In your own interests I'm suggesting that you're going down the wrong path. Some of you know it. Some of you agree with me, but you don't have a free vote, clearly, on that side because privately you've told me that this is a very uncomfortable set of bills for you. All I can say is that it's not too late. Bill 46 doesn't have to be passed just because Bill 45 has been passed. This is called a restraint act, and it certainly is a restraint. Unfortunately, it's not a restraint on your own decency. It's not a restraint on your own power. It's, in fact, an abuse of that power in the name of restraining others and restraining others' rights and freedoms.

Not only are we going to see, I predict, the need for more staffing in some of the most basic of our care services, where people are sacrificing themselves to clean up after the most dependent people in our society, in the most horrific accidents, and the most desperate conditions. These people are now going to be simply more demoralized. Again, it sends the very worst message to citizens who elected you and wanted to see us build a stronger sense of community around the most important services that this province provides.

Mr. Speaker, it's with a heavy heart that I conclude my comments, my last comments probably on this particular bill unless someone chooses to ask me a sober question. I really have given it all I have. Our Liberal Party, our Liberal caucus has given it all we can to try to convey the seriousness with which we take this set of bills and the demoralization that this is creating and the legacy it will leave not only to us but, I think, to our children who are looking at jobs, who are looking at careers, who are looking at even the possibility of becoming active politically. You're enflaming a whole new generation of people to get involved in the union movement and activism around human rights and constitutional rights and paying attention to what is the Charter of Rights and Freedoms.

I've said before that one of the aspects of both these bills that I need to raise is the whole abuse of the legislative process with

respect to farm workers, who are legally unable to form a union. If this government is really committed to rights and freedoms, to the rule of law, why would you take away the right to unionization from paid farm workers in Alberta? Why would you deliberately avoid giving them the same rights and freedoms as other employees and workers in this society? Why would you deliberately exclude them from meeting standards of safe workplaces?

Why would you exclude them requiring child labour standards such that children in southeastern Alberta, in particular, Mexican Mennonites, are not getting schooling. They're continuing to cycle in poverty because they're desperately needed in the workforce. Instead of being in school, they are cheap labour, not different from what happens in Mexico, because you don't have the courage to stand up and say that it's not acceptable in the 21st century for paid farm workers to not have protections, including child labour standards. We continue to lose 18 to 24 people each year – a third of those are children – because you're unable and unwilling, it seems, to follow your own self-proclaimed standards in democratic rights and freedoms.

You continue to argue that black is white and that this is not an offence, this is not an affront, this is not undermining your responsibility as democratic elected leaders in this province. Again, the farm worker issue is a travesty in the 21st century. In some ways, I guess, I would challenge the member opposite who can't see any justification for an illegal strike. Well, it would be illegal today for farm workers to form a union in Alberta.

**Mr. Donovan:** Yet there's a Farmworkers Union. How does that work?

**Dr. Swann:** Yeah. There's a Farmworkers Union of Alberta. It's just the name on a ball cap, actually. It's not actually a union because it's illegal to form a union.

I would challenge the fact that even in Alberta, where farm workers have been given no rights, no basic 21st century rights, they would find this offensive if they broke the law, formed a union, and challenged the rights of this government to withhold their basic Charter rights. It's really offensive to see how hard they fight for the law and how poorly they fight for unions, for the right to collective bargaining, for arbitration. These are hard-fought battles that have been gained over hundreds of years, and this government is intent on stepping back 50 years in our history, again to their own risk, Mr. Speaker.

I won't prolong the harangue. We are where we are in this place after 42 years of one tired, old, corporate-driven government that doesn't see the big picture, doesn't listen well, has decided that for its own short-term interests, it's going to violate some of the most fundamental principles that got us all here. I'll have to leave them to their own devices as, again, I don't see any real recognition of how seriously they've embedded themselves in this travesty of democracy and the legislative process.

Thank you, Mr. Speaker.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. I'll recognize the Member for Edmonton-Gold Bar.

**Mr. Dorward:** Thank you, Mr. Speaker. The Member for Calgary-Mountain View asked for a sober question, and I certainly hope mine is a sober question. I've heard the number bandied about. I'm not involved, obviously, in the labour negotiations that went on, nor have I had any experience, quite frankly, in that area. I understand that it's been bandied about that there were 12 days of discussions and negotiations since March 31, 2013, when the contract ended. If that is indeed the case, I would ask the Member

for Calgary-Mountain View for his comments on whether he sees any hidden agenda or an agenda in that regard relative to that number of days. Maybe he has more experience in labour negotiations than I do. I know this came up in my discussions with some of the individuals that I talked to, and I've heard on the other side that individuals have said: you know, there's a hidden agenda, and there's this, and there's that. I'm just curious if he feels that 12 days is a fulsome, honest debate going forward to try to come up with a settlement between both parties.

10:30

**The Deputy Speaker:** Thank you, hon. member.

**Dr. Swann:** Well, thank you for the question. I wasn't at the table. I don't know enough details about what was presented, what was countered. I don't know the extent to which there might have been deferrals of meetings and sickness and inability to meet. I suppose that if it was 12 continuous days, that sounds like a lot of time, but without knowing the details, it's impossible to say whether this was a reasonable time.

My question is: why would you interrupt a process that has been established in law and has been successful in the past and is considered legitimate between both government and unions? Why would you interrupt a process that is moving things forward in a legitimate fashion? It appears – and maybe it is – an illegitimate breach of our responsibility as government and leaves a union no alternative but to strike. If you don't give them that, then what do they have? They have nothing.

As others have mentioned, it paradoxically would lead to more likelihood of violence, more likelihood of breaking the law, more likelihood of using whatever means are possible when people don't feel fairly treated, and it certainly leads to demoralization when people see an established process breached because it isn't convenient or isn't acceptable or it isn't what this government wants despite having agreed to these conditions for decades. I don't understand why you would want to do that. Who benefits from this?

**The Deputy Speaker:** The hon. member in response.

**Mr. Dorward:** Well, you know, in response to that, Mr. Speaker, I totally respect those thoughts. However, if I have my set of facts correct, I don't think that arbitration has been brought into the picture for 30 years of negotiations. I would just say: why are we headed for something that wasn't necessary for 30 years when there's been the continuous negotiation, which obviously led to contracts in the last 30 years?

**Dr. Swann:** Was that a 29(2)(a), Mr. Speaker?

**The Deputy Speaker:** It was also 29(2)(a). Did you care to respond? Or I could go to another member.

**Dr. Swann:** I'm pleased to respond. Arbitration is a process, as I understand it – and I've personally had no experience with it myself – by which both parties choose someone they believe has some independence from both interests to come to a conclusion that appears to be fair in the conditions in which the two parties are coming together, in the context of the provincial standards and norms and practices. They come to a conclusion, and both parties have to live with it. It doesn't go on for 30 years. Is that the implication I had from what you were saying, that it could go on indefinitely? No.

**Mr. Dorward:** Mr. Speaker, I apologize. I wasn't being very clear.

**The Deputy Speaker:** Go ahead, hon. member.

**Mr. Dorward:** What I meant, to the Member for Calgary-Mountain View, was that in 30 years there has been no arbitration necessary in the province of Alberta with respect to those contract negotiations. That's my understanding. So why is it that negotiation this time has broken down after 12 days and not continued on?

**Mr. Anderson:** Arbitration has been used before. It has been used several times.

**The Deputy Speaker:** Hon. Member for Airdrie, the Member for Calgary-Mountain View has the floor, please.

**Dr. Swann:** Again, Mr. Speaker, I thank you for the question. I'm not exactly sure about this particular situation, whether it's been used.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is over. I'll recognize the Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, you know, there's been a lot of misinformation about what's happened and what the processes are and what the history is that has been spread by this troika of union-busting sitting over here: the Deputy Premier, the Minister of Human Services, and the Finance minister. They have been spinning their hearts out to try and create false impressions about what's actually going on, so I want to just talk a little bit about that. They try to suggest – and I was watching the minister of advanced education, the Deputy Premier, talking to the media just outside. He repeated some things that we've heard, about how this wasn't how arbitration was supposed to go, that it wasn't supposed to work this way, that you only ever bring it in when every other alternative is exhausted and you've negotiated for months on end, that, gosh, the government was willing to do that, but this union just up and used this very unusual and somewhat irregular arrangement in order to short-circuit the negotiations that were going on.

Well, Mr. Speaker, nothing could be further from the truth. In fact, it was not the union's preference to have compulsory arbitration as their alternative. They wanted the full, free collective bargaining rights enjoyed by other unions, and that includes the ability to strike and also the right to lock out. That's what the union wanted, that's what labour wants for workers, and there were not good reasons to take away the right to strike. Many if not most provincial employees are not what you would customarily refer to as essential services. Even where they are essential services, there are measures that can be taken, at great inconvenience to the employer, I might add, in order to maintain a safe level of service in those areas. They were against that. But that was what the government imposed. They took away the right to strike, and they gave up the right to lock out the employees, and they passed legislation requiring parties to go and seek compulsory arbitration if they felt that it was in their interests to do so. That's a big difference from what the troika over there has been suggesting.

The use of that, the use of a compulsory arbitration clause, is a legitimate legal resort of either party if, in fact, they don't believe that they're making progress at the negotiating table. That's for the party to decide. It's not for the other side to agree. If one side wants to go to compulsory arbitration, then that's where you go, Mr. Speaker. After you've finished the process of negotiation and mediation, then one or the other party can apply.

That is, in fact, exactly what the government intended as an alternative to the right to strike. It's perfectly legitimate for AUPE

to request binding arbitration, and in fact the government had agreed to it. The government had participated in the process. I tabled the other day documents in the House, Mr. Speaker, indicating that the government and AUPE had undertaken an interest in arbitration. This letter was sent to Phyllis Smith of Emery Jamieson law firm, and it says:

Dear Madam . . .

Please be advised that the parties have selected you as the Chair in this Interest Arbitration Tribunal concerning the outstanding Collective Agreement between the Government of Alberta and the Alberta Union of Provincial Employees ("AUPE"). Please confirm your acceptance of this appointment.

I will be acting as Nominee for the Government of Alberta and Carl Soderstrom will be acting as Nominee for AUPE. [Here's our contact information.]

Counsel for the Government of Alberta will be Hugh McPhail, Q.C., and counsel for the AUPE will be William Rigutto, their respective contact information is . . .

So here we go, Mr. Speaker. This is dated October 15 of 2013, and it was clear. They've also settled on dates for hearings, and the process was under way when the government brought in bills 45 and 46.

I think we've established clearly that it's utter nonsense, that AUPE was not in any way manipulating or misusing the process but actually was using the channels that were set out for them in the legislation as a legitimate – legitimate – bargaining strategy, Mr. Speaker.

**10:40**

Now, the reason that the government didn't want to go to arbitration is an interesting question. They had established with doctors initially a contract that didn't increase their wages or their compensation for the retroactive period that they had not had a contract for but gave them some small increases going forward. They then negotiated a similar type of agreement with the Alberta Teachers' Association, but that required the unanimous consent of all locals and school boards, something that was not achieved, so that process came to an end. That was not ratified by the Alberta Teachers' Association because some of their members did not support it, and some of the school boards didn't support it.

Then the government did what it's doing now. It resorted to legislating the agreement that had been rejected by the membership of the Alberta Teachers' Association. In doing so, the government claims to have established some sort of precedent that they feel they're entitled to enforce on all other unions, whether they agree to it or not. They further believe, Mr. Speaker, that they have the right to take away their collective bargaining rights, access to arbitration, and impose a settlement by legislation in order to accomplish that goal.

Now, it may well be a legitimate goal of the government to try and meet the same level of compensation increases year over year in agreements with all its employees, but it might not be acceptable to another group of employees, another union. The government certainly, in our view, does not have the right to cancel the rights of that group of employees in order to achieve consistency in the contracts for all groups that negotiate with the government. They have no right to cancel their rights because it's their policy or their desire to create an equivalent level of compensation increases.

Why, then, are they afraid of arbitration? What would arbitration do? Well, Mr. Speaker, I have here a section from the Public Service Employee Relations Act, section 38, and it deals with the matters to be considered by an arbitrator in the event that compulsory arbitration has been initiated. First of all:

To ensure that wages and benefits are fair and reasonable to the employees and employer and are in the best interest of the public, the compulsory arbitration board

- (a) shall consider, for the period with respect to which the award will apply, the following:
  - (i) wages and benefits in private and public and unionized and non-unionized employment;
  - (ii) the continuity and stability of private and public employment, including
    - (A) employment levels and incidence of lay-offs,
    - (B) incidence of employment at less than normal working hours, and
    - (C) opportunity for employment;
  - (iii) the general economic conditions in Alberta;
- and
- (b) may consider, for the period with respect to which the award will apply, the following:
  - (i) the terms and conditions of employment in similar occupations outside the employer's employment taking into account any geographic, industrial or other variations that the board considers relevant;
  - (ii) the need to maintain appropriate relationships in terms and conditions of employment between different classification levels within an occupation and between occupations in the employer's employment;
  - (iii) the need to establish terms and conditions of employment that are fair and reasonable in relation to the qualifications required, the work performed, the responsibility assumed and the nature of the services rendered;
  - (iv) any other factor that it considers relevant to the matter in dispute.

Mr. Speaker, the first line is the most important: "To ensure that wages and benefits are fair and reasonable to the employees and the employer." That would have given a different result than what was in this bill. That would have been different because what is in this bill is neither fair nor reasonable. It is the government's inability to manage the finances of the province that has created a financial crisis in the middle of a boom. In the middle of a growth period in the Alberta economy this government has brought in recessionary policies because it can't balance the budget, because it hasn't dealt appropriately with its revenue problem. What we see, then, is that they are asking the working people who work for this government to help them out of the mess that they created. The way they're doing that is by asking them to take a wage settlement that actually will set them back, that will actually move them backwards in terms of their standard of living because they won't be able to keep up with inflationary pressures.

At the same time when the economy is a growth economy, there's a shortage of labour, and workers in other sectors, outside the government's control, are actually seeing increases in their wages. Those employees are getting higher levels of wages, and government employees are asked to take reduced levels of wages.

The reason that the government doesn't want to go to arbitration is simple. If they apply the criteria here, including the criteria that the settlement must be fair and reasonable and take into account other wages in the economy and the overall state of the economy, the arbitrator would naturally award increases that are higher than what the government is prepared to offer, and they're not prepared to accept that. They're prepared to take away the rights of the Alberta Union of Provincial Employees' members in order to accomplish their goal.

Mr. Speaker, what's happening here is really just a naked power play by the provincial government in order to enforce their will on their employees, abandoning the principle that these agreements are negotiated and that there is some way of finding a balance between competing interests, whether it be through strike, lockout, negotiation, or arbitration. They've abandoned those principles, and they are taking away the rights of their own employees in order to accomplish their own narrow goals, which are based fundamentally on their inability to manage the province's finances in the first place.

Mr. Speaker, what we've seen in this province is a structural financial problem or fiscal problem for the government of Alberta that was created when Ralph Klein was the Premier, when Steve West was the Treasurer, and when Stockwell Day was the Treasurer of the province, when there was a huge surplus based on very high natural gas prices and the royalties that flowed from that, \$8 billion a year in natural gas royalties alone at the peak. During that period the government felt that it could cut taxes for corporations – and they did – and that they could cut taxes for the wealthiest Albertans, and they did that by the imposition of the flat tax. Corporate taxes went from 16 to 10 per cent, and the government turned its back on billions of dollars in revenue.

Then the price of natural gas fell as new reserves were found in B.C. and the United States and Alberta and so on. So the royalty revenues dried up. Now we can't afford to pay for the basic programs that we have in this province. We can't afford to pay for health care. We can't afford to pay for education, good environmental protection, the social services that we need because the government depends on hoping and keeping its fingers crossed that the price of oil is going to be high enough that we're going to get some royalty revenues so that we can pay those bills. But when the price of oil goes down, we lay off nurses, we lay off teachers, we lay off government employees.

That's no way to run a province, Mr. Speaker, and it is hardly the way that you would expect the wealthiest province in the country to conduct its business. What we've seen, really, is nothing less than a wealth transfer from working- and middle-class families, who take lower wages and have the services that they depend on cut, to the highest income earners and corporations, who have their taxes reduced, so they actually get richer while the rest of us get poorer.

Mr. Speaker, that's the background. That's the real reason this is going on in the province.

**The Deputy Speaker:** Thank you, hon. member.

Standing Order 29(2)(a) is available. The Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Yes. Thank you, Mr. Speaker, and I thank the hon. Member for Edmonton-Highlands-Norwood. I would actually like to ask the hon. member: he's criticized the government for their failure in their fiscal management, and I'm wondering if the member can expand on ways the government could increase its revenue sources.

10:50

**The Deputy Speaker:** The hon. Member for Edmonton-Highlands-Norwood.

**Mr. Mason:** Yeah. Well, thank you very much, hon. member. You know, as I mentioned, the flat tax cut taxes on the very wealthiest people in this province by a significant amount, thousands of dollars in reductions of taxes for people who earn a million dollars or more, whereas middle-class families pay more under the flat tax, hundreds of dollars more than they would, for



example, in B.C. or Ontario. That's another method of transferring wealth from poor to rich under this government.

Reversing the flat tax is a very important thing. We believe that like all other provinces and like Alberta before Stockwell Day and Ralph Klein, Alberta should have a progressive personal income tax system. We also think that corporate taxes don't have to be the dead lowest in the country. I would also mention, by the way, that despite our resource wealth Alberta charges some of the lowest royalties in the world. You know, oil companies are making extra profits and moving capital to the United States and other places out of Alberta.

There are a number of ways that we could redress this balance, Mr. Speaker, but we need to make sure that the public understands the link between these tax policies and their labour policies because they fit together. They also help us understand why this government is making cuts to education, health care, and other important services at a time when the economy is growing and revenues of the government are growing.

This doesn't make sense for a lot of reasons. Even though it's relatively temporary, there has been a significant uptick in the revenues coming into the government. The Finance minister in his second-quarter update indicated that by the end of the year they're expecting about a billion dollars more in revenue than they projected in the last budget. So there's no financial reason for the government to undertake this kind of restraint at the expense of its own employees right now. Neither does it make much sense from an economic point of view in the broader scheme of things.

When the economy is growing and when wages are growing and prices are increasing, it would not be normal or sensible economic policy to try and restrain your wages of government employees unless the government had a very serious financial crisis, which it does not in this case. Even if it did, Mr. Speaker, I've outlined a number of ways that those problems could be resolved in a way that would not come at the expense of government employees. The irony of the situation is that this is very much unnecessary. This is not necessary from an economic or from a government financial point of view.

The fact that they're doing it at all really indicates to me that it's a bit of a megalomaniacal obsession with making sure that they get to say what everybody's rights are, and if anybody stands up to them, as the jail guards did in the AUPE wildcat, then this government is going to punish them. We've seen that pattern of behaviour before. There were some unauthorized strikes a few years ago among construction workers. Of course, the government then brought in legislation that attacked some of the legitimate practices of some of the building trade unions in their organizational efforts. It was essentially a revenge scenario, much like this. I think much of the motivation for this legislation does come from a desire to punish people who defied the government, and that's really something that I find very troubling.

I suppose we might expect that after 42 years in power, as the hon. Member for Calgary-Mountain View suggested . . .

**The Deputy Speaker:** Thank you, hon. member.

I'll recognize the next speaker, the Member for Airdrie.

**Mr. Anderson:** Thank you, Mr. Speaker. I'd like to first commend the hon. Member for Edmonton-Beverly-Clareview. He clearly gave the model of 29(2)(a) and how it works and asking a question of the speaker. Well done, sir. You've been an example to all of us.

I'd like to speak a little bit to Bill 46, the public sector salary restraint act. When I first heard the title of this bill being read in the government motion – you'll remember, ministers – I was, like, "Yes" because I thought it was dealing with executive and mana-

gerial salaries in the government bureaucracy, in the AHS bureaucracy. I was really excited. I didn't know what the bill was about, and I was, like: "They're stealing my Bill 209. This is sweet. This is awesome. What a way to end this session."

I was wrong. They weren't talking about cutting costs in government by shrinking the size of the bureaucracy or the severances enjoyed by executives at AHS or in the government. That's not what they were talking about at all. They were talking about an imposed contract or an imposed settlement or whatever you want to call it with our public-sector workers, including a stripping of their rights to arbitration and so forth. It was a little bit of a letdown.

Wildrose believes very strongly in respecting the rule of law and upholding contracts, including collective bargaining agreements. Those are just a type of contract. Negotiating a collective agreement that is fair for taxpayers is an important goal, of course, and we commend the government for at least understanding that it's okay to ask for fiscal restraint and so forth and to work hard for it. That's a good goal, but it does not give the government the right to terminate the legal arbitration rights of its public-sector employees. The ends do not justify the means.

It's just like if you want to build a highway or a ring road or something like that. It's a good thing to do. You want to build roads. You want to build the ring road. Let's talk about Stoney Trail, for example. We all favour Stoney Trail. In order to build that road, it was necessary to expropriate some lands, and they did so in order to build the road. That's okay. There's a legal process for that. There are legal rights involved, compensation, all of these rights that have been well established over the years. They didn't just say: "Okay. We need to build the road. Ha ha. You're in the way. Too bad. Go away now." That's not how it works. You have to respect the legal rights that those homeowners, landowners, et cetera, have, and you have to compensate them for that. So we have a process under the Expropriation Act that does that.

So here's a very similar thing. The government wanted a contract. It wanted to negotiate a strong deal for taxpayers, that froze wages for a couple of years. They wanted that. Okay. Fair enough. It's all right to go to the negotiating table with a tough first line. That's okay. Nothing wrong with that. But then they forgot the next part. Instead of using the legal process, the good-faith bargaining process followed by the arbitration process if they couldn't arrive at an agreement, they said: "We're just not going to respect your rights. In fact, we're just going to pass a piece of legislation that takes away your arbitration rights and imposes the agreement that we want." That's not correct. It's not right, it's not respectful, and it's just wrong. It lacks integrity, frankly, to act in that way, to not respect those rights that have been around and have been in place for 35 years and have been respected for 35 years.

In 1977 Premier Peter Lougheed provided public-sector employees the right to binding arbitration as an alternative to removing the right to strike. That was the grand bargain, so to speak. And although the NDP reminds me that they didn't agree with that idea either, I would say that the vast majority of Albertans did agree with that and thought: "Okay. That's a fair compromise. We don't want our public-sector employees to have the right to strike because, frankly, when they're not working, the province essentially shuts down, and all the essential services and health services and everything else shuts down. But if we're going to take that right away, we're going to make sure that we give them binding arbitration as a replacement so that they have recourse, legal recourse, to get a fairer deal for their workers." We believe that it was and still is a fair compromise that should be upheld.

11:00

The question is: why should the front-line workers of Alberta be penalized for the PCs' inability to balance the budget when the economy of Alberta is roaring ahead? Why should they be penalized for the PCs' inability to cut the obvious areas? We have, as we've been reminded, many alternative budgets, where we put forth ideas on how to do that. Easy ideas. Bill 209. How about we do things like – well, here's an example. We've talked about the \$350 million for new MLA offices. We've talked about the Infrastructure budget and how we should look more to what the Canadian average is, trying to make sure that we can build more with less by better tendering of contracts and making sure that we're opening it up to more construction firms, not just the huge ones that are able to do these massive P3 bundles but actually let the private sector compete and get a better upfront rate for those projects.

There are all kinds of different ways. We could cut corporate welfare. It's in the hundreds of millions every year. We give money to private, for-profit corporations in order to subsidize their dealings. It's not that they're not doing good work, but why does Shell Canada need \$800 million over several years to build their carbon capture and storage plant or set-up? Why do they need that? They don't need that. It's Shell. It's one of the richest companies on earth. Why are we spending taxpayer money that way? That's a place we could cut.

We could cut in the bureaucracy. I feel that in the AHS bureaucracy alone we could shrink the size of that at least by 20 per cent. I'm talking about the bureaucracy here, managers, executives. The government said that they couldn't do it all – "Oh, we're actually saving money in the bureaucracy" – even though spending has just skyrocketed since AHS took over the scene. But lately they have actually started some small – after saying they couldn't do it, they say, "No, no. We can actually do it. We're going to shrink the size of how many vice-presidents we have," and so forth. Actually, again, they came around. I believe that over a couple of years we could shrink the size of that bureaucracy immensely by decentralizing a lot of what we do in health care to the front lines.

We could cut severances and bonuses from our executives and managers in the public service. Bill 209, my private member's bill, does exactly that. It limits the severance that our executive managers and AHS executives, et cetera, can make, the severance packages that they can make.

There are many, many examples. And any one of those examples isn't going to cure the deficit problem by itself, but taken together, it would make a huge dent in the deficit. But they're not willing in most cases to do what is necessary because they have too many friends to reward, too many cronies to pat the back of and make sure that they're well rewarded for their good loyalty and work over the years to the PC Party and its folks.

The Wildrose would ask the public sector, no doubt, as we've said before, to hold the line on spending to help fix the financial mess created by the PC government. What a Wildrose government would not do is hold a gun to the heads of our public-sector workers and take away their legal rights. Wildrose will not balance the budget on the backs of front-line public-sector workers, their salaries, or their services, nor will we unilaterally terminate the legal rights of any Albertan. [interjections]

I hear a lot of noise over there, and I think what that is, Mr. Speaker, is the sound of a crumbling coalition. It's the sound of a dying party. It's the sound of change in 2016. That's what I hear over there right now. That's what I hear over there. I hear folks that are so terrified that their actions and their lack of judgment has so mortally wounded their ability to get re-elected in the next

election that they're concerned about that. I understand that sound. It's very interesting to hear on that side. But that's okay. It's part of the grieving process that you're going through.

Instead of negotiating a fair contract with our province's front-line public-sector employees, the PC government has decided to terminate the legal rights of arbitration so they can force their preferred deal upon front-line workers without good faith negotiations, without giving them even the respect of good faith negotiations. For 35 years the arbitration system put in place by Premier Lougheed has worked. Even under Ralph Klein and the government cuts of the early '90s the system worked. It worked even for Ralph. Think of the cuts of the early '90s. We're not talking about wage freezes. We're talking about cuts. Yet the system worked. But this government goes to the negotiating table, the arbitration is filed, everything is set up, and, bang, they pull the rug out from underneath the public-sector workforce, and say: "We're taking those arbitration rights. Too bad, so sad. Thanks for coming out."

Under the Redford government the labour arbitration system is collapsing and the good faith that once existed with our public-sector workforce is collapsing. One must question this government's ability to govern when a system that has held up for over 35 years through thick and thin is collapsing under her watch. For the first time in this province's history the government may impose – I didn't say create or be able to secure; I said impose – a wage freeze through legislation. This is a continuation of the PC government's laws and policies that attempt to crush all opposition to it.

The pushing through of Bill 46 also shows a lot of arrogance and contempt for the democratic process. Before the two bills in question were even introduced, the PCs imposed several motions to limit debate on these bills to just a few hours so they can ram through the legislation without the opposition having any meaningful input on the matter, without allowing public-sector workers to meet with their MLAs in their ridings and share their feelings about those things. Why should we take away those rights, the rights of our civil service to go and meet with their MLAs and tell them what they think about this?

One week is hardly enough for that. We all have busy schedules. We all have things to do. But at least let us respect them enough to sit down with them, have a cup of coffee with them, and talk it out. Even if there's disagreement, at least they feel that they've been consulted with. And at least you've heard it before you come to this House, you've heard from them how they feel about that.

That would be a better way of conducting this business. But, instead, here we are after six hours on each bill, two of the most important bills of the session, probably, along with Bill 28. Instead of introducing those bills at the beginning of session and allowing that consultation to occur, that's not what happens. They were introduced literally in the last week, with just enough time to pass them using time allocation. That's how this was done.

How is that democratic? It's very disrespectful of the legislative process and of the democratic process. I know the government has a hard time understanding this, but the democratic process is not just them ramming through every bill that they want to ram through the Legislature in the shortest amount of time possible, that's the most efficient for their calendar of holiday events and cocktail parties. That's not what this is about. That's not the democratic process. The democratic process doesn't just include passing bills. It includes debate and stakeholder consultation and feedback and more debate. That what we have to be . . .

**The Deputy Speaker:** Hon. members, Standing Order 29(2)(a) is available. I'll recognize the Associate Minister of Regional Recovery and Reconstruction for Southwest Alberta, followed by Calgary-Glenmore.

11:10

**Mr. Fawcett:** Thank you very much, Mr. Speaker. I want to take the opportunity for the hon. member to be intellectually honest with this Assembly and with the people in the galleries. Earlier, in talking to another bill, he started to go through a hypothetical scenario, which I assume was in reference to this bill, a hypothetical scenario, Mr. Speaker, where he said that this is the way it should work. The government comes in and offers 0, 0, whatever, whatever it needed to offer in order to be hard to hold the line on spending. The union would come back and say: no, no; we're taking this. You wouldn't disagree. Then you would go to arbitration. That's the way that it would work, that's what his party is committed to, that's why they're opposed to this legislation, and that's why this is a travesty, what this government is doing.

Mr. Speaker, I want to take that scenario, the hypothetical scenario, to its logical conclusion, then, and ask the member to be intellectually honest with everybody in this Assembly, including those in the gallery and all Albertans, on where his party stands. Okay? To bring that hypothetical scenario to conclusion, you know, you go to arbitration, and the arbitrator says that, in fact, no; we think the union or those workers should get a 3 per cent raise, maybe it's 4, hypothetically, as the member brought up, maybe it's 5 per cent. So their party is now stuck with the decision of trying to balance a budget that they've committed to, that they said that they would commit to, what they said to Albertans in the election that they would do, because they said that they wouldn't take arbitration rights, as well as giving increases in salary, right? There are only a few options left available. They like to trot out that, oh, we'd cut this or we'd cut that or we'd reduce government management. Sorry. You're not going to balance the budget by making little decisions here and there.

The hon. member sat on Treasury Board before. He knows that. If you want to make some drastic changes in the way the financial trend is going, you have to make some tough, big decisions. So those decisions come to this, and there are three of them: restrain the salaries of the public sector, raise taxes to be able to pay for those salaries, or – and this is where I want the hon. member to be honest, intellectually honest – if they're not willing to do that, tell them. Tell these people in here that their party would start to cut the public service. They'd start to lay off people, the people that do the work, that work in nursing homes, that work in the corrections facilities. Be intellectually honest and tell these members that their unions, their colleagues, that group, would start to get smaller.

Hon. member, you talk about integrity. You talk about being honest. Let's work that scenario through to its logical conclusion and be intellectually honest with the members of this House and all Albertans.

**The Deputy Speaker:** The hon. Member for Airdrie to respond.

**Mr. Anderson:** It'll be a first time. That's a rousing question from the member. I appreciate it very much. Well, what would we do? I'll read it for you. We'd start here:

Wildrose proposes a 20% reduction over 4 years on what is spent on . . .

Now, listen closely.

. . . the salaries, benefits, bonuses, and severance packages for non-front line workers in the Government and AHS bureaucracies.

[interjections] Hold on.

This would mean achieving \$456 million in savings within the Government bureaucracy, and an additional \$400 million [over four years] in the AHS bureaucracy by year four.

That's a lot of money. We could start there, right? That's where we could start.

The other thing we could do – there are so many little wonderful . . .

**Mr. Lukaszuk:** You forgot the federal building. You always use that one.

**Mr. Anderson:** The federal building. That's right. I always forget about the federal building: \$350 million. Three hundred and fifty million dollars. Think about that. To the members in the gallery: do you know about that big building across the street there?

**The Deputy Speaker:** Hon. member, through the Speaker.

**Mr. Anderson:** Do you know that, Mr. Speaker? That big building across the street, that huge monstrosity with the rooftop garden, with the theatre system, with the underground heated parking: do you know that those are MLA offices for you and me, for all of us to enjoy because the people of Alberta said that we need new MLA offices? We can do without our seniors' care and health care, but dammit, we need new MLA offices for \$350 million. That's what Albertans clearly voted this government in to do. There's no doubt about it.

The other thing they said is: "You know what? Shell Canada is a very poor company, and clearly we need to give them \$800 million."

**The Deputy Speaker:** Standing Order 29(2)(a) has finished.

On third reading I'll recognize the Member for Edmonton-Centre.

**Ms Blakeman:** Thank you very much, Mr. Speaker. Well, I'm glad to join my colleagues in the Assembly at a quarter after 11. I'm not thrilled about talking in third reading to Bill 46 because I really don't like Bill 46. It's a terrible bill, and it's a reflection of a government that has completely run out of ideas. I know that the hon. members opposite don't feel like that right now. You feel brimming with ideas, I'm sure. You know, really, is this the best you could do? It strikes me that it isn't the best that you could do.

The big question that comes to my mind when I read Bill 46 is: what was wrong with arbitration? What were you so worried about that you couldn't wait – what is it now? – five weeks to go to arbitration? What was wrong with that? That's a perfectly acceptable process. You didn't want to do that because it was compulsory or arbitrary? What was wrong with waiting for the arbitration process? No one has explained that. I'm sorry. I may have missed somebody because I was skimming the *Hansard*. I'll admit that. I was skimming it. I didn't read every word, but as far as I could see, nobody from my hon. colleagues opposite got up and gave a really robust argument for why they couldn't wait for that arbitration.

Earlier, when I spoke to some other version of this – it must have been Bill 45 – I was talking about how when the union had asked for arbitration, in fact, it was the government side that kept saying: "Well, we're not ready. Hang on. We've changed our lawyers." There were a number of excuses as to why they couldn't meet earlier, like back in November. In fact, the date is where it is because of the government. Again, I thought: "Hmm. That's

usually kind of a delaying tactic.” If you don’t want to go to court, you keep changing lawyers, you can’t appear on that date, and that sort of thing.

I thought: why is this? If this is the process that was available, it has been maybe not the perfect solution but certainly one that seems to have been accepted by various sides previously. What was wrong with it this time? It’s so wrong or it appears to be so wrong or so distasteful to the government that not only could they not wait for it, or rather, they kept postponing it – let me be correct here – but then they had to bring in legislation that comes into effect a couple of days before when the arbitration would have been.

Let me go back and start from the beginning. When I read the preamble – and we all know, of course, having studied carefully in the late-night school of parliamentary debate, that the preamble is not enforceable. You can have it in the act, but you can’t enforce it. Well, just a little teaching moment. Teachable moment, Mr. Speaker. You were a teacher. The second whereas talks about:

Whereas the Government of Alberta is seeking a better market alignment of salaries . . .

Ooh. That’s sexy language, “alignment of salaries.”

. . . given that salaries for job classifications under the collective agreement between the Government of Alberta and the Alberta Union of Provincial Employees generally exceed those paid to employees in the public service of comparable provinces.

You know, I go through these acts, and I scribble in the margins. So it says – whoops; there’s a swear word in there. Okay. Why is this a goal, to be less than? I’m pretty sure – no; I know – that it’s this government that always wants to be the best, the first, the mightiest, the greatest tax cutters. What are all the claims you guys make? The best education system, the healthiest seniors. You know, you really want that number one title for yourself, so – what? – you’re going for the lowest paid public servants here?

11:20

Why would that even be a consideration, a framing context for your act, that our employees’ salaries for job classifications “generally exceed those paid to employees in the public service of comparable provinces”? Well, why wouldn’t they be? I guess I’ve got three questions. One, so? Two, why do you feel the need to drive down public-sector wages? And three, in this province, where we stick a pipe in the ground and oil and bitumen come out of it and you take it to the bank and you get money for it and the government gets a cut of the royalties? [interjections]

Well, yes. That’s true. I’m getting some argument about: you don’t stick a pipe in the ground anymore. That’s true. That hasn’t happened in 50 years. But it did happen. Leduc No. 1: they stuck a pipe in the ground, and the oil came out. It was really easy to get then. It’s much harder to get the oil now. We have to put other product down underneath it, deep-well injection, to get the oil to come up to the top, or we’ve got to use steam. We frack things. Actually, that’s for gas. But it’s much more expensive to get out of the ground. Nonetheless, it’s our resource. It belongs to all Albertans, and we are a wealthy province.

I’m sorry. This is a bit of a tangent here, but I’m still struggling with the previous speaker about – well, honestly, could you tell me what an intellectually honest or an intellectually dishonest person is? I don’t understand that.

**Mr. Dorward:** We do. We know somebody who could.

**Ms Blakeman:** You do. Okay. Well, maybe this is a special, Conservative, insider definition that they use. Intellectually honest and intellectually dishonest. Okay. Sorry about that total tangent.

We’re back to: why would you want to drive the salaries down? Is that your goal, to be the worst paying provincial government in Canada? Why on earth would that be a goal, especially in this province when there is wealth, where we are a natural resource province? We have trees. We have nonrenewable resources: coal, which we shouldn’t be using anymore; gas; conventional oil and gas; and oil sands. We are a wealthy province, and, certainly, the government should be able to bring in enough revenue to cover its expenses based on that fact. There are other provinces that don’t have that amount of wealth. That struck me as very odd, that the government had a goal of paying people less.

You’ve heard the argument quite a bit about how this act is contravening this with its twin, Bill 45. No. I guess it would be a sibling.

**An Hon. Member:** Ugly stepsibling.

**Ms Blakeman:** Yes. Someone phrased it better. Ugly stepsister?

**An Hon. Member:** Ugly stepsibling.

**Ms Blakeman:** Ugly stepsibling. Well phrased.

So 46 along with 45 are breaking our constitutional freedoms. Not rights, constitutional freedoms, which are granted to everyone that’s walking around in Canada, not just voters, not just citizens, not just people over 18 or under 65 or over 65. It’s granted to everyone here that we have constitutional freedoms. Why the government would feel that it was okay for them to push that line, to push that boundary, I still don’t understand.

The only explanation I’ve heard from the hon. members opposite is: we’re not breaking it. Okay. Well, I disagree. I think you are, and I think the courts are going to find that you are. Why this government keeps insisting on pushing that line when you know it’s going to cost the taxpayers – you’re playing both sides of this with somebody else’s money. Somebody is going to have to pay for the government side, and eventually, when you guys lose and you have to pay costs for the court case that’s brought by the unions or organized labour, then you’re going to have to pay for that side, too. I think you’d be a bit more cautious if you were playing with your own money here rather than paying with the taxpayers’ money, but that’s who ends up footing the bill in the end. This is sort of: well, this is what I say – sorry; it’s getting late. My language skills diminish somewhat. I go to that old colloquial expression, which I’m not supposed to use in this House.

That’s the second bit, and you guys have heard a lot about that. I won’t go over it again. Nonetheless, I don’t buy your argument. I did make some notes, though, while some of the hon. members opposite were speaking. There was quite an argument from the Treasury Board president, the Treasurer. I seem to have mightily offended him. He was going on and on about how they were trying to deal – sorry. I don’t have the *Hansard* in front of me. I ended up writing down: well, then, why don’t you just put a COLA clause in for the fines? Oh. That’s why.

They feel that they have to rewrite legislation in order to bring the fines up to a point where they weren’t just the cost of doing business, you know, because time went on, and things have inflated. I thought to myself: why don’t you just put a COLA clause in for the fines? If you think the fines haven’t kept pace with some sort of a deterrent for the organized labour movement, then put a COLA clause in that says that every five years this fine will be adjusted by the average cost-of-living increase averaged over the last five years. That’s simple enough. We didn’t need two whole pieces of legislation, that we’re going to throw the book at unions and the labour movement because you didn’t want a COLA clause. That just doesn’t make sense to me.

Also, one speaker had said something. I've got: you're pretty thin-skinned if you have to change the legislation for one speaker. I knew who the one speaker was at the time. I'm sorry. I didn't write that down.

I've also got the point about: why would the government drive downward on public-sector wages?

It's interesting, this whole situation. We both have different interpretations of how this came about, the wildcat strike at the remand centre. My sympathies are clearly with the workers. I met a number of times and spoke daily with the people that were concerned about this. They really were concerned about the safety of that new remand centre. They felt very strongly that, one, they had not been allowed to look at the plans; two, they asked for meetings to express their concerns, which the hon. — oh. He's here.

I'm sorry. Mr. Finance Minister, who was the one speaker that you changed the legislation for? I'm not going to get anything out of him. Okay.

Now you distracted me. Oh, dear.

**Mr. Donovan:** Quit winking, you guys. Quit winking.

**Ms Blakeman:** No, they can. I'm fine with same-sex whatever. Sorry. I'm going to move on. If I remember, I'll come back. [interjections] I'm sorry. I heard something about people over there winking and having fun with each other. I just assumed that's what it was. I shouldn't have done that.

One of the things that I've heard . . .

**The Deputy Speaker:** Hon. members, if you stop distracting the member who has the floor, we might get somewhere.

**Ms Blakeman:** You know, what is it? I turn up at this place, and everybody gets lively. What is it?

Okay. There is a paramountcy clause in here. At one point I think I heard one of the members opposite say: "You know, there's no really big deal about this. It's not that different. We're not changing that much." Yet there's a paramountcy clause in here. That's what section 5 is.

If there is a conflict or inconsistency between this Act and the Public Service Employee Relations Act or between this Act and any other enactment, this Act prevails to the extent of the conflict or inconsistency.

That would be a paramountcy clause. It says that no matter whatever else is written anywhere else, this one triumphs. This one trumps. This is the trump card here. It does change the scope of the legislation very much.

The scope undeniably has been changed, and this act changes the scope and the way they apply of the other two acts, the Public Service Employee Relations Act and the Labour Relations Code. So it's much more than just a listing and a changing of fines. I talked before about the 0, 0, 1, and 1, which . . . [Ms Blakeman's speaking time expired] Oh, come on. It's not 15 minutes.

11:30

**The Deputy Speaker:** Hon. member, your time has expired.

Standing Order 29(2)(a) is available. The hon. Member for Edmonton-Decore.

**Mrs. Sarich:** Thanks very much, Mr. Speaker. I just had one question for the member. I was curious if you could take a look at Bill 46, page 6, section 8, on repeal. I was wondering if you knew what the words meant. It says, "This Act is repealed on Proclamation." Do you understand what that means?

**Ms Blakeman:** Well, as soon as they proclaim it, it ceases to exist. Is that the explanation you were looking for? Did you think I didn't understand that?

**Mrs. Sarich:** Yes. It's quite unique that this particular piece of legislation is repealed on proclamation.

**Ms Blakeman:** Well, if you say so. I don't see why that would stop us all in our tracks. By the time this comes into being, the damage will have been done. It's nice that you stopped it or that you will stop it once it's been proclaimed, but by the time it's been proclaimed, you've already invoked that settlement. The 0, 0, 1, and 1 is already done. The fines are already changed or will have prevailed if they needed to. Why do you want a standing ovation for repealing it on proclamation? You already did the damage. Are you going to make it disappear? Well, I guess you can by saying that, but the damage is done. The evil intent is done by then. I'm not going to give you a standing ovation for repealing it as soon as it comes into effect. Yes, I did understand what it meant. I do read the legislation.

That's not a get-out-of-jail-free card for the government. What they have done here, and knowingly — I mean, none of you can convince me. I've watched and listened to some of you for a long time and others for as long as you've been here, but none of you are going to convince me that this was a genuine, warm attempt at getting a better relationship with public-sector unions. None of you are going to convince me of that.

If you really meant that, one, you would have come to the bargaining table with a deal that was workable instead of coming to the bargaining table with something that was so offensive that the unions went: "You're kidding me. You don't expect us to take this seriously. We're out of here." Why didn't you come to the table with something that was workable? But, no, you can't do that. So the unions went. They said: "There's no point in even talking to these guys. They're not interested in putting something on the table that's actually workable, so we're going to use the arbitration clause that is in here. We're not allowed to strike, so we're going to use the arbitration clause." They did exactly what you wanted them to. They didn't strike. They used the arbitration clause. And then what happened to them? Then the government decided: "Hmm, not today, not tomorrow. Got a headache, Honey. Can't make it to this meeting and that meeting. Going to change lawyers." We end up with an arbitration date that is in early February, and now we have a piece of legislation in front of us in early December — it's still early December, right? — that says: you're going to do what we say, or we're going to put this on you.

What did you expect? The unions are going to come to the table. They know that if they don't deal with you by the end of January, you're going to do 0, 0, 1, and 1. Do you really think the unions feel that they're going to get a good negotiating situation out of you? Do you not think this is a poisoned atmosphere? Do you genuinely believe that anybody would sit down at a table with you at this point and go, "Yeah, I think you're going to bargain in best faith, absolutely, because if you don't, in a couple of days you're going to slam me with 0, 0, 1, and 1"? Seriously? Yeah, seriously.

You didn't start out with any kind of — sorry. It's not actually the people in this room, but, you know, you were directing the proceedings, one assumes. You're the cabinet, you're the government, so one presumes you were directing what happens here. I don't see how any union member, any negotiator could consider what the government had on the table as something that was workable and that they could work from there. Then you threaten them.

The phrase “trying to negotiate with a gun at your head” is a little overused. Sorry, but it’s a little overused in this discussion. Nonetheless, it is trying to negotiate under pressure and at a table where I think it’s easy to see why people would feel they weren’t going to get a fair deal out of it and that if they can’t somehow negotiate you guys up, they’re going to end up with 0, 0, 1, and 1.

**The Deputy Speaker:** Thank you, hon. member.

I’ll recognize the Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you very much, Mr. Speaker. I wanted to address just a comment that the hon. Member for Edmonton-Centre made, when she said that, you know, she was grasping for words and lost her train of thought, which is not like the Member for Edmonton-Centre but is understandable considering the time of night that it is that we’re debating this piece of legislation and how it’s literally been around the clock because of this government’s insistence on ramming this through.

I want to start with my comments on Bill 46. In case anyone is unclear on my position, I’m a hundred per cent opposed to this bill. I’m going to outline as concisely as possible, but being a former English teacher, sometimes brevity is not my strong suit. I will go through and outline the concerns that I have with this bill.

I think it needs to be stated, Mr. Speaker, first and foremost, that this bill and its evil stepsibling, its sinister stepsibling, Bill 45, were not bills or ideas or concepts that the Premier nor this government ran on during the election last year. I think, you know, that had they brought this out during the election, we would have seen very different results in the election in 2012. It needs to be highlighted that by bringing in Bill 45 and Bill 46, there is a significant betrayal of trust that falls squarely on the shoulders of the Premier, who had spoken kindly to labour and to the very workers who support her but also Albertans throughout the province. This is an attack on them and an attack on working Albertans everywhere in the province.

I want to address a couple of things. There’s a complete misnomer or falsehood that this bill is necessary, Mr. Speaker. It frustrates me greatly that members on this side of the House, or many of them, fail to acknowledge or recognize that when we look at budgets, there are choices.

[Mr. Cao in the chair]

You know, I want to remind the House that this government has chosen to spend \$1.3 billion on an unproven, unfounded technology, carbon capture and storage, and on other priorities of theirs. There’s money for them. Yet when it comes to supporting Alberta families and Alberta’s hardest workers, this government couldn’t be bothered to support or to find the money. Not only is it a case of priorities and the fact of ensuring that our public-sector workers are paid a decent wage, a living wage, and are respected for the hard work that they do, which is primarily shown through salaries, but this government decides to undervalue the very workers who make this province safe and who make this province tick every day, Mr. Speaker.

Just to outline briefly, you know, other than the priorities, and clearly this government has got – now I’m struggling for the word that I’m looking for. [interjections] No, no, no. It’s not you, member. Well, they’ve got, obviously, their priorities mixed up, their priorities backwards.

11:40

The other issue with revenue that I just want to touch on briefly other than reprioritizing where the dollars are going: again, we do live in the wealthiest jurisdiction, I would argue, in North

America, at least the wealthiest province in the country. Our economy is quite strong at the moment. We’re not in the middle of a recession. This austerity budget is absurd. The fact that the government has an extra billion dollars: I mean, there are dollars at every turn. The fact of the matter is that this government doesn’t see our public-sector workers as a priority, as valuable enough to invest in them.

I do believe that Bill 46 is an attack on not just AUPE; it’s an attack on all organized labour. As some members may or may not know, other unions are coming to the bargaining table shortly, if we’re looking at the nurses. CUPE is going to be back at the bargaining table soon. I mean, this government is using an iron-fist approach to try to set the precedent and then beat down everybody else.

**Ms Blakeman:** Maybe we could have a boxing match.

[The Speaker in the chair]

**Mr. Bilous:** Okay. Now you’re being a little distracting, Member.

Before I get into this, we’ve got our revenue streams that could address the very issues that this government purports to have. Looking at our royalties, again, very easily Alberta could still be very competitive with other jurisdictions in Canada, from Saskatchewan to, actually, jurisdictions in North America that have the natural resources that we do yet still bring in millions more dollars into the government coffers if we raised our royalty rate slightly to still be competitive with other jurisdictions.

**Ms Blakeman:** That’s a tax break.

**Mr. Bilous:** I’m going to get to taxes.

There’s a gap there, Mr. Speaker, that is unnecessary, and in fact this government is essentially shortchanging Albertans and selling us out. Our natural resources belong to all Albertans, I’d like to remind the government, not just to the Albertans of today but future Albertans, our kids and grandkids and future generations. Collecting a reasonable rate for a nonrenewable resource is just good business. That’s one way.

The other two ways are addressing, again, our corporate tax rate, which this government cut again. You know, if the logic were true that the lowest tax rates are where businesses are going to go to, then that argument would mean that there would be no businesses working in any other province. Alberta has got the lowest corporate tax rate, so why would a corporation continue to exist in provinces where there are higher rates? So that logic is completely flawed.

As well, remove our flat tax on our personal income tax. As the hon. Member for Edmonton-Highlands-Norwood so eloquently explained, when you look at a comparative analysis between middle-income earners in Alberta – I think it’s somewhere between \$100,000 and \$120,000 a household earns – they pay more in Alberta under the 10 per cent flat tax than they would if they lived in British Columbia or Ontario. So it is simply a fallacy that the flat tax benefits everyone. Clearly, it does not.

Through those four different ways, Mr. Speaker, that’s how very easily we could address our revenue shortfall, our revenue issue, and ensure that we are treating Albertans – and I’m talking about our front-line workers. But we would also have the dollars to ensure that there are enough beds for our seniors, that they are properly staffed, that they receive the proper care they need, that we have enough schools so that we don’t have to have kids learning in closets and in classrooms of 45-plus students, that we have enough supports for them, that we could improve our health

care system as opposed to starving it to death and then saying: "Oh, look. We need to privatize it because the current system is failing." Well, it's failing because of how it's being run.

I'm coming back to the bill, Mr. Speaker. That would address this very attack on our workforce.

Now, I want to bring up a couple of quick points here, Mr. Speaker. Interestingly, a fact here, between 1993 and 2013 management wages in this province grew 52 per cent above and beyond inflation while professional and technical services in this province grew by 44.2 per cent in that window. Public administration salaries grew by a measly 13 per cent over inflation. So there is a gross inequity and difference between our public administration and front-line workers and those that are in management positions, in fact, a significant salary difference of about 40 per cent.

My frustration when I hear this government trot out the fact that MLA wages are frozen and "Look at us" and "We're doing our part, so public-sector unions need to do their part" – let me clarify a few things here, Mr. Speaker. Number one, our front-line workers are not earning a salary of 150,000-plus dollars a year. So when this government brags about the fact that MLAs wages are frozen, there's quite a big difference between a person earning \$150,000 and a person earning \$50,000. Let me tell you that that statistic, when it's brought up, is quite frustrating.

In my dying minutes speaking to Bill 46, which I wish would die, I want to address the issue of arbitration. The fact of the matter is that the existing legislation, as far as the Public Service Employee Relations Act, which will be railroaded by this current legislation, calls for binding arbitration. The Member for Edmonton-Gold Bar had asked: if we've never had to use binding arbitration, then what is the purpose of it? Well, I'd like to clarify. Yes, binding arbitration has been used numerous times in this province. No, it has not been used by AUPE in the past, but again the fact of the matter is that it's a tool that is there if needed, that if both sides cannot come to a negotiated agreement, then they go to an arbitrator.

Clearly, this government is afraid of going to arbitration. Again, the Member for Edmonton-Highlands-Norwood explained it quite concisely, that they would then look at a comparative analysis of what other public-sector workers in other provinces are earning and what would be deemed a fair contract so as well looking at some of the collective agreements with other unions. I'm quite certain that the arbitrator would come up with numbers much higher than what's in this current bill. Therefore, this government doesn't want to go that route. They choose to sell out the very workers who, honestly, especially in this last year, when we look at the responders and all the rest down in the floods, put their lives on the line and worked innumerable hours, and this is the respect that they get.

So, Mr. Speaker, I would like to move a notice of amendment. I'm moving this on behalf of the hon. Member for Edmonton-Highlands-Norwood, and I have the appropriate number of copies.

Mr. Speaker, the hon. Member for Edmonton-Highlands-Norwood moves that the motion for third reading of Bill 46, Public Service Salary Restraint Act, be amended by deleting all of the words after "that" and substituting the following: "Bill 46, Public Service Salary Restraint Act, be not now read a third time but that it be read a third time this day six months hence."

**The Speaker:** Hon. member, let's have the amendment distributed, please, quickly.

**Mr. Bilous:** Yes. Pardon me. I'm holding the original.

11:50

**The Speaker:** Would you mind sending the original up, please?

**Mr. Bilous:** My mistake, Mr. Speaker.

**The Speaker:** Hon. members, the member for Edmonton-Beverly-Clareview on behalf of the Member for Edmonton-Highlands-Norwood has moved an amendment, and it's being circulated to you now. However, in deference to time, why don't we go ahead and hear your comments that you have. You have about a minute and 13 seconds left.

**Mr. Bilous:** A minute and 13, Mr. Speaker? Okay. Thank you very much.

I mean, the members of the Assembly should be able to figure out why I'm moving this amendment. Quite simply, there is no repairing Bill 46. I can tell you that that's the reason that the Alberta NDP did not move any amendments during committee. We felt that there was no way to repair such a damaged piece of legislation that, as other members have said, is a direct assault and attack on not just AUPE but on all organized labour and as well, I would argue, all working Albertans.

**The Speaker:** Hon. member, Parliamentary Counsel has just advised that the Member for Edmonton-Highlands-Norwood has already spoken, so it would not be appropriate for you to move it on his behalf, but you're welcome to move it on your own. If you wouldn't mind to just reinitial this and sign it in your own name. We're holding the clock for you. I'll get one of the pages to bring you that amendment right now.

**Mr. Bilous:** Okay. Thank you, Mr. Speaker.

**The Speaker:** Take the original back. I just want to make sure we're on the side of correct procedure here.

Hon. member, is this your signature above the Edmonton-Highlands-Norwood signature?

**Mr. Bilous:** Yes, sir.

**The Speaker:** Okay. With your permission I'll just print your name underneath this.

**Mr. Bilous:** Thank you, Mr. Speaker.

**The Speaker:** Hon. members, we have one signed copy by the Member for Edmonton-Beverly-Clareview, and with your permission we're going to allow him to continue, then, with the amendment under his name.

Hon. member, you've been speaking for almost 15 minutes, and you have about 24 seconds left, so do your best.

**Mr. Bilous:** Thank you very much, Mr. Speaker. I just want to say that the purpose of this amendment is to move it for six months so that this bill will die. I now move this motion.

Thank you, Mr. Speaker.

**The Speaker:** Thank you, hon. member.

Are there any speakers to the amendment? This is now on the amendment, right?

**Mr. Mason:** Yes it is, Mr. Speaker.

**The Speaker:** Thank you.

**Mr. Mason:** Well, I am so glad that my colleague from Edmonton-Beverly-Clareview has moved this amendment, Mr. Speaker. I

couldn't have drafted an amendment better myself. I believe that we should not read the bill now for its third reading. I think we should take some time to think about it, cooling off time, a little cooling off time over there, and read it again in six months. If the House isn't sitting in six months, then we forget about it altogether. It seems to me the perfect solution, and I don't know why the government didn't think of this earlier, but I do think we should do that.

I do note, Mr. Speaker – and I don't think we've got this on the record just yet – that a letter was sent to the Premier dated December 4. That is just in a few minutes going to be two days ago. This letter, on Alberta Federation of Labour letterhead, was signed by Gil McGowan, president of the Alberta Federation of Labour; Heather Smith, president of the United Nurses of Alberta; Elisabeth Ballermann, president of the Health Sciences Association of Alberta; and Marle Roberts, president of the Canadian Union of Public Employees Alberta. That's five presidents, Mr. Speaker, five presidents representing thousands and thousands – I would say that collectively they probably represent about 100,000 workers in the province of Alberta. They have requested that the government sit down and talk to them. What a concept.

**Ms Blakeman:** Seriously?

**Mr. Mason:** Yes. Well, we all know that when the Minister of Municipal Affairs stood in the House and talked about his wonderful bill on intermunicipal consultation, he assured us that everything was fine and it was great and it was just like a carbon copy of something we're already doing.

But then the municipal leaders, the mayors of towns and counties and cities around the province, didn't agree with the minister. In fact, it turns out that they weren't consulted.

**An Hon. Member:** No.

**Mr. Mason:** No, no. I'm sure the minister was just having a bad day. But the government then did the right thing, and they pulled the bill, and they consulted, and they made a few changes. Now everybody's happy, and the minister has gone from chump to hero. So it really worked for the government. It really did.

I would like to use the Minister of Municipal Affairs as a good example in this House of the right way to go about things. The good example is that when you screw up big time, you go back and change it, and he did, and everybody's happy now, and that's good.

I think we should do the same thing with this bill. I think the government should actually sit down with labour, talk to them. They're normal people, you know. They're not scary. They don't have horns.

The Minister of Transportation says that the point of the bill is to talk to them. Oh, my goodness, Mr. Speaker. I think he could learn a lesson from the Minister of Municipal Affairs, I'll say that. I do. This isn't a talk-talk bill. This is a war-war bill, and there's going to be a lot of trouble.

Seriously, Mr. Speaker, they make some good points. They want to have a task force on public-sector labour relations. The task force "would provide a platform to discuss key issues, including the following: workplace arbitration . . . quality of public services and workplace safety . . . pensions . . . and revenue reform."

Mr. Speaker, I think these are all very reasonable things. I think the idea of a task force is a good one. I think the idea of this government actually talking to labour the way it talks to municipalities or talks to business or talks to farmers or talks to the oil industry is a heck of an idea. They should try it. That would be one advantage of passing this motion, Mr. Speaker. They

would have a chance to do that and really get to the bottom of some pretty tough issues.

**12:00**

One of the things we haven't talked about too much in the context of this debate – and I think it's an oversight – is the attack by the Minister of Finance on the pensions of our provincial employees. Now, I don't know about other members, but I am getting a lot of e-mails from very ticked-off provincial employees. Of course, we know that the local authorities pension plan was just a matter of years from being fully self-sustaining and eliminating its unfunded liability. The board managing the pension had a clear plan and a timeline in order to make these pension plans entirely sustainable. So there was no need for what happened.

Again there was no consultation. I mean, I remember attending the minister's news conference on the steps of the Legislature. He had just briefed some of the union members. He said: "You know what? I think that they're actually pretty happy." You know, it turns out they weren't happy at all, Mr. Speaker. I know that the Premier said just today that the public service employees she's talked to are really happy that she's freezing their wages. [interjection] Yes. This stands very much along with many of the other statements that the Premier has made in terms of the veracity of those statements. It's not unusual for the Premier to make such a statement. [interjection] Yes. I would say that the Premier has a frequently uncertain . . .

**The Speaker:** Hon. member, I hesitate to interrupt, but the time has now elapsed, so we'll have to put the amendment to a vote. Then we'll come back and immediately vote on third reading of Bill 46.

[Motion on amendment to third reading of Bill 46 lost]

**The Speaker:** Hon. members, pursuant to Government Motion 54, which was agreed to earlier this evening, I must now put the question.

[The voice vote indicated that the motion for third reading carried]

[Several members rose calling for a division. The division bell was rung at 12:03 a.m.]

[One minute having elapsed, the Assembly divided.]

[The Speaker in the chair]

For the motion:

Amery	Hancock	McDonald
Bhardwaj	Horne	McIver
Brown	Horner	Olson
Cao	Jansen	Pastoor
Casey	Johnson, J.	Quadri
Cusanelli	Johnson, L.	Quest
DeLong	Khan	Redford
Dorward	Klimchuk	Sarich
Drysdale	Kubinec	VanderBurg
Fawcett	Lemke	Weadick
Goudreau	Luan	Xiao
Griffiths	Lukaszuk	

Against the motion:

Anderson	Blakeman	Strankman
Anglin	Mason	Swann
Bilous	Pedersen	

Totals:	For – 35	Against – 8
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[Motion carried; Bill 46 read a third time]



## Bill 28 Enabling Regional Growth Boards Act

**The Speaker:** The hon. Minister of Municipal Affairs.

**Mr. Griffiths:** Thank you very much, Mr. Speaker. I'm pleased to rise today to move third reading of Bill 28, the Enabling Regional Growth Boards Act.

I'm so glad that it has a name that's more reflective of what I'd originally intended. When our bill was introduced for first and second readings, we did not have much time for consultation, as I said before. We had an impending court case. We listened to the decisions. We had to ensure that the regulations under 603, the Capital Region Board and such, would be secured. We went through second reading, and then meaningful amendments got proposed at Committee of the Whole. We were asked to strike a task force on Bill 28. We had the AUMA, we had the AAMD and C, we had the city of Edmonton, we had the city of Calgary, the Capital Region Board, and the Calgary Regional Partnership all sitting down at the table as a team and working on some proposed amendments, and they went through the bill line by line.

I've said before at AUMA and AAMD and C when I gave updates – we had task team meetings. The first two, Mr. Speaker, were about going through the bill line by line so that everybody understood exactly what was in the legislation. I know I heard first-hand from all of the members that they understood exactly what our intentions were, and they realized that there was nothing to fear from the bill.

**12:10**

Then we started to discuss what we could do to improve it. So at the third committee meeting, which we had scheduled for a couple of hours but actually only took an hour, wording for some consequential amendments were discussed. At the fourth committee meeting we reviewed them and discovered that we were in unanimous agreement about how they should read. Those amendments amounted to five general categories.

First, as I already mentioned, the name. We changed the name. We agreed that Modernizing Regional Governance Act was not the appropriate name because it has nothing to do with regional government, which is, frankly, what caused a significant amount of the confusion about what our intent with the legislation was, Mr. Speaker. So we changed the name to Enabling Regional Growth Boards Act because it is about regional growth boards and about helping collective regions that are experiencing substantive growth to find ways to manage that growth in a very productive manner, and enabling is key to the beginning because it really was meant from the very beginning and still is meant to be a tool that municipalities can access to help improve the way they manage.

Now, I've said before – we had discussions at AUMA and AAMD and C at the task force – that municipalities already manage growth within their own political jurisdiction, their legal jurisdiction, Mr. Speaker. They also, though, know that growth challenges cross those legally defined boundaries all the time. So most municipalities have, if not one or two, handfuls . . .

**Mr. Hancock:** After midnight in third reading they don't need that long a speech.

**Mr. Griffiths:** Thank you.

Many municipalities have several IDPs, intermunicipal development plans, Mr. Speaker, that work between municipalities because they realize that those legal boundaries are simply legal boundaries, and growth doesn't know those boundaries. They

want to make sure that they're not in competition with each other but actually doing their design and their development in a way that's constructive not just for their municipality but for all the municipalities in the region. This is simply another tool to make sure that they are empowered, if they so choose, to move forward with regional growth management boards to help manage that growth in a very productive manner.

This leads us to the second consequential amendment that was approved, and that is that these boards are voluntary. They were always intended to be voluntary, which is why we use the exact same wording as commissions. You know, I probably didn't explain that clearly enough to begin with, so people had concerns. So the municipalities, the members of the task force, asked if we could just have very explicit wording that makes sure that everyone understands that it's meant to be voluntary.

The third consequential amendment was the dispute resolution or appeal mechanism process, Mr. Speaker. We had actually more discussion about this than anything else, about how it should look, what it should look like. There were discussions that the province through the legislation should enforce a certain type of appeal or dispute resolution mechanism. But, consequentially, I said that it's not up to me to decide. Just as any growth management board would come together, they write the bylaws, they write the rules, and they manage their own affairs, so it was agreed that there should be an amendment that simply lays out that they couldn't be incorporated as an organization through regulation until they had come forward with some clear dispute resolution or appeal mechanism or both if they so choose. I had told them from the very beginning that that was not my call, and I didn't want to write it, but they asked if we could make sure that in the legislation it's explicitly laid out that they needed to have one before they could exist.

The fourth substantial one was the penalties, Mr. Speaker. Frankly, they recognized fully that we simply copied the penalties provision which is already currently in the MGA but simply asked, since we're going through the MGA process – their intention was to make some changes going forward – if we could incorporate some of those changes now, that we would have fines for the lack of provision of information to the growth management board rather than a penalty provision with prison time. Frankly, we've never used that provision, so I had no issue with that.

Then there were some miscellaneous amendments setting out that the board will set the time frames to comply with the growth plan that they set out, that it would remove a reference to the appointment of a public or other interest member, that it would clarify that the minister could approve the plan or reject it and send it back to the growth management board with suggestions, and finally, that we would table the growth plan, Mr. Speaker. None of these were too consequential, but they were significant in ensuring that municipalities understood our intent from the very beginning: that this is a tool for them to manage their growth.

As I said before, Mr. Speaker – our Premier has said it before, the cabinet has said it before, and our entire caucus says it constantly – we saw 136,000 people move to this province last year, and that number is not going to go down. In fact, it's likely going to grow. In four years, one term, those municipal leaders are going to need every tool they have in place to manage that growth, the competition between industry and agriculture, between where we do recreation and where we preserve the environment. There are real challenges, and they're going to need tools to manage their growth appropriately. This is a fantastic tool, which is why every single one of them and municipal leaders beyond those six organizations that were on the task force have asked the members

of this House to please, as quickly as possible, pass this exceptional piece of legislation so that they can get on with their work.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Airdrie.

**Mr. Anderson:** Thank you, Mr. Speaker. I first off want to commend the minister on taking the advice of the opposition and going for consultation on this matter before bringing it to this House. There is no doubt that this bill is far better in its final form than it was in its original form. There's no doubt that it is a better bill than it was.

One particular key point that I raised during question period as well as in debate was the issue of making sure that the boards were voluntary. The minister claims that they were always voluntary. That's not what the act said, of course, but the amendments do seem to address that issue that municipalities will have the opportunity to voluntarily join these growth boards if they wish. I think that that's a very key part because it is important that we give options, obviously, to our municipalities to work and grow together and so forth, and this, I guess, could be considered a tool in the tool box for that.

But make no mistake; this legislation clearly did not say that this was a voluntary thing before. It said that the minister could unilaterally decide who joined and what communities would be involved in these boards and their borders, et cetera. That was unacceptable. But the minister has adopted the recommendations of, certainly, the Wildrose caucus and also the AUMA and AAMD and C, who were telling us – and that's where we got the recommendation from, the AUMA and AAMD and C reps – that that was a key provision that they wanted to see. So we're glad to see that in there.

That's what effective opposition does. We talk to stakeholders when they have issues with it. That night I was on the phone with my mayor in Airdrie, and we talked it over a couple of times that week and identified the problems with it. I know many members in this House did the same thing, and we were able to express those issues with an all-night debate on Bill 28. Thankfully, the minister listened to those things and has made the changes. There were other changes that were made, and a lot of them are positive.

I still have some misgivings, some concerns about this bill that make it very difficult to support. First of all, everybody in here agrees with regional co-operation, where two municipalities, three municipalities, a group of municipalities get together and come together and undertake a joint project and so forth. In some communities it's a rec centre. In Airdrie we have a rec centre that was mostly funded by the people of Airdrie, the city of Airdrie, but also partially funded by the county of Rocky View. So that's an example of regional co-operation, coming together and building a shared facility that both the county and the city can enjoy, which is good.

12:20

But regional co-operation and regional governance: there is difference between those things. Regional governance is something that I put a red flag around. We have three levels of government already in this country and where we live in this province. We have, obviously, federal government, provincial government, municipal government. I am concerned, as I think we should all be concerned, about forming a fourth level of government, a quasi-fourth level of government, regional governance.

We already have enough bureaucracy in this province, and I'm worried that by creating these regional boards, they can quickly get away and turn from an organizational arm or a way for

communities to come together and talk, like the Calgary Regional Partnership, et cetera, and all of a sudden turn into an entire separate level of government, an expensive level of government that will need to be funded and will have all kinds of complications in it. I don't think that's something we need. I think we should be very careful, and I think all of the municipalities in this province should be very careful that they don't let these planning boards become another level of bureaucracy and another level of government.

I'm also worried that those municipalities that chose not to become part of these growth boards will be punished either through the allocation of water or not allowing the allocation of water and water rights and so forth as is the case with Rocky View county right now and Foothills and others that are essentially being punished by the city of Calgary for not joining the Calgary Regional Partnership. I don't think that's a good, neighbourly thing to do. I think that there needs to be co-operation, but you can't hold, figuratively speaking, a gun to the smaller municipality and say, "You must do this, or else you don't get water," for example.

I also worry with regard to the province if they come forward and, say, make funding available disproportionately to the communities that are involved with these governance boards versus those that are not involved with the governance boards. They haven't done that yet, but will they? And will that become a way of penalizing those communities that choose to maintain their municipal autonomy and the autonomy of their citizens? That's a danger that we need to guard against, in my view.

We have had regional planning boards in the past. They have not been successful, Mr. Speaker, for the reasons that we've talked about, a lot of the reasons that we've talked about. They failed, and it was for a lot of the same reasons. The voting structures couldn't be agreed upon and were unfair and gave veto power to one community over others. There were competing interests. We see this with Parkland county, for example. Parkland county, part of the Capital Region Board, wants to build an industrial park on their land and is unable to because for the Capital Region Board, particularly the City of Edmonton, it doesn't fit within their priorities within their plan; therefore, they don't want to allow it.

I don't expect Edmonton to not act in its best interests. That's what municipalities do. But when that impact and having that authority takes away the autonomy of a neighbouring community like Parkland county, which is a very proud and prosperous county – to take that autonomy away from them and say, "No, you can't develop," is a problem. You can't develop in the way you want to. That's a problem.

If that same scenario had been imposed in Calgary and, say, the Calgary Regional Partnership was like the capital board, that means that CrossIron Mills, for example, which is something that, certainly, my constituents and the Member for Chestermere-Rocky View's constituents and a lot of folks in Calgary and elsewhere really enjoy – that piece of infrastructure would not exist today if we had the equivalent of the Capital Region Board governing Calgary. That economic driver would not have been built because Calgary would not have allowed it, and they've said that several times. They would never have allowed it. So I have concerns about these boards.

Finally, I would like to give, I guess, a friendly warning to communities in our high-density, high-population areas in this province, mainly around Calgary and Edmonton, a warning for those surrounding communities, that they need to be very, very careful – very careful – about joining these governance boards. They have to be very careful that not only can they get in voluntarily but that they can leave voluntarily so that if the powers

of that board are starting to take advantage of them and take advantage of their population and are overruling decisions and limiting development in ways that are not proper, they can get out of that arrangement. Don't go into something that you can't get out of without a lot of pain. Whatever you do, please, please be careful.

As someone who lives in Airdrie, I hope that the folks in Airdrie – but I would apply this to Okotoks, High River, Chestermere, and other places – work with the city of Calgary, are good neighbours with the city of Calgary, but be very careful before giving away your autonomy and your own rights.

Second, please make sure before you join any of these boards that the voting rights are fair, that they don't give a veto to the larger population centre. That will never work, because that means that you've created a power imbalance that is just not healthy for local communities. So please don't join these boards unless voting rights are fair and equal.

Thirdly, minimum density requirements. I would urge the smaller centres in these rural counties surrounding these areas to be very wary about density requirements. When you control density and you artificially control it and densify, you make it difficult and more expensive for families who are growing and getting larger to get affordable lots. You make it difficult for the city to create larger parks and wider streets. There are a lot of things that come with high-density housing. It's good to have some high-density housing, but you don't want your community to become all high-density housing. Please be very careful that you get the right mix. By putting artificial density requirements in there, you are risking losing that unique nature that makes you a small rural community or a mid-sized city and so forth.

Just be careful before you give away your rights, before you give away your autonomy under these boards, and once you get in, make sure that you can get out no matter what so that you don't run into the situation that Parkland county, for example, is experiencing right now.

With that, I will not be supporting the bill in its entirety, but I will say that the bill is certainly better than it was because it creates a voluntary mechanism going in. But there are just so many red flags here and dangers. I worry about how these are going to be used going into the future, so I will not be supporting the bill. I know that our caucus is split on it. Some support it; some do not support it. We'll have that debate, I'm sure, going into the future, depending on how this plays out.

Thank you for your time, Mr. Speaker.

**The Speaker:** The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much, Mr. Speaker. I appreciate the opportunity to speak in third reading to the anticipated effect of Bill 28. Sorry; I've forgotten the new name, something about enabling something, enabling growth management boards.

I think this is where it really shows the difference between whether you come from representing a high population, a high-density area, or not. I am not convinced, and I have not heard any arguments that would convince me that the government amendments were a huge improvement on the bill. Now, granted, there are some things in there that were good, and I'll certainly give you credit for where I think improvements were made.

**12:30**

Let me back up and start from the very beginning. I think it's very important that we have tools for managing growth and tools for planning. Really important. I supported and still support the concept of the land-use management plans, the idea that we would

be planning long into the future and being able to think ahead about how we were going to allocate land and how water was going to be used and where wildlife corridors could be, et cetera, et cetera.

I would argue very strongly that the government is not making appropriate decisions with those land-use plans. This constant thing about, yeah, look how much we're promising not to develop: of course, it's all the crappy land that nobody wants anyway that they'll be so generous in giving away.

This is just to say, you know, that I'm generally in favour of all of those tools to be able to plan ahead, whether it is the land-use plans, which are more for the unoccupied land – well, that's not true, because I think the municipalities will use it as well – but also to address some of the problems that we've seen in managing larger cities surrounded by smaller centres or a sort of urban-rural mix.

Frankly, there are competing interests there. Cities are trying, I hope, to not sprawl so much, and they're trying not to allow constant acreagelike developments moving farther and farther out. It's a frustration to places like Edmonton and Calgary and, I imagine, Lethbridge and some of the other cities that they then get some centres outside of them that welcome those acreages moving right up to their borders. Now the cities are still having to work with that, but exactly what they didn't want is now sitting, you know, two feet past their borders.

There does need to be a way to manage all of that and to plan for the future, which is really important. We've got a lot of land and not a huge population. What we do know is that we need to really plan for our growth and how things will be managed along our high-population areas, and that is that Edmonton to Calgary line. If you look at a map of where the population is in Alberta, in that strip are the really population areas and population growth.

Interestingly, in southern Alberta the number of people is not increasing. It's actually either stable or slightly decreasing. Where did I pull that information from? It actually came from the numbers that were used by the Electoral Boundaries Commission. There was quite an argument at one point about whether southern Alberta should lose a seat, and that argument came from the last two Electoral Boundary Commissions.

Planning is very good, and I'm glad to see that the government understands that and that they're trying to assist the municipalities with doing that and that they did finally step up and do something. This government tends to say: oh, you know, we'll allow this stuff to develop through a patchwork. You know, with nonsmoking the provincial government wouldn't step up and say: "Here's what we're going to do. No smoking in public places." No. They allowed a little patchwork: this community, that community, this, that. It was a patchwork all over Alberta. You didn't really know what the rules were as you moved from one area to another. The other place we saw that was with VLTs. Some communities voted to get rid of them; some were thinking about it. We didn't get a complete view of it from the government. For a long time we couldn't get the provincial government to step in on this one, so good to do that, good that there was something written about a dispute resolution mechanism or an appeal mechanism.

What is not clear to me is whether or not it's binding. It's one thing to have a dispute resolution, but if it's not binding, then you just start all over. It just gets appealed to a different level, and it wasn't particularly effective in dealing with the problem at the level you said you wanted it dealt with. So I'm not sure that that really did everything it was supposed to.

I believe that in the end what ended up happening here is that the Capital Region Board kind of got cut out of the act or kind of went around it, or the act kind of moulded itself around the capital

regional plan. I guess that's what the government decided to do, but considering that that's why we got into this, it's a bit strange.

The penalty clause. You know, I remember standing in the hallway behind the Minister of Municipal Affairs, who was absolutely bewildered that people would be upset with the penalty clause because, as he said: but it's all over the MGA. Yeah, but that doesn't make it right. I'm glad that they dealt with the penalties and that they're not going to try and throw people in jail. They've also reworded it so that they wouldn't be fining the mayors. Of course, in the other section it says that the people that were appointed to this board were the mayors, and then the mayors could designate someone else to go if they wanted to. The penalties would have applied directly to the mayors of all of the municipalities, which I thought was kind of an odd way for the provincial government to do things, but there you go.

The minister was very careful to get up and list everybody that was on the round-table and say that everybody was in favour of this, and, you know, I'm not sure that that's true. I think that some of the people just signed off to say, "Please make the pain stop," whatever, and signed it. If he wants to believe that everybody was gung-ho, okay – fine – but I don't see this, in particular, being an agreement that is really the best possible agreement for the centres that have the most people in them. Once again, this provincial government has made a decision that works more in favour of rural municipal districts and counties, very small centres, and disproportionately works against where the majority of the population in Alberta lives, which is in the metro areas of Edmonton and Calgary.

You know, they just seem very persistent. The government keeps coming down on the side of these smaller areas, yet for what most of us are interested in and want, we are not being well served by the government in the choices that it keeps making in giving way to these municipal districts and counties. It just doesn't make sense to me.

Let me get to the last point now. This voluntary thing: that absolutely baffles me. What is the point of having people come together if they don't all have – you're trying to plan for a region. You're trying to plan for a specific geographic region that has different leaderships in it and different sizes, maybe competing sizes, certainly competing interests of municipalities. Generally speaking, they've got a great big city, Edmonton or Calgary, in them or one of the smaller cities – Medicine Hat, Lethbridge, Red Deer, Grande Prairie, Fort McMurray – and then the clusters of these smaller centres that are around them.

I still have not heard a compelling argument from the government as to why this, being a voluntary membership, is an advancement. One, what good is it if you're going to have six of the areas in and one not? Great. Well, then what do you do when you've all decided that the place that you want to get your transport hub happening in is municipality A and you've got an outlier out there that's not going to co-operate and they decide to do it, too? Well, you're no further ahead. You had a bunch of people agreeing on a plan and an outlier that didn't want to join in on this that goes ahead and screws everybody up anyway. How are we further ahead there? I don't think we are.

Also, the amendment is not clear about getting out. It seems to be voluntary to get in. Okay. That's a problem I've already described. Is it also voluntary to get out? Can you take your bat and your ball and go home if you don't like the deal that's happening? [interjection] Somebody is saying no. It's the Minister of Transportation. I'd feel better if I was hearing it from somebody else.

12:40

Again, you know, how is that an improvement? You all come to an agreement, and one of them says: "No, I don't like it. I'm going to opt out of this. I'm voluntarily going to leave this arrangement." You can use your dispute mechanism or your appeal mechanism, but if it's not binding, again, how are you further forward?

This whole arrangement seems really odd to me. I'm a fairly logical thinker, and I am missing the logic in this. I don't see how this is actually implementable and how it's actually going to work in the long run.

When I listened to my hon. colleague from Airdrie, who's representing one of those areas around a larger centre, the cautions that he's giving his people are exactly what makes me very concerned as someone representing part of a large urban area where there is a higher density of population. He's cautioning people, you know – what was it he was talking about? – about the way the voting comes out. The voting rights are fair. Yeah, it has to be done in a fair way. That doesn't mean equal shares. That doesn't mean each municipality that's in on this gets one vote. It has to be done in a way that is actually representative of the money and of the people that are in the region. So, yes, a larger municipality is going to carry more weight. They've got more people and more money, and they're providing more services that everybody is able to take advantage of.

**Mr. Anderson:** That's another level of government, though.

**Ms Blakeman:** The hon. member is raising concerns about another level of government being implemented there. I share his concerns about that, but I am not going to agree to any scheme that has the much larger share of the population being disadvantaged in favour of much smaller centres. Where's the logic in that? That doesn't make any sense to me at all. As someone who's living in and representing one of those urban centres, why on earth would we agree to that?

In the end, after all of this to deal with the problems that the Capital Region Board was experiencing, you know, the act seems to have sort of gone around it or excluded it or jumped over it or something. I think there are still a number of problems that are inherent in this plan.

I know that the AAMD and C was real keen on it – that doesn't surprise me – that AUMA went for it. Calgary has always got to be different, God bless them, because they have a marketing board. I was really fortunate in one of the sessions I went to at the AUMA conference, and thank you, AUMA, for inviting me and allowing me to come and to the taxpayers for paying for me to get there. It was a fantastic session. It was a session that was exactly on all of these issues, and it had a lot of different points of view represented. I learned a lot from that. I learned that I was on the right track with some of the things I've been saying about a redistribution of industrial property taxes. That's how I learned that Calgary has a marketing board, and, boy, that woman representing them was firm about that.

I am really reluctant to support this. Thank you.

**The Speaker:** Thank you.

Hon. members, the 29(2)(a) section is available.

Seeing no one under 29(2)(a), other speakers? We will recognize Edmonton-Beverly-Clareview.

**Mr. Bilous:** Thank you very much, Mr. Speaker.

**Some Hon. Members:** Question.

**Mr. Bilous:** I know that members on the other side are dying for the question, but I do need to make a few comments on this bill.

I do want to say that we were quite pleased that the minister decided to put the brakes on this and, I should say, the Premier as well although it is very much worth noting that there was very little media coverage and little discussion going on before we, the Alberta NDP, raised the alarm bells on this bill.

I can tell you that I was talking to members of AUMA and AAMD and C about this bill. The concern, Mr. Speaker . . . [interjections] I'm not sure why there's so much holiday cheer on the front bench there.

In all seriousness, Mr. Speaker, I was on the phone talking with people from AUMA, AAMDC. They had heard about this bill, weren't sure exactly what was in it, what their position was. I even had comments from some of them saying: well, we're going to present our position paper next week. I remember this was on a Tuesday, I believe. My concern was: "No, no, no. This bill will be rammed through in the next 48 hours. You need to address this today, now."

The Alberta NDP held a press conference where all the media was available and in attendance, and we went through the bill and the alarming sections of the bill. Again, I do want to say that our biggest concerns with the bill were actually addressed. Now, I do find it, again, ironic that instead of getting it right the first time and actually consulting with municipalities and having a real dialogue about a piece of legislation, as per usual this government felt that they knew best and tried to ram through Bill 28 without actually consulting with the very municipal districts and counties that it affects.

You know, it's funny. I need to find this quote. Well, it's not a quote, but I know that the Minister of Municipal Affairs had initially said that we were – I don't know if he used the word "fearmongering" – trying to induce fear or hype about a bill that really just was already in existence, that this was just house-keeping, and we were just going to enshrine policy that they already had. I mean, the frustration or the challenge is that that's not true at all, and the concerns ranged from lack of consultation with municipalities to the fact that this bill was written in a very heavy-handed way, talking about severe punitive measures for municipalities that are part of the regional boards but don't agree with the decision, and if they went back to their own mayor and they didn't support this, they could be thrown in jail.

I do want to say that the current amended version that we're speaking to now in third reading isn't perfect, but I do want to mention that the first draft was very much written in a top-down, very paternalistic way, where the provincial government knows best and municipalities are children that can be scolded. You know, they're given dollars through grants, which is very much like giving them an allowance, as opposed to coming up with real, innovative ways for municipalities to have revenue or to address their revenue issues and as well to give them more authority and more power.

You know, the fact that the province and the minister listened to our concerns, the concerns of municipalities – obviously, this wasn't just an Alberta NDP victory. This was a victory, I would argue, for all municipalities. I know all opposition parties joined the discussion and had concerns with the bill as it was written.

Again, this is kind of a pat on the back and a kick in the bum. It's kind of both of those things. I'm happy that this government hit the brakes on this and decided to go back and consult with AUMA, AAMDC, other organizations and municipalities. But the frustration is that it took, once again, the government being forced and scolded and the public stepping up and making a lot of noise about a bill.

12:50

Again, it must be noted, Mr. Speaker, that second reading of Bill 28 in its old form was passed at almost 2 in the morning. That doesn't speak to transparency or openness or the fact that it's done in daylight hours, when people are awake and listening. It's just another day for this government to pass poorly written legislation in the wee hours of the night.

You know, the major concerns that we had, including the title of the bill – I remember first hearing the minister bragging about how they're going to change the title, and I thought: wow, that's going to amount to making some significant impacts for municipalities.

**Mr. Anderson:** Huge.

**Mr. Bilous:** Yeah. Other than killing some more trees and wasting some ink, you know, the name is not really what municipalities were concerned about.

Again, I'm happy to see the changes that did come in. The fact that these regional governance boards are voluntary is something that, again, municipalities were calling for, and the organizations that know best were consulted, which is what we were calling for in our opposition to the bill. Despite what some members on the other side may think, no, we don't come up with our positions just randomly or in opposition just to oppose bills. It's actually from working with the very people that the bills are going to affect.

You know, I'm glad that we're at where we are. I do have to scold the government for their process or lack thereof once again, but this is definitely much better for regional governance, for our municipalities.

I just want to say in closing, Mr. Speaker, that all along the Alberta NDP have supported the fact that we need to look at not just individual municipalities but, as the province is growing, look at how different municipalities can co-operate and work together. We are in favour of regional co-operation and regional growth, but the method which the government took to get to this point is what we have an issue with.

Again, I'm happy that we were there to raise the alarm to notify Albertans that this was going on and to get them to voice their concerns. You know, I'm always happy to see the government when they come to their senses and listen to the Alberta NDP and other voices around the province and actually consult with stakeholders.

Thank you, Mr. Speaker.

**The Speaker:** Hon. members, 29(2)(a) is available. The hon. Member for Little Bow.

**Mr. Donovan:** Thank you, Mr. Speaker. Now, as the hon. House leader had said, this side doesn't always vote exactly the same as . . .

**Mr. Anderson:** Clones.

**Mr. Donovan:** That we're clones. Yeah. Something along that line.

I'm going to get up and pat the minister on the back for this one because, yes, we did sit up here on October 30 until 2 in the morning debating the original Bill 28, and quite a few things were brought up. He went back and he actually consulted with AAMD and C and AUMA and the mayors and stuff, and that's what we asked him for that night. Process, going through it: I think I said it 40-some times in about 10 minutes. I think everybody was getting a little tired of it, but I give kudos where they're due.

The amendments. After talking with the members that it was affecting, the AAMD and C, AUMA, and the other mayors and

reeves around the province seem happy with it, so I think it seems to be a good piece of legislation now.

When I got this job, one of the previous MLAs, Ray Speaker, who was an MLA from '63-92 and was on all angles – he was a Social Credit, he was an independent, and he was a PC at the end – said that your job is to hold the government accountable when they do things, pat them on the back when they do things right, and try not to do any personal attacks. I'm patting the minister on the back for this one because he did listen to us, and I give full credit for that.

That's all I wanted to add to it. Thank you for listening. Next time maybe we'll go through that process a little earlier so that we don't have to bond until 2 in the morning on it next time. But I thank you for that.

**The Speaker:** Hon. members, 29(2)(a) is available. I see no one.

Any other speakers? No.

Are you ready for the question?

**Hon. Members:** Question.

[The voice vote indicated that the motion for third reading carried]

[Several members rose calling for a division. The division bell was rung at 12:55 a.m.]

[One minute having elapsed, the Assembly divided]

[The Speaker in the chair]

For the motion:

Amery	Goudreau	Lukaszuk
Bhardwaj	Griffiths	McDonald
Bilous	Hancock	McIver
Brown	Horne	Olson
Cao	Horner	Pastoor
Casey	Jansen	Pedersen
Cusanelli	Johnson, J.	Quadri
DeLong	Johnson, L.	Quest
Donovan	Khan	Redford
Dorward	Klimchuk	Sarich
Drysdale	Kubinec	VanderBurg
Fawcett	Lemke	Weadick
Fraser	Luan	Xiao

Against the motion:

Anderson	Blakeman	Strankman
Anglin		

Totals:	For – 39	Against – 4
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[Motion carried; Bill 28 read a third time]

1:00

## Bill 44

### Notaries and Commissioners Act

**The Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. On behalf of the Member for Sherwood Park I would like to move Bill 44. It's a good bill. We should vote for it.

**The Speaker:** Are there other speakers? The hon. Member for Edmonton-Beverly-Clareview.

**Mr. Bilous:** Yes, Mr. Speaker. I'm going to rely on some paper here as my brain is slowing down a little bit. [interjections] What, you don't like when I just wax there, Madam Premier?

**Ms Redford:** Yes.

**Mr. Bilous:** Okay. Speaking to third reading of Bill 44, Notaries and Commissioners Act, we agree and are quite pleased with the fact that the minister decided to consolidate the Notaries Public Act and the Commissioners for Oaths Act into one piece of legislation. However, there are numerous concerns that we share. Again, it fits in with the pattern of pieces of legislation that this government is putting forward giving the minister incredible powers as opposed to spelling out and limiting those powers within the legislation. I'll try to go through this as quickly as possible. This bill – and here we have our word of the week – creates draconian requirements for notaries and commissioners and hands the minister enormous amounts of discretion over regulations and even day-to-day personal meddling in a notary's affairs.

We would expect the Minister of Justice as a former lawyer to have a better idea of how seriously most notaries and commissioners take their duties and how they uphold the standards of the office. Everyone has taken an oath at some point, whether they're a notary by virtue of being a judge, lawyer, or MLA or whether they are an appointed notary. The challenge that I have with this bill, Mr. Speaker, is that it's written in a way that is quite condescending and paternalistic.

We would have liked to have seen the minister, if he was serious about improving the regulatory scheme for notaries and commissioners, consider a model similar to British Columbia's instead of instituting the provisions of this bill, which give him enormous powers and do very little to protect the public interest or the men and women who are serving us as notaries public and commissioners for oaths. I'm just going to go through these points here. In British Columbia notaries are appointed for life by the Supreme Court of British Columbia as a self-regulating profession. They're regulated by the Society of Notaries Public of British Columbia, which oversees and sets standards to maintain public confidence. This model is actually very similar to the model we use in Alberta and indeed across the country to regulate the legal profession. So why is the minister targeting notaries and commissioners to be put under his foot but sees no problem with the regulatory scheme of lawyers within the province? Furthermore, B.C. notaries exercise far greater power, which aids in access to justice for the public. Lawyers are busy and expensive. Wouldn't it be better for us to give more resources and powers to qualified notaries and paralegals instead of taking their powers away and instituting patronizing and offensive regulations?

Another problem with the bill, Mr. Speaker, is that in granting powers to notaries public, the minister has added the words "subject to the Regulations." There are questions as far as: subject to what regulations? Regulations can change in time, which will result in uncertainty about a notary's powers and role and make it difficult for notaries to ensure that they're carrying out their duties in compliance with requirements. It also makes it difficult for the public to know where to turn for various services. If the legislation is meant to instill confidence in the public and assist notaries in knowing applicable duties and standards, this section fails in those objectives. Regulations cannot and should not dictate the powers of a notary public, which is an office upon which the public frequently needs to rely.

Again, the minister has now changed the powers that used to be available for all notaries so that only lawyers and judges may notarize deeds, contracts, and commercial instruments. This even includes those issued or prepared by judges or lawyers in respect of which judges or lawyers have otherwise provided legal advice. This will impede access to justice for the public since even more

powers are moved from notaries to lawyers. This also conflates the role of lawyer and notary. If you need legal advice or contract interpretation, you need to see a lawyer. Thus it's always been. If you just need a document notarized, you should be able to use a notary, who's cheaper and faster and more accessible.

The bill also hands the minister enormous amounts of discretion in a number of ways, which I'll try to go through. He may now wish to establish a code of conduct through regulations, to issue directives governing the duties and conduct of notaries public. The minister should know that notaries and commissioners are already issued a booklet with guidelines for their conduct when they're appointed. Why take such a heavy-handed approach to a formerly well-regulated profession?

It also creates, to an extent, a lack of clarity, transparency, and security. What will be in these regulations and directives, and what will be in the code of conduct? There's also a lack of certainty, if these can change frequently, both for notaries, in knowing how they must conduct the affairs of their office, and for the public, when they need their notarial services. The minister may also issue written directions to notaries and commissioners and communicate those to anyone he thinks appropriate with no regard for privacy rights.

Now, the minister may also refuse an application or suspend or revoke the appointment of any notary public for a number of reasons, including certain charges or when "the Minister considers it appropriate to do so." Aside from the wild discretion this affords the minister, it's also problematic because someone charged is not yet convicted. We still have the presumption of innocence in Alberta. Even more troubling, "A decision by the Minister under this section is final." There are no opportunities for appeal.

Many people must be notaries public for their employment duties. How can you prevent them from being able to carry out their jobs with no chance to appeal? What will the disciplinary process be before resorting to revocation or suspension of the appointment? That's not included in the legislation. I'm not sure if it would be covered under the regulations, but notaries public, commissioners for oaths, and the public as a whole deserve to know that there will be an appropriate process in place, considering how devastating it may be for someone's employment to have their appointment revoked.

Similarly, the minister's powers to make regulations are totally new and wide ranging. Particularly troubling is the ability of the minister to limit the power of any particular notary public. This is highly reminiscent of the problems that this government finds itself running into over and over. Marceau, for example. Considering that this government has been called out by a judge of the Court of Queen's Bench for blatant and egregiously biased decision-making, how will people know this power is being used fairly, transparently, and appropriately?

I note a few drafting problems with the bill. The definition of lawyer: the language is similar to previous legislation, but the minister has added the line "has not been suspended or disbarred." The language isn't clear that once the suspended lawyer is reinstated, he or she will regain his or her status as a notary public or commissioner. The language of the previous legislation was far clearer in stating that members could not exercise their powers of notary public while their membership or registration is suspended.

There are classes of members of the Law Society who are not active and practising lawyers who nonetheless retain their status as members. They are not entitled to practise law or provide legal advice, and they are not covered by insurance, but they still can act as notaries or commissioners. In other words, an inactive member is not a lawyer but is a notary public. Since provisions requiring lawyers to notarize certain documents, deeds, contracts, and commercial instruments rely

on this definition, there is a discrepancy in the bill in terms of who's qualified to perform those particular notarial services. In drafting the definitions as you did, did you intend to include nonactive members of the Law Society amongst those with the ability to notarize deeds, contracts, and commercial instruments? As drafted, the language is unclear and contradictory.

Now, I'm sure that my colleagues have spoken to this in other readings, but for these reasons, that I listed, Mr. Speaker, we have some serious concerns about the bill and the way that it's currently written, and therefore I cannot support this bill.

Thank you.

1:10

**The Speaker:** Other speakers? The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Sorry. I know it's late and I know everyone wants to go home, but I haven't been able to speak to this bill, and for my caucus I'm the critic for it, and I do have a couple of concerns. I'll go as quickly as I can so that those that are sleeping can sleep in a more comfortable place.

I was a little curious about why this came into being. I did get, actually, a two-column document from the minister, which was very kind. Once I complained, I think, about not getting briefed at all, this did appear, which I appreciated. Thank you very much. But it's not very informative. It basically states the obvious, which is that the act is combining two previous acts together, that the fines are being increased. I mean, it's just kind of a colour commentary on what's happening in the bill.

What it doesn't explain is why this has to happen. I asked the sponsor of the bill, for example, what the reasoning was behind having the fines go from a hundred dollars to a thousand dollars or from \$500 to \$5,000. It seemed a bit steep to me. I wondered what had caused this that there would need to be such a leap. Now, earlier tonight I heard that some other bill – sorry; I don't remember – was being changed because really there wasn't a cost of living factored into the fines, to which I said: well, then, factor it in. I mean, you change the bill here; if that's your concern, you know, write it in that every five years there'll be a cost-of-living increase to the fines that are mentioned in the bills. But there's no explanation here. It just goes from a hundred to a thousand and from \$500 to \$5,000. I couldn't get the sponsor of the bill or the minister to tell me why it had to increase that much.

I'm really uneasy about how uncertain the bill is and the minister is about the FOIP application here. They have stuff in the bill, but the minister – I believe it was the minister; I'm sorry if I've got the quote wrong – spoke to it – yeah, it was in the briefing note – and said: there may be a need to add provisions so that the collection, use, and disclosure of information regarding conduct and discipline reflect the current FOIP requirement for an enactment and the new more flexible discipline options. So they've put something in the bill, and they're not quite sure how it's going to work, which, especially around FOIP, frankly, makes me uneasy.

There is quite a large expansion of the Minister of Justice's scope and power around this. The number of times it says that "the Minister may, by regulation" or "subject to the Regulations" or "the Minister may, by regulation, establish a code of conduct" or it's done "in a manner determined by the Minister," just, you know, that "the Minister considers it appropriate to do so" or "a decision by the Minister . . . is final" – there's a lot that is being left out of the bill and up to the minister's say-so. I'm never comfortable when that happens because, inevitably, we get differing interpretations depending on who happens to be the minister of the day.

The last thing that was a little odd was the mandate and role of the review committees. Sorry, it's an advisory committee for the notaries and a review committee for the commissioners. Their mandate and role are actually contained in a completely separate document, not in regs and not in the act. Again, you know, put it in the act and fess up to it, or don't do it.

You know, I once had a piece of advice from Nick Taylor, who said: if you're not clear exactly on what's in this bill and the effect that it's going to have, don't support it. I find myself in that position with this bill. I've not been able to get any kind of substantial explanation for my questions, and I just don't know what's at play here. So I'm not willing to support it. That's not going to change the history, the outcome. But I think it's important that we do understand why we're doing something and that the minister or the sponsor of the bill is able to explain it, and all I heard in varying forms was: this is a good bill; support it. Not good enough.

Thank you.

**The Speaker:** Standing Order 29(2)(a) is available.

Seeing none, are there any other speakers? None?

**Some Hon. Members:** Question.

**The Speaker:** Hon. members, the question has been called on third reading of Bill 44, Notaries and Commissioners Act.

[Motion carried; Bill 44 read a third time]

**The Speaker:** The hon. Government House Leader.

**Mr. Hancock:** Thank you, Mr. Speaker. It has been a very productive session. It is now my privilege and pleasure to move pursuant to Government Motion 41, which was passed the other day by this House, that the business that we needed to accomplish has been accomplished and that the House stand adjourned.

[Motion carried; the Assembly adjourned at 1:17 a.m. pursuant to Government Motion 41]



## **Bill Status Report for the 28th Legislature - 1st Session (2012-2013)**

**Activity to December 05, 2013**

The Bill sponsor's name is in brackets following the Bill title. If it is a money Bill, (\$) will appear between the title and the sponsor's name. Numbers following each Reading refer to Hansard pages where the text of debates is found; dates for each Reading are in brackets following the page numbers. Bills numbered 1 to 199 are Government Bills. Bills numbered 200 or higher are Private Members' Public Bills. Bills numbered with a "Pr" prefix are Private Bills.

\*An asterisk beside a Bill number indicates an amendment was passed to that Bill; the Committee line shows the precise date of the amendment.

The date a Bill comes into force is indicated in square brackets after the date of Royal Assent. If a Bill comes into force "on proclamation," "with exceptions," or "on various dates," please contact Legislative Counsel, Alberta Justice, for details at (780) 427-2217. The chapter number assigned to the Bill is entered immediately following the date the Bill comes into force. SA indicates Statutes of Alberta; this is followed by the year in which it is included in the statutes, and its chapter number. Please note, Private Bills are not assigned chapter numbers until the conclusion of the Fall Sitzings.

### **1\* Workers' Compensation Amendment Act, 2012 (Redford)**

First Reading -- 8 (May 24, 2012 aft., passed)

Second Reading -- 177 (Oct. 23, 2012 eve.), 193-96 (Oct. 23, 2012 eve.), 233 (Oct. 24, 2012 eve., passed)

Committee of the Whole -- 336-39 (Oct. 29, 2012 eve.), 354-71 (Oct. 30, 2012 aft.), 373-80 (Oct. 30, 2012 eve., passed with amendments)

Third Reading -- 476-84 (Nov. 1, 2012 aft., passed on division)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force December 10, 2012; SA 2012 c8]

### **2\* Responsible Energy Development Act (Hughes)**

First Reading -- 207 (Oct. 24, 2012 aft., passed)

Second Reading -- 263 (Oct. 25, 2012 aft.), 424-43 (Oct. 31, 2012 aft.), 445-57 (Oct. 31, 2012 eve.), 526-46 (Nov. 5, 2012 eve., passed)

Committee of the Whole -- 563-71 (Nov. 6, 2012 aft.), 593 (Nov. 6, 2012 eve.), 644-48 (Nov. 7, 2012 aft.), 649-69 (Nov. 7, 2012 eve.), 731-53 (Nov. 19, 2012 eve.), 777-94 (Nov. 20, 2012 aft.), 795-853 (Nov. 20, 2012 eve.), 902-05 (Nov. 20, 2012 eve., passed on division, with amendments)

Third Reading -- 921-41 (Nov. 21, 2012 aft., passed on division)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on proclamation, with exceptions; SA 2012 cR-17.3]

### **3\* Education Act (J. Johnson)**

First Reading -- 155 (Oct. 23, 2012 aft., passed)

Second Reading -- 219-31 (Oct. 24, 2012 aft.), 238 (Oct. 24, 2012 eve., passed)

Committee of the Whole -- 380-407 (Oct. 30, 2012 eve., passed with amendments)

Third Reading -- 669 (Nov. 7, 2012 eve.), 688-94 (Nov. 8, 2012 aft.), 753-63 (Nov. 19, 2012 eve., passed on division)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on proclamation; SA 2012 cE-0.3]

### **4 Public Interest Disclosure (Whistleblower Protection) Act (Scott)**

First Reading -- 352-53 (Oct. 30, 2012 aft., passed)

Second Reading -- 423-24 (Oct. 31, 2012 aft.), 593-614 (Nov. 6, 2012 eve.), 627-44 (Nov. 7, 2012 aft., passed on division)

Committee of the Whole -- 975-80 (Nov. 22, 2012 aft.), 1057-74 (Nov. 27, 2012 aft.), 1075-101 (Nov. 27, 2012 eve.), 1127-137 (Nov. 28, 2012 aft.), 1139-161 (Nov. 28, 2012 eve., passed)

Third Reading -- 1161-166 (Nov. 28, 2012 eve., passed on division)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on proclamation; SA 2012 cP-39.5]

### **5 New Home Buyer Protection Act (Griffiths)**

First Reading -- 261 (Oct. 25, 2012 aft., passed)

Second Reading -- 354 (Oct. 30, 2012 aft.), 457-59 (Oct. 31, 2012 eve., passed)

Committee of the Whole -- 546-49 (Nov. 5, 2012 eve.), 571-83 (Nov. 6, 2012 aft.), 585-93 (Nov. 6, 2012 eve., passed)

Third Reading -- 853-55 (Nov. 20, 2012 eve., passed)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on proclamation; SA 2012 cN-3.2]

### **6 Protection and Compliance Statutes Amendment Act, 2012 (Jeneroux)**

First Reading -- 155 (Oct. 23, 2012 aft., passed)

Second Reading -- 209 (Oct. 24, 2012 aft.), 264 (Oct. 25, 2012 aft., passed)

Committee of the Whole -- 459-62 (Oct. 31, 2012 eve., passed)

Third Reading -- 855-56 (Nov. 20, 2012 eve., passed)

Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on various dates; SA 2012 c7]

- 7\* Election Accountability Amendment Act, 2012 (Denis)**  
First Reading -- 774 (Nov. 20, 2012 aft., passed)  
Second Reading -- 972-75 (Nov. 22, 2012 aft.), 1015-41 (Nov. 26, 2012 eve., passed)  
Committee of the Whole -- 1166-167 (Nov. 28, 2012 eve.), 1191-92 (Nov. 29, 2012 aft.), 1221-43 (Dec. 3, 2012 eve.), 1261-79 (Dec. 4, 2012 aft.), 1281-1300 (Dec. 4, 2012 eve., passed, with amendments)  
Third Reading -- 1315-37 (Dec. 5, 2012 aft., passed on division)  
Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on various dates; SA 2012 c5]
- 8 Electric Utilities Amendment Act, 2012 (Hughes)**  
First Reading -- 156 (Oct. 23, 2012 aft., passed)  
Second Reading -- 233 (Oct. 24, 2012 eve.), 316-36 (Oct. 29, 2012 eve., passed)  
Committee of the Whole -- 857-902 (Nov. 20, 2012 eve.), 943-53 (Nov. 21, 2012 eve., passed)  
Third Reading -- 953-56 (Nov. 21, 2012 eve., passed)  
Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force December 10, 2012; SA 2012 c6]
- 9 Alberta Corporate Tax Amendment Act, 2012 (\$) (Horner)**  
First Reading -- 156 (Oct. 23, 2012 aft., passed)  
Second Reading -- 209-10 (Oct. 24, 2012 aft.), 272 (Oct. 25, 2012 aft.), 311-16 (Oct. 29, 2012 eve., passed)  
Committee of the Whole -- 462 (Oct. 31, 2012 eve., passed)  
Third Reading -- 856-57 (Nov. 20, 2012 eve., passed)  
Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on various dates, SA 2012 c4]
- 10 Employment Pension Plans Act (Kennedy-Glans)**  
First Reading -- 261 (Oct. 25, 2012 aft., passed)  
Second Reading -- 521-26 (Nov. 5, 2012 eve., passed)  
Committee of the Whole -- 668-69 (Nov. 7, 2012 eve., passed)  
Third Reading -- 857 (Nov. 20, 2012 eve., passed)  
Royal Assent -- (Dec. 10, 2012 outside of House sitting) [Comes into force on proclamation; SA 2012 cE-8.1]
- 11 Appropriation (Supplementary Supply) Act, 2013 (\$) (Horner)**  
First Reading -- 1424 (Mar. 6, 2013 aft., passed)  
Second Reading -- 1480-86 (Mar. 11, 2013 eve., passed)  
Committee of the Whole -- 1534-41 (Mar. 12, 2013 eve., passed)  
Third Reading -- 1583 (Mar. 13, 2013 aft.), 1559-60 (Mar. 13, 2013 eve., passed)  
Royal Assent -- (Mar. 21, 2013 outside of House sitting) [Comes into force March 21, 2013; SA 2013 c2]
- 12 Fiscal Management Act (\$) (Horner)**  
First Reading -- 1438 (Mar. 7, 2013 aft., passed)  
Second Reading -- 1479-80 (Mar. 11, 2013 eve.), 1560-78 (Mar. 13, 2013 aft.), 1579-83 (Mar. 13, 2013 eve.), 1785-90 (Apr. 11, 2013 aft.), 1877-85 (Apr. 18, 2013 aft., passed)  
Committee of the Whole -- 1967-78 (Apr. 23, 2013 eve), 1981-86 (Apr. 23, 2013 eve, passed), 2007-15 (Apr. 24, 2013 aft.)  
Third Reading -- 2027-35 (Apr. 24, 2013 eve., passed on division)  
Royal Assent -- (Apr. 29, 2013 outside of House sitting) [Comes into force April 29, 2013; SA 2013 cF-14.5]
- 13 Appropriation (Interim Supply) Act, 2013 (\$) (Horner)**  
First Reading -- 1456 (Mar. 11, 2013 aft., passed)  
Second Reading -- 1527-34 (Mar. 12, 2013 eve.), 1556 (Mar. 13, 2013 aft., passed)  
Committee of the Whole -- 1583 (Mar. 13, 2013 eve., passed)  
Third Reading -- 1695-1700 (Mar. 21, 2013 aft.), 1695-1700 (Mar. 21, 2013 aft., passed)  
Royal Assent -- (Mar. 21, 2013 outside of House sitting) [Comes into force March 21, 2013; SA 2013 c1]
- 14 RCMP Health Coverage Statutes Amendment Act, 2013 (VanderBurg)**  
First Reading -- 1690 (Mar. 21, 2013 aft., passed)  
Second Reading -- 1875 (Apr. 18, 2013 aft.), 1925-27 (Apr. 22, 2013 eve., passed)  
Committee of the Whole -- 1966-67 (Apr. 23, 2013 eve., passed)  
Third Reading -- 1986 (Apr. 23, 2013 eve., passed)  
Royal Assent -- (Apr. 29, 2013 outside of House sitting) [Comes into force April 1, 2013; SA 2013 c4]
- 15 Emergency 911 Act (\$) (Weadick)**  
First Reading -- 1762 (Apr. 10, 2013 aft., passed)  
Second Reading -- 1875-76 (Apr. 18, 2013 aft.), 1953-58 (Apr. 23, 2013 aft., passed)  
Committee of the Whole -- 2040 (Apr. 24, 2013 eve., passed)  
Third Reading -- 2130-31 (May 6, 2013 eve., passed)  
Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force on proclamation; SA 2013 cE-7.5]

**16 Victims Statutes Amendment Act, 2013 (\$) (Denis)**

First Reading -- 1762-63 (Apr. 10, 2013 aft., passed)

Second Reading -- 1958-61 (Apr. 23, 2013 aft.), 1963-67 (Apr. 23, 2013 eve., passed)

Committee of the Whole -- 2040 (Apr. 24, 2013 eve., passed)

Third Reading -- 2063-65 (Apr. 25, 2013 aft., passed)

Royal Assent -- (Apr. 29, 2013 outside of House sitting) [Comes into force on proclamation; SA 2013 c5]

**17 Municipal Government Amendment Act, 2013 (Kubinec)**

First Reading -- 1779 (Apr. 11, 2013 aft., passed)

Second Reading -- 2123-25 (May 6, 2013 eve., passed)

Committee of the Whole -- 2161-64 (May 7, 2013 aft.), 2172-76 (May 7, 2013 eve., passed)

Third Reading -- 2176 (May 7, 2013 eve., passed)

Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force May 27, 2013; SA 2013 c9]

**18 Pooled Registered Pension Plans Act (Fawcett)**

First Reading -- 1873 (Apr. 18, 2013 aft., passed)

Second Reading -- 2125-30 (May 6, 2013 eve., passed)

Committee of the Whole -- 2151-57 (May 7, 2013 aft., passed)

Third Reading -- 2169-71 (May 7, 2013 eve., passed)

Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force on proclamation; SA 2013 cP-18.5]

**19 Metis Settlements Amendment Act, 2013 (Campbell)**

First Reading -- 1803 (Apr. 15, 2013 aft., passed)

Second Reading -- 1876-77 (Apr. 18, 2013 aft.), 2021-27 (Apr. 24, 2013 eve., passed)

Committee of the Whole -- 2101-23 (May 6, 2013 eve., passed)

Third Reading -- 2131-32 (May 6, 2013 eve., passed)

Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force May 27, 2013; SA 2013 c8]

**20 Appropriation Act, 2013 (\$) (Horner)**

First Reading -- 1925 (Apr. 22, 2013 eve., passed)

Second Reading -- 1943-52 (Apr. 23, 2013 aft.), 1978-81 (Apr. 23, 2013 eve., passed)

Committee of the Whole -- 2015-19 (Apr. 24, 2013 aft.), 2035-39 (Apr. 24, 2013 eve., passed)

Third Reading -- 2057-63 (Apr. 25, 2013 aft., passed)

Royal Assent -- (Apr. 29, 2013 outside of House sitting) [Comes into force April 29, 2013; SA 2013 c3]

**21 Environmental Protection and Enhancement Amendment Act, 2013 (Jansen)**

First Reading -- 2055 (Apr. 25, 2013 aft., passed)

Second Reading -- 2123 (May 6, 2013 eve.), 2157-61 (May 7, 2013 aft., passed)

Committee of the Whole -- 2165-68 (May 7, 2013 eve., passed)

Third Reading -- 2229-34 (May 8, 2013 eve.), 2238-55 (May 8, 2013 eve., passed)

Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force on proclamation; SA 2013 c7]

**22 Aboriginal Consultation Levy Act (\$) (Campbell)**

First Reading -- 2191-92 (May 8, 2013 aft., passed)

Second Reading -- 2275-83 (May 9, 2013 aft.), 2321-342 (May 13, 2013 eve., passed)

Committee of the Whole -- 2413-442 (May 14, 2013 eve., passed)

Third Reading -- 2468-478 (May 15, 2013 aft., passed)

Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force on proclamation; SA 2013; cA-1.2]

**23 Tax Statutes Amendment Act, 2013 (Horner)**

First Reading -- 2080 (May 6, 2013 aft., passed)

Second Reading -- 2150 (May 7, 2013 aft.), 2165 (May 7, 2013 eve., passed)

Committee of the Whole -- 2168 (May 7, 2013 eve., passed)

Third Reading -- 2172 (May 7, 2013 eve., passed)

Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force May 27, 2013, with exceptions; SA 2013 c11]

**24 Statutes Amendment Act, 2013 (Bhullar)**

First Reading -- 2080 (May 6, 2013 aft., passed)

Second Reading -- 2150-51 (May 7, 2013 aft.), 2171-72 (May 7, 2013 eve.), 2157-61 (May 7, 2013 eve.), 2234-38 (May 8, 2013 eve., passed)

Committee of the Whole -- 2255-58 (May 8, 2013 eve., passed)

Third Reading -- 2273-75 (May 9, 2013 aft., passed)

Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force May 27, 2013, with exceptions; SA 2013 c10]

- 25\* Children First Act (\$) (Hancock)**  
First Reading -- 2145 (May 7, 2013 aft., passed)  
Second Reading -- 2194-2212 (May 8, 2013 aft.), 2213-29 (May 8, 2013 eve., passed on division)  
Committee of the Whole -- 2342-375 (May 13, 2013 eve., passed with amendments)  
Third Reading -- 2408-410 (May 14, 2013 aft., passed)  
Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force on proclamation; SA 2013 cC-12.5]
- 26 Assurance for Students Act (J. Johnson)**  
First Reading -- 2394 (May 14, 2013 aft., passed)  
Second Reading -- 2403-408 (May 14, 2013 aft., passed)  
Committee of the Whole -- 2442-444 (May 14, 2013 eve., passed)  
Third Reading -- 2464-468 (May 15, 2013 aft., passed)  
Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force May 27, 2013; SA 2013 cA-44.8]
- 27 Flood Recovery and Reconstruction Act (Griffiths)**  
First Reading -- 2495 (Oct. 28, 2013 aft., passed)  
Second Reading -- 2549-50 (Oct. 29, 2013 eve.), 2584-94 (Oct. 30, 2013 aft.), 2706-14 (Nov. 4, 2013 eve., passed)  
Committee of the Whole -- 2732-44 (Nov. 5, 2013 aft.), 2749-71 (Nov. 5, 2013 eve.), 2796-808 (Nov. 6, 2013 aft.), 2809-19 (Nov. 6, 2013 eve., passed)  
Third Reading -- 3083-87 (Nov. 25, 2013 eve.), 3128-41 (Nov. 26, 2013 eve., passed)
- 28\* Enabling Regional Growth Boards Act (Griffiths)**  
First Reading -- 2495 (Oct. 28, 2013 aft., passed)  
Second Reading -- 2550 (Oct. 29, 2013 eve.), 2594-601 (Oct. 30, 2013 aft.), 2603-641 (Oct. 30, 2013 eve., passed)  
Committee of the Whole -- 3209-12 (Nov. 28, 2013 aft), 3345-46 (Dec. 3, 2013 eve., passed with amendments)  
Third Reading -- 3417-22 (Dec. 4, 2013 eve., passed on division)
- 29 Pharmacy and Drug Amendment Act, 2013 (Horne)**  
First Reading -- 2495-6 (Oct. 28, 2013 aft., passed)  
Second Reading -- 2534 (Oct. 29, 2013 aft.), 2550-60 (Oct. 29, 2013 eve., passed)  
Committee of the Whole -- 2705-6 (Nov. 4, 2013 eve., passed)  
Third Reading -- 2771 (Nov. 5, 2013 eve., passed)  
Royal Assent -- (Nov. 7, 2013 outside of House sitting) [Comes into force December 19, 2013; SA 2013 c13]
- 30\* Building Families and Communities Act (\$) (Hancock)**  
First Reading -- 2581 (Oct. 30, 2013 aft., passed)  
Second Reading -- 2788-96 (Nov. 6, 2013 aft., passed)  
Committee of the Whole -- 2937-60 (Nov. 19, 2013 eve., passed with amendments)  
Third Reading -- 3146-50 (Nov. 26, 2013 eve., passed)
- 31 Protecting Alberta's Environment Act (\$) (McQueen)**  
First Reading -- 2496 (Oct. 28, 2013 aft., passed)  
Second Reading -- 2544-7 (Oct. 29, 2013 aft.), 2560-6 (Oct. 29, 2013 eve.), 2657-65 (Oct. 31, 2013 aft.), 2703-5 (Nov. 4, 2013 eve., passed)  
Committee of the Whole -- 2744-7 (Nov. 5, 2013 aft.), 2749-71 (Nov. 5, 2013 eve., passed)  
Third Reading -- 2819-24 (Nov. 6, 2013 eve.), 2848-49 (Nov. 7, 2013 aft.), 2895 (Nov. 18, 2013 eve., passed)
- 32 Enhancing Safety on Alberta Roads Act (McIver)**  
First Reading -- 2526 (Oct. 29, 2013 aft., passed)  
Second Reading -- 2583-4 (Oct. 30, 2013 aft.), 2886-91 (Nov. 18, 2013 eve., passed)  
Committee of the Whole -- 3081-83 (Nov. 25, 2013 eve., passed)  
Third Reading -- 3124-26 (Nov. 26, 2013 aft., passed)
- 33 Tobacco Reduction Amendment Act, 2013 (Rodney)**  
First Reading -- 2837 (Nov. 7, 2013 aft., passed)  
Second Reading -- 2885 (Nov. 18, 2013 eve.), 2981-87 (Nov. 20, 2013 aft., passed)  
Committee of the Whole -- 3075-81 (Nov. 25, 2013 eve., passed)  
Third Reading -- 3174-84 (Nov. 27, 2013 aft.), 3185-88 (Nov. 27, 2013 eve., passed)
- 34 Building New Petroleum Markets Act (\$) (Hughes)**  
First Reading -- 2786 (Nov. 6, 2013 aft., passed)  
Second Reading -- 2846 (Nov. 7, 2013 aft.), 2913-27 (Nov. 19, 2013 aft., passed)  
Committee of the Whole -- 2997-3010 (Nov. 20, 2013 eve., passed)  
Third Reading -- 3087-90 (Nov. 25, 2013 eve., passed)

- 35 Financial Administration Amendment Act, 2013 (Horner)**  
First Reading -- 2678 (Nov. 4, 2013 aft., passed)  
Second Reading -- 2731-2 (Nov. 5, 2013 aft.), 2928-31 (Nov. 19, 2013 aft.), 2933-37 (Nov. 19, 2013 eve., passed)  
Committee of the Whole -- 2993 (Nov. 20, 2013 aft., passed)  
Third Reading -- 3029-39 (Nov. 21, 2013 aft., passed)
- 36 Appropriation (Supplementary Supply) Act, 2013 (No. 2) (\$) (Horner)**  
First Reading -- 3125 (Nov. 26, 2013 aft., passed)  
Second Reading -- 3170-74 (Nov. 27, 2013 aft.), 3191 (Nov. 27, 2013 eve., passed)  
Committee of the Whole -- 3304-06 (Dec. 3, 2013 aft., passed)  
Third Reading -- 3370-72 (Dec. 4, 2013 aft., passed)
- 37 Statutes Repeal Act (\$) (Denis)**  
First Reading -- 2786 (Nov. 6, 2013 aft., passed)  
Second Reading -- 2846-47 (Nov. 7, 2013 aft.), 2891-94 (Nov. 18, 2013 eve.), 2960 (Nov. 19, 2013 eve., passed)  
Committee of the Whole -- 2993-96 (Nov. 20, 2013 aft., passed)  
Third Reading -- 3039 (Nov. 21, 2013 aft.), 3091 (Nov. 25, 2013 eve., passed)
- 38 Statutes Amendment Act, 2013 (No. 2) (\$) (Denis)**  
First Reading -- 2837-38 (Nov. 7, 2013 aft., passed)  
Second Reading -- 2885-86 (Nov. 18, 2013 eve.), 2960-62 (Nov. 19, 2013 eve., passed)  
Committee of the Whole -- 2996 (Nov. 20, 2013 aft., passed)  
Third Reading -- 3091-92 (Nov. 25, 2013 eve., passed)
- 39 Enhancing Consumer Protection in Auto Insurance Act (Horner)**  
First Reading -- 2786 (Nov. 6, 2013 aft., passed)  
Second Reading -- 2847-48 (Nov. 7, 2013 aft.), 2987-90 (Nov. 20, 2013 aft., passed)  
Committee of the Whole -- 3127-28 (Nov. 26, 2013 eve., passed)  
Third Reading -- 3188-89 (Nov. 27, 2013 eve., passed)
- 40 Settlement of International Investment Disputes Act (Quadri)**  
First Reading -- 2678-9 (Nov. 4, 2013 aft., passed)  
Second Reading -- 2732 (Nov. 5, 2013 aft.), 2990-93 (Nov. 20, 2013 aft., passed)  
Committee of the Whole -- 3141-42 (Nov. 26, 2013 eve., passed)  
Third Reading -- 3189-90 (Nov. 27, 2013 eve., passed)
- 41 Premier's Council on the Status of Persons with Disabilities Amendment Act, 2013 (Oberle)**  
First Reading -- 2727 (Nov. 5, 2013 aft., passed)  
Second Reading -- 2787-8 (Nov. 6, 2013 aft.), 2896-98 (Nov. 18, 2013 eve., passed)  
Committee of the Whole -- 3142-46 (Nov. 26, 2013 eve., passed)  
Third Reading -- 3191 (Nov. 27, 2013 eve., passed)
- 42 Securities Amendment Act, 2013 (Horner)**  
First Reading -- 3164 (Nov. 27, 2013 aft., passed)  
Second Reading -- 3257 (Dec. 2, 2013 eve.), 3348-49 (Dec. 3, 2013 eve., passed)
- 43 Alberta Economic Development Authority Amendment Act, 2013 (Lukaszuk)**  
First Reading -- 2727 (Nov. 5, 2013 aft., passed)  
Second Reading -- 2788 (Nov. 6, 2013 aft.), 2898 (Nov. 18, 2013 eve.), 2927-28 (Nov. 19, 2013 aft., passed)  
Committee of the Whole -- 3010-14 (Nov. 20, 2013 eve., passed)  
Third Reading -- 3090-91 (Nov. 25, 2013 eve., passed)
- 44 Notaries and Commissioners Act (Olesen)**  
First Reading -- 2976 (Nov. 20, 2013 aft., passed)  
Second Reading -- 3028-29 (Nov. 21, 2013 aft.), 3190 (Nov. 27, 2013 eve., passed)  
Committee of the Whole -- 3350-52 (Dec. 3, 2013 eve., passed)  
Third Reading -- 3422-3424 (Dec. 4, 2013 eve., passed)
- 45 Public Sector Services Continuation Act (Hancock)**  
First Reading -- 3165 (Nov. 27, 2013 aft., passed)  
Second Reading -- 3212-16 (Nov. 28, 2013 aft.), 3261-75 (Dec. 2, 2013 eve., passed on division)  
Committee of the Whole -- 3308-12 (Dec. 3, 2013 aft.), 3318-22 (Dec. 3, 2013 aft.), 3323-31 (Dec. 3, 2013 eve., passed)  
Third Reading -- 3372-82 (Dec. 4, 2013 aft.), 3389-403 (Dec. 4, 2013 eve., passed on division)

- 46 Public Service Salary Restraint Act (Horner)**  
 First Reading -- 3165 (Nov. 27, 2013 aft., passed)  
 Second Reading -- 3254-56 (Dec. 2, 2013 eve.), 3275-90 (Dec. 2, 2013 eve., passed on division)  
 Committee of the Whole -- 3306-08 (Dec. 3, 2013 aft.), 3317-18 (Dec. 3, 2013 aft.), 3331-45 (Dec. 3, 2013 eve., passed on division)  
 Third Reading -- 3382-86 (Dec. 4, 2013 aft.), 3403-16 (Dec. 4, 2013 eve., passed on division)
- 201\* Scrap Metal Dealers and Recyclers Identification Act (Quest)**  
 First Reading -- 92 (May 30, 2012 aft., passed)  
 Second Reading -- 291-301 (Oct. 29, 2012 aft., passed)  
 Committee of the Whole -- 716-22 (Nov. 19, 2012 aft.), 1725-26 (Apr. 8, 2013 aft., passed with amendments)  
 Third Reading -- 1726-27 (Apr. 8, 2013 aft., passed)  
 Royal Assent -- (Apr. 29, 2013 outside of House sitting) [Comes into force on proclamation; SA 2013 cS-3.5]
- 202 Public Lands (Grasslands Preservation) Amendment Act, 2012 (Brown)**  
 First Reading -- 130 (May 31, 2012 aft., passed)  
 Second Reading -- 501-13 (Nov. 5, 2012 aft.), 1723-25 (Apr. 8, 2013 aft., defeated on division)
- 203 Employment Standards (Compassionate Care Leave) Amendment Act, 2012 (Jeneroux)**  
 First Reading -- 473 (Nov. 1, 2012 aft., passed)  
 Second Reading -- 1900 (Apr. 22, 2013 aft., passed)  
 Committee of the Whole -- 2298-303 (May 13, 2013 aft., passed)  
 Third Reading -- 2303 (May 13, 2013 aft., passed)  
 Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force on proclamation; SA 2013 c6]
- 204 Irlen Syndrome Testing Act (Jablonski)**  
 First Reading -- 968 (Nov. 22, 2012 aft., passed), 1912 (Apr. 22, 2013 aft., referred to Standing Committee on Families and Communities), (Oct. 28, 2013 aft., motion to concur in report), (Nov. 4, 2013 aft., reported to Assembly, not proceeded with)
- 205 Fisheries (Alberta) Amendment Act, 2012 (Calahasen)**  
 First Reading -- 1117 (Nov. 28, 2012 aft., passed), 1913 (Apr. 22, 2013 aft., referred to Standing Committee on Resource Stewardship), (Oct. 28, 2013 aft., motion to concur in report), (Nov. 4, 2013 aft., reported to Assembly, not proceeded with)
- 206\* Tobacco Reduction (Flavoured Tobacco Products) Amendment Act, 2013 (Cusanelli)**  
 First Reading -- 1350-51 (Dec. 6, 2012 aft., passed)  
 Second Reading -- 2303-312 (May 13, 2013 aft., passed)  
 Committee of the Whole -- 2687-94 (Nov. 4, 2013 aft.), 2865-73 (Nov. 18, 2013 aft., passed with amendments)  
 Third Reading -- 3062-66 (Nov. 25, 2013 aft., passed on division)
- 207\* Human Tissue and Organ Donation Amendment Act, 2013 (Webber)**  
 First Reading -- 1690 (Mar. 21, 2013 aft., passed), 2375 (May 13, 2013 eve., moved to Government Bills and Orders)  
 Second Reading -- 2395-403 (May 14, 2013 aft., passed)  
 Committee of the Whole -- 2534-44 (Oct. 29, 2013 aft.), 2566-8 (Oct. 29, 2013 eve., passed with amendments)  
 Third Reading -- 2566-8 (Oct. 29, 2013 eve., passed)  
 Royal Assent -- (Nov. 7, 2013 outside of House sitting) [Comes into force November 7, 2013; SA 2013 c12]
- 208 Seniors' Advocate Act (Towle)**  
 First Reading -- 1315 (Dec. 5, 2012 aft., passed)  
 Second Reading -- 2873-83 (Nov. 18, 2013 aft.), 3067 (Nov. 25, 2013 aft.), 3235-45 (Dec. 2, 2013 aft., adjourned)
- 209 Severance and Bonus Limitation Statutes Amendment Act, 2013 (Anderson)**  
 First Reading -- 2976 (Nov. 20, 2013 aft., passed)
- 211 Education (International Language Programs) Amendment Act, 2013 (Luan)**  
 First Reading -- 3230 (Dec. 2, 2013 aft., passed)
- Pr1\* Church of Jesus Christ of Latter-day Saints in Canada Act (Dorward)**  
 First Reading -- 1999 (Apr. 24, 2013 aft., passed)  
 Second Reading -- 2410-411 (May 14, 2013 aft., passed)  
 Committee of the Whole -- 2445-446 (May 14, 2013 eve., passed with amendments)  
 Third Reading -- 2478 (May 15, 2013 aft., passed)  
 Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force May 27, 2013]

**Pr2\*      Wild Rose Agricultural Producers Amendment Act, 2013 (McDonald)**

First Reading -- 1999 (Apr. 24, 2013 aft., passed)

Second Reading -- 2413 (May 14, 2013 eve, passed)

Committee of the Whole -- 2445 (May 14, 2013 eve., passed with amendments)

Third Reading -- 2478 (May 15, 2013 aft., passed)

Royal Assent -- (May 27, 2013 outside of House sitting) [Comes into force May 27, 2013]





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# **Alberta Hansard 2012-2014** **(28<sup>th</sup> Legislature, First Session)** **Index**

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**NOTE:** *Tabled documents, indicated in the index as (tabled), are listed in the Sessional Papers for this session.*

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**Second fall sitting: 19 days, 14 evenings**

## Main Estimates 2013-14

The main estimates (budget) for 2013 are all being considered in the legislative policy committees. Below is a list of ministries, the schedule of debate, and links to posted transcripts. At 9:30 p.m. on April 22 Committee of Supply will meet.

<i>Ministry</i>	<i>Committee</i>	<i>Meeting Date</i>
Executive Council	<a href="#">Alberta's Economic Future</a>	<a href="#">April 15 evening</a> (2 hours)
Aboriginal Relations	<a href="#">Resource Stewardship</a>	<a href="#">March 20 morning</a> (2 hours)
Agriculture and Rural Development	<a href="#">Alberta's Economic Future</a>	<a href="#">April 22 evening</a> (2 hours)
Culture	<a href="#">Families and Communities</a>	<a href="#">April 22 evening</a> (2 hours)
Education	<a href="#">Families and Communities</a>	<a href="#">March 19 afternoon</a> (3 hours)
		<a href="#">March 20 afternoon</a> (3 hours)
Energy	<a href="#">Resource Stewardship</a>	<a href="#">April 8 evening</a> (3 hours)
		<a href="#">April 9 afternoon</a> (3 hours)
Enterprise and Advanced Education	<a href="#">Alberta's Economic Future</a>	<a href="#">April 10 evening</a> (3 hours)
Environment and Sustainable Resource Development	<a href="#">Resource Stewardship</a>	<a href="#">April 15 evening</a> (3 hours)
		<a href="#">April 16 afternoon</a> (3 hours)
Health	<a href="#">Families and Communities</a>	<a href="#">April 16 evening</a> (3 hours)
		<a href="#">April 17 afternoon</a> (3 hours)
Human Services	<a href="#">Families and Communities</a>	<a href="#">April 10 morning</a> (3 hours)
		<a href="#">April 10 afternoon</a> (3 hours)
Infrastructure	<a href="#">Alberta's Economic Future</a>	<a href="#">April 10 morning</a> (2 hours)
International and Intergovernmental Relations	<a href="#">Alberta's Economic Future</a>	<a href="#">April 17 morning</a> (2 hours)
Justice and Solicitor General	<a href="#">Families and Communities</a>	<a href="#">April 8 evening</a> (3 hours)
		<a href="#">April 9 evening</a> (3 hours)
Municipal Affairs	<a href="#">Resource Stewardship</a>	<a href="#">April 17 morning</a> (2 hours)
		<a href="#">April 17 evening</a> (3 hours)
Service Alberta	<a href="#">Families and Communities</a>	<a href="#">March 18, evening</a> (3 hours)
Tourism, Parks and Recreation	<a href="#">Alberta's Economic Future</a>	<a href="#">March 20 morning</a> (2 hours)
Transportation	<a href="#">Resource Stewardship</a>	<a href="#">March 20 evening</a> (3 hours)
Treasury Board and Finance	<a href="#">Resource Stewardship</a>	<a href="#">March 18, evening</a> (3 hours)
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 National 4-H Month, members' statements on ... *Fenske* 2784; *Kubinec* 773  
 Premier's award winner, Jacob Onyschuk, members' statements on ... *Dorward* 2054

**511 Alberta**

See **Road construction: Safety initiatives**

**911 emergency phone line**

See **Emergency 911 Act (Bill 15)**

**AADL**

See **Alberta aids to daily living**

**AAMDC**

See **Alberta Association of Municipal Districts and Counties; Municipalities**

**ABC**

See **Government agencies, boards, and commissions**

**ABMI**

See **Alberta Biodiversity Monitoring Institute**

**Aboriginal children**

Programs and services ... *Bilous* 3200; *Campbell* 3200  
 Sports program participation ... *Calahasen* 2076–77; *Starke* 2076–77

**Aboriginal children – Education**

Memorandum of understanding ... *Campbell* 1435; *Dorward* 1435

**Aboriginal children – Protective services**

Children in care ... *Hancock* 558–59; *Notley* 558  
 Deaths of children in care [*See also Children – Protective services: Deaths of children in care*];  
*Bilous* 3200; *Hancock* 3097, 3200; *Sherman* 3097

**Aboriginal Consultation Levy Act (Bill 22)**

First reading ... *Campbell* 2191–92  
 Second reading ... *Anglin* 2329–30; *Bilous* 2325–27; *Campbell* 2275; *Hale* 2323–24; *Mason* 2328–29; *Smith* 2275–79, 2327, 2329; *Swann* 2324–25  
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 Second reading, amendment to not now read (6-month hoist) ... *Anderson* 2337, 2338; *Anglin* 2330–31; *Barnes* 2338; *Bikman* 2336; *Bilous* 2334–35; *Blakeman* 2336–37, 2341; *Donovan* 2335; *Fraser* 2331; *Hale* 2339; *Hancock* 2339–41; *Mason* 2333; *Notley* 2338–39; *Smith* 2331–34; *Swann* 2335  
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*Note: Main estimates 2013-14 were debated in the Standing Committee on Resource Stewardship. See <http://www.assembly.ab.ca/committees/resourcestewardship/index.html>*

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*Note: Main estimates 2013-14 were debated in the Standing Committee on Alberta's Economic Future. See <http://www.assembly.ab.ca/committees/abeconomicfuture/index.html>*

Funding from supplementary supply ... *Blakeman* 3305

Main estimates 2013-14, amendment A1 (Donovan: defeated) ... *Donovan* 1921–22

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*Note: Main estimates 2013-14 were debated in the Standing Committee on Families and Communities. See <http://www.assembly.ab.ca/committees/familiesandcommunities/index.html>*

Grant programs ... *Blakeman* 2059–60

Main estimates 2013-14, amendment A2 (Pedersen: defeated) ... *Pedersen* 1922

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**Dept. of Education**

*Note: Main estimates 2013-14 were debated in the Standing Committee on Families and Communities. See <http://www.assembly.ab.ca/committees/familiesandcommunities/index.html>*

Funding from supplementary supply ... *Blakeman* 3305

Main estimates 2013-14, amendment A3 (McAllister: defeated) ... *McAllister* 1922

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Supplementary supply estimates 2012-13, expense, debate [*See also Supplementary supply estimates 2012-13*]; *Bilous* 1414–16; *Campbell* 1413–16, 1421; *Hehr* 1413; *McAllister* 1420–21

**Dept. of Education (continued)**

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**Dept. of Energy**

*Note: Main estimates 2013-14 were debated in the Standing Committee on Resource Stewardship. See <http://www.assembly.ab.ca/committees/resourcestewardship/index.html>*

Agreement with China ... *Dallas* 2491; *Luan* 2491  
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**Dept. of Enterprise and Advanced Education (ministry to December 12, 2013)**

*Note: Main estimates 2013-14 were debated in the Standing Committee on Alberta's Economic Future. See <http://www.assembly.ab.ca/committees/abeconomicfuture/index.html>*

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**Dept. of Environment and Sustainable Resource Development**

*Note: Main estimates 2013-14 were debated in the Standing Committee on Resource Stewardship. See <http://www.assembly.ab.ca/committees/resourcestewardship/index.html>*

Funding from supplementary supply ... *Blakeman* 3305  
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 Mandate ... *Notley* 932-33  
 Operating budget ... *Horner* 1442  
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**Dept. of Health**

*Note: Main estimates 2013-14 were debated in the Standing Committee on Families and Communities. See <http://www.assembly.ab.ca/committees/familiesandcommunities/index.html>*

Funding from supplementary supply ... *Blakeman* 3305-6  
 Main estimates 2013-14, amendment A8 (*Towle*: defeated) ... *Towle* 1923  
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**Dept. of Human Services**

*Note: Main estimates 2013-14 were debated in the Standing Committee on Families and Communities. See <http://www.assembly.ab.ca/committees/familiesandcommunities/index.html>*

Auditor General recommendations (Written Question 37: accepted) ... *Wilson* 2083  
 Main estimates 2013-14, amendment A9 (*Wilson*: defeated) ... *Wilson* 1923  
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**Dept. of Infrastructure**

*Note: Main estimates 2013-14 were debated in the Standing Committee on Alberta's Economic Future. See <http://www.assembly.ab.ca/committees/abeconomicfuture/index.html>*

Funding from supplementary supply ... *Blakeman* 3305  
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 Main estimates 2013-14 vote ... 1924  
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**Dept. of International and Intergovernmental Relations**

*Note: Main estimates 2013-14 were debated in the Standing Committee on Alberta's Economic Future. See <http://www.assembly.ab.ca/committees/abeconomicfuture/index.html>*

Main estimates 2013-14 vote ... 1924

**Dept. of Justice and Solicitor General**

*Note: Main estimates 2013-14 were debated in the Standing Committee on Families and Communities. See <http://www.assembly.ab.ca/committees/familiesandcommunities/index.html>*

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**Dept. of Municipal Affairs**

*Note: Main estimates 2013-14 were debated in the Standing Committee on Resource Stewardship. See <http://www.assembly.ab.ca/committees/resourcestewardship/index.html>*  
 Federal funding for disaster relief ... *McQueen* 1480  
 Main estimates 2013-14, amendment A11 (Rowe: defeated) ... *Rowe* 1923  
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**Dept. of Service Alberta**

*Note: Main estimates 2013-14 were debated in the Standing Committee on Families and Communities. See <http://www.assembly.ab.ca/committees/familiesandcommunities/index.html>*  
 Associate Minister of Accountability, Transparency and Transformation ... *Scott* 134; *Smith* 34; *Speech from the Throne* 6  
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**Dept. of Tourism, Parks and Recreation**

*Note: Main estimates 2013-14 were debated in the Standing Committee on Alberta's Economic Future. See <http://www.assembly.ab.ca/committees/abeconomicfuture/index.html>*

**Dept. of Tourism, Parks and Recreation** *(continued)*

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**Dept. of Transportation**

*Note: Main estimates 2013-14 were debated in the Standing Committee on Resource Stewardship. See <http://www.assembly.ab.ca/committees/resourcestewardship/index.html>*  
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*Note: Main estimates 2013-14 were debated in the Standing Committee on Resource Stewardship. See <http://www.assembly.ab.ca/committees/resourcestewardship/index.html>*  
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Committee, amendment A1 (municipal and school board election voter identification process) (*Weadick*: carried) ... *Weadick* 1166

Committee, amendment A2 (administrative penalties/sanctions) (*Saskiw*: defeated) ... *Anglin* 1221–24; *Bikman* 1222–23; *Casey* 1223; *Denis* 1221; *Donovan* 1224; *Eggen* 1223; *Hancock* 1224; *Saskiw* 1221, 1224

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Committee, amendment A3 (reporting of contributions) (*Hehr*: defeated) ... *Anglin* 1225–26; *Barnes* 1227; *Denis* 1225; *Donovan* 1226–27; *Eggen* 1227; *Hehr* 1224–25

Committee, amendment A4 (limit on corporate and union contributions of \$3,000) (*Eggen*: defeated) ... *Eggen* 1227–28; *Hehr* 1228

Committee, amendment A5 (Chief Electoral Officer requirement to serve administrative penalties or reprimands) (*Saskiw*: defeated) ... *Anglin* 1229–31; *Eggen* 1229; *Hancock* 1230–31, 1232; *Hehr* 1229; *Pedersen* 1230, 1231–32; *Saskiw* 1229, 1231, 1232

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Committee, amendment A7 (contribution limit for party leadership campaigns) (*Eggen*: defeated) ... *Anglin* 1234; *Bikman* 1234; *Denis* 1233–34; *Eggen* 1233; *Hehr* 1234

Committee, amendment A8 (publication of illegal donations going back three years) (*Saskiw*: defeated) ... *Anglin* 1235–36, 1238; *Barnes* 1236; *Bikman* 1236; *Denis* 1238; *Donovan* 1237, 1238; *Eggen* 1235; *Hehr* 1238; *McAllister* 1236–37; *Pedersen* 1238; *Saskiw* 1235, 1237–39

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Committee, amendment A13 (repeal section 32(3)(a), quarterly reporting) (*Saskiw*: defeated) ... *Anderson* 1261–62; *Anglin* 1264–65; *Denis* 1261; *Dorward* 1264; *Hancock* 1262; *Horner* 1263; *Notley* 1263–64; *Saskiw* 1260–61; *Towle* 1262–63

Committee, amendment A14 (ban on corporate donations) (*Saskiw*: defeated) ... *Anderson* 1266–68, 1277–79; *Anglin* 1273–75, 1281–82; *Bikman* 1275; *Casey* 1277; *Denis* 1266, 1272, 1281; *Dorward* 1275; *Fraser* 1273; *Notley* 1268–69; *Saskiw* 1265–66; *Swann* 1272–73; *Towle* 1269–72; *Wilson* 1275–77

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Royal Assent ... 27 May 2013 (outside of House sitting)

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Royal Assent ... 11 December 2013 (outside of House sitting)

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Royal Assent 11 December 2013 (outside of House sitting; comes into force on various dates)

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